

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3346 - PUBLIC HEARING - SDR-3514 - APPLICANT/OWNER: HOLLY FERRELL, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 144 UNIT APARTMENT COMPLEX on 7.0 acres adjacent to the southwest corner of Holly Avenue and Ferrell Street (APN: 139-20-401-008, 012, 013, and 014), R-E (Residence Estates) and C-1 (Limited Commercial) Zones [PROPOSED: R-PD21 (Residential Planned Development - 21 Units Per Acre)], Ward 5 (Weekly).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

87

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 19 – SDR-3514

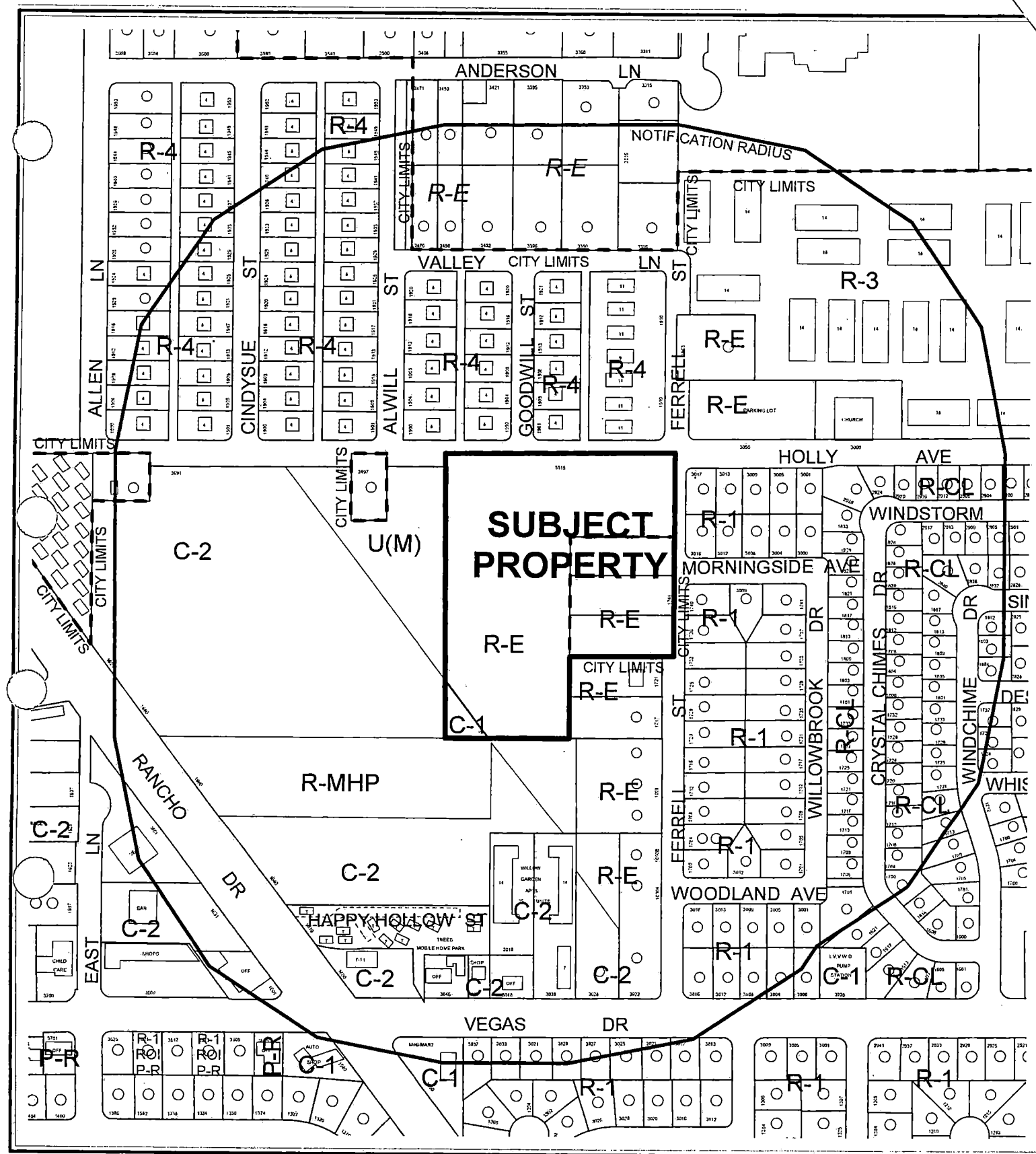
MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT recommended the applicants on Items 18 and 19 be put on notice seeing as this is their second request for abeyance and unless they have good cause to hold these items in abeyance again, this should be the final hold on those two items.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of the applicants for Items 18 and 19. He stated that he would relay the City Attorney's comments and ensure the applications are in order by 3/25/2004.

(6:05 – 6:08)

1-127



CASE: **SDR-3514**

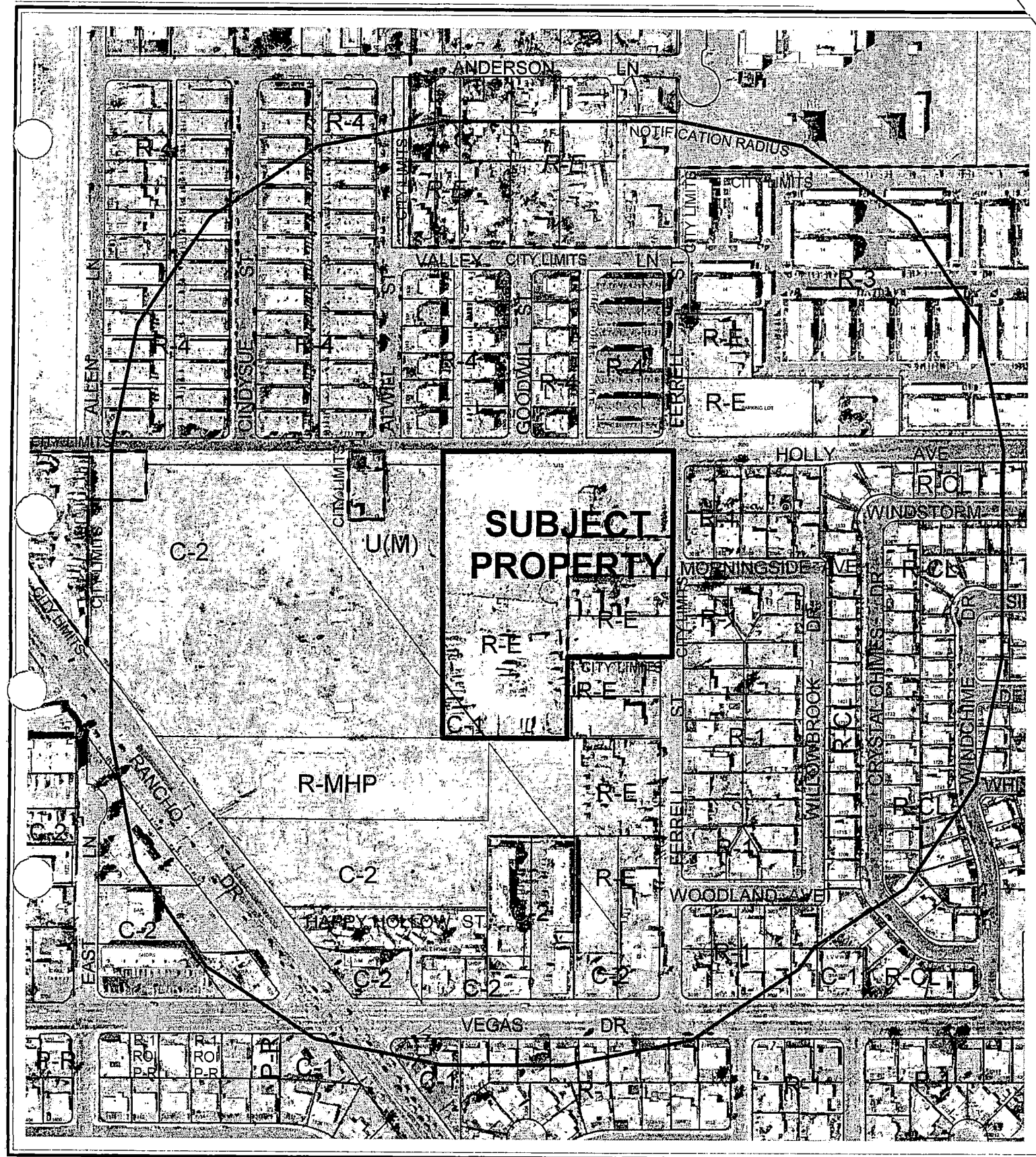
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





CASE: **SDR-3514**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - RENOTIFICATION - SITE
DEVELOPMENT PLAN REVIEW RELATED TO ZON-3346 - PUBLIC HEARING -
SDR-3514 - APPLICANT/OWNER: HOLLY FERRELL, LIMITED LIABILITY
COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of companion item ZON-3346, to R-PD21 (Residential Planned Development – 21 Units Per Acre).
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. The site plan shall be revised and approved by Planning and Development Department staff; prior to the time application is made for building permit, to reflect five-foot access aisles on either side of handicap parking spaces. A van accessible space shall be depicted in accordance with Title 19 standards.
5. The perimeter planter along Ferrell Street shall include berming to shield the existing single-family dwelling from vehicle headlights.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff; prior to the time application is made for a building permit, to reflect the relocation of no less than 42 trees from the perimeter to locations adjacent to the parking spaces.
8. The base of the exterior stairs shall be enclosed and integrated with the architecture of the buildings.
9. The clipped gable roof structure over the exterior stairs shall be modified to a full gable or a hipped roof in order to be more architecturally compatible with the style of the building.

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February 26, 2004 - Planning Commission Meeting

10. The rectilinear nature of each of the apartment buildings should be modified to give greater expression and variety to the building facades. This can be accomplished through the use of recessed entryways, window bays or pop-outs, or by extending or recessing certain rooms beyond the existing wall plane.
11. Column spacing shall not exceed 12 feet on center. Additional columns should be added to the structures as necessary.
12. A horizontal trim band shall be applied to the structures to delineate the base of the structures. Additional cornice trim shall be applied at the eaves of the building to further add detail and relief to the building facades.
13. Header and sill detailing or a trim surround shall be added at each window. Sliding window units are discouraged; single-hung windows with muntins are more appropriate to the architectural character of the buildings.
14. The color palette used for each building shall include at least three colors in order to highlight and differentiate the trim bands and surface changes of the façade.
15. The roof of the mechanical/storage room located on the end of each building shall be modified to match the style of roof that is utilized on the principal portion of the structure. Horizontal trim and cornice bands shall also be utilized on the mechanical/storage room in order to maintain a similar level of architectural detailing.
16. A detail of the trash enclosure shall be provided to the Planning and Development Department for review and approval. The detailing of the enclosure shall be similar to the details employed on the principal structures.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
18. 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.
19. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
20. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Exterior walls can also use wrought iron panels with decorative pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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21. All City Code requirements and design standards of all City departments must be satisfied.
22. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

23. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
24. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
25. Site development to comply with all applicable conditions of approval for Rezoning Action ZON-3346 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 144-unit multi-family development on 7 acres located adjacent to the southwest corner of Holly Avenue and Ferrell Street. A related item, Site Development Plan Review (SDR-3514) for a 144-unit apartment complex on the subject site, was filed as a companion application.

B) Applicant's Justification

The applicant feels that this project will bring new development to a repressed area and is consistent with surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

04/02/03 The City Council approved an annexation (A-0029-02) for a portion of the subject property. The Planning Commission and staff recommended approval. The effective date was April 5, 2003.

12/18/03 The Planning Commission recommended approval of an Annexation (ANX-3344) for a 1.5-acre portion of the subject site. Staff recommended approval of the request.

B) Pre-Application Meeting

10/20/03 The first in a series of meetings was held to discuss the applicant's plans for a multi-family development. The applicant was informed of various development standards including residential adjacency. At the time of the meeting the applicant was seeking a density of 25 units per acre. On November 21, 2003, another meeting was held to discuss the revisions to the site plan in accordance with Department of Public Works dedication requirements and Planning Department design standards. The proposed density is now 20.6 units per acre.

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C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.0
Net Acres: 6.36

B) Existing Land Use

Subject Property: Storage
North: Multi-family units
South: Undeveloped and Single Family Dwellings
East: Single Family Dwelling
West: Undeveloped

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: M (Medium Density Residential) and H (High Density Residential)
South: M (Medium Density Residential) and ML (Medium-Low Density Residential)
East: L (Low Density Residential) and ML (Medium-Low Density Residential)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) and C-1 (Limited Commercial)
North: R-4 (High Density Residential)
South: R-E (Residence Estates) and R-MHP (Residential Mobile/Manufactured Home Park)
East: R-E (Residence Estates) and R-1 (Single Family Residential)
West: U (Undeveloped) and C-2 (General Commercial)

E) General Plan Compliance

The M (Medium Density Residential) category of the Southeast General Plan permits a maximum of 25 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments.

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
Clark County Notification	X	
Project of Regional Significance		X

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

This rezoning application is consistent with the existing M (Medium Density Residential) General Plan designation for the site which allows for a density range of 12.1 to 25 units per acre. The proposed development will result in a density of 20.6 dwelling units per acre. The project consists of 144 residential apartment units contained in 9 buildings on 7 acres of land, with 16 units in each building. There is also a separate clubhouse and fitness center building for the use of residents proposed for the site. Open space surrounds the buildings and may include programmable open space, such as a pool/spa area, in accordance with R-PD (Residential Planned Development) requirements. All of the units will contain two bedrooms, with 276 surface parking spaces, including 8 handicap spaces. Vehicular access to the site is from Holly Avenue. The proposed buildings have sloping roofs and exterior stairwells. The proposed development is compatible with the existing general plan designation. Although, the surrounding area does contain single-family residential lots, the majority of land to the north is developed with multi-family projects. Land to the west is zoned C-2 (General Commercial) along Rancho Drive, this project will serve to buffer the existing single-family dwelling to the east from intense commercial uses along Rancho Drive.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

KCW

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Standards	Required	Provided	Acceptable
Min. Setbacks	To be determined at site development plan review	15 Feet (north) 73 Feet (east) 20 (west) 20 (south)	Y
Distance between buildings	10 Feet	20 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height		2 Stories / 32 Feet	Y
Trash Enclosure	Screened w/roof	Not indicated	N
Mech. Equipment	Screened	Not indicated	N

The proposed development standards are acceptable and appropriate to the context of the site. The screening requirements that have not been addressed on the site plan will be enforced at the time that building permits are submitted.

A2) Residential Adjacency Standards

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

- a) Proximity slope and Building setback: As single-family dwellings are located to the east of the subject site, residential adjacency standards apply to the proposal. With a proposed building height of 32 feet, the proximity slope requires a 96-foot setback from protected property. Ferrell Street separates the subject site from the majority of the single-family dwellings, however two residentially zoned lots directly abut the subject site. Ferrell Street, a 51-foot right-of-way, combined with a 68 setback from the east property line ensures the multi-family development meets the proximity slope for the dwellings east of the site. Of the two lots that directly abut the subject site, the southernmost contains a church/house of worship with an approved Special Use Permit (U-0025-97), therefore residential adjacency does not apply pursuant to Title 19.08.060(B). The applicant has not proposed any buildings adjacent to the northerly lot in order to meet standards.

A3) Parking and Traffic Standards

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

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Uses	# of Units	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
2-bdrm apt	144	1.75 spaces/unit	252	See below	252	See below
Guest pkg		1 space/6 units	24	below	24	
Totals			276	See below	276	See below
Handicap breakdown			269	7	268	8

The proposed development exceeds the parking requirements of the Zoning Code. However, the design of the handicap parking spaces does not meet Title 19 requirements. A condition had been included to require handicap spaces depicted in accordance with Title 19 prior to the submittal of a building permit application. To accomplish this, the applicant will have to provide 5-foot access aisles on either side of the parking space. The site plan currently depicts a 9-foot aisle shared by two adjacent spaces. Additionally, only seven handicap spaces are required where the applicant provides eight. The applicant can use the area from the eighth space for the required access aisles. Because the applicant is exactly at the required amount of parking, great care must be taken so that the overall parking provided does not fall below the required amount. However, there is enough flexibility with the design of the site, that it is anticipated that these changes can be made without a decrease in the number of parking spaces.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided	Complies
	Ratio	Trees		
Parking Area	1 tree/ 6 spaces	46 trees	10 trees	N
Buffer:				
• Min. Trees	1 tree/ 30 linear feet (1,738 feet around perimeter)	58 trees	100 trees	Y
• Min. Zone Width	6-foot landscape planter		6 – 20 feet	Y
• Wall height	Not required		Not provided	Y
• Perimeter berming of parking area	Required		Not indicated	N

KCW

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The applicant will need to demonstrate the landscaping conforms to the Development Standards Manual. During the pre-application process, the applicant indicated that they intend to meet all landscaping standards. That intention is further evidenced by the surplus perimeter landscaping shown on the site plan. It appears that a misinterpretation of the landscaping standards has led the applicant to include the required parking lot landscaping within the perimeter planter. As the applicant has choose the utilize parking lot planters that run parallel to the parking spaces, a condition has been recommended to relocate no less than 42 trees from the perimeter to locations adjacent to the parking spaces. It is recommended that the relocated trees come from the western perimeter planter that is adjacent to another parcel, rather than the eastern perimeter planter, in order to maintain increased buffering of the existing single-family dwellings.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
7 acres	20.6	1.65	34 %	103,642 SF	36.5%	111,668 SF

The proposed development exceeds the required amount of open space.

C) General Analysis and Discussion

- Zoning

The applicant has submitted a related Rezoning application (ZON-3346) for R-PD21 (Residential Planned Development – 21 Units Per Acre) zoning on the subject site.

- Site Plan

A gated entry from Holly Avenue will serve the site. Nine apartment buildings, housing 16 units each, are located throughout the site. A rental office/clubhouse is positioned near the entrance. Large, open areas and landscaping separate the buildings from one another. Perimeter planters will be planted with 24-inch box trees, shrubs and ground cover. Interior drive aisles and parking is located throughout the site providing convenient and accessible parking for residents.

- Waivers

The applicant has not requested any waivers in conjunction with this application.

- Landscape Plan

Various types of trees, including Purple Robe Locust, Modesto Ash, Mondel Pine and Live Oak, (24-inch box trees), will be planted along the perimeter. Shrubs and ground cover will accompany the tree plantings.

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- Elevation

The proposed elevations with exterior stairwells little articulation do not meet the intent of Title 19's design standards. Numerous conditions of approval have been included to address these concerns. The conditions include, requiring the exterior stairwells be enclosed, additionally detailing around the windows, the addition of a horizontal trim band and cornice trim.

- Floor Plan

Each building will contain two floors with eight, two-bedroom units. The units are configured with a living room separating the bedrooms. A kitchen, bathroom and closet space account for the remaining square footage.

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 multi-family development is compatible with existing multi-family units in the surrounding area. Additionally, it will serve to buffer existing single-family dwelling to the west from the commercial uses along Rancho Drive.

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

The proposed development is consistent with the existing general plan designation and the proposed R-PD21 (Residential Planned Development – 21 Units Per Acre) zoning district. With relocation of a portion of the provided landscaping, the project will conform to landscaping standards. However, the project is lacking the visual quality intended by the Title 19's design standards. Numerous conditions of approval have been recommended that if implemented will create an aesthetically pleasing project.

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

Site access will be via Holly Avenue, a local street, which will feed traffic onto Rancho Drive, a 100-foot primary arterial. The roadway network is deemed adequate to meet the traffic generated by the proposed development.

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

The proposed landscaping is typical of multi-family developments in other parts of the city and is appropriate. Building materials consist of stuccoed exterior walls and tile roofs and are also typical of other development. It is recommended that at least three colors be utilized on the exterior elevations to create contrast and enhance the project's visual quality.

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

The layout of the buildings and the proposed landscaping, create an orderly site design with abundant open areas between buildings. The elevations lack the level of architectural detail that is desired for this type of project. Conditions of approval are recommended that will enhance the aesthetic quality of the project.

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 194 [Mailed with ZON-3346 at 2/26/04 PC]
194 [Mailed with ZON-3346 at 1/22/04 PC]

APPROVALS 0

PROTESTS 87



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3514** APN: 139-20-401-008, 7-012, -013, -014

Name of Property Owner: HOLLEY FERREL LLC

Name of Applicant: HOLLEY FERREL LLC

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

 Yes

 X No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

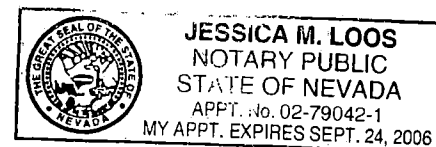
Signature of Property Owner/Authorized Agent: Chad Vellinga

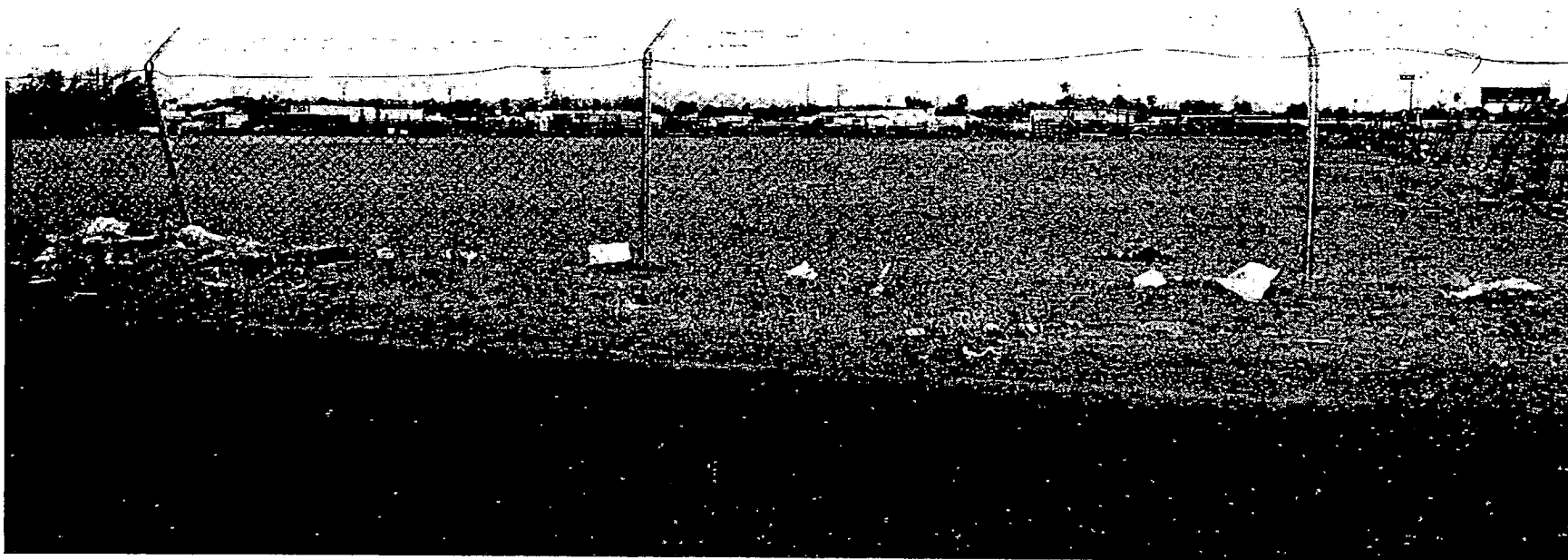
Print Name: CHAD VELLINGA

Subscribed and sworn before me

This 9 day of DEC, 2003

Jessica M. Loos
Notary Public in and for said County and State
Clark County
Nevada State





SDR-3514 - APPLICANT/OWNER: HOLLY FERREL, LIMITED LIABILITY COMPANY
SOUTHWEST CORNER OF HOLLY AVENUE AND FERRELL STREET, APPROXIMATELY 530 FEET FROM
RANCHO DRIVE
FEBRUARY 26, 2004 PLANNING COMMISSION

1/2/04

RECEIVED

OFFICE OF LEON R. MCKITTRICK
1904 CINDYSUE ST. #A
LAS VEGAS, NV 89106

1904 CINDYSUE ST. #A
LAS VEGAS, NV 89106

February 3, 2004

Planning Commissioners
c/o City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: ZON-3346 and SDR-3514
Item Nos. 80 & 81
January 22, 2004 Planning Commission Meeting

Dear Commissioners:

On January 22, 2004, you passed Item Nos. 30 & 31, which zoned the land immediately adjacent to the subject property Medium-Low Density, which allows for 6-11.9 units per acre. Item Nos. 30 & 31 were presented to the Planning Commission by the City of Las Vegas.

At the same hearing on Item Nos. 80 & 81, the Planning Commission asked the developer to submit plans for a better apartment complex. No mention was made about the zoning.

I can not understand why the commission would approve Medium-Low Density for the adjoining property and then allow Medium Density on the subject property. The subject property would be bordered by single family homes on one side, R-E single family homes on another side, the medium-low density on the third side and then across the street is an apartment building.

The planning department's recommendation provides incomplete information that presents a skewed perspective. The portion of the property that is currently zoned commercial is a very small part. The main portion is zoned Residential Estate (R-E). The only justification presented by the Planning Department is that the Master Plan provides for Medium Density.

The Medium Density makes no sense given that the Planning Department recommended that the adjoining property be zoned Medium-Low Density.

The subject zoning request will place high density apartments between single family homes and much lower density homes/apartments. To justify the zoning request by saying on one side, across the street, are apartments basically say that the single family homes have no value/consideration and can be out weighed by a single apartment building.

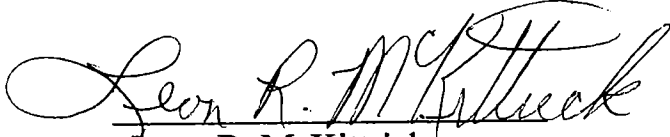
There were over 80 filed objections to the zoning change and to my knowledge not a single person for the zoning change.

The developer will be able to develop the subject property. We are not asking that the property stay zoned Residential Estates. The developer's argument that he can not make money if he is not given 21 units/acre seems to me to be bogus given the fact that the adjoining landowner agreed with the City of Las Vegas on a zoning of 6-11.9 units/acre!

A Review Journal article mentioned that there was a vacancy rate of over 15% in the 89106 zip code, which is where the subject property is located. An additional 144 units will naturally raise the vacancy rate even higher making it impossible to make a profit. The owners will have no choice but to defer maintenance and repairs thereby causing the neighborhood to further decline.

I respectfully appreciate your consideration and time in reviewing this zoning change request.

Sincerely,


Leon R. McKittrick

ON JANUARY 22ND, ZON-3346 & SDR-3514 WILL BE HEARD BY THE CITY OF LAS VEGAS PLANNING COMMISSION IN THE COUNCIL CHAMBERS, LOCATED AT 400 STEWART. THE MEETING BEGINS AT 6:00 P.M.

ZON-3346 IS A REQUEST TO REZONE 5 1/2 ACRES AT THE SOUTHWEST CORNER OF HOLLY & FERRELL TO RPD-24, TO ALLOW APARTMENTS AT A DENSITY OF 24 UNITS PER ACRE.
SDR-3514 IS A REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 140-UNIT APARTMENT COMPLEX AT THAT SAME LOCATION.

BY SIGNING THIS PETITION, WE ARE EXPRESSING OUR OPPOSITION TO BOTH OF THESE PROPOSALS AND REQUEST THAT THE PLANNING COMMISSION AND CITY COUNCIL CONSIDER THE ABUNDANCE OF APARTMENTS ALREADY LOCATED WITHIN OUR NEIGHBORHOOD AND THE IMPACT THAT ADDITIONAL APARTMENTS, ESPECIALLY ON THE SOUTH SIDE OF HOLLY WOULD HAVE ON THE DETACHED SINGLE-FAMILY HOMES ALONG BOTH SIDES OF FERRELL.

AS IS TRUE IN OTHER AREAS OF WEST LAS VEGAS, ADDITIONAL OPPORTUNITIES FOR HOME OWNERSHIP, NOT RENTAL, ARE NEEDED IF THIS IS TO REMAIN A STABLE NEIGHBORHOOD FOR THE EXISTING RESIDENTS AND OWNERS.

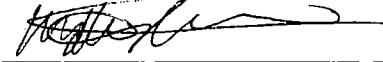
NAME (print)

ADDRESS

SIGNATURE

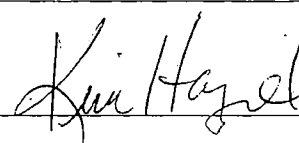
1) Matthew Dustin

1713 Wilbrowbrook Dr



2) Kim Hazel
Tom Hazel

3005 Woodland Ave.



3)

4)

5)

6)

7)

8)

9)

10)

86 TOTAL

THANK YOU FOR YOUR SUPPORT.

**READ INTO
THE RECORD**

2

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NAME (print)

ADDRESS

SIGNATURE

- 1) MARIANO + Pamela Villa 1700 Ferrell St Mariano Villa
- 2) PAZINE CARMONA HDSZ 1600 B [Signature]
- 3) EDIE CARLOCK FERRELL [Signature]
- 4) Ronald L. Palmer 1600 Ferrell St A Ronald L. Palmer
- 5) ELINE ST. WILSON 1721 Ferrell St Elnor Wilson
ROBEN VILASENOR
- 6) 1920 ALLWILL ST Roben Vilaseenor
- 7) Elio Vilaseenor 1844 PEARL Hatpin
- 8) Jose G. Vilaseenor 1844 PEARL Hatpin
- 9) Juacuin Martinez 1865 PEARL Hatpin
- 10) _____

THANK YOU FOR YOUR SUPPORT.

READ INTO
THE RECORD

1

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NAME (print)

ADDRESS

SIGNATURE

- 1) Tammy Palmer 1600 Ferrell St. Tammy Palmer
- 2) Tony McMillan 3022 Vegas Dr. Tony McMillan
- 3) Lemuel Craven 3017 Woodland Ave. Lemuel Craven
- 4) James Reese 3016 Legal Dr. James Reese
- 5) John Ross 3012 Vegas Dr. John Ross
- 6) Robert D. Baker 2804 Sing Song Way Robert D. Baker
- 7) Felipe Lirio 3000 Vegas Dr. Felipe Lirio
- 8) Doreen M. Warner 3001 Vegas Dr. DELORES WALKER
- 9) Beatriz Ayala 3005 Vegas Dr. Beatriz Ayala
- 10) Luis Preter 3009 Vegas Dr. Luis Preter

THANK YOU FOR YOUR SUPPORT.

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NAME (print)

ADDRESS

SIGNATURE

- 1) Imogene Briggs 1704 Ferrell St. Imogene Briggs
- 2) L.S. Seidler 1716 Ferrell L.S. Seidler
- 3) L.S. Seidler L.S. Seidler
- 4) Bill Hall 1716 Ferrell St. Bill Hall
- 5) Irene Hall 1716 Ferrell St. Irene Hall
LEAH MILLER
- 6) Leah Miller 1716 Ferrell St. Leah Miller
- 7) Beepal Crying Golden Eagle 4000 West Spring Rd. Beepal Crying Golden Eagle
- 8) Charles Crying 4311 Bush Lane Kathy Crying
- 9) Kathy Crying Golden Eagle 4000 W. Spring Rd. Golden Eagle
Louis NEORTE
- 10) Bill Trufanfield 1708 Ferrell L.V. NV 89106
1704 Ferrell St.

THANK YOU FOR YOUR SUPPORT.

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NAME (print)

ADDRESS

SIGNATURE

1) Elena Ocegueda 3004 Morningside AV Elena Ocegueda

2) Heidi Ocegueda 3004 Morningside Ave Heidi Ocegueda

3) Norma Anderson 3005 Holly Ave Norma Anderson

4) Nicholas Allen 3005 Holly Ave Nicholas Allen

5) _____

6) _____

7) _____

8) _____

9) _____

10) _____

THANK YOU FOR YOUR SUPPORT.

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NAME (print)

ADDRESS

SIGNATURE

- 1) **AMELIA BROWN** 1809 CRYSTAL CHIMES *Amelia Brown*
- 2) **SAISUDENAI THONGSRIKUM** 1725 CRYSTAL CHIMES *Saisudenai Thongsrikum*
- 3) **LORGE DIAZ** 1701 CRYSTAL CHIMES DR. *Lorge Diaz*
- 4) **HOUG BRASHEARS** 1621 CRYSTAL CHIMES DR. *Houg Brashears*
- 5) **ROBERT BROWN** 2816 SINGSONG WY. *Robert Brown*
- 6) **SCARLETT DELGADO** 2820 SINGSONG WAY *Scarlett Delgado*
- 7) **SHERYL KUNAWA** 2821 SINGSONG WY *Sheryl Kunawa*
- 8) **JOSEPH D. MORRIS** 1809 WINDCHIME DR. *Joseph D. Morris*
- 9) **LENI SKAAR** 1833 CRYSTAL CHIMES *Leni Skaar*

10)

THANK YOU FOR YOUR SUPPORT.

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NAME (print)

ADDRESS

SIGNATURE

1) Sonya Smith 1829 Crystal Chimes Sonya Smith

2) JANE MICHEL 1601 CRYSTAL CHIMES Jane Michel

3) BEVERLY TELFORD 1600 CRYSTAL CHIMES Beverly Telford

4) JACK HINES 1600 CRYSTAL CHIMES

5) NICHOLAS WEBB 2824 Windstorm Ave N. Webb

6) PORIS M. WEBB 2824 Windstorm Ave. Webb

7) Traci Barker 2804 Sing Songway L.V. Nr. 89106

8) Jon Medina 2812 Sing Songway 89106

9)

10)

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NAME (print)

ADDRESS

SIGNATURE

- 1) ANDREW PALOMO 1788 Golden Sky Dr 89106 Andrew Palomo
- 2) Val Smura 1788 Golden Sky 89106 [Signature]
- 3) Stephen S. Geraci 1800 Golden Sky Dr. 89106 [Signature]
- 4) Jerry Ruiz 1812 Golden Sky [Signature]
- 5) [Signature] 2800 Windstorm [Signature]
- 6) Sergio Mancanillo 3000 Morningside [Signature]
- 7) Pamela Thomas 1832 Golden Sky [Signature]
- 8) Patricia Thomas 4510 Sunset Dr Patricia Thomas
- 9) ETHEL L. P/E 2928 Windstorm Ethel L. P/E
- 10) Richard M. Reyes 1813 Crystal Chimney [Signature]

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NAME (print)

ADDRESS

SIGNATURE

1) FRAAZETTA CROSS Pastor Fraazetta Cross

2) Rochele Burr 1304 Lucky St 89104 Rochele Burr

3) Michael Johnson 2504 West St N. Las Vegas NV. 89032

4) Chaka Smith 1708 McDonald Court Unit C NLV 89037

5) William A. Gaston 3416 Steppo Street

6) Charlotte Mingo 3012 Silver Canyon NLV NV 89033

7) Alice Holly 1713 Hudding Drive 89106 Alice Holly

8)

9)

10)

THANK YOU FOR YOUR SUPPORT.

**READ INTO
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NAME (print)

ADDRESS

SIGNATURE

1) Silas & Claudia Washington 2125 Kenneth Rd Silas & Claudia Washington

2) Joyce Reid 2522 Parasail Point Ave Joyce Reid

3) Delucia Gaston 1864 Zircon Ridge St #106 Delucia Gaston

4) Brenda Henry 5025 Nellis Oasis Brenda Henry

5) Michael Johnson 1021 Baker Avenue Michael Johnson

6) Demario Gaston 1555 Balzar Ave #119 Demario Gaston

7) Gregor R Bass 21674 Cold Harbor Gregor R Bass

8) Tawana Jones 5400 W Cheyenne Tawana Jones

9) Derrick Jones 5400 W Cheyenne Derrick Jones

10) Elicia Thomas 1933 Rose Lane Elicia Thomas

THANK YOU FOR YOUR SUPPORT.

READ INTO
THE RECORD

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NAME (print)

ADDRESS

SIGNATURE

- 1) Almary Gaston, 1152 - Lawry Almary Gaston
- 2) Helene Gaston 1140 Lawry
- 3) Joe Ann Gaston 1152 Lawry Ave Joe Ann Gaston
- 4) Maxine Hubbard 1101 Lisbon Ave Maxine Hubbard
- 5) Paulina Ahing 1816 Golden Sky DR Paulina Ahing
- 6) Josephine Jefferson 1500 Saylor Way Josephine Jefferson
- 7) TWA Clark-Coward 1433 E. Reno Apt D TWA Clark-Coward
- 8) Lola Shaw 1236 Lawry A Lola Shaw
- 9) Elyah Jffm 1500 Saylor way Elyah Jffm
Las Vegas, NV 89102
- 10) Geraldine Gaston 953 Baker Ave Geraldine Gaston

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NAME (print)

ADDRESS

SIGNATURE

1) Freda McKnight 3510 Citrus Ave Freda McKnight

2) Lanna Edwards 1933 Harrison Ave Lanna Edwards

3) Herman Blackwell 1555 Balzer Ave Herman Blackwell

4) Malcolm Gaines 3516 Emmons Ave Malcolm Gaines

5) Derrick Jones 5400 W. Cheyenne Derrick Jones

6) Alva Hunt 3555 E. Fairmount Blvd Alva Hunt

7) Anita Morelans 1217 Reed St Anita Morelans

8) Janice Casey 5353 W. Desert Inn #1135 Janice Casey

9) Alma Gaston 3416 Steppe St. Alma L. Gaston

10) Stephanie Bass 2644 Cold Harbor Pl. Stephanie Bass

THANK YOU FOR YOUR SUPPORT.

READ INTO
THE RECORD

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**MAJOR MODIFICATION TO THE MONTECITO DEVELOPMENT AGREEMENT
RELATED TO SUP-3503 AND SDR-3505 - PUBLIC HEARING - MOD-3735 -
APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER
FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Major Modification to
the Montecito Development Agreement TO ADD 10 ACRES TO THE OVERALL PLAN
AREA adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway
(APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low
Density Residential - Town Center) General Plan Designation], Ward 6 (Mack).**

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining as his firm as a business relationship with Montecito Development on an
adjacent property, McSWAIN abstaining as her firm has a business contract with
Montecito Development and DAVENPORT excused**

To be heard by the City Council on 4/7/2004

MINUTES:

**VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 20 [MOD-3735], Item 21
[SUP-3503], and Item SDR-3505.**

**KYLE WALTON, Planning and Development Department, explained that the applicant is
requesting a major modification to the Montecito Development Agreement in order to add 10
additional acres to the overall plan.**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 20 – MOD-3735

MINUTES – Continued:

Staff determined that the modification is inappropriate and not needed for the applicant's proposed development and felt that this deviation is premature and not an appropriate transition between the low density of the adjoining Timberlake subdivision and the commercial to the west. MR. WALTON added that single-family residential is not compatible with the Montecito Life-Style Center located to the west of the project. Staff recommended denial on the modification as well as the site development review and the special use permit.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, he indicated the adjacent properties located within the Montecito Town Center area and stated that incorporating the additional acreage would be an appropriate transaction. With respect to the special use permit, ATTORNEY GRONAUER explained that consistent with the latest revision, this development would not be gated although the interior private streets will remain. Insofar as the site development plan is concerned, the proposal will encompass 96 single-family detached homes. ATTORNEY GRONAUER remarked that all standards of the Town Center and Montecito Development Agreement guidelines will be met. In finalizing, he noted that the surrounding area does include several mixed-use developments and on the site plan indicated those areas.

TODD FARLOW, 240 North 19th Street, approved of the proposed development.

MANNY ARIAS, 8237 Fawn Heather Court, a resident of Timberlake, stated his disappointment with the proposed project and concurred with staff's recommendation for denial. He stated that the residents of Timberlake have long looked to commercial development and stated that they oppose the intended project because it does not comply with the intention of Town Center.

DOTTIE MILLER, resident of Timberlake, appeared in opposition to the proposed development. She stated that residents have approached the developer with numerous questions regarding the project and have received no responses.

Referring to the site elevations, ATTORNEY GRONAUER stated that this property was initially zoned for high-density residential by another developer. Subsequently, the deal fell through and Richmond American Homes came in with the proposed development.

In consideration of the comments made by the previous residents, COMMISSIONER GOYNES asked whether the trails will act as a buffer between the proposed development and the Timberlake Subdivision. ATTORNEY GRONAUER explained that the developer plans to put in 33-feet of landscaping with the meandering trail to meet the requirements of City Code for the sole purpose of providing an amenity buffer for the Timberlake residents.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 20 – MOD-3735

MINUTES – Continued:

Being the newest member of the Planning Commission, COMMISSIONER STEINMAN asked staff to provide additional background information in order to substantiate the comments made by the previous speakers who appeared in opposition. MR. WALTON explained that one of the main purposes of the overall plan was to encourage developers to incorporate such amenities as tree-lined city blocks with boulevards, meandering trails and walking paths where optimally residents would be able to walk to their destinations and eliminate the need for vehicle transportation. Seeing as there have been a number of modifications to the Town Center Master Plan, VICE CHAIRMAN NIGRO suggested that staff apprise COMMISSIONER STEINMAN of all that has transpired since the inception. For further clarification related to the subject applications and referring to the staff report, MARGO WHEELER, Deputy Director, Planning and Development Department, gave a brief description of what the Town Center Plan called for relative to the subject area.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 20 [MOD-3735], Item 21 [SUP-3503], and Item 22 [SDR-3505].

NOTE: All discussion for Item 20 [MOD-3735], Item 21 [SUP-3503], and Item 22 [SDR-3505] was held on Item 20 [MOD-3735].

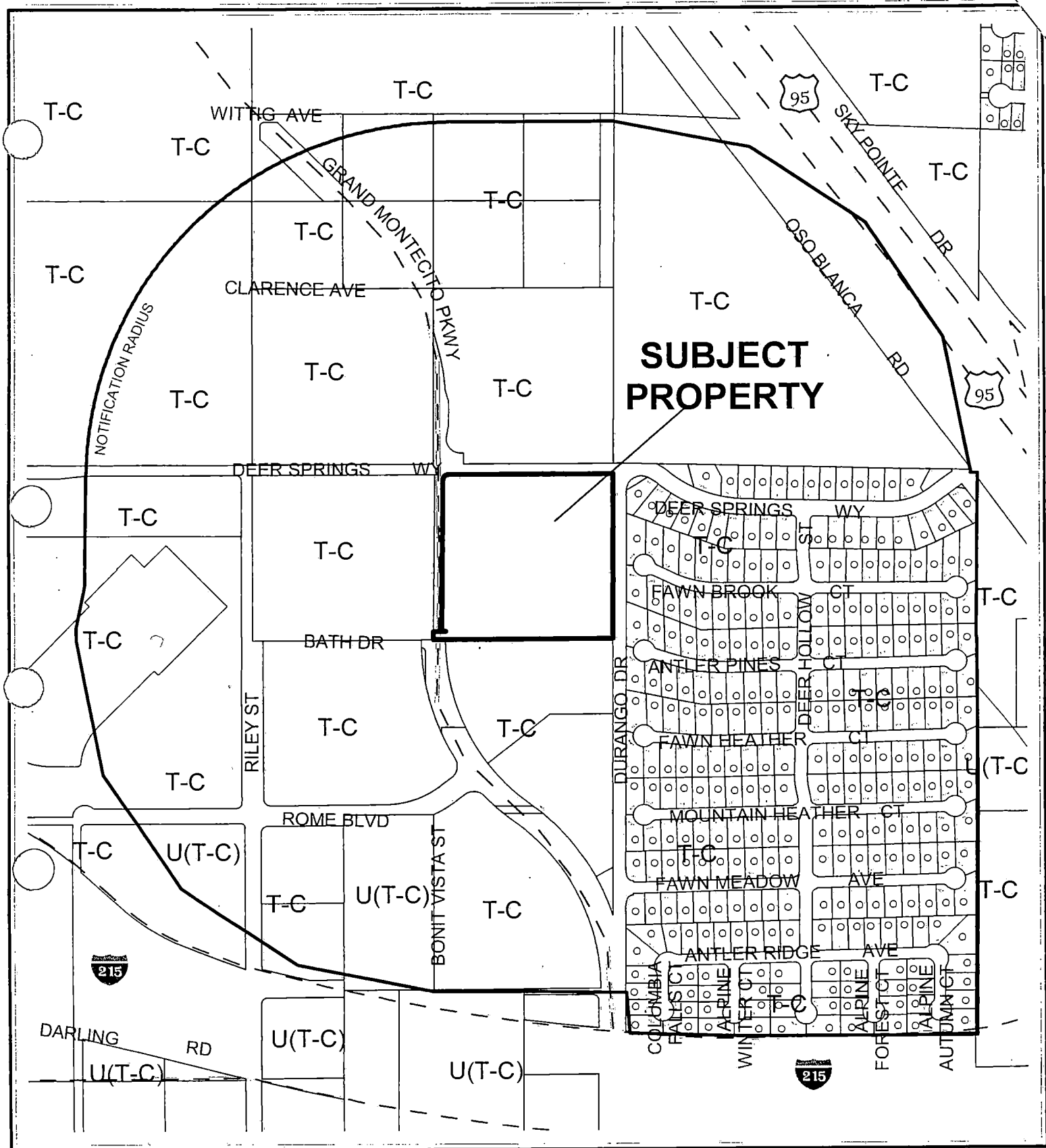
(6:42/6:52 – 7:22)

1-1360/1-2001

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-3503) and a Site Development Plan Review (SDR-3505) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Development Agreement and the Town Center Development Standards Manual, as appropriate, except as amended by this request.



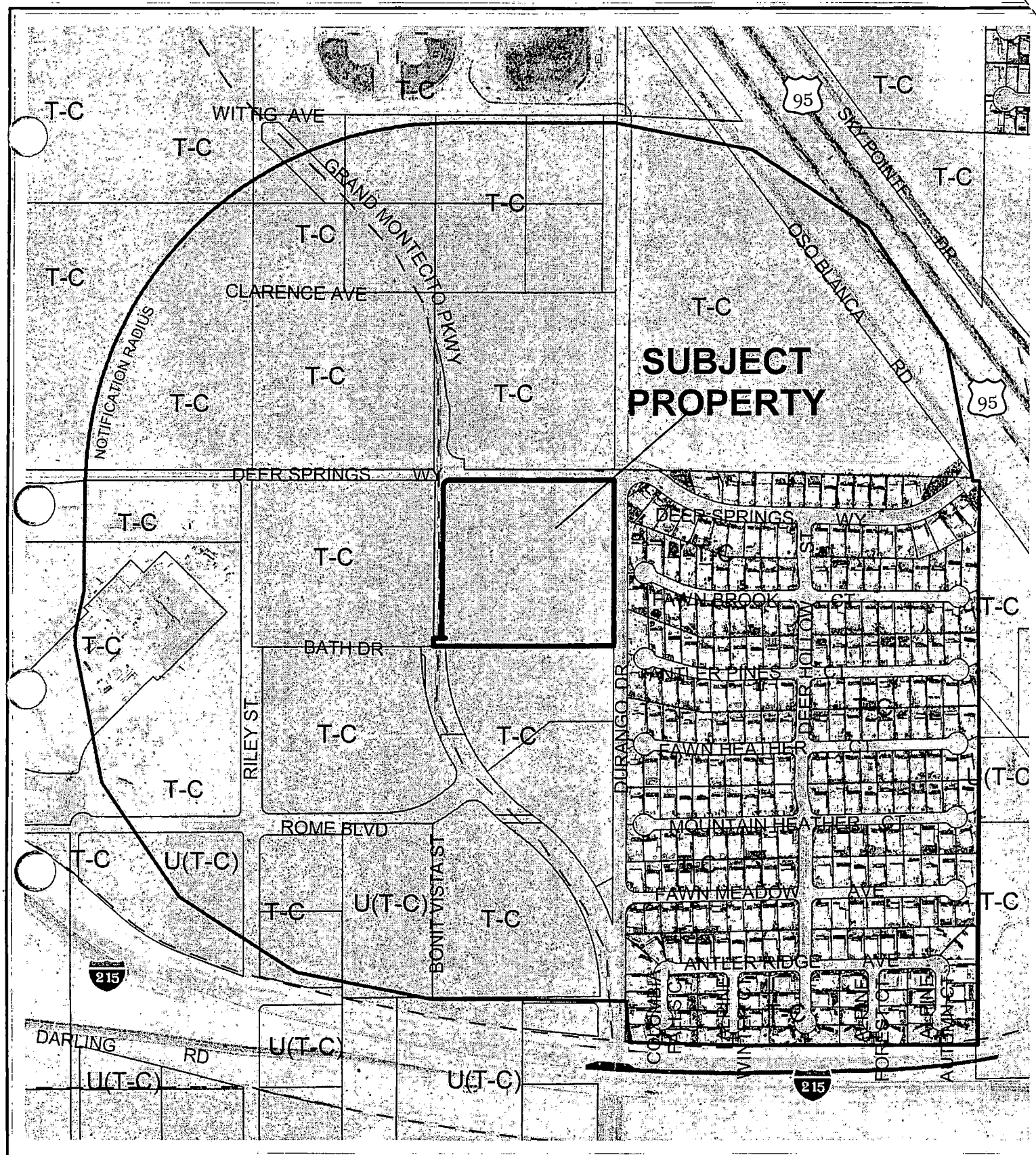
CASE: **MOD-3735**

RADIUS: 1320 & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet





CASE: **MOD-3735**

○ RADIUS: 1320 & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MAJOR MODIFICATION TO THE MONTECITO
DEVELOPMENT AGREEMENT RELATED TO SUP-3503 AND SDR-3505 - PUBLIC
HEARING - MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A Special Use Permit (SUP-3503) and a Site Development Plan Review (SDR-3505) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Development Agreement and the Town Center Development Standards Manual, as appropriate, except as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Minor Modification to the Montecito Town Center Development Agreement, to add 10.08 acres of land at the southwest corner of Deer Springs Way and Riley Street, to the area affected by the Development Agreement as "Montecito Town Center Mixed Use Commercial".

B) Applicant's Justification

A General Plan Amendment (GPA-3500) for the proposed site has been submitted and currently is being processed by city staff. The subject site lies just outside of the area known as Montecito Town Center. After discussion with Montecito, Richmond – American now wishes to modify the Montecito Agreement to add the subject site of approximately 10 acres into the Development Agreement development are.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a request for a rezoning (Z-0076-98) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan, including a portion of the subject site, from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development - 7 Units Per Acre), R-PD11 (Residential Planned Development - 11 Units Per Acre), R-PD13 (Residential Planned Development - 13 Units Per Acre), R-PD18 (Residential Planned Development - 18 Units Per Acre), R-CL (Residential - Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and P-D (Planned Development) to T-C (Town Center). The Planning Commission and staff recommended approval on November 5, 1998.

11/07/01 The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed-Use - Town Center). The Planning Commission and staff recommended approval.

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February 26, 2004 - Planning Commission Meeting

- 04/03/02 The City Council adopted the Montecito Town Center Development Agreement (DA-0002-01) by Ordinance Number 5464. The Planning Commission and staff recommended approval.
- 07/16/03 The City Council approved a request for a Minor Modification (MOD-2315) to Montecito Town Center to add 10.08 acres to the overall plan and to change section 4.1 to increase square footages and residential units accordingly. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 01/02/04 A modification of the Montecito Development Agreement was discussed as a replacement of a General Plan Amendment application (GPA-3500) in process at that time. The modification would run concurrently with the previously filed SUP-3503 and SDR-3505 applications.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MS-TC (Main Street – Town Center)
North: MS-TC (Main Street – Town Center)
South: MS-TC (Main Street – Town Center)
East: L-TC (Low Density Residential – Town Center)
West: MS-TC (Main Street – Town Center)

D) Existing Zoning

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

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area that is proposed for addition to the Montecito Town Center Development Agreement area as MS-TC (Main Street Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the MS-TC (Main Street Mixed Use - Town Center) designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

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February 26, 2004 - Planning Commission Meeting

Trails

There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual. Grand Montecito Parkway, on the west boundary of the site, will be developed as a 90-foot wide Town Center Loop Road, which includes a four-foot amenity zone and a five-foot sidewalk on either side of the street. Deer Springs Way is a Town Center Arterial with a three-foot amenity and a five-foot sidewalk. These street section improvements are correctly reflected on the proposed site plan.

A) Zoning Code Compliance: Development Standards

The development standards that will apply to the site are those contained within the Montecito Town Center Development Agreement, or where silent, those of the Town center Development Standards Manual. Any future site plans for this area will have to comply with these standards.

B) General Analysis and Discussion

The proposed request will add 10.0 acres of property currently regulated by the provisions of the Town Center Development Standards Manual, to the area affected by the Montecito Town Center Development Agreement, as "Montecito Town Center Mixed Use Commercial".

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 subject site is currently master planned as MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Plan designation. The proposed single-family residential development is not within the range of uses contemplated under the MS-TC land use designation. A project of this proposed density is permitted within the residential districts, MLA-TC (Medium Low Density Attached Residential) and M-TC (Medium Density Residential - Town Center).

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."

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February 26, 2004 - Planning Commission Meeting

The subject site is currently zoned T-C (Town Center). The proposed single-family residential development is not within the range of uses contemplated under the MS-TC (Main Street Mixed Use - Town Center) land use designation, within the T-C (Town Center) zoning district. A project of this proposed density is permitted within the residential districts, MLA-TC (Medium Low Density Attached Residential) and M-TC (Medium Density Residential – Town Center).

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

Past and current growth of the area of the proposed project has not indicated the appropriateness, let alone the need for the proposed development. If anything, deviation from the plan for the area is premature. The plan should be given a chance to guide the development in this heart of Town center before dramatic lessening of the potential of the plan should be contemplated.

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.”

As the circulation system for the area around the site was planned to address the needs of residential densities much greater and commercial of moderate intensity the street facilities will be adequate for the proposal.

NOTICES MAILED 302 [Mailed with SUP-3503 and SDR-3505]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRS.

Name of Applicant: RICHMOND AMERICAN 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: JAMES R. TUCKER

Subscribed and sworn before me

This 12th day of January, 2004

Notary Public in and for said County and State



DEER SPRINGS / DURANGO

PROJECT SITE

VICINITY MAP
NOT TO SCALE

DEVELOPER
RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE, SUITE 212
STE. 212
LAS VEGAS, NEVADA 89103

OWNERS
JAMES R. TUCKER FAMILY TRUST
4395 POLARIS AVE.
LAS VEGAS, NEVADA 89103

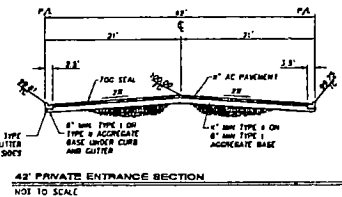
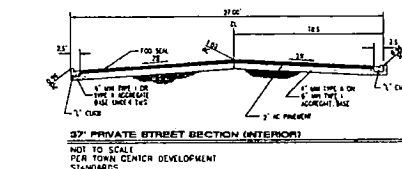
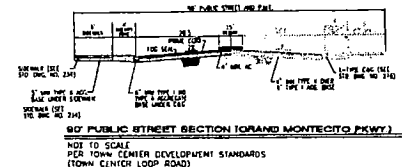
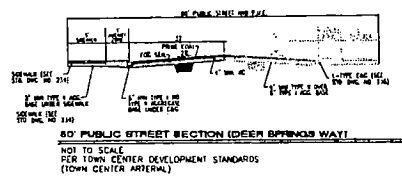
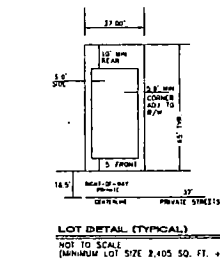
ASSESSORS PARCEL NUMBER
125-20-702-001

TABULATIONS

EXISTING ZONING: T-C
EXISTING LAND USE: MS-TC (MAIN STREET MIXED USE)
PROPOSED LAND USE: MLA-TC (MEDIUM-LOW ATTACHED)
GROSS ACREAGE: 10 ACRES ±
LOT COUNT: 96
OVERALL DENSITY: 9.3 ± DUA
OPEN SPACE PROVIDED: 0.93 ACRE ± (40,492)
*(OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA)

NOTES

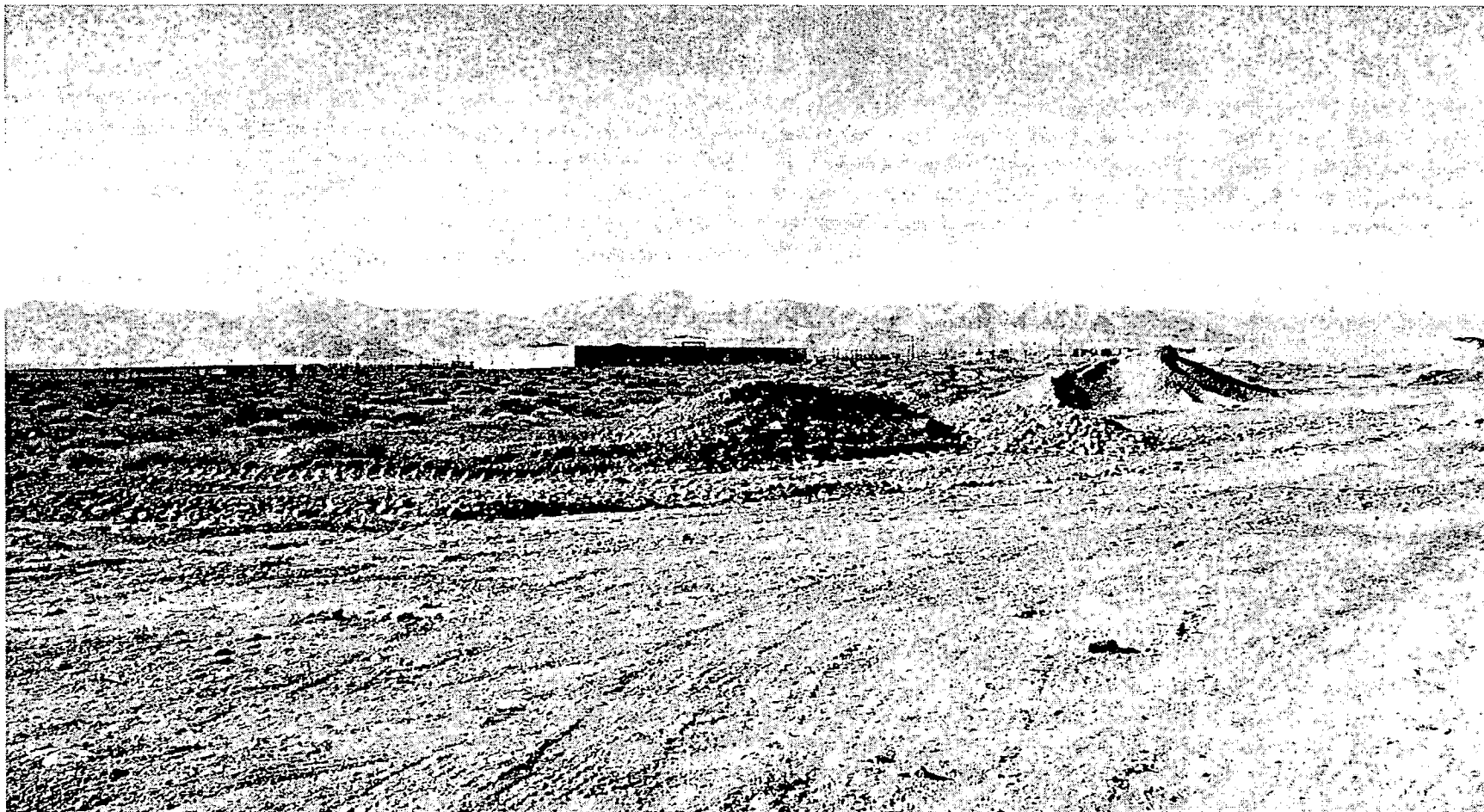
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS WILL BE MET BY TWO CAR GARAGES AND AVAILABLE ON-STREET PARKING.



NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.

MOD-3735

2-26-04 PC



MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST
SOUTHEAST CORNER OF DEER SPRINGS WAY AND GRAND MONTECITO PARKWAY
FEBRUARY 26, 2004 PLANNING COMMISSION

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - RENOTIFICATION - SPECIAL USE PERMIT RELATED TO SDR-3505 AND MOD-3735 - PUBLIC HEARING - SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 04/07/04

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - APPROVED subject to conditions - UNANIMOUS with TRUESDELL abstaining as his firm as a business relationship with Montecito Development on an adjacent property, McSWAIN abstaining as her firm has a business contract with Montecito Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

NOTE: See Item 20 [MOD-3735] for related discussion

(6:42/6:52 - 7:22)

1-1360/1-2001

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 21 – SUP-3503

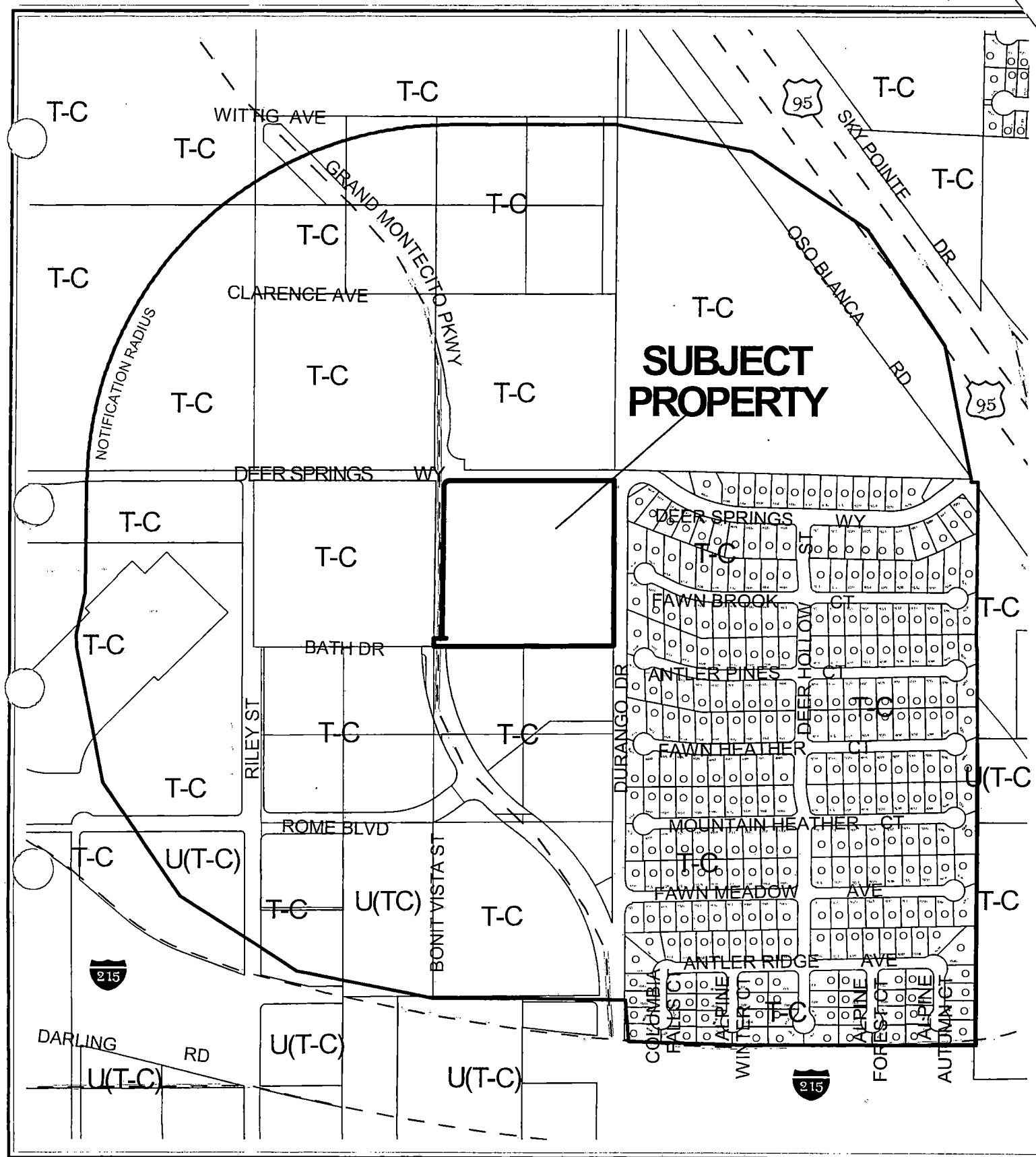
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for the Modification of the Montecito Town Center Development Agreement (MOD-3735) and Site Development Plan Review (SDR-3505).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.
6. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.

Public Works

7. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. 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.
9. 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.
10. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-3505 and all other subsequent site-related actions.



CASE: SUP-3503

RADIUS: 1320 & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - RENOTIFICATION - SPECIAL USE

PERMIT RELATED TO SDR-3505 AND MOD-3735 - PUBLIC HEARING - SUP-3503

**- APPLICANT: RICHMOND AMERICAN HOMES – OWNERS: JAMES R. TUCKER
FAMILY TRUST AND JAMES TUCKER TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for the Modification of the Montecito Town Center Development Agreement (MOD-3735) and Site Development Plan Review (SDR-3505).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.
6. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.

Public Works

7. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. 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.

SUP-3503 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

9. 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.
10. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-3505 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a gated subdivision with private streets in conjunction with a proposed 96-lot single-family subdivision located adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway. A Modification of the Montecito Town Center Development Agreement (MOD-3735) and a Site Development Plan Review (SDR-3505) for a 96-lot single-family residential subdivision were submitted as companion applications.

B) Applicant's Justification

The applicant believes that the design of the site will act as a buffer between residential uses to the east and adjacent service commercial uses to the north, west and south.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and Staff recommended approval.
11/07/01	The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval.
01/02/02	The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval.
01/22/04	The Planning Commission abeyed this application and companion SDR-3505 to the February 26, 2004 PC so the Modification of the Montecito Town Center Development Agreement (MOD-3735) will run concurrently.

SUP-3503 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

11/21/03 Among the issues discussed was the impact of amending Map #4 if the Town Center Land Use Plan, the design standards intended for this area of Town Center, the previous vacation of Bath Avenue and compatibility with adjacent land uses to the east.

C) Neighborhood Meetings

12/22/03 A neighborhood meeting was held at the Mountain Crest Community Center located at Lone Mountain Road and Durango Drive. Four residents and three representatives of the applicant attended the meeting. No elevations of the proposal were presented. The representatives responded to several questions by addressing the nature of the development accordingly:

- This development is north of an office complex in the process of being developed.
- The site area is approximately 10 acres.
- 96 lots with single family detached homes are proposed
- Homes are to be priced approximately \$170,000
- The development would not have access to Old Durango.
- Homes would be from 1200 to 1700 square feet in area.
- Project if approved would be developed in approximately two years.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

C) Planned Land Use

Subject Property: MS-TC (Main Street – Town Center)
North: MS-TC (Main Street – Town Center)
South: MS-TC (Main Street – Town Center)
East: L-TC (Low Density Residential – Town Center)
West: MS-TC (Main Street – Town Center)

SUP-3503 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

D) Existing Zoning

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

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area that is proposed for addition to the Montecito Town Center Development Agreement area as MS-TC (Main Street Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the MS-TC (Main Street Mixed Use - Town Center) designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails

There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual. Montecito Parkway, on the west boundary of the site, will be developed as a 90-foot wide Town Center Loop Road, which includes a four-foot amenity zone and a five-foot sidewalk on either side of the street. Deer Springs Way is a Town Center 80 Foot Arterial/ Secondary Collector with a three-foot amenity and a five-foot sidewalk. These street section improvements are correctly reflected on the proposed site plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Town Center Development Standards Manual calls for parking to comply with the requirements of Title 19.10 (as listed below):

Uses	Required	Provided
Single Family Dwelling	2 per dwelling unit	Varies*

* Parking for a single-family project is calculated based upon the number of spaces provided on-site, that is upon each residential lot. Typically, two car garages satisfy this requirement, given that the garage is designed so that no parking space is located so as to require the moving of any vehicle on the premises in order to enter or leave any other space [Title 19.10.010(E)]. The applicant has submitted one product-type (Plan #1533 as labeled on the floor plan and elevations) that contains a garage configured in a tandem style. This garage will not provide unimpeded access to both parking spaces and is not allowed per Title 19.10. A condition has been included on the Site Development Plan Review application to ensure this type of tandem garage is not utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.

SUP-3503 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed residential development with private streets.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a MS-TC (Main Street Mixed Use - Town Center) General Plan designation.

The proposed single-family residential development is not within the range of uses contemplated under the MS-TC (Main Street Mixed Use - Town Center) land use designation, within the T-C (Town Center) zoning district. A project of this proposed density is permitted within the mixed-use designations, UC-TC (Urban Center Mixed Use - Town Center) and SX-TC (Suburban Center Mixed Use - Town Center) and only in conjunction with a development with a variety of commercial and residential uses; and in residential districts, MLA-TC (Medium Low Density Attached Residential) and M-TC (Medium Density Residential - Town Center).

- Use and Conditions

Subsection E (G) of the Town Center Development Standards Manual provides the following conditions of approval for a Special Use Permit for a gated subdivision with private streets:

- Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.
- Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.
- Consideration must be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments.

Regarding #1, the subject site is bordered on the west by Grand Montecito Parkway, designated as Town Center Loop Road (90 foot) in the Town Center Design Standards Manual. The site is bordered on the north by Deer Springs Way, designated as a Town Center 80 foot Arterial/Secondary Collector (80-foot).

The effect of condition #2 is discussed below under finding #3. Finally, condition #3 will be upheld through a condition of approval added to this report.

FINDINGS

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

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

Single family detached homes are not compatible with the Montecito Lifestyles shopping center currently being developed to the west of the site. The remainder of the surrounding area is undeveloped, with the exception of the Timberlake residential neighborhood, a single-family development immediately east of the site. The proposal does not have the density to be considered compatible with the planned uses and is not an appropriate transition between the low density to east and the commercial to west.

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

The subject site is not suited for a development of this design and intensity. To achieve the proposed density with a single-family product, the applicant has minimized all possible development standards, including setbacks, street widths and the provision of open space.

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

The site is bordered by the proposed Grand Montecito Parkway to the west, which is designated as a Town Center (90-foot) Loop Road on Map 4A of the Town Center Development Standards Manual. Primary access will be from Deer Springs to the north, a Town Center 80 foot Arterial/ Secondary Collector. Doe Brook Trail (aka Old Durango Drive) borders the site to the east and will be developed in accordance with a design approved by the Department of Public Works. When completed, these roadways will provide adequate access to the subject site.

SUP-3503 - Staff Report Page Seven
February 26, 2004 - Planning Commission Meeting

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

The proposed use on this site will be subject to the provisions of the Uniform Building Code, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 302 [Mailed with SDR-3505 & MOD-3735 at 2/26/04 PC]
 302 [Mailed with GPA-3500, VAR-3504 & SDR-3505 at 1/22/04 PC]

APPROVALS 0

PROTESTS 0



Case Number: **SUP-3503** APN: 125-20-702-001

Name of Applicant: _____ RICHMOND AMERICAN HOMES

_____ Yes ~~X~~ No

City Official: _____

Partner(s): _____

APN:

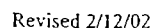
Signature of Property Owner/Authorized Agent:

Print Name: JAMES R. THE KORE

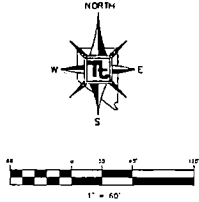
Subscribed and sworn before me

This 10th day of November, 2003

Notary Public in and for said County and State



DEER SPRINGS / DURANGO

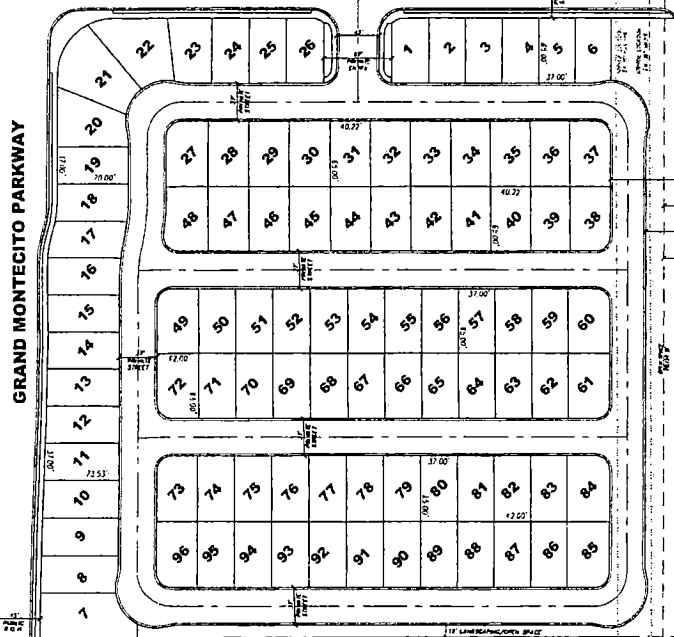


APN: 125-20-601-003
 ZONE: T-C
 OWNER: JACK BROWN & PHYLUS
 COPE
 MASTER PLANNED: MS-TC

DEER SPRINGS WAY

GRAND MONTECITO PARKWAY

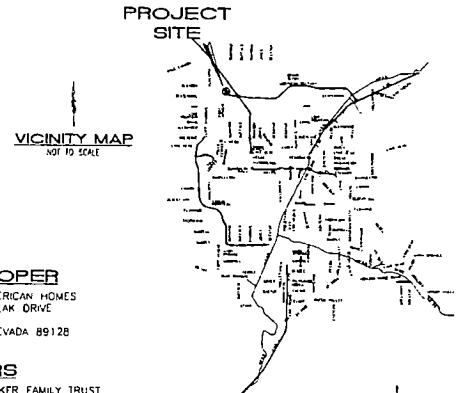
DOE BROOK TRAIL



APN: 125-20-704-001
 ZONE: T-C
 OWNER: MONTECITO TOWN CENTER LLC
 MASTER PLANNED: MS-TC

APN: 125-20-704-002
 ZONE: T-C
 OWNER: MONTECITO TOWN CENTER LLC
 MASTER PLANNED: MS-TC

APN: 125-20-701-002
 ZONE: T-C
 OWNER: MONTECITO TOWN CENTER LLC
 MASTER PLANNED: MS-TC



DEVELOPER

RICHMOND AMERICAN HOMES
 7250 WEST PEARL DRIVE, SUITE 212
 STE. 212
 LAS VEGAS, NEVADA 89128

OWNERS

JAMES R. TUCKER FAMILY TRUST
 4395 POLARIS AVE
 LAS VEGAS, NEVADA 89103

ASSESSORS PARCEL NUMBER

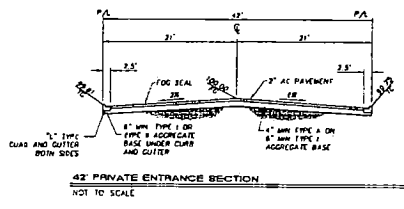
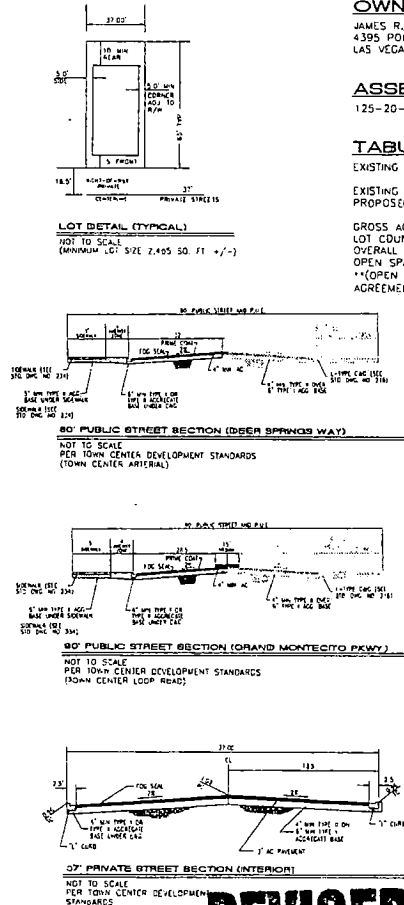
125-20-702-001

TABULATIONS

EXISTING ZONING: T-C
 EXISTING LAND USE: MS-TC (MAIN STREET MIXED USE)
 PROPOSED LAND USE: MLA-TC (MEDIUM-LOW ATTACHED)
 GROSS ACREAGE: 10 ACRES ±
 LOT COUNT: 56
 OVERALL DENSITY: 9.3 ± DUA
 OPEN SPACE PROVIDED: 0.93 ACRE ± (40,492)
 **OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA

NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS WILL BE MET BY TWO CAR GARAGES AND AVAILABLE ON-STREET PARKING.



REVISED
 1.27.04

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.

RICHMOND AMERICAN HOMES

SITE PLAN TO ACCOMPANY
 MINOR MODIFICATION

DATE: 11/17/2004

BY: [Signature]

SCALE: 1" = 60'

PROJECT NO: 200204-0004

SHEET: 1

OF 1

DATE: 11/17/2004

BY: [Signature]

SCALE: 1" = 60'

PROJECT NO: 200204-0004

SHEET: 1

OF 1

DATE: 11/17/2004

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DATE: 11/17/2004

BY: [Signature]

SCALE: 1" = 60'

PROJECT NO: 200204-0004

SHEET: 1

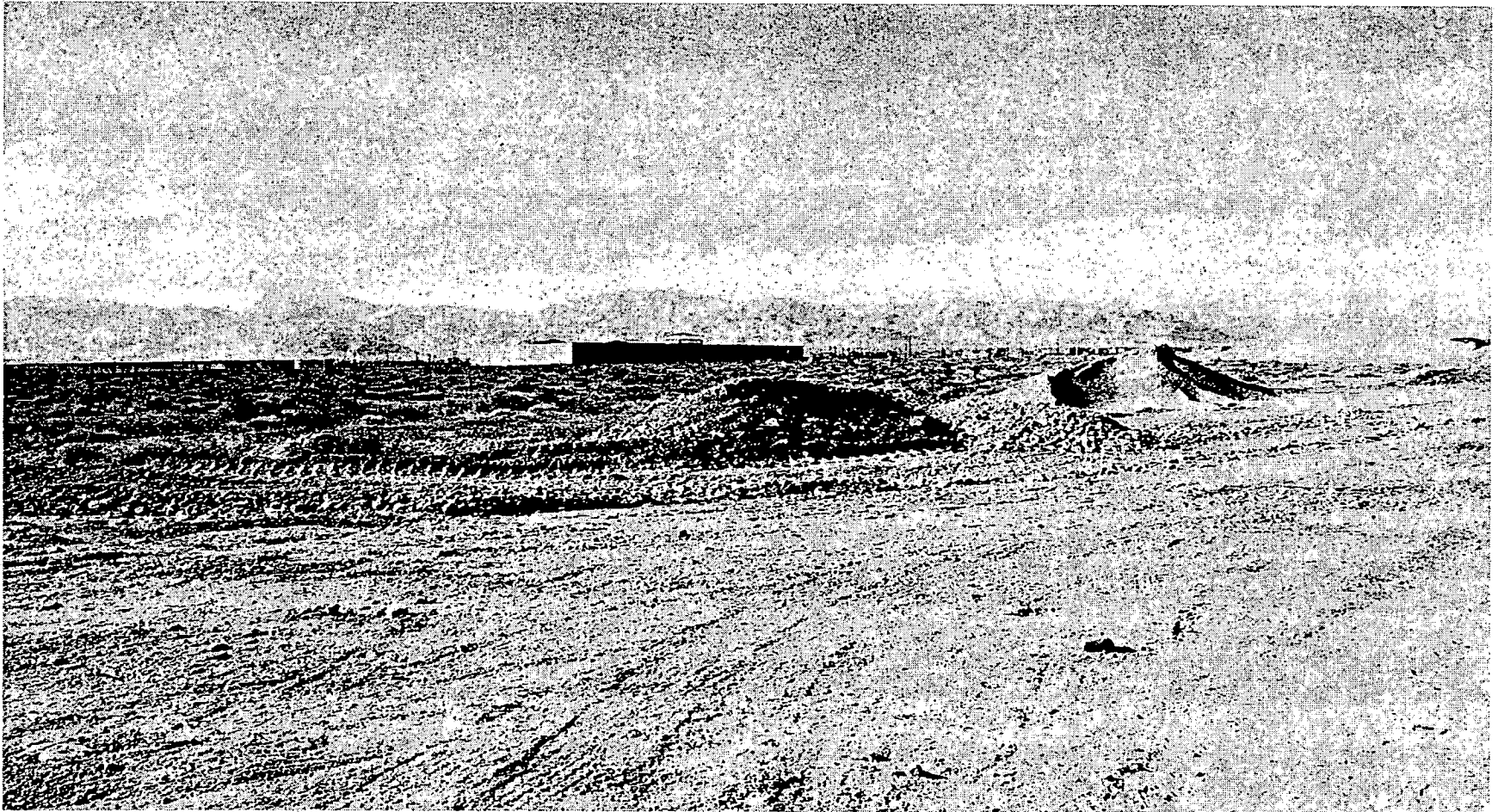
OF 1

DATE: 11/17/2004

BY: [Signature]

SCALE: 1" = 60'

PROJECT NO: 2002



SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST
SOUTHEAST CORNER OF DEER SPRINGS WAY AND GRAND MONTECITO PARKWAY
FEBRUARY 26, 2004 PLANNING COMMISSION

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE ITEM - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW
RELATED TO SUP-3503 AND MOD-3735 - PUBLIC HEARING - SDR-3505 -
APPLICANT: RICHMOND AMERICAN HOMES – OWNERS: JAMES R. TUCKER
FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Site Development Plan
Review FOR A PROPOSED 96 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on
10 acres adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway
(APN: 125-20-702-001), T-C (Town Center) Zone, Ward 6 (Mack).**

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining as his firm as a business relationship with Montecito Development on an
adjacent property, McSWAIN abstaining as her firm has a business contract with
Montecito Development and DAVENPORT excused**

To be heard by the City Council on 4/7/2004

MINUTES:

**NOTE: See Item 20 [MOD-3735] for related discussion
(6:42/6:52 – 7:22)
1-1360/1-2001**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS:

Planning and Development

1. The applicant shall meet with staff of the Planning and Development Department to develop an address plain prior to the issue of permits.
2. A Modification of the Montecito Development Agreement (MOD-3735) and a Special Use Permit (SUP-3503) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development shall be a maximum of 5 feet or a minimum of 18 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, 5 feet on the corner side, and 10 feet in the rear.
5. The Timberlake Buffer shall be constructed in accordance with the Department of Public Work's approved cross-section for Doe Brook Trails (Old Durango Drive).
6. As part of a future Tentative Map submittal for this project, the applicant shall submit a lot fit analysis to the Planning and Development Department to ensure the proposed product fits onto the proposed lots.
7. All development shall be in conformance with the site plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
8. Tandem garages shall not be utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.
9. 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.
10. No turf shall be permitted in the non-creational areas of single –family developments, such as medians and amenity zones in this development.
11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS - Continued:

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.
17. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

18. Dedicate, a 54 foot radius on the southeast corner of Grand Montecito Parkway and Deer Springs Way prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving if legally able on Grand Montecito Parkway, Deer Springs Way, and Doe Brook Trail 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 north and west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in the Doe Brook Trail Alignment to the north edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS - Continued:

#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.

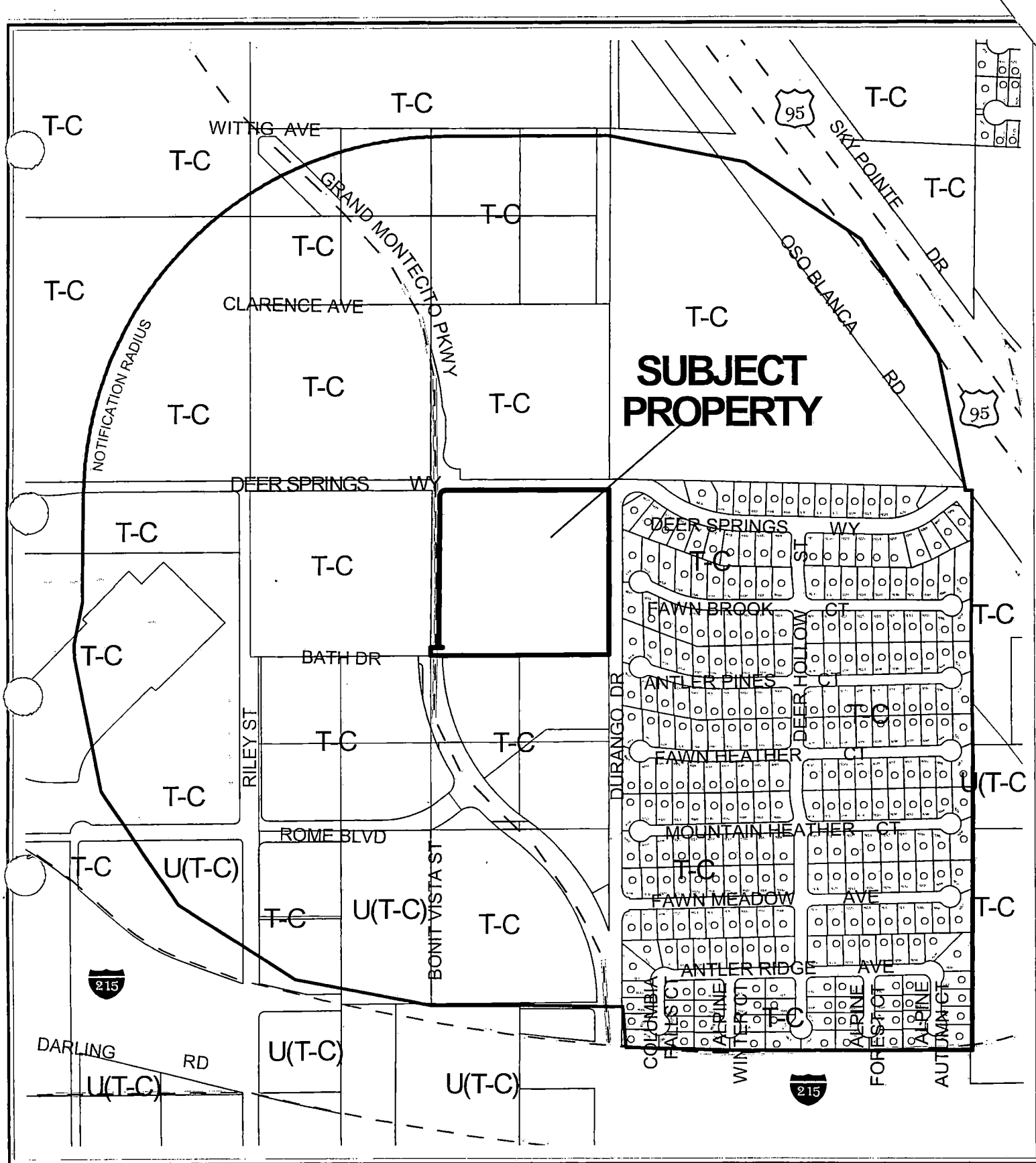
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and 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.
23. 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 public 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

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

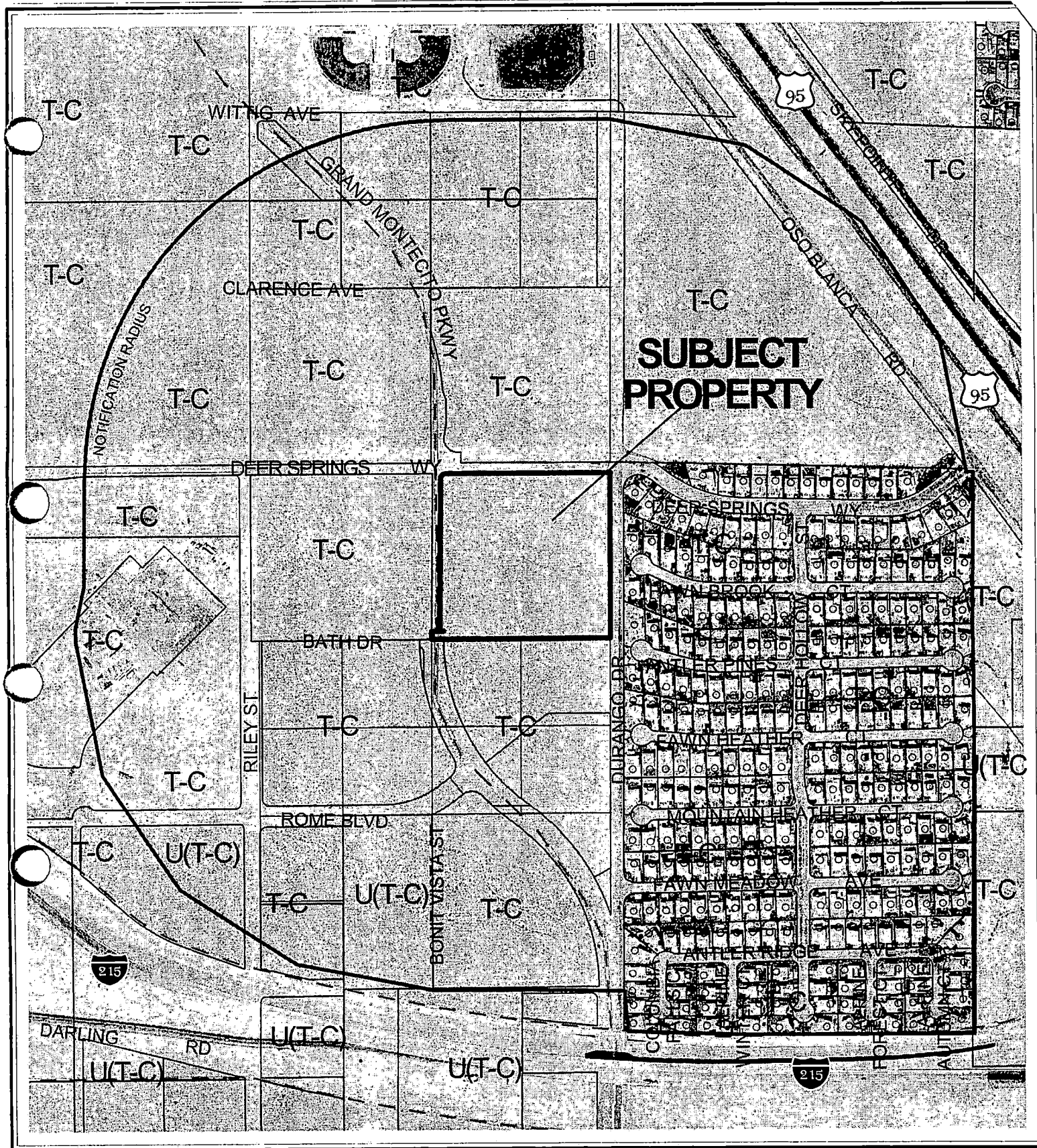
24. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
25. Provide an encroachment agreement for all landscaping and private improvements in public right-of-way adjacent to this site prior to the issuance of any permits.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.



CASE: **SDR-3505**

RADIUS: 1320 & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)



CASE: **SDR-3505**

RADIUS: 1320 & SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - RENOTIFICATION - SITE
DEVELOPMENT PLAN REVIEW RELATED TO SUP-3503 AND MOD-3735 - PUBLIC
HEARING - SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The applicant shall meet with staff of the Planning and Development Department to develop an address plain prior to the issue of permits.
2. A Modification of the Montecito Development Agreement (MOD-3735) and a Special Use Permit (SUP-3503) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development shall be a maximum of 5 feet or a minimum of 18 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, 5 feet on the corner side, and 10 feet in the rear.
5. The Timberlake Buffer shall be constructed in accordance with the Department of Public Work's approved cross-section for Doe Brook Trails (Old Durango Drive).
6. As part of a future Tentative Map submittal for this project, the applicant shall submit a lot fit analysis to the Planning and Development Department to ensure the proposed product fits onto the proposed lots.
7. All development shall be in conformance with the site plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
8. Tandem garages shall not be utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.

SDR-3505 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

9. 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.
10. No turf shall be permitted in the non-creational areas of single-family developments, such as medians and amenity zones in this development.
11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.
17. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

18. Dedicate, a 54 foot radius on the southeast corner of Grand Montecito Parkway and Deer Springs Way prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving if legally able on Grand Montecito Parkway, Deer Springs Way, and Doe Brook Trail 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 north and west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in the Doe Brook Trail Alignment to the north edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

SDR-3505 - Conditions Page Three
February 26, 2004 - Planning Commission Meeting

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

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.

22. 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.
23. 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,

SDR-3505 - Conditions Page Four
February 26, 2004 - Planning Commission Meeting

type and/or alignment of public 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.

24. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
25. Provide an encroachment agreement for all landscaping and private improvements in public right-of-way adjacent to this site prior to the issuance of any permits.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 96-lot single-family residential development located adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway. A Modification of the Montecito Development Agreement (MOD-3735) to include the proposed development be included in Montecito Town Center and a Special Use Permit (SUP-3503) for a 96-lot single-family residential subdivision were submitted as companion applications.

B) Applicant's Justification

The applicant believes that the design of the site will act as a buffer between residential uses to the east and adjacent service commercial uses to the north, west and south.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission recommended approval. The Planning Commission and Staff recommended approval.
11/07/01	The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval.
01/02/02	The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval.

SDR-3505 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

01/22/04 The Planning Commission abeyed this application and companion SUP-3503 to the February 26, 2004 PC so the Modification of the Montecito Town Center Development Agreement (MOD-3735) will run concurrently.

B) Pre-Application Meeting

11/21/03 Among the issues discussed was the impact of amending Map #4 if the Town Center Land Use Plan, the design standards intended for this area of Town Center, the previous vacation of Bath Avenue and compatibility with adjacent land uses to the east.

C) Neighborhood Meetings

12/22/03 A neighborhood meeting was held at the Mountain Crest Community Center located at Lone Mountain Road and Durango Drive. Four residents and three representatives of the applicant attended the meeting. No elevations of the proposal were presented. The representatives responded to several questions by addressing the nature of the development accordingly:

- This development is north of an office complex in the process of being developed.
- The site area is approximately 10 acres.
- 96 lots with single family detached homes are proposed
- Homes are to be priced approximately \$170,000
- The development would not have access to Old Durango.
- Homes would be from 1200 to 1700 square feet in area.
- Project if approved would be developed in approximately two years.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

SDR-3505 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

C) Planned Land Use

Subject Property: MS-TC (Main Street – Town Center)
North: MS-TC (Main Street – Town Center)
South: MS-TC (Main Street – Town Center)
East: L-TC (Low Density Residential – Town Center)
West: MS-TC (Main Street – Town Center)

D) Existing Zoning

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

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area that is proposed for addition to the Montecito Town Center Development Agreement area as MS-TC (Main Street Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the MS-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails

There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual. Grand Montecito Parkway, on the west boundary of the site, will be developed as a 90-foot wide Town Center Loop Road, which includes a four-foot amenity zone and a five-foot sidewalk on either side of the street. Deer Springs Way is a Town Center 80 foot Arterial/ Secondary Collector with a three-foot amenity and a five-foot sidewalk. These street section improvements are correctly reflected on the proposed site plan.

PROJECT DESCRIPTION

The project consists of 96 single-family lots on 10 acres of land for a proposed density of 9.6 dwelling units per acre.

Vehicular access to the site is from Deer Springs Way. The Deer Springs access is the primary entrance to the subdivision. The interior streets will be 37 feet in width and privately maintained.

The exteriors are the typical single/ two-story design with tile roofs and stuccoed exterior walls.

The typical lot size is 37 feet by 65 feet (2,405 square feet).

ANALYSIS

A) Zoning Code Compliance

A1) Town Center Development Standards Manual (Section E – Residential Standards)

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February 26, 2004 - Planning Commission Meeting

Section	Standard Required	Proposed
A (9)	Screen walls to be composed of 100% decorative material with 20% contrasting material. Perimeter walls shall be designed pre Figure 28a.	Not indicated
B (5)	Gated communities with private streets are only permitted by Special Use Permit and Site Development Plan Review	The applicant has submitted a related application, Special Use Permit (SUP-3503).
E (1)	Preferred design includes a front porch oriented towards the street. Porches should be a minimum of 5' deep and 10' wide.	Porches are shown as options on some of the elevations.
D (2)	Setback Requirements – the standards contained in the manual do not apply to the proposal therefore, city of Las Vegas Codes and Regulations apply	Front - 5' Side - 5' Corner Side - 5' Rear - 10' The proposed setbacks will provide for minimal open area within each lot and will create the appearance of a congested environment. Additionally, a condition will require that the front setback will be a maximum of five feet or a minimum of 18 feet to allow sufficient area for a vehicle to park on each lot without encroaching into the street.
D (1) (E)	The use of a variety of materials, including brick, stone, and imitation stone, on all exterior surfaces is encouraged. Other materials may be used upon review by the Planning Commission	Elevations depict typical stucco faced structures with tile roofs.

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to the proposal.

A3) Parking and Traffic Standards

The Town Center Development Standards Manual calls for parking to comply with the requirements of Title 19.10 (as listed below):

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February 26, 2004 - Planning Commission Meeting

Uses	Required	Provided
Single Family Dwelling	2 per dwelling unit	Varies*

- * Parking for a single-family project is calculated based upon the number of spaces provided on-site, that is upon each residential lot. Typically, two car garages satisfy this requirement, given that the garage is designed so that no parking space is located so as to require the moving of any vehicle on the premises in order to enter or leave any other space [Title 19.10.010(E)]. The applicant has submitted one product-type (Plan #1533 as labeled on the floor plan and elevations) that contains a garage configured in a tandem style. This garage will not provide unimpeded access to both parking spaces and is not allowed per Title 19.10. A condition has been included to ensure this type of tandem garage is not utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.

A4) Landscape Standards

The applicant will provide the requisite landscaping required for each of the pertinent street types described in the Town Center development Standards.

- Open Space Standards

The open space provided by the proposed development will compliment the amount of open space provided by the Montecito Town Center Development agreement plan area.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a MS-TC (Main Street Mixed Use - Town Center) General Plan designation.

The proposed single-family residential development is not within the range of uses contemplated under the MS-TC (Main Street Mixed Use - Town Center) land use designation, within the T-C (Town Center) zoning district. A project of this proposed density is permitted within the mixed-use designations, UC-TC (Urban Center Mixed Use – Town Center) and SX-TC (Suburban Center Mixed Use – Town Center) and only in conjunction with a development with a variety of commercial and residential uses; and in residential districts, MLA-TC (Medium Low Density Attached Residential) and M-TC (Medium Density Residential – Town Center).

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February 26, 2004 - Planning Commission Meeting

- Site Plan

The project consists of 96 residential lots on 10 acres of land. Vehicular access to the site is from Deer Springs Way. Deer Springs Way and Grand Montecito Parkway will be constructed with the appropriate streetscape amenity zones.

A 100-foot buffer area, referred as the "Timberlake Buffer Area" is shown between the western edge of the existing Timberlake residential and the proposed residences. The buffer area was intended to reduce the impacts of potential commercial and high-density residential development. The buffer area is to consist of a reduced right-of-way and a trail area in accordance with the Department of Public Works.

Because the proposed residential development is not within the range of uses contemplated under the Montecito Town Center Mixed Use Commercial designation, the buffer area included on the proposed plan will serve as a portion of the expected open space to contributed by the development.

- Waivers

The applicant has not requested any waivers in conjunction with this application.

- Landscape Plan

The submitted landscape reflects the correct street sections around the site, which include a four-foot amenity zone and a five-foot sidewalk, and the required median, along Grand Montecito Parkway, a three-foot amenity zone and five-foot sidewalk for Deer Springs Way. Plant materials are consistent with city standards.

- Elevation

The exteriors are the typical single/ two-story design with tile roofs and stuccoed exterior walls.

- Floor Plan

The exterior dimensions of all submitted floor plans are 29'7" by 39'. This is cause for concern as the typical lot is only 37 feet in width. Taking this into consideration, the proposed homes will not fit onto the typical lot. With the proposed 5-foot side yard setbacks, a lot width of 39'7" is needed. To resolve this situation a condition is included to require the applicant to submit a lot fit analysis along with a future Tentative Map submittal, to ensure that the product fits onto the lots.

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;"**

Single family detached homes are not compatible with the Montecito Lifestyles shopping center currently being developed to the west of the site. The remainder of the surrounding area is undeveloped, with the exception of the Timberlake residential neighborhood, a single-family development immediately east of the site. The proposal does not have the density to be considered compatible with the planned uses and is not an appropriate transition between the low density to east and the commercial to west.

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 intent of the MS-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district. The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. A single-family development of this type is inconsistent with and does not further the goals of the Town Center area.

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

The site is bordered by the proposed Grand Montecito Parkway to the west, which is designated as a Town Center (90-foot) Loop Road on Map 4A of the Town Center Development Standards Manual. Primary access will be from Deer Springs Way to the north, a Town Center 80 foot Arterial/ Secondary Collector Street. Doe Brook Trail borders the site to the east and will be developed in accordance with a design approved by the Department of Public Works. When completed, these roadways will provide adequate access to the subject site.

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

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The building materials proposed do not meet the design guidelines that suggest the use of stone veneer and brick as finishing accents. The landscaping as proposed meets the landscaping standards required as part of the street cross-sections.

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 project as proposed is aesthetically pleasing and represents an attractive development. However, it is typical of development found elsewhere in city limits and will be totally inconsistent with the objectives of the MS-TC designation.

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

The proposed residential development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 302 [Mailed SUP-3503 & MOD-3735 at 2/26/04 PC]
302 [Mailed with GPA-3500, VAR-3504, & SUP-3503 at 1/22/04 PC]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3505** APN: 125-20-702-001

Name of Property Owner: James R. Tucker Family Trust and James Tucker TRS.

Name of Applicant: RICHMOND AMERICAN 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: _____

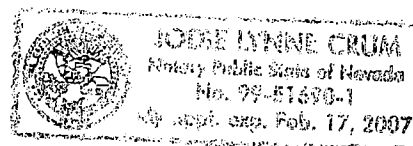
Signature of Property Owner/Authorized Agent: James R. Lucker

Print Name: JAMES R TUCKER

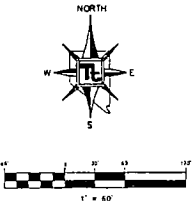
Subscribed and sworn before me

This ^{4th} ~~10th~~ day of November 2023

Notary Public in and for said County and State

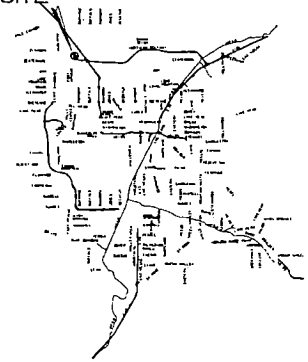


DEER SPRINGS / DURANGO



PROJECT SITE

VICINITY MAP
NOT TO SCALE

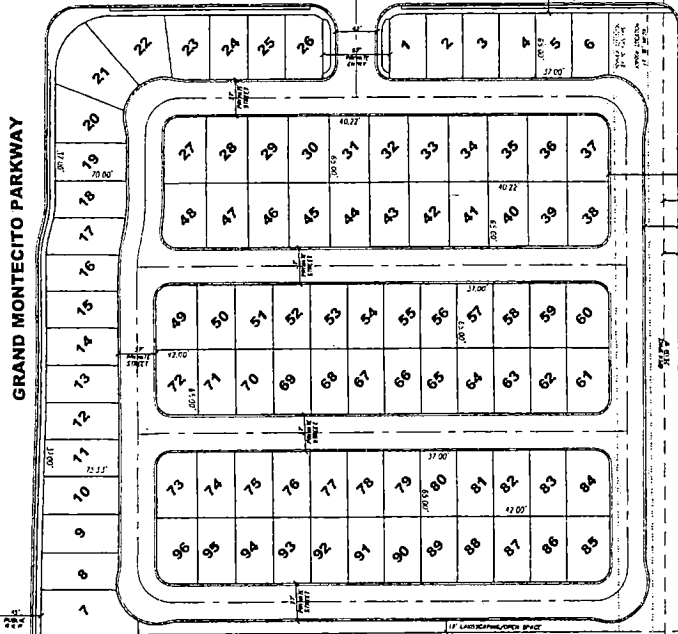


APN: 125-20-601-003
ZONE: T-C
OWNER: JACK BIVON & PHYLLIS
CODE:
MASTER PLANNED: MS-TC

DEER SPRINGS WAY

GRAND MONTECITO PARKWAY

DOE BROOK TRAIL



APN: 125-20-704-001
ZONE: T-C
OWNER: MONTECITO TOWN CENTER LLC
MASTER PLANNED: MS-TC

APN: 125-20-704-002
ZONE: T-C
OWNER: MONTECITO TOWN CENTER LLC
MASTER PLANNED: MS-TC

DEVELOPER

RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE
STE. 212
LAS VEGAS, NEVADA 89128

OWNERS

JAMES R. TUCKER FAMILY TRUST
4395 POLARIS AVE.
LAS VEGAS, NEVADA 89103

ASSESSORS PARCEL NUMBER

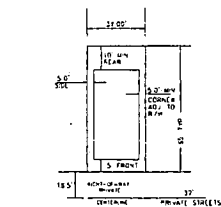
125-20-702-001

TABULATIONS

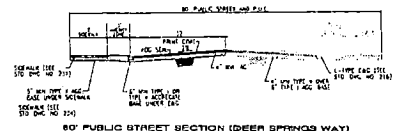
EXISTING ZONING: T-C
EXISTING LAND USE: MS-TC (MAIN STREET MIXED USE)
PROPOSED LAND USE: MLA-TC (MEDIUM-LOW ATTACHED)
GROSS ACREAGE: 10 ACRES ±
LOT COUNT: 56
OVERALL DENSITY: 9.3 ± DUA
OPEN SPACE PROVIDED: 0.93 ACRE ± (40,492)
**OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA

NOTES

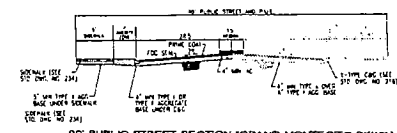
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS WILL BE MET BY TWO CAR GARAGES AND AVAILABLE ON-STREET PARKING



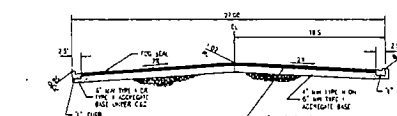
LOT DETAIL (TYPICAL)
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(MINIMUM LOT SIZE 2,405 SQ. FT. ±)



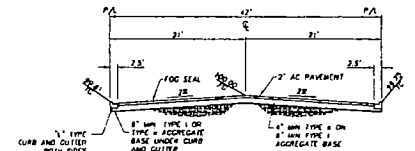
60' PUBLIC STREET SECTION (DEER SPRINGS WAY)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER ADJACENT)



60' PUBLIC STREET SECTION (GRAND MONTECITO PKWY)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER LOOP ROAD)



37' PRIVATE STREET SECTION
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS



42' PRIVATE ENTRANCE SECTION
NOT TO SCALE

REVISED
1.27.04

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.

RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA 89128
(702) 261-2600

TETRA TECH, INC.
10100 W. Sahara Dr., Suite 200, Las Vegas, Nevada 89135
(702) 844-4000

SITE PLAN TO ACCOMPANY
MINOR MODIFICATION

DEER SPRINGS / DURANGO
CITY OF LAS VEGAS, NEVADA

DATE: 11/1/2003

SCALE: 1" = 40'

PROJECT: 125-20-702-001

SHEET: 1

1 OF 1

DATE: 11/1/2003

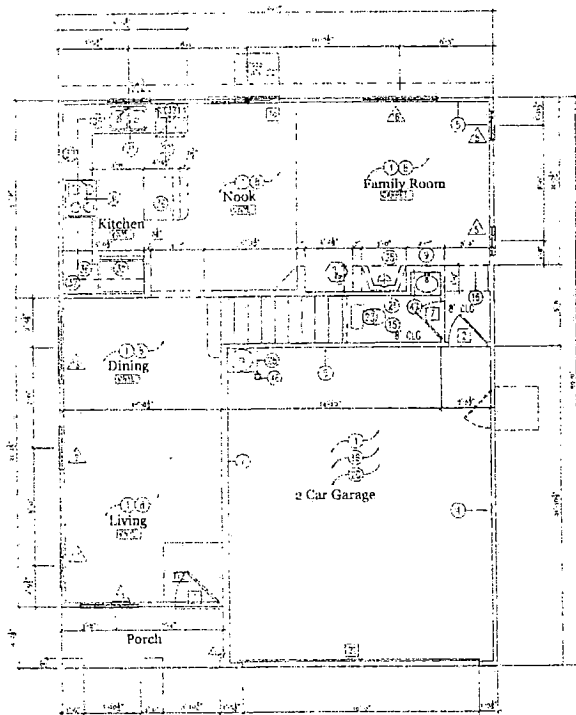
SCALE: 1" = 40'

PROJECT: 125-20-702-001

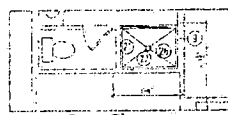
SDR-3505

2-26-04 PC

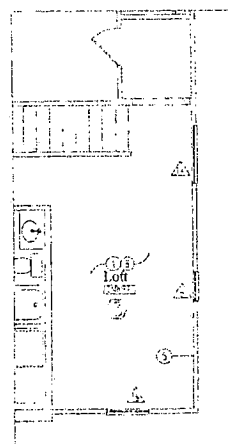
SDR-3505
2-26-04 PC



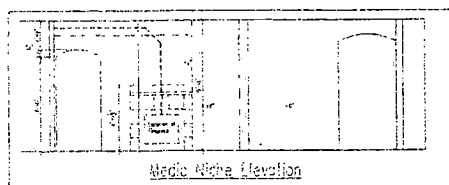
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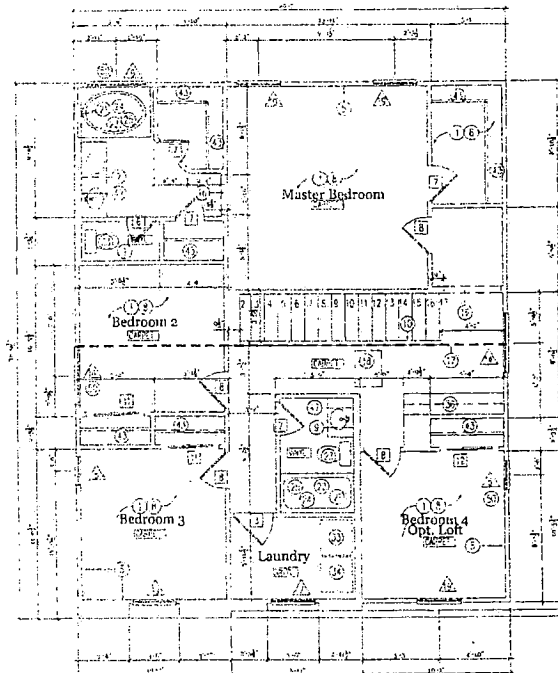
Opt. Shower



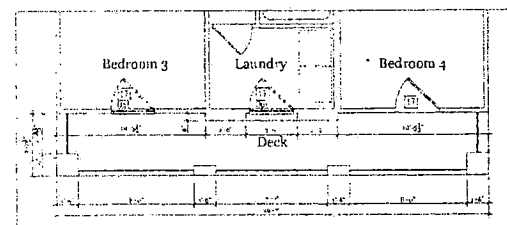
Opt. Loft



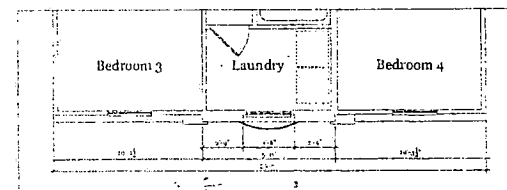
Medic Niche Elevation



2nd Floor



2nd Floor Elevation "B"



2nd Floor Elevation "C"

[illegible]

LAS VEGAS DIVISION
7250 West Peak, Suite 212
Las Vegas, NV 89129

CLARK COUNTY, HENDERSON.
AMERICAN HOMES
RICHMOND

FLOOR PLAN (1ST & 2ND FLOOR)

REF	NO.	DATE
1		
2		
3		
4		
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175

Belcrest-8

1578

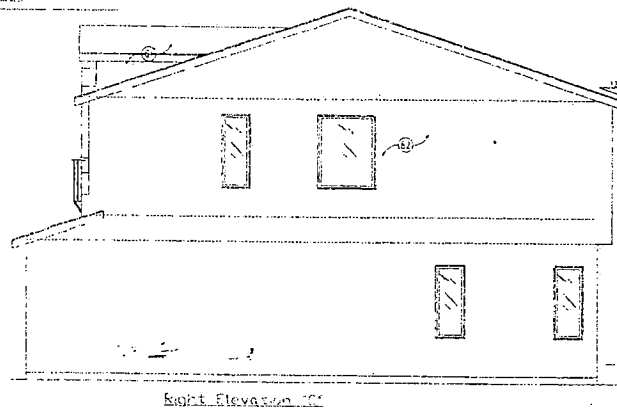
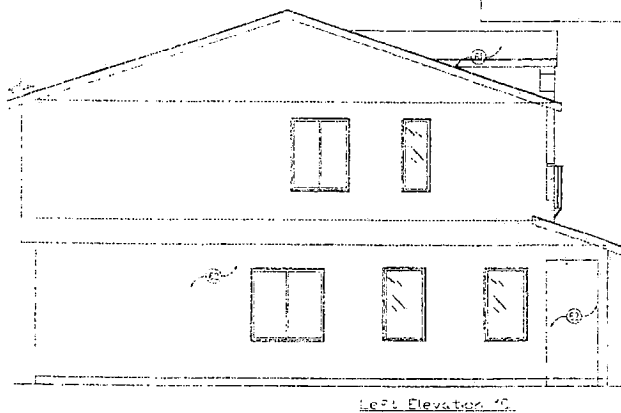
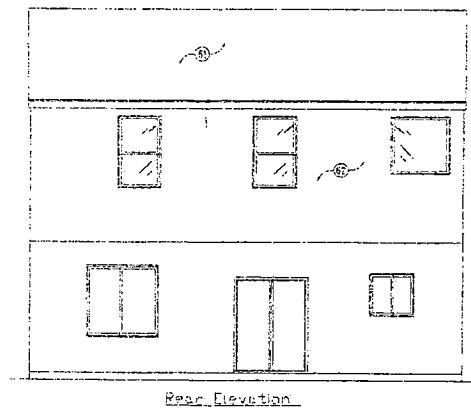
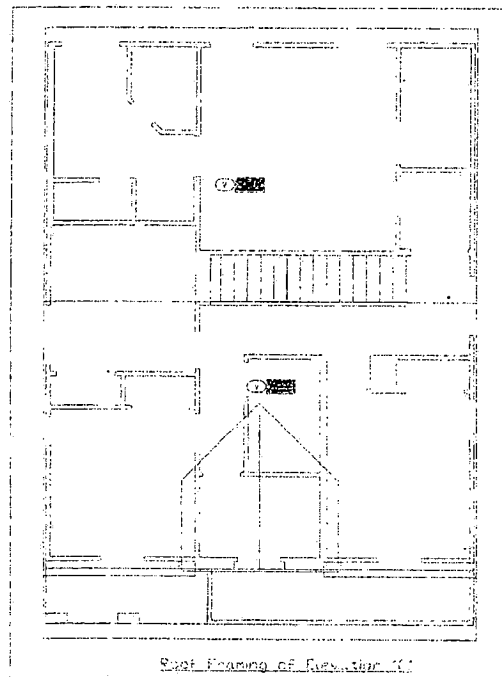
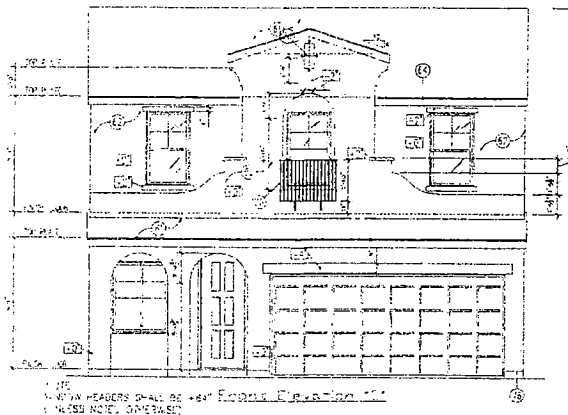
241 541

A15

AY

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SDR-3505
2-26-04 PC



LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89129

RICHMOND
CLARK COUNTY, NEVADA

ROOF FRAMING LAYOUT, FRONT, REAR, & SIDE OF
"C" ELEVATION

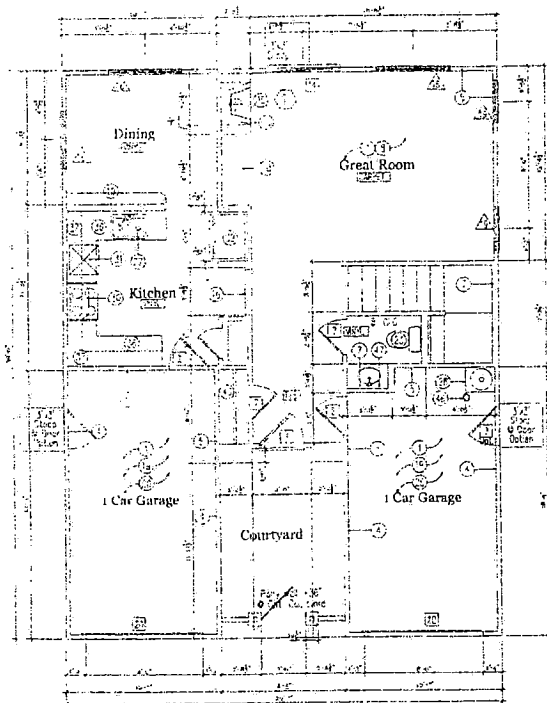
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BY: [Signature]
CHECKED: [Signature]

1751

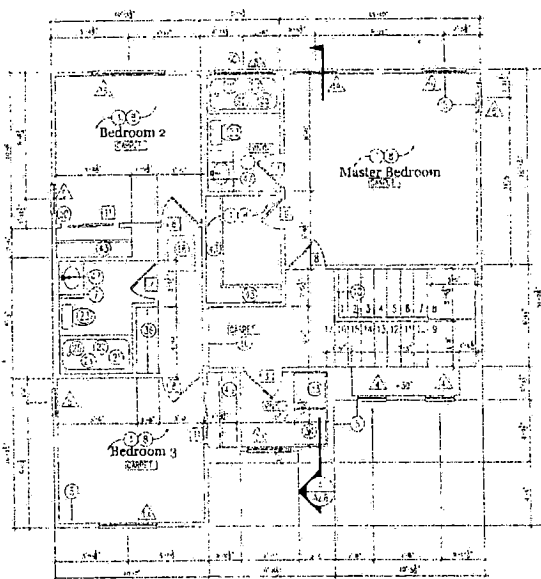
Belcrest-B

A2

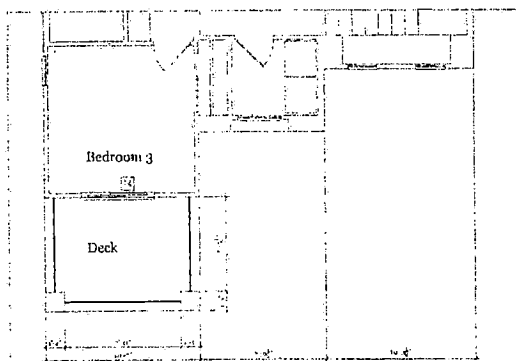
SDR-3505
2-26-04 PC



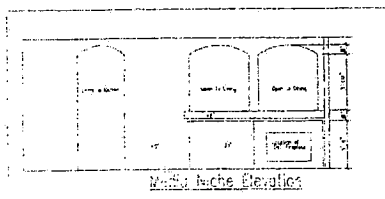
1ST FLOOR



2ND FLOOR(A & C ELEVATION)



2ND FLOOR (B ELEVATION)



Niche Elevations

[illegible]

RIC-MOND
I...
AMERICAN HOMES
CLARK COUNTY, HENDERSON,
LAS VEGAS & NORTH LAS VEGAS

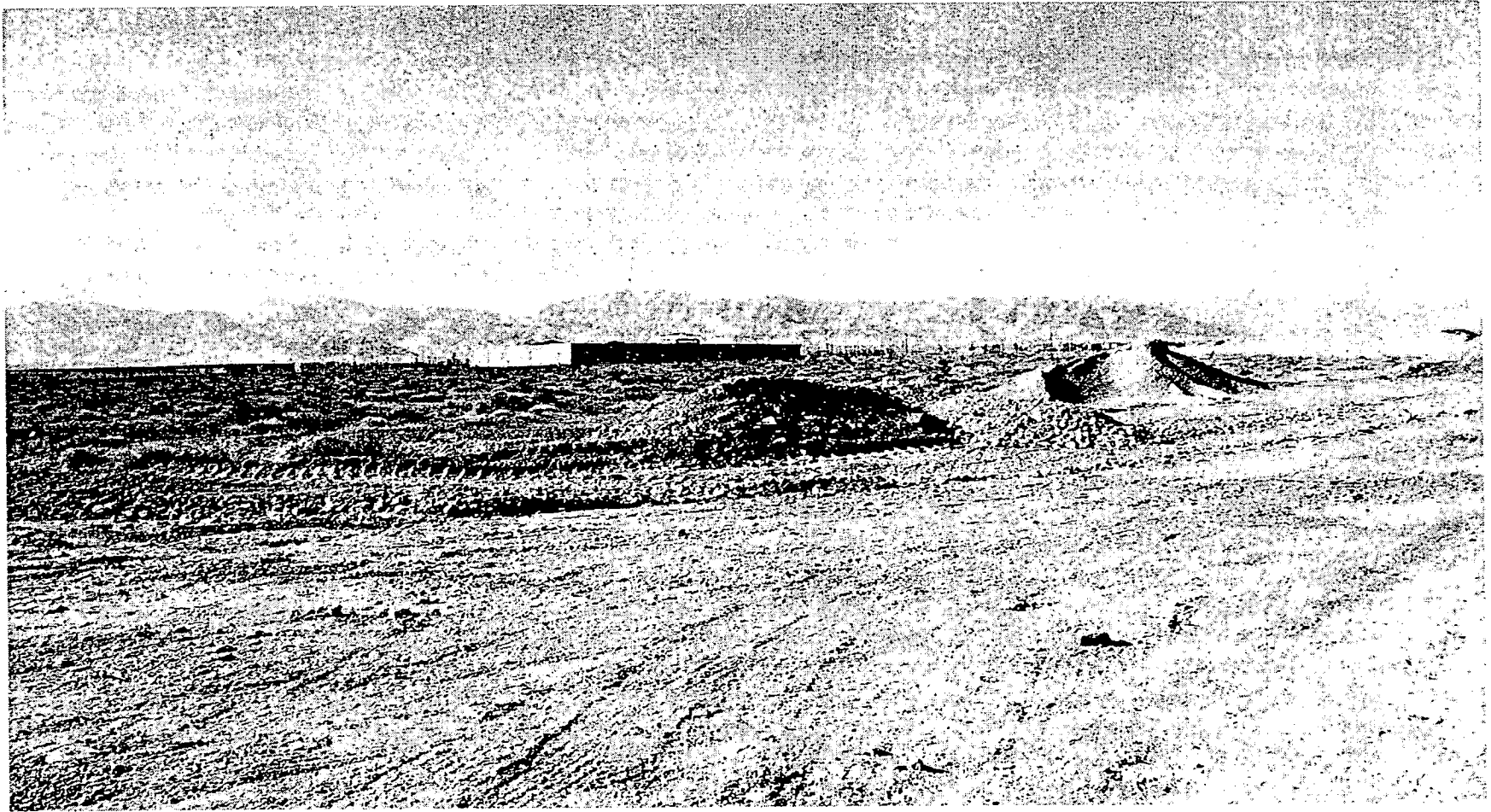
FLOOR PLAN (1ST & 2ND FLOOR)

DRAWN BY	
E. D. H.	
DATE 03/31/0	
REV No	DATE
1	
2	
3	
4	
5	
6	

1385

Section
Belcast-B

257 No.
A1



SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST
SOUTHEAST CORNER OF DEER SPRINGS WAY AND GRAND MONTECITO PARKWAY
FEBRUARY 26, 2004 PLANNING COMMISSION

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the subject parcel is surrounded by P-R (Professional Office and Parking) zoning. He stated that the rezoning is an appropriate transition from R-1 (Single Family Residential) to P-R and staff recommended approval subject to conditions.

LORI CHACARTEGUI, appearing on behalf of her mother, DONNA CAPRI, 4571 Monterey Mesa Court, agreed with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, had no objection to the rezoning but felt that the landscaping should be carefully scrutinized.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 23 – ZON-3665

MINUTES – Continued:

In response to COMMISSIONER EVANS' query, MR. CLAPSADDLE explained that with regard to these types of applications, it is standard practice for staff to look at the site plans to ensure all the conditions of the code are met. In this particular case, as noted by MARGO WHEELER, Deputy Director, Planning and Development Department, Condition 2 requires the site plan be brought before the Planning Commission.

MS. CHACARTEGUI informed that the rezoning was requested in order to put the property on the market since her mother can no longer reside there. COMMISSIONER EVANS replied that he would support the rezoning but would be very critical when reviewing the site plan to ensure that there are no issues with regard to hours of operation, signage, etc. CHAIRMAN TRUESDELL stated that under the site development review, the Commission would not have the opportunity to address those types of concerns unless a special use permit were required so it would be appropriate at this stage to address any concerns. COMMISSIONER EVANS stated that if an office is proposed, the appropriate buffering should be in place considering the traffic on Eastern Avenue. DEPUTY CITY ATTORNEY BRYAN SCOTT commented that based on COMMISSIONER EVANS' remarks, the applicant is put on notice that he would not favor anything other than a beautiful project. MR. CLAPSADDLE further added that staff does review all site plan reviews and places conditions that regulate hours of operation, landscaping criteria, joint parking access and any other concerns. With regard to the hours of operation, MS. WHEELER stated that issue is associated with the use, whereas signage, landscaping, parking access, drainage, and screening are related to the site plan review. DEPUTY CITY ATTORNEY SCOTT noted that the hours of operation can be addressed once the use is determined.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:22 – 7:34)

1-3155

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

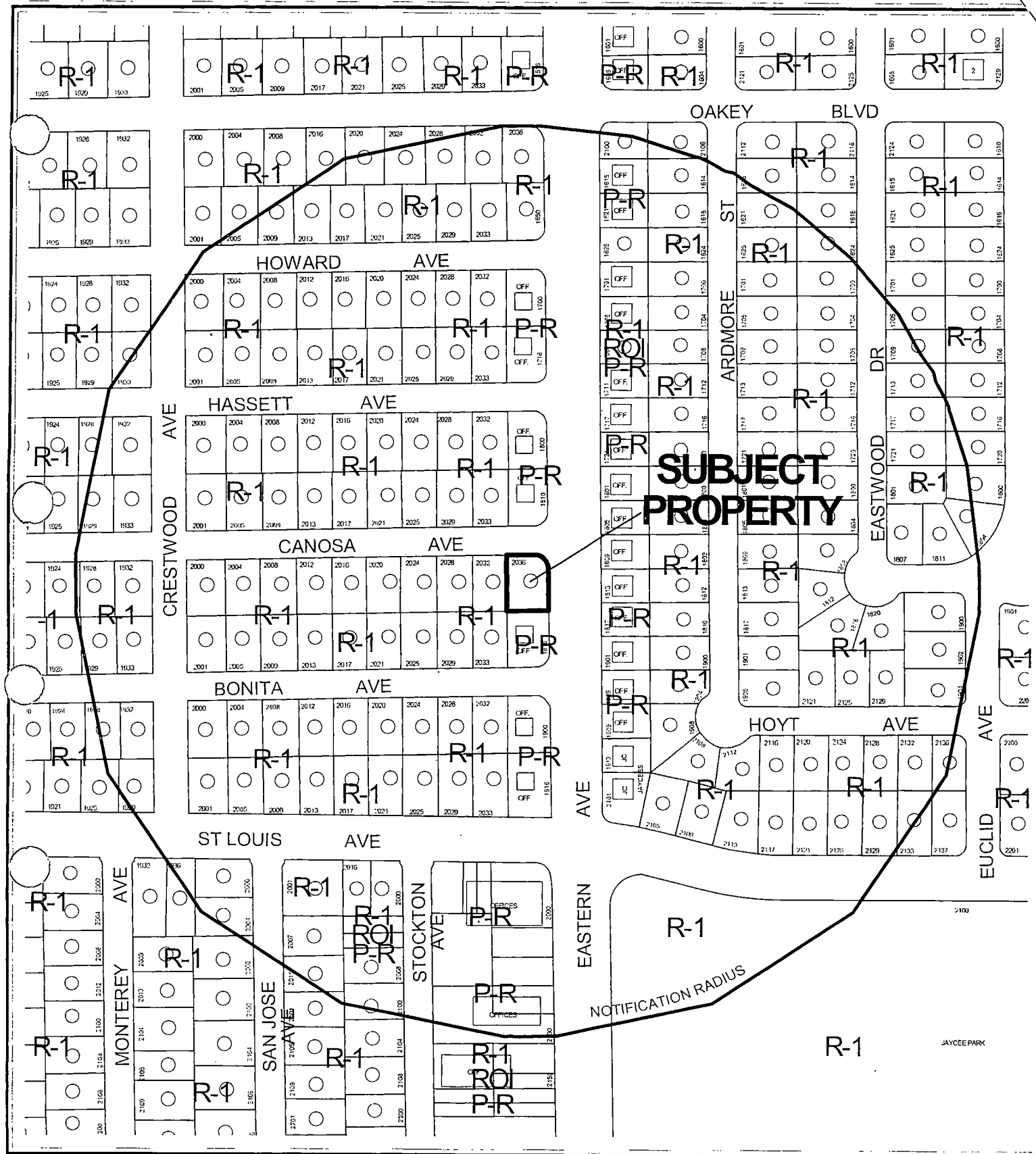
Public Works

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Eastern Avenue and Canosa Avenue prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site. This condition shall not be enforced if the applicant provides proof of existing private signage or other permanent improvements within the area requested for dedication.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 23 – ZON-3665

CONDITIONS - Continued:

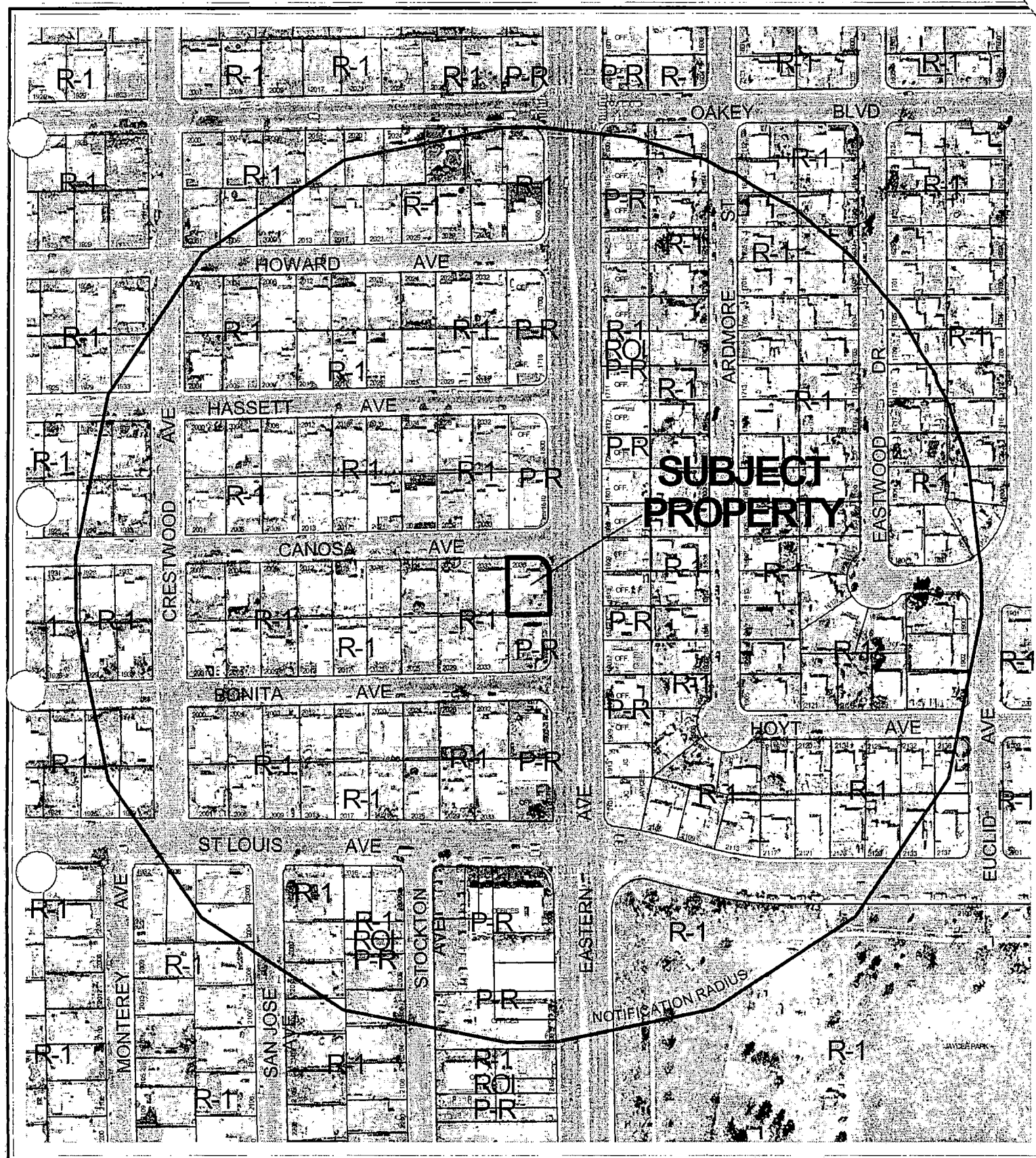
4. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All new or modifications to existing driveways shall be approved by the City Traffic Engineer and the driveway adjacent to Eastern Avenue shall be designed and constructed to meet the intent of Standard Drawing #222a.



CASE: **ZON-3665**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



CASE: ZON-3665

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

0 100 200 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-3665 -

APPLICANT/OWNER: DONNA J. CAPRI

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

Public Works

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Eastern Avenue and Canosa Avenue prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site. This condition shall not be enforced if the applicant provides proof of existing private signage or other permanent improvements within the area requested for dedication.
4. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All new or modifications to existing driveways shall be approved by the City Traffic Engineer and the driveway adjacent to Eastern Avenue shall be designed and constructed to meet the intent of Standard Drawing #222a.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue.

B) Applicant's Justification

The applicant's justification letter indicates the proposed P-R (Professional Office and Parking) will allow for the conversion of the existing single family residence to an office use.

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history on this site.

B) Pre-Application Meeting

12/31/03 The applicant was advised the P-R (Professional Offices and Parking) zoning would be in compliance with the General Plan and that a Site Development Plan Review will be required prior to the conversion to an office use.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

ZON-3665 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single Family Residence
North: Office
South: Office
East: Office
West: Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-1 (Single Family Residential)
North: P-R (Professional Office and Parking)
South: P-R (Professional Office and Parking)
East: R-1 (Single Family Residential) under Resolution of Intent to P-R
(Professional Office and Parking) and P-R (Professional Office and
Parking)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan.

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

This site is not affected by any special plan areas or districts.

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	0.16 Acres	Y
Min. Lot Width	60 Feet	70 Feet	Y

This site is in compliance with the minimum lot size requirements for P-R (Professional Office and Parking) zoning district set forth in the Commercial Development Standards. A condition has been added requiring a Site Development Plan Review be approved prior to the conversion of the single family residence to an office.

B) General Analysis and Discussion

The applicant is proposing the P-R (Professional Office and Parking) zoning in order to convert the existing single family residence to an office on this site.

FINDINGS

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

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

The site is designated SC (Service Commercial) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with 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."

Other properties fronting on this segment of Eastern Avenue have been rezoned to P-R (Professional Office and Parking) for the conversion of single-family residences to offices. The proposed P-R (Professional Office and Parking) zoning will be compatible with surrounding land uses and zoning districts.

ZON-3665 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

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

The P-R (Professional Office and Parking) zoning on the subject site is an appropriate transition for the lots abutting Eastern Avenue and the single-family residences to the west.

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.”**

Access to this site is provided from Eastern Avenue, a fully developed 100-foot-wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities.

NOTICES MAILED 234

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-3665** APN: 162-02-713-114

Name of Property Owner: Donna J. Capri

Name of Applicant: Donna J. Capri

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

None (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: 162-02-713-114

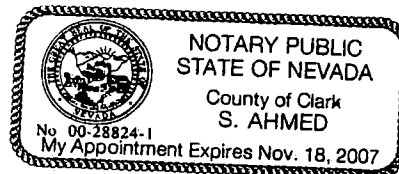
Signature of Property Owner/Authorized Agent: Donna J. Capri by Lori J. Chacartegui
her Attorney-In-Fact

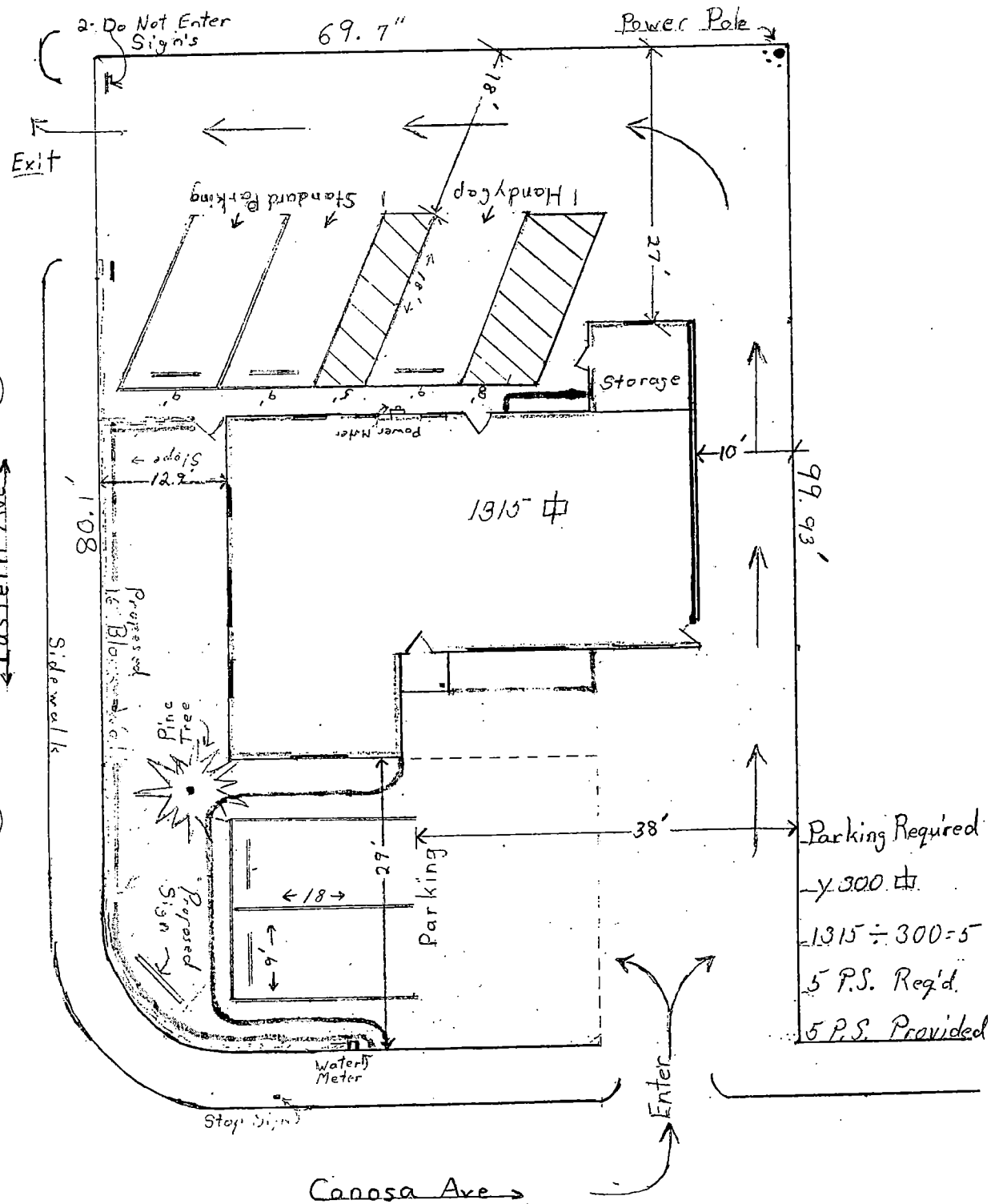
Print Name: Donna J. Capri by Lori J. Chacartegui
her Attorney-In-Fact

Subscribed and sworn before me

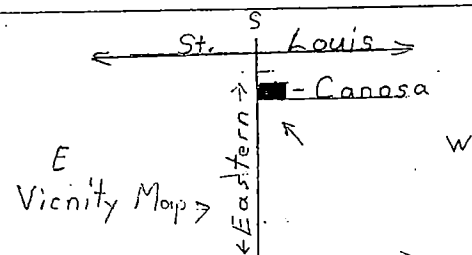
This 17th day of Dec, 2003

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

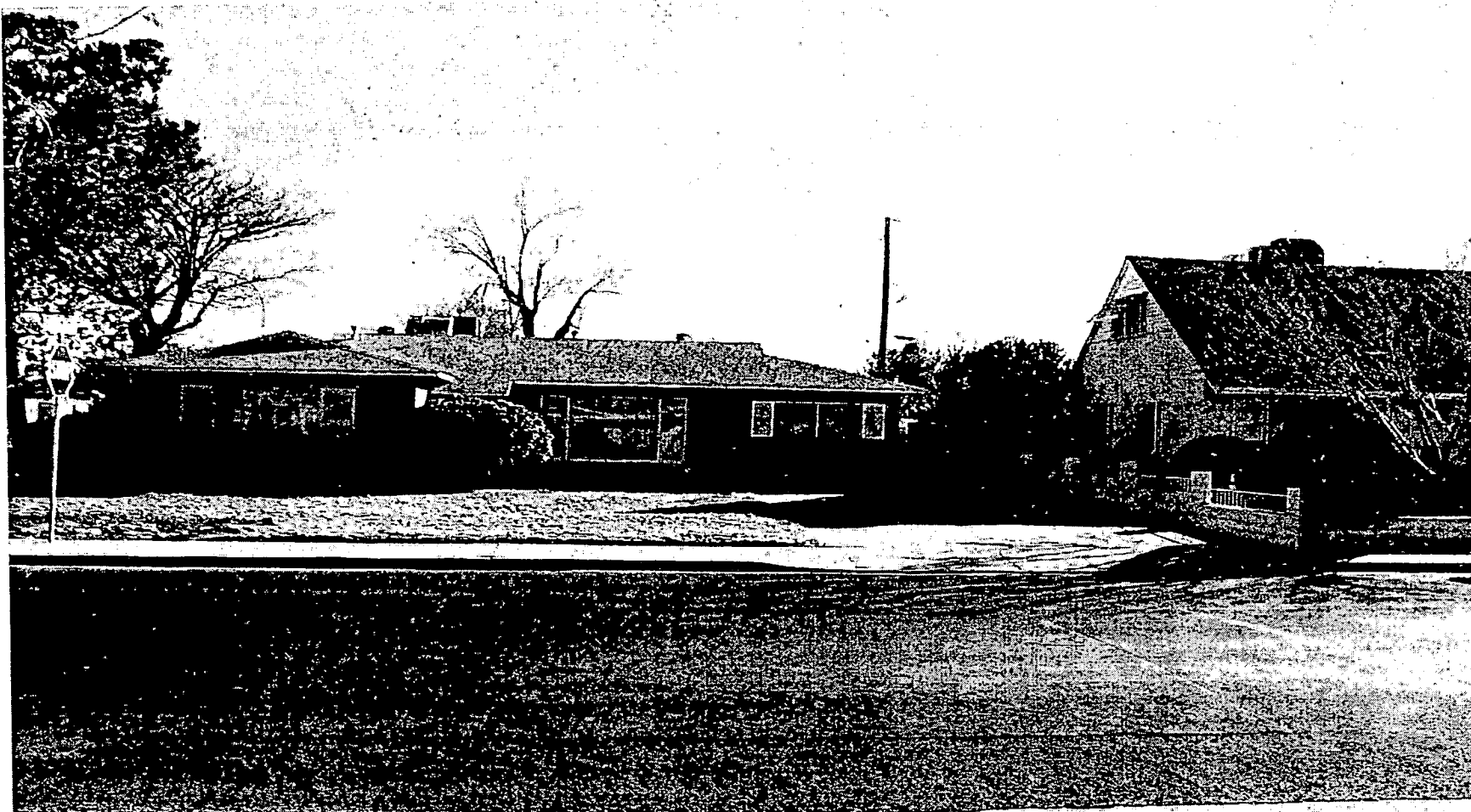




Address - 2036
 Scale - 1" = 10'
 .16 Acre



STAFF
ZON-3665
2-26-04 PC



ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI
SOUTHWEST CORNER OF EASTERN AVENUE AND CANOSA AVENUE
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

February 20, 2004

City Council,

I object to the request for a rezoning from a single family residential to a professional office & parking.

I own property on Bonita Ave., That is my retirement home in 3 years. Right now, I get so upset with the Income Tax, place that is there on Bonita, there is no place to park, when its Income Tax time.

Why don't you the City Council, go take a trip to that area, and see that there is enough business in that residential area and say no more. That is a nice area, with the park across the street. The streets are quiet and no major crime there. Eventually, it will become all business and that is a shame. I bought that home, because of the area and convenience, and quietness. **No more business** in the area, please.

It is horrible to see that just about every corner now has a business, let her go someplace else, or if she likes the area, find a place that is out of business. Please no more changing from residential to business, in that area. Please go and take a look for yourselves that area, and do not let business' gobble up this area. The traffic congesting this area is not good.

Sincerely,

Cynthia Baca
Cynthia Baca

NOTICE

*I Object
see attached
letter!* 04 FEB 2004

16202713118
BACA ALFRED A & CINDY
1537 GOLDENWOOD DR
MODESTO CA 95350-3864

Case: ZON-3665

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 220 North Lamb Boulevard (APN: 140-32-310-002), Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this property was included in the General Plan Amendment back in May. As part of the conditions, the applicant will be required to submit a site plan to the Planning Commission at which time staff will already have determined whether the appropriate meetings with the neighbors have been held and whether there is an opportunity for joint parking access. MR. CLAPSADDLE stated that this meets the standards of the Plan and recommended approval subject to conditions.

DAVID ELLERTSEN, 103 East Charleston Boulevard, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 24 – ZON-3678

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commented that these types of zoning requests should be consolidated and reviewed as one application.

No one appeared in opposition

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:32 – 7:34)

1-3729/2-1

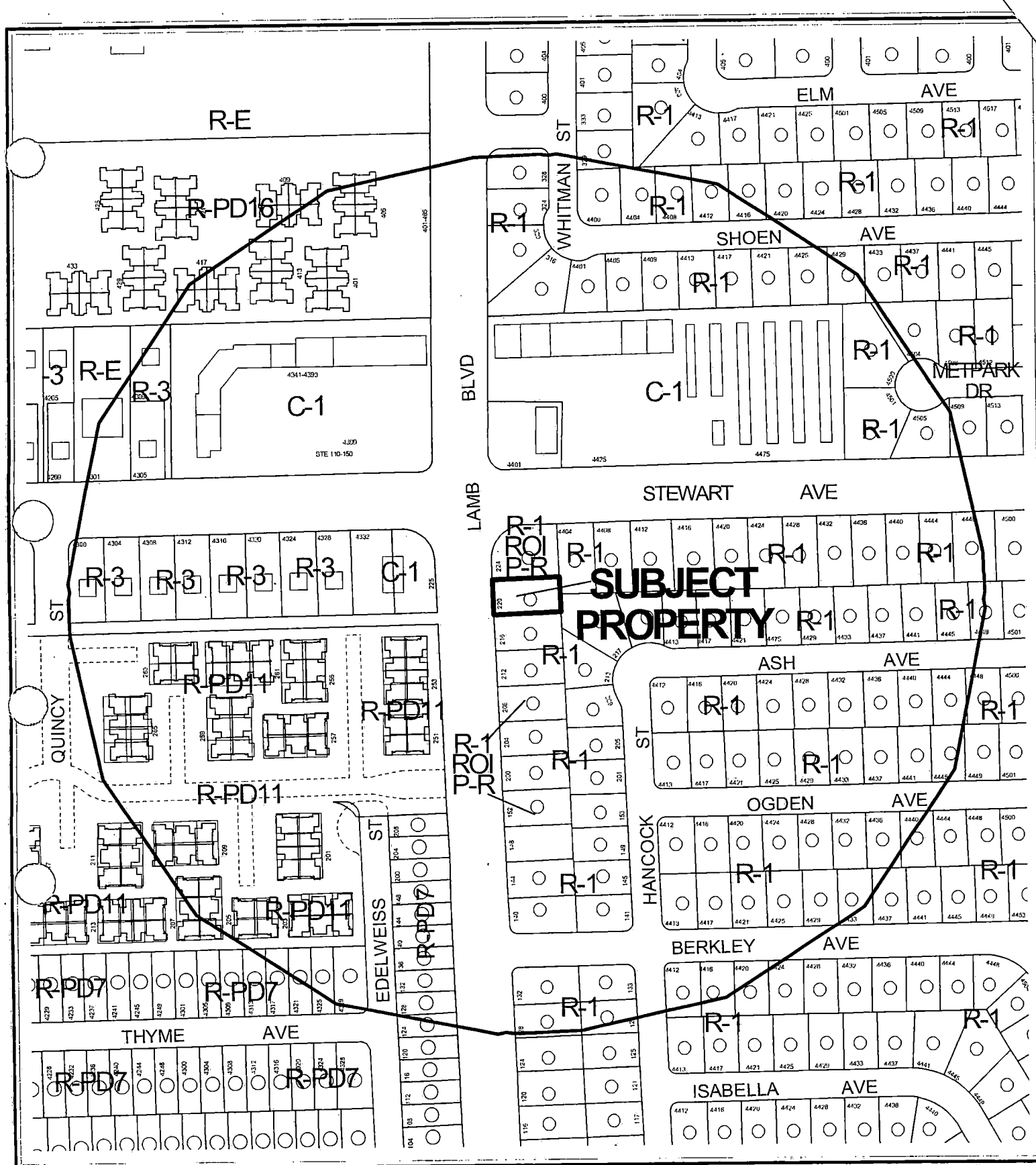
CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

Public Works

3. 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.
4. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits, unless allowed otherwise by the City Engineer. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222A.
5. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic Engineer to eliminate on-street parking on Lamb Boulevard adjacent to this site.



CASE: **ZON-3678**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)





CASE: ZON-3678

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-3678 -

APPLICANT/OWNER: RUTH A. SHARRON

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

Public Works

3. 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.
4. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits, unless allowed otherwise by the City Engineer. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222A.
5. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic Engineer to eliminate on-street parking on Lamb Boulevard adjacent to this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.16 acres at 220 North Lamb Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the proposed P-R (Professional Office and Parking) will allow for the conversion of the existing single-family residence to an office use.

BACKGROUND INFORMATION

A) Previous Actions

05/17/00 The City Council approved a General Plan Amendment (GPA-0004-00) to O (Office) on this property as part of a larger request. The Planning Commission recommended approval on April 13, 2000.

B) Pre-Application Meeting

12/03/03 The applicant was advised the P-R (Professional Offices and Parking) zoning would be in compliance with the General Plan and that a Site Development Plan Review will be required prior to the conversion to an office use.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

ZON-3678 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single Family Residence
North: Office
South: Single Family Residence
East: Single Family Residences
West: Convenience Store

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-1 (Single Family Residential)
North: R-1 (Single Family Residential) under Resolution of Intent to P-R
(Professional Office and Parking)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated O (Office) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan.

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

This site is not affected by any special plan areas or districts.

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	0.16 Acres	Y
Min. Lot Width	60 Feet	63 Feet	Y

This site is in compliance with the minimum lot size requirements for P-R (Professional Office and Parking) zoning district set forth in the Commercial Development Standards. A condition has been added requiring a Site Development Plan Review be approved prior to the conversion of the single family residence to an office.

B) General Analysis and Discussion

The applicant is proposing the P-R (Professional Office and Parking) zoning in order to convert the existing single family residence to an office on this site.

FINDINGS

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

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

The site is designated O (Office) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with 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."

Other properties fronting on this segment of Lamb Boulevard have been rezoned to P-R (Professional Office and Parking) for the conversion of single family residences to offices. The proposed P-R (Professional Office and Parking) zoning will be compatible with surrounding land uses and zoning districts.

ZON-3678 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

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

The P-R (Professional Office and Parking) zoning on the subject site is an appropriate transition for the lots abutting Lamb Boulevard and the single-family residences to the east.

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.”**

Access to this site is provided from Lamb Boulevard, a fully developed 100-foot-wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities.

NOTICES MAILED 249

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: SAME AS ABOVE

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

~~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.

APN: _____

Print Name: Ruth Ann Mowrer

Subscribed and sworn before me

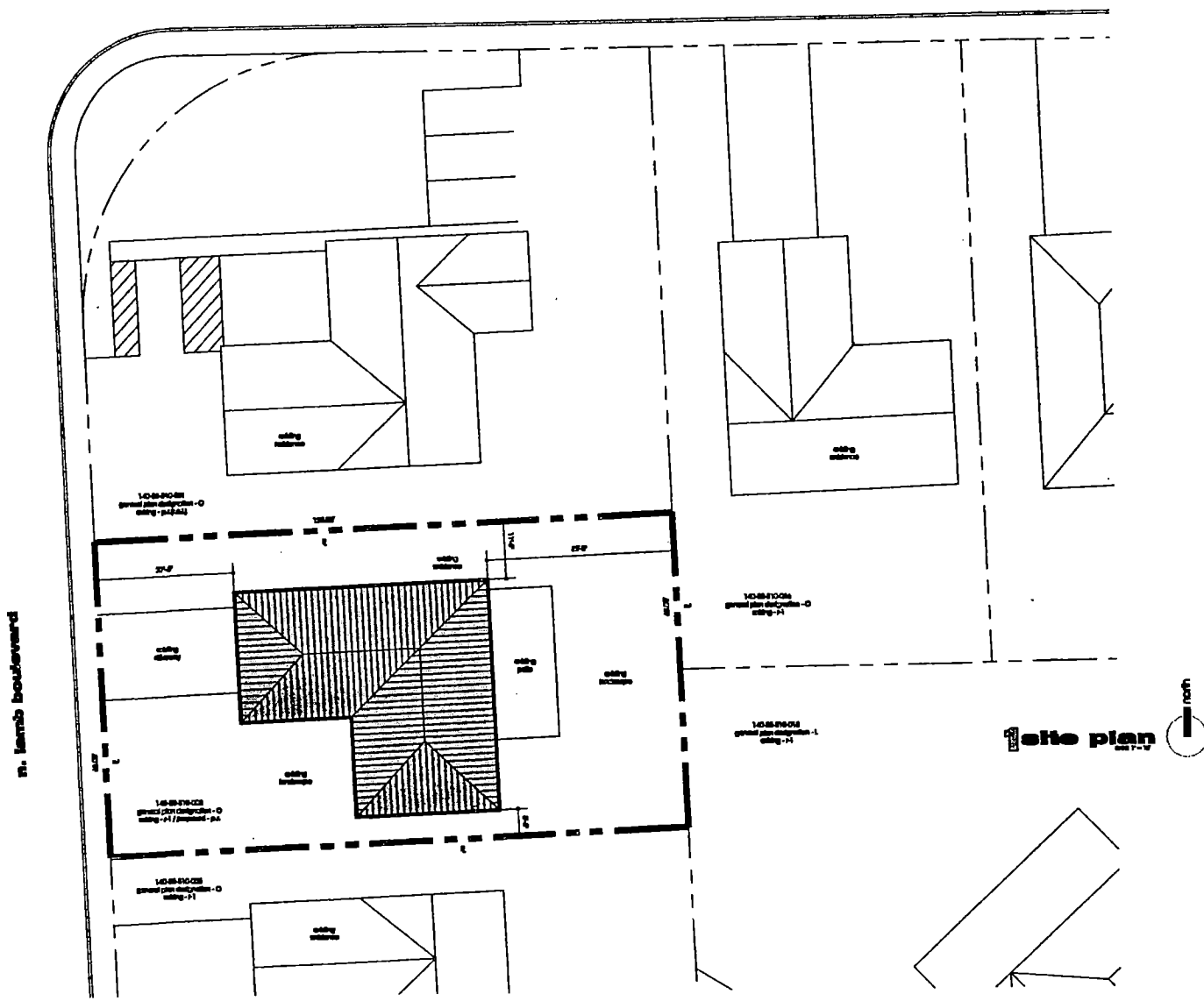
Notary Public in and for said County and State



sharron residence

220 n. lamb blvd.

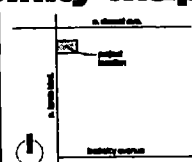
e. stewart avenue



parcel data

lot 10-00-001
7/20/04
10-00-001

vicinity map



marked

del

map

revisions

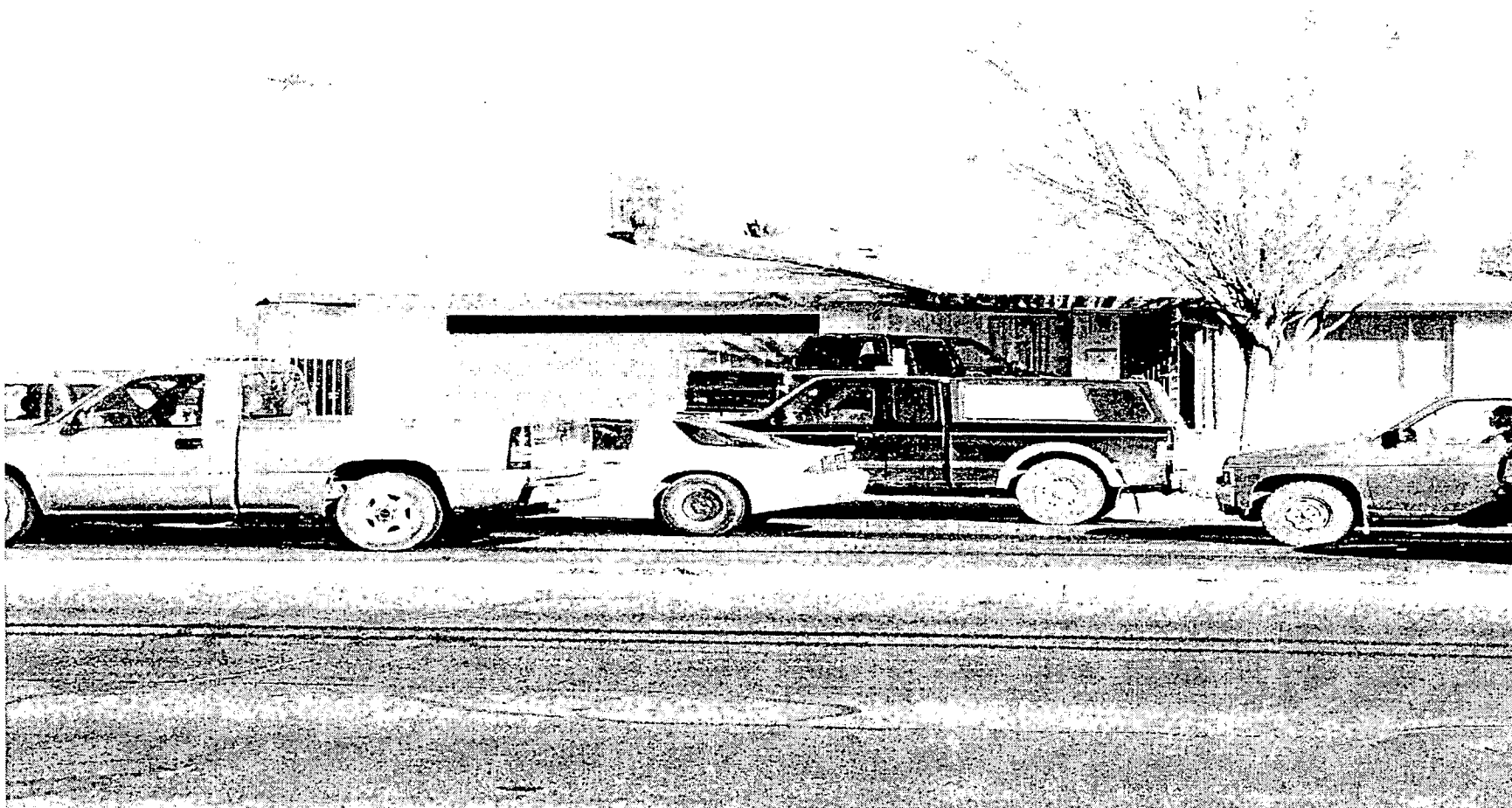
10-00-001
10-00-002
10-00-003
10-00-004

jawastudio
architecture + interior design
100 S. Charleston Blvd. Ste. 100 Las Vegas, NV 89104
702.596.1778

sharron residence
220 n. lamb blvd.
80.0

cover sheet / site plan

ZON-3678 2-26-04 PC



ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON
220 NORTH LAMB BOULEVARD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO SDR-3452 - PUBLIC HEARING - VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Variance TO ALLOW 134 PARKING SPACES WHERE 199 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – Motion carried with McSWAIN and NIGRO voting No and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [VAR-3711] and Item 26 [SDR-3452].

KYLE WALTON, Planning and Development Department, stated that there is no apparent hardship or unique situation to support the parking variance. Staff determined that the parking falls short of the required number of spaces as the result of overbuilding the site in spite of various options that are available to rectify the situation. Staff recommended denial.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 25 – VAR-3711

MINUTES – Continued:

ADRIAN JONES, 4750 West Flamingo Road, appeared on behalf of the applicant. He explained that the applicant had not intended this property to be listed as a retail center; therefore, the 134 spaces as noted on the site plan were determined to be adequate.

AL GALLEG0, citizen of Las Vegas, asked what criteria staff looks at to determine the number of handicap parking spaces. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the City Building Code sets the standards for handicap parking.

DAVID CLAPSADDLE, Planning and Development Department, clarified for COMMISSIONER STEINMAN that the applicant, at the time he applies for the building permit, would have to show handicap parking in conformance to all codes. MR. JONES added that the confusion rests on the way the property is categorized specifically because different categories have different parking standards. MR. CLAPSADDLE explained that the parking standards for general retail differ from the standards for furniture/wholesale showroom. He stressed that should this piece of property be converted to retail there would definitely be a deficiency of parking. DEPUTY CITY ATTORNEY BRYAN SCOTT added that if another retail use were proposed that also did not meet the parking requirements, the applicant would have to come in for a variance.

COMMISSIONER NIGRO commented on flex-space developments that include retail with storage. He felt that at six spaces per 1,000 square feet, the applicant is relatively close to what they actually need seeing as the property has been categorized more intense than what is actually intended. He remarked that in the County, five to six spaces per 1,000 square feet is acceptable for pretty much any type of retail.

COMMISSIONER GOYNES compared the project to another location at Gowan Road that was previously approved for a office/park complex and has since become an EOB office. Because of the significant lack of parking spaces on the site, the overflow now filters out onto Gowan Road.

COMMISSIONER McSWAIN felt the project it nicely planned and the landscaping is appropriate considering the peculiar shape of the lot; however, she did have reservations about the parking accommodations. She asked staff whether the parking allotments for the tavern and the fast food restaurant were taken into account. MR. WALTON replied that the overall site was looked at; however, because this is a commercial district, all calculations are based on the highest rate that the parking standards call for. He further added that eventually the parking would be at its maximum, therefore seeing the necessary parking as it equates to the amount of building space they have planned is essential.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 25 – VAR-3711

MINUTES – Continued:

CHAIRMAN TRUESDELL opined that six spaces per 1,000 square feet appears to be reasonable yet, comparing it to the City Code, it is a significant variance and cause for concern. COMMISSIONER STEINMAN expressed concern that should this ever be converted to office space, and exemplified a government office, the amount of traffic generated would be tremendous. COMMISSIONER GOYNES interjected and stated that that was exactly the case with the other location that he had commented on previously.

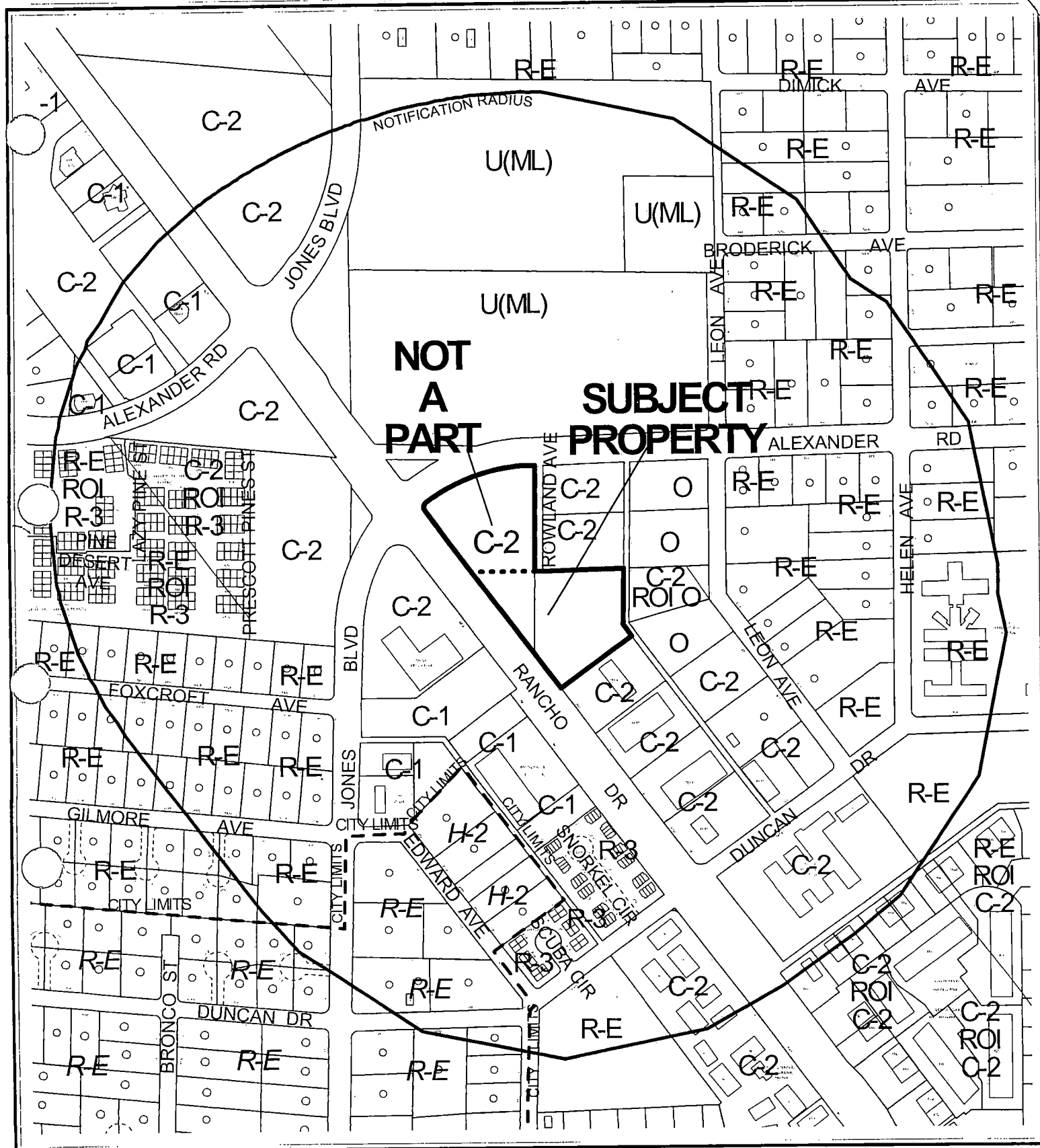
Prior to the vote, COMMISSIONER NIGRO commented that he would not support the denial as he felt the variance was not inappropriate if you focused specifically on this site and considered the location of the buildings and the irregular shape of the property. He also remarked that he did not necessarily agree that all variances are acceptable.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [VAR-3711] and Item 26 [SDR-3452].

NOTE: All discussion for Item 25 [VAR-3711] and Item 26 [SDR-3452] was held under Item 25 [VAR-3711].

(7:34 – 7:58)
1-3909/2-123



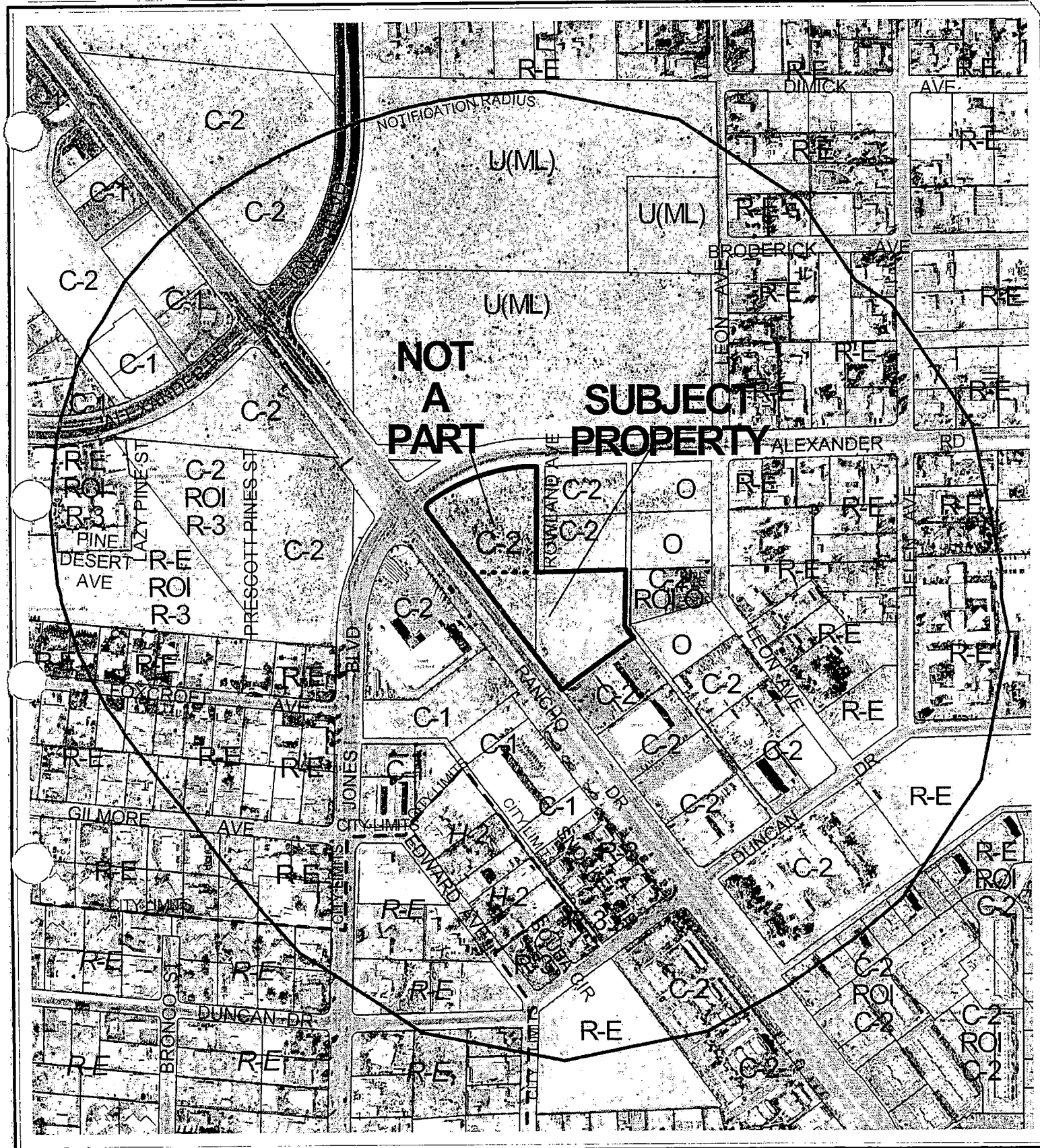
CASE: VAR-3711

RADIUS: 1320 FT

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

0 300 600 Feet





CASE: VAR-3711

RADIUS: 1320 FT

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VARIANCE - PUBLIC HEARING - VAR-3711 - APPLICANT:
RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND
HELEN SLAVIN BALDWIN

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3452).
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 134 parking spaces where 199 parking spaces are required for a proposed commercial development on property adjacent to the east of Rancho Drive, approximately 300 south of Alexander Road. A Site Development Plan Review application (SDR-3542) for a 23,000 square foot commercial development on this site was filed as a companion item.

B) Applicant's Justification

The applicant's justification letter indicates the intended use of the retail buildings as Warehouse/Showroom for users requiring a small showroom area and a significantly larger area for project storage. Therefore, the application of the parking requirements for retail is not necessary for this development.

BACKGROUND INFORMATION

A) Previous Actions

12/15/97 The City Council approved a Special Use Permit (U-116-97) for a Tavern on this site. The Planning Commission and staff recommended approval on November 20, 1997.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) to GC (General Commercial) on this site as part of the Rancho Corridor Study Phase 1. The Planning Commission and staff recommended approval on February 27, 2003.

B) Pre-Application Meeting

A pre-application meeting was not held specifically for this application. A pre-application meeting was held for the companion Site Development Plan Review application. Subsequent to the submittal of that application it was determined parking requirements were not satisfied. The applicant opted to submit this request for a Variance to allow for the reduction in amount of parking.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.55

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Commercial
East: Undeveloped and Offices
West: Undeveloped and Commercial

C) *Planned Land Use*

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: SC (Service Commercial)
East: O (Office)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: R-E (Residence Estates) and C-2 (General Commercial) under
Resolution of Intent to O (Office) and O (Office)
West: C-1 (Limited Commercial) and C-2 (General Commercial)

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February 26, 2004 - Planning Commission Meeting

E) General Plan Compliance

The site is designated GC (General Commercial) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing C-2 (General Commercial) Zoning designation is in conformance with the General Plan.

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

A 20 foot wide multi-use transportation trail is required along the east side of Rancho Drive adjacent to this development. Issues regarding the trail will be discussed with the companion Site Development Plan Review.

This site is located within the Rancho Corridor Study area. No change to the land use designation of this site is proposed as part of that study and therefore this study does not affect this Variance.

A) Zoning Code Compliance

Parking and Traffic Standards

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

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February 26, 2004 - Planning Commission Meeting

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 SF. (3,025 SF of public seating area, 2,475 SF of other GFA, 500 SF of outdoor area)	1 space for each 50 square feet of public seating and waiting area, including outdoor seating/eating areas, plus one space for each 200 square feet of the total remaining gross floor area	84			
Restaurant with Drive Through	3,500 SF	1 space per 100 square feet of gross floor area	35			
Retail	14,000 SF	1 space per 175 square feet of gross floor area	80			
Total			199	8	134	6

The parking provided does not meet the minimum requirements of the zoning code. Based on the uses on the site, a total 199 spaces are required where 134 spaces have been provided. This Variance application seeks to allow a reduction in the amount of required parking.

The Department of Public Works supports present City Code parking requirements, therefore they cannot support this Variance Request.

B) General Analysis and Discussion

The applicant is proposing to construct a retail commercial development with a mix of uses on this site. The uses include a tavern, fast food restaurant and retail buildings. A total of 199 parking spaces are required for the development where 134 spaces are provided. The amount of square footage and the intensity of use results in a parking deficiency. The applicant has indicated that the retail buildings are planned to be occupied by uses requiring less parking than typical retail. This substantially limits the types of retail uses that could occupy these buildings by future tenants and would not allow for retail uses other than a Wholesale Showroom Facility. Since future retail uses are likely, there is no hardship and alternative designs are possible, the recommendation for this request is denial.

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 proposing a retail commercial development wherein the square footage and intensity of the uses of the development require more parking than can be provided on the site. Alternative designs, including reduction in the square overall footage, 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.

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NOTICES MAILED 230 [Mailed with SDR-3452]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3711 APN: 133 12 102001

Name of Property Owner: Helen Slavin Baldwin

Name of Applicant: _____

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

_____ Yes

✓ No

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

City Official: _____

Partner(s): _____

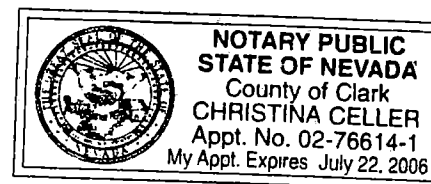
APN: _____

Signature of Property Owner/Authorized Agent: Helen Slavin Baldwin

Subscribed and sworn before me

This 13th day of January, 2004

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





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-3711** APN: 138-12-110-011

Name of Property Owner: Trisison LLC

Name of Applicant: _____

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

_____ Yes

☒ No

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

City Official: _____

Partner(s): _____

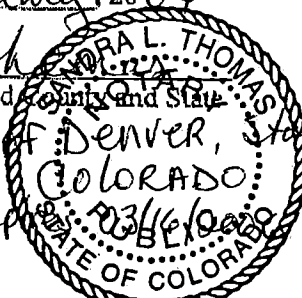
APN: _____

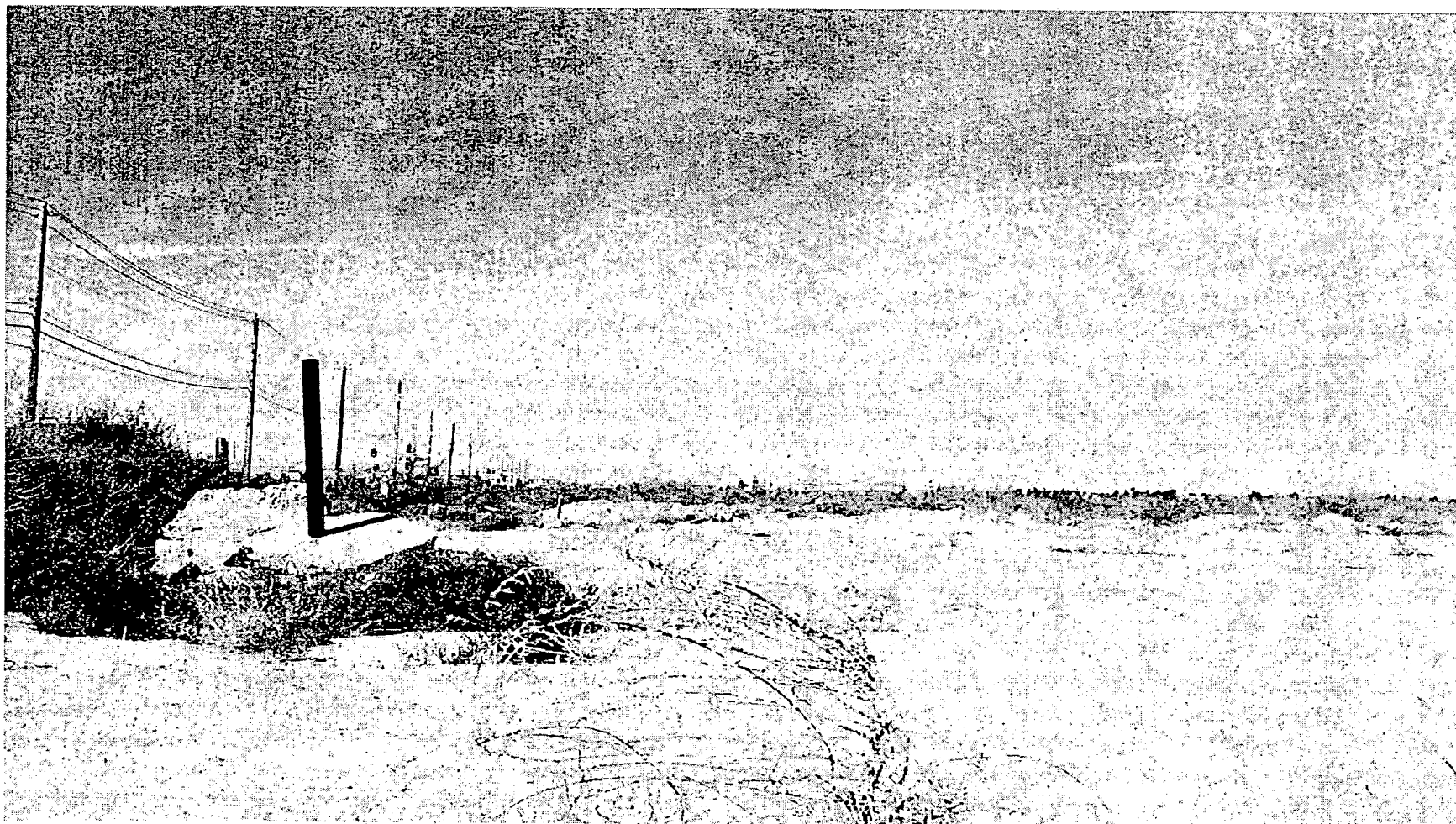
Signature of Property Owner/Authorized Agent: TRISISON, LLC
Cheri G. Whalen, Manager

Subscribed and sworn before me

This 12th day of January, 2004

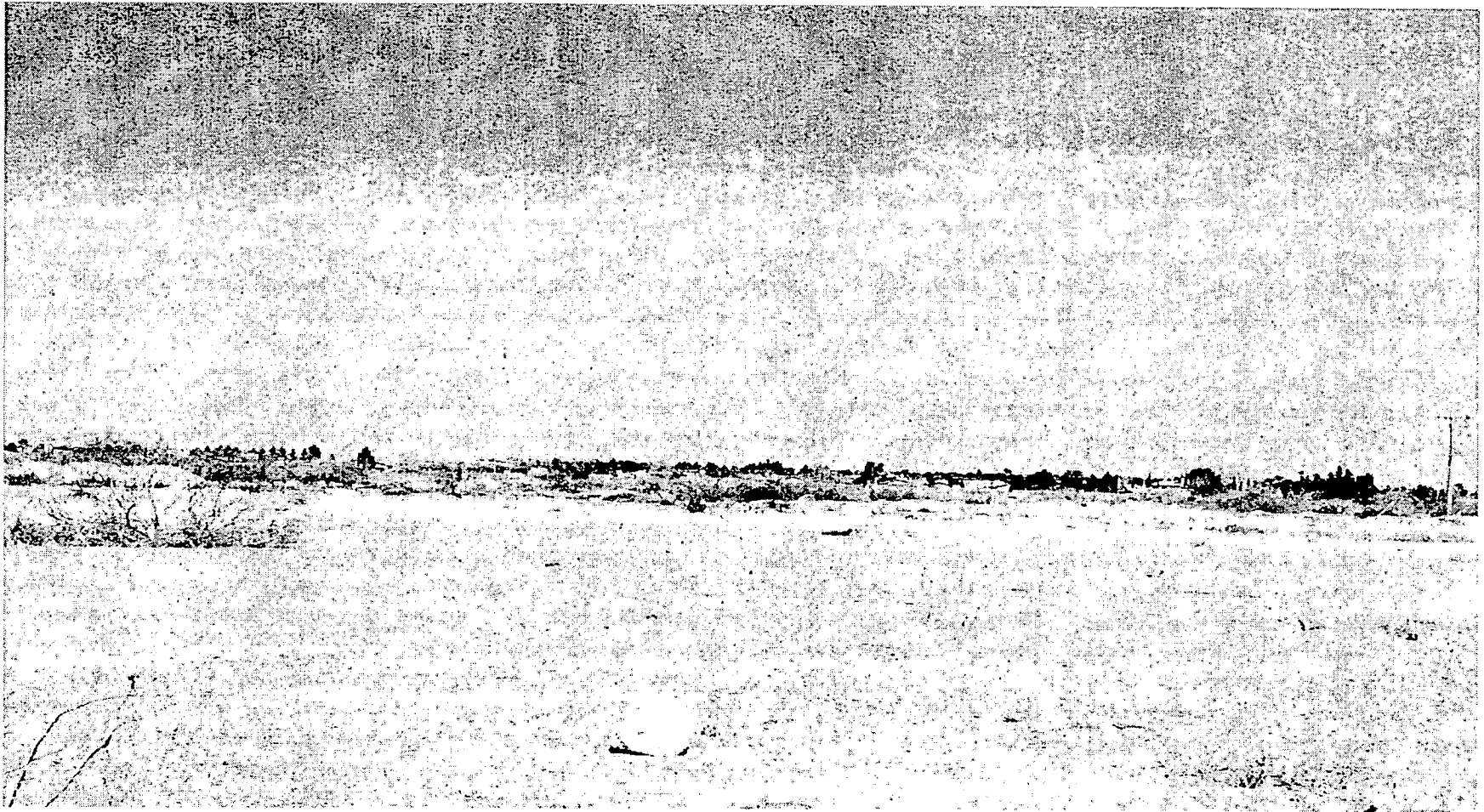
Sandra L. Thomas
Notary Public in and for said County and State
City and County of Denver, State of Colorado
My Commission expires 03/16/2008





VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND
HELEN SLAVIN BALDWIN
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 300 FEET SOUTH OF ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND
HELEN SLAVIN BALDWIN
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 300 FEET SOUTH OF ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3711 - PUBLIC HEARING - SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Site Development Plan Review FOR A 23,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

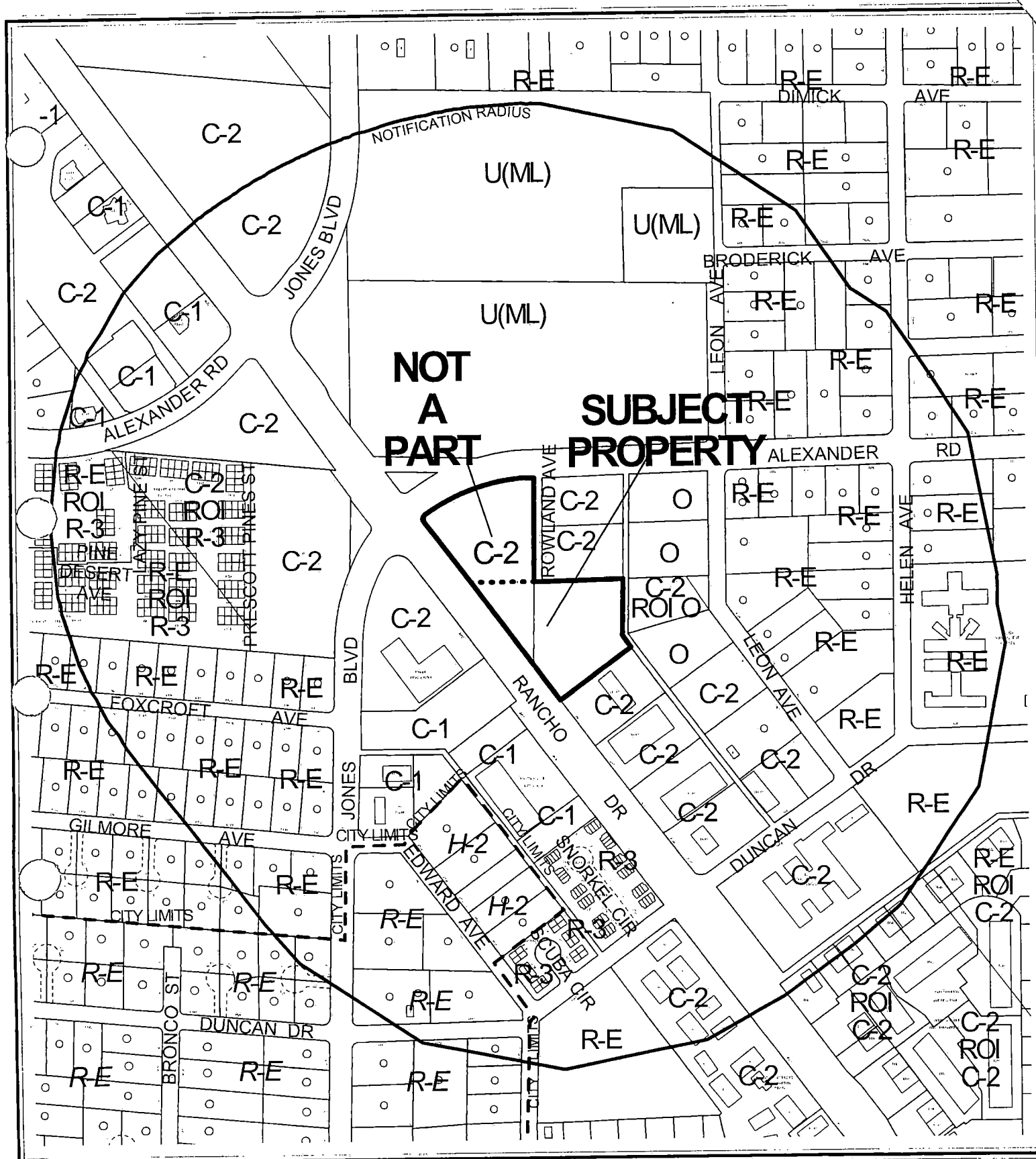
MOTION:

GOYNES – DENIED – Motion carried with McSWAIN and NIGRO voting No and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

**NOTE: See Item 25 [VAR-3711] for related discussion
(7:34 – 7:58)
1-3909/2-123**



CASE: SDR-3452

RADIUS: 1320 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER:

TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Approval of a Variance (VAR-3711) to allow the amount of required parking to be reduced by the City Council prior to the approval of any permits for development on this site.
3. A 20-foot wide multi-use transportation trail shall be provided along Rancho Drive.
4. All trash enclosures shall be properly screened and covered as required by the Commercial Development Standards.
5. The outdoor storage areas shall be screened from view of any public street or adjoining property by a device at least 8 feet in height.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
7. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of Lake Mead Boulevard and neighboring properties.
10. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

SDR-3452 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

11. All City Code requirements and design standards of all City departments must be satisfied.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.

Public Works

13. Dedicate a 54-foot radius at the southeast corner of Rancho Drive and Alexander Road prior to the issuance of any permits for this site.
14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
15. Construct all incomplete half-street improvements on Rancho Drive and Alexander Road adjacent to this site concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
16. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
17. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer from Duncan Drive via the existing alley to this site at a location and depth acceptable to the City Engineer.
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that a portion of this site is within a FEMA Flood Zone "A".

SDR-3452 - Conditions Page Three
February 26, 2004 - Planning Commission Meeting

19. Driveways shall be designed, located and constructed in accordance with Standard Drawings, also the proposed driveway accessing Rancho Drive shall receive approval from the Nevada Department of Transportation.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
21. Landscape and maintain all unimproved rights-of-way on Rancho Drive adjacent to this site.
22. Submit an application for an Occupancy Permit to the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a 23,000 square foot commercial development on 2.55 acres adjacent to the east of Rancho Drive, approximately 300 south of Alexander Road. A Variance application (VAR-3711) to allow 134 parking spaces where 199 parking spaces are required for the proposed commercial development on this site was filed as a companion item.

B) Applicant's Justification

The applicant's justification letter indicates the proposed commercial development will consist of a mixed use retail, showroom and warehouse center with a tavern.

BACKGROUND INFORMATION

A) Previous Actions

12/15/97 The City Council approved a Special Use Permit (U-116-97) for a Tavern on this site. The Planning Commission and staff recommended approval on November 20, 1997.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) to GC (General Commercial) on this site as part of the Rancho Corridor Study Phase 1. The Planning Commission and staff recommended approval on February 27, 2003.

B) Pre-Application Meeting

11/14/03 The applicant was advised of the requirements for a site a Site Development Plan Review application and of the requirements of the Commercial Development Standards.

C) Neighborhood Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.55

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Commercial
East: Undeveloped and Offices
West: Undeveloped and Commercial

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: SC (Service Commercial)
East: O (Office)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: R-E (Residence Estates) and C-2 (General Commercial) under
Resolution of Intent to O (Office) and O (Office)
West: C-1 (Limited Commercial) and C-2 (General Commercial)

E) General Plan Compliance

The site is designated GC (General Commercial) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing C-2 (General Commercial) Zoning designation is in conformance with the General Plan.

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

SDR-3452 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

A 20 foot wide multi-use transportation trail is required along Rancho Drive. The submitted plans do not provide the required trail, therefore a condition has been added requiring the trail as part of this development.

This site is located within the Rancho Corridor Study area. No changes to the land use designation are proposed.

PROJECT DESCRIPTION

The submitted plans depict one building for a tavern, two showroom/warehouse buildings and a fast food pad site. Access to the site is provided by one driveway from Rancho Drive with parking located throughout the site. There will be a 500 square foot outdoor seating area for the tavern. There are outdoor storage areas adjacent to the two-warehouse/showroom buildings. Landscaping is provided in a 15 foot wide planter along Rancho Drive, in 8 foot wide planters around the perimeter, around the buildings and in the parking lot. The building elevations depict one-story buildings with painted masonry walls, stone veneer accents and predominantly flat roofs.

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 Feet	2.55 Acres	Y
Min. Lot Width	100 Feet	740 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side	10 Feet	12 Feet	Y
• Corner	15 Feet	N/A	
• Rear	20 Feet	62 Feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	None	1 Story/27 Feet	Y
Trash Enclosure	Must be screen and covered	Not shown	
Loading Zone	2	2	Y
Mech. Equipment	Must be screened from view	Not shown	

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February 26, 2004 - Planning Commission Meeting

The proposed development meets the minimum code requirements with regards to lot size, building setbacks, building height and loading zones. The plans depict two trash enclosures on the site, however it is not shown that they will be covered as required by the Commercial Development Standards. Additionally, the elevations do not indicate the mechanical equipment will be properly screened. Conditions have been added requiring the proper screening for the project.

A2) Residential Adjacency Standards

There are no residential properties adjacent to this request. Therefore the Residential Adjacency Standards do not apply.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 SF. (3,025 SF of public seating area, 2,475 SF of other GFA, 500 SF of outdoor area)	1 space for each 50 square feet of public seating and waiting area, including outdoor seating/eating areas, plus one space for each 200 square feet of the total remaining gross floor area	84			
Restaurant with Drive Through	3,500 SF	1 space per 100 square feet of gross floor area	35			
Retail	14,000 SF	1 space per 175 square feet of gross floor area	80			
Total			199	8	134	6

MP

SDR-3452 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

The parking provided does not meet the minimum requirements of the zoning code. Based on the uses on the site, a total 199 spaces are required where 134 spaces have been provided. The companion Variance application seeks to allow for the reduction in the amount of required parking.

The Department of Public Works supports present City Code parking requirements, therefore they cannot support the Variance Request.

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 Trees/6 Space	23 Trees	28 Trees
Buffer: • Min. Trees	1 Tree/ 20 Linear Feet along the street frontages; 1 Tree/ 30 Linear Feet along the remaining perimeter	52 Trees	52 Trees
• Min. Zone Width	15 Feet along street frontages and 8 feet around the remaining perimeter of the site		15 Feet along Rancho Drive and 8 feet around the remaining perimeter of the site

The proposed landscape plan meets the minimum requirements of the Commercial Development Standards as the appropriate landscaping is provided around the perimeter of the sit and in the parking lot area.

A5) Sign Standards

There are no on-premise signs proposed as part of this request. The building elevations depict the location of typical wall signage for each of the buildings. All signage installed on the site shall be subject to the requirements of Title 19.14.

B) General Analysis and Discussion

- Zoning

The proposed retail center is an allowed use in the C-2 (general Commercial) zoning district. A Special Use Permit (U-116-97) has been approved to allow for the tavern.

- Site Plan

The submitted plans depict one building for a tavern, two showroom/warehouse buildings and a fast food pad site. Access to the site is provided by one driveway from Rancho Drive with parking is located throughout the site. There will be a 500 square foot outdoor seating area for the tavern. There are outdoor storage areas adjacent to the two-warehouse/showroom buildings. Title 19.04.050 requires that all outdoor storage be screened from view of any public street or adjoining property by a device at least 8 feet in height. A condition has been added requiring the proper screening for the outdoor storage.

The parking provided does not meet the minimum requirements of the zoning code. Based on the uses on the site, a total 199 spaces are required where 134 spaces have been provided. The companion Variance application seeks to allow for the reduction in the amount of required parking.

The proposed development meets the minimum code requirements with regards to lot size, building setbacks, building height and loading zones.

- Landscape Plan

The proposed landscape plan meets the minimum requirements of the Commercial Development Standards as the appropriate landscaping is provided around the perimeter of the sit and in the parking lot area.

- Elevation

The building elevations depict one-story buildings with painted masonry walls, stone veneer accents and predominantly flat roofs. The submitted building elevations will demonstrate visual consistency with the surrounding developments along this segment of Rancho Drive

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;"**

A retail development could be appropriate along this segment of Rancho Drive and is compatible with adjacent development in the area.

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

The proposed project is not consistent with the General Plan, Title 19 and the Commercial Development Standards with regards to providing required parking and the multi-use transportation trail along Rancho Drive. The recommendation for the companion Variance is denial, therefore denial of this request is also recommended. A condition has been added requiring the multi-use transportation trail.

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

The site will have access to Rancho Drive, a 125 foot wide primary arterial on the Master Plan of Streets and Highways, which are adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The submitted building elevations and landscaping plan will demonstrate visual consistency with the surrounding developments along this segment of Rancho Drive.

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

The submitted building elevations and landscaping will demonstrate visual consistency with the surrounding developments, in that the submitted materials depict appropriate façade design. The development will be harmonious and compatible with development in the area.

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February 26, 2004 - Planning Commission Meeting

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 230 [Mailed with VAR-3711]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: Helen Slavik Baldwin

 Yes V No

City Official: _____

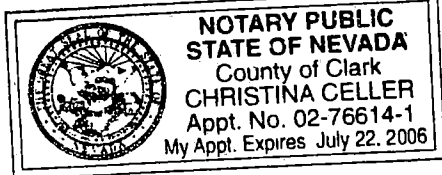
Partner(s): _____

APN: _____

Subscribed and sworn before me

This 14th day of November, 2003

Notary Public in and for said County and State





Case Number: **SDR-3452** APN: 138-12-102-001

Name of Property Owner: Trisison, LLC, a Nevada limited liability company

Name of Applicant: J. Mario Sanchez

Yes X No

City Official: _____

Partner(s): _____

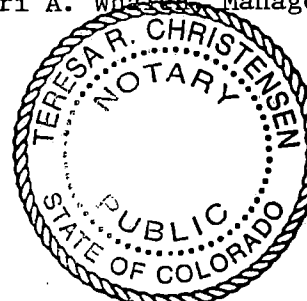
APN: _____

Signature of Property Owner/Authorized Agent: Cheri A. Whalen
Trisison, LLC Cheri A. Whalen, Manager

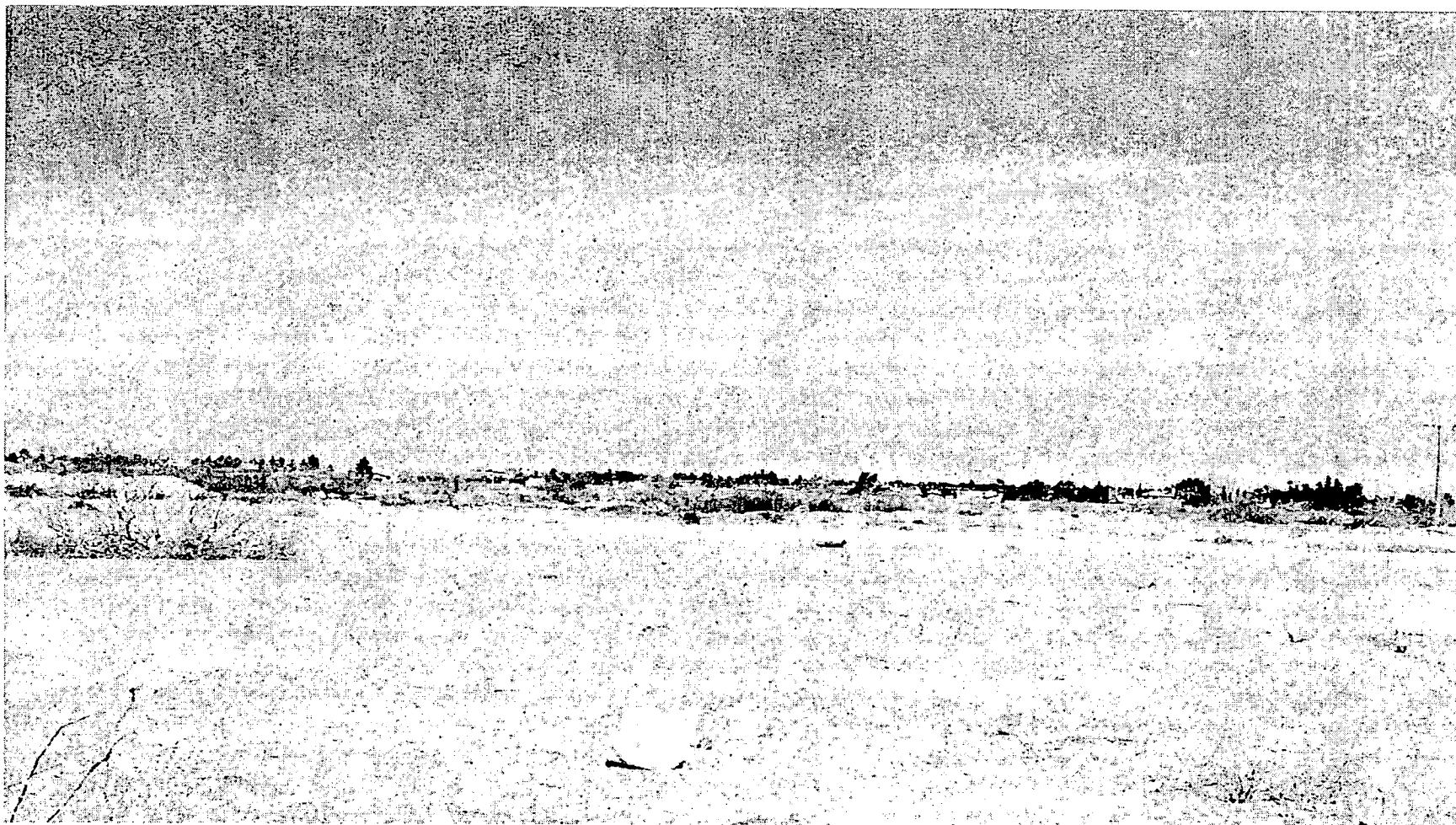
Subscribed and sworn before me

This 12th day of November, 2003

Deresa R Christensen
Notary Public in and for said County and State
Denver County, State of Colorado



My Commission Expires 3/16/2006



SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED
LIABILITY COMPANY AND HELEN SLAVIN BALDWIN
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 300 FEET SOUTH OF ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED
LIABILITY COMPANY AND HELEN SLAVIN BALDWIN
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 300 FEET SOUTH OF ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VARIANCE RELATED TO SDR-3703 - PUBLIC HEARING - VAR-3704 -
APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a
VARIANCE TO ALLOW 107 PARKING SPACES WHERE 175 ARE REQUIRED at
1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited
Commercial) Zone, Ward 3 (Reese).**

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VARIANCE RELATED TO SDR-3703 - PUBLIC HEARING -
VAR-3704 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3703).
2. The site plan shall be revised to show a trash enclosure and a loading area. An updated site plan shall be submitted to the Planning and Development department prior to the issue of permits.
3. 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 107 parking spaces where 175 are required for a proposed medical office located at 1070 East Sahara Avenue. A Site Development Review application (SDR-3703) was filed as a companion item for this request.

B) Applicant's Justification

The applicant states that Imperial Health Spa is currently in the process of seeking out new markets for their style of operation. Although the health spa industry is somewhat competitive, the lifestyle changes created by modern living continue to fuel its steady growth. More and more people have become conscious about their health and well-being. Trends are very important and Imperial Health Spa is well positioned for the current interest in a healthier well being at moderate prices.

BACKGROUND INFORMATION

A) Previous Actions

There are no background zoning actions that pertain to the parcels included in this request.

B) Pre-Application Meeting

12/22/03

Topics that were discussed in the pre-application conference:

- The site plan will be expanded to show the vacant parcel to the west for parking.
- The applicant may ask for a waiver of the landscaping requirements.
- The site plan needs to show ingress/ egress from Sahara Avenue.
- Elevations are required except north, east, and west. Pictures are OK since the elevation will not be changed.
- A Variance will be needed if parking cannot meet standards with the new parking area.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.08

B) Existing Land Use

Subject Property: Commercial and Office uses
North: School/ Park
South: Commercial and Office uses
East: Commercial and Office uses
West: Commercial and Office uses

C) Planned Land Use

Subject Property: SC (Service Commercial), O (Office)
North: PR (Park/ Recreation), PF (Public Facility)
South: SC (Service Commercial), O (Office)
East: SC (Service Commercial), O (Office)
West: O (office)

D) Existing Zoning

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

E) General Plan Compliance: Southeast Sector Land Use plan of the General Plan

The O (Office) category 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. The proposed use and parking are consistent with the Office land use category of the Southeast Sector Land Use plan of the General Plan.

VAR-3704 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

The SC (Service Commercial) category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. The proposed use and parking are consistent with the SC (Service Commercial) land use category of the Southeast Sector Land Use plan of the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
None		
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no special area plans, districts or zones that pertain to this request.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	20 Feet	68 feet	Y
• Side	10 Feet	28 feet	Y
• Corner	N/A	N/A	N/A
• Rear	20 Feet	11'-7"	Y
Max. Lot Coverage	50 %	36%	Y
Max. Building Height	None	2 Story/ 23'-7"	Y
Trash Enclosure	Yes	No	N
Loading Zone	Yes	No	N
Mech. Equipment		Not Shown	
Other ...			

KCW

VAR-3704 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

The proposal meets the requirement for setback, height, and coverage. The site plan does not show a trash enclosure and a loading area. A condition will be added to address this discrepancy.

A2) Residential Adjacency Standards

- a) Proximity slope. The proposal meets the requirement for proximity slope of Title 19.
- b) Building setback. The proposal meets the requirement for building setback of Title 19.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Health Club or Studio	30,100 SF.	1 space /200 GFA	169	6	103	4

The site plan shows 107 parking spaces where 175 spaces are required. This variance application is presented as a remedy to the discrepancy.

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 Trees/ 6 Spaces	18 Trees	28
Buffer:			0
• Min. Trees	1 Trees/ 30 Linear Feet	8 Trees	
• Min. Zone Width	8 Feet		8 ft
• Wall height	8 Feet		Not Shown

The proposal meets the requirements the requirements for landscaping except for trees in the buffer area.

B) General Analysis and Discussion

The proposed spa is located at the end of a shared drive with direct access to Sahara Avenue. There are five parcels that pertain to this request. Four of the five are planned as parking lots. There may be sufficient space on one of the parking parcels to provide the needed parking spaces. With a redesign of the layout of all parcels may result in a layout that may make this variance unnecessary.

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 not utilizing vacant land that is part of one of the parcels that is part of this request. Alternative design of the site plan 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 119 [Mailed with SDR-3703]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: **Sharon Kea**

Name of Applicant: **Howard Kea**

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 **XX** 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: Sharon Geo

Print Name: Sharon Kea

Subscribed and sworn before me

This 3rd day of January, 2004

Notary Public in and for said County and State



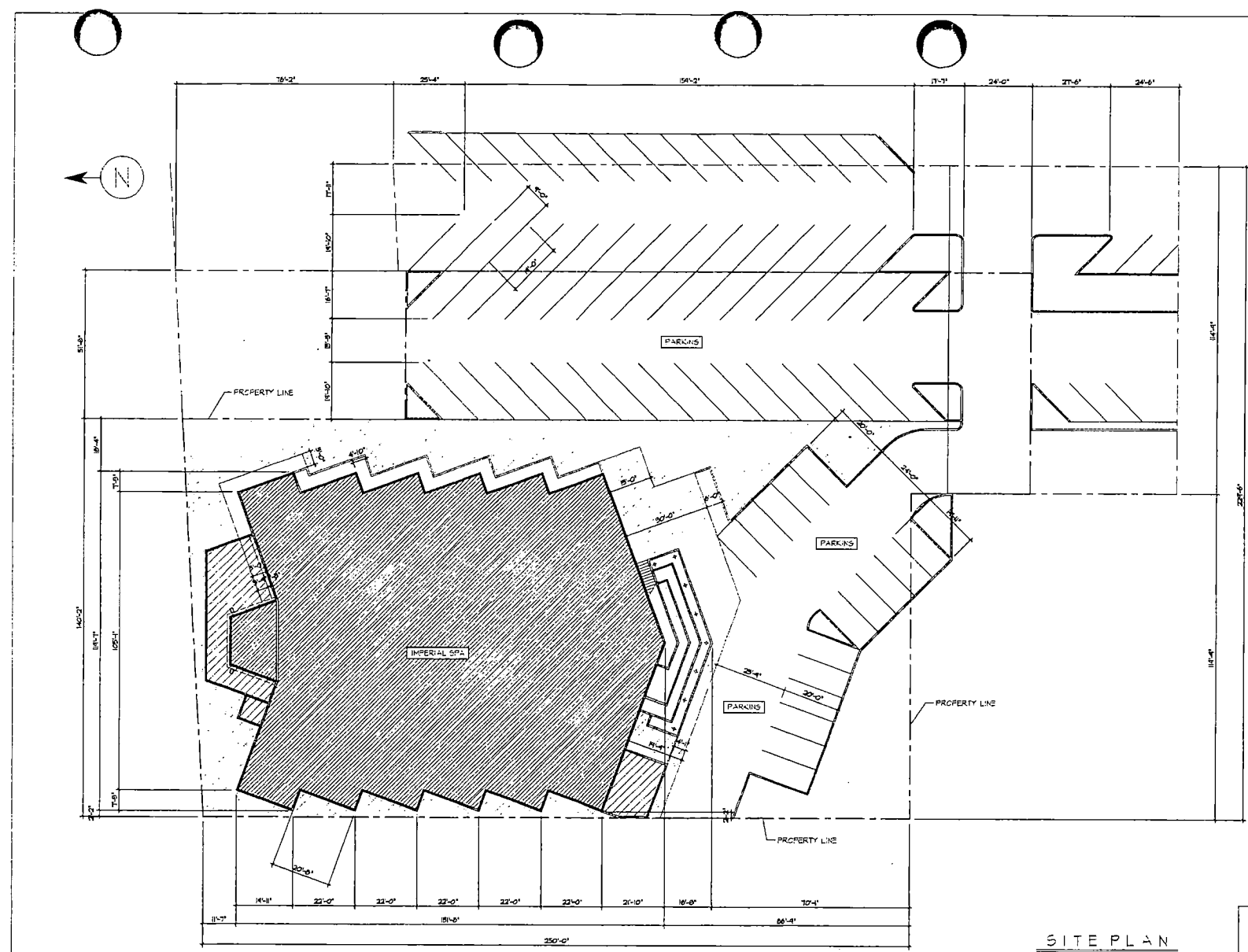
N.L.D.
New Line Design
3435 WILSON BLVD. #200
LOS ANGELES, CALIFORNIA 90010
Tel: 213.467.2334 Fax: 213.467.2119

PROJECT:
**PROPOSED TENANT
IMPROVEMENT FOR
IMPERIAL HEALTH SPA**
1100 E. SAVANNAH AVE.
LAS VEGAS, NV 89119
DRAWING TITLE:

SITE PLAN
REVISIONS:
1
2
3
4
5
6
7
8
9
10

DATE: DEC. 10, 2009
SUBMITTAL DATE: ①
NO DATE: ②
DATE: ③
DATE: ④
DATE: ⑤
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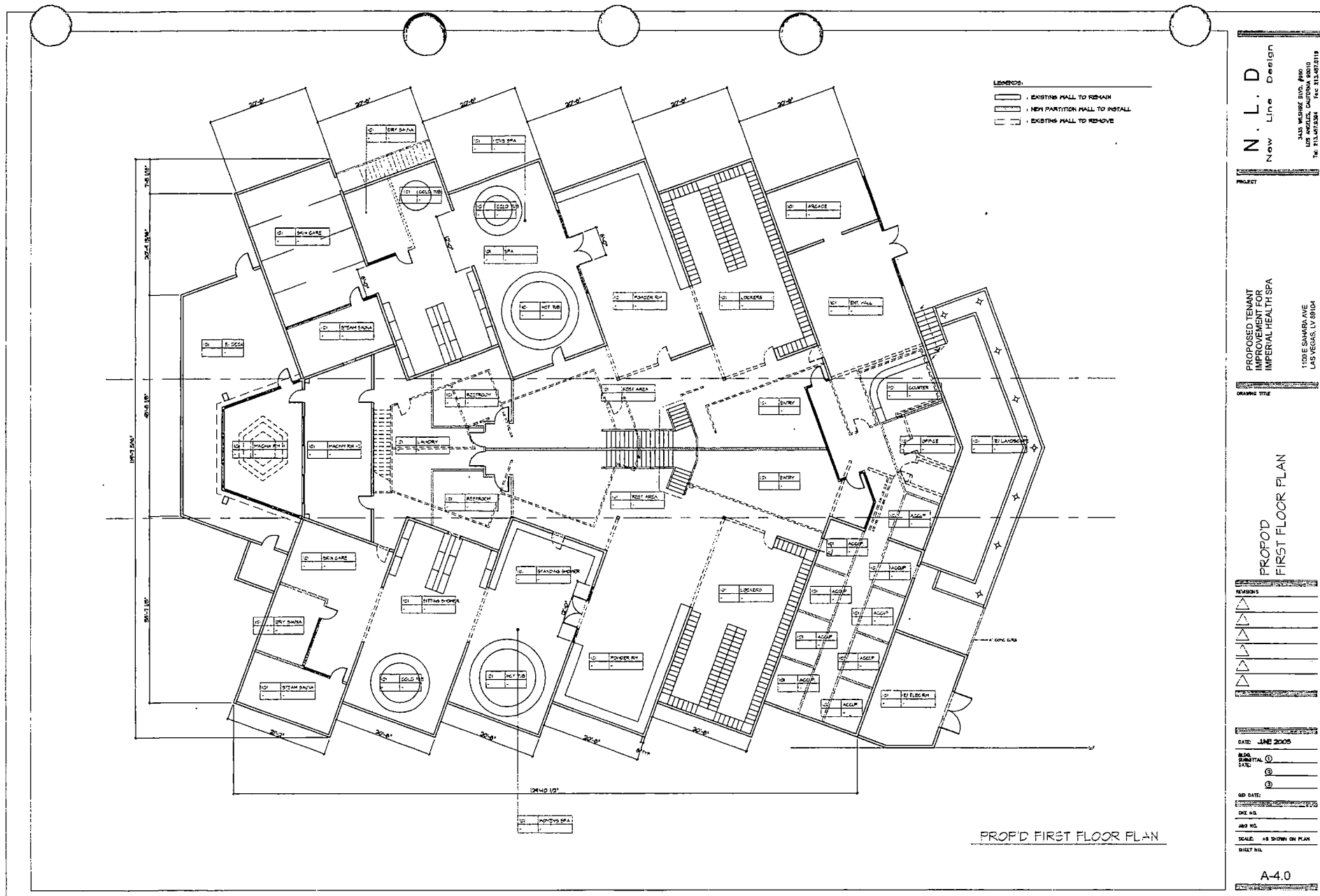
- LEGEND:**
- IMPERIAL SPA
 - LANDSCAPING
 - PAVING
 - PARKING

SITE FACTS

- FREE - STANDING BUILDING
- FORMER LAS VEGAS RACQUETBALL CLUB
- 25,000 SQUARE FEET - 2STORY BUILDING
- ACREAGE - 1.5 ACRES
- JURISDICTION - CITY OF LAS VEGAS
- ZONING - G-1

SITE PLAN

VAR-3704
2-26-04 PC



VAR-3704
2-26-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3704 - PUBLIC HEARING - SDR-3703 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a Site Development Plan Review FOR A PROPOSED HEALTH SPA, RESTAURANT AND KARAOKE BAR AND WAIVERS TO THE PERIMETER LANDSCAPING REQUIREMENTS at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the applicant has withdrawn the original request for a parking variance. He explained that the proposed project entails remodeling of the existing building. Although staff has concerns regarding the parking, it appears further discussion with the applicant will bring about a favorable solution.

RAY CORDOVA, 1214 Tuani Circle, Garden Grove, California, appeared on behalf of the applicant. He explained that two adjacent parcels were acquired by the applicant and added to the existing site.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

MINUTES – Continued:

The applicant proposed to hold one of those parcels for future development before the issue arose regarding the lack of parking. With this regard, the applicant chose to utilize that particular site to meet the parking requirements. Pertaining to the conditions, MR. CORDOVA committed to complying with all of them and would ensure that the landscaping is appropriately done.

TODD FARLOW, 240 North 19th Street, asked what the previous use was on this particular building.

BEN WILLIAMS, 3869 China Cloud Drive, first appeared in opposition to the proposed project. He cited the use as his reason for opposition and stated that there are currently five massage parlors located on Paradise Road. MR. CLAPSADDLE clarified that this property was formerly a health spa and likewise this application is for a health spa. He further explained that the application is before the Commission because of waivers to the perimeter landscaping requirements. MR. WILLIAMS stated that there is a school behind this location and, further referring to the use as a nightclub, felt the use is inappropriate for the neighborhood and would not be compatible to the existing establishments in the area.

KIM WILLIAMS, 3935 Charlo Drive, also appeared in opposition. He, like the previous speaker, felt this establishment would not be compatible, particularly because of the two schools that back up to the subject property.

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded the audience that this is a site development review plan and therefore the use is not the issue. MR. CLAPSADDLE concurred and added that if the application was for a nightclub, it would require a special use permit and a public hearing would need to be held. KYLE WALTON, Planning and Development Department, interjected with further explanation that the bar referred to in the application relates to a juice bar and not one associated with alcohol.

BEN MONTOYA, Principal of the adjacent school, 1100 East St. Louis, stated that his main concern dealt with the serving of alcohol; however, after hearing staff's explanation stated he no longer objected to the proposed use.

MR. CORDOVA stressed that the building will continue to be a health spa. He offered assurances that no alcoholic beverages would be served. MR. CORDOVA also stated that he submitted the site development plan and a conceptual plan of the site.

(6:42 – 6:52)

1-1374

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

CONDITIONS:

Planning and Development

1. The applicant shall meet with Planning and Development Staff prior to the issue of building permits to develop an address plan for the development.
2. 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, a minimum five-foot sidewalk shall connect the front of the building to the parking areas to the west.
3. A covered trash enclosure and a loading zone shall be provided.
4. 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.
5. All development shall be in conformance with the site plan and building elevations presented at the 02/26/04 Planning Commission meeting.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.)
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

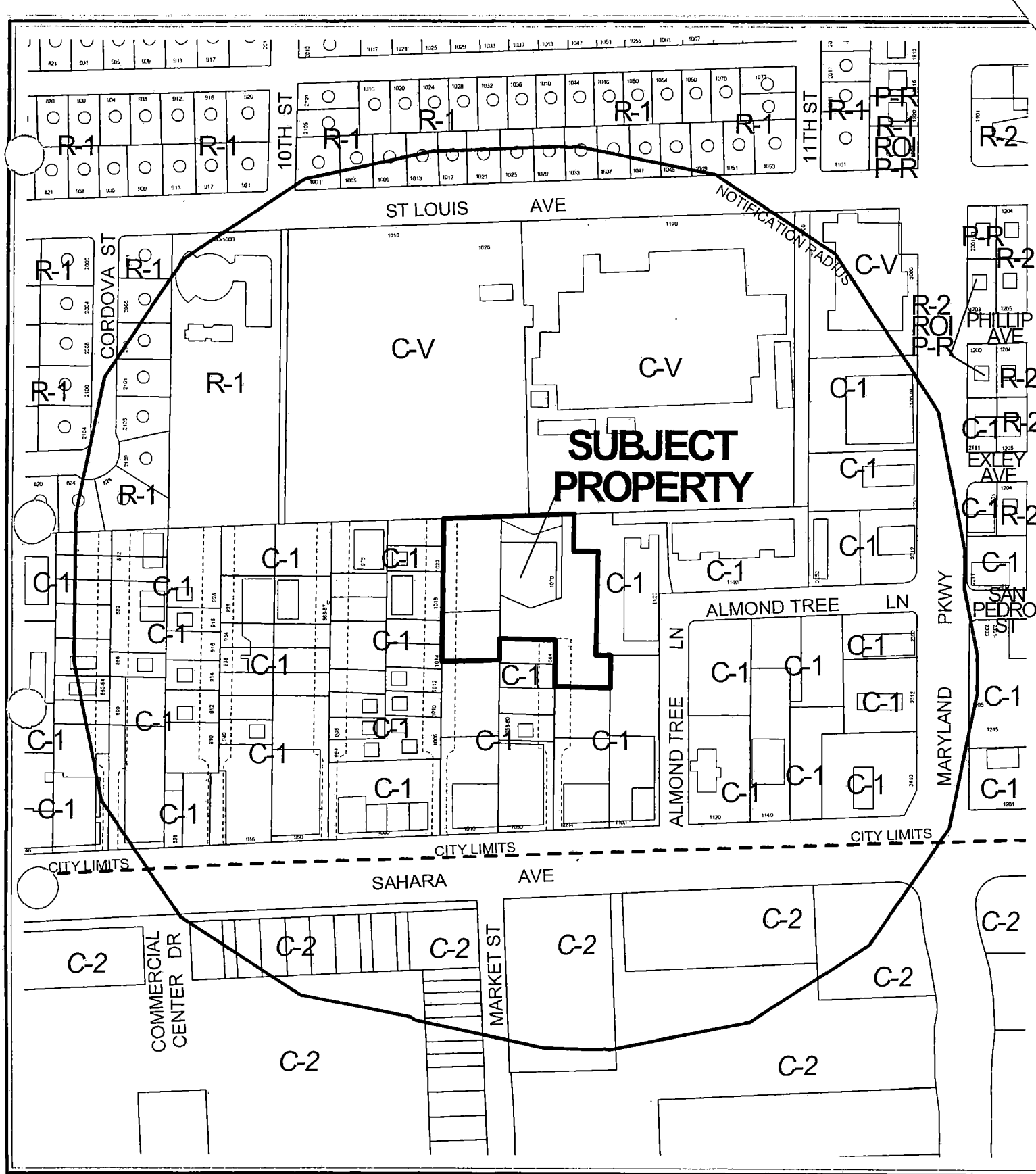
Public Works

10. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

CONDITIONS – Continued:

12. 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.
13. Site development to comply with all applicable conditions of approval for Parcel Map PM-41-99 and all other subsequent site-related actions.



CASE: **SDR-3703**

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO
VAR-3704 - PUBLIC HEARING - SDR-3703 - APPLICANT/OWNER: SHARON KEA
- IMPERIAL HEALTH SPA

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The applicant shall meet with Planning and Development Staff prior to the issue of building permits to develop an address plan for the development.
2. 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, a minimum five-foot sidewalk shall connect the front of the building to the parking areas to the west.
3. A covered trash enclosure and a loading zone shall be provided.
4. 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.
5. All development shall be in conformance with the site plan and building elevations presented at the 02/26/04 Planning Commission meeting.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.)
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

SDR-3703 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

Public Works

10. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.
12. 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.
13. Site development to comply with all applicable conditions of approval for Parcel Map PM-41-99 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 23,657 square foot two story commercial building on 1.5 acres at 1070 East Sahara Avenue.

B) Applicant's Justification

The applicant states that Imperial Health Spa is currently in the process of seeking out new markets for their style of operation. Although the health spa industry is somewhat competitive, the lifestyle changes created by modern living continue to fuel its steady growth. More and more people have become conscious about their health and well-being. Trends are very important and Imperial Health Spa is well positioned for the current interest in a healthier well being at moderate prices.

BACKGROUND INFORMATION

A) Previous Actions

There are no background zoning actions that pertain to the parcels included in this request.

B) Pre-Application Meeting

- 12/22/03 Topics that were discussed in the pre-application conference:
- The site plan will be expanded to show the vacant parcel to the west for parking.
 - The applicant may ask for a waiver of the landscaping requirements.
 - The site plan needs to show ingress/ egress from Sahara Avenue.
 - Elevations are required except north, east, and west. Pictures are OK since the elevation will not be changed.
 - A Variance will be needed if parking cannot meet standards with the new parking area.

C) Neighborhood Meetings

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

KCW

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.08

B) *Existing Land Use*

Subject Property: Commercial and Office uses
North: School/ Park
South: Commercial and Office uses
East: Commercial and Office uses
West: Commercial and Office uses

C) *Planned Land Use*

Subject Property: SC (Service Commercial), O (Office)
North: PR (Park/ Recreation), PF (Public Facility)
South: SC (Service Commercial), O (Office)
East: SC (Service Commercial), O (Office)
West: O (office)

D) *Existing Zoning*

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

E) *General Plan Compliance: Southeast Sector Land Use plan of the General Plan*

The Office category 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. The proposed use and parking are consistent with the Office land use category of the Southeast Sector Land Use plan of the General Plan.

The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. The proposed use and parking are consistent with the Office land use category of the Southeast Sector Land Use plan of the General Plan.

SDR-3703 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
None		
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no special area plans, districts or zones that pertain to this request.

PROJECT DESCRIPTION

The site plan depicts an existing 23,657 square foot two story commercial building on 1.5 acres at 1070 East Sahara Avenue. Access is proposed to be via two private drives from Sahara Avenue.

The existing building will remodeled in that the front of the building will look dramatically different than the current design. The front will feature a double row of columns that will support a flat roof.

Parking for the facility will consist of two areas on each side of the building. There are existing lots along the east side and front of the building. A new parking area will be added along the west side of the building. The western lot will be separated from the building by an area that is shown as "Future Development" on the site plan. The applicant has proposed re-designing the site so the parking standards of the Code will be met. Therefore, no variance to the parking standards will be required.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

KCW

SDR-3703 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	20 Feet	68 feet	Y
• Side	10 Feet	28 feet	Y
• Corner	N/A	N/A	N/A
• Rear	20 Feet	11'-7"	Y
Max. Lot Coverage	50 %	36%	Y
Max. Building Height	None	2 Story/ 23'-7"	Y
Trash Enclosure	Yes	No	N
Loading Zone	Yes	No	N
Mech. Equipment		Not Shown	
Other ...			

The proposal meets the requirement for setback, height, and coverage. The site plan does not show a trash enclosure and a loading area. A condition will be added to address this discrepancy.

A2) Residential Adjacency Standards

- a) Proximity slope. The proposal meets the requirement for proximity slope of Title 19.
- b) Building setback. The proposal meets the requirement for building setback of Title 19.

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Health Club or Studio	30,100 SF.	1 space /200 GFA	169	6	101	4

The initial site plan showed 105 parking spaces where 175 spaces are required. The applicant has indicated the site will be re-designed to meet the parking standards of the Code.

A4) Landscape and Open Space Standards

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

KCW

SDR-3703 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	18 Trees	28
Buffer:			0
• Min. Trees	1 Trees/ 30 Linear Feet	8 Trees	
• Min. Zone Width	8 Feet		8 ft
• Wall height	8 Feet		Not Shown

The proposal meets the requirements the requirements for landscaping except for trees in the buffer area. A condition will be added that will address the discrepancy.

A5) Sign Standards

The signage will be subject to a separate review under Title 19.14.

B) General Analysis and Discussion

• Zoning

The proposed use and associated parking is consistent with the current zoning.

• Site Plan

The site plan has access to Sahara Avenue by means of two private drives. The overall site design is consistent with existing development. By committing to re-design the site and use the area designated as Future Development to meet the parking standards of the Code, the proposal is harmonious and compatible with the surrounding area.

A covered trash enclosure and a loading zone are required for the planned use. A condition will be included to require a revised site plan that will show the location of the trash enclosure and a loading zone.

• Waivers

The applicant has requested a waiver to the perimeter landscaping standards of the Code. The applicant has not offered sufficient justification to waive these requirements. Therefore, a condition is recommended requiring the requisite number of trees for this site.

KCW

SDR-3703 - Staff Report Page Six
February 26, 2004 - Planning Commission Meeting

- Landscape Plan

The landscape plan shows the number of parking lot trees exceed the number required. The rear buffer area though does not show any of the required trees. A condition will be added that will require the addition of the trees required in the rear buffer area.

- Elevation

The elevations show the existing two-story building that includes a remodel of the front exterior that will dramatically improve the front elevation. The exterior design is consistent with the commercial and office development around the proposed development. The design will not adversely affect the school and park to the north.

- Floor Plan

The floor plans reflect a typical commercial design.

FINDINGS

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

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

The proposed use is compatible with the commercial and office uses that currently surround the site. The proposed use will not have an adverse affect on the school and park to the north.

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 applicant has committed to meeting Title 19 parking standards. Therefore, the proposal is consistent with all applicable standards of the Code, with implementation of the recommended conditions of approval

SDR-3703 - Staff Report Page Seven
February 26, 2004 - Planning Commission Meeting

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

Site design and access to the site will not have a negative impact on the neighboring uses, as the building will be using the existing circulation.

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

The building and landscaping materials are similar to that which is used by the surrounding uses.

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 existing and proposed design of the exteriors is compatible with the surrounding commercial buildings.

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

The business within the proposed office will be subject to regular inspections for licensing, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 119 [Mailed with VAR-3704]

APPROVALS 0

PROTESTS 0

KCW



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3703** APN: 162-03-801-034 / 055 / 132

Name of Property Owner: Sharon Kea

Name of Applicant: Howard Kea

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 XX 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: _____

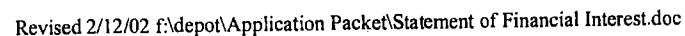
Signature of Property Owner/Authorized Agent: Sharon Geo

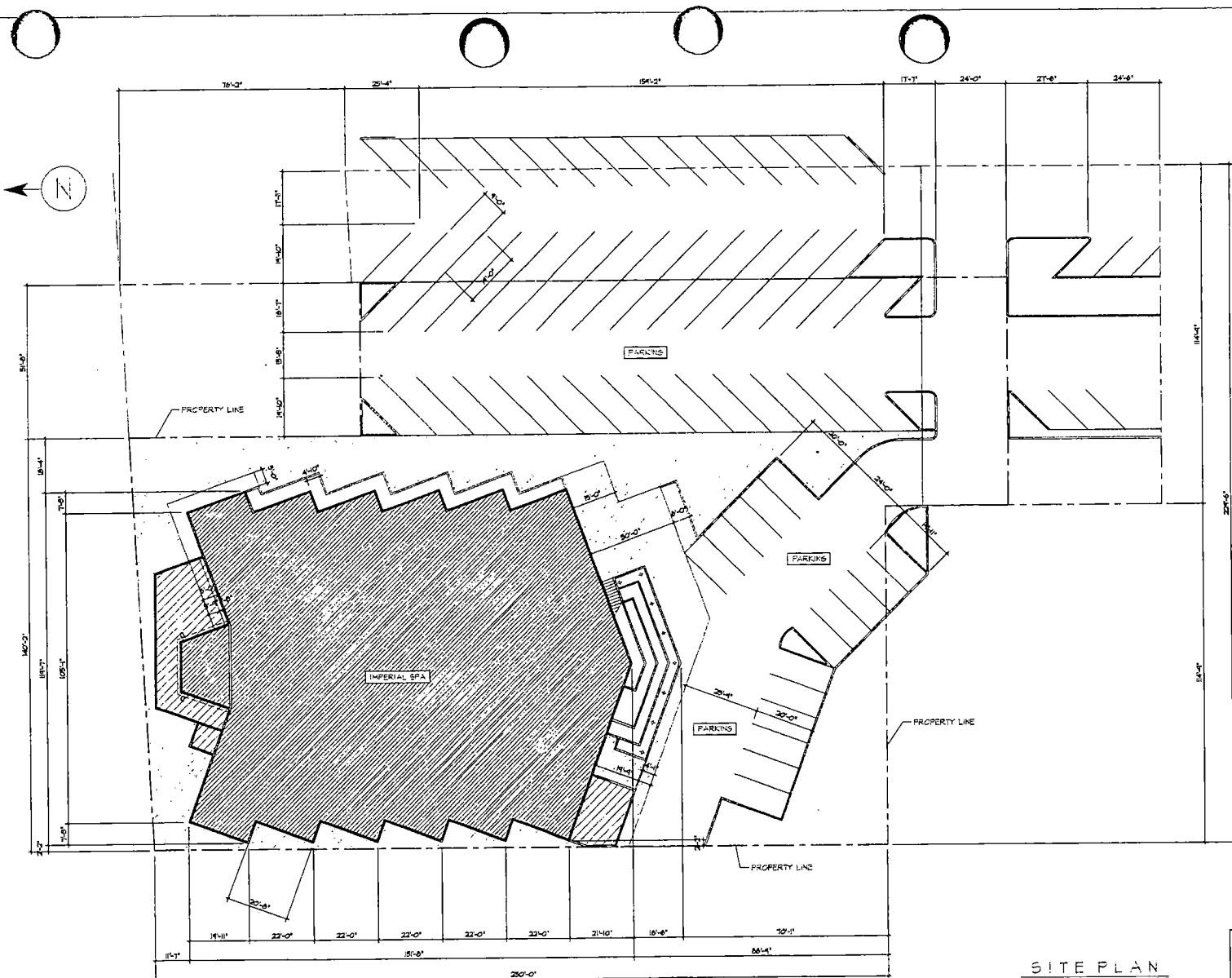
Print Name: Sharon Kea

Subscribed and sworn before me

This 3rd day of January, 2004

Notary Public in and for said County and State



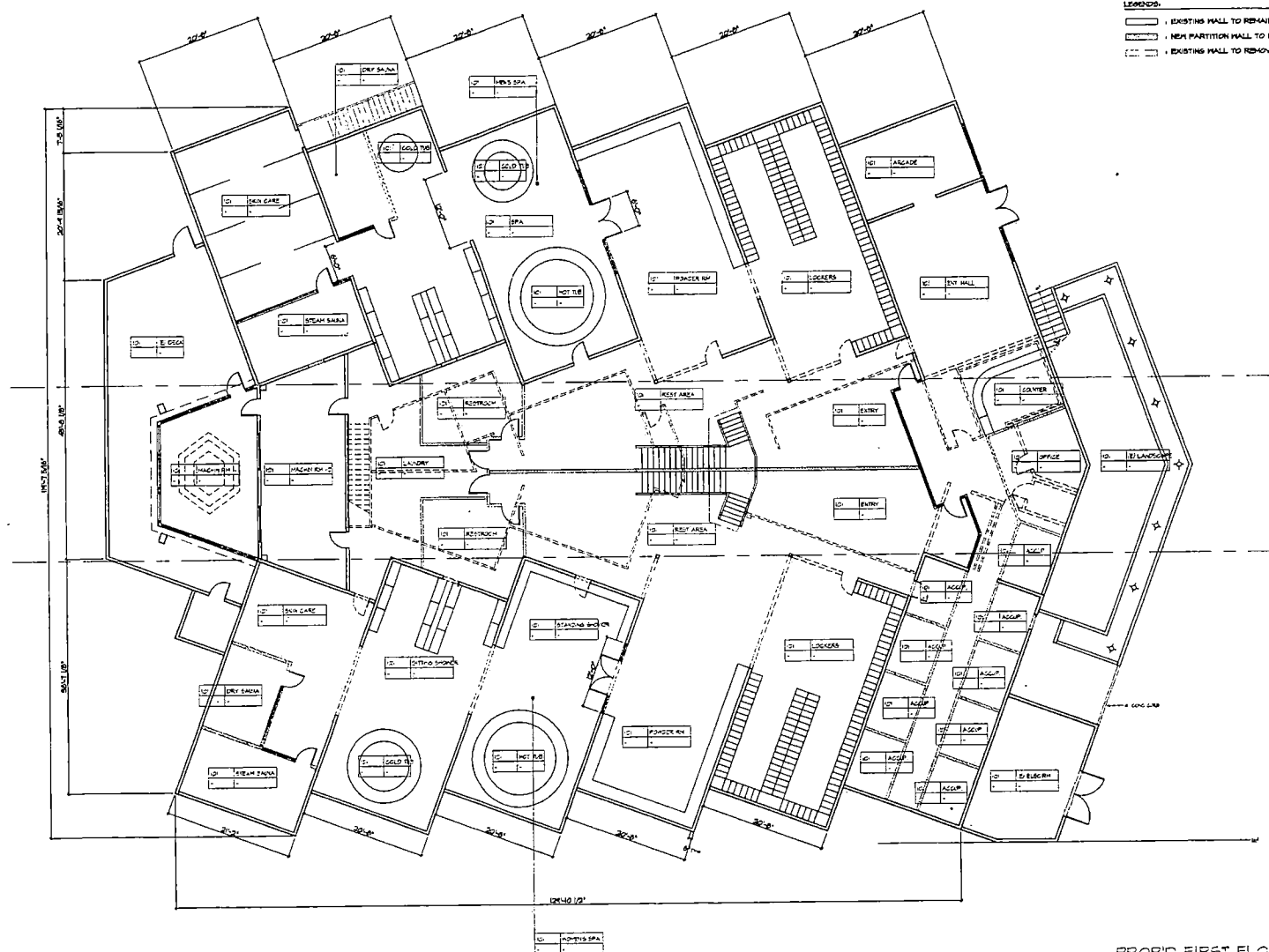


LEGENDS:
 - IMPERIAL SPA
 - LANDSCAPING
 - PAVING
 - PARKING

SITE FACTS
 * FREE - STANDING BUILDING
 * FORMER LAS VEGAS RAGGIESBALL CLUB
 * 25,000 SQUARE FEET - 2 STORY BUILDING
 * ACRES - 1.3 ACRES
 * JURISDICTION - CITY OF LAS VEGAS
 * ZONING - C-1

SITE PLAN

SDR-3703
2-26-04 PC



LEGEND:

	: EXISTING WALL TO REMAIN
	: NEW PARTITION WALL TO INSTALL
	: EXISTING WALL TO REMOVE

N.L.D.
New Line Design

3435 WILSHIRE BLVD. #600
LOS ANGELES, CALIFORNIA 90010
Tel: 213.487.9364 Fax: 213.487.0119

PROPOSED TENANT
IMPROVEMENT FOR
IMPERIAL HEALTH SPA

John A. Jurek, D. VMD, MS, PhD

PROPO'D
FIRST FLOOR PLAN

REVISIONS

 _____

 _____

 _____

 _____

 _____

 _____

DATE: JUNE 2005

BLO. _____
SUBMITTAL: (1)
DATE: _____
_____ (2) _____
_____ (3) _____

BID DATE: _____

CORE NO. _____

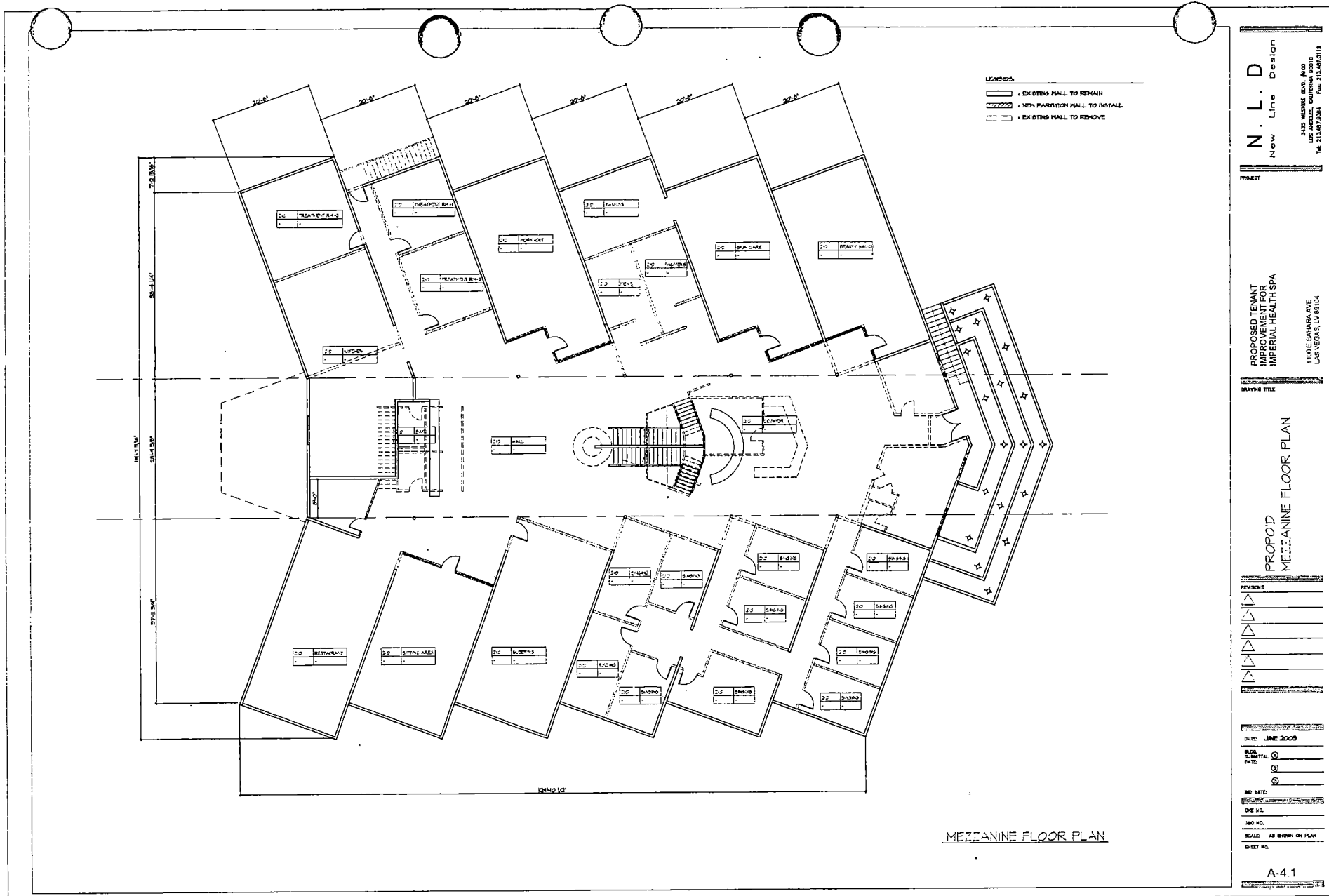
JOB NO. _____

SCALE: AS SHOWN ON PLAN

SHEET NO. _____

A-4.0

SDR-3703
2-26-04 PC



SDR-3703
2-26-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-3715 – APPLICANT/OWNER: RICHARD AND JILL BURNS - Request for a Variance TO ALLOW A DETACHED ACCESSORY STRUCTURE (GARAGE) TO EXCEED HEIGHT AND SQUARE FOOTAGE OF MAIN DWELLING on 0.45 acres at 6209 West Alexander Road (APN: 138-11-510-010), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – ABEYANCE to 3/11/2004 Planning Commission meeting – UNANIMOUS with DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the applicant proposes a building 23 feet 2 inches in height. Determining that the applicant has created a self-imposed hardship by exceeding the required development standards related to height and area, staff recommended denial. MR. WALTON stated that alternate floor plans and elevations would enable the applicant to comply with Title 19 Standards. DAVID CLAPSADDLE, Planning and Development Department, added that staff researched another residence in the area and discovered that a permit was issued for a detached structure larger and higher than the main structure. He noted that although the permit was issued in error, that residence did qualify for administrative deviation because the difference was much less between the detached structure and the principal structure than the application being reviewed.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 29 – VAR-3715

MINUTES: Continued:

RICHARD and JILL BURNS, the applicants, 6209 West Alexander Road, referenced the other properties that have detached structures that appear to exceed the height limitations. MR. BURNS stated that his structure would not be visible to the street and felt it unfair that he not be allowed to construct it.

COMMISSIONER EVANS stated that there is a letter of opposition from one of the neighbors and asked the applicant to indicate where that residence was located. MR. BURNS informed that the residence abuts the rear of his property. He noted that there is a buffer of 25-30 foot tall trees that run along the fence line and would block any view to the garage.

COMMISSIONER McSWAIN remarked that inasmuch as there are neighbors that object to the project and because the residence across the street, with its already-constructed building, is an awful example and comes across as a warehouse structure, she felt she could not support the application.

COMMISSIONER GOYNES asked what the distance from the neighbors would be. He stated he could support this application because it appeared to be compatible with the other properties that have similar-type garages.

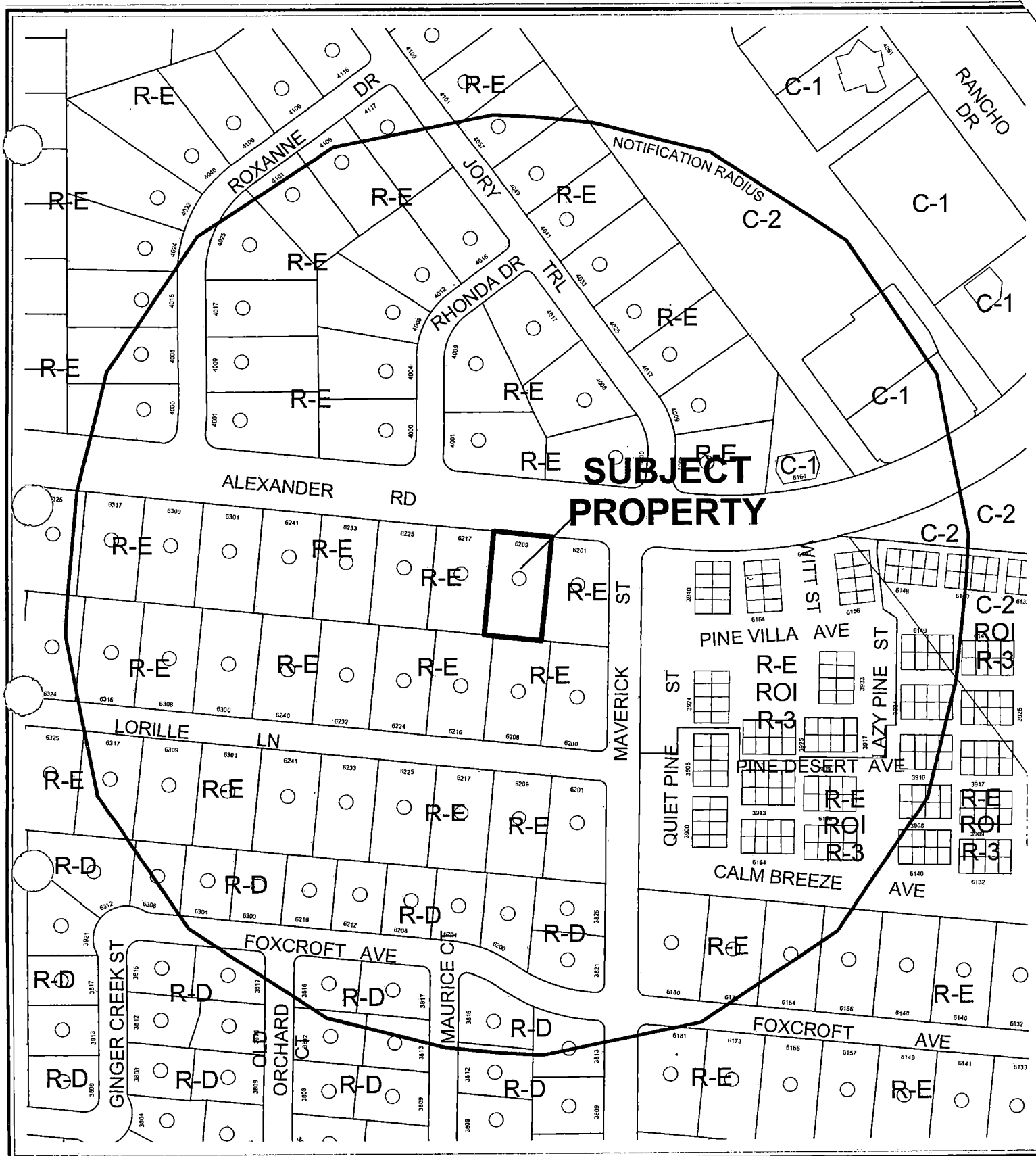
COMMISSIONER STEINMAN asked the applicant to indicate what is located on his property line. MR. BURNS stated the proposed structure will be eight feet away from the side property line and has a block wall on that boundary.

COMMISSIONER EVANS suggested the applicants speak to their neighbors in light of the letters of opposition that have been received. COMMISSIONER McSWAIN concurred and recommended the variance be held in abeyance to allow them adequate time to speak with the neighbors.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:58 – 8:17)

2-916



CASE: **VAR-3715**

RADIUS: 750 FT

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

0 100 200 Feet





CASE: **VAR-3715**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VARIANCE - PUBLIC HEARING - VAR-3715 -

APPLICANT/OWNER: RICHARD AND JILL BURNS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

- 1 This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
- 2 The applicant shall obtain all appropriate building permits from the Department of Building and Safety.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a proposed detached accessory structure to exceed the height and size of the existing single family dwelling. The proposed building is 2,400 square feet in area and is 23 feet two inches in height. The existing single family dwelling is a 2,040 square foot, 15 foot high house.

B) Applicant's Justification

The applicant's justification letter purports the use of the garage as a means to secure their classic car, powerboat, and dune buggies from theft.

BACKGROUND INFORMATION

A) Previous Actions

02/15/78 The City Commission accepted the applicant's request to withdraw a rezoning (Z-0151-77) to R-1 (Single Family Residential.). The Planning Commission and staff recommended denial. Staff recommended approval.

B) Pre-Application Meeting

12/29/03 Issues related to the application were discussed, as were the standards for granting a variance. In addition, the possibility of increasing the square footage and height of the principle dwelling was discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45 (19,602 Square Feet)

VAR-3715 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

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: DR (Desert Rural)
North: DR (Desert Rural)
South: DR (Desert Rural)
East: DR (Desert Rural)
West: DR (Desert Rural)

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as DR (Desert Rural) on the Centennial Hills Interlocal Land Use Plan. The R-E (Residence Estates) zoning is compatible with this land use designation.

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

Rural Preservation Neighborhood:

The subject parcel is located within the 330 foot rural preservation neighborhood buffer zone that limits densities to no more than 3 dwelling units per gross acre. The subject variance application will not change the current density.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Accessory structures on any lot in any residential district shall conform to the following:

Height. A detached accessory structure shall not exceed two stories in height (with a maximum of thirty five feet), or the height of the main building, whichever is less.

Size and Coverage. A single, detached accessory structure shall not exceed the floor area of the principal dwelling unit constructed on the same lot. In addition, the main aggregate total of the ground floor areas of all accessory buildings shall not cover more than fifty percent of the rear yard, and further, in the zoning districts where lot coverage provisions exist, the aggregate total of the ground floor areas of all structures and dwellings shall not exceed the percentage of lot coverage permitted in that zoning district.

The proposed detached accessory structure does not meet these requirements.

B) *General Analysis and Discussion*

The proposed detached accessory structure meets all setback requirements pursuant to Title 19. Because there are no unique or extraordinary circumstances associated with this property, there is no justification under the Code to support this request.

FINDINGS

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

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

VAR-3715 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

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

NOTICES MAILED 144

APPROVALS 0

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Jane

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?

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: Jill A. Burns

Subscribed and sworn before me

This 12 day of JAN, 2004

St. Charles
Notary Public in and for said County

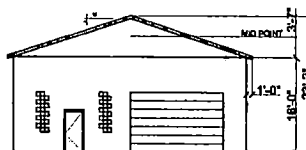




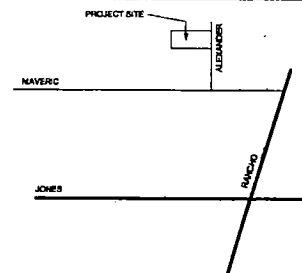
EXIST. RESIDENCE
EAST ELEV.



EXIST. RESIDENCE
NORTH ELEV.



PROPOSED STRUCTURE
NORTH ELEV.



VICINITY MAP
NO SCALE

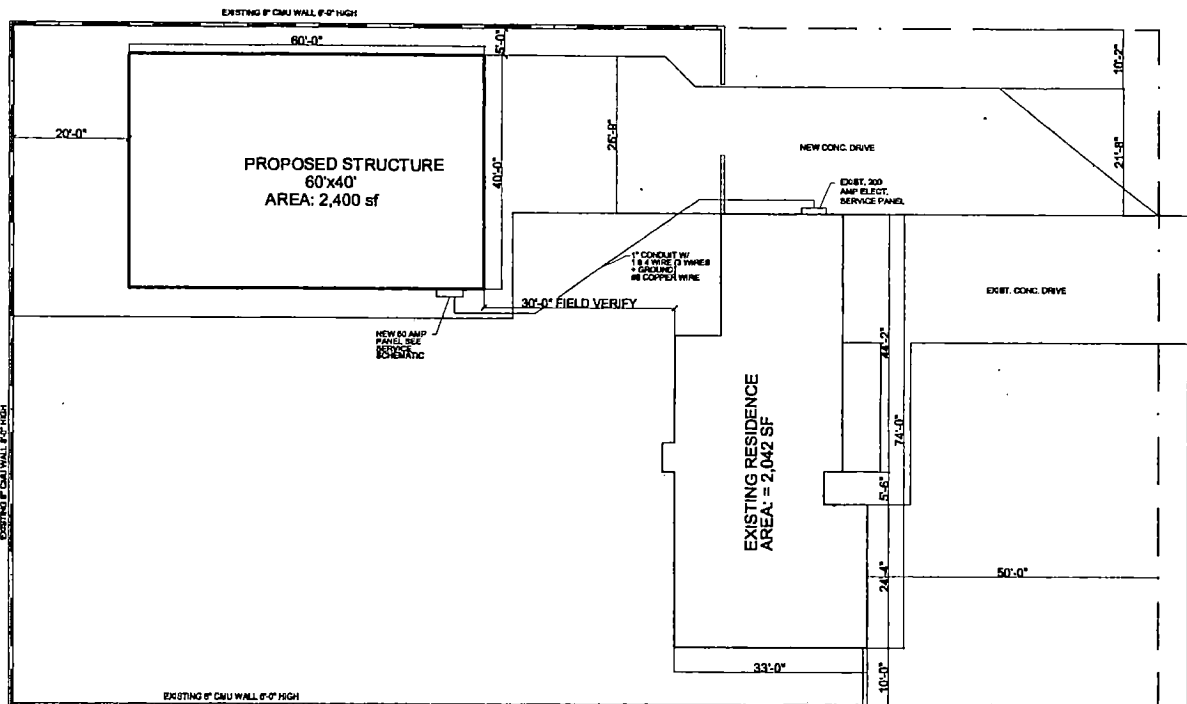
CODE ANALYSIS

OCCUPANCY CLASSIFICATION: U-1
TYPE OF CONSTRUCTION: V-N1
OCCUPANT LOAD: 24
FORMULA: SQ. FT. / FACTOR = LOAD
2,400 SF / 100 = 24

	HEIGHT	STORIES	AREA
ACTUAL:	18'-0"	1	2,400 SF
ALLOWABLE:	25'	1	3,000 SF

EXITS	REQUIRED	PROVIDED
1	1	2

FIRE SPRINKLERS: YES ☐ NO ☒
CODE - TYPE - YEAR: UMC 1987



EXISTING SITE PLAN
SCALE: 1" = 10'-0"

VAR-3715
2-26-04 PC

REVISION	BY

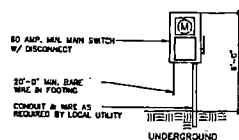
AN
OWNER BUILDER
PROJECT

EXISTING SITE PLAN
BURNS RES. - ACCESSORY BLD.
6209 ALEXANDER LAS VEGAS, NV (702) 876-6666

W.A.B.
8-22-2001
1" = 20'-0"
1

GENERAL NOTES

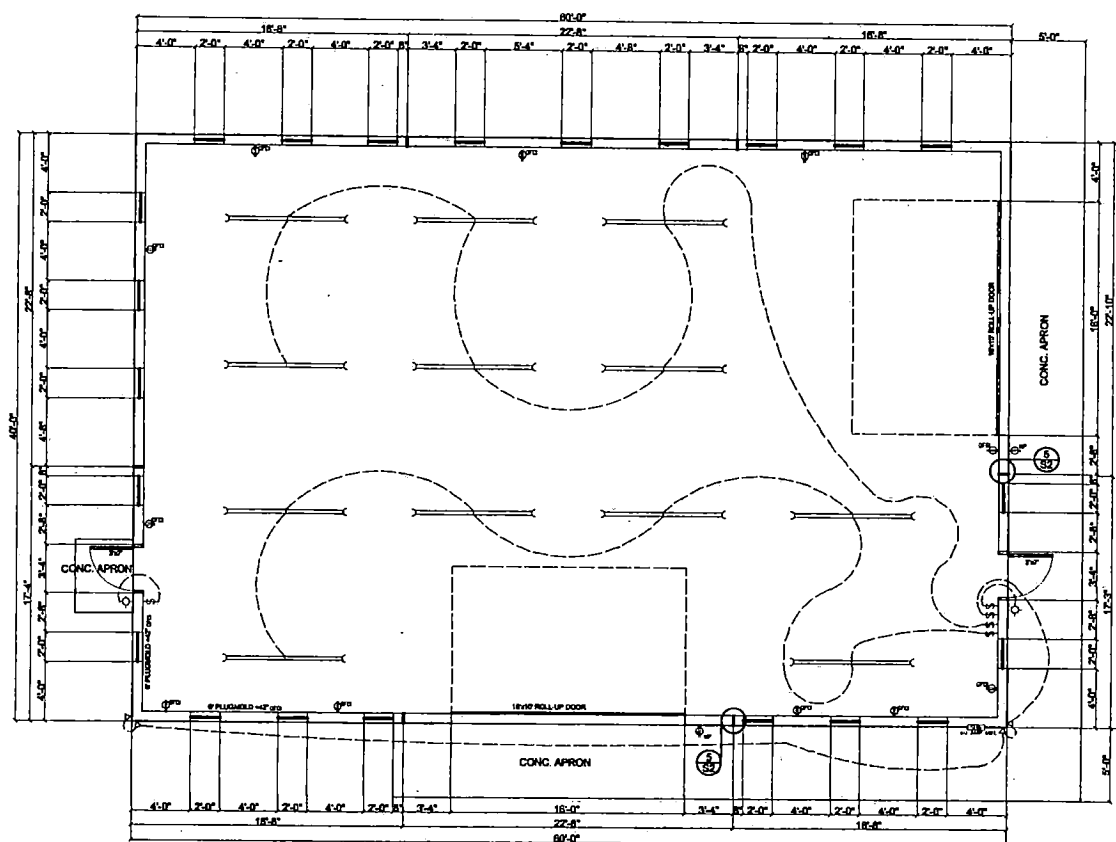
1. 8" CMU WALLS, GROUT ALL CELLS FULL
2. ALL WINDOWS TO BE 6"x8" GLASS BLOCK, 8.68 SF EACH



SERVICE SCHEMATIC

ELECTRICAL SYMBOLS

- 110 VOLT OUTLET
- 220 VOLT OUTLET
- GROUND FAULT
- 1/2 SWITCH OUTLET
- WATER PROOF OUTLET
- CEILING OUTLET
- FLOOR OUTLET
- CEILING FIXTURE
- WALL FIXTURE
- RECESSED FIXTURE
- EXT. FLOOD LIGHT
- MOTION SENSOR LIGHT
- PULL CHAIN FIXTURE
- FLORESCENT FIXTURE
- SWITCH
- 3 WAY SWITCH
- 4 WAY SWITCH
- REOSTAT SWITCH
- EXHAUST FAN
- SMOKE DETECTOR
- TELEPHONE JACK
- TELEVISION JACK
- DOOR CHIMES
- INTERCOM
- THERMOSTAT
- CENTRAL VACUUM
- BREAKER PANEL
- SUB PANEL
- METER BOX



FLOOR PLAN / ELECTRICAL PLAN

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

VAR-3715

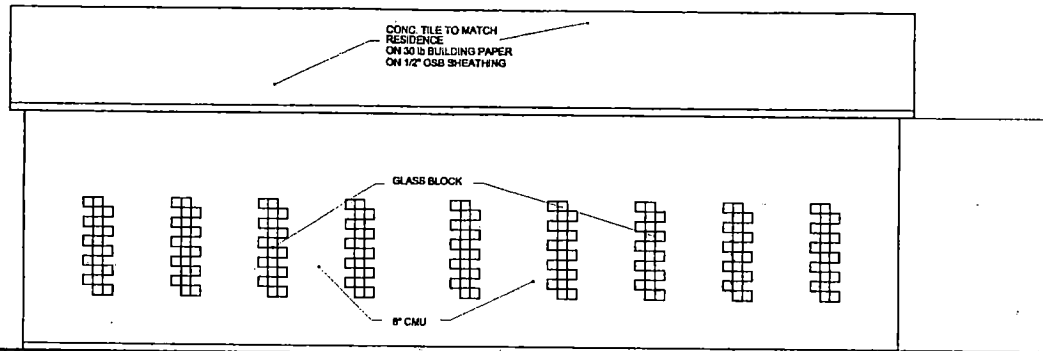
2-26-04 PC

REVISIONS	BY

AN
OWNER BUILDER
PROJECT

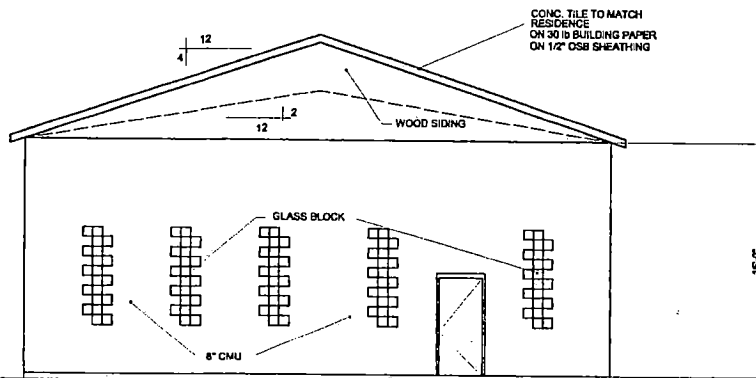
FLOOR PLAN
BURNS RES. - ACCESSORY BLD.
6209 ALEXANDER LAS VEGAS, NV (702) 876-6666

1/4" = 1'-0"
2



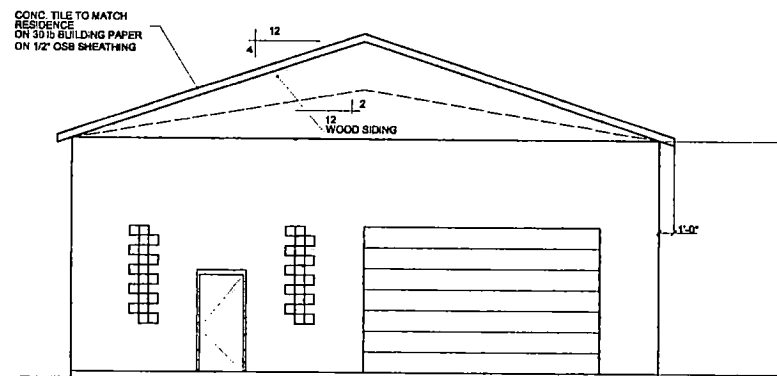
WEST ELEVATION

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



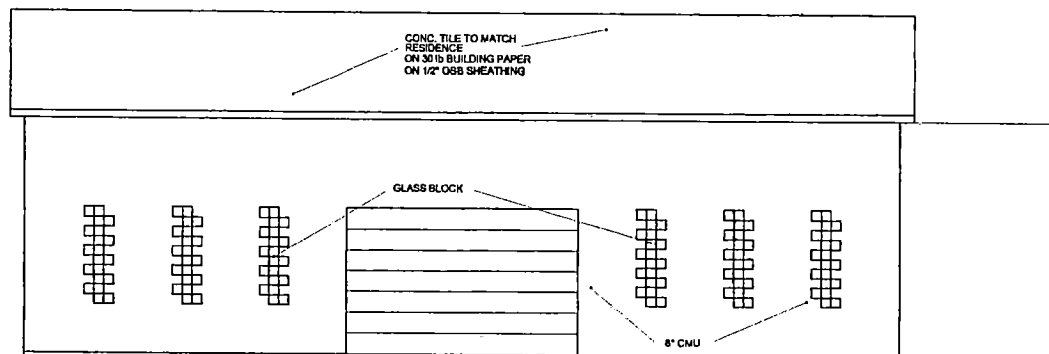
SOUTH ELEVATION

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



NORTH ELEVATION

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



EAST ELEVATION

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

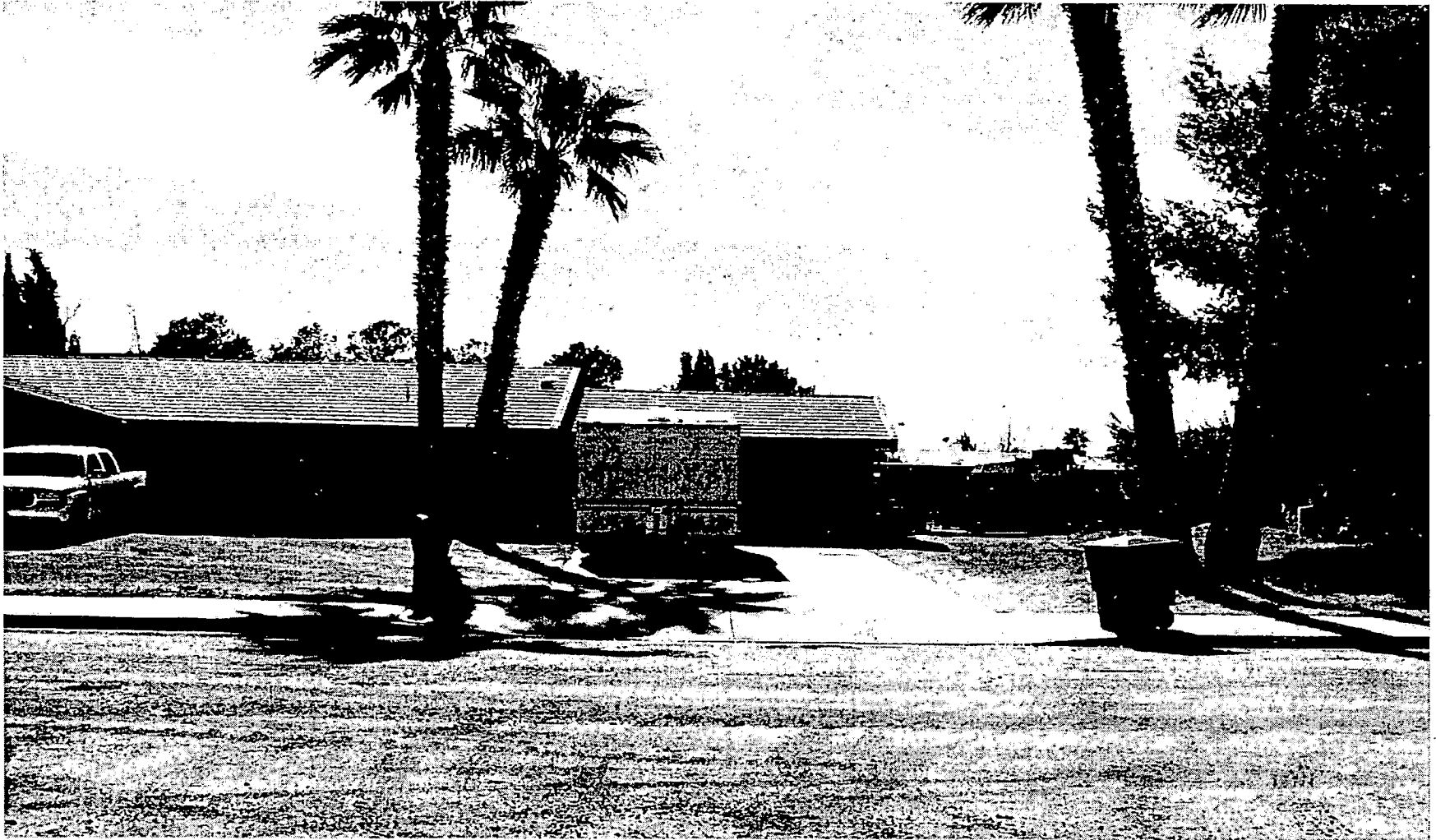
VAR-3715
2-26-04 PC

REVISIONS	BY

AN
OWNER BUILDER
PROJECT

EXTERIOR ELEVATIONS
BURNS RES. - ACCESSORY BLD.
6209 ALEXANDER LAS VEGAS, NV (702) 876-6666

W.A.B.
CHECKED R.B.
DATE 1/4" = 1'-0"
SCALE 1/4" = 1'-0"
3



VAR-3715 - APPLICANT/OWNER: RICHARD AND JILL BURNS
6209 WEST ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



VAR-3715 - APPLICANT/OWNER: RICHARD AND JILL BURNS
6209 WEST ALEXANDER ROAD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

Carman Burney

From: Kyle Walton
Sent: Monday, February 23, 2004 3:38 PM
To: Carman Burney
Subject: VAR-3715

I spoke to a James Cowley, 6208 Lorille Lane, 869-9633, about the VAR-3715. He called to indicate his opposition to the request.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SPECIAL USE PERMIT RELATED TO SDR-3713 - PUBLIC HEARING - SUP-3712 -
APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER,
LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A BAILBOND
SERVICE at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential)
Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).**

IF APPROVED: C.C.: 04/07/04

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**McSWAIN - APPROVED subject to conditions – UNANIMOUS with DAVENPORT
excused**

To be heard by the City Council on 4/7/2004

MINUTES:

**CHAIRMAN TRUESDELL declared the Public Hearing open on Item 30 [SUP-3712] and Item
31 [SDR-3713].**

**DAVID CLAPSADDLE, Planning and Development Department, explained that two existing
buildings will be converted into a bail bonds facility. It is located within the Downtown
Centennial Plan and conforms to all Code Standards. Staff recommended approval subject to the
appropriate conditions.**

**With regard to the conditions, MARGO WHEELER, Deputy Director, Planning and
Development Department, read an additional condition pertaining to streetscapes.**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 30 – SUP-3712

MINUTES – Continued:

DOLAN HANKS, 608 South Third Street, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 30 [SUP-3712] and Item 31 [SDR-3713].

NOTE: All discussion for Item 30 [SUP-3712] and Item 31 [SDR-3713] was held under Item 30 [SUP-3712].

NOTE: The meeting recessed at 8:22 p.m.

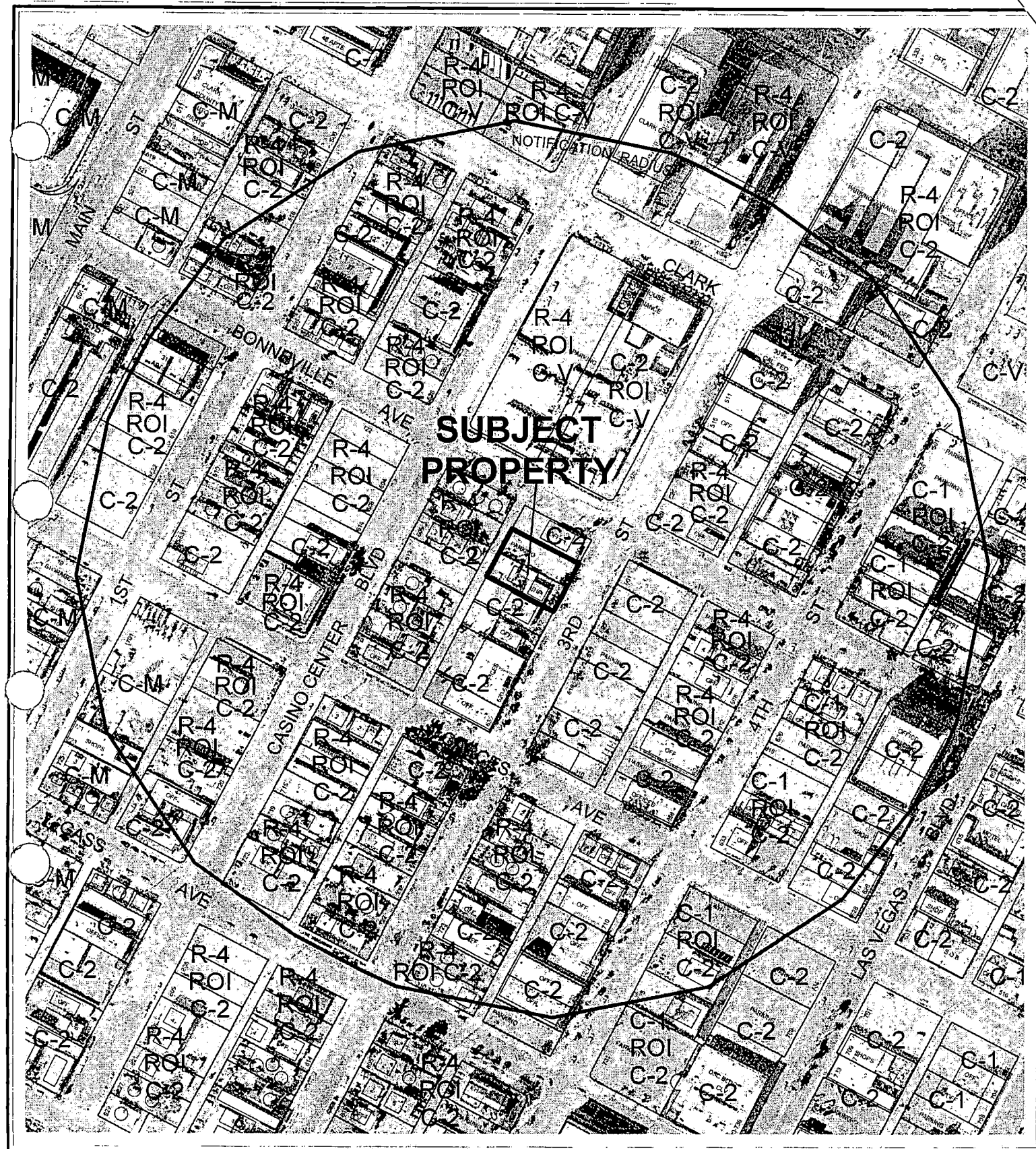
(8:17 – 8:22)

2-1619

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **SUP-3712**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-4 (HIGH DENSITY RESIDENTIAL) UNDER
RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

0 100 200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3713 - PUBLIC
HEARING - SUP-3712 - APPLICANT: CHURCH'S BAILBONDS, INC. - OWNER:
BONNEVILLE CENTER, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Bailbond service in an existing building on 0.16 acres at 608 South Third Street. Also submitted as a companion item is SDR-3713.

B) Applicant's Justification

The letter states that the parcel where the existing building is located is currently zoned R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial). The letter also states that the project supports existing City policies and regulations in that it offers City residents an additional source of Bailbonds.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The Board of City Commissioners approved a request (Z-0100-64) to reclassify property, including the subject site, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

B) Pre-Application Meeting

12/29/03 The Department of Public Works discussed the parking lot discrepancy shown in the submitted site plan and requested that the driveway be shown as existing in the center of the lot frontage, not entering onto the row of parking lot stalls. In addition, the driveway is to be brought to radius standards. Offsite improvements must conform to Downtown Centennial Plan.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

B) Existing Land Use

Subject Property: Multi-Family/Office
North: Parking
South: Office
East: Vacant
West: Multi-Family/Office

C) Planned Land Use

Subject Property: O (Office), SC (Service Commercial), GC (General Commercial)
North: O (Office), SC (Service Commercial), GC (General Commercial)
South: O (Office), SC (Service Commercial), GC (General Commercial)
East: O (Office), SC (Service Commercial), GC (General Commercial)
West: O (Office), SC (Service Commercial), GC (General Commercial)

D) Existing Zoning

Subject Property: R-4 (High Density Residential) under ROI to C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: R-4 (High Density Residential) under ROI to C-2 (General Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

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

SUP-3712 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Office Core sub-area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area.

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office	N/A	N/A	N/A	N/A	N/A	N/A

A total of 21 spaces will be provided, including two handicap spaces. These spaces are located at the adjacent north lot, which is also owned by the applicant. The applicant has submitted a letter stating that the parking lot located at 604 South Third Street will serve the Bailbond office at 608 South Third Street.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed office use; however, there are five similar approved uses within the 750' notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Enclosed, Gated and roofed	No information provided

B) General Analysis and Discussion

• Zoning

The proposed Bailbond Office, Other Than Listed is within the realm of permitted uses in the C-2 (General Commercial) zoning district with the approval of the Special Use Permit.

SUP-3712 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

- Use

Office, Other Than Listed is defined by Title 19 as a building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

- Conditions

Title 19.04.050 does not list specific conditions for Office, Other Than Listed.

FINDINGS

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

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

The proposed use is compatible with the existing surrounding land us and with future surrounding land uses as projected by the General Plan.

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

The proposed location of the Bailbond office is located on an existing commercial lot, surrounded by office and commercial uses, with limited residential, and is therefore compatible with surrounding uses and suitable for the type and intensity of land use proposed.

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

The subject site will be accessed from S. Third Street which can accommodate the expected traffic load of the proposed use.

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

SUP-3712 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

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

NOTICES MAILED 99 [Mailed with SDR-3713]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3712** APN: **139-34-311-070**

Name of Property Owner: Bonneville Center , LLC

Name of Applicant: Church's Bail Bonds , 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: _____

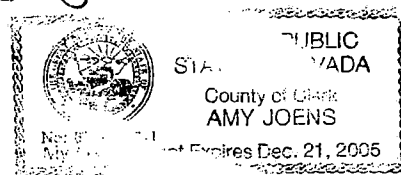
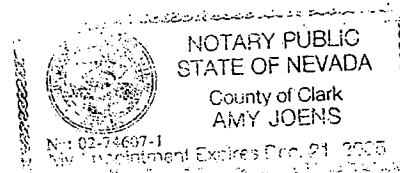
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Leo Flanagan

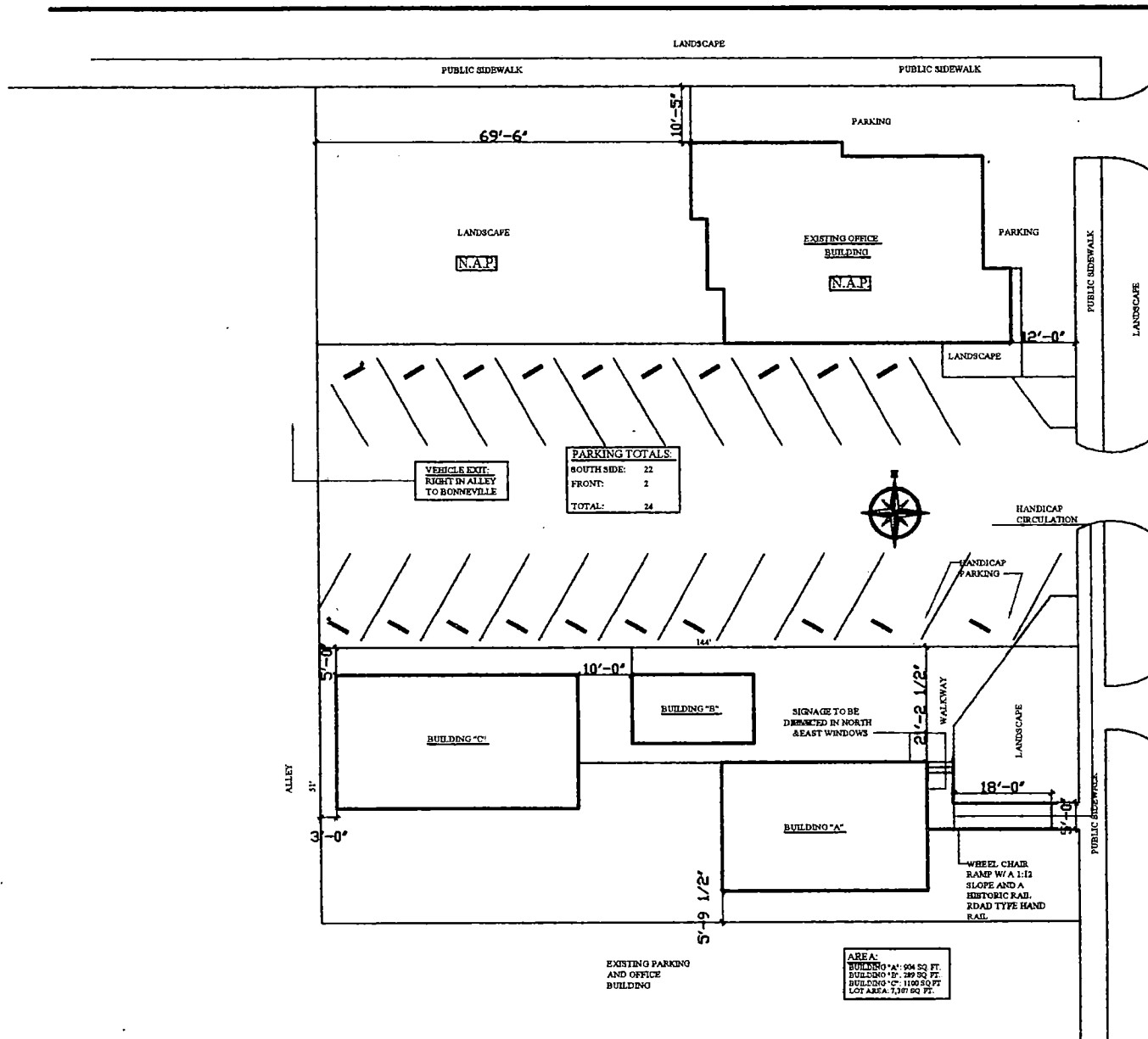
Subscribed and sworn before me

This 12 day of January, 2004

Notary Public in and for said County and State



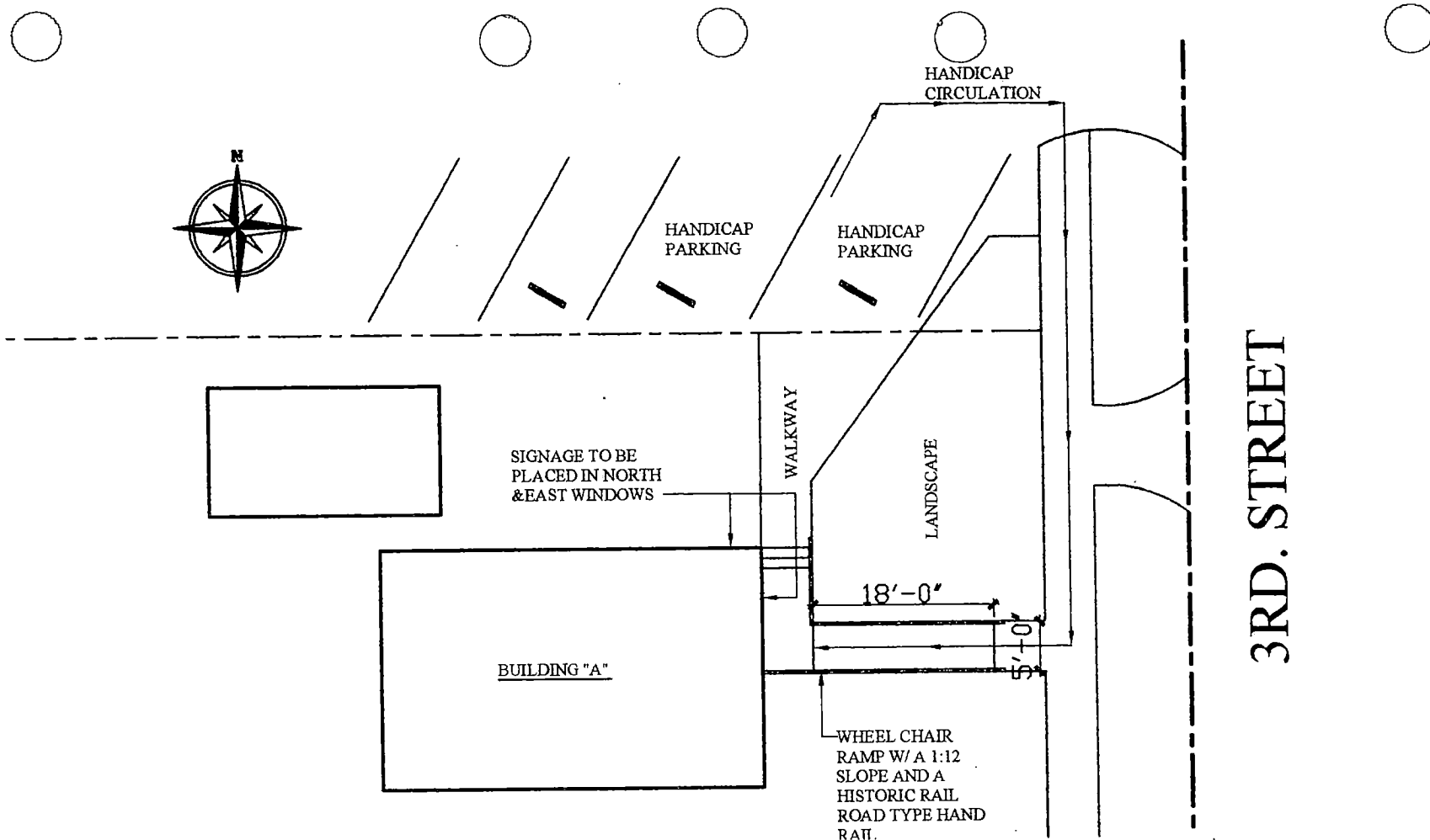
BONNEVILLE



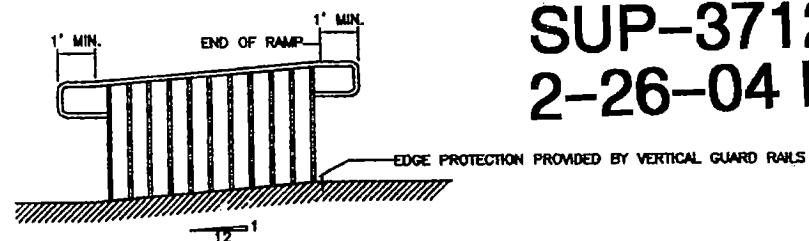
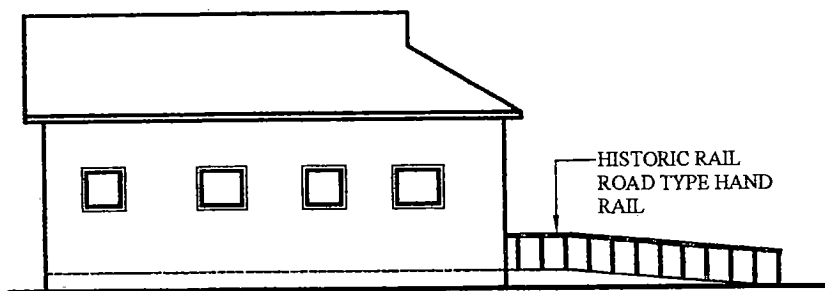
3RD. STREET

REVISED
2.13.04

SUP-3712
2-26-04 PC



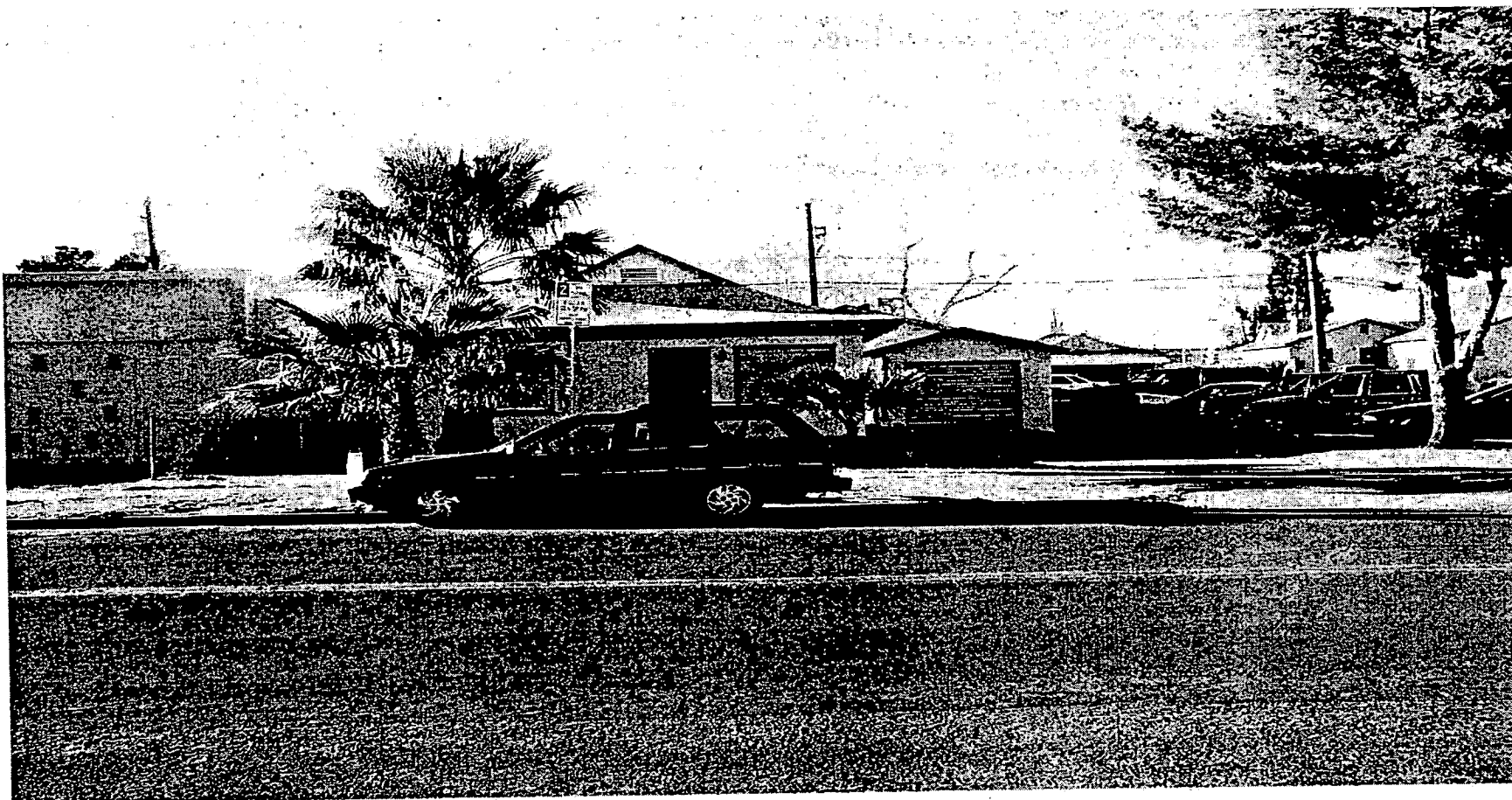
2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"



REVISED
7.13.04
SUP-3712
2-26-04 PC

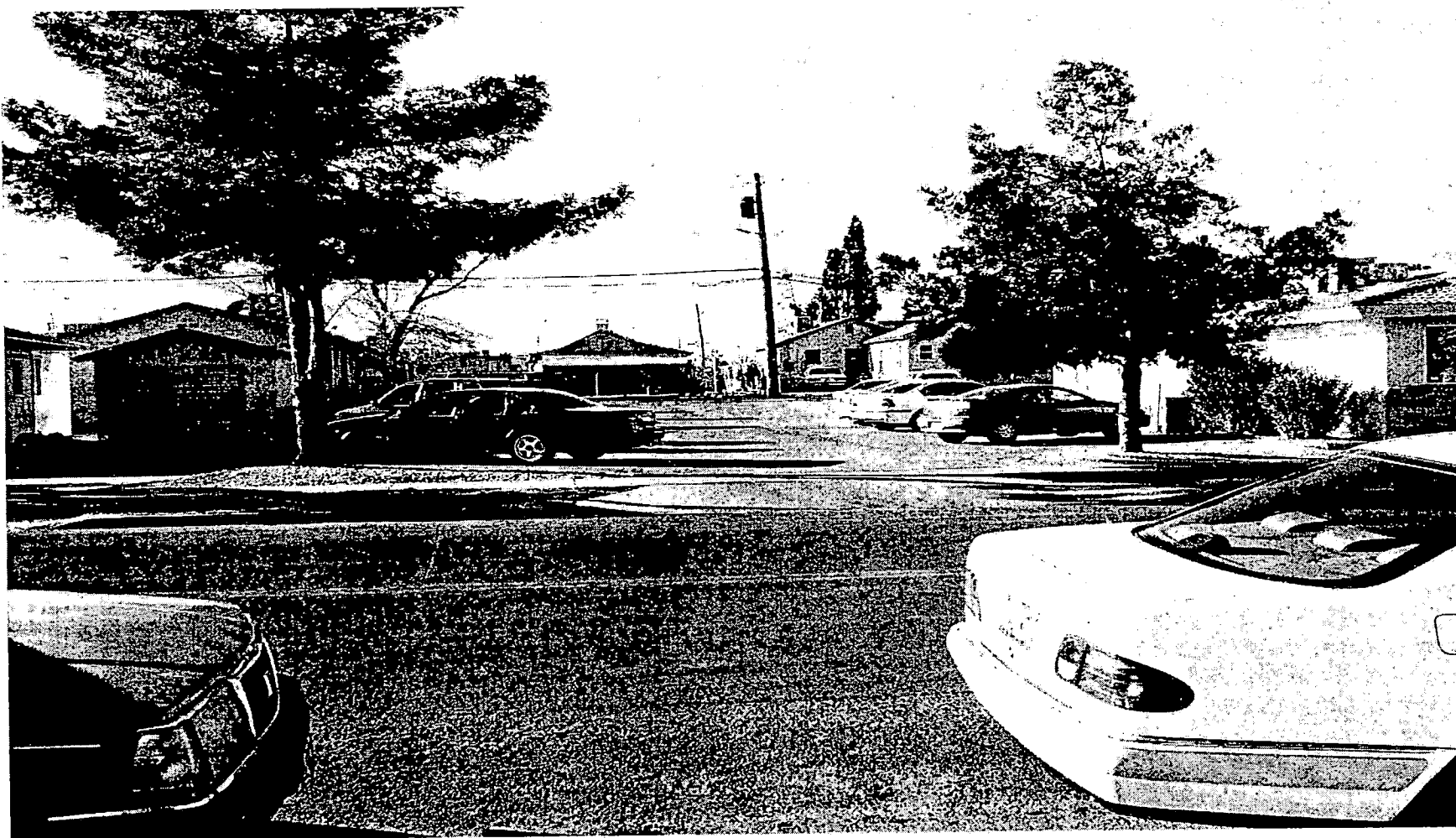
2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"

3 RAMP DETAIL
A1.0 NOT TO SCALE



SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED
LIABILITY COMPANY
608 SOUTH THIRD STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

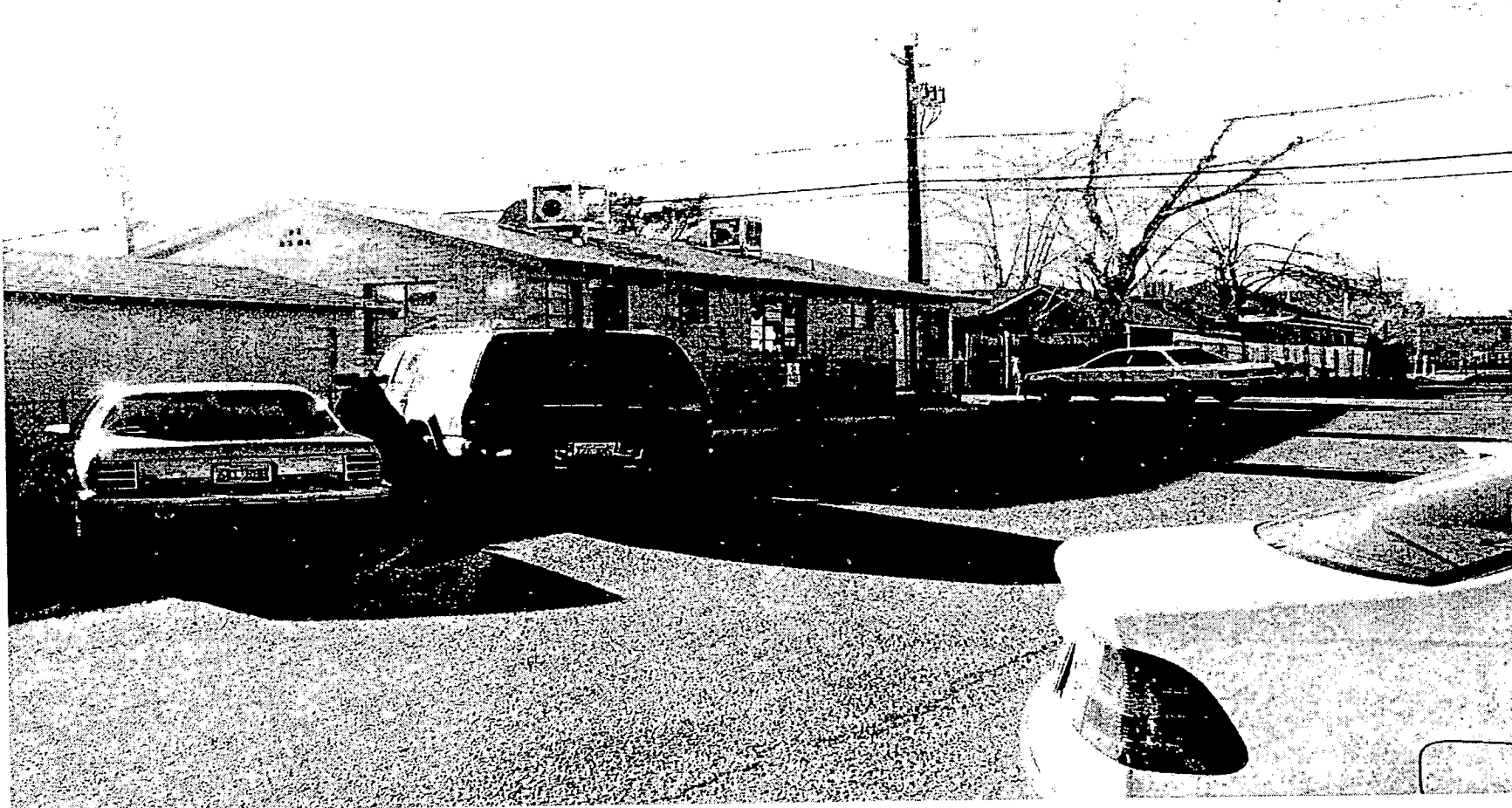


SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED
LIABILITY COMPANY

608 SOUTH THIRD STREET

FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED
LIABILITY COMPANY
608 SOUTH THIRD STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3712 - PUBLIC HEARING – SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Review FOR A PROPOSED BAILBOND OFFICE on 0.16 acres at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN - APPROVED subject to conditions with the added conditions as follows:

- *A landscape plan designed to be in conformance with the Downtown Centennial Plan streetscape standards shall be submitted to the Planning and Development Department prior to issuance of building permits.*
- *The existing chain link fence shall be removed.*

– UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 31 – SDR-3713

MINUTES:

NOTE: See Item 30 [SUP-3712] for related discussion.

(8:17 – 8:22)

2-1619

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein.
3. A handicap access ramp shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a more compatible design in accordance with the historic nature of the building.
4. Parking lot lighting shall be limited to 30 feet in height. The lighting in the parking lot and attached to the buildings shall be positioned to prevent spill over onto adjacent property.

Public Works

5. Remove all substandard public street improvements adjacent to this site (Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071), if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Landscape and maintain all unimproved right-of-way on Third Street adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071.
7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Third Street public right-of-way adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071 prior to occupancy of this site.



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW REALTED TO
SUP-3712 - PUBLIC HEARING - SDR-3713 - APPLICANT: CHURCH'S
BAILBONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY
COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein.
3. A handicap access ramp shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a more compatible design in accordance with the historic nature of the building.
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6. Landscape and maintain all unimproved right-of-way on Third Street adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071.
7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Third Street public right-of-way adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071 prior to occupancy of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed Bailbonds office in an existing building on 0.16 acres at 608 S. Third Street. Also submitted as a companion item is SUP-3712.

B) Applicant's Justification

The letter states that the parcel where the existing building is located is currently zoned C-1 (Limited Commercial) with an application to change to C-2 (General Commercial) with an application for a Special Use Permit. The letter also states that the project supports existing City policies and regulations in that it offers City residents an additional source of Bailbonds.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The Board of City Commissioners approved a request (Z-0100-64) to reclassify property, including the subject site, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

B) Pre-Application Meeting

12/29/03 The Department of Public Works discussed the parking lot discrepancy shown in the submitted site plan and requested that the driveway be shown as existing in the center of the lot frontage, not entering onto the row of parking lot stalls. In addition, the driveway is to be brought to radius standards. Offsite improvements must conform to Downtown Centennial Plan.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

Subject Property: Office/Multi Family

North: Parking

South: Office

East: Vacant

West: Single Family/Multi Family Residential

C) *Planned Land Use*

Subject Property: GC (General Commercial)

North: GC (General Commercial)

South: GC (General Commercial)

East: GC (General Commercial)

West: GC (General Commercial)

D) *Existing Zoning*

Subject Property: R-4 (High Density Residential) under Resolution of Intent to C-2
(General Commercial)

North: C-2 (General Commercial)

South: C-2 (General Commercial)

East: R-4 (High Density Residential) under Resolution of Intent to C-2
(General Commercial)

West: C-2 (General Commercial)

E) *General Plan Compliance*

This property is located within the boundaries of the Las Vegas Redevelopment District, and is subject to the land use designations identified in the Redevelopment Plan.

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

SDR-3713 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Office Core sub-area.

PROJECT DESCRIPTION

The proposed plan will include the use of existing buildings previously used as a residence and office for a new use as a Bailbonds office. There will be no new construction. The landscaping on the site exists, and parking will be located on an adjacent lot to the north, also owned by the same property owner as subject property. The existing driveway will be removed and replaced with landscaping and sidewalk.

Although there is no new construction proposed for the subject property, the Site Development Plan Review process is required because there was not required when the property was initially converted from residential to commercial.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed as applicable in the table below:

Standards	Required	Provided
Min. Lot Size	N/A	0.16
Min. Lot Width	N/A	
Min. Setbacks		
• Front	0 Feet (for a minimum of 70% of lot width)	28 feet
• Side	N/A	5'-9"
• Corner	N/A	N/A
• Rear	N/A	3 feet
Max. Lot Coverage	Up to 100%	67%
Max. Building Height	N/A	15 feet
Trash Enclosure	Must be screened from public view	No information provided

The existing structures comply with all applicable development standards.

SDR-3713 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area.

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
N/A	N/A	N/A	N/A	N/A	19	2

A total of 21 spaces will be provided, including two handicap spaces. These spaces are located at the adjacent north lot, which is also owned by the same owner as subject property. The applicant has submitted a letter stating that the parking lot located at 604 South Third Street will serve the Bailbonds office at 608 South Third Street.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of landscape requirements contained in the Title 19. No additional landscape is planned to be added to the subject property.

A5) Sign Standards

The applicant is proposing to post a sign in the window of the existing property with no other signage on the structure. Title 19.14 allows window signs up to 25% coverage of the total area of windows located on a building elevation. The proposed signage conforms to the requirements listed in Title 19.14.

B) General Analysis and Discussion

- **Zoning**

The proposed office use is consistent with the C-2 (General Commercial) zoning district, the Downtown Centennial Plan, and the uses permitted within the Office Core. The proposed building with new use will conform with the development standards of the underlying zoning district and does not exceed the standards stipulated by the Office Core design standards.

SDR-3713 - Staff Report-Page Five
February 26, 2004 - Planning Commission Meeting

- Site Plan

The Bailbonds office will be located within an existing building on an existing lot and will not result in any changes to the existing lot, with the exception of one building on the rear of the lot that will be converted from residential to commercial use. The trash enclosure will remain in its existing location and will be properly screened and roofed.

- Waivers

Do to the fact that no new construction is planned for the site, the applicant will not be installing the Downtown Centennial Plan streetscape treatment, nor will a buffer be provided at the rear of the existing parking lot.

- Landscape Plan

All perimeter landscaping exists and will not be reconfigured as a result of the new use. The amount of buffer area exceeds the minimum required standard, although rear perimeter buffer of existing parking lot is not provided.

- Elevation

There will be no changes to the existing elevations.

- Floor Plan

There will be no changes to the existing floor plan.

FINDINGS

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

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

The existing buildings are compatible with the existing buildings on the property and with development in the immediate 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 existing buildings with the new use are consistent with all code requirements.

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

No additional driveways will be constructed, and in fact, the existing driveway will be removed and a walkway provided from the adjacent north parking lot. The abutting streets have sufficient capacity to accommodate the additional use.

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

The existing buildings and landscape are appropriate for the area.

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

The existing buildings are harmonious and compatible with development in the area.

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

The proposed Bailbonds office will not impact public health, safety or welfare since the any alterations will be subject to City inspections during change of use.

NOTICES MAILED 99 [Mailed with SUP-3712]

APPROVALS 0

PROTESTS 0

The site plan illustrates the proposed development at 7401 50th St. The site is bounded by a public sidewalk to the north and east, and an alley to the west. The plan shows three existing buildings: Building A (a large rectangular structure), Building B (a smaller rectangular structure), and Building C (a rectangular structure). A new building, labeled 'EXISTING OFFICE BUILDING', is shown to the north of Building A. The plan also indicates existing parking areas, including a 'PARKING' area to the north of the office building and a 'HANDICAP PARKING' area to the east of Building A. A 'VEHICLE EXIT' is shown to the west of Building C, leading to Bonnieville. The plan includes dimensions for various areas and setbacks, such as 69'-6" for the north setback, 10'-5" for the east setback, and 3'-0" for the west setback. A north arrow is located in the center of the plan. A table titled 'PARKING TOTALS' is provided, showing 22 spaces on the south side, 2 spaces in the front, and a total of 24 spaces. A table titled 'AREA' is also included, showing the area for Building A (94,804 sq ft), Building B (389,802 sq ft), Building C (11,000 sq ft), and the total lot area (7,401,500 sq ft).

SOUTH SIDE:	22
FRONT:	2
TOTAL:	24

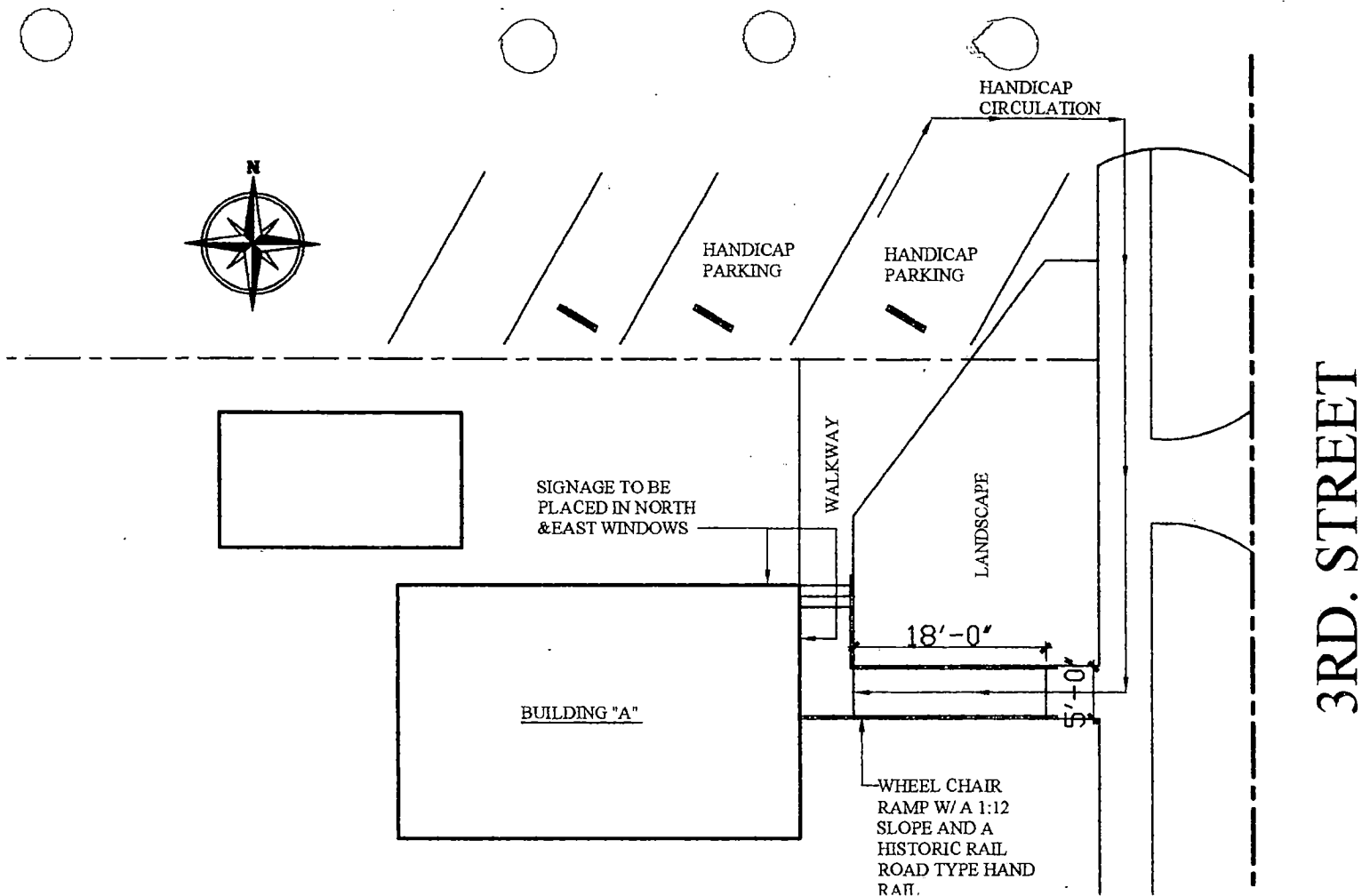
BUILDING "A":	94,804 SQ FT
BUILDING "B":	389,802 SQ FT
BUILDING "C":	11,000 SQ FT
LOT AREA:	7,401,500 SQ FT

3RD. STREET

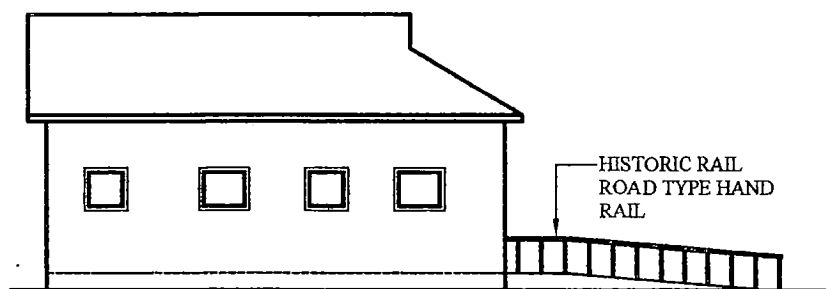
REVISED
2.13.04

SDR-3713
2-26-04 PC

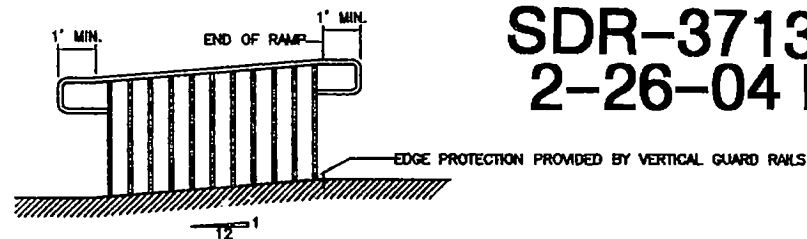
SITE PLAN
SCALE: 1" = 30'-0"



2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"



2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"



3 RAMP DETAIL
A1.0 NOT TO SCALE

REVISED
2.13.04
SDR-3713
2-26-04 PC



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: CHURCH'S BAIL BONDS, 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?

7 No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name:

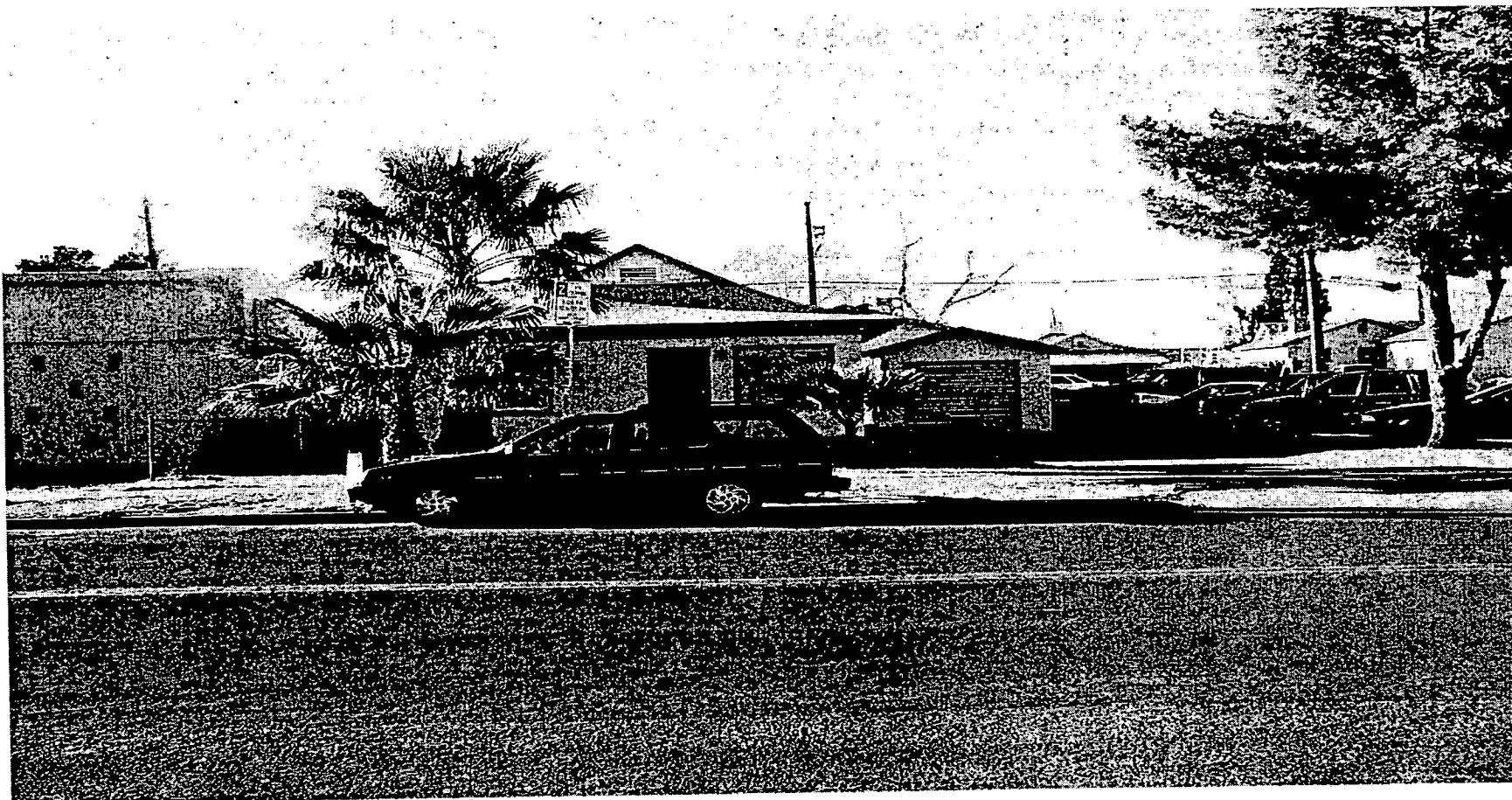
Subscribed and sworn before me

This 18 day of January, 2004

Notary Public in and for said County and State

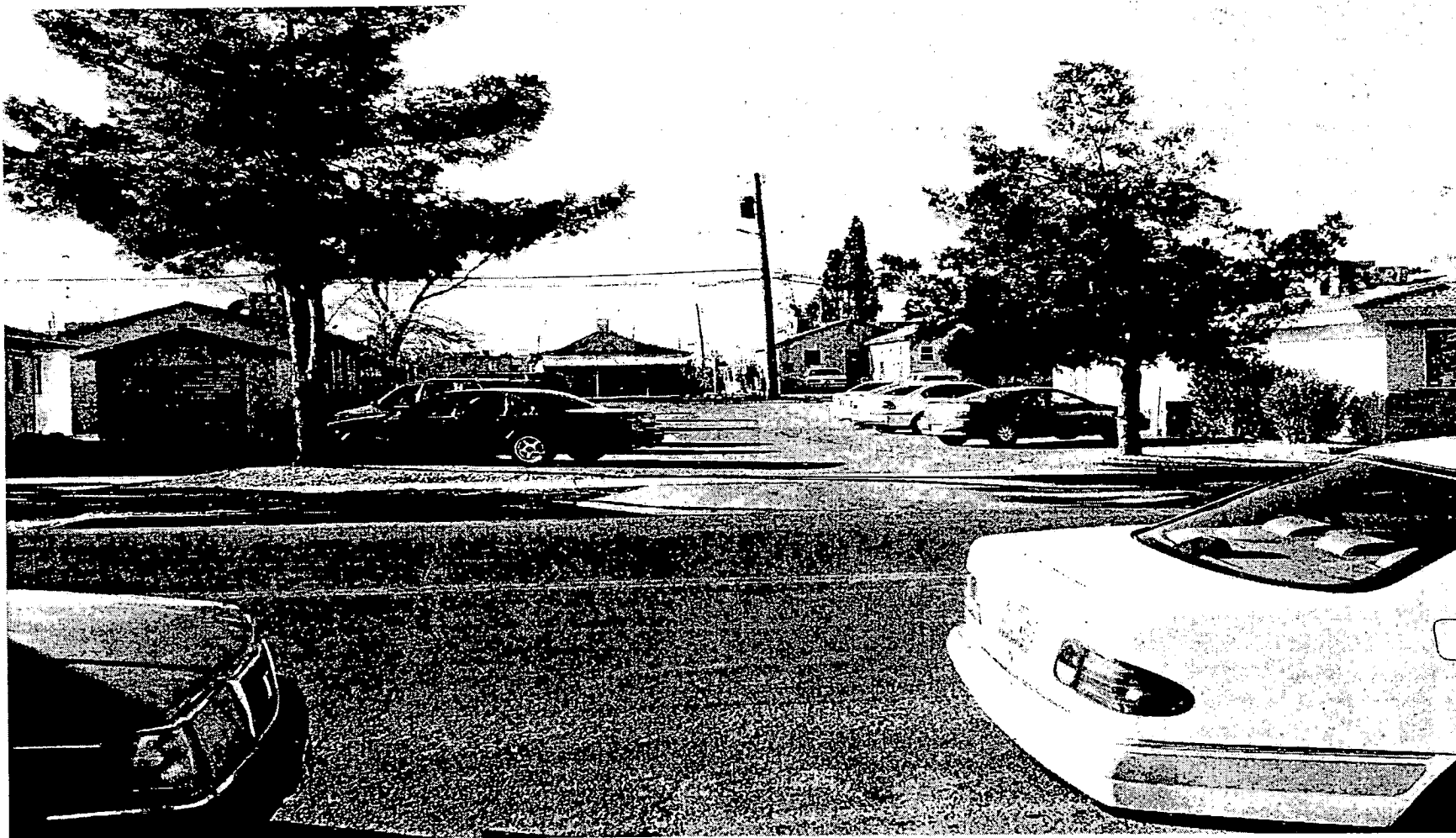
NOTARY PUBLIC
STATE OF NEVADA

County of Clark
AMY JOENS



SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED
LIABILITY COMPANY
608 SOUTH THIRD STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED
LIABILITY COMPANY
608 SOUTH THIRD STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 - APPLICANT: AURELIO'S
- OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY - Request
for a Special Use Permit FOR A RESTAURANT SERVICE BAR AND A WAIVER FROM
THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING
CHURCH AND PARK at 7660 West Cheyenne Avenue, Suite #122 (APN: 138-09-821-003), U
(Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of
Intent to C-1 (Limited Commercial), Ward 4 (Brown).

IF APPROVED: C.C.: 04/07/04

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**McSWAIN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT
excused**

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this site is
located within a major intersection that has substantial commercial development. Both the
Church and the Park are located on the opposite side of the intersection. Staff felt the waivers
are appropriate and recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 32 – SUP-3716

MINUTES – Continued:

DAVID and LISA JONES, the applicants, 7660 West Cheyenne Avenue, and MEGAN MEDIA, Cheyenne Investments, LLC, 3291 North Buffalo Drive, represented this application and concurred with all conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: Meeting resume at 8:33 p.m.

(8:33 – 8:35)

2-1781

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. waiver is granted to permit the use within the 400-foot minimum distance separation requirement from protected uses.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

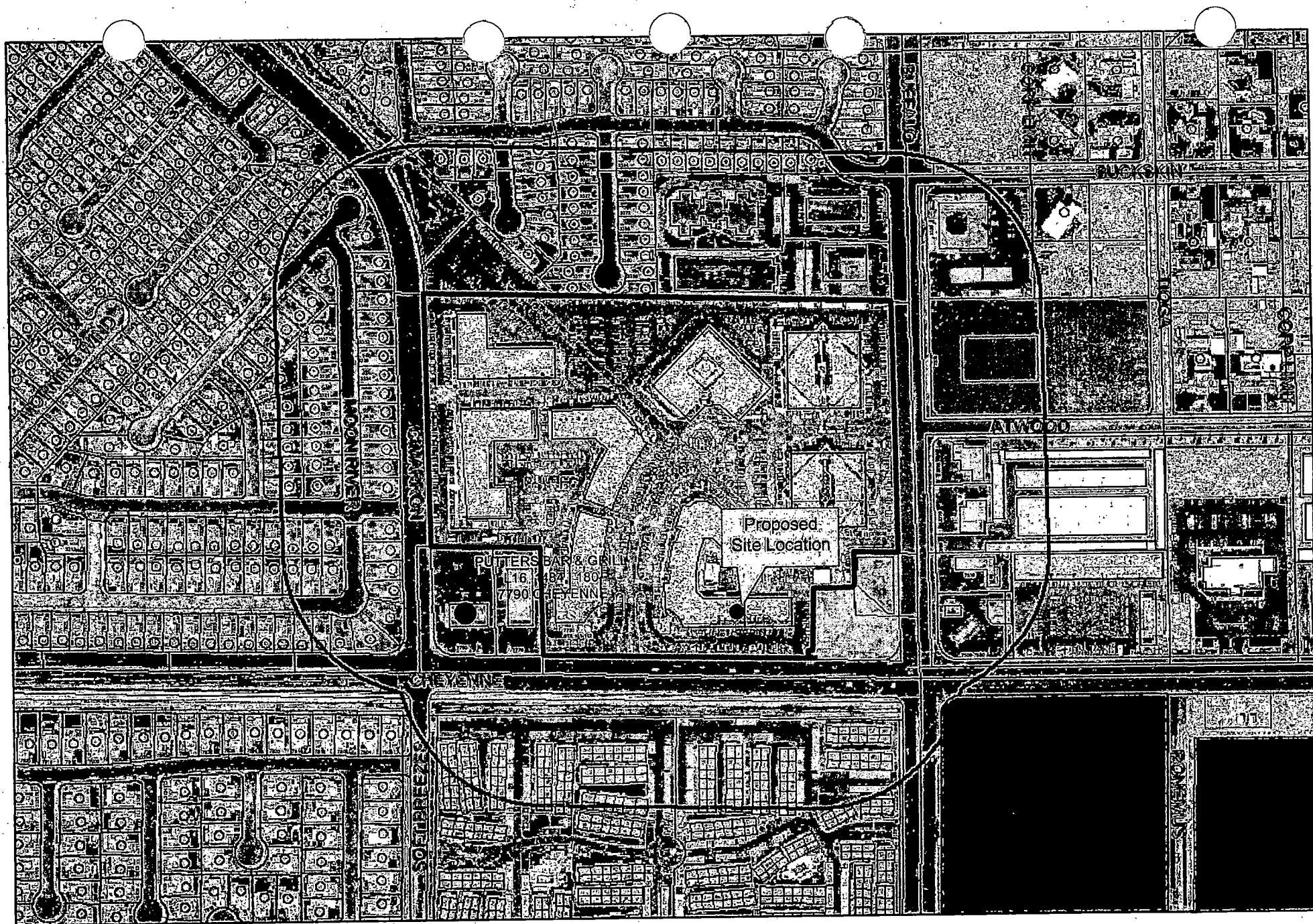


SEPARATION RADIUS: 400 FT

CLONING OF SUBJECT PROPERTY:

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





SUP-3716

Protected Landuses

Parks	Taverns
Schools	Religious

Business Licenses

Tavern	Child Care/ Children Facility
Supper Club/ Restaurant Service Bar	

- | |
|------------------|
| Subject Property |
| 400 foot buffer |



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 -

APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED
LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A waiver is granted to permit the use within the 400-foot minimum distance separation requirement from protected uses.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to allow a Restaurant Service Bar and a waiver of minimum distance requirements from a Church and City Park, on a 24.8-acre site located at 7660 West Cheyenne Avenue, Suite #122.

B) Applicant's Justification

The applicant has justified this request by indicating that the use will consist only as a "table service" because of the non-existence of an actual bar on site. The requested waiver of the minimum distance separation from a Church is justified by virtue of the actual distance measured from the front door of the Restaurant Service Bar to that of the Church is greater than the required 400-foot separation distance. The applicant has not addressed the requested waiver of the minimum distance separation from a City Park.

BACKGROUND INFORMATION

A) Previous Actions

- 07/21/93 The City Council approved a rezoning (Z-0052-93) of 113 acres to R-PD8 (Residential Planned Development 8 Units Per Acre) Zone and C-1 (Limited Commercial) Zone. The Planning Commission and staff recommended approval.
- 07/28/97 On an adjacent site, the City Council approved an Extension of Time for a Special Use Permit [U-0029-95(2)] for a Tavern located at the Northeast Corner of Cimarron Road and Cheyenne Avenue. City council originally approved the Special Use Permit (U-0029-95) on June 21, 1995. The Board of Zoning Adjustment and staff recommended approval.
- 07/13/98 The City Council approved a Site Development Review [Z-0052-93(11)] for a proposed 178,510 square foot office complex, at the Northeast corner of Cheyenne Avenue and Cimarron Road. The Planning Commission and staff recommended approval.

SUP-3716 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

- 01/06/98 The Board of Zoning Adjustments approved a Variance (V-0104-97) to allow a 104-foot setback from the side property line where 156 feet is the minimum setback. Staff recommended denial.
- 09/14/98 The City Council approved a Site Development Review [Z-0052-93(12)] on property located on the Northwest corner of Buffalo Drive and Cheyenne Ave for a proposed 3,402 square foot restaurant. The Planning Commission and staff recommended approval.
- 03/09/02 Staff administratively approved a Site Development Review [Z-0052-93(13)] for a proposed 4,000 square foot Temporary Modular office.

B) Pre-Application Meeting

- 12/22/03 The waiver of the minimum distance requirement from protected uses was discussed. The applicant addresses this issue in regards to the church located at 3300 North Buffalo Drive in their justification letter. The issue regarding the Park has not been addressed.

C) Neighborhood Meetings

A neighborhood meeting is not required with respect to a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 24.8

B) Existing Land Use

Subject Property: Commercial Office Complex
North: Residential Subdivision
Adult Group Home & Day Care
Withdrawal Management Facility
South: Apartments
Southeast: Public Library
Public Park
East: Retail Commercial Center
Mini Warehouse
Church
West: Residential Subdivision

SUP-3716 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 ML (Medium Low Density Residential)
 South: M (Medium Density Residential)
 Southeast: PF (Public Facility)
 East: SC (Service Commercial)
 R (Rural density residential)
 West: ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property: U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
 North: U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
 U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation]
 R-PD7 (Residential Planned Development - 7 Units Per Gross Acre)
 South: R-PD5 (Residential Planned Development - 5 Units Per Gross Acre)
 Southeast: C-V (Civic)
 East: C-1 (Limited Commercial)
 R-E (Residence Estates)
 West: R-PD8 (Residential Planned Development - 8 Units Per Gross Acre)

E) General Plan Compliance

- Centennial Hills General Plan

This site is located within a SC (Service Commercial) land use designation within the Centennial Hills Sector Plan of the General Plan. The proposed use is in compliance with the Centennial Hills Sector Plan.

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

SUP-3716 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

The subject Special Use Permit for a Restaurant Service Bar is located within the 330-foot Rural Preservation Neighborhood street buffer zone. However, there are no parcels indicated as part of the Rural Preservation Neighborhood, in proximity to the site, therefore this application has no affect on any property designated as such.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, any application for a Special Use Permit within 500 feet of Clark County or the City of North Las Vegas is deemed to be a "Project of Regional Significance". As the subject site does not fall within these parameters, the proposal is not deemed to be a Project of Regional Significance and is therefore not subject to an Environmental Impact Assessment and associated notification procedures.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Restaurant Service Bar	400 foot separation from protected uses	NO

Title 19 allows "Restaurant Service Bar" uses to be developed subject to a Special Use Permit. The primary condition to be satisfied for the issuance of such a Special Use Permit is a minimum separation distance. The minimum distance separation requirements of Title 19.04.050 stipulates that no restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

RESTAURANT SERVICE BAR [N-S THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

SUP-3716 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

- (1) No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.
- (2) Except as otherwise provided in Subsection (3) below, the minimum distances referred to in Subsection (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed restaurant service bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - (a) Any leasehold parcel; or
 - (b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection (1).
- (3) In the case of a restaurant service bar proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Subsection (1) shall be measured in a straight line:
 - (a) From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
 - (b) In the case of a proposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.
- (4) When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Subsection (1), the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
- (5) The minimum distance requirement in Subsection (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.
- (6) In the O District, a restaurant service bar is permitted only as an accessory use. This provision cannot be waived.
- (7) All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code. This provision cannot be waived.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial). The "Restaurant Service Bar" use is permitted in a C-1 (Limited Commercial) District with the approval of a Special Use Permit, which is the subject of this application.

- Use

The use of a portion of this development site as a "Restaurant Service Bar" is appropriate, given the nature of development in this site, which includes a variety of restaurants and office uses.

- Conditions

With approval of the requested waiver of the 400-foot minimum separation distance, the proposed Restaurant Service Bar use meets all conditions of approval of a Special Use Permit as outlined in Title 19.04.050 of the Zoning Code.

FINDINGS

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

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

The project is compatible with the General Plan land use designation but fails to satisfy the requirements of the Zoning Code with respect to minimum separation distance requirements. The project is located in a substantial commercial development at an intersection where two quadrants are occupied by major commercial developments, while the remaining corners are zoned for residential and civic uses. The proposed use can be expected to be compatible with, and mutually supportive of, these other commercial uses.

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

SUP-3716 - Staff Report Page Seven
February 26, 2004 - Planning Commission Meeting

There is no evidence of physical constraints to location of the proposed Restaurant Service Bar use on this site.

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

The proposed Restaurant Service Bar will be accessed from Buffalo Drive and Cheyenne Ave, which are both identified on the Master Plan of Streets and Highways as a Primary (100-foot) Arterials. These roads have adequate capacity to serve the proposed development. Additional access will be provided by means of Cimarron Road, which is identified by the Master Plan of Streets and Highways as a Secondary (80-foot) Collector. This road has adequate capacity to serve the proposed development.

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

The proposed restaurant service bar use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 1,263

APPROVALS 0

PROTESTS 0



Case Number: SUP-3716 APN: 138-09-881-003
Name of Property Owner: Cheyenne Investments, LLC
Name of Applicant: Aurelio's

Yes _____ **No** ✓

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: James H. Combs

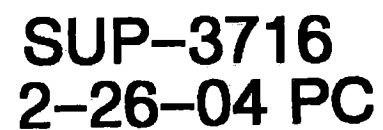
Print Name: George K Connor

Subscribed and sworn before me

This 9th day of January, 2004

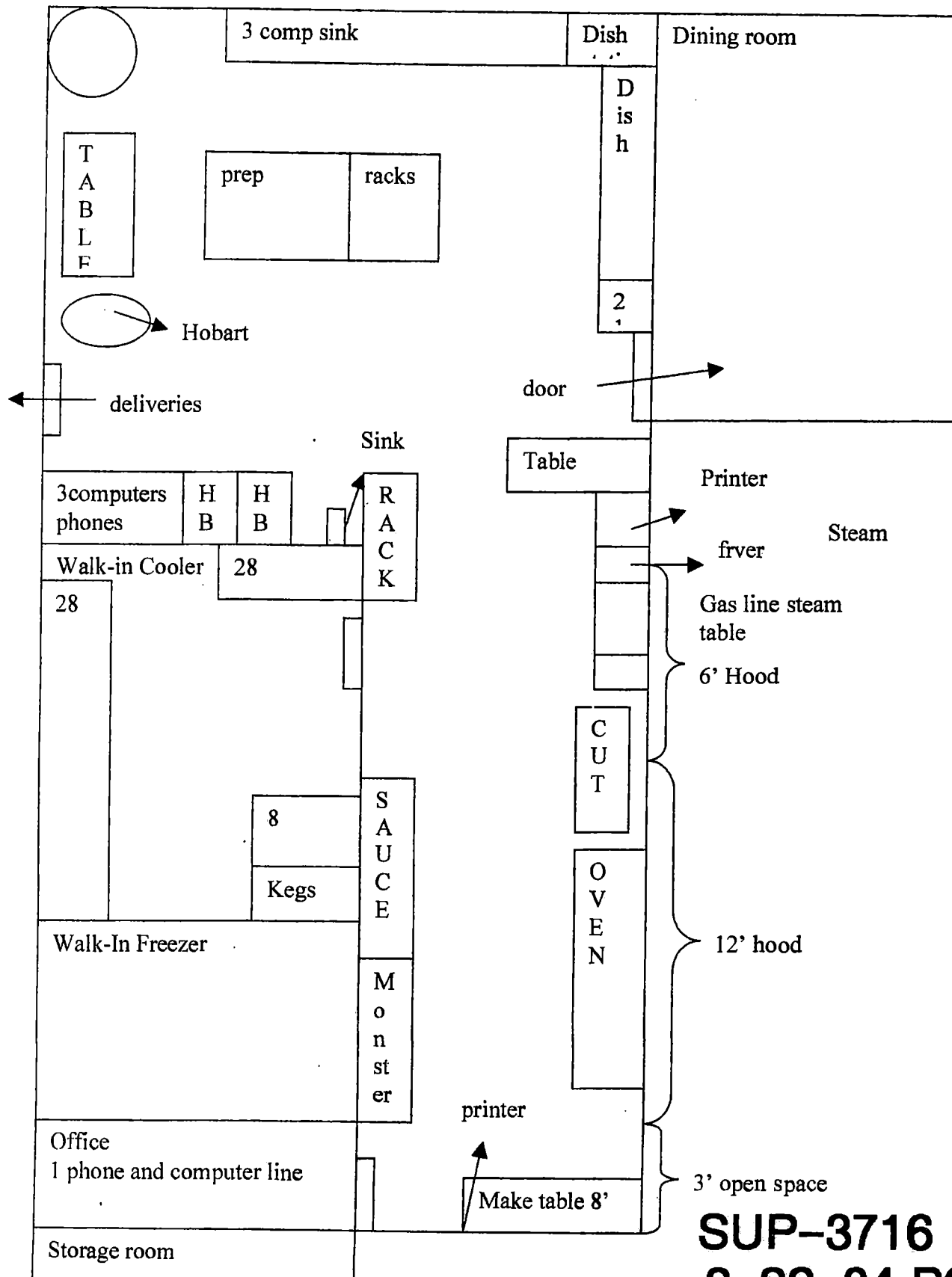
Kush Grace
Notary Public in and for said County and State





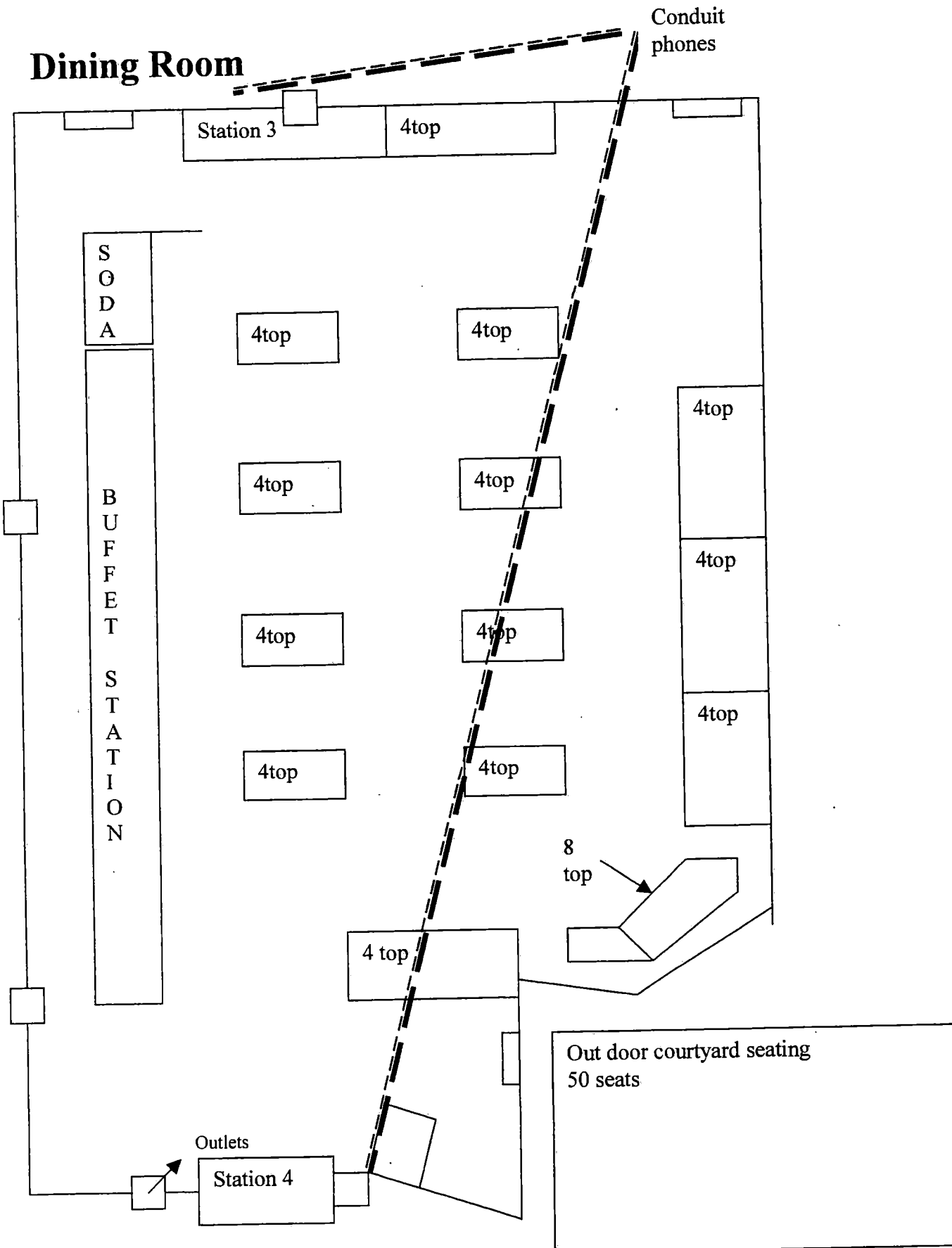
SUP-3716
2-26-04 PC

Kitchen Floor Plan



SUP-3716
2-26-04 PC

Dining Room



SUP-3716
2-26-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3717 - APPLICANT: TUSCAN RESTAURANT ENTERPRISES, LIMITED LIABILITY COMPANY - OWNER: MMM PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A NIGHT CLUB at 1050 South Rampart Boulevard (APN: 138-32-412-024), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald).

IF APPROVED: C.C.: 04/07/04

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 11, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

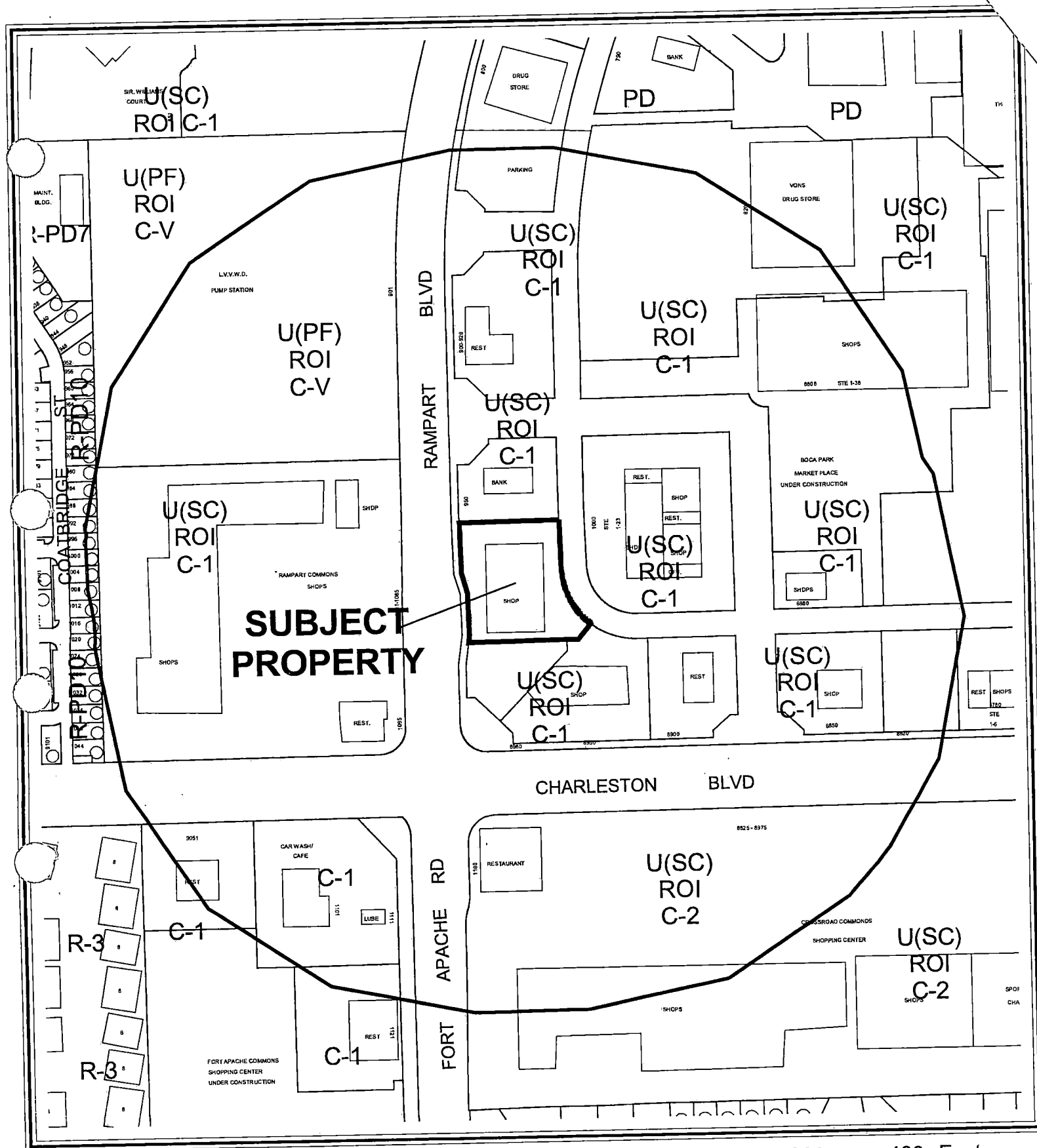
PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 33 – SUP-3717

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

(6:05 – 6:08)

1-127



CASE: SUP-3717

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3717 -

APPLICANT: TUSCAN RESTAURANT ENTERPRISES, LIMITED LIABILITY
COMPANY - OWNER: MMM PROPERTIES, LIMITED LIABILITY COMPANY

***ON FEBRUARY 19, 2004 THE APPLICANT
REQUESTED THIS ITEM BE HELD IN
ABEYANCE TO THE MARCH 11, 2004
PLANNING COMMISSION MEETING.***

MICHAEL H. SINGER
JAY H. BROWN

LAW OFFICES
Singer & Brown
A NEVADA LLC

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

February 18, 2004

Via Fax to: 385-7268

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101
Attn: Dave Clapsaddle
Supervisor

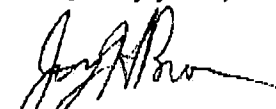
Re: Item No. 33 -- SUP-3717, Tuscan Restaurant Enterprises, Limited Liability
Company

Dear Mr. Clapsaddle:

Please be advised that I represent the applicant on the above referenced application.

On behalf of my client, I am requesting that the hearing on this applications be held in
abeyance until the March 11, 2004 City of Las Vegas Planning Commission meeting.
The reason for this request is that I will be out of town and unable to attend the February
26 meeting.

Very truly yours,


Jay H. Brown

JHB:cc

cc: Mario Maccioni



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3717** APN: _____
Name of Property Owner: Mario Maccioni
Name of Applicant: Mario Maccioni

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

____ Yes ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

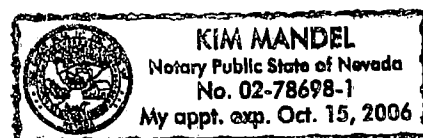
Print Name: Mario Maccioni

Subscribed and sworn before me

This 9th day of January, 2004

Kim Mandel
Notary Public in and for said County and State

Revised 2/12/02

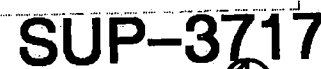


fsdopenApplication Packet Statement of Financial Interest.doc

Clark County, Nevada

[illegible]

	description
1	COMPRESS FILLED 1/2 IN. METAL PAN STEAR THREAD
2	1/2" PAN, OUTSIDE DIA. STEEL PIPE HORIZONTAL, 0 SHIP TO SHIP PAN ABOVE 1/2 IN. HIGHER THAN 1/2, HELD ALL ACROSS 4 SHIPD SMOOTH
3	STEEL SHIPD ABOVE
4	GLASS PARTITION-SEE ENRAGED BY INTERIOR DESIGN GROUP
5	CURTAIN SIDE DISPLAY INAC. BY OTHERS
6	1 SHIPD ABOVE BY SHIP SHIPD PAN
7	AC CROSS PAN OF SHIPD DUCT, SEE SHIPD P-2
8	HALL MIRROR GLASS PARTITION-SEE INTERIOR DESIGN ENRAGED
9	PLAQUE TELEVISION SHIPD GLASS



2-26-04 PC

Sheet no. A8

[illegible]

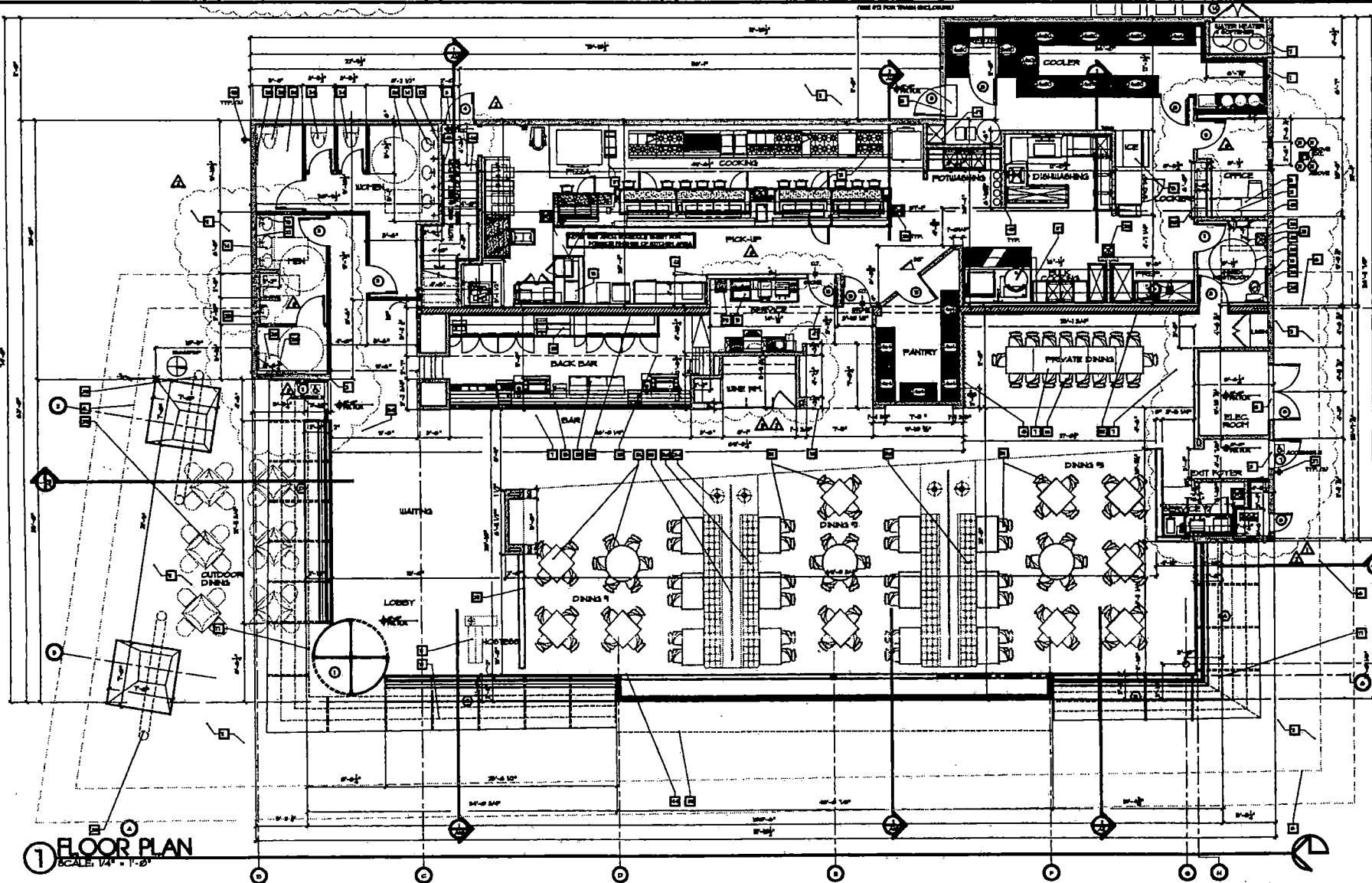
description
LEAF = SEE DIMENSION SET INTERIOR DESIGN SPEC
LINE OF ALONG STITCH WINDOW WALL
LINE OF ALONG WINDOW WALL
LINE OF TRANSMIT ABOVE ARCH
FRONT COLUMN = SEE ARCHITECTURAL STRUCTURAL DETAILS
OUTSIDE DIMS TABLE 1 DIMS = AS SELECTED BY OWNER
PORTABLE SERVICE SPEAKER = SEE DIMENSION BY INTERIOR DESIGN SPEC
WALL TREATMENT = SEE INTERIOR DESIGN SPEC
ROOF ACCESS LADDER TO ROOF ACCESS WINDOW ABOVE = SEE ROOF PLAN
WALL MOUNT STAIRCASE RISER, COBBLE GRAY
ROOFED BALK TO ALUM BY BASE OF 10' BLACK BALK
1" IMP PANK CURVED DOWN STAIR, TYPE BLACK, AT 6" TO 6" PANK

description
CONCRETE FILLING IN GUTTERAL WITH PLASTER THREAD
LINE OF STRUCTURE ABOVE
PAPER TILES, DISPERSED
SOAP DISPENSER
TALL, POLISHED, SHAGGY, WITH PLASTER, DRINK, BY THE PLASTER, WITH
PLASTER OF THE
POSSIBLE INVENTION, WITH SHAGGY
POSSIBLE INVENTION, WITH SHAGGY
100% EXHAUSTION OF SHAGGY, BY FACE

description
LEAF = SEE DIMENSION SET INTERIOR DESIGN SPEC
LINE OF ALONG STITCH WINDOW WALL
LINE OF ALONG WINDOW WALL
LINE OF TRANSMIT ABOVE ARCH
FRONT COLUMN = SEE ARCHITECTURAL STRUCTURAL DETAILS
OUTSIDE DIMS TABLE 1 DIMS = AS SELECTED BY OWNER
PORTABLE SERVICE SPEAKER = SEE DIMENSION BY INTERIOR DESIGN SPEC
WALL TREATMENT = SEE INTERIOR DESIGN SPEC
ROOF ACCESS LADDER TO ROOF ACCESS WINDOW ABOVE = SEE ROOF PLAN
WALL MOUNT STAIRCASE RISER, COBBLE GRAY
ROOFED BALK TO ALUM BY BASE OF 10' BLACK BALK
1" IMP PANK CURVED DOWN STAIR, TYPE BLACK, AT 6" TO 6" PANK

[illegible][illegible]

#	description
01	NORTH ELEVATION - SEE PLUMBING DRAWINGS
02	NORTH ELEVATION - SEE PLUMBING DRAWINGS
03	ALPHABET NUMERICAL
04	SHOWN WITHIN VERTICAL RANGE - SEE DETAIL
05	SECTION - 1/4" PLATE LAMINATE CIRCULAR BOARD
06	LINE OF ANNEAL FRACTURE ABOVE - SEE ELEVATIONS
07	PANELING - SEE DRAWINGS BY INTERIOR DESIGN GROUP
08	ELECTRICAL PANELS - SEE ELECTRICAL DRAWINGS
09	ELECTRICAL FEEDER SERVICE - SEE ELECTRICAL DRAWINGS
10	LINE OF REVISIONS ABOVE
11	EXTERIOR CONCRETE SLAB - SEE FOUNDATION PLAN



**John
J. Burns, architect**

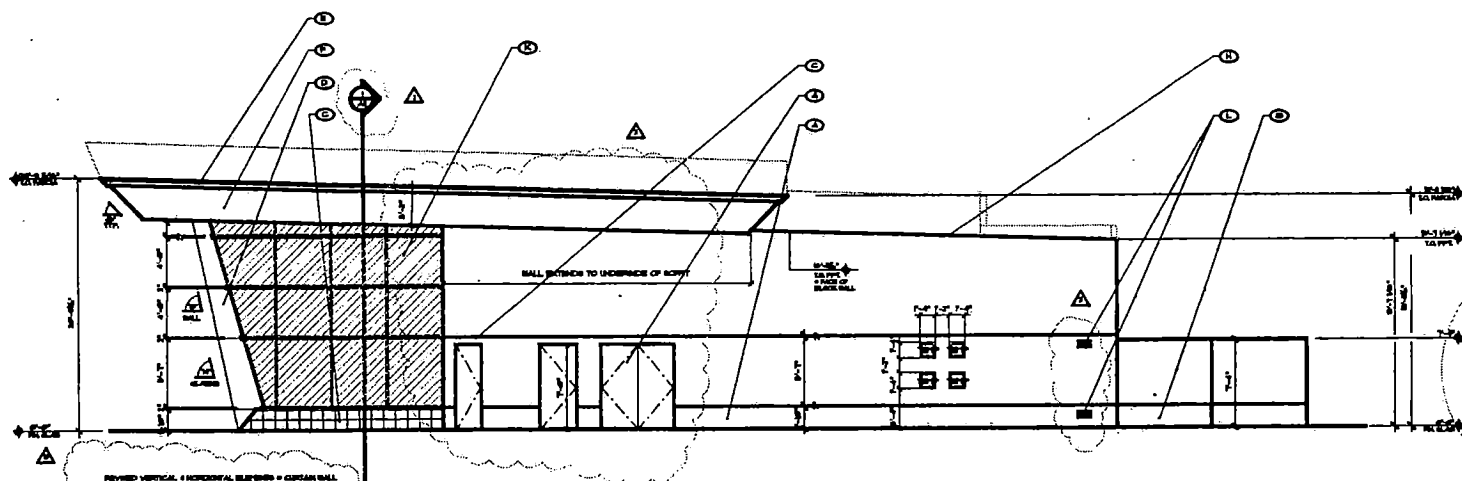
THESE PLANS ARE SUBJECT TO PERMITS FROM CITY/COUNTY PLANNING DEPARTMENTS AND OTHER REGULATORY AGENCIES. GENERAL CONTRACTOR AND ALL SUBCONTRACTORS TO VERIFY WITH THE OWNER AND ARCHITECT THAT THEY ARE IN POSSESSION OF THE MOST RECENT SET PRIOR TO MAKING CONTRACT PURCHASE, FABRICATION AND INSTALLATION OF ALL BUILDING COMPONENTS. 1. SYSTEMS

The Restaurant
 for Mario Macdoni
 NE cor. Charleston & Rampart
 City of Las Vegas Nevada

date	2/25/88
extl. no.	200072
drawn by	
filled by	

sheet no. A3

SUP-3717 2-26-04 PC

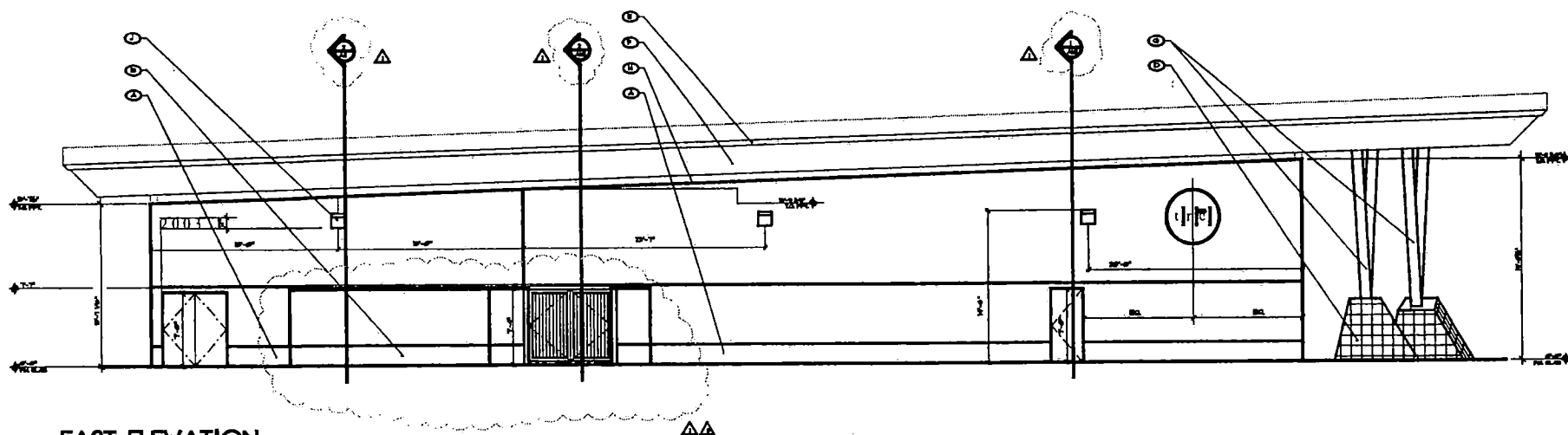


③ SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

COLOR SCHEME

- ① EXTERIOR WALL: PRALISE ALUMINUM DARK - 854H
- ② EXTERIOR WALL: PRALISE ALUMINUM - 854H
- ③ STONE: SANDSTONE PM 8411
COLOR - FORDHAM SLIGHT
GROUT - FORDHAM SLIGHT
- ④ STONE: SANDSTONE PM 8411
COLOR - JADE WHITE
GROUT - FORDHAM SLIGHT
- ⑤ TOP BAND OF FASCIA: EPS SYSTEM
PRALISE RED JARNAH - 854H
- ⑥ FASCIA/SOFFT COLOR: EPS SYSTEM
PRALISE COLONIAL BROWN - 854H
- ⑦ COLUMN COLOR: PRALISE
COLOR - WHITE - 85H
CLEAR ANODIZED ALUMINUM
- ⑧ TRIM: PRALISE
COLOR - WHITE - 85H
CLEAR ANODIZED ALUMINUM
- ⑨ BALL PACK LIGHTING: SEE DRAWING BY ENGINEER
- ⑩ CURTAIN WALL GLAZING: GUARDIAN CLEAR-VIEW
GREEN TINT 10-20 LOW E
ALUMINUM CURTAIN WALL: CLEAR ANODIZED ALUMINUM
ALUMINUM ENTRY DOORS: CLEAR ANODIZED ALUMINUM
- ⑪ 24 GA. GAL. CORRUGATED METAL: SEE DRAWING BY ENGINEER
VENTS & WATER HEATER FOR GAS

EXTERIOR STUCCO FINISH TO BE SAND FINISH (W/C)
COATS OF ELASTOMERIC ACRYLIC COATING OVER
COATING MANUFACTURERS RECOMMENDED PRIMER



② EAST ELEVATION
SCALE: 1/4" = 1'-0"

revisions
1. 11/11/04
2. 11/11/04
3. 11/11/04
4. 11/11/04
5. 11/11/04
6. 11/11/04
7. 11/11/04
8. 11/11/04
9. 11/11/04
10. 11/11/04
11. 11/11/04
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John
Dunn
Burr
architect
11111 GARDEN ROAD, SUITE 100, LAS VEGAS, NV 89135
(702) 735-1111

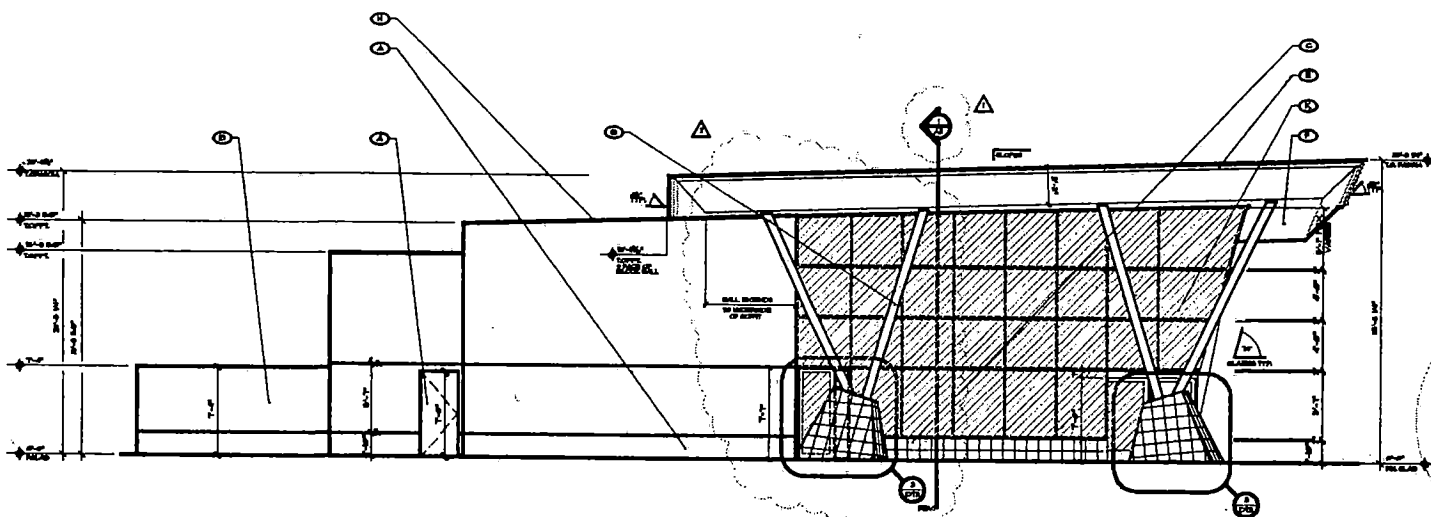
THESE PLANS ARE SUBJECT TO REVIEW, CORRECTION, CANCELLATION, AND ALL SUBSEQUENT TO THE REVIEW OF THE PLANS BY THE CITY OF LAS VEGAS. THE CITY OF LAS VEGAS IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OR MAINTENANCE OF THE PROJECT. THE CITY OF LAS VEGAS IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OR MAINTENANCE OF THE PROJECT.

The Restaurant
for Mario Macdoni
11111 GARDEN ROAD, SUITE 100, LAS VEGAS, NV 89135
(702) 735-1111

DATE: 11/11/04
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

Sheet No. A2

SUP-3717
2-26-04 PC



② NORTH ELEVATION
SCALE: 1/4" = 1'-0"

COLOR SCHEME

- ① EXTERIOR WALLS: PRALINE ALUMINUM DARK - 88-43H
- ② EXTERIOR WALLS: PRALINE GUSTLEAF - 88-43H
- ③ STONE: SANDSTONE TPA 88-43H COLOR - PEPPERS GLORY GROUT - MAPLE 88-43H LIGHT
- ④ STONE: SANDSTONE TPA 88-43H COLOR - JADE WHITE GROUT - MAPLE 88-43H LIGHT
- ⑤ TOP BAND OF PANEL: EPS SYSTEM PRALINE RED LUTHERAN - 88-43H
- ⑥ BACKGROUND COLOR: EPS SYSTEM PRALINE COGNAC BROWN - 88-43H
- ⑦ CURTAIN WALL: PRALINE COLOR - WHITE - 88-43H
- ⑧ TRIM: CLEAR ANODIZED ALUMINUM
- ⑨ WALL PACK LIGHTS: SEE DRAWINGS BY ENGINEER
- ⑩ CURTAIN WALL GLAZING: GLAZING UNIT 18-48-120 1/2" ALUMINUM CURTAIN WALL: CLEAR ANODIZED ALUMINUM ALUMINUM ENTRY DOORS: CLEAR ANODIZED ALUMINUM
- ⑪ 24 GA. G.L. LOUVERED VENTS: SEE DRAWINGS BY ENGINEER FOR SIZE

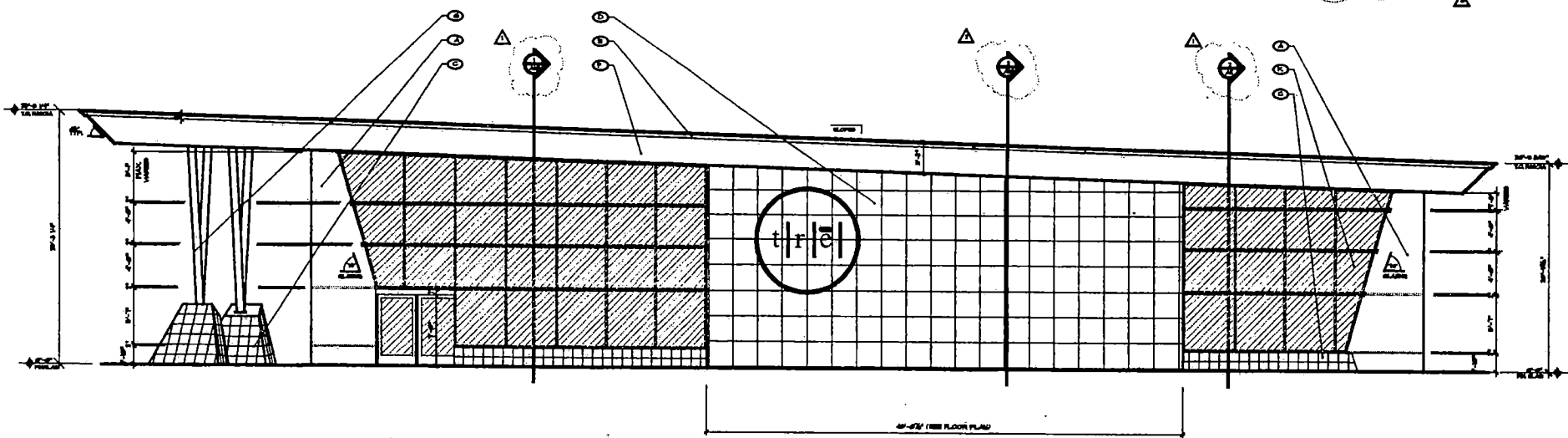
EXTERIOR STUCCO FINISH TO BE "SAND FINISH" (W/2) COATS OF ELASTOMERIC ACRYLIC COATING OVER COATING MANUFACTURERS RECOMMENDED PRIMER

jon
burt
architect

THESE PLANS ARE SUBJECT TO INTERNAL CITY/COUNTY CHECKS. CORRECTIONS AND AMENDMENTS MUST BE SUBMITTED TO THE OWNER AND ALL AMENDMENTS TO BE VERIFIED BY THE OWNER AND ARCHITECT THAT THEY ARE IN POSSESSION OF THE MOST RECENT SET PRIOR TO FILING CONTRACT. FURNISH REVISION AND INSTALLATION OF ALL BUILDING COMPONENTS. I, ENGINEER

The Restaurant
for Mario Macdonell
NE con. Charleston & Rampart
City of Las Vegas Nevada

date: 10/10/04
proj. no.: 3717
dwg. by: [signature]
check by: [signature]
sheet no.: A1



① WEST ELEVATION
SCALE: 1/4" = 1'-0"

SUP-3717
2-26-04 PC

KEYNOTES

[illegible]

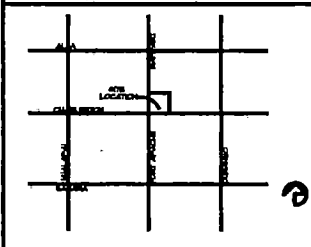
1	description
2	1-1/2" MIN CONCRETE SLAB ON FINISH EXISTING FINISH FLOOR
3	# FETAL BARS WITH NETAL 12-CEEK REBARING AND
4	# FETAL REBARING - SEE SHEET #75
5	AC. PAVERS - SEE CIVIL DRAWING
6	LANDSCAPED AREA - BY OTHERS
7	BOTTLE CHAIN, INDIVIDUAL, GRASS 1' WIDTH BY PER CITY OF LV
8	# CONCRETE INDIVIDUAL BOTTLECHAIN FLOOR
9	HANDCAP ACCESSIBLE
10	HANDCAP ACCESSIBLE - ALL ACCESSIBLE AREA TO BE
11	FINISHED AT CONCRETE ONLY - STRIPS ON SLABS BASTIN FOR
12	CLIMATE OF CONCRETE
13	LINE OF ROOF ABOVE
14	MONUMENT SIGN
15	OUTDOOR DRINKS AREA
16	PLUMB BAR BASTIN
17	CONCRETE AUTO STOP
18	BOTTLE LANDSCAPING (MALL TREES)
19	DECORATIVE RESTAURANT
20	LANDSCAPED PUMP - SEE S-BEST #77
21	LOCATION OF REINFORCEMENT (ACK) CONCRETE
22	SEE DRAWINGS BY LOTTERY
23	8" MIN X 4" CONCRETE PAD BY 8" OF CLR. ALL AROUND - AS PER
24	8" MIN X 4" CONCRETE PAD BY 8" OF CLR. ALL AROUND - AS PER

NOTES

1. SEE CIVIL FOR ALL PAV. GRADE/UTILITY MODIFICATIONS, C/P TYPED TYPHOGRAPHY, NOTES & DIMENSIONS, ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARALLEL SPACES, PARALLEL AISLES TO HAVE 1:20 MAX. LONGITUDINAL SLOPE & 1/4" MAX. TRANSVERSE SLOPE TYP.
3. PARALLEL SLOPE IN ANY DIRECTION FOR HANDICAPPED PARALLEL SPACES: 1:20 MAX. LONGITUDINAL SLOPE & 1/4" MAX. TRANSVERSE SLOPE TYP.
4. ACCESSIBLE ROUTE TO THE PUBLIC BAY SHALL HAVE SLOPE OF 3% FOR PARALLEL & 2% FOR CROSS SLOPE
5. PATTERN IN CONCRETE SURFACES TO BE TOOK AS FOLLOWS FOR PARALLEL & 2% FOR CROSS SLOPE
6. ALL EXISTING CONCRETE SHALL TO BE COLORED TO MATCH OR AS CLOSE AS POSSIBLE

PROJECT DATA

EXISTING USE	COMMERCIAL/PAID SITE IN ROCKA PARK SHOPPING CENTER PHASE I
PROPOSED USE	RESTAURANT
EXISTING ZONING	C1
REQUIRED ZONING	C1
SITE AREA	8,040 SF.
BUILDING AREA	7,044 SF.
P.A.R.	14.5%
DENSITY	NOT APPLICABLE
REQUIRED PARKING	
INDOOR PUBLIC SEATING + WAITING AREA 7.00% G.R. = 1 SPACE/60 SF = 42 SPACES OUTDOOR PUBLIC SITTING + WAITING AREA 30% G.R. = 1 SPACE/20 SF = 7 SPACES REMAINING AREA 5.00% G.R. = 1 SPACE/20 SF = 10 SPACES TOTAL REQUIRED: 59 SPACES	
PROVIDED PARKING	75 SPACES

LOCATION

Development

**John
Dall
Bourke, architect**
2001 4th Avenue, NY 10013-4463

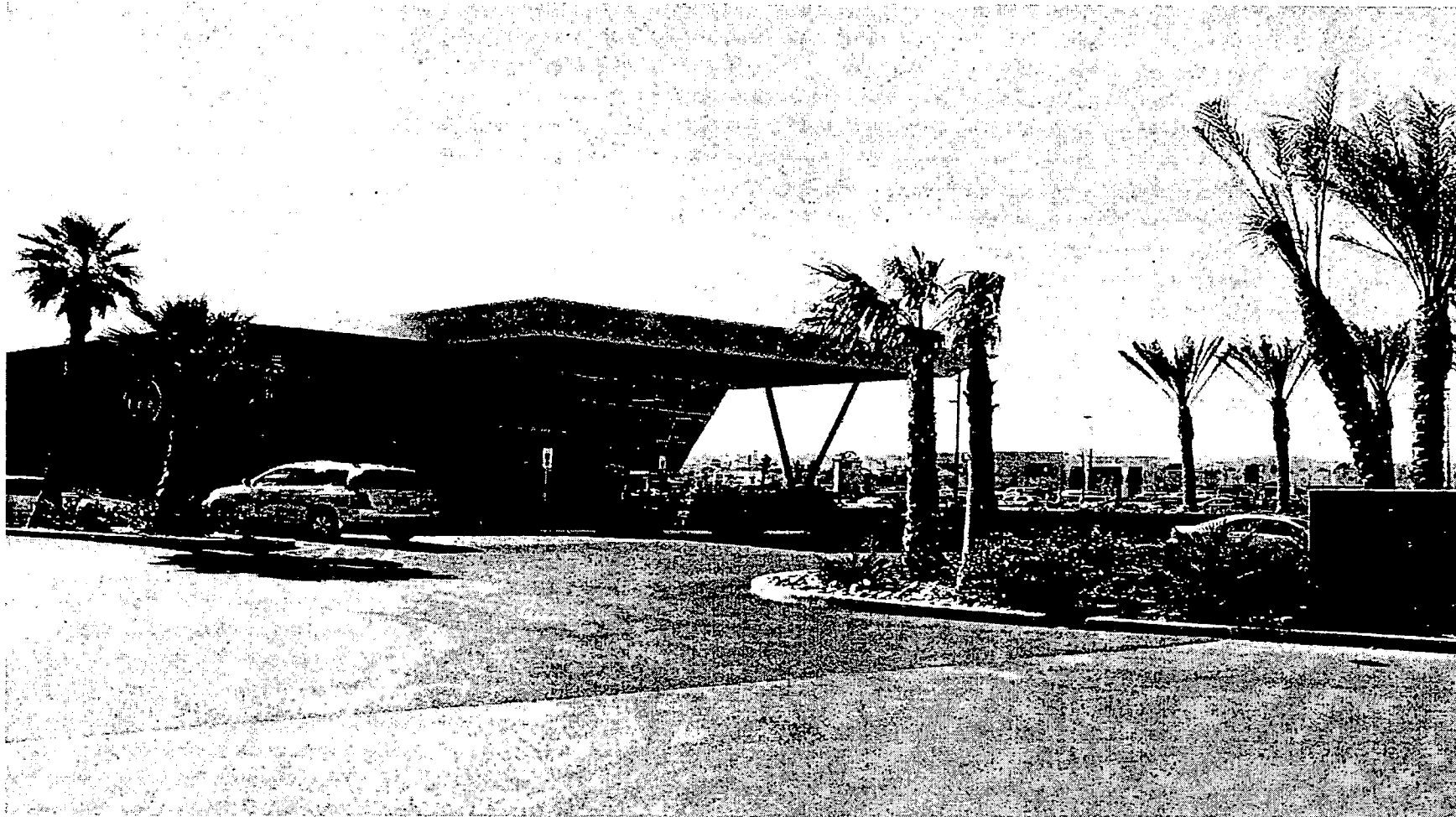
THESE PLANS ARE SUBJECT TO INTERNAL CITY/COUNTY FLANKER CORRECTIONS AND OTHER REGISTERED CHANGES. GENERAL CONTRACTOR AND ALL SUBCONTRACTORS TO VERIFY WITH THE OWNER AND ARCHITECT THAT THEY ARE IN POSSESSION OF THE MOST RECENT SET PRIOR TO AWARDING CONTRACT, PURCHASE, FABRICATION AND INSTALLATION OF ALL BUILDING COMPONENTS. SYSTEMS

Tre' Restaurant
for Mario Maccioni!
NE em. Charleston & Rospert
City of Las Vegas Nevada

date	
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checked by	

Sheet no. **15**

SUP-3717
2-26-04 PC



SUP-3717 - APPLICANT: TUSCAN RESTAURANT ENTERPRISES, LIMITED LIABILITY COMPANY -
OWNER: MMM PROPERTIES, LIMITED LIABILITY COMPANY
1050 SOUTH RAMPART BOULEVARD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



SUP-3717 - APPLICANT: TUSCAN RESTAURANT ENTERPRISES, LIMITED LIABILITY COMPANY -
OWNER: MMM PROPERTIES, LIMITED LIABILITY COMPANY
1050 SOUTH RAMPART BOULEVARD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VARIANCE RELATED TO SDR-3710 - PUBLIC HEARING - VAR-3880 -
APPLICANT/OWNER: ASIE JAH - Request for a Variance TO ALLOW FIVE PARKING
SPACES WHERE SIX ARE REQUIRED FOR A PROPOSED OFFICE on 0.18 acres at
2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under
Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese).**

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**McSWAIN - APPROVED subject to conditions - UNANIMOUS with DAVENPORT
excused**

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 34 [VAR-3880] and Item 35 [SDR-3710].

KYLE WALTON, Planning and Development Department, explained that staff has worked closely with the applicant inasmuch as this is another office/home conversion. Because of the lot configuration, it was difficult to get the parking to conform to the standards of the code. It was finally determined that there is a hardship and that the variance is appropriate. Staff recommended approval subject to conditions.

WILLIE LANGFORD, 1224 West Monroe Avenue, appeared on behalf of the applicant and concurred with staff conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 34 – VAR-3880

MINUTES – Continued:

Relative to the Site Development Plan, COMMISSIONER EVANS noted that the adjacent properties along Sahara have very attractive landscaping and berming along the frontage on Sahara Avenue. MR. CLAPSADDLE suggested modifying Condition 6 to ensure that the landscape plan showing the street buffer along Sahara Avenue matches the desert landscaping of the adjacent properties. MR. LANGFORD concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [VAR-3880] and Item 35 [SDR-3710].

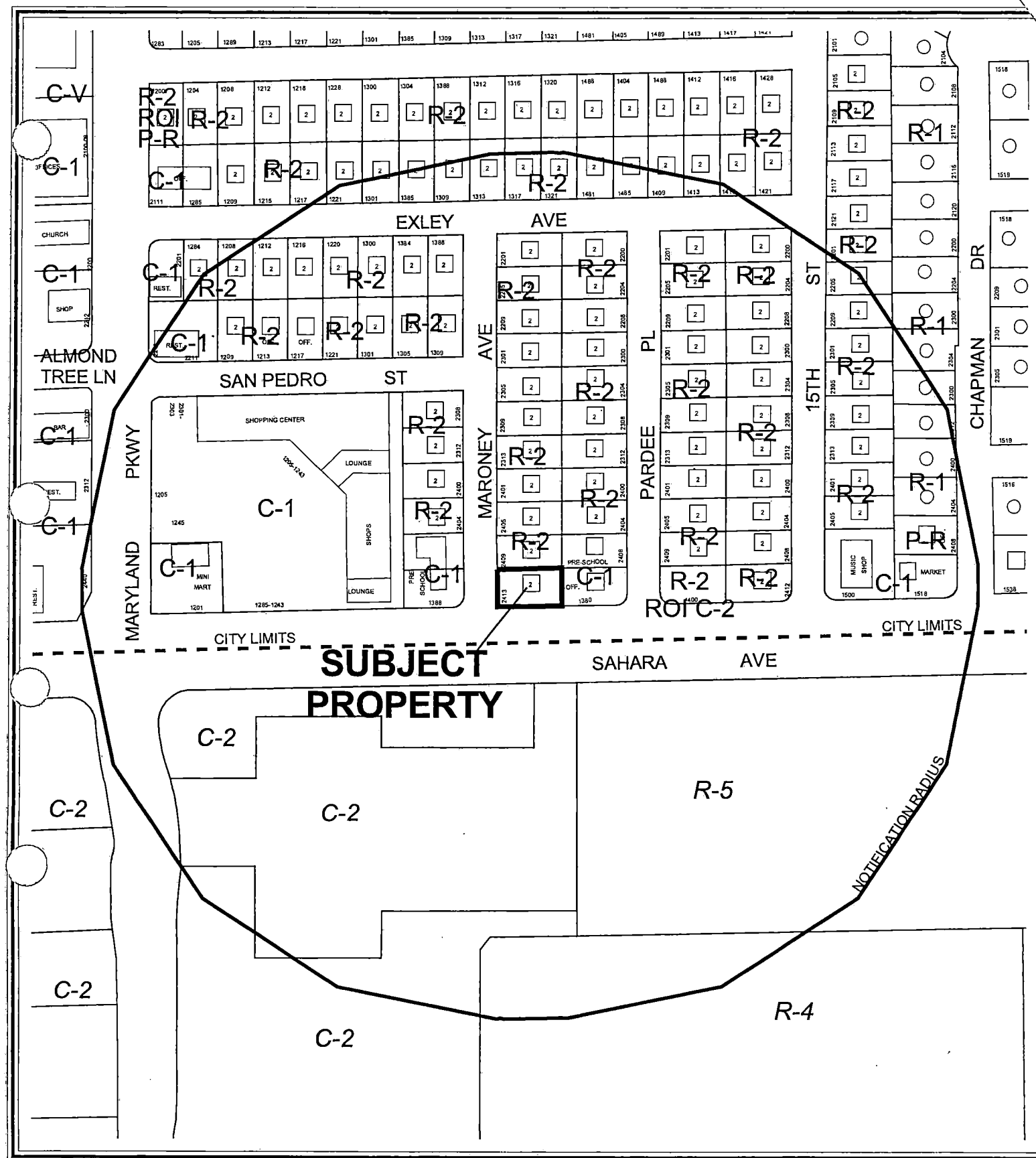
NOTE: All discussion for Item 34 [VAR-3880] and Item 35 [SDR-3710] was held under Item 34 [VAR-3880].

(8:35 – 8:41)
2-1867

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3710).
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.



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VARIANCE RELATED TO SDR-3710 - PUBLIC HEARING -
VAR-3880 - APPLICANT/OWNER: ASIE JAH**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3710).
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 five parking spaces where six are required for a proposed office located 2413 Maroney Street or the northeast corner of Maroney Street and Sahara Avenue. A site development plan review application (SDR-3710) was filed as a companion application.

B) Applicant's Justification

The proposed use is consistent with other uses along Sahara Avenue.

BACKGROUND INFORMATION

A) Previous Actions

02/16/00 The City Council approved a rezoning application (Z-0076-99), R-2 (Medium Low Density Residential) to C-1 (Limited Commercial) for the site.

05/15/02 The City Council approved an extension of time application [Z-0076-99(1)] for the site.

B) Pre-Application Meeting

01/29/04 The following was discussed during the pre-application conference with the applicant:

- The handicap parking should be located at the rear with employee parking.
- The front buffer may need to be reduced to three feet in width.
- Client parking should out front.
- The perimeter landscaping along the north side will need to be reduced to one foot in width.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.18

B) Existing Land Use

Subject Property: Duplex residence
North: Duplex residence
South: Sahara Avenue
East: Office
West: Pre-school

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: O (Office)
South: Sahara Avenue
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: R-2 (Medium –Low Density Residential) under resolution of intent to
N-S (Neighborhood Service)
North: R-2 (Medium –Low Density Residential)
South: Sahara Avenue
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance: Southeast Sector Land Use Plan of the General Plan

The uses allowed the N-S (Neighborhood Service) zoning district are retail shopping, service, and professional offices principally serving neighborhood needs and is compatible in scale, character and intensity with adjacent residential development. N-S is consistent with the SC (Service Commercial) Land use of the General Plan.

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

There are no special plans, studies, impact statements, or overlays that pertain to this location.

VAR-3880 - Staff Report-Page Two
February 26, 2004 - Planning Commission Meeting

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	Y/N
Min. Lot Width	100 Feet	72	N
Min. Setbacks			
• Front	25 Feet	30 Feet	Y
• Side	10 Feet	17 Feet	Y
• Corner	15 Feet	17 Feet	Y
• Rear	25 Feet	32 Feet	Y
Max. Lot Coverage	30 %	16%	Y
Max. Building Height	2 Stories / 35 Feet	One Story	Y
Mech. Equipment	Yes		Not Shown

The proposal meets the requirement of the development standards of Title 19 except for lot width. The applicant is asking for a waiver of the 100-foot wide lot width, as the existing lot is only 72 feet.

A2) Residential Adjacency Standards

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

- a) Proximity slope: The proposal meets the requirement.
- b) Building setback: The proposal meets the requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1786 SF.	1/300 GFA	5	1	4	1

VAR-3880 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

This request is justified because short of removing the building and building a smaller one it would be impossible for the design to increase the number the parking spaces more than the five shown.

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 Trees/6 Spaces	0 Trees	0
Buffer:			
• Min. Trees	1 Trees/ 30Linear Feet	13 Trees	11
• Min. Zone Width	8 Feet		1 foot Rear, 3
• Wall height	6 Feet		foot side 6 foot wall

The applicant is asking for a waiver of the 15-foot front and the 8-foot side landscape buffer.

B) General Analysis and Discussion

The applicant proposes a two-unit office building. The front of the building faces south towards Sahara Avenue with a 10-foot landscape strip and the sidewalk separating the building from Sahara. There will be a single employee designated parking space and the handicap space in the backyard of the former residence. Three patron parking spaces are planned for the former front yard. Access to the handicap and employee spaces will be by a 14 drive along the north side of the building.

The configuration of the site is the result of Planning and Public Works staff working with the applicant to achieve the best design possible. After much study the best design resulted in a layout that could only offer five total parking spaces. Because of the work done by staff with the applicant the variance is supported as the best design could only achieve five spaces.

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."

KCW

VAR-3880 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

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.”

Because of the constraints of the existing site layout the variance for parking is justified. It was found after working with the applicant on the design only five parking spaces could be achieved and still maintain setbacks and a minimal amount of landscaping around the building. The alternative would be to restrict the use to residential or demolition and reconstruction of a smaller building. That would deny the applicant development rights entitled by the N-S (Neighborhood Service) zoning district.

NOTICES MAILED 98 [Mailed with SDR-3710]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-3880** APN: _____

Name of Property Owner: ASIF JAH

Name of Applicant: ASIF JAH

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: Asif Jaha

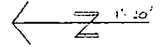
Print Name: ASIF JAH

Subscribed and sworn before me

This 9th day of FEB, 2004

Peter Lowenstein
Notary Public in and for said County and State



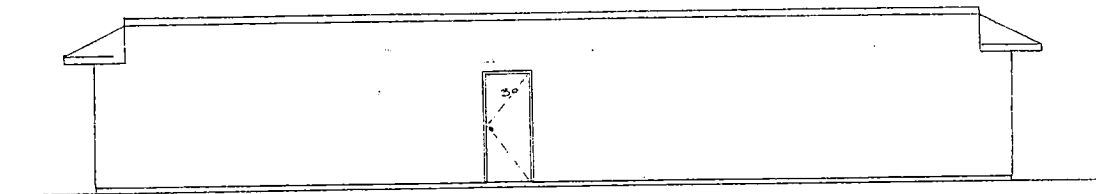


 MEXICAN FAN PALM (2A BOX)
 MEDITERRANEAN FAN PALM. (5 CAL)
 JUNIPER (5 CAL)
 JAPANESE BOXWOOD (5 CAL)
 CRUSHED STONE 1/2" - 3/4"

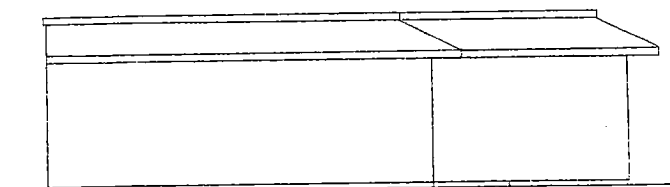
ASIF JAH
2413 MARONEY ST
L.V. NV.

VAR-3880 LANDSCAPE PLAN
2-26-04 PC

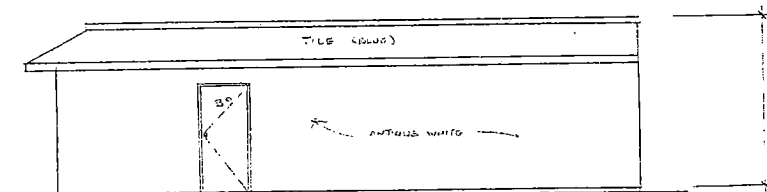
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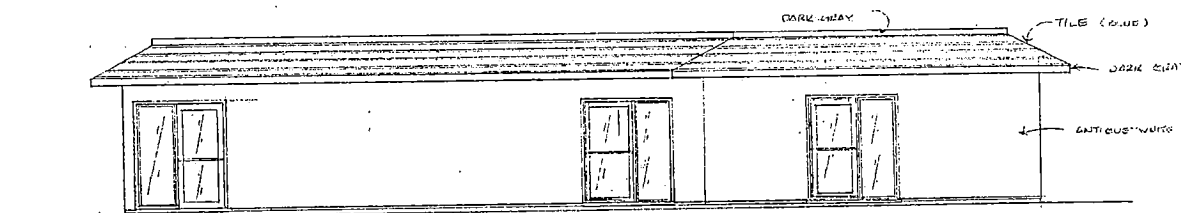
NORTH ELEV.



WEST ELEV.



EAST ELEV.



SOUTH ELEV.

ELEVATIONS.

VAR-3880
2-26-04 PC

REVISIONS

ASIF JAH
2413 MARONEY ST.
LV, NV

Date

Scale 1/4"

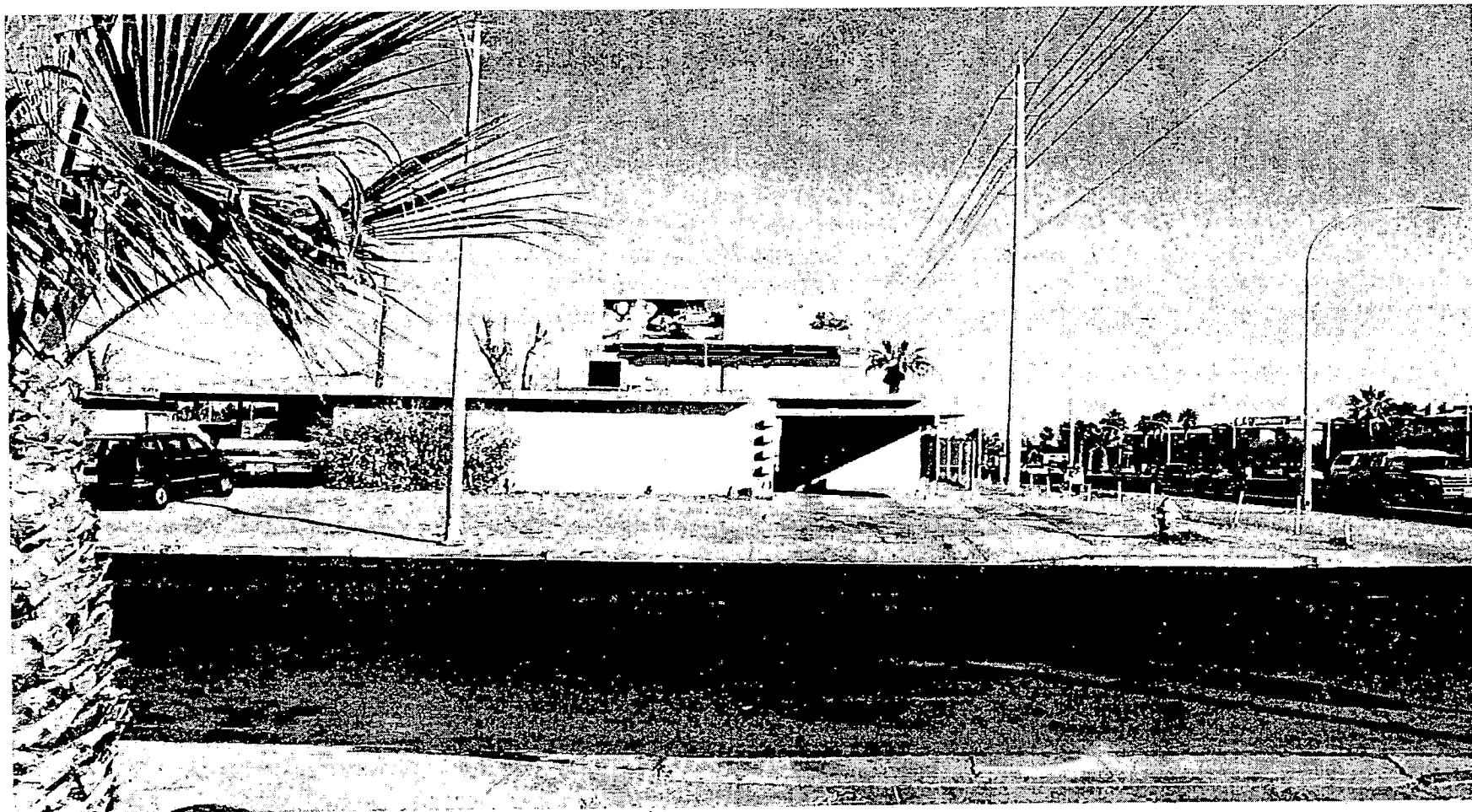
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VAR-3880 - APPLICANT/OWNER: ASIE JAH
2413 MARONEY AVENUE
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING - SDR-3710 - APPLICANT/OWNER: ASIE JAH - Request for a Site Development Review FOR A PROPOSED LAW OFFICE AND FOR A WAIVER OF THE PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN - APPROVED subject to conditions and amending Condition 6 as follows:

6. *A landscaping plan that shows the street buffer along Sahara Avenue matches the neighboring desert landscaping must be submitted prior to or at the same time application is made for a building permit.*

- UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

NOTE: See Item 34 [VAR-3880] for related discussion
(8:35 – 8:41)

2-1867

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 35 – SDR-3710

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
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, landscape plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 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.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

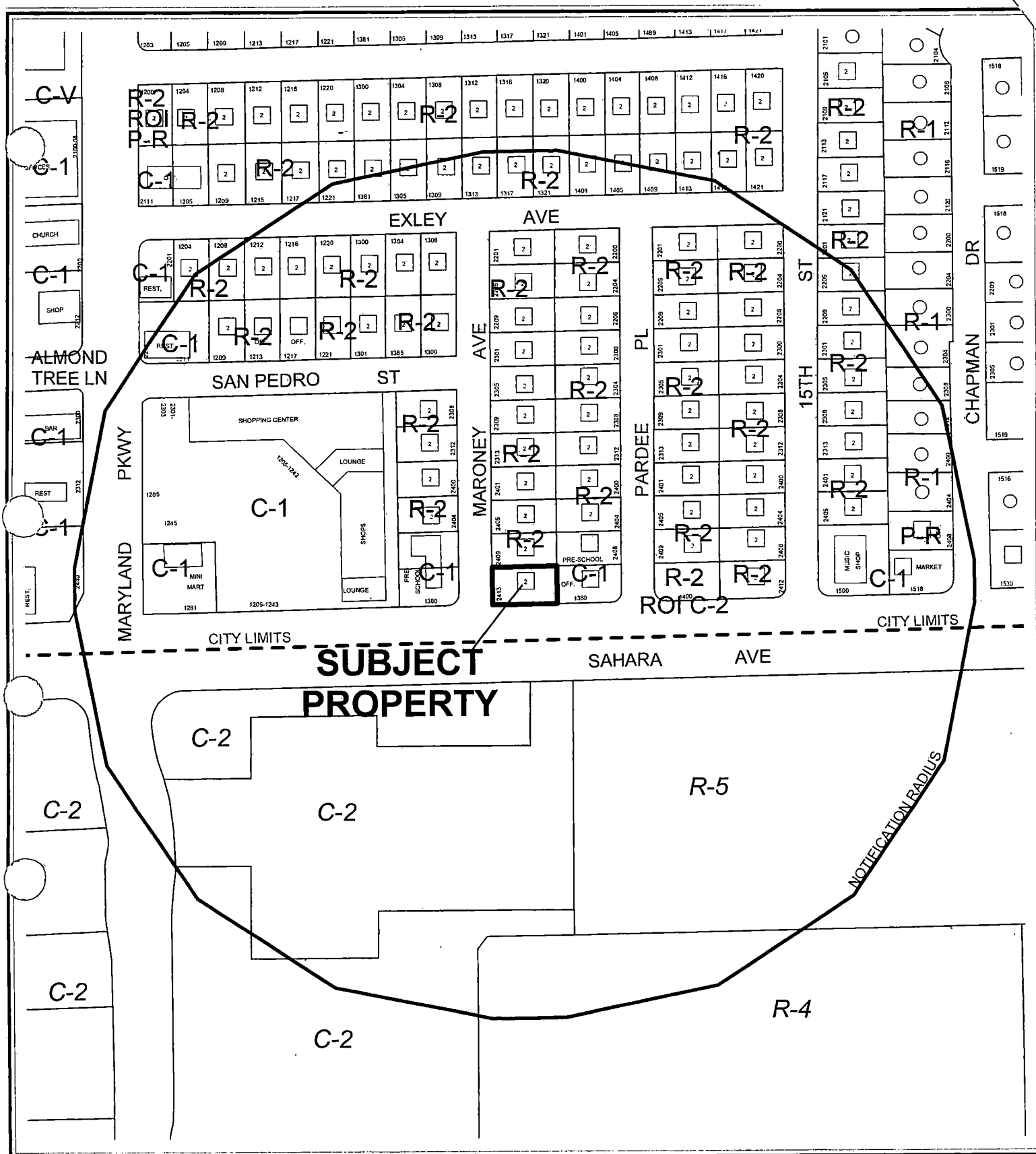
PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 35 – SDR-3710

CONDITIONS - Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.
12. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of permits.

Public Works

13. Meet with the Flood Control Section of the Department of Public Works for assistance with the existing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any permits, whichever may occur first. Provide and improve all drainageways as recommended.
14. Site development to comply with all applicable conditions of approval for Z-76-99 and all other subsequent site-related actions.

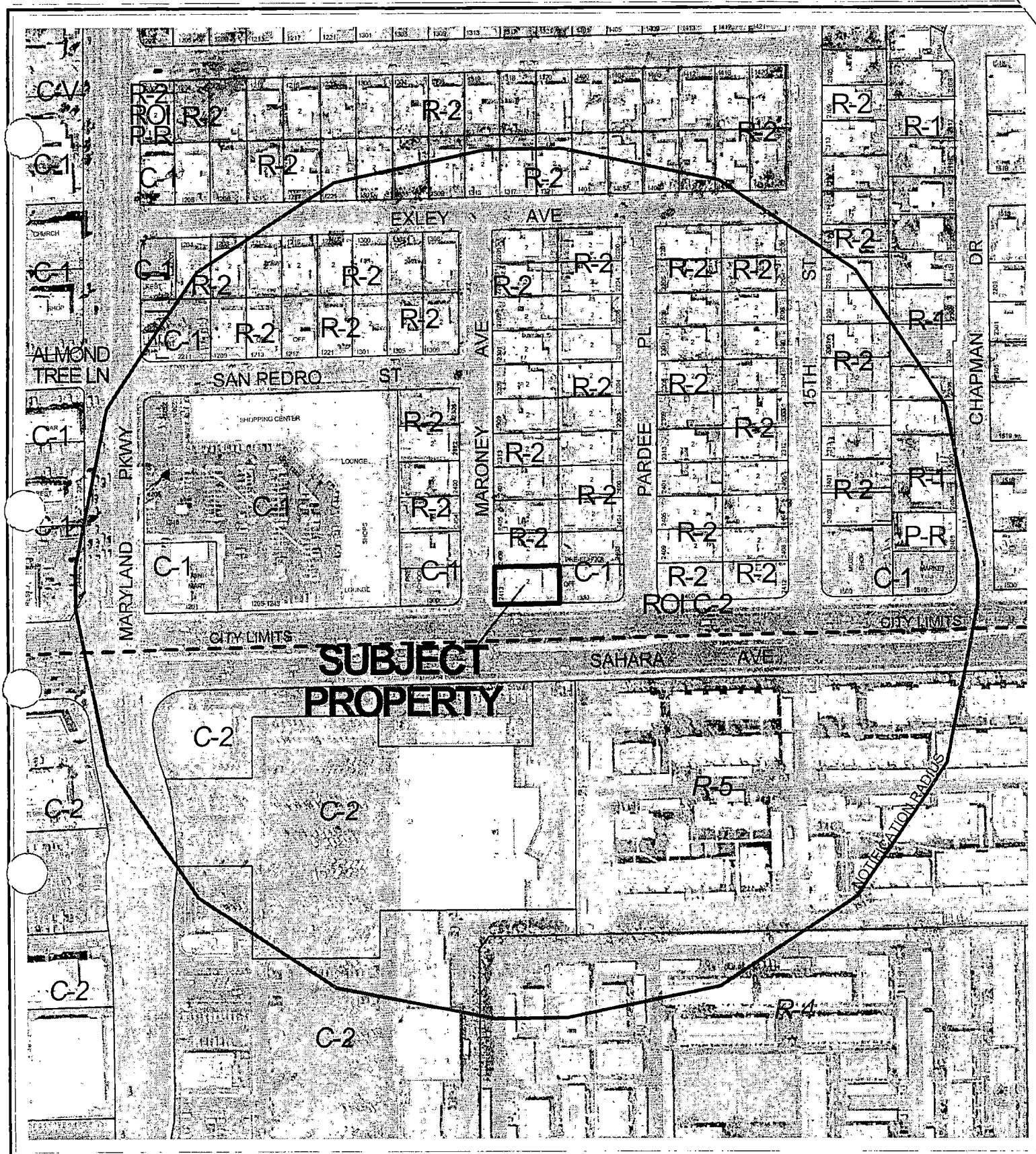


CASE: **SDR-3710**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO N-S
(NEIGHBORHOOD SERVICE)



CASE: **SDR-3710**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO N-S
(NEIGHBORHOOD SERVICE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO
VAR-3880 - PUBLIC HEARING - SDR-3710 - APPLICANT/OWNER: ASIE JAH**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
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, landscape plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 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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February 26, 2004 - Planning Commission Meeting

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of permits.

Public Works

13. Meet with the Flood Control Section of the Department of Public Works for assistance with the existing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any permits, whichever may occur first. Provide and improve all drainageways as recommended.
14. Site development to comply with all applicable conditions of approval for Z-76-99 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a Waiver of Commercial Development and landscaping standards for a proposed 1,786 square foot office building on 0.18 acres at 2413 Maroney Street. A Variance application for parking (VAR-3880) will be considered as a companion agenda item.

B) Applicant's Justification

The proposed use is consistent with other uses along Sahara Avenue.

BACKGROUND INFORMATION

A) Previous Actions

2/16/00 The City Council approved a rezoning application (Z-0076-99), R-2 (Medium Low Density Residential) to C-1 (Limited Commercial) for the site.

5/15/02 The City Council approved an extension of time application [Z-0076-99(1)] for the site.

B) Pre-Application Meeting

01/29/04 The following was discussed during the pre-application conference with the applicant:

- The handicap parking should be located at the rear with employee parking.
- The front buffer may need to be reduced to three feet in width.
- Client parking should out front.
- The perimeter landscaping along the north side will need to be reduced to one foot in width.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.18

B) Existing Land Use

Subject Property: Duplex residence
North: Duplex residence
South: Sahara Avenue
East: Office
West: Pre-school

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: O (Office)
South: Sahara Avenue
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: R-2 (Medium – Low Density Residential) under resolution of intent to
N-S (Neighborhood Service)
North: R-2 (Medium – Low Density Residential)
South: Sahara Avenue
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance: Southeast Sector Land Use Plan of the General Plan

The uses allowed the N-S (Neighborhood Service) zoning district are retail shopping, service, and professional offices principally serving neighborhood needs and is compatible in scale, character and intensity with adjacent residential development. N-S (Neighborhood Service) is consistent with the SC (Service Commercial) Land use of the General Plan.

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

PROJECT DESCRIPTION

The applicant proposes a two-unit office building. The front of the building faces south towards Sahara Avenue with a 10-foot landscape strip and the sidewalk separating the building from Sahara. There will be a single employee designated parking space and the handicap space in the backyard of the former residence. Three patron parking spaces are planned for the former front yard. Access to the handicap and employee spaces will be by a 14 drive along the north side of the building.

The configuration of the site is the result of Planning and Public Works staff working with the applicant to achieve the best design possible. After much study the best design resulted in a layout that could only offer five total parking spaces. Because of the work done by staff with the applicant the variance is supported as the best design could only achieve five spaces.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	Y/N
Min. Lot Width	100 Feet	72	N
Min. Setbacks			
• Front	25 Feet	30 Feet	Y
• Side	10 Feet	17 Feet	Y
• Corner	15 Feet	17 Feet	Y
• Rear	25 Feet	32 Feet	Y
Max. Lot Coverage	30 %	16%	Y
Max. Building Height	2 Stories / 35 Feet	One Story	Y
Mech. Equipment	Yes		Not Shown

The proposal meets the requirement of the development standards of Title 19 except for lot width. The applicant is asking for a waiver of the 100-foot wide lot width, as the existing lot is only 72 feet.

A2) Residential Adjacency Standards

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

KCW

SDR-3710 - Staff Report Page Four
February 26, 2004 - Planning Commission Meeting

- a) Proximity slope: The proposal meets the requirement.
- b) Building setback: The proposal meets the requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1786 SF.	1/300 GFA	5	1	4	1

This request is justified because short of removing the building and building a smaller one it would be impossible for the design to increase the number the parking spaces more than the five shown.

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 Trees/6 Spaces	0 Trees	0
Buffer:	1 Trees/ 30Linear Feet	13 Trees	11
• Min. Trees	8 Feet		1 foot Rear, 3
• Min. Zone Width	6 Feet		foot side
• Wall height			6 foot wall

The applicant is asking for a waiver of the 15-foot front and the 8-foot side landscape buffer.

A5) Sign Standards

Insufficient information was provided to be able to evaluate signage for the site. All signage will be evaluated through a separate application.

B) General Analysis and Discussion

- Zoning

The proposed use is a permitted use under Title 19.

SDR-3710 - Staff Report Page Five
February 26, 2004 - Planning Commission Meeting

- Site Plan

The applicant proposes a two-unit office building. The front of the building faces south towards Sahara Avenue with a 10-foot landscape strip and the sidewalk separating the building from Sahara. There will be a single employee designated parking space and the handicap space in the backyard of the former residence. Three patron parking spaces are planned for the former front yard. Access to the handicap and employee spaces will be by a 14 drive along the north side of the building.

- Waivers

The applicant requests waivers of the following:

- 100-foot minimum lot width for a C-1 (Limited Commercial) zoned lot.
- The 15-foot front landscaped buffer.
- 8 foot landscaped perimeter buffer.

- Landscape Plan

The landscape plan shows a three-foot buffer along the north side, a one-foot strip along the east, and a 2-foot strip along Maroney Street. These conditions are the subject of two of the three requested waivers. A 10-foot landscape strip separates the building and the sidewalk along Sahara Avenue. Landscaping is also shown along the Sahara Side of the building foundation. Twenty four inch box trees are shown along the north property line and in the 10-foot strip that is along the south side of the building.

- Elevation

The elevation of the building is typical of the home to office/ business conversions along the north side of Sahara Avenue.

- Floor Plan

The floor plan shows the building divided into two separate tenant spaces. Both of the tenant spaces are accessed by two separate exterior doors and have separate restrooms.

FINDINGS

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

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

The proposed development is appropriate with the adjacent land uses and the development of the area.

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

The proposed office development will be consistent with Title 19, and with the intent of the Design Standards Manual, and the Landscape, Wall and Buffer Standards.

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

The site is solely accessed Maroney Street. There are no site access and circulation concerns with the site plan.

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

The proposed building materials and colors are compatible with the desert environment and are appropriate. The proposed landscape palette materials will provide an aesthetically pleasing environment

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

The building elevations are appealing and are compatible with the development in the area, and will foster an aesthetic environment that is compatible with the nearby uses.

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

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

SDR-3710 - Staff Report-Page Seven
February 26, 2004 - Planning Commission Meeting

NOTICES MAILED 98 [Mailed with VAR-3880]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3710** APN: 162-02-410-096

Name of Property Owner: ASIF JAH.

Name of Applicant: ASIF JAH

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: My Son

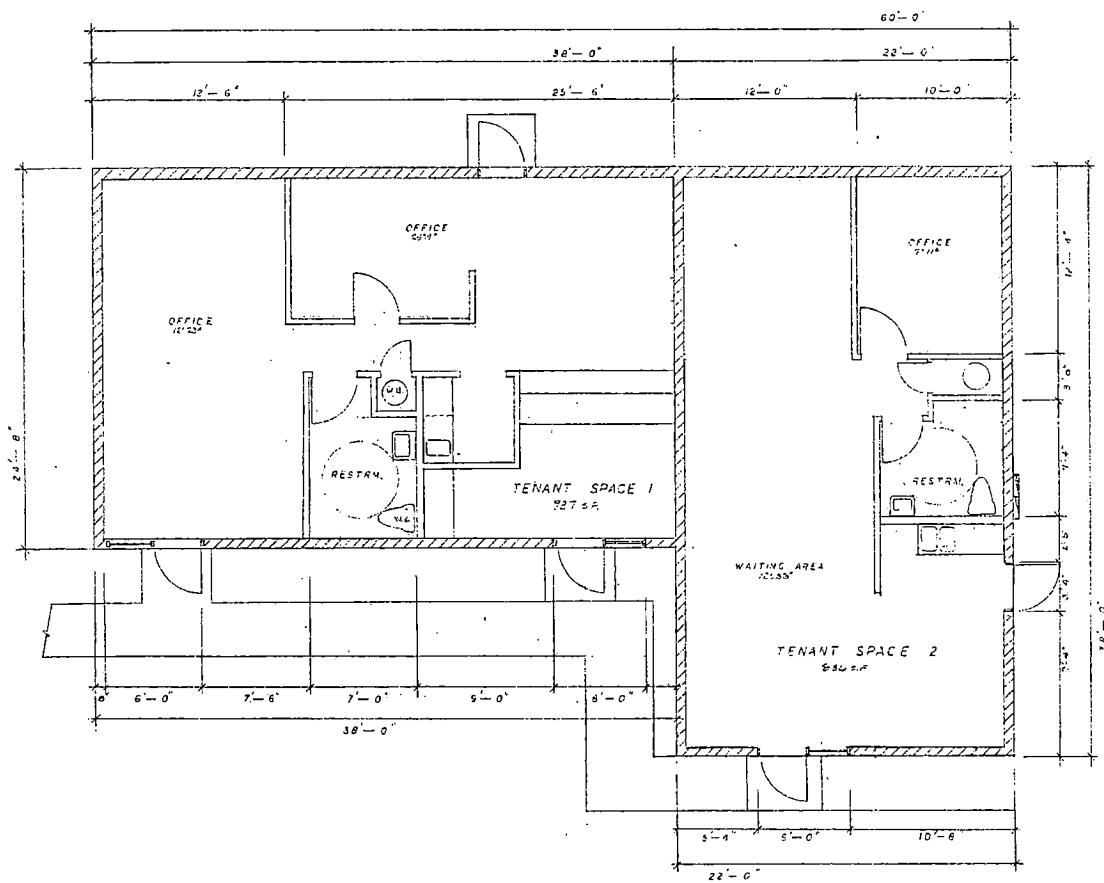
Print Name: ASIF JAH

Subscribed and sworn before me

This 12th day of JANUARY, 2001.

Notary Public in and for said County and State





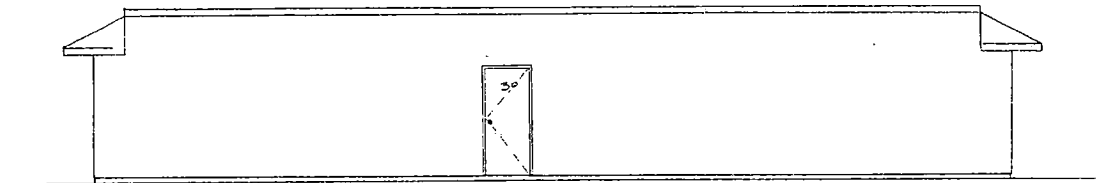
SDR-3710
2-26-04 PC

FLOOR PLAN

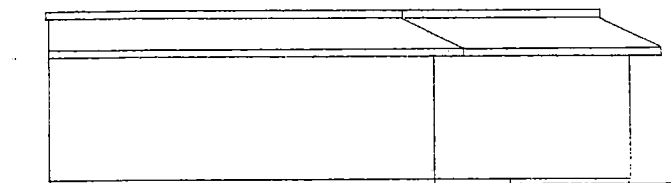
REVISIONS

ASIF JAH
 2413 MARONEY ST.
 671 NW

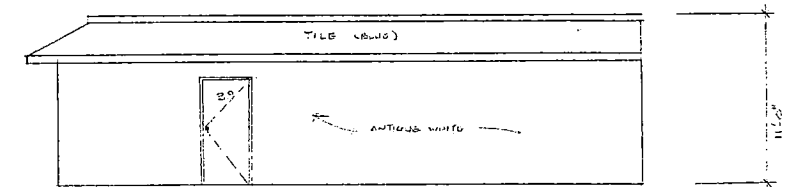
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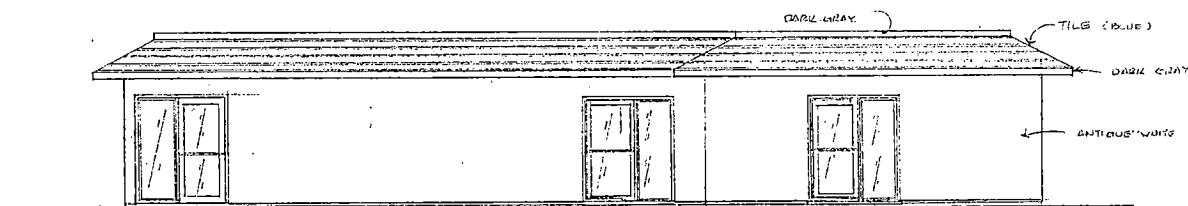
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WEST ELEV.



EAST ELEV.



SOUTH ELEV.

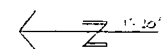
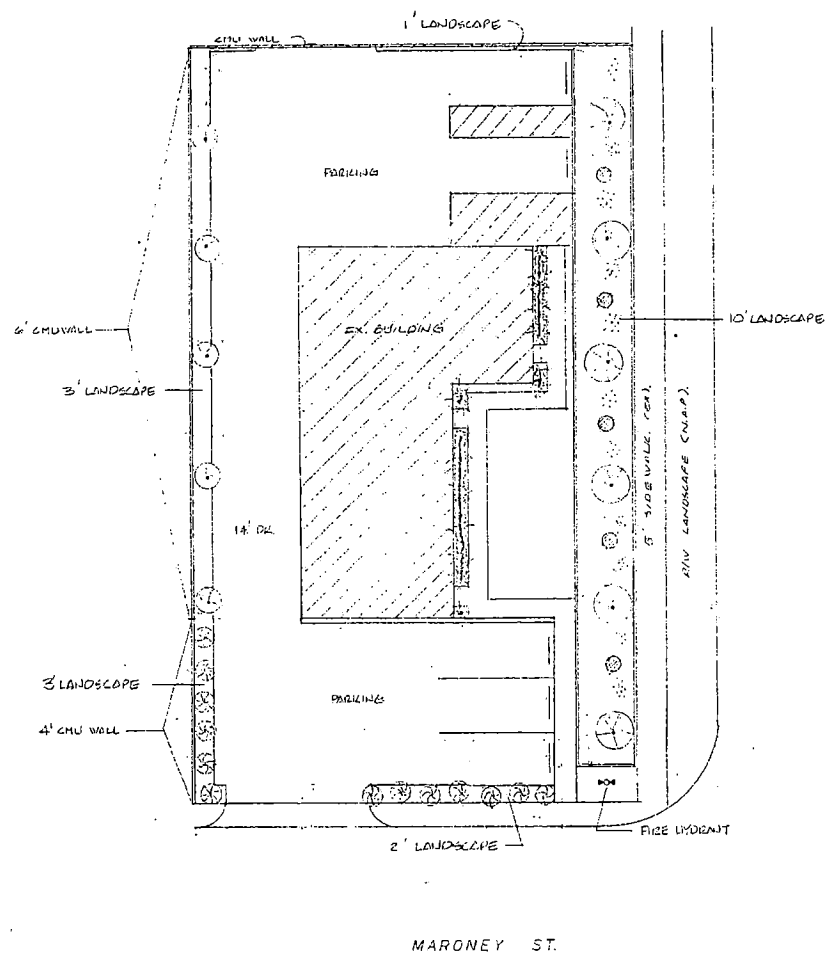
ELEVATIONS

**SDR-3710
2-26-04 PC**

REVISIONS

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2413 MARONEY ST.
L.V. NY.

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LEGEND

- ⊙ MEXICAN FAN PALM (36" DIA.)
- ⊙ MEDITERRANEAN FAN PALM (5" DIA.)
- ⊙ JUNIPERS (5" DIA.)
- ⊙ JAPANESE BOXWOOD (5" DIA.)
- ⊙ CRUSHED STONE 1/2" - 3/4"

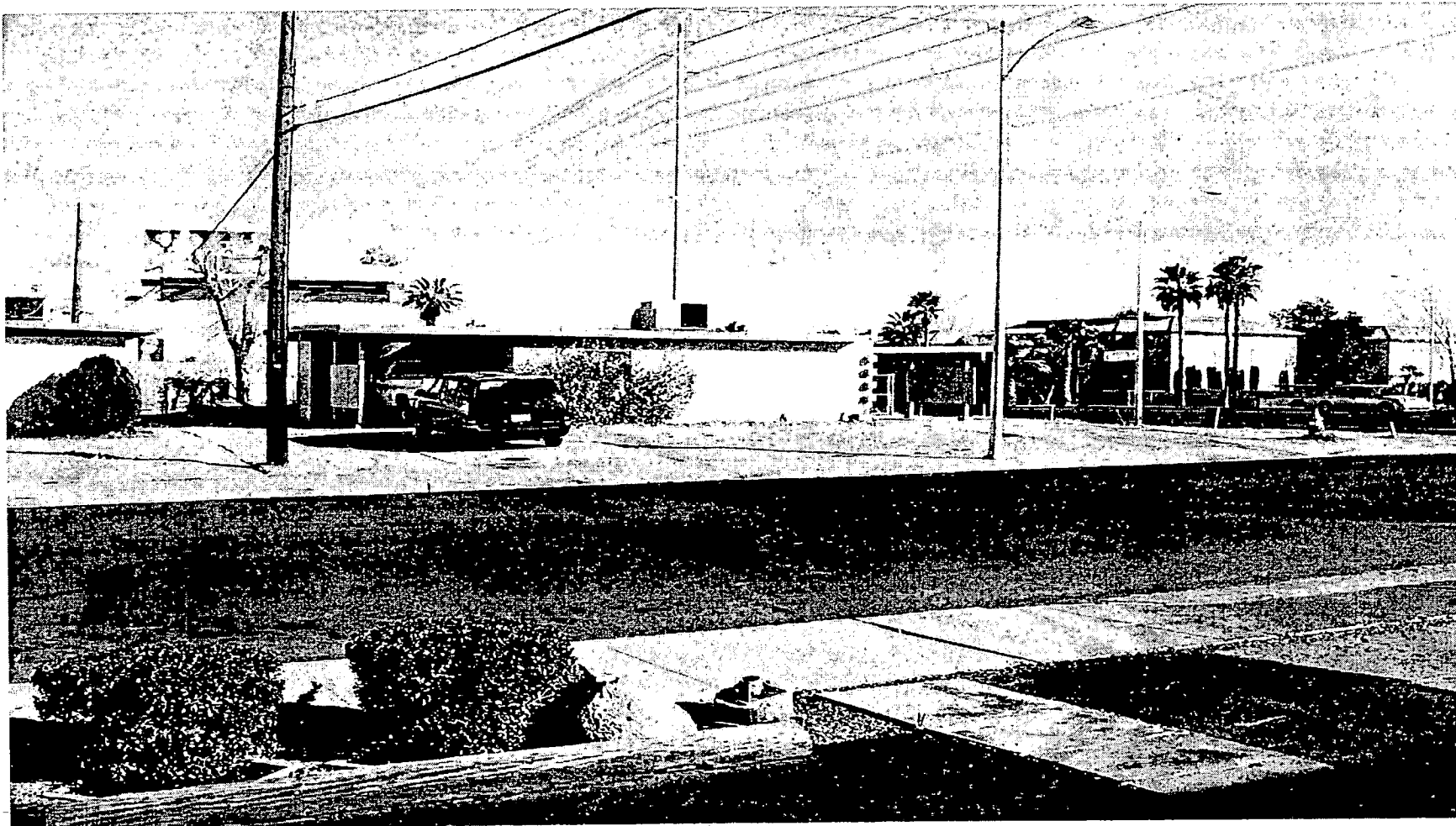
SDR-3710
2-26-04 PC

LANDSCAPE PLAN
 1/10"

REVISIONS

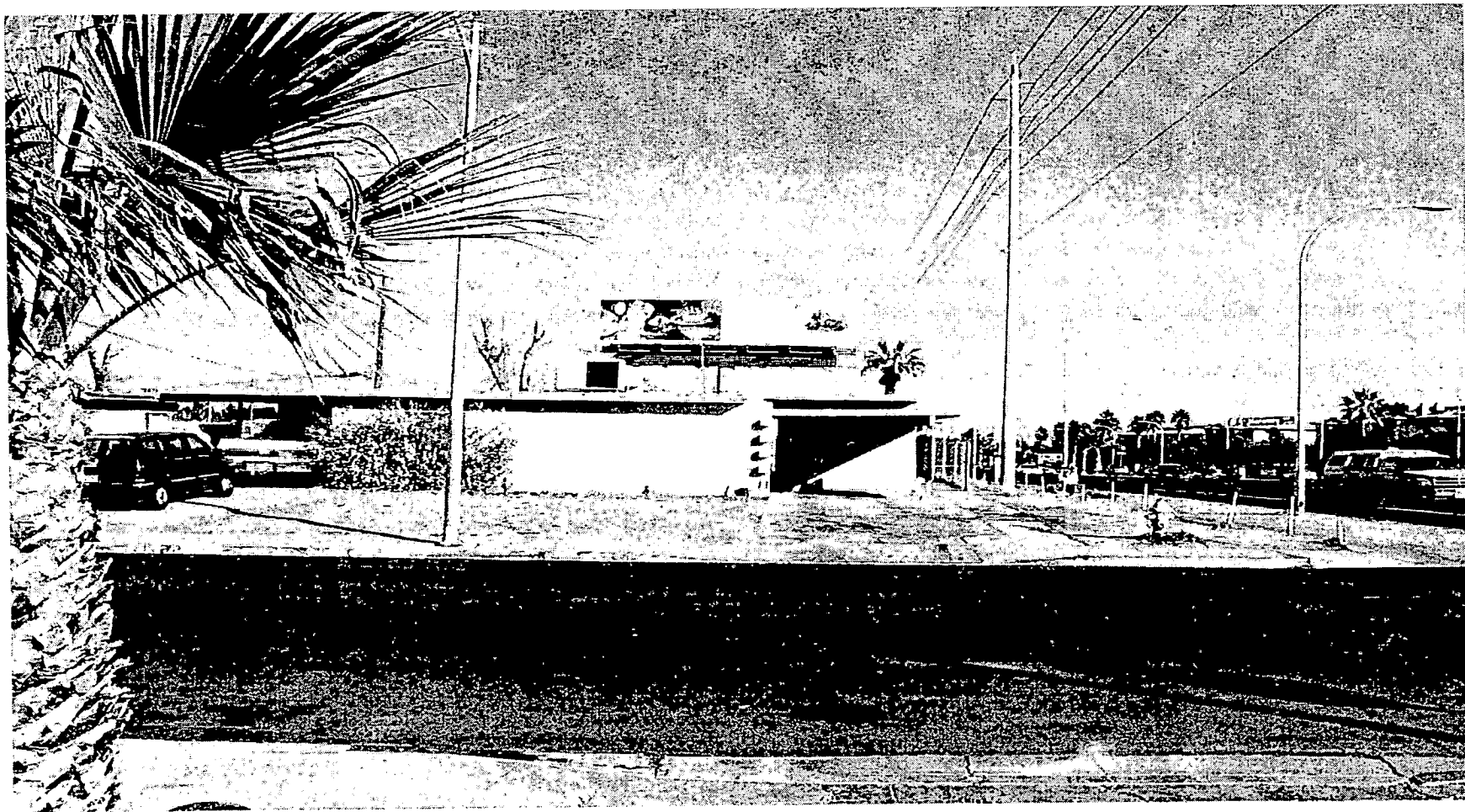
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SDR-3710 - APPLICANT/OWNER: ASIE JAH
2413 MARONEY AVENUE
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



SDR-3710 - APPLICANT/OWNER: ASIE JAH
2413 MARONEY AVENUE
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3724 - APPLICANT: DANNY TARKANIAN - OWNER: PALACE STATION HOTEL & CASINO, INC. - Request for a Site Development Plan Review FOR A BASKETBALL GYMNASIUM AND WAIVERS OF GLAZING, BUILDING PLACEMENT, 15 FOOT WIDE LANDSCAPE PLANTER ALONG STREET FRONTAGES, AND PARKING LOT LANDSCAPE FINGERS on 1.68 acres adjacent to the southwest corner of Rancho and Teddy Drives (APN: 162-08-602-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Copy of letter from Station Casinos regarding exterior renderings

MOTION:

GOYNES - APPROVED subject to conditions with the following amendments:

Delete Condition 4

Modify Condition 16 by deleting *submittal of any construction drawing* in the first sentence.

Modify Condition 17 by deleting *submittal of any construction drawings, whichever may occur first* in the first sentence.

- UNANIMOUS with DAVENPORT excused

This is Final Action.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on

DAVID CLAPSADDLE, Planning and Development Department, explained that the proposed facility will be utilized for scheduled basketball events and will not be a public facility. It meets the development standards of the code; however, staff had hoped of the opportunity to work with the applicant in regard to the enhanced articulation of the buildings. Staff recommended approval subject to the appropriate conditions.

DAN TARKANIAN and JERRY TARKANIAN, 2905 Justice Lane, the applicants, AMADOR BENGOCHEA, Bentar Construction, 5900 Emerald, represented this application. MR. BENGOCHEA explained that since no improvements are planned for Rancho and Teddy Drive, the applicant requests that Conditions 16 and 17 be modified to delete the words "submittal of construction drawings". DAVID GUERRA, Public Works Department, responded to MR. BENGOCHEA requests and explained that Public Works Engineering Department is unsure as how the traffic influx would impact the area when major events are held. With regard to the Drainage Study, it is required by regional requirements and with regard to the construction drawings, staff questioned submittal of drawings if a study has not yet been approved.

MR. TARKANIAN listed the types of events planned and described the interior layout of the facility. He emphasized that there are 400 kids enrolled in the program. Being as this is a non-profit organization the children are exempt of any fees and the program benefits the public similar to how the YMCA operates. With regard to traffic influx, MR. TARKANIAN remarked that as part of the program, tournaments are planned; however, most of the competing teams will be from out of town and he did not anticipate a tremendous amount of traffic associated with these events. MR. BENGOCHEA commented on the applicant's efforts to work with staff regarding the height elevations, metal exterior, building color and design.

TODD FARLOW, 240 North 19th Street, appeared in support of this proposal and did not feel that the proposed use would have any greater impact than the intense traffic already generated by Palace Station. With regard to the traffic issue, COMMISSIONER GOYNES asked staff to clarify the traffic study further. MR. GUERRA explained that the study is an attempt to mitigate traffic congestion as much as possible and emphasized that the same traffic study conditions are placed on small projects that draw much less traffic. MR. GUERRA added that, in the interim before going to City Council, the applicant could proceed with submittal of the Drainage Study.

On a final note, COMMISSIONER GOYNES asked if the applicant meets the architectural requirements of the building. MR. CLAPSADDLE stated that the Code has certain requirements, which staff, in this case, did not feel was being met. MS. WHEELER interjected and affirmed that the Code are guidelines and not development standards and can be modified.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

MINUTES – Continued:

COMMISSIONERS STEINMAN and EVANS both noted their support but emphasized the need to submit the required Drainage Study and ensure that the proper Traffic Study is submitted and approved.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41 – 9:22)

2-2108/3-1

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development, including the requested waivers shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein. The plan shall be revised to show a loading area.
3. The elevations of the building shall be revised to include articulation of the facade elements or variation of the facade materials in order to reduce the monolithic form of the structure in accordance with Title 19.08.045(F)(1). The revisions shall be reviewed and approved by the Planning and Development Department prior to the issuance of a building permit.
4. The exterior materials of the structure shall conform to the requirements listed in Title 19.08.045(F)(2).
5. Trash enclosures shall be roofed using materials similar to those of the primary buildings on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

CONDITIONS - Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
11. 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. Fugitive lighting shall not be created on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

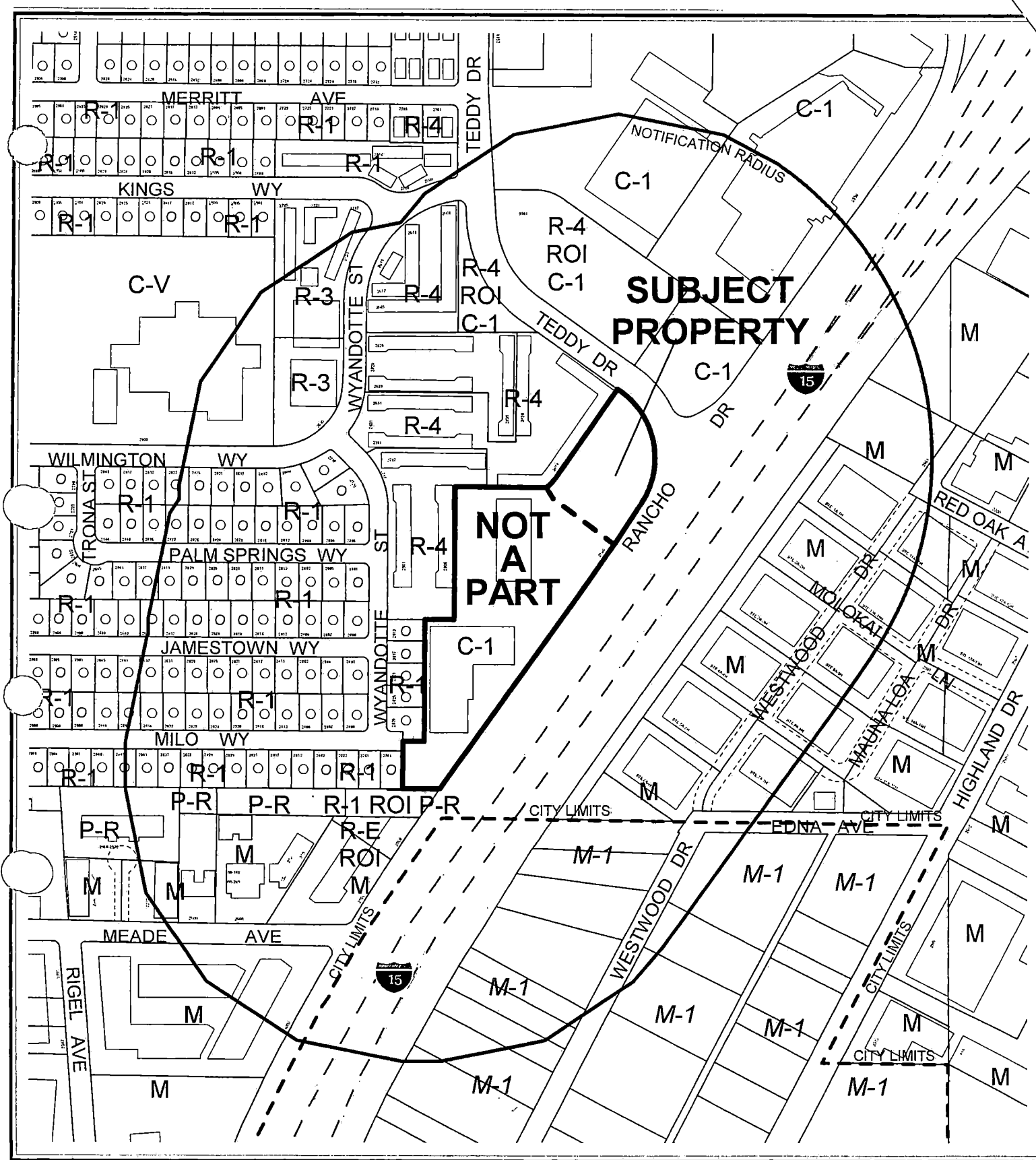
Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, on Teddy Drive and Rancho Drive and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, 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.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

CONDITIONS - Continued:

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Site development to comply with all applicable conditions of approval for Z-0061-86 and all other subsequent site-related actions.



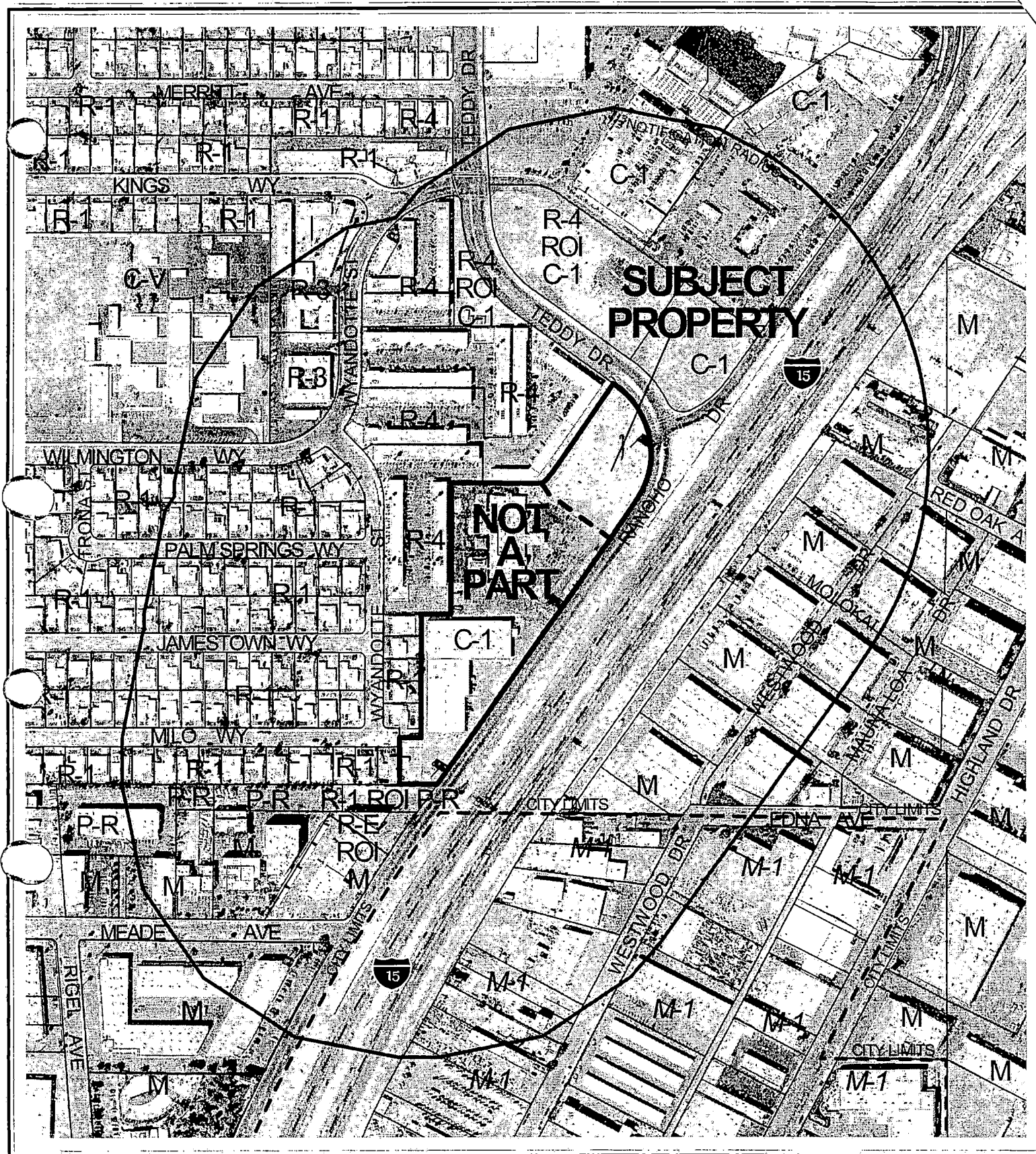
CASE: **SDR-3724**

RADIUS: 750 FT

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

0 200 400 Feet





CASE: **SDR-3724**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
SDR-3724 - APPLICANT: DANNY TARKANIAN - OWNER: PALACE STATION
HOTEL & CASINO, INC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development, including the requested waivers shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein. The plan shall be revised to show a loading area.
3. The elevations of the building shall be revised to include articulation of the facade elements or variation of the facade materials in order to reduce the monolithic form of the structure in accordance with Title 19.08.045(F)(1). The revisions shall be reviewed and approved by the Planning and Development Department prior to the issuance of a building permit.
4. The exterior materials of the structure shall conform to the requirements listed in Title 19.08.045(F)(2).
5. Trash enclosures shall be roofed using materials similar to those of the primary buildings on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

SDR-3724 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
11. 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. Fugitive lighting shall not be created on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, on Teddy Drive and Rancho Drive and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, 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.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

SDR-3724 - Conditions Page Three
February 26, 2004 - Planning Commission Meeting

18. Site development to comply with all applicable conditions of approval for Z-0061-86 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review and waivers of the perimeter and parking lot landscaping standards and other commercial development standards for a proposed 33,189 square-foot, two-story sports center on 1.68 acres adjacent to the southwest corner of Rancho and Teddy Drives.

B) Applicant's Justification

The applicant is proposing a basketball gymnasium that will be known as the Station Casinos Sports Center, home of the Tarkanian Basketball Academy. The plans are consistent with the Master plan and the requirements of the City of Las Vegas Zoning Code.

BACKGROUND INFORMATION

A) Previous Actions

09/03/86 The City Council approved a rezoning (Z-0061-86) R-1 (Single Family Residential) to R-MHP (Residential Mobile Home/ Manufactured Home Park) to C-1 (Limited Commercial).

01/07/87 The City Council approved a site plan review of a Warehouse/ Maintenance Building.

B) Pre-Application Meeting

12/30/03 The following was discussed with the applicant:

- Parking lot landscaping
- Parking requirements
- Waivers of the glazing, building placement, front landscape buffer, parking lot finger standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.02
Net Acres: 1.69

B) Existing Land Use

Subject Property: Vacant
North: Vacant
South: Commercial, ROW (Right of Way)
East: ROW (Right of Way)
West: Multi-family

C) Planned Land Use

Subject Property: GTC (General/Tourist Commercial)
North: M (Medium Density Residential), GTC (General/ Tourist Commercial)
South: GTC (General/ Tourist Commercial), ROW (Right of Way)
East: GTC (General/ Tourist Commercial), ROW (Right of Way)
West: H (High Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial), R-4 (High Density Residential) under
resolution of intent to C-1 (Limited Commercial)
South: C-1 (Limited Commercial), Rancho Drive
East: Rancho Drive, I-15
West: R-4 (High Density Residential)

E) General Plan Compliance: Southeast Sector Land Use Plan of the General Plan

The proposed use is compatible with the Southwest Sector land use Plan inasmuch sports facilities are permitted as indoor recreation uses in C-1 (Limited Commercial) zoned areas.

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

There are no special plans, studies, impact statements, or overlays that pertain to this location.

PROJECT DESCRIPTION

It is proposed that a sports facility with a focus on basketball be developed on the southwest corner of Teddy and Rancho Drives. A majority of the use will be located on the first floor with a small spectator mezzanine above. The building will be at the back of the lot with a parking lot separating the building from the street. Access to site will be from the north end from Teddy Drive with a secondary access from Rancho Drive at the south end of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	100 Feet	218.5 Feet	Y
Min. Setbacks			
• Front	20 Feet	50 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	80 Feet	Y
• Rear	20 Feet	N/A	N/A
Max. Lot Coverage	50 %	41%	Y
Max. Building Height	N/A	32.25 Feet	Y
Trash Enclosure	Yes		Y
Loading Zone	Yes		N
Mech. Equipment	Yes		None shown
Other ...			

The proposal meets the requirements of Title 19.08 aside for the location of a loading zone. The plan shall be revised to show a loading area.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to the subject proposal.

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February 26, 2004 - Planning Commission Meeting

A3) Parking and Traffic Standards

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

Uses	Seats	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Sports Arena	292	1 Space/ 4 Seats	70	3	70	3

The proposal meets the requirements for parking.

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 Trees/Space	12 Trees	4
Buffer:			
• Min. Trees	1 Trees/30 Linear Feet	33 Trees	23
• Min. Zone Width	8 Feet		10
• Wall height	8 Feet		Not Shown

The proposal does not meet the requirements Title 19 for parking lot and perimeter landscaping. The applicant has requested a waiver from these standards.

A5) Sign Standards

Insufficient information was provided to enable an analysis. Signage will be reviewed under a separate application.

B) General Analysis and Discussion

- Zoning

The proposed use is a permitted use under Title 19.

- Site Plan

The site plan shows an efficient use of a non-uniform shaped lot. This is evident by the ability of the applicant to design and locate a building without needing a parking variance.

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February 26, 2004 - Planning Commission Meeting

- Waivers

The applicant is requesting waivers from the following standards:

1. Perimeter landscaping
2. Parking lot landscaping
3. The 60% glazing rule
4. The 15 foot front landscaping buffer
5. Location of the building at the street

The request is justified because of the irregular shaped development lot.

- Landscape Plan

The applicant has requested waivers of the perimeter and parking lot landscaping.

- Elevation

The proposed elevation is a very plain and unimaginative design. The appearance is more in tune with what may be found in industrial parks. A condition will be added to require a new design that will be more in-keeping with the area.

- Floor Plan

The floor plan is typical of what is found for this type of use.

FINDINGS

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

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

The proposed development is compatible with the surrounding area. The use is located a short distance from the Palace Station Casino to the north and residential districts to the west providing easy access for patrons.

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;"**

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February 26, 2004 - Planning Commission Meeting

The request conforms to setback, parking and building height standards. A waiver of the landscape standards of Title 19 has been requested to address the lack of landscaping along the perimeter and in the parking lot.

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

Teddy and Rancho Drives have been designed to handle the commercial traffic moving to and from the commercial and industrial uses to the south. The addition of traffic for the proposed use will not put a burden on the street capacity of Teddy and Rancho Drives.

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

The building and landscape materials are consistent with Xeriscape landscaping common for the area.

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

The building exterior is not consistent with the immediate area. A condition will be added to require a new exterior building design.

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

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

NOTICES MAILED 108

APPROVALS 0

PROTESTS 0



Case Number: **SDR-3724** APN: ptn. 162-08-602-006
Name of Property Owner: Palace Station Hotel & Casino, Inc.
Name of Applicant: DANNY TARKANIAN

 Yes No

City Official:

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

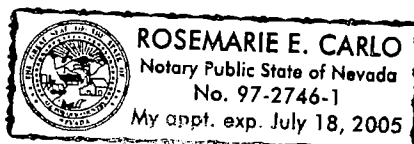
Print Name: Scott M Nielson, Secretary

Subscribed and sworn before me

This 17TH day of December, 2003

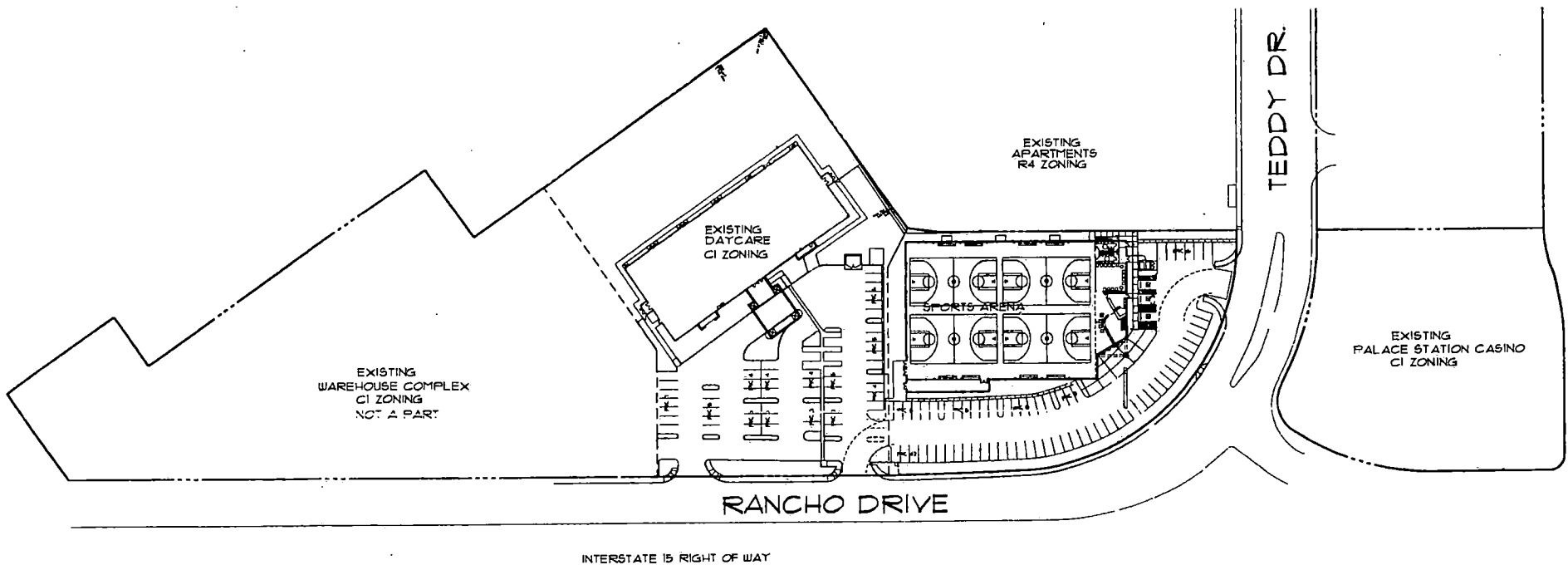
Lorenacci & Carlo
Notary Public in and for said County and State

Revised 2/12/02



F:\depo\Application Packet\Statement of Financial Interest.doc

LOCATION		PROJECT DATA	
		REQUIRED ZONING:	CI
		EXISTING ZONING:	CI
		EXISTING USE:	PARKING LOT
		PROPOSED USE:	SPORTS ARENA
AREA/PARKING SUMMARY			
use	area of use	phs. factor	phs. provided
gymnasium	32,036 sq. ft. 250 seats	1/4 seats	73 spaces
TOTALS		73 spaces	
PARKING PROVIDED:		73 SPACES	
use	area of use	phs. factor	phs. provided
daycare	280 sq. ft. 15 staff	1/4	18 spaces 10 spaces
TOTALS		46 spaces	
PARKING PROVIDED:		56 SPACES	



① PARKING STUDY SITE PLAN (shown to justify cross access only)
SCALE: 1" = 40'-0"

SDR-3724
2-26-04 PC

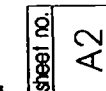
revisions
1
2
3

jon
adul
burke, architect
141 WEST DOUGLAS RD., 3RD FLOOR LAS VEGAS, NV 89101 (702) 391-4000

Station Casinos
Sports Center
for: Station Casinos
City of Las Vegas Nevada

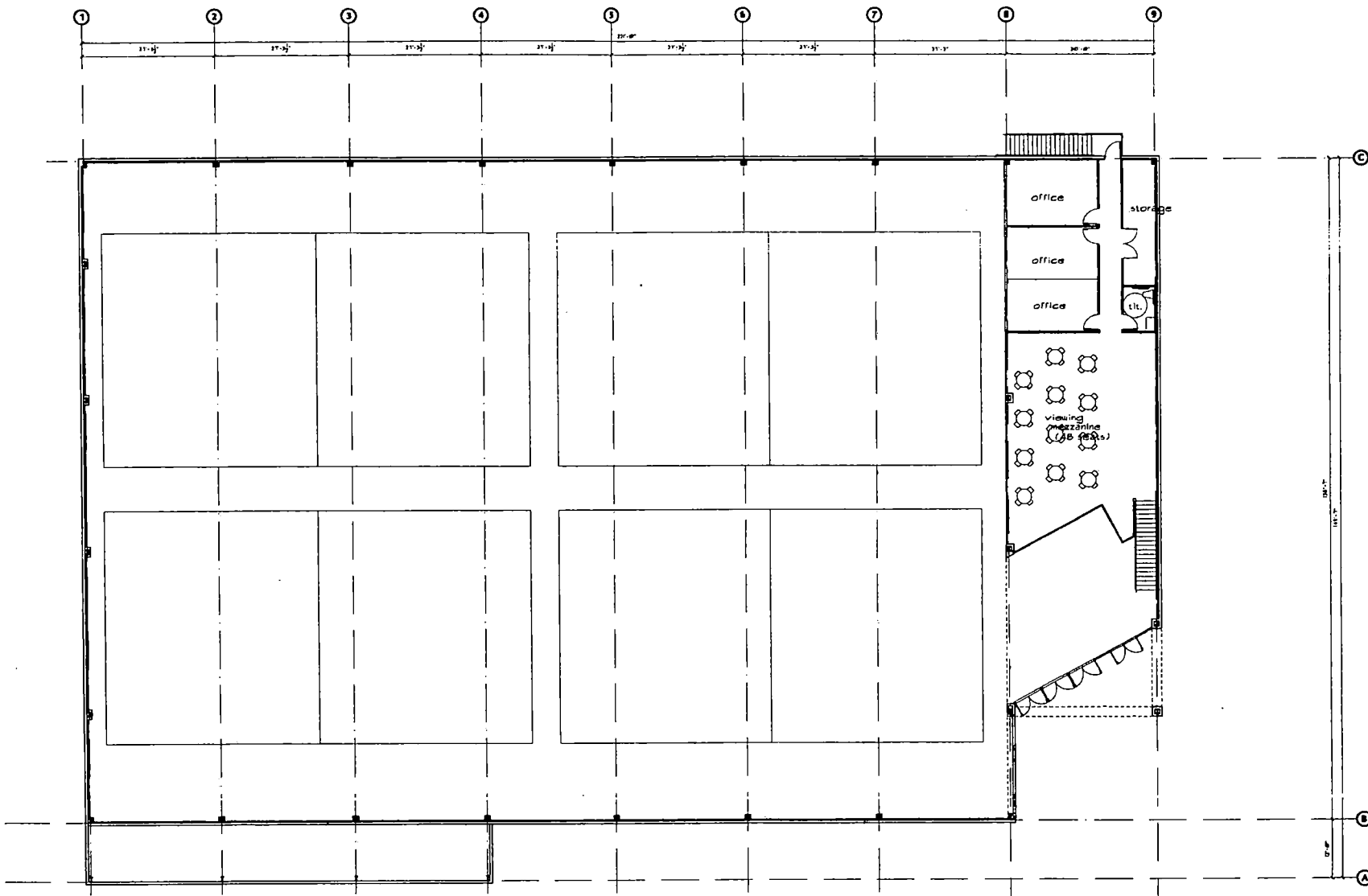
date	proj. no.	drawn by	chkd. by

sheet no.
A10



7345 SF. MEZZANINE
30,491 SF. FIRST FLOOR SUBTOTAL
32,836 SF. TOTAL BUILDING
297 SEATS

SDR-3724
2-26-04 PC



REVISIONS
1
2
3

jon
dunne
architects
1401 WEST OAKLAND RD. SUITE 100 LAS VEGAS, NV 89102-4443

Station Casinos
Sports Center
for: Station Casinos
City of Las Vegas Nevada

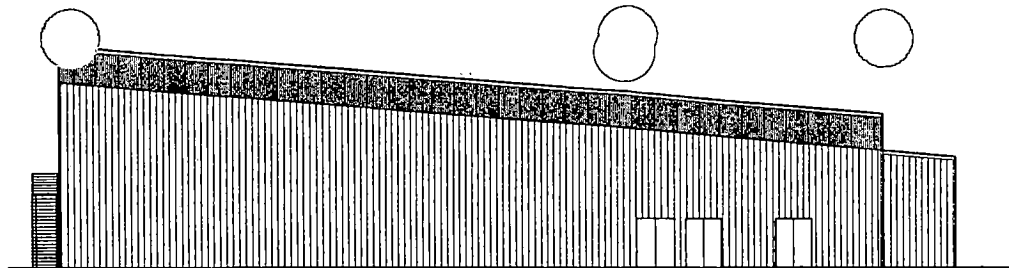
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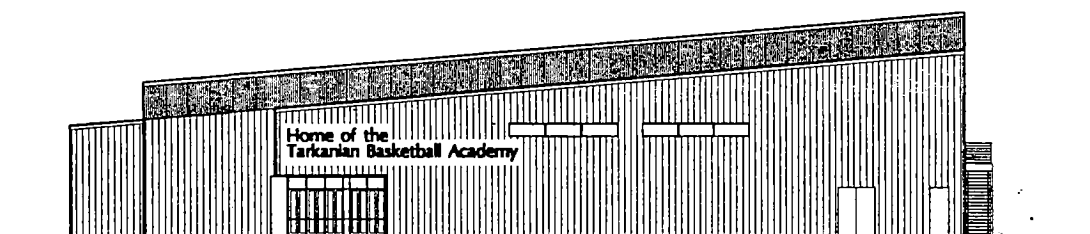
① MEZZANINE LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

2,345 S.F. MEZZANINE SUBTOTAL

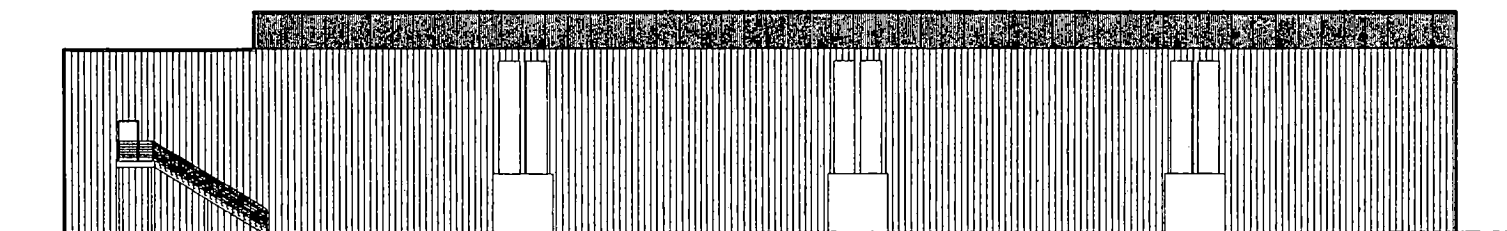
SDR-3724
2-26-04 PC



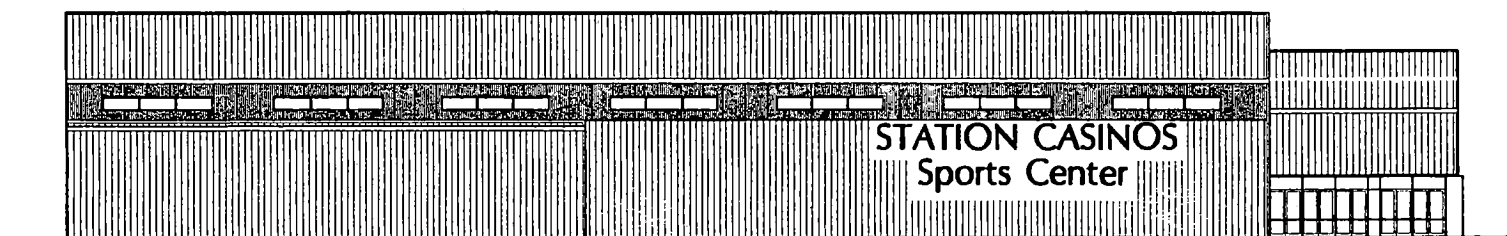
south



north



west



east

① EXTERIOR ELEVATIONS

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

SDR-3724
2-26-04 PC

revisions
1
2
3
4

jon
dave
dunne
architect
301 WEST DOUGLASS RD. #301 LAS VEGAS, NV 89102-1001

Station Casinos
Sports Center
for: Station Casinos
City of Las Vegas Nevada

date	proj. no.	drawn by	checked by

sheet no.
A4



SDR-3724 - APPLICANT: DANNY TARKANIAN - OWNER: PALACE STATION HOTEL & CASINO, INC.
SOUTHWEST CORNER OF RANCHO AND TEDDY DRIVES
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

Texas Station Gambling Hall & Hotel

Wild Wild West Gambling Hall & Hotel

Green Valley Ranch Station Casino

Barley's Casino & Brewing Company

Santa Fe Station Hotel & Casino

Boulder Station Hotel & Casino

Fiesta Henderson Casino Hotel

Sunset Station Hotel & Casino

Palace Station Hotel & Casino

Fiesta Casino Hotel

Thunder Valley Casino

Wildfire Casino



Direct Dial: (702) 221-8529
Facsimile: (702) 221-6613

Matthew L. Heinhold, Esq.
Associate General Counsel

February 17, 2004

via hand delivery
Tarkanian Basketball Academy, Inc.
2905 Justice
Las Vegas, Nevada 89107
Attention: Danny Tarkanian

Re: Exterior Rendering Approval

Dear Danny:

Reference is made to that certain Lease Agreement dated December 16, 2003 (as amended, the "Lease Agreement"), by and between Palace Station Hotel & Casino, Inc. ("Station") and Tarkanian Basketball Academy, Inc. ("TBA"). Capitalized terms used herein shall have the meanings ascribed to them in the Agreement.

Pursuant to our previous correspondence dated December 30, 2003, Station advised TBA that it did not approve of the colors depicted on the Exterior Rendering submitted for approval and requested that TBA submit alternative colors to Station for approval. Today, Station received a revised Exterior Rendering which depicts a blue and white color scheme. Please be advised that Station hereby approves the revised Exterior Rendering.

Please also be advised that Station's approval of the above-referenced revised Exterior Rendering does not relieve TBA of its obligation under Section 4.2 of the Lease Agreement to submit all other Plans (including, but not limited to, landscape plans and signage plans) to Station for review and approval as such other Plans become final.

2411 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89102 • TELEPHONE: (702) 367-2411 • TOLL FREE: (800) 544-2411

Submitted at Planning Commission

Date _____ Item _____

2/26/04 #36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VACATION RELATED TO TMP-3639 - PUBLIC HEARING - VAC-3664 -
APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS
ESTATES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate all of
Maverick Street, between Meisenheimer Avenue and Racel Street, Ward 6 (Mack).**

SET DATE: 03/17/04

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as
her firm is presently under contract with Sterling S. Development and NIGRO abstaining
abstaining as his firm is in litigation with one of the principals of Sterling S. Development
and DAVENPORT excused**

To be heard by the City Council on 3/17/2004

MINUTES:

**CHAIRMAN TRUESDELL declared the Public Hearing open on Item 37 [VAC-3664] and Item
38 [TMP-3639].**

**DAVID CLAPSADDLE, Planning and Development Department, explained the staff had a
concern with Condition 8 concerning rural improvements to which the applicant did not agree.
He added that if the Tentative Map is approved subject to conditions, the applicant has the option
to appeal it to City Council.**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 37 – VAC-3664

CONDITIONS – Continued:

LORA DREJA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. She clarified that the applicant would like to have the option to construct half streets standard improvements with no sidewalks or streetlights. She noted that in lieu of the sidewalks, the applicant proposes to put in a granite trail as requested by the nearby residents.

DAVID GUERRA, Public Works Department, stated the requirements for the street section differs between Urban and Rural; however, is acceptable to whatever the Commission decides. MARGO WHEELER, Deputy Director, Planning and Development Department, asked staff to clarify what is required to accommodate the wishes of the applicant. MR. GUERRA replied that Condition 8 would need to be revised with the addition of a disclaimer stating construction of urban improvements or full half-street improvements including over paving with the deferment of streetlights and sidewalks on Racel Street. He further clarified that all referral to Racel Street would be removed where there is reference to rural improvements. MS. DREJA concurred with the proposed modifications to Condition 8.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 37 [VAC-3664] and Item 38 [TMP-3639].

NOTE: All discussion for Item 37 [VAC-3664] and Item 38 [TMP-3639]. was held under Item 37 [VAC-3664].

(9:22 – 9:37)

3-381

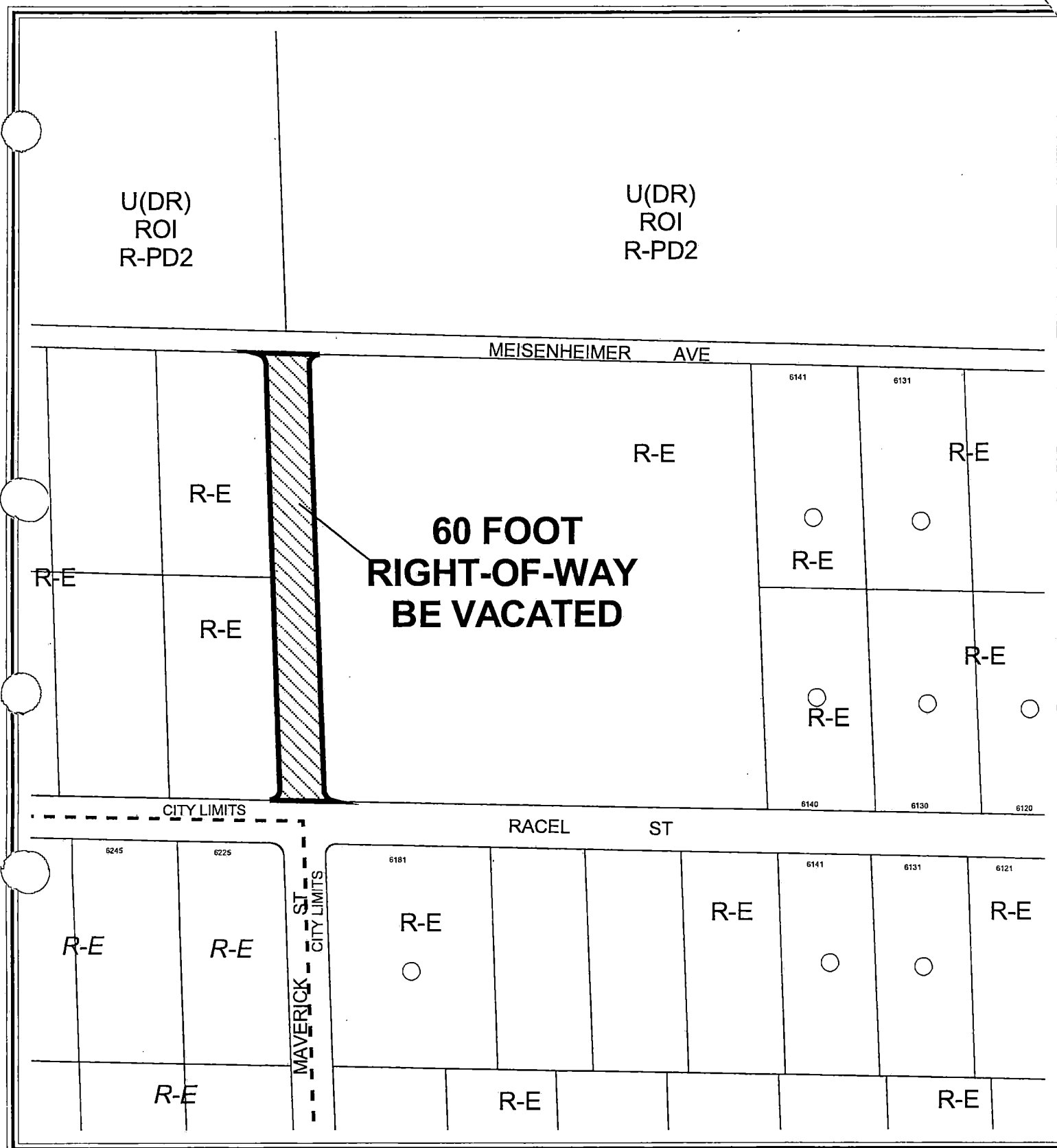
CONDITIONS:

1. The boundaries of this Petition of Vacation shall be the full width of Maverick Street between the north right-of-way line of Racel Street and the south right-of-way line of Meisenheimer Avenue, including radius corners.
2. 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 with TMP-3639 may be used to satisfy this condition provided that it covers the area to be vacated.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 37 – VAC-3664

CONDITIONS – Continued:

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation 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.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-3664

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VACATION - PUBLIC HEARING - VAC-3664 - APPLICANT:
STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The boundaries of this Petition of Vacation shall be the full width of Maverick Street between the north right-of-way line of Racel Street and the south right-of-way line of Meisenheimer Avenue, including radius corners.
2. 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 with TMP-3639 may be used to satisfy this condition provided that it covers the area to be vacated.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation 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.

VAC-3664 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate Maverick Street, between Meisenheimer Avenue and Racel Street. A Tentative Map application (TMP-3639) for a 17 lot residential subdivision on this site was filed as a companion item

B) Applicant's Justification

The applicant's justification letter indicates the public right-of-way for Maverick Street is not necessary and this vacation will allow for development of the single-family subdivision to the east.

BACKGROUND INFORMATION

A) Previous Actions

02/04/04 The City Council approved a Special Use Permit (SUP-3359) for private streets for a proposed single-family subdivision to the east of this right-of-way. The Planning Commission recommended approval on January 08, 2004. The Planning and Development Department recommendation was for approval.

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public right-of-way located in the North Half (N½) of the Southeast Quarter (SE¼) of Section 11, Township 19 South, and Range 60 East.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing public right-of-way because it is no longer needed in its current configuration and it will allow for development of the single-family subdivision 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.

VAC-3664 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

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? Uniform.
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the street does not currently exist.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is being requested in the hope that the same owner will develop both sides of Maverick Street and the right-of-way will be incorporated into the subsequent subdivision.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, TMP-3639, Quarterhorse Estates Unit 1.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No, since the adjacent parcels can still get access from Meisenheimer Avenue or Racel Street.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 6

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-3664** APN: 125-11-704-001

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

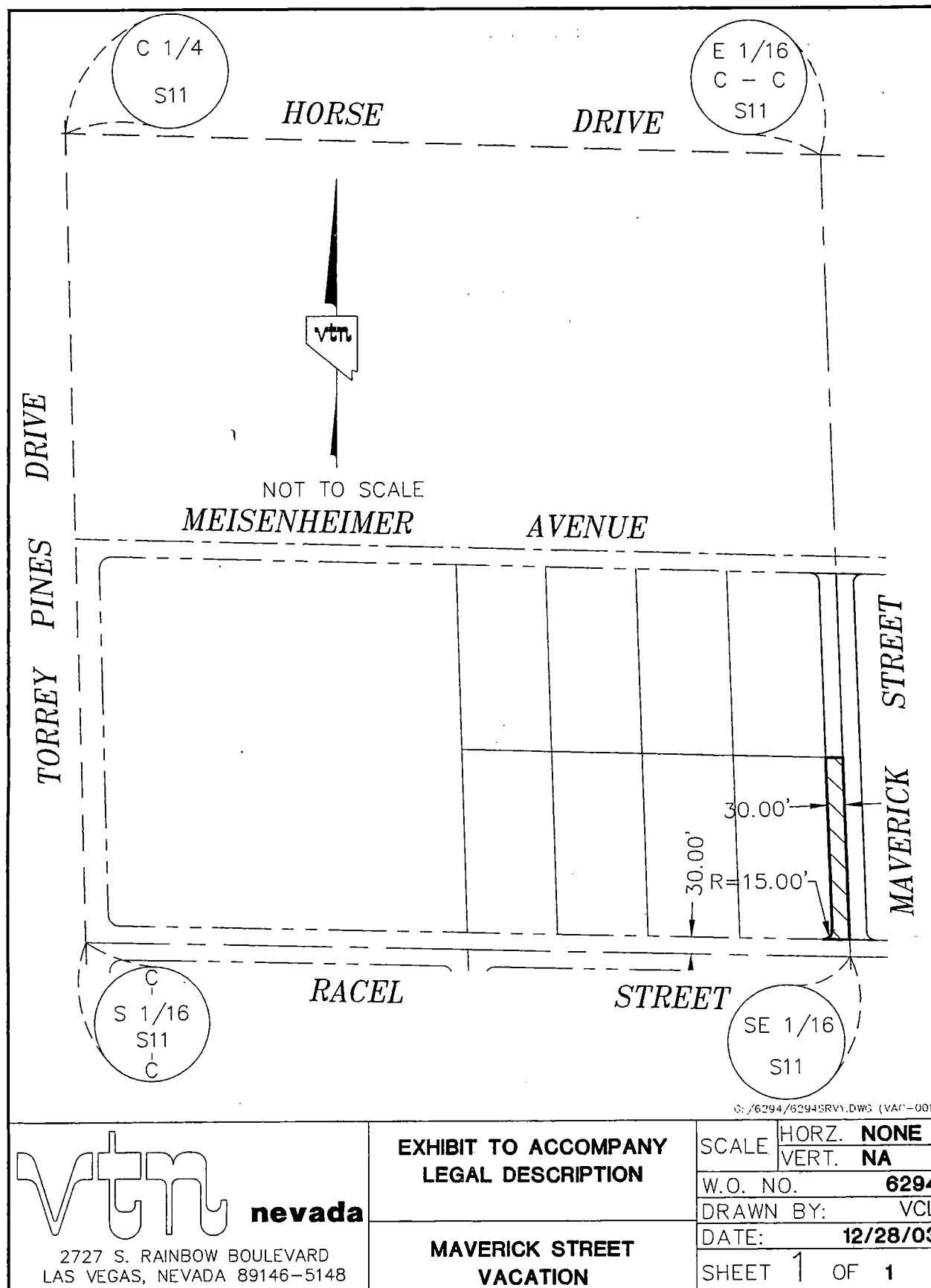
Signature of Property Owner/Authorized Agent: *John Michael Stratton*

Print Name: John Michael Stratton

Subscribed and sworn before me

This 8th day of December, 2003

Mary E. Smith
Notary Public in and for said County of Clark, State of Nevada
Notary Public - Nevada
No. 98-2142-1
My appt. exp. Mar. 15, 2004



VAC-3664
2-26-04 PC



VAC-3664 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
MAVERICK STREET, BETWEEN MEISENHEIMER AVENUE AND RACEL STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



VAC-3664 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
MAVERICK STREET, BETWEEN MEISENHEIMER AVENUE AND RACEL STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TENTATIVE MAP - RELATED TO VAC-3664 - TMP-3639 - QUARTERHORSE ESTATES UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 17 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 9.76 acres adjacent to the northeast corner of Maverick Street and Racel Street (APN: 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is presently under contract with Sterling S. Development and NIGRO abstaining as his firm is in litigation with one of the principals of Sterling S. Development and DAVENPORT excused

This is Final Action

MINUTES:

**NOTE: See Item 37 [VAC-3664] for related discussion
(9:22 – 9:37)**

3-381

CONDITIONS:

Planning and Development

1. The six foot wide perimeter landscape planter area shall be carried north on both sides of the subdivision entry street and shall terminate at the sidewalk returns.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 38 – TMP-3639

CONDITIONS – Continued:

2. The retaining walls along Racel Street and Meisenheimer Avenue shall be stepped to the back of sidewalk and be constructed of decorative materials.
3. Perimeter block walls shall consist of decorative block with 20% contrasting material and cap; shall be limited to eight feet vertical wall face; and grade changes requiring retaining walls to exceed eight feet vertical wall face must include terracing with a minimum of four feet clear horizontal separation between walls.
4. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

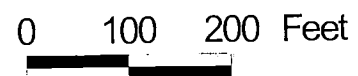
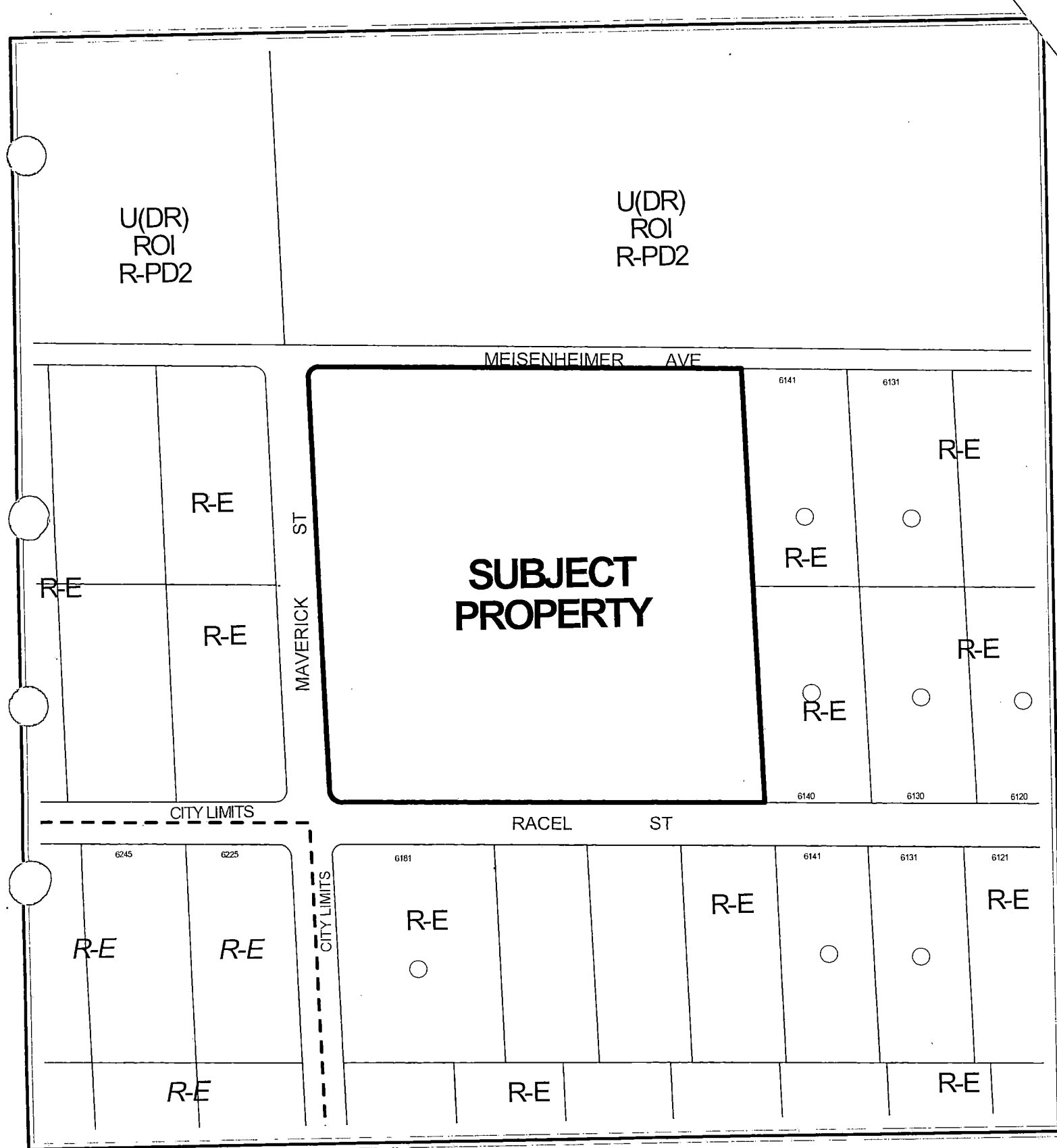
Public Works

7. All rights-of-way in conflict with this site, such as those shown on VAC-3664, shall be vacated prior to the recordation of a Final Map abutting or overlying such right-of-way.
8. Construct rural improvements on Racel Street and Meisenheimer Avenue adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Racel Street and Meisenheimer Avenue; and 30-inch rolled curb on both sides of the street. The exterior street lighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; the streetlight poles shall be consistent with the type used in the Iron Mountain Ranch development to the west. Alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Racel Street and Meisenheimer Avenue. Extend all required underground utilities for future traffic signals, other electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 38 – TMP-3639

CONDITIONS - Continued:

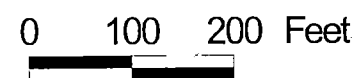
9. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Racel Street to the west edge of this site at a location and depth acceptable to the City Engineer. In addition, if the 18-inch public sanitary sewer line required in Jones Boulevard has not been constructed at the time of development of this site, construction of this line is required concurrent with development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
10. 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.
11. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: **TMP-3639**

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





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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TENTATIVE MAP - TMP-3639 - QUARTERHORSE ESTATES

UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The six foot wide perimeter landscape planter area shall be carried north on both sides of the subdivision entry street and shall terminate at the sidewalk returns.
2. The retaining walls along Racel Street and Meisenheimer Avenue shall be stepped to the back of sidewalk and be constructed of decorative materials.
3. Perimeter block walls shall consist of decorative block with 20% contrasting material and cap; shall be limited to eight feet vertical wall face; and grade changes requiring retaining walls to exceed eight feet vertical wall face must include terracing with a minimum of four feet clear horizontal separation between walls.
4. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. All rights-of-way in conflict with this site, such as those shown on VAC-3664, shall be vacated prior to the recordation of a Final Map abutting or overlying such right-of-way.
8. Construct rural improvements on Racel Street and Meisenheimer Avenue adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Racel Street and Meisenheimer Avenue; and 30-inch rolled curb on both sides of the street.

TMP-3639 - Conditions Page Two
February 26, 2004 - Planning Commission Meeting

The exterior street lighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; the streetlight poles shall be consistent with the type used in the Iron Mountain Ranch development to the west. Alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Racel Street and Meisenheimer Avenue. Extend all required underground utilities for future traffic signals, other electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

9. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Racel Street to the west edge of this site at a location and depth acceptable to the City Engineer. In addition, if the 18-inch public sanitary sewer line required in Jones Boulevard has not been constructed at the time of development of this site, construction of this line is required concurrent with development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
10. 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.
11. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written

TMP-3639 - Conditions Page Three
February 26, 2004 - Planning Commission Meeting

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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Tentative Map titled Quarterhorse Estates Unit 1, a 17-lot single-family residential subdivision on 9.32 acres adjacent to the northeast corner of Racel Street and Maverick Street. A Vacation application (VAC-3664) for Maverick Street between Meisenheimer Avenue and Racel Street was filed as a companion item to this request.

B) Applicant's Justification

A justification letter is not a required component of the Tentative Map application packet.

BACKGROUND INFORMATION

A) Previous Actions

- 02/04/04 The City Council approved a Special Use Permit (SUP-3359) for Private Streets on the subject property. The Planning Commission and staff recommended approval.
- 03/25/04 The Planning Commission will hear a request for a variance to allow reduced front and rear setbacks for this project. (VAR-3762). This variance will not affect the lay-out of this subdivision.

B) Pre-Application Meeting

- 12/10/03 The applicant was advised that if the Vacation of Maverick Street were not approved, the lots would no longer meet the minimum lot size for R-E (Residence Estates) of 20,000 square feet. Discussion was made regarding the perimeter block walls, and the applicant was advised to revise overall perimeter wall heights to 8 feet of vertical wall face.
- 12/12/03 The applicant was informed that a Vacation application would need to accompany this Tentative Map application.

TMP-3639 - Staff Report-Page Two
February 26, 2004 - Planning Commission Meeting

12/23/03 The applicant agreed to hold this Tentative Map application until the February 26, 2004 meeting to be heard concurrent with the Vacation of Maverick Street.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.00
Net Acres: 9.32 (Approximately 9.5 acres if Maverick Street is vacated)

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (Under Construction)
South: Single Family Dwellings, Undeveloped
East: Single Family Dwellings
West: Undeveloped

C) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates) under Resolution of Intent to R-PD2
 (Residential Planned Development – 2 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

D) General Plan Compliance

This site is designated DR (Desert Rural Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan.

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

TMP-3639 - Staff Report Page Three
February 26, 2004 - Planning Commission Meeting

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

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 Square Feet	20,010 – 22,092 S.F.	Y
Min. Lot Width	100 Feet ¹	100 Feet ¹	Y
Min. Setbacks			
• Front	30 Feet ²	30 Feet ²	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	35 Feet	35 Feet	Y
Max. Building Height	2 Stories / 35 Feet		Y/N
Number of Lots	N/A	17	Y
Max. Density	2.0 D.U.A.	1.70 D.U.A.	Y
Private/Public Street	N/A	Private	Y
Min. Street Width	39 feet	39 feet	Y

¹ 30-foot lot width allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.

² 25-foot setback allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.

Provided that the Vacation (VAC-3664) is approved, the proposed subdivision will comply with all city standards of development. If the Vacation (VAC-3664) were denied, the site would need to be redesigned to meet city standards.

B) General Analysis Discussion

- General information (Residential)

The proposed 17-lot single family residential subdivision takes access off of Racel Street, a 60 foot wide local collector, and provides access to the lots from 39 foot wide private streets with rolled curb approved by Special Use Permit (SUP-3359). Perimeter landscaping will be provided within 6-foot wide common lots along Meisenheimer Avenue and Racel Street, with a recommended condition requiring the continuation of the perimeter landscaping within the subdivision entry street to present a cohesive entry statement for the site. Another condition requires all wall faces along the street perimeters to be limited to 8 feet, with terracing provided to the back of sidewalk for any walls necessitated by grade changes.

- Cross Section

The cross-sections have been provided and depict maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with a natural slope of between 0% to 2%, such as this development, is allowed a maximum 4-foot retaining wall. The retaining walls depicted on the western perimeter of this site totaling 6 feet in height exceeds this standard, however the walls are not in a single plane and are separated by landscaping and therefore a public hearing is not necessary. A condition addressing the design of the walls and minimum landscape requirement is included above.

- Trails

The Interlocal Joint Use Planning Area Trails Plan does not indicate any trails adjacent to or within the subject site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



Case Number: **TMP-3639** APN: 125-11-704-001

Name of Applicant: Sterling S. Development

Yes ☐ No ☒

City Official: _____

Partner(s): _____

APN: _____

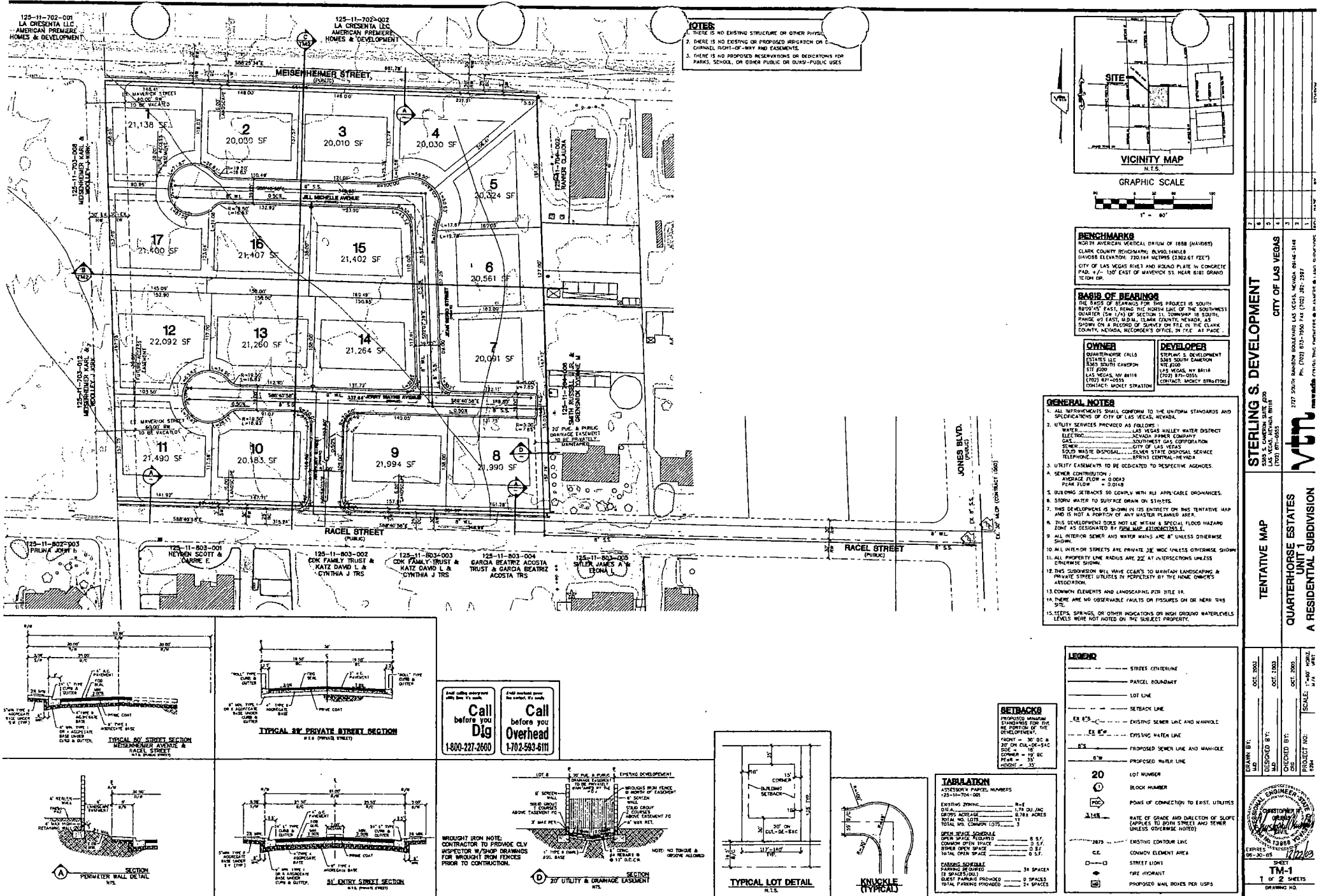
Signature of Property Owner/Authorized Agent: Shirley Bhatt

Print Name: John Michael Stratton

Subscribed and sworn before me

This 8th day of December, 2003

Mary E. Smith
Notary Public in and for Clark County and State of Nevada
No. 98-2142-1
My appl. exp. Mar. 15, 2004



TMP-3639
2-26-04 PC

STERLING S. DEVELOPMENT

TENTATIVE MAP

QUARTERHORSE ESTATES UNIT 1

A RESIDENTIAL SUBDIVISION

DESIGN BY: OCT. 2003

DESIGNED BY: OCT. 2003

CHECKED BY: OCT. 2003

PROJECT NO.: 0304

SCALE: 1" = 40' HORIZ. 1" = 4' VERT.

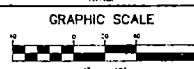
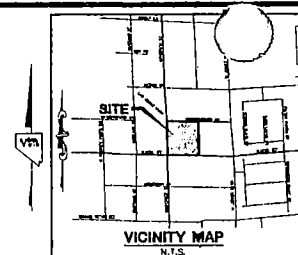
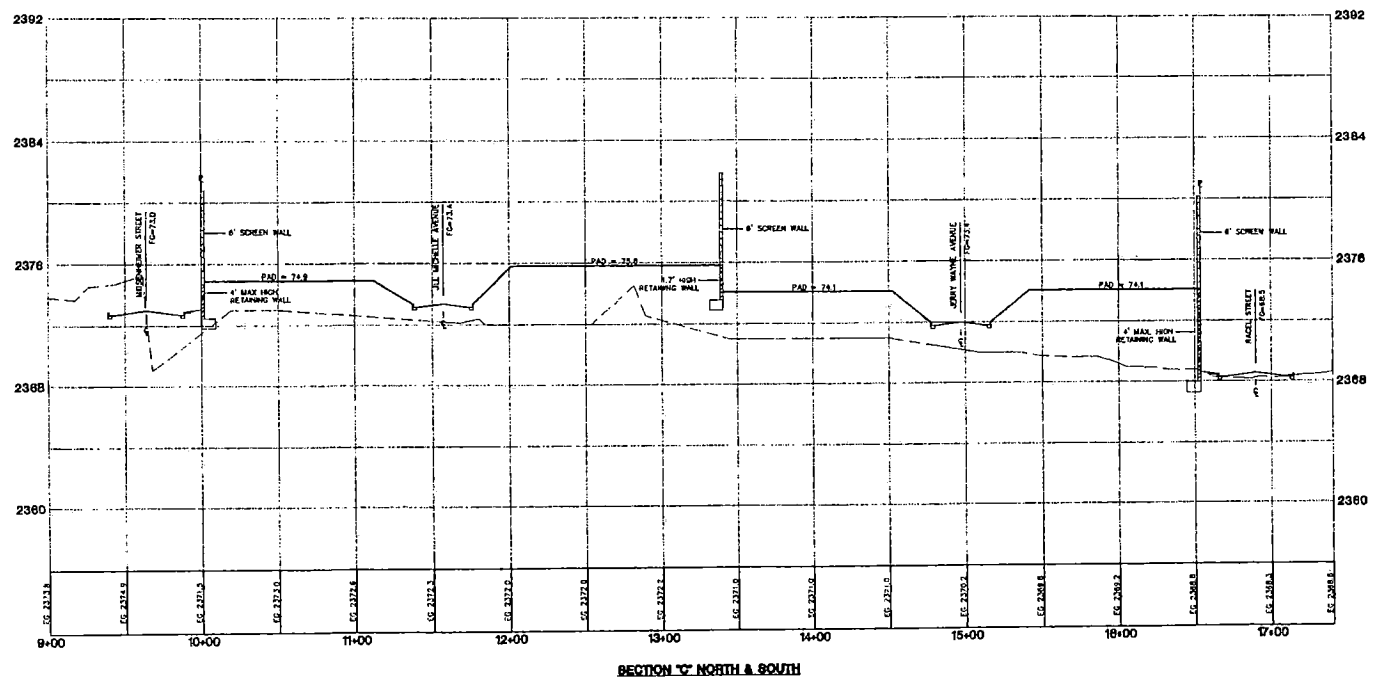
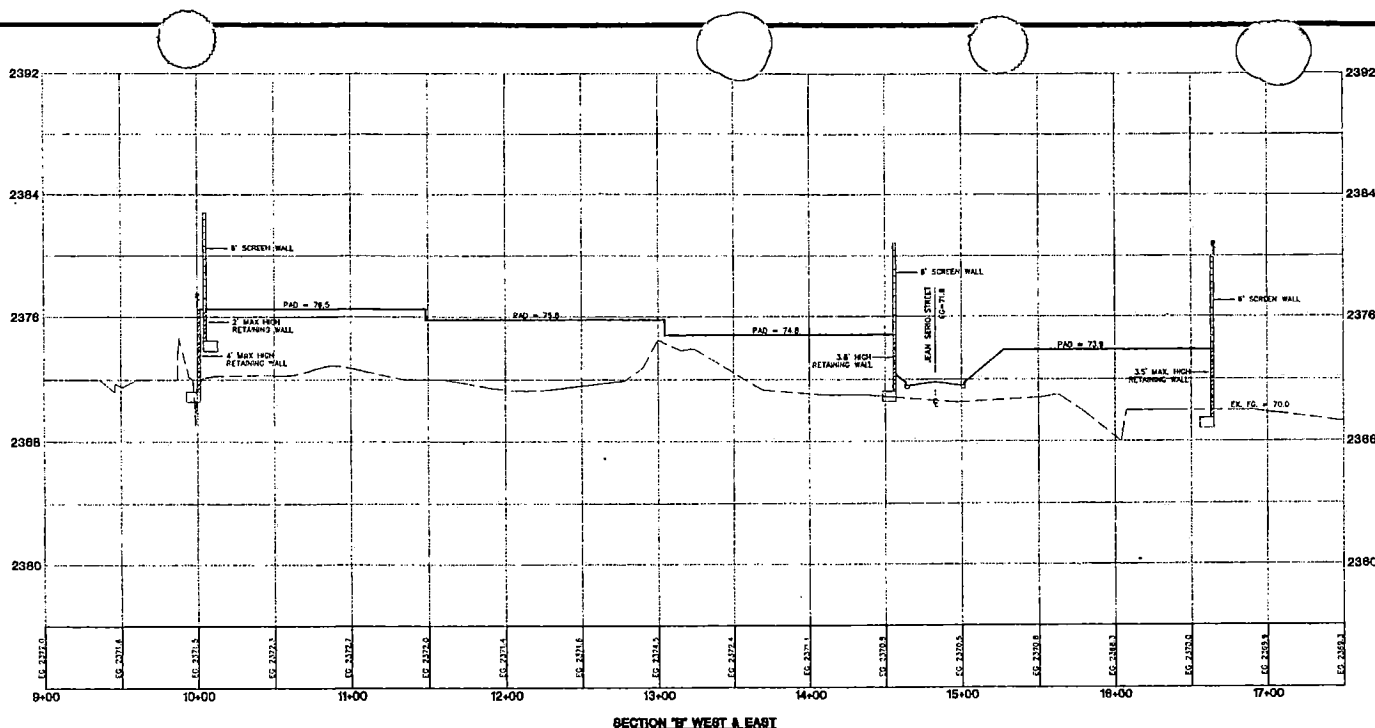
ENGINEER: MICKEY STRATTON, P.E.

EXPIRES: 09-26-05

SHEET: TM-1

1 OF 2 SHEETS

DRAWING NO.:



BENCHMARKS
 NORTH ANGLE: VERTICAL DATUM OF 1988 (NAVD88)
 CLARK COUNTY BENCHMARK: BLYND LUNNEN
 HAYDEN ELEVATION: 720.144 METERS (2362.87 FEET)
 CITY OF LAS VEGAS RIVER AND ROAD PLATE IN CONCRETE
 PAD, 4' - 120' EAST OF MANUELA ST. NEAR 6101 GRAND
 TICHON.

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS PROJECT IS SOUTH
 88°23'45\"/>

OWNER
 QUARTERHORSE FALLS
 TRACTS LLC
 3365 SOUTH CAVEON
 STE 200
 LAS VEGAS, NV 89119
 (702) 871-0855
 CONTACT: MICKEY STRATTON

DEVELOPER
 STERLING S. DEVELOPMENT
 3365 SOUTH CAVEON
 STE 200
 LAS VEGAS, NV 89119
 (702) 871-0855
 CONTACT: MICKEY STRATTON

STERLING S. DEVELOPMENT		CITY OF LAS VEGAS	
TENTATIVE MAP		QUARTERHORSE ESTATES UNIT 1 A RESIDENTIAL SUBDIVISION	
DESIGNED BY: OCT. 2003	CHECKED BY: OCT. 2003	PROJECT NO: SCALE: 1"=40'	SHEET: 2 OF 2
DRAWN BY: OCT. 2003		ENGINEER: OCT. 2003	
PROJECT NO: SCALE: 1"=40'		SHEET: 2 OF 2	

Call before you Dig
 1-800-227-2600

Call before you Overhead
 1-702-593-6111

TMP-3639
2-26-04 PC



TMP-3639 - QUARTERHORSE ESTATES UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT -
OWNER: QUARTERHORSE FALLS ESTATES
NORTHEAST CORNER OF MAVERICK STREET AND RACEL STREET
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE ITEM - TEXT AMENDMENT - PUBLIC HEARING - TXT-2450 -
APPLICANT/OWNER: CITY OF LAS VEGAS -** Discussion and possible action to add a new Scenic Byway Overlay District in Title 19.06, to define the boundaries and intent of the District, and to add language regarding on-site and off-site signage within the District.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to condition – **UNANIMOUS** with **TRUESDELL** abstaining as he owns property within the Scenic Byway Overlay District, has previously sat on the Committee and been involved with in several discussions and **DAVENPORT** excused

To be forwarded to City Council in Ordinance Form

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 39 [TXT-2450] and Item 40 [DIR-3851].

YORGA KAGAFAS, Neighborhood Planner with the Department of Neighborhood Services, gave a brief presentation. He explained that there were approximately 40 participants, comprised of business owners, City staff, County staff and members of non-profit organizations. He stated that the Scenis Byway was established in 1995 and is administered by the Federal Highways Administration.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 39 – TXT-2450

MINUTES – Continued:

MR. KAGAFAS stated that there are 77 nationally designated Scenic Byways, with Las Vegas vying to be the 78th. In order to accomplish that, it was necessary to develop a Quarterly Management Plan that would protect the qualities of the Byway that makes it essentially unique. In the case of Las Vegas Boulevard, it qualified because it is a nighttime Scenic Byway due to the amount of neon along Las Vegas Boulevard and it also qualified because of its cultural and historical characteristics. Upon approval by the City Council, the City can move forward with applying for national designation.

AL GALLEG0, citizen of Las Vegas, asked why consideration was not given to include Las Vegas Boulevard up to and including the City limits. He stated that the two cemeteries located in the area of Owens and Las Vegas Boulevard most definitely meet the historical aspects. TODD FARLOW, 240 North 19th Street, concurred.

MR. KAGAFAS replied that the original application did include the full length of Las Vegas Boulevard from Sahara to Washington. In the State designation, the State determined that the sections from Owens to Washington did not qualify under the definitions of intrinsic qualities. In spite of that determination, he noted that the Historic Preservation Commission is actively pursuing obtaining National Historical Register designation for those cemeteries.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 39 [TXT-2450] and Item 40 [DIR-3851].

NOTE: All discussion for Item 39 [TXT-2450] and Item 40 [DIR-3851] was held under Item 39 [TXT-2450].

(9:37 – 9:51)
3-864

CONDITION:

Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

A. Intent

The Las Vegas Boulevard Scenic Byway was designated by the State of Nevada in 2002 in order to preserve the character of this nighttime urban scenic Byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the Byway designation.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - TXT-2450 - APPLICANT/OWNER:

CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

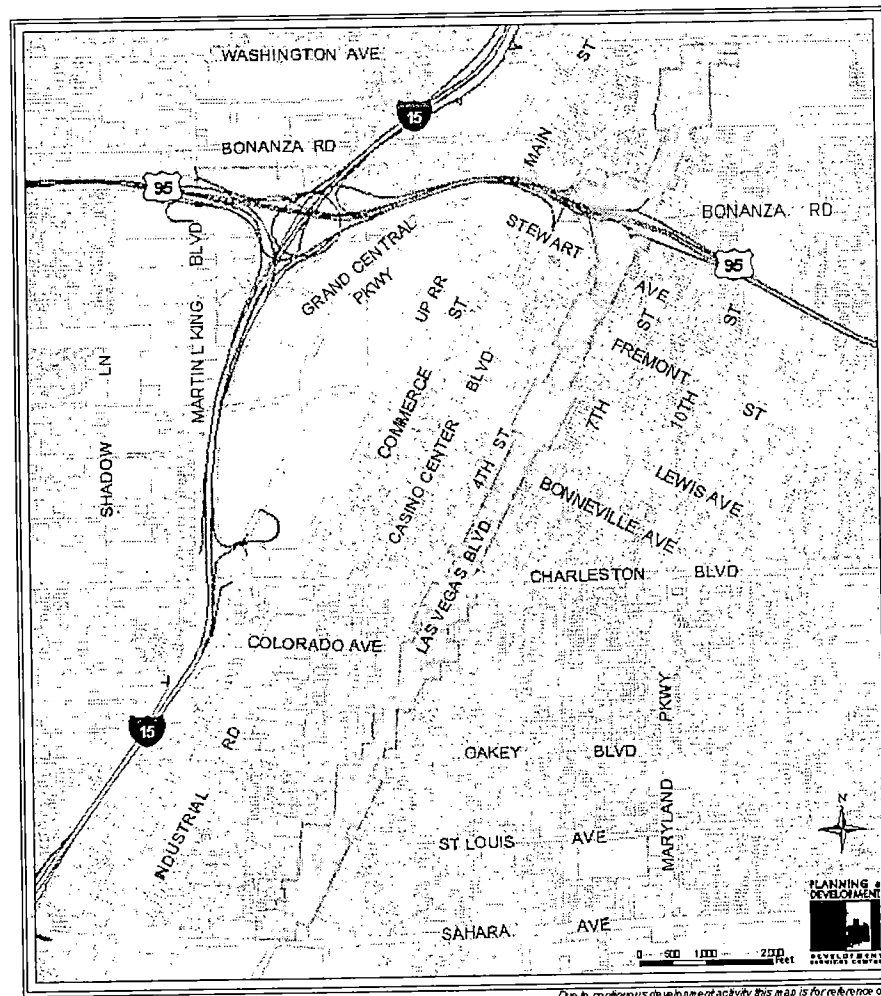
A. Intent

The Las Vegas Boulevard Scenic Byway was designated by the State of Nevada in 2002 in order to preserve the character of this nighttime urban scenic Byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the Byway designation.

B. Boundaries

The boundaries of the Las Vegas Boulevard Scenic Byway Overlay District are generally described as the portion of Las Vegas Boulevard between Sahara Avenue on the south and Washington Avenue on the north, and applies only to the properties that have frontage directly on Las Vegas Boulevard. The boundaries of the district are depicted in the map below:

SCENIC BYWAY OVERLAY DISTRICT



Created by corridor on Jan 22 2004

Due to continuous development activity this map is for reference only.



SCENIC BYWAY CORRIDOR

C. Special Sign Standards

1. **Relationship to Other Provisions.** Signage on parcels within the Las Vegas Boulevard Scenic Byway Overlay District are subject to the regulations of Title 19.14, the Downtown Casino Overlay District, or the Downtown Entertainment Overlay District, whichever is applicable, except as amended herein.
2. **Illumination.** Of all signage to be located in the Scenic Byway Overlay District, at least 75% of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof. Awning Signs, Menu Boards and Window Signs, where permitted, are exempt from this illumination requirement.
3. **Off-Premise Signs.** Off-premise signs are prohibited within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay District.
4. **Maintenance.** The owner and operator of each sign is responsible for ensuring that appropriate sign maintenance occurs and that repairs of damaged signs and lighting are accomplished promptly.

D. Approval Procedures

Approvals for signage within the Las Vegas Boulevard Scenic Byway Overlay District are subject to the standards and requirements of Title 19.14, except as amended herein. Properties that are also within the boundaries of the Downtown Casino Overlay District or the Downtown Entertainment Overlay District shall be subject to the signage standards and requirements listed in Title 19.06, except as amended herein.

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code to include the following:

- 1) Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

The proposed amendment will create the Scenic Byway Overlay District and establish sign standards for properties within the district.

BACKGROUND INFORMATION

The State of Nevada designated Las Vegas Boulevard a Scenic Byway in 2002. The designation was based on the nighttime character of the highway and the abundance of neon signage, and mandates the preservation of the scenic, historic and cultural qualities of the streetscape. Staff is currently in the process of pursuing Nation Scenic Byway designation for the corridor.

ANALYSIS

The proposed amendment will create the Las Vegas Boulevard Scenic Byway Overlay District in accordance with State of Nevada designation and the associated Las Vegas Boulevard Scenic Byway Corridor Management Plan. The State of Nevada designation was based on the scenic character of the highway at night, due to the quantity and variety of neon signage along the roadway. The intent of the Overlay District is to maintain and enhance the unique character of Las Vegas Boulevard at night.

The Overlay District regulations apply only to signage, and will require 75% of the total surface area of new signs to consist of neon or animated lighting features. This requirement is similar to the requirement that has already been adopted in the Downtown Casino Overlay District. The types of signage and amount of signage allowed for each property will still be based on the underlying zoning and the requirements of Title 19.14. No new committee will be formed to review the sign permit requests for properties in the district; all permits for conforming signs will be issued by City staff.

A portion of the new Scenic Byway Overlay District overlaps the Downtown Casino Overlay District and the Downtown Entertainment Overlay District, which have their own separate sign regulations. The amount and type of signage permitted within that overlap area will be determined by the Casino Overlay and Entertainment Overlay regulations; the requirement for 75% neon/animated illumination mandated by the Scenic Byway Overlay regulations will also apply.

TXT-2450 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

The Las Vegas Boulevard Scenic Byway Corridor Management Plan recommends the removal of all billboards within the Overlay District in order to enhance the application for a national Scenic Byway designation. As it may prove difficult and costly to remove the existing billboard signs, the proposed regulations prohibit the construction of any new off-premise signs.

FINDINGS

Please note the following:

1. The proposed amendment will maintain and enhance the lighting and signage that is characteristic of the Las Vegas Boulevard Scenic Byway;
2. The proposed overlay district is consistent with the recommendations of the Las Vegas Boulevard Scenic Byway Corridor Management Plan; and
3. The proposed district is consistent with the State of Nevada Scenic Byway designation.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - TXT-2450 - APPLICANT/OWNER:

CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

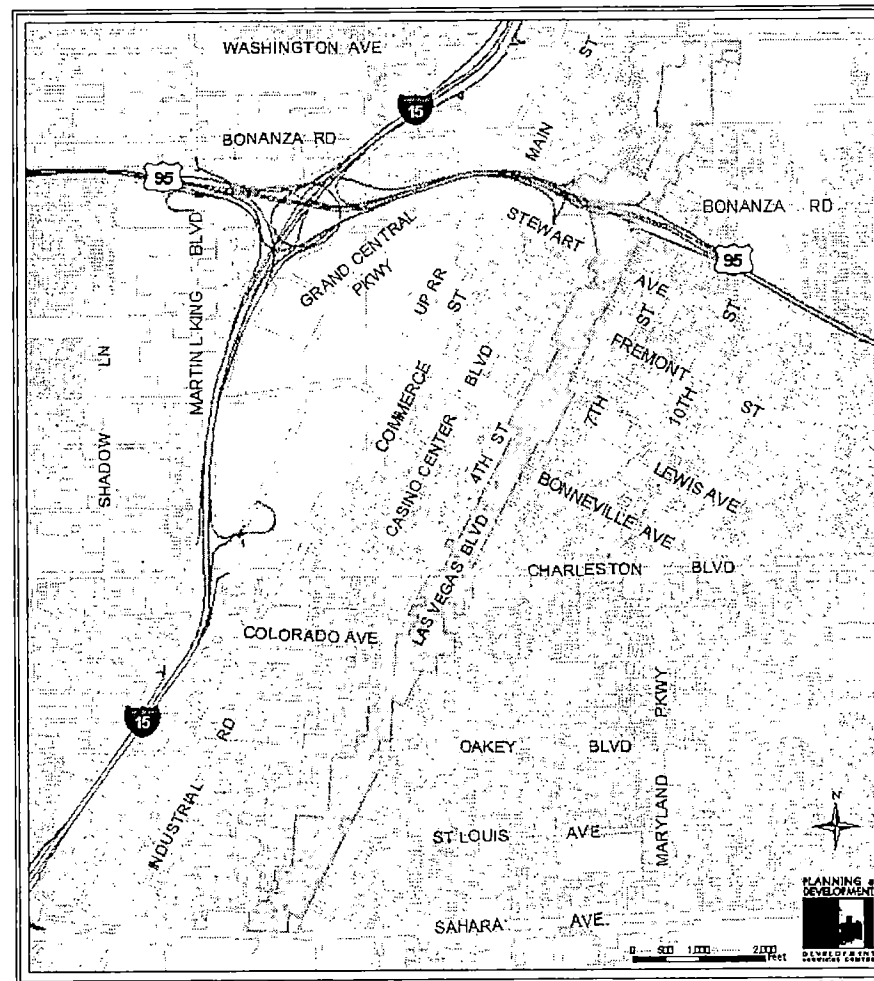
A. Intent

The Las Vegas Boulevard Scenic Byway was designated by the State of Nevada in 2002 in order to preserve the character of this nighttime urban scenic Byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the Byway designation.

B. Boundaries

The boundaries of the Las Vegas Boulevard Scenic Byway Overlay District are generally described as the portion of Las Vegas Boulevard between Sahara Avenue on the south and Washington Avenue on the north, and applies only to the properties that have frontage directly on Las Vegas Boulevard. The boundaries of the district are depicted in the map below:

SCENIC BYWAY OVERLAY DISTRICT



Created by: comdor on Jan 22 2004

Due to continuous development activity this map is for reference only.

 SCENIC BYWAY CORRIDOR

C. Special Sign Standards

1. **Relationship to Other Provisions.** Signage on parcels within the Las Vegas Boulevard Scenic Byway Overlay District are subject to the regulations of Title 19.14, the Downtown Casino Overlay District, or the Downtown Entertainment Overlay District, whichever is applicable, except as amended herein.
2. **Illumination.** Of all signage to be located in the Scenic Byway Overlay District, at least 75% of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof. Awning Signs, Menu Boards and Window Signs, where permitted, are exempt from this illumination requirement.
3. **Off-Premise Signs.** Off-premise signs are prohibited within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay District.
4. **Maintenance.** The owner and operator of each sign is responsible for ensuring that appropriate sign maintenance occurs and that repairs of damaged signs and lighting are accomplished promptly.

D. Approval Procedures

Approvals for signage within the Las Vegas Boulevard Scenic Byway Overlay District are subject to the standards and requirements of Title 19.14, except as amended herein. Properties that are also within the boundaries of the Downtown Casino Overlay District or the Downtown Entertainment Overlay District shall be subject to the signage standards and requirements listed in Title 19.06, except as amended herein.

**** STAFF REPORT ****

APPLICATION REQUEST

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- 1) Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

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BACKGROUND INFORMATION

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ANALYSIS

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TXT-2450 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

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FINDINGS

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2. The proposed overlay district is consistent with the recommendations of the Las Vegas Boulevard Scenic Byway Corridor Management Plan; and
3. The proposed district is consistent with the State of Nevada Scenic Byway designation.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3851 - APPLICANT: CITY OF LAS VEGAS - OWNER: LAS VEGAS BOULEVARD SCENIC BYWAY CORRIDOR MANAGEMENT PLAN - Request to amend the Southeast Sector of the General Plan to adopt the Las Vegas Boulevard Scenic Byway Corridor Management Plan, Ward 1 (Moncrief), Ward 3 (Reese), and Ward 5 (Weekly).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED – UNANIMOUS with **TRUESDELL** abstaining as he owns property within the Scenic Byway Overlay District, has previously sat on the Committee and been involved with in several discussions and **DAVENPORT** excused

To be forwarded to City Council in Ordinance Form

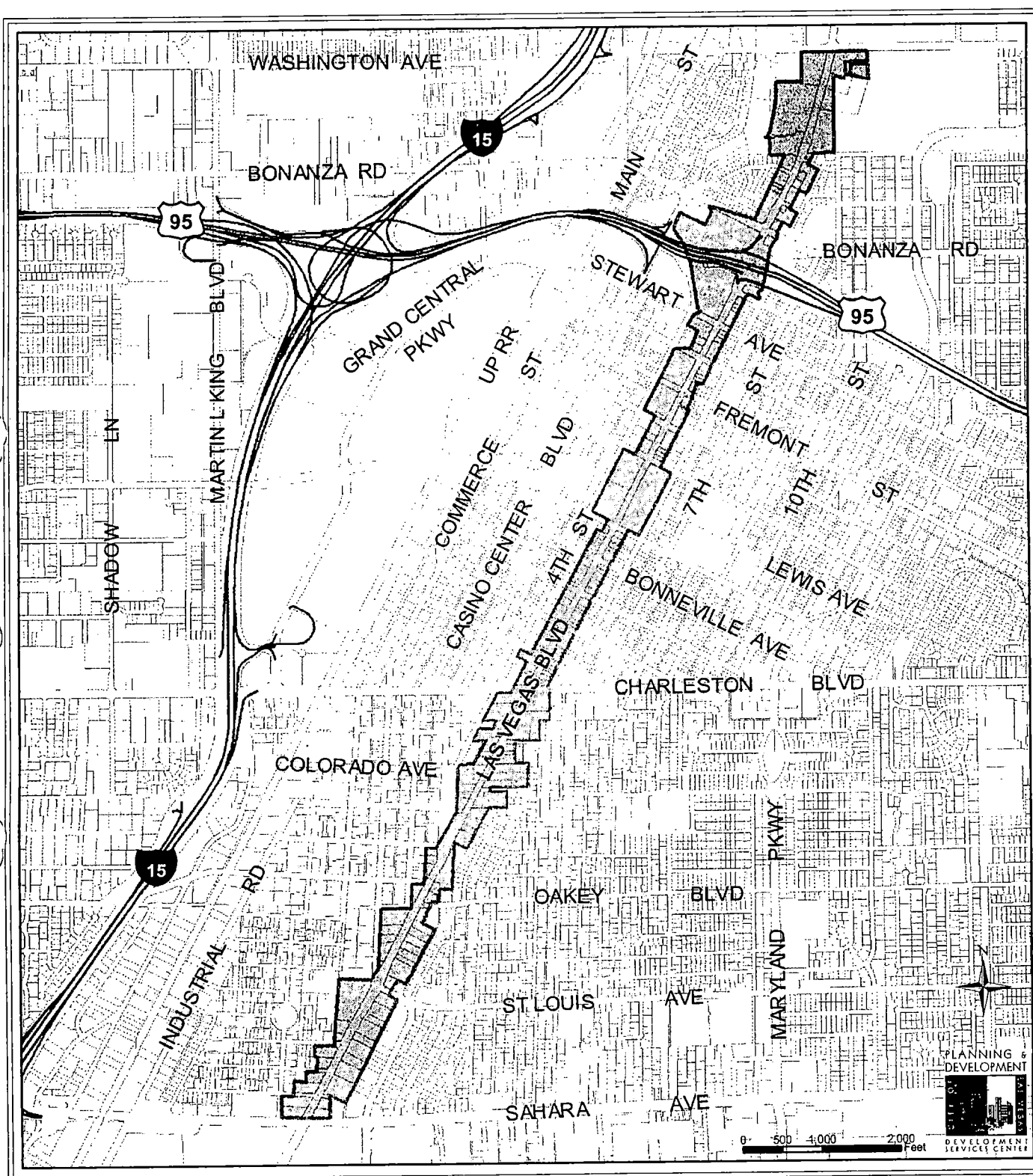
MINUTES:

NOTE: See Item 39 [TXT-2450] for related discussion.

(9:37 – 9:51)

3-864

SCENIC BYWAY OVERLAY DISTRICT



Created by: Mark House on Jan 22 2004

Due to continuous development activity this map is for reference only.



SCENIC BYWAY CORRIDOR

DIR-3851
2-26-04 PC

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 26, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3851 -

APPLICANT: CITY OF LAS VEGAS - OWNER: LAS VEGAS BOULEVARD SCENIC
BYWAY CORRIDOR MANAGEMENT PLAN

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to adopt the Las Vegas Boulevard Scenic Byway Corridor Management Plan.

B) Applicant's Justification

Adoption of the Corridor Management Plan is required in order to qualify for a National Scenic Byway Designation and Federal funding.

BACKGROUND INFORMATION

The State of Nevada designated Las Vegas Boulevard a Scenic Byway in 2002. The designation was based on the nighttime character of the highway and the abundance of neon signage, and mandates the preservation of the scenic, historic and cultural qualities of the streetscape. National designation is being pursued at this time.

ANALYSIS

The proposed Corridor Management Plan is intended to preserve and enhance the three intrinsic qualities (scenic, historic, and cultural) that justified the highway for designation by the State as a Scenic Byway. The plan provides a Vision Statement and purpose for the byway designation, and also provides a definition of the plan boundaries.

The plan divides the designated area into seven distinct segments: the Cultural Corridor, the Civic Corridor, the Fremont Street Corridor, the Justice Corridor, the Arts/Business Corridor, the Gateway Corridor, and the Casino Corridor. The plan identifies the following characteristics and needs for each segment of the byway:

- Positive scenic features;
- Negative scenic features;
- Potential impacts to the scenic features;
- Cultural features and other important sites; and
- Additional signage needs.

DIR-3851 - Staff Report Page Two
February 26, 2004 - Planning Commission Meeting

The plan also includes specific strategies intended to protect the intrinsic qualities of the highway. In addition to working with the Historic Preservation Commission to identify and document historic buildings and properties along the route, the plan also calls for signage overlay regulations to guarantee the continuation of the use of neon signage. Staff has prepared a companion Scenic Byway Overlay District (TXT-2450) item in order to implement the recommendations of the Corridor Management Plan.

FINDINGS

Please note the following:

1. Adoption of the proposed Corridor Management Plan will serve to protect the scenic character of Las Vegas Boulevard;
2. Promotion of the Scenic Byway designation will result in additional tourist visits to the downtown area and will promote a healthy and active urban core; and
3. Development and adoption of the plan is an integral step in applying for a Nation Scenic Byway designation and qualification for Federal grants.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

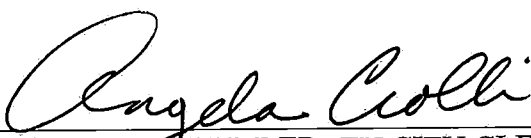
TODD FARLOW, 240 North 19th Street, reminded the Commissioners about the Sustained Architecture Meetings to be held on March 10, 2004 at UNLV.

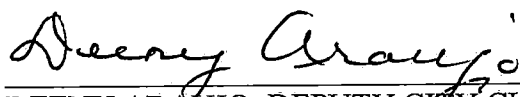
(9:51 – 9:52)

3-1350

MEETING ADJOURNED AT 9:52P.M.

Respectfully submitted:


ANGELA CROLLI, DEPUTY CITY CLERK


DEENY ARAUJO, DEPUTY CITY CLERK