

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING - SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 18 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and amending Condition #1 as follows:

1. *Approval is for the site plan presented at the 3/3/04 City Council meeting showing 17 lots.*

- UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Signature Homes and thanked COUNCILMAN MACK for giving the applicant the opportunity to meet with the residents of Iron Mountain Ranch. In fact, that was the reason the Major Modification was withdrawn. The site plan is for 17 lots to be no less than 20,000 square feet. The applicant will continue to work with staff on alternatives for the interior lighting. ATTORNEY GRONAUER agreed to have the perimeter lighting subject to Iron Mountain Ranch standards.

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Planning and Development Department
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MINUTES – Continued:

COUNCILMAN MACK thanked ATTORNEY GROUNAUER for withdrawing the Major Modification and for working with the neighbors on the 20,000 square foot lots. He indicated that initially staff had a hard time with this request. In many circumstances he agreed with staff regarding this type of design, especially since the original plan included 18,500 square foot lots. However, the number of lots has been reduced; most of the homes will face the neighborhood, and the project will comply with many of the Iron Mountain elements. He revised Condition #1 to state approval was subject to the site plan presented at March 3, 2004 City Council meeting showing 17 lots. ATTORNEY GRONAUER concurred.

ROBERT GENZER, Director, Planning and Development Department, asked that the applicant submit the new site plan. ATTORNEY GRONAUER responded that he would make it available to staff after the meeting.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:09 – 2:12)

4-786

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-3072) to allow minimum 14,000 square foot lots approved by the City Council.
2. Setbacks for this development shall be 15 feet to the front of the house, 20 feet to the garage, 10 feet on the side, 15 feet on a corner side and 20 feet in the rear.
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 maximum building height shall be 2 stories or 35 feet, whichever is less.
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.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Air conditioning units shall not be mounted on rooftops.

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CONDITIONS – Continued:

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

13. A Petition of Vacation for the purpose of vacating a portion of Thom Boulevard to match the existing section south of this site must record prior to the recordation of a Final Map overlying or abutting the area to be vacated.
14. Dedicate 25.5 feet of right-of-way adjacent to this site for Unicorn Street, a 20 foot radius at the southeast corner of Unicorn Street and Horse Drive and a 20 foot radius at the southwest corner of Thom Boulevard and Horse Drive prior to the issuance of any permits.
15. Construct half-street improvements including appropriate overpaving, if legally able, on Unicorn Street adjacent to this site concurrent with development of this site. Construct all incomplete half-street improvements on Horse Drive and Thom Boulevard 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. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system 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, east, south and west boundaries of this site as necessary, prior to construction of hard surfacing (asphalt or concrete).

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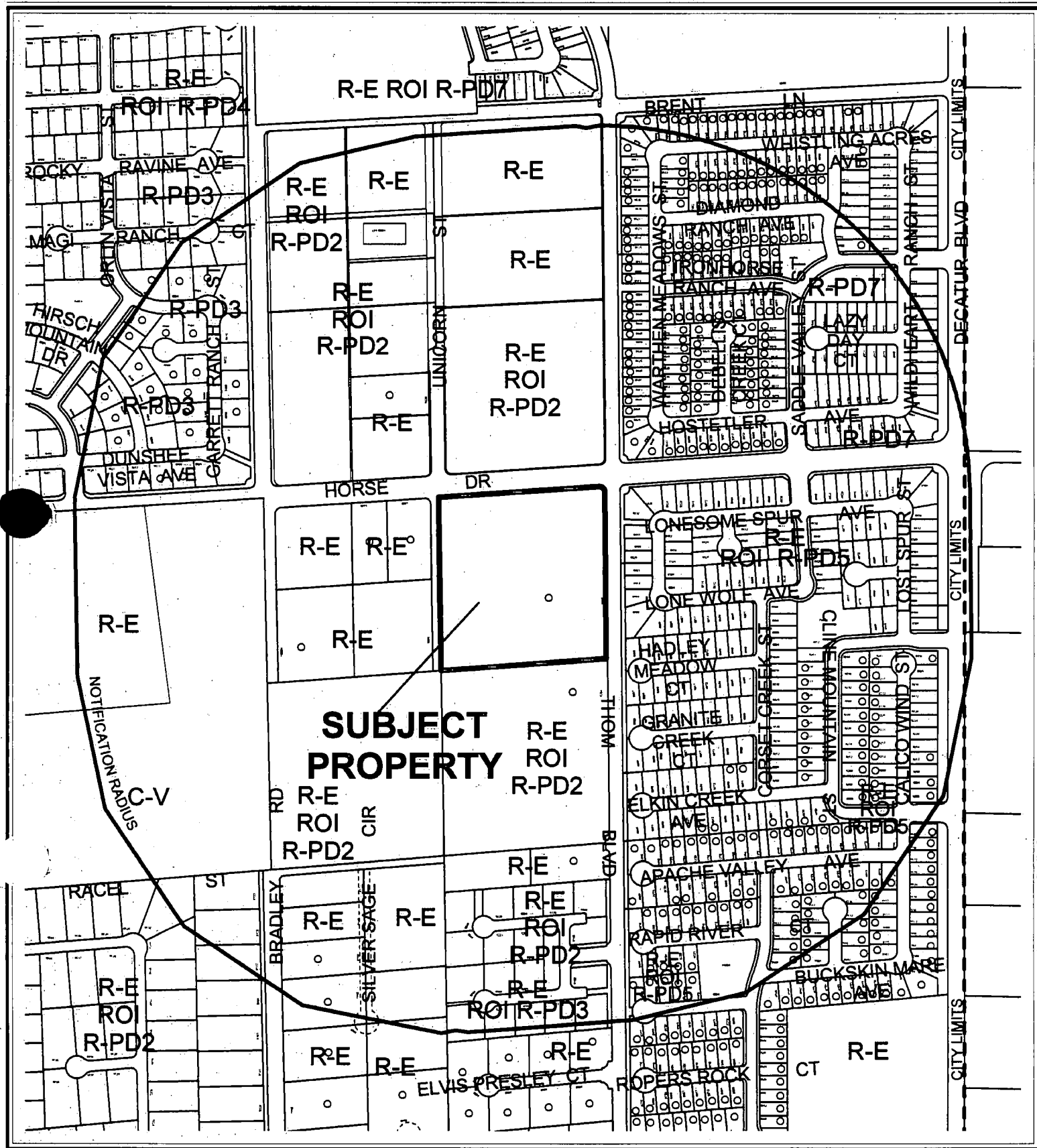
CONDITIONS – Continued:

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. 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.
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, 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.
19. Provide a pedestrian access easement for all sidewalks located on private property along the public rights-of-way adjacent to this site.
20. Landscape and maintain all unimproved rights-of-way adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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CONDITIONS – Continued:

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 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.



CASE: **SDR-3072**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY

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

**** CONDITIONS ****

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

Planning and Development

1. A Major Modification (MOD-3072) to allow minimum 14,000 square foot lots approved by the City Council.
2. Setbacks for this development shall be 15 feet to the front of the house, 20 feet to the garage, 10 feet on the side, 15 feet on a corner side and 20 feet in the rear.
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 maximum building height shall be 2 stories or 35 feet, whichever is less.
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.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

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

Public Works

13. A Petition of Vacation for the purpose of vacating a portion of Thom Boulevard to match the existing section south of this site must record prior to the recordation of a Final Map overlying or abutting the area to be vacated.
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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.

19. Provide a pedestrian access easement for all sidewalks located on private property along the public rights-of-way adjacent to this site.
20. Landscape and maintain all unimproved rights-of-way adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
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 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Site Development Plan Review for a proposed 18 lot single family residential development on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard was originally submitted. A new site plan for 16 units, with minimum net lot size of 18,000 square feet was submitted.

B) Applicant's Justification

The applicant's justification letter indicates the density of the project is within the limits established by the General Plan, the zoning district and Iron Mountain Ranch Master Plan. The applicant believes this will be an asset to the City of Las Vegas for high-end housing development.

BACKGROUND INFORMATION

A) Previous Actions

- 10/12/98 The City Council approved a Rezoning (Z-0016-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site as part of a larger request.
- 11/20/03 The Planning Commission recommended approval of a request for a Major Modification (MOD-3069) to the Iron Mountain Ranch Plan to allow 14,000 square foot lots on this site where 20,000 square feet is required.
- 11/20/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #17).

B) Pre-Application Meeting

- 08/28/03 The applicant was advised of the requirements for a Site Development Plan Review. The applicant indicated no elevations will be submitted as these lots will be developed with custom homes. The development will require a Major Modification to the Iron Mountain Ranch Master Plan to allow the 14,000 square foot lots. The Planning Commission recommended approval on August 13, 1998.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.8
Net Acres: 9.0

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
North: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
East: R-PD5 (Residential Planned Development – 5 Units Per Acre)
West: R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural Density Residential). This category allows single family Residential Planned Developments at a density up to 2.49 dwelling units per acre. The proposed development on the site is consistent with the general plan and zoning designation of the site.

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

Special Area Plan:

The site is located within the Iron Mountain Ranch Master Development Plan Area. Upon approval of this proposal all development shall take place in accordance with the guidelines of the Iron Mountain Ranch Master Development Plan requirements.

PROJECT DESCRIPTION

The submitted plans depict an 18 lot single family development with lot sizes ranging from 14,175 to 20,191 square feet. All lots will front on 37 foot wide private streets with a gated access from Thom Boulevard. Six foot wide landscape planters are shown along Thom Boulevard and Unicorn Street. A 15 foot wide planter is shown along Horse Drive. Elevations and floor plans were not submitted as this development likely will consist of custom homes.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the R-PD (Residential Planned Development) district allows for the establishment of setbacks on a case by case basis. The following setbacks are proposed for this development:

Standards	Proposed
Min. Lot Size	14,000 Square Feet
Min. Lot Width	105 Feet
Min. Setbacks	
• Front (To House)	15 Feet
• Front (To Garage)	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	20 Feet

The plans show proposed setbacks for the development of 15 feet to the front of the house, 20 feet to the garage, 10 feet on the side, 15 feet on a corner side and 20 feet in the rear.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
9.8 acres	1.84	1.65	3.04 %	12,977 SF	0%	0

The conceptual layout plan showed single family lots on this site with no internal open space. Since open space is being provided throughout the Iron Mountain Ranch development and this site was not required to provide open space, this proposal is in compliance with the intent of the overall plan.

B) General Analysis and Discussion

- Zoning

The proposed 18 lot single family development is an allowed use in the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning district. Pursuant to Title 19.06, the R-PD (Residential Planned Development) district allows for the specific standards for an individual development to be established on a case by case basis with a Site Development Plan Review.

- Site Plan

The submitted site plan indicates an effective and efficient layout in terms of circulation and aesthetics.

The plans show proposed setbacks for the development of 15 feet to the front of the house, 20 feet to the garage, 10 feet on the side, 15 feet on a corner side and 20 feet in the rear. A condition has been added establishing these setbacks for this development.

- Landscape Plan

The submitted landscape plan depicts adequate landscaping along the street frontage and is appropriate for this development.

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 site plan as proposed would allow for development of single-family uses at a density that is compatible with the existing residential development in the vicinity.

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

The subject site is consistent with the general plan, the zoning code, the design standards manual, the landscape, wall and buffer standards and other plans policies and standards.

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

Access to the proposed development is from Thom Boulevard that connects to Horse Drive, an 80 foot wide secondary arterial on the Master Plan of Streets and Highways. Therefore, the street system will have adequate capacity to accommodate traffic generated by this proposed development.

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

The proposed landscape materials also 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;"**

While no building elevations were submitted, custom homes on the proposed lots will be compatible with other single-family development in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission voted to recommend approval and deleted a Public Works condition regarding access to Thom Boulevard.

NOTICES MAILED 238 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3072** APN: **125-12-701-005**

Name of Property Owner: Plaster Development Company, Inc.

Name of Applicant: Plaster Development Company Inc

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

Yes ☐ No ☒

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

City-Official: _____

Partner(s): _____

APN: _____

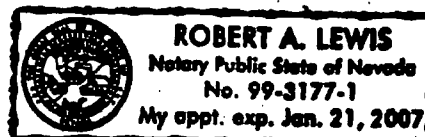
Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

This 25th day of AUGUST, 2003

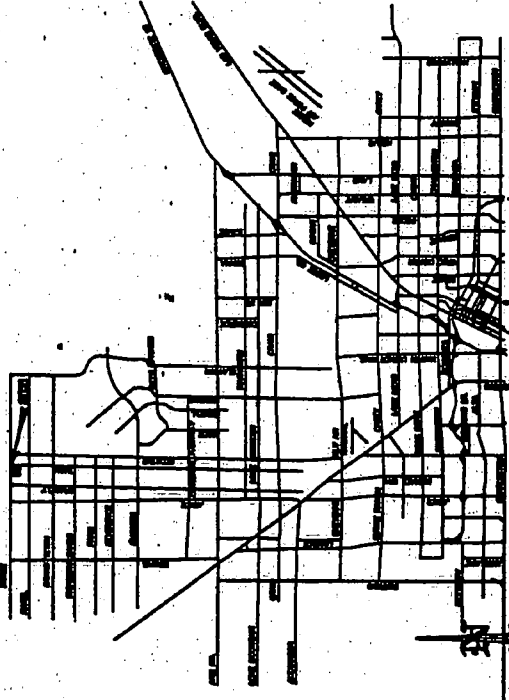
Notary Public in and for said County and State

GARY L. CAVENDISH, V.P.
PLASTER DEVELOPMENT COMPANY, INC.



SITE PLAN FOR HORSE AND THOM

APN 125-12-701-005
A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF
THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 80 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

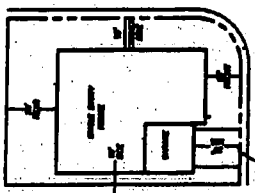


- UTILITIES: ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- WATER: ALL WATER LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- SEWER: ALL SEWER LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- POWER: ALL POWER LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- ROAD: ALL ROAD LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- TELEPHONE: ALL TELEPHONE LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- DEVELOPMENT: ALL DEVELOPMENT LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- CABLE TV: ALL CABLE TV LINES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.

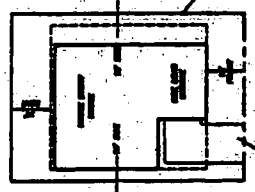
LEGAL DESCRIPTION
THE LAND SHOWN IS A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 80 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

GO AND RETURN
THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE LAND SHOWN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE LEGAL DESCRIPTION.

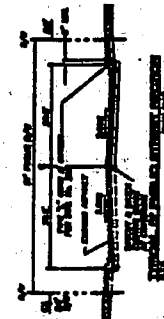
THROUGH ENCLOSURE
THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE LAND SHOWN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE LEGAL DESCRIPTION.



TYPICAL CORNER LOT ENTRANCE



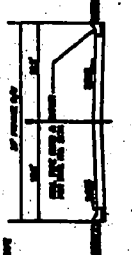
TYPICAL INTERIOR LOT ENTRANCE



TYPICAL LOT ENTRANCE



TYPICAL LOT ENTRANCE



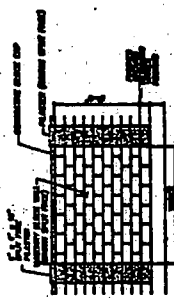
TYPICAL LOT ENTRANCE



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TYPICAL LOT ENTRANCE

- CONCRETE: ALL CONCRETE WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- ASPHALT: ALL ASPHALT WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- PAVING: ALL PAVING WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- LANDSCAPE: ALL LANDSCAPE WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- STRUCTURE: ALL STRUCTURE WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- ROOFING: ALL ROOFING WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
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- ELECTRICAL: ALL ELECTRICAL WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- PLUMBING: ALL PLUMBING WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- HEATING: ALL HEATING WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- Cooling: ALL COOLING WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.
- Other: ALL OTHER WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.

NOTES
1. ALL WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.

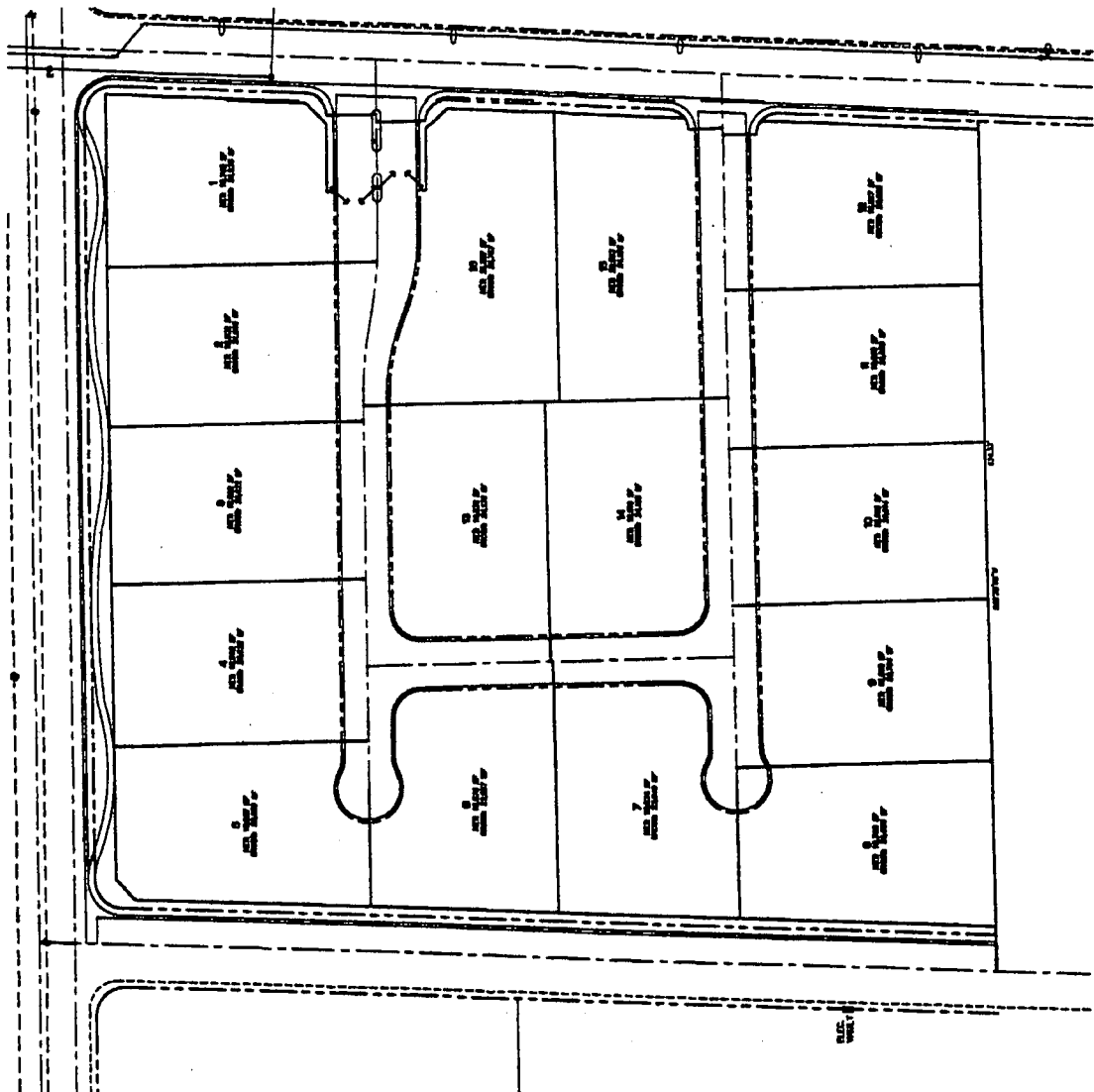
REVISIONS
1. ALL WORK SHOWN IS BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION OF UTILITIES IS NOT GUARANTEED BY THE ENGINEER.

SITE PLAN
HORSE AND THOM
SIGNATURE HORSE

ORION
ORION ENGINEERING AND SURVEYING, INC.
8888 E. FLAMINGO AVENUE, SUITE 9
LAS VEGAS, NEVADA 89123
702-738-8828 FAX 702-738-8828

SHEET 1 OF 2

SDR-3072
STAFF 11-20-03 PC



MOD-3069

REVISED

SDR-3072

1-07-04 CC

PRELIMINARY SITE PLAN
HORSE AND THOM
SIGNATURE HOMES
CITY OF LAS VEGAS, CLARK COUNTY
NEVADA

ORION ENGINEERING AND SURVEYING, INC.
3038 E. BLANCK RD., SUITE 9
LAS VEGAS, NEVADA 89120
(702) 738-8821 FAX (702) 738-8823



MOD-3069
SDR-3072
REVISED
1-7-04 CC

PRELIMINARY SITE PLAN 1-07-04 CC



**SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND THOM BOULEVARD
NOVEMBER 20, 2003 PLANNING COMMISSION**

10/01/03

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3668 - APPLICANT: HIGCO, INC. - OWNER: BOCA PARK PARCELS, LIMITED LIABILITY COMPANY - Required One Year Review of an approved Special Use Permit (SUP-1164) regarding the hours of operation of a Tavern located at 8820 West Charleston Boulevard, Suite 105 (APN: 138-32-412-027), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

There was no discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:12 – 2:13)

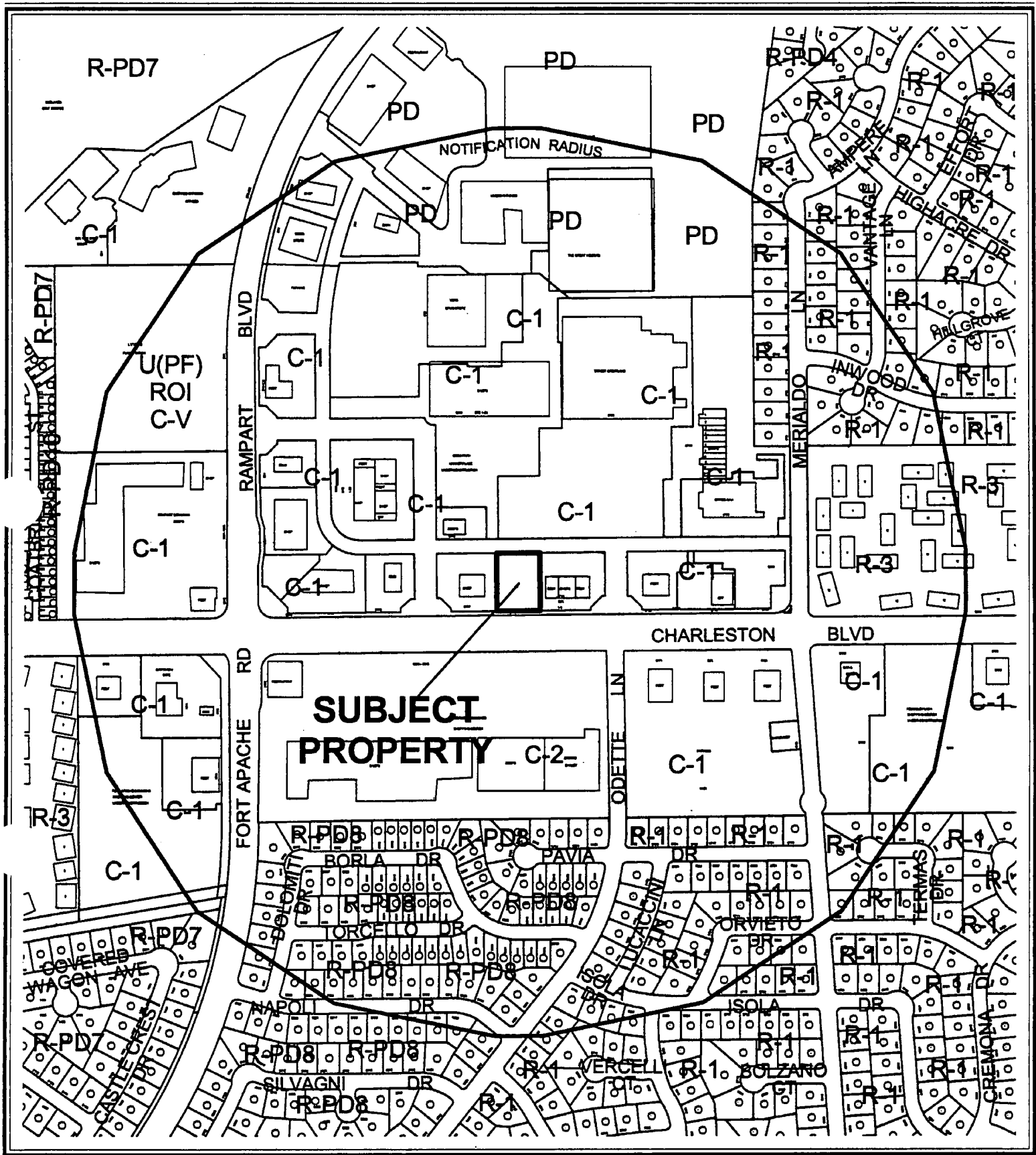
4-896

CITY COUNCIL MEETING OF MARCH 3, 2004
Planning and Development Department
Item 75 – RQR-3668

CONDITIONS:

Planning and Development

1. Conformance to conditions of approval for Special Use Permit (SUP-1164) and Site Development Plan Review [Z-0030-92(25)].
2. All temporary signs shall be removed unless the applicant obtains a Temporary Sign Permit in accordance with Title 19.14.090.
3. All City Code requirements and design standards of all City departments must be satisfied.



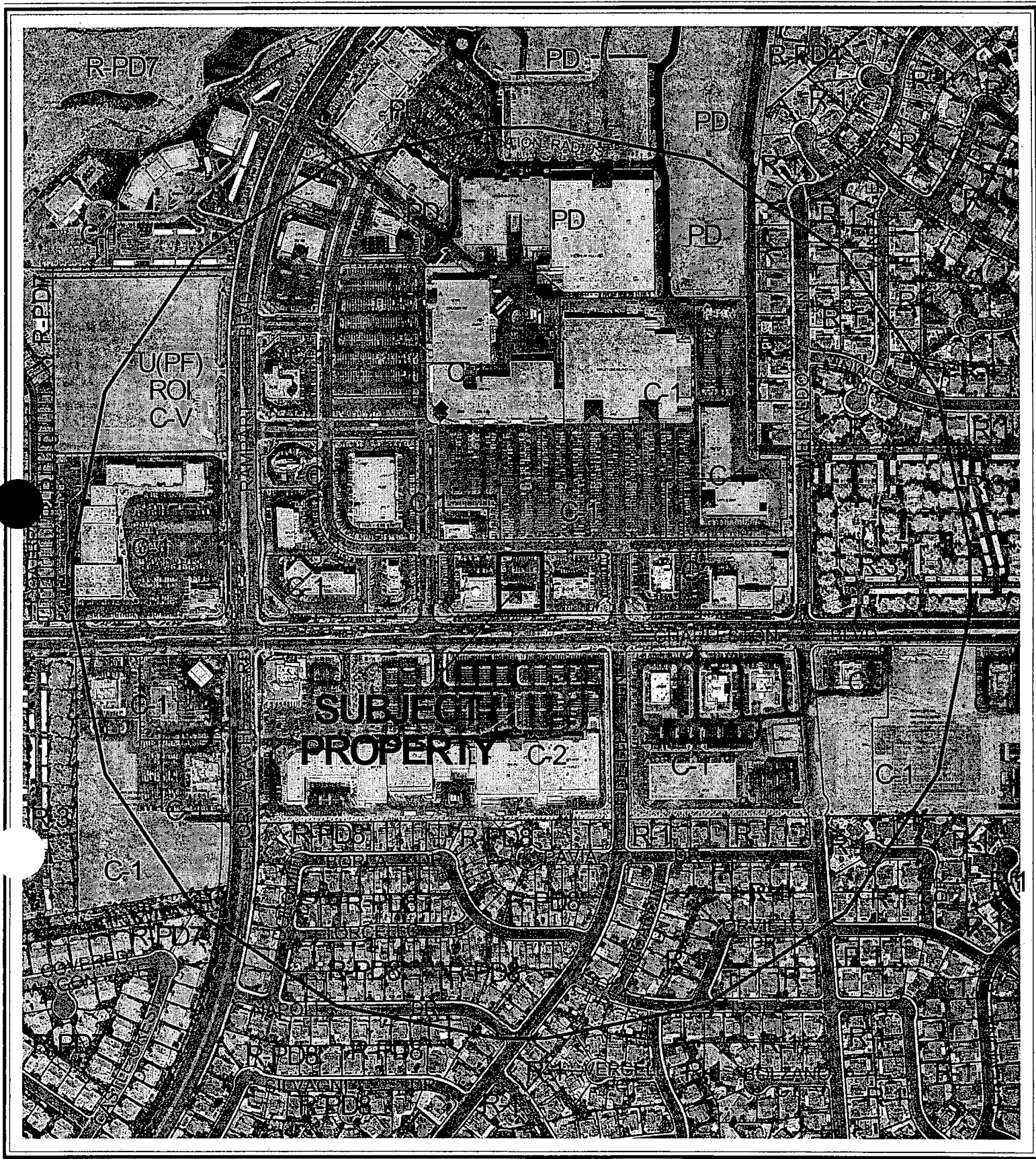
CASE: RQR-3668

RADIUS: 1500 FT

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

075





CASE: RQR-3668

RADIUS: 1500 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: ABEYANCE ITEM - RQR-3668 - APPLICANT: HIGCO, INC. - OWNER: BOCA PARK PARCELS, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 4, 2004 CITY COUNCIL MEETING AT COUNCILWOMAN McDONALD'S REQUEST.

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to conditions of approval for Special Use Permit (SUP-1164) and Site Development Plan Review [Z-0030-92(25)].
2. All temporary signs shall be removed unless the applicant obtains a Temporary Sign Permit in accordance with Title 19.14.090.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This review is for a required One-Year Review of an approved Special Use Permit (SUP-1164) regarding the Hours of Operation of a Tavern, Three Angry Wives, located at 8820 West Charleston Boulevard Suite 105.

BACKGROUND DATA

- 09/02/92 The City Council approved a request for Reclassification of Property (Z-0030-92) located on the east side of Rampart Boulevard, between Charleston Boulevard and Alta Drive, from N-U (Non-Urban) under Resolution of Intent to R-1 (Single Family Residence), C-1 (Limited Commercial), and C-2 (General Commercial) to R-1 (Single Family Residence) and C-1 (Limited Commercial), to accommodate a regional shopping mall and single family dwellings. The Planning Commission recommended approval of this application on 7/15/92. The Planning and Development Department Staff recommended approval.
- 12/31/92 The District Court, Clark County, Nevada ordered a Writ of Mandate that modified the conditions of approval for the Rezoning case (Z-0030-92) pertaining to this site.
- 04/24/02 The Planning and Development Department administratively approved a request for an Administrative Site Development Plan Review [Z-0030-92(25)] for a proposed 9,240 square foot pad site (Boca Park Phase 1, Pad "J") on the subject site.
- 02/05/03 The City Council approved a request for a Special Use Permit (SUP-1164) for a Tavern and a Waiver of the 1,500-foot separation radius requirement between taverns, located at 8820 West Charleston Boulevard, Suite 105. The Planning Commission recommended approval of this application on 12/05/02. The Planning and Development Department Staff recommended approval.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

North	C-1 (Limited Commercial)	Retail Shops (Boca Park)
South	C-2 (General Commercial)	Retail Shops (Crossroad Commons)
East	C-1 (Limited Commercial)	Restaurant and Retail Shops (Boca Park)
West	C-1 (Limited Commercial)	Beauty Salon and Café (Boca Park)

ANALYSIS & FINDINGS

Condition number one of Special Use Permit SUP-1164, was added at the February 5, 2003 City Council meeting to require a one-year review of the hours of operation of the approved tavern on the subject site. The tavern, Three Angry Wives, received its tavern license on September 19, 2003 and received a Certificate of Occupancy from the Department of Building and Safety on September 26, 2003. The Crime Analysis Section of the Las Vegas Metropolitan Police Department was contacted to determine if any reports had been received regarding the Tavern. From February 1, 2003 to present, Metro has received a total of 18 service calls, 14 of which occurred after September 26, 2003, to the 8820 West Charleston Boulevard building, which includes the Tavern. Incidences range from auto accidents, grand larceny, assault and battery, suspicious person/vehicle and other disturbances. It is difficult to determine which incidences, if any, are related to the Tavern land use or 24-hour operation nature of the business. Five of the reported service calls did occur between the hours of 3 a.m. and 5 a.m.; however, there are no statistics available to determine if this is above or below average for a typical business.

A field inspection of the property was conducted by the Planning and Development Department on January 15, 2003 and it was noted that several temporary signs were erected along Charleston Boulevard and interior to the site advertising the Tavern was 'now open.' A Temporary Sign Permit is required for special event signage; however, a permit was not found to be issued for the address. A condition has been included requiring the applicant to either remove the temporary signage or obtain a Temporary Sign Permit from the Planning and Development Department.

With regard to the Tavern use, the original Special Use Permit application, SUP-1164, was found to be compatible with the General Plan land use designation for the area and satisfy the requirements of the Zoning Code with respect to minimum separation distance requirements. It was also noted that the project, located in a substantial commercial development at an intersection where all four corners are occupied by major commercial developments, can be expected to be compatible with, and mutually supportive of, these other commercial uses. The surrounding area has not changed since the original approval recommendation; therefore, the use is found to be compatible on the subject site and no further reviews are recommended.

FINDINGS

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

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

The tavern is located within the Boca Park commercial center, which is home to commercial uses including restaurants, retail, and service-based businesses. In addition, the center is located at an intersection where all four corners are occupied by major commercial developments; therefore, this use is compatible with, and mutually supportive of, these other commercial uses.

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

The project remains compatible with the General Plan land use designation of SC (Service Commercial) as the subject site is currently zoned C-1 (Limited Commercial). In addition, the tavern use satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements. The tavern has erected several temporary signs without the attainment of a Temporary Sign Permit as required by Title 19; therefore a condition has been included requiring the removal of all temporary signage unless a Temporary Sign Permit is obtained from the Planning and Development Department.

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

The tavern use is accessed solely through the Boca Park commercial site from Rampart Boulevard and Charleston Boulevard, 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. The project will not have any negative traffic impact on nearby residential neighborhoods.

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

Building and landscape materials remain unchanged with this required review of the hours of operation for the subject tavern. The materials were previously found to be appropriate under Site Development Plan Review Z-0030-92(25), and a field inspection noted that the required landscaping has been maintained in a satisfactory manner.

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

Building elevations, design characteristics, and other architectural and aesthetic features remain unchanged with this required review of the hours of operation for the subject tavern. The building design was previously found to be appropriate under Site Development Plan Review Z-0030-92(25).

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

The subject tavern has received both a Certificate of Occupancy from the Building and Safety Department and an operating license from the Licensing Department. The site has properly maintained its license and is subject to all City licensing regulations; therefore, the public health and safety remain secure and protected.

NOTICES MAILED 224 by Planning Department

APPROVALS 0

PROTESTS 0

RQR-3668 - APPLICANT: HIGCO, INC. - OWNER: BOCA PARK PARCELS, LIMITED LIABILITY COMPANY

8820 West Charleston Boulevard, Suite 105
FEBRUARY 4, 2004 CITY COUNCIL MEETING

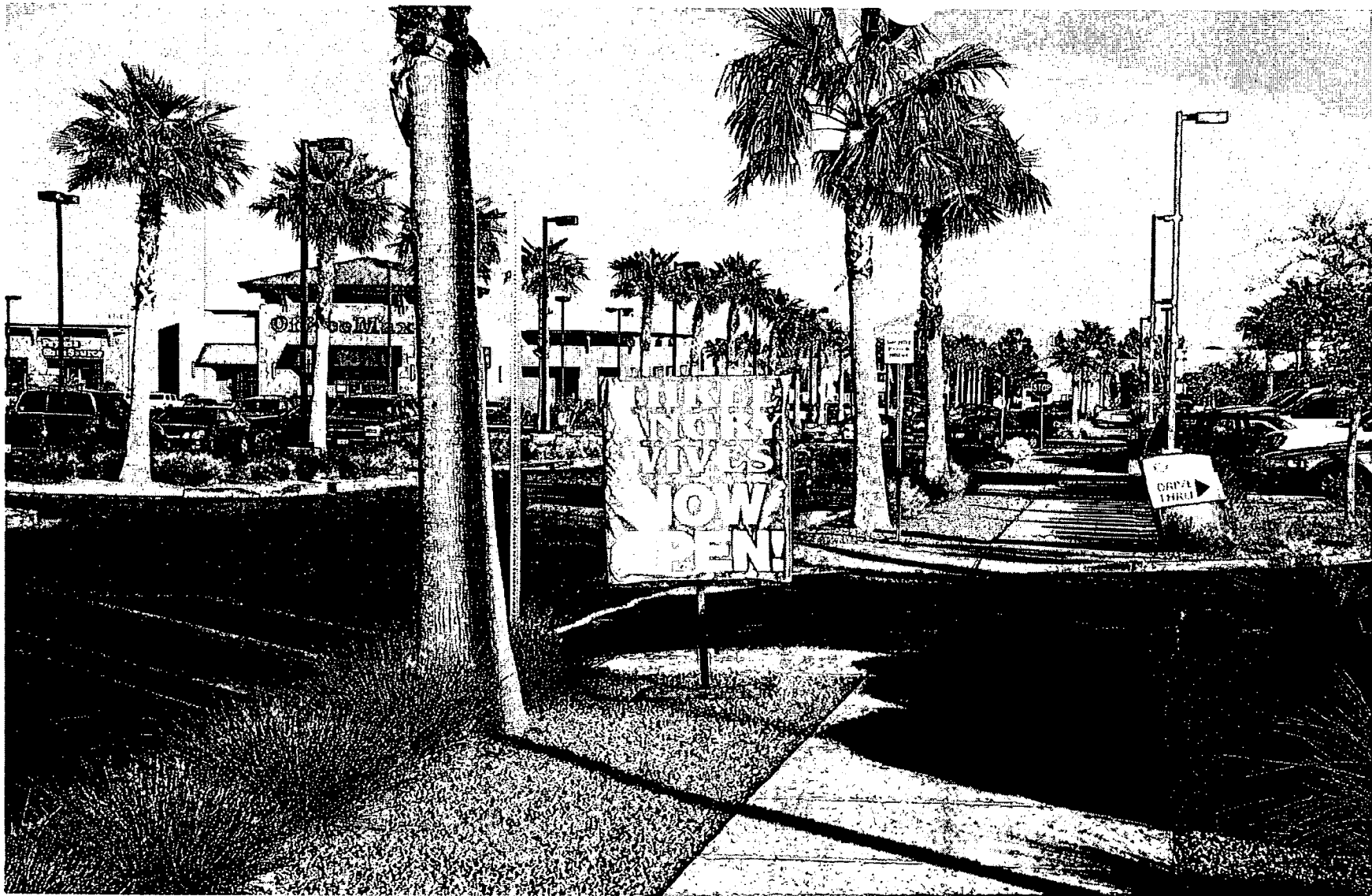
Picture taken 1/15/04





RQR-3668 - APPLICANT: HIGCO, INC. - OWNER: BOCA PARK PARCELS, LIMITED LIABILITY COMPANY
8820 West Charleston Boulevard, Suite 105
FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 1/15/04



RQR-3668 - APPLICANT: HIGCO, INC. - OWNER: BOCA PARK PARCELS, LIMITED LIABILITY COMPANY

8820 West Charleston Boulevard, Suite 105

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 1/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5300 West Sahara Avenue (APN: 163-01-804-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Abeyance request by Singer & Brown

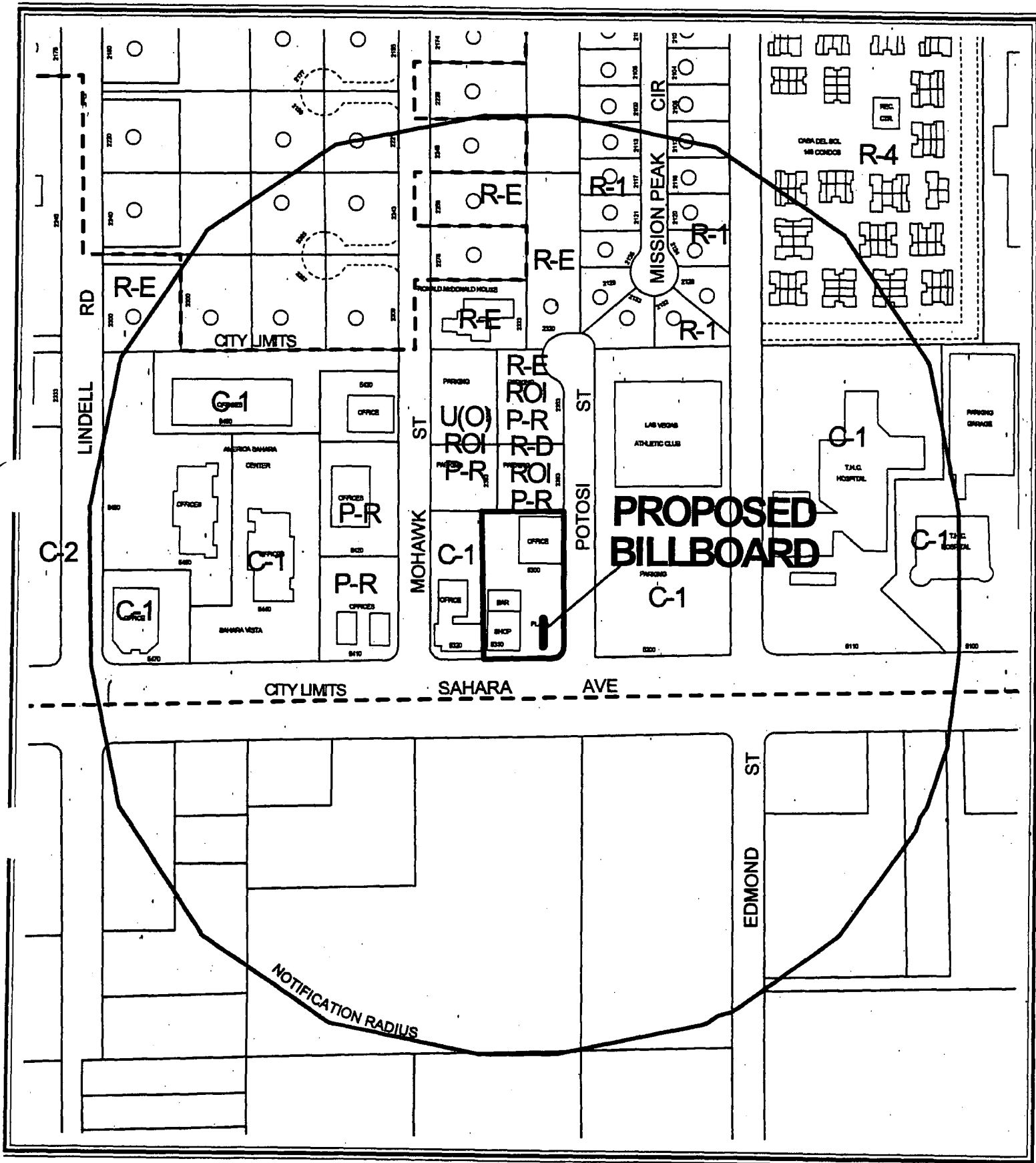
MOTION:

REESE - Motion to Accept the WITHDRAWAL Without Prejudice of Item 73 [MOD-3069], Item 77 [SUP-3315] and Item 78 [SUP-3369] and to HOLD IN ABEYANCE Item 76 [SUP-3152] to 5/5/2004, Item 79 [SUP-3394] to 3/17/2004 and Item 80 [SUP-3479] to 4/7/2004 - UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(1:45 - 1:48)



CASE: SUP-3152

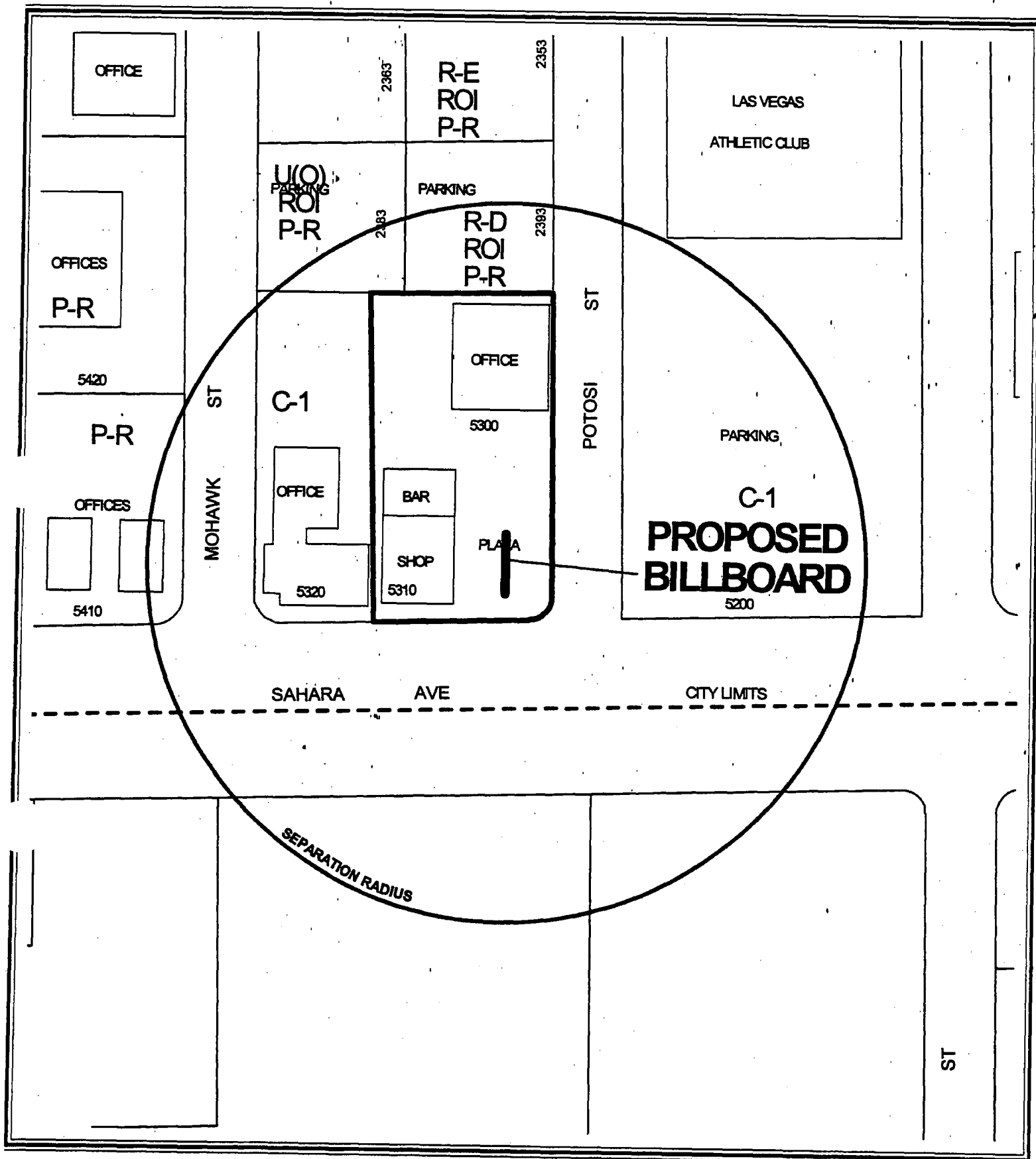
RADIUS: 750 FT

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

0 100 200 Feet

076

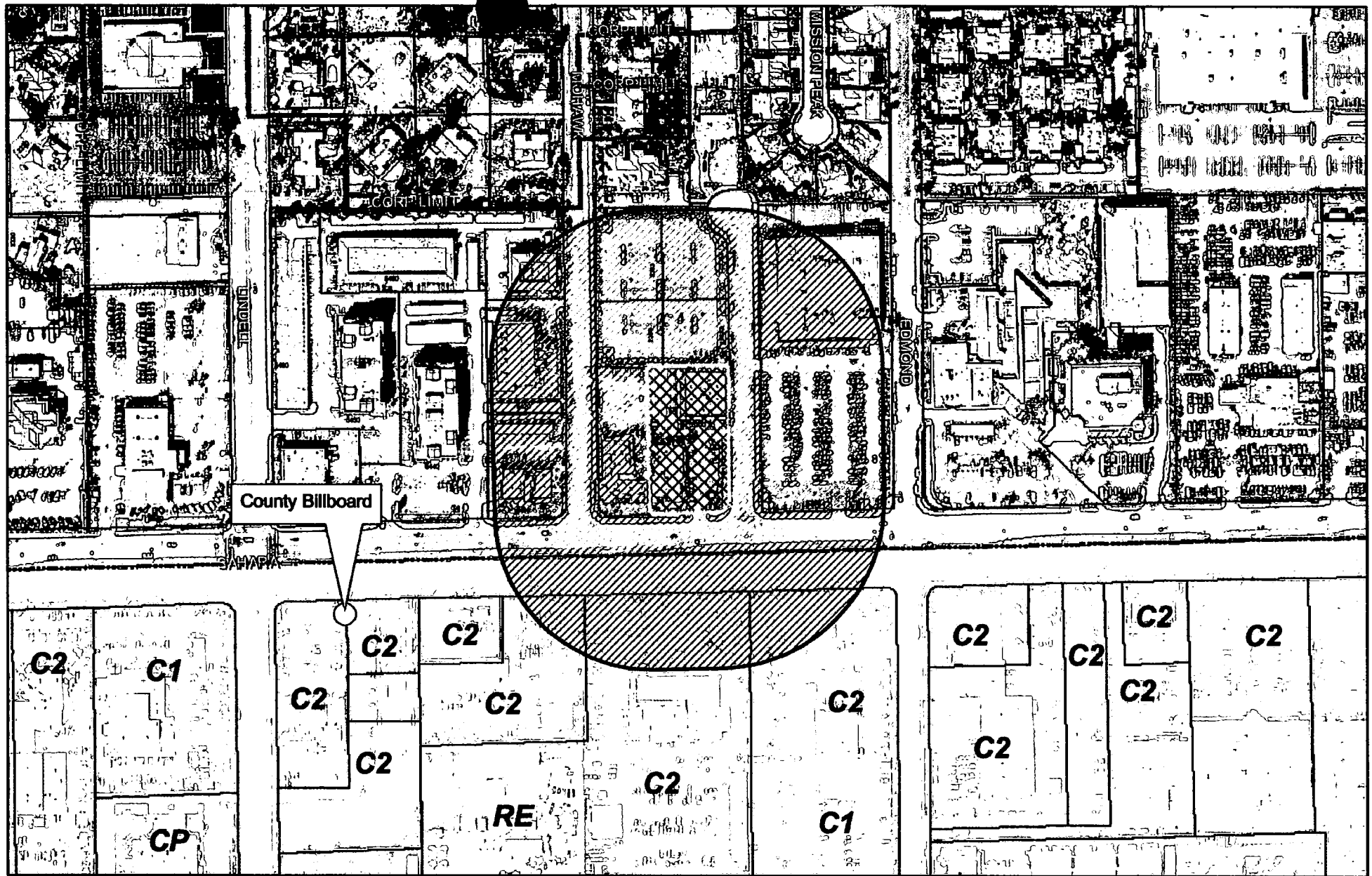




CASE: SUP-3152

SEPARATION RADIUS: 300 FT

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



SUP-3152

City of Las Vegas Billboard Data



Subject Parcel



300 Foot Buffer Around Billboard



City of Las Vegas Billboard Location



750 Foot Buffer Around Freeway Billboard



Outside City Boundary



Off Premise Sign Exclusion Area



Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3152 - REAGAN NATIONAL
ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 7, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
3. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
4. The off-premises advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site buildings.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. 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.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premises Advertising (Billboard) Sign at 5300 West Sahara Avenue.

B) Applicant's Justification

The applicant's justification letter indicates the Off-Premises Advertising (Billboard) Sign meets the code requirements and will be erected in such a way that it can be seen by traffic traveling east and west on Sahara Avenue.

BACKGROUND INFORMATION

A) Previous Actions

- 09/15/82 The City Council approved a Rezoning (Z-0032-82) to C-1 (Limited Commercial) on this property. The Planning Commission recommended approval.
- 09/17/86 The City Council denied a Variance (V-80-86) to allow an off-premises sign (billboard and to allow the sign to be 45 feet high where 40 feet is the maximum height allowed on this property.
- 11/20/03 The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #38).

B) Pre-Application Meeting

- 09/16/03 The applicant was advised of the requirements of a Special Use Permit and that this applications is considered a project of regional significance and the appropriate forms must be filed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.02

B) Existing Land Use

Subject Property: Commercial
North: Parking Lot
South: Commercial
East: Commercial
West: Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: O (Office)
South: Unincorporated Clark County
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning designation is in conformance with the General Plan.

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

This Special Use Permit is deemed to be a Project of Regional Significance because it is less than 500 feet from the boundary of unincorporated Clark County.

INTERAGENCY ISSUES

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

1) This is a Special Use Permit within 500 feet of unincorporated Clark County.

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

To date, no comments have been received that would affect this application.

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

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard): Minimum distance separation from "R" zoned property and any other Off-Premises Advertising (Billboard) Sign	300 Feet	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 570 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) General Analysis and Discussion

- **Zoning**

An Off-Premises Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- **Use**

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising Sign to

40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation. However, the Off-Premises Advertising (Billboard) is proposed directly adjacent to the existing on-premises sign for the commercial development and substantially increases the amount of signage on this small site. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. This proposed billboard would add substantial visual clutter in this area of the City, that not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development. If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

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."**

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, existing on-premise signage is already located along this segment of Sahara Avenue. Approval of this billboard in this context will create an urban landscape that is not harmonious and compatible with the surrounding uses in this area

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

The subject site is located in a commercial area and is adjacent to a major thoroughfare, which is one of the prerequisites to establish its suitability; however, the subject billboard sign is not appropriate along this segment of Sahara Avenue.

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."**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways

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

The proposed Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3152** APN: 163-01-804-006
Name of Property Owner: OBA Noriko Takada Qualified TR Premier
Name of Applicant: Reagan National Advertising

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

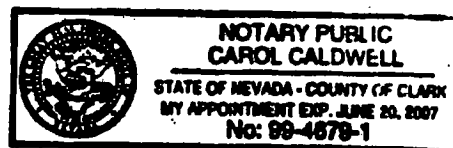
Signature of Property Owner/Authorized Agent: Andy Bilanovich

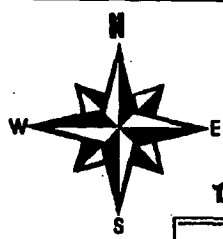
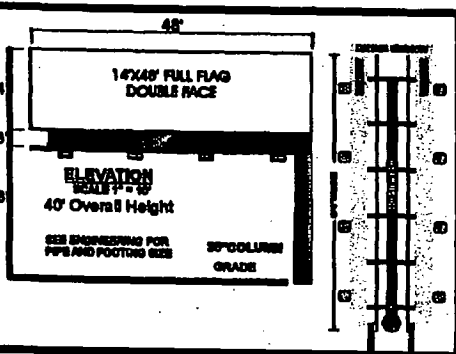
Print Name: Andy Bilanovich

Subscribed and sworn before me

This 16th day of Sept., 2003

Carol Caldwell
Notary Public in and for said County and State





APN#16301804004
Zoning (R-D)

156.94'±

285.7'±

259.66'±

APN#16301804006
Zoning (C-1)
1.02± acres

132.13'±

78'
HALF ROW

SAHARA

POTOSI

TOP VIEW
SCALE 1" = 20'
DETAIL

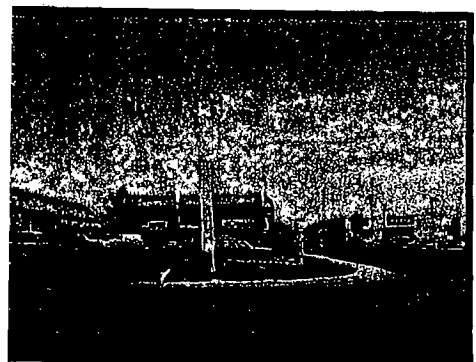
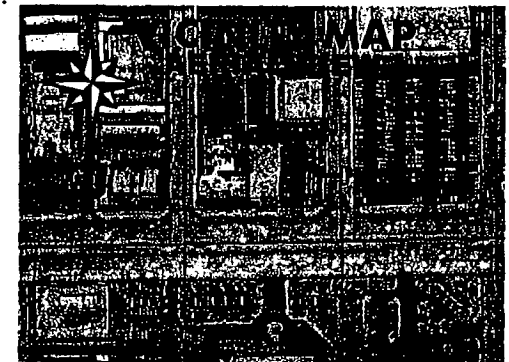
- GENERAL NOTES**
1. Not within 300 foot radius of another off-premise billboard.
 2. Not within 100 foot of an on-premise sign on adjoining property.
 3. Not within 300 foot radius of residential use.
 4. No parking spaces will be taken for this location.

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JOINED	
OBA NORIKO TAKADA QUALIFIED TR PREMIER	
SCALE: NOTED	APPROVED BY: [Signature]
DATE: 7-28-03	REVIEW: [Signature]
LOCATION: 5300 W SAHARA AVE 89146	
APN# 16301804006	210

STAFF

SUP-3152
11-20-03 PC





SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST

5300 WEST SAHARA AVENUE

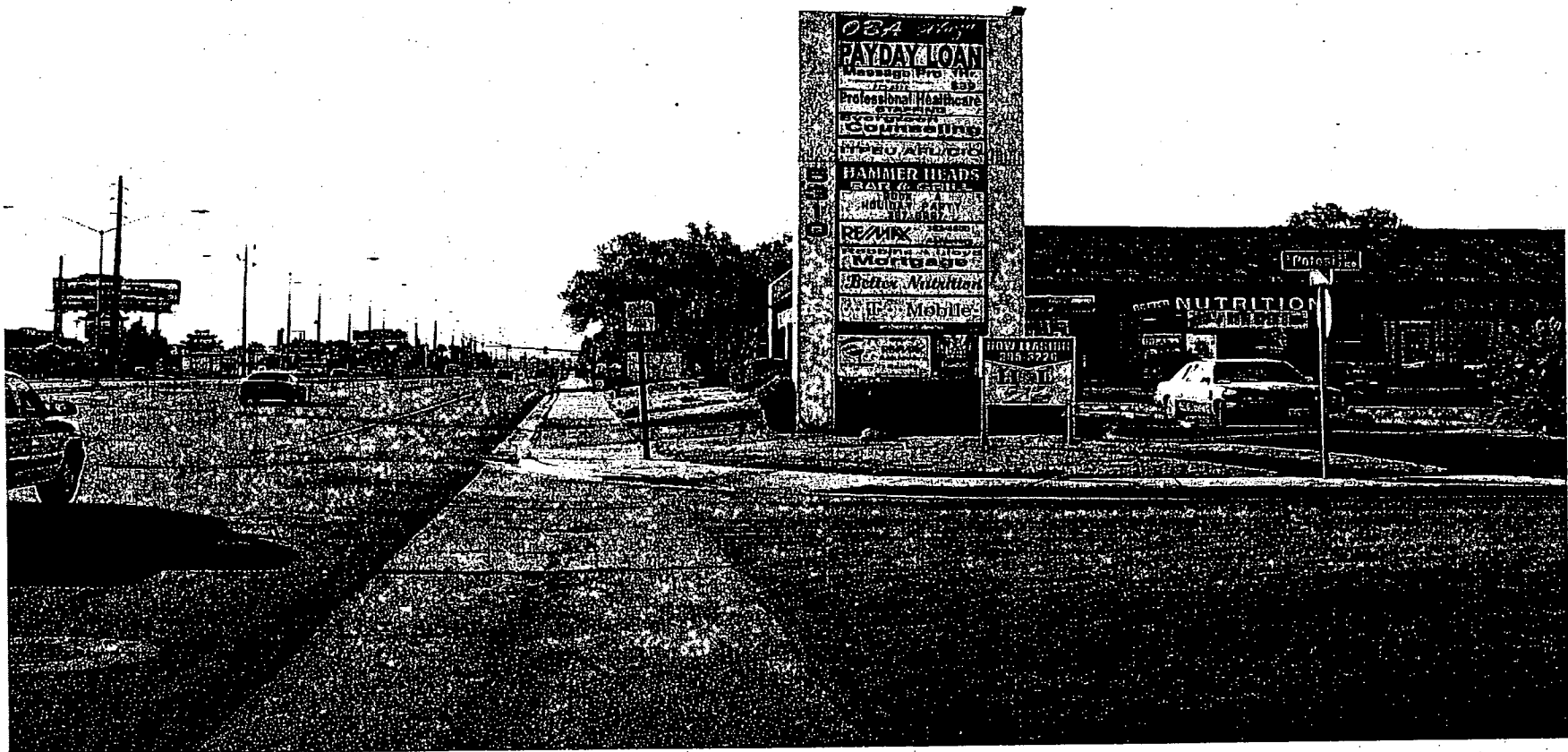
NOVEMBER 20, 2003 PLANNING COMMISSION

11/10/03



SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED
TRUST
5300 WEST SAHARA AVENUE
NOVEMBER 20, 2003 PLANNING COMMISSION

11/10/03



SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST
5300 WEST SAHARA AVENUE
NOVEMBER 20, 2003 PLANNING COMMISSION

11/10/03

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

November 21, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

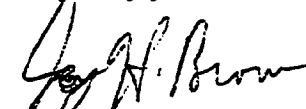
Re: SUP-3152 – Special Use Permit (Reagan National Advertising)
APN: 16301804006
Oba Noriko Takada Qualified Trust

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising on behalf of Oba Noriko Takada Qualified Trust.

The purpose of this letter is to notify you that my client wishes to appeal the denial of application SUP-3152 – Oba Noriko Takada Qualified Trust by the City Planning Commission.

Very truly yours,


Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 NOV 24 PM 2:04

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

820 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-8563
FACSIMILE (702) 388-1023
Brownltd@earthlink.net

February 19, 2004

VIA FACSIMILE to 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Vicky Darling
City Clerk's Office

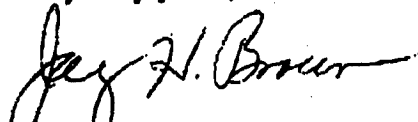
Re: Reagan National Advertising on behalf of Norika Takado OBA
SUP-3152
March 3, 2004 City Council Agenda

Dear Vicky:

Please be advised that I represent Reagan National Advertising. On behalf of my client, I am requesting that the above referenced matter be held in abeyance from the March 3, 2004 City Council agenda and reset for the May 5, 2004 meeting.

Your assistance in this matter is sincerely appreciated.

Very truly yours,


Jay H. Brown

JHB:cc

cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK

2004 FEB 20 A 7:52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3315 -
BUMPER MEDIC ON BEHALF OF SUN WEST - Request for a Special Use Permit FOR A
PROPOSED AUTO PAINT AND BODY REPAIR SHOP at 7870 West Ann Road (APN: 125-
28-818-004), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0-
1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Withdrawal without prejudice request by BumperMedic

MOTION:

REESE – Motion to Accept the **WITHDRAWAL Without Prejudice** of Item 73 [MOD-3069], Item 77 [SUP-3315] and Item 78 [SUP-3369] and to **HOLD IN ABEYANCE** Item 76 [SUP-3152] to 5/5/2004, Item 79 [SUP-3394] to 3/17/2004 and Item 80 [SUP-3479] to 4/7/2004 – **UNANIMOUS** with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(1:45 – 1:48)

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

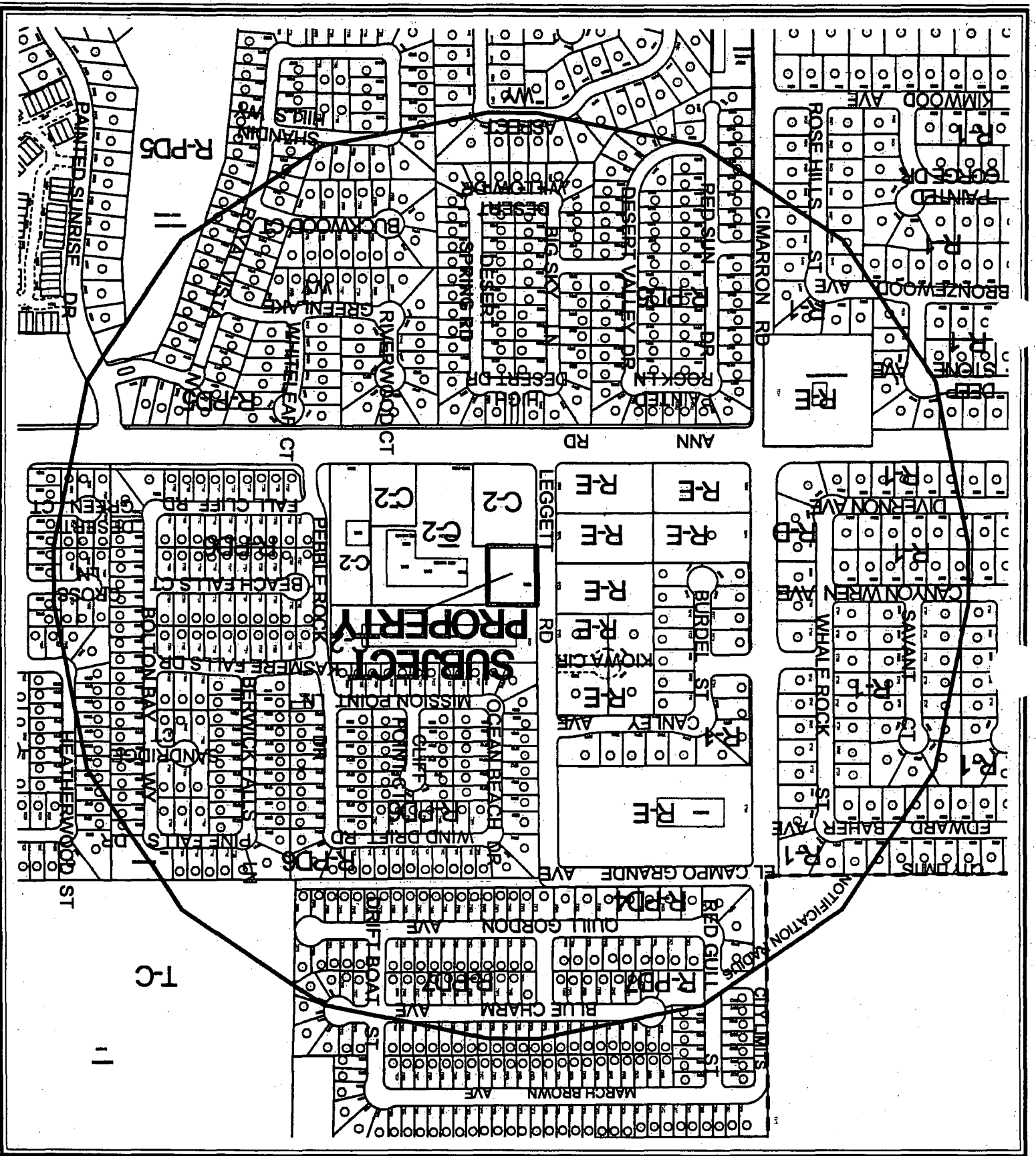
RADIUS: 1320 FT

CASE: SUP-3315

0 200 400 Feet



077





CASE: SUP-3315

RADIUS: 1320 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3315 - BUMPER MEDIC ON
BEHALF OF SUN WEST**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 4, 2004 CITY
COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. The approval shall be subject to a one year review as a public hearing by the Planning Commission after the issuance of a Certificate of Occupancy.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
3. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties or adjoining streets.
4. Openings in service bays shall not face public right-of-way and shall be designated to minimize visual intrusion into adjoining parcels.
5. All repair work shall be performed within an enclosed building.
6. Conformance to the definition under Title 19.20 for Auto Paint and Body Shop use.
7. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-0058-76(4)].
8. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for an Auto Paint and Body Shop at 7870 West Ann Road.

B) Applicant's Justification

The applicant's justification letter states that BumperMedic will be a benefit to the city of Las Vegas and its residents because they provide an economical service to customers and abide with environmental standards.

BACKGROUND INFORMATION

A) Previous Actions

- 10/23/75 The Board of Zoning Adjustment approved to revise a plot plan of an approved Variance (V-0002-75) to allow the construction of structures relating to existing livestock uses on the site.
- 02/26/76 The Board of Zoning Adjustment approved a Variance (V-0012-76) to allow a restaurant on an adjacent site.
- 10/06/76 The Board of City Commissioners approved a Rezoning (Z-0058-76) from R-E (Residence Estates) to C-2 (General Commercial) on the subject site as part of a larger request. The Planning Commission recommended approval.
- 11/06/91 The City Council granted an appeal of a Board of Zoning Adjustment denial, thereby approving a Special Use Permit (U-0188-91) to allow a tavern in conjunction with an existing restaurant on an adjacent site. Subsequent Review of Condition and Required Review applications allowed the sale of alcohol 24 hours a day.
- 12/01/93 The City Council denied an appeal of a Board of Zoning Adjustment denial, thereby denying a Special Use Permit (U-0224-93) for an automated car wash and to allow the sale of beer and wine for off-premise consumption in a proposed convenience store on the subject site.
- 10/18/00 The City Council approved a Site Development Plan Review [Z-0058-76(4)] for a commercial center on the subject site. At the same meeting, the City Council denied a Variance (V-0061-00) to allow a 0-foot rear yard setback for a proposed mini-storage facility and Special Use Permits (U-0141-00) for gasoline sales and (U-0142-00) for the sale of off-premise beer and wine consumption.

- 03/07/01 The City Council denied an appeal of a Planning Commission denial for a 60-foot high wireless communication monopole.
- 12/18/03 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #25/al).

B) Pre-Application Meeting

- 10/07/03 The definition of auto paint and body shop was discussed. The applicant also explained that an auto use exists in the adjacent suite.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.63

B) Existing Land Use

Subject Property: Undeveloped pad in a commercial center
North: Single Family Dwellings
South: Single Family Dwellings
East: Single Family Dwellings
West: Undeveloped and Single Family Dwellings

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: ML (Medium Low Density Residential)
South: ML (Medium Low Density Residential)
East: ML (Medium Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: R-PD 6 (Residential Planned Development – 6 Units Per Acre)
South: R-PD 5 (Residential Planned Development – 5 Units Per Acre)
East: R-PD 6 (Residential Planned Development – 6 Units Per Acre)
West: R-E (Residence Estates)

E) General Plan Compliance

The existing general plan designation does not conform to the existing zoning district. The L (Low Density Residential) category of the Centennial Hills Sector Plan permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreational facilities, schools and churches are allowed in this category.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Auto Repair Garage	2,394 SF.	5 spaces plus 1/200 GFA	17	See below	24	See below
Handicap breakdown			16	1	23	1

The subject site is located within a commercial subdivision, which enjoys the benefits of shared parking. A Tenant Improvement permit has been issued for the adjoining suite, therefore it is probable that the two uses in this structure generate a higher parking demand than what is provided on the pad site. Even though the pad site is deficient in spaces, customers may utilize the 223 parking spaces provided within the overall site.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Paint and Body Shop use.

B) General Analysis and Discussion

- Zoning

An Auto Paint and Body Shop is permitted in a C-2 (General Commercial) zone with approval of a Special Use Permit.

- Use

Title 19.20 defines an Auto Paint and Body Shop use as a facility for collision services including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

- Conditions

No minimum conditions apply to an Auto Paint and Body Shop in a C-2 (General Commercial) zone. However, it is prudent to establish conditions to ensure that proposed use does not negatively impact the surrounding area. The following conditions are proposed:

1. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties or adjoining streets.
3. Openings in service bays shall not face public right-of-way and shall be designated to minimize visual intrusion into adjoining parcels.
4. All repair work shall be performed within an enclosed building.

FINDINGS

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

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

The proposed Auto Paint and Body Shop can be conducted in a harmonious and compatible manner with the surrounding area with implementation of the recommended conditions.

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

The subject site's inclusion in a commercial subdivision ensures that both access and parking will be sufficient to accommodate the demands the use imposes on the 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 site has access to Ann Road, a fully developed 100-foot primary arterial, via internal commercial center access aisles.

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

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

PLANNING COMMISSION ACTION

At the Planning Commission hearing there was one speaker with questions. The Planning Commission added Condition #1.

NOTICES MAILED 649 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3315** APN: _____

Name of Property Owner: _____

Name of Applicant: Bumper Medic

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: D. S. Coletti

Print Name: Daniel S Coletti

Subscribed and sworn before me

This 30th day of September, 2003

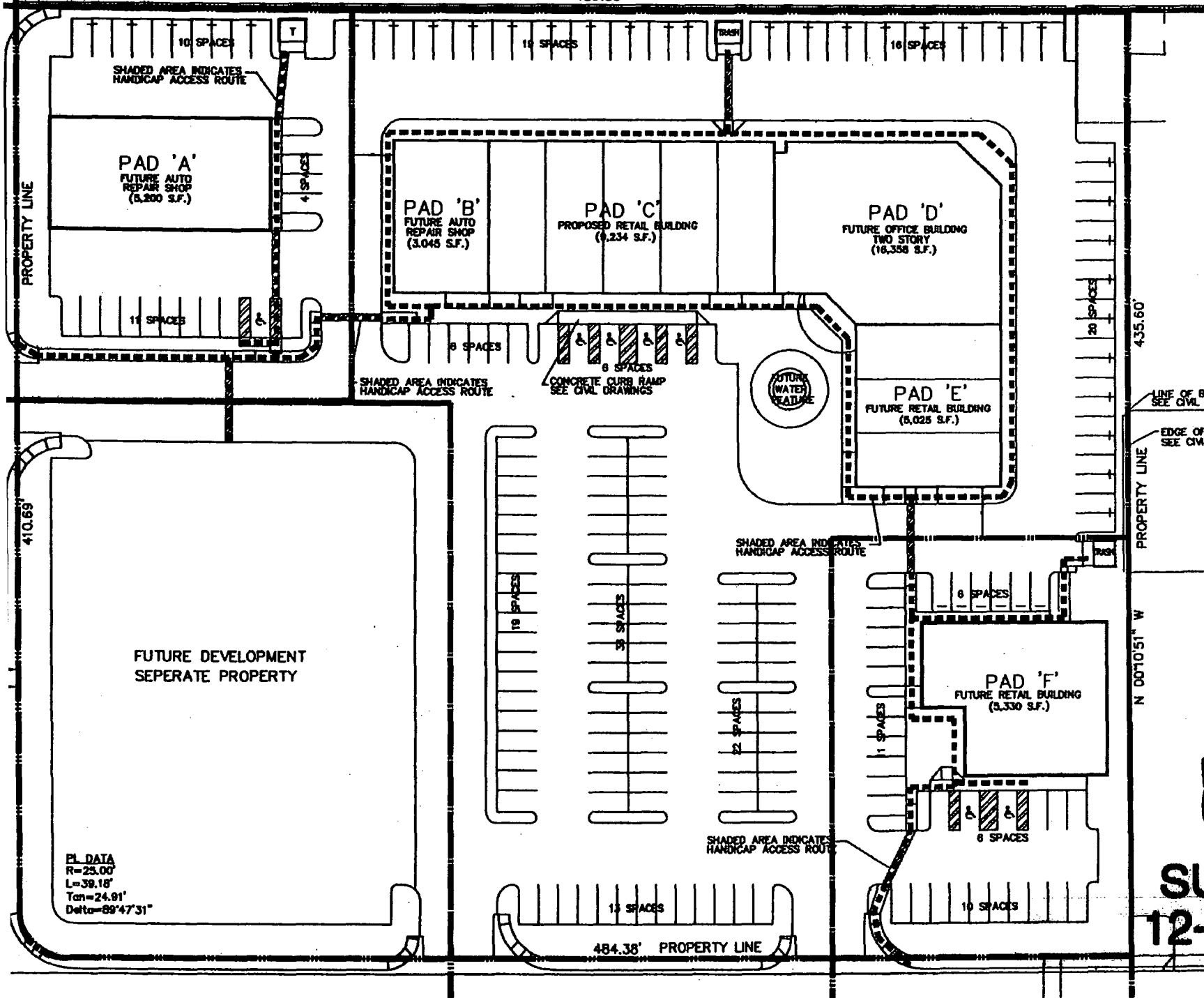
Carol A. Walters

Notary Public in and for said County and State



Notary Public - State of Nevada
County of Clark
CAROL A. WALTERS
My Appointment Expires
October 10, 2006
No: 01-71250-1

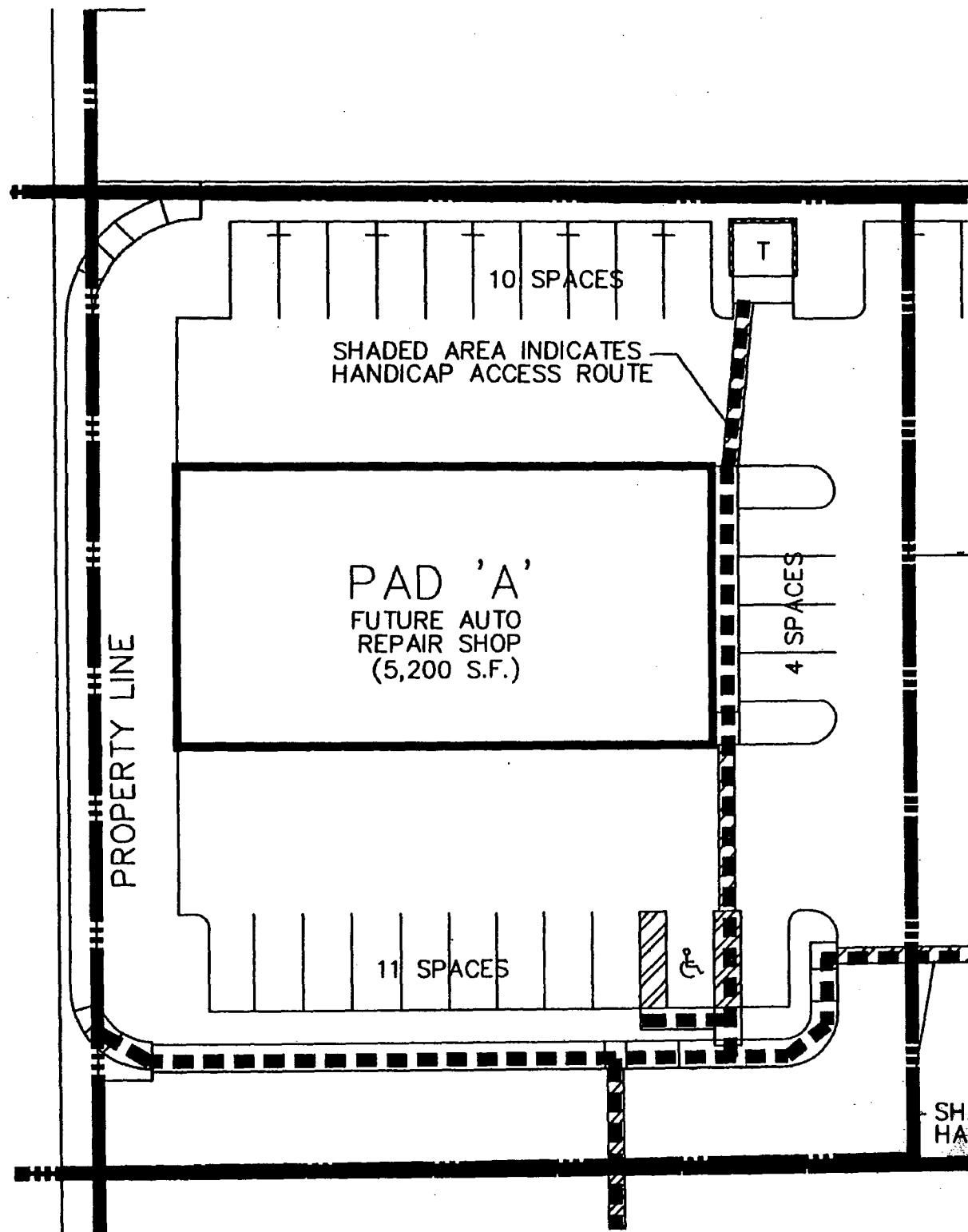
PROPERTY LINE N 90°00'00" W
489.50'



PL DATA
R=23.00'
L=39.18'
Tan=24.91'
Delta=89°47'31"

12.3.03
REVISED

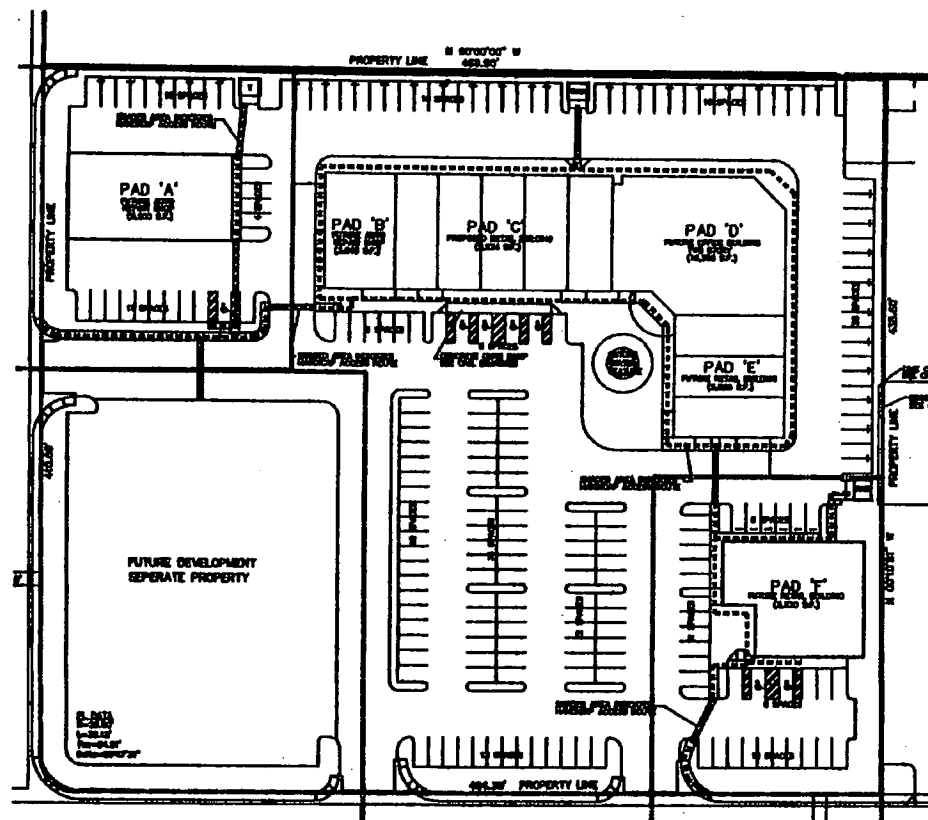
SUP-3315
12-18-03 PC



12.3.03
REVISED

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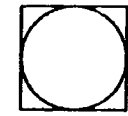
SUP-3315
12-18-03 PC



REVISED
12.3.03

1. FLOOR PLAN
01/18/03

SUP-3315
12-18-03 PC



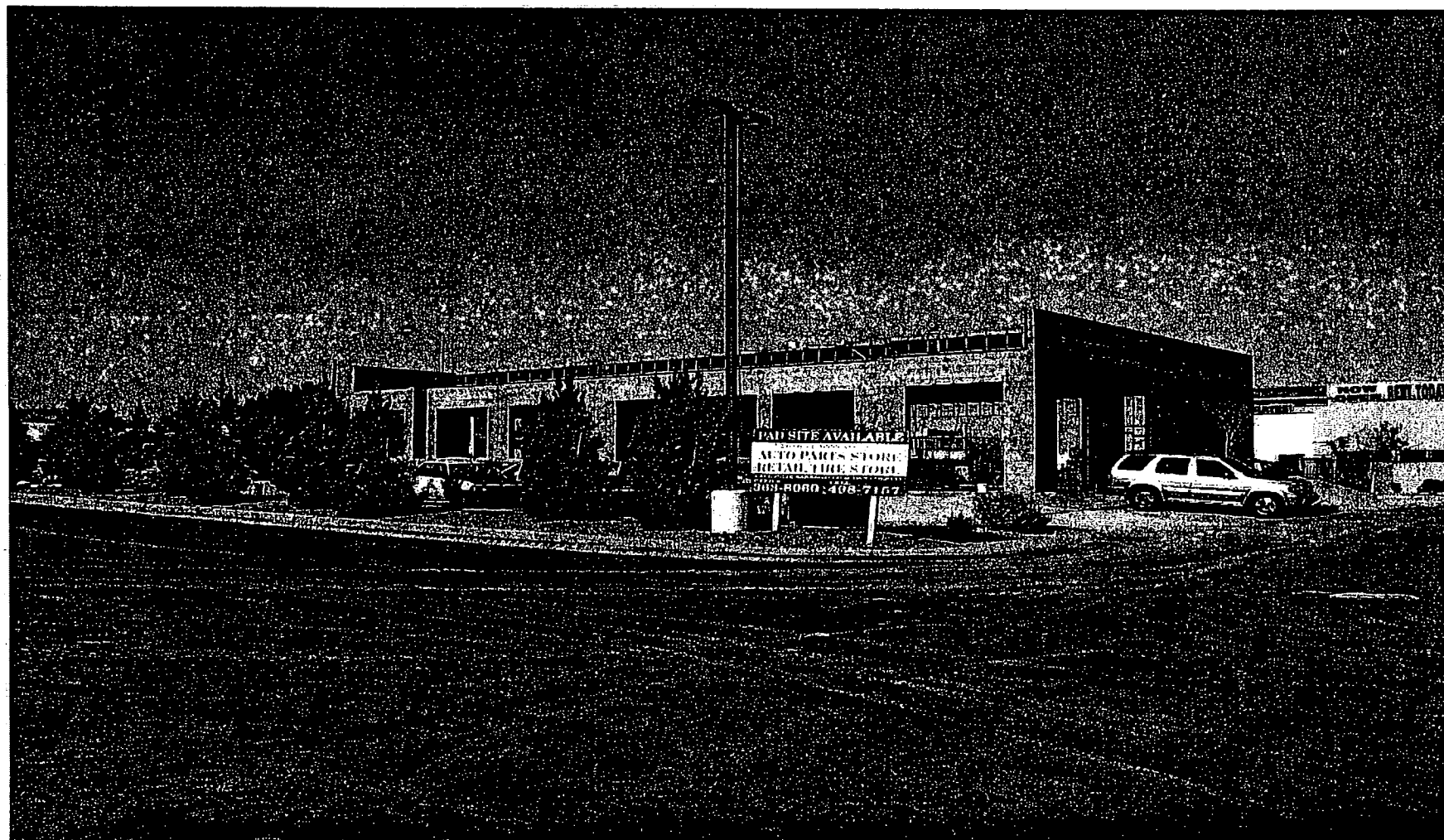
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HANDICAP ACCESS PLAN

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SUP-3315
12-18-03 PC



SUP-3315 - BUMPER MEDIC ON BEHALF OF SUN WEST
7870 WEST ANN ROAD
DECEMBER 18, 2003 PLANNING COMMISSION

12/4/03



BumperMedic®
Plastic Repair Specialists Since 1990

March 1, 2004

City Clerk, Las Vegas City Council
400 Stewart Ave
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

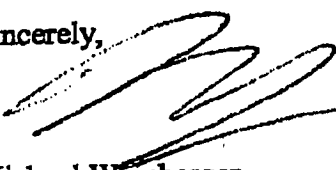
2004 MAR -1 A 11:25

To Whom It May Concern:

This letter is to request item SUP3315 to be withdrawn for consideration, without prejudice, by city council.

I hope this is all of the information required for your department and if there is anything else I can add, please do not hesitate to call me at 222-0022 so I can deliver the necessary information.

Sincerely,


Michael Weinberger
Vice President - Operations

Submitted after final agenda

Date 3/1/04 Item #77

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

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

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3369 - LAS VEGAS BILLBOARDS ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80 - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2912 Highland Drive, (APN: 162-09-301-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL. (NOTE: An approved billboard is under construction within 300 feet. Therefore, staff recommends DENIAL)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Withdrawal request by LAS Consulting, Inc.

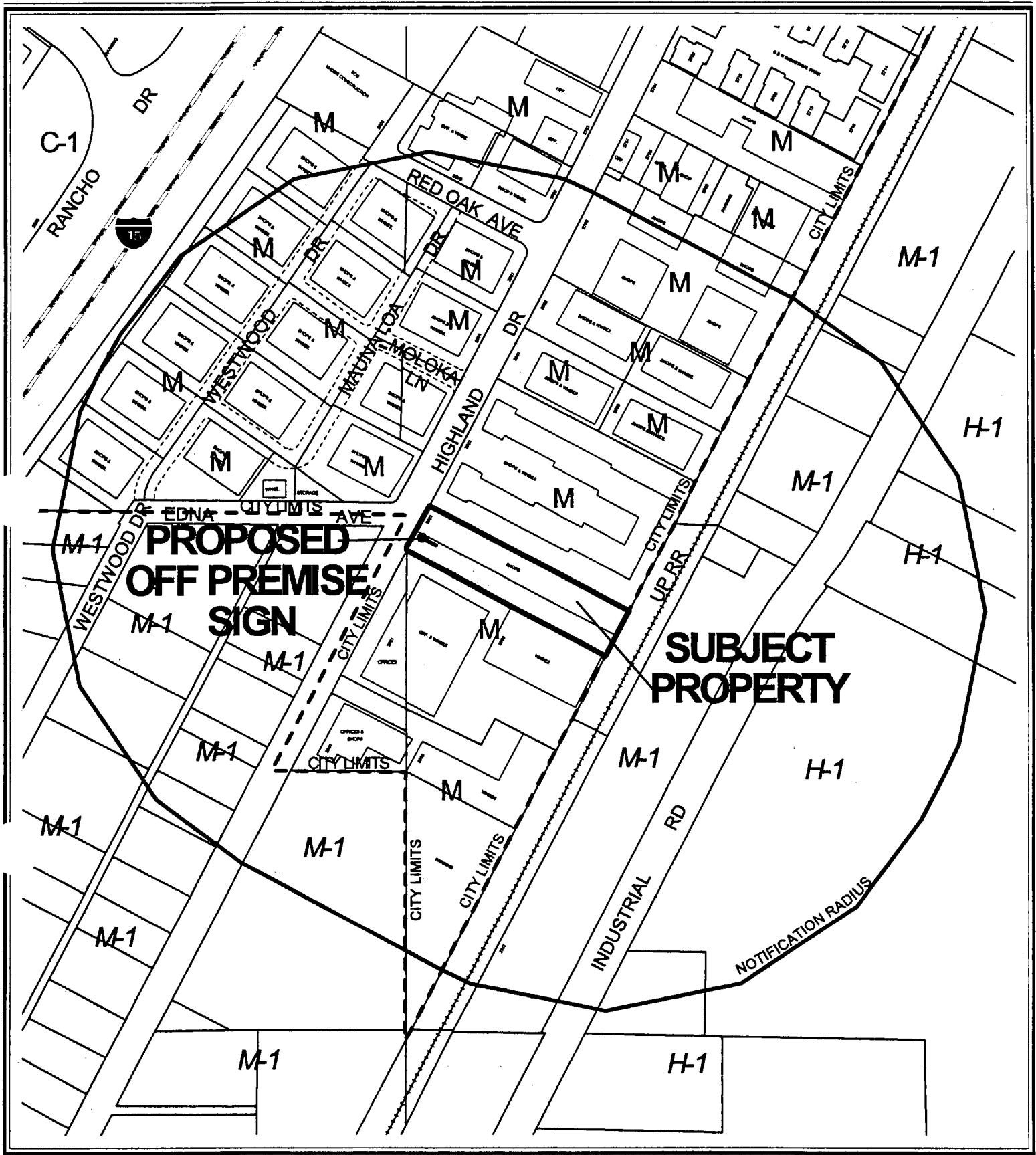
MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 73 [MOD-3069], Item 77 [SUP-3315] and Item 78 [SUP-3369] and to HOLD IN ABEYANCE Item 76 [SUP-3152] to 5/5/2004, Item 79 [SUP-3394] to 3/17/2004 and Item 80 [SUP-3479] to 4/7/2004 – UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed with MAYOR PRO TEM REESE that Item 78 [SUP-3369] be withdrawn without prejudice.

(1:45 – 1:48)



CASE: SUP-3369

RADIUS: 900 FT

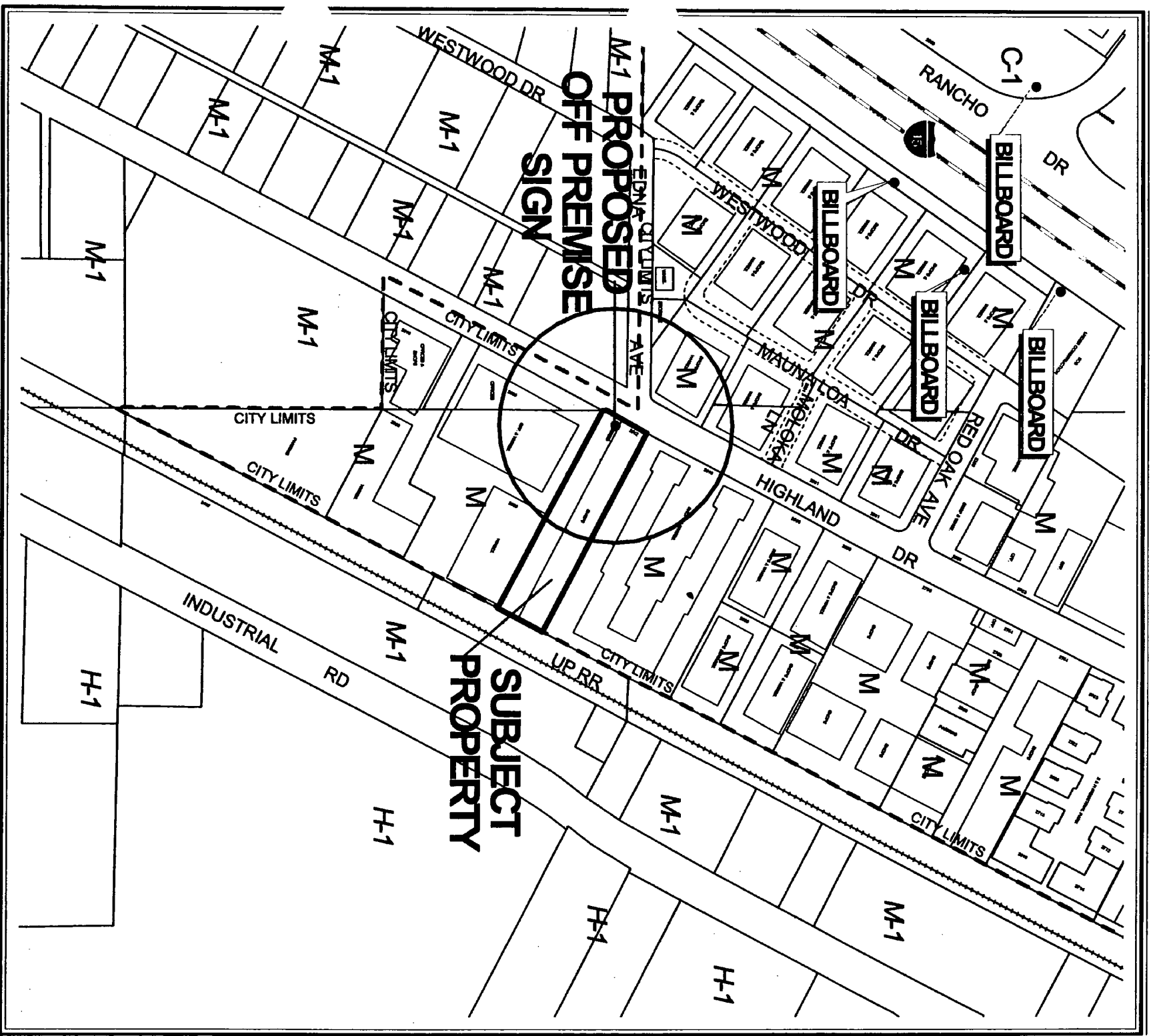
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



078

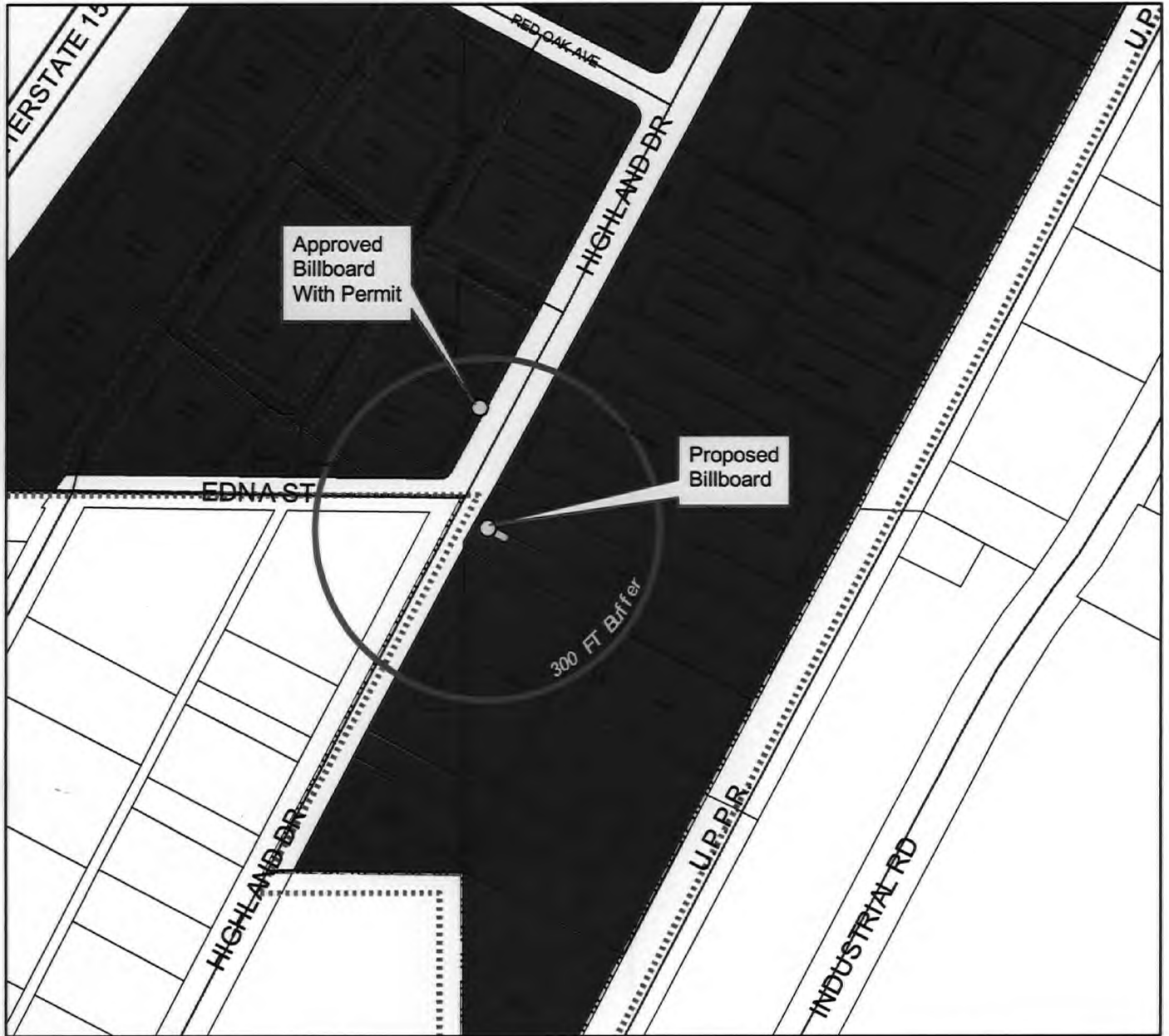




CASE: SUP-3369
SEPARATION RADIUS: 300 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



SUP-3369



Zoning

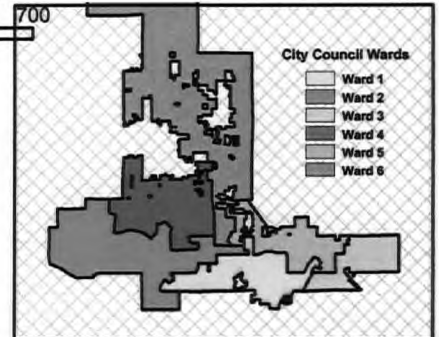
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R-A	R-3	C-2
R-E	R-4	C-M
R-D	R-5	M
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R-1	P-R	C-PB
R-MH	N-S	P-C
R-CL	O	PD
	C-D	TC

0 350 700
Feet



Created by: planningeis on Jan 22 2004

Due to continuous development activity
this map is for reference only.



SUP-3369

City of Las Vegas Billboard Data



Subject Parcel



City of Las Vegas Billboard Location



300 Foot Buffer Around Billboard



750 Foot Buffer Around Freeway Billboard



Outside City Boundary



Off Premise Sign Exclusion Area



Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3369 - LAS VEGAS BILLBOARDS
ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 4, 2004 CITY
COUNCIL MEETING AT COUNCILWOMAN MONCRIEF'S REQUEST.***

**** CONDITIONS ****

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

(NOTE: An approved billboard is under construction within 300 feet. Therefore, staff recommends DENIAL)

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.
8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

9. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, to reflect a minimum 50-foot setback from the center of the Off-Premise Sign to the west property line.

Public Works

10. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 2912 South Highland Drive.

B) Applicant's Justification

The proposed sign is located in an M (Industrial) zoning district and meets separation requirements from residential and other Off-Premise Signs. The area is in a manufacturing area and an off-premise sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/12/61 | The Board of City Commissioners approved a request for a Reclassification of Property (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry). |
| 10/28/93 | The Planning Commission approved a Plot Plan and Building Elevation Review [Z-62-60(1)] for the existing print shop. Staff recommended approval. |
| 05/27/99 | The Planning Commission approved a Site Development Plan Review [Z-0062-60(2)] request for a 23,148 square foot expansion for the existing print shop. Staff recommended approval. |
| 05/11/00 | The Planning Commission denied a Site Development Plan Review [Z-0062-60(3)] request to allow used auto sales. Staff recommended approval. |
| 01/08/04 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #41/fs). |

B) Pre-Application Meeting

- | | |
|----------|---|
| 10/29/03 | Issues discussed included setbacks and distance separation requirements for the proposed sign, and the proximity of the intersection to the proposed sign location. |
|----------|---|

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.65

B) *Existing Land Use*

Subject Property: Shops / Warehouse
 North: Shops / Warehouse
 South: Office / Warehouse
 East: Restaurant / Lounge
 West: Shops / Warehouse

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry / Research) designation, which allows low-intensity industrial uses including light manufacturing, warehousing and distribution, and research and development. The existing M (Industrial) zoning district is consistent with the General Plan designation, and an Off-Premise Sign is a permitted use in the M (Industrial) zoning district with the approval of a Special Use Permit.

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

COUNTY NOTIFICATION

Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

INTERAGENCY ISSUES

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

- 1) Any Special Use Permit within 500' of Clark County

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it was determined that the proposed off-premise sign would not significantly impact the area.

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

ANALYSIS

A) Zoning Code Compliance

Standards	Code Requirement	Provided
Location	• No Off-Premise Signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in M Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF
Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300 Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	• Intersection 20 Feet from the proposed sign

The proposed sign is located 20 feet from the right-of-way at the intersection of Highland Drive and Edna Street. Title 19 requires a minimum setback of 50 feet from the nearest right-of-way intersection, and a Condition of Approval has been included to ensure compliance with this requirement. The proposed sign meets all other the minimum distance separation requirements in addition to area and height requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

- Use

Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise signs which in themselves do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of Off-Premise Signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with Off-Premise Signs as a permitted use in certain zoning districts.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.
2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.
3. For any Off-Premise Sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.
4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the lot, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the lot;

- c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and
 - d. Drawings that allow the computation of the area and the height of any Off-Premise Signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.
5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

The request appears to be in substantial conformance with these standards.

FINDINGS

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

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

The proposed Off-Premise Sign conforms to the standards and intent of the LI/R (Light Industry/Research) General Plan designation and the M (Industrial) zoning district. The subject use is harmonious and compatible with surrounding properties in the area.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

Access to the site is via access a driveway off of Highland Drive, an 80-foot Secondary Collector. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

NOTICES MAILED 36 by City Clerk

APPROVALS 0

PROTESTS 1

OWNER:
MARVIN JAMES SCHIFF TRS 80
MASON FAMILY TRUST 20
2401 INDUSTRIAL RD.
LAS VEGAS, NV 89102-4817

PROPERTY ADDRESS:
2911 HIGHLAND DR.
LAS VEGAS, NV 89109

CONTACT:
STEVE BARNETT @
LAS VEGAS BILLBOARDS
5665 S. VALLEY VIEW BLVD.
LAS VEGAS, NV 89118
877-7823

APN: 163-09-301-001

ZONED: M

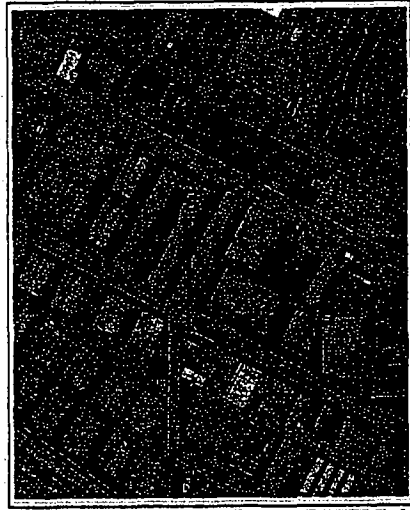
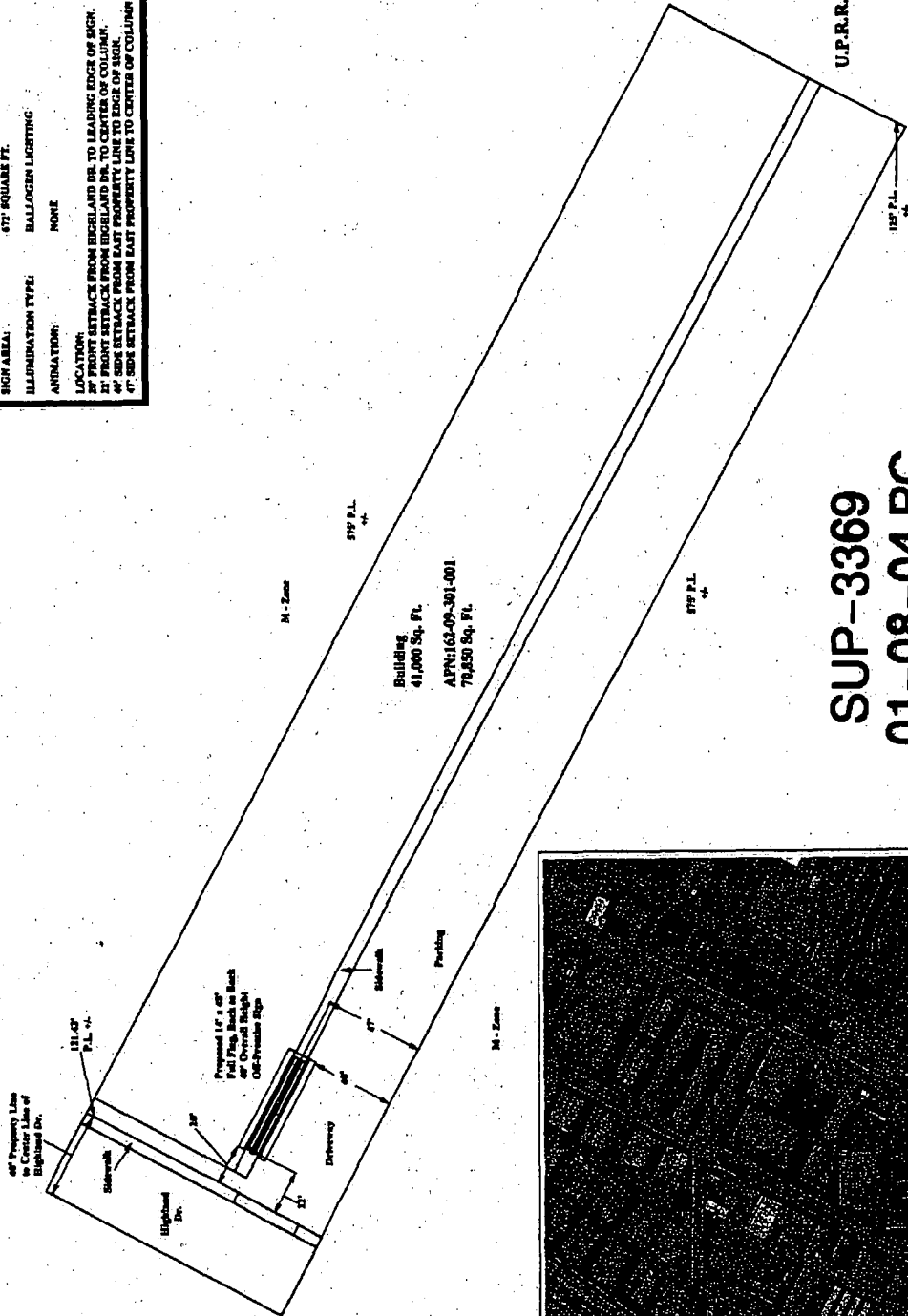
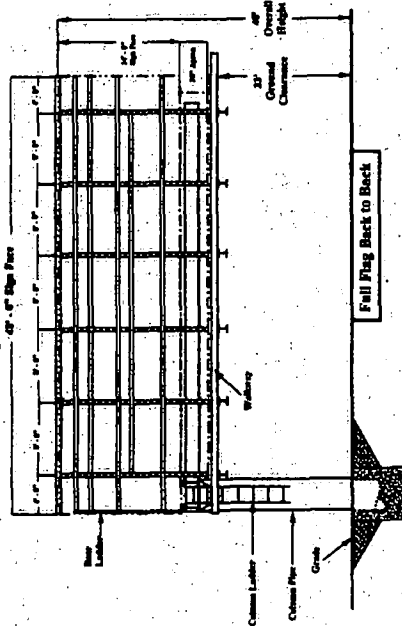
14' x 48' FULL FLAG, BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT OVERLAP SIGN WITHIN 100'
NO ADJACENT OVERLAP SIGN WITHIN 300'
NO SIGN WITHIN 300'

NORTH

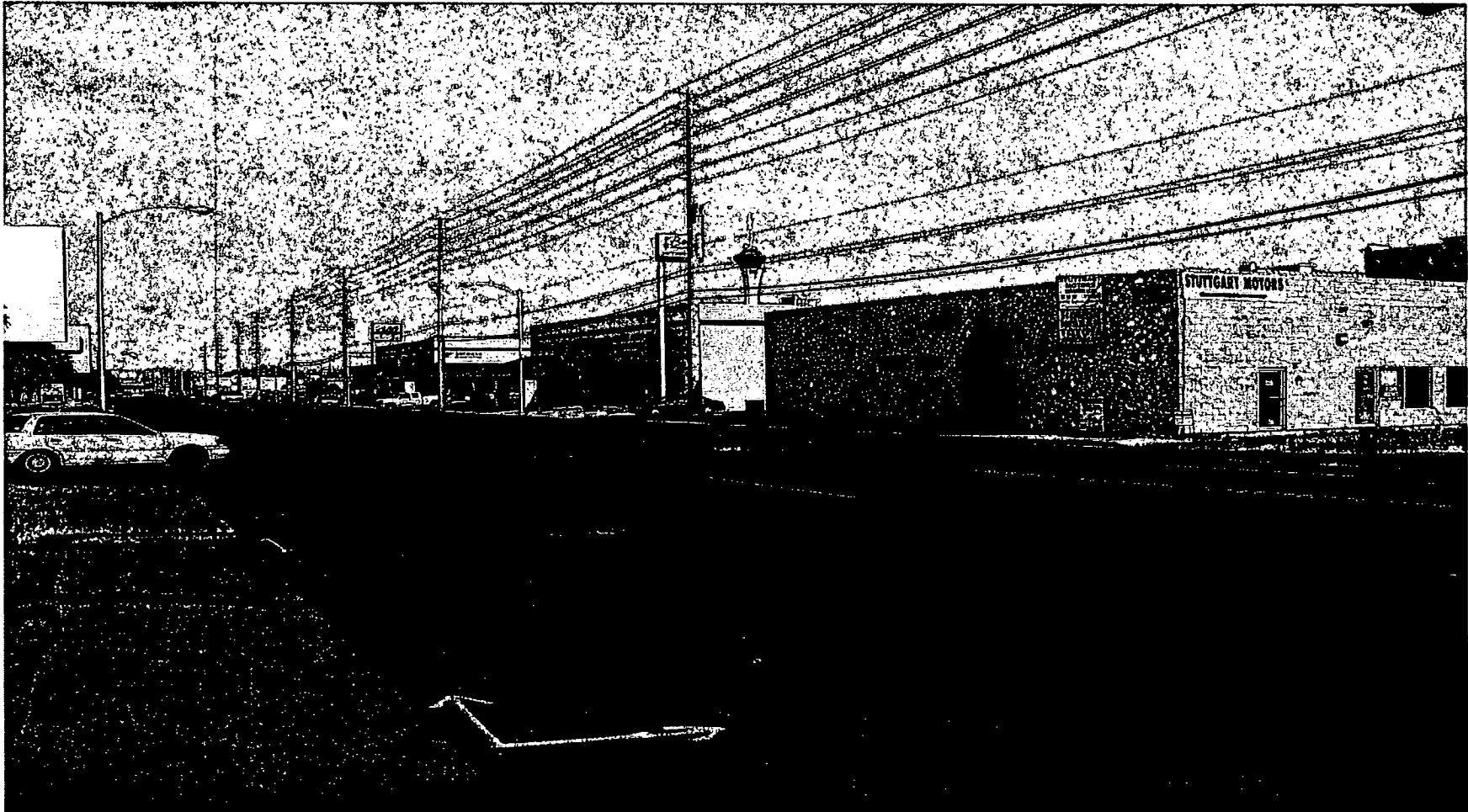
SIGN ANALYSIS TABLE

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

LOCATION:
14' FROM TRACK FROM HIGHLAND DR. TO LEADING EDGE OF SIGN.
14' FROM TRACK FROM HIGHLAND DR. TO CENTER OF COLUMN.
40' SIDE SETBACK FROM EAST PROPERTY LINE TO EDGE OF SIGN.
47' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN



SUP-3369
01-08-04 PC



**SUP-3369 - LAS VEGAS BILLBOARDS ON BEHALF OF MARVIN JAMES SCHIFF TRUST 80
2912 HIGHLAND DRIVE
JANUARY 8, 2004 PLANNING COMMISSION**

12/29/03

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV 89109
(702) 889-2879

March 2, 2004

City Clerk- City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

RE: Agenda #78 SUP 3369
3/3/04 City Council Meeting

Dear Sir or Madam:

Please accept this letter as a request to withdraw the above referenced items from the March 3, 2004 City Council meeting. A billboard has been built within 300 feet and we can no longer meet the separation requirements.. Thank you for your consideration in this matter.

Yours truly,


Lucy Stewart

Cc.
Jay Brown, 385-1023
LVBB, 837-7821
Planning & Development, 385-7268

Submitted after final agenda

Date 3/2/04 Item #78

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MARCH 3, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN: 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda - Abeyance request by Singer & Brown

MOTION:

REESE - Motion to Accept the WITHDRAWAL Without Prejudice of Item 73 [MOD-3069], Item 77 [SUP-3315] and Item 78 [SUP-3369] and to HOLD IN ABEYANCE Item 76 [SUP-3152] to 5/5/2004, Item 79 [SUP-3394] to 3/17/2004 and Item 80 [SUP-3479] to 4/7/2004 - UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(1:45 - 1:48)



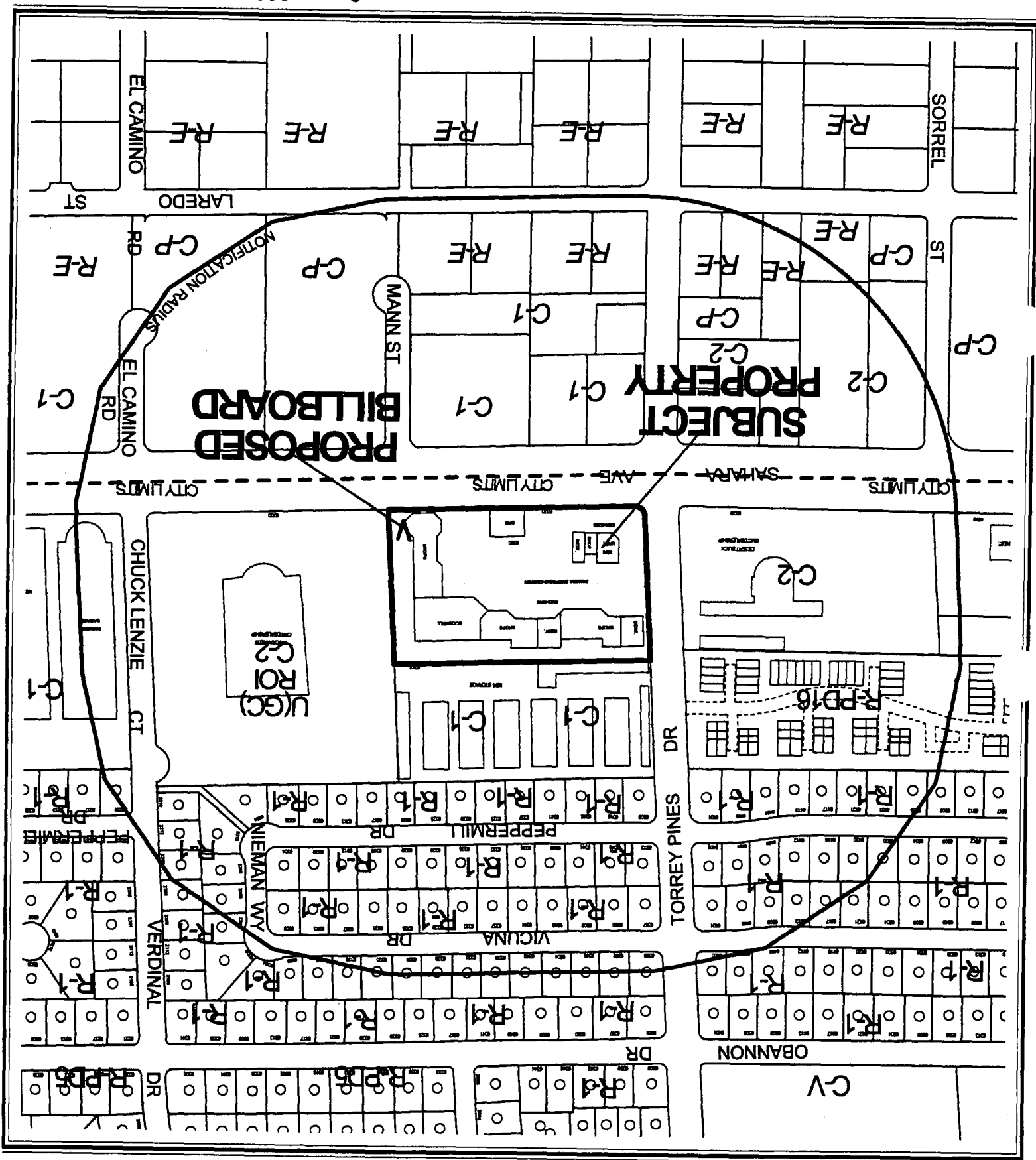
079

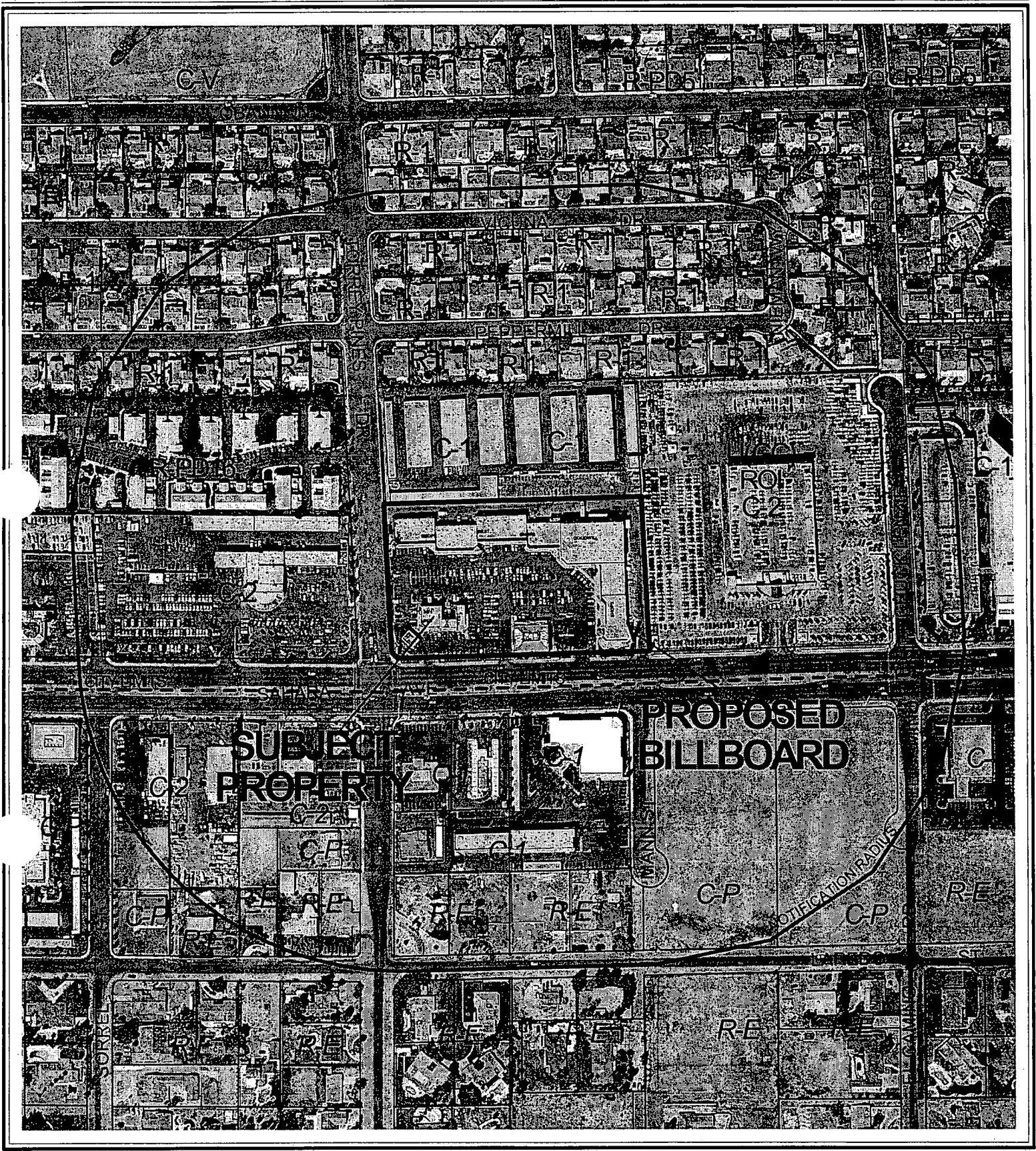
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 750 FT

CASE: SUP-3394

0 200 400 Feet





CASE: SUP-3394

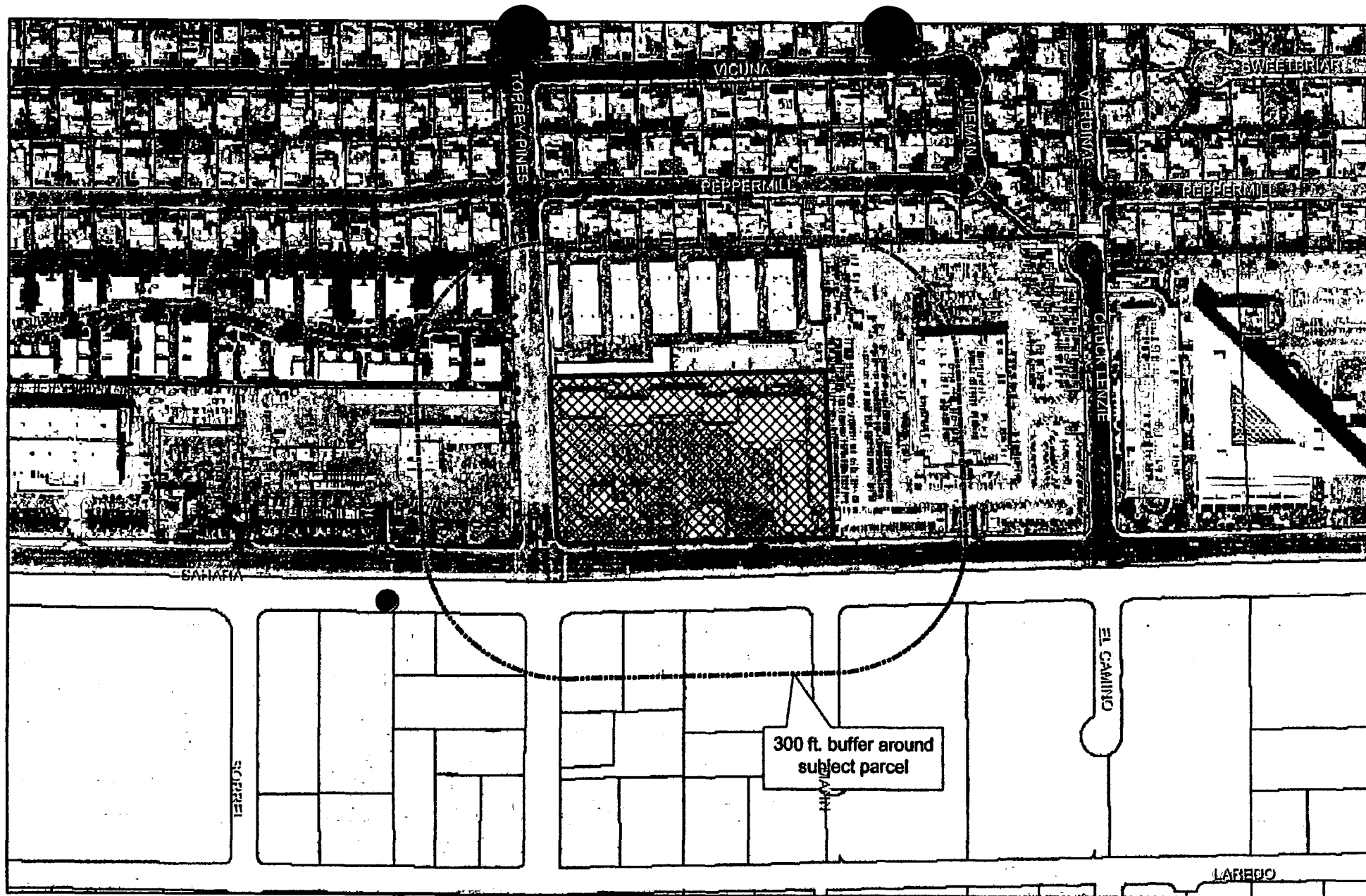
RADIUS: 750 FT

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

0 200 400 Feet







AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3394 - LAS VEGAS BILLBOARDS
ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 4, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the m Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.
8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

9. The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6390 West Sahara Avenue.

B) Applicant's Justification

The area is commercial in nature and an Off-Premise Sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 03/19/86 | The City Council approved a Reclassification of Property (Z-0016-86) from N-U (Non-Urban) to C-1 (Limited Commercial). The Planning Commission recommended approval on 3/13/86. |
| 01/28/92 | The Board of Zoning Adjustment approved a Variance (V-0190-91) to allow truck and trailer rentals within an existing mini-storage business. |
| 01/03/00 | The City Council approved a Special Use Permit (U-0179-00) for a Restaurant Service Bar. The Planning Commission and staff recommended approval on 11/16/00. |
| 10/17/01 | The City Council approved a Special Use Permit (U-0121-01) to allow Second Hand Sales in conjunction with a sporting goods business. The Planning Commission and staff recommended approval on 09/06/01. |
| 01/08/04 | The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #42/fs). |

B) Pre-Application Meeting

- | | |
|----------|--|
| 11/13/03 | The applicant was informed that the project would be considered a Project of Regional Significance due to its proximity to Clark County. |
|----------|--|

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.34

B) *Existing Land Use*

Subject Property: Shopping Center
 North: Mini-Storage
 South: Office / Commercial
 East: Auto Dealership
 West: Auto Dealership

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 South: Clark County
 East: C-2 (General Commercial)
 West: U (Undeveloped) Zone under Resolution of Intent to C-2 (General Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan and the proposed Off-Premise Sign is a permitted use.

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

COUNTY NOTIFICATION

Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

INTERAGENCY ISSUES

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

- 1) Any Special Use Permit within 500' of unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it has been determined that the proposed Off-Premise Sign will have no significant impacts on the area.

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

ANALYSIS

A) Zoning Code Compliance

Standards	Code Requirement	Provided
Location	- No Off-Premise Signs in the right-of-way - Permitted only in C-1, C-2, C-M, M Zoning Districts	- Sign is not in right-of-way - Sign is in C-1 Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF
Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed Off-Premise Sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise Signs which do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of Off-Premises Signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with Off-Premises Signs as a permitted use in certain zoning districts.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.
2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.
3. For any Off-Premise Signs that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.
4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the lot, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
 - c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and

- d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.
5. The holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

FINDINGS

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

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

The proposed Off-Premise Sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the Off-Premise Sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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

Access to the site is via access a driveway off of Sahara Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

PLANNING COMMISSION ACTION

The Planning Commission voted unanimously for denial, believing the site to be inappropriate for off-site advertising.

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING &
DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-02-576-001Name of Property Owner: WEST SARAH ASSOCIATESName of Applicant: LAS VEGAS BILLBOARDS

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

 Yes X No

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

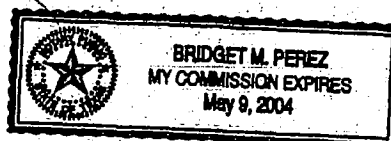
City Official: _____

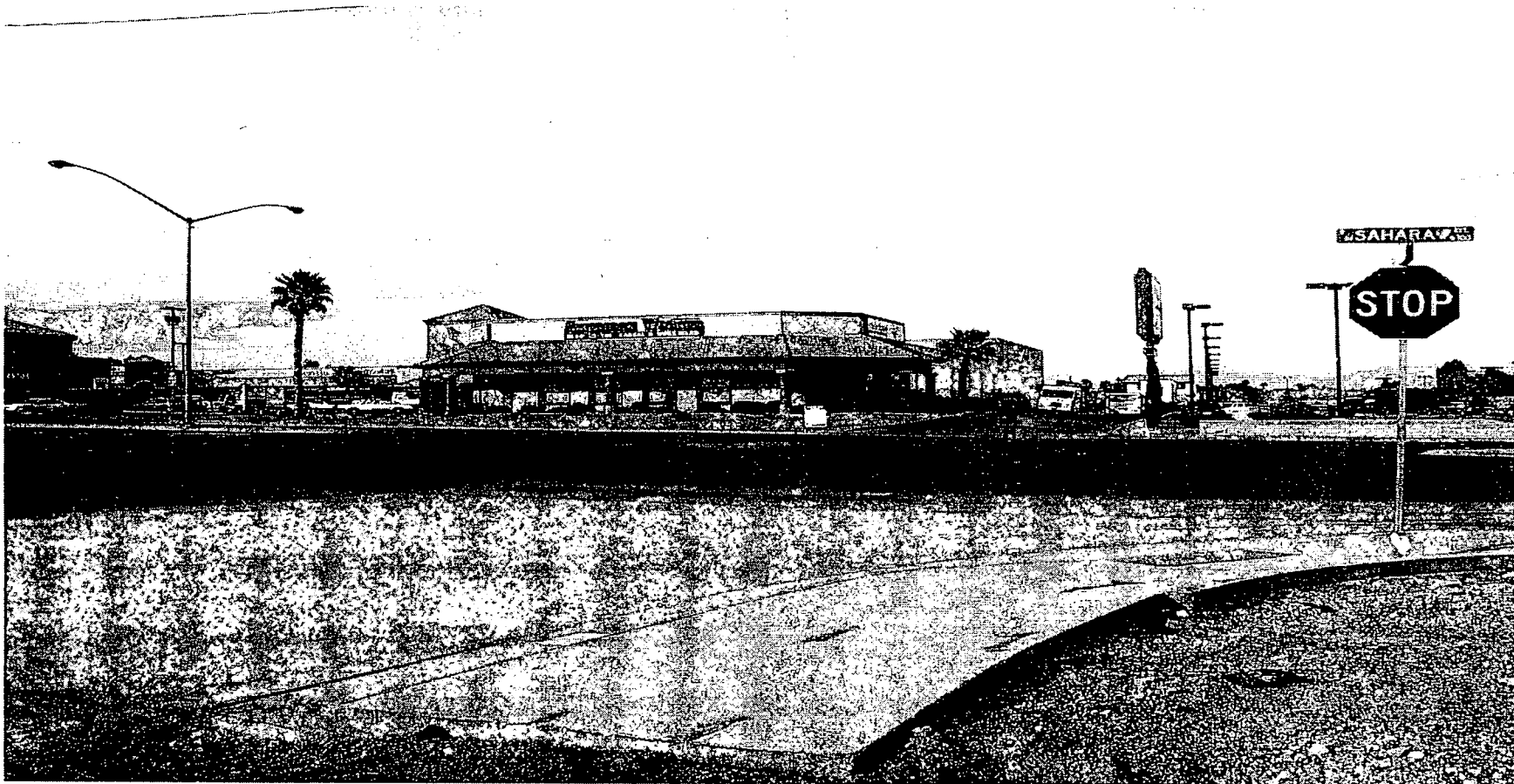
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: X _____Print Name: Granville Harper

Subscribed and sworn before me

This 31 day of October, 2003Bridget M. Perez
Notary Public in and for said County and State



SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATED, LIMITED
PARTNERSHIP
NORTHEAST CORNER OF TORREY PINES DRIVE AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
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FEBRUARY 4, 2004 CITY COUNCIL MEETING**

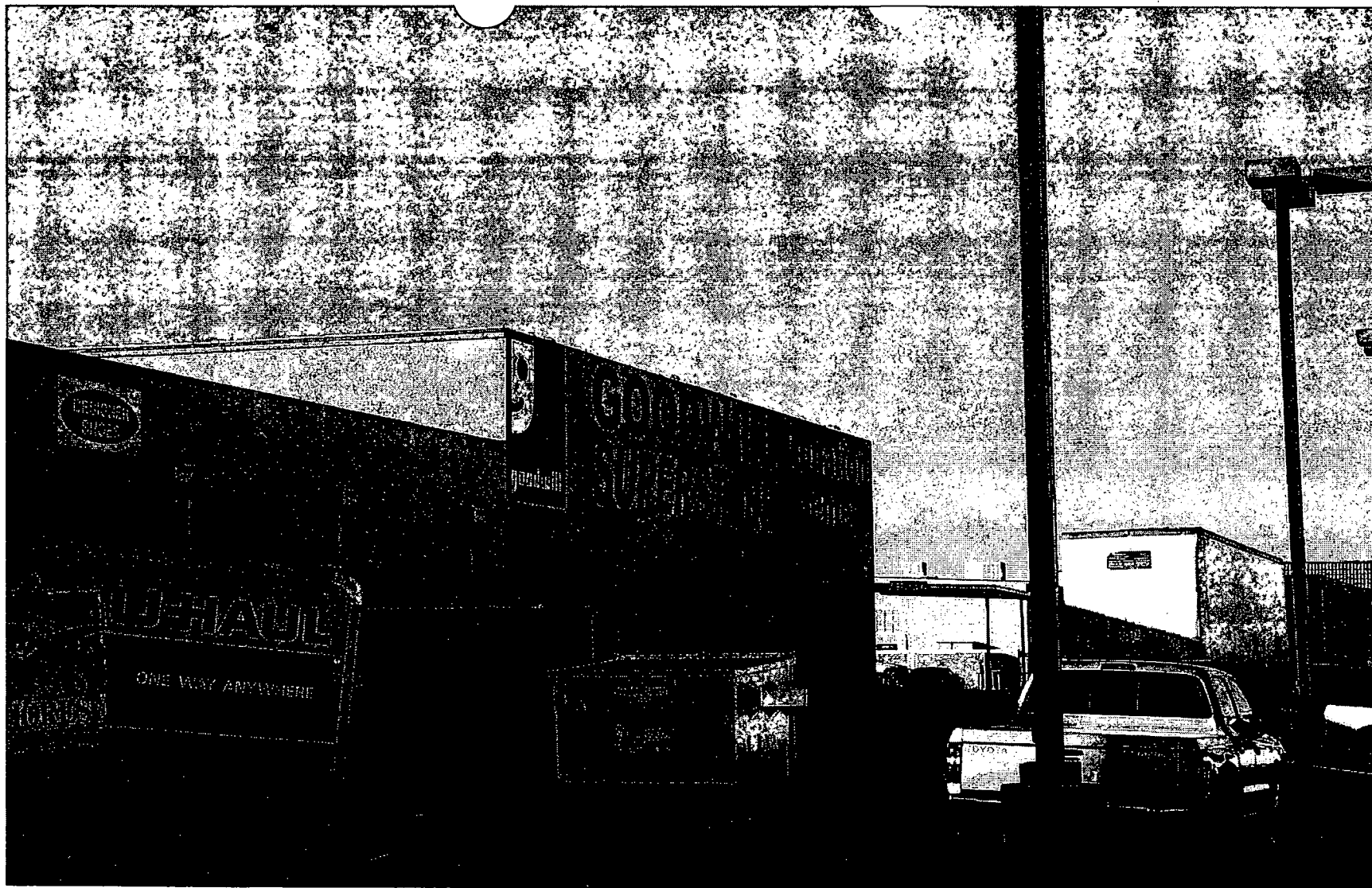
Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
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Picture taken 01/21/04



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FEBRUARY 4, 2004 CITY COUNCIL MEETING

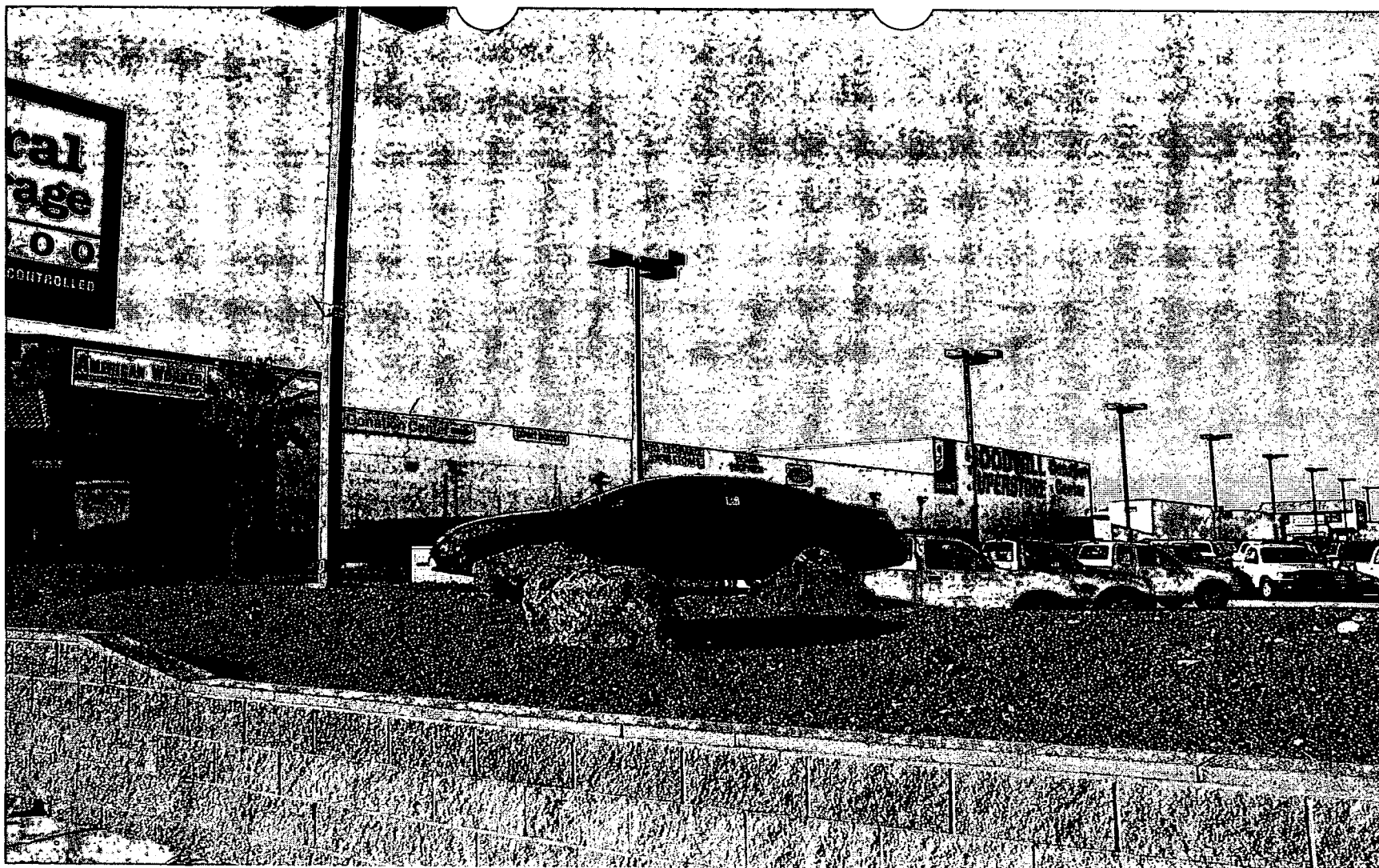
Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
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FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV. 89109
Ofc. (702) 889-2879
Fax: (702) 889-3122

RECEIVED
CITY CLERK

2004 JAN 14 P 3:41

City of Las Vegas, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101
Fax: (702) 382-4803

RE: SUP-3394
NEC Sahara & Torrey Pines, APN-163-02-816-001, PC agenda item #42

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the January 8, 2004 Planning Commission meeting. I would like to appeal it to be heard by the City Council. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

March 2, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

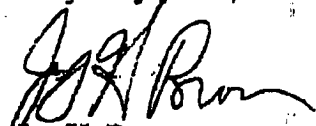
Re: SUP-3394 -- Special Use Permit
Las Vegas Billboards on behalf of West Sahara Associates, Limited Partnership

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards on behalf of West Sahara Associates, Limited Partnership

On behalf of our client, we respectfully request that this item be held from the March 3, 2004 City Council meeting and be continued to the March 17, 2004 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

2004 MAR -2 P 2:29

RECEIVED
CITY CLERK

Submitted after final agenda

Date 3/2/04 Item #79

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT - Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40 FOOT TALL, 14 FOOT BY 48 FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2475 South Jones Boulevard (APN: 163-02-802-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (4-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Outdoor Advertising
5. Submitted after final agenda - Abeyance request by Lamar Outdoor Advertising

MOTION:

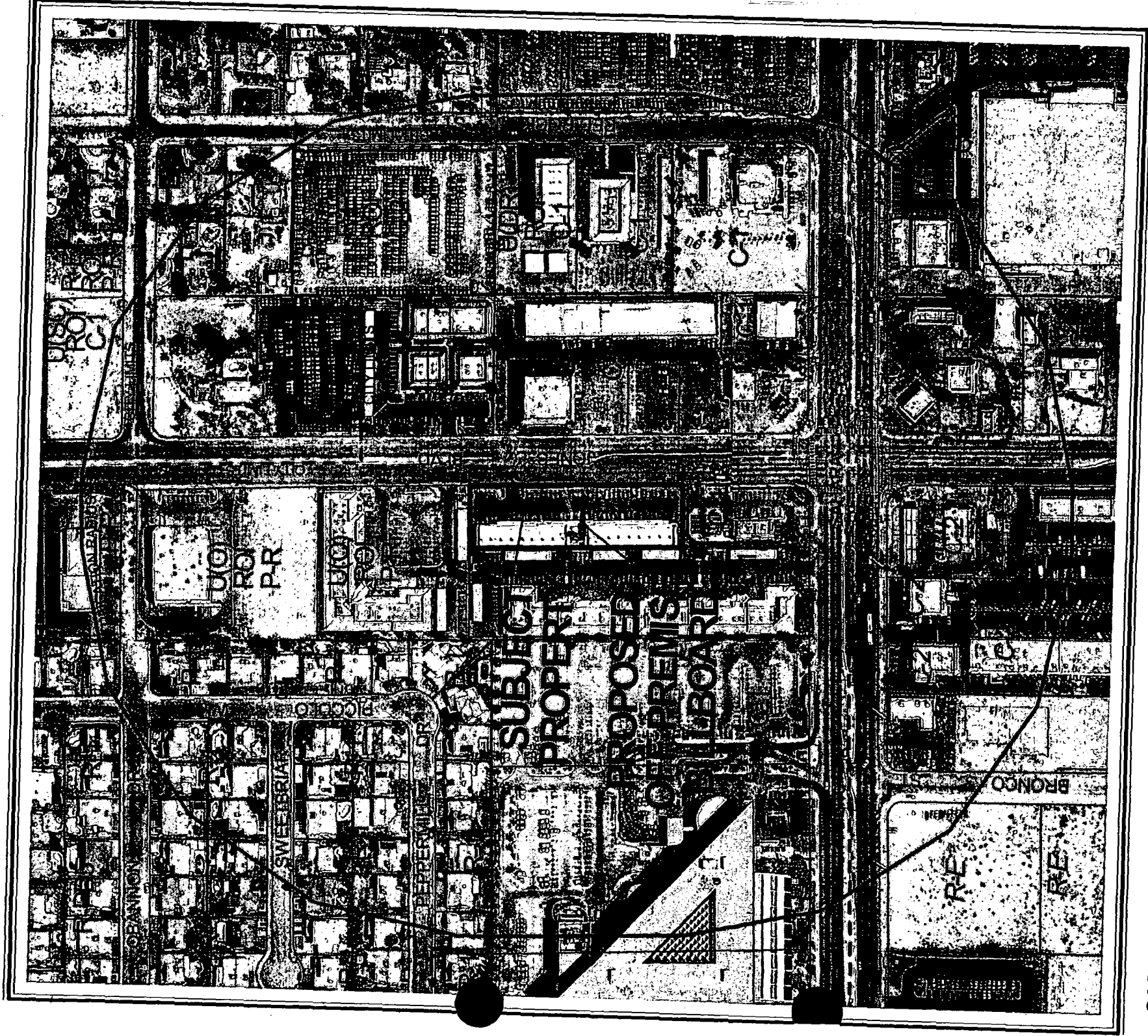
REESE - Motion to Accept the WITHDRAWAL Without Prejudice of Item 73 [MOD-3069], Item 77 [SUP-3315] and Item 78 [SUP-3369] and to HOLD IN ABEYANCE Item 76 [SUP-3152] to 5/5/2004, Item 79 [SUP-3394] to 3/17/2004 and Item 80 [SUP-3479] to 4/7/2004 - UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(1:45 - 1:48)





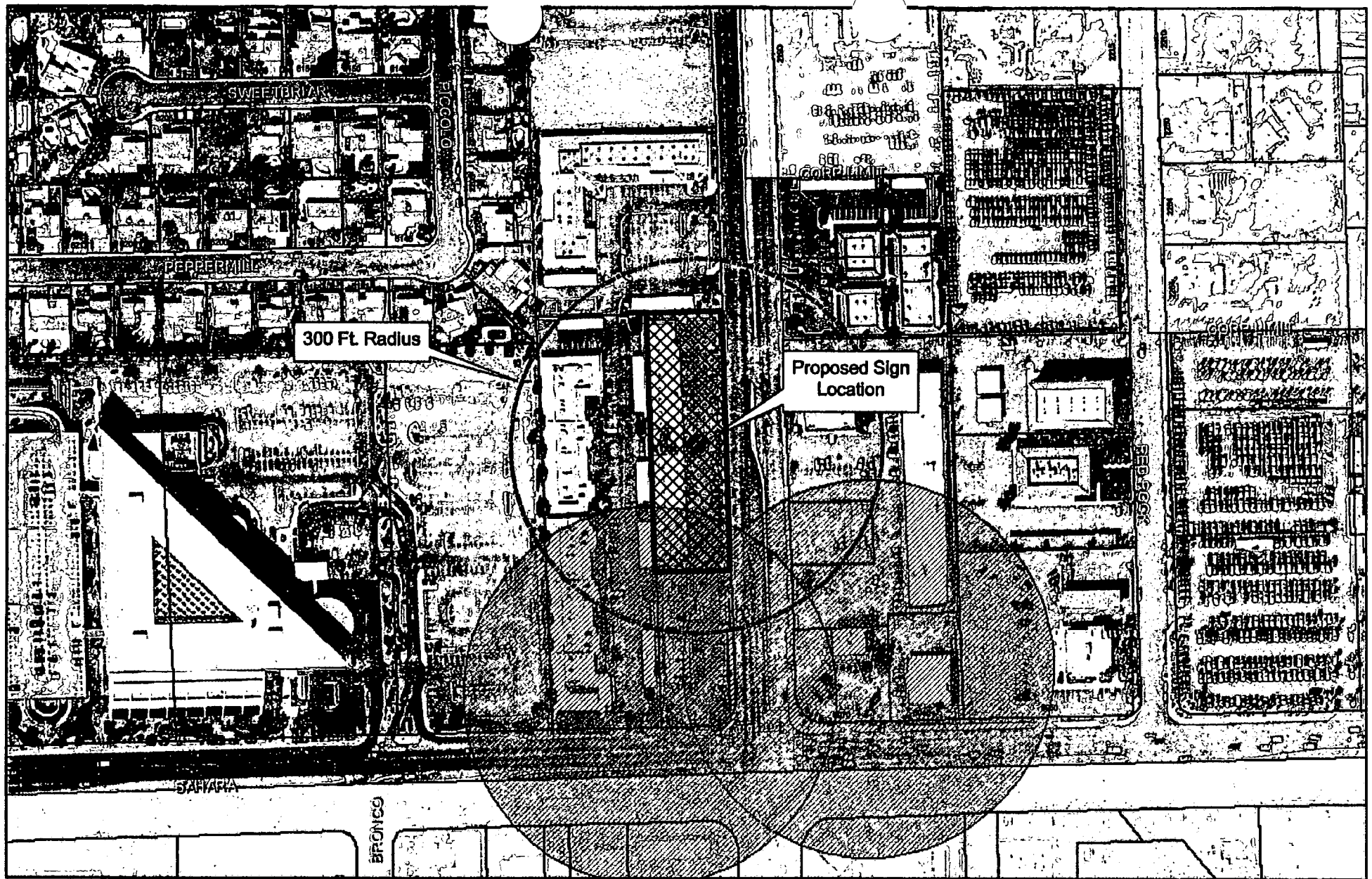
CASE: SUP-3479

RADIUS: 750 FT

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

0 100 200 Feet





SUP-3479

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Outside City Boundary |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Off Premise Sign Exclusion Area |
| | |  Exempt - Off Premise Area Sign Area |



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3479 - LAMAR OUTDOOR
ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 18, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (4-0 vote) and staff recommended DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
3. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
4. The off-premises advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site buildings.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. 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.

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a request for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 2475 South Jones Boulevard.

B) Applicant's Justification

The applicant's justification letter states the site is an appropriate location for an off-premise sign.

BACKGROUND INFORMATION

A) Previous Actions

04/05/89 The City Council approved a Rezoning (Z-8-89) to C-1 (Limited Commercial on this site. The Planning Commission recommended approval on February 28, 1989. The Planning and Development Department recommendation was for approval.

01/22/04 The Planning Commission voted 4-0 to recommend DENIAL (PC Agenda Item #90/mp).

B) Pre-Application Meeting

11/06/03 The applicant was advised of the requirements of a Special Use Permit and that this applications is considered a project of regional significance and the appropriate forms must be filed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.18

B) Existing Land Use

Subject Property: Commercial Retail Center
North: Offices
South: Restaurant
East: Commercial Retail Center
West: Offices

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: U (Undeveloped) [O (Office) General Plan Designation] under
Resolution of Intent to P-R (Professional Office and Parking)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning designation is in conformance with the General Plan.

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

This Special Use Permit is deemed to be a Project of Regional Significance because it is less than 500 feet from the boundary of unincorporated Clark County.

INTERAGENCY ISSUES

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

1) This is a Special Use Permit within 500 feet of unincorporated Clark County.

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

To date, no comments have been received that would affect this application.

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertising (Billboard): Minimum distance separation from "R" zoned property and any other Off-Premises Advertising (Billboard) Sign	300 Feet	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 310 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) *General Analysis and Discussion*

- Zoning

An Off-Premises Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising Sign to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation. However, the support pole of Off-Premises Advertising (Billboard) is proposed in a courtyard area between the two existing on-site buildings. This will detract from the aesthetics of the existing building that

faces Jones Boulevard. Additionally, the billboard sign is located approximately 50 feet from the on-premises sign for the commercial development. Finally, there are no other billboard signs located along this segment of Jones Boulevard. This proposed billboard would add substantial visual clutter in this area of the City, that not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development. If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

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."**

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, existing on-premise signage is already located along this segment of Jones Boulevard. Approval of this billboard in this context will create an urban landscape that is not harmonious and compatible with the surrounding uses in this area

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

The subject site is located in a commercial area and is adjacent to a major thoroughfare, which is one of the prerequisites to establish its suitability; however, the subject billboard sign is not appropriate along this segment of Jones Boulevard.

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."**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways

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

The proposed Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement

NOTICES MAILED 72 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3479** APN: 163-02-802-004

Name of Property Owner: Robert Newberg - Newberg-Fiorello Dev.

Name of Applicant: Lamar Outdoor Advertising

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

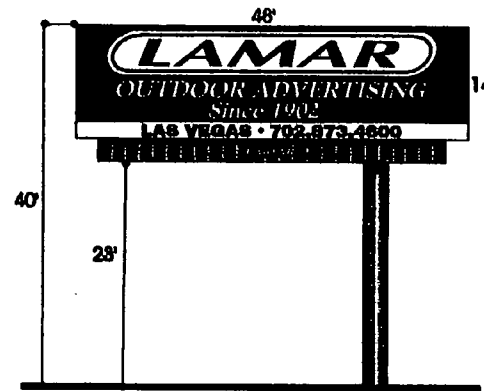
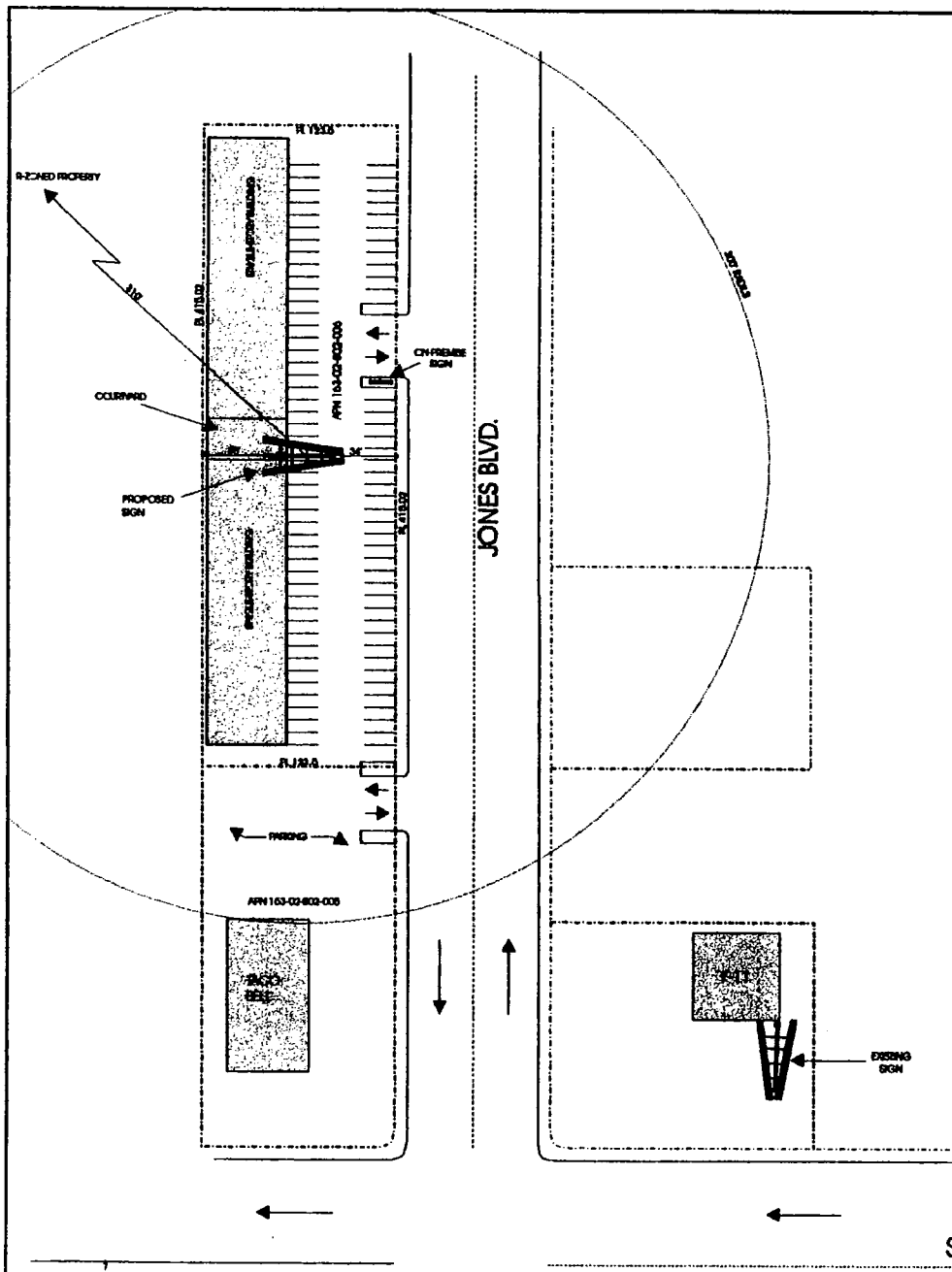
Print Name:

Subscribed and sworn before me

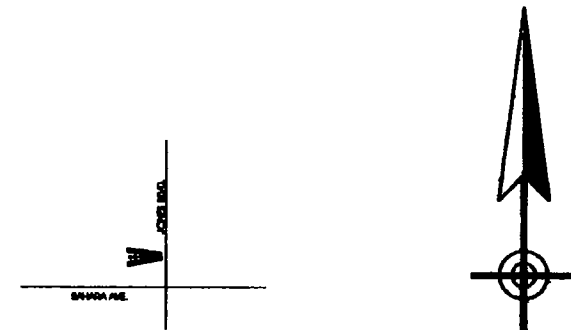
This 11th day of November, 2003

Levon L. S. Baume
Notary Public in and for said County and State





ELEVATION (NO SCALE)



VICINITY MAP (NO SCALE)

DECLARATION

NO OFF-PREMISE SIGN WITHIN 300'
 NOT WITHIN 300' OF RESIDENTIAL PROPERTY LINE
 NOT LOCATED IN EXCLUSIONARY ZONE

STAFF

SUP-3479

1-22-04 PC

LAMAR OUTDOOR ADVERTISING			
SCALE:	1"=50'	DATE:	09/11/03
		DRAWN BY:	S. NAFTZGER
JONES SAHARA SIGN			
APN 163-02-802-006			DRAWING NUMBER:



SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT
2475 SOUTH JONES BOULEVARD
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04



**SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT
2475 SOUTH JONES BOULEVARD
JANUARY 22, 2004 PLANNING COMMISSION**

1/2/04



SUP-3479 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF NEWBERG-FIORELLO DEVELOPMENT
2475 SOUTH JONES BOULEVARD
JANUARY 22, 2004 PLANNING COMMISSION

1/2/04



Lamar of Las Vegas

RECEIVED
CITY CLERK

2004 JAN 26 P 3: 27

January 23, 2004

Las Vegas City Clerk
400 E. Stewart Ave.
Las Vegas, NV 89101

Dear Sir or Madam:

Lamar Outdoor Advertising requests an appeal of the denial by the Planning Commission, at their January 23, 2004 meeting, for a special use permit (SUP-3479) for a billboard sign at 2475 S. Jones. We disagree with their conclusions and would like to have this item heard before the City Council.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Naftzger", written over a horizontal line.

Scott Naftzger
Project Coordinator, Lamar Outdoor Advertising



Lamar of Las Vegas

March 2, 2004

City of Las Vegas
300 Stewart Ave.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 MAR -3 A 8:27

Dear Sir or Madam:

Lamar Outdoor Advertising, with this letter, requests to have item #80 on the March 3, 2004 agenda, SUP-3479 (a request for a Special Use Permit for the purpose of a off-premise sign) held until the April 7, 2004 City Council meeting.

Thank you for your attention in this matter.

Sincerely,

Scott Naftzger
Project Coordinator, Lamar Outdoor Advertising

Submitted after final agenda

Date 3/3/04 Item #80

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3542 - APPLICANT: PAT MARCY - OWNER: TRAILS VILLAGE CENTER COMPANY - Request for a Special Use Permit and a Waiver of the distance separation requirements FOR A PROPOSED SUPPER CLUB located at 1916 Village Center Circle, Suite 7 (APN: 138-19-719-003), P-C (Planned Community) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 2/12/2004 Planning Commission meeting Item 11

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with GOODMAN, L.B. McDONALD and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

PAT MARCY, Benedict's Garden Bistro & Terrace, 1916 Village Center Circle, Suite 7, concurred with all staff conditions.

TODD FARLOW, 240 North 19th Street, asked when the Planning Commission heard this item. MR. MARCY replied that it was heard on February 12, 2004 under the One Motion, One Vote agenda.

STEPHEN REILLY stated that he lives within the notification radius, supports this project, and welcomed MR. MARCY to the neighborhood. MR. REILLY indicated that he moved into Ward 4 a few months ago. He is thrilled to have a new supper club called Benedict's, which will offer

CITY COUNCIL MEETING OF MARCH 3, 2004
Planning and Development Department
Item 81 – SUP-3542

MINUTES – Continued:

breakfast, lunch, dinner and late night entertainment. It will be a terrific success, not only for Ward 4, but the entire Valley because of its proximity to US95, the Beltway and the Summerlin Parkway. He is fortunate to be within walking distance of this restaurant. He believes that the Mayor would be pleased with this facility. He pointed out various items found on the menu, such as a Crab Martini and Banana Foster prepared with a splash of Rum. He stated that the Mayor might enjoy these dishes seated underneath a hand-painted quote by W.C. FIELDS, which reads, "Once during prohibition I was forced to live for days on nothing but food and water". He would not be surprised if MR. MARCY recreated such a facility Downtown.

MR. REILLY informed COUNCILMAN MACK that even though he is a new resident of Ward 4, his heart is still in Ward 6.

COUNCILMAN BROWN thanked the applicant for his patience during the permit process. MR. MARCY thanked staff for their help.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:13 – 2:19)

4-918

CONDITIONS:

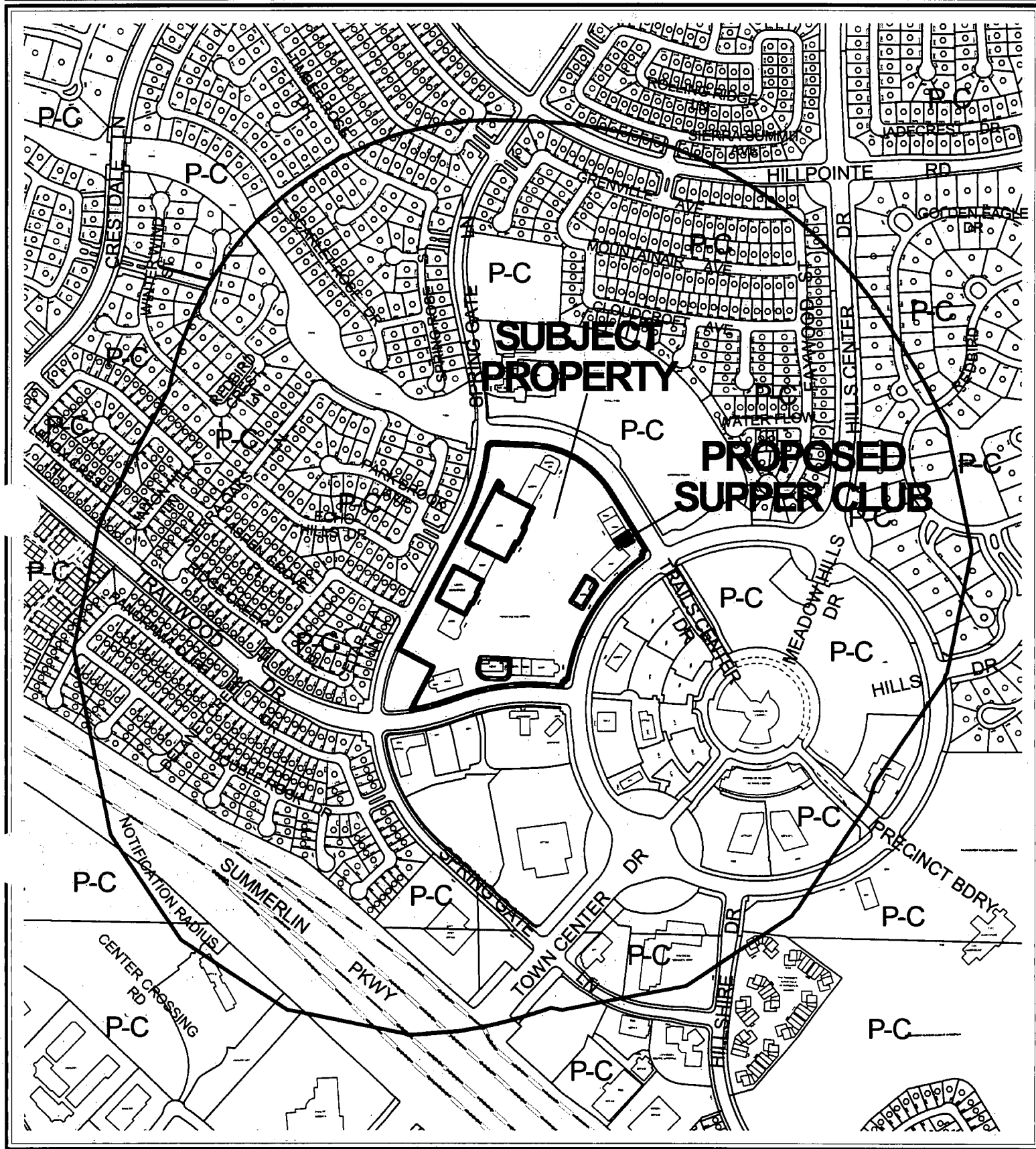
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0044-87) and Summerlin Development Plan Review (SV-0033-96).
4. The site plan shall be revised, prior to the issuance of any permits, to show how trash collection for the proposed Supper Club will be managed in accordance with Code requirements.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.

CITY COUNCIL MEETING OF MARCH 3, 2004
Planning and Development Department
Item 81 – SUP-3542

MINUTES – Continued:

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



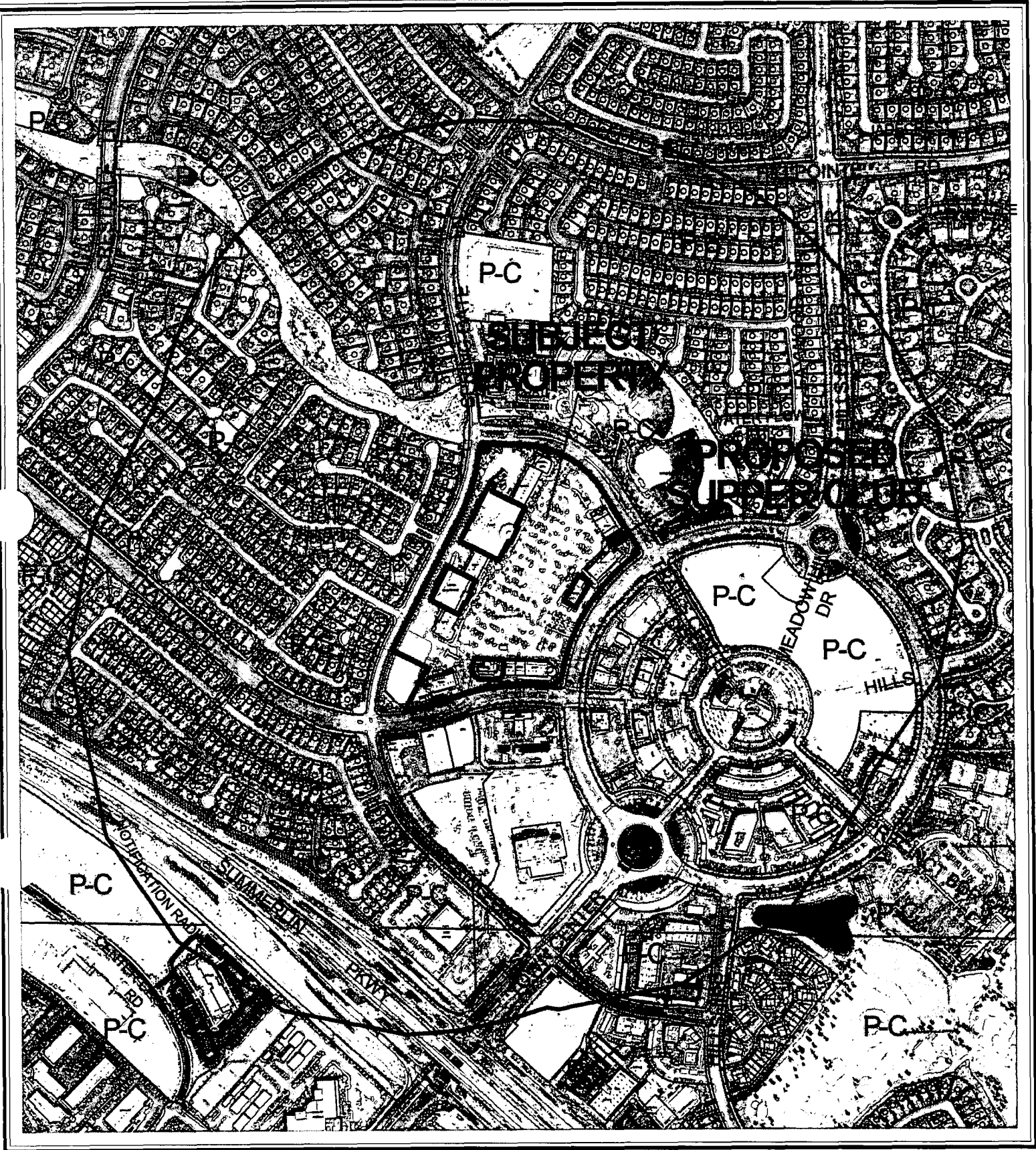
CASE: SUP-3542

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

081





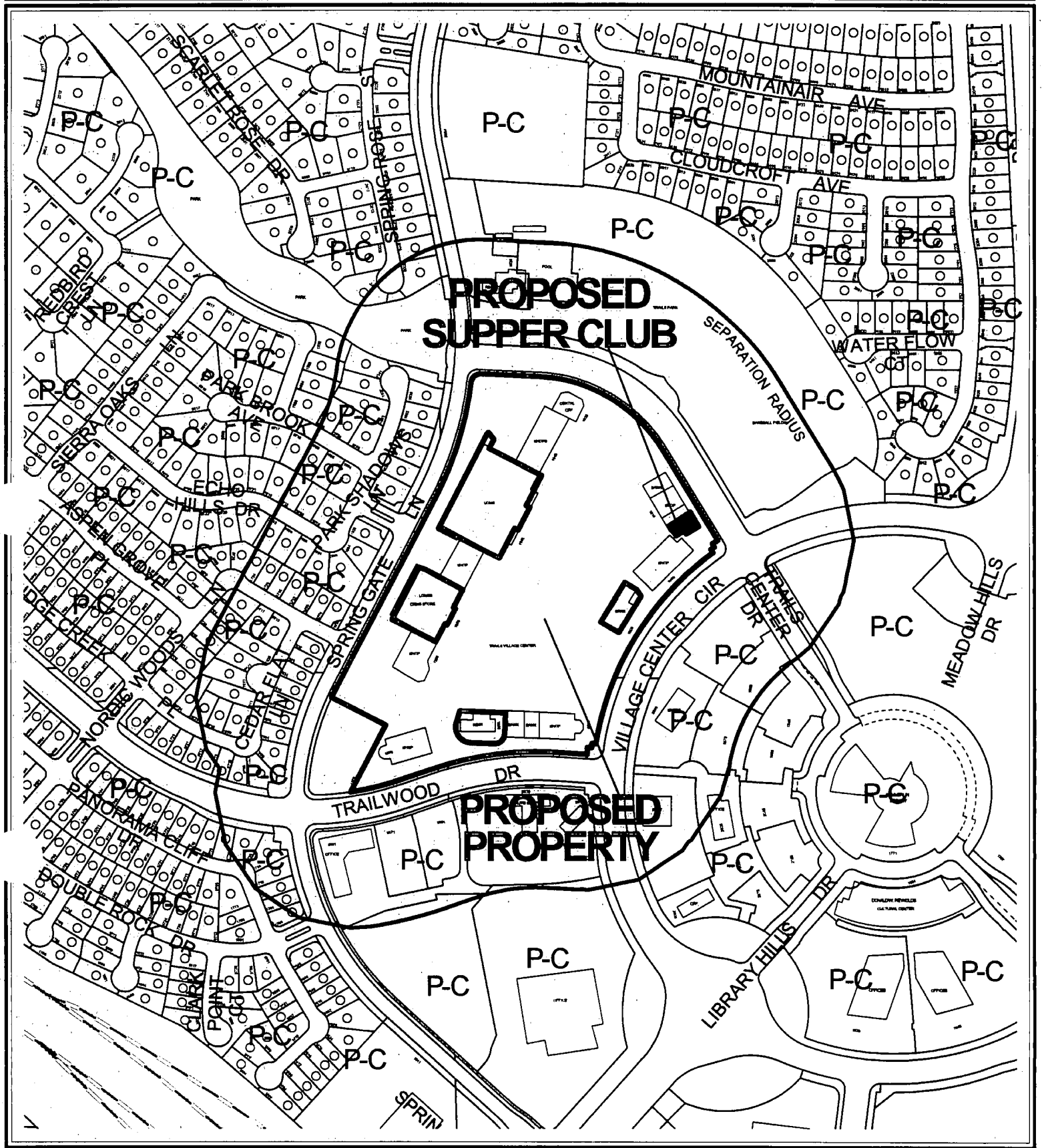
CASE: SUP-3542

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 400 800 Feet





CASE: SUP-3542

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3542 - PUBLIC HEARING - APPLICANT: PAT MARCY
- OWNER: TRAILS VILLAGE CENTER COMPANY**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0044-87) and Summerlin Development Plan Review (SV-0033-96).
4. The site plan shall be revised, prior to the issuance of any permits, to show how trash collection for the proposed Supper Club will be managed in accordance with Code requirements.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit and a waiver of minimum separation distances to allow the development of a 5,823 square-foot Supper Club (Benedict's Bistro), including outdoor seating, on a 16.7-acre parcel at the southwest corner of 1916 Village Center Circle, Suite 7, in the Trails Village Center shopping center in Summerlin. This use will occupy an existing commercial space formerly occupied by Ferraro's Restaurant.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Supper Club will replace an existing restaurant. The waiver request from the park was justified by stating that walking access from the park is limited to certain portions of the overall site that create a walking distance greater than 400 feet to the Supper Club. The waiver request from the pool was justified by stating that there are other liquor-related businesses in the center and that they are seeking to replace a former restaurant.

BACKGROUND INFORMATION

A) Previous Actions

- 06/03/87 The City Council approved a request (Z-0044-87) to Rezone property, including the subject site, generally located between Lake Mead Boulevard and Summerlin Parkway west of Rampart Boulevard from N-U (Non-Urban) to PC (Planned Community). The Planning Commission recommended approval on 06/03/87.
- 11/26/96 The Board of Zoning Adjustment approved a request (U-0126-96) for a Special Use Permit to allow Package Liquor Sales on the subject site, in conjunction with a Long's Drug Store.
- 01/08/97 The Planning and Development Department administratively approved a request (SV-0033-96) to allow a 19.48 acre retail shopping center on the west side of Village Center Drive between Trailwood Drive and Trails Center Drive, Parcel 14, Summerlin Village 7, The Trails.
- 03/09/98 The City Council approved a request (U-0008-98) for a Special Use Permit on the subject site for packaged liquor sales in conjunction with an approved supermarket. The Planning Commission recommended approval on 02/12/98.
- 04/13/98 The City Council approved a request (U-0016-98) for a Special Use Permit on the subject site to allow the on-premise sale of beer and wine in conjunction with a proposed restaurant, and a waiver of the minimum 400-foot separation distance requirement from a city park. The Planning Commission and Staff recommended approval on 03/12/98.

- 02/16/00 The City Council approved a request (U-0157-99) for a proposed 4,475 square-foot Supper Club (Ferraro's) in conjunction with an existing shopping center on the subject site. The Planning Commission and Staff recommended approval on 01/13/00.
- 02/12/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11).

B) Pre-Application Meeting

- 12/08/03 The proposed layout of seating in the existing space was discussed at the pre-application meeting, and the applicant was asked to provide an accurate parking count for the development. The issue of a minimum distance separation was raised and the concept of a waiver request was discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 16.7
Net Acres: 0.11

B) Existing Land Use

Subject Property: Commercial Retail Center
North: Park and Ballfields
South: Commercial Retail Center
East: Offices
West: Single Family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: PR (Park/Recreation/Open Space)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: P-C (Planned Community)
North: P-C (Planned Community)
South: P-C (Planned Community)
East: P-C (Planned Community)
West: P-C (Planned Community)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Summerlin Special Land Use Plan for the Trails, Village 7, within the Summerlin Master Planned Community. The proposed Supper Club is a permitted use within the SC (Service Commercial) land use designation with approval of a Special Use Permit.

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

Trails

There are no trails in the vicinity of the subject site other than those identified as Multi-use Trails or On-street Bicycle Trails for the Summerlin area on Maps 4 and 5 of the Transportation Trails Element. These trails are entirely the responsibility of the Summerlin master developer.

INTERAGENCY ISSUES

As this project does not meet the criteria to be deemed as a "Project of Regional Significance" pursuant to Ordinance No. 5477, no Environmental Impact Assessment was required.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	5,823 s.f. total					
	2,662 s.f. public seating	1 space/ 50 s.f. of Public Seating Area	53			
	1,161 s.f. outdoor seating	same	23			
	2,000 s.f. remaining gfa	1 space/ 200 s.f. of remaining GFA	10			
Totals			86	4	902*	15*

* This site is located within a larger commercial subdivision, which allows for cross-access throughout the entire commercial center. As a result, there is adequate parking for the proposed use.

A2) Minimum Distance Separation Requirements

While Title 19 requires a Supper Club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Park, as measured from property line to property line, the Summerlin Development Standards do not require any distance separations from uses. In this case, there is a city park within the minimum distance separation as indicated in Title 19. The applicant has requested a waiver of this requirement. This waiver is reasonable, given the blend of uses in the overall site and the fact that this proposed use will replace a restaurant that previously occupied this space with no reported problems. The proposed development is a family-oriented bistro that should not provide conflicts with the nearby park use.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Not indicated

There is no trash collection area shown on the floor plan. It is unclear how trash collection on the site will be managed with respect to this use. A condition of approval will address this issue.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned P-C (Planned Community) and has a Summerlin Land Use designation of SC (Service Commercial). The proposed Supper Club will be within the range of uses permitted, with approval of a Special Use Permit, in the SC (Service Commercial) land use designation with P-C (Planned Community) zoning.

- Use

The Supper Club use requires a restaurant area that will accommodate at least 125 persons in an area separated from the bar area by a barrier sufficient to prevent access to the bar by minors. The submitted floor plan depicts 80 seats available in a dining area and 66 seats available as outdoor seating, with another 11 seats within the bar area and 23 seats in the lounge area. The bar area is sectioned off, but visible from, the dining room. It, therefore meets the criteria for a supper club.

- Conditions

Recommended conditions include conformance to all Minimum Requirements of the Title 19 Development Standards for Supper Club use and the conformance to the Conditions of Approval for Rezoning (Z-0044-87).

FINDINGS

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

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

The project is compatible with the General Plan land use designation and is located within an existing commercial center with a wide blend of retail and service commercial uses. A Supper Club establishment contains a major restaurant component in addition to the bar operation, which can be expected to be compatible with, and mutually supportive of, other uses located within the commercial center.

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

There is no evidence of any physical constraint to location of the proposed Supper Club use on the subject site, and indeed it replaces a former restaurant in the same commercial space. Parking for the overall site appears to be sufficient to accommodate all existing uses and the current proposal. The proposed use is compatible with the other commercial stores and outlets on the 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 Supper Club use will be accessed through the Trails Village Center commercial site with access from Village Center Circle (a 100-foot Primary Arterial on the Master Plan of Streets and Highways), Trailwood Drive and Trails Center Drive, both local streets. These roads have adequate capacity to serve the proposed development. The project will not have any negative traffic impact on residential neighborhoods in the area.

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

The proposed Supper Club use will be subject to regular City inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 1,084 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

RECEIVED

DEC - 1 2003

Case Number: SUP-3542 APN: 138-19-719-003

Name of Property Owner: Pauls Village Center Co.

Name of Applicant: Benedict's Garden Bistro

TURPAC

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: _____

**TRAILS VILLAGE CENTER COMPANY,
A Nevada partnership**

Signature of Property Owner/Authorized Agent:

By its Managing Partner: Investment Properties II, LLC,
a Nevada limited liability company

Print Name:

By

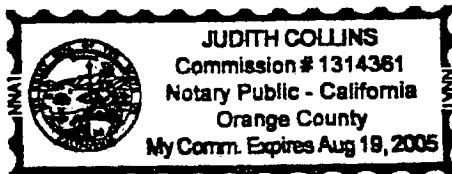
James A. Christensen
Managing Member

Subscribed and sworn before me

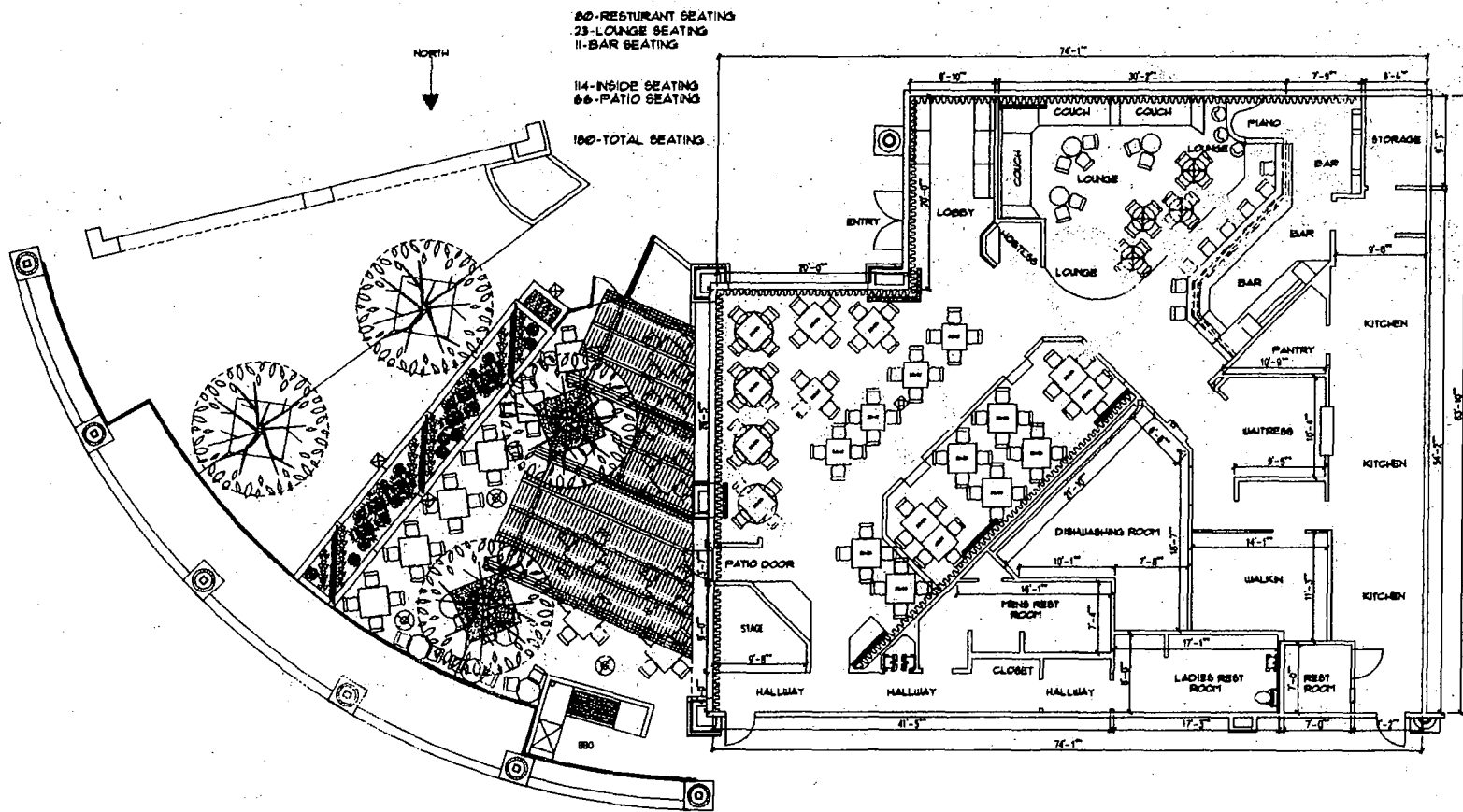
This 1st day of December 2003

Judith Collins
(Notary Public in and for said County and State)

Revised 2/12/02



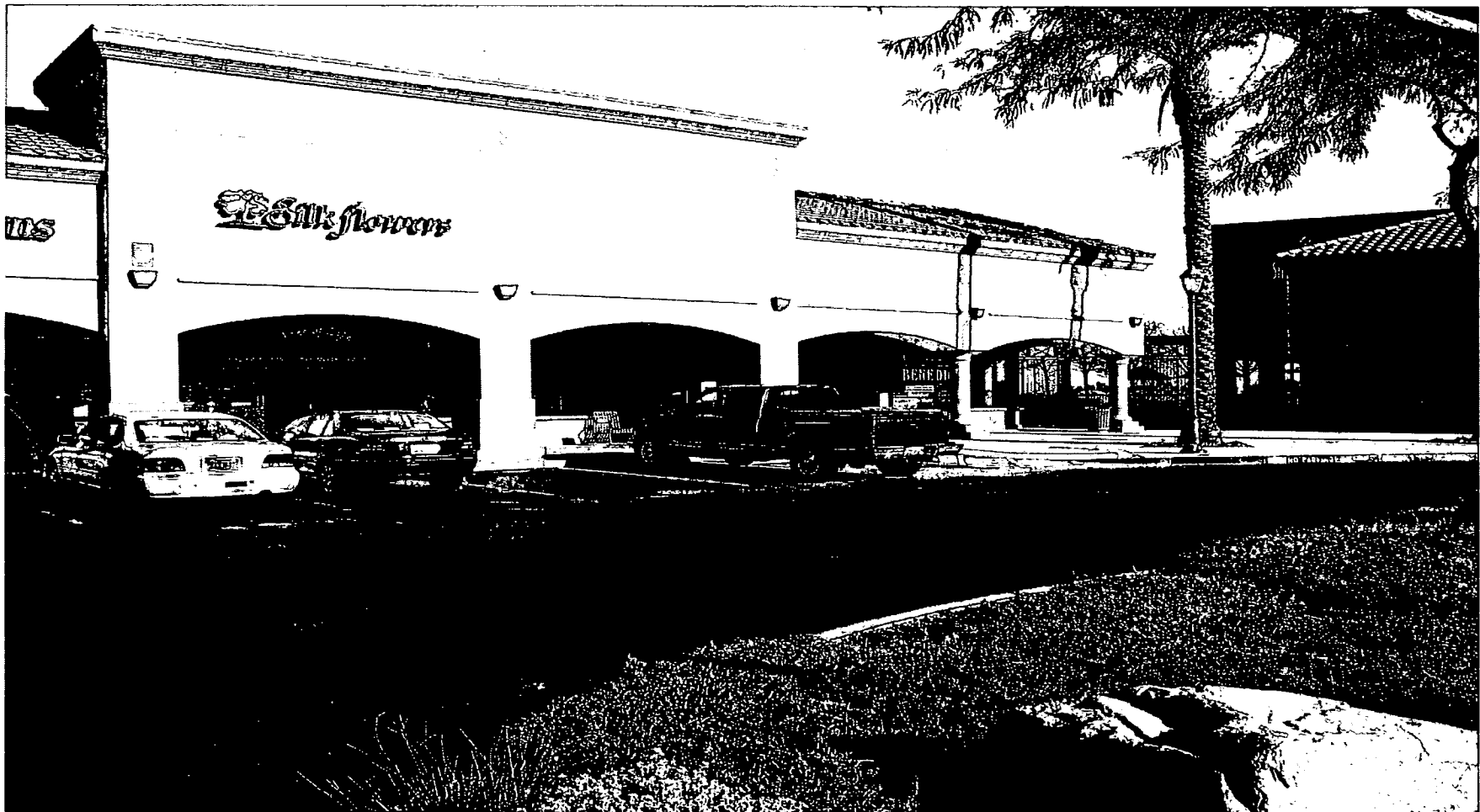
filed:\epof\Application Packet\Statement of Financial Interest.doc



FLOORPLAN LAYOUT
3/16" = 1'-0"

SUP-3542
02-12-04 PC

NO.	
REV.	
DATE	
BY	
CHECKED	
APPROVED	
BENEDICTS BISTRO CITY OF LAS VEGAS, NEVADA	
SHEET CONTENT	
FLOORPLAN	
REVISIONS:	
SHEET	
FLP	



PUBLIC HEARING - SUP-3542 - APPLICANT: PAT MARCY - OWNER: TRAILS VILLAGE CENTER
COMPANY
1916 VILLAGE CENTER CIRCLE, SUITE 7
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

NL 104 Sacramento Drive, NL 4735 Teakwood Avenue, NL 609 N. 11th Street, NL 1813 Joella Street, SUP-3635, SUP-3636, SUP-3642, SUP-3644, SUP-3650, SDR-3648, SUP-3653, VAC-3467, VAC-3555, VAC-3643, VAC-3654, VAR-3288, VAR-3658 and VAR-3736 -
AGENDA 3/17/2004

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 3, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

None

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 3, 2004**

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

DOROTHY BARNES, Las Vegas resident, again complained against organized crime programs that she does not care to support. Humans make mistakes, but no one should hurt a person or harass them. She feels like a Jew during the time of Nazi persecution. She apologized if her actions to hire an attorney and file suite for punitive damages for racism and discrimination cause embarrassment. She wants justice served and to be compensated for her injuries.

(2:19 – 2:21)

4-1098

AL GALLEG0, citizen of Las Vegas, corrected the information he provided MAYOR PRO TEM REESE regarding the number of abandoned homes in Ward 3. He indicated that Ward 5 has 35-boarded homes, Ward 3 twenty-eight and Ward 6 only four. There are 27 out-of-state owners and, out of that amount, almost half belong to HUD. He wishes the City could install a sign in front of each abandoned building stating that HUD owns that house. Again, he asked that APN numbers be included within each agenda item. MR. GALLEG0 pointed out that the property owners of an abandoned home on Sahara get revenue from a cell tower placed on their property.

(2:21 – 2:23)

4-1188

DAN CONTRERAS, Bonanza Village, commented that a house located on Clark Way and Washington was owned by HUD and sold as owner/occupied. The owner put in some work and then the City boarded it up. A private investor was willing to purchase that home to redevelop for single-family use. He noted that COUNCILWOMAN MONCRIEF was against the fine, but he asked the Council to consider using it to acquire these homes and rehabilitate them. It takes only one abandoned house to destroy a neighborhood. It costs more to continue boarding, removing the debris and painting than to rehab a home.

He complained about the panhandlers on US95 and Rancho. A drunken vagrant stumbled in front of his car and walked towards car windows demanding money. He is aware that the Marshals have been there, but the vagrants return the next day, sleeping inside the drainage ditch. This continues to give a certain perception as to the neighborhood. Nobody wants to be harassed by vagrants.

City of Las Vegas

CITY COUNCIL MEETING OF MARCH 3, 2004 Citizen Participation

MINUTES – Continued:

Lastly, MR. CONTRERAS asked that the City Council consider implementing a vehicle abatement program. It took four weeks for an abandoned vehicle to be removed from his neighborhood. The statute that requires a Marshal be present when a vehicle is towed should be changed. Towing should be handled by Metro, which would save the City money and leave the Marshals to patrol parks and keep them safe. MR. CONTRERAS commented that since a liquor license was revoked at a store in Ward 5, there have been no incidents at the corner in question. The City Council should be proud that one vote saved lives.

(2:23 – 2:27)

4-1255

LEE HAYNES, Las Vegas resident, spoke regarding the mental hospital issue scheduled for the City Council on March 17, 2004. He is speaking today because the State is keeping a significant group of citizens from speaking on March 17th. The State determined to put a psychiatric facility at Jones and Oakley Boulevard in the middle of churches, schools and libraries. The residents do not want this facility in this area. It is strictly political. The Council are the elected representatives of the citizens, not GOVERNOR GUINN or DANIEL O'BRIEN, and it is up to the City Council to stand with its constituents against a facility that is not wanted or needed. There are alternative locations that the State will not consider.

(2:27 – 2:31)

4-1428

STEVEN "CAPTAIN TRUTH" DEMPSEY mentioned two websites, blackboxvoting.org and votescam.com. The person responsible for these websites will be on Good Morning America tomorrow. All the computerized elections are phony because there is no way to verify the votes being counted. Once again, he indicated that people are being beaten at the Crazy Horse. He mentioned that MAYOR GOODMAN ran an almost unopposed race and he raised 1.5 million dollars. MR. DEMPSEY questioned whether these were political contributions or bribes. If politicians cannot do the job due to conflicts, they should resign. There is a question how COUNCILMAN MACK can work for a company and then regulate that same industry.

(2:31 – 2:35)

4-1555

JUNE INGRAM, Charleston Neighborhood Preservation, indicated that her main concern regarding the mental facility is safety for the entire neighborhood. There will be people loitering in the area as they walk, ride the bus or use bicycles to get to the facility. The \$34 million being spent is only for the construction and does not cover furniture or employees. Additionally, it would be easy for a patient to escape from this facility just by standing by the doors and then leaving with a visitor because they are not required to wear uniforms. This area is not appropriate for this facility and she asked that the City Council visit the area before they make a decision.

(2:35 – 2:37)

4-1696

City of Las Vegas

CITY COUNCIL MEETING OF MARCH 3, 2004 Citizen Participation

MINUTES – Continued:

JUANITA CLARK, Charleston Neighborhood Preservation, submitted for the record her comments regarding the State mental facility. She indicated that she was not allowed to finish using her allotted time during the public hearing of the state facility. When will the neighbors be able to have input into this process? She stated that she was not able to acquire a PowerPoint presentation and had to wait until January 8th to obtain it.

(2:37 – 2:41)

4-1816

TODD FARLOW, 240 North 19th Street, reminded the City Council that the next lecture on sustainable architecture will be held at UNLV, March 10, with a reception at 6:30 p.m. and a lecture at 7:00 p.m. He noted that Metro is planning a bond issue but expressed concern because the school district really needs the money. Many taxpayers have a limited income and cannot afford to support the bond. Scientific American provides facts about the decline in crime with backup information. He believes Metro is favoring their stats. The reason for the decline is not due to more officers on the street.

(2:41 – 2:44)

4-1985

MS. INGRAM asked that the approval of the State mental facility not be the Council's legacy. Again, she asked the Council to visit the proposed site.

MEETING RECESSED AT 2:47 P.M.

Ph/fx:877-2438

3 March 2004

to: Mayor GOODMAN & Councilpersons BROWN, MACK, MCDONALD,
MONCRIEF, REESE and WEEKLY

Re: SDR 3638 of 2/12/04

#1- Juanita Clark was one of the speakers "against" SDR 3638, item #33 on the Feb 12, 2004 Planning Commission agenda. Chairman Truesdell allotted 2 minutes for statements. This speaker had less than half that time since the chair interrupted with his personal concerns and comments well beyond the 2 minutes—check taped scene.

We are concerned when a speaker is preempted by an appointee or even an elected representative, and is not offered the opportunity to use the assigned time. Surely, personal frustrations are not to assimilate the time of another person, even if they are not an appointed official. Indeed, the "counsel" though helpful, was yet another display of a new low of an aggressive and demeaning attitude which we expect to not be allowed during a public meeting or even in private for that matter.

#2- Five out of eight families notified have signed a petition against the LOCATION of Jones & Oakey proposed by the Great State of Nevada for a psychiatric institution.

#3- State of Nevada Governor appointees have at EVERY hand prevented discussion on the structure, location of structure, addresses, use of structure, etc..

Note the minutes of the Assembly Committee on Ways and Means AND Senate Committee on Finance chaired by State Assemblyman Morse Arberry on 1 April 2003 which each of you have received.

Governor of Nevada appointees are admonished for not having material to this committee in a timely manner, not having some there at all (it is promised by 4 April 2003), and numerous references are made by these /this appointee that during SPECIAL USE PERMIT hearings, the public would be involved with this process of LOCATION to members of this Legislative committee. Today we know that this Special Use Permit time has been eliminated so that NO public/neighborhood involvement has been allowed.

State of Nevada (not elected) persons sent notices, a radius of 750 feet, of a meeting for 4 Dec 2003 which was held at the "Endeavor/Easter Seals" bldg. At this meeting attended by over a hundred immediate area residents, a Power Point presentation was made during which a wall was mentioned of a height which would, "prevent a man standing on another man's shoulders from being able to get over it." With standing room only and hallways filled, not more than 6 persons spoke for the Jones/Oakey LOCATION for this psychiatric facility. Many persons with hands raised for a speaking turn were not acknowledged. After 1 1/2 hours, the "conductor" stated that we could not convince him and that he could not convince us of the appropriateness of this location for the community and "we'll see you on Feb 12 and March 17."

Motion by _____	NO	AB	YES
_____ JM	_____	_____	_____
_____ LW	_____	_____	_____
_____ LB	_____	_____	_____
_____ OG	_____	_____	_____
_____ GR	_____	_____	_____
_____ LBM	_____	_____	_____
_____ MK	_____	_____	_____

Submitted at City Council

Date 3/3/04 Item C. 1222
Participation

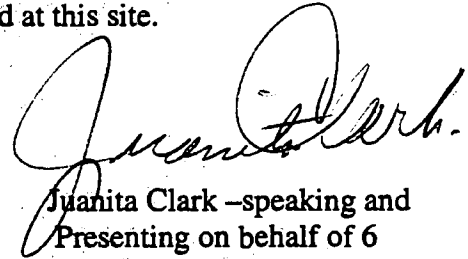
When a copy of the powerpoint presentation was requested, we were told by the Governors appointee that it was not available, then told that if we were to come to the Sawyer bldg governor's office, some people would show it to us if there were not more than 3-4 persons coming. We missed the appointment, and were told that a copy wouldn't be available until 1/8/04 . It consisted of 35 pages of the slides used—none of the dialogue.

#4- University Regent Dondero stated that, "This Jones/Oakey location should be denied on the point that CCSN had no opportunity for right of first refusal."

#5- This proposed location of Jones/Oakey presents a major political problem for all elected folks.

#6- Jones/Oakey site lacks the expansion area required, noted by the fact that both gym & snack area plans were eliminated/diminished from the original plans on 29Dec 2003, teleconferenced at the Sawyer bldg , during the Public Works meeting because too much money was required for the drainage remediation required at this site.

The Above is NOT complete—

A handwritten signature in black ink, appearing to read "Juanita Clark", with a large, stylized initial "J" and "C".

Juanita Clark —speaking and
Presenting on behalf of 6
Neighborhood groups and
Others.