City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
GPA-3532 - CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 1.14 acres at 2824 East Charleston Boulevard (APN: 139-36-402-011), Ward 3 (Reese).

CC: 02/04/04

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:
EVANS – APPROVED – UNANIMOUS

To be heard by the City Council on 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 27 [GPA-3532], Item 28 [ZON-3533], and Item 29 [SDR-3534].

GARY LEOBOLD, Planning and Development Department, summarized all three applications and stated they are appropriate and meet all spacing and urban design guidelines and standards. Staff recommended approval subject to conditions.

DAVID ROARK, Public Works Department, explained that the location was previously an old fire station that was closed down and replaced with the traffic repair shop. The City plans to demolish the existing building and construct a new one. MR. ROARK agreed to staff recommendations and conditions.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 27 – GPA-3532

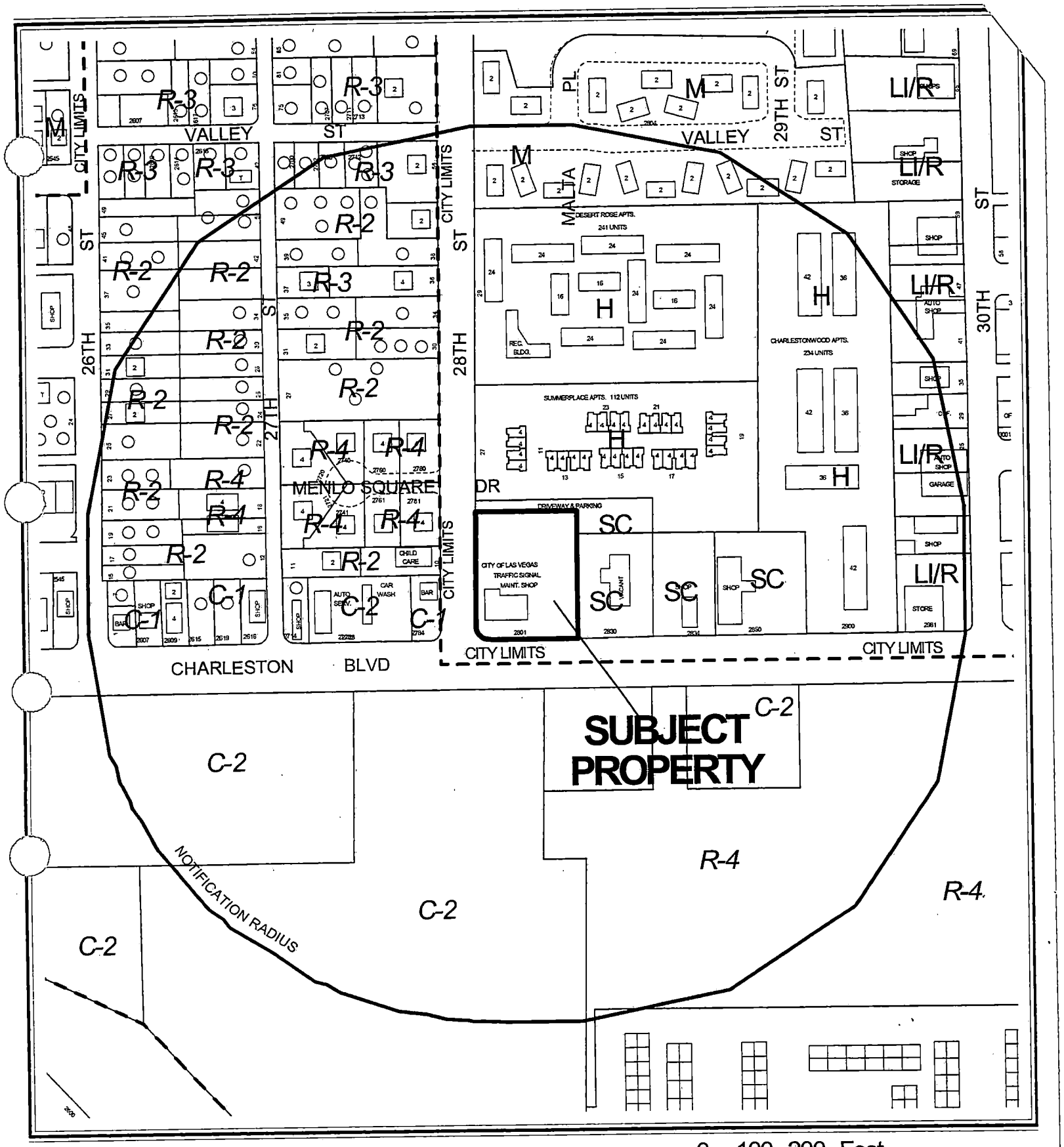
MINUTES – Continued:
No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 27 [GPA-3532], Item 28 [ZON-3533], and Item 29 [SDR-3534].

NOTE: All discussion for Item 27 [GPA-3532], Item 28 [ZON-3533], and Item 29 [SDR-3534] was held under Item 27 [GPA-3532].

(8:08 – 8:10)



CASE: **GPA-3532**

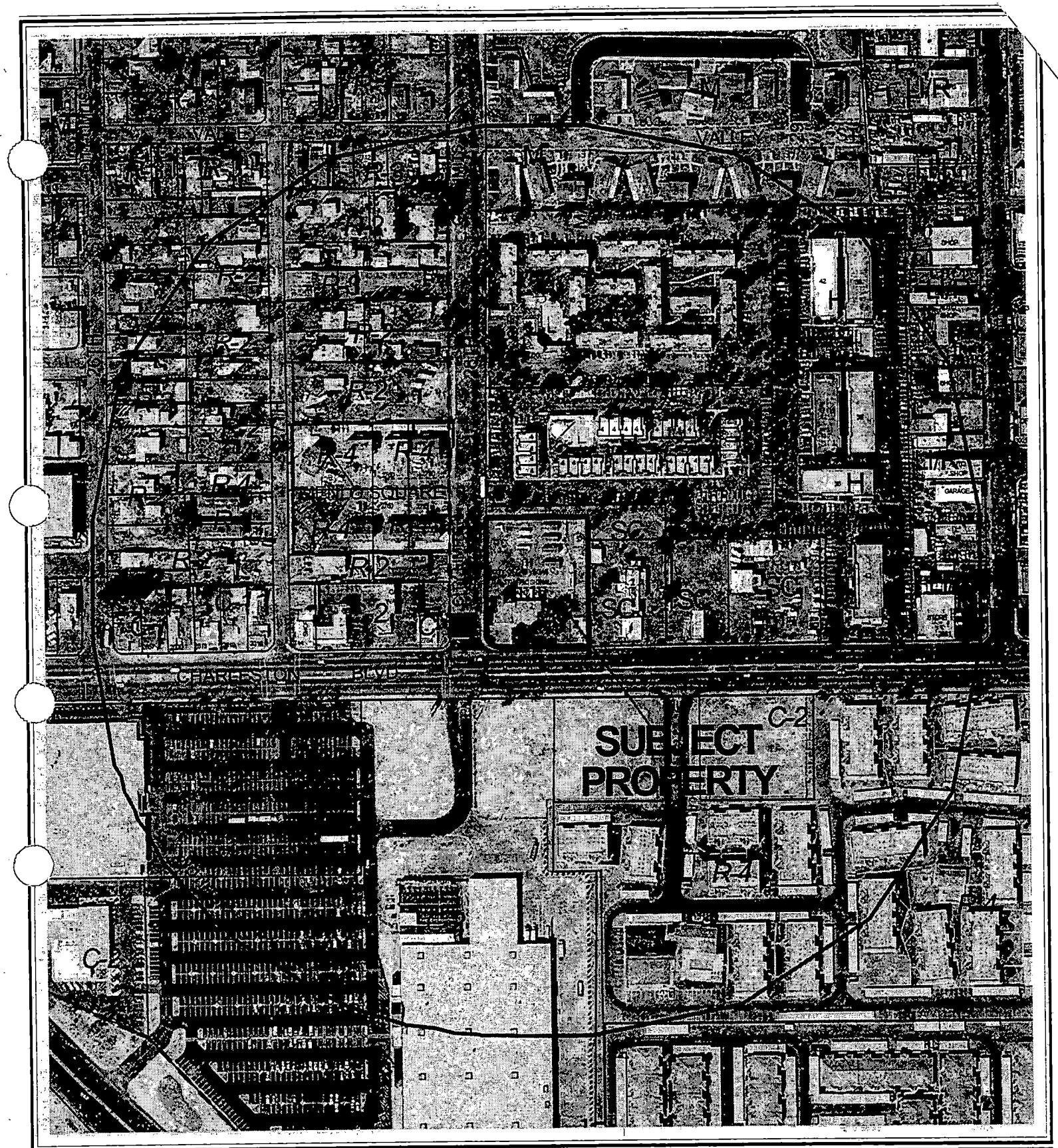
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

N


VALLEY
VALLEY
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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-3532 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL.

LM

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Southeast Sector Plan of the General Plan from (Service Commercial) to PF (Public Facilities) on 1.14 acres at 2824 East Charleston Boulevard. A Rezoning (ZON-3533) from C-1 (Limited Commercial) to C-V (Civic); and a Site Development Plan Review (SDR-3534) for a proposed single-story, 10,670 square-foot traffic signal maintenance shop will be considered as companion agenda items.

The applicant's justification letter states the applicant (City of Las Vegas) wishes to apply for a Site Development Plan Review, Rezoning, and General Plan Amendment. The site is to be used for a traffic signal maintenance shop for the City of Las Vegas. The existing facility on the site will be demolished and a new facility will be constructed. The facility will be used to monitor and repair traffic signals within the Las Vegas valley.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for PF (Public Facility) land uses.
02/01/89	The City Council approved a Rezoning (Z-0136-88) from C-V (Civic) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 1/12/89.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
1/08/03	The Planning Commission will consider two related items, a Rezoning (ZON-3533) from C-1 (Limited Commercial) to C-V (Civic) and a Site Development Plan Review (SDR-3534) for a proposed single-story, 10,670 square foot traffic signal repair facility.

LM

DETAILS OF APPLICATION REQUEST

Site Area: 1.14 Acres

EXISTING LAND USE

Subject Property:	City of Las Vegas Traffic Signal Maintenance Shop
North	Driveway; and Multi-Family Residential
South	Clark County – Commercial (Lowe's Home Improvement)
East	Commercial
West	Clark County – Liquor Establishment (Tavern), Child Care Facility; Multi-Family Residential

PLANNED LAND USE

Subject Property	SC (Service Commercial)
North	SC (Service Commercial) and H (High Density Residential)
South	Clark County
East	SC (Service Commercial)
West	Clark County

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial) and R-PD34 (Residential Planned Development – 34 units per acre)
South	Clark County
East	C-1 (Limited Commercial)
West	Clark County

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

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

commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

PF (Public Facilities)
This category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The City of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, it has been determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The site is accessed via East Charleston Boulevard, a 100-foot Primary Arterial, and 28th Street, a 70-foot wide Secondary Collector. Adjacent to the site is a multi-family residential complex to the north of the project site, a commercial center (Lowe's Home Improvement store) located in Clark County to the south, commercial property to the east and a liquor establishment, child care facility, and multi-family residential located in Clark County to the west.

The Southeast Sector Plan of the General Plan designates the site as SC (Service Commercial) and the 2020 Master Plan depicts the site within the Neighborhood Revitalization Area. This application represents approximately 1.14 acres owned by the City of Las Vegas. The current use of the property is for the City of Las Vegas Traffic Signal Maintenance Shop. The application proposes to relocate the one-story 10,670 square foot facility to the north of the existing traffic signal maintenance shop. The existing structure will be demolished.

The proposed relocation of the traffic signal maintenance shop represents an opportunity for redevelopment and improvement of the site. Essentially, the use of the site is not changing, and therefore the use will still be compatible with the mixture of multi-family development and commercial development in the area.

LM

FINDINGS

Title 19.18.030.I requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to "1": The proposed PF (Public Facilities) General Plan designation, which allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities is an appropriate transition between the SC (Service Commercial) and H (High Density Residential) designated parcels to the north and the commercial land use found in Clark County to the west and south.

In regard to "2": The proposed zoning of C-V (Civic) would permit the governmental facility (traffic signal maintenance shop) on the site. This zoning designation is compatible with the existing C-1 (Limited Commercial) and R-PD34 (Residential Planned Development – 34 Units Per Acre) zoning immediately to the north and the C-1 (Limited Commercial) development to the east as well as the commercially designated lands located in Clark County to the south and west. The proposed zone change to C-V (Civic) brings the governmental use of the property into conformance.

In regard to "3": The proposed General Plan Amendment includes the redevelopment of a parcel with the identical use. There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed traffic signal maintenance facility. The Southeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the southeast corner of St. Louis Street and Atlantic Street (2701 East Sahara Avenue). Fire Station #8, located on the west side of Mojave, north of Bonanza Road, is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

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GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on December 30, 2003 a neighborhood meeting sponsored by the applicant was held.

NOTICES MAILED: 77 (Mailed with ZON-3533 and SDR-3534)

APPROVALS: 0

PROTESTS: 0

LM

GP

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3532 APN: 139-36-402-011 GENERAL PLAN

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS - PUBLIC WORKS

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: David Roark

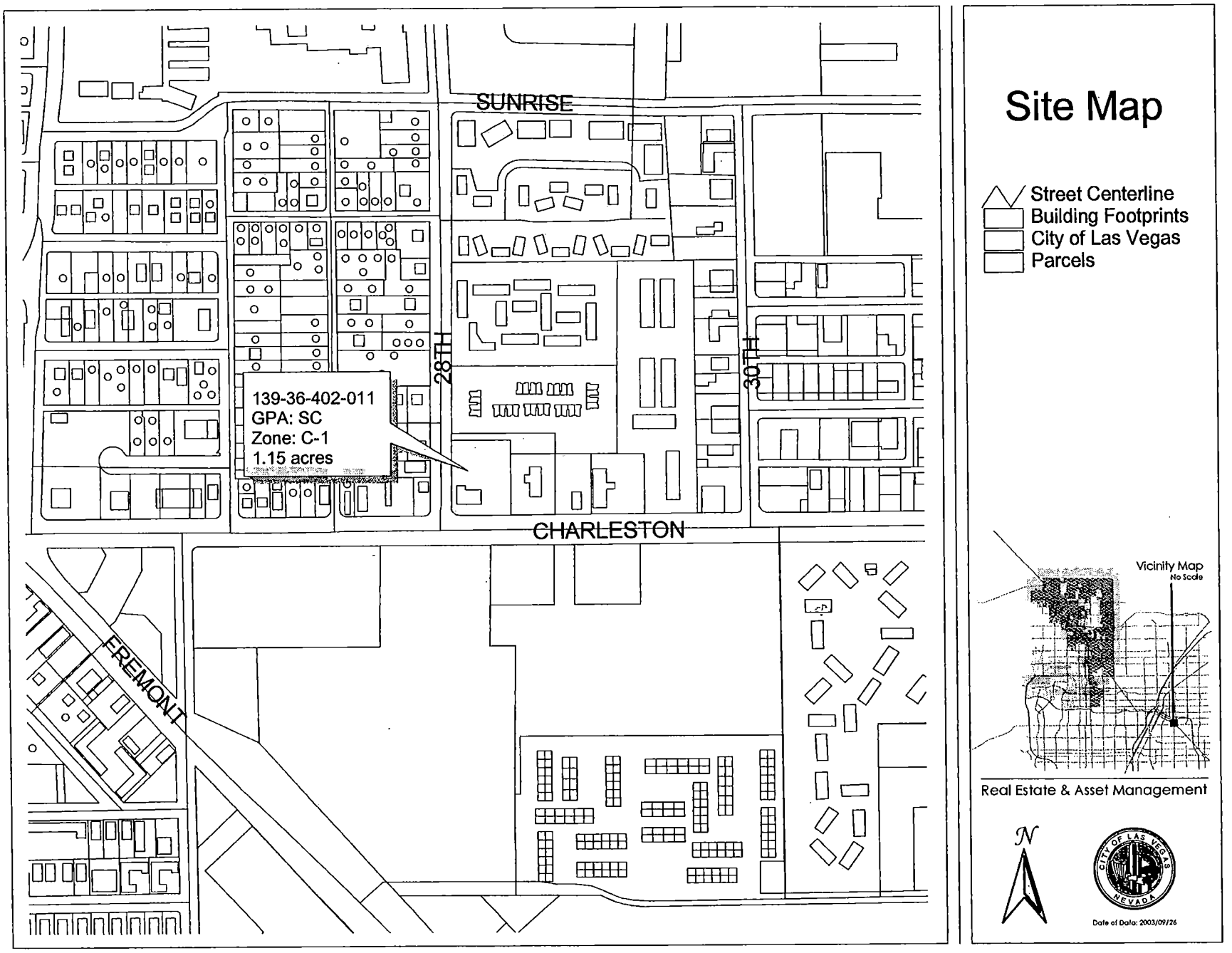
Print Name: David Roark

Subscribed and sworn before me

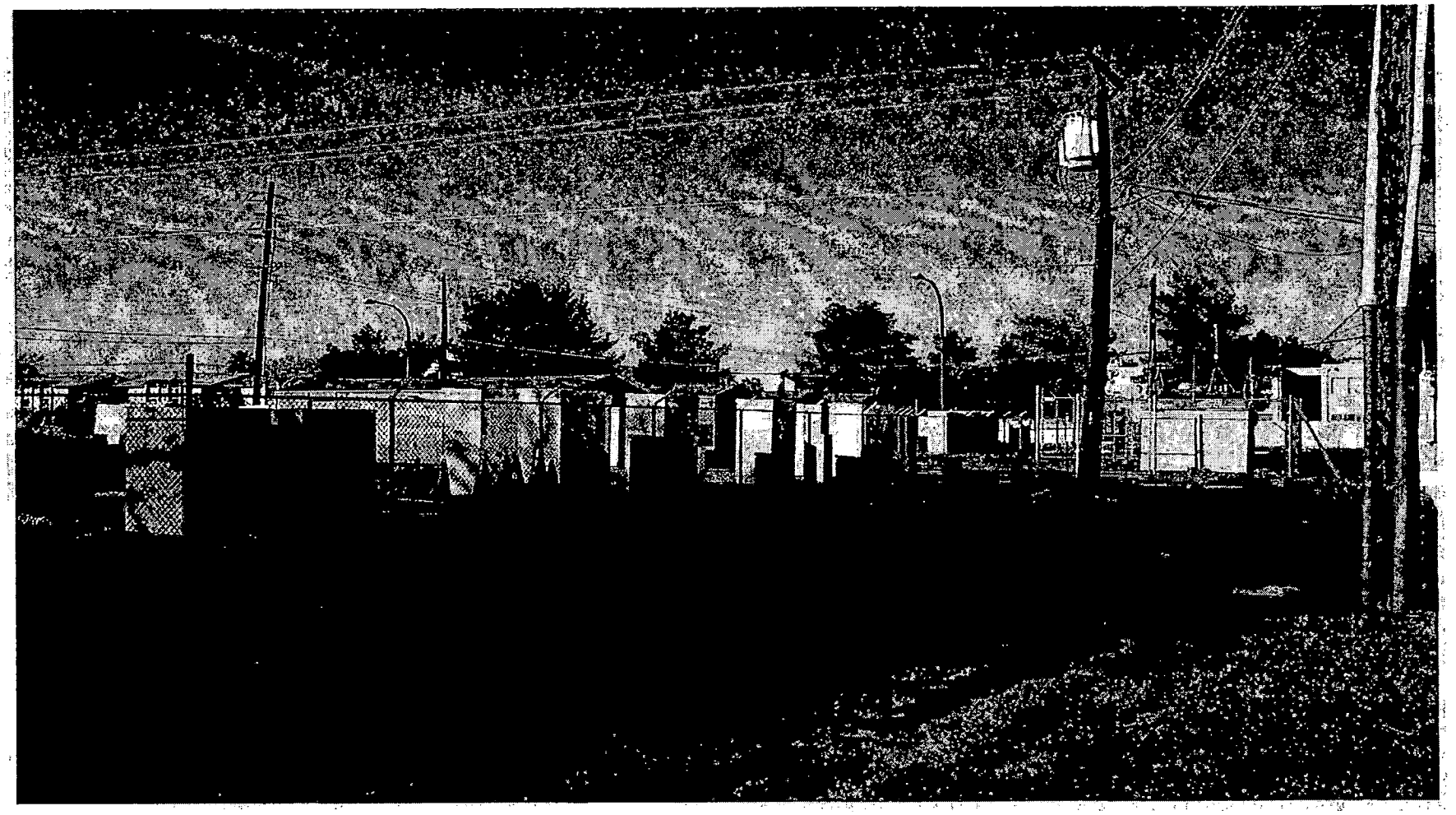
This 4th day of Dec., 2003

Jill Melone
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51648-1 My Appointment Expires Feb. 16, 2007

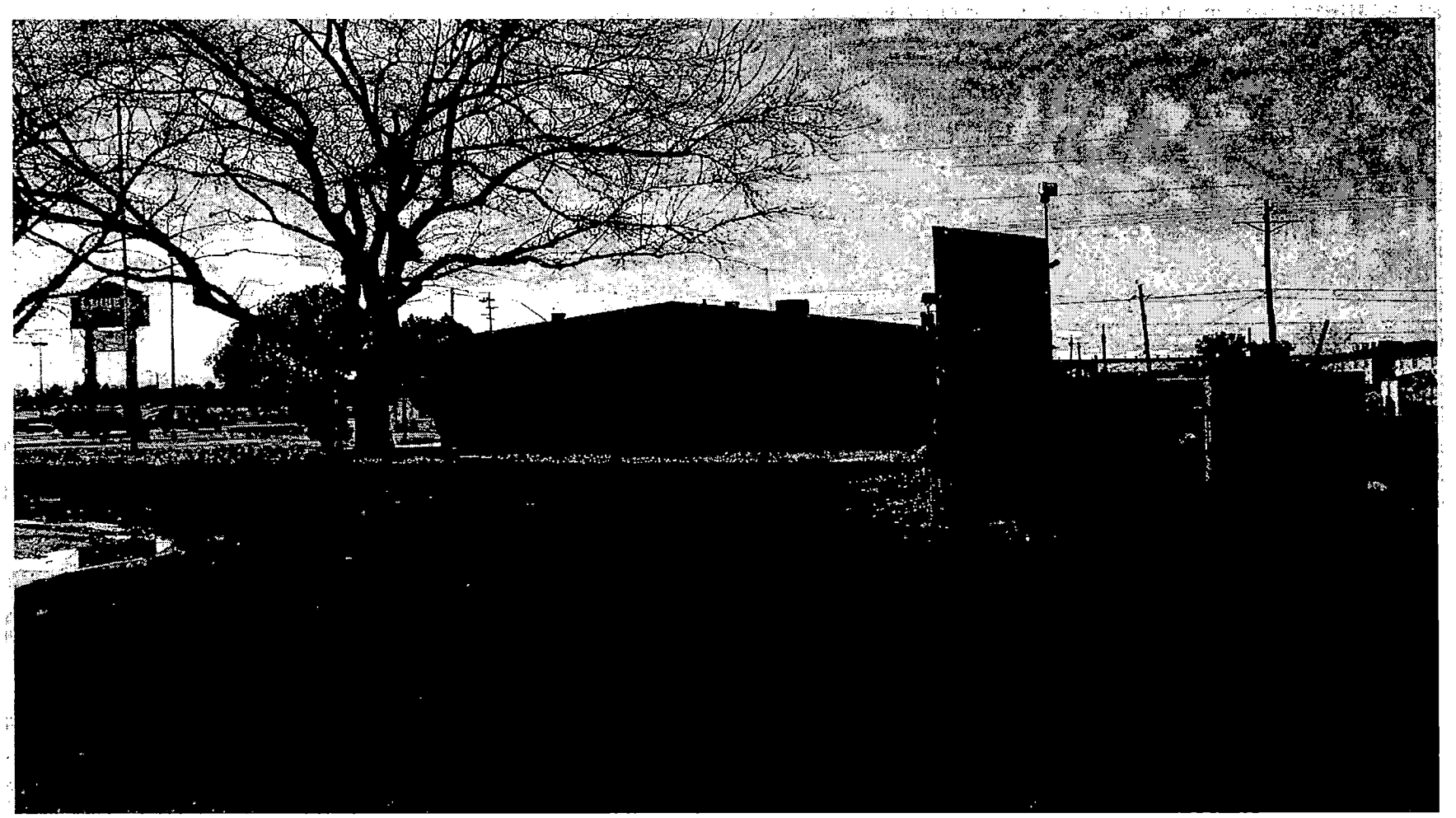


GPA-3532
01-08-04 PC



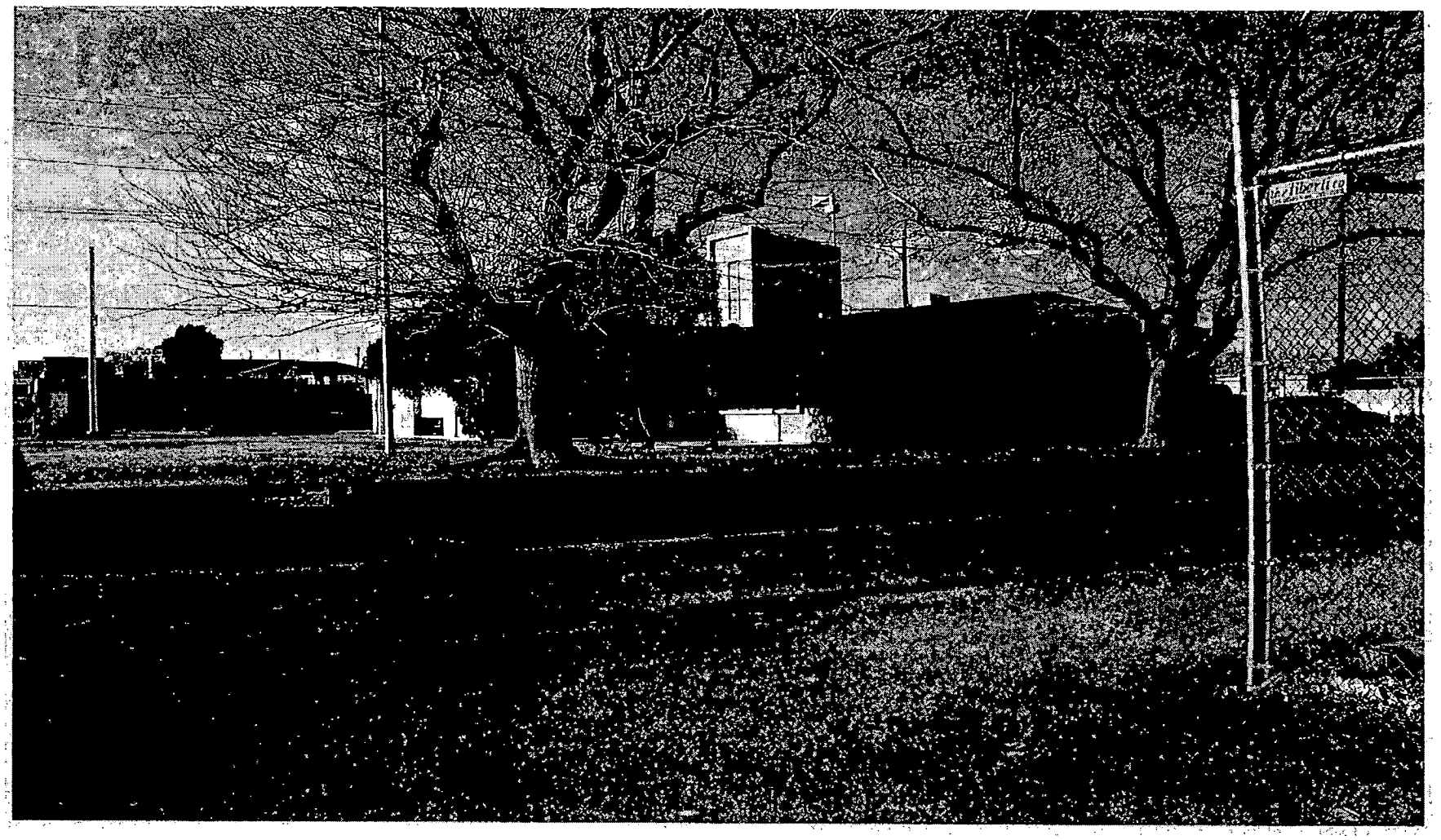
GPA-3532 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



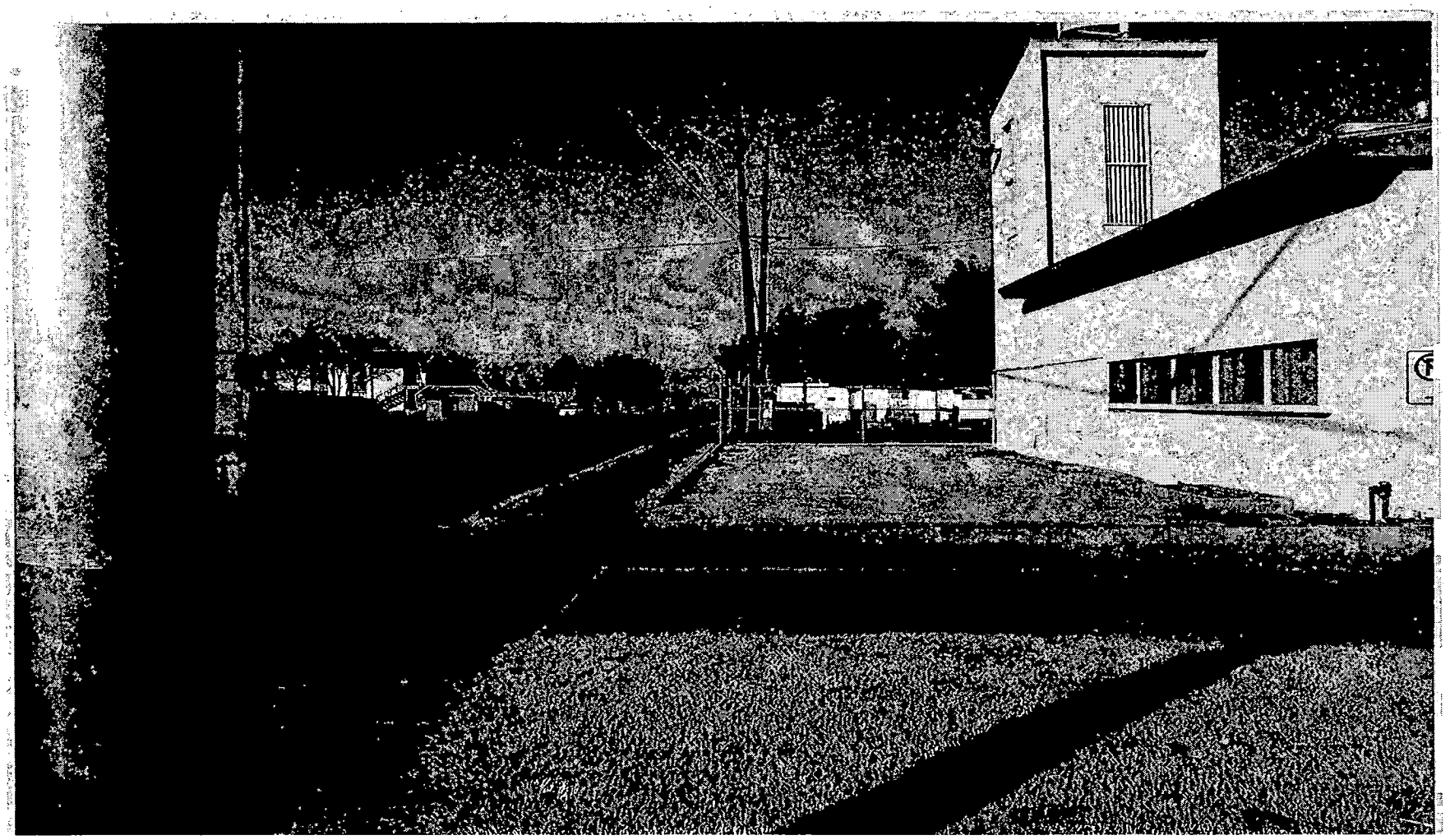
GPA-3532 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



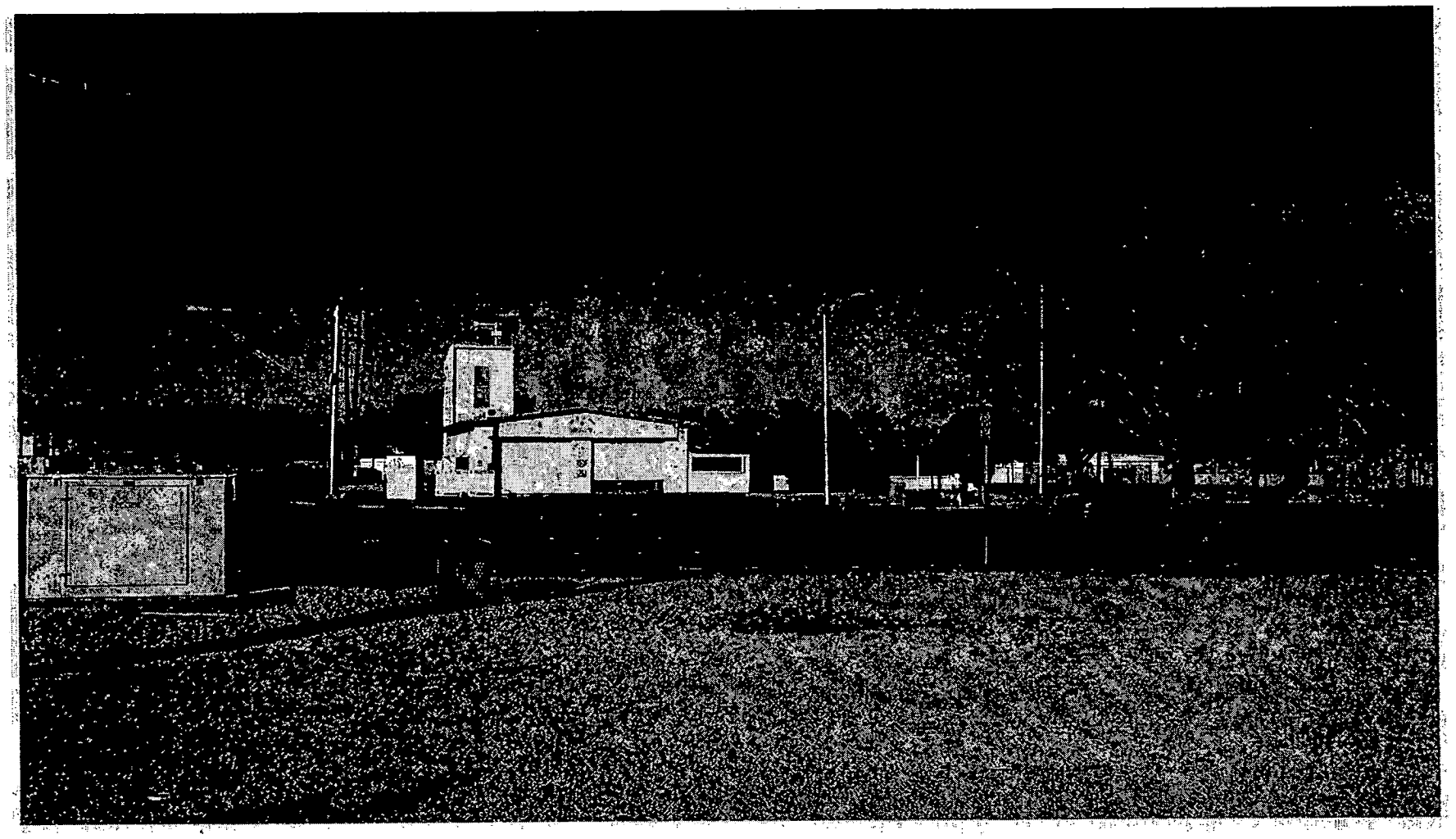
GPA-3532 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



GPA-3532 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



GPA-3532 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
ZON-3533 - CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 1.14 acres at 2824 East Charleston Boulevard (APN: 139-36-402-011), Ward 3 (Reese).

CC: 02/04/04

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:
EVANS– APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 2/4/2004.

MINUTES:
NOTE: See Item 27 [GPA-3532] for related discussion.
(8:08 – 8:10)

CONDITIONS:
Planning and Development
1. A General Plan Amendment (GPA-3532) to a PF (Public Facilities) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

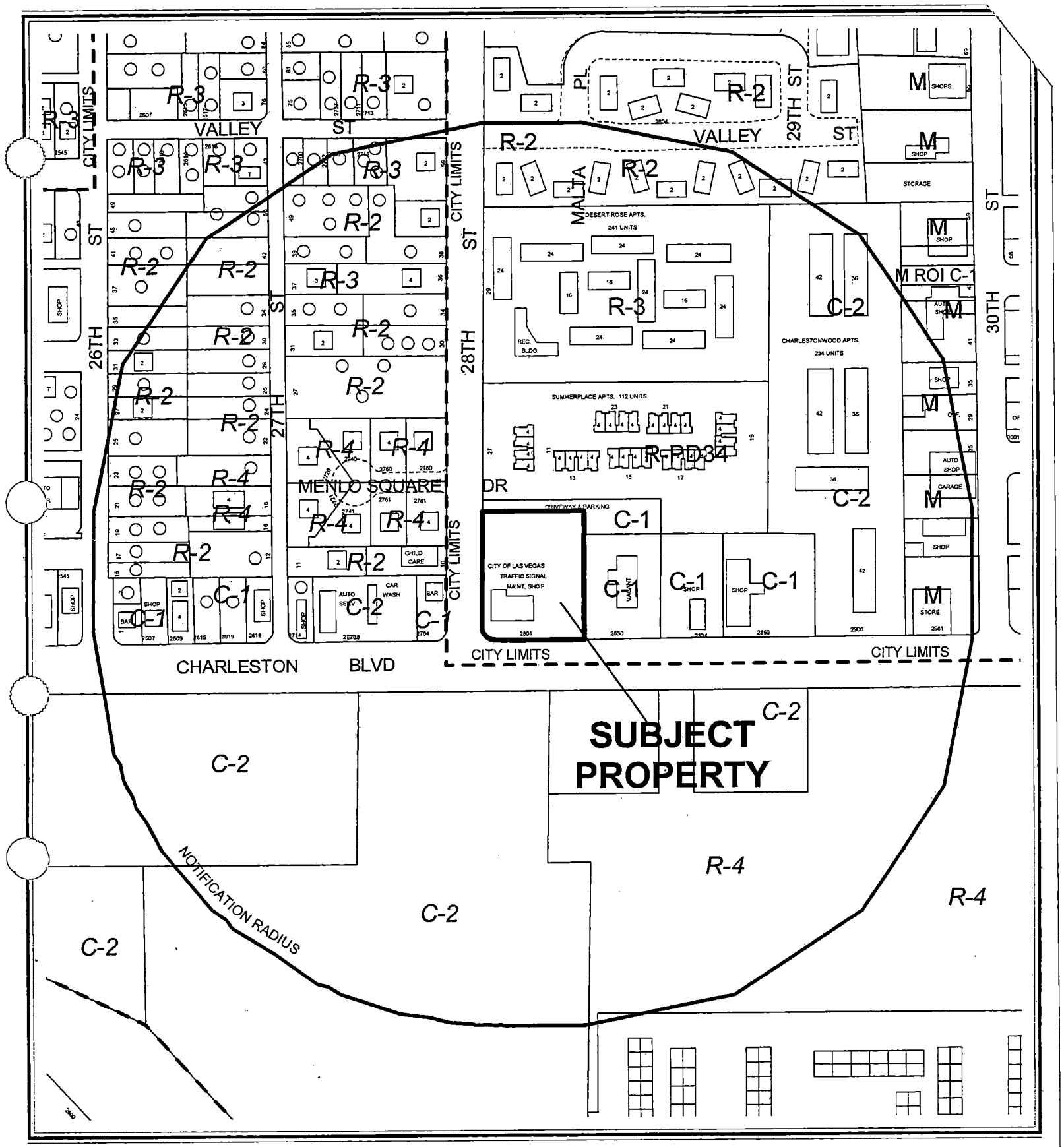
CONDITIONS – Continued:

3. A Site Development Plan Review application (SDR-3534) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. 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.

5. 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 submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: **ZON-3533**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3533 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A General Plan Amendment (GPA-3532) to a PF (Public Facilities) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-3534) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. 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.

5. 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 submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from C-1 (Limited Commercial) to C-V (Civic) on 1.14 acres at 2824 East Charleston Boulevard. A General Plan Amendment to amend the Southeast Sector Plan of the General Plan from SC (Service Commercial) to PF (Public Facilities) and a Site Development Plan Review (SDR-3534) for a proposed single-story, 10,670 square-foot traffic signal maintenance facility will also be considered as companion agenda items.

B) Applicant's Justification

The applicant's justification letter states the applicant (City of Las Vegas) wishes to apply for a site development plan review, zone change, and general plan amendment. The site is to be used for a traffic signal repair shop for the City of Las Vegas. The existing facility on the site will be demolished and a new facility will be constructed. The facility will be used to monitor and repair traffic signals within the Las Vegas valley.

BACKGROUND INFORMATION

A) Previous Actions

02/01/89 The City Council approved a Rezoning (Z-0136-88) from C-V (Civic) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 1/12/89.

1/08/03 The Planning Commission will consider two related items, A General Plan Amendment (GPA-3532) to amend the Southeast Sector Plan of the General Plan from SC (Service Commercial) to PF (Public Facilities) and a Site Development Plan Review (SDR-3534) for a proposed single-story, 9,260 square foot traffic signal repair facility.

B) Pre-Application Meeting

10/23/03 At the pre-application meeting, the pertinent issues discussed included:

- The rear security gate will require an access agreement with the adjacent property owner;
- The entry gate will be left open during business hours;
- The applicant will be required to meet with Flood Control Section;
  - Provide a setback and landscaping on the west side of the building; and
  - Need to provide an elevation/detail of perimeter wall (in accordance with Title 19).

LM

C) Neighborhood Meetings

A neighborhood meeting is not required for this Rezoning application. A neighborhood meeting will be held on December 30, 2003 to discuss the proposed General Plan Amendment.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.14 Acres

B) Existing Land Use

Subject Property:	City of Las Vegas Traffic Signal Maintenance Shop
North:	Driveway; and Multi-Family Residential
South:	Clark County – Commercial (Lowe's Home Improvement)
East:	Commercial
West:	Clark County – Liquor Establishment (Tavern), Child Care Facility; Multi-Family Residential

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial); H (High Density Residential)
South:	Clark County
East:	SC (Service Commercial)
West:	Clark County

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial
North:	C-1 (Limited Commercial); R-PD34 (Residential Planned Development – 34 units per acre)
South:	Clark County
East:	C-1 (Limited Commercial)
West:	Clark County

E) General Plan Compliance

The Southeast Sector Plan currently designates the site as SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. A related General Plan Amendment (GPA-3532) application seeks to change land use designation to PF (Public Facilities), which would support the proposed zoning to C-V (Civic). The PF (Public Facilities) category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

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

This site is not affected by any special plan areas or districts. Clark County Planning Department was notified of this request due to the fact that parcels within that jurisdiction are within the notification area.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards associated with the development request for this parcel will be addressed in the related Site Development Plan Review (SDR-3534) application.

B) General Analysis and Discussion

The zone change to C-V (Civic) zone will be consistent with the proposed General Plan Amendment to PF (Public Facilities). The C-V (Civic) district is intended to provide for existing public and quasi-public uses and for the development of schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public facilities. In addition, the C-V (Civic) District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

The current use of the property is the City of Las Vegas traffic signal maintenance shop, which is considered a public use. The zoning request to C-V (Civic) brings the site into conformance with the existing use of the site. The city is proposing to relocate the one-story 10,670 square foot facility to the north of the existing traffic signal maintenance shop. The existing structure will be demolished. The proposed relocation of the traffic signal maintenance shop represents an opportunity for redevelopment and improvement of the site. The use of the site is not changing, and therefore the use will still be compatible with the mixture of multi-family development and commercial development in the area.

FINDINGS

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

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

   The site is currently designated as SC (Service Commercial) on the Southeast Sector Land Use Plan Map of the General Plan. A related General Plan Amendment application (GPA-3532) proposes to amend the land use designation to PF (Public Facilities). The zone change to C-V (Civic) zone will be consistent with the proposed General Plan Amendment to PF (Public Facilities).

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

   Adjacent to the site is a multi-family residential complex to the north, a commercial center (Lowe's Home Improvement store) located in Clark County to the south, commercial property to the east, and a liquor establishment, child care facility, and multi-family residential located in Clark County to the west. The current use of the property is for the City of Las Vegas traffic signal maintenance shop. The applicant proposes to relocate facility north of the existing traffic signal maintenance shop. The proposed rezoning to C-V (Civic) will be compatible with the surrounding land uses and zoning districts.

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

   The proposed relocation of the traffic signal maintenance shop represents an opportunity for redevelopment and improvement of the site. The use of the site is not changing, and therefore the use will still be compatible with the mixture of multi-family development and commercial development in the area and will bring the existing use into conformance with the appropriate zoning district.

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

   The site is accessed via East Charleston Boulevard, a 100-foot Primary Arterial, and 28th Street, a 70-foot wide Secondary Collector. These rights-of-way provide adequate access to the site.

NOTICES MAILED 77 (GPA-3532 and SDR-3534)

APPROVALS 0

PROTESTS 0

LM

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3533 APN: 139-36-402-011 ZONING

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS - PUBLIC WORKS

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: David Roark

Print Name: David Roark

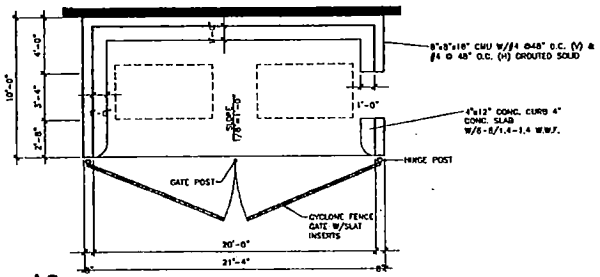
Subscribed and sworn before me

This 4th day of Dec., 2003

Jill Melone

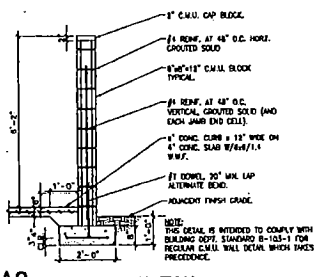
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51646-1 My Appointment Expires Feb. 16, 2007



A3 ENLARGED TRASH ENCLOSURE

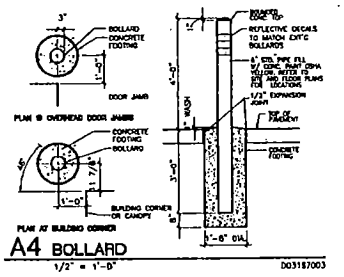
1/4" = 1'-0"



A3 CMU WALL SECTION

1/2" = 1'-0"

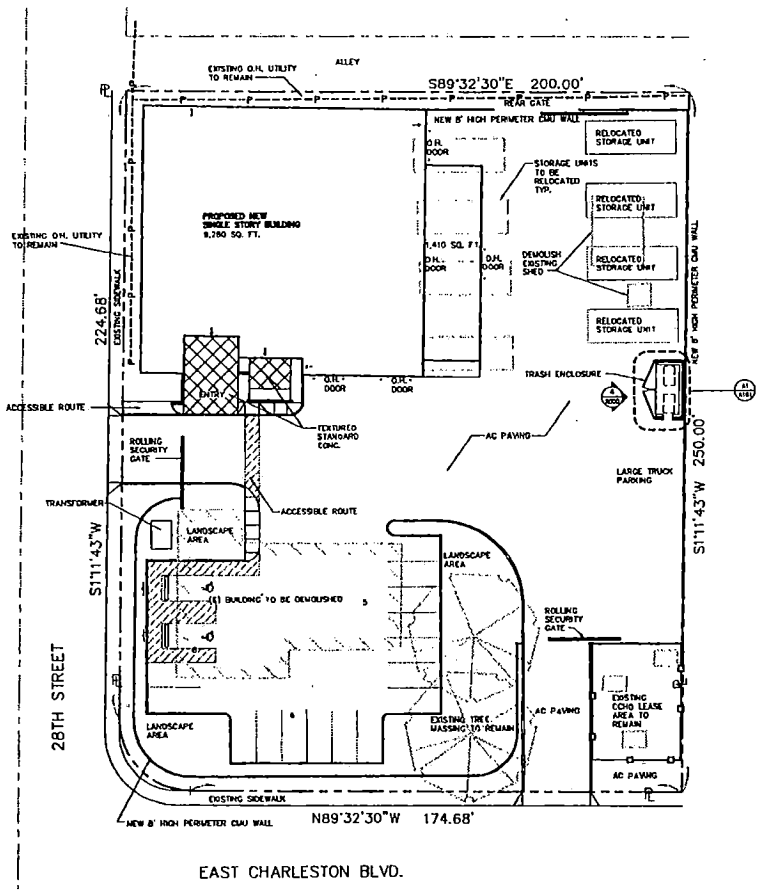
D03187001



A4 BOLLARD

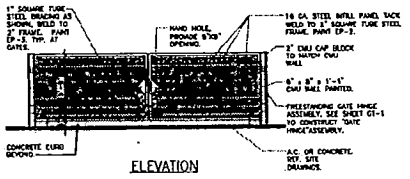
1/2" = 1'-0"

D03187003



E1 SITE PLAN

1" = 20'-0"



B4 TRASH ENCLOSURE ELEVATION

3/4"=1'-0"

D03187008

GPA-3532
ZON-3533
SDR-3534
01-08-04 PC

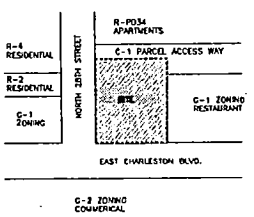
SITE INFORMATION

LEGAL DESCRIPTION:
PT SE4 SW4 SEC 36 20 61

PROPERTY ADDRESS:
2824 E. CHARLESTON BLVD
LAS VEGAS NEVADA

VICINITY LAND USE MAP

NOT TO SCALE



SITE INFORMATION

SITE AREA	49,750 SQ. FT.
OFFICE/SHOP	8,280 SQ. FT.
STORAGE	1,410 SQ. FT.
TOTAL BUILDING AREA	10,470 SQ. FT.
BUILDING COVERAGE	11%
LANDSCAPE AREA	15%
PARKING SPACES	19 STALLS

WPH ARCHITECTURE, Inc.
103 EAST BEND AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 9201
FAX 702 891 9219

TRAFFIC SIGNAL REPAIR SHOP
2824 E CHARLESTON BLVD - 89101

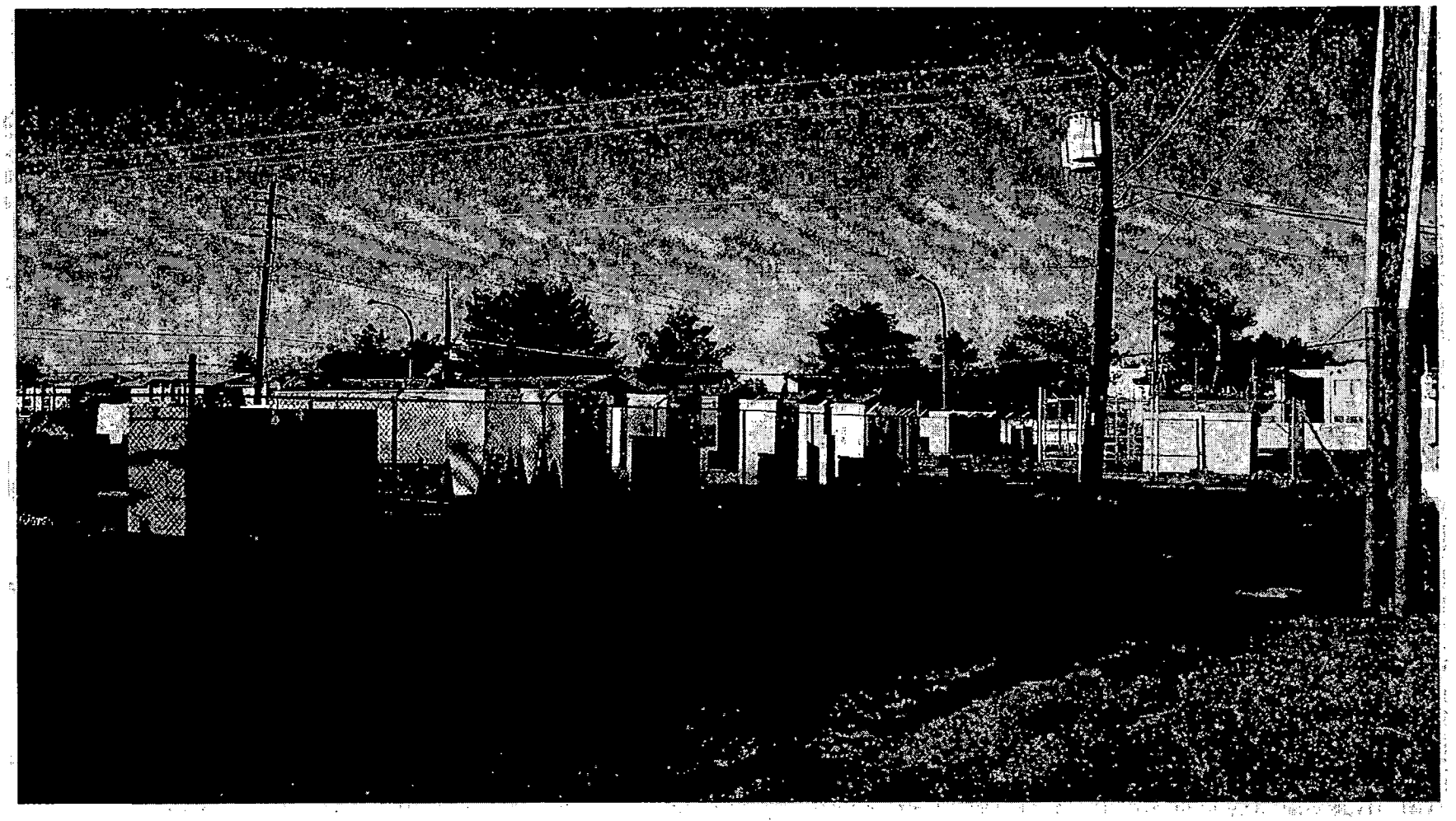
SITE PLAN
GENERAL NOTES

OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

495 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
PHONE: (702) 229-6233
FAX: (702) 385-0153
TDD: (702) 385-7486

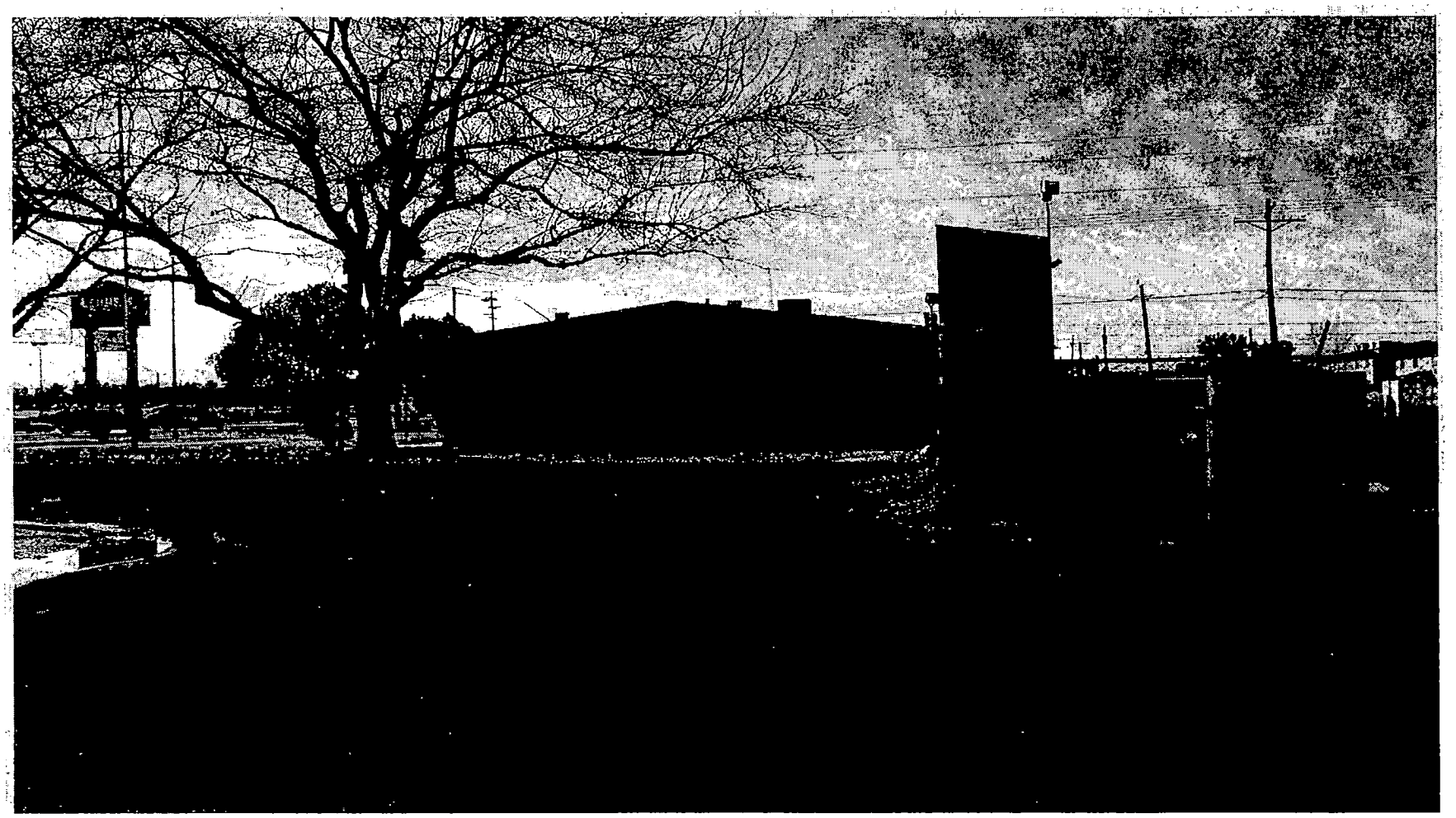
JOB NO	03187001
DATE	12-15-03
SCALE	
DRAWN BY	
CHECKED BY	

A101



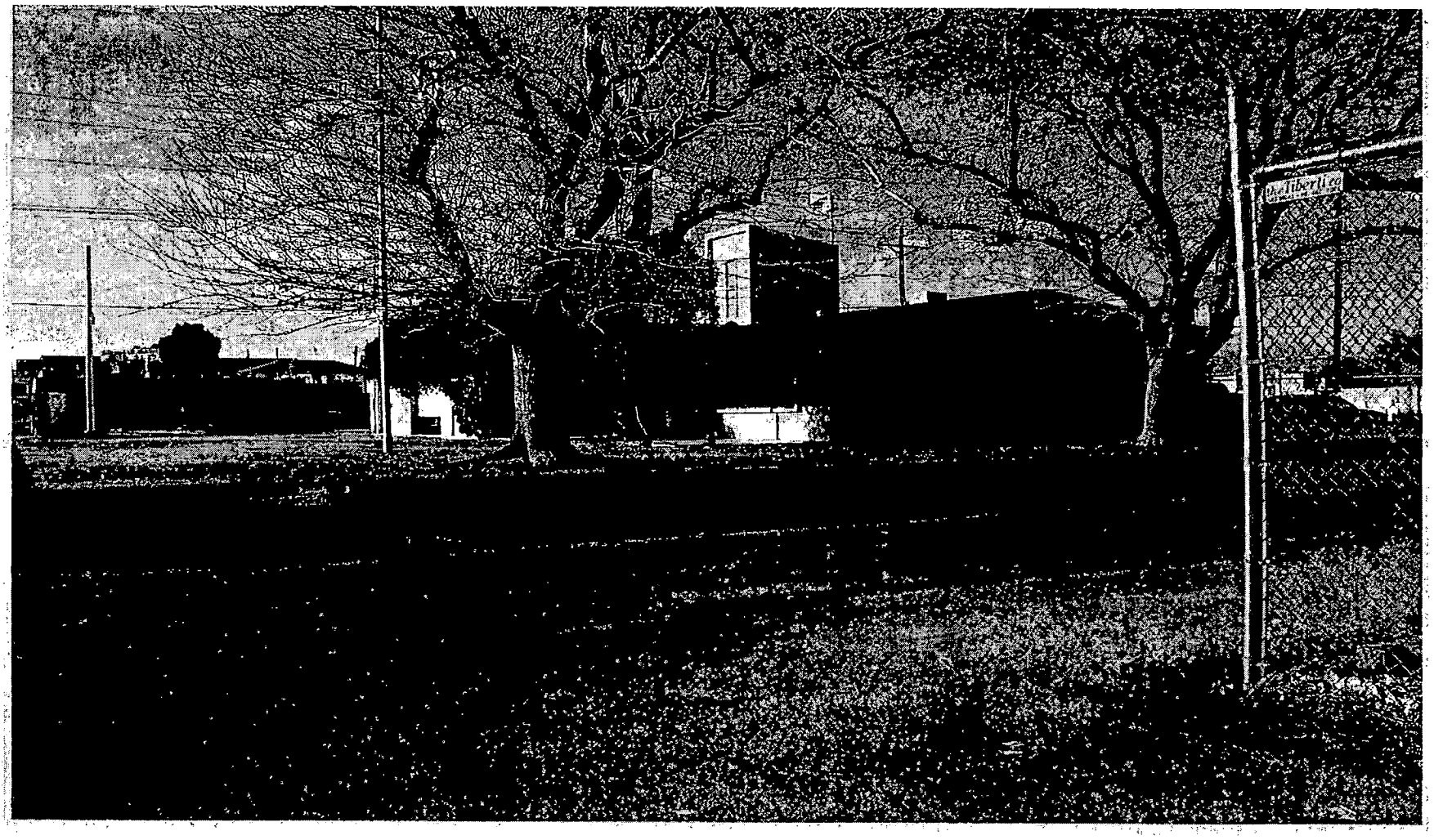
ZON-3533 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



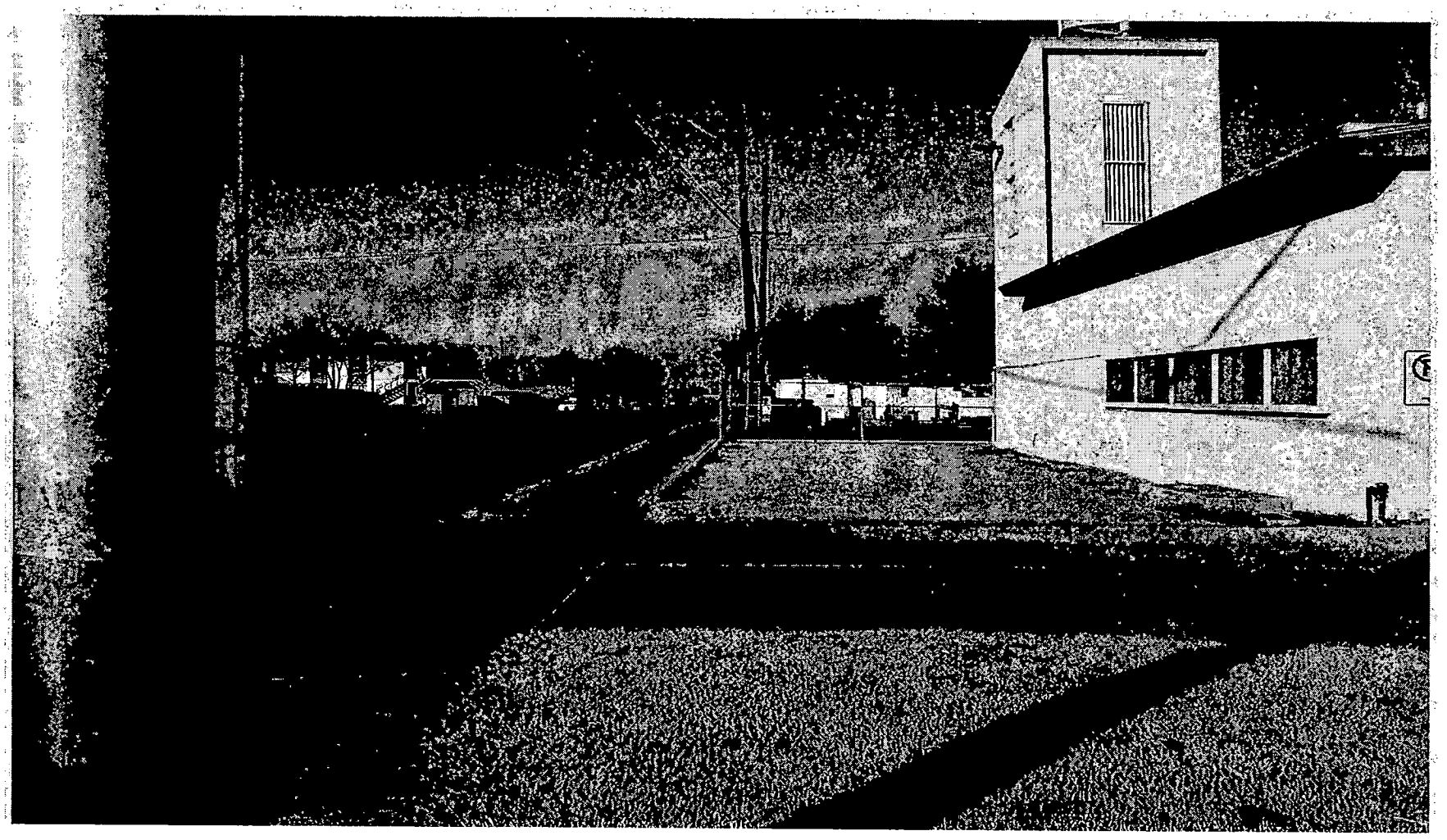
ZON-3533 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



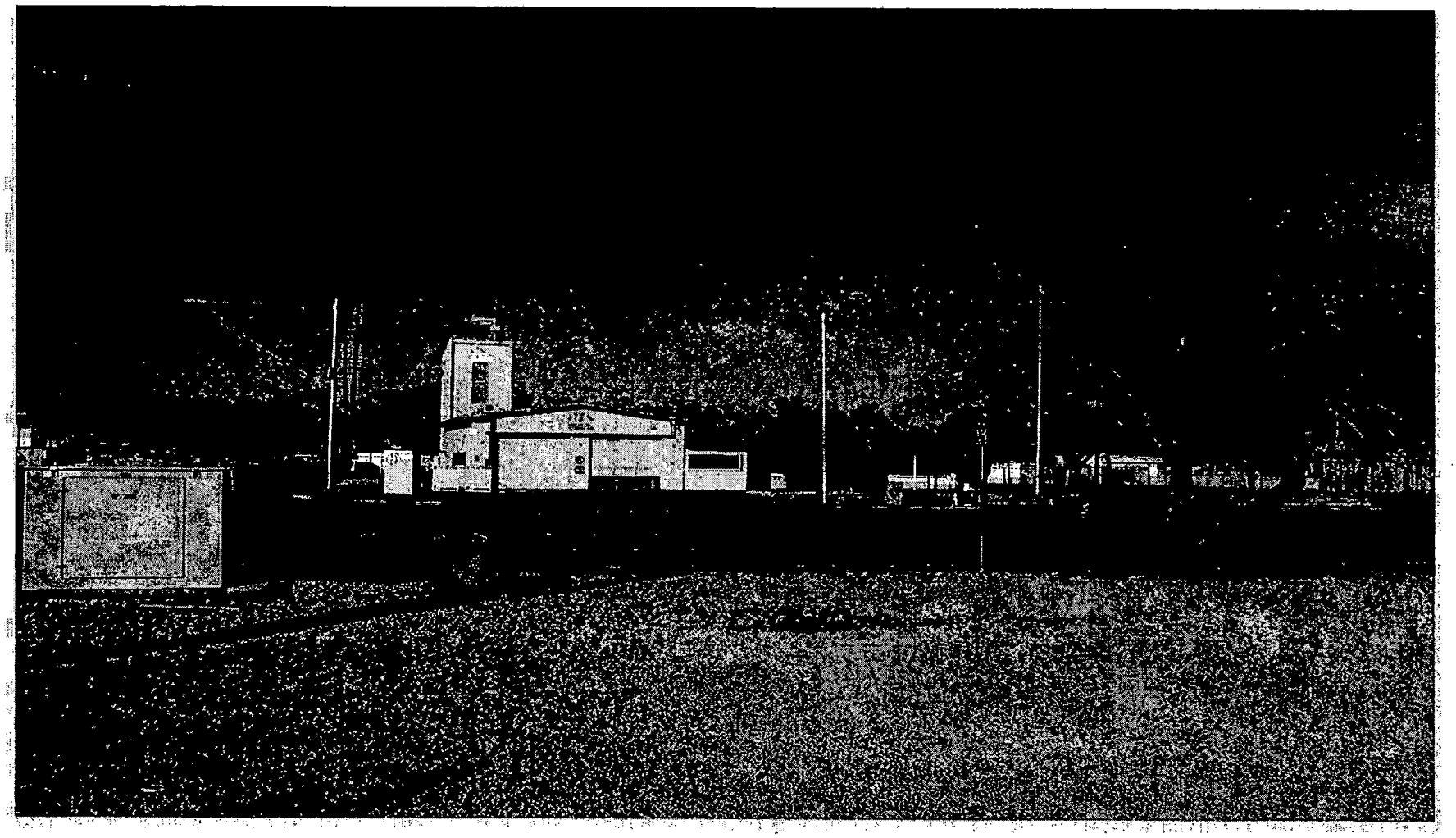
ZON-3533 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



ZON-3533 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



ZON-3533 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3534 - CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED SINGLE-STORY, 9,260 SQUARE-FOOT TRAFFIC SIGNAL REPAIR FACILITY on 1.14 acres at 2824 East Charleston Boulevard (APN: 139-36-402-011), C-1 (Limited Commercial) Zone [PROPOSED: C-V (Civic) Zone], Ward 3 (Reese).

CC: 02/04/04

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:
EVANS– APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 2/4/2004.

MINUTES:
NOTE: See Item 27 [GPA-3532] for related discussion.
(8:08 – 8:10)
2-919

CONDITIONS:
Planning and Development
1. A Rezoning (ZON-3533) to a C-V (Civic) Zoning District approved by the City Council.

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

CONDITIONS – Continued:

3. The setbacks, building height and lot coverage standards shown on the site plan shall be enforced at the time of building permit.

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box trees spaced twenty feet on center on alternating sides of the eight-foot tall block wall. All landscape materials and spacing shall meet the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

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

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

7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property.

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

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

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

11. 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.

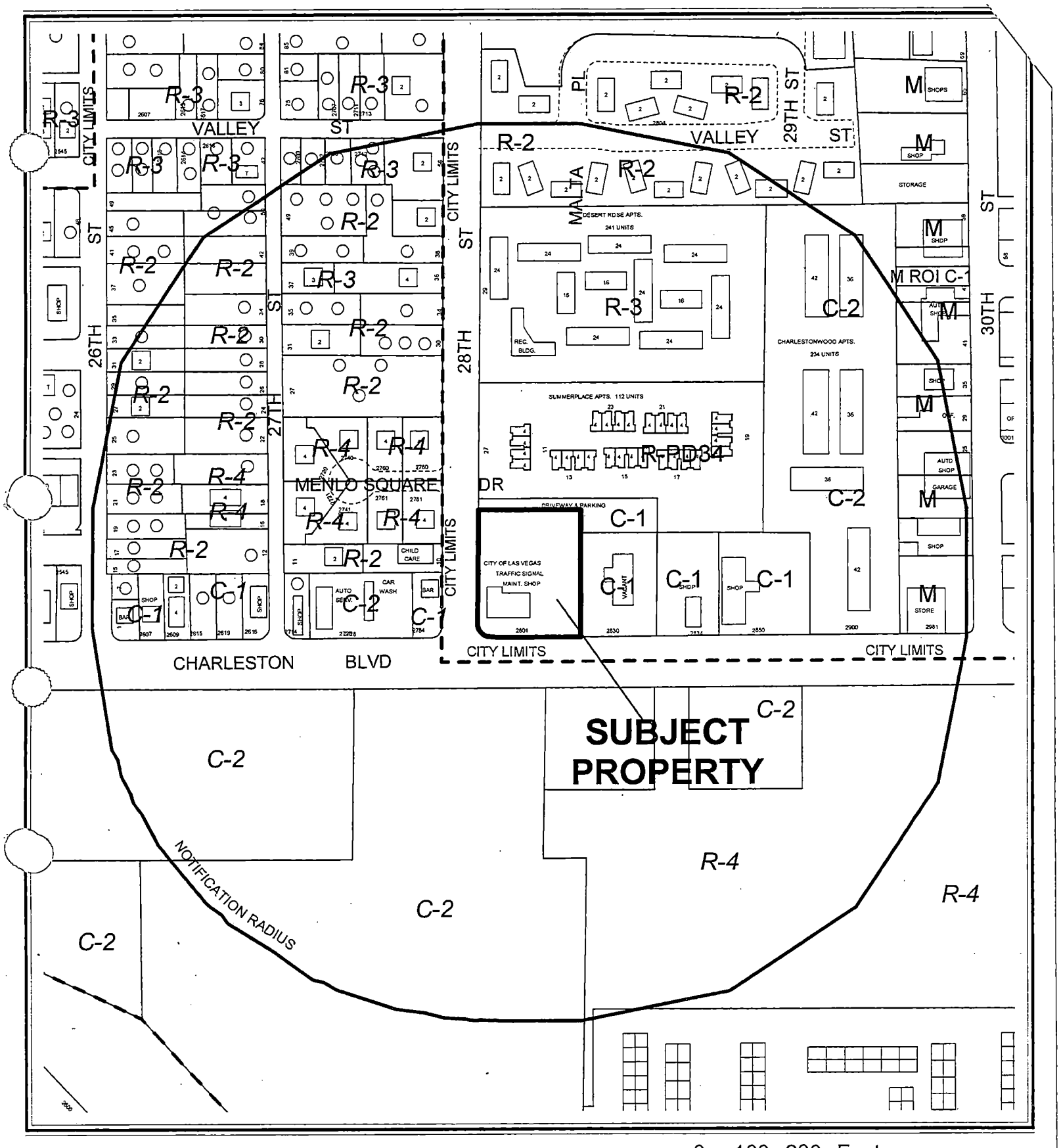
CONDITIONS – Continued:

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

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or revised driveways should be designed, located and constructed in accordance with Standard Drawing #222A.

14. Site development to comply with all applicable conditions of approval for ZON-3533 and all other subsequent site-related actions.

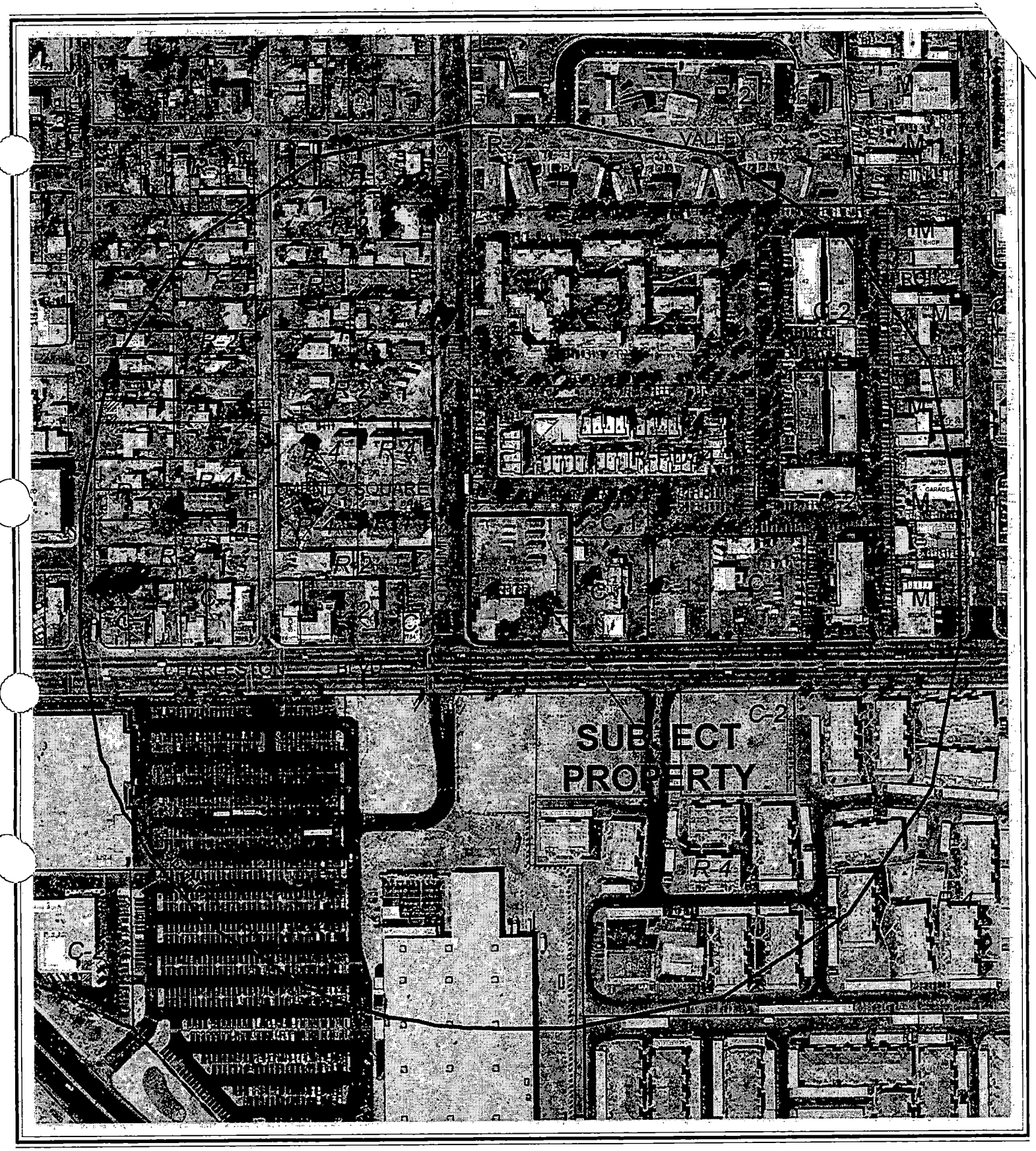


CASE: **SDR-3534**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



0 100 200 Feet

CASE: **SDR-3534**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3534 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3533) to a C-V (Civic) Zoning District approved by the City Council.

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

3. The setbacks, building height and lot coverage standards shown on the site plan shall be enforced at the time of building permit.

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box trees spaced twenty feet on center on alternating sides of the eight-foot tall block wall. All landscape materials and spacing shall meet the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

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

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

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

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

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

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

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

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or revised driveways should be designed, located and constructed in accordance with Standard Drawing #222A.

14. Site development to comply with all applicable conditions of approval for ZON-3533 and all other subsequent site-related actions.

LM

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed single-story, 10,670 square-foot traffic signal repair facility on 1.14 acres at 2824 East Charleston Boulevard. Related companion items are a General Plan Amendment to amend the Southeast Sector Plan of the General Plan from SC (Service Commercial) to PF (Public Facilities) and a Rezoning from C-1 (Limited Commercial) to PF (Public Facilities).

B) Applicant's Justification

The applicant's justification letter states the applicant (City of Las Vegas) wishes to apply for a Site Development Plan Review, Rezoning, and General Plan Amendment. The site is to be used for a traffic signal repair shop for the City of Las Vegas. The existing facility on the site will be demolished and a new facility will be constructed. The facility will be used to monitor and repair traffic signals within the Las Vegas valley

BACKGROUND INFORMATION

A) Previous Actions

02/01/89 The City Council approved a Rezoning (Z-0136-88) from C-V (Civic) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 01/12/89. Staff also recommended approval.

01/08/04 The Planning Commission will consider two related items, A General Plan Amendment (GPA-3532) to amend the Southeast Sector Plan of the General Plan from SC (Service Commercial) to PF (Public Facility) and a Rezoning (ZON-3533) from C-1 (Limited Commercial) to C-V (Civic).

B) Pre-Application Meeting

10/23/03 The pertinent issues discussed included:

- The rear security gate will require an access agreement with the adjacent property owner;
- The entry gate will be left open during business hours;
- The applicant will be required to meet with Flood Control Section;
- Provide a setback and landscaping on the west side of the building; and
- Need to provide an elevation/detail of perimeter wall (in accordance with Title 19).

LM

C) Neighborhood Meetings

A neighborhood meeting is not required for this Site Development Plan Review application. A neighborhood meeting is scheduled to be held on December 30, 2003 to discuss the proposed General Plan Amendment.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.14 Acres

B) Existing Land Use

Subject Property:	City of Las Vegas Traffic Signal Maintenance Shop
North:	Driveway; and Multi-Family Residential
South:	Clark County – Commercial (Lowe's Home Improvement)
East:	Commercial
West:	Clark County – Liquor Establishment (Tavern), Child Care Facility; Multi-Family Residential

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial); H (High Density Residential)
South:	Clark County
East:	SC (Service Commercial)
West:	Clark County

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial
North:	C-1 (Limited Commercial); R-PD34 (Residential Planned Development – 34 units per acre)
South:	Clark County
East:	C-1 (Limited Commercial)
West:	Clark County

E) General Plan Compliance

The Southeast Sector Plan currently designates the site as SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. A related General Plan Amendment (GPA-3532) application seeks to change land use designation to PF (Public Facilities), which would support the proposed zoning to C-V (Civic). The PF (Public Facilities) category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

PROJECT DESCRIPTION

- Site Plan

  This application proposes a new traffic signal maintenance shop for the City of Las Vegas. The existing facility on the site, located at the southwest corner of the site, will be demolished and a new facility will be constructed on the northwest portion of the site. The proposed one-story structure is approximately 10,670 square feet. Four storage units will be relocated to the northeast corner. The parking area is proposed at the southwest portion of the site, where the original building stood. Vehicular access will be via two access points, one from 28th Street and the other from Charleston Boulevard.

- Landscape Plan

  The landscape plan shows ten-foot (10') wide planters along the Charleston Boulevard and 28th Street frontages with deciduous trees. Approximately twenty-one (21) deciduous trees (including Shoestring Acacia, Strawberry tree, Desert Willow, Chilean Mesquite), are noted on site, as well as two (2) mature Mulberry trees. A majority of the trees are found along the rights-of-way, while others are provided in the parking area. Shrubs consist of the Trailing Indigo Bush, Desert Spoon, Rio Bravo Sage, Purple Fountain Grass, Firecracker Penstemon and Star Jasmine. Ground covers indicated include non-vegetative covers including rocks, small stones, and crushed/decomposed granite. All plants will be low maintenance and drought tolerant. An eight-foot tall painted perimeter block wall is proposed with intermittent bands of ribbed face block. The block wall will be located in the middle of the ten-foot (10') wide landscape planters. The landscape plan notes specifies that all landscaping shall meet minimum code requirements of Title 19.12.

- Building Elevations

  The new traffic signal maintenance shop will be located in a one-story square-shaped structure. The 10,670 square foot building has a flat roof. The tan colored CMU building will consist of long rectangular spans of split face gray CMU as well as painted accents in creamy white, dark gray and copper to add visual interest to the building. Rolling metal doors are located on the south and east elevations.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	49,750 Sq.Ft.	N/A
Min. Lot Width	N/A	200 Feet	N/A
Min. Setbacks			
• Front	N/A	150 Feet	N/A
• Side	N/A	74 Feet	N/A
• Corner	N/A	5 Feet	N/A
• Rear	N/A	5 Feet	N/A
Max. Lot Coverage	N/A	21.5%	N/A
Max. Building Height	N/A	20 Feet	N/A
Trash Enclosure	N/A	No	N/A
Loading Zone	N/A	No	N/A
Mech. Equipment	N/A	Screened	N/A
Other …	N/A	N/A	N/A

Title 19.06.020 states that minimum development standards for each property to be zoned C-V (Civic) are set at the time of rezoning. The proposed standards depicted on this site development plan should not pose any conflicts for the area. The standards and dimensions shown on this plan will be enforced at the time of building permit.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Industrial/ Warehousing	10,670 SF.	1/1000 SF of GFA	10	1	17	2

The proposal exceeds the requirement for on-site parking in the Zoning Code.

A Public Works condition requires the removal of all substandard public street improvements and unused driveway cuts adjacent to this site, and replace with new improvements meeting current City Standards concurrent with development of this site.

A4) Landscape Standards

LM

Title 19.06.020 states "Minimum developments standards for property in the C-V zoning district shall be established by the City Council in connection with the approval of a rezoning application. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area." These standards also include landscaping standards. The applicant has indicated that the landscaping will meet the requirements of Title 19.12.

A5) Sign Standards

The application submittal did not include information regarding freestanding, monument or wall signs. Pursuant to Title 19.14, the Sign Standards for the C-V (Civic) apply to the subject proposal.

B) General Analysis and Discussion

- Zoning

The City of Las Vegas signal repair maintenance shop development is an allowed use in the C-V (Civic) zoning district.

- Site Plan

The proposed site design provides a logical layout for the site.

- Waivers

Waivers are not requested as part of this application.

- Landscape Plan

The landscape plan depicts perimeter and parking lot landscaping. The perimeter landscaping along Charleston Boulevard and 28th Street is located on both sides of the eight-foot tall block wall. A condition is recommended to provide 24-inch box trees spaced twenty feet on center on alternating sides of the block wall to better provide a buffer. All landscape materials and spacing shall meet the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

- Elevation

The submitted elevations are appropriate for the proposed project.

LM

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 relocation of the traffic signal maintenance shop represents an opportunity for redevelopment and improvement of the site. Theoretically, the use of the site is not changing, and therefore the use will still be compatible with the mixture of multi-family development and commercial 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 applicable requirements. Title 19.06.020 states "Minimum developments standards for property in the C-V zoning district shall be established by the City Council in connection with the approval of a rezoning application. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area." Additional conditions are suggested that will improve the design of the site.

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

   The site access and circulation will not negatively impact adjacent roadways, including Charleston Boulevard, a fully developed as a 100-foot wide Primary Arterial and 28th Street, a 70-foot wide Secondary Collector. These rights-of-way provide adequate access to the site.

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

   The proposed building materials and landscaping materials will be appropriate with the listed conditions that require the provision of additional perimeter landscaping.

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

   The submitted elevations are appropriate for the proposed project.

LM

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

   The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED 77 (Mailed with GPA-3532 and ZON-3533)

APPROVALS 0

PROTESTS 0

LM

5R

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3534 APN: 139-36-402-011 SITE REVIEW

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS - PUBLIC WORKS

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: David Roark

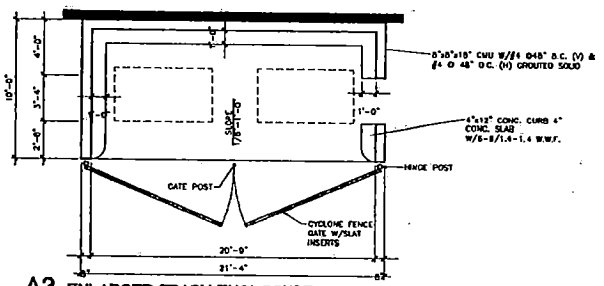
Print Name: David Roark

Subscribed and sworn before me

This 4th day of Dec., 2003

Jill Malone
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51646-1 My Appointment Expires Feb. 16, 2007



A3 ENLARGED TRASH ENCLOSURE
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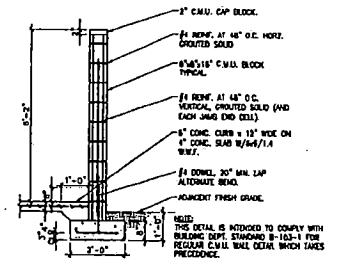

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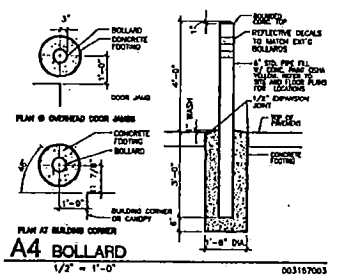
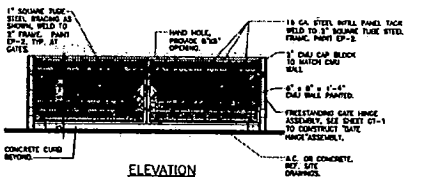
003187001

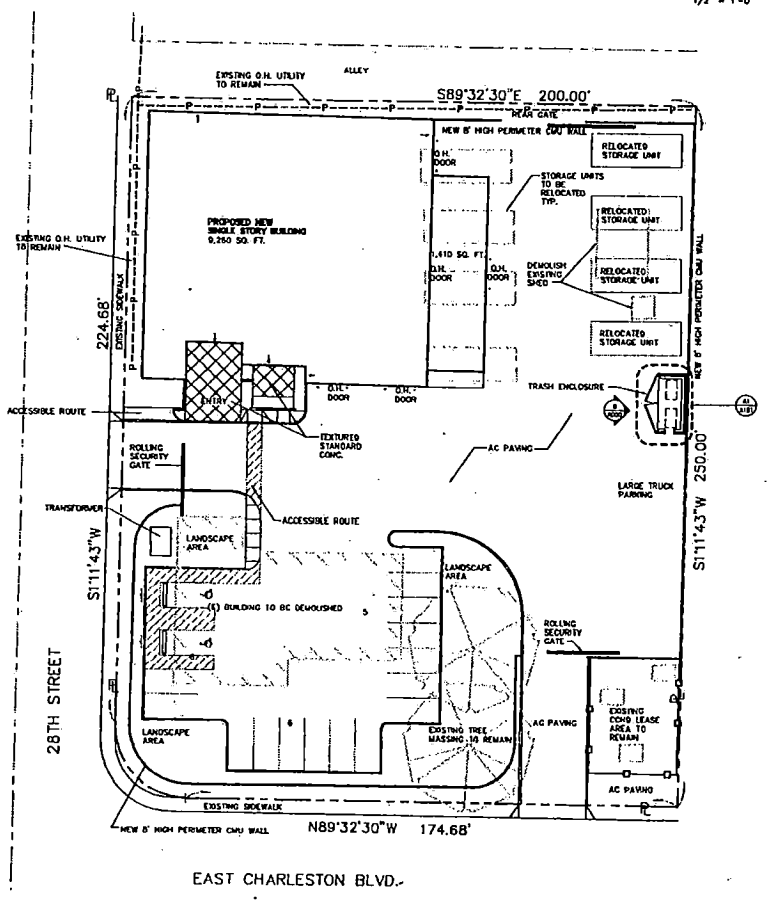


A4 BOLLARD
1/2" = 1'-0"
003187003



ELEVATION

B4 TRASH ENCLOSURE ELEVATION
3/4"=1'-0"
003187008



E1 SITE PLAN
1" = 20'-0"

GPA-3532
ZON-3533
SDR-3534

01-08--04 PC

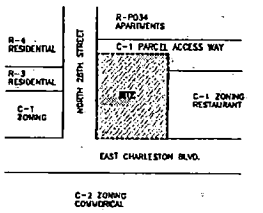
SITE INFORMATION

LEGAL DESCRIPTION:
PT SE4 SW4 SEC 36 20 61

PROPERTY ADDRESS:
2824 E CHARLESTON BLVD
LAS VEGAS NEVADA

VICINITY LAND USE MAP

NOT TO SCALE



SITE INFORMATION

SITE AREA	49,750 SQ. FT.
OFFICE/SHOP	8,369 SQ. FT.
STORAGE	1,410 SQ. FT.
TOTAL BUILDING AREA	18,870 SQ. FT.
BUILDING COVERAGE	19%
LANDSCAPE AREA	13%
PARKING SPACES	19 STALLS

ARCHITECTURE Inc.
555 EAST REMO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 8301
FAX 702 891 8312

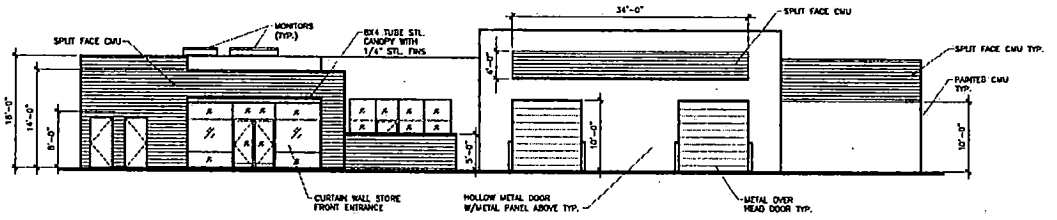
TRAFFIC SIGNAL REPAIR SHOP
2824 E CHARLESTON BLVD - 89101

SITE PLAN
GENERAL NOTES

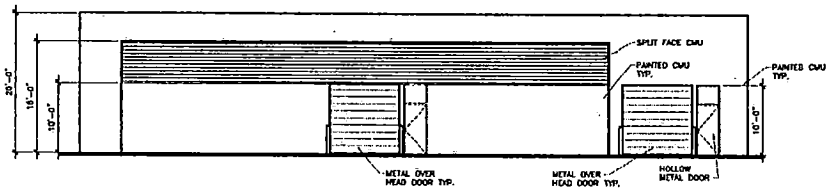
OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

NO	031-87101
DATE	10-16-03

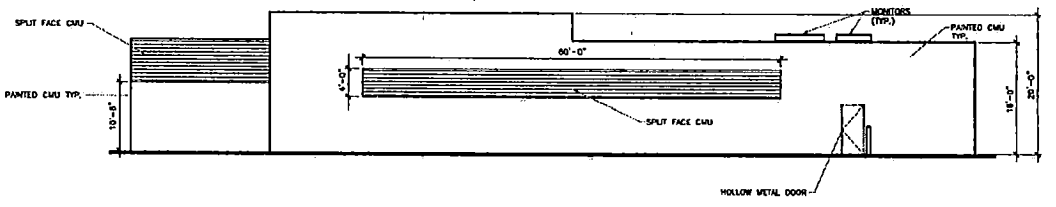
A101



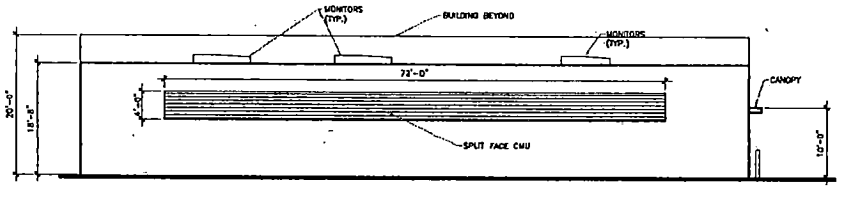
1 SOUTH ELEVATION
1/8 = 1'-0"



2 EAST ELEVATION
1/8 = 1'-0"



3 NORTH ELEVATION
1/8 = 1'-0"



4 WEST ELEVATION
1/8 = 1'-0"

GPA-3532
ZON-3533
SDR-3534

01-08-04 PC

WPH ARCHITECTURE, Inc.
108 EAST ECHO AVENUE 6
LAS VEGAS NEVADA 89119
TEL 702 891 8701
FAX 702 891 8312

TRAFFIC SIGNAL REPAIR SHOP
2824 E CHARLESTON BLVD - 89101

ELEVATIONS

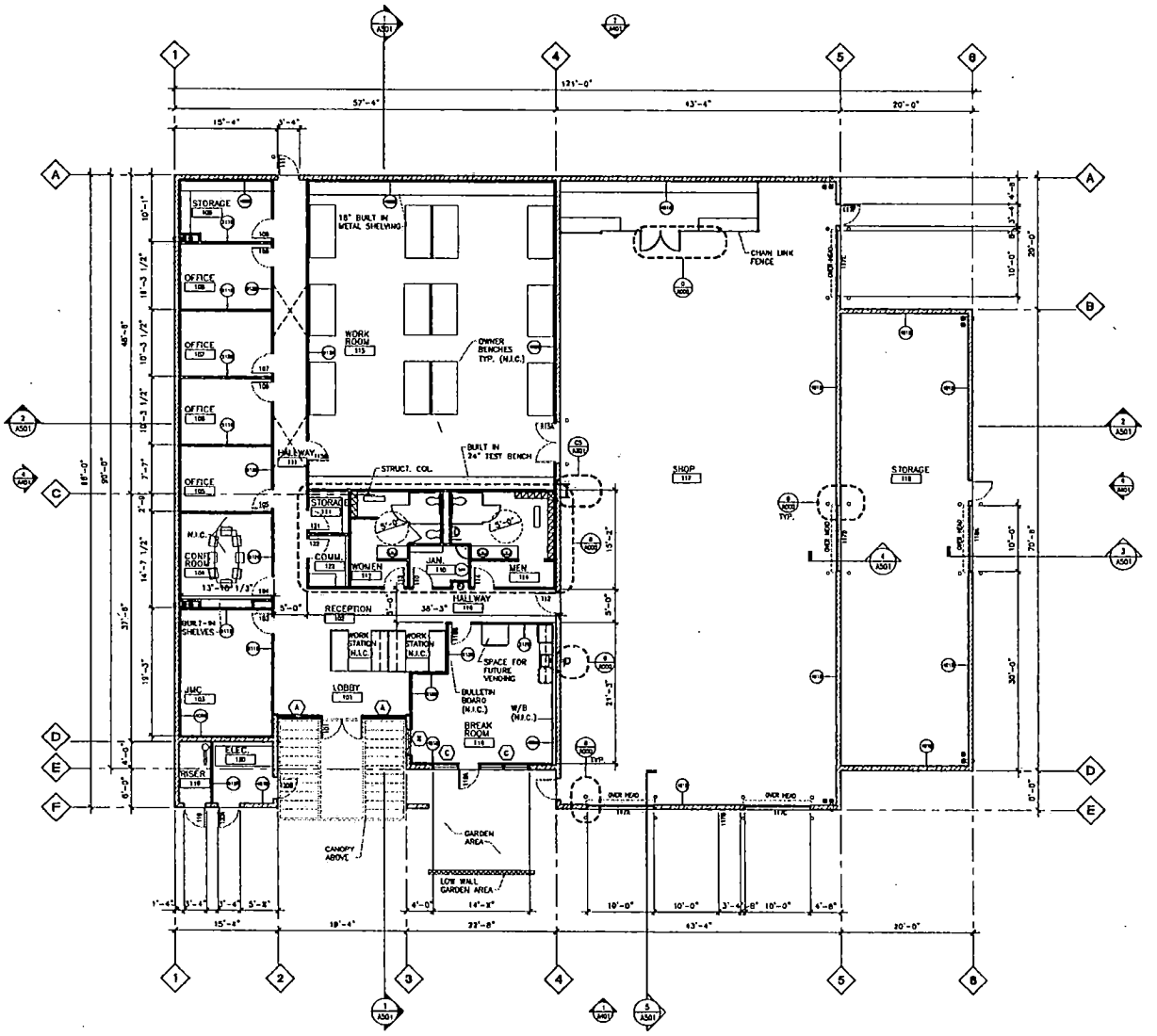
OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
PHONE: (702) 229-6251
FAX: (702) 382-3132
TDD: (702) 386-9108

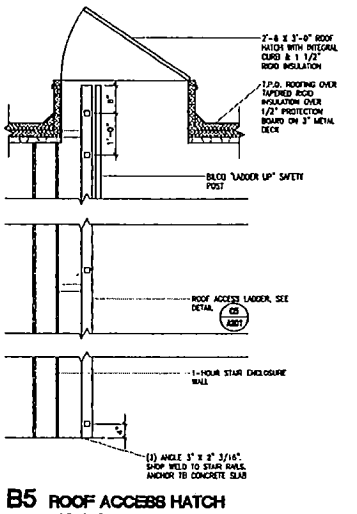
02167401

11-10-03

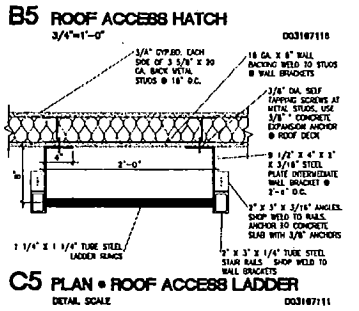
A401



E1 FLOOR PLAN
1/8 = 1'-0"



B5 ROOF ACCESS HATCH
3/4"=1'-0" D03187118



C5 PLAN • ROOF ACCESS LADDER
DETAIL SCALE D03187111

FLOOR PLAN NOTES

1. DIMENSIONS ARE TO FACE OF FRAMING AND MASONRY OR TO CENTERLINE OF COLUMNS AND OPENINGS U.N.O.
2. INTERIOR FRAMED WALLS ARE ASSEMBLY TYPE 5138 U.N.O. EXTERIOR FRAMED FURRING WALLS ARE ASSEMBLY TYPE 990B U.N.O.
3. REFER TO PROJECT MANUAL FOR DOOR SCHEDULE.
4. PROVIDE BACKING FOR ALL WALL MOUNTED ACCESSORIES, FURNISHINGS AND EQUIP. VERIFY WEIGHTS AND LOCATIONS.
5. PROVIDE SOUND ATTENUATION INSULATION AT TOILET ROOM WALLS.
6. SEE FINISH SCHEDULE FOR ALL FINISHES.
7. SEE DTL. ES/A811 FOR ALL TYP. FLOOR TRANSITION DETAILS.

FLOOR PLAN LEGEND

PARTITION

- NEW WALL CONSTRUCTION
- NEW CMU WALL
- NEW LOW WALL
- NEW 1 HOUR RATED WALL

GPA-3532
ZON-3533
SDR-3534
01-08--04 PC

WPH ARCHITECTURE, Inc.
953 EAST SAHARA AVENUE, # 4
LAS VEGAS NEVADA 89119
TEL 702 891 8701
FAX 702 891 3218

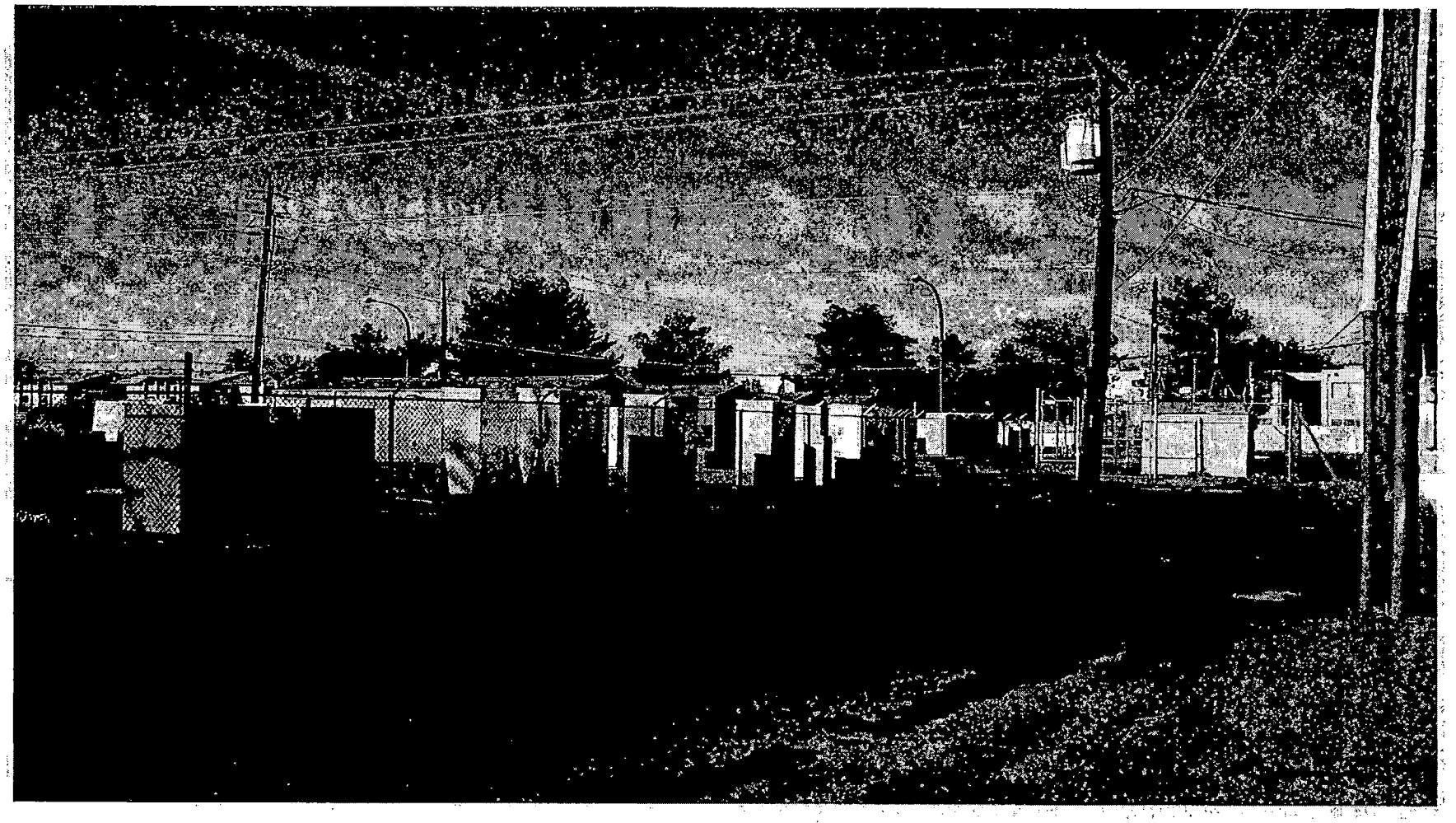
TRAFFIC SIGNAL REPAIR SHOP
2824 E CHARLESTON BLVD - 89101
FLOOR PLAN

OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

1200 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
(702) 229-6240
(702) 229-6135
(FAX) (702) 385-9104

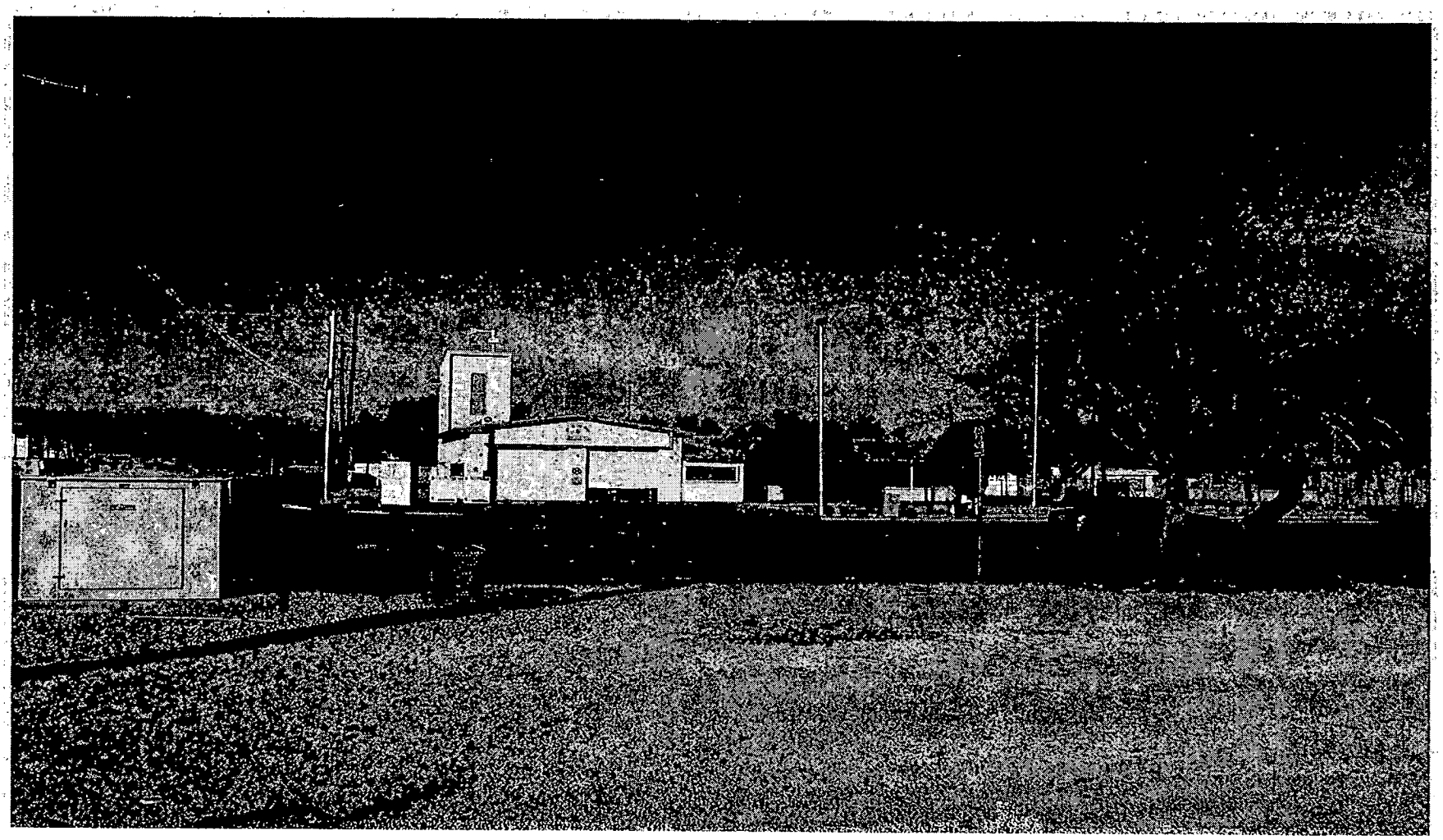
NO.	1995
DATE	03187201
DATE	12-16-03

A201



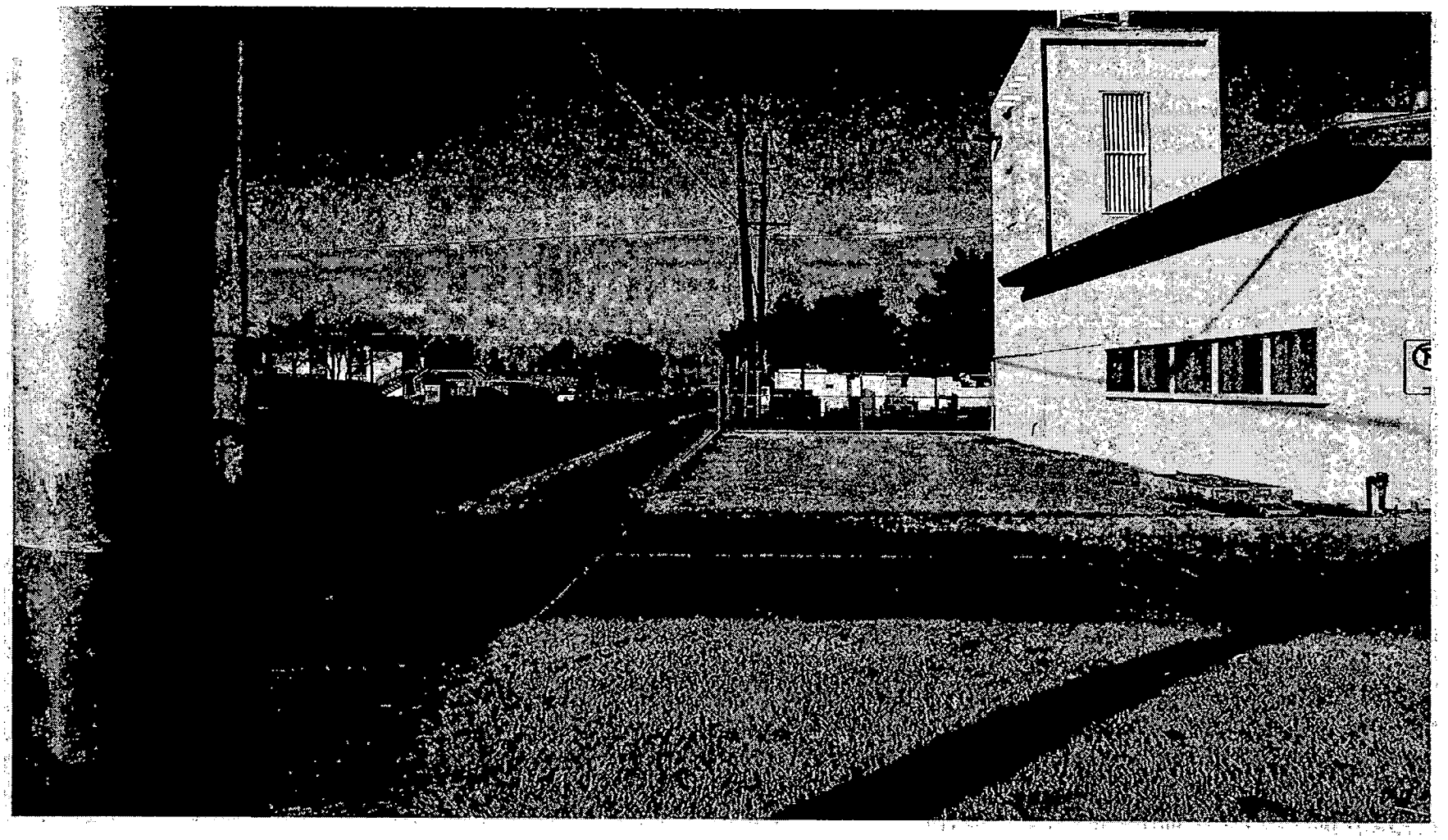
SDR-3534 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



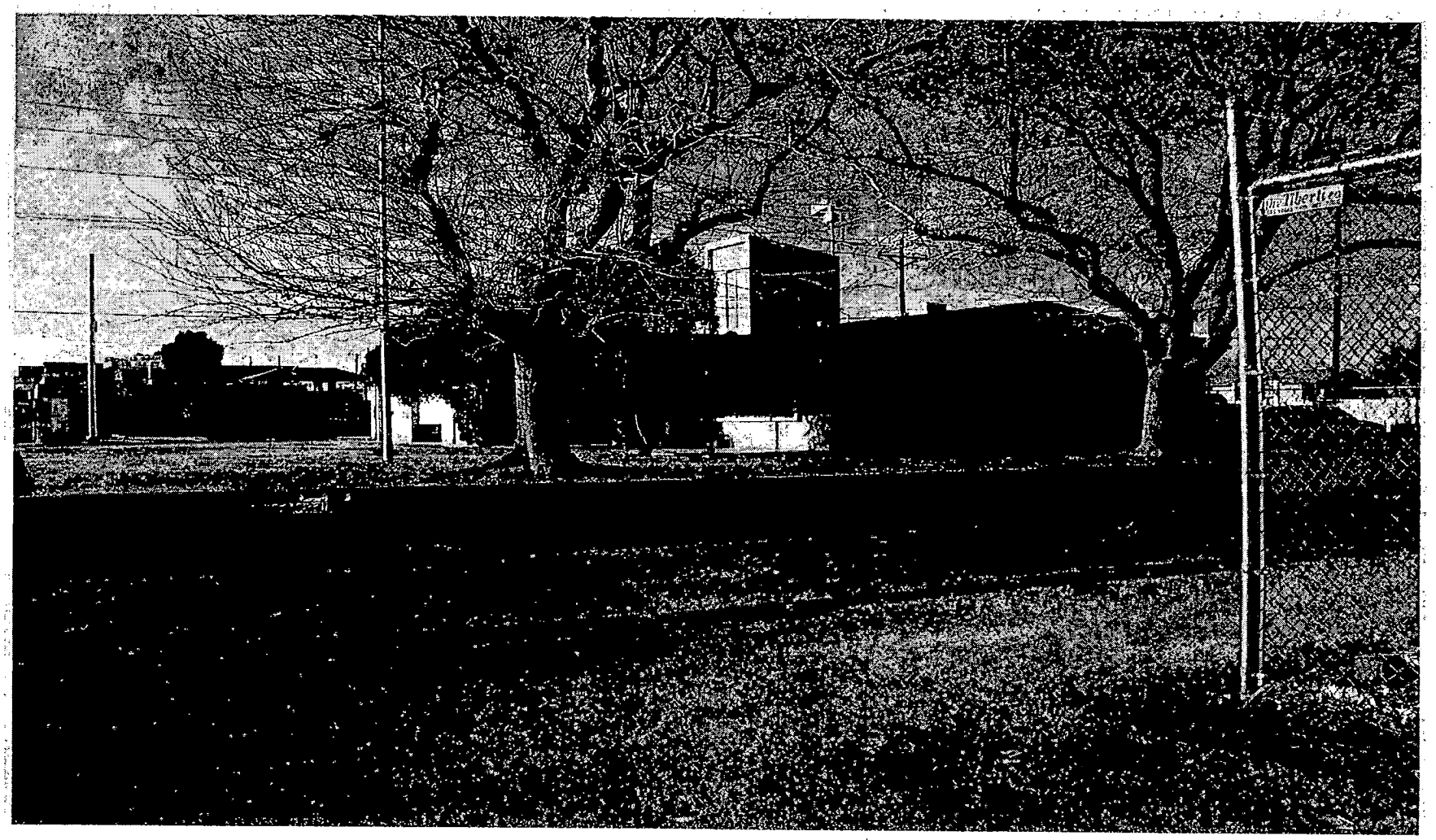
SDR-3534 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



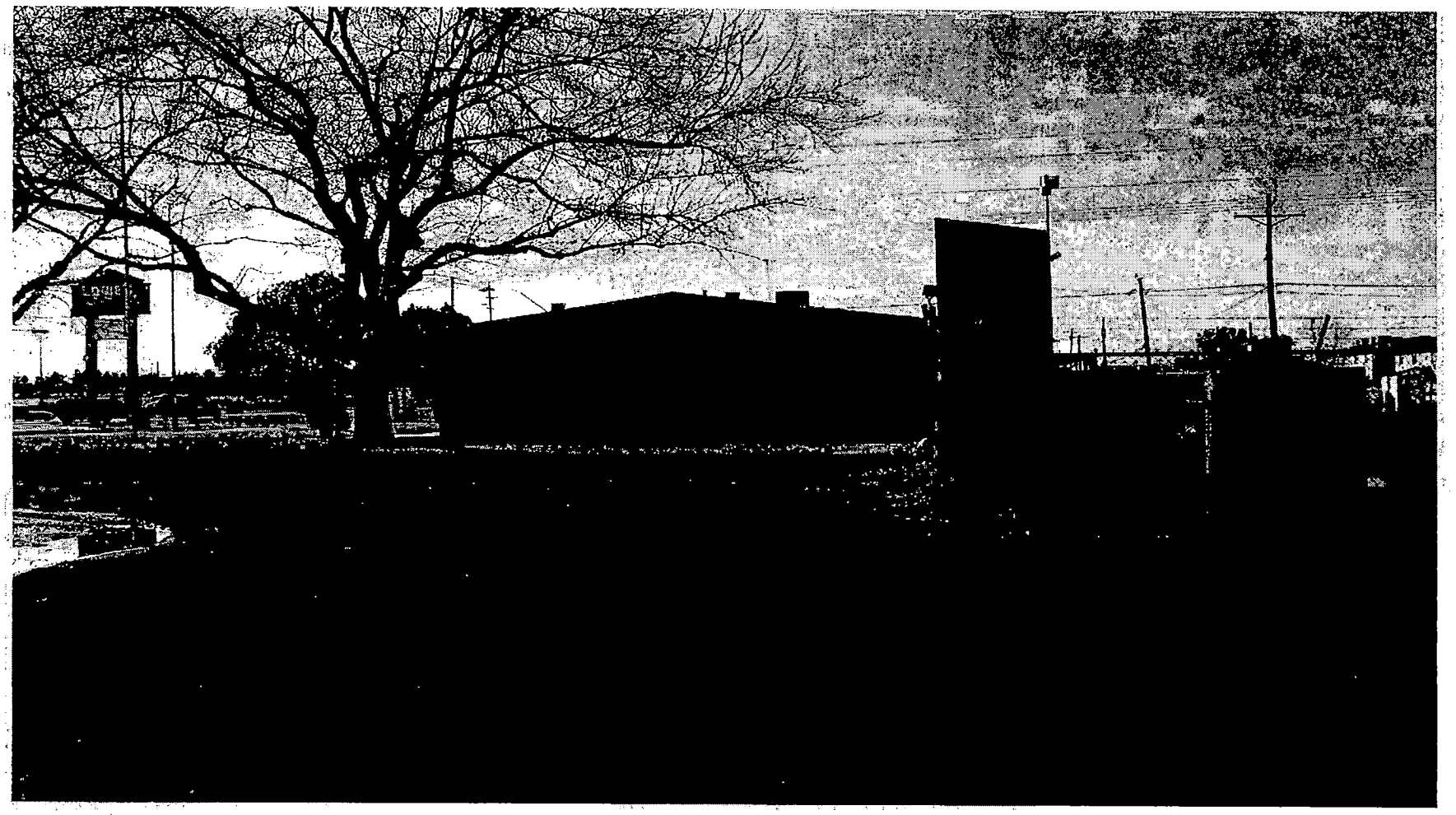
SDR-3534 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



SDR-3534 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



SDR-3534 - CITY OF LAS VEGAS
2824 EAST CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
VAR-3356 - GEORGE WALKER ON BEHALF OF ZEPHYRENE C. AND CYNTHIA P. VILLALUZ - Request for a Variance TO ALLOW A SIX-FOOT EIGHT-INCH SOLID WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 2.02 acres at 8171 West Oakey Boulevard (APN: 163-04-701-001), 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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated staff determined there were two wall height variances approved in the vicinity of the subject site. He clarified the variance requirements including Title 19 hardship factors and application requirements and stated this site does not warrant the recommendation of approval.

QUINN BOSAC, 8670 West Spring Mountain, appeared on behalf of the applicant. He stated the applicant will submit the landscape plan as requested. Reviewing other properties in the area, he indicated his client is the only one that will put in 12 feet buffering along the perimeter in addition to the sidewalk.

MINUTES – Continued:
MR. BOSAC stated the applicant plans to match the height of the adjacent neighbor.

COMMISSIONER McSWAIN stated the applicant is making a positive contribution to beautifying that section of Oakey Boulevard.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:10 – 8:14)

2-1034

CONDITIONS:
Planning and Development

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

2. All new property line walls shall be constructed of decorative block, 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.

3. A landscaping plan shall be reviewed and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a 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 planter area between the proposed block walls and the right-of-ways of Oakey Boulevard and Cimarron Road.

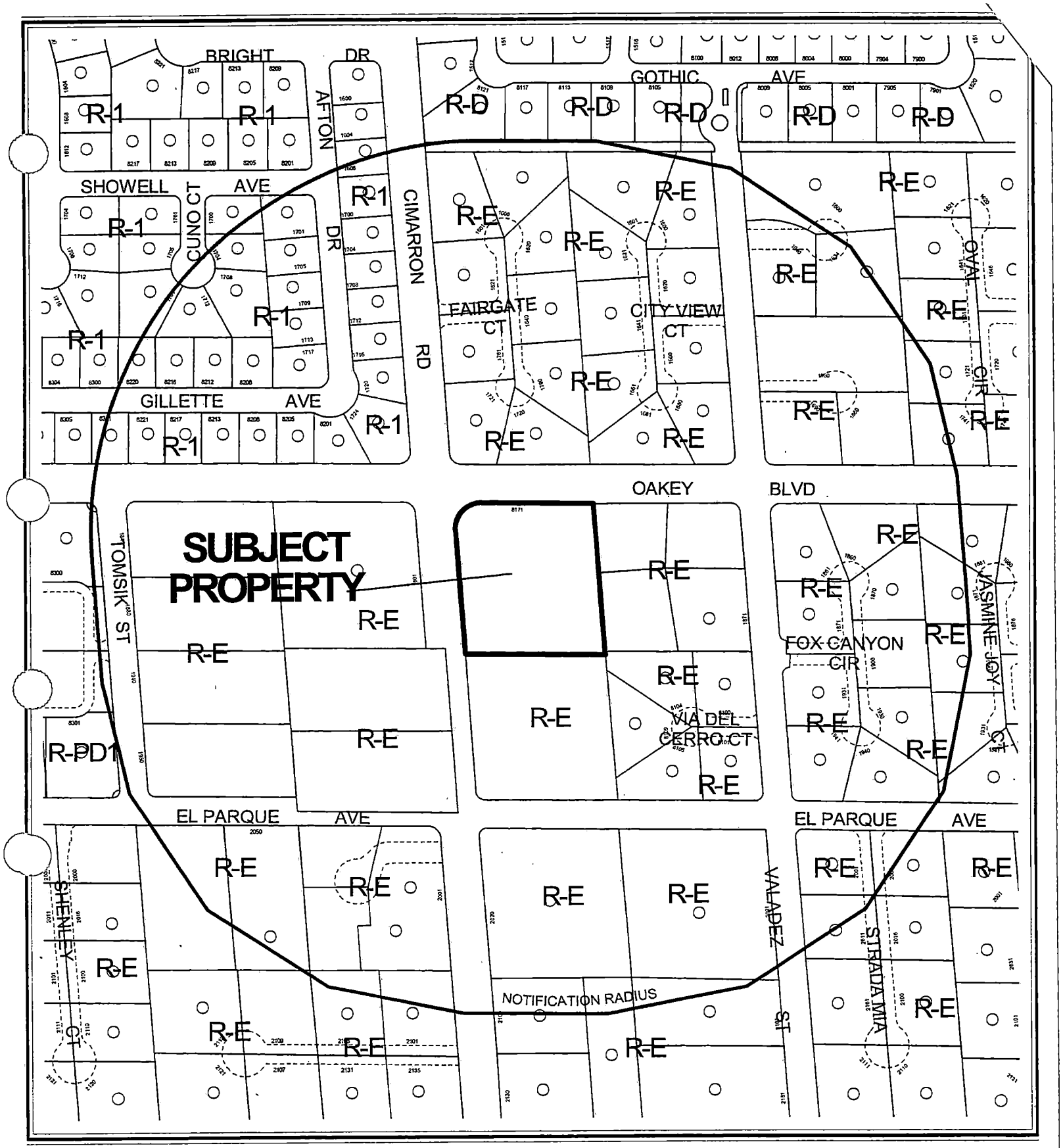
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

CONDITIONS – Continued:

Public Works

5. The proposed access gates shall be set back a minimum of 18 feet to allow a vehicle to pull completely out of the public street right-of-way to operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way or impede the allowance of a vehicle to pull completely out of the public street right-of-way during gate operation.

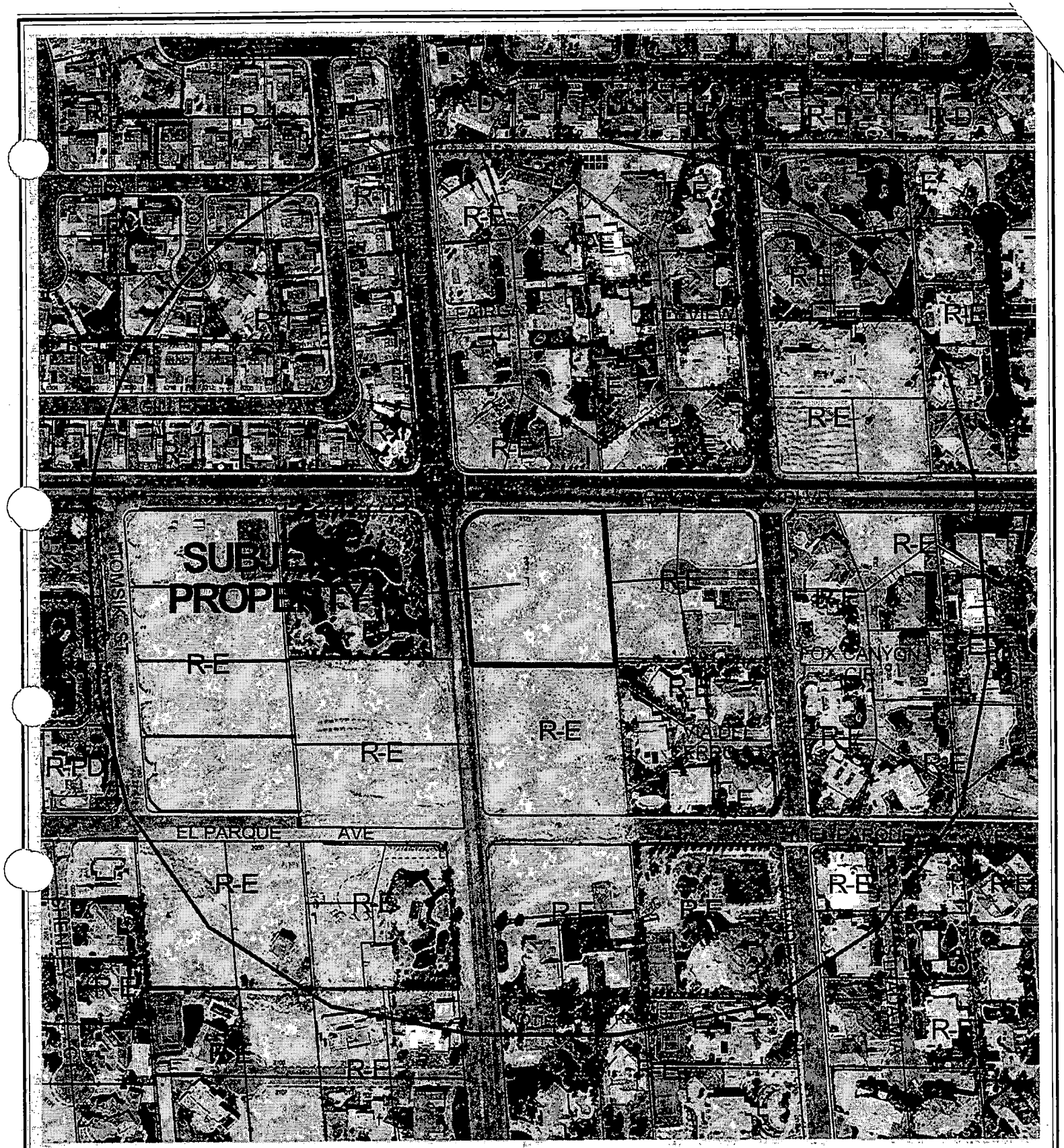
6. Meet with the Traffic Engineering Representative in Land Development to assure that sight visibility is maintained adjacent to this property and at the drives, by the installation of this proposed wall, prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.



CASE: **VAR-3356**

RADIUS: 750 FT

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



CASE: **VAR-3356**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3356 - GEORGE WALKER ON BEHALF OF ZEPHYRENO C. AND CYNTHIA P. VILLALUZ

** 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. All new property line walls shall be constructed of decorative block, 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.

3. A landscaping plan shall be reviewed and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a 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 planter area between the proposed block walls and the right-of-ways of Oakey Boulevard and Cimarron Road.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

5. The proposed access gates shall be set back a minimum of 18 feet to allow a vehicle to pull completely out of the public street right-of-way to operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way or impede the allowance of a vehicle to pull completely out of the public street right-of-way during gate operation.

6. Meet with the Traffic Engineering Representative in Land Development to assure that sight visibility is maintained adjacent to this property and at the drives, by the installation of this proposed wall, prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a six-foot eight-inch solid wall in the front yard where four feet (top two feet 50-percent open) is the maximum height allowed on property located at 8171 West Oakey Boulevard.

B) Applicant's Justification

The applicant's justification letter states that the proposed wall will help reduce the vehicular noise created by Oakey Boulevard. It is stated that the surrounding houses all have walls of this height including the property west of the subject site. Lastly, an access gate is also proposed at the Oakey Boulevard driveway entrance to the property; therefore, a wall of four feet in height with the top two feet fifty percent open will make the gate obsolete and not allow for proper security on the residence.

BACKGROUND INFORMATION

A) Previous Actions

01/23/96 The Board of Zoning Adjustment approved a Variance (V-0187-95) to allow an eight-foot high wall in the front yard area where four feet with the top two feet fifty-percent open is the maximum height allowed on property located opposite the subject site at the southwest corner of Cimarron Road and Oakey Boulevard (8101 West Oakey Boulevard).

01/22/03 The City Council approved a Variance (VAR-1223) to allow an eight-foot tall fence along the front property line where a four-foot tall fence is the maximum height allowed; and to allow an eight foot tall solid block wall within the front yard area where the maximum wall height is four foot tall on property adjacent to the east side of Tomsik Street, between Oakey Boulevard and El Parque Avenue, which is approximately 375 feet west of the subject site. Staff recommended Denial.

B) Pre-Application Meeting

11/04/03 Design issues were discussed including possible site visibility issues due to the wall height and corner lot location. Also, Variance requirements were reviewed including Title 19 hardship factors and submittal application requirements.

TB

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.02

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated DR (Desert Rural Density Residential) on the Southwest Sector Map of the General Plan. The R-E (Residence Estates) zoning designation, which requires a minimum 20,000 square foot lot size, is in compliance with the DR General Plan designation which allows up to two dwelling units per gross 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

TB

Trails
As required by the City of Las Vegas Master Plan Transportation Element Map Number two, a Multi-Use Transportation Trail is designated along Oakey Boulevard, adjacent to the subject site. The Transportation Trail is required to contain a five-foot wide transition strip located within the right-of-way followed by a ten-foot wide public transportation trail path, concluding with a five-foot wide private landscaped corridor.

The subject site and adjacent properties to the east and west currently contain developed off-site improvements, including a five-foot wide sidewalk within the right-of-way, which does not contain a five-foot wide transition strip. On the subject site, the proposed block wall is setback approximately eleven feet along Oakey Boulevard, which will allow for an eleven-foot wide landscape corridor along the existing five-foot wide sidewalk.

Rural Preservation Neighborhood
The subject site is designated as a parcel within a Rural Preservation Neighborhood. 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 subject site and Variance land use application are in conformance with the Rural Preservation Neighborhood development regulations as the property is not being subdivided and will maintain the Single-Family Dwelling use on 2.02 acres.

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. Wall Height	4 Feet Total (Top Two Feet 50% Open)	6-Foot 8-Inch (Solid)	N

A maximum four-foot tall wall with the top two vertical feet fifty-percent open is permitted within the front yard area of residential zoned properties. The submitted site plan depicts a six-foot eight-inch block wall with seven-foot four-inch pilasters every thirty feet along Cimarron Road and Oakey Boulevard. The wall is setback approximately eleven feet along Oakey Boulevard and approximately 14 feet along Cimarron Road. The portion of the proposed block wall within the front yard area is in violation of Title 19, which includes the entire section of the wall along Oakey Boulevard and fifty feet of the wall continuing around the corner along Cimarron Road.

TB

B) General Analysis and Discussion

Along Oakey Boulevard and Cimarron Road, there are several properties that contain block walls at or above the height of six feet along the roadway. Several of these properties, including the properties north and northwest of the subject site, do not front onto Oakey Boulevard or Cimarron Road; rather, these walls are located within the rear or side yard areas of the property, which is permitted by Code. West of the subject site, property located at 1801 Cimarron Road had a Variance approved in 1996 to allow an eight-foot high wall in the front yard area where four feet with the top two feet fifty-percent open is the maximum height allowed. While the Planning and Development Department recommended denial on the request due to a lack of hardship, the Board of Zoning and Adjustment approved the Variance request. The Planning and Development Department's recommendation is based upon the merits of each application. Previous variances can be considered in determining the appropriateness of a variance, but are not determinative. The burden of proof for approval of a Variance requires the presence of a hardship that is not solely personal, self-created or financial in nature.

The intent of the Title 19 fence and wall height requirements in front yard areas is to allow visibility. In this instance, allowing a six-foot eight-inch wall height will deter visibility of the front yard area and front elevation of the dwelling unit. Alternative site designs or a reduced wall height would allow for the conformance to setback development standards. The lack of such hardship, as the site has no inherent topographical constrictions or extraordinary situations, on this site does not warrant a recommendation of approval.

If approved, a condition has been included requiring the applicant to plant landscaping, in the form of one 24-inch box tree and four five-gallon shrubs every 30 linear feet along Oakey Boulevard and Cimarron Road, between the right-of-way and the proposed block wall. A six-foot landscape buffer is required for all single-family developments located along a right-of-way with an 80-foot width or greater. As detailed in the Landscape, Wall, and Buffer Standards, landscaping enhances aesthetics and reduces the tunnel effect of block walls along both sides of the roadway. In this instance, it will also continue the landscaping theme of the adjacent property at 1801 Cimarron Road which has a front yard wall with a landscaping buffer.

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."

TB

Additionally, Title 19.18.070L states:

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

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

NOTICES MAILED 105

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3356 APN: 163047010 01

Name of Property Owner: Zephyreno & Cynthia Villaluz

Name of Applicant: George Walker

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

_____Yes _____/_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

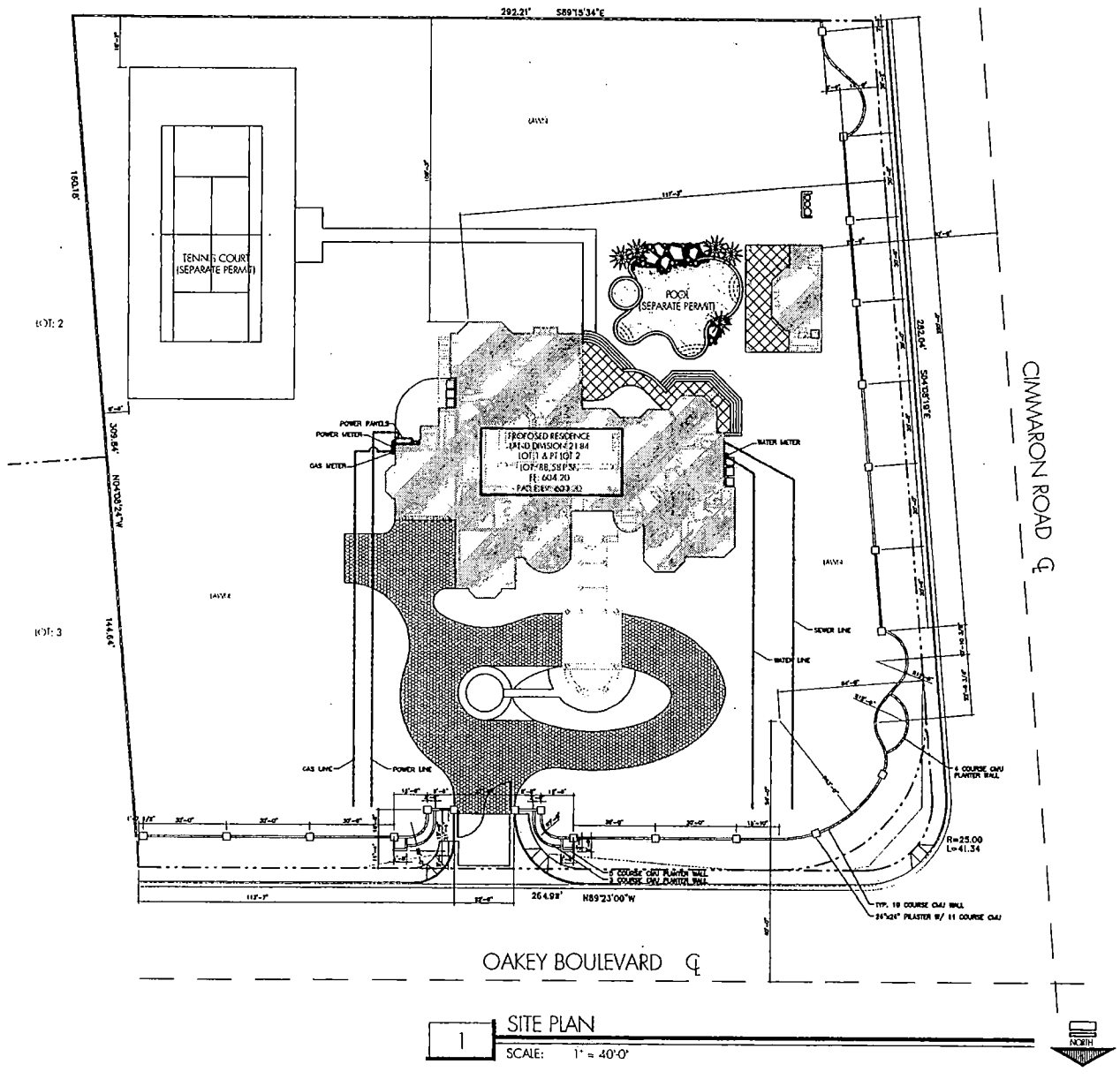
Print Name: _____

Subscribed and sworn before me

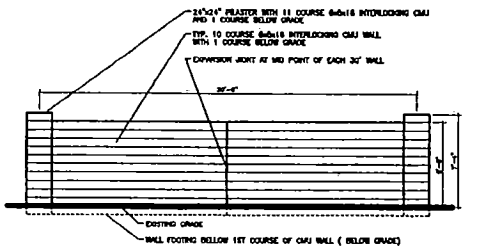
This _____day of _____, 20__

_____

Notary Public in and for said County and State



1 SITE PLAN
SCALE: 1" = 40'-0"

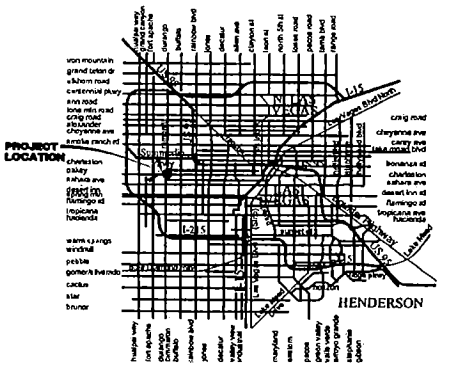


1 TYP. FENCE WALL
SCALE: 1" = 10'-0"

AREA CALCULATIONS

FIRST FLOOR			
	LIVING AREA	4,227 SF	
	GARAGE	823 SF	
	PORTE-COCHERE	414 SF	
	COVERED PATIO	1,672 SF	
	TOTAL		7,136 SF
	GARAGE		823 SF
SECOND FLOOR	LIVING AREA	2,722 SF	
	COVERED DECK	1,504 SF	
	OPEN DECK	1,504 SF	
	TOTAL		5,730 SF
CASITA	LIVING AREA	553 SF	
	COVERED PATIO	100 SF	
	TOTAL		653 SF
GRAND TOTAL			13,542 SF
LOT AREA		4.7 ACRES	
LOT AREA		204,732 SF	
LANDSCAPE COVERAGE			45%

VICINITY MAP



PINNACLE ARCHITECTURAL STUDIO, INC.
Gabriel G. Rodriguez
Residential Designer
DEANE Swanson
Residential Designer
Phil Yu Yo
Architect
8870 West Spring Mountain Road, Suite 103, Las Vegas, Nevada 89117 Phone (702)868-9060 Fax (702)853-0579

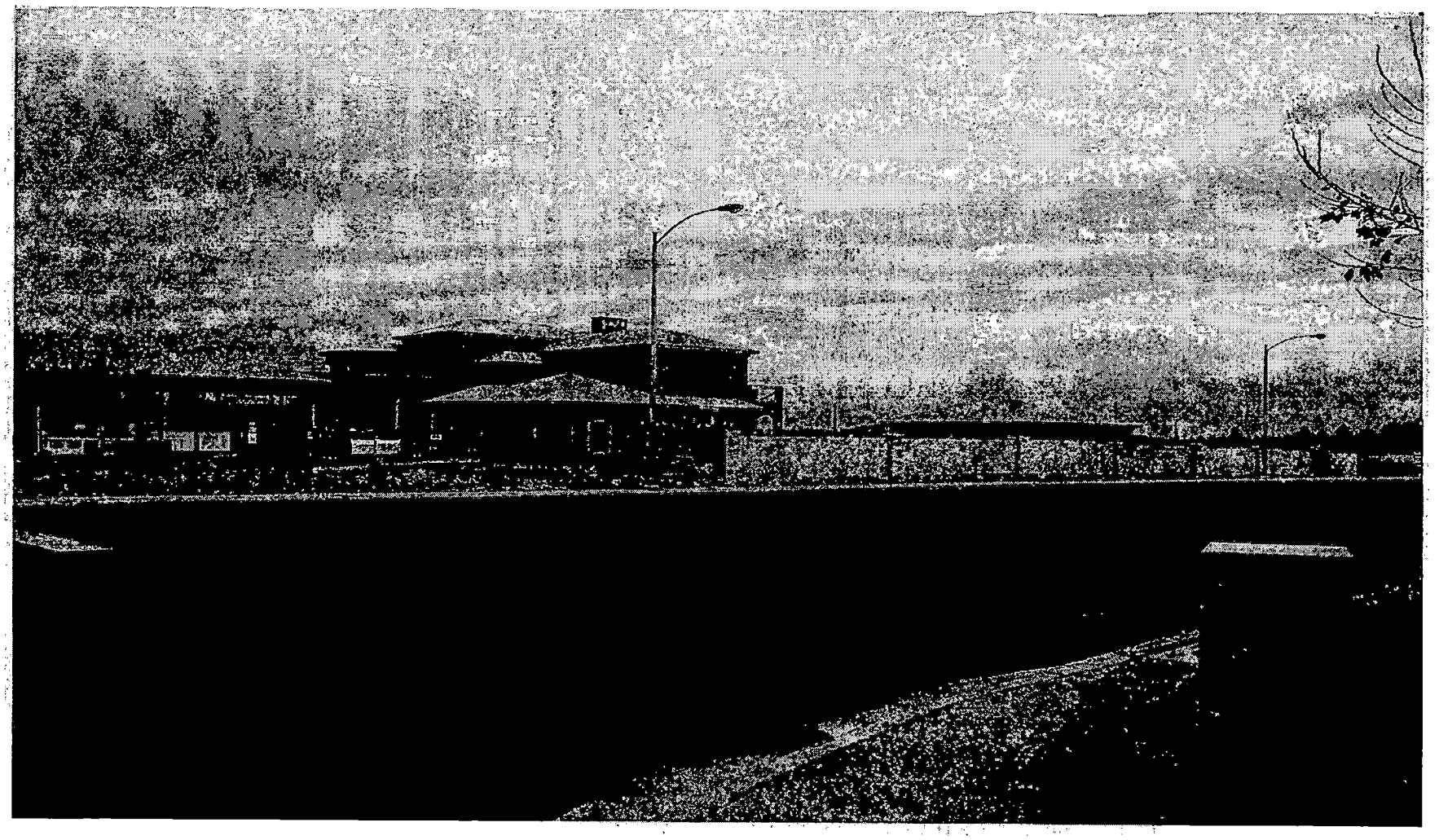
VILLALUZ RESIDENCE
for: ZEPHYRENE AND CYNTHIA VILLALUZ
AT OAKEY BOULEVARD AND CIMMARON ROAD
SITE PLAN

Revisions

SCALE DRAWING NOTE
THESE DRAWINGS ARE THE PROPERTY OF PINNACLE ARCHITECTURAL STUDIO, INC. AND ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF PINNACLE ARCHITECTURAL STUDIO, INC. ALL DIMENSIONS ARE TO BE VERIFIED ON THE JOB SITE BY THE CONTRACTOR BEFORE THE START OF ANY WORK. DO NOT SCALE DRAWINGS.

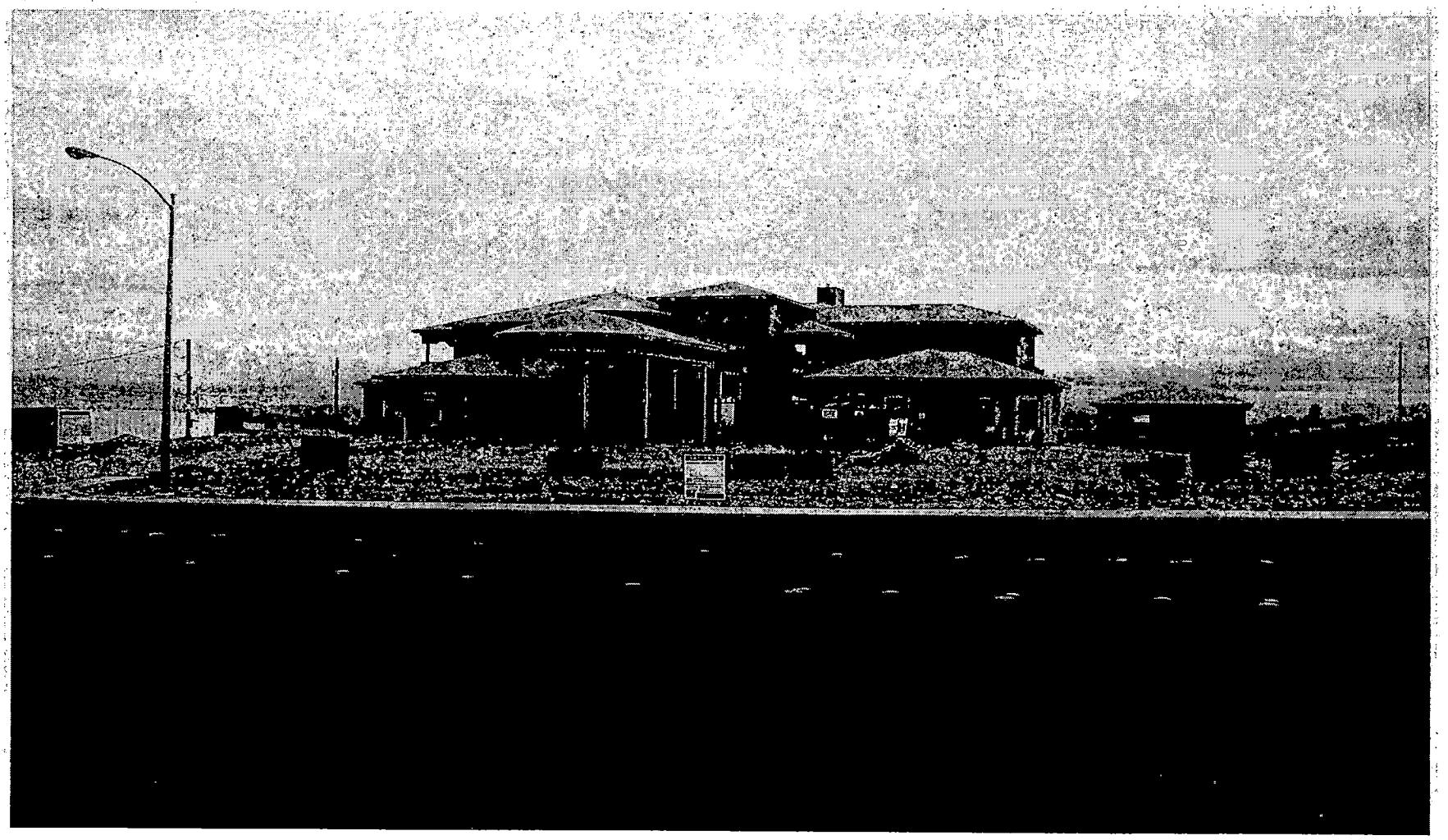
A1.1
02102
AUGUST 28, 2003

VAR-3356
01-08-04 PC



VAR-3356 - GEORGE WALKER ON BEHALF OF ZEPHYRENE C. AND CYNTHIA P. VILLALUZ
8171 WEST OAKEY BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



VAR-3356 - GEORGE WALKER ON BEHALF OF ZEPHYRENE C. AND CYNTHIA P. VILLALUZ
8171 WEST OAKEY BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
VAR-3390 - WILLIAM AND MADALYNE GRAVES - Request for a Variance TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE 10 FEET IS ALLOWED AND TO ALLOW THE BACKING OF A MOTOR VEHICLE ONTO A PUBLIC STREET FROM A PARKING AREA EXCEEDING TWO SPACES PER DWELLING UNIT FOR A PROPOSED 1,554 SQUARE-FOOT GARAGE ADDITION on 0.49 acres on property located at 2270 Shaw Circle (APN: 163-03-802-007), 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 – WITHDRAWN WITHOUT PREJUDICE - UNANIMOUS

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

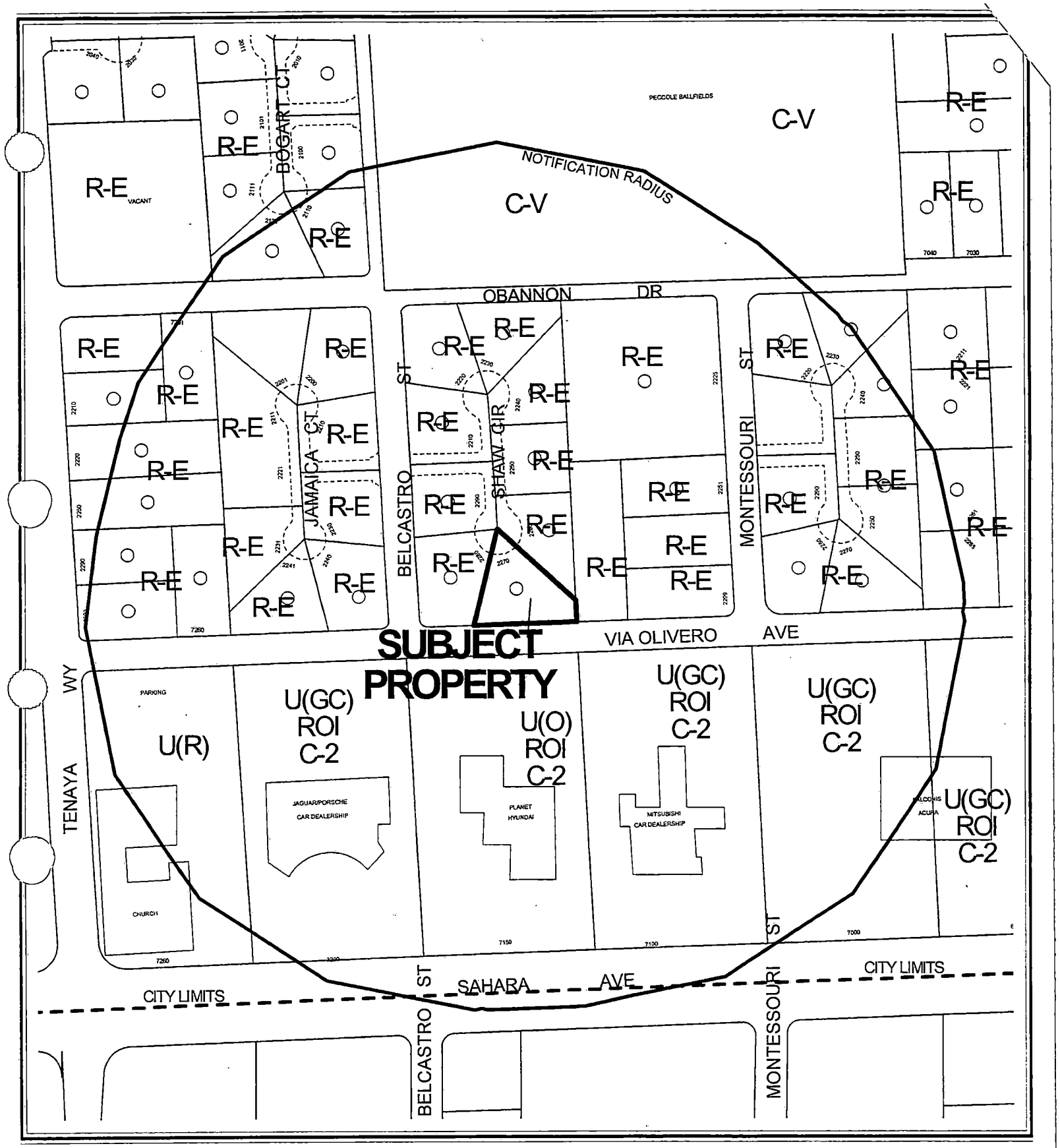
DAVID CLAPSADDLE, Planning and Development Department, stated the applicant has requested the application be Withdrawn Without Prejudice. There is a letter on file.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public closed.

(6:20 – 6:21)



CASE: **VAR-3390**
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3390 - WILLIAM BRUCE GRAVES AND MADALYNE GRAVES

** 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.

Public Works

2. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed plan to maintain sight visibility and address access issues prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The new driveway shall be constructed per Uniform Standard Drawings. Comply with recommendations from the Traffic Engineering Section.

3. The proposed access gates shall be automatically operated or set back a minimum of 18 feet to allow a vehicle to pull completely out of the public street right-of-way to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way or impede the allowance of a vehicle to pull completely out of the public street right-of-way during manual operation.

4. Any new or relocated structures, such as block walls or gates, to maintain sight visibility and address access issues shall not impede or encroach into the existing drainage easement located along the east property line.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a four-foot side yard setback where ten feet is required and to allow the backing of a motor vehicle onto a public street from a parking area exceeding two spaces per property for a proposed 1,554 square foot garage addition on .49 acres on property located at 2270 Shaw Circle.

B) Applicant's Justification

The applicant's justification letter states the property is restricted by drainage easements on the north and east property lines, and by a septic tank and leach field in the back yard area which has created limited area for the proposed garage addition.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant case history regarding the subject parcel or relevant previous variance applications in the immediate vicinity.

B) Pre-Application Meeting

08/22/03 It was established at the pre-application meeting that the applicant was proposing to add a garage to the side of the existing home and to convert the existing garage into dwelling space. The applicant was advised to meet with Traffic Engineering regarding access issues from Via Olivero Avenue. Lastly, it was determined that the property line of the setback Variance in question would be considered the 'side yard' due to the lot's triangular configuration.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of a Variance application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.49

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	DR (Desert Rural Density Residential)
South:	GC (General Commercial)
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:	U (Undeveloped) under Resolution of Intent to C-2 (General Commercial)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated DR (Desert Rural Density Residential) on the Southwest Sector Map of the General Plan. The R-E (Residence Estates) zoning designation, which requires a minimum 20,000 square foot lot size, is in compliance with the DR General Plan designation which allows up to two dwelling units per gross 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

Rural Preservation Neighborhood

The subject site is designated as a parcel within a Rural Preservation Neighborhood. 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 subject site and Variance land use application are in conformance with the Rural Preservation Neighborhood development regulations as the property is not being subdivided and will maintain the Single-Family Dwelling use on the half acre 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	Requested	Compliance
Min. Setbacks • Side	10 Feet	4 Feet	N
Max. Lot Coverage	None	27.0%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 17.75 Feet	Y

The minimum side yard setback required in a R-E (Residence Estates) Zoning district is ten feet. The submitted site plan depicts a proposed garage addition four feet from the side yard property line. This setback reduction represents a 60-percent deviation from minimum code requirements.

The other relevant development standards, including maximum lot coverage and maximum building height restrictions, are in conformance with Title 19.08 requirements.

A2) Parking and Traffic Standards

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

Use	Required	Provided	Compliance
Backing of a Motor Vehicle onto a Public Street from a Residential Property	Two spaces per property (Max)	Three Driveway ingress/egress points with a total of four garage parking spaces	N

Title 19.10.010 states that all off-street parking areas shall provide suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction. The backing of a motor vehicle onto a public street from a parking area shall be prohibited, except for the following:

1) Residential parking facilities not exceeding two spaces per property.

The submitted site plan depicts a garage designed for three cars and one recreational vehicle. Three separate driveway entrances from Via Olivero Avenue access the garage. A lack of on-site maneuverability will force the vehicles to back out from the proposed garage onto Via Olivero Avenue; therefore a Variance to allow the backing of a motor vehicle onto a public street from a parking area exceeding two spaces per property is also being requested.

B) General Analysis and Discussion

Of the three separate driveway entrance points, two of the entrances contain a rolling gate, and the third contains a swinging gate along the Via Olivero Avenue property line. The gates are attached to a six-foot tall CMU block wall along the remainder of the Via Olivero Avenue property line, which creates concerns regarding proper site visibility issues; therefore, a condition has been included requiring any new or relocated structures, such as block walls or gates, to maintain sight visibility requirements.

The addition of driveway entrances and access gates along Via Olivero Avenue also creates possible conflicts between moving vehicles and stationary vehicles waiting for clear turning opportunities or the opening of access gates; therefore, a condition has been included requiring the proposed access gates to be automatically operated or set back a minimum of 18 feet to allow a vehicle to pull completely out of the public street right-of-way to manually operate the gate. Lastly, the installation of either swinging gates or rolling gates are acceptable if they don't intrude into the public right-of-way or impede the allowance of a vehicle to pull completely out of the public street right-of-way during manual operation.

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. Currently the dwelling unit contains a garage with a front yard access point. The proposed remodel of the existing garage to a bedroom has created the need for another garage location on a lot not large enough for the proposed addition which has caused the setback and backing of motor vehicles on public streets violations. Alternative site designs, including the elimination of the recreational vehicle parking space and the new laundry room addition within the proposed garage 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 50

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3390 APN: 163-03-802-007

Name of Property Owner: WILLIAM B. & MADALYNE K. GRAVES

Name of Applicant: SAME

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: William Bruce Graves

Print Name: WILLIAM BRUCE GRAVES

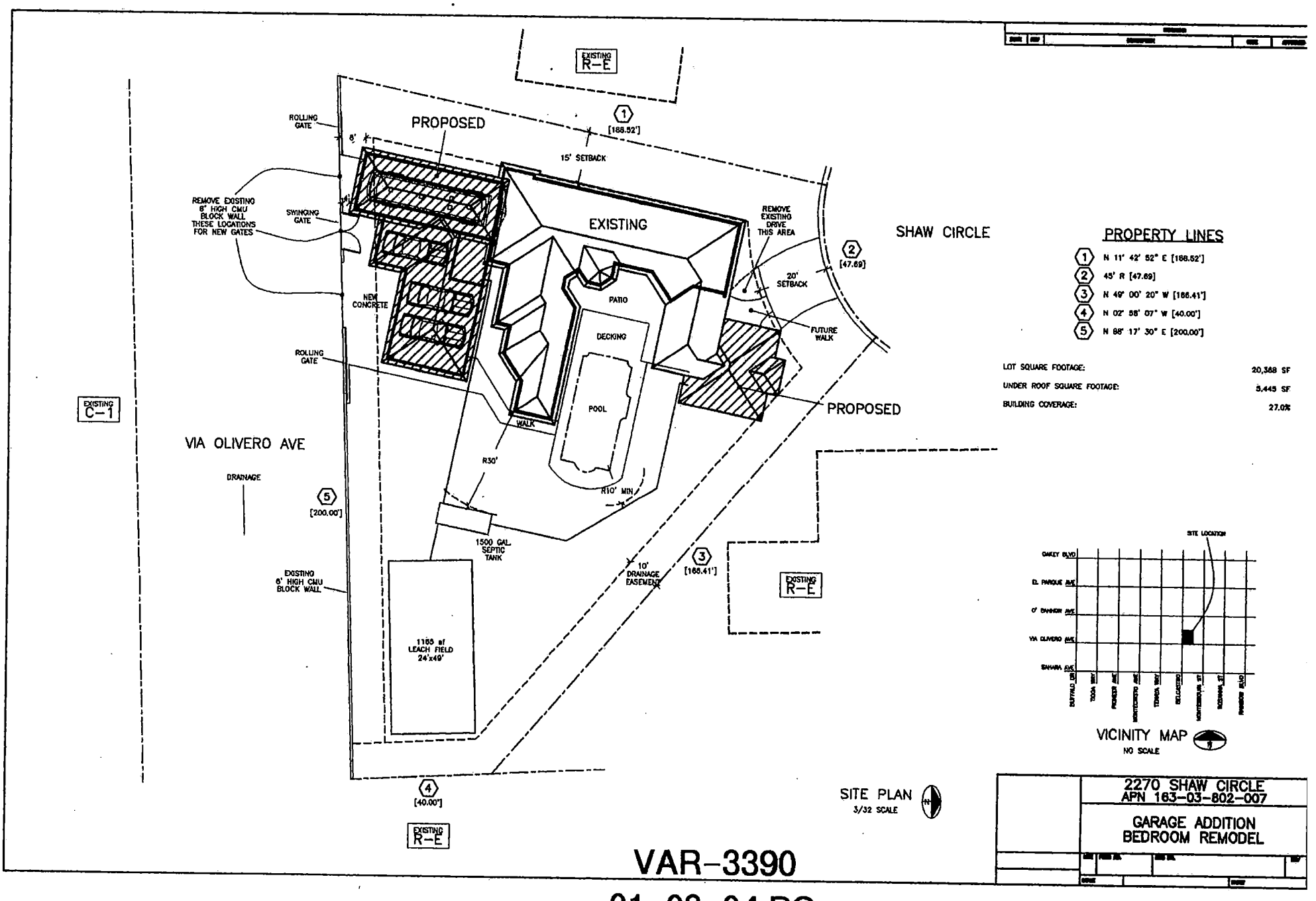
Subscribed and sworn before me

This 14 day of NOV, 2003

Judith Lynn Katick

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JUDITH LYNN KATICK
My Appointment Expires
April 20, 2007
No: 99-36745-1



PROPERTY LINES

1. N 11° 42' 52" E [188.52']
2. 45' R [47.69]
3. N 49° 00' 20" W [166.41']
4. N 02° 58' 07" W [40.00']
5. N 88° 17' 30" E [200.00']

LOT SQUARE FOOTAGE:	20,368 SF
UNDER ROOF SQUARE FOOTAGE:	5,445 SF
BUILDING COVERAGE:	27.0%

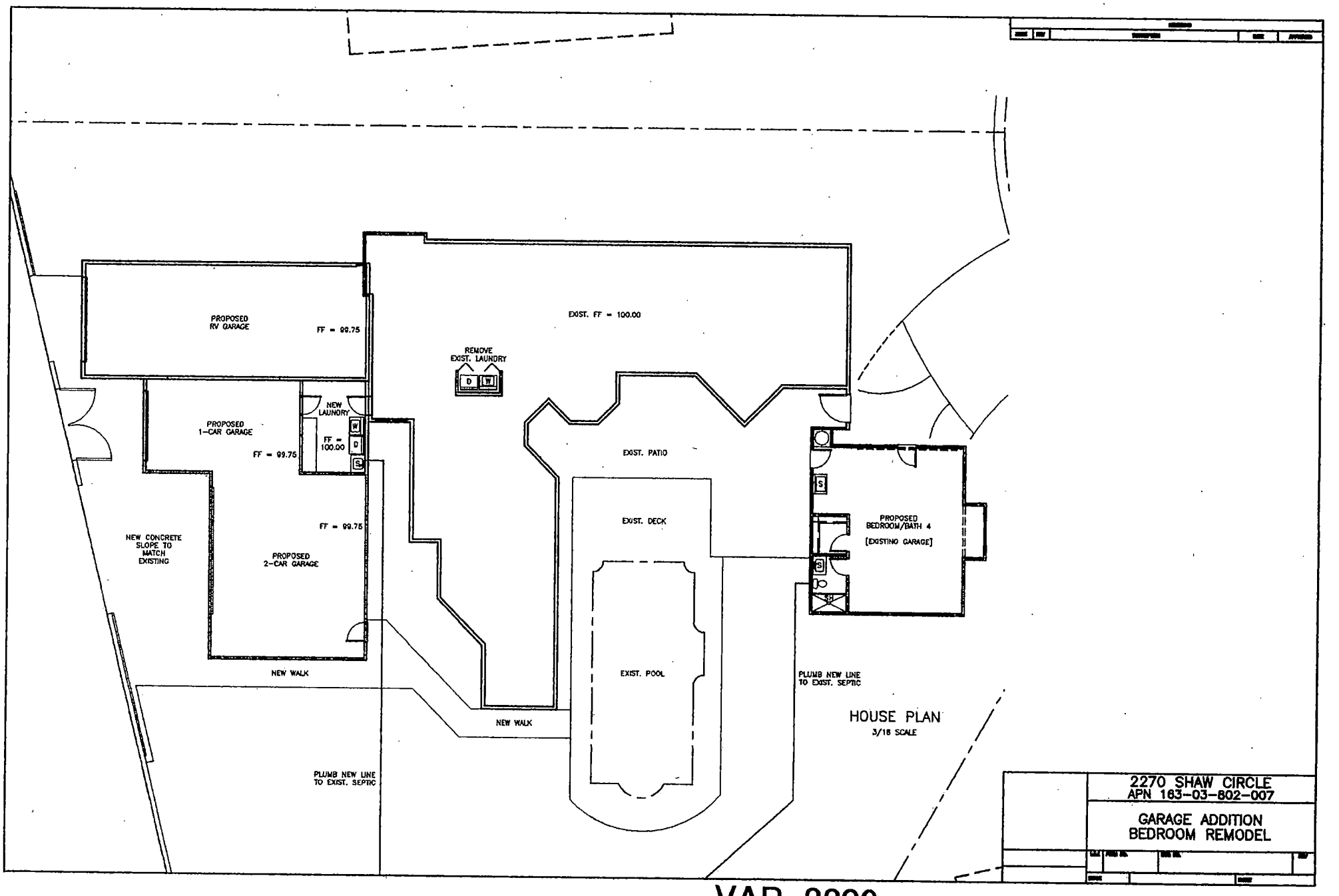
VICINITY MAP
NO SCALE

2270 SHAW CIRCLE
APN 163-03-802-007

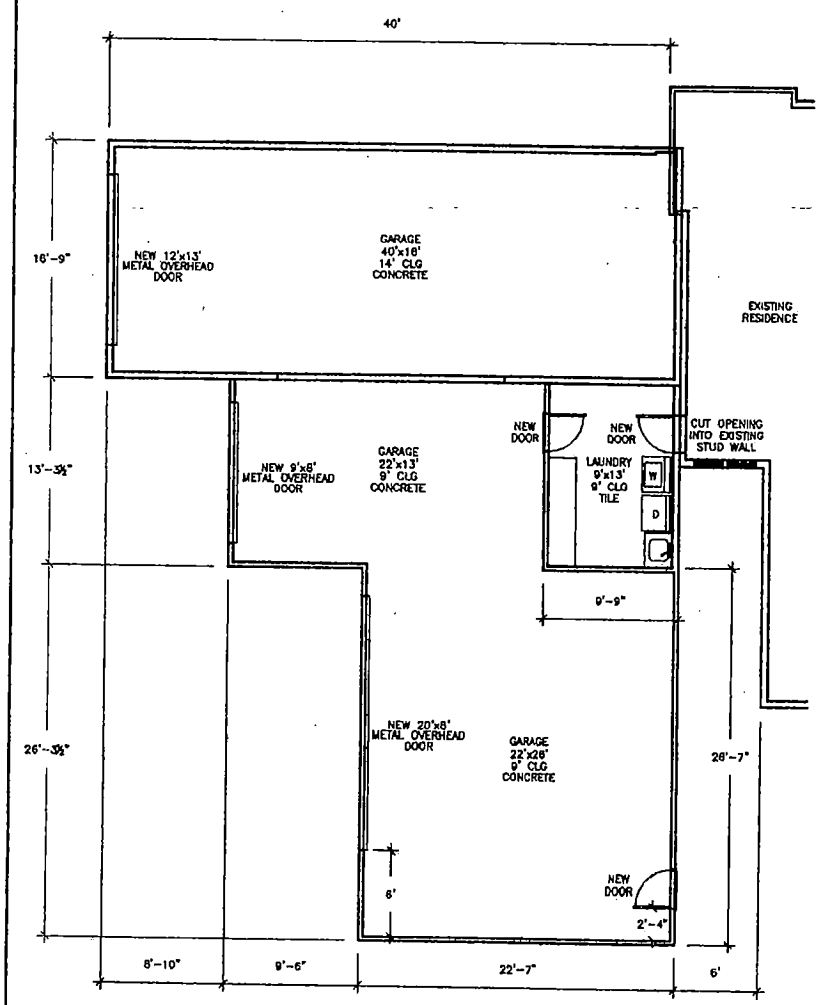
GARAGE ADDITION
BEDROOM REMODEL

VAR-3390

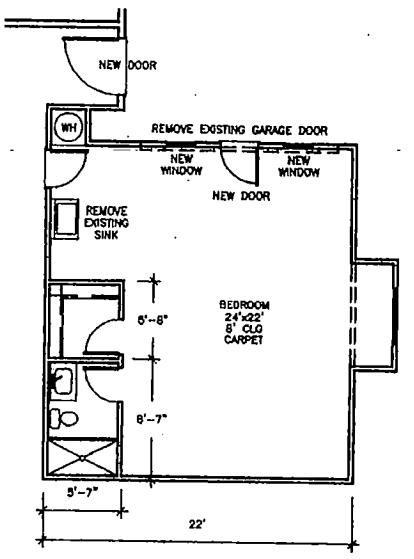
01-08-04 PC



VAR-3390
01-08-04 PC



GARAGE FLOOR PLAN
1/4 SCALE



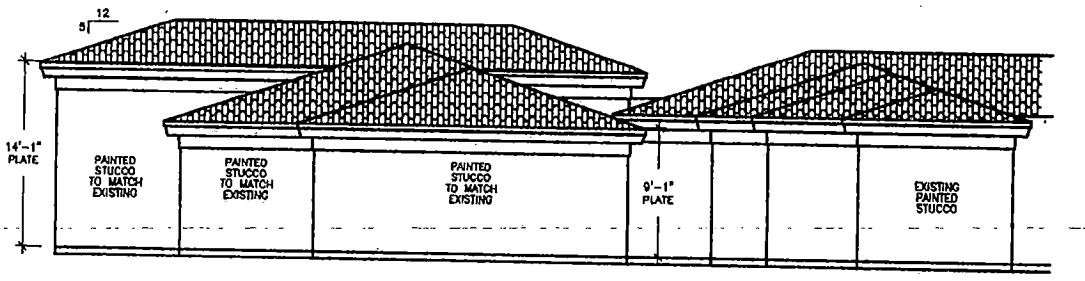
BEDROOM FLOOR PLAN
1/4 SCALE

NOTE: PROVIDE 1-HR FIRE-RESISTIVE CONSTRUCTION AT GARAGE SIDE FOR DWELLING/ GARAGE SEPARATION

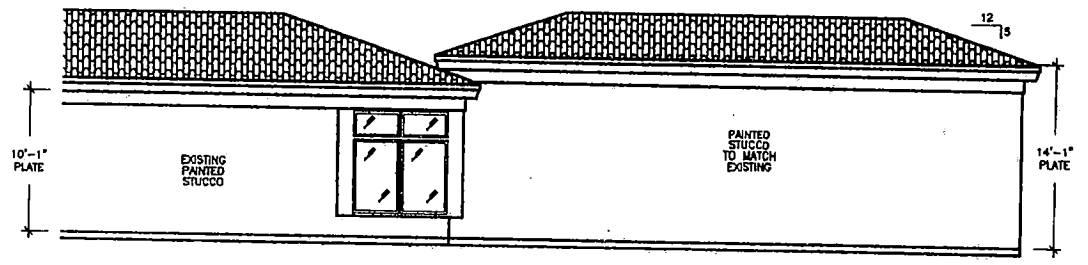
2270 SHAW CIRCLE
APN 163-03-802-007

GARAGE ADDITION
BEDROOM REMODEL

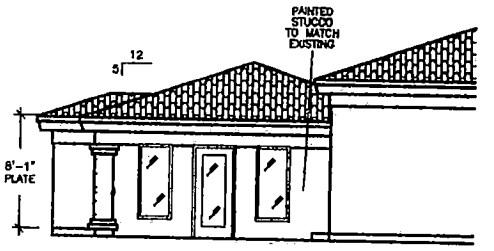
VAR-3390
01-08-04 PC



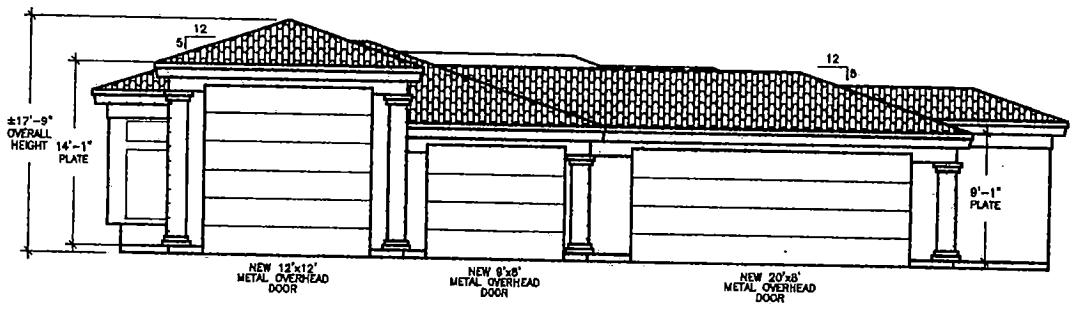
GARAGE EAST ELEVATION
1/4 SCALE



GARAGE WEST ELEVATION
1/4 SCALE



NEW BEDROOM WEST ELEVATION
1/4 SCALE



GARAGE SOUTH ELEVATION
1/4 SCALE

2270 SHAW CIRCLE
APN 163-03-802-007

GARAGE ADDITION
BEDROOM REMODEL

VAR-3390
01-08-04 PC

VAR-3390 - WILLIAM AND MADALYNE GRAVES
2270 SHAW CIRCLE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

VAR-3390 - WILLIAM AND MADALYNE GRAVES
2270 SHAW CIRCLE
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VAR-3390 - WILLIAM AND MADALYNE GRAVES
2270 SHAW CIRCLE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
WVR-3397 - ROBERT DAVIS HOMES ON BEHALF OF ROBERT AND CATHERINE DAVIS - Request for a Waiver of Title 18.12.160 TO ALLOW A 188-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, for a proposed subdivision adjacent to the southeast corner of Leon Avenue and Whispering Sands Drive (APN: 125-13-203-008), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Mack).

CC: 02/04/04

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 with McSWAIN abstaining as her firm is currently under contract with Robert Davis Homes

To be heard by the City Council on 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the development consists of only six lots with the entrance coming out onto Whispering Sands Drive. The site configuration, the small number of lots and low traffic volume contribute to staff's finding that the reduced separation distance is acceptable. Staff recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 32 – WVR-3397

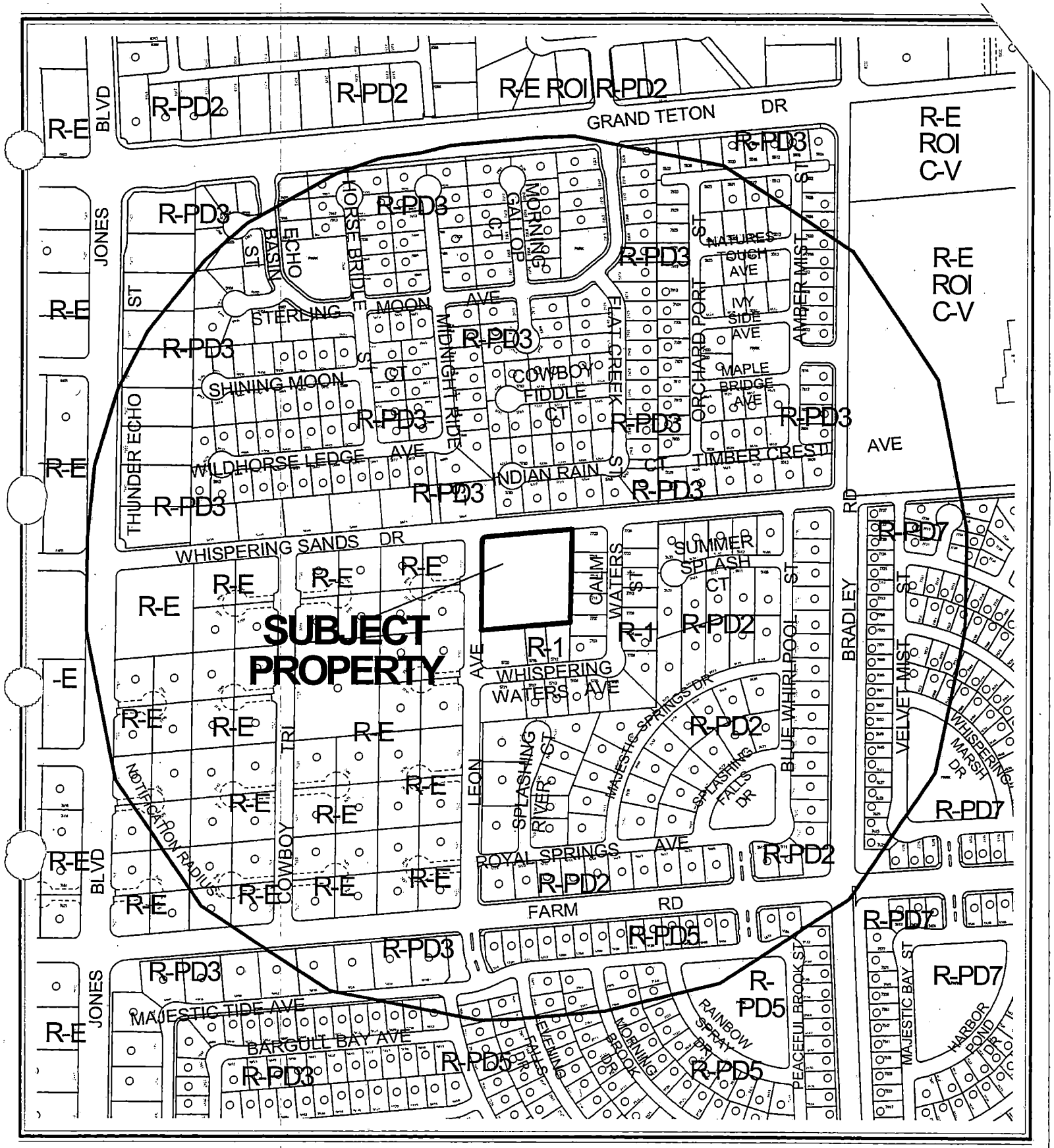
MINUTES – Continued:
DAVID MORAN, Southwest Engineering, 3610 North Rancho Drive, appeared on behalf of the applicant. He concurred with staff recommendations and conditions.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(8:14 – 8:18)
2-1176

CONDITIONS:
Planning and Development
1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2411), Variance (VAR-2413) and Special Use Permit (SUP-2414).
2. All City Code Requirements and all City Departments design standards shall be met.

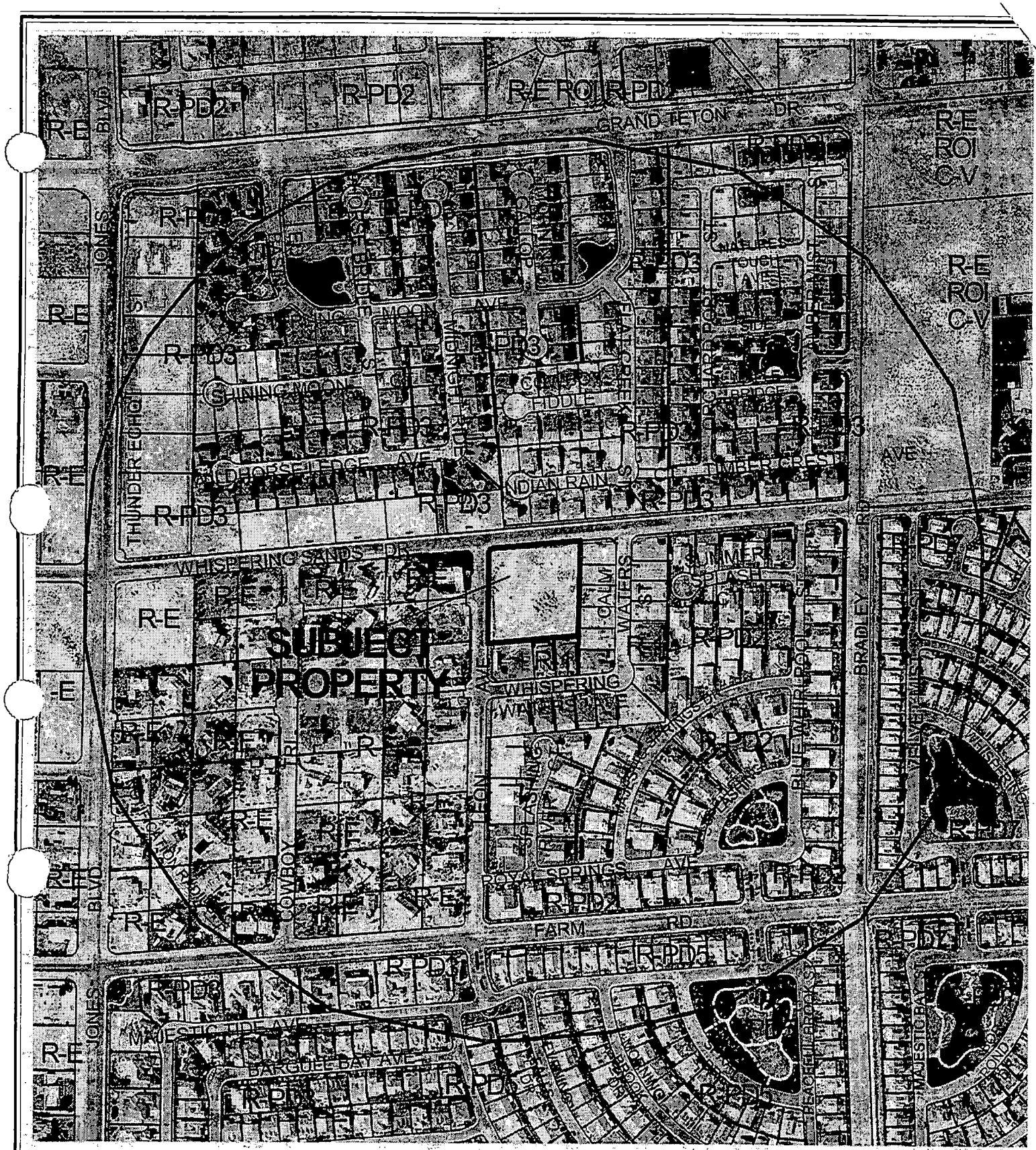


CASE: **WVR-3397**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE FAMILY RESIDENTIAL)



CASE: **WVR-3397**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE FAMILY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-3397 - ROBERT DAVIS HOMES ON BEHALF OF ROBERT AND CATHERINE DAVIS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2411), Variance (VAR-2413) and Special Use Permit (SUP-2414).

2. All City Code Requirements and all City Departments design standards shall be met.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 185-foot separation between intersections, where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, on 2.17 acres located adjacent to the southeast corner of Leon Avenue and Whispering Sands Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the circumstances presented on the site layout and in the concept of the development necessitate the requested Waiver.

BACKGROUND INFORMATION

A) Previous Actions

11/03/99 The City Council voted to approve a Rezoning (Z-0047-99) to R-1 (Single Family Residential) on a parcel adjacent to the south and east of the subject site. The Planning Commission recommended approval on 08/26/99. Staff had recommended approval of this application.

08/06/03 The City Council voted to approve requests for a Rezoning (ZON-2411) from R-E (Residence Estates) to R-1 (Single Family Residential), a Variance (VAR-2413) to allow an 18-foot front yard setback for front loading garages and a 14-foot front setback for side loading garages where 20 feet is the minimum front yard setback required, and a Special Use Permit (SUP-2414) for private streets within a proposed single-family residential development on 2.17 acres adjacent to the southeast corner of Whispering Sands Drive and Leon Avenue. The Planning Commission recommended approval on 06/26/03. Staff had recommended approval of these applications.

09/11/03 The Planning Commission approved, as a Final Action, a request for a Tentative Map (TMP-2843) for a six-lot single-family development on the subject site. A condition of approval for this project requires that either the project be redesigned to comply with Title 18 or that a Waiver be processed and approved, to allow the development to proceed. Staff had recommended approval of this application.

GL

B) Pre-Application Meeting

As this Waiver was required as a condition of approval of the approved Tentative Map, no pre-application meeting was held.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Title 18 Waiver request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.17

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	R (Rural Density Residential)
South:	L (Low Density Residential)
East:	R (Rural Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-E (Residence Estates)

E) General Plan Compliance

The site is designated as L (Low Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. There are no General Plan policies that are directly relevant to the requested Waiver of Title 18 standards.

GL

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

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 2.76 dwelling units per acre is within the parameters of the rural preservation neighborhood legislation.

PROJECT DESCRIPTION

The project is a proposed six-lot single-family development. The proposed lot sizes conform to the existing R-1 (Single Family Residential) zoning on the site. The proposed cul-de-sac serving these lots has been designed to connect to Whispering Sands Drive, a 60-foot local street, at a location which does not allow conformance of the project with Title 18 standards, that ensure a minimum distance separation between intersections as a matter of public safety.

ANALYSIS

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

> "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 and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

GL

The applicant has held that, due to the large size and small number of lots on the site, it is not possible to reconfigure the access to the site without substantially compromising the concept and design of the project. The requested reduction represents a 16% reduction in the minimum standard.

FINDINGS

The proposed design does not appear to present left turn traffic conflicts, nor is it expected to hinder traffic. The hardship generating the request for the Waiver is real, given the size and scale of the project; therefore, approval of the Waiver is recommended.

NOTICES MAILED 433

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3397 **APN:** 125-13-203-008

Name of Property Owner: Robert Davis & Catherine M. Davis

Name of Applicant: Robert Davis 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: Robert Davis - Catherine Davis

Print Name: Robert DAVIS / Catherine M. DAVIS

Subscribed and sworn before me

This 13th **day of** November, 2003

Susan Marie Husted

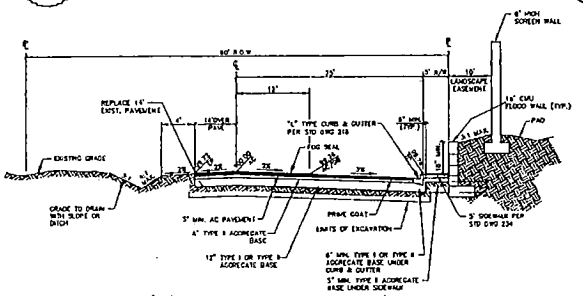
Notary Public in and for said County and State

Orange County, California

SUSAN MARIE HUSTED
COMM...1248478
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
My Term Exp. Jan. 6, 2004

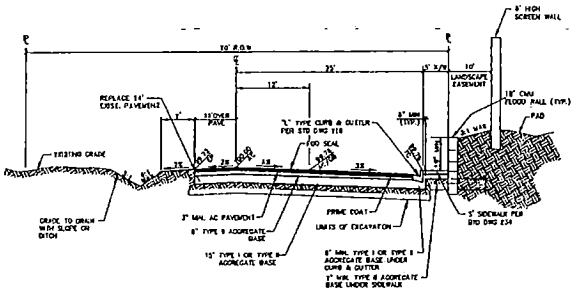
11/12/2003 11:03 6459379 ROBERTDAVISHOMES PAGE 05

TENTATIVE MAP
FOR
REFLECTIONS II
IN THE
CITY OF LAS VEGAS
STATE OF NEVADA



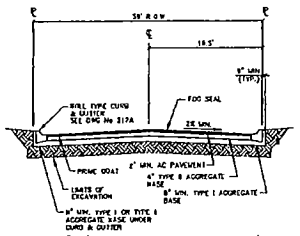
60' WIDE HALF STREET SECTION

PUBLIC STREET NOT TO SCALE — LEON AVENUE



60' WIDE HALF STREET SECTION

PUBLIC STREET NOT TO SCALE — WHISPERING SANDS AVENUE



39' WIDE STREET SECTION

N.T.S.

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE "UNIFORM STANDARDS AND SPECIFICATIONS OF CLARK COUNTY, NEVADA."
2. UTILITY SERVICES PROVIDED AS FOLLOWS:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
TELEPHONE	SPRINT CENTRAL TELEPHONE OF NEVADA
POWER	NEVADA POWER COMPANY
GAS	SOUTHWEST GAS CORPORATION
SOLID WASTE	REPUBLIC SILVER STATE DISPOSAL

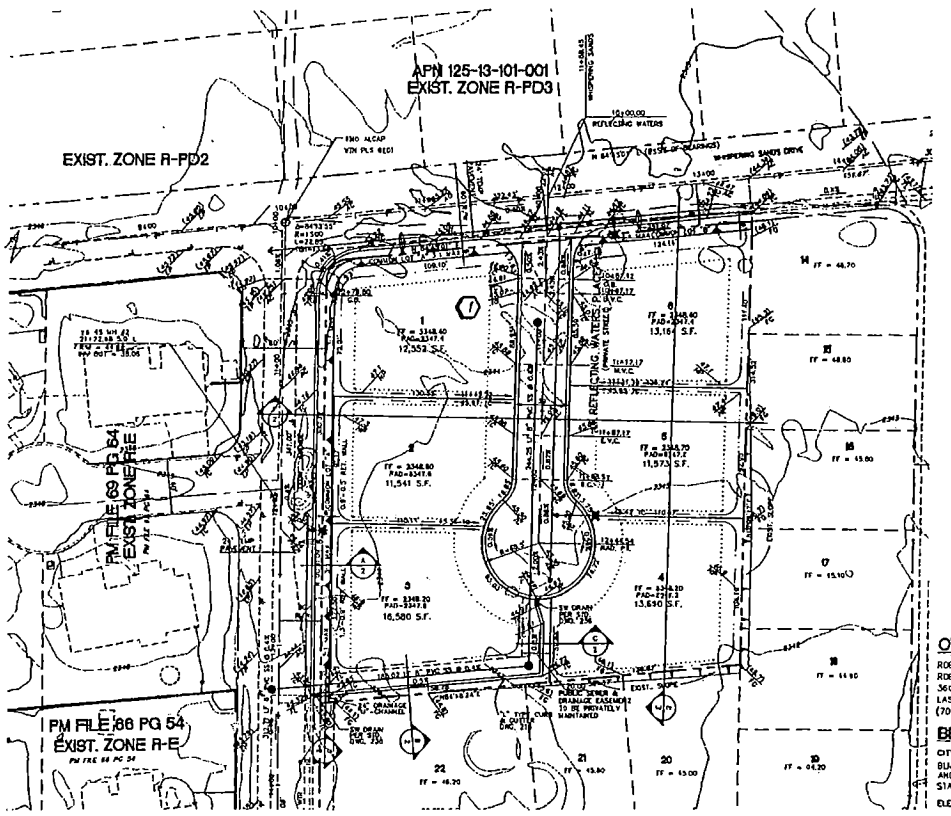
3. THIS PROJECT IS NOT PART OF A MASTER PLANNED COMMUNITY.

ZONING

EXISTING ZONING	R-E
PROPOSED ZONING	R-1
TOTAL ACREAGE (GROSS)	2.62 ACRES
TOTAL NUMBER OF LOTS	6
DENSITY	3.09 DUA
MINIMUM LOT AREA	11,943 S.F.

SEWER FLOW

AVERAGE = 0.0015 mgd
PEAK = 0.00525 mgd


APN 125-13-101-001
EXIST. ZONE R-PD3
EXIST. ZONE R-PD2
PM FILE 88 PG 54
EXIST. ZONE R-E
REFLECTING WATERS PLACE
WHISPERING SANDS DRIVE
END ACAP WITH PLS 9801
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22
FF = 2348.60 PAD=2347.9 12,353 S.F.
FF = 2348.80 PAD=2347.8 11,561 S.F.
FF = 2348.70 PAD=2347.7 13,164 S.F.
FF = 2348.70 PAD=2347.7 11,573 S.F.
FF = 2348.20 PAD=2347.2 16,580 S.F.
FF = 2348.20 PAD=2347.2 13,650 S.F.
FF = 48.70
FF = 48.80
FF = 45.00
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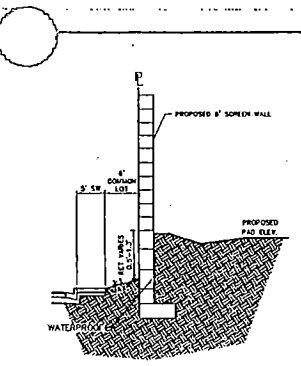
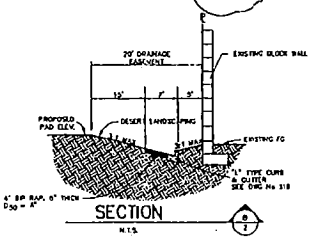
FF = 44.90
FF = 43.80
FF = 43.00
FF = 44.20
FF = 46.70
EXIST. SWDE
EXIST. CURB & GUTTER
PUBLIC SEWER & DRAINAGE EASEMENT TO BE PRIVATELY MAINTAINED
24' DRAIN PER STD. DWG. 230
18" DRAIN PER STD. DWG. 230
SW DRAIN PER STD. DWG. 230
EXIST. 8" SEWER
EXIST. 12" WATER
EXIST. 8" WATER
EXIST. 6" WATER
EXIST. 24" WATER
EXIST. 16" WATER
EXIST. 20" WATER
EXIST. 30" WATER
EXIST. 36" WATER
EXIST. 42" WATER
EXIST. 48" WATER
EXIST. 54" WATER
EXIST. 60" WATER
EXIST. 72" WATER
EXIST. 84" WATER
EXIST. 96" WATER
EXIST. 108" WATER
EXIST. 120" WATER
EXIST. 132" WATER
EXIST. 144" WATER
EXIST. 156" WATER
EXIST. 168" WATER
EXIST. 180" WATER
EXIST. 192" WATER
EXIST. 204" WATER
EXIST.



SECTION
N.T.S.



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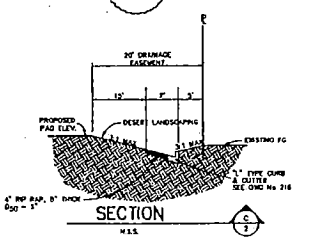

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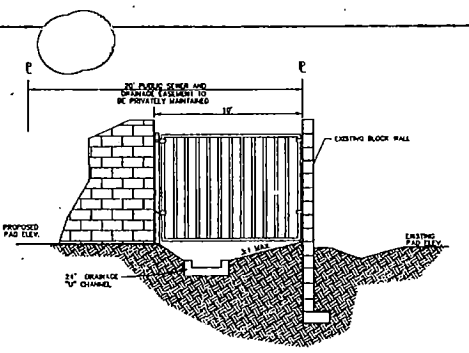

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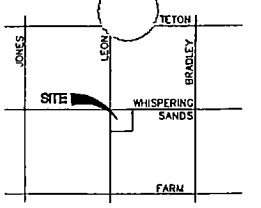
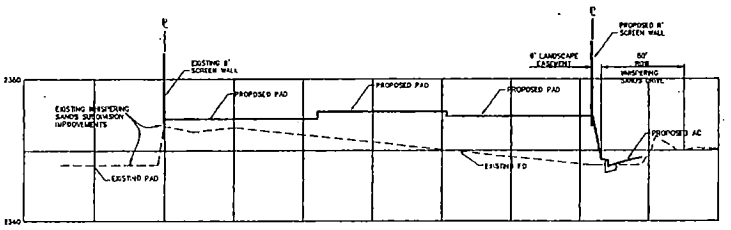
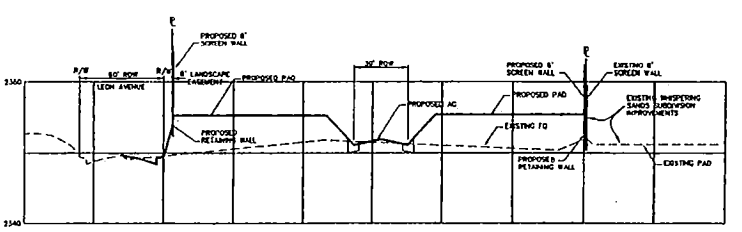


VICINITY MAP
N.T.S.



SECTION
1"=50' VERTICAL SCALE 1"=4'



SECTION
1"=50' VERTICAL SCALE 1"=4'

NOTICE TO CONTRACTOR !

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.
CALL before you Dig
1-800-227-2600
UNDERGROUND SERVICE (U33)

REVISION DESCRIPTION | NO. | DATE | BY | APPVD.

ENGINEER'S SEAL — STAMP DATE: 7/29

3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone (702) 645-2773
Fax (702) 645-4145

ENGINEERING

TITLE: TENTATIVE MAP
CITY OF LAS VEGAS

QC: JUL 29 2003

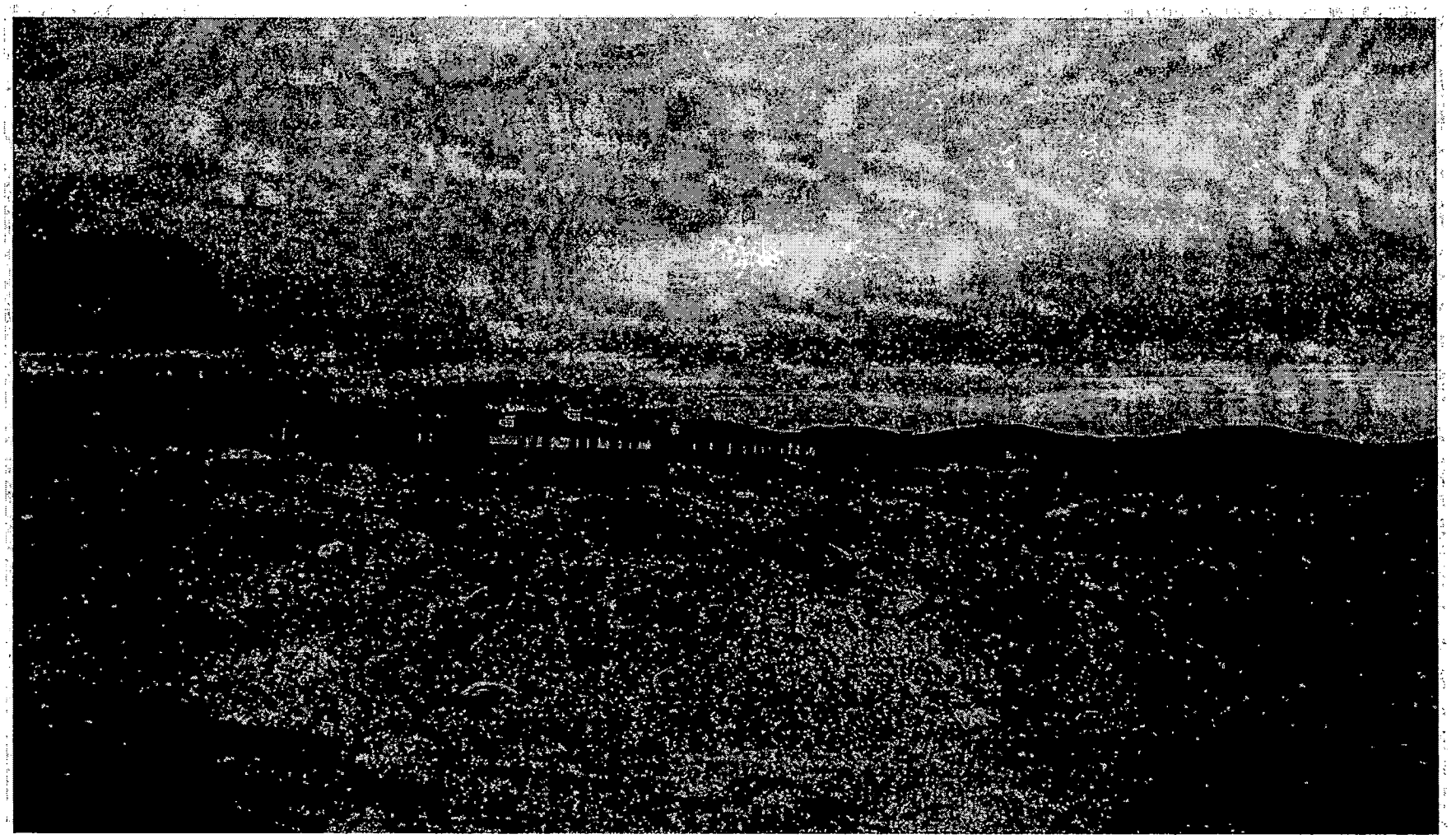
PROJECT: REFLECTIONS II

WORK ORDER No.: 030715
DESIGN BY: S.M.
DATE: 07/08/03
SCALED: 1"=40'
CADFILE: RE2-TM
SHEET 2 OF 2

WVR-3397
01-08-04 PC

WVR-3397 - ROBERT DAVIS HOMES ON BEHALF OF ROBERT AND CATHERINE DAVIS
SOUTHEST CORNER OF LEON AVENUE AND WHISPERING SANDS DRIVE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



WVR-3397 - ROBERT DAVIS HOMES ON BEHALF OF ROBERT AND CATHERINE DAVIS
SOUTHEST CORNER OF LEON AVENUE AND WHISPERING SANDS DRIVE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

WVR-3402 - SF INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Waiver of Title 18.12.160 TO ALLOW A 180-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE on 10.00 acres adjacent to the northeast, northwest and southeast corners of Peak Drive and Maverick Street (APN: 138-14-601-029, 030; 138-14-602-021, 138-14-701-001, and 002) R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

CC: 02/04/04

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

1. Approval of and conformance to the Conditions of Approval for **Site Development Plan Review (SDR-3235).**

– UNANIMOUS

To be heard by the City Council on 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this is a cleanup item as a result of the Commission's previous approval. He recommended modifying Condition 1 to delete reference to the Variance and Special Use Permit and include reference to the Site Development Plan Review (SDR-3235).

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 33 – WVR-3402

MINUTES – Continued:
ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the application and concurred with staff's recommendations and the amended condition.

No one appeared in opposition

There was no further discussion.

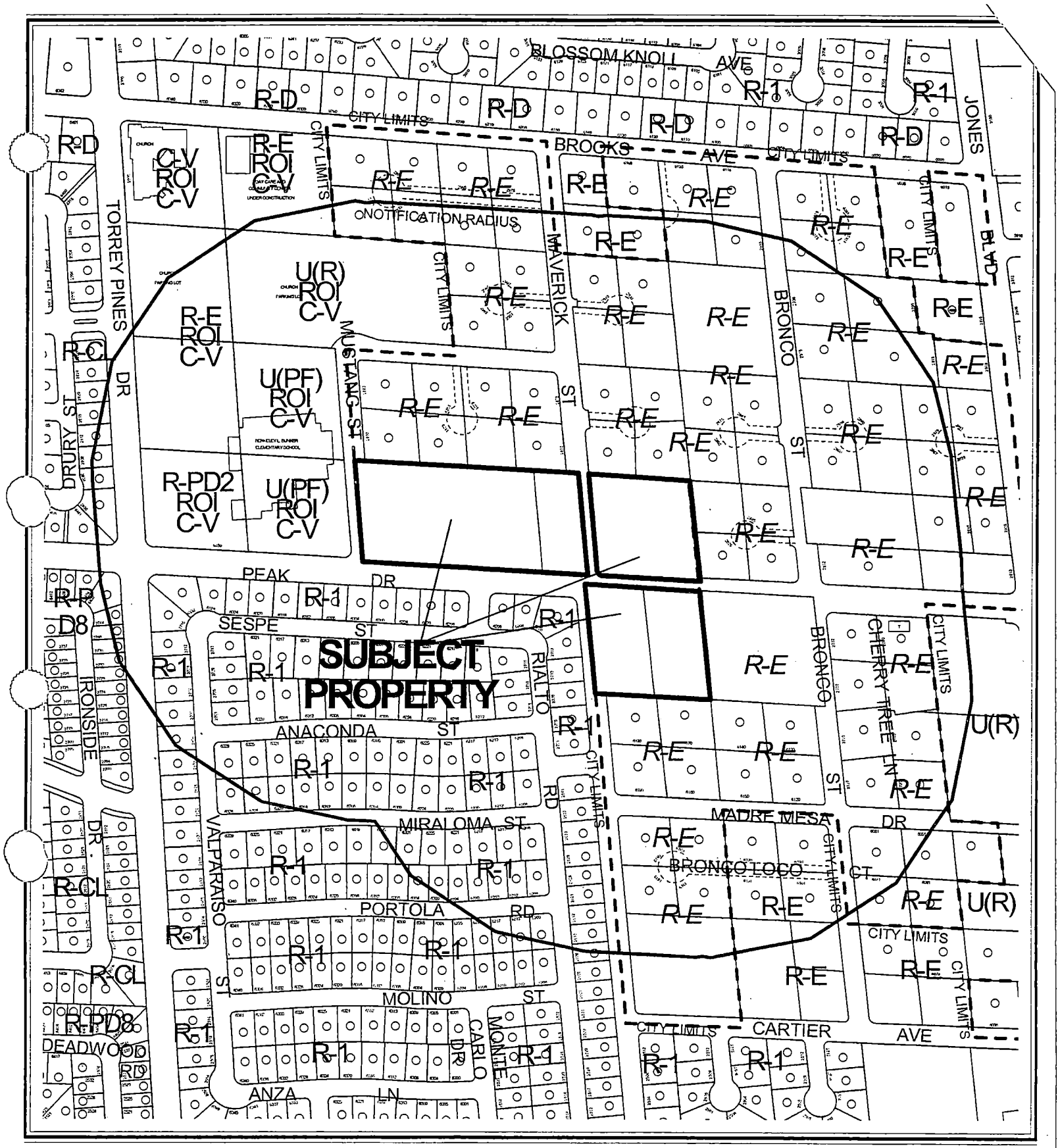
CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:18))

2-1256

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3119), Variance (VAR-2413) and Special Use Permit (SUP-2414).
2. All City Code Requirements and all City Departments design standards shall be met.



0 300 600 Feet

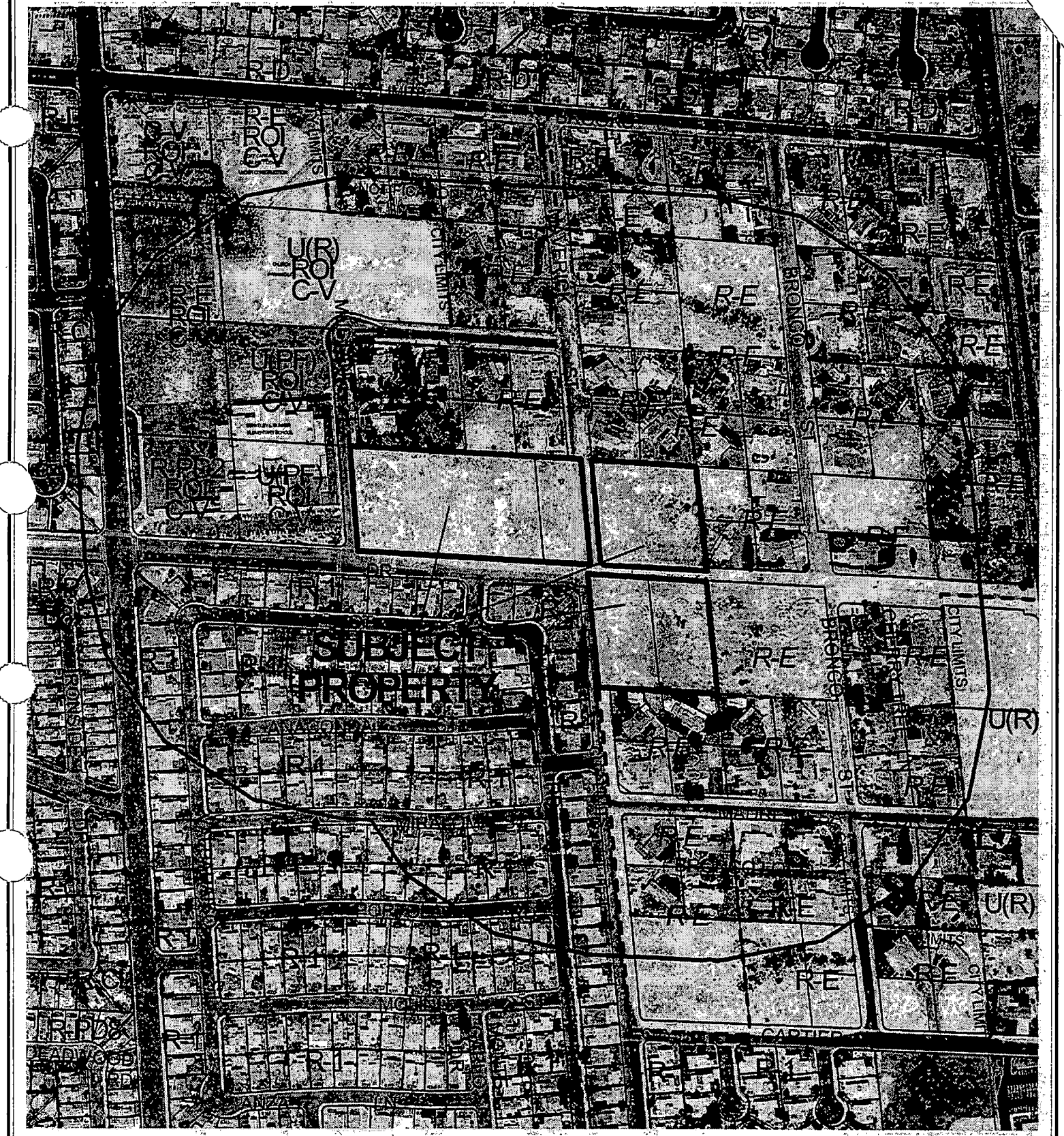
CASE: **WVR-3402**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE FAMILY RESIDENTIAL)

N



CASE: **WVR-3402**

RADIUS: 750 FT

0 300 600 Feet

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE FAMILY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-3402 - SF INVESTMENTS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3119), Variance (VAR-2413) and Special Use Permit (SUP-2414).

2. All City Code Requirements and all City Departments design standards shall be met.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 180-foot separation between intersections, where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, for three cul-de-sacs on a total of 10 acres located adjacent to the southeast, northeast and northwest corners of Peak Drive and Maverick Street.

B) Applicant's Justification

The applicant has justified this request by stating that the separations as designed will allow for adequate stacking and turning movements between each of the three cul-de-sac entrances and the Peak/Maverick intersection, along Maverick Street. The applicant also indicated that the current design is the result of lengthy negotiations with area residents and government representatives.

BACKGROUND INFORMATION

A) Previous Actions

03/16/88	The City Council denied a Rezoning (Z-0133-87) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre) on a portion of the subject property. The Planning Commission recommended denial.
05/02/90	The City Council approved a Rezoning (Z-0032-90) from N-U (Non-Urban) to R-E (Residence Estates) on a portion of the subject property. The Planning Commission recommended denial. The Resolution of Intent expired on 05/02/91.
01/19/94	The City Council denied a Rezoning (Z-0123-93) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted), R-1 (Single Family Residence), R-PD2 (Residential Planned Development – 2 Units Per Acre), and N-U (Non-Urban) and R-CL (Single Family Compact Lot) on the subject properties. The Planning Commission recommended denial.
08/03/94	The City Council approved a Rezoning (Z-0065-94) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted) on a portion of the subject property. The Planning Commission recommended approval. The Resolution of Intent expired on 08/03/95.

GL

11/10/97 The City Council denied the appeal of a Planning Commission denial, thereby denying the request for a Special Use Permit (U-00078-97) for a proposed convalescent care facility on a portion of the subject property.

08/20/03 The City Council voted to Table General Plan Amendments (GPA-2570) to amend the General Plan from R (Rural Density Residential) to L (Low Density Residential), and approved the applicant's request to Withdraw without Prejudice a Rezoning (ZON-2573) to amend the zoning designation from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units Per Acre), Site Development Plan Review (SDR-2580) for a proposed 46-lot single-family development and to allow 4.6 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 dwelling units per acre are permitted and a Variance (VAR-2578) to allow zero square feet of open space where 33,062 square feet is required on the subject property. The Planning Commission recommended denial for all applications on 07/24/03.

10/23/03 The Planning Commission approved staff's request to hold in abeyance the requested Rezoning (ZON-3119) from R-E (Residence Estates) to R-1 (Single-Family Residence) and to allow 5.5 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 units per acre is permitted and Site Development Plan Review (SDR-3235) for a 34-lot single-family residential development on the subject property.

12/03/03 The City Council voted to approve requests for a General Plan Amendment (GPA-2570), from R (Rural Density Residential) to L (Low Density Residential), a Rezoning (ZON-3119) from R-E (Residence Estates) to R-1 (Single-Family Residence) and to allow 5.5 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 units per acre is permitted and a Site Development Plan Review (SDR-3235) for a 34-lot single-family residential development on the subject property. The Planning Commission had recommended approval on 11/06/03. After modifications to the original submissions by the applicant, staff had recommended approval of these applications.

B) Pre-Application Meeting

11/05/03 Issues relating to the design of the project were discussed. The applicant was advised that the separation distance is measured from the centerlines of the relevant streets.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Title 18 Waiver request; however, the following meetings were previously held as required for the companion General Plan Amendment GPA-2570:

06/19/03 A Neighborhood Meeting was held with approximately 18 people in attendance.

07/14/03 A second neighborhood meeting was held.

The applicant has stated that a meeting was held with surrounding neighbors and it was agreed that the proposal would be limited to R-1 (Single-Family Residential) Zone standards and a maximum of 34 lots as depicted on the submitted site plan.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.0 Acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential) [proposed: L (Low Density Residential)]
North:	R (Rural Density Residential)
South:	L (Low Density Residential)
East:	R (Rural Density Residential)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	Unincorporated Clark County
South:	R-1 (Single Family Residential) and Unincorporated Clark County
East:	Unincorporated Clark County
West:	C-V (Civic) and R-1 (Single Family Residential)

E) General Plan Compliance

This site is designated as R- (Rural Density Residential) on the Southwest Sector Map of the General Plan. The Rural Density Residential designation allows between 2.1 and 3.5 units per acre. There are no General Plan policies that are directly relevant to the requested Waiver of Title 18 standards.

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

Rural Preservation Neighborhood

The subject sites fall with a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. Part of the development's Site Development Plan Review included a Waiver of this maximum density, in order to allow 5.5 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 units per acre is permitted maximum density. Neighborhood preservation legislation permits the entity to allow densities greater than 3.0 units per acre in buffer areas for "good cause".

PROJECT DESCRIPTION

The project is a proposed 34-lot single-family development on three parcels adjacent to the Peak/Maverick intersection. The proposed lot sizes conform to the existing R-1 zoning on the site. The three proposed cul-de-sacs serving these lots have been designed to connect to Maverick Street, a 60-foot local street, at locations which do not allow conformance of the project with Title 18 standards, that ensure a minimum distance separation between intersections as a matter of public safety.

ANALYSIS

This report seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

> "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 and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

GL

The applicant has held that the design will still allow adequate stacking and turning movements between each of the three cul-de-sac entrances and the Peak/Maverick intersection, along Maverick Street. The applicant also indicates that reconfiguration of these access points is not possible without substantially compromising the concept and design of the project. The requested reduction represents an 18% reduction in the minimum standard.

FINDINGS

The proposed design does not appear to present left turn traffic conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcels and scale of the project; therefore, approval of the Waiver is recommended.

NOTICES MAILED 208

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3402 APN: 138-14-601-024, 138-14-602-021
138-14-701-001, 002

Name of Property Owner: SF INVESTMENTS

Name of Applicant: SF INVESTMENTS

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

_____ Yes _____ ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Stephen B. Aizenberg

Print Name: Stephen B. Aizenberg

Subscribed and sworn before me

This 18th day of November, 2003

Karen Barker
Notary Public in and for said County and State

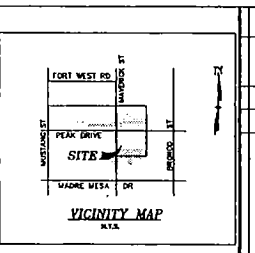
KAREN BARKER
Notary Public, State of Nevada
Appointment No. 02-76577-1
My Appt. Expires July 24, 2006

SITE DATA

PROPOSED USE :	R1	MIN LOT WIDTH :	65.00'
AREA :	10 GROSS ACRES (6.17 NET)	MIN FRONT SETBACK :	20'
CURRENT GEN. PLAN DESIGNATION:	RURAL RESIDENTIAL (3.5 UNITS/ACRE)	MIN SIDE YARD SETBACK :	5'
PROPOSED GEN. PLAN DESIGNATION:	LOW DENSITY (5.5 UNITS/ACRE)	MIN CORNER SIDEYARD SETBACK:	15'
PROPOSED UNITS:	34	MIN REAR YARD SETBACK	15'
PROPOSED DENSITY:	5.5 UNITS/ACRE (NET) 3.4 UNITS/ACRES (GROSS)	MAX BUILDING HEIGHT :	2 STORIES OR 35' (WHICHEVER IS LESS)
MINIMUM LOT AREA:	6,515 SF		
AVERAGE LOT AREA:	7,908 SF		

APN NUMBERS

APN: 138-14-601-028, -030
APN: 138-14-602-021
APN: 138-14-701-001, -002



VICINITY MAP
N.T.S.

(SS) = SINGLE STORY ONLY ON THIS LOT
(2-S) = TWO-STORY ALLOWED ON THIS LOT

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

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

RE 138-14-601-023 | RE 138-14-601-024 | RE 138-14-601-025 | RE 138-14-601-026 | RE 138-14-602-027 | RE 138-14-602-026 | RE 138-14-602-017

MUSTANG STREET (PUBLIC)

MAVERICK STREET (PUBLIC)

'A' COURT (PUBLIC)

'B' COURT (PUBLIC)

PEAK DRIVE (PUBLIC)

ADELLA DRIVE (PUBLIC)

'C' COURT (PUBLIC)

R1 34 11,316 SF SS
R1 23 10,403 SF SS
R1 22 7,266 SF SS
R1 21 7,393 SF SS
R1 20 7,382 SF SS
R1 19 7,372 SF SS
R1 18 7,238 SF SS
R1 17 6,742. SF SS
R1 16 7,250. SF SS
R1 15 7,559. SF SS
R1 14 10,240. SF SS
RE 138-14-602-019 VACANT
R1 33 9,217 SF SS
R1 24 7,437 SF SS
R1 32 9,429 SF SS
R1 25 6,856 SF SS
R1 26 7,948 SF SS
R1 27 6,725 SF SS
R1 28 7,007 SF SS
R1 29 8,996 SF 2-S
R1 30 6,966 SF SS
R1 31 7,563 SF 2-S
R1 10 6,574. SF 2-S
R1 11 7,036. SF 2-S
R1 12 10,317. SF 2-S
R1 13 10,145. SF 2-S
RE 138-14-602-022
R1 9 7,186. SF 2-S
R1 8 6,612. SF 2-S
R1 7 6,866. SF 2-S
R1 6 7,936. SF 2-S
R1 5 6,515. SF 2-S
RE 138-14-701-003 VACANT
R1 1 6,608. SF SS
R1 2 6,664. SF SS
R1 3 6,518. SF SS
R1 4 11,116. SF SS
RE 138-14-701-007
RE 138-14-701-006

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

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

PROJ NO AZ03093
DESIGN DPB
DATE 00/21/03
SCALE AS SHOWN
CAD FILE R1-REV

DAVID PATRICK BROWN EXP. 12/31/04 CIVIL

STAMP DATE
EXPIR DATE 12/31/04

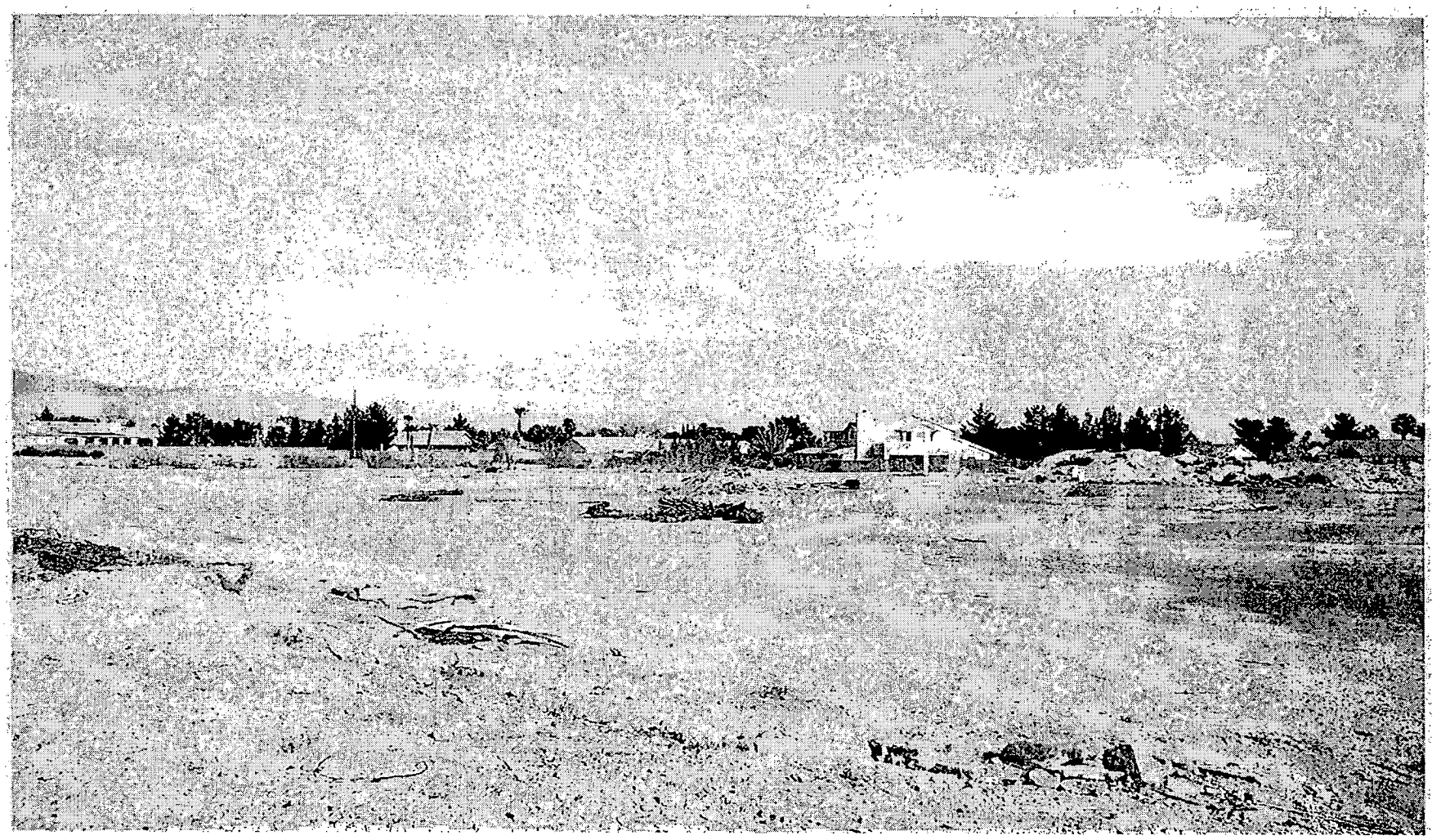
3320 N. Buffalo Drive
Las Vegas, NV 89129-7410
Tel: 702-395-3425
Fax: 702-395-3758
Web: aztecla.com

AZTEC

BUNKER COMMONS
PEAK DRIVE AND MUSTANG STREET
SITE PLAN

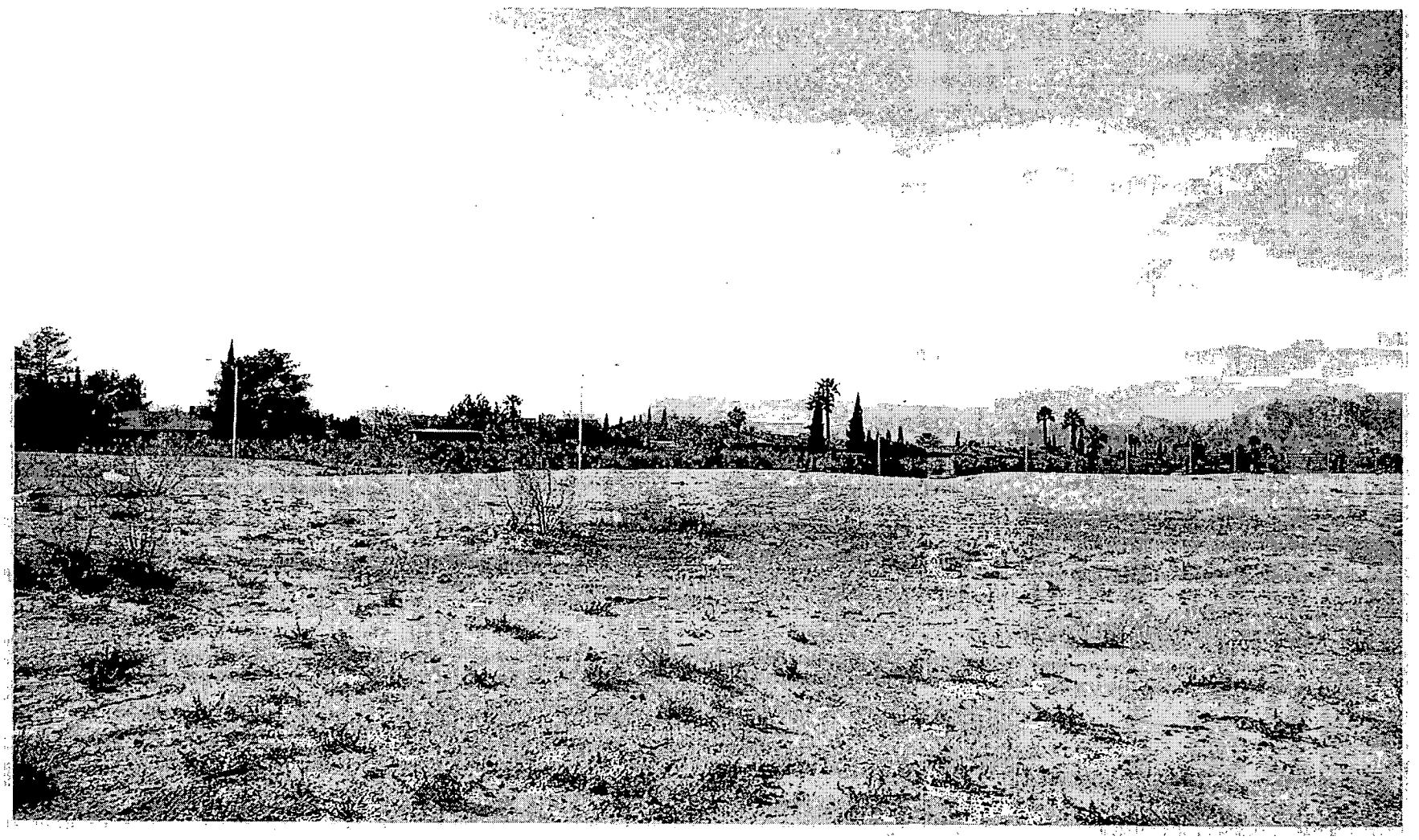
SHEET
SP
1 of 1 Sheets

WVR-3402
01-08-04 PC



WVR-3402 - SF INVESTMENTS, LIMITED LIABILITY COMPANY
NORTHEAST, NORTHWEST AND SOUTHEAST CORNERS OF PEAK DRIVE AND MAVERICK STREET
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



WVR-3402 - SF INVESTMENTS, LIMITED LIABILITY COMPANY
NORTHEAST, NORTHWEST AND SOUTHEAST CORNERS OF PEAK DRIVE AND MAVERICK STREET
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

SUP-3393 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST - Request for a Special Use Permit FOR A PROPOSED PRIVATE SCHOOL, PRIMARY on property adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

C.C.: 02/04/04 - 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:
GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as an agent in his firm lives adjacent to the subject site.

To be heard by the City Council on 2/4/2004.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 34 [SUP-3393] and Item 35 [SDR-3391].

DAVID CLAPSADDLE, Planning and Development Department, explained that the site is located in the Cliff Shadows area. The proposed development will be a private school and House of Worship and will include a wedding chapel element and bookstore. The waiver pertains to landscaping along part of the southern portion of the property, which is needed for the building to have a Lied Certification. Staff recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 34 – SUP-3393

MINUTES – Continued:

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the applicant. She provided a brief explanation of the guidelines of the U.S. Green Building Council Lied Criteria. Based on that criteria, buildings are assessed as to energy conservation or sustainability and is based on a three-level point system. MS. RICHARDSON clarified that no portion of the building will exceed 35 feet in height. MR. CLAPSADDLE, for the record, stated the applicant meets the Residential Adjacency Standards.

TODD FARLOW, 240 North 19th Street, expressed his approval of the proposed project.

ROBERT GENZER, Director of Planning and Development Department, believed this application would be adjacent to and within 1500 feet to another site where there is an approved tavern. While that tavern does not exist today, a special use permit was approved and so that site is eligible for construction of a tavern. MS. RICHARDSON acknowledged MR. GENZER'S statements as correct.

No one appeared in opposition

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 34 [SUP-3393] and Item 35 [SDR-3391].

NOTE: All discussion for Item 34 [SUP-3393] and Item 35 [SDR-3391] was held under Item 34 [SUP-3393].

(8:18 – 8:28)

CONDITIONS:

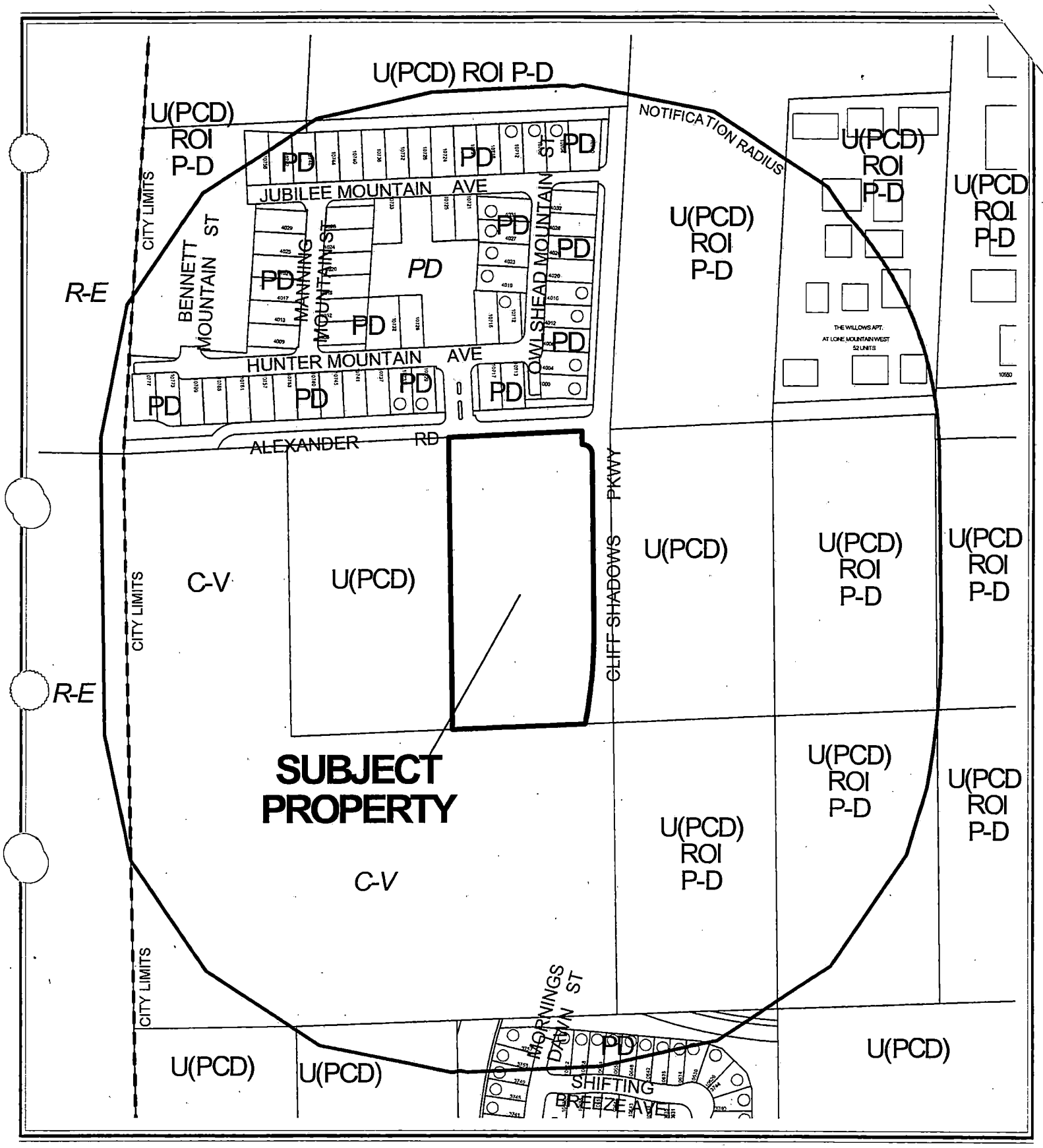
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private School, Primary use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3391).

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.



0 200 400 Feet

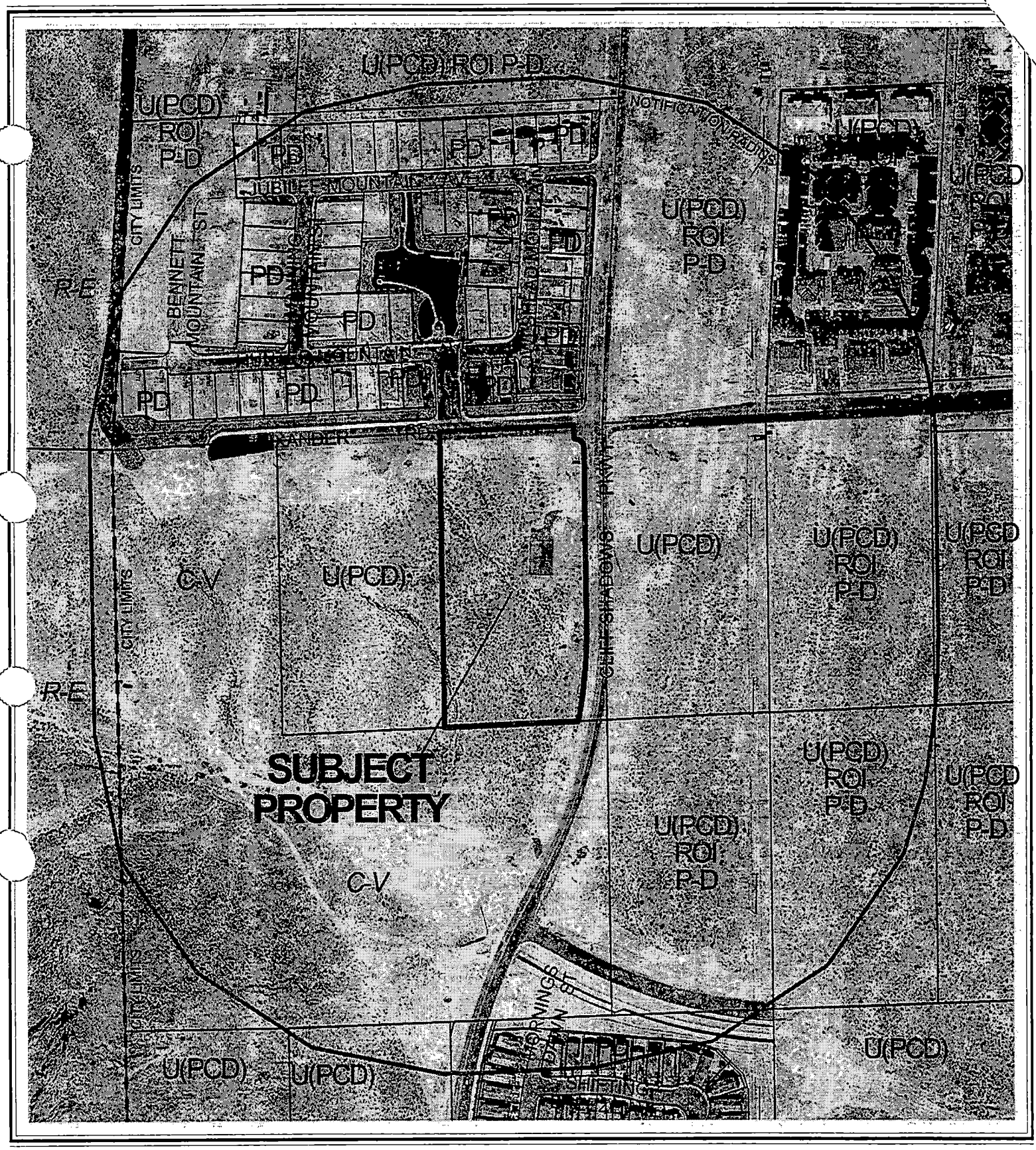
CASE: **SUP-3393**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

N


U(PCD) ROI P-D
U(PCD) ROI P-D
NOTIFICATION BOUNDARIES
U(PCD) ROI P-D
U(PCD ROI P-D
JUBILEE MOUNTAIN AV
CITY LIMITS
BENNETT MOUNTAIN ST
PD
R-E
U(PCD) ROI P-D
HUNTINGTON AV
PD
PD
PD

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3393 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private School, Primary use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3391).

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 a Special Use Permit to allow a Private School, Primary in conjunction with a Church/House of Worship within a Neighborhood Commercial designated parcel of the Lone Mountain West Master Plan area located at the northwest corner of Alexander Road and Cliff Shadows Parkway. A companion Site Development Plan Review (SDR-3391) will be considered concurrently with this request.

B) Applicant's Justification

The development will be a model among advanced buildings, designed to consume fewer resources and generate less waste than traditional structures. The school will challenge students to achieve excellence in mind, body, character, and spirit.

BACKGROUND INFORMATION

A) Previous Actions

03/11/99	The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres.
06/14/99	The City Council approved a rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to P-D (Planned Development). The Planning Commission recommended approval on 5/13/99. Staff recommended approval.
01/08/04	The Planning Commission will hear a companion Site Development Plan Review (SDR-3391) for a Church/House of Worship, which includes the proposed accessory Private School, Primary use. Staff recommends approval.

B) Pre-Application Meeting

10/30/03	Issues discussed included the requirement of a Special Use Permit for the school use, the need for a detailed parking analysis, and that the maximum lot coverage for this site is 30 percent.

C) Neighborhood Meetings

A neighborhood meeting is not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.11
Net Acres:	4.36

B) Existing Land Use

Subject Property:	Parking Lot
North:	Single Family Residence
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	PCD (Planned Community Development)

D) Existing Zoning

Subject Property:	U (Undeveloped) under Resolution of Intent to PD (Planned Development)
North:	PD (Planned Development)
South:	C-V (Civic District)
East:	U (Undeveloped) under Resolution of Intent to PD (Planned Development)
West:	U (Undeveloped)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses with a maximum of 8 units per acre. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation, and the proposed Private School, Primary is a permitted use within the PD zoning district.

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

The subject site is located within the Lone Mountain West Master Plan area with a Neighborhood Commercial land use designation. The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

The proposed Private School is a permitted use within a Neighborhood Commercial designated parcel of the Lone Mountain West Master Plan with the approval of a Special Use Permit.

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
Private School, Primary	15 Class-rooms	2 spaces per classroom + 20 for staff	43	7	43	7
Church/ House of Worship	10,330 SF non-fixed seating area	1 space per 100 SF of non-fixed seating area	104	0	104	0
Bookstore	1,430 SF	1 per 175 GFA	9	0	9	0
Wedding Hall	6,930 SF	1 per 200 GFA	35	0	63	0

FS

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 the proposed Private School, Primary use, and there are no similar approved uses within the 500' notification distance.

Pursuant to the Lone Mountain West Master Plan, the following standards apply to the subject proposal:

Standards	Plan Requirement	Provided
Trash Enclosure	Screened with 6' masonry walls and a trellis or roof, finished to be compatible with the architectural character of the site.	Screened with a 6' masonry wall and finished to be compatible with the architectural character of the site

The proposed site plan does not depict a roofed trash enclosure as required by the Lone Mountain West Design Standards. A Condition of Approval has been included with the Site Plan application to require a trellis or roof for the enclosure.

B) General Analysis and Discussion

- Zoning

  The PD District is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD District may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD District is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative sitting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas.

- Use

  The proposed Private School, Primary is a permitted use within a Neighborhood Commercial designated parcel of the Lone Mountain West Master Plan with the approval of a Special Use Permit.

- Conditions

  Adequate pick-up and drop-off areas shall be provided on-site.

FINDINGS

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

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

   The proposed development can be conduced in a manner compatible with the planned commercial and civic uses adjacent to the site. The project meets Proximity Slope and Residential Adjacency Standards in regard to the residential development located on the north side of Alexander Road, and is consistent with the future surrounding land uses as projected by the General Plan.

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

   The site is undeveloped and is physically suitable to accommodate the 18,245 square-foot Private School, Primary.

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 proposed Church/House of Worship. Access to the site is from Cliff Shadows Parkway, an 80-foot wide Secondary Collector. A bus-loading zone is located adjacent to the south side of Alexander Road, a 60-foot wide collector street.

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

   The proposed Church/House of Worship will be subject to inspections for occupancy and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 70 (Mailed with SDR-3391)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3393 APN: 137-12-101-002

Name of Property Owner: RITTER CHARITABLE TRUST, CEL -

Name of Applicant: Nevada Acquisitions, 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: _____

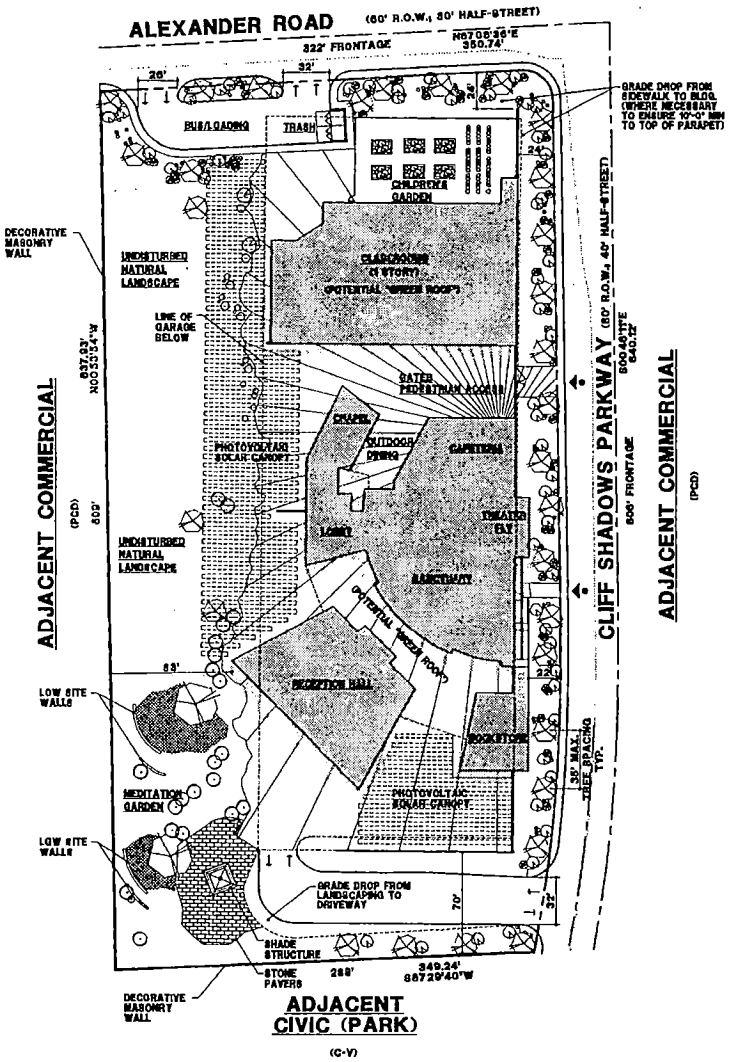
Subscribed and sworn before me

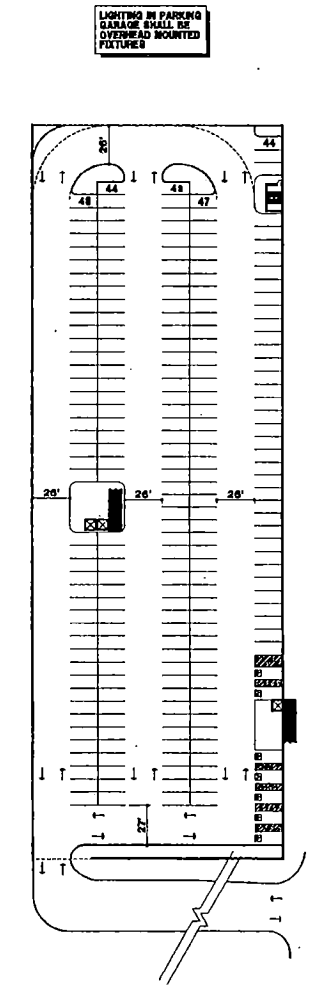
This 30th day of July, 2003

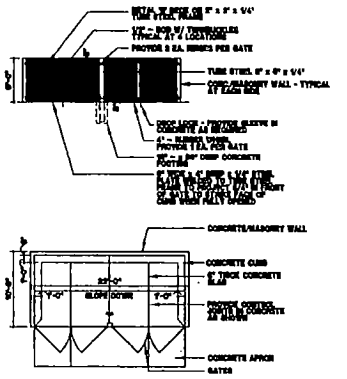
Saleemah B. Mansur-Johnston

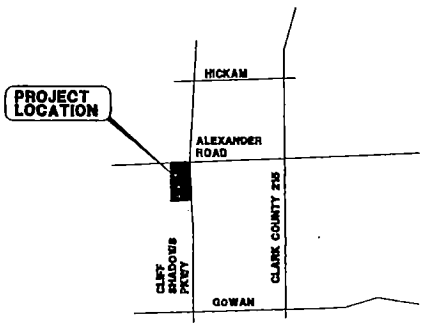
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
Saleemah B. Mansur-Johnston
Appt. No. 03-79909-1
My Appt. Expires Feb. 6, 2007









SITE DATA

ASSESSORS PARCEL NUMBER (APN):	137-12-101-002		
CURRENT ZONING:	C-1		
PROPOSED ZONING:	C-1		
SITE:	GROSS: 222,296 SF (5.11 ACRES) NET (AS SHOWN): 190,822 SF (4.38 ACRES)		
REQUIRED SETBACKS:	FRONT: 15' MIN. SIDE: 10' MIN. SIDE: NONE REAR: 10' MIN.		
SITE COVERAGE:	30%		

PROJECT / PARKING ANALYSIS

USE GROUP: CHURCH / HOUSE OF WORSHIP (1 PER 100 SF OF NON-FIXED SEATING)	BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
SANCTUARY	8,530	89	158
RECEPTION - (ACCESSORY TO SANCTUARY)	5,570	56	56
CHAPEL - (ACCESSORY TO SANCTUARY)	1,500	15	15
PRIMARY USE TOTAL:	15,600	160	229
PRIVATE SCHOOL (K-5), 12 CLASSROOMS - (2 SPACES PER EACH CLASSROOM, PLUS TWENTY SPACES FOR ADMINISTRATIVE STAFF)	19,000	(44)	(44)
ACCESSORY ADMINISTRATIVE OFFICES	24,700		
ACCESSORY USE TOTAL:	43,700	0	0
PROJECT TOTAL:	59,600		

LEGAL DESCRIPTION

BEING THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER ONE 1/4) OF THE NORTHWEST QUARTER ONE 1/4) OF THE NORTHWEST QUARTER ONE 1/4) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 58 EAST, M.D.M., LAS VEGAS, CLARK COUNTY, NEVADA.

VICINITY MAP

LEGEND

PEDESTRIAN INGRESS/EGRESS LOCATION

VEHICULAR INGRESS/EGRESS LOCATION

OWNER

NEVADA AQUISITIONS, LLC
34555 CLIFF SHADOWS PKWY, SUITE 220
LAS VEGAS, NV 89129

DEVELOPER

THE CENTER, A MODEL FOR POSITIVE LIVING
3220 NORTH BUFFALO DRIVE, SUITE 204
LAS VEGAS, NV 89129

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
315 Pilot Road Suite K Las Vegas, Nevada 89119
PHONE: 702.736.8333 FAX: 702.736.8749
E-mail: mail@trp-architect.com

SITE PLAN for THE CENTER, A MODEL FOR POSITIVE LIVING at ALEXANDER ROAD/CLIFF SHADOWS PARKWAY

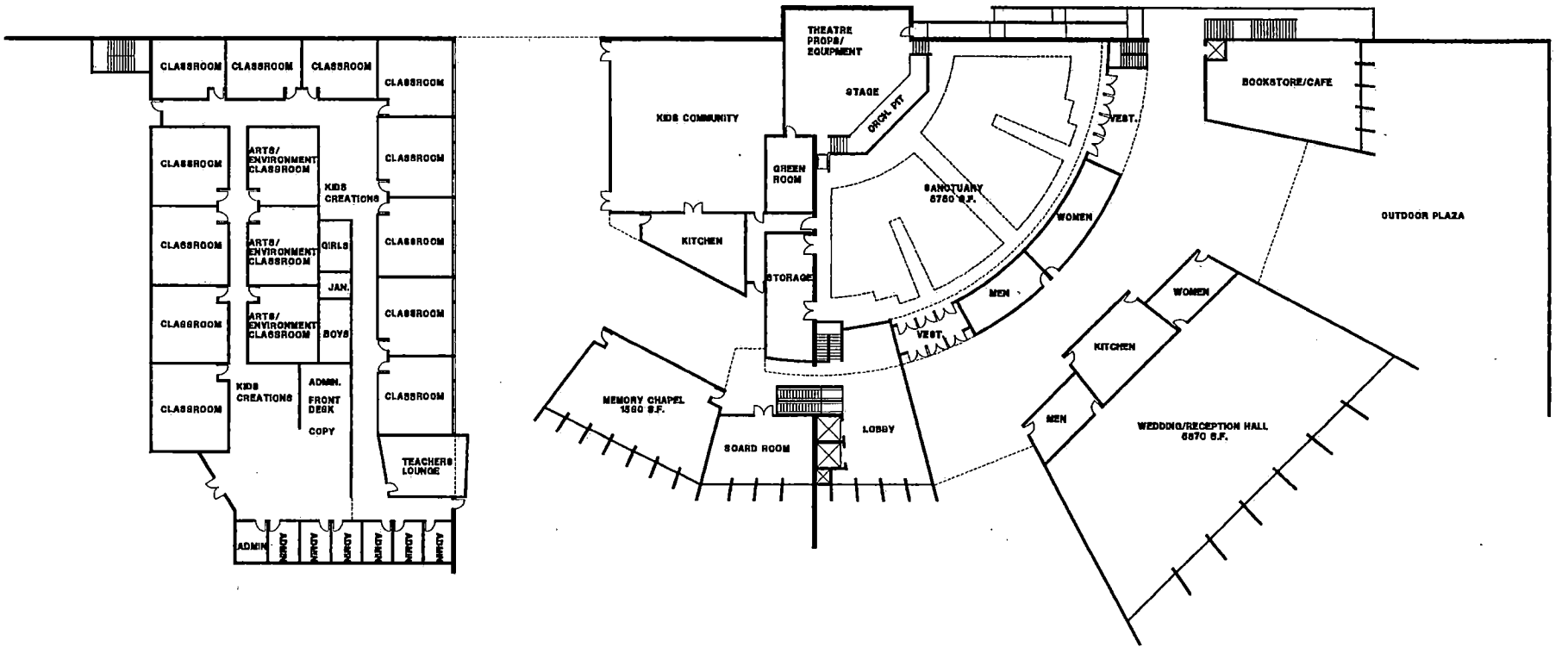
0 10 20 40 80 120 1"=40'-0"

SUP-3393

NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

SDR-3391
01-08-04 PC



1st FLOOR PLAN for THE CENTER-A MODEL FOR POSITIVE LIVING at ALEXANDER RD./CLIFF SHADOWS PKWY.

1/16"=1'-0"

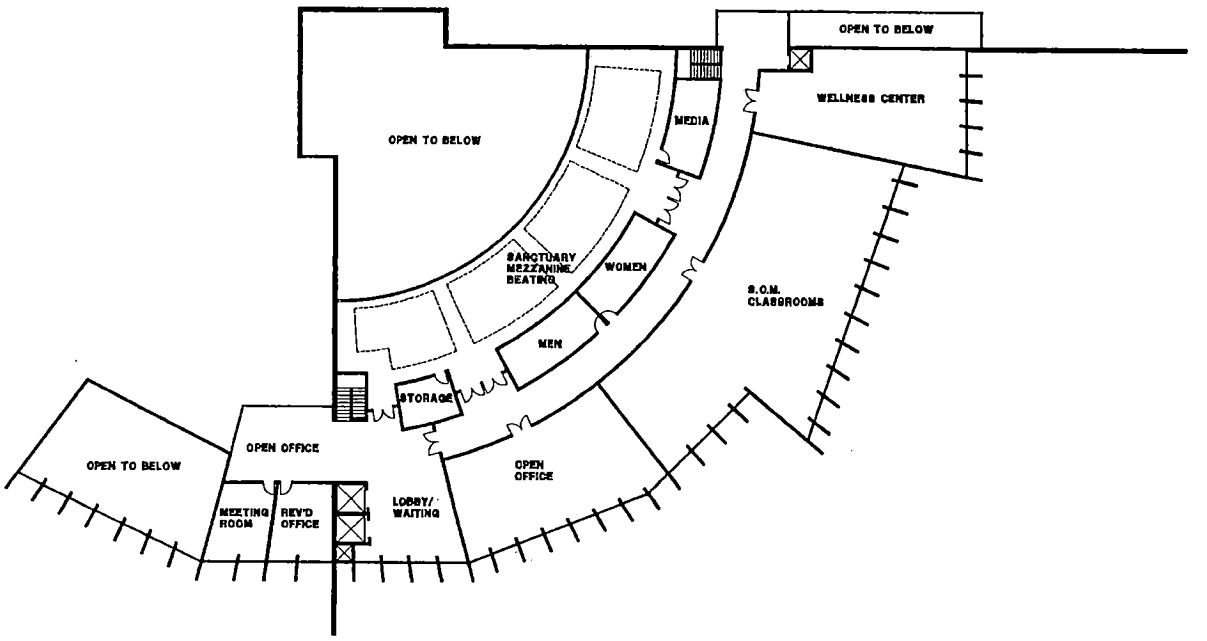
NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
815 Pilot Road Suite E Las Vegas, Nevada 89119
PHONE 702.736.6822 FAX 702.736.6233
E-mail: mail@trp-architect.com

north

SUP-3393
SDR-3391
01-08-04 PC



SUP-3393
SDR-3391
01-08-04 PC

2nd FLOOR PLAN for THE CENTER-A MODEL FOR POSITIVE LIVING at ALEXANDER RD./CLIFF SHADOWS PKWY.

0 4 8 12 16 32 48 1/16"=1'-0"

NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
815 Pilot Road Suite B, Las Vegas, Nevada 89119
PHONE: 702.736.6822 FAX: 702.736.6825
E-mail: mail@trp-architect.com

north

SUP-3393 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST
SOUTHWEST CORNER OF ALEXANDER ROAD AND CLIFF SHADOWS PARKWAY
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3391 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED HOUSE OF WORSHIP AND PRIVATE SCHOOL, PRIMARY on 4.36 acres adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

C.C.: 02/04/04 - 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:
GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as an agent in his firm lives adjacent to the subject site.

To be heard by the City Council on 2/4/2004.

MINUTES:
NOTE: See Item 34 [SUP-3393] for related discussion.

(8:18 – 8:28)

2-1326

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.

CONDITIONS – Continued:

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 roof or trellis for the proposed trash enclosure as required by the Lone Mountain West Master Plan Design Standards.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the required 6-foot perimeter screening wall. In addition, it shall also be revised so that the number of trees depicted on the landscape table match the number of trees depicted on the landscape plan.

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.

CONDITIONS – Continued:

11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

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

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

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

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

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

Public Works

17. Dedicate 30 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.

18. Construct all incomplete half-street improvements on Alexander Road and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

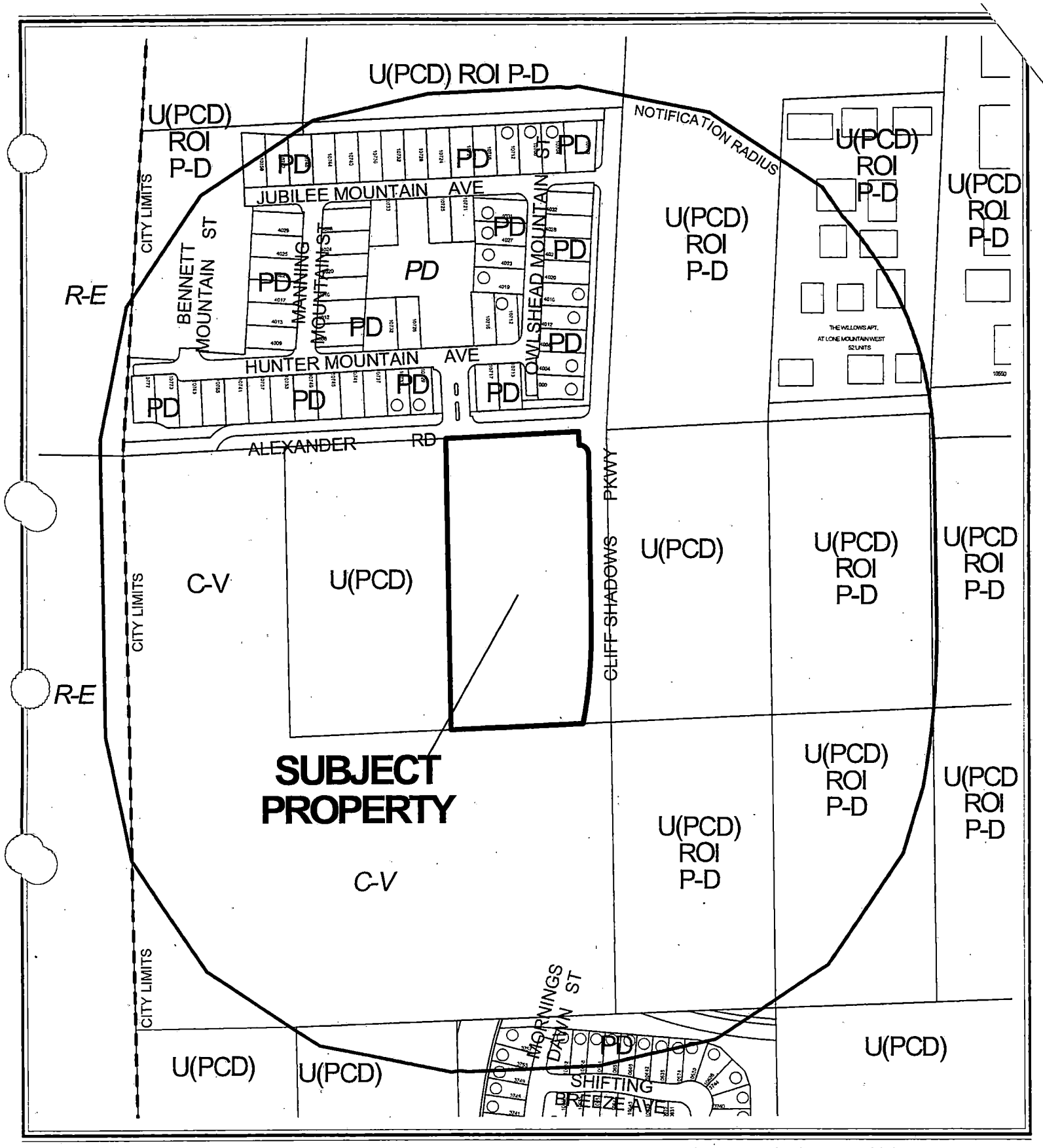
19. Grant a traffic chord easement at the southwest corner of Alexander Road and Cliff Shadows Parkway adjacent to this site.

CONDITIONS – Continued:

20. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development 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, whichever may occur first. 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.

21. 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 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.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0024-99, the required update to the master Traffic Impact Analysis, and all other subsequent site-related actions.



0 200 400 Feet

CASE: **SDR-3391**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3391 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST

** 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 a roof or trellis for the proposed trash enclosure as required by the Lone Mountain West Master Plan Design Standards.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the required 6-foot perimeter screening wall. In addition, it shall also be revised so that the number of trees depicted on the landscape table match the number of trees depicted on the landscape plan.

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.]

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

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

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22. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0024-99, the required update to the master Traffic Impact Analysis, and all other subsequent site-related actions.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a Church/House of Worship and a Waiver for a reduction of Perimeter Landscaping on 5.11 acres located at the northwest corner of Alexander Road and Cliff Shadows Parkway. Accessory Uses to the proposed Church/House of Worship include a Private School, Primary, a Wedding Hall, and a Bookstore.

A related Special Use Permit (SUP-3393) request for an accessory Private School, Primary within a Neighborhood Commercial designated parcel of the Lone Mountain West Master Plan area will be considered concurrently.

B) Applicant's Justification

The development will be a model among advanced buildings, designed to consume fewer resources and generate less waste than traditional structures. The Church/House of Worship will be a forum for spiritual seminars, retreats, and enlightenment workshops, and the school will challenge students to achieve excellence in mind, body, character, and spirit.

BACKGROUND INFORMATION

A) Previous Actions

03/11/99	The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres. Staff recommended approval.
06/14/99	The City Council approved a Rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission recommended approval on 5/13/99. Staff recommended approval.
01/08/04	The Planning Commission will hear a companion Special Use Permit (SUP-3393) to allow Private School, Primary within a Neighborhood Commercial designated parcel of the Lone Mountain West Master Plan area. Staff recommends approval.

B) Pre-Application Meeting

10/30/03 Issues discussed included the requirement of a Special Use Permit for the school use, the need for a detailed parking analysis, and a maximum lot coverage of 30 percent for the overall site.

C) Neighborhood Meetings

A neighborhood meeting is not required for Site Development Plan Review applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.11
Net Acres:	4.36

B) Existing Land Use

Subject Property:	Parking Lot
North:	Single Family Residence
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	PCD (Planned Community Development)

D) Existing Zoning

Subject Property:	U (Undeveloped) under Resolution of Intent to PD (Planned Development)
North:	PD (Planned Development)
South:	C-V (Civic District)
East:	U (Undeveloped) under Resolution of Intent to PD (Planned Development)
West:	U (Undeveloped)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses with a maximum of 8 units per acre. The site is zoned U (Undeveloped)

and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed Church/House of Worship is a permitted use within the PD zoning district.

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

The subject site is located within the Lone Mountain West Master Plan area with a Neighborhood Commercial land use designation. The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

The proposed Church/House of Worship is permitted within a Neighborhood Commercial parcel, and the accessory Private School, Primary is a permitted use with the approval of a Special Use Permit.

PROJECT DESCRIPTION

The proposed 58,600 square-foot Church/House of Worship consists of the following four uses:

31,998 square-foot Church/House of Worship (Primary Use)
18,245 square-foot Private School, Primary (Accessory Use)
6,930 square-foot Wedding Hall (Accessory Use)
1,427 square-foot Bookstore (Accessory Use)

The applicant is seeking a U.S. Green Building Council (USGBC) LEED (Leadership in Energy and Environmental Design) certification which emphasizes strategies for sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. Some innovative features of the site include photovoltaic panes to capture solar energy, a "green" roof consisting of native plants or an acceptable membrane roofing system, on-site vegetable and flower gardens, the use of building materials with a high recycled content, and storm water capture and re-irrigation systems.

Access is provided via a drive off Cliff Shadows Parkway, and a Bus/Loading zone is provided adjacent to the south side of Alexander Road. A 226-space underground parking structure provides parking for the site.

The building elevations depict an exterior consisting of exposed aggregate concrete, rammed earth wall, plaster finish, and glass curtain walls in tones of beige, cream, and bronze. The generally flat 'green roof' varies in height and will be covered with native plants or an acceptable membrane roofing system.

The floor plans depict administrative offices, classrooms, a theater, sanctuary, chapel, bookstore, wedding hall, and various rooms and storage areas.

The landscaping plan depicts 24-foot wide planters on the north, east, and a portion of the south property lines consisting of 24-inch box trees with various one, five and fifteen gallon trees and shrubs planted to meet Title 19 Tree Spacing Alternative #3. There is a Perimeter Landscape waiver request for the west and south property lines in order to accommodate the LEED (Leadership in Energy and Environmental Design) requirement of an undisturbed natural area as a part of the overall site. Because there is no surface parking on the site, parking lot landscaping is not required.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Lone Mountain West Master Plan and Title 19, the following standards apply to the proposal.

Standards	Required	Provided	Compliance
Min. Setbacks			
• Front	N/A	73 Feet	Y
• Side	N/A	83 Feet	Y
• Corner	N/A	24 Feet	Y
• Rear	N/A	70 Feet	Y
Max. Lot Coverage	30 %	26.3 %	Y
Max. Building Height	35 Feet	28 Feet	Y
Trash Enclosure	Screened with 6' masonry walls and a trellis or roof, finished to be compatible with the architectural character of the site.	Screened with a 6' masonry wall and finished to be compatible with the architectural character of the site.	N

The proposed site plan does not depict a roofed trash enclosure as required by the Lone Mountain West Design Standards. A Condition of Approval has been included to require a trellis or roof for the enclosure.

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, 28-foot Church/House of Worship is setback approximately 133 feet from the south property line of the residentially zoned tract on the north side of Alexander Road. At this distance a 3:1 slope would intersect a building at a height of 44 feet. The proposed 28-foot building falls below the proximity slope, and therefore meets Residential Adjacency Standards.

b) Building setback

The proposed Church/House of Worship is setback approximately 133 feet from the south property line of the residentially zoned tract on the north side of Alexander Road. The required setback from the protected property is 84 feet, and is therefore 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	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Private School, Primary	15 Class-rooms	2 spaces per classroom + 20 for staff	43	7	43	7
Church/ House of Worship	10,330 SF non-fixed seating area	1 space per 100 SF of non-fixed seating area	104	0	104	0
Bookstore	1,430 SF	1 per 175 GFA	9	0	9	0
Wedding Hall	6,930 SF	1 per 200 GFA	35	0	63	0

The proposed project exceeds Title 19 parking requirements.

FS

A4) Landscape and Open Space Standards

Pursuant to the Lone Mountain West Master Plan and Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	Trees	**Provided**
Buffer: • Min. Trees • North and East Property Lines	One 24-Inch Box Tree / 40 Linear Feet Plus one, and two 15-gallon trees located between every 24-inch box tree (Tree Spacing Alternative #3).	66 Trees	66 Trees
• South and West Property Lines	One 24-Inch Box Tree per 30 linear feet	30 Trees	4 Trees
• Min. Zone Width	7 Feet		24 Feet
• Wall height	6 Feet		Not Provided

The Landscape Plan depicts a deficiency of 26 trees and does not meet Title 19 Landscape Buffer Standards. A waiver has been requested to allow the reduction of Perimeter Landscaping along the south and west property lines.

A decorative masonry screening wall is depicted on the landscape plan, however no wall height is specified. A Condition of Approval has been included to require a six-foot wall height.

B) General Analysis and Discussion

- Zoning

  The proposed Church/House of worship is a permitted use in the PD zoning district.

- Site Plan

  The proposed 58,600 square-foot Church/House of Worship consists of the following four uses:

  31,998 square-foot Church/House of Worship (Primary)
  18,245 square-foot Private School, Primary (Accessory)
  6,930 square-foot Wedding Hall (Accessory)
  1,427 square-foot Bookstore (Accessory)

The applicant is seeking a U.S. Green Building Council (USGBC) LEED (Leadership in Energy and Environmental Design) certification which emphasizes strategies for sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. Some innovative features of the site include photovoltaic panes to capture solar energy, a "green" roof consisting of vegetation or an acceptable membrane roofing system, on-site vegetable and flower gardens, the use of building materials with a high recycled content, and storm water capture and re-irrigation systems.

Access is provided via a 32-foot drive off Cliff Shadows Parkway, and a Bus/Loading zone is provided adjacent to the south side of Alexander Road. A 226-space underground parking structure provides parking for the site and no surface parking is proposed.

- Waivers

There is a Perimeter Landscape waiver request for the west and south property lines in order to accommodate LEED (Leadership in Energy and Environmental Design) requirements of an undisturbed natural area as a part of the overall site.

- Landscape Plan

The landscaping plan depicts 24-foot wide planters on the north, east, and south perimeters of the site consisting of 24-inch box trees and various one, five and fifteen gallon trees and shrubs planted to meet Title 19 Tree Spacing Alternative #3. Tree Spacing Alternative #3 requires one twenty-four inch box deciduous tree, evergreen tree, or fifteen foot palm tree for every forty linear feet of planter plus one extra tree of similar size to provide coverage at the ends of planters. In addition, two fifteen gallon deciduous trees, evergreen trees or palm trees shall be required for every forty linear feet of planter, and will be located between every twenty-four inch box tree or fifteen foot palm tree. The spacing of the twenty-four inch box trees or fifteen-foot palm trees shall not exceed thirty-five feet on center. The fifteen-gallon trees can be either regularly spaced or grouped in between the larger trees. The proposed landscaping is consistent with these criteria.

There is a Perimeter Landscape waiver request for the west and south property lines in order to accommodate LEED (Leadership in Energy and Environmental Design) requirements of undisturbed natural areas as a part of the overall site.

There is no surface lot, and parking lot landscaping is not required.

- Elevation

  The building elevations depict an exterior consisting of exposed aggregate concrete, rammed earth wall, plaster finish, and glass curtain walls in tones of beige, cream, and bronze. The generally flat 'green roof' varies in height and will be covered with native plants or an acceptable membrane roofing system. A photovoltaic solar canopy is an intricate part of the overall site design and will provide power for various systems on site.

- Floor Plan

  The floor plans depict administrative offices, classrooms, a theater, sanctuary, chapel, bookstore, wedding hall, and various rooms and storage areas.

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 compatible with the planned commercial and civic uses adjacent to the site. In addition, the project meets Proximity Slope and Residential Adjacency Standards in regard to the residential development located on the north side of Alexander Road.

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 Church/House of Worship is consistent with the PCD (Planned Community Development) General Plan designation and its intent. In addition, the requested uses are permitted within a Neighborhood Commercial designated parcel of the Lone West Master Plan Area. With the exception of a waiver request from the Landscape, Wall, and Buffer Standards, the proposal is in conformance with Title 19 after the inclusion of the recommended Conditions of Approval.

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

   The abutting street network will be adequate for the traffic generated by the proposed Church/House of Worship. Access to the site is from Cliff Shadows Parkway, an 80-foot wide Secondary Collector. A bus-loading zone is located adjacent to the south side of Alexander Road, a 60-foot wide collector street.

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

   Building and landscape materials are appropriate for this area, as the submitted landscape plan and building elevations depict the desert tolerant landscaping and architectural designs and materials outlined in the Lone West Master Plan. In addition, the applicant is seeking U.S. Green Building Council (USGBC) LEED (Leadership in Energy and Environmental Design) certification which emphasizes strategies for sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

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 for the proposed Church/House of Worship are not unsightly and will be compatible with the existing development in the area.

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 inspections for occupancy and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 70 (Mailed with SUP-3393)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3391 APN: 137-12-101-002

Name of Property Owner: RITTER CHARITABLE TRUST c/o

Name of Applicant: Nevada Acquisitions, 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]

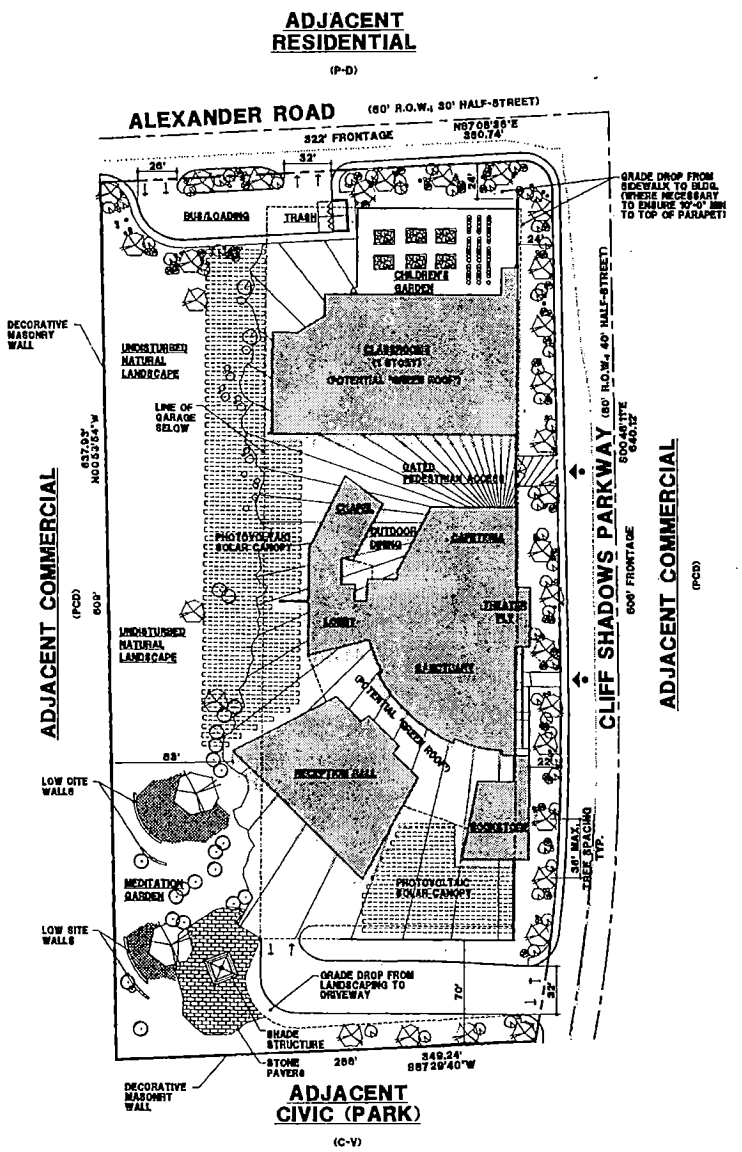
Subscribed and sworn before me

This 30th day of July, 2003

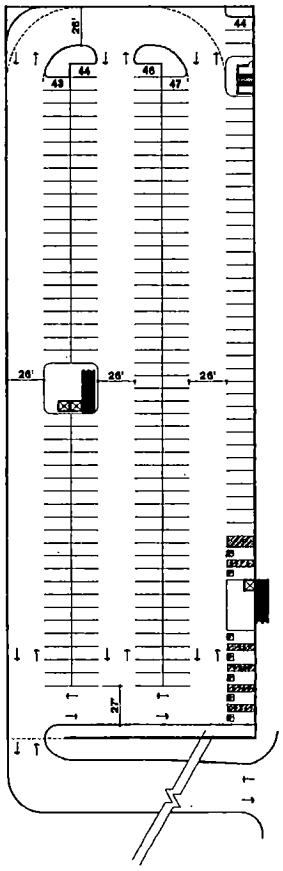
Saleemah B. Mannsur-Johnston

Notary Public in and for said County and State

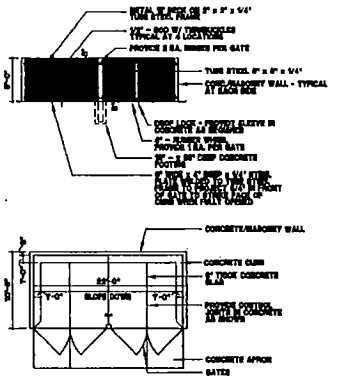
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
Saleemah B. Mannsur-Johnston
Appt. No. 03-79909-1
My Appt. Expires Feb. 6, 2007



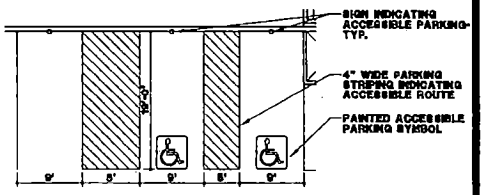
LIGHTING IN PARKING GARAGE SHALL BE OVERHEAD MOUNTED FIXTURES



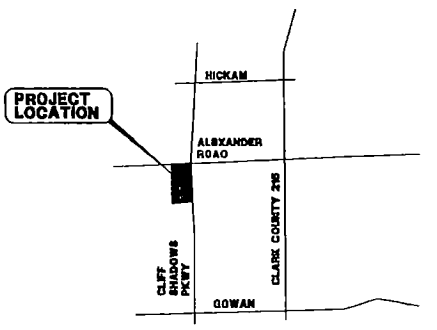
GARAGE PARKING PLAN



TRASH ENCLOSURE



HANDICAPPED PARKING DETAIL



LOCATION MAP

SITE DATA

ASSESSORS PARCEL NUMBER (APN):	137-12-101-003
CURRENT ZONING:	C-1
PROPOSED ZONING:	C-1
SITE:	GROSS: 222,948 SF (5.11 ACRES) NET (LESS SHOWN): 189,922 SF (4.36 ACRES)
REQUIRED SETBACKS:	FRONT: 15' MIN. SIDE: 10' MIN. SIDE: NONE REAR: 10' MIN.
SITE COVERAGE:	30%

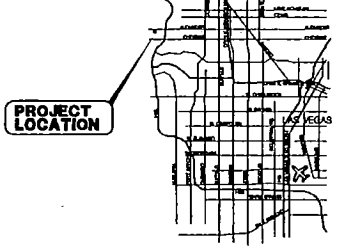
PROJECT / PARKING ANALYSIS

	BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
USE GROUP: CHURCH / HOUSE OF WORSHIP (1 PER 100 SF OF NON-FIXED SEATING)			
SANCTUARY	8,530	85	150
RECEPTION - (ACCESSORY TO SANCTUARY)	5,570	56	56
CHAPEL - (ACCESSORY TO SANCTUARY)	1,900	19	19
PRIMARY USE TOTAL:	16,000	160	226
PRIVATE SCHOOL (K-5), 12 CLASSROOMS • (2 SPACES PER EACH CLASSROOM, PLUS TWENTY SPACES FOR ADMINISTRATIVE STAFF)	10,000	(44)	(44)
ACCESSORY ADMINISTRATIVE OFFICES	34,700		
ACCESSORY USE TOTAL:	43,700	0	0
PROJECT TOTAL:	59,500		

LEGAL DESCRIPTION

BEING THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., LAS VEGAS, CLARK COUNTY, NEVADA.

VICINITY MAP



LEGEND

PEDESTRIAN INGRESS/EGRESS LOCATION
VEHICULAR INGRESS/EGRESS LOCATION

OWNER

NEVADA AQUISITIONS, LLC
34555 CLIFF SHADOWS PKWY, SUITE 220
LAS VEGAS, NV 89129

DEVELOPER

THE CENTER, A MODEL FOR POSITIVE LIVING
3220 NORTH BUFFALO DRIVE, SUITE 204
LAS VEGAS, NV 89129

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES

irp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
413 Pilot Road Suite A, Las Vegas, Nevada 89119
PHONE: 702.795.8977 FAX: 702.736.6818
E-mail: mail@irp-arc.com

SITE PLAN for THE CENTER, A MODEL FOR POSITIVE LIVING at ALEXANDER ROAD/CLIFF SHADOWS PARKWAY

0 10 20 40 80 120 1"=40'-0"

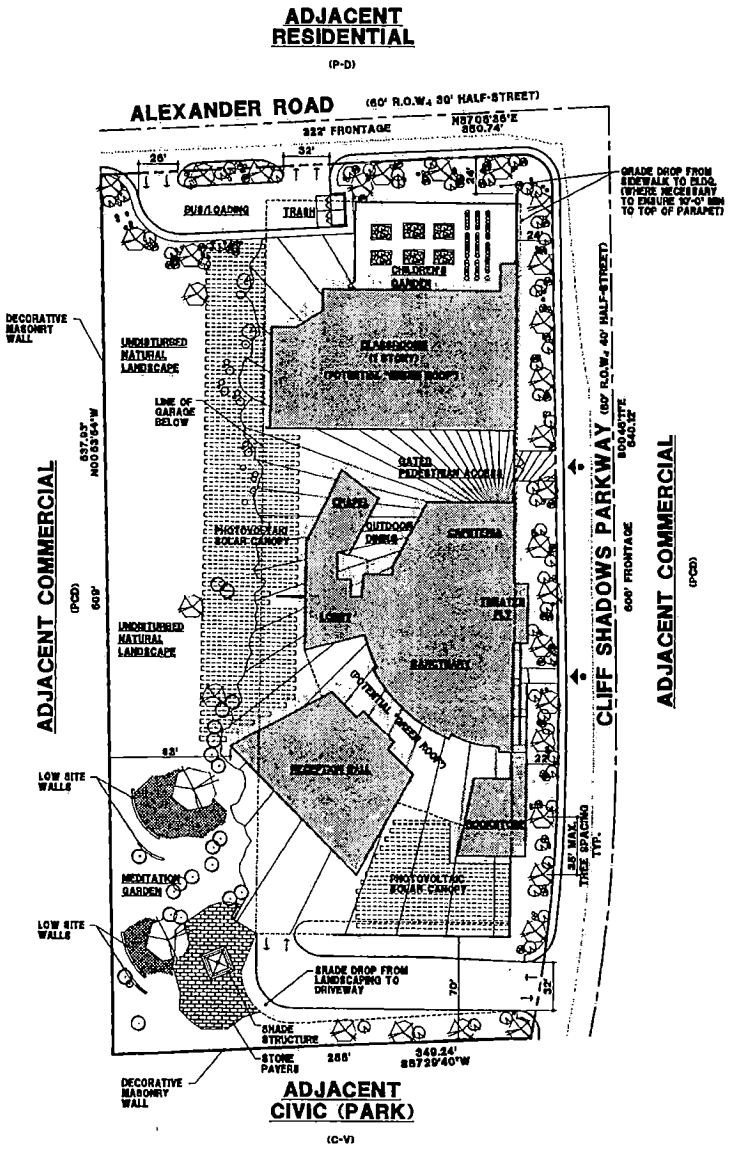
SUP--3393

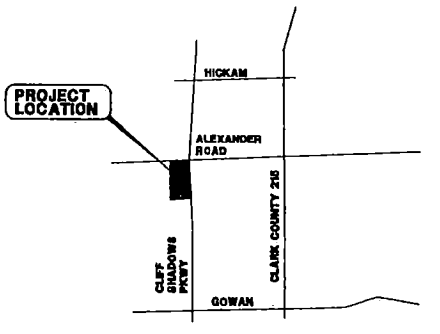
NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

SDR--3391

01-08-04 PC





LOCATION MAP

SITE DATA

ASSESSORS PARCEL NUMBER (APN):	137-22-101-002
CURRENT ZONING:	C-1
PROPOSED ZONING:	C-1
SITE:	GROSS: 322,606 SF (5.71 ACRES) NET (AS SHOWN): 165,825 SF (4.36 ACRES)
REQUIRED SETBACKS:	FRONT: 15' MIN. SIDE: 10' MIN. SIDE: NONE REAR: 25' MIN.
SITE COVERAGE:	50%

LANDSCAPE PLAN

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS	SIZE	QUANTITY
	ACACIA SCHAFFNERI PHOENIX DACTYLIFERA PARKINSONIA FLORIDA	SCHAFFNER'S ACACIA DATE PALM BOOKER, PARK	24" BOX	MEDIUM STANDARD	9 4 4
	HESPERALOE PARVIFLORA	RED YUCCA	15 GALLON		48
	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GALLON		51
	MUHLENBERGIA SPECIOSA	MUHLEY GRASS	5 GALLON		96

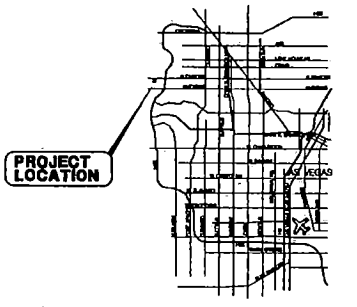
ROCK MULCH, 3/8" SCREENED @ 3" DEPTH IN ALL PLANTING AREAS

NOTE: ALL TREES/SHRUBS TO BE PLANTED IN ACCORDANCE WITH THE LOSE MOUNTAIN WEST DEVELOPMENT CODE AND (TITLE 19A) CHAPTER 19A.12 - SITE LANDSCAPE AND BUFFER STANDARDS, COMMERCIAL STREET BUFFER DESIGN STANDARD, REFERENCE ALTERNATIVE B.

LEGAL DESCRIPTION

BEING THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., LAS VEGAS, CLARK COUNTY, NEVADA.

VICINITY MAP



OWNER

NEVADA AQUISITIONS, LLC
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DEVELOPER

THE CENTER, A MODEL FOR POSITIVE LIVING
3220 NORTH BUFFALO DRIVE, SUITE 204
LAS VEGAS, NV 89129

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES

LANDSCAPE PLAN for THE CENTER, A MODEL FOR POSITIVE LIVING at ALEXANDER ROAD/CLIFF SHADOWS PARKWAY

0 10 20 40 80 120 1"=40'-0"

SUP--3393

SDR--3391

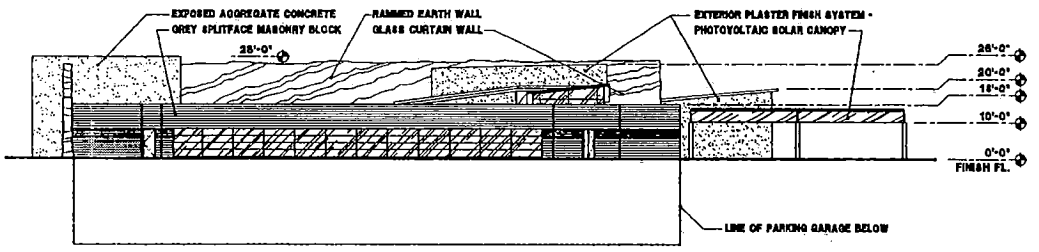
01-08-04 PC

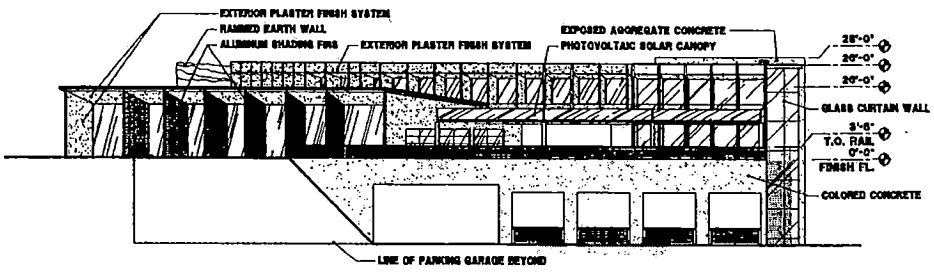
NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

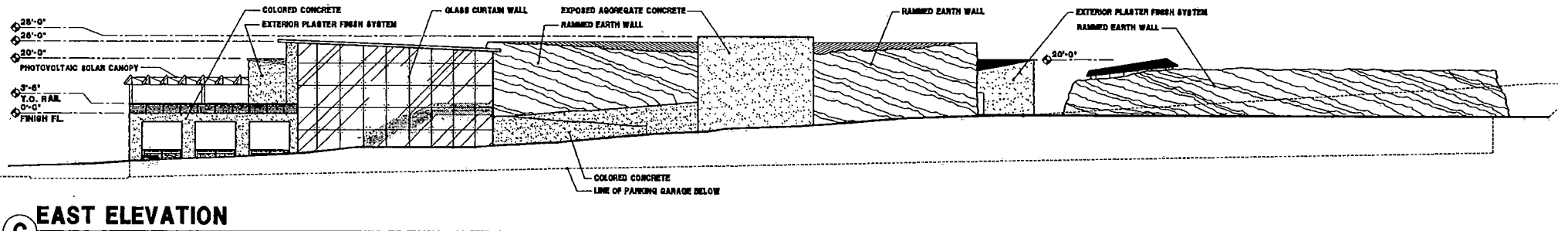
trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
815 Pilot Road Suite E, Las Vegas, Nevada 89119
PHONE: 702.736.0220 FAX 702.736.0330
e-mail: mail@trp-architect.com

north



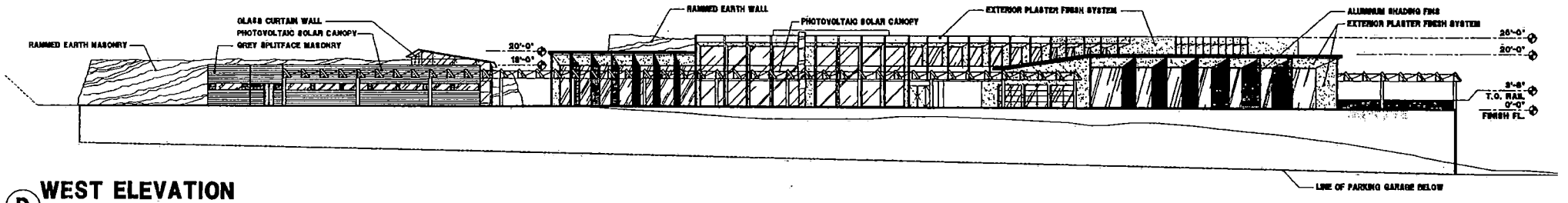


A NORTH ELEVATION



B SOUTH ELEVATION

C EAST ELEVATION



D WEST ELEVATION

NOTE: NO PORTION OF THE BUILDING SHALL EXCEED 26'-0" ABOVE FINISH GRADE. ALL ELEVATION NOTATIONS INDICATED ARE ABOVE FINISH FLOOR (A.F.F.)

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
852 Fifth Road Suite B Las Vegas, Nevada 89119
PHONE: 702.736.6822 FAX: 702.736.6853
e-mail: mail@trp-architect.com

ELEVATIONS for THE CENTER-A MODEL FOR POSITIVE LIVING at ALEXANDER ROAD/CLIFF SHADOWS PKWY

0 4 8 12 16 32 48 1/16" = 1'-0"

NOVEMBER 2003

SUP-3393
SDR-3391
01-08-04 PC

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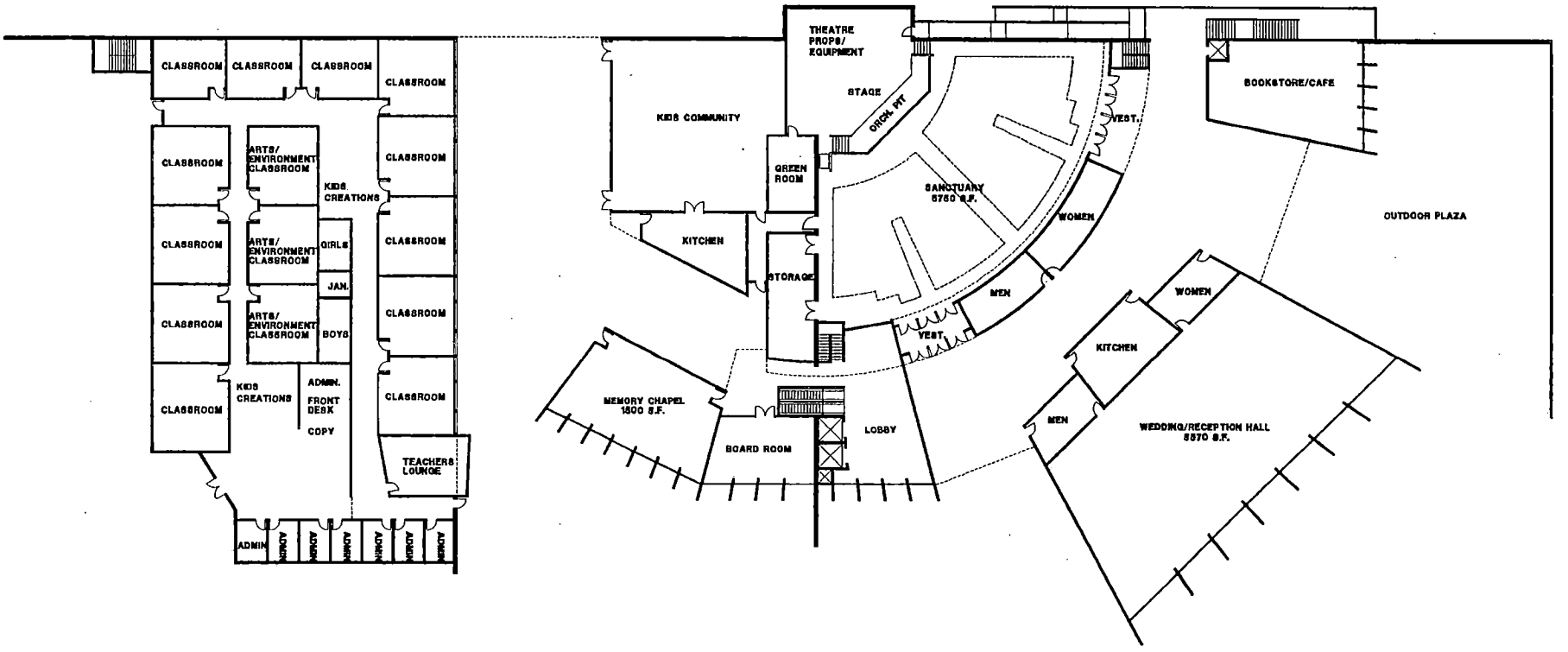

1st FLOOR PLAN for THE CENTER-A MODEL FOR POSITIVE LIVING at ALEXANDER RD./CLIFF SHADOWS PKWY.

1/16"=1'-0"

NOVEMBER 2003

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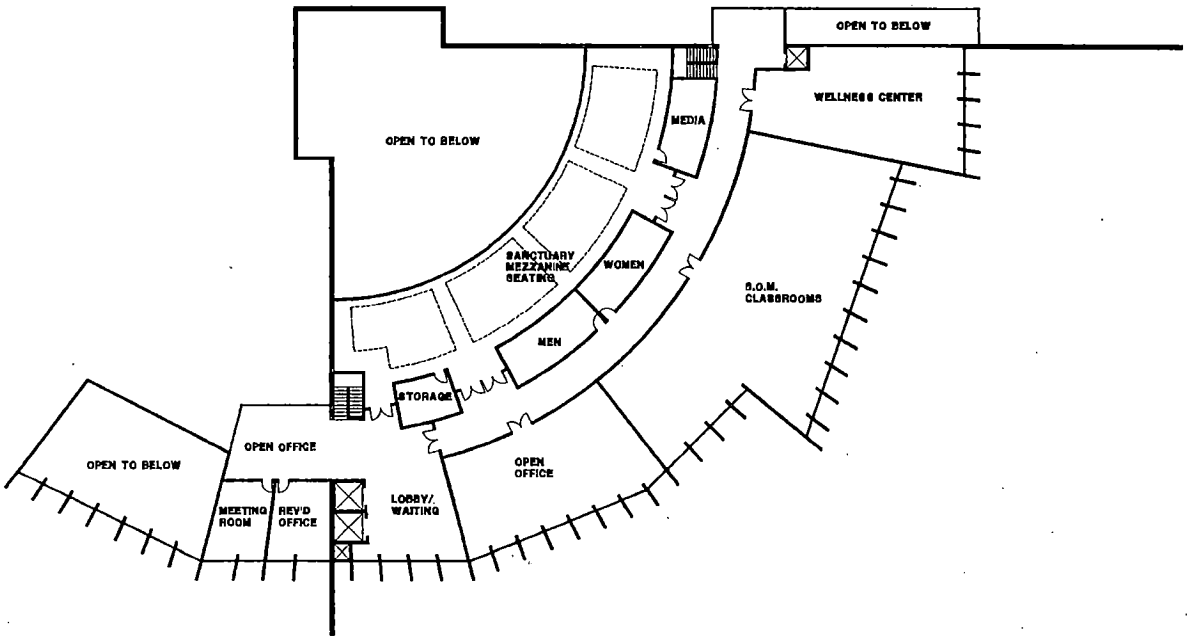
THE RICHARDSON PARTNERSHIP, INC.
813 Pilot Road Suite B Las Vegas, Nevada 89119
PHONE 702.736.8822 FAX 702.736.8933
E-mail: mail@trp-architect.com

north

SUP-3393
SDR-3391
01-08-04 PC



SUP--3393
SDR--3391
01--08--04 PC

2nd FLOOR PLAN for THE CENTER-A MODEL FOR POSITIVE LIVING at ALEXANDER RD./CLIFF SHADOWS PKWY.

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
815 Pilot Road Suite E, Las Vegas Nevada 89119
PHONE: 702.736.8883 FAX: 702.736.8855
E-mail: mail@trp-architect.com

0 4 8 12 16 32 48 1/16"=1'-0"

NOVEMBER 2003

LAS VEGAS • CLARK COUNTY • NEVADA

north

SDR-3391 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY ON BEHALF OF RITTER CHARITABLE TRUST
SOUTHWEST CORNER OF ALEXANDER ROAD AND CLIFF SHADOWS PARKWAY
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3407 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR AUTO DEALER INVENTORY STORAGE adjacent to the south side of Charleston Boulevard, approximately 770 feet west of Rainbow Boulevard (APN: 163-03-501-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - 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 open on Item 36 [SUP-3407] and Item 37 [SDR-3404].

GARY LEOBOLD, Planning and Development Department, stated that the applicant proposes an inventory storage use facility on the subject site. Although allowed by the land use and zoning designations, a special use permit is necessary to evaluate each request on a case-by-case basis. Inasmuch as the storage is a stand-alone facility not associated with the dealerships that will utilize the space and because of the proximity to residential uses, staff recommended denial.

MINUTES – Continued:

With regard to the site plan, the applicant proposes to park as many as 312 cars on a paved open surface lot. MR. LEOBOLD stated that although several changes were made to the original site plan to meet code requirements; staff's major objection was the placement of this use in an area with no other auto-related uses except for the applicant's body shop located to the east of the site. Staff recommended denial of the Site Development Plan Review.

MICHAEL IANNUCCILLI, 8109 Tiara Cove Circle, appeared on behalf of the applicant. Also representing this application was MICHAEL TOMY, 6480 Spring Mountain Road. In response to the applicant's query, ROBERT GENZER, Director of Planning and Development Department, explained that staff reviews applications as a team concept. During the initial review, staff determined that the recommendation would be for denial. Subsequently, it was brought to the Director's attention, only after the correspondence was sent to the applicant indicating a recommendation for approval, that staff had changed their recommendation. MR. GENZER stated that in his capacity as Director, he did not approve the revised recommendation and consequently directed staff to change it back to the original recommendation of denial.

TODD FARLOW, 240 North 19th Street, appeared in opposition to the proposed project stating the location is inappropriate for this use.

SUSAN SABALLO, representing the Torrey Pines/Oakey Association, objected to the proposed auto dealer inventory storage. She noted that the Association has consistently worked with the car dealerships on Sahara and stated that because there is not adequate space to accommodate additional dealerships, they are beginning to move into the neighborhoods.

PAUL O'BANNON, 5710 West O'Bannon Drive, appeared in opposition and agreed with staff's recommendation for denial. He explained that from his property he looks directly at the subject site and stated that this type of use should not be located next to primary residential. MR. O'BANNON stated that he has noticed graffiti on the property and requested the property owner take the responsibility for cleaning it up.

MR. IANNUCCILLI replied that the graffiti is on the Homby Wash wall and not on his property.

COMMISSIONER McSWAIN recalled the action taken on the auto body shop and remembered that the applicant's presentation noted that all repairs would be self-contained and there would be no vehicles parked outside. With this proposal, the applicant would be servicing people in the automotive industry and this could be considered an ancillary use. She stated she would not support the application.

MINUTES – Continued:

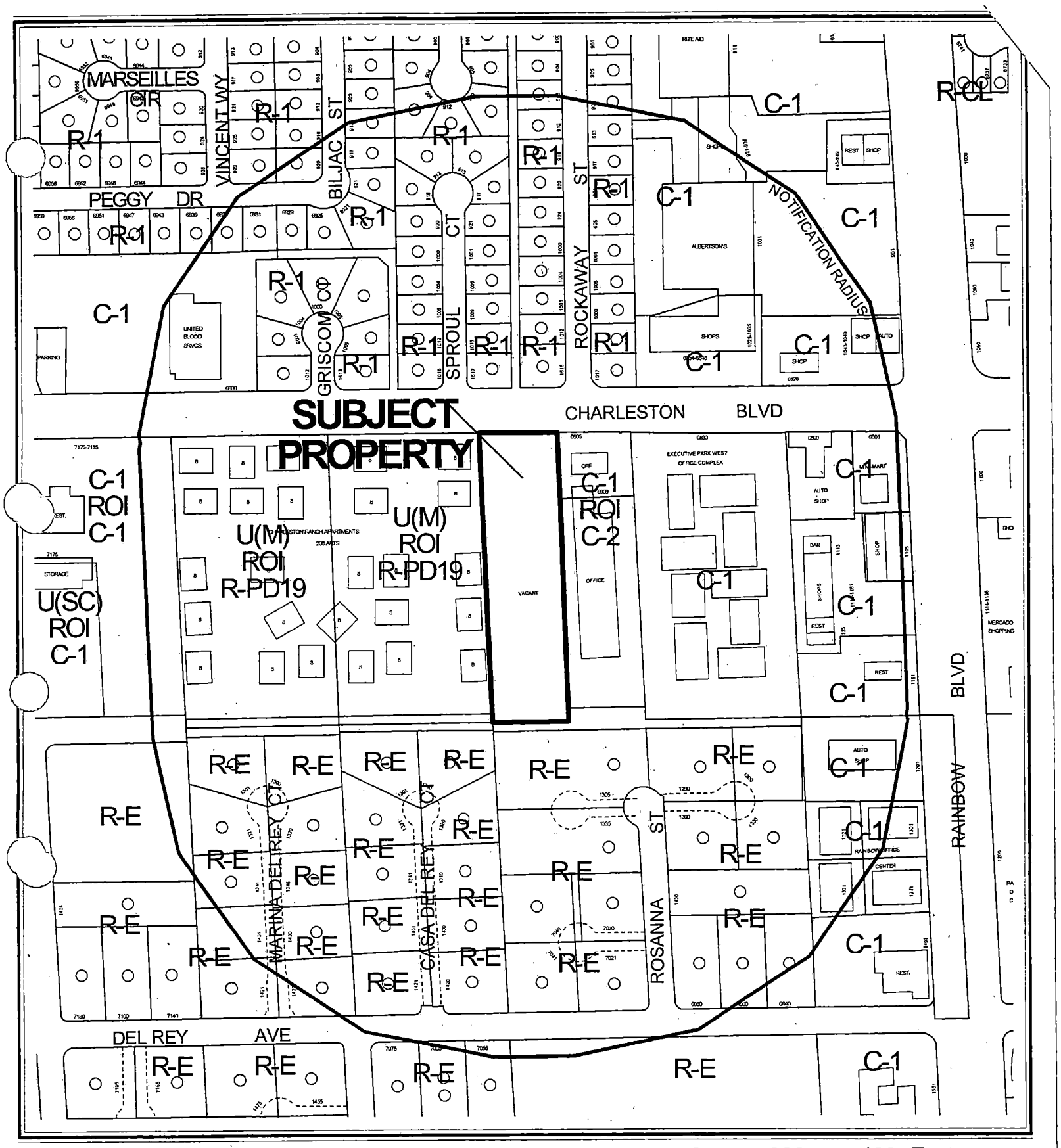
CHAIRMAN TRUESDELL also recalled that the Commission did vote for denial of the previous application which was subsequently approved. Noting that the surrounding area is primarily residential he agreed that the proposed use is inappropriate for the area.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 36 [SUP-3407] and Item 37 [SDR-3404].

NOTE: All discussion for Item 36 [SUP-3407] and Item 37 [SDR-3404] was held under Item 36 [SUP-3407].

(8:28 – 8:40)



CASE: **SUP-3407**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3407 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for an Auto Dealer Inventory Storage use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3404].

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 request is for approval of a Special Use Permit for a 312-space Auto Dealer Inventory Storage Facility on a 2.57-acre site adjacent to the south side of Charleston Boulevard, approximately 800 feet west of Rainbow Boulevard. The Planning Commission will concurrently review companion Site Development Plan Review application and Waivers of perimeter and parking lot landscaping (SDR-3404).

B) Applicant's Justification

The applicant has justified this request by stating that this facility will serve as overflow vehicle storage for the three automobile dealerships that he provides service for at the adjacent body shop that he owns and operates.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86 The City Council approved a petition (A-0009-85) to annex 1,509 acres of land, including a portion of the subject site. The effective date of the annexation was 03/28/86.

05/01/96 The City Council approved a request for a Rezoning (Z-0034-96) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 04/11/96.

09/08/97 The City Council approved a request for a Reinstatement and Extension of Time (Z-0034-96(1)) for an approved restaurant, lounge and mini-storage facility on the subject site. The Planning Commission recommended approval on 08/14/97.

09/03/03 The City Council approved requests affecting the adjacent 2.27-acre site to the east, under the same ownership as the subject parcel, for a General Plan Amendment (GPA-2479) to change the land use designation from SC (Service Commercial) to GC (General Commercial), a Rezoning (ZON-2480) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone and C-1 (Limited Commercial) Zone to C-2 (General Commercial) Zone, and a Special Use Permit (SUP-2481) for an Auto Paint and Body Repair Shop. The Planning Commission recommended denial of all three applications on 07/10/03. Staff had recommended denial of these applications.

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01/08/04 The Planning Commission will consider a companion request for a Site Development Plan Review (SDR-3404) for the proposed Auto Dealer Inventory Storage facility on the subject site.

B) Pre-Application Meeting

10/21/03 At the pre-application meeting, the applicant was advised to consult with Nevada Department of Transportation regarding access from the site to Charleston Boulevard, a state highway. The applicant was further advised that the proposed gated entryway will have to meet approved traffic engineering standards, and that a detailed site plan would need to show how the proposed us will be screened from view of passing traffic as required by Code, and to show how the project will meet parking and landscaping standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.57

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Single Family Dwellings
East:	Auto Body Repair Shop
West:	Apartments

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial)

West: U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-PD19 (Residential Planned Development - 19 Units per Acre)

E) General Plan Compliance

This site is located on the Southwest Sector Map of the General Plan. On this map, the site is designated as SC (Service Commercial). This land use designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

The C-1 (General Commercial) zoning district, which currently applies to the site, is an appropriate zoning district within the SC (Service Commercial) land use designation. The proposed Auto Dealer Inventory Storage Facility use would be in compliance with the existing land use and zoning that applies to the site, subject to the approval of this requested Special Use Permit, if determined to be appropriate.

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

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" if it requires a Special Use Permit and is located within 500 feet of Clark County or the City of North Las Vegas. As the subject site is located beyond this distance, no interagency notification was required.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, there are no specific Parking Standards that apply to an Auto Dealer Inventory Storage use, as the principal role of this use is the storage of cars. A total of 312 spaces are to be provided. The applicant has modified the original site plan to ensure that the design of the parking area meets the dimensional standards of Title 19.10.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Dealer Inventory Storage use. There are no similar approved uses within the 750-foot notification distance, although the owner of this site has an approved Auto Paint and Body Repair Shop on the adjacent site to the east.

As there is no building or structure proposed for the site, there are no development standards pursuant to Title 19.08 that are relevant to this application.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial) Zone. Auto Dealer Inventory Storage uses are permitted in the C-1 zoning district by approval of a Special Use Permit, subject to five conditions, as listed below.

- Use

The proposed use is "Auto Dealer Inventory Storage". It is allowed in the C-1 (Limited Commercial) zoning district, subject to the conditions listed below.

- Conditions

The conditions for issuance of a Special Use Permit for "Auto Dealer Inventory Storage" are:

i. All areas used for the parking or storage of vehicles shall be paved.
ii. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
iii. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
iv. Lighting shall be shielded from adjacent properties.
v. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50% of parking area that is

GL

provided in excess of required parking for other uses. For purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in Chapter 19.10.

Although the proposed development does not appear to directly conflict with the listed conditions, the placement of an auto-oriented use on this site will not be harmonious with adjacent and nearby residential uses to the north, west and south of the subject site. Although allowed by Special Use Permit in the C-1 zoning district, such a use would be far more appropriate in a general commercial or industrial setting, and located as an ancillary use to the dealership it is intended to serve. To allow this project as a freestanding use directly adjacent to apartment development, with low-density residential development to the south and across Charleston Boulevard to the north, is inappropriate. The storage of vehicles at this location does not represent the highest and best use of this site.

FINDINGS

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

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

   The proposed Auto Dealer Inventory Storage use that is proposed for the site is not appropriate in the context of nearby low-density residential uses to the north and south, and medium-density residential uses to the west of the site. It will be the only auto-oriented use in the area, other than the applicant's adjacent approved body shop, which is an indoor operation and is accessed from the east side of the building which is not visible from the nearby residential areas.

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

   The site is directly adjacent to apartment development along the entirety of its western boundary. Although the proposed Auto Dealer Inventory Storage Shop use will have a row of trees buffering this adjacent apartment use, it would appear that this proposed area of stored automobiles will be plainly visible from these apartments. As such, the request is not appropriate for this location.

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

   The site has access from Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways; however, the site will be accessed through the adjacent parcel to the east; both parcels have the same owner. A condition of approval will

require a cross-lot access agreement. The adjacent site also has direct access to Charleston Boulevard, which has adequate capacity to accommodate the demands of the proposed use. The subject parcel also has direct access to the Holmby Avenue alignment to the south, and emergency access gates to that area, which is used for drainage purposes, are shown on the site plan.

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."**

There are five conditions for the development of an Auto Dealer Inventory Storage use. Although the proposed development does not appear to directly conflict with the listed conditions, the placement of an auto-oriented use on this site will not be harmonious with adjacent and nearby residential uses to the north, west and south of the subject site.

Additionally, 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 109 (Mailed with SDR-3404)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3407 APN: _____

Name of Property Owner: Minnch Investments LLC

Name of Applicant: Michael Iannuccilli

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 _____V_____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: _____

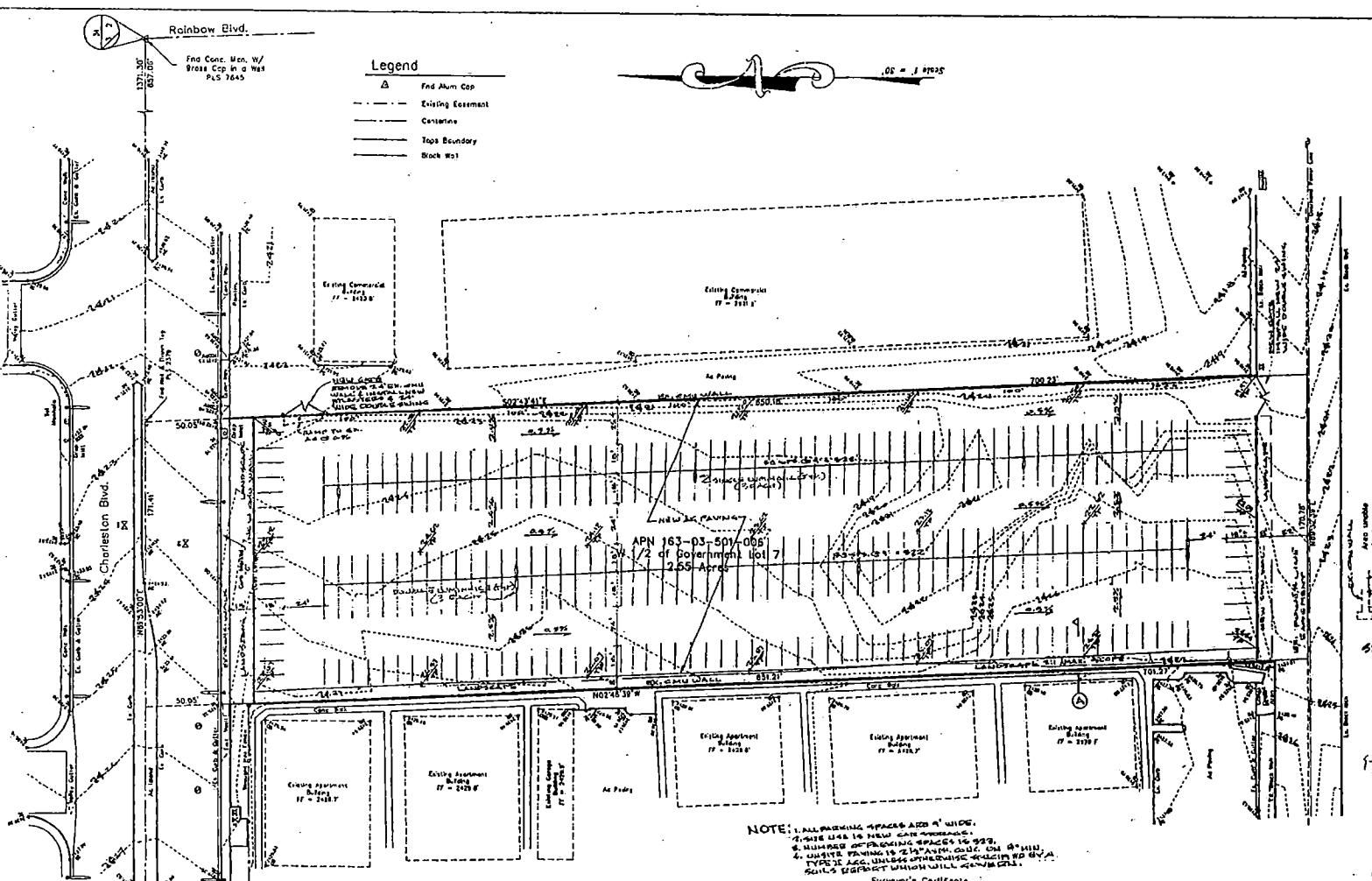
Print Name: Michael Iannuccilli

Subscribed and sworn before me

This 18 day of November, 2003

_____
Notary Public in and for said County and State

BONNIE JEAN MOE
NOTARY PUBLIC - STATE OF NEVADA
APPOINTMENT REPORTED IN CLARK COUNTY
Date Appointment Exp: 03-15-2005
Certificate No: 93-2385-1



BASIS OF BEARING

N89°53'00"E being the North line of the NE 1/4 NE 1/4 of Section 03, Township 21 South, Range 60 East M.D.M. As per Record of Survey File 38 Page 41, Clark County, Nevada records.

REFERENCE MAPS

Record of Survey File 38 Page 41
Parcel Map File 48 Page 86

Bench Mark

BM No. 2LV00355WS
Elevation = 2399.83'
Rivet and plate in Top of Curb
Northeast corner of Charleston Blvd. and Lorenzi Street. NAVD '88

E 1/16
Fnd Nail & Brass Tag
PLS 2897

SUP-3407
SDR-3404
01-08-04 PC

Surveyor's Certificate

I, BOYDEN E. NELSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF AMEN ASSOCIATES, INC.
2. THE LANDS SURVEYED LIE WITHIN A PORTION OF THE NE¼ SEC. 03, T 21 S, R 60 E M.D.M., CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON 28 OCTOBER 2003.

BOYDEN E. NELSON — DATE
* PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 15179

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX NRS 278.5693.

Topo and Contour Map:

A portion of Government Lot 7, located in the NE 1/4 NE 1/4 of Section 3, Township 21 South, Range 60 East M.D.M. Clark County, Nevada. (APN 163-03-501-006.)

FOR:
Amen Associates, Inc.

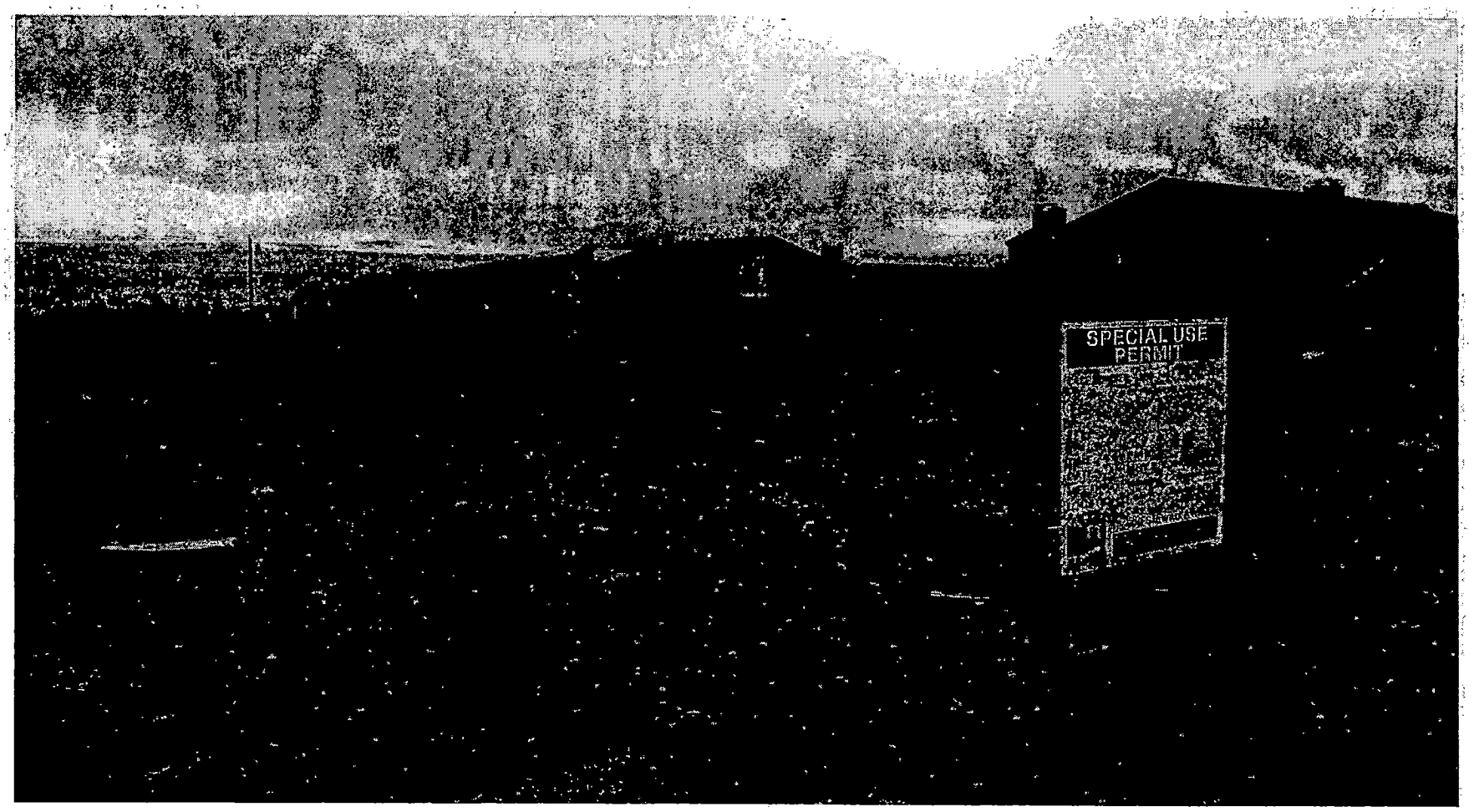
BY: BEM	SCALE: 1" = 30'	DATE: 30 October 2003

AMEN ASSOCIATES, INC.
Civil and Structural Consultants
6490 West Spring Mountain, Suite.
Las Vegas, Nevada 89146
Phone: (702) 562-9556 Fax: (702) 562-9557

Rev. No.	Description	Date:

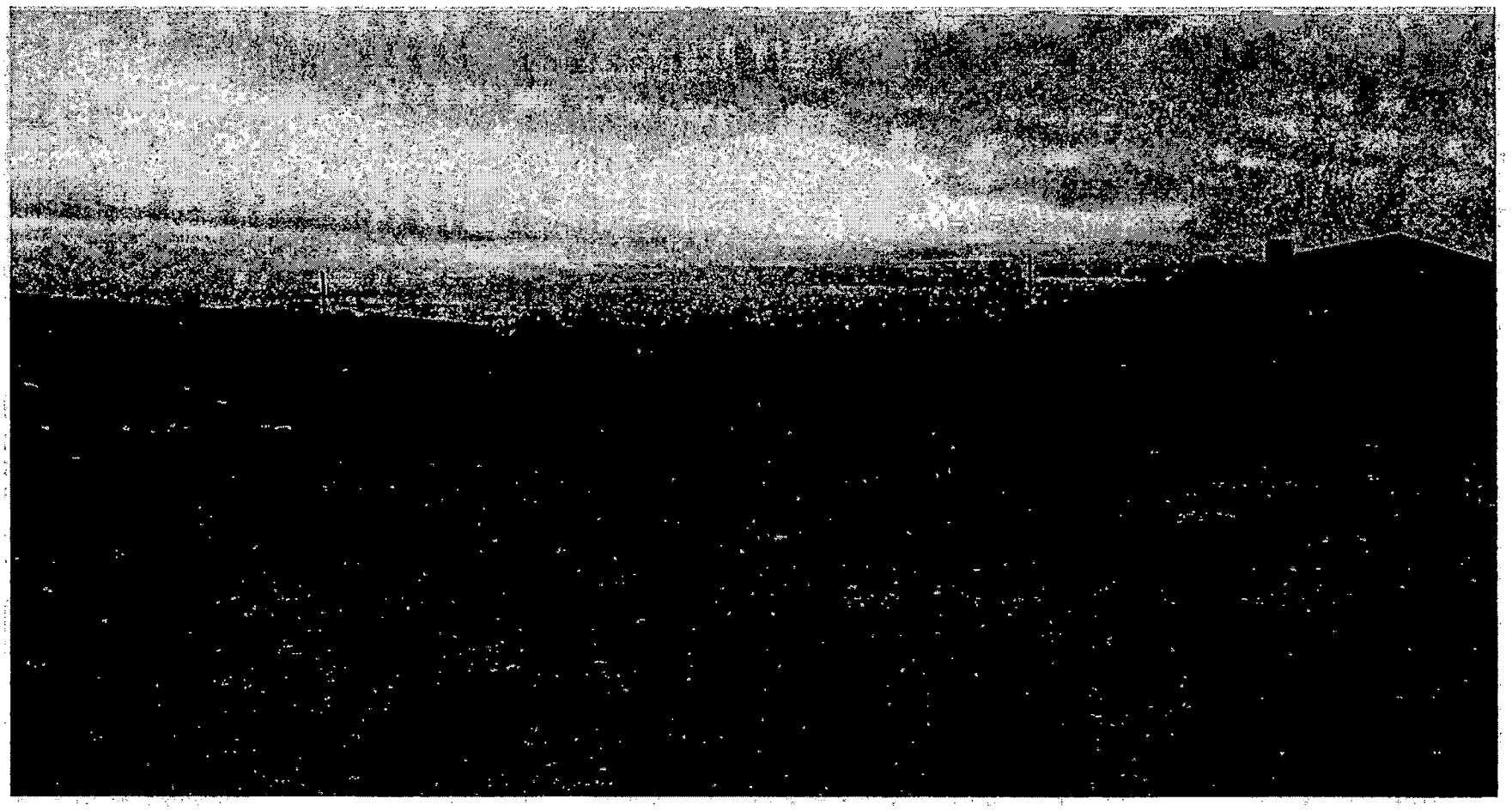
Sheet Title: GENERAL NOTES
Job Name: MIRRCH INVESTMENTS, LLC AT LAS VEGAS, NEVADA

Project No.: CV-03-005
Date:
Drawn By: LAS
Check By: RN
Sheet No.: C-1



SUP-3407 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 770 FEET WEST OF RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



SUP-3407 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 770 FEET WEST OF RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

SDR-3404 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review, a Reduction in the amount of required perimeter landscaping and a Waiver of the parking lot landscaping standards FOR A PROPOSED AUTO DEALER INVENTORY STORAGE FACILITY on 2.54 acres adjacent to the south side of Charleston Boulevard, approximately 770 feet west of Rainbow Boulevard (APN: 163-03-501-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - 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	

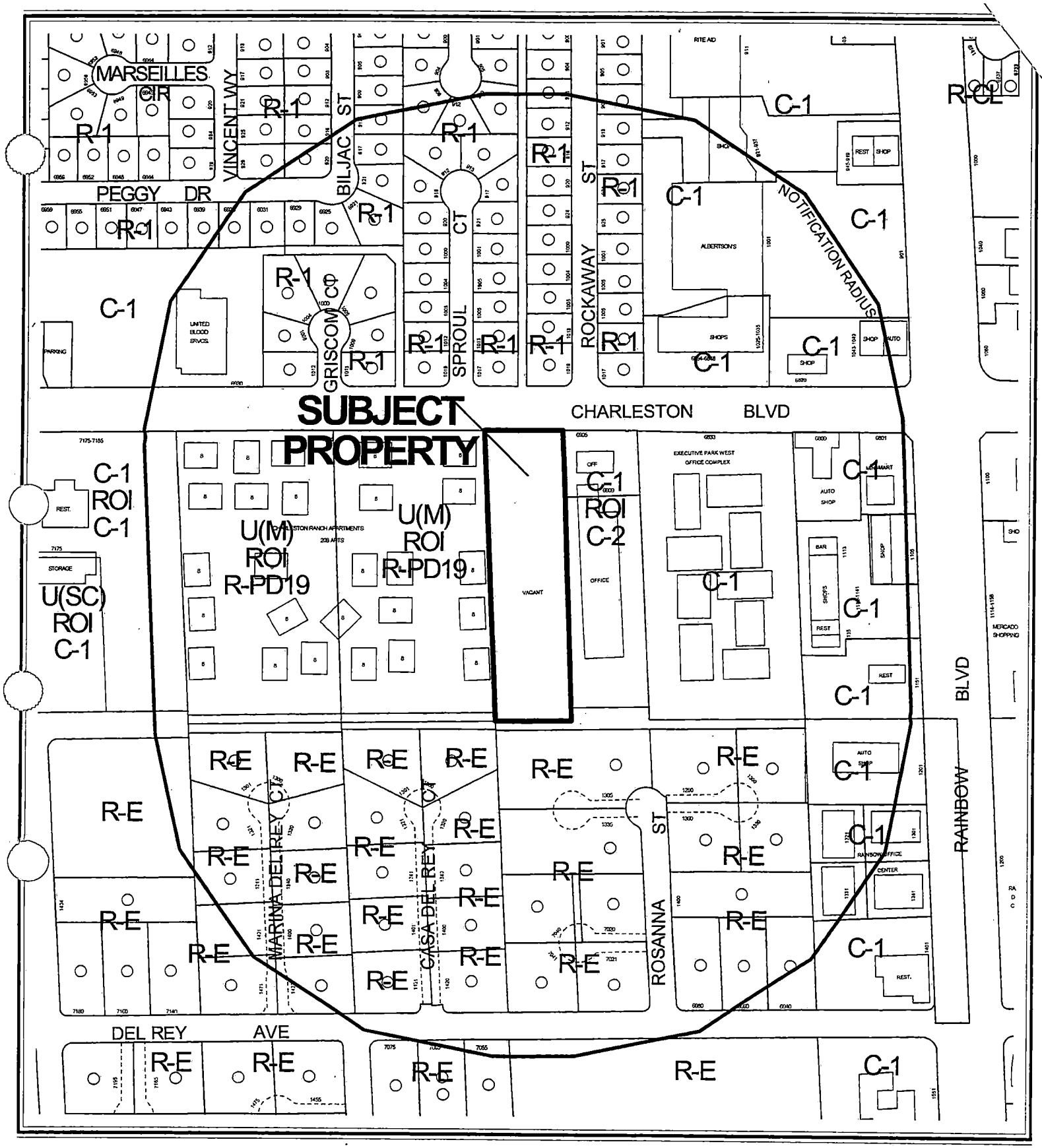
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN - DENIED – UNANIMOUS

This is Final Action.

MINUTES:
NOTE: See Item 36 [SUP-3407] for related discussion.
(8:28 – 8:40)



0 200 400 Feet

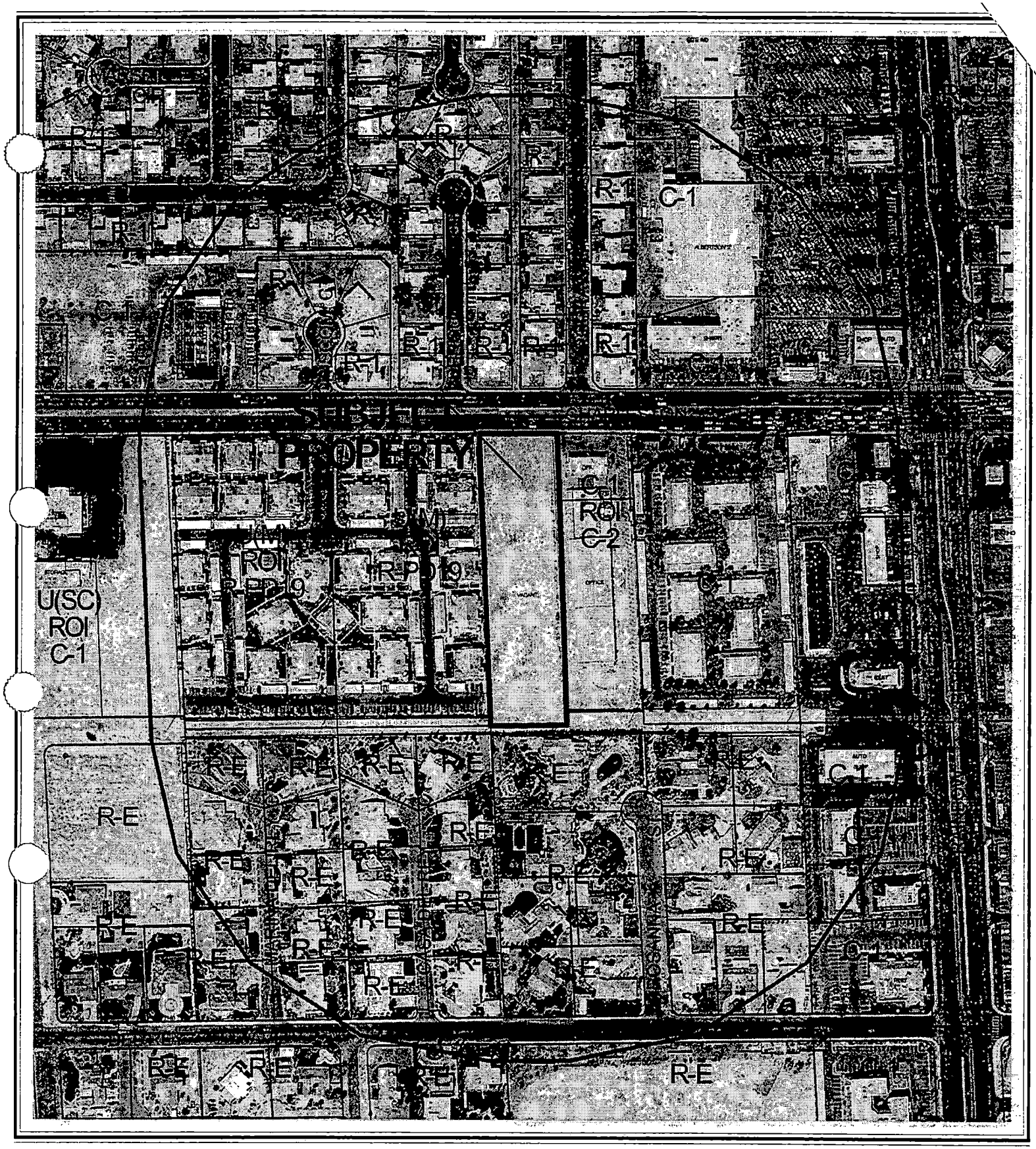
CASE: **SDR-3404**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N



0 200 400 Feet

CASE: **SDR-3404**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3404 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

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

2. All development shall be in conformance with the Conditions of Approval for Special Use Permit [SUP-3407], and with the site plan and building elevations submitted, 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 revised layout in which the dimensions of the parking capsules and the drive aisle widths meet the standards of the Code.

4. Delivery of vehicles to be stored on the site shall be done exclusively by driving the vehicles to and from the site; truck deliveries are prohibited. Only new dealership vehicles shall be stored on this site; no wrecked, dismantled or repaired vehicles from the adjacent Auto Paint and Body Shop operation shall be stored on this lot at any time.

5. The applicant shall submit a cross-lot access agreement that guarantees access to this site through the adjacent parcel to the east (APN: 163-03-501-007), currently under the same ownership as the subject parcel, prior to the issuance of any building permits for the project. The city shall be a party to this agreement.

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 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 in front of the site, and 30 feet on-center around the internal site perimeters, with the exception of the east perimeter, and to provide a plant schedule as part of the landscape plan.

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

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

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. 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. Provide a copy of a recorded Joint Access between this site and the adjoining parcel to the east prior to the issuance of any permits.

16. 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.

17. Construct all incomplete half-street improvements on Charleston Boulevard as required by the Department of Public Works adjacent to this site concurrent with development.

18. Submit an application for an Occupancy Permit from the Nevada Department of Transportation for any landscaping and improvements along Charleston Boulevard within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.

GL

19. Meet with the Flood Control Section of the Department of Public Works to determine the limits of dedication for the Holmby Channel and the limits of any vacations, if required, adjacent to this site. Provide the dedications and/or vacations as recommended by the Flood Control Section of the Department of Public Works prior to the issuance of any permits for this site.

20. 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 $65.00 per linear foot of Holmby Channel Frontage adjacent to this site, such monies 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.

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

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

GL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a 312-space Auto Dealer Inventory Storage Facility and Waivers of perimeter buffering, landscaping and parking lot landscaping standards, on the 2.57-acre site, adjacent to the south side of Charleston Boulevard, approximately 800 feet west of Rainbow Boulevard. Approval of this request will allow for the development of a paved outdoor area that will be used to store as many as 312 new cars on the site. The Planning Commission will concurrently review companion application SUP-3407, for the Auto Dealer Inventory Storage Facility use.

B) Applicant's Justification

The applicant has justified this request by stating that this facility will serve as overflow vehicle storage for the three dealerships that he provides service for at the adjacent body shop that he owns and operates. He has justified the request for the Waivers by stating that the site will be used to store inventory only and will not be not open to the public.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86	The City Council approved a petition (A-0009-85) to annex 1,509 acres of land, including a portion of the subject site. The effective date of the annexation was 03/28/86.
05/01/96	The City Council approved a request for a Rezoning (Z-0034-96) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 04/11/96.
09/08/97	The City Council approved a request for a Reinstatement and Extension of Time (Z-0034-96(1)) for an approved restaurant, lounge and mini-storage facility on the subject site. The Planning Commission recommended approval on 08/14/97.
09/03/03	The City Council approved requests affecting the adjacent 2.27-acre site to the east, under the same ownership as the subject parcel, for a General Plan Amendment (GPA-2479) to change the land use designation from SC (Service Commercial) to GC (General Commercial), a Rezoning (ZON-2480) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under

Resolution of Intent to C-1 (Limited Commercial) Zone and C-1 (Limited Commercial) Zone to C-2 (General Commercial) Zone, and a Special Use Permit (SUP-2481) for an Auto Paint and Body Repair Shop. The Planning Commission recommended denial of all three applications on 07/10/03. Staff had recommended denial of these applications.

01/08/04 The Planning Commission will consider a companion request for a Special Use Permit (SUP-2407) to allow an Auto Dealer Inventory Storage facility on the subject site.

B) Pre-Application Meeting

10/21/03 At the pre-application meeting, the applicant was advised to consult with Nevada Department of Transportation regarding access from the site to Charleston Boulevard, a state highway. The applicant was further advised that the proposed gated entryway will have to meet approved traffic engineering standards, and that a detailed site plan would need to show how the proposed us will be screened from view of passing traffic as required by Code, and to show how the project will meet parking and landscaping standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.57

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Single Family Dwellings
East:	Auto Body Repair Shop
West:	Apartments

C) Planned Land Use

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

GL

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	R-1 (Single Family Residential)
South:	R-E (Residence Estates)
East:	C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial)
West:	U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-PD19 (Residential Planned Development - 19 Units per Acre)

E) General Plan Compliance

This site is located on the Southwest Sector Map of the General Plan. On this map, the site is designated as SC (Service Commercial). This land use designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

The C-1 (General Commercial) zoning district, which currently applies to the site, is an appropriate zoning district within the SC (Service Commercial) land use designation. The proposed Auto Dealer Inventory Storage Facility use would be allowed within the context of the existing land use and zoning that applies to the site, subject to the approval of the companion Special Use Permit (SUP-3407).

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

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" if it requires a Special Use Permit and is located within 500 feet of Clark County or the City of North Las Vegas. As the subject site is located beyond this distance, no interagency notification was required.

GL

PROJECT DESCRIPTION

The project consists of a paved asphalt parking lot covering virtually the entire site, with the exception of the required 15-foot front perimeter buffer area, and the eight-foot side and rear perimeter areas. The north, south and west perimeters will be landscaped, but the one adjacent to the auto repair shop to the east will not. The site will be fully walled, with a sliding gate that will connect the parcel with the parcel to the immediate east, occupied by the owner's existing body repair shop operation, and an emergency access gate in the rear wall on the south boundary of the property. The project will include 312 outdoor spaces. Parking lot lighting is proposed, but parking lot landscaping is not.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

C-1 Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	100 Feet	170.76 Feet	Y
Min. Setbacks			
• Front	20 Feet	No building	N/A
• Side	10 Feet	No building	N/A
• Rear	20 Feet	No building	N/A
Max. Lot Coverage	50 %	No building	N/A
Max. Building Height	None	No building	N/A
Trash Enclosure			N/A
Loading Zone			N/A

The project meets the applicable minimum lot width standard of the Code.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, there are no specific Parking Standards that apply to an Auto Dealer Inventory Storage use, as the principal role of this use is the storage of cars. A total of 312 spaces are to be provided. The applicant has modified the original site plan to ensure that the design of the parking area meets the dimensional standards of Title 19.10.

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 (312 spaces)	52 Trees	None
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet along street + 1 Tree (170 Feet)	10 Trees	12 Trees
	1Tree/30 Linear Feet along internal perimeters + 1 Tree (1,572 Feet)	54 Trees	40 Trees
• Min. Zone Width	15 Feet in front 8 Feet along internal perimeters		15 Feet 8 Feet
• Wall height	6 Feet		6 Feet

The project as proposed is deficient with respect to parking lot landscaping; however, the applicant has requested a Waiver of these standards as the lot is a storage facility and will not be accessible to the general public. The application is also deficient with respect to the amount of perimeter landscaping, although this deficiency can be attributed to the elimination of any landscaping along the east boundary, where the site is contiguous to the owner's auto body repair business; this was also requested as part of the Waivers appended to this site plan.

The amount of trees proposed in front of the site will comply with the Code, but the amount of perimeter landscaping is deficient along the east side of the site. This is the basis of one of the Waiver requests. The landscape plan indicates the size and type of trees proposed, and shows the use of an eight-foot CMU wall at the rear of the site.

A5) Sign Standards

No signage is proposed to be developed on the subject site.

B) General Analysis and Discussion

- Zoning

GL

The subject site is currently zoned C-1 (Limited Commercial) Zone. Auto Dealer Inventory Storage uses are permitted in the C-1 zoning district by approval of a Special Use Permit, subject to five conditions. Although allowed by Special Use Permit in the C-1 zoning district, such a use would be far more appropriate in a general commercial or industrial setting, and located as an ancillary use to the dealership it is intended to serve. To allow this project as a freestanding use directly adjacent to apartment development, with low-density residential development to the south and across Charleston Boulevard to the north, is inappropriate. The storage of vehicles at this location does not represent the highest and best use of this site. Compliance with the listed conditions is evaluated in the companion Special Use Permit (SUP-3407) case report. As the recommendation for the Special Use Permit is for denial, therefore the recommendation on this Site Development Plan Review is likewise for denial.

- Site Plan

  The project consists of a paved asphalt parking lot covering virtually the entire site, with the exception of the required 15-foot front perimeter buffer area, and the eight-foot side and rear perimeter areas. The site plan as proposed appears to comply with the development standards set forth in the Zoning Code, with the exception of those matters which are the subject of a Waiver request that forms part of this Site Development Plan Review application, and which are discussed below.

- Waivers

  The applicant has requested a Waiver of the following standards of the Zoning Code:

  i. Reduction of perimeter landscaping – perimeter landscaping will be provided to meet Code standards except along the east property line of the site. As the east property line abuts the owner's auto body repair business, granting this Waiver is appropriate; and
  ii. Waiver of parking lot landscaping standards – landscaping within the parking area is to only be provided on islands at each end of the two double rows of parking. Although the project is intended for storage only and will not be accessible to the general public, the site will still be clearly seen from the adjacent apartments to the immediate west of the site. The lack of any parking lot landscaping will increase the negative visual impact of a large area of cars; therefore, granting the Waiver is not appropriate.

- Landscape Plan

  The landscape plan depicts the locations of trees to be planted, including 24" box Mondale Pines along the west edge of the site and 24" box Red Oak along the northern frontage of the site. Although the proposed planting will meet Code requirements along the west, south and north sides of the site, the storage area will still be visible from the apartment area to the west.

GL

- Elevations

  As there are no structures proposed for this project, there are no elevations.

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 Auto Dealer Inventory Storage use that is proposed for the site is not appropriate in the context of nearby low-density residential uses to the north and south, and medium-density residential uses to the west of the site. It will be the only auto-oriented use in the area, other than the applicant's adjacent approved body shop, which is an indoor operation and is accessed from the east side of the building which is not visible from the nearby residential areas.

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 allowed under the existing SC (Service Commercial) land use designation and the existing C-1 (Limited Commercial) zoning district that apply to the site, subject to the approval of the companion Special Use Permit (SUP-3407). Since the Special Use Permit is recommended for denial based on inappropriateness of the use on this site and potential impact on adjacent uses, the Site Development Plan Review is therefore also recommended for denial. The project also contains a request for Waiver of certain landscaping and buffering standards as found in the Code.

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

   The site has access from Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways; however, the site will be accessed through the adjacent parcel to the east; both parcels have the same owner. A condition of approval will require a cross-lot access agreement. The adjacent site also has direct access to Charleston Boulevard, which has adequate capacity to accommodate the demands of the proposed use. The subject parcel also has direct access to the Holmby Avenue alignment to the south, and emergency access gates to that area, which is used for drainage purposes, are shown on the site plan.

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

There are no building materials to be used in this project, other than perimeter block walls, which are required to be decorative walls, and a paved parking surface. These materials should be appropriate for the context of the area.

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

There are no buildings or structures proposed as part of this project. The perimeter walls will be decorative walls, with landscaping in the south, west and north perimeter buffers of the site. Although the site will be walled and paved, the presence of over 300 cars on the site will present an undesirable appearance to the immediately adjacent apartment development.

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

There are five conditions for the development of an Auto Dealer Inventory Storage use. As indicated in the case report for the companion Special Use Permit application, although the proposed development does not appear to directly conflict with the listed conditions, the placement of an auto-oriented use on this site will not be harmonious with adjacent and nearby residential uses to the north, west and south of the subject site.

Additionally, 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 109 (Mailed with SUP-3407)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3404 APN: 163-03-501-006

Name of Property Owner: MIRRCH INVESTMENTS LLC.

Name of Applicant: MIRRCH INVESTMENTS LLC. (MICHAEL IANNUCCILLI)

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

_____ Yes ___✓___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

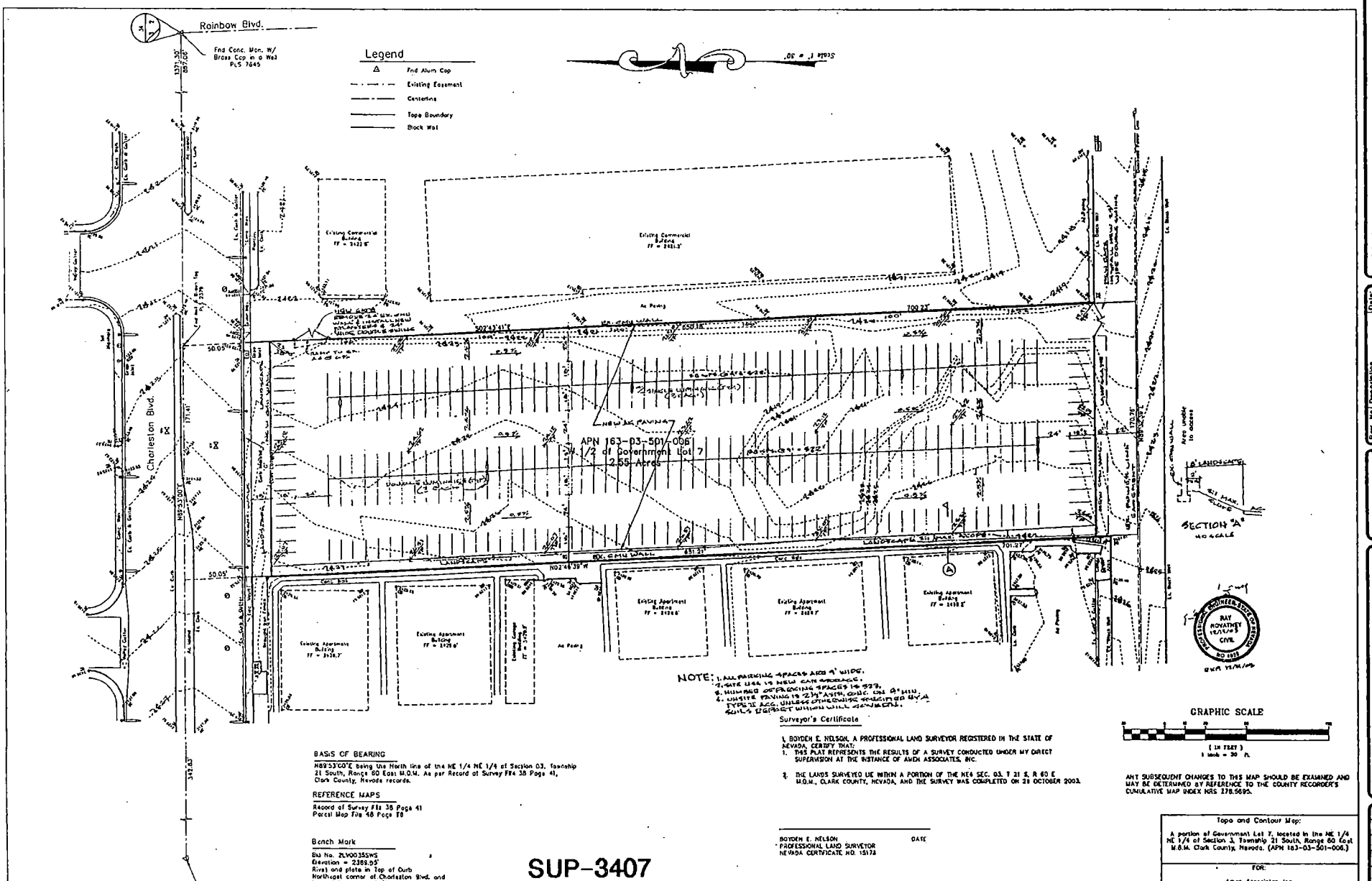
Subscribed and sworn before me

This 4 day of November, 2003

_____

Notary Public in and for said County and State Clark - Nevada

BONNIE JEAN MOE
NOTARY PUBLIC - STATE OF NEVADA
APPOINTMENT REPORTED IN CLARK COUNTY
Date Appointment Exp: 03-15-2005
Certificate No:93-2985-1



BASIS OF BEARING

N89°53'00"E being the North line of the NE 1/4 NE 1/4 of Section 03, Township 21 South, Range 60 East M.D.M. As per Record of Survey File 38 Page 41, Clark County, Nevada records.

REFERENCE MAPS

Record of Survey File 38 Page 41
Parcel Map File 48 Page 78

Bench Mark

BM No. ZLV00355WS
Elevation = 2389.95'
Rivet and plate in Top of Curb
Northeast corner of Charleston Blvd. and Lorenzi Street. NAVD '88

Fnd Nail & Brass Tag PLS 2697

Surveyor's Certificate

I, BOYDEN E. NELSON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF AMEN ASSOCIATES, INC.
2. THE LANDS SURVEYED LIE WITHIN A PORTION OF THE NE¼ SEC. 03, T 21 S, R 60 E M.D.M., CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON 28 OCTOBER 2003.

BOYDEN E. NELSON — DATE
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 15178

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX NRS 278.5695.

Topo and Contour Map:

A portion of Government Lot 7, located in the NE 1/4 NE 1/4 of Section 3, Township 21 South, Range 60 East M.D.M. Clark County, Nevada. (APH 163-03-501-006.)

FOR:
Amen Associates, Inc.

By:	SCALE:	DATE:
BEN	1" = 30'	30 October 2003

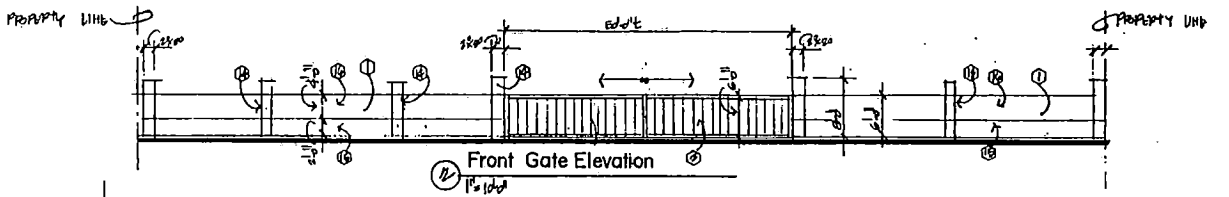
SUP-3407
SDR-3404
01-08-04 PC

AMEN ASSOCIATES, INC.
Civil and Structural Consultants
6480 West Spring Mountain, Suite.
Las Vegas, Nevada 89146
Phone: (702) 562-9556 Fax: (702) 562-9557

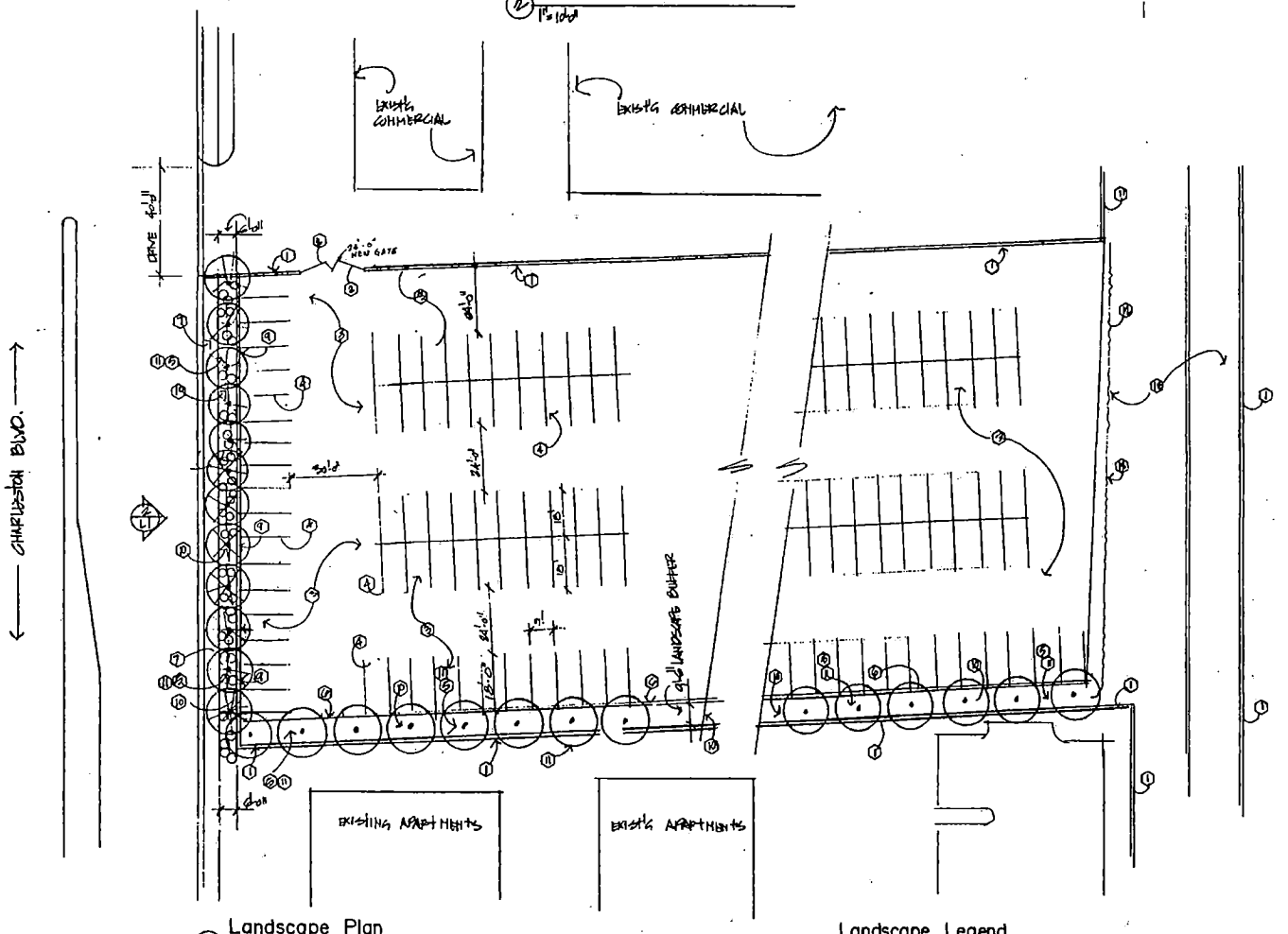
Rev. No.	Description	Date

Sheet Title: GENERAL NOTES
Job Name: MIRBCH INVESTMENTS, LLC AT LAS VEGAS, NEVADA

Project No.: 01-03-001
Date:
Drawn By: MS
Check By: BN
Sheet No.: C-1



Front Gate Elevation
1" = 10'-0"



Landscape Plan
1" = 20'-0"

KEY NOTES

1. 8' CHU PROPERTY WALL 6' HIGH AFF.
2. METAL GATES W/ SCREEN MESH 6'-0" HIGH
3. ASPHALT PAVING
4. PARKING LOT STRIPPING
5. LANDSCAPE AREA
6. CONC. CURBS
7. CONC. SIDEWALK
8.
9. 8' CHU SCREEN WALL 6'0" HIGH
10. 3/4" @ GRANITE 'PBD' MULCH OVER ENTIRE PLANTER AREA
11. ALL LANDSCAPING TO BE IRRIGATED AND MAINTAINED CONT.
12. EDGE OF ASPHALT
13. DIRT AREA
14. CHU PILASTER 6'-0" WIDE
15. SMOOTH FACE CHU - 8" LIGHT BEIGE COLOR
16. SPLIT FACE CHU - 8" DARK BROWN

Landscape Legend

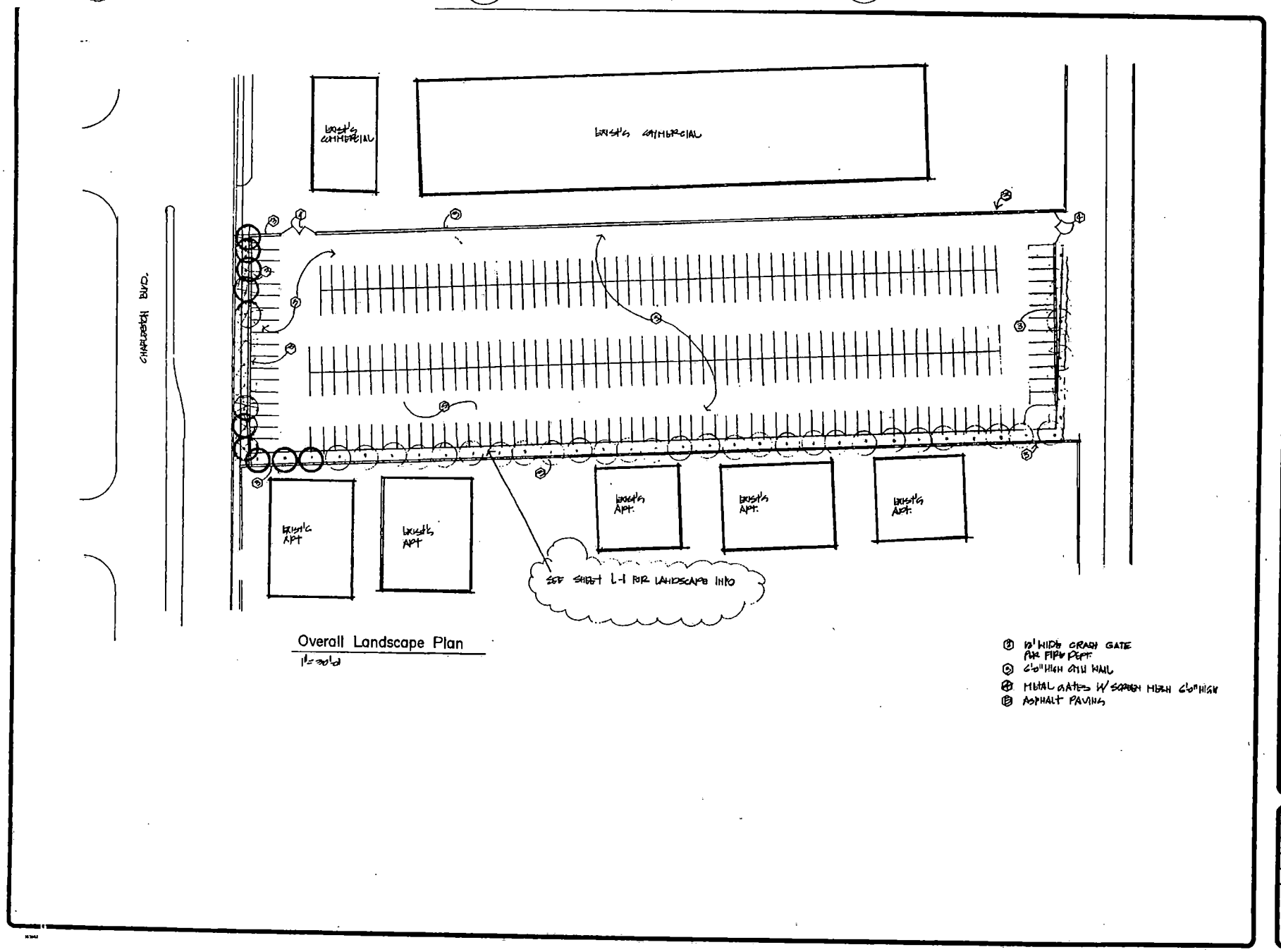
- 24" BOX TREE @ 20'-0" OC "MONTEREY PINE" 38 TOTAL
- 24" BOX TREE @ 20'-0" OC "RED OAK" 8 TOTAL
- 15 GALLON SHRUBS @ 4'-0" OC "TEXAS SAGE" TO COVER 60% OF GROUND @ PLANTER AREA
  600 SF OF PLANTER AREA ON CHARLESTON = 400 SF OF TEXAS SAGE
- 3/4" @ GRANITE 'PBD' MULCH = 9,600 SF OF MULCH

REVISIONS	BY

Landscape Plan
Mirrch Investments, llc.

DRAWN: SK
CHECKED: MH
DATE: 12-15-03
SCALE:
JOB NO.
SHEET: L1
OF SHEETS

SUP-3407
SDR-3404
01-08-04 PC



Overall Landscape Plan

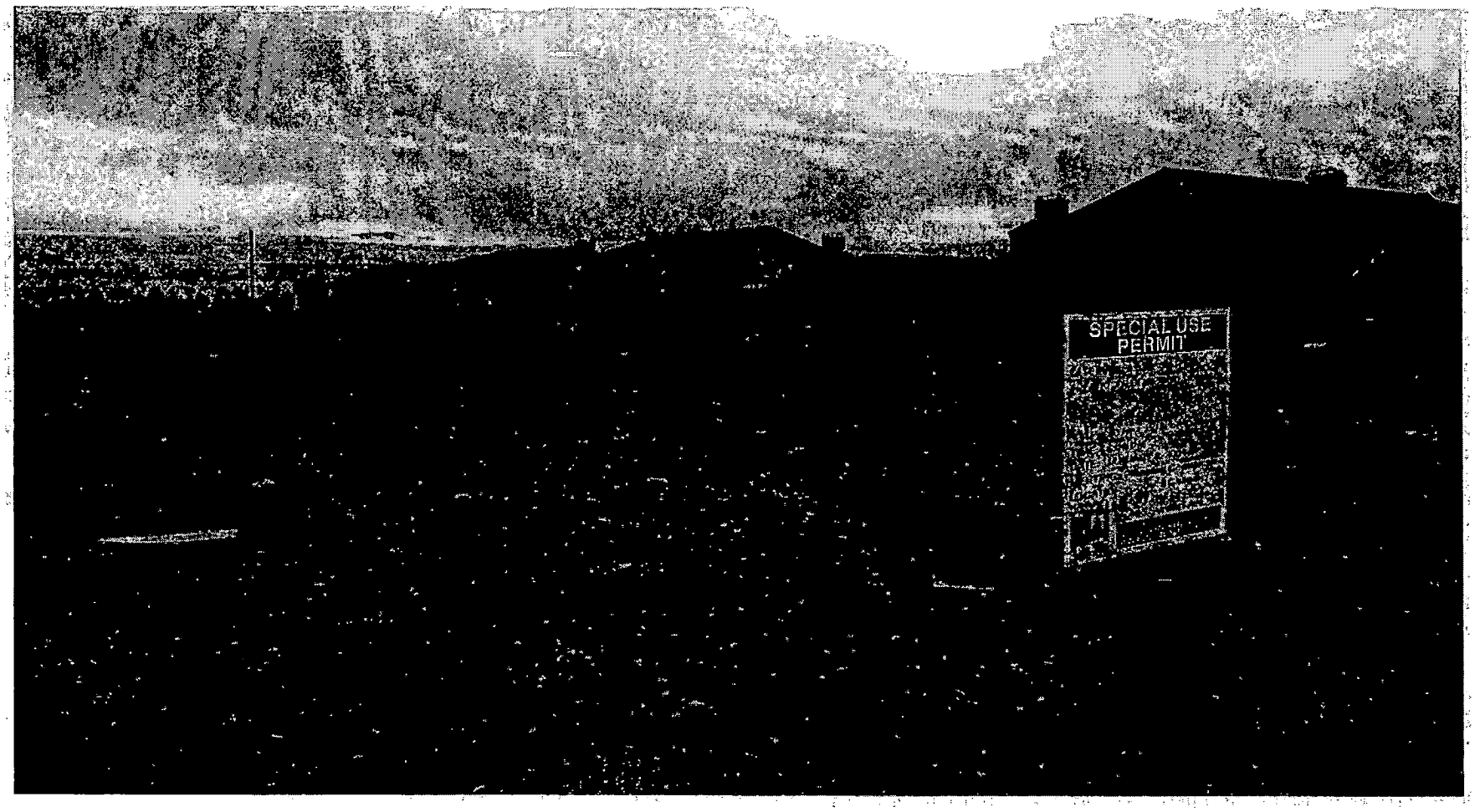
1"=30'-0"

REVISIONS	BY

Landscape Plan
Mirrch Investments, llc.

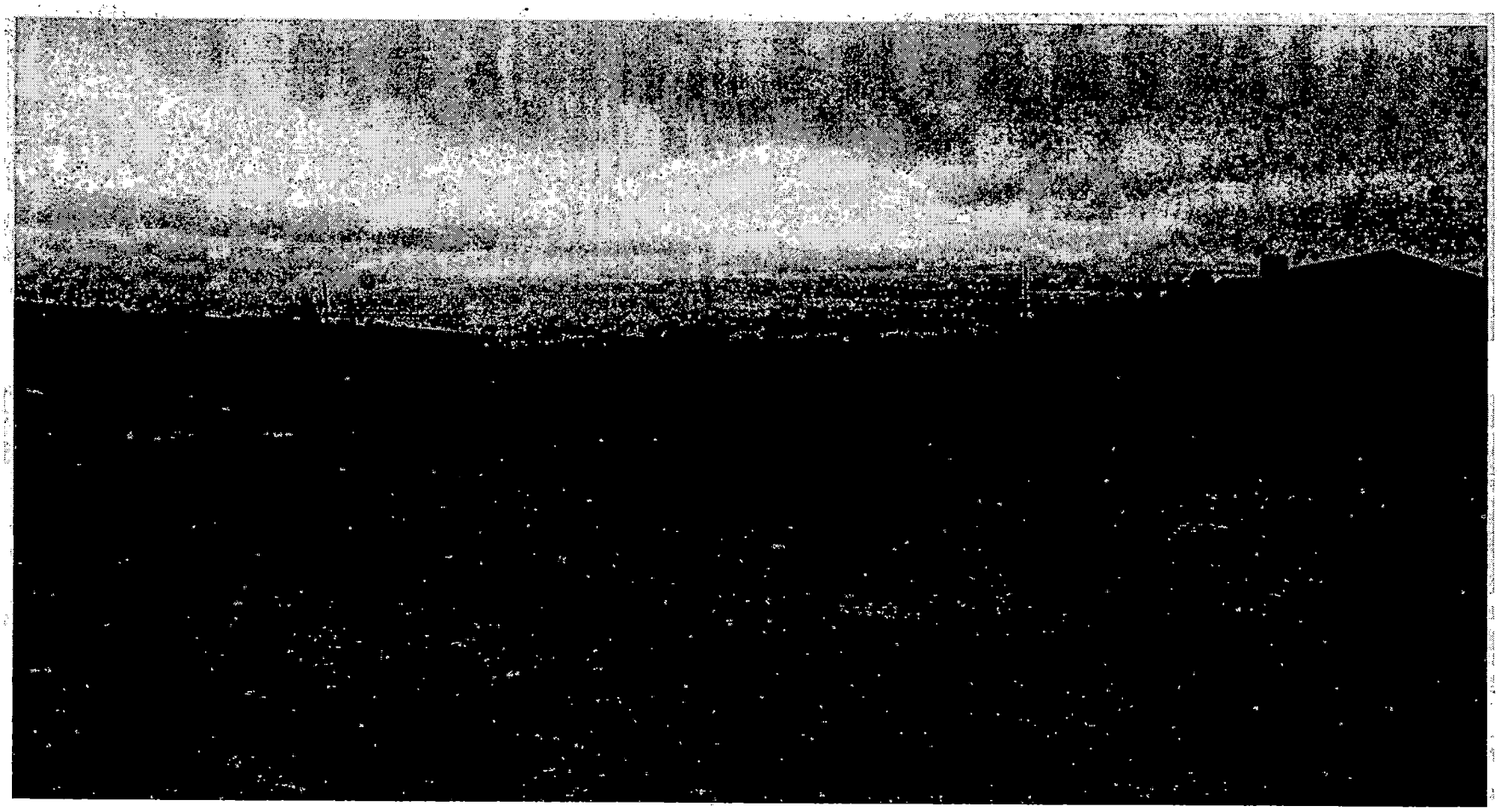
DESIGNED
DRAWN
CHECKED
DATE 11-18-03
SCALE
JOB NO.
SHEET L2
OF SHEETS

SUP-3407
SDR-3404
01-08-04 PC



SDR-3404 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 770 FEET WEST OF RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



SDR-3404 - MICHAEL IANNUCCILLI ON BEHALF OF MIRRCH INVESTMENTS, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 770 FEET WEST OF RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3285 - LAS VEGAS BILLBOARDS ON BEHALF OF NEVADA RECYCLING CORPORATION - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located adjacent to the southeast corner of Highland Drive and Western Avenue (APN: 162-04-703-001), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - 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 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development department, explained that current use of the property is a car-towing business. The site is designated Light Industrial Research as are the abutting properties. All requirements of Title 19 have been met as is the separation distance of the Code. Staff recommended approval subject to conditions.

VICKY TROY, 528 Goldhill Road, appeared on behalf of the applicant and concurred with staff recommendations.

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, asked whether the property was being properly maintained.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:40 – 8:42)

2-2231

CONDITIONS:

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. Only one advertising sign is permitted per sign face.

5. 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.

6. 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.

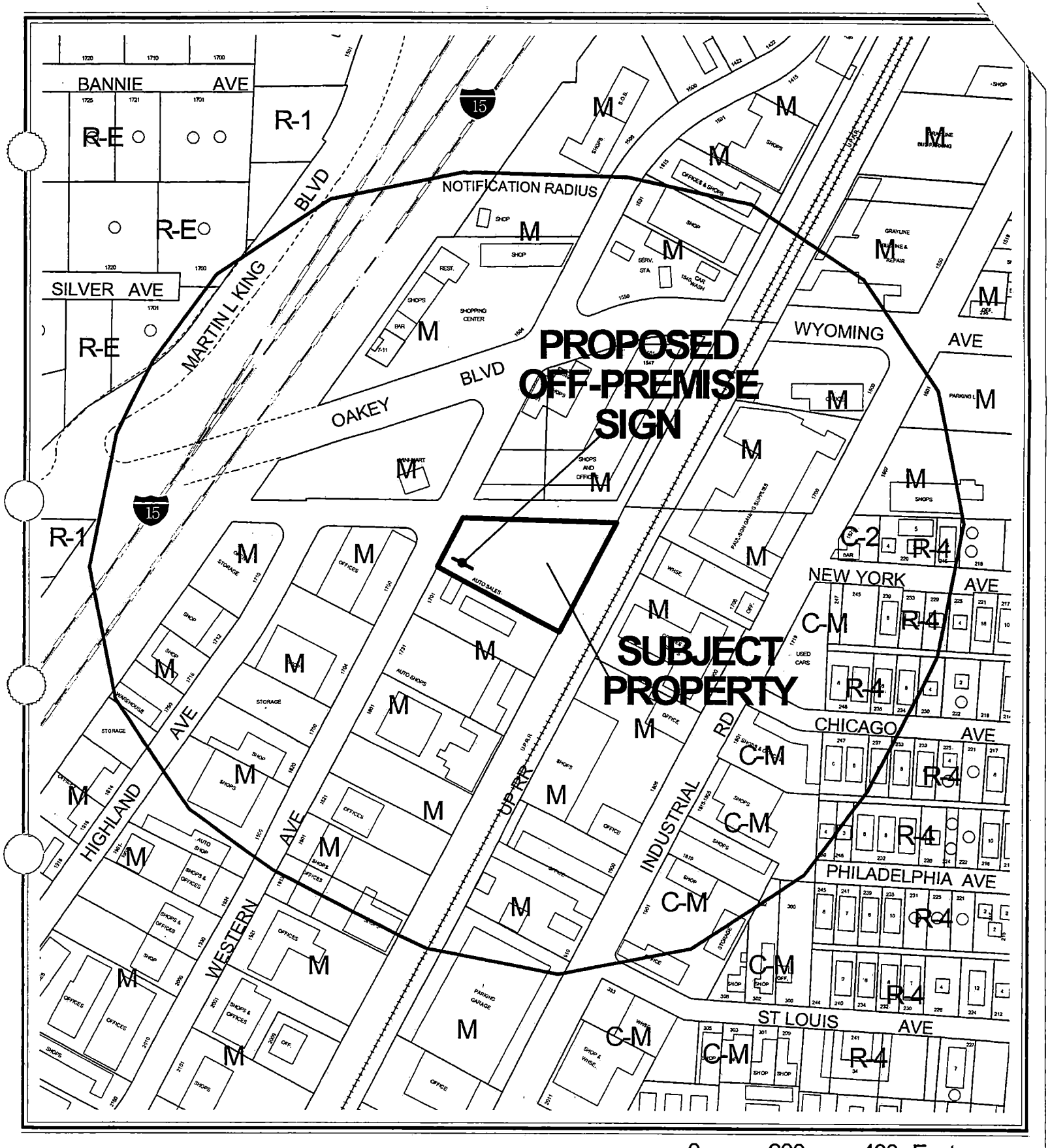
PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 38 – SUP-3285

CONDITIONS– Continued:

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

Public Works

8. 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.



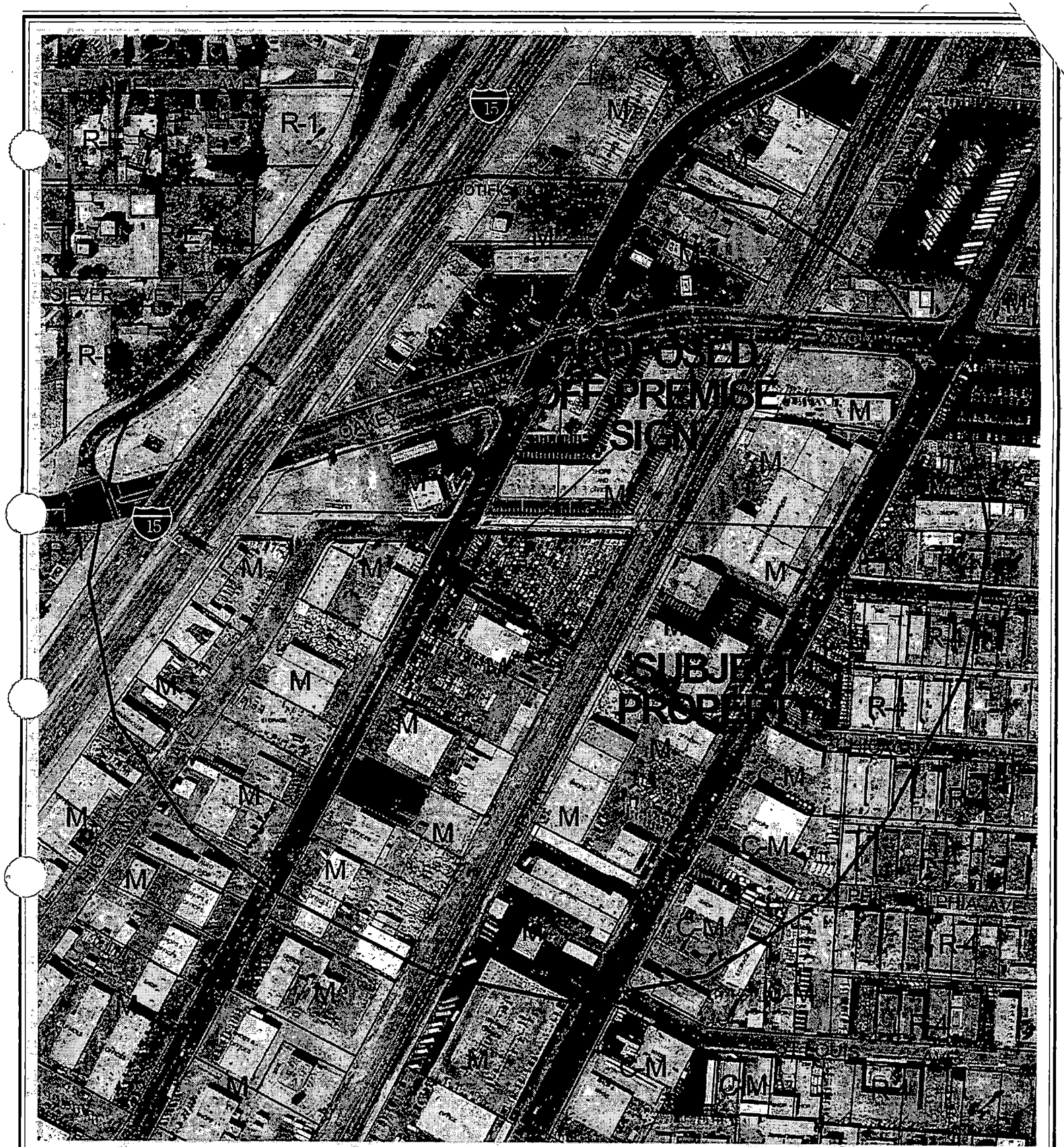
0 200 400 Feet

CASE: **SUP-3285**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 200 400 Feet

CASE: **SUP-3285**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3285 - LAS VEGAS BILLBOARDS ON BEHALF OF NEVADA RECYCLING CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, 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.

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

Public Works

8. 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.

** 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 adjacent to the southeast corner of Highland Drive and Western Avenue.

B) Applicant's Justification

The applicant's justification letter indicates that the proposed billboard structure meets or exceeds all zoning requirements, including setbacks, and separation distance requirements. Further, the parcel is M (Industrial) zoned and surrounded by other M (Industrial) zoned properties.

BACKGROUND INFORMATION

A) Previous Actions

10/21/92 The City Council approved a Special Use Permit (U-0225-92) to allow an Automobile Pawn business on the subject site. The Board of Zoning Adjustment recommended approval on September 22, 1992. The Planning and Development Department staff recommended approval. A Business Licensing inspection conducted on January 6, 2003 indicated that the auto auction and sales use was out of business; therefore, the license was expired. The automobile towing business is the only current operating business on the subject site.

04/16/03 The City Council approved a Required Five-Year Review (RQR-1704) and (RQR-1708) of an approved Variance [V-0024-88(2)] and [V-0026-88(2)] which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at a height of 65 feet, where 40 feet is the maximum height allowed and to allow the sign to be 730 feet from another Off-Premise Advertising (Billboard) Sign where 750 feet is the minimum distance separation required at 1716 Highland Avenue and 2002 Highland Avenue, which is approximately 650 feet and 1,300 feet southwest of the subject site, respectively. The Planning Commission recommended approval on February 27, 2003. Planning and Development Department staff recommended denial of both applications.

TB

B) Pre-Application Meeting

09/04/03 Special Use Permit submittal requirements were discussed including required revisions to the submitted site plan. In addition, Off-Premise Advertising (Billboard) Sign design and locational requirements were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.55

B) Existing Land Use

Subject Property:	Automobile Towing business
North:	Retail shops and offices
South:	Building Supplies and Hardware sales business
East:	Print Shop, Office/Industrial Complex
West:	Office Complex

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial)
West:	M (Industrial)

E) General Plan Compliance

The subject site is designated LI/R (Light Industry / Research) on the Southeast Sector Map of the General Plan. The M (Industrial) zoning designation, which is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses, is in compliance with the LI/R (Light Industry / Research) category of the General Plan.

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

The subject site is not located within any special districts or planned development area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

The proposed Off Premise Advertising (Billboard) Sign will not create additional parking demand on-site, nor is the sign proposed to occupy any required on-site parking spaces; therefore, parking requirements are not effected by the subject land use application.

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 M Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other Off-Premise Sign (min.)	300 Feet	385 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	790 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	83 Feet	Y

TB

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 M (Industrial) zoning district with the approval of a Special Use Permit. The subject property is M (Industrial) zoned and is located on the east side of Western Avenue, south of Highland Drive, 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 is compatible with the surrounding area as the subject site and surrounding areas are M (Industrial) zoned and designated on the General Plan as Light Industry / Research. In addition, the proposed sign location meets all minimum distance separation requirements, is not located within any special planned areas or land use districts, and is not located within the Off-Premise Advertising (Billboard) Sign exclusionary zone.

- Conditions

  In addition to the minimum distance separation conditions as listed under section A.a-2 section 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.

TB

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.

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 can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as the subject property and surrounding properties are M (Industrial) zoned which is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. Further, the General Plan designation of surrounding properties is LI/R (Light Industry/Research) which establishes that the future land uses will remain industrial.

TB

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

   Currently, the subject site is utilized as an automobile towing business. The addition of the Off-Premise Advertising (Billboard) Sign will not change the primary use on the subject site. The sign will physically be located adjacent to an internal wall next to the vehicle storage area which will not effect on-site parking requirements. In addition, the sign is proposed in an area that is outside of the minimum distance separation requirements between other Off-Premise Signs or Residential zones, while maintaining minimum setback requirements from the right-of-way and the nearest street intersection; therefore, the subject site is physically suitable for the type and intensity of land use proposed.

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

   The subject site is located adjacent to Western Avenue, which is a dedicated 65-foot wide right-of-way. 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 56

APPROVALS 0

PROTESTS 0

TB

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3285 APN: 162-04-703-001

Name of Property Owner: NEVADA RECYCLING CORP

Name of Applicant: LAS VEGAS BILLBOARDS

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: David Bld

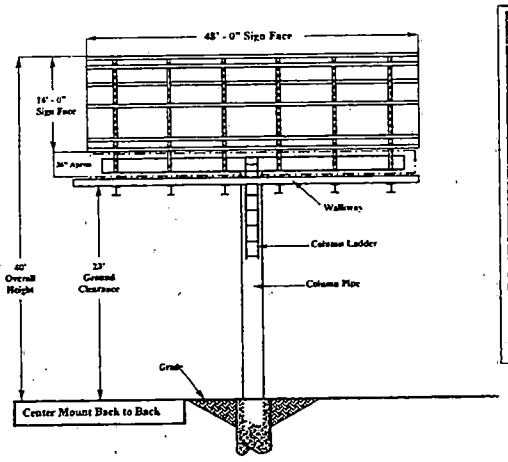
Print Name: David Baldwin

Subscribed and sworn before me

This 26 day of August, 2003

Notary Public in and for said County and State

LYNN COPRIVIZA
Notary Public State of Nevada
No. 01-71339-1
My appt. exp. Oct. 22, 2005



PROPERTY OWNER:	NEVADA RECYCLING CORP. P.O BOX 15430 LAS VEGAS, NV 89104
PROPERTY LOCATION:	S/E CORNER OF HIGHLAND DR. & WESTERN AVE. LAS VEGAS, NV 89102
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

APN: 162-04-703-001
ZONED: M
14' x 48' CENTER MOUNT BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO OTHER OFF-PREMISE SIGN WITHIN 750'
NO R-E ZONE WITHIN 300'
SCALE 1" = 30'

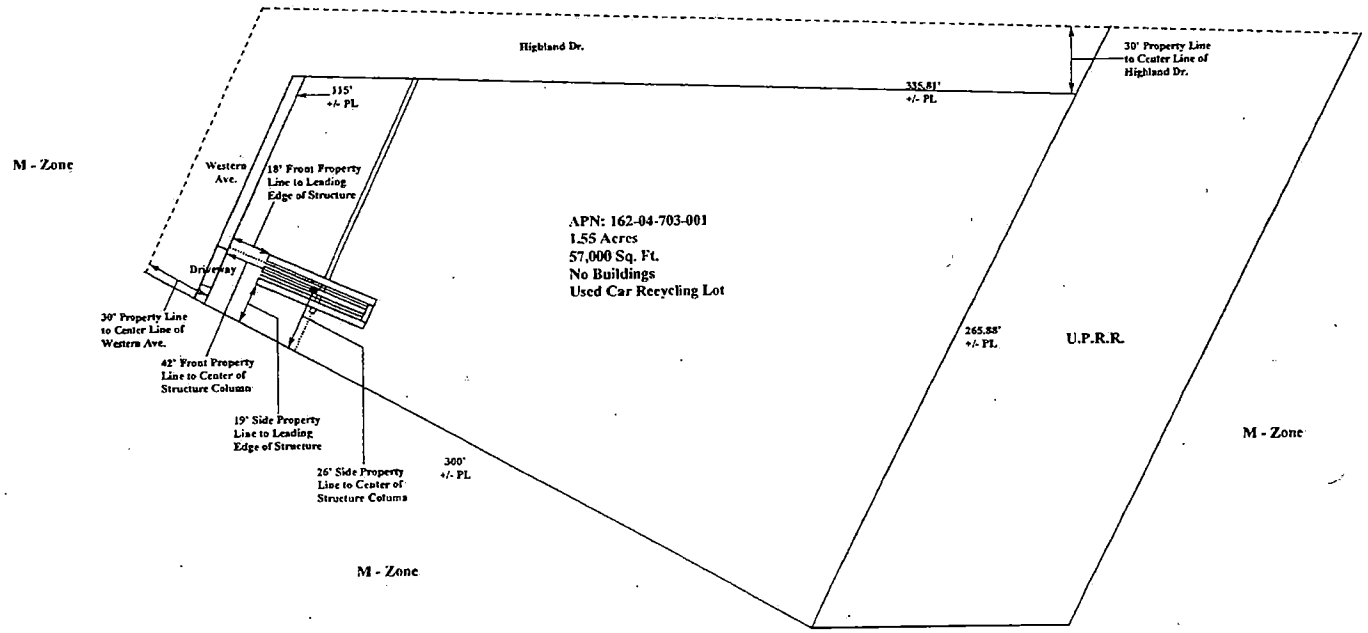
NORTH

SIGN ANALYSIS TABLE

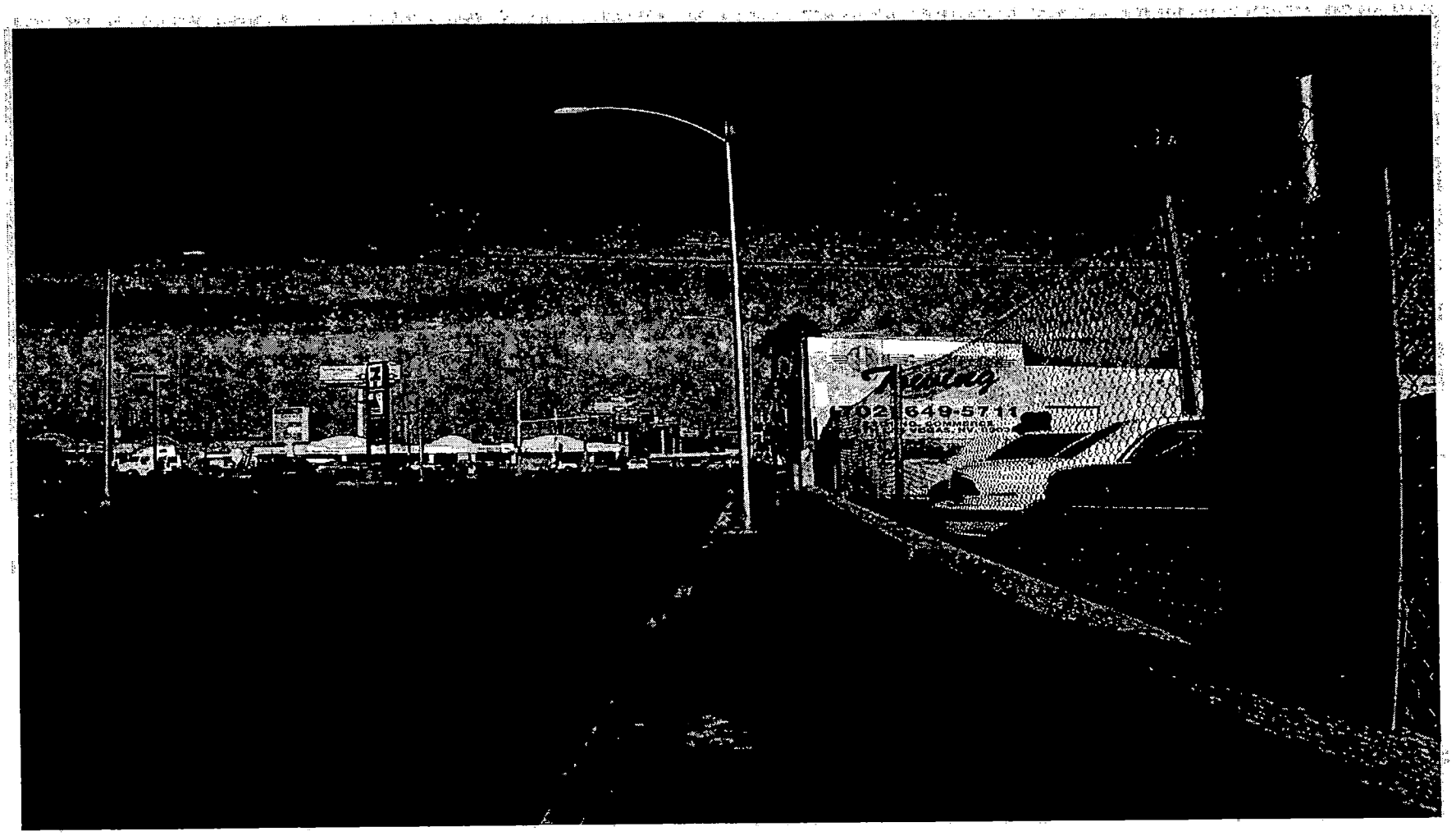
TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
18' FRONT SETBACK FROM WESTERN AVE. TO LEADING EDGE OF SIGN.
42' FRONT SETBACK FROM WESTERN AVE. TO CENTER OF COLUMN.
19' SIDE SETBACK FROM NORTH PROPERTY LINE TO LEADING EDGE OF COLUMN.
26' SIDE SETBACK FROM NORTH PROPERTY LINE TO CENTER OF COLUMN.

M - Zone

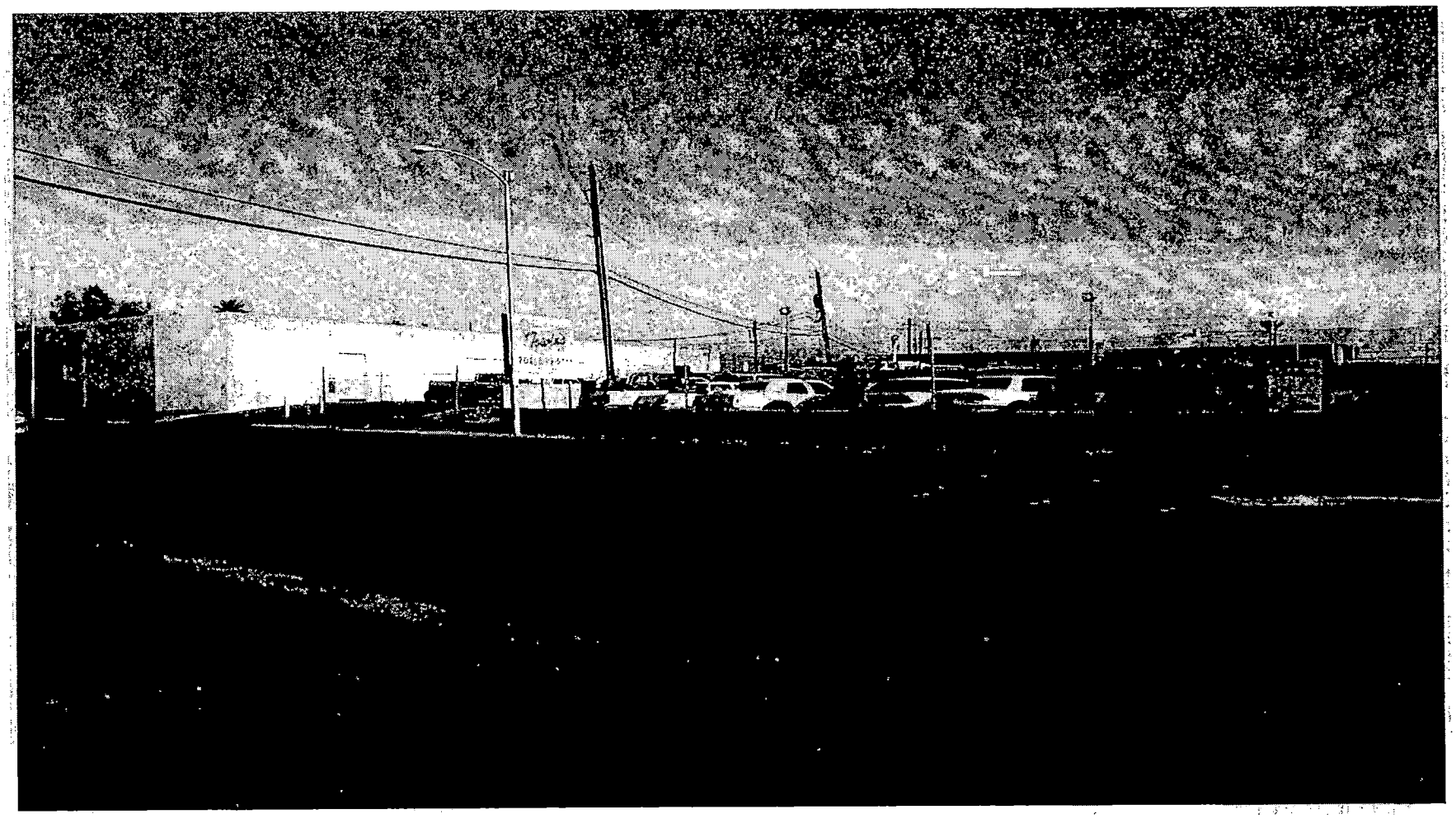


SUP-3285
01-08-04 PC



SUP-3285 - LAS VEGAS BILLBOARDS ON BEHALF OF NEVADA RECYCLING CORPORATION
SOUTHEAST CORNER OF HIGHLAND DRIVE AND WESTERN AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



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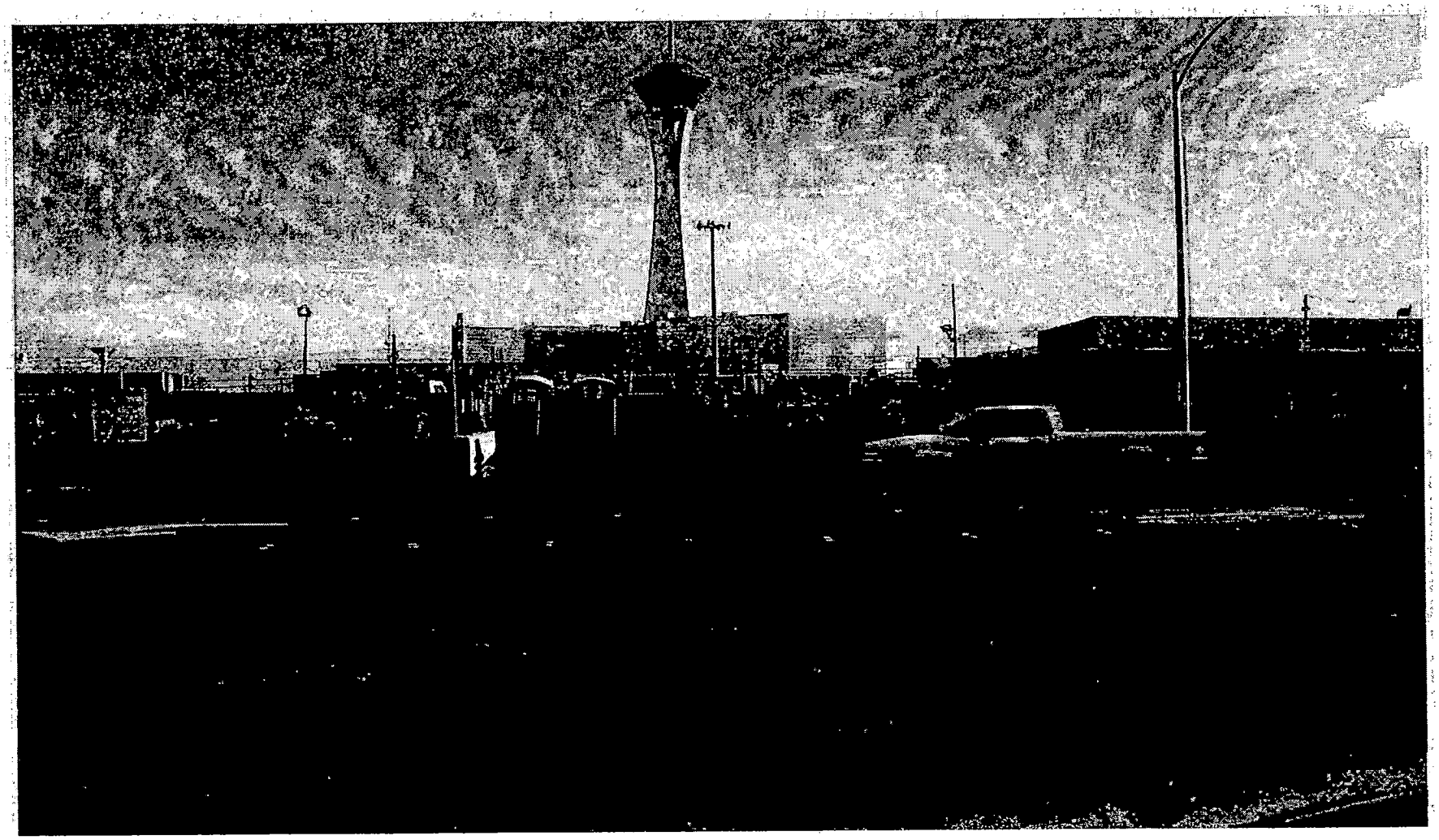

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SOUTHEAST CORNER OF HIGHLAND DRIVE AND WESTERN AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3359 - STERLING S DEVELOPMENT ON BEHALF OF QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS on property adjacent to the northeast corner of Maverick Street and Racel Street (APN: 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

C.C.: 02/04/04 - 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 with NIGRO abstaining as his firm is currently in litigation with Sterling S. Development and McSWAIN abstaining as her firm is currently doing work for Sterling S. Development

To be heard by the City Council on 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development department, explained that the applicant proposes a 14-lot subdivision, having a net lot size of 20,000 square feet. He noted that Public Works has identified that Maverick street at some point will need to vacated. The applicant indicated they will file a Petition of Vacation. Staff recommended approval subject to conditions.

MINUTES - Continued

LORA DREJA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. She stated that the Vacation Application was submitted on 12/29/2003. She concurred with staff recommendations and conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:42 – 8:44)

2-2340

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street use, including the identification of the portion of the site containing the Private Street as a common lot.

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.

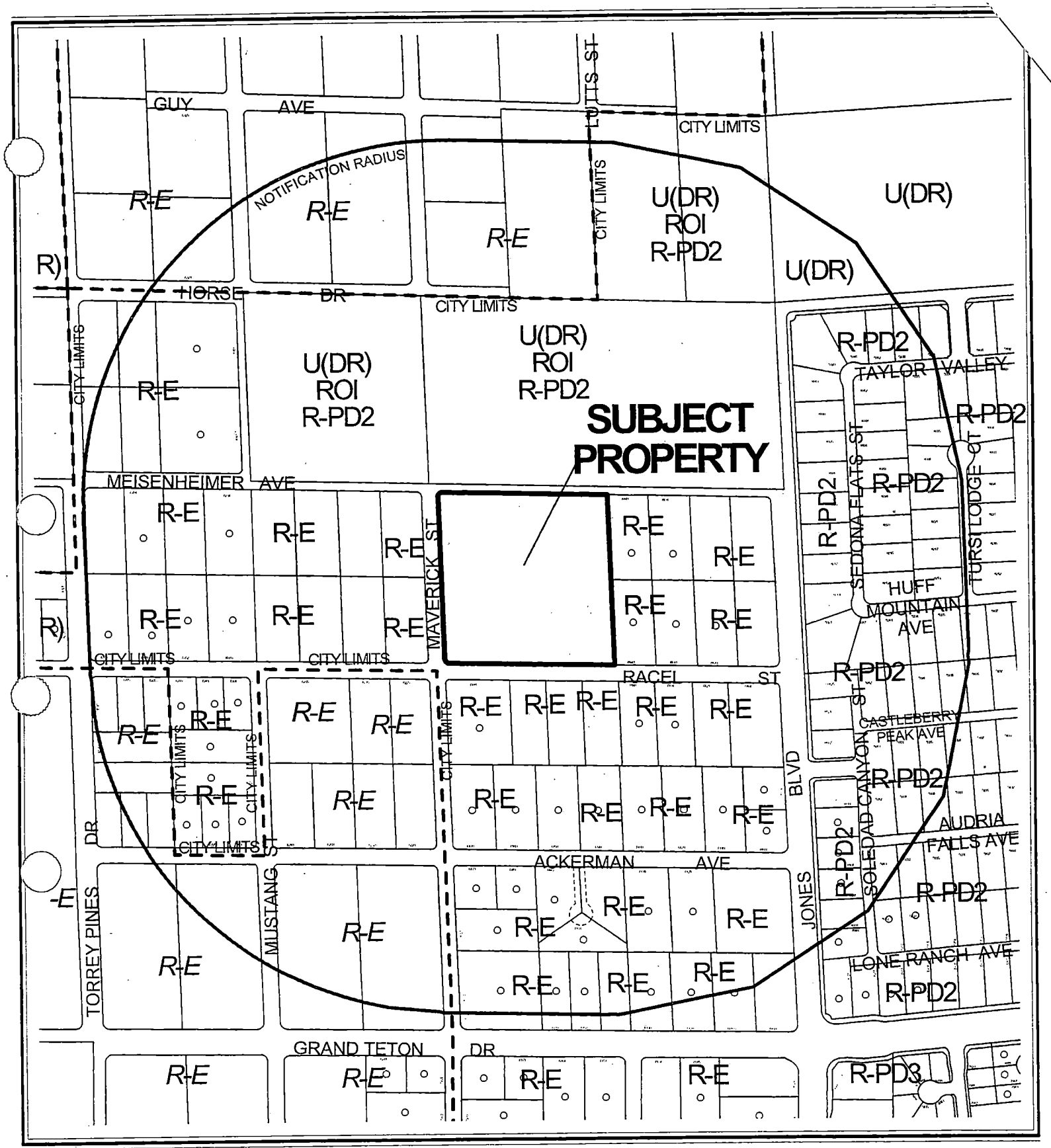
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

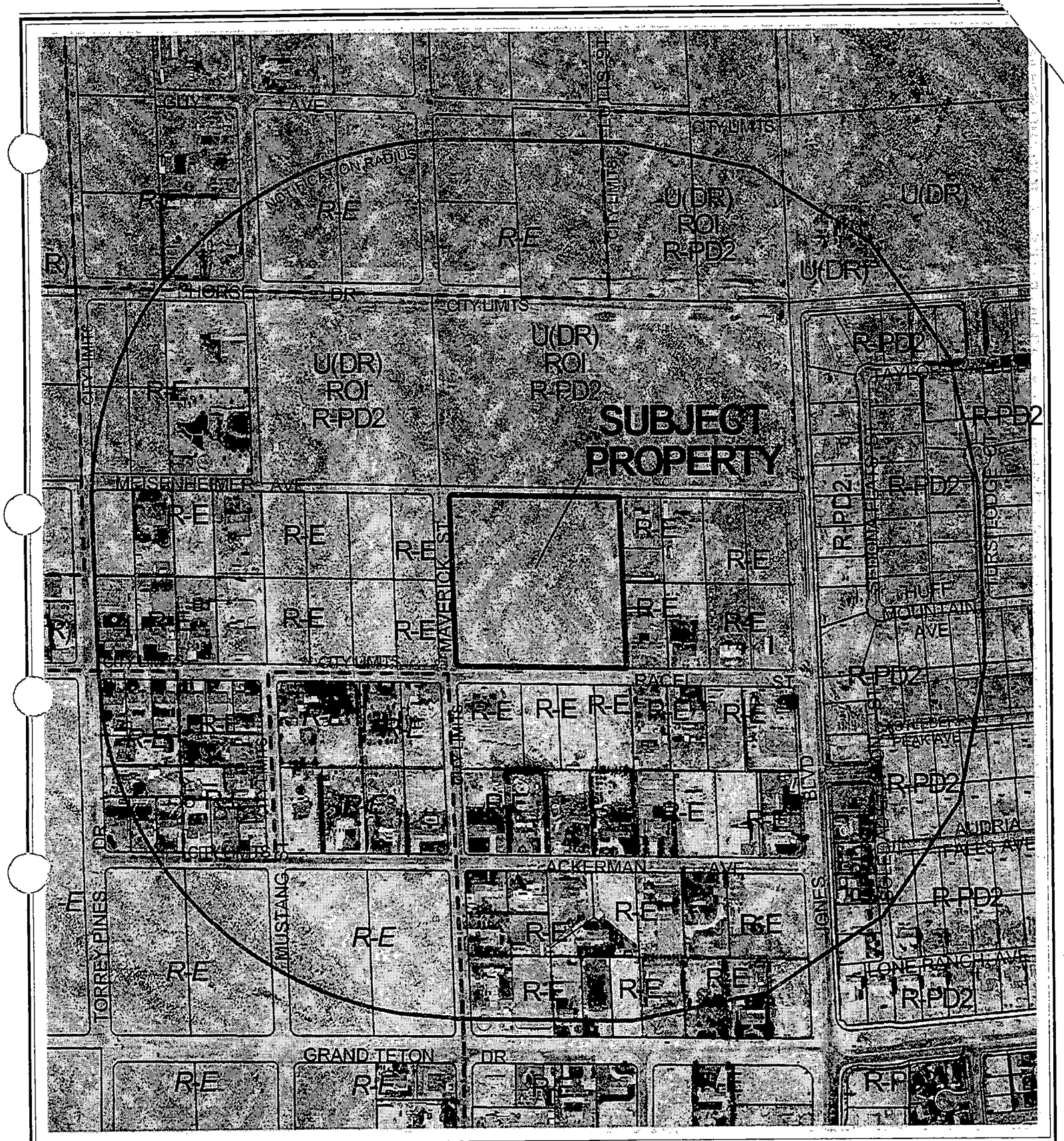
6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.



CASE: **SUP-3359**

RADIUS: 1320 FT

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



CASE: **SUP-3359**

RADIUS: 1320 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3359 - STERLING S DEVELOPMENT ON BEHALF OF QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

** 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, including the identification of the portion of the site containing the Private Street as a common lot.

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.

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6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for Private Streets within a proposed single-family residential development on 9.34 acres adjacent to the northeast corner of Maverick Street and Racel Street.

B) Applicant's Justification

The applicant has justified this request by stating that the low traffic volumes that are anticipated from a 14-lot single-family residential development make the development of wide public streets unwarranted within the development.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant case history associated with this parcel.

B) Pre-Application Meeting

11/07/03 The applicant was advised of the Project of Regional Significance status of this application, and the additional submission requirements generated by that status.

C) Neighborhood Meetings

A Neighborhood meeting is not required for Special Use Permit applications, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.34
Net Acres:

B) Existing Land Use

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

GL

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	U (Undeveloped) Zone [DR (Desert Rural Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre)
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, 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

Approximately two-thirds of the subject site falls within Rural Preservation Neighborhood 330-foot buffer zones. The eastern half of the site falls within a Rural Preservation Neighborhood buffer generated by the presence of a Rural Preservation Neighborhood immediately to the east of the subject site and located within the City of Las Vegas. The southwestern corner of the site is within a buffer generated by residential estates development located within unincorporated Clark County. Nevada Revised Statute 278 limits residential development within these 330-foot buffer zones to an average density of three residential dwelling units per acre. The development's proposed density of 1.5 dwelling units per acre is within the parameters of the Rural Preservation Neighborhood legislation.

GL

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of another entity (in this case, Clark County).

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments were received as a result of this notification, other than the Flood Control Division of the Department of Public Works has noted that no drainage study is needed as long as the private streets are dedicated as public drainage easements to be privately maintained by the HOA.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

There are no Zoning Code development standards applicable to Private Street development, other than the conditions listed below.

B) General Analysis and Discussion

- Zoning

  The development of a Private Street within a residential development is a permitted use in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

- Use

  The proposed 39-foot wide Private Streets are intended to serve a 14-lot gated community. The Private Street network is also to be considered a public utility easement for the extension of wet and dry utilities into the development.

  The Department of Public Works has noted that this plan does not acknowledge the existence of Maverick Street as part of the overall layout. The applicant has indicated that they will be submitting a Petition of Vacation in conjunction with their Tentative Map to vacate Maverick Street.

- 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:

GL

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 use of Private Streets will not negatively affect public streets in the area 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 thirty-nine-foot (39') wide Private Street network within the proposed 14-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."**

   Access to the proposed Private Street network in this project will be via Racel Street, a 60-foot wide right-of-way, which will provide 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 93

APPROVALS 0

PROTESTS 0

GL

ORIGINAL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3359 APN: 125-11-704-001

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S Development

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: John Michael Stratford

Subscribed and sworn before me

This 4th day of November, 2003

[signature]

Notary Public in and for said County and State

MARY E. SMITH
Notary Public - Nevada
No. 96-2142-1
My appt. exp. Mar. 15, 2004

Revised 12/12/02

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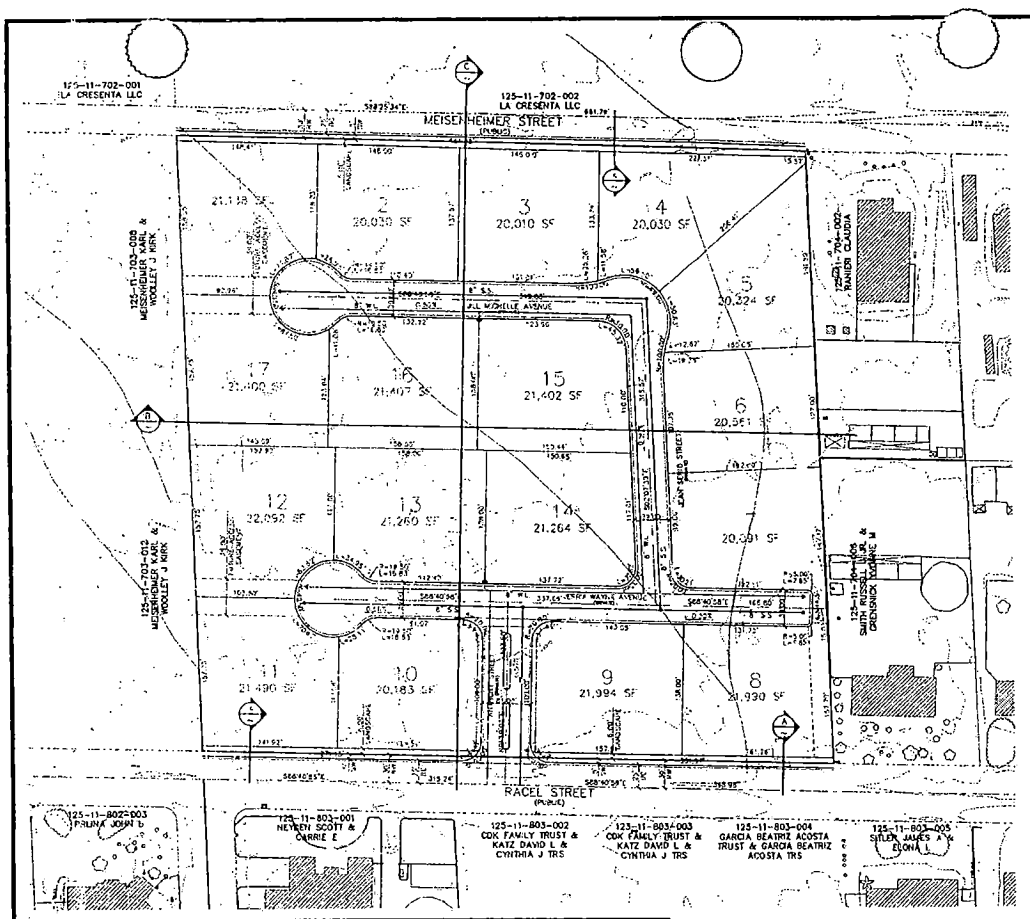
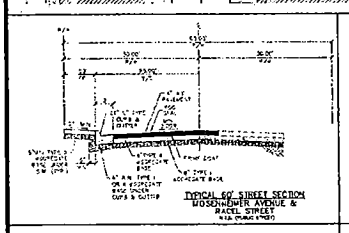
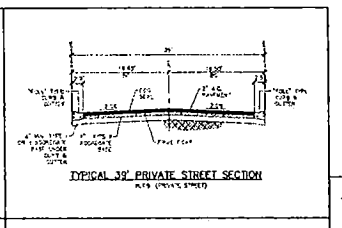
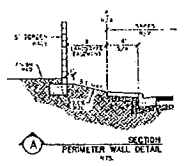
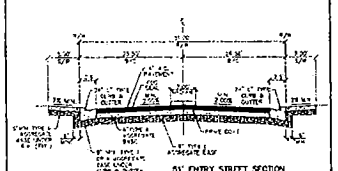
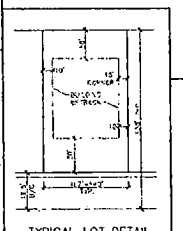


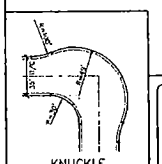






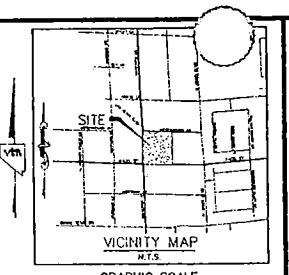






Call before you Dig 1-800-227-2600

Call before you Overhead 1-702-593-6111



GRAPHIC SCALE

1" = 80'

BENCHMARKS

NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

CLARK COUNTY BENCHMARK: BLVD 14NNE
NAVD88 ELEVATION: 720.194 METERS (2362.87 FEET)

CITY OF LAS VEGAS 3" DIST AND ROUND PLATE IN CONCRETE
END, 1.4'+/- 120' EAST OF MAVERICK ST. NEAR 6181 GRAND
"STORM DR."

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS PROJECT IS SOUTH
88°08'53" EAST, BEING THE NORTH LINE OF THE SOUTHWEST
QUARTER (SW 1/4) OF SECTION 11, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS
SHOWN ON A RECORD OF SURVEY ON FILE IN THE CLARK
COUNTY, NEVADA RECORDER'S OFFICE, IN FILE 87 PAGE .

OWNER

QUARTERHORSE PASS
ESTATES LLC
5385 SOUTH EASTERN
STE #200
LAS VEGAS, NV 89119
(702) 871-0355
CONTACT: MONTY STRATTON

DEVELOPER

STERLING S. DEVELOPMENT
5385 SOUTH EASTERN
STE #200
LAS VEGAS, NV 89119
(702) 871-0355
CONTACT: MONTY STRATTON

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE UNIFORM STANDARDS AND SPECIFICATIONS OF CLARK COUNTY, NEVADA.
2. UTILITY SERVICES PROVIDED AS FOLLOWS:
   WATER ..... LAS VEGAS VALLEY WATER DISTRICT
   ELECTRIC ..... NEVADA POWER COMPANY
   GAS ..... SOUTHWEST GAS CORPORATION
   SEWER ..... CITY OF LAS VEGAS
   SOLID WASTE DISPOSAL ..... SILVER STATE DISPOSAL SERVICE
   TELEPHONE ..... SPRINT
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. SEWER CONTRIBUTION:
   AVERAGE FLOW = 0.004 c
   PEAK FLOW = 0.014 c
5. BUILDING SETBACKS TO COMPLY WITH ALL APPLICABLE ORDINANCES.
6. STORM WATER TO SURFACE DRAIN ON STREETS.
7. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY ON THIS TENTATIVE MAP AND IS NOT A PORTION OF ANY MASTER PLANNED AREA.
8. THIS DEVELOPMENT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE AS DESIGNATED BY FEMA MAP #32003C1165 E.
9. ALL INTERIOR SEWER AND WATER MAINS ARE 8" UNLESS OTHERWISE SHOWN.
10. ALL INTERIOR STREETS ARE PRIVATE 28' WIDE UNLESS OTHERWISE SHOWN.
11. ALL PROPERTY LINE RADIUS ARE 10' AT INTERSECTIONS UNLESS OTHERWISE SHOWN.
12. THIS SUBDIVISION WILL HAVE COVENANTS TO MAINTAIN LANDSCAPING & PRIVATE STREET UTILITIES IN PERPETUITY BY THE HOME OWNERS ASSOCIATION.
13. COMMON ELEMENTS AND LANDSCAPING PER TITLE 30.
14. THERE ARE NO OBSERVABLE FAULTS OR FISSURES ON OR NEAR THIS SITE.
15. SEEPS, SPRINGS, OR OTHER INDICATIONS OF HIGH GROUND WATER LEVELS WERE NOT NOTED ON THE SUBJECT PROPERTY.
16. THIS SITE IS LOCATED ADJACENT TO CITY OF LAS VEGAS & WILL REQUIRE A INTERLOCAL AGREEMENT FOR SANITARY SEWER.

SETBACKS

PROPOSED MINIMUM STANDARDS FOR THE RS PORTION OF THE DEVELOPMENT:
FRONT = 20' (SF)
SIDE = 10'
CORNER = 15' (SF)
REAR = 35'
HEIGHT = 35'

TABULATION

ASSESSOR'S PARCEL NUMBERS
125-11-702-001
125-11-702-002

EXISTING ZONING ..... R-E
GROSS ACREAGE ..... 4.754 ACRES
TOTAL NO. LOTS 17
TOTAL NO. COMMON LOTS 2

OPEN SPACE SCHEDULE
OPEN SPACE REQUIRED ..... 0 S.F.
COMMON OPEN SPACE ..... 0 S.F.
OTHER OPEN SPACE ..... 0 S.F.
TOTAL OPEN SPACE ..... 0 S.F.

PARKING SCHEDULE
PARKING REQUIRED ..... 34 SPACES
(2 SPACES/DU)
GUEST PARKING PROVIDED ..... 6 SPACES
TOTAL PARKING PROVIDED ..... 34 SPACES

LEGEND

- STREET CENTERLINE
- PARCEL BOUNDARY
- LOT LINE
- SETBACK LINE
- EX 8"S ..... EXISTING SEWER LINE AND MANHOLE
- EX 8"W ..... EXISTING WATER LINE
- 8"S ..... PROPOSED SEWER LINE AND MANHOLE
- 8"W ..... PROPOSED WATER LINE
- 20 ..... LOT NUMBER
- BLOCK NUMBER
- POC ..... POINT OF CONNECTION TO EXIST UTILITIES
- 0.5% ..... RATE OF GRADE AND DIRECTION OF SLOPE (APPLIES TO BOTH STREET AND SEWER UNLESS OTHERWISE NOTED)
- 2875 ..... EXISTING CONTOUR LINE
- C.E. ..... COMMON ELEMENT AREA
- STREET LIGHT
- FIRE HYDRANT
- MB ..... PREFERRED MAIL BOXES PER USPS

STERLING S. DEVELOPMENT
CITY OF LAS VEGAS

USE PERMIT FOR
PRIVATE STREETS

MAVERICK / RACEL

DRAWN BY: MJD — OCT. 2003
DESIGNED BY: MJD — OCT. 2003
CHECKED BY: DSG — OCT. 2003
PROJECT NO: 0324 — SCALE: 1"=80' HORIZ. N/A VERT.

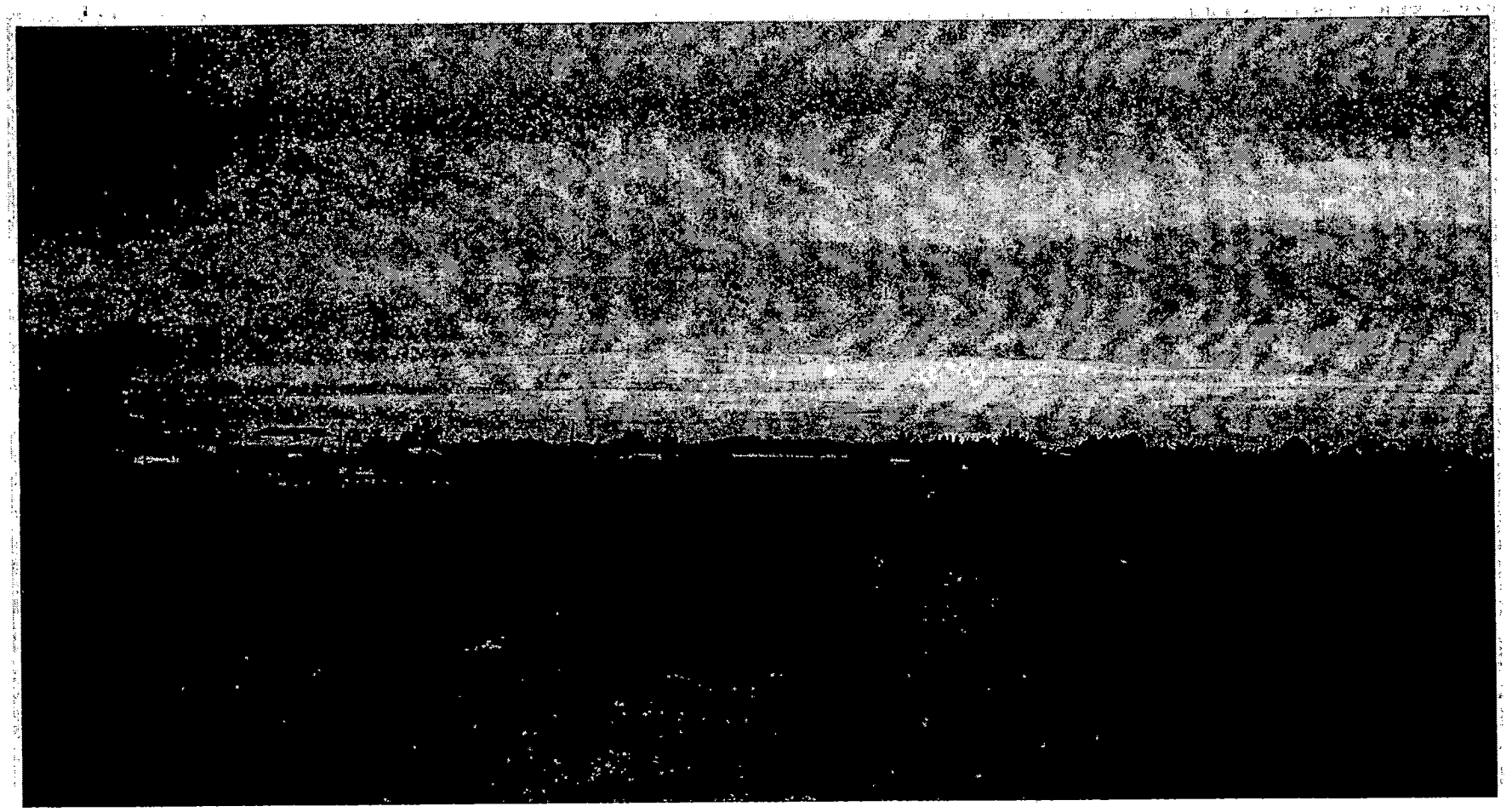
SHEET
TM
1 OF 1 SHEETS
DRAWING NO.

REVISION

VTN NEVADA — CIVIL ENGINEERS ■ PLANNERS ■ LAND SURVEYORS
2223 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5145
PH. (702) 873-7500 FAX (702) 362-2987

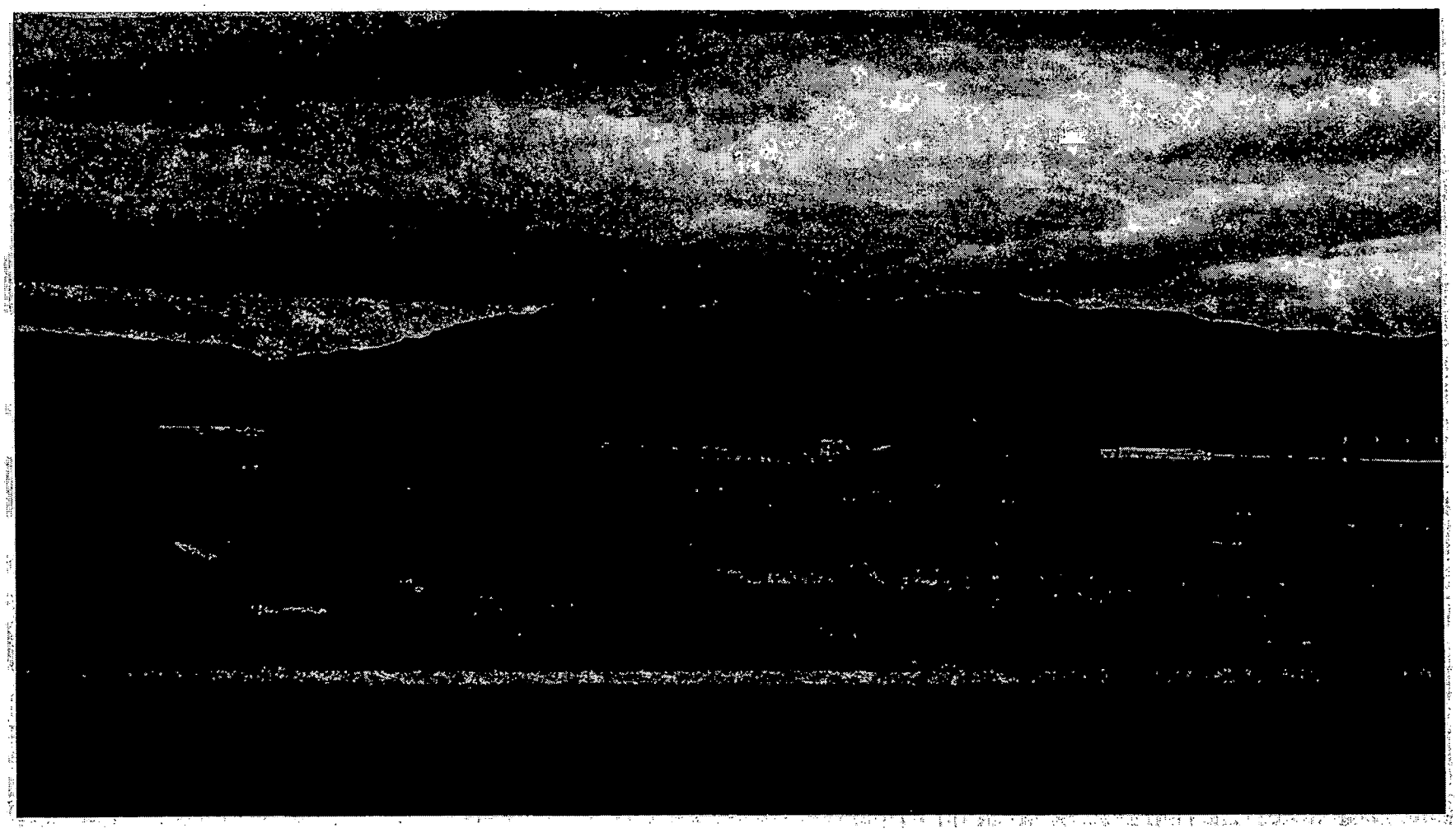
SUP-3359

01-08-04 PC



SUP-3359 - STERLING S. DEVELOPMENT ON BEHALF OF QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF MAVERICK STREET AND RACEL STREET
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



SUP-3359 - STERLING S. DEVELOPMENT ON BEHALF OF QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF MAVERICK STREET AND RACEL STREET
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3367 - DWAYNE A. & DONNA L. GLENN - Request for a Special Use Permit FOR LIVESTOCK FARMING (BOVINES/HORSES) ON 1.04 ACRES where 1.25 acres is the minimum area required at 6265 West Lone Mountain Road (APN: 138-02-501-007), R-E (Residence Estates) Zone, Ward 6 (Mack).

C.C.: 02/04/04 - 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 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development department, briefly summarized this application stating that the applicant's request meet the criteria of the Code. He added that there is an additional criteria that requires the property to be 1.25 acres and the applicant falls slight short of that requirement. MR. CLAPSADDLE speculated that at one time the property did meet the requirement but the expansion of Lone Mountain Road created the hardship.

DWAYNE GLENN, the applicant, 6265 West Lone Mountain Road, concurred with staff recommendations and conditions.

MINUTES – Continued:

RICHARD BAINES, 2145 Snow Petal Court, appeared in protest and objected citing odor problems.

COMMISSIONER McSWAIN questioned whether the lot size determines the number of cows allowed or whether the number of cows dictate the size of the lot. MR. CLAPSADDLE explained that 1.25 acres is required regardless of the number of cows in question.

MR. CLAPSADDLE stated that the Planning Department was made aware that a complaint had been lodged against the applicant; however, upon inspection by Code Enforcement, the property was deemed to be properly maintained and very clean.

Looking to the potential of Lone Mountain being widened, CHAIRMAN TRUESDELL asked if further reduction of the applicant's property would be an adversity for him. MR. CLAPSADDLE explained that R-E does allow horses and bovines and the applicant clearly meets the standards of the Code. MR. GENZER further explained that if there is an existing use and the area is reduced below the required acreage, that situation would not necessitate the property owner to come in for a special use permit. However, this situation was probably created as a result of the complaint.

DEPUTY CITY ATTORNEY BRYAN SCOTT pointed out that consideration could be given to the fact that the government took a portion of the applicant's land thereby reducing the total acreage of his property.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:44 – 8:58)

2-2430

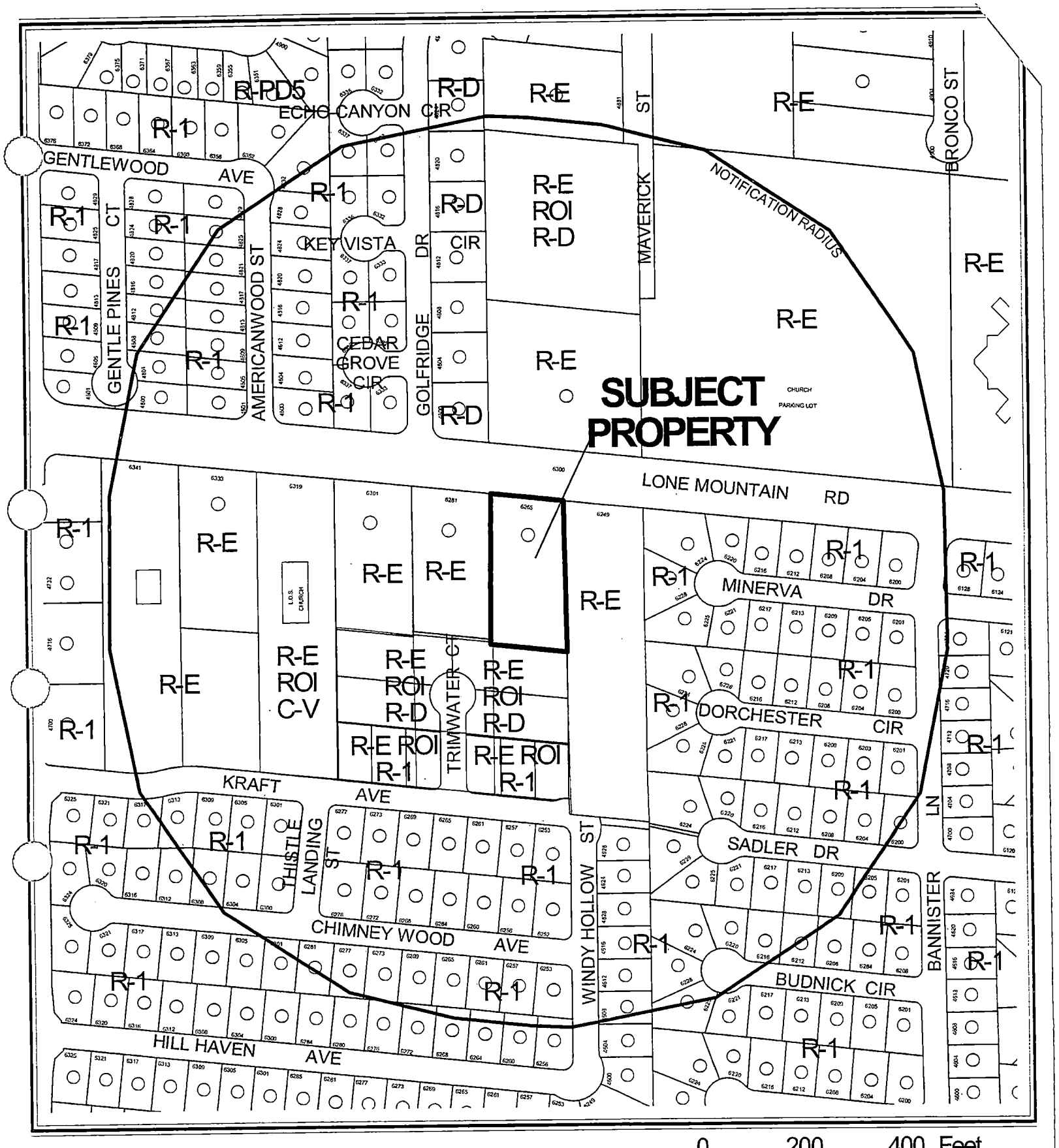
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Livestock Farming use.

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

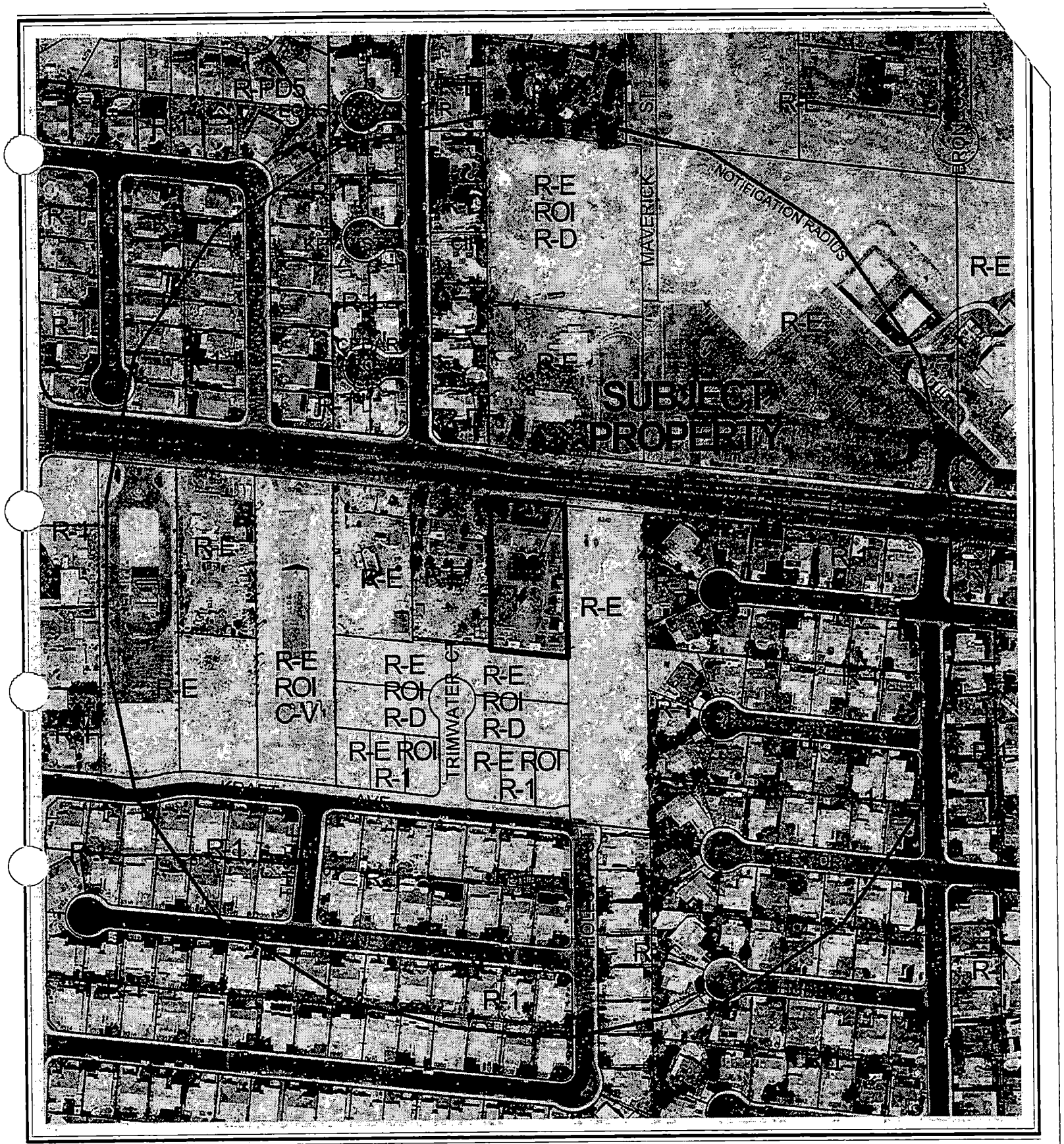
3. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **SUP-3367**

RADIUS: 750 FT

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



CASE: **SUP-3367**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3367 - DWAYNE A. & DONNA L. GLENN

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Livestock Farming use.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for Livestock Farming (Bovines/Horses) on 1.04 acres located at 6265 West Lone Mountain Road.

B) Applicant's Justification

The four Piedmontese bovine raised for consumption have given the applicant's family and friends the opportunity to eat a beef that is lower in fat and cholesterol than pork, chicken, turkey, fish, and other types of red meat. In addition, the applicant's neighbor of 13 years has submitted a signed letter of support for the proposed Special Use Permit.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent case histories.

B) Pre-Application Meeting

11/07/03 Issues discussed included the substandard lot size for the requested use, and the acknowledgement that the site will be required to comply with all conditions as outlined in Title 19.04.050.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.04

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	R (Rural Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates) Under Resolution of Intent to RD (Single Family Residential – Restricted)
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 an L (Low Density Residential) land use designation, which allows a maximum of 5.5 developed units per acre. The existing R-E (Residence Estates) zoning district is consistent with the General Plan Designation, and the proposed Livestock Farming (Bovines/Horses) use is permitted with the approval of a Special Use Permit.

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

The subject is not located within any Special Zones or Districts.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Livestock Farming (Bovines/Horses). There are no similar approved uses within the 500-foot notification distance.

FS

B) General Analysis and Discussion

- Zoning

  The proposed Livestock Farming (Bovines/Horses) use is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit. The site consists of a primary residence, six pens, four sheds and storage areas, and a corral.

  The applicant proposes to keep two horses and four bovine on the property. Title 19 allows a maximum of one horse or bovine per 7,500 square feet of lot area. The total lot size is 45,281 square feet and the proposed number of animals is consistent with this requirement. Title 19 also requires a minimum lot size of 1.25 acres for the proposed use. The subject site is 1.04 acres, and the applicant is seeking relief from this condition.

  The applicant intends to raise the four bovine for the purpose of consumption by family and friends. Title 19 states that the Livestock Farming use does not include the breeding or raising of animals for consumption or sale. The applicant states their family has benefited by eating the leaner meats of the Piedmontese bovine they raise. The meat will be for personal consumption and will not be sold.

  On October 9, 2003, a Nuisance Correction Notice was issued by the Code Enforcement Division of the City of Las Vegas Neighborhood Services Department for keeping bovines in a Residential District without a Special Use Permit. On October 20, 2003, Code Enforcement personnel conducted a follow-up inspection of the site and found it to be very clean and well maintained. No fines have been assessed to date. Code Enforcement Staff has noted the applicant's cooperation and responsiveness in regard to this matter, and a neighbor of 13 years has signed a letter of support for the proposed Special Use Permit.

- Use

  "Livestock Farming (Bovines/Horses)" means the raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. The term does not include the breeding or raising of animals for consumption or sale.

- Conditions

  1. The minimum allowable parcel size is one and one quarter acres.
  2. A maximum of twenty-five animals (bovines or horses) is allowed per parcel.
  3. No more than one bovine or horse is allowed per seven thousand five hundred square feet of lot area.
  4. The parcel must also be occupied by a habitable dwelling.
  5. Bovines may not be kept at any location south of Cheyenne Avenue.

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."**

   Livestock Farming is within the range of allowable uses in the R-E (Residence Estates) zoning district, which is intended to convey a rural environment. The proposed use can be operated in a manner that is compatible with the existing and future residential land uses in the vicinity of this site.

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

   The applicant proposes to keep two horses and four bovine on the property. Title 19 allows a maximum of one horse or bovine per 7,500 SF of lot area. The total lot size is 45,281 square feet and the proposed number of animals is consistent with this requirement. Title 19 also requires a minimum lot size of 1.25 acres for the proposed use. The subject site is 1.04 acres and is not physically suitable for the type and intensity of the proposed land use.

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

   The proposed use will not generate any additional traffic, and the existing street facilities will be adequate for providing access to the property.

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 subject site will be subject to periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 152

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-33167 APN: 138-02-501-007

Name of Property Owner: Dwayne & Donna Glenn

Name of Applicant: Dwayne & Donna Glenn

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: Dwayne Glenn

Print Name: Dwayne Glenn

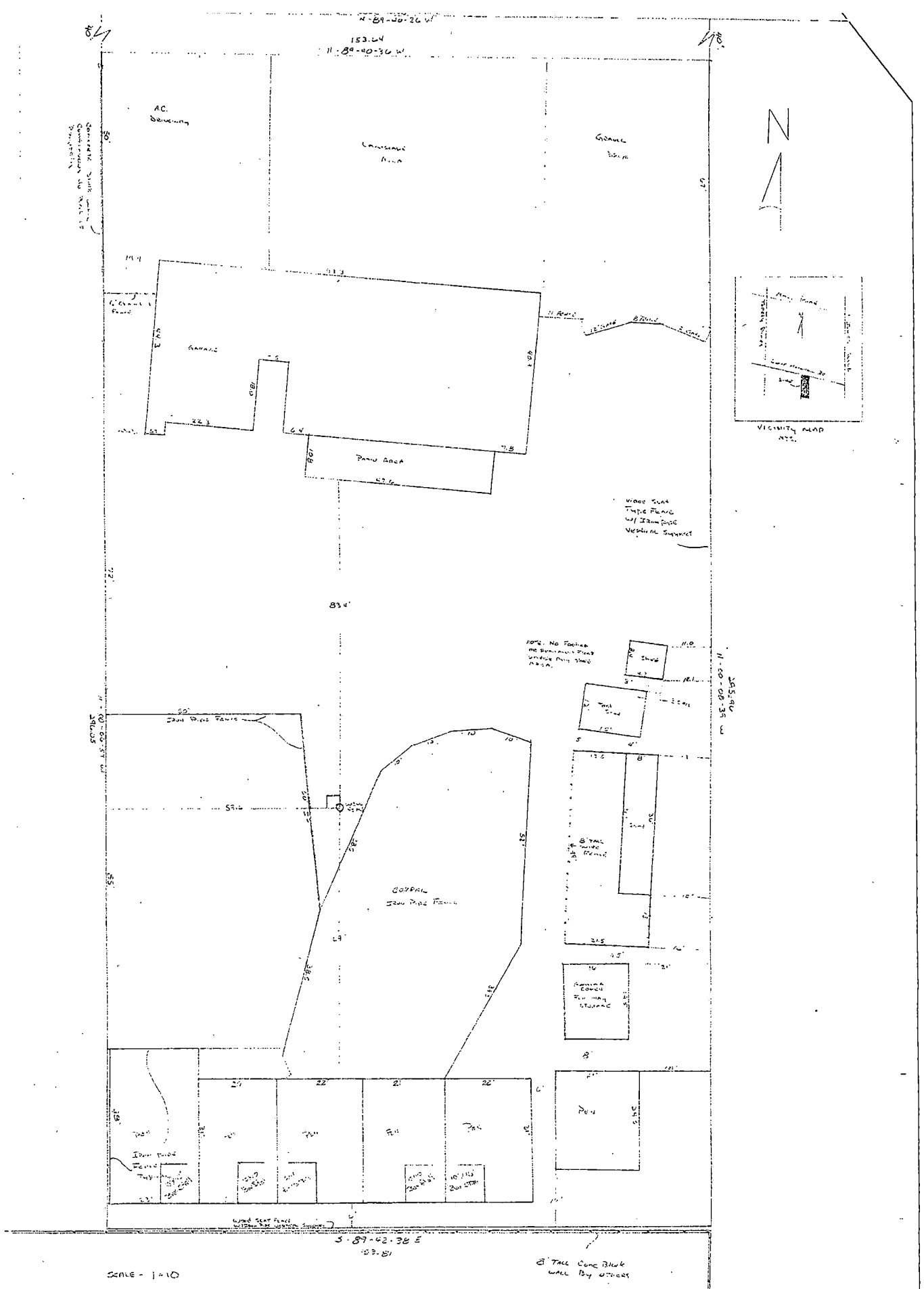
Subscribed and sworn before me

This 24th day of October, 2003

Diane M. Hintz

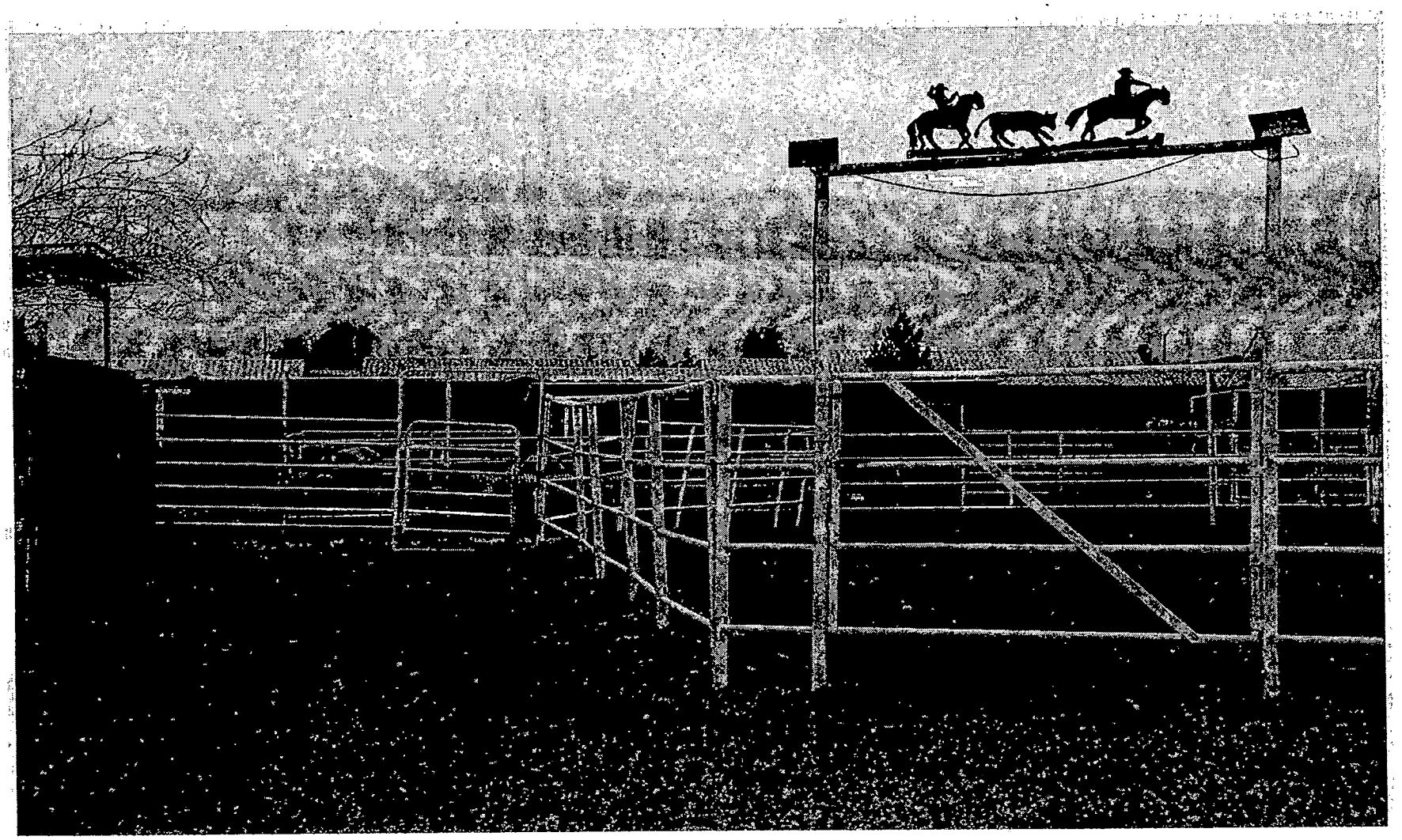
Notary Public in and for said County and State

DIANE M. HINTZ
Notary Public, State of Nevada
Appointment No. 027901914
My Appt. Expires Sept. 12, 2006



SUP-3367

01-08-04 PC



SUP-3367 - DWAYNE A. AND DONNA L. GLENN
6265 WEST LONE MOUNTAIN ROAD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3369 - LAS VEGAS BILLBOARDS ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80 - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2912 Highland Drive, (APN: 162-09-301-001), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - 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 Council on 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development department, explained that the location of this use is appropriate and meets the standards of the Code

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

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

(8:58)

2-3024

CONDITIONS:
Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. 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.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

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

6. If the existing Off-Premise Advertising (Billboard) 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.

CONDITIONS – Continued:

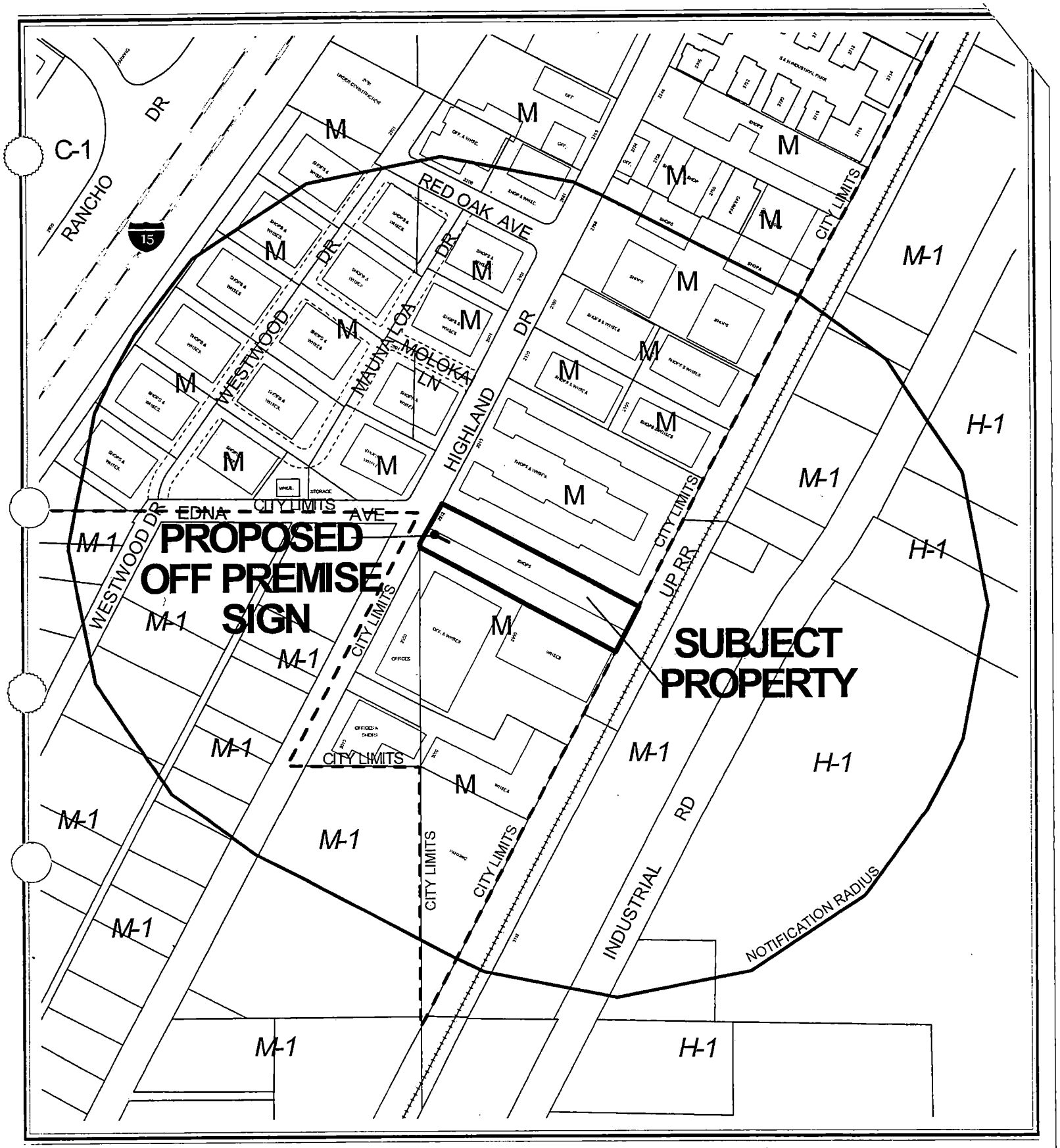
7. All City Code requirements and design standards of all City Departments shall be satisfied.

8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

9. 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 50-foot setback from the center of the Off-Premise Sign to the west property line.

Public Works

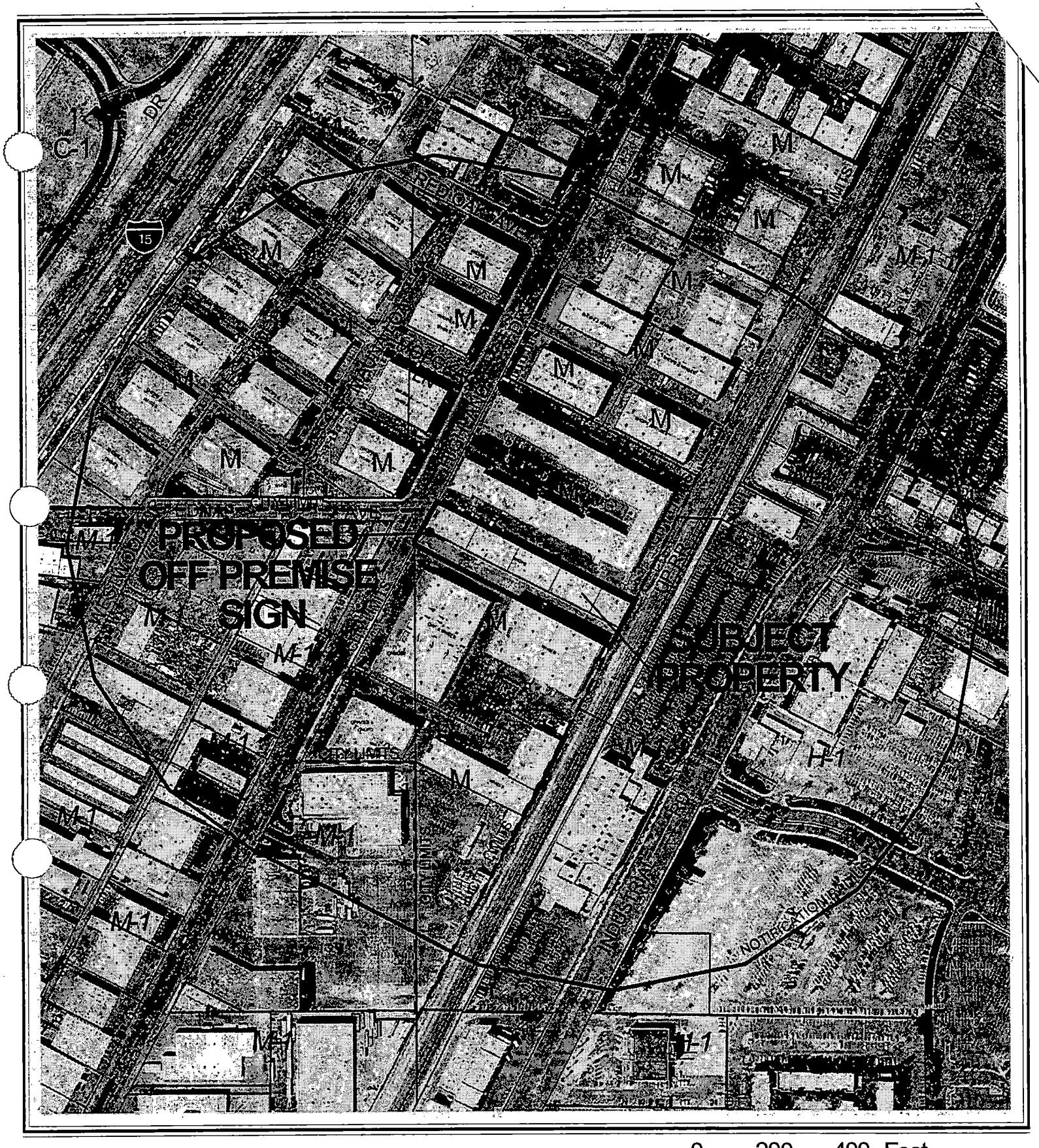
10. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: **SUP-3369**

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



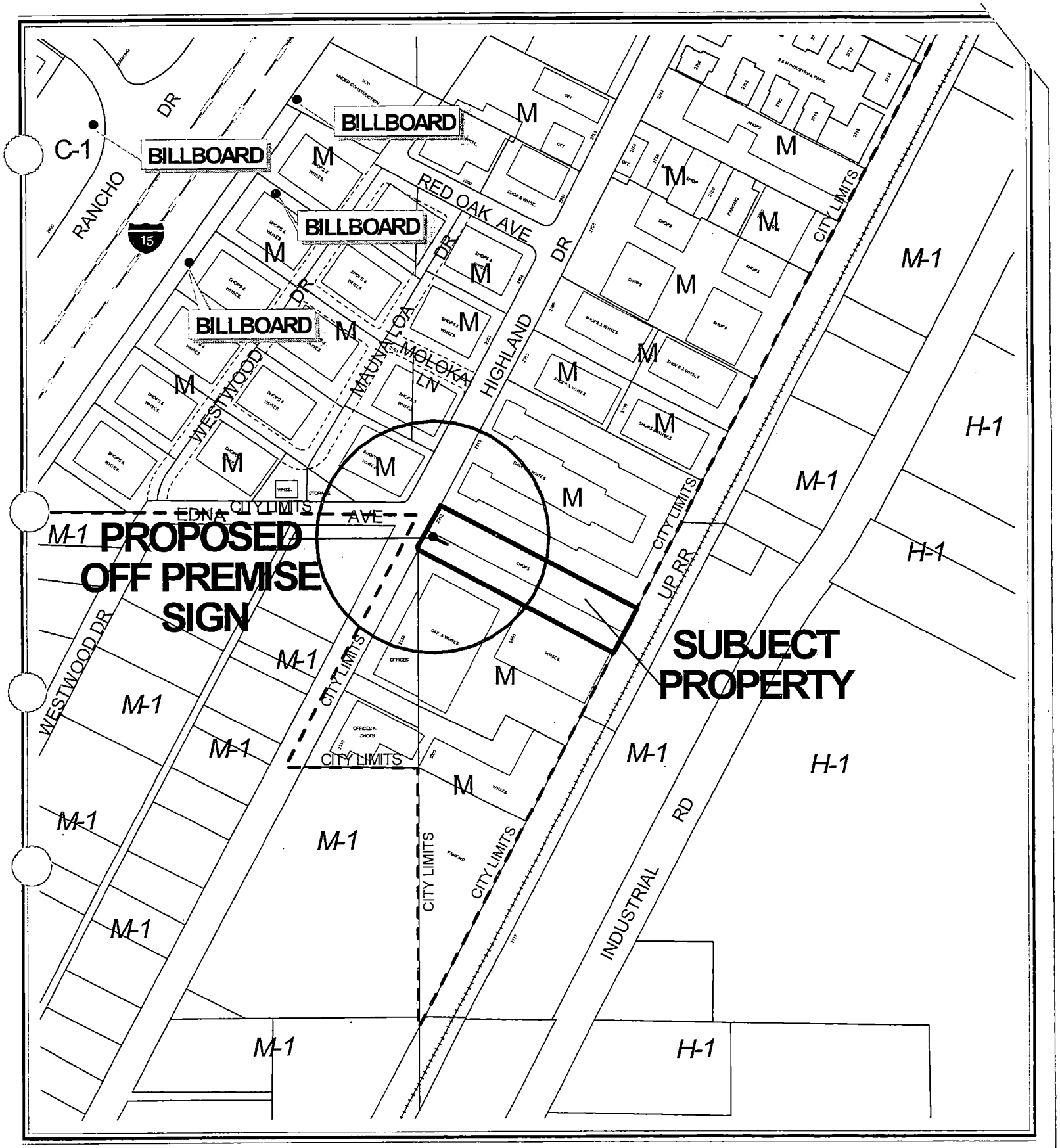
0 200 400 Feet

CASE: **SUP-3369**

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



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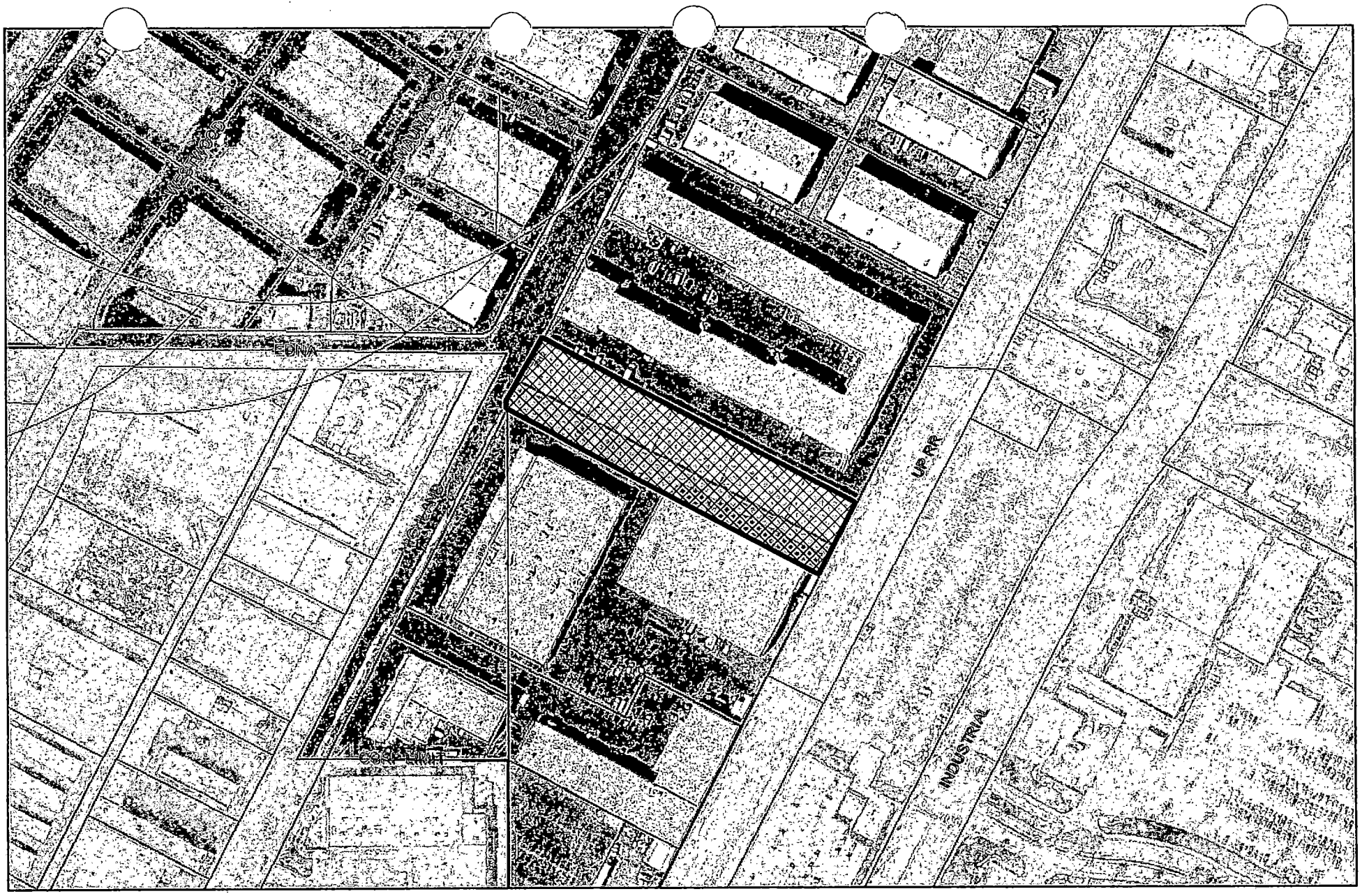
CASE: **SUP-3369**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-3369

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3369 - LAS VEGAS BILLBOARDS ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. 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.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

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

6. If the existing Off-Premise Advertising (Billboard) 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.

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

8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

9. 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 50-foot setback from the center of the Off-Premise Sign to the west property line.

Public Works

10. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 2912 South Highland Drive.

B) Applicant's Justification

The proposed sign is located in an M (Industrial) zoning district and meets separation requirements from residential and other Off-Premise Signs. The area is in a manufacturing area and an off-premise sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

01/12/61 The Board of City Commissioners approved a request for a Reclassification of Property (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry).

10/28/93 The Planning Commission approved a Plot Plan and Building Elevation Review [Z-62-60(1)] for the existing print shop. Staff recommended approval.

05/27/99 The Planning Commission approved a Site Development Plan Review [Z-0062-60(2)] request for a 23,148 square foot expansion for the existing print shop. Staff recommended approval.

05/11/00 The Planning Commission denied a Site Development Plan Review [Z-0062-60(3)] request to allow used auto sales. Staff recommended approval.

B) Pre-Application Meeting

10/29/03 Issues discussed included setbacks and distance separation requirements for the proposed sign, and the proximity of the intersection to the proposed sign location.

C) Neighborhood Meetings

A neighborhood meeting is not required for Special Use Permit applications.

FS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.65

B) Existing Land Use

Subject Property:	Shops / Warehouse
North:	Shops / Warehouse
South:	Office / Warehouse
East:	Restaurant / Lounge
West:	Shops / Warehouse

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	Clark County
West:	Clark County

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry / Research) designation, which allows low-intensity industrial uses including light manufacturing, warehousing and distribution, and research and development. The existing M (Industrial) zoning district is consistent with the General Plan designation, and an Off-Premise Sign is a permitted use in the M (Industrial) zoning district with the approval of a Special Use Permit.

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

COUNTY NOTIFICATION

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

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 Clark County

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it was determined that the proposed off-premise sign would not significantly impact the area.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

Standards	Code Requirement	Provided
Location	• No Off-Premise Signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in M Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF
Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300 Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	• Intersection 20 Feet from the proposed sign

The proposed sign is located 20 feet from the right-of-way at the intersection of Highland Drive and Edna Street. Title 19 requires a minimum setback of 50 feet from the nearest right-of-way intersection, and a Condition of Approval has been included to ensure compliance with this requirement. The proposed sign meets all other the minimum distance separation requirements in addition to area and height requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

  An Off-Premise Advertising (Billboard) Sign is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

- Use

  Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise signs which in themselves 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.

- Conditions

  Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

  1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

  2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

  3. For any Off-Premise Sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
   c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and
   d. Drawings that allow the computation of the area and the height of any Off-Premise Signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

The request appears to be in substantial conformance with these standards.

FINDINGS

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

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

   The proposed Off-Premise Sign conforms to the standards and intent of the LI/R (Light Industry/Research) General Plan designation and the M (Industrial) zoning district. The subject use is harmonious and compatible with surrounding properties in the area.

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

   Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

Access to the site is via access a driveway off of Highland Drive, an 80-foot Secondary Collector. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 33

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3369 APN: 162-09-301-001

Name of Property Owner: RENATE Schiff

Name of Applicant: Schiff Properties

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

_____ Yes ✓ 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: NONE

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Janice K. Cox

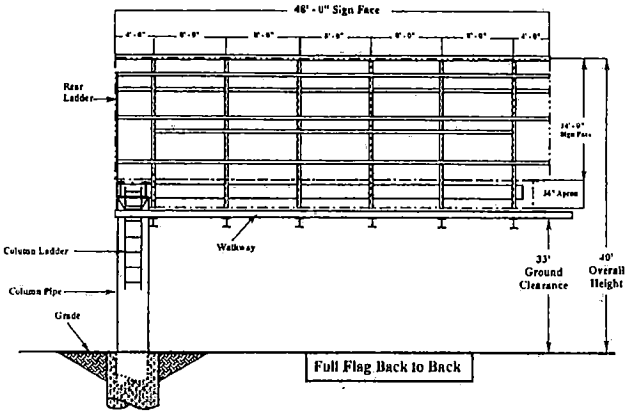
Print Name: JANICE K COX

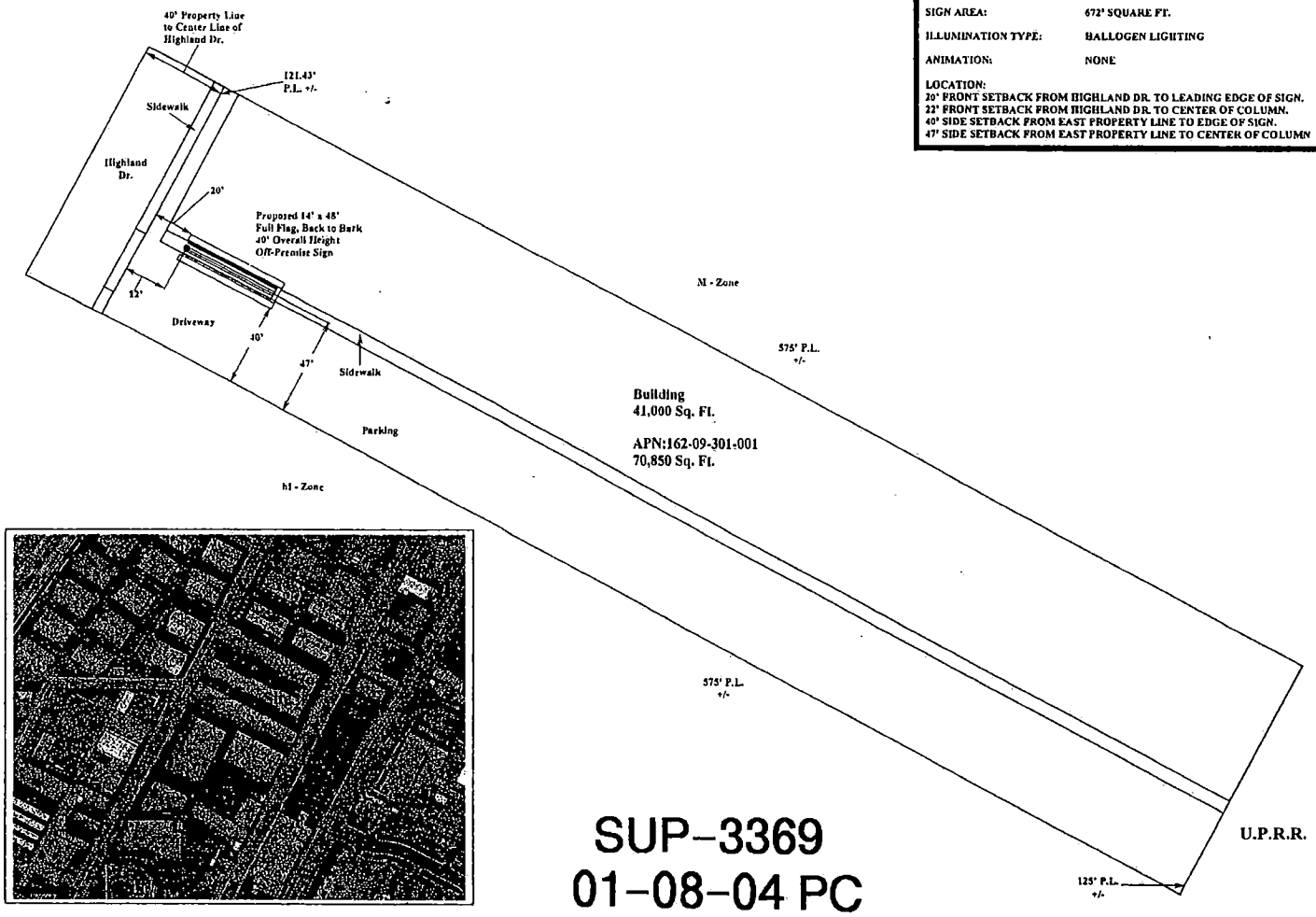
Subscribed and sworn before me

This 27 day of October, 2003

Notary Public in and for said County and State

LINA R. HEISLER
Notary Public State of Nevada
Notary No. 99-56546-1
My appt. exp. Apr. 3, 2007
My appt. exp





RTY OWNER: MARVIN JAMES SCHIFF TRS 80
MASON FAMILY TRUST 20
2401 INDUSTRIAL RD.
LAS VEGAS, NV 89102-4817

PROPERTY ADDRESS: 2912 HIGHLAND DR.
LAS VEGAS, NV 89109

CONTACT: STEVE RANNEY @
LAS VEGAS BILLBOARDS
5665 S. VALLEY VIEW BLVD.
LAS VEGAS, NV 89118
837-7822

APN: 162-09-301-001
ZONED: M
14' x 48' FULL FLAG, BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R - ZONE WITHIN 300'
SCALE 1" = 30'

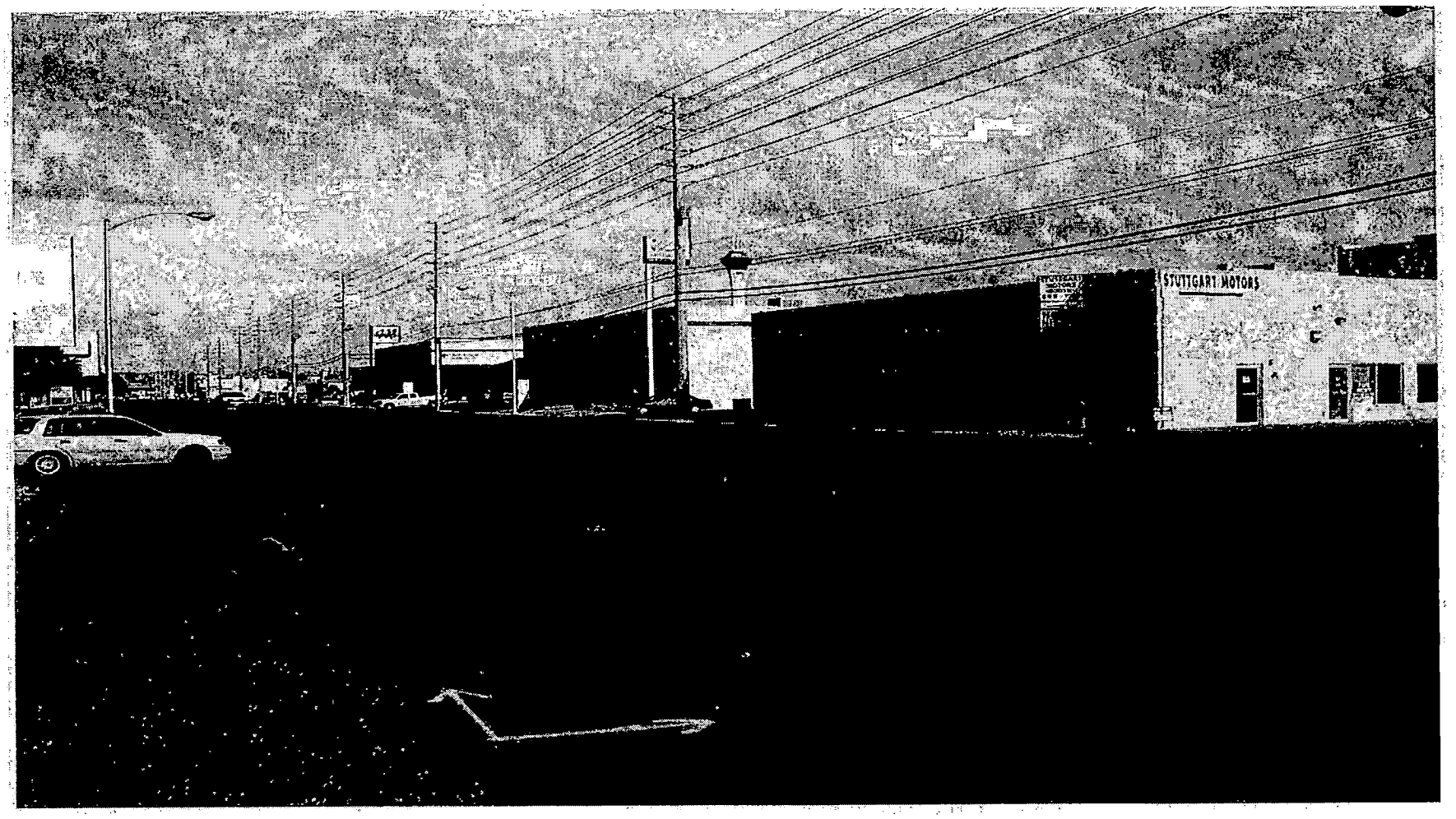
NORTH

SIGN ANALYSIS TABLE

TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
20' FRONT SETBACK FROM HIGHLAND DR. TO LEADING EDGE OF SIGN.
22' FRONT SETBACK FROM HIGHLAND DR. TO CENTER OF COLUMN.
40' SIDE SETBACK FROM EAST PROPERTY LINE TO EDGE OF SIGN.
47' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN

SUP-3369
01-08-04 PC



SUP-3369 - LAS VEGAS BILLBOARDS ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80
2912 HIGHLAND DRIVE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISTING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN: 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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 - DENIED – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development department, using the overhead indicated the location of the proposed billboard. The use meets the separation distance of the Code. Staff recommended approval subject to conditions.

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

MINUTES – Continued:

SUSAN SABALLA, 1913 Eliminator Street, representing the Torrey Pines/Oakey Central Neighborhood Association, appeared in opposition stating that the proposed billboard borders a shopping center at an intersection that is very well maintained and does not warrant additional billboards.

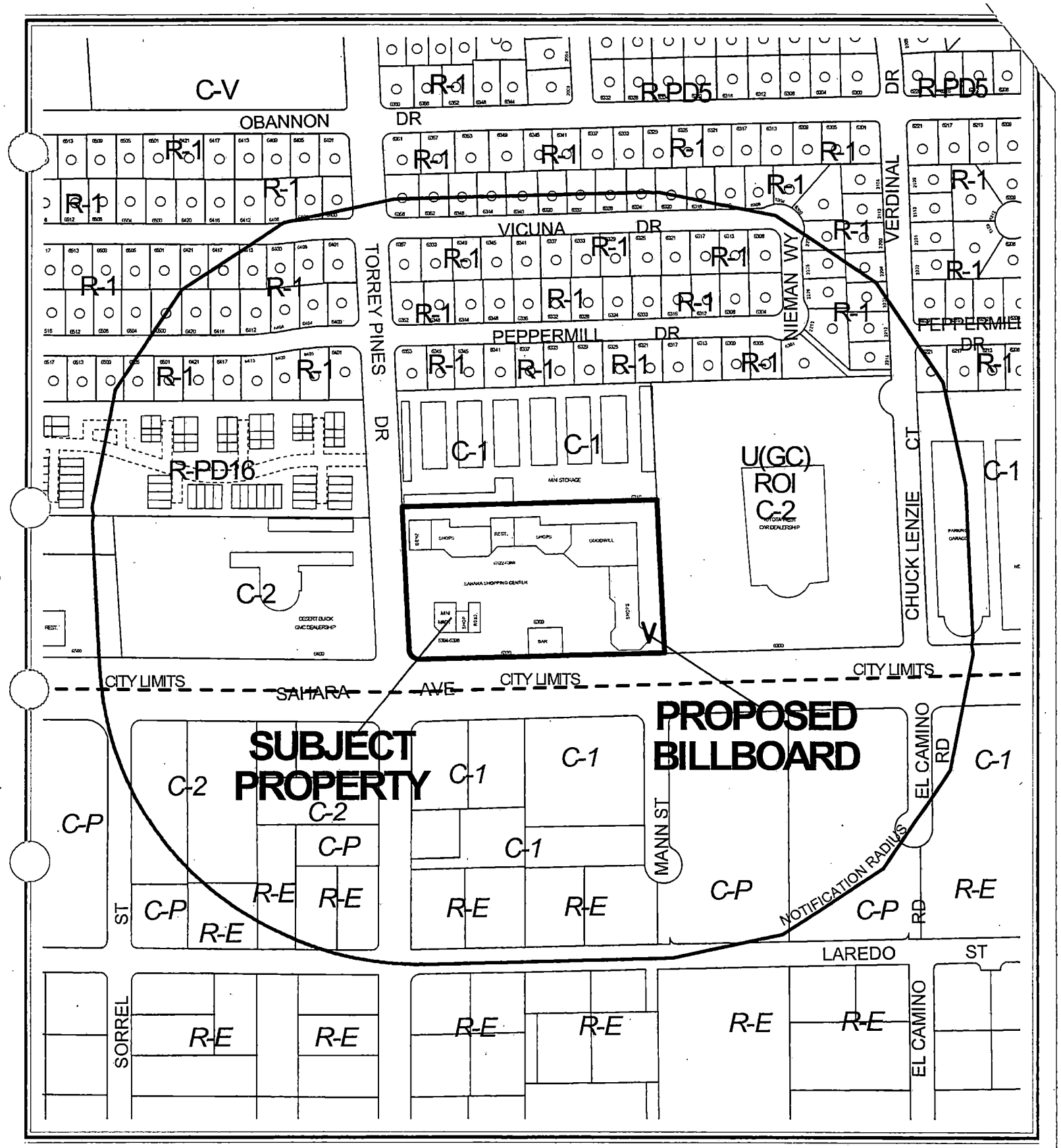
TODD FARLOW, 240 North 19th Street, stated his objection to the proposed billboard.

COMMISSIONER McSWAIN agreed that the proposed billboard is inappropriate for the area seeing as there is adequate signage already existing in the area. She could not support the proposal. CHAIRMAN TRUESDELL concurred.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:58 – 9:02)



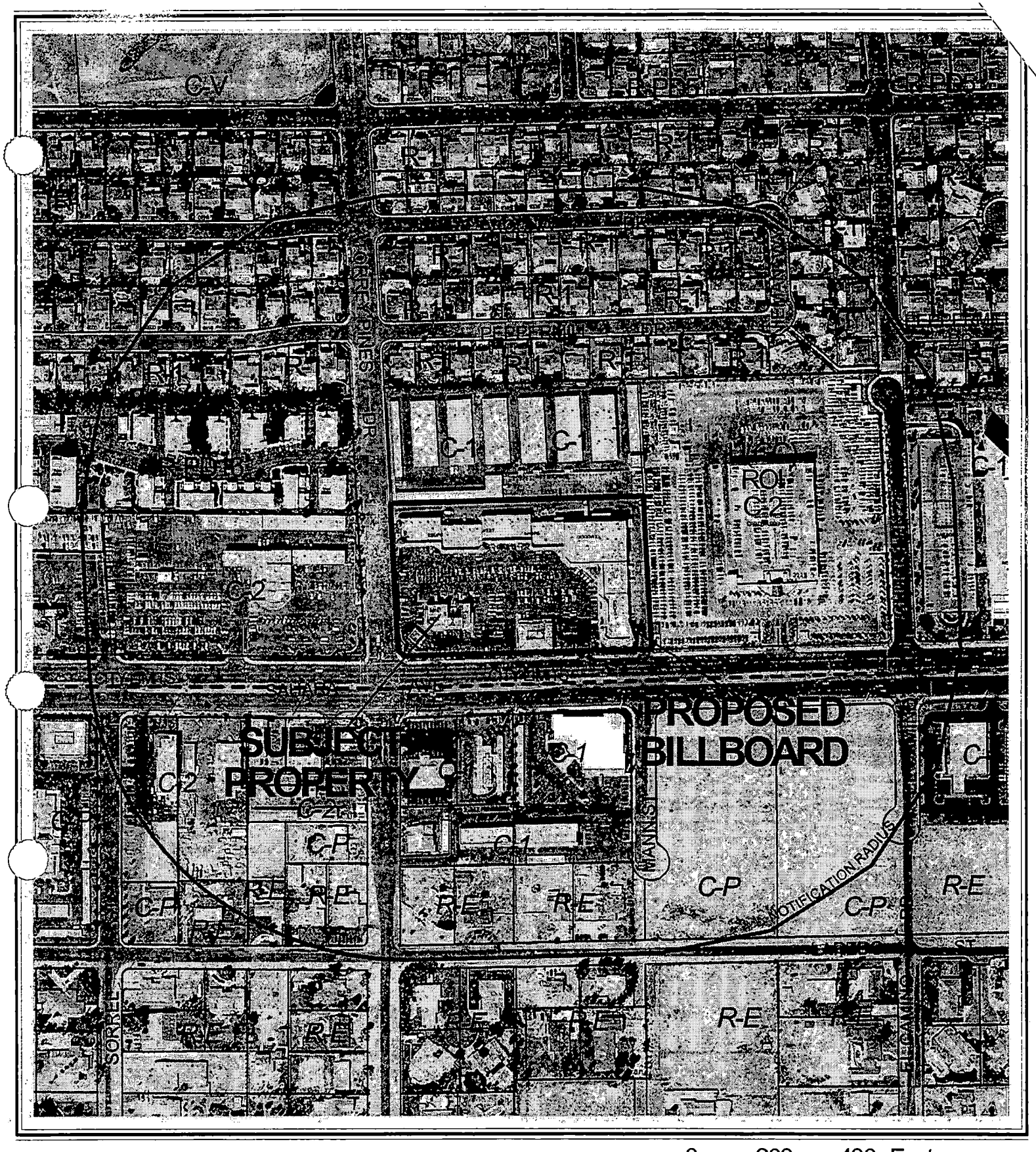
0 200 400 Feet

CASE: **SUP-3394**

RADIUS: 750 FT

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

N



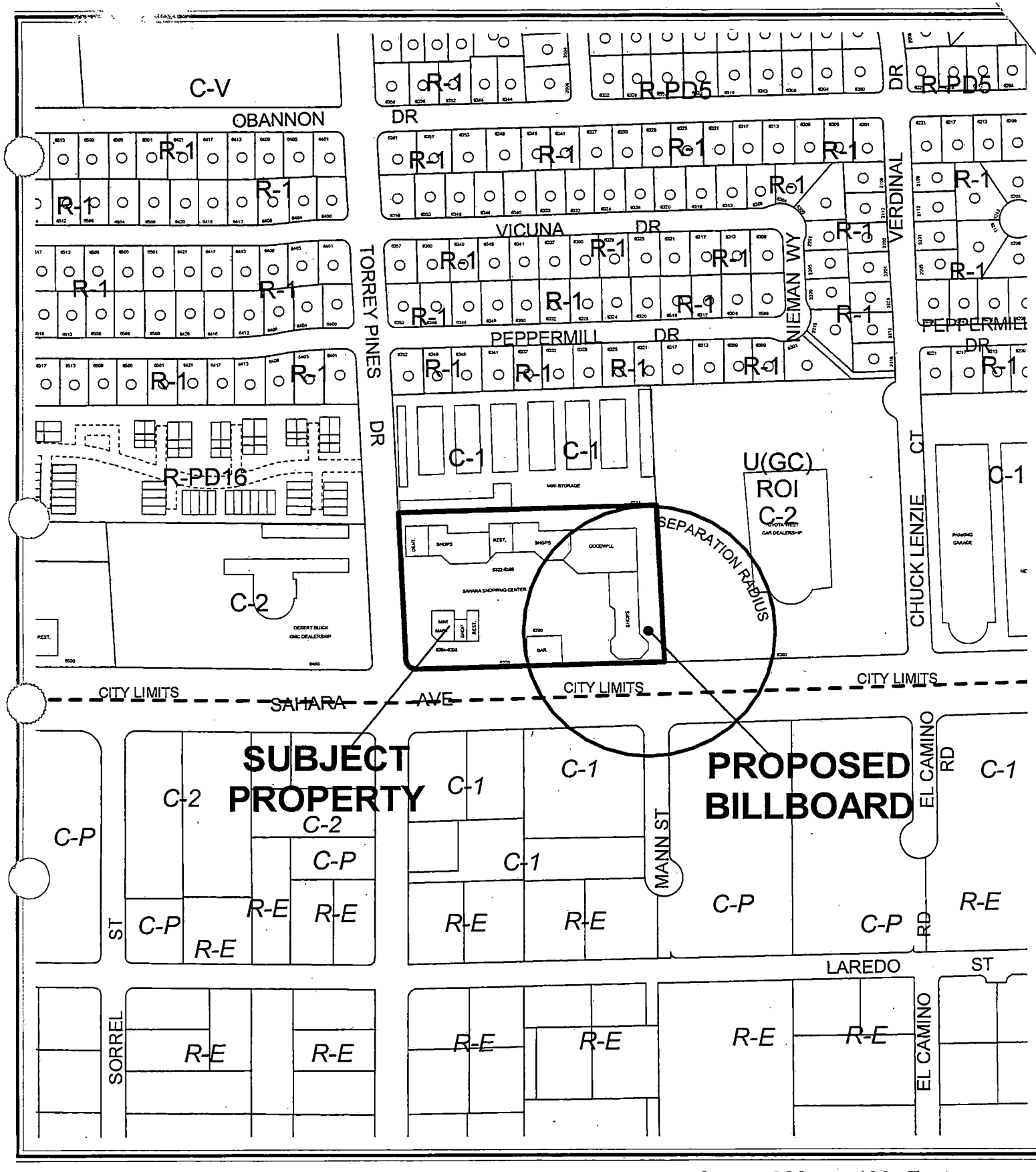
0 200 400 Feet

CASE: **SUP-3394**

RADIUS: 750 FT

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

N



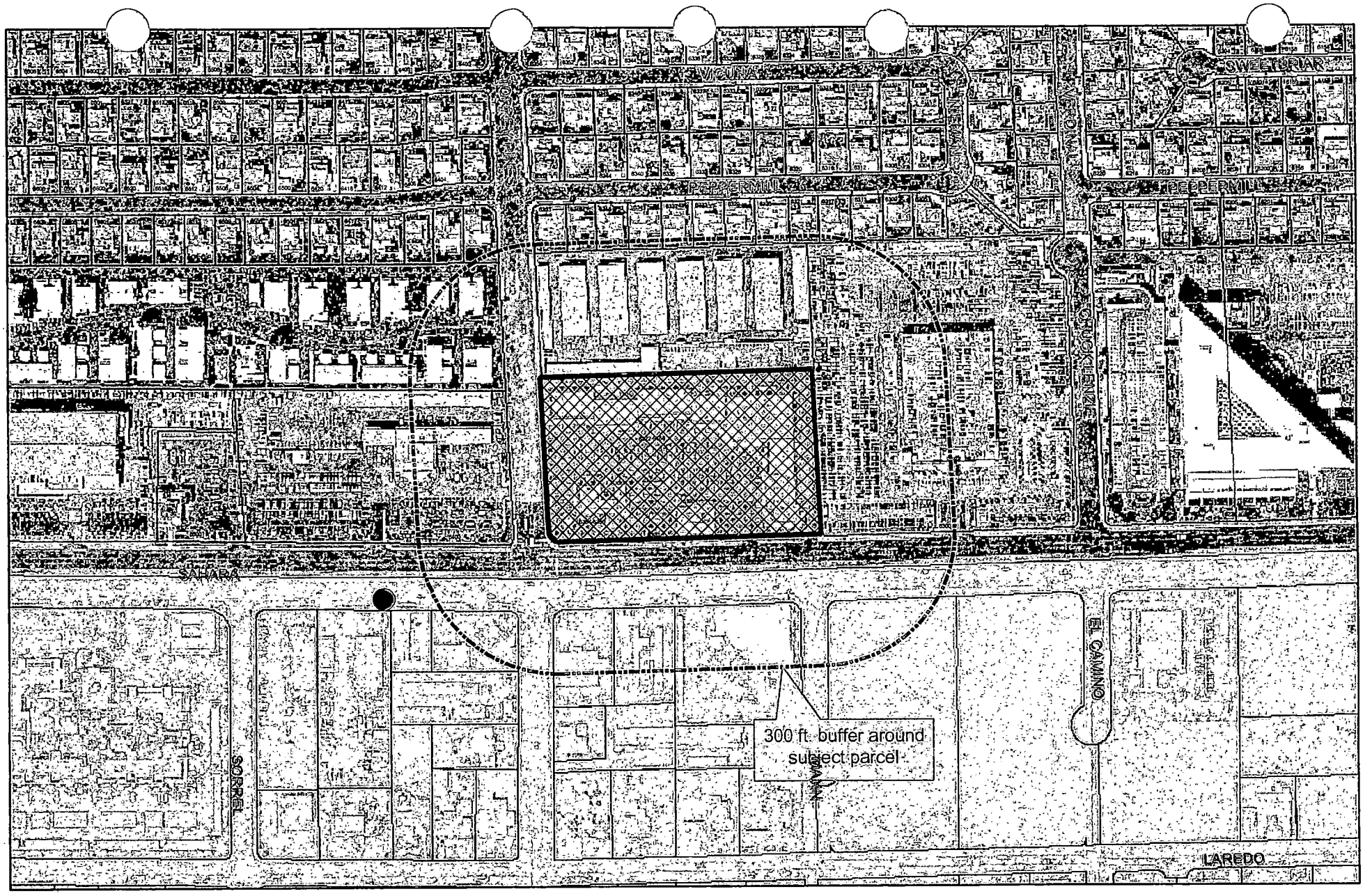
0 200 400 Feet

CASE: **SUP-3394**

SEPARATION RADIUS: 300 FT

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

N



SUP-3394

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. 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 m Off-Premise Advertising (Billboard) Sign.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

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

6. If the existing Off-Premise Advertising (Billboard) 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.

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

8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

9. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6390 West Sahara Avenue.

B) Applicant's Justification

The area is commercial in nature and an Off-Premise Sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86	The City Council approved a Reclassification of Property (Z-0016-86) from N-U (Non-Urban) to C-1 (Limited Commercial). The Planning Commission recommended approval on 3/13/86.
01/28/92	The Board of Zoning Adjustment approved a Variance (V-0190-91) to allow truck and trailer rentals within an existing mini-storage business.
01/03/00	The City Council approved a Special Use Permit (U-0179-00) for a Restaurant Service Bar. The Planning Commission and staff recommended approval on 11/16/00.
10/17/01	The City Council approved a Special Use Permit (U-0121-01) to allow Second Hand Sales in conjunction with a sporting goods business. The Planning Commission and staff recommended approval on 09/06/01.

B) Pre-Application Meeting

11/13/03	The applicant was informed that the project would be considered a Project of Regional Significance due to its proximity to Clark County.

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.34

B) Existing Land Use

Subject Property:	Shopping Center
North:	Mini-Storage
South:	Office / Commercial
East:	Auto Dealership
West:	Auto Dealership

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	Clark County
East:	C-2 (General Commercial)
West:	U (Undeveloped) Zone under Resolution of Intent to C-2 (General Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan and the proposed Off-Premise Sign is a permitted use.

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

COUNTY NOTIFICATION

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

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 unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it has been determined that the proposed Off-Premise Sign will have no significant impacts on the area.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

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

The proposed Off-Premise Sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- 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.

- Use

  Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) 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-Premises Signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with Off-Premises Signs as a permitted use in certain zoning districts.

- Conditions

  Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

  1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

  2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

  3. For any Off-Premise Signs 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 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.

FINDINGS

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

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

The proposed Off-Premise Sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the Off-Premise Sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

Access to the site is via access a driveway off of Sahara Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 117

APPROVALS 0

PROTESTS 0

FS

702-837-7821

5685 S. Valley View
Ste 4
89119

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-02-516-001

Name of Property Owner: West Sahara Associates

Name of Applicant: Las Vegas Billboards

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 _____

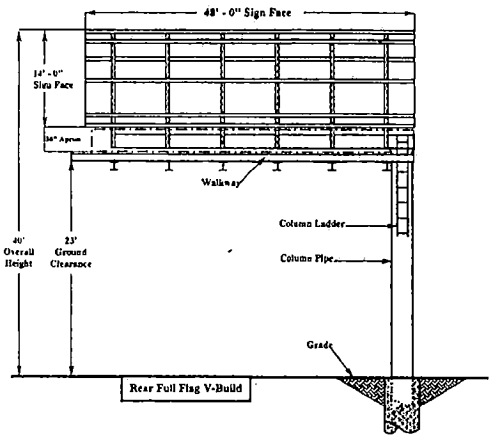
Print Name: Granville Harper

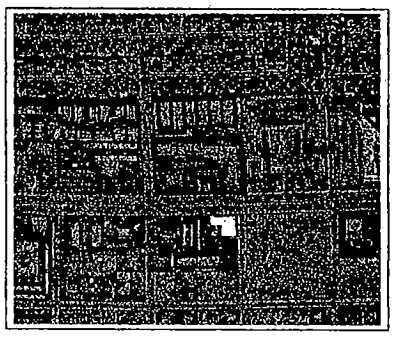
Subscribed and sworn before me

This 31 day of October, 2003

_____
Notary Public in and for said County and State

BRIDGET M. PEREZ
MY COMMISSION EXPIRES
May 9, 2004





PROPERTY OWNER:	WEST SAHARA ASSOCIATES C/O GRANVILLE HARPER 1324 STATE ST. #J-128 SANTA BARBARA, CA 93101-2620
PROPERTY ADDRESS:	6390 W. SAHARA AVE. LAS VEGAS, NV 89146
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

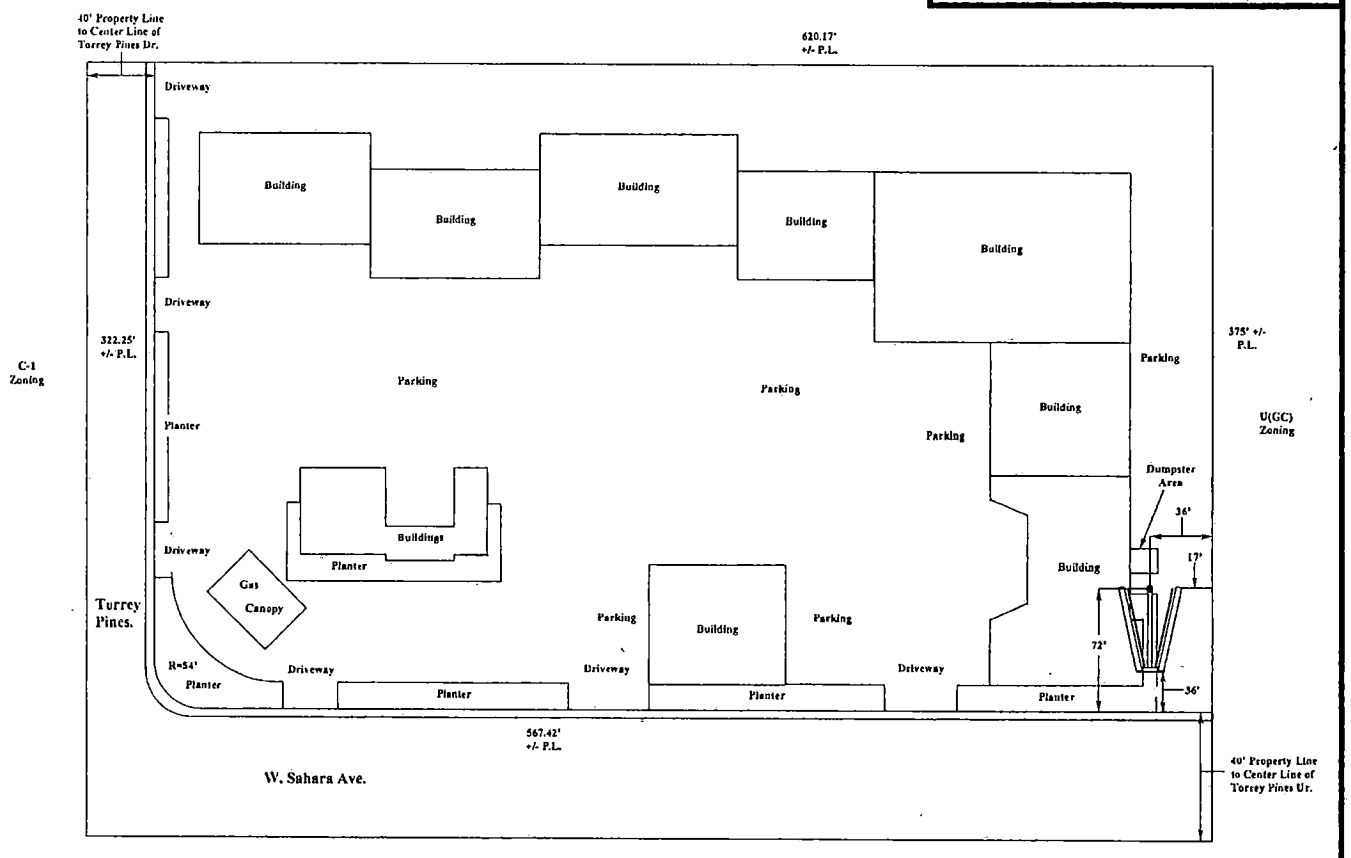
APN: 163-02-818-001
ZONED: C-1
14' x 48' FULL FLAG V-BUILD
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ABJACENT OFF-PREMISE SIGN WITHIN 300'
NO R - ZONE WITHIN 300'
SCALE 1" = 40'

NORTH

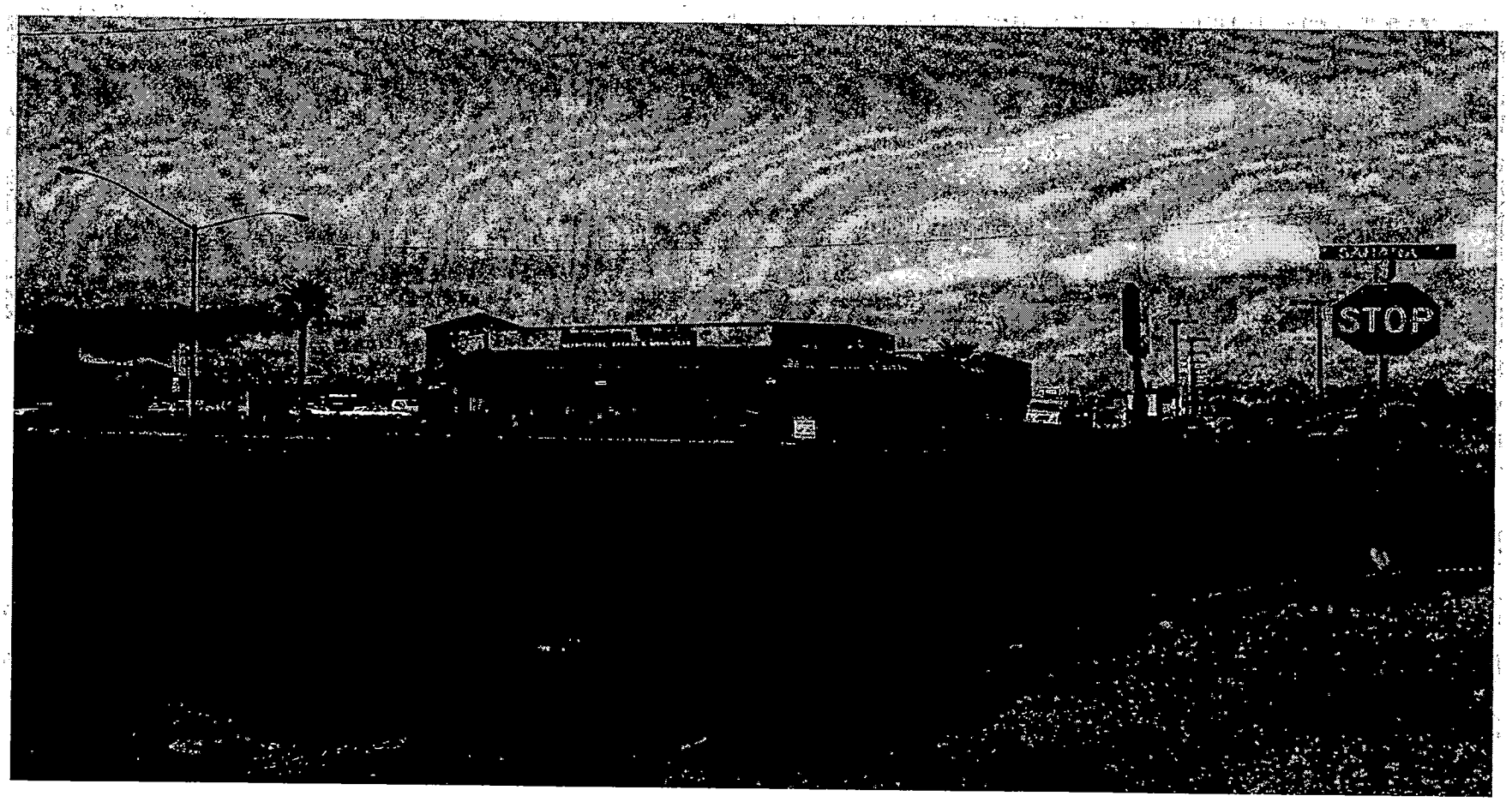
SIGN ANALYSIS TABLE

TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
25' FRONT SETBACK FROM WESTERN AVE. TO LEADING EDGE OF SIGN.
72' FRONT SETBACK FROM WESTERN AVE. TO CENTER OF COLUMN.
17' SIDE SETBACK FROM NORTH PROPERTY LINE TO LEADING EDGE OF COLUMN.
36' SIDE SETBACK FROM NORTH PROPERTY LINE TO CENTER OF COLUMN.



SUP-3394 01-08-04 PC



SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATED, LIMITED PARTNERSHIP
NORTHEAST CORNER OF TORREY PINES DRIVE AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

SUP-3395 - THREE PEAKS INVESTMENTS - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the east side of Industrial Road, approximately 295 feet north of Utah Avenue (APN: 162-04-607-019), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - 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 2/4/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated on the overhead that the proposed billboard is located in an industrial area and meets the separation distance from existing billboards and buffering distance from the freeway. Staff recommended approval subject to conditions.

MARK SABRAW, 2756 North Green Valley Parkway, appeared on behalf of the applicant and concurred staff's recommendations and conditions.

MINUTES – Continued:

CHAIRMAN TRUESDELL asked the applicant whether exposure to traffic is considered in determining an appropriate site for a billboard. MR. SABRAW replied affirmatively. COMMISSIONER EVANS asked whether a period of review was needed considering the projected monorail planned for the area.

Noting the freeway buffer area, COMMISSION DAVENPORT questioned whether the sign narrowly misses that area by being set back. MR. LEOBOLD explained that the sign is backed off slightly and would be subject to the 750-feet distance separation.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:02 – 9:06)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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 and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

CONDITIONS – Continued:

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

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

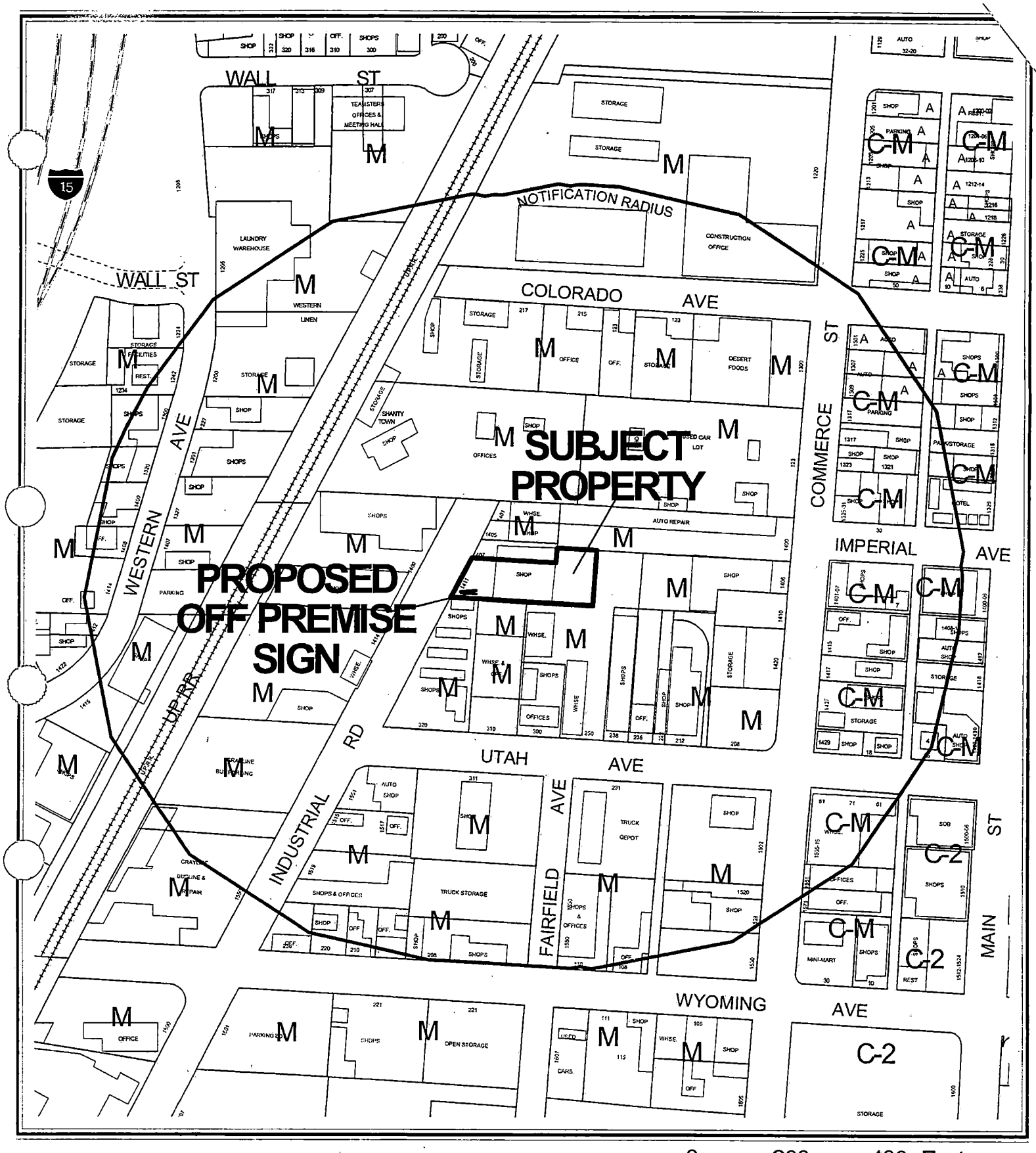
7. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, 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.

9. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

10. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



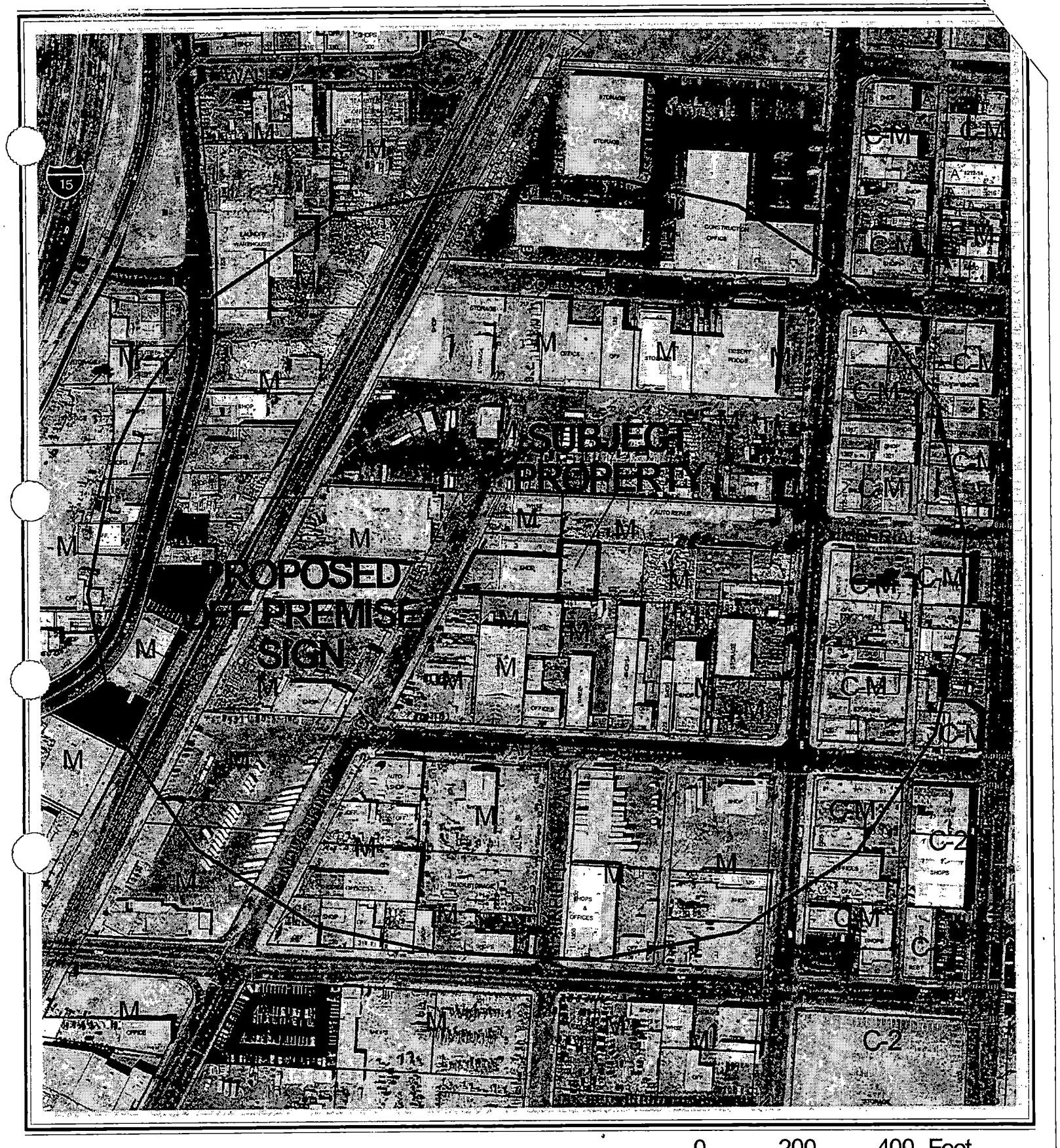
CASE: **SUP-3395**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet

N



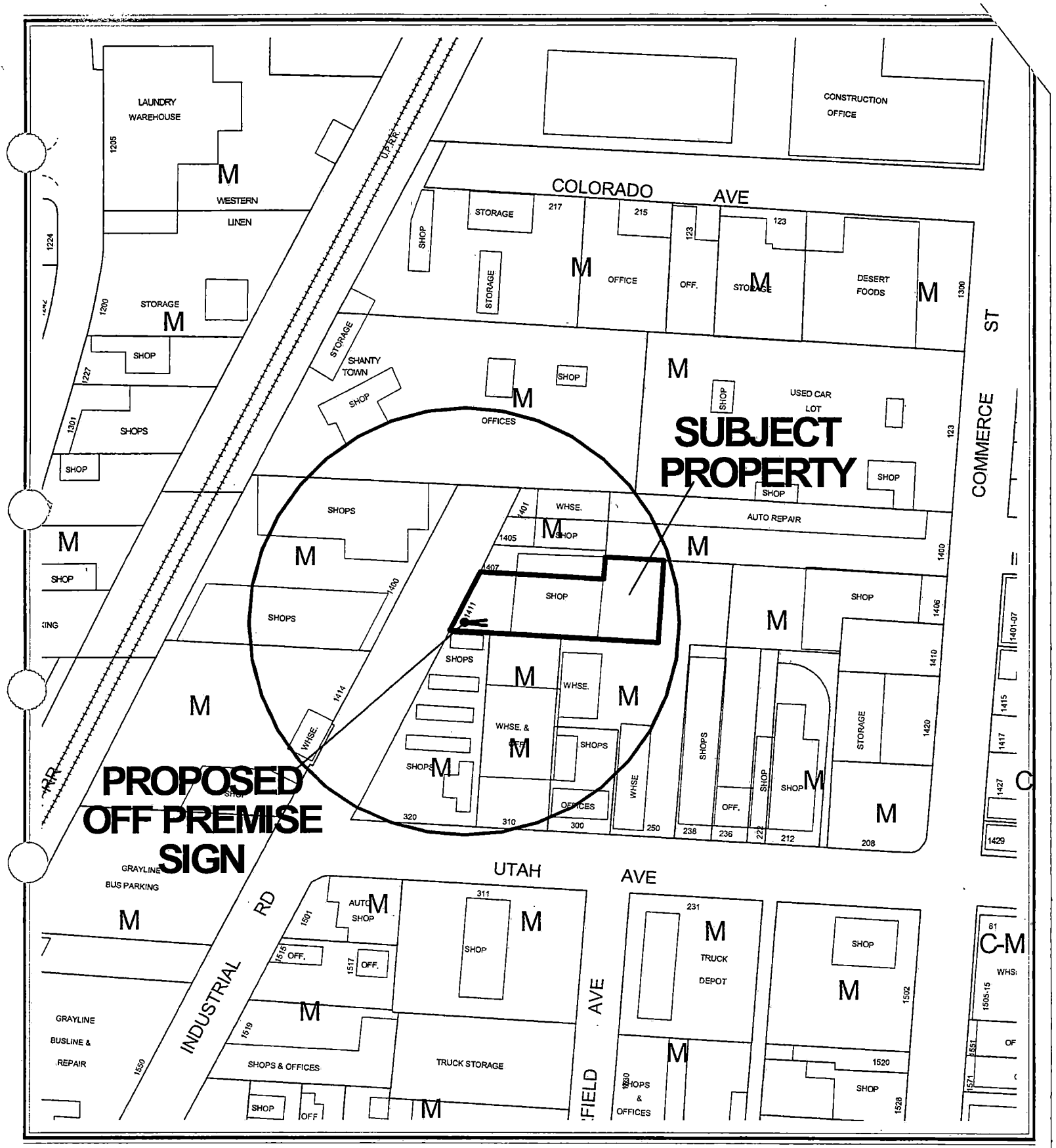
0 200 400 Feet

CASE: **SUP-3395**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

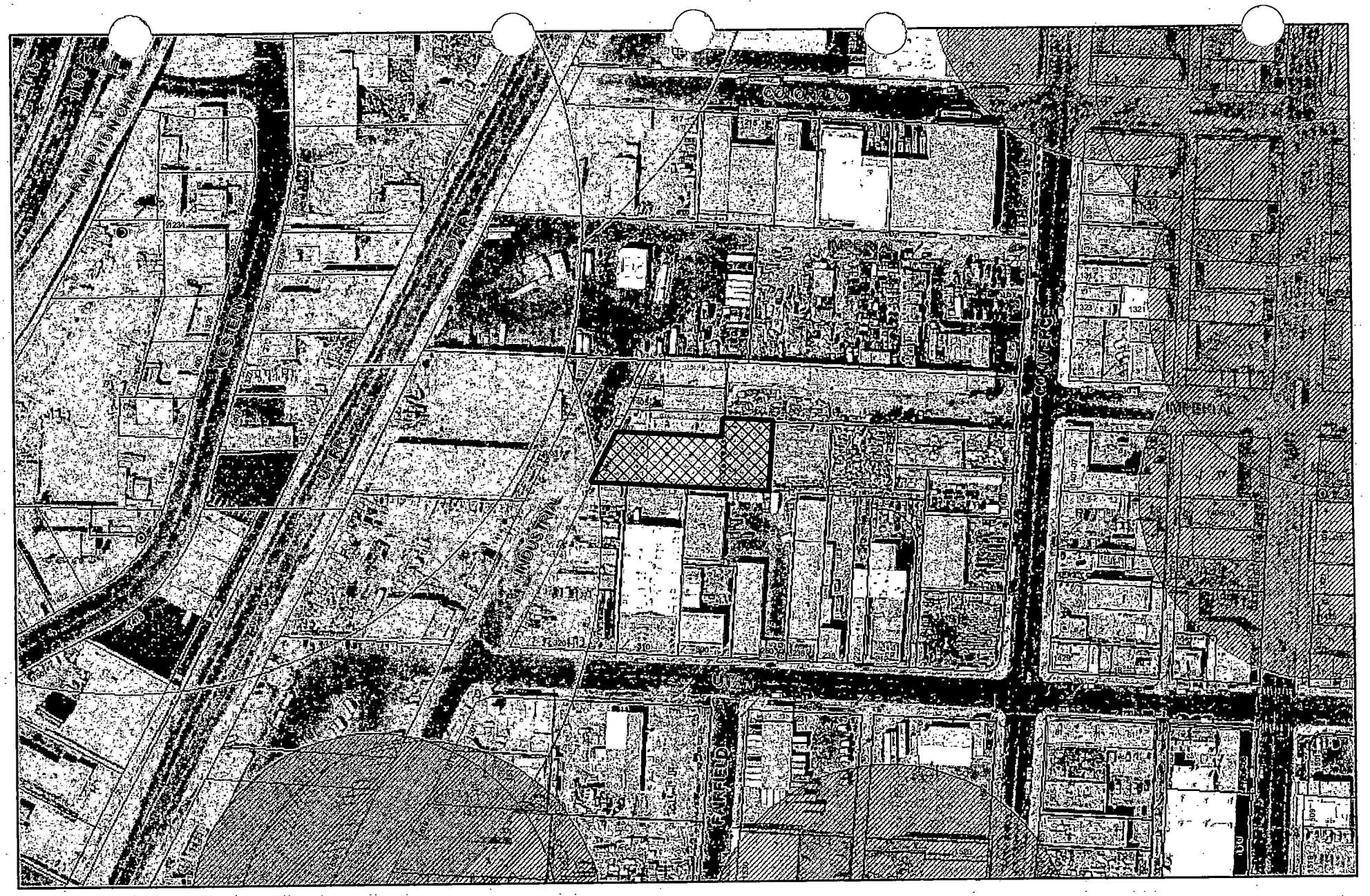
N



CASE: **SUP-3395**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



City of Las Vegas Billboard Data

SUP-3395

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3395 - THREE PEAKS INVESTMENTS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

FS

9. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

10. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1411 Industrial Road.

B) Applicant's Justification

This land use application is consistent with the objectives of Title 19, and the Comprehensive Plan in the area in which it is located.

BACKGROUND INFORMATION

A) Previous Actions

11/16/00 The Planning Commission voted to strike a Request for a Site Development Plan Review (SD-0067-00) for a proposed 2,400 square foot bus service center because it was determined that the application was not needed.

B) Pre-Application Meeting

09/18/03 Issues discussed included lot lines, sign height, and other minor items required on the site plan.

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.59

B) Existing Land Use

Subject Property:	Light Manufacturing
North:	Auto Repair
South:	Office / Warehouse
East:	Light Manufacturing
West:	Light Manufacturing

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
South:	M (Industrial)
North:	M (Industrial)
East:	M (Industrial)
West:	M (Industrial)

E) General Plan Compliance.

The subject site is located within the Downtown Redevelopment Plan Area of the General Plan with a LI/R (Light Industry / Research) designation, which allows low-intensity industrial uses including light manufacturing, warehousing and distribution, and research and development. The existing M (Industrial) zoning district is consistent with the General Plan designation, and an Off-Premise Sign is a permitted use in the M (Industrial) 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
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is located within the Downtown Redevelopment Plan Area with a LI/R (Light Industry / Research) land use designation.

ANALYSIS

A) Zoning Code Compliance

Standards	Code Requirement	Provided
Location	• No Off-Premise Signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in M Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF

FS

Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed billboard sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

  An Off-Premise Advertising (Billboard) Sign is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

- Use

  Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise signs which in themselves 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.

- Conditions

  Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

  1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

  2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any Off-Premise Sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
   c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and
   d. Drawings that allow the computation of the area and the height of any Off-Premise Signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

FINDINGS

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

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

   The proposed Off-Premise Sign conforms to the standards and intent of the LI/R (Light Industry/Research) General Plan designation and the M (Industrial) zoning district. Further, the proposed sign is located outside of the Off-Premise Sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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 a driveway off of Industrial Road, an 80-foot Right of Way. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 73

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3395 APN: 162-04-607-019

Name of Property Owner: THREE PEAKS INVESTMENTS

Name of Applicant: MATHEW GRADY

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: Mathew Brady

Subscribed and sworn before me

This 17 day of November, 20 03

Diana L Browne

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
DIANA L. BROWNE
No. 96-4550-1 My Appointment Expires Sept. 20, 2004

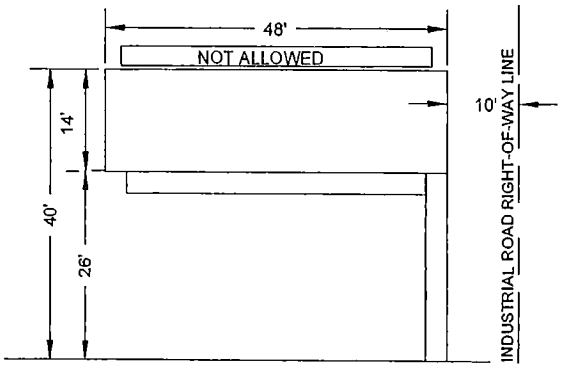
LAND DESCRIPTION

for

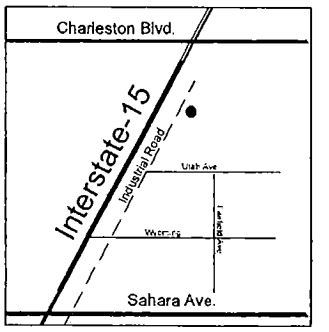
APN 162-04-607-005

All that real property situate in the County of Clark, bounded and described as follows: A portion of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 4, Township 21 South, Range 61 East, M.D.M., more particularly described as follows:

Commencing at the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼): thence South 04°26'00" West, along the East line thereof; 153.51 feet; thence North 86°41'00" West, 342.34 feet to the True Point of Beginning; thence South 04°26'00" West,115.00 feet' thence North 86°41'00" West, 386.47 feet; thence North 27°43'00" East, 92.22 feet; then South 86°41'00" East. 173.06 feet; thence North 04°26'00' East, 31.00 feet; thence South 86°41'00" East 176.989 feet to the True Point of Beginning.

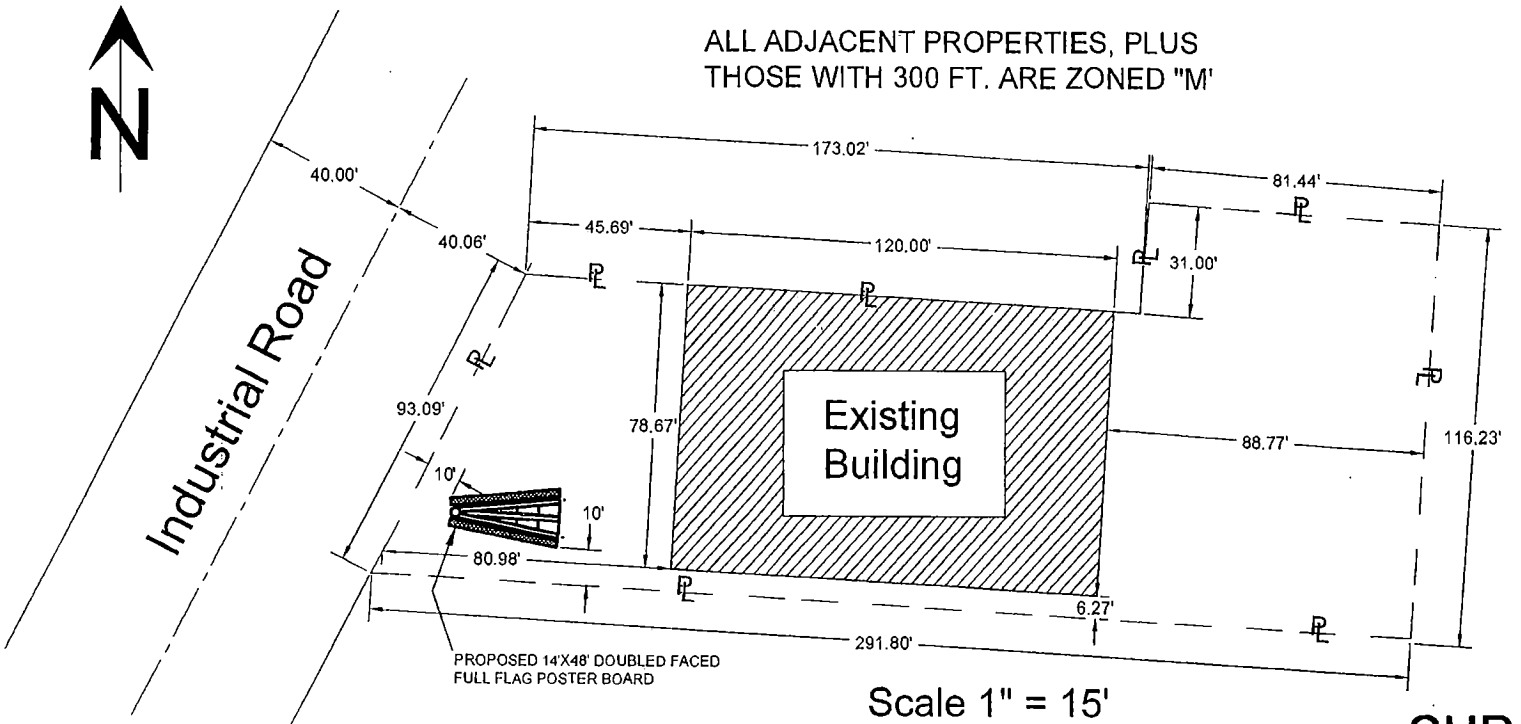


SCALE - 1/8" = 1 foot



VICINITY MAP
not to scale

PREPARED FOR:
THREE PEAKS INVESTMENTS
731 MALL RING CIRCLE # 100
HENDERSON, NEVADA 89014-6684



Scale 1" = 15'

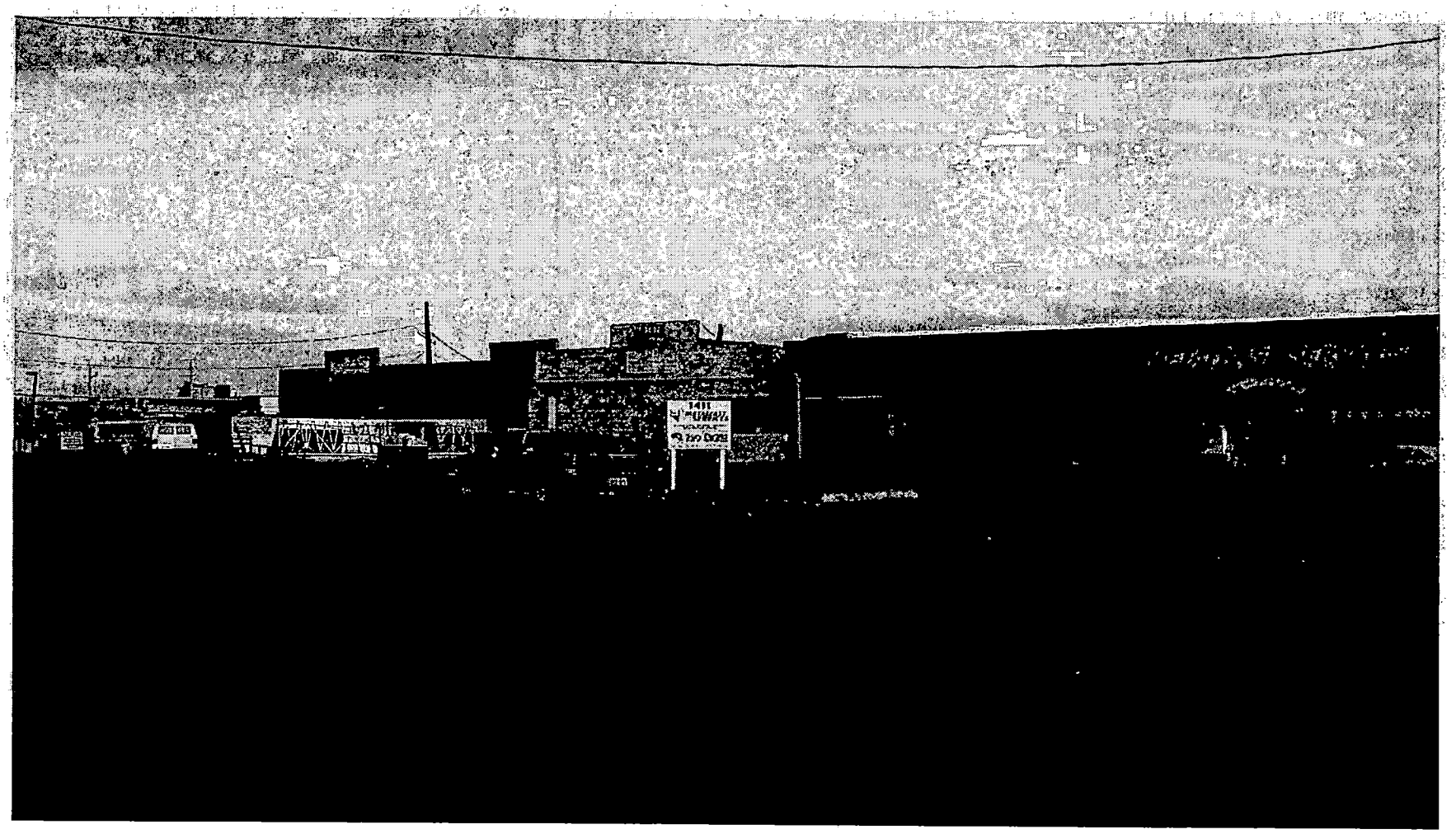
BILLBOARD
on
THREE PEAKS

APN 162-04-607-019

OWNER INFORMATION: APN 162-04-607-019
THREE PEAKS INVESTMENTS
731 MALL RING CIRCLE # 100
HENDERSON, NEVADA 89014-6684

SUP-3395

01-08-04 PC



SUP-3395 - THREE PEAKS INVESTMENTS
EAST SIDE OF INDUSTRIAL ROAD, APPROXIMATELY 295 FEET NORTH OF UTAH AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3403 - CHICAGO PIZZA & BREWERY INC. ON BEHALF OF HOWARD HUGHES CANYON POINTE Q4, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB adjacent to the northwest corner of Pavilion Center Drive and Charleston Boulevard (APN: 137-36-414-004), P-C (Planned Community) Zone, Ward 2 (L. B. McDonald).

C.C.: 02/04/04 - 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 with TRUESDELL abstaining as his daughter resides in the notice area.

To be heard by the City Council on 2/4/2004.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the use meets the standards for a supper club use and the separation distance from protected uses. There is adequate parking throughout the site. The request was reviewed by the Summerlin Review Committee and received approval.

GREG LYNDS, 16162 Beach Boulevard, appeared on behalf of the applicant and accepted staff conditions.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 44 – SUP-3403

MINUTES – Continued:
No one appeared in opposition

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(9:06 – 9:07)
2-3562

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club 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. Conformance to the Conditions of Approval for Rezoning (Z-0135-93) and Summerlin Development Plan Review (SV-0001-02).

4. The site plan shall be revised, prior to the issuance of any permits, to show that the five handicap spaces adjacent to the proposed building on the site plan now meet Code requirements for adequate apron areas on either side of the handicap spaces, and to show that the trash enclosure area is roofed in accordance with Code requirements.

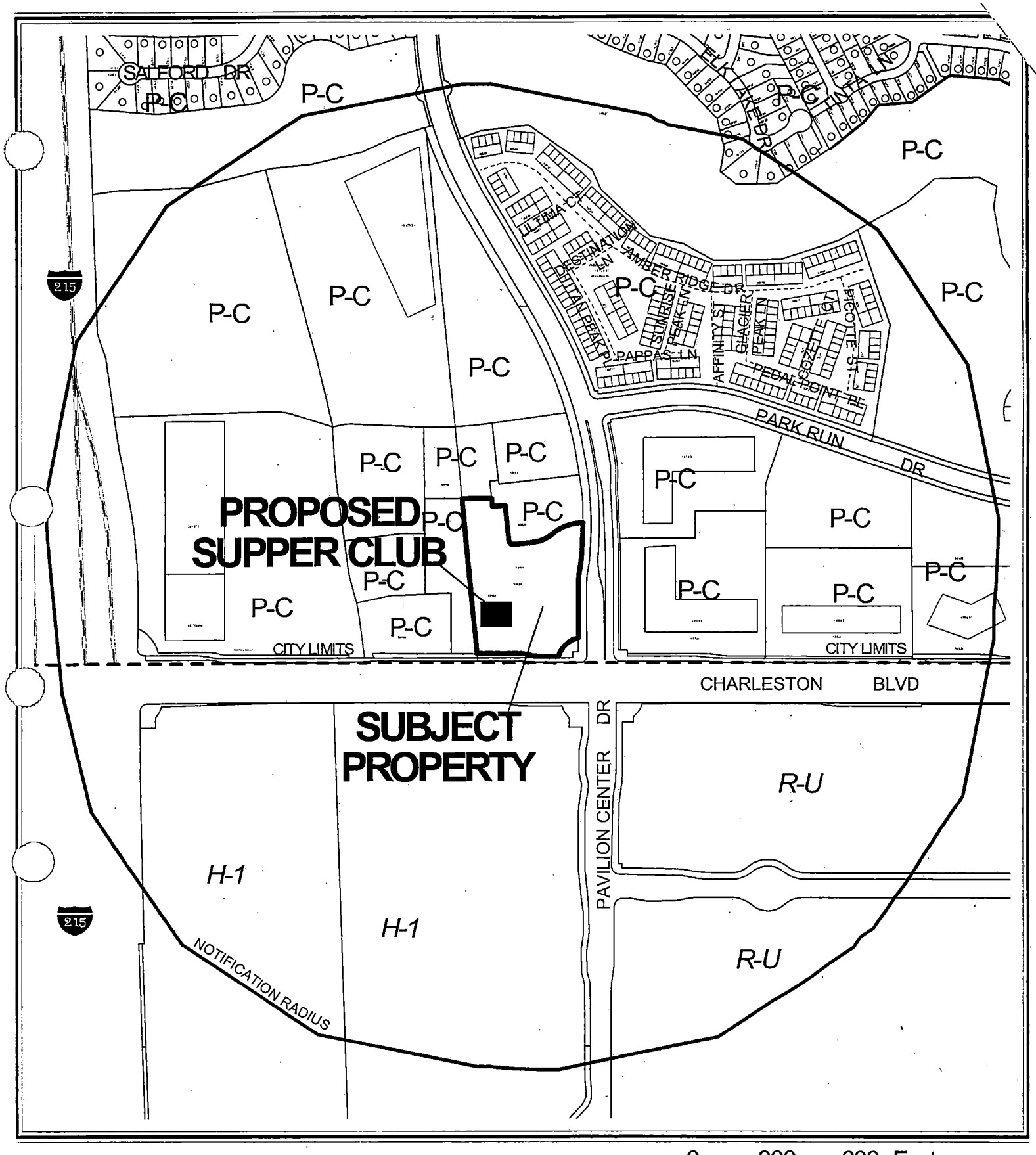
5. All City Code requirements and design standards of all City departments must be satisfied.

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

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

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

9. Site development to comply with all applicable conditions of approval for The Arbors at Summerlin Village 11/12 Unit 2C Lot 7 Commercial Subdivision and all other subsequent site-related actions.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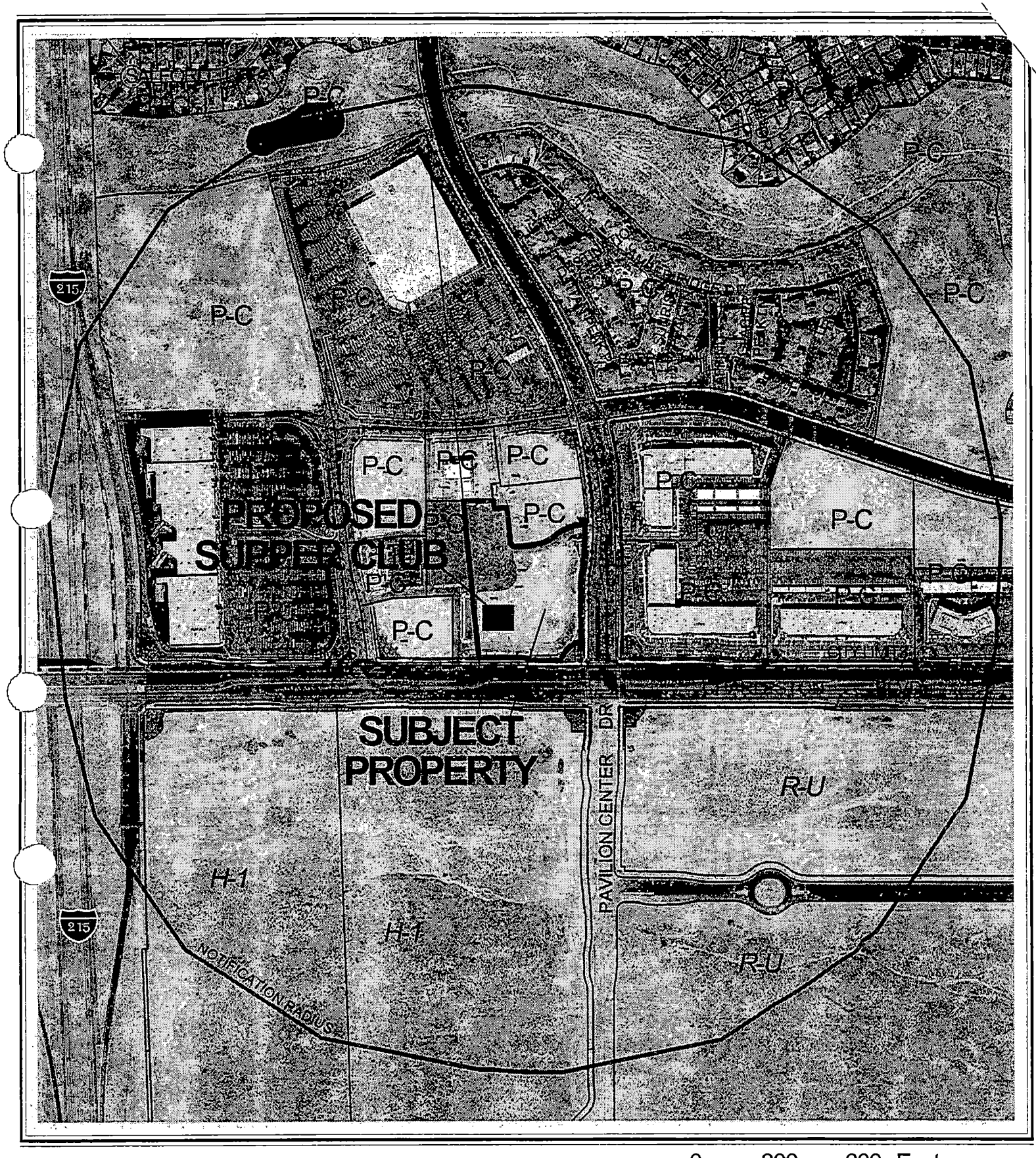


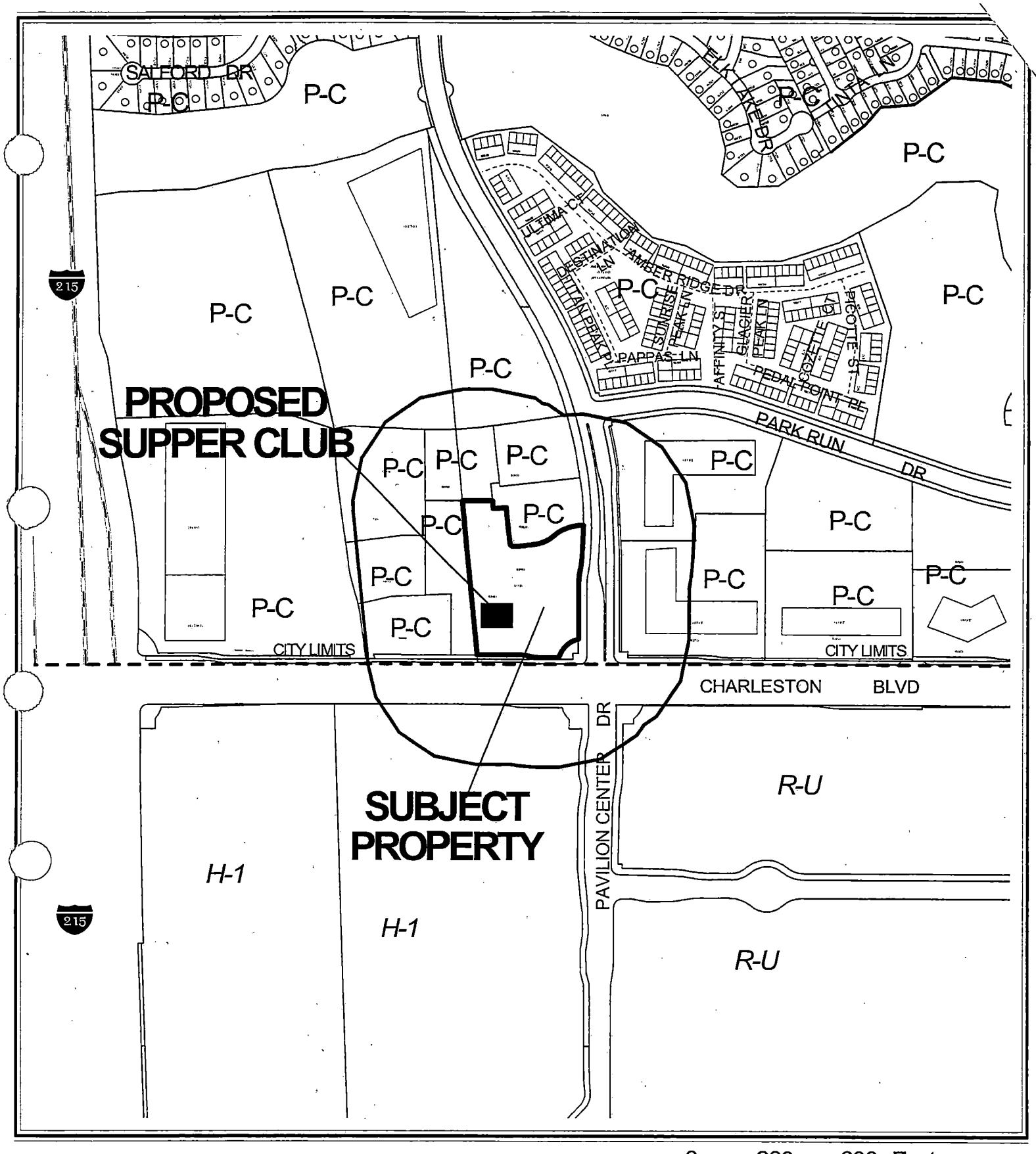
0 300 600 Feet

CASE: **SUP-3403**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3403 - CHICAGO PIZZA & BREWERY INC. ON BEHALF OF HOWARD HUGHES CANYON POINTE Q4, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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

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

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

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

Public Works

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

9. Site development to comply with all applicable conditions of approval for The Arbors at Summerlin Village 11/12 Unit 2C Lot 7 Commercial Subdivision and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow the development of an 8,191 square-foot Supper Club (BJ's Restaurant and Brewhouse) on a 4.33-acre parcel at the northwest corner of Charleston Boulevard and Pavilion Center Drive, in the Canyon Pointe shopping center in Summerlin. This parcel is part of a larger commercial site containing a variety of uses.

B) Applicant's Justification

The applicant has justified this request by stating that the addition of this nationally recognized chain will be a positive addition to the Canyon Pointe development, and that the owners undertake to operate this facility in a responsible manner will regard to the handling and sale of liquor.

BACKGROUND INFORMATION

A) Previous Actions

02/16/94 The City Council approved a request for a Zoning Reclassification (Z-0135-93) from N-U (Non-Urban) to P-C (Planned Community) on the subject site. The Planning Commission recommended approval on 01/13/94.

09/09/99 The Planning Commission approved the Arbors at Summerlin Village 11/12, Unit No. 2C, Lot 7 Tentative Map (A Commercial Subdivision) (TM-0040-99).

02/20/02 The Summerlin City Referral Group administratively approved a request for a Site Development Plan Review (SV-0001-02) for a proposed commercial center on the northwest corner of Charleston Boulevard and Pavilion Center Drive, at Canyon Pointe at Summerlin Centre - Parcel 4, on 14.72 acres located on the northwest corner of Charleston Blvd and Pavilion Center Drive, on a portion of the overall commercial site.

05/21/03 The City Council approved a request for a Special Use Permit (SUP-1982) for a proposed Tavern at 10820 West Charleston Boulevard, on a portion of the overall commercial site. The Planning Commission recommended approval on 04/24/03. Staff had recommended approval of this application.

GL

06/18/03 The City Council approved a request for a Special Use Permit (SUP-2120) for a Supper Club (The Olive Garden Italian Restaurant) adjacent to the northwest corner of Charleston Boulevard and Pavilion Center Drive, on a portion of the overall commercial site. The Planning Commission recommended approval on 05/22/03. Staff had recommended approval of this application.

B) Pre-Application Meeting

10/30/03 The applicant was asked to illustrate a parking analysis on the proposed site plan. A satisfactory analysis has not been provided as of the time of preparation of this report.

This application met the requirements of State law to be considered as a Project of Regional Significance; therefore, the process was explained to the applicant as well as the requirement to submit additional copies of the site plan for circulation.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	14.7 (entire commercial site)
Net Acres:	4.3 (pad site)

B) Existing Land Use

Subject Property:	Undeveloped
North:	Retail Commercial Center (under construction)
South:	Undeveloped
East:	Supper Club
West:	Retail Commercial Center (under construction)

C) Planned Land Use

Subject Property:	VC (Village Commercial - Summerlin) [SC (Service Commercial) General Plan Designation]
North:	VC (Village Commercial - Summerlin) [SC (Service Commercial) General Plan Designation]
South:	Unincorporated Clark County
East:	VC (Village Commercial - Summerlin) [SC (Service Commercial) General Plan Designation]
West:	EC (Employment Center - Summerlin) [SC (Service Commercial) General Plan Designation]

GL

D) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	P-C (Planned Community)
East:	P-C (Planned Community)
West:	P-C (Planned Community)

E) General Plan Compliance

The subject property is designated VC (Village Commercial) on the Summerlin Special Land Use Plan for the Arbors, Village 11/12, within the Summerlin Master Planned Community. The proposed Supper Club is a permitted use within the VC (Village Commercial) land use designation with approval of a Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	**X**	
Summerlin	*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

A Multi-use Transportation Trail is depicted along the north side of Charleston Boulevard adjacent to the subject site; however, this trail is the responsibility of the Summerlin master developer.

Special Notification

The Clark County Planning Department was notified of this project since county parcels are located within the notification area.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500' of a County parcel.

GL

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:

The Flood Control Division of the Department of Public Works requires that an update to the previously approved Drainage Plan and Technical Drainage Study be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. The applicant must provide and improve all drainageways as recommended in the approved drainage plan/study.

The Planning Commission considers the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	8,191 SF. (5,620 public seating; 2,571 SF remaining gfa, no outdoor seating)	1/50 SF of Public Seating Area, 1/200 remaining GFA	113 13	5		
Totals			126	5	126*	5**

* This site is located within a larger commercial subdivision, which allows for cross-access throughout the entire commercial center. Parking, however, is not shared; the parking area in the center of the development is entirely dedicated to the three restaurants on the subject parcel. As a result, there is adequate parking for the proposed use, although as other uses develop on the overall site, it is unclear that adequate parking will be available for these uses. As the remaining pad sites are brought forward for development, the master developer should be required to provide a parking analysis of the entire site, based on the uses approved to date, or which are anticipated to develop, to show that adequate parking as defined in the Zoning Code will be available to serve these remaining pad sites.

** The five handicap spaces shown adjacent to the building on the site plan do not meet Code requirements for adequate apron areas on either side of the spaces. A condition of approval will require the applicant to revise the site plan to address this deficiency.

A2) Minimum Distance Separation Requirements

While Title 19 requires a Supper Club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Park, as measured from property line to property line, the Summerlin Development Standards do not require any distance separations from uses. In this case, however, there are no protected uses within the minimum distance separation as indicated in Title 19.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Not indicated

Although a walled and gated trash collection area is shown on the floor plan at the back of the building, it is unclear whether it is proposed that this area will be roofed. A condition of approval will address this issue.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned P-C (Planned Community) and has a Summerlin Land Use designation of VC (Village Commercial). The proposed Supper Club will be within the range of uses permitted, with approval of a Special Use Permit, in the VC (Village Commercial) land use designation with P-C (Planned Community) zoning.

- Use

The Supper Club use requires a restaurant area that will accommodate at least 125 persons in an area separated from the bar area by a barrier sufficient to prevent access to the bar by minors. The submitted floor plan depicts 194 seats available in two dining areas with another 71 seats within the bar and lounge area. The bar area is sectioned off from all the two dining rooms. While Title 19 requires a Supper Club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Park, as measured from property line to property line, the Summerlin Development Standards do not require any distance separations from uses. In this case, however, there are no protected uses within the minimum distance separation as indicated in Title 19.

- Conditions

  Recommended conditions include conformance to all Minimum Requirements of the Title 19 Development Standards for Supper Club use and the conformance to the Conditions of Approval for Rezoning (Z-0135-93).

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 a developing commercial center where a substantial concentration of major commercial development is to occur. A Supper Club establishment contains a major restaurant component in addition to the bar operation, which can be expected to be compatible with, and mutually supportive of, other uses located within the commercial center.

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

   There is no evidence of any physical constraint to location of the proposed Supper Club use on the subject site; however, it should be noted that the parking configuration is such that some patrons of this and the other two restaurants expected to develop on that parcel may be required to walk up to 450 feet from parking designated for the use of these three facilities. Patrons of other commercial stores and restaurants on the overall can be expected to use these spaces as well, particularly where the spaces are close to other outlets.

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

   The proposed Supper Club use will be accessed solely through the Canyon Pointe Centre commercial site with access from Charleston Boulevard (100-foot Primary Arterial) and Pavilion Center Drive (Summerlin 100-foot Arterial). These roads have adequate capacity to serve the proposed development. The project will not have any negative traffic impact on residential neighborhoods in the area.

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

GL

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

NOTICES MAILED 256

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3403 APN: 137-35-812-014

Name of Property ~~Owner~~ Lessee: Chicago Pizza & Brewery, Inc.

Name of Applicant: G.C. Wallace, Inc.

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property ~~Owner~~/~~Authorized Agent~~ Lessee: _____

Print Name: Gregory S. Lynds

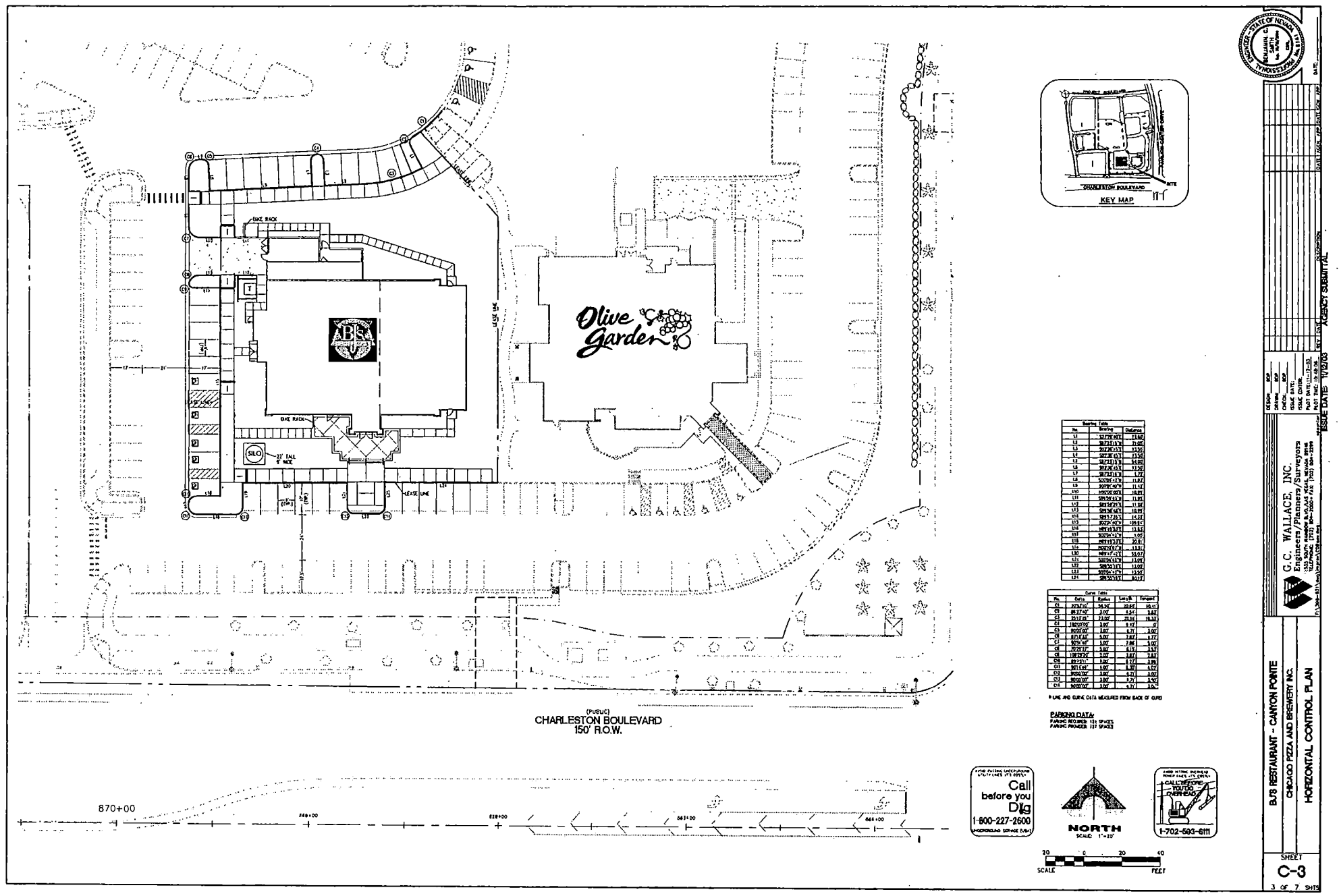
Subscribed and sworn before me

This 30th day of October, 2003

_____

Notary Public in and for said County and State

DIANNE A. SCOTT
COMM. # 1268736
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
COMM. EXP. JUNE 25, 2004



No.	Bearing	Distance
L1	S17°29'49"E	13.92'
L2	S87°31'11"W	21.00'
L3	S02°28'49"E	13.50'
L4	S02°28'49"E	13.50'
L5	S87°31'11"W	54.00'
L6	S02°28'49"E	13.50'
L7	S87°31'11"W	1.75'
L8	S02°28'49"E	11.83'
L9	S07°31'40"W	11.54'
L10	N02°28'49"W	18.83'
L11	S89°56'43"W	11.95'
L12	N87°34'23"E	11.95'
L13	S01°54'48"E	18.91'
L14	S89°57'20"E	14.25'
L15	S02°28'49"E	109.54'
L16	N89°16'33"E	13.35'
L17	S02°28'49"E	1.05'
L18	N89°16'33"E	20.81'
L19	N02°28'49"W	13.31'
L20	N89°47'43"E	53.07'
L21	S02°28'49"E	11.08'
L22	S89°31'11"E	13.00'
L23	S02°28'49"E	13.50'
L24	S89°31'11"E	54.17'

No.	Curve	Radius	Length	Tangent
C1	90°34'10"	24.50'	38.85'	24.81'
C2	89°27'49"	2.00'	3.54'	2.23'
C3	90°31'51"	23.50'	37.16'	23.77'
C4	1°40'05"	3.00'	0.17'	0'
C5	90°00'00"	3.00'	4.71'	3.00'
C6	179°59'60"	3.00'	9.42'	3.00'
C7	90°34'10"	3.00'	4.96'	3.17'
C8	89°27'51"	3.00'	4.15'	2.63'
C9	179°59'60"	3.00'	9.42'	3.00'
C10	89°31'51"	3.00'	4.17'	2.65'
C11	90°34'10"	3.00'	4.96'	3.17'
C12	90°00'00"	3.00'	4.71'	3.00'
C13	90°00'00"	3.00'	4.71'	3.00'
C14	90°00'00"	3.00'	4.71'	3.00'

* LINE AND CURVE DATA MEASURED FROM BACK OF CURB

G.C. WALLACE, INC.
Engineers/Planning/Surveying
333 South Rancho Drive, Suite 200, Las Vegas, Nevada 89106
TELEPHONE (702) 384-2000 • FAX (702) 384-2399

BJ'S RESTAURANT - CANYON POINTE
CHICAGO PIZZA AND BREWERY INC.
HORIZONTAL CONTROL PLAN

SHEET
C-3
3 OF 7 SHTS

ISSUE DATE: 11/01/03

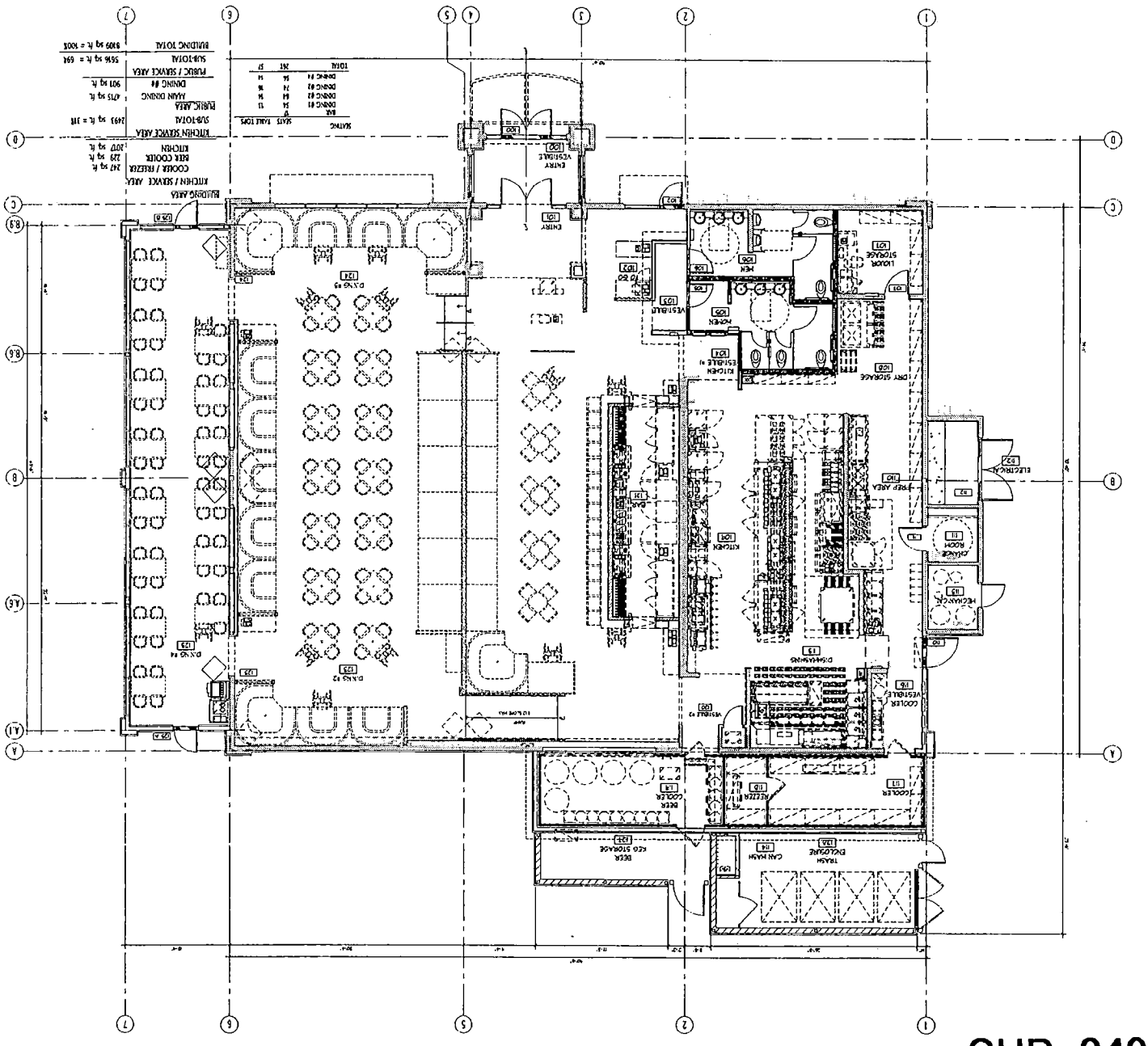
SUP-3403
01-08-04 PC

FLOOR PLAN

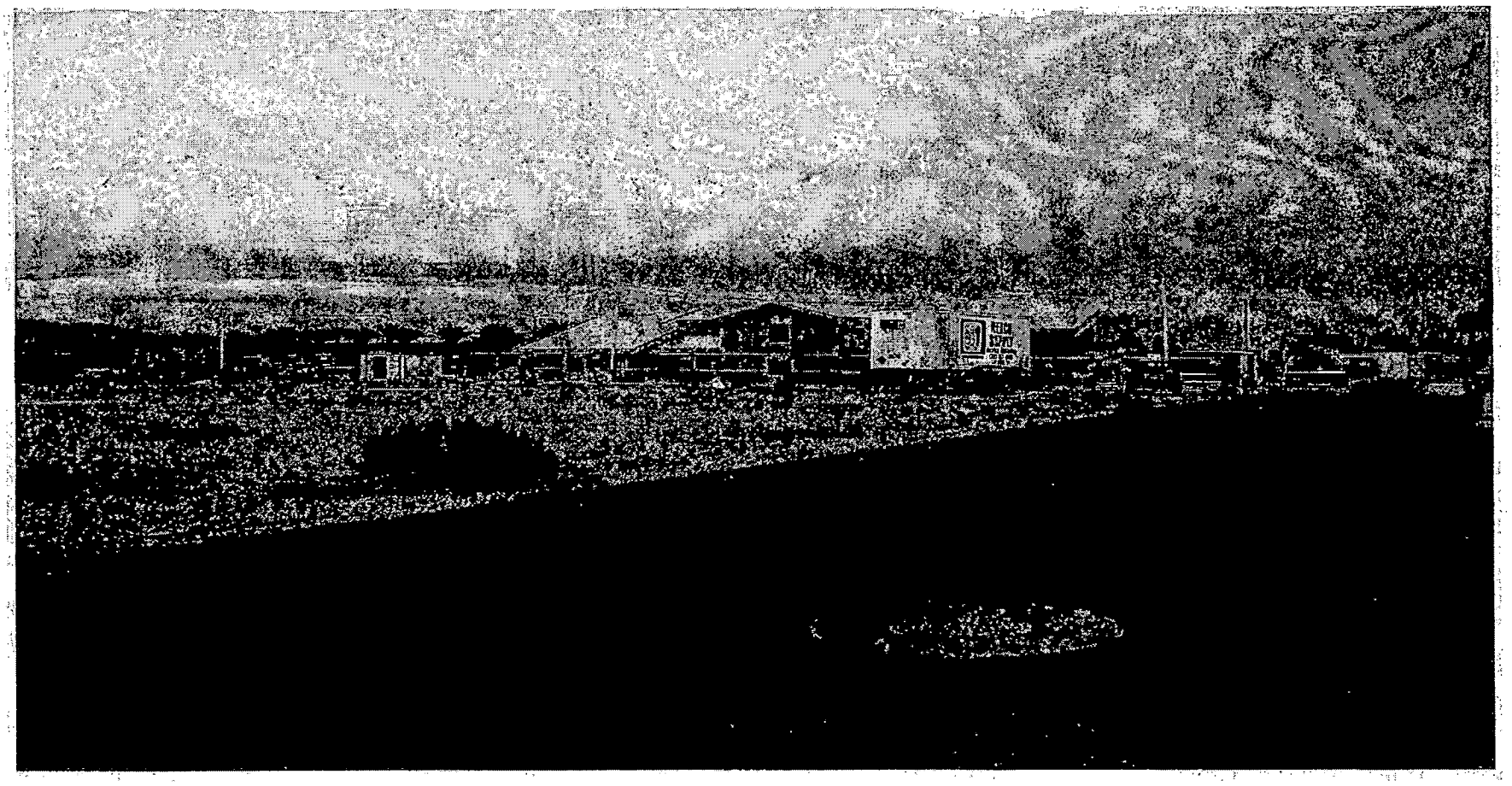
CR-2

FLOOR PLAN

CAYNON POINTE
SUMMERLIN, NEVADA



SUP--3403
01-08-04 PC



SUP-3403 - CHICAGO PIZZA & BREWERY INC. ON BEHALF OF HOWARD HUGHES CANYON POINTE 04, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF PAVILION CENTER DRIVE AND CHARLESTON BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3405 - FAMILY AND CHILD TREATMENT OF SOUTHERN NEVADA ON BEHALF OF FURBER DEVELOPMENT - Request for a Special Use Permit FOR A PROPOSED SEX OFFENDER COUNSELING FACILITY at 1050 South Rainbow Boulevard (APN: 138-34-820-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

3. Any treatment other than Tier 1 or Tier *2* offenders shall require the submittal of a new Special Use Permit application.

– Motion carried with GOYNES voting No.

To be heard by the City Council on 1/21/2004.

NOTE: CHAIRMAN TRUESDELL disclosed that he worked for Primary Bank as a consultant when the space was leased to this organization twenty years ago. Having had no discussion with anyone from this organization, it would not impact upon his ability to vote on this matter.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, suggested that based on the outcome of this application, it be fast tracked to the 1/21/2004 City Council. He explained that attached to the backup is a copy of a City Ordinance that requires a special use permit for any sex-offender counseling facility in a C-1 zoning district. Additionally, a detailed chart describing a Tier I/II/III offender was included for informational purposes. MR. CLAPSADDLE noted that the applicant has stated that only Tier I and Tier II offenders would be treated at this facility.

MR. CLAPSADDLE clarified that the facility is designed for counseling services only and there is no shelter or medical services available. The applicant has also provided information pertaining to hours of operation for treatment of patients.

ATTORNEY MICHAEL RASMUSSEN, 7401 West Charleston, along with VICTORIA GRAFF, 1015 South Rainbow Boulevard, appeared on behalf of the applicant. ATTORNEY RASMUSSEN acknowledged there would be opposition to the proposal but noted that there are citizens present who wish to speak in favor of the organization.

MS. GRAFF explained that the Family and Child Treatment Facility has been in operation since 1984 providing services to children and families in the Las Vegas area. She emphasized that the main purpose of the facility is to serve children, individuals and families who have been victimized through child abuse, neglect and family violence. Also available is sex-offender treatment to Tier I and Tier II offenders. She noted that since the program was established, there have been no incidents of violence or disruption at the Center.

The following speakers opposed the proposed Counseling Facility and a condensed recap of their comments are noted below: NORA BERG, 2610 Pomona Drive; DOTTIE SILVER, 1916 South Torrey Pines Drive; SUSAN SABALLA, Torrey Pines/Oakey Central Neighborhood Association; JUANITA CLARK, Charleston Neighborhood Association; JUNE ENGLAND, Charleston Neighborhood Association (relinquished time to previous speaker); and PAUL O'BANNON, West O'Bannon Drive.

MINUTES – Continued:

Speakers in opposition recommended denial of the special use permit stating that there are schools in close proximity to the proposed facility. They argued that having these offenders pass the schools would subject children, parents and teachers to unnecessary risks. Staff was questioned as to what constitutes an annual review by the Planning Commission and who would be responsible for monitoring the facility, alleging that the Treatment Center is secretive as far as the services they provide. Not having received any notification regarding the proposed facility, residents were troubled at discovering that this proposed use was being considered. MAYOR OSCAR GOODMAN and COUNCILWOMAN JANET MONCRIEF were contacted, when it was expressed that the City was unaware that sex-offenders would be receiving treatment at the facility. A number of speakers indicated on the overhead, the location of the Counseling Facility to adjacent apartments, a dance studio, schools, churches and the Opportunity Village. One gentleman stated this is not the proper location for such a facility.

Speaking in favor of the proposed Counseling Facility were OFFICER NADINE DONNELLY, with the Department of Parole and Probation; TODD FARLOW, 240 North 19th Street, and OFFICER DEBRA WORTHINGTON, Department of Parole and Probation. OFFICER DONNELLY attested to the types of services provided including the supervision of approximately 500 plus sex offenders. She explained that sex offenders are assessed and ranked by the Sex Offender Registration Unit, located in Carson City. Each case is based on the seriousness of the crime, past history of the offender, chances of reoccurrence and the injury done to the victim. Only Tier I and II sex offenders receive counseling as compared to Tier III offenders who are incarcerated. OFFICER DONNELLY commended the staff at the Counseling Facility for their professionalism and emphasized that their major concern is to ensure public safety. MR. FARLOW spoke on behalf of the facility but was very critical of the Police Department and the handling of some of the sex offender cases. OFFICER WORTHINGTON commended the Family and Child Treatment Center. She noted that information regarding the category of a sex offender is not privileged. She emphasized that the community needs to understand that this facility requires a sex offender to comply with every aspect of the program including curfews, strict guidelines, and counseling or as a consequence will be sent to prison.

ATTORNEY RASMUSSEN clarified that prior to 2003 with the enactment of the City Ordinance, no special use permit was required. However, when advised of the need for a special use permit, every effort was taken to comply. He closed by stating that this is a permitted use, it is appropriate for the location and zoning and asked for approval.

MINUTES – Continued:

Responding to various questions, MS. GRAFF provided the following information: she noted that she knows of only one offender who committed an offense during the course of treatment; she clarified that risk assessments are conducted but knows of individuals that have been misjudged to be less of a risk than they actually were. MS. GRAFF stated that each offender is required to sign a confidentiality statement. Without that document, the individual is refused counseling, because it does not enable the facility to communicate with the Courts and the Probation Department.

COMMISSIONER McSWAIN referenced the consistent occurrence of sex offenses. Having sat on a similar board, COMMISSIONER McSWAIN commented on the disclosure of an individual's Tier I or Tier II classification despite the fact that an offender is seeking to get help. MS. GRAFF added that with regard to a Tier III offender, notification to the community is done by Metro to the immediate homes in the community that the offender resides. COMMISSIONER McSWAIN emphasized that her concern dealt mainly with the structure of the program.

COMMISSIONER GOYNES opined that he often wondered why facilities are placed in districts that are surrounded by residential, schools and churches. Knowing full well the benefits of providing positive and constructive programs, he questioned why a counseling facility could not be better situated next to a prison site. He stated he would not support this proposal specifically because it would be an imposition to residents who have made lifetime investments in their community.

COMMISSIONER EVANS understood the issue has to do with location, however, he did agree with the purpose of the facility and was gratified that the Treatment Center has a program that provides counseling in a structure environment.

COMMISSIONER DAVENPORT asked for more clarification of the Tier I and Tier II classifications. MS. GRAFF explained that usually the offenders in those two categories have not committed violent offenses and are treatable.

COMMISSIONER NIGRO stated that the credibility of the Treatment Center is extremely important as is the location of the facility. He stated that he is familiar with a similar program run by the County that dealt with youth and was located in the same building as his firm and just adjacent to his office. After much skepticism, inquiries were made to other landlords and the end result was an agreement to lease to the County that produced no adverse situations.

MINUTES – Continued:

CHAIRMAN TRUESDELL acknowledged that the applicant runs a well-respected organization that has over the years operated without incidents in locations considered sensitive areas. Based on that summation, he felt comfortable that the proposed site is an appropriate location.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: The meeting Recessed at 9:49 P.M.
(9:06 – 9:49)
2-3683/3-1

CONDITIONS:

Planning and Development

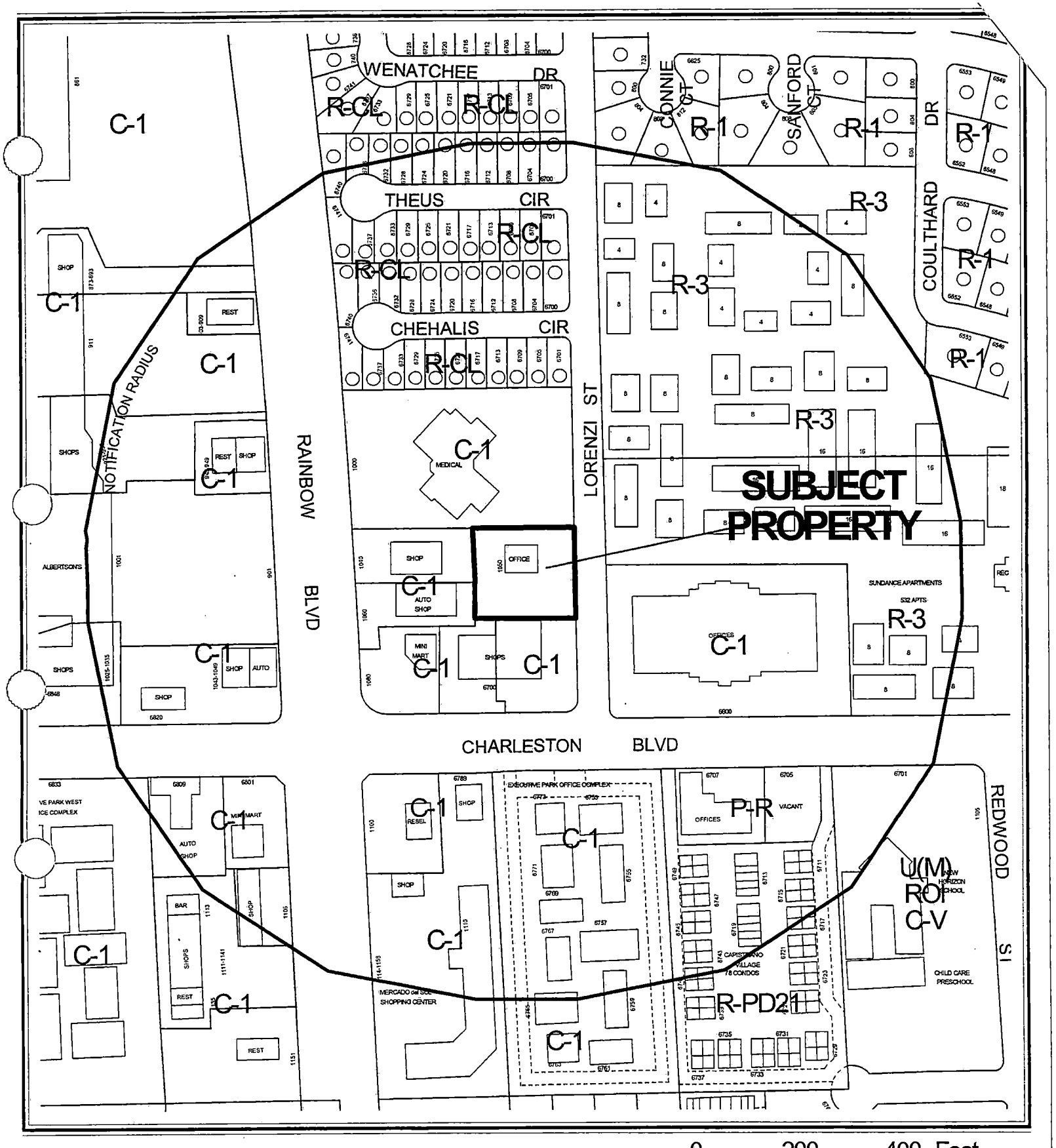
1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. This use shall be subject to a one year review at a public hearing by the Planning Commission and City Council.

3. Any treatment other than Tier 1 or Tier offenders shall require the submittal of a new Special Use Permit application.

4. The facility shall adhere to business hours Monday through Saturday, 8:00 to 5:00 pm, with treatment available until 8:00 pm.

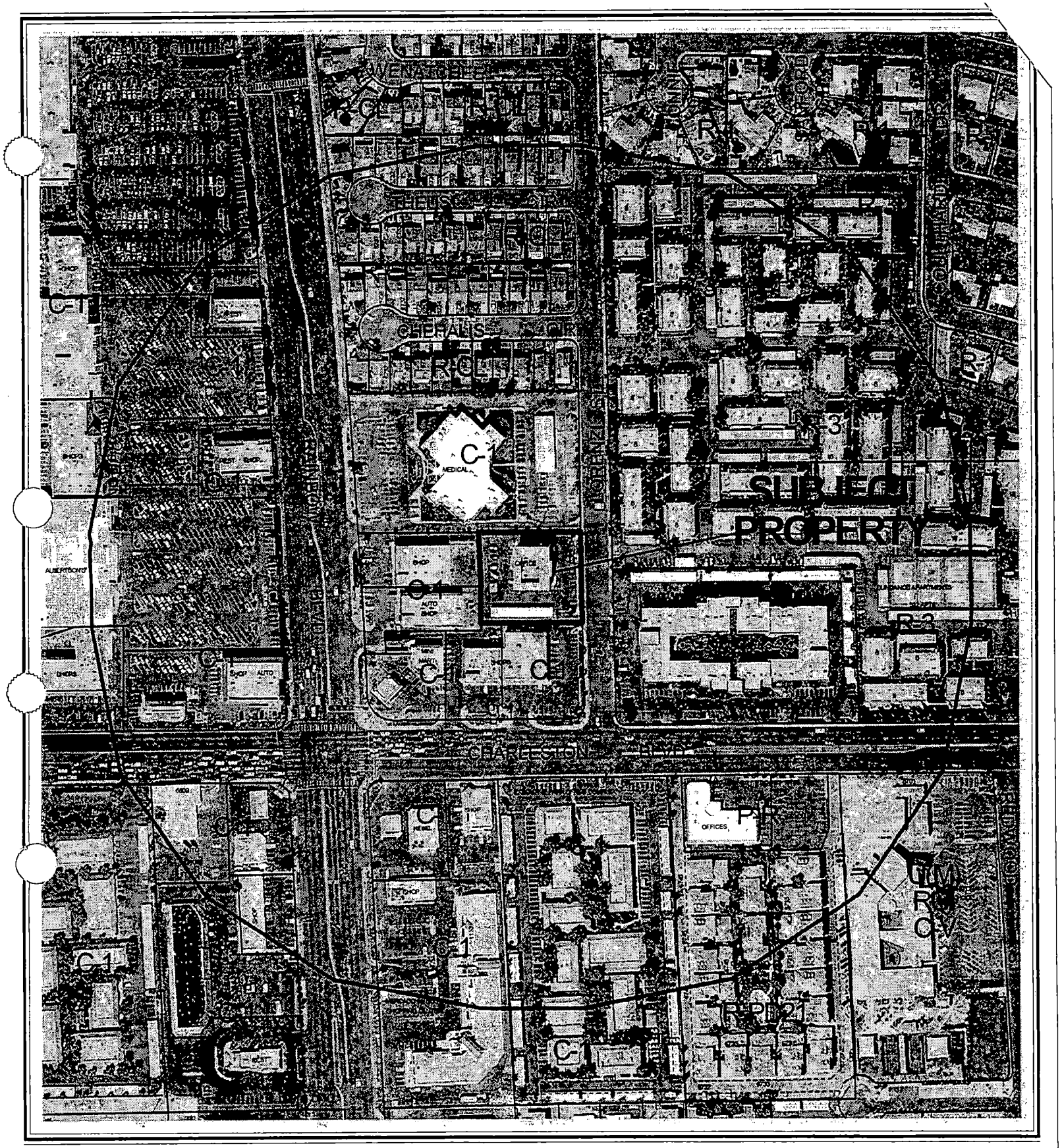
5. Conformance to all applicable regulatory criteria of Federal, State and local agencies.



CASE: **SUP-3405**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-3405**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3405 - FAMILY AND CHILD TREATMENT OF SOUTHERN NEVADA ON BEHALF OF FURBER DEVELOPMENT

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. 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.

2. This use shall be subject to a one year review at a public hearing by the Planning Commission and City Council.

3. Any treatment other than Tier 1 or Tier offenders shall require the submittal of a new Special Use Permit application.

4. The facility shall adhere to business hours Monday through Saturday, 8:00 to 5:00 pm, with treatment available until 8:00 pm.

5. Conformance to all applicable regulatory criteria of Federal, State and local agencies.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Social Service Provider, which will operate as a sex offender counseling facility at 1050 South Rainbow Boulevard.

B) Applicant's Justification

Family and Child Treatment (FACT) concurred they are classified as a sex offender counseling facility for the services they offer. FACT provides outpatient mental health services for individuals of all ages and families, in an individual, group and family therapy setting who exhibit inappropriate sexual behaviors. Offenders are classified through the criminal justice system in a tiered level from 1 to 3 based on past offences and societal risk. Treatment of Tier 3 offenders will not occur at this location. Medical care and shelter facilities are not provided. Business hours of operation are Monday through Friday, from 9:00 a.m. to 5:00 p.m. Treatment is available to 6 p.m.

The site is appropriately zoned for outpatient mental health services. Services are governed by licensing boards within the State of Nevada. FACT has provided such services since 1984 and operates as a 501 (c) (3).

BACKGROUND INFORMATION

A) Previous Actions

1965	The subject property was annexed into the City of Las Vegas (A-0005-65).
11/15/78	The Board of City Commissioners approved a Rezoning (Z-0080-78) to C-1 (Limited Commercial) for this site as part of a larger request. The Planning Commission recommended denial on 10/24/78.
03/10/94	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0080-78(8)] for a proposed 10,400 square-foot professional office building on this site.

B) Pre-Application Meeting

11/06/03	Submittal requirements were reviewed. It was determined that the requirements could not be met at that time. In a follow-up meeting on 11/18/03, the applicant indicated that a complete package was ready for submittal. No new issues had arisen.

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: 0.82

B) Existing Land Use

Subject Property:	Medical Office
North:	Medical Office/Dental Lab
South:	Retail Commercial
East:	Offices, Multi-Family Residential
West:	Retail Commercial

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	M (Medium Density Residential)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial) and R-3 (Medium Density Residential)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. 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 conforms to the SC (Service Commercial) General Plan designation. The proposed Sex Offender Counseling Facility 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
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

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

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
Social Service Provider	10,400	1/250	40	2	48	2

The facility exceeds the parking standards for this type of use.

A2) Minimum Distance Separation Requirements

There are no applicable distance separation requirements.

B) General Analysis and Discussion

- Zoning

  The proposed facility is permitted with the approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district.

- Use

  The Title 19 definition of a Social Service Provider is:

> "A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities of physical disabilities, but does not include a rescue mission or homeless shelter."

Social Service Provider Uses are classified as institutional and community service uses in Title 19. The definition of the C-1 (Limited Commercial) district states that most retail shopping and personal services are to be provided in this district. Therefore, the use clearly can be appropriate for this zoning district.

The proposal is in an existing building within a developed shopping center on the northeast corner of Charleston Boulevard and Rainbow Boulevard. The nearest single family residences are approximately 273 feet to the north and 1,000 feet to the west. Both of these streets are primarily developed as commercial properties, which make this use appropriate at this location.

This facility will not provide any shelter facilities and will not serve those individuals convicted of Tier 3 offenses, which pose the highest risk. These individuals habitutally use or threaten force or violence, have more than one victim with a poor response to treatment. A sex offender assessment scale, submitted by Family and Child Treatment is attached as a part of the record.

- Conditions

  There are no base conditions of approval provided in Title 19 for a Social Service Provider in the C-1 (Limited Commercial) zoning district. Conditions recommended for this Special Use Permit include limitation on the hours of operation, conformance to all applicable regulatory criteria and a two year expiration date.

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 facility is within a developed shopping center which is designated SC (Service Commercial) on the General Plan. Abutting properties are primarily for commercial uses, with the exception of the apartment project to the east of the site. While there are no distance separation requirements for such uses, there are no churches, schools or public parks in close proximity. Therefore, the facility can be operated in a manner harmonious and compatible with the surrounding area.

DC

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

   The existing shopping center is well suited to accommodate a facility of this intensity.

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."**

   Both Charleston Boulevard and Rainbow Boulevard are adequate to meet the needs of this project.

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 facility is consistent with the goals, objectives and policies of the General Plan. It will be need to comply with all Federal, State and local regulatory criteria, as well as the hours of operation stipulated by the conditions of approval.

NOTICES MAILED 140

APPROVALS 0

PROTESTS 2

DC

STATE OF NEVADA COMMUNITY NOTIFICATION
SEX OFFENDER ASSESSMENT SCALE

CRITERIA	LOW	0	MODERATE	1	HIGH	3	COMMENTS	TOTAL
SERIOUSNESS OF CURRENT OR ANY PREVIOUS SEXUAL OFFENSE X 5								
1. DEGREE OF FORCE	NO PHYSICAL FORCE / NO THREATS		COERCION		USE OR THREATENED USE OF FORCE OR VIOLENCE			
2. DEGREE OF VICTIM INJURY/MENTAL OR PHYSICAL	NO APPARENT INJURY		MINOR/SHORT TERM INJURY		SUSTAINED / SEVERE INJURY			
3. DEGREE OF CONTACT	NO CONTACT / FONDLING OVER CLOTHES		FONDLING UNDER CLOTHES		PENETRATION			
4. AGE OF VICTIM / CAPACITY	18 OR OVER		13-17		UNDER 13/ OVER 65 / DISABLED			
CHARACTERISTICS OF SEXUAL OFFENSE X 3								
5. VICTIM SELECTION	HOUSEHOLD/ FAMILY MEMBER		ACQUAINTANCE		STRANGER			
6. # OF VICTIMS	FIRST KNOWN VICTIM		TWO KNOWN VICTIMS		THREE OR MORE VICTIMS			
7. DURATION OF OFFENSE BEHAVIOR	LESS THAN ONE YEAR		ONE TO TWO YEARS		OVER TWO YEARS			
8. TIME OF LAST OFFENSE	FIVE OR MORE YEARS		MORE THAN ONE BUT LESS THAN FIVE YEARS		ONE YEAR OR LESS			
CRIMINAL HISTORY X 3 (NON-SEXUAL OFFENSES)								
9. HISTORY OF ANTI-SOCIAL ACTS	NO HISTORY		LIMITED HISTORY/ BEGAN AS JUVENILE		HABITUAL / REPEAT OFFENDER			
10. CONDUCT WHILE INCARCERATED / SUPERVISED	NO DISCIPLINARY HISTORY		MINOR DISCIPLINARY		MULTIPLE DISCIPLINARY / THREATS			
11. DEGREE OF FORCE	NO PHYSICAL FORCE/NO THREATS		COERCION		USE OR THREATENED USE OF FORCE OR VIOLENCE			
12. DEGREE OF VICTIM INJURY/MENTAL OR PHYSICAL	NO APPARENT INJURY		MINOR/SHORT TERM INJURY		SUSTAINED / SEVERE INJURY			
13. AGE OF VICTIM / CAPACITY	18 OR OVER		13-17		UNDER 13/ OVER 65 / DISABLED			
CHARACTERISTICS OF OFFENDER X 2								
14. RESPONSE TO TREATMENT/ PROFILES	GOOD PROGRESS/ FAVORABLE PROFILE		LIMITED PROGRESS / NON-COMMITTAL PROFILE		UNSUCCESSFUL/ NO CURRENT TREATMENT/ UNFAVORABLE PROFILE			
15. SUBSTANCE ABUSE	NO HISTORY OF ABUSE		IN REMISSION		NOT IN REMISSION			
16. SEXUALLY TRANSMITTED DISEASES	NONE		HERPES		POSITIVE HIV / CHRONIC HEPATITIS B			
THIS ITEM IS SCORED IN THE NEGATIVE ONLY, IF SCORED AT ALL X 1								
17. PHYSICAL CONDITIONS MINIMIZING RISK	SIGNIFICANT IMPAIRMENT (SCORE -3)		MILD IMPAIRMENT (SCORE -1)		NO IMPAIRMENT (SCORE 0)			
COMMUNITY SUPPORT X 1								
18. THERAPEUTIC SUPPORT	CURRENT CONTINUED INVOLVEMENT		INTERMITTENT INVOLVEMENT		NO INVOLVEMENT			
19. RESIDENTIAL SUPPORT	SUPERVISED/ APPROPRIATE LOCATION		STABLE / NO EXTERNAL SUPPORT		PROBLEMATIC/ UNSTABLE/ UNKNOWN LOCATION			
20. EMPLOYMENT/ EDUCATION	STABLE / APPROPRIATE		INTERMITTENT / APPROPRIATE		INAPPROPRIATE / NONE			

SCORING: LOW: 0 - 55 MODERATE: 56 - 112 HIGH: 113 - 168 62

Assessed by: _____ TIER LEVEL:

OFFENDER NAME:_____ DOB:_____ DATE:_____

OVERRIDE:

SIGNATURE:

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3405 APN: 138-34-820-009

Name of Property Owner: Furber Development

Name of Applicant: Family and Child Treatment (F.A.C.T.)

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: Alan M. Furber Jr.

Print Name: ALAN M. FURBER, JR.

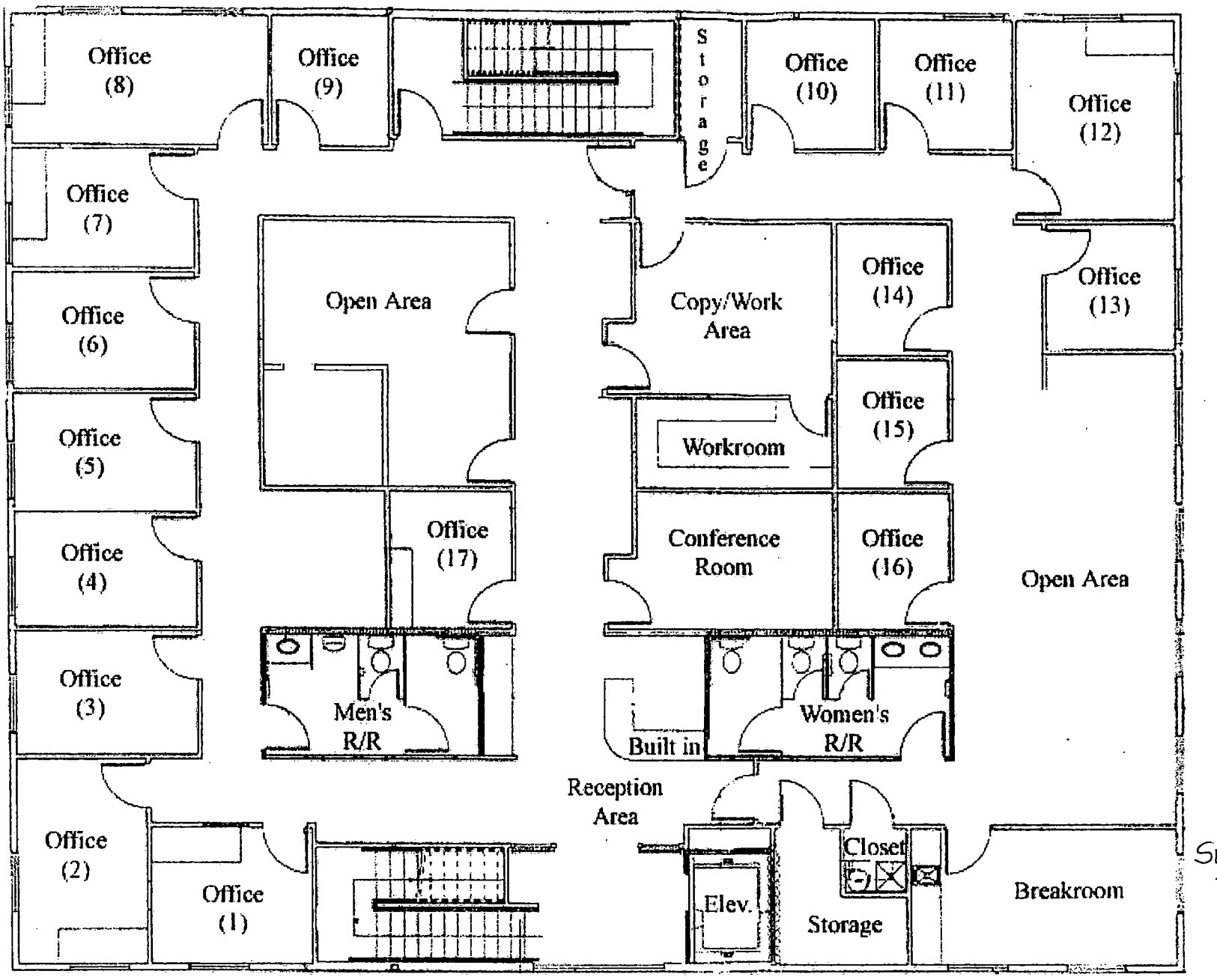
Subscribed and sworn before me

This 12th day of Nov., 2003

Beverlee Laird

Notary Public in and for said County and State

BEVERLEE LAIRD
Comm. # 1317782
NOTARY PUBLIC - CALIFORNIA
Sonoma County
My Comm. Expires Aug. 13, 2005



SECOND FLOOR PLAN

SUP--3405
01-08-04 PC

ROOM FINISH SCHEDULE

ROOM		FLOOR		WALL				CEILING	
ROOM #	ROOM NAME	FIN.	BASE	N	E	S	W	MAT.	HT.
101	OFFICE	F1	B1	*	*	*	W1/F1	C1	8'-6"±**
102	OFFICE	F1	B1	*	W1/F1	W1/F1	W1/F1	C1	8'-6"±**
103	OFFICE	F1	B1	*	W1/F1	W1/F1	W1/F1	C1	8'-6"±**
104	OFFICE	F1	B1	*	W1/F1	W1/F1	W1/F1	C1	8'-6"±**
105	OFFICE	F1	B1	*	W1/F1	W1/F1	W1/F1	C1	8'-6"±**
106	CORRIDOR	F1	B1	W1/F1	W1/F1	W1/F1*	W1/F1	C1	8'-6"±**
107	OFFICE	F1	B1	W1/F1	*	*	W1/F1	C1	8'-6"±**
108	FILE/STORAGE	F1	B1	W1/F1	W1/F1	*	*	C1	8'-6"±**
109	OFFICE	F1	B1	*	W1/F1	W1/F1*	*	C1	8'-6"±**

* EXISTING GYP. BD./ PAINT
** VERIFY EXISTING HEIGHT

ROOM FINISHES

	FLOOR	SPECIFICATION
F1	CARPET	TO BE SPECIFIED THROUGH CONTRACT
	BASE	SPECIFICATION
B1	9 VIP CARPET BASE	TO BE SPECIFIED THROUGH CONTRACT
	WALLS	SPECIFICATION
W1	VIP GYP. BOARD	
	CEILINGS	SPECIFICATION
C1	2'x4' SUSPENDED ACOUSTIC TILE	ARMSTRONG SECOND LOOK II DESIGN LAY-IN
	PAINT	SPECIFICATION
P1	FLAT ENAMEL	DECATRENO FERRIS P "ALBA" FLAT ENAMEL PAINT

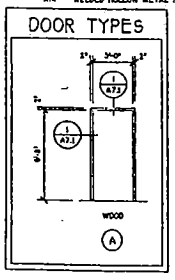
DOOR SCHEDULE

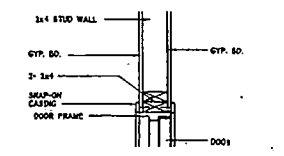
DOOR NO.	TYPE	SIZE	THK.	MTRL.	FRAME MTRL.	HARD-WARE	REMARKS
1	A	3'-0"x8'-0"	1 3/4"	SC	HM	-	
2	A	3'-0"x8'-0"	1 3/4"	SC	HM	-	REVERSE SWING OF EXISTING DOOR
3	A	3'-0"x6'-8"	1 3/4"	SC	HM	-	-
4	A	3'-0"x8'-0"	1 3/4"	SC	HM	-	-
5	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
6	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
7	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
8	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
9	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
10	A	3'-0"x8'-0"	1 3/8"	SC	HM	-	-
11	B	3'-0"x8'-0"	1 3/8"	HM	WHF	-	EXISTING DOOR

FRAME MATERIAL:
HM HOLLOW METAL FRAME (TIMELY)
WHF WELDED HOLLOW METAL FRAME

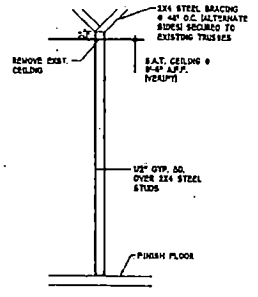
DOOR MATERIAL:
SC SOLID CORE WOOD
HM HOLLOW METAL

DOOR TYPES



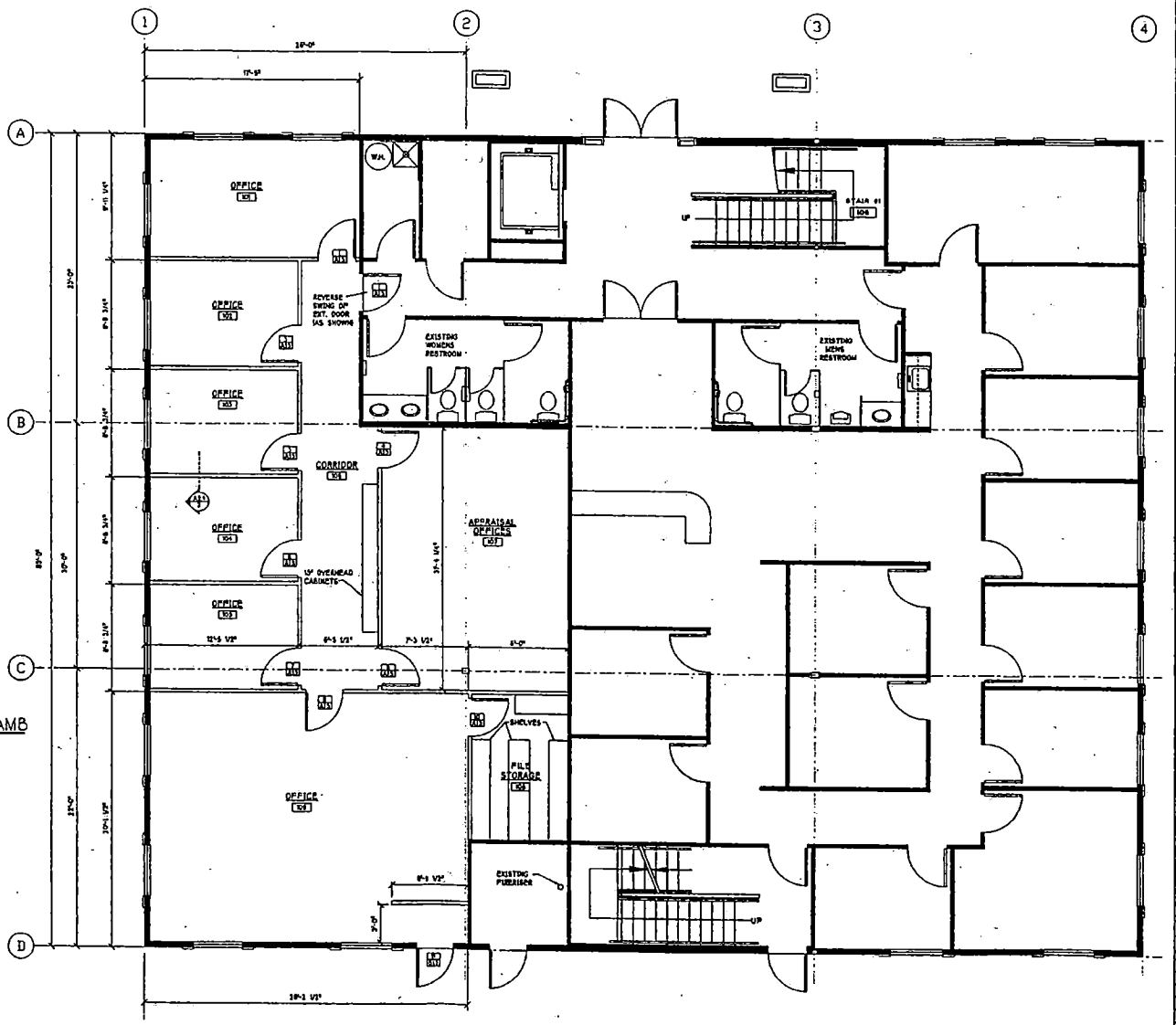


1 INTERIOR DOOR HEAD/ JAMB
SCALE: 1 1/2" = 1'-0"



2 WALL SECTION
SCALE: 1/2" = 1'-0"

NOTE: GENERAL CONTRACTOR MAY USE STEEL STUDS FOR INTERIOR NON-LOAD BEARING WALL CONSTRUCTION.



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

EXISTING WALLS
PROPOSED WALLS

SUP-3405
01-08-04 PC

DEVELOPER:
JIM SARTON INC.
AND JAS ASSOCIATES DEVELOPMENT
8329 W. SAHARA, SUITE 101
LAS VEGAS, NEVADA 89117
TELEPHONE (702)233-7111

CONTRACTOR:
SARATOGA
AND JAS DEVELOPMENT CO.
8329 W. SAHARA, SUITE 101
LAS VEGAS, NEVADA 89117
TELEPHONE (702)233-7111

PROJECT: T.I. @ REPUBLIC MORTGAGE
CITY OF LAS VEGAS, NEVADA
OWNER: NOVEX, A Nevada Limited Partnership
LAS VEGAS, NEVADA

SHEET TITLE: FLOOR PLAN, DOOR TYPES, DETAILS AND SCHEDULES

9523A21A
JOB NO. 9523
DRAWN BY J.L.W.
CHKD BY D.W.

DATE	DESCRIPTION
9/15/95	PERMIT/ SUB

SHEET NO. A2.1

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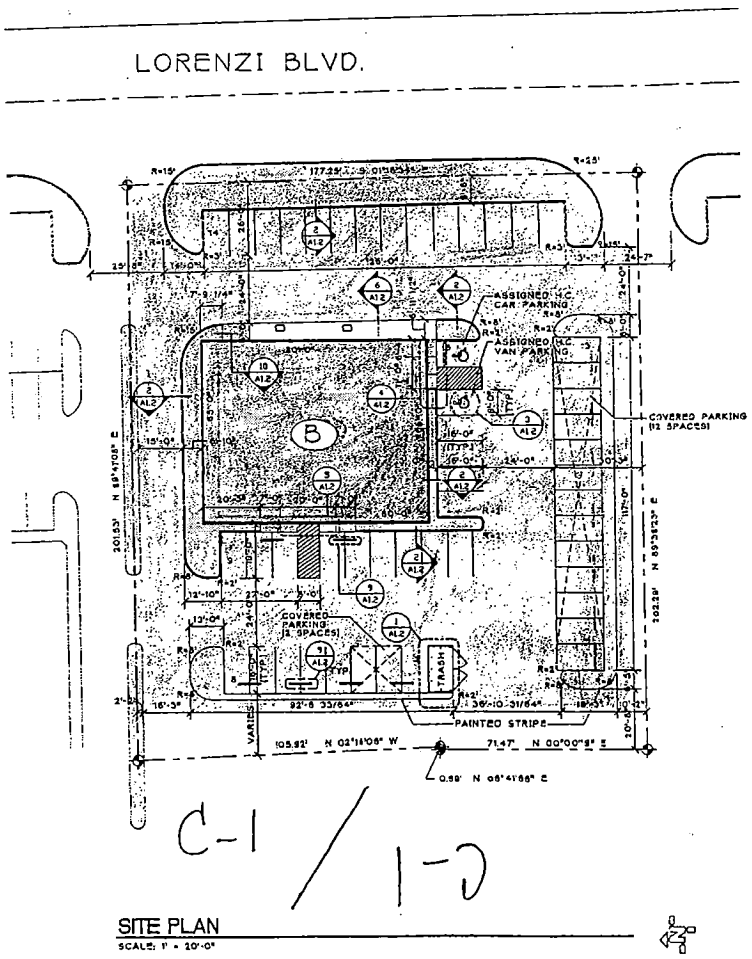
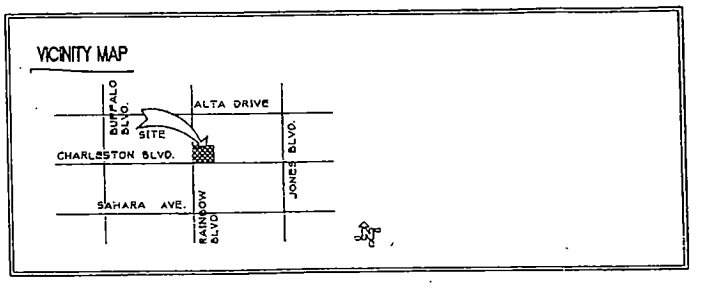
K: /NETWORK/APPS/ACAD/1995/9523/FINAL/9523A21A Tue Sep 26 15:43:21 1995



SITE PLAN
SCALE: 1" = 20'-0"

STATISTICS				
BLDG.	LOT AREA	BUILDING AREA	PARKING REQ'D	PARKING PROVIDED
"B"	±35,627 S.F.	10,400 S.F. *	1/250 S.F. = 42 SPACES	50 SPACES
TOTAL	±35,627 S.F.	10,400 S.F.*	42 SPACES	50 SPACES

NOTE: * INCLUDES FIRE RISER ROOM SQUARE FOOTAGE (25 S.F.).



C-1 / I-D

I-D / C-1

C-1 / I-D

DEVELOPER: JIM SAXTON INC. dba JIM SAXTON DEVELOPMENT CO. 3230 W. SAHARA, SUITE 201 LAS VEGAS, NEVADA 89102 TELEPHONE (702)251-7110

CONTRACTOR: SARATOGA LAND DEVELOPMENT CO. 3230 W. SAHARA, SUITE 201 LAS VEGAS, NEVADA 89102 TELEPHONE (702)251-1111

PROJECT: REPUBLIC MORTGAGE
CITY OF LAS VEGAS, NEVADA

OWNER: NOVEX, A Nevada Limited Partnership
LAS VEGAS, NEVADA

SHEET TITLE: SITE PLAN

9401A11A

JOB NO. 9401

DRWN BY: R.O.B.

CHKD BY: D.C.

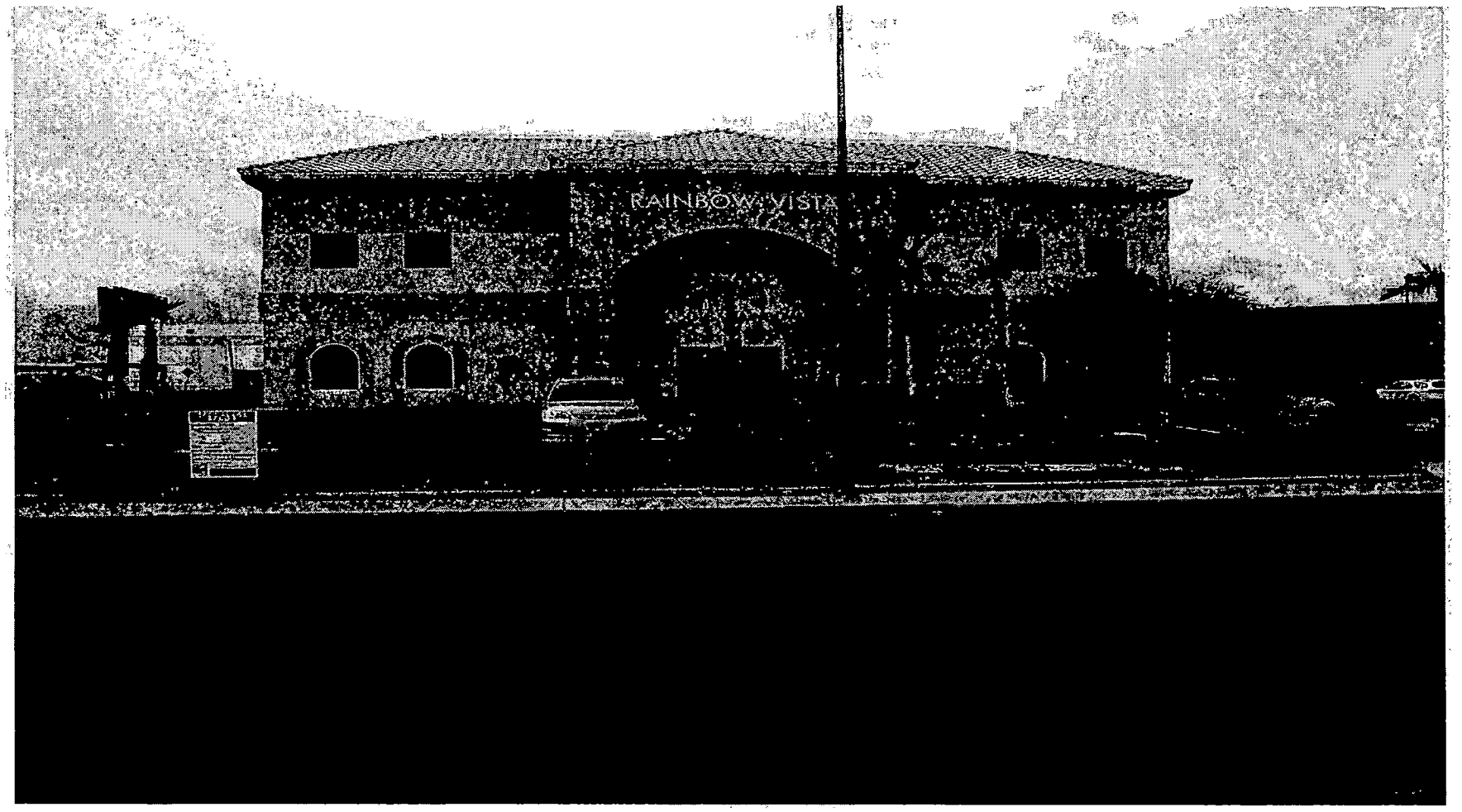
DATE	DESCRIPTION
2/15/94	PERMIT
5/6/94	CORRECT
5/25/94	SEE M
6/17/94	SEE 13
7/1/94	SEE 14
10/19/94	SEE #16
10/27/94	SEE #18
6/7/95	REVISION

SHEET NO. A1.1

This design is the property of Saratoga Land and Development, Nevada licensed contractor #0017791 any unauthorized use is strictly

K: /NETWORK/APPS/ACAD/1994/9401/9401A11A Wed Nov 22 08:24:36 1995

SUP-3405
01-08-04 PC



SUP-3405 - FAMILY AND CHILD TREATMENT OF SOUTHERN NEVADA ON BEHALF OF FURBER DEVELOPMENT
1050 SOUTH RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

13 Dec 03

CHARLESTON NEIGHBORHOOD
PRESERVATION, CORPORATION

"Doing things today that will make a difference tomorrow"

ph/fx: 702-877-2438

Get an ordinance for at least 5 miles from anything. NO

Merry Christmas to you all too!

SUP-3405
Sex offender Counseling on Lorenzi st. next to Child dance stud.o!

S. Clark + all Bd.

RECEIVED
03 DEC 19 PM 3:2
AND DEVELOPMENT

BOARD MEMBERS
Dennis Ardine - Vicki Arnold - Sue Bma - Juanita Clark - Miriam Een - Rose Honrath
June Ingram - Rick Johnson - Gene & Pearl Lonardo - Ray Merchant - Jo O'Neil - Dorthy Orr

ADVISORY BOARD
Marcus Gobel - Barbara Roth - Layne Rushforth - Janine Sweany - Jean Withers

and others

137 S. Lorenzi Street * Las Vegas, Nevada 89107

LEHUA ENTERPRISES, INC.
2110 E. Flamingo, Suite 306
Las Vegas, NV 89119
Tel (702) 796-8003 Fax (702) 796-8722

RECEIVED
03 DEC 31 PM 3:54
DEVELOPMENT

December 29, 2003

Gary M. Leobold, Senior Planner
Planning and Development Dept.
Current Planning Division
Development Services Center
731 S. Fourth St.
Las Vegas, NV 89101

RE: SUP-3405

Dear Mr. Leobold,

This letter is to serve as written notice of objection to SUP-3405 for a sex offender counseling facility at 1050 S. Rainbow Blvd.

We do not believe that the location is suitable for such a facility and that granting a Special Use Permit would have a negative impact on the neighborhood for obvious reasons.

Sincerely,

Daniel G. Fulton
Property Manager

SUP-3405
P

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SUP-3413 - AMERICAN TITLE LENDERS, LIMITED LIABILITY COMPANY ON BEHALF OF THE BELZAR PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN at 2300 North Rainbow Boulevard, Suite 110 (APN: 138-23-110-041), U (Undeveloped) Zone [SC (Service Commercial) General Plan designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 02/04/04 - 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:
DAVENPORT - DENIED – Motion carried with TRUESDELL and NIGRO voting No.

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this is a permitted use in the Limited Commercial Zoning District with a special use permit. The proposed project will be a tenant improvement with adequate parking to meet the needs of the use and meets the standards of the Code. If approved, MR. LEOBOLD clarified that there will be three auto-title uses permitted.

MINUTES – Continued:
TODD FARLOW, 240 North 19th Street, was concerned whether a saturation issue existed.

Seeing as no applicant was present, DEPUTY CITY ATTORNEY BRYAN SCOTT stated that the item could be held in abeyance for thirty days or a motion could be made for denial. ROBERT GENZER, Director of Planning and Development Department, explained that tabling this item would require re-notification.

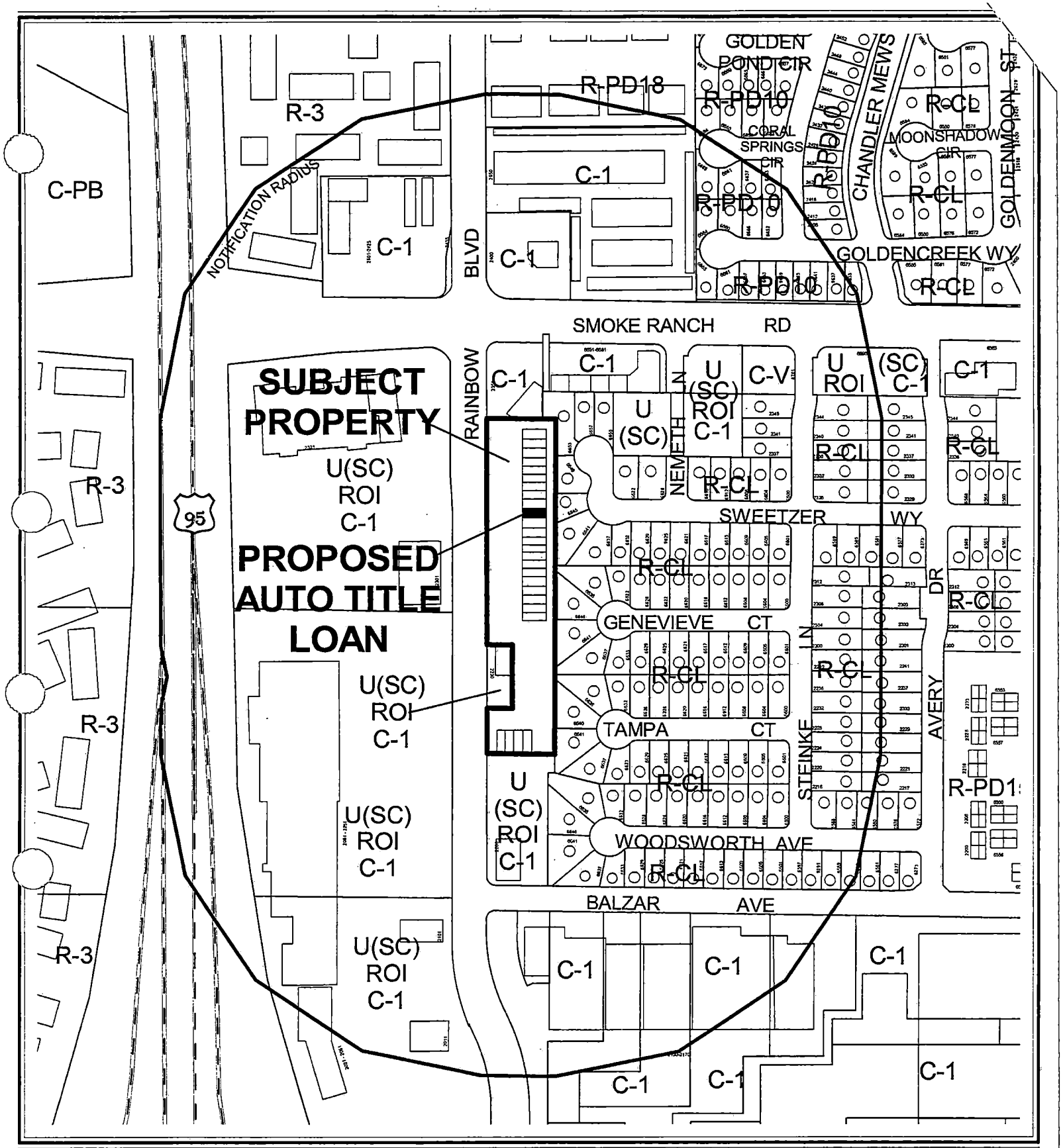
For the record, COMMISSIONER NIGRO stated he would vote against the denial believing there might be an issue that prevented the applicant from being present.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: The meeting resumed at 10:08 P.M.
(10:08 – 10:09/10:20 – 10:25)
3-1795/3-2328



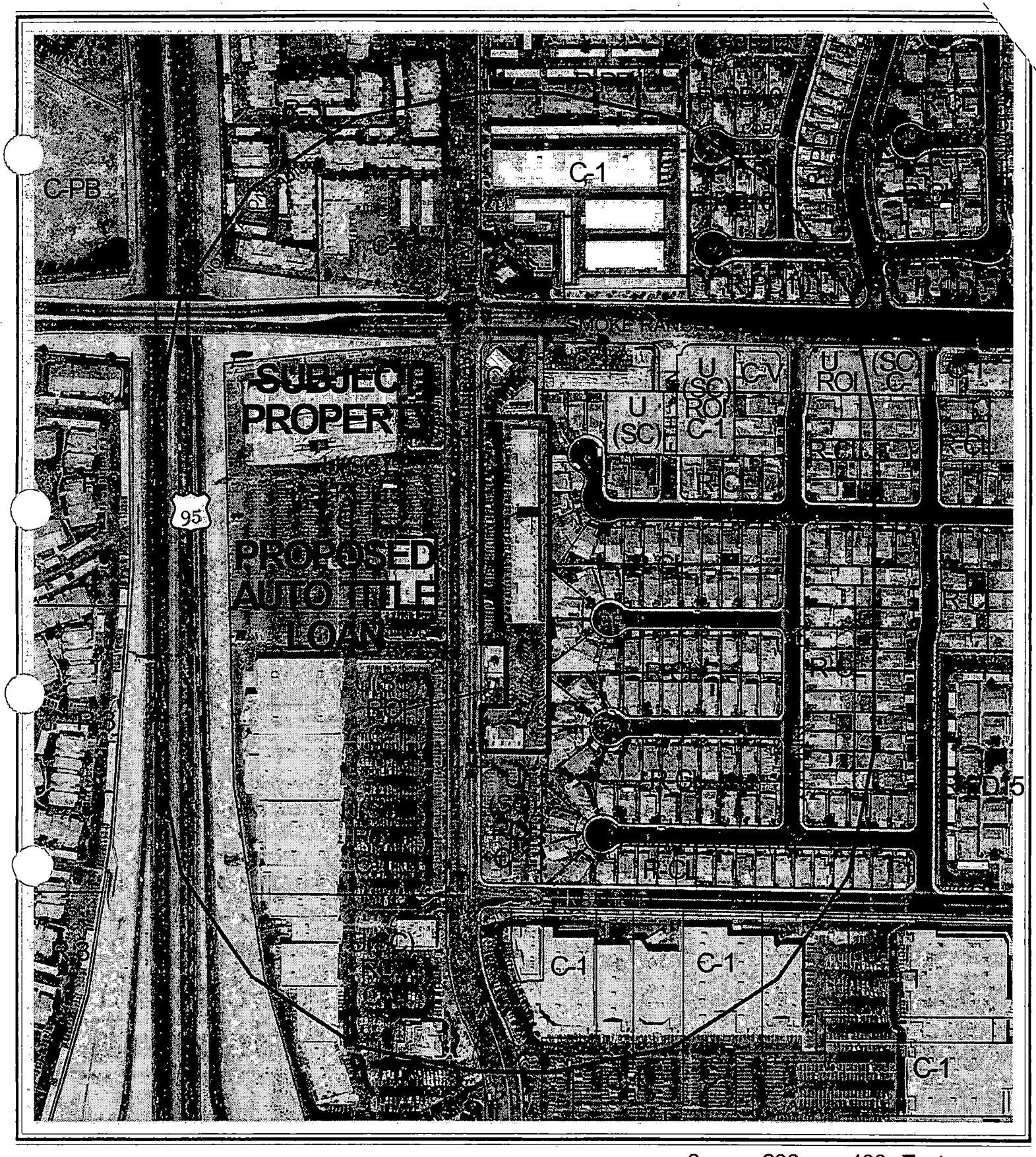
CASE: **SUP-3413**

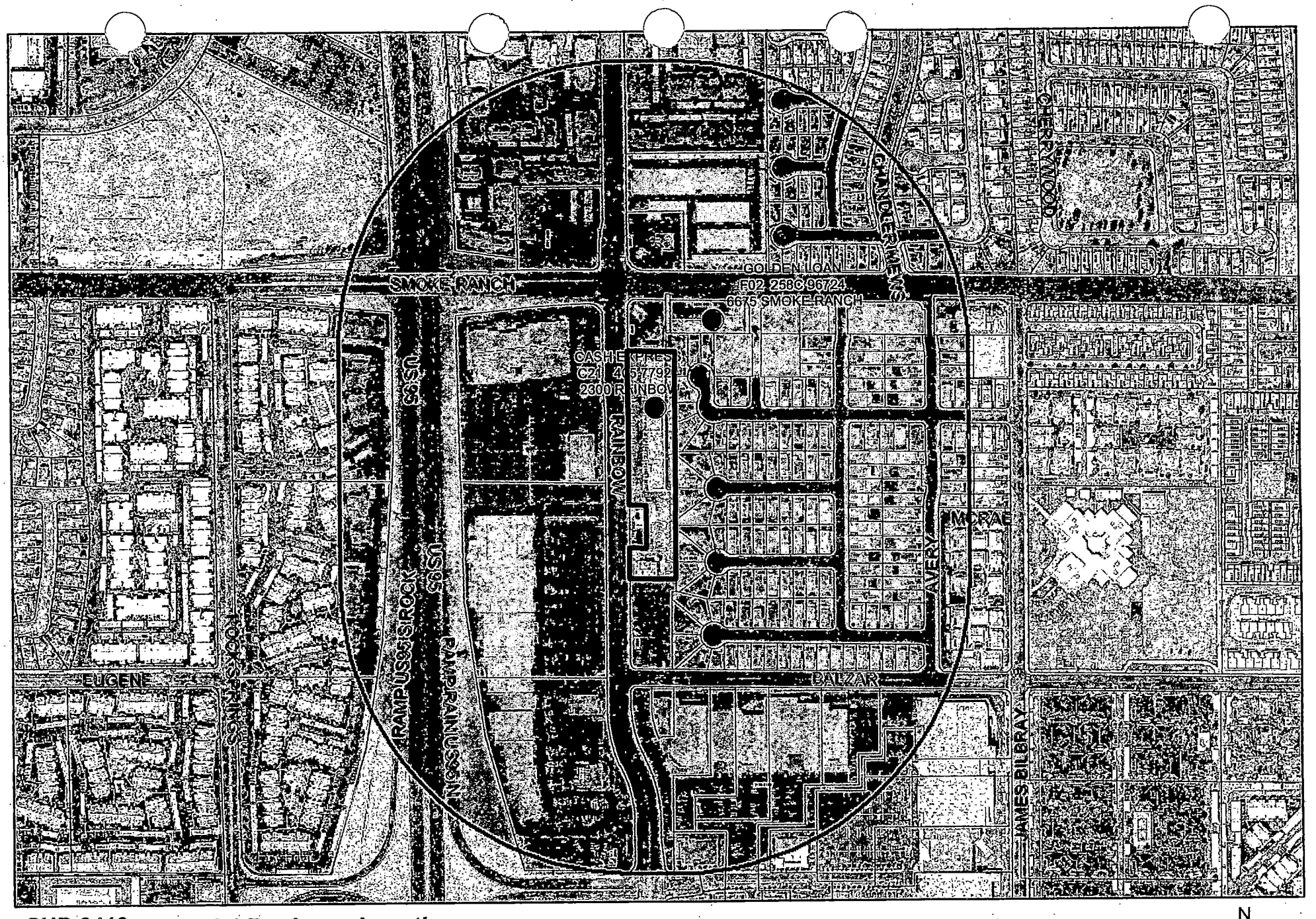
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

N


C-PB
C-1
SUBJECT PROPERTY
PROPOSED AUTO TITLE LOAN
95
U (SC) C-1
C-1
C-1



SUP-3413 Financial Business Locations

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3413 - AMERICAN TITLE LENDERS, LIMITED LIABILITY COMPANY ON BEHALF OF THE BELZAR PARTNERSHIP

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for an Auto Title Loan use.

2. Approval of and conformance to applicable Conditions of Approval for Rezoning (Z-0146-89).

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Auto Title Loan center on property located at 2300 North Rainbow Boulevard, Suite 110.

B) Applicant's Justification

The applicant justifies this request by stating that there are only two similar uses within a five square mile radius of the proposed auto title loan location. The proposed business will promote competition, which can only help the consumer.

BACKGROUND INFORMATION

A) Previous Actions

02/07/90 The City Council approved a request to Rezone (Z-0146-89) this site from N-U (Non-Urban) to C-1 (Limited Commercial). Staff recommended approval. The Planning Commission recommended approval on 01/11/90.

06/19/97 Staff administratively approved a Site Development Plan Review [Z-0146-89(7)] for a 26,000 square foot retail center on this site.

10/06/98 The Board of Zoning Adjustment approved a request for a Variance (V-0064-98) to allow a 20-foot rear yard setback where 53 feet was the minimum required setback and to allow a zero side yard setback on the south property line where 10 feet is the minimum required setback on this site. Staff recommended approval.

05/10/99 The City Council approved a request for a Special Use Permit (U-0031-99) for Secondhand Sales of compact discs on this site. Staff recommended approval. The Planning Commission recommended approval on 04/08/99.

B) Pre-Application Meeting

11/05/03 Staff discussed the base conditions for the Auto Title Loan use. The applicant was informed that staff might recommend denial of similar use permits based on the concentration of these uses in one area. The site plan needed to be revised to show property lines and a breakdown of the suites inside the subject building.

SS

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.48

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Convenience Store
South:	Restaurant
East:	Single-Family Residential
West:	Cinema, Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
East:	R-CL (Single-Family Compact-Lot)
West:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This category allows low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons, and that do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is appropriate for this General Plan designation, and the Auto Title Loan use is permitted in the C-1 (Limited Commercial) zoning district with an approved Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport 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

Airport Overlay District – The subject site is located within the Airport Overlay District, which places height restrictions on structures within 20,000 feet of the North Las Vegas Airport. The overlay indicates that structures within 14,000 feet of the airport, such as on this site, should be limited to 140 feet in height or less. The tallest existing building on the subject site is 31 feet; therefore, this site conforms to the standards set by the Airport Overlay District.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution (Auto Title Loan)	950 SF	1/200 SF GFA	4	1	141	8

The use will be part of an overall commercial subdivision which has 149 parking spaces. Existing parking on the site will be adequate to meet the needs of the proposed Auto Title Loan center.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Title Loan use; however, there are two similar approved uses within the 750-foot notification distance:

Use	Name	Address
Financial Institution, Specified	Cash Express	2300 N. Rainbow Blvd., Suite 113
Financial Institution, Specified	Golden Loan	6675 Smoke Ranch Road

B) General Analysis and Discussion

- Zoning

  The subject site is currently zoned C-1 (Limited Commercial) Zone. The Auto Title Loan use is permitted in a C-1 (Limited Commercial) zoning district with an approved Special Use Permit, subject to the five conditions listed below.

- Use

  This project will be a 950 square-foot tenant improvement within an existing, approved building; therefore, no exterior work will be performed, ensuring compatibility with the shopping center and surrounding development. Parking is adequate to meet the needs of the proposed Auto Title Loan use. Proposed signage on the storefront was not submitted; all signage must conform to the conditions of the Auto Title Loan use and the minimum standards in Title 19.14 for the C-1 (Limited Commercial) zoning district. If this Special Use Permit is approved, three specified financial institutions will be inside or within 750 feet of the boundaries of the subject parcel. An overabundance of these types of businesses in the same area is discouraged.

- Conditions

  Title 19.04.050 lists the following conditions for the approval of an Auto Title Loan use:

  1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6.
  2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
  3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
  4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
  5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

Conditions 1 and 2 are cannot be waived. The proposed Auto Title Loan center appears to comply with the listed conditions.

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."**

   If this Special Use permit is approved, three similar specified financial institutions would be located inside or within 750 feet of the subject parcel. Of these, two would be located within the same shopping center, creating possible conflicts between these uses. Thus, the proposed Auto Title Loan business would not be harmonious with existing development in the area.

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

   The proposed Auto Title Loan use will have minimal impact on the existing retail center. Existing parking facilities are adequate to accommodate the proposed 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."**

   Access to the site exists from two entrances located on Rainbow Boulevard, classified as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. This roadway is adequate in capacity to accommodate the demand of the proposed development, which should be minimal.

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 public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Auto Title Loan business would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 171

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3413 APN: 138-23-110-041

Name of Property Owner: AL MASSI

Name of Applicant: AMERICAN TITLE LENDERS

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: Albert D. MASSI

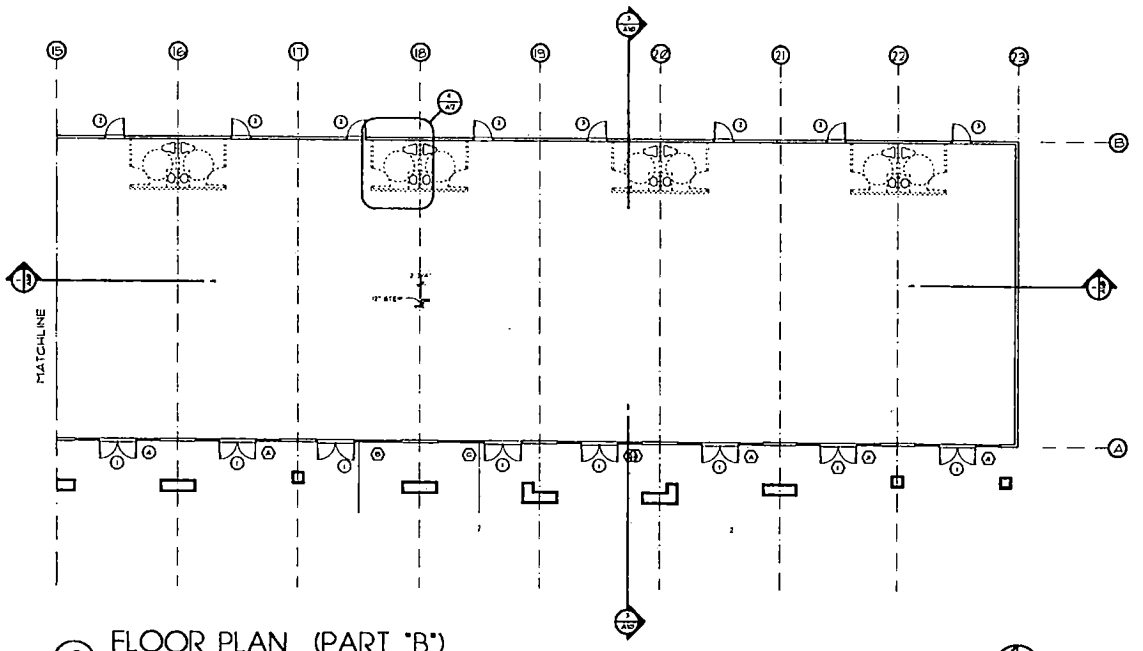
Subscribed and sworn before me

This 17th day of November, 2003

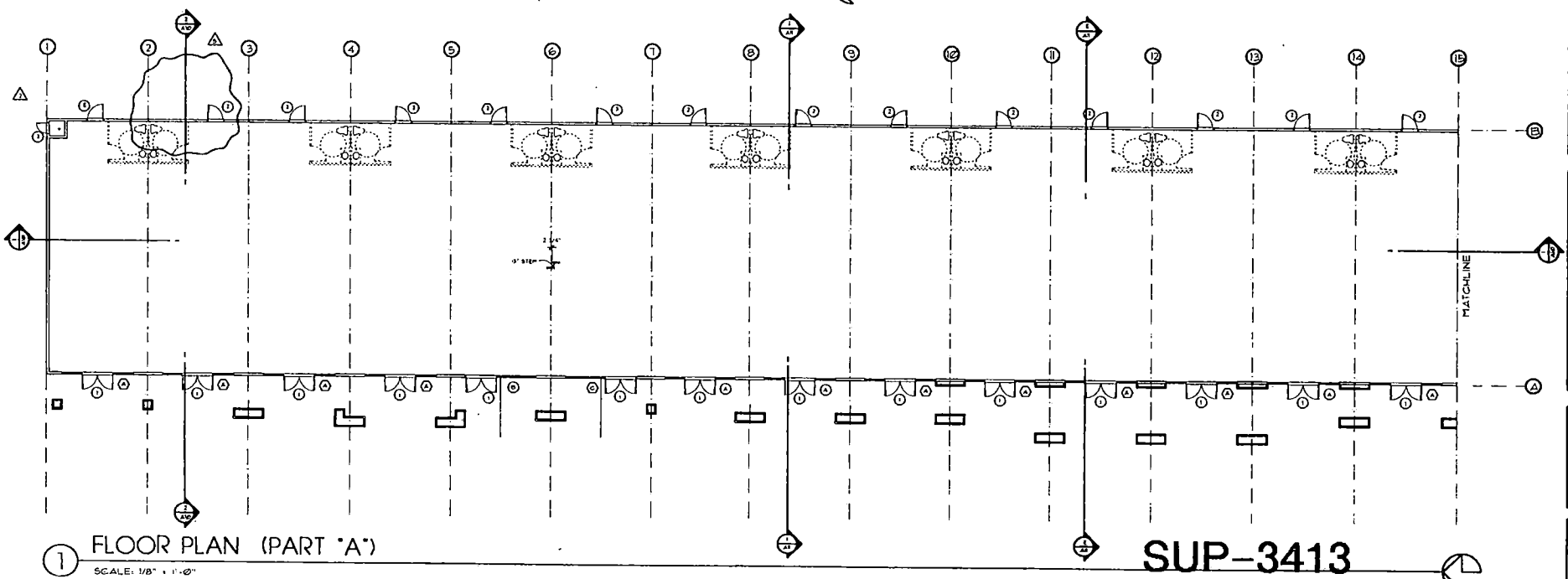
[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
PATRICIA M. CRITTENDEN
STATE OF NEVADA
COUNTY OF CLARK
MY APPOINTMENT EXPIRES
SEPTEMBER 26, 2005
93-1369-1



2 FLOOR PLAN (PART "B")
SCALE: 1/8" = 1'-0"



1 FLOOR PLAN (PART "A")
SCALE: 1/8" = 1'-0"

KEYNOTES

*	description

SUP-3413
01-08-04 PC

john paul burke. architect
2655 S. RAINBOW BLVD. #401 LAS VEGAS, NV 89107 (702) 876-4663

revisions

THESE PLANS ARE SUBJECT TO INTERNAL / CITY / COUNTY PLANCHECK CORRECTIONS AND OTHER REQUESTED CHANGES. GENERAL CONTRACTOR AND ALL SUBCONTRACTORS TO VERIFY WITH THE OWNER AND ARCHITECT THAT THEY ARE IN POSSESSION OF THE MOST RECENT SET PRIOR TO PANELIZING CONTRACT PURCHASE FABRICATION AND INSTALLATION OF ALL BUILDING COMPONENTS & SYSTEMS.

ALANO PLAZA
22,000 S.F. RETAIL / LEASE
for: TERRAWEST REALTY
& DEVELOPMENT
CITY OF LAS VEGAS NEVADA

date	
proj. no.	2004
drwn. by	
chkd. by	

sheet no. A5

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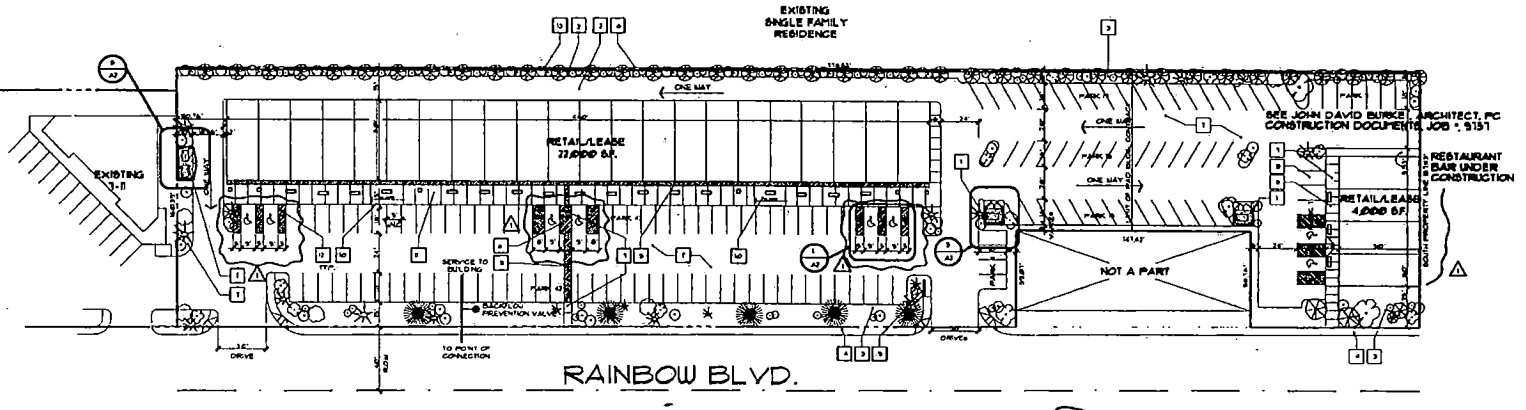


1 SITE PLAN / LANDSCAPING PLAN
SCALE: 1" = 30'-0"

NOTES:
1. SEE CIVIL FOR ALL FINAL GRADES & UTILITY HOOK-UPS, OFF SITE IMPROVEMENTS, MEETS & BOUNDS, DIMENSIONS ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARKING SPACES, PARKING AISLES TO HAVE 1:48 MAX. LONGITUDINAL SLOPES & 1:48 MAX. TRANSVERSE SLOPE TYP.
3. MAXIMUM SLOPE IN ANY DIRECTION FOR HANDICAPPED PARKING SPACES & ACCESS AISLES IS TO BE 2%
4. ACCESSIBLE ROUTE TO THE PUBLIC WAY SHALL HAVE SLOPES OF 5% FOR RUNNING & 2% FOR CROSS SLOPES

SUP-3413
01-08-04 PC

KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH
2	3" A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/BROOM FINISH
6	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
7	HANDICAP CURB RAMP AS PER ANSI STD.'S
8	HANDICAP ACCESS AISLE
9	PYLON SIGN
10	SLOPE - NOT TO EXCEED 1:20
11	HANDICAP ACCESS TO THE PUBLIC WAY
12	PAINTED STRIPES
13	6'-0" HIGH DECORATIVE BLOCK WALL CONSTRUCTED IN FRONT OF EXISTING RESIDENTIAL BLOCK WALL ALONG EAST PROPERTY LINE TO MATCH EXISTING DECORATIVE BLOCK WALL

LANDSCAPE LEGEND

- EVERGREEN (24" BOX) @ 20' O.C.
- MONDEL PINE (24" BOX) @ 20' O.C.
- MEXICAN PALO VERDE (30 GALLON)
- MESCAT ACACIA (30 GALLON)
- SHOESTRING ACACIA (30 GALLON)
- DESERT SPOON (1 GALLON)
- FEATHERY CASSIAS (1 GALLON)
- OCOTILLO (5 GALLON)

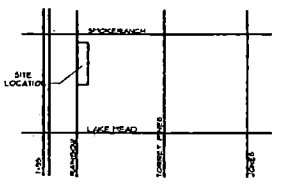
PROJECT DATA

REQUIRED ZONING: C1
EXISTING ZONING: C1

REQUIRED PARKING: (1 SPACE/500 S.F.) = 52 SPACES
EXISTING PARKING: 149 SPACES
SITE ACREAGE: 2.48 ACRES ± (NET)

APN#: 138-23-110-041

LOCATION



john david burket, architect
2655 S. RAINBOW BLVD., #201 LAS VEGAS, NV 89121 (702) 876-4564

revisions

ALANO PLAZA
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for: TERRAWEST REALTY
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CITY OF LAS VEGAS NEVADA

THESE PLANS ARE SUBJECT TO INTERNAL / CITY/COUNTY PLANCHECK CORRECTIONS AND OWNER REQUESTED CHANGES. GENERAL CONTRACTOR AND ALL SUBCONTRACTORS TO VERIFY WITH THE OWNER AND ARCHITECT THAT THEY ARE IN POSSESSION OF THE MOST RECENT SET PRIOR TO PLANS CONTRACT PURCHASE, FABRICATION AND INSTALLATION OF ALL BUILDING COMPONENTS & SYSTEMS.

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dwn. by	
chkd. by	
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SUP-3413 - AMERICAN TITLE LENDERS, LIMITED LIABILITY COMPANY ON BEHALF OF THE BELZAR PARTNERSHIP
2300 NORTH RAINBOW BOULEVARD, SUITE 110
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

SUP-3413 - AMERICAN TITLE LENDERS, LIMITED LIABILITY COMPANY ON BEHALF OF THE BELZAR PARTNERSHIP
2300 NORTH RAINBOW BOULEVARD, SUITE 110
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3361 - WELLES-PUGSLEY ARCHITECTS, LIMITED LIABILITY PARTNERSHIP ON BEHALF OF DESERT LINCOLN-MERCURY, INC. - Request for a Site Development Plan Review FOR A PROPOSED 3,358 SQUARE-FOOT ADDITION TO AN EXISTING AUTO REPAIR SHOP, MAJOR and a Waiver of required building separation from parking areas on 7.61 acres adjacent to the northeast corner of Duneville Street and Sahara Avenue (APN: 163-01-405-001 thru 03), C-2 (General Commercial) Zone; R-E (Residence Estates) and U (Undeveloped) Zones [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial) and P-R (Professional Office and Parking) Zones, Ward 1 (Moncrief).

CC: 02/04/04

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:
EVANS – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this is an addition to an existing major auto repair shop and considered an accessory use. There will be nine service bays and detached from the existing shop. MR. LEOBOLD detailed the parking, location, access and landscaping. With regard to the landscape buffer waiver, staff determined it is appropriate. Staff recommended approval subject to conditions.

MINUTES – Continued:

WADE SIMPSON, 2480 East Tompkins, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, asked if a similar application came before the Commission.

COMMISSIONER McSWAIN asked if the additional bays would face Via Olivera. MR. LEOBOLD stated that is correct but would be quite a distance away and separated by a block wall and landscaping. She preferred that the bays face the opposite direction. MR. SIMPSON stated that they would be backing up to the existing bays and not possible to redirect them.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:09 – 10:14)
3-1851

CONDITIONS:

Planning and Development

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

2. Conformance to all applicable Conditions of Approval for all previous site related actions.

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

4. Minimum 24-inch box trees spaced 30 feet on center shall be planted within the existing landscape planter along the full length of Duneville Street prior to the approval of a Certificate of Occupancy. Landscaping shall be maintained and replaced as necessary to ensure continual compliance.

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.]

CONDITIONS – Continued:

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. 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.

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

Public Works

10. 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. All existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.

11. 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. 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.

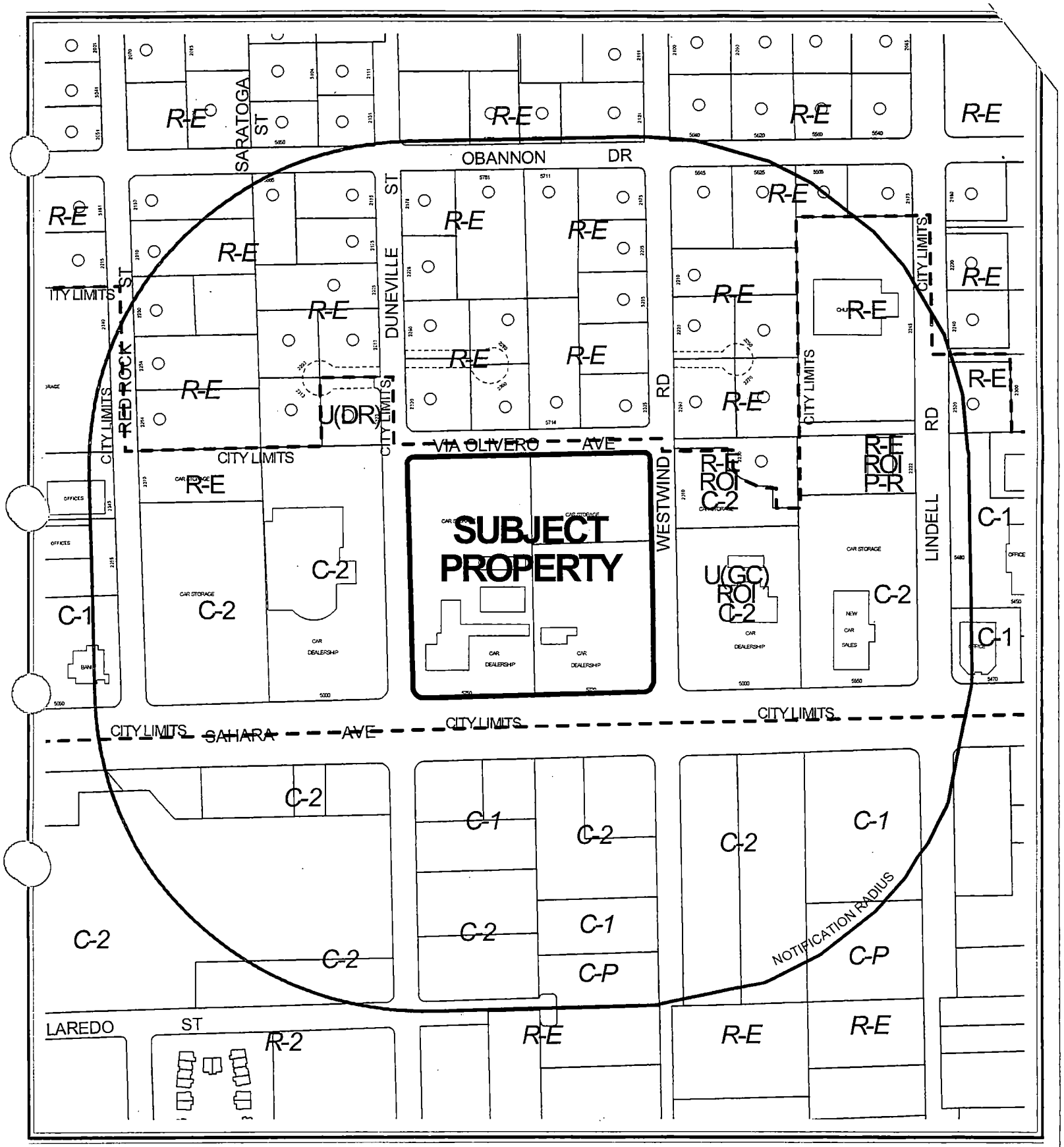
CONDITIONS – Continued:

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.

12. Coordinate with the Traffic Engineering Representative in Land Development to redesign the temporary roadway closures at Duneville Street and Westwind Road.

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

14. Site development to comply with all applicable conditions of approval for Z-0048-87 and all other subsequent site-related actions.



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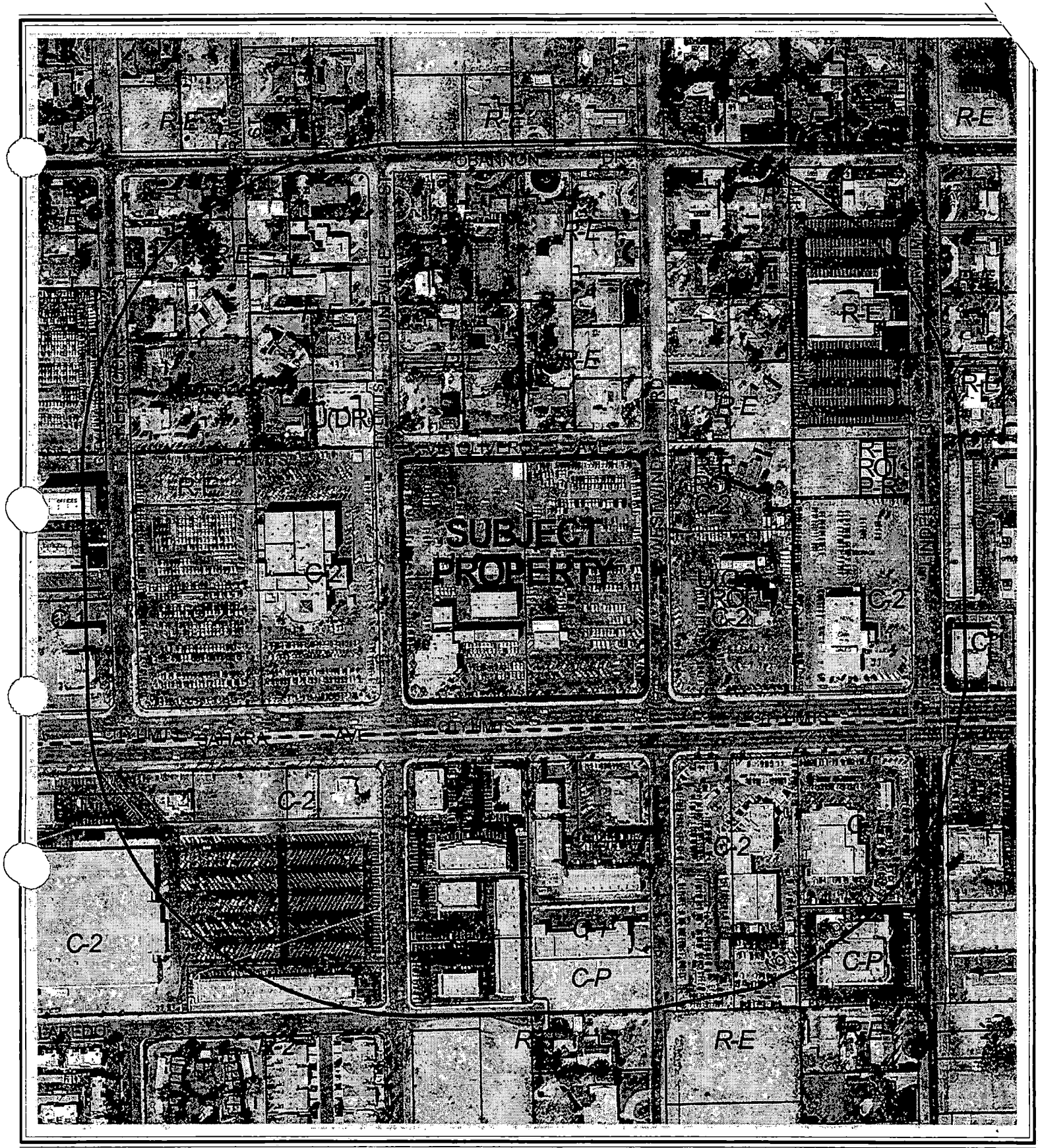
CASE: **SDR-3361**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) ZONE AND R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)



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CASE: **SDR-3361**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) ZONE AND R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3361 - WELLES-PUGSLEY ARCHITECTS, LIMITED LIABILITY PARTNERSHIP ON BEHALF OF DESERT LINCOLN-MERCURY, INC.

** 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. Conformance to all applicable Conditions of Approval for all previous site related actions.

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

4. Minimum 24-inch box trees spaced 30 feet on center shall be planted within the existing landscape planter along the full length of Duneville Street prior to the approval of a Certificate of Occupancy. Landscaping shall be maintained and replaced as necessary to ensure continual compliance.

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. 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.

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

Public Works

10. 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. All existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.

11. 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. 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.

12. Coordinate with the Traffic Engineering Representative in Land Development to redesign the temporary roadway closures at Duneville Street and Westwind Road.

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

14. Site development to comply with all applicable conditions of approval for Z-0048-87 and all other subsequent site-related actions.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a proposed 3,358 square foot Auto Repair Shop addition and a waiver of the required landscape planter between the building and the parking area in conjunction with an existing new car dealership (Desert Lincoln-Mercury) on 7.61 acres at 5750 West Sahara Avenue.

B) Applicant's Justification

The applicant's justification letter states that a new Auto Paint and Body Shop on the site has prompted the need for the proposed service shop addition. No new parking spaces will be proposed as part of this request. The waiver is being requested because this is a developed site and improvements such as landscaping have already been installed.

BACKGROUND INFORMATION

A) Previous Actions

07/01/87	The City Council approved a Rezoning (Z-0048-87) to C-2 (General Commercial) on a portion of this site, which allowed the New Car Dealership Staff recommended approval. The Planning Commission recommended approval on 06/11/87.
07/03/91	The City Council approved a Rezoning (Z-0049-91) to C-2 (General Commercial) on a portion of this site, which allowed the expansion of the New Car Dealership. Staff recommended approval. The Planning Commission recommended approval on 06/13/91.
05/14/92	The Planning Commission approved a Site Development Plan Review [Z-0049-91(1)] which allowed Used Car Sales in conjunction with the existing New Car Dealership. Staff recommended approval.
09/21/94	The City Council approved a request (GPA-0035-94) to amend a portion of the Southwest Sector Map of the General Plan from DR (Desert Rural Density) to GC (General Commercial) on this site. The City Council also approved a Rezoning (Z-0096-94) to P-R (Professional Office and Parking) and C-2 (General Commercial) on a portion of this site. Staff recommended approval of both items. The Planning Commission recommended approval on 08/25/94.

06/18/03 The City Council approved a Site Development Plan Review (SDR-1407) for an auto paint and body shop and a Special Use Permit (SUP-1408) for an Auto Paint and Body Shop use in conjunction with the existing New Car Dealership on this site. Staff recommended approval of both items. The Planning Commission recommended approval of both items on 01/23/03. The City Council also approved a Review of Condition Number 10 of Rezoning (Z-0048-87), which had prohibited body and fender work on the property (ROC-2114). The result was that the condition was deleted from Z-0048-87. Staff had no recommendation.

B) Pre-Application Meeting

11/05/03 It was determined that service bays would not be visible from any rights-of-way. Normally, a six-foot foundational landscape buffer is required between parking areas and buildings. A waiver from the Commercial Development Standards will be needed to eliminate the requirement to separate parking from the building. The applicant was advised to meet with the Department of Building and Safety to determine what separation distance would be required from the existing service building. The applicant was also advised to include an updated parking analysis with the site plans.

C) Neighborhood Meetings

A neighborhood meeting was not required for this Site Development Review Request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 7.61

B) Existing Land Use

Subject Property:	New Car Dealership
North:	Single Family Residential
South:	Commercial
East:	New Car Dealership
West:	New Car Dealership

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	DR (Desert Rural Density Residential) – Clark County
South:	Unincorporated Clark County
East:	GC (General Commercial)
West:	GC (General Commercial)

SS

D) Existing Zoning

Subject Property:	C-2 (General Commercial); R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial); U (Undeveloped) [GC (General Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial)
North:	R-E (Rural Estates Residential) - Clark County
South:	C-1 (Local Business) and C-2 (General Commercial) - Clark County
East:	R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial) and U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial
West:	C-2 (General Commercial)

E) General Plan Compliance

This site is designated as GC (General Commercial) on the Southwest Sector Map of the General Plan. New car sales and body and engine repair shops such as those on this site are permitted within this designation. The P-R (Professional Office and Parking) and C-2 (General Commercial) zoning districts are compatible with this General Plan category.

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.

PROJECT DESCRIPTION

A new 3,358 square foot addition is proposed to an existing major auto repair garage on the site of an existing new car dealership. The building will be located on the west side of the dealership property just north of the current auto repair shop, in a paved area now used for parking. The addition would contain nine new service bays facing north toward Via Olivero Avenue, and would be detached from the existing service shop. Access to the repair shop will be from an existing entrance on Duneville Street. Striped customer parking is available to the north and east of the proposed repair shop.

The landscaping along the street frontages of Via Olivero Avenue and Westwind Road exists as it was installed with previous development of the site. No changes to the perimeter landscaping are proposed. Photos were submitted showing the existing landscaping on Westwind Road and

Via Olivero Avenue. A Waiver is requested from the development standard requiring a minimum of six feet of landscaping around the proposed building that would separate it from the parking area.

Building elevations depict white split-face concrete block exterior facades that will match the existing auto repair shop. The side facing the existing shop will consist of smooth concrete blocks. The north side features nine roll-up bay doors. The building will have a flat roof and will have a maximum height of 20 feet 10 inches, including parapet screening elements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	7.75 Acres	Y
Min. Lot Width	100 Feet	580 Feet	Y
Min. Setbacks			
• Front (south)	20 Feet	333 Feet	Y
• Side (east)	10 Feet	17 Feet	Y
• Corner (west)	15 Feet	153 Feet	Y
• Rear (north)	20 Feet	211 Feet	Y
Max. Lot Coverage (west lot only)	50 %	14 %	Y
Max. Building Height	N/A	20.83 Feet	Y
Loading Zone	Provide 1	1 provided	Y
Mech. Equipment	Screened from view	Screened	Y

The proposed building meets current Title 19 standards.

A2) Residential Adjacency Standards

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

The height of the proposed auto service addition on the side closest to single-family residential properties located north of Via Olivero Avenue is approximately 21 feet. The 3:1 proximity slope standard requires that the building be set back a minimum of 63 feet from the property line of the nearest protected property. The building is set back 271 feet from the nearest single-family property, thereby meeting the minimum code requirement. This setback also meets the Residential Adjacency Standard requiring a setback that is equal to or greater than that of the protected residential properties.

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
Auto Repair Garage	3,358 SF	1/200 SF GFA + 5 spaces	21	1	156	5

The site plan indicates that 161 parking spaces are provided for the development, which includes motor vehicle sales, accessory major auto repair, auto paint and body repair, and other commercial uses (storage). Contrary to the justification letter, 32 new parking spaces are proposed, based on the site plan for the new auto paint and body repair shop. New spaces are located along Westwind Road near the body shop and along Via Olivero Avenue, north of the proposed repair shop. The new spaces will bring the site into compliance with minimum parking requirements. The five handicap parking spaces are not accessible on both sides of each parking space. However, these are required as part of a separate Site Development Plan Review (SDR-1407) for the auto paint and body shop, and will not require correction under this review.

The Department of Public Works requires the applicant to meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the temporary roadway closure at Duneville Street. This applicant must also submit a Traffic Impact Analysis to be approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. 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.

A4) Landscape and Open Space Standards

The Landscape, Wall, and Buffer Standards require 15-foot wide planters along all street frontages with minimum 24-inch box trees planted thirty feet on center. A five-foot wide landscape finger island containing one 24-inch box tree is required for every six parking spaces in parking lot areas. Title 19 Commercial Development Standards require a six-foot wide planter between the building and parking lot area. The recently adopted standards also require commercial developments in excess of five acres to provide 50 square feet of pedestrian plaza space per acre of gross land area, with a minimum of 250 square feet. A condition of the recently approved auto paint and body shop requires the construction of a 250 square foot pedestrian plaza on the site. The applicant is requesting a waiver of the required landscape buffer and sidewalk between the auto repair building and the parking area.

SS

The landscaping along the street frontages of Via Olivero Avenue and Westwind Road exists as it was installed with previous development of the site. No changes to the perimeter landscaping are proposed. A Site Development Plan Review (SDR-1407) for the auto paint and body repair shop on this site required at least two five-foot wide planter fingers in the customer parking area (striped parking spaces) and the planting of minimum 24-inch box trees 30 feet on center along the full length of Westwind Road within the existing landscape planter. A 15-foot landscape planter exists along the Duneville Street frontage, but several trees are missing from the planter.

A5) Sign Standards

No new signage is proposed on the auto repair garage addition, nor are there any new freestanding signs proposed for the dealership property at this time. According to a condition of approval of SDR-1407, a Master Sign Plan would be required for new signage or modifications to existing signage on the entire site.

B) General Analysis and Discussion

- Zoning

The proposed building addition will be located in the portion of the site zoned C-2 (General Commercial). This zoning district conforms to the GC (General Commercial) land use classification of the General Plan. The Auto Repair Garage, Major use is accessory to the primary Motor Vehicle Sales (New) use on the overall site and is not intended to be treated as a separate use. All repair work is to be performed within an enclosed area, and all service bays are not to face public rights-of-way. The bays of the proposed addition will face north toward Via Olivero Avenue; however, they will be located over 200 feet away from this right-of-way and screened from view from adjacent properties by an existing eight-foot block wall and mature trees located in a 10-foot wide landscape planter. Therefore, the service bays are in an acceptable location.

- Site Plan

The proposed addition is in compliance with the provisions of the Zoning Code. The additional 20 parking spaces on this portion of the site will accommodate the additional customers needing vehicle service. It is noted that the five handicap spaces depicted on the site plan were required as part of another review (SDR-1407). Those spaces will need to be striped to allow accessibility on both sides of each stall as required by Title 19.10 prior to the issuance of a Certificate of Occupancy.

SS

- Waivers

  Pursuant to Title 19.08.045, foundation landscaping at least six feet in width shall be provided between the building and parking areas. The applicant requests a waiver of this requirement. The intent of this standard is to allow for separation of structures and parking areas for safety and aesthetic purposes. In this case, the north façade of the proposed building features nine service bays that require direct access from the parking area. The function of the landscape planters is thus impaired. Therefore, a waiver of this requirement is appropriate.

- Landscape Plan

  Photos of the existing landscaping along Via Olivero Avenue and Westwind Road were submitted for this request. With conformance to the conditions of approval for Site Development Plan Review (SDR-1407), those areas will be completely landscaped. No new landscaping is proposed per this request; however, minimum 24-inch box trees spaced 30 feet on center should be provided within the existing planter along the full length of Duneville Street in compliance with the Landscape, Wall, and Buffer Standards and Title 19.12.

- Elevation

  The building elevations depict similar architectural design and exterior building materials to the existing buildings on this site, and are acceptable.

- Floor Plan

  The floor plan depicts nine bays for the repair of vehicles and a restroom. All work performed on vehicles will take place within the proposed 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;"**

   Motor vehicle sales are common along the north side of Sahara Avenue, particularly in this area. It is common for auto dealerships to contain accessory uses such as Major Auto Repair Garages on the premises. The proposed addition to the existing auto repair garage on the subject property is therefore compatible with 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 subject site is designated as GC (General Commercial) on the Southwest Sector Map of the General Plan. The proposed design of the site is in compliance with the applicable Zoning Code requirements with the imposition of the proposed conditions and approval of the requested waiver.

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

   The abutting street network will be adequate for the traffic generated by the proposed Auto Repair Garage addition. Access to the site is from Duneville Street, a 60-foot wide collector street, which connects to Sahara Avenue, a 150-foot wide Primary Arterial as classified on the Master Plan of Streets and Highways.

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

   The design and materials used for the proposed auto repair garage addition are similar to the surrounding automotive uses on the site and are compatible with other commercial uses nearby. Landscaping materials are appropriate for this area of the City, with exception of the existing landscape planter along Duneville Street, which is deficient several trees.

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 for the proposed auto repair garage addition are not unsightly and will be compatible with the existing auto repair garage and other automotive-related buildings on the site.

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

   The proposed auto repair garage will be subject to inspections for occupancy and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 74

APPROVALS 0

PROTESTS 0

SS

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3361 APN: 163-01-405-001

Name of Property Owner: DESERT LINCOLN-MERCURY

Name of Applicant: WELLES-PUGSLEY ARCHITECTS, LLP; CONTACT: PATRICK CASTELLANO

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: _____

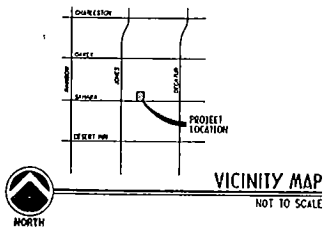
Print Name: LARRY CARTER

Subscribed and sworn before me

This 30th day of October, 2003

_____
Notary Public in and for said County and State

B. H. WEISS
Notary Public State of Nevada
No. 03-84187-1
My appt. exp. Sept. 11, 2007



VICINITY MAP

NOT TO SCALE

FOOTPRINT/SITE RATIO

PARCEL AREA: 164,981.6 S.F. = 3.78 ACRES

BUILDING AREA: SERVICE SHOP ADDITION ..... 3,357.8 S.F.

SITE COVERAGE: 3,357.8 S.F. / 164,981.6 S.F. = 2.03% (NEW ONLY)

PARKING CALCULATIONS

REQUIRED PARKING:

AUTO REPAIR GARAGE - FIVE (5) SPACES PLUS ONE (1) FOR EACH 200 S.F. OF G.F.A.

TOTAL SERVICE SHOP S.F. = 3,300 S.F.
3,300 / 200 + 5 = 21.5 PARKING SPACES

TOTAL NUMBER OF SERVICE SHOP PARKING SPACES REQUIRED = 21.5 SPACES

EXISTING BODY SHOP PARKING:

OFFICE - 1 : 300 S.F.

TOTAL OFFICE S.F. = 1,139 S.F. = 3.79 PARKING SPACES

SUBTOTAL 3.79 PARKING SPACES

ALL OTHER COMMERCIAL USES - 2 : 250 S.F. of G.S.F.
(TOOL STORAGE, BREAK ROOM, LOBBY, ETC.)

OTHER COMMERCIAL USES = 3,090 S.F. = 12.36 PARKING SPACES

SUBTOTAL 12.36 PARKING SPACES

AUTO REPAIR GARAGE - FIVE (5) SPACES PLUS ONE (1) FOR EACH 200 S.F. OF G.F.A.
(PAINT SHOP, JAMB BOOTH, FRAME SHOP, REPAIR SHOP, ETC.)

TOTAL AUTO REPAIR GARAGE S.F. = 18,604 S.F.

SUBTOTAL 93.02 PARKING SPACES
+ 5.0 PARKING SPACES
98.02 PARKING SPACES

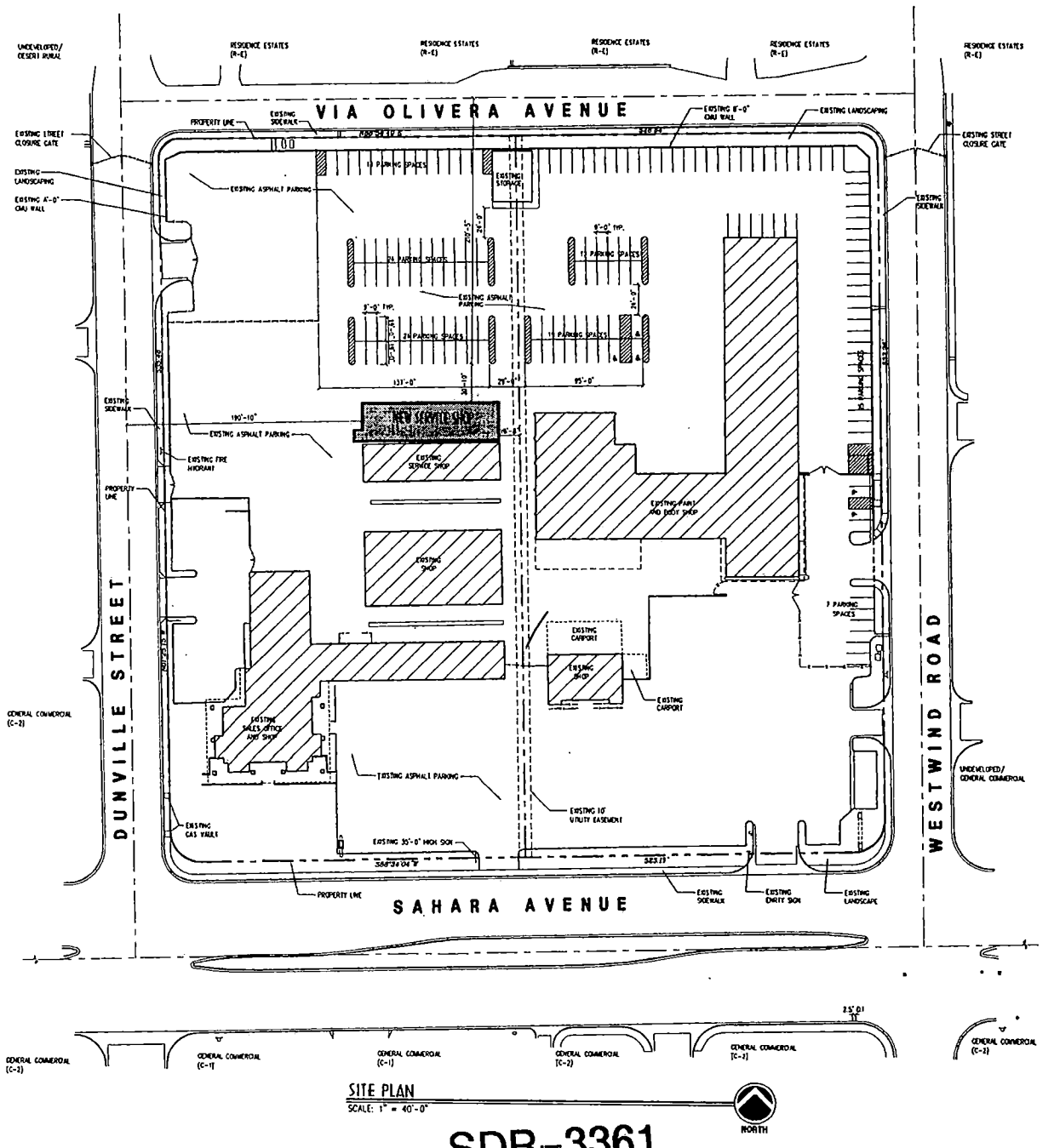
TOTAL NUMBER OF BODY SHOP PARKING SPACES REQUIRED = 115 SPACES

TOTAL NUMBER OF PARKING SPACES REQUIRED = 115 + 21.5 = 136.5

HANDICAP SPACES REQUIRED = 101 - 150 REQUIRED SPACES = 5 HADICAP SPACES

HANDICAP SPACES PROVIDED = 5 SPACES

PARKING PROVIDED: 160 SPACES TOTAL, INCLUDING 5 HANDICAP



SITE PLAN

SCALE: 1" = 40'-0"

NORTH

SDR-3361
01-08-04 PC

WELLES · PUGSLEY ARCHITECTS L.L.C.
2480 e. tropicana avenue, suite 222, las vegas, nevada 89121
ph. 702.435.1150 fx. 702.435.1199 e-mail. welpugsley@attbi.com
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STAMP:

REVISIONS:

PROJECT NAME:
DESERT LINCOLN-MERCURY
SERVICE SHOP ADDITION

PROJECT NUMBER:
WP-0234

SHEET TITLE:
SITE PLAN

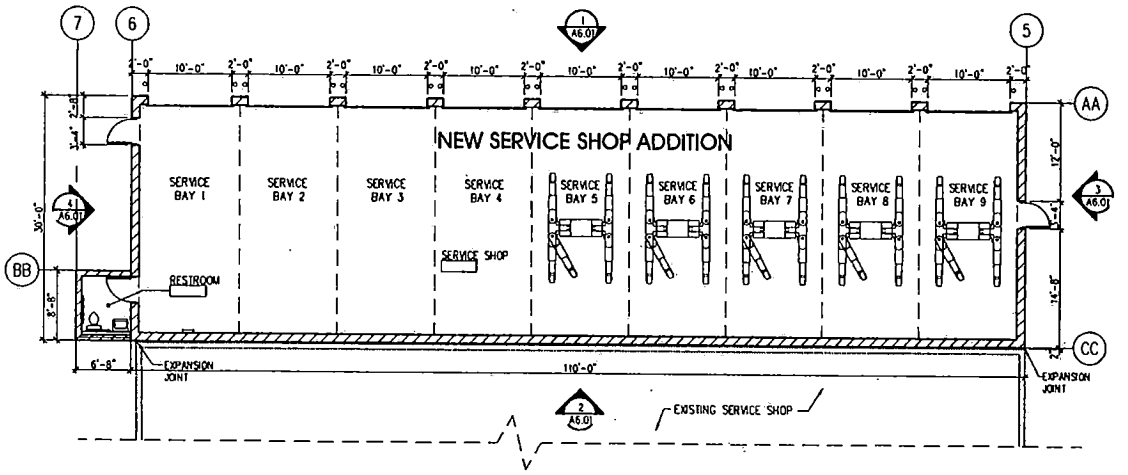
DRAWN BY:
PRC

CHECKED BY:
PRC

DATE:
11.10.03

SUBMITTAL:
CITY OF LAS VEGAS
SITE DEVELOPMENT PLAN REVIEW

SHEET NUMBER:
AS1.01



SERVICE SHOP FLOOR PLAN
SCALE: 1\8" = 1'-0"

NORTH

OCCUPANCY LOAD (PER 1997 U.B.C.)

SERVICE SHOP ADDITION = 3,300 SF
OCCUPANT LOAD FACTOR = 100 SF/PERSON
3,300 SF / 100 SF = 33 OCCUPANTS

SDR-3361
01-08-04 PC

WELLES · PUGSLEY ARCHITECTS L.L.C.
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©

STAMP:

REVISIONS:

PROJECT NAME:
DESERT LINCOLN-MERCURY
SERVICE SHOP ADDITION

PROJECT NUMBER:
WP-0234

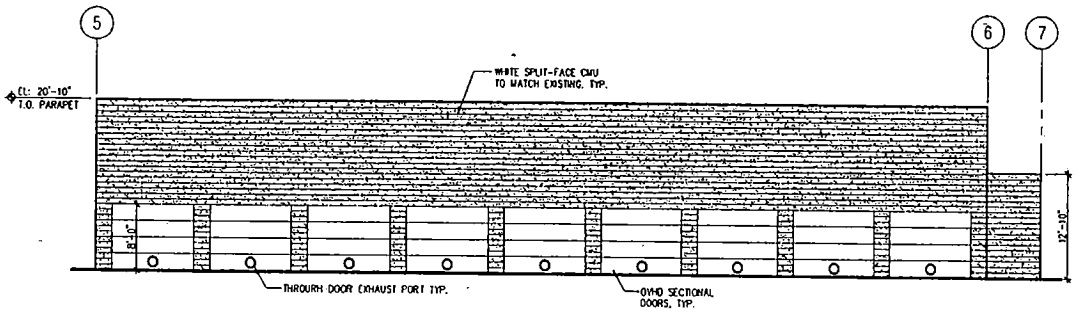
SHEET TITLE:
SERVICE SHOP
FLOOR PLAN

DRAWN BY:
PRC

CHECKED BY:
PRC

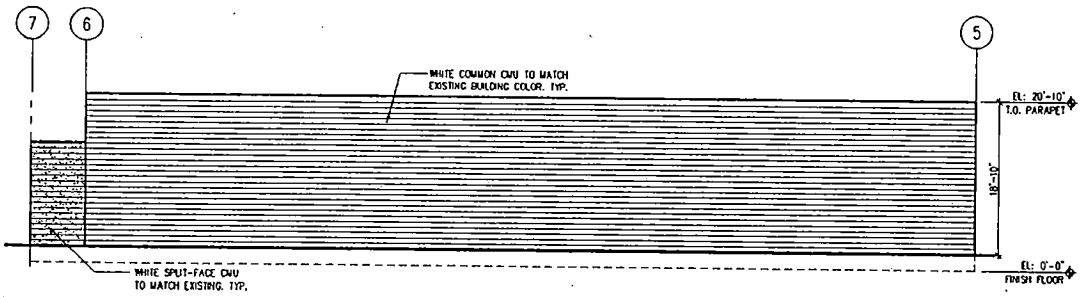
DATE:
11.10.03

SUBMITTAL:
CITY OF LAS VEGAS
SITE DEVELOPMENT PLAN REVIEW
SHEET NUMBER:
A1.01



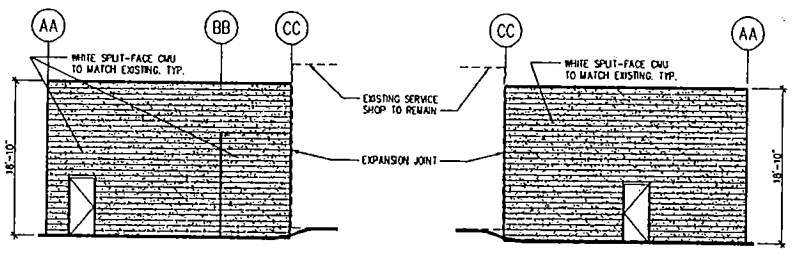
NORTH ELEVATION
SCALE: 1\8" = 1'-0"

1



SOUTH ELEVATION
SCALE: 1\8" = 1'-0"

2



WEST ELEVATION
SCALE: 1\8" = 1'-0"

4

EAST ELEVATION
SCALE: 1\8" = 1'-0"

3

SDR--3361
01-08-04 PC

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STAMP:

REVISIONS:

PROJECT NAME:
DESERT LINCOLN-MERCURY
SERVICE SHOP ADDITION

PROJECT NUMBER:
WP-0234

SHEET TITLE:
SERVICE SHOP
ELEVATIONS

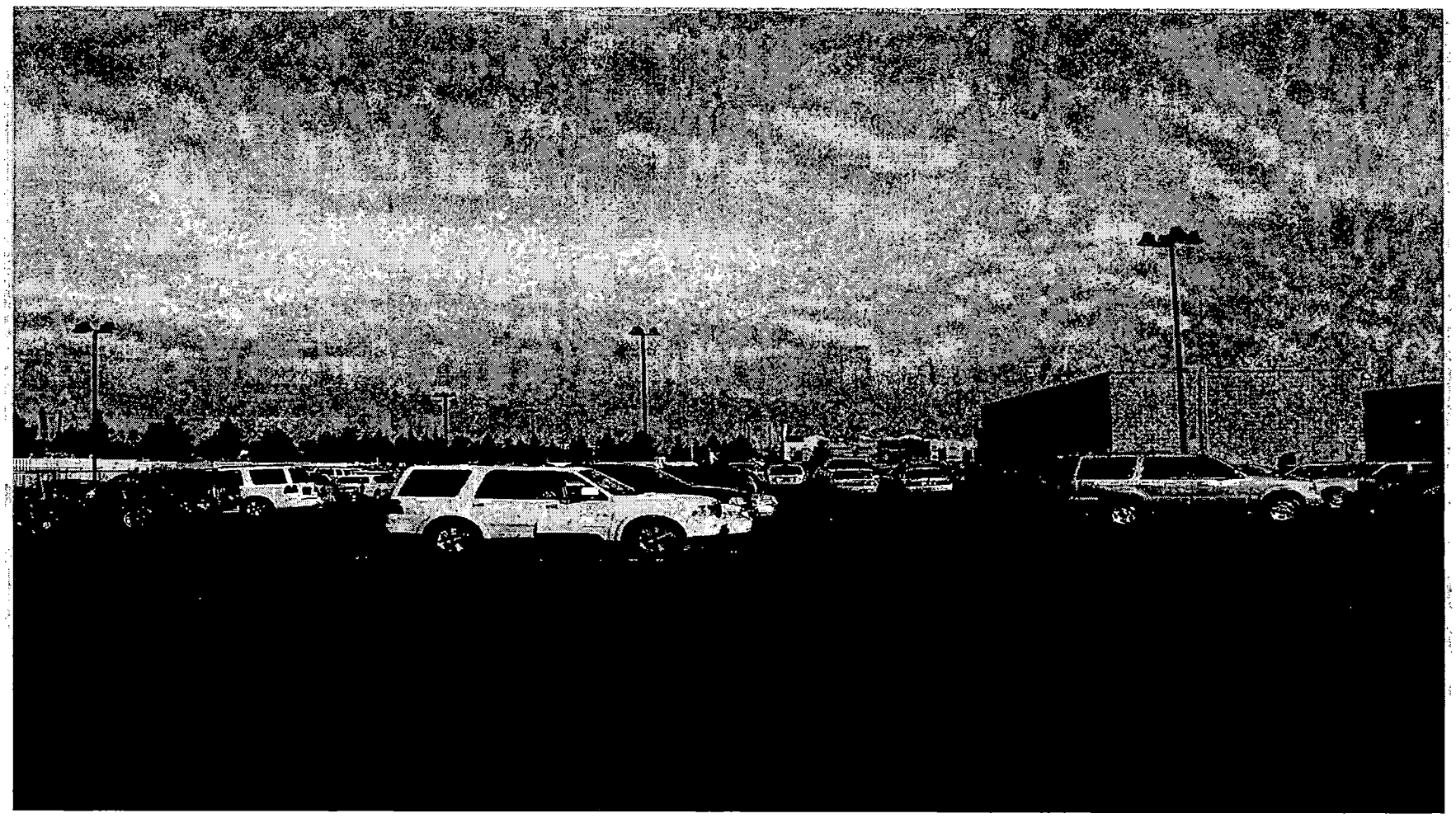
DRAWN BY:
PRC

CHECKED BY:
PRC

DATE:
11.10.03

SUBMITTAL:
CITY OF LAS VEGAS
SITE DEVELOPMENT PLAN REVIEW
SHEET NUMBER:

A6.01



SDR-3361 - WELLES-PUGSLEY ARCHITECTS, LIMITED LIABILITY PARTNERSHIP ON BEHALF OF DESERT LINCOLN-MERCURY, INC.
NORTHEAST CORNER OF DUNEVILLE STREET AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3381 - HUFFMAN BUILDERS WEST ON BEHALF OF NORMAN F. WOODS - Request for a Site Development Plan Review and Waivers of the perimeter and parking lot landscaping standards and other Commercial Development Standards FOR A PROPOSED 10,205 SQUARE-FOOT, SINGLE-STORY OFFICE COMPLEX on 0.88 acres adjacent to the northeast corner of Lake Sahara Drive and Lake East Drive (APN: 163-08-601-001), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

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:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the access will be from Lake Sahara Drive and Lake East Drive and shared by the three commercial lots in that area. Parking is also shared. The requested landscape waiver is appropriate and the waiver to place buildings at the front yard setback is also appropriate. Staff recommends approval subject to conditions.

CLAIRE STEWART, 6325 Darvey Lane, appeared on behalf of the applicant and concurred with all conditions. He asked staff to clarify Condition 13.

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that the applicant will be required to meet with Fire Services and they would identify and explain all requirements.

TODD FARLOW, 240 North 19th Street, stated that a similar problem occurred at the City Council meeting that dealt with a Walgreens Store that was disapproved of at the Planning Commission. Subsequently the applicant revised the site plan before going to the City Council and the redesign was absolutely beautiful. He felt the same should be applied to this application.

DR. MARK GUIDANCE, Guidance Properties LLC, adjoining owner of the parcel to the east of the proposed building. He congratulated the property owners for following through with the proposed development but asked whether having the parking surrounding the building would be adequate versus moving the building back to the perimeter of the site. MR. STEWART explained that the parking was designed to accommodate ADA requirements and taking into consideration the slope of the lot.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:14 – 10:20)

3-2048

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, including the requested waives shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.

3. Conformance to the Conditions of Approval for Rezoning (Z-0113-87).

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the 36-inch Holly Oak spaced 20 feet on center and a minimum of four five-gallon shrubs for each tree within provided planters along Lake East Drive and Lake Sahara Drive.

5. Trash enclosures shall be roofed using materials similar to those of the primary buildings on the site.

CONDITIONS – Continued:

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. 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. Fugitive lighting shall not be created on adjacent properties.

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

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

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

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

Public Works

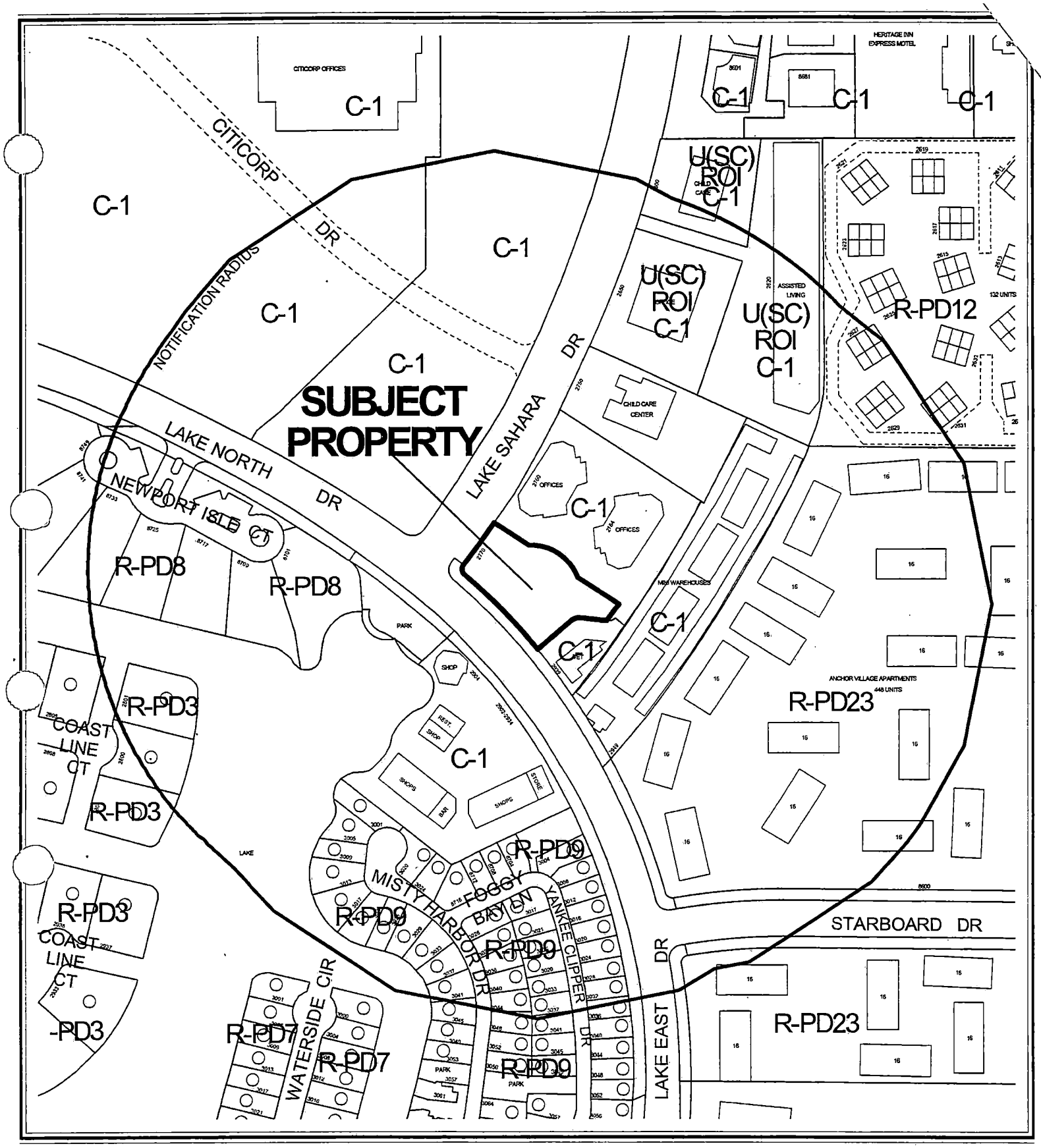
15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

CONDITIONS – Continued:

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased 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.

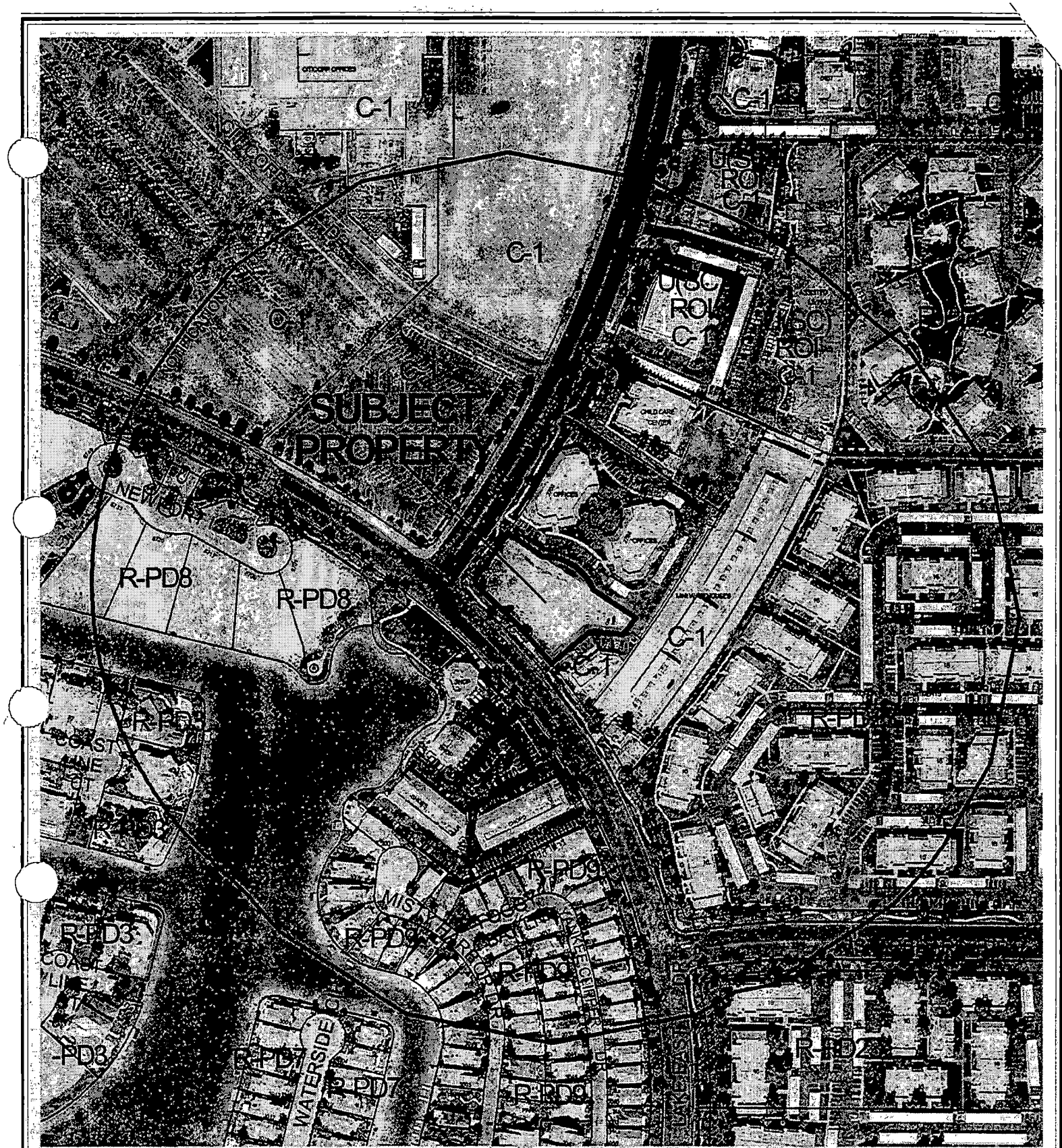
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all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



CASE: **SDR-3381**

RADIUS: 750 FT

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



CASE: **SDR-3381**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3381 - HUFFMAN BUILDERS WEST ON BEHALF OF NORMAN F. WOODS

** 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, including the requested waives shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.

3. Conformance to the Conditions of Approval for Rezoning (Z-0113-87).

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the 36-inch Holly Oak spaced 20 feet on center and a minimum of four five-gallon shrubs for each tree within provided planters along Lake East Drive and Lake Sahara Drive.

5. Trash enclosures shall be roofed using materials similar to those of the primary buildings on the site.

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. 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. Fugitive lighting shall not be created on adjacent properties.

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

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

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

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

Public Works

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

16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, 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.

SS

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

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

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review and Waivers of the perimeter and parking lot landscaping standards and other Commercial Development Standards for a proposed 10,205 square-foot, single-story office complex on 0.88 acres adjacent to the northeast corner of Lake Sahara Drive and Lake East Drive.

B) Applicant's Justification

The proposed office buildings comply with current zoning on the property. The waiver of perimeter landscape planter width is justified because there is already a mature landscape buffer existing on the perimeter.

BACKGROUND INFORMATION

A) Previous Actions

11/17/87 The Board of Zoning Adjustment approved a Variance (V-0123-87) to allow an on-site manager's/security residence in conjunction with a proposed mini-storage (Lakes Mini Storage) to the east of the subject site.

11/18/87 The City Council approved a Rezoning (Z-0113-87) from N-U (Non-Urban) under Resolution of Intent to P-R (Professional Office and Parking) to C-1 (Limited Commercial) in conjunction with a proposed retail complex and mini-storage facility adjacent to the northeast corner of Lake East Drive and Lake Sahara Drive. Staff recommended approval. The Planning Commission recommended approval on 11/12/87.

04/25/89 The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0113-87(1)] for a proposed office complex on the subject site. Staff recommended approval.

09/14/89 The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0113-87(2)] for a proposed 2,925 square-foot single-story retail building shell on the subject site. Staff recommended approval.

SS

B) Pre-Application Meeting

11/05/03 Because this site shares a common access with two other sites, the need for presenting cross-access and parking agreements was discussed. Several of the Commercial Development Standards were discussed, along with the possibility of requesting waivers of these standards. The Traffic Engineering representative indicated during the meeting that a traffic study would not be required, but that position has now been reversed and a study or alternative will be required. Staff recommended placing the office buildings closer to the front setback line in order to move parking to the side and the rear, screening and roofing all trash enclosures, and adding cornices to the elevations.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Review request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.88

B) Existing Land Use

Subject Property:	Undeveloped
North:	Office
South:	Commercial/Retail
East:	Animal Hospital
West:	Parking Lot

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This category permits low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed office complex and existing C-1 (Limited Commercial) zoning district are in conformance with this 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.

PROJECT DESCRIPTION

This property is part of a three-lot parcel map located on the northeast corner of Lake Sahara Drive and Lake East Drive. Access to the site is from those two streets and is shared by all three lots. Parking is also shared among the lots, although the subject site provides the required amount of parking spaces. The front and corner sides of the existing site are common areas containing a minimum 26-foot landscape buffer. The buffer consists of turf, trees, a meandering sidewalk, and a bench.

The complex consists of two single-story buildings for general office use. Building "A" is 4,728 square feet in area; Building "B" is 5,477 square feet. The buildings are situated toward the rear of the subject property, so that parking may be available in the front and side. Trash enclosures are walled, gated, and screened by interior landscaping.

Perimeter landscaping consists of a six-foot wide perimeter planter along the south and west sides, which provides buffering in addition to the existing common landscape planter. There is no landscaping within the parking area except near the entrances and no buffer along the north or east property lines. Trees within the perimeter planters include 36-inch Holly Oak spaced at uneven intervals. Shrubs include five-gallon Evergreen Euonymus and Texas Privet with adequate hardscaping.

Elevations of the two buildings depict offset facades with varying rooflines for visual interest. Clerestory windows allow for additional natural lighting. Variations of tan stucco-finish exteriors with blackberry-colored metallic heat-reducing fins are featured. Roofing materials consist of reddish-brown flat concrete tile on pitched roofs. The height of the tallest structure is approximately 25 feet.

Floor plans for Building "A" feature a reception area, conference room, and private 100-200 square foot offices. Building "B" is depicted as an open shell to be remodeled in the future.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	38,453 SF	N/A
Min. Lot Width	100 Feet	115 Feet	Y
Min. Setbacks			
• Front	20 Feet	60 Feet	Y
• Side	10 Feet	11 Feet	Y
• Corner	15 Feet	53 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	27 %	Y
Max. Building Height	N/A	25 Feet, single-story	N/A
Trash Enclosure	Walled, gated, roofed	Walled, gated	N
Loading Zone	Not required	Not provided	N/A
Mech. Equipment	Screened from view	Screened	Y

The proposed office complex meets the standards of the Zoning Code with respect to lot dimensions, minimum building setbacks, lot coverage, building height, and screening. Loading zones are not required for developments such as office buildings that do not require delivery services. Trash enclosures must contain a roof similar in design and materials to the office buildings.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject development.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, General	10,205 SF	1/300 SF GFA	33	2	33	2

SS

The site plan indicates 35 parking spaces, including two handicap accessible spaces in accordance with the standards in Title 19.10. These provisions meet the minimum parking requirements of the Zoning Code.

The Department of Public Works requires the applicant to submit a Traffic Impact Analysis to be approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. 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.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	(1) 24-inch box tree per 6 spaces	6 Trees	4 Trees
Buffer: • Min. Trees (ROW)	(1) 24-inch box tree per 20 Linear Feet of planter + (1) 24-inch box tree	17 Trees	12 Trees
Min. Trees (north/east)	(1) 24-inch box tree per 30 Linear Feet of planter + (1) 24-inch box tree	No planter provided	0 Trees
• Min. Zone Width (ROW) • Min. Zone Width (north) • Min. Zone Width (east) • Wall height	15 Feet 8 Feet 8 Feet wall not required		6 Feet 0 Feet 0 Feet not provided

The submitted landscape plan does not meet minimum tree spacing requirements and is deficient in the amount of landscape materials per Title 19.12. Trees within the perimeter landscape planter adjacent to parking spaces may be used in the calculation of trees in the parking area; however, no landscape finger islands are located within the parking lot. The width of the perimeter planter adjacent to Lake East and Lake Sahara Drives is six feet wide, where a width of 15 feet is required. Landscaping on the north and east sides is interior to the site and not true perimeter landscaping. Waivers are required for approval of the site as submitted, and they have been requested.

SS

A5) Sign Standards

No freestanding or wall signage is indicated on the submitted site plans or elevations. A Master Sign Plan for the complex is not required; however, signage for the site must be shown to comply with Title 19.14 for the C-1 (Limited Commercial) zoning district before sign permits will be issued.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). It is in conformance with the SC (Service Commercial) General Plan designation. The proposed office use is permitted as a matter of right in the C-1 zoning district.

- Site Plan

The site plan represents an orderly arrangement of buildings on the property. The applicant is encouraged to move the building closer to the front property line, in order to decrease the presence of parking along the two street frontages. However, the amount of screening provided by the landscaping buffers should mitigate those effects. Parking may be shared among the two lots adjacent to the subject site, but is not necessary, as the proposed office complex will provide an adequate number of parking spaces independent of any other site. A condition of approval has been added requiring all trash enclosures to be roofed in accordance with the provisions of Title 19.08.045.

- Waivers

The applicant requests waivers from several of the Commercial Development Standards and landscaping standards for the proposed office complex, which include the following:

Waiver of required perimeter landscape planter width. The applicant requests that the landscape planters along the two rights-of-way be reduced to six feet from the required 15 feet in order to allow enough room on the site for parking. In addition, the common areas along the street fronts have already been landscaped. The intent of the buffer zone is to separate parking areas from streets and sidewalks and to create an aesthetically pleasing environment. The waiver request is justified, since the existing buffer already provides 25 to 30 feet of landscaping, which serves to screen the building and parking area from the street.

Waiver of required parking lot landscape finger islands. Finger islands are required in the parking area to provide visual breaks in vast expanses of pavement. However, in this case, the parking lot is small and wraps around the edges of the site. Adequate landscaping that could be planted in these islands is provided along the edge of the parking lot. Therefore, this waiver request is appropriate.

Waiver of the requirement to place buildings at the front yard setback. On corner lots such as this one, the intent of this standard is to tie the building lines of each street together and to decrease the presence of parking along the two street frontages. However, the amount of screening provided by the stacked landscape buffers counteracts the visual effect of parking area in the front of the property. Further, since access and parking is shared on the overall site, the proposed placement of the buildings serves to break up parking areas so that there is no more than one row of parking along any drive aisle. The waiver request is therefore appropriate.

- Landscape Plan

The landscape plan as submitted is deficient in the number and spacing of trees within the provided buffer area abutting the existing "amenity zone." A condition of approval will require the trees to be placed 20 feet on center in order to provide an adequate number of trees. With the approval of the requested waivers, the landscaping on the balance of the site should be adequate.

- Elevation

The building elevations depict architecturally compatible single-story structures with a stucco exterior and a predominantly flat roof typical of commercial buildings of this type. The building is raised over the entryway, extending over a most of the length of the building with a pitched roof and clerestory windows for natural lighting. The design, architecture and aesthetic features of the proposed office complex are satisfactory and will not have a negative impact on this site or on surrounding areas.

- Floor Plan

Building "B" is represented as speculative shell for office use. If medical offices are later intended for this building, the parking on the overall site may be inadequate. A Variance would then need to be approved in order to reduce the amount of required parking spaces.

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 office complex is located in an area designated for less intense commercial development and is adjacent to existing commercial 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 office complex development is consistent with the SC (Service Commercial) General Plan designation and its intent. With the exception of minimal waiver requests from the Landscape, Wall, and Buffer Standards and Commercial Development Standards, the proposal is also in conformance with Title 19 with the inclusion of recommended conditions of approval.

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

   The subject site is accessed from shared driveways from Lake Sahara Drive and Lake East Drive, which are fully developed public streets. Circulation around the site is adequate and logical. The access and roadways suffice to meet the needs of the proposed development.

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

   Building and landscape materials are appropriate for this area, as the submitted landscape plan and building elevations depict desert tolerant landscaping and architectural designs and materials similar to other buildings in the area.

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

   The design, architecture and aesthetic features of the proposed development are satisfactory and will not have a negative impact on this site or on surrounding areas.

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

   The proposed office 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, this development will not compromise the public health, safety or welfare if approved.

NOTICES MAILED 190

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3381 APN: 163-08-601-001

Name of Property Owner: NORMAN F. WOODS

Name of Applicant: HUFFMAN BUILDERS WEST

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: Norman F Woods

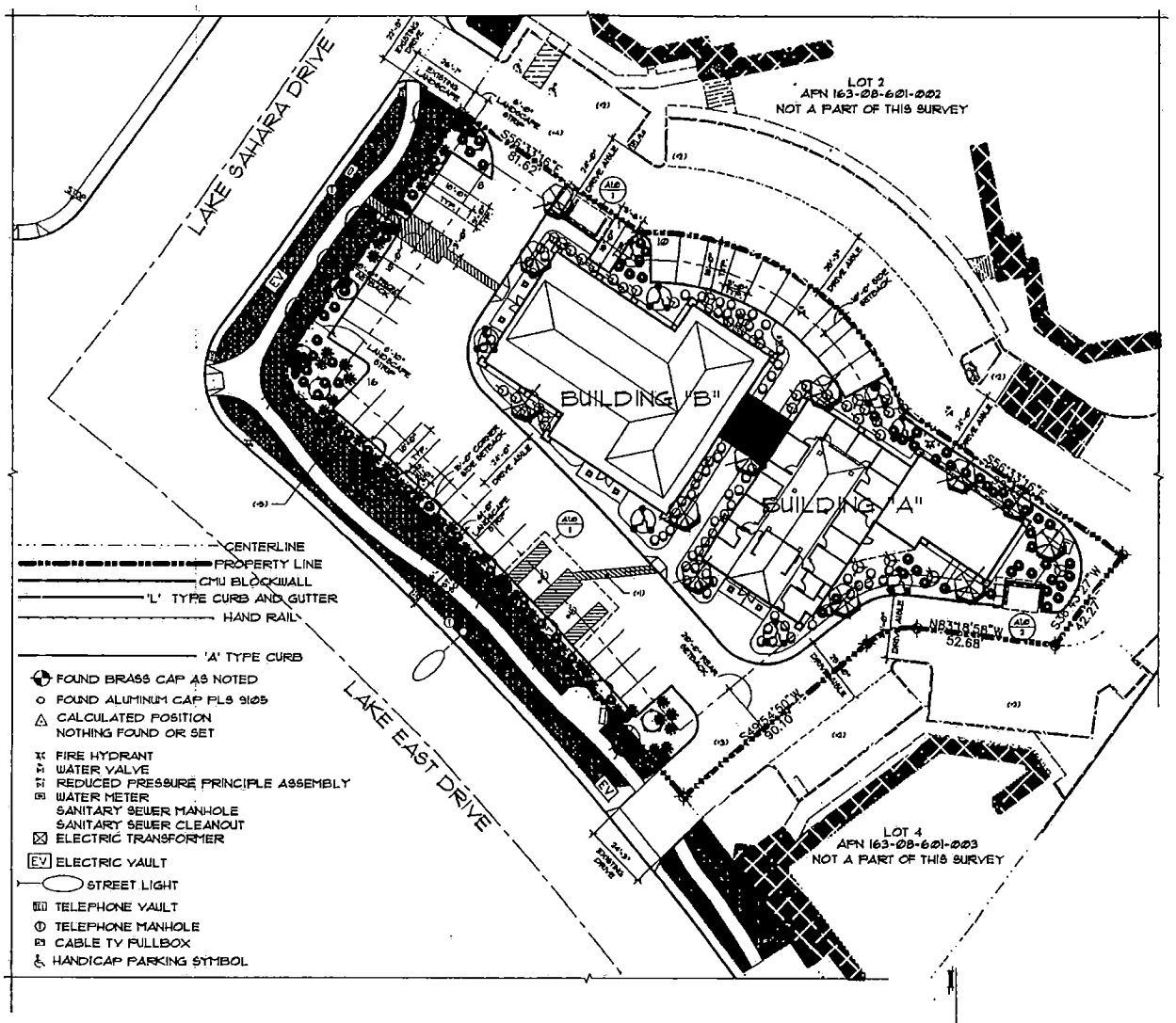
Subscribed and sworn before me

This 17th day of October, 2003

[signature]

Notary Public in and for said County and State

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



ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"

ARCHITECTURAL SITE PLAN NOTES:

- 1 - 5'-0" SIDE HANDICAP ACCESSIBLE ROUTE TO BE STRIPED w/4" YELLOW STRIPES PER CITY CODE.
- 2 - EXISTING PARKING ON ADJACENT SITES.
- 3 - AS DESCRIBED IN THE LEGAL DESCRIPTION, A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, VEHICULAR AND PEDESTRIAN TRAFFIC OVER LOT FOUR (4) - RECORDED DECEMBER 16, 1991.
- 4 - AS DESCRIBED IN THE LEGAL DESCRIPTION FOR PARCEL 1, A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL 1 FOR VEHICULAR AND/OR PEDESTRIAN INGRESS AND EGRESS OVER CURRENT OR FUTURE ROADS, DRIVES OR OTHER VEHICULAR OR PEDESTRIAN WAYS OR PASSAGES LOCATED ON LOT TWO (2) - RECORDED APRIL 11, 1997.
- 5 - TREE SPACING PER TITLE 19 (30'-0" MIN)

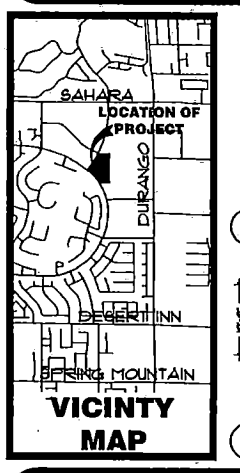
SITE ANALYSIS

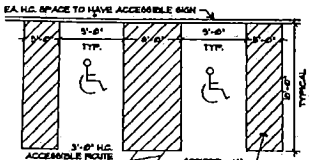
SITE INFO.:

APN#:		163-08-601-001
ZONED:		C-1
PROPERTY AREA:		38,453 S.F. OR 0.88 ACRES
LOT COVERAGE:		24%
BUILDING AREA:	BUILDING "A"	4,728 S.F.
	BUILDING "B"	5,477 S.F.
TOTAL BUILDING AREA:		10,205 S.F.
SET BACKS:	FRONT YARD	20'-0" MIN.
	SIDE YARD	10'-0" MIN.
	REAR YARD	20'-0" MIN.
	CORNER SIDE YARD	15'-0" MIN.

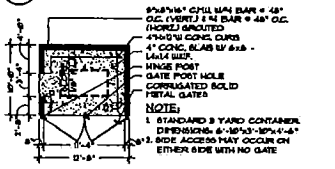
PARKING INFO.:

REQUIRED PARKING (1/300 S.F.):	35 SPACES
PARKING PROVIDED:	35 SPACES
REQUIRED ACCESSIBLE SPACES (101-150:5):	2 SPACES
ACCESSIBLE SPACES PROVIDED:	2 SPACES





1 HANDICAP PARKING
SCALE: 1/8" = 1'-0"



2 TRASH ENCLOSURE
SCALE: 1/8" = 1'-0"

LANDSCAPE SCHEDULE

TREES				SHRUBS			
BOTANICAL NAME	COMMON NAME	SIZE	QUAN.	BOTANICAL NAME	SIZE	QUAN.	
PROSOPIS GRILENSIS	GIRNEAN MESQUITE	24" BOX	12	BUFFALO JUNIPER	5 GAL.	21	
PRAEONUS VELUTINA	FAN TEX ASH	24" BOX	5	SANTA CRUZ PYRACANTHA	5 GAL.	10	
QUERCUS ILEX	HOLLY OAK	36" BOX	11	EVERGREEN EUONYMUS	5 GAL.	35	
RHUS LANCEA	MULTI-AFRICAN SUMAC	15 GAL.	10	TEXAS PRIVET	5 GAL.	16	

SUZANA RUTAR Architect
Architectural Design & Planning
1950 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 285-8178

RUTAR

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT NAME: LAKE SAHARA OFFICE COMPLEX
LAS VEGAS, NEVADA

OWNER: HUFFMAN BUILDERS WEST
LAS VEGAS, NEVADA

DRAWING TITLE: ARCHITECTURAL SITE PLAN & SITE DATA

A1.0-2316

DRAWN BY: RJR

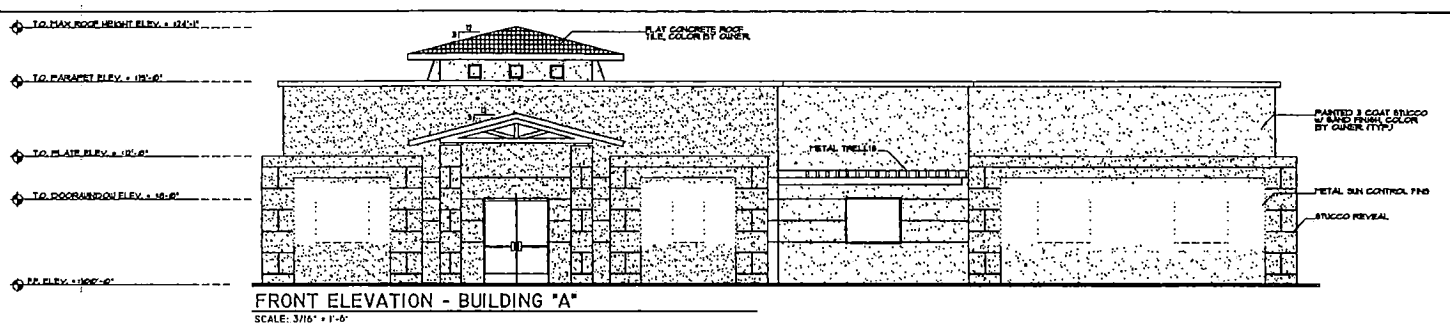
CHECKED BY: SR

DATE: 12.29.03

No.	DATE	DESCRIPTION

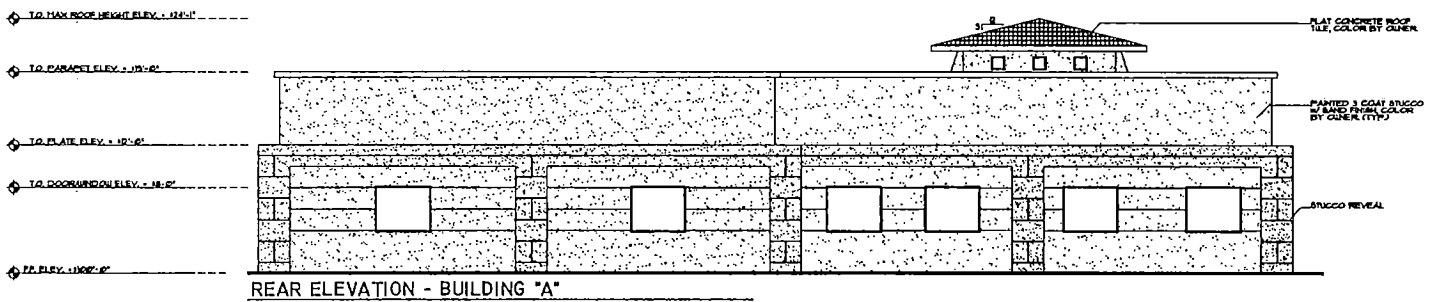
DRAWING NO.: A1.0

SDR-3381
01-08-04 PC



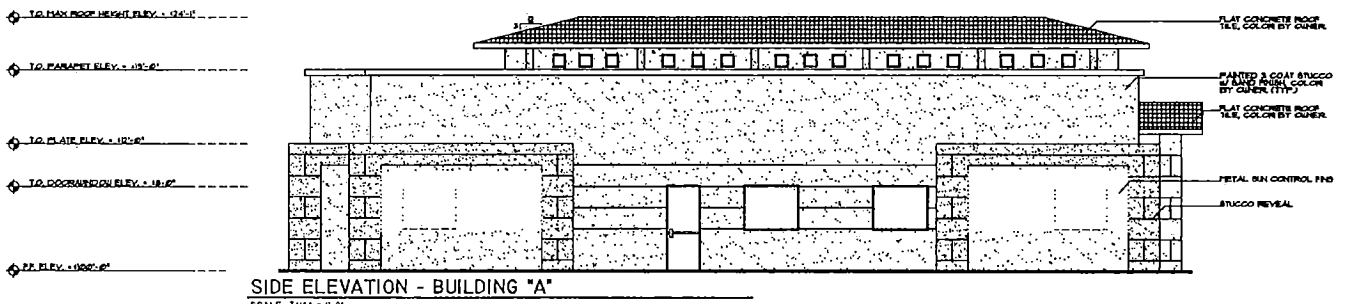
FRONT ELEVATION - BUILDING "A"

SCALE: 3/16" = 1'-0"



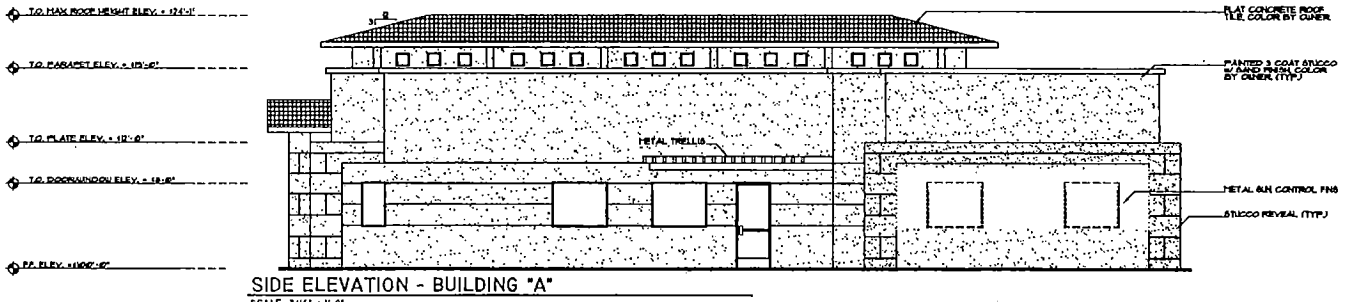
REAR ELEVATION - BUILDING "A"

SCALE: 3/16" = 1'-0"



SIDE ELEVATION - BUILDING "A"

SCALE: 3/16" = 1'-0"



SIDE ELEVATION - BUILDING "A"

SCALE: 3/16" = 1'-0"

BUILDING MATERIALS LIST:

BUILDING "A"

EXTERIOR FINISH:	1/8" STUCCO FINISH SAND FINISH
EXTERIOR COLOR: FRAZEE PAINT	MAIN BODY - OAK FLATS (66-4811)
	TRIM - THATCH ROOF (66-5800)
	ACCENT TRIM (METAL) - BLACKBERRY SWIRL (T546N)
ROOF MATERIALS: US TILE, CO.	RUSTIC MADERA BLEND "FLAT SHINGLE TILE"

SUZANA RUTAR, Architect
Architectural Design & Planning
1550 N. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-6176

RUTAR

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT NAME: LAKE SAHARA OFFICE COMPLEX
LAS VEGAS, NEVADA

OWNER: HUFFMAN BUILDERS WEST
LAS VEGAS, NEVADA

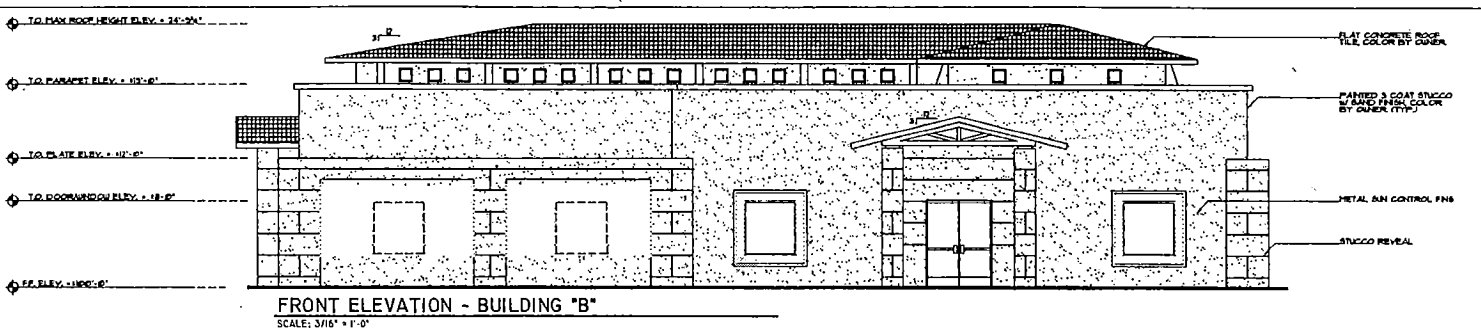
DRAWING TITLE: BUILDING ELEVATIONS FOR SHELL BUILDING "A"

A4.0-2317

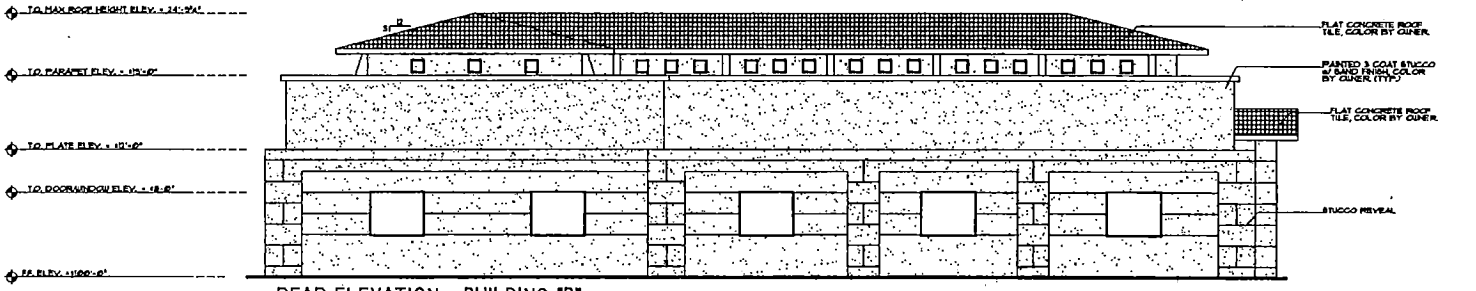
No.	Date	Description

Drawing No: A4.0

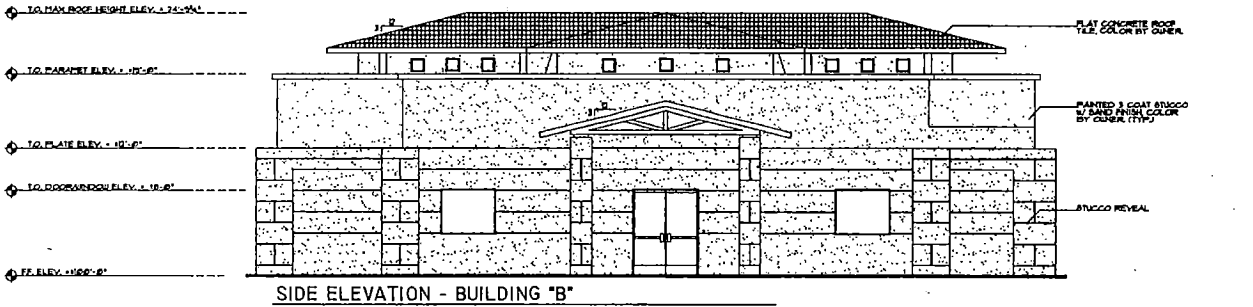
SDR-3381
01-08-04 PC



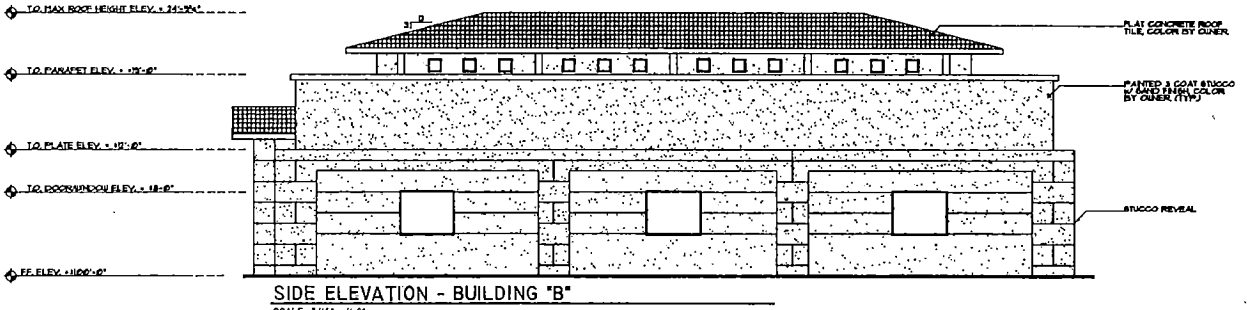
FRONT ELEVATION - BUILDING "B"
SCALE: 3/16" = 1'-0"



REAR ELEVATION - BUILDING "B"
SCALE: 3/16" = 1'-0"



SIDE ELEVATION - BUILDING "B"
SCALE: 3/16" = 1'-0"



SIDE ELEVATION - BUILDING "B"
SCALE: 3/16" = 1'-0"

BUILDING MATERIALS LIST:

BUILDING "B"

EXTERIOR FINISH:	7/8" STUCCO FINISH SAND FINISH
EXTERIOR COLOR: FRAZEE PAINT	MAIN BODY: OAK PLATE (66-42M)
	TRIM: THATCH ROOF (66-50D)
	ACCENT TRIM (METAL): BLACKBERRY SWIRL (T1346M)
ROOF MATERIALS: US TILE, CO.	RUSTIC MADERA BLEND "FLAT SHINGLE TILE"

SUZANA RUTAR Architect
Architectural Design & Planning
1850 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-6778

PRELIMINARY
NOT FOR CONSTRUCTION

THE CONTENTS OF THIS DRAWING ARE THE PROPERTY OF SUZANA RUTAR ARCHITECT AND SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF SUZANA RUTAR ARCHITECT. © COPYRIGHT 2003

Project Name: LAKE SAHARA OFFICE COMPLEX
LAS VEGAS, NEVADA

Owner: HUFFMAN BUILDERS WEST
LAS VEGAS, NEVADA

Drawing Title: BUILDING ELEVATIONS FOR SHELL BUILDING "B"

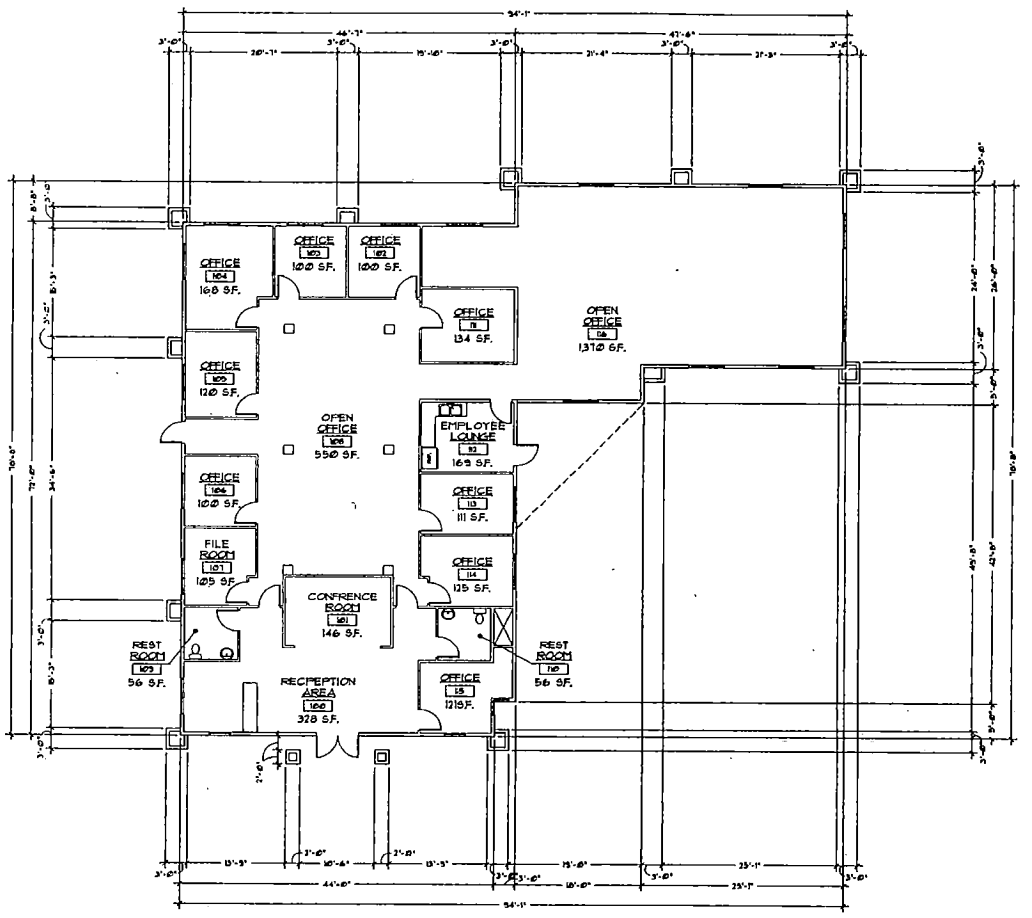
A4.1-2317

Project No.: 2313-Lake
Drawn By: RJR
Checked By: S.R.
Date: 10.29.03

No.	Date	Description

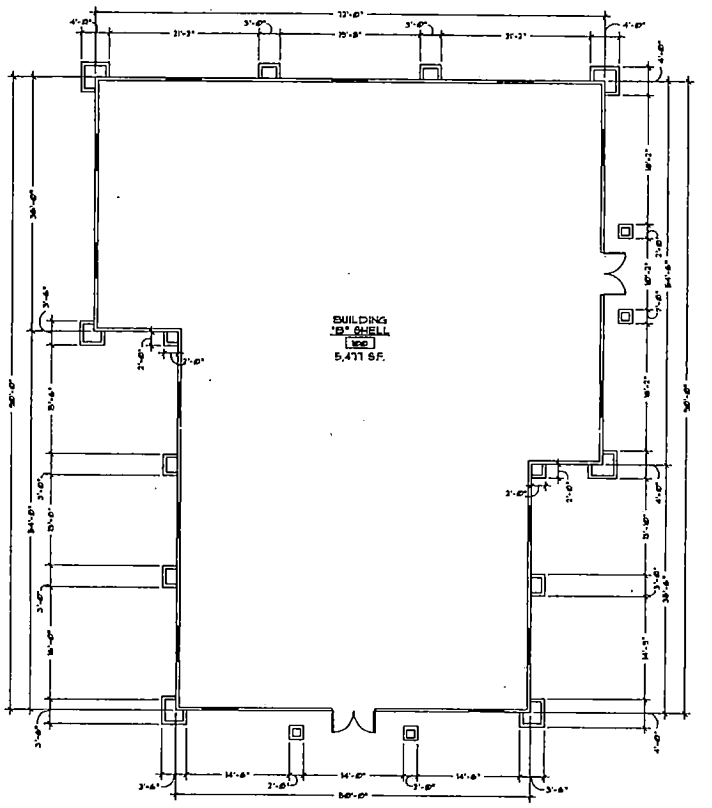
Drawing No.: A4.1

SDR-3381
01-08-04 PC



BUILDING "A" - FLOOR PLAN

SCALE: 3/32" = 1'-0"



BUILDING "B" SHELL - FLOOR PLAN

SCALE: 3/32" = 1'-0"

SHELL BUILDING INFORMATION:

BUILDING "A"	
SQUARE FOOTAGE	4,126 S.F.
ZONED	C-1
TYPE OF CONSTRUCTION	V
OCCUPANCY	B
SPRINKLED	NO
BUILDING "B"	
SQUARE FOOTAGE	5,477 S.F.
ZONED	C-1
TYPE OF CONSTRUCTION	V
OCCUPANCY	B
SPRINKLED	NO

SUZANA RUTAR, Architect
Architectural Design & Planning
1550 E. Warm Springs Road
Las Vegas, Nevada 89119
Telephone (702) 263-8178

RUTAR

PRELIMINARY
NOT FOR CONSTRUCTION

Project Name: LAKE SAHARA OFFICE COMPLEX
LAS VEGAS, NEVADA

Owner: HUFFMAN BUILDERS WEST
LAS VEGAS, NEVADA

Drawing Title: BUILDING "A", "B" & "C" SHELL FLOOR PLANS

A2.0-2316

Project No. 2313-Sahara

Drawn by: SR

Checked by: SR

Date:

No.	Date	Description

Drawing No.: A2.0

SDR-3381
01-08-04 PC

SDR-3381 - HUFFMAN BUILDERS WEST ON BEHALF OF NORMAN F. WOODS
NORTHEAST CORNER OF LAKE SAHARA DRIVE AND LAKE EAST DRIVE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J. KAUFMAN, ET AL - Request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Transportation and Parking Standards FOR A COMMERCIAL PARKING LOT (VALET) on 0.97 acres located at 601 South Casino Center Boulevard (APN: 139-34-311-058 through 063), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

CC: 02/04/04

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 – ABEYANCE to 2/12/2004 Planning Commission meeting – UNANIMOUS

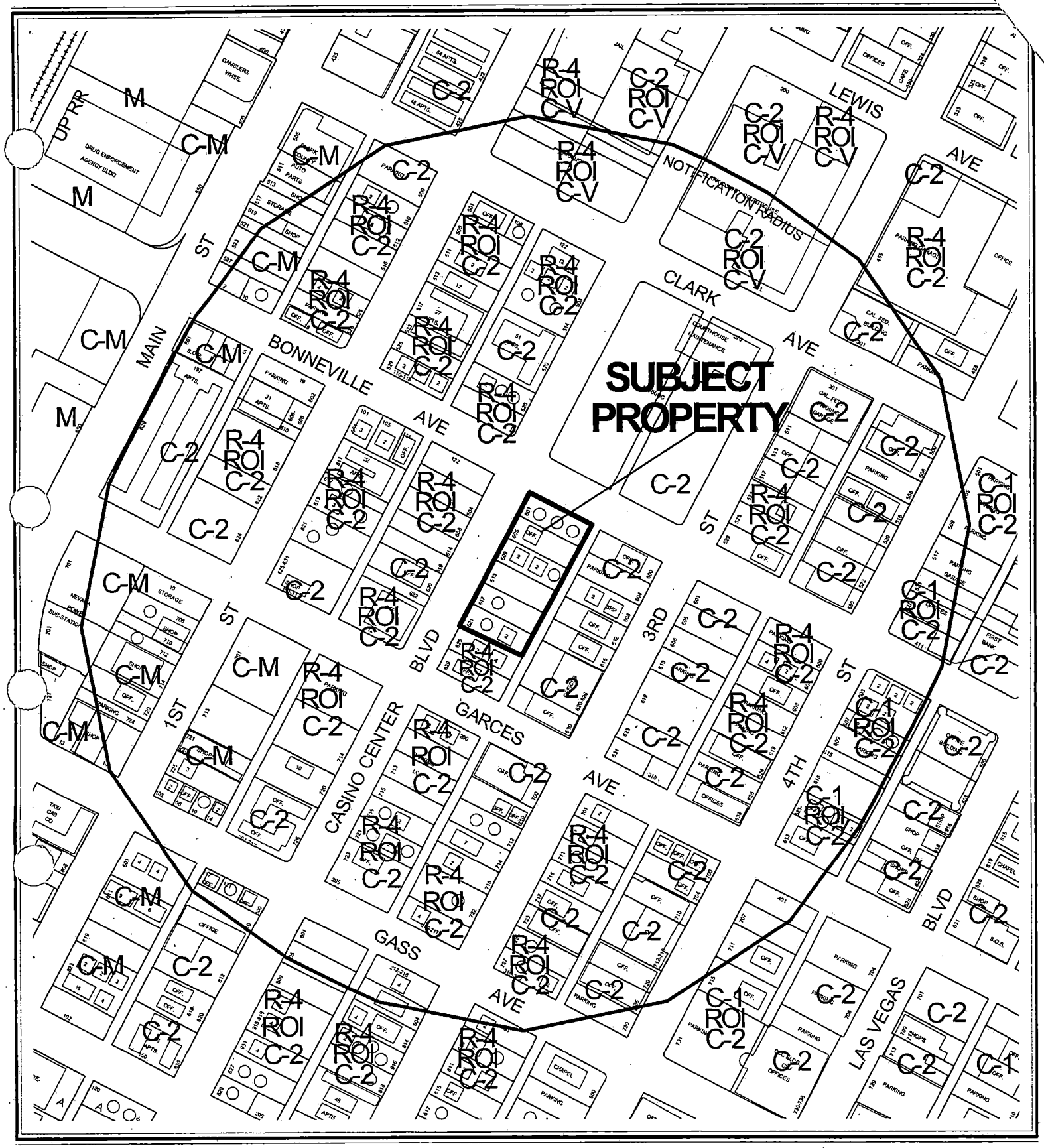
MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated the applicant submitted a letter requesting the application and waiver be held to the 2/12/2004 Planning Commission meeting.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.



0 200 400 Feet

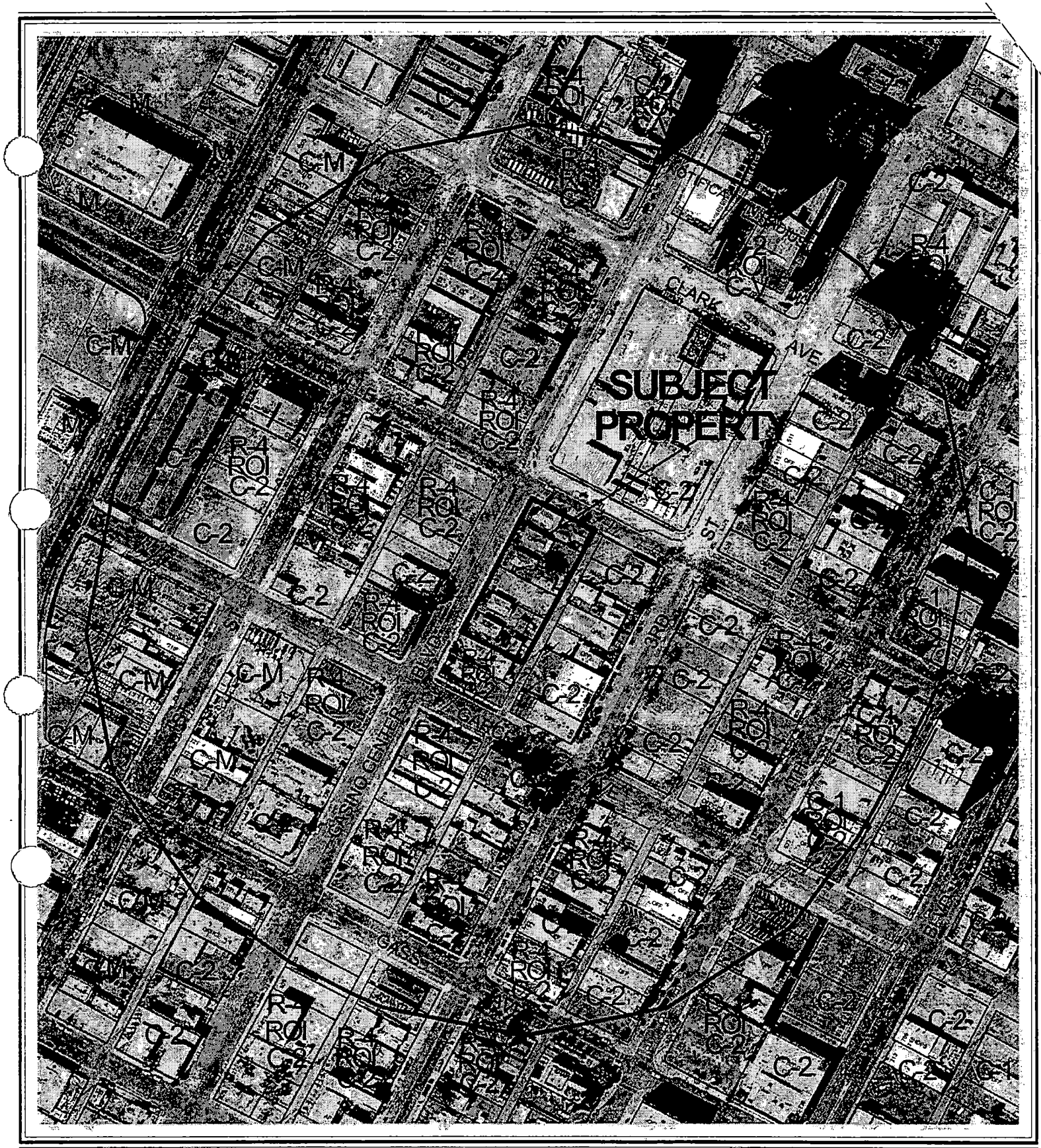
CASE: **SDR-3386**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N



0 200 400 Feet

CASE: **SDR-3386**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J. KAUFMAN, ET AL

** 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.

2. All development shall be in conformance with the site plan documentation, except as amended by conditions herein.

3. This Site Development Plan Review shall be reviewed in two (2) years at which time the City Council may require the installation of streetscape improvements in accordance with the Downtown Centennial Plan at the applicant's expense. The applicant shall be responsible for notification costs of the review.

4. The railroad cottages shall be relocated to a new site and preserved. The applicant shall allow the City's Historic Preservation Officer to inspect and survey the houses prior to their relocation.

5. A fence and eight-foot deep landscape buffer shall be provided along the east property line, and an eight-foot deep landscape buffer shall be added along the south property line in order to buffer the parking lot from adjacent multifamily properties.

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

8. 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.

9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

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

Public Works

11. Dedicate a 20-foot radius and grant a traffic chord easement on the southeast corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Plan Development Standards concurrent with development of this site. All new driveways or modifications to existing driveways should be designed, located and constructed in accordance with Standard Drawing #222a.

13. Landscape and maintain all unimproved rights-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Bonneville Avenue and Casino Center Avenue public rights-of-way adjacent to this site prior to occupancy of this site.

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

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

16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Transportation and Parking Standards for a Commercial Parking Lot (Valet) on 0.97 acres located at 601 South Casino Center Boulevard.

B) Applicant's Justification

The applicant has stated that there is a need for additional parking in the downtown area, and that the surface lot is only temporary, and that a parking structure will be built on the site in two years.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Resolution of Intent (Z-0100-64) to reclassify 230 acres in the downtown area to C-2 (General Commercial). The Planning Commission recommended approval of the reclassification on 12/10/64.

09/15/99 The City Council approved a Special Use Permit (U-0082-99) to allow a Bail Bond Service on the property at 605 South Casino Center Boulevard. The Planning Commission recommended approval of the request on 08/12/99. Staff recommended Denial.

B) Pre-Application Meeting

10/23/03 The applicant was informed a ten square feet of landscape area would be required per parking space, additional information would be required relative to the operation of the business and the proposed kiosk on the site, and that all substandard improvements abutting the site would need to be brought up to code. In addition, issues relative to the preservation of the railroad cottages were discussed, including their listing on the National Register of Historic Properties and possibility of the moving the cottages to a new site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.97

B) Existing Land Use

Subject Property:	Residential Use, Office Use, Multifamily Residential Use, Undeveloped
North:	Regional Justice Center parking lot
South:	Multifamily Use, Office Use
East:	Office Use, Multifamily Residential Use
West:	Office Use, Undeveloped

C) Planned Land Use

Subject Property:	Downtown Redevelopment Area
North:	Public Facility
South:	Commercial (Office, Service Commercial, General Commercial)
East:	Commercial (Office, Service Commercial, General Commercial)
West:	Commercial (Office, Service Commercial, General Commercial)

D) Existing Zoning

Subject Property:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial); C-2 (General Commercial)
West:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial); C-2 (General Commercial)

E) General Plan Compliance

The subject property is designated Commercial by the Las Vegas Redevelopment Plan. The Commercial designation allows uses comparable to the following designations: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is generally in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial 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

FF

The development site is subject to the requirements of the Downtown Centennial Plan, and is located within the boundaries of the Office Core District. The site is not part of any additional Overlay District or Study Area, and there are no trails abutting the site. The development is not a Project of Regional Significance, nor does it require the submittal of a Development Impact Notification Assessment.

PROJECT DESCRIPTION

The scope of the project includes the removal of five existing railroad cottages on the site and the construction of a 179-stall commercial parking lot. The parking lot is designed with tandem spaces to maximize the quantity of cars that can be parked on the site, and on-site staff will be retained to park the cars and collect parking fees. A pre-fabricated kiosk building will be installed on the site for the staff attendants. An eight-foot wide landscape buffer will be provided along the north and west sides of the property, with a 42-inch high decorative fence to screen the lot from the abutting streets.

The applicant has pledged to preserve the railroad cottages if possible; however, no plan is currently in place to move the cottages to a new location. These cottages are listed on the National Register of Historic Properties, and their demolition or removal will seriously impact preservation efforts in the City of Las Vegas.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed as applicable in the table below:

Standards	Required	Provided
Min. Lot Size	N/A	.97 acres
Min. Lot Width	N/A	300 Feet
Min. Setbacks		
• Front	0 Feet	55 Feet
• Side	N/A	105 Feet
• Corner	0 Feet	175 Feet
• Rear	N/A	78 Feet
Building Step-backs	N/A	N/A
Max. Lot Coverage	Up to 100%	93%
Max. Building Height	N/A	N/A
Trash Enclosure	Must be screened from public view	None provided

The parking kiosk is the only habitable structure that will be located on the site, and will conform to all required setbacks.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan from the automatic application of Residential Adjacency Standards. It should be noted that there is a multifamily residential property immediately abutting the southern border of the site, and another multifamily property immediately east of the site.

A3) Parking and Traffic Standards

Minimum parking space requirements do not apply to commercial parking lots. Three handicap parking spaces will be provided on the site.

A4) Landscape and Open Space Standards

The property is subject to the landscape standards of the Downtown Centennial Plan, as listed below:

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	30 Trees	15 Trees
Buffer:			
• Min. Square Footage	10 SF/Parking Space	1,790 SF	3,110 SF
• Min. Zone Width	8 Feet		8 Feet
• Wall height	42 Inches		42 Inches

The site plan as submitted will comply with the minimum landscape area, minimum buffer width, and street-side screen wall requirements. An insufficient number of trees are provided in the landscape buffer area, no landscape islands have been provided in the interior of the parking lot, and no buffers are provided at the south or east property lines. In addition, no streetscape treatment has been provided as required by the Downtown Centennial Plan. The applicant has requested a waiver from the interior landscaping and streetscape treatment requirements.

A5) Sign Standards

The applicant is proposing to locate a small freestanding sign at each driveway entrance to the parking lot. The proposed signage will be subject to the requirements listed in Title 19.14.

B) General Analysis and Discussion

- Zoning

  Commercial parking facilities are a permitted use in the C-2 (General Commercial) district. The only structure proposed for the site, a valet kiosk, will conform with all required setbacks.

- Site Plan

  The design of the parking spaces abutting the Bonneville Avenue driveway provides no area for vehicular stacking, which may result in impacts to the flow of traffic on Bonneville as vehicles wait to enter the parking lot. The design of the Casino Center driveway provides sufficient on-site stacking room so that no impacts should result. The easternmost row of parking spaces will exit directly to the public alley behind the property, with no fence or landscape buffer to separate the parking lot from the alleyway. Allowing all of the parking spaces on the eastern side of the lot to exit onto the alley may overburden the use of the alley and pose impacts to other alley users.

- Waivers

  The applicant has requested waivers from the Downtown Centennial Plan requirements for interior landscaping and buffer areas, and from the provision of streetscape improvements.

- Landscape Plan

  A conforming landscape buffer is provided adjacent to the Bonneville Avenue and Casino Center Boulevard rights-of-way. No buffers are proposed along the east and south property lines; consequently, the parking lot is not adequately screened from adjacent parcels. No landscaping will be provided at the interior of the parking lot. As previously mentioned, the applicant has requested a waiver from providing the streetscape improvements that are required by the Downtown Centennial Plan along Bonneville Avenue and Casino Center Boulevard. The required streetscape improvements would include an 11-foot wide sidewalk and a five-foot deep amenity zone along both streets, with palm trees in the amenity zone along Casino Center, and shade trees in the amenity zone along Bonneville Avenue.

FINDINGS

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

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

   The proposed development will remove the largest collection of historic railroad cottages in one block and replace them with a parking lot. While providing needed parking facilities in the downtown area, the proposed surface parking lot is inconsistent with intended development of the surrounding Office Core.

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 inconsistent with goals and objectives of the Office Core District of the Downtown Centennial Plan, which seeks to minimize gaps in the urban fabric caused by surface parking lots. The Plan encourages a dense, pedestrian-oriented district, with widened sidewalks, street-level retail uses, and parking in structured facilities. No buffers will be provided at the south or east property lines, contrary to Code requirements, nor will streetscape treatments be installed as part of the development plan. In addition, no landscape islands will be provided within the parking lot. The applicant has requested waivers from the landscaping and streetscape requirements.

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

   The design of the parking spaces adjacent to the Bonneville driveway may result in impacts to the flow of traffic on Bonneville Avenue. In addition, the easternmost row of parking spaces will exit directly to the public alley behind the property, which will impact other users of the alley.

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

   The landscape materials proposed for the buffer areas are consistent with the streetscape materials specified by the Downtown Centennial Plan, and the perimeter buffer abutting Bonneville and Casino Center conforms with minimum requirements.

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 only structure proposed for the site is a pre-fabricated valet kiosk, which will be located adjacent to the Casino Center driveway. The structure is of a generic character.

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

   The proposed development will be subject to Code requirements, and therefore will not compromise public health, safety or welfare.

NOTICES MAILED 118

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3386 APN: 139-34-311-058 thru 063

Name of Property Owner: JERRY S. KAUFMAN, INDIV. & AS TRUSTEE OF THE JERRY J. KAUFMAN FAMILY TRUST

Name of Applicant: FM PARKING FACILITIES 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: Jerry J. Kaufman

Print Name: JERRY S. KAUFMAN, INDIV. & AS TRUSTEE OF THE JERRY J. KAUFMAN FAMILY TRUST.

Subscribed and sworn before me

This 17 day of November, 2003

Teresa Wilcox

Notary Public in and for said County and State

TERESA WILCOX
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-74544-1
MY APPT. EXPIRES FEB. 13, 2006

KAUFMA[illegible] FM PARKI[illegible] FACILITIES [illegible]C PROPOSAL

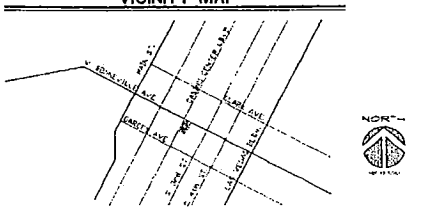
PLANT LEGEND

	SIZE	QUANTITY	BOTANICAL NAME	COMMON NAME
	25' HGH. @ 20'-0" O.C.	6	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM
	24" BOX @ 20'-0" O.C.	6	FRAXINUS UHDEI	EVERGREEN ASH
	SHRUBS / GROUND COVERS			
	5- GAL	36	RAPHIOLEPIS INDICA	PINK HAWTHORN

MISCELLANEOUS NOTES

1. ALL EXPOSED SOILS TO RECEIVED 2" THICK LAYER OF DECORATIVE GRAVEL.
2. ALL TREES AND SHRUBS TO BE SPACED ACCORDING TO CITY OF LAS VEGAS REQUIREMENTS.
3. ASSORTED 5 GAL SHRUBS TO COVER MORE THAN 50% OF LANDSCAPE AREA
4. TREES SHALL NO BE PLANTED WITHIN 5' OF A DEDICATED RIGHT-OF-WAY WHEN MATURE
5. ANY TREE WITHIN 5' OF A SIDEWALK / PAVED SURFACE AND/OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
6. NOT USED
7. DECORATIVE GRAVEL - COLOR: RED SANDSTONE 3/4" DECOMPOSED GRANITE - COLOR: PALAMINO CORAL 1/2" SCREENED
   DECOMPOSED GRANITE SOURCE:
   VISTA DECK
   LAS VEGAS, NEVADA
   DECORATIVE GRAVEL SOURCE:
   STAR NURSERY
   LAS VEGAS, NEVADA
8. ALL LANDSCAPE AREAS TO RECEIVED COMPLETE AUTOMATIC IRRIGATION LANDSCAPING DRIP IRRIGATION SYSTEM.

VICINITY MAP



SITE PLAN - 179 STALLS

1"= 10'-0"

17 NOVEMBER, 2003

ARCHITECT
GERALD GARAPICH • AIA • LLC
10 COMMERCE CENTER DRIVE
HENDERSON, NEVADA 89014
(702) 454-5842 FAX (702) 454-7842

SDR-3386
01-08-04 PC

SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J. KAUFMAN, ET AL
601 SOUTH CASINO CENTER BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J. KAUFMAN, ET AL
601 SOUTH CASINO CENTER BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION ME NETING OF: JANUARY 8, 2004

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

SUBJECT:
SDR-3364 - AQUASCAPE POOLS ON BEHALF OF 1901 RAINBOW, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED OUTDOOR DISPLAY AREA on a portion of 0.69 acres at 1911 South Rainbow Boulevard, (APN: 163-03-703-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

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 – UNANIMOUS

This is Final Action.

MINUTES:
GARY LEOBOLD, Planning and Development Department, pointed out that the building is a non-conforming building because it does not meet the side yard setback. It does, however, meet requirements of Title 19 pursuant to existing non-conforming buildings.

JULIO SCHEMBARI, 1911 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

MINUTES – Continued:
No one appeared in opposition

There was no further discussion.

(10:25 – 10:26)
3-2542

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 the addition of five regular parking spaces.

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.

CONDITIONS – Continued:

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.

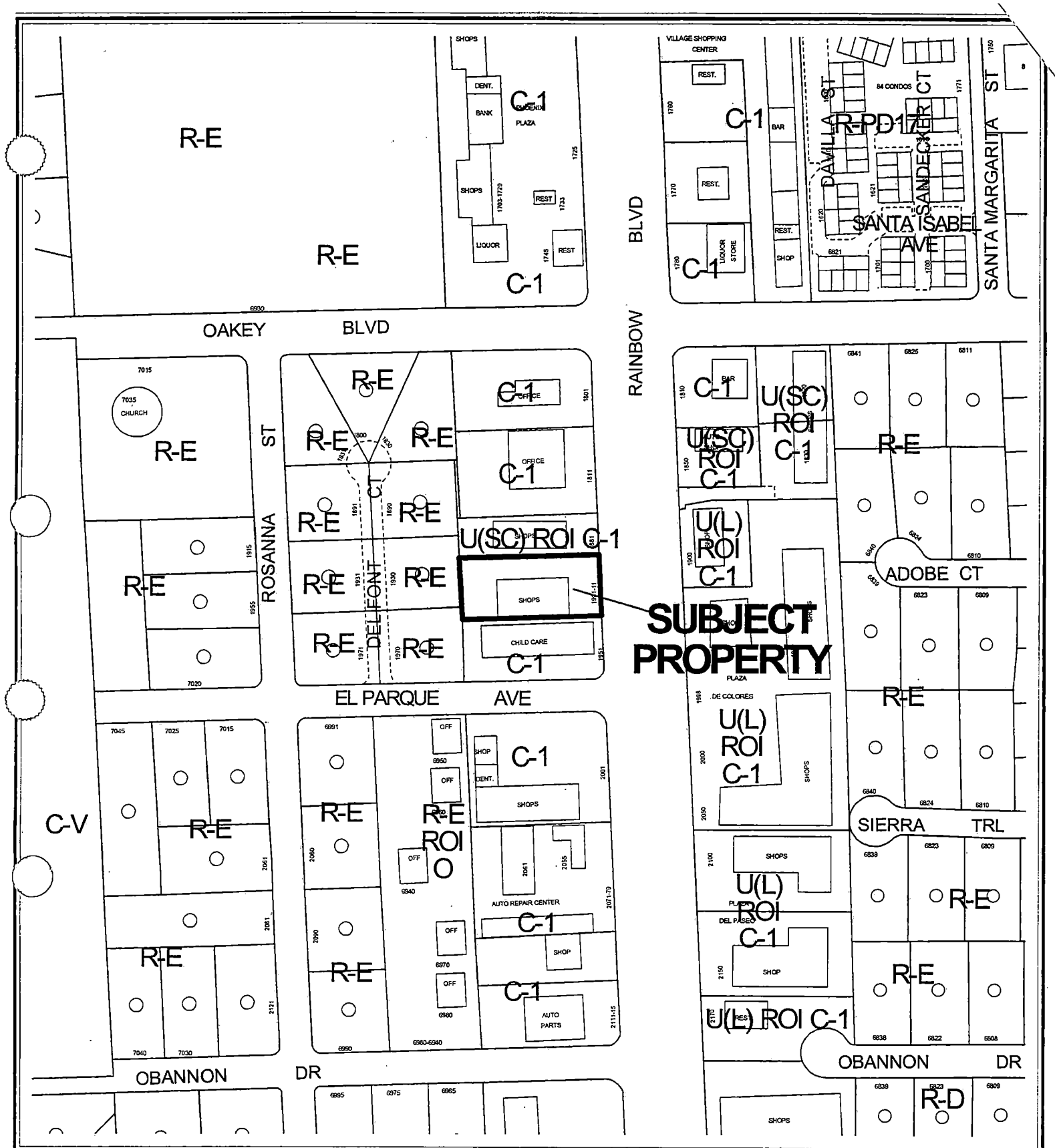
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. 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. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. 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 submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

16. Site development to comply with all applicable conditions of approval for Z-12-87 and all other subsequent site-related actions.

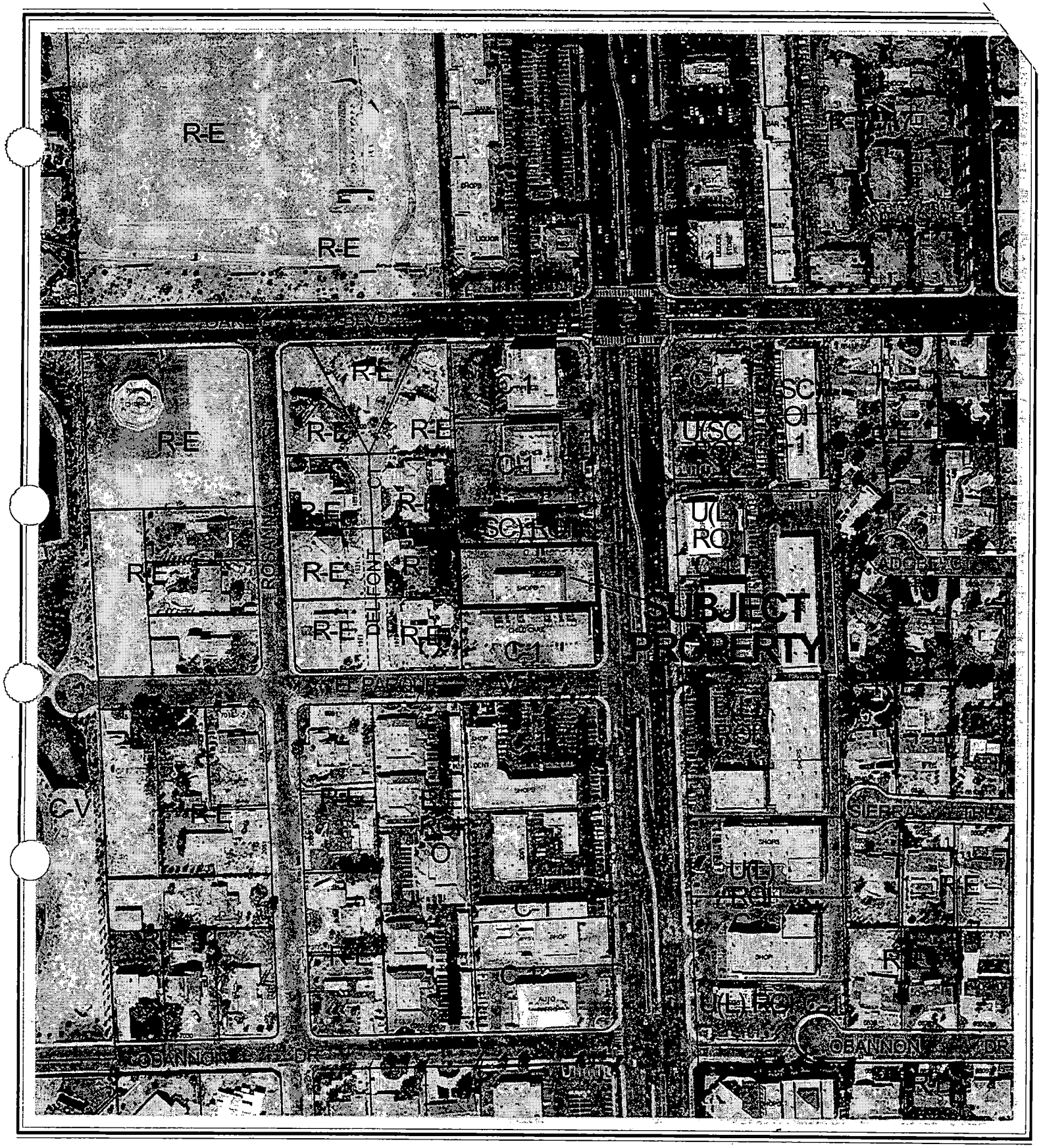


CASE: **SDR-3364**

0 100 200 Feet

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

N



CASE: **SDR-3364**

0 100 200 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3364 - AQUASCAPE POOLS ON BEHALF OF 1901 RAINBOW, 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 the addition of five regular parking spaces.

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.]

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

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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. 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. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. 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 submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

16. Site development to comply with all applicable conditions of approval for Z-12-87 and all other subsequent site-related actions.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Site Development Plan Review for the addition of an Outdoor Display Area to an existing pool and spa business located at 1911 South Rainbow Boulevard.

B) Applicant's Justification

The Outdoor Display Area will give potential customers the opportunity to "touch and feel" the various products and services offered. In addition, the display area will serve as a demonstration area that will educate potential customers to various water conservation methods and procedures.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent case histories.

B) Pre-Application Meeting

08/27/03 Issues discussed included the need for detailed elevation, site, and landscape plans. The applicant stated that he was aware of the current drought ordinance and acknowledged that any proposed water features must remain dry until the restrictions are lifted.

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: 0.69

B) Existing Land Use

Subject Property:	Retail / Commercial
North:	Retail / Commercial
South:	Child Care Faculty
East:	Retail / Commercial
West:	Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) designation, which allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed Outdoor Display Area is a permitted use in the C-1 district.

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

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

PROJECT DESCRIPTION

The proposed Outdoor Display Area is an open-air addition to an existing pool and spa business. There are 35 parking spaces, and access to the site is provided via a drive off of Rainbow Boulevard. Forty parking spaces are required, and a Condition of Approval has been included to ensure compliance with Title 19 parking standards. The site plan depicts brick pavers throughout the display area, an artificial turf putting green, an in-ground spa beneath a freestanding patio cover, a waterfall, a fire pit, and a barbeque area. A second patio cover is attached to the main building and serves as a covered transition between the building and display area. The landscape plan depicts various five-gallon shrubs and fifteen-gallon Windmill and Pindo palm trees planted throughout the display area.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	112 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	183 Feet	Y

While the proposed display area does not meet side yard setback standards, it is considered an addition to an existing nonconforming building. Title 19 permits additions to nonconforming buildings when the nonconformance is a result of inadequate setbacks, as long as the addition does not encroach beyond the encroachment of the existing building. Also, the addition must be located in either a side or rear yard, must not exceed fifty percent of the size of the original building, must be secondary in nature to the existing use, and shall not substantially perpetuate the nonconforming use. The proposed outdoor display area is consistent with these requirements and is therefore a permitted addition to the existing nonconforming building.

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
Commercial / Pool and Spa Sales	1,124 SF.	1 space per 250 GFA	6	0	6	0
General Retail Under 20,000 SF	5,878 SF	1 space per 175 GFA	32	2	27	2

The site plan does not meet Title 19 parking requirements due to a deficiency of five regular parking spaces. Conformance to Title 19 parking standards is required and must be demonstrated prior to the issuance of a building permit. A Condition of Approval has been included to ensure compliance with Title 19 parking standards.

B) General Analysis and Discussion

- Zoning

  The proposed Outdoor Display Area is a permitted use in the C-1 (Limited Commercial) zoning district.

- Site Plan

  The proposed Outdoor Display Area is an open-air addition to an existing pool and spa business. There are 35 parking spaces, and access to the site is provided via a drive off of Rainbow Boulevard. Forty parking spaces are required and a Condition of Approval has been included to ensure compliance with Title 19 parking standards. The proposed display area does not comply with side yard setback requirements, but it's considered an addition to an existing nonconforming building and is permitted. The site plan depicts brick pavers throughout the display area, an artificial turf putting green, an in-ground spa beneath a freestanding patio cover, a waterfall, and a fire pit and barbeque area. A second patio cover is attached to the existing building and serves as a covered transition between the interior of the building and the outdoor display area.

- Waivers

  There are no Waivers requested with this application.

- Landscape Plan

  The landscape plan depicts various five-gallon shrubs, and fifteen-gallon Windmill and Pindo palm trees planted throughout the display area. Because this is an accessory use, perimeter and parking lot landscaping is not required for this proposal.

- Elevation

  The building elevations depict an eight-foot freestanding patio cover, and an eight-foot patio cover attached to the existing building

- Floor Plan

  A floor plan was not required as part of this application.

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 consistent and compatible with the existing commercial uses in the vicinity. While the subject site's west property line is adjacent to a residential tract, the proposed display area is approximately 183 feet from the property line, which results in no significant impacts to the residential property.

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 as required.

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

   Access to the site is via access a driveway off of Rainbow Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   The proposed Outdoor Display Area is appropriate for the area and enhances the overall appearance of the existing 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 display area is not obtrusive, is aesthetically pleasing, and is harmonious and compatible with the existing development in the area.

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

   The proposed Outdoor Display Area will be subject to periodic inspections, and therefore, will not compromise the public health, safety, and welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3364 APN: 163-03-703-002

Name of Property Owner: JAMES L. & MARY FRANCES MARTINEZ FAMILY TRUST

Name of Applicant: _____

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

_____Yes ___✓___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: James L Martinez

Print Name: JAMES L. MARTINEZ

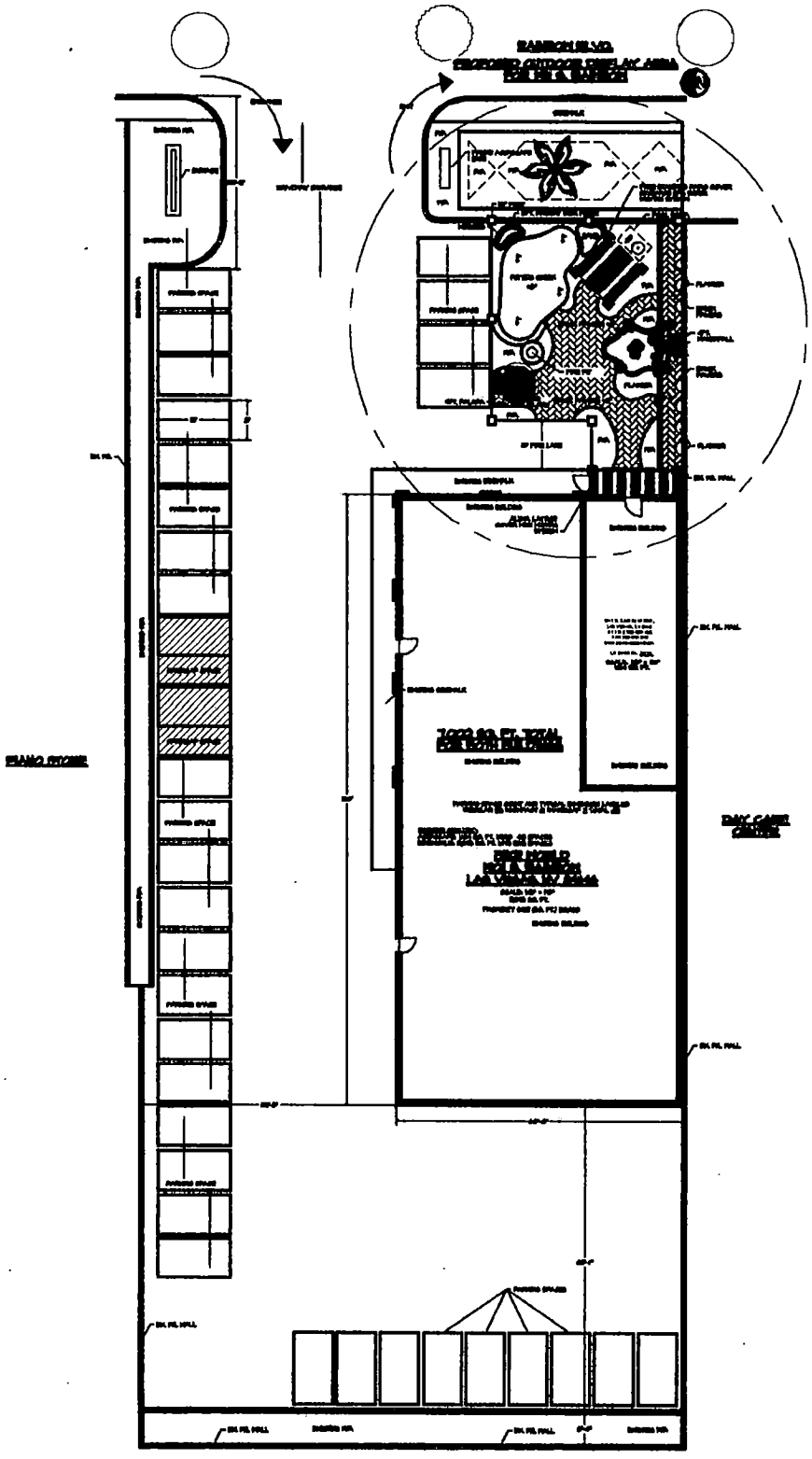
Subscribed and sworn before me

This 4th day of Nov., 2003

Tara Sufana

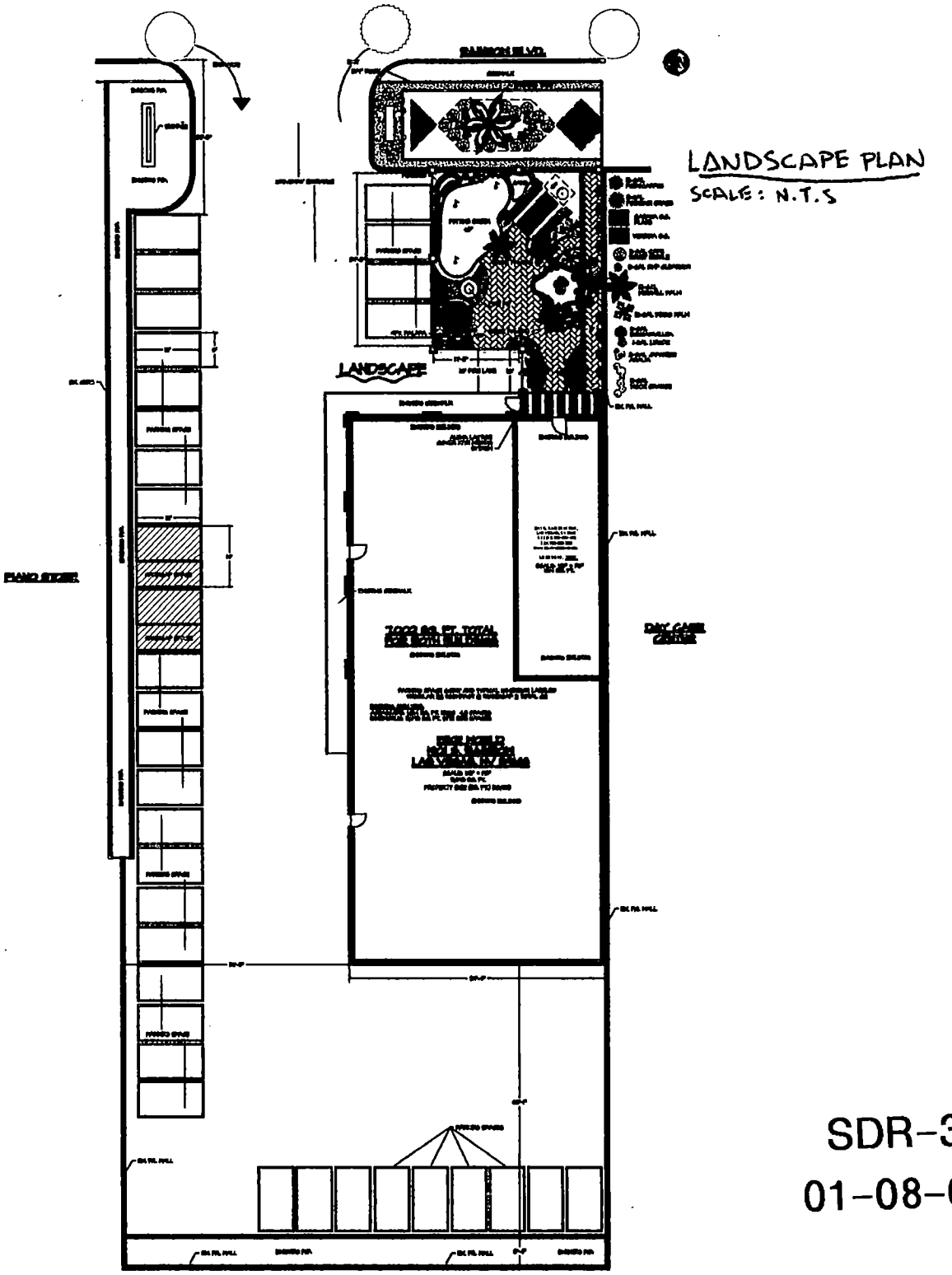
Notary Public in and for said County and State

TARA SUFANA
Notary Public - Nevada
CLARK COUNTY
My Appt. Exp. June 8, 2005
No. 98-35094-1



SITEPLAN
SCALE: N.T.S.

SDR-3364
01-08-04 PC

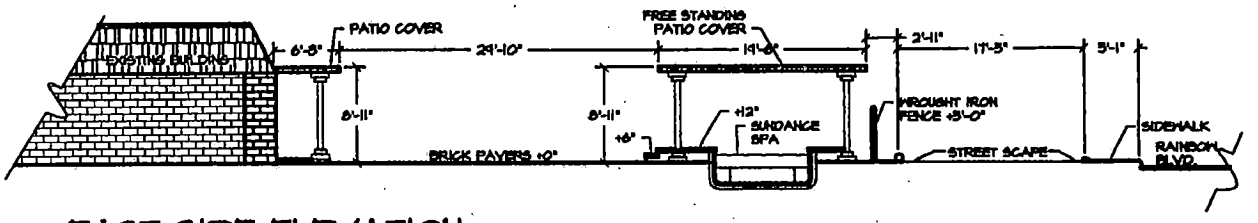


LANDSCAPE PLAN
SCALE: N.T.S

SDR-3364
01-08-04 PC

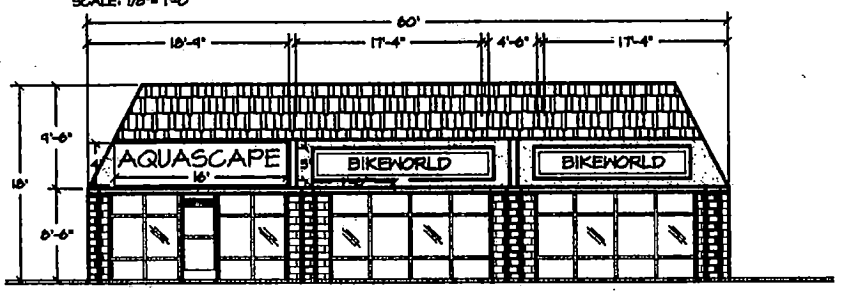
BUILDING ELEVATION

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



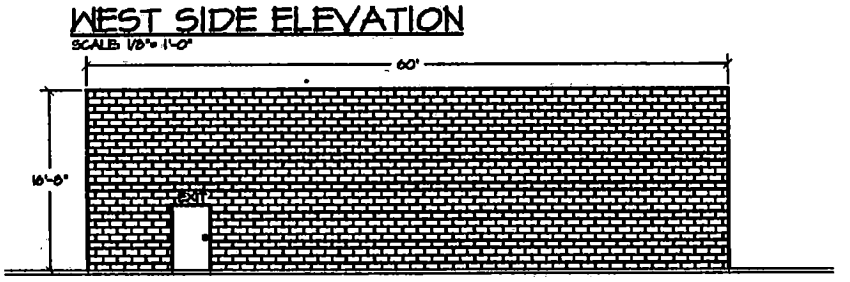
EAST SIDE ELEVATION

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



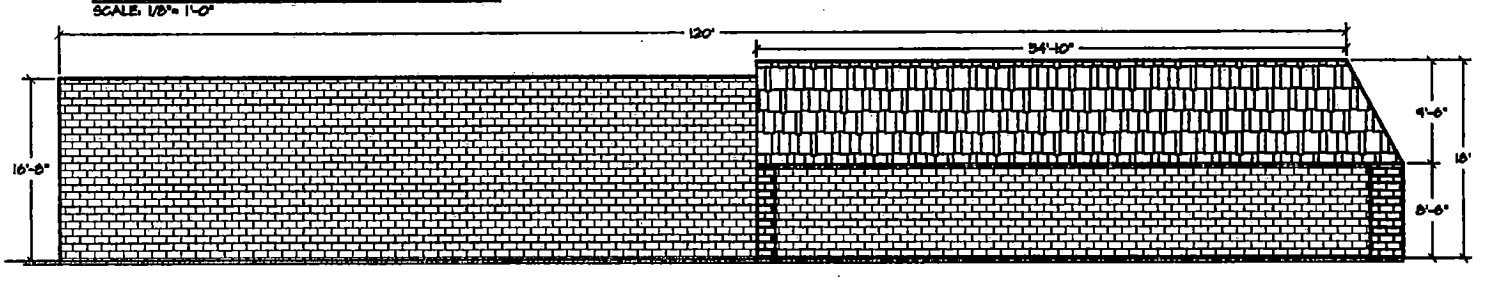
WEST SIDE ELEVATION

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



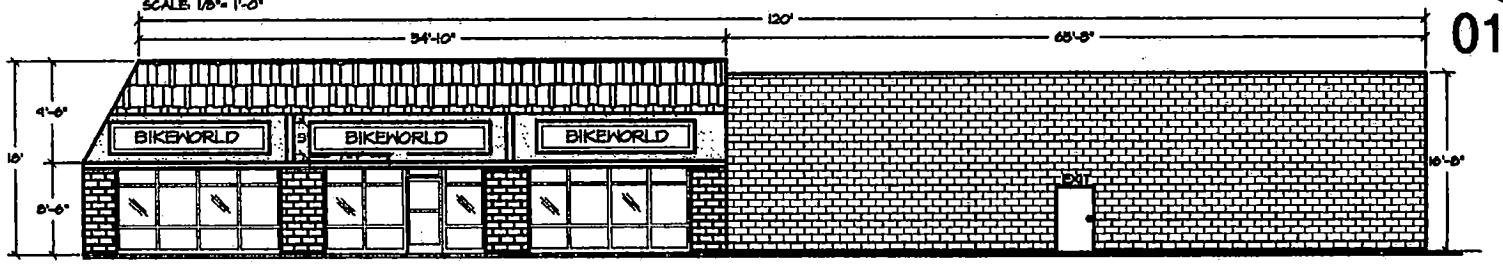
SOUTH SIDE ELEVATION

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



NORTH SIDE ELEVATION

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



SDR-3364
01-08-04 PC

SDR-3364 - AQUASCAPE POOLS ON BEHALF OF 1901 RAINBOW, LIMITED LIABILITY COMPANY
1911 SOUTH RAINBOW BOULEVARD
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

ABEYANCE - 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 RECOMENDATION

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be sent to the City Council in Ordinance Form.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, stated the proposed amendment provides definition for Swap Meet facilities. Specifically, the amendment addressed the requirement for a Special Use Permit in the C-1 (Limited Commercial) and C-2 (General Commercial) districts and will required a Conditional Use Permit in the C-M (Commercial/Industrial) and M (Industrial) districts. She added that the special use permit requirement allows for neighborhood review for this type of use to move in, usually to an existing building having a single use.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 51 – TXT-3357

MINUTES – Continued:
No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:26 – 10:29)

CONDITIONS:

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
												Swap Meet					S	S		C	C

2. Title 19.04.040(C), "Conditions," is hereby amended as follows:

SWAP MEET [C-M, M]

1. No outdoor display, sales or storage of any merchandise or equipment shall be allowed, except as permitted upon approval of a Temporary Commercial Permit.

2. No repair, installation or service work is permitted in any open area outside of an enclosed building.

3. All temporary signage shall be approved in accordance with the requirements of Title 19.14 of the Las Vegas Municipal Code.

4. The uses shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

CONDITIONS – Continued:

3. Title 19.04.050(B), "Minimum Requirements," is hereby amended as follows:

SWAP MEET [C-1, C-2]

1. No outdoor display, sales or storage of any merchandise or equipment shall be allowed, except as permitted upon approval of a Temporary Commercial Permit.

2. No repair, installation or service work is permitted in any open area outside of an enclosed building.

3. All temporary signage shall be approved in accordance with the requirements of Title 19.14 of the Las Vegas Municipal Code.

4. The uses shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

4. Title 19.10.010(F), Table 1 "On-Site Parking Requirements," is hereby amended as follows:

RETAIL, PERSONAL, COMMERCIAL & BUSINESS SERVICES AND AUTO-RELATED	
Swap Meet	One space for each 175 sf of gfa.

5. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Swap Meet. A congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sale area from an operator for the purpose of selling, bartering, exchanging or trading articles of personal property whether they be new or used, where the aggregate value of all such property exceeds the amount of one thousand dollars ($1,000.00).

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
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
												Swap Meet					S	S		C	C

2. Title 19.04.040(C), "Conditions," is hereby amended as follows:

SWAP MEET [C-M, M]

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3. All temporary signage shall be approved in accordance with the requirements of Title 19.14 of the Las Vegas Municipal Code.

4. The uses shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

3. Title 19.04.050(B), "Minimum Requirements," is hereby amended as follows:

SWAP MEET [C-1, C-2]

1. No outdoor display, sales or storage of any merchandise or equipment shall be allowed, except as permitted upon approval of a Temporary Commercial Permit.

2. No repair, installation or service work is permitted in any open area outside of an enclosed building.

3. All temporary signage shall be approved in accordance with the requirements of Title 19.14 of the Las Vegas Municipal Code.

4. The uses shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

4. Title 19.10.010(F), Table 1 "On-Site Parking Requirements," is hereby amended as follows:

RETAIL, PERSONAL, COMMERCIAL & BUSINESS SERVICES AND AUTO-RELATED	
Swap Meet	One space for each 175 sf of gfa.

5. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Swap Meet. A congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sale area from an operator for the purpose of selling, bartering, exchanging or trading articles of personal property whether they be new or used, where the aggregate value of all such property exceeds the amount of one thousand dollars ($1,000.00).

** 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 19.04.050(B), "Minimum Requirements;"
4) Title 19.10.010(F), Table 1 "On-Site Parking Requirements;" and
5) Title 19.20.020, "Words and Terms Defined."

The proposed amendment provides a definition for Swap Meet facilities, establishes minimum development standards, and establishes a Swap Meet parking requirement.

BACKGROUND INFORMATION

The Las Vegas Zoning Code does not currently provide a definition for Swap Meets; the use currently falls under the category of General Retail use. Several large-format retail spaces have been converted into swap meet operations, and a number of issues such as increased parking demand and outdoor displays have prompted the development of a separate retail category.

ANALYSIS

The proposed changes will provide a definition for Swap Meet establishments and will assist in applying minimum standards for the conversion of existing retail space to a Swap Meet. The proposed definition is similar to definitions that have been adopted by the City of North Las Vegas and the City of Henderson. The amendment will require a Special Use Permit for Swap Meet facilities in the C-1 (Limited Commercial) and C-2 (General Commercial) districts, and will require a Conditional Use Permit for facilities in the C-M (Commercial/Industrial) and M (Industrial) districts.

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 multi-vendor retail format. This type of conversion 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 Swap Meet facilities.

While a lesser parking requirement is applied to large-format retail spaces over 25,000 square feet, the requirement for Swap Meet facilities will remain at one space per 175 gross square feet

of area. This is due to the increased number of vendors and employees that are associated with Swap Meet facilities, and the customer demand that results.

Additional issues that have arisen are the outdoor display of merchandise, outdoor repair and installation work, and temporary signage. The specific standards for approval address each of these issues, and also hold the vendors responsible for conformance with the licensing requirements of Title 6 of the Municipal Code.

FINDINGS

Please note the following findings:

1) The proposed ordinance will provide a definition and minimum standards for Swap Meet facilities;
2) The proposal establishes a specific parking requirement for Swap Meet facilities;
3) The amendment will assist in eliminating the impacts that result when general retail space is converted to a Swap Meet; and
4) The proposal will assist with Code Enforcement that are associated with individual Swap Meet vendors.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
TXT-3661 - CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19.04.050(C) to add "beer/wine/cooler art event" to locations of facilities where Special Use Permit requirements do not apply.

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:
EVANS - APPROVED – UNANIMOUS

To be sent to the City Council in Ordinance Form.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained the purpose of this application was to create a specific type of business license. The issue evolves around allowing the sale of certain beverages during specific events where a Special Use Permit was not required. She added that staff received four letters of approval.

MINUTES – Continued:
No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:29 – 10:30)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-3661 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend a portion of Title 19.04.050(C) to add "Beer/Wine/Cooler Art Event" to locations of facilities where Special Use Permit requirements do not apply.

BACKGROUND INFORMATION

Section 5 of Ordinance #5607 as adopted on 06/18/03 defines "Beer/Wine/Cooler Art Event Licenses" and Section 73 of the Ordinance exempts certain licenses from Special Use Permit provisions. The Beer/Wine/Cooler Art Event License is not among them.

ANALYSIS

The Beer/Wine/Cooler Art Event License allows for the sale of such beverages for consumption at an art gallery or art studio only during the hours of an artistic exhibition, presentation or performance. This is a very limited license and one that legalizes a practice that is common. As there are many such locations and the license criteria includes background checks, there appears to be no substantive benefit to be derived from the requirement of a full public hearing to allow such functions at multiple locations.

RECOMMENDATION

Approval.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

MW

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:
DIR-3451 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Request for a Development Agreement for the Cliff's Edge Development on approximately 1,150 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road (APN: Multiple), Ward 6 (Mack).

CC: 02/04/04

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 – UNANIMOUS

To be heard by the City Council on 2/4/2004.

MINUTES:
NOTE: See Item 12 [ZON-3241] for related discussion.
(6:25 – 6:37)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-3451 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to approve a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community.

This Development Agreement will provide for the phasing, regulation and maintenance of development and infrastructure (including parks and trails, water, sanitation, flood control and transportation) within the Cliff's Edge community, and will outline the roles and responsibilities of the City and the master developer in the development of this community.

BACKGROUND INFORMATION

Previous Actions

02/06/02 The City Council approved an annexation (A-0026-01) of 95 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. While these lands form part of the Master Plan area, they are not part of this Rezoning request. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 02/15/02. Staff had recommended approval of this application.

02/06/02 The City Council approved an annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. While these lands form part of the Master Plan area, they are not part of this Rezoning request. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 02/15/02. Staff had recommended approval of this application.

06/19/02 The City Council approved an annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. While these lands form part of the Master Plan area, they are not part of this Rezoning request. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 06/28/02. Staff had recommended approval of this application.

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01/08/03 The City Council approved an annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. While these lands form part of the Master Plan area, they are not part of this Rezoning request. The Planning Commission recommended approval on 10/10/02. The effective date of this annexation was 01/17/03. Staff had recommended approval of this application.

02/05/03 The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation was 02/14/03. Staff had recommended approval of this application.

03/19/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission recommended approval on 02/13/03. Staff had recommended approval of this application.

07/16/03 The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission recommended approval on 06/12/03. Staff had recommended approval of this application.

12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions. Rezoning request ZON-3241, which is being presented concurrently with this Development Agreement, is contingent upon the exercising of these conditions by the master developer.

12/17/03 The City Council approved annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission recommended approval on 10/23/03. Staff supported the request. The effective date of this annexation is 12/26/03.

GL

01/08/04 The Planning Commission will consider a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. Staff has recommended approval of this application.

ANALYSIS

The proposed Development Agreement will affect the planning and development of the Cliff's Edge Master Planned Community. This community is located in the area generally located west of Hualapai Way, north of Centennial Parkway and the 215 Beltway, east of Puli Road and south of Grand Teton Drive. This area is comprised of approximately 1,150 acres. The Master Developer has either acquired or has control of all but approximately 50 acres of this area.

The Development Agreement is one of three documents that will control future development in this community. The other two are the Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines. These two documents were approved by City Council in March 2003 and amended in July 2003 and December 2003. The Master Development Plan is required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines. The Design Guidelines prescribe the form of urban development that is to take place in the various neighborhoods or "pods" that are identified in the Master Development Plan. The subsequent amendments were made at the request of city staff to fine-tune some of the concepts and processes outlined in these documents.

While the Master Development Plan and the Design Guidelines primarily addressed the planning, design and urban form of the future community, the Development Agreement will address the apportioning of responsibilities between the city and the master developer for the regulation and enforcement of the first two documents, and the timing and development of infrastructure systems that is the responsibility of the master developer. These three documents will work together as a set of plans and regulations to guide the development of this new community.

The master developer has met on a number of occasions with various city departments to review drafts of the development Agreement. The Agreement as presented at this time has been revised to address the concerns that have been raised by staff during the review process.

RECOMMENDATION

Given that the master developer:

1. has worked diligently with city departments to address legal, procedural and planning issues that were raised during the review process;

GL

2. has designed the Development Agreement to integrate with the previously approved Master Development Plan and Design Guidelines documents; and
3. has included improvements that will avoid deficiencies that have been identified in previous similar master plan exercises;

approval is recommended.

It should be noted that there are approximately 50 acres of out-parcels within the Plan area. The largest concentration of these out-parcels is in the south-central portion of the Plan area, and are occupied by an existing concentration of large homes on rural lots. The master developer has previously committed to work with the owners of these out-parcels to integrate this small rural area within the community fabric, and has modified the Plan accordingly. The planning and development of infrastructure that is the subject of this Development Agreement must likewise account for pre-existing rural development that can be logically expected to remain in the area in the long-term.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-3451 APN: Various

Name of Property Owner: Cliff's Edge, LLC

Name of Applicant: Cliff's Edge, 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: _____
JOHN A. RITTER

Subscribed and sworn before me

This 3RD day of OCTOBER, 2003

Shauna L. Moore
Notary Public in and for said County and State

SHAUNA L. MOORE
Notary Public State of Nevada
No.97-2638-1
My appt. exp. June 19, 2005

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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

SUBJECT:

DIR-3572 - MONTECITO COMPANIES ON BEHALF OF CENTENNIAL 95 LIMITED PARTNERSHIP, AUZRE SOUTH, INC. AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Master Sign Plan FOR AN APPROVED RETAIL CENTER on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/US 95 (APN: 125-27-113-001 and 002; 125-27-222-001 and 002), T-C (Town Center) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

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

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED subject to conditions and amending Condition 2 as follows:

2. ***The applicant shall work with Planning and Development Department staff to determine satisfactory locations for the two proposed 24-foot pylon signs along Tenaya Way, to minimize the visual impact on existing residences in the area.***

– UNANIMOUS

This is Final Action.

NOTE: CHAIRMAN TRUESDELL disclosed that he has in the past abstained on items related to Montecito Companies because other properties that they own are located in the notice area where properties represented by his firm are located. This does not affect any of those properties so he would vote on this item.

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 54 – DIR-3572

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained the proposal is for a commercial center on the north and south side of Tenaya Way and Azure Drive. Reviewing the Master Sign Plan, one 40-foot pylon sign, five 24-foot pylon signs and twelve 8-foot monument signs with all signs limited to 15% of the building elevations. He added that all signs were reviewed and approved by the Centennial Hills Architectural Review Committee (CHART). Due to the unique layout of the site, several waivers are required. Staff recommended approval subject to conditions.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, she indicated the area for the southeast portion of Town Center. She disagreed with Condition 2, requiring the removal of signs on Tenaya Way. She stated that Tenaya Way is a 90-foot loop road that ties in all commercial around Town Center. Given the elevation of the building, she felt the two 24-foot pylon signs are reasonable and appropriate in this location.

COMMISSIONER DAVENPORT stated that Tenaya Way is a busy street and guessed that any modification to Condition 2 with regard to the relocation of to the two signs will eventually come back to the Planning Commission.

CHAIRMAN TRUESDELL, noting that there is 30-feet on the south side of parcel, asked whether the sign could be moved farther north, closer to Azure Way, to be out of the visibility of the nearest residential. ATTORNEY LAZOVICH replied affirmatively.

MATT WERNER, the applicant, Montecito Companies, 6600 West Charleston Boulevard, stated he would be willing to work with staff regarding the proper location for the two signs in question.

No one appeared in opposition

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:30 – 10:38)

PLANNING COMMISSION MEETING OF JANUARY 8, 2004
Planning and Development Department
Item 54 – DIR-3572

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and site plan, except as amended by conditions herein.

2. The two pylons signs shown on Tenaya Way shall be relocated to Azure Way, and shall be replaced with eight-foot tall monument signs. A modified Master Sign Plan reflecting this change shall be submitted to the Planning and Development Department for review and approval.

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-3572 - CENTENNIAL 95 LIMITED PARTNERSHIP, AZURE SOUTH INC., AND CENTENNIAL RANCH LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to the sign elevations and site plan, except as amended by conditions herein.

2. The two pylons signs shown on Tenaya Way shall be relocated to Azure Way, and shall be replaced with eight-foot tall monument signs. A modified Master Sign Plan reflecting this change shall be submitted to the Planning and Development Department for review and approval.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Master Sign Plan for an approved retail center on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/U.S. 95. While a Master Sign Plan for properties within the Centennial Hills area are typically reviewed and approved by the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC), the lack of a quorum of committee members due to recent resignations necessitates that the sign plan be reviewed and approved by the Planning Commission.

B) Applicant's Justification

The applicant has stated that all signage will be complementary with the architecture of the retail center, and that certain waivers are needed due to the unusual layout of the site, the format of the tenants within the center, and the proximity of the proposed beltway.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request.
04/04/01	The City Council approved a Site Development Plan Review [Z-0076-98(20)] for the overall commercial development. Associated requests for Special Use Permits (U-0006-01 through U-0013-01, U-0015-01, U-0016-01, and U-0019-01 through U-0023-01) to allow seven supper clubs, one restaurant with drive-up, one restaurant service bar, two restricted gaming locations, and two requests for the sale of packaged liquor on the larger subject site were also approved at that time. The Planning Commission had voted to recommend denial of requests for Special Use Permits (U-0013-01, U-0014-01, an U-0022-01) for two supper clubs and one restaurant service bar, but had recommended approval of all of the other applications. Staff recommended Approval of these requests.

06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission had recommended approval of the requests. Staff recommended Approval of these requests.

B) Pre-Application Meeting

10/20/03 At the pre-application meeting, it was noted that some of the proposed signage would require waivers from the Town Center requirements, the applicant was requested to provide calculations for the street frontage along Azure Drive and Tenaya Way, and it was requested that verbiage be provided to regulate the amount of permissible wall signage.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 30.0

B) Existing Land Use

Subject Property:	Undeveloped (Approved Commercial Development)
North:	Undeveloped County, Beltway
South:	Single-Family Residential
East:	Single-Family Residential
West:	Undeveloped (Approved Commercial Development)

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use – Town Center); GC-TC (General Commercial – Town Center)
North:	Unincorporated Clark County; ROW (Right-of-Way)
South:	ML (Medium-Low Density Residential)
East:	R (Rural Density Residential)
West:	SX-TC (Suburban Mixed Use – Town Center); ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	Unincorporated Clark County
South:	R-PD7 (Residential Planned Development – 7 Units Per acre); Unincorporated Clark County
East:	R-E (Residential Estates); U (Undeveloped); Unincorporated Clark County
West:	T-C (Town Center); R-PD7 (Residential Planned Development – 7 Units Per Acre)

E) General Plan Compliance

The property is located within the area governed by the Centennial Hills Sector Plan, and is subject to the requirements of the Town Center Design Standards Manual. In regards to signage, the Town Center standards encourage signage that is unified with the architecture of the property, reduces visual clutter, and contributes to an aesthetically pleasing environment.

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

As noted, the subject property is located in Town Center, but is not subject to any Special Overlay District or Study Area. Trail locations abut the east and south sides of the site. The applicant was required to submit a Development Impact Notification Assessment as part of the Site Development Plan Review [Z-0076-98(20)].

PROJECT DESCRIPTION

The following signage is proposed for the property:

- (1) Pylon Sign – 40 feet high
- (5) Pylon Signs – 24 feet high
- (12) Monument Signs – 8 feet high
- Wall Signs – limited to 15% of the building elevation

All of the proposed sign types are permitted by Town Center standards; a discussion of compliance with individual code requirements follows.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Protection Standards

The Town Center Development Standards Manual does not allow pylon signs within 330 feet of property developed with a single-family residence; in addition, the criteria for approval of a Master Sign Plan requires that consideration be given to any impacts that may result to residential properties located within 660 feet of the proposed sign. All three of the pylon signs proposed for the portion of the site on the south side of Azure Drive will be within 200 feet of residential properties, which is the result of the narrow width of the parcels. In addition, the two pylon signs proposed for Tenaya Way will be located directly across the street from residential properties. While the applicant has formally requested a waiver of this requirement, as permitted under Section K (4)(D) of the Town Center Standards, it is recommended that the pylon signs on Tenaya Way be replaced with monument signs in order to reduce impacts to the residential properties.

A2) Sign Standards

Pursuant to Section D-1(G) of the Town Center Development Standards manual, the following standards apply to the subject proposal:

Freestanding Signs: 24' and 40' Pylon Signs

Standards	**Allowed**	**Provided**	**Complies**
Maximum Number	1/Street frontage	1 – Regena Ave. 1 – Tenaya Way (north) 1 – Tenaya Way (south) 1 – Azure Drive (north) 2 – Azure Drive (south)	Yes Yes Yes Yes No
Maximum Area	1 SF Signage/150 SF floor area (1,955 SF allowed)	192 SF – Regena Ave. 96 SF per sign – All others (768 SF Total)	Yes
Maximum Height	24'	40' – Regena Ave. 24' – All others	No Yes
Minimum Setback	5'	5'	Yes
Illumination	No fugitive light	Not indicated	Unkown

Monument Signs:

Standards	**Allowed**	**Provided**	**Complies**
Maximum Number	1/300' Street frontage		
	2 – Tenaya Way (north)	1 – Tenaya Way (north)	Yes
	1 – Tenaya Way (south)	0 – Tenaya Way (south)	Yes
	4 – Azure Drive (north)	4 – Azure Drive (north)	Yes
	8 – Azure Drive (south)	8 – Azure Drive (south)	Yes

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Maximum Area	75 SF /sign	25 SF maximum	Yes
Maximum Height	8 Feet	8 Feet	Yes
Minimum Setback	5 Feet	5 Feet	Yes
Illumination	No fugitive light	Not indicated	Unkown

Wall Signs:

Standards	**Allowed**	**Provided**	**Complies**
Maximum Number	15%/building elevation	15%/building elevation	Yes
Maximum Area	(see above)	N/A	N/A
Maximum Height	N/A	N/A	N/A
Illumination	No fugitive light	Internal, external (subject to approval	Yes

The 40-foot tall pylon sign proposed for Regena Avenue exceeds the height permitted under Town Center standards, and only one pylon sign is permitted on the south side of Azure Drive, instead of the two signs that are proposed. The number and size of the proposed monument signs conform to Town Center requirements, as does the wall signage.

B) General Analysis and Discussion

The wall and monument signage as permitted by the proposed Master Sign Plan will be in conformance with Town Center requirements. No wall signage will be permitted on the south wall of the buildings on the south side of Azure Drive, in accordance with the conditions of approval of the site plan. The text area of the monument and pylon signs is significantly less than what is allowable under Code, and the proposed signage is consistent with the architecture of the commercial complex.

Due to residential adjacency issues, the applicant has requested a waiver from the requirement for 330 feet of separation between pylon signs and residential properties. Waivers from the requirement may be granted due to unusual site characteristics; as previously noted, the portion of the site on the south side of Azure Drive is extremely shallow, and a waiver for pylon signage on that portion of the site would be warranted. Furthermore, a 30-foot deep landscape buffer and trail will be provided along the southern boundary of the site, which will assist in screening the signage from the residential properties to the south.

The pylon signs proposed for the Tenaya Way frontage also require a waiver from the 330-foot separation requirement. The signs will be located across a 90-foot right-of-way from single-family residential properties. Staff would recommend that the two Tenaya Way pylon signs be switched with two of the monument signs from Azure Drive, so that no pylon signs will be located directly across the street from residential properties.

Another waiver request is for a second pylon sign on the south side of Azure Drive where only one sign would be permitted. The development has over 2,300 feet of frontage on the south side of Azure Drive; allowing a second pylon sign on that side of the street is warranted due to the unusual frontage length.

An additional waiver has been requested in order to permit a 40-foot tall pylon sign on Regena Avenue facing the proposed beltway. The sign will be directly adjacent to a parcel owned by Nevada Power, and will be over 730 feet from the nearest single-family residences. Consequently, the sign will have little impact to adjacent development, and is consistent with waivers granted by the CHARC-TC for other pylon signs in the Town Center area adjacent to a freeway.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-3572 APN: 125-27-222-001, 002, 125-27-113-001, 002

Name of Property Owner: CENTENNIAL 95, LP, CENTENNIAL RANCH, LLC, AZURE SOUTH, INC

Name of Applicant: Montecito Companies, 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?

X Yes _____ No

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

City Official: Mayor Oscar Goodman

Partner(s): Jerome Synder

APN: Various

Signature of Property Owner/Authorized Agent: [signature]

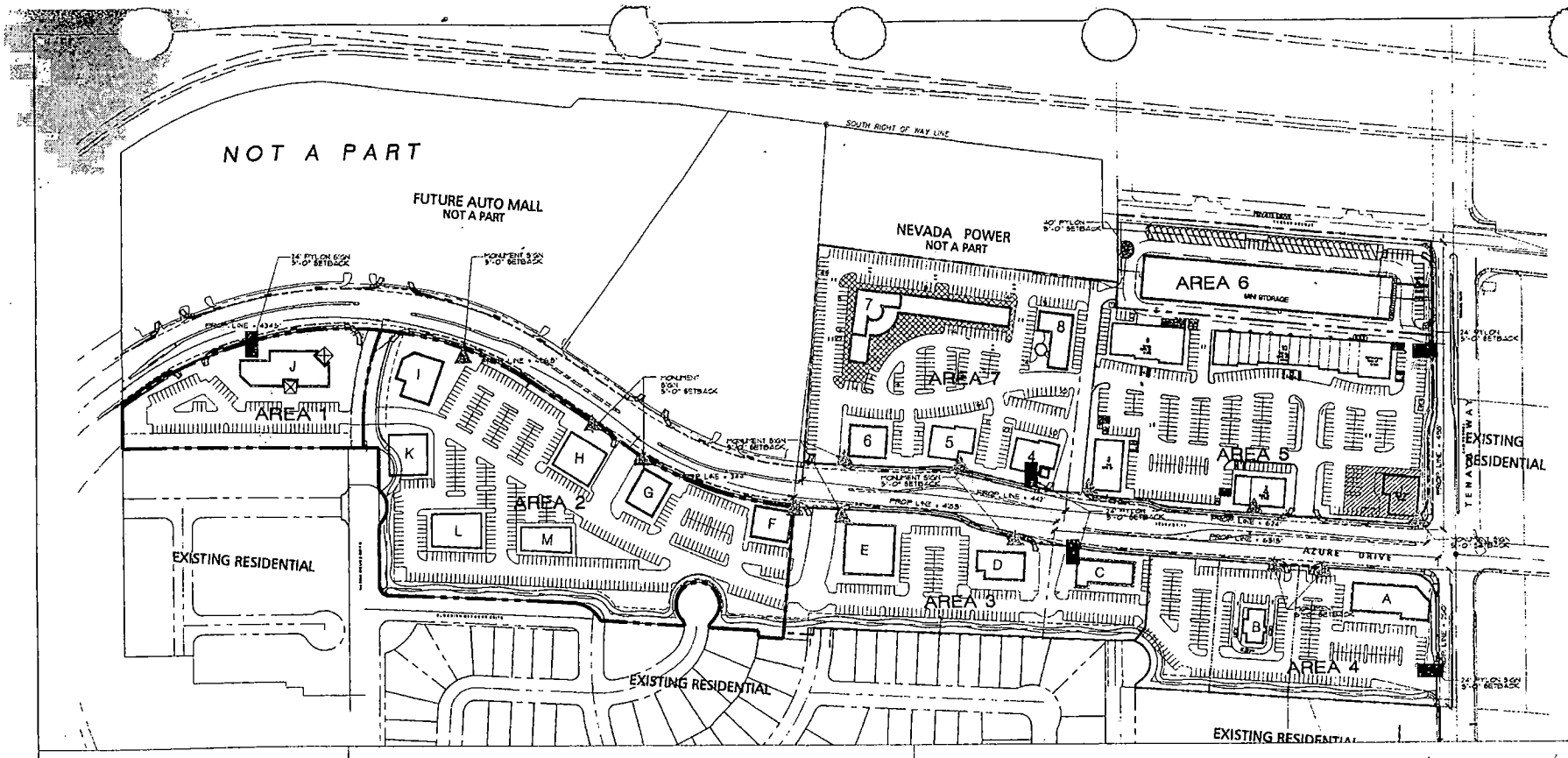
Print Name: Frank Nielsen

Subscribed and sworn before me

This 10 day of November 20 03

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



PHASE DATA:

PHASE	BUILDING S.F.
PHASE 1	
AREA 5	51,862 SF.
AREA 6	90,900 SF.
	142,762 SF.
PHASE 2	
AREA 7	56,400 SF.
PHASE 3	
AREA 1	11,500 SF.
AREA 2	43,890 SF.
AREA 3	23,430 SF.
AREA 4	15,270 SF.
	94,090 SF.
BLDG. TOTAL:	293,252 SF.

BUILDING DATA:

AREA 1
BLDG. J - 11,500 SF.
11,500 SF.

AREA 2
BLDG. F - 5,280 SF.
BLDG. G - 5,280 SF.
BLDG. H - 6,810 SF.
BLDG. I - 7,160 SF.
BLDG. K - 6,740 SF.
BLDG. L - 7,210 SF.
BLDG. M - 5,410 SF.
43,890 SF.

AREA 3
BLDG. C - 6,660 SF.
BLDG. D - 5,740 SF.
BLDG. E - 11,030 SF.
23,430 SF.

AREA 4
BLDG. A - 9,750 SF.
BLDG. B - 5,520 SF.
15,270 SF.

AREA 5
BLDG 1 - 6,000 SF.
BLDG. 2 - 5,500 SF.
BLDG. 3 - 6,000 SF.
BLDG. 9 - 10,500 SF.
BLDG. 10 - 23,862 SF.
51,862 SF.

AREA 6
STOR. BLDG. - 45,450 SF. (FOOTPRINT)
STOR. BLDG. - 90,900 SF. (2-STORY TOTAL S.F.)
90,900 SF.

AREA 7
BLDG. 4 - 3,700 SF.
BLDG. 5 - 3,600 SF.
BLDG. 6 - 14,900 SF.
BLDG. 7 - 24,000 SF.
BLDG. 8 - 10,200 SF.
56,400 SF.

SYMBOLS LEGEND:

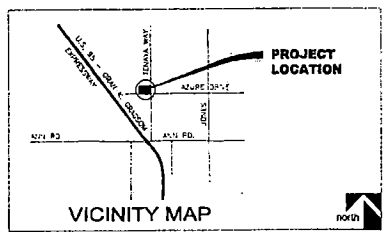
8' HIGH MONUMENT SIGN

24' HIGH PYLON SIGN

40' HIGH PYLON SIGN

BLDG. AREA TOTAL: 293,252 SF.

north SCALE : 1" = 100'- 0"
0 100' 150' 200' 300' 500'



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

PRELIMINARY - NOT FOR CONSTRUCTION

ARCHITECTURAL DESIGN SITE PLAN

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Perkowitz Ruth ARCHITECTS

NWC Tenaya & Azure
LAS VEGAS, NEVADA

Revisions

Date 09/15/03
Drawn By Team
Checked By DIR
Project No. 02-864.11
File Name 864-SP-201dwg
Scale 1" = 100'

SITE PLAN

SP-305D

DIR-3572
01-08-04 PC

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: JANUARY 8, 2004

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:

CHAIRMAN TRUESDELL reiterated that the Planning Commission meeting of 1/22/2004 will commence at 5:00 p.m. and will include a very lengthy agenda.

(10:38)

3-3318

ROBERT GENZER, Director of Planning and Development Department, apprised everyone of the recent passing of GLADYS FEIN. MR. GENZER explained that MS FEIN was widely known to everyone at City Hall and recognized for her numerous appearances at both the Planning Commission and the City Council as she represented the interest of her neighborhood in the northwest part of the City. MR. GENZER extended condolences on behalf of himself and his staff to MS. FEIN'S husband, CONIN, her daughter LYNN and the rest of her family members.

(10:38 –10:40)

3-3395

TODD FARLOW, 240 North 19th Street, reminded everyone that the Sustainable Architecture Lectures begin on February 8, 2004.

(10:41)

3-3407

MEETING ADJOURNED AT 10:41 P.M.

Respectfully submitted:

Angela Crolli

ANGELA CROLLI, DEPUTY CITY CLERK

Deeny Araujo

DEENY ARAUJO, DEPUTY CITY CLERK