City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST - Request for a Variance to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback FOR A PROPOSED TWO-STORY, 20,410 SQUARE FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

CC: 01/07/04

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	6	**Planning Commission Mtg.**	1
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN - DENIED – Motion carried with EVANS and DAVENPORT voting No

To be heard by the City Council on 1/7/2004.

NOTE: Motion for Approval subject to conditions by DAVENPORT failed with TRUESDELL, GOYNES, McSWAIN and NIGRO voting No.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearings opened on Item 25 [VAR-3291] and Item 26 [SDR-3289].

STEVE SWANTON, Planning and Development Department, briefly summarized the variance request and the site development plan review. He stated that the issue pertains to the size of the medical office building.

MINUTES – Continued:

With regard to front setbacks, the applicant has requested 15 feet where 25 feet is required. For the curbside setback, the applicant has requested 10 feet where 15 feet is required. The applicant is proposing a two-story building, 25-feet tall where currently there is a one-story, 20-foot maximum height restriction along Charleston Boulevard. MR. SWANTON stated that the applicant does not meet all the landscaping requirements, does not meet the Residential Adjacency Standards or the provisions for parking. Staff determined that the applicant is overbuilding on the site and therefore recommended denial on both applications.

MICHAEL SINGER, 520 South 4th Street, MICHAEL KAPLAN, the developer, 601 South Rancho Drive, and LEO DURAN, the builder, 3867 S. Valley View, appeared on behalf of the applicant. MR. SINGER described the proposed two-story building and remarked that the applicant concurs with all conditions. He further affirmed that the Nevada Division of Transportation (NDOT) has prohibited any driveway off Charleston Boulevard. MR. SINGER stated that he would be willing to work out the details with the Public Works Department relative to the egress and ingress from Cahlan Drive but felt a traffic analysis was not needed. As to the recommendations, their letter of justification cites the unique rectangular shape of the property. Given the present shape and condition, the site was approved for C-D zoning. However, the insert property required to make the parcel square-shaped was left residential. This will be the administrative office for one of the owners who also owns a number of medical office around town. There will be six employees and no invitees. The 7,000 square foot rehab facility is a Medicare facility. That means the majority of the employees are brought by van from a treatment facility. There would be a maximum of four patients' cars at any one time. Therefore, he projected that only 30 of the 57 mandatory parking spaces as a result of the first floor uses are truly needed. Under normal circumstances parking would be adequate.

MR. SINGER added that the setback encroachment would be screened by the fully mature trees shown in the landscaping plan. Those tightly set trees will screen even the top of the building. The building height is actually 20 feet above surface with 4 feet below surface. The parapet creates the height encroachment. The building on the west of Cahlan is equal in height as a result of the west/east slope at Charleston. Across the street, on the north side of Charleston, a four-story building was approved. He presented photographs of the site as it has existed for 40 years. To create an attractive and compatible building of this quality, it is not economically feasible to construct a smaller building.

KENNETH TRACHT, 3008 Lantern Lane, explained that his office would be adjacent to this building. The building is great except that it exceeds the one-story limit.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 25 – VAR-3291

MINUTES – Continued:

ERNIE FREGGIARO, 2480 E. Tompkins, appeared on behalf of EDWARD and SUSAN WEINSTEIN, owners of the notch property adjacent to the development. Although they do not live in the home, they are concerned with the impact on property values and establishing a precedent. COMMISSIONER McSWAIN confirmed that the WEINSTEIN property is directly south of the proposed parking. MR. FREGGIARO raised a question about NDOT denying access to Charleston.

PETER VALLE, owner of property to the west, 2801 W. Charleston, welcomed the project as designed to correct a mess and improve the street.

RUTH ABDO, 2812 Ashby Avenue, expressed a concern with access via Cahlan, through the community. She questioned the hours and inpatient versus outpatient care. The crosswalk for the West Charleston School is just down the street from where this building would be. It would impact the neighborhood, including the one-acre or greater residential estates on Ashby.

MR. SINGER replied that this is a day facility, probably hours 9:00 a.m. to 5:00 or 6:00 p.m. The rehab center is limited by Medicare as to the number of patients at any given time. That will insure the statements as to parking needs.

COMMISSIONER McSWAIN ascertained with MR. SWANTON that the commercial development standards limit both the height and restricts structures fronting on Charleston between Rancho and Valley View to one-story. She stressed that she would like to see this type of quality development at this site. The setbacks are not significant, so long as the landscaping is adequate. The only issue would be the Charleston access. So long as access remained adjacent to a residential property, drawing traffic into the neighborhood, she could not support the application. All of the other components are mitigated or acceptable. MR. SINGER responded that the access issue would be addressed with staff as a condition of approval.

GINA VENGLASS, Public Works, outlined the need for NDOT approval of any Charleston access. However, that is usually permitted if there is an existing driveway accessing Charleston. MR. SINGER noted that the preference would be with Charleston access. MR. DURAN summarized meetings with the NDOT right-of-way supervisor where the proposed curb cut was absolutely rejected due to traffic volume.

MINUTES – Continued:

COMMISSIONER DAVENPORT stated that he lives nearby and the two-story restriction has only been in place for about eight years. There are numerous two-story buildings along Charleston, with even taller buildings on the north side of Charleston. GARY LEOBOLD, Planning and Development Department, clarified that a 2001 study addressed the height issue and the neighbors were adamant about maintaining that restriction. COMMISSIONER DAVENPORT agreed with MR. SINGER that the number of stories did not matter, this building would be between two taller buildings.

COMMISSIONER DAVENPORT and MR. SINGER absolutely concurred that resolving the access issue with NDOT would be a condition of approval. COMMISSIONER McSWAIN countered that she could not support even an exit only onto Cahlan because of the increased traffic hazards for the neighborhood. She also questioned the effect if the occupants and office use changed. That might create a future problem. DAVID CLAPSADDLE, Planning and Development Department, explained that the variance for parking would run with the land regardless of the occupants of the building. That uncertainty is staff's concern with granting parking variances. COMMISSIONER DAVENPORT pointed out that the occupant will be one of the owners of the building. Similar variances have been granted for specific uses. MR. CLAPSADDLE responded that in one instance a condition was imposed on the variance tying it to that specific use. The Commission may impose any reasonable condition.

COMMISSIONER NIGRO agreed with COMMISSIONER McSWAIN that the majority of the issues can be mitigated. The parking variance creates the greatest barrier. His experience is that this type of coverage is very significant. The project is a good use of the site, just overbuilt. MR. SINGER offered a restriction on the use of the first floor. CHAIRMAN TRUESDELL added that if the Commission makes a mistake as to onsite parking, the parking will move onto the residential streets. The building will also create a greater impact on Cahlan than the existing buildings with less density in the area. It could also set a precedent. In addition, the City invested a significant amount of work in the 2001 study.

COMMISSIONER DAVENPORT stated that ROBERT GENZER, Director of Planning and Development Department, had suggested the applications could be approved subject to a 2-year review. If parking were deficient at that time, the developer could be required to acquire additional parking. In the event that additional parking could not be obtained, the use permit would be revoked. COMMISSIONER McSWAIN noted that such a condition was imposed in the past where there was an obvious fix available. She would need to know where the fix would be for this $3 million project. MR. SINGER commented that there had never been a response from MR. WEINSTEIN to the offer to purchase an easement. That might be one way to extend the parking. The developer is willing to run the risk because of his certainty a study will support his belief. MR. KAPLAN repeated that Medicare restricts the number of patients that can be seen and the majority are transported by van. COMMISSIONER McSWAIN confirmed with MR. DURAN that there are only 12 employees.

MINUTES – Continued:

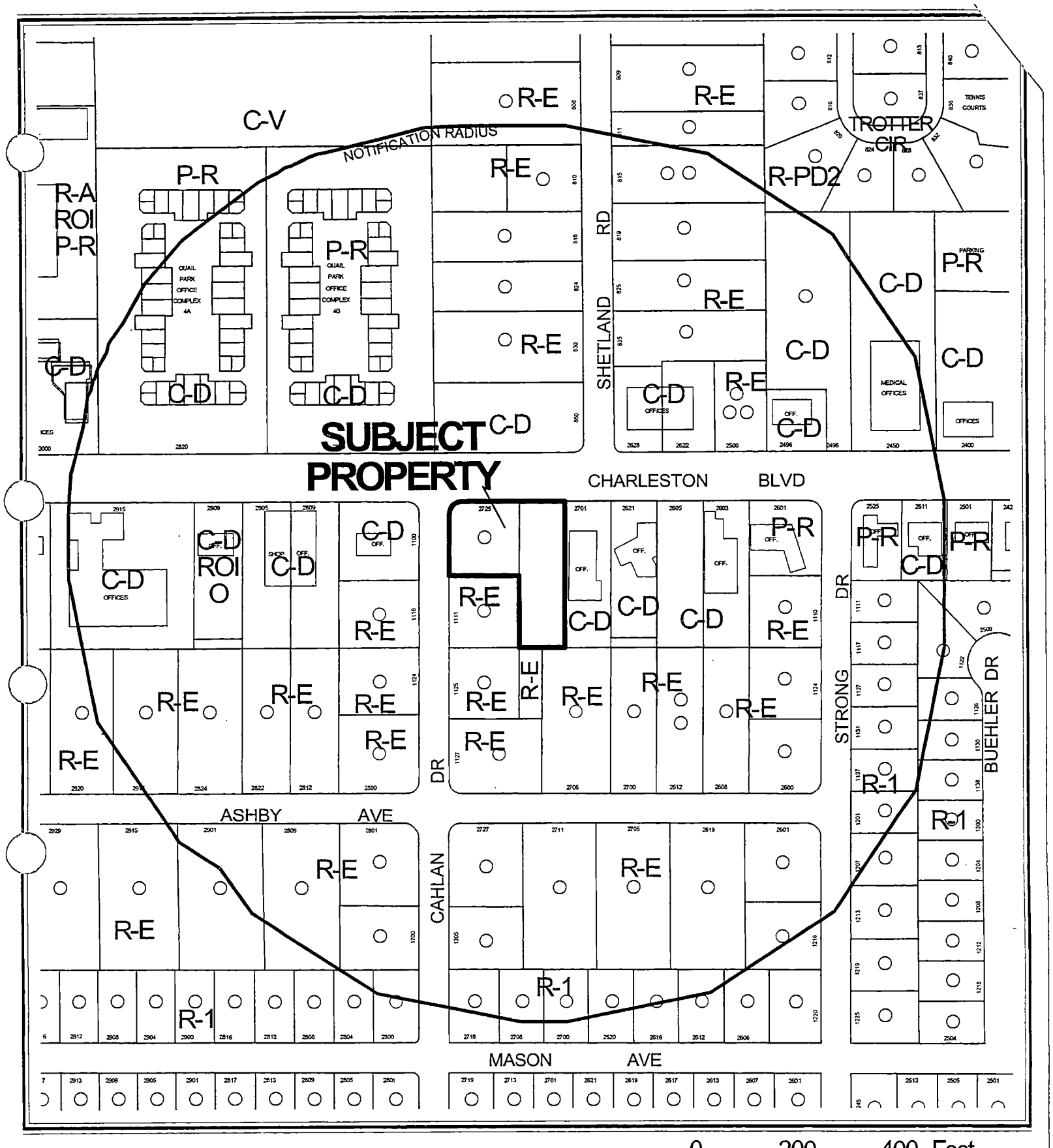
COMMISSIONER NIGRO expressed concern with opening the door to major parking variances subject to use restrictions. That is not the intent of the code. It would be very difficult to close the business or force a portion of it to sit vacant. He could not support such a significant parking variance. CHAIRMAN TRUESDELL agreed, citing the other option as a result of the review of building a parking deck. That is outside the C-D zoning and too intense adjacent to R-E parcels. It would violate the intent for the south side of Charleston, west of Valley View. MR. SINGER noted that every application stands on its merits, voiding the concern with setting a precedent.

COMMISSIONER NIGRO requested clarification of the NDOT condition. MR. ANDERSON summarized that Charleston is a Nevada highway under the jurisdiction of NDOT. If there is not an existing driving currently servicing the site, the developer would need to seek permission to do any work in the right-of-way. They represent that NDOT prohibited a new driveway, which would be consistent with NDOT policy. Existing driveways only require NDOT approval if the City requires the existing driveway be remodeled. The existing driveway for this site is in the location where the building is being set. The developer will require NDOT approval of any curb change. As to the waiver of Condition 19, staff would stand by the Condition and the alternative provided in the very last sentence. MR. ANDERSON suggested that a caveat be added to Condition 18 that unless otherwise allowed by the Traffic Engineer. That would allow the Traffic Engineer to make the determination whether the existing driveway is serviceable. It does not appear to be, but the revision would allow flexibility.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed on Item 25 [VAR-3291] and Item 26 [SDR-3289].

(7:55 – 8:41)



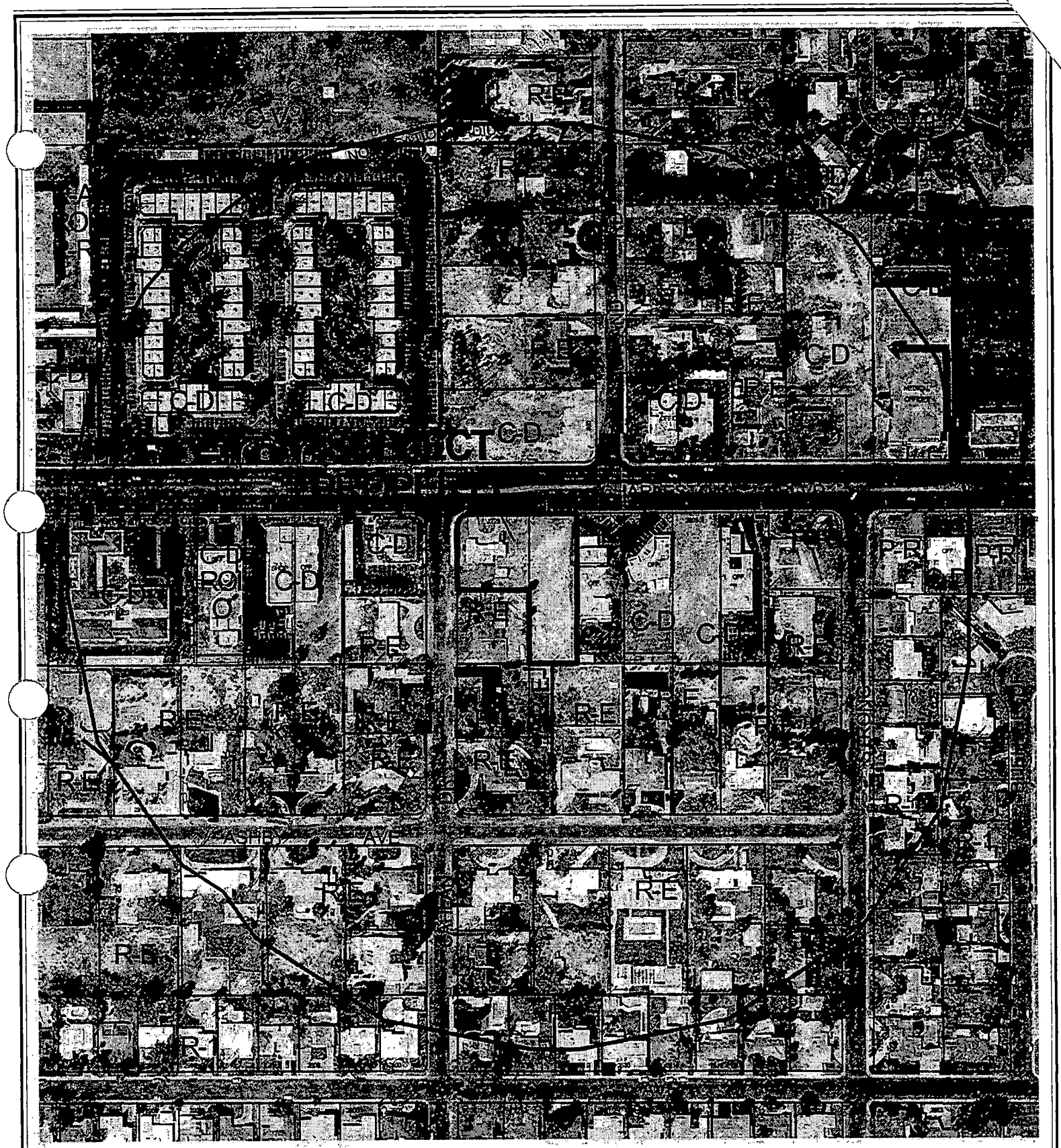
0 200 400 Feet

CASE: **VAR-3291**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N



0 200 400 Feet

CASE: **VAR-3291**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TIOFIGH

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3289).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards requires a 75-foot setback for a proposed two-story, 20,410 square foot Medical Office Building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive.

B) Applicant's Justification

The proposed 20,000 square foot medical office building will be leased to medical and related professionals, including 7,000 square feet for a physical rehabilitation facility. The rehabilitation facility patents arrive primarily in vans operated by the center, which will reduce required on-site parking demands. An additional 3,000 square feet is pre-leased for a physician's administrative office which is estimated to require no more than six employee parking spaces. Lastly, it is stated that the proposed project is consistent with the existing neighborhood and would enhance the surrounding neighborhood.

BACKGROUND INFORMATION.

A) Previous Actions

06/19/02 The City Council approved a request to amend portions of the Southeast Sector map of the General Plan (GPA-0047-01) in the general vicinity of the Charleston Boulevard/Rancho Drive intersection From: SC (Service Commercial) To: O (Office); From: R (Rural Density Residential) To: DR (Desert Rural Density Residential); From: O (Office) To: DR (Desert Rural Density Residential) and; From: L (Low Density Residential) To: DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan on property including the subject site. The Planning Commission recommended denial on March 28, 2002.

12/04/03 The Planning Commission will hear a related Site Development Plan Review (SDR-3289) for a proposed two-story, 20,410 square foot Medical Office Building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive.

TB

B) Pre-Application Meeting

10/06/03 The proposed site plan was reviewed and several commercial development standards were noted that did not meet minimum code requirements including setbacks, on-site parking, building height restrictions, residential adjacency standards, and portions of the perimeter and parking lot landscaping. The applicant was advised to meet with the Building and Safety Department to discuss Uniform Building Code requirements for medical related use parking requirements. Public Works also discussed a requirement to re-map the two lots by a merger and re-subdivision or reversionary map process.

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

Gross Acres: 1.09

B) Existing Land Use

Subject Property:	Undeveloped and Single Family Dwelling
North:	Undeveloped and Single Family Dwellings
South:	Single Family Dwellings
East:	Dental Office
West:	Medical/Dental Office and Single Family Dwellings

C) Planned Land Use

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

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) and R-E (Residence Estates)

E) General Plan Compliance

This site is designated as O (Office) on the Southeast Sector Map of the General Plan. The existing C-D (Designed Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-D District is to provide standards for the development of a select type of light commercial uses which will be in harmony with the neighborhood in which it is to be located. The proposed office use is a permitted use within the C-D (Designed Commercial) zoning district.

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

Study Area – Rancho/Charleston
The subject site is located within the Rancho/Charleston study area which concluded with the approval of a General Plan Amendment, GPA-0047-01. The Rancho Charleston Land Use Study and Strategic Plan was initiated at the request of the Mayor and City Council on June 20, 2001. The goal of the study was to identify a means of preserving the integrity of the subject neighborhoods through land use planning. The plan recommends that the city begin to promote Charleston Boulevard as an office corridor throughout the Study Area, and allow only very low-density single-family development in the areas that are currently developed at this density. The existing C-D (Designed Commercial) zoning designation and proposed office use are both in conformance with the study results.

Rural Preservation Neighborhood
The subject site is located within a Rural Preservation Neighborhood Buffer zone; however, because the site has a pre-existing commercial zoning designation and the subject site is located within the 330-foot exemption zone from right-of-ways 99 feet or greater, the regulations associated with being located within a Rural Preservation Neighborhood Buffer zone are exempt from this project.

ANALYSIS

A) Zoning Code Compliance

A2) Residential Adjacency Standards

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

a) Proximity slope.
No building subject to the standards of this subchapter shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this subchapter.

The overall height of the rear elevation of the proposed building is 25 feet. At this height a 3:1 proximity slope line would require a 75-foot setback from the protected residential property line (south property line). The submitted site plan depicts a 66-foot setback from the protected southern property line which does not meet Residential Adjacency Standards.

b) Building setback.
No building setback on property subject to the standards of this subchapter shall be less than the required building setback for the protected property.

The protected property, adjacent to the southwest corner of the subject site, is zoned R-E (Residence Estates). The required rear yard setback for an R-E zoned property is 35 feet. The proposed Medical Office Building is setback 68 feet; therefore, the proposed development meets the requirements of this portion of the Residential Adjacency Standards section.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical	20,410 SF.	1:200 (up to 2,000 SF) plus 1:175 for remaining GFA	110	5	81	3

The proposed site plan depicts 81 standard parking spaces and three code compliant handicap accessible parking spaces. Two of the parking spaces listed as accessible do not contain an access aisle on both sides of the stall as required by code. Per Title 19.10 a 20,410 square foot medical office building is required 110 standard parking spaces and five handicap accessible parking spaces.

B) General Analysis and Discussion

The proposed development is incompatible with adjacent low-density single-family dwelling units south of the subject site. The proposed office building does not conform to Residential Adjacency Standards which are established to help create compatibility between residential and non-residential uses with a shared property line. When adjacency standards are not met, incompatibility results in the form of encroaching commercial building mass into residential properties.

TB

Due to the overbuilding of the subject site an abundance of Waiver requests are being sought in addition to the deficiency in terms of required on-site parking. If the proposed building size, both square footage and overall height, were reduced the subject Variance application would not be needed. The site, which is deficient 31 parking spaces, represents a 27-percent reduction in the amount of required on-site parking. This number may be further increased if the Building and Safety Department requires additional handicap accessible parking spaces due to the medical related use of the subject site.

The Department of Public Works supports present City Code parking requirements, therefore they do not support the Variance Request for the subject property.

FINDINGS

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

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by attempting to overbuild the subject site with an office building that is larger, in terms of height and square footage, than what the subject site can accommodate. Alternative building designs would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 84 (Mailed with SDR-3289)

APPROVALS 0

PROTESTS 2

TB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: V AR-3291 APN: 162-05-512-001 ; 003

Name of Property Owner: DRS. Mashood / Tofighe

Name of Applicant: Good Shepard / Mike Kaplan / BNM Development, LLC

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X _____

Print Name: DR. Mashood

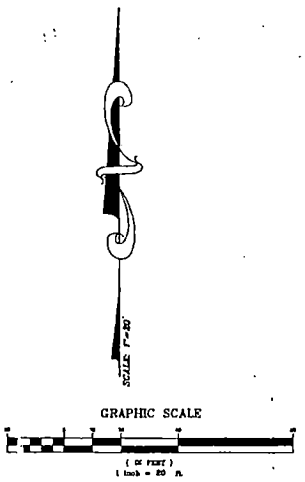
Subscribed and sworn before me

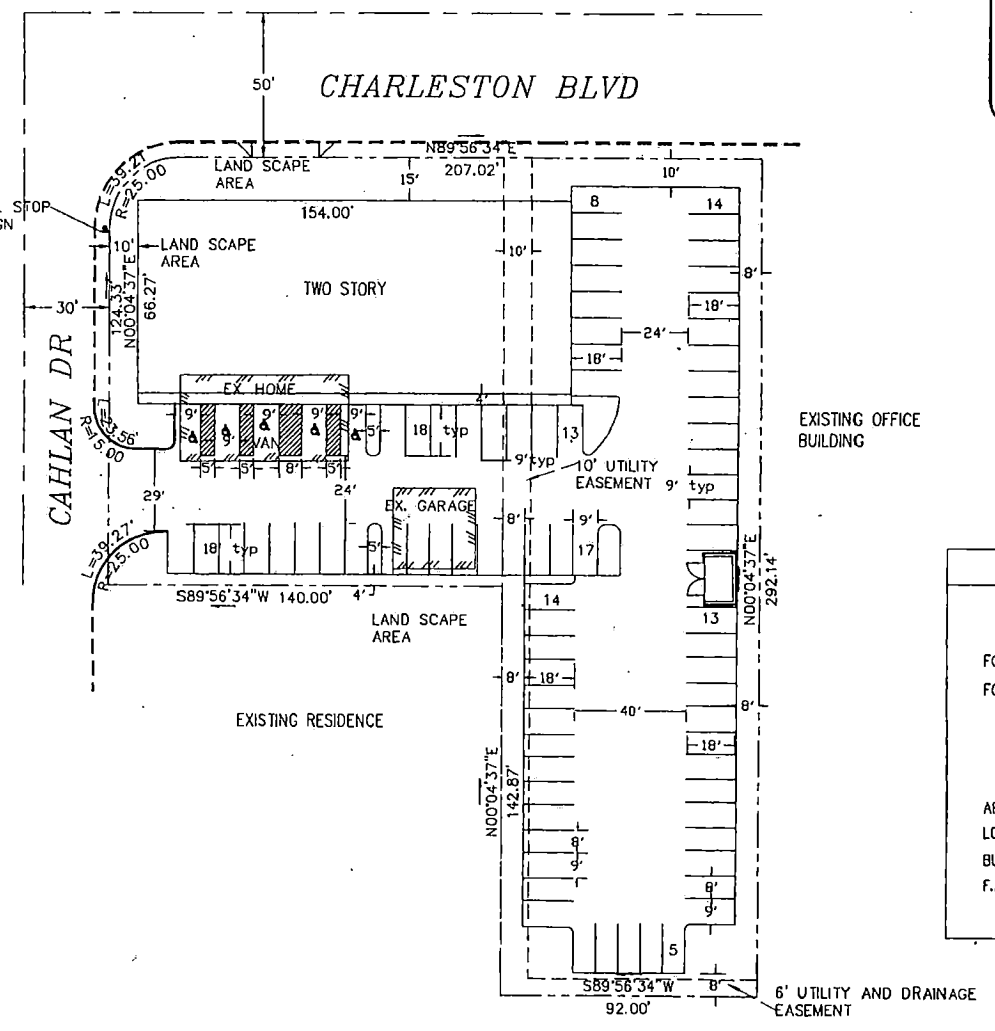
This 18th day of September 2013

_____
Notary Public in and for said County and State

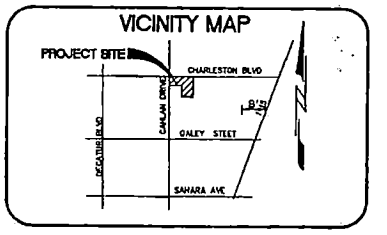
Notary Public - State of Nevada
County of Clark
PATRICIA CARMODY
My Appointment Expires
November 10, 2004
No: 92-4150-1

GOOD SHEPHERD MEDICAL





EXISTING OFFICE BUILDING



LEGEND:

- PROPERTY LINE
- EXISTING BLOCK WALL
- EXISTING FIRE HYDRANT
- EXISTING ELECTRIC BOX
- CENTER LINE
- EXISTING FENCE
- EXISTING BUILDING

PROJECT DATA

MEDICAL OFFICE 20,410 SF

FOR 2000 SF @ 200 TO 1= 10 PARKING

FOR 18,410 SF @ 175 TO 1 = 105 PARKING

PARKING REQUIRED 115

PARKING PROVIDED 84

APN 162-05-512-001, 003

LOT AREA=47,641 S.F. (1.09 AC)

BUILDING AREA 20,410 S.F.

F.A.R.= 0.43

VAR-3291
SDR-3289
12-04-03 PC

VAR-3291
CASE SDR-3289
DEC - 4 2003
PC ADMIN HO
STAFF

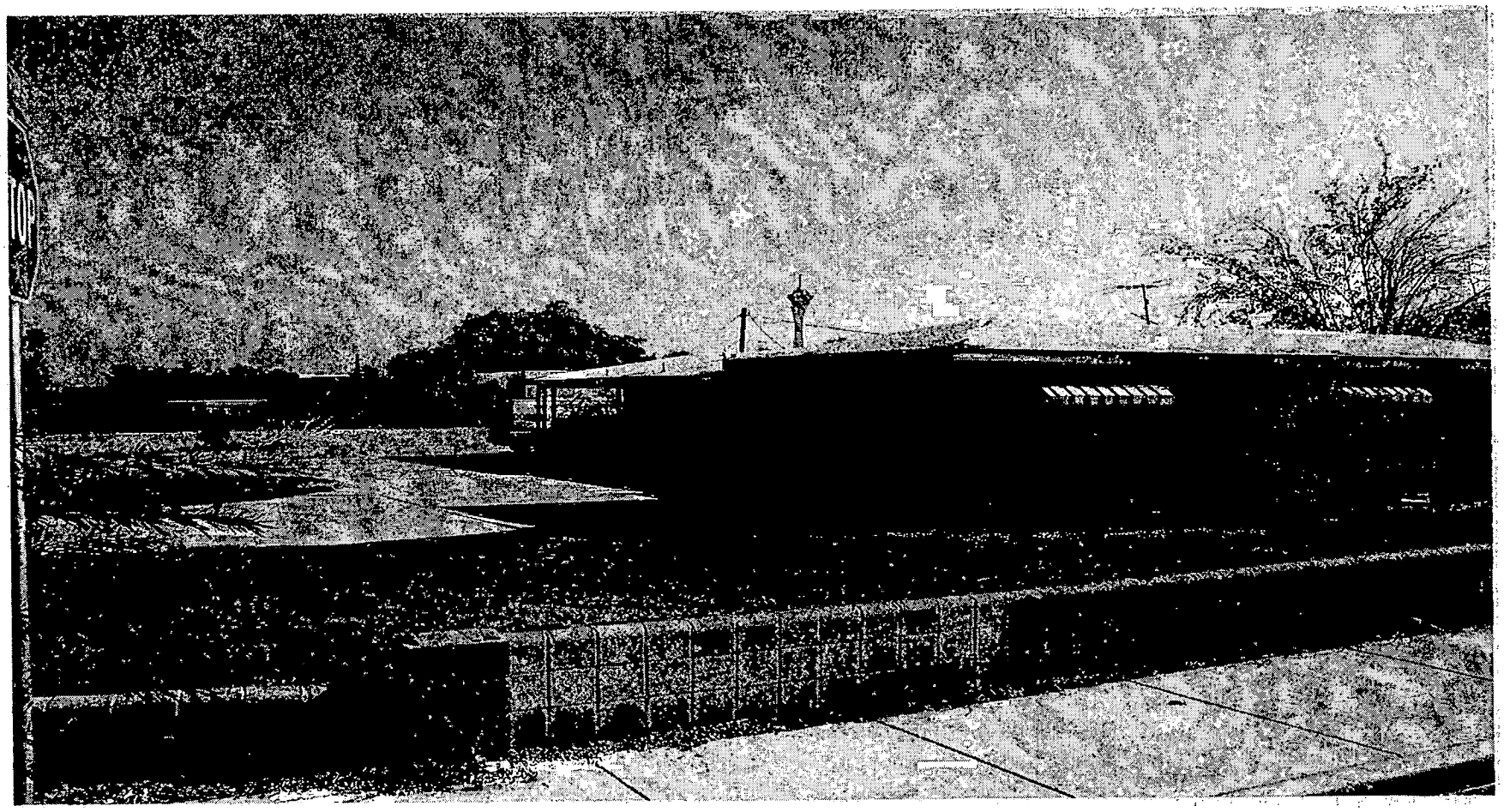
ART CONSULTING ENGINEERS
2325 SPRING MOUNTAIN RD., SUITE 6
LAS VEGAS, NEVADA 89102
TEL. (702)251-1869
FAX. (702)251-0669

NO. REVISION APPROVED

SITE PLAN
GOOD SHEPHERD MEDICAL
CITY OF LAS VEGAS, NEVADA

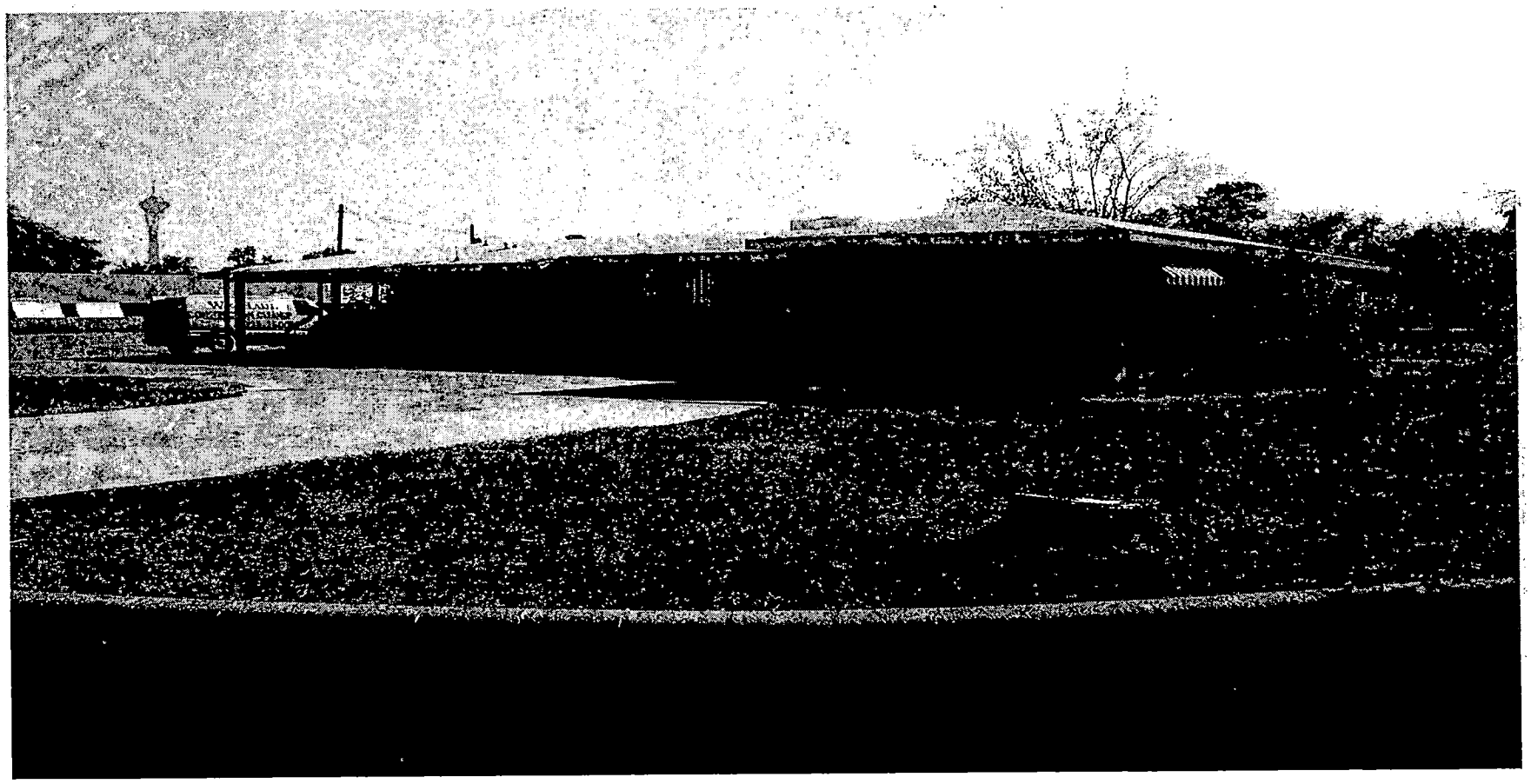
PROJECT NO. 2090 | PROJECT MGR. ART | DESIGN BY ART | DRAWN BY MC | DATE 9/15/03

C1



VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

Telephone Protest/ Approval Log

Meeting Date: 12/04/03 **Case Number:** VAR-3291
SDR-3289

Date: 11/26/03
Name: Elizabeth Gray
Address: 1131 Strong Ave

Phone: e-mail
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
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Date:
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☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

3:5 4:4 p

NOTICE OF PUBLIC HEARING

VARIANCE

MEETING: PLANNING COMMISSION
DATE: DECEMBER 4, 2003
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

Case: VAR-3291

16205512013
DRAGO ANTHONY R FAM TR
2612 ASHBY AVE
LAS VEGAS NV 89102-2102

VAR-3291

REQUEST BY GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST FOR A VARIANCE TO ALLOW 84 PARKING SPACES WHERE 115 PARKING SPACES ARE REQUIRED AND TO ALLOW A 66-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 75-FOOT SETBACK FOR A PROPOSED TWO-STORY, 20,410 SQUARE FOOT MEDICAL OFFICE BUILDING ON 1.09 ACRES ADJACENT TO THE SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE (APN: 162-05-512-001 AND 003), C-D (DESIGNED COMMERCIAL) ZONE, WARD 1 (MONCRIEF).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www. lasvegasnevada.gov.

I strongly object!! It will open up this area to 2 story buildings. Why have zoning if you don't enforce rules?

GARY M. LEOBOLD, SENIOR PLANNER
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Mary Jane Hayes
2612 Ashby Ave.
Las Vegas, 89102

SEE LOCATION MAP ON REVERSE SIDE

VAR-3291 P

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST - Request for a Site Development Plan Review and Waivers of the FRONT AND CORNER SIDE SETBACKS, THE ONE-STORY, 20-FOOT MAXIMUM HEIGHT RESTRICTION, AND A PORTION OF THE PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED TWO-STORY, 20,410 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

CC: 01/07/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	1
City Council Meeting		City Council Meeting	

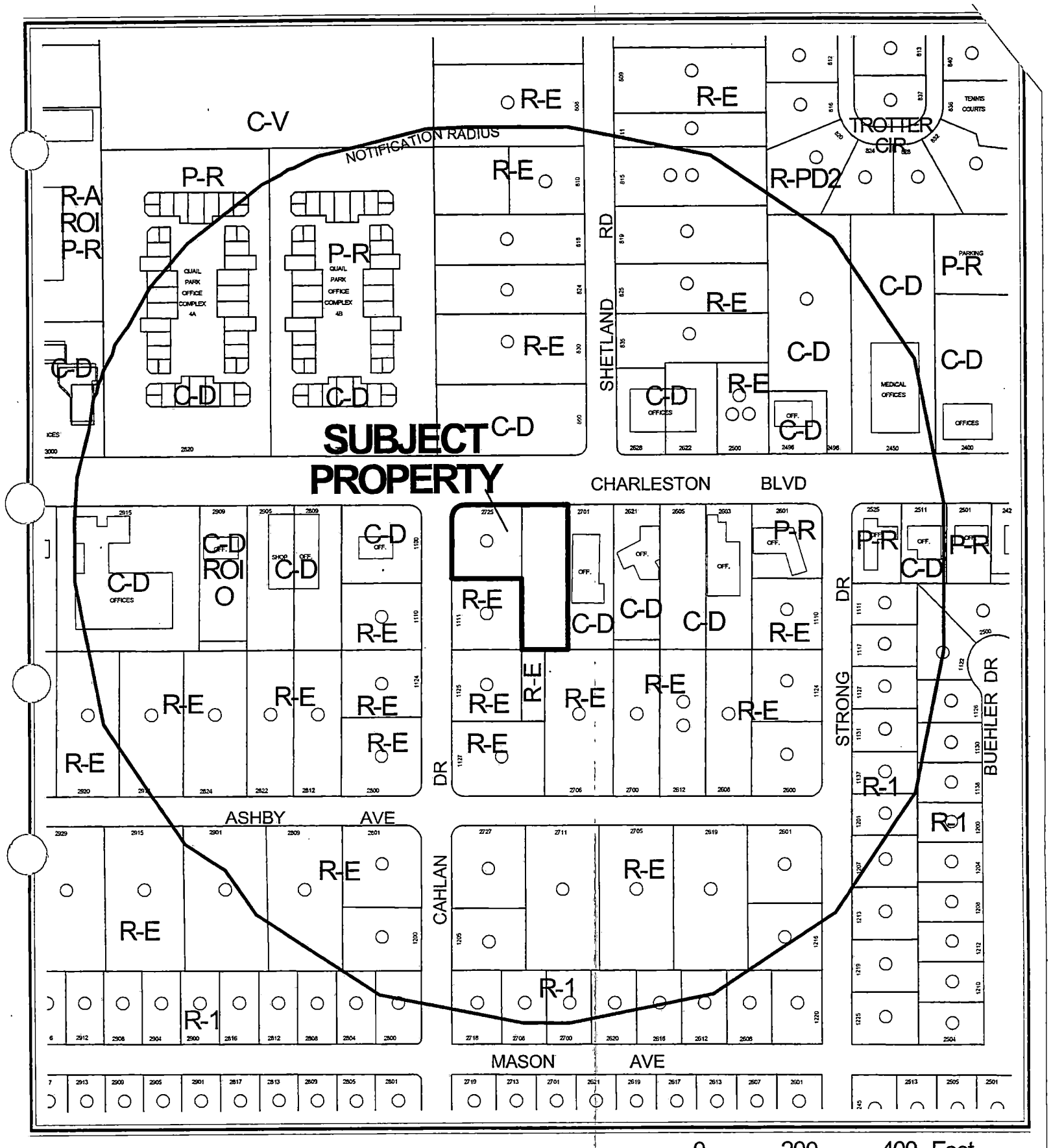
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN - DENIED – Motion carried with EVANS and DAVENPORT voting No

To be heard by the City Council on 1/7/2004.

MINUTES:
NOTE: See Item 25 [VAR-3291] for related discussion.
(7:55 – 8:41)



CASE: **SDR-3289**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TIOFIGH

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

Planning and Development

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

2. 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 a minimum of five handicap accessible parking spaces that conform to Title 19.10 requirements.

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 minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the eastern property line planter.

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

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscaping plan shall be in conformance with the submitted plan, except as amended by conditions herein.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties

9. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. Any proposed Signage shall be in conformance with Title 19.14.060(D), for signage located within the C-D (Designed Commercial) Zoning district in addition to Title 19.14.070 sign standard requirements regarding Residential Protection Standards.

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

13. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. If a property line wall does not currently exist between the subject site and the Residential Zoned property to the south, the applicant shall be responsible for the construction of a 6-foot tall wall. 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. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.

17. 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.

18. 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.

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements 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.

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

TB

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review and a Waivers of the front and corner side setbacks, the one-story 20-foot maximum height restriction, and a portion of the perimeter and parking lot landscaping for a proposed two-story, 20,410 square foot medical office building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive.

B) Applicant's Justification

The applicant's justification letter states that the intent of the proposal is to construct a 20,000 plus square foot building on the subject site with the demolition of the existing single-family dwelling unit. In order to supply an adequate number of parking spaces for the properties tenants and invitees, building setbacks were reduced. In regards to perimeter planter width and residential adjacency standards waivers and variance requests, the applicant states that the addition of landscaping should offset these requirements. In addition, the one-story 20-foot height restriction is also being requested for a waiver with the justification that there are several building within this district that do not meet this standard. The project will be consistent with existing medical office buildings on both sides of Charleston Boulevard and is within close proximity to the University Medical Center. Lastly, it is stated that the proposed project would enhance the entire surrounding neighborhood, as the property is currently undeveloped and an "eye-sore."

BACKGROUND INFORMATION

A) Previous Actions

06/19/02 The City Council approved a request to amend portions of the Southeast Sector map of the General Plan (GPA-0047-01) in the general vicinity of the Charleston Boulevard/Rancho Drive intersection From: SC (Service Commercial) To: O (Office); From: R (Rural Density Residential) To: DR (Desert Rural Density Residential); From: O (Office) To: DR (Desert Rural Density Residential) and; From: L (Low Density Residential) To: DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan on property including the subject site. The Planning Commission recommended denial on March 28, 2002.

TB

12/04/03 The Planning Commission will hear a related Variance (VAR-3291) request to allow 84 parking spaces where 115 parking spaces are required and to allow a 25-foot tall building where Residential Adjacency Standards permits a 22-foot tall building for a proposed two-story, 20,410 square foot Medical Office Building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive.

B) Pre-Application Meeting

10/06/03 At the pre-application meeting the proposed site plan was reviewed and several commercial development standards were noted that did not meet minimum code requirements including setbacks, on-site parking, building height restrictions, residential adjacency standards, and portions of the perimeter and parking lot landscaping. The applicant was advised to meet with the Building and Safety Department to discuss Uniform Building Code requirements for medical related use parking requirements. Public Works also discussed a requirement to re-map the two lots by a merger and re-subdivision or reversionary map process.

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

Gross Acres: 1.09

B) Existing Land Use

Subject Property:	Undeveloped and Single Family Dwelling
North:	Undeveloped and Single Family Dwellings
South:	Single Family Dwellings
East:	Dental Office
West:	Medical/Dental Office and Single Family Dwellings

C) Planned Land Use

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

TB

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) and R-E (Residence Estates)

E) General Plan Compliance

This site is designated as O (Office) on the Southeast Sector Map of the General Plan. The existing C-D (Designed Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-D (Designed Commercial) District is to provide standards for the development of a select type of light commercial uses that will be in harmony with the neighborhood in which it is to be located. The proposed office use is a permitted use within the C-D (Designed Commercial) zoning district.

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

Study Area – Rancho/Charleston

The subject site is located within the Rancho/Charleston study area that concluded with the approval of a General Plan Amendment, GPA-0047-01. The Rancho Charleston Land Use Study and Strategic Plan was initiated at the request of the Mayor and City Council on June 20, 2001. The goal of the study was to identify a means of preserving the integrity of the subject neighborhoods through land use planning. The plan recommends that the city begin to promote Charleston Boulevard as an office corridor throughout the Study Area, and allow only very low-density single-family development in the areas that are currently developed at this density. The existing C-D (Designed Commercial) zoning designation and proposed office uses are both in conformance with the study results.

Rural Preservation Neighborhood

The subject site is located within a Rural Preservation Neighborhood Buffer zone; however, because the site has a pre-existing commercial zoning designation and the subject site is located within the 330-foot exemption zone from right-of-ways 99 feet or greater, the regulations associated with being located within a Rural Preservation Neighborhood Buffer zone are exempt from this project.

TB

PROJECT DESCRIPTION

Currently, the subject site located at the southeast corner of Charleston Boulevard and Cahlan Drive contains a single-family home and detached garage, which will be demolished with the approval of the proposed two-story, 20,410 square foot Medical Office building. The site is accessed by one entrance and exit point along Cahlan Drive, approximately 100 feet south of Charleston Boulevard. The proposed building is located along the northern portion of the subject site, which encompasses two separate lots with the majority of the parking lot covering the southern and eastern portions of the combined lots.

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	25 Feet	15 Feet	N
• Side	10 Feet	60 Feet	Y
• Corner	15 Feet	10 Feet	N
• Rear	25 Feet (75 Feet for Res. Adj. Standards)	68 Feet	N
Max. Lot Coverage	30 %	21 %	Y
Max. Building Height	1 Story / 20 Feet	25 Feet	N
Trash Enclosure	Screened/covered	Not Depicted	N/A
Mech. Equipment	screened	Screened	Y

The proposed site plan is not in compliance with several of the Title 19 Commercial Development Standards. The required front yard setback on the subject site is 25 feet and the required corner side setback is a 15 feet; the submitted site plan depicts building setbacks at 15 feet and 10 feet, respectively. Also, due to residential adjacency standards, the proposed building is located 7-feet closer to the rear property line, shared with a residentially zoned property, than allowed by Code. In addition, the subject site is located within the C-D (Designed Commercial) Zoning district between Rancho Drive and Valley View Boulevard, which is required to maintain an overall height of one-story or 20 feet, whichever is less. The proposed elevation plans depict a 25-foot tall building, which is not in conformance with Title 19.08 requirements.

The submitted site plan does not include trash enclosure cross section details; however, per Title 19.08, trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure. A condition has been included to reflect this code requirement.

A2) Residential Adjacency Standards

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

a) Proximity slope.
No building subject to the standards of this subchapter shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this subchapter.

The overall height of the rear elevation of the proposed building is 25 feet. At this height a 3:1 proximity slope line would require a 75-foot setback from the protected residential property line (south property line). The submitted site plan depicts a 68-foot setback from the protected southern property line, which does not meet Residential Adjacency Standards; therefore a Variance (VAR-3291) is required.

b) Building setback.
No building setback on property subject to the standards of this subchapter shall be less than the required building setback for the protected property.

The protected property, adjacent to the southwest corner of the subject site, is zoned R-E (Residence Estates). The required rear yard setback for an R-E zoned property is 35 feet. The proposed Medical Office Building is setback 68 feet; therefore, the proposed development meets the requirements of this portion of the Residential Adjacency Standards section.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical	20,410 SF.	1:200 (up to 2,000 SF) plus 1:175 for remaining GFA	110	5	81	3

TB

The proposed site plan depicts 81 standard parking spaces and three code compliant handicap accessible parking spaces. Two of the parking spaces listed as accessible do not contain an access aisle on both sides of the stall as required by code. Per Title 19.10 a 20,410 square foot medical office building is required 110 standard parking spaces and five handicap accessible parking spaces. A companion item, Variance (VAR-3291), requests to allow 84 parking spaces where 115 parking spaces are required for the proposed project.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree / 6 Spaces	14 Trees	13 Trees
Buffer:			
• Min. Trees (R.O.W. and Adjacent to Residential)	1 Tree / 20 Linear Feet	35 Trees	35 Trees
• Min. Trees (East P.L.)	1 Tree / 30 Linear Feet	10 Trees	7 Trees
• Min. Zone Width			
(Adjacent to R.O.W.)	15 Feet		10-15 Feet
(Side and Rear P.L.'s)	8 Feet		4-8 Feet
• Wall height	6-foot (Adjacent to Residential P.L.)		Not Depicted

The submitted landscaping plan is deficient in the number of required perimeter trees along the eastern property line. One tree is required every 30 linear feet along the eastern property line, which calculates to ten trees, whereas the plan depicts seven trees. In addition, the required width of the landscape planter along the property line shared with the Residential zoned property to the southwest is required to be a minimum of eight feet wide. The plan depicts a portion of the planter area decreased to four feet along the southern property line. Along the rights-of-way of Charleston Boulevard and Cahlan Drive landscape planters are required to be 15 feet wide where the plan depicts ten feet along portions of this area. Within the parking lot, the landscaping plan is deficient only one-tree when counting additional trees located within adjacent perimeter planters. The plan is also deficient one parking lot landscape planter adjacent to the eastern side of the building, in addition to a required 6-foot landscape planter around the south and east sides of the building. A Waiver is being requested as part of this application regarding the above listed deficiencies.

A5) Sign Standards

The submitted site plan does not depict any freestanding or monument signage. The elevation plan depicts reserved wall signage area along the front elevation of the proposed building facing Charleston Boulevard. The subject site does not

require a Master Sign Plan review; however, all proposed signage must comply with Title 19.14.060(D), for signage located within the C-D (Designed Commercial) Zoning district. These limitations restrict signage within the C-D zone to ensure compatibility with adjacent properties. In addition, because the subject site is adjacent to residentially zoned property the subject site must also conform to Title 19.14.070 sign standard requirements regarding Residential Protection Standards. Conditions have been included on this land use application regarding these requirements.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-D (Designed Commercial) which is in conformance with the O (Office) General Plan Designation. The proposed Medical Office building is a permitted use within the C-D (Designed Commercial) Zoning district.

- Site Plan

The site plan depicts a two-story office building crossing over two separate lots, which violates setback requirements and possible Building and Safety Department requirements. Both properties are owned by the same property owner; however, the parcels are separate recorded lots within the McNeil Tract Resubdivision, lots one and three of block three, which will require either a reversionary map to record to revert the property to acreage or other similar method acceptable to the City Surveyor and the Planning and Development Department.

Two of the proposed handicap accessible parking spaces do not meet minimum Title 19 requirements for access routes to be located on both sides of the stall; therefore, a condition has been included requiring all accessible parking spaces to meet minimum code requirements of all departments, including location, design, and number required. Title 19 requires a minimum of five accessible spaces; however, the Uniform Building Code may require additional accessible spaces due to the medical nature of the proposed building. Due to the various waiver requests associated with the proposed development, the submitted site plan is not in compliance with several Title 19 commercial development standards as listed below.

- Waivers

Waiver request for the subject site include, front and corner side yard setbacks, 25-foot front yard setbacks where 15 feet is proposed and 15-foot corner-side yard setbacks where 10 feet is proposed. Secondly, an overall height of one-story or 20 feet, whichever is less, restriction for C-D (Designed Commercial) Zoned properties between Rancho Drive and Valley View Boulevard, where the proposed elevation plans depict a 25-foot tall building. Lastly, perimeter and parking lot landscaping waivers are requested to eliminate a total of four 24-inch box trees, and to reduce perimeter and parking lot landscape planters as listed under the landscape and Open Space Standards section of this report.

All of the above listed waiver requests could be eliminated if the proposed building size, both in terms of square footage and overall height, was reduced to a more compatible scale given the size of the subject property. The overbuilding of the subject site has resulted in inadequate setback requirements on three separate property lines, in addition to inadequate landscape planter widths along the same three property lines (north, south, and west). The subject site also requires two variance approvals in order to be developed as submitted. The required on-site parking standards and residential adjacency standards are both being recommended for denial on the companion Variance application (VAR-3291). In addition, denial is also being recommended for the proposed waiver requests; therefore, denial is being recommended of the subject Site Development Plan Review Application.

- Landscape Plan

Landscaping plans depict three tree species including 36-inch box Washingtonia Robusta, 24-inch box Mondell Pine, and 24-inch box Fan Tex Ash trees. With the exception of the three trees along the eastern property line and one additional tree within the parking lot, tree quantities are in conformance with minimum code requirements. Four five-gallon shrubs are proposed per each required tree, which meets the requirements of the Landscape, Wall, and Buffer Standards. The overbuilding of the subject site has effected the ability to install the proper landscape buffer planter widths along portions of the right-of-way and rear property line. A reduction or redesign of the proposed building size would allow for conformance with all minimum landscape planter requirements.

- Elevation

The proposed two-story, 25-foot tall Medical Office building is not in conformance with both residential adjacency requirements and special C-D (Designed Commercial) zone height restrictions for properties located along Charleston Boulevard between Rancho Drive and Valley View Boulevard. A one-story 20-foot maximum height restriction was implemented on these properties in order to ensure compatibility with adjacent low-density residentially zoned properties. The proposed two-story 25-foot tall building is not compatible with adjacent R-E (Residence Estates) zoned property to the south.

- Floor Plan

The submitted floor plan depicts 8,260 square feet of leasable floor space on each of the building two floors. Approximately 6,270 square feet is proposed as a physical therapy and rehabilitation area, with the remaining floor area designated as office suites. The building is service by one entrance on the southern side 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 is incompatible with adjacent low-density single-family dwelling units south of the subject site. The proposed office building does not conform to residential adjacency standards, which creates an inappropriate building mass between residential and non-residential uses with a shared property line.

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 Medical Office is a permitted use within the C-D zoning designation; however, several design standards from Title 19 and the Landscape, Wall and Buffer Standards are not in compliance with minimum code requirements. Due to the overbuilding of the subject site an abundance of Waiver and Variance requests are being sought for the proposed development. The Waiver and Variance requests are unjustified; therefore, denial is being recommended on the subject land use application.

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

   The proposed site access is located along Cahlan Drive, a 60-foot wide collector street that services residential properties south of the subject site. To reduce potential residential versus commercial traffic conflicts, site access would ideally be limited to Charleston Boulevard. The proposed entrance into the subject site is located across Cahlan Drive from existing commercial property; therefore traffic should not negatively impact adjacent roadways or neighborhood traffic.

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

   Building and landscape materials are appropriate for the subject site as building materials and landscape species are often utilized to accentuate earth tones and desert landscaping.

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

As previously noted, building elevations and on-site design characteristics are inappropriate for the subject site. Building elevations are not compatible with adjacent residential properties in addition to the incompatible building size and on-site location. The proposed building not only encroaches into required front and corner-side yard setback requirements, but it also encroaches vertically beyond Residential Adjacency Standard limits and C-D zone height restrictions. Due to the oversized building, on-site parking requirements also cannot be met.

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

The proposed Medical Building will be subject to all necessary building permits and inspections as required by the Department of Building and Safety; therefore, the public health, safety and general welfare will be secured.

NOTICES MAILED 84 (Mailed with VAR-3291)

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3289 APN: 162-05-512-001; 003

Name of Property Owner: Drs. Mashood and Tofigh

Name of Applicant: BNM Development / Michael Kaplan

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X _____

Print Name: Firooz Mashhood, MD

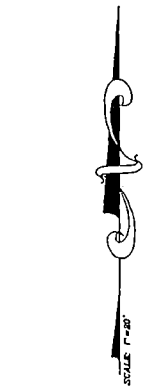
Subscribed and sworn before me

This 10th day of October, 2003

_____
Notary Public in and for said County and State

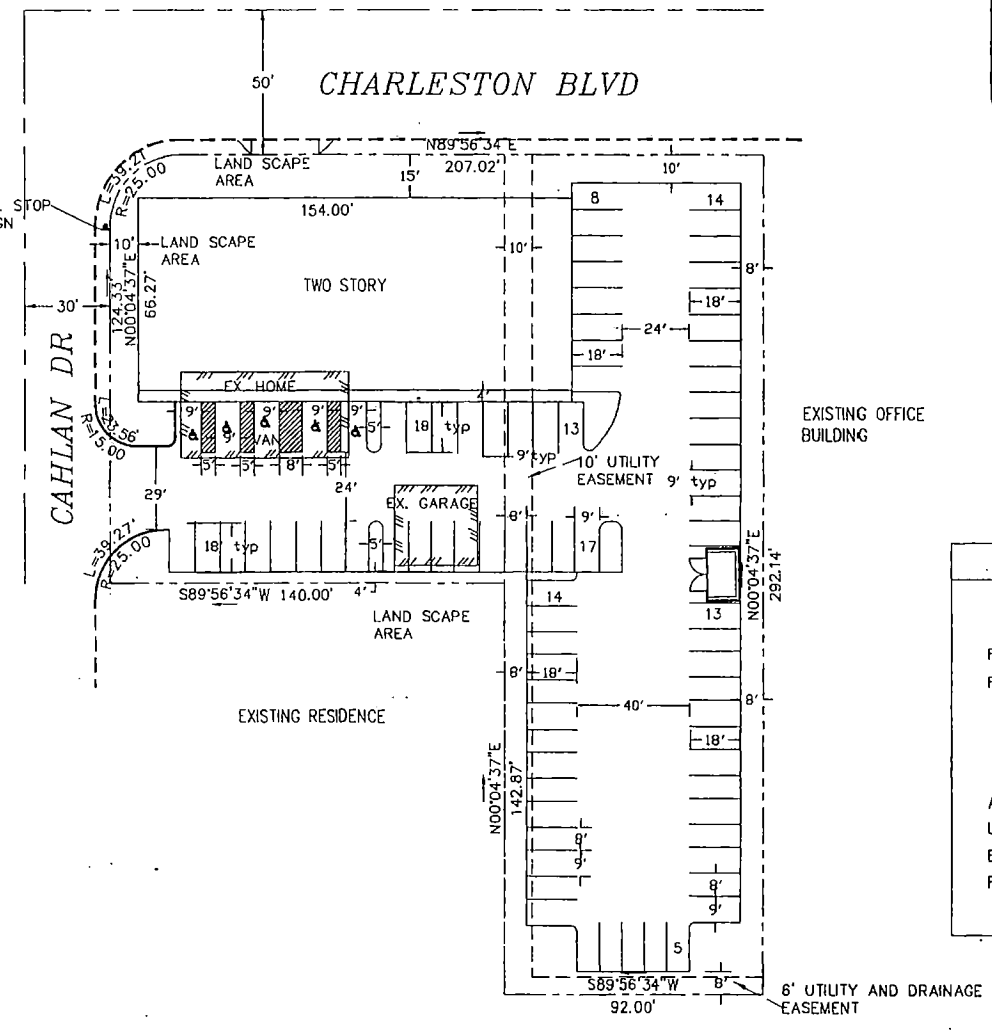
Notary Public - State of Nevada
County of Clark
PATRICIA CARMODY
My Appointment Expires
November 19, 2004
No: 92-4160-1

GOOD SHEPHERD MEDICAL



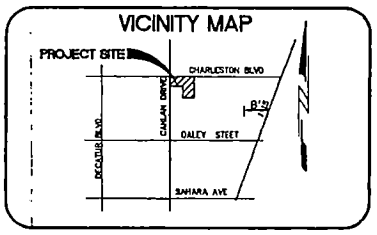
GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



EXISTING OFFICE BUILDING

VICINITY MAP



LEGEND:

- PROPERTY LINE
- EXISTING BLOCK WALL
- EXISTING FIRE HYDRANT
- EXISTING ELECTRIC BOX
- CENTER LINE
- EXISTING FENCE
- EXISTING BUILDING

PROJECT DATA

MEDICAL OFFICE 20,410 SF

FOR 2000 SF @ 200 TO 1= 10 PARKING

FOR 18,410 SF @ 175 TO 1 = 105 PARKING

PARKING REQUIRED 115

PARKING PROVIDED 84

APN 162-05-512-001, 003

LOT AREA=47,641 S.F. (1.09 AC)

BUILDING AREA 20,410 S.F.

F.A.R.= 0.43

VAR-3291
SDR-3289
12-04-03 PC

CASE: DEC - 4 2003 PC ACMSR. HO

NO. | REVISION | APPROVED

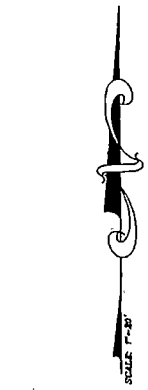
ART CONSULTING ENGINEERS
Engineering
Planning
Commercial & Residential
Landscape and Irrigation Design
2225 SPRING MOUNTAIN RD. SUITE 6
LAS VEGAS, NEVADA 89102
TEL: (702)322-6868
FAX: (702)322-6858

Title: SITE PLAN
Project: GOOD SHEPHERD MEDICAL
Agency: CITY OF LAS VEGAS, NEVADA

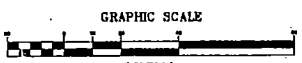
PROJECT NO.	2060
PROJECT MGR.	ART
DESIGN BY	ART
DRAWN BY	MC
DATE	9/16/03

C1

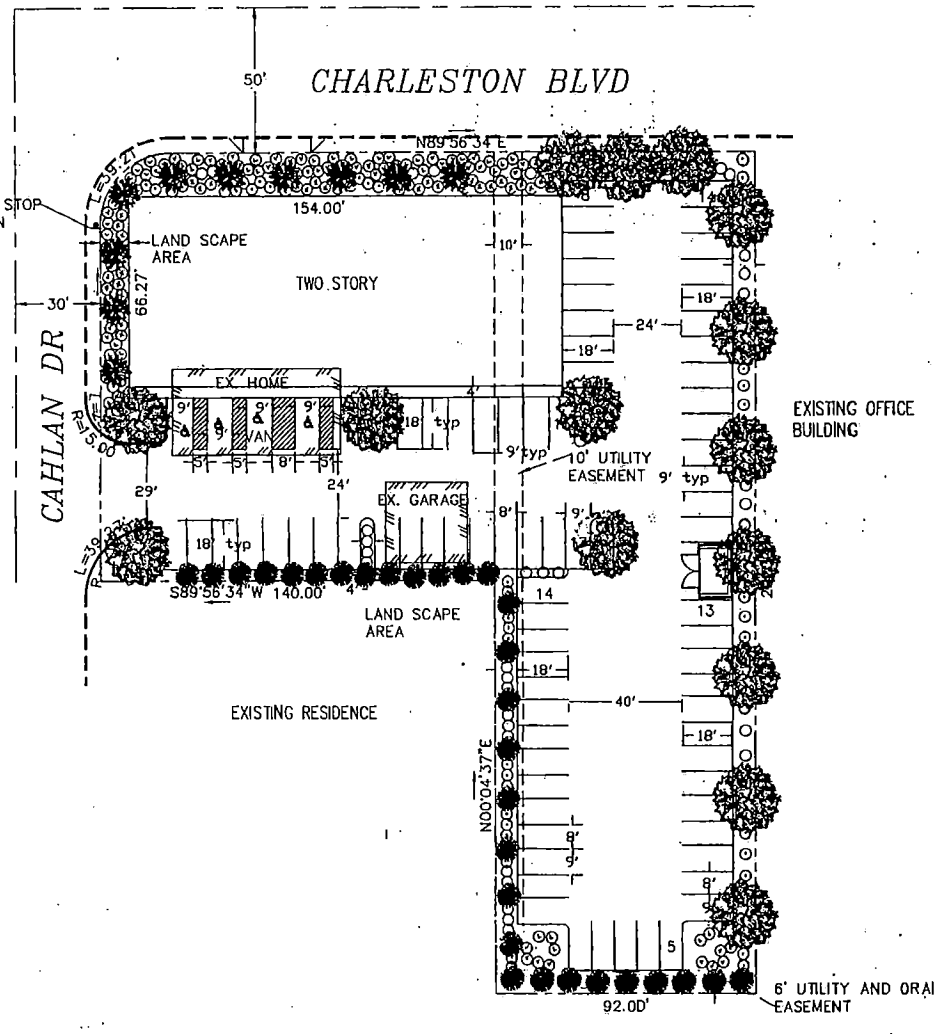
GOOD SHEPHERD MEDICAL



GRAPHIC SCALE

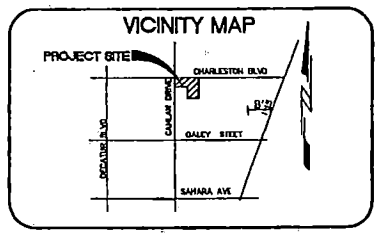


(IN FEET)
1 inch = 20 ft.



PLANTING LEGEND

SIZE	BOTANICAL
12' 36" BOX	WASHINGTONIA ROBUSTA
24" BOX	MONDELL PINE (SCREEN)
24" BOX	FAN TEX ASH
5 gallon	MUHLENBERGIA 'DEER GRASS'
5 gallon	NEW GOLD LANTANA
5 gallon	ACACIA REDOLENS
5 gallon	RED YUCCA
5 gallon	LEUCOPHYLLUM 'GREEN CLOUD'
2" layer	¾" SCREENED MOJAVE GOLD ROCK THROUGHOUT



LEGEND:

PROPERTY LINE
EXISTING BLOCK WALL
EXISTING FIRE HYDRANT
EXISTING ELECTRIC BOX
CENTER LINE
EXISTING FENCE
EXISTING BUILDING

PROJECT DATA

MEDICAL OFFICE 20,410 SF

FOR 2000 SF @ 200 TO 1= 10 PARKING

FOR 18,410 SF @ 175 TO 1 = 105 PARKING

PARKING REQUIRED 115

PARKING PROVIDED 84

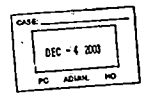
APN 162-05-512-001, 003

LOT AREA=47,641 S.F. (1.09 AC)

BUILDING AREA 20,410 S.F.

F.A.R.= 0.43

VAR-3291
SDR-3289
12-04-03 PC



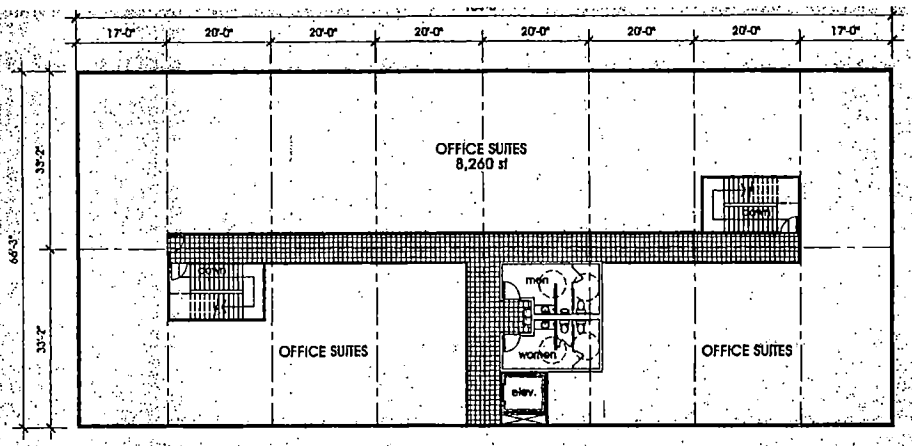
NO. REVISION APPROVED
1 10-21-03

ART CONSULTING ENGINEERS
2285 SPRING MOUNTAIN RD., SUITE 6
LAS VEGAS, NEVADA 89102
TEL: (702)362-8860
FAX: (702)362-8868

The LANDSCAPE SITE PLAN
Project: GOOD SHEPHERD MEDICAL
Address: CITY OF LAS VEGAS, NEVADA

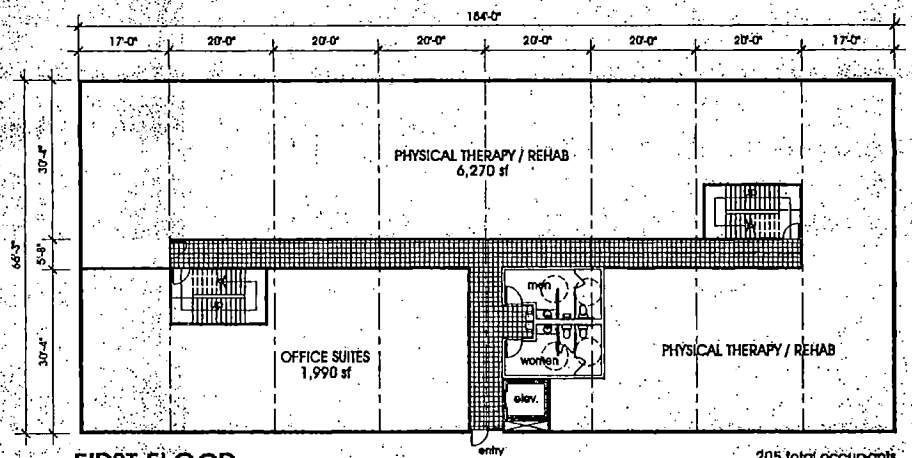
PROJECT NO. 2040
PROJECT MGR. ART
DESIGN BY ART
DRAWN BY MC
DATE 9/19/03

C1



SECOND FLOOR

SCALE 3/32" = 1'-0" 8,260 SF LEASABLE



FIRST FLOOR

SCALE 3/32" = 1'-0" 8,260 SF LEASABLE

205 total occupants

NORTH

GOODSHEPHERD HEALTHCARE

Conceptual Floor Plans
09-22-03

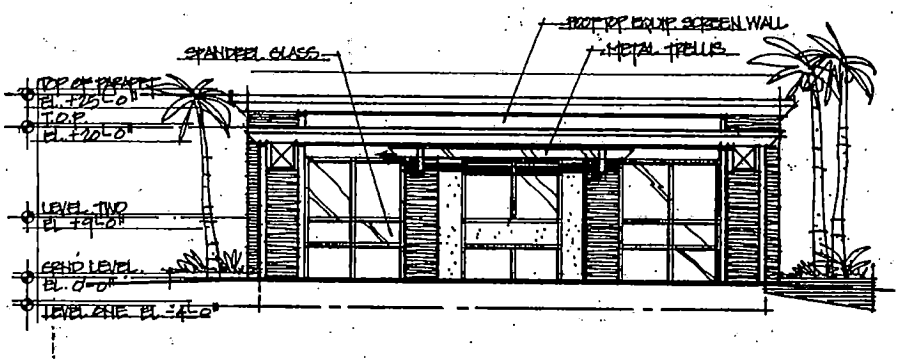
Mike Kaplan
601 South Rancho Drive
Suite B-11
Las Vegas, NV. 89106

SE Corner of Cahlan Dr. &
Charleston Blvd.
Las Vegas, Nevada

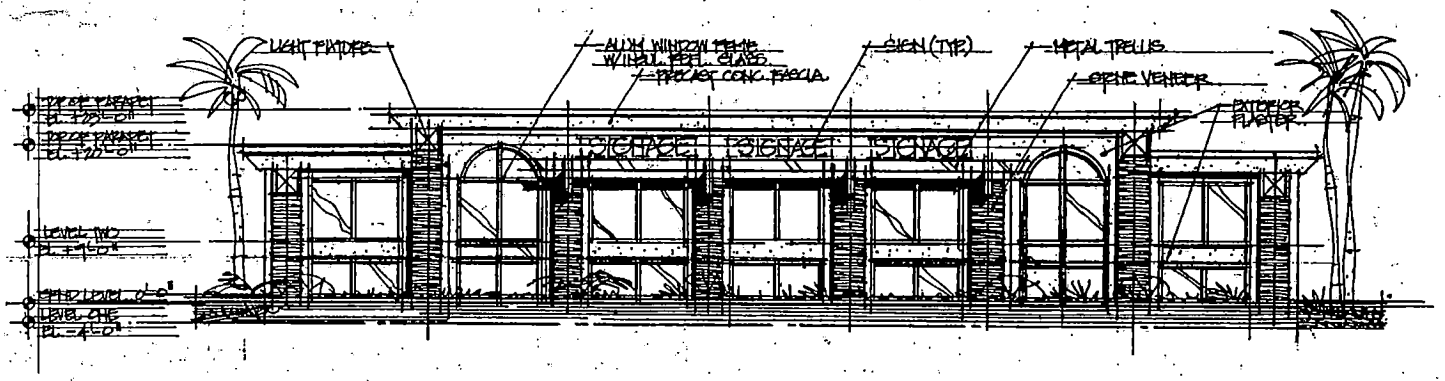
VAR-3291
SDR-3289
12-04-03 PC

CASE: DEC - 4 2003 PC ADMIN HO

Perlman ARCHITECTS



EAST/WEST ELEVATION



NORTH/SOUTH ELEVATION

GOODSHEPHERD HEALTHCARE

Conceptual Buildign Elevations
09-22-03

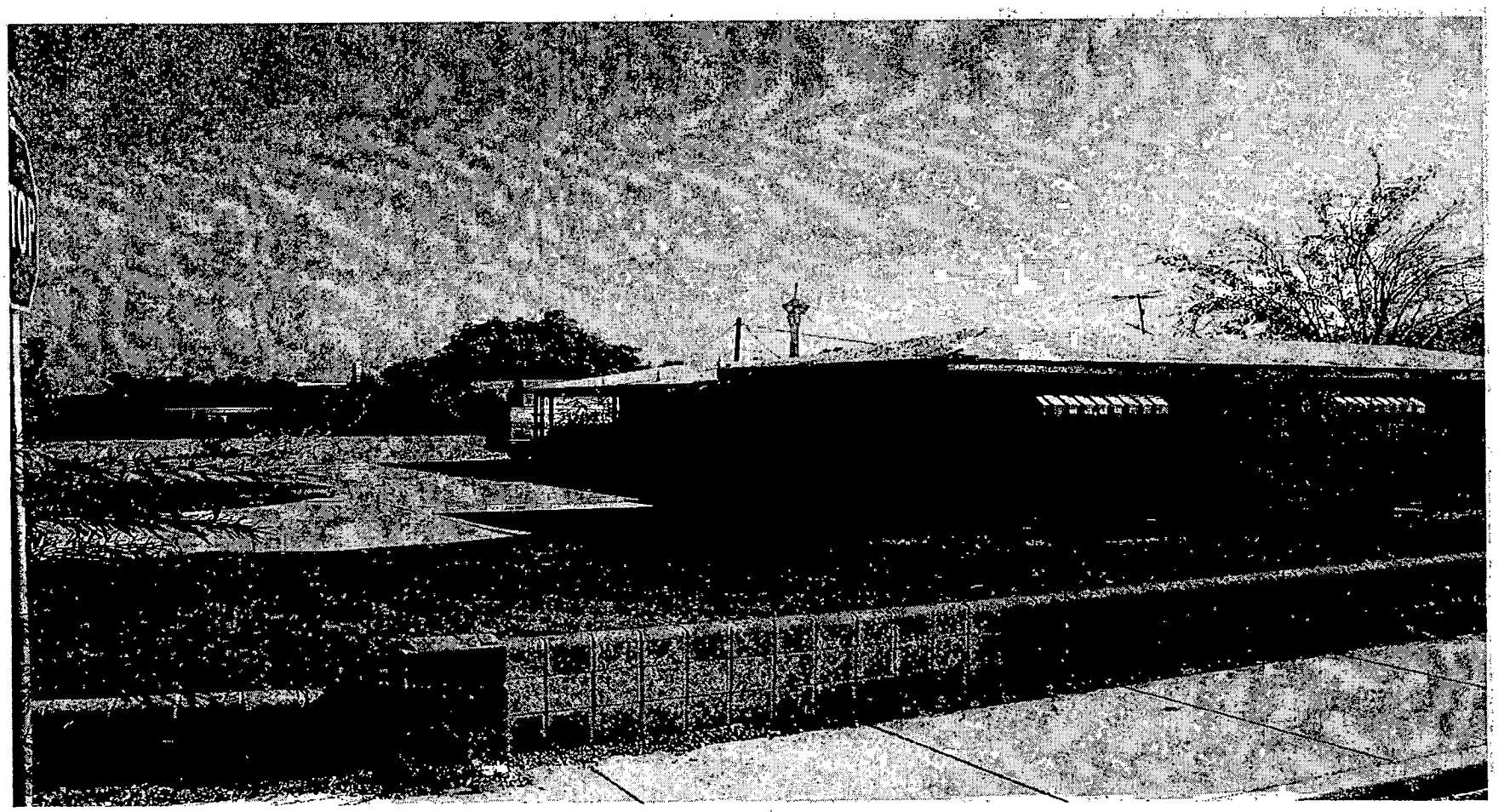
Mike Kaplan
601 South Rancho Drive
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SE Corner of Cahlan Dr. &
Charleston Blvd.
Las Vegas, Nevada

VAR-3291
SDR-3289
12-04-03 PC

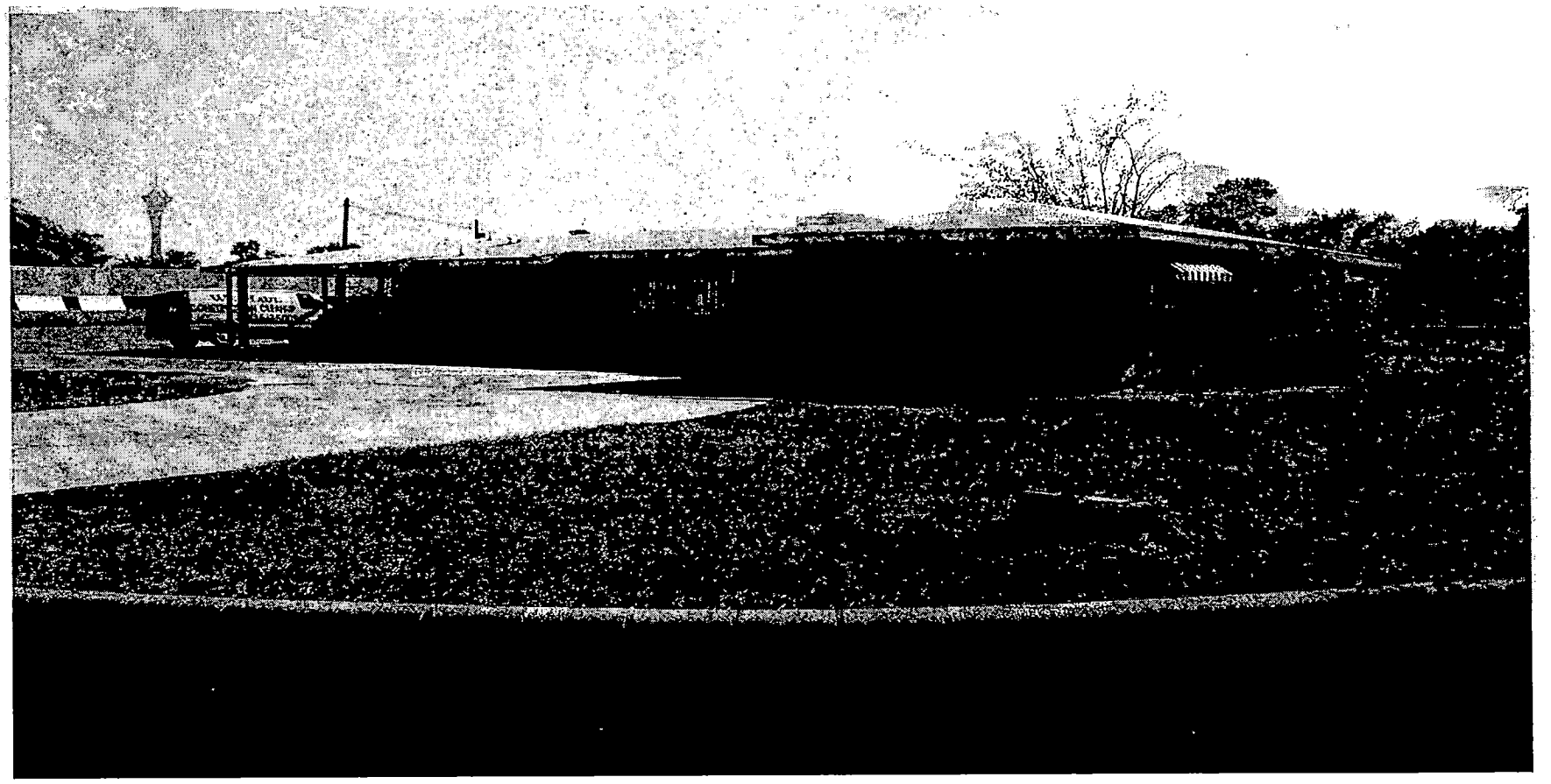
CASE
DEC - 4 2003
PC ACAPM HO

Perlman ARCHITECTS



SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

Telephone Protest/ Approval Log

Meeting Date: 12/04/03 **Case Number:** VAR-3291
STR-3289

Date: 11/26/03
Name: Elizabeth Gray
Address: 1131 Strong Ave

Phone: e-mail
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

MEETING: PLANNING COMMISSION
DATE: DECEMBER 4, 2003
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-3289

REQUEST BY GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST FOR A SITE DEVELOPMENT PLAN REVIEW AND WAIVERS OF THE FRONT AND CORNER SIDE SETBACKS, THE ONE-STORY, 20-FOOT MAXIMUM HEIGHT RESTRICTION, AND A PORTION OF THE PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED TWO-STORY, 20,410 SQUARE-FOOT MEDICAL OFFICE BUILDING ON 1.09 ACRES ADJACENT TO THE SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CAHLAN DRIVE (APN: 162-05-512-001 AND 003), C-D (DESIGNED COMMERCIAL) ZONE, WARD 1 (MONCRIEF).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www. lasvegasnevada.gov.

I strongly object.
Mary Jane Mayes
2612 Ashley ave
City 89102

GARY M. LEOBOLD, SENIOR PLANNER
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

There is plenty of land on the North side of Charleston where they can build 2 story's.

SDR-3289 P

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Request for a Variance TO ALLOW A 190-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 219 FEET AND TO ALLOW A REAR YARD SETBACK OF 12 FEET WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED for a proposed 73-Foot Tall Slim-line Wireless Communication Facility (Non-Stealth) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
NIGRO – DENIED – UNANIMOUS with McSWAIN abstaining because her firm is finishing a contract with one of the applicants

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearings opened Item 27 [VAR-3236] and Item 28 [SUP-3237] .

STEVE SWANTON, Planning and Development Department, summarized the application for a non-stealth facility. However, this applicant does not meet the requirements for approval of a special use permit. The facility encroaches into the rear of the setback and violates the residential adjacency standard to the homes to the northeast and north property line. The variance application addresses the deviations from the code. The use is not compatible with the surrounding area, there is a proliferation of signs and commercial buildings and a lack of hardship to justify the variance. Staff recommended denial of both applications.

MINUTES – Continued:

KATHRINE ENGLE, 1211 Town Center Drive, appeared on behalf of Cingular Wireless. The difficulty is that the property is covered with pads for major restaurants. The entire frontage is covered with long-term leases. The available back corner is 190 feet from residential properties. This is the eighth location sought in this vicinity. The initial proposal was to raise the existing sign and place the antennas on that. That was discouraged by COUNCILMAN MACK'S office. The restaurants will not lease to Cingular. She presented a picture of the slim line pole that will be constructed.

TODD FARLOW, 240 North 19th Street, suggested Cingular co-locate with one of the other providers in the vicinity.

CHAIRMAN TRUESDELL noted that there is a lot of air clutter in this vicinity. He suggested some other option. MS. ENGLE replied that there are no other options and the other providers do not have any space available. She has been working for two years to service this area. CHAIRMAN TRUESDELL sympathized with her dilemma, but stressed the need to avoid proliferation. COMMISSIONER NIGRO shared the Chairman's feelings. There is an ongoing problem with cell towers and signage in the area. DAVID CLAPSADDLE, Planning and Development Department, indicated that it was uncertain staff requested the usual diagram showing area towers. Staff is working on a database of existing towers and facilities. MS. ENGLE listed the existing towers in the vicinity.

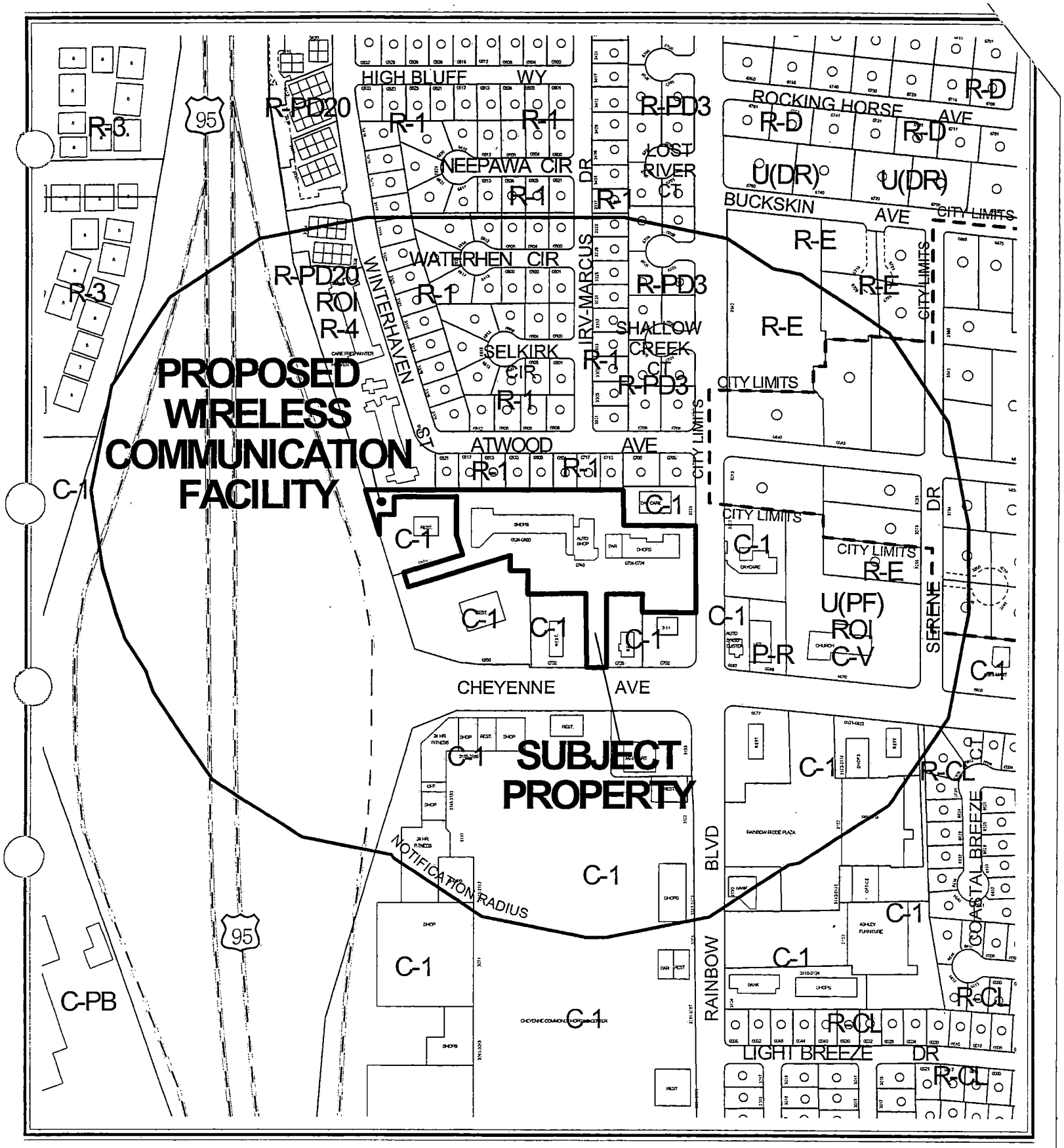
No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearings closed Item 27 [VAR-3236] and Item 28 [SUP-3237].

NOTE: All discussion for Item 27 [VAR-3236] and Item 28 [SUP-3237] was held under Item 27 [VAR-3236].

(8:41 – 8:52)



CASE: **VAR-3236**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVLEOPMENT COMPNAY, INC.

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 190-foot setback from the north property line where Residential Adjacency Standards require 219 feet, and to allow a 12-foot rear yard setback where 20 feet is required for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth design at 6704 West Cheyenne Avenue.

A request for a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth Design will be heard concurrently by the Planning Commission.

B) Applicant's Justification

According to the applicant's justification letter, a wireless communication facility is badly needed in this area. All other sites that could accommodate the proposed facility have been exhausted. The reduced setback is necessary to locate the tower away from existing buildings.

BACKGROUND INFORMATION

A) Previous Actions

12/06/78 The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78).

04/17/85 The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission approved the request on 03/26/85 in a non-public hearing, but the case was then reviewed by the City Council at the request of protesters.

10/23/90 The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for an addition to an existing shopping center on the subject site. The project would add approximately 38,000 square feet of retail space to the center.

07/17/96 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.

03/10/97 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0155-96) to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue.

05/12/97 The City Council approved a request for a Special Use Permit (U-0147-96) for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97.

12/04/03 The Planning Commission will consider a related request, a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth Design on the subject site.

B) Pre-Application Meeting

08/08/03 The applicant met with staff to discuss a Variance request to raise the height of an existing on-premise sign on the subject property from approximately 52 feet to 84 feet to accommodate a stealth design wireless communication antenna. The applicant was discouraged from doing so, as the resultant sign would be incompatible with other signage in the area.

10/02/03 Residential Adjacency standards and submittal requirements were discussed for the current slim-line design request.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.44

B) Existing Land Use

Subject Property:	Commercial Retail, Off-Premise Advertising Sign
North:	Senior Apartment Complex
South:	Restaurant
East:	Preschool
West:	Oran K. Gragson Highway (U.S. 95)

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD20 (Residential Planned Development) under Resolution of Intent to R-4 (High Density Residential) and R-1 (Single-Family Residential)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R.O.W. (U.S. 95)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills 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. It also includes offices either singly or grouped as office centers with professional and business services. The C-1 (Limited Commercial) zoning district and proposed wireless communication facility conform to the SC (Service Commercial) General Plan designation.

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

No special districts, zones, or studies are related to this request.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope. The proposed slim-line wireless communication facility will be constructed to a height of 73 feet. In order for the antenna to fit under the required 3:1 proximity slope, it would need to be set back 219 feet from the single-family properties to the northeast of the facility site. The proposed antenna will be located approximately 190 feet from the protected property. As a result, a variance from the Residential Adjacency Standards will be required. The subject deviation is approximately 13 percent.

b) Building setback. The rear setback of the protected single-family residential properties to the northeast of the proposed wireless communication facility site is 15 feet. The proposed facility must also be set back at least 15 feet from the protected property. The site plan indicates that the facility is set back approximately 190 feet from the protected properties, thereby meeting the building setback component of the Residential Adjacency Standards.

B) General Analysis and Discussion

Title 19.04.050 contains a base condition for the approval of a Wireless Communication Facility, Non-Stealth Design use stating that any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Section 19.08.060. This condition is not waivable. The proposed slim-line antenna does not meet either of these requirements. Residential Adjacency Standards require the facility to be set back at least 219 feet; C-1 (Limited Commercial) zoning standards require a rear setback of at least 20 feet.

This use is not compatible with development in the surrounding area. As there already is a proliferation of signs (including billboards), commercial buildings, and residences in the vicinity of the proposed project location, this is not a good area to site a non-stealth wireless facility. A less-visible site where more space is available or a stealth-designed antenna would be preferable.

FINDINGS

In accordance with the provisions of Subchapter 19.18.070.B of the Las Vegas Municipal Code, the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Subchapter 19.18.070.L of the Las Vegas Municipal Code states:

"L. Determinations

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

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

   No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to locate a Non-Stealth Design Wireless Communication Facility in an area that is not compatible for such a use. A non-stealth designed antenna or a larger, less-visible site would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 114 (Mailed with SUP-3237)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3236 APN: 138-10-816-007

Name of Property Owner: Charleston Heights Development Company'

Name of Applicant: Cingular Wireless

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

_____Yes __X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

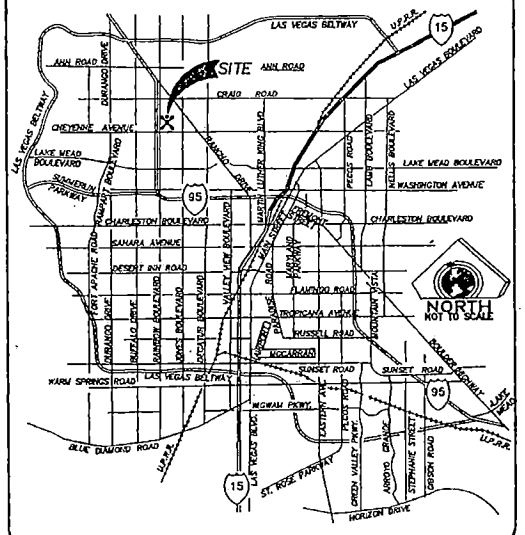
This 3rd day of October, 20 03

Wendy L. Caterer

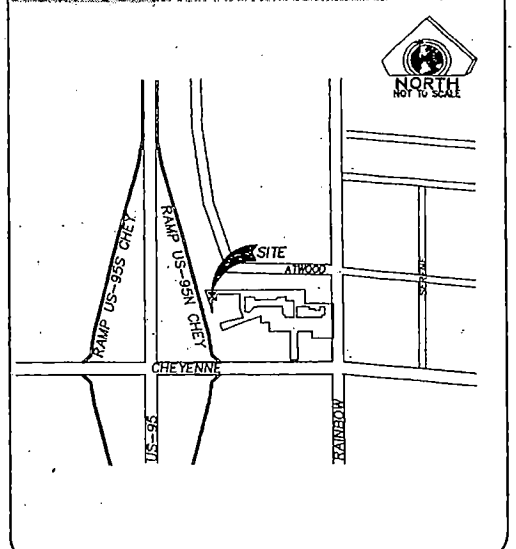
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
WENDY L. CATERER
No. 95-0891-1 My Appointment Expires Oct. 17, 2004

LOCATION MAP



VICINITY MAP



PROJECT

cingular WIRELESS

LV 162-08
CHEYENNE & US 95
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

APPLICANT/LESSEE:
CINGULAR WIRELESS
1211 TOWN CENTER DRIVE
SUITE 100
LAS VEGAS, NEVADA 89144
CONTACT: AGNES THOMPSON
(702) 240-4142

PROPERTY OWNER/LESSOR:
CHARLESTON HEIGHTS DEV CO
JIC BECKER
50 S. JONES BLVD # 100
LAS VEGAS, NV. 89107-2672

ABBREVIATIONS

AB	ANCHOR BOLT	ELEV	ELEVATOR	PERIM	PERIMETER
ABV	ABOVE	EST	ESTIMATE	PERP	PERPENDICULAR
AC	ASPHALTIC CONCRETE	EXC	EXCAVATE	PR	PAIR
ACP	ASPHALTIC CONCRETE PAVING	EXT	EXTERIOR	PSF	POUNDS PER SQUARE FOOT
ADDM	ADDENDUM	FD	FLOOR DRAIN	RAD	RADIUS
ADJ	ADJACENT	FDN	FOUNDATION	RD	ROOF DRAIN
AFF	ABOVE FINISHED FLOOR	FEC	FIRE EXTINGUISHER CABINET	RLG	RAILING
AFG	ABOVE FINISHED GRADE	FEN	FENCE LINE COR	SAN	SANITARY
AFS	ABOVE FINISHED SLAB	FF	FINISH FLOOR	SCHED	SCHEDULE
AGGR	AGGREGATE	FG	FINISH GRADE	SECT	SECTION
AMP	AMPERE	FHC	FIRE HOSE CABINET	SHT	SHEET(ING)
AMT	AMOUNT	FIN	FINISH	SIM	SIMILAR
ANT	ANTENNA	FL	FLOW LINE	SPEC	SPECIFICATION
ARCH	ARCHITECT	FLR	FLOOR(ING)	SQ	SQUARE
ASSY	ASSEMBLY	FOC	FACE OF CURB	SQ FT	SQUARE FOOT
AVE	AVENUE	FOF	FACE OF FINISH	SS	SANITARY SEWER
BAT	BATTERY	FOM	FACE OF MASONRY	STD	STANDARD
BITUM	BITUMINOUS	FTG	FOOTING	STRUCT	STRUCTURAL
BL	BASE LINE	G	GAS	SURF	SURFACE
BLDG	BUILDING	GALV	GALVANIZED	SUSP	SUSPENDED
BLVD	BOULEVARD	GI	GALVANIZED IRON	TC	TOP OF CURB
BLW	BELOW	GC	GENERAL CONTRACTOR	TEL	TELEPHONE
BM	BENCH MARK	GND	GROUND	TEMP	TEMPERATURE
BRG	BEARING	HD	HEAVY DUTY	TEMP	TEMPORARY
BTS	BASE TRANSCEIVER STATION	HORIZ	HORIZONTAL	THK	THICKNESS
BTU	BRITISH THERMAL UNIT	HYD	HYDRANT	THRU	THROUGH
BTUH	BRITISH THERMAL UNITS PER HOUR	INV	INVERT	TOE	TOE OF SLOPE
CAB	CABINET	JCT	JUNCTION	TOL	TOLERANCE
CEM PLAST	CEMENT PLASTER	KO	KNOCK-OUT	TOP	TOP OF SLOPE
CFE	CONTRACTOR FURNISHED EQUIPMENT	LG	LENGTH	TYP	TYPICAL
CHAN	CHANNEL	LL	LIVE LOAD	UNIV	UNIVERSAL
CJ	CONSTRUCTION JOINT	LNA	LOW NOISE AMPLIFIER	VERT	VERTICAL
CL	CENTERLINE	MAN	MANUAL	VOL	VOLUME
CMP	CORRUGATED METAL PIPE	MAS	MASONRY	W/	WITH
CMU	CONCRETE MASONRY UNIT	MATL	MATERIAL	W/O	WITHOUT
CO	CLEANOUT	MAX	MAXIMUM	WC	WATER CLOSET
COL	COLUMN	MECH	MECHANICAL	WD	WIDTH
CONC	CONCRETE	MET	METAL	WDW	WINDOW
CONSTR	CONSTRUCTION	MFG	MANUFACTURING	WR	WATER RESISTANT
CONT	CONTINUOUS	MFR	MANUFACTURER	WT	WEIGHT
CONTR	CONTRACT(OR)	MH	MANHOLE	XFMR	TRANSFORMER
COORD	COORDINATE	MIN	MINIMUM		
DAT	DATUM	MISC	MISCELLANEOUS		
DEMO	DEMOLITION	NG	NATURAL GROUND		
DET	DETAIL	NO	NUMBER		
DIFF	DIFFERENCE	NOM	NOMINAL		
DIM	DIMENSION	NTS	NOT TO SCALE		
DL	DEAD LOAD	OA	OVERALL		
DN	DOWN	OC	ON CENTER		
DR	DRAIN	OD	OUTSIDE DIAMETER		
DWG	DRAWING	OD	OUTSIDE DIMENSION		
ELEV	ELEVATION	OPNG	OPENING		
ELECT	ELECTRICAL	OPP	OPPOSITE		

PROJECT INFORMATION

PROJECT ADDRESS
6704 W. CHEYENNE
LAS VEGAS, NV. 89123

PRESENT USE
73' MONOPOLE

ACREAGE
TOTAL PARCEL = 4.44 ACRES, MORE OR LESS
PROPOSED LEASE AREA = ± 320 SQ. FT.

PROPOSED USE
WIRELESS COMMUNICATION FACILITY
(UNMANNED FACILITY)

ASSESSORS PARCEL NUMBER
138-10-816-007

PRESENT ZONING CLASSIFICATION
LIMITED COMMERCIAL DISTRICT (C1)

PROJECT TEAM

PROJECT SURVEYOR
PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013

A&E MANAGEMENT
PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013

INDEX TO DRAWINGS

SHEET No	SHEET INFORMATION
Z-1	SITE INFORMATION SHEET
Z-2	SITE PLAN
Z-3	ENLARGED SITE PLAN & ELEVATION

NOTES

1. A TOPOGRAPHICAL & BOUNDARY SURVEY WAS PERFORMED ON JULY 17, 2003
2. THIS SURVEY IS BASED ON A PRELIMINARY TITLE REPORT PREPARED BY NEVADA TITLE COMPANY, ORDER No. 03-05-2241-CG DATED MAY 16, 2003. PIONEER SURVEYS ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE COMPLETENESS OR ACCURACY OF THE ABOVE MENTIONED REPORT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH AND IS SUBJECT TO THE EXCLUSIONS AND EXCEPTIONS LISTED IN THE REFERENCES AND DESCRIBED IN SAID PRELIMINARY TITLE REPORT.

PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL (702) 212-4016
FAX (702) 212-4013
PIONEER-SURVEYS@PIONEER-SURVEYS.COM

cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR:
ZD-FINAL
CURRENT ISSUE DATE:
9/16/03

SCALE:	VARIES
JOB NO.:	030162.08
DWG:	162-08ZD.DWG
DRAWN BY:	TM

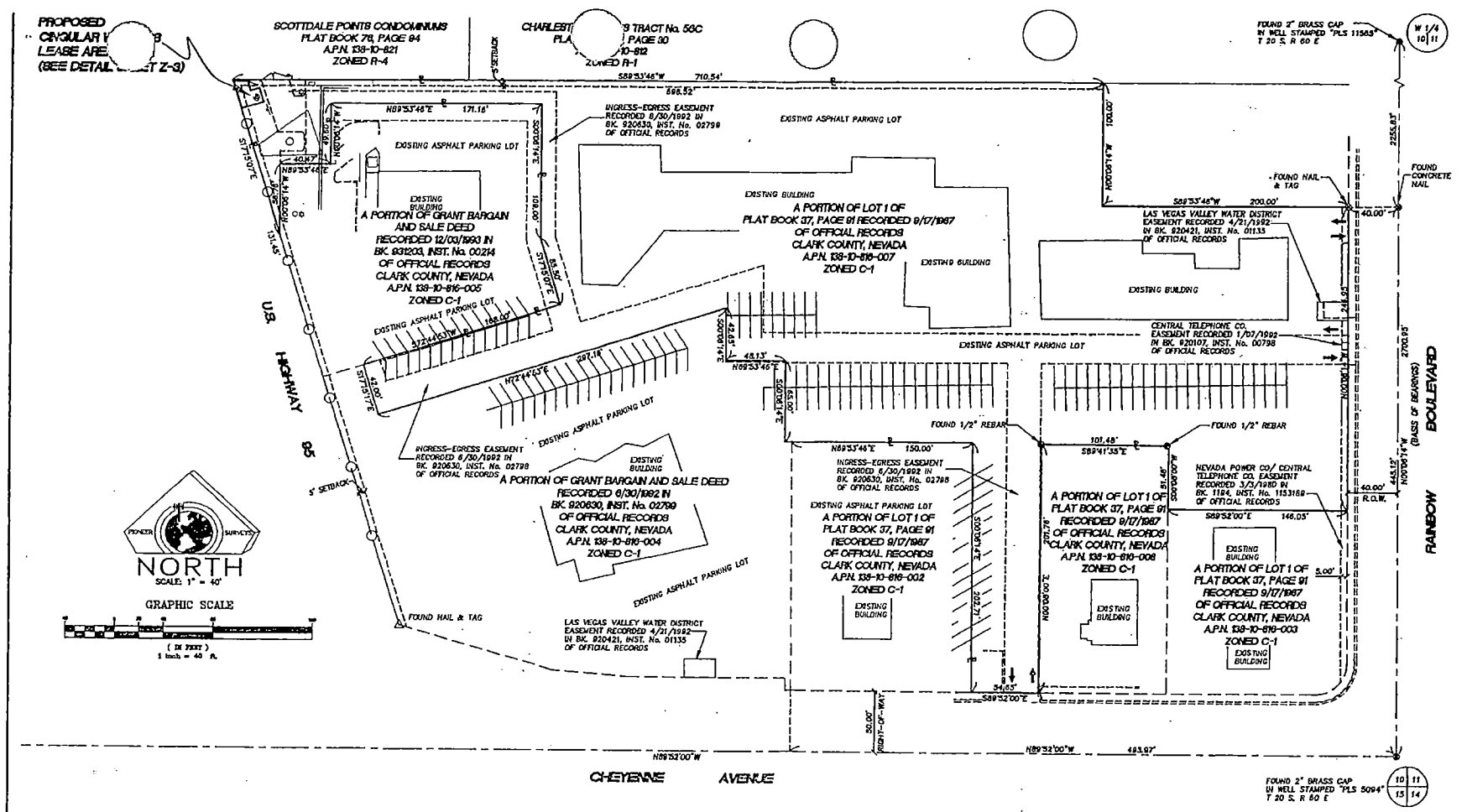
REV. #	DESCRIPTION	DATE

PROJECT INFORMATION:
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE:
INFORMATION SHEET

SHEET NUMBER:
Z-1

VAR-3236
SUP-3237
12-04-03 PC



BASIS OF BEARINGS

NORTH 00°06' 14" WEST BEING THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON PLAT BOOK 37, PAGE 91 RECORDED SEPTEMBER 17, 1987 IN OFFICIAL RECORDS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL (BENCHMARK) #BLVD011SWS BEING A RIVET AND PLATE IN THE TOP OF CURB AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND RAINBOW BOULEVARD

ELEVATION:
701.4811 METERS/2301.48 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

LEGEND

———	CENTERLINE	(E)	EXISTING AS NOTED
- - - -	RIGHT-OF-WAY LINES	R.O.W.	RIGHT-OF-WAY
——— ℄ ———	PROPERTY LINE	○	AREA LIGHT
----------	TIE LINES		
——— - ———	ADJOINERS		
•	FOUND MONUMENT AS INDICATED		

VAR-3236
SUP-3237
12-04-03 PC

PIONEER SURVEYS
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cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR
ZD-FINAL
CURRENT ISSUE DATE
9/16/03

SCALE	VARIES
JOB NO	312.10.08
DWG	SITEDOC1.DWG
DRAWN BY	RCH

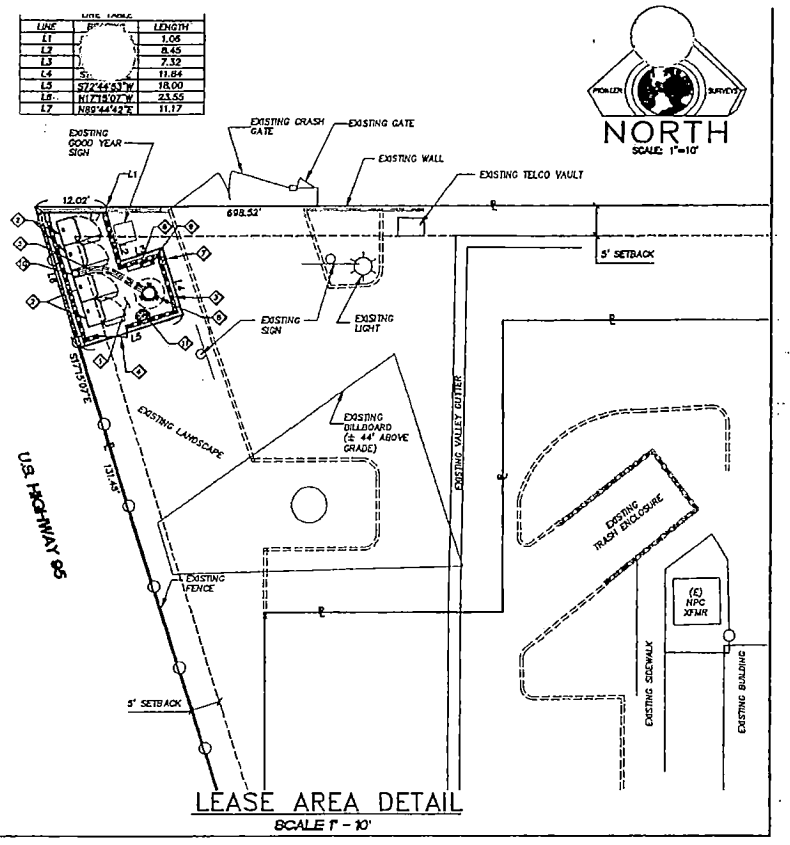
REV. #	DESCRIPTION	DATE

PROJECT INFORMATION
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE
SITE PLAN SHEET

SHEET NUMBER
Z-2
SHEET 2 OF 3

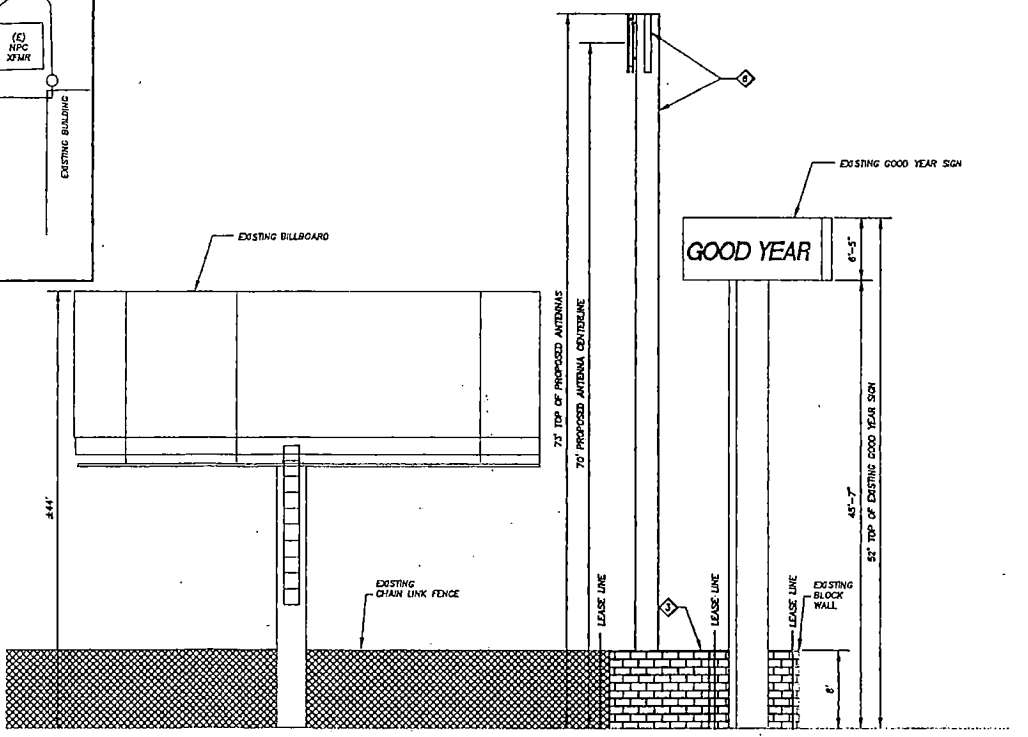
LINE	BEARING	LENGTH
L1		1.06
L2		8.45
L3		7.32
L4	S	11.84
L5	S72°44'53"W	18.00
L6	N17°15'07"W	23.55
L7	N89°44'42"E	11.17



LEASE AREA DETAIL
SCALE 1" - 10'

KEY NOTES

1. PROPOSED CINGULAR WIRELESS LEASE AREA (±320 SQ. FT. TOTAL)
2. PROPOSED CINGULAR WIRELESS EQUIPMENT (3) PROPOSED AND (1) FUTURE HIGH CAPACITY OUTDOOR CABINETS
3. PROPOSED 8' CMU BLOCK WALL TO MATCH EXISTING
4. PROPOSED 5' WIDE AND 8' HIGH SOLID MAN GATE TO MATCH EXISTING GATES AND FINISHES
5. PROPOSED COAXIAL CABLES TO BE RUN IN (9) 6" CONDUITS IN UNDER GROUND TRENCH TO NEW MONOPOLE
6. PROPOSED CINGULAR WIRELESS ANTENNA ARRAY MOUNTED TO EXTERIOR OF NEW MONOPOLE @ 70' CENTERLINE (0',120' & 240' SECTORS) TO BE PAINTED DESERT TAN (TMA'S TO BE CONNECTED AT ANTENNA LOCATION)
7. PROPOSED 200 AMP METER MAIN
8. PROPOSED TESCO PANEL
9. PROPOSED TELCO PANEL
10. PROPOSED DOGHOUSE (FOR COAXIAL CABLE BEND RADIUS)
11. REMOVE AND REPLACE DISTURBED LANDSCAPING, EXISTING IRRIGATION SYSTEM AND OR CURB AS NECESSARY



EAST ELEVATION
SCALE 1" - 6'

PIONEER SURVEYS
800 SOUTH 6TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4018
FAX: (702) 212-4013
PIONEER-SURVEYS@PIONEER-SURVEYS.COM

cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR:
ZD-FINAL
CURRENT ISSUE DATE:
9/16/03

SCALE	VARIED
JOB NO.:	310.851.08
DWG	162-08ZD.DWG
DRAWN BY	TM

REV. #	DESCRIPTION	DATE

PROJECT INFORMATION
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE
ENLARGED PLAN & ELEVATION

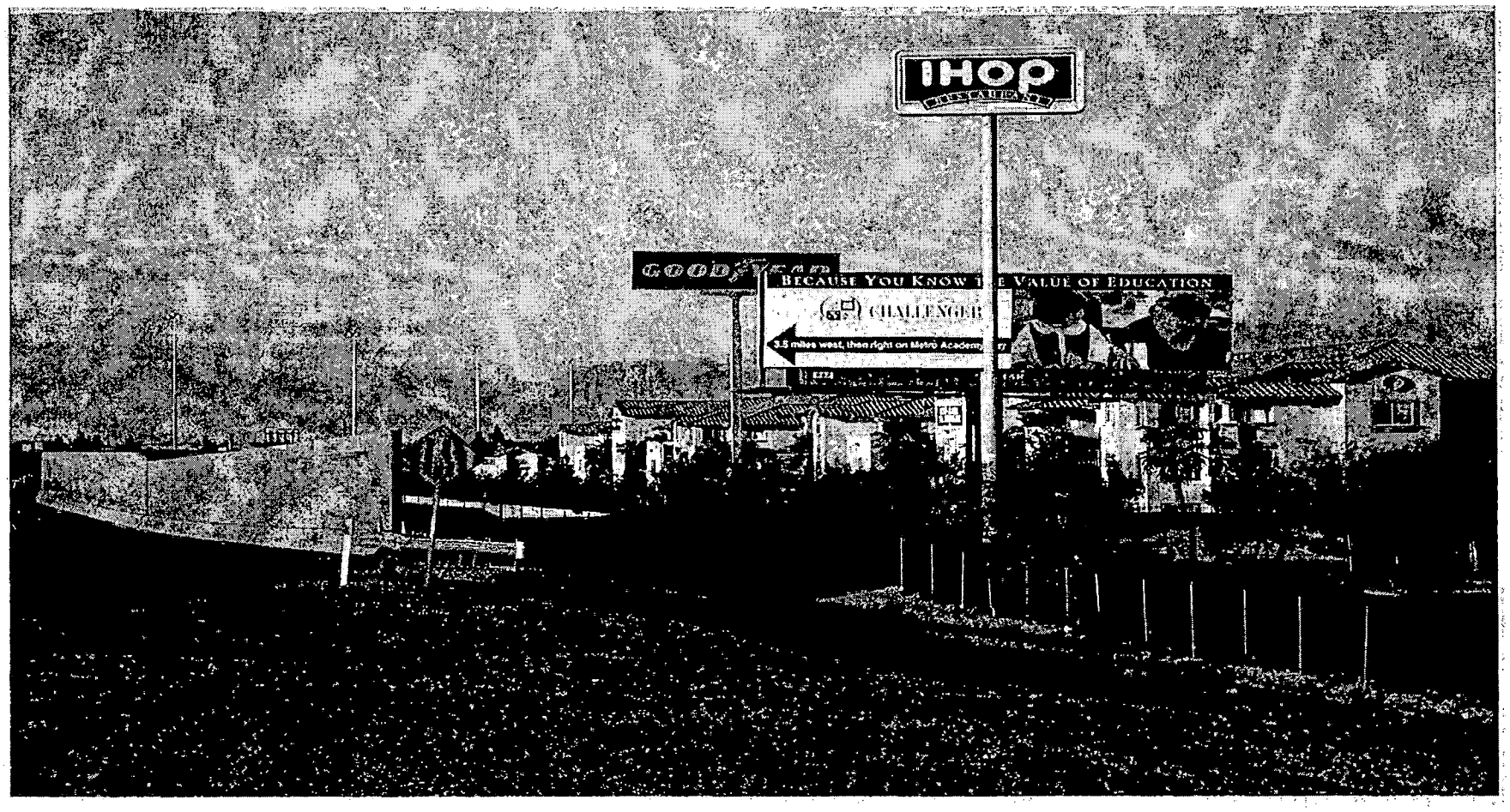
SHEET NUMBER
Z-3
SHEET 3 OF 3

VAR-3236
SUP-3237
12-04-03 PC



VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMETN COMPANY, INC.
NORTHEAST CORNER OF CHEYENNE AVENUE AND U.S. 95
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMETN COMPANY, INC.
NORTHEAST CORNER OF CHEYENNE AVENUE AND U.S. 95
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Request for a Special Use Permit FOR A PROPOSED 73-FOOT TALL SLIM-LINE WIRELESS COMMUNICATION FACILITY (NON-STEALTH) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

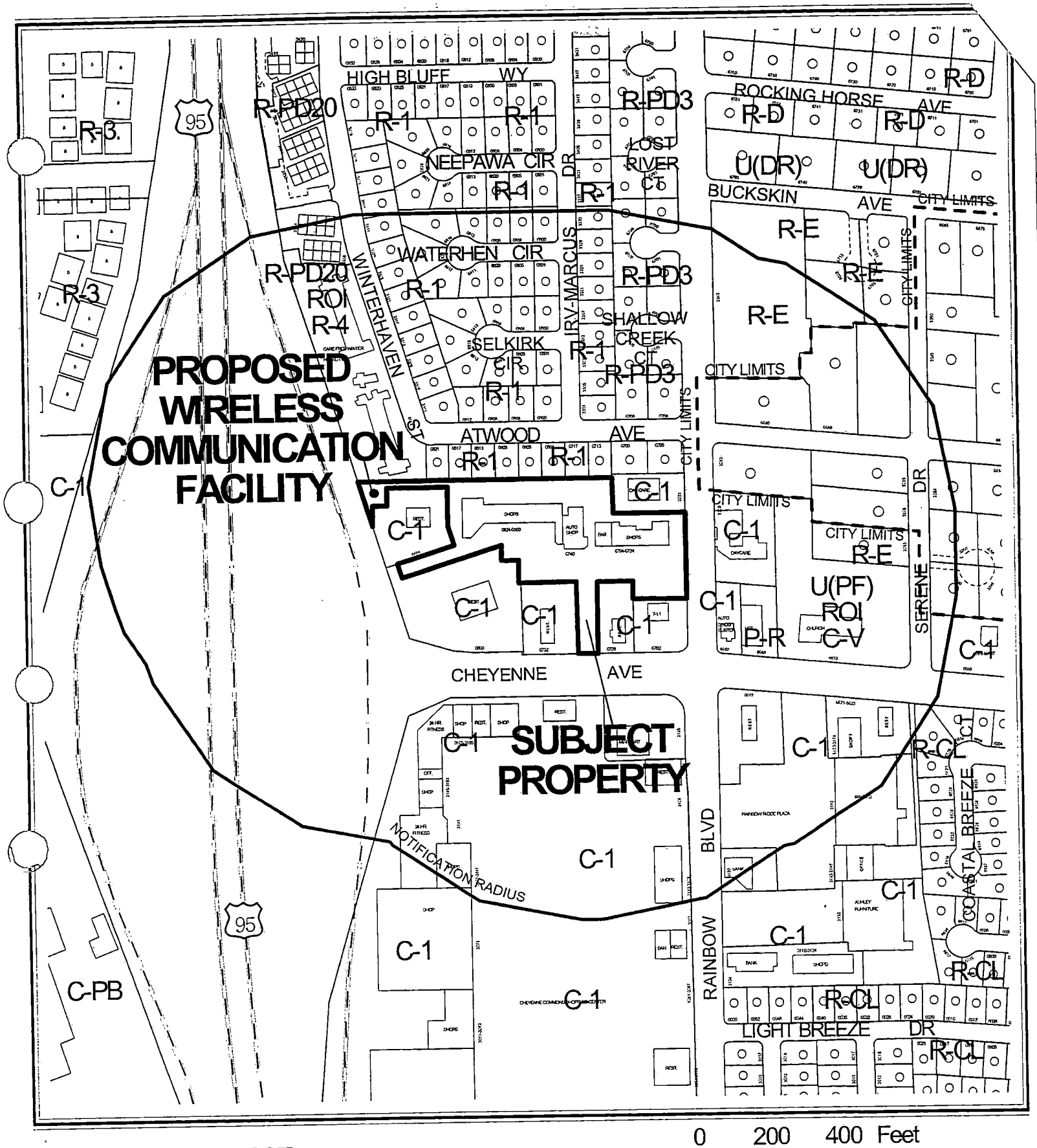
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
NIGRO – DENIED – UNANIMOUS with McSWAIN abstaining because her firm is finishing a contract with one of the applicants

This is Final Action.

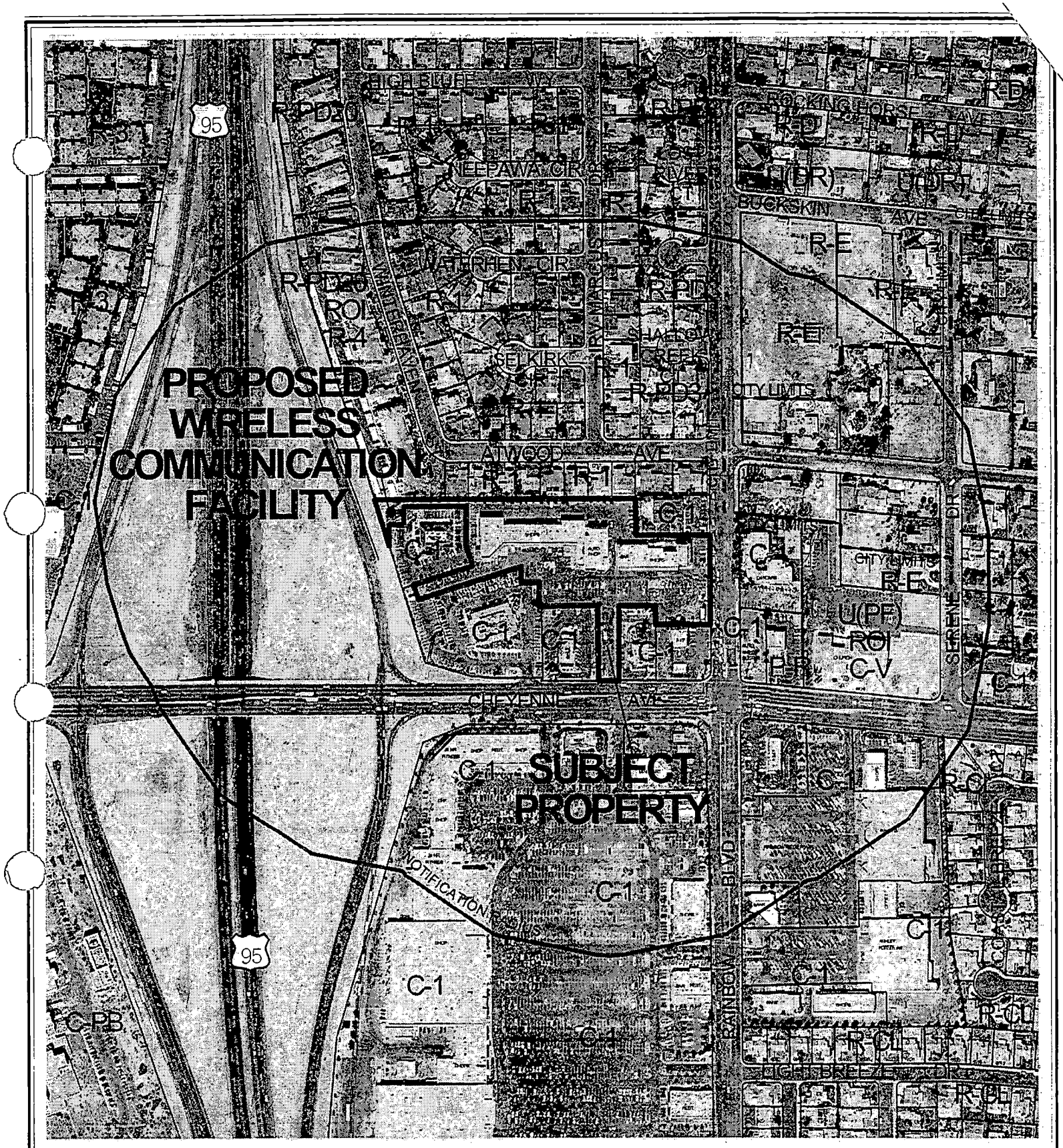
MINUTES:
NOTE: See Item 27 [VAR-3236] for related discussion.
(8:41 – 8:52)



CASE: **SUP-3237**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-3237**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INC.

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Wireless Communication Facility, Non-Stealth Design use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-3236).

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth Design at 6704 West Cheyenne Avenue.

A request for a Variance (VAR-3236) to allow a 190-foot setback from the north property line where Residential Adjacency Standards require 219 feet, and to allow a 12-foot rear yard setback where 20 feet is required for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth design will be heard concurrently.

B) Applicant's Justification

According to the applicant's justification letter, a wireless communication facility is badly needed in this area. All other sites that could accommodate the proposed facility have been exhausted. The reduced setback is necessary to locate the tower away from existing buildings.

BACKGROUND INFORMATION

A) Previous Actions

12/06/78 The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78).

04/17/85 The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission approved the request on 03/26/85 in a non-public hearing, but the case was then reviewed by the City Council at the request of protesters.

10/23/90 The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for an addition to an existing shopping center on the subject site. The project would add approximately 38,000 square feet of retail space to the center.

07/17/96 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.

03/10/97 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0155-96) to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue.

05/12/97 The City Council approved a request for a Special Use Permit (U-0147-96) for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97.

12/04/03 The Planning Commission will consider a related request, a Variance (VAR-3236) to allow a 190-foot setback from the north property line where Residential Adjacency Standards require 219 feet, and to allow a 12-foot rear yard setback where 20 feet is required for a proposed 73-foot tall slim-line Wireless Communication Facility, Non-Stealth design on the subject site.

B) Pre-Application Meeting

08/08/03 The applicant met with staff to discuss a Variance request to raise the height of an existing on-premise sign on the subject property from approximately 52 feet to 84 feet to accommodate a stealth design wireless communication antenna. The applicant was discouraged from doing so, as the resultant sign would be incompatible with other signage in the area.

10/02/03 Residential Adjacency standards and submittal requirements were discussed for the current slim-line design request.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.44

B) Existing Land Use

Subject Property:	Commercial Retail, Off-Premise Advertising Sign
North:	Senior Apartment Complex
South:	Restaurant
East:	Preschool
West:	Oran K. Gragson Highway (U.S. 95)

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD20 (Residential Planned Development) under Resolution of Intent to R-4 (High Density Residential) and R-1 (Single-Family Residential)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	R.O.W. (U.S. 95)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills 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. It also includes offices either singly or grouped as office centers with professional and business services. The C-1 (Limited Commercial) zoning district and proposed wireless communication facility conform to the SC (Service Commercial) General Plan designation.

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

County Notification – Notices were sent to property owners of unincorporated Clark County parcels within the notification area.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04.050, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Wireless Communication Facility	Shall conform to zoning district setbacks and Residential Adjacency Requirements	Rear setback: 12 feet Side setback: 14 feet Residential Adjacency setback: approx. 190 feet
	600-foot separation between antenna and another wireless communication facility antenna tower or any pole or tower structure of any other type having a height of at least 60 feet	No other poles in area

The site plan shows that the slim-line antenna pole is located approximately 14 feet from the side property line and 12 feet from the rear property line. Development standards for the C-1 zoning district require a 20-foot rear yard setback. In addition, the facility is located approximately 190 feet away from the closest property line of a single-family dwelling adjacent to the subject parcel. Residential Adjacency Standards require wireless communication facilities to adhere to a 3:1 proximity slope when adjacent to residential property developed for sale or designated for such development in the General Plan. The proximity slope requires a 73-foot antenna to be set back a minimum of 219 feet from the protected property. A Variance (VAR-3236) request asking for the reduced setbacks will be heard by the Planning Commission concurrent with this Special Use Permit request.

B) General Analysis and Discussion

- Zoning

  The subject property is zoned C-1 (Limited Commercial). The slim-line wireless communication facility proposed for this site is within the range of uses permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

  By definition, a slim-line design wireless communication facility features antenna panels that are narrow and closely spaced with one another atop a pole and extend no more than one foot beyond the circumference of the pole. Its design is classified as

non-stealth (not designed to blend into the surrounding environment). The proposed 73-foot high slim-line monopole is located in the extreme northwest corner of the parcel, away from buildings and required parking in the adjacent commercial center. Nevertheless, the facility encroaches into the rear setback area of the property, and is located just south of a senior apartment complex. In addition, Residential Adjacency Standards require a 219-foot setback from single-family houses that are adjacent to the same parcel as that of the antenna. As there already is a proliferation of signs (including billboards), commercial buildings, and residences in the vicinity of the proposed project location, this is not a good area to site a non-stealth wireless facility. A less-visible site or a stealth-designed antenna would be preferable.

- Conditions

Pursuant to Title 19.04.050, the following base conditions apply to a Wireless Communication Facility, Non-Stealth Design use. These conditions are non-waivable.

1. No residential use may exist on the property.

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

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

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

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

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

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

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

SS

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

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

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

The proposed Wireless Communication Facility doesn't meet the C-1 (Limited Commercial) building setback requirements or the proximity slope requirement of the Residential Adjacency Standards.

FINDINGS

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

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

   The proposed 73'-foot tall Wireless Communication Facility, Non-Stealth Design use is incompatible with adjacent residential uses. In addition, it would add to the concentration of signs and structures in the area.

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

   The site already accommodates an existing off-premise (billboard) sign, two on-premise signs, a light standard, and on-site landscaping. The site is not suitable for additional structures of the intensity of a non-stealth wireless communication facility.

SS

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 provided from entrances from Cheyenne Avenue, a 100-foot Primary Arterial, and Rainbow Boulevard, an 80-foot Secondary Collector as designated on the Master Plan of Streets and Highways. The proposed use does not generate traffic; therefore, these roadways will adequately serve the wireless communication facility.

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

   Approval of the Special Use Permit will not compromise the public health, safety, or public welfare, as the proposed wireless communication facility would be subject to inspection and regular maintenance.

NOTICES MAILED 114 (Mailed with VAR-3236)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3237 APN: 138-10-816-007

Name of Property Owner: Charleston Heights Development Company'

Name of Applicant: Cingular Wireless

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ernest A. Becker, Jr.

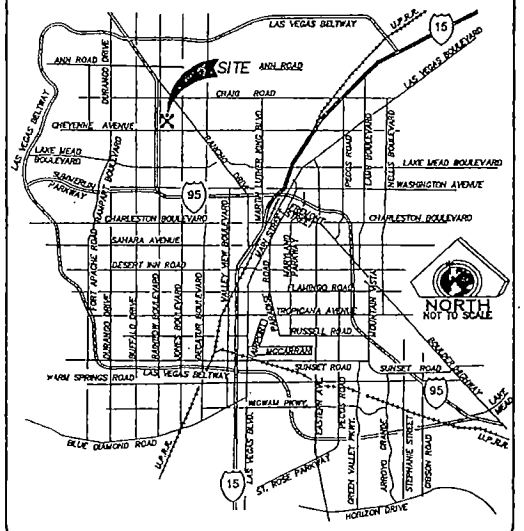
Subscribed and sworn before me

This 3rd day of October, 20 03

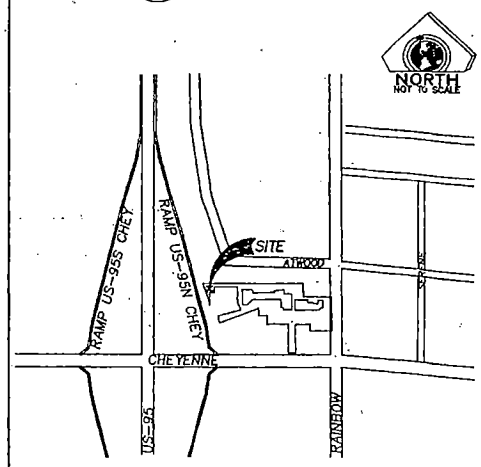
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
WENDY L. CATERER
No. 95-0691-1 My Appointment Expires Oct. 17, 2004

LOCATION MAP



VINITY MAP



PROJECT

cingular WIRELESS

LV 162-08
CHEYENNE & US 95
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

APPLICANT/LESSEE:
CINGULAR WIRELESS
1211 TOWN CENTER DRIVE
SUITE 100
LAS VEGAS, NEVADA 89144
CONTACT: AGNES THOMPSON
(702) 240-4142

PROPERTY OWNER/LESSOR:
CHARLESTON HEIGHTS DEV CO
ATT BECKER
50 S. JONES BLVD # 100
LAS VEGAS, NV. 89107-2672

ABBREVIATIONS

AB	ANCHOR BOLT	ELEV	ELEVATOR	PERIM	PERIMETER
ABV	ABOVE	EST	ESTIMATE	PERP	PERPENDICULAR
AC	ASPHALTIC CONCRETE	EXC	EXCAVATE	PR	PAIR
ACP	ASPHALTIC CONCRETE PAVING	EXT	EXTERIOR	PSF	POUNDS PER SQUARE FOOT
ADDM	ADDENDUM	FD	FLOOR DRAIN	RAD	RADIUS
ADJ	ADJACENT	FDN	FOUNDATION	RD	ROOF DRAIN
AFF	ABOVE FINISHED FLOOR	FEC	FIRE EXTINGUISHER CABINET	RLG	RAILING
AFG	ABOVE FINISHED GRADE	FEN	FENCE LINE OOR	SAN	SANITARY
AFS	ABOVE FINISHED SLAB	FF	FINISH FLOOR	SCHED	SCHEDULE
AGGR	AGGREGATE	FG	FINISH GRADE	SECT	SECTION
AMP	AMPERE	FHC	FIRE HOSE CABINET	SHT	SHEET(ING)
AMT	AMOUNT	FIN	FINISH	SIM	SIMILAR
ANT	ANTENNA	FL	FLOW LINE	SPEC	SPECIFICATION
ARCH	ARCHITECT	FLR	FLOOR(ING)	SQ	SQUARE
ASSY	ASSEMBLY	FOC	FACE OF CURB	SQ FT	SQUARE FOOT
AVE	AVENUE	FOF	FACE OF FINISH	SS	SANITARY SEWER
BAT	BATTERY	FOM	FACE OF MASONRY	STD	STANDARD
BITUM	BITUMINOUS	FTG	FOOTING	STRUCT	STRUCTURAL
BL	BASE LINE	G	GAS	SURF	SURFACE
BLDG	BUILDING	GALV	GALVANIZED	SUSP	SUSPENDED
BLVD	BOULEVARD	GI	GALVANIZED IRON	TC	TOP OF CURB
BLW	BELOW	GC	GENERAL CONTRACTOR	TEL	TELEPHONE
BM	BENCH MARK	GND	GROUND	TEMP	TEMPERATURE
BRG	BEARING	HD	HEAVY DUTY	TEMP	TEMPORARY
BTS	BASE TRANSCEIVER STATION	HORIZ	HORIZONTAL	THK	THICKNESS
BTU	BRITISH THERMAL UNIT	HYD	HYDRANT	THRU	THROUGH
BTUH	BRITISH THERMAL UNITS PER HOUR	INV	INVERT	TOE	TOE OF SLOPE
CAB	CABINET	JCT	JUNCTION	TOL	TOLERANCE
CEM PLAST	CEMENT PLASTER	KO	KNOCK-OUT	TOP	TOP OF SLOPE
CFE	CONTRACTOR FURNISHED EQUIPMENT	LG	LENGTH	TYP	TYPICAL
CHAN	CHANNEL	LL	LIVE LOAD	UNIV	UNIVERSAL
CJ	CONSTRUCTION JOINT	LNA	LOW NOISE AMPLIFIER	VERT	VERTICAL
CL	CENTERLINE	MAN	MANUAL	VOL	VOLUME
CMP	CORRUGATED METAL PIPE	MAS	MASONRY	W/	WITH
CMU	CONCRETE MASONRY UNIT	MATL	MATERIAL	W/O	WITHOUT
CO	CLEANOUT	MAX	MAXIMUM	WC	WATER CLOSET
COL	COLUMN	MECH	MECHANICAL	WD	WIDTH
CONC	CONCRETE	MET	METAL	WDW	WINDOW
CONSTR	CONSTRUCTION	MFG	MANUFACTURING	WR	WATER RESISTANT
CONT	CONTINUOUS	MFR	MANUFACTURER	WT	WEIGHT
CONTR	CONTRACT(OR)	MH	MANHOLE	XFMR	TRANSFORMER
COORD	COORDINATE	MIN	MINIMUM		
DAT	DATUM	MISC	MISCELLANEOUS		
DEMO	DEMOLITION	NG	NATURAL GROUND		
DET	DETAIL	No	NUMBER		
DIFF	DIFFERENCE	NOM	NOMINAL		
DIM	DIMENSION	NTS	NOT TO SCALE		
DL	DEAD LOAD	OA	OVERALL		
DN	DOWN	OC	ON CENTER		
DR	DRAIN	OD	OUTSIDE DIAMETER		
DWG	DRAWING	OD	OUTSIDE DIMENSION		
ELEV	ELEVATION	OPNG	OPENING		
ELECT	ELECTRICAL	OPP	OPPOSITE		

PROJECT INFORMATION

PROJECT ADDRESS
6704 W. CHEYENNE
LAS VEGAS, NV. 89123

PRESENT USE
73' MONOPOLE

ACREAGE
TOTAL PARCEL = 4.44 ACRES, MORE OR LESS
PROPOSED LEASE AREA = ± 320 SQ. FT.

PROPOSED USE
WIRELESS COMMUNICATION FACILITY (UNMANNED FACILITY)

ASSESSORS PARCEL NUMBER
138-10-816-007

PRESENT ZONING CLASSIFICATION
LIMITED COMMERCIAL DISTRICT (C1)

PROJECT TEAM

PROJECT SURVEYOR
PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013

A&E MANAGEMENT
PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013

INDEX TO DRAWINGS

SHEET No	SHEET INFORMATION
Z-1	SITE INFORMATION SHEET
Z-2	SITE PLAN
Z-3	ENLARGED SITE PLAN & ELEVATION

NOTES

1. A TOPOGRAPHICAL & BOUNDARY SURVEY WAS PERFORMED ON JULY 17, 2003
2. THIS SURVEY IS BASED ON A PRELIMINARY TITLE REPORT PREPARED BY NEVADA TITLE COMPANY, ORDER No. 03-05-2241-CC DATED MAY 16, 2003. PIONEER SURVEYS ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE COMPLETENESS OR ACCURACY OF THE ABOVE MENTIONED REPORT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH AND IS SUBJECT TO THE EXCLUSIONS AND EXCEPTIONS LISTED IN THE REFERENCES AND DESCRIBED IN SAID PRELIMINARY TITLE REPORT.

PIONEER SURVEYS
600 SOUTH 8TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013
PIONEER-SURVEYS@PIONEER-SURVEYS.COM

cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR
ZD-FINAL
CURRENT ISSUE DATE
9/16/03

SCALE	VARIES
JOB NO	330.002.04
DWG	152-05ZLOWG
DRAWN BY	TM

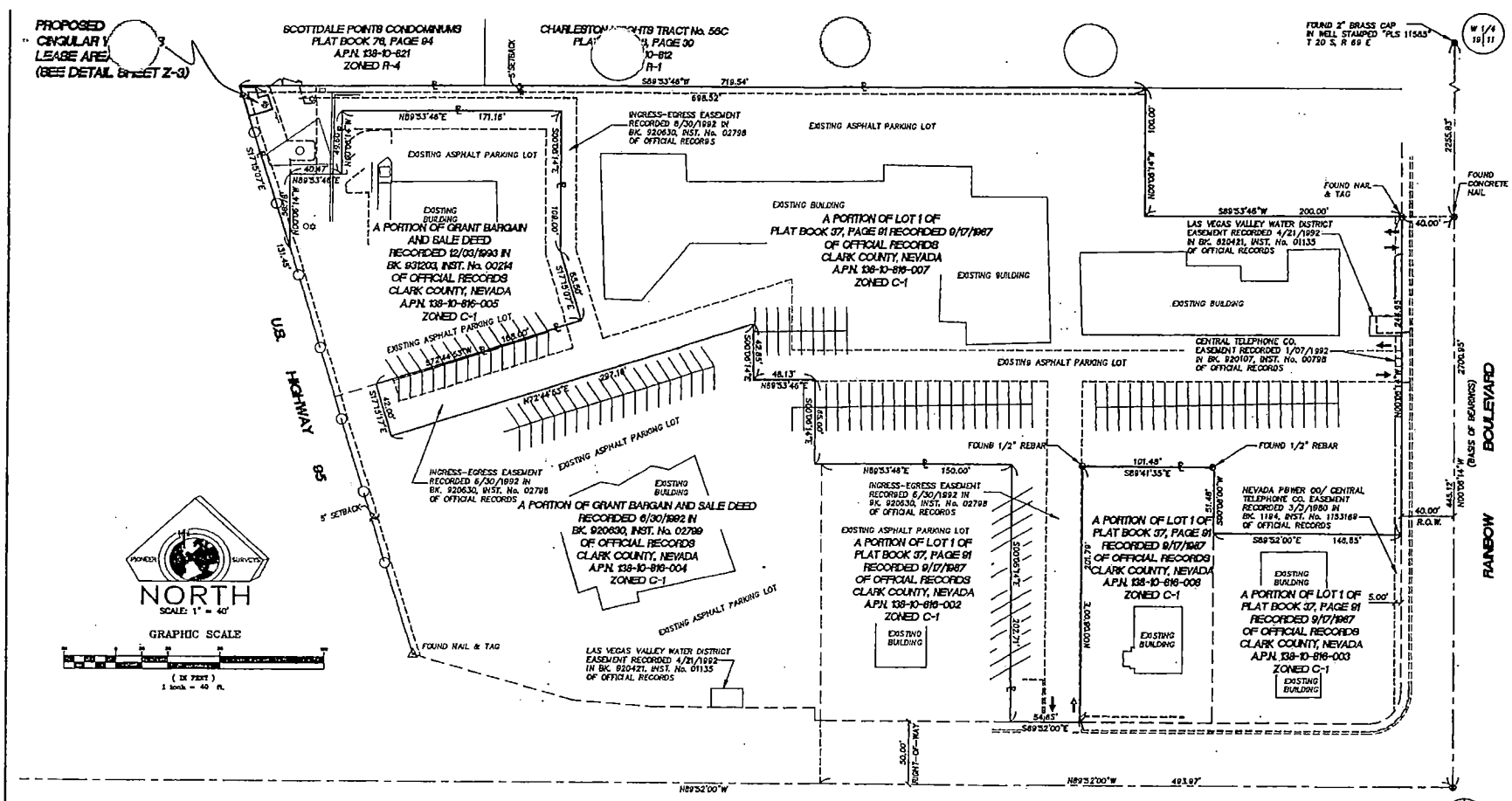
REV. #	DESCRIPTION	DATE

PROJECT INFORMATION
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE
INFORMATION SHEET

SHEET NUMBER
Z-1

VAR-3236
SUP-3237
12-04-03 PC



BASIS OF BEARINGS

NORTH 00°06' 14" WEST BEING THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON PLAT BOOK 37, PAGE 91 RECORDED SEPTEMBER 17, 1987 IN OFFICIAL RECORDS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL (BENCHMARK) #BLVD011SVS BEING A RIVET AND PLATE IN THE TOP OF CURB AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND RAINBOW BOULEVARD

ELEVATION:
701.4911 METERS/2301.48 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

LEGEND

———	CENTERLINE	(E)	EXISTING AS NOTED
- - - -	RIGHT-OF-WAY LINES	R.O.W.	RIGHT-OF-WAY
	PROPERTY LINE	○	AREA LIGHT
	TIE LINES		
	ADJOINERS		
•	FOUND MONUMENT AS INDICATED		

PIONEER SURVEYS
600 SOUTH 6TH STREET
LAS VEGAS, NEVADA 89101
TEL: (702) 212-4016
FAX: (702) 212-4013
PIONEER-SURVEYS@PIONEER-SURVEYS.COM

cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR:
ZD-FINAL
CURRENT ISSUE DATE
9/16/03

SCALE:	VARIES
JOB NO.:	3103.02.08
DWG:	3103.02.DWG
DRAWN BY:	HEH

REV. #	DESCRIPTION	DATE

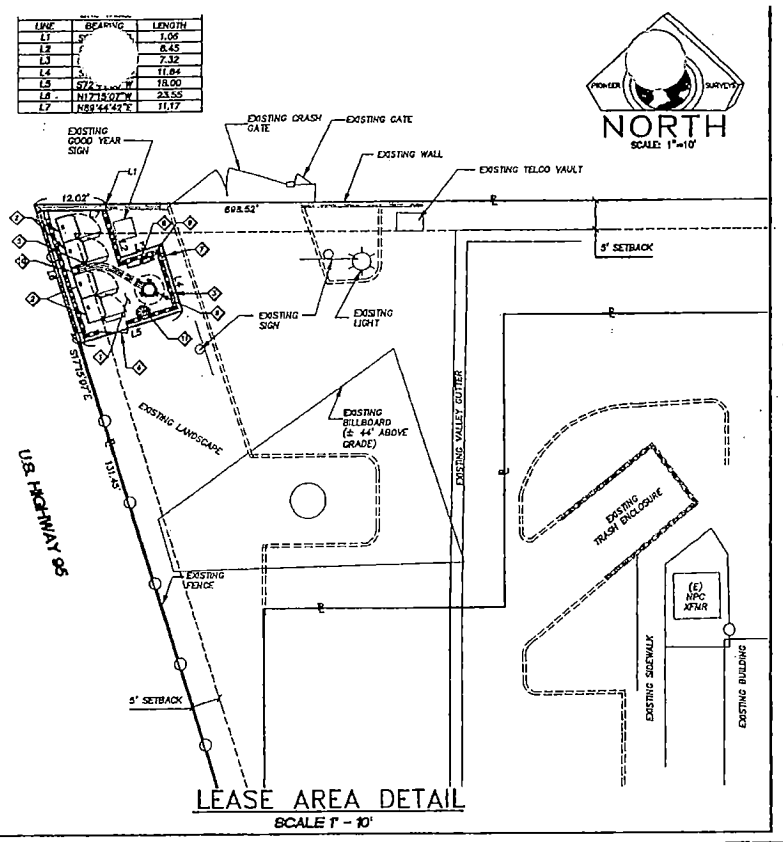
PROJECT INFORMATION
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE
SITE PLAN SHEET

SHEET NUMBER
Z-2

VAR-3236
SUP-3237
12-04-03 PC

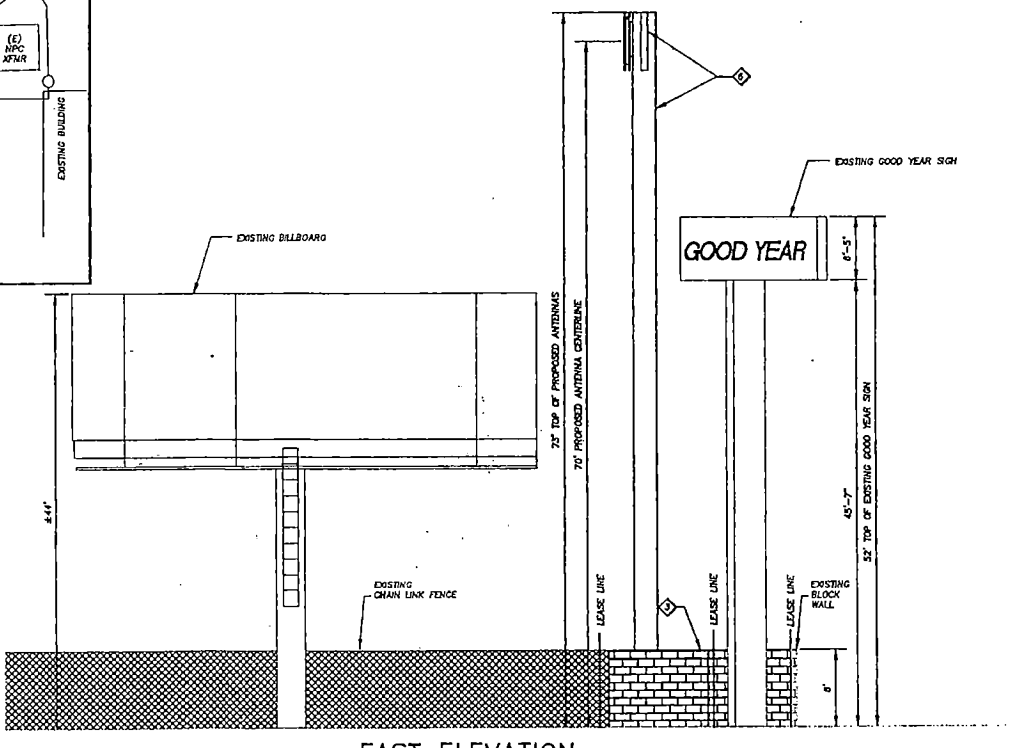
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L1	S[illegible]	1.06
L2	[illegible]	6.45
L3	[illegible]	7.32
L4	S[illegible]	11.84
L5	S72°[illegible]W	19.00
L6	N17°50'01"W	23.55
L7	N89°44'42"E	11.17



LEASE AREA DETAIL
SCALE 1" - 10'

KEY NOTES

1. PROPOSED CINGULAR WIRELESS LEASE AREA (±320 SQ. FT. TOTAL)
2. PROPOSED CINGULAR WIRELESS EQUIPMENT (3) PROPOSED AND (1) FUTURE HIGH CAPACITY OUTDOOR CABINETS
3. PROPOSED 8' CMU BLOCK WALL TO MATCH EXISTING
4. PROPOSED 5' WIDE AND 8' HIGH SOLID MAN GATE TO MATCH EXISTING GATES AND FINISHES
5. PROPOSED COAXIAL CABLES TO BE RUN IN (6) 6" CONDUITS IN UNDER GROUND TRENCH TO NEW MONOPOLE
6. PROPOSED CINGULAR WIRELESS ANTENNA ARRAY MOUNTED TO EXTERIOR OF NEW MONOPOLE @ 70' CENTERLINE (0°;120° & 240° SECTORS) TO BE PAINTED DESERT TAN (TMA'S TO BE CONNECTED AT ANTENNA LOCATION)
7. PROPOSED 200 AMP METER MAIN
8. PROPOSED TESCO PANEL
9. PROPOSED TELCO PANEL
10. PROPOSED DOGHOUSE (FOR COAXIAL CABLE BEND RADIUS)
11. REMOVE AND REPLACE DISTURBED LANDSCAPING, EXISTING IRRIGATION SYSTEM AND OR CURB AS NECESSARY



EAST ELEVATION
SCALE 1" - 6'

PIONEER SURVEYS
803 SOUTH 8TH STREET
LAS VEGAS, NV 89101
TEL: (702) 212-4016
FAX: (702) 212-4013
PIONEER-SURVEYS@PIONEER-SURVEYS.COM

cingular WIRELESS
1211 TOWN CENTER DR, STE 100
LAS VEGAS, NV. 89144

PROFESSIONAL SEAL

ISSUED FOR
ZD-FINAL
CURRENT ISSUE DATE
9/16/03

SCALE	VARIES
JOB NO.:	310.952.08
DWG	952-08ZD.DWG
DRAWN BY	TM

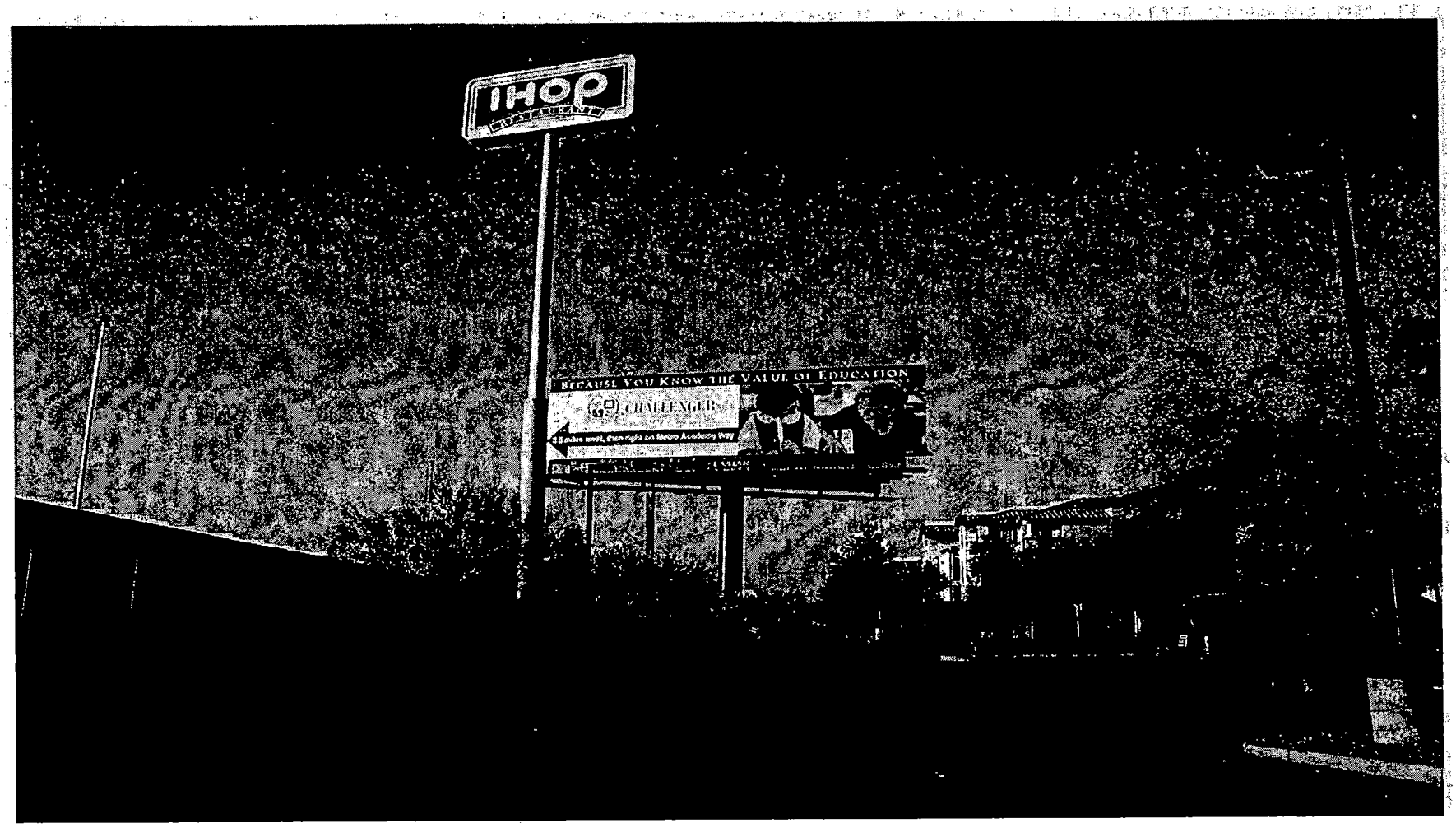
REV. #	DESCRIPTION	DATE

PROJECT INFORMATION
CINGULAR WIRELESS
CHEYENNE AND US 95
LV-162-08
6704 W. CHEYENNE
LAS VEGAS, NV. 89123
A.P.N. 138-10-816-007

SHEET TITLE
ENLARGED PLAN & ELEVATION

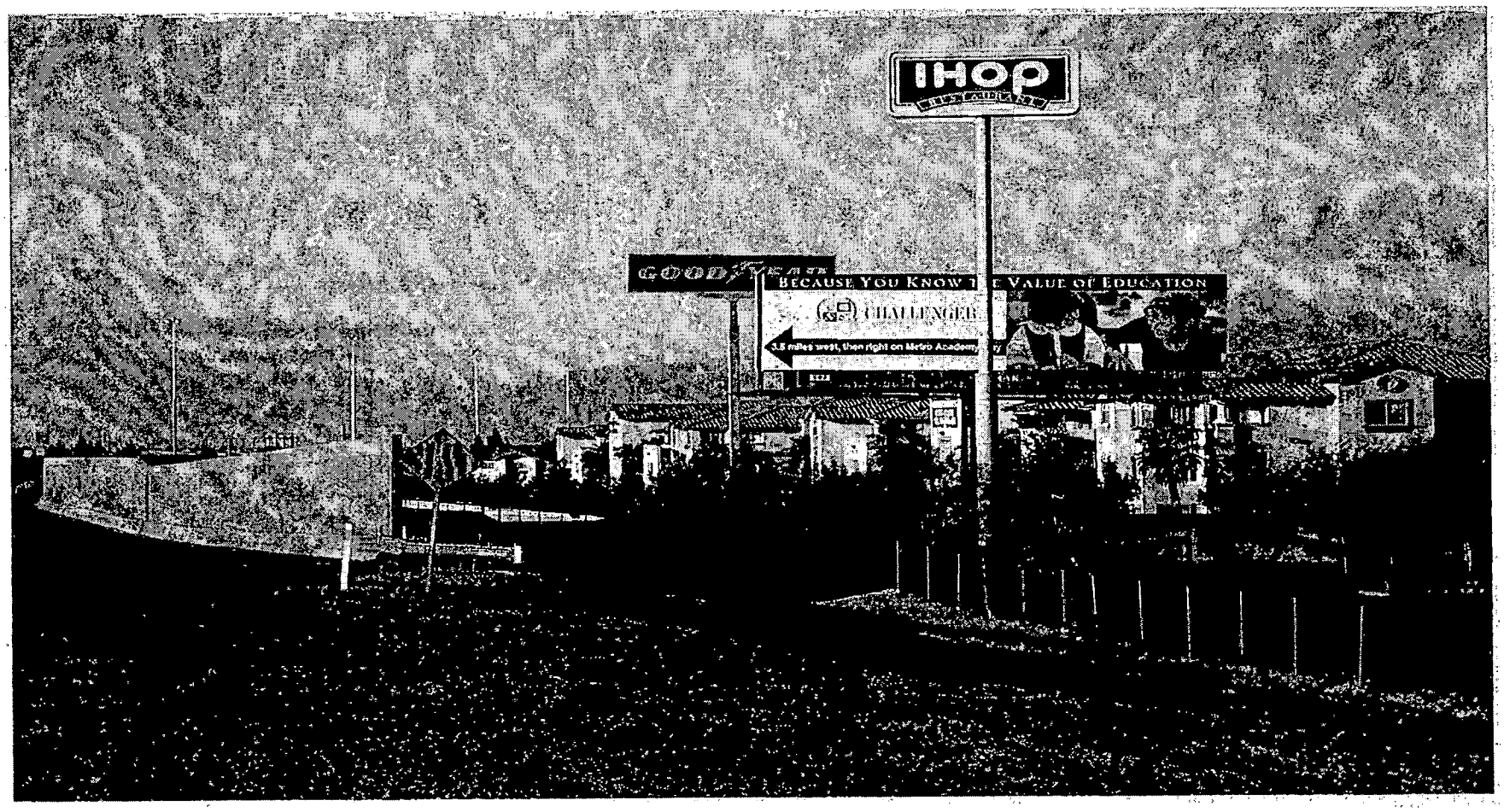
SHEET NUMBER
Z-3
SHEET 3 OF 3

VAR-3236
SUP-3237
12-04-03 PC



SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMETN COMPANY, INC.
NORTHEAST CORNER OF CHEYENNE AVENUE AND U.S. 95
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INC.
NORTHEAST CORNER OF CHEYENNE AVENUE AND U.S. 95
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST - Request for a Variance TO ALLOW A 27-FOOT SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 78 FEET for a proposed Private School, Primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN:125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack).

CC: 01/07/04

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	8	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

To be heard by the City Council on 1/7/2004.

NOTE: CHAIRMAN TRUESDELL disclosed that he has sat on the Board for the Meadows School for 19 years, but it would not impact his ability to vote and he would do so.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearings opened for Item 29 [VAR-3360] and Item 30 [SDR-3284].

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 29 – VAR-3360

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, outlined the variance request and site development plan for the 17,290 square foot private primary school with rear outdoor play areas. The landscaping and commercial development standards are met, except for the residential adjacency issue and handicapped parking. The handicapped parking is easily addressed. This is an internal lot surrounded on three sides by R-E zoned properties and almost entirely within a rural preservation neighborhood buffer zone. Senate Bill 391 states that governing body shall, as practical, adopt zoning restrictions to maintain the rural character of an area developed as low-density residential development. A private school is not consistent with the buffer zone requirements. Staff recommended denial of the site development plan. With regard to the variance, the 26-foot tall building would require a 78 foot setback which is encroached into on the west side of the property. The 11/19/2003 neighborhood meeting was not required. At that meeting, concerns were raised regarding noise and hours of operation. The applicant did not present any justification and staff recommended denial of the variance as well.

SUSAN JOHNSTON, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, appeared on behalf of the applicant. The proposed operator of the school, MELISSA VAN BLANKENSTEIN, was also present. A school is a permitted use subject to adequate off-street parking and loading. This school meets that requirement with two-lanes in, drop-off/pick-up and two-lanes back out. There is adequate visitor and staff parking. The school is oriented for placement of the play areas. This is further away and lower than a standard R-E home would be from existing residential properties. A promise has been made to the neighbors that there will be no outside public address system, security lighting along the back of the building that will not impact the neighborhood and enhanced landscaping around the outside of the property. The outside area will not be athletic fields. This is a Christian school with set teaching policies and more homework. Students in Safe-Key will stay inside working on homework. The only noise would be during recess, lunch and briefly after school.

MS. JOHNSTON outlined how MS. VAN BLANKENSTEIN will work with the existing elementary school on the other side of Rebecca so that their hours are staggered to avoid increasing the traffic. The facility will have daycare before and after school, further spreading out the traffic impact. The Southwest Mission style created a larger multi-purpose room, with an extra high ceiling for air flow and lighting.

CHARLES MOLINA, 6224 Newkirk Court, pointed out the density issue with Azure. Other development has created significant traffic on Azure and more is anticipated in the future. He used an aerial map and photographs to demonstrate where traffic problems are and will increase. Staggered hours will not stop these problems. Drivers park along Rebecca and cut across land to avoid backed up traffic.

MINUTES – Continued:

ROSE and DAVID BOWE, 6500 Bullring Lane, protested that she moved to her property, adjacent to the south of the proposed school, for the rural character. The existing elementary school has already brought tremendous traffic that speeds through the neighborhood. The 180 children will destroy her peace and quiet. If approved, she requested conditions to restrict lighting, public address systems and require the school increase her six-foot block wall to 10-feet. MR. BOWE echoed his wife's concerns, adding a protest about permitting commercial development against his residential property.

JEAN HOSEIN, 6216 Newkirk Court, agreed that the elementary school, post office and Centennial Center have increased traffic. She raised concerns with her daughter when she starts walking to Lied, overcrowding at the existing elementary school, invasion of the neighborhood by parent traffic and extended hours due to Safe-Key.

MADELINE MINUTO, 6213 Newkirk Court, also opposed the project due to traffic concerns.

MS. JOHNSTON agreed to increase the height of the BOWE wall as may be feasible from an engineering standpoint. The enhanced landscaping will also address privacy issues. There is a need for schools throughout the Valley, especially those that provide a neighborhood feel versus an institutional feel.

COMMISSIONER McSWAIN agreed that the this would be a beautiful facility that would serve the public well and that schools are needed in the community. Her concern was with the proximity to another school, the failure to require a special use permit for schools within a residential area, the encroachment into the setback and the increase to the intensity of use. She could not support an encroachment where the use is an imposition on the neighbors.

COMMISSIONER GOYNES discussed with MS. JOHNSTON and MS. VAN BLANKENSTEIN the 180 maximum students and the would be 180 students and addressing the parking nightmare during special events by utilizing the public school parking spaces. If nothing can be worked out with the neighborhood, then the programs would have to be split to create smaller events. MS. VAN BLANKENSTEIN indicated that she operated in California for 30 years and was asked to do private schools here in Las Vegas because of the need and growth. Her desire is to be a neighborhood asset, help families with their children. Private schools do have greater control and safeguards. COMMISSIONER GOYNES summarized his experience with traffic surrounding schools, bad drivers and accidents involving children.

COMMISSIONER EVANS stressed that this is a great project, good concept but wrong location. Regardless of a wall, there is no way to mitigate the intrusion on the residential neighbors. Those neighbors have property rights.

MINUTES – Continued:

COMMISSIONGER NIGRO stated both private and public schools are challenged. Residential areas oppose them and they do not belong in commercial areas. Using the facilities of the public school would be a good idea. The problem with Azure is that it is undeveloped. COMMISSIONER EVANS added that another problem is that it is not on the corner, but sandwiched between R-E properties. That increases the concern for safety issues.

CHAIRMAN TRUESDELL indicated that private schools are wonderful, but a challenge for locating. Given 180 students, no school could provide parking for special events and trying would create huge parking lots that would be empty all the time. The fact appears to be that there would be one car per child, creating over 100 cars queued up for an hour in the morning and an hour in the afternoon. That is a serious concern for this site in the middle of a block in an area not fully developed. This is not the right location. MS. VAN BLANKENSTEIN rebutted that the location was selected specifically because of the residential character. She has also made a point with her other schools to locate them near a public school. CHAIRMAN TRUESDELL confirmed with MS. VAN BLANKENSTEIN that the extended day is 6:00 a.m. to 6:00 p.m. and is a non-profit facility hoping to pay its bills. The setback encroachment would not change the noise volume given the intensity of the use. There is no transition between use intensities.

There was no further discussion.

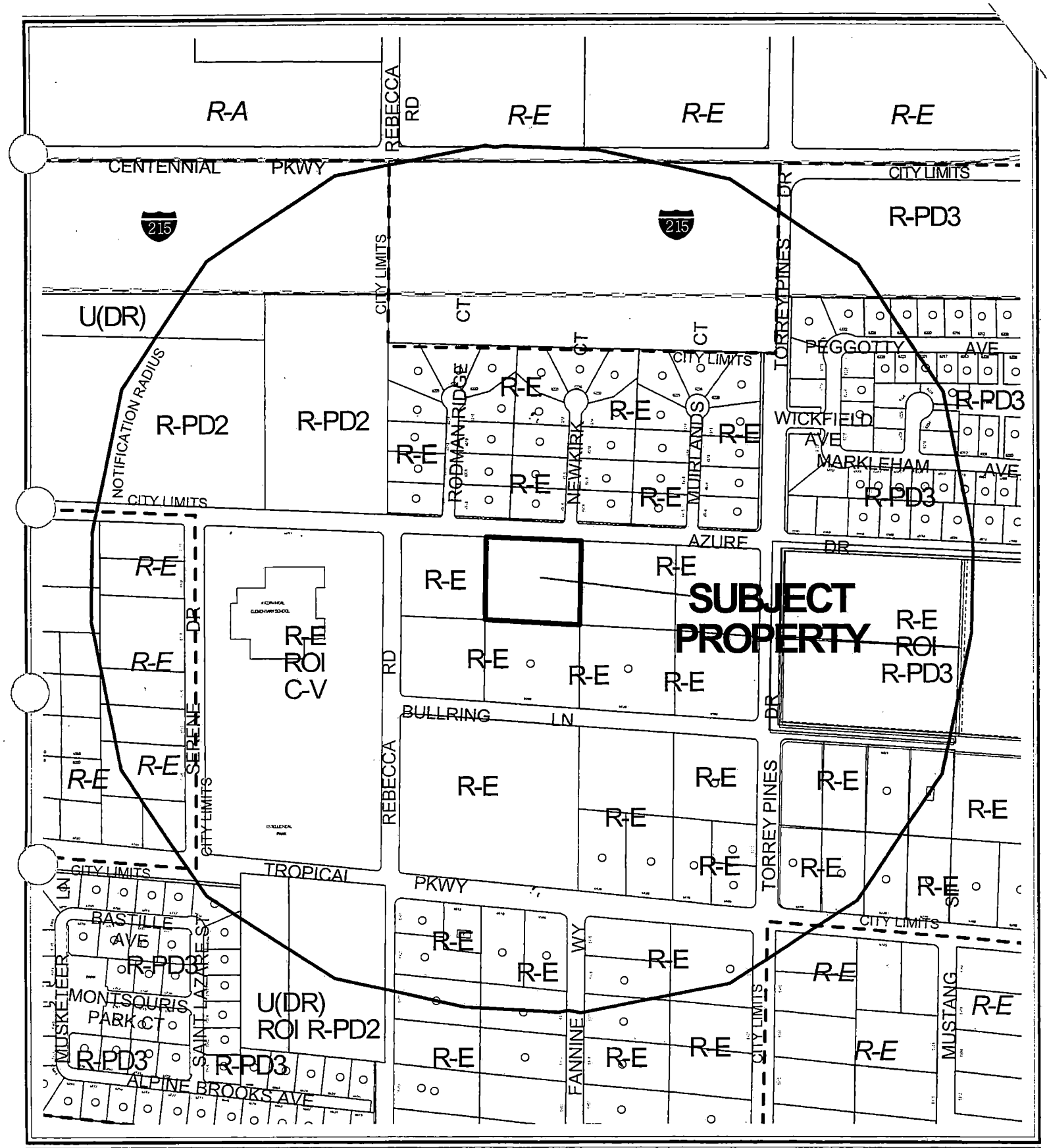
CHAIRMAN TRUESDELL declared the Public Hearings closed for Item 29 [VAR-3360] and Item 30 [SDR-3284].

NOTE: COMMISSIONER McSWAIN discussed with MR. GENZER investigating tougher conditions for a school within residential areas. In the event an applicant cannot meet those tougher conditions, it would trigger a special use permit situation.

(8:52 – 9:31)

2-2906/3-1

RECESSED: 9:31 – 9:41 P.M.



CASE: **VAR-3360**

RADIUS: 1320 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3284).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a 27-Foot Side-Yard Setback where Residential Adjacency Standards requires a minimum setback of 78 Feet for a proposed Private School, Primary on 2.10 acres on the south side of Azure Drive, approximately 285 feet west of Rebecca Road.

B) Applicant's Justification

The applicant's justification letter indicates that the 17,290 square foot facility has been designed to meet the needs of families in the area with facilities to accommodate two-year olds to 6th grade in a private school atmosphere. The building is 26 feet in height along one portion of the west side. The proposed building, at 26 feet high and with a 27 foot setback, is farther away from the property line than what is required for a R-E residence. A multi-purpose room is proposed in the area that does not meet Residential Adjacency Standards; however, the overall height of this room is less than and further away from the property line than a Single-Family dwelling unit would allow.

BACKGROUND INFORMATION

A) Previous Actions

12/04/03 The Planning Commission will hear a related item, Site Development Plan Review (SDR-3284), for a proposed Private School, Primary on the subject site.

B) Pre-Application Meeting

08/18/03 Discussions included a review of the condition for Private School, Primary which requires adequate on-site pick-up and drop-off areas. In addition, landscaping requirements were addressed including standards for planter widths along the right-of-way, the side and rear property lines, and parking lot planters. The variance requirement was determined to be necessary upon the submittal of Elevation drawings for the Site Development Plan Review.

C) Neighborhood Meetings

11/19/03 Five neighbors from the immediate vicinity were in attendance. The focus of issues and concerns as identified by the attendees centered around noise issues, including possible noise from the backyard play area, and school hours of operation.

TB

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.10

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-Family Dwellings
South:	Single-Family Dwelling
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as DR (Desert Rural Density Residential) in the Centennial Hills Sector Plan of the General Plan. The existing R-E (Residence Estates) zoning designation is in compliance with the General Plan designation. The purpose of the DR District is to provide for Low-Density residential units located on large lots and conveying a rural environment. The proposed Private School, Primary is a permitted use within the R-E (Residence Estates) zoning district as a Conditional Use.

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

TB

Rural Preservation Neighborhood
The subject site is within the 330-foot Rural Preservation Neighborhood buffer zone from properties adjacent to the north side of Azure Drive. The Rural Preservation Neighborhoods Senate Bill 391 purports that a governing body shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to maintain the rural character of the area developed as a low density residential development.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope.
No building subject to the standards of this subchapter shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this subchapter.

The overall height of the western section of the proposed building labeled multi-purpose room is 26 feet. At this height a 3:1 proximity slope line would intersect the building at a 78-foot setback line. The submitted site plan depicts a 27-foot setback which does not meet Residential Adjacency Standards; therefore a Variance (VAR-3360) is required.

b) Building setback.
No building setback on property subject to the standards of this subchapter shall be less than the required building setback for the protected property.

The protected property, adjacent to the west side of the subject site, has the same zoning designation, R-E (Residence Estates), as the subject site. Therefore, the same 10-foot minimum side yard setback is required for both properties. The submitted site plan depicts a 27-foot side yard setback which meets the requirements of this portion of the Residential Adjacency Standards section.

B) General Analysis and Discussion

The subject site abuts R-E (Residence Estates) zoned property on the east, west, and south property lines. The subject site is zoned R-E (Residence Estates) which permits a Private School, Primary as a conditional use. The site meets conditional use requirements for a school in the R-E zone; however, because the proposed building height is taller than 15

feet, the structure is subject to residential adjacency standards. For this reason, the western portion of the building is not in compliance with Residential Adjacency setback standards or maximum building height regulations that ensure non-residential building masses do not encroach into residential properties creating incompatibility for the site and surrounding area. A hardship has not been established per Title 19.18.070 requirements for a Variance from Residential Adjacency Standards; therefore, denial is being recommended.

FINDINGS

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

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site in terms of overall building height and building location on-site. Alternative site plans and building elevations would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 121 (Mailed with SDR-3284)

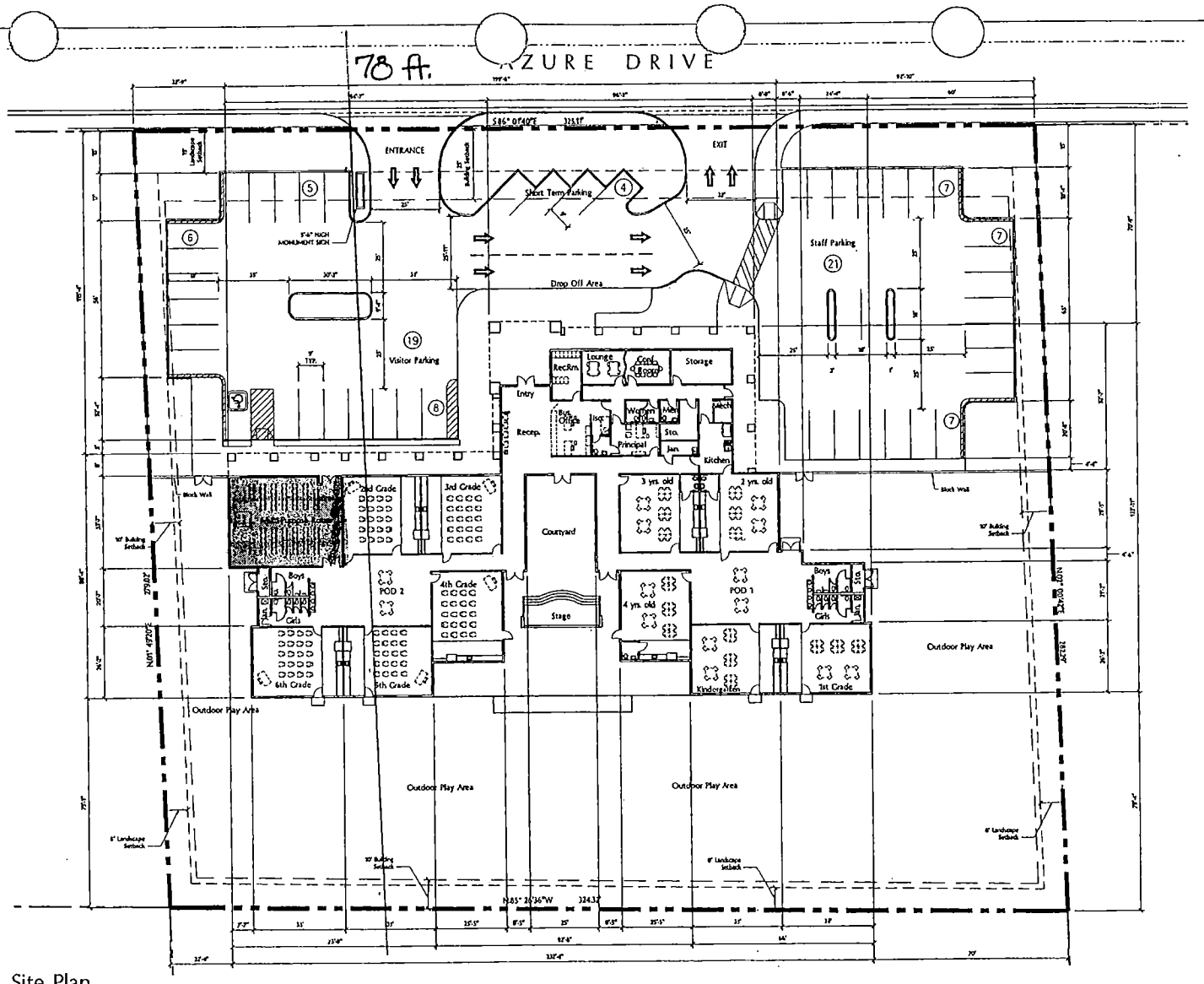
APPROVALS 0

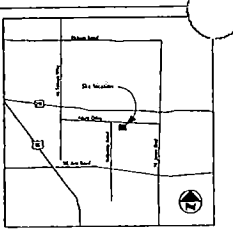
PROTESTS 1

TB

78 ft.

AZURE DRIVE





VICINITY MAP

BUILDING DATA

GROSS BUILDING AREA:	17,290 S.F.
PROPERTY SIZE:	91,043 S.F.
BUILDING SETBACKS REQD:	25' FRONT YARD 10' SIDE YARD 20' REAR YARD
LANDSCAPE SETBACKS REQD:	10' FRONT YARD 8' SIDE YARD 8' REAR YARD
BUILDING HEIGHT: MAXIMUM BY CODE	35' AND/OR 2 STORIES
BUILDING COVERAGE: CUMORAH SCHOOL	19.0 %

BUILDING ROOMS

CLASSROOMS	S.F.	RATIO	CHILDREN	STAFF	CAPACITY	OCCUPANCY
2 YEAR OLD	650	15	12	1	12	13
3 YEAR OLD	720	15	14	1	14	15
4 YEAR OLD	850	15	20	1	20	21
KINDERGARTEN	900	15	20	1	20	21
1ST GRADE	850	15	20	1	20	21
2ND GRADE	850	15	20	1	20	21
3RD GRADE	850	15	20	1	20	21
4TH GRADE	850	15	20	1	20	21
5TH GRADE	850	15	20	1	20	21
6TH GRADE	850	15	20	1	20	21

ROOMS	S.F.	OCCUPANCY
MULTIPURPOSE ROOM	1,295	194
POD #1	1,024	68
POD #2	975	65
STUDENT RESTROOMS	336	-
JANITOR / SUPPLIES	171	-
ENTRY WAY	168	-
RECEPTION AREA	273	18
RECORDS ROOM	180	12
BUSINESS OFFICE	288	-
LOUNGE / CONFERENCE ROOM	376	25
STORAGE /SUPPLIES	298	-
STAFF RESTROOMS	145	-
PRINCIPAL'S OFFICE	192	-
PRINCIPAL'S RESTROOM	88	-
ISOLATION AREA	113	-
KITCHEN	279	-
JANITOR	72	-
MECHANICAL	126	-

PARKING DATA

CUMORAH SCHOOL	17,290 S.F.
STANDARD SPACES	43 SPACES
ACCESSIBLE SPACES	1 SPACE
TOTAL PARKING	44 SPACES
RATIO	2.5/1,000 S.F.

NOTES

1. ALL CALCULATIONS BASED ON TOTAL GROSS SQUARE FOOTAGE OF BUILDING
2. PARKING SHOWN CONTAINS 30 DOUBLE AND 13 DOUBLE PARKING SPACES

TYPICAL DIMENSIONS: WIDTH 8.5'
DEPTH 18'
TWO WAY AISLES 25'

PARCEL MAP

LOT 1, OF FILE 27, PAGE 29, OF PARCEL MAPS, BEING THE N.W. 1/4, S.E. 1/4, N.W. 1/4 OF SEC. 26, T.19S, R.60E, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

BASIS OF BEARING

N89°30'08" W. ~ BEING THE SOUTH LINE OF THE N.W. 1/4 OF SECTION 26, T.19S, R.60E, M.D.M., LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY A PARCEL MAP, ON FILE IN THE CLARK COUNTY RECORDERS OFFICE, IN FILE 26, PAGE 48.

Note:
The boundaries of this drawing were developed from scaled information and should not be reconstrued as accurate.

Sheet 1 of 1

Site Plan

Project No:	SCH 02-0012
Scale:	1/16" = 1'-0"
Issue Date:	10/21/03
Prepared By:	AGV
Checked By:	PR
SDC	BP

REVISIONS BY

GRAPHIC SCALE
0 16 32 64
1/16" = 1'-0"

N

This drawing and the design shown are the property of William Panish Design Development Consultants, Inc. The reproduction, copying or actual use of the drawing without their written consent is prohibited and any infringement will be subject to legal action. ©2003 WPDDC, Inc.

Cumorah Christian Center
Azure Avenue
Las Vegas, NV

VAR-3360
12-04-03 PC

AREA OF VARIANCE REQUEST
STAFF

william panish
design development
consultants, inc.
1000 lakes drive, suite 405
west covina, ca 91790
p. 626.917.8600
f. 626.917.8608
w. www.wpddc.com

sch-102103.dwg



VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 285 FEET WEST OF REBECCA ROAD
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

To: Planning Comission 12/2/03
Attn: Gary M. Leobold, Sr. Planner
Subj: Planning Commission hearing (12/4/03) on SDR-3284 & VAR-3360

There is a private school proposed on Azure across from Newkirk Ct, which is one of the three private cul-de-sac streets that form Torrey Pines Ranch. At a recent developer meeting it was communicated that the facility located on the 2.1-acre parcel would house 180 clients for day care, schooling, and summer camp activities. This year-round enterprise is expected to worsen a growing traffic safety problem caused by explosive growth in our area.

As you may be aware, Azure Drive has become a traffic thoroughfare, linking Jones Blvd. near the new post office off Centennial Pkwy, over the US-95 bridge to the ever growing Centennial Shopping complex. Another major commercial development is already underway just west of Tenaya, which is expected to add to the growing traffic problems on Azure.

Every school day at 9:00 am and 3:11 pm, Neal Elementary School receives and dismisses elementary aged students, the majority of which are picked up by private transportation. Of the 790 students enrolled at Neal, only 120 (including special need students) use public transportation. That means that 670 students either walk or are picked up by private vehicles. Pictures taken on December 1st (attached) depict what traffic looks like around Neal elementary. Cars, mini-vans and SUV's park on both sides of Azure and Rebecca, on empty lots slated for development (ref. Pictures PDC1, 2, & 3). Traffic from Rebecca can be seen attempting to negotiate turns onto Azure. Those less patient on Rebecca drive across the empty lot to access Azure by-passing the Stop sign at Rebecca & Azure (PDC3). Lots located on Azure (North side of Neal) are soon to be developed as the US Homes Torrey Pines Ranch Estates. Our private cul-de-sac streets are not gated, and Rodman Ridge is already being used as another pickup point for students at Neal. Where will these vehicles go when the remaining residential areas are developed?

The proposed school on Azure is adjacent to the lot on Rebecca that less patient drivers are driving across (PDC3). This year-round enterprise would be located 285 feet from Neal Elementary. It will create similar surges of "rush-hour" traffic both on Azure and directly across our three private streets. Please note that we have no alternate means of exiting from our street. Azure is it. Resident with conventional and recreational vehicles alike will be faced with a nightmare trying to negotiate access onto Azure, specially because the proposed site plan is directly across from our community as shown on photo PDC4.

Azure is already becoming a major thoroughfare. The current traffic problems surrounding Neal Elementary have not been addressed and will worsen with the disappearance of the empty parcels of land under development. The proposed site development is not in the interest of our community. It adds risks to children and residents alike. It will seriously impair the traffic and exit access to Azure by our residents. It will also have a negative impact on the property values. The intended business purpose of the Van Blankestein family can best be served elsewhere where safety, access, and property values are not compromised, and enable the Planning Commission Northwest Sector vision to materialize (i.e. "...of unique and functional neighborhoods that contribute to the long range vision which preserves the existing character of the area while promoting harmonious new growth).

Please do not approve the site development plan or related variances!

Respectfully,

Charles Molina, for Torrey Pines Ranch Residents

SDR-3284
VAR-3360 P

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SDR-3284 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST - Request for a Site Development Plan Review FOR A PROPOSED PRIVATE SCHOOL, PRIMARY on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN: 125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack).

CC: 01/07/04

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**0**
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends DENIAL

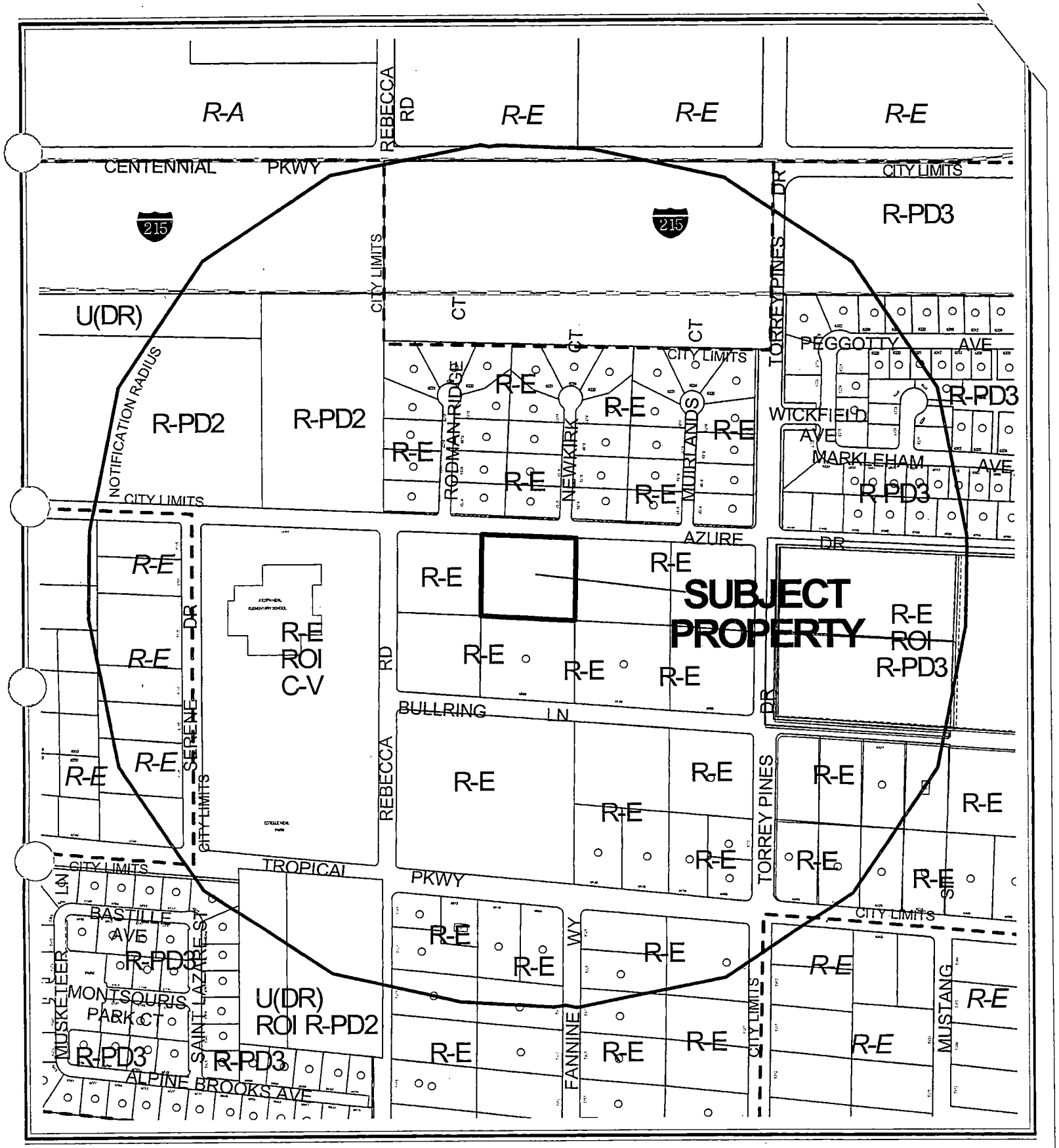
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
McSWAIN – DENIED – UNANIMOUS

To be heard by the City Council on 1/7/2004.

NOTE: CHAIRMAN TRUESDELL disclosed that he has sat on the Board for the Meadows School for 19 years, but it would not impact his ability to vote and he would do so.

MINUTES:
NOTE: See Item 29 [VAR-3360] for related discussion.
(8:52 – 9:31)
2-2906/3-1



CASE: **SDR-3284**

RADIUS: 1320 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3284 - CUHORAH, INC. ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

Planning and Development

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

2. 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 two accessible parking spaces, one van-accessible and one standard parking space as required by Title 19.10. The total of all standard parking spaces shall not be decreased below minimum code requirements.

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. All proposed signage shall conform to Title 19.14.060 requirements for Institutional signage in Residential Zones and Title 19.14.070 requirements relating to Residential Protection Standards.

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

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

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. 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.

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

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

14. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure and shall be located a minimum of 50 feet from the nearest Residential zoned property line as required by Title 19.08.45.

Public Works

15. Construct half-street improvements including appropriate transitional paving on Azure Drive, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the boundary of this site prior to construction of hard surfacing (asphalt or concrete).

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. Coordinate with the City of Las Vegas Traffic Engineer to construct or participate in the installation of a school flasher signal and associated appurtenances.

TB

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. 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.

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a proposed Private School, Primary on 2.10 acres on the south side of Azure Drive, approximately 285 feet west of Rebecca Road.

B) Applicant's Justification

The applicant's justification letter indicates that the 17,290 square foot facility has been designed to meet the needs of families in the area with facilities to accommodate two-year olds to 6th grade in a private school atmosphere. Outdoor play areas are provided within the fenced rear portion of the property with upgraded landscaping to provide a buffer to the existing neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

12/04/03 The Planning Commission will hear a related item, Variance (VAR-3360), to allow a 27-Foot Side-Yard Setback where Residential Adjacency Standards requires a minimum setback of 78 Feet for a proposed Private School, Primary on the subject site.

B) Pre-Application Meeting

08/18/03 Discussions included a review of the condition for Private School, Primary which requires adequate on-site pick-up and drop-off areas. In addition, landscaping requirements were addressed including standards for planter widths along the right-of-way, the side and rear property lines, and parking lot planters.

C) Neighborhood Meetings

11/19/03 Five neighbors from the immediate vicinity were in attendance. The focus of issues and concerns as identified by the attendees centered on noise issues, including possible noise from the backyard play area, and school hours of operation.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.10

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-Family Dwellings
South:	Single-Family Dwelling
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as DR (Desert Rural Density Residential) in the Centennial Hills Sector Plan of the General Plan. The existing R-E (Residence Estates) zoning designation is in compliance with the General Plan designation. The purpose of the DR District is to provide for Low-Density residential units located on large lots and conveying a rural environment. The proposed Private School, Primary is a permitted use within the R-E (Residence Estates) zoning district as a Conditional Use.

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

TB

Rural Preservation Neighborhood
The subject site is within the 330-foot Rural Preservation Neighborhood buffer zone from properties adjacent to the north side of Azure Drive. The Rural Preservation Neighborhoods Senate Bill 391 purports that a governing body shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to maintain the rural character of the area developed as a low density residential development.

PROJECT DESCRIPTION

The proposed 17,290 square foot Private School, Primary is accessed by two 25-foot entrance and exit drives along Azure Drive. Internal to the site, the plan depicts a 46-space parking lot located along the northern portion of the site. The building, centrally located on the lot, contains a 35-foot tall primary entrance feature connecting onto a covered walkway area along the front portion of the building. The rear of the property contains an outdoor play area with limited access through either rear building doors or a gated entrance at the block walls that separate the play area from the parking lot.

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	20,000 SF	89,375 SF	Y
Min. Lot Width	100 Feet	325 Feet	Y
Min. Setbacks			
• Front	50 Feet	70.9 Feet	Y
• Side (East)	10 Feet	70 Feet	Y
• Side (West)	10 Feet*	27 Feet	N*
• Rear	35 Feet	75.1 Feet	Y
Max. Building Height	2 Stories / 35 Feet*	1 Story / 35 Feet	N*
Trash Enclosure	Covered/Screened and 50 Feet from nearest 'R' zoned property	Not Depicted	N/A
Mech. Equipment	Covered/Screened	Not Depicted	N/A

The existing R-E zoned property meets the minimum lot size and width requirements. In addition, the proposed building meets minimum standards for setback requirements. However, because the proposed building height is taller than

15 feet, the structure is subject to residential adjacency standards. For this reason, the western portion of the building is not in compliance with Residential Adjacency setback standards or maximum building height regulations. A companion item, Variance (VAR-3360), has been submitted requesting relief from the Residential Adjacency Standards requirements.

A trash enclosure is not depicted on the submitted site plan. Trash enclosures are required to have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45. In addition, the structure is required to be located a minimum of 50-feet from the nearest Residential zoned property. A condition has been included requiring the trash enclosure to be constructed in conformance with the above mentioned requirements.

Any proposed roof mounted mechanical equipment shall be required to conform to Title 19.08.045.

A2) Residential Adjacency Standards

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

a) Proximity slope.
No building subject to the standards of this subchapter shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this subchapter.

The overall height of the western section of the proposed building labeled multi-purpose room is 26 feet. At this height a 3:1 proximity slope line would intersect the building at a 78-foot setback line. The submitted site plan depicts a 27-foot setback which does not meet Residential Adjacency Standards; therefore a Variance (VAR-3360) is required.

b) Building setback.
No building setback on property subject to the standards of this subchapter shall be less than the required building setback for the protected property.

The protected property, adjacent to the west side of the subject site, has the same zoning designation, R-E (Residence Estates), as the subject site. Therefore, the same 10-foot minimum side yard setback is required for both properties. The submitted site plan depicts a 27-foot side yard setback which meets the requirements of this portion of the Residential Adjacency Standards section.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Private School	17,290 SF. (11 classrooms)	2 spaces per classroom, plus 20 spaces for Admin. Staff	40	2	45	1

The submitted site plan depicts 45 standard parking spaces where a minimum of 40 spaces are required by code. The accessible parking spaces; however, do not meet minimum code requirements as there is one space proposed where two spaces are required. In addition, the proposed accessible space does not include the required access aisle on both sides of the parking stall. A condition has been included requiring a revision to the site plan to depict a minimum of 40 standard parking spaces and two accessible spaces, including one van accessible and one standard accessible space. The accessible parking spaces shall include access aisles on both sides of the stall and shall be located with the most direct and practical access to a primary accessible building entrance.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Tree / 6 Spaces	8 Trees	9
Buffer: • Min. Trees	1 Tree / 20 Linear Feet	61 Trees	77
• Min. Zone Width (R.O.W.) (Side and Rear P.L.'s) • Wall height	15 Feet 8 Feet 8-Foot maximum height		15 Feet 8 Feet N/A

The submitted landscaping plan meets minimum requirements for perimeter landscape planter widths. Within the landscape planters the submitted plan depicts 24-inch box trees with 5-gallon shrubs that exceed the minimum amount of planter material as required by code. The landscape plan also depicts a landscape area along a portion of the building front and a large backyard play area. Turf limitations as outlined in Title 14.11 do not apply to the subject site as the school use is exempt from Title 14.11 regulations.

TB

A5) Sign Standards

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

Freestanding Signs: Institutional

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	1 / Street frontage 1 total
Maximum Area	50 SF.	Not Depicted
Maximum Height	8 Feet	5-Foot 6-Inch
Minimum Setback	5 Feet	15 Feet
Illumination	Direct white light or internal illumination only	Not Depicted

Wall Signs: Institutional

Standards	Allowed	Provided
Maximum Number	1 Total (facing R.O.W.)	Not Depicted
Maximum Area	10% of bldg elevation	Not Depicted
Illumination	Direct white light or internal illumination only	Not Depicted

Under the requirements set forth in Title 19.14.060 institutional signs are permitted within the R-E (Residence Estates) zoning district. The submitted site plan depicts the location of a 5-foot 6-inch tall freestanding ground sign 15 feet from the front property line. The height and the location of the proposed sign meets minimum standards; however, the site plan does not depict overall area or illumination. A condition has been included requiring all signage to meet minimum standards of Title 19.14.060.

In addition to the standards listed above, all proposed signage must be in conformance with Title 19.14.070 requirements relating to Residential Protection Standards.

B) General Analysis and Discussion

- Zoning

The subject site is zoned R-E (Residence Estates) which permits a Private School, Primary as a conditional use. The condition required under Title 19.04.040 for a Private School, Primary is that adequate pick-up and drop-off areas shall be provided on-site. The submitted site plan depicts adequate pick-up and drop-off areas on-site; therefore, the proposed Private School, Primary meets minimum code requirements for a conditional use with the R-E (Residence Estates) zone.

- Site Plan

  The subject site abuts R-E (Residence Estates) zoned property on the east, west, and south property lines. One of the adjacent lots is developed as Single-Family Residential, in addition to all properties across Azure Drive. The remaining undeveloped R-E lots have the potential of developing as Single-Family Residential dwellings, as adjacent properties, including the subject site, are located within a Rural Preservation Neighborhood Buffer Zone which is established to maintain the rural character of the area developed as a low density residential development.

  The possibility for residential versus non-residential incompatibilities are of even higher concern due to the lots mid-block location within a residential subdivision. A case in point specific to this project is the incompatibility of the buildings height versus required setback to satisfy the Residential Adjacency Standards requirement along the western property line. The proposed site layout is inconsistent with Residential Adjacency Standards due to the buildings proximity to the western property line in relation to the buildings height. A hardship has not been established per Title 19.18.070 requirements for a Variance from Residential Adjacency Standards; therefore, denial is being recommended on the companion Variance (VAR-3360) application and on the subject Site Development Plan Review.

- Waivers

  There are no waivers requests being sought for the subject Site Development Plan Review application.

- Landscape Plan

  The landscaping plan exceeds minimum code standards in terms of the number of overall perimeter trees and shrubs required. In addition, the submitted plan meets minimum code requirements for parking lot landscaping and perimeter landscape planter widths. Overall, the landscape plan is sufficient in terms of landscape plant materials, sizes, and quantity.

- Elevation

  With the exception of issues and concerns raised under the Residential Adjacency Standards section of this report, the building elevation and materials are appropriate for the subject site. Building materials include Mission tile roofing, exterior stucco finish painted white with brick accents and wood framing in the spirit of the Spanish Revival architectural design.

- Floor Plan

  The 17,290 square-foot floor plan includes ten standard classrooms for grades 1st through 6th and separate classrooms for two and three-year olds. In addition to the classrooms, the building contains a multi-purpose room, conference and office rooms, a kitchen, and outdoor courtyard with stage area.

FINDINGS

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

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

   The subject site is within the 330-foot Rural Preservation Neighborhood buffer zone from properties adjacent to the north side of Azure Drive. The Rural Preservation Neighborhoods Senate Bill 391 purports that a governing body shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to maintain the rural character of the area developed as a low density residential development. The proposed development is not compatible with adjacent Single-Family development and is not consistent with the intent of the Rural Preservation Neighborhood buffer zone requirements.

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 site plan supplies adequate drop-off and pick-up areas; therefore, the proposed Private School, Primary is a permitted use per Title 19 within the R-E (Residence Estates) zoning district. The plan also meets or exceeds landscaping requirements including landscape planter widths and tree spacing requirements. However, the subject site does not meet Residential Adjacency Standards as required by Title 19.08.060. The possibility for residential versus non-residential incompatibilities are of concern due to the lots mid-block location within a residential subdivision. The proposed site layout is inconsistent with Residential Adjacency Standards that ensure non-residential building masses do not encroach into residential properties creating incompatibility for the site and surrounding area.

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

   The subject site is accessed from Azure Drive, a 60-foot wide right-of-way, which is capable of handling the projected 200 trips per day that will be generated by the proposed school. However, the addition of a school which can only be accessed from Azure Drive will add a substantial amount of neighborhood traffic which will impact the existing residential subdivision.

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

   The proposed building and landscape materials are appropriate for the subject site. Building materials are consistent with residential buildings and proposed landscape materials are sustainable in the Las Vegas Valley climate.

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 are not harmonious and create incompatibility with the adjacent property to the west due to the buildings violation of Residential Adjacency Standards, which assure that non-residential buildings do not encroach into residential properties creating an un-orderly residential environment.

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

   The proposed school will be subject to all necessary building permits and inspections as required by the Department of Building and Safety; therefore, the public health, safety and general welfare will be secured.

NOTICES MAILED 121 (Mailed with VAR-3360)

APPROVALS 0

PROTESTS 1

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3284 APN: 125-26-203-002

Name of Property Owner: VanBlankenstein Family Trust

Name of Applicant: Cumorah, Inc.

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Melissa Van Blankenstein

Print Name: Melissa Van Blankenstein

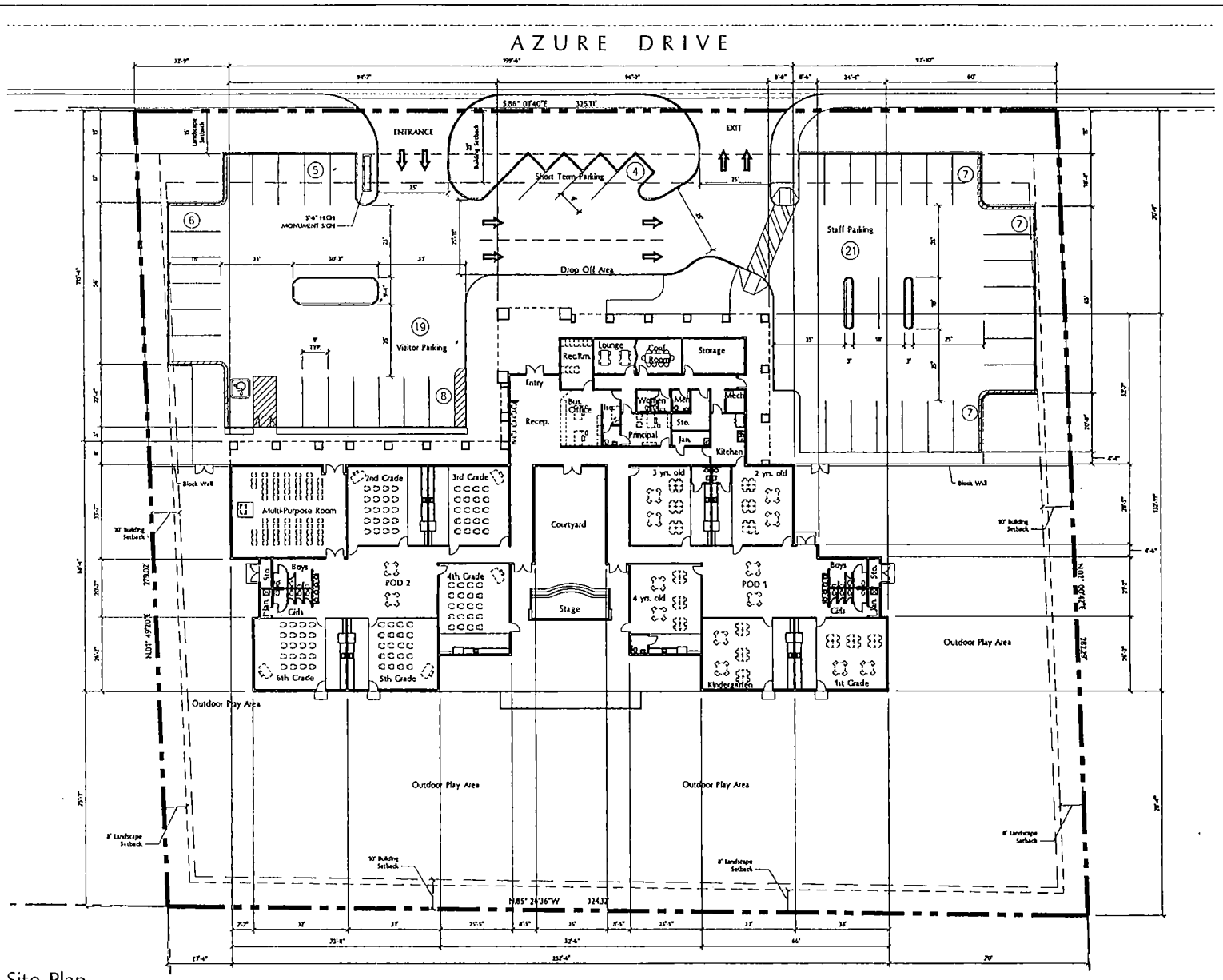
Subscribed and sworn before me

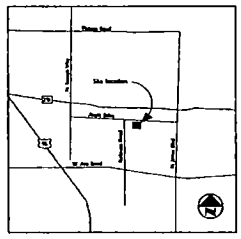
This 8th day of July, 2003

Anita D. Allen

Notary Public in and for said County and State

ANITA D. ALLEN
Commission # 1378059
Notary Public - California
Los Angeles County
My Comm. Expires Oct 4, 2006





VICINITY MAP

BUILDING DATA

GROSS BUILDING AREA:	17,790± S.F.
PROPERTY SIZE:	91,043± S.F.
BUILDING SETBACKS REQD:	25' FRONT YARD 10' SIDE YARD 10' REAR YARD
LANDSCAPE SETBACKS REQD:	15' FRONT YARD 8' SIDE YARD 8' REAR YARD
BUILDING HEIGHT: MAXIMUM BY CODE	35' AND/OR 2 STORIES
BUILDING COVERAGE: CUMORAH SCHOOL	19.53 ±

BUILDING ROOMS

CLASSROOMS	S.F.	RATIO	CHILDREN	STAFF	CAPACITY	OCCUPANCY
2 YEAR OLD	550	15	15	2	17	15
3 YEAR OLD	720	18	18	2	16	21
4 YEAR OLD	880	20	20	2	22	19
KINDERGARTEN	800	20	20	1	21	19
1ST GRADE	800	20	20	1	21	20
2ND GRADE	800	20	20	1	21	20
3RD GRADE	800	20	20	1	21	20
4TH GRADE	800	20	20	1	21	20
5TH GRADE	800	20	20	1	21	20
6TH GRADE	800	20	20	1	21	20

ROOMS	S.F.	OCCUPANCY
MULTIPURPOSE ROOM	1,283	164
POD #1	1,024	66
POD #2	975	65
STUDENT RESTROOMS	558	-
JANITOR / SUPPLIES	212	-
ENTRY WAY	158	-
RECEPTION AREA	275	18
RECORDS ROOM	180	11
BUSINESS OFFICE	289	-
LOUNGE / CONFERENCE ROOM	378	25
STORAGE /SUPPLIES	399	-
STAFF RESTROOMS	143	-
PRINCIPAL'S OFFICE	197	-
PRINCIPAL'S RESTROOM	416	-
ISOLATION AREA	453	-
KITCHEN	239	-
JANITOR	823	-
MECHNICAL	526	-

PARKING DATA

CUMORAH SCHOOL	17,790 S.F.
STANDARD SPACES	43 SPACES
ACCESSIBLE SPACES	1 SPACE
TOTAL PARKING	44 SPACES
RATIO	2.5/1,000 S.F.

NOTES
1. ALL CALCULATIONS BASED ON TOTAL GROSS SQUARE FOOTAGE OF BUILDING
2. PARKING SHOWN CONTAINS 44 REGULAR AND 0 REGULAR PARKING SPACES

TYPICAL DIMENSIONS: WIDTH 9.0' DEPTH 18' TWO WAY AISLES 25'

PARCEL MAP

LOT 1, OF FILE 27, PAGE 29, OF PARCEL MAPS, BEING THE N.W. 1/4, S.E. 1/4, N.W. 1/4 OF SEC. 26, T.19S, R.60E, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

BASIS OF BEARING

N.81°40'18" W. ~ BEING THE SOUTH LINE OF THE N.W. 1/4 OF SECTION 26, T.19S, R.60E, M.D.M., LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY A PARCEL MAP, ON FILE IN THE CLARK COUNTY RECORDERS OFFICE, IN FILE 26, PAGE 48.

Note:
The boundaries of this drawing were developed from scaled information and should not be misconstrued as accurate.

Site Plan

Sheet 1 of 1

Project No:	SCH: 02-0012
Scale:	1/16" = 1'-0"
Issue Date:	10/21/03
Prepared By:	AGV
Checked By:	PR
SDC	BP

REVISIONS	BY

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GRAPHIC SCALE
1 in FEET 1
1/16" = 1'-0"

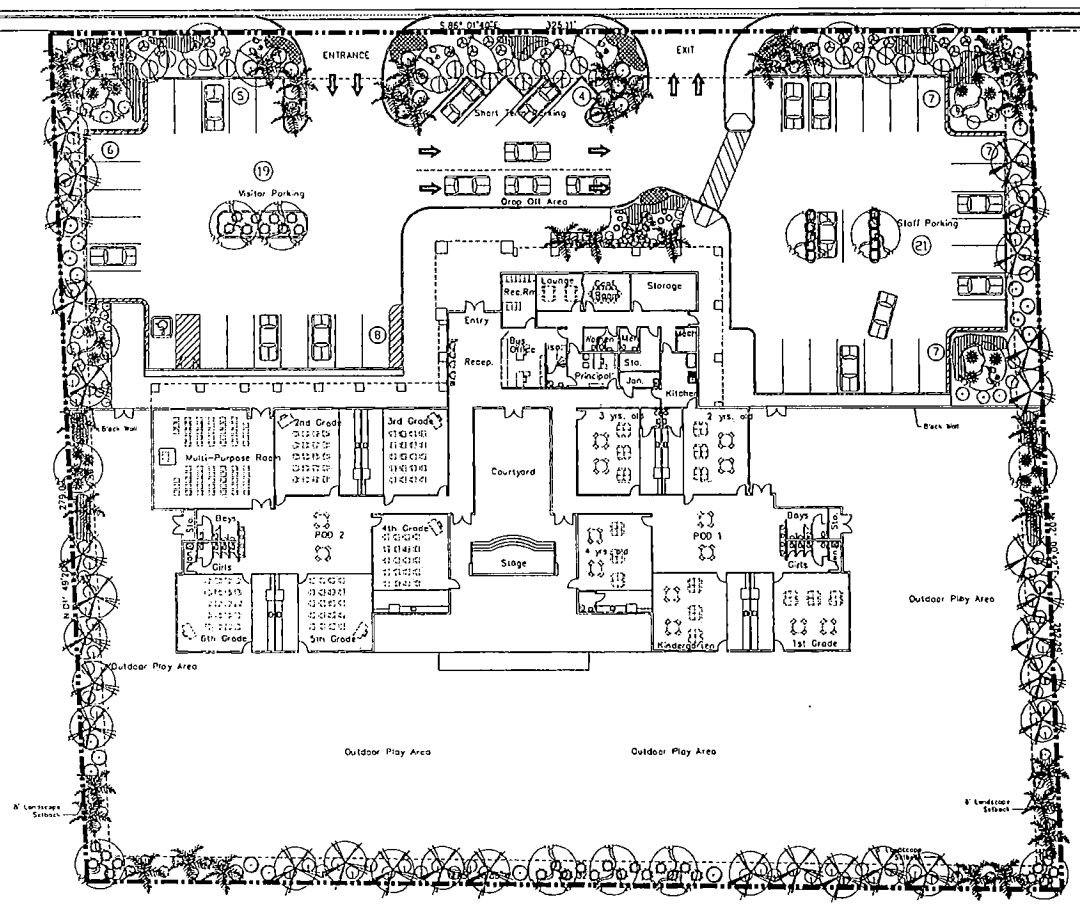
Cumorah Christian Center

Azure Avenue
Las Vegas, NV

SDR-3284

12-04-03 PC

william parrish design development consultants, inc.
1000 lakes drive, suite 405
west covina, ca 91790
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f . 626.917.6808
w . www.wpddc.com



SDR-3284

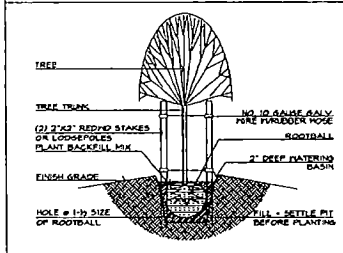
12-04-03 PC

LEGEND

SYMBOL	PLANT NAME	SIZE	QTY.
	PROSOPSIS CHILOENSIS CHILEAN MESQUITE	24"BOX	15
	ACACIA STENOPHYLLA SHOESTRING ACACIA	24"BOX	30
	CERCIDIUM FLORIDUM BLUE PALO VERDE	24"BOX	10
	CHAMAEROPS HUMILIS MED FAN PALM	24"BOX	1
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	6'-12' TALL	35
	LEUCOPHYLLUM FRUTESCENS TEXAS RANGER	5 GAL	25
	DASYLIRION VAR. DESERT SPOON	5 GAL	22
	CASSIA WISLIZENI FEATHERY CASSIA	5 GAL	14
	HESPERALOE PARVIFOLIA RED YUCCA	5 GAL	35
	LANTANA RADIATION RADIATION LANTANA	5 GAL	42
	MUHLENBERGIA VAR. DEER GRASS	5 GAL	26
	CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL	35
	SALVIA GREGGI TEXAS RED SAGE	5 GAL	69
	TRACHELOSPERMUM JAS. STAR JASMINE	1 GAL	29
	FOUQUIERIA SPLENDENS OCOTILLO	3-5'TALL	2
	BACCHARIS CENTENNIAL DWARF COYOTE BUSH	1 GAL	36"OC
	ANNUAL COLOR BY SEASON	FLATS	10
	LANDSCAPE BOULDERS COLOR BY OWNER		

PLANT COUNT IS A COURTESY COUNT-PLEASE VERIFY

TREE STAKING DETAIL



LANDSCAPE NOTES

1. SITE PREPARATION: THE CONTRACTOR SHALL REMOVE ALL WEEDS, ROCKS, DEBRIS, AND OTHER EXTRANEOUS MATERIAL FROM THE JOB SITE PRIOR TO PROCEEDING WITH ANY WORK, AND DISPOSE OF IT IN A SUITABLE AND LAWFUL MANNER.
2. DRAINAGE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SURFACE AND UNDERGROUND DRAINAGE (MINIMUM 2% GRADIENT ALL AREAS EXCEPT AS NOTED).
3. FINISH GRADES: THE CONTRACTOR SHALL BE RESPONSIBLE FOR FINISH GRADE IN ALL PLANTING AREAS. SOIL SHALL BE FLOATED TO A SMOOTH AND EVEN SURFACE CONFORMING TO THE SPECIFIED GRADES AFTER SETTLEMENT HAS OCCURED. FINISH GRADE IN TURF AREAS SHALL BE 1" BELOW ADJACENT HARDSCAPE. FINISH GRADE IN SHRUB GROUND COVER AREAS AND SOD TURF AREAS SHALL BE 2" BELOW ADJACENT HARDSCAPE. ALL CHANGES IN GRADE AND GRADES AT THE LIMIT OF WORK SHALL BE BLENDED TO OBTAIN A SMOOTH, EVEN TRANSITION AND ELIMINATE ABRUPT CHANGE. FINISH GRADE SHALL BE APPROVED BY THE OWNER AND/OR LANDSCAPE DESIGNER PRIOR TO SOIL PREPARATION.
4. ALL PLANTER BEDS AND LAWN TO BE IRRIGATED BY AUTOMATIC SPRINKLER SYSTEM.
5. IRRIGATION: NO PLANTING SHALL TAKE PLACE UNTIL THE ENTIRE IRRIGATION SYSTEM IS UNDER FULL AND AUTOMATIC OPERATION FOR A MINIMUM PERIOD OF THREE DAYS.
6. PLANTING TABLETS: SHALL BE PLACED IN THE PLANT PIT AT ONE THIRD OF THE DEPTH OF THE ROOT BALL AND 2" FROM THE ROOTBALL AT THE FOLLOWING RATE: 1-GAL=1 TABLET, 5-GAL=3 TABLETS, 15-GAL=5 TABLETS, 24" AND 24" BOX=6 TABLETS, 30" AND 36" BOX=8 TABLETS.
7. ALL PLANTER BEDS TO RECEIVE ¾" SANDSTONE AS GROUND COVER.

REVISIONS	BY

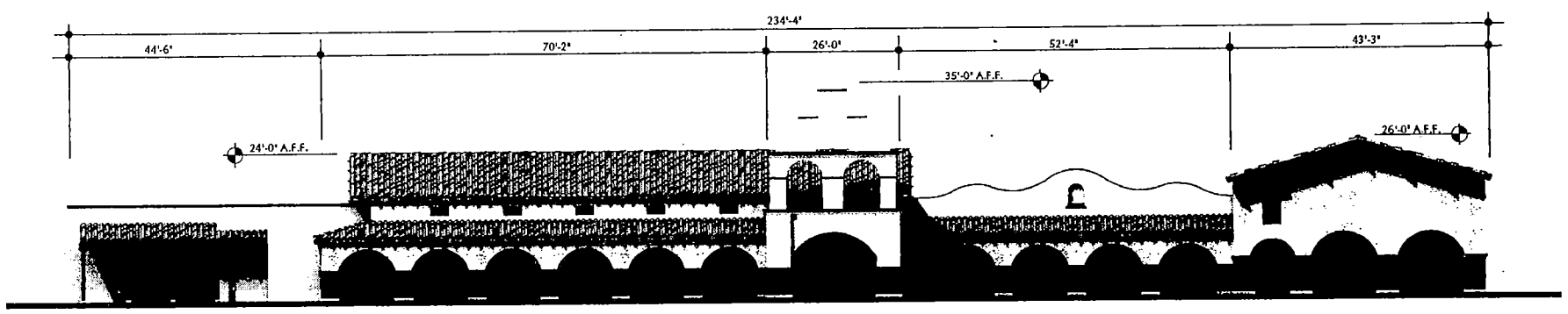
SUNWORLD
LANDSCAPE & CONSTRUCTION, LLC
(702) 598-1711

PRELIMINARY LANDSCAPE STUDY

CUMORAH CHRISTIAN SCHOOL

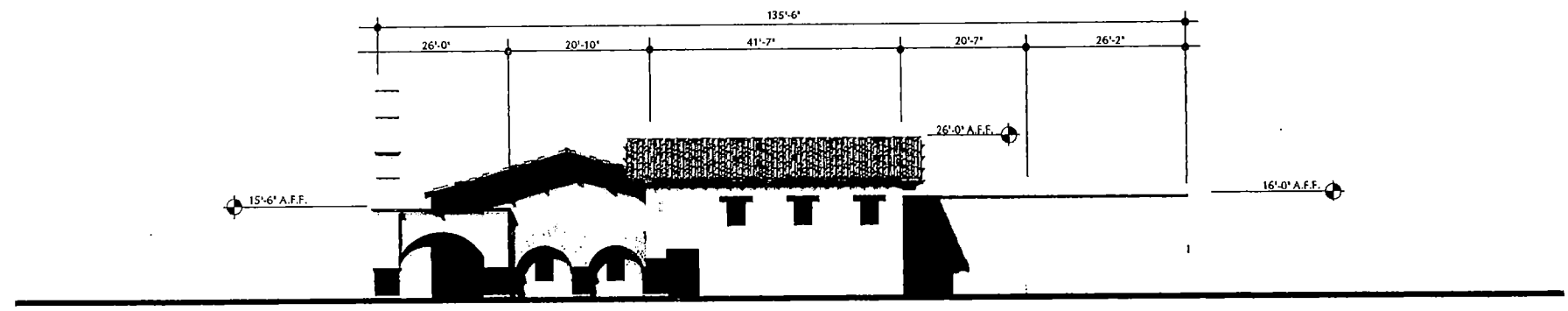
AZURE DRIVE
LAS VEGAS, NEVADA

DATE 10-07-03
SCALE 1"=16'-0"
SHEET 1 OF 1 SHTS



NORTH ELEVATION — A

SCALE 1/16" = 1'-0"



WEST ELEVATION — B

SCALE 1/16" = 1'-0"

Elevation Sheet

Project No:	BCH-02-0013
Scale:	1/16" = 1'-0"
Issue Date:	10/21/03
Prepared By:	AGV
Checked By:	PR
QCC:	BP

REVISIONS: 0

0 8 16 32

GRAPHIC SCALE (IN FEET) 1/16" = 1'-0"

NORTH

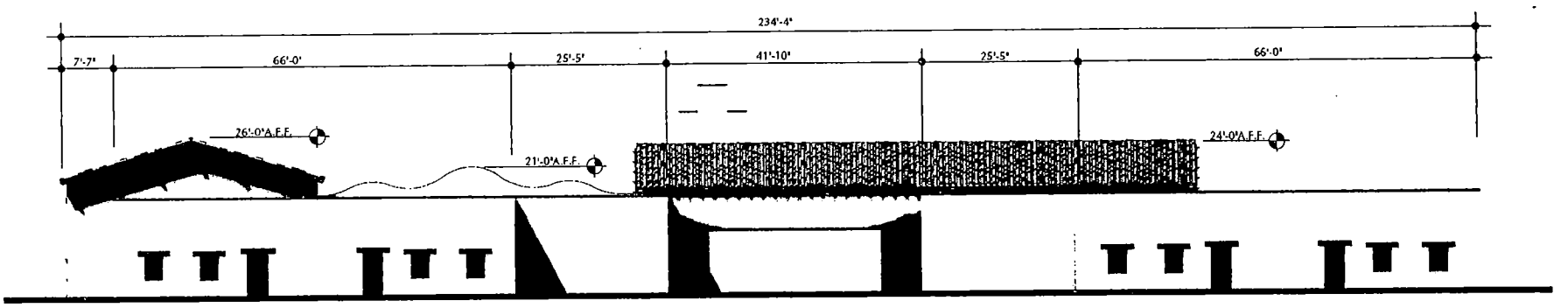
Cumorah Christian Center
Azule Avenue
Las Vegas, NV

Sheet 1 of 2

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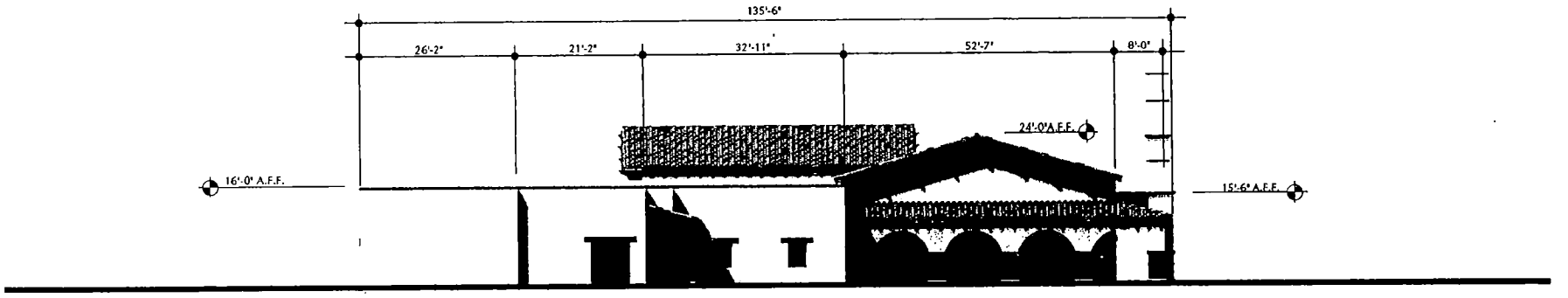
SDR-3284

12-04-03 PC



SOUTH ELEVATION
SCALE 1/16" = 1'-0"

(C)



EAST ELEVATION
SCALE 1/16" = 1'-0"

(D)

Elevation Sheet

Project No:	SCH-02-0813	REVISIONS	#
Scale:	1/16" = 1'-0"		
Issue Date:	10/21/03		
Prepared By:	AGV		
Checked By:	PR		
SDG:	BP		

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0 8 16 32
GRAPHIC SCALE
(IN FEET)
1/16" = 1'-0"

Cumorah Christian Center
Azule Avenue
Las Vegas, NV

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consultants, inc.
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W. www.wpddc.com

SDR-3284
12-04-03 PC



SDR-3284 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 285 FEET WEST OF REBECCA ROAD
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

To: Planning Comission 12/2/03
Attn: Gary M. Leobold, Sr. Planner
Subj: Planning Commission hearing (12/4/03) on SDR-3284 & VAR-3360

There is a private school proposed on Azure across from Newkirk Ct, which is one of the three private cul-de-sac streets that form Torrey Pines Ranch. At a recent developer meeting it was communicated that the facility located on the 2.1-acre parcel would house 180 clients for day care, schooling, and summer camp activities. This year-round enterprise is expected to worsen a growing traffic safety problem caused by explosive growth in our area.

As you may be aware, Azure Drive has become a traffic thoroughfare, linking Jones Blvd. near the new post office off Centennial Pkwy, over the US-95 bridge to the ever growing Centennial Shopping complex. Another major commercial development is already underway just west of Tenaya, which is expected to add to the growing traffic problems on Azure.

Every school day at 9:00 am and 3:11 pm, Neal Elementary School receives and dismisses elementary aged students, the majority of which are picked up by private transportation. Of the 790 students enrolled at Neal, only 120 (including special need students) use public transportation. That means that 670 students either walk or are picked up by private vehicles. Pictures taken on December 1st (attached) depict what traffic looks like around Neal elementary. Cars, mini-vans and SUV's park on both sides of Azure and Rebecca, on empty lots slated for development (ref. Pictures PDC1, 2, & 3). Traffic from Rebecca can be seen attempting to negotiate turns onto Azure. Those less patient on Rebecca drive across the empty lot to access Azure by-passing the Stop sign at Rebecca & Azure (PDC3). Lots located on Azure (North side of Neal) are soon to be developed as the US Homes Torrey Pines Ranch Estates. Our private cul-de-sac streets are not gated, and Rodman Ridge is already being used as another pickup point for students at Neal. Where will these vehicles go when the remaining residential areas are developed?

The proposed school on Azure is adjacent to the lot on Rebecca that less patient drivers are driving across (PDC3). This year-round enterprise would be located 285 feet from Neal Elementary. It will create similar surges of "rush-hour" traffic both on Azure and directly across our three private streets. Please note that we have no alternate means of exiting from our street. Azure is it. Resident with conventional and recreational vehicles alike will be faced with a nightmare trying to negotiate access onto Azure, specially because the proposed site plan is directly across from our community as shown on photo PDC4.

Azure is already becoming a major thoroughfare. The current traffic problems surrounding Neal Elementary have not been addressed and will worsen with the disappearance of the empty parcels of land under development. The proposed site development is not in the interest of our community. It adds risks to children and residents alike. It will seriously impair the traffic and exit access to Azure by our residents. It will also have a negative impact on the property values. The intended business purpose of the Van Blankestein family can best be served elsewhere where safety, access, and property values are not compromised, and enable the Planning Commission Northwest Sector vision to materialize (i.e. "...of unique and functional neighborhoods that contribute to the long range vision which preserves the existing character of the area while promoting harmonious new growth).

Please do not approve the site development plan or related variances!

Respectfully,

Charles Molina, for Torrey Pines Ranch Residents

SDR-3284
VAR-3360 P

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAR-3196 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN DERRELL PARKER & SHELLEEN ABRAMS - Request for a Variance TO ALLOW A 36-FOOT, 2-½ INCH FRONT YARD SETBACK WHERE 50 FEET IS REQUIRED for a proposed Entry and Powder Room addition at 3309 Hastings Avenue (APN: 139-32-402-004), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, outlined the concern that the standards for granting a variance had not been met and there is no hardship. The house orientation on the lot will cause encroachment into the front setback while there is room in the rear without violating that setback. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 31 – VAR-3196

MINUTES – Continued:

MARC LEMOINE, 8687 West Sahara Avenue, appeared with and on behalf of the homeowners, MR. and MRS. PARKER. He presented a diagram of the addition which will provide an entrance into the house along with the powder room. It is difficult to put an entrance to the side or rear of the property. The addition is only a small portion of the overall improvements to the property. There is a master bedroom addition and a carport. The home is located immediately behind the AAA building on Charleston. The owners should be commended for making the improvement in an attempt to mitigate the impact of the Charleston commercial development on the neighborhood. The addition is in character with the house and the neighborhood. He presented photographs of the existing home. CHAIRMAN TRUESDELL confirmed that the applicants concurred with the proposed conditions. DERRELL PARKER, 3309 Hastings, added that 10 or 12 of the immediate neighbors had signed a support petition.

COMMISSIONER McSWAIN pointed out that the applicants' presentation demonstrated that the application was reasonable and garnered her support.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

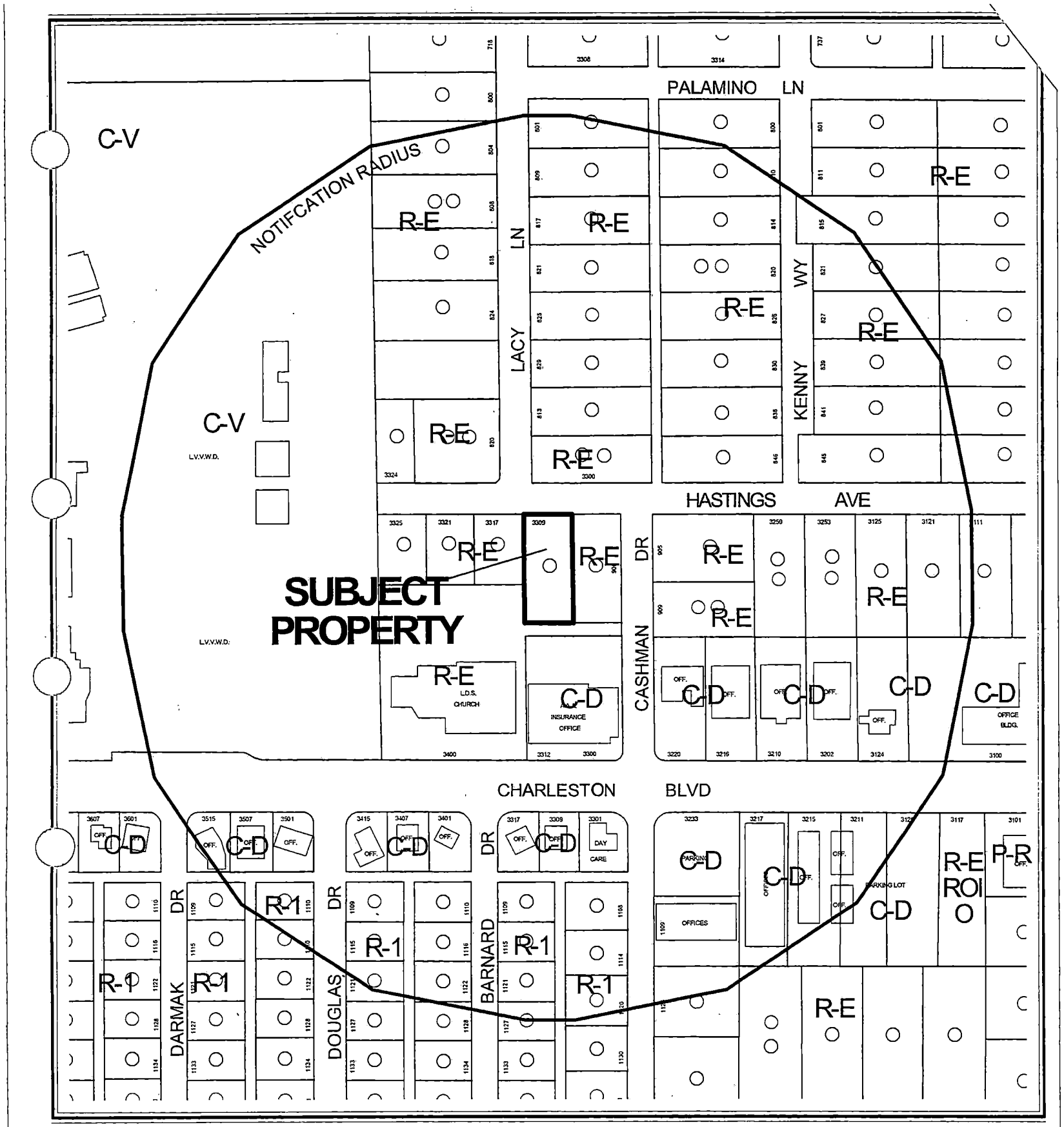
(9:41 – 9:46)

3-665

CONDITION:

Planning and Development

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



CASE: **VAR-3196**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3196 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN DERRELL PARKER & SHELLEEN ABRAMS

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 36-foot, two and one-half-foot front yard setback where a 50-foot setback is required for a proposed room addition at 3309 Hastings Avenue.

B) Applicant's Justification

According to the applicant's justification letter, the proposed addition to the existing house is for an entry and powder room. This request would also be consistent with similar variances granted in this neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

08/04/65 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0013-65) to allow a front setback of 39 feet from the existing 47 feet on property located at 3125 Hastings Drive.

05/26/83 The Board of Zoning Adjustment approved a request for a Variance (V-0036-83) to allow the creation of a 10,998 square-foot lot where a minimum of 20,000 square feet is required and to have a lot width of 70.5 feet where a minimum of 100 feet is required on property located at 3324 Hastings Drive.

07/25/85 The Board of Zoning Adjustment approved a request for a Variance (V-0069-85) to allow a proposed carport one foot from the west property line where a 10-foot setback is required on property located at 3259 Hastings Drive.

04/25/91 The Board of Zoning Adjustment approved a request for a Variance (V-0042-91) to allow a proposed room addition seven feet from the side property line where 10 feet is the minimum setback required on property located at 909 Cashman Drive.

11/24/92 The Board of Zoning Adjustment approved a request for a Variance (V-0157-92) to allow a carport 41 feet from the front property line where 50 feet is the minimum setback required, and to allow a five-foot six-inch overhang where three feet is the maximum allowed on property located at 3317 Hastings Drive.

SS

03/15/95 The City Council approved an appeal to the approval of the Board of Zoning Adjustment for a Variance (V-0192-94) to allow an existing lot to be divided into a 13,696 square-foot lot and a 10,758 square-foot lot, where 20,000 square feet is the minimum size lot allowed; to allow an 83-foot wide lot frontage where 100 feet is the minimum frontage allowed; and to allow the existing single-family dwelling 16 feet from the new front property line where 50 feet is the minimum setback required on property located at 905 Cashman Drive. The Council action therefore denied the Variance request. The Board of Zoning Adjustment had approved the request on 01/24/95, but an appeal was filed to the City Council.

06/19/02 The City Council approved a General Plan Amendment (GPA-0047-01) adjusting the land use designation of the subject property from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission recommended denial on 03/28/02.

B) Pre-Application Meeting

10/01/03 Upon examination of the site plan and elevations, the applicant was asked to add detailed information to the justification letter and to revise the elevations to meet submittal guidelines.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.44

B) Existing Land Use

Subject Property:	Single-Family Residential
North:	Single-Family Residential
South:	Single-Family Residential
East:	Single-Family Residential
West:	Single-Family Residential

C) Planned Land Use

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

SS

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated DR (Desert Rural Density Residential) on the Southeast Sector Map of the General Plan. The existing R-E (Residence Estates) zoning district conforms to the intent of the DR (Desert Rural Density) designation.

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

Rancho/Charleston Study Area – The subject property was included in a 2001 study of the area generally bounded by Rancho Drive and Interstate 15 on the east, Sahara Avenue on the south, Hinson Street on the west, and U.S. 95 on the north. The study sought to determine the most appropriate land uses for the area. One result of the findings was an extensive update to the City's General Plan. In particular, the General Plan category of the subject parcel was amended from R (Rural Density Residential) to DR (Desert Rural Density Residential) to ensure compatibility with the predominant zoning in the area.

Rural Preservation Neighborhood – The subject property is located within a Rural Preservation Neighborhood as defined in NRS Chapter 278. The gross density of such areas shall not exceed two dwelling units per acre. This Variance request will not affect the status of the Rural Preservation Neighborhood.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Setbacks			
• Front	50 Feet	36.21 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	35 Feet	105 Feet	Y

The front yard setback is proposed to be 36.21 feet, where 50 feet is required for properties zoned R-E (Residence Estates). A Variance is required to allow this proposed setback. The deviation from the code requirement is 28 percent.

The existing lot is substandard, having a lot size of 18,587 square feet where 20,000 square feet is the minimum required and a lot width of 91 feet where 100 feet is required.

B) General Analysis and Discussion

Title 19.08.040 requires a 50-foot front yard setback for lots with an R-E (Residence Estates) zoning designation. The proposal is to construct an addition to the existing house front that would contain a new entry and powder room. The addition would encroach approximately 14 feet into the required 50-foot front yard setback area. Currently, an attached storage room with no access from the interior of the house already encroaches into the front yard setback area.

The applicant's justification letter states that this request is consistent with other variances that have previously been granted in this area. In the past 40 years, five setback variances have been granted on properties in close proximity to the subject property. Nonetheless, this precedent is not determinative of a staff recommendation of approval. The orientation of the house on the lot is such that additions may not be made to the front without encroaching into the required setback area; however, area may be added to the rear yard area up to the required 35-foot setback line. The site plan indicates that an addition is also planned for this area. The remainder of the site is occupied by other structures. Therefore, by planning additions that would encroach into the setback area, the applicant intends to overbuild the site.

FINDINGS

In accordance with the provisions of Subchapter 19.18.070.B of the Las Vegas Municipal Code, the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship that is solely personal, self-created or financial in nature.

Additionally, Subchapter 19.18.070.L of the Las Vegas Municipal Code states:

"L. Determinations

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

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site. Placing any additions in the rear or to the side of the main dwelling would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 85

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3196 APN: 139-32-402-004

Name of Property Owner: John DERRELL & SHELLEEN ABRAMS PARKER

Name of Applicant: John DERRELL PARKER

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: John DERRELL PARKER

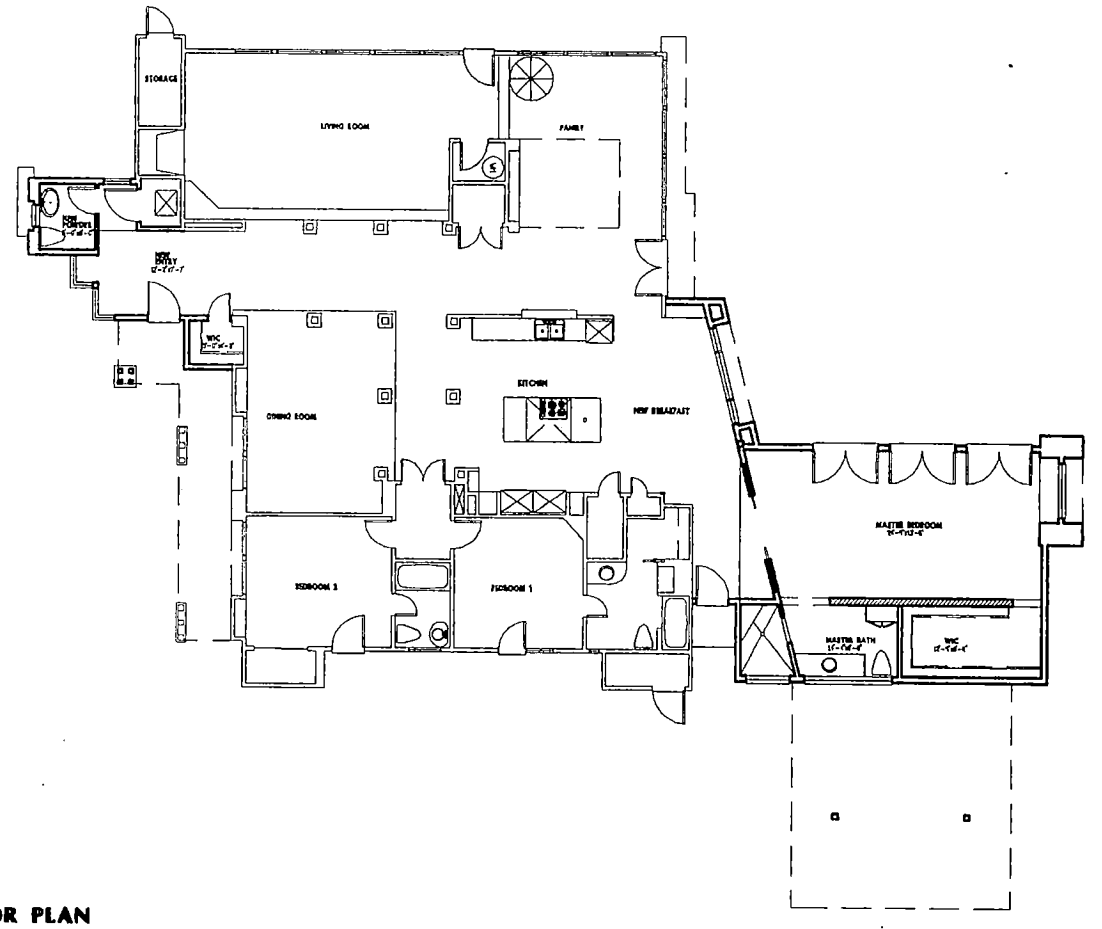
Subscribed and sworn before me

This 16th day of September, 2003

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOLENE TABEEK
My Appointment Expires
January 24, 2004
No: 00-60497-1



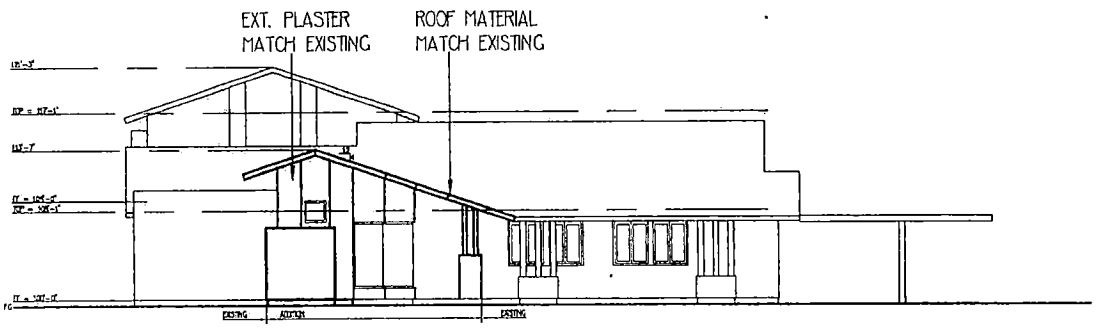
FLOOR PLAN

PARKER ADDITONS 3309 HASTINGS AVENUE

0 2 4 6 8 12 16 24

MARC LEMOINE ARCHITECTURE, LLC

STAFF
VAR-3196
12-04-03 PC



FRONT ELEVATION

EXTERIOR ELEVATIONS

PARKER ADDITONS 3309 HASTINGS AVENUE

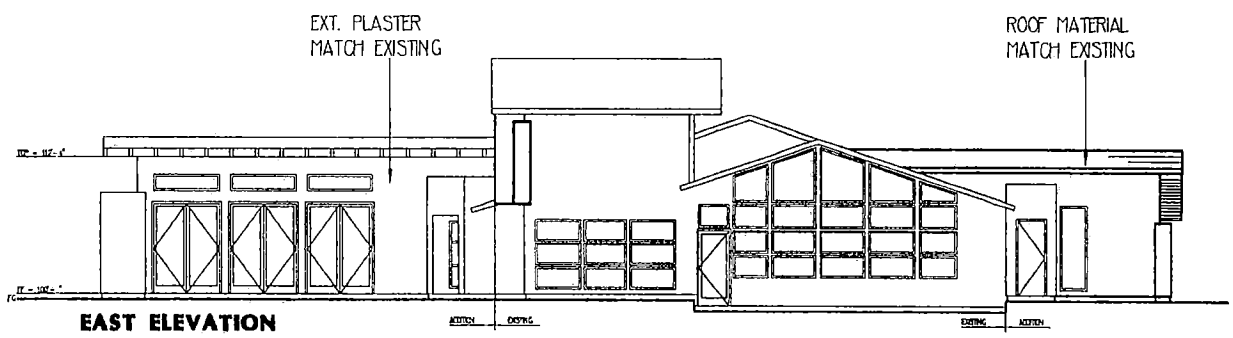
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MARC LEMOINE
ARCHITECTURE, LLC

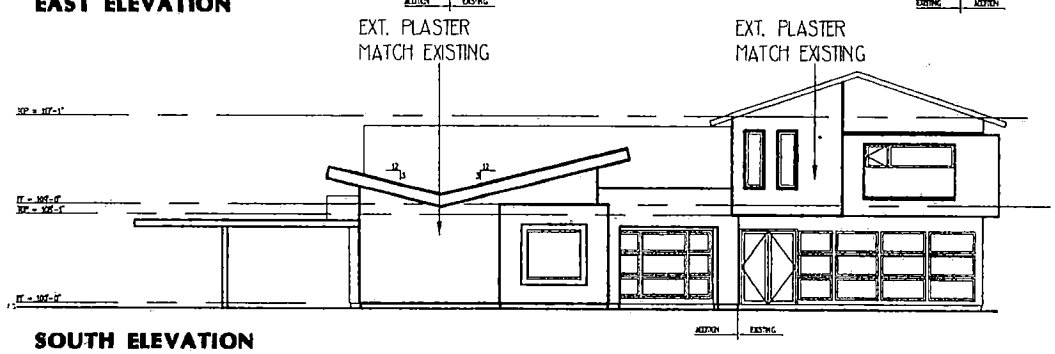
STAFF

VAR-3196

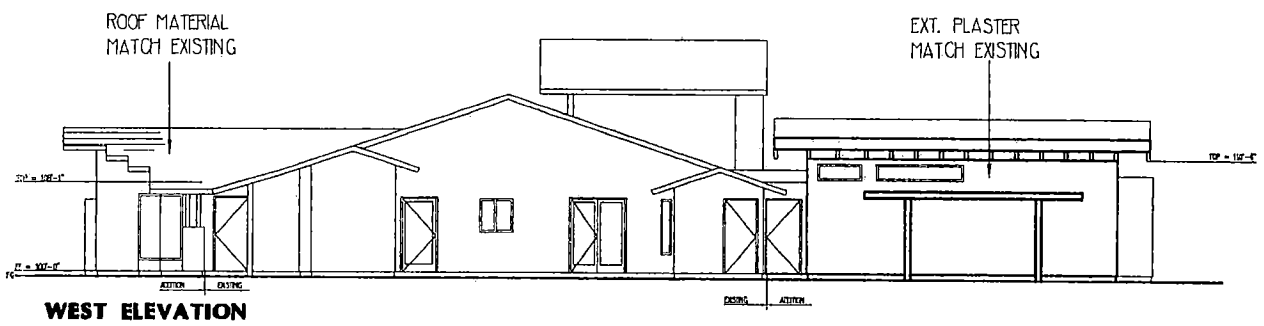
12-04-03 PC



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

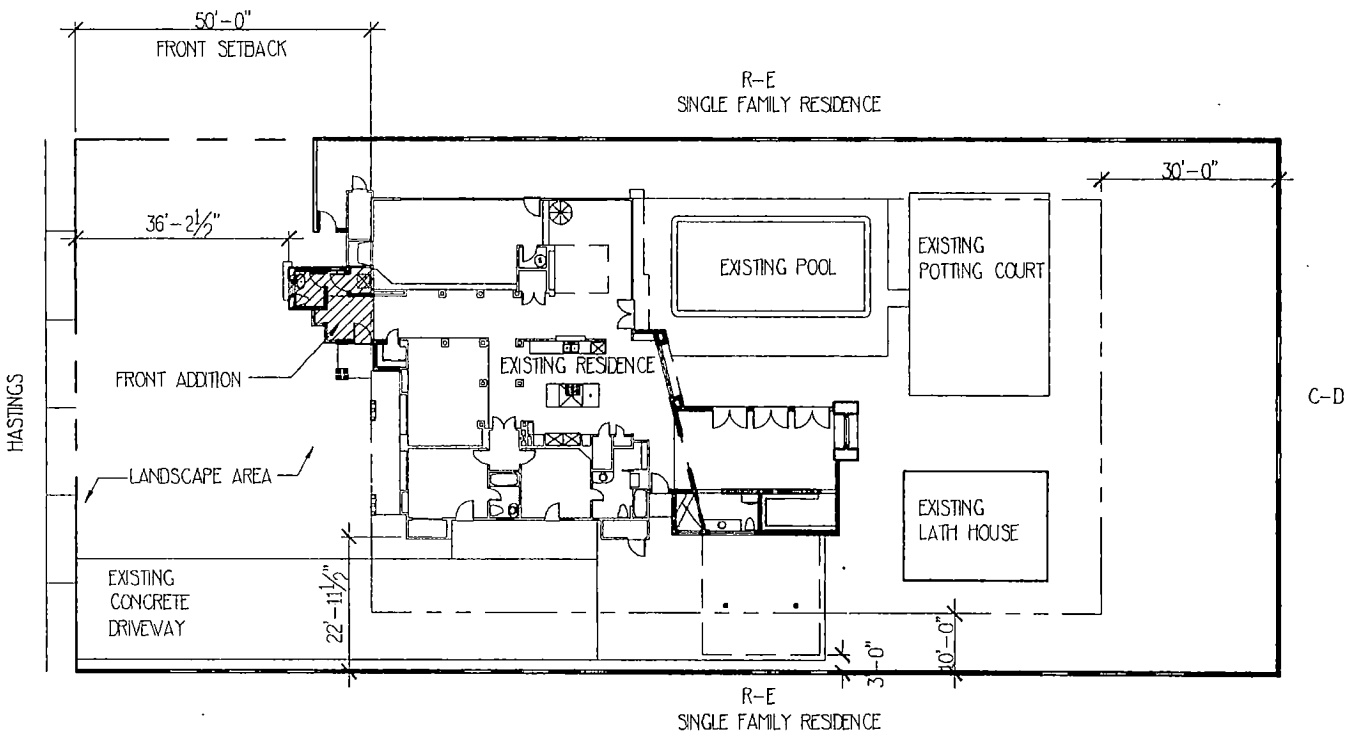
EXTERIOR ELEVATIONS

PARKER ADDITONS 3309 HASTINGS AVENUE

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MARC LEMOINE
ARCHITECTURE, LLC

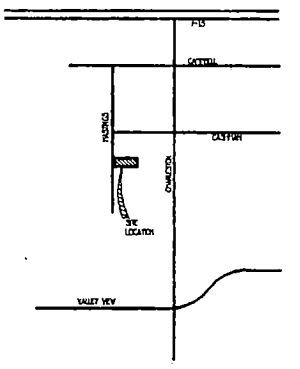
STAFF
VAR-3196
12-04-03 PC



TABULATION

BUILDING SIZE:	3,528 S.F.
PROPERTY SIZE:	18,587 S.F.

VICINITY MAP



ARCHITECTURAL SITE PLAN

PARKER ADDITONS 3309 HASTINGS AVENUE

0 5 10 15 20 30 40

MARC LEMOINE
ARCHITECTURE, LLC

STAFF
VAR-3196
12-04-03 PC



VAR-3196 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN DERRELL PARKER & SHELLEEN ABRAMS
3309 HASTINGS AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



VAR-3196 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF JOHN DERRELL PARKER & SHELLEEN ABRAMS
3309 HASTINGS AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAR-3198 - MARC LEMOINE ARCHITECTURE ON BEHALF OF FRANK J. FERTITTA III & JILL ANN FERTITTA FAMILY TRUST - Request for a Variance TO ALLOW A SIX-FOOT SIX-INCH FENCE WITH EIGHT-FOOT MASONRY PILLARS WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED, on 1.73 acres at 9400 Kings Gate Court (APN: 138-31-710-007), R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 2 (L.B. McDonald).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter from Queensridge Homeowners Association

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, stated that this is the first variance request of its kind in the Queens Ridge Subdivision where lots have been developed since 1998. There is no evidence of any undue burden with regard to the front wall height. There has been no demonstration of hardship other than that of a personal nature. The Homeowners Association left a message regarding questions, but did not lodge an objection. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 32 – VAR-3198

MINUTES – Continued:

MARC LEMOINE, 8687 West Sahara Avenue, appeared with DAVID SALKOWITZ, Lifescapes, and MATTHEW WARDEN, Saccer Rosette security firm, on behalf of the applicants. The Homeowners Association has approved the total landscape plan, which included the wall or fence. He submitted a copy of the approval letter. Using a map of Queens Ridge, he demonstrated those properties, one of which the applicants purchased. These large properties are designed as estate-type lots. This house is 12,000 square feet and another across the street is 10,000 square feet. The setback from the street is 75 feet for most of the uniquely sized lots. The enclosure is part of the character of the home, consistent with the European style with stone/slate/wood exterior materials and a fence design that incorporates the same rich materials. MR. WARTON can address the unfortunate need for security required by high-profile citizens. The applicants' small children make that especially critical. The need for added protection is not a self-created hardship.

MR. SALKOWITZ, 4930 Newport Beach, Campus Drive, reviewed the higher fence incorporated into the design. The fence runs the front of the property with a main and secondary gate. He presented elevations to demonstrate the character of the fence, while remaining open with wrought iron and intermittent pilasters. It remains visually open but provides a secure, intimate environment.

TODD FARLOW, 240 North 19th Street, noted that Items 32 and 33 are zoned 7 units per acre but are each only being used for one home. CHAIRMAN TRUESDELL replied that it was simply the plan for the golf course development.

COMMISSIONER McSWAIN verified that the approval letter supported the increased height of the fence. This is a gated community, but the home is located at the end of the cul-de-sac. Her only concern was with setting a precedent. This location does not impact the rest of the neighborhood and the applicants' representative made a fair argument about the owners' needs. The design is aesthetically pleasing. MR. LEOBOLD was unable to speak to the understanding of the Homeowners Association. COMMISSIONER EVANS confirmed with MR. LEMOINE that there were no objections from the other 10 to 12 homeowners. The next agenda item is a request for a similar fence. The prominence of the property owner would not impact his decision, but the lack of protest justified his support of the application.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 32 – VAR-3198

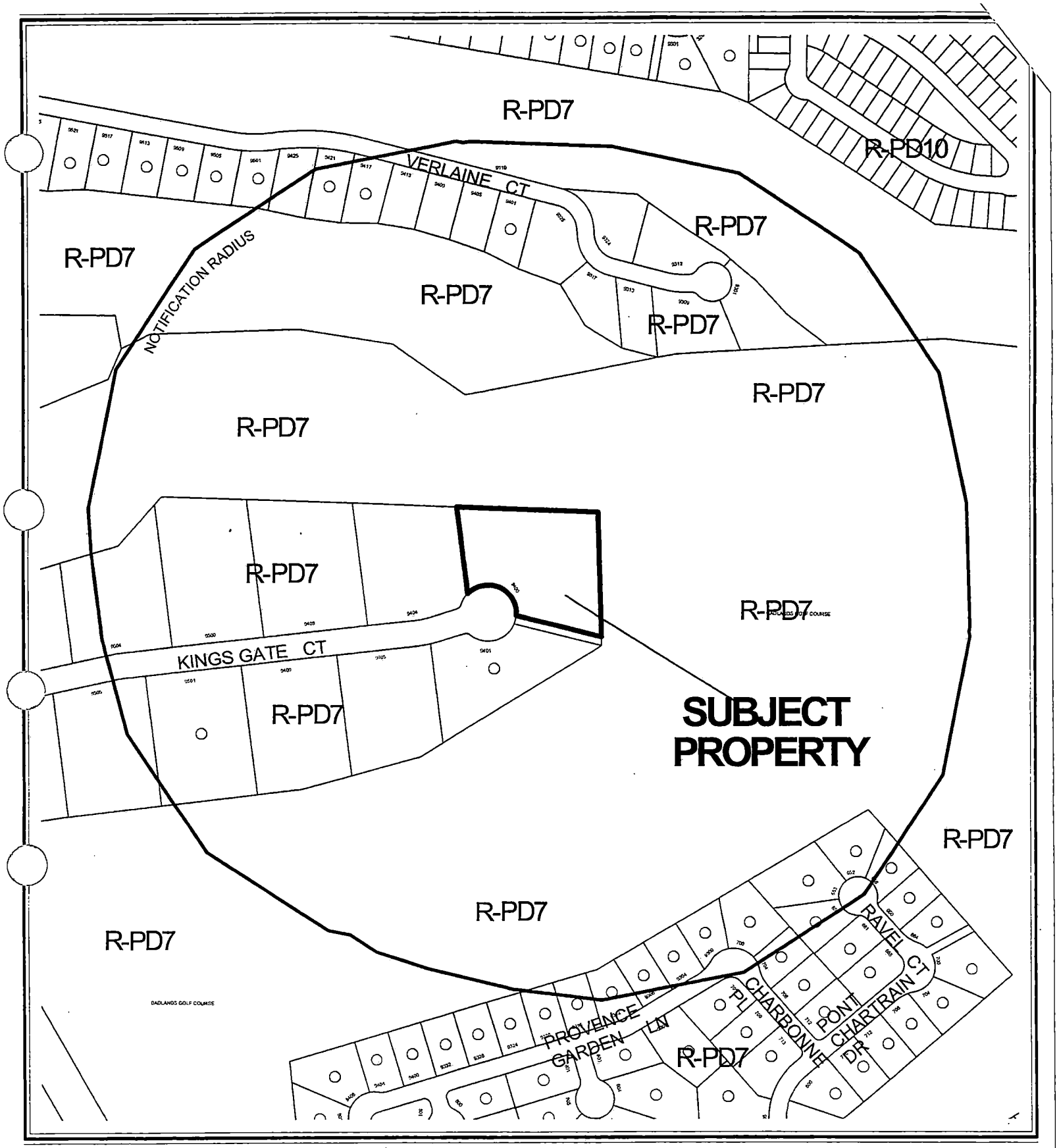
MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:46 – 9:59)

3-834

CONDITION:
Planning and Development

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



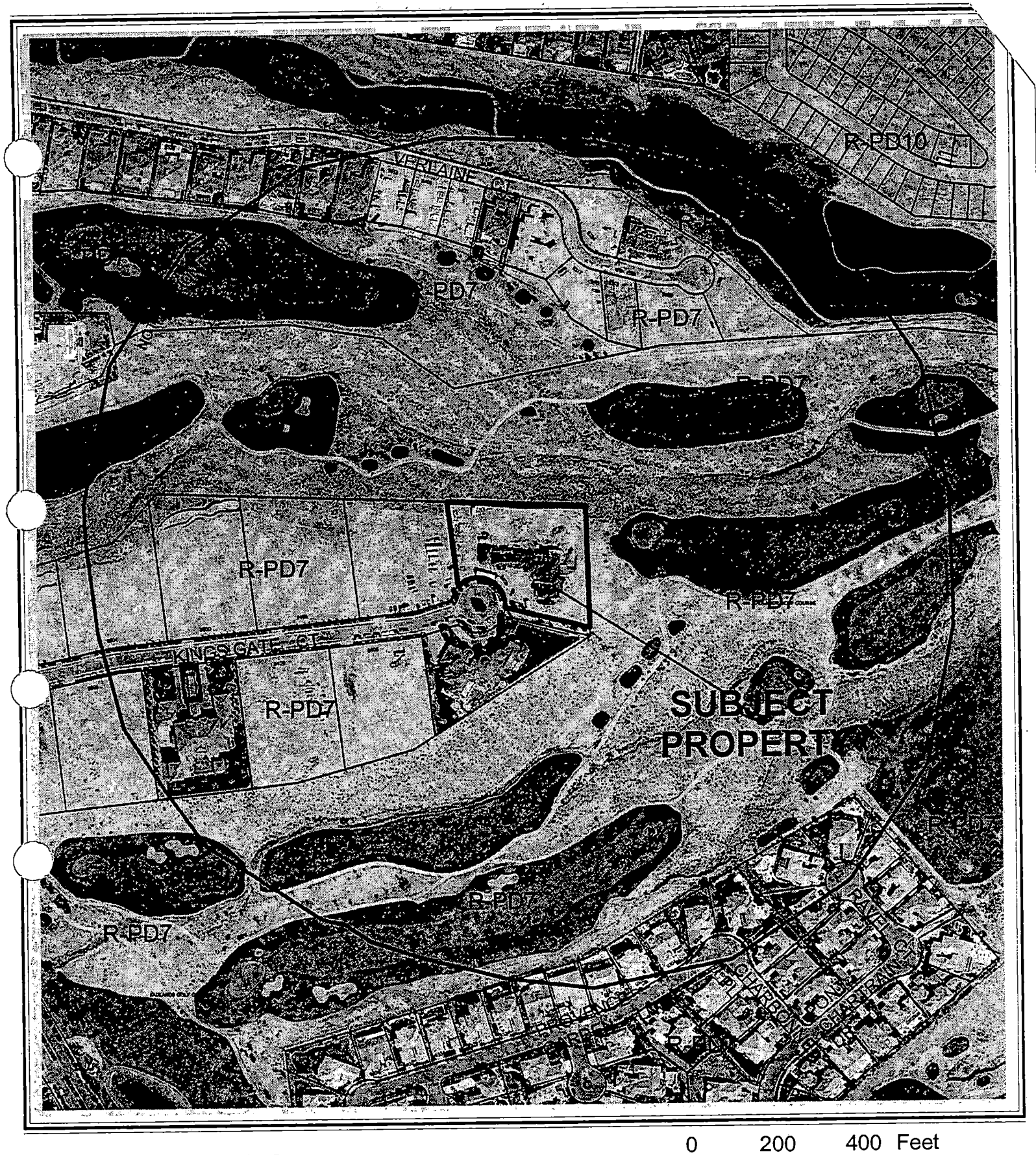
CASE: **VAR-3198**

RADIUS: 850 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N



CASE: **VAR-3198**

RADIUS: 850 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3198 - MARC LEMOINE ARCHITECTURE ON BEHALF OF FRANK J. & JILL ANN FERTITTA

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a six-foot six-inch fence with eight-foot masonry pillars where four feet (with the top two feet 50 percent open) is the maximum height allowed on property located at 9400 Kings Gate Court.

B) Applicant's Justification

The applicant states that the fence is compatible with the homes in the neighborhood, which consist of large estates. The front property line is set back 15 feet from the edge of the street.

BACKGROUND INFORMATION

A) Previous Actions

04/04/90 The City Council approved a Rezoning from N-U (Non-Urban) to R-PD7 (Residential Planned Development – 7 Units per Acre) on this property as part of a larger request (Z-0017-90). The Planning Commission recommended approval on 03/08/90.

12/14/95 The Planning Commission approved a Plot Plan Review [Z-0017-90(7)] for a 44-lot single-family residential development on 51 acres within the Peccole West community, of which this lot is a part.

12/04/03 The Planning Commission will consider a similar Variance request (VAR-3246) for another property within the same subdivision.

B) Pre-Application Meeting

10/01/03 The applicant was asked to make revisions to the site plan to in order to meet submittal guidelines.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

SS

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.73

B) Existing Land Use

Subject Property:	Single-Family Residential
North:	Golf Course
South:	Single-Family Residential
East:	Golf Course
West:	Undeveloped

C) Planned Land Use

Subject Property:	ML (Medium Low Density Residential)
North:	PR/OS (Parks/Recreation/Open Space)
South:	ML (Medium Low Density Residential)
East:	PR/OS (Parks/Recreation/Open Space)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	R-PD7 (Residential Planned Development – 7 Units per Acre)
North:	R-PD7 (Residential Planned Development – 7 Units per Acre)
South:	R-PD7 (Residential Planned Development – 7 Units per Acre)
East:	R-PD7 (Residential Planned Development – 7 Units per Acre)
West:	R-PD7 (Residential Planned Development – 7 Units per Acre)

E) General Plan Compliance

The subject site is designated ML (Medium Low Density Residential) on the Southwest Sector Map of the General Plan. This category allows single-family detached homes, including compact lots and zero-lot lines; mobile home parks and two-family dwellings having a gross density range between 5.6 and 8.0 dwelling units per acre. Local supporting uses such as parks, other recreation facilities, schools, and churches are also allowed in this category. Although the R-PD7 zoning designation of the subject property conforms to the ML (Medium Low Density Residential) General Plan designation, the density of the homes in this neighborhood is much lower, about 0.9 units per acre.

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**

No special districts, zones, or studies are related to this Variance request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Max. Fence and Wall Height	Front Yard – 4 feet, with the top 2 feet 50 % open Side and Rear Yard – 8 Feet	Front property line – 6 feet 6 inches; 8-foot gate pillars with additional height for ornamental caps	N

The proposed fence to be placed on the front property line exceeds the allowable height for walls and fences in the front yard area. The subject deviation from the standard is 63 percent.

B) General Analysis and Discussion

The fence is proposed to be placed along the front property line abutting a cul-de-sac. The elevations depict a 1.5-foot stone veneer base with five feet of wrought iron fencing on top. Pilasters are approximately seven feet high, including concrete caps. The fence will accommodate two sets of gates. The main entry gate will be eight feet high, supported by two columns measuring 11.5 feet to the top of their ornamental caps. The secondary gate will measure 6.5 feet high to match the height of the wrought iron fence and will be supported by the seven-foot pilasters. The fence is designed to match the architectural character of the main dwelling on the site.

Title 19.08.040.B.2 requires fences and walls in the required front yard area (in this case, the first 20 feet behind and including the front property line) to be restricted to a maximum height of four feet total, with the top two vertical feet 50 percent open to permit visibility. This height is measured from the elevation of the adjoining sidewalk or the finished grade, if there is no adjoining sidewalk. The proposed fence exceeds the four foot total height requirement. This is the first Variance request of its kind in this subdivision, which includes lots that have been developed since 1998. There is no aspect of any lot in this neighborhood which could put an undue burden on a property owner with respect to the front yard wall height. The applicant has not demonstrated hardship as a result of the code restriction other than of a personal nature (privacy, architectural character). Therefore, denial is recommended for this application in accordance with state law.

FINDINGS

In accordance with the provisions of Subchapter 19.18.070.B of the Las Vegas Municipal Code, the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Subchapter 19.18.070.L of the Las Vegas Municipal Code states:

"L. Determinations

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

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to build a fence on the front property line higher than allowed by code for reasons that are solely personal in nature. Lowering the height of the fence would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 37

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3198 APN: 138-31-710-007

Name of Property Owner: PERTTTA FAMILY.

Name of Applicant: MARC LEMOINE ARCHITECTURE, LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Gerard Shore

Subscribed and sworn before me

This 30th day of September, 2003

Rosemarie C Carlo

Notary Public in and for said County and State

ROSEMARIE E. CARLO
Notary Public State of Nevada
No. 97-2746-1
My appt. exp. July 18, 2005

SECTION-E

SECTION-F

SECONDARY GATE ELEVATION

MAIN ENTRY GATE ELEVATION

ORNAMENTAL STEEL NOTES:
1. ORNAMENTAL STEEL FABRICATION SHALL FIELD VERIFY ALL OPENINGS AND CONDITIONS AT THE SITE PRIOR TO PREPARATION OF SHOP DRAWINGS OR FABRICATION OF COMPONENTS.
2. ORNAMENTAL STEEL FABRICATION SHALL PREPARE SHOP DRAWINGS FOR ALL ORNAMENTAL STEEL WORK. DRAWINGS SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT TO VERIFY GENERAL DESIGN CONFORMANCE PRIOR TO FABRICATION.
3. ALL WELDS SHALL BE BUTT WELDED AND GROUND SMOOTH.
4. ALL ORNAMENTAL STEEL WORK SHALL BE SHOP PRIMED WITH ONE (1) COAT OF CORROSION RESISTANT PRIMER AND TWO (2) COATS OF EXTERIOR GRADE PAINT. COLOR SHALL MATCH ORNAMENTAL STEEL ELEMENTS ON BUILDING. SUBMIT COLOR SAMPLE TO LANDSCAPE ARCHITECT TO VERIFY GENERAL DESIGN CONFORMANCE PRIOR TO FABRICATION.
5. ORNAMENTAL STEEL FABRICATION SHALL SUBMIT A MOCK-UP OF EACH ELEMENT TO LANDSCAPE ARCHITECT TO VERIFY GENERAL DESIGN CONFORMANCE PRIOR TO FABRICATION. THE MOCK-UP SHALL BE PAINTED AND INSTALLED AS SPECIFIED ABOVE.

GATE OPERATOR NOTES:
GATE CONTRACTOR TO SUPPLY AND INSTALL CAME "BKOO" GATE OPERATION SYSTEMS PER MANUFACTURER'S SPECIFICATIONS. AVAIL THROUGH: CAME (877) 503-2263

SECONDARY GATE PLAN

MAIN ENTRY GATE PLAN

UTILITY COLUMN ELEVATION

A B C D-1 D-2 SECTIONS

1. PRE-CAST CONCRETE CAP - TO MATCH ARCHITECTURAL PRE-CAST.
2. STONE VENEER - TO MATCH ARCHITECTURAL MASONRY.
3. STANDARD CMU CONSTRUCTION - GROUT SOLID ALL CELLS. STRUCTURAL REINFORCING - PER STRUCTURAL ENGINEER.
4. CONCRETE FOOTING AND STRUCTURAL REINFORCING - PER STRUCTURAL ENGINEER
5. SUB-BASE, SUB-GRADE & COMPACTION AS REQUIRED. VERIFY W/ GEOTECHNICAL SOILS REPORT RECOMMENDATIONS.
6. FINISH GRADE
7. FINISH SURFACE
8. ENTRY GATE "BARREL"-TYPE HINGES.
9. ENTRY GATE ST. STEEL LOCK BOX W/ LOCKSET.
10. ACCESS CONTROL BOX W/KEY SWITCH & INTERCOM
11. WATER METERS AND ALARM HORN & STROBE
12. 6"X1" TUB. STEEL FRAME ARCHWAY.
13. 1" DIA. TUBULAR STEEL LATHS @ 12" O.C.
14. DECORATIVE STEEL PANEL.
15. ORNAMENTAL LIGHT FIXTURE - PER OTHERS. REFER TO LANDSCAPE LIGHTING DWGS
16. TUB. STEEL GATE FRAME - PAINT TO MATCH ARCHITECTURAL WOOD TRIM.
17. 1" SQ. TUB. STEEL TOP, MID AND BOTTOM RAILS.
18. 1-1/2" SQ. TUB STEEL POST @ 6'-0" O.C.
19. 5/8" SQ. TUB. STEEL PICKETS @ 4" CLR.
20. 5-1/2" X 1-3/4" WIDTH CAST IRON COLLAR
21. 2'-0" X 2'-0" WIDTH CAST IRON COLLAR
22. GATE OPERATOR - SEE NOTE
23. DECORATIVE STRAP METAL DESIGN
24. GRANITE CURB - REFER TO DETAIL C, SHT L3.13
25. EXIT & SAFETY LOOP - BACKSET AS REQUIRED.
26. STEEL BASE PLATE FOR ARCHWAY - CAST INTO COLUMN CAP.

NOTE:
DETAIL IS DIAGRAMMATIC & FOR INFORMATION & DEVELOPMENT PURPOSES ONLY. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR REVIEW & APPROVAL PRIOR TO FABRICATION & INSTALLATION.

PEDESTRIAN GATE

ENTRY GATES - PEDESTRIAN, MAIN ENTRY DRIVE, AND SECONDARY ENTRY GATES W/ ALL RELATED ELEMENTS

SCALE: 3/8" = 1'-0" | A

VAR-3198
STAFF 12-04-03 PC

9400 KINGS GATE COURT
QUEENSRIDGE - LOT 7
LAS VEGAS, NV

ASSIGNED BY: JS | ISSUED FOR CONSTRUCTION
DRAWN BY: TC | DATE DRAWING WAS CREATED: 10/01
CADD FILE NO: | JOB NO: XXXXXXX
EFFECTIVE DATE: 9 AUGUST 2003 | DIST. CONTROL NO:

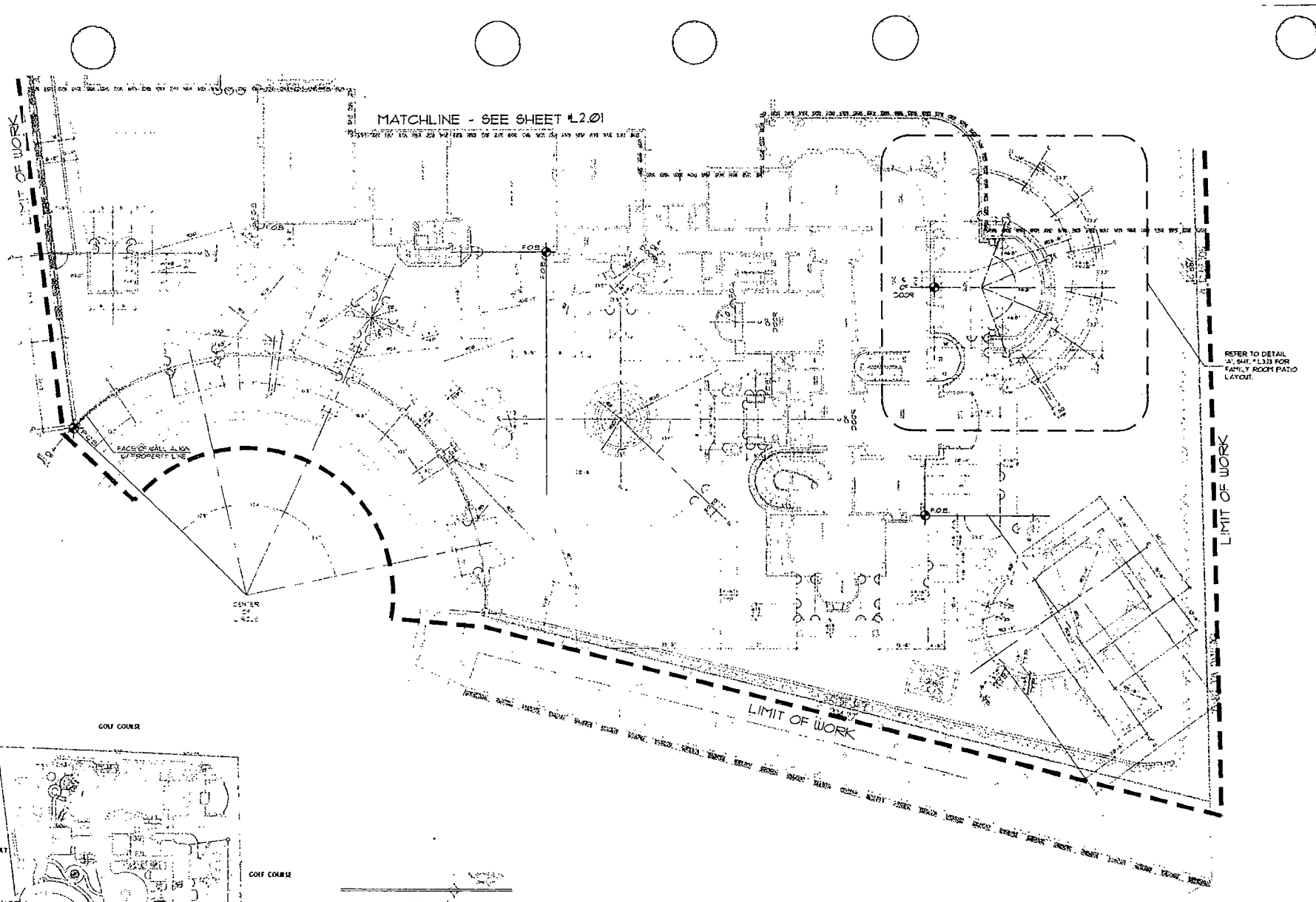
REVISIONS | DATE | BY

SHEET TITLE: CONSTRUCTION DETAILS

SHEET NUMBER: L3.07 OF - SHEETS

THESE DRAWINGS & SPECIFICATIONS ARE AND SHALL REMAIN THE PROPERTY OF LANDSCAPE INTERNATIONAL, INC. AND ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESSED AND WRITTEN PERMISSION OF LANDSCAPE INTERNATIONAL, INC.

LANDSCAPE INTERNATIONAL, INC. ■ LANDSCAPE ARCHITECTS & PLANNERS ■ 4930 CAMPUS DRIVE ■ NEWPORT BEACH, CA 92660 ■ (949)476-8888 ■ FAX (949)476-8854



OVERALL SITE PLAN

SCALE: 1" = 50'-0"

VICINITY MAP

NOTE:
REFER TO SHEET #L2.01 FOR CONSTRUCTION LEGEND & GENERAL CONSTRUCTION NOTES.

NORTH

0 8 16 32

4930 CAMPUS DRIVE ■ NEWPORT BEACH, CA 92660 ■ (949)476-8888 ■ FAX (949)476-8854 ■

LANDSCAPE INTERNATIONAL, INC. ■ LANDSCAPE ARCHITECTS & PLANNERS ■

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DESIGNED BY	DRAWN BY	CHECKED BY
CHS	PC	

ISSUED FOR CONSTRUCTION
DATE DRAWN 7/03
CADD FILE NO. XXXX
JOB NO. 3163
EFFECTIVE DATE AS NOTED 2003
DIST. CONTROL NO.

9400 KINGS GATE COURT
QUEENSRIDGE - LOT 7
LAS VEGAS, NV

NO.	REVISIONS	DATE	BY

SHEET TITLE
CONSTRUCTION PLAN
LAYOUT
FRONT YARD

SHEET NUMBER
L2.02
OF - SHEETS

THESE DRAWINGS AS INSTRUMENTS OF SERVICE, REMAIN THE PROPERTY AND ARE NOT TO BE COPIED, REPRODUCED, CHANGED OR STORED IN ANY FORM OR MANNER WHATSOEVER NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF LANDSCAPE INTERNATIONAL, INC. ANY UNAUTHORIZED USE OF THESE DRAWINGS WILL BE AT THE SOLE RISK OF THE USER AND WITHOUT LIABILITY TO LANDSCAPE INTERNATIONAL, INC.

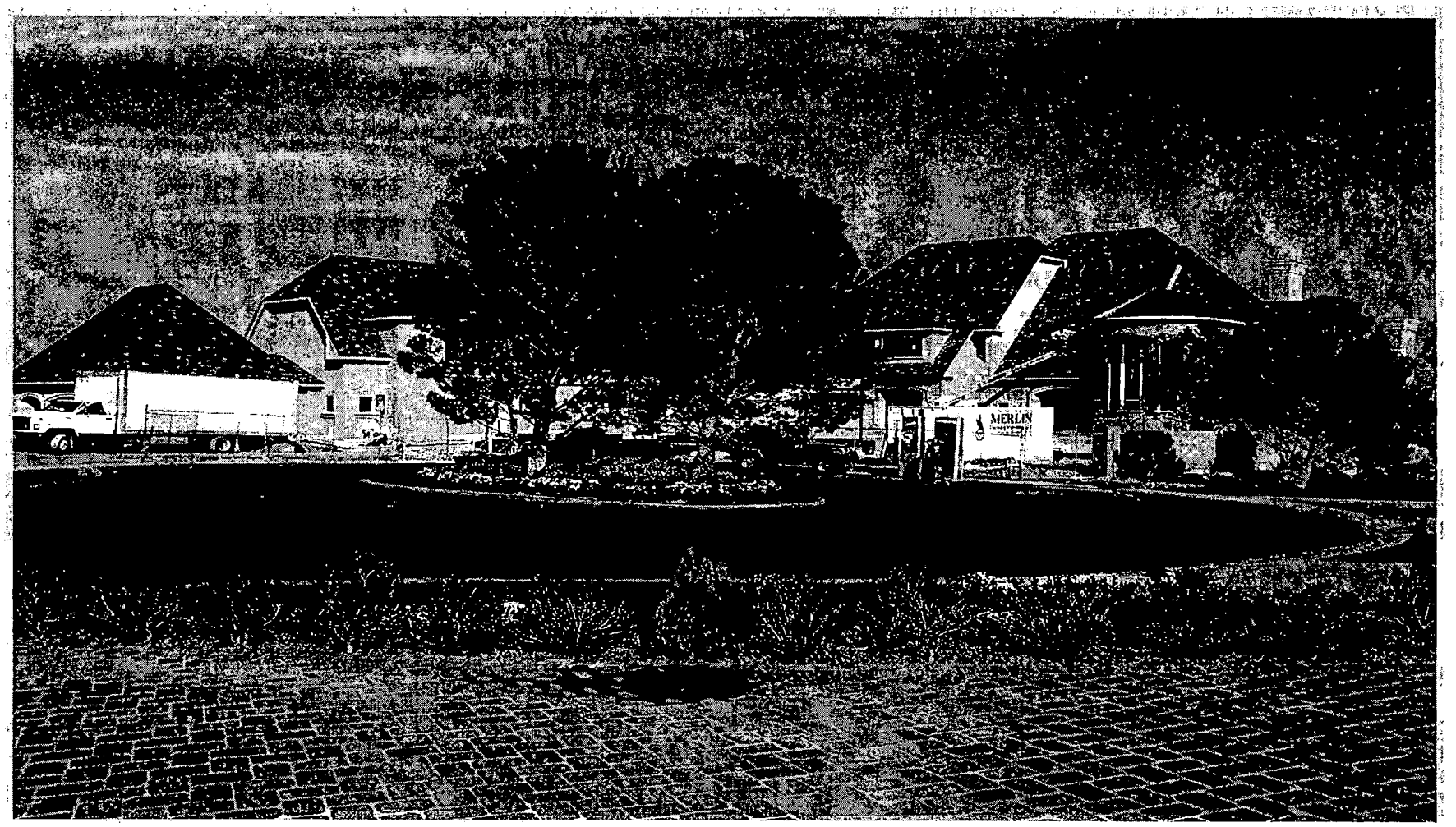
STAFF

VAR-3198
12-04-03 PC



VAR-3198 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF FRANK J. FERTITTA III & JILL ANN FERTITTA FAMILY TRUST
9400 KINGS GATE COURT
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



VAR-3198 - MARC LEMOINE ARCHITECTURE, LIMITED LIABILITY COMPANY ON BEHALF OF FRANK J. FERTITTA III & JILL ANN FERTITTA FAMILY TRUST
9400 KINGS GATE COURT
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

Attn:
Jerry Shore

Queensridge Owners Association

RECEIVED
FEB 05 2003
X BJ/SJ/DB/MARC LEMOINE

February 5, 2003

Fertita Residence
9400 Kings Gate
Las Vegas, NV, 89145

RE: QUEENSRIDGE

Dear Residents,

The Queensridge Design Review Committee recently met for a Final Review of the Landscape Plan and accessory pool house proposed for the Fertita residence. The Queensridge DRC moved to approve the Landscape Plan as submitted; however, prior to final approval of the pool house neighbor awareness forms shall be completed and filed with the Queensridge Management office. Please contact the management office if you wish assistance with the neighbor awareness forms.

Thank you for your cooperation and patience during the approval process. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

QUEENSRIDGE

Karen Williams
Association Manager

llo

MARC LEMOINE -
WE ARE ASSUMING
YOU WILL BE HANDLING
THIS -
- STEVE

4435 S. Eastern Ave. • Las Vegas, Nevada 89119
(702) 737-8580 • Fax Number (702) 737-3360

Submitted at Planning Commission
Date 12/4/03 Item # 32

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAR-3246 - RICHARD LUKE ARCHITECTS ON BEHALF OF CHARLES M. AND PATRICIA A. VARNEY - Request for a Variance TO ALLOW A PROPOSED SIX FOOT WALL WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 1.9 acres at 9511 Kings Gate Court (APN: 138-31-710-001), R-PD7 (Residential Planned Development - 7 Units per Acre), Ward 2 (L.B. McDonald).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission meeting – Support letter from Queensridge Homeowners Association

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, advised that this application is similar to the last one and staff recommended denial for the same reasons.

RICHARD LUKE, 9061 West Sahara Avenue, appeared with and on behalf of CHUCK VARNEY, 1820 Wind Canyon Drive. This is similar to the previous request with a 1.9 acre parcel with an 18,000 square foot house. The increased fence would consistent of a 2-foot lower stucco portion with a 4-foot wrought iron section above that. There is one gate approximately 6-foot high topped with decorative wrought iron. There is same need for additional security for this home. MR. LUKE submitted an approval letter from the Homeowners Association.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 33 – VAR-3246

MINUTES – Continued:
No one appeared in opposition.

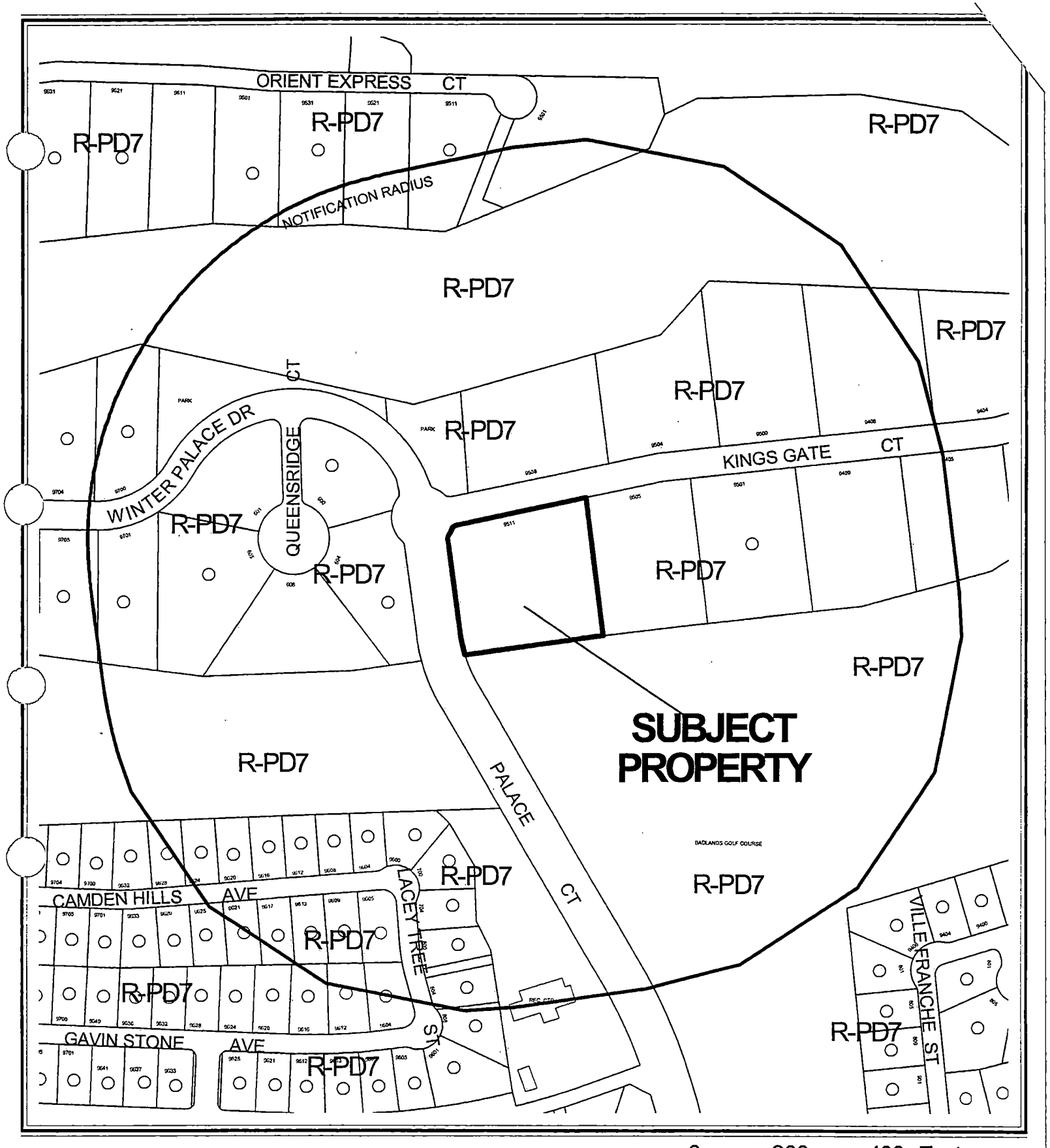
There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:59)

3-1179

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



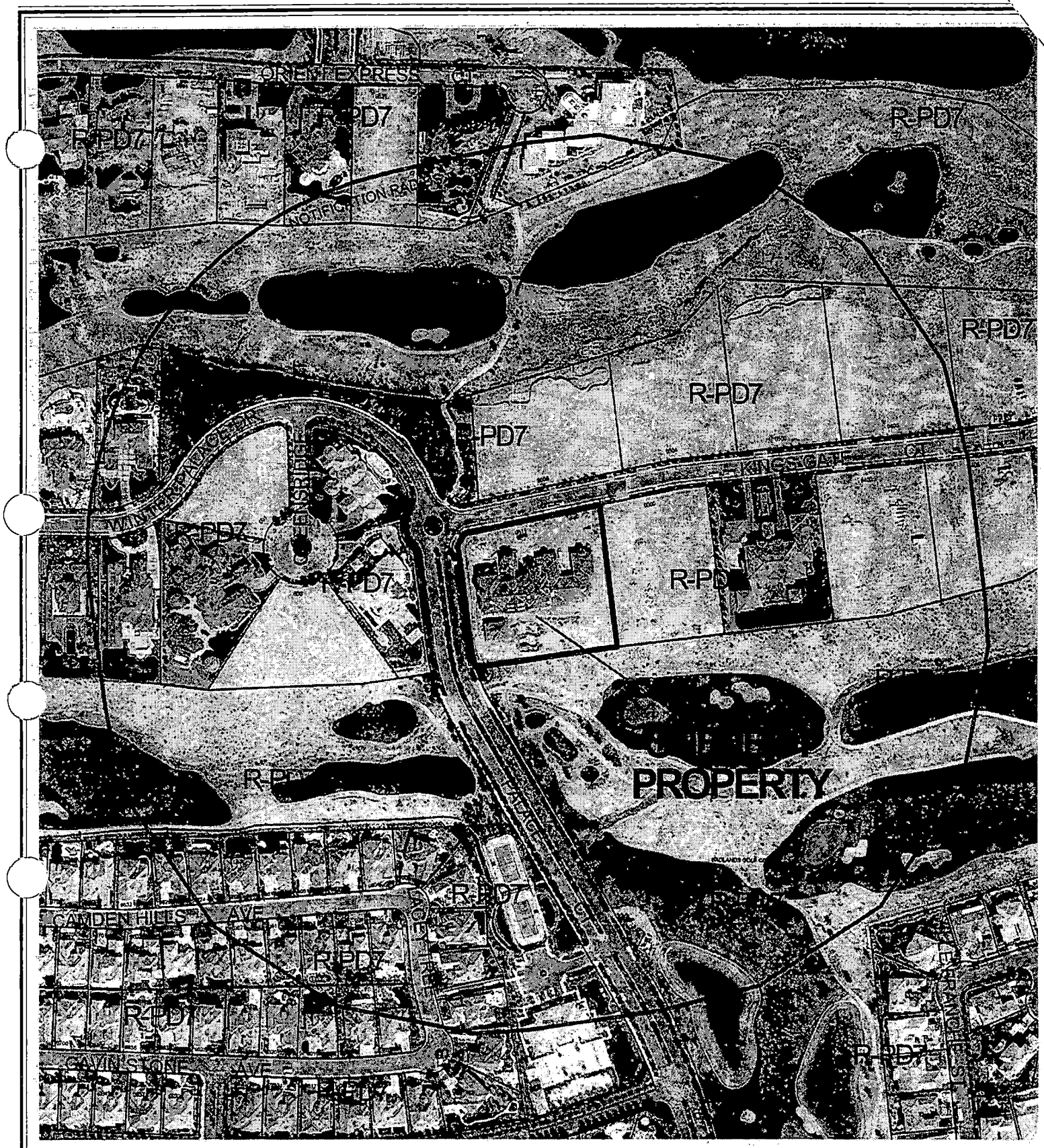
CASE: **VAR-3246**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N



0 200 400 Feet

CASE: **VAR-3246**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3246 - RICHARD LUKE ARCHITECTS ON BEHALF OF CHARLES VARNEY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a proposed six-foot tall fence in the front yard area where four feet (with the top two feet 50 percent open) is the maximum height allowed on 1.9 acres at 9511 Kings Gate Court.

B) Applicant's Justification

The applicant's justification letter states that visibility and security, issues that allegedly prompted the four-foot height standard, are not as significant on this property because it is located within a gated community and it contains a circular drive, eliminating the need to back out into the street.

BACKGROUND INFORMATION

A) Previous Actions

04/04/90 The City Council approved a Rezoning from N-U (Non-Urban) to R-PD7 (Residential Planned Development – 7 Units per Acre) on this property as part of a larger request (Z-0017-90). The Planning Commission recommended approval on 03/08/90.

12/14/95 The Planning Commission approved a Plot Plan Review [Z-0017-90(7)] for a 44-lot single-family residential development on 51 acres within the Peccole West community, of which this lot is a part.

12/04/03 The Planning Commission will consider a similar Variance request (VAR-3198) for another property within the same subdivision.

B) Pre-Application Meeting

10/09/03 The nature of the request and submittal guidelines were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.9

B) Existing Land Use

Subject Property:	Single-Family Residential
North:	Undeveloped
South:	Golf Course
East:	Undeveloped
West:	Single-Family Residential

C) Planned Land Use

Subject Property:	ML (Medium Low Density Residential)
North:	ML (Medium Low Density Residential)
South:	PR/OS (Parks/Recreation/Open Space)
East:	ML (Medium Low Density Residential)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	R-PD7 (Residential Planned Development – 7 Units per Acre)
North:	R-PD7 (Residential Planned Development – 7 Units per Acre)
South:	R-PD7 (Residential Planned Development – 7 Units per Acre)
East:	R-PD7 (Residential Planned Development – 7 Units per Acre)
West:	R-PD7 (Residential Planned Development – 7 Units per Acre)

E) General Plan Compliance

The subject site is designated ML (Medium Low Density Residential) on the Southwest Sector Map of the General Plan. This category allows single-family detached homes, including compact lots and zero-lot lines; mobile home parks and two-family dwellings having a gross density range between 5.6 and 8.0 dwelling units per acre. Local supporting uses such as parks, other recreation facilities, schools, and churches are also allowed in this category. Although the R-PD7 zoning designation of the subject property conforms to the ML (Medium Low Density Residential) General Plan designation, the density of the homes in this neighborhood is much lower, about 0.9 units per acre.

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

No special districts, zones, or studies are related to this Variance request.

SS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Max. Fence and Wall Height	Front Yard – 4 feet, with the top 2 feet 50 % open Side and Rear Yard – 8 Feet	Front property line – 6 feet; 6-foot 8 inch pilasters and gate pillars with additional height for ornamental caps	N

The proposed fence to be placed on the front property line exceeds the allowable height for walls and fences in the front yard area. The subject deviation from the standard is 50 percent.

B) General Analysis and Discussion

The proposed fence will be placed along the front property line and around the corner of Palace Court. Front property lines in this subdivision are behind a 15-foot landscape buffer. The elevations depict a two-foot block wall base and four feet of bronze-colored wrought iron. Pilasters are six feet, eight inches high, not including decorative caps. Two of the pilasters support an eight-foot tall, 18-foot long gate.

Title 19.08.040.B.2 requires fences and walls in the required front yard area (in this case, the first 20 feet behind and including the front property line) to be restricted to a maximum height of four feet total, with the top two vertical feet 50 percent open to permit visibility. This height is measured from the elevation of the adjoining sidewalk or the finished grade, if there is no adjoining sidewalk. The proposed fence exceeds the four foot total height requirement.

The applicant has not demonstrated any hardship as a result of the code restriction other than of a personal nature (owner's desire for privacy). Therefore, denial is recommended for this application in accordance with state law.

FINDINGS

In accordance with the provisions of Subchapter 19.18.070.B of the Las Vegas Municipal Code, the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Subchapter 19.18.070.L of the Las Vegas Municipal Code states:

"L. Determinations

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

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to build a fence on the front property line higher than allowed by code for reasons that are solely personal in nature. Lowering the height of the fence would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 48

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3246 APN: 138-31-710-001

Name of Property Owner: Charles M. Varney

Name of Applicant: Richard Lake

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: C M. Varney

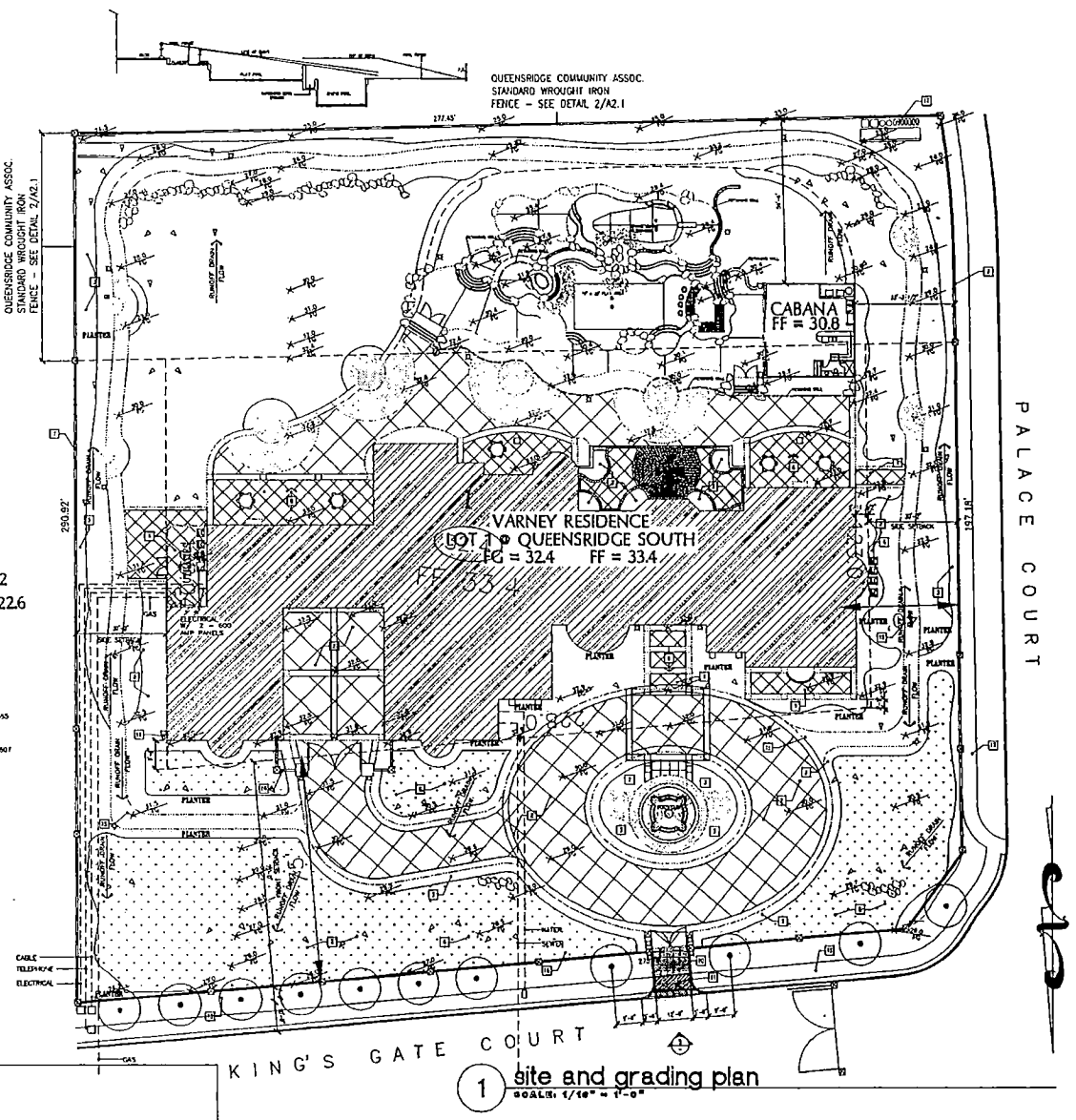
Print Name: Charles M. Varney

Subscribed and sworn before me

This 9 day of October, 2003

Notary Public in and for said County and State

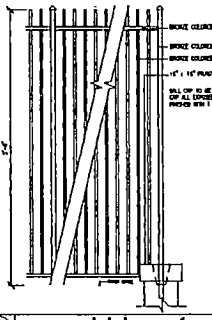
NICOLE SHERMAN
Notary Public State of Nevada
No. 02-78356-1
My appt. exp. Sept. 25, 2006



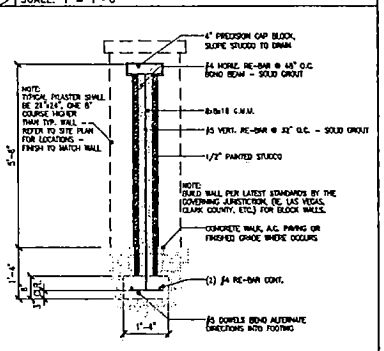
1 site and grading plan
SCALE: 1/16"= 1'-0"

keynotes

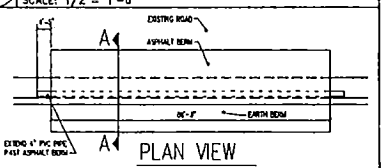
#	DESCRIPTION
1	TYPICAL EXTERIOR SLAB. 4" CONC. SLAB O/ 6" MIN. COMPACTED FILL
2	4" CONC. CONCRETE W/ SEAL PANCH PATTERN O/ PREPARED SOIL (COLOR AND PATTERN SELECTED BY OWNER)
3	PLANTER – SEE LANDSCAPE PLAN
4	6" CONC. SLAB O/ PREPARED SOIL FOR A/C UNIT AND ANY OTHER UTILITIES NEEDED
5	FUTURE POOL AND SPA
6	LANDSCAPE AREA BY OTHERS
7	8'-0" MIN. X 6'-8" H (6" C.M.U. WALL CONSTRUCTED PER BUILDING DEPARTMENT DRAWING B-161, EFFECTIVE JANUARY 1, 1995 – SEE DETAIL 4/A2.1
8	SLOPE AWAY FROM BUILDING 1/4" PER FOOT MINIMUM
9	6'-0" X 6'-0" STEEL COLORED TUBULAR SWING GATE W/ INSTRUMENTS @ 6'-0" O.C. W/LOCKING DEVICE SELF CLOSER & SLIP RESISTANT (GATE TO COMPLY W/ POOL SECURITY REQUIREMENTS)
10	DRIVEWAY APRON IN CAST CONCRETE WITH BROOM FINISH
11	REPLACEMENT SIDEWALK SMOOTH, RAISED AND CONTINUE SIDEWALK THROUGH DRIVE
12	POOL EQUIPMENT SCREEN BY WALLS
13	EXISTING 5'-0" SIDEWALK
14	ELECTRICAL AND GAS METERS ONLY SCREEN BY PLANTS
15	4" CONC. SLAB FOR SPA PATH
16	NEW MASONRY FENCE WITH CUSTOM SMOKED COLORED WROUGHT IRON GATES.
17	POOL EQUIPMENT BEHIND MASONRY WALL. WALL TO BE 1'-0" ABOVE EQUIPMENT GRADE.



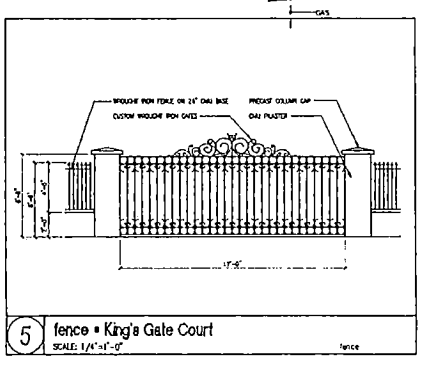
2 wrought iron fence
SCALE: 1"= 1'-0"



3 cmu wall
SCALE: 1/2"= 1'-0"



4 temporary construction drive
SCALE: 1/2"= 1'-0"



5 fence • King's Gate Court
SCALE: 1/4"=1'-0"

VAR-3246
12-04-03 PC

Richard Luke ARCHITECTS
8081 West Sahara Avenue, Suite 105
Las Vegas, Nevada 89117 (702) 838-4648

Revisions

VARNEY RESIDENCE
FOR CHUCK AND PATRICIA VARNEY
SITE AND GRADING PLAN
AT QUEENSRIDGE SOUTH, LOT #1, LAS VEGAS, NEVADA

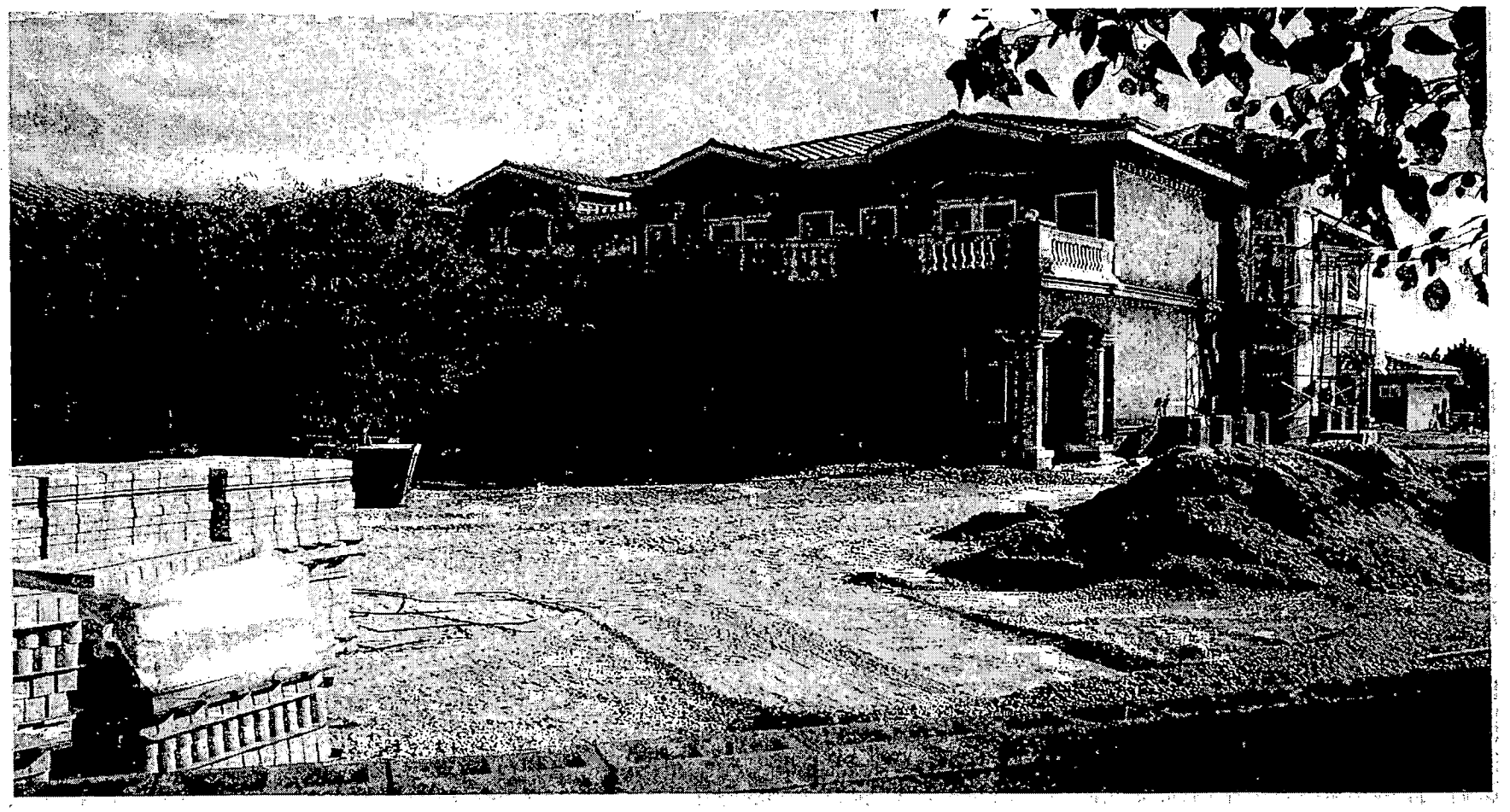
Date: 05-28-03
Drawn: DES
Job No. 01119

A2.1



VAR-3246 - RICHARD LUKE ARCHITECTS ON BEHALF OF CHARLES M. AND PATRICIA A. VARNEY
9511 KINGS GATE COURT
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



VAR-3246 - RICHARD LUKE ARCHITECTS ON BEHALF OF CHARLES M. AND PATRICIA A. VARNEY
9511 KINGS GATE COURT
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

Queensridge Owners Association

ATTN: Richard Luke

CALL me on this —

Chuck

March 24, 2003

Charles and Patricia Varney
1820 Wincanton Drive
Las Vegas, NV 89134

RE: QUEENSRIDGE, 9511 Kings Gate Court

Dear Mr. & Mrs. Varney:

The Queensridge Design Review Committee recently met and **CONDITIONALLY APPROVED** your submitted plans for constructing a perimeter block wall to enclose the above referenced location. Said approval is subject to the following condition:

1. The proposed perimeter block wall shall have a stucco finish and shall be painted to match the existing Queensridge community walls.

2. A cut sheet or final illustration of the Metal Gate selected to face North on Kings Gate Court shall be submitted to the DRC for review and approval prior to installation.

Thank you for your cooperation and patience during the approval process. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Karen Williams

Karen Williams
Property Manager
Queensridge Owners Association

/mls

851 Palace Court Drive, Las Vegas, Nevada 89145
(702) 314-4040 • Fax Number (702) 314-4044

Submitted at Planning Commission
Date 12/4/03 Item # 33

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SUP-3277 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Special Use Permit FOR A 24,397 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened on Item 34 [SUP-3277] and Item 35 [SDR-3279].

DAVID CLAPSADDLE, Planning and Development Department, announced that this project meets or exceeds all parking, landscaping and residential adjacency standards. There are no waivers requested. It is within a rural preservation neighborhood, but that does not apply due to the non-residential use. The building is 31 feet in height and the 70-foot steeple is exempted from the height standards pursuant to the residential adjacent standards of the code. An neighborhood meeting was held where there were no objections. Staff recommended approval.

KEVIN REISCH, Jerry Miller & Associates Architects, 624 South Ninth Street, appeared on behalf of the applicant and concurred with the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 34 – SUP-3277

MINUTES – Continued:
COMMISSIONER McSWAIN discussed with MR. CLAPSADDLE and MR. REISCH that the 70-foot steeple is standard. A previous application fell under different circumstances from this more usual request.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [SUP-3277] and Item 35 [SDR-3279].

NOTE: All discussion for Item 34 [SUP-3277] and Item 35 [SDR-3279] was held under Item 34 [SUP-3277].

(9:59 – 10:02)

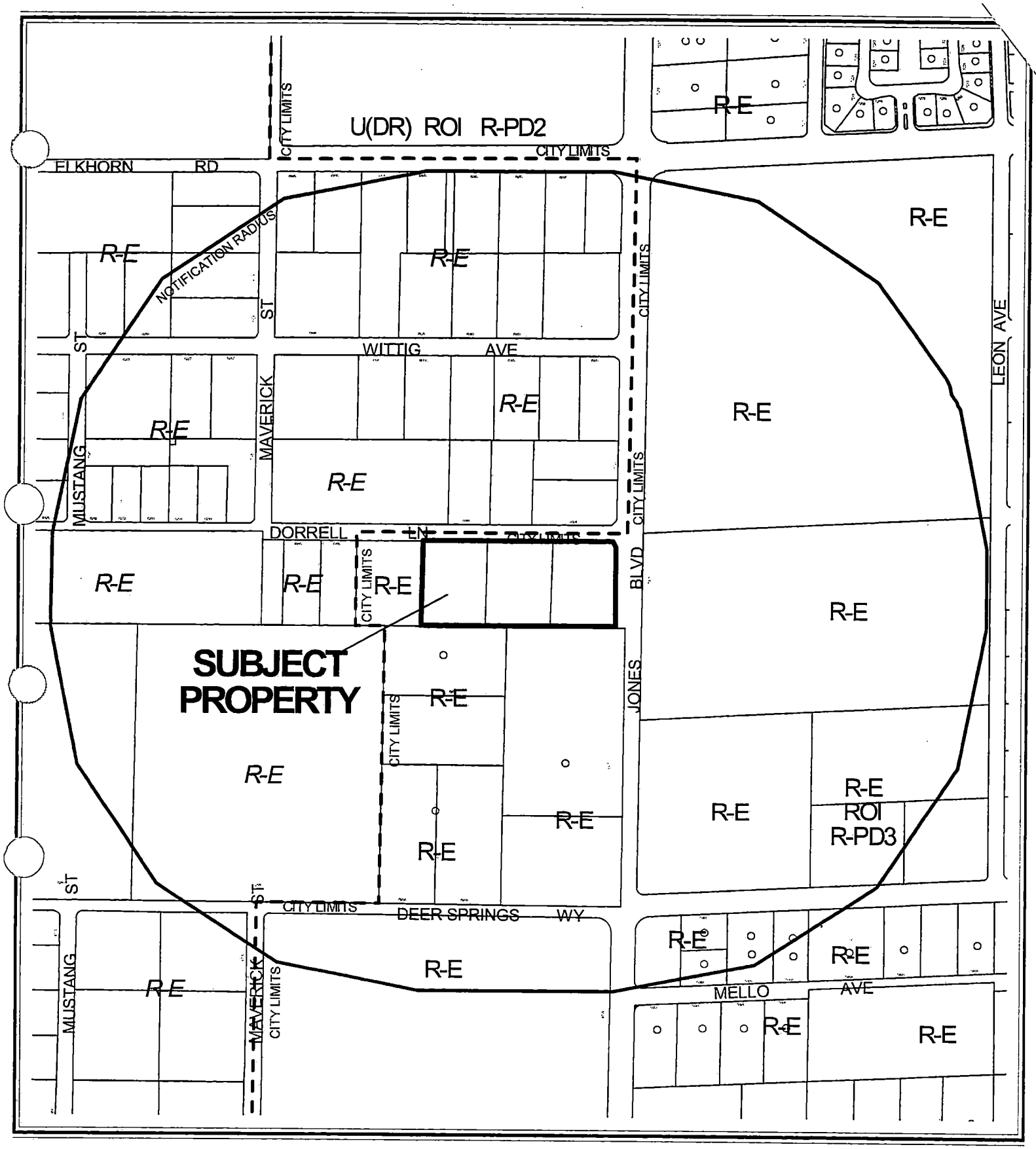
CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Church/House of Worship use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3279.

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.



CASE: **SUP-3277**

RADIUS: 1320 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3277 - THE CHURCH OF JESUS CHRIST ON LATTER DAY SAINTS ON BEHALF OF CECIL JOHNSON

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Church/House of Worship use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3279.

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for Special Use Permit for a Church/House of Worship within a residential district on 4.86 acres located adjacent to the southwest corner of Dorrell Lane and Jones Boulevard.

B) Applicant's Justification

A Church/House of Worship is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

A) Previous Actions

01/05/99 The City Council approved a Special Use Permit (U-0088-99) for an existing equestrian center on 4.86 acres. The Planning Commission recommended approval on October 28, 1999.

12/04/03 The Planning Commission will hear a companion Site Development Plan Review (SDR-3279) for a proposed 24,397 square-foot Church/House of Worship on 4.86 acres.

B) Pre-Application Meeting

10/28/03 Discussion included the need for a landscape plan, handicap accessible routes on both sides of designated spaces, and screening for all mechanical equipment. It was also acknowledged that this project would be deemed a Project of Regional Significance due to its proximity to Clark County.

C) Neighborhood Meetings

A neighborhood meeting was held on November 24, 2003. About 12 persons were in attendance, and no one expressed opposition to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.86

B) Existing Land Use

Subject Property:	Equestrian Center
North:	Single Family Residence
South:	Single Family Residence
East:	Undeveloped
West:	Single Family Residence

C) Planned Land Use

Subject Property:	DR (Desert Rural Density)
North:	RNP (Rural Neighborhood Preservation)
South:	DR (Desert Rural Density)
East:	R (Rural Density Residential)
West:	DR (Desert Rural Density)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density) land use designation. The existing R-E (Residence Estates) zoning district is in compliance with the General Plan designation, and a Church/House of Worship is a permitted use in the R-E district with the approval of a Special Use Permit.

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

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood (RPN) 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. Because of the non-residential nature of this proposal, RPN requirements do not apply to the subject site.

FS

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 Clark County.

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

1) The Flood Control Division of the Public Works Department requires a technical drainage study regarding the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.

2) The Public Works Department requires the extension of public sewer in Dorrell Lane to the western edge if not already constructed at time of development.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to making 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		Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Chapel / Rostrum	191 fixed seats	1 / 4 fixed seats	46	2	46	2
Cultural Center	5,955 Square Feet	1 / 100 Square Feet	57	3	245	6

The proposed project exceeds Title 19 Parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to a Church/House of Worship use and there are no similar approved uses within the 500-foot notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Enclosed, 50 feet from Protected Property	Enclosed, 53 feet from Protected Property

The trash enclosure location for the proposed project exceeds Title 19 trash enclosure requirements.

B) General Analysis and Discussion

- Zoning

  The proposed Church/House of Worship is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

- Use

  A Church/House of Worship is defined as any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as childcare facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.18. The term does not include any class of childcare center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

- Conditions

  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 pro-grams, preschool 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.

3. It 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.

The proposal meets these base conditions of approval.

FINDINGS

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

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 Church/House of Worship is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit, and can be conducted in a manner that is harmonious and compatible with future surrounding uses as projected by the General Plan.

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

   The 4.86-acre site is physically suitable for the type and intensity of land use proposed.

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

   Access to the site is via access driveways from Dorell Lane, a 60-foot right of way, and Jones Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The abutting streets will be adequate for the traffic generated by the proposed Church/House of Worship use.

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

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

NOTICES MAILED 62 (Mailed with SDR-3279)

APPROVALS 0

PROTESTS 0

FS

Oct 20 2003 2:45PM Gary W. Miller, Architect 2 702 451 0815

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3277 APN: 125-23-601-018/019/020

Name of Property Owner: CECIL JOHNSON

Name of Applicant: THE CORPORATION OF THE PRESIDING BISHOPRIC OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

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: Brody McFarland

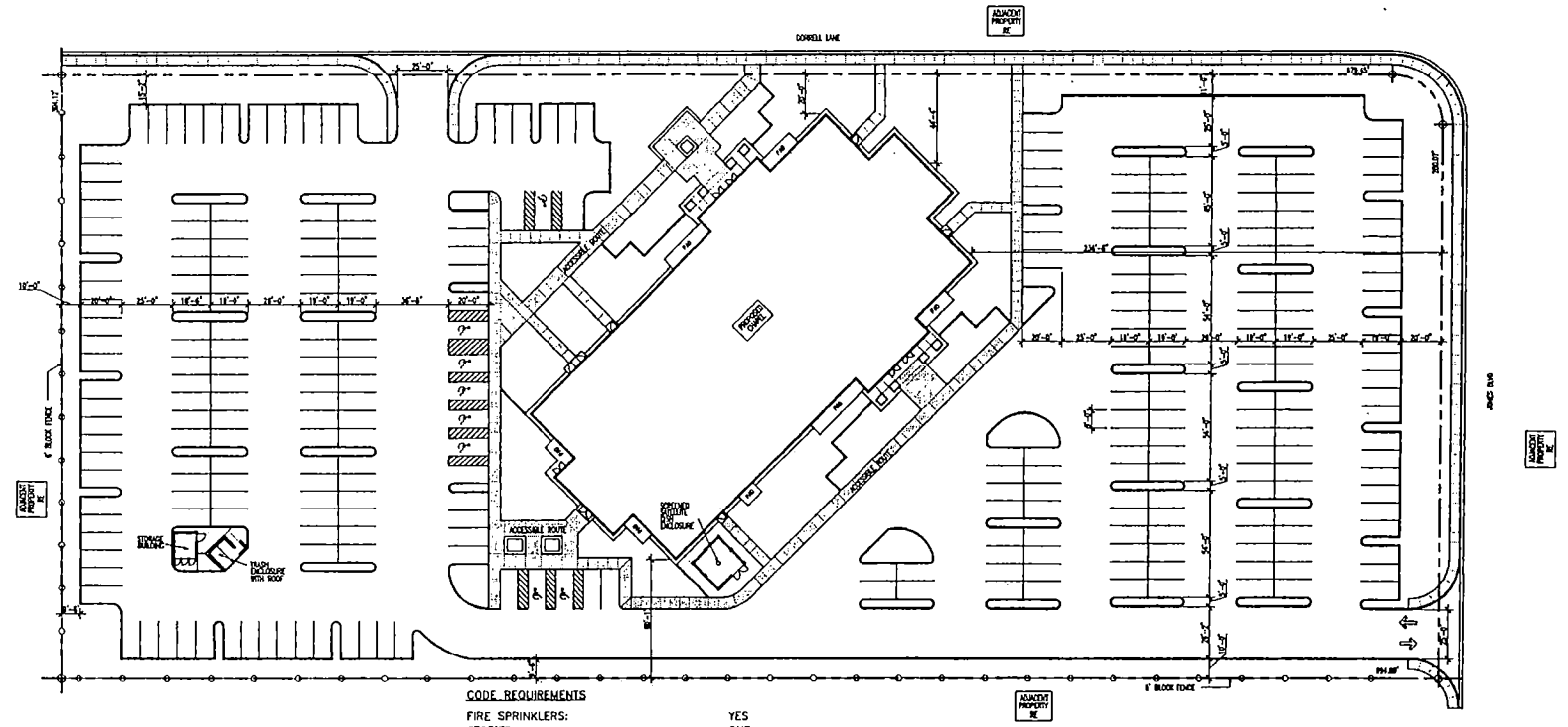
Print Name: Brody McFarland

Subscribed and sworn before me

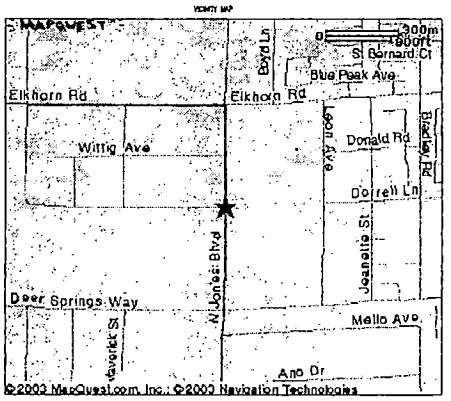
This 21 day of October, 2003

Notary Public in and for said County and State

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



SITE PLAN
SCALE: 1" = 30'-0"



CODE REQUIREMENTS

FIRE SPRINKLERS:	YES
STORIES:	ONE
BUILDING HEIGHT:	31'-2 9/16"
TOWER HEIGHT:	70'-1 9/16"
(TOWER FOR AESTHETIC PURPOSED ONLY. NO AUDIBLY SOUND OR USABLE SPACE)	PROVIDES
FLOOR AREA:	24,397 S.F.
SEISMIC ZONE:	
SOIL COEFFICIENT:	
WIND:	

SIGNAGE
SIGNAGE: REFER TO DETAIL

SITE COVERAGE:

PROPOSED BUILDING AREA	24,397	S.F.	11.55%
PARKING AREA AND DRIVEWAYS	124,873	S.F.	59.13%
SIDEWALKS	6,217	S.F.	2.96%
TOTAL PLANTING AREA	55,673	S.F.	26.36%
TOTAL SITE AREA	211,160	S.F.	100%

DATA:
PROPERTY AREA: 211,160 SQUARE FEET (4.86 ACRES)

PARKING SPACES:
ROSTRUM: 59 FIXED SPACES
59 / 4 = 15 SPACES
CHAPEL: 220 LIN. FEET OF PEW (20" PER SEAT)
132 / 4 = 33 SPACES
CULTURAL CENTER: 2498 SQUARE FEET
5955 / 100 = 60 SPACES
TOTAL SPACES REQUIRED: 108 SPACES
TOTAL SPACES PROVIDED: 296 SPACES
(264) - 9'-0" x 19'-0" STANDARD SPACES
(24) - 9'-0" x 20'-0" STANDARD SPACES
(8) - 9'-0" x 20'-0" HANDICAPPED SPACES

DRIVE AND PARKING SURFACES TO BE ASPHALTIC CONCRETE PAVING OVER ROAD BASE

PROPERTY ZONING: RE

PROJECT INFORMATION:

BUILDING TYPE: V 1 HOUR
BUILDING OCCUPANCY: A-3 (IBC 2003)
PROPOSED PROJECT DESCRIPTION AND USE: CHURCH CONTAINTING THE FOLLOWING:
24,397 SQ. FOOT BUILDING CONTAINING A CHAPEL, CULTURAL CENTER, SUNDAY SCHOOL ROOMS, AND RELATED ADMINISTRATION OFFICES, AND SERVICE GROUP MEETING ROOMS.

CHAPEL AND CULTURAL CENTER ARE USED FOR SUNDAY WORSHIP.
CULTURAL CENTER IS USED FOR WEEK NIGHT YOUTH AND SOCIAL EVENTS
THERE IS ALSO A DETACHED 168 SQ. FOOT STORAGE BUILDING PROPOSED FOR STORAGE OF MAINENANCE EQUIPMENT, AND A COVERED TRASH ENCLOSURE

LEGAL DESCRIPTION

PARCEL 1-THE WEST ½ OF THE EAST 880 FEET OF THE FOLLOWING DESCRIBED: THE SHOUTH ½ OF THE NORTH ½ OF THE SOUTH ½ OF THE NORTHEAST QUARTER AND THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER PF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. , CLARK COUNTY, NEVADA

PARCEL II- THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. &M, CLARK COUNTY, NEVADA AND BEING MOR PARTICYARY DESCRIBED AS THE FOLLOWS:
PARCEL NO. 2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 24 OF PARCEL MAPS, PAGE 40, ON THE OFFICE OF THE COUNTY RECORDER OF SAID CLARK COUNTY, NEVADA.

PARCEL III-THE NORTH 400 FEET OF THE SOUTH 720 FEET OF THE EAST 429 FEET D FTHE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST M.D.B. & M. EXCERPTING THEREFROM TEN ONTREST IN AND TO JONES BOULEVARD AS IT NOW EXISTS OVER THE EASTERLY BOUNDARY OF SAID PROPERTY

PARCEL IIIA- THE EAST ½ OF THE EAST 800 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M. EXCEPTING THE NORTH 400 FEET OF THE SOUTH 720 FEET OF THE EAST 429 FEET OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. &M.

SDR-3279
SUP-3277
12-04-03 PC

GARY W MILLER
ARCHITECT & ASSOCIATES
824 SOUTH 9TH STREET
LAS VEGAS, NEVADA 89101
PHONE: (702)-434-9993 FAX: (702)-434-9815
www.gwmidgroup.com gwmail@gwmidgroup.com

GARY W MILLER REGISTERED No. 4607 ARCHITECT STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUSE

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR
THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

REVISIONS

DATE	DESCRIPTION

BID SET DATE:

ADDENDA

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		

POST BID REVISIONS

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		

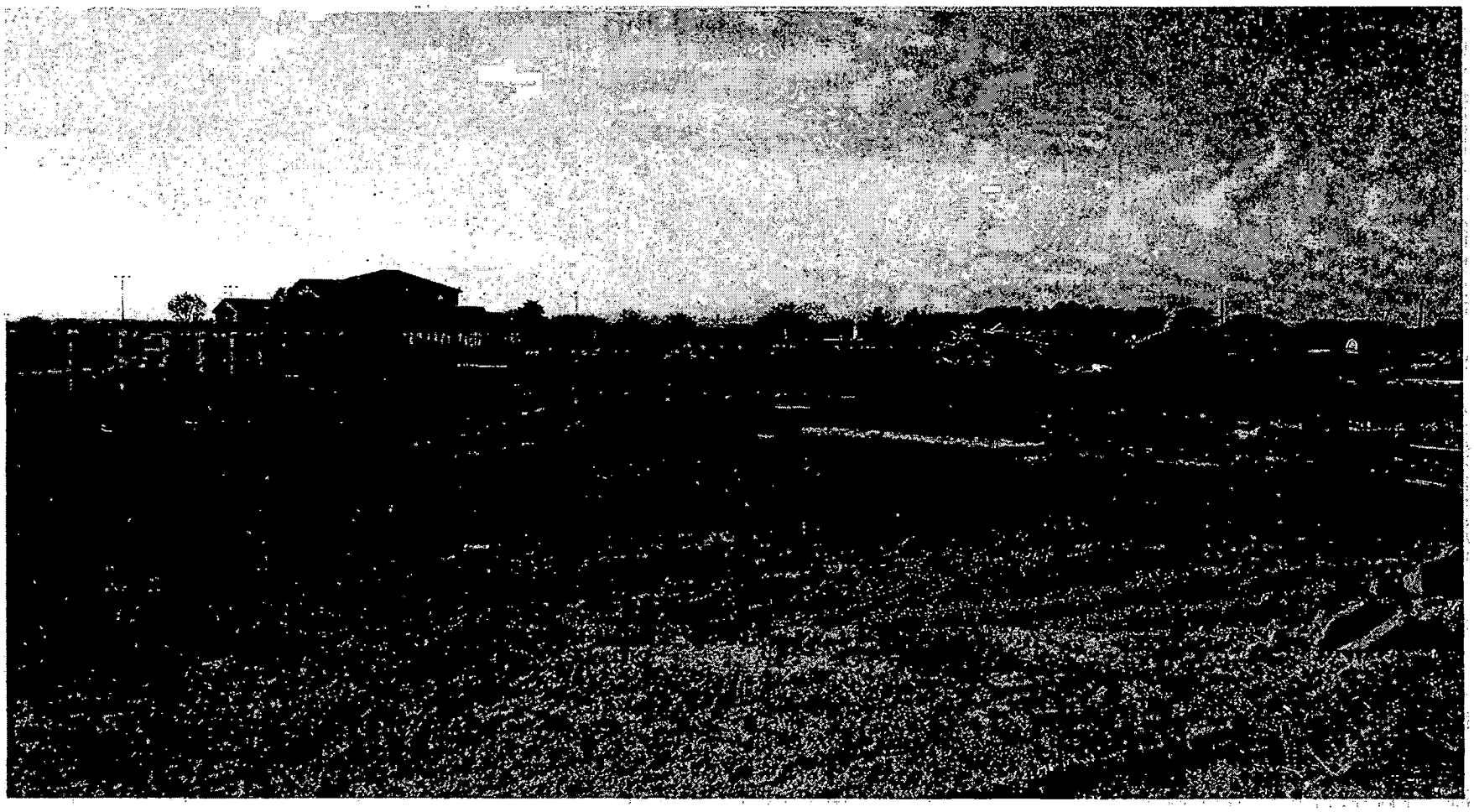
PROJECT NO:	XXXXX
CAD DWG FILE:	SD-101 10-13-03.dwg
DRAWN BY:	KLR
CHECKED BY:	GARY M.
DRAWING SCALE:	1" = 30'-0"

SHEET TITLE:

PROPOSED SITE DEVELOPMENT PLAN

SD-101

SHEET # 00 OF 00



SUP-3277 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON
SOUTHWEST CORNER OF JONES BOULEVARD AND DORRELL LANE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

SDR-3279 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Site Development Plan Review FOR A PROPOSED CHURCH/HOUSE OF WORSHIP on 4.86 acres adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
NOTE: See Item 34 [SUP-3277] for all related discussion.
(9:59 – 10:02)

CONDITIONS:
Planning and Development

1. Special Use Permit (SUP-3277) approved by City Council.

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

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

CONDITIONS – Continued:

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. 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.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

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

12. 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.

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

CONDITIONS – Continued:

Public Works

14. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.

16. Construct half-street improvements including appropriate overpaving, if legally able on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Also, this site is responsible to construct half-street improvements on Jones if not ultimately constructed with Special Improvement 1487.

17. If not already constructed at time of development, coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Dorrell Lane to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

18. Provide notarized permission from the adjacent property owner to construct any portion of the entry that encroaches onto the adjacent property to the south.

19. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).

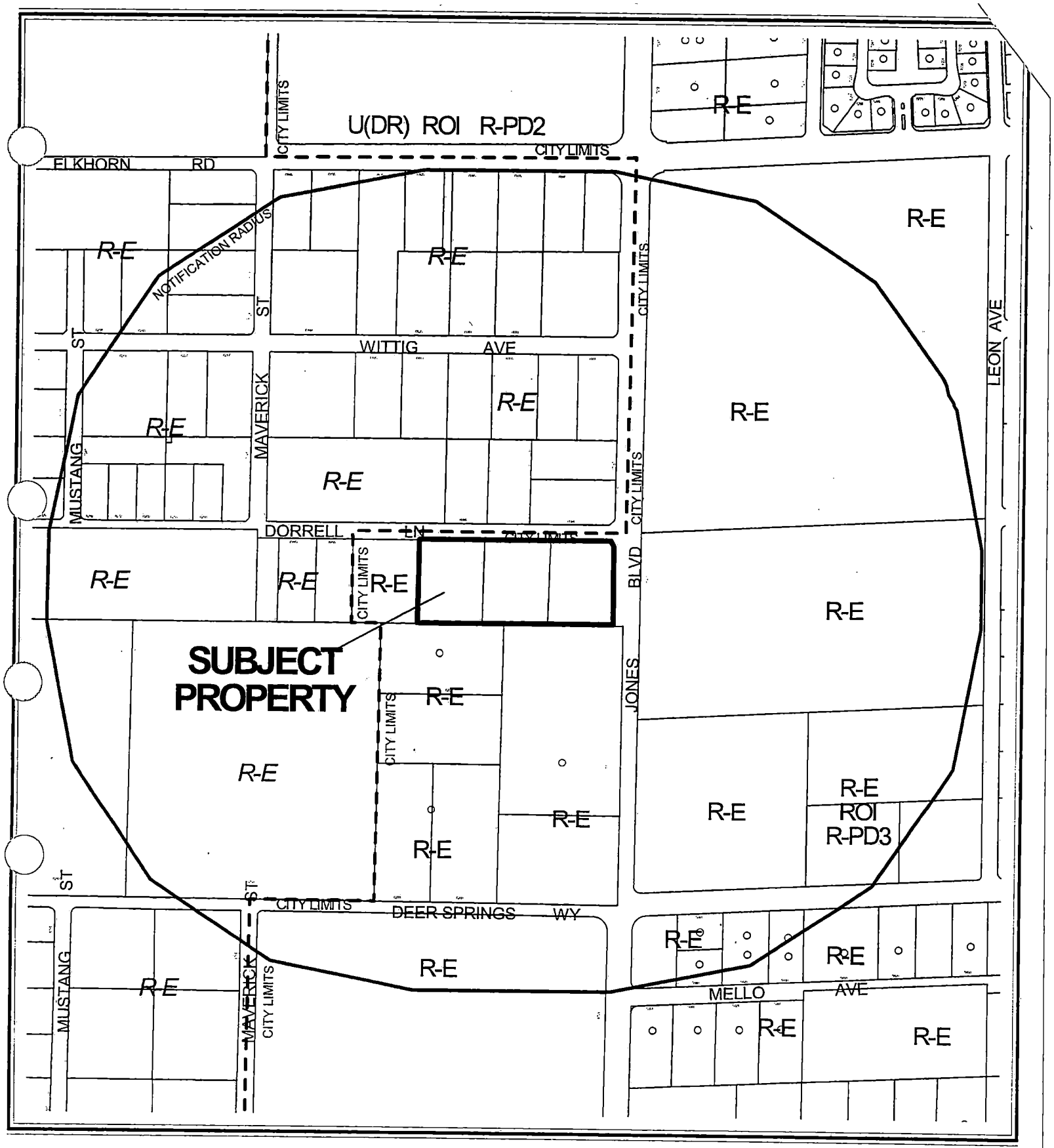
20. Landscape and maintain all unimproved rights-of-way on Jones Boulevard and Dorrell Lane adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Dorrell Lane public rights-of-way adjacent to this site prior to occupancy of this site.

CONDITIONS – Continued:

22. 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.

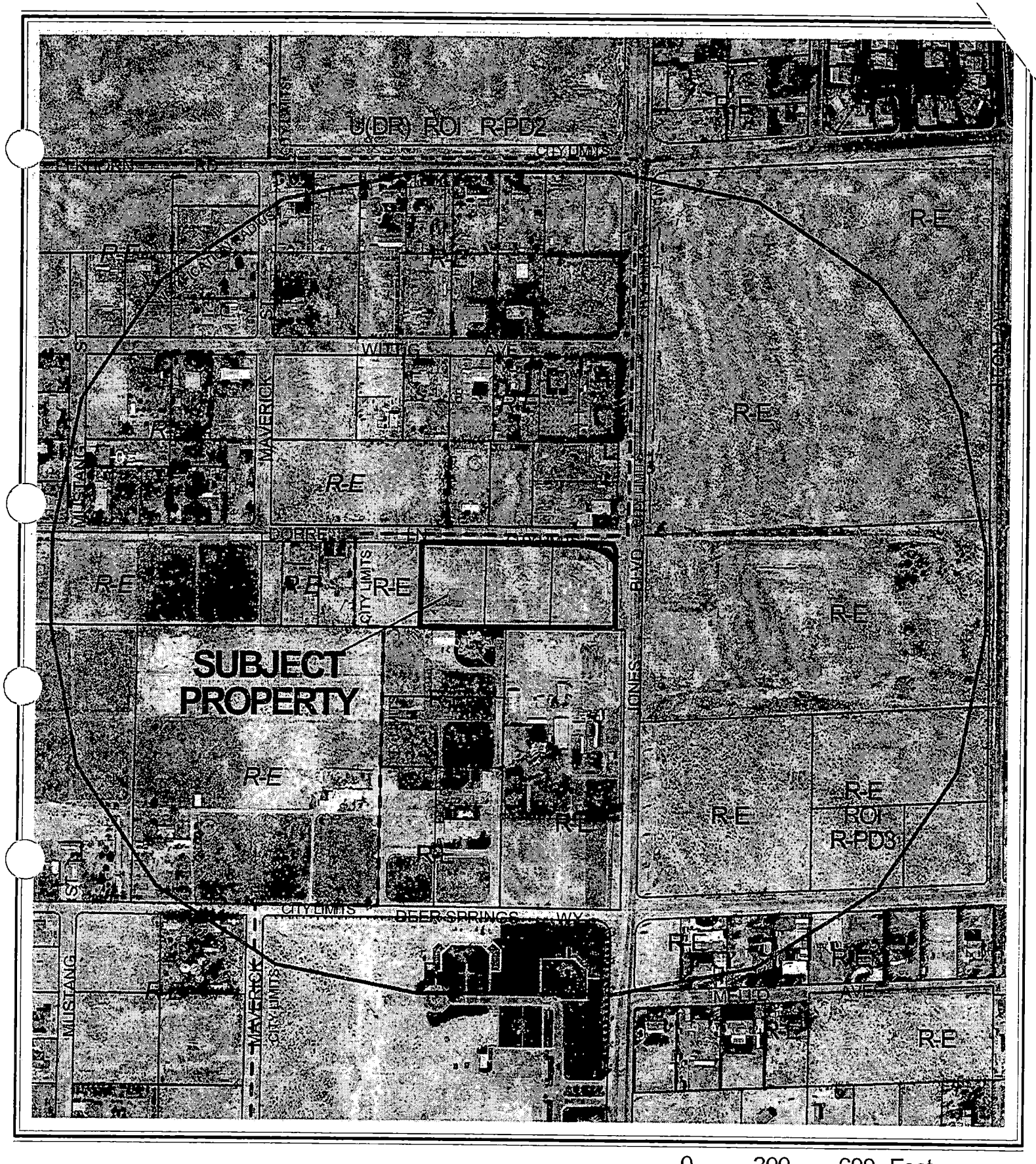
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **SDR-3279**

RADIUS: 1320 FT

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



CASE: **SDR-3279**

RADIUS: 1320 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3279 - THE CHURCH OF JESUS CHRIST ON LATTER DAY SAINTS ON BEHALF OF CECIL JOHNSON

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Special Use Permit (SUP-3277) approved by City Council.

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

3. 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. 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.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

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

12. 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.

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

Public Works

14. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.

16. Construct half-street improvements including appropriate overpaving, if legally able on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Also, this site is responsible to construct half-street improvements on Jones if not ultimately constructed with Special Improvement 1487.

17. If not already constructed at time of development, coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Dorrell Lane to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

18. Provide notarized permission from the adjacent property owner to construct any portion of the entry that encroaches onto the adjacent property to the south.

19. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).

20. Landscape and maintain all unimproved rights-of-way on Jones Boulevard and Dorrell Lane adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Dorrell Lane public rights-of-way adjacent to this site prior to occupancy of this site.

22. 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.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Site Development Plan for a 24,397 square-foot Church/House of Worship on 4.86 acres located adjacent to the southwest corner of Dorrell Lane and Jones Boulevard.

A related request for a Special Use Permit (SUP-3277) to allow a Church/House of Worship in an R-E (Residence Estates) zoning district will also be considered.

B) Applicant's Justification

A Church/House of Worship is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

A) Previous Actions

01/05/99 The City Council approved a Special Use Permit (U-0088-99) for an existing equestrian center on 4.86 acres. The Planning Commission recommended approval on October 28, 1999.

12/04/03 The Planning Commission will hear a companion Special Use Permit (SUP-3277) for a proposed 24,397 square-foot Church/House of Worship on 4.86 acres.

B) Pre-Application Meeting

10/08/03 Issues discussed included the requirement of a landscape plan, steeple dimensions on the building elevations, and a Special Use Permit for the proposed use. It was acknowledged that the proposal would be considered a Project of Regional Significance, and the removal of some trees along Dorrell lane was acceptable.

C) Neighborhood Meetings

A neighborhood meeting was held on November 24, 2003. About 12 persons were in attendance, and no one expressed opposition to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.86

B) Existing Land Use

Subject Property:	Equestrian Center
North:	Single Family Residence
South:	Single Family Residence
East:	Undeveloped
West:	Single Family Residence

C) Planned Land Use

Subject Property:	DR (Desert Rural Density)
North:	RNP (Rural Neighborhood Preservation)
South:	DR (Desert Rural Density)
East:	R (Rural Density Residential)
West:	DR (Desert Rural Density)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density) land use designation. The existing R-E (Residence Estates) zoning district is consistent with the General Plan designation, and a Church/House of Worship is a permitted use in the R-E district with the approval of a Special Use Permit.

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

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. Because of the non-residential nature of this proposal, RPN requirements do not apply to the subject site.

FS

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 Clark County.

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

  1) The Flood Control Division of the Public Works Department requires a technical drainage study regarding the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.

  2) The Public Works Department requires the extension of public sewer in Dorrell Lane to the western edge if not already constructed at time of development.

  The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

PROJECT DESCRIPTION

The proposed 24,397 square-foot Church/House of Worship is centrally located on the site, with parking provided on the east and west sides of the building. There are 295 parking spaces, and access to the site is provided via drives off Jones Boulevard and Dorrell Lane. The building elevations depict an exterior generally consisting of brick, with a 31-foot, 3-inch high pitched roof, and a 70-foot, 7-inch steeple. The floor plan depicts a chapel, rostrum, cultural center, and various rooms and offices.

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	20,000 Feet	211,160 Feet	Y
Min. Lot Width	100 Feet	304 Feet	Y
Min. Setbacks			
• Front	50 Feet	236 Feet	Y
• Side	10 Feet	60 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	35 Feet	218 Feet	Y
Max. Building Height	2 Stories / 35 Feet	31 feet	Y
Trash Enclosure	Enclosed, 50 feet from Protected Property	Enclosed, 53 feet from Protected Property	Y
Mech. Equipment	Screened Enclosure	Screened Enclosure	Y

The proposed project meets or exceeds Title 19 development standards.

A2) Residential Adjacency Standards

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

a) Proximity slope.

The proposed one-story, 31'3" Church/House of Worship is approximately 96'10" from the nearest residential property line located on the south side of the tract. At this distance a 3:1 slope would intersect a building at a height of 32 feet. The proposed 31'3" building falls below the proximity slope, and therefore meets Residential Adjacency Standards.

b) Building setback

The proposed Church/House of Worship is setback 96'10" from the south property line adjacent to a residentially zoned tract. The required setback from the protected property is 93'9"; therefore, the proposed building setback is in conformance with Residential Adjacency requirements.

A3) Parking and Traffic Standards

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

Uses		Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Chapel / Rostrum	191 fixed seats	1 / 4 fixed seats	46	2	46	2
Cultural Center	5,955 Square Feet	1 / 100 Square Feet	57	3	245	6

The proposed project exceeds 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 Ratio	Required Trees	Provided
Parking Area	1 Tree / 6 Spaces plus 1 Tree / 2 Islands	64 Trees	64 Trees
Buffer: • Min. Trees	1 Tree / 20 Linear Feet along the South and West property line + 1 Tree	52 Trees	52 Trees
	1 Tree / 30 Linear Feet along Jones Blvd and Dorrell Lane + 1 Tree	33 Trees	33 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	6 Feet		6 Feet

The proposed project meets Title 19 Landscape Standards.

A5) Sign Standards

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

Wall Signs: Stone Meetinghouse Sign

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	1 / Street frontage 1 total
Maximum Area	50 SF / sign	12.74 SF / sign
Maximum Projection	2 Feet	N/A
Illumination	Internal/External	N/A

The proposed sign meets Title 19 Sign Standards.

B) General Analysis and Discussion

- Zoning

  The proposed Church/House of Worship is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

- Site Plan

  The proposed 24,397 square-foot Church/House of Worship is centrally located on the site, with parking provided on the east and west sides of the building. There are 295 parking spaces and access to the site is provided via drives off Jones Boulevard and Dorrell Lane. The site plan depicts a roofed trash enclosure more than 50 feet from protected properties, as well as an enclosure to screen a satellite dish. There is a 168 square-foot storage building located on the western portion of the site.

- Waivers

  There are no Waivers requested with this application.

- Landscape Plan

  The overall landscape plan depicts a 25-foot wide planter along Jones Boulevard planted with 2 ½ inch caliper Holly Oaks and various medium and large screening shrubs. A 15-foot wide landscape planter is provided along Durrell Lane and is also planted with 2-½ inch caliper Holly Oaks and various medium and large screening shrubs. A 10-foot wide planter is provided along the south and west property lines with 24-inch box Mondell Pines and various large screening shrubs along the adjacent residential property line. Parking lot landscape planter finger islands are proposed throughout the parking area with 24-inch box Chilean Mesquite trees. 9.9 percent of the site planting area consists of domestic turf, and the remainder is comprised of drought tolerant landscaping. A 6-foot block wall fence is proposed along the south and east property lines. The project meets Title 19 landscape requirements.

- Elevation

  The building elevations depict a rectangular building with an exterior generally consisting of brick with numerous windows throughout the structure. There is a 31'3" high pitched roof with a 70'7" steeple. There is a 12.74 square-foot stone wall-sign proposed for the front of the building.

- Floor Plan

  The floor plan depicts a chapel, rostrum, cultural center, and various rooms and offices.

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 Church/House of Worship is within the range of allowable uses in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit. The proposed development and uses can be operated in a manner that is compatible with existing residential land uses in the vicinity of this site.

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 development as proposed will be consistent with the General Plan, Title 19, the Design Standards Manual, and the Landscape, Wall and Buffer Standards.

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

   Access to the site is via access driveways from Dorell Lane, a 60-foot right of way, and Jones Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. A Traffic Impact Analysis must be submitted and approved by the Department of Public Works in order to determine traffic impacts and possible mitigation measures.

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

   The proposed building is an aesthetically appropriate structure for a Church/House of Worship. The landscape materials as proposed will be appropriate for this project, which meets landscape standards as required by Title 19.

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

The building elevations and design characteristics of the proposed building are well suited for a Church/House of Worship use. The proposal slightly exceeds residential adjacency standards, and all trash enclosures and mechanical equipment will be screened from view. The proposed steeple is for aesthetic purposes only and will not emit sound or have any usable space.

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

   The proposed Church/House of Worship 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 62 (Mailed with SUP-3277)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3279 APN: 125-23-601-018/019/020

Name of Property Owner: CECIL JOHNSON

Name of Applicant: THE CORPORATION OF THE PRESIDING BISHOPRIC OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

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: Brody McFarland

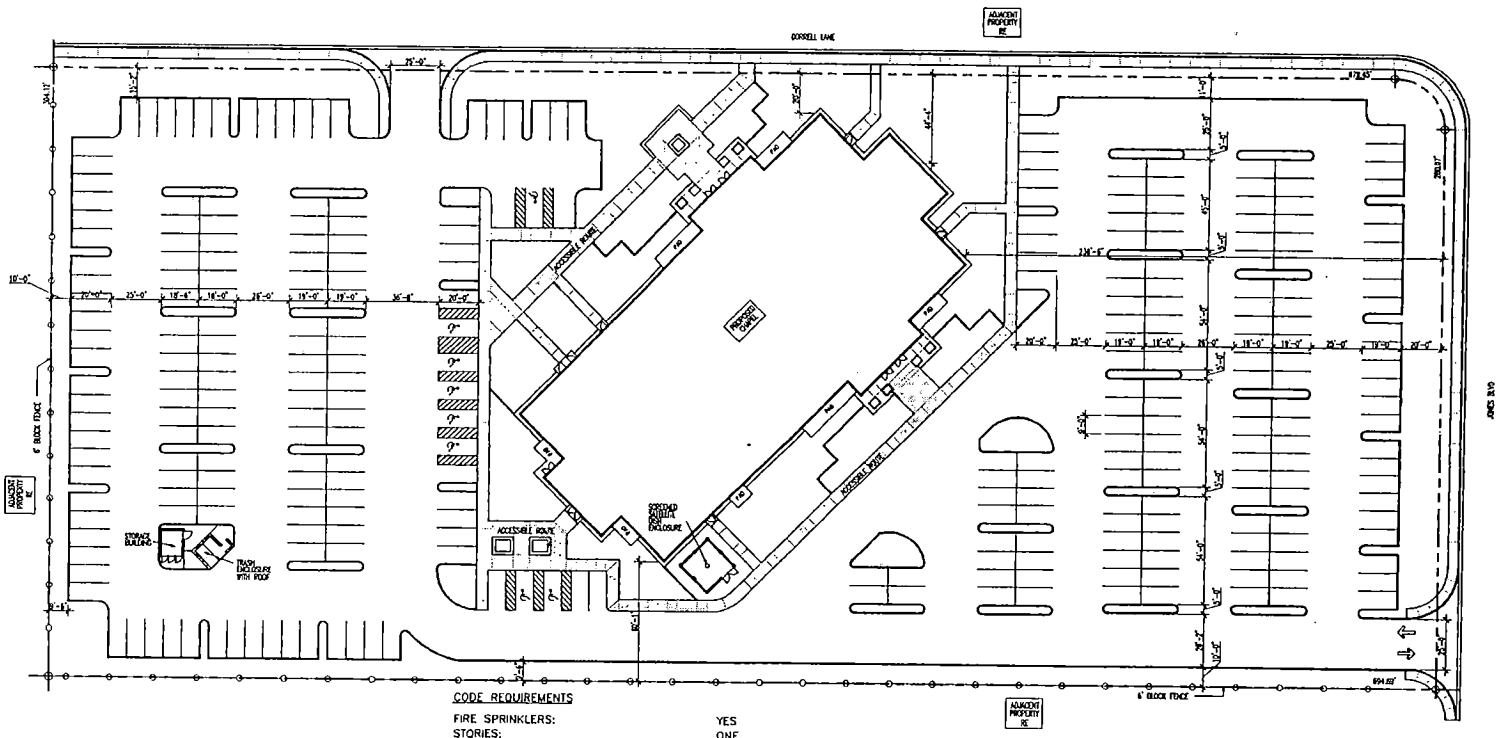
Print Name: Brody McFarland

Subscribed and sworn before me

This 21 day of October, 2003

Notary Public in and for said County and State

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



SITE PLAN
SCALE: 1" = 30'-0"

CODE REQUIREMENTS

FIRE SPRINKLERS:	YES
STORIES:	ONE
BUILDING HEIGHT:	31'-2 9/16"
TOWER HEIGHT:	70'-1 9/16"
(TOWER FOR AESTHETIC PURPOSED ONLY. NO AUDIBLY SOUND OR USABLE SPACE)	PROVIDES
FLOOR AREA:	24,397 S.F.
SEISMIC ZONE:	
SOIL COEFFICIENT:	
WIND:	

SIGNAGE
SIGNAGE: REFER TO DETAIL

SITE COVERAGE:

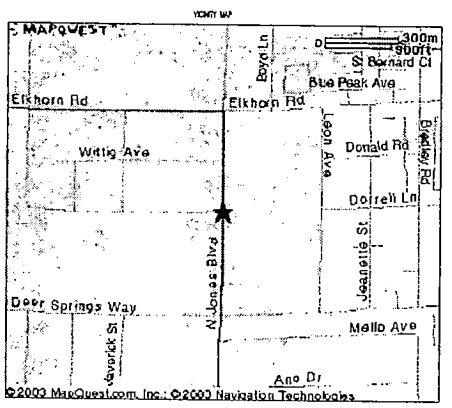
PROPOSED BUILDING AREA	24,397	S.F.	11.55%
PARKING AREA AND DRIVEWAYS	124,873	S.F.	59.13%
SIDEWALKS	6,217	S.F.	2.96%
TOTAL PLANTING AREA	55,673	S.F.	26.36%
TOTAL SITE AREA	211,160	S.F.	100%

DATA:
PROPERTY AREA: 211,160 SQUARE FEET (4.86 ACRES)

PARKING SPACES:
ROSTRUM: 59 FIXED SPACES
59 / 4 = 15 SPACES
CHAPEL: 220 LIN. FEET OF PEW (20" PER SEAT)
132 / 4 = 33 SPACES
CULTURAL CENTER: 2498 SQUARE FEET
5955 / 100 = 60 SPACES
TOTAL SPACES REQUIRED: 108 SPACES
TOTAL SPACES PROVIDED: 296 SPACES
(264) – 9'-0" x 19'-0" STANDARD SPACES
(24) – 9'-0" x 20'-0" STANDARD SPACES
(8) – 9'-0" x 20'-0" HANDICAPPED SPACES

DRIVE AND PARKING SURFACES TO BE ASPHALTIC CONCRETE PAVING OVER ROAD BASE

PROPERTY ZONING: RE



PROJECT INFORMATION:

BUILDING TYPE: V 1 HOUR
BUILDING OCCUPANCY: A-3 (IBC 2003)
PROPOSED PROJECT DESCRIPTION AND USE: CHURCH CONTAINTING THE FOLLOWING:
24,397 SQ. FOOT BUILDING CONTAINING A CHAPEL, CULTURAL CENTER, SUNDAY SCHOOL ROOMS, AND RELATED ADMINISTRATION OFFICES, AND SERVICE GROUP MEETING ROOMS.

CHAPEL AND CULTURAL CENTER ARE USED FOR SUNDAY WORSHIP.
CULTURAL CENTER IS USED FOR WEEK NIGHT YOUTH AND SOCIAL EVENTS
THERE IS ALSO A DETACHED 168 SQ. FOOT STORAGE BUILDING PROPOSED FOR STORAGE OF MAINENANCE EQUIPMENT, AND A COVERED TRASH ENCLOSURE

LEGAL DESCRIPTION

PARCEL I-THE WEST ½ OF THE EAST 880 FEET OF THE FOLLOWING DESCRIBED: THE SHOUTH ½ OF THE NORTH ½ OF THE SOUTH ½ OF THE NORTHEAST QUARTER AND THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER PF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. , CLARK COUNTY, NEVADA

PARCEL II- THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. &M, CLARK COUNTY, NEVADA AND BDING MOR PARTICULARY DESCRIBED AS THE FOLLOWS:
PARCEL NO. 2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 24 OF PARCEL MAPS, PAGE 40, ON THE OFFICE OF THE COUNTY RECORDER OF SAID CLARK COUNTY, NEVADA.

PARCEL III-THE NORTH 400 FEET OF THE SOUTH 720 FEET OF THE EAST 429 FEET D FTHE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST M.D.B. & M. EXCERPTING THEREFROM TEH INTREST IN AND TO JONES BOULEVARD AS IT NOW EXISTS OVER THE EASTERLY BOUNDARY OF SAID PROPERTY

PARCEL IIIA- THE EAST ½ OF THE EAST 800 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M. EXCEPTING THE NORTH 400 FEET OF THE SOUTH 720 FEET OF THE EAST 429 FEET OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. &M.

SDR-3279
12-04-03 PC

GARY. W MILLER
ARCHITECT & ASSOCIATES
624 SOUTH 9TH STREET
LAS VEGAS, NEVADA 89101
PHONE: (702)-434-9895 FAX: (702)-434-9815
www.gmidgroup.com genmail@gmidgroup.com

GARY W. MILLER REGISTERED
No. 4607
ARCHITECT STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUSE

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR
THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

REVISIONS

DATE	DESCRIPTION

BID SET DATE:

ADDENDA

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

POST BID REVISIONS

MARK	DATE	DESCRIPTION
A		
B		
C		
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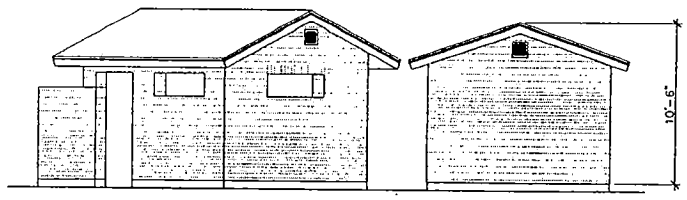
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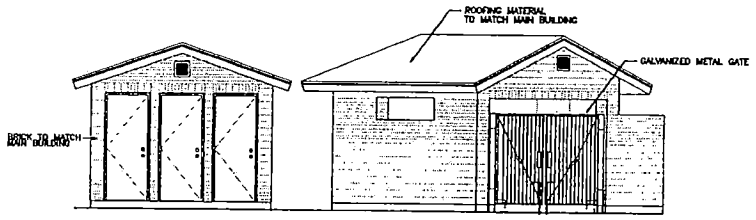
PROPOSED SITE DEVELOPMENT PLAN

SD-101

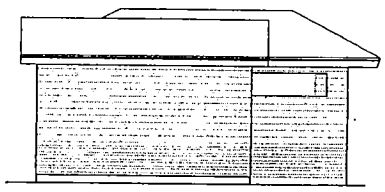
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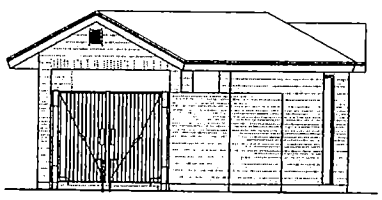
NORTH ELEVATION
SCALE: 1/4"=1'-0"



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



WEST ELEVATION
SCALE: 3/16"=1'-0"



EAST ELEVATION
SCALE: 3/16"=1'-0"

GARY. W MILLER
ARCHITECT & ASSOCIATE
624 SOUTH 9TH STREET
LAS VEGAS, NEVADA 89101
PHONE: (702)-434-9695 FAX: (702)-434-9
www.gmdgroup.com garmil@gmdgroup.com

GARY W. MILLER REGISTERED No. 4607 ARCHITECT STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUS

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

REVISIONS

DATE	DESCRIPTION

BID SET DATE :

ADDENDA

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

POST BID REVISIONS

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

PROJECT NO:	XXXXX
CAD DWG FILE:	SD-102.dwg
DRAWN BY:	klr
CHECKED BY:	GARY M.
DRAWING SCALE:	1/4" = 1'-0"

SHEET TITLE:

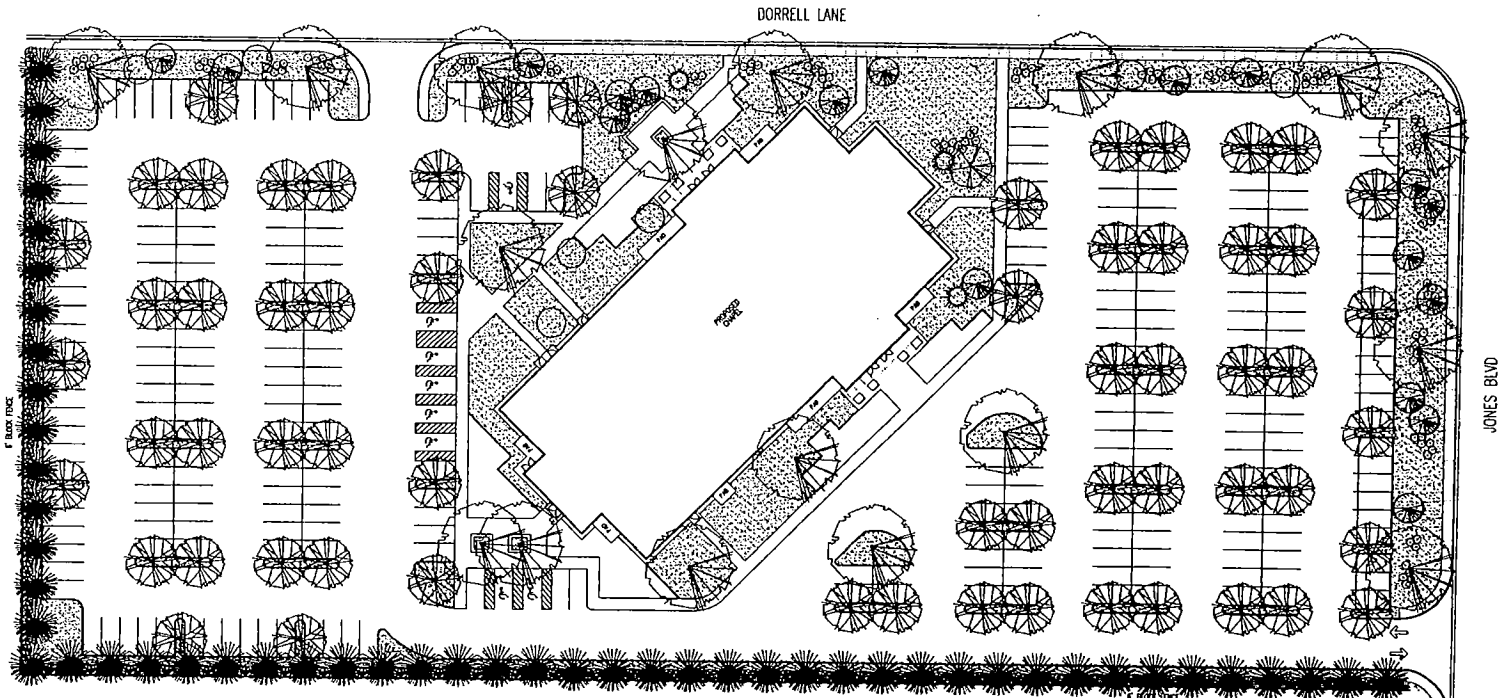
STORAGE BUILDING
TRASH ENCLOSURE

SD-102

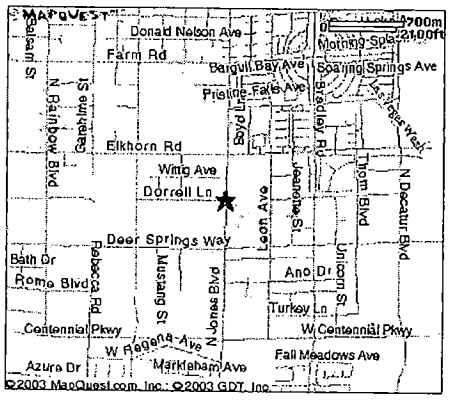
SHEET # 00 OF 00

SDR-3279

12-04-03 PC



VICINITY MAP



SYMBOLS LEGEND

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE & NOTES
	HOLLY OAK	Quercus ilex	24" box
	CHILEAN MESQUITE	Prosopis glandulosa	24" Box Tree Form
	PINK DAWN CHITALPA	Chitalpa tashkentensis 'Pink Dawn'	24" Box Multi-trunk
	SHOESTRING ACACIA	Acacia stenophylla	15 Gallon
	MONDELL PINE	Pinus eldarica	24" Box
	AUSTRALIAN WILLOW	Geijera parviflora	15 Gallon
	OCOTILLO	Fouquieria splendens	15 Gallon 11 ft. - 13 Canes, 6' High
	LARGE SCREEN SHRUBS		
	DWARF PINK OLEANDER	Nerium oleander 'Petite Pink'	5 Gallon
	MOROCCO DWARF OLEANDER	Nerium oleander 'Mystery'	5 Gallon
	MEDIUM-SMALL SHRUBS		
	DEER GRASS	Muhlenbergia rigens	1 Gallon
	RED YUCCA	Hesperaloe parviflora	5 Gallon
	FAIRY DUSTER	Calliandra eriophylla	5 Gallon
	ROSEMARY	Rosmarinus officinalis 'Huntington Carpet'	5 Gallon
	TRAILING LANTANA	Lantana montevidensis	1 Gallon
	DROUGHT TOLERANT SHRUB PLANTING AREA		
	DOMESTIC TURF GRASS AREA		

LANDSCAPE SUMMARY DATA

	QUANTITY	PERCENTAGE	REQUIRED	PROVIDED
1. TOTAL SITE AREA	211,160 S.F.	100.0%		
2. TOTAL LANDSCAPE AREA	41,548 S.F.	32.5%		
a. TOTAL DOMESTIC TURF GRASS AREA	4,682 S.F.	9.9%		
b. TOTAL DROUGHT TOLERANT PLANTING AREA	42,896 S.F.	90.1%		
3. TOTAL PARKING LOT AREA (INCLUDING DRIVE ISLES)	114,433 S.F.	48.9%		
a. TOTAL INTERIOR PARKING LOT LANDSCAPING	8,685 S.F.	6.1%		
b. TOTAL INTERIOR PARKING LOT TREES (ONE TREE PER 6 PARKING SPACES - 384 SPACES SHOWN) +(ONE TREE PER EVERY TWO ISLANDS AT THE END OF A PARKING RDW - 26 ISLANDS SHOWN)			64	64
4. TOTAL STREET FRONTAGE ON DORRELL LANE	646 L.F.			
a. TREES - ONE (1) TREE PER 30 L.F. PLUS ONE (695 L.F. INCLUDING THE DRIVE APPROACHES)			23	23
b. SHRUBS FOUR (4) PER TREE			92	92
5. TOTAL STREET FRONTAGE ON JONES BLVD.	257 L.F.			
a. TREES - ONE PER 30 L.F. PLUS ONE (304 L.F. INCLUDING THE DRIVE APPROACHES)			10	10
b. SHRUBS FOUR (4) PER TREE			40	40
6. TOTAL SOUTH PROPERTY LINE	695 L.F.			
a. TREES - ONE PER 20 L.F. PLUS ONE			36	36
b. SHRUBS FOUR (4) PER TREE			144	144
7. TOTAL WEST PROPERTY LINE	304 L.F.			
a. TREES - ONE PER 20 L.F. PLUS ONE			16	16
b. SHRUBS FOUR (4) PER TREE			64	64

North

SDR-3279

12-04-03 PC

Aspen Resource Consultants LLC
Landscape Architecture · Planning · Development Consulting

REGISTERED LANDSCAPE ARCHITECT SCOTT A. SCHOONOVER 600 STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUSE

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR
THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

REVISIONS	
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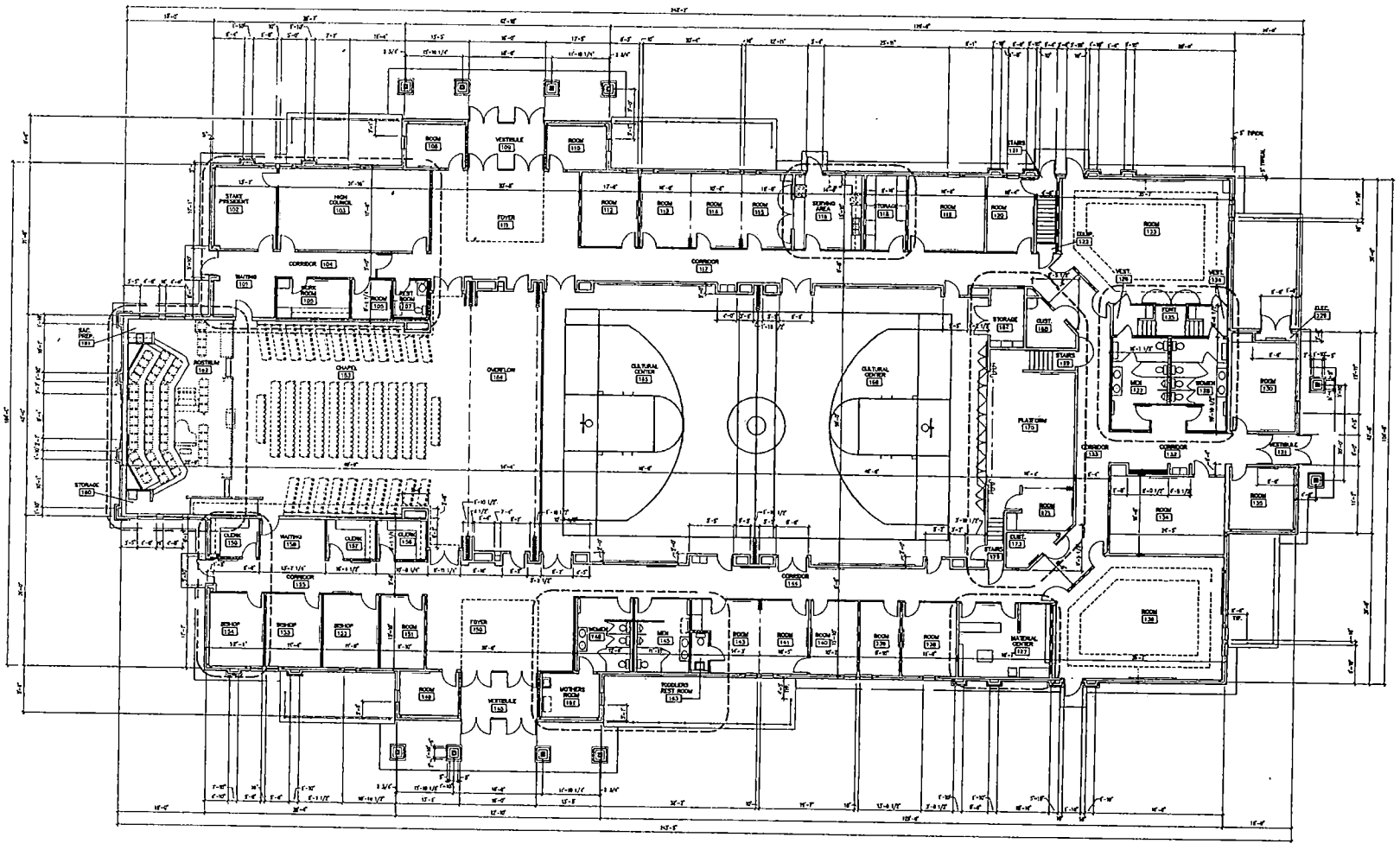
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SHEET TITLE:

PRELIMINARY LANDSCAPE PLAN

PL-101

SHEET # 00 OF 00



GARY W MILLER
ARCHITECT & ASSOCIATES
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LAS VEGAS, NEVADA 89101
PHONE: (702)-434-0595 FAX: (702)-434-9615
www.gmldgroup.com garmil@gmldgroup.com

GARY W. MILLER REGISTERED No. 4607 ARCHITECT STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUSE

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR

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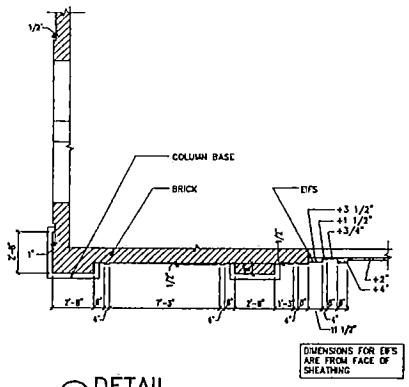
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FLOOR PLAN

SHEET # A-101 OF

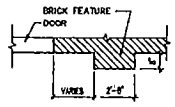
SDR-3279

12-04-03 PC

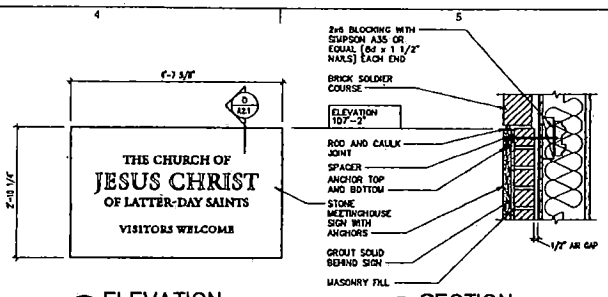


DIMENSIONS FOR EIFS ARE FROM FACE OF SHEATHING

Ⓐ DETAIL
1/4" = 1'-0"



Ⓑ DETAIL
1/4" = 1'-0"



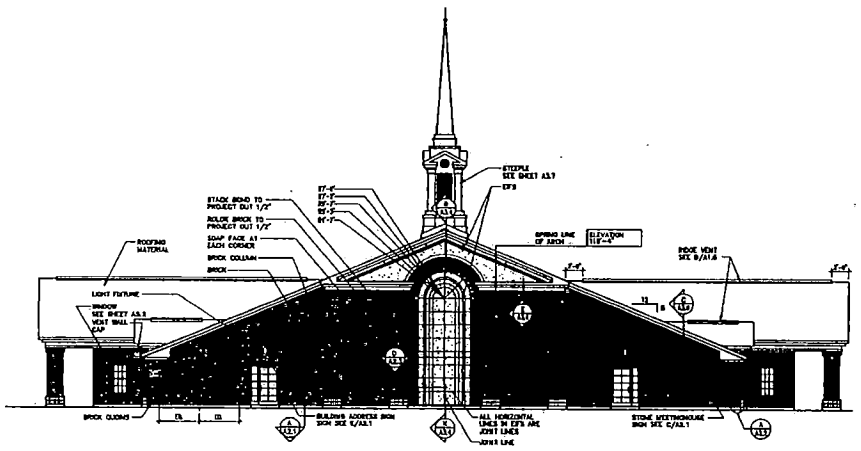
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3/4" = 1'-0"

Ⓓ SECTION
1 1/2" = 1'-0"

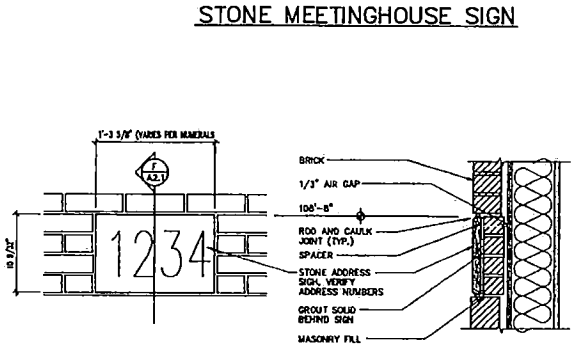
NOTE:
THIS GRAPHIC IS INTENDED TO BE USED TO COORDINATE LOCATION AND PLACEMENT OF AN APPROVED STONE SIGN, FROM AN APPROVED SUPPLIER. THIS GRAPHIC SHALL NOT BE USED AS A TEMPLATE OR PATTERN OR FOR ANY OTHER PURPOSE. ANY MODIFICATION IS PROHIBITED. CONTRACT ARCHITECTS ARE TO USE THIS SIGN ONLY AND ONLY IN THE LOCATION DESIGNATED.

SIGN IS TO BE MOUNTED ON THE LEFT OR RIGHT OF THE FRONT ELEVATION AT THE MOST VISIBLE LOCATION FROM THE STREET.

STONE MEETINGHOUSE SIGN



②ELEVATION
1/8" = 1'-0"

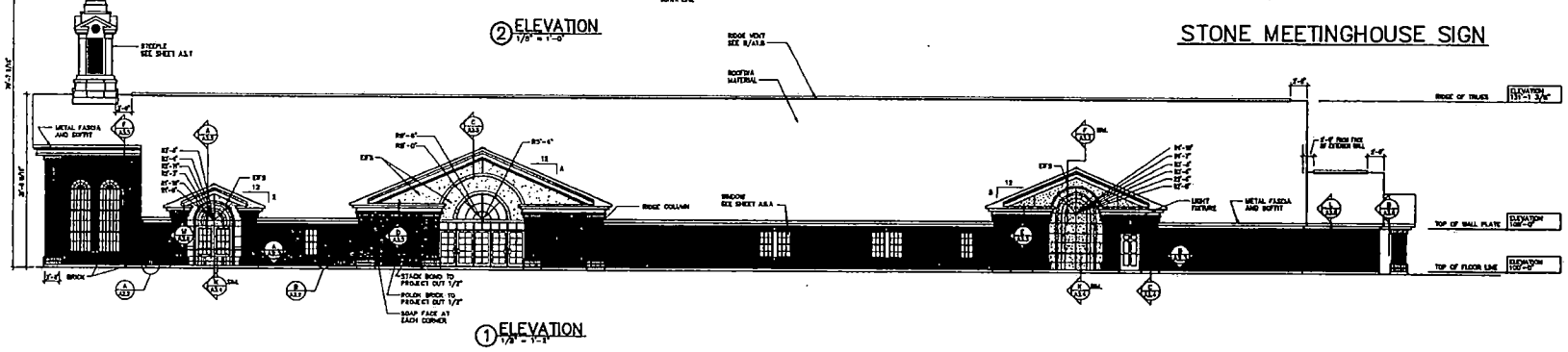


Ⓔ ELEVATION
NONE

Ⓕ SECTION
NONE

NOTE TO ARCHITECT:
THIS GRAPHIC IS INTENDED TO BE USED TO COORDINATE LOCATION AND PLACEMENT OF AN APPROVED STONE SIGN, FROM AN APPROVED SUPPLIER. THIS GRAPHIC SHALL NOT BE USED AS A TEMPLATE OR PATTERN OR FOR ANY OTHER PURPOSE. CONTRACT ARCHITECTS ARE TO USE THIS SIGN IN LOCATIONS SHOWN ON THE BUILDING ELEVATIONS, UNLESS LOCAL REQUIREMENTS DICTATE OTHERWISE. SIGN IS TO BE MOUNTED ON THE LEFT OR THE RIGHT SIDE OF THE FRONT ELEVATION AT THE MOST VISIBLE LOCATION FROM THE STREET.

STONE MEETINGHOUSE SIGN



①ELEVATION
1/8" = 1'-1"

SDR-3279

12-04-03 PC

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GARY W. MILLER REGISTERED No. 4607 ARCHITECT STATE OF NEVADA

PROJECT

DORRELL MEETINGHOUSE

DORRELL LANE
LAS VEGAS, NEVADA

OWNER

PROJECT FOR

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

REVISIONS

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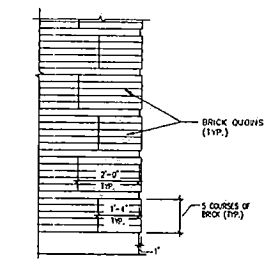
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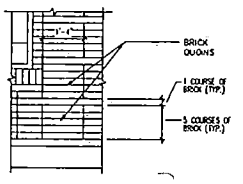
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ELEVATIONS

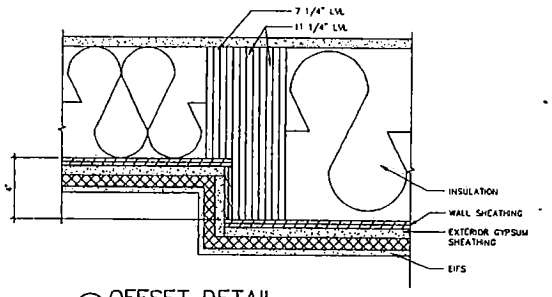
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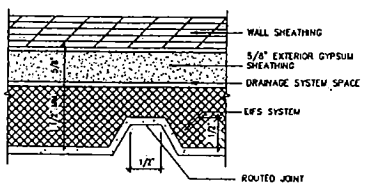
A BRICK QUOINS
1/2" = 1'-0"



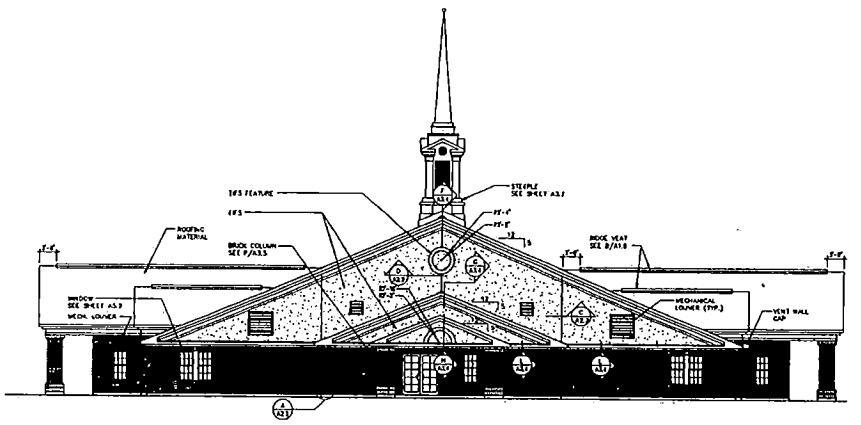
B BRICK QUOINS
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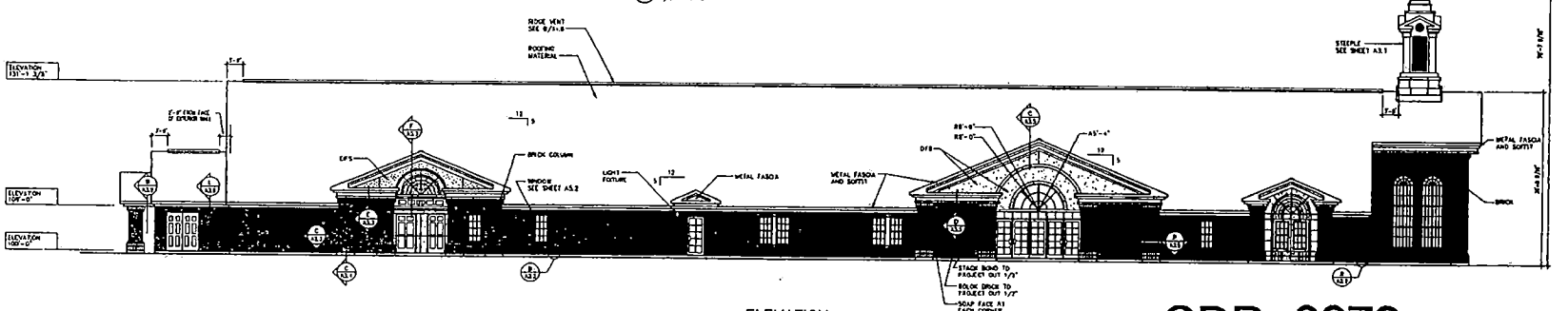
C OFFSET DETAIL
3" = 1'-0"



D JOINT DETAIL
FULL



4 ELEVATION
1/8" = 1'-0"



3 ELEVATION
1/8" = 1'-0"

SDR-3279

12-04-03 PC

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SHEET TITLE:

ELEVATIONS

SHEET # A-202 OF



SDR-3279 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON
SOUTHWEST CORNER OF JONES BOULEVARD AND DORRELL LANE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST - Request for a Special Use Permit and a Waiver of Title 18.12.160 (Street Intersection Offset Requirements) FOR A PRIVATE STREET WITHIN A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.13 acres adjacent to the northeast corner of Tenaya Way and O'Bannon Drive, (APN: 163-03-702-005), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, summarized the project as being similar to others on the block. The private street requires a special use permit. Each lot would be required to consist of 20,000 square feet of net area. Pertaining to the vacation request, the easements are no longer necessary. Staff recommended approval of the special use permit and the vacation.

ERNIE FREGGIARO, Integrity Engineering, 2480 E. Tompkins, appeared on behalf of the applicant and concurred with the conditions.

COMMISSIONER McSWAIN thanked the applicant for a project that fits. MR. FREGGIARO thanked staff for the change in Title 19.

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:02 – 10:04)
3-1414

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street use.

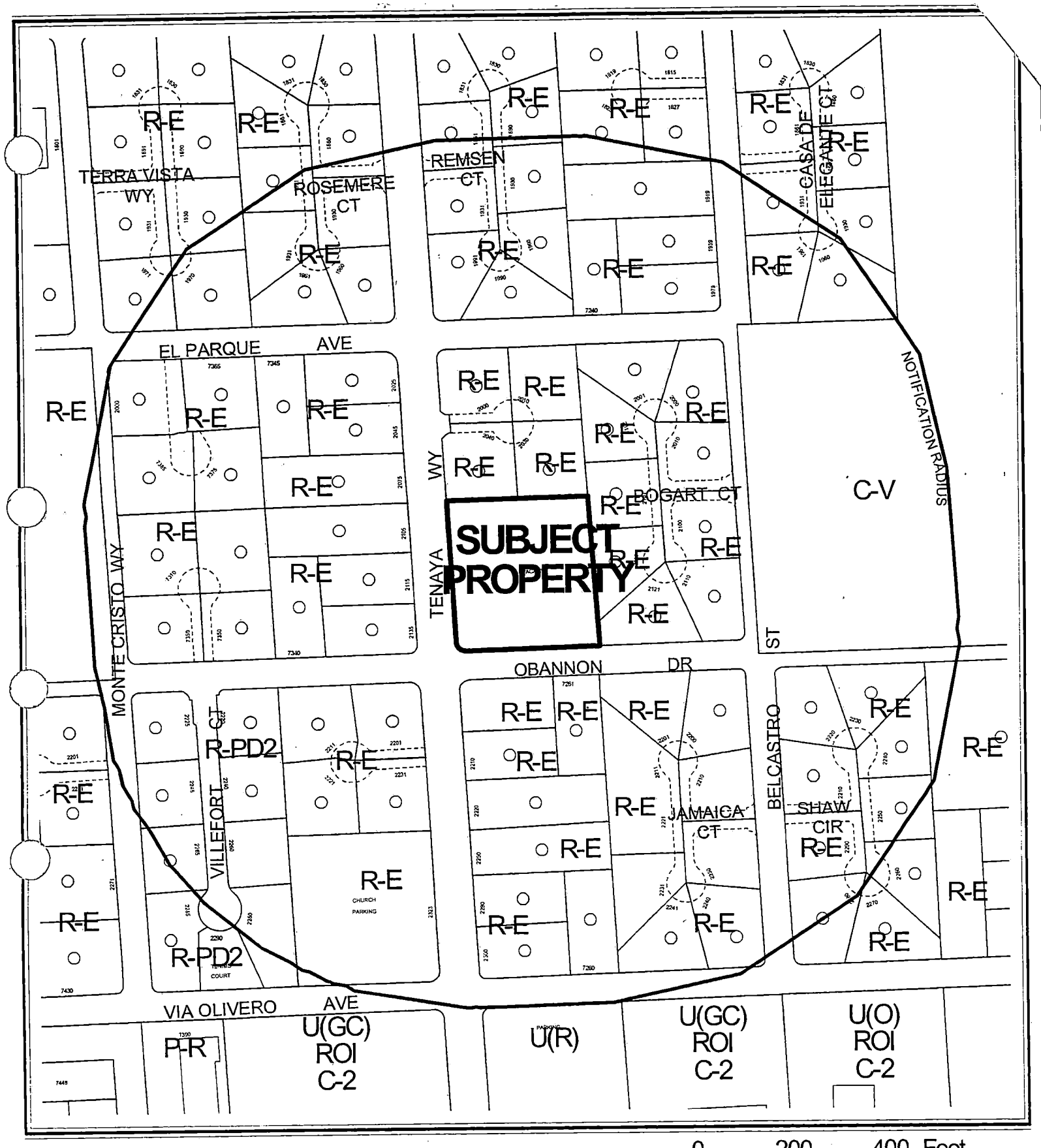
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

4. A Homeowner's Association shall be established to maintain all private roadways and common areas created with this development.

5. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.



CASE: **SUP-3254**

RADIUS: 750 FT

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

N


SUBJECT PROPERTY
R-E
R-PD
R-PD2
R-PD2
R-PD2

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street use.

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

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

Public Works

4. A Homeowner's Association shall be established to maintain all private roadways and common areas created with this development.

5. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request for a Special Use Permit and a Waiver of Title 18 Street Intersection Offset Requirements for a Private Street within a proposed single-family residential development on 2.13 acres adjacent to the northeast corner of Tenaya Way and O'Bannon Road. The Planning Commission will review a companion Vacation (VAC-3255) concurrently with this application.

B) Applicant's Justification

There are many four lot subdivisions with custom homes in the area that have similar layouts for their access roads. In addition, there will be no commuter problems along O'Bannon Drive as there is sufficient stacking area within the subdivision to allow ingress and egress.

BACKGROUND INFORMATION

A) Previous Actions

12/04/03 The Planning Commission will consider a companion Vacation (VAC-3255) request to vacate a 33-foot wide U.S. Government Patent Easement generally located north of O'Bannon Drive and east of Tenaya Way.

B) Pre-Application Meeting

10/02/03 Issues discussed included acknowledgement that a Special Use Permit would be required for a private street in a RE (Residence Estates) zoning district, a Title 18 Waiver would be required for the 187-foot intersection offset, and that existing US Patent Easements would need to be vacated.

C) Neighborhood Meetings

A Neighborhood meeting is not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.13

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-family Residential
South:	Single-family Residential
East:	Single-family Residential
West:	Single-family Residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a DR (Desert Rural Density) land use designation, which allows a maximum density of two developed units per acre. The existing R-E (Residence Estates) zoning district is consistent with the DR designation, and the proposed residential development with private streets is a permitted use with the approval of a Special Use Permit.

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

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. The development's proposed density of 1.86 dwelling units per acre is within the parameters of the rural preservation neighborhood legislation.

FS

ANALYSIS

A) General Analysis and Discussion

- Zoning

  The proposed residential development with a private street is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

- Use

  The proposed 40-foot private street is intended to serve a 4-lot gated community. The private street is also to be considered a public utility easement for the extension of wet and dry utilities into the development.

  Title 18 requires that any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet. The proposed 187-foot offset is allowable with the approval of a Waiver of this requirement.

- Conditions

  Title 19.04.050 lists several base conditions, which are required for the approval of a Special Use Permit for Private Streets. The following is a list of the base conditions; requirements indicated by an asterisk may not be waived:

  1. Unless otherwise approved, every private street shall conform to the same design and construction standards required for public streets.

  2 The Planning Commission may deny the creation of any other private street if, in the Commission's judgment, the private street would have any of the following effects:

     a. Negatively affect traffic circulation on public streets;
     b. Impair access to property either on-site of off-site to the subdivision;
     c. Impair access to or from public facilities including schools, parks and libraries; or
     d. Delay the response time of emergency vehicles.

  *3. A property owners' association is mandatory for subdivisions developed with private streets. The association is responsible for the maintenance of private streets.

  *4. Private streets shall be constructed on property separately owned by a property owners' association.

5. The entrances to all private streets must be marked with a sign stating that it is a private street. The subdivision must ensure access to the subdivision by the City or emergency services.

6. All restricted access entrances must be designed with sufficient turn-around space.

*7. All legal subdivision documentation shall note that certain City services will not be provided on private streets.

The proposal meets these base conditions of approval.

FINDINGS

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

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 private streets will not negatively affect the public streets or access to the subdivision. In addition, the private streets will not impair access to or from public facilities, nor delay the response time of emergency vehicles.

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

   The subject site is suitable for a proposed forty-foot (40') wide private street within the proposed 4-lot residential subdivision.

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 applicant is proposing a forty-foot (40') wide private street. Ingress and egress of the proposed private street will be via O' Bannon Drive, a 60-foot wide right of way, which provides adequate access to the site.

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

The proposed private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 98

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3254 APN: 163-03-702-005

Name of Property Owner: Ronald Reiss Family Trust

Name of Applicant: Integrity Engineering

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Bernadine Reiss

Print Name: Bernadine Reiss

Subscribed and sworn before me

This 15th day of September, 2003

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
HOWARD J. SOLOMON
My Appointment Expires
November 1, 2004
No: 00-65508-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3254 APN: 163-03-702-005

Name of Property Owner: Ronald Reiss Family Trust

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APN: _____

Signature of Property Owner/Authorized Agent: Bernadine Reiss

Print Name: Bernadine Reiss

Subscribed and sworn before me

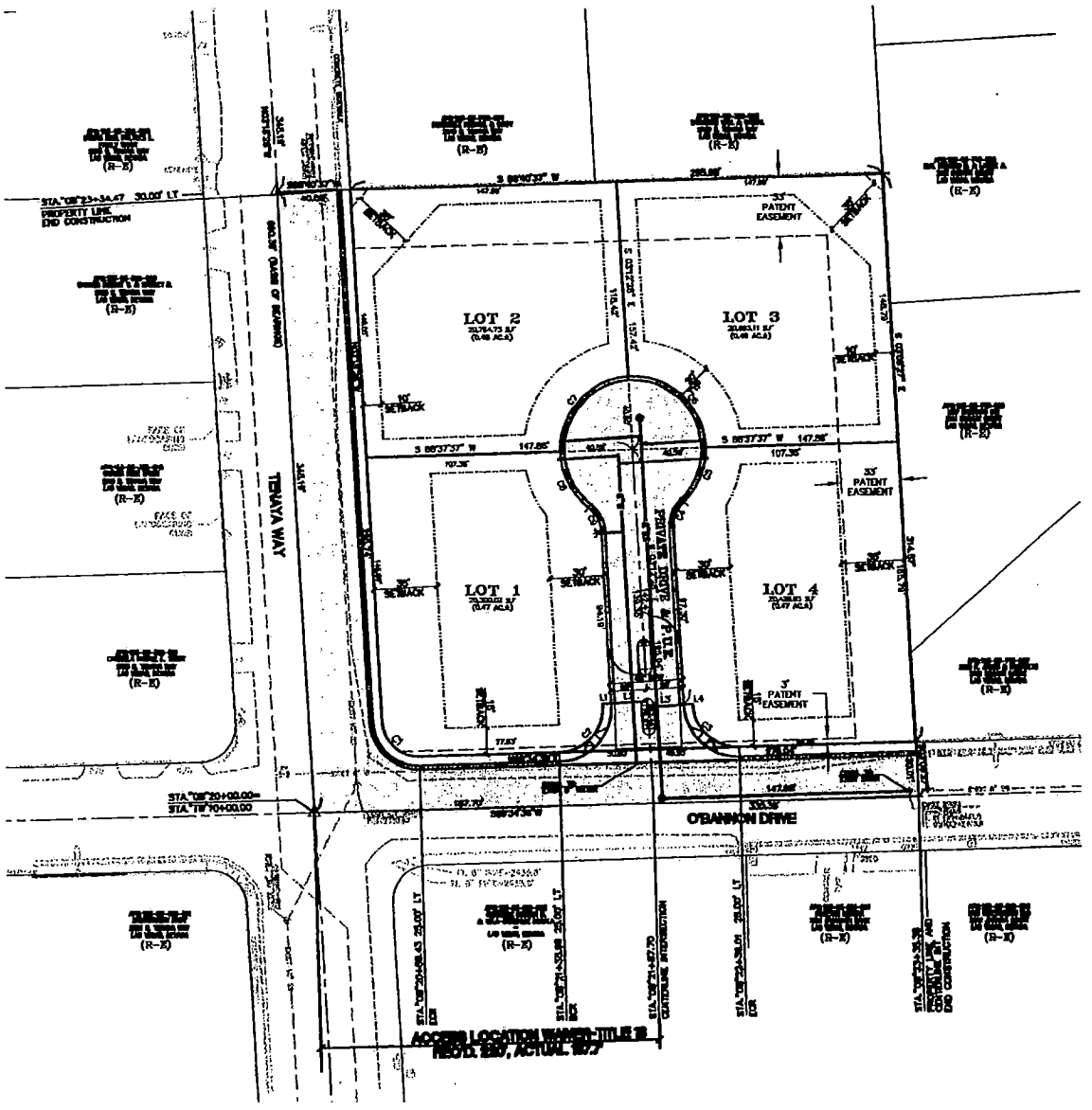
This 9th day of OCTOBER, 20 03

Howard J. Solomon

Notary Public in and for said County and State

State of Nevada
No: 00-65508-1 November 1, 2004

Notary Public - State of Nevada
County of Clark
HOWARD J. SOLOMON
My Appointment Expires
No: 00-65508-1 November 1, 2004



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	39.79	25.00	35.57	91°10'56"
C2	46.85	25.00	23.79	107°21'04"
C3	39.49	25.00	34.23	90°31'05"
C4	10.02	10.00	9.58	57°25'26"
C5	33.33	45.00	17.91	42°26'22"
C6	84.91	45.00	73.63	107°05'04"
C7	66.36	45.00	38.33	84°29'19"
C8	39.88	45.00	19.77	50°47'45"
C9	10.02	10.00	9.58	57°25'26"

LINE TABLE		
LINE	LENGTH	BEARING
L1	9.58	S89°47'38"E
L2	35.00	N89°47'38"W
L3	35.00	S89°47'38"E
L4	9.58	N89°47'38"W

LEGAL DESCRIPTION:

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 59 EAST, M.D.M., LESS KNOWN AS THE SOUTH ONE-HALF (S 1/2) OF GOVERNMENT LOT NO. 83.

EXCEPTING THEREFROM THE EASTERLY FOURTY (40) FEET AND THE SOUTHERLY THIRTY (30) FEET FOR ROAD PURPOSES AS SET FORTH IN THE DEED OF CLARK COUNTY, RECORDED FEBRUARY 4, 1976 IN BOOK 382, AS DOCUMENT NO. 87259 OF OFFICIAL RECORDS.

APN: 163-03-702-005

APN: 163-03-702-005

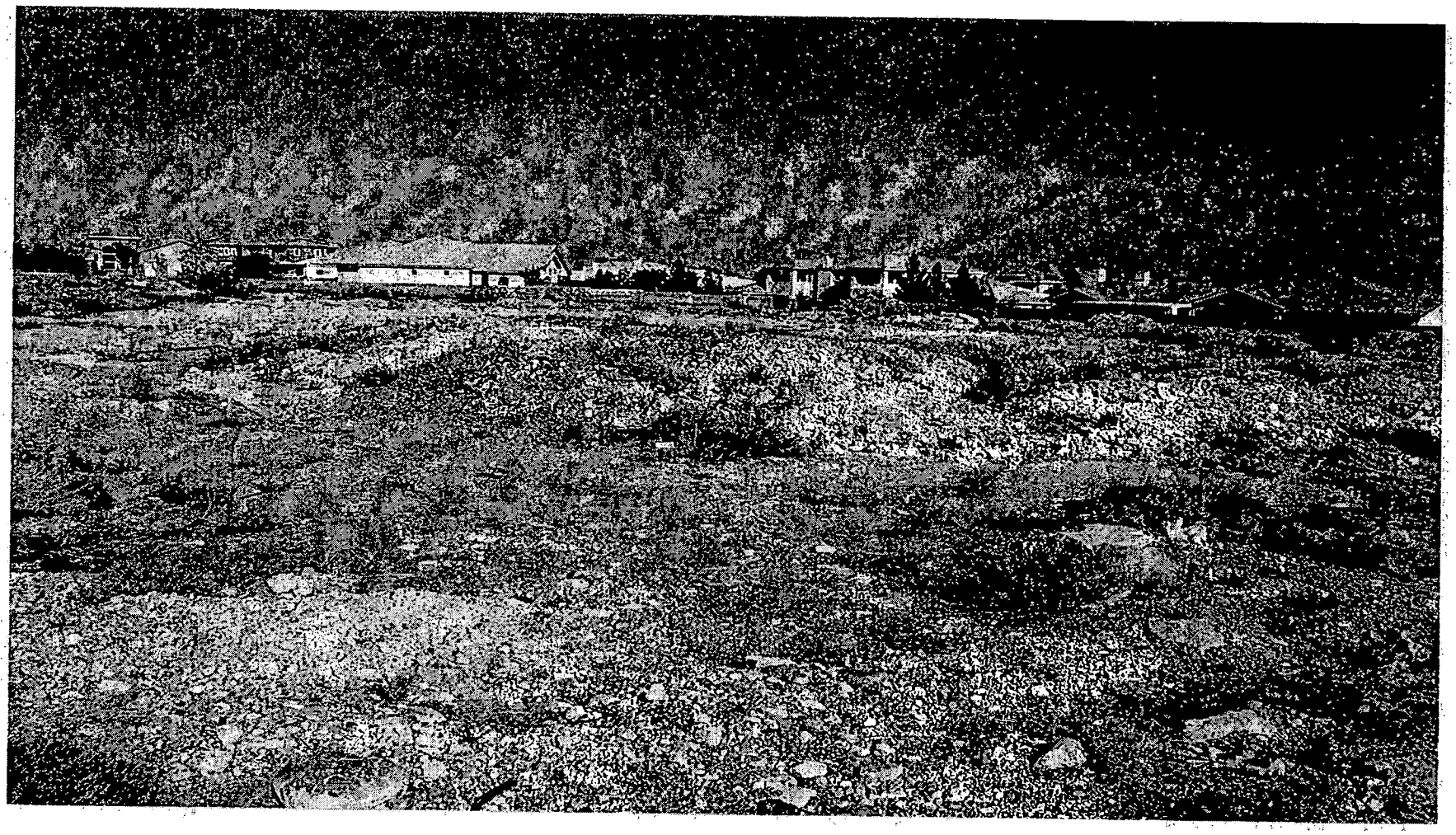
REISS SUBDIVISION AT
TENAYA WAY AND O'BANNON DRIVE

SPECIAL USE PERMIT
ENTRANCE LOCATION WAIVER

SHEET
SUP-W-1

SUP--3254

12-04-03 PC



SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST
NORTHEAST CORNER OF TENAYA WAY AND O'BANNON DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST - Petition to Vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way, Ward 1 (Moncrief).

SET DATE: 12/17/03 C.C. 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/7/2004.

MINUTES:
NOTE: See Item 36 [SUP-3254] for all related discussion.

(10:02 – 10:04)

3-1414

CONDITIONS:
1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

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

3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

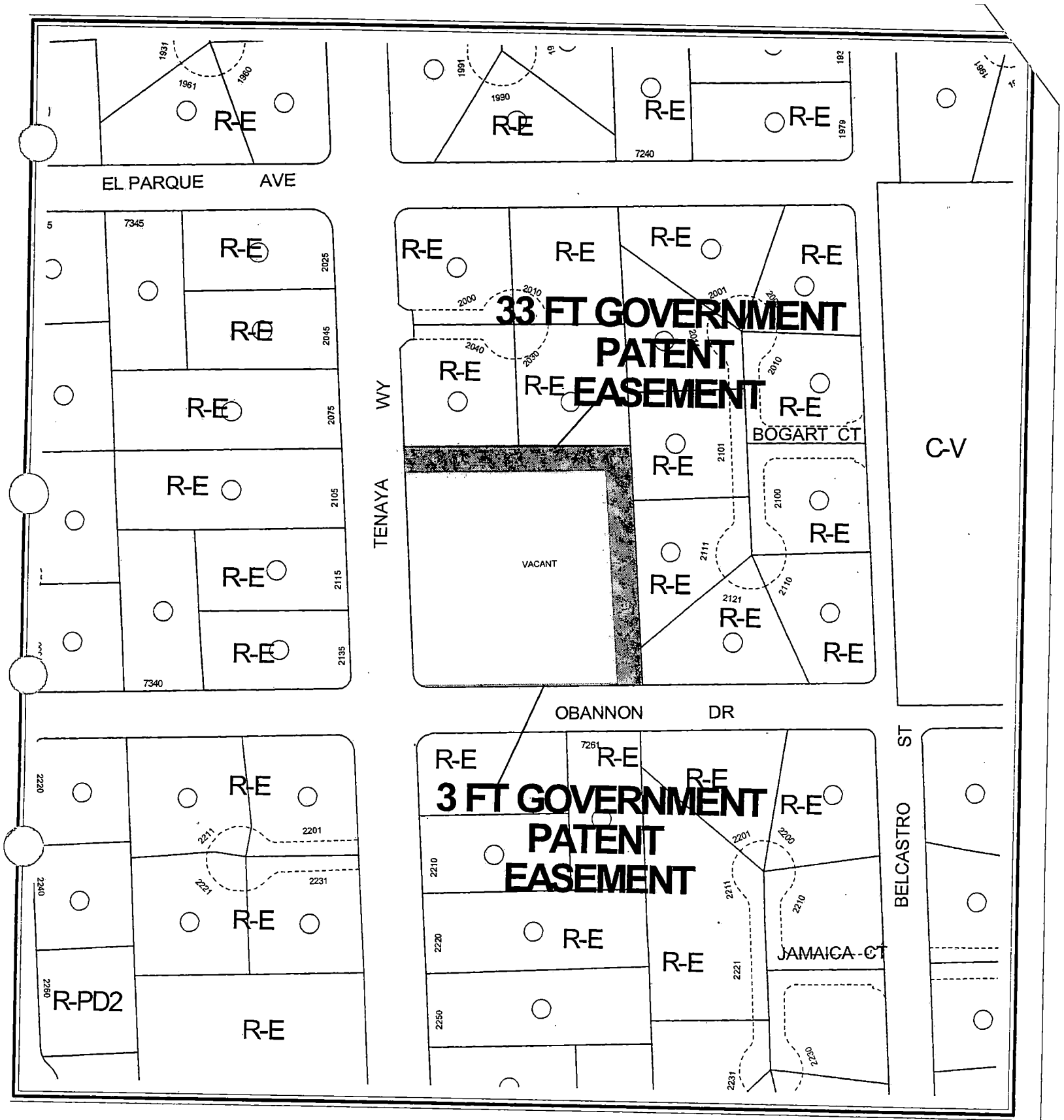
PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 37 – VAC-3255

CONDITIONS – Continued:

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

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

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



CASE: VAC-3255

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

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

3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way.

B) Applicant's Justification

There are no through streets required along the north and east property lines which makes the existing Government Patent Easements unnecessary for development.

BACKGROUND INFORMATION

A) Previous Actions

12/04/03 The Planning Commission will hear a companion application for a Special Use Permit (SUP-3254) and Waiver of Title 18 Street Intersection Offset Requirements for a Private Street within a proposed single-family residential development on 2.13 acres.

DETAILS OF APPLICATION REQUEST

This request is to vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way.

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS THE NORTH AND EAST THIRTY-THREE FEET (33') AND THE SOUTH THREE FEET (3') OF THE SOUTWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.

ANALYSIS

A) Planning discussion

The applicant's intent to incorporate the government patent reservations into this parcel for development is appropriate, as the subject government patent reservations are not needed

for roadway purposes and therefore will not result in reduced traffic handling capability for the area. The area will be incorporated into an already approved residential development.

B) Public Works discussion

This Vacation application proposes to vacate only U. S. Government Patent Easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this request to the utility companies and franchise holders. Since only City easements are involved, utility company interests will not be affected.

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3255 APN: 163-03-702-005

Name of Property Owner: Ronald Reiss Family Trust

Name of Applicant: Integrity Engineering

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Bernadine Reiss

Print Name: Bernadine Reiss

Subscribed and sworn before me

This 9th day of OCTOBER, 2003

Howard J. Solomon

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
HOWARD J. SOLOMON
My Appointment Expires
No: 00-65508-1 November 1, 2004



VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST
NORTH OF O'BANNON DRIVE AND EAST OF TENAYA WAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION - Request for A Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4910 Vegas Drive (APN: 138-24-804-012), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – DENIED – Motion carried with DAVENPORT abstaining because of a current contractual agreement with Lamar Outdoor Advertising

This is final action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, explained that the sign met all base conditions in the code as to location, size, height and distance separation requirements. However, the sign is located within the City's Redevelopment Plan area where the objections include elimination of environmental deficiencies and blight constituting a social or economic liability. The billboard does not support the objectives of that Plan and staff recommended denial.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and stressed that the sign met or exceeded all minimum separation requirements within the predominantly commercial area. The use is compatible with the surrounding area. As a result of the removal of another Lamar sign, the closest existing sign is more than a mile away.

MINUTES – Continued:

CHAIRMAN TRUESDELL confirmed with ROBERT GENZER, Director of Planning and Development Department, that another sign across the street was approved by the City Council on December 3. That raises a question as to an impact on the distance radius since the other sign has been approved but not yet constructed.

TODD FARLOW, 240 North 19th Street, verified with MR. LEOBOLD that the site, developed with a car wash, is being kept tidy.

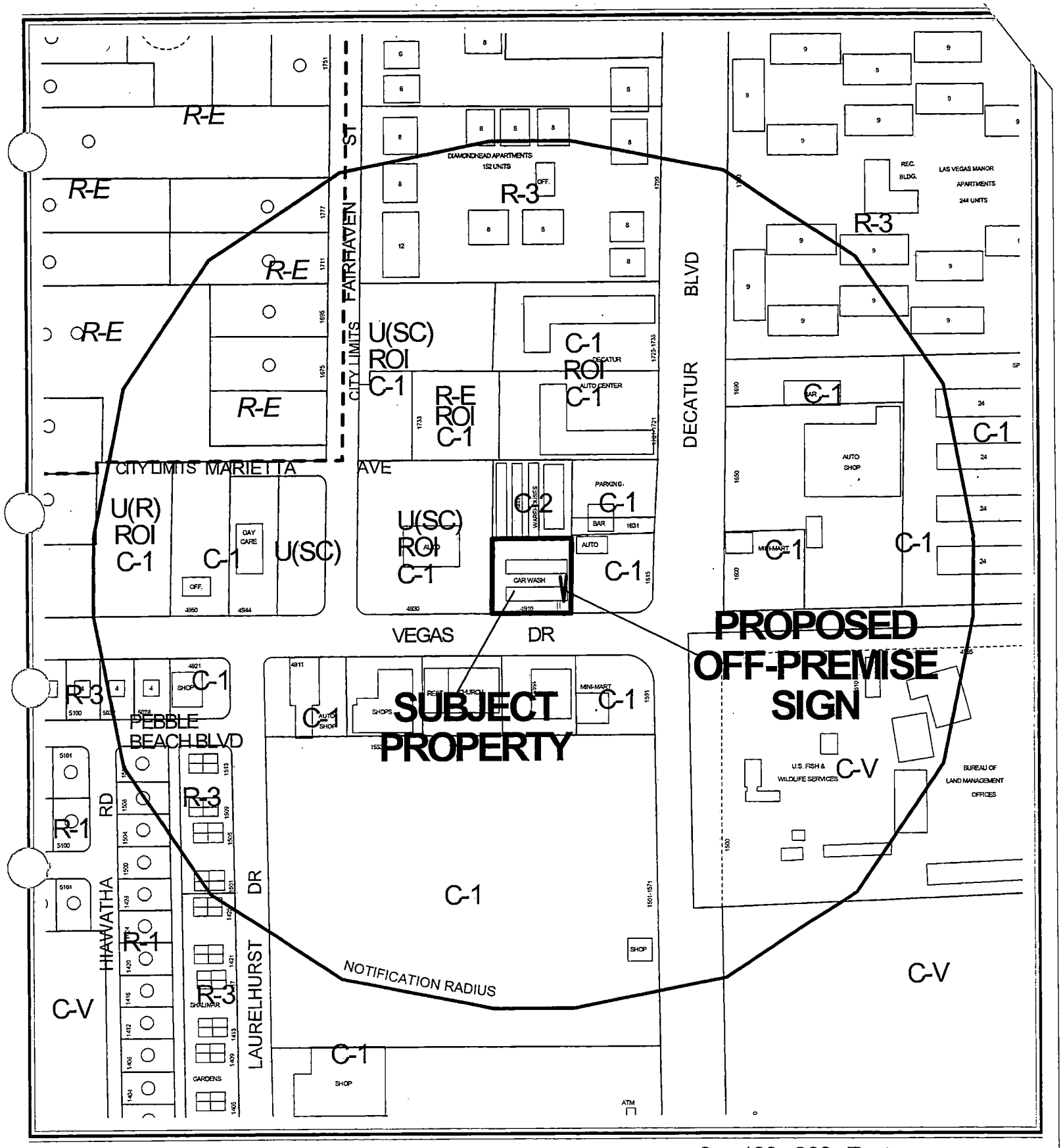
COMMISSIONER McSWAIN expressed her disappointment with approval of a billboard in this area. She could not support this sign in an area that is in need of redevelopment. CHAIRMAN TRUESDELL pointed out that the east/west arterial will not generate an audience for the sign. MR. NAFTZGER responded that the sign is in anticipation of development of the corner. CHAIRMAN TRUESDELL concurred with COMMISSIONER McSWAIN, adding that it could create a row of signs from Decatur to US95.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:04 – 10:09)



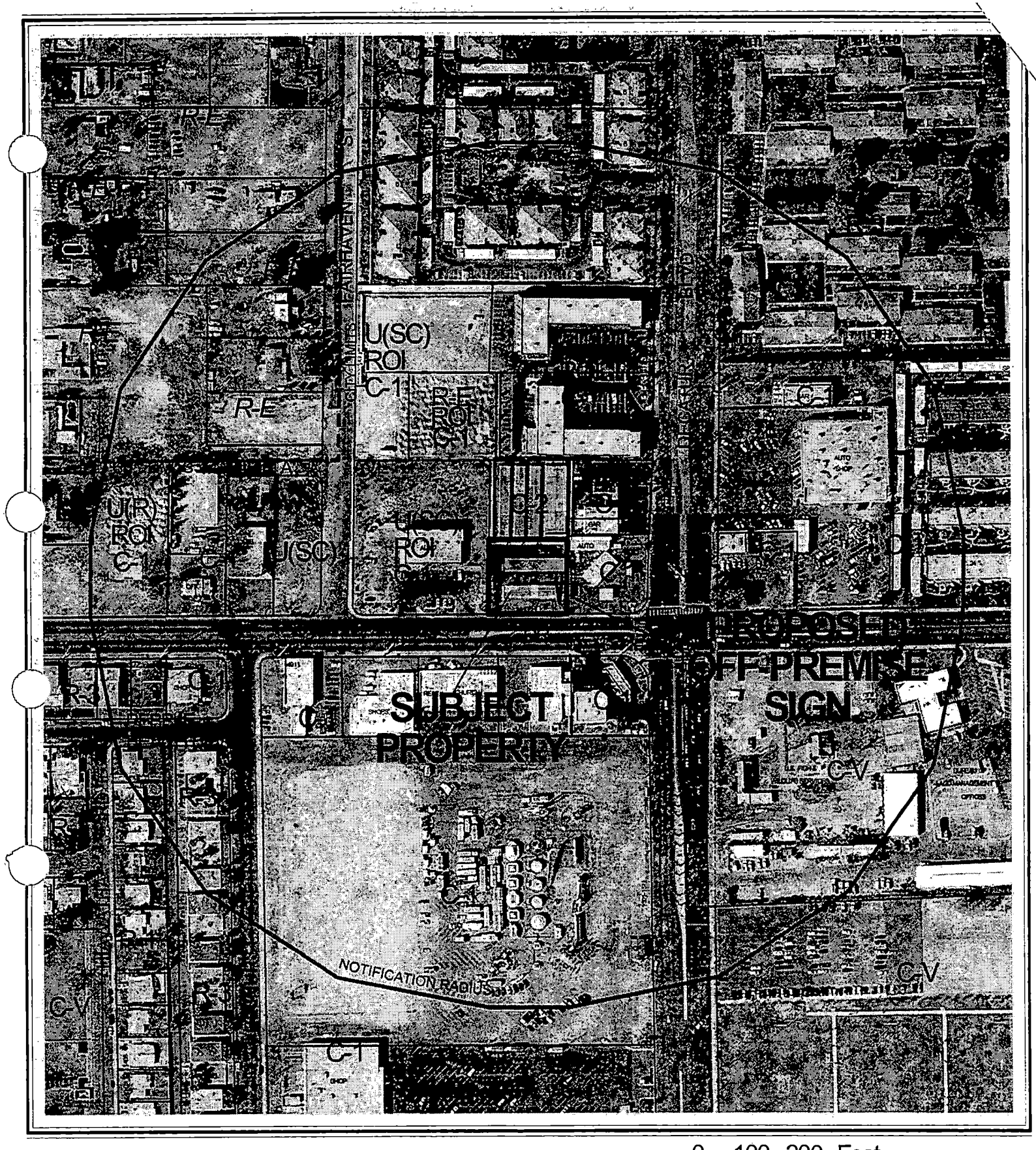
0 100 200 Feet

CASE: **SUP-3266**

RADIUS: 750 FT

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

N



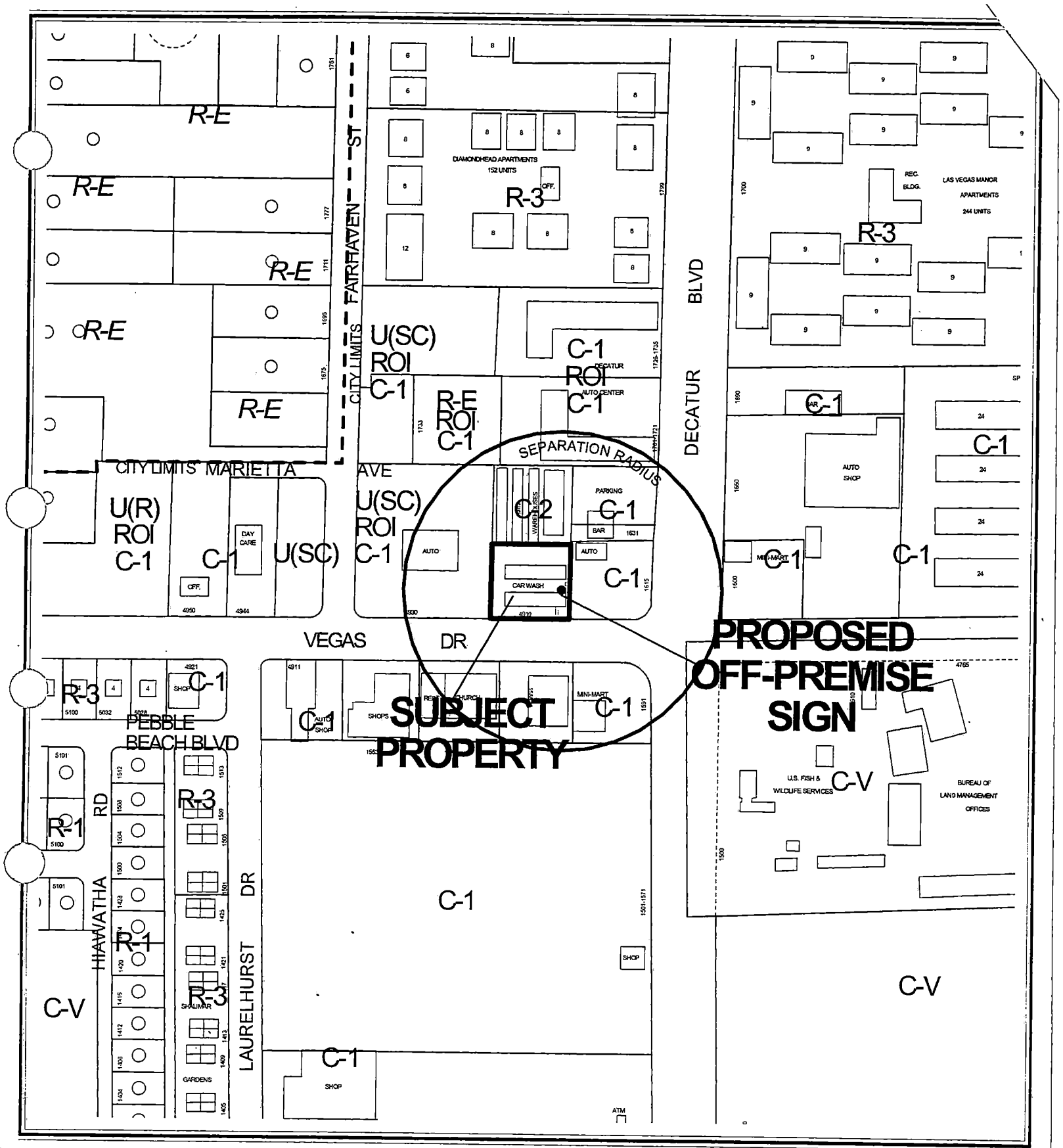
0 100 200 Feet

CASE: **SUP-3266**

RADIUS: 750 FT

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

N



0 100 200 Feet

CASE: **SUP-3266**

SEPARATION RADIUS: 300 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

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

3. 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.

Public Works

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

TB

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign located at 4910 Vegas Drive.

B) Applicant's Justification

The applicant's justification letter indicates that the proposed sign is not located within the exclusionary zone. In addition, the sign is said to be approximately 455 feet from the nearest residential zoned property, and 2,500 feet from the nearest off-premise sign at the northeast corner of Lake Mead Boulevard and Decatur Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant case history on the subject site as the property was commercially zoned while part of Unincorporated Clark County in 1978 and annexed into the City jurisdiction in 1980.

B) Pre-Application Meeting

10/07/03 Submittal requirements were reviewed including the need to complete a Project of Regional Significance document. In addition, the standard distance separation requirements to other off-premise signs and residential zones were reviewed, along with height, size and setback requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.48

TB

B) Existing Land Use

Subject Property:	Self-Serve Car Wash
North:	Mini-Storage Building
South:	Commercial Center (Restaurant, Barber Shop, Retail)
East:	Auto Repair Garage, Major
West:	Auto Parts Retail Sales (AutoZone)

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-2 (General Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-1 District is to provide most retail shopping and personal services. The proposed Off-Premise Advertising (Billboard) Sign use is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

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

TB

Redevelopment Plan Area
The subject site is located within the Las Vegas Redevelopment Plan area as adopted by the 1996 extension of the Redevelopment Area Boundaries Plan Maps. As outlined by Section 110, the objectives of the Redevelopment Plan are to eliminate environmental deficiencies and blight which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people.

County Notification
Unincorporated Clark County property is within the Special Use Permit notification radius; therefore subject property owners in addition to the Clark County Planning Department have been notified of this Special Use Permit land use application.

Project of Regional Significance
Pursuant to Ordinance 5477, a project is deemed to be a Project of Regional Significance if the land use application is a Special Use Permit concerning property within 500 feet of the City boundary with Clark County or North Las Vegas.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500'

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 Sanitary Sewer Planning Section has indicated no wastewater collection systems issues.

2) The Clark County School District has indicated no School District issues at this time.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	2,500 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	450 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	175 feet	Y

The subject sign meets minimum code requirements for location provisions, in addition to size, height, and distance separation requirements from residential zones and other Off-Premise Signage.

B) General Analysis and Discussion

- Zoning

An off-premise advertising (Billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject property is C-1 zoned and is located on the north side of Vegas Drive, west of Decatur Boulevard, which is outside of the Off-Premise Sign Exclusionary Zone.

- Use

Off-premise signs are considered a principal land use rather than incidental to an existing land use. They generally produce revenue to the property owner as a land use as compared to on-premise signs, which do 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, must be compatible with the surrounding area and fit properly onto the proposed site. The subject sign is located with the Las Vegas Redevelopment Plan area as adopted by the 1996

extension of the Redevelopment Area Boundaries Plan Maps. The Redevelopment Plans objectives are to eliminate environmental deficiencies and blight that constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people. The proposed Off-Premise Advertising (Billboard) Sign does not promote the overall objectives of the Redevelopment Plan; therefore, denial is being recommended on the subject land use application.

- Conditions

In addition to the minimum distance separation conditions as listed under section A.a-1 of this report, Title 19.14.100(D) specifies the following additional provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels, which are removed for the purpose of changing the advertising message, shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
   c. An accurate indication of the location of all existing and proposed off-premise signs; and
   d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

If approved, a condition has been recommended that conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements which includes the above conditions. Additional conditions have been recommended if this application is approved to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building.

FINDINGS

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

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

   The proposed Off-Premise Advertising (Billboard) Sign is located with the Las Vegas Redevelopment Plan area. The Redevelopment Plan's objectives are to eliminate environmental deficiencies and blight that constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people. The proposed Billboard does not support the overall objectives of the Redevelopment Plan; therefore, denial is being recommended.

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

   The subject sign meets on-site locational requirements in terms of minimum setback requirements and does not eliminate any on-site parking or landscape planter areas. However, due to the properties location within the Redevelopment Plan, the type and intensity of land use associated with an Off-Premise Advertising (Billboard) Sign does not conform to the overall objectives of the Plan.

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 and west of Decatur Boulevard, which are designated as 80-foot wide Secondary Collector and 100-foot wide Primary Arterial streets respectively, on the Master Plan of Streets and Highways. The proposed use will not generate any additional traffic demand.

TB

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

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

NOTICES MAILED 50

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3266 APN: 138-24-804-012

Name of Property Owner: Foster Day Corporation

Name of Applicant: Lamar Outdoor Advertising

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

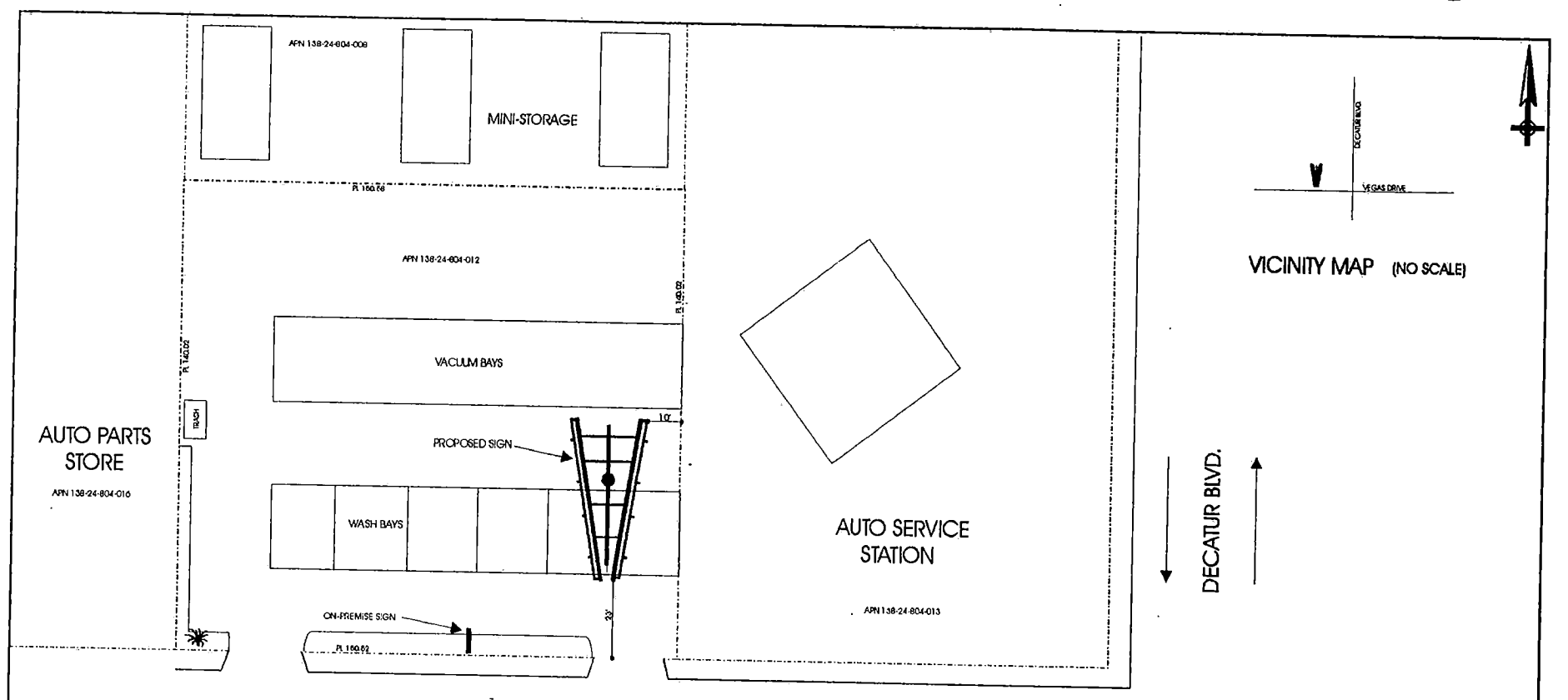
Print Name: Scott Nattzger (on behalf of owner)

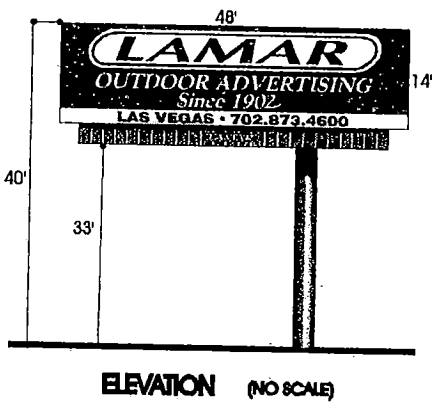
Subscribed and sworn before me

This 30th day of September, 2003

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

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





ELEVATION (NO SCALE)

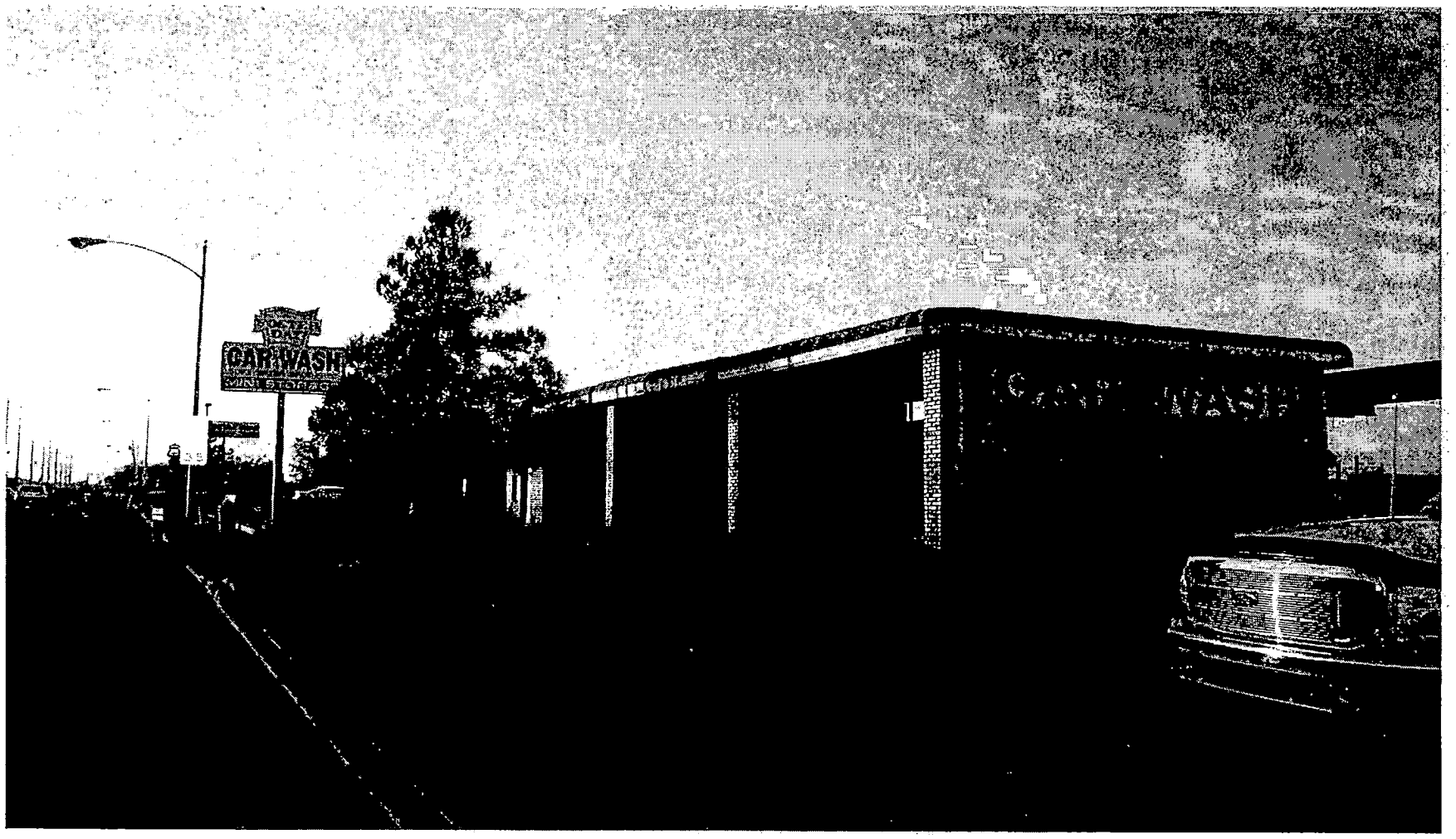
DECLARATION

NO OFF-PREMISE SIGN WITHIN 300' RADIUS
NOT WITHIN 300' OF RESIDENTIAL USE

LAMAR OUTDOOR ADVERTISING		
SCALE: 1"=20'	DATE: 07/22/03	DRAWN BY: S.NAFTZGER
FOSTER DAY CAR WASH		
APN 138-24-804-012		DRAWING NUMBER

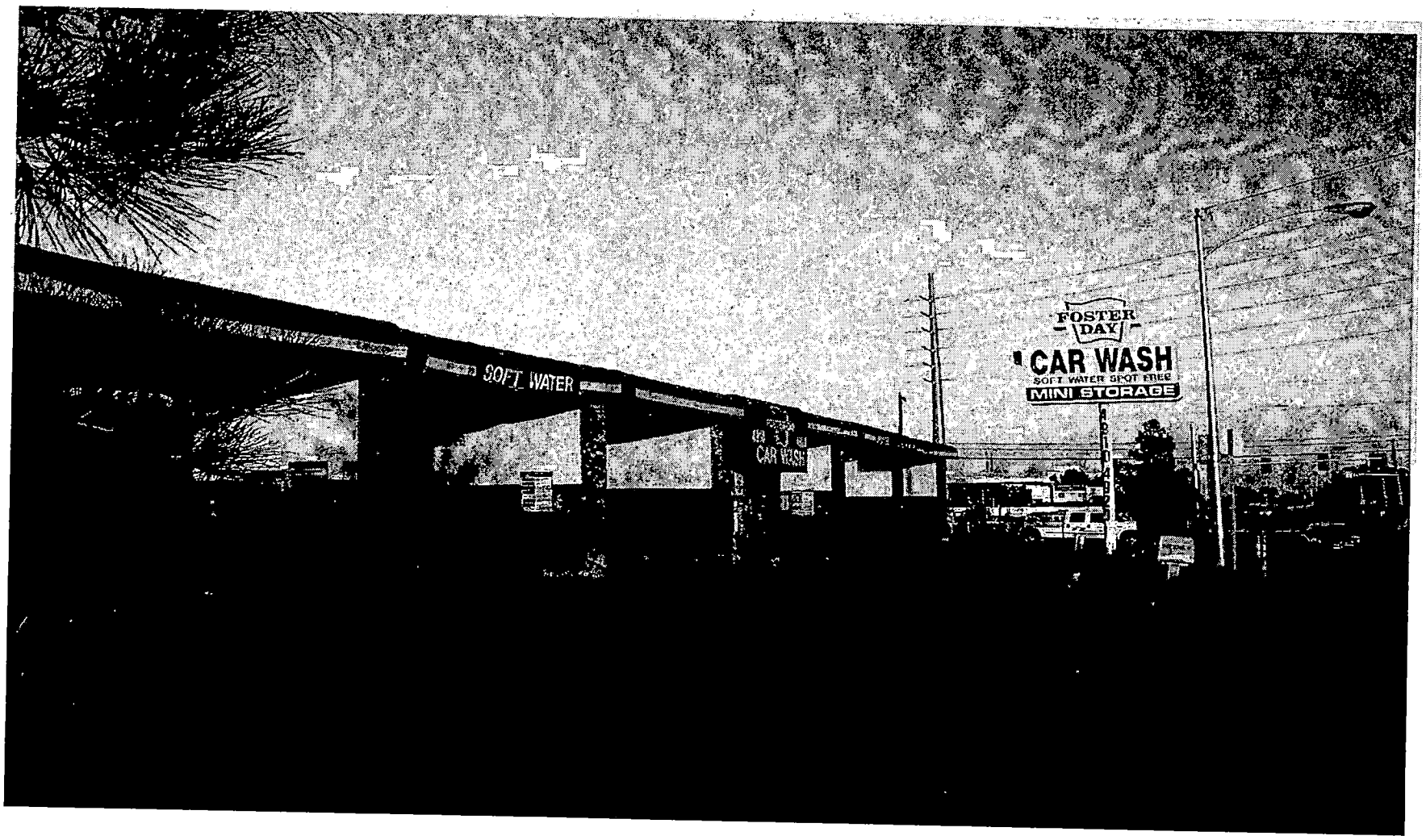
SUP-3266

12-04-03 PC



SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION
4910 VEGAS DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION
4910 VEGAS DRIVE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPANY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR located at 775 South Grand Central Parkway, Suite 1301 (APN: 139-33-710-001), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, stated that this 8100 square-foot restaurant/service bar would be located in Building 6 of the Premium Outlet Mall. There are no sensitive uses within the 400 distance separation and staff recommended approval.

TED BIRKLAND, 8101 Lake Hills Drive, appeared on behalf of the applicant and concurred with the conditions. This will be a sushi buffet similar to the one at Flamingo and Decatur.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 39 – SUP-3268

MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:09 – 10:11)
3-1706

CONDITIONS:
Planning and Development

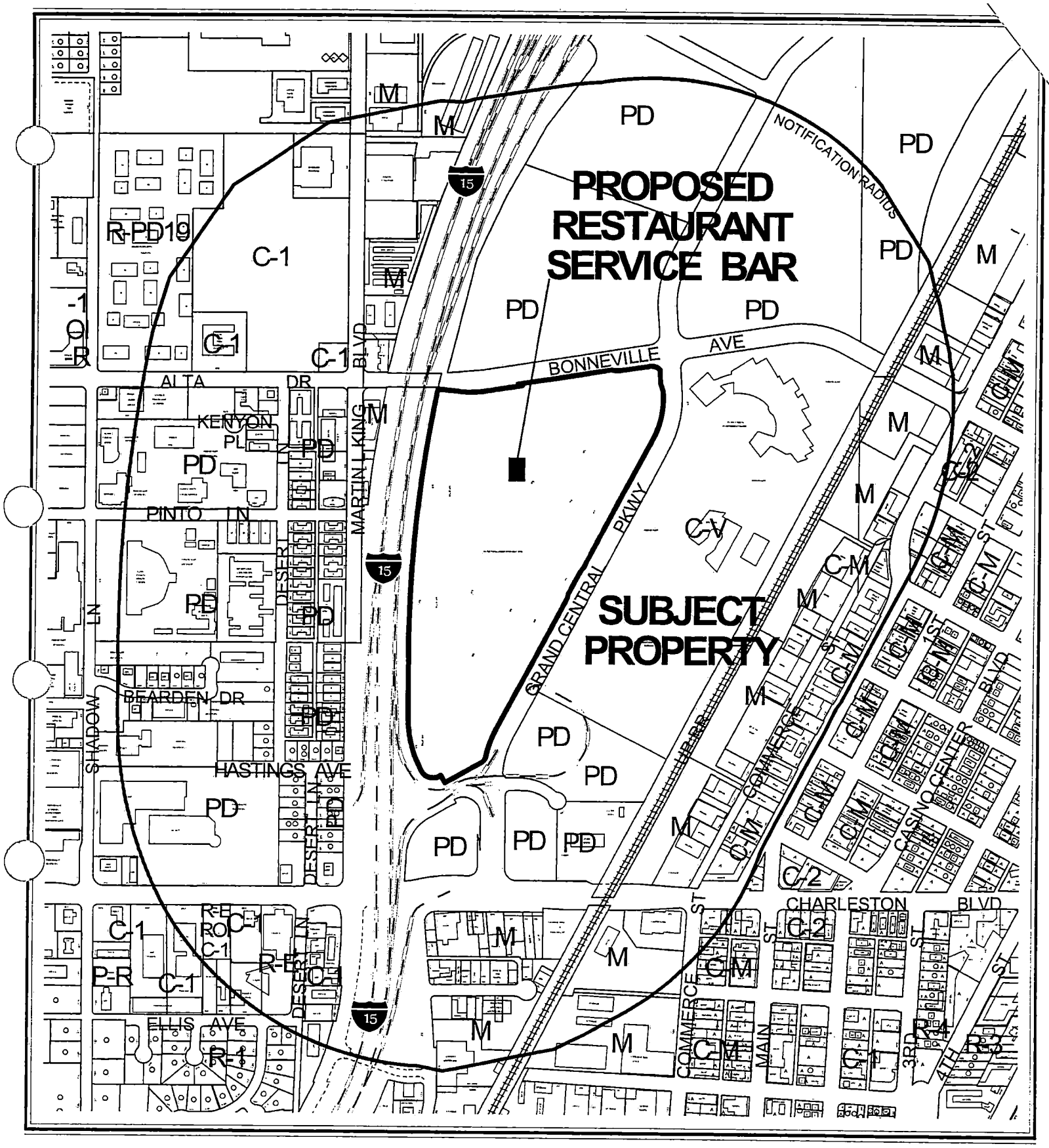
1. Conformance to all Minimum Requirements under Title 19.04.050 for the Restaurant Service Bar use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97).

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

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

5. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.



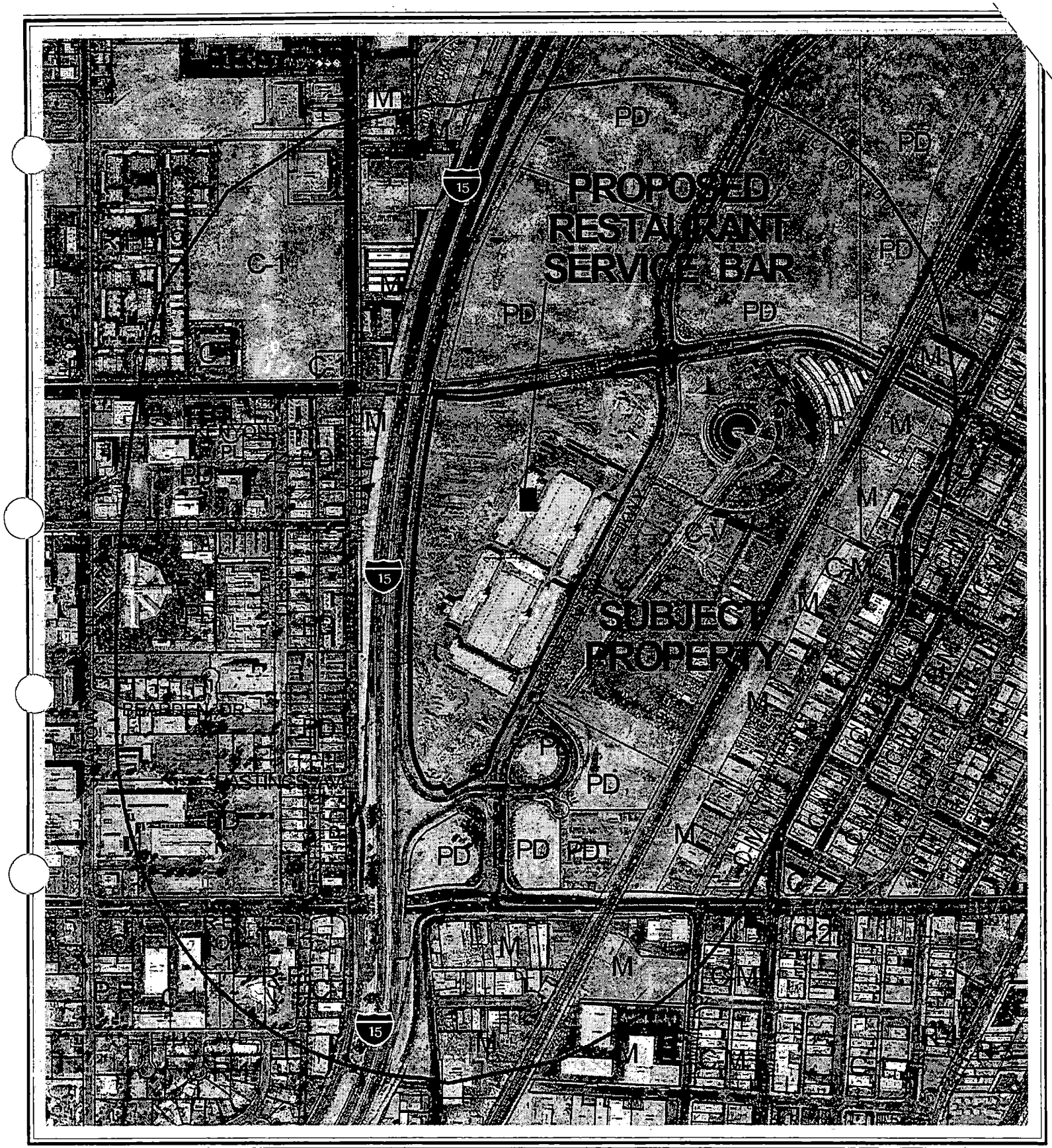
0 400 800 Feet

CASE: **SUP-3268**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



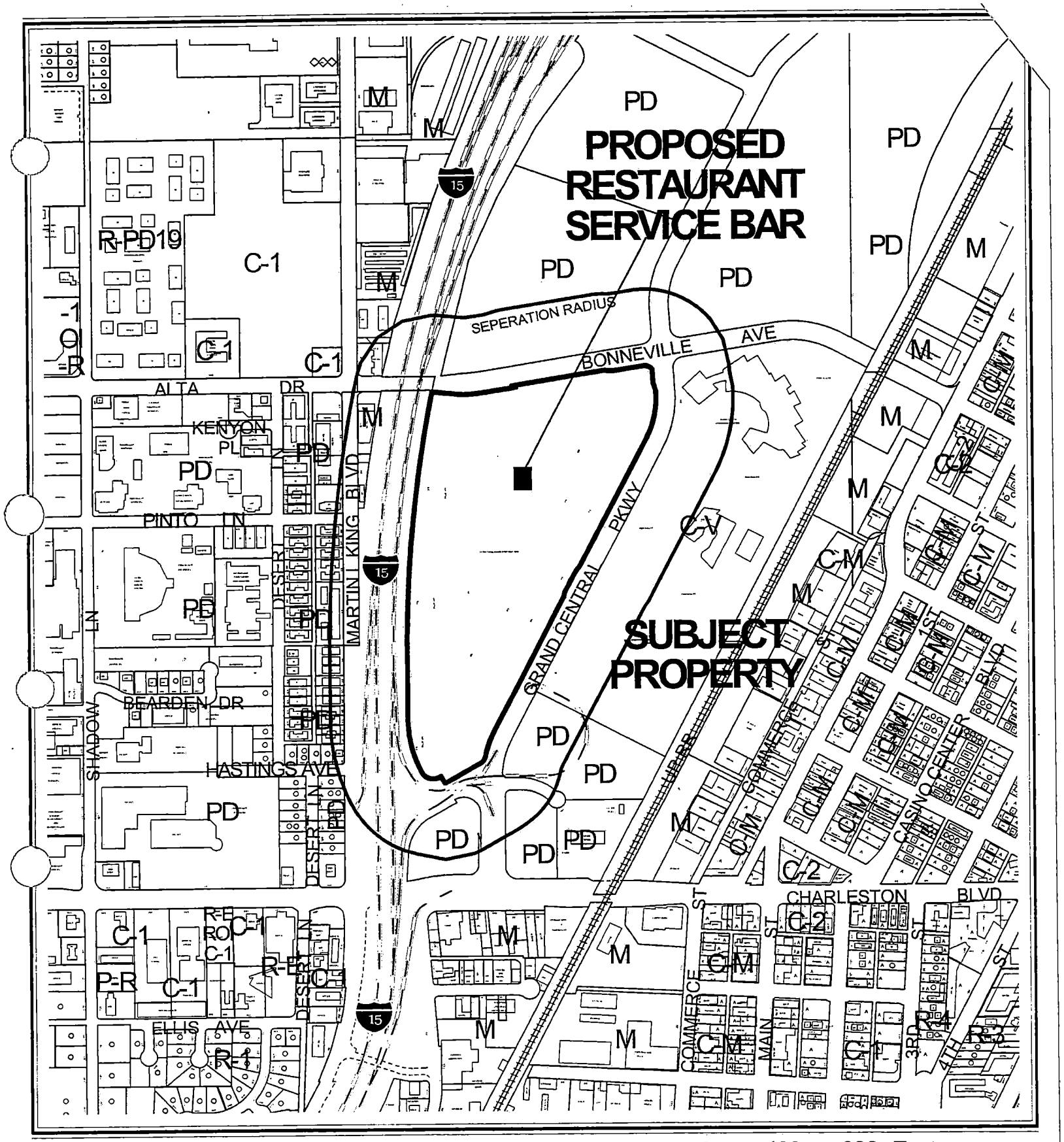
CASE: **SUP-3268**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 400 800 Feet

N



CASE: **SUP-3268**

SEPERATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPANY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97).

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

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

5. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a proposed 8,121 square-foot Restaurant Service Bar located within Building 6 of the Premium Outlet Mall.

B) Applicant's Justification

The proposed restaurant will be in compliance with the Las Vegas Premium Outlet Tenant Signage Criteria Manual, as well as all Title 19 requirements for a Restaurant Service Bar.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) for this site as part of an action on a 222-acre site including the subject site. The approval was subject to conditions, including a requirement that a Master Development Plan and Development Standards be approved by the Planning Commission in conjunction with submittal of a Site Development Plan Review for any part of the larger site. The Planning Commission recommended approval on 5/28/98.

11/07/01 The City Council approved a Major Modification [Z-0100-97(5)] to the Parkway Center Master Plan to revise provisions of the Master Plan. The Planning Commission recommended approval on 8/09/01

11/07/01 The City Council approved a Site Development Review [Z-0100-97(6)] for a 478,028 square foot retail mall on 39.20 acres. The Planning Commission recommended approval on 8/09/01.

B) Pre-Application Meeting

10/08/03 The applicant acknowledged that detailed floor plans and parking analysis would be required as a part of this application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.18 (8,121 SF)

B) Existing Land Use

Subject Property:	Retail Center
North:	Undeveloped
South:	Undeveloped
East:	County Building
West:	Interstate 15

C) Planned Land Use

Subject Property:	DTR-MXU (Downtown Redevelopment Area – Mixed Use)
North:	DTR-MXU (Downtown Redevelopment Area – Mixed Use)
South:	DTR-MXU (Downtown Redevelopment Area – Mixed Use)
East:	DTR-PF (Downtown Redevelopment Area – Pubic Facilities)
West:	Interstate 15

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	PD (Planned Development)
South:	PD (Planned Development)
East:	C-V (Civic District)
West:	Interstate 15

E) General Plan Compliance

The General Plan land use designation for this site is DTR / MXU (Downtown Redevelopment / Mixed Use). The existing PD (Planned Development) zoning district is in compliance with the General Plan, and the proposed Restaurant Service Bar is a permitted use in the PD zoning district with the approval of a Special Use Permit.

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

The proposed project is located within the Downtown Redevelopment Plan Area of the Las Vegas Redevelopment Plan.

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 / Seating Area	4,413 SF	1/50 GFA	84	4	84	4
Restaurant / General Floor Space	3,708 SF	1/200 GFA	35	2	35	2

The proposed project meets Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

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

"No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park."

The proposed project complies with this requirement.

B) General Analysis and Discussion

- Zoning

The proposed Restaurant Service Bar is a permitted use within the PD (Planned Development) zoning district with the approval of a Special Use Permit.

- Use

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

Information submitted by the applicant, including the justification letter and restaurant's floor plan, indicates that the proposed use meets the definition of a Restaurant Service Bar.

FINDINGS

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

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

   The project is compatible with the General Plan land use designation and is located within an existing commercial center with a substantial concentration of major commercial development. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The addition of a Restaurant Service Bar would not alter the physical characteristics of the existing multi-tenant commercial development. The subject site is physically suitable for the proposed Restaurant Service Bar use.

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

   The abutting street network will be adequate for the traffic generated by the use since it is within the existing commercial center. Access to the site is via access driveways from Bonneville Avenue, a Secondary (80-foot) Collector, and Grand Central Parkway, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

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

   The proposed Restaurant Service Bar use on this site will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 163

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3268 APN: 139-33-710-001

Name of Property Owner: SIMON/CHELSEA LAS VEGAS DEVELOPMENT LLC

Name of Applicant: MAKING PREMIUM OUTLET LV, LLC

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

_____ Yes ✓ No *

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Simon/Chelsea Las Vegas Development, LLC
By: GGP PARTNERS, LP its Operating Member
By: General Property Group, Inc. its managing partner

Print Name: MATTHEW J. [illegible], VICE-PRESIDENT

Subscribed and sworn before me

This 13TH day of OCTOBER, 2003

Virginia Mazzeo
Notary Public in and for said County and State

Virginia Mazzeo
Notary Public, State of New Jersey
I.D. No. 2230831
My Commission Expires Oct. 19, 20 04

* See attached Rider

Revised 2/12/02

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

Oct 10 03 11:40a Ted Birkland 702 256-8110 p.7

Rider to Statement of Financial Interest

Two members of the limited liability company which owns Las Vegas Premium Outlets, Chelsea Property Group (CPG:NYSE) and Simon Property Group (SPG:NYSE) are publicly-traded companies. In connection with this Statement of Financial Interest, the Owner has not made an investigation into whether any of the persons or officers described thereon may own shares of one or both of these companies.

BUILDING SIZE

BLDG MARK	LVED NO.	SF
BLDG 00	875	4,240
BLDG 01	075	0,677
BLDG 02	075	15,113
BLDG 03	875	13,450
BLDG 04	775	10,034
BLDG 05	775	25,346
BLDG 06	775	0,121
BLDG 07	875	8,505
BLDG 08	075	27,871
BLDG 09	005	11,810
BLDG 10	705	44,459
BLDG 11	805	57,547
BLDG 12	905	18,220
BLDG 13	905	21,619
BLDG 14	906	8,712
BLDG 15	855	00,575
BLDG 10	055	10,680
TOTAL GBA		477,200
RETAIL GLA		434,075
(91.11% EFFICIENCY ON GBA)		

gross building area summary 2206 Las Vegas premium outlet as of 07.01.03

PARKING ANALYSIS

TOTAL PROJECT GBA 470,717

PARKING REQUIRED: 954 SPACES
(2.00)/1000 SF GBA)

PARKING PROVIDED: 1,955 SPACES

PARKING RATIO OF
(2.84)/1000 SF RETAIL GBA)

PARKING RATIO OF:
(3.12)/1000 SF RETAIL GLA)

ALL PARKING SPACES ARE 9'X18' UNLESS OTHERWISE NOTED

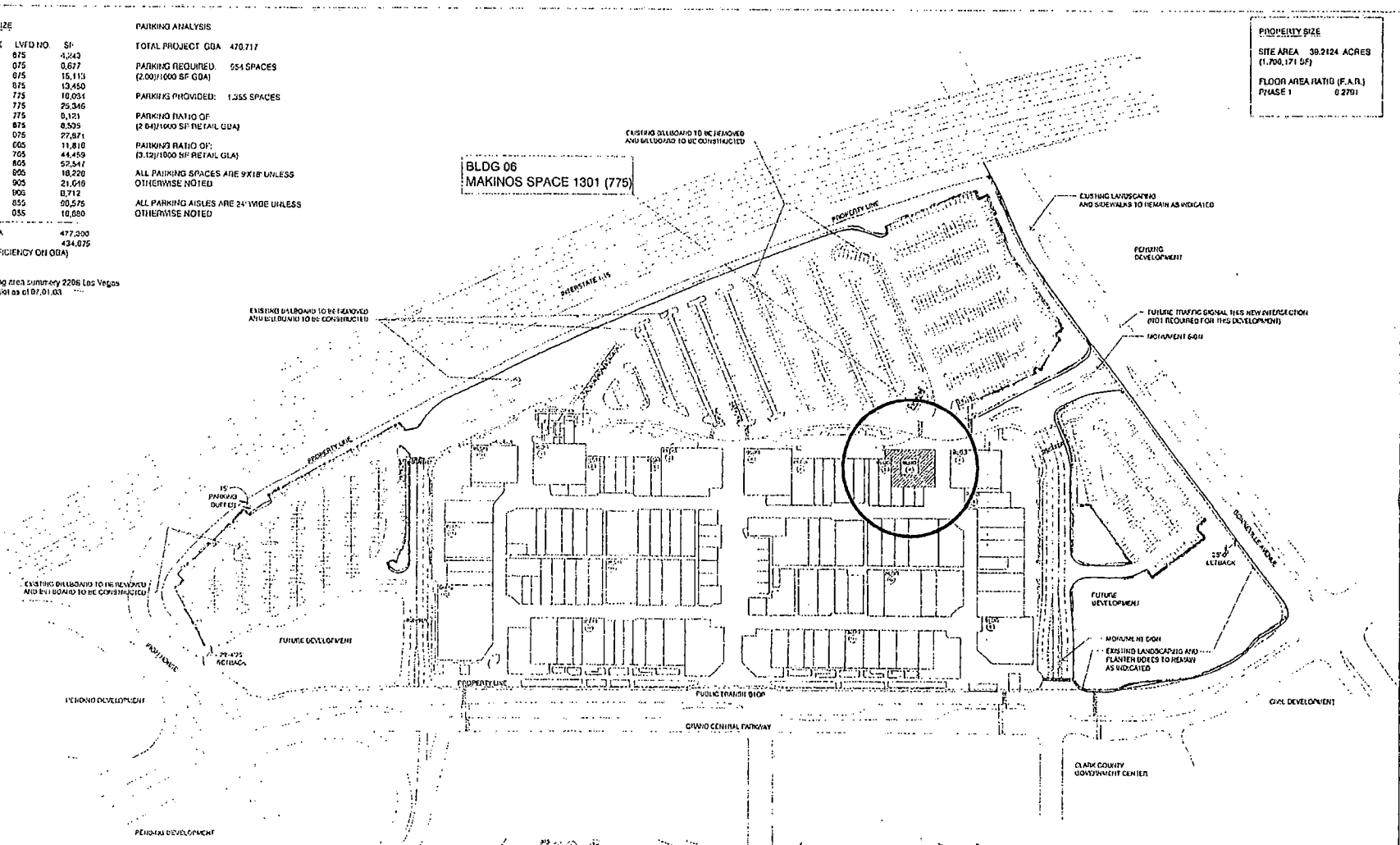
ALL PARKING AISLES ARE 24' WIDE UNLESS OTHERWISE NOTED

PROPERTY SIZE

SITE AREA 39.2124 ACRES
(1,700,171 SF)

FLOOR AREA RATIO (F.A.R.)
PHASE 1 0.2791

BLDG 06
MAKINOS SPACE 1301 (775)



SEATING AREA 88 STALLS
WORK AREA 19 STALLS
107 TOTAL STALLS

Key Plan



Vicinity Map

SUP--3268
12-04-03 PC

SITE PLAN
SCALE: 1"=100'

M. SIMON & ASSOC. p.a.
ARCHITECTS * PLANNERS * INTERIOR DESIGNERS
FORT LAUDERDALE, FLORIDA AA-C000582 954/966-3100 fax 954/966-7794

PREMIUM OUTLET MALL
GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA

MSA

ARCHITECT

SHEET
A-1

BUILDING DATA

1. OCCUPANCY CLASSIFICATION: A
2. TYPE OF CONSTRUCTION: V-N NON RATED
3. FIRE SPRINKLERS: YES
4. HEIGHT: ACTUAL 22' - ALLOWABLE 40'
5. STORIES: ACTUAL 1 - ALLOWABLE 1
6. AREA: TOTAL: 8,121 S.F.
(8,121 S.F EXCEEDS ALLOWABLE AREA AS STATED BY UBC TABLE 5, THEREFOR SPRINKLERS HAVE BEEN ADDED TO INCREASE THE ALLOWABLE AREA.
7. OCCUPANT LOAD:

	SQUARE FOOTAGE	OCC. LOAD FACTOR	OCCUPANT LOAD
MAIN DINING AREA:	3,428.9 S.F.	15	229
KITCHEN AREA:	3,026.6 S.F.	300	11
WAITING AREA:	572.6 S.F.	30	20
RAISED SEATING AREA:	412.6 S.F.	15	28
SERVICE STATION:	172.6 S.F.	300	1
RESTROOMS:	414.1 S.F.	--	--
OFFICE:	93.2 S.F.	100	1
	8,121.6 S.F.		290

8. EXISTS: N/A
9. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS: EXTERIOR WALLS: NON COMBUSTIBLE
10. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS: SEE FIRE RESISTANCE RATINGS (SEE COVER SHEET)
11. SPECIAL INSPECTIONS REQUIRED: N/A
12. CODE YEAR / TYPE: N/A

PLUMBING FIXTURE COUNT:

TOTAL AREA: 8,121 S.F.

7. OCCUPANT LOAD:

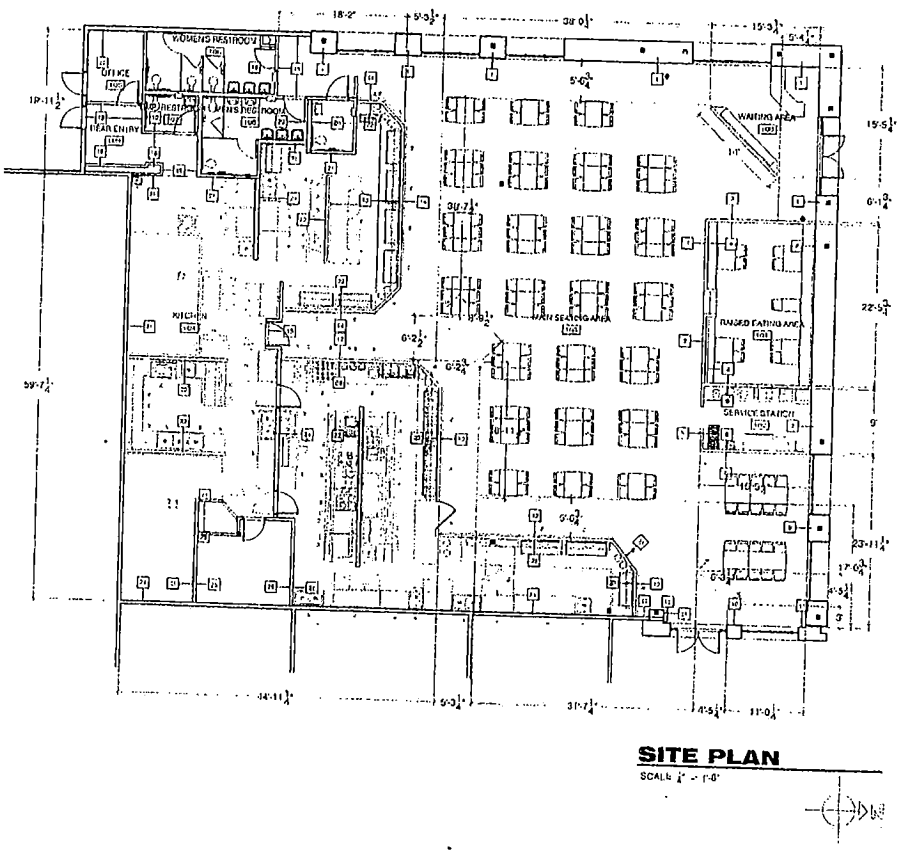
	SQUARE FOOTAGE	OCC. LOAD FACTOR	OCCUPANT LOAD
MAIN DINING AREA:	3,428.9 S.F.	30	115
KITCHEN AREA:	3,026.6 S.F.	300	11
WAITING AREA:	572.6 S.F.	30	20
RAISED SEATING AREA:	412.6 S.F.	30	14
SERVICE STATION:	172.6 S.F.	300	1
RESTROOMS:	414.1 S.F.	--	--
OFFICE:	93.2 S.F.	200	1
	8,121.6 S.F.		102

SPACE: 1301(MALL ID) 776 (FIRE DEPT. ID): TOTAL SF: 8,121

OCCUPANT LOAD AS PER CHART ABOVE: 102 OCCUPANTS

UNIFORM BLDG CODE (Ch. 29): MALE: 01 3: 75-125 FEMALE: 01 3: 75-125

	63 MALES REQUIRED	63 MALES PROVIDED	63 FEMALES REQUIRED	63 FEMALES PROVIDED	EMPLOYEE REQUIRED	EMPLOYEE PROVIDED
WATER CLOSETS	3	2	3	3	0	1
URINALS	2	2	--	--	--	--
LAVATORIES	3	3	3	3	0	1



SITE PLAN

SCALE 1" = 1'-0"

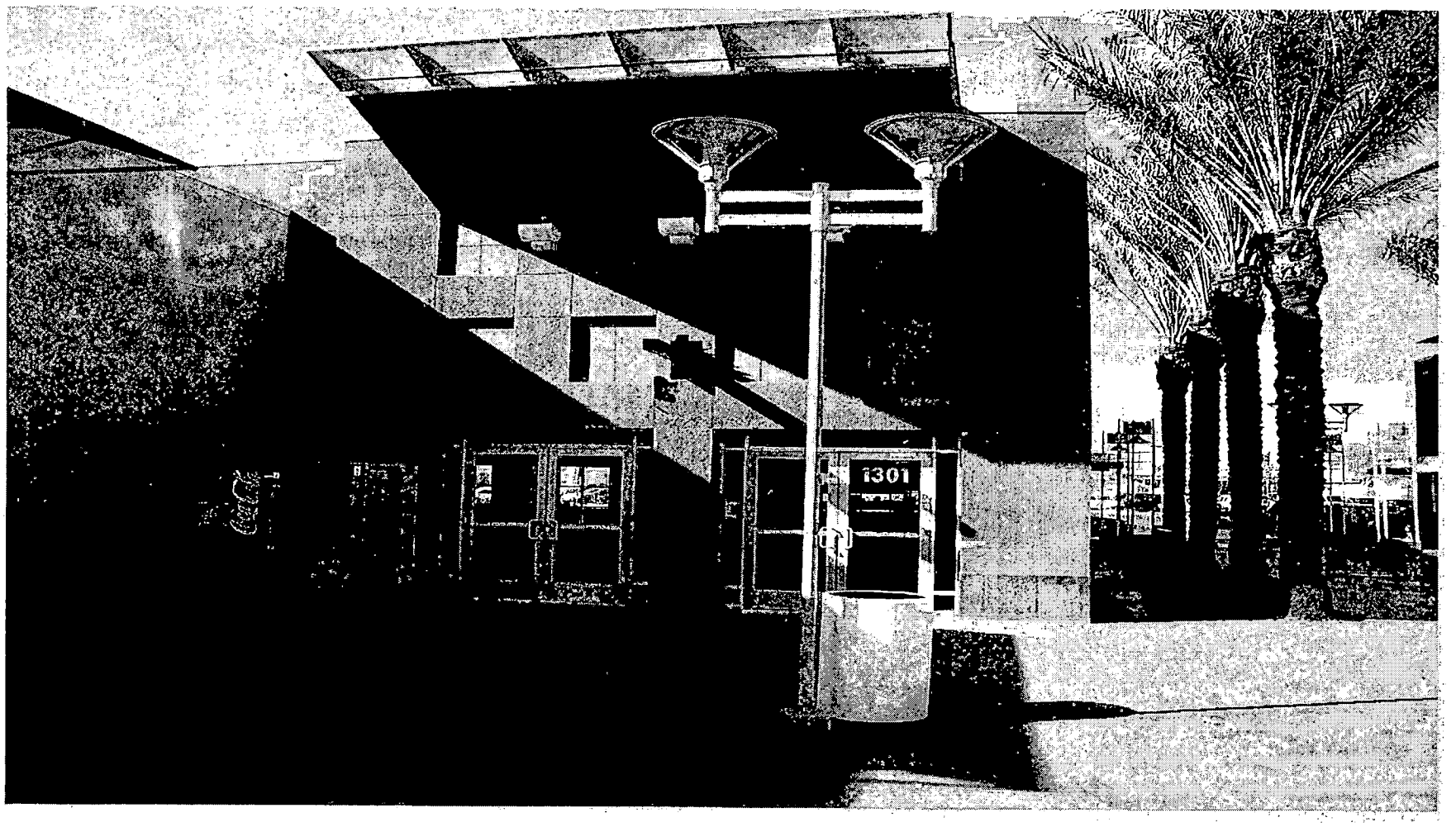
SUP--3268
12-04-03 PC

MAKINO SPACE 1301

M. SIMON & ASSOC. p.a.
ARCHITECTS * PLANNERS * INTERIOR DESIGNERS
FORT LAUDERDALE, FLORIDA

PREMIUM OUTLET MALL
GRAND CENTRAL PARKWAY
LAS VEGAS, NEVADA

A-1



SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPNAY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT, LIMITED LIABILITY COMPANY
775 SOUTH GRAND CENTRAL PARKWAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 01/07/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

This is final action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, advised that the sign met all base code requirements. However, there are residential zones and other signs just one and ten foot, respectively, beyond those separation distances. The sign would not be compatible with the area or eliminate visual clutter on the property. Staff recommended denial.

ANDY BILANZICH, Reagan National Advertising, 1464 East Michigan Avenue, appeared on behalf of the applicant, concurred with all conditions and stressed that all requirements have been met. To avoid obstructing the property owners' signage, this sign would be placed behind.

TODD FARLOW, 240 North 19th Street, protested the visual clutter.

MINUTES – Continued:

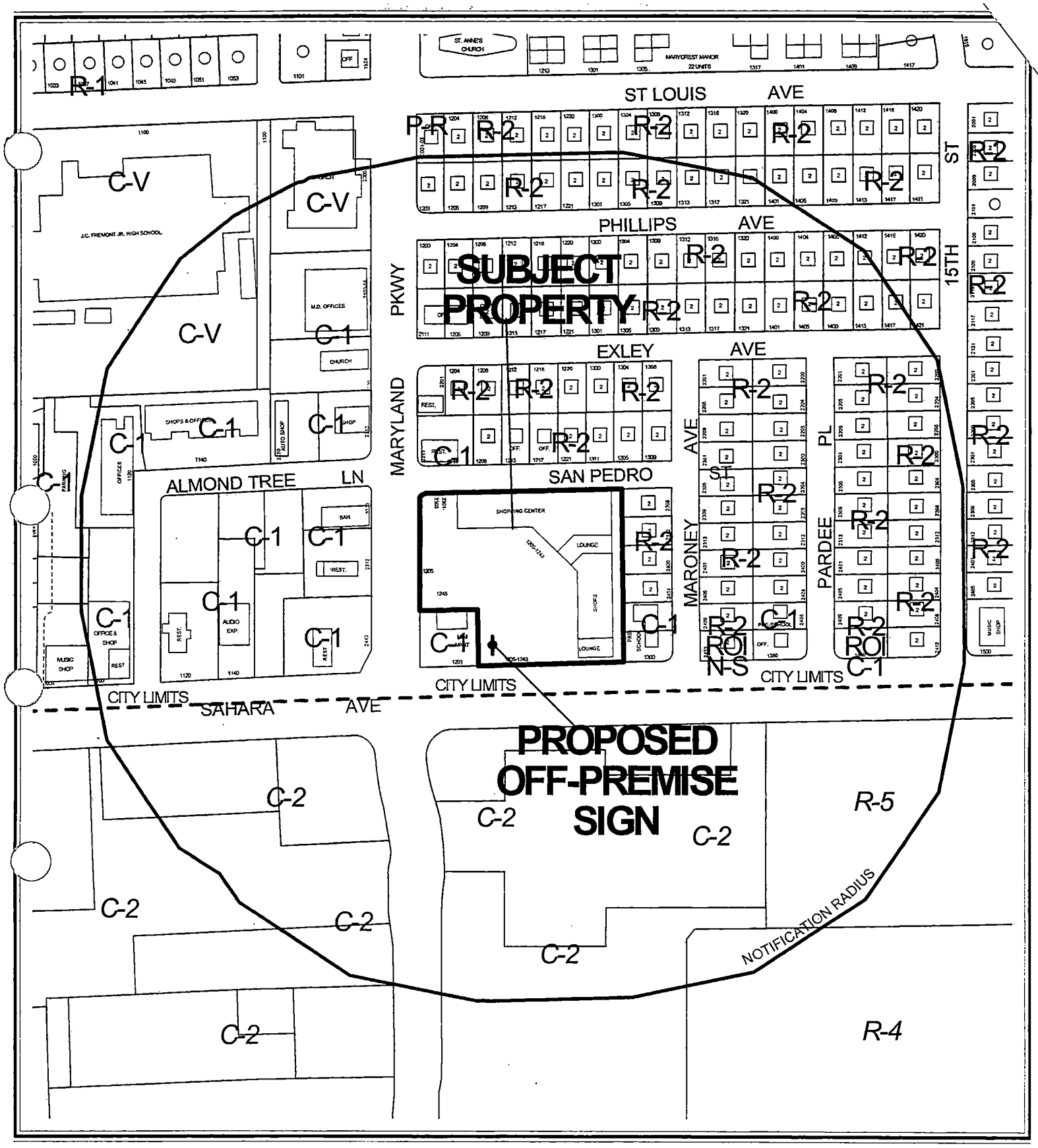
COMMISSIONER DAVENPORT clarified that staff checks for signs in both the City and County and none currently exist in the County within the vicinity. CHAIRMAN TRUESDELL pointed out that there are no billboards across the street where the properties are vibrantly developed. Across the street there are billboards and the buildings are in disarray with a high tenant turn over with very little reinvestment. He questioned enriching property owners who do not put anything back. MR. BILANZICH rebutted that the center in question was remodeled at a significant cost within the last five years.

COMMISSIONER EVANS indicated he would prefer a billboard on this site than the three to the east abutting residential areas. The consensus appears to be that there is an area saturation. COMMISSIONER GOYNES discussed with MR. BILANZICH that the sign pole will be of a decorative nature. The engineering has been completed and it will be similar to the signs at the mall by the County. It will include stuccoing matching the southwestern buildings and they would not be opposed to increased landscaping. There is a significant cost associated with doing so.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

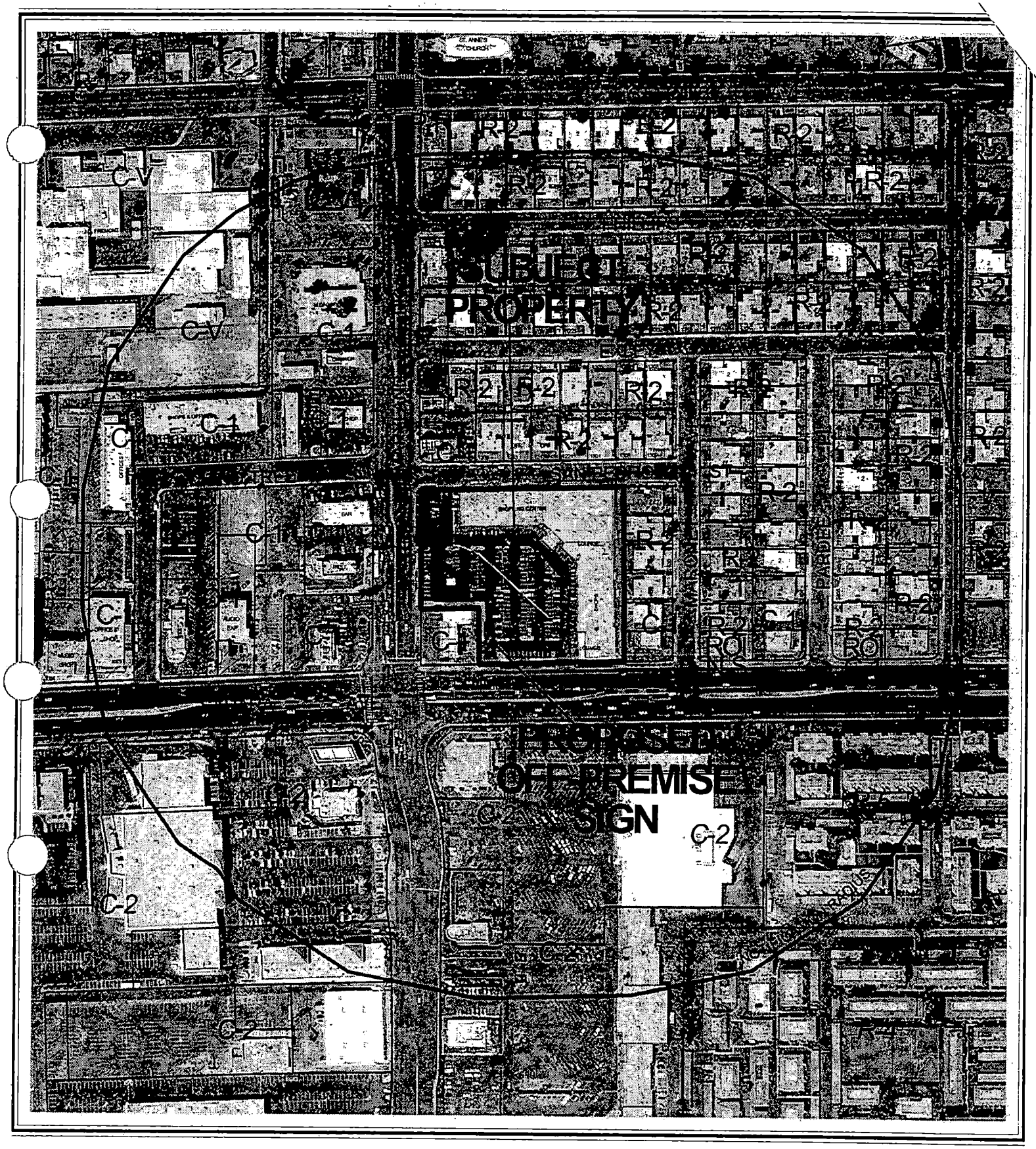
(10:11 – 10:19)



CASE: **SUP-3269**

RADIUS: 750 FT

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



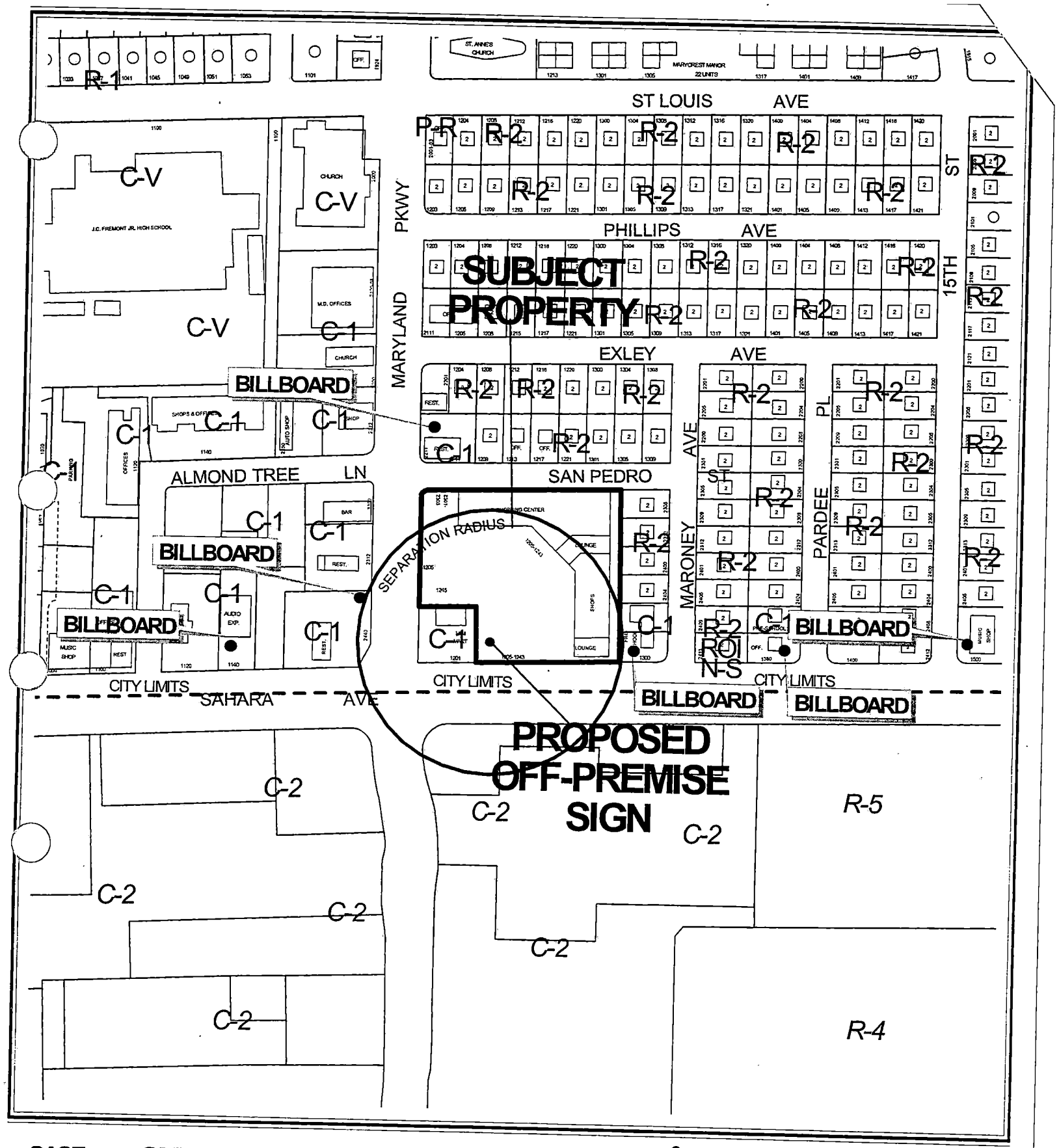
CASE: **SUP-3269**

RADIUS: 750 FT

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

0 200 400 Feet

N



CASE: SUP-3269

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INC.

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

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

3. 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.

Public Works

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

TB

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign located at 1205 East Sahara Avenue.

B) Applicant's Justification

The applicant's justification letter states that the parcel meets all requirements set forth in Title 19 for Off-Premise Advertising (Billboard) Signs. With regards to the sign location, it will be constructed for customers traveling east and west along Sahara Avenue, which is a heavily traveled road by local citizens.

BACKGROUND INFORMATION

A) Previous Actions

09/26/93 The Board of Zoning Adjustment approved a Special Use Permit (U-0195-93) to allow a minor automotive repair facility (Smog Check Station) within the commercial subdivision on the subject site.

03/07/01 The City Council approved a Special Use Permit (U-0204-00) for a Pawnshop within the commercial subdivision on the subject site. The Planning Commission recommended approval on January 25, 2001.

11/20/91 The City Council approved a Special Use Permit (U-0200-91) for an Off-Premise Advertising (Billboard) Sign located at 1201 East Sahara Avenue, which is adjacent to the subject site. The Board of Zoning Adjustment recommended approval on October 24, 1991. The Special Use Permit expired on 11/20/93 because the sign was never constructed.

B) Pre-Application Meeting

10/06/03 Several issues were discussed including required site plan revisions and submittal requirements, including property owner authorization information requirements for the land use application.

TB

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.68

B) Existing Land Use

Subject Property:	Commercial Shopping Center
North:	Restaurant and Two-Family Residences
South:	Commercial Shopping Center
East:	Pre-School and Two-Family Residences
West:	Restaurants

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ML (Medium-Low Density Residential) and SC (Service Commercial)
South:	Unincorporated Clark County – C-2 (General Commercial)
East:	ML (Medium-Low Density Residential) and SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial)
South:	Unincorporated Clark County – C-2 (General Commercial)
East:	R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning is compatible with this land use district and allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons. The proposed Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

TB

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

County Notification

Unincorporated Clark County property is within the Special Use Permit notification radius; therefore subject property owners in addition to the Clark County Planning Department have been notified of this Special Use Permit land use application. At the time of this report, no response has been received.

Project of Regional Significance

Pursuant to Ordinance 5477, a project is deemed to be a Project of Regional Significance if the land use application is a Special Use Permit concerning property within 500 feet of the City boundary with Clark County or North Las Vegas. The subject property is within 500 feet of the boundary of Clark County, which is adjacent to and south of Sahara Avenue.

INTERAGENCY ISSUES

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

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

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

1) The Clark County School District has indicated no School District issues at this time.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	310 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	301 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	172 feet	Y

The subject sign meets minimum Code requirements for location provisions, in addition to size, height, and distance separation requirements from residential zones and other Off-Premise Signage. When considering the distance separation requirements; however, the subject sign only meets separation requirements from residential zones and other Off-Premise Signage by one foot and ten feet respectively. Meeting minimum distance separation requirements by one foot may satisfy minimum Code requirements; however, it does not demonstrate compatibility with the area nor does it eliminate the possibility of visual clutter on-site. Because of locational limitations caused by the distance separation requirements the subject sign is located 5-feet from an existing on-premise sign, as measured from edge of sign to edge of sign, which can be expected to result in visual clutter.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject property is C-1 zoned and is located on the north side of Sahara Avenue, east of Maryland Parkway, which is outside of the Off-Premise Sign Exclusionary Zone.

- Use

Off-premise signs are considered a principal land use rather than incidental to an existing land use. Off-premise signs generally produce revenue to the property owner as a land use as compared to on-premise signs, which in return does not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. In this instance, the proposed off-premise sign does not fit properly onto the proposed site due to an overabundance of off-premise signage in the general vicinity, including five Off-Premise Advertising Signs with a 500-foot radius from the subject site, in addition to its location to on-premise signage which would create visual clutter and incompatibility on the property.

- Conditions

In addition to the minimum distance separation conditions as listed under section A.a-1 of this report, Title 19.14.100(D) specifies the following additional provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels which are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;

c. An accurate indication of the location of all existing and proposed off-premise signs; and

d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

If approved, a condition has been recommended that conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements which includes the above conditions. Additional conditions have been recommended if this application is approved to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building.

FINDINGS

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

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

   The proposed off-premise sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited commercial) zoning district. However, this sign would add to the proliferation of off-premise signage already along this portion of Sahara Avenue and Maryland Parkway, which would result in an unharmonious and incompatible land use on the subject property. Title 19.14.100(B)1 states that consideration of the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area shall be taken into consideration when reviewing Off-Premise Signage. The existence of other off-premise signs that are non-conforming in terms of their proximity to residential zones are within the immediate vicinity, which does not create compatibility for the introduction of additional off-premise signage.

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

TB

The subject sign is proposed to be located within a parking lot landscape planter in an existing commercial center. Because of locational limitations caused by the distance separation requirements the subject sign is located feet feet from an existing on-premise sign, as measured from edge of sign to edge of sign, which can be expected to result in visual clutter and result in incompatibility on-site. This type of sign is a privilege and must be compatible with the surrounding area and fit properly onto the proposed site. The subject site is not physically suitable for this type of use.

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

The subject site is located adjacent to Sahara Avenue and Maryland Parkway, which are both designated as 100-foot wide Primary Arterial on the Master Plan of Streets and Highways. The proposed use will not generate any additional traffic demand.

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

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

NOTICES MAILED 135

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3269 APN: 162-02401 001

Name of Property Owner: SDL INC.

Name of Applicant: Reagan National Advertising

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

_____Yes __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: Andrew D. Bilanzich

Print Name: Andrew D. Bilanzich

Subscribed and sworn before me

This 16th day of Oct., 2003

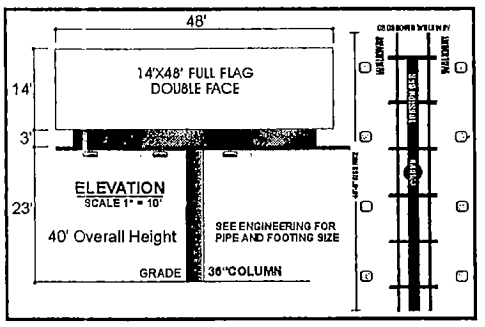
Kimberly Kock

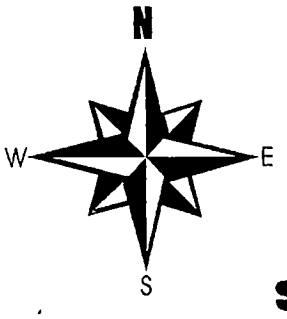
Notary Public in and for said County and State

OFFICIAL SEAL
KIMBERLY L. KOCK
Notary Public - State of Arizona
MOHAVE COUNTY
My Comm. Expires March 5, 2004

Revised 2/12/02

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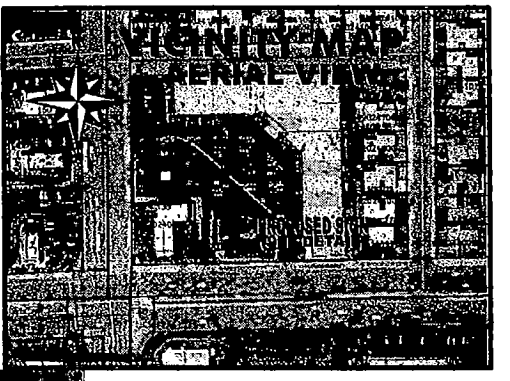


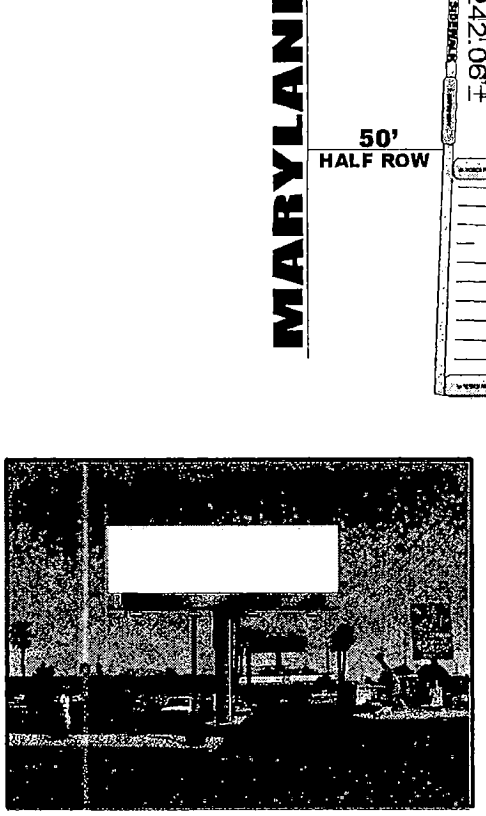


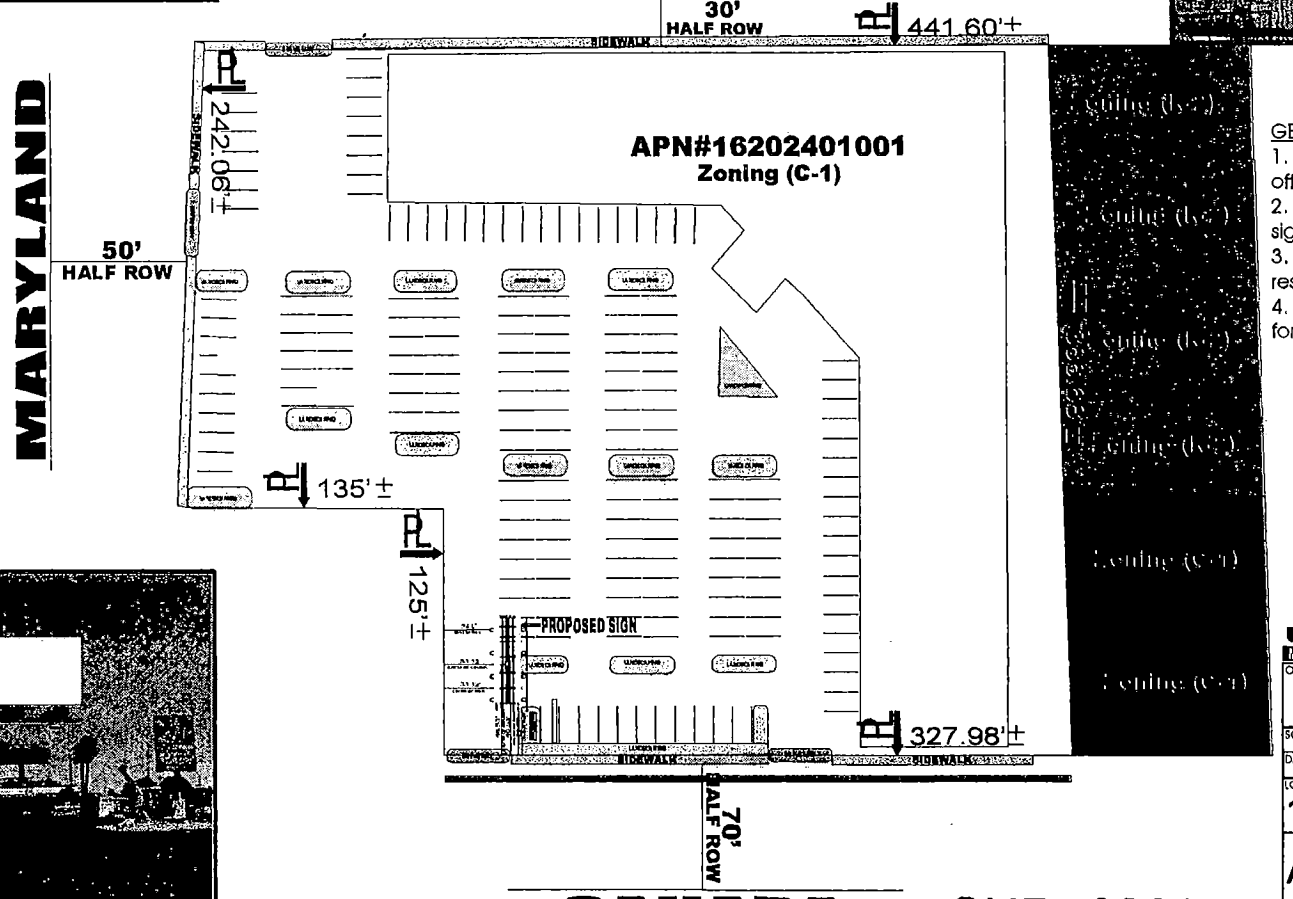
TOP VIEW

SCALE 1" = 30'

DETAIL







GENERAL NOTES

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

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

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

OWNER: S D L INC		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 8-06-03		REVISED:
LOCATION: 1205 E SAHARA AVE-89104		
APN# 16202401001		DRAWING NUMBER: 220

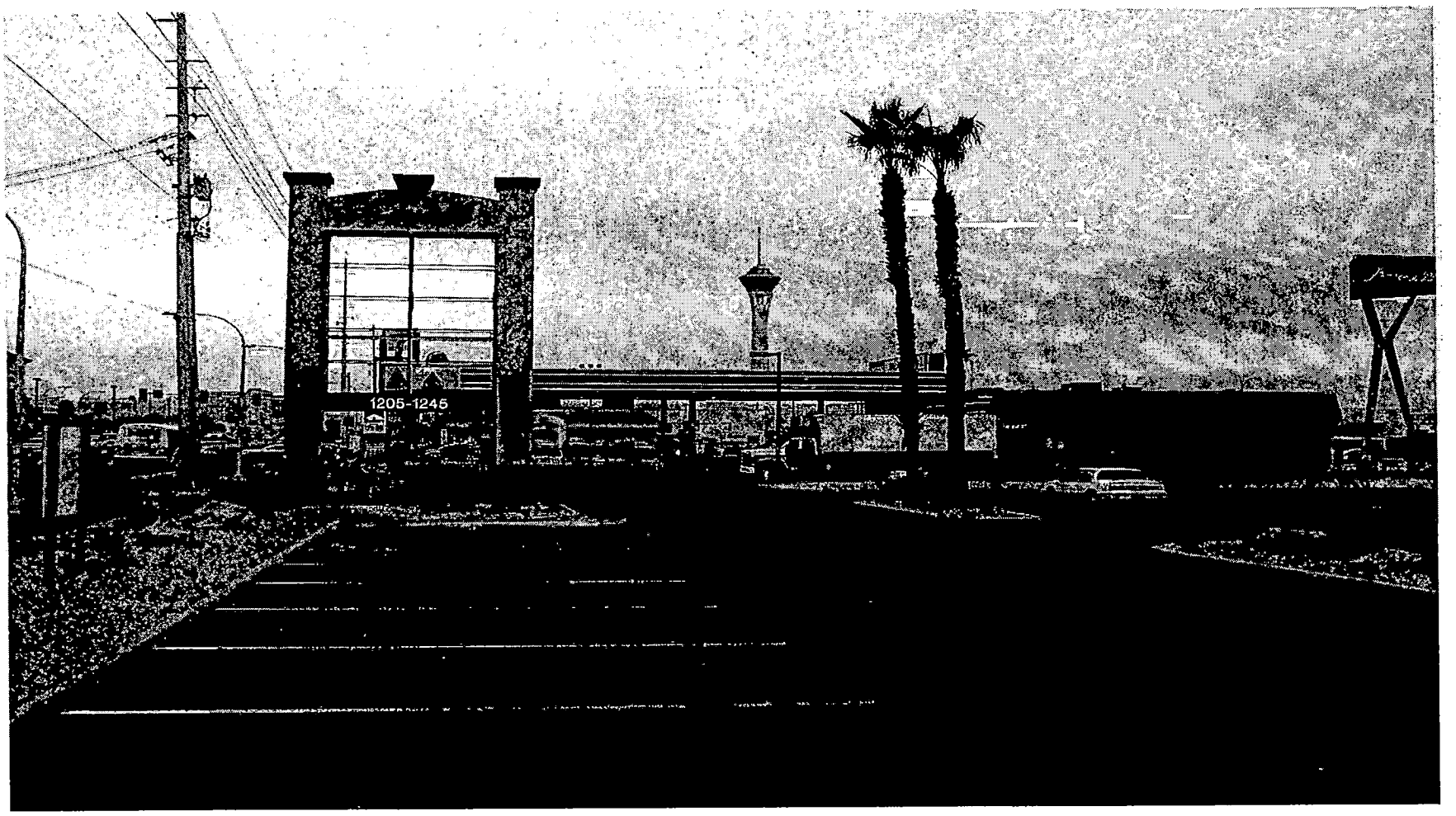
SUP--3269

12-04-03 PC



SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED
1205 EAST SAHARA AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED
1205 EAST SAHARA AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SDR-3263 - PLANE REALTY CORPORATION - Request for a Site Development Plan Review and a Waiver of The Las Vegas Downtown Centennial Plan Development Standards FOR A PROPOSED 3,125 SQUARE-FOOT WEDDING CHAPEL AND SERVICE BUILDING on 0.16 acres adjacent to the northeast corner of 3rd Street and Bonneville Avenue (APN: 139-34-311-094), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
DAVENPORT – ABEYANCE to 1/8/2004 – UNANIMOUS with TRUESDELL abstaining because of a landlord/tenant relationship with MR. DEMETRIUS on another property

NOTE: ROBERT GENZER, Director of Planning and Development Department, disclosed that his wife and mother-in-law own property within the notification radius and he has not been involved with this particular item.

MINUTES:
VICE CHAIR NIGRO declared the Public Hearing opened.

MARGO WHEELER, Deputy Director of Planning and Development Department, outlined this small project within the office corridor of the Downtown Centennial Plan. Wedding chapels are permitted uses and even encouraged in some fashion. The issues with this project are with the design. Staff is seeking significant aesthetic enhances and she listed five additional conditions being proposed to address aesthetics as well as traffic, access and parking concerns. Staff recommended approval, although they would prefer an abeyance to address the many issues raised.

MINUTES – Continued:

Architect LEO BARNES and property owner MIKE DEMETRIUS, 2919 Bel Air Drive, indicated that they would work with staff regarding the areas of concern. The white picket fencing works with a wedding chapel and they would ask to be permitted to incorporate a small amount into the design.

TODD FARLOW, 240 North 19th Street, clarified the FAR or floor-area ratios as being the relationship between the amount of building square footage to the lot square footage. In the Centennial Plan area, the intent is for the greatest utilization resulting in a higher FAR.

COMMISSIONER GOYNES commented the project looks good. VICE CHAIR NIGRO questioned whether the issues regarding the conditions could be resolved without an abeyance. If the issues are not resolved, the recommendation could be changed prior to reaching City Council. MR. BARNES indicated that he believed it could. MS. WHEELER noted that the concern is not with the working relationship, it is the significance of the conditions themselves. Working with the applicant could result in a project that did not require so many conditions. DEPUTY CITY ATTORNEY BRYAN SCOTT advised that the Commission could hold the item at their discretion. COMMISSIONER DAVENPORT supported an abeyance. MS. WHEELER noted that she would recommend a 30-day abeyance. The modifications would include elevations, streetscapes, access, handicapped parking and additional parking. All of these may require additional space on the lot and result in a change in the square footage of the building.

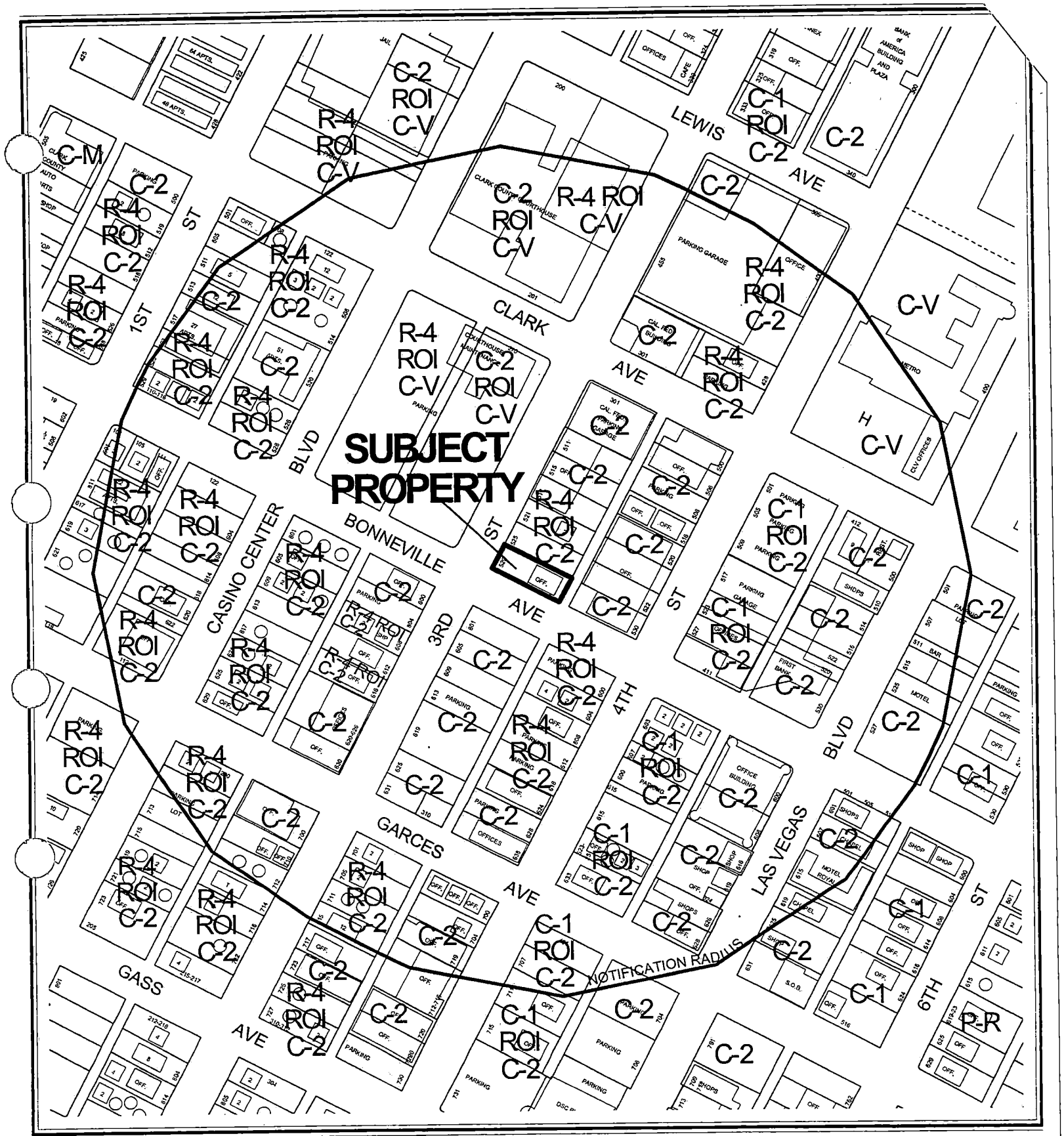
MR. DEMETRIUS commented that they had agreed to the 21 conditions they knew about, although they were asking for a slight change to allow a small portion of white picket fencing. As for the five new conditions, he had not known about them until this meeting. Matters could be resolved with staff and he would urge approval subject to appropriate conditions in order to avoid another meeting. VICE CHAIR NIGRO explained that if accepted, the conditions would dramatically change the plan. Both the Commission and staff would need time to then evaluate the revised plan. MR. DEMETRIUS denied that there would be a significant change to the project, but that could come back to the Commission if that did occur.

MS. WHEELER explained for COMMISSIONER McSWAIN that staff spoke with the applicant regarding their concerns and requested an abeyance to work the situation out. The applicant declined to abey and staff did not have enough time after that to review the additional conditions with the applicant.

There was no further discussion.

VICE CHAIR NIGRO declared the Public Hearing closed.

(10:19 – 10:32)



0 100 200 Feet

CASE: **SDR-3263**

RADIUS: 750 FT

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

N



CASE: **SDR-3263**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3263 - PLANE REALTY CORPORATION

** CONDITIONS **

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

Planning and Development

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

2. 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 the Planning and Development Department, prior to the time application is made for a building permit, to illustrate sidewalk surface treatments, including the adjacent alley entrance, to provide a sufficient number of shade trees along the Bonneville Avenue frontage of the site, and to reflect the use of perimeter fencing that all meet the standards of the Downtown Centennial Plan.

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 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.

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, with additional architectural features to enhance façade articulation.

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

12. Any property line wall shall meet the perimeter fence requirements of the Downtown Centennial Plan.

13. A fully operational fire protection system, including 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 a 10-foot radius on the northeast corner of 3rd Street and Bonneville Avenue prior to the issuance of any permits, coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

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

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

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. 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.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

20. Landscape and maintain all unimproved right-of-way on 3rd Street and Bonneville Avenue adjacent to this site.

21. Submit an Encroachment Agreement for all private improvements located in the 3rd Street and Bonneville Avenue public right-of-way adjacent to this site prior to occupancy of this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review to allow the development of a 3,125 square-foot wedding chapel and service building, and a Waiver of a number of Downtown Centennial Plan development standards on 0.16 acres adjacent to the northeast corner of 3rd Street and Bonneville Avenue.

B) Applicant's Justification

The applicant has justified this request by stating that the project that will be accommodated through this application will enhance the area by adding character and help to beautify the Downtown development corridor, as well as creating new jobs and adding to the tax base of the city.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant approval and development history pertaining to this site.

B) Pre-Application Meeting

09/23/03 At the pre-application meeting, some of the deficiencies of the project with respect to Downtown development standards were noted. A subsequent meeting was held on 10/06/03 to further discuss the project.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.16

B) Existing Land Use

Subject Property:	Single Family Office Conversion
North:	Parking Lot
South:	Parking Lot
East:	Office Buildings
West:	Construction Yard for Regional Justice center project

C) Planned Land Use

Subject Property:	DTR (Commercial Area, Downtown Redevelopment Plan)
North:	DTR (Commercial Area, Downtown Redevelopment Plan)
South:	DTR (Commercial Area, Downtown Redevelopment Plan)
East:	DTR (Commercial Area, Downtown Redevelopment Plan)
West:	DTR (Public Facility Area, Downtown Redevelopment Plan)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
South:	C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial) under Resolution of Intent to C-V (Civic)

E) General Plan Compliance

This site is located on the Southeast Sector Plan Map of the General Plan. It is also located within the Las Vegas Redevelopment Plan boundary and within the Office Core precinct of the Downtown Centennial Plan. The site is designated as DTR (Commercial Area, Downtown Redevelopment Plan) on the Downtown Redevelopment Plan Map of the Redevelopment Plan. This designation is compatible with a range of General Plan land use designations, including the O (Office), SC (Service Commercial) and GC (General Commercial) land use designations. The existing C-2 (General Commercial) zoning district conforms to the policies of the GC (General Commercial) land use designation. A Wedding Chapel is a permitted use in the C-2 zoning district.

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

GL

A Multi-use Transportation Trail is identified along Bonneville Avenue adjacent to the subject site. At this time, it is undetermined which side of Bonneville Avenue will be occupied by the trail, or if the trail will remain based on trail alignment alternatives that are currently being examined by consultants. Since there is a possibility that the trail may be required when the current study is completed, the applicant will be required to retain a 10-foot wide open and unobstructed plaza area along the Bonneville Avenue side of the project, that can if necessary be used for future trail purposes.

PROJECT DESCRIPTION

The project consists of a 1,242 square-foot one-story chapel building and a 1,540 square-foot wedding and related function building on the 0.16-acre parcel. The chapel, which is to be finished in a white painted wood fluted siding material with a composite roof shingle, is located to the rear of the site, while the related function building, which is to have an EIFS white painted stucco finish and a flat roof, is located along the east property line of the site. The project will be served by a driveway that curves in front of the two buildings. Access to the drive is to be from 3rd Street, with egress to Bonneville Avenue. A gazebo for wedding photos is to be located on the western corner of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

C-2 Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	50 Feet	N
Min. Setbacks			
• Front	20 Feet	0 Feet	N
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	0 Feet	N
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	39.7%	Y
Max. Building Height	none	one story	N/A
Trash Enclosure	Gated, walled, roofed	Provided	Y
Loading Zone	15 x 25 Feet	Not indicated	N
Mech. Equipment	Concealed on roof	Not indicated	N

The application fails to meet minimum lot width requirements, front, rear and side setback requirements, and loading zone requirements, and has requested Waivers of these requirements as part of this application. Section D.S.1.8 of the Downtown

Centennial Plan states that Waivers to the design standards of the Plan shall only be granted in cases where clear and convincing evidence of hardship is provided, or to further the City's redevelopment efforts.

Given the small scale of the site, which is an existing lot, and the context of the project as an urban development within the Office Core precinct of the Downtown area, and the fact that, pursuant to Title 19.06.C, developments within the Downtown Overlay District are exempt from the automatic application of minimum setback requirements, the requested Waivers are appropriate.

A2) Residential Adjacency Standards

As the subject site is located within the Las Vegas Redevelopment Plan area, there are no Residential Adjacency Standards that apply to this Site Development Plan Review.

A3) Parking and Traffic Standards

Two on-site parking spaces and a large driveway are depicted on the site plan; however, it should be noted that, pursuant to Title 19.06.C, developments within the Downtown Overlay District are exempt from the automatic application of Parking Standards. The parking as noted is satisfactory for this project.

A4) Landscape and Open Space Standards

Pursuant to Section D.S.4 of the Downtown Centennial Plan, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**
Streetscape Planting	North-South Streets: 25 ft min. ht. palm trees 30' on-center	2 Trees	2 Trees
	East-West Streets: Min. 36" box shade trees 15-20' on-center	7 Trees	4 Trees
• Parking area landscaping	1 tree/6 spaces		None
• Min. Zone Width	15 Feet perimeter, 6 Feet interior		None
• Wall height	6 Feet		None

The project as proposed does not provide enough large shade trees along Bonneville Avenue to meet Downtown Centennial Plan streetscape requirements. The site plan also fails to indicate the provision of a 42"-high wrought iron fence along the street perimeters of the property in accordance with Graphic 6 of the Downtown Centennial Plan; instead, a 42"-high white picket fence is proposed.

GL

Also, Section D.S2.1.f of the Plan requires undergrounding of utilities in adjacent alleys and sidewalk surface treatments that extend into the adjacent alley entrances. While a Waiver of utility undergrounding is appropriate with a small project such as this one, a condition of approval will require modification of the site plan to satisfactorily address these remaining issues.

A5) Sign Standards

The site plan does not indicate any freestanding or monument signage associated with the project; instead, the site plan illustrates only a wall sign stating "Weddings" on the façade of the reception building that faces 3rd Street. This wall sign complies with the regulation of Title 19.14 for wall signs in C-2 (General Commercial) zoning districts.

B) General Analysis and Discussion

- Zoning

The site is currently zoned as C-2 (General Commercial). A wedding chapel use is a permitted use in a C-2 zoning district.

- Site Plan

The site plan depicting a 1,242 square-foot one-story chapel building and a 1,540 square-foot wedding and related function building conforms to the requirements stipulated under C-2 zoning, with the exception of setbacks, parking and perimeter landscaping and buffering requirements. The applicant has requested Waivers of these standards, as discussed below.

- Waivers

The applicant has requested Waivers to a number of standards of the Downtown Centennial Plan. These include the following:

- **Setbacks** - developments within the Downtown can be exempted from the application of this standard. Due to the small size of the existing parcel and the scale of the development, this request is appropriate.
- **Parking** - developments within the Downtown can be exempted from the application of this standard. Due to the small size of the existing parcel and the scale of the development, this request is appropriate.
- **Loading Zone** - this is not required due to the nature of the business, and relief from this requirement is appropriate.
- **Landscape Buffering and Landscaping** - due to the restricted nature of the site and the fact that Downtown Streetscape Improvements will be provided as off-site improvements, this waiver is appropriate.

GL

- **Downtown Streetscape Improvements** - these include an insufficient number of shade trees along Bonneville Avenue, use of perimeter fencing that does not meet Downtown design standards and failure to extend sidewalk surface treatments to the adjacent alley entrance area. Provision of these improvements as part of this development is reasonable and therefore the Waiver of these standards should be denied. A requirement to amend the site plan to satisfactorily address these issues has been added as a condition of approval.
- **Undergrounding of Utilities** – Utilities in the adjacent alley area is required by the Downtown Plan; however, due to the small scale of the proposed project, and in view of the other required public improvements that are to be made, it is reasonable to grant a waiver of this requirement.

- Landscape Plan

  The landscape plan depicts the planting of only shrubs and ground cover within the site itself. A Waiver was requested as part of this application to allow the planting as proposed. Palm trees and shade trees of a type and size that meet the Downtown Centennial Plan's guidelines are depicted on the adjacent street right-of-ways for 3rd Street and Bonneville Avenue. The number of trees depicted along Bonneville Avenue is insufficient to meet the standards of the Plan; a condition of approval will require the addition of trees to meet the standard.

- Elevation

  The elevations depict two one-story structures and a gazebo on the subject site. The chapel, which is to be finished in a white painted wood fluted siding material with a composite roof shingle on the steeply pitched roof and steeple, is located to the rear of the site, while the related function building, which is to have an EIFS white painted stucco finish and a flat roof, is located along the east property line of the site.

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 wedding chapel use is consistent with the type and mix of office, commercial and residential uses that exist in the surrounding area.

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

The development as proposed is consistent with uses that are allowed in the C-2 (General Commercial) zoning district that is currently in place on the subject site. Assuming approval of the Waivers that have been requested, and with the exception of those requested Waivers which have been recommended for denial and for which alternative solutions are listed in the conditions of approval, the application is consistent with Title 19 and with the objectives of the Downtown Centennial Plan and the Las Vegas Redevelopment Plan.

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

The site is bounded by 3rd Street to the northwest and by Bonneville Avenue to the southwest. Third Street is designated as a local street, while Bonneville Avenue is depicted as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. These streets contain adequate capacity to serve the proposed development.

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

The building and landscape materials as proposed are appropriate for a development of this type, and should contribute positively to the appearance of this vicinity, which is located within the Office Core of the Downtown Centennial Plan and also within the Las Vegas Redevelopment Plan area.

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

The applicant has made an effort to ensure that the design of the project reflects both the appearance of a classic chapel, while attempting to integrate the project with surrounding development, and to support the streetscape improvement initiatives for right-of-way adjacent to the site.

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

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 89

APPROVALS 0

PROTESTS 2

GL

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3263 APN: 139-34-311-094

Name of Property Owner: PLANE REALTY CORP.

Name of Applicant: PLANE REALTY CORP.

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner/Authorized Agent: PLANE REALTY CORP. BY Michael Denitas - PRESIDENT

Subscribed and sworn before me

This 23RD day of SEPT, 2003

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PETER LOWENSTEIN
No. 03-80709-1 My Appointment Expires Feb. 27, 2007

KEYNOTES

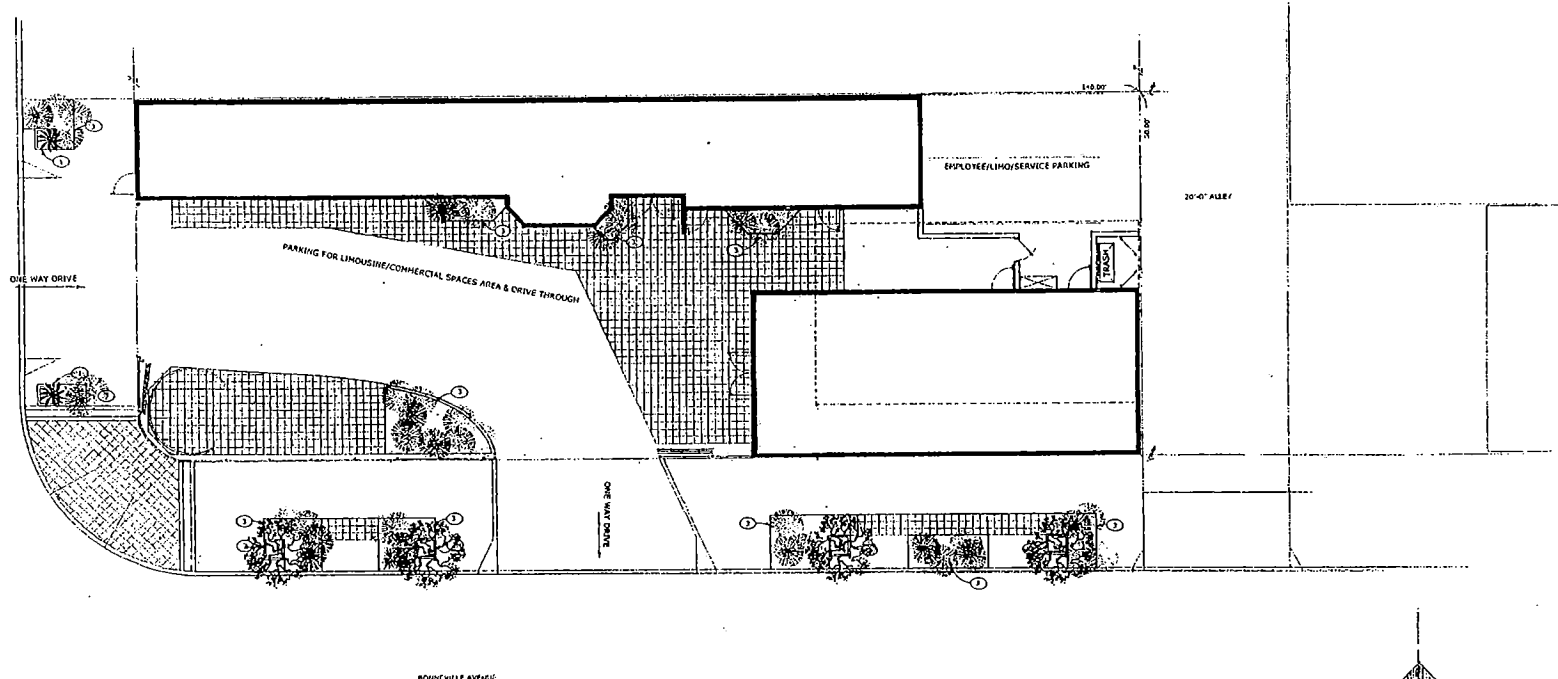
1.) [illegible]

2.) [illegible]

3.) SHRUBS & GROUND COVER OF SIZE & QUANTITY PER ORDINANCE [illegible]

NOTES

1. ON & OFF-SITE AUTOMATIC DRIP IRRIGATION SYSTEM



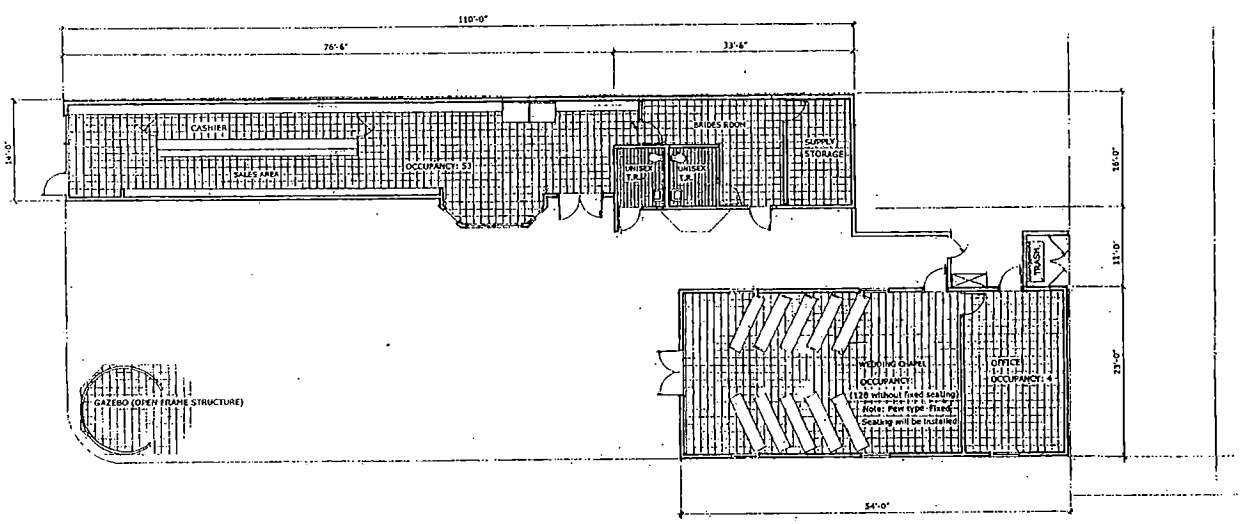
A LITTLE WHITE CHURCH ACROSS FROM THE COURT HOUSE

LEO F. BORNS
ID 1703

SDR--3263

12-04-03 PC

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



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

A LITTLE WHITE CHURCH ACROSS FROM THE COURT HOUSE

LEO F. BORNS
O 7700

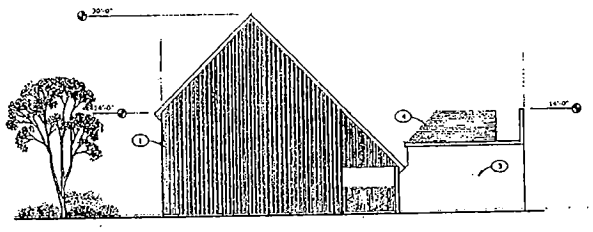
SDR-3263
12-04-03 PC

KEYNOTES

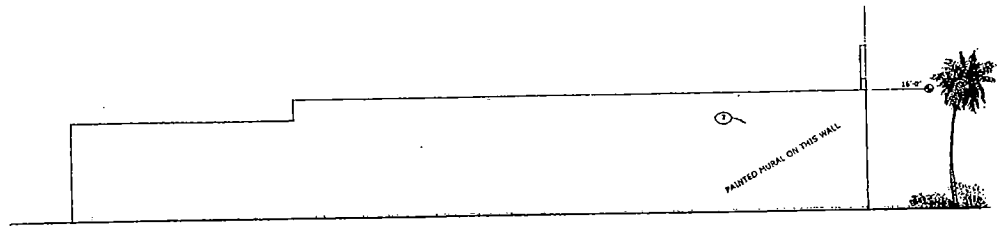
1. PAINTED WOOD FLUTED SIDING (WHITE)
2. PAINTED CMU w/STUCCO FINISH (WHITE)
3. PAINTED EIFS (WHITE)
4. COMPO SHINGLES (GREEN)

NOTES

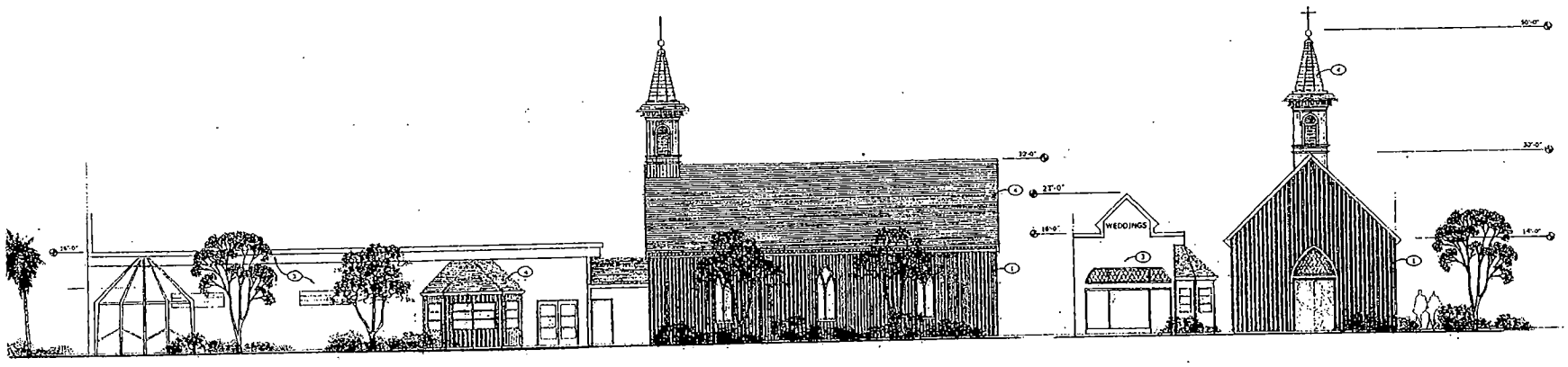
1. 42" HIGH WHITE PICKET TYPE FENCING ON WEST & SOUTH PROPERTY LINES
2. 42" HIGH GREEN W.I. ROLLING GATES TO CLOSE OFF DRIVEWAYS



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

WEST ELEVATION

EXTERIOR ELEVATIONS

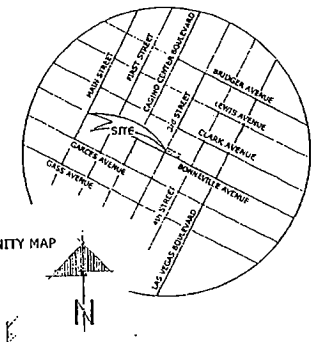
A LITTLE WHITE CHURCH ACROSS FROM THE COURT HOUSE

LEO F. BORNS

SDR--3263
12-04-03 PC

KEYNOTES

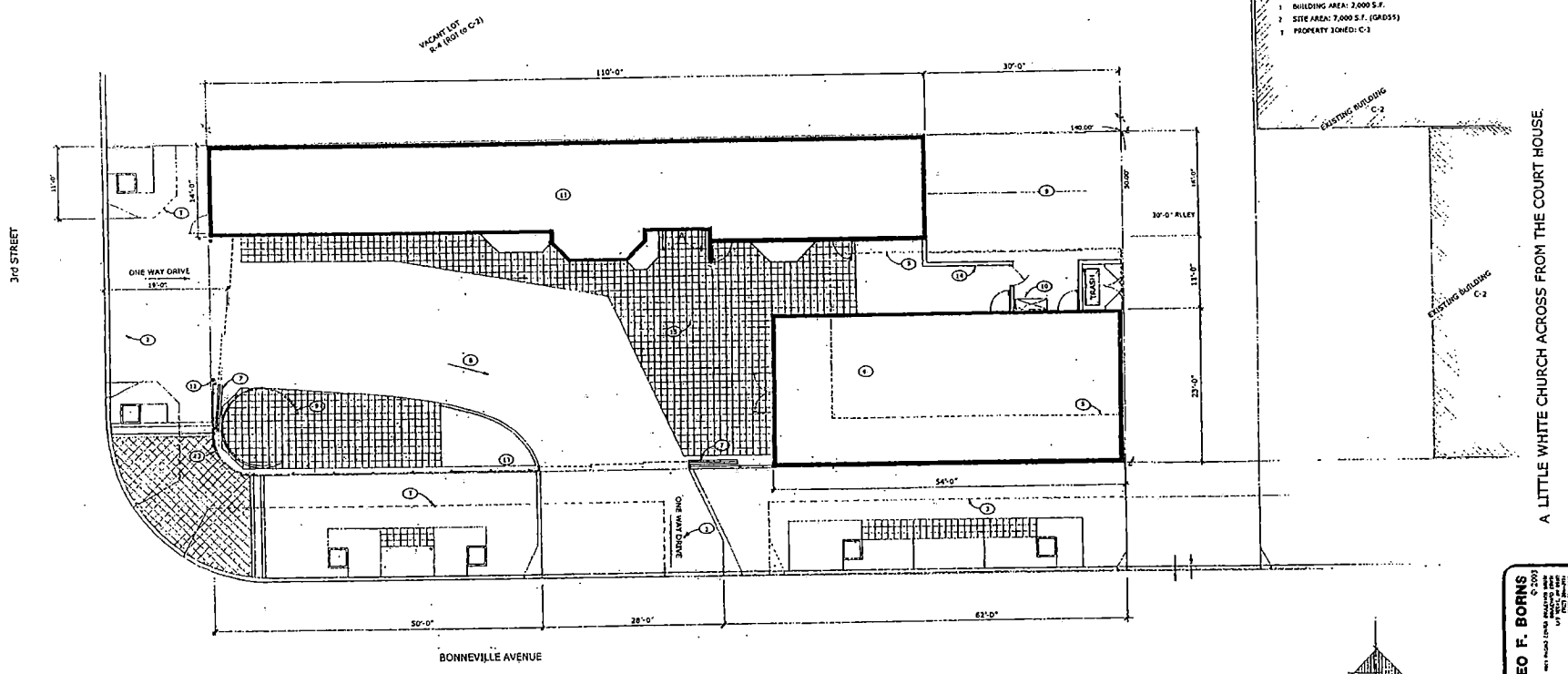
1. EXISTING 15'-0" WIDE CURB CUT/DRIVE INCREASED TO BE 26'-0" STANDARD
2. EXISTING STANDARD 35'-0" CURBCUT/DRIVE TO REMAIN
3. LINE OF EXISTING 5'-0" SIDEWALK REMOVED & REPLACED w/CONFORMING CONDITIONS
4. NEW WEDDING CHAPEL BUILDING REPLACING EXISTING ONE STORY BUILDING
5. LINE OF EXISTING ONE STORY CMU BUILDING
6. 12'-0" x 15'-0" GAZEBO (OPEN FRAME TYPE STRUCTURE)
7. STACKED 42" HIGH GREEN W.I. ROLLING GATES
8. PARKING FOR LIMOUSINE/COMMERCIAL SPACES AREA & DRIVE THROUGH
9. SERVICE AREA & EMPLOYEE/LIMOUSINE PARKING
10. MAIN ELECTRICAL SERVICE
11. NEW WEDDING & RELATED FUNCTION BUILDING
12. BOLLARDS
13. 42" HIGH WHITE PICKET TYPE FENCING w/42" HIGH GREEN W.I. ROLLING GATES
14. 7'-0" HIGH CMU FENCE & W.I. GATE
15. SAFE PATH ROUTE (THROUGHOUT ENTIRE SITE)



VICINITY MAP

NOTES

1. BUILDING AREA: 2,000 S.F.
2. SITE AREA: 7,000 S.F. (GADSS)
3. PROPERTY ZONED: C-1



SITE PLAN
SCALE: 1/8" = 1'-0"

A LITTLE WHITE CHURCH ACROSS FROM THE COURT HOUSE.

LEO F. BORNS
© 2003

SDR-3263

12-04-03 PC



SDR-3263 - PLANE REALTY CORPORATION
NORTHEAST CORNER OF THIRD STREET AND BONNEVILLE AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

Telephone Protest/ Approval Log

Meeting Date: 12/04/03 **Case Number:** SDR-3263

Date: 12/1/03
Name: Koep & Koep
Address: 711 S. 4th St

Phone: via e-mail
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
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Phone:
☐ **PROTEST** ☐ **APPROVE**

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Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

RECEIVED
03 DEC -1 PM 4:27
PLANNING AND DEVELOPMENT

GEORGE W. JOHNSON, CHTD.
A Professional Corporation
Attorneys at Law
517 So. Third Street
Las Vegas, Nevada 89101-6593

Phone: [702] 382-3946 ***Fax: [702] 382-0214***

November 25, 2003

Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division
City Council Chambers
400 Stewart Ave.
Las Vegas, Nevada 89101

Re: SDR-3263

Dear Mr. Leobold:

We are in receipt of your notification of a Site Development Plan review wherein a request has been made by Plane Realty Corporation for a waiver of the Las Vegas Downtown Centennial Plan Development Standards for a proposed Wedding Chapel and Service Building adjacent to the Northeast corner of 3rd Street and Bonneville.

This area has been, and is, utilized for professional offices and the construction of a Wedding Chapel at the location will necessarily congest the parking available, which is already difficult for our clientele due to the construction of the County facility across the street; and, in addition, in all probability if a Wedding Chapel were constructed, it would be a location and business that would be utilized and operated on a 24-hour basis, 7 days a week.

We do hereby state in writing our objection to the request of a waiver of the current standards and zoning of the property located at 3rd and Bonneville, as owners of the Law Office Building located at 517 South Third Street, Las Vegas, Nevada and to any contemplated re-zoning by the Planning Commission for the use of a Wedding Chapel as set forth in the Notice of Public Hearing.

Your consideration of our objection is sincerely appreciated.

Sincerely,

George W. Johnson, Esq.

John H. Pilkington, Esq.

GWJ/pb

SDR-3263
P

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SDR-3267 - UHS OF DELAWARE, INC. ON BEHALF OF MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED HOSPITAL on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way (APN: 125-20-601-001 and a portion of 125-20-501-001), T-C (Town Center) Zone [MS-TC (Main Street Mixed Use – Town Center) land use designation], Ward 6 (Mack).

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
DAVENPORT – APPROVED subject to conditions and amending Condition 21 to read:

21. 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.

– UNANIMOUS with TRUESDELL abstaining because he represents the adjacent property

This is Final Action.

NOTE: COMMISSIONER DAVENPORT disclosed that his daughter works for Summerlin, which is owned by this applicant. He had not discussed the matter with his daughter, did not feel there was a conflict and stated he would vote on the application.

MINUTES:
VICE CHAIR NIGRO declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, explained that the site is directly north of the Kohl's site with a total square footage of 677,000 square feet for a 492,000 square foot main hospital building, a four-story hospital complex and an eight-story tower. All

MINUTES – Continued:
the structures will be connected to a 10,000 square foot one-story cancer center. This density and intensity fits well with the Montecito Town Center standards. The project complies with all parking and landscaping standards. He pointed out specific conditions regarding trash enclosures, conformance to Montecito Town Center standards, a future master sign plan and an updated traffic analysis and drainage study. Staff recommended approval. The notification area included Timberlake and there were no protests in response to the notification.

PRESTON HOWARD, 2700 West Sahara Avenue, appeared on behalf of the applicant, along with MATT WERNER, Montecito Properties. He presented the site plan and colored depiction of the elevations.

GINA VENGLASS, Public Works, requested that Condition 21 be amended to delete the words "and parking" from the joint access and parking agreement language. She also clarified for the applicant that the area traffic mitigation fee determination will be based upon the existing development agreement. MR. HOWARD concurred with the condition revision and the clarification. There is no need for joint parking as both this site and the one to the east are sufficient in size to provide on-site parking. The concerns raised by the property owner to the east regarding access, drainage, elevations and vehicular/pedestrian traffic are mostly addressed by the conditions or by the general concept of the town center standards. He also thanked staff for enabling the project to come forward in such fine shape.

No one appeared in opposition.

There was no further discussion.

VICE CHAIR NIGRO declared the Public Hearing closed.

(10:32 – 10:40)

3-2102

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 street section development that complies with the standards of the Town Center Development Standards Manual, and to identify how trash collection facilities will be adequately screened to meet Code requirements.

CONDITIONS – Continued:

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 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.

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

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

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. 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.

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

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

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

CONDITIONS – Continued:

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

Public Works

15. The Final Map for Montecito Town Center North (FMP-2819) must record prior to the issuance of any building permits for this site.

16. Construct half-street improvements including appropriate overpaving on Deer Springs Way and Durango Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

18. An update to the Montecito Master Sewer Plan must be submitted and approved by the Collection Systems Planning Section of the Department of Public Works prior to the submittal of any construction drawings for this site. Comply with recommendations of the approved plan.

19. Landscape and maintain all unimproved rights-of-way on Deer Springs Way and Durango Drive adjacent to this site.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Deer Springs Way and Durango Drive public rights-of-way adjacent to this site prior to occupancy of this site.

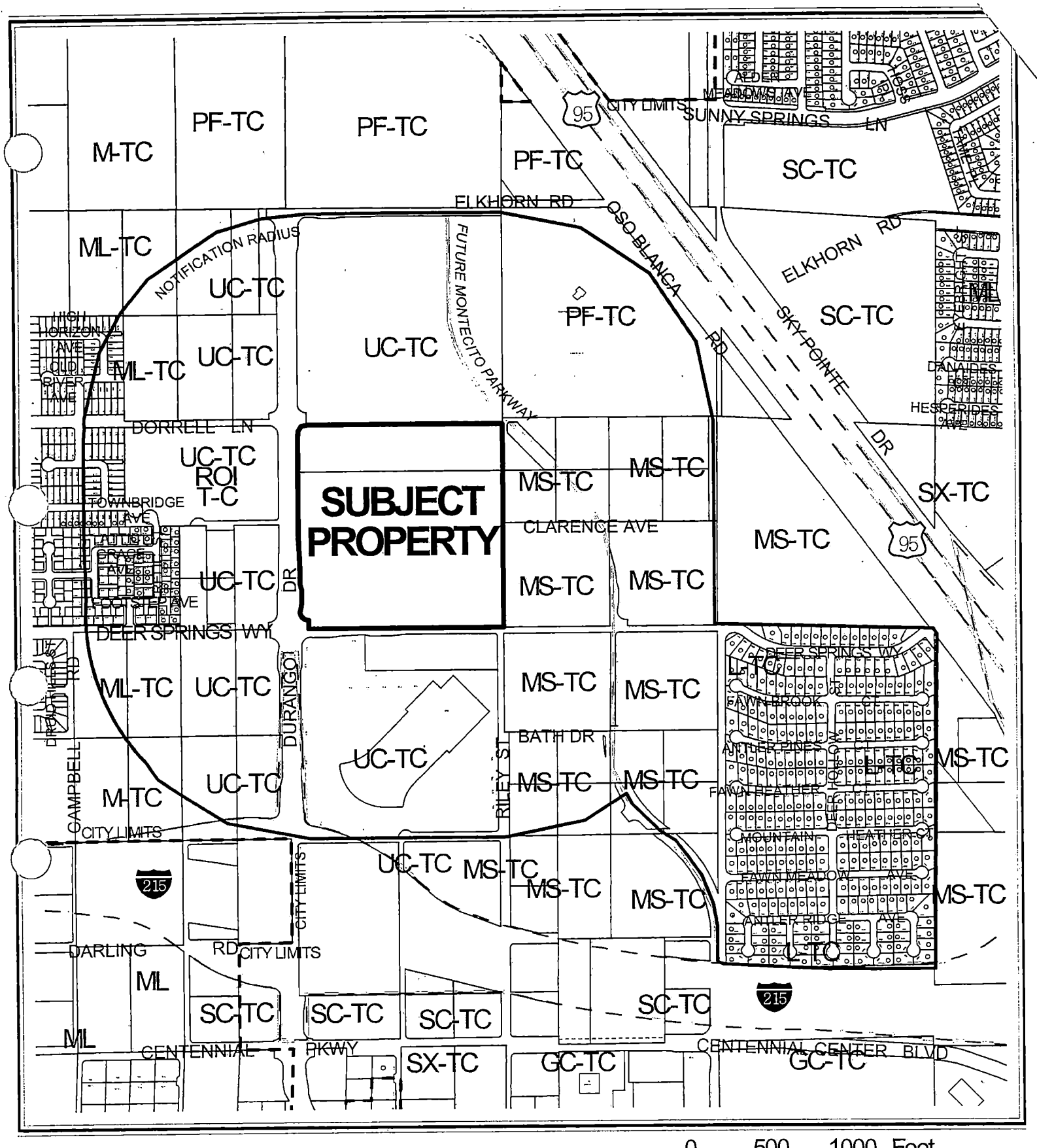
21. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.

CONDITIONS – Continued:

22. An update to the previously approved Master 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. 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.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

24. Site development to comply with all applicable conditions of approval for Z-76-98, TMP-1244, FMP-2819, Montecito Town Center Development Agreement, and all other subsequent site-related actions.

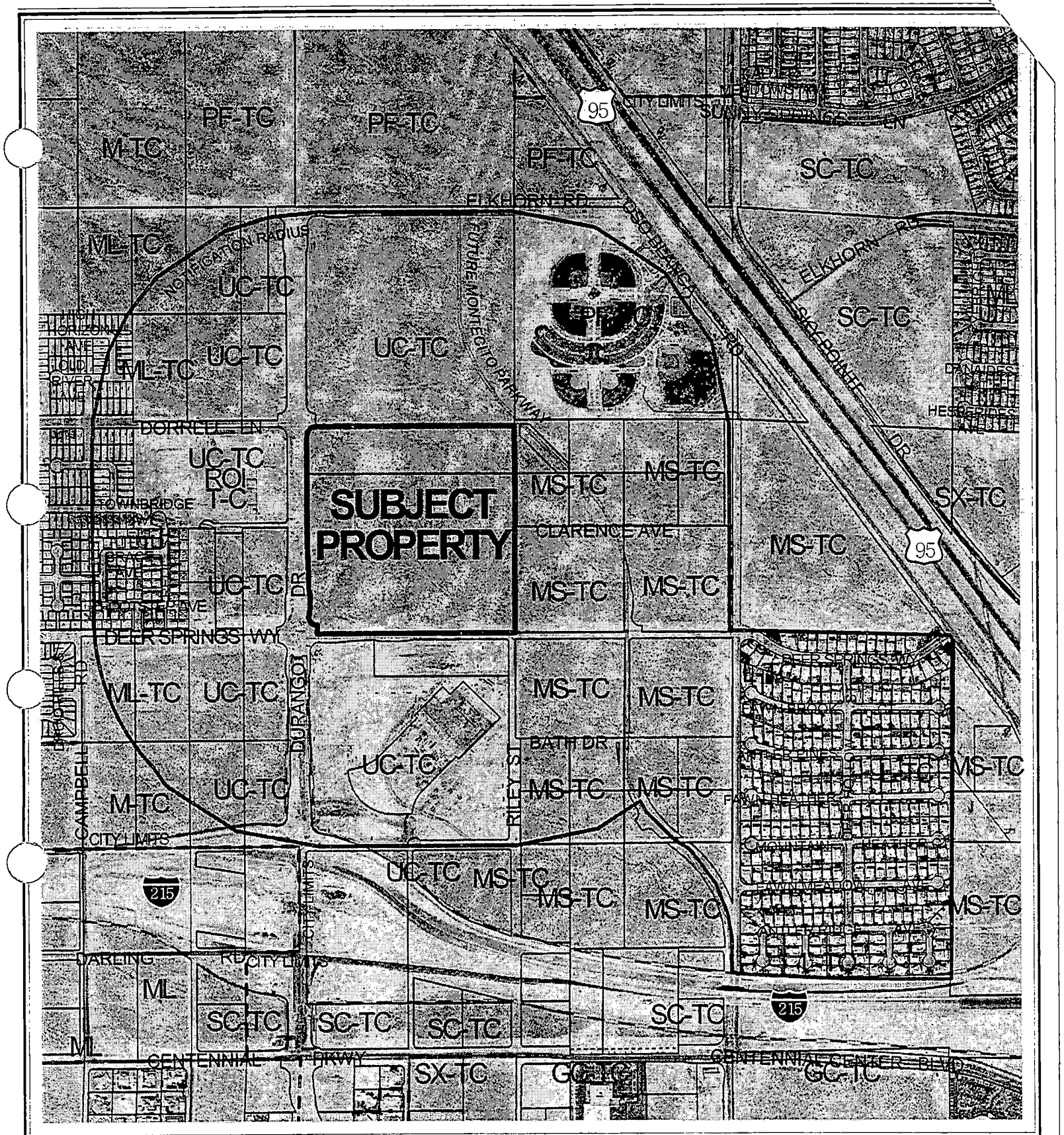


CASE: **SDR-3267**

RADIUS: 1320 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]



CASE: **SDR-3267**

RADIUS: 1320 FT & SPECIAL

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3267 - UHS OF DELAWARE, INC. ON BEHALF OF MONTECITY TOWN CENTER, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

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

2. 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 street section development that complies with the standards of the Town Center Development Standards Manual, and to identify how trash collection facilities will be adequately screened to meet Code requirements.

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.

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GL

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24. Site development to comply with all applicable conditions of approval for Z-76-98, TMP-1244, FMP-2819, Montecito Town Center Development Agreement, and all other subsequent site-related actions.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review to allow the development of an eight-story, 677,000 square-foot hospital and office complex on 40 acres adjacent to the northeast corner of Deer Springs way and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the proposal is in conformance with the Montecito Town Center Plan and the Montecito Town Center Development Agreement, and that the operator has developed and operated other full-service hospitals in the Las Vegas Valley.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on 11/05/98.

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

B) Pre-Application Meeting

10/16/03 At the pre-application meeting, the project was presented and details of the project and its conformance to the provision of the Montecito Town Center Plan and Development Agreement was discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site development Plan Review application.

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DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 40

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center) and U-TC (Undeveloped) Zone [TC (Town Center) General Plan Designation)] under Resolution of Intent to T-C (Town Center)

E) General Plan Compliance

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

The Montecito Development Agreement, approved on March 6, 2002, fulfils the requirement for a development agreement in the Town Center Development Standards Manual. In the Montecito Development Agreement, the site is identified as "Montecito Town Center Mixed Use Commercial" on Figure 3 of that document. Within the Montecito Town Center Development Agreement, the Montecito Town Center Mixed Use

GL

Commercial area is further divided into six "Activity Areas". Although these Activity Areas are not specifically identified on a map or in the text of the Agreement, the proposed hospital/office complex would conform to the requirements of the "Regional Center" Activity Area, by providing office and community service functions that will provide significant levels of employment in the area. The "Regional Center" category allows a "...full variety..." of "...retail, office and service uses". As a result, the proposed hospital/office complex complies with the relevant land use regulations.

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

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a 120-foot wide Town Center Parkway Arterial, which includes a five-foot amenity zone and a 9.5-foot sidewalk on either side of the street, which also contains a 15-foot landscaped median. Deer Springs Way, to the south of the site, is shown as a Town Center Arterial (80')/Secondary Collector, which requires a three-foot amenity zone and a five-foot sidewalk on either side of the street. Riley Street and Dorrell Lane, to the east and north of the site respectively, are shown as 80-foot Town Center Collectors, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements are not specified in detail on the proposed site plan; a condition of approval will require these details to be added to the site plan.

HOA Notification - Notification of this application was sent to all property owners within the Timberlake community. As of the date of preparation of this report, no objections had been received from any Timberlake residents.

PROJECT DESCRIPTION

The project consists of a 677,000 square-foot hospital/office complex, covering a 40-acre site bounded by Durango Drive to the west, Deer Springs way to the south, Riley Street to the east

and the Dorrell Lane alignment to the north. The components of the project include a 492,000 square-foot one-story main hospital building connected to an eight-story 280-bed tower. There is provision in the plan to attaché another four-story, 120-bed tower to the hospital complex. The main hospital structure will be connected via walkways to a 10,000 square-foot one-story cancer center and a 100,000 square-foot six-story medical office building to the north. A separate 75,000 square-foot three-story future medical office building is depicted in the southwest part of the overall hospital campus site. Access to the complex is proposed on all four sides of the site, with principal emergency access being from Durango Drive and Deer Springs Way. Only a small portion of Riley Street is to be dedicated as roadway, and will be used primarily to provide service access to the campus.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development Standards for projects located within the Montecito Town Center Master Development Plan are set out in Section 3 of the Montecito Town Center Development Agreement, Site Development Guidelines. This project as submitted is in conformance with those standards.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

Section 5.1.5 of the Montecito Town Center Development Agreement states that parking lot requirements shall meet or exceed the standards of the Town Center Development Standards Manual. The Manual calls for parking to comply with the requirements of Title 19.10 (as listed below) as well as a series of other conditions including screening and landscaping of parking areas, continuous internal pedestrian walkways, berming and other design features.

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Hospital	400 beds	1.5 spaces /patient bed	600 spaces			
Medical Office Building	175,000 s.f.	1 space/200 s.f. g.f.a. up to 2,000 s.f. + 1 space for each add'l 175 s.f.	999 spaces			

GL

Cancer Center	10,000 s.f.	1 space/200 s.f. g.f.a. up to 2,000 s.f. + 1 space for each add'l 250 s.f.	42 spaces			
Totals			1,641 spaces	27 spaces	1,712 spaces	36 spaces

The proposed development exceeds the parking requirements of the Development Standards Manual and the Code.

A4) Landscape and Open Space Standards

Pursuant to the Town Center Development Standards Manual and Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**	**Complies**
Parking Area	1 tree/ 6 spaces	286 trees	400+ trees	**Y**
Buffer: • Min. Trees	1 tree/ 20 linear feet (along 4,800 feet of street frontage)	240 trees	348 trees	**Y**
• Min. Zone Width	0 to 15 feet in front		15 feet or more	**Y**
• Wall height	Not required		Not provided	**Y**
• Perimeter berming of parking area	Required		Provided	**Y**

The proposal complies with the requirements from the Development Standards Manual with regards to perimeter/street frontage and parking lot landscaping.

A5) Sign Standards

Pursuant to Title 19.14, a Master Sign Plan will be required to be submitted to detail signage proposals for the site. As the site is within the Town Center area, the Centennial Hills Architectural Review Committee will review the signage submission when completed. A condition of approval references the requirement for the Master Sign Plan on this site.

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B) General Analysis and Discussion

- Zoning

  The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use - Town Center) General Plan designation on the west portion of the overall site and a MS-TC (Main Street Mixed Use - Town Center) designation on the east portion of the overall site. While these designations have been applied through the Centennial Hills Sector Plan of the General Plan and are reflected in the Town Center Development Standards Manual, these land use designations are superceded by the Montecito Town Center Master Development Plan, which designates the subject area as a portion of the "Montecito Town Center Mixed Use Commercial Area".

- Site Plan

  The proposed 677,000 square-foot hospital/office complex, covering a 40-acre site bounded by Durango Drive to the west, Deer Springs way to the south, Riley Street to the east and the Dorrell Lane alignment to the north, is consistent with the range of uses permitted in the Montecito Town Center Mixed Use Commercial Area designation.

- Waivers

  The applicant has not requested any Waivers as part of this application.

- Landscape Plan

  The submitted landscape plan depicts landscaping in 30-foot wide landscape planters along the perimeters of the site. Adequate landscaping is also provided in the surrounding parking lot areas. Both perimeter and parking lot landscaping as indicated is in compliance with the required minimum standard of the Zoning Code.

  Plant materials indicated include Pink Dawn Chitalpas, Desert Museum Palo Verde, Dwarf Purple Desert Willow, Sago Palms, Rio Grande Ash,Texas Mountain Laurel, Mondel Pine, Thornless Chilean Mesquite trees, as well as Windmill Fan Palms and Mexican Fan Palms. A variety of plants is listed as shrubs and understory plantings and ground cover. A condition of approval will require the landscaping plan to indicate a minimum box size of 24 inches for the trees to be planted.

- Elevation

  The elevations depict an EIFS (exterior insulation and finish system) clad development utilizing a beige and terra cotta color scheme. Insulated low-E blue-green glass will be used for window treatments.

GL

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 hospital/office complex will be compatible with the "Montecito Crossing" shopping center currently being developed to the south of the site. The remainder of the surrounding area is undeveloped, with the exception of a single-family residential area 800 feet to the west of the site, and the Timberlake residential neighborhood, a single-family development some 1,500 feet east of this site. Lands to the west of the site are approved for commercial uses. The remainder of surrounding lands to the north and east are within the Montecito Town Center area. A hospital should be compatible in the existing land use context.

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 site plan for the proposed hospital/office complex is consistent with the design requirements of the Montecito Town Center Master Development Plan, and with other pertinent design parameters of the Town Center Development Standards Manual and with Title 19.

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

   The site is directly adjacent to, and has access to Deer Springs Way which is designated as a Town Center Arterial (80-foot)/Secondary Collector, to Durango Drive (formerly El Capitan Way) which is designated as a Town Center Parkway (120-foot) Arterial, and to Riley Street and to Dorrell Lane, both of which are 80-foot Town Center Collectors. These roadways are depicted on Map 4A of the Town Center Development Standards Manual. When completed, these roadways will provide adequate access to the subject site.

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

   The building materials for the proposed hospital/office complex meet the design requirements of the Montecito Town Center Master Development Plan and the Town Center Development Standards Manual. The type of landscaping materials as proposed is appropriate, and exceeds the minimum standards for perimeter area and parking lot landscaping.

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

   The exterior appearance of the proposed hospital/office complex presents an aesthetically pleasing design that will contribute in a positive manner to the appearance of the overall Montecito Crossing project. This project should be harmonious with the future development in the area.

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

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

NOTICES MAILED 389

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3267 APN: 125-20-601-001 / 125-20-501-001

Name of Property Owner: Montecito Town Center, LLC

Name of Applicant: U H S of Delaware, Inc.

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

X Yes as to property owner _____ 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: Mayor Oscar Goodman

Partner(s): Jerome Snyder _____

APN: Various

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen

Subscribed and sworn before me

This 17 day of October, 2003

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

HKS

DAVID E. PRUSHA AIA
VICE PRESIDENT

November 20, 2003

Mr. Gary Leobold
Current Planning Division
City of Las Vegas
Planning and Development Department
7315 S. 4th Street
Las Vegas, NV 89101

RE: Site Development Plan Review Process
Montecito Hospital at Centennial Hills
HKS Project No. 8849
City of Las Vegas Application SDR-3267

Dear Mr. Leobold:

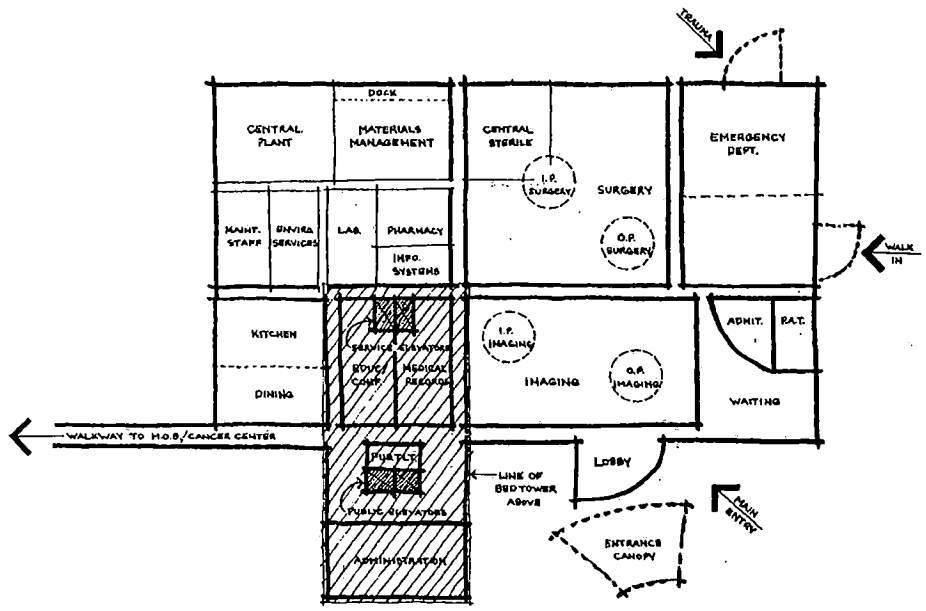
Concerning the documents currently under site development plan review for the above referenced project, it has been brought to our attention the parking calculations accompanying the "Ultimate Build-Out Site Plan" indicate an error in the number of beds proposed for hospital. The parking calculations show the hospital to have 720 beds (at full build-out). This is incorrect. The number should actually read 400 beds total, 280 for the initial bedtower and 120 for future considerations. We apologize for the confusion. Please contact me if you have further questions.

Best Regards,

David E. Prusha

dep

cc: Mr. Don Pyskacek
Mr. Noel Barrick
Mr. Matt Warner



Hospital Ground Floor Plan

NORTH

Montecito Hospital at Centennial Hills

Las Vegas, Nevada

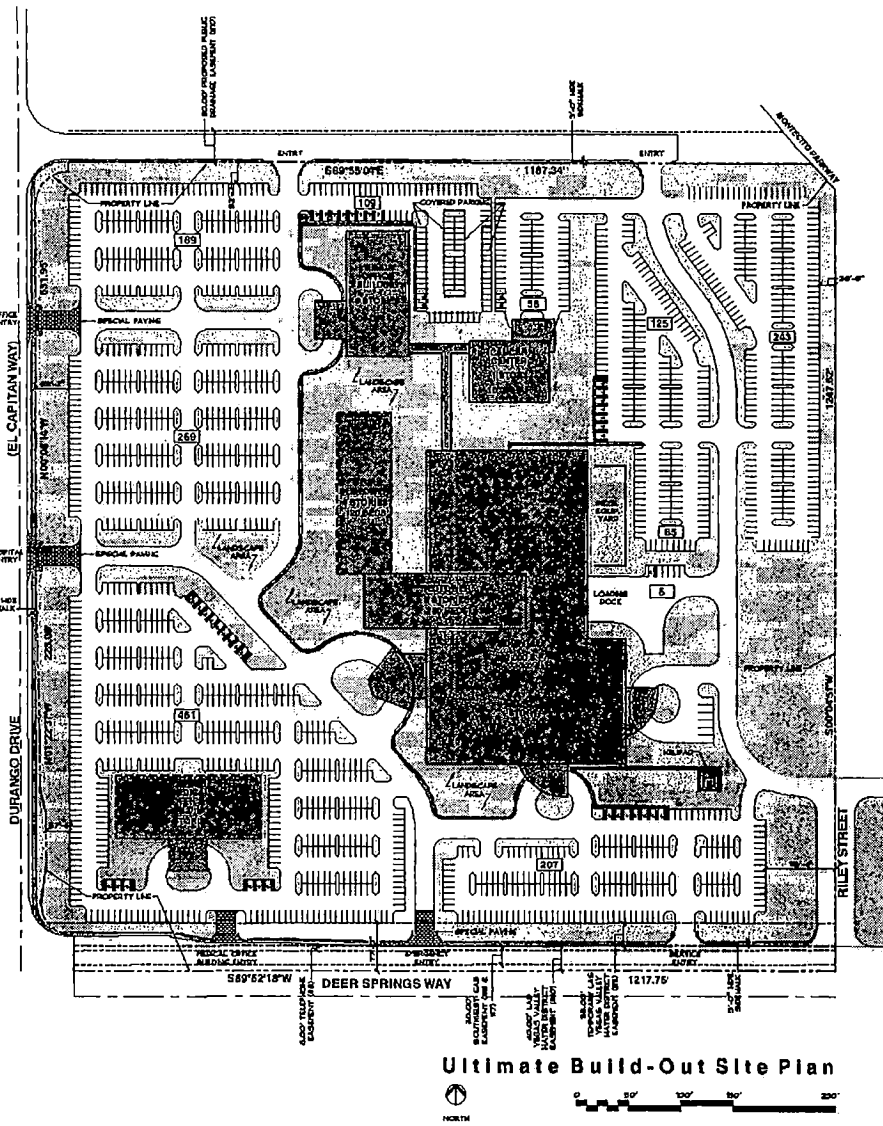
UHS

HKS
Architecture Engineering Interiors

October 21, 2003

SDR--3267

12-04-03 PC



Ultimate Build-Out Site Plan

NORTH

PARKING CALCULATIONS	SPACES REQUIRED	SPACES PROVIDED
HOSPITAL (722 BEDS)		
1.5 SPACES PER PATIENT BED		
BED TOWER (360 BEDS)	430	
FUTURE BED TOWER (150 BEDS)	180	
TOTAL HOSPITAL PARKING SPACES	600	670
MEDICAL OFFICE BUILDING (100,000 SF)		
1 SPACE PER 300 SF UP TO 3000 SF) + 1 SPACE FOR EA. 175 SF OVER	570	570
MEDICAL OFFICE BUILDING + FUTURE (178,000 SF)		
1 SPACE PER 300 SF UP TO 3000 SF) + 1 SPACE FOR EA. 175 SF OVER	427	450
CANCER CENTER		
1 SPACE PER 300 SF UP TO 3000 SF) + 1 SPACE FOR EA. 250 SF OVER	43	43
TOTAL SITE PARKING AT BUILD-OUT	1669	1713

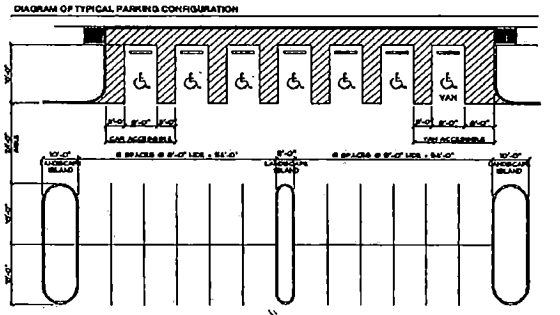
	SPACES REQUIRED	SPACES PROVIDED
TOTAL HANDICAPPED ACCESSIBLE PARKING	37	58

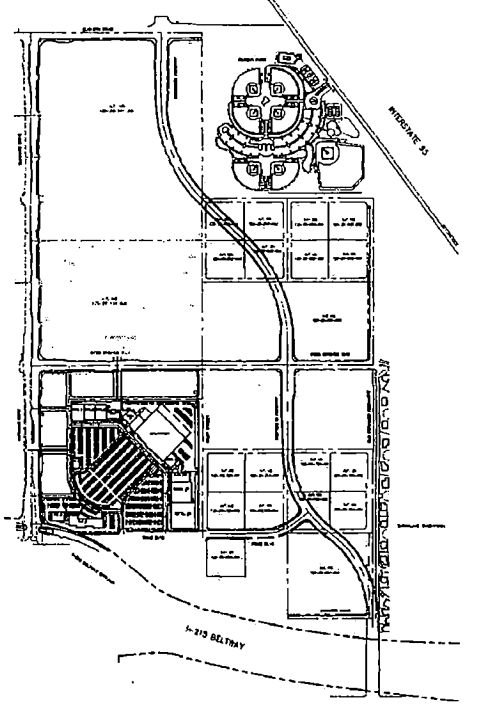
BUILDING AREA CALCULATIONS	
HOSPITAL	493,000 SF
MEDICAL OFFICE BUILDING	100,000 SF
MEDICAL OFFICE BUILDING - FUTURE	78,000 SF
CANCER CENTER	10,000 SF
TOTAL GROSS FLOOR AREA ON SITE AT BUILD-OUT	677,000 SF

FLOOR AREA RATIO CALCULATION

PROPERTY SIZE	1,640,038 S.F. (37.65 ACRES)
NET LOT AREA	1,640,038 S.F. - 93,956 S.F. (DEER SPRINGS WAY R.O.W.) = 1,547,472 S.F.
FLOOR AREA RATIO =	GROSS FLOOR AREA / NET LOT AREA 677,000 / 1,547,472 S.F. = .43

DIAGRAM OF TYPICAL PARKING CONFIGURATION





Site Vicinity Map

NORTH

Montecito Hospital at Centennial Hills

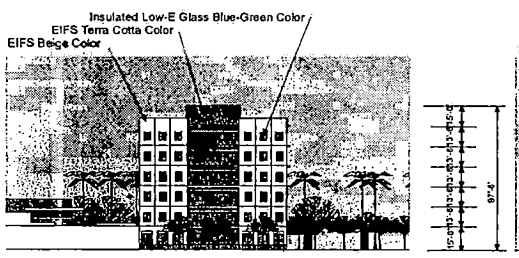
Las Vegas, Nevada

UHS

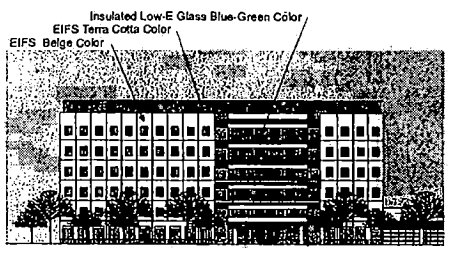
HKS
Architecture Engineering Interiors

October 21, 2003

SDR--3267
12-04-03 PC



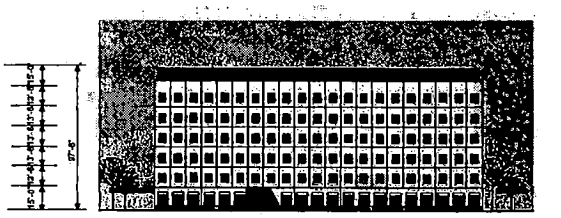
Medical Office Building North Elevation



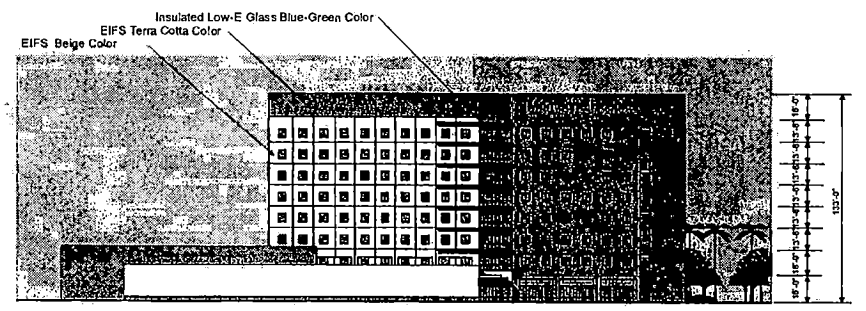
Medical Office Building West Elevation



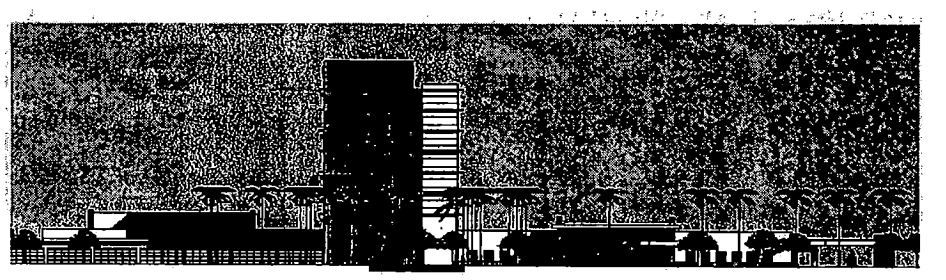
Medical Office Building South Elevation



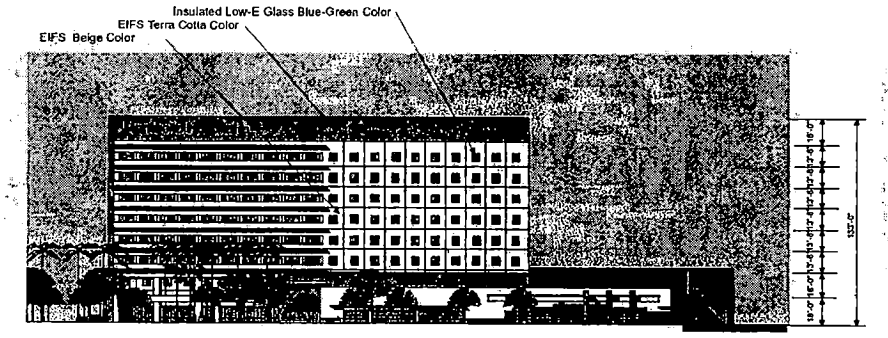
Medical Office Building East Elevation



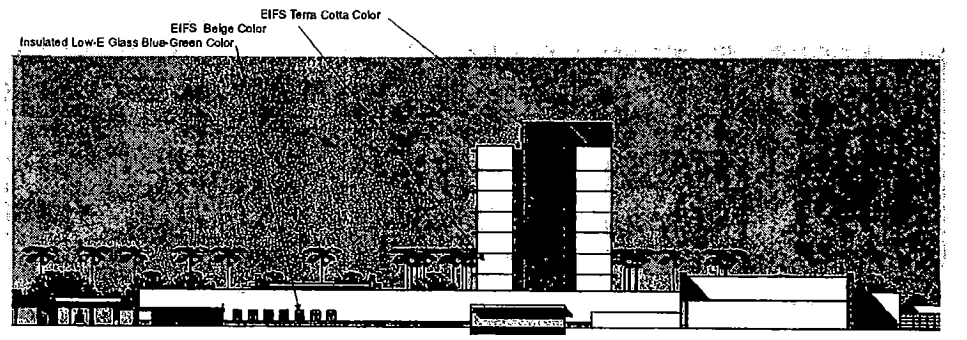
Hospital North Elevation



Hospital West Elevation



Hospital South Elevation



Hospital East Elevation

Building Elevations

0 40 80

Montecito Hospital at Centennial Hills

Las Vegas, Nevada

UHS

HKS
Architecture Engineering Interiors

October 21, 2003

SDR-3267
12-04-03 PC



View from El Capitan and Deer Springs Way

Montecito Hospital at Centennial Hills

Las Vegas, Nevada

UHS

SDR-3267

12-04-03 PC

HKS

Architecture Engineering Interiors

October 21, 2



SDR-3267 - UHS OF DELAWARE, INC. ON BEHALF OF MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF DURANGO DRIVE AND DEER SPRINGS WAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SDR-3267 - UHS OF DELAWARE, INC. ON BEHALF OF MONTECITO TOWN CENTER, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF DURANGO DRIVE AND DEER SPRINGS WAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC. - Request for a Site Development Plan Review FOR A PROPOSED 220,000 SQUARE-FOOT, FOUR-STORY PARKING STRUCTURE on 28.10 acres adjacent to the southeast corner of Tenaya Way and Cheyenne Avenue (APN: 138-15-510-005), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUSDELL abstaining because he holds an interest in a surgery center where Sunrise also holds an interest and NIGRO abstaining because MARK HOWARD sits on the board that negotiates the contract to manage the Las Vegas Technology Center association

To be heard by the City Council on 1/7/2004.

MINUTES:
COMMISSIONER GOYNES declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, advised that the four-story parking garage will create a net gain of 364 parking spaces. Staff concerns include the need for 10% of parking to be handicapped accessible. The plan does not appear to comply with that standard and the applicant will be required to bring it into compliance. The second concern is the location of handicapped parking. The existing 64 valet parking spaces is located where the handicapped spaces would be placed pursuant to code and the applicant would need to redesign that parking to meet the code standards. Staff recommended approval.

MINUTES – Continued:

MARK J. HOWARD, Mountainview Hospital, 3100 North Tenaya Way, appeared with architect MATTHEW NITCH. MR. NITCH reminded the Commission that the valet parking area was examined during the hearing on the southwest parking structure. That area does not meet ADA standards because of the land slant. The new 144-bed tower will create the need to add additional parking, mostly to serve those utilizing the new office building. The handicapped parking needs will be met. Existing handicapped parking is running one-half to one-third occupied daily. MR. CLAPSADDLE stressed that the conditions merely require the applicant work with the staff on the handicapped parking. MR. NITCH agreed to do so.

MR. CLAPSADDLE added that the floor plans include access routes behind more than one accessible parking space, which is not permitted by code. Another access is shown exiting into a landscaping planter. Staff wants to make sure access routes are corrected. MR. HOWARD also agreed to meet with staff to do so.

TODD FARLOW, 240 North 19th Street, protested the horizontal lines on the elevations. He suggested that be reworked.

MR. HOWARD questioned MS. VENGLASS about the status of Conditions 14 and 15, which the applicant believed were deleted. MS. VENGLASS added that Condition 14 regarding the dedication of Cheyenne Avenue right-of-way remained, but Condition 15 was deleted and the total number of conditions reduced from 19 to 18.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GOYNES declared the Public Hearing closed.

(10:40 – 10:48)

3-3112

CONDITIONS:

Planning and Development

1. The site plan shall be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.

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.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 43 – SDR-3273

CONDITIONS – Continued:

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

4. The proposed building material finish and color scheme shall match the existing buildings on-site.

5. 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.

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

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

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. Any 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.

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

CONDITIONS – Continued:

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

Public Works

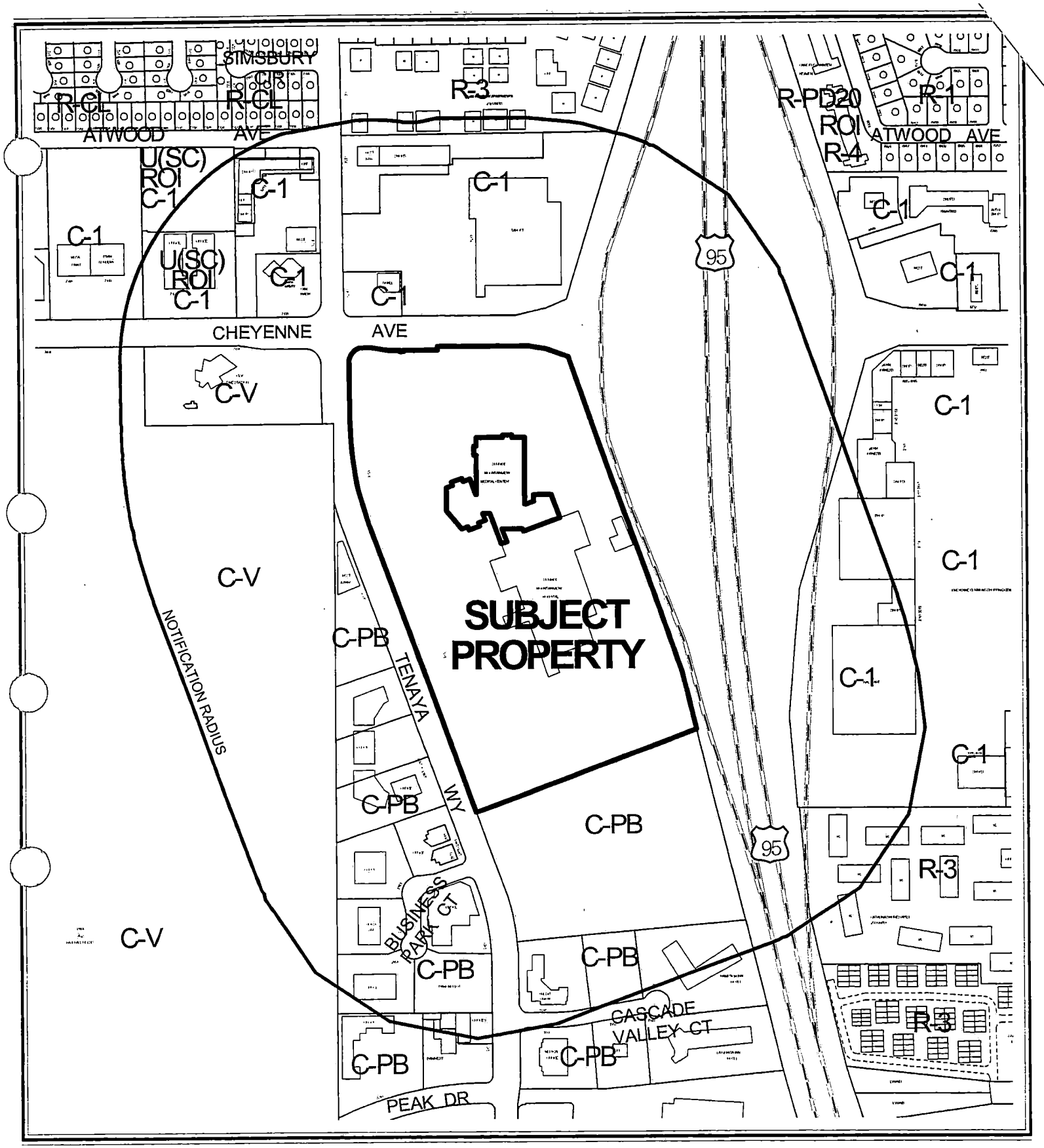
14. Dedicate an additional 10 feet of right-of-way and radii as appropriate along Cheyenne Avenue.

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-85 and all other subsequent site-related actions.

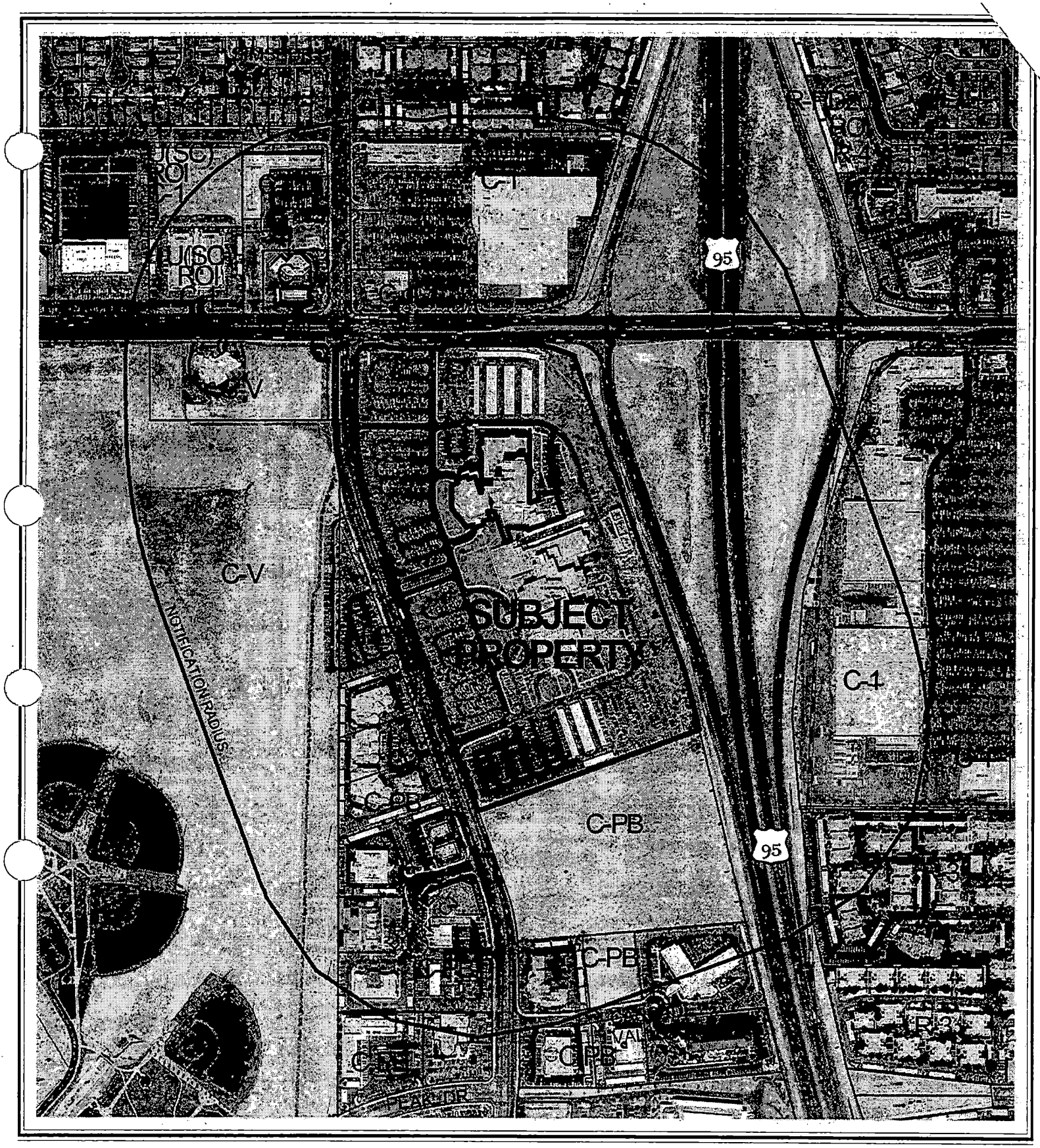


CASE: **SDR-3273**

RADIUS: 800 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N


C-V
C-1
C-PB
C-PB
C-PB
C-PB
C-1
C-V
SUBJECT PROPERTY
NOTIFICATION RADIUS
95
95
R-3
R-3
R-3
R-3
R-4
R-4
R-4

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The site plan shall be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.

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. The proposed building material finish and color scheme shall match the existing buildings on-site.

5. 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.

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

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

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

11. Any 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.

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

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

Public Works

14. Dedicate an additional 10 feet of right-of-way and radii as appropriate along Cheyenne Avenue.

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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.

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contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-85 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a proposed 220,000 square-foot, four-story Parking Structure on 28.10 acres adjacent to the southeast corner of Tenaya Way and Cheyenne Avenue.

B) Applicant's Justification

The applicant's justification letter indicates that the Mountain View Hospital is planning a new parking structure at the northeast portion of the property providing approximately 600 spaces on four levels which will bring the overall on-site parking to approximately 2,024 spaces. The hospital parking totals currently exceed minimum Code requirements; however, due to a high turnover ratio of patrons visiting the outpatient clinics and offices a parking deficiency has been created. A parking study was prepared in May of 2003 which substantiated these findings; therefore, increased parking will result in improved conditions for all patients and visitors going to both the medical office building and the hospital.

BACKGROUND INFORMATION.

A) Previous Actions

11/20/85	The City Council approved a Rezoning (Z-0068-85) From: N-U (Non-Urban) To: C-PB (Planned Business Park) Proposed Use: High-Tech Business Park on property including the subject site. The Planning Commission recommended approval on October 22, 1985.
08/03/94	The City Council approved a Site Development Plan Review [Z-0068-85(13)] for a proposed six-story medical Office Building on the subject site. The Planning Commission recommended approval on July 14, 1994.
10/19/94	The City Council approved a Site Development Plan Review [Z-0068-85(15)] for a proposed Hospital on the subject site. The Planning Commission recommended approval on September 22, 1994.
03/22/99	The City Council approved a Site Development Plan Review [Z-0068-85(50)] for an 89,301 square foot expansion to an existing 198,615 square foot Hospital (Mountain View Hospital) on the subject site. The Planning Commission recommended approval on February 25, 1999.

TB

08/21/02 The City Council approved a Site Development Plan Review [Z-0068-85(64) for a Parking Lot addition to the Mountain View Hospital on the subject site. The Planning Commission recommended approval on July 25, 2002.

B) Pre-Application Meeting

10/14/03 It was discussed that the project has received approval from the Las Vegas Technology Center Architectural Review Committee and that the approval letter must be submitted with the Site Development Plan Review application. Further discussion involved Uniform Building Code requirements regarding the ten percent accessible parking space rule for medical related uses.

C) Neighborhood Meetings

A neighborhood meeting was not required for this land use application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 28.10

B) Existing Land Use

Subject Property:	Hospital and Medical Office
North:	Retail Shopping Center
South:	Undeveloped and Office Complex
East:	US 95 Right-of-Way
West:	City Park, City Service Center and Water Detention Basin

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	SC (Service Commercial)
South:	LI/R (Light Industry/Research)
East:	US 95 Right-of-Way
West:	PF (Public Facilities)

D) Existing Zoning

Subject Property:	C-PB (Planned Business Park)
North:	C-1 (Limited Commercial)
South:	C-PB (Planned Business Park)
East:	US 95 Right-of-Way
West:	C-V (Civic)

E) General Plan Compliance

The subject site is designated LI/R (Light Industry/Research) on the Southwest Sector Map of the General Plan. The existing C-PB (Planned Business Park) Zoning designation is in compliance with the LI/R (Light Industry/Research) General Plan designation.

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

Special Overlay District
The subject site is located within the Las Vegas Technology Center as established by Rezoning (Z-0068-85). The subject site is developed as a hospital and medical office center which is in conformance with the Las Vegas Technology Center Planned Development. The proposed Parking Structure is an accessory use to the hospital and medial office center.

PROJECT DESCRIPTION

The proposed four-story 220,000 square foot Parking Structure is depicted along the north side of the subject site, approximately 70 feet south of Cheyenne Avenue which will service the existing medical office and hospital buildings. The proposed Parking Structure will be located in an area that currently contains surface area parking. The Parking Structure will provide an additional 600 parking spaces, while eliminating 236 existing surface spaces for a net gain of approximately 364 parking 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	360 Feet	Y
• Side	10 Feet	1,240 Feet	Y
• Corner	20 Feet	70 Feet	Y
• Rear	15 Feet	110 Feet	Y
Max. Lot Coverage	50 %	Less than 50%	Y
Max. Building Height	None	50 Feet	Y

The proposed Parking Structure meets Title 19.08 development standards in terms of required setback, maximum lot coverage, and building height restrictions.

A2) Residential Adjacency Standards

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

The subject site is not adjacent to any Residential Zoned property or U (Undeveloped) zoned property with a General Plan designation for residential uses; therefore, the Residential Adjacency Standards of Title 19.08 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	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Medical Office	198,064 SF	1:200 GFA (up to 2,000 SF) plus 1:175 additional GFA	1130	25 (Total)	1,897	127
Hospital	290,696 SF	1 and ½ space per each patient bed (198)	297			

The existing Medical Office and Hospital uses on the subject site require a total of 1,427 standard parking spaces and 25 handicap accessible parking spaces. With the addition of the proposed parking structure, the total amount of on-site parking for the Mountain View Medical Center will be 1,897 standard parking spaces and 127 handicap accessible parking spaces. The amount of provided parking exceeds the amount of required on-site parking per Title 19.10 standards. Uniform Building Code requirements; however, require ten-percent of all provided parking spaces to

be designated as accessible parking spaces which would require 203 accessible parking spaces. This standard will be implemented through the building permit process with the Building and Safety Department.

The submitted site plan depicts 64 valet parking spaces near the main entrance of the hospital adjacent to Tenaya Way. Ordinance 6519, which permits valet parking as a conditional use in certain zoning districts, was approved by City Council on August 6, 2003. The Ordinance, however, does not permit valet parking within the C-PB (Planned Business Park) zone which the subject property is designated. Because the hospital complex had valet parking established prior to the adoption of Ordinance 6519, the valet parking use is a legal non-conforming use. The valet parking use may continue under the regulations of Title 19.16 which state that the non-conforming use shall not be expanded or discontinued for over a period of 90 days in which case the non-conforming use shall cease.

The proposed handicap accessible parking spaces within the parking structure and several surface spaces are also not in compliance with Title 19 in addition to the Uniform Building Code. The submitted parking structure floor plans depict accessible spaces that contain an access route behind more than one accessible parking space which is not permitted. Upon exiting the parking structure the access route exits into a proposed landscape planter containing no access route. Title 19.10 states that handicapped spaces shall be located with the most direct and practical access, at least three feet wide to a primary accessible building entrance unobstructed by bumpers, curbs or other obstacles to wheelchairs. The submitted site plan does not meet this code requirement. A more code compliant location for required handicap accessible parking spaces would be in the area of the parking lot adjacent to the main entrance in the location of the existing valet parking spaces. For this reason, a condition has been included requiring the site plan to be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Buffer:			
• Min. Trees (facing ROW)	1 Tree/ 20 Linear Feet	32 Trees	39 Trees
• Min. Trees (facing parking lot)	1 Tree/ 6 Spaces	4 Trees	8 Trees
• Min. Zone Width	15 Feet		69 Feet

TB

The submitted landscaping plan meets or exceeds the minimum code requirements from Title 19.12. A 69-foot wide landscape planter is located adjacent to Cheyenne Avenue in addition to landscape planters along all four sides of the proposed parking structure containing required 24-inch box trees, shrubbery, and groundcover.

A5) Sign Standards

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

Sign are not depicted on the submitted site or elevation plans; however all proposed signs shall conform to Title 19.14 in addition to any necessary review and approval from the Las Vegas Technology Center Architectural Review Committee.

B) General Analysis and Discussion

- Zoning

The proposed Parking Structure, as an accessory use to the existing medical office and hospital complex, is a permitted use within the C-PB (Planned Business Park) zone.

- Site Plan

The proposed site plan is in compliance with Title 19 development standards including minimum setback, lot coverage, and height requirements.

The required access and location of the proposed accessible parking spaces within the parking structure does not meet minimum code requirements. Title 19.10 states that handicapped spaces shall be located with the most direct and practical access, at least three feet wide to a primary accessible building entrance unobstructed by bumpers, curbs or other obstacles to wheelchairs. As noted under the parking analysis section of this report a condition has been included requiring the site plan to be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.

- Waivers

There are no Waiver requests proposed for the subject Site Development Plan Review application.

TB

- Landscape Plan

The proposed landscape plan is in conformance with minimum landscape planter width requirements, in addition to landscape plant material sizes and quantities. Plant materials include species adaptable to the greater Las Vegas Valley District, including Acacia, Mondel Pines, and Texas Mountain Laurel trees.

- Elevation

Elevation plans depict a four-story, 50-foot tall structure. Building materials and a color scheme were not depicted on the elevation plans; therefore, a condition has been included requiring the proposed building material finish and color scheme to match the existing buildings on-site.

- Floor Plan

The proposed floor plan depicts handicap accessible parking spaces that contain an access route running behind all accessible parking spaces. Uniform Building Code and Title 19 requirements state accessible routes 36-inches wide shall not cross behind parking spaces and shall be separated from vehicular traffic. It appears as though the submitted floor plans are not in conformance with Uniform Building Code requirements; therefore, a condition has been included requiring all accessible parking spaces to meet Title 19 and Uniform Building Code requirements.

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 parking structure is an accessory use to the existing medical office and hospital complex which will not negatively effect compatibility 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 development is consistent with the LI/R (Light Industry Research) General Plan designation, C-PB (Planned Business Park) Zoning requirements and landscape buffer standards. The submitted site plan is deficient in handicap accessible parking space design

and location; therefore, a condition has been included to revise the handicap accessible parking spaces to conform to Title 19 and Uniform Building Code requirements.

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

The addition of the proposed parking structure will greatly aid the availability of on-site parking for patrons of the medical office and hospital complex. In addition, the proposed structure will not generate additional traffic for adjacent roadways or neighborhood traffic.

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

Proposed landscape materials are native to the greater Las Vegas Valley and are of sufficient size and quantity to satisfy Title 19 code requirements. Building materials were not depicted on the submitted elevation plans; therefore, a condition has been added requiring the proposed building material finish and color scheme to match the existing 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 proposed four-story, 50-foot tall parking structure is sufficiently setback from Cheyenne Avenue and Tenaya Way in order to create an orderly building mass. With the proper building material finish and color scheme to match the existing buildings on-site, as conditioned, the structure will be harmonious and compatible with development in the area.

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

The proposed structure must receive all necessary building permits and inspections as required by the Department of Building and Safety to ensure the public health, safety and general welfare are secured.

NOTICES MAILED 36

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3273 APN: 138-15-510-005

Name of Property Owner: Sunrise Mountainview Hospital

Name of Applicant: same as above

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

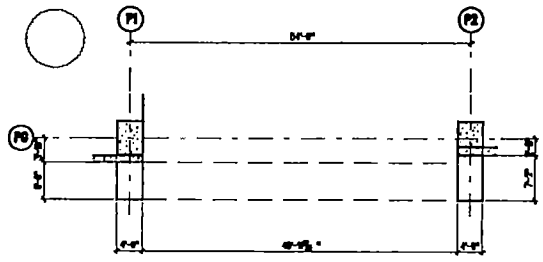
Print Name: MARK J. HOWARD

Subscribed and sworn before me

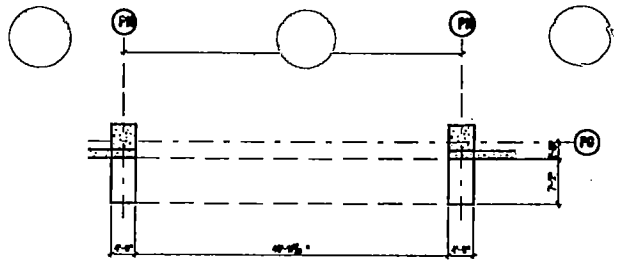
This 21 day of Oct, 2003

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

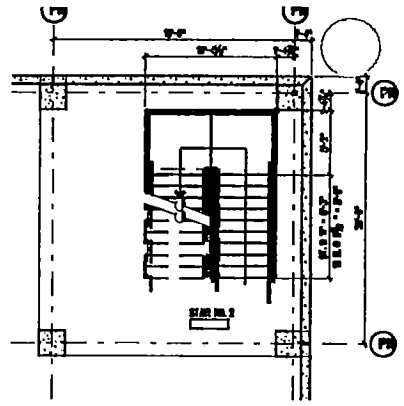
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COUNTY OF CLARK
SHARON L. THOMAS
No. 93-1045-1 My Appointment Expires July 29, 2006



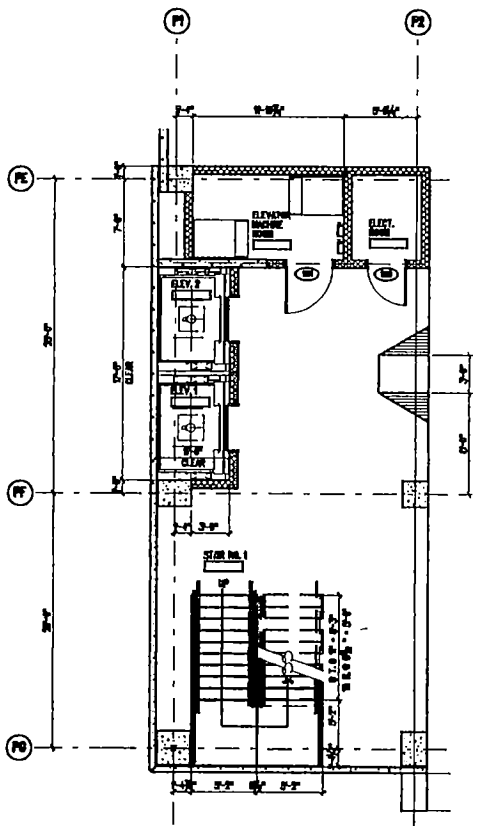
ENLARGED PUBLIC ENTRANCE



ENLARGED PUBLIC/DOCTOR'S ENTRANCE

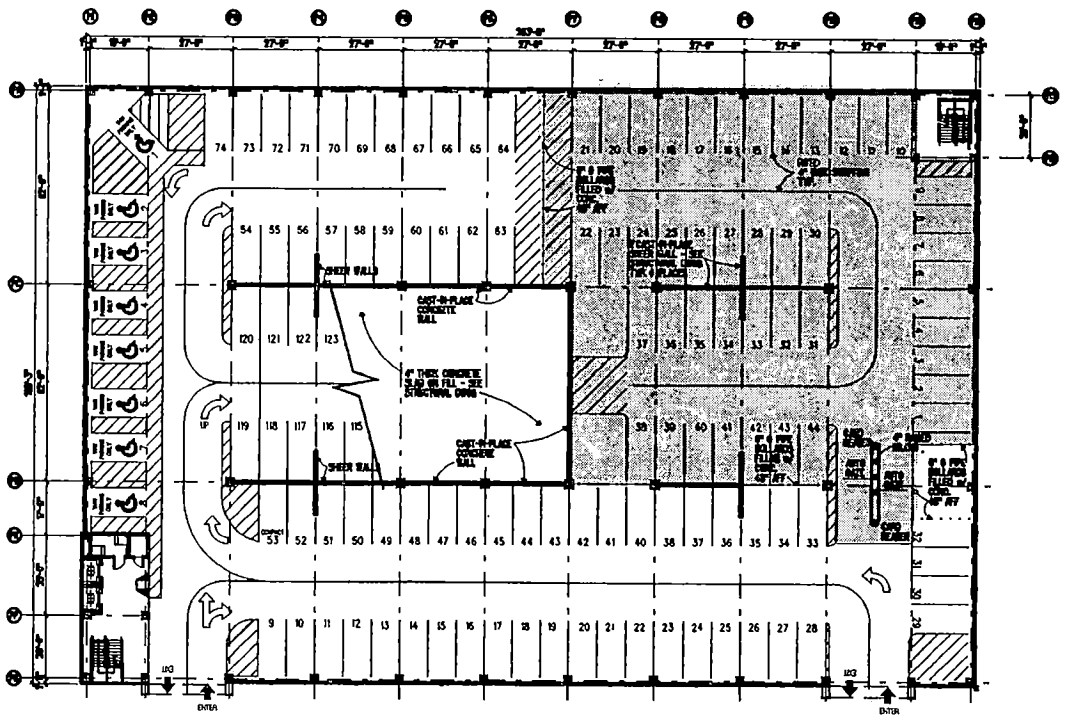


ENLARGED STAIR NO. 2 PLAN



ENLARGED FIRST FLOOR

SDR-3273
12-04-03 PC



GROUND FLOOR PLAN

MOUNTAINVIEW
PARKING GARAGE
LAS VEGAS NEVADA

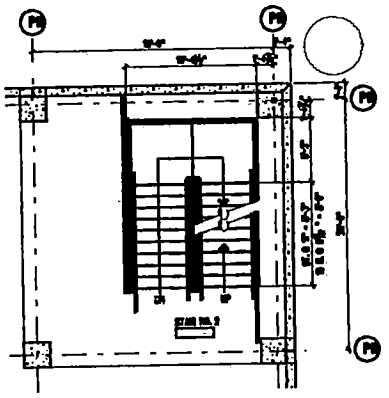
RLM Richard L. Miller, Architect

Schematic Design Drawings
NOT FOR CONSTRUCTION

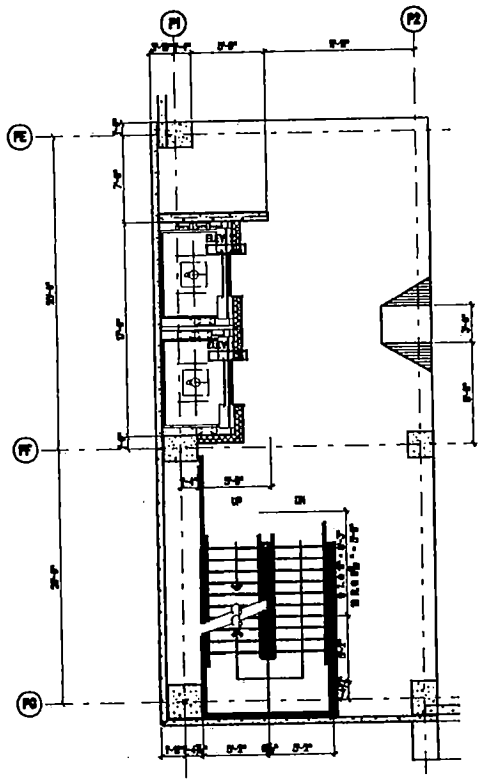
A1.01

SDR--3273

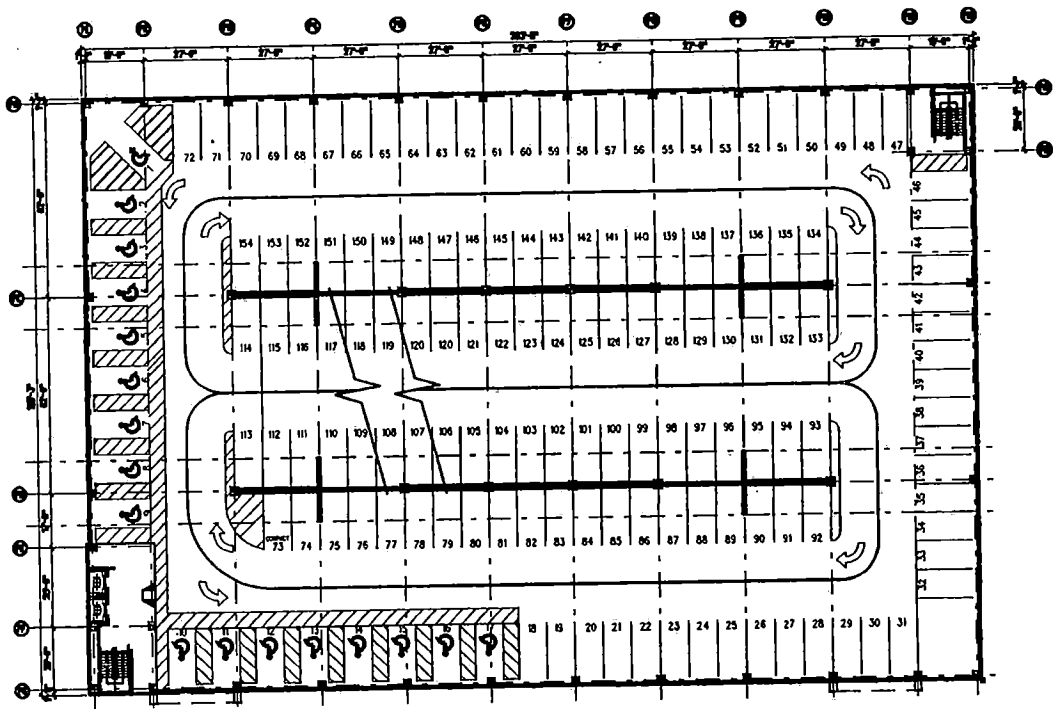
12-04-03 PC



ENLARGED STAIR NO. 2 PLAN



ENLARGED SECOND FLOOR



SECOND FLOOR PLAN

MOUNTAINVIEW
PARKING GARAGE

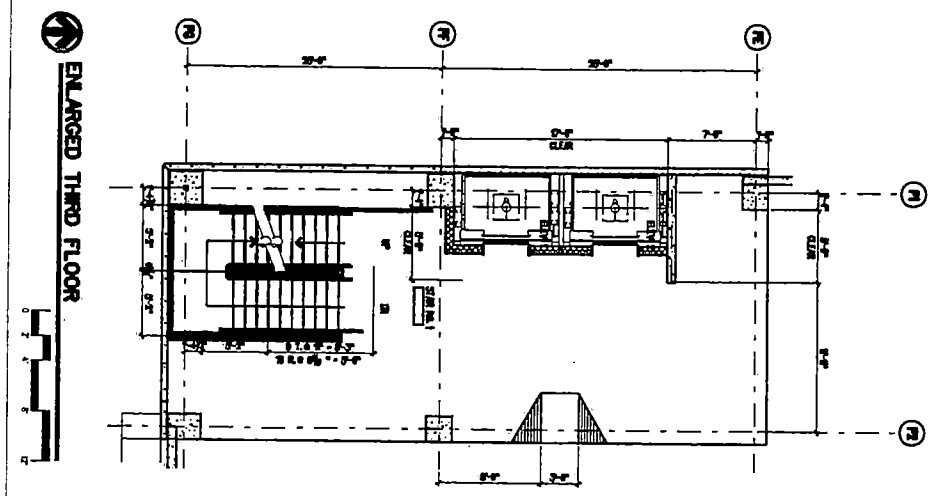
LAS VEGAS — NEVADA

RLM

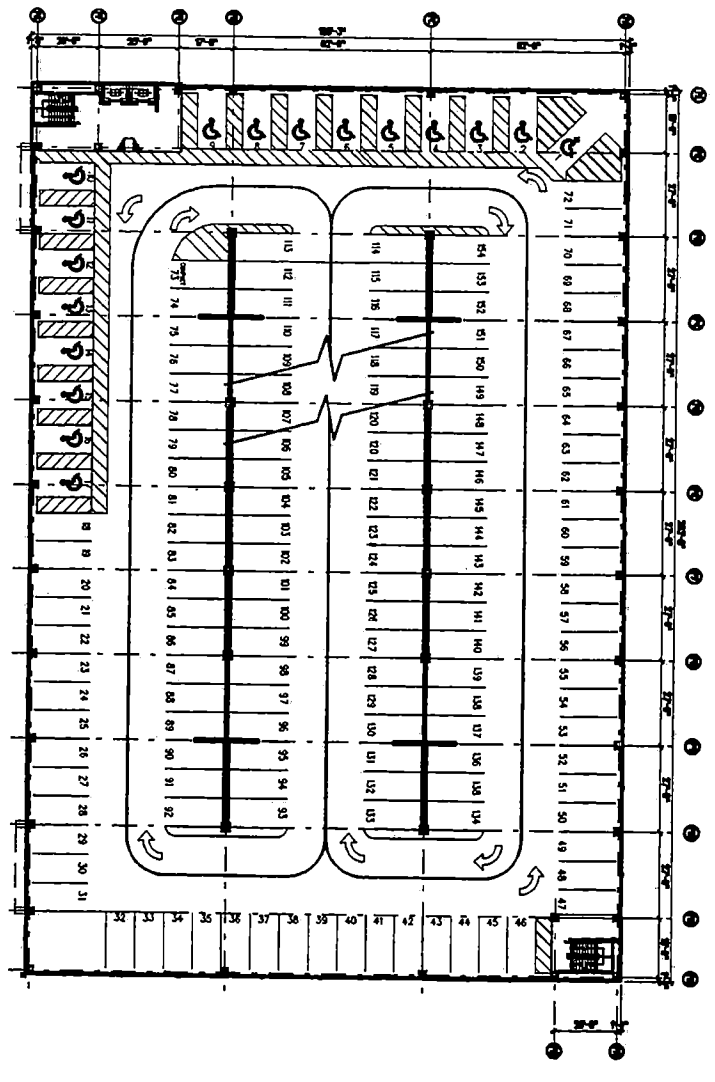
Richard L. Miller, Architect

Schematic Design Drawings
NOT FOR CONSTRUCTION

A1.02



ENLARGED THIRD FLOOR



THIRD FLOOR PLAN

SDR-3273
12-04-03 PC

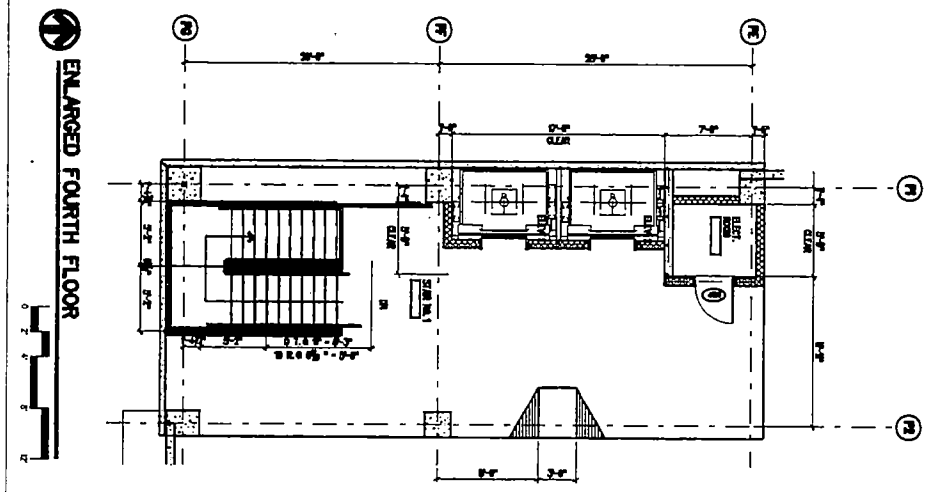
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RLM Richard L. Miller, Architect

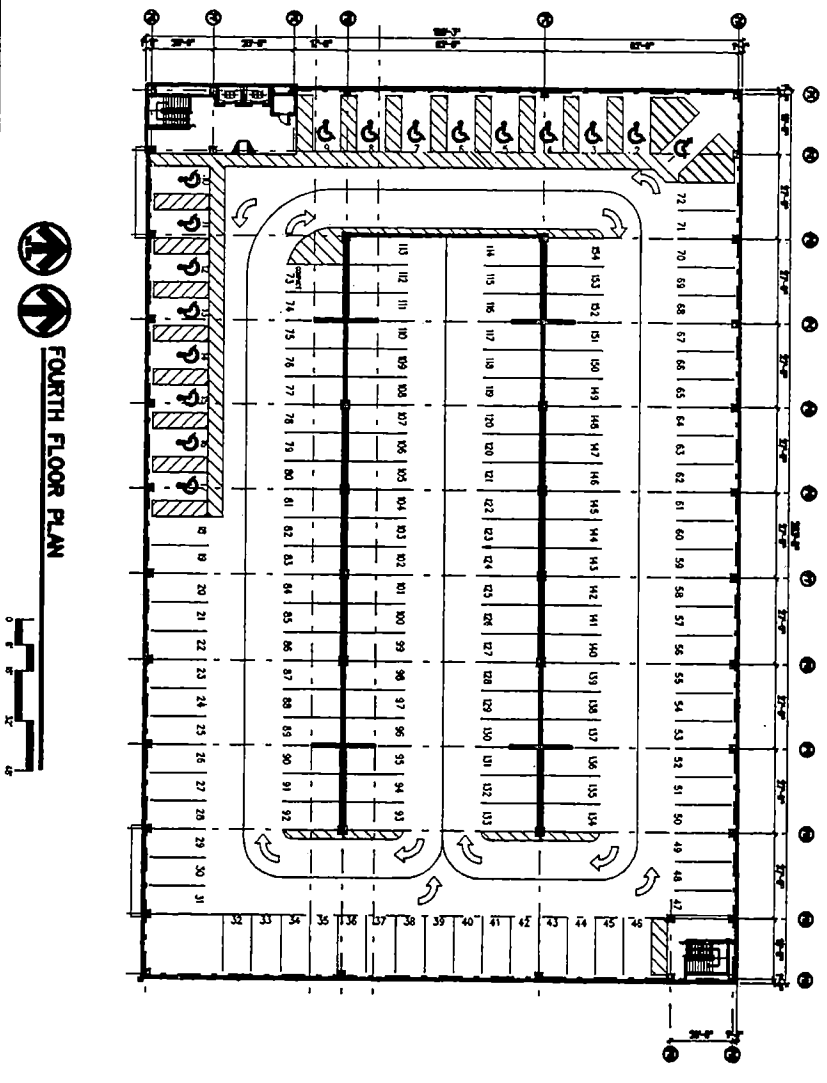
Schematic Design Drawings
NOT FOR CONSTRUCTION

MOUNTAINVIEW
PARKING GARAGE

LAS VEGAS NEVADA



ENLARGED FOURTH FLOOR



FOURTH FLOOR PLAN

SDR-3273
12-04-03 PC

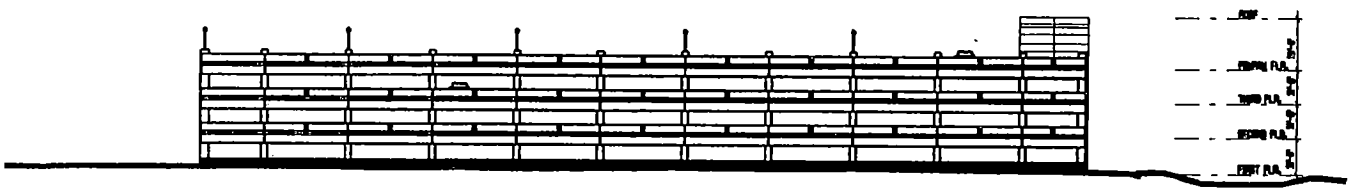
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RLM **Richard L. Miller, Architect**

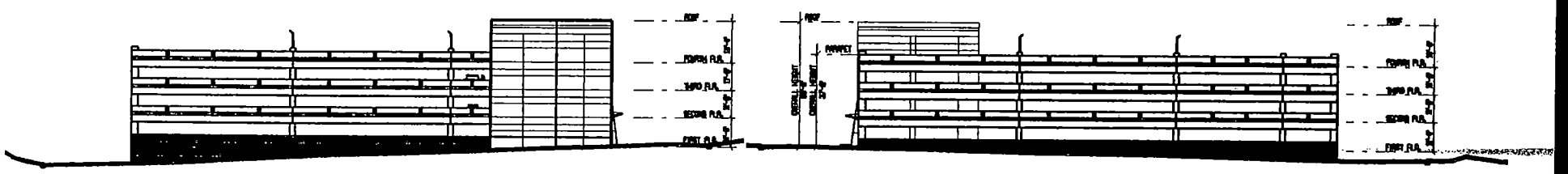
Schematic Design Drawings
NOT FOR CONSTRUCTION

MOUNTAINVIEW
PARKING GARAGE

LAS VEGAS — NEVADA

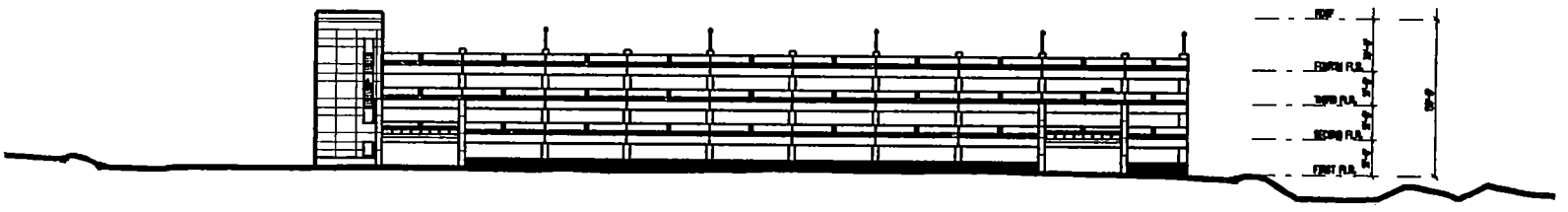


NORTH ELEVATION



WEST ELEVATION

EAST ELEVATION



SOUTH ELEVATION

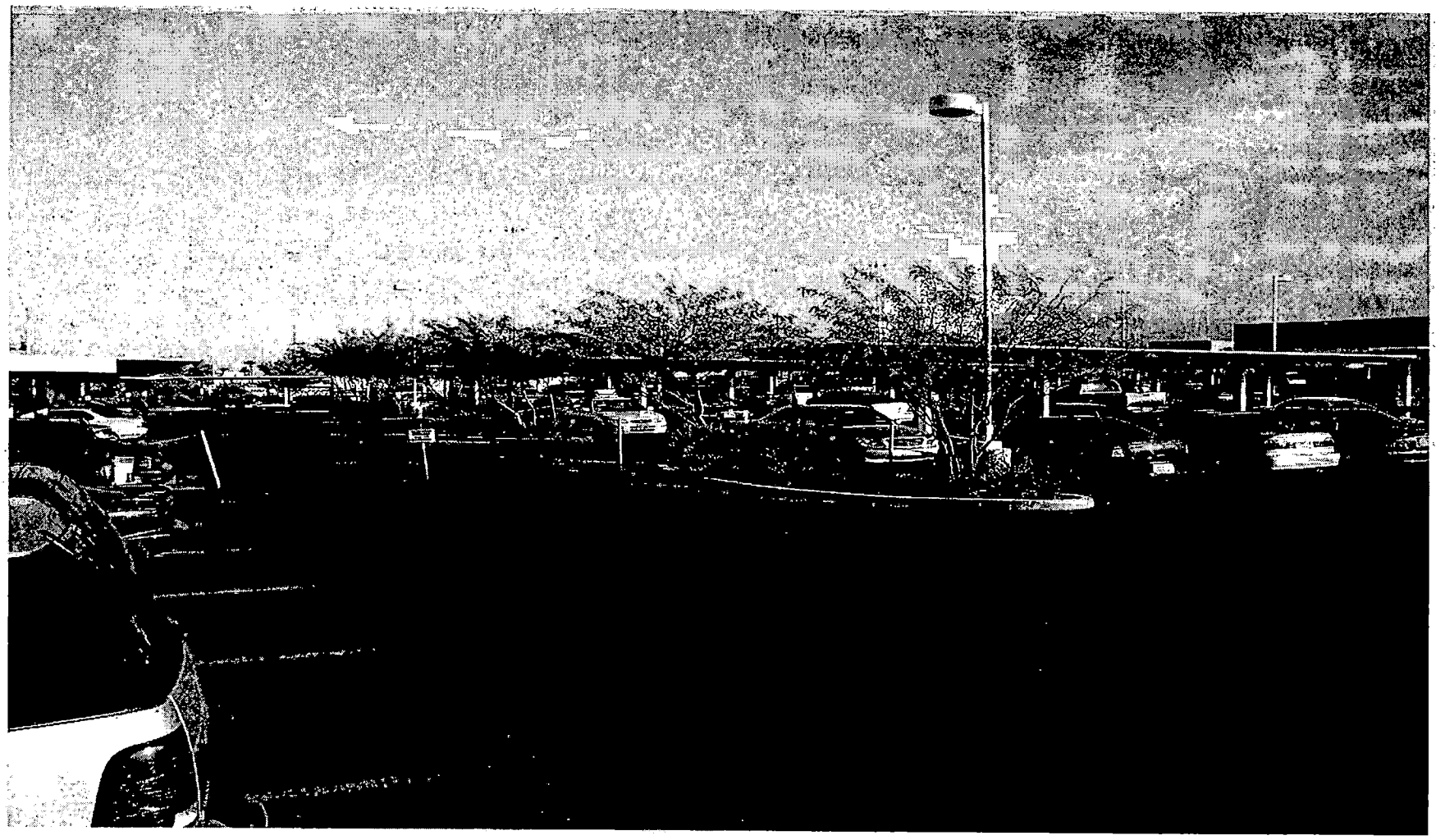
SDR-3273
12-04-03 PC

MOUNTAINVIEW
PARKING GARAGE
LAS VEGAS, NEVADA

RLM Richard L. Miller, Architect

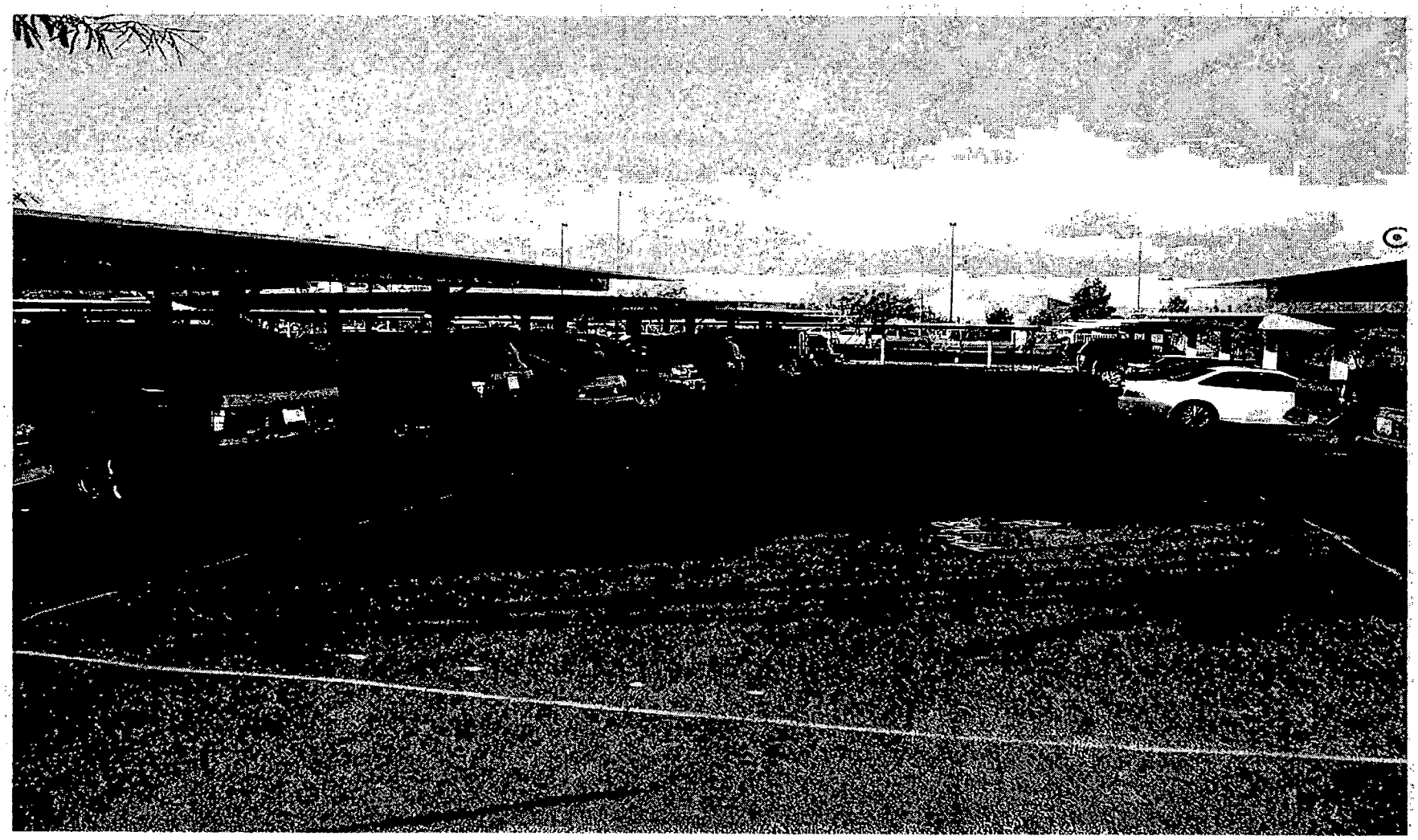
Schematic Design Drawings
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SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC.
SOUTHEAST CORNER OF TENAYA WAY AND CHEYENNE AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC.
SOUTHEAST CORNER OF TENAYA WAY AND CHEYENNE AVENUE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED ANIMAL SHELTER AND VETERINARY COMPLEX on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road (APN: 139-25-801-002 and 003; 139-25-405-007), C-V (Civic) Zone, Ward 3 (Reese).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, explained that this project will include cats and dogs, along with other kinds of animals. There will be doggie bungalows, a surgical center, a 9,000 square foot obedience school allowing for boarding animals and an adoption park. There is a residential component for veterinary student. The residency adjacency standards do not apply to the multi-family project. Staff recommended approval.

MARK FIERO, 803 South Sixth Street, appeared on behalf of the Animal Foundation and concurred with the assessment that the project is compatible with the neighborhood. The only area of concern is with the landscaping on the west boundary of the property. The project will be powered with electricity generated by solar panels. This will be the largest solar installation in

MINUTES – Continued:

the City of Las Vegas. That requires that other trees that will not grow as large as the evergreens suggested by staff be used. Anything blocking the free-flow of air will impact the ventilation system and blocking daylight will impact the output of the solar panels. The Foundation is committed to working with staff to identify a viable alternative.

RANDY SPITSMEISER, Kimsey Architects, confirmed with COMMISSIONER EVANS that the developer discussed with staff continuing to work together to develop a plan that would be acceptable and aid in buffering. MR. CLAPSADDLE verified that the staff is agreeable so long as adequate landscaping and screening is provided for the residential areas near this facility. Staff will work with the developer between this meeting and the Council review. COMMISSIONER EVANS stressed that the species and height of the tree would be significant in order to avoid impeding this exceptional solar system.

COMMISSIONER McSWAIN confirmed with MR. FIERO that this is the new 35,000 square foot facility that the Foundation moved into three years ago. The new facility was totally built with private donations. The facility has one of the lowest euthanasia and highest adoption rates in the Western United States. The old facility was across the street. COMMISSIONER McSWAIN stressed that the old facility was not fit for humans to work in, let alone a place in which to keep animals. CHAIRMAN TRUESDELL supported the landscaping based on his support of the solar program. However, he urged the developer be sensitive to the residential properties on the west side of Manning. Those properties should not be diminished in order to enhance this facility. MR. FIERO concurred.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:48 – 10:55)

3-3605/4-1

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, landscape plan and building elevations, except as amended by conditions herein.

CONDITIONS – Continued:

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 trash enclosures with roofs.

4. One monument sign is permitted along the Harris Street frontage, with a minimum setback of five feet.

5. 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.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum eight-foot wide planter on the north side of Harris Street that contains 24-inch box trees planted a maximum of 20 feet on-center. Parking lot landscape islands shall be depicted in the lot on the north side of Harris Street. A minimum of four five-gallon shrubs shall be reflected for each 36-inch or 24-inch box tree within provided planters on both the north and south side of Harris Street. The plan shall also reflect 24-inch box evergreen trees planted a minimum of 20 feet on center along the west property line.

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.

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

CONDITIONS – Continued:

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

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

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

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.

16. Construct half-street improvements on Harris Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.

17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

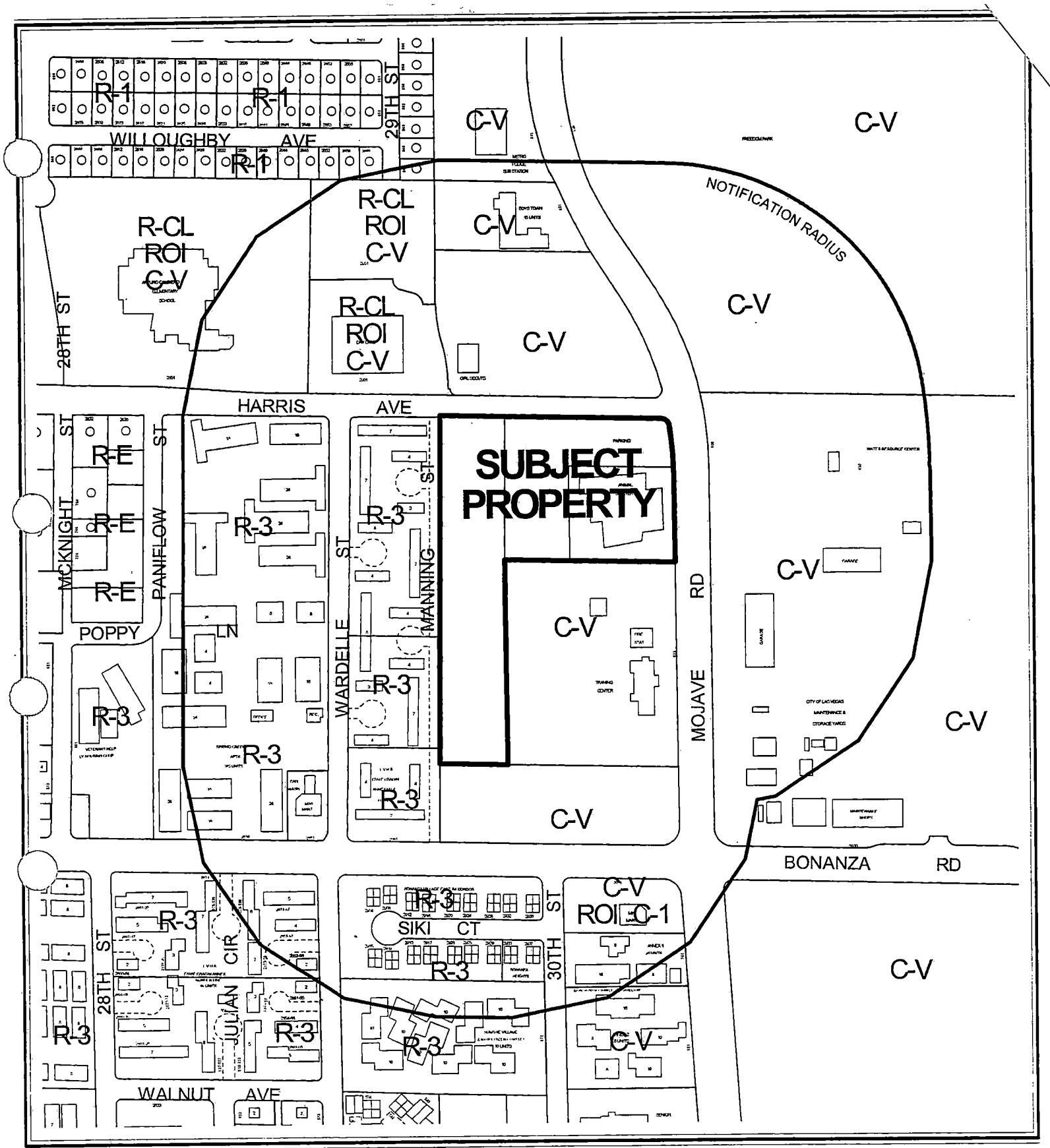
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works 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. 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.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 44 – SDR-3275

CONDITIONS – Continued:

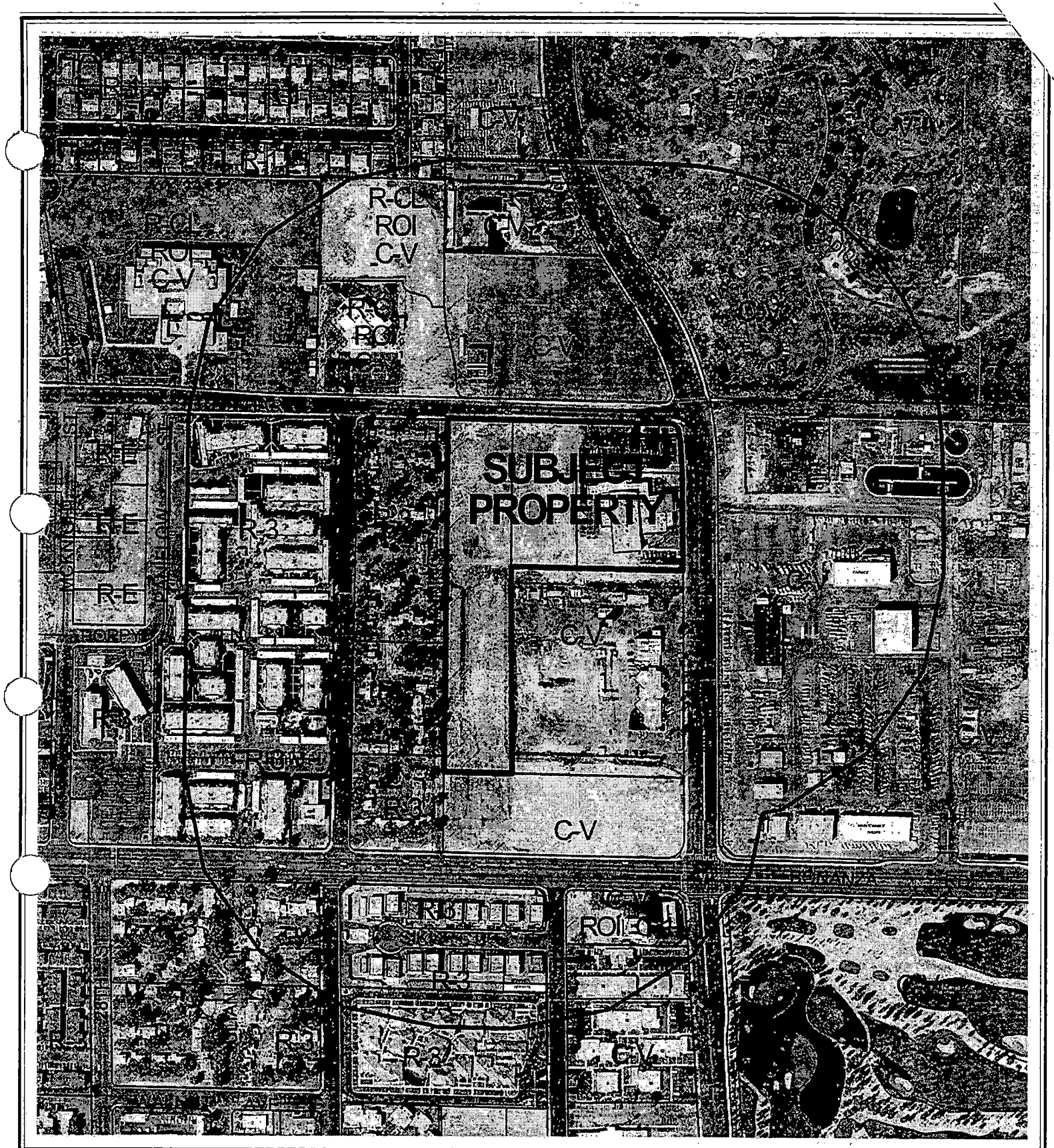
20. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.



CASE: **SDR-3275**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: **SDR-3275**
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

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

2. All development shall be in conformance with the site plan, landscape 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 trash enclosures with roofs.

4. One monument sign is permitted along the Harris Street frontage, with a minimum setback of five feet.

5. 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.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum eight-foot wide planter on the north side of Harris Street that contains 24-inch box trees planted a maximum of 20 feet on-center. Parking lot landscape islands shall be depicted in the lot on the north side of Harris Street. A minimum of four five-gallon shrubs shall be reflected for each 36-inch or 24-inch box tree within provided planters on both the north and south side of Harris Street. The plan shall also reflect 24-inch box evergreen trees planted a minimum of 20 feet on center along the west property line.

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.

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

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

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

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

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.

16. Construct half-street improvements on Harris Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.

17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works 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. Phased compliance will be allowed if

SS

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.

20. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed animal shelter and veterinary complex on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. Renovations and additions to the existing shelter on the site are included in this review.

B) Applicant's Justification

Currently, the Lied Animal Shelter serves the sheltering and adoption needs of the City of Las Vegas. A larger facility is needed to expand operations to meet the needs of the entire Las Vegas Valley in a centralized location.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history on the subject site.

01/08/04 The Planning Commission will consider requests to amend (GPA-3370) the Southeast Sector Plan of the General Plan from PF (Public Facilities) to SC (Service Commercial); a Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial); and a Site Development Plan Review (SDR-3372) for a proposed 43,349 square foot retail center and Waivers to allow a 10-foot rear yard setback where 20 feet is the minimum setback required, two loading zones where three are required, and a 10-foot wide loading zone where 15 feet is required on 3.76 acres adjacent to the northwest corner of Bonanza and Mojave Road.

B) Pre-Application Meeting

10/07/03 The project will be built out in phases, beginning with the animal adoption center and dog adoption park. Residential adjacency issues were discussed pertaining to the proposed "dog bungalows." Manning Street is a private street owned by the Las Vegas Housing Authority. No access would be allowed to the subject property from Manning Street without the grant of an easement.

C) Neighborhood Meetings

A neighborhood meeting is not required for this Site Development Plan Review request.

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DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 9.5

B) Existing Land Use

Subject Property:	Animal Shelter
North:	Office and Parking
South:	Fire Station and Training Center
East:	City Maintenance and Storage Yards
West:	Multi-Family Residential (Public)

C) Planned Land Use

Subject Property:	PF (Public Facilities)
North:	PF (Public Facilities)
South:	PF (Public Facilities) [PROPOSED: SC (Service Commercial)]
East:	PF (Public Facilities)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-V (Civic)
North:	C-V (Civic)
South:	C-V (Civic)
East:	C-V (Civic)
West:	R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated PF (Public Facilities) on the Southeast Sector Map of the General Plan. This category allows large governmental building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public, such as libraries and public utility facilities. The subject site is currently zoned C-V (Civic), which conforms to the PF (Public Facilities) General Plan designation. The activities proposed on this site conform both to the zoning and land use type currently designated for this site.

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

No special districts, zones, or studies are related to this Site Development Plan Review request.

PROJECT DESCRIPTION

The project consists of renovations and an addition to the existing shelter on the site, as well as a proposed animal adoption center, a veterinary education and surgical center, obedience school and dog show arena, a "dog adoption park," and a barn with four veterinary student apartments located above. In all, four new buildings are proposed. The project will be constructed in phases, beginning with the adoption center and the dog adoption park.

Harris Street provides the principal access to the site. There is also a secondary entrance from Mojave Road, limited by access gates. A third entrance is shown from Manning Street, although the applicant has indicated this will not be constructed without obtaining an easement from the Las Vegas Housing Authority. Parking is provided primarily on the north side of the site, with a few spaces located in the southeast section of the site. Only 186 spaces are available onsite, some of which are limited to personnel; therefore, the applicant proposes to use the adjacent City-owned parking lot to the north across Harris Street to accommodate the balance of the parking requirement. Currently, this 5.5-acre lot is used to park vehicles for Freedom Park and also houses a Girl Scout administrative office. Three rows would be used for parking and would be landscaped to City standards.

Landscaping consists of eight-foot wide planters along both sides of Harris Street to match existing planters, and 10 to 20-foot wide planters along Manning Street that will serve as screening and noise buffers for the adjacent public housing development to the west. Landscaping is also proposed internal to the site in order to screen the barn from other uses. Pathways will link the shelter to the barn and the northern part of the campus. Parking lot landscaping consists of five-foot wide planters spaced evenly across the lot, not necessarily at every sixth parking space.

The elevations depict a mid-century architectural style with an industrial aesthetic. Angular windows and vertical elements add interest to mostly box-like one-story structures. Primary external materials include perforated steel siding, corrugated metal siding, and translucent wall panels in variations of gray. Roofs are of various heights, about 20 to 30 feet, and contain parapets and other screening elements. The buildings are designed to be compatible with one another. The "dog bungalows" are unique structures approximately eight feet in height with 24-foot roof stacks for ventilation. They feature angled metal roofs and numerous windows for viewing of animals. Canopies provide shade for the outdoor dog run and viewing areas.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for a C-V (Civic) zoning district shall be established by an approved site development plan. The following standards are proposed for this development:

Standards	Provided
Min. Setbacks	
• Front	23 Feet
• Side	10 Feet
• Corner	133 Feet
• Rear	12 Feet
Max. Building Height	30 Feet
Trash Enclosure	Gated, walled – 2 provided
Loading Zone	1 provided
Mech. Equipment	Screened

The proposed setbacks and building height are acceptable and generally reflect commercial development standards. Trash enclosures should be roofed, in addition to being walled and gated. One 15-foot by 30-foot loading zone is located east of the veterinary tech and surgical center. Rooftop air-conditioning units on the dog bungalows shall be adequately screened.

A2) Residential Adjacency Standards

The proposed obedience school and dog bungalows are adjacent to a public multi-family housing development. Pursuant to Title 19.08, Residential Adjacency Standards do not apply to property adjacent to residential property not developed for sale or designated for such use in the General Plan. It is noted that the bungalows contain roof ventilation stacks with a height of 24 feet 7 inches.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Animal Shelter and Clinic (existing & proposed)	N/A	1 space per two on-duty employees + 1 space per doctor + 1 space per examination room	48			
Office, Other Than Listed (Adoption Center, Vet School Administra-tion)	2,750 SF	1 space per 300 SF GFA	10			
Horse Corral/Stable (Barn)	N/A	1 space per five horses boarded at maximum capacity	2			
College (Veterinary School)	N/A	1 space per 4 students	36			
Multi-family (Student apartments – 2 bedrooms)	N/A	1.75 spaces per unit + 1 guest space per 6 units	8 (4 units)			
General Retail - Less than 25,000 SF (Pet supplies)	700 SF	1 space per 175 SF GFA	4			
Commercial, other than listed (Adoption/ Day Care)	24,820 SF	1 space per 250 SF GFA	100			
Auditorium (Show Arena)	N/A	1 space per 4 fixed seats	44 (175 seats)			
TOTAL			252	7 (out of 252)	255	7 (out of 255)
On-site/Shared					186/69	7/0

SS

With the addition of parking spaces shared between the animal campus and the lot north of Harris Street, the proposed project meets the City's parking requirements. The site plans indicate 186 on-site parking spaces and 69 shared spaces on the lot north of Harris Street, for a total of 255 provided spaces. In order to share parking, the conditions in Title 19.10.010.H.2 must be met. The City of Las Vegas owns both properties.

The Public Works Department has noted that a Joint Access agreement will not be required for the use of Manning Street because it does not provide the primary access to the site. The corner of Harris Street and Mojave Road will be signalized; therefore, the applicant will be responsible for installing all necessary underground facilities related to the traffic signal. A traffic study must be completed and approved by Public Works prior to the issuance of building permits.

A4) Landscape Standards

Pursuant to Title 19.12.010, Landscape Standards as written in Title 19.12 do not apply to special purpose zoning districts (such as C-V) containing special landscaping standards. The following table shows what perimeter landscaping is provided by this project:

	Provided
Parking Area	19 - 5-foot wide planters; 24 Trees
Buffer: • Number of Trees (Harris Street) • Number of Trees (Manning Street) • Number of Trees (Rear)	17 Trees 0 Trees 16 Trees
• Zone Width (Harris Street) • Zone Width (Manning Street) • Zone Width (Rear) • Wall height	8 Feet 10 to 20 Feet 58 Feet

Perimeter landscaping includes an 8-foot planter along the Harris Street frontage and a planter varying in width from 10-20 feet along Manning Street. An eight-foot wall will be constructed behind this landscaping in order to screen the adjacent multi-family housing development from the proposed dog adoption park.

Landscaping along the north side of Harris adjacent to the shared parking lot is intended to be shown on the landscape plan. A condition of approval of this request will require the revised landscape plan to reflect this.

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A5) Sign Standards

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

Monument Signs: [Two (2) entry signs]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	2 total
Maximum Area	75 SF / sign	Less than 75 SF
Maximum Height	8 Feet	5 Feet
Minimum Setback	5 Feet	12.5 Feet
Illumination	Internal/External	Direct External

Wall Signs: [Adoption Center north elevation]

Standards	Allowed	Provided
Maximum Number	1 / Building elevation facing a street or on-site parking area 5 total	1 total
Maximum Area	10 % of building elevation	Less than 10 % of north elevation
Maximum Projection	2 Feet	Not provided
Illumination	Internal/External	Not provided

Only one monument sign is allowed per street frontage. Signage must comply with C-V (Civic) zoning district standards prior to the issuance of sign permits.

B) General Analysis and Discussion

- Zoning

  The subject property is zoned C-V (Civic), which allows various types of public and semi-public uses. The proposed public animal shelter and veterinary campus are appropriate for this zoning district and conform to the PF (Public Facilities) General Plan land use category.

- Site Plan

  Development standards for this project within the C-V (Civic) zoning district are determined by the site and landscaping plans. Setbacks, access, and site layout are appropriate for the uses proposed on the site. In order to conform to C-V (Civic) district sign standards, only one monument sign will be allowed at the entrance from Harris Street.

The proposed 26,648 square-foot animal adoption center will contain indoor pens for cats and dogs as well as birds, reptiles, and exotic animals. The adoption center will also contain a retail element containing pet supplies. The dog adoption park will contain 44 "dog bungalows" of approximately 400 square feet each that also qualify as indoor pens. As they are meant to house overflow population, they are not expected to be constantly at full capacity. The dog park also will feature outdoor runs and visiting rooms shaded by large canopies. The park is adjacent to Manning Street, a private drive owned by the Las Vegas Housing Authority, who manages a public multi-family housing complex to the west of the site. An eight-foot high block wall will surround the dog adoption park and landscaping will be provided in order to contain noise and odor.

The 11,500 square-foot addition to the existing animal shelter will provide room for additional kennels, an expanded food preparation area, six-bay sally port for trucks, and a crematory. A vehicle wash bay will be constructed adjacent to the proposed addition. The area of the shelter, including proposed additions, will total 45,311 square feet.

The surgical center is part of a Community College of Southern Nevada veterinary school extension. Classrooms and a library will be provided for veterinary students, as well as surgical labs for spaying and neutering. This building will be annexed to the animal adoption center. A barn is proposed west of the school addition that will contain five stalls, a tack and feed room, and a treatment area. Four two-bedroom apartments averaging 975 square feet each are proposed above the barn for students who will be living/working full-time on the site.

The 9,462 square-foot obedience school will contain space for the additional boarding of animals (day care), and will feature an arena for planned dog shows and other sports.

Trash enclosures are located on the south-central edge of the site. They meet the 50-foot separation requirement from residential uses. Mechanical equipment is limited to rooftops and will be adequately screened. The site plan also indicates an area located along the west edge of the property, just south of the proposed dog adoption park labeled "Future Living Machine" that will house underground water filtration tanks for reuse on the site in future phases of development.

- Waivers

No Waivers are required for this request, as the project is proposed in a C-V (Civic) district where development plans determine development standards. The proposed standards are reasonable.

SS

- Landscape Plan

  A row of 24-inch Chilean Mesquite spaced 20 feet on center is proposed along Harris Street. The on-site parking lot features 36-inch box Twisted Acacia. Shrubs include Ocatillo and Desert Spoon. Evergreen trees, which provide better screening, should be planted in addition to shrubs and ground cover depicted along Manning Street to provide adequate buffering. Palo Verde trees are shown in the current perspective view of the Manning Street planter but not in the plan view. Landscaping on the north side of Harris is not indicated on the landscape plan, but should be provided using ground cover and planting materials similar to those used on the south side of the street.

- Elevation

  Although the elevations have a box-like industrial appearance with their utilization of metallic building materials, they contain enough variation with translucent wall paneling, green tinted glass, and angled roof lines to create a visually appealing, integrated design that will enhance the area.

- Floor Plan

  As stated above, each building, although planned with a specific use in mind, will contain a variety of uses including an animal clinic and hospital, animal boarding, office, retail, stables, multi-family residential, upper-level school, and arena/auditorium. The dog adoption park is designed for practical viewing of animals and will be enclosed to minimize the risk of noise and odor nuisances.

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 existing animal shelter and proposed animal related uses are located within a C-V (Civic) district adjacent to other city services. A multi-family public housing development is located adjacent to the show arena and dog adoption park. Adequate landscaping and screening will be provided to ensure compatibility with residential development.

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 additions to the animal shelter and formation of an "animal campus" is consistent with the General Plan mandate for public uses in this area. The development is consistent with Title 19 insofar as it allows development standards that meet the intent of the Zoning Code and General Plan. Only one monument sign shall be permitted on the Harris Street frontage in conformance with C-V (Civic) district sign standards.

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

Site traffic will be significant enough to warrant a future traffic signal at Mojave Road and Harris Street. The site will be accessed primarily from Harris Street, a 60-foot public right-of-way and will have secondary access from Mojave Road, a 100-foot wide Primary Arterial as depicted on the Master Plan of Streets and Highways. Access from Manning Street, a 30-foot private street, will not require the granting of a Joint Access Easement, but use of this street should be limited.

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

The building materials used in the proposed project are unique to this area, but will enhance the area's aesthetic appeal. The landscaping materials provided will be adequate with the implementation of recommended conditions intended to enhance screening of the dog adoption park.

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;"**

Although the elevations have a box-like industrial appearance with their utilization of metallic building materials, they contain enough variation with translucent wall paneling, green tinted glass, and angled roof lines to create a visually appealing, integrated design that will enhance the area.

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

The proposed development will be subject to Building Code requirements, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 72

APPROVALS 0

PROTESTS 1

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3275 APN: 139-25-801-002/139-25-801-003/139-25-405-007

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: ~~THE~~ ANIMAL FOUNDATION (RANDY SPITZMESSER)

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: David Roark

Print Name: David Roark, Manager, Real Estate

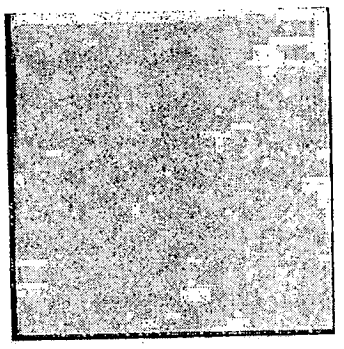
Subscribed and sworn before me

This 21 day of October, 2003

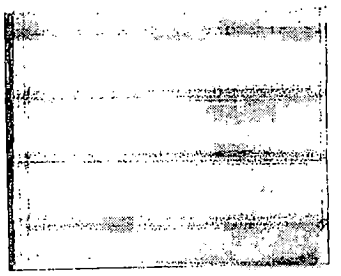
JoAnn Crolli

Notary Public in and for said County and State

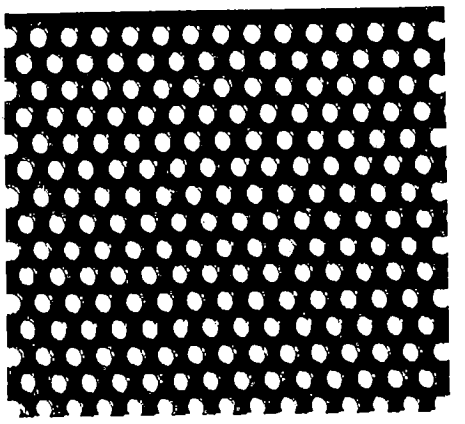
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No. 02-79131-1
My appt. exp. Nov. 14, 2006



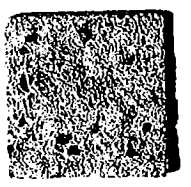
GLAZING



TRANSLUCENT
WALL SYSTEM

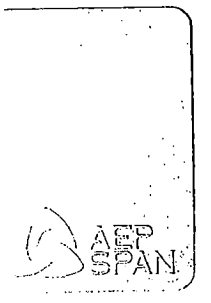


STEEL ARCHITECTURAL
FEATURE

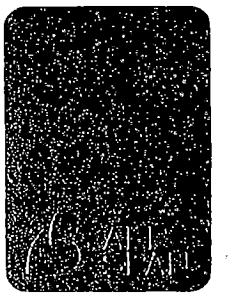


CMU BLOCK

STOREFRONT/
WINDOW FRAMING



STEEL SIDING



STEEL SIDING

EXTERIOR MATERIALS

SDR-3275

MANNING STREET (VACATED)

FUTURE LIVING MACHINE

OBEDIENCE SCHOOL
9462 sf
1 STORY

VET TECH ADDITION
9945 sf
1 STORY

ADOPTION CENTER
26,648 sf
1 STORY

BARN
2800 sf
2 STORY

SHELTER ADDITION
11500 sf
1 STORY

EXISTING SHELTER
33811 sf
(2500 SF To be remodeled)

EXISTING GIRL SCOUT FACILITY

PHOTOVOLTAIC SHADE CANOPY ABOVE, TYP.

CAMPUS ENTRY MONUMENT SIGNS

SITE ACCESS GATES

HARRIS STREET

ADJACENT PARCEL
ZONED C-V
CITY OF LAS VEGAS
FREEDOM PARK PARKING
PROPOSED SHARED PARKING

ADJACENT PARCEL
ZONED C-V
CITY OF LAS VEGAS
FIRE TRAINING FACILITY

12'-0" SPRINT EASEMENT

SITE ACCESS GATES

MOJAVE ROAD

NORTH

0 10' 50' 100' 200'

LIED ANIMAL SHELTER AND REGIONAL ANIMAL CAMPUS

9.5 ACRES TOTAL
ALL PARCELS ZONED C-V
F.A.R. = 22%
DENSITY: 9650 SF PER ACRE

PARKING ANALYSIS	REQUIRED	PROVIDED
EXISTING 30-UNIT (33,000 SF)		
1 PER TWO EMPLOYEES +		
1 PER DOCTOR +		
1 PER EXAM ROOM 10 + 5 + 3	18	
SHELTER ADDITION (11,500 SF)		
1 PER TWO EMPLOYEES +		
1 PER DOCTOR +		
1 PER EXAM ROOM 10 + 0 + 0	10	10
BARN (2,800 SF)		
1 PER 1,500 SF	2	2
ADOPTION CENTER (23,000 SF TOTAL)		
CLINIC:		
1 PER TWO EMPLOYEES +		
1 PER DOCTOR +		
1 PER EXAM ROOM 10 + 1 + 3	14	
PUBLIC ADOPTION AREAS		
1 PER 250 SF		
CAT ADOPTION AREA	4230 SF	
PUPPIES ADOPTION	170 SF	
CIRCULATION / RECEPTION	700 SF	
DOG ADOPTION BUNGALOWS	17700 SF	
	23720 SF / 250 =	95
ADMINISTRATION		
1 PER 300 SF		
OFFICES 1550 SF	6	6
RETAIL:		
1 PER 175 SF		
PET BOUTIQUE 800 SF	4	4
TOTAL, PHASE ONE & TWO	145	145
VET SCHOOL ADDITION (17,000 SF)		
COLLEGE CLASSROOMS		
1 PER FOUR STUDENTS	50	44 (PLUS 53 SHARED)
ADMINISTRATION		
1 SPACE PER 300 SF	4	4
VETERINARY CLINIC:		
1 PER 3 EMPLOYEES +		
1 PER DOCTOR +		
1 PER EXAM ROOM 2 + 2 + 2	6	8
BARN ADDITION (4,875 SF)		
STUDENT APARTMENTS (2 BDR)		
1.75 PER UNIT +		
1 GUEST PER 4 UNITS 1 + 1	4	4
ARENA / OBEDIENCE SCHOOL (8,600 SF)		
ARENA		
1 PER FOUR SEATS	44	44 (SHARED)
OBEDIENCE TO DOG CLASSROOM,		
1 SPACE PER 100 SF	5	5 (SHARED)
ANIMAL BOARDING / DAY CARE,		
1 SPACE PER 350 SF	6	6 (SHARED)
TOTAL SPE	250	330
HANDICAP SPACES	7	7
TOTAL, SITE PARKING	255	

255

VICINITY MAP

SDR-3275
12-04-03 PC

Contract No.
Drawing No. AS1.01

Consultant

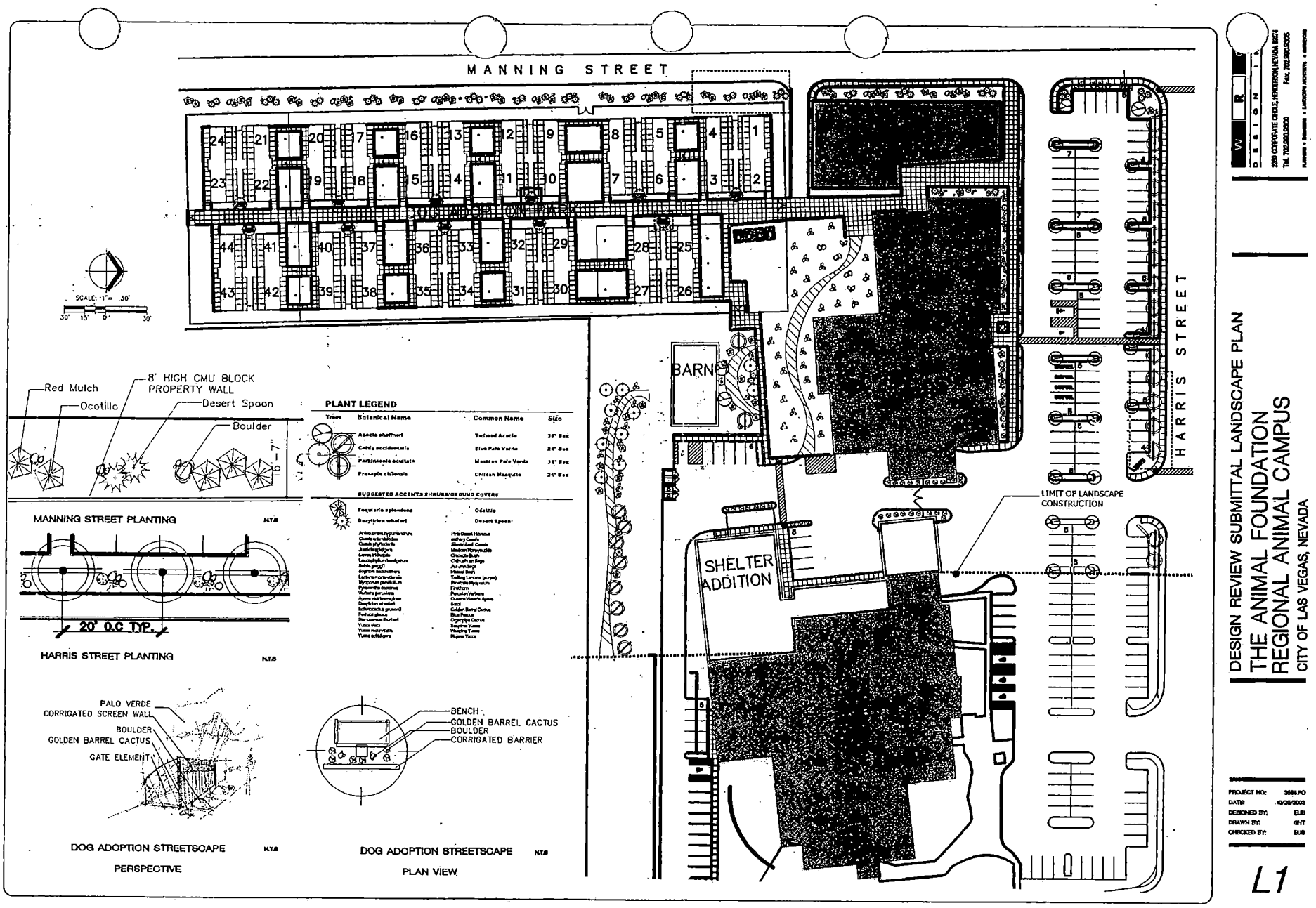
Rev. | Date | Description

REF:

Project: REGIONAL ANIMAL CAMPUS

SITE PLAN

TATE SNYDER KIMSEY

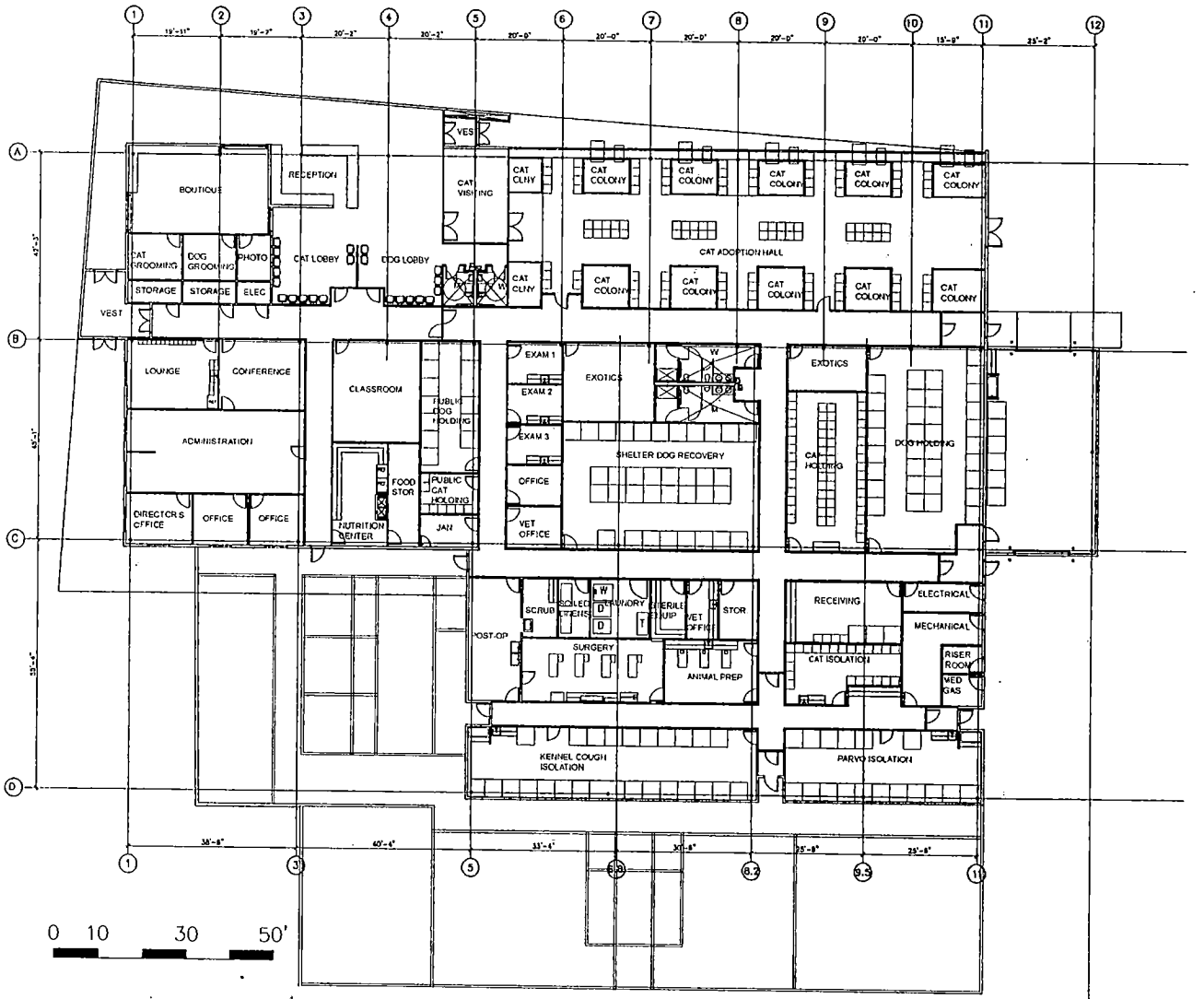


DESIGN REVIEW SUBMITTAL LANDSCAPE PLAN
THE ANIMAL FOUNDATION
REGIONAL ANIMAL CAMPUS
CITY OF LAS VEGAS, NEVADA

PROJECT NO: 3688.PO
DATE: 10/29/2003
DESIGNED BY: EUB
DRAWN BY: GHT
CHECKED BY: EUB

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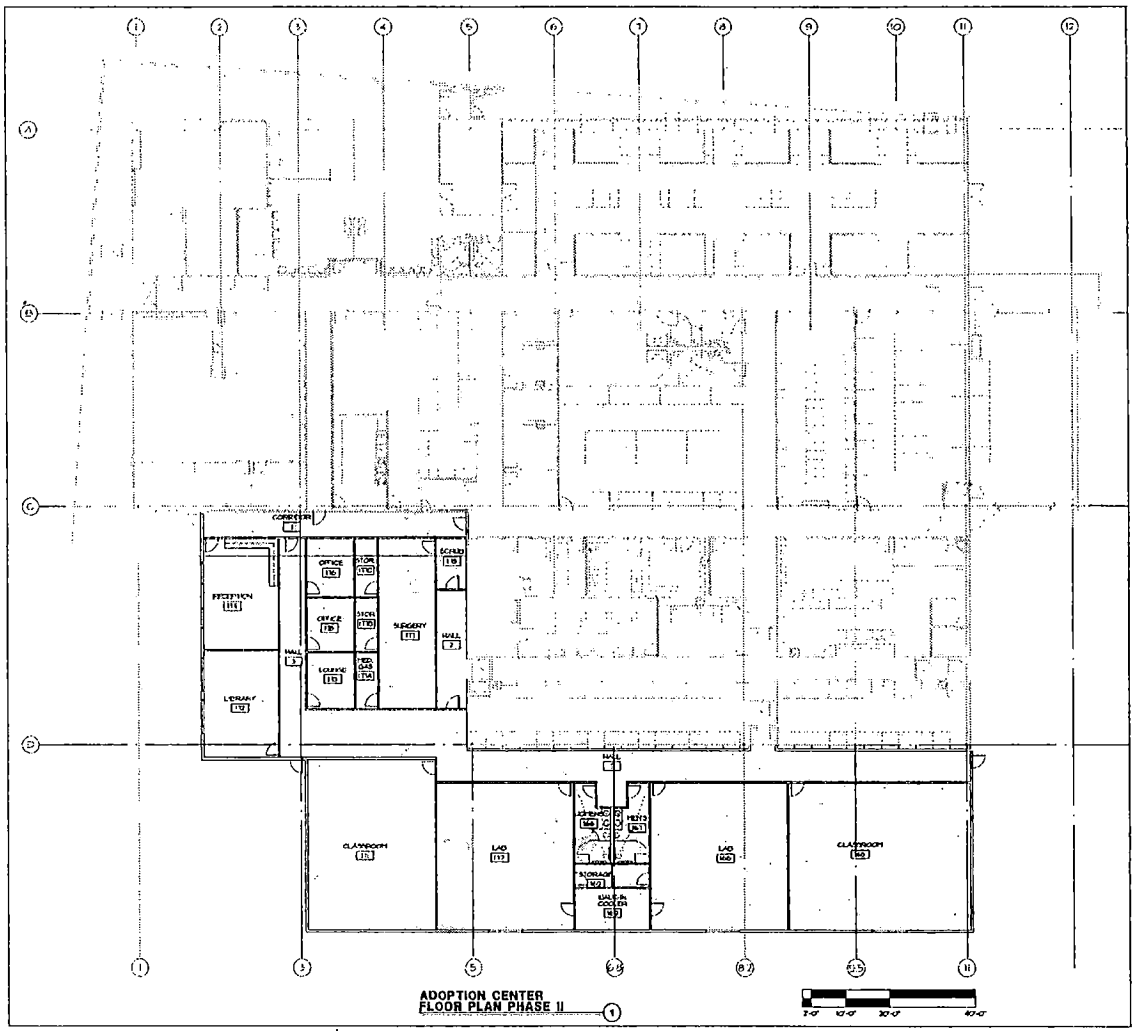
SDR-3275
12-04-03 PC



REGIONAL ANIMAL CAMPUS - ADOPTION CENTER

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC

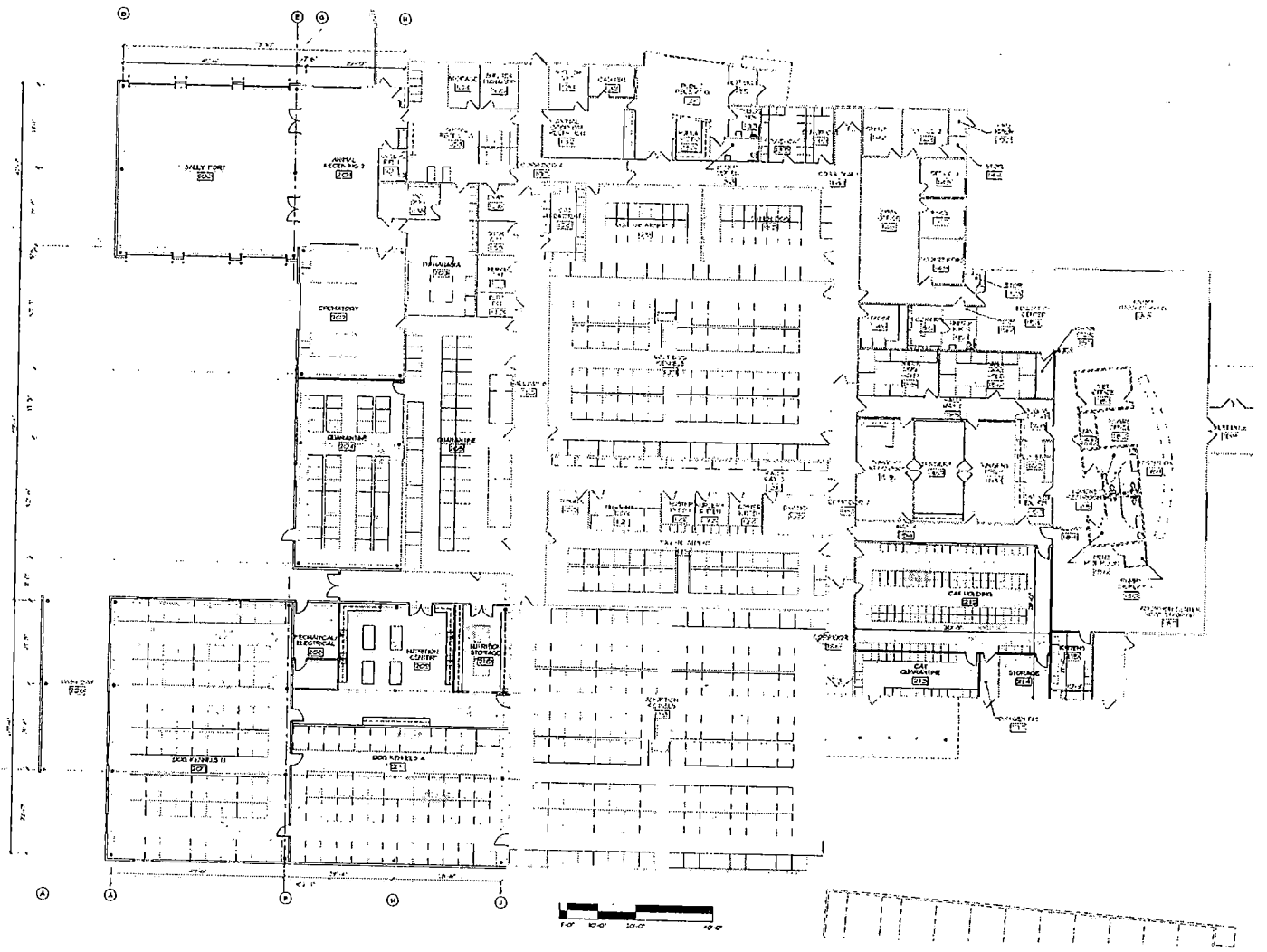


REGIONAL ANIMAL CAMPUS - CCSN ADDITION

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC

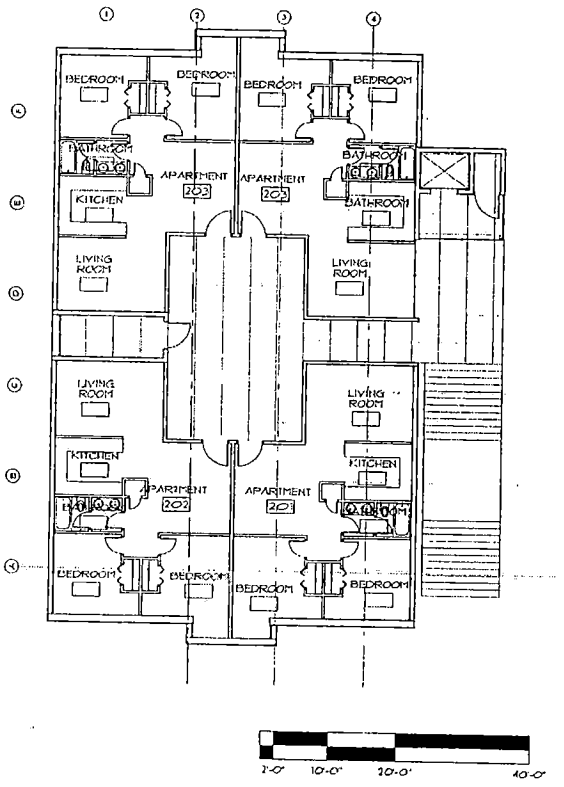


REGIONAL ANIMAL CAMPUS -SHELTER ADDITION

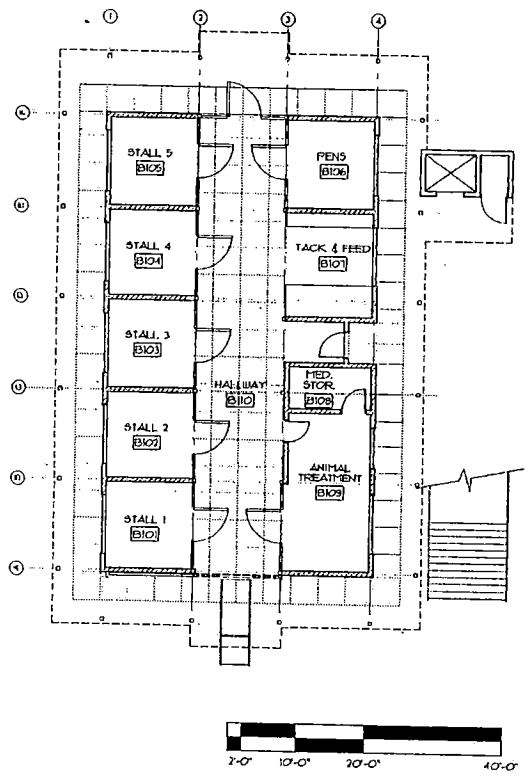
TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC



STUDENT APARTMENT FLOOR PLANS (2)



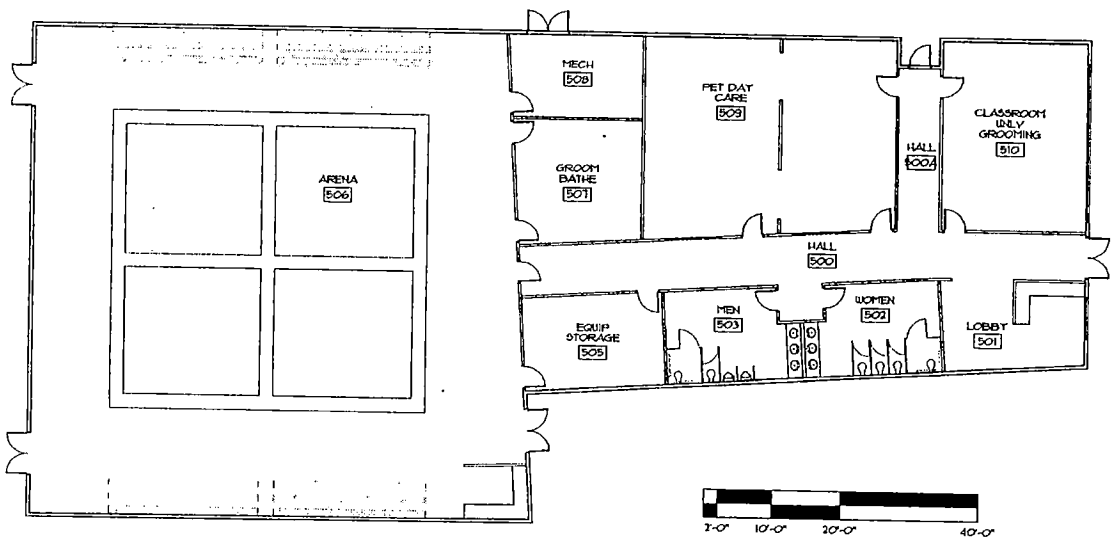
BARN FLOOR PLAN (1)

REGIONAL ANIMAL CAMPUS - BARN/APARTMENTS

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC

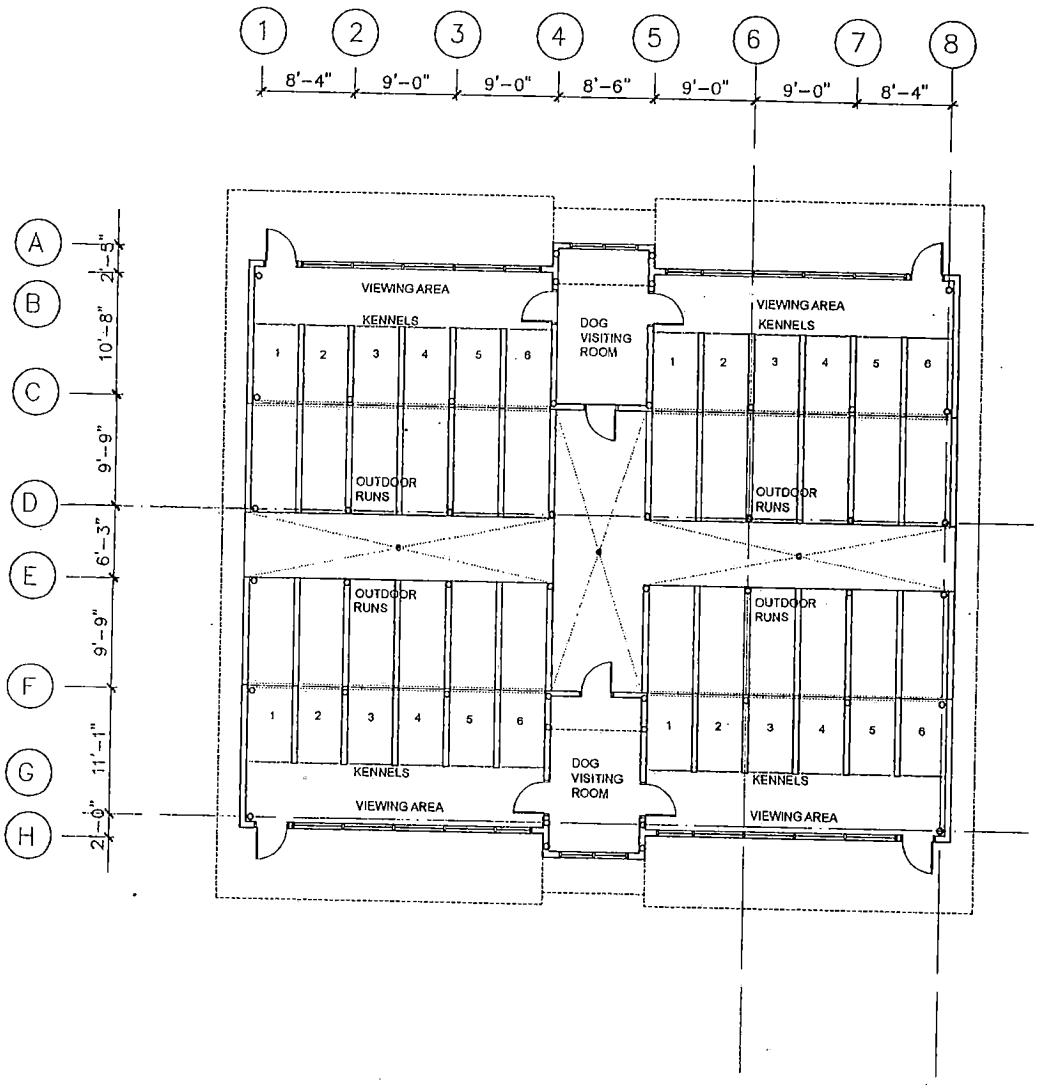


ARENA PLAN ①

REGIONAL ANIMAL CAMPUS - SHOW ARENA

TATE SNYDER KIMSEY ARCHITECTS

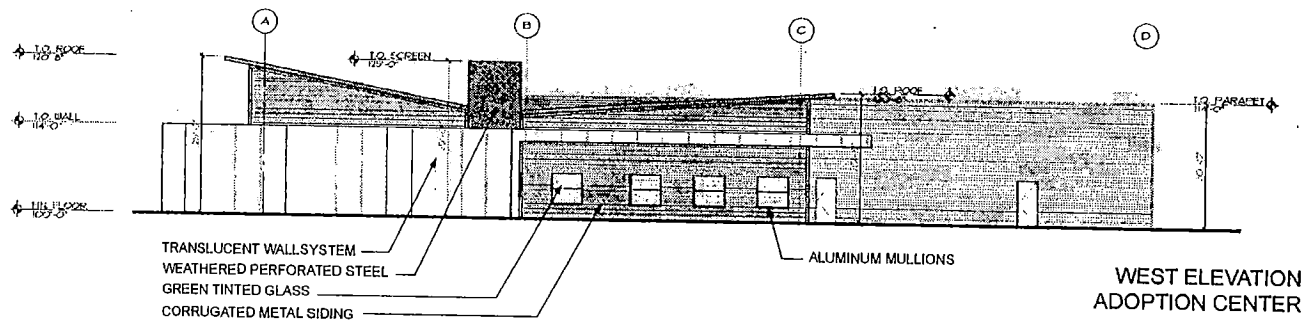
SDR-3275
12-04-03 PC



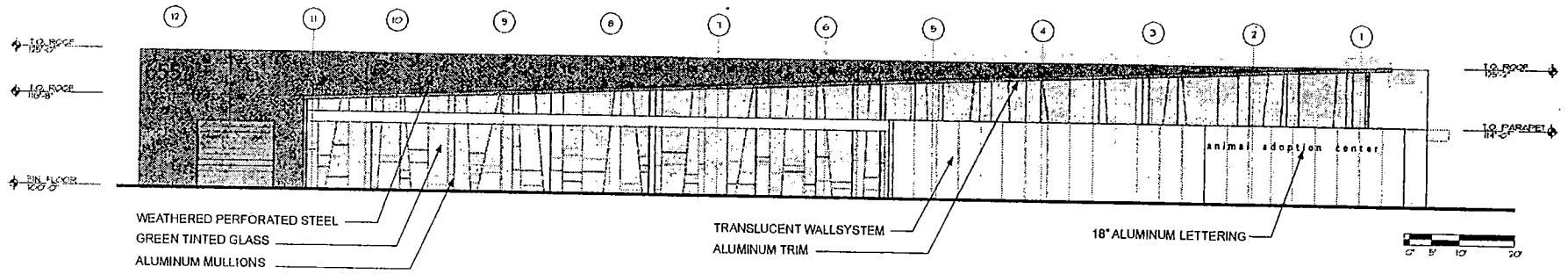
REGIONAL ANIMAL CAMPUS - DOG BUNGALOW

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC



WEST ELEVATION
ADOPTION CENTER

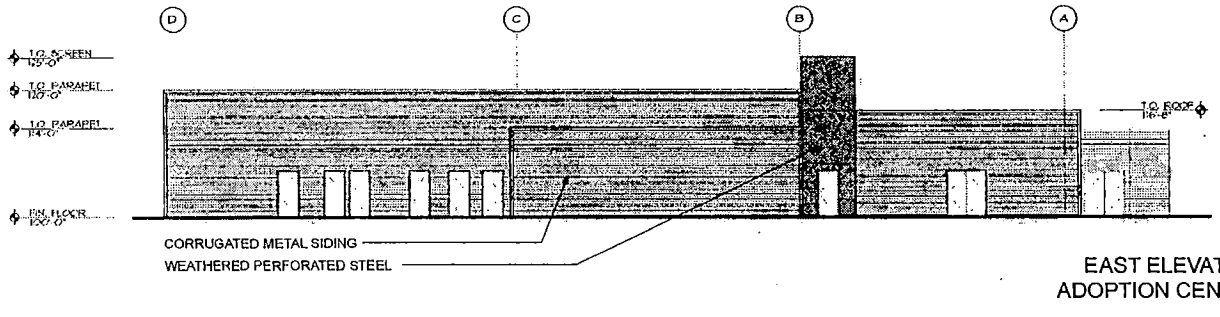


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ADOPTION CENTER

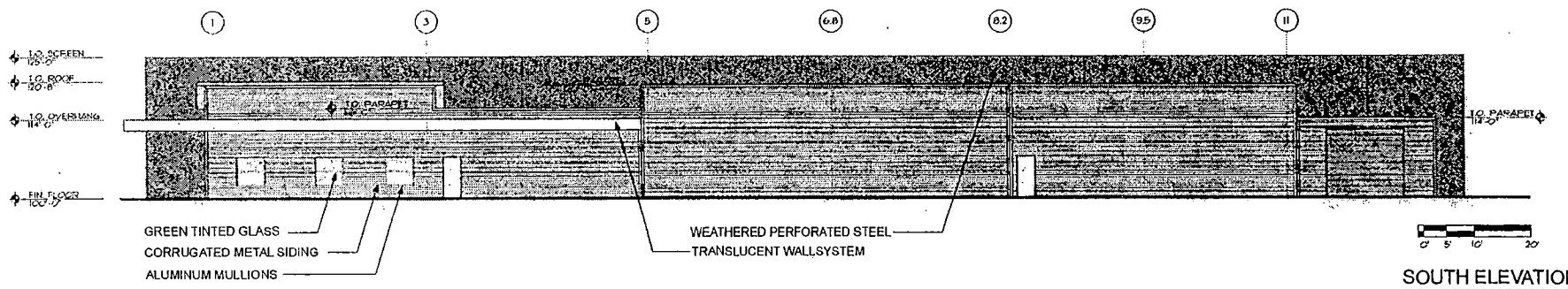
REGIONAL ANIMAL CAMPUS - ADOPTION CENTER

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC



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ADOPTION CENTER

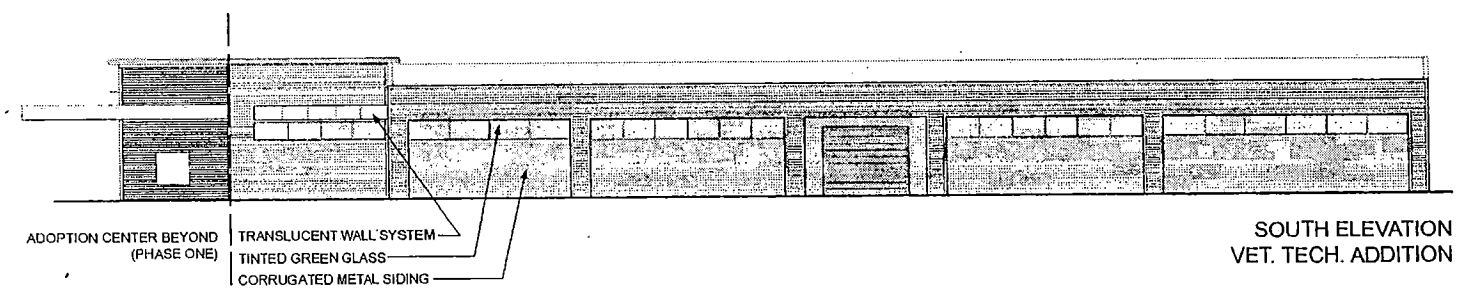


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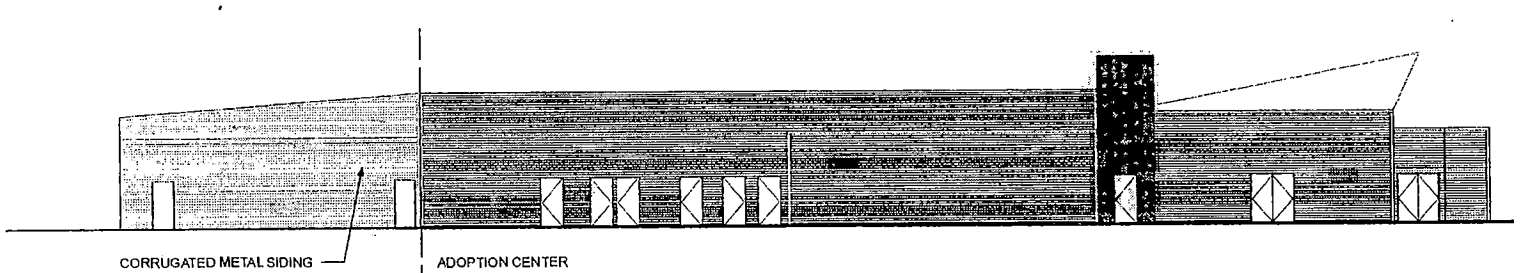
REGIONAL ANIMAL CAMPUS - ADOPTION CENTER

TATE SNYDER KIMSEY ARCHITECTS

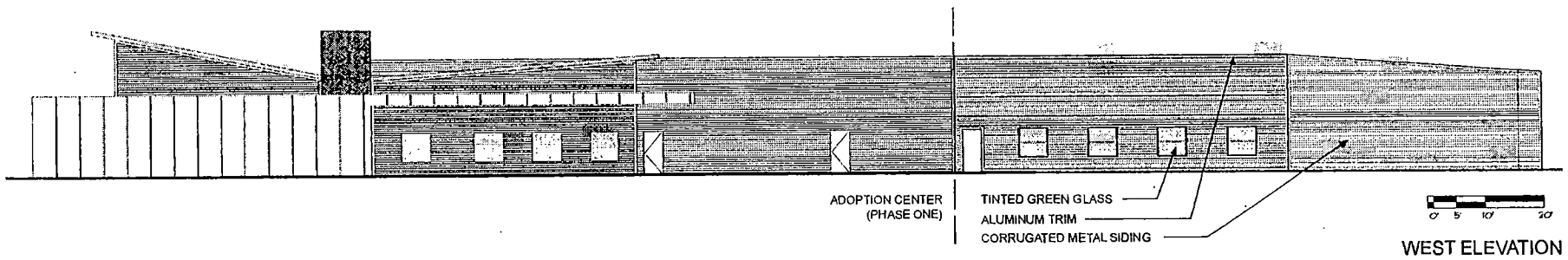
SDR-3275
12-04-03 PC



SOUTH ELEVATION
VET. TECH. ADDITION



EAST ELEVATION
VET. TECH. ADDITION

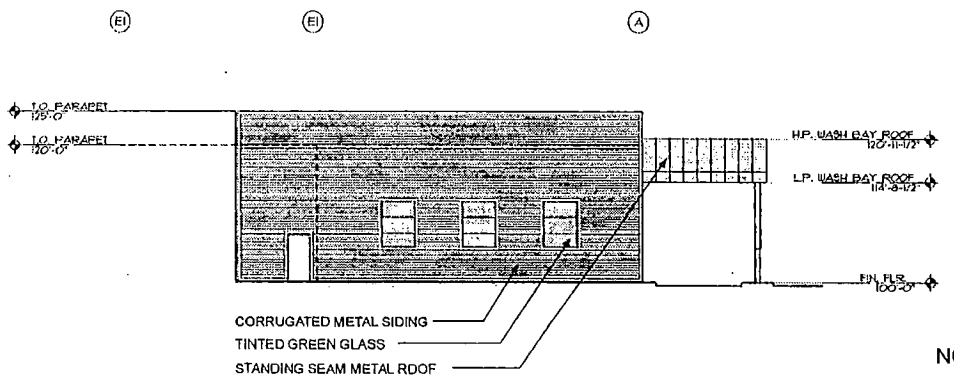


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VET. TECH. ADDITION

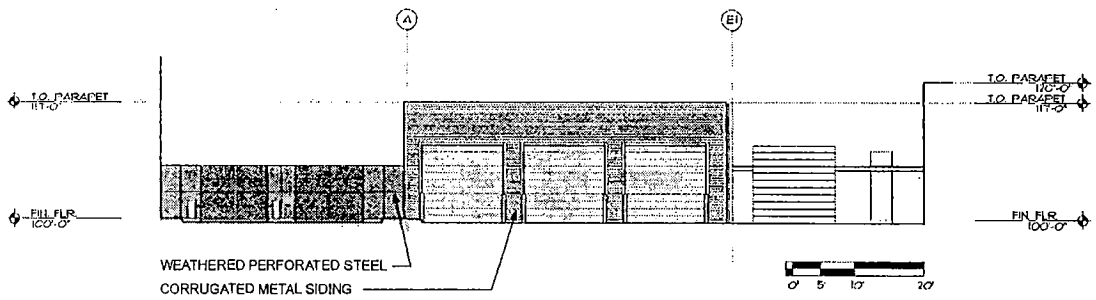
REGIONAL ANIMAL CAMPUS -ADOPTION CENTER

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC



NORTH COURT ELEVATION
SHELTER ADDITION



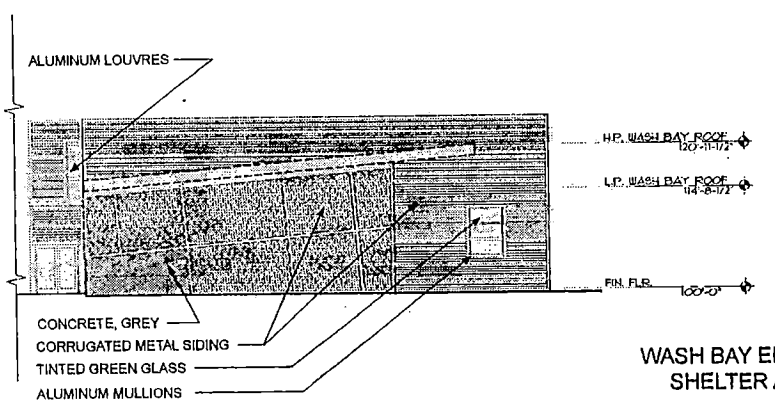
SOUTH COURT ELEVATION
SHELTER ADDITION

REGIONAL ANIMAL CAMPUS - SHELTER ADDITION

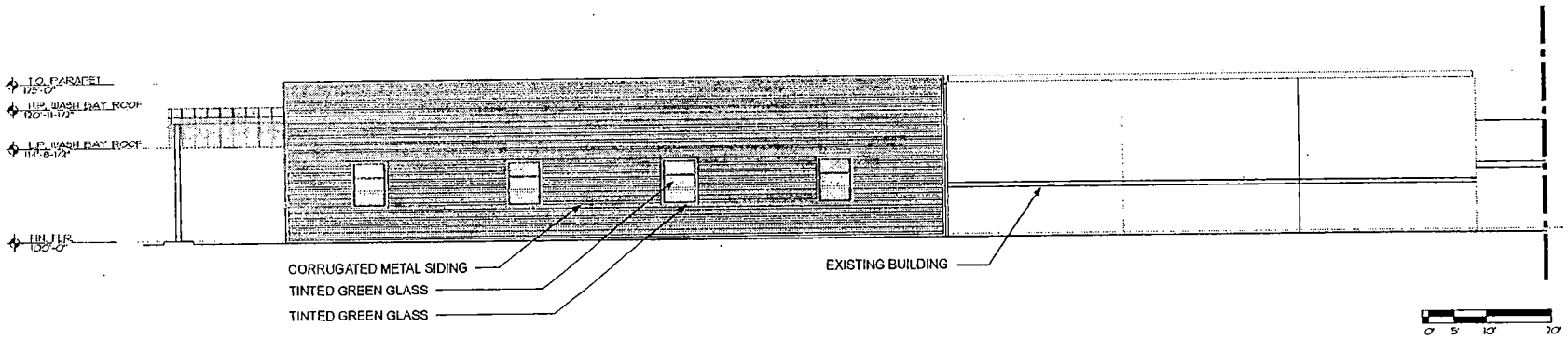
TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC



WASH BAY ELEVATION
SHELTER ADDITION

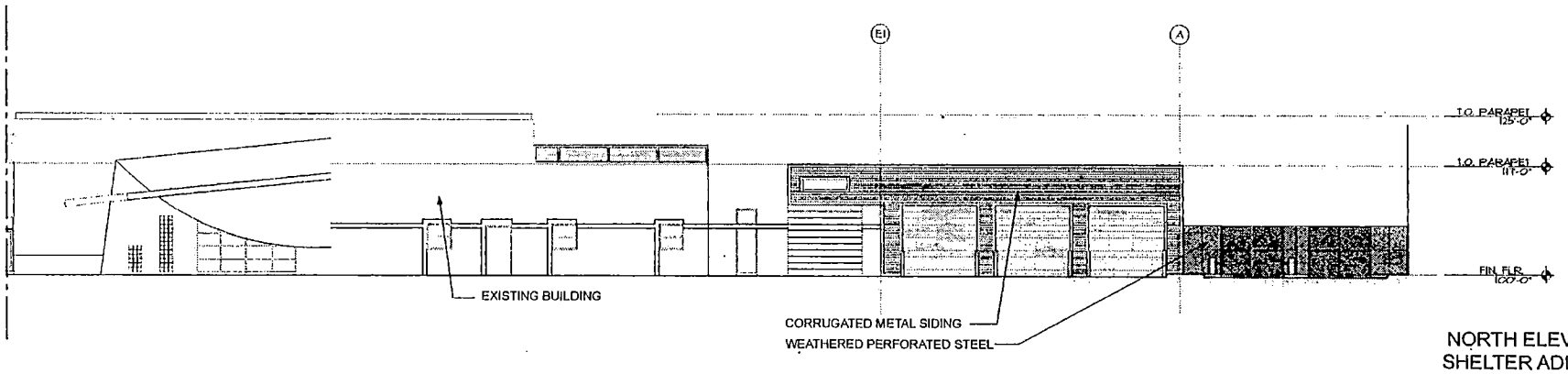


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SHELTER ADDITION

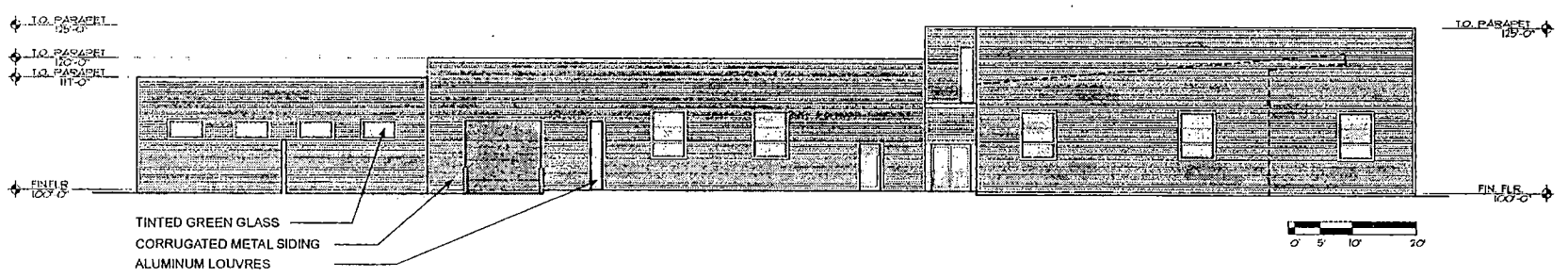
REGIONAL ANIMAL CAMPUS - SHELTER ADDITION

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC



NORTH ELEVATION
SHELTER ADDITION

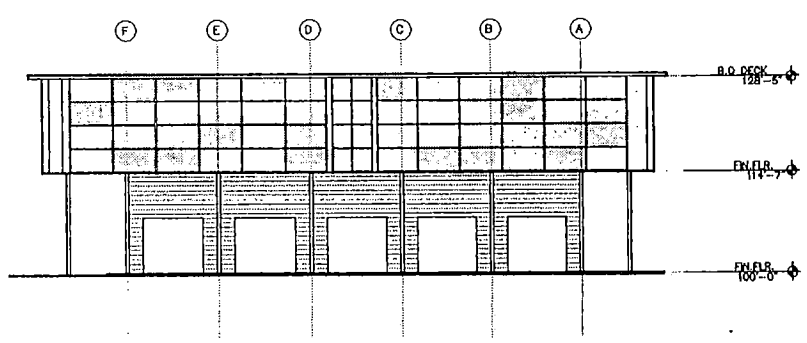


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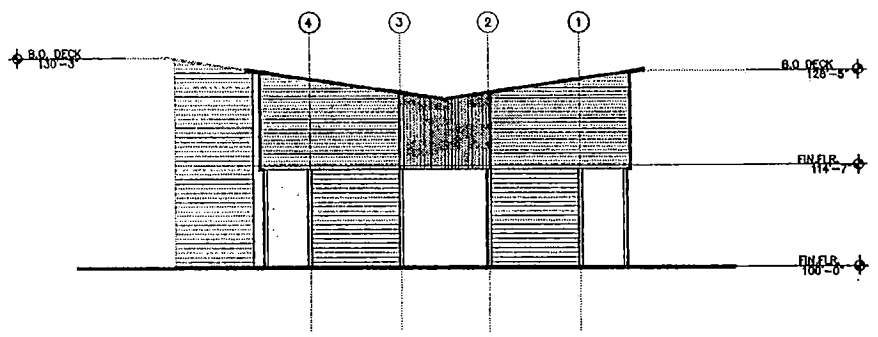
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TATE SNYDER KIMSEY ARCHITECTS

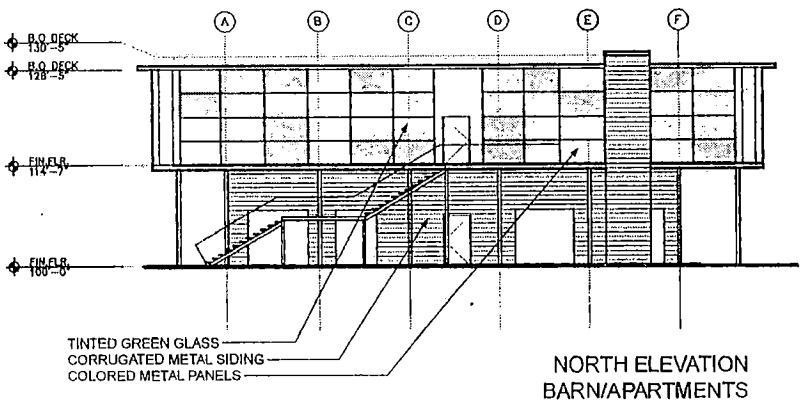
SDR-3275
12-04-03 PC



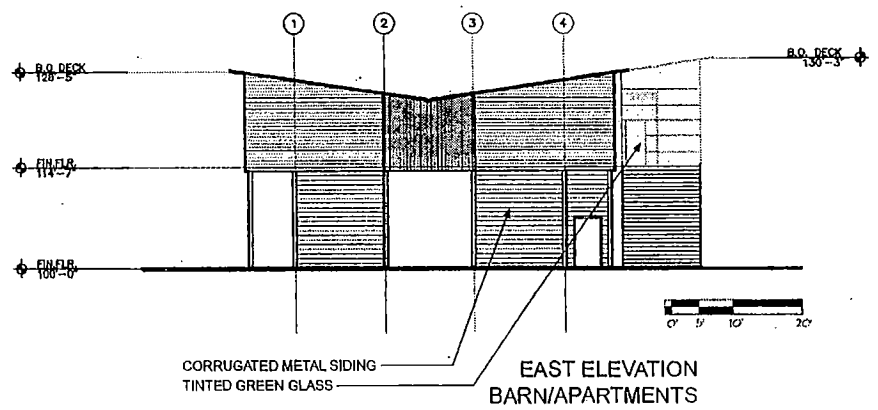
SOUTH ELEVATION
BARN/APARTMENTS



WEST ELEVATION
BARN/APARTMENTS



NORTH ELEVATION
BARN/APARTMENTS

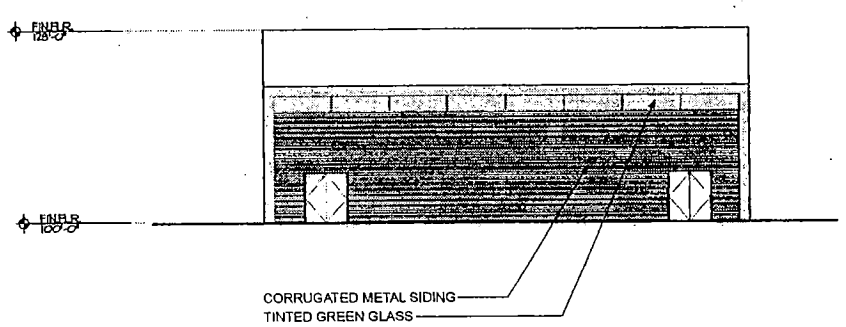


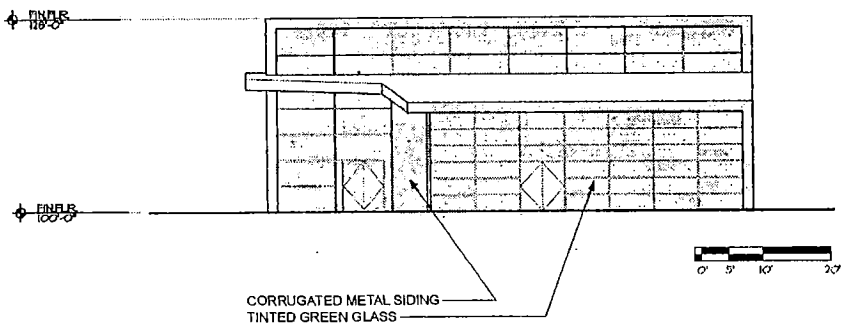
EAST ELEVATION
BARN/APARTMENTS

REGIONAL ANIMAL CAMPUS -BARN/APARTMENTS

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275
12-04-03 PC



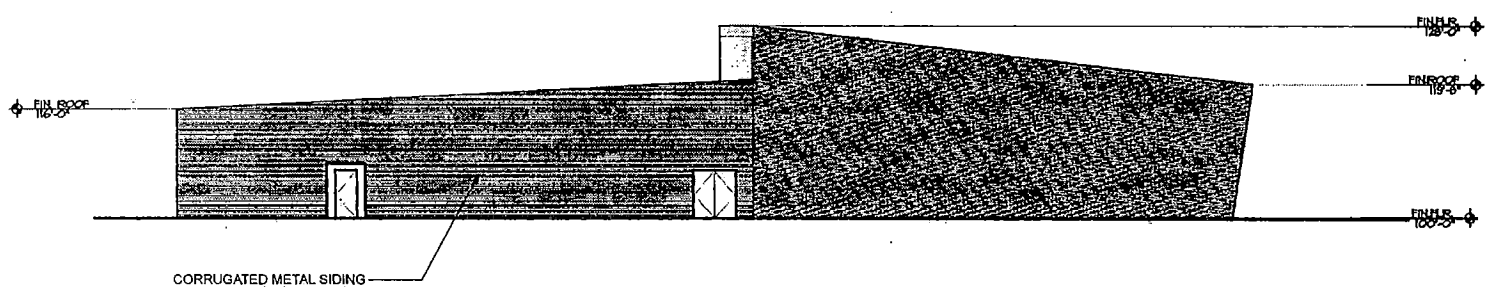


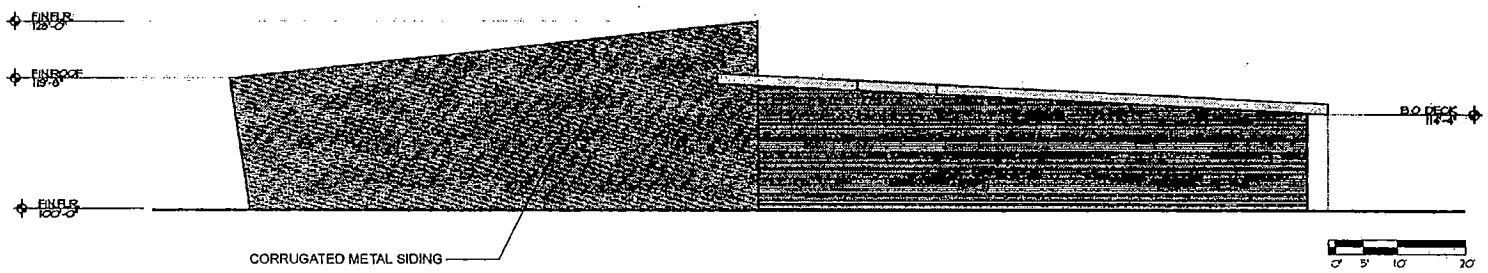
REGIONAL ANIMAL CAMPUS -SHOW ARENA

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC



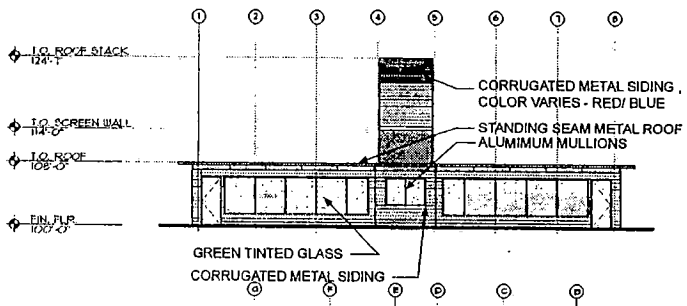


REGIONAL ANIMAL CAMPUS -SHOW ARENA

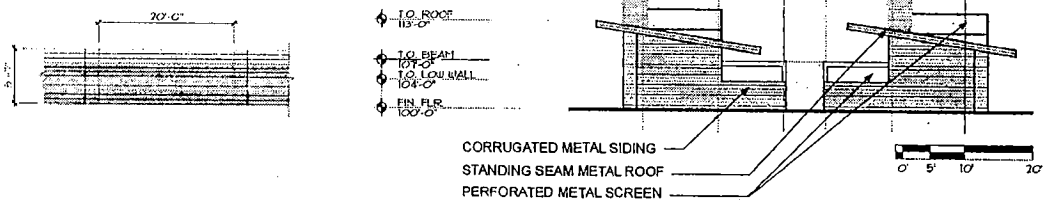
TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC



NORTH/ SOUTH TYP. ELEVATION
BUNGALOWS



EAST/ WEST TYP. ELEVATION
BUNGALOWS

REGIONAL ANIMAL CAMPUS - DOG BUNGALOW

TATE SNYDER KIMSEY ARCHITECTS

SDR-3275

12-04-03 PC



SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS
SOUTHWEST CORNER OF HARRIS AVENUE AND MOJAVE ROAD
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03



SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS
SOUTHWEST CORNER OF HARRIS AVENUE AND MOJAVE ROAD
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

WOMEN'S DEVELOPMENT CENTER

RECEIVED
03 DEC -1 PM 4:29
PLANNING AND
DEVELOPMENT

November 26, 2003

Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division, Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: SDR-3275

Dear Mr. Leobold:

Women's Development Center (WDC) would like to file a written objection to the proposed special use permit SDR-3275.

We own two properties; 2913 and 2925 on Siki Court, which are across the street from the proposed animal shelter.

We have many concerns with the proposed animal shelter and veterinary complex.

First, the odor and unsanitary conditions that animal shelters create is a major concern. Many people live in the surrounding area and would be unfairly exposed to not only the environmental issues but also the uncouth odor coming from the facility. This site is located in a residential area with family and children we must take their health and well being into consideration before granting this request.

Another concern is the noise and traffic that would be coming from the complex. Housing a large number of animals on this property is likely to present noise pollution. Furthermore, the large facility would definitely increase traffic in the surrounding area. Therefore, inconveniencing many of those who live nearby.

For the above-mentioned reasons we strongly encourage you as well as the rest of the city council to vote against this proposed animal shelter and veterinary complex.

Not only would these requests be better suited for a commercial area, but also the change in zoning would make leasing undesirable and decrease the property value. As an owner of surrounding properties we wish to ensure the integrity of the area as well as the original master plan.

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

953
East
Sahara
Avenue
Suite 201
Las Vegas
Nevada
89104
(702) 796-7770
Fax
(702) 796-3007

SDR-3275
P

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [SDR-1769], to allow a building height of three stories or 35 feet where a building height of two stories or 35 feet is required, on 41.21 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because she is currently under contract with Astoria Homes

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened on Items 45 [ROC-3228] and Item 46 [ROC-3240].

GARY LEOBOLD, Planning and Development Department, summarized that the review of condition will allow the applicant to develop three-story houses on the central four of each eight-pack unit instead of two-story houses. This will impact 88 lots of the 498-lot project. Since the homes are internally located and will not be readily visible from surrounding sites, staff recommended approval. The revised elevations submitted address the issues with Condition 2, which will not require amendment, and only Condition 3 will need to be amended. As for Item 46 with regard to Condition 4, the request for the 174 single-family product with direct street

MINUTES – Continued:

access is to reduce the driveway from 20 feet to 18 feet. All other setbacks remain unchanged. Staff recommended approval due to the minor nature of the request and because cars will still be able to park within the space proposed.

LORA DREJA, VTN-Nevada, 2727 South Rainbow, appeared on behalf of the applicant and concurred with the conditions proposed for both applications.

TODD FARLOW, 240 North 19th Street, commented that for this project to be feasible, it will need taller buildings. That will be necessary to meet the 2020 Master Plan. The Commissioners should have attended the Sustainable Architecture lecture given December 3, 2003, where there discussion of this very subject.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Items 45 [ROC-3228] and Item 46 [ROC-3240].

(10:55 – 11:00)

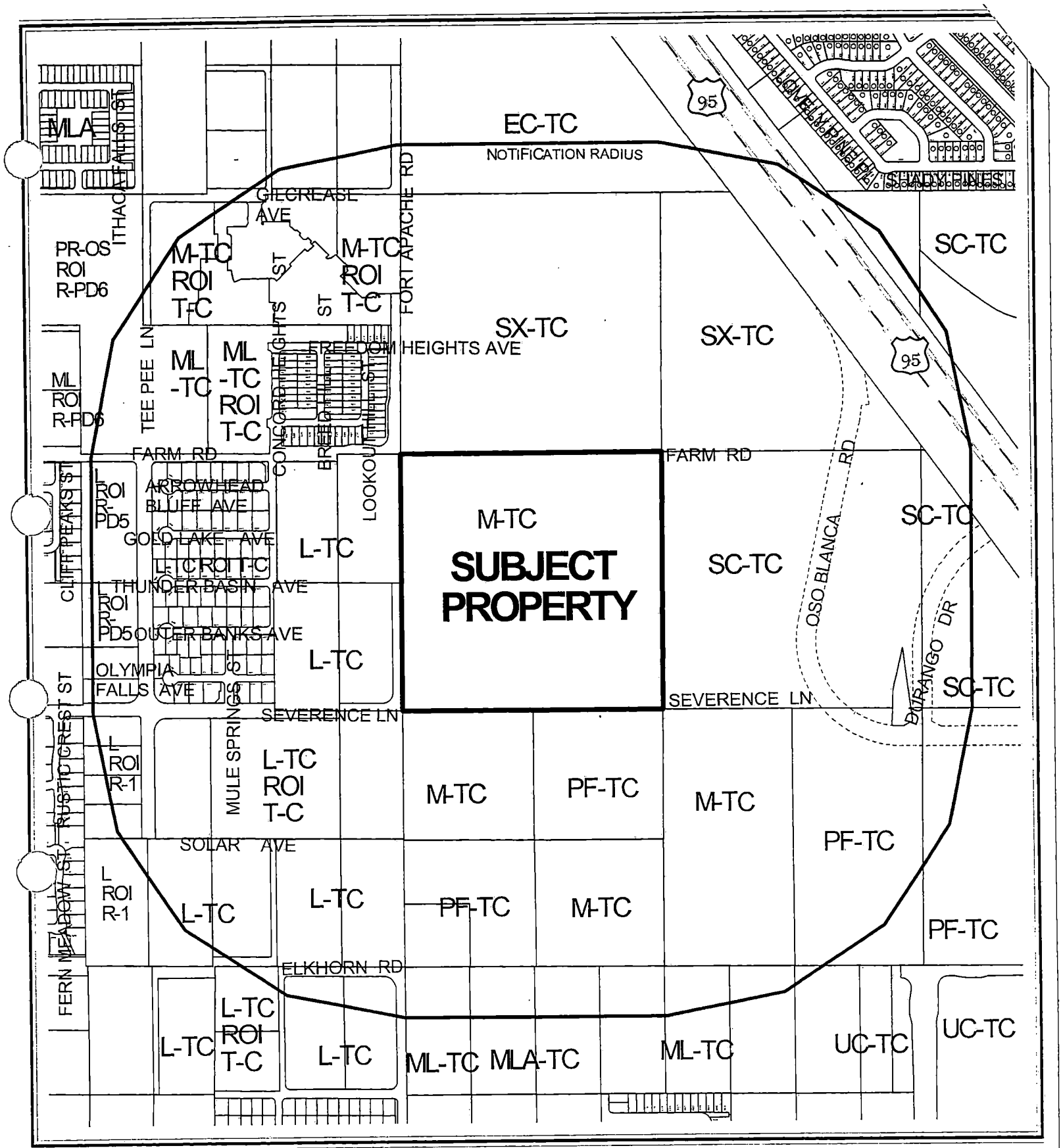
4-188

CONDITIONS:

Planning and Development

1. Revise Condition No. 3 of SDR-1769 to read as follows:

   3. The standards for this development shall include the following: minimum distance between buildings of 6.5 feet, and building height shall not exceed three stories or 35 feet, which ever is less. Development may occur in accordance with any waivers that have been granted with respect to this application, which include a waiver to amend the street section of Farm Road, a waiver of minimum sidewalk widths and a waiver of the tandem parking restriction for single-family development in Title 19. Sidewalks with a width of four feet shall be completely clear of all above-ground appurtenances.



CASE: **ROC-3238**

RADIUS: 1600 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Revise Condition No. 3 of SDR-1769 to read as follows:

   3. The standards for this development shall include the following: minimum distance between buildings of 6.5 feet, and building height shall not exceed three stories or 35 feet, which ever is less. Development may occur in accordance with any waivers that have been granted with respect to this application, which include a waiver to amend the street section of Farm Road, a waiver of minimum sidewalk widths and a waiver of the tandem parking restriction for single-family development in Title 19. Sidewalks with a width of four feet shall be completely clear of all above-ground appurtenances.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Review of Conditions Nos. 2 and 3 of an approved Site Development Plan Review (SDR-1769) to allow for the development of three-story single-family dwellings where two-story dwellings are the maximum allowed, on 174 lots of the 490-lot development approved through SDR-1769. The maximum height of these dwellings will not exceed 35 feet.

B) Applicant's Justification

The applicant has justified this request by stating that the requested increase in height would have little impact on the surrounding area and will affect only the non-cluster portion of the proposed development. Despite the number of lots affected, the applicant has indicated that only 88 lots will ultimately contain three-story homes.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) for 10,136 acres in the northwest portion of the city, including the subject property. The effective date was 05/29/64.

12/07/98 The City Council approved a request for a Rezoning from U (Undeveloped) Zone, R-E (Residence Estates), R-PD7 (Residential Planned Development - 5 Units Per Acre), R-PD11 (Residential Planned Development - 5 Units Per Acre), R-PD13 (Residential Planned Development - 5 Units Per Acre), R-PD18 (Residential Planned Development - 5 Units Per Acre), R-CL Residential - Compact Lot), C-1 (Limited Commercial), C-2 General Commercial), C-V (Civic), and P-D (Planned Development) to TC (Town Center) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan. The Planning Commission recommended approval on 11/05/98.

12/05/01 The City Council approved a request to amend a portion of the Centennial Hills Sector Plan from SC-TC (Service Commercial - Town Center) to M-TC (Medium Density Residential - Town Center) on approximately 41.27 acres adjacent to the southeast corner of Fort Apache Road and Farm Road. The Planning Commission recommended approval on 10/18/01.

GL

03/13/03 The Planning Commission voted to hold Site Development Plan Review (SDR-1769) and its companion items in abeyance to allow the applicant additional time to work with city staff to address outstanding issues and concerns regarding this project.

04/10/03 The Planning Commission again voted to hold this Site Development Plan Review and its companion items in abeyance to allow the applicant additional time to work with city staff to address remaining issues and redesign of this project.

05/08/03 The Planning Commission again voted to hold this Site Development Plan Review in abeyance to allow a representative of the developer to be able to attend the next Planning Commission meeting to present the project. Companion requests for a Special Use Permit for Private Streets (SUP-1887) and a Variance for insufficient Open Space (VAR-1885) were withdrawn without prejudice at this time.

06/18/03 The City Council approved a request for a Site Development Plan Review (SDR-1769) for a proposed 490-lot single-family residential development and a number of Waivers on 41.26 acres adjacent to the southeast corner of Fort Apache Road and Farm Road. The Planning Commission recommended approval on 05/22/03.

B) Pre-Application Meeting

10/09/03 At the pre-application meeting, the reasons for the request and submittal requirements were discussed.

C) Neighborhood Meetings

No neighborhood meetings are required as a result of a Review of Condition submittal.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	41.26
Net Acres:	21.3

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

GL

C) Planned Land Use

Subject Property:	M-TC (Medium Density Residential - Town Center)
North:	SX-TC (Suburban Mixed Use - Town Center)
South:	SC-TC (Service Commercial - Town Center), PF-TC (Public Facility - Town Center) and M-TC (Medium Density Residential - Town Center)
East:	SC-TC (Service Commercial - Town Center)
West:	ML-TC (Medium-Low Density Residential - Town Center) and L-TC (Low Density Residential - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U-TC (Undeveloped) Zone and U-TC under Resolution of Intent to TC (Town Center)

E) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The site is designated M (Medium Density Residential - Town Center) within the Town Center Land Use Map, which allow densities from 12.1 to 25 dwelling units per acre. The Site Development Plan proposes a gross density of 11.88 units per acre, which is marginally below the M-TC (Medium Density Residential - Town Center) density range. The Review of Condition request is not directly related to any General Plan policies.

SPECIAL DISTRICTS/ZONES	*Yes*	*No*
Special Area Plan	**X**	
Centennial Hills Town Center	**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 site falls within the Centennial Hills Sector Plan Town Center. There are no policies of the Town Center Development Standards Manual that relate to this request for a Review of Condition.

GL

ANALYSIS

This request will increase the maximum height of single-family dwellings on up to 174 lots within this proposed 490-lot development from two stories to three stories. The applicant has indicated that the actual height of these homes will not exceed 35 feet, and that only 88 of the lots in question will be actually developed with the three-story product. Given these statements, and the fact that all the affected lots are located in the central portion of the development and will not be visible from surrounding sites, the request is reasonable.

FINDINGS

The nature of the request is minor. The proposed three-story models that will be allowed as a result of the approval of this review of Condition are consistent with the design and intent of the original Site Plan Review and can be approved.

NOTICES MAILED 37 (Mailed with ROC-3240)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3238 APN: 125-17-301-001

Name of Property Owner: Astoria Northwest 40 LLC

Name of Applicant: Astoria Homes

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: THOMAS MCCORMICK

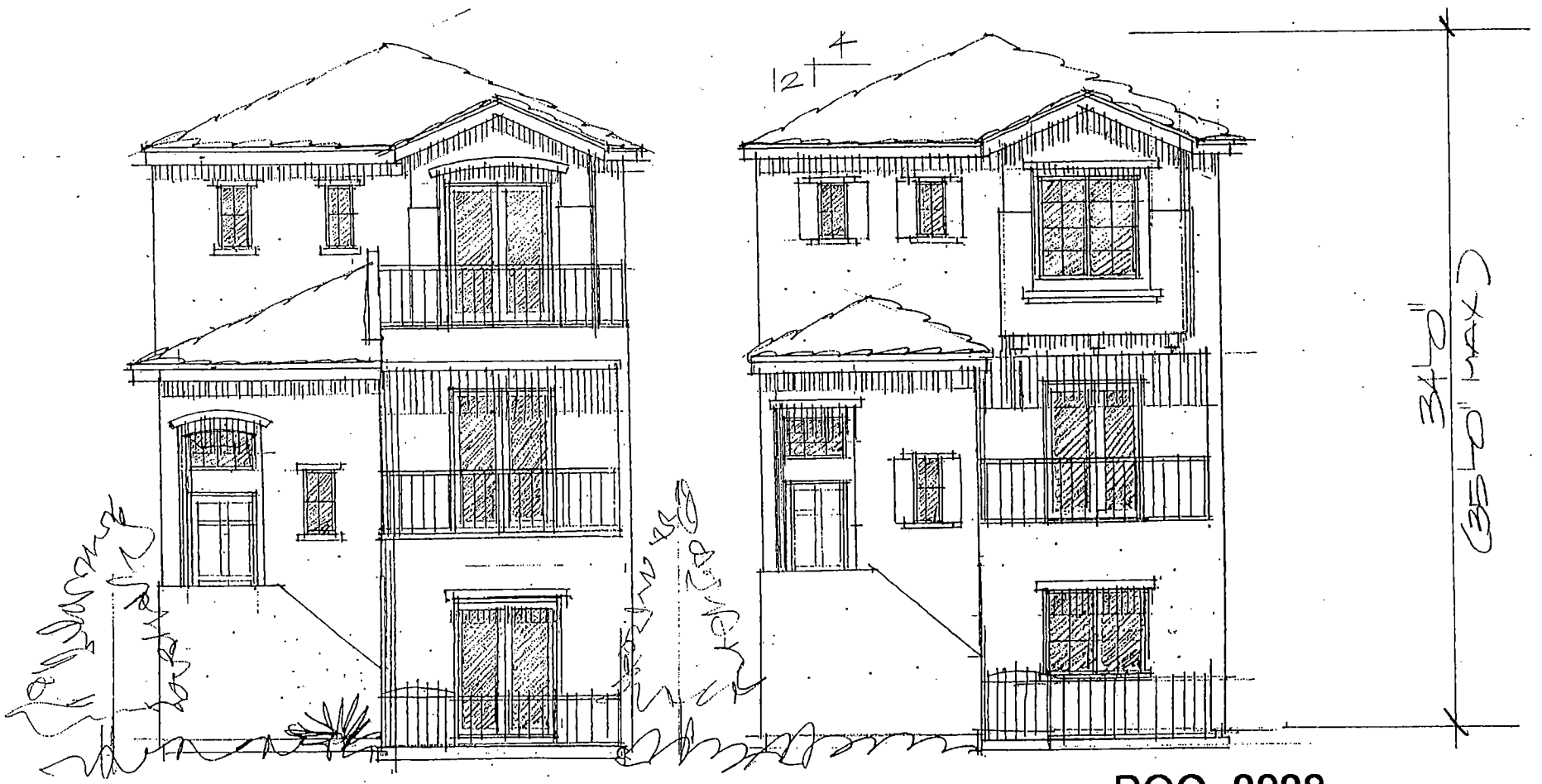
Subscribed and sworn before me

This 1ST day of October, 2003

Patricia Whipple

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PATRICIA WHIPPLE
No. 00-63238-1 My Appointment Expires May 9, 2004



ROC-3238
12-04-03 PC

Item one

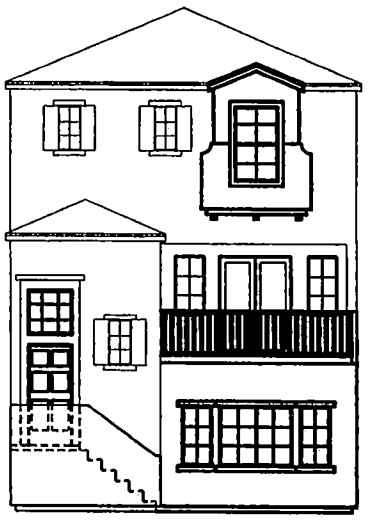


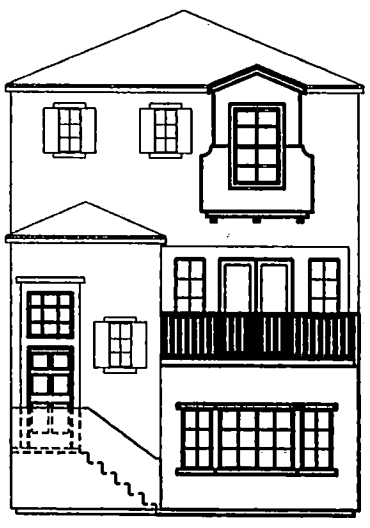
ROC -3238
12-04-03 PC

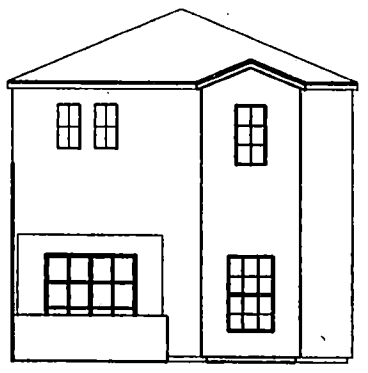
Planned



G75-A FLOOR PLAN







G90 FLOOR PLAN

ROC -3238
12-04-03 PC

BUILDING PERMIT ?
CONSTRUCTION
AS BUILT
REVISIONS

RV CONTRACTOR LICENSE
COUNTY BUSINESS LICENSE
CITY BUSINESS LICENSE
HENDERSON BUSINESS LICENSE

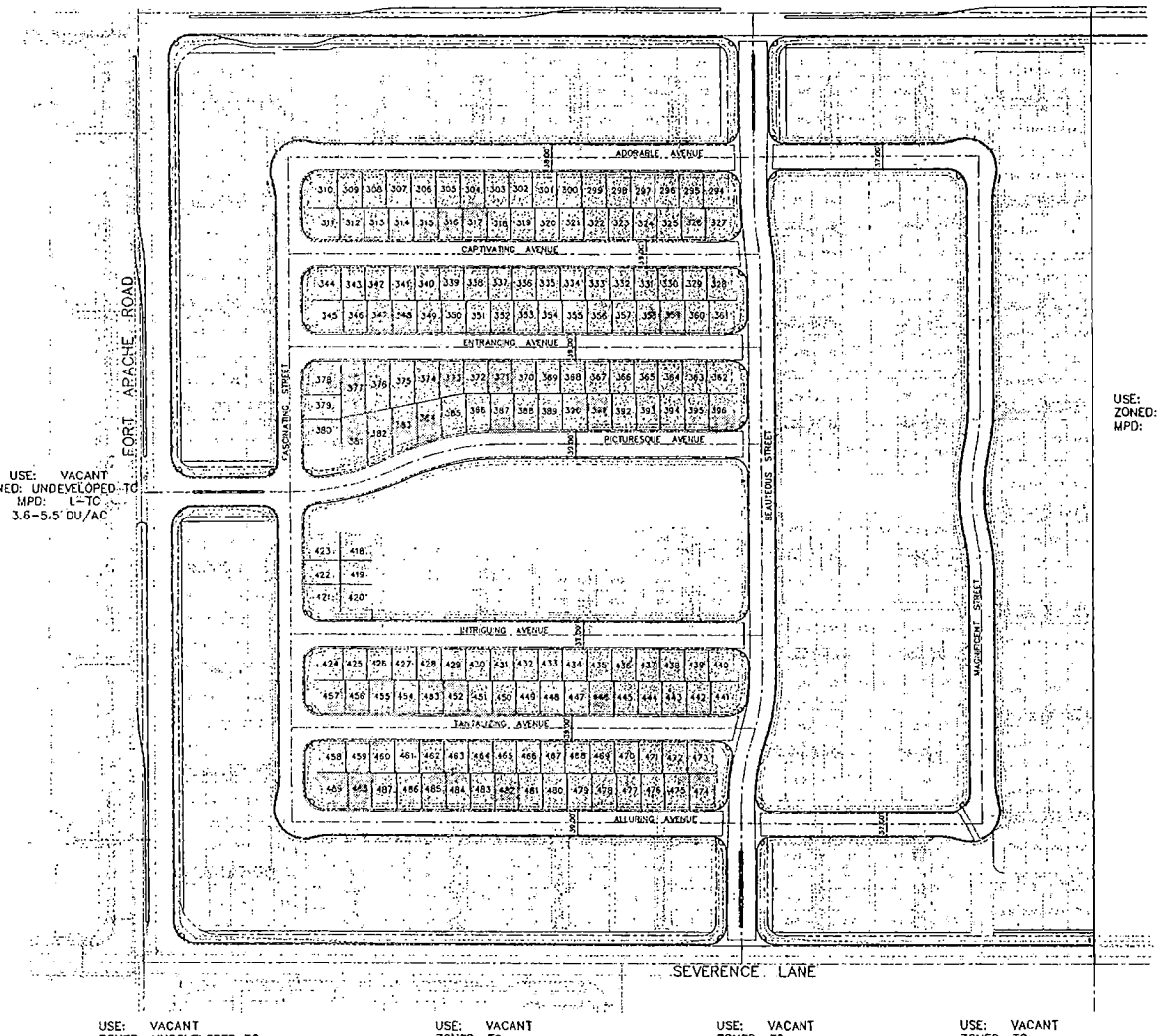
ASTORIA HOMES
Built for Life.SM

DATE: ?
DRAWN BY: S.C ASTORIA HOME
PLAN NUMBER:

USE: VACANT
ZONED: UNDEVELOPED TC
MPD: ML-TC
5.6-8 DU/AC

USE: VACANT
ZONED: TC
MPD: SUBURBAN MIXED USE

USE: VACANT
ZONED: TC
MPD: SUBURBAN MIXED USE



USE: VACANT
ZONED: UNDEVELOPED TC
MPD: L-TC
3.6-5.5 DU/AC

USE: VACANT
ZONED: TC
MPD: SC-TC

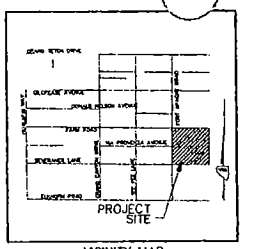
USE: VACANT
ZONED: UNDEVELOPED TC
MPD: L-TC
3.6-5.5 DU/AC

USE: VACANT
ZONED: TC
MPD: ML-TC

USE: VACANT
ZONED: TC
MPD: CS-TC

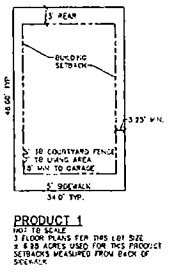
USE: VACANT
ZONED: TC
MPD: ML-TC

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft



VICINITY MAP

PRODUCT DATA	
PRODUCT 1	179 Units
TOTAL	489 Units



PRODUCT 1
NOT TO SCALE
3 FLOOR PLANS PER THIS LOT SIZE
± 0.23 ACRES USED FOR THIS PRODUCT
SETBACKS MEASURED FROM BACK OF SIDEWALK

NOTE: Bold areas indicate lots subject to this application

ROC-3238
12-04-03 PC

ASTORIA HOMES
3550 DEL REY BLVD.
LAS VEGAS, NV 89134
(702) 258-1100

3727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-3149
PH. (702) 873-7500 FAX (702) 362-2597
RENOSO CONSULTING ENGINEERS ■ PLANNERS ■ LAND SURVEYORS

NO	DATE	BY	REVISION
	10/03	LCD	SUBMIT Product One

REVIEW OF CONDITIONS
PRODUCT ONE DRIVEWAYS

ASTORIA @
TOWN CENTER SOUTH

DRAWN BY: TP
DESIGNED BY:
CHECKED BY:
PROJECT NO: 5363
SCALE: 1" = 80' HORIZ. VERT. NA
3/09/04

SHEET
1 OF 1 SHEETS
DRAWING NO.



ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF FORT APACHE ROAD AND SEVERENCE LANE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 4 of an approved Site Development Plan Review [SDR-1769], to allow 18-foot setbacks to the front of the garage as measured from the back of sidewalk or from back of curb where no sidewalk is provided for lots 294 to 396 and 418 to 489 (179 lots) where a 20-foot setback is required on 41.26 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because she is currently under contract with Astoria Homes

To be heard by the City on 1/7/2004.

MINUTES:
NOTE: See Item 45 [ROC-3238] for all related discussion.

(10:55 – 11:00)

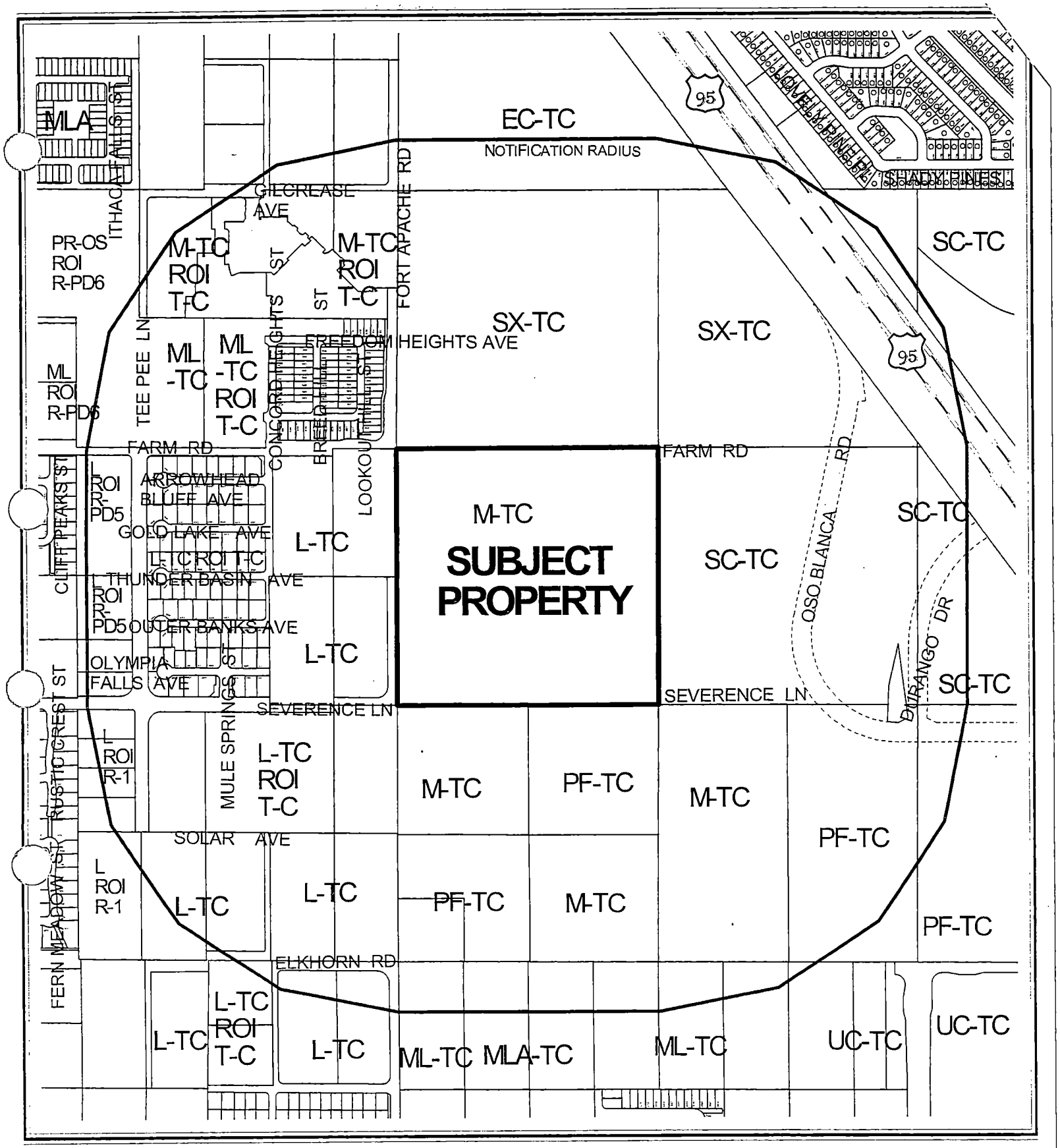
PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 46 – ROC-3240

CONDITIONS:

Planning and Development

1. Revise Condition No. 4 of SDR-1769 to read as follows:

   4. The setbacks for this development shall be:
   Product 1 - a minimum of 7 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.25 feet on the side, and 3 feet in the rear;
   Product 2 (8-unit cluster) - a minimum of 3.5 feet to the front of the house, 2.5 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side; and
   Product 3 (6-unit cluster) - a minimum of 3 feet to the front of the house, 2 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side.



0 400 800 Feet

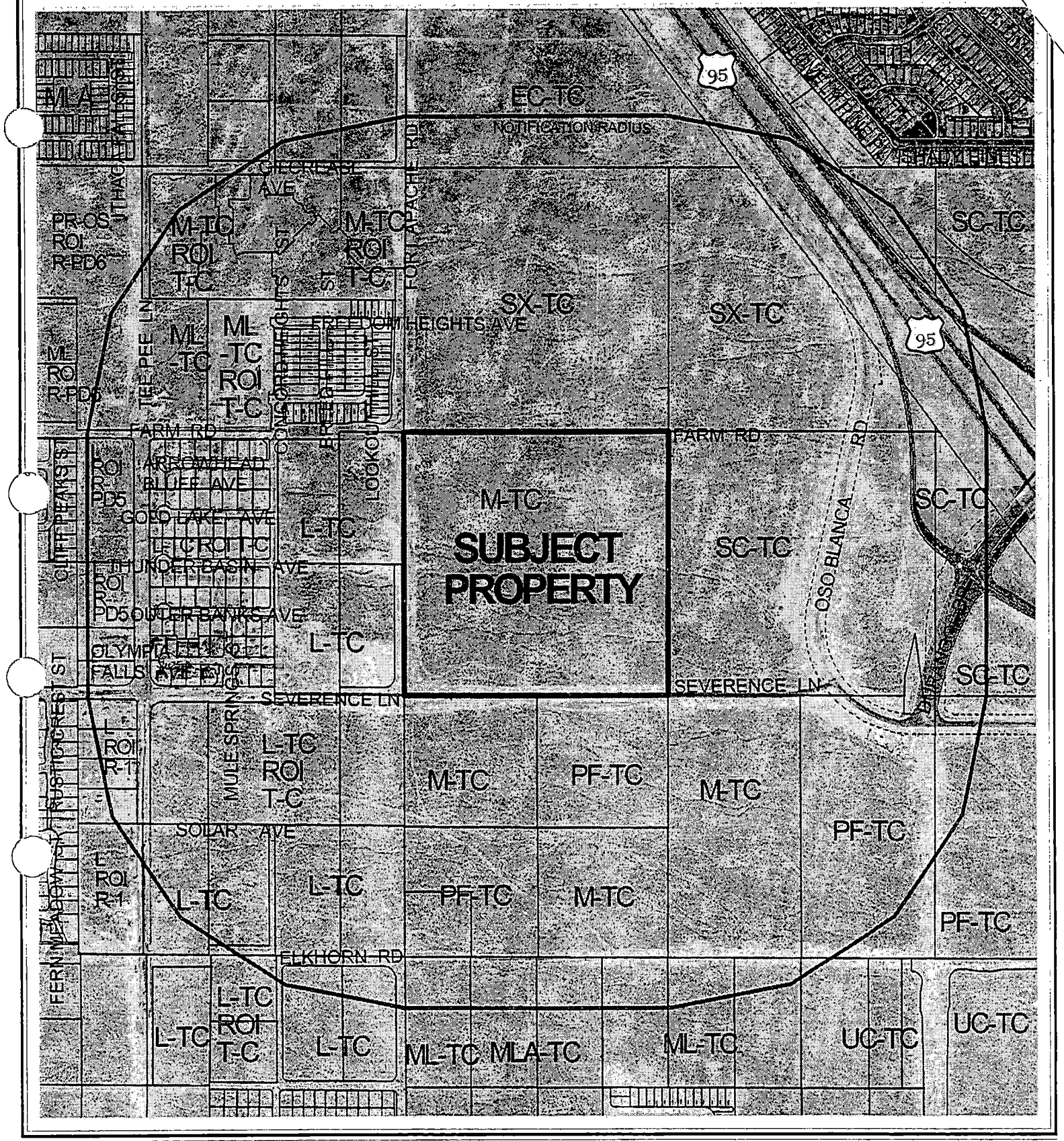
CASE: **ROC-3240**

RADIUS: 1600 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) LAND USE DESIGNATION]

N



CASE: **ROC-3240**

RADIUS: 1600 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Revise Condition No. 4 of SDR-1769 to read as follows:

   4. The setbacks for this development shall be:
      - Product 1 - a minimum of 7 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.25 feet on the side, and 3 feet in the rear;
      - Product 2 (8-unit cluster) - a minimum of 3.5 feet to the front of the house, 2.5 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side; and
      - Product 3 (6-unit cluster) - a minimum of 3 feet to the front of the house, 2 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Review of Condition No. 4 of an approved Site Development Plan Review (SDR-1769) to modify the required setback to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, from 20 feet to 18 feet.

B) Applicant's Justification

The applicant has justified this request by stating that the requested reduction has been reviewed by and is acceptable to the Traffic Engineering Section of the Department of Public Works.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) for 10,136 acres in the northwest portion of the city, including the subject property. The effective date was 05/29/64.

12/07/98 The City Council approved a request for a Rezoning from U (Undeveloped) Zone, R-E (Residence Estates), R-PD7 (Residential Planned Development - 5 Units Per Acre), R-PD11 (Residential Planned Development - 5 Units Per Acre), R-PD13 (Residential Planned Development - 5 Units Per Acre), R-PD18 (Residential Planned Development - 5 Units Per Acre), R-CL Residential - Compact Lot), C-1 (Limited Commercial), C-2 General Commercial), C-V (Civic), and P-D (Planned Development) to TC (Town Center) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan. The Planning Commission recommended approval on 11/05/98.

12/05/01 The City Council approved a request to amend a portion of the Centennial Hills Sector Plan from SC-TC (Service Commercial - Town Center) to M-TC (Medium Density Residential - Town Center) on approximately 41.27 acres adjacent to the southeast corner of Fort Apache Road and Farm Road. The Planning Commission recommended approval on 10/18/01.

03/13/03 The Planning Commission voted to hold Site Development Plan Review (SDR-1769) and its companion items in abeyance to allow the applicant additional time to work with city staff to address outstanding issues and concerns regarding this project.

GL

04/10/03 The Planning Commission again voted to hold this Site Development Plan Review and its companion items in abeyance to allow the applicant additional time to work with city staff to address remaining issues and redesign of this project.

05/08/03 The Planning Commission again voted to hold this Site Development Plan Review in abeyance to allow a representative of the developer to be able to attend the next Planning Commission meeting to present the project. Companion requests for a Special Use Permit for Private Streets (SUP-1887) and a Variance for insufficient Open Space (VAR-1885) were withdrawn without prejudice at this time.

06/18/03 The City Council approved a request for a Site Development Plan Review (SDR-1769) for a proposed 490-lot single-family residential development and a number of Waivers on 41.26 acres adjacent to the southeast corner of Fort Apache Road and Farm Road. The Planning Commission recommended approval on 05/22/03.

B) Pre-Application Meeting

10/09/03 The reasons for the request were discussed and it was indicated that a front driveway area would need to be a minimum of 18 feet. Submittal requirements were also discussed.

C) Neighborhood Meetings

No neighborhood meetings are required as a result of a Review of Condition submittal.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	41.26
Net Acres:	21.3

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	M-TC (Medium Density Residential - Town Center)
North:	SX-TC (Suburban Mixed Use - Town Center)
South:	SC-TC (Service Commercial - Town Center), PF-TC (Public Facility - Town Center) and M-TC (Medium Density Residential - Town Center)
East:	SC-TC (Service Commercial - Town Center)
West:	ML-TC (Medium-Low Density Residential - Town Center) and L-TC (Low Density Residential - Town Center)

GL

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U-TC (Undeveloped) Zone and U-TC under Resolution of Intent to TC (Town Center)

E) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The site is designated M (Medium Density Residential - Town Center) within the Town Center Land Use Map, which allow densities from 12.1 to 25 dwelling units per acre. The Site Development Plan proposes a gross density of 11.88 units per acre, which is marginally below the M-TC (Medium Density Residential - Town Center) density range. The Review of Condition request is not directly related to any General Plan policies.

SPECIAL DISTRICTS/ZONES	*Yes*	*No*
Special Area Plan	X	
Centennial Hills Town Center	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 site falls within the Centennial Hills Sector Plan Town Center. There are no policies of the Town Center Development Standards Manual that relate to this request for a Review of Condition.

ANALYSIS

This request will reduce the front setback to the garage, which is measured from the back of the sidewalk where a sidewalk is provided, or from the back of curb where no sidewalk exists, from 20 feet to 18 feet. The proposed change to Condition Number 4 of Site Development Plan Review (SDR-1769) is acceptable since the lots in question will still provide adequate driveway space to meet the minimum parking capsule standards of the Zoning Code. It should be noted that the site plan was approved using the single-car driveway of these units as the second required parking space. Title 19.10 normally requires unimpaired access to each parking space.

GL

FINDINGS

The nature of the request is minor. The proposed front garage door setback modification is consistent with the design and intent of the original Site Plan Review and can be approved.

NOTICES MAILED 37 (Mailed with ROC-3238)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3240 APN: 125-17-301-001

Name of Property Owner: Astoria Northwest 40, LLC, A nevada Limited Liability Company

Name of Applicant: Astoria Homes

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

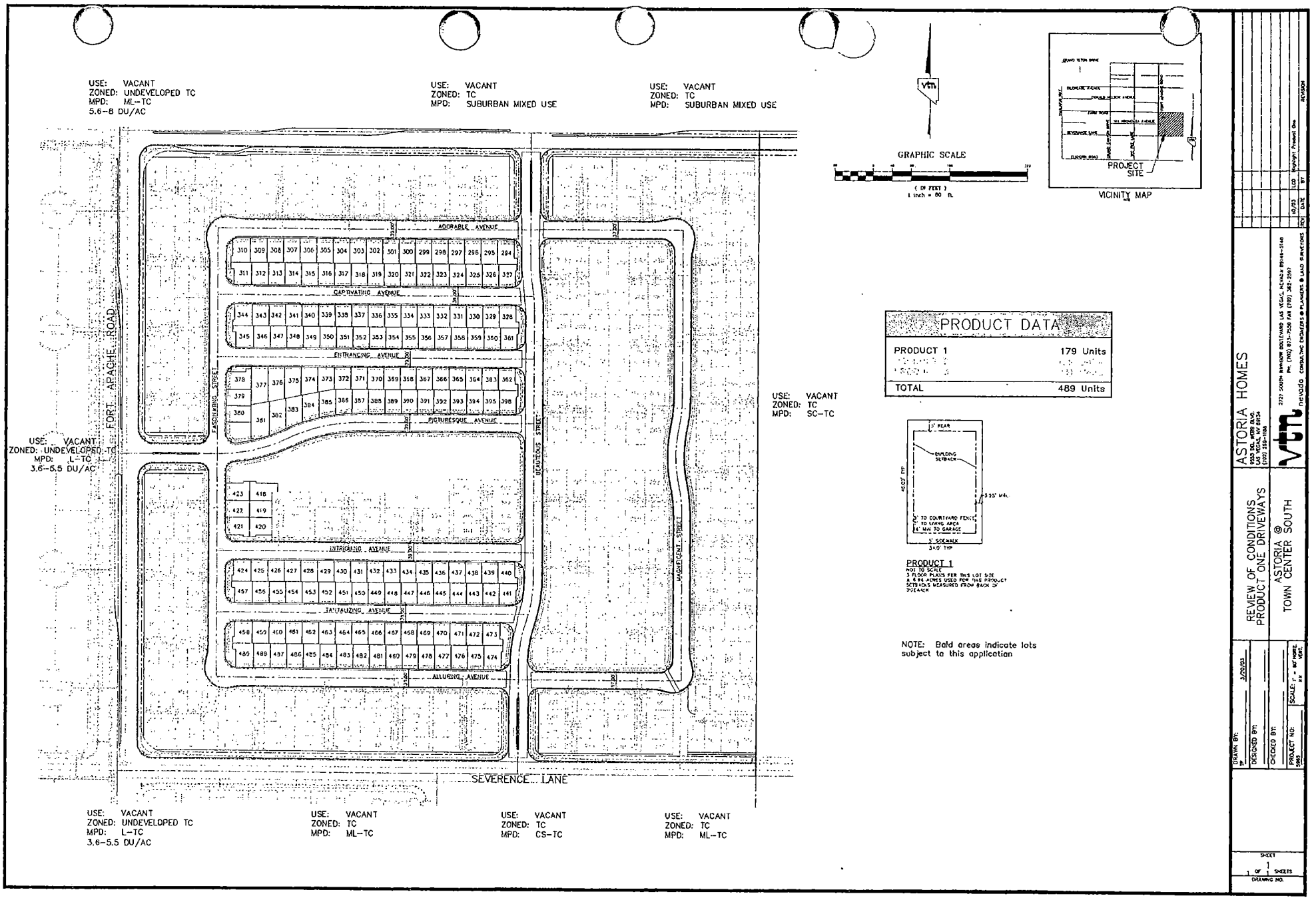
Print Name: Thomas McCormick

Subscribed and sworn before me

This 4th day of September, 2003

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

Notary Public - State of Nevada
COUNTY OF CLARK
PATRICIA WHIPPLE
No. 00-63238-1 My Appointment Expires May 9, 2004



PRODUCT DATA	
PRODUCT 1	179 Units
TOTAL	489 Units

PRODUCT 1
NOT TO SCALE
3 FLOOR PLANS PER THIS LOT SIZE
4.96 ACRES USED FOR THIS PRODUCT
SETBACKS MEASURED FROM BACK OF SIDEWALK

NOTE: Bold areas indicate lots subject to this application

ASTORIA HOMES
9353 DEL WEBB BLVD.
LAS VEGAS, NV 89134
(702) 254-1188

vtn nevada
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7500 FAX (702) 362-2597
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

NO	DATE	BY
1	10/03	LCD

Revised Product One

REVIEW OF CONDITIONS
PRODUCT ONE DRIVEWAYS

ASTORIA @
TOWN CENTER SOUTH

DRAWN BY: TP
DESIGNED BY:
CHECKED BY:
PROJECT NO: 5983
3/29/03
SCALE: 1" = 80' HORIZ. VERT.
SHEET 1 OF 1 SHEETS
DRAWING NO.

ROC-3240
12-04-03 PC



ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF FORT APACHE ROAD AND SEVERENCE LANE
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Rezoning (ZON-2436) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – Motion for no recommendation – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened on Item 47 [ROC-3283] and Item 48 [ROC-3286].

GARY LEOBOLD, Planning and Development Department, advised that the conditions on the two applications are the same and impact the rezoning. During approval of the rezoning and site development plan, ZON-2436 and SDR-2437, conditions for minimum lot sizes was imposed. This housekeeping item addresses that. Staff recommended approval of the review of condition for both applications.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 47 – ROC-3283

MINUTES – Continued:

ATTORNEY PAUL LARSEN, Lionel, Sawyer & Collins, 300 South Fourth Street, appeared on behalf of the applicant and concurred with the conditions.

SANDY BRACKFIELD, 6917 Leon Avenue, clarified with MR. LEOBOLD that the review of condition will not impact the number of lots, which will remain unchanged. It will simply remove a conflicting condition from each application that should have been removed during the original approvals. CHAIRMAN TRUESDELL verified that the project is zoned R-PD3. ATTORNEY LARSEN added that the site plan approved will not be changed in any manner. MS. BRACKFIELD opposed the request because the majority of surrounding residences are on acre lots. She would like this project be reduced to a more consistent two homes per acre. The development would set a precedent for the remaining undeveloped land and increase the area traffic flow.

CRAIG SHIRLEY, 5901 Mello Avenue, questioned how a change in lot size could not impact the plan. CHAIRMAN TRUESDELL discussed with MR. LEOBOLD that the reduced lot size was approved in the original plan, but not reflected in the conditions prepared prior to the meeting. At the original meeting, the condition should have been deleted. The lots complied with the standards, but did not comply with the condition. MR. SHIRLEY opposed the request and pointed to another development one mile to the east. Creeping density is like cancer in a rural neighborhood.

COMMISSIONER McSWAIN indicated that she opposed the original application and DEPUTY CITY ATTORNEY BRYAN SCOTT rebutted that this is a housekeeping item. ROBERT GENZER, Director of Planning and Development Department, stated that perhaps staff should have gone directly to Council rather than this meeting. CHAIRMAN TRUESDELL responded that all reviews should go to Planning Commission and MR. GENZER noted that it cannot be final action because the condition was approved by Council. DEPUTY CITY ATTORNEY SCOTT suggested the Commission could move these items forward with no recommendation to City Council.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 47 [ROC-3283] and Item 48 [ROC-3286].

(11:00 – 11:09)

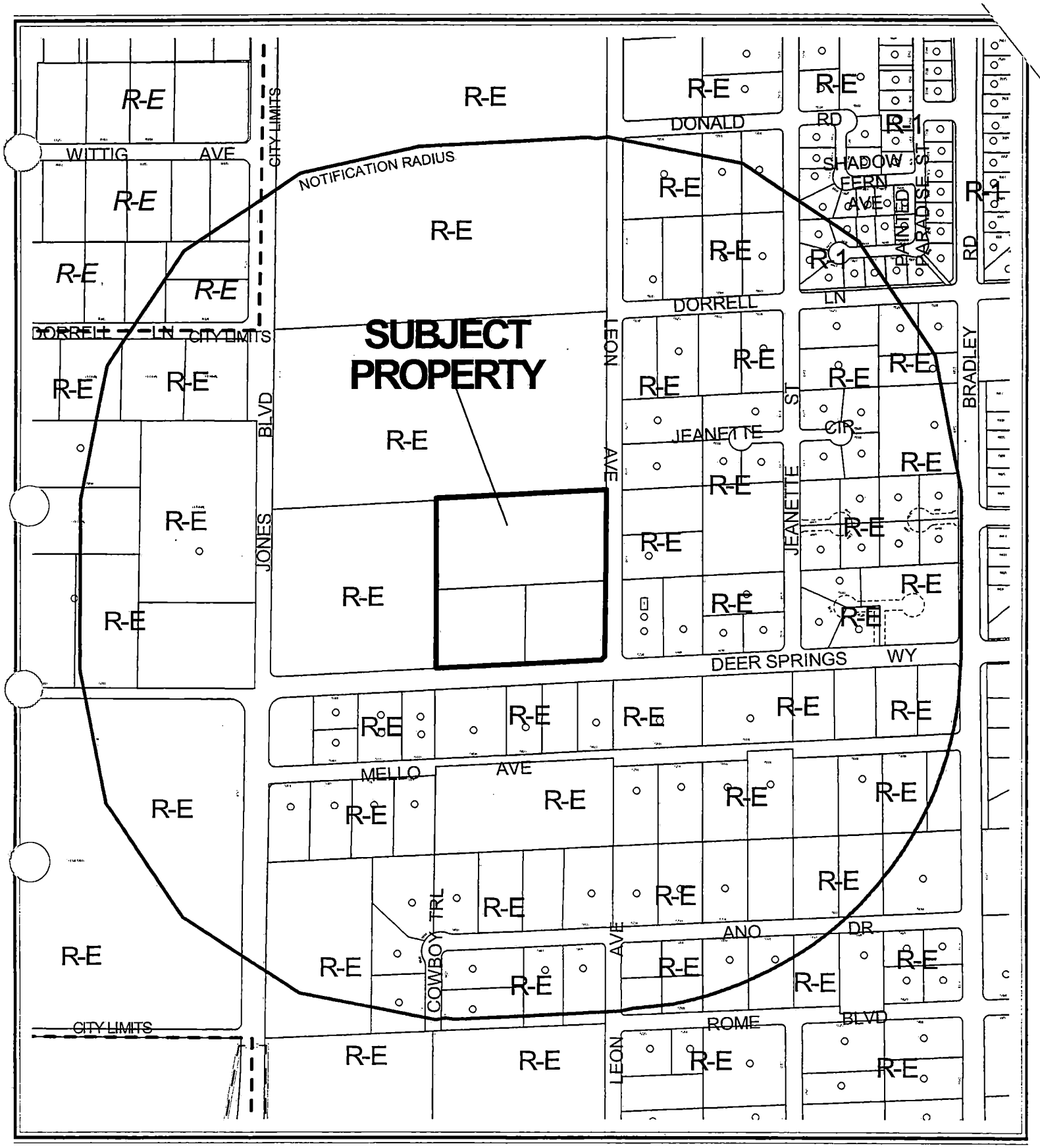
PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 47 – ROC-3283

CONDITIONS:

Planning and Development

1. Condition Number 3 shall be removed from the approval of Rezoning (ZON-2436).

2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

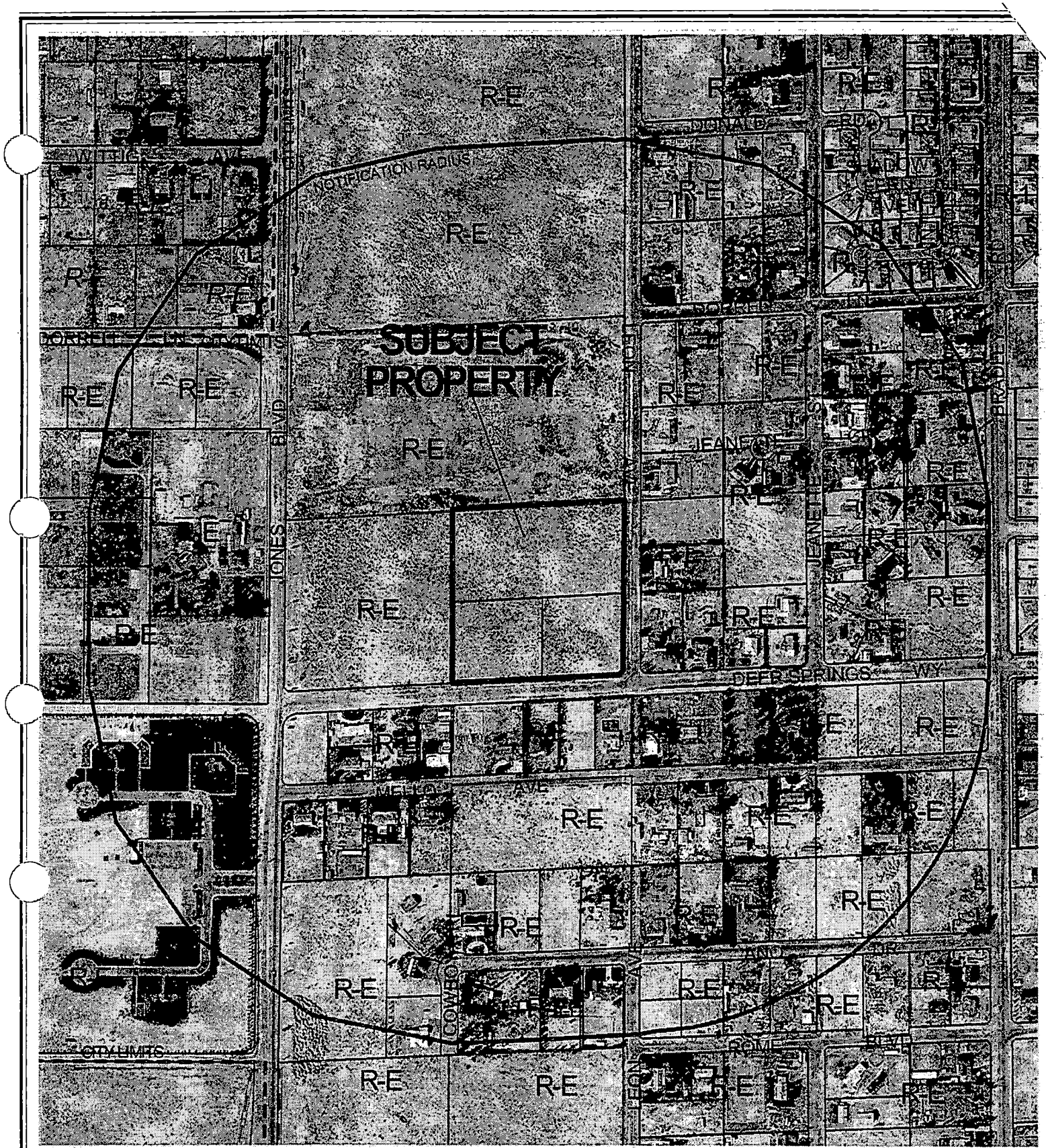


CASE: **ROC-3283**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



0 300 600 Feet

CASE: **ROC-3283**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 3 shall be removed from the approval of Rezoning (ZON-2436).

2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition to eliminate Condition Number 3 of an approved Rezoning (ZON-2436) that required a minimum lot size of 11,000 square feet for a proposed Single-Family Residential Development on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way.

B) Applicant's Justification

The applicant's justification letter indicates that when the two land use applications, Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437), were presented to City Council on August 6, 2003, a site plan was shown depicting 29 overall lots with common area. The City Council approved the site plan and design, despite the fact that not every lot exceeded the 11,000 square foot minimum. The condition was not officially stricken from the record.

BACKGROUND INFORMATION

A) Previous Actions

08/06/03 The City Council approved a request for a Rezoning (ZON-2436) From: R-E (Residence Estates) To: R-PD3 (Residential Planned Development – 3 Units Per Acre) and a Site Development Plan Review (SDR-2437) for a 29-Lot Single-Family Residential Development on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way. The Planning Commission recommended denial on June 26, 2003.

12/04/03 The Planning Commission will hear a related item, Review of Condition (ROC-3286) request to eliminate condition number 3 of an approved Site Development Plan Review (SDR-2437) which required a minimum lot size of 11,000 square feet for a proposed Single-Family Residential Development on the subject site.

B) Pre-Application Meeting

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

TB

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 9.15

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	L (Low Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is within the Centennial Hills Sector Plan, General Plan R (Rural Density Residential) category, which allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. The approved R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district is in compliance with the General Plan designation.

PROJECT DESCRIPTION

A total of 29 lots will be developed on the subject site. The lots will be on a 37-foot wide, private street with access to Deer Springs Way. Lots range in size from 8,800 square feet to 19,377 square feet. Six-foot wide landscape planters are depicted adjacent to all rights-of-way. The proposed density of 3.17 units per acre is in conformance with the R (Rural Density Residential) General Plan designation and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district. The submitted site plan matches the site plan that was approved at City Council on August 6, 2003.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437), as approved by City Council on 08/06/03, the following Development Standards apply to the subject proposal:

Standards	**Required by Condition #3 of ZON-2436 and SDR-2437**	**Provided**	**Compliance**
Min. Lot Size	11,000 Feet	8,614 – 19,377	N

Condition Number 3 of Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437) states; "The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a Tentative Map, to reflect a minimum lot size of 11,000 square feet." The submitted site plan depicts lot sizes that range from 8,614 square feet to 19,377 square feet. The submitted site plan matches the site plan that was brought before City Council on August 6, 2003 where the plan was approved, subject to staff's conditions.

B) General Analysis and Discussion

Condition Number 3, originally recommended by staff, was based on the same site plan as submitted under this Review of Condition request, which matches the site plan that was brought before City Council on August 6, 2003. The minutes for the City Council meeting on August 6, 2003 who the applicant's representative had met with the neighbors and as a result of that meeting the density of the project was reduced from 30 to 29 lots, just below a density of three units per acre. No one appeared in opposition at the meeting. Twenty-one of the twenty-nine proposed lots as depicted on the site plan were less than 11,000 square feet. An examination of the record shows the condition was inadvertently left in place.

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 submitted 29-lot Single-Family Development was found to be compatible with adjacent development and development in the area. The elimination of condition #3 from Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437) will not result in an increase to the number of overall lots permitted; therefore, approval is being recommended.

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

   The proposed development is consistent with the General Plan as well as Title 19 and other standards.

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

   The subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

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

   Building and landscape materials are not subject to change under this Review of Condition request; however, the original Site Development Plan Review found that the materials proposed were appropriate for this area. The Planning and Development Department will evaluate every building permit to ensure the materials are appropriate for the area and the City.

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, design characteristics and other architectural features are not subject to change under this Review of Condition request. The minimum lot size requirement condition was originally proposed to aid in compatibility with the surrounding R-E (Residence Estates) zoned properties, but it was determined that a 29-lot Single-Family development containing all required open space and landscape buffers would be harmonious and compatible with development in the area.

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

   The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 116 (Mailed with ROC-3286)

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3283 APN: 125-24-201-003, 004 and 005

Name of Property Owner: Yamini Moussa et al

Name of Applicant: Razi Investments, LLC

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

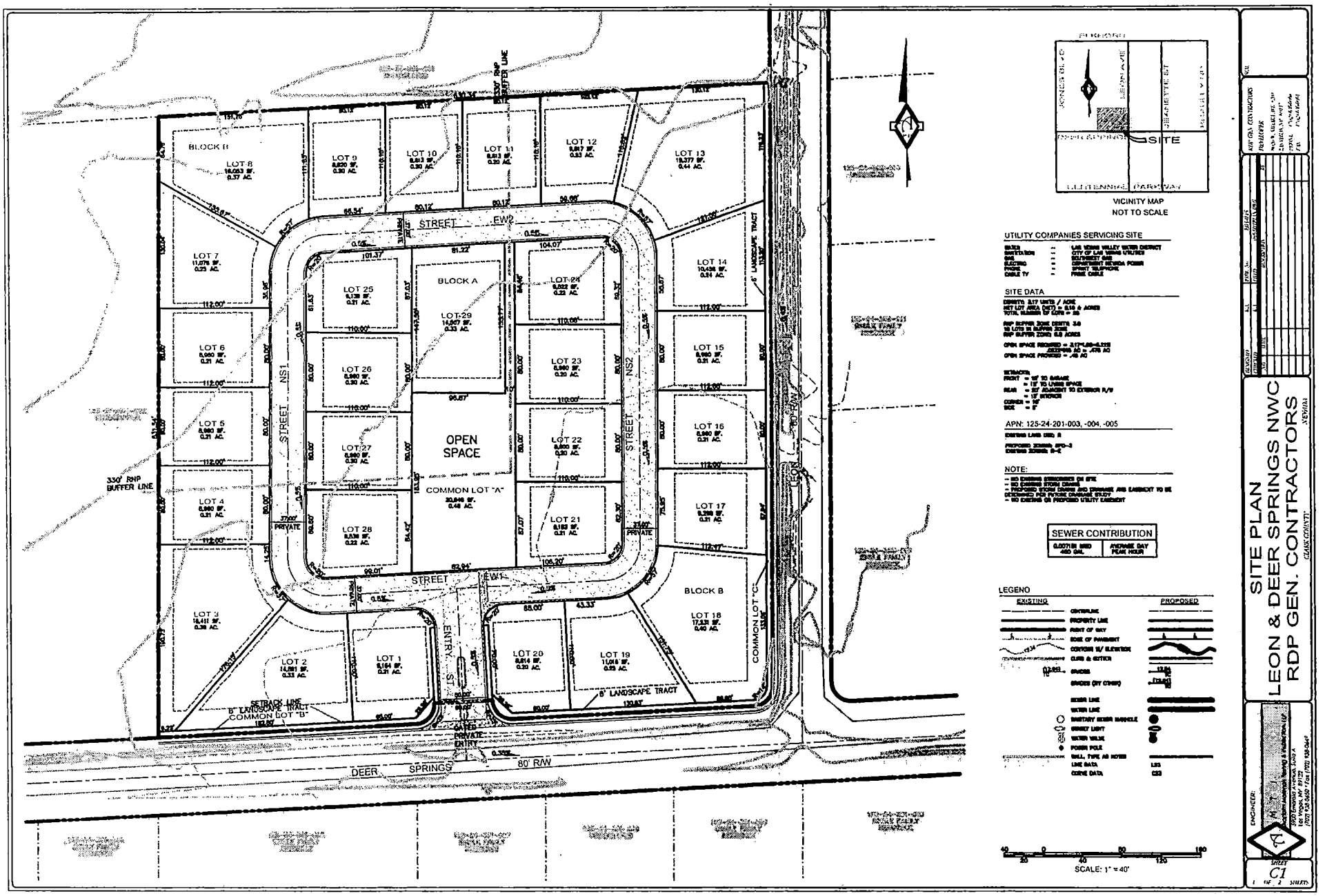
Print Name: RAZI INVESTMENT Ron City IT'S MANAGER

Subscribed and sworn before me

This 23rd day of September, 2003

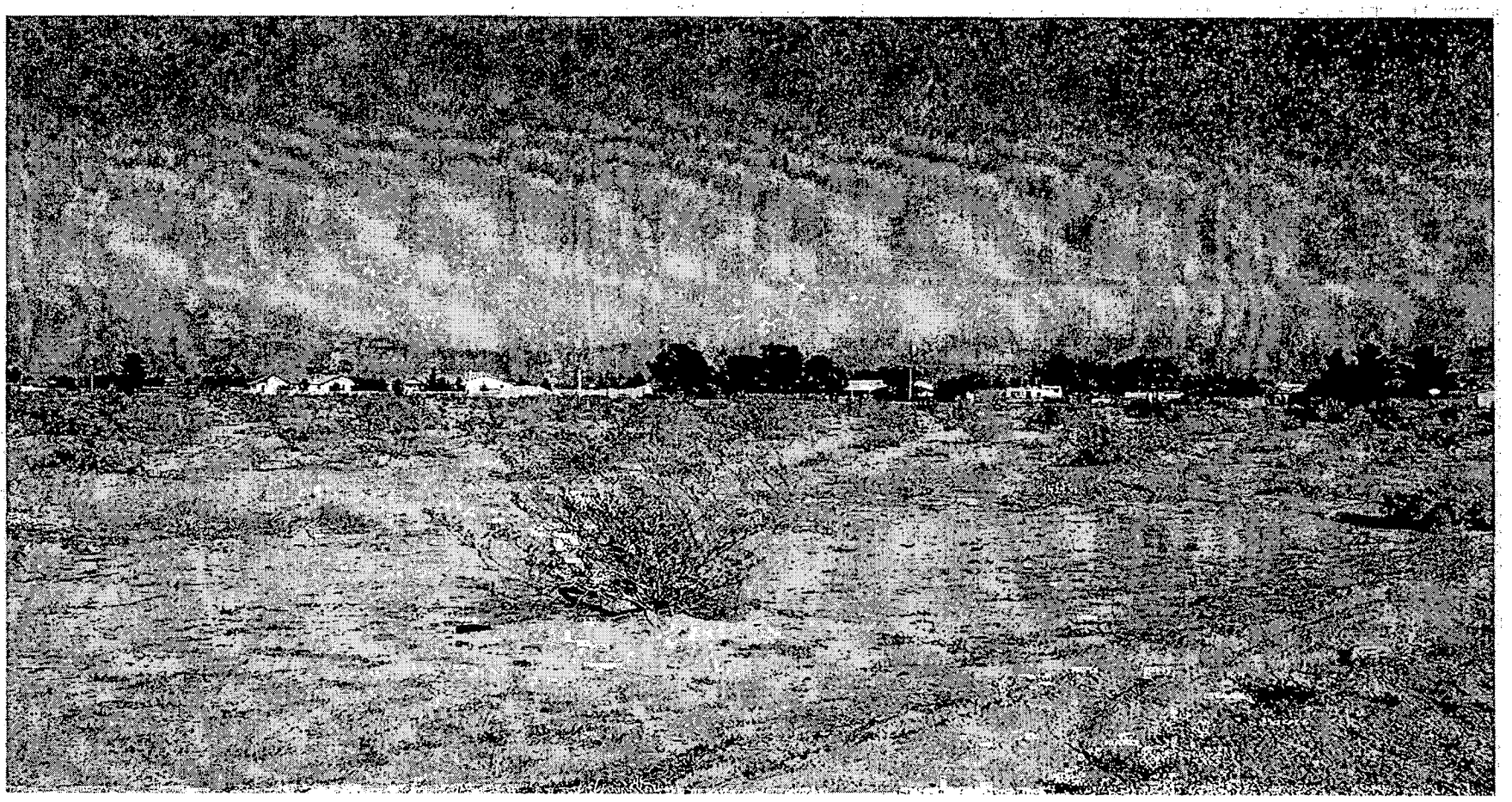
_____
Notary Public in and for said County and State

VICKI L. BYAS
NOTARY PUBLIC
STATE OF NEVADA
APPT. No 92-4245-1
MY APPT. EXPIRES APRIL 1, 2005



ROC-3283
ROC-3286

12-04-03 PC



ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF LEON AVENUE AND DEER SPRINGS WAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review (SDR-2437) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

CC: 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – Motion for no recommendation – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
NOTE: See Item 48 [ROC-3283] for all related discussion.

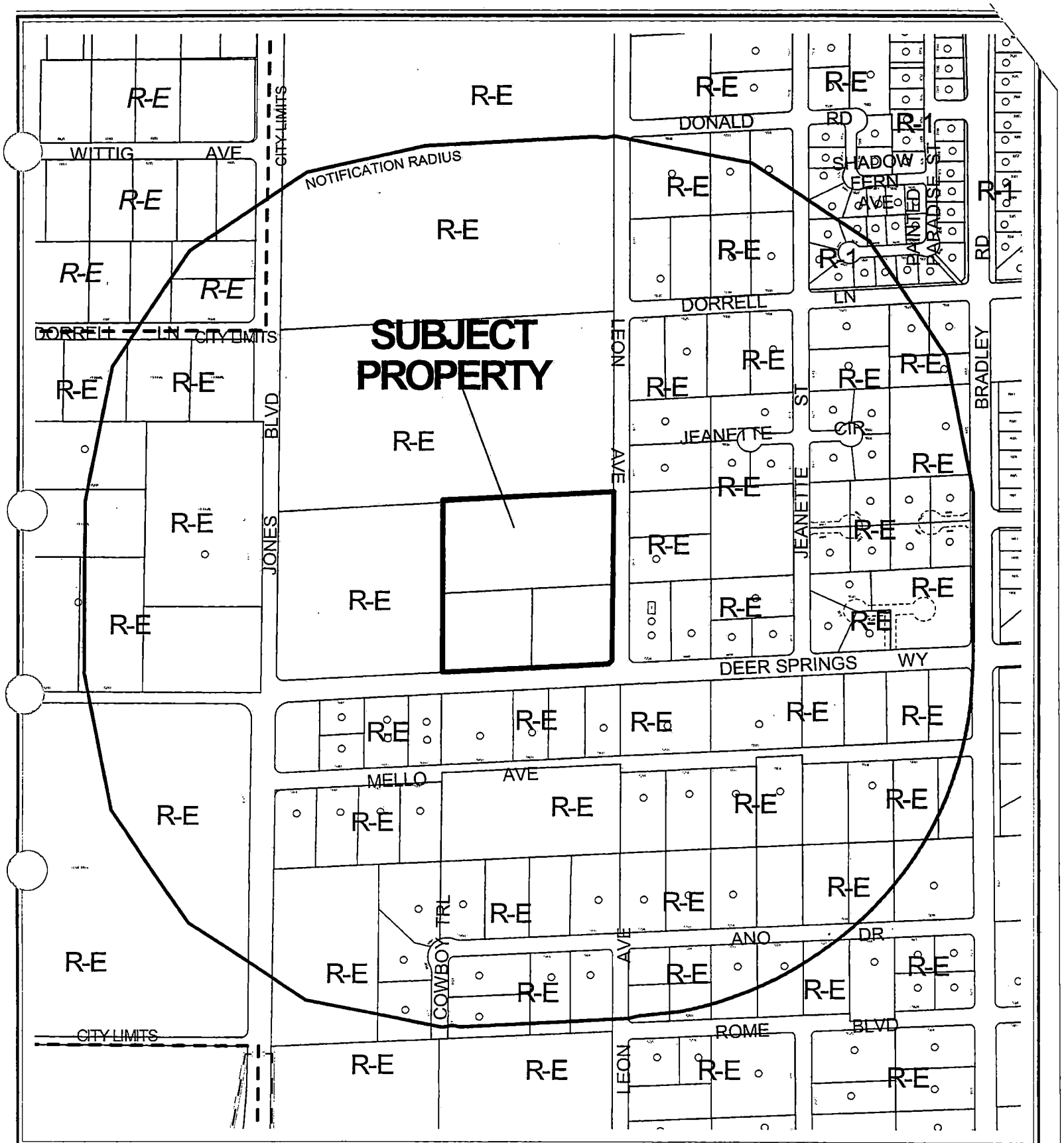
(11:00 – 11:09)

4-383

Planning and Development

1. Condition Number 3 shall be removed from the approval of Site Development Plan Review (SDR-2437).

2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).



0 300 600 Feet

CASE: **ROC-3286**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 3 shall be removed from the approval of Site Development Plan Review (SDR-2437).

2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition to eliminate Condition Number 3 of an approved Site Development Plan Review (SDR-2437) that required a minimum lot size of 11,000 square feet for a proposed Single-Family Residential Development on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way.

B) Applicant's Justification

The applicant's justification letter indicates that when the two land use applications, Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437), were presented to City Council on August 6, 2003, a site plan was shown depicting 29 overall lots with common area. The City Council approved the site plan and design, despite the fact that not every lot exceeded the 11,000 square foot minimum. Through an oversight, no one asked for Condition Number 3 to be stricken.

BACKGROUND INFORMATION

A) Previous Actions

08/06/03 The City Council approved a request for a Rezoning (ZON-2436) From: R-E (Residence Estates) To: R-PD3 (Residential Planned Development – 3 Units Per Acre) and a Site Development Plan Review (SDR-2437) for a 29-Lot Single-Family Residential Development on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way. The Planning Commission recommended denial on June 26, 2003.

12/04/03 The Planning Commission will hear a related item, Review of Condition (ROC-3283) request to eliminate condition number 3 of an approved Rezoning (ZON-2436) which required a minimum lot size of 11,000 square feet for a proposed Single-Family Residential Development on the subject site.

B) Pre-Application Meeting

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

TB

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 9.15

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential)
East:	L (Low Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is within the Centennial Hills Sector Plan, General Plan R (Rural Density Residential) category, which allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. The approved R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district is in compliance with the General Plan designation.

PROJECT DESCRIPTION

A total of 29 lots will be developed on the subject site. The lots front on a 37-foot wide, private street with access to Deer Springs Way. Lots range in size from 8,800 square feet to 19,377 square feet. Six-foot wide landscape planters are depicted adjacent to all rights-of-way. The proposed density of 3.17 units per acre is in conformance with the R (Rural Density Residential) General Plan designation and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district. The submitted site plan matches the site plan that was approved at City Council on August 6, 2003.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437), as approved by City Council on 08/06/03, the following Development Standards apply to the subject proposal:

Standards	Required by Condition #3 of ZON-2436 and SDR-2437	Provided	Compliance
Min. Lot Size	11,000 Feet	8,614 – 19,377	N

Condition Number 3 of Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437) states; "The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a Tentative Map, to reflect a minimum lot size of 11,000 square feet." The submitted site plan depicts lot sizes that range from 8,614 square feet to 19,377 square feet. The submitted site plan matches the site plan that was brought before City Council on August 6, 2003 where the plan was approved, subject to staff's conditions.

B) General Analysis and Discussion

Condition Number 3, which was placed on the project by staff originally, was based on the same site plan as submitted under this Review of Condition request, which matches the site plan that was brought before City Council on August 6, 2003. The minutes for the City Council meeting on August 6, 2003 show the applicant's representative had met with the neighbors and as a result of that meeting the density of the project was reduced from 30 to 29 lots, just below a density of three units per acre. No one appeared in opposition at the City Council meeting.

Twenty-one of the twenty-nine proposed lots as depicted on the site plan were less than 11,000 square feet. An examination of the record shows the condition was inadvertently left as a condition of approval.

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 submitted 29-lot Single-Family Development was found to be compatible with adjacent development and development in the area. The elimination of condition #3 from Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437) will not result in an increase to the number of overall lots permitted; therefore, approval is being recommended.

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

   The proposed development is consistent with the General Plan as well as Title 19 and other standards.

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

   The subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

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

   Building and landscape materials are not subject to change under this Review of Condition request; however, the original Site Development Plan Review found that the materials proposed were appropriate for this area. The Planning and Development Department will evaluate every building permit to ensure the materials are appropriate for the area and the City.

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, design characteristics and other architectural features are not subject to change under this Review of Condition request. The minimum lot size requirement condition was originally proposed to aid in compatibility with the surrounding R-E (Residence Estates) zoned properties, but it was determined that a 29-lot Single-Family development containing all required open space and landscape buffers would be harmonious and compatible with development in the area.

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

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 116 (Mailed with ROC-3283)

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RDC-3286 APN: 125-24-201-003,004 and 005

Name of Property Owner: Yamini Moussa et al

Name of Applicant: Razi Investments, LLC

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

_____ Yes __✓__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ron City

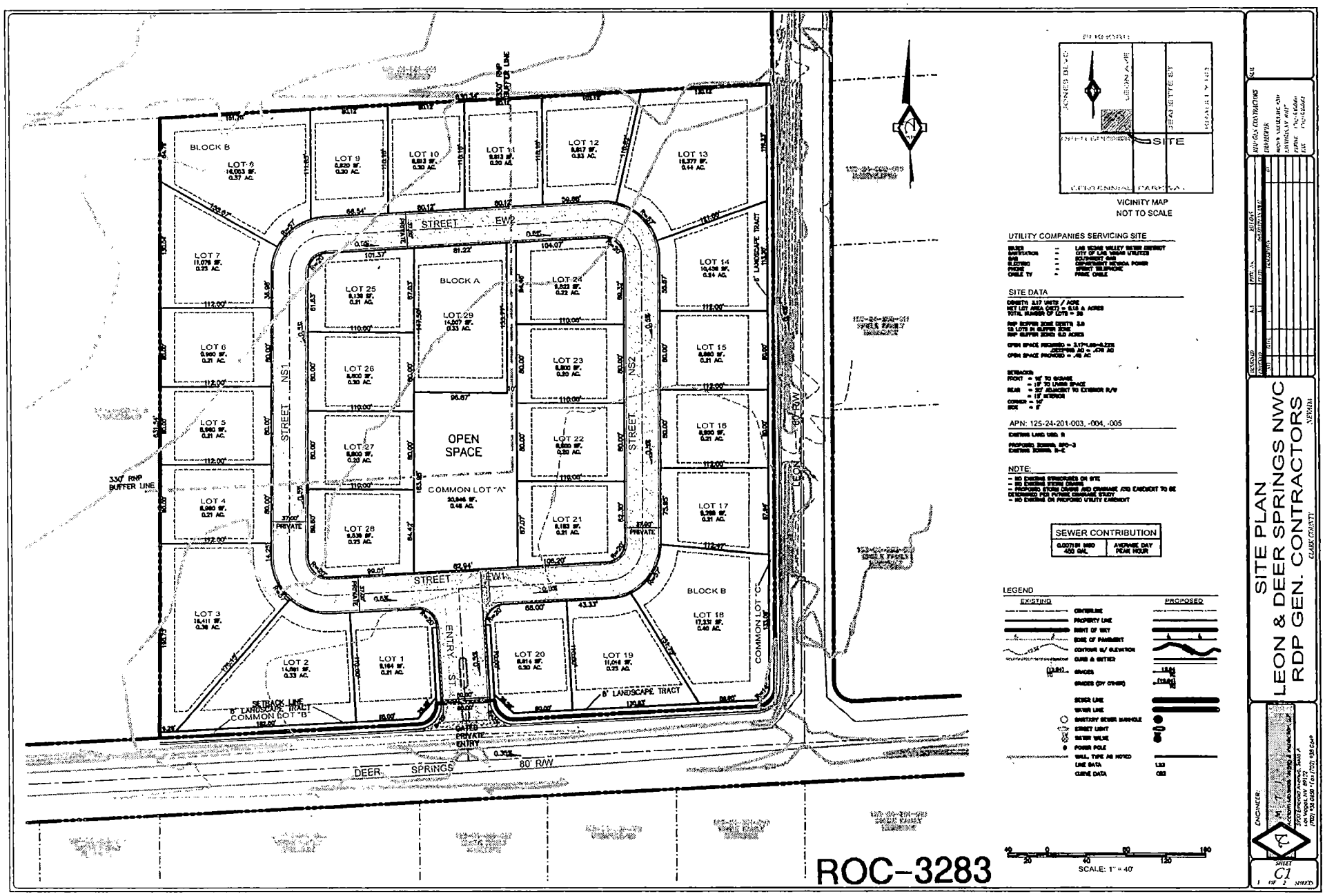
Subscribed and sworn before me

This 17th day of October 2003

Stephanie Pope

Notary Public in and for said County and State

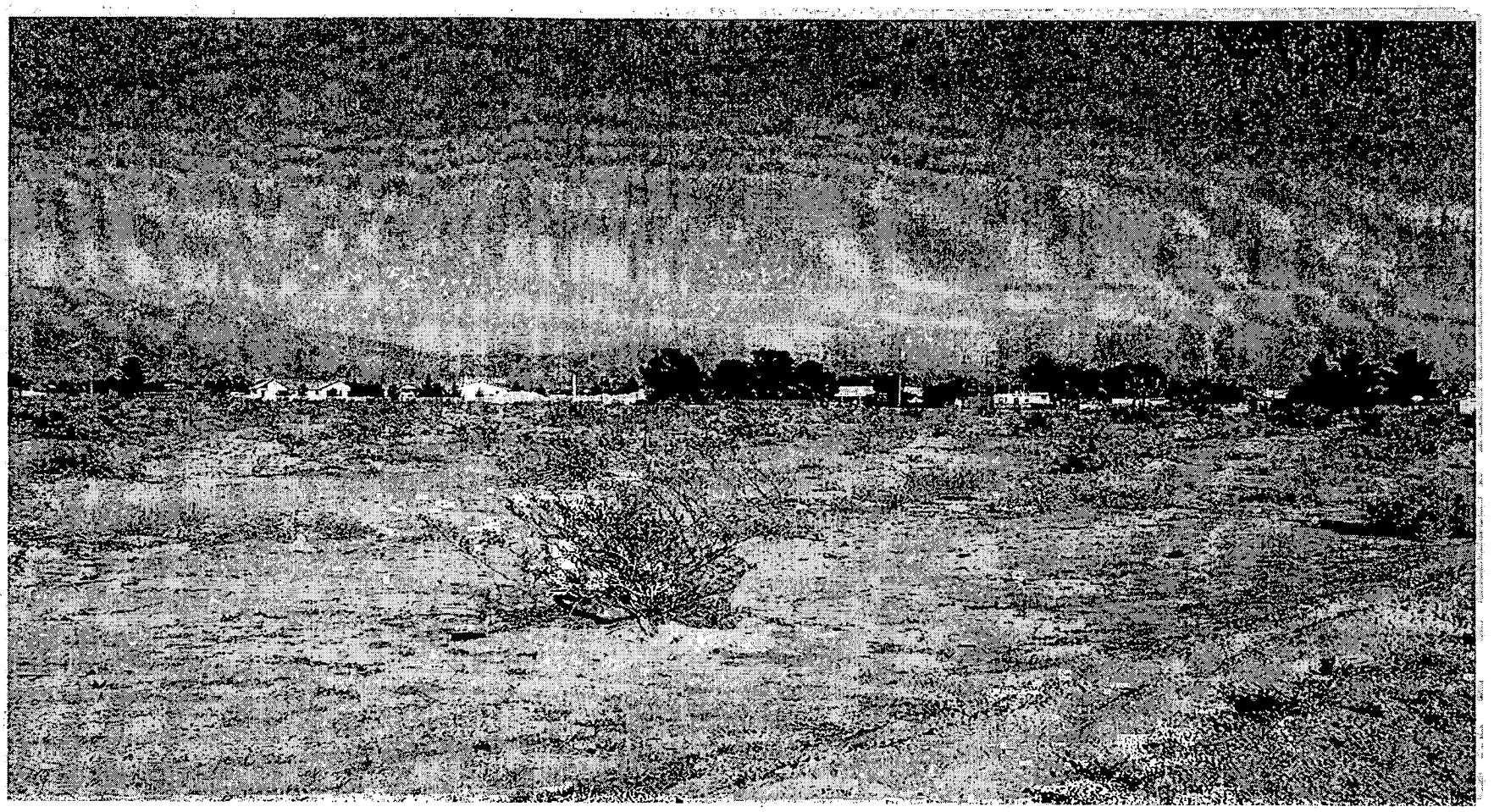
STEPHANIE POPE
Notary Public State of Nevada
No. 03-83056-1
My appt. exp. July 22, 2007



ROC-3283

ROC-3286

12-04-03 PC



ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF LEON AVENUE AND DEER SPRINGS WAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:

SNC-3099 - PARADISE DEVELOPMENT - Request for a Street Name Change and a Waiver of City of Las Vegas Street Naming and Address Assignment Regulations to allow different primary street names assigned to the same alignment and to allow the use of the suffix "Parkway" for a street that is less than 80 feet in width FROM: F Street TO: City Parkway, for the portion of F Street south of the US 95 Right-of-Way southerly to Grand Central Parkway, Ward 5 (Weekly).

SET DATE: 12/17/03 C.C. 01/07/04

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – ABEYANCE to the 1/8/2004 Planning Commission meeting – UNANIMOUS

NOTE: VICE CHAIRMAN NIGRO disclosed that his father is in a business transaction with the applicant but would vote on the abeyance. However, when it comes back through he would be abstaining.

NOTE: COMMISSIONER McSWAIN disclosed that her firm is presently under contract with the Molasky Family but would vote on the abeyance. However, when it comes back through, she would be abstaining.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing opened.

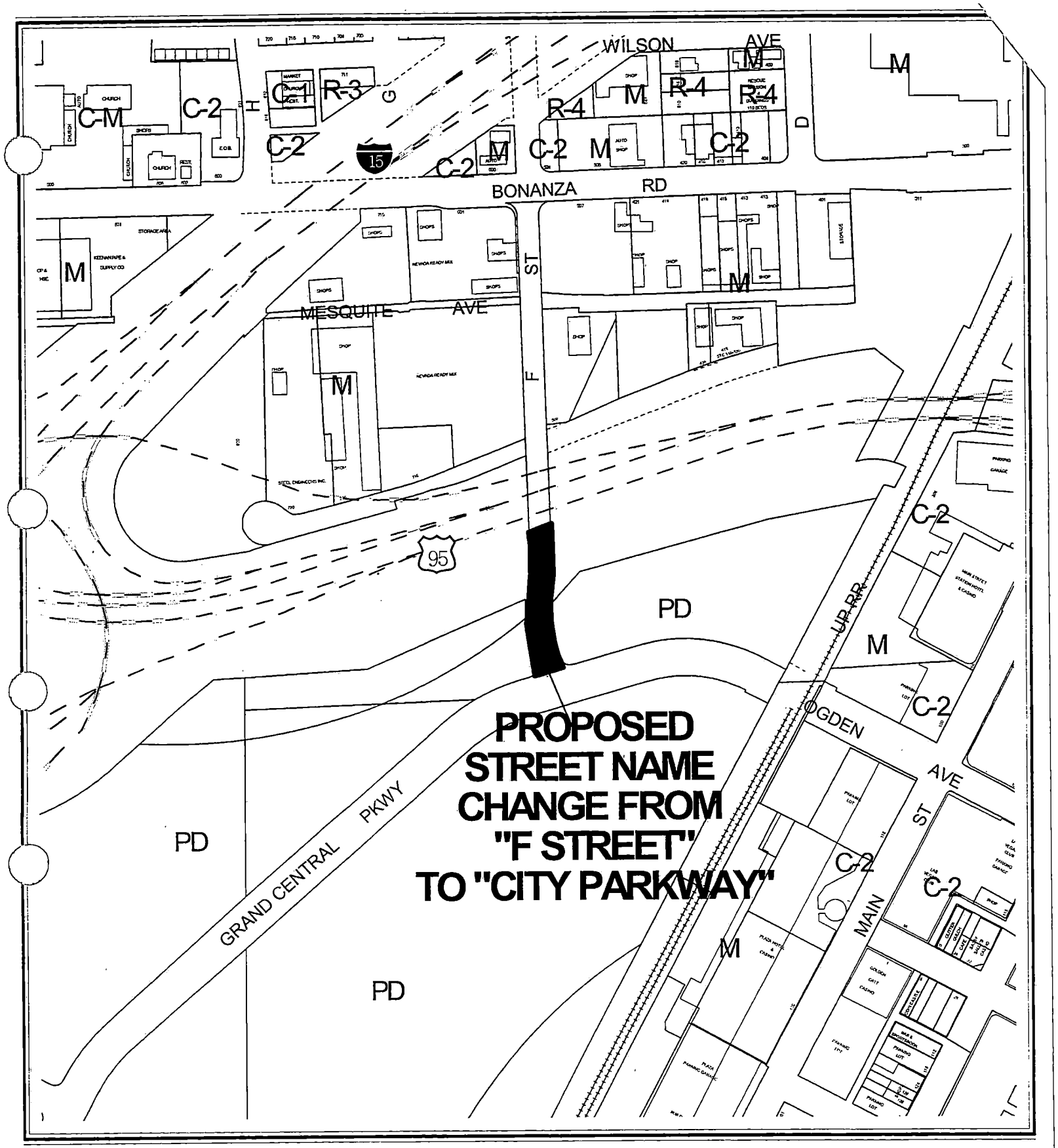
DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant has requested this item be held in abeyance to the 1/8/2004 Planning Commission meeting in order to work with staff regarding some concerns. A copy of the letter is on file.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 49 – SNC-3099

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(6:16 – 6:18)



0 200 400 Feet

CASE: **SNC-3099**
RADIUS: SPECIAL

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SNC-3099 - PARADISE DEVELOPMENT

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. The segment of F Street renamed to City Parkway shall extend from the northern right-of-way line of Grand Central Parkway northerly to the southern right-of-way line of Bonanza Road.

2. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Street Name Change and a Waiver of The City of Las Vegas Street Naming and Address Assignment Regulations to allow different primary street names assigned to the same alignment and to allow the use of the suffix Parkway for a street that is less than 80 feet in width for a proposed Street Name Change From: F Street To: City Parkway for the portion of F Street south of the US 95 Right-of-Way southerly to Grand Central Parkway.

B) Applicant's Justification

The applicant's justification letter states that adjacent property at the northeast corner of F Street and Grand Central Parkway is currently being developed as an IRS district office building. The proposal is to rename the street segment from Grand Central Parkway to US-95, City Parkway, because it deems more appropriate with the overall Parkway Center development. In addition, waiver requests are being sought from Ordinance 3744, Revised Guidelines and Requirements for the naming of Streets and Assignment of Addresses Section IV B.2 and IV C.3, which requires the same street name to be used along the same alignment and to use the suffix "Parkway" for 80-foot or 100-foot wide streets, respectively.

BACKGROUND INFORMATION

Previous Actions

04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) for a proposed 73,218 square foot office building on 5.11 acres adjacent to the northeast corner of Grand Central Parkway and "F" Street.

ANALYSIS

The proposed Street Name Change of a portion of F Street to City Parkway is in violation of two requirements from Ordinance 3744, Revised Guidelines and Requirements for the Naming of Streets and Assignment of Addresses.

> Section IV B.2 states; Once a primary street name is assigned to any alignment it may not change anywhere along the extension of that alignment unless the subject primary street name does not and cannot in the future connect to the existing right-of-way. The applicant is proposing to rename a portion of F Street south of the US 95 Right-of-Way southerly to

Grand Central Parkway. This proposal will not only change the name of F Street along the same alignment, but it will also change the name of F Street mid-block. There have been other instances in the City where street names have changed along the same alignment but the street name transition usually occurs at a right-of-way intersection. The mid-block location of the F Street name change occurs at the point of F Street where the street changes from a public right-of-way to a privately owned property with a recorded roadway easement. If approved, a condition has been included requiring the renaming of F Street to City Parkway from the northern right-of-way line of Grand Central Parkway northerly to the sourthern right-of-way line of Bonanza Road to avoid creating a street name change in the middle of a block.

Section IV C.3 regulates the use of suffixes for street names. The Parkway designation is reserved for use to represent an 80-foot or 100-foot wide street; whereas F Street is predominately a 60-foot wide street with a north/south direction which should maintain a "Street" suffix classification.

The Street Naming and Assignment of Addresses Ordinance was developed through the concerted efforts of the Street Address Committee which is comprised of several government agencies from Clark County, Las Vegas, Henderson, North Las Vegas, Boulder City, the Clark County School District, the Las Vegas Metropolitan Police Department, CFAO, the Nevada Department of Transportation, the Las Vegas Valley Water District, Mercy Ambulance, Southwest Gas, Centel, Nevada Power, U.S. Postal Service, and others. The goal of the Ordinance was to develop a strategy that will insure rapid emergency response and utilizes information systems that are directed toward competent growth management. Alterations or waivers to this ordinance are strongly discouraged due to the impact to many agencies that rely on standard requirements and established regulations for street names and addresses. Variations to these regulations could severely impact rapid response agencies in emergency situations.

The City of Las Vegas Fire Communications Department recommends that the street name City Parkway not be used because there is a concern people would not perceive it as a name, but rather a location, i.e. the parkway in the city, which would potentially cause major dispatch problems with the City's dispatch center, firefighters, and police officers.

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SNC-3099 APN: 139-27-410-002

Name of Property Owner: City Parkway IV A Inc.

Name of Applicant: Paradise Development

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

_____Yes X_____No

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

City Official: Susan Loder, President City Parkways IV, V, & IVa

Partner(s): _____

APN: 139 27 410 002

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

Print Name: SUSAN LODER

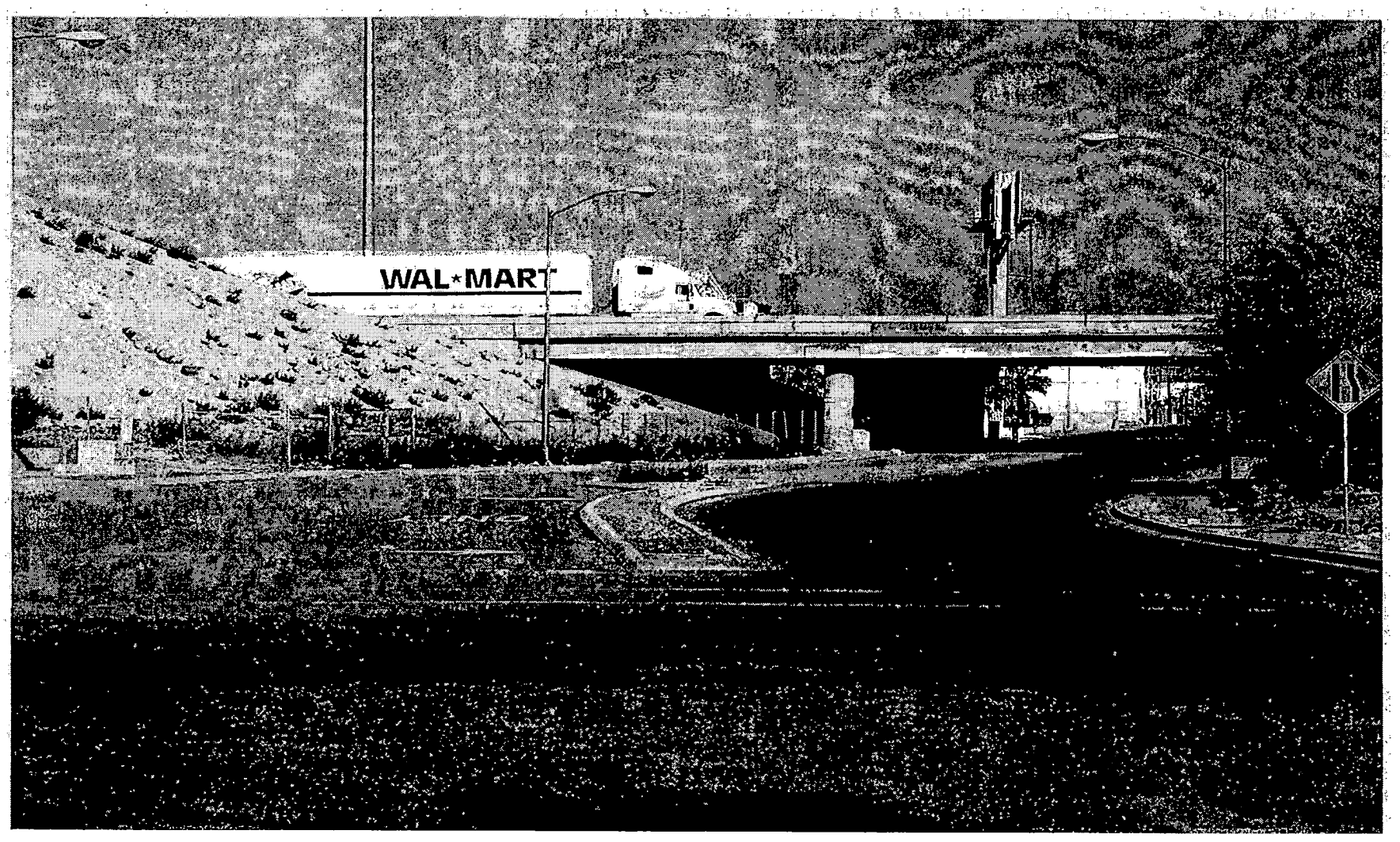
Subscribed and sworn before me

This 30th day of July, 2003

Susan L. Lonborg

Notary Public in and for said County and State

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



SNC-3099 - PARADISE DEVELOPMENT
SOUTH OF THE U.S. 95 RIGHT-OF-WAY SOUTHERLY TO GRAND CENTRAL PARKWAY
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY - Request to Vacate a BLM Roadway Easement generally located adjacent to the north side of the Alexander Road alignment, 350 feet west of Vegas Vista Trail, Ward 4 (Brown).

SET DATE: 12/17/03 C.C. 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, outlined the incorporation of this easement into the adjacent subdivision. There will be no impact on any easements associated with any trails along Alexander Road or block access to any parcels. Staff recommended approval.

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

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 50 – VAC-3264

MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(11:09 – 11:11)
4-657

CONDITIONS:

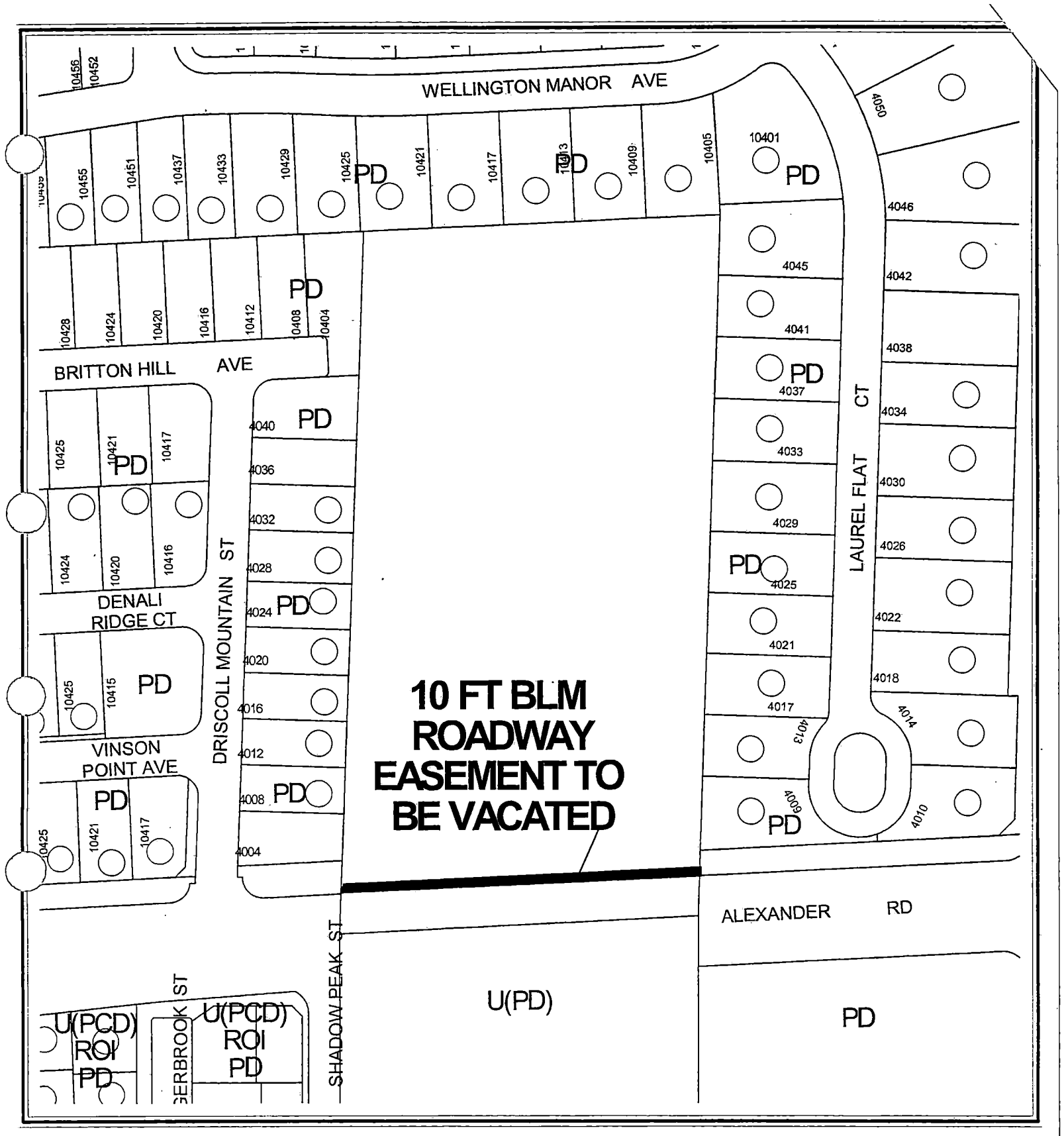
1. This application shall vacate the northerly most 10-feet of the Alexander Road alignment.

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

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

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

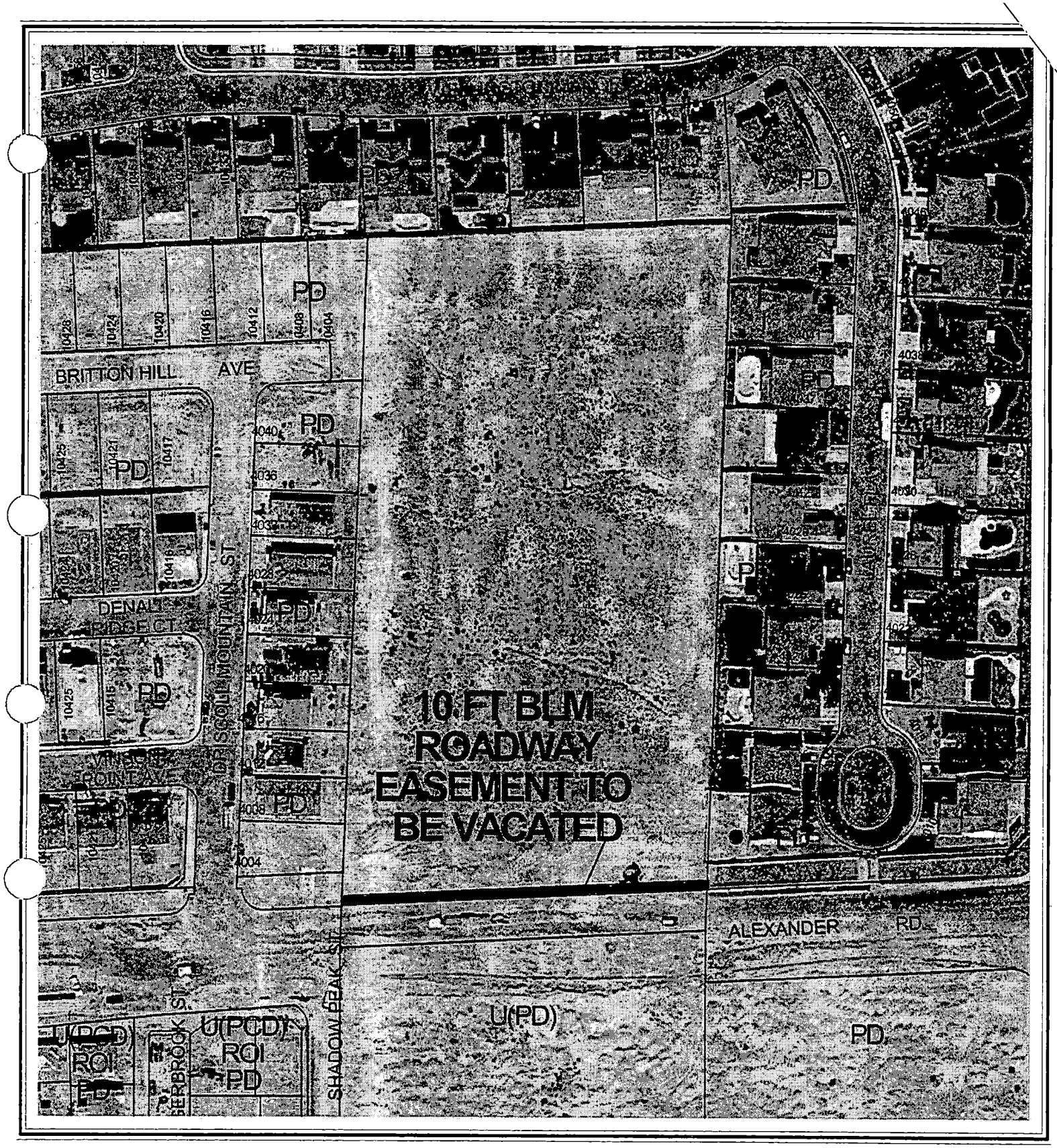
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: **VAC-3264**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)



0 80 160 Feet

N

CASE: VAC-3264

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. This application shall vacate the northerly most 10-feet of the Alexander Road alignment.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval to Vacate Bureau of Land Management Roadway Easement generally located adjacent to the north side of the Alexander Road alignment 350 feet west of Vegas Vista Trail.

B) Applicant's Justification

The applicant's justification letter states that the adjacent parcel is proposed to be developed as a 33-lot single-family residential development.

BACKGROUND INFORMATION

A) Previous Actions

10/01/03 The City Council approved a Rezoning (ZON-2771) From: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] To: PD (Planned Development), a Major Modification (MOD-2813) to the Lone Mountain Master Plan to add a 5.49 acre parcel into the plan and to change the land use designation From: PCD (Planned Community Development) To: Medium-Low Density Residential, a Variance to allow 7,421 square feet of open space where 11,220 square feet is required and a Site Development Plan Review for a proposed 34-Lot Single Family Residential Development on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail, which is adjacent to the proposed roadway vacation area.

12/04/03 The Planning Commission will hear a related Tentative Map (TMP-3260) for a 33-Lot Single-Family Residential Subdivision on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail, which is adjacent to the proposed roadway vacation area.

DETAILS OF APPLICATION REQUEST

Petition to Vacate BLM Roadway Easement generally located adjacent to the north side of the Alexander Road alignment 350 feet west of Vegas Vista Trail, Ward 4 (Brown).

TB

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 01, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M.

ANALYSIS

A) Planning and Public Works discussion

This Vacation application proposes to vacate only a Bureau of Land Management (BLM) Roadway Easement located on the north side of Alexander Road, west of Vegas Vista Trail. The vacated easement area will be incorporated into the adjacent subdivision. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since it is only a roadway easement that is involved; any utility company interests will not be affected.

In addition, this vacation application will not effect any necessary easements that may be associated with any required trails along Alexander Road.

The Public Works Department has no objection to the Vacation application request to vacate a BLM Roadway Easement generally located on the north side of Alexander Road, west of Vegas Vista Trail

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3264 APN: 137-01-801-007

Name of Property Owner: Dark, LLC

Name of Applicant: RL Homes, LLC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: ROBERT LIVELY

Subscribed and sworn before me

This 26 day of September, 2003

[signature]

Notary Public in and for said County and S.

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
NANCY DAY
No: 01-69758-1
My Appointment Expires July 5, 2005



VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY
NORTH SIDE OF ALEXANDER ROAD ALIGNMENT, 350 FEET WEST OF VEGAS VISTA TRAIL
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
VAC-3282 - BARBARA SINGLETON TRUST - Petition to Vacate a portion of Lisa Lane between La Madre Way and Washburn Road, Ward 6 (Mack).

SET DATE: 12/17/03 C.C. 01/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

GARY LEOBOLD, Planning and Development Department, explained that this is a follow-up to actions taken on the "H" property, east and west of Lisa Lane. Lisa Lane was closed and there was a vacation of the eastern four and a half feet of Lisa Lane south of that closure under a past vacation. This will vacate the western side, reducing the width from 60 feet to 51 feet to the cul-de-sac bulb to fourth home to the north. It will not interfere with construction of the required trail to the north side of La Madre and is necessary prior to recordation of a final map as required under the Washburn/Durango tentative map. Staff recommended approval.

BARBARA SINGLETON, 8300 West La Madre Way, concurred with all conditions. She clarified that the vacation will include everything south of the south cul-de-sac bulb. BART ANDERSON, Public Works, verified that the intent to is vacate everything south of the southern cul-de-sac bulb. The north has already been approved by the previous vacation action. The notification drawing made it difficult to identify the boundary, but the boundary will be determined by the actual cul-de-sac bulb.

PLANNING COMMISSION MEETING OF DECEMBER 4, 2003
Planning and Development Department
Item 51 – VAC-3282

MINUTES – Continued:
No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:11 – 11:14)

4-708

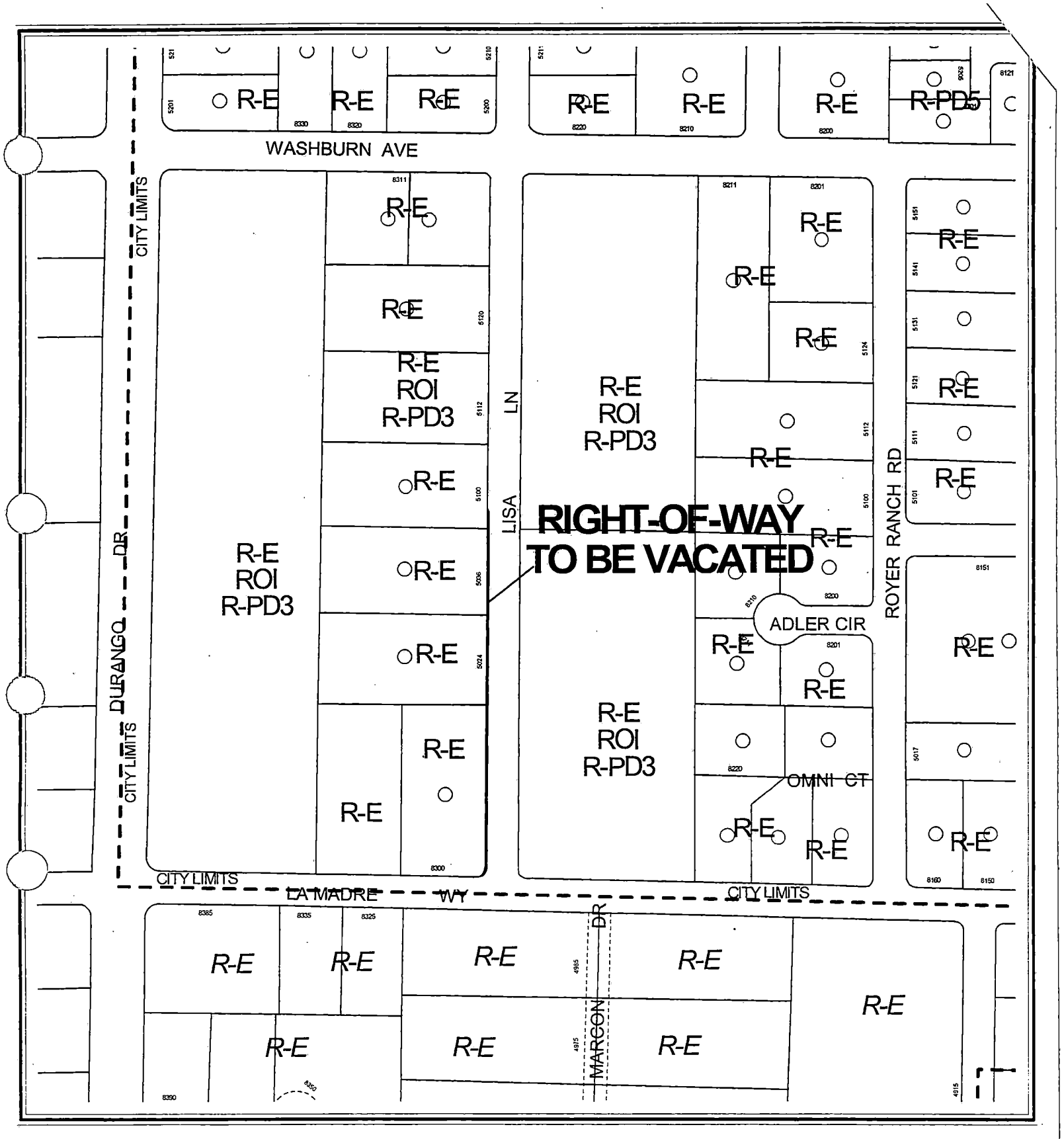
CONDITIONS:

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

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

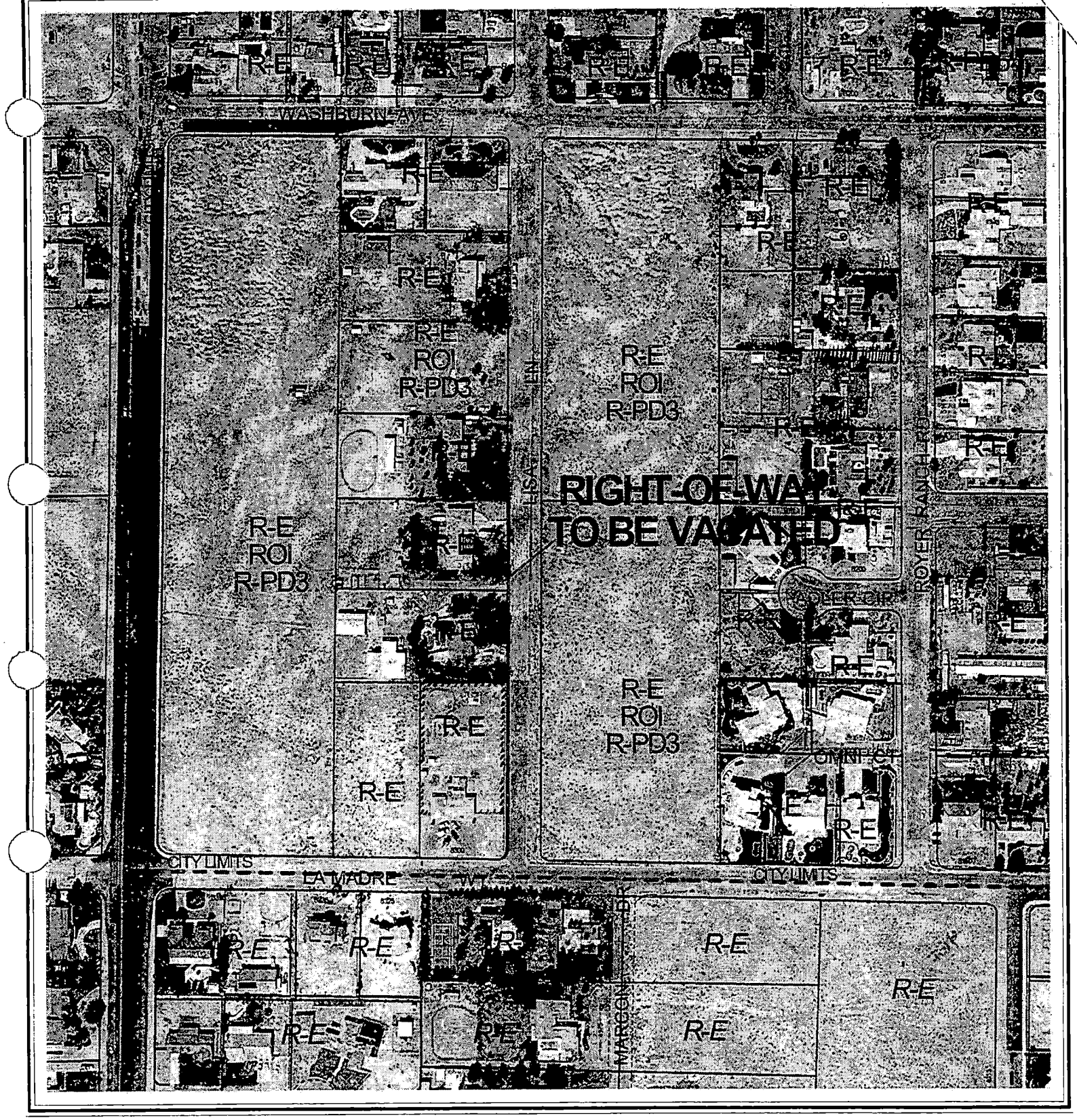
3. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision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

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



CASE: VAC-3282

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



0 100 200 Feet

CASE: VAC-3282

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3282 - BARBARA SINGLETON TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

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

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate a 4.5-foot portion of Lisa Lane between La Madre Way and Washburn Road.

B) Applicant's Justification

Lisa Lane is intended to become a 51-foot public street between Washburn Road and La Madre Way. The eastern 4.5 feet of Lisa Lane has already been approved for vacation. The property owners that would be affected by the proposed vacation all concur with the request.

BACKGROUND INFORMATION

A) Previous Actions

12/04/02 The City Council approved three related requests: a request to amend a portion of the Centennial Hills Sector Plan from DR (Desert Rural Density Residential) to R (Rural Density Residential) (GPA-0023-02); a Rezoning (Z-0048-02) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre); and a Variance (V-0071-02) to allow zero square feet of open space where 0.91 acres is required on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way. The Planning Commission denied all three requests on 09/26/02, citing incompatibility with the surrounding area.

02/05/03 The City Council approved a Site Development Plan Review [Z-0048-02(1)] for a 45-lot single-family residential subdivision on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way. The Planning Commission recommended denial on 09/26/02, citing incompatibility with the surrounding area.

02/13/03 The Planning Commission approved a Tentative Map (TMP-1572) for the Washburn and Durango subdivision.

10/01/03 The City Council approved a request to Vacate (VAC-2593) a 4.5-foot wide portion of the east side of Lisa Lane between La Madre Way and Washburn Road. The Planning Commission recommended approval on 08/14/03.

SS

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public right-of-way described as the western 4.5 feet of Lisa Lane, commencing at the north right-of-way line of La Madre Way, extending northerly approximately six hundred forty-five feet (645'), including the spandrel areas; said property being a portion of the Northwest Quarter (NW ¼) of the southwest quarter (SW ¼) of Section 33, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to reduce the width of Lisa Lane, a public street, from 60 feet to 51 feet. Approval for the vacation of the eastern 4.5-foot portion has been granted by the City Council (VAC-2593). This request is to vacate the western 4.5-foot portion of Lisa Lane from the north right-of-way line of La Madre Way to the bulb of a cul-de-sac planned for the future Washburn and Durango residential subdivision. The request is appropriate, as the resultant street meets the 51-foot public street width requirement and will not result in an illegal street length, reduced traffic handling capability or landlocked parcels in the area. The proposed vacation should not interfere with construction of the required equestrian trail on the north side of La Madre Way. Per condition of the Washburn and Durango Tentative Map, the vacation is necessary prior to the recordation of a Final Map for this subdivision.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street rights- of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will eliminate a portion of Lisa Lane between Washburn Road and La Madre Way.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the adjacent parcels will still have access.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes, it allows the vacation of right-of-way that will be unnecessary/excess when the adjacent residential subdivision is developed.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, it is part of the Washburn and Durango residential subdivision.*

SS

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

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

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

NOTICES MAILED 8

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3282 APN: 125-33-301-009

Name of Property Owner: BARBARA SINGLETON TRUST

Name of Applicant: BARBARA SINGLETON, TRUSTEE

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: Barbara Singleton, Trustee

Print Name: BARBARA SINGLETON, TRUSTEE

Subscribed and sworn before me

This 21st day of Oct., 2003

Carol S. Sullivan

Notary Public in and for said County and State

CAROL S. SULLIVAN
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Feb. 14, 2005
90-2347-1



VAC-3282 - BARBARA SINGLETON TRUST
LISA LANE BETWEEN LA MADRE WAY AND WASHBURN ROAD
DECEMBER 4, 2003 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No.: 52

5. AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
TXT-3357 - CITY OF LAS VEGAS - Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code relative to Commercial Units and Commercial Shopping Facilities: Title 19.04.010, Table 2 "Land Use Tables;" Title 19.04.040(C), "Conditions;" Title 19.10.010(F), Table 1 "On-Site Parking Requirements;" and Title 19.20.020, "Words and Terms Defined."

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends NO RECOMMENDATION

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

MOTION:
NIGRO – ABEYANCE to the 1/8/2004 Planning Commission meeting - UNANIMOUS

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

DAVID CLAPSADDLE, Planning and Development Department, requested holding the Text Amendment for thirty days to the 1/8/2004 Planning Commission meeting to enable staff to do a further review.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:18)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-3357 - CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.04.010, Table 2 "Land Use Tables," is hereby amended to include the following:

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES CONT.	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Commercial Shopping Facility				S	C	C		C	C

2. Title 19.04.040(C), "Conditions," is hereby amended as follows:

COMMERCIAL SHOPPING FACILITY

1. Individual utility meters shall be provided for each Commercial Unit that is separately enclosed.

2. No outdoor display, sales or storage of any merchandise or equipment shall be allowed, except as permitted upon approval of a Temporary Commercial Permit.

3. No repair, installation or service work is permitted in any open area outside of an enclosed building.

4. All temporary signage shall be approved in accordance with the requirements of Title 19.14 of the Las Vegas Municipal Code.

5. Any change in use shall require the review and approval of a parking analysis, demonstrating compliance with the requirements of Title 19.10.

6. The uses shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. Title 19.10.010(F), Table 1 "On-Site Parking Requirements," is hereby amended as follows:

RETAIL, PERSONAL, COMMERCIAL & BUSINESS SERVICES AND AUTO-RELATED	
General Retail Store, Other Than Listed ~~(25,000 sf or Greater)~~	One space for each 250 sf of gfa for stores with 25,000 sf or greater. One space for each 175 sf of gfa for stores with less than 25,000 sf of floor area.
General Retail Store, Other Than Listed (Within a Commercial Shopping Facility) ~~(Less than 25,000 sf)~~	One space for each ~~175 sf of gfa~~ 250 sf of gfa for stores within a Commercial Shopping Facility with a combined total of 25,000 sf or greater. One space for each 175 sf of gfa for stores within a Commercial Shopping Facility with less than 25,000 sf of combined total floor area.

4. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Commercial Unit. A space occupied by a Business, as defined in LVMC 6.02, located within a building or portion of a building with direct access from the outside or from a common interior accessway intended for use by the general public.

Commercial Shopping Facility. Any group of five or more Commercial Units, upon a single parcel of land or contiguous parcels of land, with common vehicular access and parking facilities.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code:

1) Title 19.04.010, Table 2 "Land Use Tables;"
2) Title 19.04.040(C), "Conditions;"
3) Title 19.10.010(F), Table 1 "On-Site Parking Requirements;" and
4) Title 19.20.020, "Words and Terms Defined."

The proposed amendments provide definitions for Commercial Units and Commercial Shopping Facilities, establish minimum standards for Commercial Shopping Facilities, and clarify parking requirements for retail uses.

BACKGROUND INFORMATION

The Las Vegas Zoning Code does not currently provide a definition for shopping centers or for individual business units. In addition, the Code does not establish minimum standards for the conversion of retail space. Finally, the current language in the Code regarding the reduced parking requirement for retail uses over 25,000 square feet in area is ambiguous, and has not been applied consistently.

ANALYSIS

The proposed changes will provide essential definitions for individual business establishments and for shopping centers, and will assist in applying zoning requirements to commercial properties. The proposed definitions are similar to the definitions that have been adopted by Clark County and the City of Henderson.

One of the problems that the ordinance is intended to address is the situation where vacant large-format retail stores are subdivided or reconfigured to accommodate a number of smaller retail businesses. This type of conversion sometimes results in parking and use impacts that are not associated with the larger-format retail stores. Consequently, the proposed amendment establishes basic conditions and standards that must be met and redefines parking requirements for multi-tenant commercial properties. In addition, the proposed definitions and use requirements will assist with code enforcement issues relative to Shopping Center Facilities.

The current parking requirement for retail stores over 25,000 square feet does not specify if the requirement applies only to a single business or if it is also applicable to shopping centers. A separate parking category has been added for Shopping Center Facilities to clarify the application of this requirement to both retail formats.

FINDINGS

Please note the following findings:

1) The proposed ordinance will provide basic definitions that are currently missing from the Zoning Code;
2) The amendment will assist in Code Enforcement issues relative to individual businesses and shopping centers;
3) The proposal requires that basic zoning and parking requirements be met for any retail conversions; and
4) The amendment to the Zoning Code will clarify the parking requirements for Shopping Center Facilities.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

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

SUBJECT:
TXT-3377 - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Live/Work Overlay District.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends NO RECOMMENDATION

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City on 1/7/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing opened.

MARGO WHEELER, Deputy Director of Planning and Development Department, outlined the continuing endeavor to ensure that the City's Zoning Code is written to accommodate the new types of development sought for downtown. The map was updated and would allow for a live/work concept in the Overlay District. It would principally involve industrial and commercial sites in the downtown area. The area is bounded by the freeway, Industrial, Oakey and excluded the Grand Central Parkway area. The live/work units are limited to the commercial land because it would allow for clients to come and go at the unit itself, unlike the home occupation uses. It would include all commercial uses permitted, such as office, desktop publishing, photography and video. Only welding-type sculpture would be prohibited. There are size and signage limitations, a fire wall separation between the living and work use and a special use permit would be required as well.

No one appeared in opposition.

MINUTES – Continued:
There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(11:14 – 11:18)
4-820

CONDITIONS:
1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

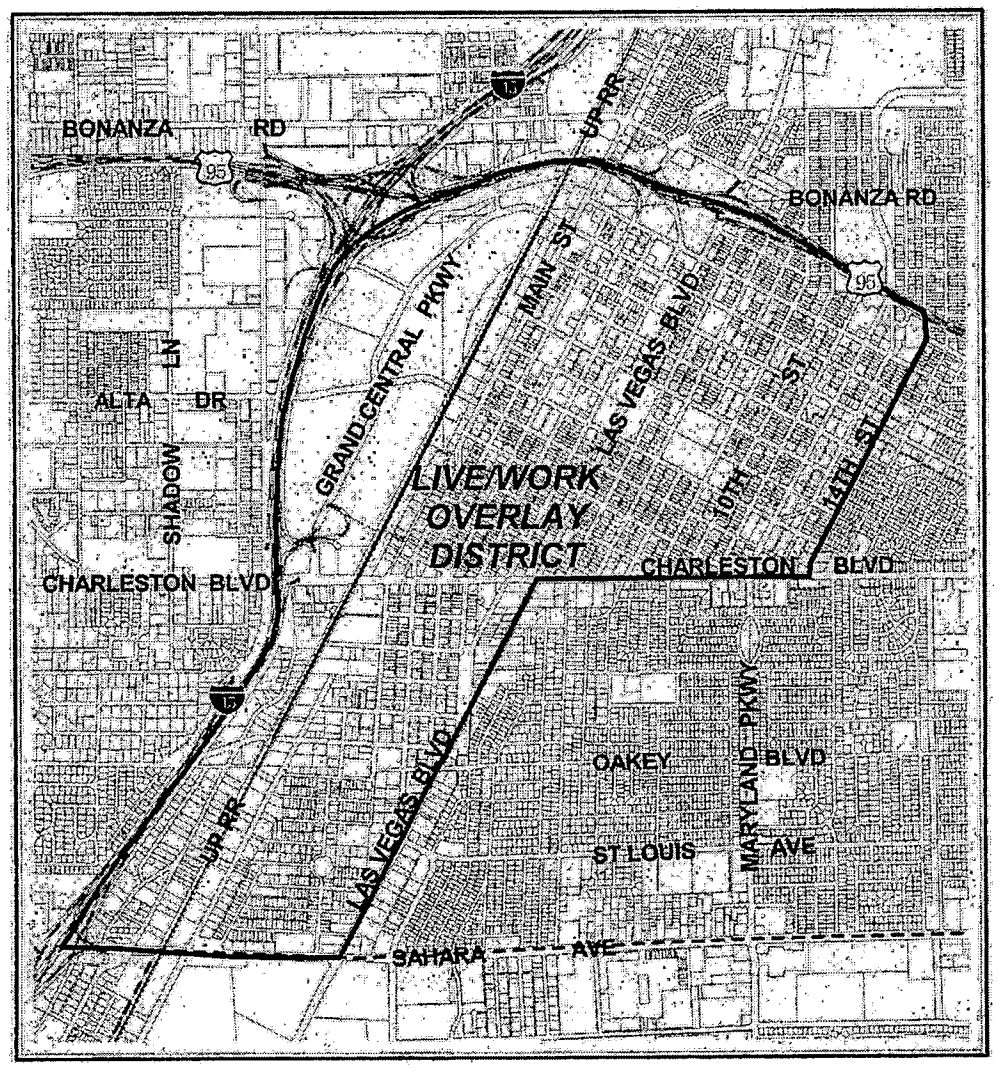
Title 19.06.130 LIVE/WORK OVERLAY DISTRICT
A. Purpose and Intent
The purpose of the Live/Work Overlay District is to allow business owners to occupy joint living and work quarters in commercial and industrial areas where other residential types may be inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city of Las Vegas.

It is intended that Live/Work units will function as follows:
1. The owner/lessee of the space will reside and work in the Live/Work unit.
2. Only low-intensity commercial and arts-related uses will be permitted in the Live/Work unit.
3. No commercial activities that require hazardous materials or generate excessive noise will be permitted.
4. Employees, if any, may be limited in number.
5. Clientele will arrive by appointment; walk-in trade is anticipated to be minimal.
6. The residential component is permitted only as an accessory use in commercial and industrial zoning districts, and residents of Live/Work units acknowledge the right of adjacent businesses and property owners to carry out permitted commercial activities without interruption.

B. Boundaries
The boundaries of the Live/Work Overlay District are generally described as the area bounded by Interstate 15 on the west, Interstate 595 on the north, 14th Street on the east (north of Charleston Boulevard), Las Vegas Boulevard on the east (south of Charleston Boulevard), and Sahara Avenue on the south. The boundaries are depicted in the map below:

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CONDITIONS - Continued:



C. Definition
A Live/Work unit is a structure or portion of a structure combining a low-intensity commercial work space with an integrated residential space. The residential space shall be subordinate and accessory to the commercial use, and may include full kitchen and sanitary facilities which satisfy the provisions of other applicable codes.

CONDITIONS – Continued:

D. Requirements

1. Approval process.
   a. Arts District. New Live/Work units in existing structures may be approved administratively, provided the criteria in subsection (2) below are satisfied. Live/Work units in new structures shall be approved as part of a Site Development Plan Review, and shall also be required to meet the criteria listed in subsection (2) below.

   b. All other areas. Live/Work units in existing and new structures shall be permitted upon approval of a Special Use Permit, subject to the criteria listed in subsection (2) below.

2. Criteria. Live/Work units shall be subject to the following requirements:
   a. Zoning. Live/Work units shall be permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts.
   b. Permitted commercial uses. Due to the inclusion of residential occupancy, only the following commercial uses are permitted:
      1) Office uses (excluding medical offices).
      2) Desktop publishing.
      3) Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles. Arts activities requiring welding or any other open flame work shall not be permitted. Sale of artwork is permitted as an ancillary use.
   c. Residential occupancy. Residential occupancy of Live/Work units shall include at least one person who shall be employed or carry out an occupation in the unit.
   d. Access. Access to Live/Work units shall be clearly identified in order to provide for emergency services.
   e. Residential facilities. Live/Work units shall contain cooking facilities, complete sanitary facilities, and sleeping space. No more than 50% of the total floor area of the Live/Work unit shall be used or arranged for residential purposes.
   f. Parking. The parking calculation shall be based on the commercial use of the space in accordance with the requirements of Title 19.10, and shall be based on the gross square footage of the unit.
   g. Signage. Signage for businesses shall be permitted in accordance with the requirements of Title 19.14, or in accordance with the regulations of any other applicable overlay district.

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CONDITIONS – Continued:

3. Permits Required. The development of Live/Work units, as part of a new structure or a conversion within an existing structure, shall require the issuance of permits from the Department of Building and Safety. A Certificate of Occupancy may be issued by the Department of Building and Safety after all applicable inspections are approved and the requirements of other City departments are satisfied.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2003
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-3377 - CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.06, Special Purpose and Overlay Districts, is hereby amended to include the following section:

Title 19.06.130 LIVE/WORK OVERLAY DISTRICT

A. Purpose and Intent

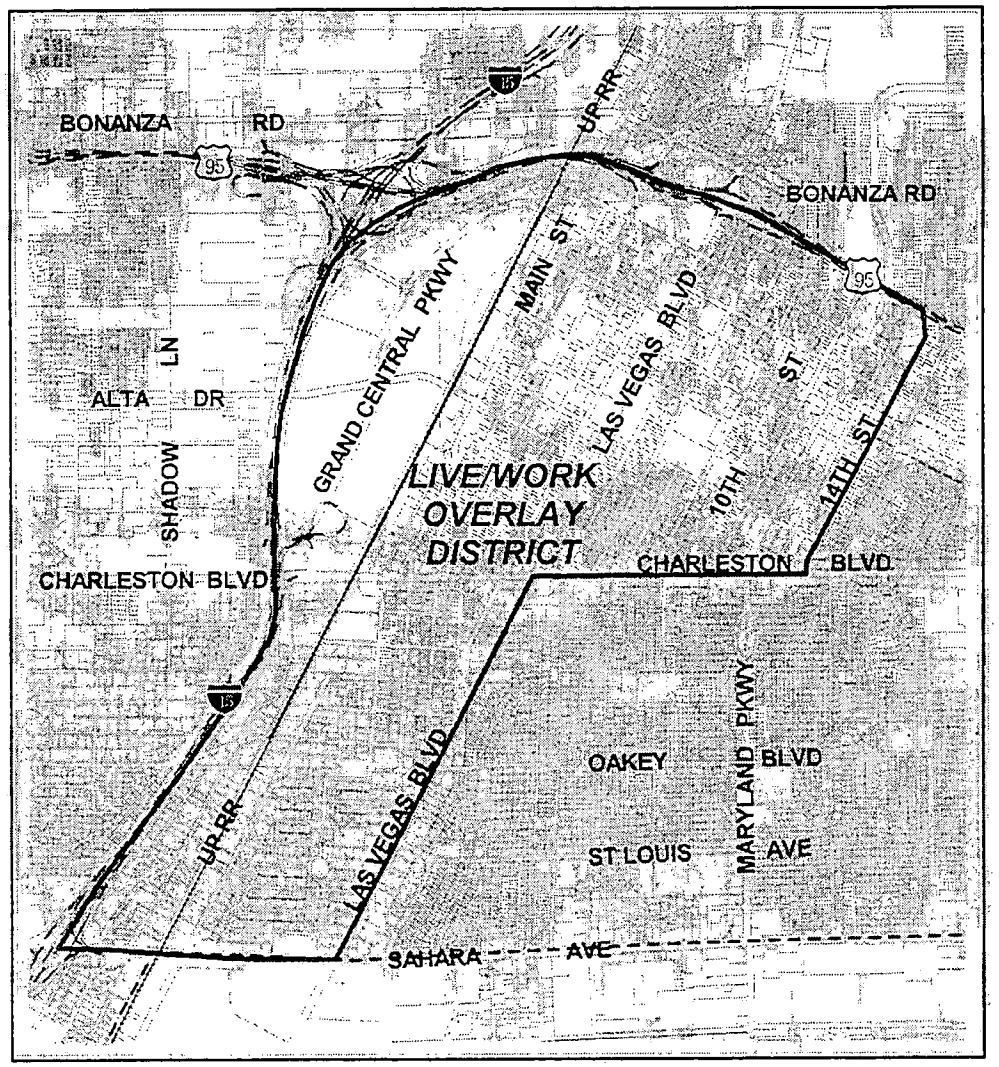
The purpose of the Live/Work Overlay District is to allow business owners to occupy joint living and work quarters in commercial and industrial areas where other residential types may be inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city of Las Vegas.

It is intended that Live/Work units will function as follows:

1. The owner/lessee of the space will reside and work in the Live/Work unit.
2. Only low-intensity commercial and arts-related uses will be permitted in the Live/Work unit.
3. No commercial activities that require hazardous materials or generate excessive noise will be permitted.
4. Employees, if any, may be limited in number.
5. Clientele will arrive by appointment; walk-in trade is anticipated to be minimal.
6. The residential component is permitted only as an accessory use in commercial and industrial zoning districts, and residents of Live/Work units acknowledge the right of adjacent businesses and property owners to carry out permitted commercial activities without interruption.

B. Boundaries

The boundaries of the Live/Work Overlay District are generally described as the area bounded by Interstate 15 on the west, Interstate 595 on the north, 14th Street on the east (north of Charleston Boulevard), Las Vegas Boulevard on the east (south of Charleston Boulevard), and Sahara Avenue on the south. The boundaries are depicted in the map below:



C. Definition

A Live/Work unit is a structure or portion of a structure combining a low-intensity commercial work space with an integrated residential space. The residential space shall be subordinate and accessory to the commercial use, and may include full kitchen and sanitary facilities which satisfy the provisions of other applicable codes.

D. Requirements

1. Approval process.
   a. Arts District. New Live/Work units in existing structures may be approved administratively, provided the criteria in subsection (2) below are satisfied. Live/Work units in new structures shall be approved as part of a Site Development Plan Review, and shall also be required to meet the criteria listed in subsection (2) below.

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b. All other areas. Live/Work units in existing and new structures shall be permitted upon approval of a Special Use Permit, subject to the criteria listed in subsection (2) below.

2. Criteria. Live/Work units shall be subject to the following requirements:

a. Zoning. Live/Work units shall be permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts.

b. Permitted commercial uses. Due to the inclusion of residential occupancy, only the following commercial uses are permitted:
   1) Office uses (excluding medical offices).
   2) Desktop publishing.
   3) Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles. Arts activities requiring welding or any other open flame work shall not be permitted. Sale of artwork is permitted as an ancillary use.

c. Residential occupancy. Residential occupancy of Live/Work units shall include at least one person who shall be employed or carry out an occupation in the unit.

d. Access. Access to Live/Work units shall be clearly identified in order to provide for emergency services.

e. Residential facilities. Live/Work units shall contain cooking facilities, complete sanitary facilities, and sleeping space. No more than 50% of the total floor area of the Live/Work unit shall be used or arranged for residential purposes.

f. Parking. The parking calculation shall be based on the commercial use of the space in accordance with the requirements of Title 19.10, and shall be based on the gross square footage of the unit.

g. Signage. Signage for businesses shall be permitted in accordance with the requirements of Title 19.14, or in accordance with the regulations of any other applicable overlay district.

3. Permits Required. The development of Live/Work units, as part of a new structure or a conversion within an existing structure, shall require the issuance of permits from the Department of Building and Safety. A Certificate of Occupancy may be issued by the Department of Building and Safety after all applicable inspections are approved and the requirements of other City departments are satisfied.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code to include the following:

1) Title 19.06.130 LIVE/WORK OVERLAY DISTRICT

The proposed amendment will allow for the development of Live/Work units in commercial and industrial districts within a specified boundary of Downtown Las Vegas.

BACKGROUND INFORMATION

Efforts have been made in recent years to increase housing opportunities in Downtown Las Vegas. While the Code has been amended to allow mixed-use development, no provision currently exists to allow the development of joint living and working space.

ANALYSIS

The proposed amendment will create an overlay district, wherein Live/Work units will be allowed in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) districts within that overlay zone. Live/Work units will not be permitted in residential districts, due to their commercial nature and the associated impacts of clients and traffic. It should be noted that the residential component of the Live/Work unit is permitted as an accessory use in commercial and industrial districts, and that adjacent businesses will be allowed to carry out permitted commercial activities without interruption.

The commercial component of the Live/Work unit is restricted to low-intensity commercial uses, such as offices, desktop publishing and graphics, and arts-related uses. It is intended that the owner or lessee of the space will reside in the unit; additional occupants would also be allowed. Live/Work units are distinguished from home occupations in that employees are permitted on the premises, business and accessory retail sales may be transacted, business signage is permitted, and the residential component is secondary to the commercial component of the space.

In order to conform to Building Code requirements, full kitchen and sanitary facilities will be required for Live/Work units. The residential component will be restricted to 50% of the floor area of each unit, due to its accessory status in commercial districts. Parking for Live/Work units will utilize a commercial standard.

Live/Work units will require Special Use Permit approval, except within the boundaries of the Arts District, which may be approved administratively for existing buildings or upon approval of a Site Development Plan for new structures. This is intended to provide an incentive for the development of Live/Work units within the Arts District, where this type of use is particularly appropriate, and will assist in adding vitality to the district.

FINDINGS

Please note the following findings:

1) The Live/Work units will contribute to the vitality of commercial and industrial areas;
2) The commercial component will be limited to low-intensity uses that are compatible with on-premises residential living;
3) The residential element will be accessory to the commercial uses in the district, so as to not impact the activities of adjacent commercial businesses; and
4) The proposed amendment will allow an additional residential type in the Downtown area, expanding housing opportunities for residents in accordance with the goals and objectives of the General Plan.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: DECEMBER 4, 2003

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, informed the Commission that next Sustainable Architecture lecture will be February 11, 2004, reception at 6:30 p.m. and lecture at 7:00 p.m. More information may be obtained through LANCE KIRK at 263-7111. He encouraged the Commission to attend that meeting.

(11:18 – 11:19)
4-937

MARGO WHEELER, Deputy Director of Planning and Development Department, reminded the Commission and public of the joint Planning Commission/City Council meeting on December 8, 2003, at noon, to be held at the main Downtown Library.

(11:19)
4-985

MEETING ADJOURNED AT 11:19 P.M.

Respectfully submitted:

Angela Crolli
ANGELA CROLLI, DEPUTY CITY CLERK

Deeny Araujo
DEENY ARAUJO, DEPUTY CITY CLERK