City of Las Vegas

Agenda Item No. 72

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
ABEYANCE ITEM - REZONING RELATED TO DIR-3451 - PUBLIC HEARING - **ZON-3241 - CLIFF'S EDGE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM:U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 90.0 acres generally located between Grand Teton Drive, Centennial Parkway, Hualapai Way and the Corporate City Limits (APN: multiple), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that the subject parcels were acquired since the plan was approved and were being incorporated into the plan.

COUNCILMAN MACK thanked Planning and Public Works staff, as well as the City Manager Office, for the many hours they put into the development agreement.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:40 – 1:41)

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 72 – ZON-3241

CONDITIONS:

Planning and Development

1. Site Development Plan Review applications as required by the Development Agreement prior to issuance of any permits, any site grading, and all development activity for the site.

2. Compliance with MOD-3189.

Public Works

3. Upon development of the individual parcels of this site, appropriate rights-of-way will be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.

4. Obtain City Council approval to amend the City's Master Plan of Streets and Highways as recommended by the approved Traffic Access Analysis Report prior to the submittal of any Final Maps on this site as required by the Department of Public Works. A Tentative Map proposing to incorporate the public streets proposed to be amended may be submitted prior to formal approval of the amendment to the Master Plan of Streets and Highways by the City Council, however, if the required amendment cannot be approved for any reason; such Tentative Maps shall be rendered NULL AND VOID and a new Tentative Map showing the appropriate rights-of-way shall be submitted. The proposed amendment to the Master Plan of Streets and Highways must be approved by the City Council prior to the recordation of a Final Map overlying any conflicting public rights-of-way on this site.

5. The construction of half-street, or full-width if applicable, improvements including appropriate overpaving (if legally able) of all streets proposed as part of the Master Development Plan must be constructed by the Master Developer as proposed within the Master Traffic Impact Analysis. A phasing plan detailing the timing of the construction of all required improvements must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site improvements or the recordation of any map dividing this project site, whichever may occur first; all required off-site improvements shall be constructed in accordance with such approved plan. Provide paved legal access meeting current standards to each phase of this project site from an existing paved public street prior to occupancy of any units within each phase. Where this site is required to construct public street improvements on two sides of a not a part piece or is needed for pavement continuity, widened paving shall be constructed

CONDITIONS – Continued:

adjacent to the not a part piece unless specifically allowed otherwise as determined by the City Engineer. Additional paved access routes, including the development of temporary, access road improvements on Grand Teton Drive and/or Hualapai Way with additional traffic lanes may be required if recommended by the approved Traffic Access Analysis Report or if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this rezoning site's traffic on the surrounding neighborhood.

6. A plan detailing the extension and oversizing of the public sanitary sewer system to bring public sanitary sewer to this site to a location, along an alignment, and to an acceptable depth must be accepted by the Collection Systems Planning section of the Department of Public Works prior to issuance of any permits. The sanitary sewer plan shall identify infrastructure networks, design alignments and depth requirements. The sanitary sewer plan shall propose the dedication of right-of-way or easements and construction of such required improvements by the Master Developer. The sanitary sewer plan shall also include a Phasing Plan identifying appropriate threshold points (such as a certain number of units built or building within certain geographical locations) that will trigger when improvements are to be implemented and completed. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any permits as required by the Department of Public Works. Additional public sanitary sewer lines may be required to be extended to this project site; such requirements shall be dictated by the City Engineer; phased development and compliance with this condition is acceptable if a plan is accepted by the City Engineer.

7. A Master Traffic Impact Analysis for the overall site covered by this Rezoning Application 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 Final Map for this site. The Master Traffic Impact Analysis shall identify roadway infrastructure networks, geometric design, alignments and Traffic Signalization requirements. The Master Plan shall propose the dedication of right-of-way and construction of such required improvements, including a Phasing Plan identifying appropriate threshold points (such as a certain number of units built or building within certain geographical locations) that will trigger when improvements are to be implemented and completed. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements 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

CONDITIONS – Continued:

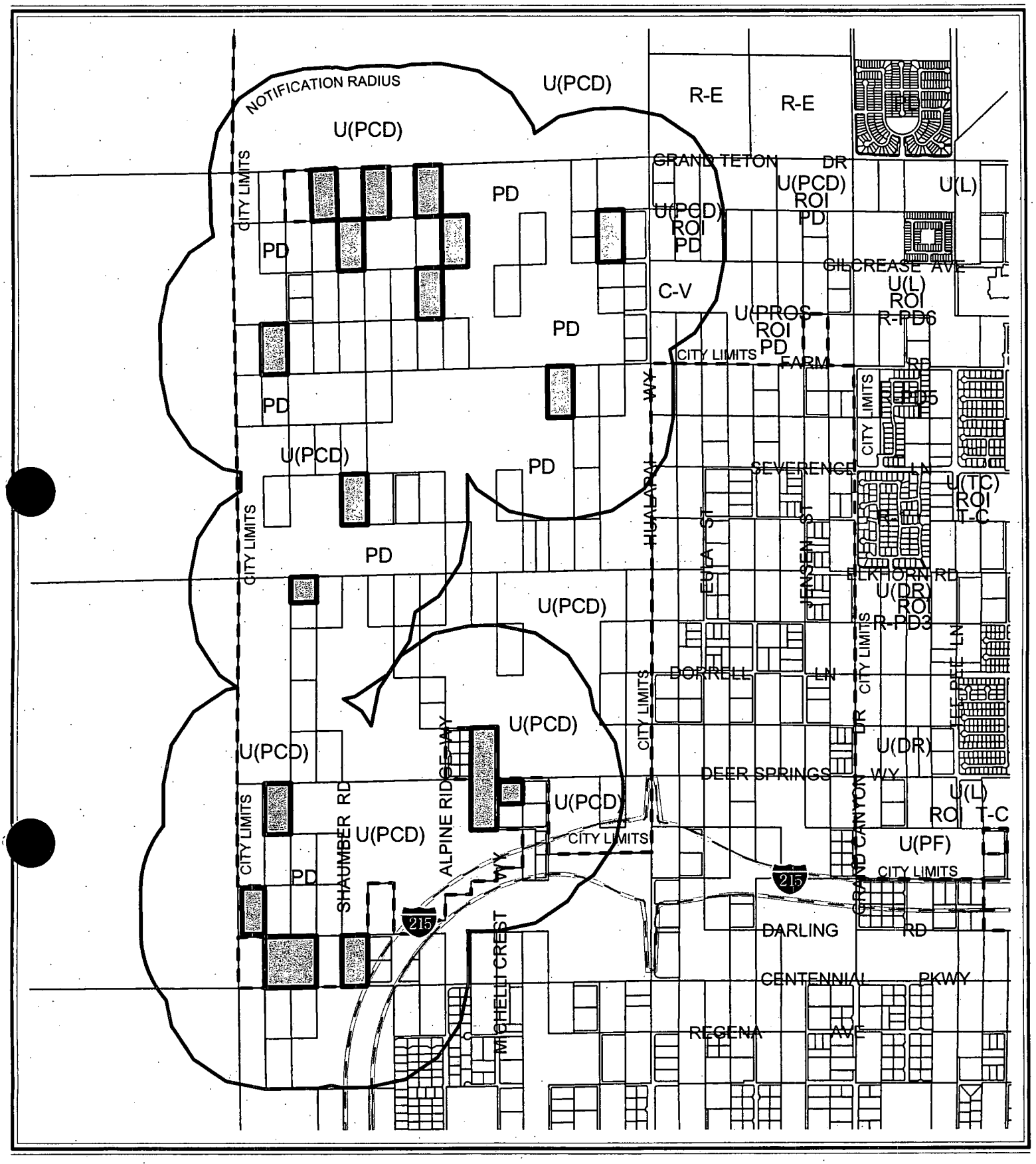
#201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside 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. Compliance with the recommendations of the approved Traffic Impact Analysis is required prior to occupancy of this site. 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.

8. A Master Drainage Plan and 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 Master Developer of this site shall be responsible to construct such drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

9. Site-specific Drainage Plans and Traffic Access Analysis Reports may be required as each internal site develops as required by the Department of Public Works. The City reserves the right to impose additional site-specific conditions with future site development actions.

10. Homeowners' Associations or other private maintenance organizations shall be established to maintain all multi-use trails, perimeter walls, 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.

11. The final design and conditions for each section within this development shall be determined at the time of approval of site specific actions associated to each site.

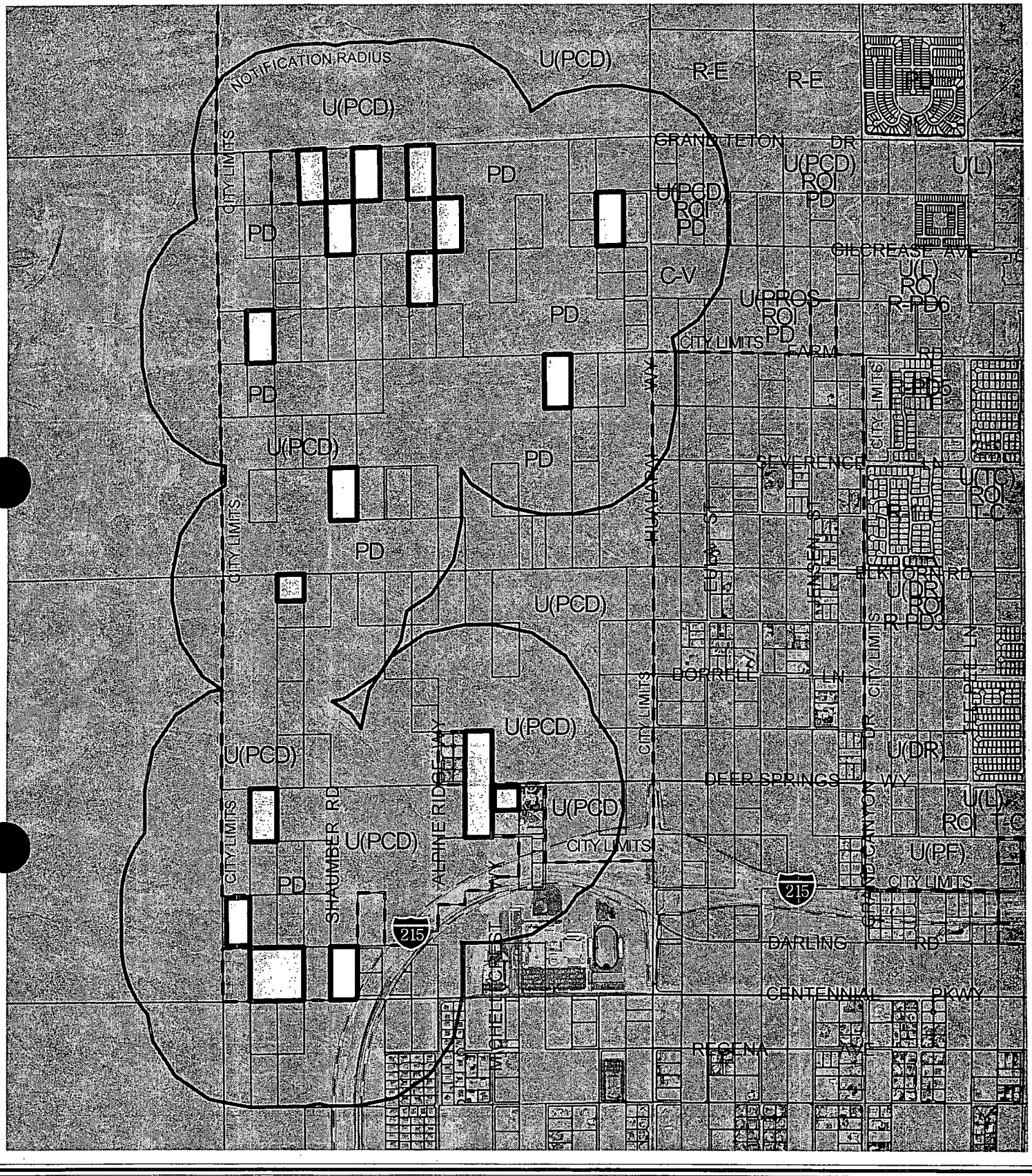


CASE: **ZON-3241**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



0 900 1800 Feet

CASE: **ZON-3241**

RADIUS: 1320 FT

Map Legend

Subject Property

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ZON-3241 - CLIFF'S EDGE, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 4, 2004 MEETING AT STAFF'S REQUEST.

** CONDITIONS **

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

Planning and Development

1. Site Development Plan Review applications as required by the Development Agreement prior to issuance of any permits, any site grading, and all development activity for the site.

2. Compliance with MOD-3189.

Public Works

3. Upon development of the individual parcels of this site, appropriate rights-of-way will be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.

4. Obtain City Council approval to amend the City's Master Plan of Streets and Highways as recommended by the approved Traffic Access Analysis Report prior to the submittal of any Final Maps on this site as required by the Department of Public Works. A Tentative Map proposing to incorporate the public streets proposed to be amended may be submitted prior to formal approval of the amendment to the Master Plan of Streets and Highways by the City Council, however, if the required amendment cannot be approved for any reason; such Tentative Maps shall be rendered NULL AND VOID and a new Tentative Map showing the appropriate rights-of-way shall be submitted. The proposed amendment to the Master Plan of Streets and Highways must be approved by the City Council prior to the recordation of a Final Map overlying any conflicting public rights-of-way on this site.

5. The construction of half-street, or full-width if applicable, improvements including appropriate overpaving (if legally able) of all streets proposed as part of the Master Development Plan must be constructed by the Master Developer as proposed within the Master Traffic Impact Analysis. A phasing plan detailing the timing of the construction of all required improvements must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site improvements or the recordation of any map dividing this project site, whichever may occur first; all required off-site improvements shall be constructed in accordance with such approved plan. Provide paved legal access meeting current standards to each phase of this project site

from an existing paved public street prior to occupancy of any units within each phase. Where this site is required to construct public street improvements on two sides of a not a part piece or is needed for pavement continuity, widened paving shall be constructed adjacent to the not a part piece unless specifically allowed otherwise as determined by the City Engineer. Additional paved access routes, including the development of temporary, access road improvements on Grand Teton Drive and/or Hualapai Way with additional traffic lanes may be required if recommended by the approved Traffic Access Analysis Report or if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this rezoning site's traffic on the surrounding neighborhood.

6. A plan detailing the extension and oversizing of the public sanitary sewer system to bring public sanitary sewer to this site to a location, along an alignment, and to an acceptable depth must be accepted by the Collection Systems Planning section of the Department of Public Works prior to issuance of any permits. The sanitary sewer plan shall identify infrastructure networks, design alignments and depth requirements. The sanitary sewer plan shall propose the dedication of right-of-way or easements and construction of such required improvements by the Master Developer. The sanitary sewer plan shall also include a Phasing Plan identifying appropriate threshold points (such as a certain number of units built or building within certain geographical locations) that will trigger when improvements are to be implemented and completed. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any permits as required by the Department of Public Works. Additional pubic sanitary sewer lines may be required to be extended to this project site; such requirements shall be dictated by the City Engineer; phased development and compliance with this condition is acceptable if a plan is accepted by the City Engineer.

7. A Master Traffic Impact Analysis for the overall site covered by this Rezoning Application 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 Final Map for this site. The Master Traffic Impact Analysis shall identify roadway infrastructure networks, geometric design, alignments and Traffic Signalization requirements. The Master Plan shall propose the dedication of right-of-way and construction of such required improvements, including a Phasing Plan identifying appropriate threshold points (such as a certain number of units built or building within certain geographical locations) that will trigger when improvements are to be implemented and completed. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements 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 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. Compliance with the recommendations of the

approved Traffic Impact Analysis is required prior to occupancy of this site. 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.

8. A Master Drainage Plan and 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 Master Developer of this site shall be responsible to construct such drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

9. Site-specific Drainage Plans and Traffic Access Analysis Reports may be required as each internal site develops as required by the Department of Public Works. The City reserves the right to impose additional site-specific conditions with future site development actions.

10. Homeowners' Associations or other private maintenance organizations shall be established to maintain all multi-use trails, perimeter walls, 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.

11. The final design and conditions for each section within this development shall be determined at the time of approval of site specific actions associated to each site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning 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 area bounded by Hualapai Way on the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, within the area regulated through the Cliff's Edge Master Development Plan. These lands have been recently acquired by, or placed under the control of, the master developer.

The Cliff's Edge Master Development Plan covers an area of 1,150 acres within the four roadways described above. A previous zoning action (ZON-1520) approved the master development plan and applied PD zoning to 317.5 acres of this total area. A subsequent zoning action (ZON-2184) rezoned an additional 704 acres that were acquired by the master developer from the Bureau of Land Management through its June 2003 auction. A number of modifications were made to the Master Development Plan as part of that zoning action, based on changes requested by the Planning and Development Department.

As a result of this application, a number of minor procedural issues were identified in discussions between the Planning and Development Department and the master developer. These changes were implemented through Minor Modification (MOD-3189), which was approved administratively on 12/04/03. These changes are depicted in the attached copy of the Plan as strikeouts and underlined text. This proposed Rezoning and the associated Minor Modification will ensure that all but approximately 50 acres of the 1,150-acre plan area are zoned as PD (Planned Development) and are subject to the provisions of the Cliff's Edge Master Development Plan. A Development Agreement for the Cliff's Edge Master Planned Community will be considered concurrently.

B) Applicant's Justification

The applicant's justification letter states that the proposed Rezoning conforms to the policies and objectives of the approved Cliff's Edge Master Development Plan and Design Guidelines and the Centennial Hills Sector Plan.

BACKGROUND INFORMATION

A) 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.

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.

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.

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.

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.

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.

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.

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. This Rezoning 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.

01/08/04 The Planning Commission recommended approval of a companion Development Agreement (DIR-3451) that 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.

01/08/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #12/gl).

B) Pre-Application Meeting

10/10/03 Discussion centered primarily on the final minor modifications to the text of the Master Development Plan, to resolve the remaining issues as identified by the Planning and Development Department.

C) Neighborhood Meetings

A neighborhood meeting is not required, however, the master developer has had ongoing dialogue with residents and property owners within the Master Development Plan area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	1,150	(Area covered by the Master Development Agreement)
	90	(Area proposed for Rezoning to PD)

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PR (Park/Recreation/Open Space) - Clark County PF (Public Facility) - Clark County PCD (Planned Community Development) - Clark County and DR (Desert Rural) - Clark County

East:	PR (Park/Recreation/Open Space) PCD (Planned Community Development) and DR (Desert Rural) - Clark County
West:	RC (Resource Conservation) - Clark County

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
North:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
South:	R-U (Rural Open Land [0.5 units per acre] - Clark County)
East:	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and R-E (Rural Estates Residential - Clark County)
West:	P-F (Public Facility - Clark County)

E) General Plan Compliance

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density range for lands so designated is between two and eight units per acre. The proposed zoning change to the PD (Planned Development) zoning district is intended to average 7.95 units per acre, which is in conformance with the overall density provisions of the PCD (Planned Community Development) land use designation.

The Centennial Hills Sector Plan states that within areas designated as PCD, development will range "...from two to eight units per acre, depending upon compatibility with adjacent uses (e.g. a density of two units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD." The proposed rezoning to PD (Planned Development) is in conformance with the PCD land use designation for these lands.

SPECIAL DISTRICTS/ZONES	*Yes*	*No*
Special Area Plan	**X**	
Cliff's Edge	*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 Area Plan

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD areas that exceed 80 acres in size. The applicant has previously prepared a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines", which was approved by City Council on 03/19/03 and further amended on 07/16/03. This document, including final revisions as contained in Minor Modification (MOD-3189), and the infrastructure programming and maintenance in the Development Agreement, will provide policy direction for future development within the overall Master Development Plan area.

Trails

The Las Vegas 2020 Master Plan Transportation Trails and Recreation Trails Elements, as contained in the Joint Parks and Trails Plan (Interlocal Agreement) identify several trails in the Cliff's Edge area. A full discussion of those trails was provided as part of the report on a previous Rezoning request (ZON-2184). There have been no changes to trail alignments or policies in the area since that report was prepared and reviewed by the Planning Commission and City Council. The issue of development of parks and trails by the master developer is addressed in the Development Agreement.

Project of Regional Significance

Due to the size of the Cliff's Edge Plan area, and as part of the previous Rezoning ZON-1520 for the area, the project was identified as a Project of Regional Significance; accordingly, the applicant completed an Environmental Impact Statement (EIS) as part of that application. The results of the EIS, which included the 90 acres that are the subject of the current rezoning request, were provided in the case report for ZON-1520 and listed subsequently in the case report for ZON-2184.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) District are established by the Master Development Plan. The development standards for the Cliff's Edge area are now established through the approved Cliff's Edge Master Development Plan, including the final minor changes contained in Minor Modification MOD-3189 and as agreed to by the Master Developer and the Planning and Development Department. These standards, along with the infrastructure programming in the Development Agreement, will provide a blueprint for future development of the area.

B) General Analysis and Discussion

The City Council has now approved the proposed Cliff's Edge Master Development Plan and Design Guidelines document. The proposed Rezoning is in conformance with this document as amended.

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 General Plan designates the subject lands as PCD (Planned Community Development). The rezoning to PD (Planned Development), in concert with the approved and amended Master Development Plan, conforms to the General Plan.

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

   The adjacent lands to the west of this area will remain undeveloped as federally controlled conservation lands. The adjacent lands to the east will remain at Desert Rural densities for the foreseeable future, in accordance with an interlocal agreement between the City and the County. As a result, the uses and densities of these uses that will be allowed by the Cliff's Edge Master Development Plan and proposed PD (Planned Development) zoning should be compatible with these adjacent sensitive areas.

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

   The subject site is on the western fringe of the City, on land only recently annexed into the City. It is a relatively narrow area of land, connected to other City lands to the north and south; however, the area is bordered on the east by rural density County lands that will not be annexed to the City, under the terms of an interlocal agreement between the City and the County, and on the west by lands that are within the Red Rock Canyon National Conservation Area. As a result, the area is somewhat isolated from other parts of the City at this time. However, this area represents one of the last potential large assemblages of land in the Centennial Hills area that is available to the City, now that County land affected by the interlocal agreement is unavailable for urban development. As a result, master planning and zoning of this area is appropriate and necessary at this time.

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."**

Although few roads exist in the area at the present time, the final phase of the Beltway, scheduled for completion later this year, forms the southern boundary of the area, and the planned interchange at Hualapai Way will provide excellent regional access to the project. The master plan area is bordered by major road alignments that are designated on the Master Plan of Streets and Highways. Hualapai Way is slated to be developed as a Primary (100-foot) Arterial, Grand Teton Drive will be a Primary (100-foot) Road and Elkhorn Drive will be a Secondary (80-foot) Collector. As the area develops, other major streets in the area, such as Puli Road, will be added to the network.

NOTICES MAILED 100 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: See attached list

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Cliffs 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 _____✓_____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 24th day of September, 2003

Amanda Dalton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2006

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-101-004

Name of Property Owner: Charles Koras, Vangel Dimanin

Name of Applicant: Cliffs Edge, L.L.C.

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: CHARLES KORAS

Subscribed and sworn before me

This 23 day of September, 2003

Kelly Hermanson

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KELLY HERMANSON
Appt. No. 03-79991-1
My Appt. Expires Feb. 5, 2007

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-101-004

Name of Property Owner: Charles Koras, Vangel Dimanin

Name of Applicant: Cliffs Edge, L.L.C.

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: Vangel V Dimanin

Subscribed and sworn before me

This 14 day of Sept, 2003

William Z. Krasnick

Notary Public in and for said County and State

WILLIAM Z. KRASNICK
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Sep 2, 2004

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-101-006

Name of Property Owner: Land Title of Nevada Inc. Trustee

Name of Applicant: Cliffs Edge, L.L.C.

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: _____

LAND TITLE OF NEVADA INC., TRUSTEE

Signature of Property Owner/Authorized Agent: X _____

LARRY C. LOWE, VICE PRESIDENT

Subscribed and sworn before me

This 9th day of September, 2003

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
LORI G. PHILLIPS
No. 01-67965-1
My Appointment Expires March 29, 2005

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-201-008

Name of Property Owner: Thomas E. + ~~Pauline~~ Patricia F. Park

Name of Applicant: Cliffs Edge, L.L.C.

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: Thomas E. Park, Patricia F. Park

Subscribed and sworn before me

This 9th day of September, 2003

Lynn Foglia

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LYNN FOGLIA
No: 92-1842-1
My Appointment Expires Dec. 19, 2004

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-201-010

Name of Property Owner: Judy A. LoKken

Name of Applicant: Cliffs Edge, L.L.C.

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: Judy A. LoKken

Subscribed and sworn before me

This 15 day of SEPT, 2007

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MICHAEL J. CAMPBELL
My Appointment Expires
May 3, 2009
No: 01-69800-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-501-003

Name of Property Owner: Jesus Gonzales

Name of Applicant: Cliffs Edge, L.L.C.

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: Jesus R Gonzalez

Subscribed and sworn before me

This 3rd day of October, 2003

Robin Click

Notary Public in and for said County and State

ROBIN CLICK
Notary Public State of Nevada
No. 01-68528-1
My appt exp. May 3, 2005

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-13-701-002

Name of Property Owner: Louis Mayorga Leroy Mayorga

Name of Applicant: Cliffs Edge, L.L.C.

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: x Louis Mayorga Leroy Mayorga

Subscribed and sworn before me

This 10th day of September, 2003

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JANINE C. HOFFMAN
My Appointment Expires
February 17, 2006
No: 94-3256-1

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-101-002

Name of Property Owner: Lisa Lifson

Name of Applicant: Cliffs Edge, L.L.C.

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Lisa Lifson

Subscribed and sworn before me

This 2nd day of September, 2003

Notary Public in and for said County and State

BETRICE RAYNE COLEMAN
Commission # 1291077
Notary Public - California
Los Angeles County
My Comm. Expires Apr 27, 2004

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN's 126-24-401-001 + 002

Name of Property Owner: Jong + Lin Yiee

Name of Applicant: Cliffs Edge, L.L.C.

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: ~~X~~ Lin Yiee

Subscribed and sworn before me

This 8th day of September, 2003

Cheryl Affeldt

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHERYL L. AFFELDT
No: 97-1538-1
My Appointment Expires April 15, 2005

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-401-008

Name of Property Owner: Lisa Lifson

Name of Applicant: Cliffs Edge, L.L.C.

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Lisa Lifson

Subscribed and sworn before me

This 2nd day of September, 2003

Notary Public in and for said County and State

BETRICE RAYNE COLEMAN
Commission # 1281977
Notary Public - California
Los Angeles County
My Comm. Expires Apr 27, 2004

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-401-009

Name of Property Owner: Ole R. Jones

Name of Applicant: Cliffs Edge, L.L.C.

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: Ole R Jones Trustee

Subscribed and sworn before me

This 24th day of September, 2003

Valerie Nuna

Notary Public in and for said County and State

VALE... Notary ... State of ... My Commission Expires Aug. 1... 592 North Mall Dr. Saint George, U...

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-401-011

Name of Property Owner: HBACC Five, LLC Al Twainy

Name of Applicant: Cliffs Edge, L.L.C.

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 11 day of September 20 03

[signature]

Notary Public in and for said County and State

JENNIFER E. LEHR
Notary Public State of Nevada
No. 02-73181-1
My appt. exp. Feb. [illegible] 2006

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-601-012

Name of Property Owner: Margaret Ricotta

Name of Applicant: Cliffs Edge, L.L.C.

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Margaret E Ricotta

Subscribed and sworn before me

This 29th day of AUGUST, 2003

Laurina Walker

Notary Public in and for said County and State

LAURINA WALKER
Commission # 1346273
Notary Public - California
Los Angeles County
My Comm. Expires Mar 10, 2006

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-701-001

Name of Property Owner: Froistad Living Trust – Tom & Nancy Froistad

Name of Applicant: Cliffs Edge, L.L.C.

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: Tom Froistad Nancy Froistad

Subscribed and sworn before me

This 28th day of August, 2003

_____

Notary Public in and for said County and State

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

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3241 APN: 126-24-701-002

Name of Property Owner: Skip & Mary Harouff

Name of Applicant: Cliffs Edge, L.L.C.

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: _____

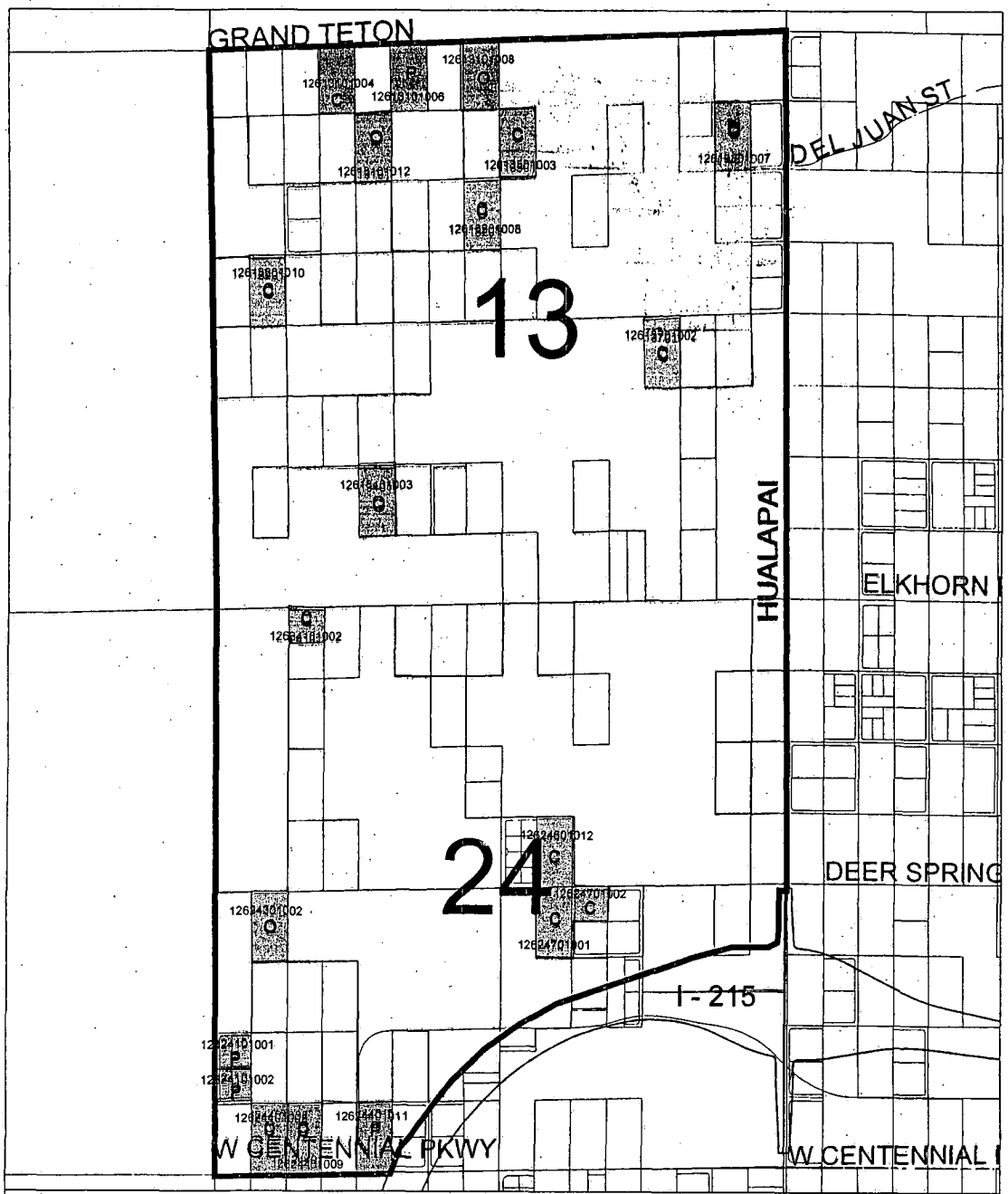
Signature of Property Owner/Authorized Agent: Dwight Harouff / Mary Lou Harouff

Subscribed and sworn before me

This 27th day of August, 2003

Notary Public in and for said County and State

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



Cliffs Edge
Third P-D Zoning Request

- Project Boundary
- Lands Zoned by ZON 1520 and ZON 2184
- O — Current P-D Zoning Request (Owned)
- C — Current P-D Zoning Request (Controlled)
- P — Current P-D Zoning Request (Participants)
- Private Land (owned by others)

N W E S

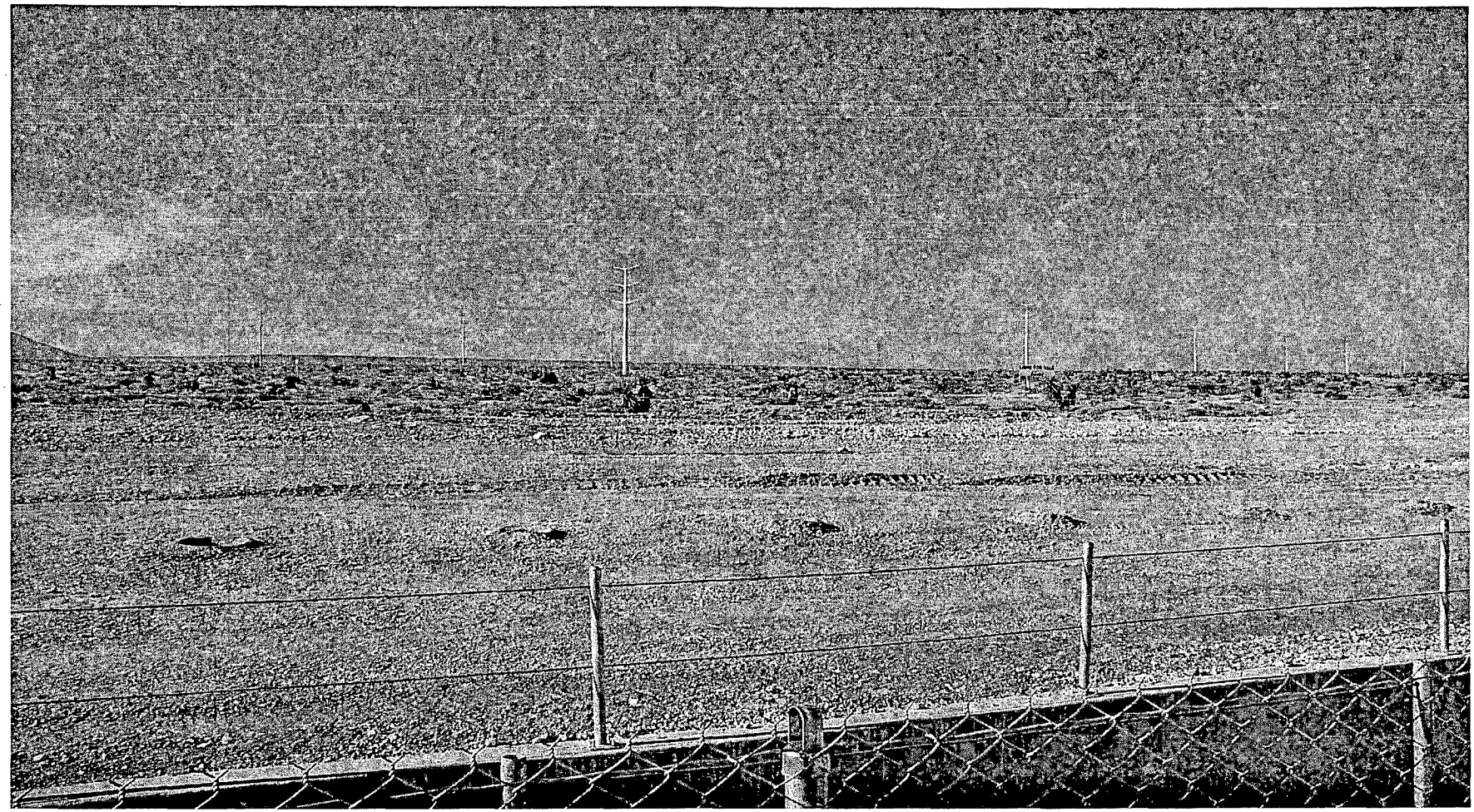
QUADRANT PLANNING

September 2003

File: CEthird zoning

ZON-3241

01-08-04 PC



ZON-3241 - CLIFF'S EDGE, LIMITED LIABILITY COMPANY
BETWEEN GRAND TETON DRIVE, CENTENNIAL PARKWAY, HUALAPAI WAY AND THE CORPORATE CITY LIMITS
JANUARY 8, 2004 PLANNING COMMISSION

11/17/03

City of Las Vegas

Agenda Item No. 73

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - **SDR-3201 - TABERNACLE OF PRAISE CHURCH OF GOD IN CHRIST ON BEHALF OF THE BUREAU OF LAND MANAGEMENT** - Request for a Site Development Plan Review FOR EXISTING TEMPORARY MODULAR TRAILERS TO BECOME PERMANENT on 5 acres at 7550 Constantinople Avenue (APN: 138-10-101-020), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 4 (Brown). The Planning Commission (4-1 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (4-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

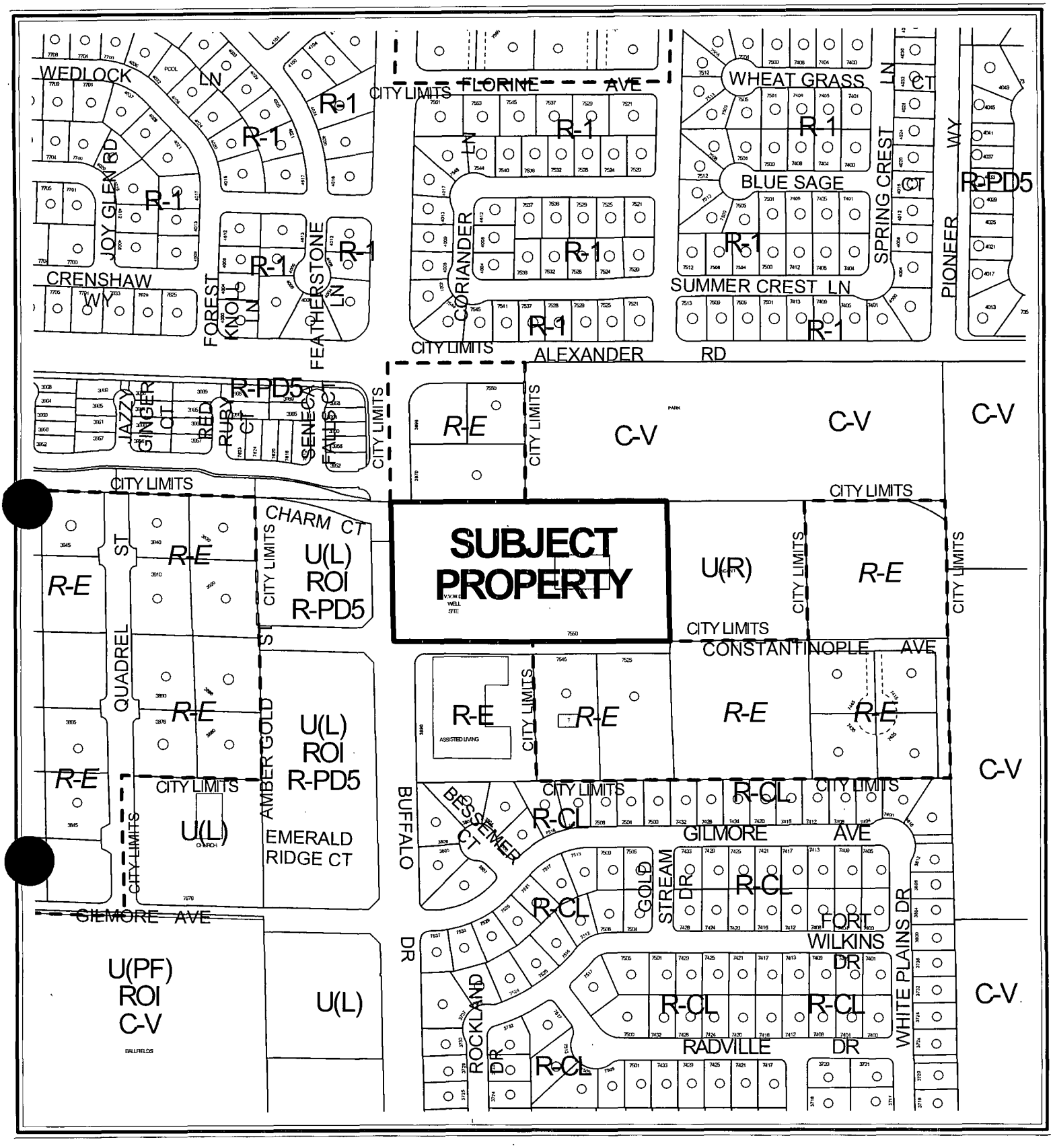
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 73 [SDR-3201] and Item 93 [SUP-3479] to 3/3/2004 and Item 113 [GPA-3470], Item 114 [ZON-3473], Item 115 [SDR-3475], Item 134 [ROC-2671], Item 135 [GPA-3483] and Item 136 [ZON-3509] to 3/17/2004; Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 102 [GPA-3439] and 103 [SDR-3441] – UNANIMOUS with GOODMAN abstaining on Item 93 [SUP-3479] because someone in his law firm is negotiating with a billboard company from which he may benefit

MINUTES:

There was no discussion.

(1:14 – 1:19)

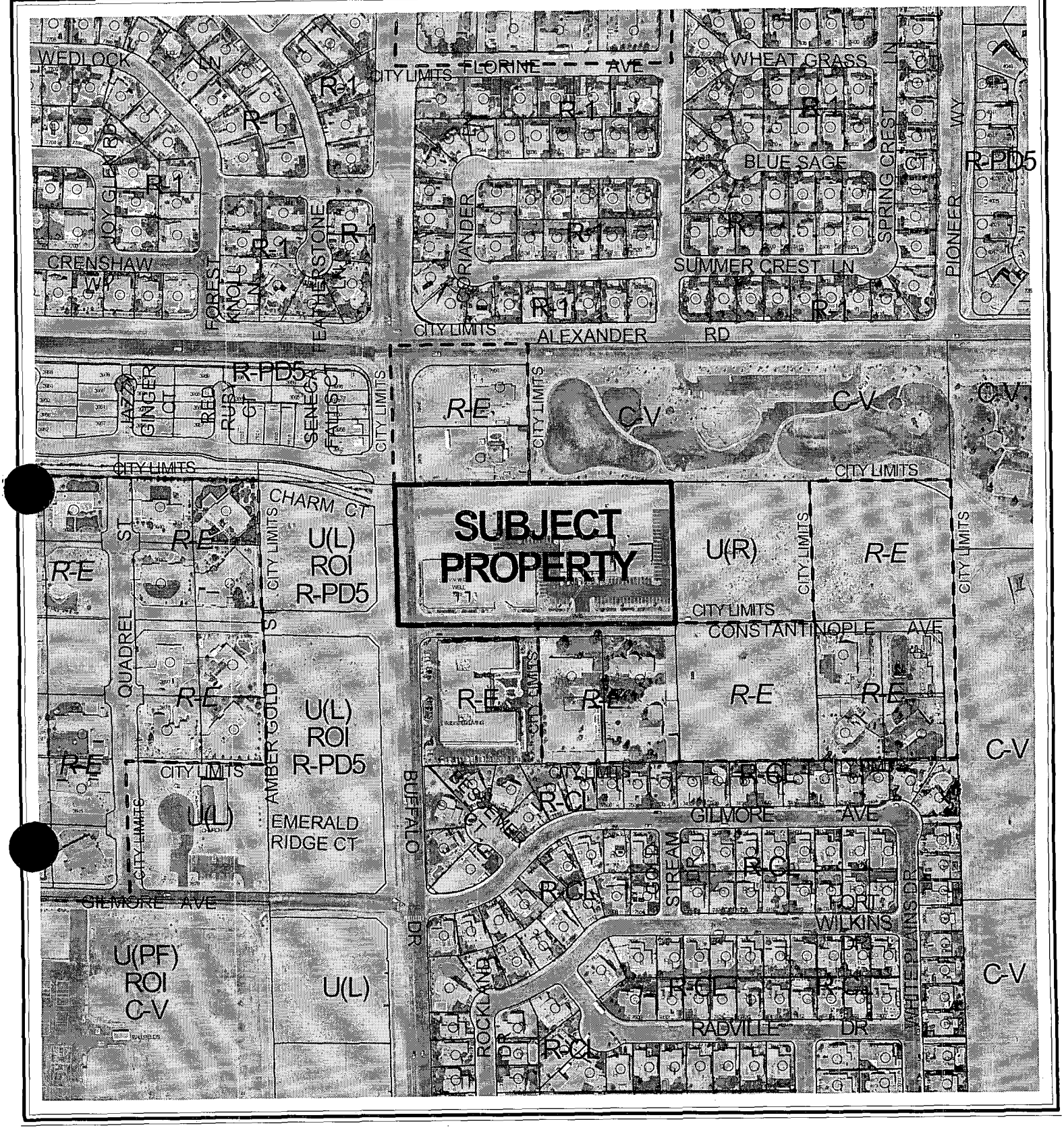


0 200 400 Feet

CASE: SDR-3201

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]



0 200 400 Feet

CASE: SDR-3201

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3201 - TABERNACLE OF PRAISE CHURCH OF GOD IN CHRIST ON BEHALF OF THE BUREAU OF LAND MANAGEMENT

** CONDITIONS **

The Planning Commission (4-1 vote) and staff recommend 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. The applicant shall obtain all appropriate permits from the Department of Building and Safety and shall comply with Building Code requirements.

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

4. The applicant shall submit information to the Planning and Development Department related to the operation of the Child Care Facility, including the number of staff members and students. Subsequently, 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 number of spaces required for both the church and child care use. The applicant shall be required to construct additional parking area to accommodate both uses as the submitted information requires.

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

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

10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

11. Right-of-way dedications and easements to be granted to the City of Las Vegas shall be required upon property receiving patent from the Bureau of Land Management.

12. Remove all substandard public street improvements and unused driveway cuts along Constantinople Avenue, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

13. 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.

14. 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review to make existing temporary trailers permanent in conjunction with an existing church at 7550 Constantinople Avenue.

B) Applicant's Justification

The applicant's justification letter states that the Tabernacle of Praise Church is in the process of purchasing the existing modular trailers and would like to do some exterior beautification in order to make said structure aesthetically compatible with the new fellowship hall structure that is on-site.

BACKGROUND INFORMATION

A) Previous Actions

05/20/99	The Clark County Planning Commission approved a Use Permit (UC-0550-99) to allow a Church on the subject site. The background information from Clark County indicated that the submitted site plan included a fellowship hall, future gymnasium and a future church sanctuary. Additional information provided by the applicant to Clark County as part of the use permit application indicates that a child care facility and multi-purpose facilities were to be included at a future date.
01/05/00	The City Council approved an annexation (A-0015-99) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was February 4, 2000.
07/20/00	The City of Las Vegas Department of Building and Safety issued a building permit for new church at 7550 Constantinople Avenue.
11/20/03	The Planning Commission voted to abey this item until the December 18, 2003 Planning Commission meeting in an effort to give the applicant an opportunity to work with staff.
12/18/03	The Planning Commission voted to abey this item until the January 22, 2004 Planning Commission meeting in an effort to give the applicant additional time to work with staff.
01/22/04	The Planning Commission voted 4-1 to recommend DENIAL (PC Agenda Item #94/al).

B) Pre-Application Meeting

09/25/03 The applicant presented information about the Clark County use permit and explained that the church seeks to make the existing temporary trailers permanent in order to house child care services.

C) Neighborhood Meetings

No neighborhood meeting was required or held with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.2

B) Existing Land Use

Subject Property:	Las Vegas Valley Water District Well Site and Church
North:	Single Family Dwelling and Park
South:	Single Family Dwellings and Senior Apartments
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	R (Rural Density Residential) and PF (Public Facilities)
East:	R (Rural Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped)
North:	Clark County and C-V (Civic)
South:	R-E (Residence Estates) and Clark County
East:	U (Undeveloped)
West:	U (Undeveloped) under Resolution of Intent to R-PD5 (Residential Planned Development – 5 Units Per Acre)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. Churches are allowed with approval of a Special Use Permit within the U (Undeveloped) zoning district.

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

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

PROJECT DESCRIPTION

The proposal is to make existing trailers permanent in order to house a child care facility that is ancillary to the church use. The Department of Building and Safety reviews all applications for compliance with building department standards and was unable to locate permits for the existing trailers. A full submittal to the Building Department will be required and is recommended as a condition of approval, to bring the trailers into compliance with the Building Code. Additionally, the Building Department commented that the type of construction must match that of the church.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	20,000 Feet	230,229 SF	Y
Min. Lot Width	100 Feet	626 Feet	Y
Min. Setbacks			
• Front	50 Feet	95 Feet	Y
• Side	10 Feet	65 Feet (min.)	Y
• Corner	15 Feet	N/A	N/A
• Rear	35 Feet	130 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	25 Feet (trailer)	Y

The existing church development and trailers meet the minimum development standards required by Title 19.

A2) Residential Adjacency Standards

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

- Proximity slope and building setback.
  At a height of 18 feet (mid-point of the roof) the structure must remain at least 54 feet from residential property, which is either developed for sale or designated for such development in the General Plan. The trailers are located 70 feet from the east property line and 96 feet from the south property line, the two nearest borders with residential property.

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
Church/House of Worship	9,370 GFA (7,313 SF in gathering room)	1/ 4 fixed seats or 1/100 SF of non-fixed seating area in gathering room, whichever is greater	74	See below	76	See below
Child Care Center	2,730 GFA	1/each staff member, plus one space for each ten children	Insufficient information		See below	See below
Handicap Breakdown					71	5

The submitted site plan is contradictory, as the parking analysis states that 76 parking spaces exist when well in excess of 76 spaces are shown on the plan. The site plan does depict the ultimate build-out of the site, however it is unclear as to whether the applicant intends to add parking area. Additionally, Title 19.10.010(E) requires parking to be calculated separately for each different uses area in a building or on a site, including any ancillary use. Not enough information was provided to determine the number of spaces needed for the child care use, but

because the overall site plan depicts approximately 180 spaces, a condition is recommended that the applicant be required to submit a revised site plan and information related to the operation of the Child Care Facility that clearly depicts the number of spaces required for each individual use.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	19 Trees	3 Trees
Buffer: • Min. Trees (along frontage)	1 Trees/20 Linear Feet	17 Trees	8 Trees
• Min. Zone Width (adj. to ROW)	15 Feet		15 Feet
• Min. Zone Width (side & rear)	8 Feet		18 Feet (east)
• Wall height	No minimum		6.5 Feet (east & north)

The submitted site plan is deficient in the quantity of landscape material, specifically the inclusion of 24-inch box trees. The submitted plan depicts the overall build-out of the site; therefore it is somewhat unclear what changes the applicant is proposing to the existing landscaping. At the time of the pre-application meeting, the applicant indicated that additional landscaping would be installed only around the trailers. At the time when the future church structure is developed, additional landscaping may be required in order to meet city standards.

B) General Analysis and Discussion

- Zoning

A church is allowed in the U (Undeveloped) zone with approval of a Special Use Permit. The applicant received a Special Use Permit from Clark County in 1999 before the property was within city limits. Records from the Clark County Use Permit submittal indicate that child care was approved as an ancillary use during the Use Permit process.

- Site Plan

The church complex sits on property owned by the Bureau of Land Management that also includes a Las Vegas Valley Water District well site. The site plan depicts an existing 9,370 square foot Fellowship Hall and existing trailers that total 2,730 square feet. Also depicted are a future 6,029 square foot church building, play field and a basketball court. Existing landscaping, and parking is shown. The applicant proposes no change to the current location of the trailers that are approximately 15 feet from an existing structure.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

The submitted plan depicts the overall build-out of the site; therefore it is somewhat unclear what changes the applicant is proposing to the existing landscaping. The existing trees appear to exceed the required 20 feet on-center, however at the time the Clark County Use Permit was approved the requirements met county requirements. As this application's scope of work is limited to making temporary trailers permanent, no additional landscaping shall be required. However, at the time when the future church structure is developed, additional landscaping may be required in order to meet city standards.

- Elevation

The elevations depict the trailers to be finished with a 36-inch high stone veneer and stucco. The overall height is 25 feet. Stucco coated wood columns support small porch areas to the front and rear of the trailers.

- Floor Plan

The submitted floor plan for the trailers depict a central area surrounded by individual rooms. Three bathrooms are shown.

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 change to permanent status for the existing trailers is not compatible with the surrounding area that includes single-family dwellings.

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 existing development is not consistent with the design standards contained in Title 19, as the development was approved when the property was located within Clark County's jurisdiction and was subject to different standards. As the remainder of the site is developed, city of Las Vegas standards will be applied.

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

   As the trailers already exist, the change to a permanent status will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials are appropriate for the area, as they are similar to other development in terms of the use of stucco and cultured stone veneer.

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 finishes and landscaping around the trailers is not unsightly or undesirable. However, because the Department of Building and Safety was unable to locate permits for the trailers, it is yet to be determined that the structures may be located on the property on a permanent basis.

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

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

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3201 APN: T.20S. R.60.E Sec.10, S1/2NW1/4NW1/4NW1/4

Name of Property Owner: Bureau of Land Management

Name of Applicant: Tabernacle of Praise C.O.G. I.C.

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: _____

X Signature of Property Owner/Authorized Agent: Mervin G. Boyd

Print Name: MERVIN G. BOYD

Subscribed and sworn before me

This 7th day of October, 2003

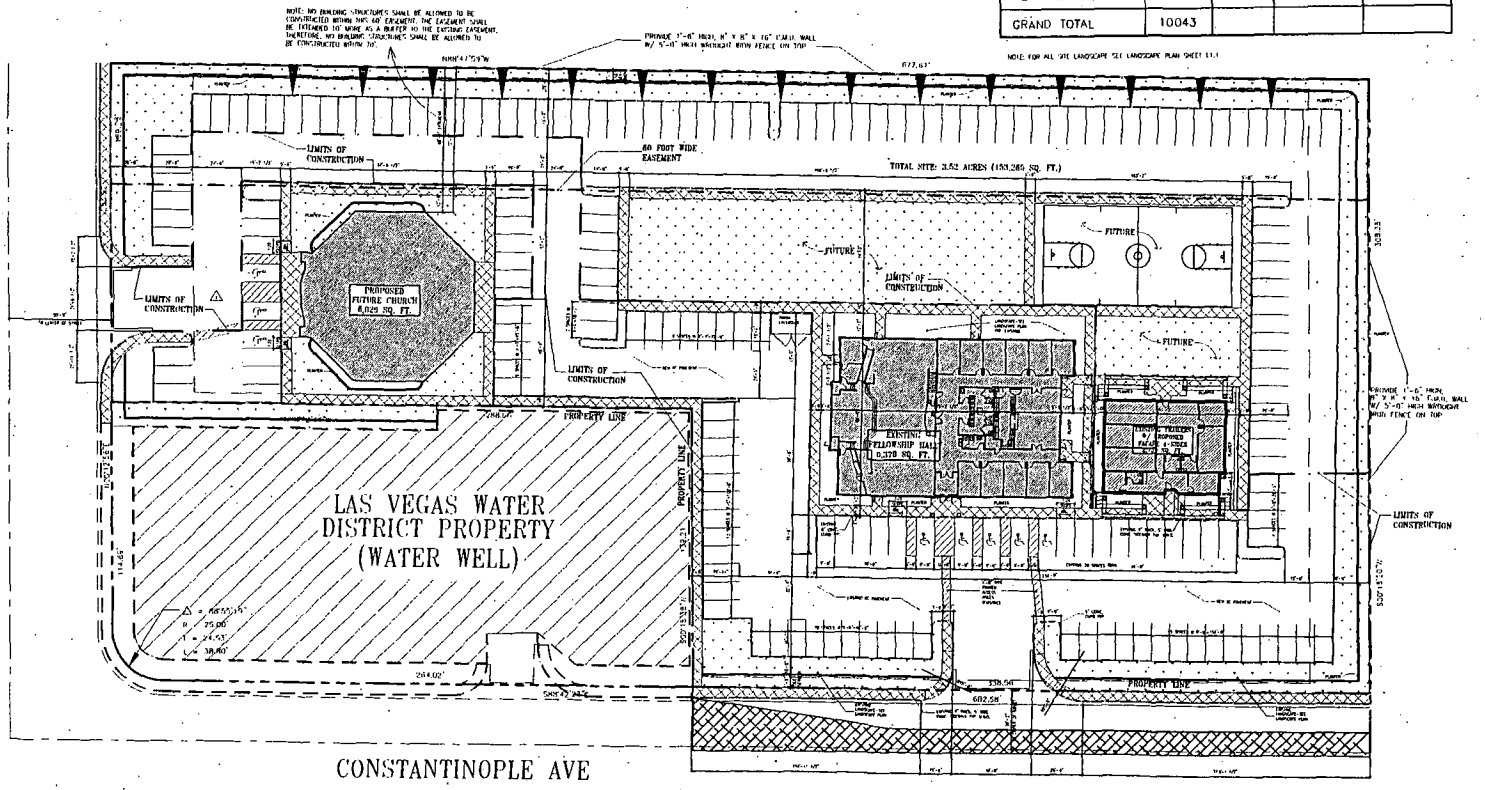
Jennifer K. Aamodt

Notary Public in and for said County and State

JENNIFER K. AAMODT
Notary Public State of Nevada
No. 94-4974-1
My appt. exp. July 10, 2006

parking analysis

DESCRIPTION	GROSS AREA SQ. FT	PARKING RATIO REQ.	TOTAL PARKING REQUIRED	ACTUAL PARKING SPACES
NEW PROPOSED EXISTING TRAILERS	2730	1:100	28 SPACES	76 SPACES
EXISTING FELLOWSHIP HALL	9370	1:100	74 SPACES (INCLUDE 3 H.C.)	76 SPACES (INCLUDE 4 H.C.)
STORAGE, COLSETS VESTIBULE ECT.	-2057			
NET AREA SQ. FT.	7313			
GRAND TOTAL	10043			



1 SITE PLAN
SCALE: 1" = 30'

STAFF
SDR-3201
1-22-04 PC

PINNACLE ARCHITECTURAL STUDIO, INC.

TABERNACLE OF PRAISE C.O.G.I.C.
Project Name
AT BUFFALO DRIVE AND CONSTANTINOPLE LAS VEGAS, NEVADA
SITE PLAN

SCALE DRAWING NOTE

A1.1
03112
SEPTEMBER 2, 2003

NOTES:

DISCREPANCIES BETWEEN THE DRAWINGS AND SITE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION BEFORE STARTING WORK.

CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO STARTING WORK.

ARCHITECT OR HIS REPRESENTATIVE RESERVE THE RIGHT TO REFUSE ANY PLANT MATERIAL/ROCK MATERIAL DEEMED UNACCEPTABLE.

LANDSCAPE CONTRACTOR TO PROVIDE AGRONOMY TESTING FOR THIS SITE AND COMPLY WITH THE TESTING LAB'S RECOMMENDATIONS FOR BACKFILL MIX. SUBMIT REPORT TO ARCHITECT.

QUANTITIES INDICATED ARE FOR CONVENIENCE ONLY. CONTRACTOR TO VERIFY ALL QUANTITIES.

ROCK MULCH AREAS TO BE TREATED BEFORE AND AFTER INSTALLATION WITH PRE-EMERGENT HERBICIDE.

ALL PLANTING AREAS SHALL RECEIVE ROCK MULCH. ROCK MULCH SHALL BE DESERT BROWN DECOMPOSED GRANITE, 1" SCREENED AT A DEPTH OF 2". SUBMIT SAMPLES TO LANDSCAPE ARCHITECT. (SOURCE: KALAMAZOO MATERIALS OR APPROVED EQUAL.)

LAWN AREAS SHALL RECEIVE A MINIMUM OF 4" DEPTH OF WASHED SILT TOPSOIL PRIOR TO INSTALLATION OF SOD.

ALL PLANTING BACKFILL SHALL CONSIST OF THE FOLLOWING MIX:

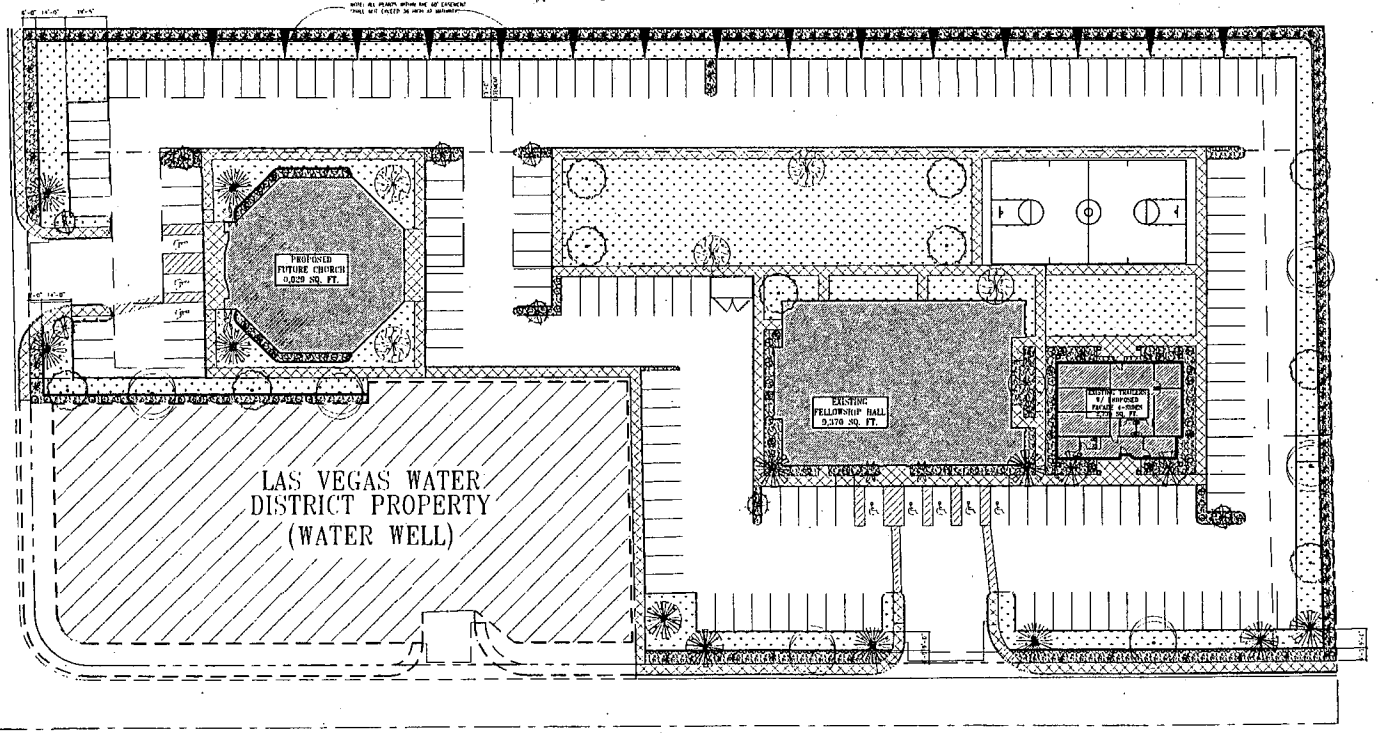
DARK MULCH AVAILABLE THROUGH:

50% WASHED SILT
50% DARK MULCH

WESTERN ORGANICS
LAS VEGAS, NEVADA
(702) 649-0370

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	14'	PINEAPPLE TRUNK
	PINUS PINEA	ITALIAN STONE PINE	36" BOX	
	ACACIA FARNESIANA	SWEET ACACIA	24" BOX	
	PHOENIX DACTYLIFERA	CANARY ISLAND DATE PALM	16" BOX	MULTI-TRUNK
	CYCAS REVOLUTA	SAGO PALM	15 GALLON	MULTI-TRUNK
	RHAPHIOLEPIS INDICA	INDIA HAWTHORN	5 GALLON	
	PHOTINIA FRASERI	FRASERS PHOTINIA	5 GALLON	
	DECOMPOSED GRANITE, DESERT BROWN - 3/8" SCREENED @ 2" DEPTH IN ALL PLANTING AREAS			
	CONCRETE CURBING HEADER			
	MARTHON FESCUE BLEND			



1 LANDSCAPE PLAN
SCALE: 1" = 30'

STAFF

SDR-3201
1-22-04 PC

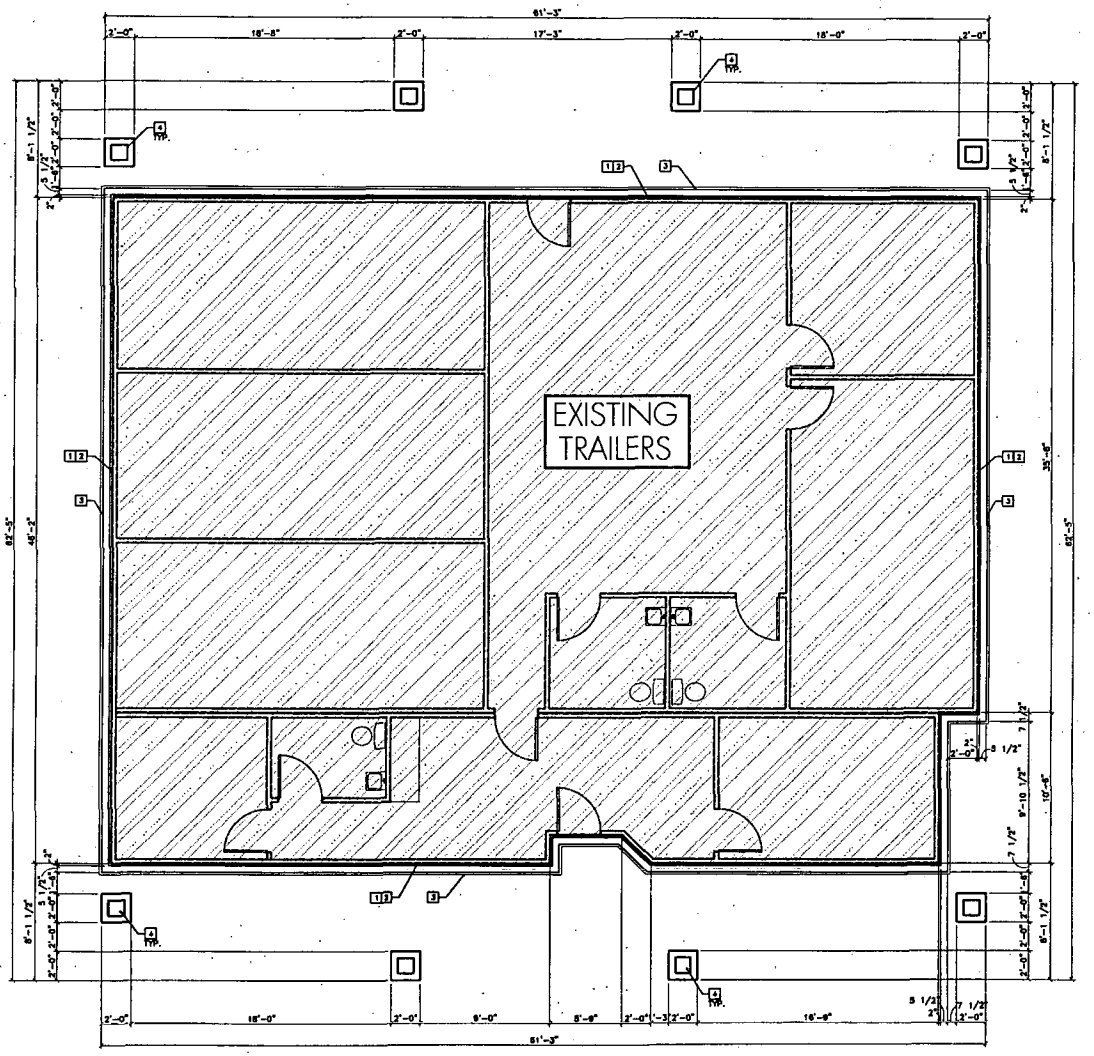
PINNACLE ARCHITECTURAL STUDIO, INC.
Land & Access Corridor Planning
Residential Design
Tenant Improvement
8370 West Sahara Avenue, Suite 102, Las Vegas, Nevada 89117
Phone: 702/838-8555 Fax: 702/838-8579

TABERNACLE OF PRAISE C.O.G.I.C.
AT BUFFALO DRIVE AND CONSTANTINOPLE LAS VEGAS, NEVADA
LANDSCAPE PLAN

Revisions

SCALE DRAWING NOTE

L1.1
- 03112
OCTOBER 9, 2003



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

KEYNOTES

1. TYPICAL EXTERIOR WALL: PAINTED 7/8" STUCCO O/PAPERBACKED METAL LATH O/ SHEATHING (SEE SHEARWALL SCHEDULE) O/2X6 WOOD STUDS @ 16" O.C. W/R-19 BATT INSULATION @ LIVABLE SPACES & 5/8" GYPSUM BOARD INTERIOR FINISH (U.N.O.) (PER SPECIFICATION SECTIONS 06100, 07200, 09200, & 09250) PROVIDE TWO LAYERS OF GRADE D PAPER UNDER STUCCO APPLIED OVER PLY WOOD SHEATHING @ ENTIRE STRUCTURE
2. REMOVE EXISTING WOOD SIDING PANELS FOR A STUCCO APPLICATIONS SEE KEYNOTE NUMBER 7 FOR STUDCCO APPLICATION
3. 36" HIGH LOW WALL WAINSCOAT W/ CULTURED STONE VENEER ATTACH W/ CAP – SEE DETAIL ???
4. PROPOSED STUCCO COVERED WOOD COLUMN BELOW
5. TYPICAL EXTERIOR SLAB – SEE SITE PLAN
6. SLOPE AWAY FROM BUILDING

STAFF

SDR-3201

1-22-04 PC

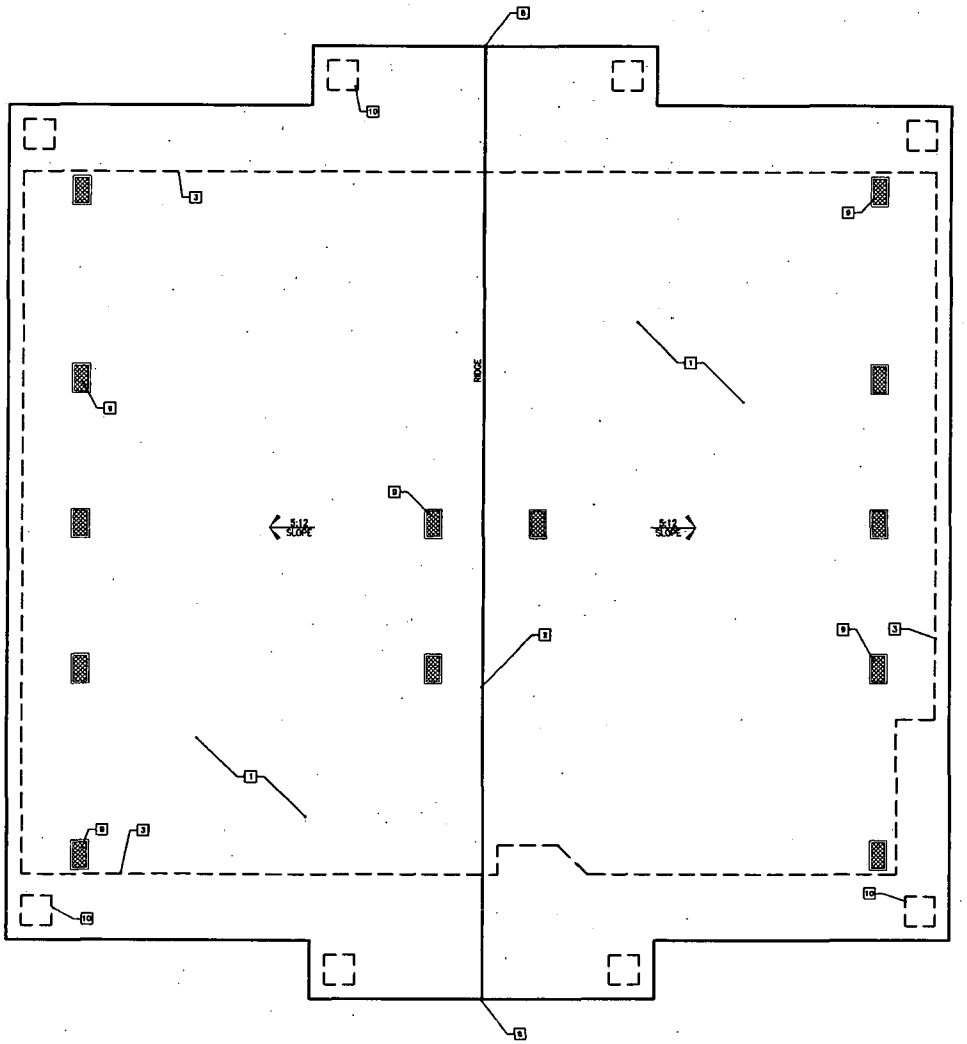
PINNACLE ARCHITECTURAL STUDIO, INC.
DEANNE BRANNON
Residential Designer
PHIL YU, TD
Architect
GLENN G. BORDENKECKER
Residential Designer
8870 West Spring Mountain Road, Suite 102, Las Vegas, Nevada 89117 Phone (702)888-8968 Fax (702)888-0879

TABERNACLE OF PRAISE C.O.G.I.C.
Project Name
41 BUFFALO DRIVE AND CONESTAN-HOPE LAS VEGAS, NEVADA
FLOOR PLAN

Revisions

SCALE DRAWING NOTE

A2.1
03112
SEPTEMBER 2, 2003



1 ROOF PLAN

SCALE: 1/4" = 1'-0"

KEYNOTES

1. TYPICAL ROOF CONSTRUCTION: CLAY/CONC. ROOF TILE O/ 2 LAYERS OF 30# FELT O/ PLYWOOD SHEATHING (PROVIDE ALUMINUM MEMBRANE OVER PLYWOOD SHEATHING ON ATTIC SIDE) O/ PREMANUFACTURED ROOF TRUSSES OR 2X RAFTERS @ 24" O.C. (SEE ROOF FRAMING PLAN) W/R-19 BATT INSULATION @ TOP CHORD OF ROOF TRUSS OR 2X RAFTER AND R-30 BATT INSULATION @ BOTTOM CHORD OF ROOF TRUSS OR 2X CEILING JOIST OVER LIVABLE SPACES (PER SPECIFICATION SECTIONS 06100, 07100, 07200 & 07300)
2. CLAY/CONC. TILE RIDGE CAP, GROUT TO MATCH TILE, SEE DETAIL (PER SPECIFICATION SECTION 07300)
3. [illegible]
4. DASHED LINE INDICATES BUILDING BELOW
5. [illegible]
6. [illegible]
7. [illegible]
8. 3'-0" DIA. CIRCULAR WALL GABLE VENT - SEE EXTERIOR ELEVATIONS FOR LOCATION
9. 26 GA. G.I. METAL CLOAKED VENT TILE BY CHAGIN'S INC. - MODEL NUMBER "S" 50048 - PAINT TO MATCH ROOF TILE. (83 SQ. IN. NET FREE VENTILATION AREA) OR EQUAL
10. WOOD COLUMN BELOW

VENT CALCULATIONS

3754.33417 SQ. FT. / 300 = 12.51 SQ. FT. REQUIRED VENTILATION
12.51 SQ. FT. x 144 = 1803 SQ. IN.

GABLE VENTING:
USE (2) SCREENED GABLE VENTS
@ 388 SQ. IN. PER VENT = 772 SQ. IN. VENTILATION

ROOF TILE VENTING HIGH:
USE (3) TILE VENTS
@ 83 SQ. IN. PER VENT = 248 SQ. IN. VENTILATION

ROOF TILE VENTING LOW:
USE (10) TILE VENTS
@ 83 SQ. IN. PER VENT = 830 SQ. IN. VENTILATION

TOTAL: 1851 SQ. IN. NET FREE VENTILATION PROVIDED

STAFF
SDR-3201
1-22-04 PC

PINNACLE ARCHITECTURAL STUDIO, INC.
GLENN G. BOEHMECKER
Residential Designer
PING YU TO
Architect
DEVANE SHANNON
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8870 West Sunset Road, Suite 102, Las Vegas, Nevada 89117
Phone (702)656-5955 Fax (702)363-0870

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TABERNACLE OF PRAISE C.O.G.I.C.
Project Name
AT BUFFALO DRIVE AND CONSTANTINOPLE LAS VEGAS, NEVADA

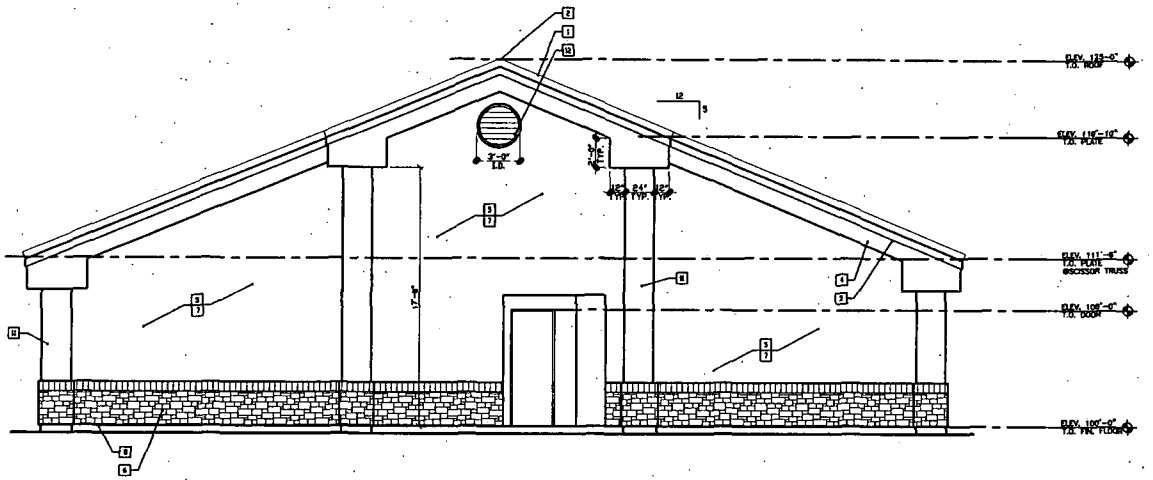
ROOF PLAN

Revisions

SCALE DRAWING NOTE
[illegible]

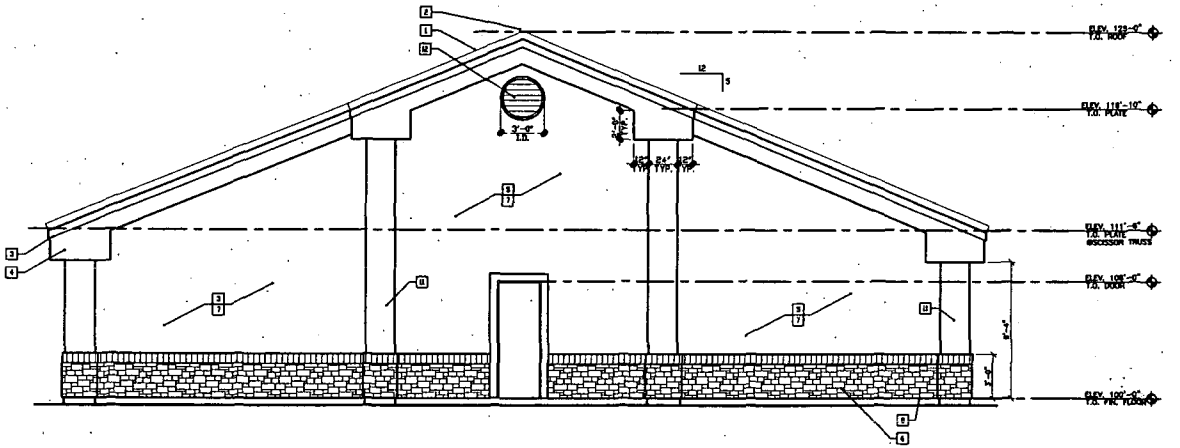
A3.1

03112
SEPTEMBER 2, 2003



1 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



2 REAR ELEVATION

SCALE: 1/4" = 1'-0"

KEYNOTES

1. TYPICAL ROOF CONSTRUCTION: CONC. ROOF TILE O/ 2 LAYERS OF 30# FELT O/ PLYWOOD SHEATHING (PROVIDE ALUMINUM MEMBRANE OVER PLYWOOD SHEATHING ON ATTIC SIDE) O/ PREMANUFACTURED ROOF TRUSSES OR 2X RAFTERS @ 24" O.C. (SEE ROOF FRAMING PLAN) W/R-19 BATT INSULATION @ TOP CHORD OF ROOF TRUSS OR 2X RAFTER AND R-38 BATT INSULATION @ BOTTOM CHORD OF ROOF TRUSS OR 2X CEILING JOIST OVER LIVABLE SPACES (PER SPECIFICATION SECTIONS 08100, 07100, 07200 & 07300)
2. CONC. TILE RIDGE CAP, GROUT TO MATCH TILE, SEE DETAIL (PER SPECIFICATION SECTION 07300)
3. TILE CLOSURE AND DRIP FLASHING BY TILE MANUFACTURER. PAINT TO MATCH ROOF TILE (PER SPECIFICATION SECTIONS 07300 AND 07600)
4. FASCIA – SEE DETAIL ??/A6.1
5. REMOVE EXISTING WOOD SIDING PANELS FOR A STUCCO APPLICATIONS SEE KEYNOTE NUMBER 7 FOR STUDCCO APPLICATION
6. PROPOSED 36" HIGH LOW WALL WAINSCOAT W/ CULTURED STONE VENEER ATTACH W/ CAP – SEE DETAIL ???
7. TYPICAL EXTERIOR WALL: PAINTED 7/8" STUCCO S/PAPERBACKED METAL LATH O/ SHEATHING (SEE SHEARWALL SCHEDULE) O/2X6 WOOD STUDS @ 16" O.C. W/R-19 BATT INSULATION @ LIVABLE SPACES & 5/8" GYPSUM BOARD INTERIOR FINISH (U.N.O.) (PER SPECIFICATION SECTIONS 08100, 07200, 09200, & 09250) PROVIDE TWO LAYERS OF GRADE D PAPER UNDER STUCCO APPLIED OVER PLY WOOD SHEATHING @ ENTIRE STRUCTURE
8. 24 GA. G.I. CONT. STUCCO WEEP SCREED PER UBC. SECTION 2506.5 (PER SPECIFICATION SECTION 09200). WEEP SCREED TO BE PLACED MIN. 4" ABOVE EARTH AND 2" ABOVE PAVED AREAS
9. 24 GA. G.I. CONT. STUCCO FLASHING O/ ALL ROOFS @ ROOF PLANE CHANGE, PAINT TO MATCH THE ADJACENT STUCCO SECTION COLOR
10. 24 GA. G.I. CONT. STUCCO FLASHING @ ALL CHANGES IN ROOF PLANE SUCH AS AT ROOF TO WALL CONDITIONS, PAINT TO MATCH ADJACENT STUCCO SECTION COLOR
11. PROPOSED STUCCO COVERED WOOD COLUMN
12. PROPOSED 3'-0" DIA CIRCULAR GABLE VENT

STAFF

SDR-3201

1-22-04 PC

PINNACLE ARCHITECTURAL STUDIO, INC.
Planning & Development Consultants
Project Manager
Architect
8870 West Spring Mountain Road, Suite 105, Las Vegas, Nevada 89117 Phone (702)562-0848 Fax (702)562-0818

TABERNACLE OF PRAISE C.O.G.I.C.
Project Name
AT BUFFALO DRIVE AND CONSTAINMORE LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

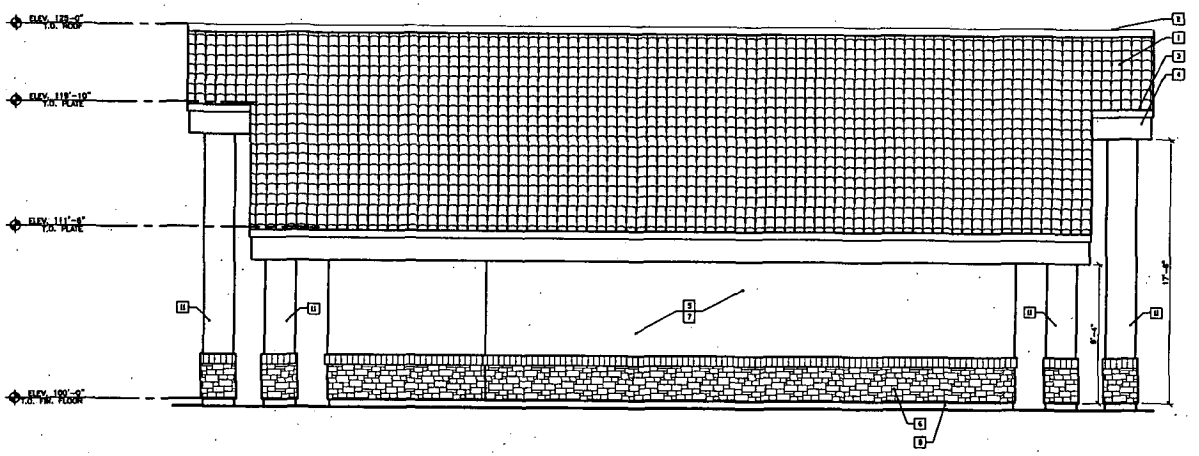
Revisions

SCALE DRAWING NOTE

A4.1

03112

SEPTEMBER 2, 2003

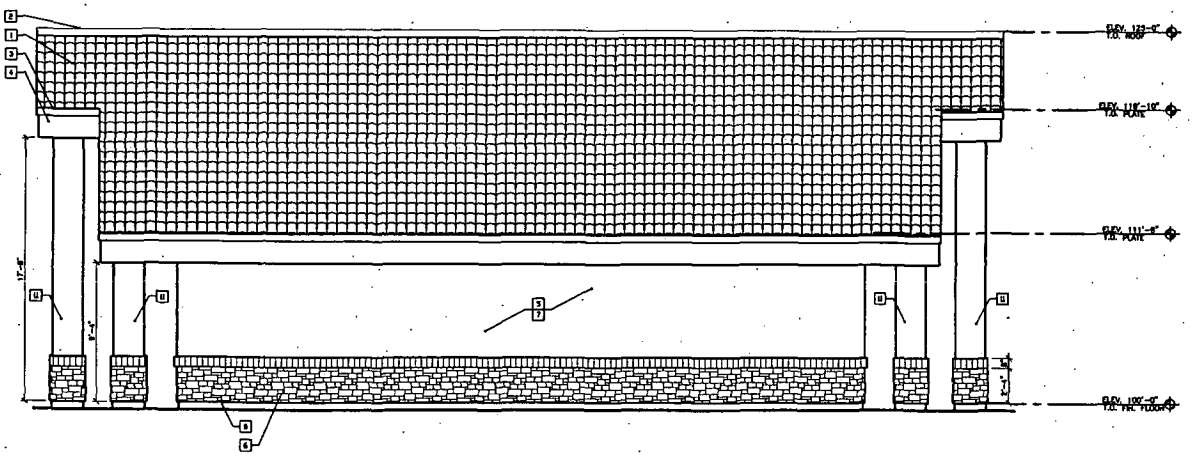


1 RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

KEYNOTES

1. TYPICAL ROOF CONSTRUCTION: CONC. ROOF TILE O/ 2 LAYERS OF 30# FELT O/ PLYWOOD SHEATHING (PROVIDE ALUMINUM MEMBRANE OVER PLYWOOD SHEATHING ON ATTIC SIDE) O/ PREMANUFACTURED ROOF TRUSSES OR 2X RAFTERS @ 24" O.C. (SEE ROOF FRAMING PLAN) W/R-19 BATT INSULATION @ TOP CHORD OF ROOF TRUSS OR 2X RAFTER AND R-38 BATT INSULATION @ BOTTOM CHORD OF ROOF TRUSS OR 2X CEILING JOIST OVER LIVABLE SPACES (PER SPECIFICATION SECTIONS 06100, 07100, 07200 & 07300)
2. CONC. TILE RIDGE CAP, GROUT TO MATCH TILE, SEE DETAIL (PER SPECIFICATION SECTION 07300)
3. TILE CLOSURE AND DRIP FLASHING BY TILE MANUFACTURER, PAINT TO MATCH ROOF TILE (PER SPECIFICATION SECTIONS 07300 AND 07600)
4. FASCIA – SEE DETAIL ??/A6.1
5. REMOVE EXISTING WOOD SIDING PANELS FOR A STUCCO APPLICATIONS SEE KEYNOTE NUMBER 7 FOR STUDCCO APPLICATION
6. PROPOSED 36" HIGH LOW WALL WAINSCOAT W/ CULTURED STONE VENEER ATTACH W/ CAP – SEE DETAIL ???
7. TYPICAL EXTERIOR WALL: PAINTED 7/8" STUCCO O/PAPERBACKED METAL LATH O/ SHEATHING (SEE SHEARWALL SCHEDULE) O/2X6 WOOD STUDS @ 16" O.C. W/R-19 BATT INSULATION @ LIVABLE SPACES & 5/8" GYPSUM BOARD INTERIOR FINISH (U.N.O.) (PER SPECIFICATION SECTIONS 06100, 07200, 09200, & 09250) PROVIDE TWO LAYERS OF GRADE D PAPER UNDER STUCCO APPLIED OVER PLY WOOD SHEATHING @ ENTIRE STRUCTURE
8. 24 GA. O.I. CONT. STUCCO WEEP SCREED PER UBC. SECTION 2506.5 (PER SPECIFICATION SECTION 09205). WEEP SCREED TO BE PLACED MIN. 4" ABOVE EARTH AND 2" ABOVE PAVED AREAS
9. 24 GA. O.I. CONT. [illegible]
10. 24 GA. O.I. "T-RIT" [illegible]
11. PROPOSED STUCCO COVERED WOOD COLUMN
12. [illegible]



2 LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

STAFF

SDR-3201

1-22-04 PC

PINNACLE ARCHITECTURAL STUDIO, INC.
GARY G. BOSELOVICH, Registered Architect
PAUL HULTO, Registered Designer
8670 West Spring Mountain Road, Suite 103, Las Vegas, Nevada 89117 Phone (702)562-6660 Fax (702)562-6670

TABERNACLE OF PRAISE C.O.G.I.C.

Project Name

AT BLUFFALO DRIVE AND CONSTANTINOPLE LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

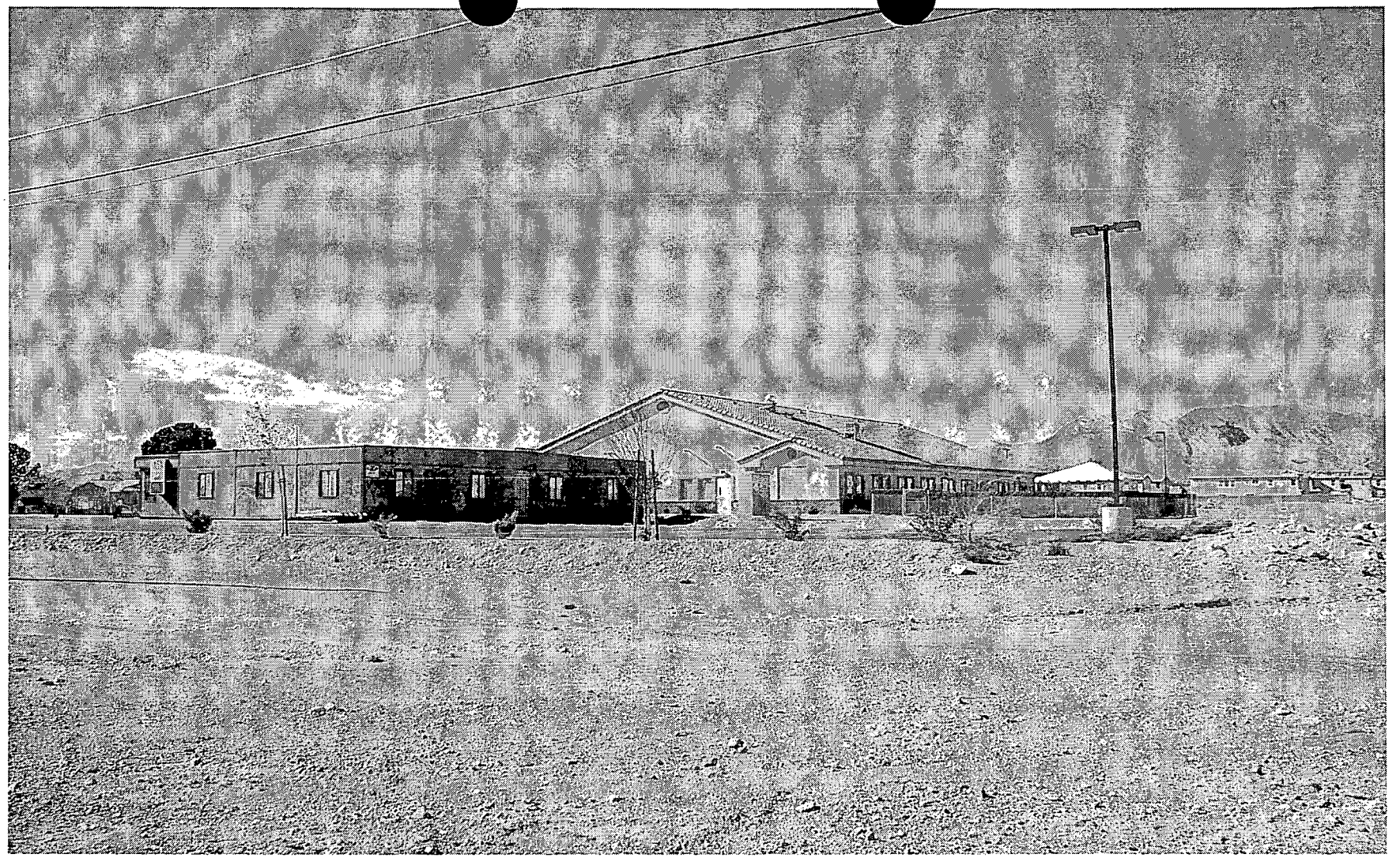
Revisions

SCALE DRAWING NOTE

A4.2

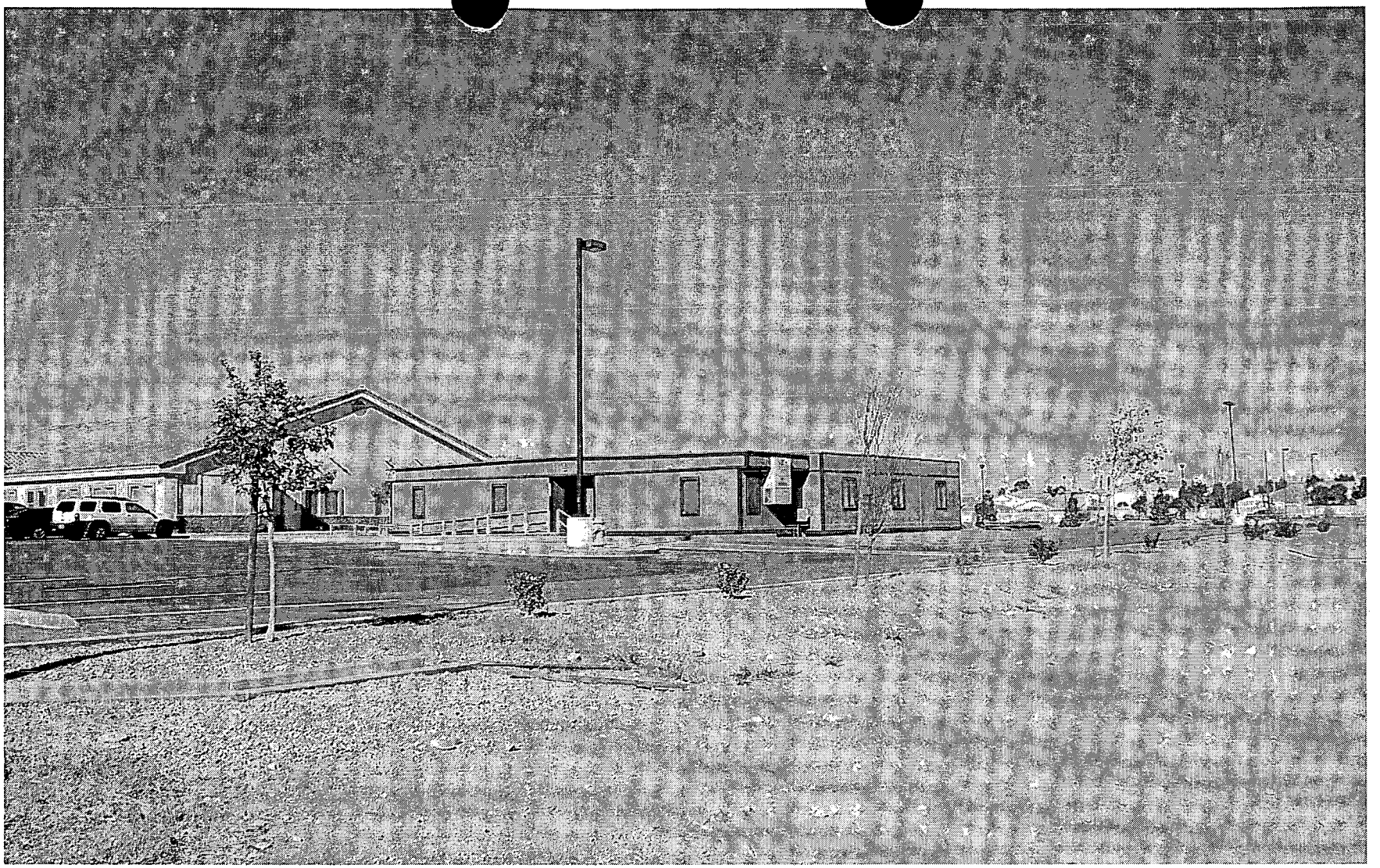
03112

SEPTEMBER 2, 2003



SDR-3201 - TABERNACLE OF PRAISE CHURCH OF GOD IN CHRIST ON BEHALF OF THE BUREAU OF LAND MANAGEMENT
7550 Constantinople Avenue
FEBRUARY 18, 2004 CITY COUNCIL MEETING

Picture taken 02/04/04



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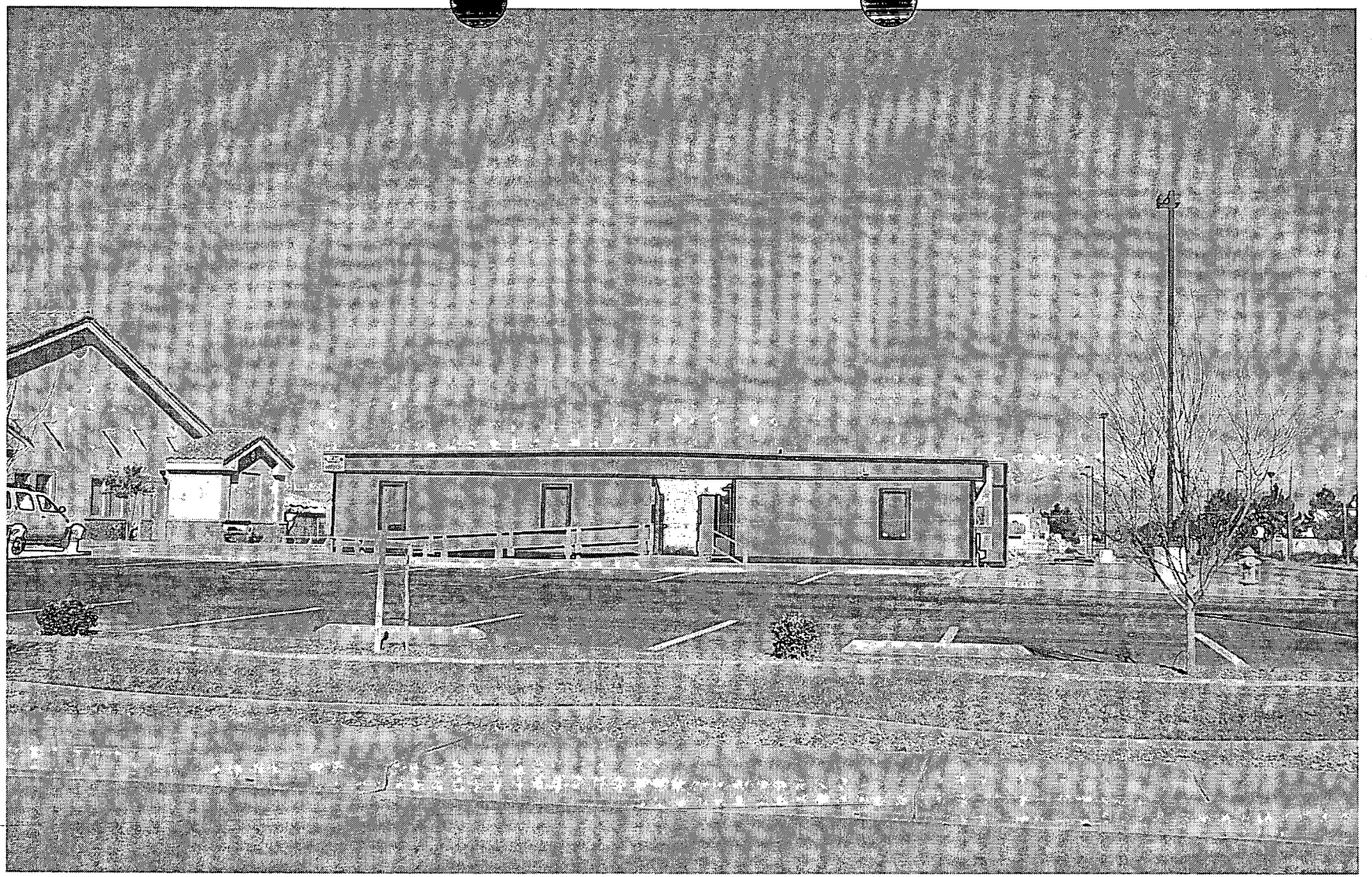

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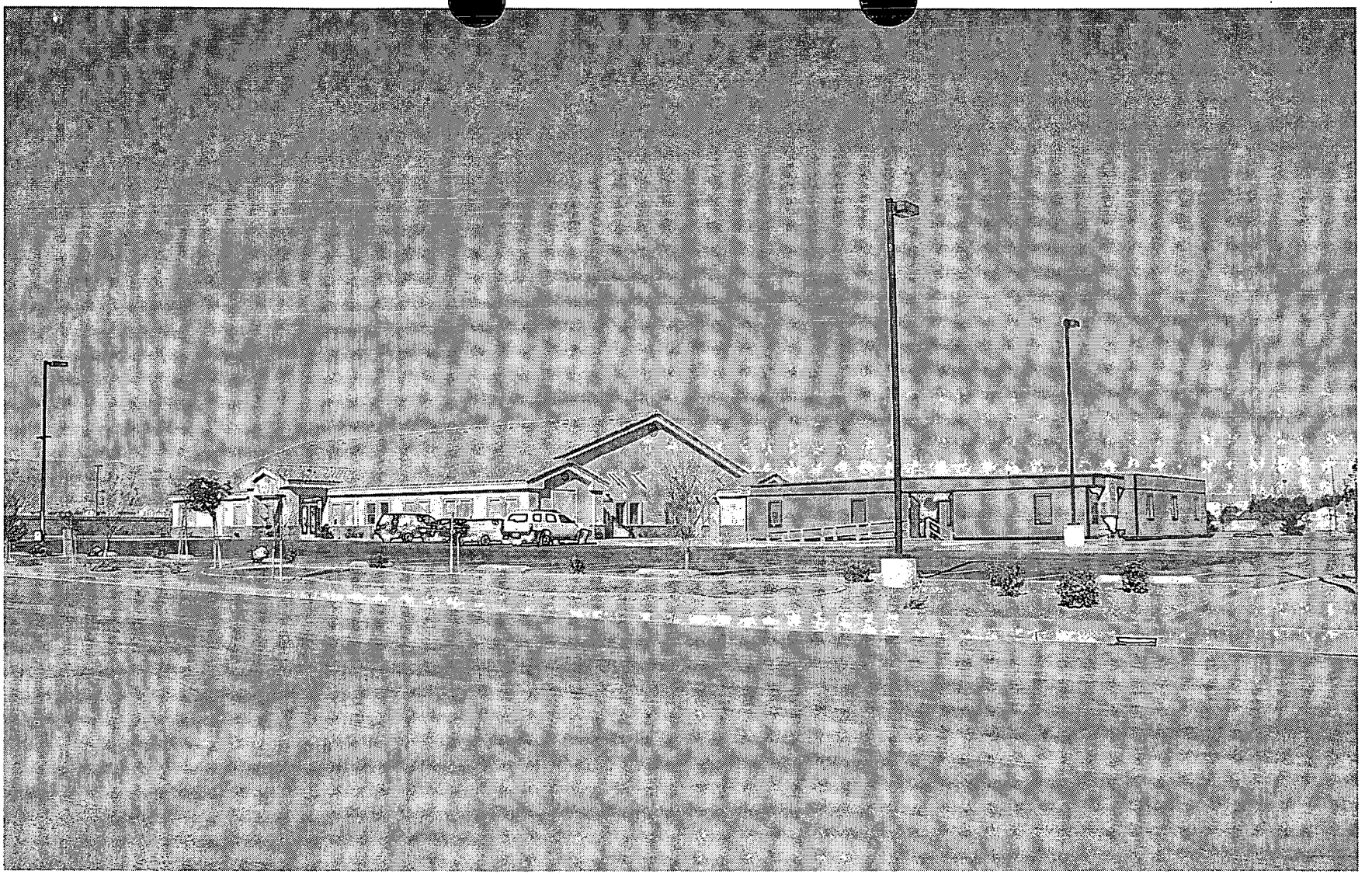

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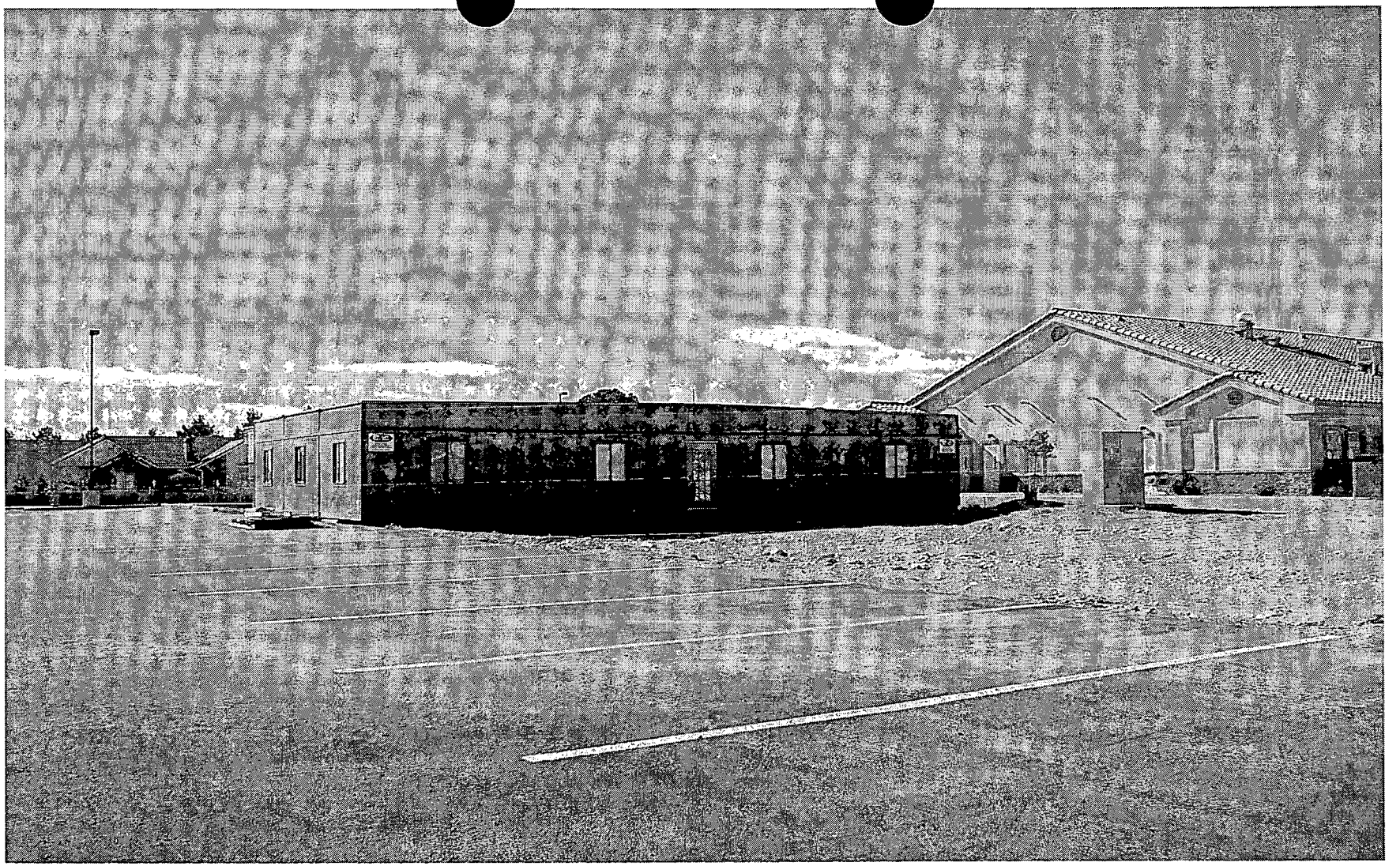

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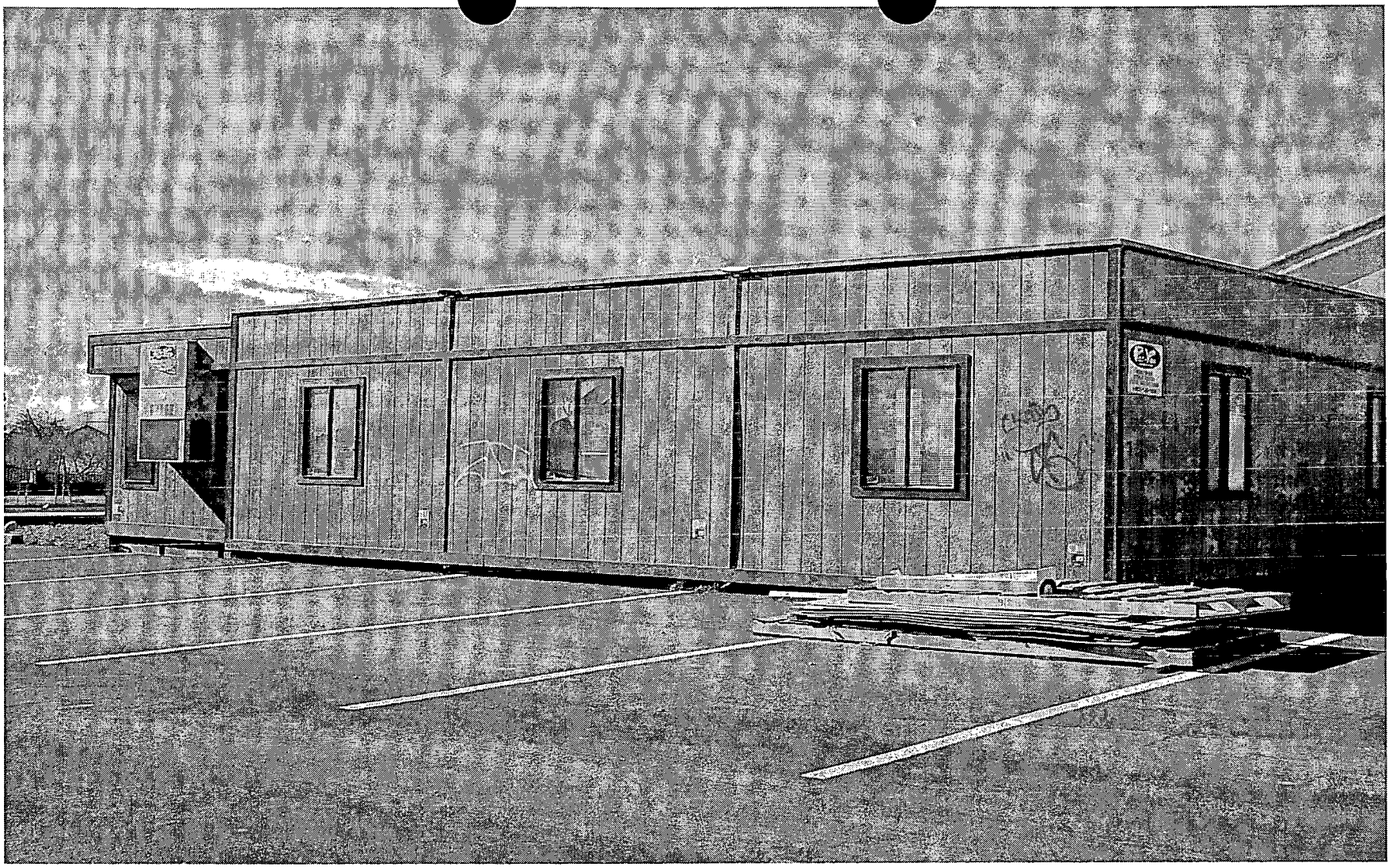
FEBRUARY 18, 2004 CITY COUNCIL MEETING

Picture taken 02/04/04



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7550 Constantinople Avenue
FEBRUARY 18, 2004 CITY COUNCIL MEETING

Picture taken 02/04/04

City of Las Vegas

Agenda Item No. 74

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
REVIEW OF CONDITION - **ROC-3757 - APPLICANT: DAISY LEE, LIMTED LIABILITY COMPANY - OWNER: FLORENCE ENTERPRISES, LIMITED LIABILITY COMPANY** - Request for a Review of Conditions No. 4, 5, and 7 regarding minimum lot size and setbacks of an approved Site Development Plan Review (SDR-2598) FOR A 58-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 4.8 acres adjacent to the west side of North Jones Boulevard, approximately 620 feet north of West Lake Mead Boulevard (APN: 138-23-601-007), R-E (Residence Estates) Zone under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units Per Acre), Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that the subject property is located in the vicinity of a SuperPawn owned by his brother, STEVEN MACK. He has not spoken to his brother and believes that this review will not have any affect on his business, and therefore will vote on the item.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

SHARON BULLOCK, 2009 Alta Drive, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

CITY COUNCIL MEETING OF FEBRUARY 18, ,2004
Planning and Development Department
Item 74 – ROC-3757

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing closed.
(1:41 – 1:42)
3-853

CONDITIONS:
1. Replace condition 4 with the following: "The building height shall not exceed two stories or 35 feet, whichever is less."

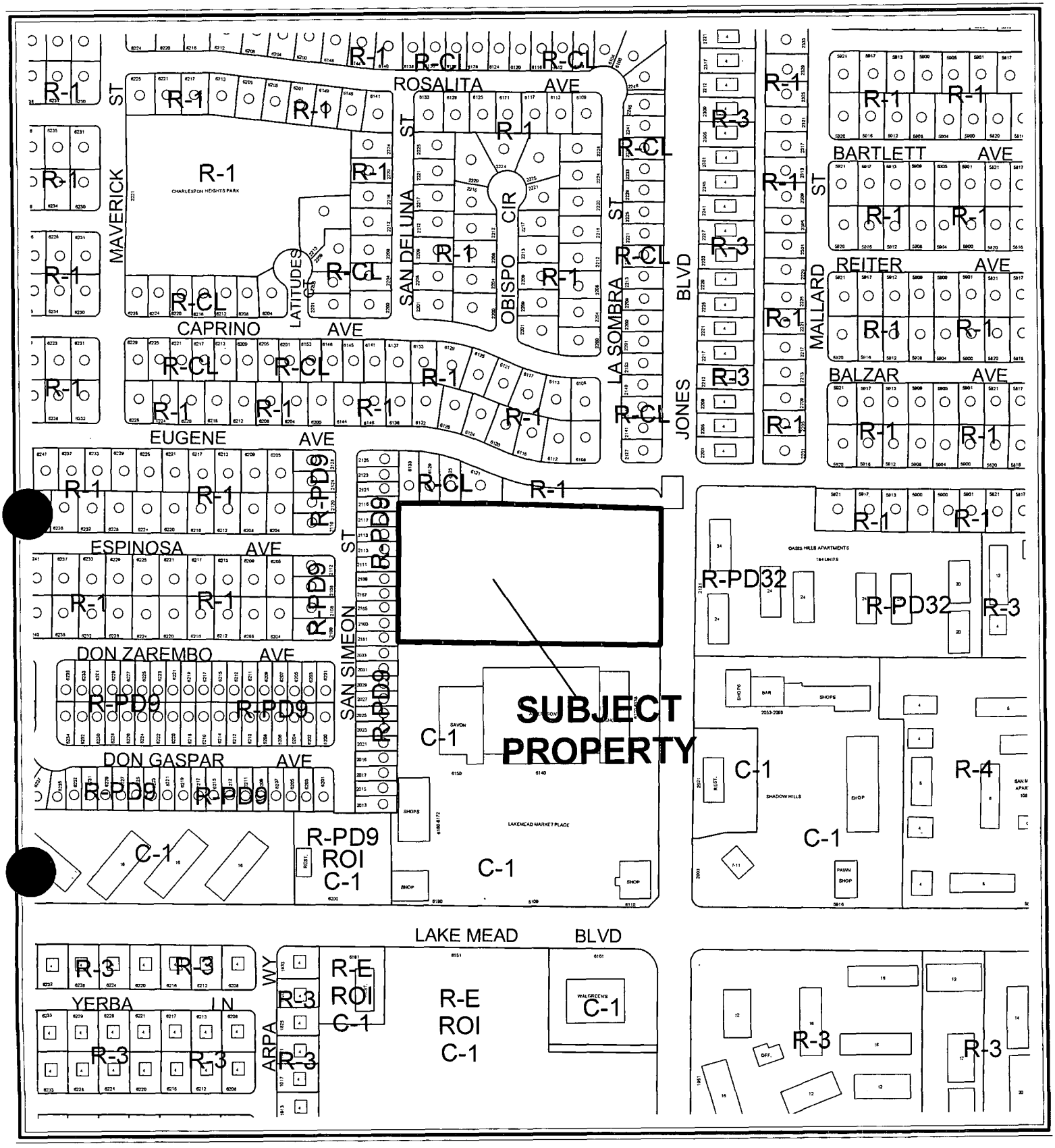
2. Replace condition 5 with the following:
The setbacks for this development shall be:
Setbacks – Exterior Lots (Typical)
- Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- Side = 3 feet on one side and 6 feet on the other side
- Rear = 8 feet and 4 feet for the lots along Jones Boulevard

Setbacks– Exterior Lots (Knuckle Lots)
- Front = minimum of 18 feet to the front of house/garage/carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- Side = 3 feet on one side and 5 feet on the other side
- Rear = 8 feet

Setbacks – Interior Lots (including corner lots)
- Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- Side= 3 feet on one side and 6 feet on the other side
- Rear = 4 feet

3. Condition 7 shall be deleted.

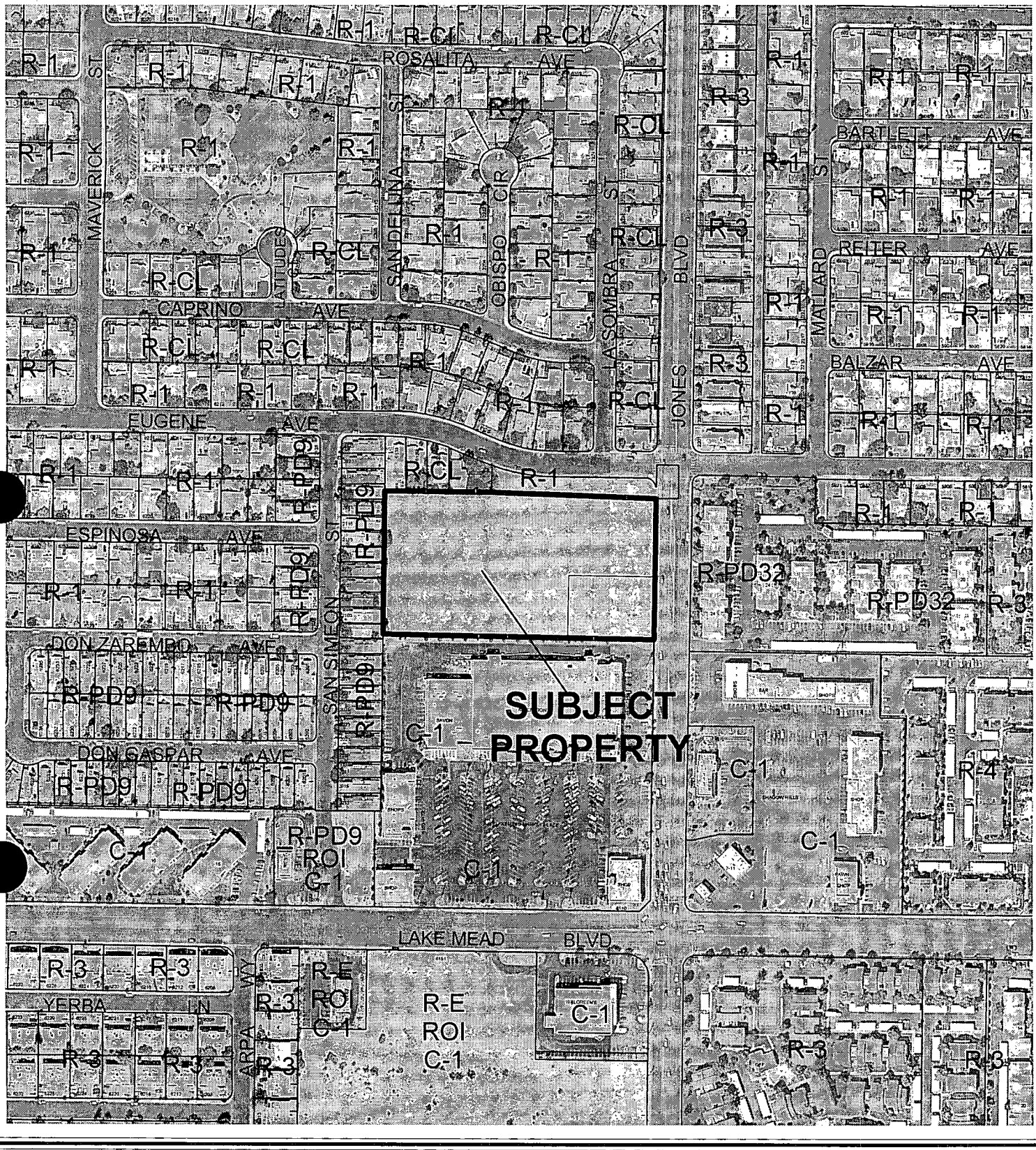
4. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-2598).



CASE: ROC-3757

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)



0 200 400 Feet

CASE: ROC-3757

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: ROC-3757 - APPLICANT: DAISY LEE, LIMITED LIABILITY COMPANY - OWNER: FLORENCE ENTERPRISES, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends APPROVAL, subject to:

1. Replace condition 4 with the following: "The building height shall not exceed two stories or 35 feet, whichever is less."

2. Replace condition 5 with the following:
   The setbacks for this development shall be:
   Setbacks – Exterior Lots (Typical)
   - Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
   - Side = 3 feet on one side and 6 feet on the other side
   - Rear = 8 feet and 4 feet for the lots along Jones Boulevard

   Setbacks– Exterior Lots (Knuckle Lots)
   - Front = minimum of 18 feet to the front of house/garage/carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
   - Side = 3 feet on one side and 5 feet on the other side
   - Rear = 8 feet

   Setbacks – Interior Lots (including corner lots)
   - Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
   - Side= 3 feet on one side and 6 feet on the other side
   - Rear = 4 feet

3. Condition 7 shall be deleted.

4. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-2598).

** STAFF REPORT **

APPLICATION REQUEST

Request for a Review of Conditions No. 4, 5, and 7 regarding minimum lot size and setbacks of an approved Site Development Plan Review (SDR-2598) for a 58-lot single family residential development on 4.83 acres adjacent to the west side of North Jones Boulevard, approximately 620 feet north of West Lake Mead Boulevard.

BACKGROUND DATA

A) Previous Actions

07/24/03 The City Council approved a General Plan Amendment (GPA-2596) from SC (Service Commercial) and ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-2597) from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential) to R-PD12 (Residential Planned Development - 12 Units Per Acre), and a Variance (VAR-2599) to allow 0.53 acres of open space where 0.95 acres is required on this site. The Planning Commission recommended approval of all the applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 4.83 acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Commercial
East:	Multi-Family Residential
West:	Single Family Residential

C) Planned Land Use

Subject Property:	MLA (Medium-Low Attached Residential)
North:	ML (Medium Low Density Residential)
South:	SC (Service Commercial)
East:	H (High Density Residential)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to R-PD12 (Residential Planned Development-12 Units Per Acre)
North:	R-1 (Single Family Residential)
	R-CL (Single Family Compact-Lot)
South:	C-1 (Limited Commercial)
East:	R-PD32 (Residential Planned Development – 32 Units Per Acre)
West:	R-PD9 (Residential Planned Development – 9 Units Per Acre)

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

The site is not subject to any Special Area Plans, Overlay Districts, Study Areas, or trail requirements.

ANALYSIS & FINDINGS

Conditions number 4, 5, and 7 from the Site Development Plan Review (SDR-2598) are recommended to be modified or deleted as listed below. Changes to condition 4 and the rear setback in condition 5 for 'Exterior Lots (Typical)' are due to an oversight during the initial Site Development Plan review application. The original site plan depicted lots ranging in size from 1,829 square feet up to 4,069 square feet. Condition 4 stated a minimum lot size of 2,200 square feet which was not correct. The change to condition 5 for the rear setback for 'Exterior Lots (Typical)' are pertaining to the lots adjacent to Jones Boulevard. The original site plan depicted an eight-foot setback from the property line of the site but not from the rear lot line. The dwellings will be setback a minimum of four-feet from the block wall (rear lot line) and will be a minimum of eight-feet from the property line of the site. The changes in the side setbacks are due to the applicant's decision to no longer provide a zero-foot side yard setback. Condition 7 is recommended for deletion since the applicant has eliminated the trellis structure by the front door of each dwelling.

Changes to condition 4:
Existing:

4. The standards for this development shall include the following: minimum lot size of 2,200 square feet and building height shall not exceed two stories or 35 feet, whichever is less.

Proposed:

4. The building height shall not exceed two stories or 35 feet, whichever is less.

Changes to condition 5:

5. The setbacks for this development shall be:

~~Min.~~ Setbacks – Exterior Lots (Typical)

- Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- ~~Side = 0 feet on one side and 10 feet on the other side with 5 feet to the trellis~~
- Side = 3 feet on one side and 6 feet on the other side
- ~~Rear = 8 feet~~
- Rear = 8 feet and 4 feet for the lots along Jones Boulevard

~~Min.~~ Setbacks– Exterior Lots (Knuckle Lots)

- Front = minimum of 18 feet to the front of house/garage/carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- ~~Side = 0 Feet on one side and 5 feet on the other side to the house with 5 Feet to the trellis~~
- Side = 3 feet on one side and 5 feet on the other side
- Rear = 8 feet

~~Min~~. Setbacks – Interior Lots (including corner lots)

- Front = maximum of 5 feet to the front of the garage and a minimum of 18 feet to the back of the carport as measured from back of sidewalk or from back of curb if no sidewalk is provided
- ~~Side= 0 feet on one side and 10 feet on the other side with 5 feet to the trellis~~
- Side= 3 feet on one side and 6 feet on the other side
- ~~Corner = 10 feet with 5 feet to the trellis~~
- Rear = 4 feet

Changes to condition 7:

Condition #7 shall be deleted since the trellis structure has been removed from the plans.

7. The trellis structure located over the front door entry shall not be enclosed for additional living space.

SITE PLAN

The site plan depicts a 58-lot single-family residential development on 4.83 acres with one access point from Jones Boulevard. The lots will be accessed from 37-foot wide private streets with "L" curbs. Lot sizes range from 1,829 square feet to 3,829 square feet. Sidewalks are proposed adjacent to the interior lots. The site plan provides 23,086 square feet of open space and the average density is 12.0 units per acre.

LANDSCAPE PLAN

The proposed changes will not affect the landscape plan as reviewed with the Site Development Plan review (SDR-2598).

FINDINGS

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

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

   The proposed modifications and deletion of condition 7 will not affect the project's compatibility with the surrounding developments.

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 setback changes are consistent with Title 19, which allows for the establishment of setbacks for R-PD (Residential Planned Development) zoned properties on a project-by-project basis.

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

   The proposed setback modifications and the deletion of condition 7 will not affect site circulation or traffic in the area.

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

   The proposed setback modifications and the deletion of condition 7 will not change the building or landscape materials for this development.

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

   The proposed setback modifications and the deletion of condition 7 will not affect the project's appearance or compatibility with the surrounding developments.

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

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

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3757 APN: _____

Name of Property Owner: FLORENCE ENTERPRISES

Name of Applicant: KEN Richardson

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: Z. Cliff

Print Name: Z. CLIFF SINGLETON

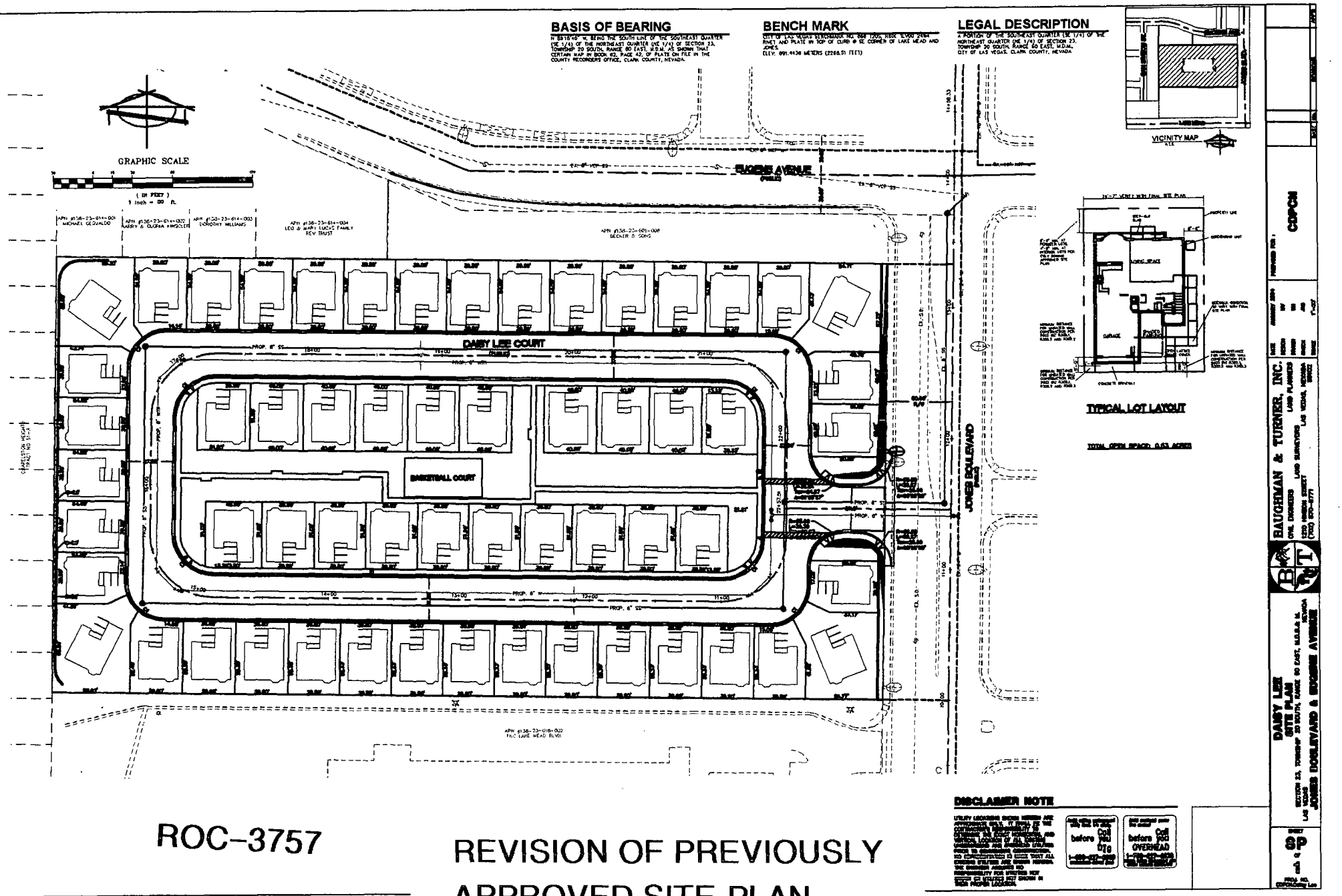
Subscribed and sworn before me

This 27 day of January, 2004

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
GILBERT NOCKOWITZ
My Appointment Expires
April 14, 2007
No: 03-81326-1



ROC-3757

2-18-04 CC

REVISION OF PREVIOUSLY APPROVED SITE PLAN

City of Las Vegas

Agenda Item No. 75

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3494 - KB HOME ON BEHALF OF IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 6 of an approved Site Development Plan Review [Z-0059-01(2)] TO MODIFY THE REAR SETBACK TO ALLOW A 12 FOOT REAR SETBACK WHERE A 15 FOOT REAR SETBACK IS REQUIRED on approximately 40 acres adjacent to the northeast corner of Brent Lane and Bradley Road (APN: 125-12-501-004, 125-12-510-001 through 078), R-E (Residence Estates) Zone under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 6 (Mack).The Planning Commission (4-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
MACK – APPROVED subject to condition – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

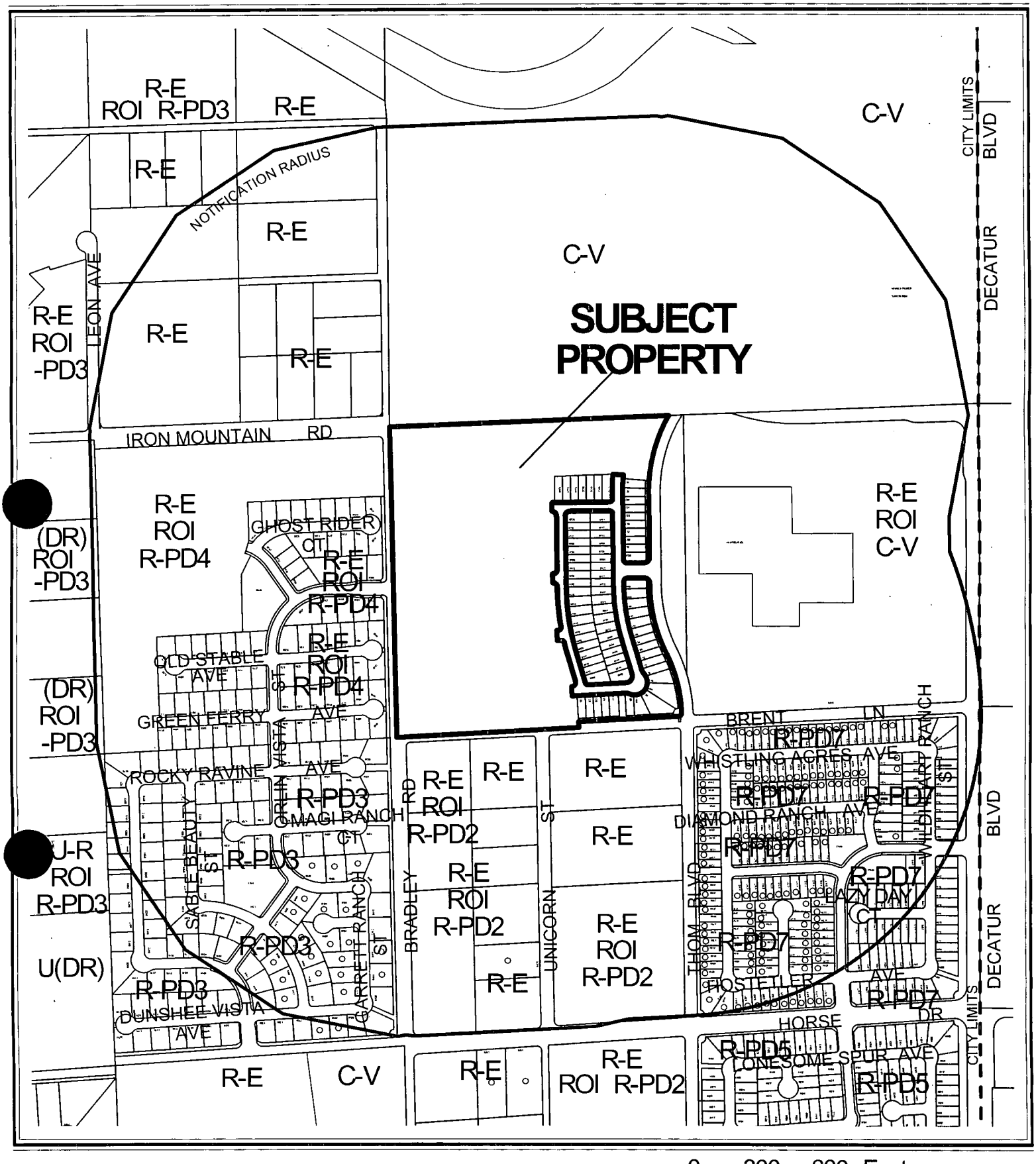
CHRISTA SQUILLANTE, 750 Pilot Road, appeared on behalf of KB Home and concurred with staff conditions.

TOM McGOWAN, Las Vegas resident, asked the reason for the reduction of the rear setback. COUNCILMAN MACK replied that the Regional Transportation Commission (RTC) requested it for a bus turnout lane. MR. McGOWAN argued a bus turnout was not provided at Bonanza Road, where a handicapped person cannot descend from the bus onto the sidewalk because there is not enough setback.
No one appeared in opposition.

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 75 – ROC-3494

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing closed.
(1:42 – 1:44)
3-910

CONDITIONS:
Planning and Development
1. Condition number 6 of the Site Development Plan Review is amended so that all of the rear yard setbacks for this development shall be 12 feet.



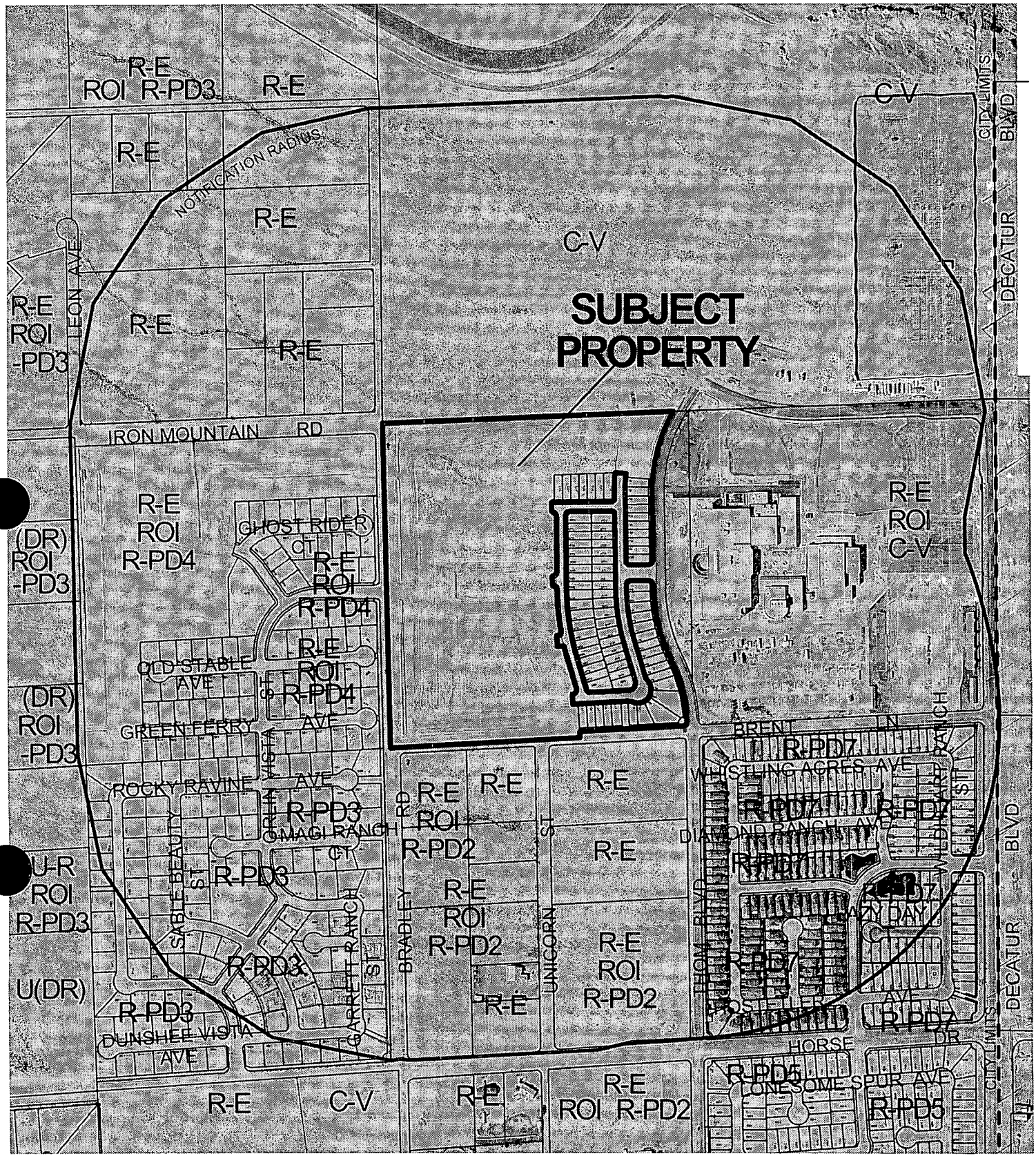
0 300 600 Feet

CASE: **ROC-3494**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



CASE: **ROC-3494**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3494 - KB HOME ON BEHALF OF IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Condition number 6 of the Site Development Plan Review is amended so that all of the rear yard setbacks for this development shall be 12 feet.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition Number 6 of an approved Site Development Plan Review [Z-0059-01(2)] that required a 15 foot rear yard setback for a proposed Single-Family Residential Development on 39 acres adjacent to the northeast corner of Bradley Road and Brent Lane.

B) Applicant's Justification

The applicant's justification letter indicates they are proposing a 12 foot rear yard setback in order to allow for a balcony option on a model within this development. With the balcony, the approved 15 foot setback cannot be met.

BACKGROUND INFORMATION

A) Previous Actions

10/12/98 The City Council approved a Rezoning (Z-0016-98) R-PD5 (Residential Planned Development – 5 Units Per Acre) on this site as part of a larger request. This approval also adopted the Iron Mountain Ranch Residential Planned Development Master Plan. The Planning Commission recommended approval on August 13, 1998. The Planning and Development Department recommendation was for approval.

09/05/01 The City Council approved a Major Modification [Z-0016-98(7)] to the Iron Mountain Ranch Master Plan to increase the allowable density on this site as part of a larger request. The Planning Commission recommended approval on July 26, 2001. The Planning and Development Department recommendation was for approval.

10/03/01 The City Council approved a Rezoning (Z-0059-01) to R-PD7 (Residential Planned Development – 7 Units Per Acre and a Site Development Plan Review [Z-0059-01(2)] on this site. The Planning Commission recommended approval on August 23, 2001. The Planning and Development Department recommendation was for approval.

01/22/04 The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #16/mp).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 39.0

B) Existing Land Use

Subject Property:	Undeveloped and Single Family Residences (Under Construction)
North:	Undeveloped
South:	Undeveloped
East:	High School (Under Construction)
West:	Undeveloped and Single Family Residences (Under Construction)

C) Planned Land Use

Subject Property:	ML (Medium Low Density Residential)
North:	PF (Public Facility)
South:	DR (Desert Rural Density Residential)
East:	PF (Public Facility)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to R-PD7 (Residential Planned Development – 7 Units Per Acre)
North:	C-V (Civic)
South:	R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
East:	R-E (Residence Estates) under Resolution of Intent to C-V (Civic)
West:	R-E (Residence Estates) under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units Per Acre)

E) General Plan Compliance

The site is designated ML (Medium Low Density Residential) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The approved R-PD7 (Residential Planned Development – 7 Units Per Acre) Zoning designation is in conformance with the General Plan.

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

This site is located in the Iron Mountain Ranch Master Plan area. This request is to change the required rear yard setback for this development only and therefore does not affect the Iron Mountain Ranch requirements.

PROJECT DESCRIPTION

The applicant is proposing to change the required rear yard setback for this development from 15 feet to 12 feet in order to accommodate a model with a balcony. None of the other approved setbacks for this development will change.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the following Development Standards are proposed for this project:

Standards	Proposed	Acceptable
Typical Lot Size	3,500 SF	Y
Min. Setbacks		
• Front	18 Feet	Y
• Side	5 Feet	Y
• Corner Side	10 Feet	Y
• Rear	12 Feet	Y

This request only proposes to change the rear yard setback. The other setbacks will remain as previously approved with the Site Development Plan Review [Z-0059-01(2)].

B) General Analysis and Discussion

- Site Plan

The proposed change to the rear yard setback to 12 feet is appropriate in that the lots are similar in size to an R-CL (Single Family Compact-Lot) development, which requires a 10 foot rear yard setback.

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 setback change will not affect this project's compatibility with the surrounding developments.

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 12 foot rear yard setback is consistent with Title 19, which allows for the establishment of setbacks for R-PD (Residential Planned Development) zoned projects to create setbacks on a case by case basis.

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

   The proposed setback change will not affect site circulation and traffic in the area.

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

   The proposed setback change will not change the building or landscape materials for this development.

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

   The proposed setback change will not affect this project's appearance and compatibility with the surrounding developments.

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

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

NOTICES MAILED 208 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-3494 APN: 125-12-501-004 : 125-12-510-001 to 078

Name of Property Owner: Iron Mountain Ranch Alliance, LLC

Name of Applicant: KB HOME Nevada Inc.

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: JOSEPH A. DEBELLIS, MANAGER

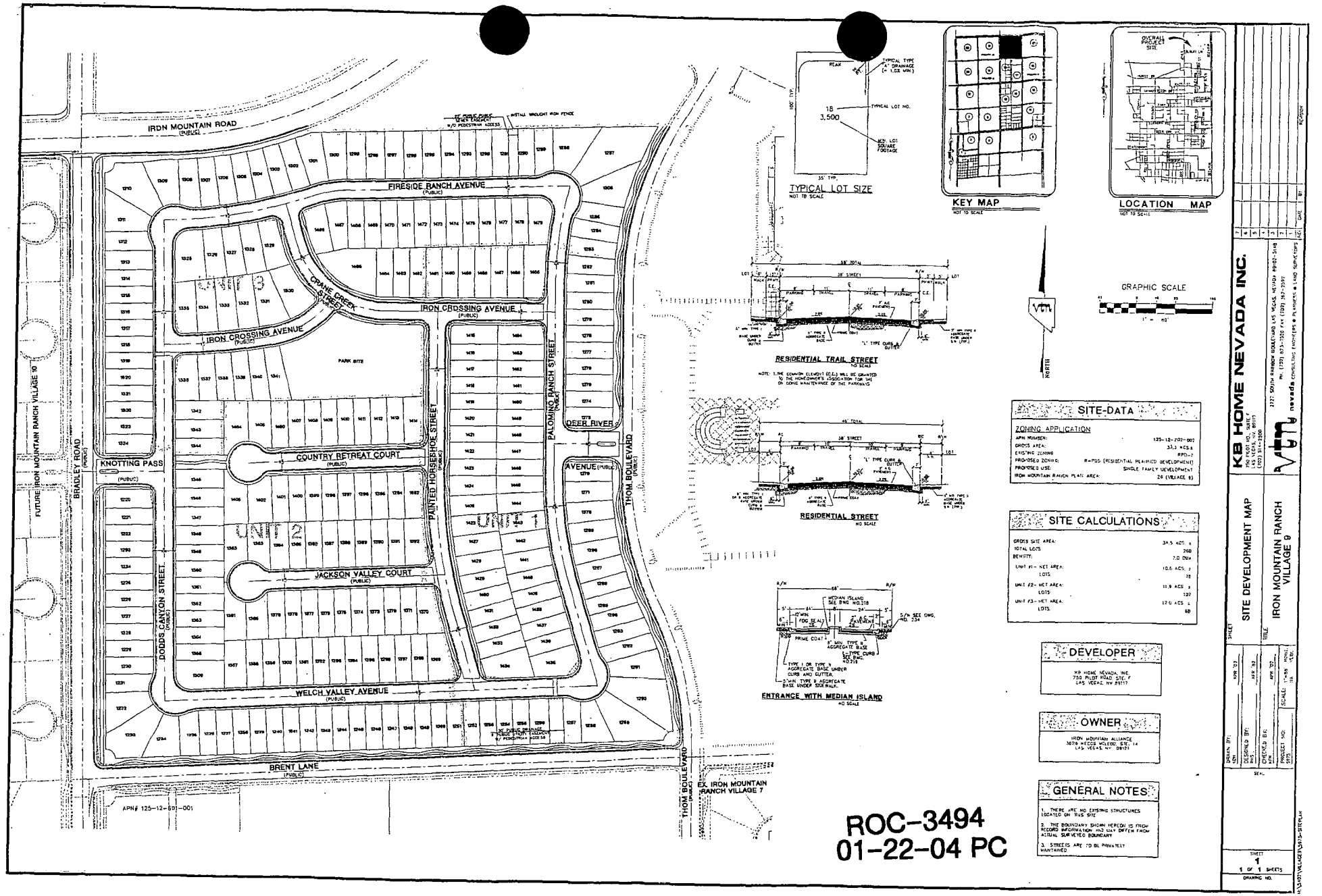
Subscribed and sworn before me

This 5th day of December, 2003

[signature]

Notary Public in and for said County and State

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



SITE-DATA

ZONING APPLICATION

APN NUMBER:	125-12-202-002
GROSS AREA:	33.1 ACS. ±
EXISTING ZONING	RPD-7
PROPOSED ZONING:	R-PUD (RESIDENTIAL PLANNED DEVELOPMENT)
PROPOSED USE:	SINGLE FAMILY DEVELOPMENT
IRON MOUNTAIN RANCH PLAN AREA:	26 (VILLAGE 9)

SITE CALCULATIONS

GROSS SITE AREA:	34.5 ACS. ±
TOTAL LOTS	260
DENSITY:	7.5 DUA
UNIT #1 - NET AREA:	10.6 ACS. ±
LOTS	78
UNIT #2 - NET AREA:	11.9 ACS ±
LOTS	122
UNIT #3 - NET AREA:	12.0 ACS ±
LOTS	60

DEVELOPER

KB HOME NEVADA INC.
7250 PILOT ROAD STE. F
LAS VEGAS, NV 89117

OWNER

IRON MOUNTAIN ALLIANCE
3670 N. RANCHO DRIVE, STE. 14
LAS VEGAS, NV 89130

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE
2. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND MAY DIFFER FROM ACTUAL SURVEYED BOUNDARY
3. STREETS ARE TO BE PRIVATELY MAINTAINED

ROC-3494
01-22-04 PC

KB HOME NEVADA INC.
7250 PILOT RD., SUITE F
LAS VEGAS, NV 89119
(702) 873-5300

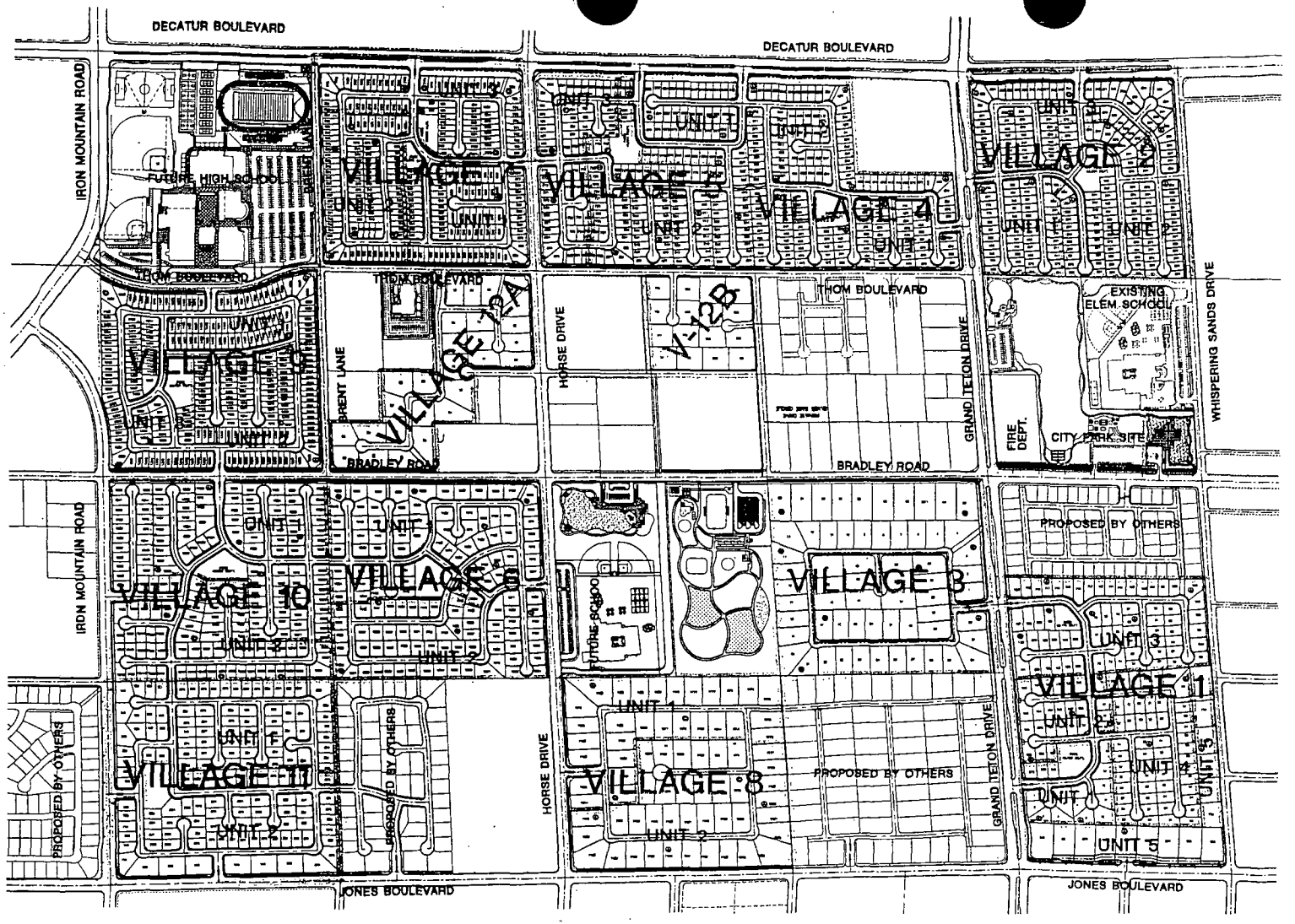
3727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89107-3148
PH. (702) 873-3500 FAX (702) 367-2597
nevada CONSULTING ENGINEERS ■ PLANNERS ■ LAND SURVEYORS

SHEET: SITE DEVELOPMENT MAP
TITLE: IRON MOUNTAIN RANCH VILLAGE 9

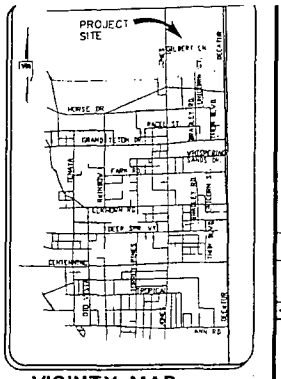
DRAWN BY: KRM '03
DESIGNED BY: MSP '03
CHECKED BY: MSP '03
PROJECT NO: 2003
SCALE: 1"=80' HORIZ. 1"=8' VERT.

SHEET 1
1 OF 1 SHEETS
DRAWING NO.

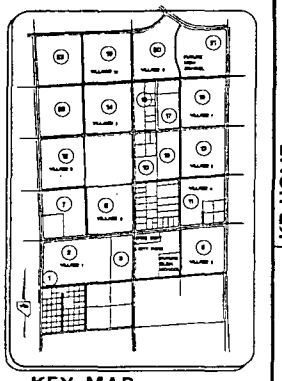
H:\LAND\VILLAGE9\2003-SITEPLAN



ROC-3494
01-22-04 PC



VICINITY MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE
(1) PLANNING AREA NUMBER

APN # 125-12 AND 125-13

IRON MOUNTAIN RANCH		
VILLAGE	# OF LOTS	ACREAGE
VILLAGE 1	175	51
VILLAGE 2	210	38
VILLAGE 3	82	37
VILLAGE 4	156	30
VILLAGE 5	208	40
VILLAGE 6	135	40
VILLAGE 7	256	40
VILLAGE 8	87	38
VILLAGE 9	260	39
VILLAGE 10	174	40
VILLAGE 11	144	40
VILLAGE 12A	27	17
VILLAGE 12B	18	10
TOTAL	1880	480

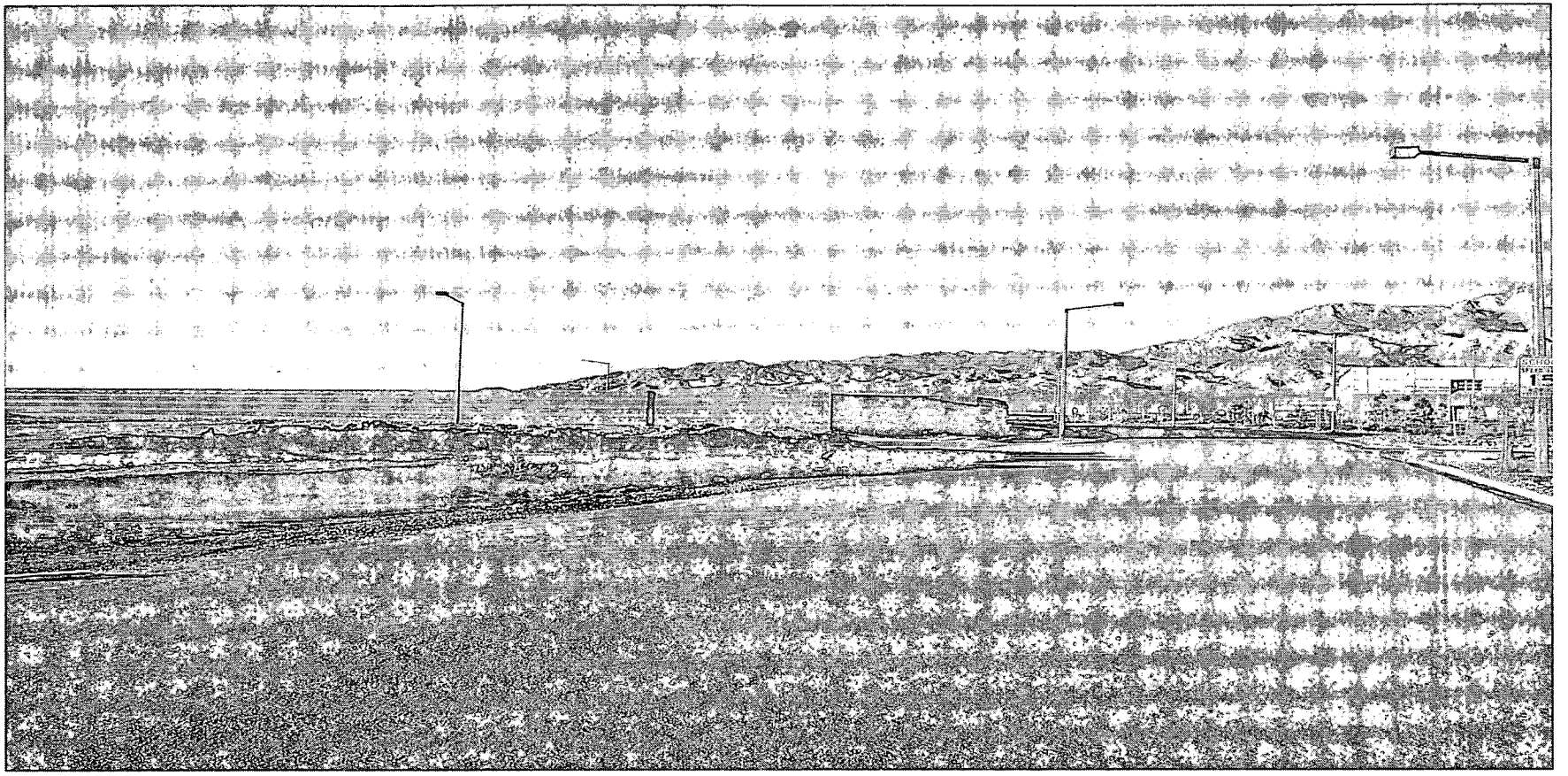
OVERALL
SITE DEVELOPMENT PLAN

KB HOME
CITY OF LAS VEGAS

IRON MOUNTAIN RANCH

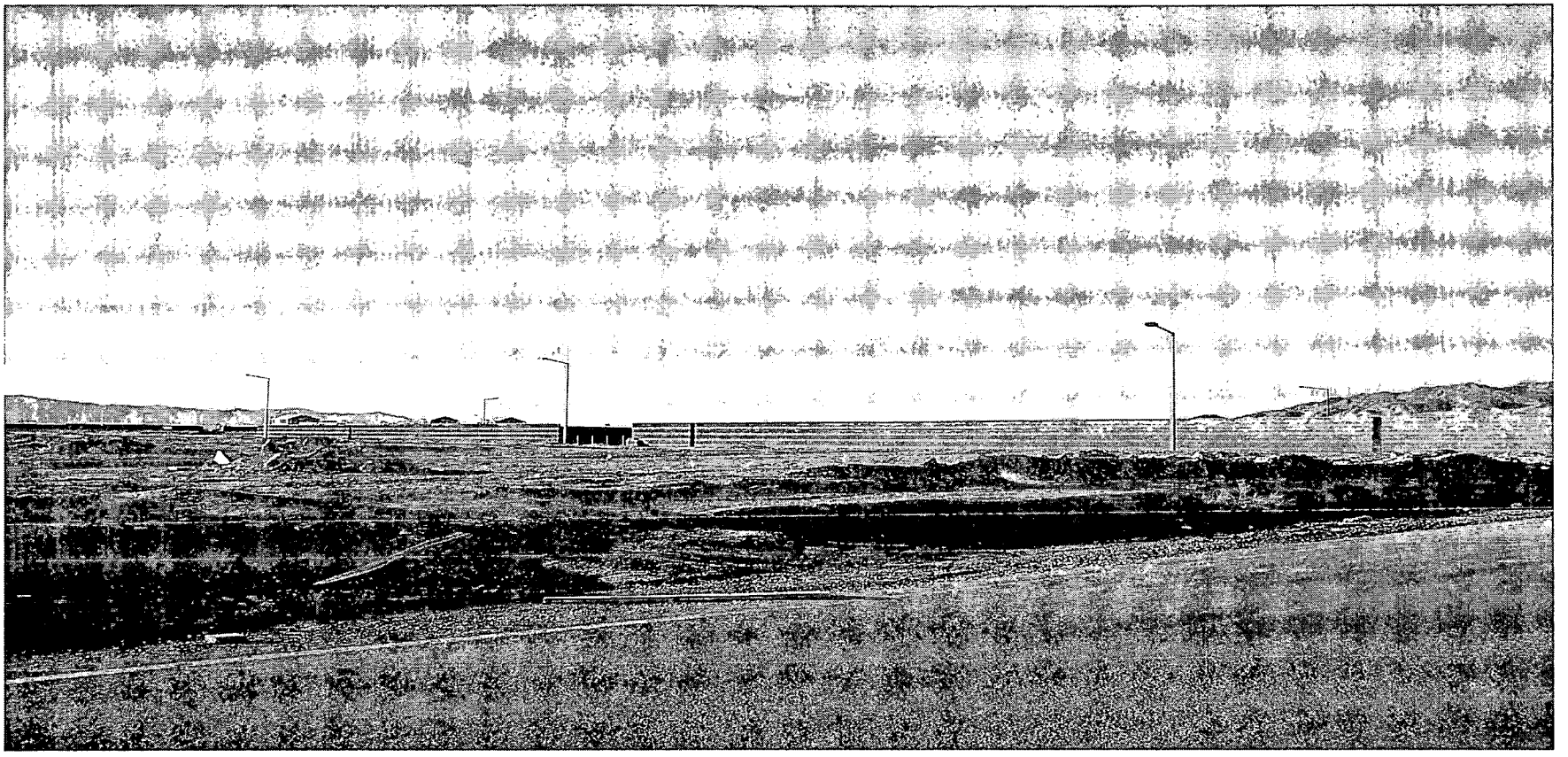
DRAWN BY:
DESIGNED BY:
CHECKED BY:
PROJECT NO.
SCALE:
APPR. BY:
APPR. BY:
APPR. BY:

SHEET
OSDP-1
1 OF 1 SHEETS
DRAWING NO.



ROC-3494 - KB HOME ON BEHALF OF IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF BRENT LANE AND BRADLEY ROAD
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04



ROC-3494 - KB HOME ON BEHALF OF IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF BRENT LANE AND BRADLEY ROAD
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04

ROC-3494 - KB HOME ON BEHALF OF IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF BRENT LANE AND BRADLEY ROAD
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04

City of Las Vegas

Agenda Item No. 76

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3502 - NICHOLLE JONES-PARKER ON BEHALF OF BARBARA ANN HOLLIER TRUST** - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING OFFICE TO A CHILD CARE CENTER at 3101 West Charleston Boulevard (APN: 162-05-112-008), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL. **(NOTE: Planning Commission agenda and Public Hearing notice incorrectly reflected the address as 3701 West Charleston Boulevard.)**

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 1/22/2004 Planning Commission meeting Item 93

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

SHERILYN HIDALGO appeared on behalf of the applicant.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:44 – 1:45)

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 76 – SDR-3502

CONDITONS:

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 date-stamped February 18, 2004, except as amended by conditions herein.

3. Conformance to all Minimum Requirements under Title 19.04.040 for a Child Care Center use.

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. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]

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

6. Parking lot lighting standards shall be no more than 30 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.

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

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

10. Trash enclosures shall be constructed to include screen walls and a roof.

11. The applicant shall meet with Planning and Development Staff to develop an address plan prior to the issue of permits.

CONDITONS – Continued:

Public Works

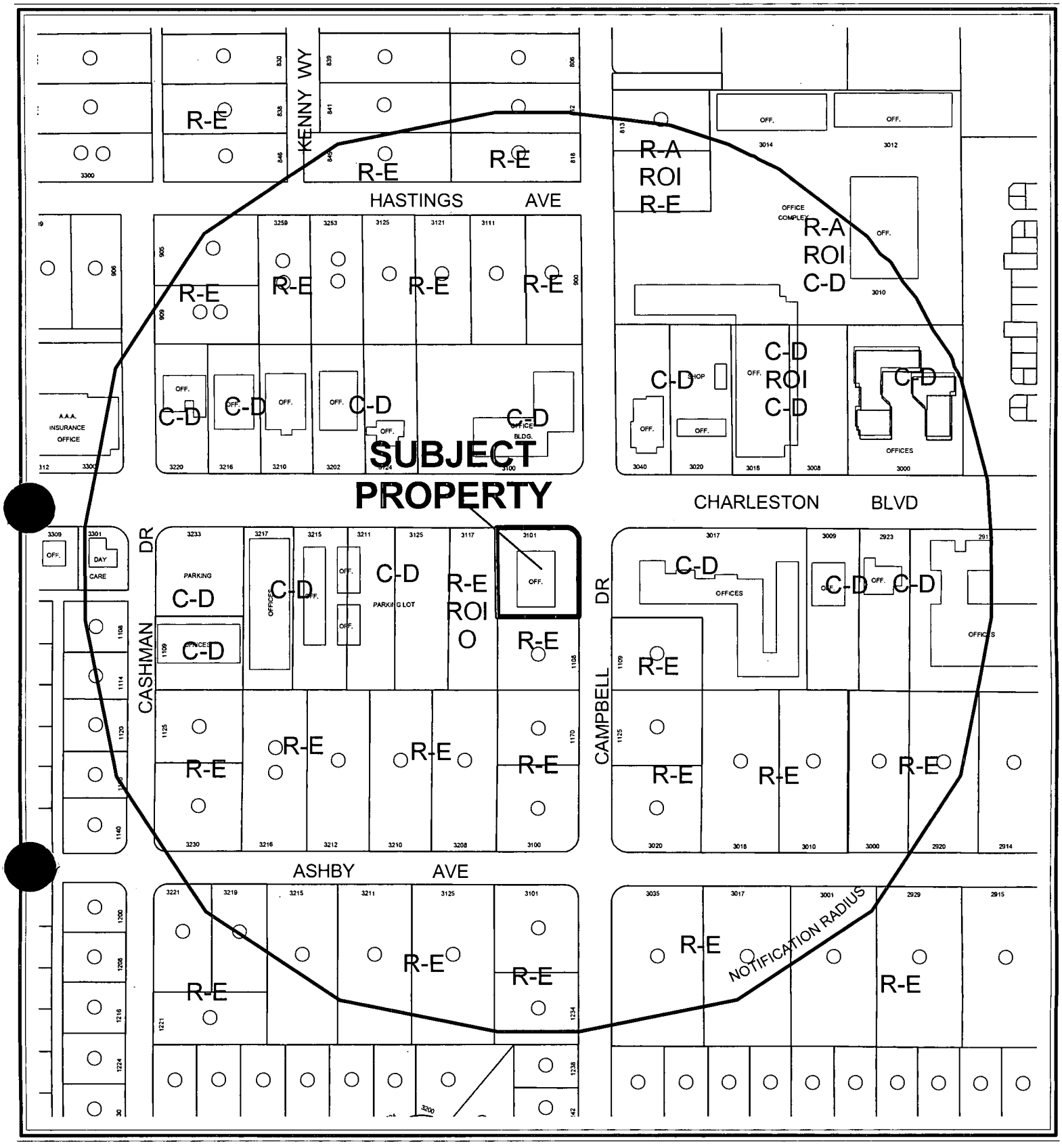
12. Provide a traffic chord easement on the southwest corner on Charleston Boulevard and Campbell Drive. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.

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

14. 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, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

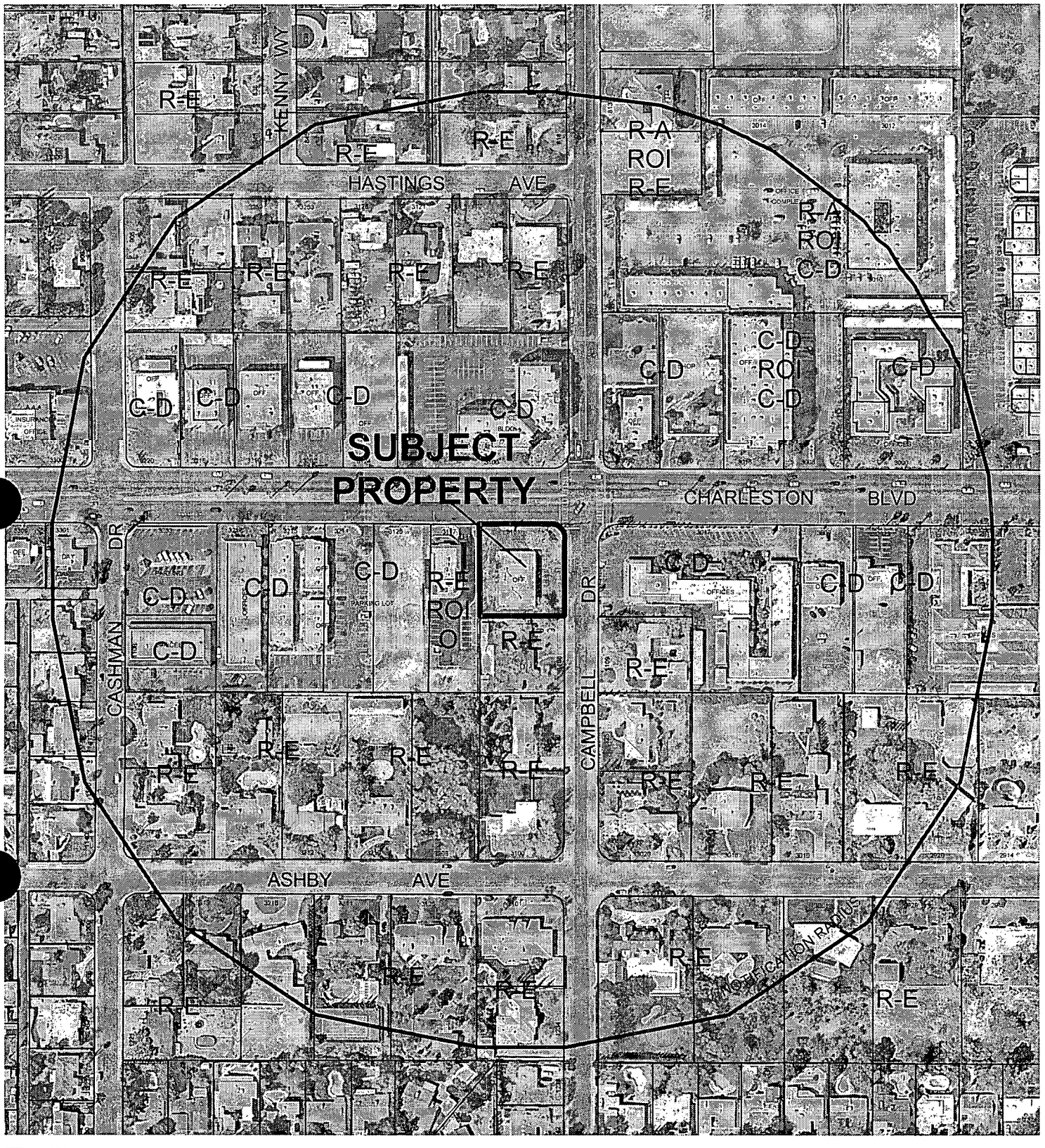
15. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and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



0 100 200 Feet

CASE: SDR-3502

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



CASE: SDR-3502

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3502 - NICHOLLE JONES-PARKER ON BEHALF OF BARBARA ANN HOLLIER TRUST

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date-stamped February 18, 2004, except as amended by conditions herein.

3. Conformance to all Minimum Requirements under Title 19.04.040 for a Child Care Center use.

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. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]

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

6. Parking lot lighting standards shall be no more than 30 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.

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

10. Trash enclosures shall be constructed to include screen walls and a roof.

11. The applicant shall meet with Planning and Development Staff to develop an address plan prior to the issue of permits.

Public Works

12. Provide a traffic chord easement on the southwest corner on Charleston Boulevard and Campbell Drive. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.

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.

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    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.

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a site development plan review for the conversion of an existing office to a childcare center at 3101 West Charleston Boulevard.

B) Applicant's Justification

The applicant's justification letter states that the project will meet all conditions and requirements.

BACKGROUND INFORMATION

A) Previous Actions

03/21/79	The Board of City Commissioners approved a Rezoning (Z-0010-79) from R-E (Residence Estates) to P-R (Professional Office and Parking) on the subject site. The Planning Commission and staff recommended approval.
03/22/79	The Board of Zoning Adjustment approved a Variance (V-0010-79) to allow an 18-foot rear yard setback where 50 was required on the subject site.
06/19/02	The City Council approved a General Plan Amendment (GPA-0047-01) on the subject site as part of a larger request. The Planning Commission was unable to obtain a supermajority therefore the application was sent forward with a recommendation of denial. Staff recommended approval of the request.
01/22/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #93/al).

B) Pre-Application Meeting

11/19/03	Various design standards were discussed as was access from Charleston Boulevard. A parking analysis was required as a part of the site plan. It was determined that since the scope of work does not include any additional square footage to the existing building that the project will not be subject to landscaping standards, such as providing 15-foot planters along public rights-of-way.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.54

B) Existing Land Use

Subject Property:	Office building
North:	Office building
South:	Single family dwelling
East:	Office building
West:	Office building

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	P-R (Professional Office and Parking)
North:	C-D (Designed Commercial)
South:	R-E (Residence Estates)
East:	C-D (Designed Commercial)
West:	R-E (Residence Estates) under resolution of intent to O (Office)

E) General Plan Compliance

The O (Office) category of the Southeast General Plan provides for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

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

Study Area - Rancho/Charleston Study Area

The Planning and Development Department performed a land use study on the Rancho/Charleston Area beginning in 2001. The goal of the study was to identify a means of

preserving the integrity of the subject neighborhoods through land use planning. The plan recommended that the city begin to promote Charleston Boulevard as an office corridor throughout the Study Area, and allow only very low-density single-family development in the areas that are currently developed at this density. The study resulted in a city initiated General Plan Amendment (GPA-0047-01) to modify land use designations on a large portion of the Southeast Sector Plan. The General Plan Amendment was approved by the City Council on January 10, 2002.

Rural Preservation Neighborhood

Although the subject site is near rural preservation neighborhood parcels, because it is within 330 feet of a right-of-way greater than 99 feet, the rural preservation neighborhood requirements do not apply.

PROJECT DESCRIPTION

An existing, approximately 5,000 square foot building will be converted into a childcare center. The scope of work is limited to interior remodeling, reconfiguration of the parking area and the addition of a play area to the west of the existing structure. Existing landscape planters exist along Charleston Boulevard and Campbell Drive will remain. The childcare center will employ about seven people and will accommodate 97 children and will provide care for infants as well as after school care for older children.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	133 Feet	Y
Min. Setbacks			
• Front	20 Feet	48 Feet	Y
• Side	5 Feet	39 Feet	Y
• Corner	15 Feet	54 Feet	Y
• Rear	15 Feet	13' 8" (approved by a previous Variance)	Y
Max. Lot Coverage	50 %	21 %	Y
Max. Building Height	2 Stories / 35 Feet	1 Story	Y
Trash Enclosure	Walled w/a roof	Not indicated	N
Mech. Equipment	Screened	Not indicated	N

The proposed development meets the established development standards for the P-R (Professional Offices and Parking) zone. Any items not indicated on the site plan will be checked during the review of any building permit submittal for compliance with Title 19 requirements.

A2) Residential Adjacency Standards

The existing building was built prior to the residential adjacency standards contained in the current zoning code; therefore they do not apply to the proposal. However, the building is built so as to exceed the side yard setback of the abutting single-family dwelling. Additionally, although the building height is not indicated, because it is one-story it would likely be exempt from the current standards.

A3) Parking and Traffic Standards

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

Uses	Number	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Child care center	7 staff members 97 children	1 space/ staff member, plus 1 space/ 10 children	17	See below	17	See below
Handicap breakdown			16	1	16	1

The proposal meets the required parking standard.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Tree/6 Space	3 Trees	5 Trees
Buffer: • Min. Trees	1 Tree/20 Linear Feet	11 Trees	11 Trees
• Min. Zone Width	15 Feet		5 – 12 Feet
• Wall height	Match height of wall on adjacent residential property		Not indicated

According to Clark County Assessor's Office records, the existing office building was constructed in 1966; prior to the development standards contained in the current zoning code and is considered a legal, non-conforming building. It was determined at the pre-application meeting that because the applicant's scope of work is limited to interior remodeling and the reconfiguration of the parking lot and does not include additional square footage to the existing

building, the project will not be subject to the current landscaping standards. Although, the width of the existing planters does not meet current standards, the applicant is providing enhanced landscaping within the planters in accordance with today's standards.

A5) Sign Standards

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

Freestanding Signs:

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total (because lot is <43,000 SF)	1 / Street frontage 0 total
Maximum Area	48 SF.	Not indicated
Maximum Height	12 Feet	Not indicated
Minimum Setback	5 Feet	Not indicated
Illumination	Permitted	Not indicated

Monument Signs:

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	1 / Street frontage 1 total
Maximum Area	75 SF /sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	Not indicated
Illumination	Direct/Internal	Not indicated

Wall Signs:

Standards	Allowed	Provided
Maximum Number	1 / tenant per building elevation 2 total	Not indicated
Maximum Area	50 SF / sign	Not indicated
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

The site plan shows one existing sign along the Charleston Boulevard frontage, but no dimensions or details are provided. Any additional signage will be subject to Title 19 requirements and will be reviewed by the Planning Department when sign permits are applied for.

B) General Analysis and Discussion

- Zoning

A childcare center is a conditional use in the P-R (Professional Office and Parking) zone. Five standard conditions apply to the proposed business operation.

- Site Plan

The site plan depicts an existing building positioned southerly on the .54-acre lot. Existing landscape planters are located adjacent to Charleston Boulevard and Campbell Drive. Access will be via a one-way entrance from Charleston Boulevard and a two-way entrance/exit onto Campbell Drive. Parking spaces are located along two sides of the building, as well as some existing landscaping. The western portion of the site will be walled in to contain a new play area. Play structures are not indicated on the site plan but will be subject to the standard conditions for this use that include an eight-foot wall and evergreen trees spaces 20 feet on center when play areas are adjacent to residential uses, as is the case with a 30-foot section of the proposed play area.

- Waivers

There are no waiver requests associated with this application. It was determined at the pre-application meeting that because the applicant's scope of work does not include additional square footage to the existing building, the project will not be required to provide landscape planters in accordance with current standards.

- Landscape Plan

Existing planters exist along Charleston Boulevard and Campbell Drive that range in width from 5 to 12 feet. They will be planted with 24 and 36-inch box trees and shrubs. Plant material includes Crape Myrtle, California Pepper, Glossy Privet and Southern Magnolia trees along with Japanese Boxwood, Lily of the Nile and Fortnight Lilly shrubs.

- Elevation

Photos of the existing building show a one-story, brick-faced structure with a mansard roof. The main entrance is oriented towards Campbell Drive.

- Floor Plan

The interior will be remodeled to provide activity rooms, storage areas, and bathrooms and work rooms.

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 property has contained a commercial use for over 20 years and is located on Charleston Boulevard, a 100-foot primary arterial. Together with the fact that the proposed use will satisfy the minimum conditions for such use in the P-R (Professional Office and Parking) zone, the proposed development will be compatible with the surrounding area.

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

With implementation of the proposed conditions of approval and conformance to the standards for this conditional use, the development will be consistent with the general plan and Title 19.

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

Charleston Boulevard, a 100-foot primary arterial, will provide sufficient access for the proposed childcare center.

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

The proposed landscape materials are typical of other development in city limits. The use of brick-facing and columns on the existing building is visually pleasing.

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 of the site will vary little from its current condition in terms of the relationship of the building to the site. The existing landscape planters will be enhanced with additional landscaping and the parking area will be reconfigured to work more efficiently. The overall site will be compatible with the existing commercial development along Charleston Boulevard.

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

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 70 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number SDR-3502 APN: 162-05-112-008

Name of Property Owner: Barbara Lawson

Name of Applicant: Nicolle Jones-Parker

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

____ Yes ✓ 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: For Barbara A. Lawson Trustee Barbara Ann Haller Trust

Print Name: BARBARA A. LAWSON

Subscribed and sworn before me

This 8th day of December, 2003

Notary Public in and for said County and State

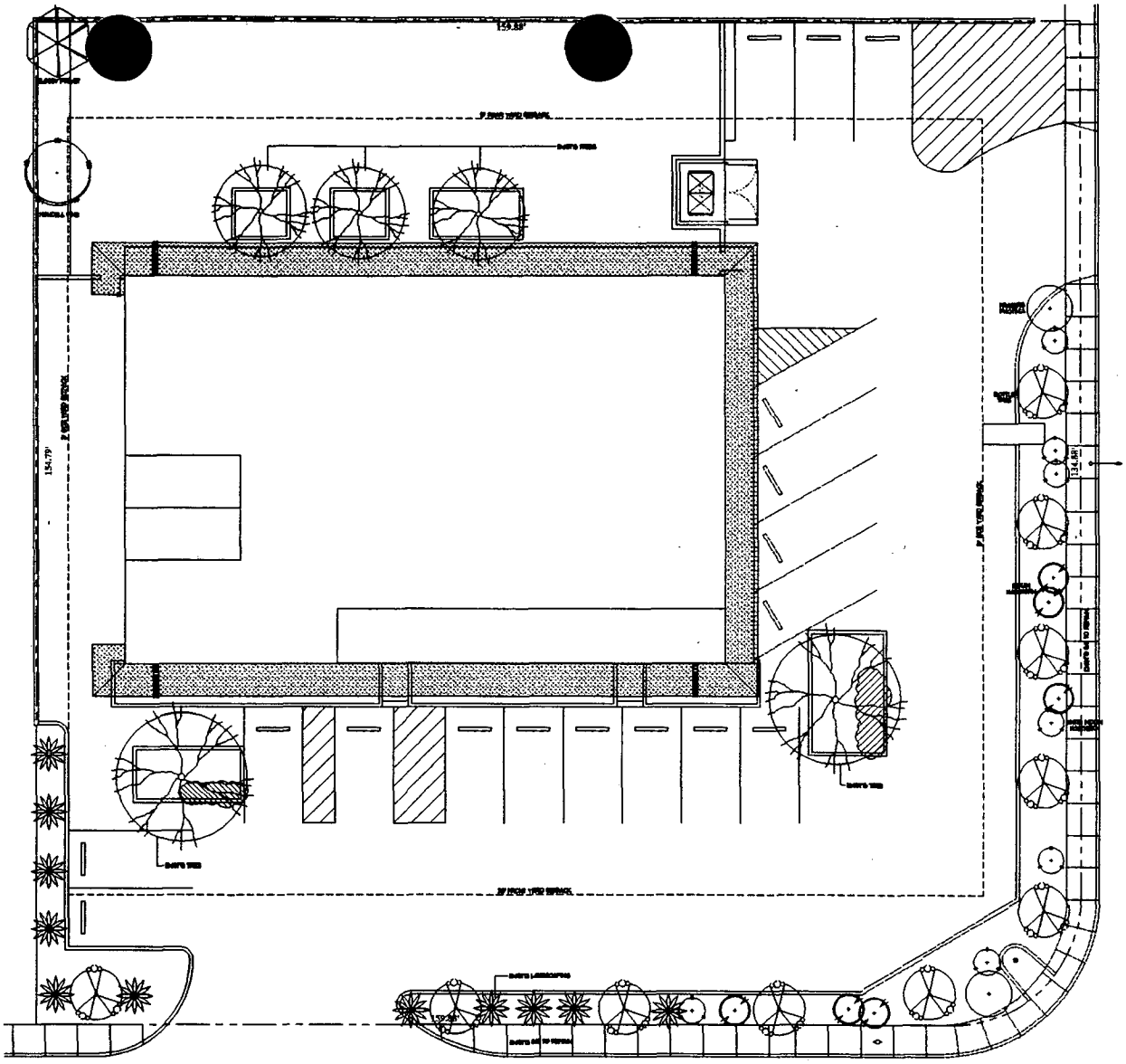
ESTHER WELLA VILLALON NOGRA
NOTARY PUBLIC
STATE OF NEVADA
APPT No. 03-83571-1
MY APPT EXPIRES FEBRUARY 19, 200

TREE LEGEND

SYMBOL	PLANT NAME/BOTAN.	SIZE	QTY.

SHRUBBERY LEGEND

SYMBOL	SHRUB NAME/BOTAN.	SIZE	QTY.



N LANDSCAPE PLAN

CREATE DRIVE BY LANE

Campagni + Quinn Associates Ltd.
7730 WEST SAHARA AVENUE, SUITE 103, LAS VEGAS, NV 89117
PHONE: (702) 804-4230

SITEPLAN

KIDS' CARE
3101 W CHARLESTON BLVD
LAS VEGAS, NEVADA

REVISIONS

DATE: 12/09/03

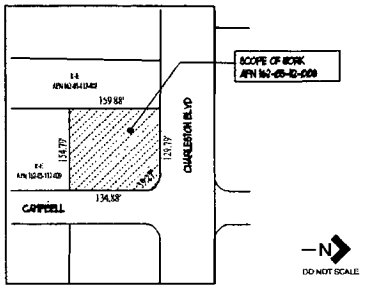
SHEET No:

A-1.1

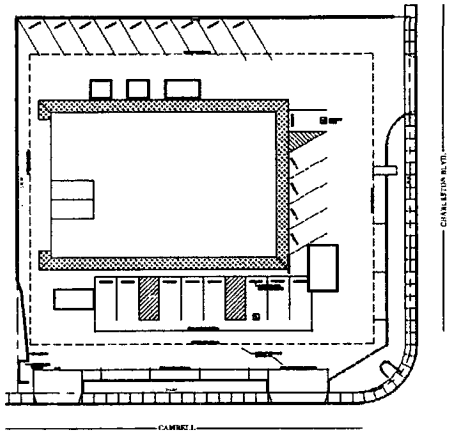
OF SHTS

REVISED 12.31.03

SDR-3502
1-22-04 PC



SITE LOCATION



EXISTING SITE

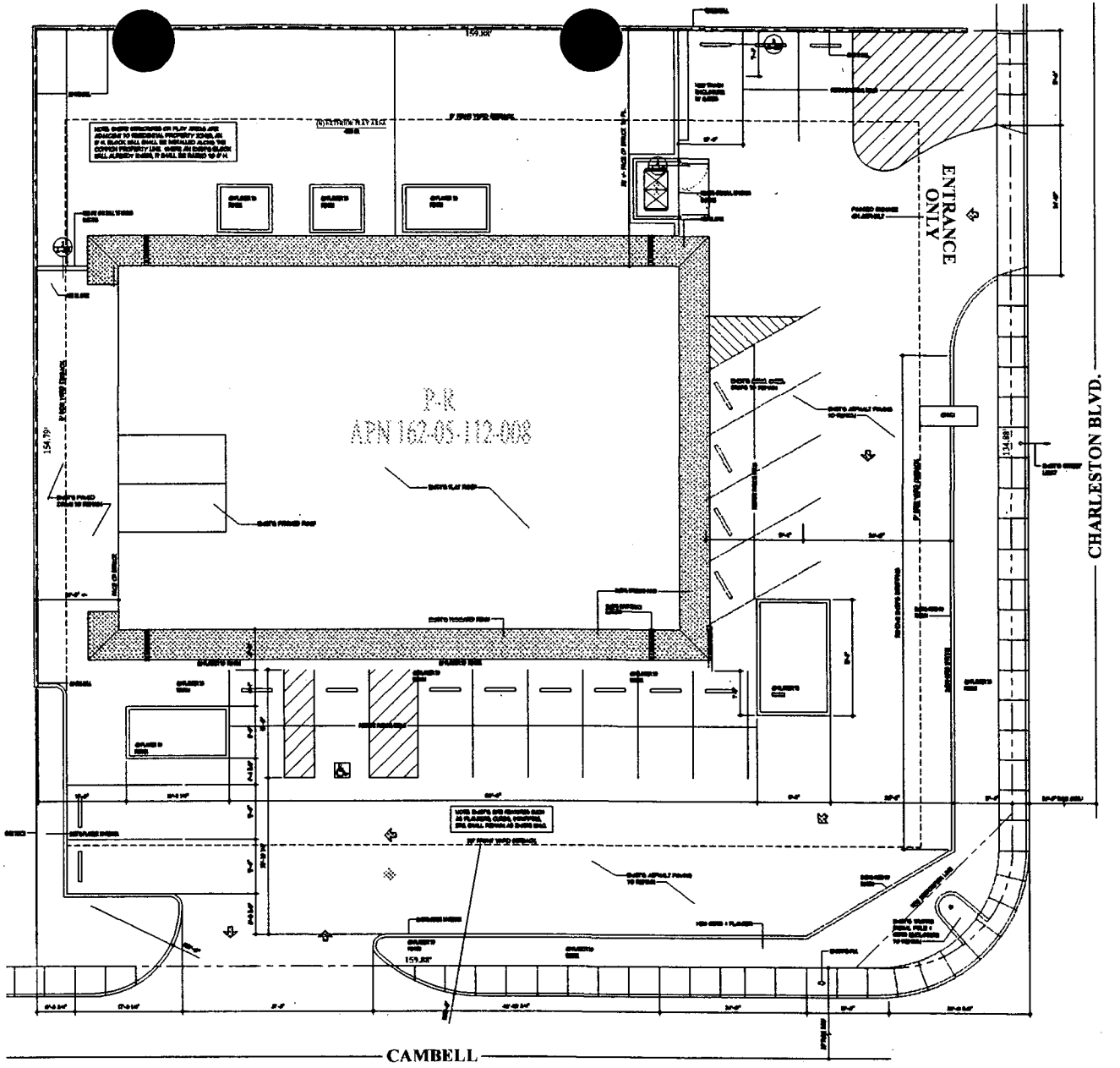
CODE ANALYSIS

PARCEL NUMBER:	162-05-112-008
SITE ADDRESS:	3101 W. CHARLESTON BLVD LAS VEGAS, NEVADA
JURISDICTION:	CITY OF LAS VEGAS
ZONING:	CURRENT (CN)
OCCUPANCY GROUP:	E-3
TYPE OF CONSTRUCTION:	V-N
SPRINKLERS:	YES (AS REQ'D BY F.D.)
BASIC ALLOWABLE AREA: ACTUAL AREA:	9,100 S.F. 5,000 S.F.
SEPARATION:	PROTECTED < 10'
OPENINGS:	NOT PERMITTED < 5'
OCCUPANCY LOAD (1.35):	97.2 (NOT INCLUDING R.R.)
EXITS (1:7)	ANY SPACE > 244 S.F. NEEDS 2 EXITS OR ANY POINT THAT ACCUMULATES 7 OCCUPANTS REQUIRES TWO MEANS OF EXIT FROM THAT POINT
EXIT WIDTH:	0.2 x 143 = 28.6" < 36" REQ'D
DRAFT STOPS:	3,000 S.F. UNSPRINKLERED 9,000 S.F. SPRINKLERED
PLUMBING:	MALE: 2 W/C 2 LAVS FEMALE: 2 W/C 2 LAVS 1 DF PER 150
ENERGY CALC:	NONE REQUIRED
PARKING:	1 SPACE/STAFF MEMBER = 7 1 SPACE/10 CHILDREN = 8.7 17 SPACES PROVIDED
BUILDING CODE:	2000 IBC

PROJECT DESCRIPTION:
INTERIOR TENANT IMPROVEMENTS TO EXISTING SHELL BUILDING INCLUDE (BUT ARE NOT LIMITED TO) CREATION OF NEW ADA BATHROOM AND (2) TWO PASSAGE WAYS BETWEEN EXISTING ROOMS

EXISTING SHELL BUILDING:
CONCRETE SLAB ON GRADE, 2X WOOD STUDS W/ BRICK FACADE EXTERIOR WALLS, PREMANUFACTURED ROOF TRUSSES.

NOTE: DOOR SWINGS MUST BE IN THE DIRECTION OF EXIT WHERE THE ACCUMULATED OCCUPANCY > 50



SITEPLAN

SDR-3502
1-22-04 PC

REVISED
12.31.03

7730 WEST SAHARA AVENUE, SUITE 103, LAS VEGAS, NV 89117 PHONE: (702) 804-4230

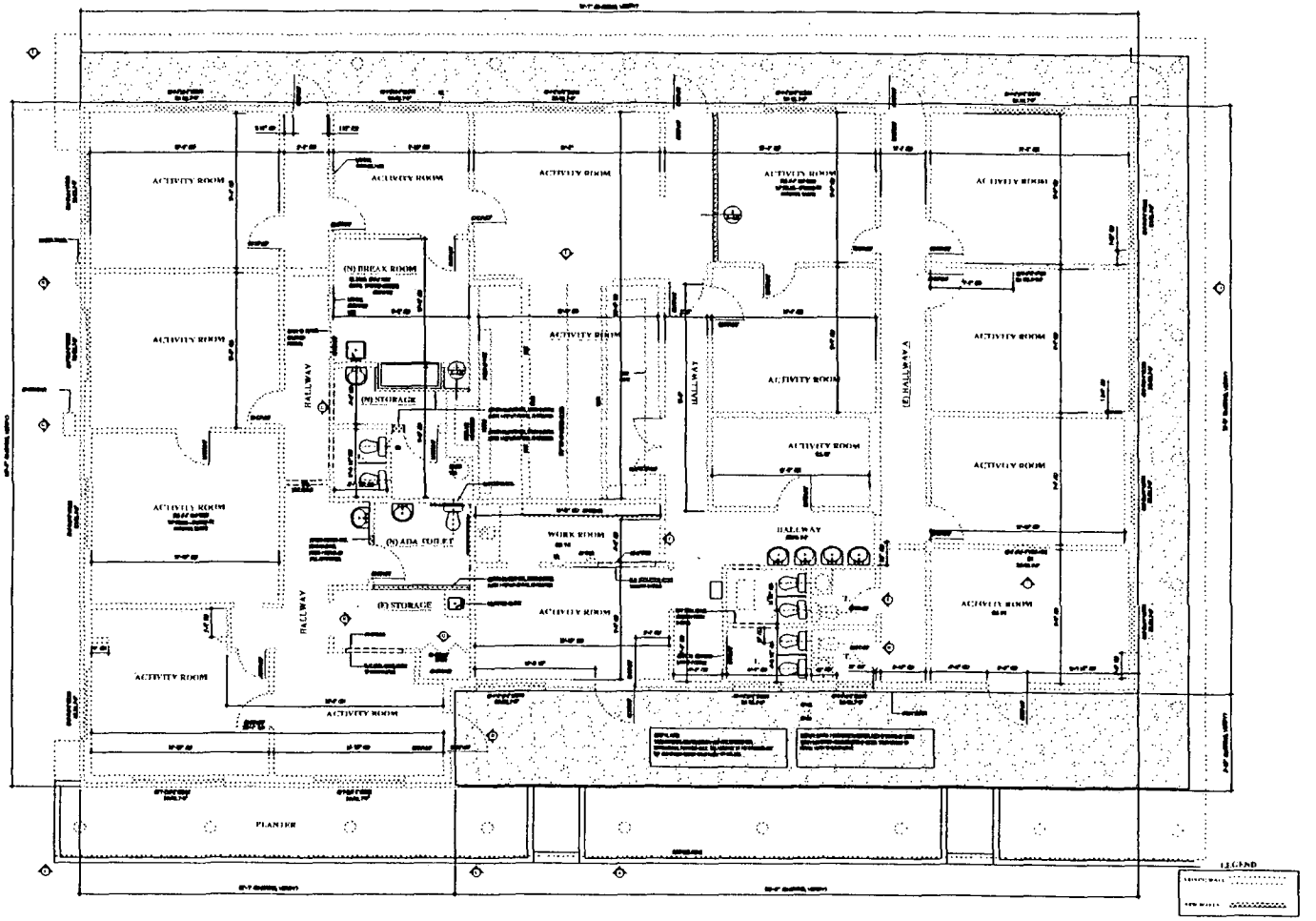
SITEPLAN

KIDS' CARE
3101 W CHARLESTON BLVD
LAS VEGAS, NEVADA

REVISIONS

DATE: 12/09/03

SHEET No:
A-1.0
OF SHTS



TENANT IMPROVEMENT FLOOR PLAN

STAFF

FLOOR PLAN

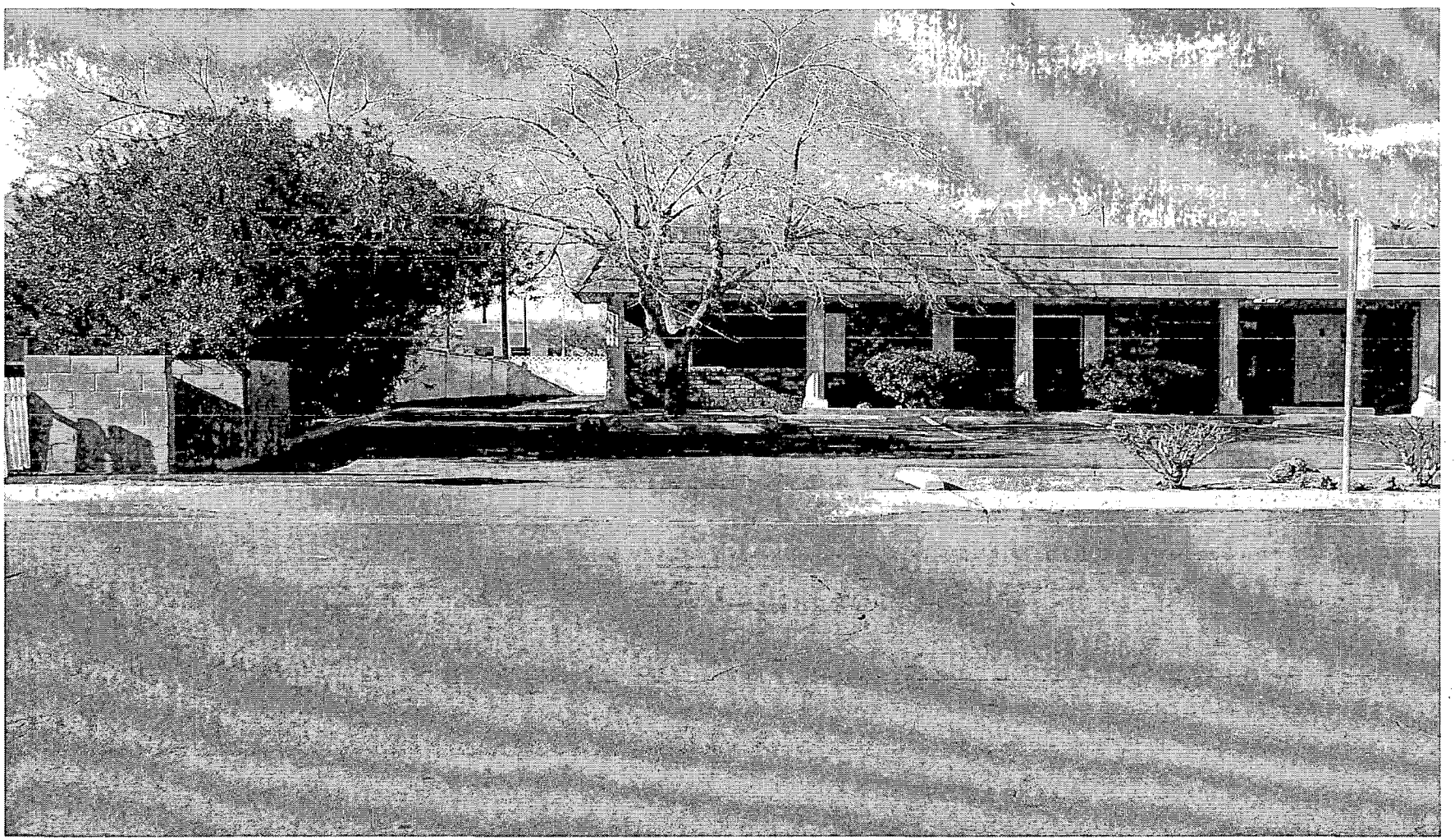
KIDS' CARE
3101 W CHARLESTON BLVD
LAS VEGAS, NEVADA

REVISIONS

DATE 12/09/03

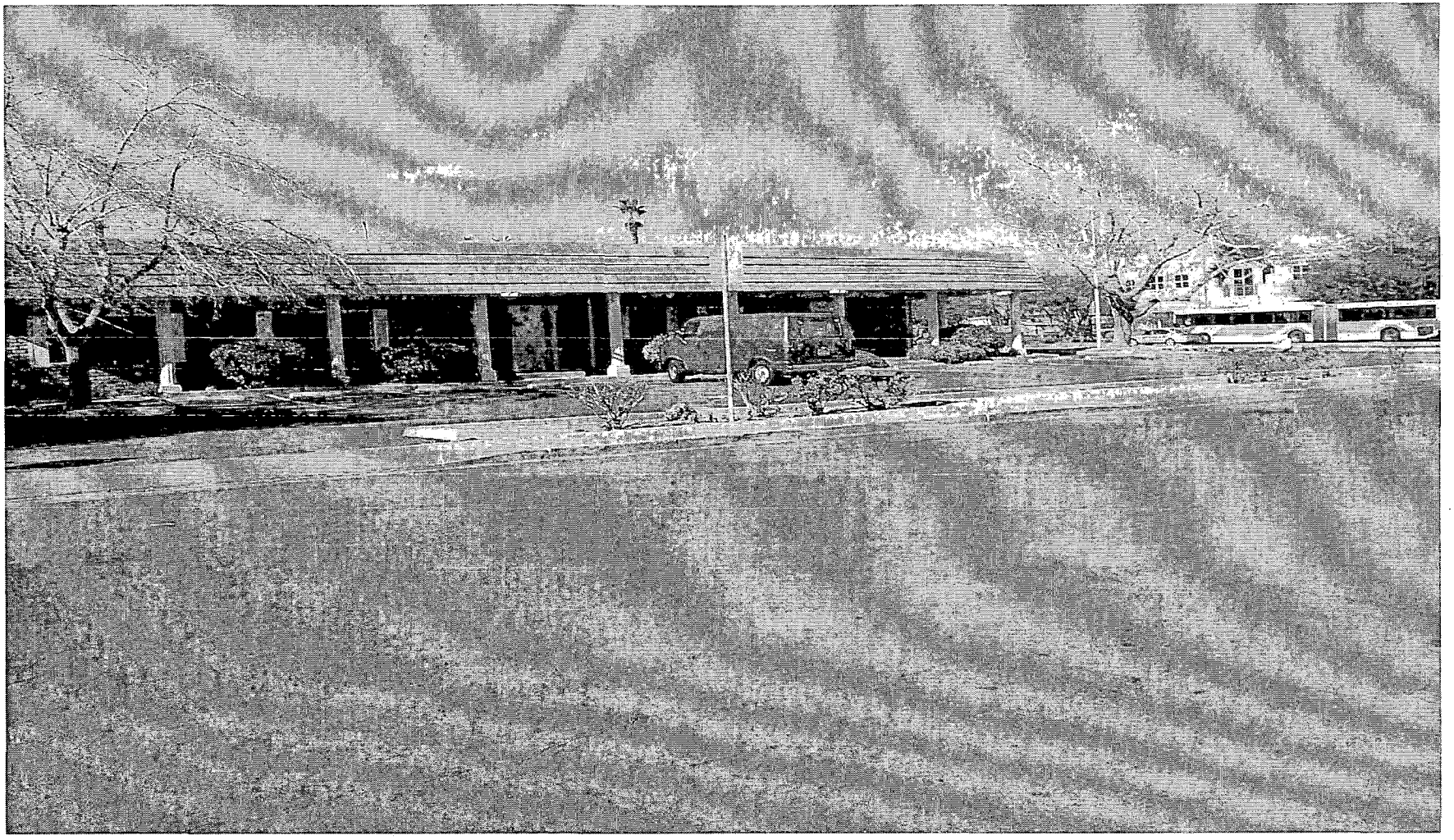
A-2.0

SDR-3502
1-22-04 PC



SDR-3502 - NICHOLLE JONES-PARKER ON BEHALF OF BARBARA ANN HOLLIER TRUST
3701 WEST CHARLESTON BOULEVARD
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04



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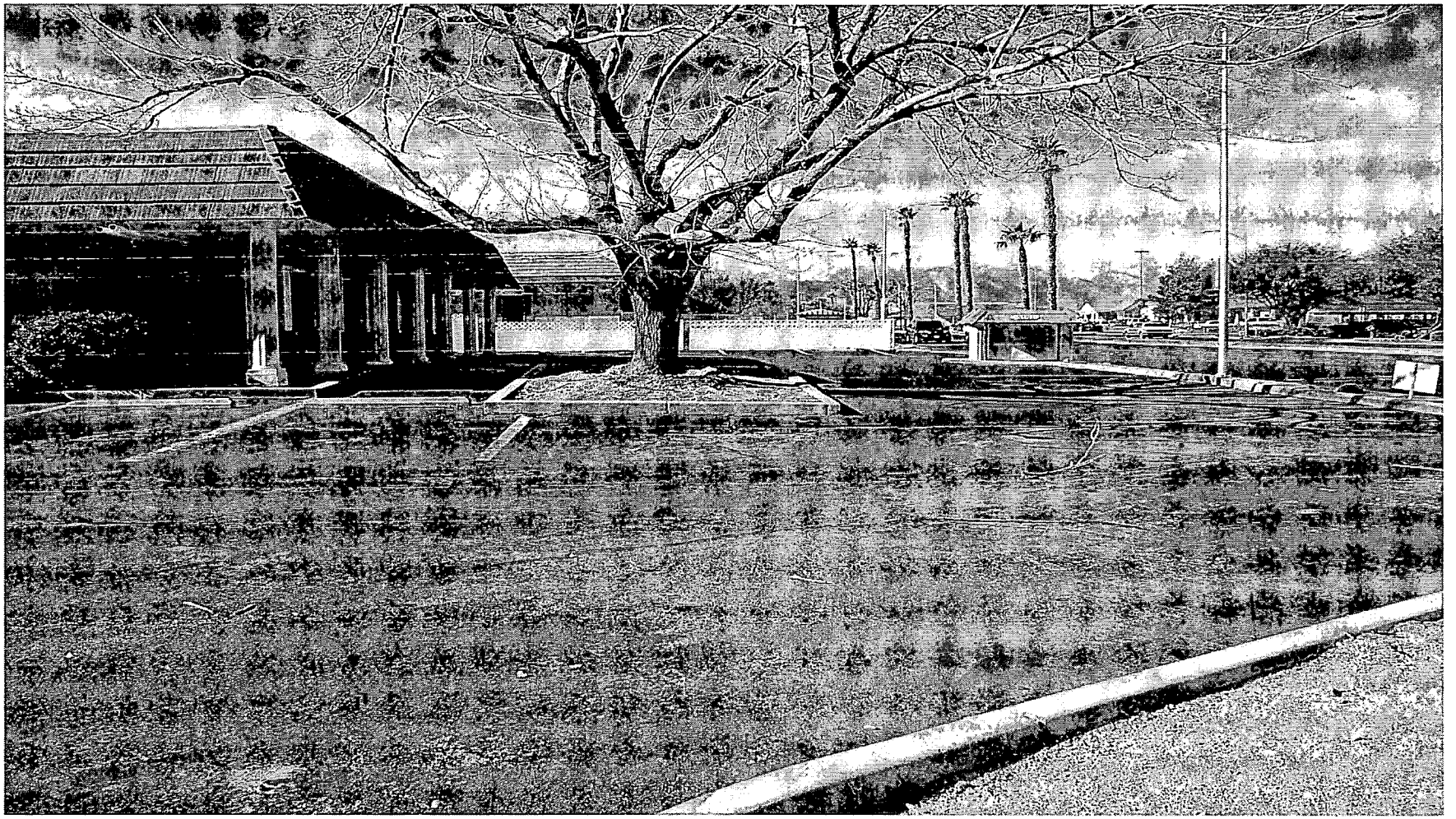

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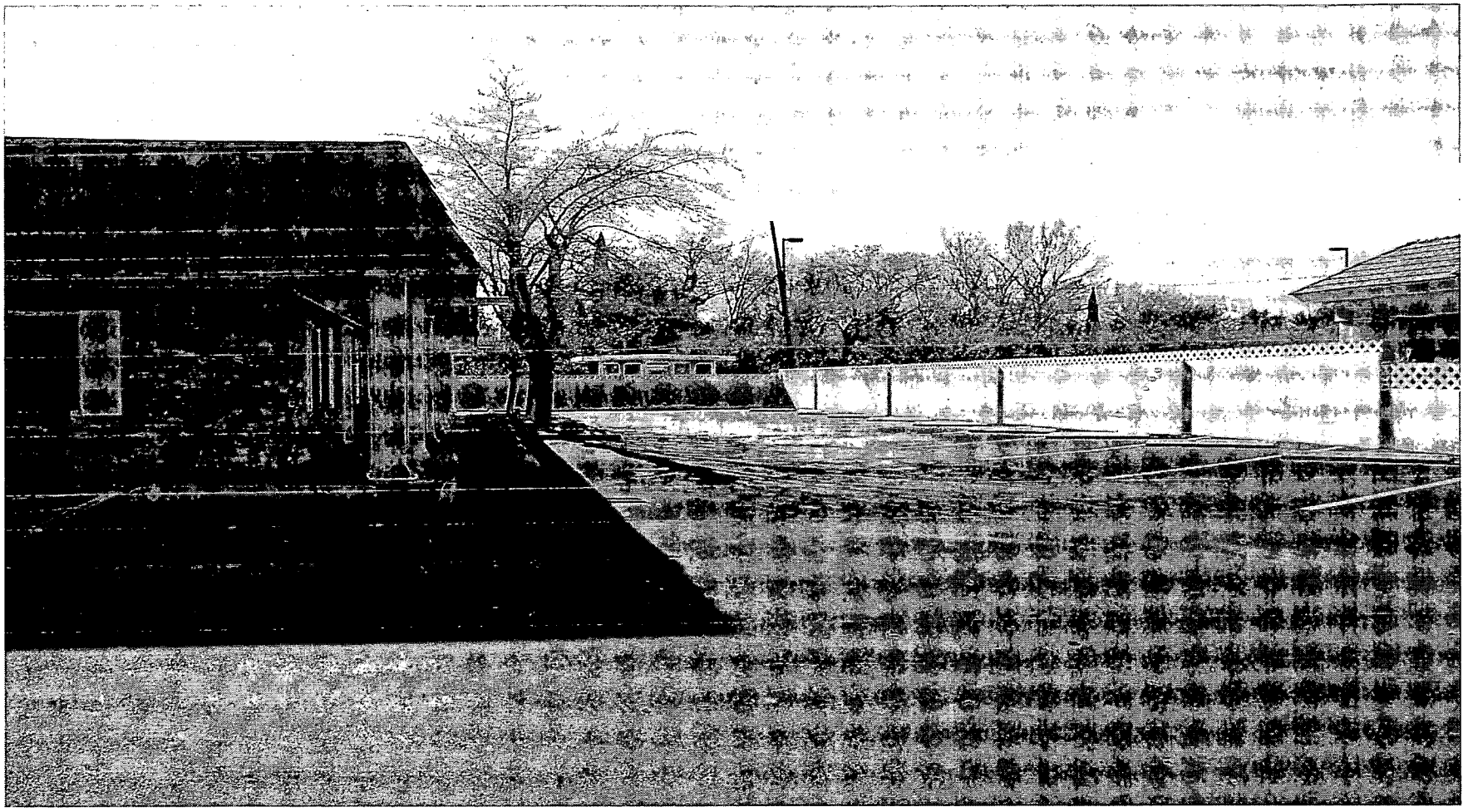
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04



SDR-3502 - NICHOLLE JONES-PARKER ON BEHALF OF BARBARA ANN HOLLIER TRUST
3701 WEST CHARLESTON BOULEVARD
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

City of Las Vegas

Agenda Item No. 77

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
MASTER SIGN PLAN - PUBLIC HEARING - **MSP-3493 - PRECISION CONSTRUCTION, INC. ON BEHALF OF CORONODO BAY SAHARA, LIMITED LIABILITY COMPANY** - Request for a Master Sign Plan FOR A PROPOSED BUSINESS PARK at 7936 West Sahara Avenue (APN: 163-04-805-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Ward 1 (Moncrief). The Planning Commission (4-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Council meeting – Written comments by Tom McGowan

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

RICH HINSHAW, 5119 South Cameron Avenue, appeared on behalf of the applicant and concurred with all conditions.

TOM McGOWAN, Las Vegas resident, asked for the names of the principal owners, corporate officers and location of the applicant.

No one appeared in opposition.

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 77 – MSP-3493

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing closed.
(1:45 – 1:47)
3-1005

CONDITONS:
Planning and Development

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

2. Any signage on Building A.1 and Building C.1 facing Via Olivero Avenue shall be non-illuminated in accordance with the requirements of Title 19.14.

3. The freestanding pylon sign may be constructed as depicted on the site development plan with landscaping installed that is consistent with the property to the east.

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

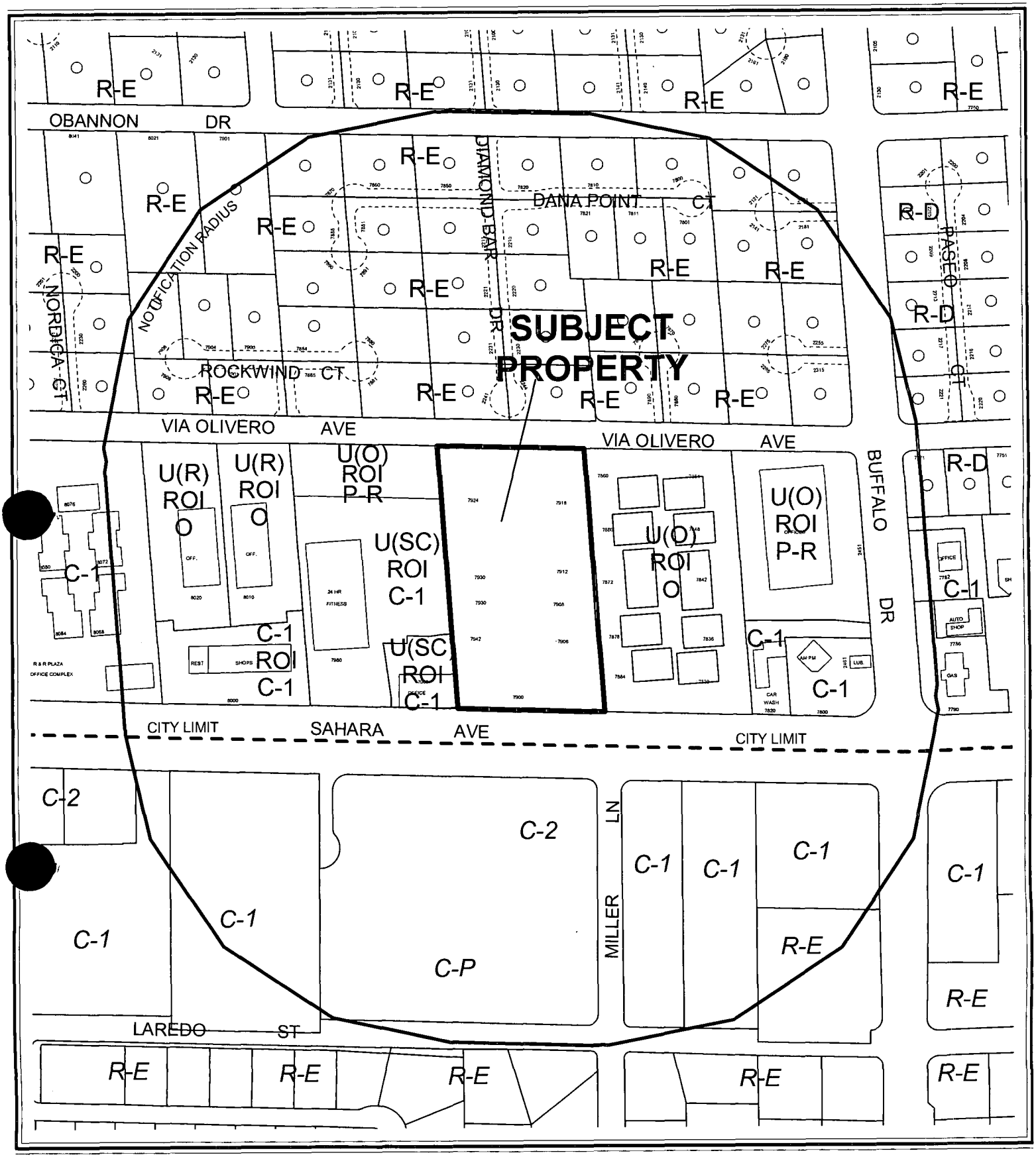
5. Address numbers shall be provided as required by the Planning and Development Department.

6. Any future amendments to the Master Sign Plan that are in compliance with the requirements of Title 19.14 for the subject-zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

7. Site development to comply with all applicable conditions of approval for the Coronado Bay Phase II (Commercial Subdivision) and all other subsequent site-related actions.

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



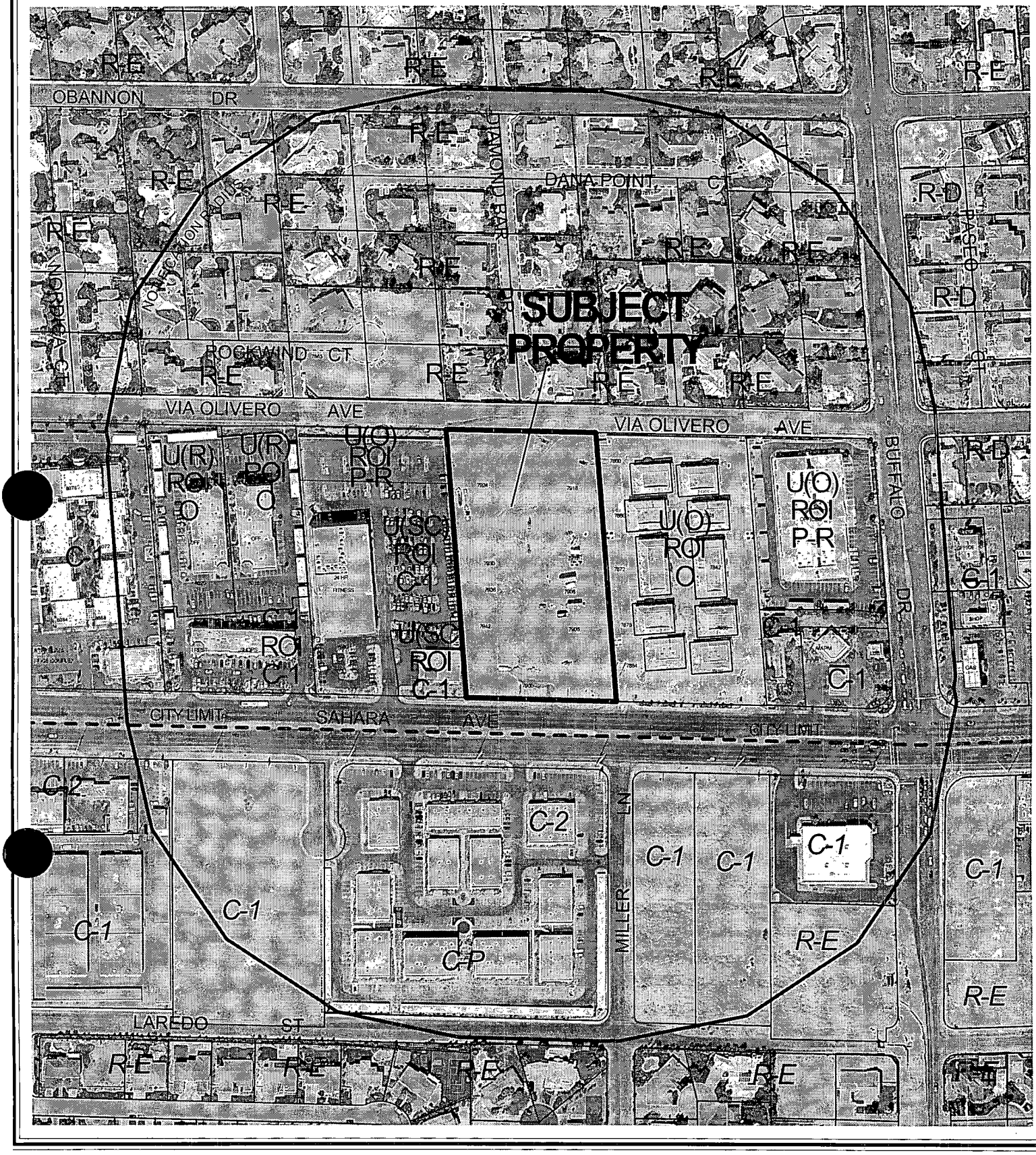
CASE: **MSP-3493**

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



CASE: **MSP-3493**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSP-3493 - PRECISION CONSTRUCTION, INC. ON BEHALF OF CORONODO BAY SAHARA, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Any signage on Building A.1 and Building C.1 facing Via Olivero Avenue shall be non-illuminated in accordance with the requirements of Title 19.14.

3. The freestanding pylon sign may be constructed as depicted on the site development plan with landscaping installed that is consistent with the property to the east.

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

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

6. Any future amendments to the Master Sign Plan that are in compliance with the requirements of Title 19.14 for the subject-zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

7. Site development to comply with all applicable conditions of approval for the Coronado Bay Phase II (Commercial Subdivision) and all other subsequent site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Master Sign Plan for a proposed business park at 7936 West Sahara Avenue.

B) Applicant's Justification

The applicant has justified the proposal by stating that the amount of signage proposed is substantially less that what would otherwise be permitted by code, and that the restrictions placed on the front setback area warrant a reduced setback for the proposed pylon sign on Sahara Avenue.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86	The City Council approved the annexation of over 1509 acres, including the subject parcel (A-0009-85). The effective date of the annexation was March 26, 1986.
03/19/03	The City Council approved a General Plan Amendment (GPA-1301) for a portion of the subject site and a Site Development Plan Review (SDR-1299) for a 55,400 square foot office complex. The Planning Commission and Staff recommended approval.
01/22/04	The Planning Commission voted 4-1 to recommend APPROVAL (PC Agenda Item #18/ff).

B) Pre-Application Meeting

11/19/03	At the pre-application conference, it was noted that a Master Sign Plan was required as a condition of approval of the Site Development Plan Review, and the requirements for signage in the C-1 (Limited Commercial) and O (Office) districts was reviewed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Office Complex
East:	Undeveloped (Office Complex under construction)
West:	Health Club and Office

B) Existing Zoning

Subject Property:	U (Undeveloped) Zone [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North:	R-E (Residence Estates)
South:	C-2 (General Commercial - Clark County)
East:	U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
West:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Office) and U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Offices and Parking)

C) General Plan Compliance

The Southwest Sector Plan Map of the General Plan was recently amended so that the southern portion of the site is designated SC (Service Commercial), and the northern portion of the site is designated O (Office). The intent was to ensure that the northern portion of the site was developed at lower intensity and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue.

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

A portion of the site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation; however, the RPN is located within the City, and is not a County RPN. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE		
THRESHOLD	**YES**	**NO**
To establish requirements/limitations for signs in a specific development	X	

The Master Sign Plan is a requirement of the Site Development Plan Review approval (SDR-1299).

ANALYSIS

A) Zoning Code Compliance

The submitted plan depicts one 40-foot tall pylon sign on Sahara Avenue, with the remaining signage for the business park being limited to wall signage. The building facing Sahara Avenue will have wall signage on all four elevations; the remaining eight buildings in the complex will be permitted to have wall signs on three elevations. The pylon sign will utilize a combination of dry-stack stone veneer and cement plaster, with internally illuminated sign faces. The wall signage will consist of individual letters mounted to the face of the building, and will either be internally illuminated or non-illuminated.

A1) Residential Protection Standards

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

a) Freestanding Signs. No freestanding signs are proposed within 200 feet of any residential property.

b) Illuminated signs. The wall signage on the north face of the buildings fronting Via Olivero Avenue will be approximately 145 feet from the nearest residential property; Title 19.14 does not permit illuminated signage within 200 feet of residential properties.

c) Electronic Message Unit. No electronic message units, animated signs or flashing signs are planned for the property.

A2) Sign Standards

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

Freestanding Sign:

Standards	Allowed	Provided	Conforms
Maximum Number	1/200' street frontage 2 total	1/street frontage 1 total	Y
Maximum Area	666 SF	499	Y
Maximum Height	40 Feet	40 Feet	Y
Minimum Setback	5 Feet	0 Feet	N
Illumination	Internal, external, animated, electronic	Internal	Y

Wall Signs: Building D (C-1 Zoning)

Standards	Allowed	Provided	Conforms
Maximum Number	1/Tenant	Unknown	Unknown
Maximum Area	20%/Elevation 3386 SF total	1855 SF total	Y
Maximum Projection	2 Feet	Unknown	Unknown
Illumination	Internal, external, animated, electronic	Internal	Y

Wall Signs: All other buildings (O Zoning)

Standards	Allowed	Provided	Conforms
Maximum Number	1/Tenant	Unknown	Unknown
Maximum Area	10%/Elevation 2590 SF total	1190 SF total	Y
Maximum Projection	2 Feet	Unknown	Unknown
Illumination	Internal, external (except within 200' of residential)	Internal	Y

The pylon sign will conforms to most requirements, with the exception of the setback requirement. The wall signage also conforms to most requirements; the signage facing Via Olivero Avenue shall not be illuminated in accordance with Title 19.14.

B) General Analysis and Discussion

The proposed Master Sign Plan generally conforms to all code requirements, and the submitted plan permits less signage than would otherwise be allowed by Code. The design of the proposed pylon sign is generally consistent with the architecture of the development, and the restrictions relative to the type of wall signage permitted will assist in creating a cohesive aesthetic environment for the complex.

The applicant has requested consideration to allow the pylon sign at Sahara Avenue to be located directly at the front property line instead of maintaining a five-foot setback as required by Title 19. Staff recommends that the five-foot setback requirement be maintained in order to preserve a consistent setback for signage along Sahara Avenue and to reduce visual encroachments.

As noted, the square footage of the proposed signage is significantly less that would what be permitted by code; the applicant has requested the option of increasing the amount of signage up to the maximum allowed. Any future modifications to the square footage or placement of the signage in conformance with the requirements of Title 19.14 may be reviewed and approved administratively by staff.

Building A.1 and Building C.1 lie within 200 feet of residential properties on the north side of Via Olivero Avenue, and are subject to the Residential Protection Standards. Consequently, signage on the north face of both buildings shall not be illuminated.

PLANNING COMMISSION ACTION

Condition #3 was amended by the Planning Commission as shown.

NOTICES MAILED 76 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MSP-3493 APN: 163048005003

Name of Property Owner: CORONADO BAY/SAHARA L.L.C.

Name of Applicant: PRECISION CONSTRUCTION INC.

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

✓ Yes _____ No

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

City Official: COMMISSIONER MCSWAIN

Partner(s): N/A _____

APN: N/A

Signature of Property Owner/Authorized Agent: _____

Print Name: Jeffrey B. Quinn

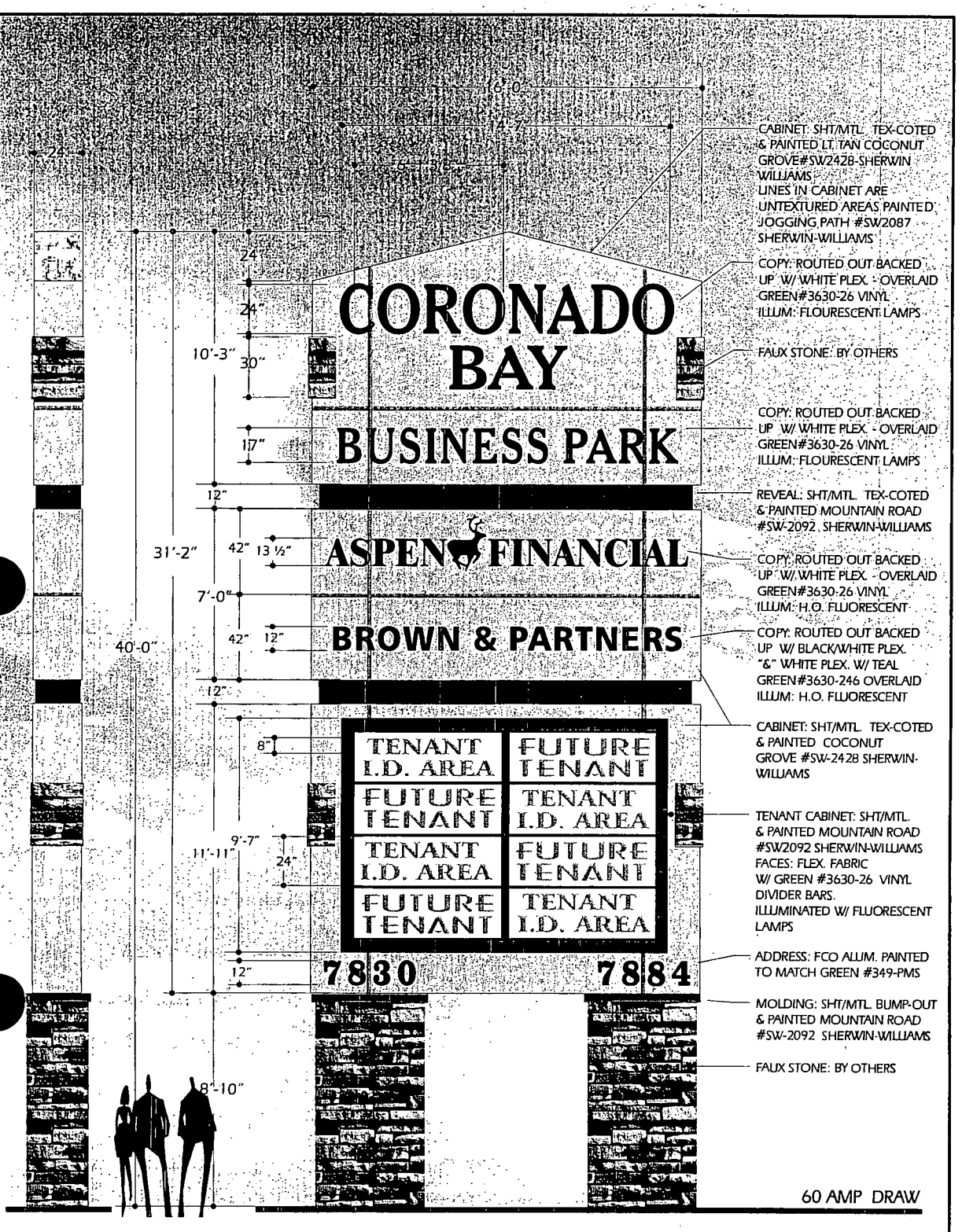
Subscribed and sworn before me

This 4th day of December, 2003

Lana K. Sanger

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
LANA K. SANGER
My Appointment Expires
August 1, 2004
No: 00-64603-1



END VIEW

D/F PYLON SIGN DISPLAY

SCALE: 1/4" = 1'-0"

SCOPE OF WORK

MFG. & INSTALL: ONE D/F PYLON SIGN W/ TENANT I.D. CABINET

MSP-3493
1-22-04 PC

COPYRIGHT ©2003

REV#2 - D.SPRIK - 11/19/03 - RESIZE CABINET AREA & EXTEND STONE TO TOP OF POLE COVER AREA
REV#1 - D.SPRIK - 10/9/03 - ADD NEW COLORS & DELETE LED

Las Vegas Division
Young Electric Sign Company
5110 So. Cameron St., Las Vegas, NV. 89118 (702) 876-8080

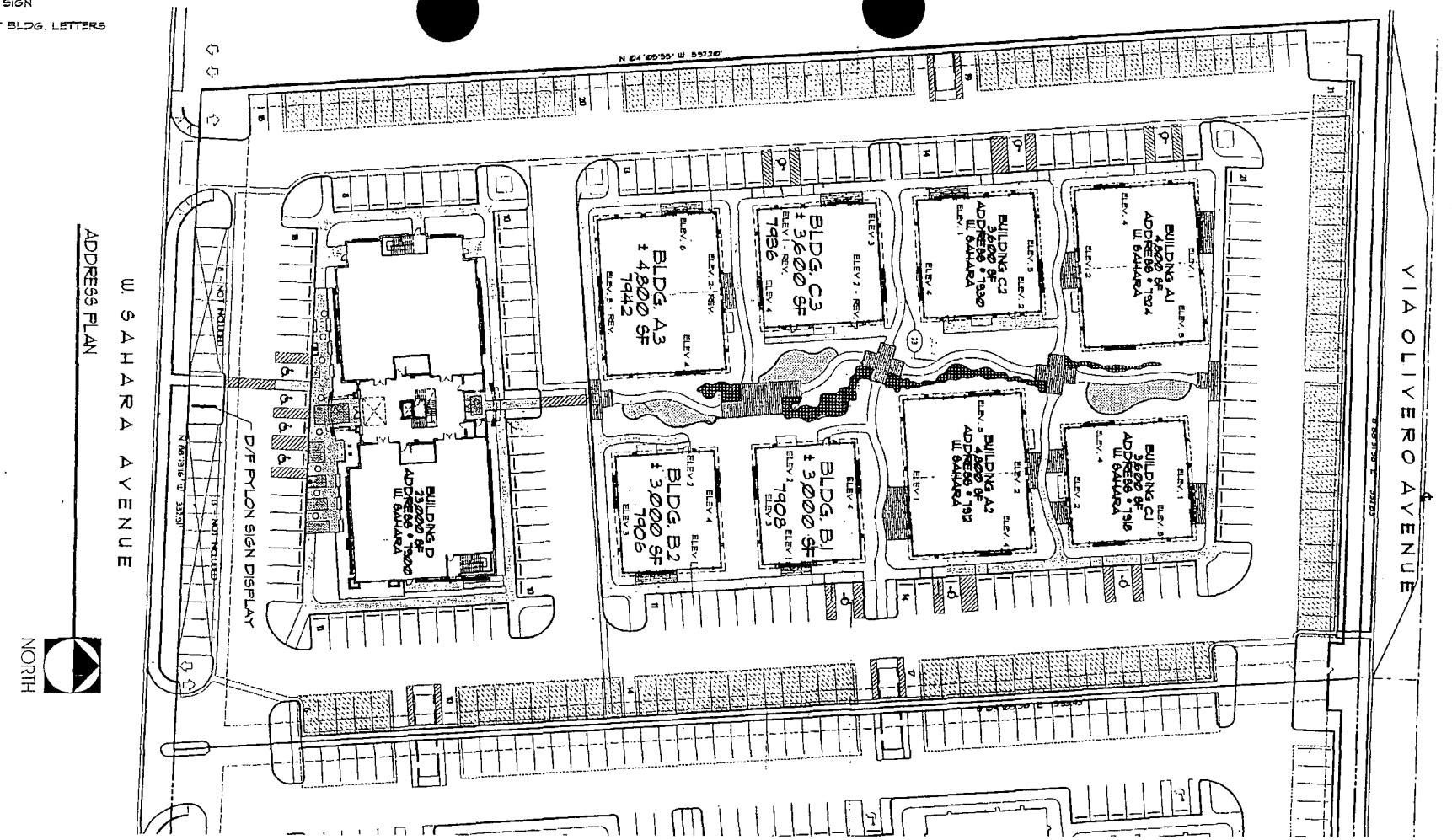
APPROVED BY	DATE	REVISIONS	SCALE	DATE	DESIGNER
CLIENT			AS NOTED	7/30/03	DENNIS SPRIK
SALES	11/19/03	REV#1	AS NOTED	10/9/03	DENNIS SPRIK
DESIGN	11/19	REV#2	AS NOTED	11/19/03	DENNIS SPRIK
ESTIMATING					
ENGINEERING					
EXPEDITING					

FORM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA
LAS VEGAS, NEVADA
SALESPERSON = RICH NIMSHAW

13484A1.1 R2
SHEET 1 OF 11

PYLON SIGN

TENANT BLDG. LETTERS



ADDRESS PLAN

NORTH

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REV.#2- D. SPRIK - 11/19/03 - ADDED building signs

REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
5119 So. Cameron St., Las Vegas, NV. 89118 (702) 876-8080

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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES		11/13/03
DESIGN		11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

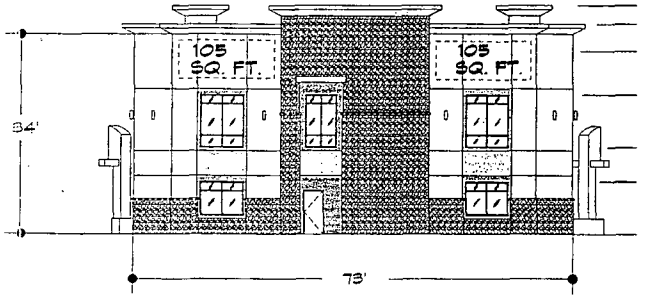
REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

FIRM NAME / LOCATION ADDRESS	13484A6.1 FILE DESIGN NUMBER	R2 OPTION / REV.
CORONADO BUSINESS PARK	SHEET 11 OF 11	
7830-7884 SAHARA		
LAS VEGAS, NEVADA		
SALESPERSON ■ RICH HINSHAW	W.O. NUMBER	

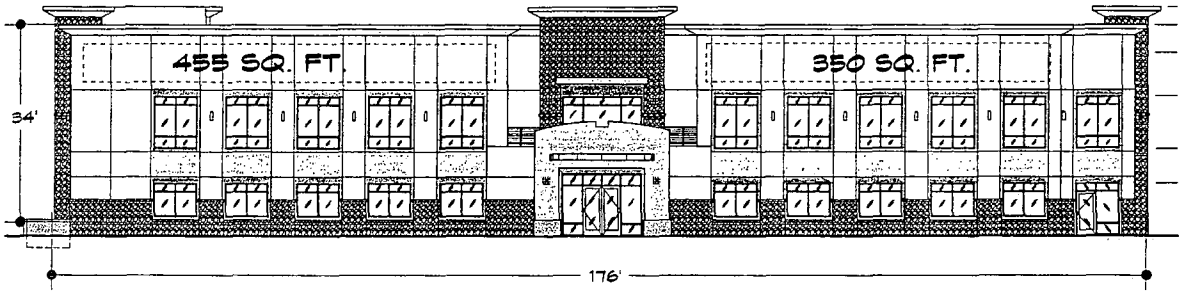
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

MSP-3493
1-22-04 PC

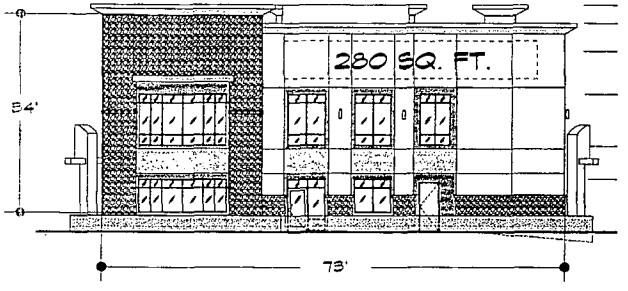
BUILDING #7900



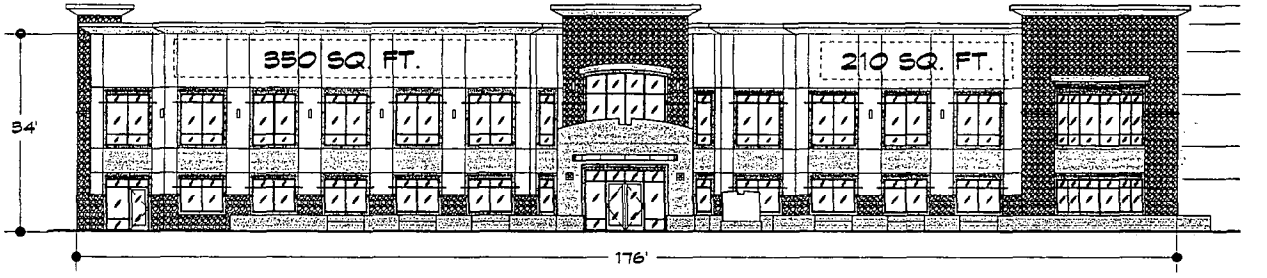
WEST ELEVATION - BUILDING TYPE D1 SIDE (7 / A5.03)
NTS



NORTH ELEVATION - BUILDING TYPE D1 REAR (1 / A5.03)
NTS



EAST ELEVATION - BUILDING D1 SIDE (2 / A5.04)
NTS



SOUTHELEVATION - BUILDING TYPE D1 FRONT (1 / A5.04)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. DIMENTIONS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
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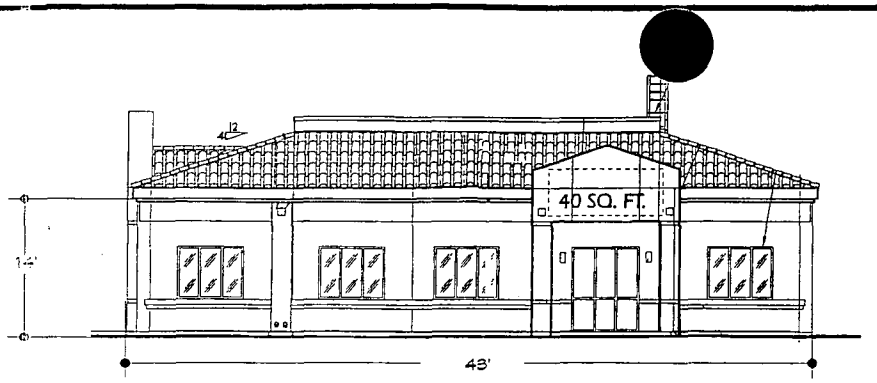
NEVADA CONTRACTOR LICENSE NO. 760	APPROVED BY	DATE	REVISIONS	SCALE	DATE	DESIGNER
CLIENT			REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
SALES		11/19/03	REV.#2	AS NOTED	11/19/03	DENNIS SPRIK
DESIGN		11/19/03				
ESTIMATING						
ENGINEERING						
EXPEDITING						

FIRM NAME / LOCATION ADDRESS	13484A5.1 (FILE DESIGN NUMBER)	R2 (OPTION / REV.)
CORONADD BUSINESS PARK	SHEET 10 OF 11	
7830-7884 SAHARA BLDG.#7900		
LAS VEGAS, NEVADA		
SALESPERSON ■ RICH NINSHAW	W.O. NUMBER	

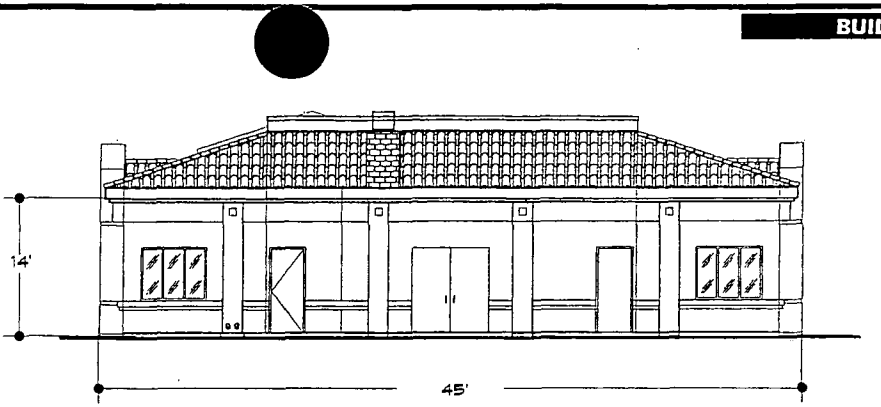
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

MSP-3493
1-22-04 PC

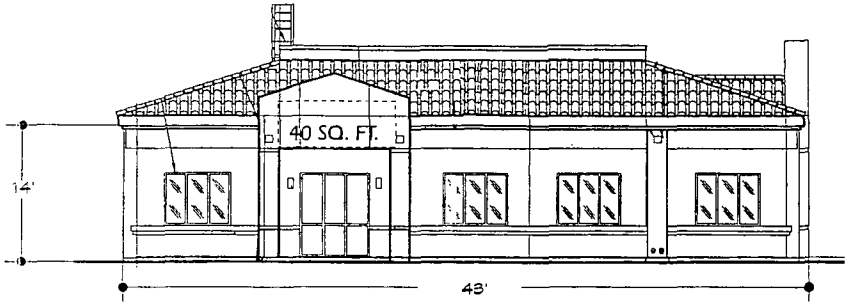
BUILDING #7936



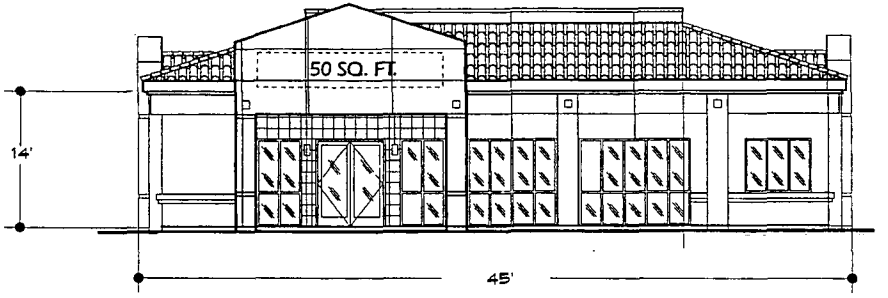
SOUTH ELEVATION - BUILDING TYPE C3 SIDE (4 / A5.03)
NTS



EAST ELEVATION - BUILDING TYPE C3 REAR (2 / A5.03)
NTS



NORTH ELEVATION - BUILDING C3 SIDE (3 / A5.03)
NTS



WEST ELEVATION - BUILDING C3 FRONT (1 / A5.03)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. DIMENSIONS & BLDG. NUMBERS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

yesco
LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
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NEVADA CONTRACTOR LICENSE NO. 730	APPROVED BY	DATE
CLIENT		
SALES	R Hinshaw	11/19/3
DESIGN	[illegible]	11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

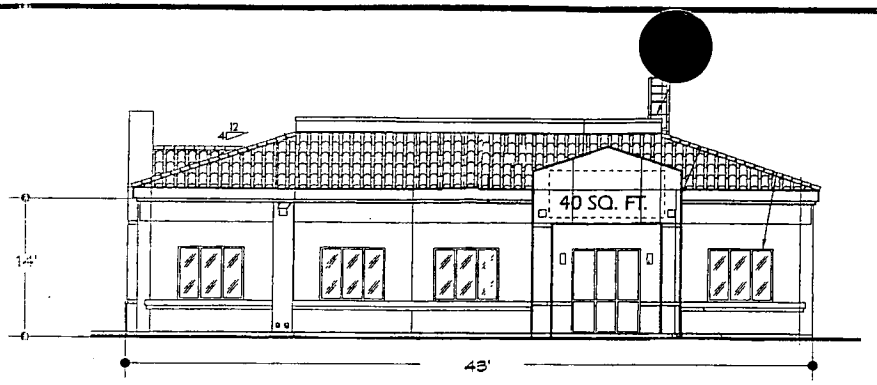
FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG. #0000
LAS VEGAS, NEVADA
SALESPERSON ■ RICH HINSHAW

13484A4.3 FILE DESIGN NUMBER | R2 OPTION / REV.
SHEET 9 OF 11
W.O. NUMBER

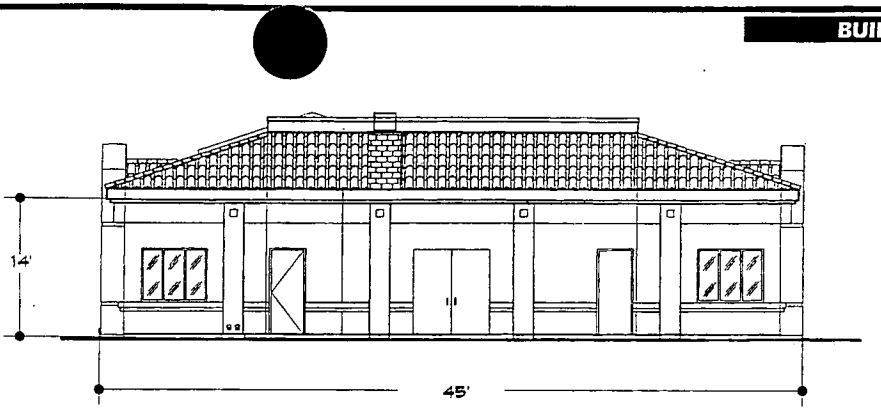
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

MSP-3493
1-22-04 PC

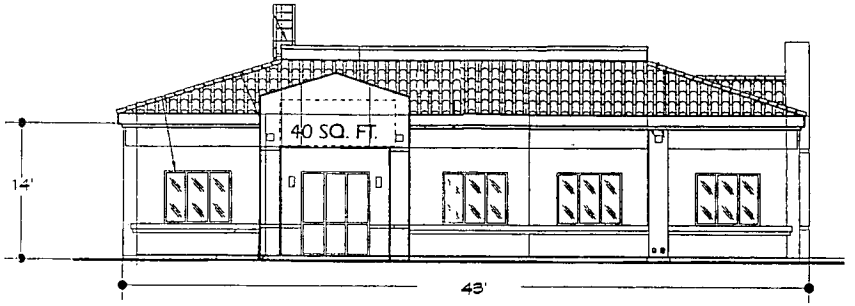
BUILDING #7930



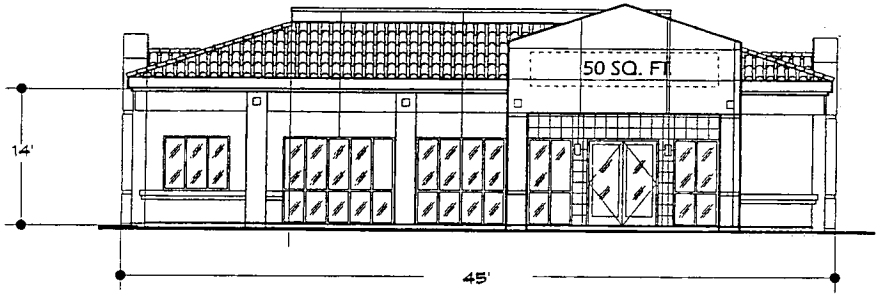
SOUTH ELEVATION - BUILDING TYPE C2 SIDE (4 / A5.03)
NTS



EAST : ELEVATION - BUILDING TYPE C2 REAR (2 / A5.03)
NTS



NORTH ELEVATION - BUILDING C2 SIDE (3 / A5.03)
NTS



WEST ELEVATION - BUILDING TYPE C2 FRONT (1 / A5.03)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. DIMENSIONS & BLDG. NUMBERS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES	R. Hinshaw	11/19/03
DESIGN	[illegible]	11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

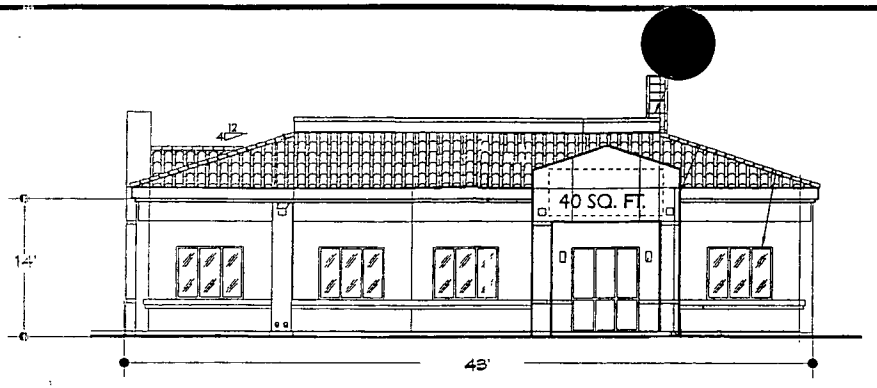
FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG. #7930
LAS VEGAS, NEVADA
SALESPERSON = RICH HINSHAW

13484A4.2 — FILE DESIGN NUMBER
R2 — OPTION / REV.
SHEET 8 OF 11
W.O. NUMBER

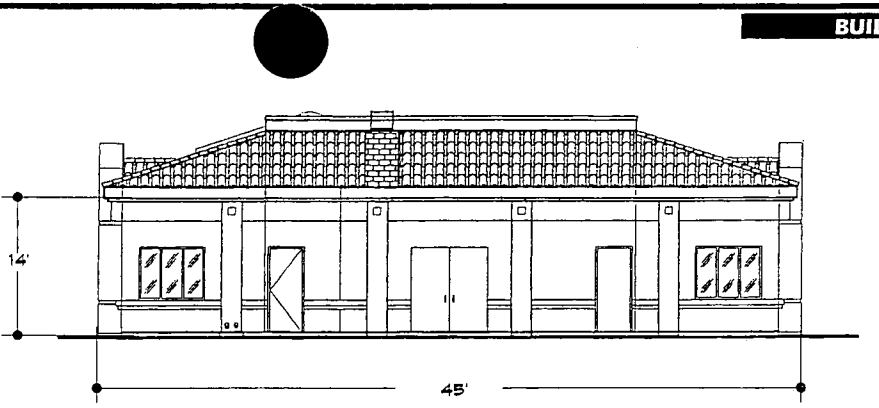
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

MSP-3493
1-22-04 PC

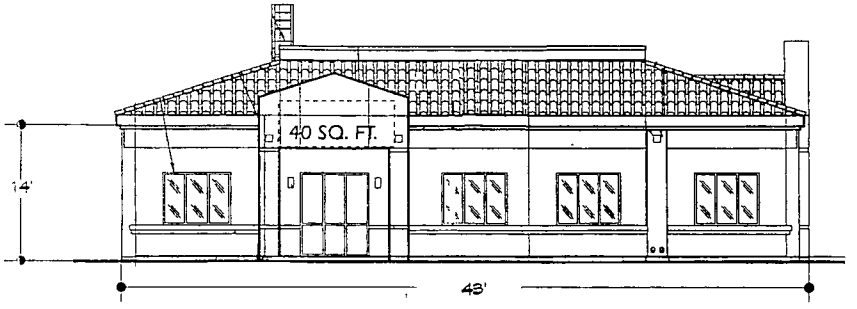
BUILDING #7918



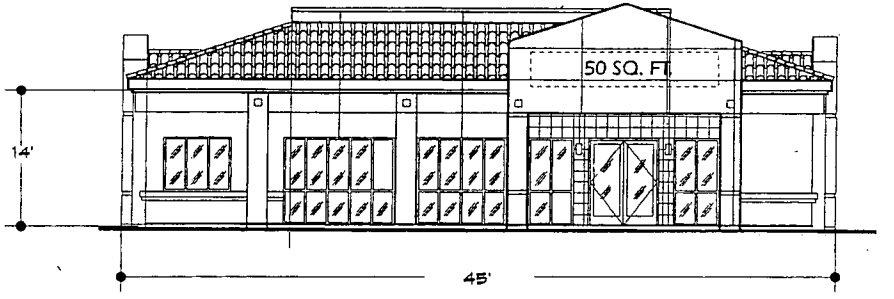
WEST ELEVATION - BUILDING TYPE C1 SIDE (4 / A5.03)
NTS



SOUTH ELEVATION - BUILDING TYPE C1 REAR (2 / A5.03)
NTS



EAST ELEVATION - BUILDING C1 SIDE (3 / A5.03)
NTS



NORTH ELEVATION - BUILDING TYPE C1 FRONT (1 / A5.03)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. DIMENSIONS & BLDG. NUMBERS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES	R. Hinshaw	11/19/03
DESIGN		11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

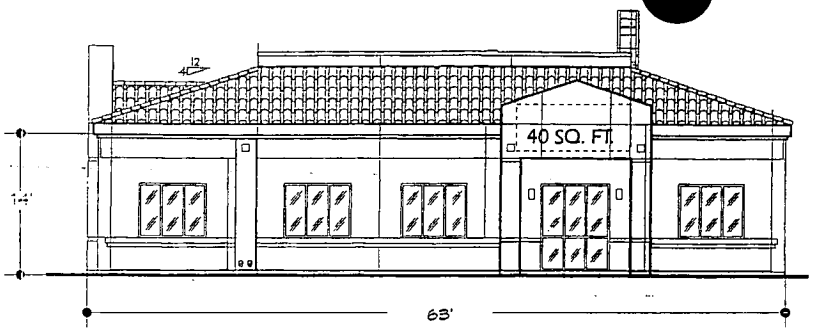
REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG. #7918
LAS VEGAS, NEVADA
SALESPERSON ■ RICH HINSHAW

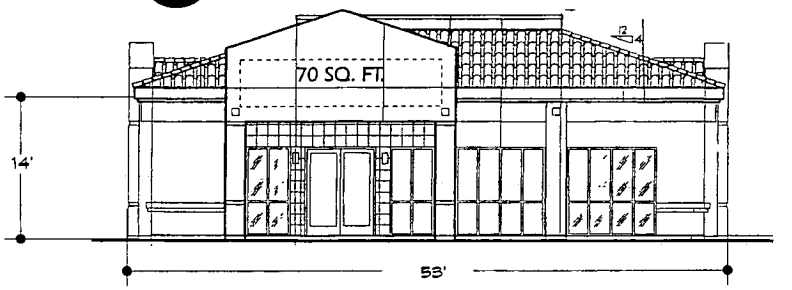
13484A4.1 — FILE DESIGN NUMBER
R2 — OPTION / REV
SHEET 7 OF 11
W.O. NUMBER

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

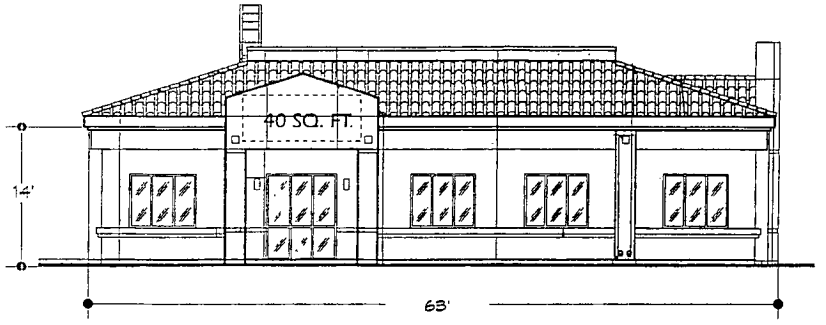
MSP-3493
1-22-04 PC



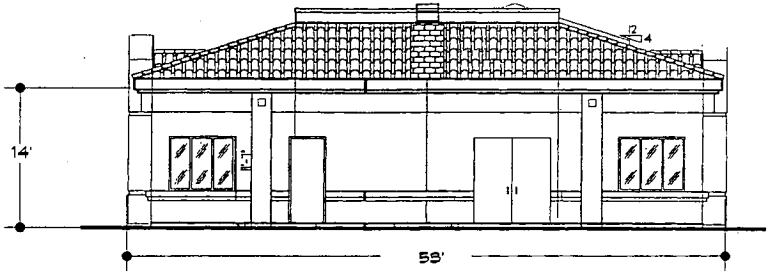
NORTH ELEVATION - BUILDING TYPE B2 SIDE (4 / A5.01) NTS



EAST ELEVATION - BUILDING TYPE B2 FRONT (1 / A5.01) NTS



SOUTH ELEVATION - BUILDING TYPE B2 SIDE (3 / A5.01) NTS



WEST ELEVATION - BUILDING TYPE B2 REAR (2 / A5.01) NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. NUMBERS & DIMENSIONS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES		11/14/03
DESIGN		
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

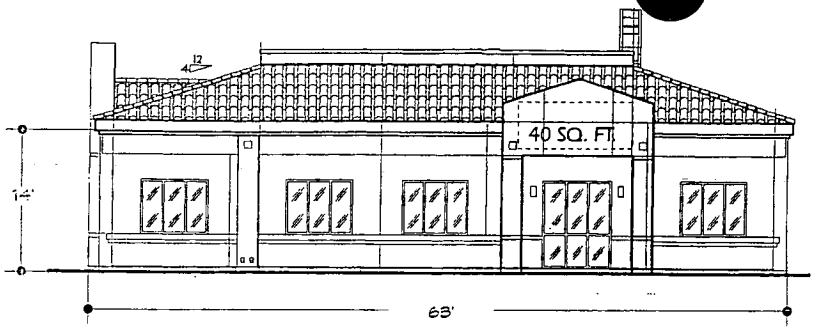
FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG.#7906
LAS VEGAS, NEVADA
SALESPERSON ■ RICH HINSHAW

13484A3.2 (FILE DESIGN NUMBER) | R2 (OPTION / REV)
SHEET 6 OF 11
W.O. NUMBER

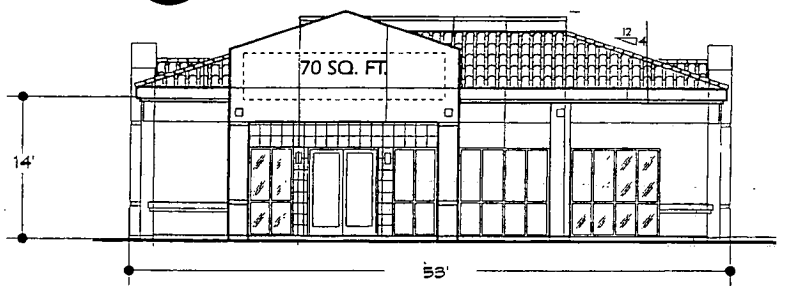
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

MSP-3493
01-22-04 PC

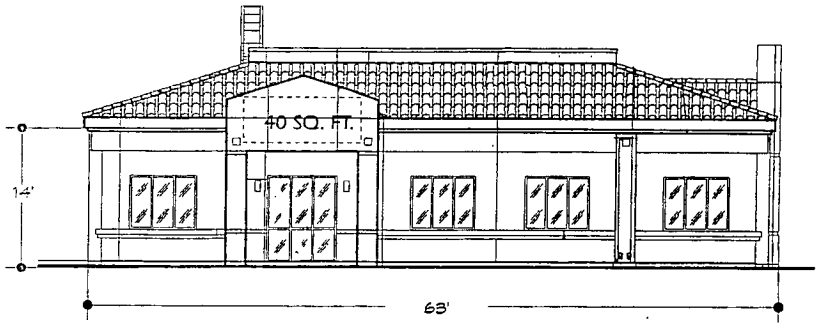
BUILDING #7908



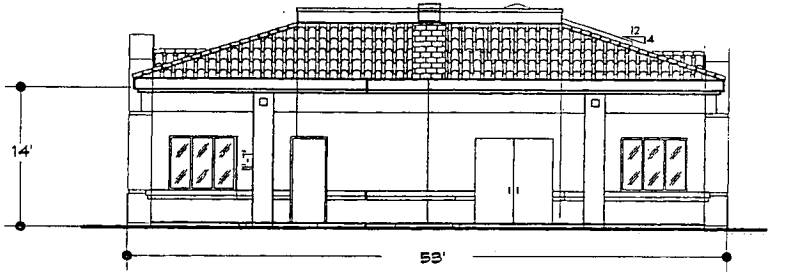
NORTH ELEVATION - BUILDING TYPE B1 SIDE (4 / A5.01)
NTS



EAST ELEVATION - BUILDING TYPE B1 FRONT (1 / A5.01)
NTS



SOUTH ELEVATION - BUILDING TYPE B1 SIDE (3 / A5.01)
NTS



WEST ELEVATION - BUILDING TYPE B1 REAR (2 / A5.01)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDED BLDG. NUMBERS & DIMENTIONS
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES	R Hinshaw	11/6/03
DESIGN	[illegible]	11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

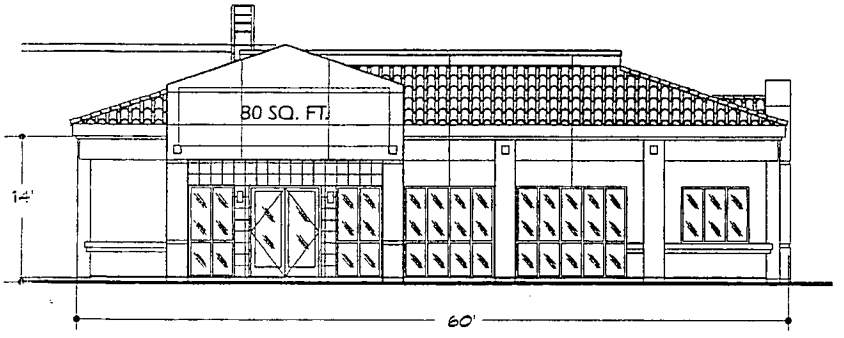
FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG.#7908
LAS VEGAS, NEVADA
SALESPERSON # RICH HINSHAW

13484A3.1 — FILE DESIGN NUMBER
R2 — OPTION / REV.
SHEET 5 OF 11
W.O. NUMBER

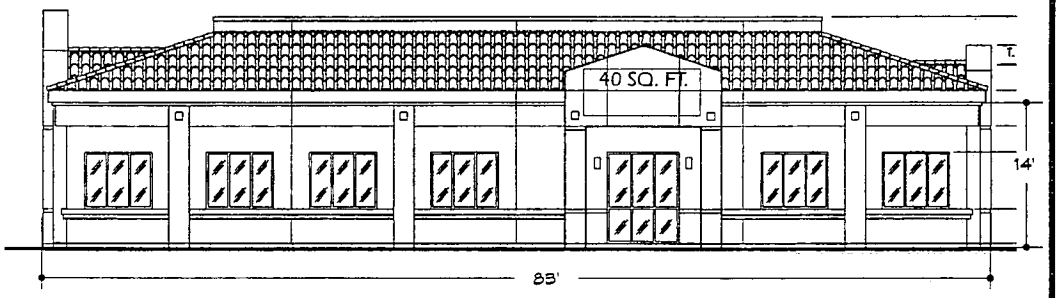
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

MSP-3493
01-22-04 PC

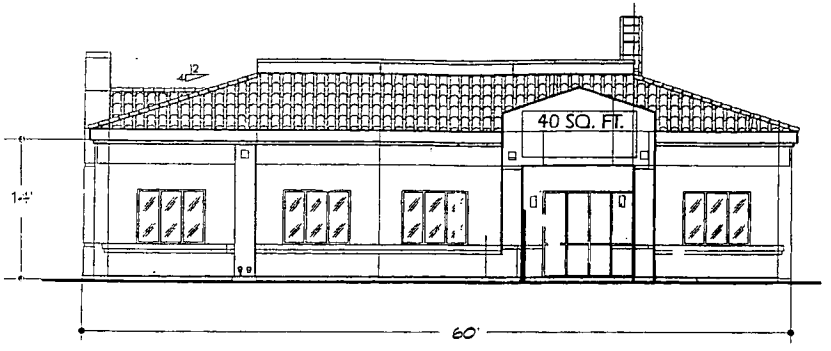
BUILDING #7942



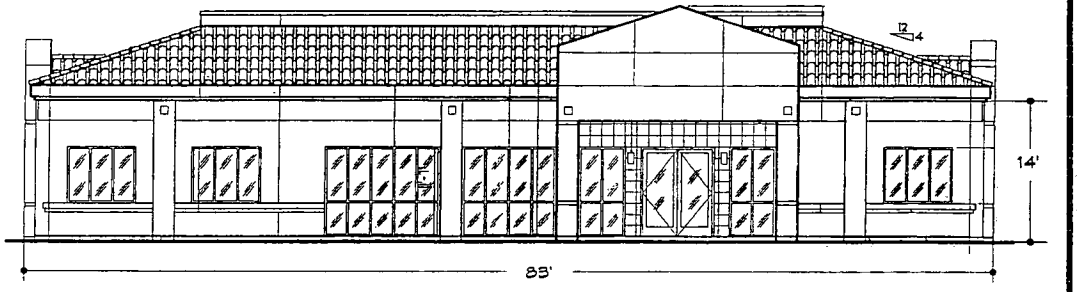
WEST ELEVATION - BUILDING TYPE A3 FRONT (6 / A5.01)
NTS



SOUTH ELEVATION - BUILDING TYPE A3 SIDE (5 / A5.01)
NTS



EAST ELEVATION - BUILDING TYPE A3 REAR (4 / A5.01)
NTS



NORTH ELEVATION - BUILDING TYPE A3 SIDE (2 / A5.01)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDING BLDG. NUMBERS & DIMENSION
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

YESCO
LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
5119 So. Cameron St., Las Vegas, NV. 89118 (702) 876-8080
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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES	A. Hinshaw	11/6/03
DESIGN	[signature]	11/19/03
ESTIMATING		
ENGINEERING		
EXPEDITING		

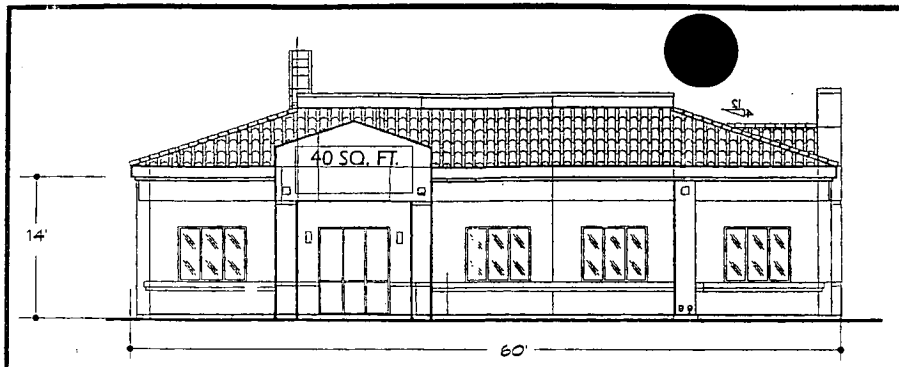
REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

FIRM NAME / LOCATION ADDRESS	13484A2.3 FILE DESIGN NUMBER	R2 OPTION / REV
CORONADO BUSINESS PARK	SHEET 4 OF 11	
7830-7884 SAHARA BLDG. #7942		
LAS VEGAS, NEVADA		
SALESPERSON RICH HINSHAW	W.O. NUMBER	

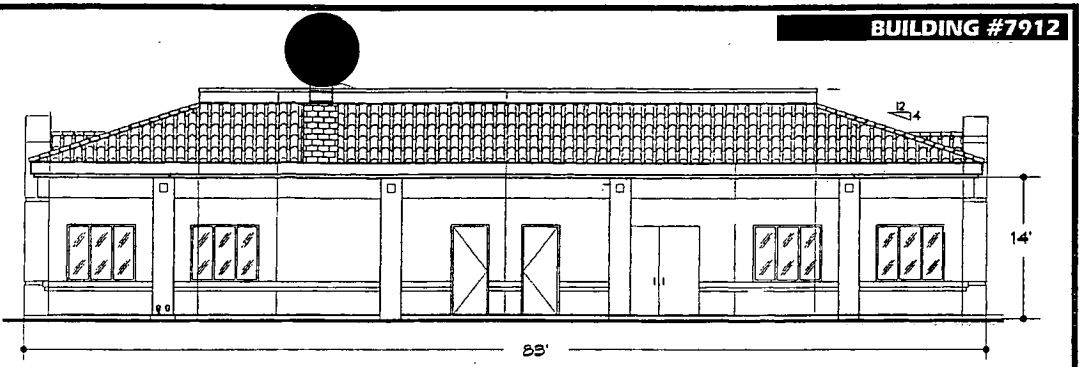
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

MSP-3493
1-22-04 PC

BUILDING #7912



WEST ELEVATION - BUILDING TYPE A2 - SIDE (3 / A5.01)
NTS



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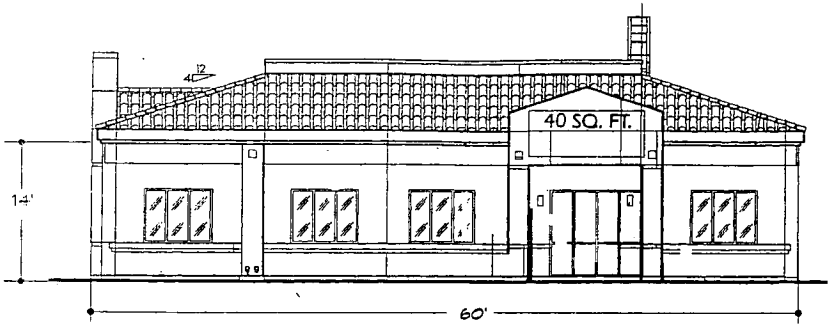
NTS



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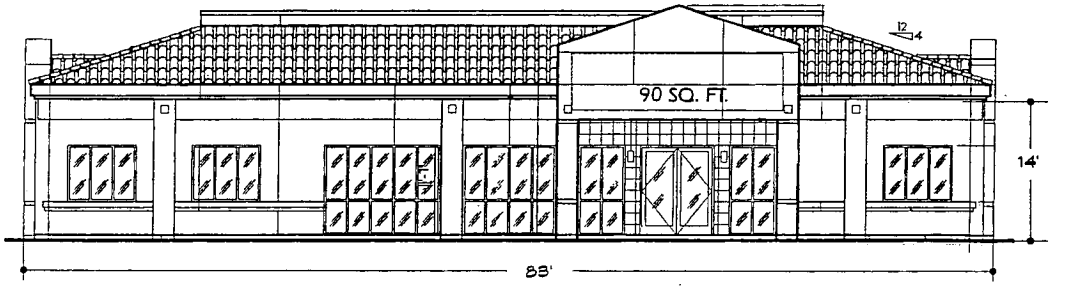

SOUTH ELEVATION - BUILDING TYPE A2 FRONT (1 / A5.01)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDING BLDG. NUMBERS & DIMENSION
REV.#1- D. SPRIK - 10/9/03 - ADDED SNTS FOR MASTER SIGN PLAN

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES		11/19/03
DESIGN		11/19
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

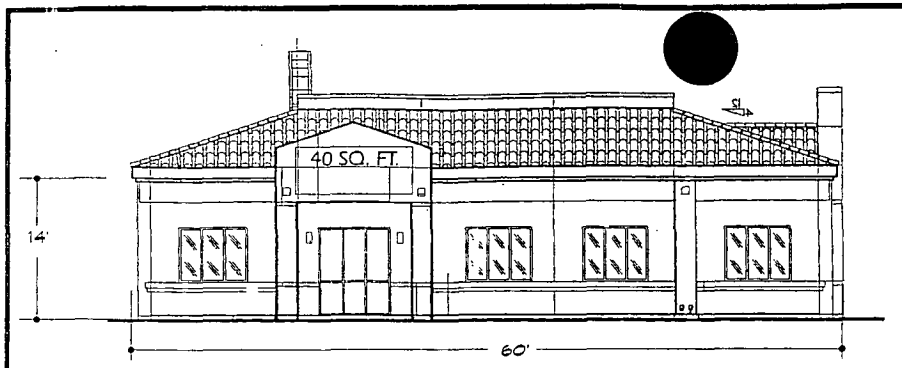
FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG. #7912
LAS VEGAS, NEVADA
SALESPERSON ■ RICH HINSHAW

13484A2.2 — FILE DESIGN NUMBER
R2 — OPTION / REV.
SHEET 3 OF 11
W.O. NUMBER

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

MSP-3493
1-22-04 PC

BUILDING #7924



EAST ELEVATION - BUILDING TYPE A1 SIDE (3 / A5.01)
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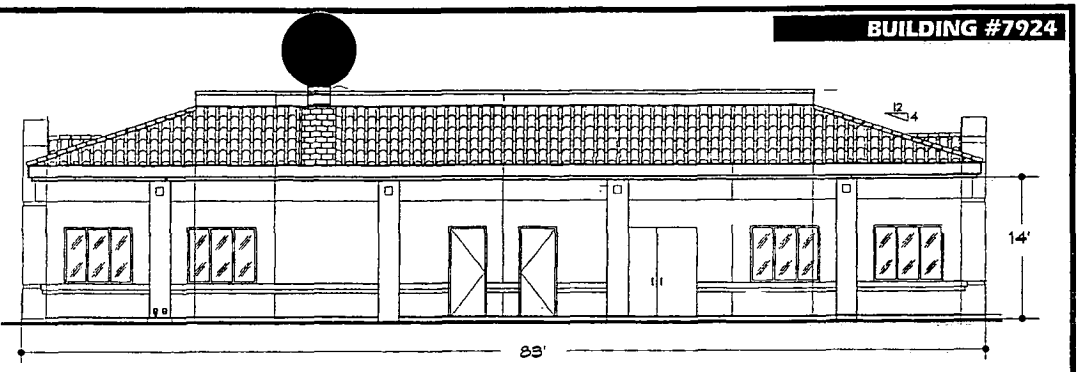

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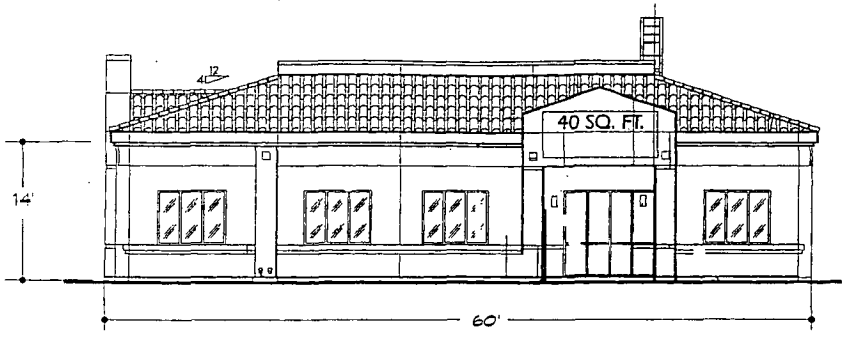

WEST ELEVATION - BUILDING TYPE A1 SIDE (4 / A5.01)
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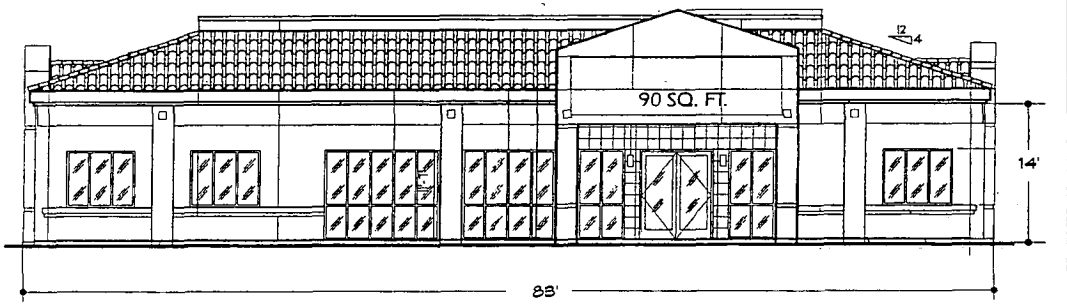

NORTH ELEVATION - BUILDING TYPE A1 FRONT (1 / A5.01)
NTS

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REV.#2- D. SPRIK - 11/19/03 - ADDING BLDG. NUMBERS & DIMENSION
REV.#1- D. SPRIK - 10/9/03 - ADDED SHTS FOR MASTER SIGN PLAN

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NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES	[signature]	11/19/03
DESIGN	[signature]	11/19
ESTIMATING		
ENGINEERING		
EXPEDITING		

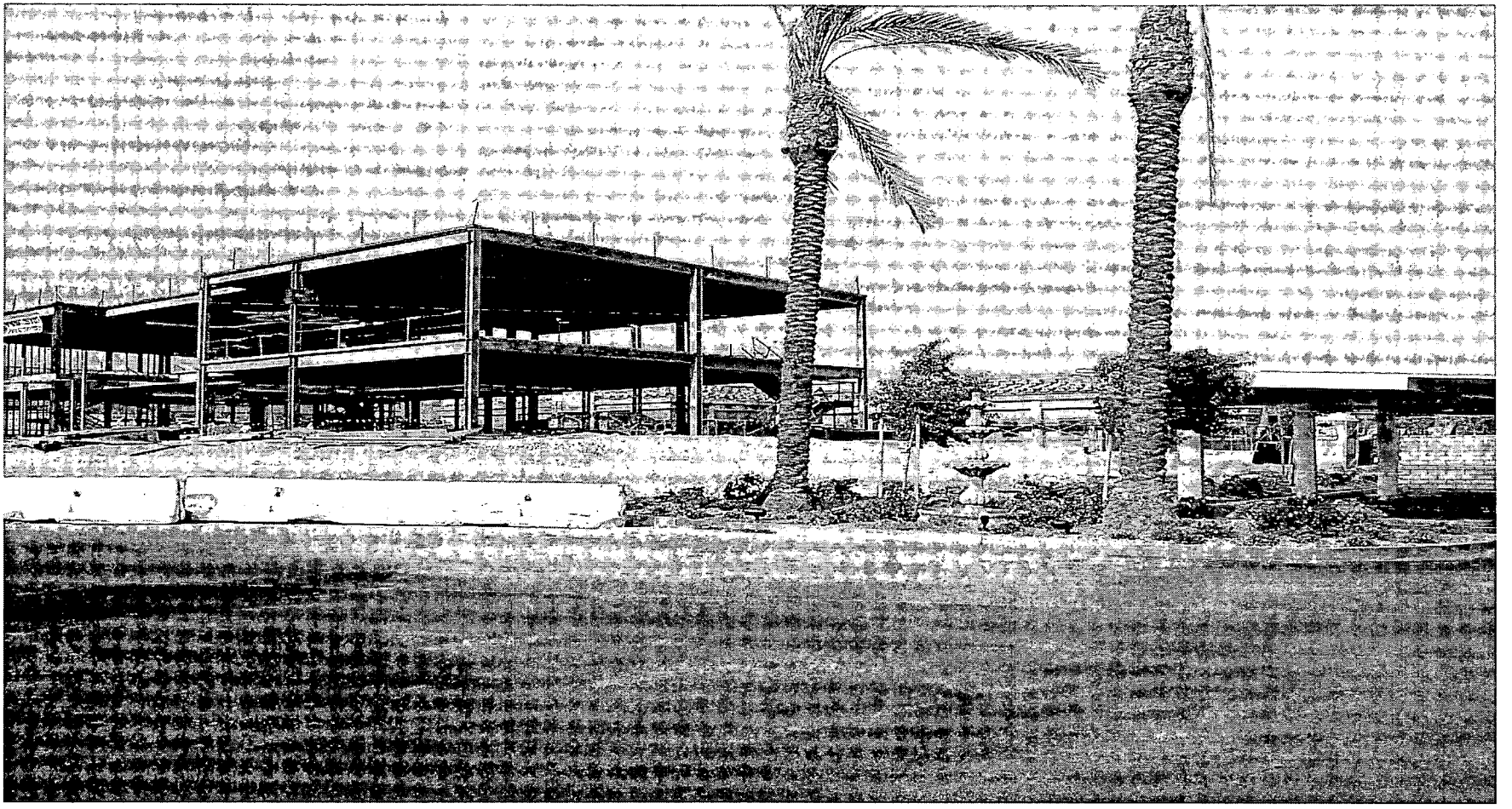
REVISIONS	SCALE	DATE	DESIGNER
REV.#1	AS NOTED	10/9/03	DENNIS SPRIK
REV.#2	AS NOTED	11/19/03	DENNIS SPRIK

FIRM NAME / LOCATION ADDRESS
CORONADO BUSINESS PARK
7830-7884 SAHARA BLDG #7924
LAS VEGAS, NEVADA
SALESPERSON ■ RICH HINSHAW

13484A2.1 (FILE DESIGN NUMBER) R2 (OPTION / REV)
SHEET 2 OF 11
W.O. NUMBER

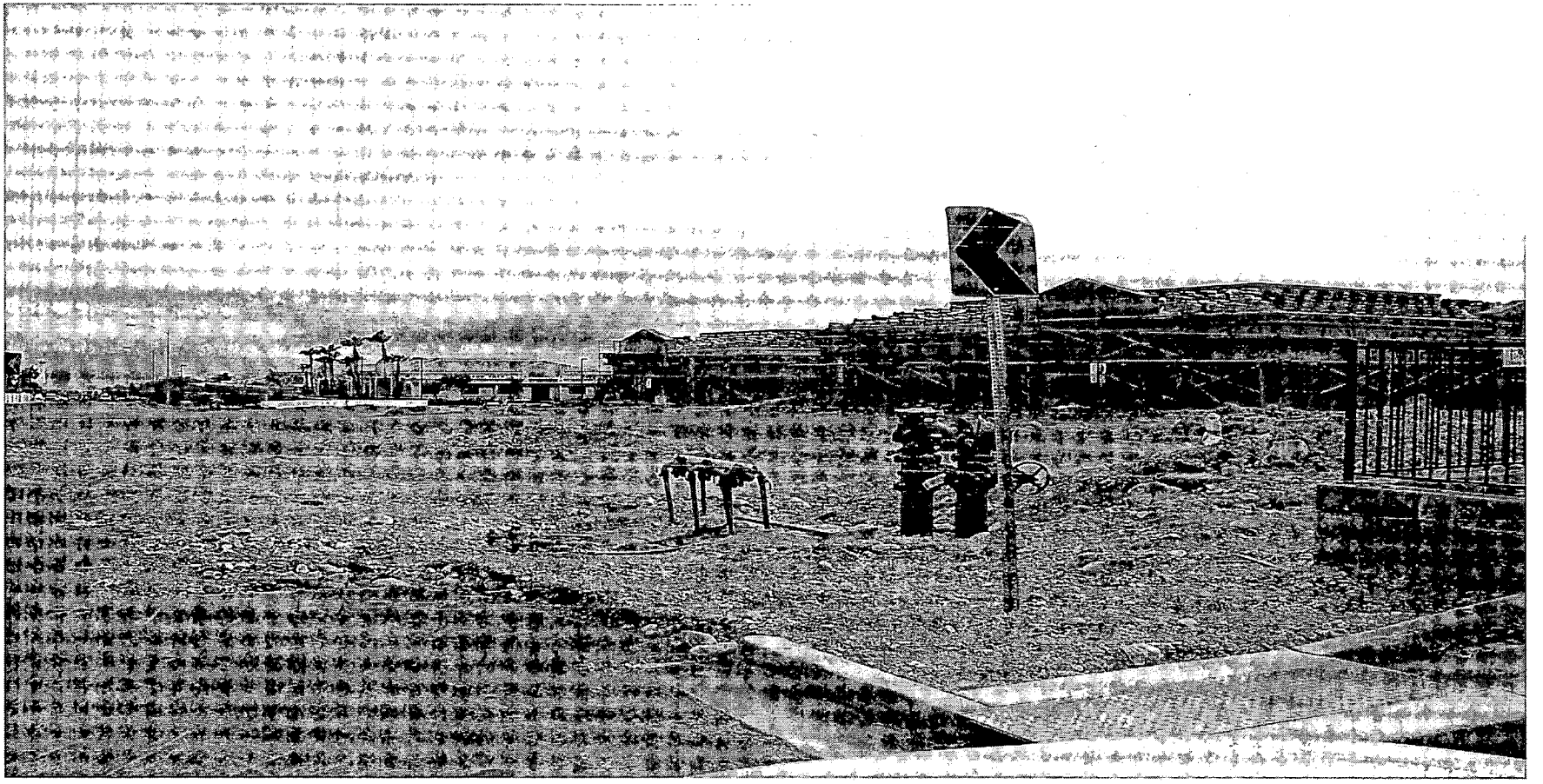
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

MSP-3493
1-22-04 PC



MSP-3493 - PRECISION CONSTRUCTION, INC. ON BEHALF OF CORONODO BAY SAHARA, LIMITED LIABILITY COMPANY
7936 WEST SAHARA AVENUE
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04



MSP-3493 - PRECISION CONSTRUCTION, INC. ON BEHALF OF CORONODO BAY SAHARA, LIMITED LIABILITY COMPANY
7936 WEST SAHARA AVENUE
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04

TM / LAS CNCL. MTG. [P WED. 18 FEB., '04 (CNCL. CHMB.) (CH: MAY 016)

PUB. COMMENT:-
ITEM #77

..<(30")>..

- TOM MCGOWAN. LAS VEGAS RESIDENT.

- WHAT ARE THE NAMES OF THE PRINCIPAL OWNERS AND CORPORATE OFFICERS of THE APPLICANT: "CORONADO BAY / SAHARA, L.L.C.", AND WHAT IS THEIR CORPORATE OFFICE HEADQUARTERS ADDRESS AND TELEPHONE NUMBER?.

IF THAT INFORMATION IS MADE PUBLIC, APPROVE THE ITEM.
IF NOT, ~ DISAPPROVE THE ITEM, WITH PREJUDICE.

20

THANK YOU. (SUBMITTED AND REQUESTED INCLUSION IN THE MINUTES OF TODAY'S MEETING IN ACCORDANCE WITH NRS 241, THE NEVADA OPEN MEETING LAW).

Submitted at City Council
Date 2/18/04 Item #77

City of Las Vegas

Agenda Item No. 78

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - **MSH-3453 - CITY OF LAS VEGAS** - Request to amend the Master Plan of Streets and Highways TO UPDATE THE CIRCULATION SYSTEM FOR THE CENTENNIAL HILLS AREA NORTH OF CHEYENNE AVENUE, SOUTH OF MOCCASIN ROAD, EAST OF PULI ROAD AND WEST OF DECATUR BOULEVARD, Wards 5 (Weekly) and 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WEEKLY – APPROVED subject to condition – UNANIMOUS with MONCRIEF not voting

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

COUNCILMAN MACK explained that the amendment is required because there is a need for an outer Beltway to service the far northwest, as the City grows.

No one appeared in opposition.

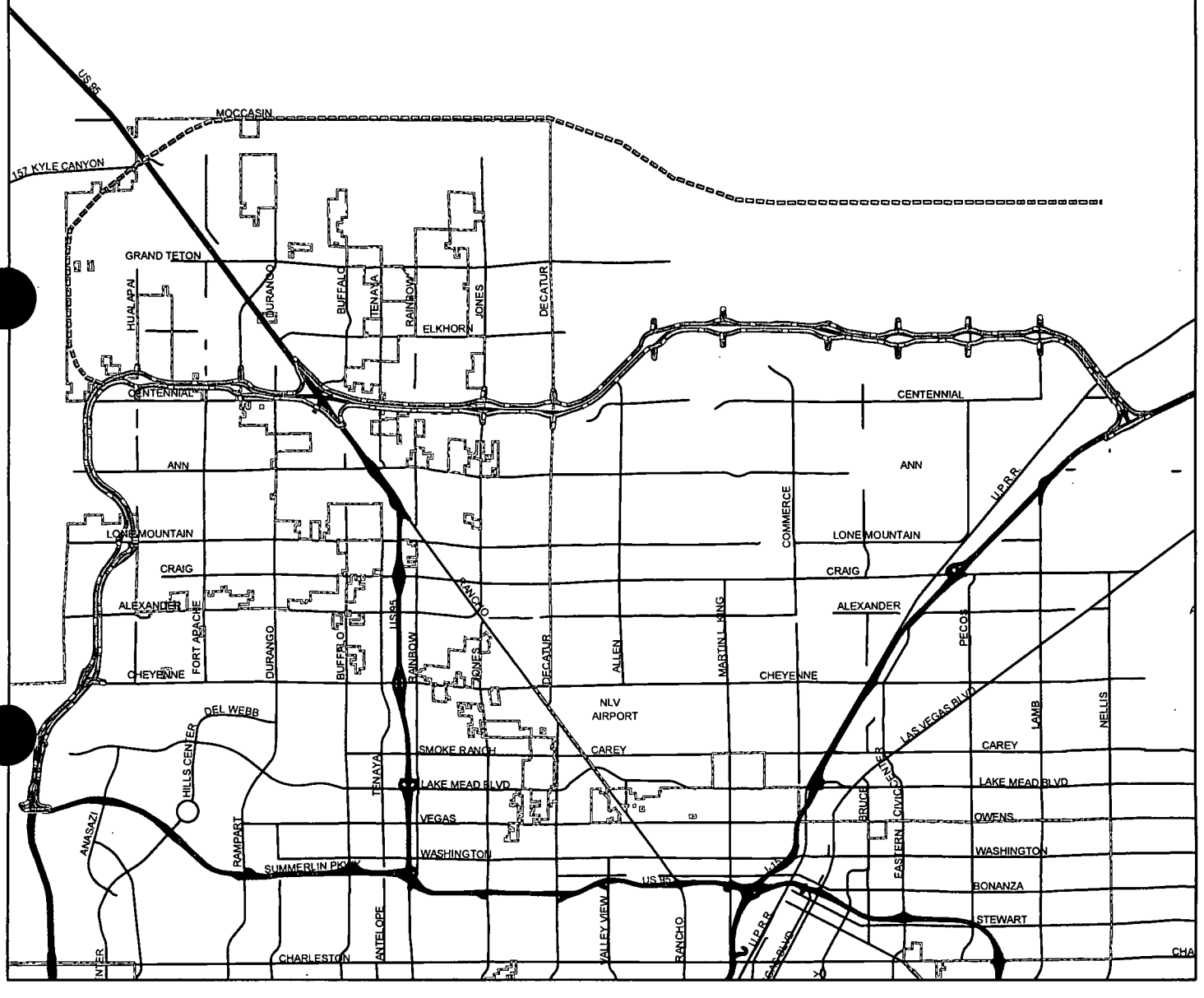
MAYOR GOODMAN declared the Public Hearing closed.

(1:47 – 1:48)

3-1061

CONDITONS:
1. City Staff is empowered to modify this application, if necessary, for technical concerns or other related review actions provided current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is satisfied.

NORTHWEST CONSENSUS MAP



MSH-3453

RADIUS: **SPECIAL**

0 15,000 30,000

Feet

Information Technologies

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSH-3453 - CITY OF LAS VEGAS

** CONDITIONS **

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

1. City Staff is empowered to modify this application, if necessary, for technical concerns or other related review actions provided current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is satisfied.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of an amendment to the Master Plan of Streets and Highways to identify necessary arterial roadways to service the northwest area of the City of Las Vegas, to provide public notice to interested property owners of such necessary roadways, and establish the alignments and right-of-way widths thereof.

B) Applicant's Justification

Population growth within the City has increased drastically over the last several years, with particular emphasis in the northwest portion of the valley. As the population grows, it places an increasing strain on the existing roadway network. With the anticipated release of large tracts of Bureau of Land Management controlled land, formerly identified as Wilderness Study Area, adequate transportation planning is even more important than before. In an effort to anticipate future problems and mitigate them in advance, the City of Las Vegas took the initiative to assemble the affected political entities and address the future roadway needs of the region.

BACKGROUND INFORMATION

Previous Actions

01/27/03	First day of a two-day workshop sponsored by the City of Las Vegas and including all major public entities with interests in the northwest to discuss transportation issues in the northwest.
03/03/03	Second day of a two-day workshop at which the essential alignments and roadway widths for master planned streets were worked out, and the Northwest Consensus Map was produced. All involved entities agreed to recommend approval.
07/16/03	Clark County Board of Commissioners adopted the Northwest Consensus Map as the "Revised Transportation Element to the Clark County Master Plan".
09/03/03	The Las Vegas City Council unanimously approved the Northwest Consensus Map.
01/22/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #17/kcw).

ANALYSIS

General Analysis and Discussion

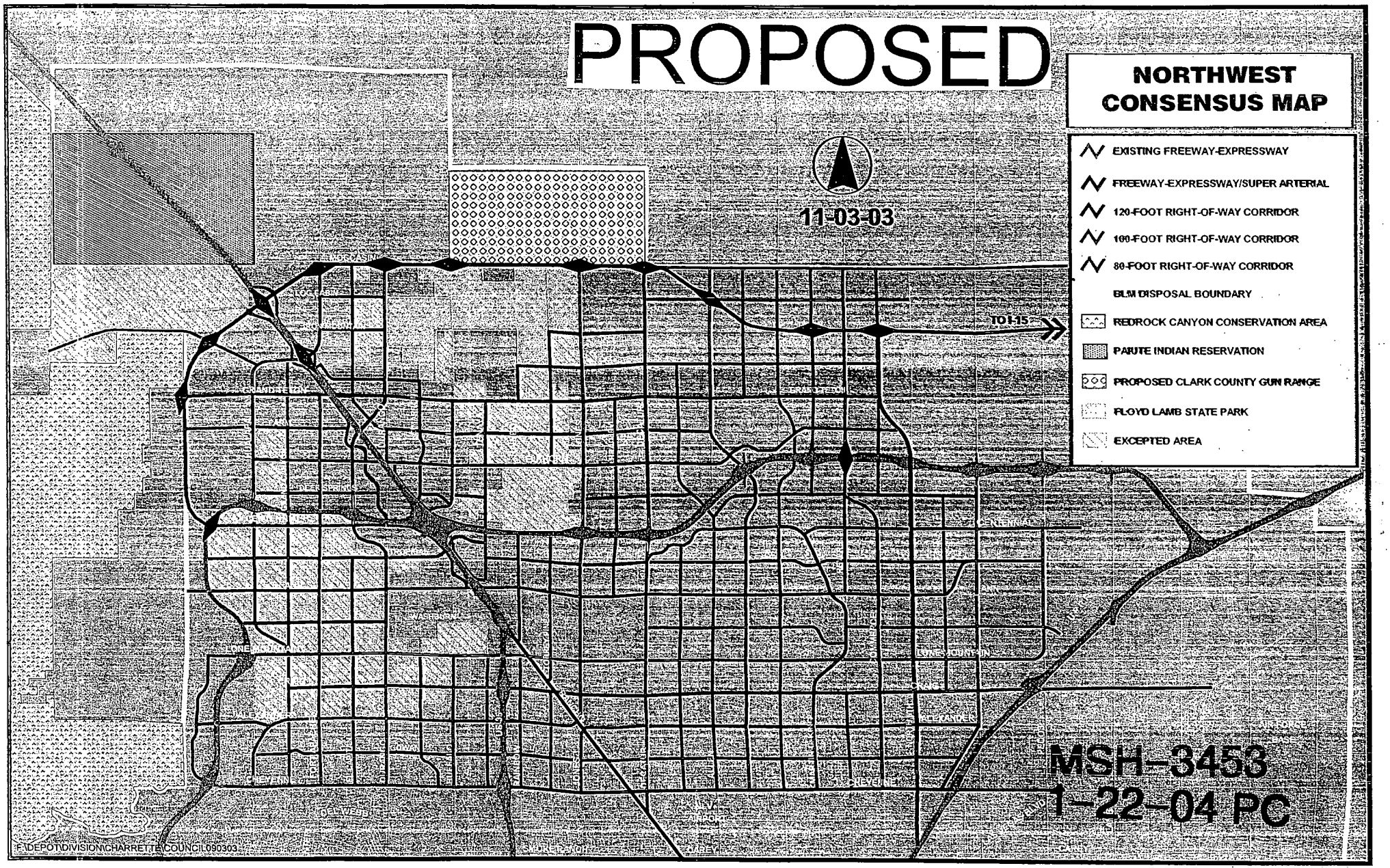
On January 27th and March 3rd of 2003, a two-day workshop was sponsored by the City of Las Vegas, and attended by representatives of the City of North Las Vegas, Clark County, the Regional Transportation Commission, the Regional Flood Control District, the Las Vegas Valley Water District, and the Nevada Department of Transportation, which included members of both Public Works and Planning staffs. Over the two-day event, the participants discussed a variety of issues related to providing effective transportation for future growth in the northwest Las Vegas valley, culminating in the production of a roadway plan called the "Northwest Consensus Map". This map was agreed to by all participants and forms the basis of the Amendment presented with this action. The representatives from all participating jurisdictions agreed to bring the Consensus Map before their respective governing boards for adoption.

The Clark County Commission adopted the Consensus Map on July 16, 2003 as the "Revised Transportation Element to the Clark County Master Plan". On September 3, 2003, the Consensus Map was presented to the Las Vegas City Council and was unanimously approved. This Master Plan of Streets and Highways amendment will codify the specific roadway requirements in accordance with that approved plan.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0


PROPOSED
NORTHWEST CONSENSUS MAP
11-03-03
EXISTING FREEWAY-EXPRESSWAY
FREEWAY-EXPRESSWAY/SUPER ARTERIAL
120-FOOT RIGHT-OF-WAY CORRIDOR
100-FOOT RIGHT-OF-WAY CORRIDOR
80-FOOT RIGHT-OF-WAY CORRIDOR
BLM DISPOSAL BOUNDARY
REDROCK CANYON CONSERVATION AREA
PAIUTE INDIAN RESERVATION
PROPOSED CLARK COUNTY GUN RANGE
FLOYD LAMB STATE PARK
EXCEPTED AREA
TO I-15
MSH-3453
1-22-04 PC
F:\DEPT\DIVISION\CHARRETTE\COUNCIL\090303

City of Las Vegas

Agenda Item No. 79

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
WAIVER OF TITLE 18 - PUBLIC HEARING - **WVR-3430 - CONCORDIA HOMES** - Request for a waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 68 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the southwest corner of Moxley Creek Street and Stange Avenue (APN: 137-01-201-013), PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:
BROWN – APPROVED – UNANIMOUS

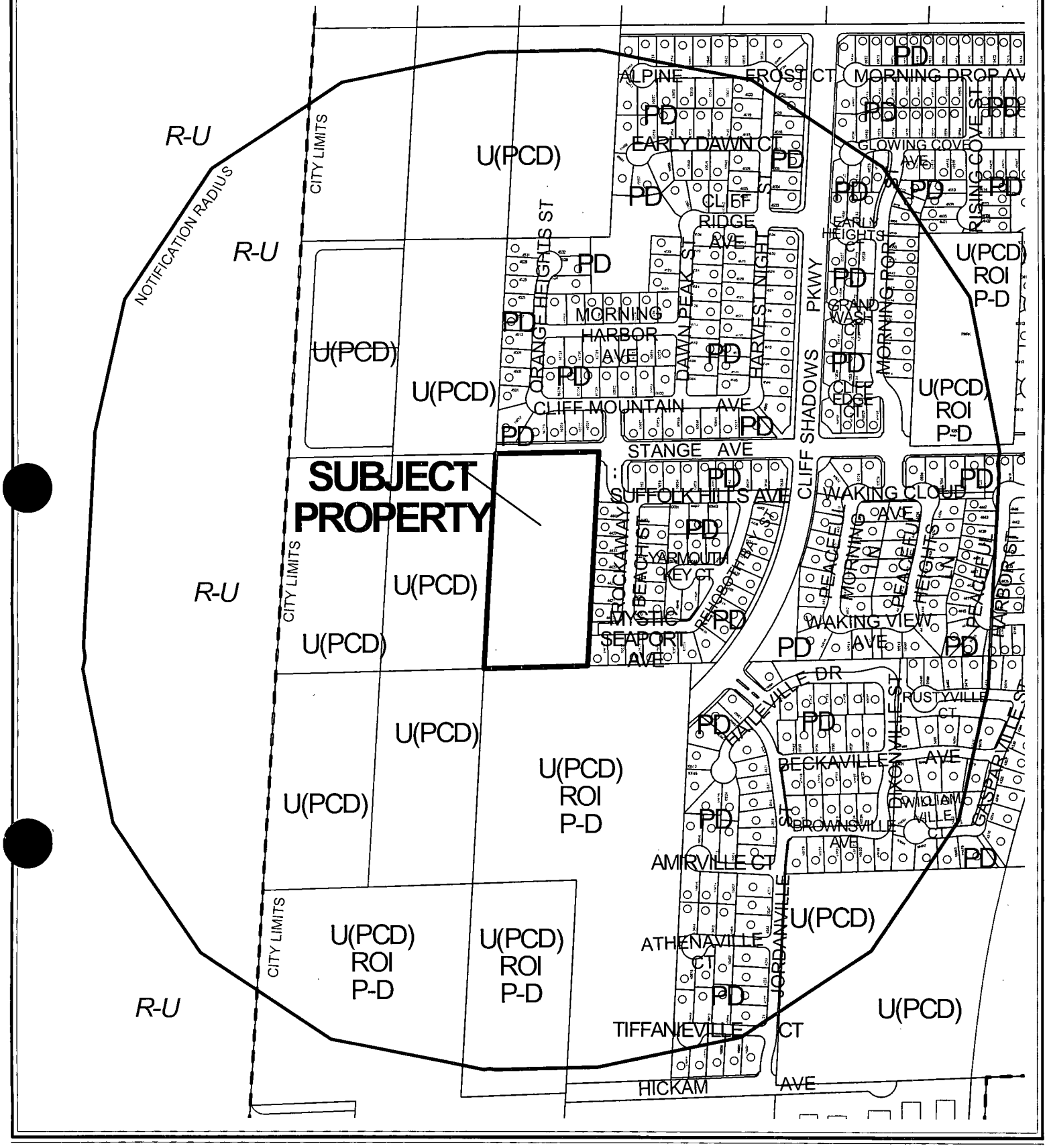
MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

LORA DREJA, 2727 South Rainbow Boulevard, appeared on behalf of Concordia Homes and clarified the distance separation as 168 feet. BART ANDERSON, Public Works Department, pointed out that the original plan included a street on the west edge to provide access to parcels to the south.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:48 – 1:50)



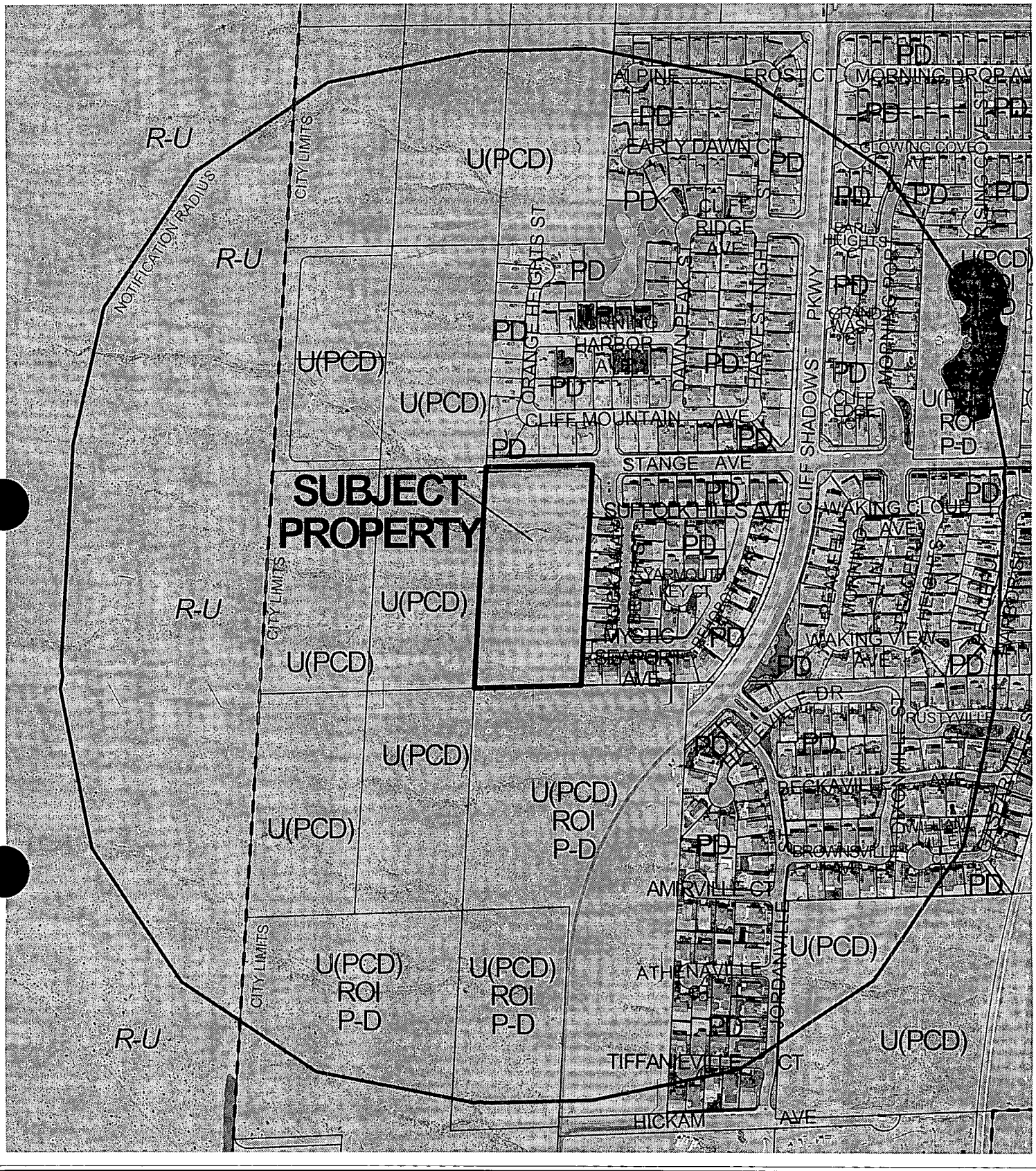
0 300 600 Feet

CASE: **WVR-3430**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



CASE: **WVR-3430**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-3430 - CONCORDIA HOMES

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a waiver to Title 18.12.160 to allow an offset between street intersections to be 169.74 feet where 220 feet is the minimum distance required on property located adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway.

B) Applicant's Justification

The applicant's justification letter indicates they feel that this offset will not create any operational problems since the separation provided is just over one car length from the standard.

BACKGROUND INFORMATION

A) Previous Actions

02/27/03	The Planning and Development Department administratively approved a Minor Modification (MOD-1669) to the Lone Mountain West Master Plan to include this site in the plan area.
04/02/03	The City Council approved a Rezoning (ZON-1666) to PD (Planned Development) on this site. The Planning Commission and staff recommended approval on February 27, 2003.
04/16/03	The City Council approved a Site Development Plan Review (SDR-1667) for a 24 lot single family residential development on this site. The Planning Commission and staff recommended approval on March 13, 2003.
01/22/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #19/mp).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residences (Under Construction)
South:	Undeveloped
East:	Single Family Residences
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:	PD (Planned Development)
North:	PD (Planned Development)
South:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
East:	PD (Planned Development)
West:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) General Plan Compliance

The site is designated PCD (Planned Community Development) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The existing PD (Planned Development) Zoning designation is in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is located in the Lone Mountain West Master Plan area. This request is for a waiver from the standards set forth in Title 18 (Subdivision Ordinance) and therefore does not affect the Lone Mountain West requirements.

PROJECT DESCRIPTION

The applicant is proposing to allow the offset between two street intersections to be 169.74 feet where Title 18 requires a minimum of 220 feet. This is the result of a minor revision to the approved site plan, which previously showed access to the development from the south of the site. The plans now indicate access will be taken from the north from Stange Avenue.

ANALYSIS

General Analysis and Discussion

The Department of Public Works has no objection to the Request for a Waiver of Title 18.12.160 to allow a 167.74 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 property located at the southwest corner of Moxley Creek Street and Stange Avenue.

NOTICES MAILED 349 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3430 APN: 137-01-201-013

Name of Property Owner: Concordia Homes

Name of Applicant: Concordia 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: Roberta Hogan

Print Name: Roberta Hogan, Secretary

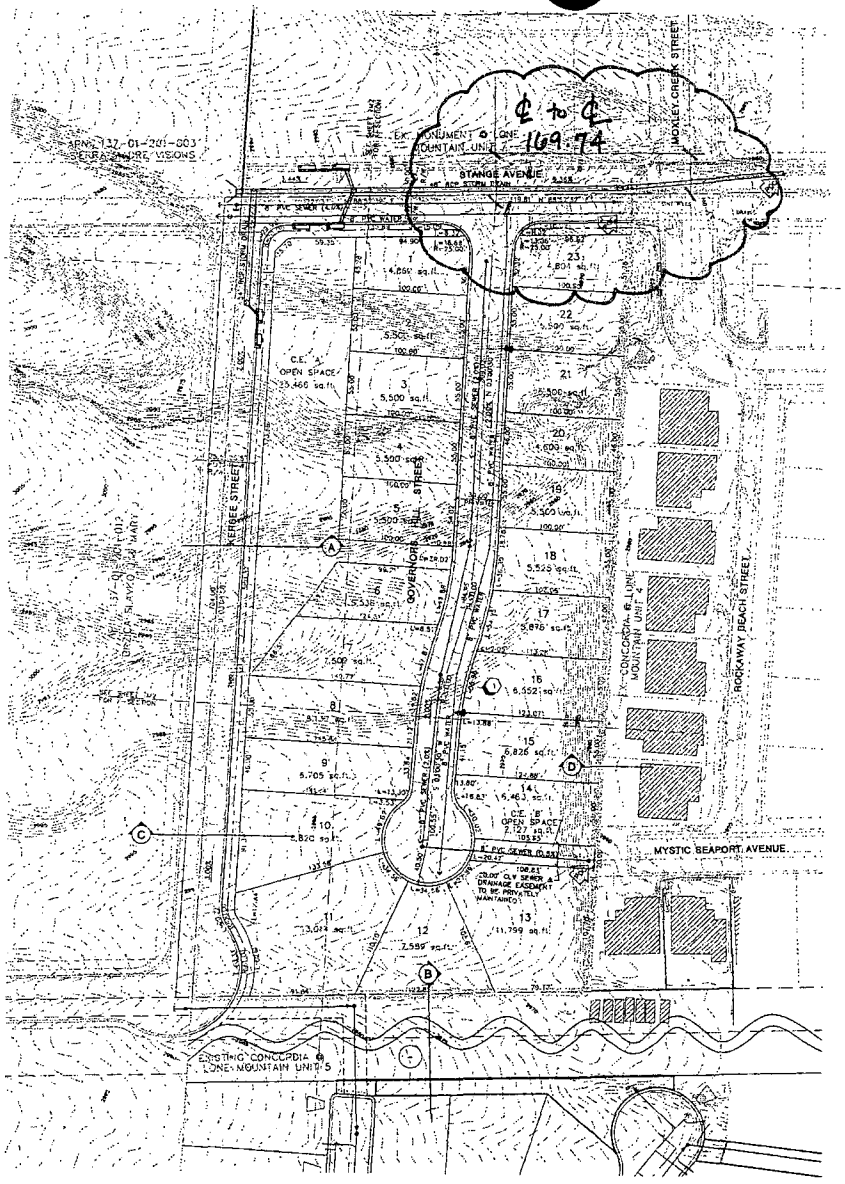
Subscribed and sworn before me

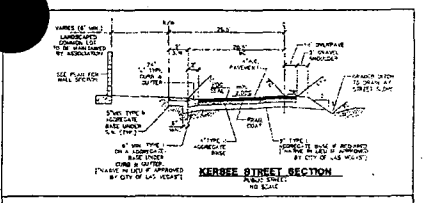
This 10th day of November, 2003

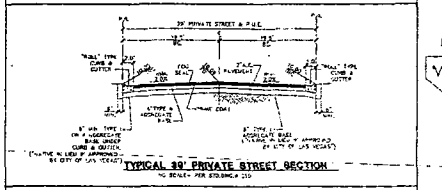
Michelle Valsvik

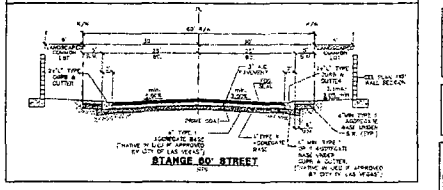
Notary Public in and for said County and State

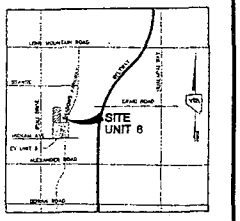
MICHELLE VALSVIK
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 12-09-2005
Certificate No: 97-4761-1











GRAPHIC SCALE

NORTH

1" = 30'

BENCHMARK

PROJECT VERTICAL DATUM: NAVD88

CITY OF LAS VEGAS BENCHMARK ("VDD-68DC" HAVING AN ELEV. OF 713.4487 METERS (2340.09 FEET))

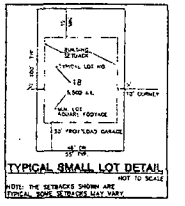
RIVET AND SLATE IN TOOP OF CURB, NORTHWEST RETURN OF ALEXANDER ROAD AND BUFFALO DRIVE.

LEGAL DESCRIPTION

BEING A PORTION OF THE WEST HALF (W 1/2) OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

BASIS OF BEARINGS

NORTH 03°04'42" EAST, BEING THE BEARING OF THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTH WEST QUARTER (NW 1/4) OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY THAT MAP KNOWN AS "STONEHAVEN AT LONE MOUNTAIN-UNIT 6" ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA IN BOOK 107 OF PLATS, AT PAGE 80.



Call before you Dig 1-800-227-2600

Call before you Overhead 1-702-593-8111

SETBACKS

FRONT (GARAGE) : 20'
FRONT (HOUSE) : 15'
SIDE : 5'
CORNER : 10'
REAR : 15'

SITE DATA

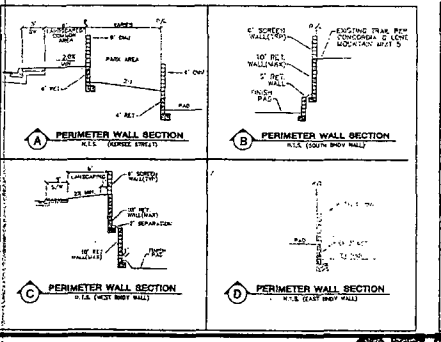
CURRENT ZONING : R2D
*PROPOSED ZONING : R-PD7
GROSS AREA : 33.5 AC
NUMBER OF LOTS : 224
PROPOSED DENSITY : 6.7 DU/AC
NUMBER OF COMMON ELEMENTS : 2 EA
OPEN SPACE REQUIRED : 10%
USABLE OPEN SPACE PROVIDED : 22,533 S.F.
APN# 137-01-201-003

OWNER/DEVELOPER

CONCORDIA HOMES
980 AMERICAN PACIFIC SUITE 100
HENDERSON, NEVADA 89014
(702) 434-5200
CONTACT: ROBYN HOGAN

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
- 18" SD — PROPOSED STORM DRAIN
- 20 — LOT NUMBER
- C — BLOCK NUMBER
- POC — POINT OF CONNECTION TO EXIST. UTILITIES
- 3.14% — RATE OF GRADE AND DIRECTION OF SLOPE (ARROWS TO BOTH STREET AND SEWER UNLESS OTHERWISE NOTED)
- 2100 — EXISTING CONTOUR LINE
- CE — COMMON ELEMENT AREA
- SCO — STREET LIGHT
- FIRE HYDRANT
- MB — PROPOSED MAIL BOXES PER USPS



GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE UNIFORM STANDARDS AND SPECIFICATIONS OF CITY OF LAS VEGAS, 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 CENTRAL-NEVADA
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES
4. SEWER CONTRIBUTION :
   AVERAGE FLOW = 0.0059
   PEAK FLOW = 0.0240
5. BUILDING SETBACKS TO COMPLY WITH ALL APPLICABLE ORDINANCES.
6. STORM WATER TO SURFACE DRAIN ON STREETS.
7. THIS DEVELOPMENT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE AS DESIGNATED BY FEMA PER FIRM PANEL #32003C0310 E
8. ALL INTERIOR SEWER AND WATER MAINS ARE 8" UNLESS OTHERWISE SHOWN.
9. ALL INTERIOR STREETS ARE 39' MOE PUBLIC UNLESS OTHERWISE SHOWN.
10. ALL PROPERTY LINE RADIUS = 10' AT INTERSECTIONS UNLESS OTHERWISE SHOWN.
11. THIS SUBDIVISION WILL HAVE CC&R'S & TO MAINTAIN LANDSCAPING IN PERPETUITY BY THE HOME OWNER'S ASSOCIATION.
12. THERE ARE NO OBSERVABLE FAULTS OR FISSURES ON OR NEAR THIS SITE.
13. SEEPS, SPRINGS, OR OTHER MANIFESTATIONS OF HIGH GROUND WATER LEVELS (EVEN IF WERE NOT NOTED ON THE SUBJECT PROPERTY.

CONCORDIA HOMES
980 AMERICAN PACIFIC DRIVE, SUITE 100
HENDERSON, NEVADA 89014
(702) 434-5200 CONT: ROBYN HOGAN

CITY OF LAS VEGAS

TENTATIVE MAP

CONCORDIA @ LONE MOUNTAIN WEST UNIT 6

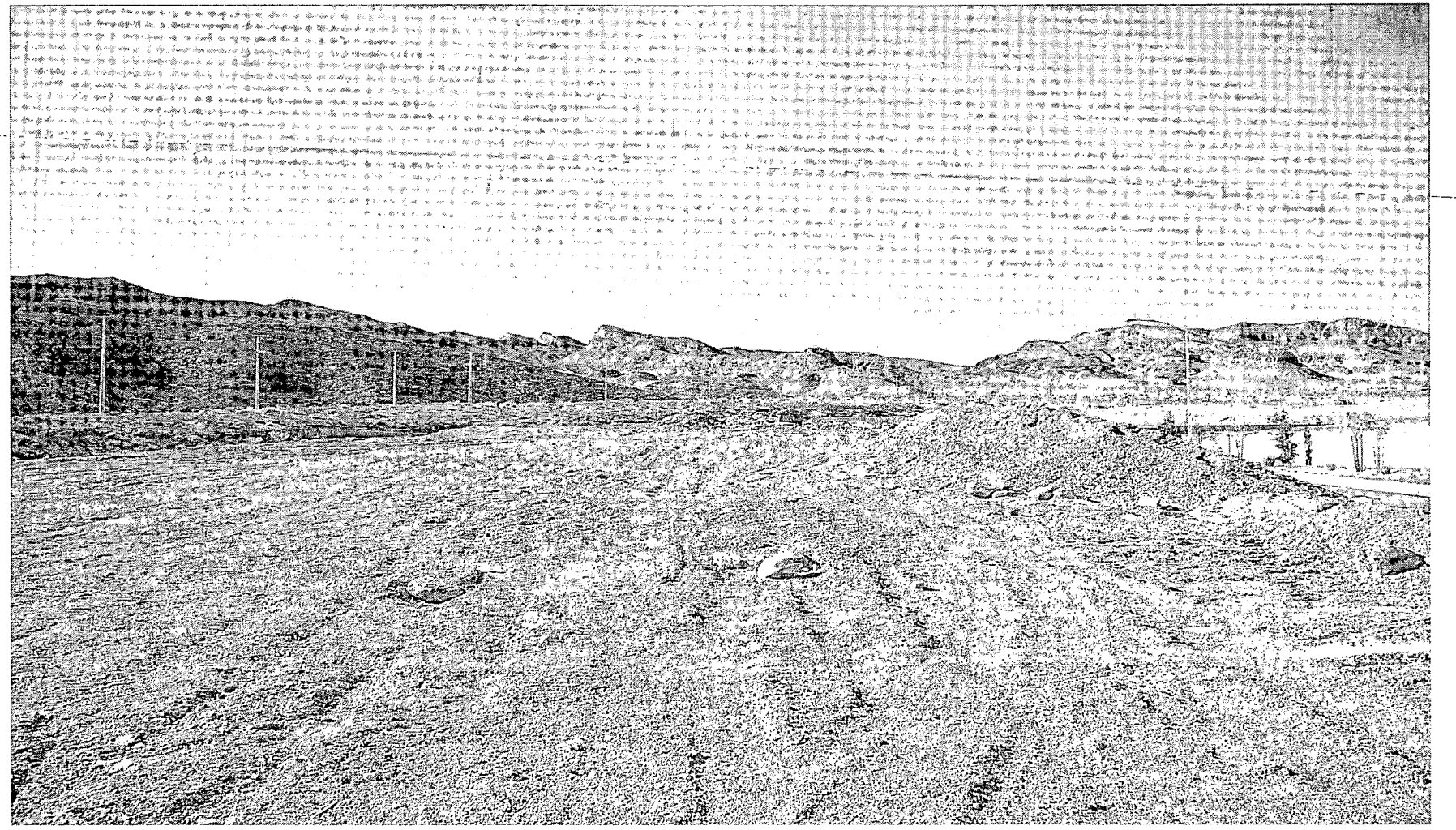
	DATE	BY
DRAWN BY:	OCT 2003	
DESIGNED BY:	OCT 2003	
CHECKED BY:	OCT 2003	
PROJECT NO: 03-0	SCALE: 1"=50'	HORIZ.
	N/A	VERT.

EXPIRES 06-30-04
REGISTERED PROFESSIONAL ENGINEER
AARON M. KYLLONEN
No. 9808
STATE OF NEVADA
11/11/03

SHEET TM1
1 OF 2 SHEETS
DRAWING NO.

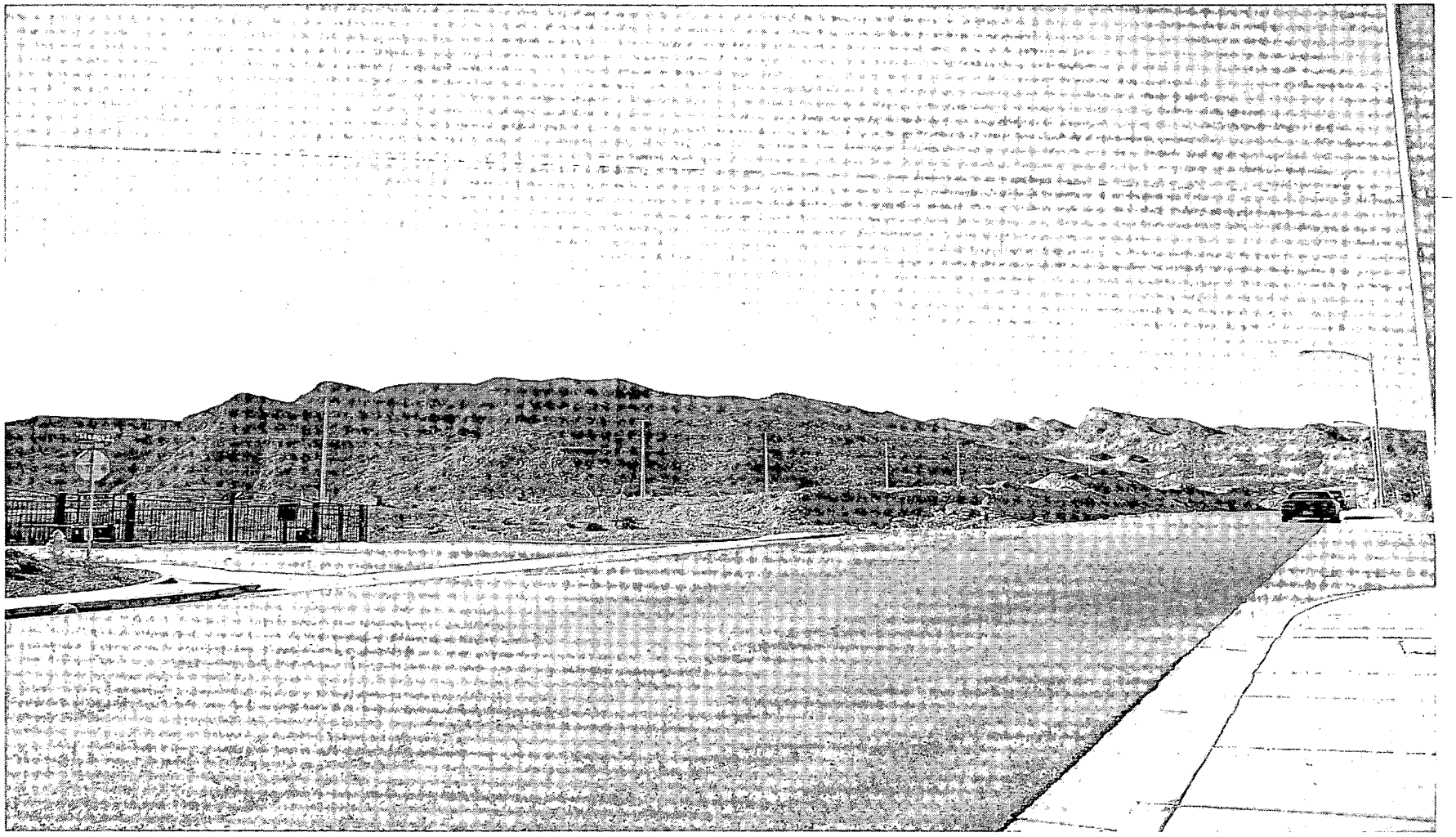
STAFF

WVR-3430
1-22-04 PC



WVR-3430 - CONCORDIA HOMES
SOUTHWEST CORNER OF MOXLEY CREEK STREET AND STANGE AVENUE
JANUARY 22, 2004 PLANNING COMMISSION

1/02/04



WVR-3430 - CONCORDIA HOMES
SOUTHWEST CORNER OF MOXLEY CREEK STREET AND STANGE AVENUE
JANUARY 22, 2004 PLANNING COMMISSION

1/02/04

City of Las Vegas

Agenda Item No. 80

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - **MOD-3508 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW** - Request for a Major Modification to the Lone Mountain West Master Plan TO INCLUDE THIS SITE INTO THE LONE MOUNTAIN WEST MASTER PLAN AND CHANGE THE LAND USE DESIGNATION FROM: NC (NEIGHBORHOOD COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.49 acres adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway (APN: 137-12-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 80 [MOD-3508], Item 81 [ZON-3499], Item 82 [VAR-3510], Item 83 [SDR-3501] and Item 84 [VAC-3506].

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. The property is boarded by a future planned park, on the north by similar density and on the east by a recently approved church. The proposed project is appropriate for this location.

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 80 – MOD-3508

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, confirmed with MARGO WHEELER, Deputy Director, Planning and Development Department, that there is no problem with the trails. He pointed out that the church would be built according to sustainable architecture and hoped that the proposed project will also.

MS. WHEELER read into the record an amendment to Condition 6 of the site development plan review, to which ATTORNEY FIORENTINO concurred.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 80 [MOD-3508], Item 81 [ZON-3499], Item 82 [VAR-3510], Item 83 [SDR-3501] and Item 84 [VAC-3506].

NOTE: All discussion for Item 80 [MOD-3508], Item 81 [ZON-3499], Item 82 [VAR-3510], Item 83 [SDR-3501] and Item 84 [VAC-3506] took place under Item 80 [MOD-3508].

(1:50 – 1:55)

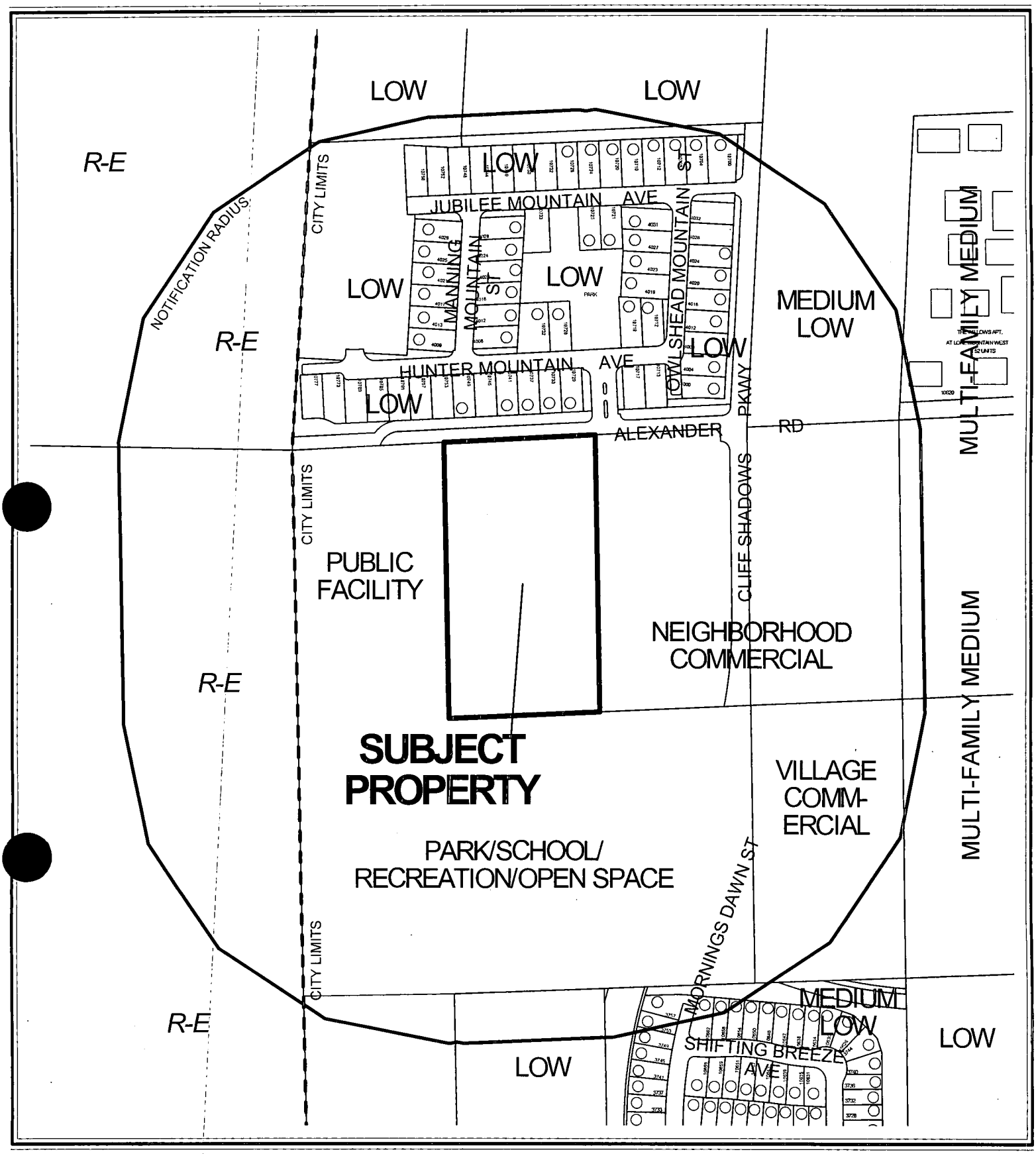
3-1175

CONDITONS:

Planning and Development

1. A Rezoning (ZON-3499) to PD (Planned Development), Site Development Plan Review (SDR-3501), and Variance (VAR-3510) shall be approved by the City Council at a Public Hearing.

2. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.



CASE: **MOD-3508**

RADIUS: 750 FT

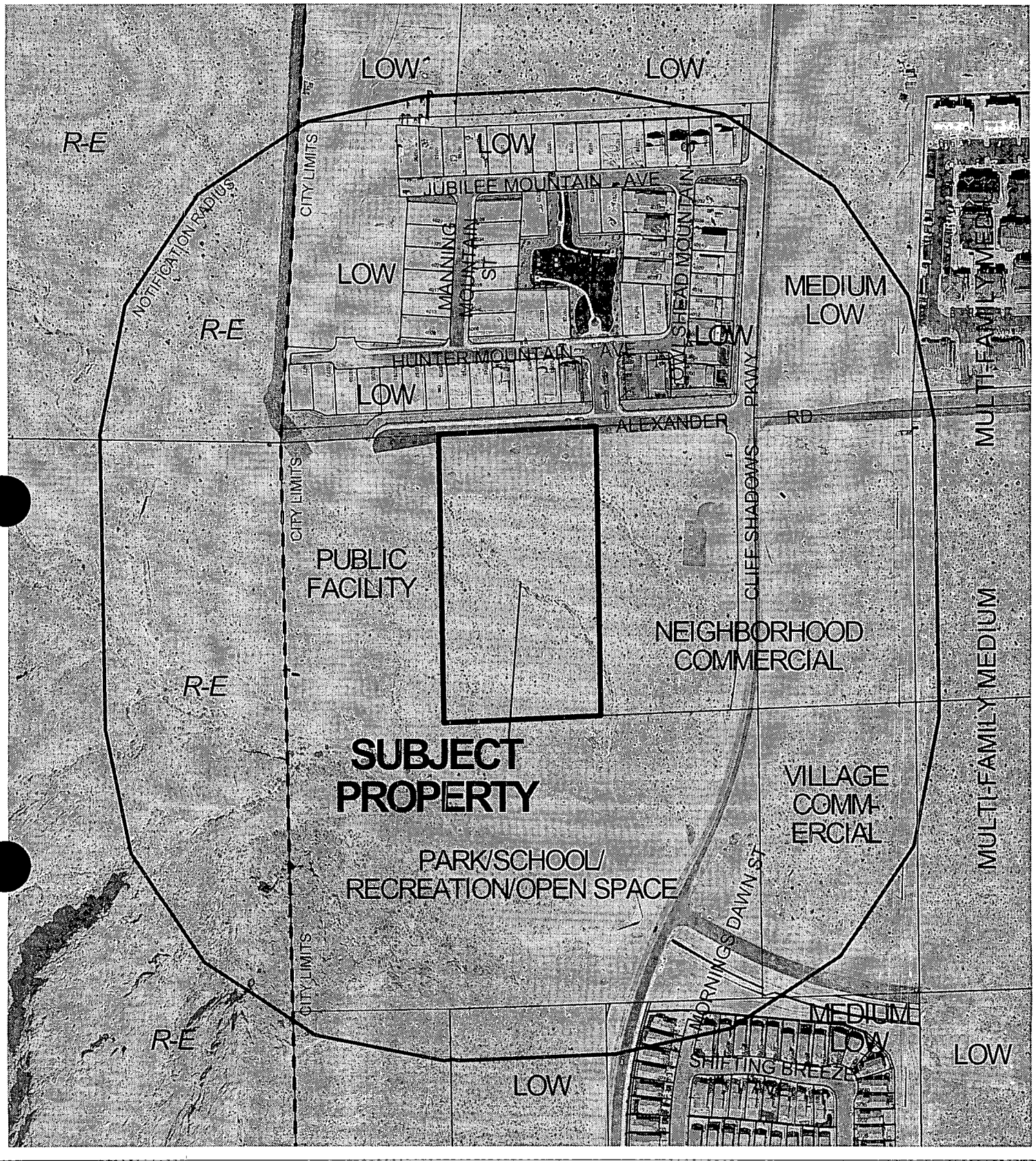
0 200 400 Feet

LONE MOUNTAIN WEST MASTER PLAN DESIGNATION OF SUBJECT PROPERTY:

NC (NEIGHBORHOOD COMMERCIAL)

PROPOSED LONE MOUNTAIN WEST MASTER PLAN DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM-LOW DENSITY RESIDENTIAL)



CASE: **MOD-3508**

RADIUS: 750 FT

0 200 400 Feet

LONE MOUNTAIN WEST MASTER PLAN DESIGNATION OF SUBJECT PROPERTY:

NC (NEIGHBORHOOD COMMERCIAL)

PROPOSED LONE MOUNTAIN WEST MASTER PLAN DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM-LOW DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-3508 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3499) to PD (Planned Development), Site Development Plan Review (SDR-3501), and Variance (VAR-3510) shall be approved by the City Council at a Public Hearing.

2. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is intended to amend the Lone Mountain West Master Plan on property adjacent to the south side of Alexander Road and approximately 350 feet west of Cliff Shadows Parkway from NC (Neighborhood Commercial) to ML (Medium-Low Density Residential).

The proposed use is a 32-lot single family residential detached subdivision. Related requests for a Rezoning (ZON-3499) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development), for a Variance (VAR-3510) to reduce open space requirements, and for a Site Plan Development Review (SDR-3501) for a 32-lot single family residential subdivision have also been submitted for this agenda.

B) Applicant's Justification

The applicant has justified the request by stating that a residential use is more consistent with the surrounding development - a single family subdivision to the north, a religious facility to the east and a public park to the west and south. According the applicant, a residential use is more harmonious than a commercial use with the surrounding community.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03	The City Council approved an annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was February 14, 2003.
01/22/04	The Planning Commission recommended approval of related items (ZON-3499, VAR-3510, SDR-3501 and VAC-3506).
01/22/04	The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #76/ls).

B) Pre-Application Meeting

10/21/03	At this meeting it was determined that this parcel needed to be added to the Lone Mountain West Master Plan and the land use designation needed to be amended to ML (Medium-Low Density Residential).

C) Neighborhood Meetings

No neighborhood meeting was required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.49

B) Existing Land Use

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

C) Planned Land Use

Subject Property:
North: L (Low Density Residential) [Lone Mountain West Designation]
South: PF (Public Facility) [Lone Mountain West Designation]
East: SC (Service Commercial) [Lone Mountain West Designation]
West: PF (Public Facility) [Lone Mountain West Designation]

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
North: PD (Planned Development)
South: C-V (Civic)
East: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West: C-V (Civic)

E) General Plan Compliance

The General Plan designation on this property is PCD (Planned Community Development) and a related request has been submitted to amend the Lone Mountain West Master Plan to ML (Medium-Low Density Residential), which would bring the proposed use into compliance with that plan. If that request is not approved, this item cannot go forward.

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

ANALYSIS

A) Zoning Code Compliance

A related request has been submitted to rezone the site to PD (Planned Development), which is the intended zoning district for the Lone Mountain West Master Plan area (ZON-3499).

B) General Analysis and Discussion

The General Plan designation on this property is PCD (Planned Community Development) with special land use designation of NC (Neighborhood Commercial) in the Lone Mountain West Master Plan. Part of this request will amend the special land use designation to ML (Medium-Low Density Residential), which would bring the proposed use into compliance with that plan. If that request is not approved, this item cannot go forward.

The Lone Mountain West Master Plan contemplated open space needs as well as the need for commercial uses based on an anticipated amount of 1657 residential units. This request for a 32-lot residential subdivision will not negatively impact open space needs and will not substantially degrade opportunities for commercial development. The addition of the proposed residential units will not, by itself, increase the overall density above the maximum of 8 units per acre.

The proposed use will be compatible with surrounding uses to the north, west and south. Although commercial uses are planned to the east, that use has been anticipated at that location. With adequate buffering, single family uses can exist adjacent to commercial development.

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."**

   This request will result in a development that is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, wall and buffer standards and with the intent of the Lone Mountain Master Development Plan.

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

   The PD (Planned Development) Zoning District is the intended district for all of Lone Mountain West. This district supports large-scale planned communities, which includes supporting commercial uses.

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

The rezoning request is appropriate, as this parcel has been anticipated to become part of the Lone Mountain West Master Plan.

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."**

Alexander Road accesses the site, a 60' right-of-way. This portion of Alexander Road serving the site will be constructed in accordance with a condition of approval of the related Rezoning application.

NOTICES MAILED 361 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-3508 APN: 137-12-101-001

Name of Property Owner: Tony L & Sheryl L Dixon & Roberta Bradshaw

Name of Applicant: RL 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 ✓ 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: TONY L DIXON SHERYL L DIXON ROBERTA BRADSHAW

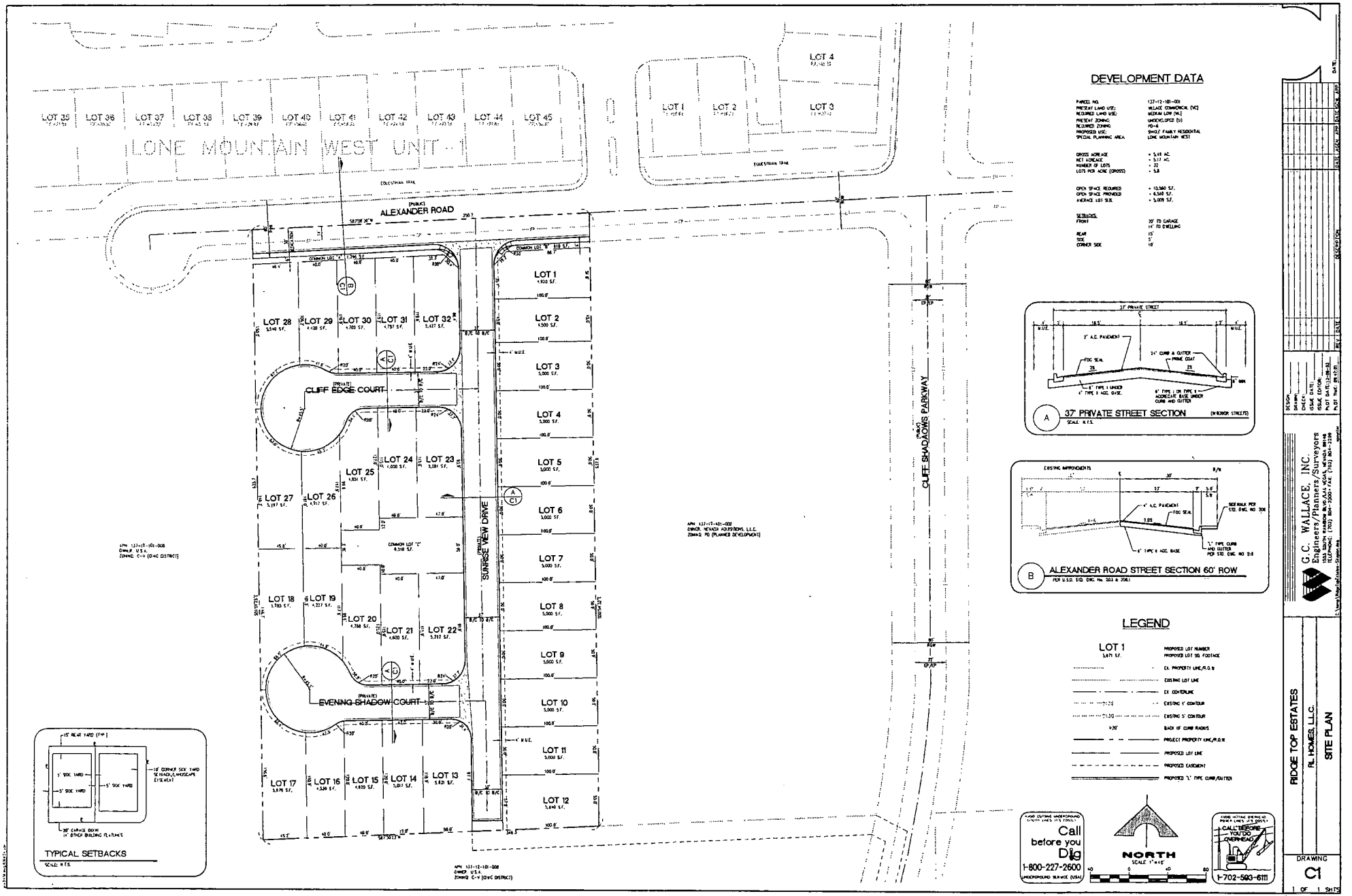
Subscribed and sworn before me

This 23rd day of NOVEMBER, 20 03

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANA ELLIS
Appt. No. 01-68412-1
My Appt. Expires March 30, 2005



DEVELOPMENT DATA

PARCEL NO.	137-12-101-001
PRESENT LAND USE:	VILLAGE COMMERCIAL (VC)
REQUIRED LAND USE:	MEDIUM LOW (ML)
PRESENT ZONING:	UNDEVELOPED (U)
REQUIRED ZONING:	PD-R
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
SPECIAL PLANNING AREA:	LONE MOUNTAIN WEST
GROSS ACREAGE	± 5.48 AC.
NET ACREAGE	± 5.17 AC.
NUMBER OF LOTS	= 22
LOTS PER ACRE (GROSS)	= 5.8
OPEN SPACE REQUIRED	= 10,360 S.F.
OPEN SPACE PROVIDED	= 6,368 S.F.
AVERAGE LOT SIZE	= 5,009 S.F.
SETBACKS:	
FRONT	20' TO GARAGE 14' TO DWELLING
REAR	15'
SIDE	5'
CORNER SIDE	10'

LEGEND

LOT 1 5,671 S.F. — PROPOSED LOT NUMBER / PROPOSED LOT SQ. FOOTAGE

- EX. PROPERTY LINE/R.O.W.
- EXISTING LOT LINE
- EX. CENTERLINE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- B/C — BACK OF CURB RADIUS
- PROJECT PROPERTY LINE/R.O.W.
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- PROPOSED 7" TYPE CURB/GUTTER

TYPICAL SETBACKS
SCALE: N.T.S.

Call before you Dig 1-800-227-2600 (UNDERGROUND SERVICE (USA))

NORTH
SCALE 1"=40'
0 40 80

CALL BEFORE YOU DIG YOUTOO OVERHEAD 1-702-593-6111

G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146
TELEPHONE: (702) 804-2000 FAX: (702) 804-2299

RIDGE TOP ESTATES
RL HOMES, LLC.
SITE PLAN

DRAWING C1
1 OF 1 SHTS

MOD-3508
1-22-04 PC

MOD-3508 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW
SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 290 FEET WEST OF CLIFF SHADOWS PARKWAY
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

City of Las Vegas

Agenda Item No. 81

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
REZONING RELATED TO MOD-3508 - PUBLIC HEARING - **ZON-3499 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (Planned Community Development) General Plan Designation] TO: PD (PLANNED DEVELOPMENT) on 5.49 acres adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway (APN: 137-12-101-001), Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:
NOTE: See Item 80 [MOD-3508] for all related discussion.

(1:50 – 1:55)

3-1175

CONDITONS:
Planning and Development

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

2. A Major Modification (MOD-3508), a Variance (VAR-3510) and a Site Development Plan Review (SDR-3501) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CONDITIONS – Continued:

Public Works

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

4. Construct half-street improvements on Alexander Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).

5. In accordance with the requirements of the Lone Mountain West Master Plan, the developer of this site shall contribute $42,492.60 towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

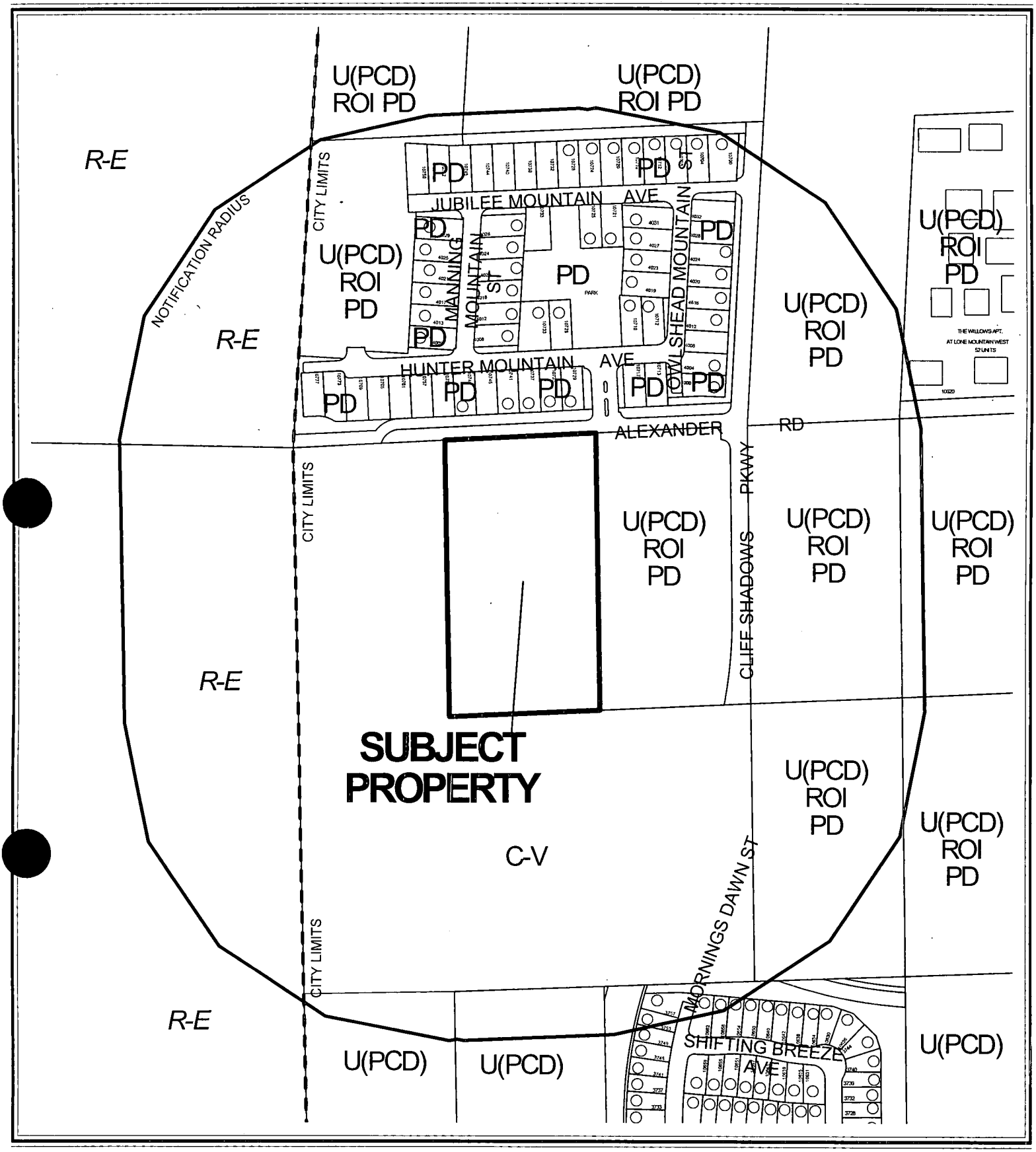
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic

CONDITIONS – Continued:

Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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



CASE: **ZON-3499**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3499 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. A Major Modification (MOD-3508), a Variance (VAR-3510) and a Site Development Plan Review (SDR-3501) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

4. Construct half-street improvements on Alexander Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).

5. In accordance with the requirements of the Lone Mountain West Master Plan, the developer of this site shall contribute $42,492.60 towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site.

Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or 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, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning to PD (Planned Development) zone on 5.49 acres located adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway. A Major Modification (MOD-3508) to the Lone Mountain West Master Plan, a Variance (VAR-3510) to allow a reduction in open space and a Site Development Plan Review (SDR-3501) for a 32-lot single-family residential development were filed as companion applications.

B) Applicant's Justification

The proposed 32-lot, single-family residential development is more consistent with the surrounding area than the existing commercial land use designation.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved an annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was February 14, 2003.

01/22/04 The Planning Commission recommended approval of related items (MOD-3508, VAR-3510, SDR-3501 and VAC-3506).

01/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #77/al).

B) Pre-Application Meeting

10/21/03 A second meeting was held to discuss revisions to the site plan. Due to a deficient amount of open space, a Variance submittal was required. Additionally, The Department of Public Works expressed concerns about internal site circulation.

C) Neighborhood Meetings

A neighborhood meeting was not required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.49
Net Acres:	5.17

B) Existing Land Use

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

E) General Plan Compliance

The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses.

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

Special Area Plan – *Lone Mountain West*

The site is located within the Lone Mountain Master Development Plan Area. The site will be developed in accordance with the guidelines of the Lone Mountain Master Development Plan and Design Standards.

Clark 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.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development standards for a PD (Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-3501), a related item.

Pursuant to the Lone Mountain West Master Plan, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
5.49 acres	5.8	330 square feet per lot	4.3 %	10,560 SF	2.7 %	6,510 SF

The Lone Mountain West Master Plan requires 330 square feet of internal open space be provided for each lot within a subdivision. The proposed 32-lot residential development requires a total of 10,560 square feet of open space. The proposed site plan depicts 6,510 square feet of centrally located open space. As the proposed development is deficient in open space by 4,050 square feet, the removal of one lot would allow the project to conform to open space standards. A Variance (VAR-3510) for a reduction in open space has been submitted concurrently with this application.

B) General Analysis and Discussion

The PD (Planned Development) Zoning District is the intended district for all of Lone Mountain West. This rezoning application is consistent with both the existing PCD (Planned Community Development) general plan designation and the proposed ML (Medium-Low Density Residential) Lone Mountain West land use designation for the site.

The proposed development will result in the construction of 32 lots on 5.49 acres, for a density of 5.8 dwelling units per acre. A 37-foot wide, private street will be provided with access off Alexander Road. Open space, in the form of a centrally located park is provided but in a reduced amount compared to what the Lone Mountain West Master Plan requires. The removal of one lot would allow the project to conform to open space standards. Approximately half the lots are proposed to be in the 5,000 square foot size range, with the largest being 5,831 square feet and the smallest being 4,217 square feet. The proposed development is compatible with an adjacent single-family residential development to the north, which contains lots approximately 5,000 square feet in size.

FINDINGS

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

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

   The proposed PD (Planned Development) zoning is consistent with the existing PCD (Planned Community Development) general plan designation. This district supports large-scale planned communities. The PD (Planned Development) zoning will signify the property's inclusion in the Lone Mountain West Master Plan area.

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."**

   A single-family residential development with similar sized lots exists to the north of the subject site. Therefore, the residential uses on this site will be compatible with the area.

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

   The PD (Planned Development) Zoning District is the intended district for all of Lone Mountain West. The development pattern in this area, west of Cliff Shadows Parkway, has predominantly been of low-density residential. This request is appropriate, as it will continue the established pattern of development.

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 proposed project will have access to Alexander Road, a 60-foot public right-of-way, with eventual access to Cliff Shadows Parkway, an 80-foot secondary collector.

NOTICES MAILED 361 by Planning Department

APPROVALS 0

PROTESTS 0

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JENNIFER LAZOVICH
jlazovich@kkbr.com

December 22, 2003

VIA FACSIMILE
385-7268

Ms. Adrienne Low
CITY OF LAS VEGAS
PLANNING DEPARTMENT
731 S. Fourth St.
Las Vegas, NV 89101

Re: Project at Alexander & Cliff Shadows Parkway

Dear Ms. Low:

Please be advised, this office represents the applicant in the above-referenced project.

The applicant requests that the zone change application be amended to show P-D zoning (instead of PD-6).

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JL/hm

cc: Brent Parrish (via facsimile)
Robert Lively (via facsimile)

ZON-3499

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3499 APN: 137-12-101-001

Name of Property Owner: Tony L & Sheryl L Dixon & Roberta Bradshaw

Name of Applicant: RL 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 ✓ 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: TONY L. DIXON SHERYL L DIXON ROBERTA BRADSHAW

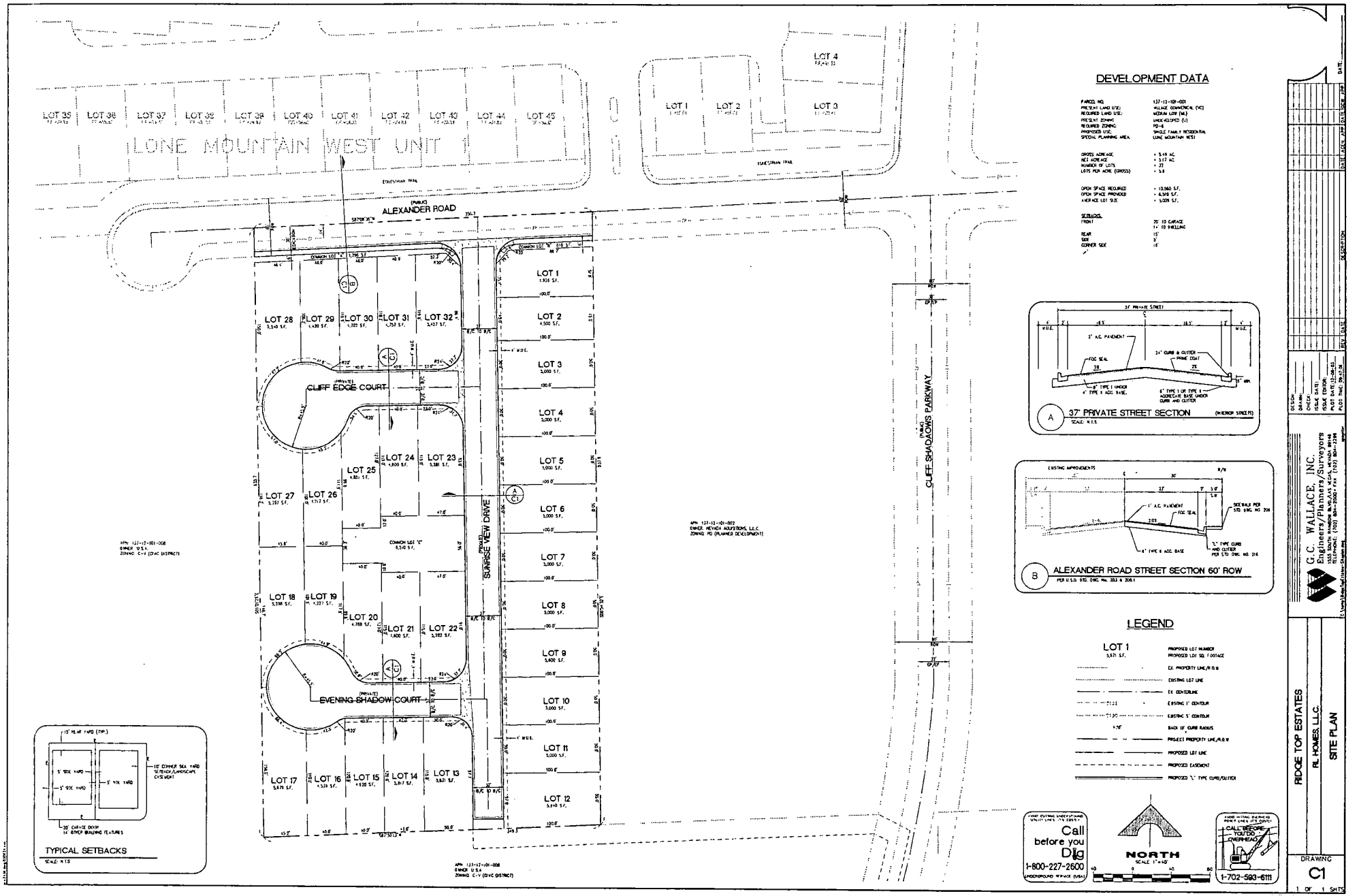
Subscribed and sworn before me

This 21st day of NOVEMBER, 2003

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANA ELLIS
Appt. No. 01-68412-1
My Appt. Expires March 30, 2005



G.C. WALLACE, INC.
Engineers/Planners/Surveyors
5371 Kietzke Lane, Suite 100, Reno, Nevada 89511
TELEPHONE: (702) 786-2500 FAX: (702) 786-2196

RIDGE TOP ESTATES
RL HOMES, LLC.
SITE PLAN

DRAWING C1
1 OF 1 SHTS

ZON-3499
1-22-04 PC

ZON-3499 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW
SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 290 FEET WEST OF CLIFF SHADOWS PARKWAY
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:

VARIANCE RELATED TO MOD-3508 AND ZON-3499 - PUBLIC HEARING - **VAR-3510 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW** - Request for a Variance TO ALLOW 6,510 SQUARE FEET OF OPEN SPACE WHERE 10,560 SQUARE FEET OF OPEN SPACE IS REQUIRED on 5.49 acres adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway (APN: 137-12-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 80 [MOD-3508] for all related discussion.

(1:50 – 1:55)

3-1175

CONDITONS:

Planning and Development

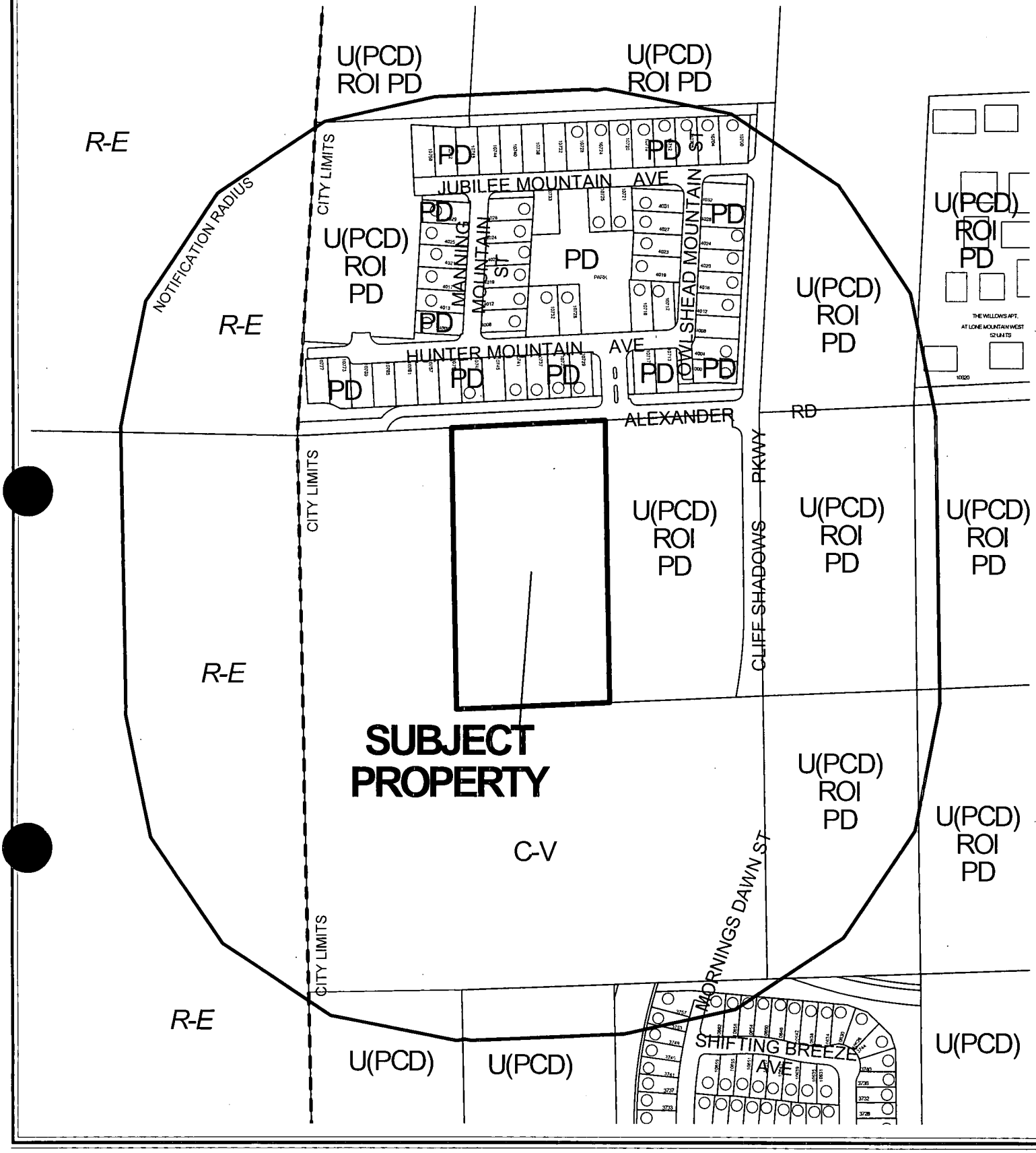
1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 82 – VAR-3510

CONDITIONS – Continued:

2. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $16,200.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

3. The applicant shall work with the Planning and Development Department staff to increase Open Space by at least 15 foot north and south of the common Open Space.



CASE: **VAR-3510**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3510 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

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

2. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $16,200.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

3. The applicant shall work with the Planning and Development Department staff to increase Open Space by at least 15 foot north and south of the common Open Space.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow 6,510 square feet of open space where 10,560 square feet are required in conjunction with a proposed 32-lot single-family residential development. A Major Modification (MOD-3508) to the Lone Mountain West Master Plan, a Rezoning (ZON-3499) to PD (Planned Development) and a Site Development Plan Review (SDR-3501) for a 32-lot single-family residential development were filed as companion applications.

B) Applicant's Justification

The proposed 32-lot, single-family residential development is more consistent with the surrounding area than the existing commercial land use designation.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved an annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was February 14, 2003.

01/22/04 The Planning Commission recommended approval of related items (MOD-3508, ZON-3499, SDR-3501 and VAC-3506).

01/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #78/al).

B) Pre-Application Meeting

10/21/03 A second meeting was held to discuss revisions to the site plan. Due to a deficient amount of open space, a Variance submittal was required. Additionally, The Department of Public Works expressed concerns about internal site circulation.

C) Neighborhood Meetings

A neighborhood meeting was not required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.49
Net Acres:	5.17

B) Existing Land Use

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

E) General Plan Compliance

The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses.

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

Special Area Plan – *Lone Mountain West*

The site is located within the Lone Mountain Master Development Plan Area. The site will be developed in accordance with the guidelines of the Lone Mountain Master Development Plan and Design Standards.

Clark 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.

ANALYSIS

A) Zoning Code Compliance

- PD ONLY

Pursuant to Lone Mountain West Master Plan, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
5.49 acres	5.8	330 square feet per lot	4 %	10,560 SF	2.7 %	6,510 SF

The Lone Mountain West Master Plan requires 330 square feet of internal open space be provided for each lot within a subdivision. The proposed 32-lot residential development requires a total of 10,560 square feet of open space. The proposed site plan depicts 6,510 square feet of centrally located open space. As the proposed development is deficient in open space by 4,050 square feet, the removal of one lot would allow the project to conform to open space standards.

B) General Analysis and Discussion

The proposed project will be consistent with portions of Lone Mountain West Master Plan. However, the development does not comply with the Plan's open space requirements. Open space is an integral part of The Lone Mountain West Master Plan's development standards, which were established by the City Council in 1999. The Plan achieves a specific balance of land uses and open areas; including trails, regional parks, and community areas, each alteration obscures the original approved document and allows for development in the area to proceed with an unplanned approach.

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 site. Alternative site designs would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 75 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3510 APN: 137-12-101-001

Name of Property Owner: Tony L & Sheryl L Dixon & Roberta Bradshaw

Name of Applicant: RL 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 ___✓___ 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] [signature]

Print Name: TONY L. DIXON SHERYL L. DIXON ROBERTA BRADSHAW

Subscribed and sworn before me

This 28TH day of NOVEMBER 2002

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANA ELLIS
Appt. No. 01-68412-1
My Appt. Expires March 30, 2005

VAR-3510 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW
SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 290 FEET WEST OF CLIFF SHADOWS PARKWAY
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3508, ZON-3499 AND VAR-3510 - PUBLIC HEARING - **SDR-3501 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW** - Request for a Site Development Plan Review FOR A PROPOSED 32 LOT SINGLE FAMILY DEVELOPMENT on 5.49 acres adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway (APN: 137-12-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions and amending Condition 6 as follows:

6. The Tentative Map *may* include a connection to the future City Park that will be located to the south of the subject site and connections from the cul-de-sacs to the west, *subject to the approval of the Public Works Department.*

– UNANIMOUS

MINUTES:
NOTE: See Item 80 [MOD-3508] for all related discussion.

(1:50 – 1:55)

3-1175

CONDITONS:
Planning and Development

1. A Rezoning (ZON-3499) to a PD (Planned Development) Zoning District and a Major Modification (MOD-3508) and a Variance (VAR-3510) approved by the City Council.

CONDITIONS – Continued:

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

3. All development shall be in conformance with the site plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.

4. Building height shall not exceed two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a minimum of 14 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

6. The Tentative Map shall include a connection to the future City Park that will be located to the south of the subject site and connections from the cul-de-sacs to the west.

7. Only plant material listed in the Lone Mountain West Plan Palette shall be installed.

8. Air conditioning units shall not be mounted on rooftops.

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

10. The applicant shall meet with the staff of the Planning and Development Department to develop an address plan prior to issue of permits.

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

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

Public Works

13. The proposed access driveway shall be designed, located and constructed in accordance with Standard Drawing #222A.

14. 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.

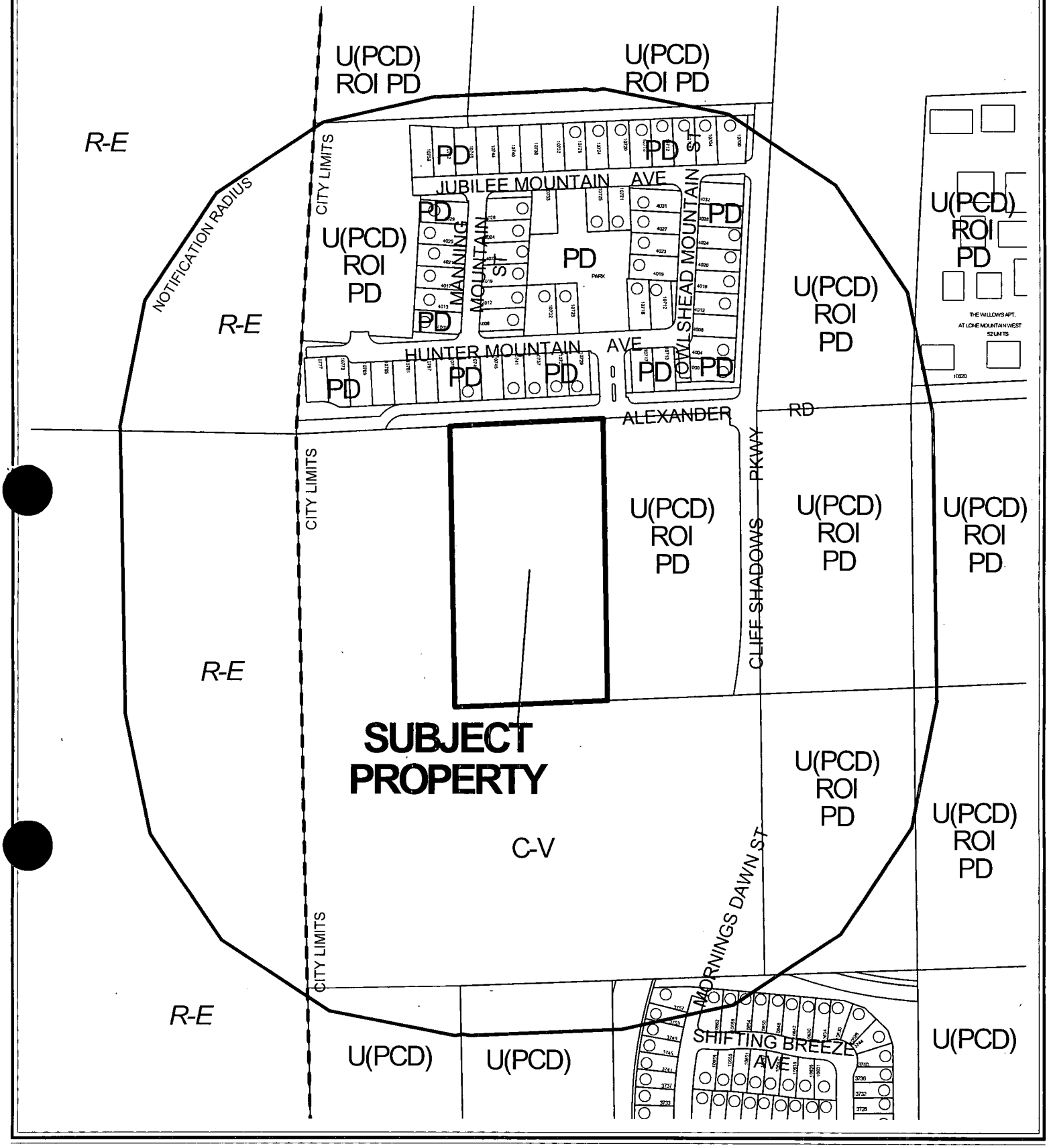
CONDITIONS – Continued:

15. 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.

16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3499 and all other subsequent site-related actions.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



CASE: **SDR-3501**

RADIUS: 750 FT

0 200 400 Feet

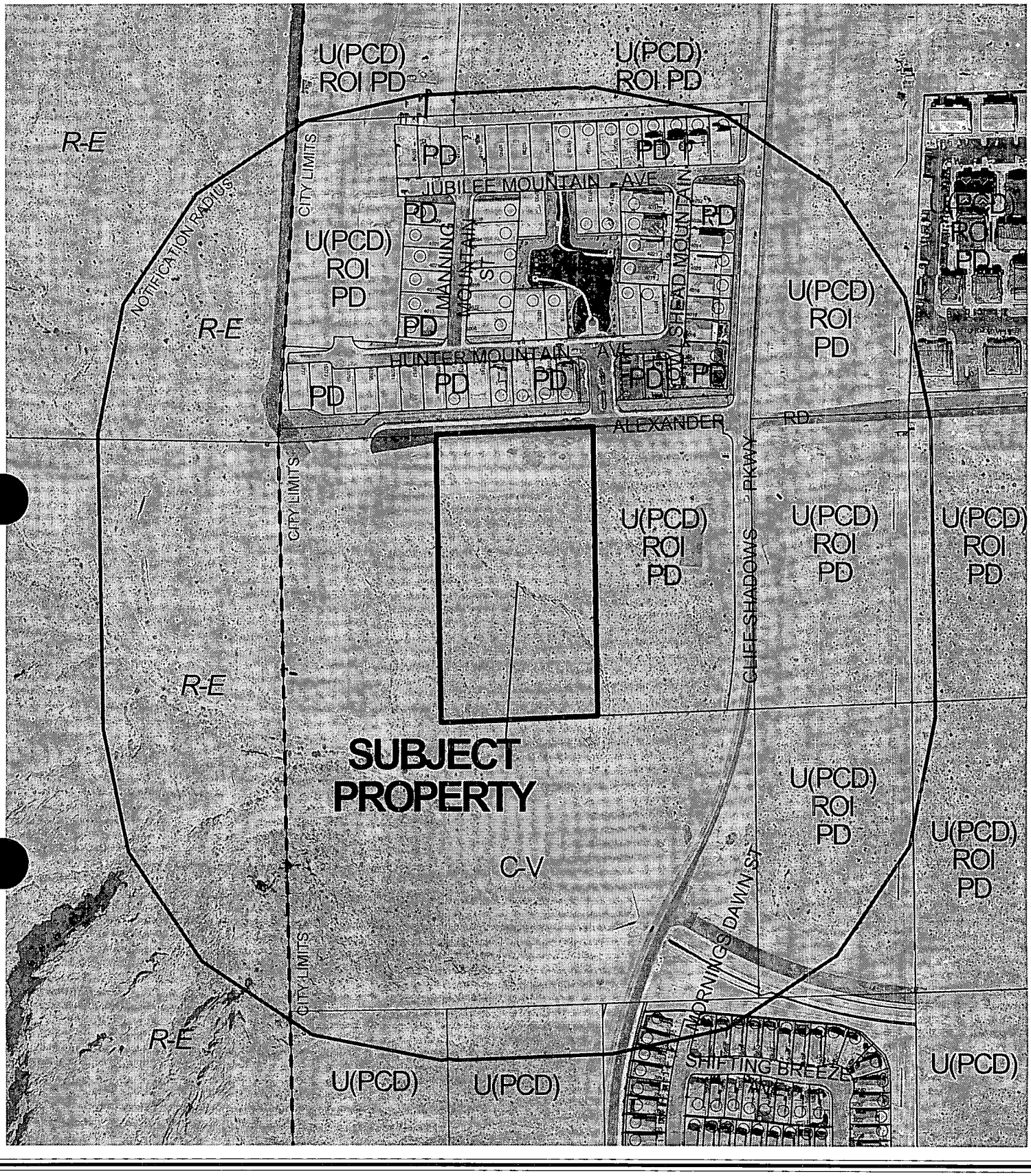
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

N



CASE: **SDR-3501**

RADIUS: 750 FT

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U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3501 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3499) to a PD (Planned Development) Zoning District and a Major Modification (MOD-3508) and a Variance (VAR-3510) approved by the City Council.

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18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 32-lot single-family development on 5.49 acres located adjacent to the south side of Alexander Road, approximately 290 feet west of Cliff Shadows Parkway. A Major Modification (MOD-3508) to the Lone Mountain West Master Plan, a Rezoning (ZON-3499) to PD (Planned Development) and a Variance (VAR-3510) to allow a reduction in open space applications were filed as companion applications.

B) Applicant's Justification

The proposed 32-lot, single-family residential development is more consistent with the surrounding area than the existing commercial land use designation.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved an annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was February 14, 2003.

11/20/03 The Planning Commission voted to abey this item in an effort to allow the applicant to work with staff.

12/18/03 The Planning Commission voted to abey this item in an effort to allow the applicant to work with staff.

01/22/04 The Planning Commission recommended approval of related items (MOD-3508, ZON-3499, VAR-3510 and VAC-3506).

01/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #79/al).

B) Pre-Application Meeting

10/21/03 A second meeting was held to discuss revisions to the site plan. Due to a deficient amount of open space, a Variance submittal was required. Additionally, The Department of Public Works expressed concerns about internal site circulation.

C) Neighborhood Meetings

A neighborhood meeting was not required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.49
Net Acres: 5.17

B) Existing Land Use

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

E) General Plan Compliance

The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses.

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

Special Area Plan – *Lone Mountain West*
The site is located within the Lone Mountain Master Development Plan Area. The site will be developed in accordance with the guidelines of the Lone Mountain Master Development Plan and Design Standards.

Clark 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.

PROJECT DESCRIPTION

The PD (Planned Development) Zoning District is the intended district for all of Lone Mountain West. This rezoning application is consistent with both the existing PCD (Planned Community Development) general plan designation and the proposed ML (Medium-Low Density Residential) Lone Mountain West land use designation, which allows up to 12 units per acre.

The proposed development will result in the construction of 32 lots on 5.49 acres, for a density of 5.8 dwelling units per acre. A 37-foot wide, private street will be provided with access off Alexander Road. Open space, in the form of a centrally located park is provided but in a reduced amount compared to what the Lone Mountain West Master Plan requires. The removal of one lot would allow the project to conform to open space standards. Approximately half the lots are proposed to be in the 5,000 square foot size range, with the largest being 5,831 square feet and the smallest being 4,217 square feet. The proposed development is compatible with an adjacent single-family residential development to the north, which contains lots approximately 5,000 square feet in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The applicant has proposed the following Development Standards for the subject proposal:

Standards	Proposed	Acceptable
Min. Lot Size	4,217 SF	Y
Average Lot Size	5,008 SF	Y
Min. Lot Width	40 Feet	Y
Min. Setbacks		
• Front (to garage)	20 Feet	Y
• Front (to dwelling)	14 Feet	Y
• Side	5 Feet	Y
• Corner	10 Feet	Y
• Rear	15 Feet	Y
Max. Lot Coverage	35 %	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposed development standards are acceptable and appropriate for a development of this density and design. The site plan depicts 4-foot easements on either side of the 37-foot private street. It should be noted that if the easements are to be constructed as sidewalks on the individual lots, the setback measurement, as written in the condition of approval, would be from the back of the sidewalk. This is to ensure that a parked vehicle does not encroach into the easement.

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to the proposed development.

A3) Parking and Traffic Standards

In addition to Title 19.10 standards, the Lone Mountain West Master Plan (Section 6.2.3) requires a minimum of two enclosed parking spaces per dwelling unit within a single-family residential development. This project includes two-car garages, as depicted on the submitted floor plans, and is in compliance with the parking standards.

A4) Landscape and Open Space Standards

Section 6.4.1 (Perimeter Area Landscaping) of the Lone Mountain West Master Plan defers to the City of Las Vegas Landscape, Wall, and Buffer Guidelines for perimeter landscaping, therefore the following Landscape Standards apply:

Standards	**Required**		**Provided**
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	10 Trees	12 Trees
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		Not indicated

The proposed perimeter landscaping exceeds the established standards. No walls are indicated on the submitted plans, but any future wall permits will be held to the standards contained in the Section 3.6.1 including a six-foot maximum height and design requirements.

Pursuant to Lone Mountain West Master Plan, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
5.49 acres	5.8	330 square feet per lot	4 %	10,560 SF	2.7 %	6,510 SF

The Lone Mountain West Master Plan requires 330 square feet of internal open space be provided for each lot within a subdivision. The proposed 32-lot residential development requires a total of 10,560 square feet of open space. The proposed site plan depicts 6,510 square feet of centrally located open space. As the proposed development is deficient in open space by 4,050 square feet, the removal of one lot would allow the project to conform to open space standards. A Variance (VAR-3510) for a reduction in open space has been submitted concurrently with this application.

B) General Analysis and Discussion

- Zoning

The proposed PD (Planned Development) zoning is consistent with the existing PCD (Planned Community Development) general plan designation. This district supports large-scale planned communities. The PD (Planned Development) zoning will signify the property's inclusion in the Lone Mountain West Master Plan area.

- Site Plan

A single access point from Alexander Road will serve the site. All interior streets are 37 feet in width and will be privately maintained. A single street spans the entire length of the parcel; two cul-de-sacs take access of this main street. In terms of landscaping, a six-foot wide planter is located adjacent to Alexander Road and an area is centrally located to provide open space. However, the plan does not include the required amount of open space for a project of this density. The removal of one lot would allow the project to conform to open space standards.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

Thornless Chilean Mesquite trees will be planted along with Green Cloud Texas Ranger and Centennial Baccharis shrubs within the Alexander Road landscape planter. A centrally located open area will include a combination of turf, 24-inch box trees and shrubs of various sizes.

- Elevation

The elevations are typical of development in the area. Stucco finish and tile roofs are included on each elevation with minor architectural variations.

- Floor Plan

The footprint of the proposed structures range in size from 30' by 37' to 30' by 48'. With the proposed setbacks, the largest floor plan will have adequate space to fit onto even the smallest lot.

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 proposal includes lots that are comparable in size to adjacent single-family developments, but does not meet all the requirements necessary for developments in the Lone Mountain West Master Plan area.

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

   The proposed project will be consistent with portions of Lone Mountain West Master Plan. However, the development does not comply with the Plan's open space requirements. Open space is an integral part of The Lone Mountain West Master Plan's development standards, which were established by the City Council in 1999. The Plan achieves a specific balance of land uses and open areas; including trails, regional parks, and community areas, each alteration obscures the original approved document and allows for development in the area to proceed with an unplanned approach.

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

   The proposed project will have access to Alexander Road, a 60-foot public right-of-way, with eventual access to Cliff Shadows Parkway, an 80-foot secondary collector.

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

   The proposed materials are typical of development within the Lone Mountain West plan area. Landscape materials, with the exception of the proposed use of Mexican Fan Palms, are in compliance with the approved Lone Mountain West Plan Palette.

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 utilization of private streets is an acceptable method to minimize the land required for infrastructure, thus increasing the land available for lots. While this maximizes profitability, it is inequitable to seek a further reduction by eliminating a portion of the required open space. By not incorporating adequate open space into the site's design, the development is not compatible with either the Lone Mountain West Master Plan or other development in the area that provide the required amount of open space.

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

   The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended item #6 as shown.

NOTICES MAILED 69 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3501 APN: 137-12-101-001

Name of Property Owner: Tony L & Sheryl L Dixon & Roberta Bradshaw

Name of Applicant: RL 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 ✓ 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: Tony L Dixon Sheryl L Dixon Roberta Bradshaw

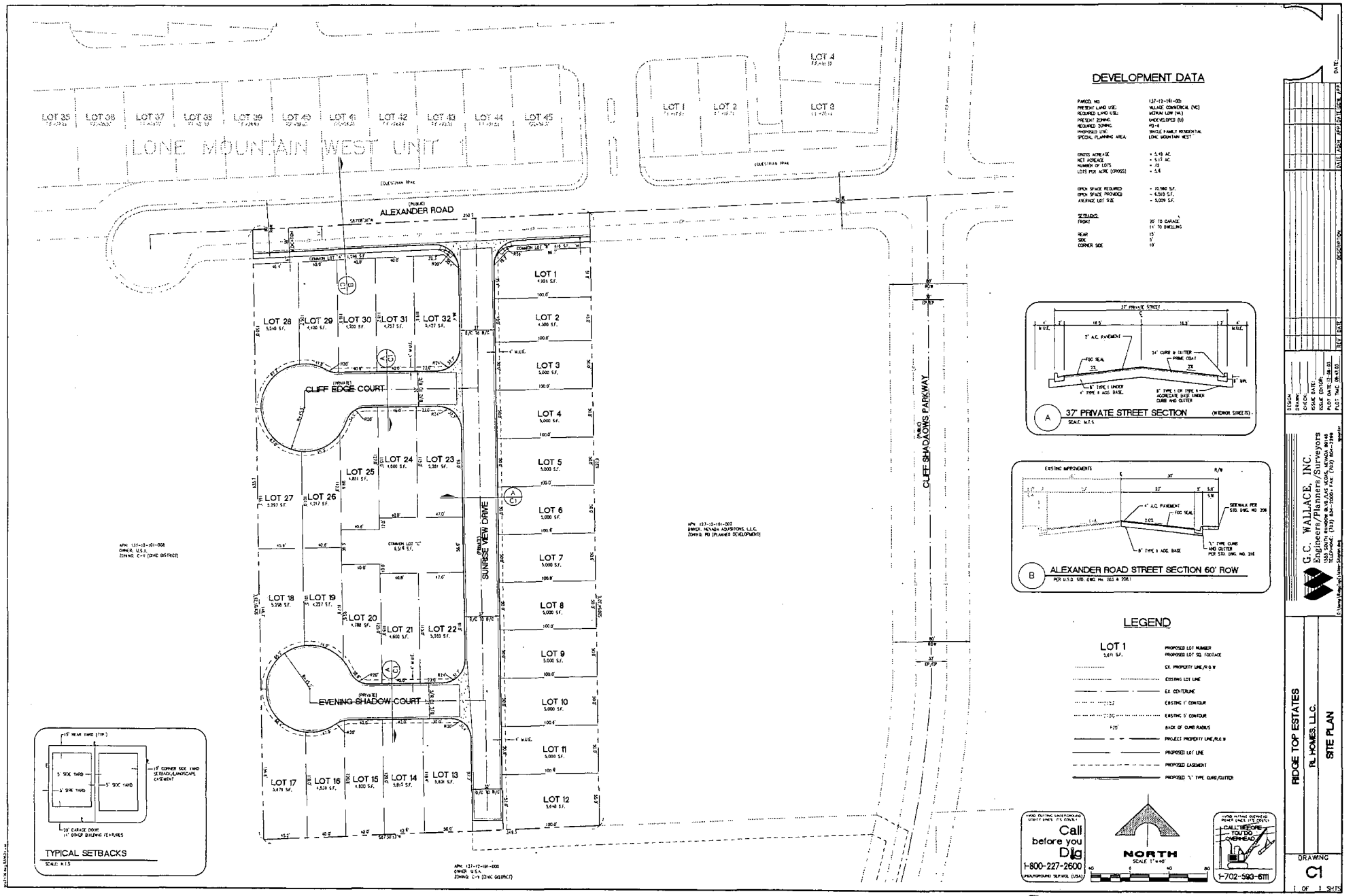
Subscribed and sworn before me

This 28th day of November, 2003

_____

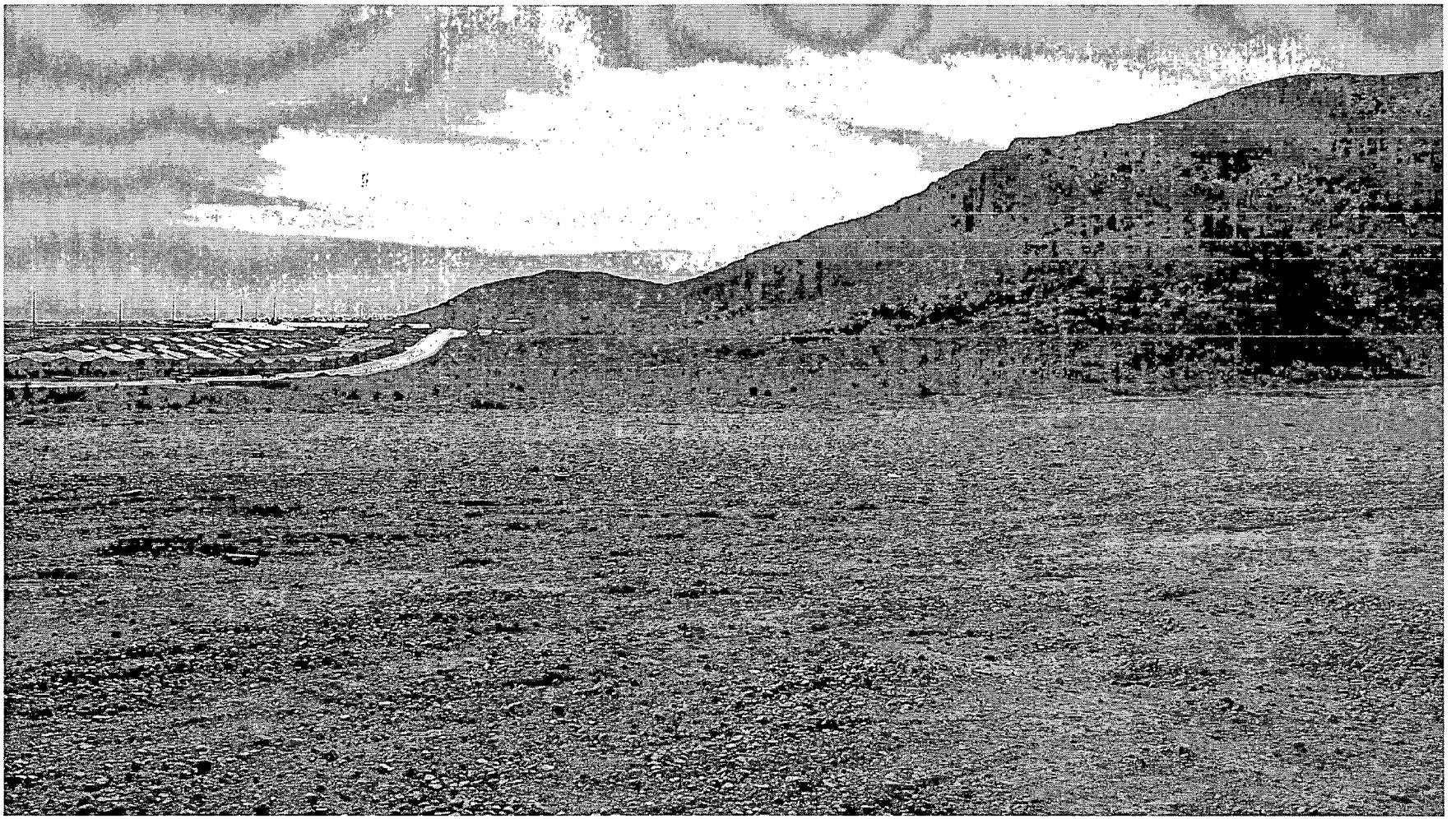
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANA ELLIS
Appt. No. 01-68412-1
My Appt. Expires March 30, 2005



STAFF

SDR-3501
1-22-04 PC



SDR-3501 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW
SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 290 FEET WEST OF CLIFF SHADOWS PARKWAY
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
VACATION RELATED TO MOD-3508, ZON-3499, VAR-3510 AND SDR-3501 - PUBLIC HEARING - **VAC-3506 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW** - Request for a Petition to vacate U.S. Government Patent Easements generally located south of Alexander Road, west of Cliff Shadows Parkway, Ward 4 (Brown). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:
NOTE: See Item 80 [MOD-3508] for all related discussion.

(1:50 – 1:55)

3-1175

CONDITONS:
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for these U.S. Government Patent Reservations. The vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The Drainage Study required by Zoning Reclassification ZON-3499 may be used to satisfy this condition.

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

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 84 – VAC-3506

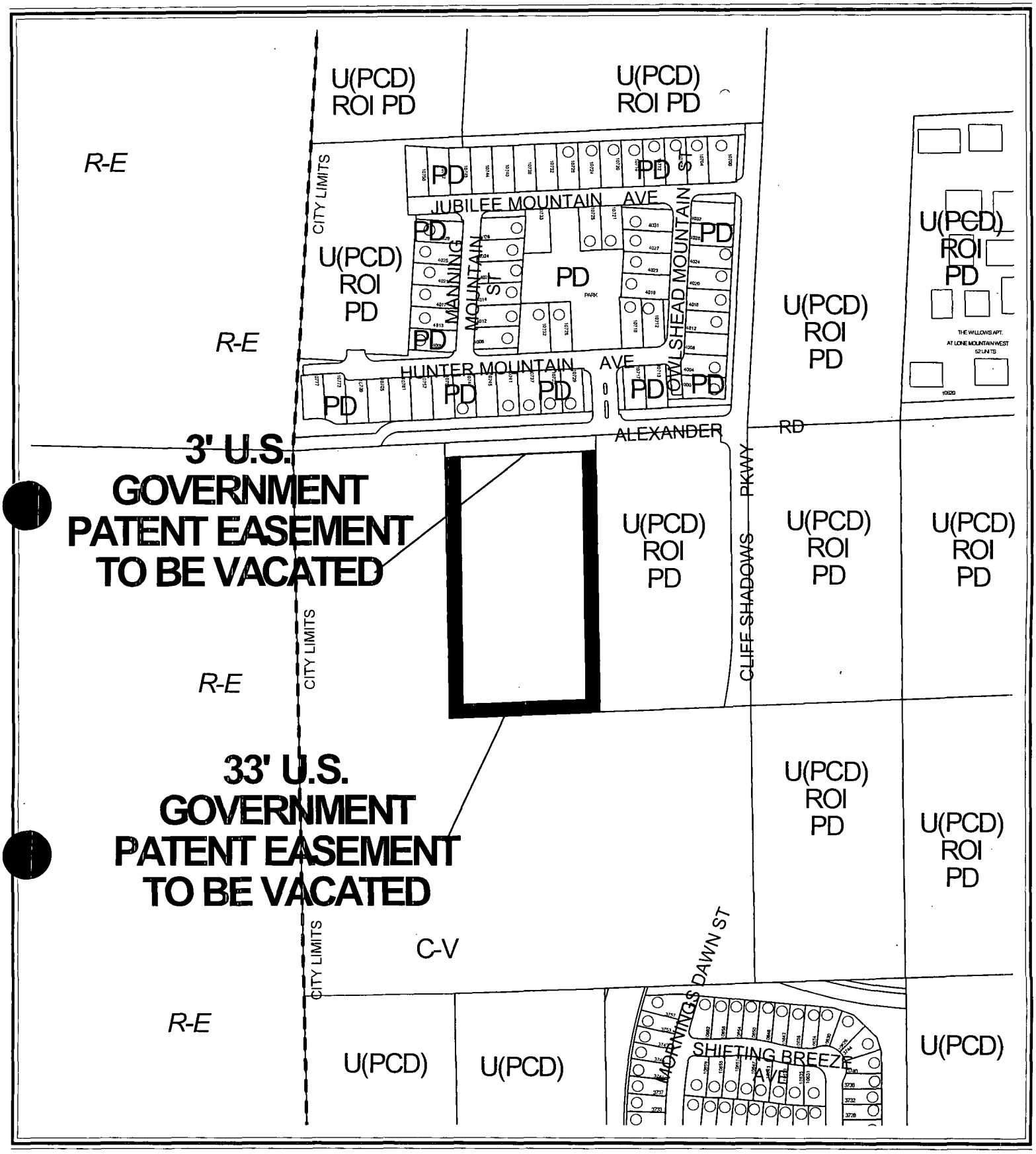
CONDITIONS – Continued:

3. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3499, Site Development Plan Review SDR-3501 and all other subsequent site-related actions.

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

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

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



CASE: **VAC-3506**

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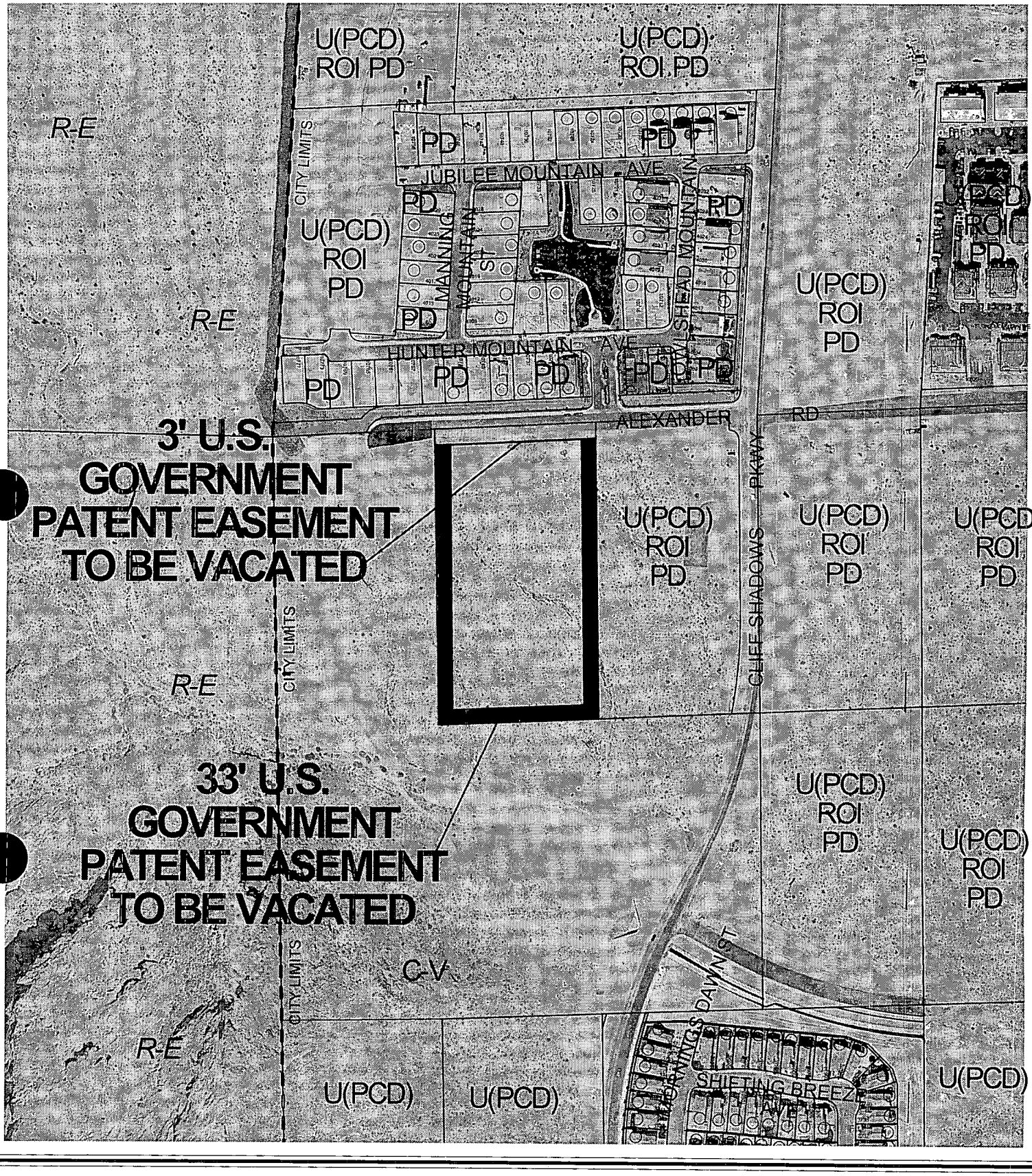

CASE: **VAC-3506**

0 200 400 Feet

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City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3506 - RL HOMES ON BEHALF OF TONY L. AND SHERYL L. DIXON & ROBERTA BRADSHAW

** CONDITIONS **

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for these U.S. Government Patent Reservations. The vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The Drainage Study required by Zoning Reclassification ZON-3499 may be used to satisfy this condition.

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

3. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3499, Site Development Plan Review SDR-3501 and all other subsequent site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate U. S. Government Patent Reservations generally located south of Alexander Road, west of Cliff Shadows Parkway.

B) Applicant's Justification

The applicant's justification letter indicates the U. S. Government Patent Reservations are no longer necessary and will be incorporated into the proposed single-family development on this site.

BACKGROUND INFORMATION

A) Previous Actions

01/22/04 The Planning Commission recommended approval of a Major Modification (MOD-3508) to the Lone Mountain West Plan to change the land use designation to ML (Medium-Low Residential), A Rezoning (ZON-3499) to PD (Planned Development), a Variance (VAR-3510) to allow 6,510 square feet of open space where 10,560 square feet is required and a Site Development Plan Review for a 32 lot single family development on this site.

01/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #80/mp).

DETAILS OF APPLICATION REQUEST

This Vacation application is described as follows:

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

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Reservations because they are no longer needed in their current configuration. This request is appropriate, as the subject reservations are not needed and will not result in reduced access traffic handling capability for the area

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located south of Alexander Road, West of Cliff Shadows Parkway.

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3506 APN: 137-12-101-001

Name of Property Owner: Tony L & Sheryl L Dixon & Roberta Bradshaw

Name of Applicant: RL 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 ___✓___ 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: Tony L. Dixon Sheryl L. Dixon Roberta Bradshaw

Subscribed and sworn before me

This 29th day of November, 2003

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DANA ELLIS
Appt. No. 01-68412-1
My Appt. Expires March 30, 2005

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-3433 - PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF THE SCHNEIDER FAMILY TRUST** - Request for a Petition to vacate Del Rey Avenue, generally located east of Buffalo Drive, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	22
City Council Meeting	0	City Council Meeting	0

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Council meeting – 8/15/2001 City Council transcript
5. Back up referenced from the 1/22/2004 Planning Commission meeting Item 22

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:
OSCAR GOODMAN, Mayor
MARK FIORENTINO, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway
LARRY ANSPACH, 1509 Golden Oak Drive
CAROLYN STONE, 1509 Ten Palms Court
WILLIAM LEONARD, 1700 Charles Lamb Court
BRYAN SCOTT, Deputy City Attorney
ROBERT GENZER, Director, Planning and Development Department

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 85 – VAC-3433

MINUTES – Continued:

APPEARANCES:
JENNIFER CURLAND, WM Land Development
MARK ADAIR, 1401 Marbella Ridge Court
LYN MALONEY, 1632 Marbella Ridge Court
FRANCINE DUNN, 1410 Marbella Ridge Court
JANET MONCRIEF, Councilwoman

MAYOR GOODMAN declared the Public Hearing closed.

(1:55 – 2:21)

3-1363

CONDITONS:

1. A plan demonstrating how the existing right-of-way shall be incorporated into the abutting properties, or otherwise developed as a drainage corridor shall be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. All necessary improvements to accomplish this plan shall be constructed or guaranteed prior to recordation of the Order of Vacation. If the existing driveway on Buffalo Drive is to remain as an access to this site, provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the south prior to recordation of the Order of Vacation.

2. This vacation may record in phases. The portion adjacent to Assessor's Parcel Numbers 163-03-214-002 and 007 may remain public until there is proposed development within Assessor's Parcel Number 163-03-101-001.

3. Retain a twenty-foot public sewer easement centered over the existing sewer line in the south half of Del Rey Avenue.

4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Rezoning Application ZON-3176 may be used to satisfy this condition provided that it covers the area to be vacated.

5. All public improvements adjacent to and in conflict with this vacation application, such as the existing curb cut on Buffalo Drive for Del Rey Avenue, are to be removed and replaced with new improvements that meet current City Standards, as necessary, at the applicant's expense, prior to the recordation of an Order of Vacation.

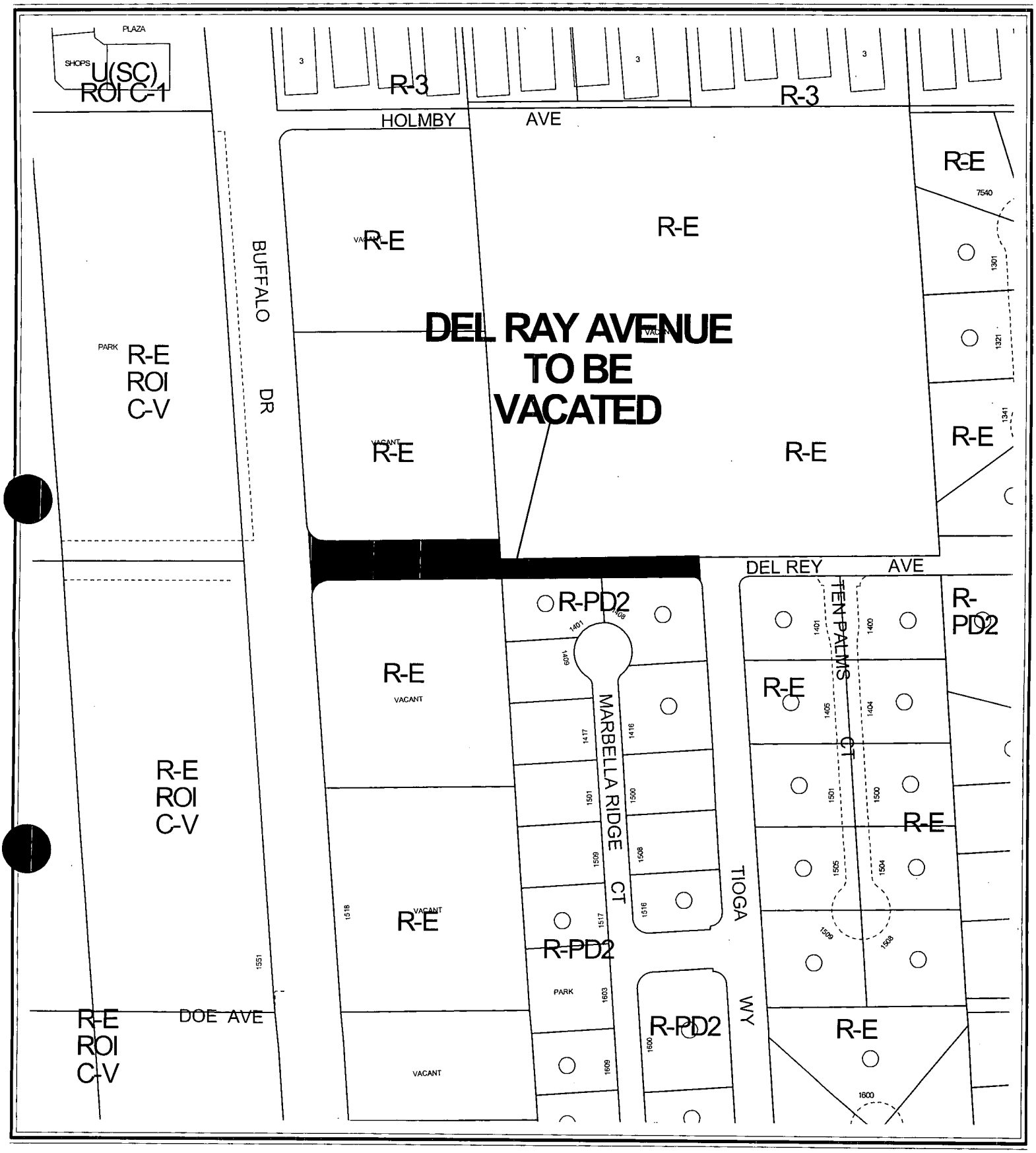
CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 85 – VAC-3433

CONDITIONS – Continued:

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

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

8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.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CASE: VAC-3433
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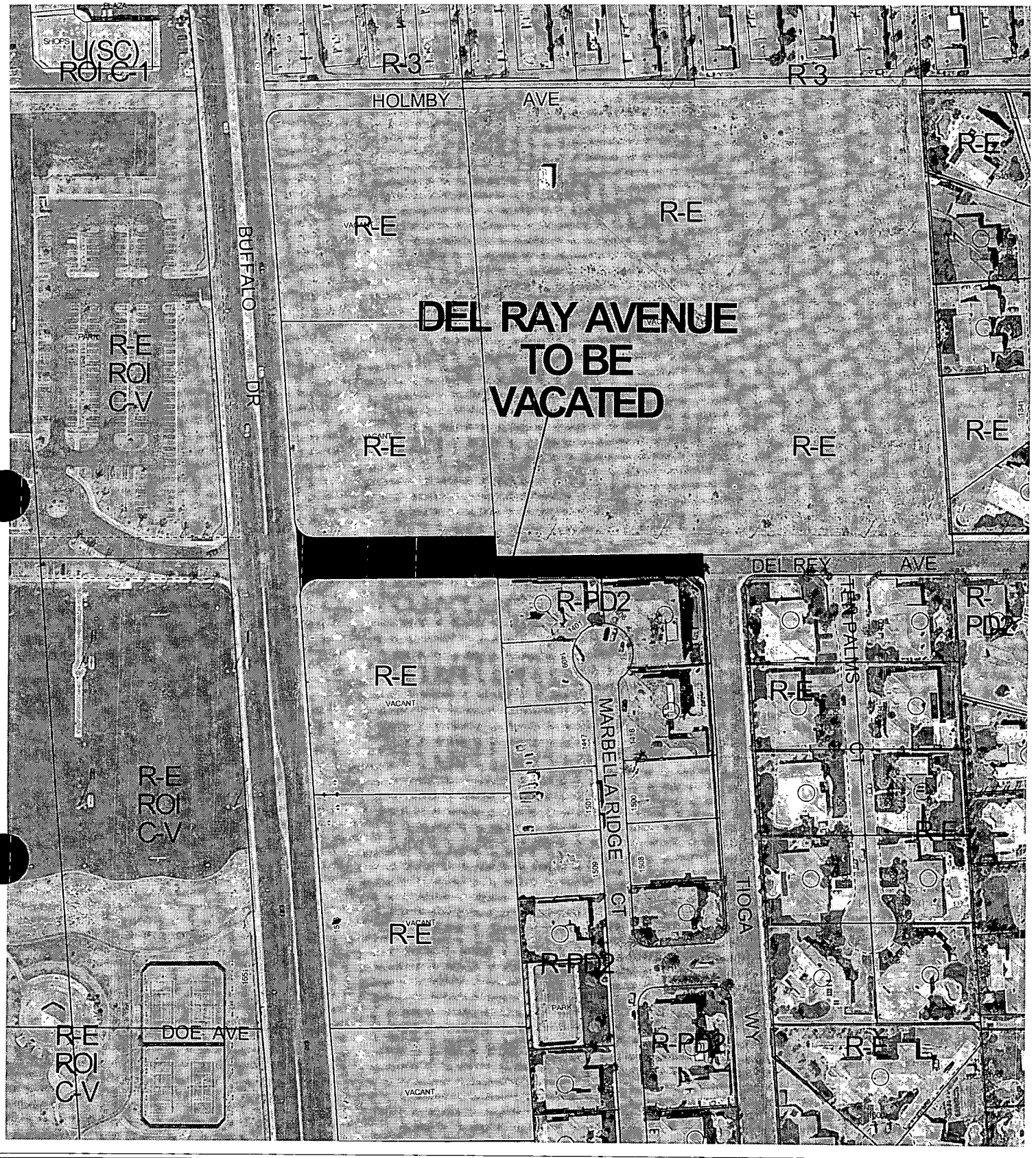

CASE: **VAC-3433**

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City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-3433 - PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF THE SCHNEIDER FAMILY TRUST

** CONDITIONS **

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

1. A plan demonstrating how the existing right-of-way shall be incorporated into the abutting properties, or otherwise developed as a drainage corridor shall be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. All necessary improvements to accomplish this plan shall be constructed or guaranteed prior to recordation of the Order of Vacation. If the existing driveway on Buffalo Drive is to remain as an access to this site, provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the south prior to recordation of the Order of Vacation.

2. This vacation may record in phases. The portion adjacent to Assessor's Parcel Numbers 163-03-214-002 and 007 may remain public until there is proposed development within Assessor's Parcel Number 163-03-101-001.

3. Retain a twenty-foot public sewer easement centered over the existing sewer line in the south half of Del Rey Avenue.

4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Rezoning Application ZON-3176 may be used to satisfy this condition provided that it covers the area to be vacated.

5. All public improvements adjacent to and in conflict with this vacation application, such as the existing curb cut on Buffalo Drive for Del Rey Avenue, are to be removed and replaced with new improvements that meet current City Standards, as necessary, at the applicant's expense, prior to the recordation of an Order of Vacation.

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

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las

Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate Del Rey Avenue from the east right-of-way line of Buffalo Drive extending westerly approximately 600 feet. This request was previously held in abeyance at the December 18, 2003 Planning Commission meeting to provide the applicant with time to re-evaluate the request. The applicant advised staff they wanted to proceed with the original request.

B) Applicant's Justification

The applicant's justification letter states that the right-of-way for Del Rey Avenue is no longer necessary, and will be incorporated into the proposed office development on the adjacent property.

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council will approved a General Plan Amendment (GPA-2993) to O (Office), a Rezoning (ZON-3176) to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-3177) for a 42,500 square foot office building on the property adjacent to this request. The Planning Commission and Staff both recommended approval on November 20, 2003.

12/18/03 The Planning Commission voted to hold this item in abeyance to determine if revisions were needed to match the approval of the other site related actions.

01/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #22/mp).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate a public right-of-way located in the West Half (W½) of the Northwest Quarter (NW¼) of Section 3, Township 21 South, Range 60 East.

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the public rights-of-way into the adjacent parcels for development. This will also eliminate traffic from the proposed office development from entering the single-family neighborhood to the east. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

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

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Non-uniform as a portion of the Del Rey Avenue alignment is within a BLM owned parcel.*

B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as this portion of Del Rey Avenue is undeveloped.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate unused right-of-way to be incorporated into an adjacent development.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, ZON-3176, SDR-3177, and VAC-3178 that are for a proposed Social Security Administration building.*

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

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

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

NOTICES MAILED 9 by City Clerk

APPROVALS 7

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-3433 APN: 163-03-101-002

Name of Property Owner: Schneider Family Trust, Stephen P. & Joyce Schneider, Trustees

Name of Applicant: PH SSA, 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: Stephen Schneider, Trustee

Print Name: Schneider Family Trust

Subscribed and sworn before me

This 1 day of October, 2003

Angela Patterson / angela Patterson

Notary Public in and for said County and State

State of Georgia

Barrow County

ANGELA PATTERON
Notary Public Barrow County, Georgia
My Commission Expires April 19, 2005

COMBINED VERBATIM TRANSCRIPT: ITEM 176 – GPA-0017-01, ITEM 177 – Z-0043-01 AND ITEM 178 – Z-0043-01(1) – W.M. LAND DEVELOPMENT

MAYOR GOODMAN

All right. We'll call 176, 177, and 178. 176 is a GPA-0017-01, W.M. Land Development, request to amend the southwest sector map of the General Plan from DR to O on 5.4 acres on the east side of Buffalo Drive, approximately fourteen hundred and fifty feet south of Charleston Boulevard. The staff recommends denial. The Planning Commission recommends approval.

177 is Z-0043-01, same applicant. Request for a rezoning from R-E to O on the same acreage, approximately fourteen hundred and fifty feet south of Charleston Boulevard. Staff recommends denial and the Planning Commission recommends approval, subject to conditions.

And 178, is Z-0043-01(1), same applicant. Request for a site development plan review for a proposed 44,000 square foot professional office complex on the east side of Buffalo Drive, approximately fourteen hundred and fifty feet south of Charleston Boulevard. Staff recommends denial. The Planning Commission recommends approval. These are all public hearings and I now declare them open.

Before we go forward, I've been advised by Councilman McDonald – Mr. Green? Is he there? And Mr. Scott? I've been advised by Councilman McDonald that an individual who has something to do with the project had done some work at my home, and, at least that's what I was told. And there may have been a business relationship concerning that. I know that I had a back wall that was –

COUNCILMAN McDONALD

It was brought to my attention, Your Honor –

MAYOR GOODMAN

– worked on –

COUNCILMAN McDONALD

I didn't –

MAYOR GOODMAN

You don't know?

JOHN MORAN, JR.

I haven't heard anything of that, Mr. Mayor. I guess, John Moran, Jr., on the record, I guess, my one question was is: Did they do a good job?

MAYOR GOODMAN

They did – a fine job. I mean –

JOHN MORAN, JR.

Okay. All right. We don't have any problem. I know nothing of it. And even if, if that's true, I don't have any difficulty in hearing this matter.

MAYOR GOODMAN

All right. What do you say, folks?

Submitted at City Council
Date 9/18/01 Item 85

DEPUTY CITY ATTORNEY TOM GREEN	There's no existing business relationship with that person. So, that, you've disclosed it, and so there's no conflict, and as long as you feel appropriate in going forward, there's no conflict that would prevent you –
MAYOR GOODMAN	I don't see any reason for a conflict, but it was brought to my attention, so I thought I should make it a matter of the record.
DEPUTY CITY ATTORNEY TOM GREEN	That's proper.
COUNCILMAN McDONALD	It was brought to my attention; I merely brought it to – the Mayor's attention.
MAYOR GOODMAN	I appreciate that, too.
COUNCILMAN REESE	Your Honor, if I could before we get started here, I'd also like to disclose the fact that my brother's daughter lives in, lived in the area. I don't know whether he has, or whether her – and her husband have business dealings with Mr. Curland. I don't feel like that that would inhibit me in taking part of the discussion and/or voting on this application. I have talked to the City Attorney, and he said he'd see no problem. Mr. Green?
DEPUTY CITY ATTORNEY TOM GREEN	That is correct. That would not be anything of a nature that would cause you to – conflict out on this.
COUNCILMAN MACK	Your Honor?
MAYOR GOODMAN	Yes.
COUNCILMAN MACK	I guess, while we're on the disclosure, I might as well disclose that JT the Third's wife, Jody's gonna be teaching my five-year-old in three weeks. So I just wanna disclose that, and I will have the ability to vote on this.
MAYOR GOODMAN	Okay. All right. We'd be happy to hear from you.
JOHN MORAN, JR.	All right. Thank you, Mr. Mayor, City Councilmen. For the record, my name's John Moran, Jr., Moran and Associates. I represent the applicant in conjunction with J.T. the Third on my right. Also, from VTN, if you have any engineering questions that may be asked, I have Mr. Brian Psioda, who's directly behind me, to answer any technical questions that may be, rise out of this. It's a pleasure to appear in front of you. I guess, you know, what I would like to start out by saying is, is that no good deed goes unpunished. And I say that because the City did

a wonderful thing in this area, and they should be complimented on that wonderful thing. And that wonderful thing that they did was to create a 45-acre park for the use of those individuals in the – community and in the City particularly that have interest in the activities that are allowed in that park.

As for the part about no – good deed will go unpunished, I hope that we will not be punishing you today by our presentation. I know that there's many good citizens here to speak, not only in favor of this project, but also to speak against this project, some who I had the pleasure of meeting in front of the Planning when this application came in front of the Planning for the City of Las Vegas and was unanimously approved.

Having said that, as Your Honor and as the Council is well aware, this application basically in other form came in front of the City back in 1996. Staff at that time recommended approval of a commercial development in this precise location. It went in front of the Planning Commission on that occasion and was in fact approved, following staff's recommendation back in 1996. This was all prior to the City creating the 45-acre Buffalo Park, regional park directly across the street from this.

We stand before you with Planning Commission unanimously recommending approval. We stand before you telling you that we have petitions in support. I have a petition that now includes a hundred and fifty-eight names that was given to me. Accompanying that, are letters. I have four letters, if I may that have in fact, I'd ask that they be introduced into the record. One rec, one letter I will cite is in fact from a Mr. Wayne W. Winncoop, who originally in '96 had opposed the development and has indicated in his letter that he is in support of this because of the changing nature of the residential area by virtue of what we find out there today, including the 45-acre park that has been approved by the City. I'd ask the City Clerk to enter those into the record respectfully and make them part of the record here today.

Now, what makes for and cries out, if you will, for this applications as filed to be approved is that in every application process basically three things have to be really considered. And I know in appearing in front of the Council for approaching maybe 30 years that you always have to consider the location. It's very important. You have to consider what is the project. That's very important. And you have to consider is there community support and where do those people reside and who supports it and who isn't and why. All that has to go into the hopper and be considered. And this project is no different than any others. Those have

to be considered.

So with that, let's take a look at the overhead here. This is an aerial that was prepared by our offices in anticipation of – this application being filed. In the yellow here, as you can see, which probably doesn't show up too well on the screen, but I'll kinda put a little black mark here where the corner. This is the proposed site, right here. You can see that the location is important to be considered here for –

COUNCILMAN REESE

Excuse me –, Mr. Moran, do we have a handheld mike Mr. Moran could use?

JOHN MORAN, JR.

Thank you, Ms. Clerk.

You – can see that this site is surrounded by a lot of things that we feel have changed in the neighborhood itself. First of all, let's talk about the streets. This here is Buffalo Drive. This is Charleston here. As you can see, Buffalo Drive in the future is a hundred foot street that will have approximately six lanes going through it. It's not gonna be a little two-lane like the one gentleman's letter that I entered into the record as it had been when he previously was opposed to this. But this is going to be a major north-south corridor here. We also have here a BLM antenna site, which is this vacant piece here. We also have the office, commercial office complex back here that in fact is in the process of being built, which is commercial here. Across from this location is in fact the 45-acre Buffalo Park and – it's bordered, if you will, you can see that it's, it – extends from here all the way to here, fronting Buffalo and coming back into the residential area back in the rear.

This park is a great park, and the City – fathers should in fact be complimented on it, because these are the type of things that are needed. But let's keep in mind that it does, a 45-acre park does have an impact. It has eight-hundred-and-fifty car parking on it. It has, and that's directly across from the site. It has approximately five outdoor football fields. Some with lighting on poles anywhere, probably 80 feet high, which I'll show you pictures of in a moment.

So what we have here is we have a tremendous community use. We have an intense use. Parking for eight-hundred-and-fifty vehicles and five-lit football fields, together with an, a gazebo, an amphitheater right here for use of people in the area and outside of the area is in fact gonna severely impact this area. It's not residential in nature. If you look at the City Code, it's interesting to note that a public facility, a park, has commercial attributes. It in fact is equivalent and is – basically similar to an intense commercial use, not a commercial use that is low in intensity as a single-story

office building across the street from it.

Now, why is – the location important? Well, what we have proposed is a single-story office complex that fronts directly acrossed (sic) here. If I may, I would like to show a picture that was taken recently. And I'll just lay it right here as well, if we can kinda scope in on that. This vacant piece of property here is the site that I just showed you that is directly across from the park. As you can see we have large, I don't know, I would guess there may be 80-feet-tall light standards here on some of the fields that are right across. This happens to be two-hundred-and-fifty feet, this location, from the light poles that are here. I understand lighting. I've represented enough developers over the years to understand that sometimes you can contain lighting. And if lighting is directed downward, not a whole lot of it may escape into surrounding areas.

But I will say this: that you're not gonna buffer all the lighting. You're not gonna buffer, you're not gonna be able to buffer, or have residential in this area when you're directly acrossed (sic) from that picture here, buffering from the noise, occurring on these fields, which happen to be right across the street from this site. Again, just for point of reference, that's what you would look at if you're in the middle of this proposed site, and if you were standing in the backyard of a home.

I venture to say that residential has come and gone on this proposed location. And I'd venture to say that because of location, and good things that the City has done in terms of creating a 45-acre regional park, that the land use in this area certainly should be changed, and it should be changed to a lower use, a lower intensity, which is office. Single-story office, mind you, that is only going to be open 8:00 to 5:00, Monday through Fridays. And I'll get into that a moment later when I talk about the second aspect, which is what the project is about.

Now, having said that, I would – ask you to also consider that I feel that support of the neighborhood is very important. And I heard Councilman McDonald on a previous item today that he, and I know he does, he listens fairly and impartially and listens to what people in his district have to say about projects. And I – know that he will give the same equal ear to those people that are in support of this, as well as an equal ear to those who may not be in support of this. Because if you look at my overhead, you're going to see on this map, you're gonna see a lot of red dots. And all those red dots have a very distinct meaning. And those red dots that completely surround this project here all are from people that have been contacted and have indicated that

they are in support of this project here. And I would venture to say that the majority of those dots are directly on all sides of this project, other than the new regional park that's under construction across the street, that the City had approved.

Now, back in 1992, the City had a comprehensive plan, and Mr. Genzer is far more of an expert than I on this, but I'm told that in 1996, or 1992 there was in fact a comprehensive plan in the City that was developed and is still in existence that says basically, and I'll paraphrase, and certainly Planning staff is better qualified to answer any questions other than this. But I am told that a land use, a low-intensity office land use is permissible to buffer single-family detached from other types of intensive use. Now that 1992 City Plan would basically, I would believe, would be consistent with what is here. We have the City approving a 45-acre regional park for its citizens, which is basically a commercial-intense use. We have across the street Mr. Curland's company's property here that is right here, which is an office-proposed use, single-story certainly a lot lower than the lights that are on those standards some two-hundred-and-fifty feet away. And then in the back we have Mr. Curland's project that I'm going to show you a picture of that he also has developed single family to buffer his own proposed office building here.

So what we have, when I say Mr. Curland has developed single family, I wanna show a picture of the single family that is basically along this street that is part of this project too. Because Mr. Curland has buffered, he has put his money where his mouth is. He's asking for permission to build a lower-intensity-office, single-story use across from a regional park, high-intensity use. And he has in fact buffered the project with his own single-family homes. And here is – a picture of those in that street. And as you can see, these homes that Mr. Curland is developing directly behind his proposed office complex is this –

COUNCILMAN McDONALD

Hold on, JT. JT, hold on. That's better. You were fuzzy. Go ahead.

JOHN MORAN, JR.

Okay. Is – directly behind, Councilman McDonald, is directly behind the proposed project. This is the street here where Mr. Curland is developing some of these homes. Now, very, very nice homes, but in fact he is, like I said, put his money where his mouth is. He is doing a buffering project in addition to buffering the City's regional park.

Now, if in fact we talked about the support. We have – the petitions. We had the letters that I'm not gonna read in that I've also submitted to the City Clerk. We have all these homes on each side of this proposed site supporting this.

What could be a better, in compliance with the 1992 City Plan, could be a better use and proper step-down zoning than to come from a intensity eight-hundred-and-fifteen-parking-space use with five outdoor football fields that incidentally in a newspaper article on that giving accolades said the park built has five football fields all lighted for night games. Soccer is a huge sport in this town and it's year around. Dog park, separate playground, walking pass.

Well, if you had built an office complex here, and it's single story, and it's closed on the weekends when the residents in the area may be there, and it has security, and it's lit at night, and it – and it's adjacent to a large north-south corridor, I, and it's buffered by the same developer who's built homes to the rear of it, to protect the integrity of the office complex and to protect it from the regional park. I can't think of a better project that has addressed concerns that have to be considered by this astute Council relative to location.

I can't think of any other things I can say, as to the second leg of the triangle rather than the support that is in fact here. I can't speak for the people that are gonna speak in favor or against it, but all I can say is – at the Planning Commission there were some good arguments raised on both sides.

As to what the project looks like, if I may, I'll show you a, first let me show you the elevation. The elevation here, as you can see, is a very nice landscaped office complex that appears to be residential in nature. This is what in fact, here's an exterior elevation. This is in fact what would be fronting on to Buffalo. These single-story peak roofs, as you can see, the double glass doors all have an appearance of a residential nature, even though this would be fronting on Buffalo with the single family to the rear.

I would suggest that if you looked at the site plan for this, you would see in fact that this project, four professional offices, single-story would lay out on the property like this. This being Buffalo Drive. This being PF (Public Facility) across the street, which is the regional park with the fields here. And when, again, when I referred back to that photograph, we were on the site looking two-hundred-and-fifty feet away to these ball fields here that are gonna be operating at night, having lights, and attracting a lot of people as they should. All we're asking for is to take that into consideration. Take that into consideration that there is gonna be people coming in and out of that park 24/7. That's what happens at parks. And we think that that's the kind of impact that has changed and gives rise to a reason for why these, in fact, this type of a site plan should be approved.

Ingress and Egress, as you can see, is off of Buffalo here. It also has ingress/egress with a (inaudible) line here off this partially vacated street. We are asking for this to be partially vacated, and – I believe that some of the people in the neighborhood are also in favor of that vacation.

I would ask you to consider these reasons. Why this should be approved. I would ask you to consider the fact that the area has changed. Consider the fact that traffic flow patterns are changing, that this is not a quiet sleepy neighborhood anymore. And with the people that the 45-acre regional park is gonna attract, the area has changed not only traffic pattern wise, but as to residential wise. This is gonna draw people from outside of this immediate community. This park is gonna draw people from all parts of our community and the Valley, as – a park this size should do. We feel that it justifies the applications that we're seeking. We feel that the support in the immediate area to this is sufficient to demonstrate that the people that will speak on this item shortly in favor (inaudible) come from this area, and that these dots truly represent people in the area that support this project.

I'm here to answer any questions. I know there's other people here that wish to speak on both of these issues. I'd ask to reserve a short time at the conclusion of these proceedings to in fact rebut anything that may be raised that's different from this.

But I think that fair is fair. I think that – the City has done a good thing with this regional park. It shows the progressiveness of the City and the City fathers. But I think that in doing that we have to also consider the smaller little guys that are now out on corridors that before used to be quiet little two-lane roads that are never gonna come back to that again.

And, I guess, I'm asking you to help one of your City residents, who's, over the years has made a significant contribution here, has – made a significant involvement with the City of Las Vegas, has always been supportive of that as a businessman in the City, and asks to come before you and asks for you to protect him and allow him to show you that he in fact buffers his own project with single family. Allow him to buffer your project with a lower-intensity use than what is now across the street. Thank you.

MAYOR GOODMAN

Thank you. All right. This is a public hearing; would anybody like to be heard? Could I see by a show of hands how many people would like to speak on this? All right. Well, what I'm gonna do is this: I'm gonna start off with all those who are

for the project lining up on this side. All those who are against the project lining up on this side. So why don't you come up, and then what we'll do is we'll start off with two minutes, and then we'll see how repetitive it becomes.

UNIDENTIFIED MALE SPEAKER IN THE AUDIENCE — They got ten minutes.

MAYOR GOODMAN — What was that? Excuse me, did somebody something? Did a mouse say something? Was there a mouse in my pocket?

Those for, please line up so you could use this side. Those for, on this side. And those against –

UNIDENTIFIED FEMALE SPEAKER IN THE AUDIENCE — Which side's against?

MAYOR GOODMAN — This side is against. Okay, it looks pretty even here. All right. Let's start with, we'll start with one for, and then one against, and we'll narrow it down.

Please come up to the mike, state your name and your address.

KENNETH SCHULTZ — Good afternoon. My name's Kenneth Schultz. I live at 25243 Basa Avenue. That's in Woodland Hills, California.

I own two of the pieces of property that are not directly behind but down the street about five houses. I'm developing two homes there. In my opinion, I'd much rather see, in that area, a single-story commercial building rather than a two-story residential. I think it'll, with mature landscaping there, it'll buffer the lighting for me, and that it'll be much better. No weekend traffic. And that it'll look much better than a big square two-story house.

MAYOR GOODMAN — Okay, thank you.

KENNETH SCHULTZ — Thanks for hearing me.

COUNCILMAN McDONALD — Mr. Schultz? I have a question, Mr. Schultz. Where do you -- live?

KENNETH SCHULTZ — I live in Woodland Hills.

COUNCILMAN McDONALD — I mean – I'm sorry where – is your property?

KENNETH SCHULTZ — They're down at the end of the cul-de-sac. It would be the south side of the cul-de-sac.

COUNCILMAN McDONALD — Okay.

KENNETH SCHULTZ — The very two end lots down there. So, it's not directly behind Mr. Curland's, but it's down the way.

COUNCILMAN McDONALD — Right. Good

KENNETH SCHULTZ — Okay? Thanks.

COUNCILMAN McDONALD — Thank you, Sir.

MAYOR GOODMAN — Thank you. All right. Somebody who's against.

JO KILEY — Hello. My name is Jo Kiley. I live at 8105 Villa Del Sol Court, which is a third of a mile west of Buffalo. My main concern here is traffic. The, I have a few questions as to what I've heard presented earlier. One is, are you widening Buffalo, south of Charleston to six lanes?

COUNCILMAN McDONALD — No. What our plans, and that was, I was gonna address that later. But if you look at what Commissioner Maxfield has – stated, as well as some of the other County Commissioners, because after – you go over Sahara, it goes to two lanes. The only three lanes I think we have, I mean, correct me if I'm wrong, engineers, is north on Charleston? Two lanes?

PEOPLE IN AUDIENCE — (inaudible)

COUNCILMAN McDONALD — Our – intent, at least our proposal would ever go before the City Council, of course Council members change and so do their mindset, is that this always remains two lane. The reason it remains two lanes is because it was designed two lane that, where the homes were built as well as the history, as you've seen, we try to keep the integrity of the neighborhood from point A, which was Charleston, to Point B, which was Sahara.

JO KILEY — As it is now, I have need to use Buffalo. It's not always easy to use Buffalo, south of Charleston. There's a lot of traffic. There are people from Summerlin who are using Buffalo as a main thoroughfare all the way to Tropicana, I believe.

I had a question. If this goes in, then can we not expect to see other commercial units surrounding this? I think one of the problems we have seen in the City is variances repeatedly being allowed, which changes the neighborhood from the neighborhood which people bought into originally.

I'll be honest with you, when I moved in this vicinity, I thought I was moving into a low-density area. I didn't anticipate having to wait at lights two or three lights to get in and out of my property, and that's what I see now. And if you add a big office building, are you gonna add another

one adjacent to it? And then how are we going to get in and out of our properties?

I think you have a problem with Buffalo. I think anyone who would dispute that should spend the day driving up and down Buffalo.

MAYOR GOODMAN — Thank you. All right. Somebody for the project.

JOHN BAILEY — Mayor Goodman, members of the Council, good afternoon. My name is John Bailey. I live at 8101 Mittmore, which is a block or so away in the Castle Gate development to the west of this project.

I come to you with a couple comments. Let me make a couple disclosures first. The first is that my wife is a distant relative of the principle of the developer. The supple, the second disclosure that I have is that my law firm, in a matter which is completely different from this project – I'm a, an attorney by profession – represents the developer in a business matter, but it has no connection whatsoever with this project.

COUNCILMAN McDONALD — You're here as a neighbor, right?

JOHN BAILEY — I'm here as a neighbor, and what I wanna say is I'm – for you as a – homeowner in this area in the Castle Gate development.

I drive down Buffalo at least twice every day, between Oakey and Charleston on my way to work and – back from work. I had read the literature that the homeowners who are opposed to this project have put out. In all honesty, I have a lot of respect and admiration because I earnestly believe that everyone cares about this community and is concerned about land values and making sure that this community is the proper community for them to live in. So, I have a lot of respect for their comments. And I agree in many regards of what they've had to say in terms of the literature that I've received.

My concern really focuses on one thing; and that is, realistically, what could this property, this site be used for? I don't believe realistically that you can have a residential-home area given the new nature of the property; that is, the major street being Buffalo, the – traffic, and the 45-acre park across the street. My understanding is that this project will be similar in scope and nature as the office, the one-story office project, which is right down the street to the south of this, which is close to Sahara, which was built by the Collins family and is now called Aspen Financial.

I would prefer seeing a commercial project of this nature at that location than to see raw land. I think the focus should be on making sure that this developer complies with all of the restrictions and conditions so that what we see in terms of a diagram of the project is what is actually built. So I'm in favor of the project, so long as what ultimately is up there is what I see on the plans.

I trust your good judgment, Mr. Mayor, and I appreciate you giving me the time to express my comments. Thank you.

MAYOR GOODMAN

Thank you. Against.

CAROLYN STONE

Hello, Mayor and Councilmen. It's good to see you today, because after today this is over, one way or the other.

I'm Carolyn Stone. I live at 1509 Ten Palms Court. The developer lives on my street. I've known him for several years and have been familiar with this issue for several years. I'd like to begin by giving you some information that some of those who are against this have put together. And Clerk, would you hand one to each Councilperson and the Mayor, please.

I'm one person here. I'm due in two weeks. I'm not working right now, but I am a civil engineer. I wear many hats, and so I'm not entirely ignorant of – different ramifications of this project. But, more importantly, (inaudible) it's just one person. I'd like to say that we have had such a tremendous response from this, as you know, because you've been getting faxes and telephone calls. We have had over five-hundred-and-ninety – responses against this. I don't know exactly the number of people who have supported it, but I will say that of the five hundred and ninety, these are five hundred and ninety that have come through us. There are others that we know through Doug Rankin have come directly to the offices. I'd like to submit this to be part of the record, written record. Five-hundred-and-ninety written responses.

MAYOR GOODMAN

Are those the –

CAROLYN STONE

All of these are against.

MAYOR GOODMAN

Are these the ones that were faxed

CAROLYN STONE

Some of these are in addition to what you have. And we have been cross-referencing. We have a mailing list that we have, had spread out on the floor to make sure that we are counting all the right people. We know where they're from. I've got highlighted bulleted numbers, and Doug Rankin has

given me numbers as well. We have been putting these things in alphabetical order and marking them off. We can't mark off all of the people against this because not all of them have come through us; some have gone directly to the City.

But of the numbers you have in front of you, the front page, you will see in red ink. We have had over 42 telephone calls to the office, according to Doug Rankin. We have had over five-hundred-and-fifty faxed signatures, counting only numbers that we know it exceeds that but we don't have, we know five hundred and ninety minimum. Of those, some become duplicates or some become outside the area. We have counted two-hundred-and-thirty faxes, which are in the immediate area. And we're only counting one signature per lot, or per homeowner. We're not counting duplicates.

I'd like to also say you see a lot of supporters who are – I should say proponents – who are here today. Those who are supporting residences and opposed to offices. We have a lot of people here today too. So, this is definitely a very important issue.

If you look at the large layout, maybe, can we get the camera on this, please?

COUNCILMAN McDONALD

Sorry.

CAROLYN STONE

We – have begun to mark in red. I'd like to say that this, ever since the creation of this park, and before that, this neighborhood has a school at one end. We have a elementary school at one end. We have churches throughout. We have, the Catholic Church is out on the corner of Tenaya and West Sahara. We have, the LDS Church is out here on Oakey. We have, there's a Lutheran Church up here. We have churches throughout. We have the Rainbow Park. I have a mom and baby group. We are all one neighborhood. We go back and forth. We're babysitting. This is in the middle of our neighborhood. This is not on the boundary. It's not a buffer. It's not on a major arterial. There is no, currently no commercial or office zoning all the way from Westcliff down to Desert Inn, other than at major nodes. Even the node at Charleston and Buffalo would not be considered a commercial node because there's only commercial and it's limited commercial on two corners. We have apartments and Las Vegas Valley Water District on the other corner.

So the support is important that you realize there are people who are concerned about this throughout our entire area, not just the people who are adjacent to the property.

I'd like to also say that according to City staff, we know that in the current response there have been less than ten people who have responded to the office prior to today however, to the office regarding the City Council meeting, but we understand the applicant submitted a hundred and forty supporters to the Planning Commission. We have checked that. I have a copy of the record. Staff actually went through this. And of this, 59 were valid. This came from your off, from City Council. I have in red the ones that are valid. And of those, some of those are duplicates. So the valid ones might be a correct signature that corresponds to the address and it might be in the area, but a lot of these are duplicate, reducing this total. These are crossed-out duplicates, 27 who were from the neighborhood.

I think it's important also that the City Council and the Mayor know that of a lot of supporters who are located in this area, this housing development that the developer has done, I'd like to let you know that on the very back page of what I just handed you is an excerpt from their CC&Rs. Whether those homeowners knew about it at the time when they were filling out a million escrow papers signing their papers, you know, when they're buying their house or not. Whether they read it in the fine print or not, it clearly states in their homeowners association: The owner of each lot agree not to take any legal or equitable action to protest such development, including, but not limited, appearing in opposition before the Planning Commission and City Council. I thought it was a First Amendment right that anybody could speak in public on a public issue.

So, please be aware of that, that it raises, both with the counts claiming a hundred and forty supporters, we ended up with 27. And with this information, please consider that we are questioning the accuracy of the applicant's information.

I will, we, you will be able to follow along with this a little bit. We have a couple other people who'd like to speak on a couple other issues regarding this. Hopefully we can cut through this quickly, but you have information in front of you.

This, the developer can build a beautiful project, but not here. And this would set a awful precedent for more zoning changes down this Buffalo corridor, houses converted to offices. This is a chance to have a nice neighborhood in Las Vegas. This should be the pride of the City. The park is a pride of the City. So, please, support the residents. We are here in a, I'll submit this. Take it. Please listen to the people who live there, who have lived there, not just people who own property adjacent thinking, wow, maybe I'll put in

offices too. So please hear us. Thank you.

MAYOR GOODMAN

All right. Madame Clerk, I'm going to hand you the, what purports to be the pros and what my office received yesterday, the cons. And there's, I'm sure they're duplicates on what was just handed to you.

All right. That – took about seven minutes. So, I'm just saying if you're, we're here to serve and we're here to listen, but I'm just saying, in consideration of each other, I tried to limit it to two minutes. If you don't wanna do that, that's your prerogative. But I just think that, we get the idea. We get the sense of what you're saying, and that, just, for your benefit, not for ours, because we have nothing better to do. I just wanted to advise you of that.

COUNCILMAN McDONALD

Your Honor –?

MAYOR GOODMAN

Yes, Sir. Yes, Councilman.

COUNCILMAN McDONALD

Before you go up, can I see the back of that page that was signed by the es – on the escrow? Do we have that? Did she give you a copy of that? Oh, okay. I got it – . Thank you.

MAYOR GOODMAN

Yeah. Right. Okay? All right. Yes, Sir?

BOB SHERMAN

Bob Sherman. I – too have to confess –

MAYOR GOODMAN

Your address, Mr. Sherman.

BOB SHERMAN

Oh, 7416 Dale Avenue, Ten Oaks. I wear two hats. I am the architect and designer of the project, but I'm not gonna talk about that tonight. I'm gonna talk about it as a neighbor. I moved into Ten Oaks about 12 years ago. I was the fourth house built there, and there was nothing to the west of me. Buffalo was a two-lane, unimproved country road. You've heard all of that. It's changed. We agree to that.

When we build homes, because I do a few of them every year. When we build homes that backup onto a – half-section road or a section road, we do ourself (sic) a great disservice. I have met, I've been on the board at the Ten Oaks community for ten years. We have met with Councilman McDonald on several occasions complaining or expressing our concern about the security – breaches that we've had. What can we do? We've got some very, very expensive homes in there. We've got noise. We've got garbage trucks. We've got buses. We've got it, we got kids racing off to high school at 60 miles an hour down Oakey. It's the nature of the beast.

The only people that complain in my community of 73

people are the people who live on Del Rey and Oakey, and they have reason to because their houses get broken into, and they have to wake up at 4:00 in the morning because of garbage trucks and buses.

There's gotta be a different way that we can protect people's investments when a City grows as rapidly as we do. The minor street that I just heard about on Buffalo now carries 35,000 cars a day, scheduled for over 40 by your own traffic department. That is a major street. Rainbow carries about 45, I think.

The long and short of it is we have a freeway in front of residential property. If he gave me the land, I wouldn't build a house there. I have no security, as my neighbors don't on Oakey and it's half the street, or a third of the street. I have no privacy. And furthermore, you're gonna intrude on my private backyard with lights till midnight. And I know that's a fact because the little park that's a beautiful park on Oakey, the lights are on with nobody there till midnight.

That's the nature. We have, as a City, developed a beautiful park. We need more of 'em. Parks department should be celebrated for their work. It is a commercial activity by your own zoning ordinance, commercial category. It's co, it's further complicated by the fact – we all remember a – gray house, it has been for sale for six years that I know of. You bailed them out; you should be proud of that. He's a happy camper. He got out of a house he couldn't sell. He can't sell it. Might not have been a great house. It was new and big, but it was on a freeway. You – took him out of that, and you're now trying to convert it to, what? An office. It is an office use. And as a matter of fact, the rumor is, I could be wrong, I'm told that you're gonna have to tear the house 'cause it cannot meet the building code requirements of a commercial use. It's a house. The electrical's wrong, the ADA's, everything's wrong.

So, what have we done? West of our property, of the – applicant's property is a piece of ground that is in all effect, by use, a commercial property. We're not changing the zone. We're trying to accommodate what's already happened. It is, the project, I think, I'm proud to say, is, one out of – a hundred developers I worked for, this is the first one that's come to me and said: I want your creativeness. I don't wanna maximize. It will be single story. Increase the landscaping. Provide adequate parking. I have ten millions invested next to me, and I do not want to hurt that investment. So we came up with a solution. I, it could be three times, it could be two times the square footage, but it isn't. It's 40,000 feet. I could be (inaudible) easily and park it and landscape it. Probably be two-story. He chose not to do

that.

He chose to provide this community with what I believe to be a unique, high-end professional office. And we've got lots of examples in this community about it. Ribeiro has been celebrated for 20, 30 years for doing beautiful work in high-end neighborhoods. And I think we've all, show that man respect for the quality of work he's done. This – project will be equal to or better than what we have experienced with Ribeiro. Be happy to answer any questions.

COUNCILMAN REESE — If I could, Councilman McDonald.

MAYOR GOODMAN — Yes.

COUNCILMAN REESE — It's not so much a question. You're talking about the size of this project, and it's been, I guess, my experience since I've been on the Council that that may be true at this location, that once we approve this, if it is approved at this location, then isn't it true that we can come in and put 80,000 next door to it?

BOB SHERMAN — Oh, a whole separate issue. I don't know. The – tendency is –

COUNCILMAN REESE — History – proved it, yes.

BOB SHERMAN — History will prove that –

COUNCILMAN REE — So, yeah –, I just made the point. You're just trying to make the point that this is smaller than what he could have built there.

BOB SHERMAN — On his land.

COUNCILMAN REESE — All I'm saying is that, yes, it may be smaller, but tomorrow he could come in with another application for something twice as big just down the street.

BOB SHERMAN — (inaudible) Yeah, on a piece, on another parcel. Yeah. It's a whole separate – decision.

COUNCILMAN REESE — Thank you, Councilman.

MAYOR GOODMAN — All right.

COUNCILMAN McDONALD — Thanks, Bob.

MARY GREEN — Hello. My name is Mary Green. I live at 18 –

MAYOR GOODMAN — Ms. Green, please use the mike.

MARY GREEN — Oops, sorry. My name is Mary Green. I live at 1870 Blackwater Court. And, I guess, I'm a fool who lives on the freeway, because my house is on the southwest corner of Oakey and Buffalo and I backup to the so-called freeway.

COUNCILMAN McDONALD — Mary, hold on a second. Could we go to the overhead, please.

MARY GREEN — Do you want, oh, this one?

MAYOR GOODMAN — No –. That's not you. We're asking our staff.

COUNCILMAN McDONALD — No. There you go.

MAYOR GOODMAN — There we go.

MARY GREEN — Okay. (inaudible) All right. Lost my train of thought. Give me a second. I will try to be brief.

MAYOR GOODMAN — You said you live at Oakey and Buffalo.

MARY GREEN — I live at Oakey and Buffalo. My home actually backs up to Buffalo. We have lived there since 1993 and we are very proud to live there. I'm a city girl. I'm a desert rat, and I love the City of Las Vegas, and I love this neighborhood. It's a beautiful neighborhood where people bought a half-acre lot and they were assured through the master plan that they could build a beautiful home. And they weren't gambling with this investment.

The people who lived there were thrilled when we had the opportunity to build a park. We campaigned for the park. We petitioned for the park. We were even lucky enough to help design the park. The people who live back of the park on the west side of the park have been participating all along in the design and development of that park, and they're fully supportive of what the City has done for us. We think it makes our neighborhood a real showpiece. And anywhere you go in this city, particularly in Summerlin, when you see a park, you don't see it surrounded by offices. You see it surrounded by a residential community. Residents are a buffer, residents should be around a park. An office complex is a barrier to the community allowing the residents to access the park. The park is a place where people meet with their kids, people meet with their dogs, people who like to play tennis are gonna be there. It's got nothing but football fields in it. Nobody's gonna be playing soccer. Nevada Youth League Football is played – from August till December. The practices are Tuesdays and Thursdays. The games are on Saturday afternoons. None of that's done at night. We don't have, we do have a gazebo. We don't have

an amphitheater. We're not gonna do Shakespeare in the park. And thank you very much. I hope you'll oppose this petition.

MAYOR GOODMAN — Thank you.

COUNCILMAN McDONALD — (inaudible)

MAYOR GOODMAN — What?

GARY PRESSWOOD — Good afternoon. My name is Gary Presswood, 1616 Mirabella Ridge Court. First time I appeared before the Council was actually in 1987. And as some of you may know, that was as your City Engineer. And during the next five years, I was Deputy Director of Public Works, during part of that time. The reason I was selected as your City Engineer – we moved here from Florida – was because there was a project west of town, eventually named. It wasn't even named at that time. But eventually it was named Summerlin. The reason I was selected was because I had considerable amount of experience, in all due lack of modesty, in large land development projects. The same principles apply here.

The bottom line is, I think we're all proud of Summerlin. There's nothing different in this, in Mr. Curland's property. You've got a section line street, a major corridor in Buffalo. That's a major corridor. Whatever you want to call it, it's a major street. It always was going to be. It's a section line street.

The bottom line is, on my technical experience, based on my technical and professional experience, there's no question that Mr. Curland's development is the highest and best use of that land.

Let me put on my second hat. There's a lot of different hats floating around here. Let me put on my second hat. My wife and I live very close to this project. I will admit to you that Mr. Curland's project is not out our back door. It's out our front door. I can literally walk out my front door, walk across the property right across the street from us. If I wanted to climb the fence, climb the wall, I'd be in Mr. Curland's property. In addition to that, we're building a rather large house right next door to this one. Took two lots to do it. It's a very large house. We're putting our money on this site. We knew when we bought the property next to the house next to the house we live right now that Mr. Curland was proposing this development.

I support him. As an engineer, as a past land planner, land developer, I asked him a lot of questions. And some of them became quite heated to some degree. The bottom line is he came across to where it met my – requirements as – an engineer and as a land developer. Both hats tell me that this is the highest and best use of this property. I am, our property is the buffer for anyone else. Both my properties. It's right behind his – development.

Respectfully, request and suggest that you approve the property. Less than two minutes. How did I do?

MAYOR GOODMAN — No, two thirty-one. It's all right though.

GARY PRESSWOOD — Well, my wife has more questions, but that's –

MAYOR GOODMAN — There's no problem. There's no problem. As I said, no problem.

COUNCILMAN McDONALD — Thank you.

LYNN BLOCK — Good afternoon. I'm Lynn Block. I live at 2111 Stradameer, which is two blocks west of Buffalo. The young attorney who goes to his office once in the morning, comes home once in the afternoon, he should live where we do. We take six trips to gra, to try to get on Buffalo to go either south or north. It's very heavily traveled at all hours of the day.

Incidentally, I know Gary Presswood. He's a lovely man. His wife is a real estate agent. She is selling the homes, or the land for Mr. Curland right behind where he wants to build his offices. So it's not entirely impersonal.

As a matter of fact, I hope I'm not going to embarrass Mr. McDonald, but five years ago when this project, or one of Mr. Curland's projects on the same land came up Mr. McDonald said, we will not have offices here on Buffalo. That was how we built Spanish Trail, on a heavily traveled road, Rainbow, and look how beautiful Spanish Trail is. Has a wall. It has trees, and we'll do that for Buffalo. So remember that, Mr. McDonald. We don't want offices. I think the park is a wonderful thing. We all approved. We all worked for it. But it's there. It's a reality. We don't need five times cars coming in and out of Buffalo because Mr. Curland wants to build offices.

Thank you. Is that two minutes?

MAYOR GOODMAN — You are my favorite citizen.

LYNN BLOCK — Thank you very much.

MAYOR GOODMAN — Thank you. Yes, Sir.

STEVE SCHNEIDER — I'll be your new favorite citizen.

MAYOR GOODMAN — All right.

STEVE SCHNEIDER — My name is Steve Schneider. I live at 12 Quail Run Road. I own the property immediately north of Mr. Curland's property. And, of course, I – do support this project of Mr. Curland's.

And Mr. Reese brought up an interesting situation. He said, well, what is gonna happen with the balance of that street? I can tell you that I support Mr. Curland, and I would be willing to continue his project on my property directly to the north. Any questions?

MAYOR GOODMAN — No. You are my favorite.

STEVE SCHNEIDER — Thank you.

MAYOR GOODMAN — Thank you.

LISA MAYO DOREESO — Good afternoon, Your Honor and Council members. My name is Lisa Mayo Doreeso, and I actually live in, 1.8 miles from this park. And I'm here for two reasons: Number one as a parent of five children who are gonna use this park, and as an, I live in the area and I live off of Buffalo, but I live south of Sahara where it goes into two lanes.

My concern, and I'll put this up --

MAYOR GOODMAN — Can we have the overhead, please.

LISA MAYO DOREESO — I'll use this.

MAYOR GOODMAN — No, we're okay. You're fine –

LISA MAYO DOREESO — Can you see it? Okay.

MAYOR GOODMAN — Yeah.

LISA MAYO DOREESO — My concern, I drive Buffalo probably four or five times a day. I have children who attend private school in Summerlin. They don't bus, so I go, use this road all the time and frankly I don't find it to be nearly as congested as Rainbow or going down Decatur or some of those other streets. It's not that difficult.

What I'm concerned about is I'll have children that will use

this park, along with a lot of other people in this area. If you look at the way the traffic is laid out, there's a fence that goes along the front of the park, and the, you're gonna have kids. There's a school here. Deerfelt is here. You have a park up here. There're kids all around here. I used to live right behind the park in Sycamore Square, when the park was first being developed. I was in great support of this park.

But now kids are gonna be coming in these crosswalks, families. When I ge, when I drive to the park, here's the existing entrance to the park. What's gonna happen is as the traffic in this park, with an office complex, when you get office traffic, it change the complexion of the – traffic that's in that area. And I don't believe that offices this close to the park and in this area are compatible with what we're trying to do. What you're trying to do in building a park.

There'll be a turn lane here. Well, this turn lane, as traffic builds up and people are coming here, if people pull out, they're gonna come, be coming directly in line with traffic on Buffalo Drive that are gonna be coming out of this park. If, like is gonna happen, you come, you're heading – What is this? – north on Buffalo, and you miss this driveway, you're gonna be, and I believe there's gonna be another cut here. Your'e gonna have to come up here and you're gonna be inclined to do a U-turn.

This is a crosswalk that my kids use when they go from friend-to-friend house either on a bike or on a skateboard or on their rollerblades. They are in this crosswalk. There're kids that are gonna come all over around this park. So, if you have U-turn traffic, I think that makes it much more dangerous for children to be in this area.

The other thing is, as you're coming this way and you're traveling you're gonna have cars coming out here. If any of you've been on Rampart at Sun Coast when it's busy and cars are coming out and trying to get on Rampart, you know what this cross traffic does to that area. And this cross traffic coming here and children rollerblading along the sidewalk, I think, makes it a dangerous – area to be in.

If you have homes here, and I will say a lot of people said nobody wants to live on Buffalo, I live down here near Darby and O'Bannon and there's homes all along there with beautiful walls and landscaping and they're selling them like crazy. US Homes, if you look at the homes they just built on Buffalo, I believe those custom homes are almost sold out and they've only been going up for about a year. People will live here, especially because they are across from a park.

So, when Mr. Moran said that the three things were location and the project and community support, I think the (inaudible) location is not compatible with a neighborhood and park. I think the project does not represent compatibility with that area. As someone who wants to come to this park and use this park, I want it to be safe for my kids. I wanna allow them to, you know, to be there and not worry about them.

And the last thing is community support. I think when you look at 59 signatures versus 500; clearly, the community is opposed to this. And I would urge you, as a person who's excited about using a regional park and having my five kids at this park, to please not approve commercial on this and please hold it out for residential. Thank you.

MAYOR GOODMAN — Okay, we're gonna need your address for the record.

LISA MAYO DOREESO — 7140 Darby Avenue.

MAYOR GOODMAN — Thank you.

LISA MAYO DOREESO — Thanks.

MAYOR GOODMAN — Okay, somebody opposed. Two for the price of one? All right.

CAMERON SAHIHI — Mr. Mayor, Councilmen – No, no. She stay with me.

MAYOR GOODMAN — No, that's okay.

CAMERON SAHIHI — Thank you very much. I have two question –

MAYOR GOODMAN — Will you please give us your name, please, and your address.

CAMERON SAHIHI — Oh, I'm sorry. My name is Cameron Sahihi. I'm at 224 Canyon Gate, Canyon.

MAYOR GOODMAN — And the young lady next to you?

CAMERON SAHIHI — Yes.

UNIDENTIFIED FEMALE — The same.

MAYOR GOODMAN — Very good.

CAMERON SAHIHI — Yeah. Two question: First of all, this lady that she mentioned about her kids, five kids. This road, Buffalo, is so dangerous. I advise her please don't let her come around Buffalo at all.

Either there's a office or not. I'm sorry that. Number one.

Number two, I am sorry, Mr. Mayor; let me tell you something. I do know the owner and this gentleman that he want to build this. I know his name is Walter. Even just now I heard his name.

What I know, I don't know why all these neighbors behind his land, they're all against him. Personally, let me tell you the truth. Why? I don't know. Believe me it is five acres. He build one house. One-story single house and invited all the neighbors, breakfast, lunch, dinner free every night. Still they are against him. Why? I don't know.

This is a very busy street. (inaudible) have their office there. Did you know have the house there? Is expensive area for the house? Oh, the light has come. The is very expensive area built the house and also is not right to (inaudible) the person, I mean, (inaudible) there. I'm sorry, the light is coming. Thank you very much, Sir.

MAYOR GOODMAN — Thank you very much. Appreciate it.

JOHN PAUL PUTMAN — Hello, my name is John Paul Putman. I live at 1400 Ten Palms Court. I live directly across the street from Mr. Curland and in a different forum I could tell you why we're all against him, other than business reasons.

AUDIENCE — Can't hear.

JOHN PAUL PUTMAN — I'll do better. I have four or five talking points I'd like to talk about. And one is the Master Plan in November of 1998 was changed in order to reduce the density and intensity of the land use by changing the General Plan use from rural density residential to desert rural residential.

According to Clark County Planning staff, the subject site is located within the rural preservation neighborhood and State statutes will not permit the City's approval of the proposed – development. The precedent of Buffalo and the entire surrounding neighborhood is residential. Many new homes are currently along Buffalo. Of ten US custom home lots for sale on Buffalo only one is yet to be sold.

This property's always been zoned residential and was never intended for office or commercial development. I'd like to encourage the Council members to do the right thing and vote with the neighborhood. Thank you.

MAYOR GOODMAN — Thank you very much. Opposed, please. I mean, for.

BOB HAYLES — My name is Bob Hayles. I live at 7510 Curland's Cove. I am Gary Reese's niece's husband, and, no, I don't have any financial interest in the project. But I do have an interest in the project 'cause I live about 900 yards southwest of the property in a subdivision called Marina Estates. I am the homeowners association president of that. There are 20 half-acre lots in that. I walked the neighborhood, talked to every individual, had 19 people for it. One guy said he wasn't for it or against it. He doesn't sign any petitions.

So, we think that that's a great opportunity for our neighborhood to drive up to. Buffalo's always gonna be busy. I don't think this is gonna bring anymore traffic to Buffalo. I don't think that you're gonna be able to sell any custom homes on Buffalo. I wouldn't wanna live there. I don't know of any other people who'd wanna live there. They keep using the word "we" as in everyone's against this. Everyone I've talked to thinks this is a great project and are – for it. And we think it's a great buffer between us and the park. Thank you.

MAYOR GOODMAN — Did Councilman Reese cut your hair?

BOB HAYLES — No, but he cuts my nephew's.

MAYOR GOODMAN — Does that say anything about your nephew or about Councilman Reese? Well, let's not get into, let's not go there. Let's not go there.

BOB HAYLES — No. He's a good – barber. I take the Fifth.

MAYOR GOODMAN — Next. Now you're talking.

COUNCILMAN McDONALD — There you go.

LEE FAIR — Can I use this?

MAYOR GOODMAN — Sure.

LEE FAIR — Cuz I'm a little taller. My name is Lee Fair and I live at 1600 Charles Lamb Court. I have no financial interest in anything in this property. I know Walter Curland. I'm not his architect. I'm nothing. But I am a developer, and I've developed over 300,000 square feet of office space within the City of Las Vegas. And I have some serious concern about what we're trying to do here in our neighborhood.

First of all, let me address an issue that – Mr. Moran talked about a step-down zoning. This is not a step-down zoning. This is a step up in zoning from – the rural density. It's not a step down and to say that the park equates to commercial

use is ridiculous. The park enhances the residential nature of our community. That's what it does.

Now, let's – talk about the traffic just very briefly, because a lot of people have. What's gonna happen in the summertime when all of our kids are out of school? I have – a son that happens to be disabled. I take him over to the park in his scooter. Now, what we're doing when we build an office park, cuz I know, cuz I've built a lot of 'em. You're bringing people into this area that aren't normally in this area. We don't need more people into this area during the daytime. We don't need that. And the impact on the park, being special use, is gonna be very limited.

What we're talking about here is spot zoning. What's gonna happen to the nature of Buffalo? It's only gonna get worse. We have maybe four parcels along there right now. We have a lot of residential that backs up. A lot of people that already live in that neighborhood, they're already backed up to Buffalo. And they're not complaining. We had – lots down the street in that development that all but one, I believe, has sold.

Let me, another issue very quickly is that the, that right now we have, we're experiencing really high vacancy rates. There's in excess of a hundred thousand square feet of office space available on Charleston and Sahara right now. What's gonna happen when he can't rent these up? Cuz I'm telling you there's a slowdown. I just reviewed a – CD commercial report. I just met with a major lender just before I came over here. They're all very, very concerned about the leasing.

I can tell you what's gonna happen, because we've done it too. You're gonna come in for a special use permit to put a check cashing, to put some – project in there that we don't want in there.

So, you've supported us in the past; I hope you continue to support us. Keep our residential neighborhood a residential neighborhood. Thank you.

MAYOR GOODMAN — Okay. And I wanna apologize for not getting back to you. I just haven't had a second.

LEE FAIR — That's fine.

MAYOR GOODMAN — Okay.

LEE FAIR — Thank you.

MAYOR GOODMAN — Yes, Sir?

RICK HARBOR

My name is Rick Harbor. I live at 1700 Brock Court. Obviously, I'm in favor of it. I've known Walter Curland for quite a few years. He builds a nice project in the homes. And this is, you know, he's not asking for anything that anybody else wouldn't want for this land. You know, you hear of people wanting to build a custom homes (sic) there. Nobody's gonna buy a custom home there.

The other gentleman talking about, you know, he didn't want people coming into that neighborhood from other parts of the city; well, what a, what's this football field gonna bring in here? A lot of people. Eight-hundred-and-fifty, you know, cars. That's a lot of people.

And my – cul-de-sac that I live in has 14 signatures, so I don't know where they're talking about. They only have 29 legit sig, signatures for this.

But, Walter builds a nice project. He does what he says he's gonna do. He helps these people all the time. In his cul-de-sac that he lives in right now, you know, he gives them ideas, helps them. And, you know, they're all against him. He's willing to, you know, clean up the neighborhood and do whatever he can. And he tries to, and he's not doing anything that anybody else that, if they owned the land, they'd be trying to do the same thing. Thanks.

MAYOR GOODMAN

Thank you. Yes, Sir?

DAVID BRODY

My name is David Brody. I live at 1609 Golden Oak Drive. And I'd just like to emphasize one point, which has been skirted a little bit, while the City Council here is voting on one specific issue, it's really voting on a secondary issue at the second, at the same time. And that's whether or not you want from Del Rey all the way to Sahara commercial. You'll never be able to stop it once you vote for this. And that's really what you're voting for or against. Thank you very much.

MAYOR GOODMAN

Thank you. You just became my favorite citizen. Okay.

JEFF FRIBITZ

Jeff Fribitz, 7890 Dana Point Court. I am in favor of this project. Unfortunately, or fortunately this piece of property is kind of gotten trapped in – a bad situation, I think. But I believe that what Walter wants to do to it is going to benefit the area. I don't believe it's gonna have a very much traffic impact, as far as Buffalo's concerned. Um, I just think it's a good idea and there's not really, I mean, I – moved in the area a couple years ago when I was looking at homes. I did look in a couple of the cul-de-sacs that were adjacent to Buffalo and I didn't buy there because of the traffic. And I

think if he was forced to have to build a home in there, that he'd be stuck with that house.

I know US Homes down the street took that property over from someone else. I can't remember who. But I know they've been building homes in there over a span of two-to-three years and there still are vacant lots in there because the home sales are so slow. And that's what I have to say. Thank you.

MAYOR GOODMAN

Thank you.

Mel, I just heard something that triggered something in my mind. Mr. Attorney? I believe I had an interest in the property that was ultimately sold to US Homes. I've received all the monies that were due me on that transaction. It had to be at least three, four years ago. I just don't see it as having any conflict at all, but I – think I should bring that to you attention. Is that at Oakey and O'Bannion (sic)? Or at Buffalo and O'Bannion (sic)? Yeah, I did – have an interest in that. But I don't have any interest in it right now.

DEPUTY CITY ATTORNEY BRYAN SCOTT

Under those circumstances, there would be no conflict for you.

MAYOR GOODMAN

And I have no contingency in it either.

DEPUTY CITY ATTORNEY BRYAN SCOTT

Okay. There would be no conflict.

MAYOR GOODMAN

Okay. All right. Thank you. Sorry, Sir.

IRV MALONEY

That's not on. Yes, this is on. My name is Irv Maloney. My address is 1632 Mirabella Ridge Court. I live in Aurora Estates. That's the community with all the red dots in it that backs up against the property in question. There are only five residents in there now, I believe. I'm one of five.

The 21 dots I don't understand. It could be investors that have bought. People that might build some day. Or it could be like one of the first speakers who was a builder, who spoke in favor of it. He is building two homes directly next door to my home. They're beautiful homes. But he will not be living in the homes, and he'll go back to California when he completes the building.

So, and by the way, I did not know I was a buffer. They spoke of me eloquently that I am a buffer, and I wasn't aware that I invested one million dollars in my home in this estate one year ago to be a buffer for the – office complex.

Councilman Reese raised a very important point, and that's

the reason I came. The real question: If you're going to change that zoning to commercial, what are you gonna do with the zoning next door, which is now down near my property? You're gonna zone it commercial also, I think, because they'll have a better argument because they can say, we are adjacent to commercial property. And then what are you gonna do with the four lots that circle around the corner on Oakey? They are directly across the wall from my home. You're gonna zone those commercial also because now you just approved the other two.

So I came here today to say, number one, I am not in favor of it. I heard about all the people that made major investments. I made a million-dollar investment, and I think that's a major investment. Thank you very much.

MAYOR GOODMAN

Thank you. Yes, Sir.

OSCAR OLMEDO

Good evening, Your Honor, Council members. My name is Oscar Olmedo. I live at 1405 Ten Palms Court, which is at the intersection at Tioga and Del Rey. There's a perimeter that lines this site for the proposed zoning change, which I unequivocally support. I think there are three major considerations to look at when you're looking at effecting a zoning change, which not, should not be considered lightheartedly. The first one is the quality of the proposed project. The second one is the experience and the precedence of the builder undertaking the project. And the final one is the alternatives, or the lack thereof because of the location of the physical site.

I purchased my property in 1998 for a hundred and fifteen dollars a square foot. When I purchased it, I purchased it in spite of the fact that directly to the west of me it was barren, nothing but dirt and just interesting rock formations.

Since then, the developer has proceeded with Aurora Estates. A very high-end custom-home development. This ha, he's been the only developer, to my knowledge, that has constructed in this area and has enhanced the general aesthetics of the area and also improves, increased property values. A home recently sold in Aurora Estates a hundred and fifty-five dollars a square foot.

I have looked at Mr. Curland's plans for the project for the development of his office, and I can tell you they're consistent with the quality and the nature of the projects he's built in the area.

Second, I think that you must look at the alternatives. There are no alternatives for this land that I have been aware of ever, since I've lived there. This is the first project that I am

aware of, and it is highly unlikely, based on its location, that any residential project in nature will be affected there.

Buffalo, as we all know, is a major arterial; everybody's mentioned it here. With the addition of the park, the traffic has increased. I highly find it unlikely that this situation will reverse itself. Therefore, the question is not whether or not a zoning change should be, take place today, it will happen. The question is: When will it happen and what will be placed there?

A few more seconds and I'll finish my thought. I would rather be proactive, take a look at the project with the developer who lives in the area and marshal a high-end project as opposed to sit waiting for an outside developer, who may not be so amenable to the neighbors who live in the area.

Now, I would like to conclude with, in saying that nobody can project or predict the demographic value or evolution of this area. Although, we can just, we just need to look to the past. In hindsight we have the benefit of querying past geographical conditions that would be similar to the one at hand today. I'd like to share one. I've only got two minutes. I've already used my two minutes, but I think this is eerily, resembles exactly what we – see here today, and it – has some relevance.

When I moved to Las Vegas, I came from Santa Monica, California, on Ocean Park and 31st and directly one block south of this vicinity was the McDonald-Douglas Aircraft facility. They constructed aircrafts and different parts. It was shut down in the 70s. The land remained vacant for many years. Eventually a park was built in the western most part of this land. Interestingly the residents, the local residents resisted plans for an office development park. They cited many of the same concerns that you hear before you today. Eventually the city did pass this plan because there were no legitimate alternatives that would be available in this area.

I can tell you, 20/20 hindsight, and I have the benefit of jumping back to the future, that not only did this project enhance the general area, it added to the quiet quality of this Santa Monica town. In fact, today that area is called Sunset Park. It is the most desirable area to live in, south of Wilshire and Santa Monica.

So, I urge you to consider all relevant facts objectively and carefully in your approval of the zoning change. Thank you.

COUNCILMAN McDONALD — Oscar, one question.

OSCAR OLMEDO — Okay.

COUNCILMAN McDONALD — The question that, you said it was a McDonald-Douglas hang, hanger, or what was it?

OSCAR OLMEDO — Actually, it was a McDonald-Douglas aircraft manufacturing plant. They built the aircraft. And also the reason that you couldn't get residential area, two main reasons: Ocean Park is a major arterial, and that's the front of the area that this business park was built on. The second reason is there was two public facilities. One, Santa Monica Airport; the other one, the park that was built.

COUNCILMAN McDONALD — And surrounding it was residential?

OSCAR OLMEDO — Yes. And – that is the most high-end lucrative residential area right now in Santa Monica, in the southern part of Santa Monica, which is south of Wilshire.

COUNCILMAN McDONALD — Okay. Thank you.

OSCAR OLMEDO — Welcome.

MAYOR GOODMAN — Yes Sir. I'm sorry. I –

COUNCILMAN McDONALD — Go ahead, Sir.

LARRY ANSPACH — Hi. My name is Larry Anspach. I live at 1509 Golden Oak Drive in Ten Oaks Subdivision. There are approximately 72 homeowners in that subdivision, and the only group or individual I know that's in favor of this project is Mr. Sherman, who lives there, who's the architect for this project. The other neighbors, as far as I know, and the ones I've talked to are against it.

We've all talked today about, you know, this is a use, gonna be used for an office. And obviously residents like ourselves would prefer it to be residential, but nobody's ever discussed the fact that when the park was proposed, there was also talk about building a tots park across the street from the park on this very land and also narrowing Buffalo Drive instead of widening it, so it would reduce the traffic congestion, slow up the speed of the traffic. So you would have a park on either side.

So there are other uses – on this land, besides the office and the residents, at the time, supported a park on this property as well.

And, matter of fact, Councilman Mack's, his parents are our neighbors up to a year ago until they moved. And when this was proposed several years ago for an office, your folks were against this project as well. They no longer our

neighbors. But, in any event, so I just wanted to let you know we're definitely opposed to this project, and we hope the City Council will support that. Thank you.

MAYOR GOODMAN — Thank you.

BOB REIGER — Good afternoon, Mayor, –

MAYOR GOODMAN — Good afternoon.

BOB REITER — – Council members. My name is Bob Reiter. I live at 1441 South Monte Cristo Way. I came here today just to let you know that my wife and myself and my little boy represent one of these red dots on that chart there. I also represent a number of other people on Monte Cristo Way that couldn't be here today. Now, I personally carried that petition around with, and I saw them sign those signatures, so I know that, in fact, those are good signatures, as long as they're living in a house they're supposed to be living in. And I know most of them, so it's – not a doubt for me anymore.

Mrs. – Stone mentioned earlier that she didn't want this development to set a precedent. Well, that is exactly what I think most of us that live there want this project to do. We want this project to set a precedent as well as an example for anybody else that builds along here. We – look at this practically. We do not believe that anybody in their right mind is gonna come in there and build the type of houses that would be commensurate with all the others that are built very close by.

So eventually what's gonna happen? Either the land is either gonna stay empty or something else is gonna happen. It's gonna be rezoned and some commercial entity is gonna wind up there. So, for that reason, this is a beautiful development. I think everyone would agree with that. And the way we look at it is we'd much rather see something like this than convenience stores or – anything else that could eventually pop up down the line.

And there – was one other development that's very similar to this about, actually almost the same distance from our house on Charleston and Tenaya, and we've been very amazed that since it's gone up, it's been, it's actually quieted our neighborhood down. It's no more busy during the daytime than it – ever is. And – we've been very pleased with the fact that they have the same level of security that Mr. Curland is suggesting. And, as far as I know, there's never been any problem down there. And as a matter of fact, I walk my son down there a lot of times in the evenings and – always feel safe, and I'd like to feel that same way when I walk my son up near Mr. Curland's project.

So I strongly urge everyone on this calem (sic), on this Council to vote in favor. Thank you very much.

RITA THOMPSON — I'm Freda Thompson, and we live at 1710 South Buffalo. Ten years ago, when we was looking for a residential lot, we looked in this area and they was all residential. So we purchased our lot and built our house there. And now they're, we've been up here several times for different developments, you know, for office or – developments, and each time they've been turned down so far.

So I went to all the meetings that they had, you know, when the development of the park. And they said, you know, order to keep the professional out, they was gonna build this park. So now they're using this excuse that the park is there. Now they can't build the residential. You can't win. Thank you.

MAYOR GOODMAN — Thank you.

CAROLYN STONE — Rita, show where your house is. Rita, show where your house is, please. Please show where your house is on the map. Where's your house? This is the property (inaudible) –

RITA THOMPSON — It's at 1710 South Buffalo. It's just a – lot away from Oakey.

COUNCILMAN McDONALD — Need to go to the – one second. Need to go to the overhead, please.

RITA THOMPSON — We're the one that's gonna be affected the worse.

CAROLYN STONE — She's right here. And so you're against this. This should be a nice big red in here.

RITA THOMPSON — Oh, yeah.

CAROLYN STONE — And actually we could count –

MAYOR GOODMAN — Okay. Well, – wait. No. I can't allow this to happen, please. Thank you. Next, please.

CAROLYN STONE — (inaudible)

RITA THOMPSON — Okay –. Thank you.

BARBARA SLIGHT — Hi. My name is Barbara Slight, and I live at 7481 Crystal Forrest, and I wanna thank each and everyone of you for being so kind and patient to listen to both sides of this so patiently. I am for the project, and I hope you'll vote the same way. Thank you very much.

MAYOR GOODMAN — Thank you.

COUNCILMAN REESE — Thank you.

VICKI DELGROSSO — Hello. My name is Vicki Delgrosso. I live at 1700 River Birch Street. I live in Sycamore Square, which backs up to the Buffalo Park. I personally met with my 23 neighbors. We are opposed to this office park. We would hope that you would continue keeping it desert rural. And Mr. Curland's project belongs in a central business district, not in a neighborhood. Thank you.

MAYOR GOODMAN — Thank you.

DWIGHT WARCZAK — Your Honor, Council members, my name is Dwight Warczak and I live at 7461 Crystal Forrest Drive. I'm the Vice President of Crystal Canyon Estates. We have 21 homes, 21 lots, two that are being developed. I believe 75% of our residents are in favor of this project.

I heard a comment that the people that backup or live on Buffalo aren't opposed to this. Well, I moved into the area in 1992. I was, along with Mr. Sherman, one of the first people in Ten Oaks. I've had several homes in Ten Oaks. In that time, almost every house along Buffalo, other than the last lady that spoke, has been up for sale and has not sold and there is, there're people that are still living in it. So, if they're not opposed to it; I'm surprised.

I would like the Council to consider one queston. We're obviously all in favor of this. We have people opposed to it. I'm not gonna beat a dead horse anymore. The question I'd like you to think about is. Is it the development that these people are against or is it the developer? Thank you.

AL GALLEGO — Al Gallego, citizen of Las Vegas. I have known the couple that live in that house that was scratched a few minutes ago for over ten years. At one time, when they first moved, built that house, they were the first residents on Buffalo. You (inaudible) there was an apartment house, and then you would drive all the way through the desert to their house. It's gonna impact them most than anybody. Eventually the two lots, three lots next door to them would go commercial.

These people are retired. They have made a living here in Las Vegas. They have built a lot of beautiful projects here in the City of Las Vegas, North Las Vegas, and the County. And now you're gonna probably drive 'em out somewhere else, cuz they're very elderly and it's gonna impact them most of, more than anything else.

Mr. Moran never mentioned nothing south of the project. They're south of the project, so it's gonna impact them. I

don't think they want it, and I know they don't want it. They want to live their rest of their lives peacefully watching the kids across the street in the park. Thank you.

MAYOR GOODMAN — Thank you.

TOM SLIGHT — My name is Tom Slight. I live at 7481 Crystal Forrest Drive. And I'm the one that went out and got all the signatures at Crystal Forrest that are in favor of this project, so I know that they are legitimate.

Now, the first thing is I'd like to thank the Council, the Mayor, and Mr. McDonald for all your past help in doing things that have been done. I also need you to think that we haven't had any development from Charleston to Sahara, other than billboards and a park, in years. No tax dollars, no improvement monies, other than the park and some billboards. Let's see if we can give this an approval so that we can generate some income.

Also, I would like to make a mention, because somebody mentioned that Spanish Trails is a wonderful development. It is. It has commercial on the north side of it, the south side of it and the east side of it. And it still is a nice development. Please approve this project. Thank you.

MAYOR GOODMAN — Thank you.

JORINA GARETTO — Hello. My name is Jorina Garetto and I live at 1500 Ten Palms Court. Again, on the same street as Mr. Curland. I would like to say that, number one, I wanted to bring up the point that nobody at the Planning Commission took into account the recommendations by the staff. Number two, that we already have a buffer. It's Charleston, Sahara and Rainbow. We don't need any more office space. We would like to preserve our neighborhood, as Mr. Reese said. And number three, Mr. Slight, who just spoke, has his house up for sale. Thank you.

MAYOR GOODMAN — Thank you.

TODD FARLOW — Hello. My name is Todd Farlow. I'm the resident rat and I'm just here to filibuster the Morans. We have all the time, right. I would like –

COUNCILMAN McDONALD — No.

TODD FARLOW — I thought we, weren't you going to give us all the – time?

COUNCILMAN McDONALD — No.

TODD FARLOW — Loosen your tie and sit back. I don't care one way or another.

another.

COUNCILWOMAN McDONALD — No. Make it quick.

MAYOR GOODMAN — Okay.

COUNCILMAN McDONALD — Top that, John.

MAYOR GOODMAN — If anybody didn't understand, this is the time for the public hearing. Anybody that wants to speak can come forward. All right. Seeing none, we'll close the public hearing.

JOHN MORAN, JR. — Mr. Mayor and – Council –

MAYOR GOODMAN — Have to speak into the mike, Mr. Moran.

JOHN MORAN, JR. — Mr. Mayor and Council, thank you for the opportunity to come back up and address a few of these things. I think that everybody who sat through this has – spoken clearly on it. I think that what we can say in my rebuttal, basically, is that when I started this presentation, I asked you to consider certain things. I heard in the – process of the people that spoke against this, who are good people and are concerned about the project, but I don't agree with them. I wouldn't agree with them if I was representing somebody in that area, as I do, and I wouldn't agree with them if I lived in that area. I have similar projects of this to my own house, where I reside, and it's worked out fantastic.

Aside from that, I have listened to some of the comments from the protestors. I implore this Council, I ask this Council that has put this park, which is a good thing for the community, we all agree with that, across from Mr. Curland's property here, to consider what the meaning is of these red dots. These red dots ask this Council, and you, Mr. Mayor, for a voice in front of you. And ask you to be heard and ask you that they be heard on supporting this project.

These are not people who live 1.8 miles away. These are not people that live somewhere else in some other area. These are people, many of which that came here today and spoke and asked you each to look inside and consider what has happened there. And to treat their voices fairly, as you would, and give them equal weight to other people who have spoken who may not live as close to this project.

These people want this project. They like the developer. They like him because they know what he does and he does what he says. They know that this park is going to impact this area more than any five-acre professional office, single-story building. This, there – cannot be any doubt, even on numbers alone, 850 parking spaces provided in this

regional park. They're provided for a reason. Because the City anticipates that there's going to be those kind of people coming and using this park, which is a good thing, to provide enjoyment and recreation for those kind of people.

But what I'm saying is that when you have those kind of numbers, in an intense, commercial use such as a regional 45-acre park, you have to listen to the people that live on the other side, who live next to this project and say please allow this project to go forward. When this project is opened, when this project is open from 8:00 to 5:00, this project is going to have traffic at a period of time, peak traffic, different than what the park is and different from what any of the people have in this area that live here.

Mr. Fair got up here and he protests, and – professes as well to be a developer, which is fine, but I'm surprised when he says this is spot zoning. I'm surprised when I hear him say don't change our neighborhood, it's residential. Open your eyes, Mr. Fair, and take a hard look and smell the roses. What is happening here, this isn't residential. This is building commercial right now. This here is not a residential use. 850 cars, 5 football and soccer fields, well lit, directly across is not residential. Okay? And we have residential in other areas of Buffalo. Buffalo isn't a two-lane road any more. It's a major arterial.

We need to buffer and tell the people that live in this area, yes, this project is not going to adversely impact. Mr. Curland is going to put his money where his mouth is. He has in fact built, buffered his own project with high-quality, high-priced, and beautiful quality homes here. And he's putting right behind his project that now fronts on a major arterial. You can't tell him now that, Mr. Curland, we're not going to follow the recommendations of the Planning Commission. We're going to turn a deaf ear to the people that live here that support you and have come forward today. And we're not going to allow this, because we're going to leave this residential.

We all know – that we are not going to buy a home that is built across from that, the regional park that the City approved. We're not going to do that. It's not going to happen. We're asking you to consider our arguments. To consider the fact that this project isn't going to add any traffic that isn't already there and isn't going to even be more so because of the regional park. Consider the people that live next to this are the ones who have stepped forward and have asked for you to approve it. Consider the quality of Mr. Curland. He does what he says.

I looked at – a letter, in listening to the protesters and I –

once again, they're fine people, but I – didn't hear anybody saying we don't like the landscaping on your project. You don't have enough. We don't like your buffer. We don't like how traffic comes in and out. We don't like the look. We don't like the fact that it looks residential in nature and that it's only single-story. We don't like the open green areas there.

The – concern was traffic. And – the concern, and I looked at the letter that went out that the Neighborhood Alliance, as they call themselves, which obviously doesn't include the three red, homeowners associations, one of which was almost unanimously, but for one person in support of the project. The other one that was 75% in favor of the project. And the other one that went out and got the signatures of approval for the project.

So, it, I – looked at the letter that they circulated, the protesters, and some of the things in here, I – although they didn't raise them here today, they say the office complexes in neighborhoods provide undesirable signage. Height, the poles, lightings are special concerns. I don't even imagine this single-story complex is going to have any light standard or signage that's going to exceed 80 feet that's right across the street from it.

They – in their letter, they say offices have an increase in crime and lack security. This office complex at night will have security on site, directly across from the park that's going to attract people that are interested in sports and other things and a meeting place from other areas of the community. They would naturally have to be security on site across the street from a large regional park like this. Parks historically, and Councilman McDonald knows more than any of us, that – parks do have a tendency to have people in it violate the law. Okay?

Across the street, if this project is approved, it will be closed in the evenings. It will be well lighted in the evenings and it will have, in fact, security on site. So, as for that contention in the letter, I think I've addressed that.

As for one zone change leads to another, leading to apartments or mini-malls; beware of the domino effect. We heard a little bit of that from some of the protesters here, that they're concerned that this is going to open up the – flood gates. Not so. There aren't any properties here that are similarly situated across, basically, from this regional park. This commission, this Council hears every single application and rules on that application after a hearing process like this. The Planning Commission in approving and recommending approval of this suggested that the

designs, if there's going to be any design changes, which there are – not, but if there were, that this project would be subject to a design review that would have to come back. And – this project isn't going to change, but if it, if somebody was of a mind to change it, that condition is a good condition to assure the people that live in the area that what they see is what they're going to get. And that's what would be approved, and it has to be subject to a design review. We do that quite frequently on projects.

But when – you have – the fact that, in their letter, they say this property is and always has been zoned residential estates, is only changed to benefit one, the individual's monetary goals at the surrounding neighborhoods' expense is both immoral and unfair. I think that statement is unfair. And I think that that kind of a statement is designed to do nothing more than to cause people to come up and have umbrage and to think poorly of somebody who's trying to doing something good to, for the neighborhood, has done something good for the neighborhood, continues to do good things for the neighborhood and obviously is very well thought of by those people that surround his project.

I think that's the testimonial here. I ask you, again, I said that no good deed'll go unpunished. You created a high-intensity use, public park across the street. Great idea. Good project, good community project. Good progressive thinking of this Council. But let's don't punish – Mr. Curland across the street, because times have changed, things have changed and that's why your Planning Commission recommended unanimously approval. Thank you.

AUDIENCE — Disruptive applause.

MAYOR GOODMAN — Okay. Any questions of Mr. Moran? All right. Before the Councilman makes any statement, I'd like to –

UNIDENTIFIED WOMAN SPEAKER — Excuse me, Mr. Moran –

MAYOR GOODMAN — Excuse me, please. We're trying to run a meeting here. Before the Councilman makes any kind of a statement. I want to thank the citizens for coming out. It looked like it was even up, as far as your comments to us. And we appreciate that and we thank you for your interest in making this the kind of town that each person wants it to be. Those who spoke for the project, those who spoke against the project. We do appreciate that and we appreciate the fact that you stayed with us as long as you have.

So, I'll let Councilman McDonald make some comments and then we'll go from there.

COUNCILMAN McDONALD — Your Honor, I think Councilwoman McDonald has a comment first, before (inaudible) and, Councilman Mack, you have –

MAYOR GOODMAN — All right. Councilwoman. Oh, okay.

COUNCILWOMAN McDONALD — I just wanted to, I just offer some comments for the record. You know, although, you know, I personally live probably about five miles away from the site to the west, my Ward begins exactly one-half block or half mile, you know, from this site. And so I try to look at land use decisions, especially those that impact the adjacent ward, you know, very carefully. And, you know, I, as I told JT III in my office, that I'm just not a really big fan of spot zoning. And I think during the time that I have served on the City Council, I think I've maybe have only approved one in my own Ward. And it was the last piece of dirt that was available within a more than a mile radius.

And I think that some of the comments that have been offered here today are the concerns that I share as it relates to setting a precedent and causing a domino effect throughout that corridor. We even had a comment made by the adjacent property owner to the north that he would be willing to have office developed on his property, which kind of made the case that I'm trying to make that once we do make these type of zonings, it is very difficult, and in fact I think the next person coming down the pipeline has an even stronger argument to make as to justify why they should too.

And I, you know, I'm very concerned, again, on the other side, near my Ward, that there are those houses in those cul-de-sacs that are for sale. And my fear would be is if we approve this, that all of those houses would be very similar to what we see developing on Jones, that they would say yes, we're for sale, but now let's make our homes a professional office type of designation. So, I'm just very concerned about the precedent that it would set and I just want to, you know, state for the record now, that I can't support the rezoning.

JOHN MORAN, III — Okay, Mr. Mayor, can I respond to that, just briefly?

MAYOR GOODMAN — No, really.

JOHN MORAN, III — Okay. Okay.

MAYOR GOODMAN — No, because you're going to have to respond to all of us and –

JOHN MORAN, III — I'd love to.

MAYOR GOODMAN — I'm sure you would.

JOHN MORAN, III — May I be granted the opportunity? Okay, okay. Thank you, anyway.

JOHN MORAN, JR. — Unless it's a question of the Council.

JOHN MORAN, III — Okay.

COUNCILMAN MACK — Cheri? Cheri with Public Works or Daphne? Has it been designed or is this going to be a six-lane road? Buffalo?

DAPHNEE LEGARZA, PUBLIC WORKS — Councilman, Daphnee Legarza, Public Works. This is currently master planned, on the Master Plan of Streets and Highway as a 100 foot roadway. However, I am unaware of any plans as of currently to widen Buffalo in this area.

COUNCILMAN MACK — Okay. Thank you.

MAYOR GOODMAN — Any other comments by the Council? Councilman McDonald.

COUNCILMAN McDONALD — Thank you, Your Honor. I'd like to thank J.T., and Mr. Moran and his son. I think they did a wonderful presentation. I'd like to thank all the neighbors that came out, both for and against. The sad thing that – always happens is when a neighborhood split, this is a wonderful neighborhood. And when I had the opportunity to take it over in 1996 and be their representative, we've always had a united voice and we've always been able to stand forth and – try and work things out. However, on this one, and I think we've – seen the divided. But, it is still a great neighborhood, whichever side of the coin the Council votes on.

I'm going to address some of the issues that – came up first of all. First of all, with the park. The park site and – I'll defer to, let me do a little history on it. I know it's late, Your Honor, let me belabor the point.

When we first came on – in 1997, Councilman Brown came up with an idea that we – look at site specific parks. Because we had such a demand where soccer balls, and I'll give an example of Councilman Reese's ward, where we had baseball players at Freedom, also having soccer balls come in and then there was the flag football or there was going to be Pop Warner practice. And it was just, fist fights with parents and coaches.

From that mind set, and that type of thinking, one of the ideas that Councilman Brown brought on was let's make site

specific. And you've seen this morning, with all the awards that were given out, with our Little Leaguers who stood before us, with our community parents that stood up, that we've built more parks and we've taken more of an emphasis on providing for our youth and our future than any other city in the United States. And I'll put that challenge along with Councilman Brown and the Mayor and the rest of City Council.

Out of that, we went to the neighborhood and the site on Buffalo park, which was before Buffalo park, was planned. It was zoned, a park behind, part of it was zoned from BLM to be a park. The other part was privately owned. And throughout the years since 1996 until present, we always had problems with people that wanted to make it commercial. They never wanted to build homes, it went back and forth. And united as a neighborhood, they came up with an idea that, you know what, let's develop a park. Let's move forward. Let us try and find the money to build this park.

Out of the infinite wisdom of this Council, we came up with the money. We were able to develop a park. It was a park that the neighborhood designed. And it was the first park in the history of the entire state that was built for little league football. Pop Warner football, Nevada Youth football.

Out of that, we went to the neighborhoods and we started having meetings. We met with them over and over, time and time again. Mailers went out, design the park, changes back and forth. A dog park was added, lights were moved. Everything that could be put in. Playground equipment, to the aesthetics of the plants that were going in against the back walls, the side walls, the parking lots, the tennis courts. Out of that, not one protest or not one representative that I could remember came from across the street on this piece of property. Not one protest said if you put that park in, you're going to ruin my – piece of property, ruin my value. Not one that came up and said that, or change this or change that.

And the same argument of the lighting. Well, the lighting is not the ones that are 250 feet. It's the lightings, if it was ever going to be effected, which it's not, because of the – modern technology, it's the lights that are way on the other side of the football field, if they were going to shine across. Which they're not. We've – gone to new technology.

As far as what's been designed in the past, this came out to be one of the prize jewels of the City. It has, it doesn't have an amphitheater. That was just miscommunication. It's a gazebo. It's a place for families to gather. It's a place

where families come from the neighborhood to sit down. If people want to watch their children play. People want to watch their – grandparents walk in the park. We've done everything we can to design this to be a neighborhood park with our – youths that we can have for our Pop Warner and our Nevada Youth football.

As far as the park itself, it's not a 24 hour, 7 day a week. It's going to be gated. There's certainly hours limitations (inaudible) the park, just like they are around the entire City. Just like the ones Bettye Wilson Soccer Complex we put up on Lake Mead. That's the crown jewel of the soccer community. This'll be the crown jewel of youth football.

It will be gated. It'll be locked. It will be patrolled. I'll digress. About three – meetings ago, at the City Council, when we, and a proposal by the Marshals, we need to get a quicker response into Ward, the north part of Ward 1, Ward 2, excuse me, the west part of Ward 1, Ward 2 and Ward 4 and 6. Out of that, we offered the City Manager a place in Buffalo park in the gray house, to have Marshals stationed there, for security purposes.

It's not going to be commercial. It was never going to be commercial. It's going to house Nevada Youth football. I believe that – was signed. As far as the – design, yes, there's ADA requirements and we're working through those now as far as the budget process and Mr. Doug Selby and we've had conversations on that and we've been working through it.

I'm trying to take it as we come. The park itself, that it was a, it's a commercial use. I'll defer to City Attorney. This is not a commercial use I can remember, is it?

DEPUTY CITY ATTORNEY BRYAN SCOTT

A – public park is not a commercial use in any sense of the word.

COUNCILMAN McDONALD

Okay. And the reason we also had 850 spaces is because we wanted to over park this. Because of the concern of the neighborhood when you design this park, you as neighbors designed this park, did not want the parking on Buffalo. You came across and said, Mike, we really want to have this. Please tell the Mayor and the rest of City Council we do not want parking on Buffalo. We over parked this. And there's not going to be all intense, one use at one time. And we are going to have enforcing parking on Buffalo. So if they're, anybody's parked in the neighborhoods or not in the parking lot would be ticketed.

As far as the neighborhood changing for, changing? Yes, it has taken a change. It's changed for the better. Because

you, from 1996 until now, has said we do not want commercial. We do not want C-1, we do not want office complexes in our neighborhood, up until this date where the neighborhood starts to come on. And it has changed for the better because you're been able to rally.

As far as what Councilwoman related to, this is exactly what will happen. If this – Council and the Mayor decide this will be commercial, you tell me how we're going to argue about how we don't make the other parcels commercial. Because you wouldn't. This would be the first one.

In relating articles of Chip Maxfield and, Commissioner Maxfield and some of the other County Commissioners related, because Sahara's the dividing line between the City and County, he's also come across and said that he's not interested, at that, in this article, that he's not interested in turning spot zoning or turning houses into commercial, he's interested in saving the integrity of the neighborhood. Exactly, which we share the same interest here today.

As far as the developer, I don't think anyone can argue he's one of the finest developers we have in the City, in the State, for that matter. He has been a man of his word. We've had problems in the past, he's been there. When there's issues of vacating streets or questions about something that was being built, he's been there. You can never argue, sit up here and argue he builds a bad product.

But in the same respect, this is, I don't think this is the product that the neighborhood wants, as far as what we've seen. It's not a matter of the developer himself. You take Mr. Curland out of this, put developer x in there; this will set a precedent. And as far as the questioning of if we don't approve this, then what's to come? Well, what's to come lies with the Mayor and the City Council, the zoning on this piece of property. They're the ones that, we and they, whoever serves after us, are the ones that will decide what goes on this property. They will be the ones fighting for your neighborhood, making decisions in your neighborhood. That's where it comes from there.

In 1998 it was related that we changed the zoning. Overwhelmingly, you came in meetings in 1997, and through 1998, and said we want to keep the integrity of our neighborhood. We're going to rezone this. And we rezoned it from Charleston to Sahara, from Rancho, or excuse me, from Rainbow west, the rest to Durango. Out of that, we rezoned it just so we could keep the integrity of the neighborhood. So there was no question, no doubt in the developer's mind or a person's mind that wanted to come in and build houses or new houses or rezone theirs so that

they have on a commercial that this is a residential neighborhood. Regardless of how it's said, it is a neighborhood.

And when you start dividing the first little rip in the – fabric, that's what will happen. And that's, I think, that's what we're still discussing here today.

We've had to reset guidelines and we have sitting on the people that have served this Council, Councilman Reese, Councilman Brown, Councilman Mack, who was the, a Planning Commissioner at the time, Councilwoman Lynette McDonald who was our City Manager (sic) at the time, Councilman Weekly who was the liaison for Councilman Gary Reese and also up-to-date when the Mayor first took office, we sat down with briefings.

We took the Holmby Channel, went north to Charleston, and said that's the commercial. We took Via Olivero, went south of Sahara, and said that's your commercial. That's your commercial corridor, that's your office corridor and that's where we want to keep it. Inside that will be our neighborhood. Inside that will be the war zone that we will fight for, will be the integrity we fight for. That's our neighborhood, Mike, and that's what you want us to keep. That's what we want.

We're coming back with improvements. Possible SIDs that are going to put sidewalks and lighting back into this neighborhood. Because it was never done. Whatever the previous Council decided, that's not, we're not here to dispute. We're here to take corrective actions to make sure it gets done.

The light at Buffalo, the crosswalk at Buffalo, that was done by us. When you came to us and said Mike, we need to save the integrity of our children. We need, Buffalo's getting a little busier, we need some help crossing; and we did that. As far as the – street itself, it's not going to be, and I think Councilman Mack ask this, it's not going to be six-lanes. Now, I, I'd fight that to my dying death. It would also be something that the rest of the Council'd have to decide.

But we decided from Charleston going south, and I can only, I'm not speaking for the County, but as it starts to go in, it's a two-lane highway, or two-way road. As it goes into the neighborhood over here, it stays the same. And I'm not aware that we've done a traffic study. Have we done a traffic study? I mean, can someone answer that?

DAPHNEE LEGARZA, PUBLIC WORKS

This development is required to do a traffic study; however, I'm not aware of any traffic studies currently in the area.

COUNCILMAN McDONALD — Because I don't know where we got the 400, 45,000 cars a day count. They – said they referred back to the City, that you did the count.

DAPHNEE LEGARZA, PUBLIC WORKS — I'm just currently not aware of any counts we've done. Perhaps the applicant is aware of some counts that have been done.

COUNCILMAN McDONALD — Okay, okay, okay. And as far as the – office complex to the north, that lies within exactly, the new office complex which is being developed is exactly where we spoke about. It's a new office complex that's going in to the north and that's to the north of the Holmby Channel. That's to the north of what the neighborhood decided from '96 on that that was the designee that they wanted to allow commercial and office. That was so we could, created the neighborhood and show that we wanted to keep it. All this combined, –

MAYOR GOODMAN — Let me say something before you make a motion.

COUNCILMAN McDONALD — All this combined comes back to what we've done in the past. This has been estab – It's been a quote from – the day one. When I first took over in 1996, you said we want to keep this a neighborhood. And out of that, we have. We've done it in the sense that we don't want spot zoning. We're not going to let commercial encroach into our neighborhood. We're not going to divide the neighborhoods in half. It's not about the developer, ladies and gentlemen. The man's a great man. He's a good developer. He develops a great product.

And as far as who would live on that street? I would live on that street. I'd back right up to it. I rent a house right now, I'll disclose this, and I asked the City Attorney if I could, I rent a house right now on Oakey and Durango. It's behind the school and it also fronts on Oakey. So I know about traffic. It's a great quality. It's a great development. And if I could, I'd buy the house, it's not for sale. It's very nice.

So, as far as who would live there, – I'm not done. You had your turn, now wait a minute.

JOHN MORAN, JR. — All right. I just want to address one question that you raised.

COUNCILMAN McDONALD — As far as – what has been presented, I would live there and I know a lot of people that would. So for that fact, Your Honor, you have a comment and then I'll make a motion.

MAYOR GOODMAN — Yes, I do have a comment. Because I, I'm going to give one of the Morans a chance to speak, not both. So you two

duke it out with each other. So don't look at me like I've deprived you of the opportunity; okay, Young Moran.

JOHN MORAN, JR. All right.

JOHN MORAN, III Thank you, thank you, thank you very much.

MAYOR GOODMAN If you're – you're ceding the power to your father, I appreciate that. But we had – a matter, I don't know if you were here earlier today. We had a matter very similar to this that took place concerning Vista, which is, to the folks who live there, just as wonderful a neighborhood as you believe your neighborhood is. They put their bottom dollar into their neighborhood and they love living on the street. And a prior Council permitted two houses of religion to be established on that street and then today we had an application for a third house of religion and I was saying to myself, when I was hearing this, to be quite candid with you, what kind of thinking was the prior Council doing when they took a neighborhood street and changed the whole character of it. I would be very disappointed, to be quite frank with you, and I'm going to give you the opportunity to say whatever you want –

JOHN MORAN, JR. Thank you, Mr. Mayor.

MAYOR GOODMAN I'd be very disappointed if the Council ten years from now says what were these guys doing, and this lady doing, when they – said you could put an office building in the – middle of all these homes and across the street from a park. So that's where I'm coming from. And I think you're entitled to that. So, please –

JOHN MORAN, JR. Just two real brief comments (inaudible)

MAYOR GOODMAN You – may, but I wanted to hear from your son in the worst way.

JOHN MORAN, JR. I know. I – just had two comments and – age before beauty. But in any event, I just – want to address two things. One is about the traffic. And is there any reasonable thinking person in this room that – would think that Buffalo in front of this 45-acre regional park is going to remain two-lanes?

MAYOR GOODMAN Yes.

JOHN MORAN, JR. Yes. Well, I –

WOMAN IN AUDIENCE Traffic engineer's here.

MAYOR GOODMAN Wait, please.

JOHN MORAN, JR. It – isn't going to happen, Councilman.

COUNCILMAN McDONALD Why not? Why not?

JOHN MORAN, JR. It isn't going to happen because it's an arterial, a major arterial north/south.

COUNCILMAN McDONALD You know who decides that?

JOHN MORAN, III They haven't run the bus routes just yet and the RTC –

MAYOR GOODMAN Wait.

COUNCILMAN McDONALD Hold on.

Let me tell you something. Now we're going to jump in this, I'm going to tell you debate. Because the Mayor opened the door, I'm going to say. You know who decides that?

JOHN MORAN, JR. Okay, okay, okay. But let me just finish. Okay.

COUNCILMAN McDONALD The City Council and the Mayor who decides how that street's going to be run. The RTC, and who appoints us, the citizens that sit in the Valley. And all that – right.

JOHN MORAN, III There you go, the RTC.

JOHN MORAN, JR. And those citizens have come and spoken in favor of this project.

COUNCILMAN McDONALD Half those citizens, half those citizens.

MAYOR GOODMAN Okay. Wait, wait, wait. Council, please.

JOHN MORAN, JR. So let me just, I had two points to make.

MAYOR GOODMAN Wait. Let's, one at a time.

JOHN MORAN, JR. Okay. I have two points to make. One thing is, and you asked me not to interrupt you and I – I'm going to finish.

COUNCILMAN McDONALD Yeah. But you did, you interrupted me.

JOHN MORAN, JR. Because your staff had a question. Well, I'd never do that, out of deepest respect for you. In any event, the, this is not going to remain two-lanes. The RTC buses are not going to occupy one lane and have everybody wait for 'em to move on with their passengers and unload and go down the street. It's not going to happen in front of a 45-acre regional park that has ingress and egress off of Buffalo and parks

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850 cars.

The second point I wanted to make, and I think, you know, that, I think that I'd be remiss if I didn't. But your own counsel raised an issue and I beg to differ with him as it relates to the commercial distinction, if any, between commercial uses, what your plans call for, and regional parks. And if I may, I would point out that a C-V under your own plan, under table 2, C-V is the equivalent for land use categories and that is for the equivalent of a PF, public facility, which this is, or a school or a park. And – in table 2, which has the C-V as the same designation as a public facility, which this regional park is, I would beg to differ with your counsel. Because a C-V is a commercial use under the General Plan and a special purpose district, Title 19. And I would suggest that in fact this 45-acre regional park –

MAYOR GOODMAN (inaudible)

COUNCILMAN REESE (inaudible)

JOHN MORAN, JR. – if you're going to call across the street spot zoning, you have spot zoned a 45-acre commercial use across the street that necessitates Mr. Curland having to do this to protect his property. That's – what I would say.

COUNCILMAN McDONALD Now let me ask you a question, where – was Mr. Curland. Okay.

AUDIENCE Disruptive applause.

JOHN MORAN, JR. Those are my only two things, Mr. Mayor.

MAYOR GOODMAN (inaudible)

COUNCILMAN McDONALD No, no. Your Honor, you opened the door. Well, okay, I got a question now. Where was your protest when we were building this park? Mr. Curland or none of his designees came to me and said, Mike, if you build this park, you're going to ruin my property.

JOHN MORAN, JR. No. Okay.

COUNCILMAN McDONALD Mr. Curland's been trying to get rezone this since I got on the Council to make it commercial – hold on a second. He broke his –

JOHN MORAN, JR. Okay, let me – address that. Where was our protest? First of all, there's no requirement under property law concepts that because you announce that you're going to put a 45-acre –

COUNCILMAN McDONALD — No, I'm talking about commonsense. Forget law.

MAYOR GOODMAN — Okay. Well, I'm going to take this over as the –

JOHN MORAN, JR. — A taking doesn't require us to go in and (inaudible)

MAYOR GOODMAN — – Mayor; all right. And is there a motion?

COUNCILMAN McDONALD — Oh, one second, Your Honor. Could I respond to the RTC (inaudible)

MAYOR GOODMAN — I really would prefer –

COUNCILMAN McDONALD — I'll – keep it calm. And I – love John Moran –

JOHN MORAN, JR. — I've made my record though. Thank you.

MAYOR GOODMAN — No, you sure have. And a good record and an excellent presentation.

COUNCILMAN McDONALD — Right. It's a good record. But also, the RTC and I (inaudible). The RTC is appointed from the County and the City. They're not gods. Well, maybe our two are. But I'm just saying they're Councilmen, they're Commissioners. They're people that serve this Valley. You've heard from the County Commission that represents this area that they want to keep the integrity of Buffalo to two-lanes. You've heard from this Councilman that represents that and the Mayor and the rest of this Council, for right now, I can't speak for them, but I'll tell you I want to keep it two-lanes.

So, on that, Your Honor, as far as C-V, if we're going to go off and say C-V is all, is the same as an intense use of a commercial, then we got a lot of parks and right in the middle of neighborhoods that we need to start rezoning all the parks around, or all the houses around them to make them commercial and – if that's the mind set we're going with. So I don't, I'm just saying, commonsense law should take in.

DEPUTY CITY ATTORNEY BRYAN SCOTT — And – I would – agree with you, Councilman, that a – public park is not a commercial use. If it were, our – code would require a special use permit to be implemented in any – kind of commercial aspect inside a residential area. And it's permitted within all residential zones.

MAYOR GOODMAN — All right. And I believe Councilman Reese has the last comment.

COUNCILMAN REESE — Thank you, Your Honor, Councilman McDonald. We've been sitting here listening to everybody mention

commercial, commercial, commercial. But there is nothing on this application that says commercial. Not even close to commercial use. It's office use. It's a very non-intens[illegible]e. So I want to put that on the record.

AUDIENCE — Disruptive applause.

COUNCILMAN REESE — Also, I've heard comments about spot zoning. I've been here for, since 1995 and this will allow other applications along Buffalo and other corridors to come in and say we want to go to office use. We haven't been able to sell our house. We feel that the traffic is too high. It's a too, the traffic – is impeding us from selling our house. My concern – about this is that you have a vacant piece of land, you can build an office. But when you go with a house that exists, they won't tear it down. They say we'll go in there and we'll make this an office use. And I'll ask anybody in here if they've been down Eastern Avenue, across Maryland Parkway, across Jones and you see what kind of office use we have, using these old houses.

True they're not $450,000 homes, but they are homes. And they have been changed to an office use. And I – think that what Councilman McDonald has talked about, from one block off north of Charleston and one block south, or north of Sahara is what we decided to do for the office or commercial use. And this here, as far as I was always been concerned, is going to – be residential use. And if we change this, then it is spot zoning.

MAYOR GOODMAN — All right. May I have a motion, please?

COUNCILMAN McDONALD — Yes, Your Honor, on Item 176, General Plan Amendment, for the public hearing GPA, **motion's for denial.**

MAYOR GOODMAN — All right. Vote on the motion, please. Post, please. Motion carries. **(Motion carried unanimously.)** As to 177?

COUNCILMAN McDONALD — Rezoning related to GPA-0017-01, Z-0043-01, Item Number 173 (sic), **my motion's for denial.**

MAYOR GOODMAN — All right. Vote on the motion, please. Post, please. Motion carries. **(Motion carried unanimously.)** And 178?

COUNCILMAN McDONALD — (inaudible) Item 178, Site Development Plan Review related to GPA-0017-01 and Z-0043-01, public hearing Z-0043-001 (sic), **my motion's for denial.** And the reason for all three denials, what has been brought before us today is not compatible or harmonious with the neighborhood and the planning that we've – done in the past.

MAYOR GOODMAN — All right. Vote on the motion, please. Post, please. Motion carries. **(Motion carried unanimously.)** As I said, it was

carries. **(Motion carried unanimously.)** As I said, it was an excellent presentation.

COUNCILMAN McDONALD — Very good presentation.

JOHN MORAN, JR. — Thank you. Appreciate your time. Thanks.

MAYOR GOODMAN — You're welcome.

(END OF DISCUSSION)

/gpb/vwd/da

VERBATIM TRANSCRIPT – ITEM 85

Verbatim Transcript – VAC-3433 – PH SSA, LIMITED LIABILITY COMPANY ON BEHALF OF THE SCHNEIDER FAMILY TRUST

Appearance List:

OSCAR GOODMAN, Mayor

MARK FIORENTIONO, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway

LARRY ANSPACH, 1509 Golden Oak Drive

CAROLYN STONE, 1509 Ten Palms Court

WILLIAM LEONARD, 1700 Charles Lamb Court

BRYAN SCOTT, Deputy City Attorney

ROBERT GENZER, Director, Planning and Development Department

JENNIFER CURLAND, WM Land Development

MARK ADAIR, 1401 Marbella Ridge Court

LYN MALONEY, 1632 Marbella Ridge Court

FRANCINE DUNN, 1410 Marbella Ridge Court

JANET MONCRIEF, Councilwoman

(1:55 – 2:21)

3-1363

26 minutes

Typed by: Deeny Araujo

Proofed by: Angela Crolli

VERBATIM TRANSCRIPT – ITEM 85

MAYOR GOODMAN

Item 85. This is VAC-3433, PH SSA, Limited Liability Company on behalf of the Schneider Family Trust. Request for a Petition to vacate Del Rey Avenue generally located east of Buffalo Drive. This is in Ward 1. The Planning Commission and staff recommend approval subject to conditions. It's a Public Hearing, which I now declare open.

MARK FIORENTINO

Thank you again Your Honor, Members of the Council. Mark Fiorentino, representing the applicant. Very briefly, I think you will remember this zone change. There was a condition that required us to apply for the Vacation of Del Rey to try to minimize the impact on the neighborhood to the east of this site and to prohibit traffic from this site entering that neighborhood. This is that application. Both your staff and your Planning Commission recommend approval, subject to conditions, which we accepted. I'd be happy to answer any questions that you have.

MAYOR GOODMAN

All right. Are there any questions? All right. It's a Public Hearing, would anybody like to be heard?

LARRY ANSPACH

My name is Larry Anspach at 1509 Golden Oak Drive, and I'd like to make this transcript, who do I give this to?

MAYOR GOODMAN

To the Clerk, please.

LARRY ANSPACH

Okay, as part of the record from 2001 which shows that wasn't the intent in the City Council to vacate this land for an office project. This Vacation was once approved before but not for an office project.

I, part of what's called the Neighborhood Alliance and we're in favor of this Vacation for residential housing but not for an office project. This Vacation, Social Security Building, aren't compatible and not harmonious with the surrounding area. You can't really compare this Vacation area to other areas like Lake Mead and Buffalo. Those were already master planned and zoned for Commercial and Service use. So the area of this Vacation is zoned residential use. Personally, we'd like to see this item tabled or placed in abeyance until further information can be gathered to determine if this Vacation is necessary for this office project. Thank you.

MAYOR GOODMAN

Thank you very much. Just step right up. Be happy to hear you.

CAROLYN STONE

Hello, I'm Carolyn Stone. I live at 1509 Ten Palms Court. The last time I came before City Council, Mr. Molasky's representative, Mr. Fiorentino, recommended himself that the neighborhood should be involved in some of the issues related to this project. Specifically, when I spoke before City Council, I was talking about issues regarding entrance to the site, the Del Rey alignment, the – Vacation where Del Rey, how far it would go back, what was going on with drainage. We have a major drainage easement from the park, a drainage ditch, from the park with buried box three of six foot, approximately there are box culverts coming from the park under Buffalo at an (sic) 45 degree angle going right through this project site and right where this Buffalo and Del Rey alignment is.

There are also issues with the adjacent parcel to the south that it's zoned Residential. At this time, we don't want to see this entire Vacation happen because we don't want that parcel cutoff from the rest of the neighborhood. It is a residential parcel of land. It is Desert Rural Residential. It is down so it's sized to Desert Rural Residential less than two years ago as part of a re-evaluation of the Master Plan, and by making this Vacation go all the way along Del Rey, we are now isolating this seventh parch, this (inaudible) parcel of land. It's Residential use but it won't have any access to the neighborhood. You're cutting off the neighborhood from the neighborhood.

So, I could see a Vacation of a hundred feet of Del Rey from Buffalo, going from Buffalo, a hundred feet, have a wall, that, a hundred feet gives more, I've spea, spoken with City Planning.

A hundred feet would give plenty of room for people to come in off of Buffalo, not be killed, be able to get still into the site and then it would allow people from the other side of Buffalo from east to travel up on nabered, neighborhood streets and then turn into a neighborhood residential housing. Based on these points, Mark Fiorentino recommended that the neighborhood meet with him and with Planning Staff and I have not been contacted once.

Mayor, you, yourself said let's have this happen. Mark Fiorentino said I want to speak with Carolyn Stone and Lee Fair. I have not been contacted once. So I'd like to know who's accountable, who's responsible? Are we just completely out of the loop? These are issues that we want to talk about and resolve and, you know, we didn't hear from anybody. Is this just a done deal and who's really running the show here? Questions I'd like to have answered before you vote on this. I sure would like to have this held in abeyance just so we can meet and work this out.

There are currently above ground utilities bordering three sides of this property. This is a neighborhood resident, a neighborhood, surrounded by homes to the north, residential property to the south, homes within in view on, almost all the way around the property. So what's going to happen with those above ground utilities? There's nothing in here.

I know that there are two property owners who are not part of this Neighborhood Alliance, two property owners who have their own interest because they have property bordering on Del Rey. They benefit to gain land from Del Rey if this is vacated. And I don't think, I really think they're ignorant and they're not aware that this letter says from the City Planning that there will still be a 20-foot sewer easement going through that property. It's on the south half of Del Rey. It's on their property. The property they would have as well as the letter from Planning staff also says that, dependent on the results of the Drainage Study, Drainage Study hasn't been done yet, but if the Drainage Study says that the drainage would still go down Del Rey, there would be a drainage easement there as well. I have a drainage easement on the rear of my property. It's a 10-foot-wide open – culvert with a (inaudible) four-foot box culvert underneath it, so it is not, and with a 10-foot setback (inaudible) as well.

I think those property owners think they're going to gain land that they can build on and I, did been misled.

Having said these items, I'd like to have some time representing the Neighborhood Alliance as well as Lee Fair would like that opportunity. We were told we would have it. Mr. Molasky himself, in his introduction at City Council said he's a man who keeps his promises and he'd like this project to be, I'll give it to you what he said about how the neighborhood would all be happy to have his project and that we could all work this out. So, I sure would like to have him be a man of his word and meet with the neighborhood like he said he would and like you directed him to. And I hope that Councilwoman Moncrief will hear the constintuents (sic) in her ward and understand how we feel we've been cut out from this project and left out of the loop and we are quite upset by this. So, having said that, thank you for your time and I should would like to hear some answers to these questions and maybe if Mr. Molasky has some answers to my questions, I'd like to be able to rebut and see if they are answered indeed.

MAYOR GOODMAN

Okay. Thank you.

COUNCILMAN BROWN

Have you seen this (inaudible)?

MAYOR GOODMAN

No, I have not. Yes Sir.

WILLIAM LEONARD

Good afternoon. William Leonard, 1700 Charles Lamb Court, approximately 400 yards south of the proposed Vacation of the – street there. Your Honor and City Council member, I think that it would be appropriate to hold this issue or this vote in abeyance. There is pending litigation, which you're well aware of. I believe it's caption is Garretto and Stone versus City of Las Vegas, as Case Number A-478940 and I think we should hold off on voting on, you should hold off on voting this and put it in abeyance until this thing is resolved.

There are engineering studies that have not been done or to the best of our knowledge, we do not have those studies. The, and I don't want to reiterate what Ms. Stone said. I fully support all of her – points.

The ingress and egress as proposed by this Vacation would have a chilling effect on the development of the property just south. No longer will you have access from the Del Rey area. You would force a developer to have to have his ingress and in, egress to this re, residential estates from Buffalo and that's going to have a chilling effect. It'll make this property more attractive for commercial and what we will have is a development of a commercial domino affect on this – neighborhood area. For this reason, I – think that we should hold off or put this vote in abeyance and if nothing else, we in the Neighborhood Alliance would like to have rebuttal time after Mr. Molasky discusses or has his comments here. Thank you.

MAYOR GOODMAN

Thank you.

BRYAN SCOTT

Your Honor, just from the City Attorney's Office.

MAYOR GOODMAN

Yes.

BRYAN SCOTT

This Vacation is not part of that litigation, so you may vote as you feel appropriate today.

MAYOR GOODMAN

And I – appreciate that but the – argument that does strike the chord with me in the sense that assuming that the litigants, the plaintiffs, are successful and overturn the Council's action, would the, would our action today be irrevocable?

BRYAN SCOTT

I – don't, you could revoke it, I think after some point but the – only thing that the litigation involves is the Site Plan, the General Plan Amendment and the Rezoning that you did for the Social Security Building. This Vacation itself is not within that litigation, so it may, for the need for this Vacation, if that's overturned, but at this point that's not part of the litigation.

MAYOR GOODMAN

I'm – just thinking to myself. Let's assume that the Court says that this should be a residential neighborhood and the Social Security Building would be an inappropriate use there.

BRYAN SCOTT

Right, then the Vacation may not be needed at that point and you could –

MAYOR GOODMAN

But – that's what I'm concerned about.

BRYAN SCOTT

I don't know if we've ever revoked a – Vacation. Maybe somebody, maybe Mr. Genzer could – tell me that but I don't think it's ever occurred.

ROBERT GENZER

I don't know whether a Vacation has ever been revoked. Certainly any time a Vacation is approved from the time of that approval, we are looking at anywhere from six to nine months before it could possibly be recorded in order for all the conditions to be met and – other things that we have to go through. A condition, if it were approved, could be added specific to the, to specifically stating that the Vacation shall not record until any litigation associated with the adjacent properties is – determined.

MAYOR GOODMAN

Okay, thank you very much. Yes Ma'am.

WILLIAM LEONARD

Mr. Mayor?

MAYOR GOODMAN

Yes Sir.

WILLIAM LEONARD

If I could finish and Mr. Jerbic (sic) here, in his application, Mr. Molasky has stated that this Vacation is part of a parcel of his zoning change. It's related to it, so it is all on the same issue and – why add conditions to a Vacation? Why not just table it?

MAYOR GOODMAN

Thank you.

WILLIAM LEONARD

Thank you.

MAYOR GOODMAN

Yes, Ma'am.

JENNIFER CURLAND

Hello, my name is Jennifer Curland and my family are the owners of WM Land Development in the Curland Family Trust, which is south and adjacent to the future Social Security Building. I've heard many people today talk about being out of the loop and being ignorant. Well no one in this Neighborhood Alliance or no one has come up to my family and asked us what we would like to do. They're saying things regarding going through and making a back entrance from Del Rey. Well, if someone decides to build residential and buy a home on Buffalo, they're probably planning on pulling in from Buffalo. We're not here to discuss that today. We're here to discuss this Vacation.

I'm in support of it as is. That's what we've always thought was gonna happen. You know, that's just pretty much is, you know. So, I mean, being ignorant and out of the loop, I would like to be advised and maybe be in contact with everyone, because I am south of this parcel and we own about over four acres right there and you know, we're in – it too, you know, and no one's talk to us. And I think that's igorant, ignorant and so –

MAYOR GOODMAN

Okay. Well, I don't think you look ignorant. Okay.

JENNIFER CURLAND

Okay. Thank you.

MAYOR GOODMAN

Yes Sir.

JENNIFER CURLAND

I was in contact with Mr. Dair, I mean Mr. Adair and the Dunn's. We have talked about this. But regarding the Neighborhood Alliance, I mean, we haven't been contacted. So, if you have any questions?

MAYOR GOODMAN

Thank you. Yes, Sir.

MARK ADAIR

My name is Mark Adair. I'm at 1401 Marbella Ridge Court. I'm the closest homeowner to, what would be the unfortunate decision by the City Council to build a Social Security Building to the north, west of me, catty corner actually.

We have been in contact as of all the property owners that have property that is pertinent to this Vacation right now with the Molasky Family. Both myself, the Curland Family, the Molasky's and the Dunn's would be the property owners that abut this Vacation. Unfortunately, two things

happened a few years ago when we did go for a Vacation on this property that was unopposed and did, voted to by the Council for this to go through. Mr. Carr Curland has passed away and I had moved at that time to where this had fell – out of Vacation.

We were always planning to vacate this. It was approved before and we're looking to have it approved again. Unfortunately, circumstances have arised (sic) that we can't control. We would like to see this go in effect that the Molasky Family has proposed and we're in accordance with that at this time. Thank you for your time.

MAYOR GOODMAN

All right. Anybody else?

LYN MALONEY

This okay?

MAYOR GOODMAN

Yes, certainly.

LYN MALONEY

Okay. I am Lyn Maloney. I live on, at 1632 Marbella Ridge Drive. I am an immediate part of the neighborhood. I would like to say something in respect to what Jennifer Curland just said. She made a perfect example of Mr. Molasky or anyone else contacting her. Actually, the Curland Family has been where we couldn't contact them. We had no way of contacting. They have moved out of the neighborhood and so actually, where they are now, no one knows. So this is a perfect example.

Mr. Molasky did say he would work with us. We have never been approached, not at all. As far as the Neighborhood Alliance is concerned, there's absolutely no word, no contact, and we have felt that we have needed this very badly and tabling the Vacation of Del Rey would certainly help resolve these issues. Thank you.

MAYOR GOODMAN

Thank you.

LYN MALONEY

And I'm sorry I didn't directly say hello to you when I first came up.

MAYOR GOODMAN

No problem.

LYN MALONEY

Guess I was a little nervous. Thank you.

MAYOR GOODMAN

Don't be nervous. As I said, nobody should be nervous in front us. Mr. Fiorentino? I do remember specifically at the conclusion of – the presentation to at least suggest, I – don't think I could direct, but at least suggest that there be an attempt to work out these issues with the neighborhood and I'm – hearing that the neighborhood has not been brought into the discussions, so I think that I'd like to hear from you on that issue.

MARK FIORENTINO

I'm prepared to give you a very good answer, Your Honor, but perhaps you want to hear from everybody first and let me address all the issues or whatever you'd like me to do.

MAYOR GOODMAN

No. I'd like to hear it now.

MARK FIORENTINO

Okay. This has been an, a nearly impossible situation for Mr. Molasky and for our firm and now for you. The Vacation of Del Rey does not add anything from Mr. Molasky's point of view to his project. He did it because he thought it was the right thing to do and because it's what the

neighbors wanted. The neighbors sued the City. We, by stipulation, have already either interplead into that case or are going to shortly. Is it appropriate for us to talk to the neighbors because they are represented by counsel? That's number one thing that made it very difficult for us to have those conversations.

We did, through Mr. Kaempfer, have numerous conversations with their counsel. We suggested to their counsel that they work together with their other neighbors and come up collectively to the best they could with a solution they could all agree on. There is a dispute amongst the neighbors, which is point number two, make, that makes this a very difficult situation for us all to be in.

MAYOR GOODMAN

Who, who's the attorney for the – group that sued the City?

MARK FIORENTINO

It's the Law Firm of Curran and Parry. Mr. Kaempfer has been talking with Mr. Parry. This is the application that's before you in the crosshatched. This is Del Rey. We have worked very diligently, not me personally, Ms. Lazovich in our office has done, and I'm standing in for her today, with the folks who live in this community who are immediately adjacent to this application. They do not agree with the rest of the people who spoke today. They – want done what we proposed and what your staff and the Planning Commission approved. The others want something different.

We said we don't really care. We'll do whatever you collectively want but there is no collective opinion. In fact, the neighbors who live here were very firm with us that they did not think these other folks represented their best interest. They did not want us talking to them and we did the best we could. We worked through their counsel, we suggested through their counsel to them and through to – the neighbors who worked (sic) here, to sit down together if you could. If not, we were going to do what we thought was the best we could under the circumstances, which was to work with the people who are most immediately impacted. That's what we did. That's what we have agreement on.

MAYOR GOODMAN

I appreciate the explanation. Yes, Ma'am.

FRANCINE DUNN

My name is Francine Dunn. I live at 1408 Marbella Ridge Court. My husband and I and our four sons live, there are only two properties that will ever visually be impacted by the Social Security Building. That will be our property and Mr. Adair's. When you rezoned this, Mrs. Stone stood up and misrepresented us and said she was our spokesperson. I would like you to know, and I have petitions and a letter because immediately after that meeting –

MAYOR GOODMAN

We have that letter.

FRANCINE DUNN

Okay. She stated she represented us. She only rep, the only neighborhood this apac, impacts is the Aurora View Estates. This is a Vacation. It is not the rezoning for trying to have you change your mind of the zoning of the Social Security Building.

When we bought our property four years ago from Mr. Curland, the reason why we bought this property is because he offered to vacate the road behind us so that we would have extra yard and we never planned on building it. We planned on having grass out there for our children to play. We built our home on the edge of our property line and therefore, our kitchen windows all look out upon where the Social Security Building will be. Mr. Curland had this vacated for us in April of 03. Unfortunately, he passed away three weeks later and unbeknownst to us, it didn't get recorded. He did start his flood control studies. I do have paperwork on that. He had good intentions. It has always been our intention for this to be vacated to buffer our house just from the large dark field of BLM land right next to us. It's very intimidating having this large dark field six-week, six feet from your window because you can never see anything out there.

So, we didn't realize this wasn't recorded until the Molasky Corporation filed for the Vacation. So, I immediately contacted them and they have been great at communicating with us. It only affects Mr. Adair and Dr. Dunn and I. I don't understand these people. None of them live in this

neighborhood. They have been rude, manipulative. They came in here and saying they represented us and then they say that nobody has communicated with them. They have never called me and communicated with me. All they've done is bully people and try to get something that they want, but it's sacrificing us. It is sacrificing, you know, we're in the middle. We are everybody's pawn, Mr. Adair and I.

MAYOR GOODMAN

Thank you.

FRANCINE DUNN

So, I appreciate your support in vacating this road completely. Thank you.

MAYOR GOODMAN

Thank you.

COUNCILWOMAN MONCRIEF

Excuse me, Your Honor.

MAYOR GOODMAN

I hear you. I don't see you. Oh, yes.

COUNCILWOMAN MONCRIEF

Right here. Right here. I – just want to make one statement, that my office numerous times, my liaison tried to make contact and make an appointment with the Attorney from Mr. Molasky and the Alliance and tried to work things out and you refused. You told me that you would decide when you wanted to see me and that when –

MAYOR GOODMAN

Now when you say, you, who did –

UNIDENTIFIED SPEAKER

(Inaudible)

MAYOR GOODMAN

Please. When, Councilwoman, when you say, you, who are you referring to?

COUNCILWOMAN MONCRIEF

Tracey Hurless, my Liaison.

MAYOR GOODMAN

I know, but when you said –

COUNCILWOMAN MONCRIEF

– tried numerous times to try and call the – Alliance.

MAYOR GOODMAN

But, right, you said that you said that would meet with you when we want to or something like that. Who's the you, you're referring to?

COUNCILWOMAN MONCRIEF

The Alliance.

MAYOR GOODMAN

Okay.

COUNCILWOMAN MONCRIEF

The Alliance said that they would decide when they wanted to meet with me. At that point, they did not want to meet with me.

MAYOR GOODMAN

Okay.

COUNCILWOMAN MONCRIEF

And it was numerous phone calls.

MAYOR GOODMAN

Okay. All right. Okay, would anybody else like to be heard? Well we, we'll just –

CAROLYN STONE

We – did ask for rebuttal time. Is that okay?

MAYOR GOODMAN

No. There's no need for rebuttal. I mean there's nothing to rebut.

CAROLYN STONE

There is because she's completely misled you here.

MAYOR GOODMAN

Well.

CAROLYN STONE

The – President –

MAYOR GOODMAN

Wait a second.

CAROLYN STONE

– of our Board of Directors is here.

MAYOR GOODMAN

Mr. Anspach?

LARRY ANSPACH

Yeah.

MAYOR GOODMAN

I'll hear from you.

CAROLYN STONE

Thank you.

LARRY ANSPACH

I'm the President of the Neighborhood Alliance Association and nobody ever contacted me from your office to meet. At the end of the last meeting, you did, you yourself, said, you know you should get together with Mr. Molasky. And that was actually before the lawsuit was filed when they could talk to us. So.

MAYOR GOODMAN

But what – would interest me greatly, Mr. Anspach, would really be of great interest to me, and I'm not sure it's relevant as to how we're going to vote today, but I have a great deal of respect for Mr. Curran and for Mr. Parry, the Attorneys for your Alliance and I'd really like to hear what they have to say as far as communication with the, with – anybody who was representing interest other than the Alliance is. I – really would like to hear that.

LARRY ANSPACH

Sure, well that, that's part of the problem. Mr. Adair attended the meeting with us over this very issue at their offices and the Attorneys felt that since Mr. Adair had one opinion and 99.9% of the other neighborhood had a different opinion, that they had a conflict in representing us here today and that's why they're not here today.

MAYOR GOODMAN

Oh. The Attorneys actually said that?

LARRY ANSPACH

Yes.

MAYOR GOODMAN

So, I could imagine –

LARRY ANSPACH

But Mr. Adair was at a meeting and so he's familiar with these things. When he said he wasn't contacted, obviously he was. So, 'cause he was at the meeting.

MAYOR GOODMAN

Okay. It's a shame. Ordinarily, the folks who appear in front of us are able to work these things out and not let us make solomonic decisions that without having all the information –

LARRY ANSPACH

We're not in disagreement with – Ms. Dunn and Mr. Adair on the Vacation from the standpoint of wanting it to be vacated, but just how it's to be vacated and how far the road should go and in addition to that, because of the lawsuit that was filed, we feel that, you know, let's just abate (sic) this until the outcome of that. And then we can always come back and do this. There's really no rush, I believe, to, you know, have this done now, today.

MAYOR GOODMAN

All right. Thank you very much.

LARRY ANSPACH

Sure.

MAYOR GOODMAN

I appreciate that. All right. Any other public comment from anybody who hasn't been heard yet, from yet? All right, we'll close the Public Hearing then. Councilwoman Moncrief?

COUNCILWOMAN MONCRIEF

Thank you, Your Honor. The City has no compelling reason to maintain the access from Del Rey to Buffalo and the closure, as proposed, does not prevent future residential development south of Del Rey along Buffalo, which I will always stand for, residential development. The ingress and egress of that south piece of property, I believe would always be and should be on Buffalo. The City's Traffic Engineering Division has approved the proposed Vacation as presented and the property owners, as they said, most directly affected have agreed to this proposal. And I do agree, those two property owners are the ones that are the most affected by this. As you all know, I am a close neighbor also, but I still believe that the closest neighbors are the one's that are most affected. **So with that, I'm going to move for approval.**

MAYOR GOODMAN

All right. Let's vote please. Post please. Motion carries. **(Motion carried unanimously).**

MARK FIORENTINO

Thank you, Your Honor.

MAYOR GOODMAN

You're welcome.

(END OF DISCUSSION)

/da;ac

City of Las Vegas

Agenda Item No. 86

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
VARIANCE - PUBLIC HEARING - **VAR-3480 - SHAPIN ALLEN TRUST** - Request for a Variance TO ALLOW A 2 FOOT 10 INCH CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ADDITION TO AN EXISTING DETACHED ACCESSORY STRUCTURE at 1601 5th Place (APN: 162-03-213-016), R-1 (Single Family Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommend APPROVAL

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
1. Submitted at Council meeting – Support letter by Billy Logan, 1509 5th Place
5. Back up referenced from the 1/22/2004 Planning Commission meeting Item 20

MOTION:
REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

DAVID SHAPIN, 1601 5th Place, explained that at the Planning Commission meeting a compromise was reached for a 7-foot setback and he concurred with all conditions.

TODD FARLOW, 240 North 19th Street, asked if any residents would be impacted by this request. COUNCILMAN REESE replied that it would only impact one resident and that resident submitted a support letter to the applicant, which he in turn submitted for the record.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:21 – 2:23)

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 86 – VAR-3480

CONDITONS:

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. The applicant shall obtain all proper permits and comply with the Department of Building and Safety code requirements.

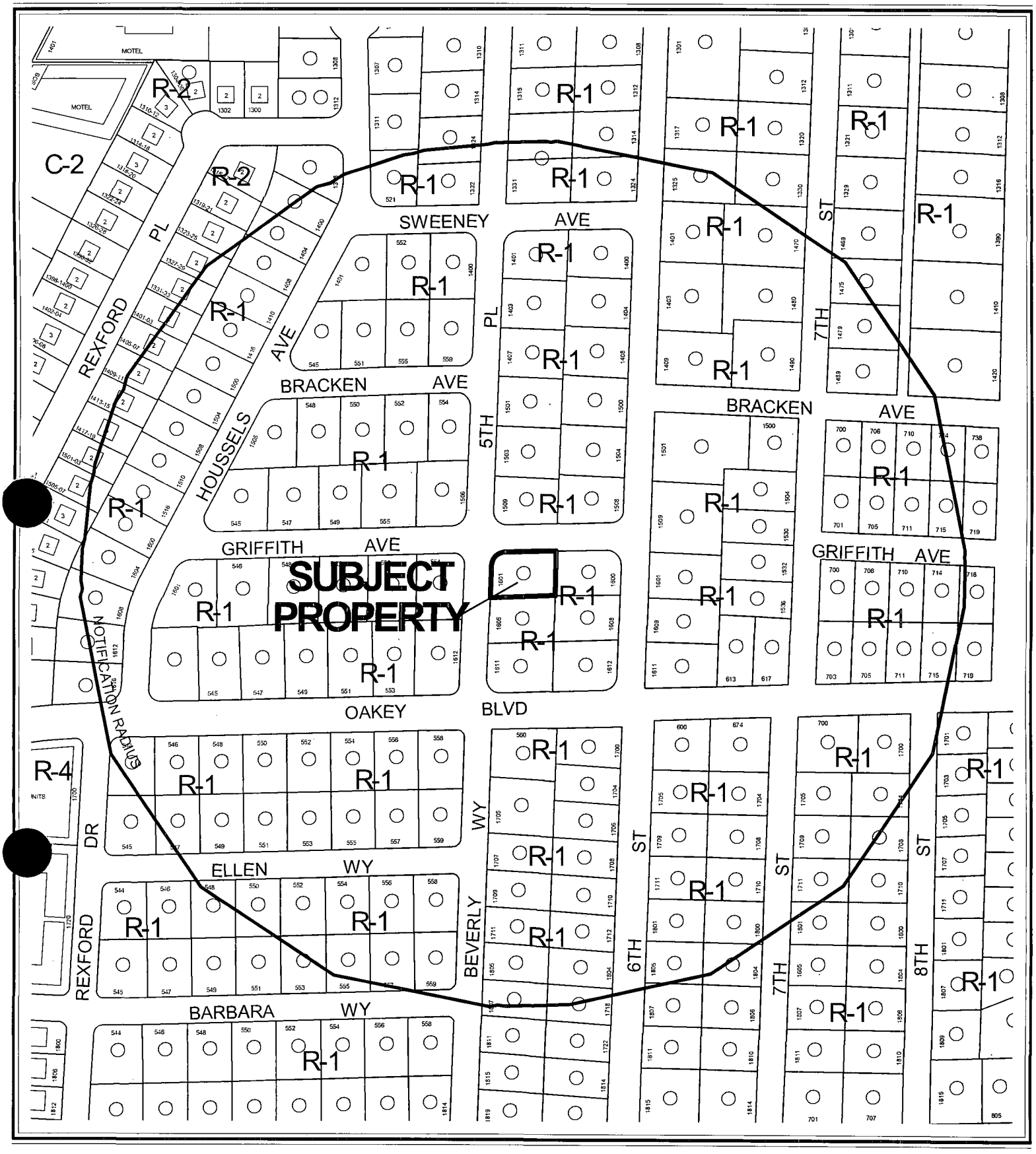
3. The detached accessory structure is not intended for human habitation and shall not be utilized as a guest house/casita.

4. The applicant shall revise the site plan to reflect a minimum setback of 7' from the property line and the front of the proposed garage. Said plan shall be submitted to the Planning and Development Department staff prior to the issuance of permits.

5. Support letters shall be obtained from the current neighboring property residents and shall be submitted to the Planning and Development Department staff prior to the issuance of building permits.

Public Works

6. The construction design must include view windows or viewpoints that provide adequate sight visibility, of vehicle and pedestrian cross traffic within the public right-of-way, for the vehicles utilizing the proposed garage.



CASE: **VAR-3480**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

0 100 200 Feet

N

CASE: **VAR-3480**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

0 100 200 Feet

N

VAR-3480 Variances

Legend

- Subject Property
- Other Properties with Variances

0 170 340 680 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3480 - SHAPIN ALLEN TRUST

** CONDITIONS **

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

Planning and Development

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

2. The applicant shall obtain all proper permits and comply with the Department of Building and Safety code requirements.

3. The detached accessory structure is not intended for human habitation and shall not be utilized as a guest house/casita.

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5. Support letters shall be obtained from the current neighboring property residents and shall be submitted to the Planning and Development Department staff prior to the issuance of building permits.

Public Works

6. The construction design must include view windows or viewpoints that provide adequate sight visibility, of vehicle and pedestrian cross traffic within the public right-of-way, for the vehicles utilizing the proposed garage.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow an addition to an existing detached accessory structure to be 2 feet 10 inches from the corner side property line where 15 feet is required at 1601 Fifth Place.

B) Applicant's Justification

The applicant's justification letter states that the need for additional space for the family is the reason for the garage addition.

BACKGROUND INFORMATION

A) Previous Actions

12/07/60 The Board of City Commissioners approved a Variance (V-0015-60) to allow an attached garage within 17 feet of the rear property line. The Board of Zoning Adjustment recommended approval. Staff recommended approval of the request.

07/24/75 The Board of Zoning Adjustment approved a Variance (V-0030-75) to allow an addition of a single family dwelling to be 18 feet 9 inches from the rear property line where 25 feet is required. Staff recommended denial of the request.

02/09/77 The Board of City Commissioners approved an appeal of a Board of Zoning Adjustment denial of Variance (V-0095-76) thereby allowing a 1,650 square foot accessory where the maximum square footage for a detached accessory structure is 1,213 and to allow a portion of the accessory structure within the side yard where no such structure is allowed. Staff's recommendation is not available.

01/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #84/al).

B) Pre-Application Meeting

12/09/03 The final in a series of meetings was held to discuss revisions to the site plan. The applicant was informed that a Variance would be necessary due to the revised site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.22

B) Existing Land Use

Subject Property:	Single Family Dwelling
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Single Family Dwelling

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-1 (Single Family Dwelling)
North:	R-1 (Single Family Dwelling)
South:	R-1 (Single Family Dwelling)
East:	R-1 (Single Family Dwelling)
West:	R-1 (Single Family Dwelling)

E) General Plan Compliance

The L (Low Density Residential) category of the Southeast General Plan permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreational facilities, schools and churches are allowed in this 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**

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

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
Main Dwelling:			
Min. Lot Size	6,500 SF	9,638 SF	Y
Min. Lot Width	65 Feet	95 Feet	Y
Min. Setbacks			
• Front	20 Feet	23 Feet	Y
• Side	5 Feet	9 Feet	Y
• Corner	15 Feet	23 Feet 4 Inches	Y
• Rear	15 Feet	38 Feet	Y
Max. Lot Coverage	50%	47.6%	Y
Max. Building Height	2 Stories /35 Feet	9 Feet 10 Inches	Y
Detached Accessory Structures:			
Min. Setbacks			
• Side	3 Feet	21 Feet 5 Inches	Y
• Rear	3 Feet	3 Feet 4 Inches	Y
• Corner side	15 Feet*	2 Feet 10 Inches	N
• From main dwelling	6 Feet	6 Feet	Y
Max. Rear yard coverage	50%	41%	Y
Height	2 Stories (not to exceed 35') or the height of the main building, whichever is less	Less than main building	Y

* Title 19.08.040(B) states that accessory structures in the rear yard of corner lots may not be located closer to the side property line than that required for the main dwelling.

The applicant seeks to add a garage addition to an existing detached accessory structure. Because the structure is located on a corner lot the addition may not be closer to the corner side property line than the main dwelling. As the structure is proposed to be 2'10" from the indicated property line, this variance request is necessary. It should be noted that the site plan shows a net lot area of 10,589 square feet. However, the Clark County Assessor's Office shows 9,638 square feet as the area of the lot. The Clark County statistic was used to calculate lot coverage. As the lesser number it will guarantee that the lot coverage is less than 50% even if a discrepancy exists.

B) General Analysis and Discussion

The main dwelling was constructed in 1957. The applicant has indicated that an accessory structure, formerly used as a garage, has been converted for use as storage area and an office. It is unclear if the accessory structure was built when the dwelling was constructed or subsequent to that time, as the Department of Building and Safety is unable to locate any records on the property. Building and Safety was also unable to locate any permits or plans for a garage conversion on the subject site.

The applicant has indicated that this structure will not be used for human habitation as a guest house/casita. The structure currently contains multiple rooms that are used for storage purposes. The proposed configuration consists of a total of six rooms that will be used as a garage, storage and as a home office. All rooms do not have internal access to each other.

As detailed in the background information, a survey of the immediate area surrounding the subject site revealed three variances concerning setbacks within a one-block radius. However, 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 is 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 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.

Department of Building and Safety comments
Walls less than three feet to the property line are required to be one-hour construction with no openings. A parapet is required on the wall.

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 site. The conversion of the existing garage to another use does not warrant the granting of a variance to allow another garage to be built within the setback area. 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 191 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3480 APN: 162 03 213 016

Name of Property Owner: DAVID SHAPIN / SHAPIN ALLEN TRUST

Name of Applicant: DAVID SHAPIN

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: Julianne Shapin

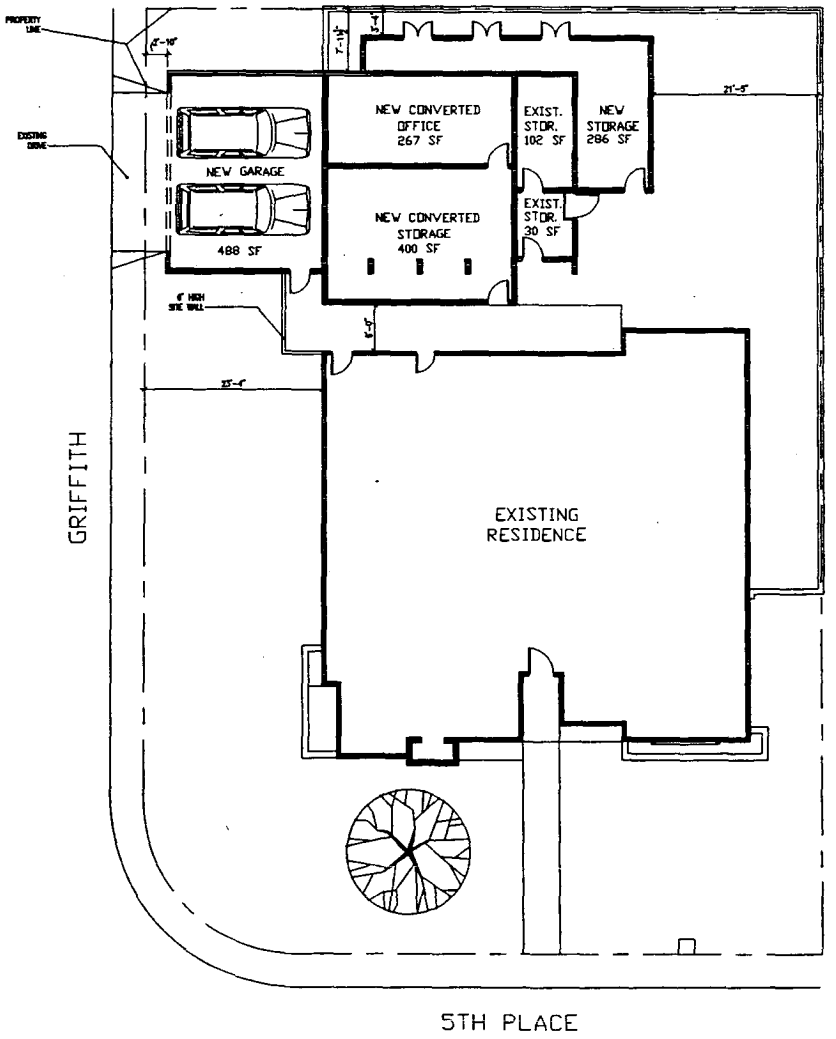
Print Name: JULIANN SHAPIN

Subscribed and sworn before me

This 8th day of December, 2003

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CAROLE M. ROTH
My Appointment Expires
No: 99-60794-1 May 15, 2007



PLAN

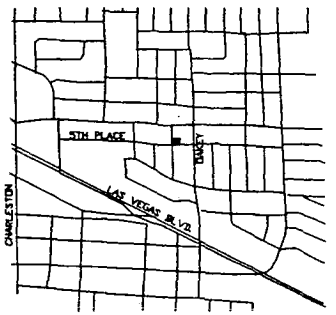
SITE INFORMATION

JURISDICTION:
CITY OF LAS VEGAS

CURRENT ZONING:
APN# 162-03-213-016 R-1

AREA:

LOT NET AREA:	10,589 SF
EXISTING BUILDING:	3,320 SF
REAR YARD AREA:	3,100 SF
PROPOSED CONVERSION/ADDITION:	1,271 SF
PERCENTAGE OF REAR YARD:	1,271 SF
1,271 / 3,100=	41%



VICINITY MAP

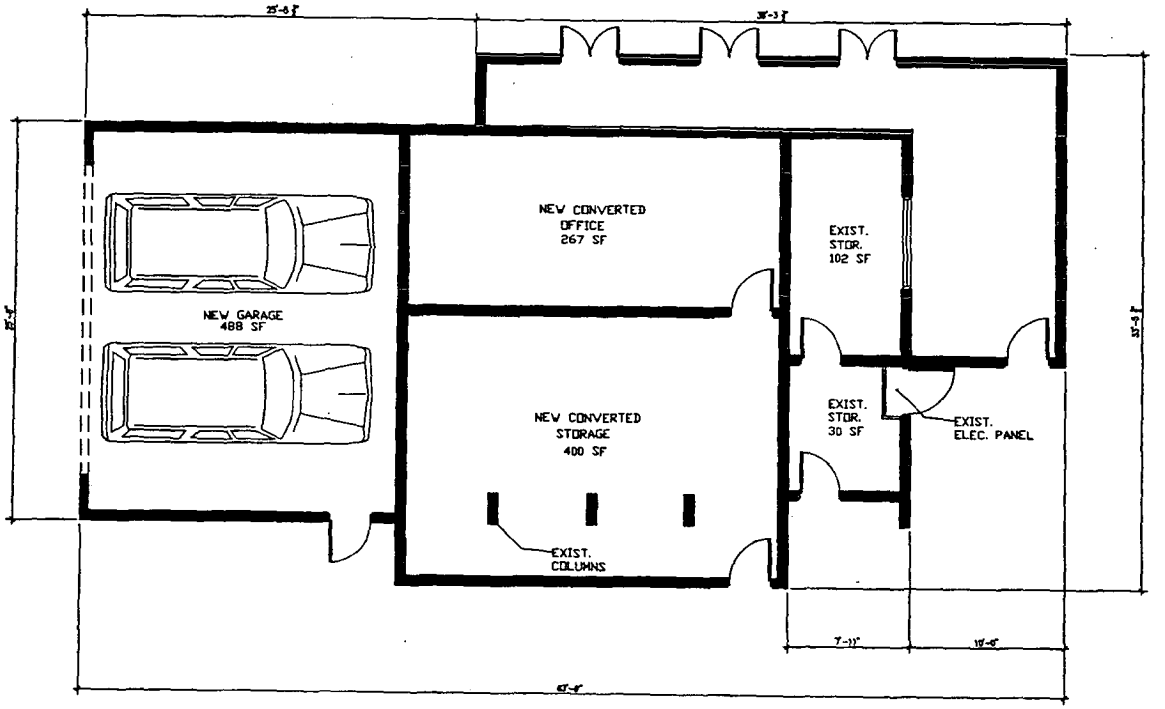
VAR-3480

1-22-04 PC

REVISED 1.15.04

S-1

SHAPIN RESIDENCE
1605 5TH PLACE, LAS VEGAS NV 89104
OWNER/BUILDER: DAVID SHAPIN (210-9954)



PLAN

NORTH

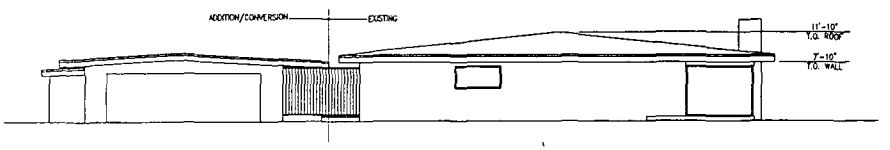
REVISED
1.15.04

VAR-3480
1-22-04 PC

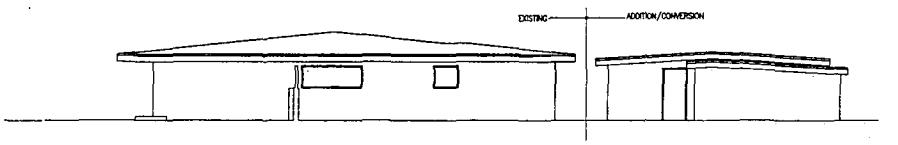
S-2

SHAPIN RESIDENCE
1605 5TH PLACE, LAS VEGAS NV 89104
OWNER/BUILDER: DAVID SHAPIN (210-9954)

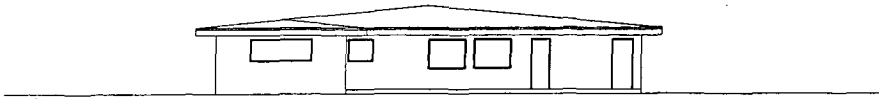
S-3



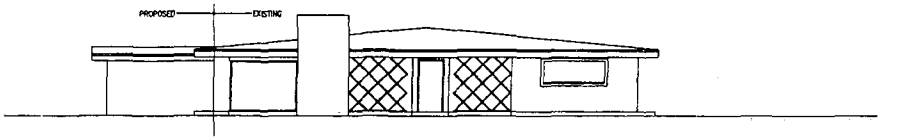
NORTH ELEVATION
SCALE: SCALE



SOUTH ELEVATION
SCALE: SCALE



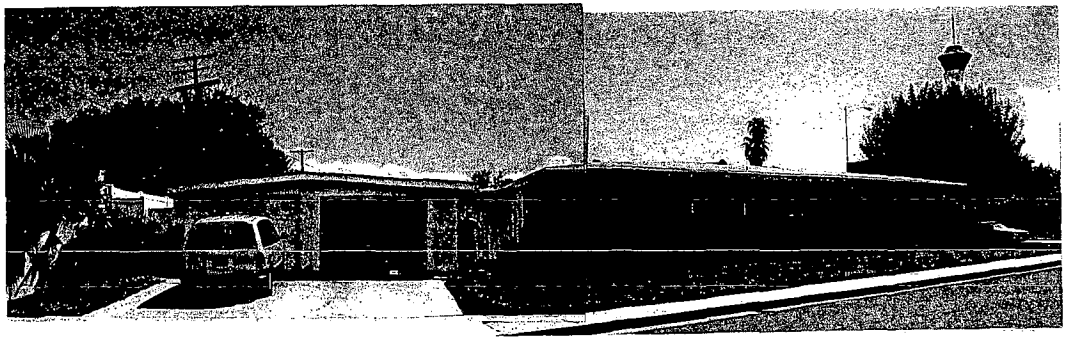
PARTIAL EAST ELEVATION
SCALE: SCALE



WEST ELEVATION
SCALE: SCALE

NOTE:
ALL MATERIALS AND COLORS TO MATCH EXISTING
SEE PHOTO BELOW

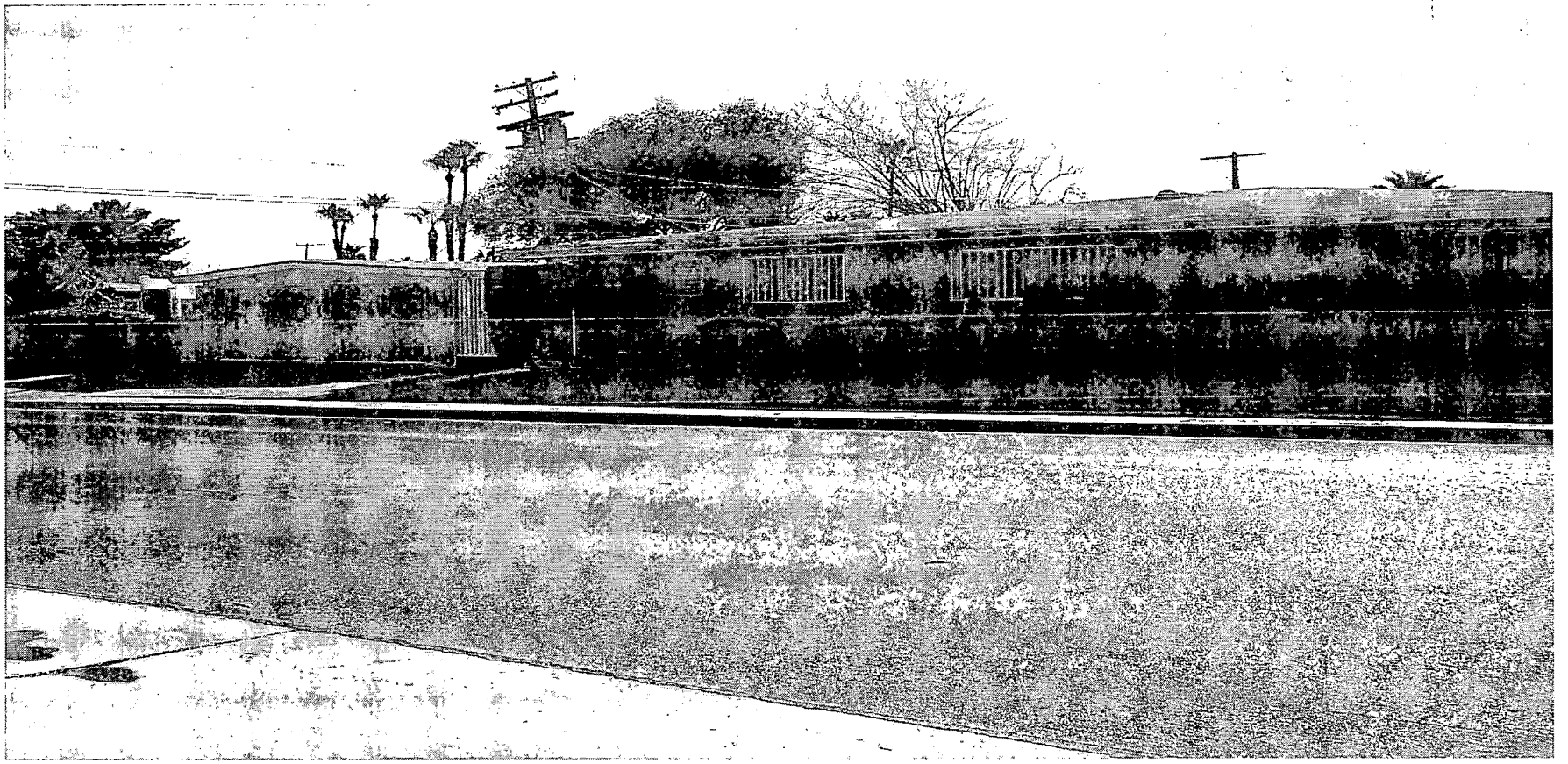
EAST ELEVATION
SCALE: SCALE



SHAPIN RESIDENCE
1605 5TH PLACE, LAS VEGAS NV 89104
OWNER/BUILDER: DAVID SHAPIN (210-9954)

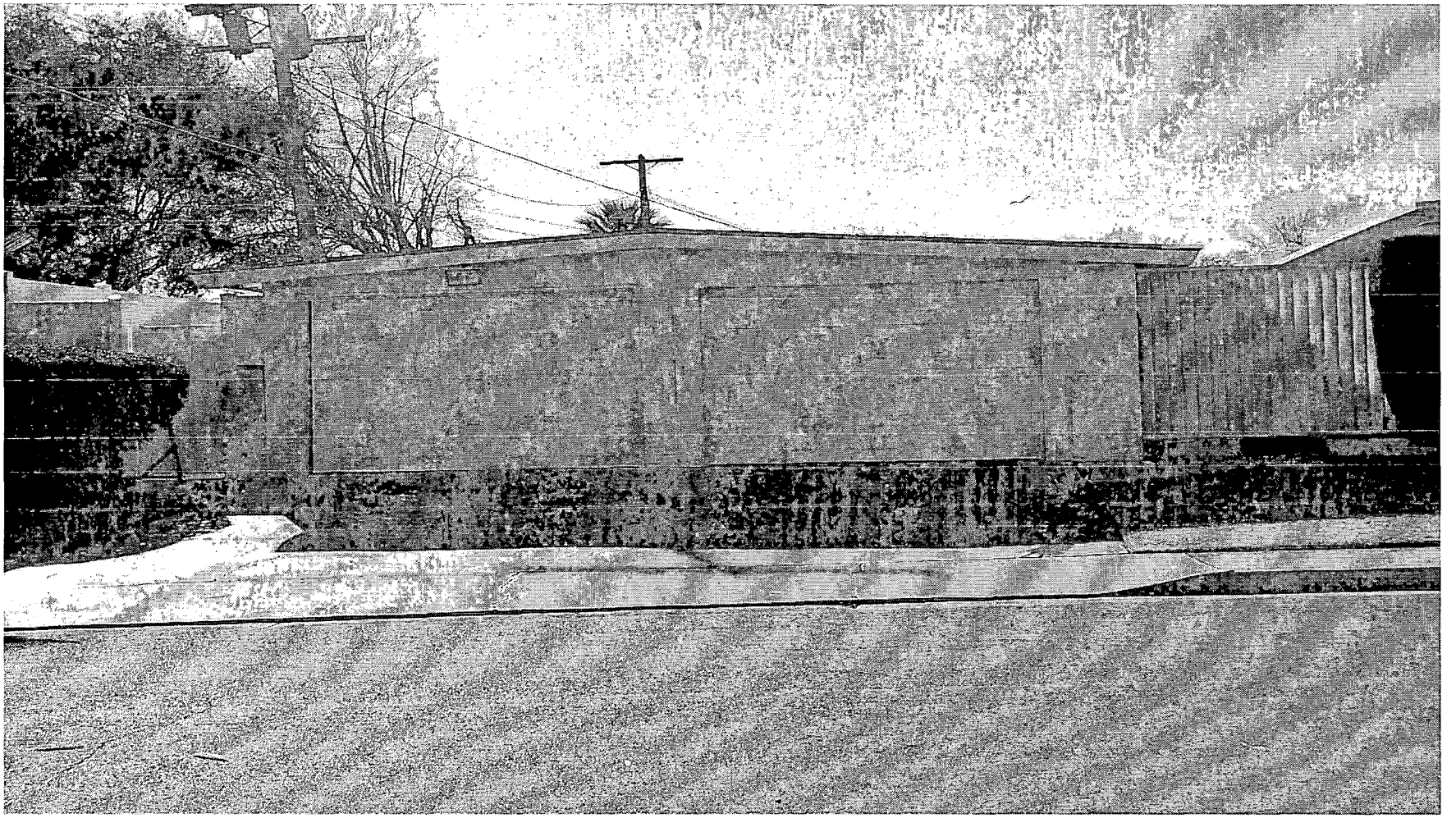
VAR-3480
1-22-04 PC

STAFF



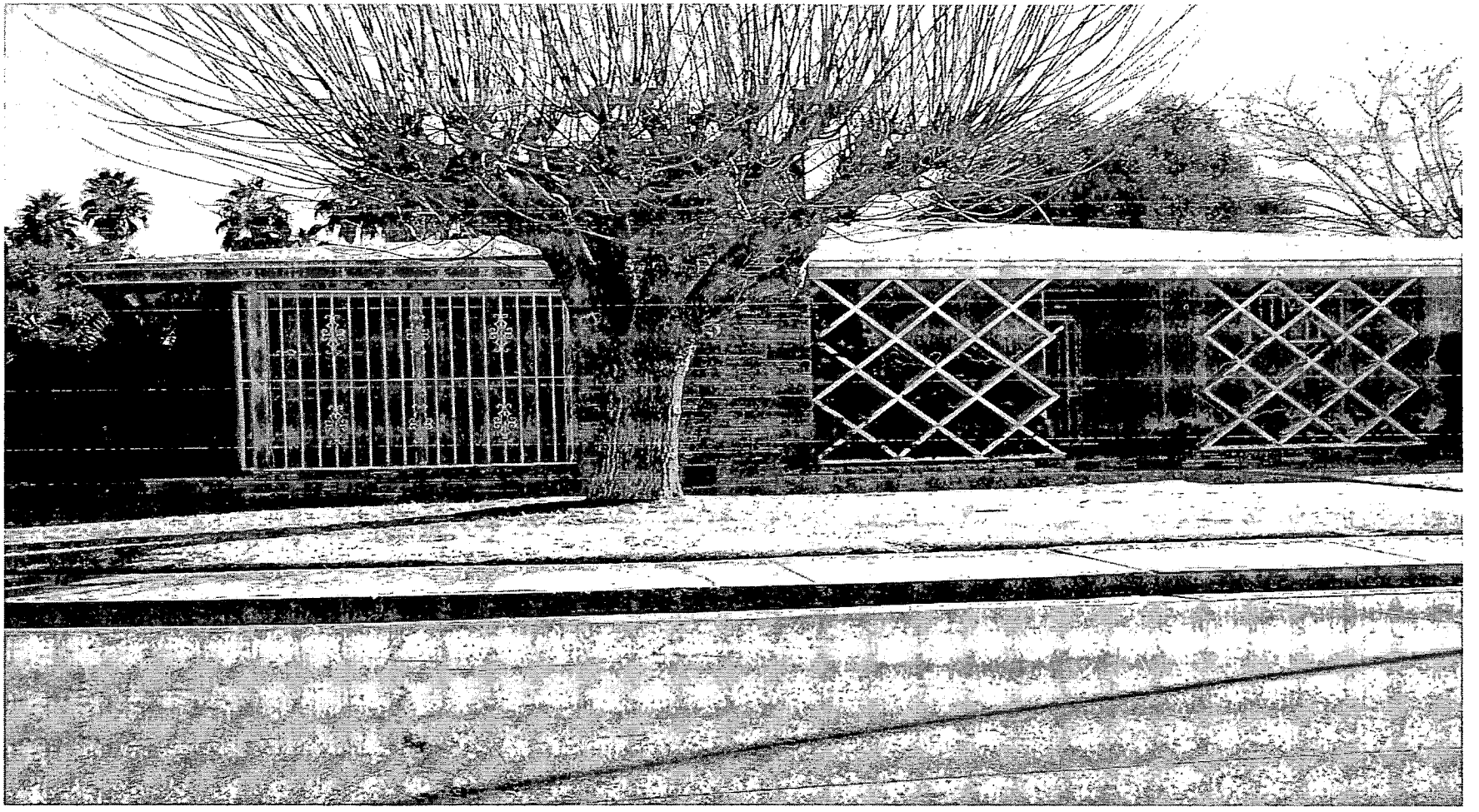
VAR-3480 - SHAPIN ALLEN TRUST
1601 5TH PLACE
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04



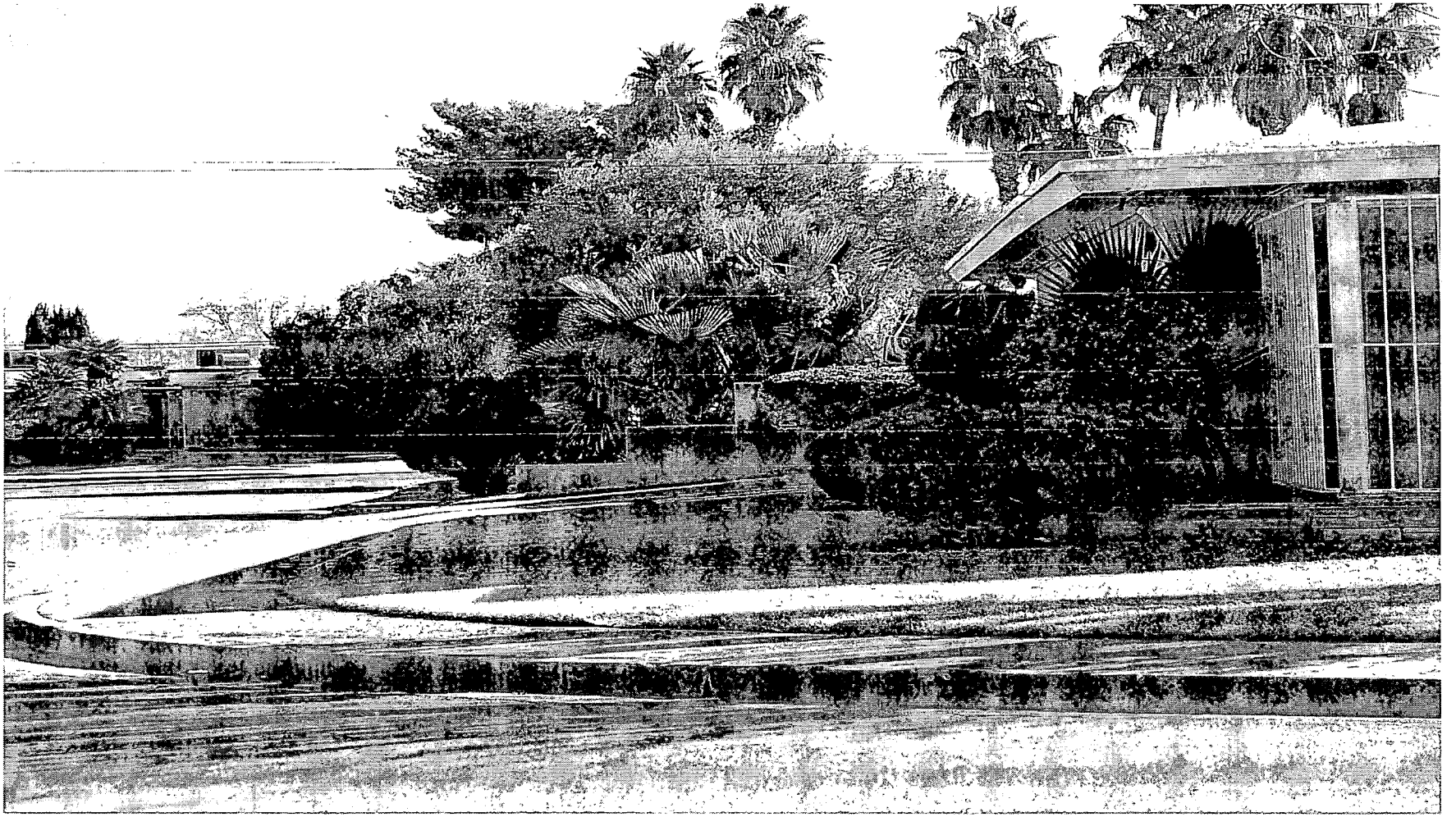
VAR-3480 - SHAPIN ALLEN TRUST
1601 5TH PLACE
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04



VAR-3480 - SHAPIN ALLEN TRUST
1601 5TH PLACE
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04



VAR-3480 - SHAPIN ALLEN TRUST
1601 5TH PLACE
JANUARY 22, 2004 PLANNING COMMISSION

1/8/04

Billy Logan

1509 5th place
Las Vegas, Nevada 89104
(702) 868-9110

February 5, 2004

RE: VAR-3480

City of Las Vegas Planning and Development Commission,

We Support the Shapin family's (1601 5th place) request for a variance (as detailed in the attached letter to Mr. Shapin) allowing them a 7' setback from the property line facing Griffith St.

Our property faces the Shapin's current garage.

We have been in contact with the Shapins regarding the garage and they are communicating directly with us.

Billy Logan

Property owner of:
1509 5th Place
Las Vegas, Nevada 89104

Submitted at City Council
Date 2/18/04 Item #86

City of Las Vegas

Agenda Item No. 87

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 18, 2004

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

SUBJECT:
VARIANCE - PUBLIC HEARING - **VAR-3488 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW ONE PARKING SPACE PER SINGLE FAMILY DWELLING WHERE A MINIMUM OF TWO SPACES PER SINGLE FAMILY DWELLING ARE REQUIRED on 67.41 acres adjacent to the northeast corner of Farm Road and Fort Apache Road (APN: 125-17-201-001 and 002), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to conditions.

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 87 [VAR-3488], Item 88 [WVR-3492] and Item 89 [SDR-3482].

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, indicated that this project is similar to one approved by Council at the intersection of Fort Apache and Farm Road in Town Center. The application on the north side of Farm Road follows many of the standard guidelines established for the project south of Farm Road. The project includes three different models, some with a single-car garage requiring tandem parking and others with rear loading garages. The project will have nine acres of open space.

CITY COUNCIL MEETING OF FEBRUARY 18, 2004
Planning and Development Department
Item 87 – VAR-3488

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, supported tandem parking, but asked if the fire department issue had been resolved. COUNCILMAN MACK replied that the issue involving the length of the road and an inability to provide a cul-de-sac was addressed by a requirement for sprinkling the homes. ATTORNEY AMICK added that the sprinkling of the homes will only apply to those homes along the perimeter of the project.

COUNCILMAN MACK commented that tandem parking works in many communities and only 45% of the homes will have such parking. The fire department reached an agreement with the developer on installing sprinklers within the affected units. He is proud to see this development in Town Center. One of the proposed models will be three-stories with a living room, a great room and a kitchen on the garage level, a playroom downstairs and bedrooms upstairs. COUNCILMAN MACK amended Condition 4 to three stories and Condition 6 by deleting the words "2 feet to the courtyard" pertaining to the site development plan review.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 87 [VAR-3488], Item 88 [WVR-3492] and Item 89 [SDR-3482].

NOTE: All discussion for Item 87 [VAR-3488], Item 88 [WVR-3492] and Item 89 [SDR-3482] took place under Item 87 [VAR-3488].

(2:23 – 2:29)

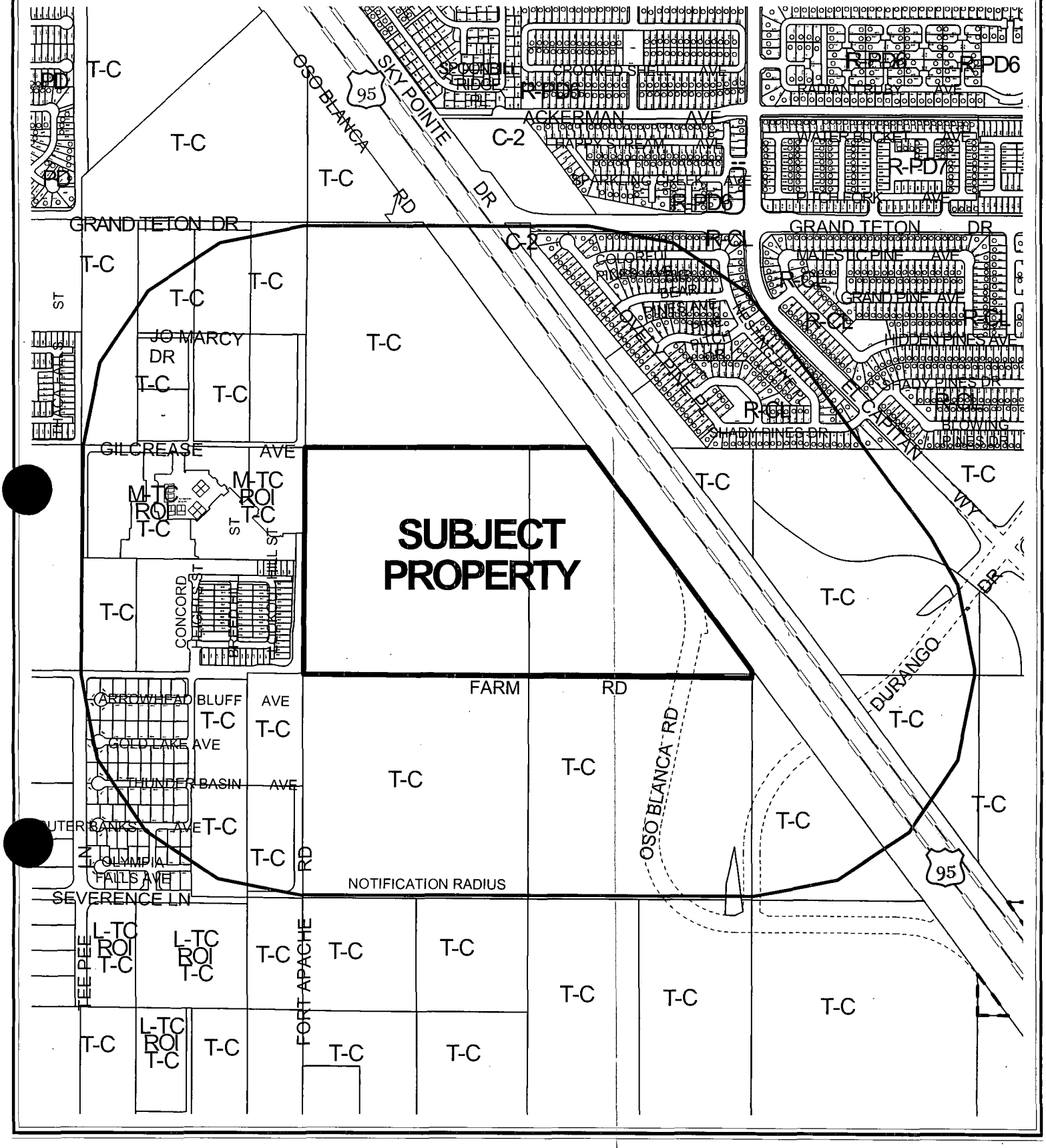
3-2539

CONDITONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3482).

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

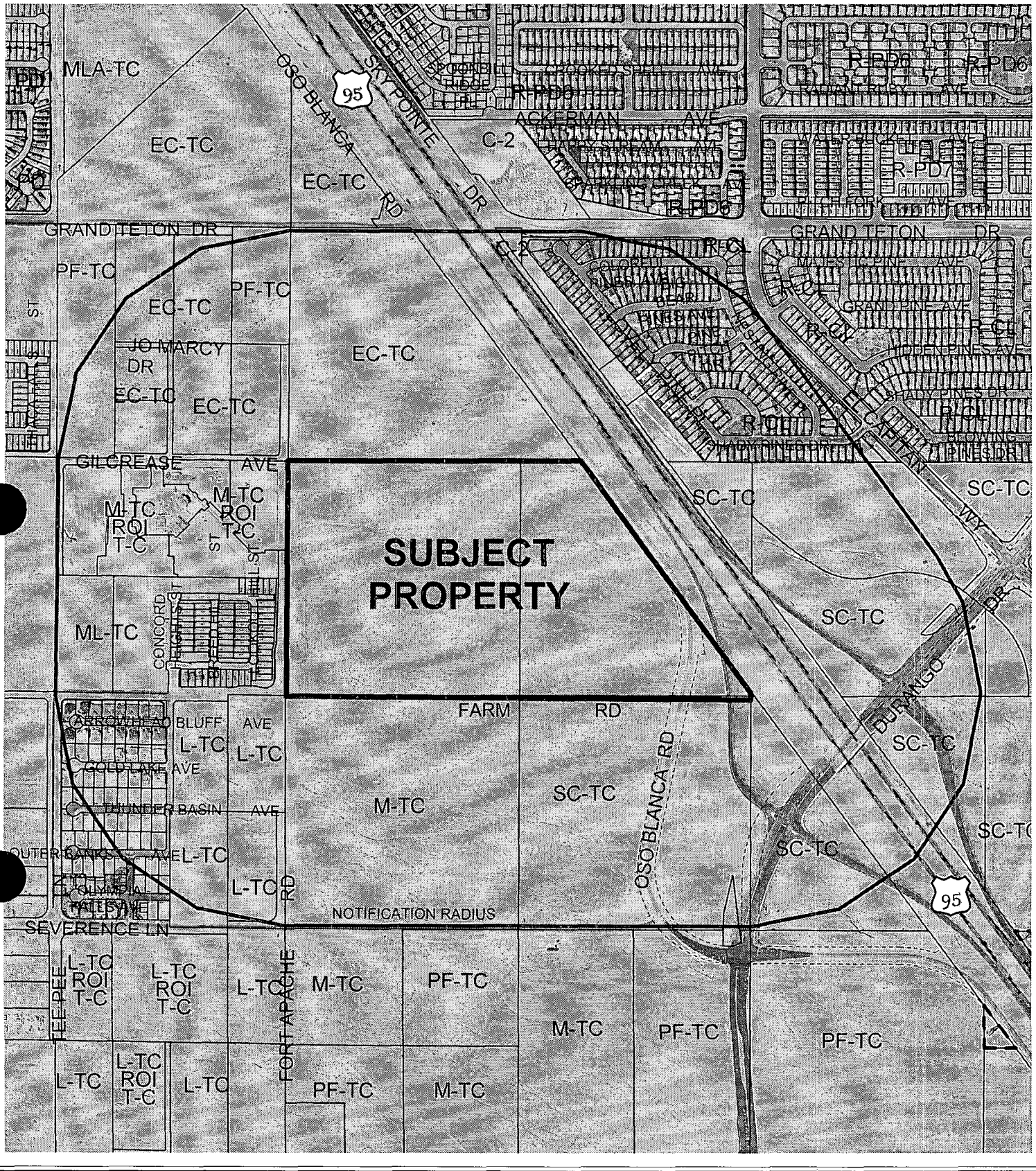


0 500 1000 Feet

CASE: **VAR-3488**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: TC (TOWN CENTER)



CASE: **VAR-3488**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: TC (TOWN CENTER)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3488 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3482).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow one parking space per single-family dwelling where a minimum of two spaces per single family dwelling are required on property located adjacent to the northeast corner of Farm Road and Fort Apache Road. A Waiver (WVR-3492) to Title 18 and Site Development Plan Review (SDR-3482) applications were filed as companion items.

B) Applicant's Justification

The applicant's justification letter indicates the variance would only apply to 344 lots within the development. It also states that providing two parking spaces per lot all units will not allow for the density of 11 units per acre.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on this site as part of a larger request. The Planning Commission recommended approval on November 5, 1998. The Planning and Development recommendation was for approval.
03/06/02	The City Council approved a General Plan Amendment (GPA-0053-01) to SX-TC (Suburban Mixed Use - Town Center) on the western 40 acres of this site. The Planning Commission recommended approval on January 24, 2002. The Planning and Development recommendation was for approval.
06/05/02	The City Council approved a General Plan Amendment (GPA-0004-02) to SX-TC (Suburban Mixed Use - Town Center) on the eastern 26 acres of this site. The Planning Commission recommended approval on April 25, 2002. The Planning and Development recommendation was for approval.
01/22/04	The Planning Commission recommended approval of a related Waiver (WVR-3492) and Site Development Plan Review (SDR-3482).
01/22/04	The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #85/mp).

B) Pre-Application Meeting

12/09/03 The applicant was advised two unimpeded parking spaces are required for each lot within the development. The applicant was given the requirements for a Variance application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	67.41
Residential Acres:	65.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Rancho Drive/U. S. 95 Right-of-Way
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use - Town Center)
North:	EC-TC (Employment Center Mixed Use - Town Center)
South:	M-TC (Medium Low Density Residential - Town Center)
East:	Rancho Drive/U. S. 95 Right-of-Way
West:	ML-TC (Medium Low Residential - Town Center) and M-TC (Medium Density Residential - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)

E) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The site is designated SX-TC (Suburban Mixed Use – Town Center) within the Town Center Land Use Map, which allows a mix of commercial uses and residential densities to 25 units per acre. The proposed single-family development is within the range of uses permitted in this land use designation.

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

Sites located within the Town Center Plan Area of the Centennial Hills Sector Plan are subject to the Town Center Development Standards.

A) Zoning Code Compliance

A3) Parking and Traffic Standards

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

Uses	Ratio	Required Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Single Family Residential-Detached	2 parking spaces per dwelling	1502	N/A	1158	N/A

The proposed development of 751 lots requires a total of 1,502 parking spaces accomplished by providing two unimpeded spaces on each lot. The applicant is proposing a product type that only provides one on-site space. This product will occupy 344 of the 751 lots proposed by this development.

B) General Analysis and Discussion

The Department of Public Works believes the proposed tandem parking will encourage on-street parking, which due to block sizes within this development, will create site visibility obstructions and traffic movements will become restricted.

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 providing only one accessible parking space for each single-family lot. The applicant also states that the SX-TC (Suburban Mixed Use – Town Center) requires residential densities from 12 to 25 units per acre. The Town Center Development Standards actually allow densities from 0 to 25 units per acre. Therefore the applicant's argument that a density of 11 units per acre is required on this site is not correct. Reduction in the density and alternative designs providing two on-site parking spaces for each dwelling would allow conformance to the Title 19 parking 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 282 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3488 APN: 125-17-201-001 and 002

Name of Property Owner: Astoria Northwest 40 LLC

Name of Applicant: Astoria Homes

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

____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

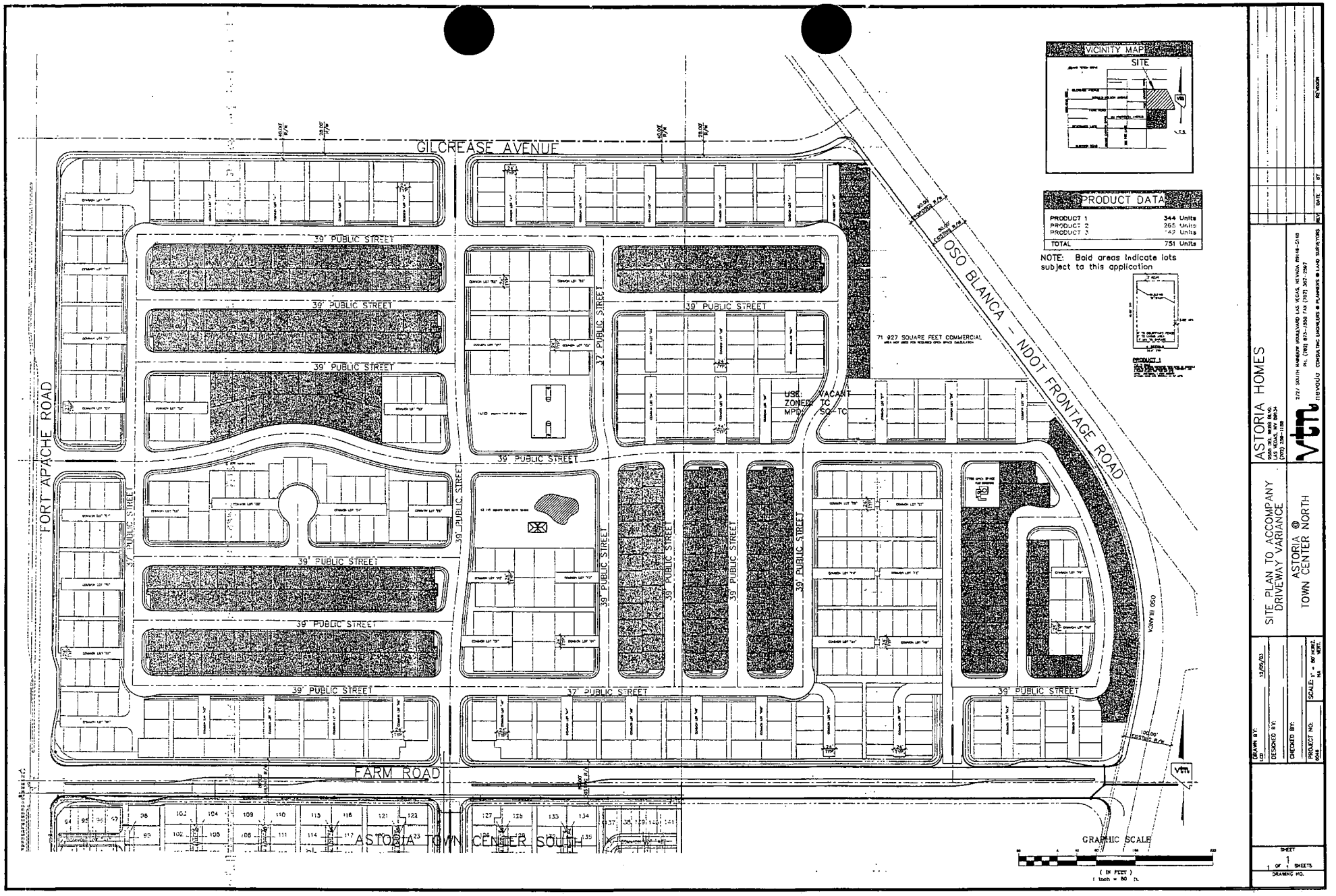
Print Name: Thomas McCormick

Subscribed and sworn before me

This 14 day of November, 2003

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

Notary Public - State of Nevada
COUNTY OF CLARK
PATRICIA WHIPPLE
No. 00-63238-1 My Appointment Expires May 9, 2004



VAR-3488
1-22-04 PC