City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 28 – SUP-3773

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

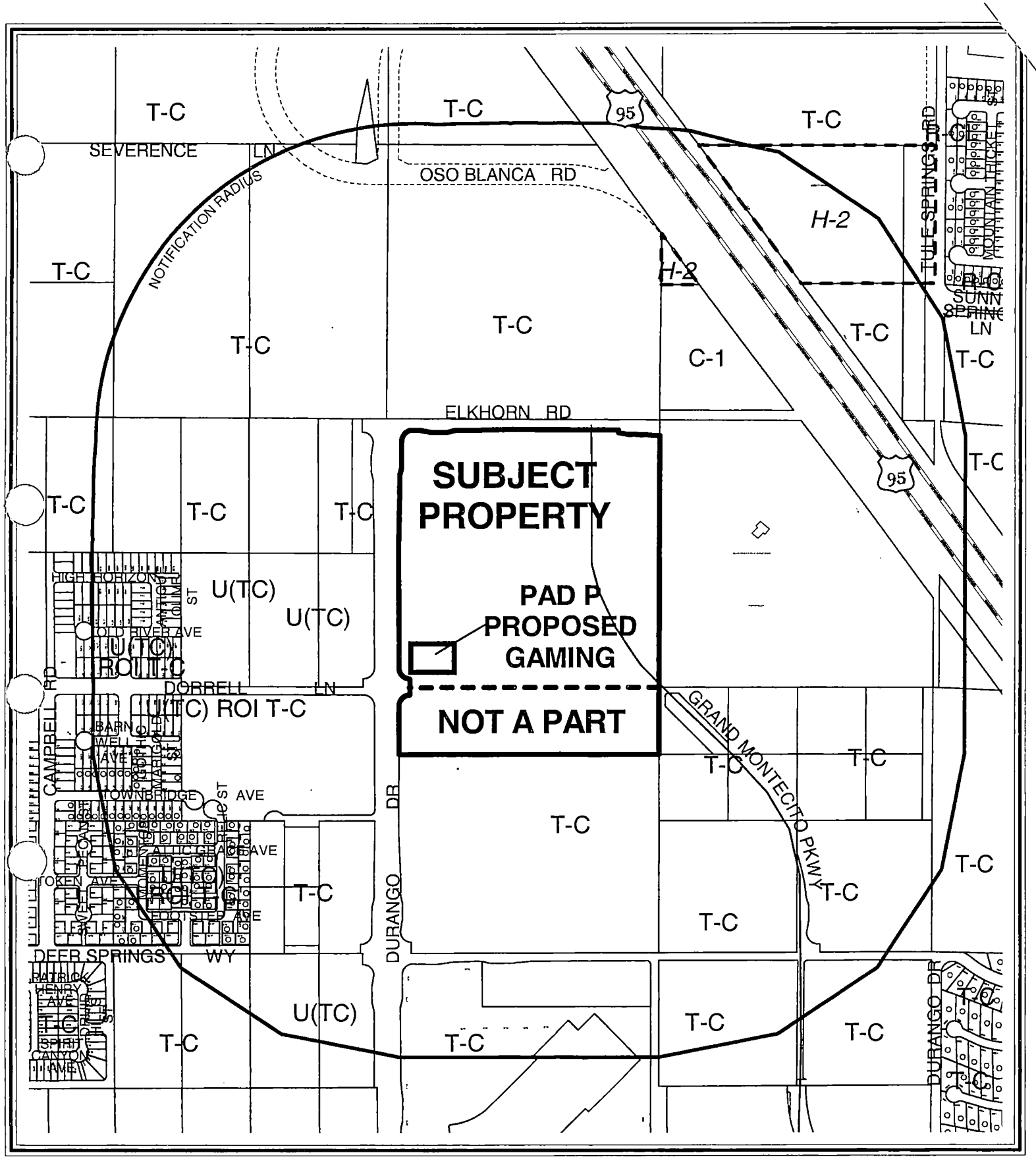
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3773**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad P of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 6,000 square-foot Tavern on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC

(Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

GL

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad P, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

GL

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Grocery Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

GL

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 the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 159 (Mailed with SUP-3771 and SUP-3774)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3773 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

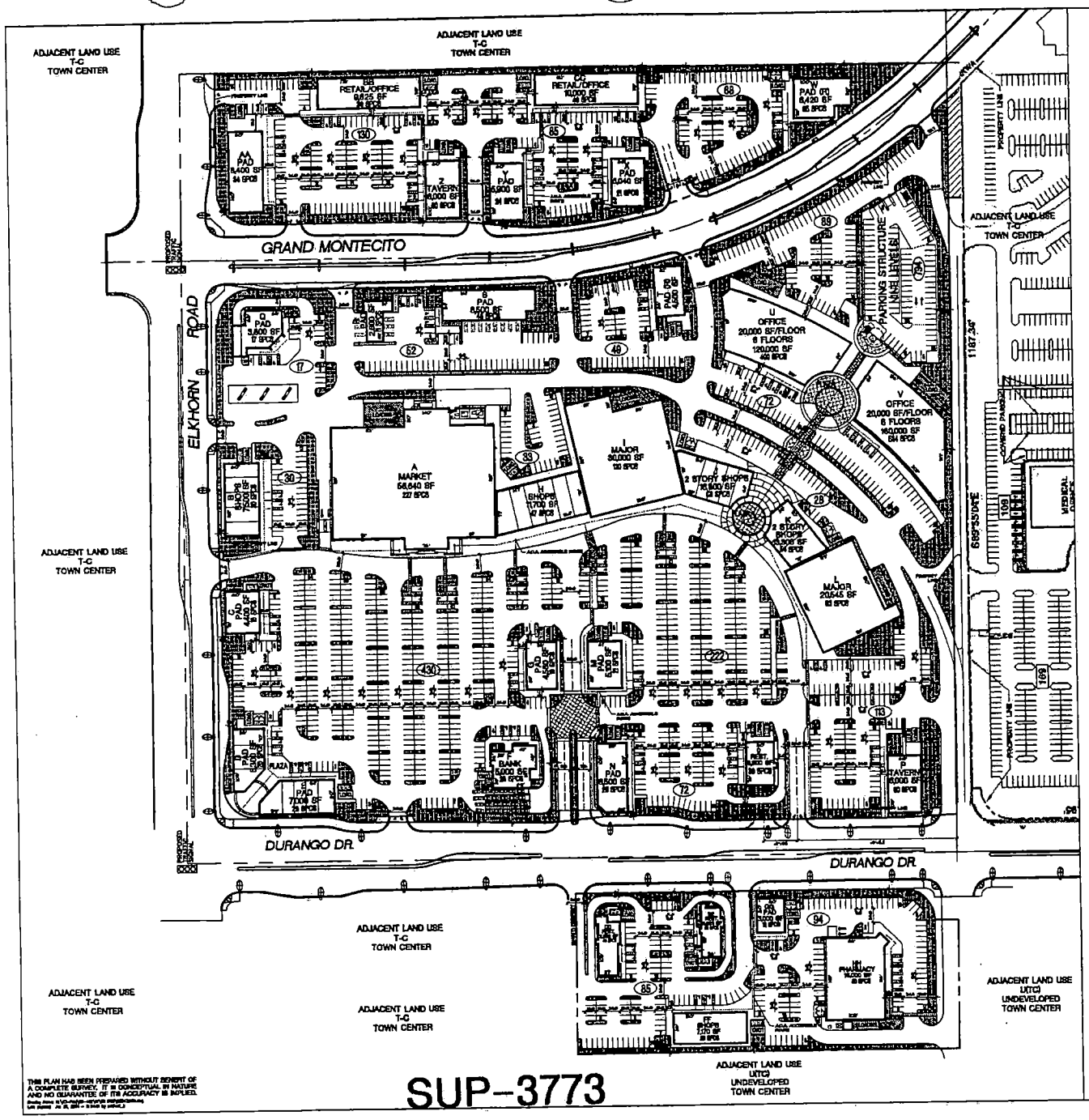
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

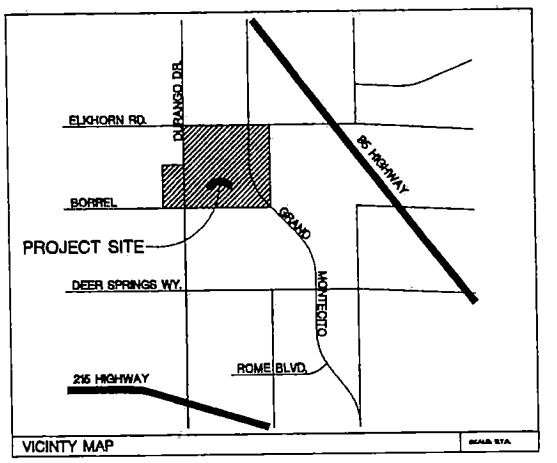
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

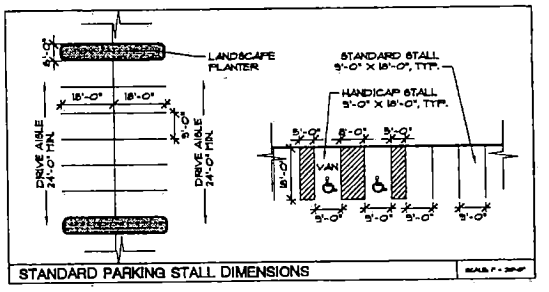
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3960 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89109
702-892-8600
702-892-8604 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS
SEC of Durango Drive + Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

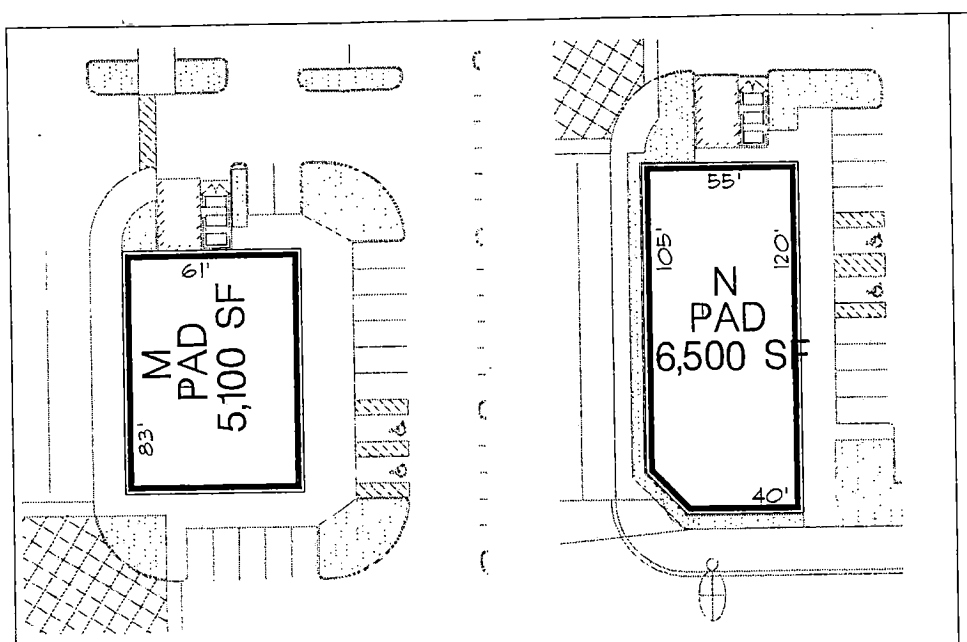
Revisions

Date 07/22/04
Drawn By
Checked By
Project No. 03-43211
File Name 03043204.dwg
Scale 1" = 80'

N
0 40 80' 160'

Site Plan
SA-1

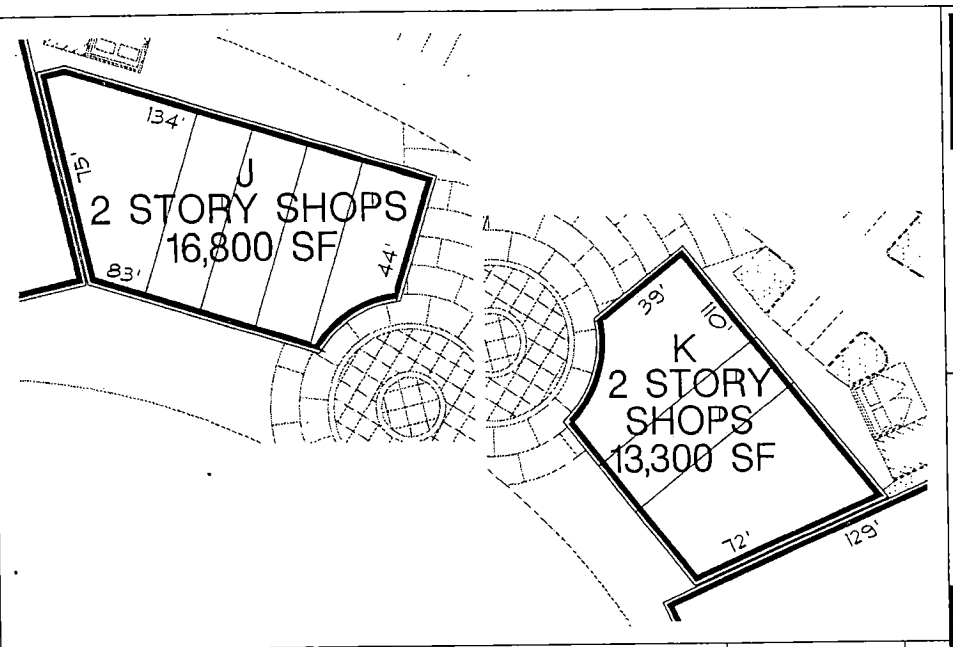
SUP-3773
03-11-04 PC



BUILDINGS "M" AND "N"

DATE: 01/22/04
SCALE: 1" = 30'-0"

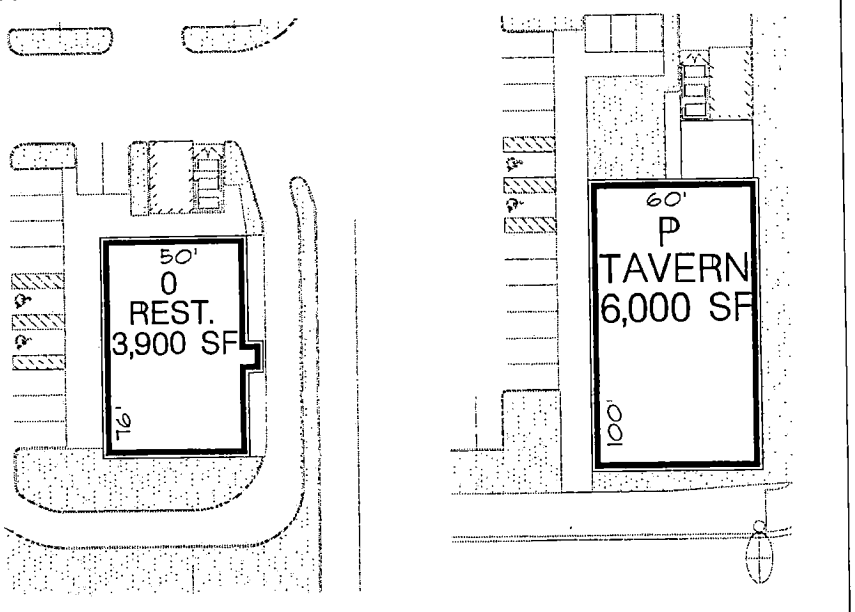
M&N



BUILDINGS "J" AND "K"

DATE: 01/22/04
SCALE: 1" = 30'-0"

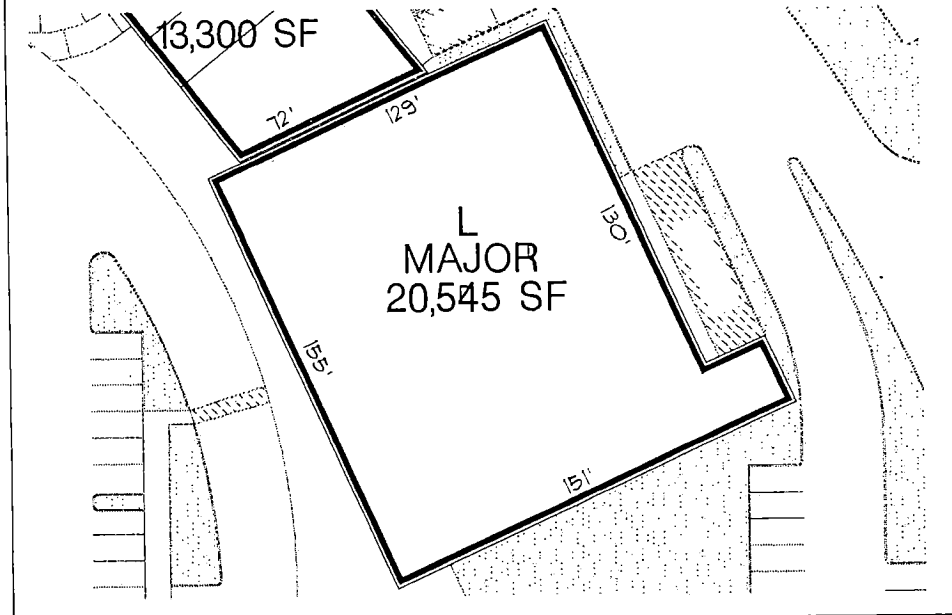
J&K



BUILDINGS "O" AND "P"

DATE: 01/22/04
SCALE: 1" = 30'-0"

O&P



BUILDING "L"

DATE: 01/22/04
SCALE: 1" = 30'-0"

L

SUP-3773

03-11-04 PC

PRI

3980 Howard Hughes Pkwy
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702-892-6516 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

MONTECITO MARKETPLACE
SEC of Durango Drive + Elkhorn Road
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	mj
Project No.	03-432.11
File Name	D0343203.dwg
Scale	1" = - (As Noted)

Scale: As Noted
0 SCALE 2X

Floor Plans
FL-3



SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GASOLINE SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 29 – SUP-3774

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

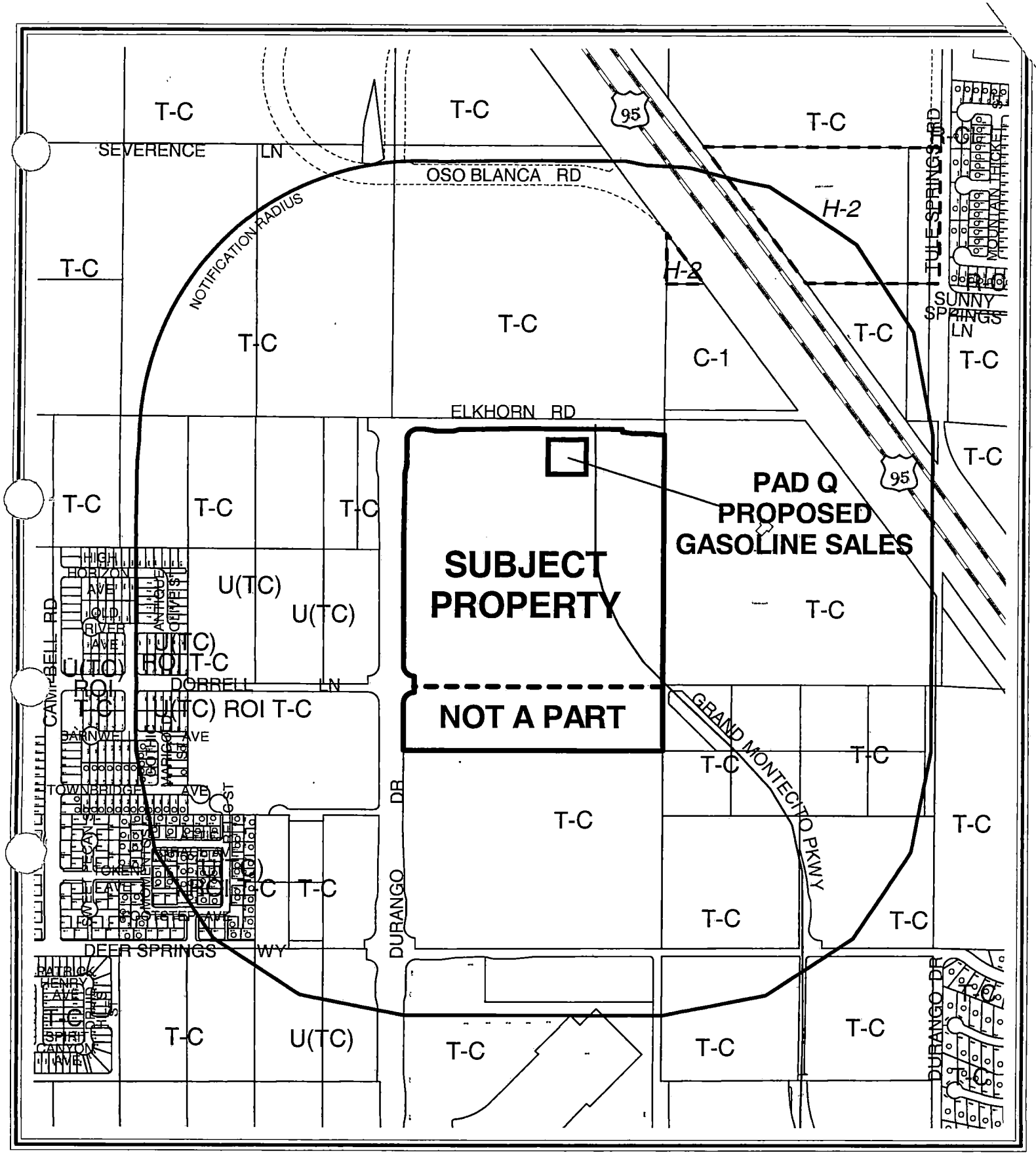
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CASE: **SUP-3774**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gasoline Sales use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gasoline Sales use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently

GL

designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gasoline Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site

that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gasoline Sales use. Since the proposed Gasoline Sales use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then 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
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gasoline Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system. The Montecito Marketplace project, if fully approved as requested, will contain one Gasoline Sales use on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gasoline Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gasoline Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gasoline Sales use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system, the Montecito

Development Agreement has no such requirement for a "Gasoline Sales" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gasoline Sales use.

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

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

NOTICES MAILED 159 (Mailed with SUP-3771 and SUP-3773)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3774 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

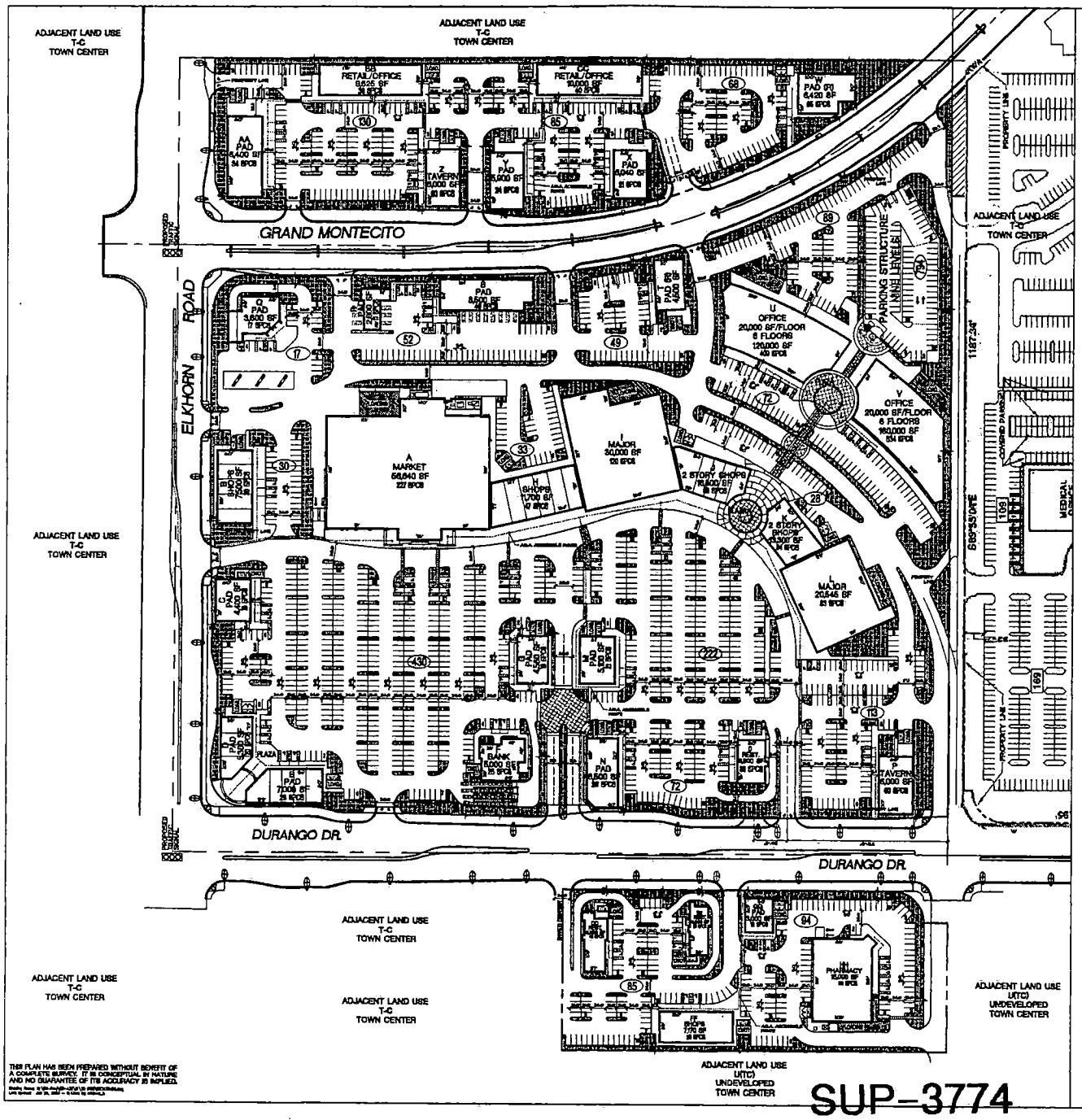
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State



SUMMARY

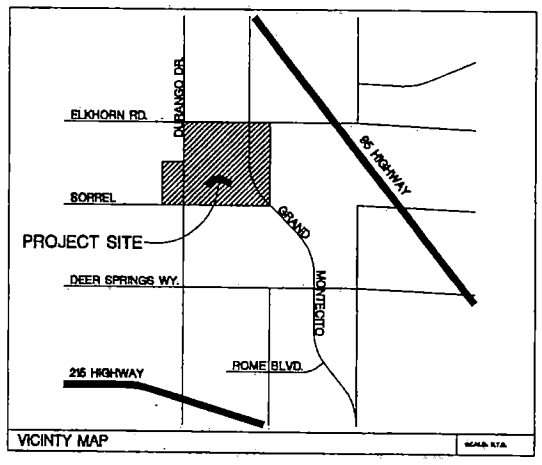
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,840 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

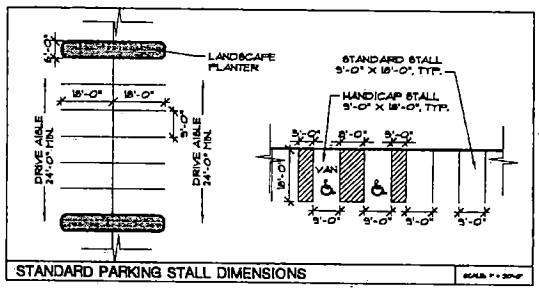
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PRI
3800 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-8500
702-862-8501 fax
www.pridevelop.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO
COMPANIES

Parkworthwitz Ruth
ARCHITECTS
820 of Durango Drive • Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

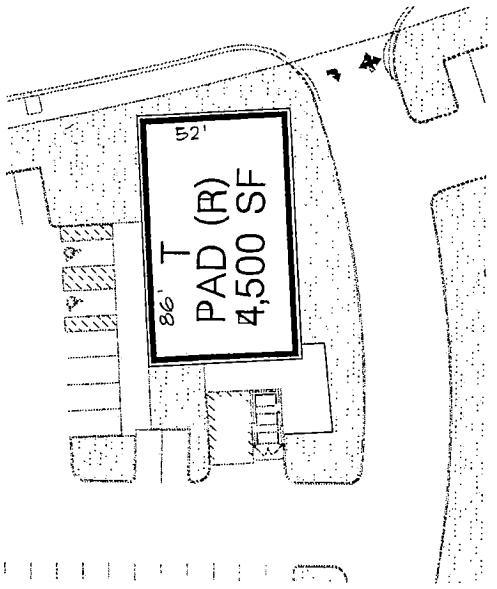
Revisions

Date	01/27/04
Drawn By	mk
Checked By	JM
Project No.	03-43211
File Name	D:\043\3\04\dwg
Scale	1" = 80'

N
0 40' 80' 160'

Site Plan
SA-1

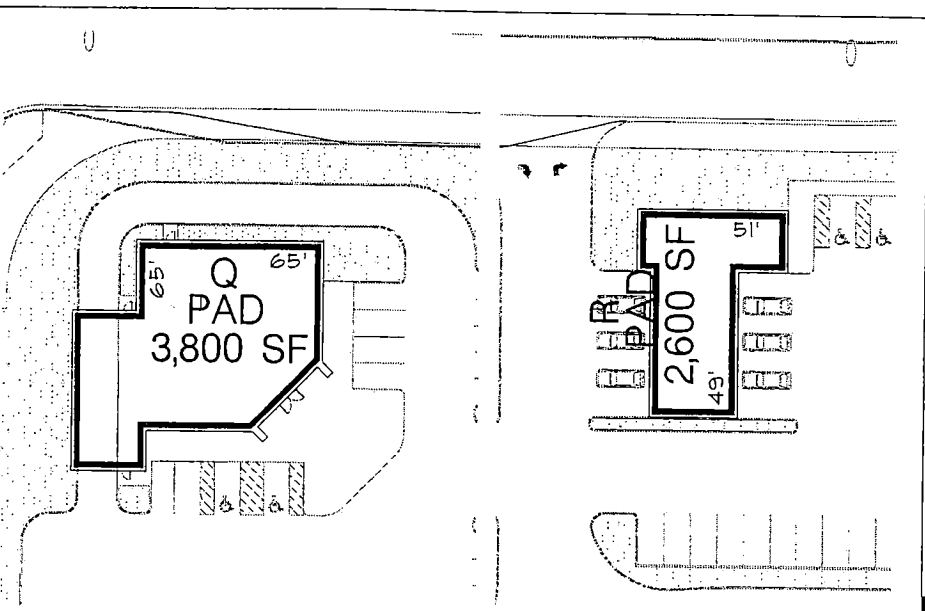
SUP-3774
03-11-04 PC



BUILDING "T"

DATE: 01/22/04
SCALE: 1" = 20'-0"

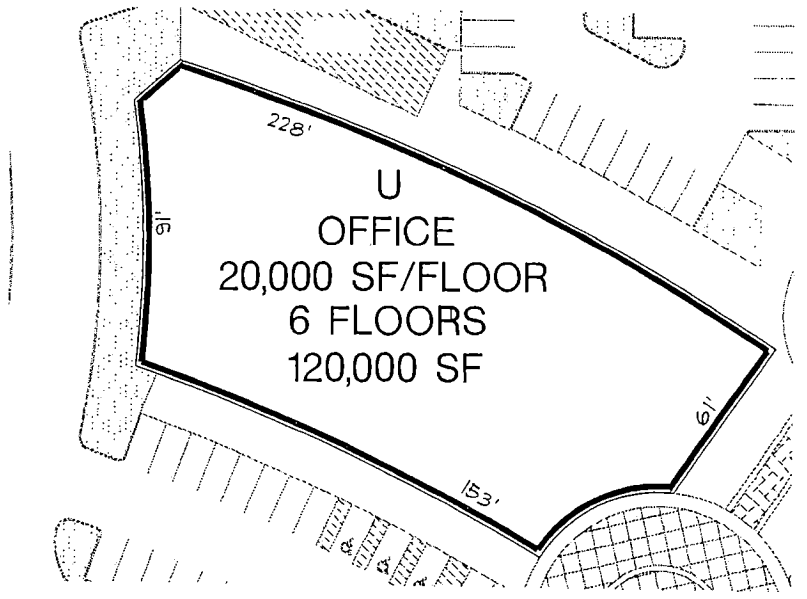
T



BUILDINGS "Q" AND "R"

DATE: 01/22/04
SCALE: 1" = 20'-0"

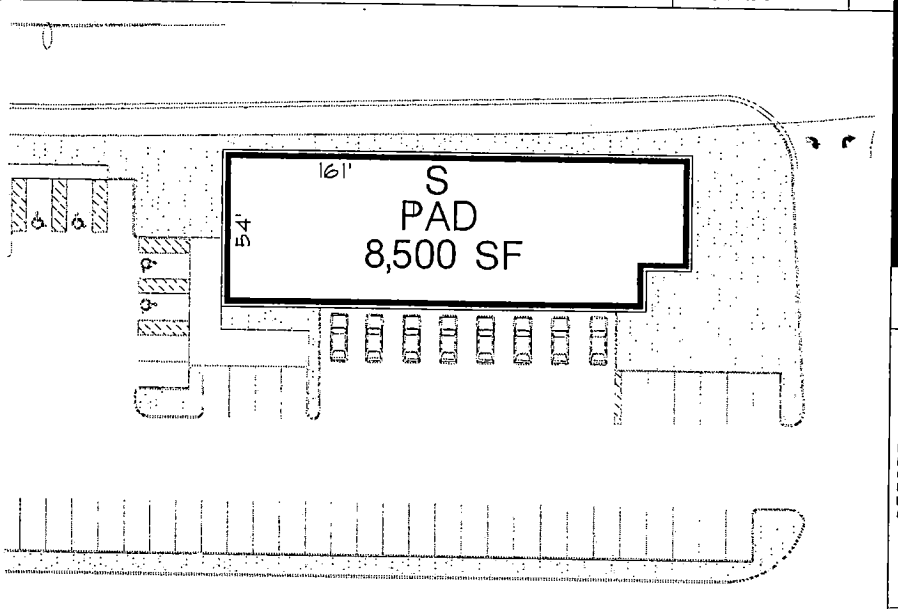
Q&R



BUILDING "U"

DATE: 01/22/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

DATE: 01/22/04
SCALE: 1" = 20'-0"

S

SUP-3774

03-11-04 PC

PR

3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8501 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz + Ruth
ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/22/04
Drawn By	mk
Checked By	zd
Project No.	03-1312.11
File Name	D0313212FA.dwg
Scale	1" = - (As Noted)

Scale and North Orientation as Noted

0 SX SCALE 2X

Floor Plans
FL-4



SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A CAR WASH on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 30 – SUP-3776

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

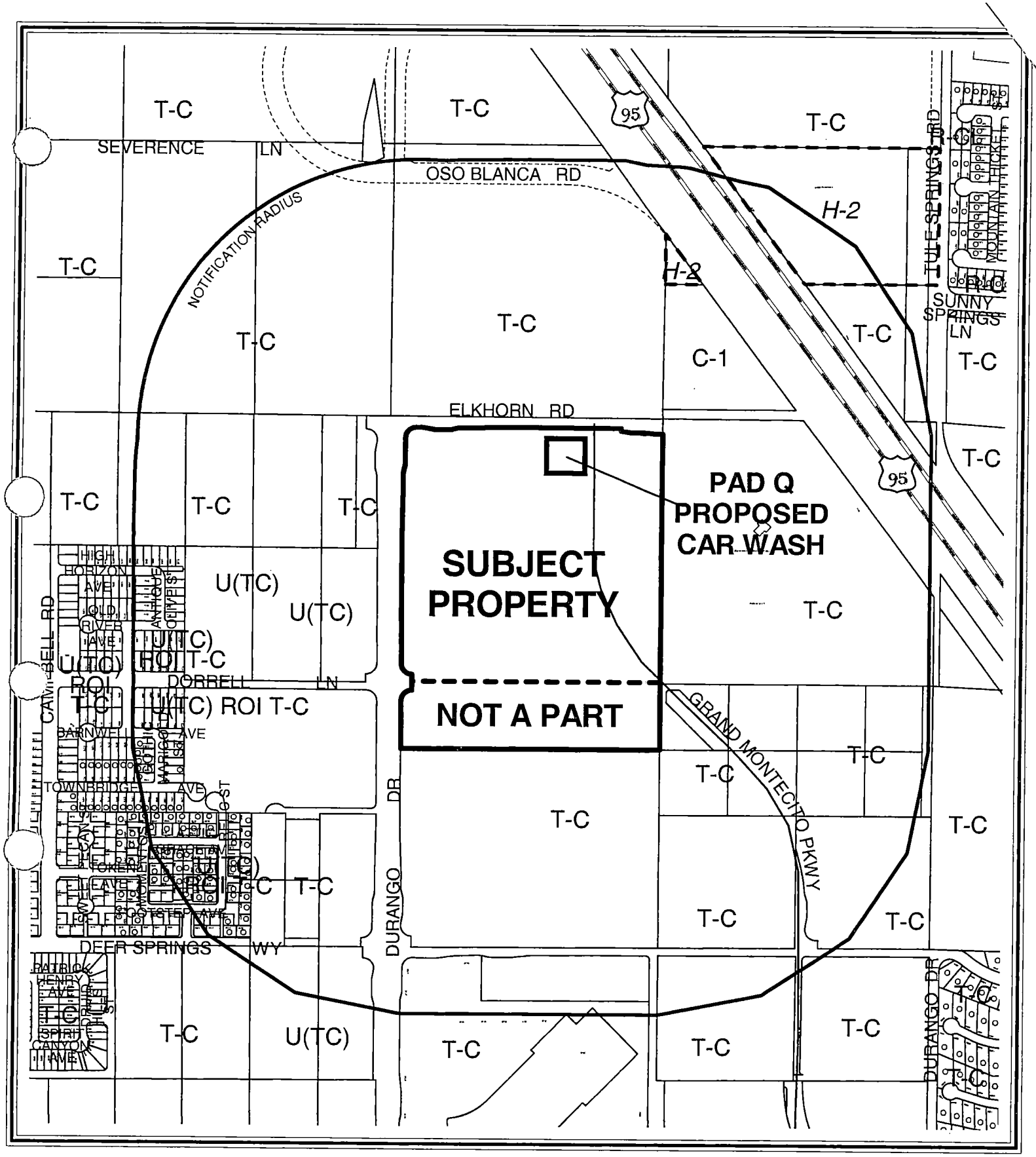
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5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



0 400 800 Feet

CASE: **SUP-3776**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

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** STAFF REPORT **

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designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Car Wash" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site

that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Car Wash use. Since the proposed Car Wash use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Car Wash uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that requires "Car Washes (Automatic)" to be reviewed and conditioned on a case-by-case basis. The Montecito Marketplace project, if fully approved as requested, will contain one Car Wash use on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial"

pursuant to the Montecito Town Center Development Agreement. The proposed "Car Wash" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Car Wash" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require "Car Washes (Automatic)" uses to be reviewed and conditioned on a case-by-case basis, no such requirement exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Car Wash use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require "Car Washes (Automatic)" to be reviewed and conditioned on a case-by-case basis, the Montecito Development Agreement has no such requirement for a "Car Wash" use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Car Wash use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

NOTICES MAILED 159 (Mailed with SUP-3777 and SUP-3778)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3776 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

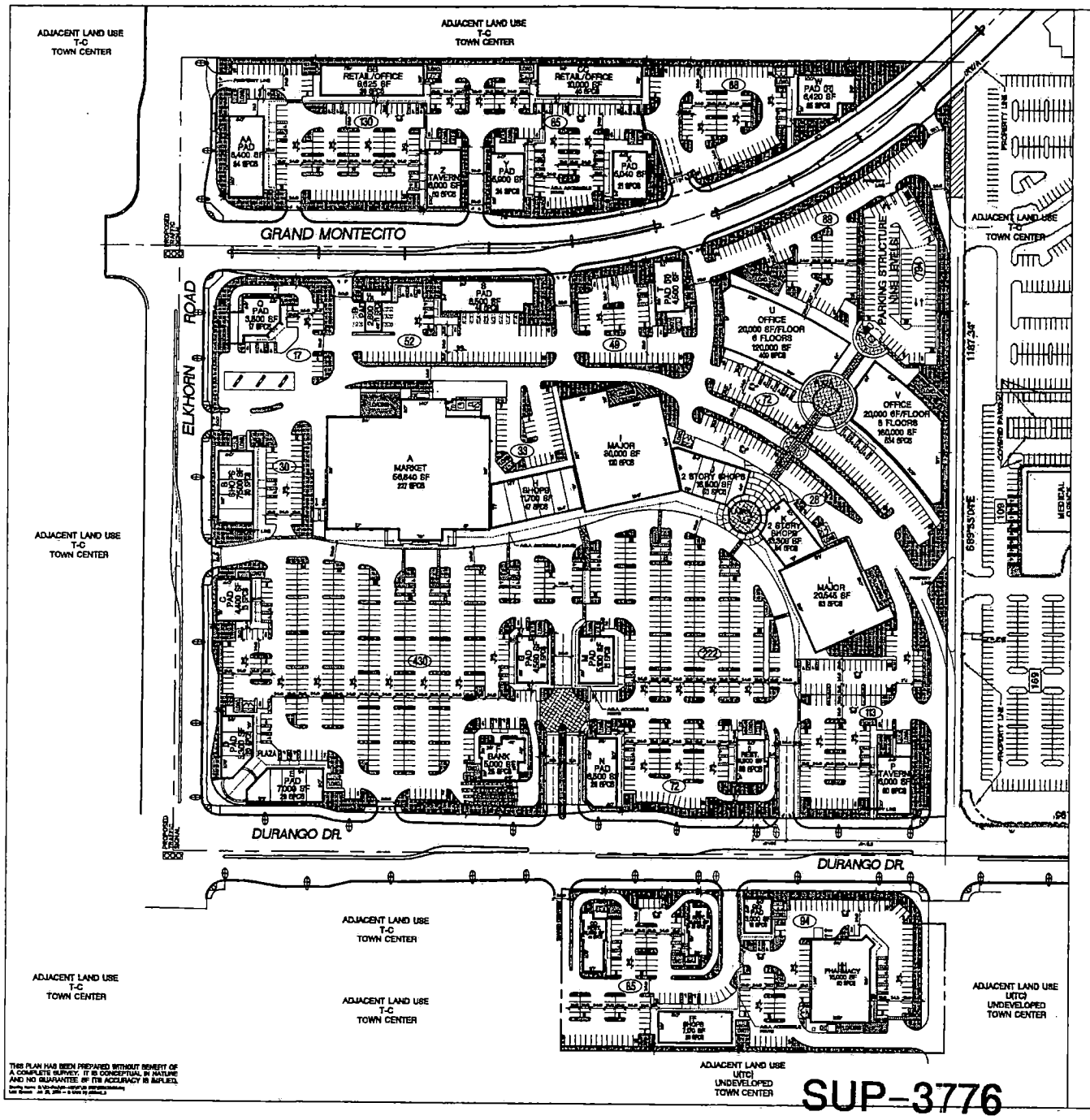
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



SUMMARY

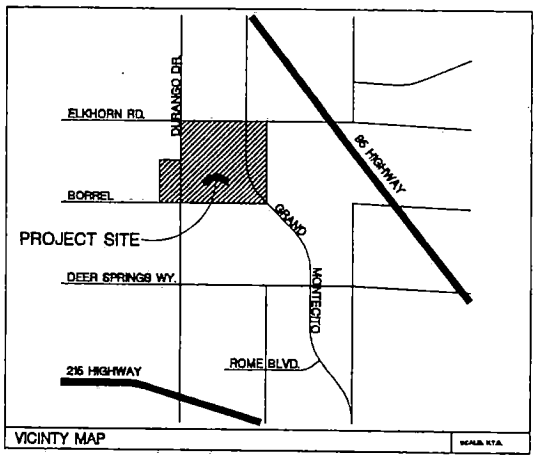
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 567,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (56,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,600 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (9,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

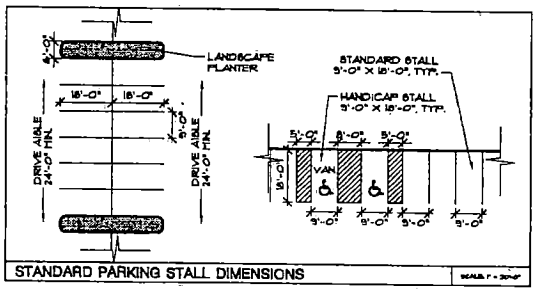
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8554 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS
SEC of Durango Drive + Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

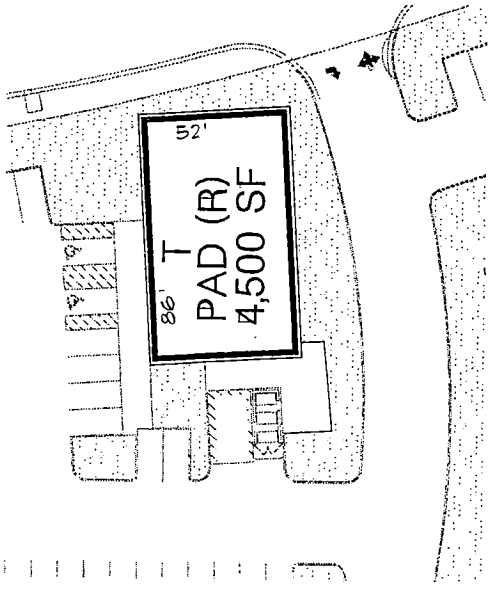
Revisions

Date	01/27/04
Drawn By	
Checked By	
Project No.	
File Name	
Scale	1" = 80'

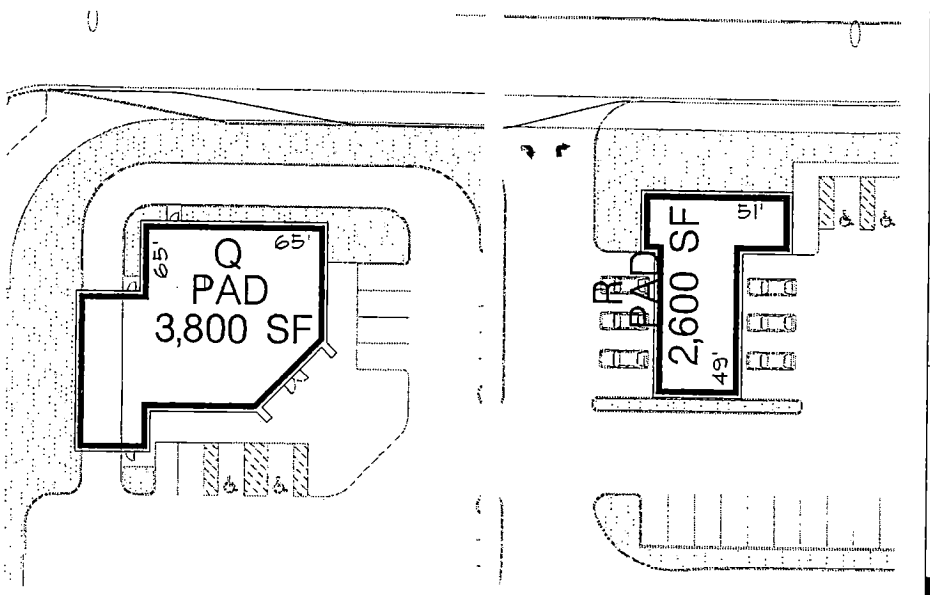
N
0 40' 80' 160'

Site Plan
SA-1

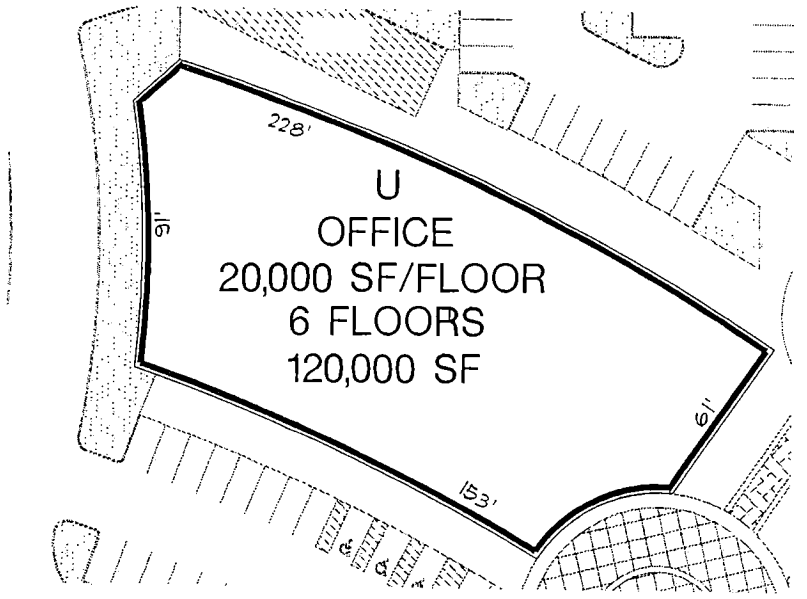
SUP-3776
03-11-04 PC



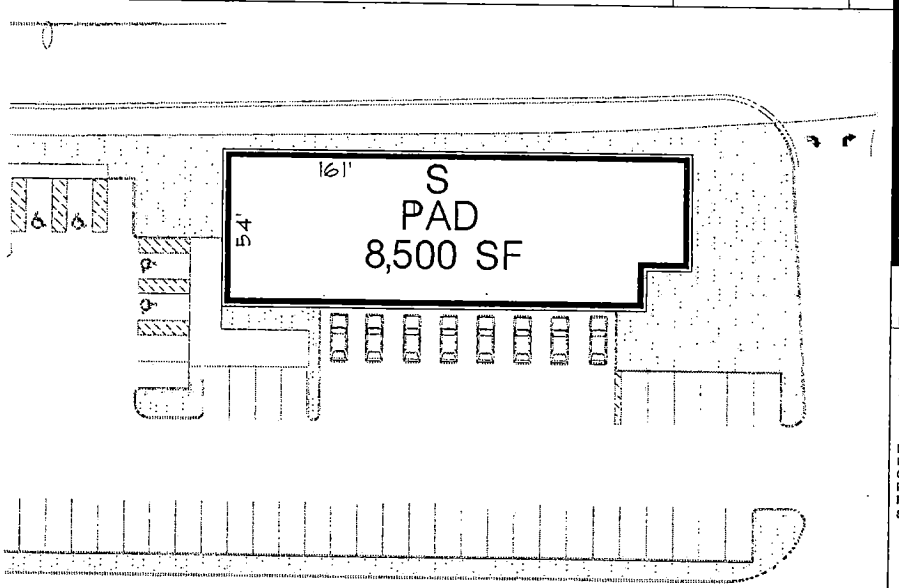
BUILDING "T"



BUILDINGS "Q" AND "R"



BUILDING "U"



BUILDING "S"

SUP-3776

03-11-04 PC

Perkowitz + Ruth ARCHITECTS
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8501 fax
www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

SEC of Durango Drive + Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	mj
Project No.	03-437.11
File Name	D03437.04.dwg
Scale	1" = - (As Noted)

Scale and North Orientation as Noted
0 SCALE 2X

Floor Plans
FL-4



SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 31 – SUP-3777

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

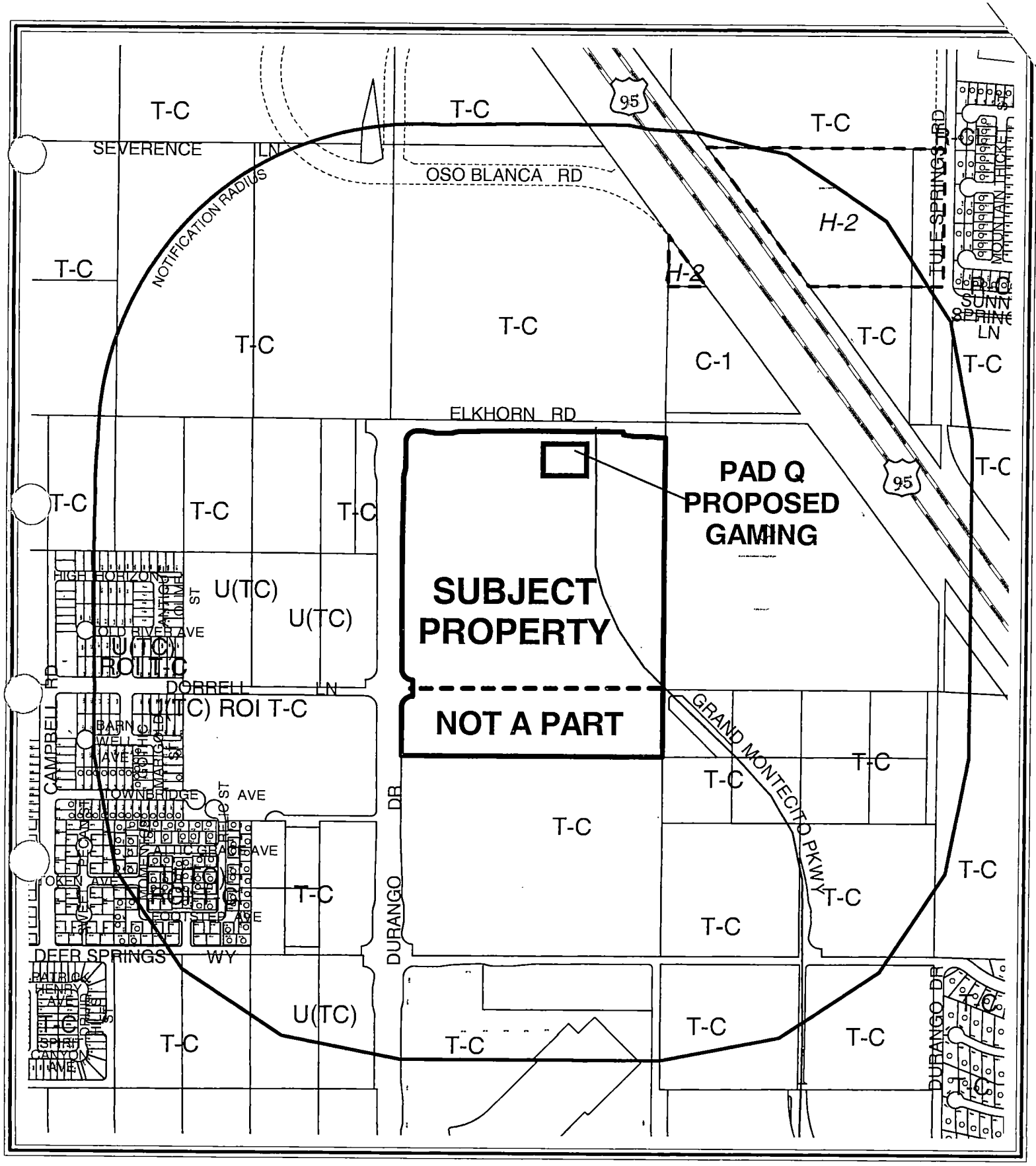
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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



0 400 800 Feet

CASE: **SUP-3777**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently

GL

designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site

that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial"

pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

  This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

  Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

  Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 159 (Mailed with SUP-3776 and SUP-3778)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3777 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

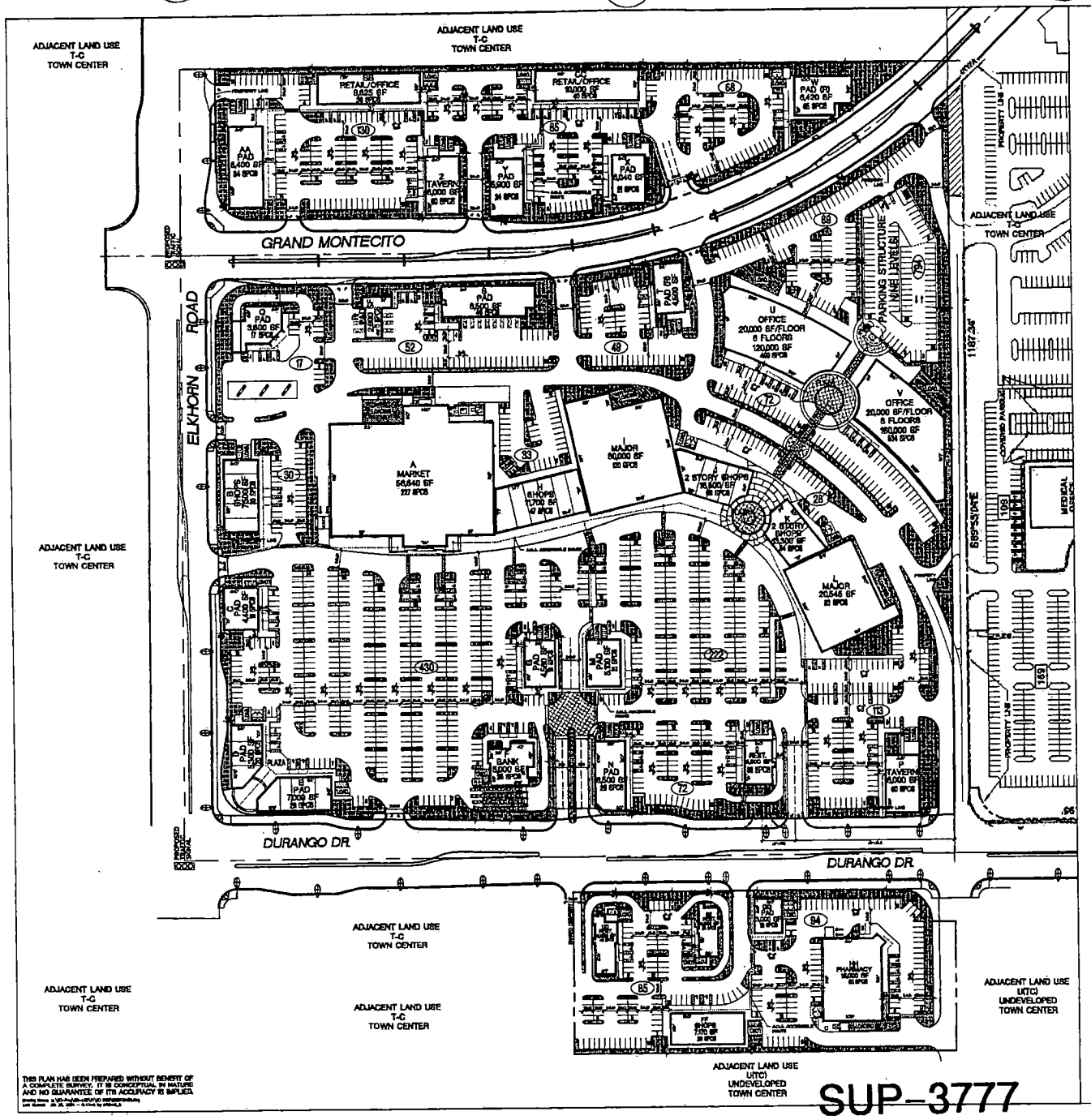
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

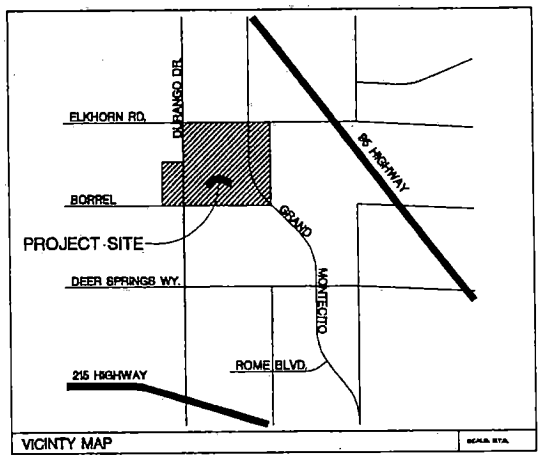
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

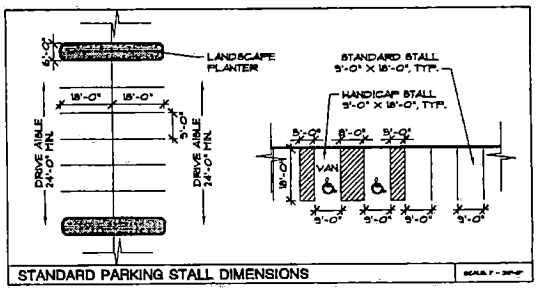
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Perkowitz + Ruth ARCHITECTS
5520 of Durango Drive • Elkhorn Road
Las Vegas, NV
3980 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-8300
702-862-8301 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

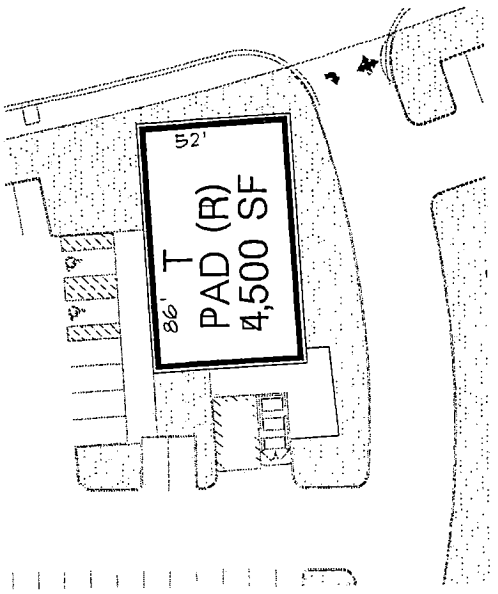
Revisions

Date	01/22/04
Drawn By	mk
Checked By	mj
Project No.	03-432.01
File Name	D:\03432\04.dwg
Scale	1" = 80'

N
0 40' 80' 160'

Site Plan
SA-1

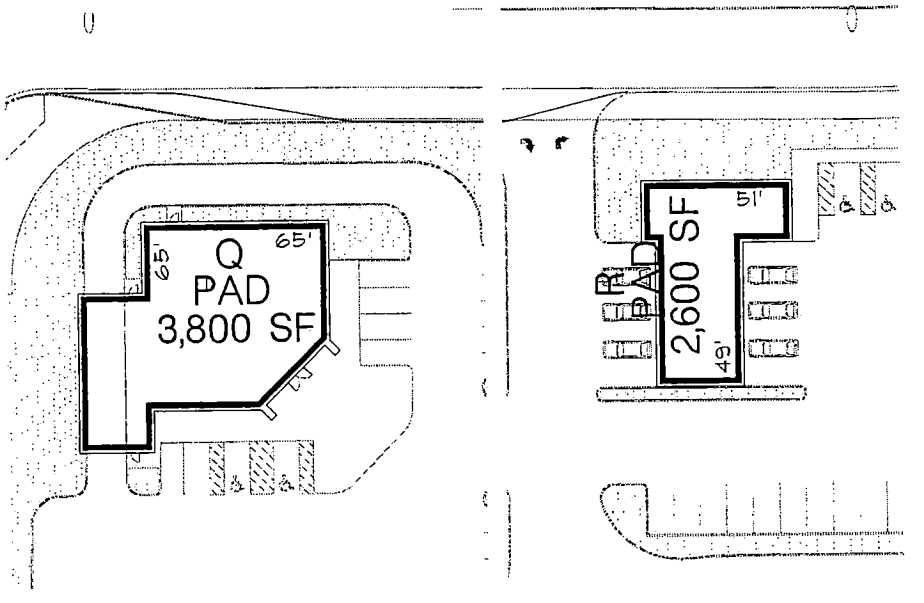
SUP-3777
03-11-04 PC



BUILDING "T"

DATE: 01/27/04
SCALE: 1" = 20'-0"

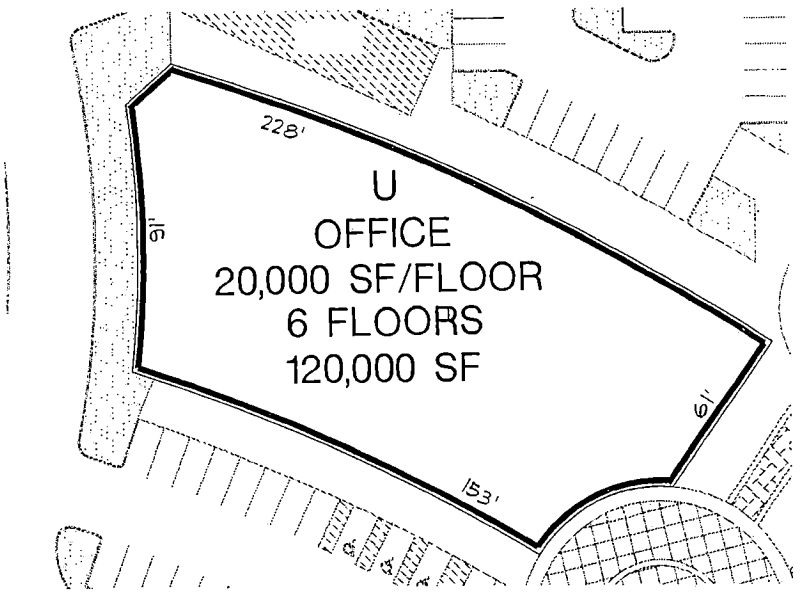
T



BUILDINGS "Q" AND "R"

DATE: 01/27/04
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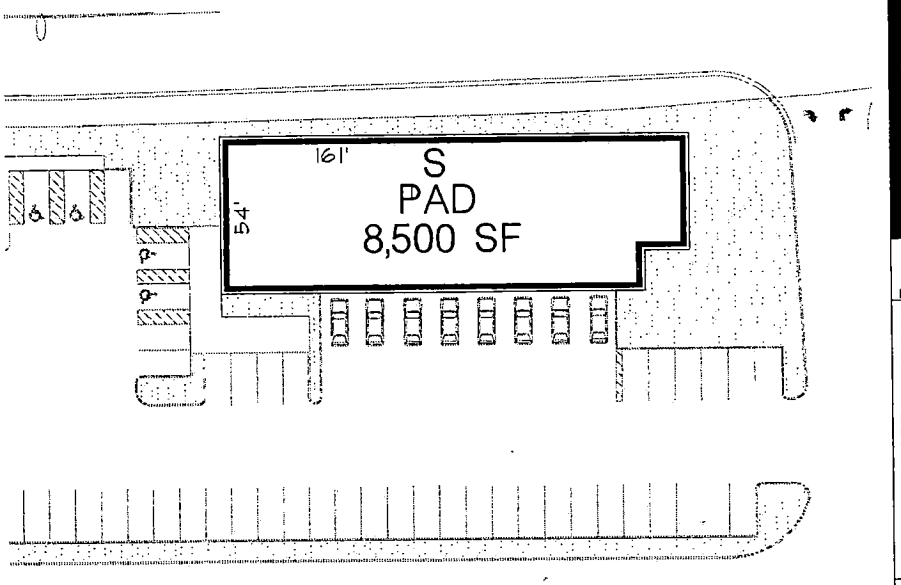
Q&R



BUILDING "U"

DATE: 01/27/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

DATE: 01/27/04
SCALE: 1" = 20'-0"

S

SUP-3777

03-11-04 PC

3960 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89109
702-892-8500
702-892-8576 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Perkowitz + Ruth ARCHITECTS
SEC of Durango Drive + Elkhorn Road

Revisions

Date	01/27/04
Drawn By	mk
Checked By	mj
Project No.	03-432.11
File Name	D:\03\432\04.dwg
Scale	1" = -(As Noted)

Scale and Note Orientation as Noted

0 SCALE 2X

Floor Plans
FL-4



SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 32 – SUP-3778

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

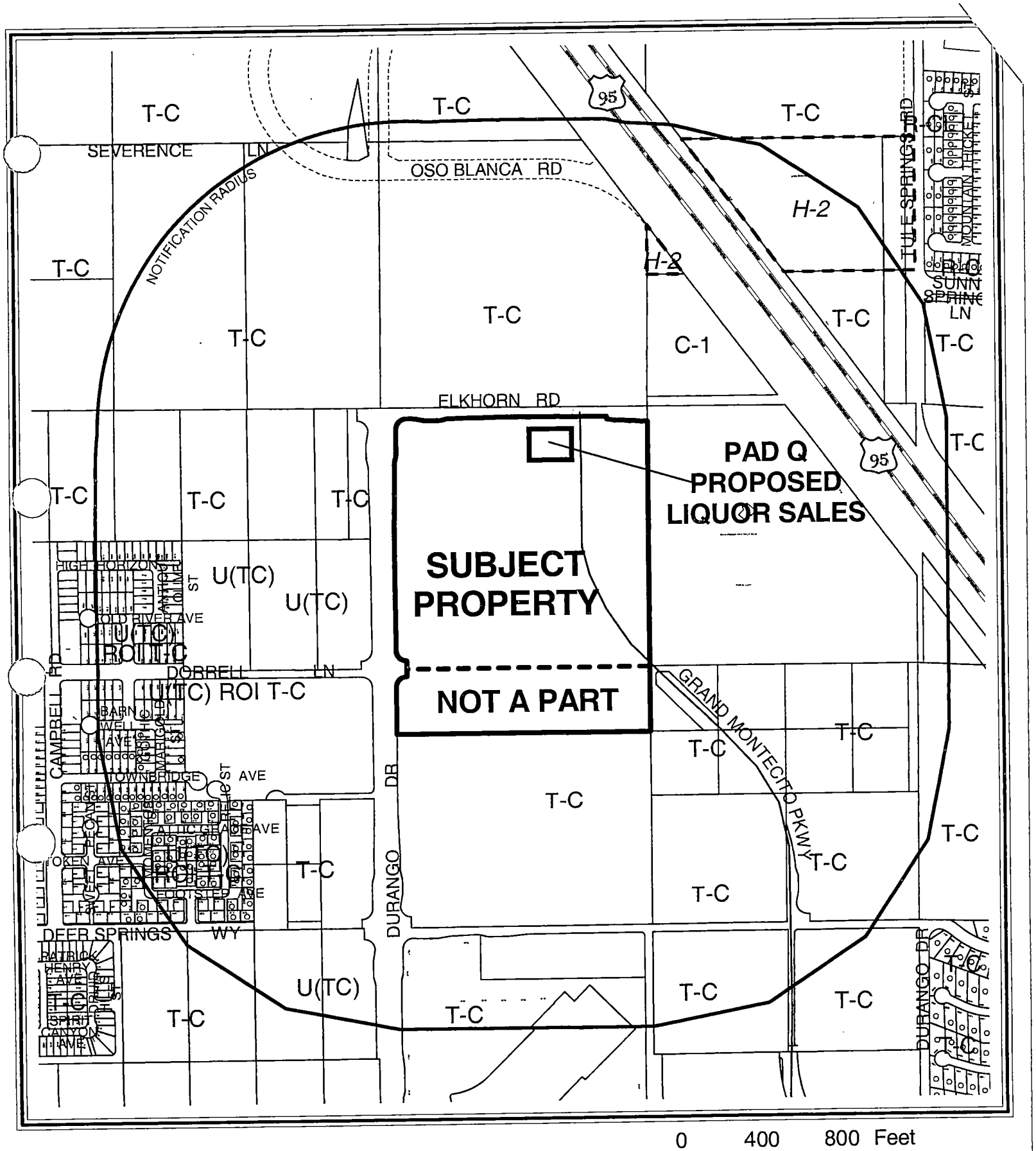
4. All City Code requirements and design standards of all City departments must be satisfied.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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



0 400 800 Feet

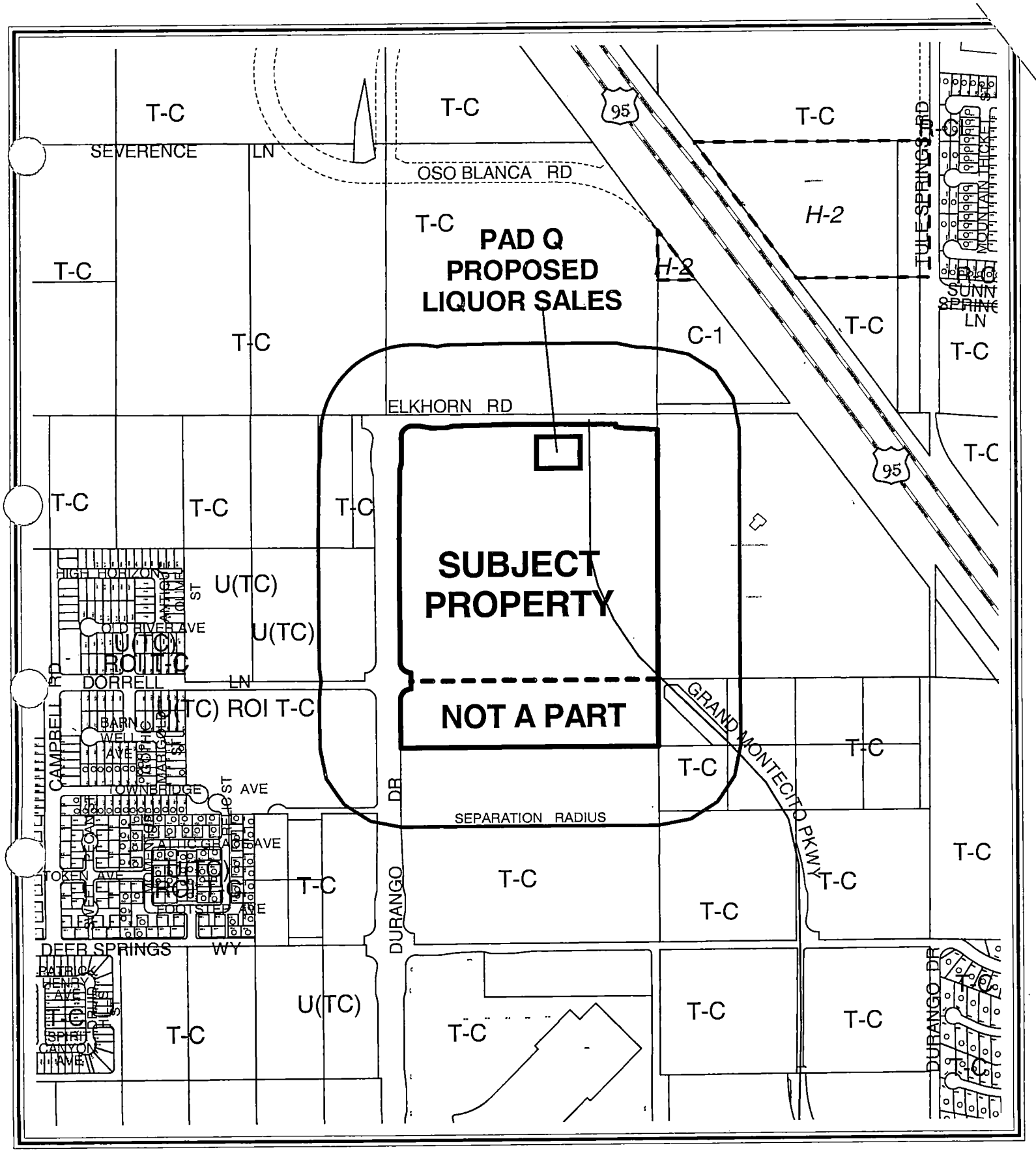
CASE: **SUP-3778**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

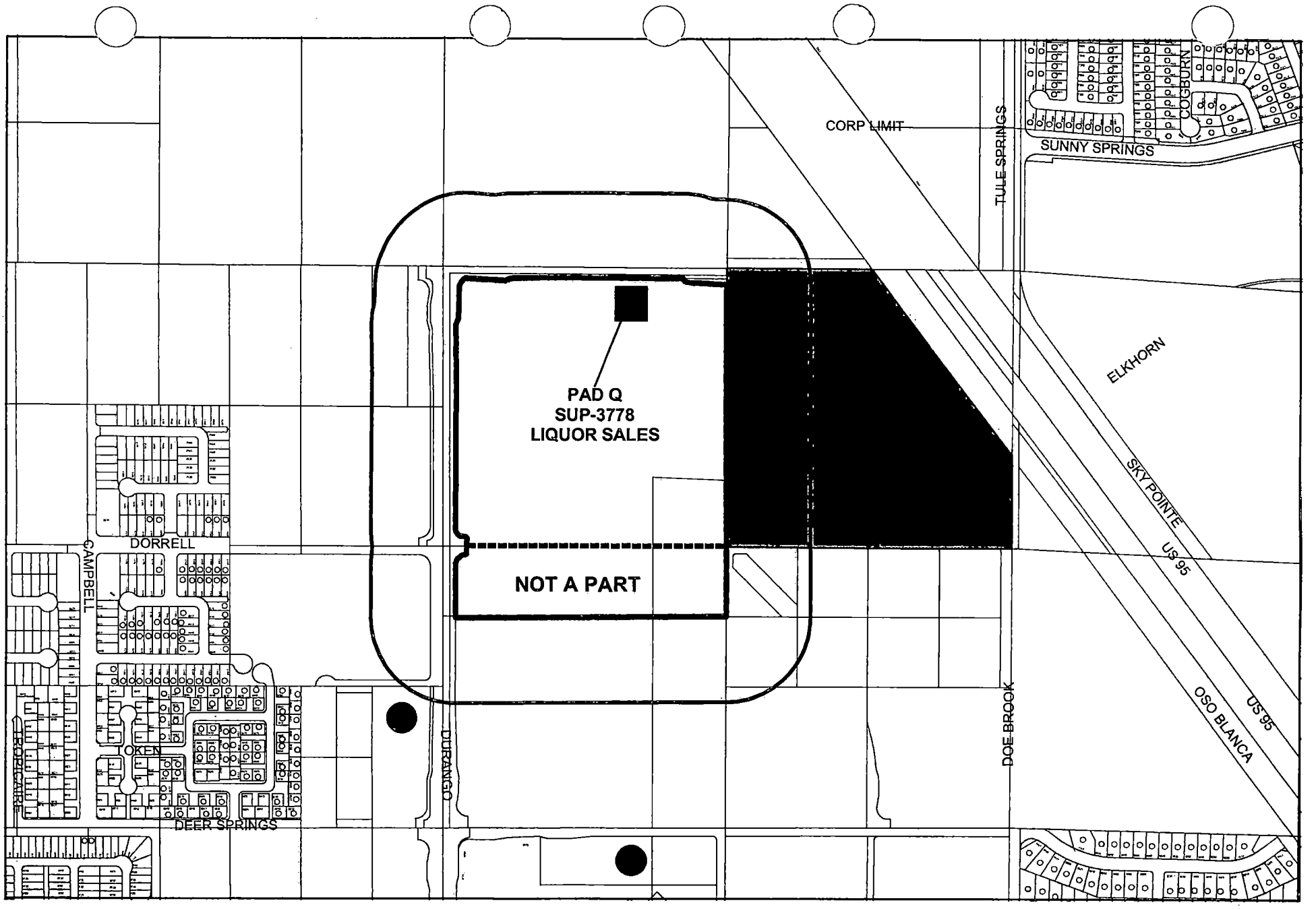


CASE: **SUP-3778**

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]



SUP-3778

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Child Care/ Children Facility

Subject Property

400 foot buffer

0 650 1,300 2,600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

8. 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 to allow a Liquor Sales use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently

designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site

that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed use. Since the proposed use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Liquor Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 400-foot separation distance between Alcoholic Beverage Sales/Liquor Store uses and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this

zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Liquor Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require an "Alcoholic Beverage Sales/Liquor Store" to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Liquor Sales use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a Alcoholic Beverage Sales/Liquor Store use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such requirement for a "Liquor Sales" use. In this case, this use would not meet the minimum Town Center distance separation requirements, if they were applicable, as there is a city park immediately to the east of the subject site. Given the applicability of the Development Agreement to the site, however, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Liquor Sales use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

NOTICES MAILED 159 (Mailed with SUP-3776 and SUP-3777)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3778 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

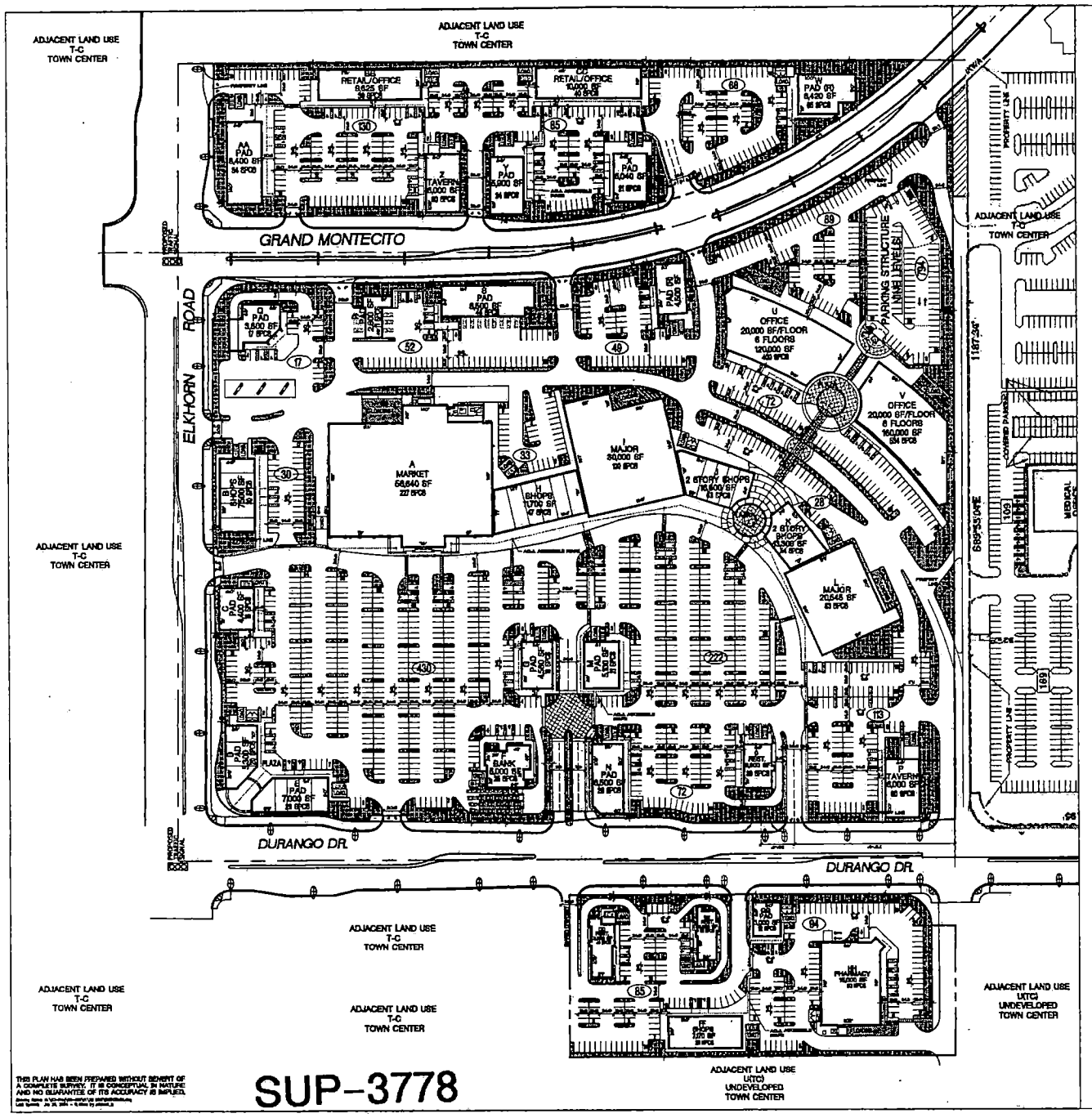
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State



SUMMARY

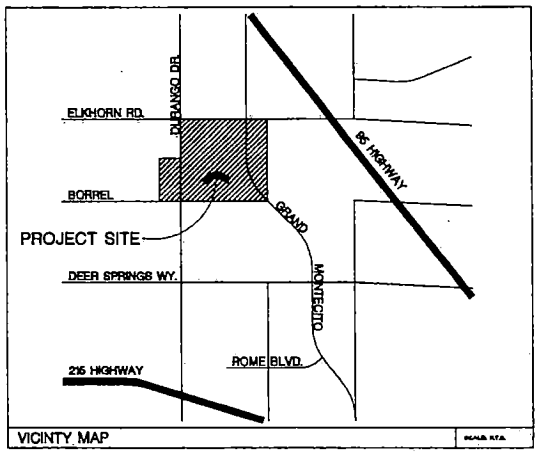
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (250,000 SF) @ 1 STALL/300 SF = 834 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 5 EMP) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

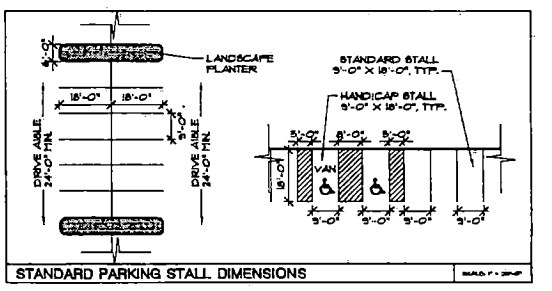
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF
OPEN SPACE/LAND RATIO	• 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF
LANDSCAPE/LAND RATIO	• 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-3500
702-892-0594 fax
www.pranchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS
SEC of Durango Drive + Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

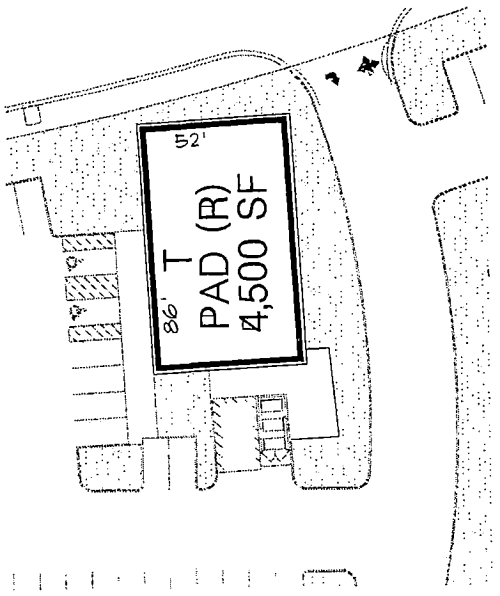
Revisions

Date	01/27/04
Drawn By	mk
Checked By	mk
Project No.	03-4322.01
File Name	D0343701.dwg
Scale	1" = 80'

N
0 40' 80' 160'

Site Plan
SA-1

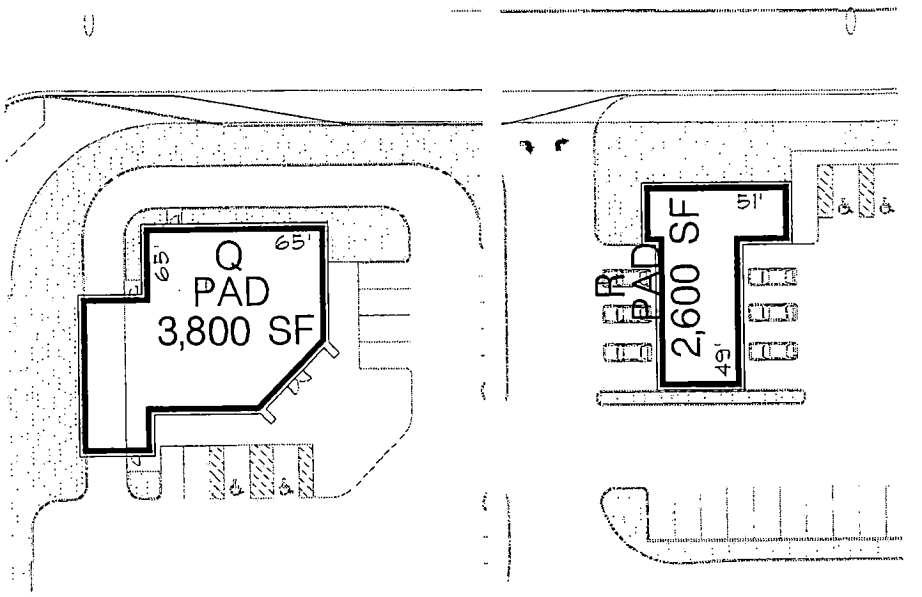
SUP-3778
03-11-04 PC



BUILDING "T"

DATE: 01/22/04
SCALE: 1" = 20'-0"

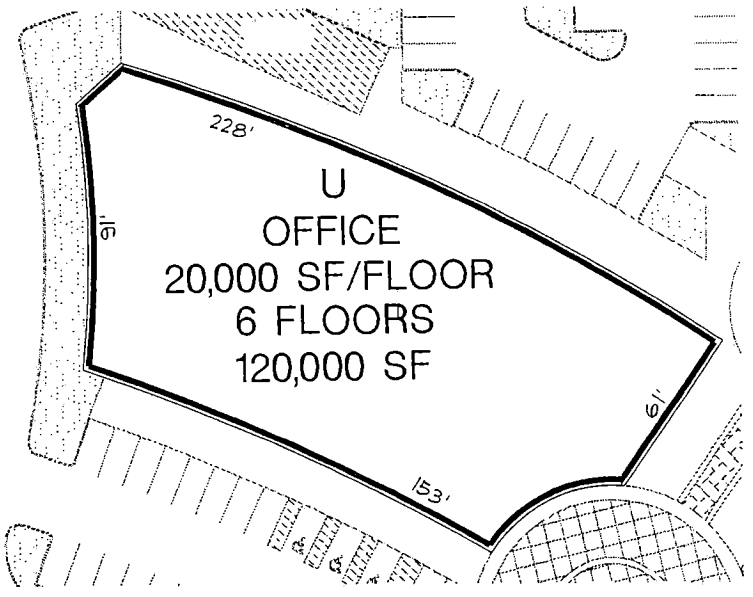
T



BUILDINGS "Q" AND "R"

DATE: 01/22/04
SCALE: 1" = 20'-0"

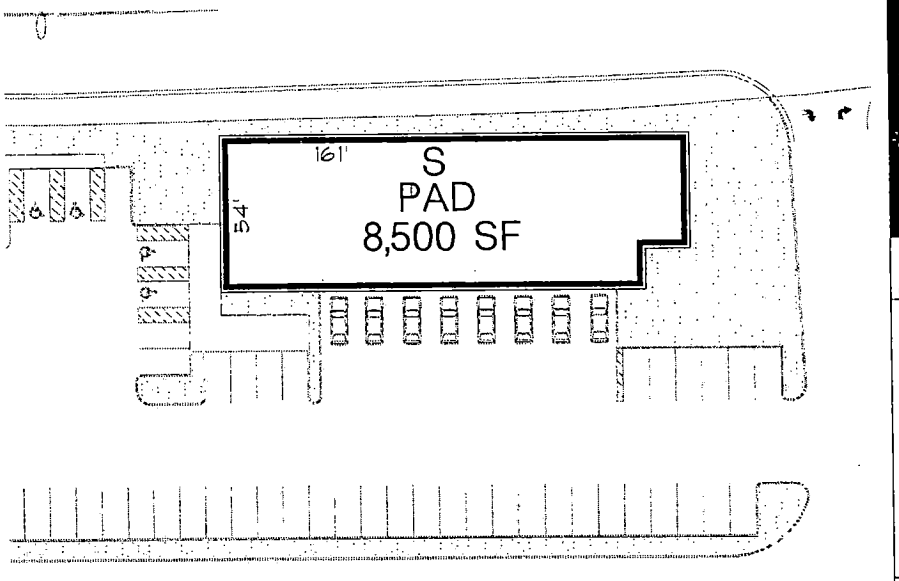
Q&R



BUILDING "U"

DATE: 01/22/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

DATE: 01/22/04
SCALE: 1" = 20'-0"

S

SUP-3778
03-11-04 PC

3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-4500
702-892-8514 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Parkowitz Roth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	zj
Project No.	03-432.01
File Name	D:\043201\DWG\dwg
Scale	1" = 1/4 Noted

Scale: 1/4" = 1'-0" Unless Noted Otherwise

0 1X SCALE 2X

Floor Plans
FL-4



SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A TAVERN on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 33 – SUP-3779

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.

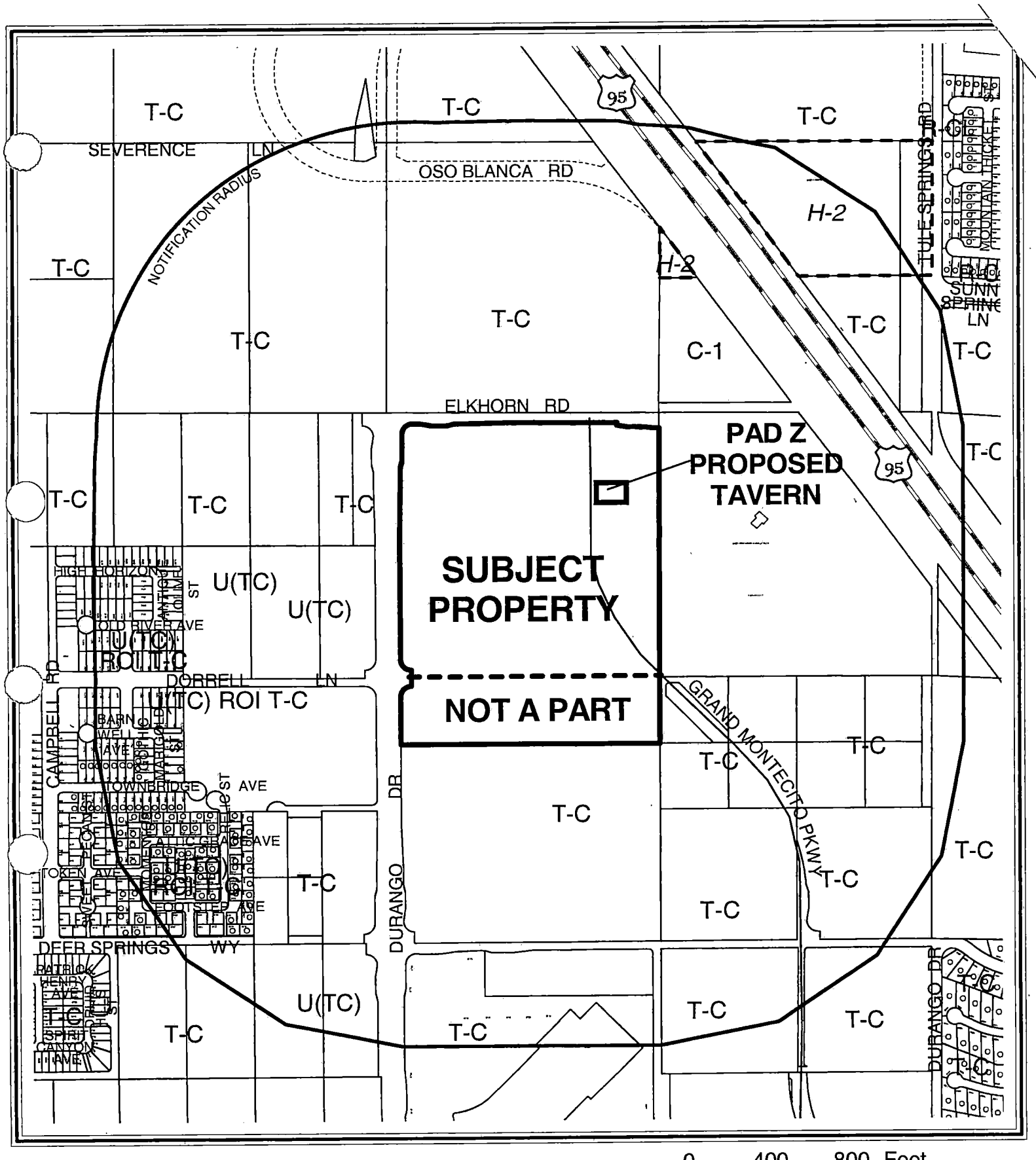
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

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



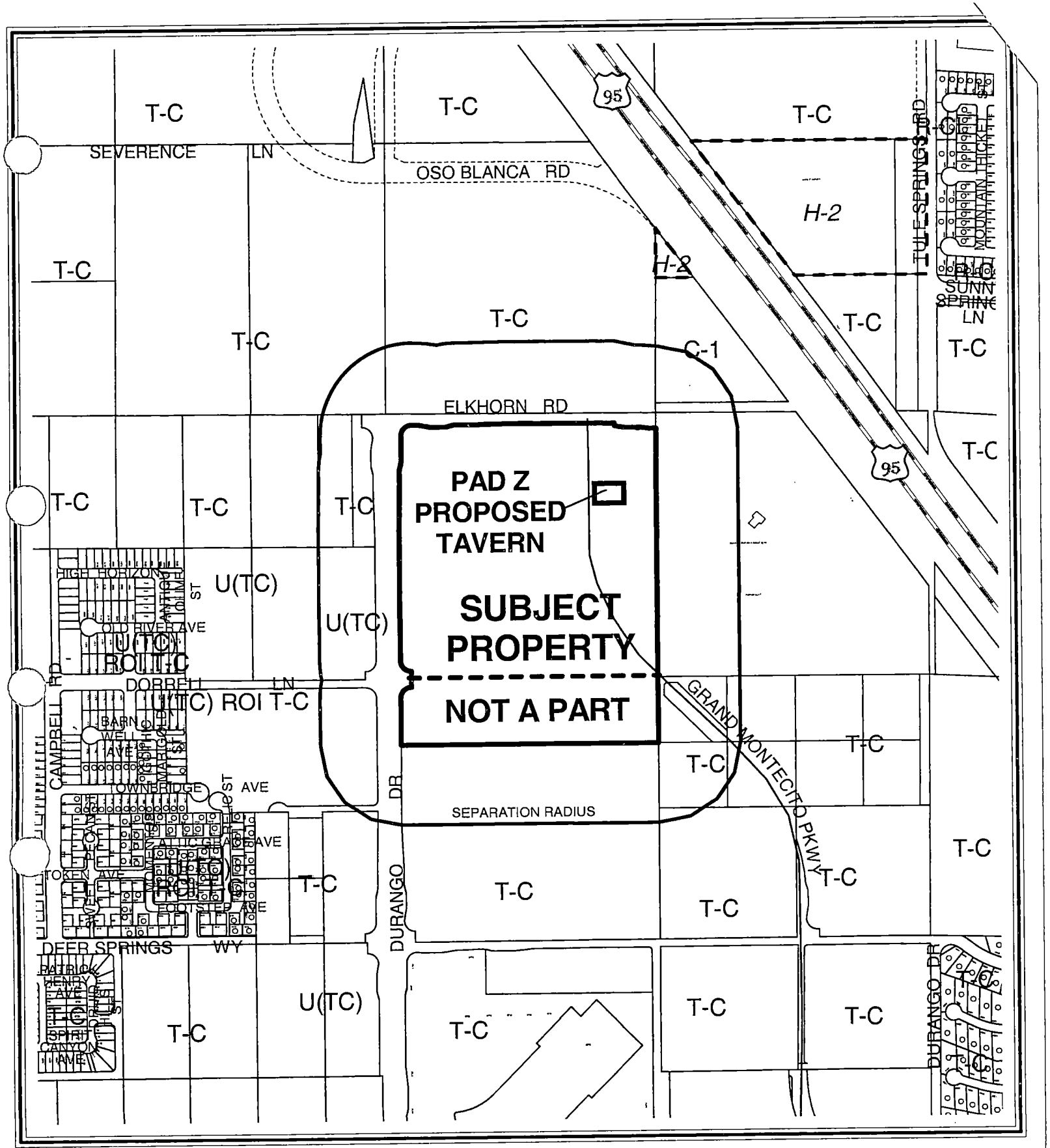
CASE: **SUP-3779**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

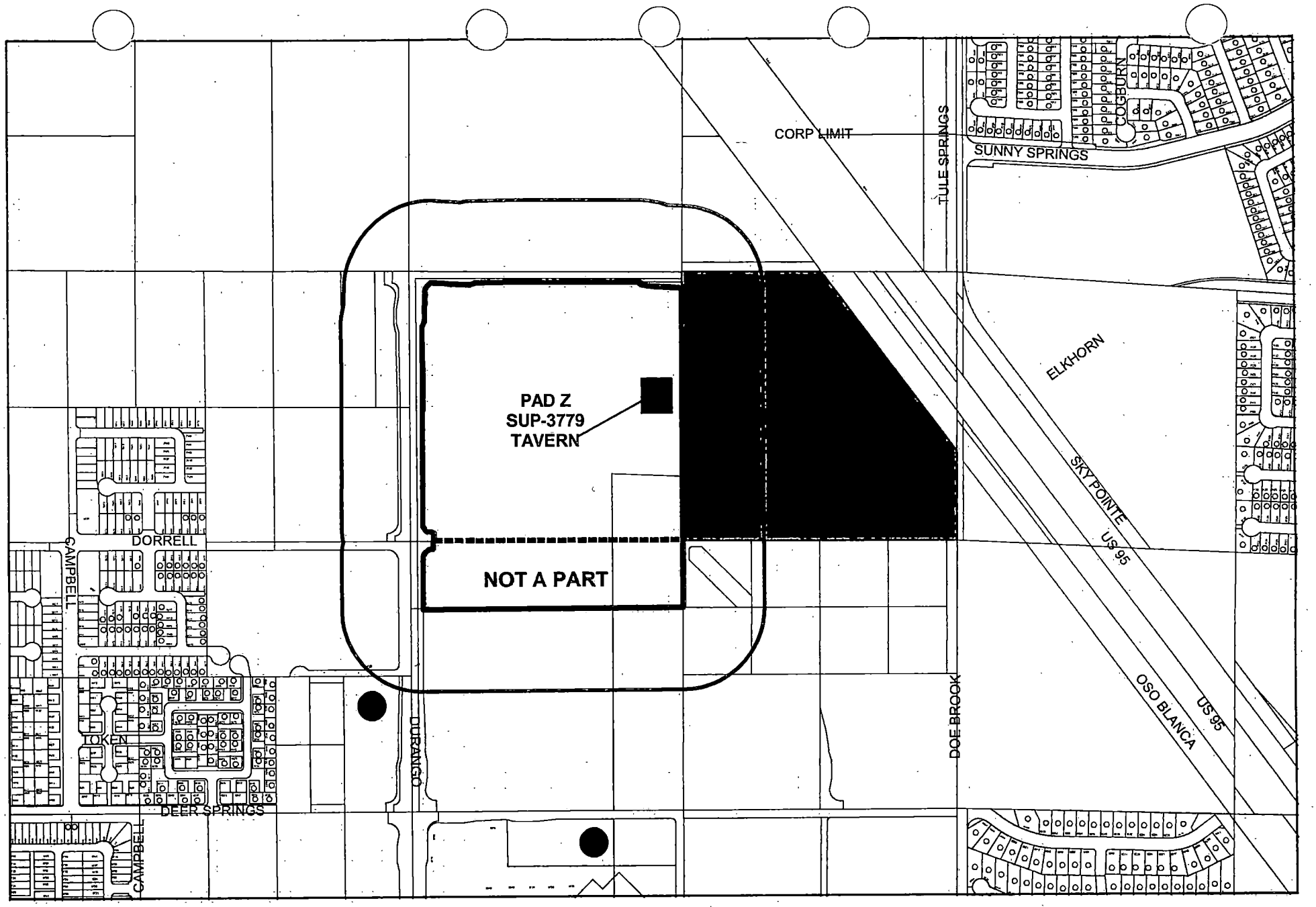


CASE: **SUP-3779**

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]



SUP-3779

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Child Care/ Children Facility

Subject Property

400 foot buffer

0 625 1,250 2,500 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. 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 to allow a 6,000 square-foot Tavern on Pad Z of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently

GL

designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Tavern use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from

this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Taverns in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 400-foot separation distance between "Pubs, Bars & Lounges (Taverns, Etc.)" and any church, synagogue, school, childcare facility licensed for more than twelve

children or City Park, as measured from property line to property line. "Pubs, Bars & Lounges (Taverns, Etc.)" would otherwise be allowed in the UC-TC and MS-TC special land use designations of Town Center with the approval of a Special Use Permit. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Tavern" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Tavern" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Pubs, Bars & Lounges (Taverns, Etc.)" use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Tavern use. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a "Pubs, Bars & Lounges (Taverns, Etc.)" use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such requirement for a "Tavern" use. In this case, this use would not meet the minimum Town Center distance separation requirements, if they were applicable, as there is a city park immediately to the east of the subject site. Given the applicability of the Development Agreement to the site, however, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Tavern use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

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

NOTICES MAILED 159 (Mailed with SUP-3780 and SUP-3781)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3779 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

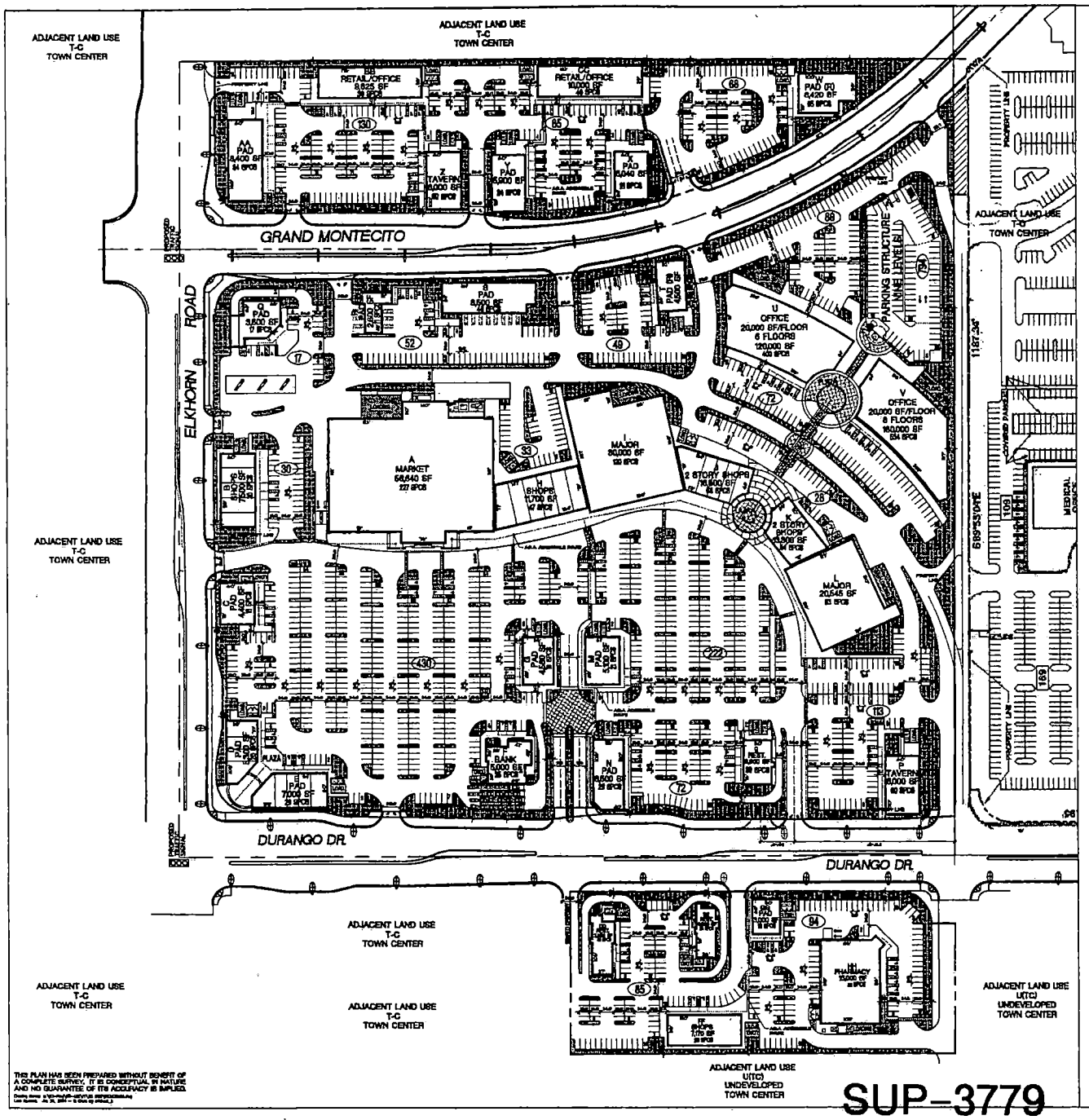
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

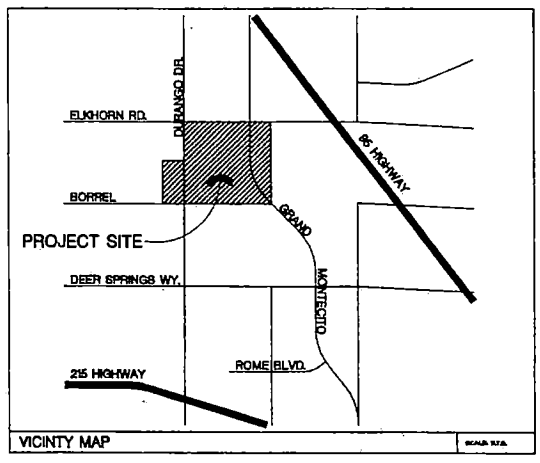
LAND AREA (GROSS)	• APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF
LAND/BUILDING RATIO	• 18/1 35.6%
PARKING REQUIRED	• 2,392 STALLS
PARKING PROVIDED	• 2,470 STALLS
PARKING RATIO	• 4.2/1000

PARKING REQUIRED BASED UPON THE FOLLOWING:
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RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
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@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
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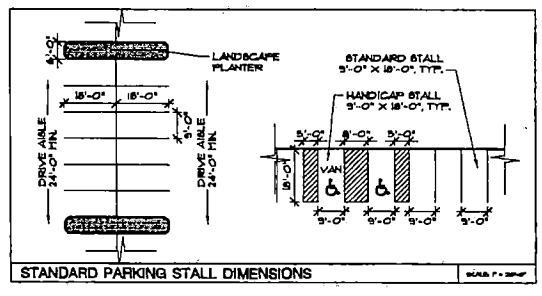
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OPEN SPACE/LAND RATIO	• 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF
LANDSCAPE/LAND RATIO	• 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Perkowitz+Ruth ARCHITECTS
3820 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-0500
702-892-0514 fax
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Corporate Office:
Long Beach, CA

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Newport Beach, CA
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Client Information
MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

SEC of Durango Drive + Elkhorn Road

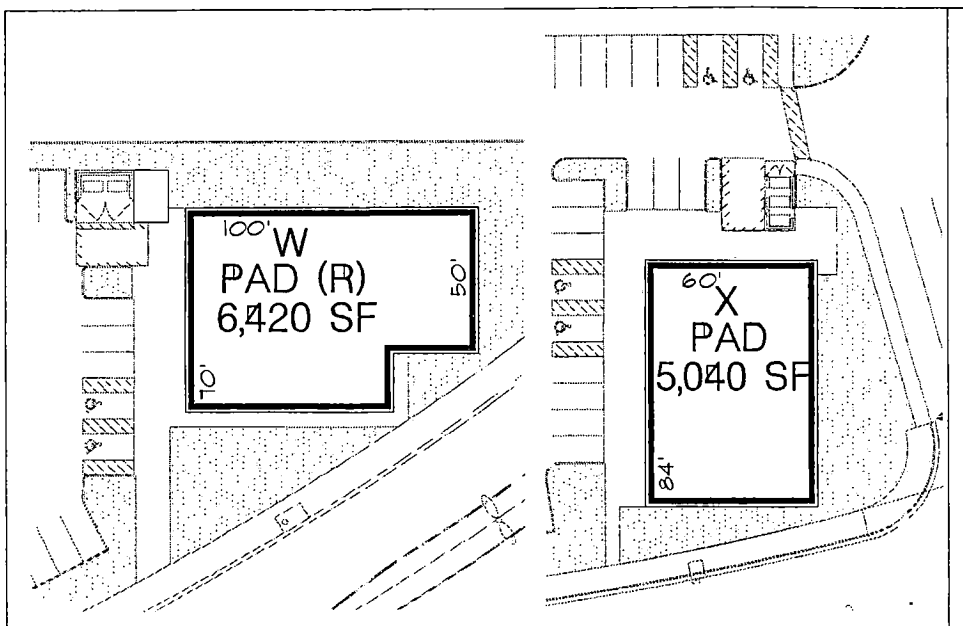
Revisions

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Checked By	mk
Project No.	03-4523
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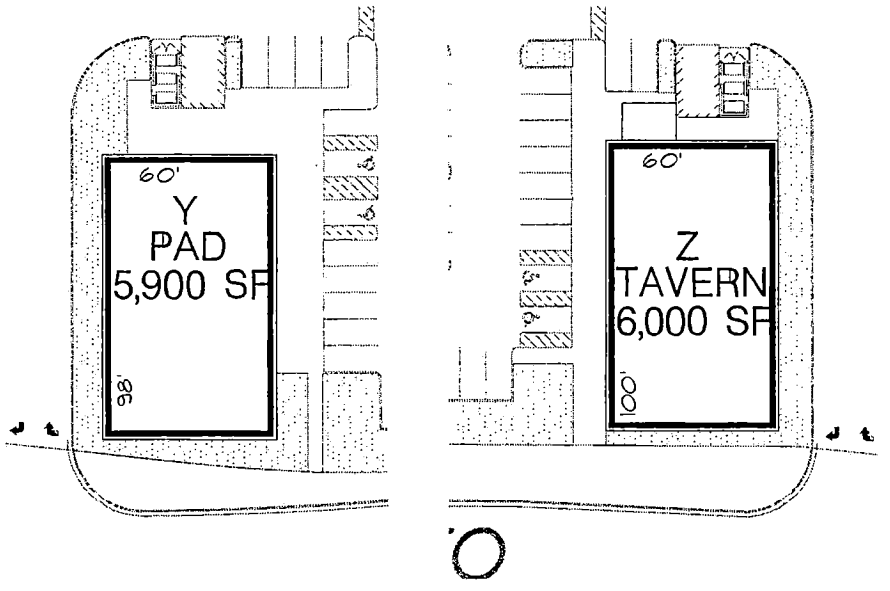
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Site Plan
SA-1

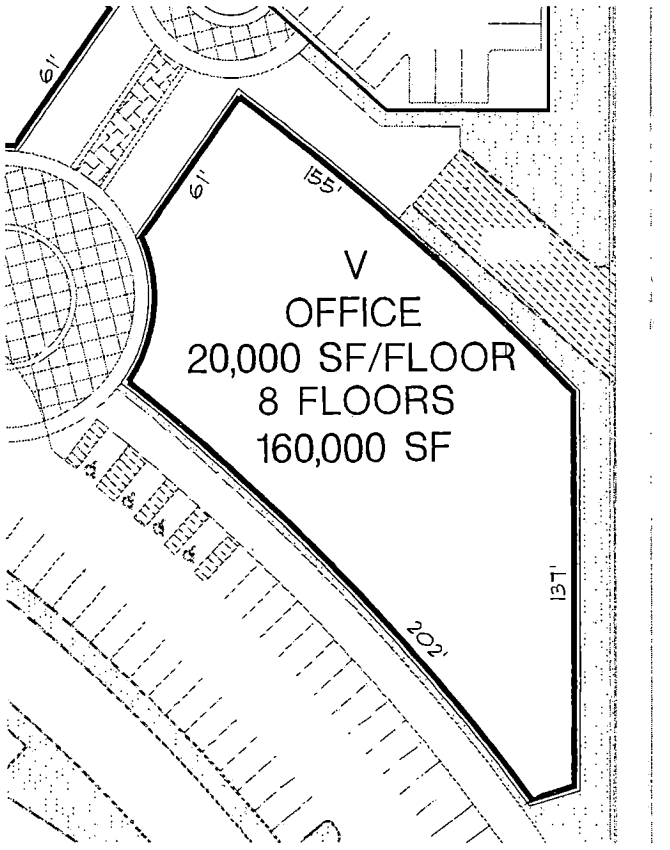
SUP-3779
03-11-04 PC



BUILDINGS "W" AND "X" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | W&X



BUILDINGS "Y" AND "Z" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | Y&Z



BUILDING "V" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | V

SUP-3779

03-11-04 PC

PR

3960 Howard Hughes Pkwy
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SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	rsl
Project No.	03-43211
File Name	D03432105.dwg
Scale	1" = - (As Noted)

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Scale and North Orientation as Noted
0 SCALE 2X

Floor Plans
FL-5



SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

City of Las Vegas **Agenda Item No.: 34**

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 34 – SUP-3780

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

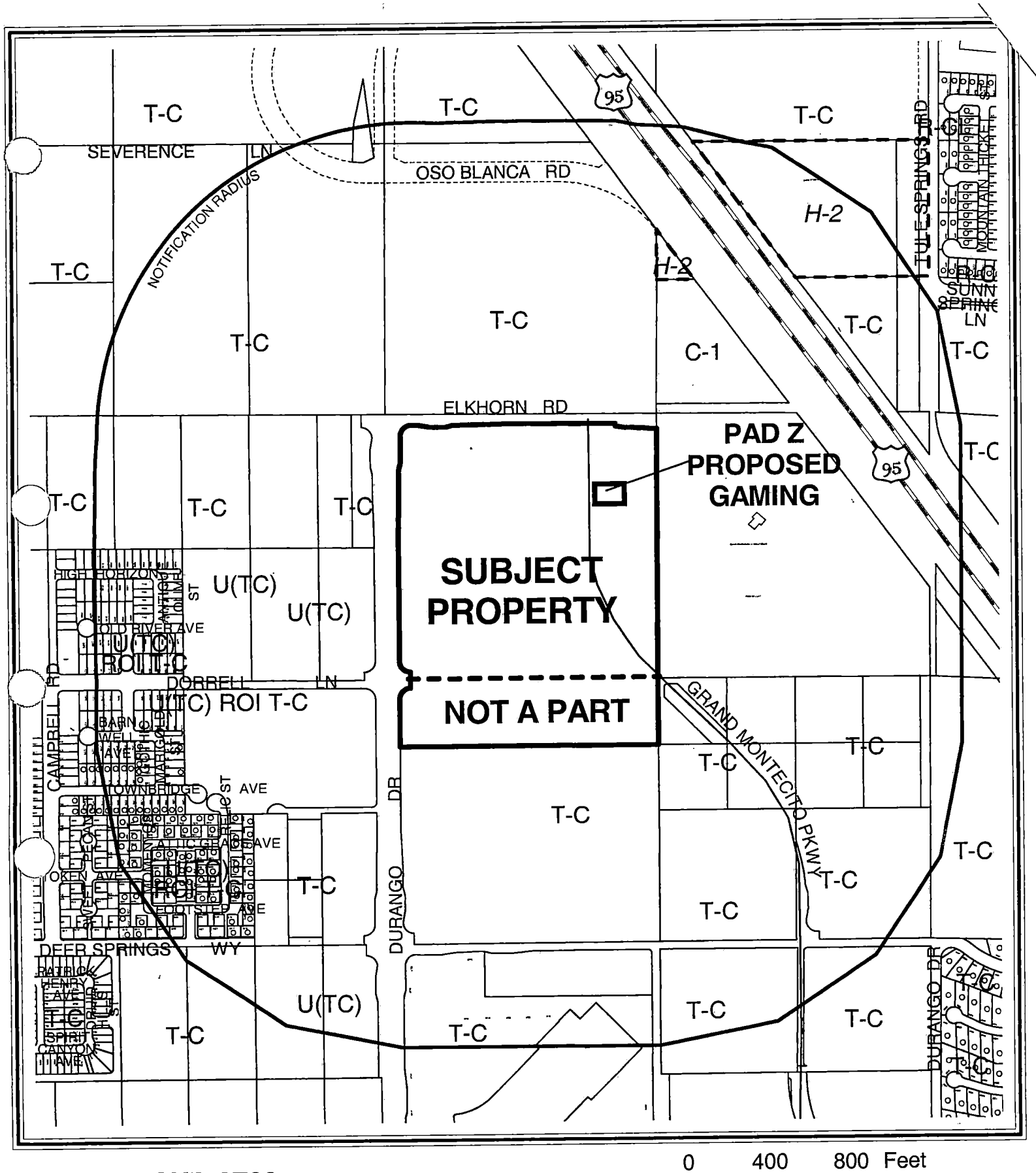
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3780**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad Z of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 6,000 square-foot Tavern on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently

GL

designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site

that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad Z, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the

requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Tavern use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 159 (Mailed with SUP-3779 and SUP-3781)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3780 APN: 125-20-501-001 125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen

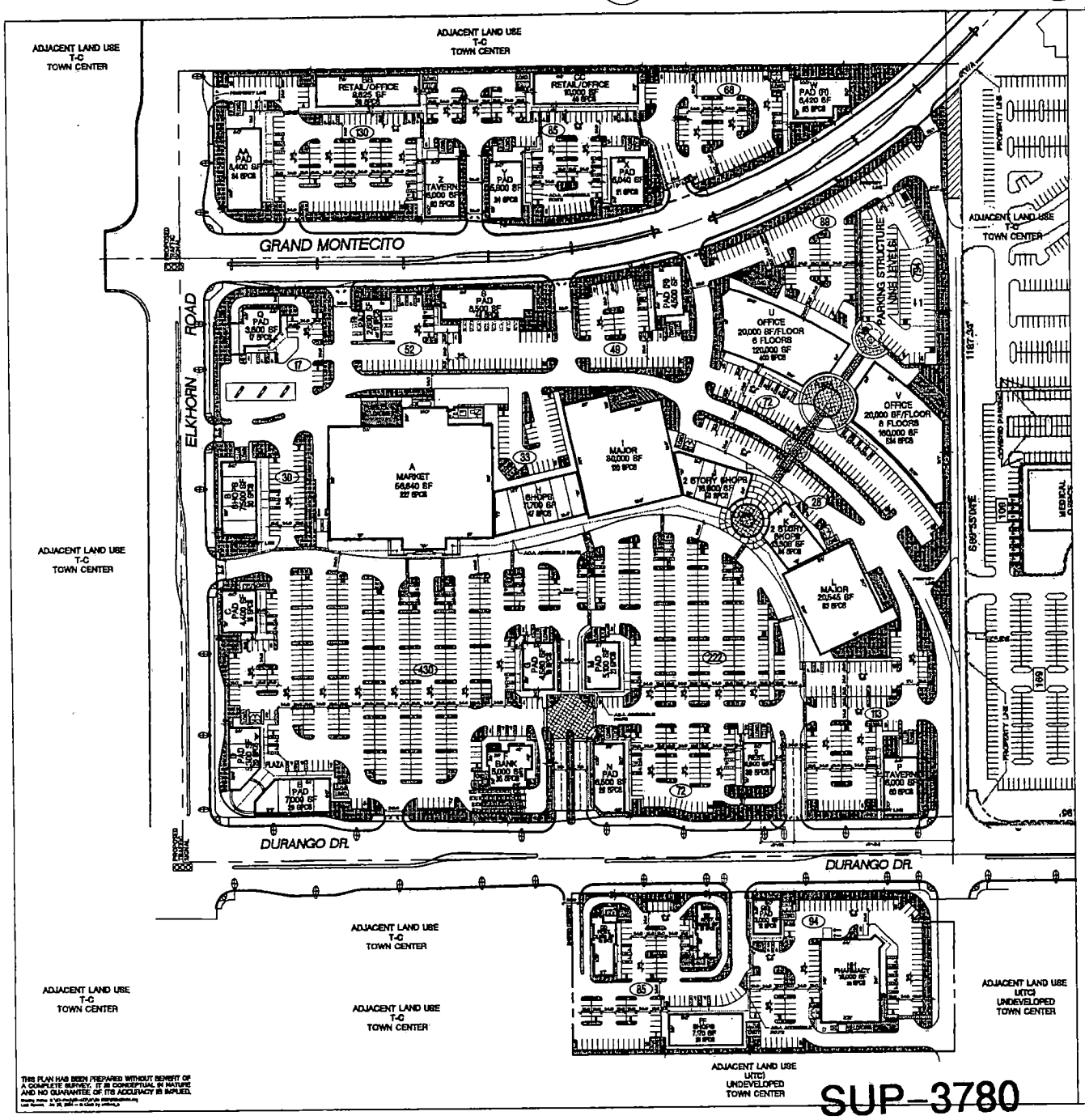
Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss

Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

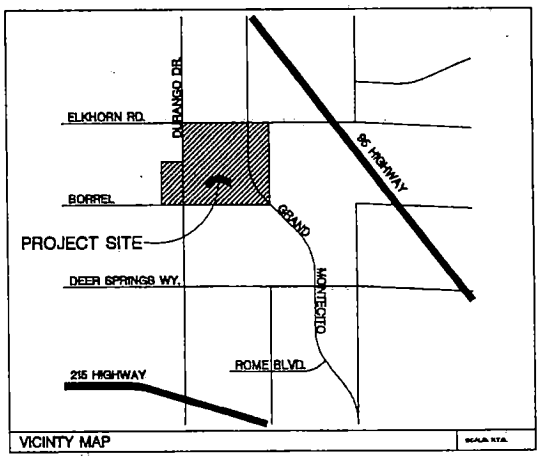
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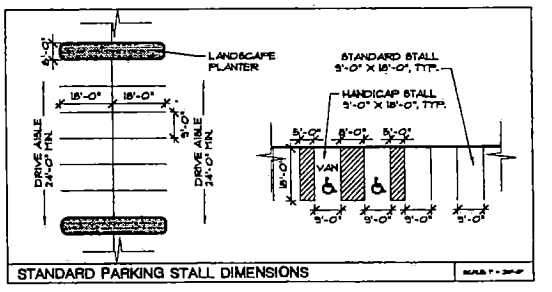
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,880 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

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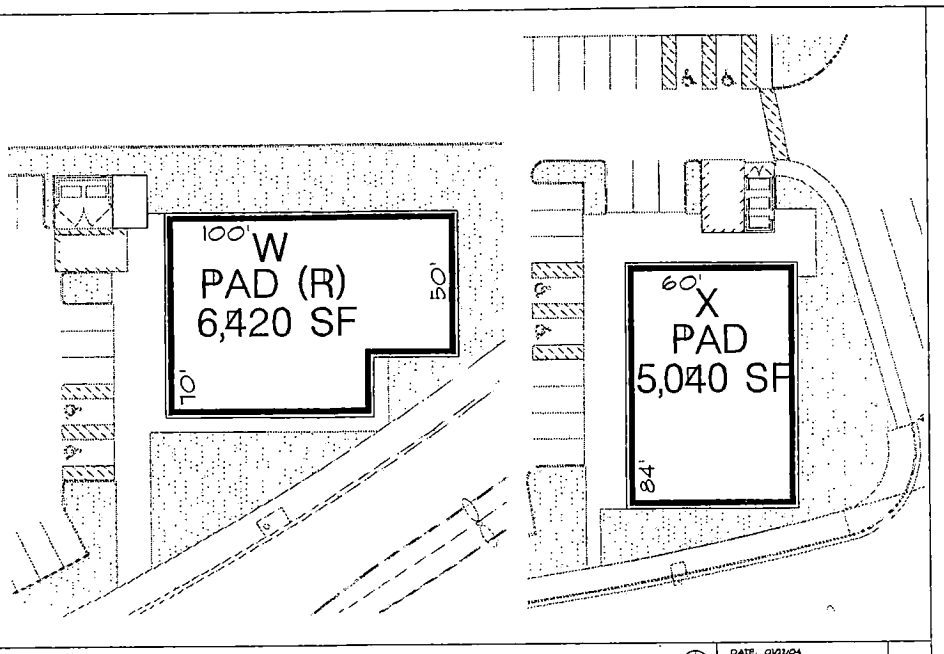
Revisions

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Checked By	
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Site Plan
SA-1

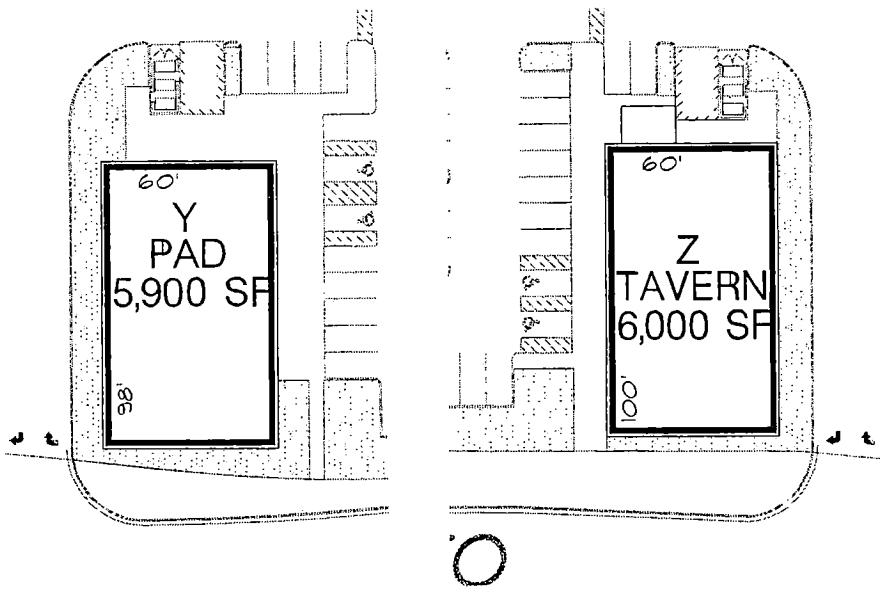
SUP-3780
03-11-04 PC



BUILDINGS "W" AND "X"

DATE: 01/21/04
SCALE: 1" = 20'-0"

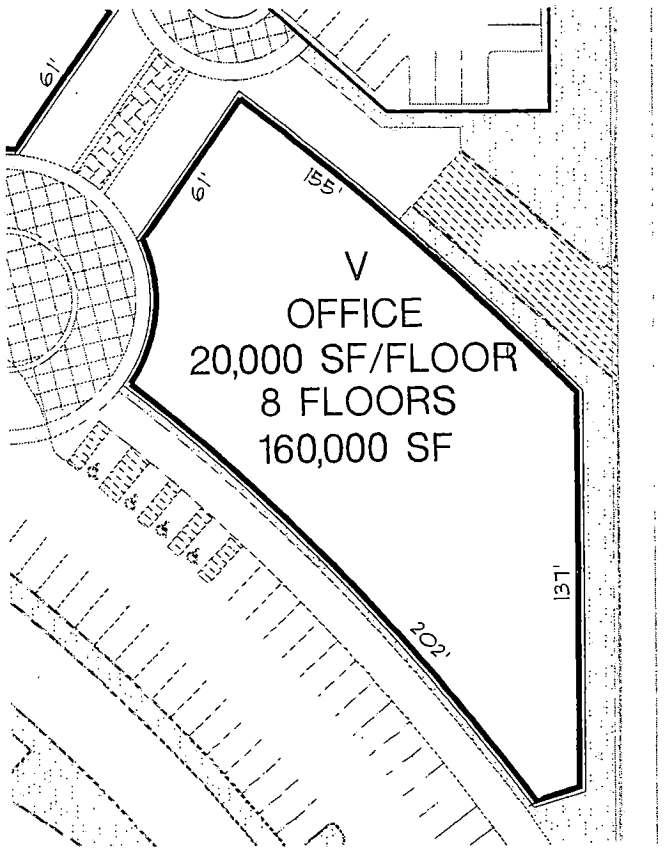
W&X



BUILDINGS "Y" AND "Z"

DATE: 01/11/04
SCALE: 1" = 20'-0"

Y&Z



BUILDING "V"

DATE: 01/22/04
SCALE: 1" = 20'-0"

V

SUP-3780
03-11-04 PC

PR

3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8576 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	aj
Project No.	03-432.11
File Name	D03K32RS.dwg
Scale	1" = 1'-0" (As Noted)

Scale and North Orientation as Noted

0 SCALE 2X

Floor Plans
FL-5



SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad F of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 35 – SUP-3781

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

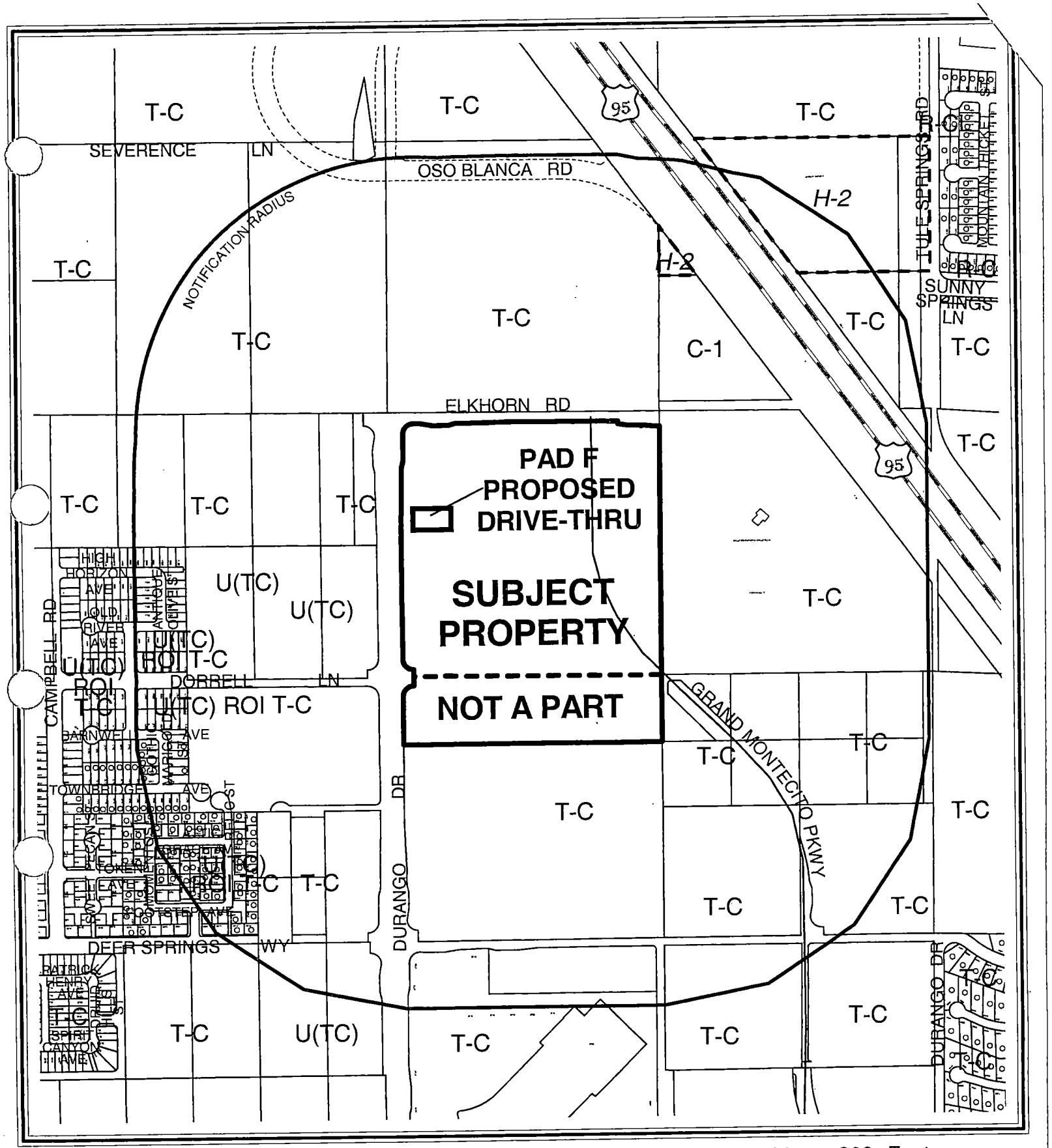
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3781**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3764 - PUBLIC HEARING - SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad F of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 5,500 square-foot Bank on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

GL

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an

80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Bank use on Pad F, it will not generate additional parking to that which would be required for the Bank use. Since the Agreement has no specific parking standards for these uses, then 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
Commercial, Other than Listed	5,500 s.f.	1 space/250 s.f. of GFA	22 spaces	1 space	25 spaces (2,470 spaces provided overall)	2 spaces

The project will exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, such restrictions are superceded for Town Center lands, such as the subject site, which are within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Bank use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

GL

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 the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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

   Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 159 (Mailed with SUP-3779 and SUP-3780)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3781 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

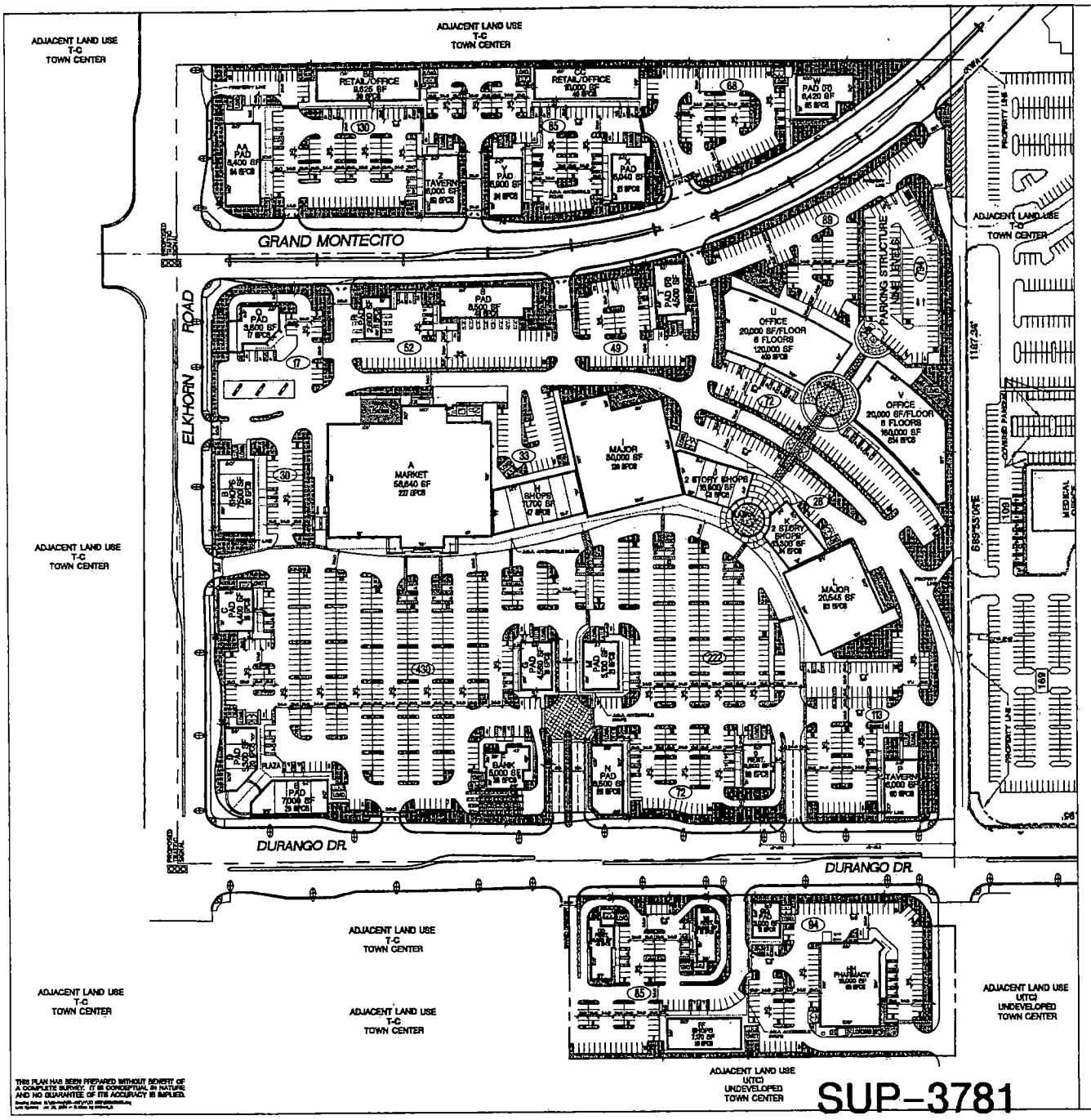
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

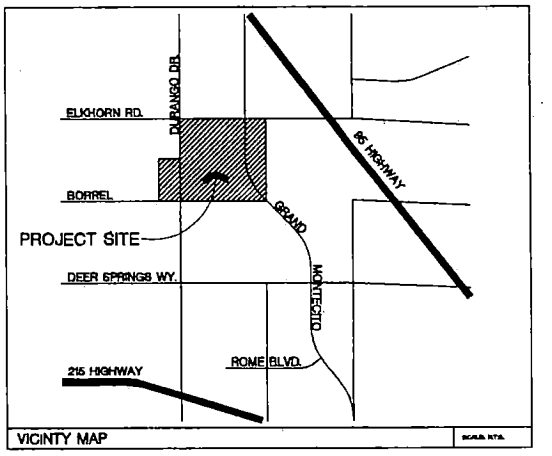
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,891 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 18/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (9,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

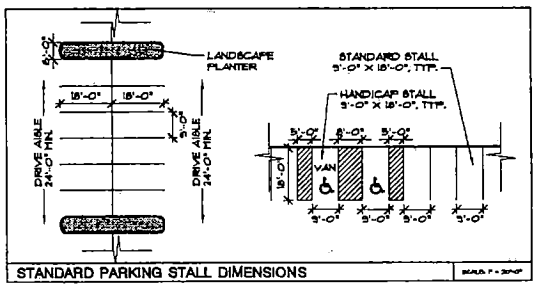
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Parkowitz Ruth ARCHITECTS
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-8500
702-862-8584 fax
www.parkowitzruth.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

MONTECITO MARKETPLACE
SEC of Durango Drive + Elkhorn Road
Las Vegas, NV

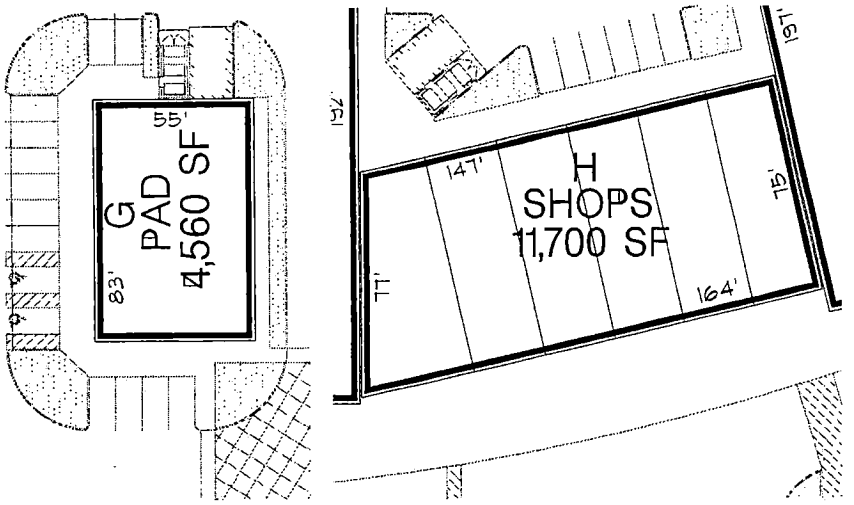
Revisions

Date	01/27/04
Drawn By	JH, RK
Checked By	JH
Project No.	03-4321
File Name	D0342x04.dwg
Scale	1" = 80'

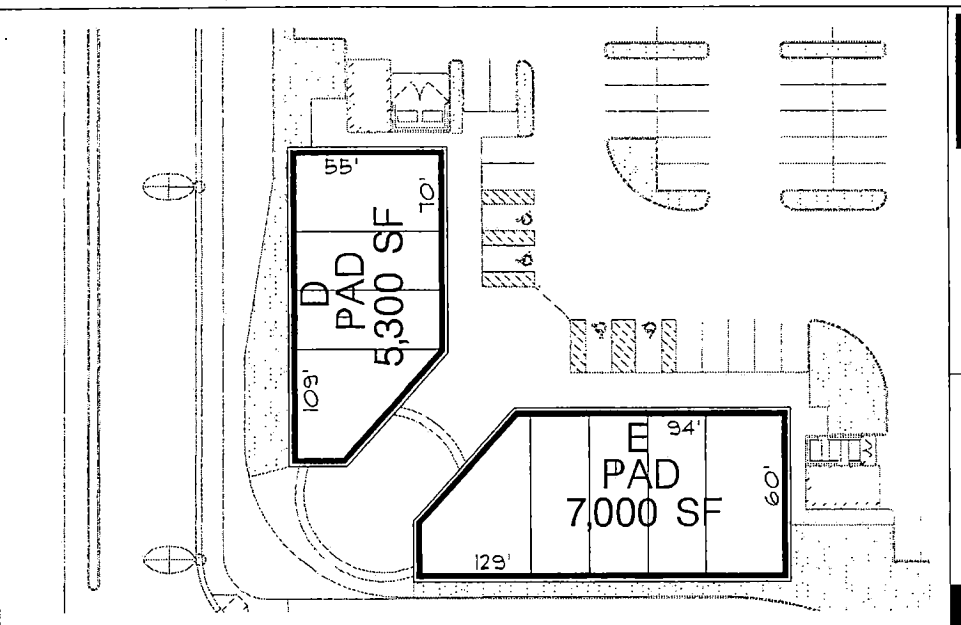
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Site Plan
SA-1

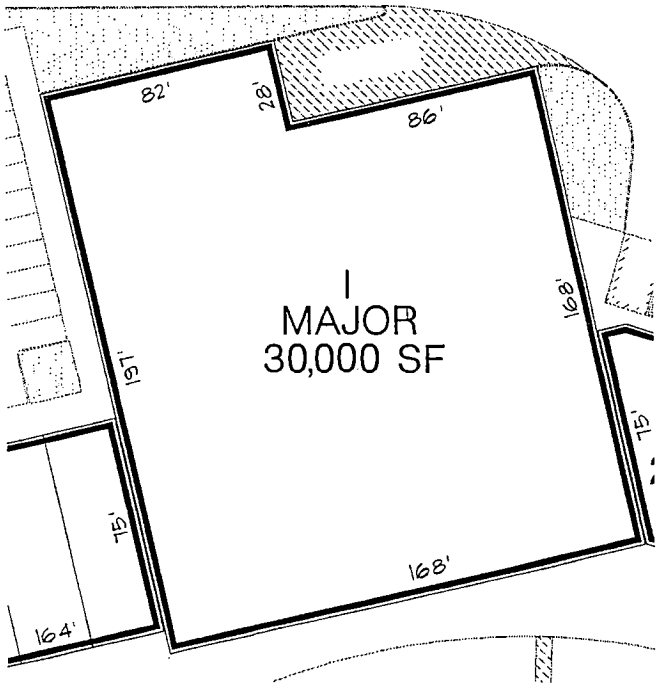
SUP-3781
03-11-04 PC



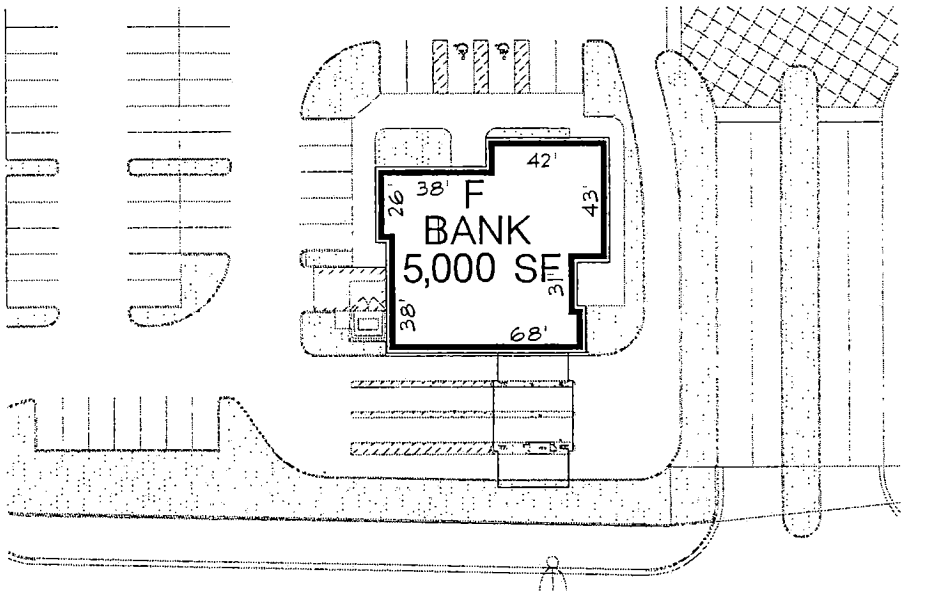
BUILDING "G" AND "H" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | G&H



BUILDINGS "D" AND "E" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | D&E



BUILDING "I" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | I



BUILDING "F" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | F

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Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive • Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	aj
Project No.	03-432.01
File Name	D0343202.dwg
Scale	1" = - (As Noted)

North and Scale Orientation as Noted

0 SCALE 2X

Floor Plans
FL-2

SUP-3781

03-11-04 PC



SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 36 – SUP-3783

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(*7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

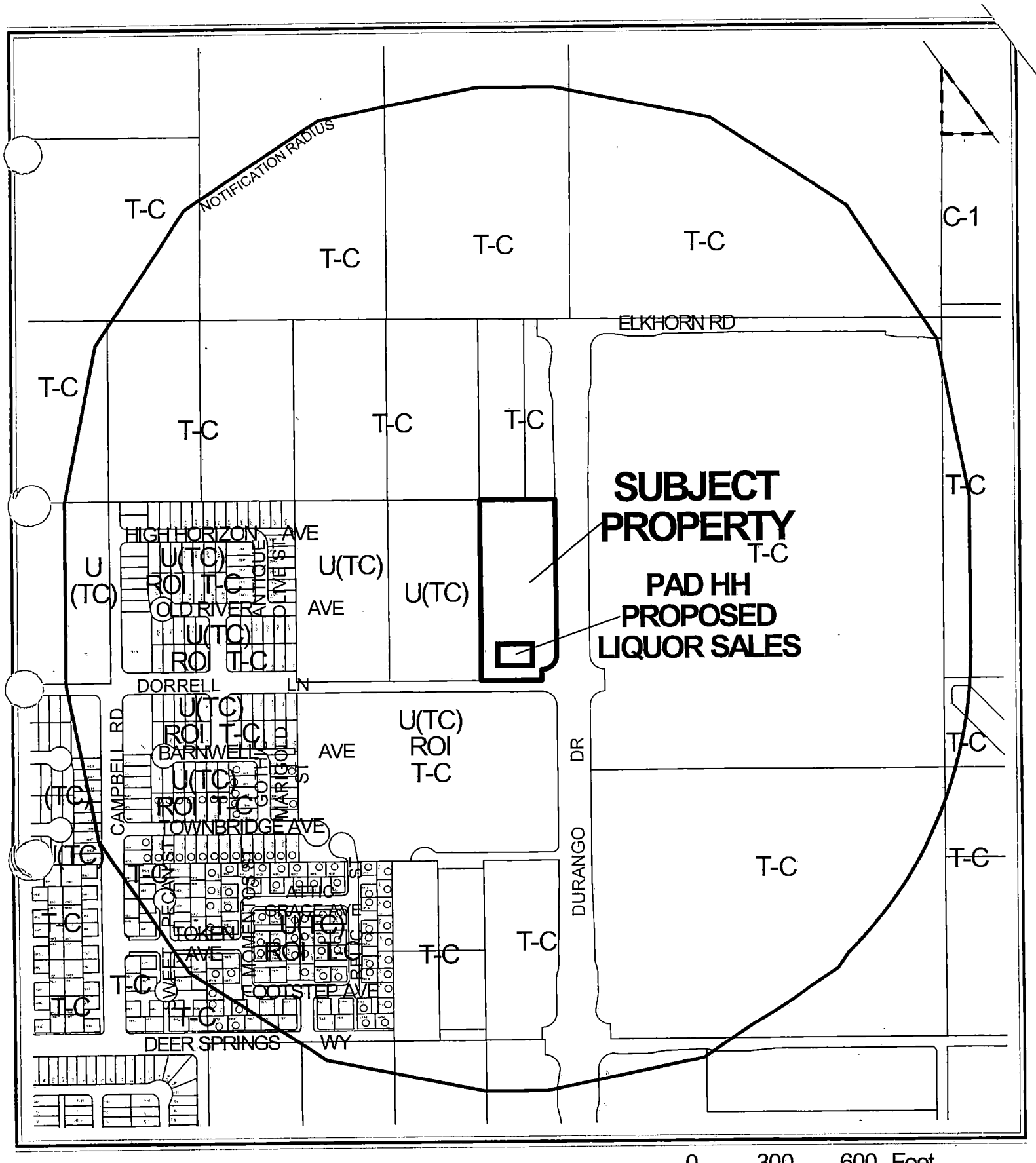
4. All City Code requirements and design standards of all City departments must be satisfied.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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



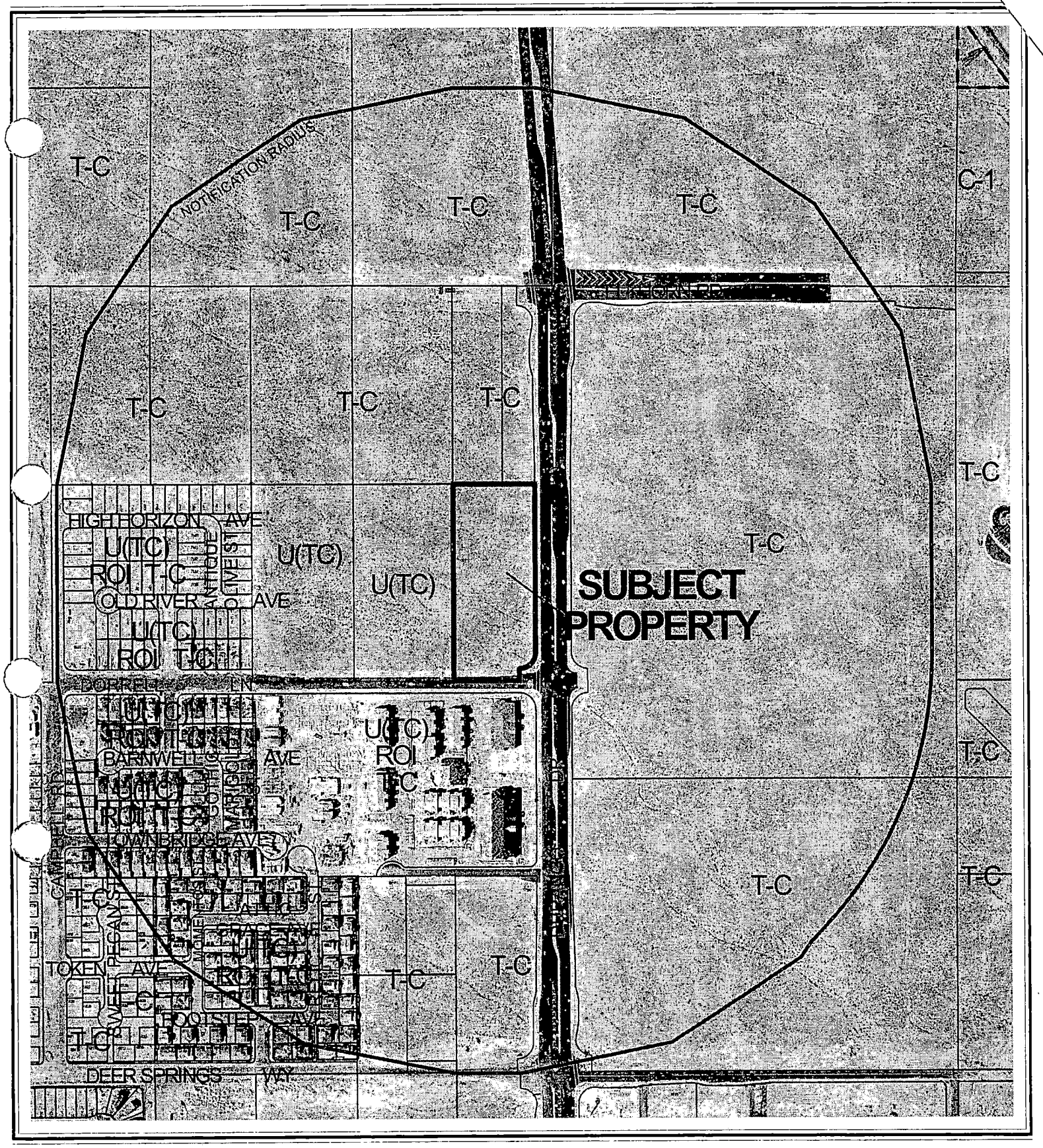
CASE: **SUP-3783**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N

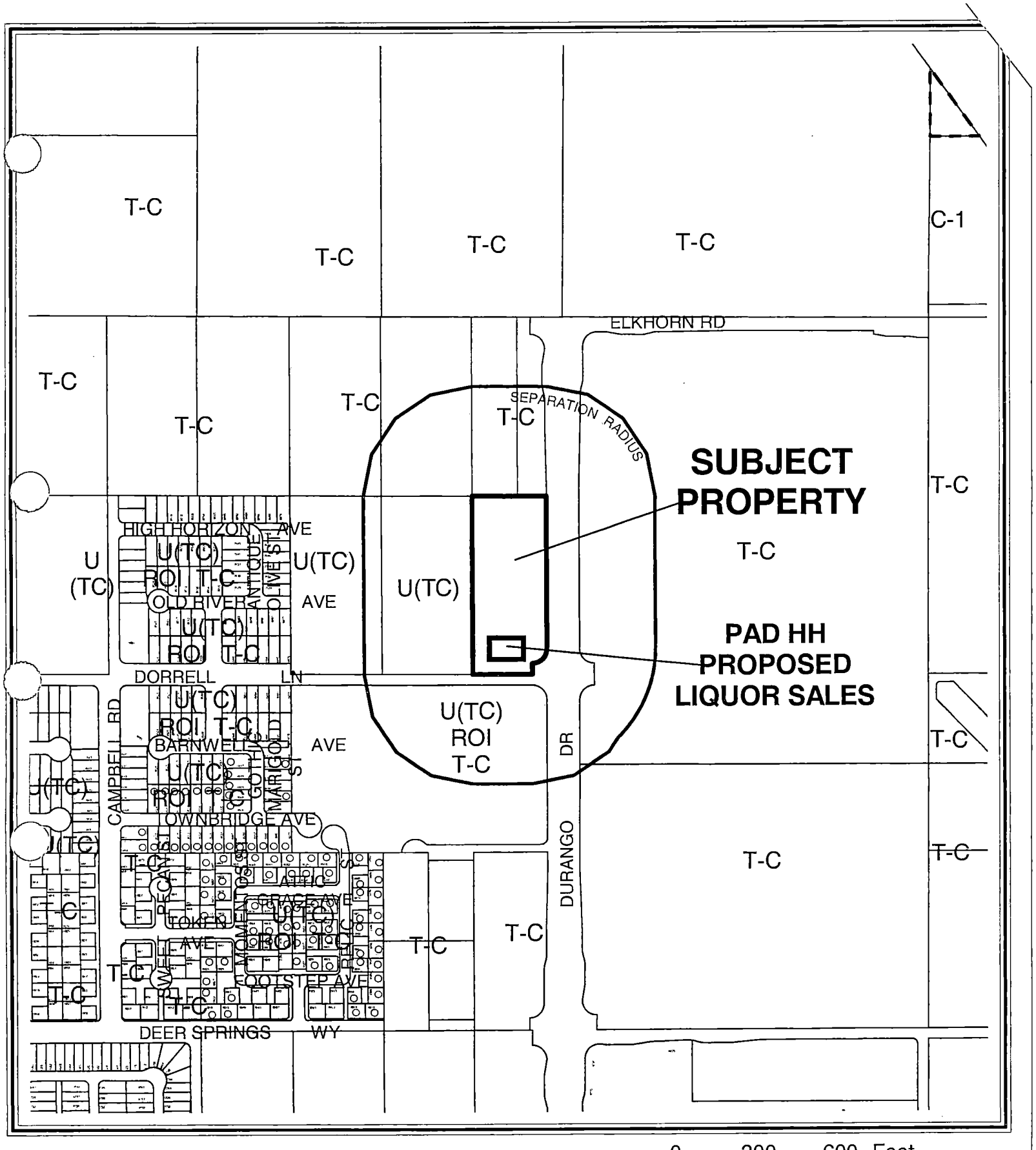


CASE: **SUP-3783**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

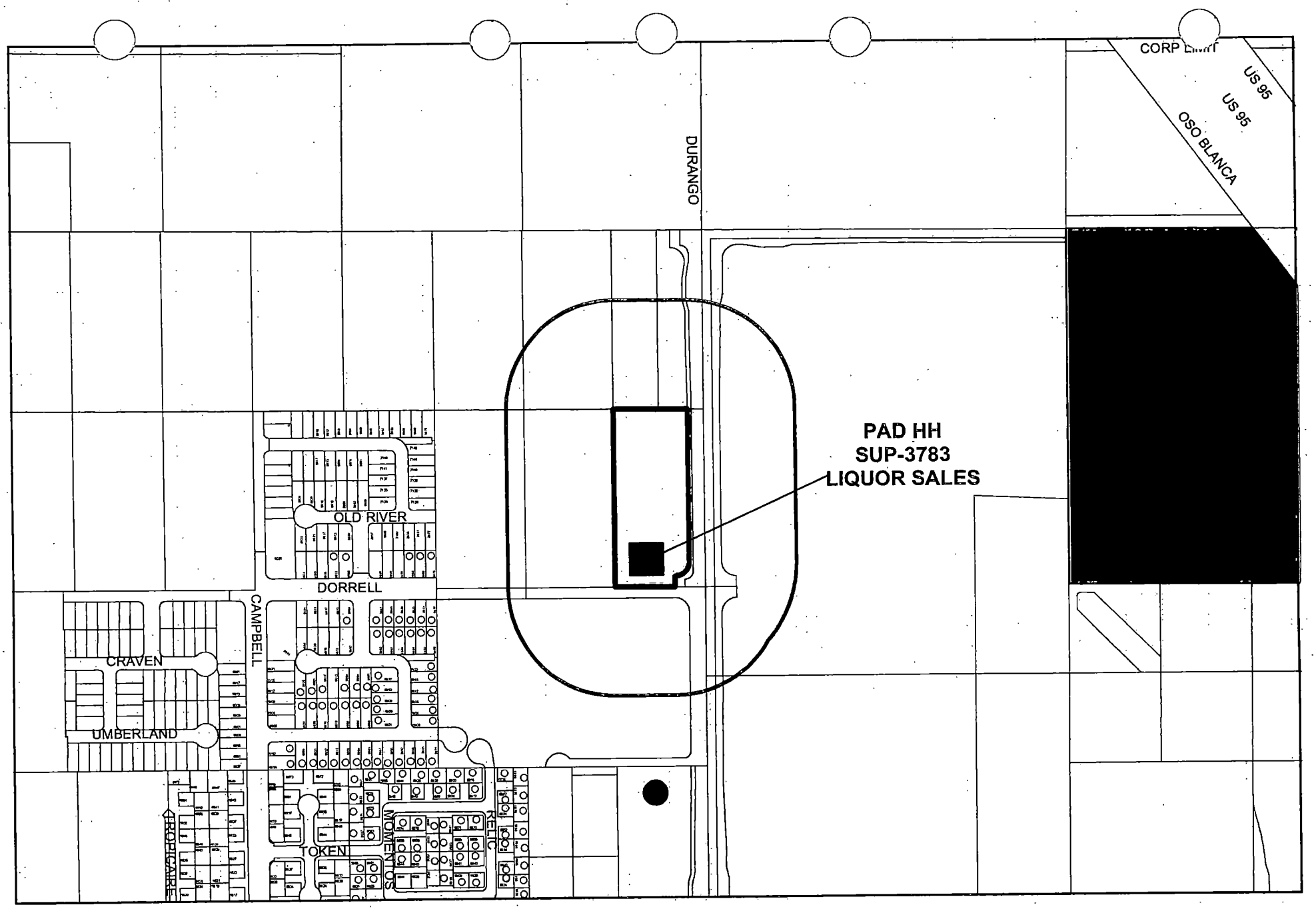


CASE: **SUP-3783**

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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



SUP-3783

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Child Care/ Children Facility

Subject Property

1500 foot buffer

0 250 500 1,000 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SDR-3764 - PUBLIC HEARING - SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

8. 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 to allow a Liquor Sales use on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will located within and as part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito

GL

Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the

applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Liquor Sales use. Since the proposed Liquor Sales use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Parking Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Liquor Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, that require a 400-foot separation distance between Alcoholic Beverage Sales/Liquor Store uses and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Liquor Sales use is not referenced within the context of

this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Liquor Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require an "Alcoholic Beverage Sales/Liquor Store" to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Liquor Sales use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a Alcoholic Beverage Sales/Liquor Store use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such restriction for a Liquor Sales use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no identified sensitive uses within 400 feet of the subject parcel. The request will conform to the

provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Liquor Sales use.

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

   Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

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

NOTICES MAILED 160 (Mailed with MOD-3763 and ZON-3840)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3783 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

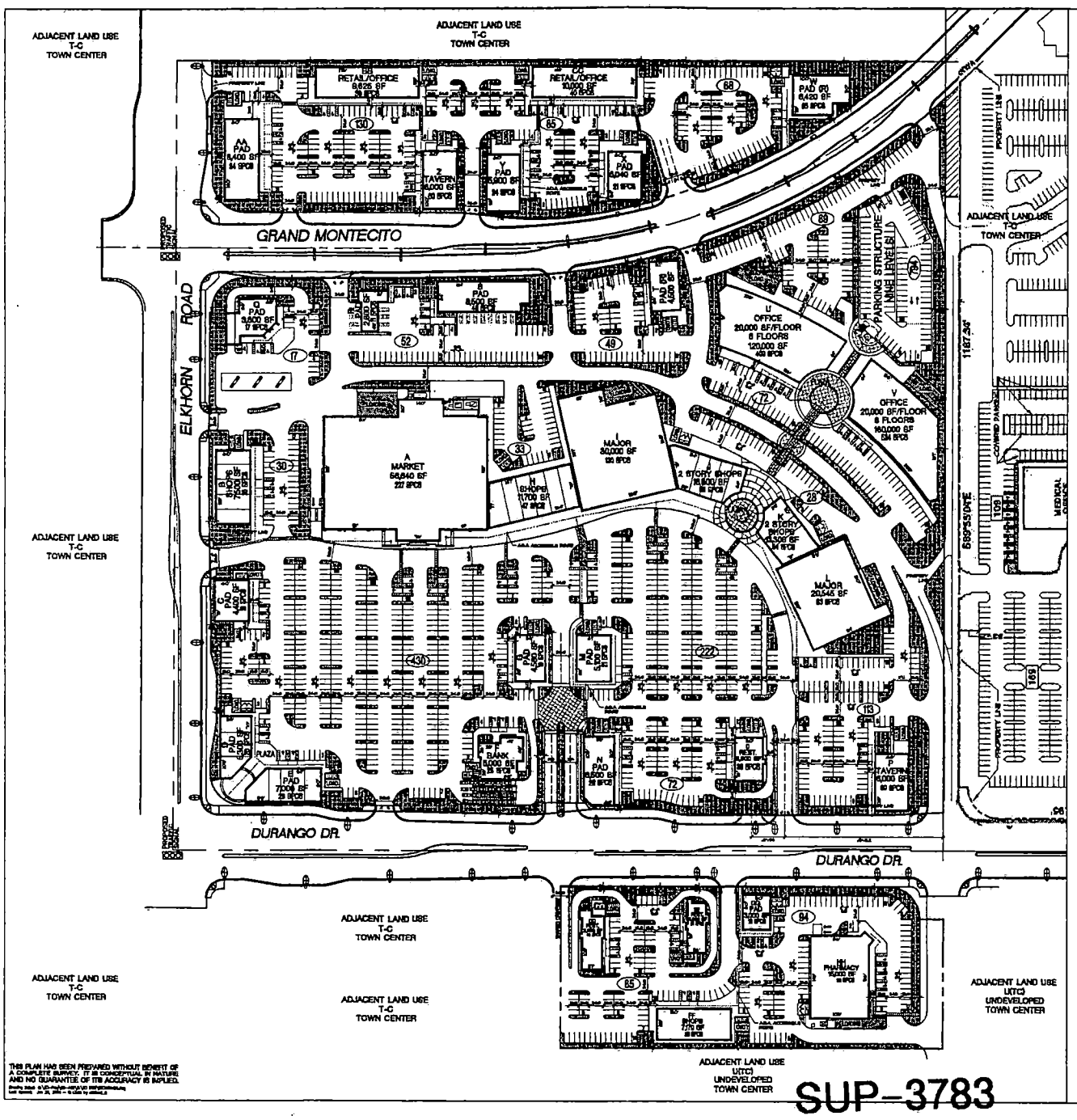
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005



SUMMARY

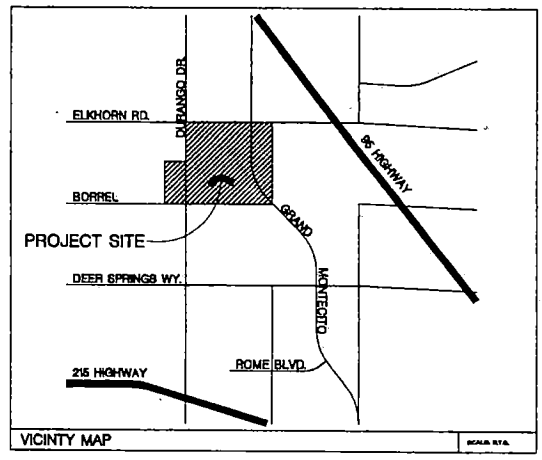
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 567,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (161,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,840 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (9,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

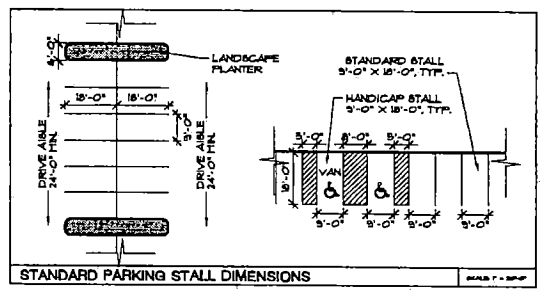
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3800 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-822-8500
702-822-8501 fax
www.pranchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

Parkowitz Roth ARCHITECTS
SEC of Durango Drive & Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date 01/27/04
Drawn By mk
Checked By al
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Scale 1" = 80'

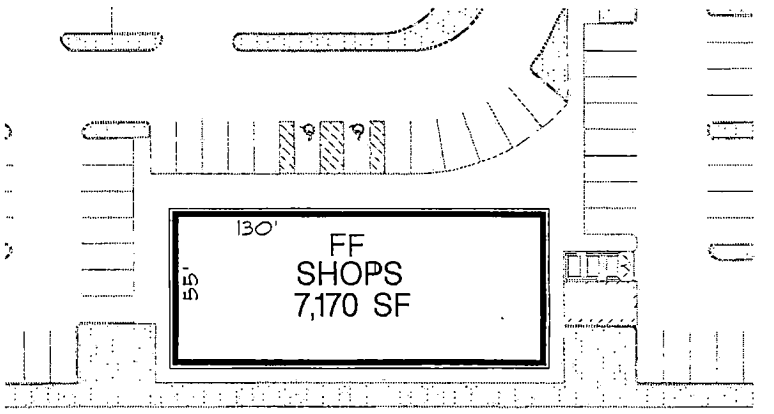
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Site Plan
SA-1

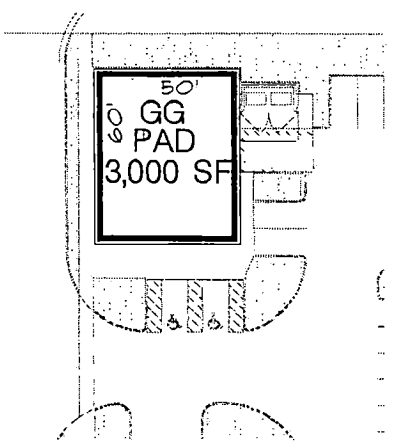
SUP-3783
03-11-04 PC



BUILDING "HH" | DATE: 01/27/04 | SCALE: 1" = 20'-0" | HH



BUILDING "FF" | DATE: 01/27/04 | SCALE: 1" = 20'-0" | FF



BUILDING "GG" | DATE: 01/27/04 | SCALE: 1" = 20'-0" | GG

SUP-3783
03-11-04 PC

PR

3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8501 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

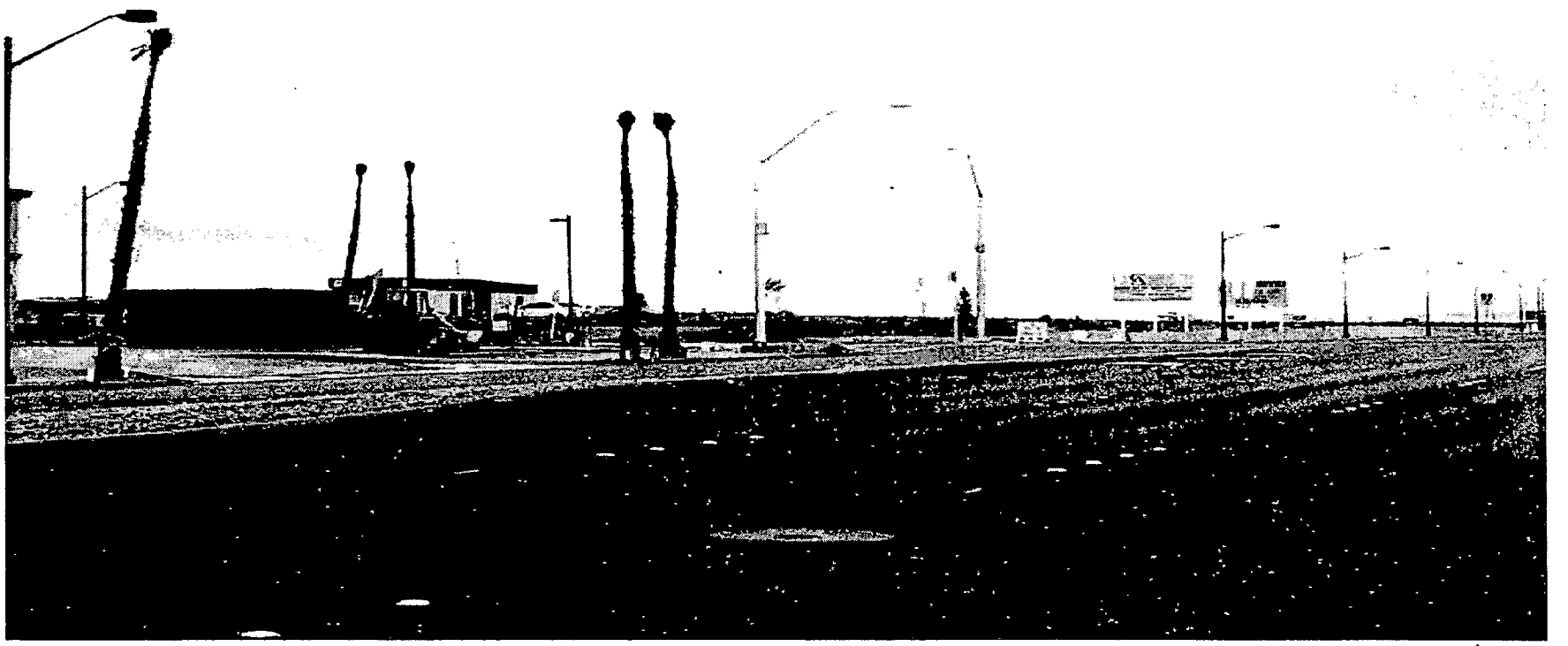
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	mj
Project No.	03-432.01
File Name	D0343201.dwg
Scale	1" = - (As Noted)

Scale: As Noted
Plotted Size as Noted
0 1X SCALE 2X

Floor Plans
FL-7



SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 37 – SUP-3785

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

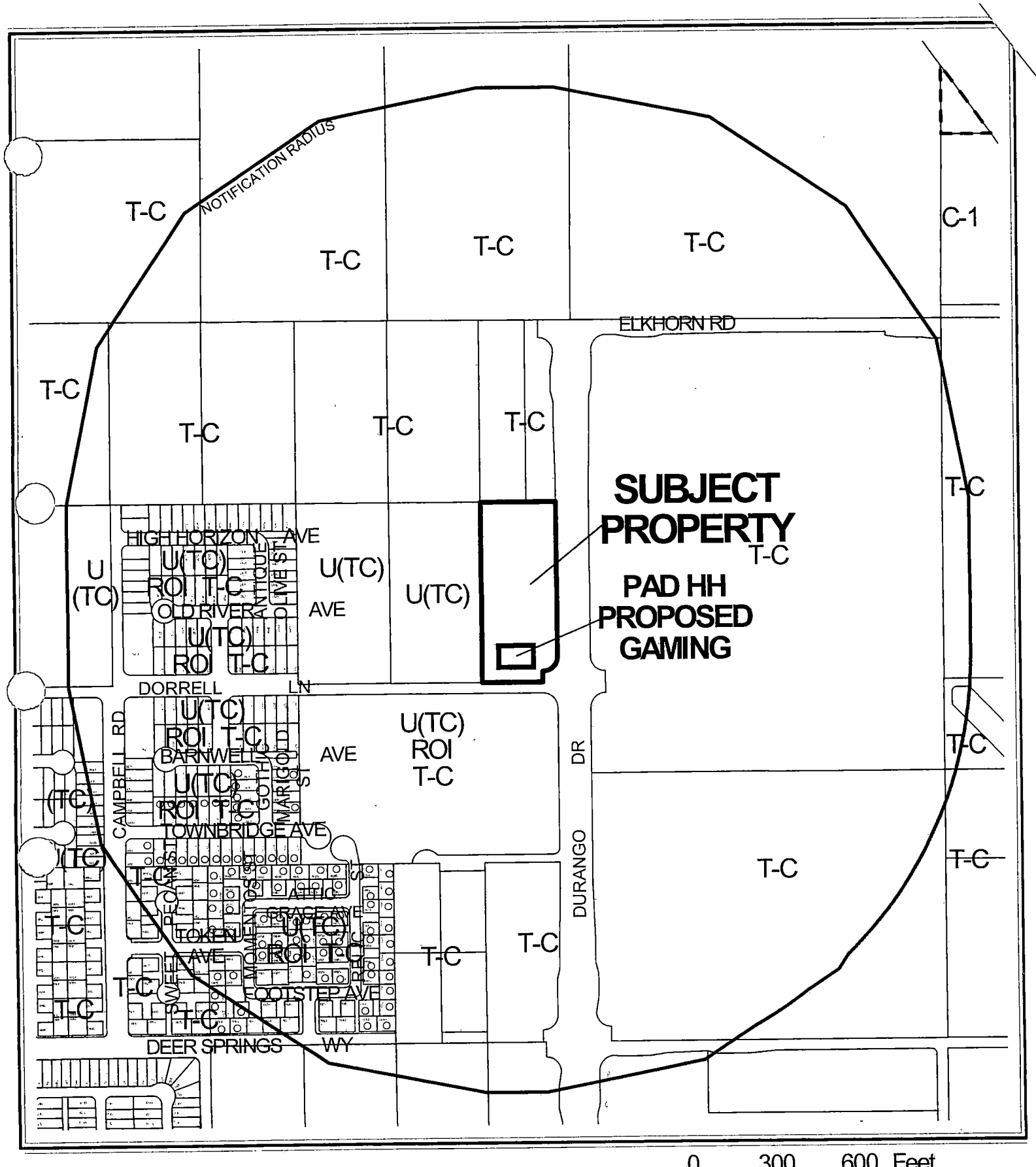
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3785**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SDR-3764 - PUBLIC HEARING - SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will located within and as part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito

GL

Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the

applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed Gaming (Incidental) use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then 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
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Gaming (Incidental) use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed

project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

  This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

  Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

  Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such restriction for a Gaming (Incidental) use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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

   Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 160 (Mailed with SUP-3786, SUP-3788 and SUP-3789)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3785 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

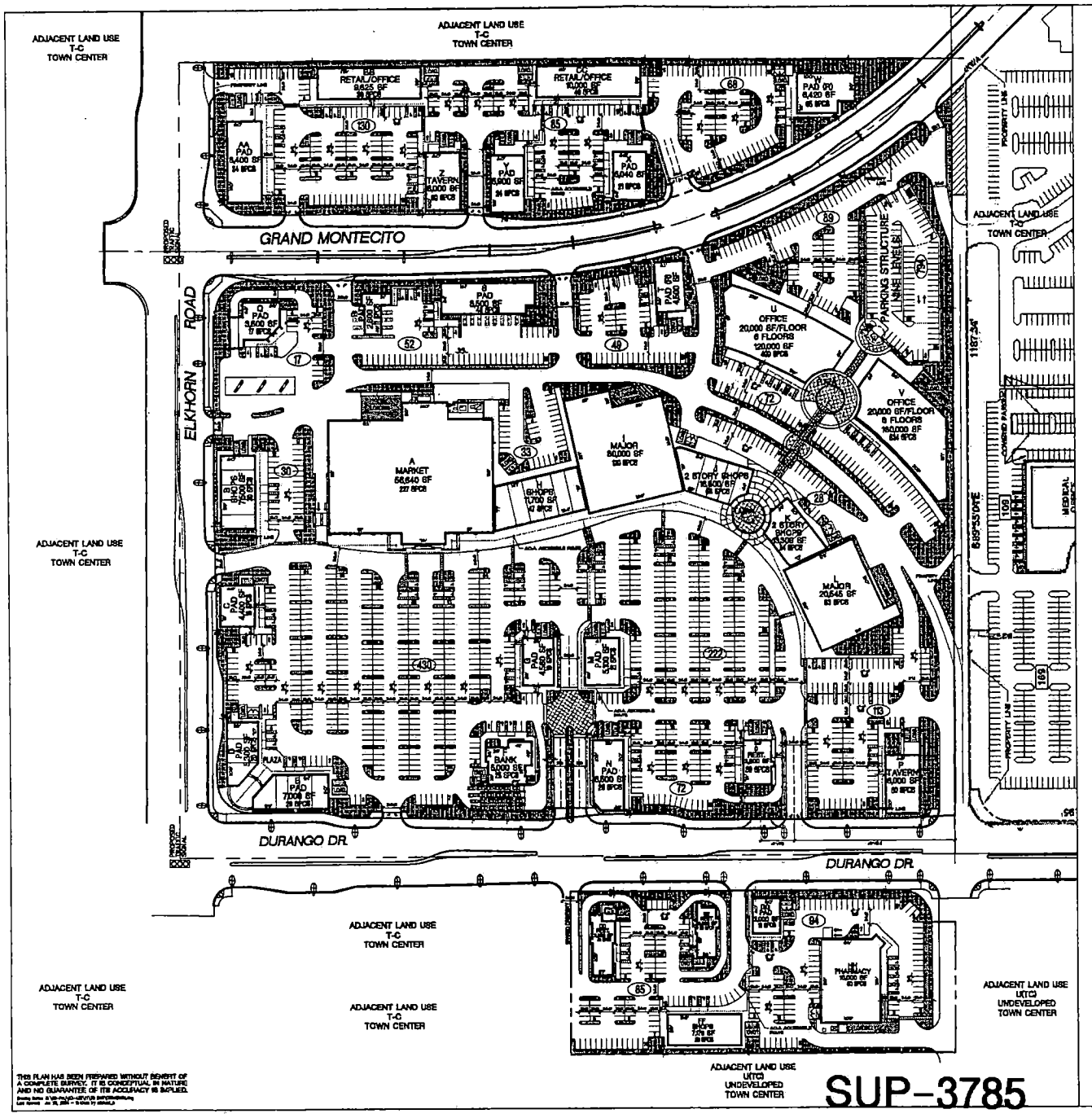
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State

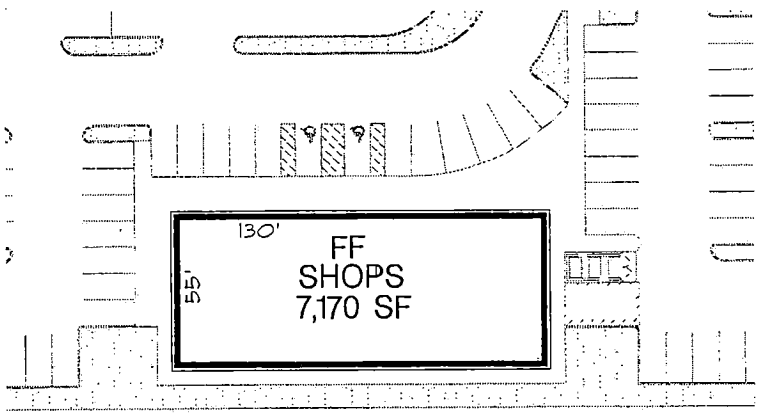

ADJACENT LAND USE
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TOWN CENTER
GRAND MONTECITO
ELKHORN ROAD
DURANGO DR.
PROPOSED SIGNAL
PROPERTY LINE
PARKING STRUCTURE
NINE LEVELS
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BUILDING "HH"

DATE: 01/27/04
SCALE: 1" = 30'-0"

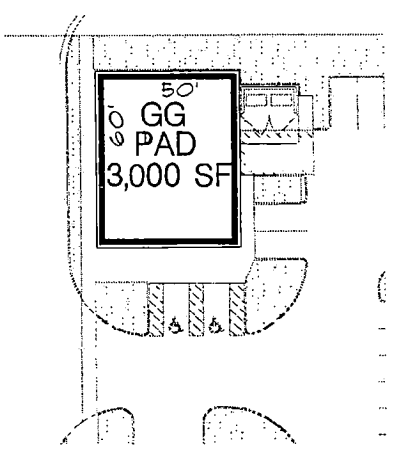
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BUILDING "FF"

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SCALE: 1" = 30'-0"

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BUILDING "GG"

DATE: 01/27/04
SCALE: 1" = 30'-0"

GG

SUP-3785

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PR

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Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

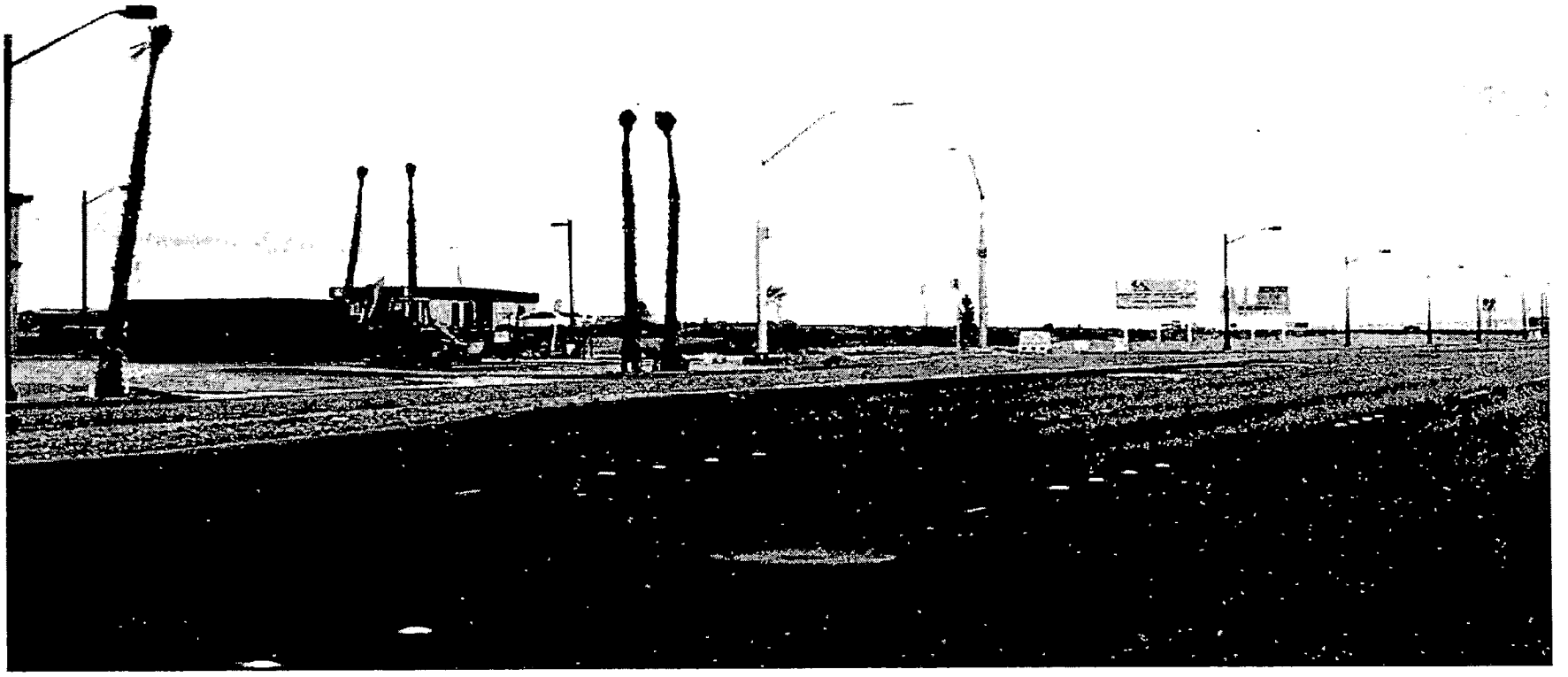
Revisions

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Drawn By	mk
Checked By	mj
Project No.	03-432.11
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Scale and Norm Orientation as Noted

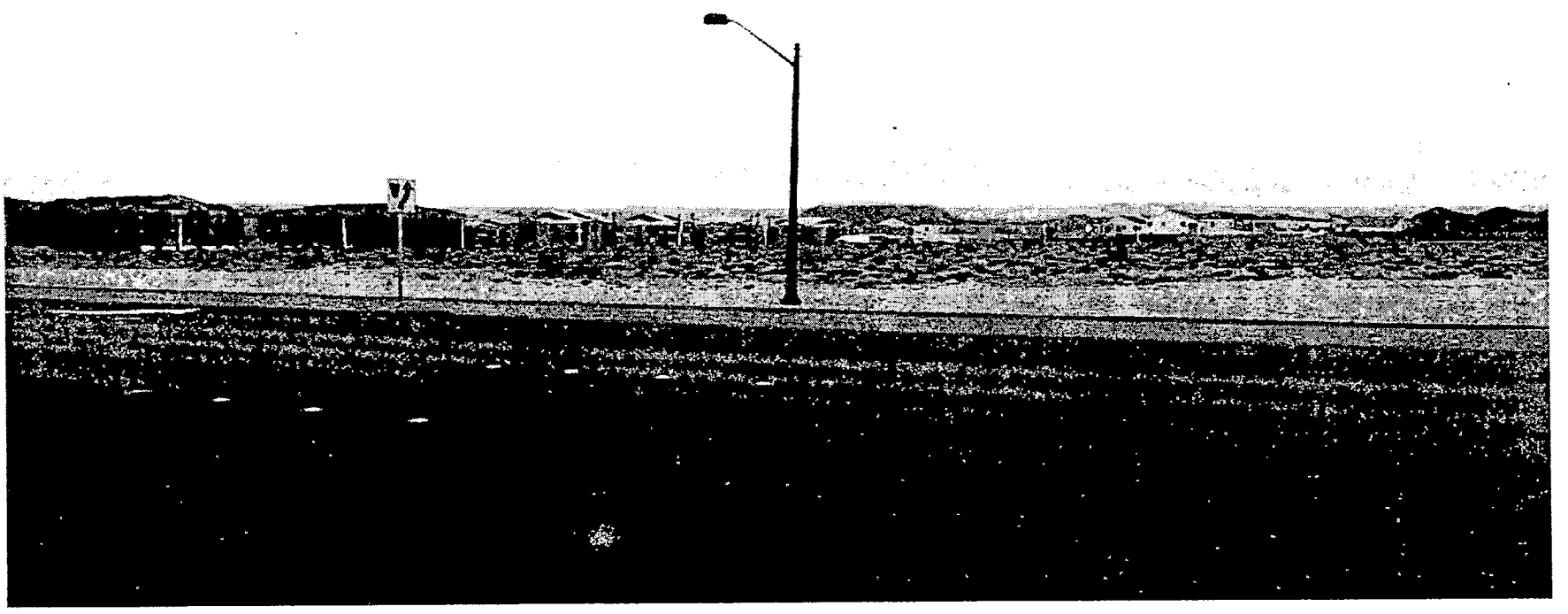
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Floor Plans
FL-7



SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 38 – SUP-3786

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

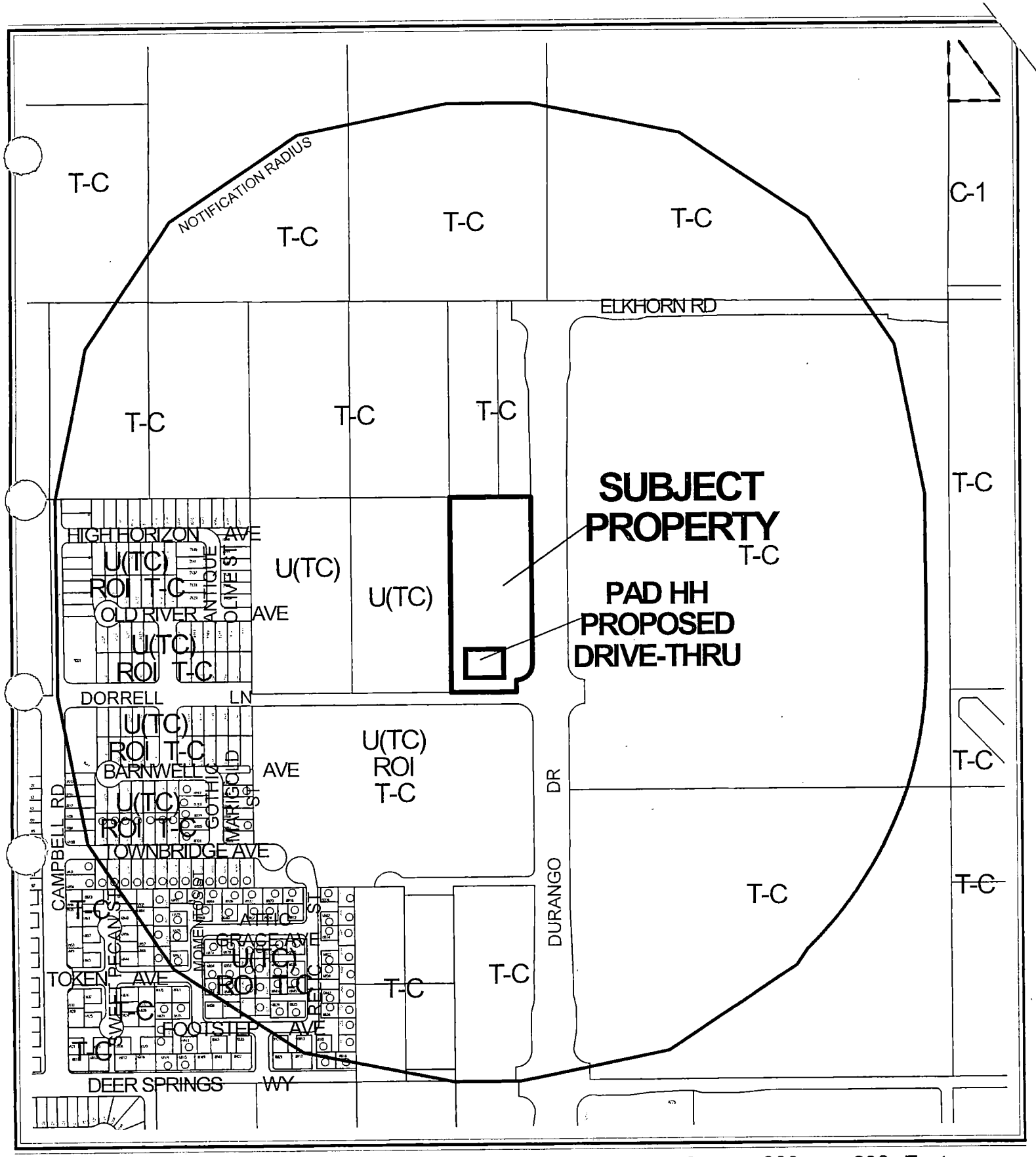
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3786**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SDR-3764 - PUBLIC HEARING - SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito

GL

Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicantTthe companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the

applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then 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
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Manual is silent with respect to Drive-Through Facilities for Drug Stores. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion

Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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

   Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 160 (Mailed with SUP-3785, SUP-3788 and SUP-3789)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3786 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

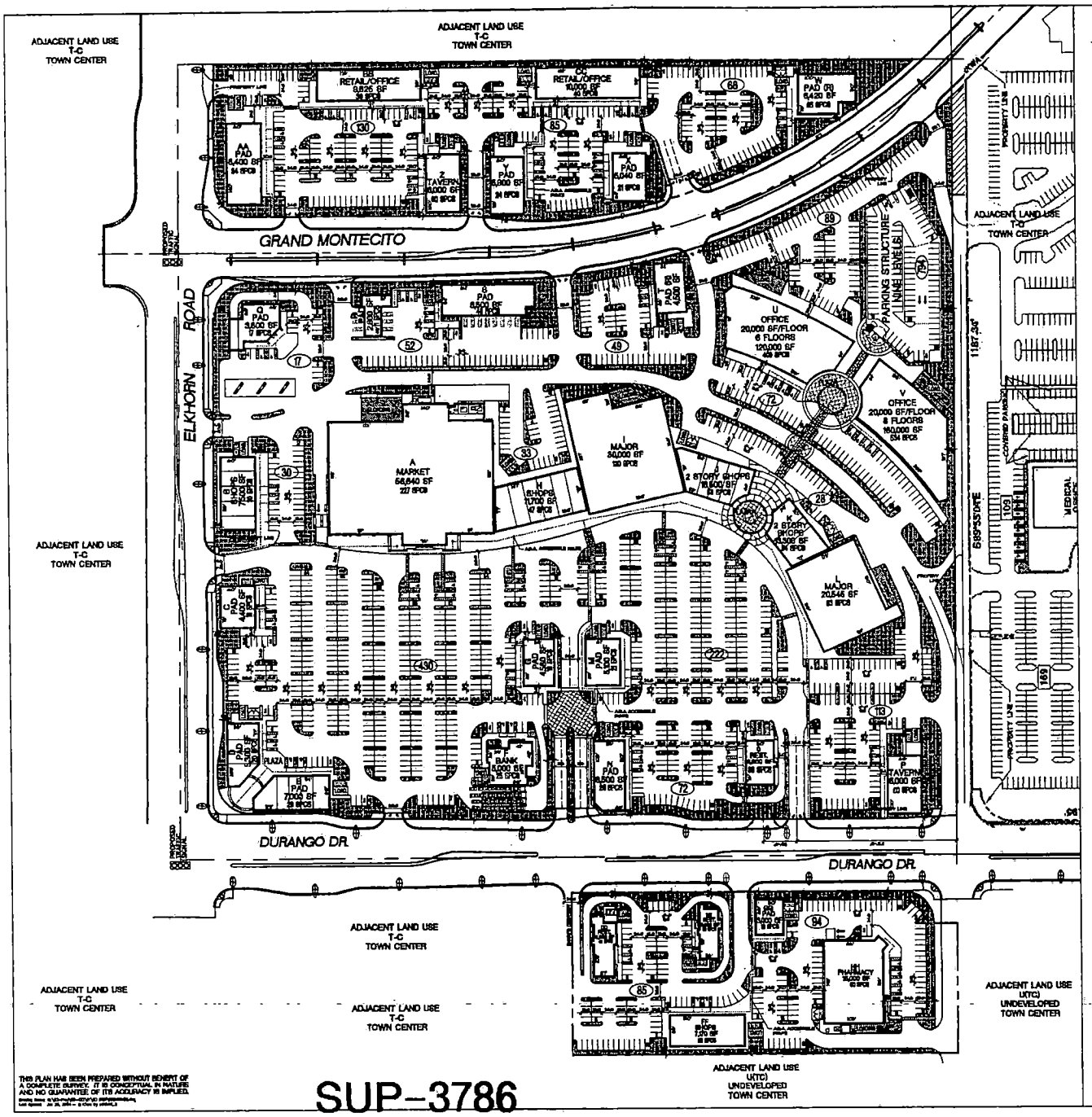
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUMMARY

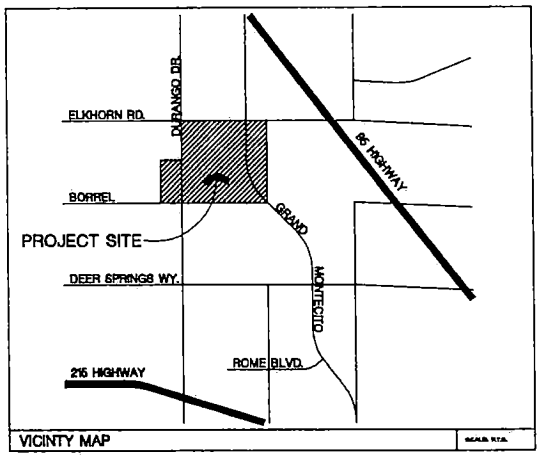
LAND AREA (GROSS)	• APPRDX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPRDX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

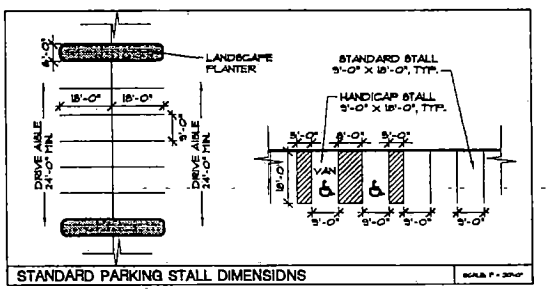
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Parkowitz Ruth. ARCHITECTS
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-8500
702-862-8574 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information:
MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

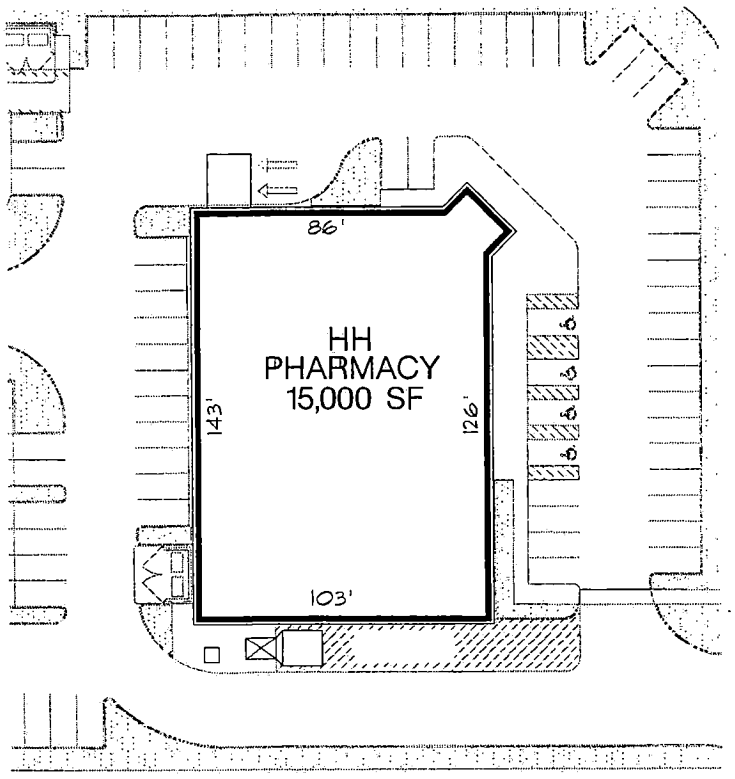
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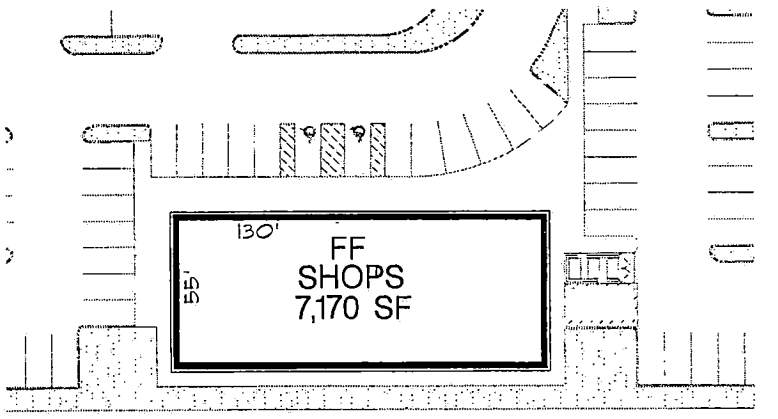
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Site Plan
SA-1

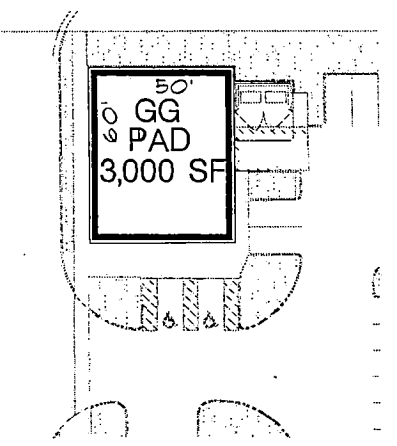
SUP-3786
03-11-04 PC



BUILDING "HH" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | HH



BUILDING "FF" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | FF



BUILDING "GG" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | GG

3980 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89109
702-892-8500
702-892-8501 fax

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Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/22/04
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Checked By	zl
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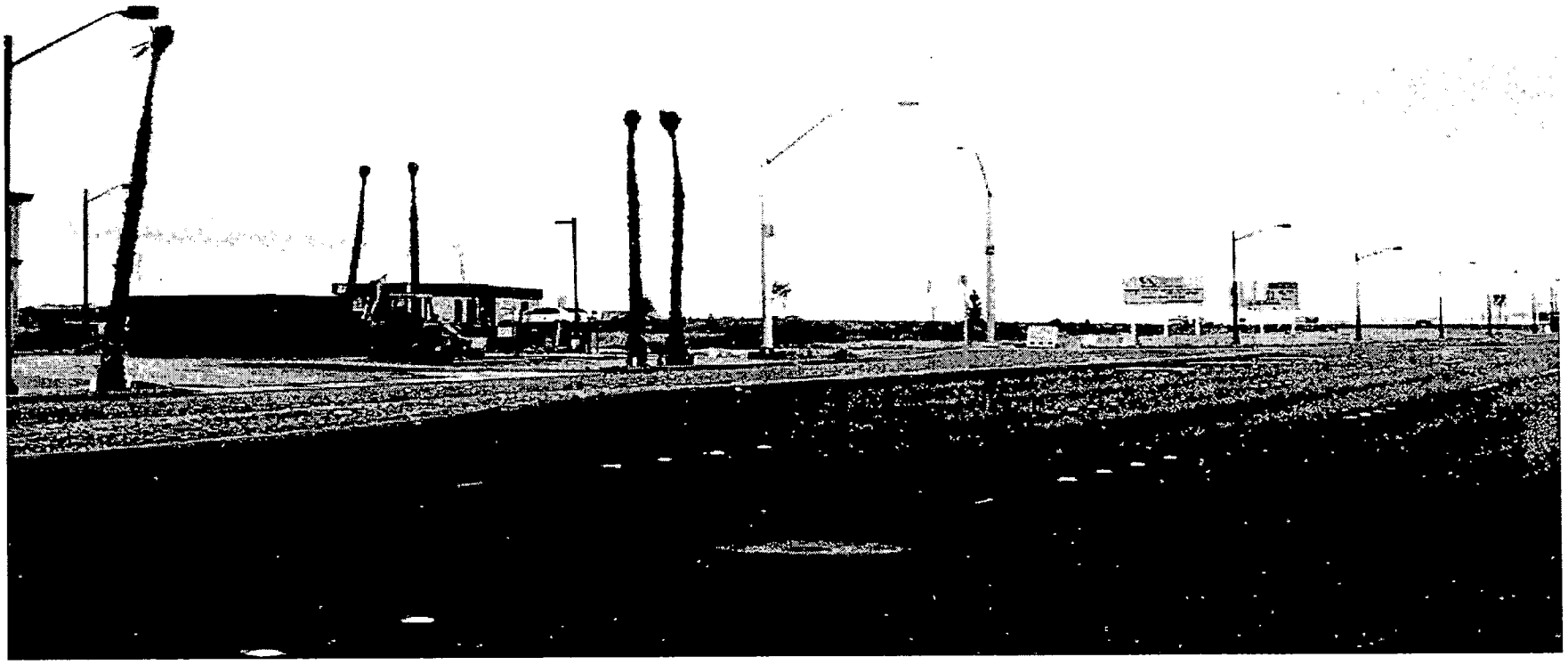
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0 SCALE 2X

Floor Plans
FL-7

SUP-3786

03-11-04 PC



SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad DD of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 39 – SUP-3788

MINUTES:

NOTE: See Item 21 [MOD-3763] for related discussion

(7:27 – 7:45)

1-3450/2-1

CONDITIONS:

Planning and Development

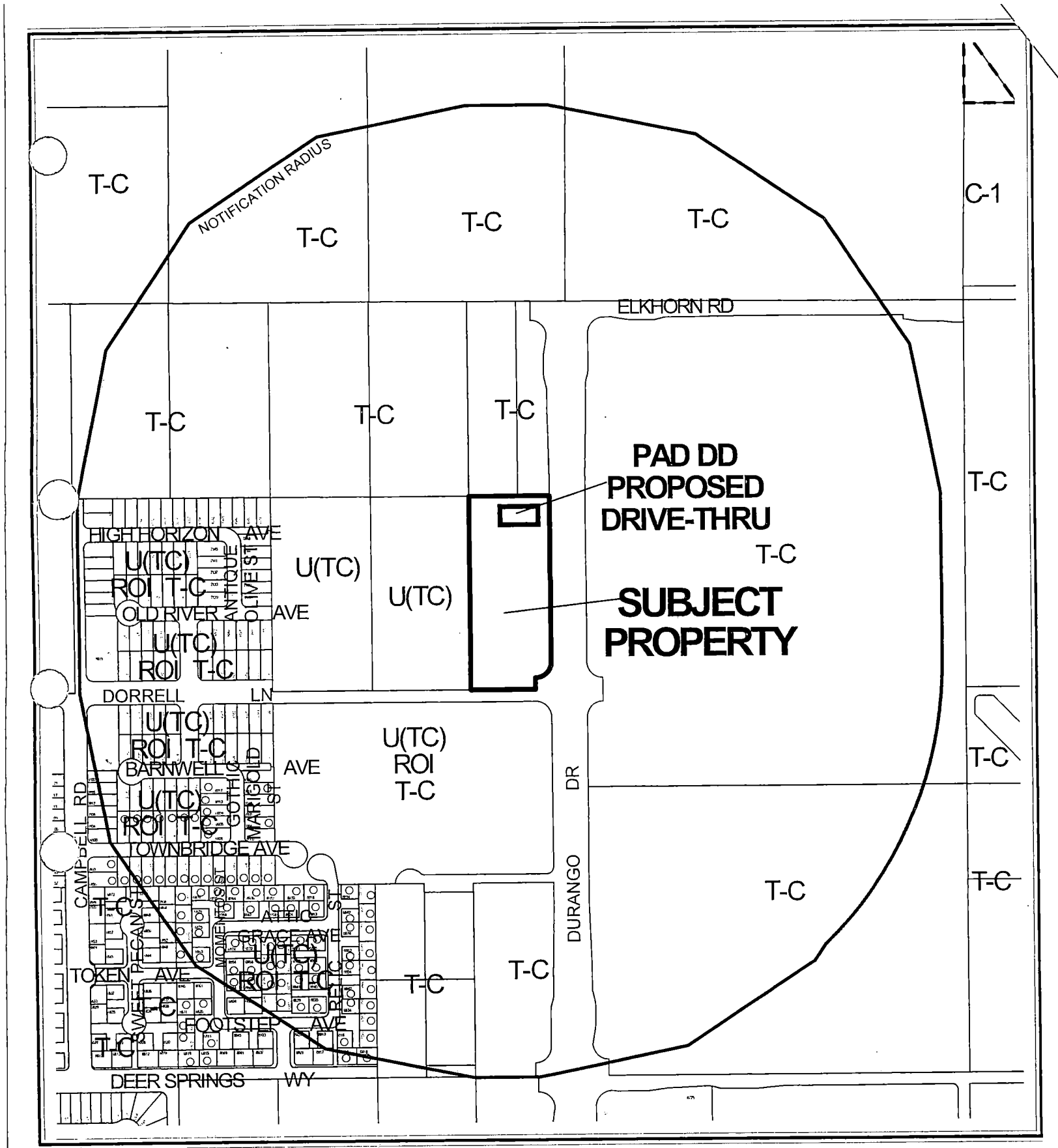
1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

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



CASE: **SUP-3788**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SDR-3764 - PUBLIC HEARING - SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.

2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].

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

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

* STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad DD, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be part of a 3,950 square-foot Restaurant on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito

GL

Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the

applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Restaurant use on Pad DD, it will not generate additional parking to that which would be required for the Restaurant use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, with drive-up/drive-thru facilities	3,950 s.f.	1 space/100 s.f. of GFA, including outdoor seating and 1 lane/drive-up window with stacking for six	40 spaces	2 spaces	40 spaces (2,470 spaces provided overall) Provided	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

  The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

  This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

  Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

  Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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

   Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 160 (Mailed with SUP-3785, SUP-3786 and SUP-3789)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3788 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

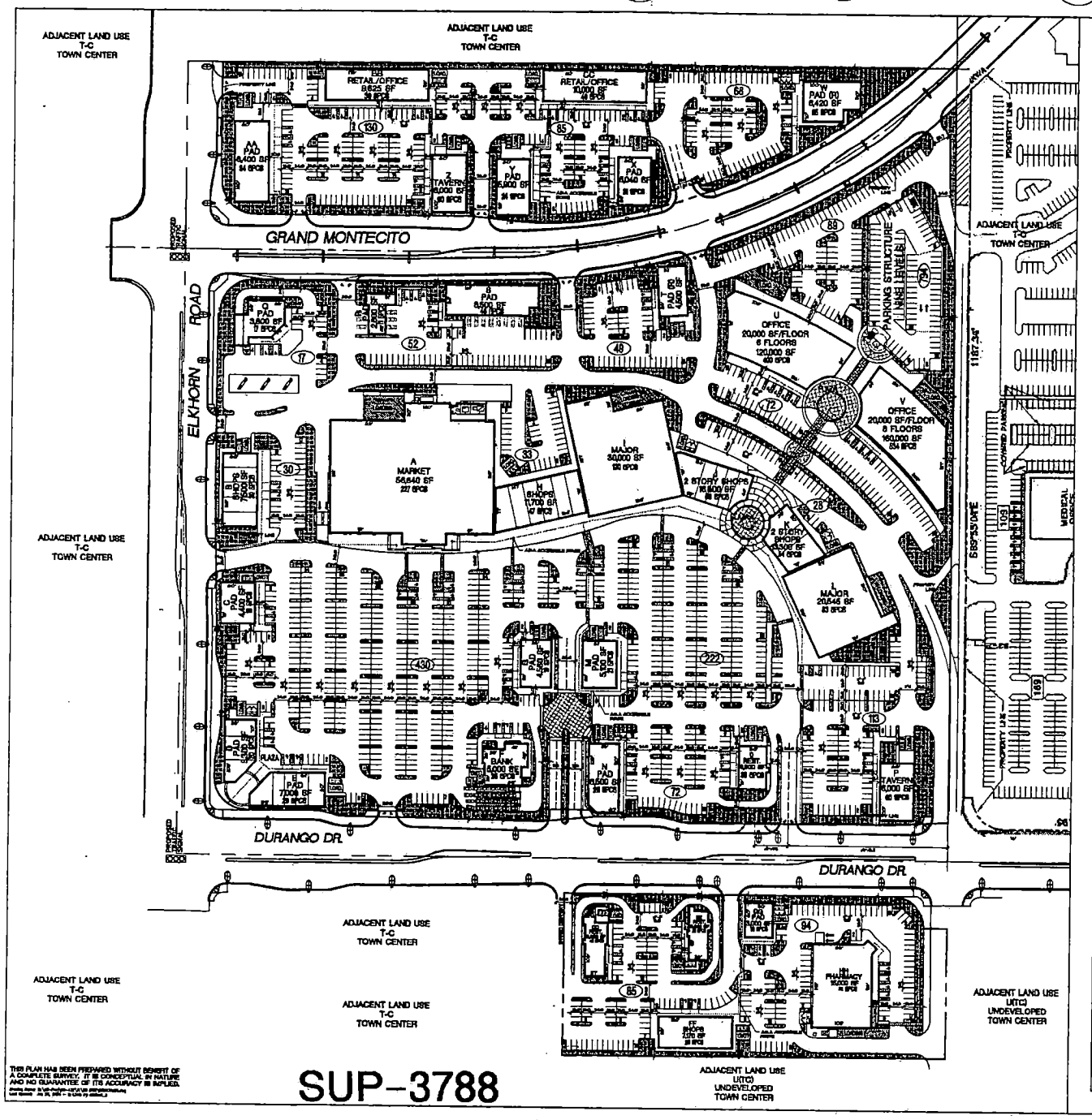
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

Marsha Bloss
Notary Public in and for said County and State



SUMMARY

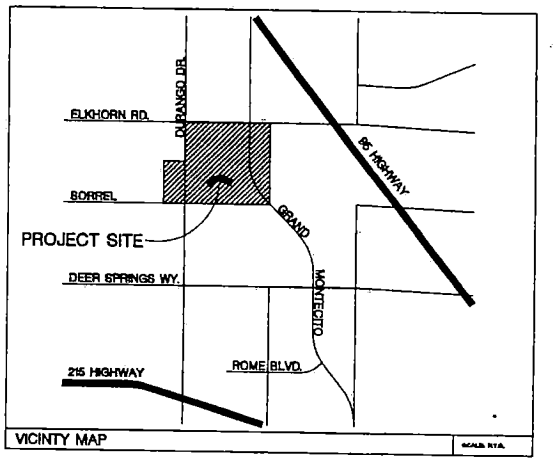
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 18/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

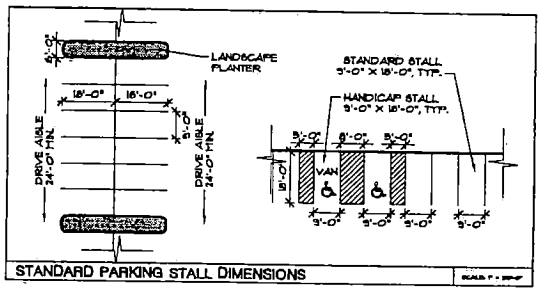
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,660 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-5520
702-892-5534 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

6SEc of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

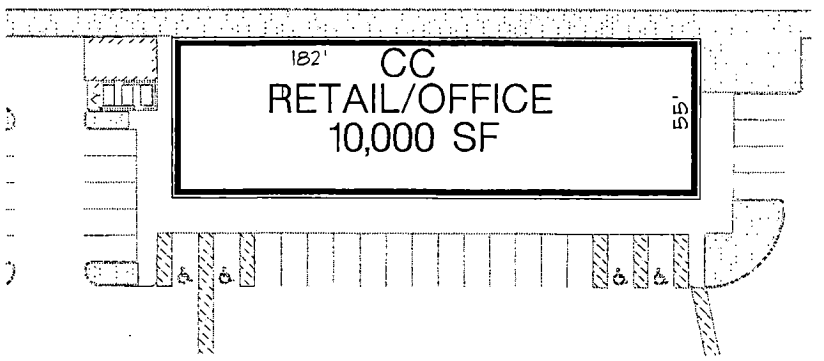
Date	01/27/04
Drawn By	
Checked By	
Project No.	03-4321
File Name	D0342Sp04.dwg
Scale	1" = 60'

N
0 40' 80' 160'

Site Plan
SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

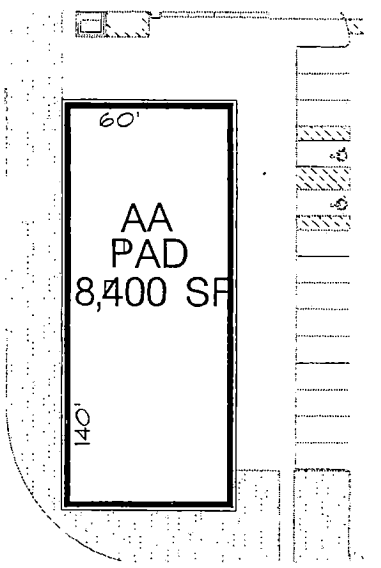
SUP-3788
03-11-04 PC



BUILDING "CC"

DATE: 01/22/04
SCALE: 1" = 20'-0"

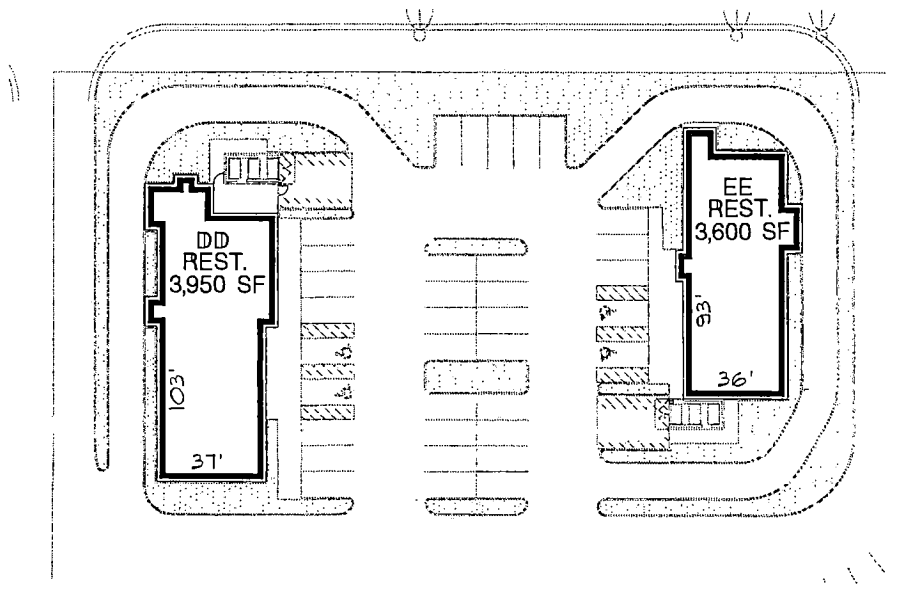
CC



BUILDING "AA"

DATE: 01/22/04
SCALE: 1" = 20'-0"

AA



BUILDINGS "DD" & "EE"

DATE: 01/22/04
SCALE: 1" = 20'-0"

DD&
EE



BUILDING "BB"

DATE: 01/22/04
SCALE: 1" = 20'-0"

BB

SUP-3788
03-11-04 PC

3980 Howard Hughes Pkwy
Suite 650
Las Vegas, NV 89109
702-862-3500
702-862-3594 fax

www.ranchtacts.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Blvd + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

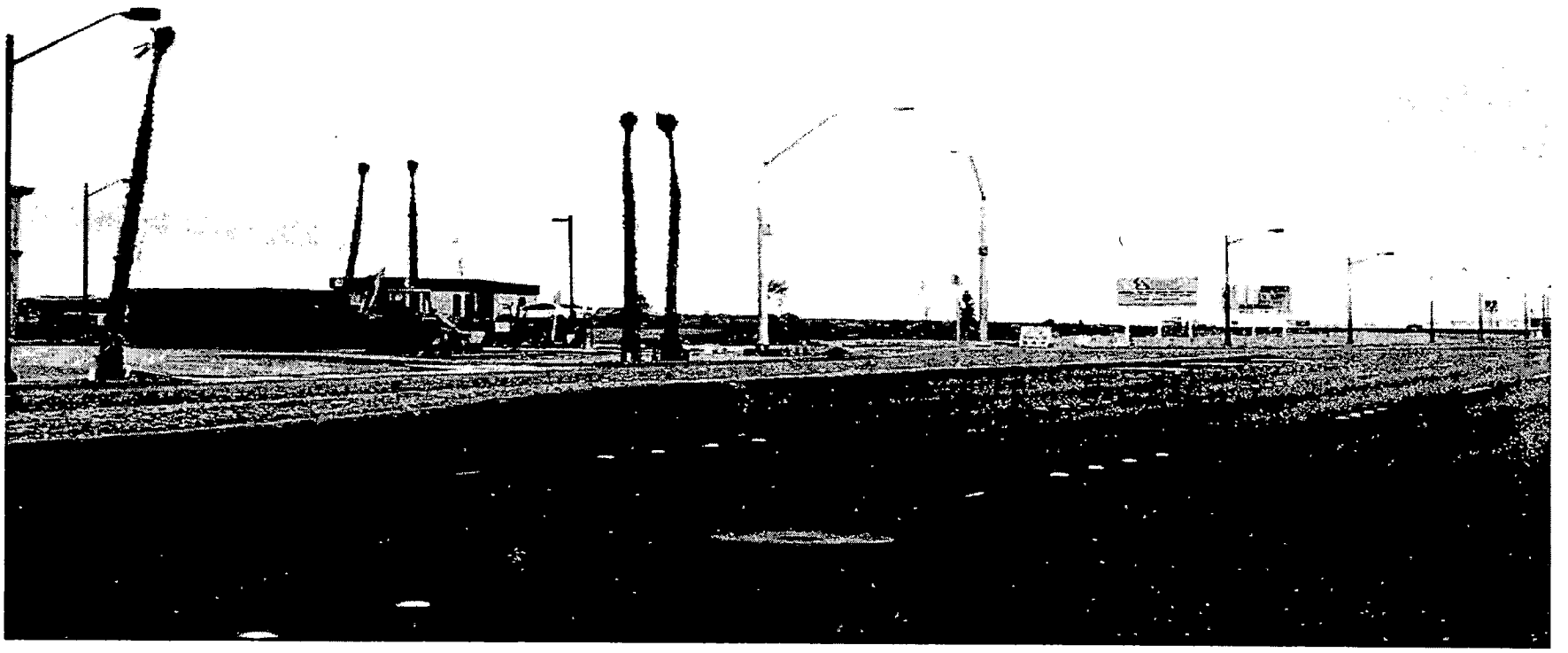
Revisions

Date	01/27/04
Drawn By	mk
Checked By	pl
Project No.	03.432.01
File Name	D03432D06.dwg
Scale	1" = 1/4" Noted

Scale and North Orientation as Noted

0 SCALE 2X

Floor Plans
FL-6



SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad EE of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

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

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 40 – SUP-3789

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

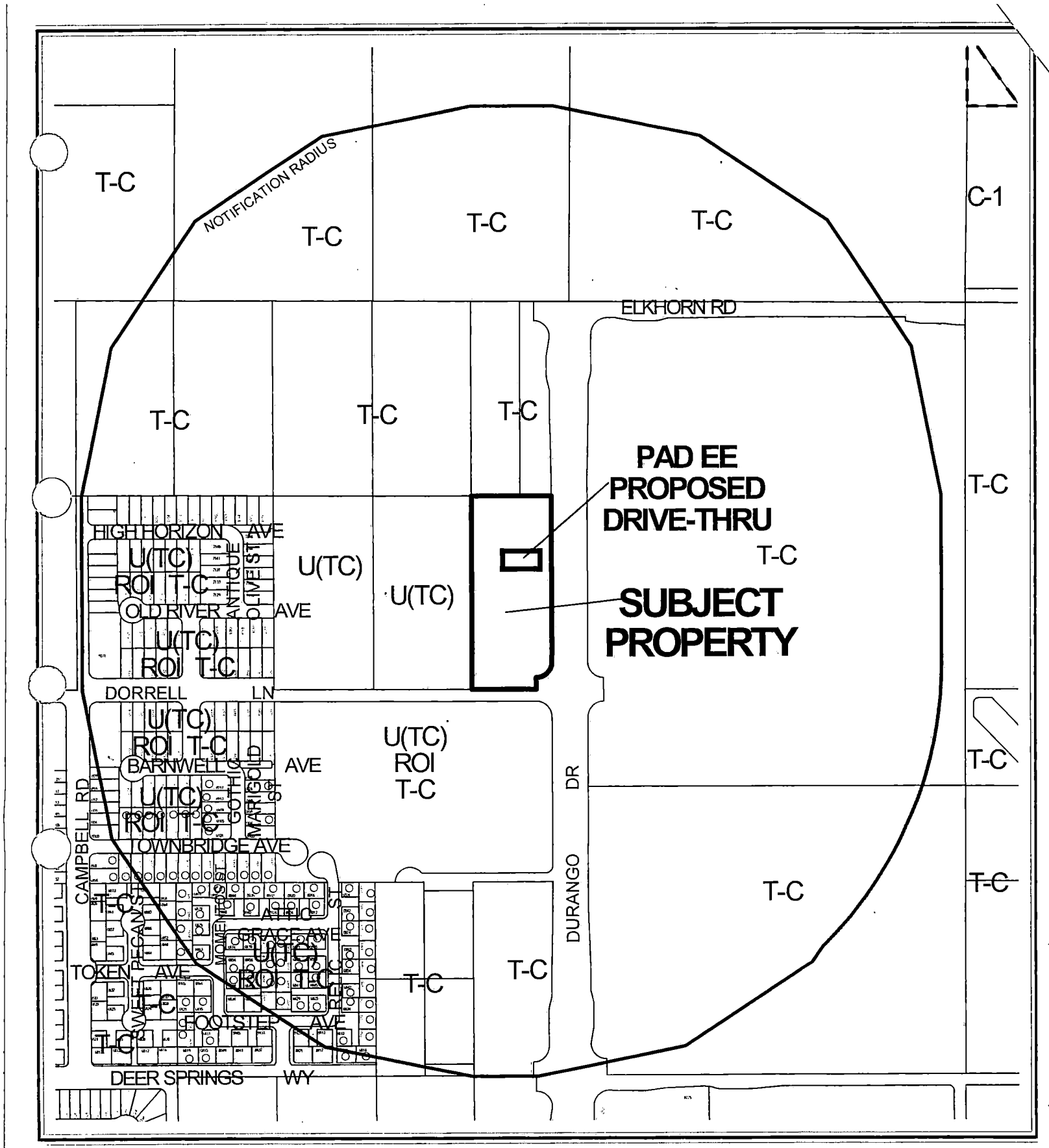
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5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-3789**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SDR-3764 - PUBLIC HEARING - SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

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B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito

GL

Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the

applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Restaurant use on Pad DD, it will not generate additional parking to that which would be required for the Restaurant use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, with drive-up/drive-thru facilities	3,600 s.f.	1 space/100 s.f. of GFA, including outdoor seating and 1 lane/drive-up window with stacking for six	36 spaces	2 spaces	36 spaces (2,470 spaces provided overall) Provided	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

  The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

  This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

  Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

  Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

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 the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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

   Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 160 (Mailed with SUP-3785, SUP-3786 and SUP-3788)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3789 APN: 125-20-501-001 125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen

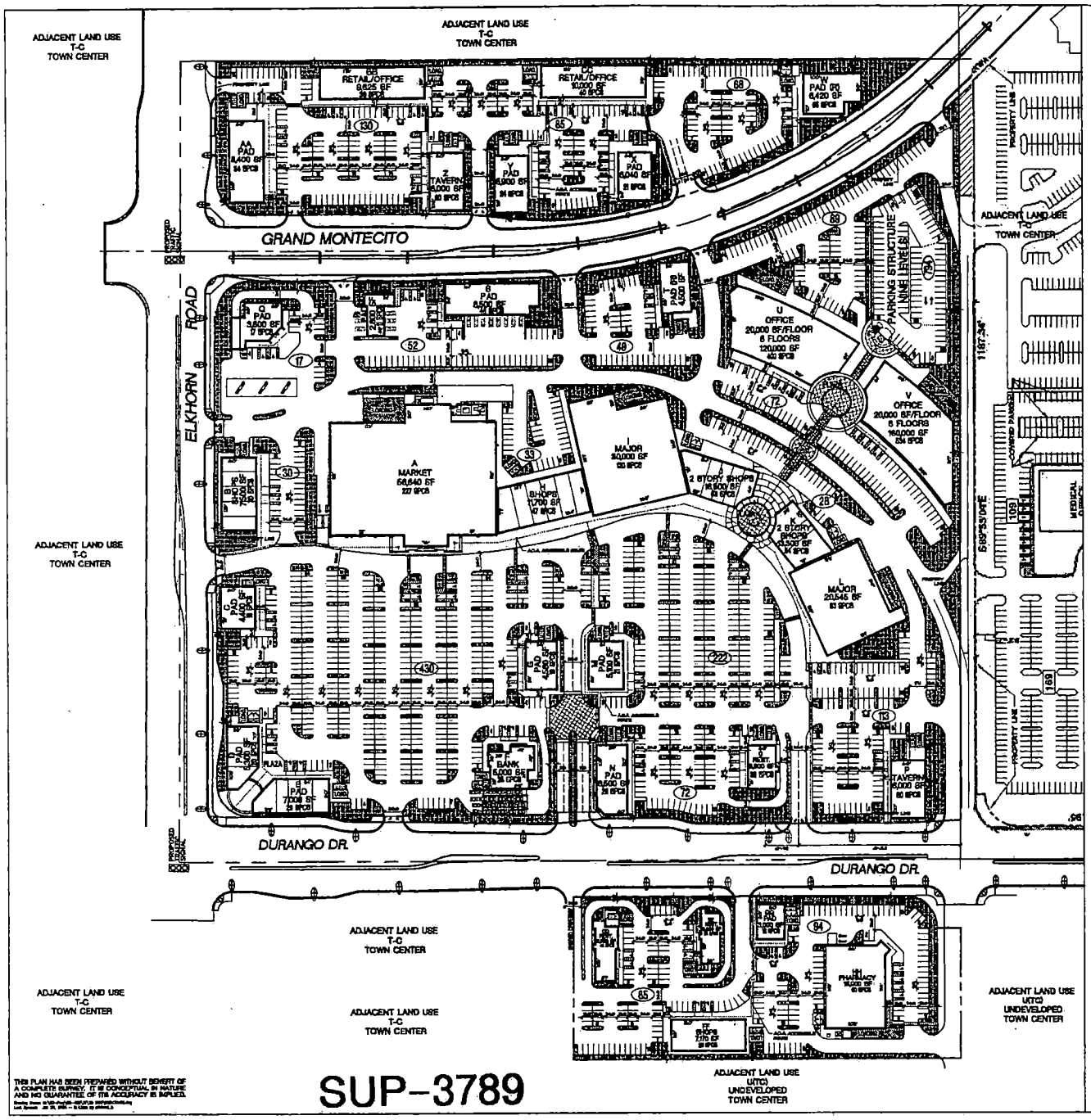
Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss

Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
appt. exp. May 15, 2005



SUMMARY

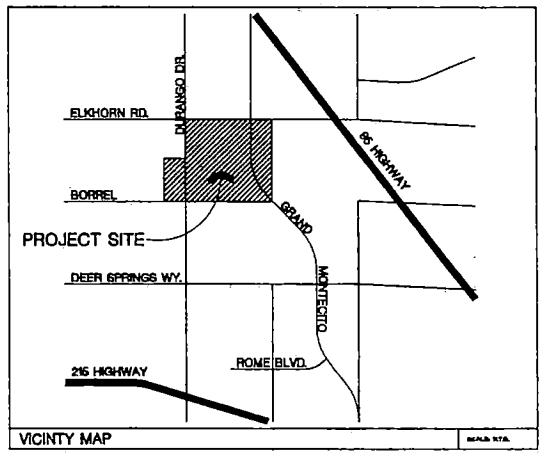
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 18/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (56,640 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 8 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

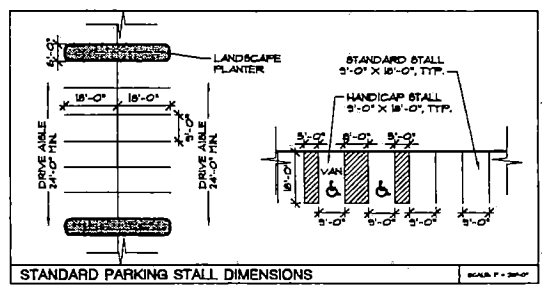
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,880 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Parkowitz Ruth Architects
3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-522-0920
702-892-6534 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

SEC of Durango Drive + Elkhorn Road

Revisions

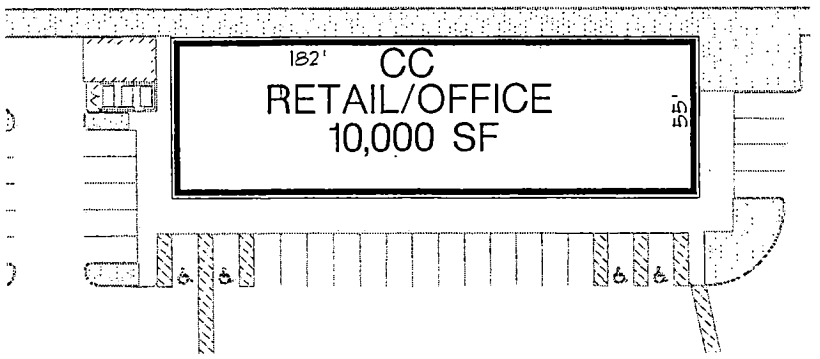
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Drawn By	RK
Checked By	PR
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File Name	D:\03231\04.dwg
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0 40 80 160

Site Plan
SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

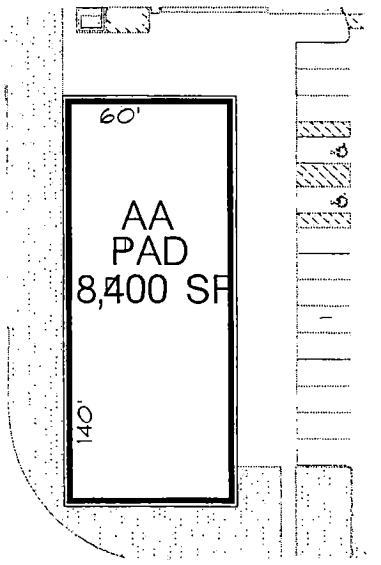
SUP-3789
03-11-04 PC



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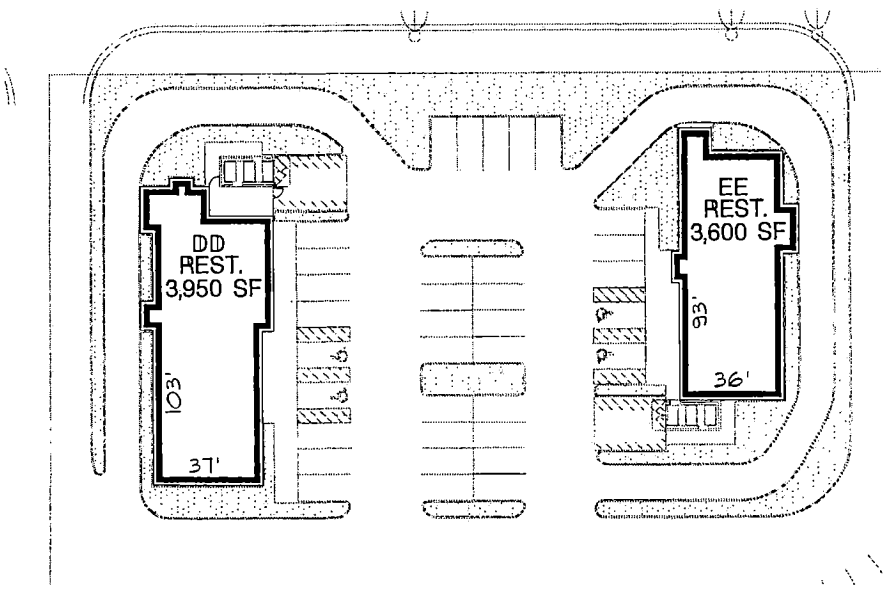
CC



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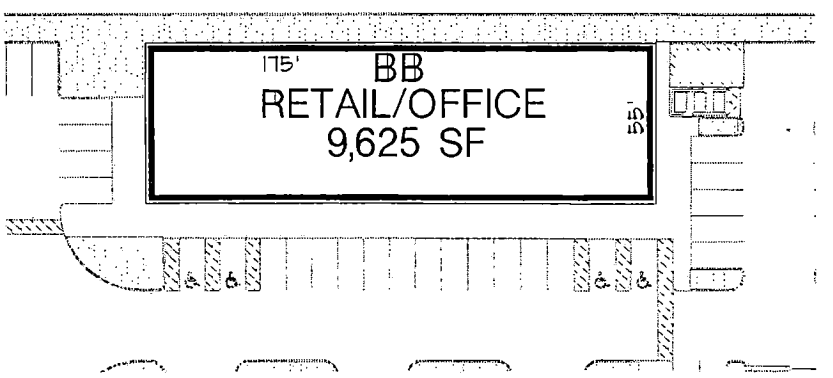
AA



BUILDINGS "DD" & "EE"

DATE: 01/27/04
SCALE: 1" = 20'-0"

DD&
EE



BUILDING "BB"

DATE: 01/27/04
SCALE: 1" = 20'-0"

BB

SUP-3789
03-11-04 PC

PR

3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-862-8300
702-862-8301 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

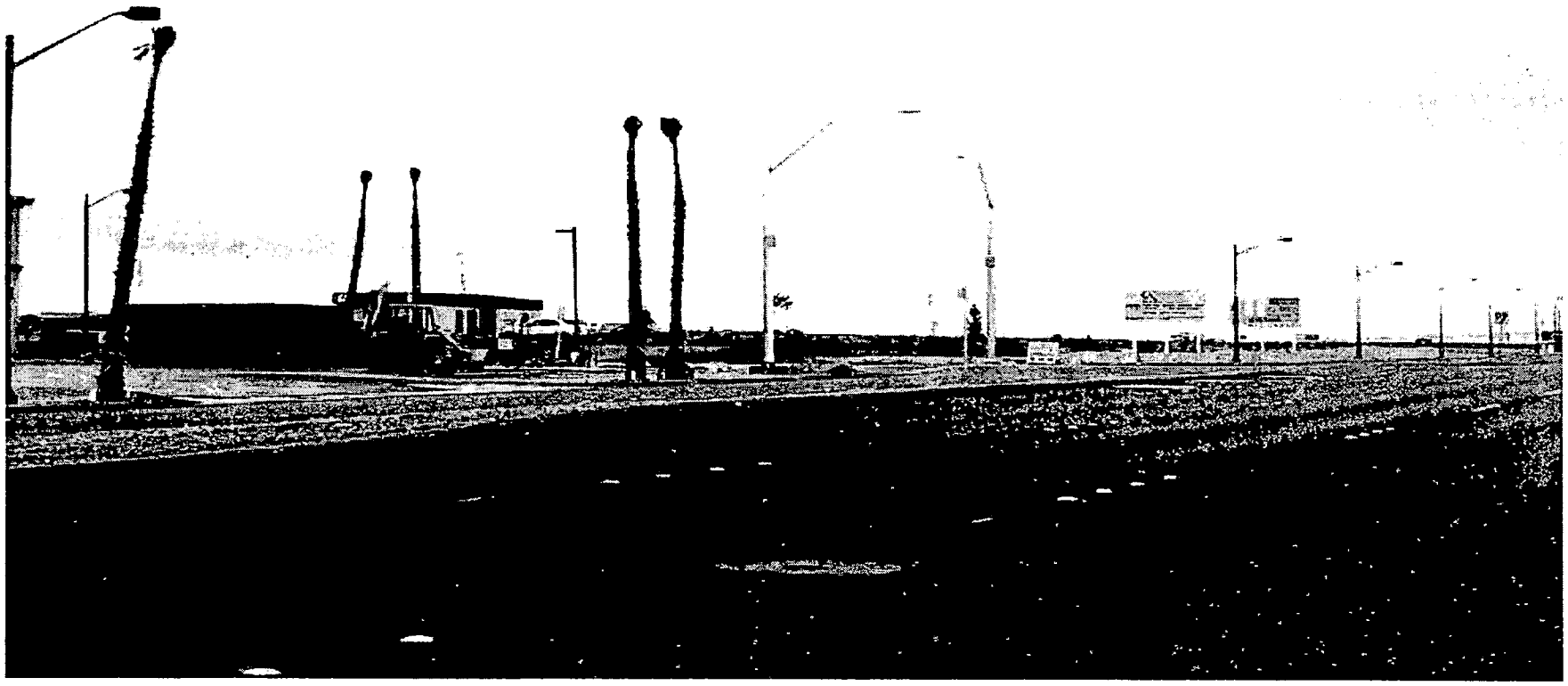
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

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Drawn By	mk
Checked By	aj
Project No.	03-432.11
File Name	D:\0432\DD.dwg
Scale	1" = - (As Noted)

N
Scale and North Orientation as Noted
0 1/4" SCALE 2'

Floor Plans
FL-6



SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Site Development Plan Review FOR A PROPOSED 587,750 SQUARE-FOOT MIXED-USE COMMERCIAL DEVELOPMENT on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001 and 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Land Use Designations] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation, Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED Item 21 [MOD-3763], Item 22 [ZON-3840], Item 23 [SUP-3765], Item 24 [SUP-3767], Item 25 [SUP-3769], Item 26 [SUP-3770], Item 27 [SUP-3771], Item 28 [SUP-3773], Item 29 [SUP-3774], Item 30 [SUP-3776], Item 31 [SUP-3777], Item 32 [SUP-3778], Item 33 [SUP-3779], Item 34 [SUP-3780], Item 35 [SUP-3781], Item 36 [SUP-3783], Item 37 [SUP-3785], Item 38 [SUP-3786], Item 39 [SUP-3788], Item 40 [SUP-3789], and Item 41 [SDR-3764] subject to conditions and the deletion of Conditions 6 and 7 on Item 23 [SUP-3765] and Item 36 [SUP-3783] – UNANIMOUS with TRUESDELL abstaining as one of his clients is in negotiations with the Montecito Companies for purchase of a piece of property and EVANS excused

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 41 – SDR-3764

MOTION – Continued:
To be heard by the City Council on 4/7/2004.

MINUTES:
NOTE: See Item 21 [MOD-3763] for related discussion
(7:27 – 7:45)
1-3450/2-1

CONDITIONS:
Planning and Development

1. A Major Modification (MOD-3763) and a Rezoning [ZON-3840] to a T-C (Town Center) Zoning District approved by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a revision to the parking area to provide an additional 12 spaces or to otherwise alter the plan to conform with the parking requirements of the Code.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center in external perimeter locations, and 30 feet on-center for internal perimeter property boundaries, and to reflect a minimum of four five-gallon shrubs for each tree within provided planters.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CONDITIONS – Continued:

8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement.

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

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

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

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

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

14. Any internal 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.

15. 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.

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

Public Works

17. Final Map FMP-2819 for the Montecito Town Center North must record prior to the approval of construction drawings or the issuance of any permits for this site.

CONDITIONS - Continued:

18. The stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be vacated prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

19. This site shall be responsible for all usual and customary dedications and street improvements for Elkhorn Road, Durango Drive and Grand Montecito Parkway not secured by the Special Improvement District for Special Improvement District numbers 1481 El Capitan Way and 1502 Grand Montecito Parkway prior to occupancy of this site.

20. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.

21. Provide a copy of a recorded Joint Access Agreement between parcel 125-20-101-017 and parcels 125-20-101-008 and 125-20-101-009 prior to the issuance of any permits.

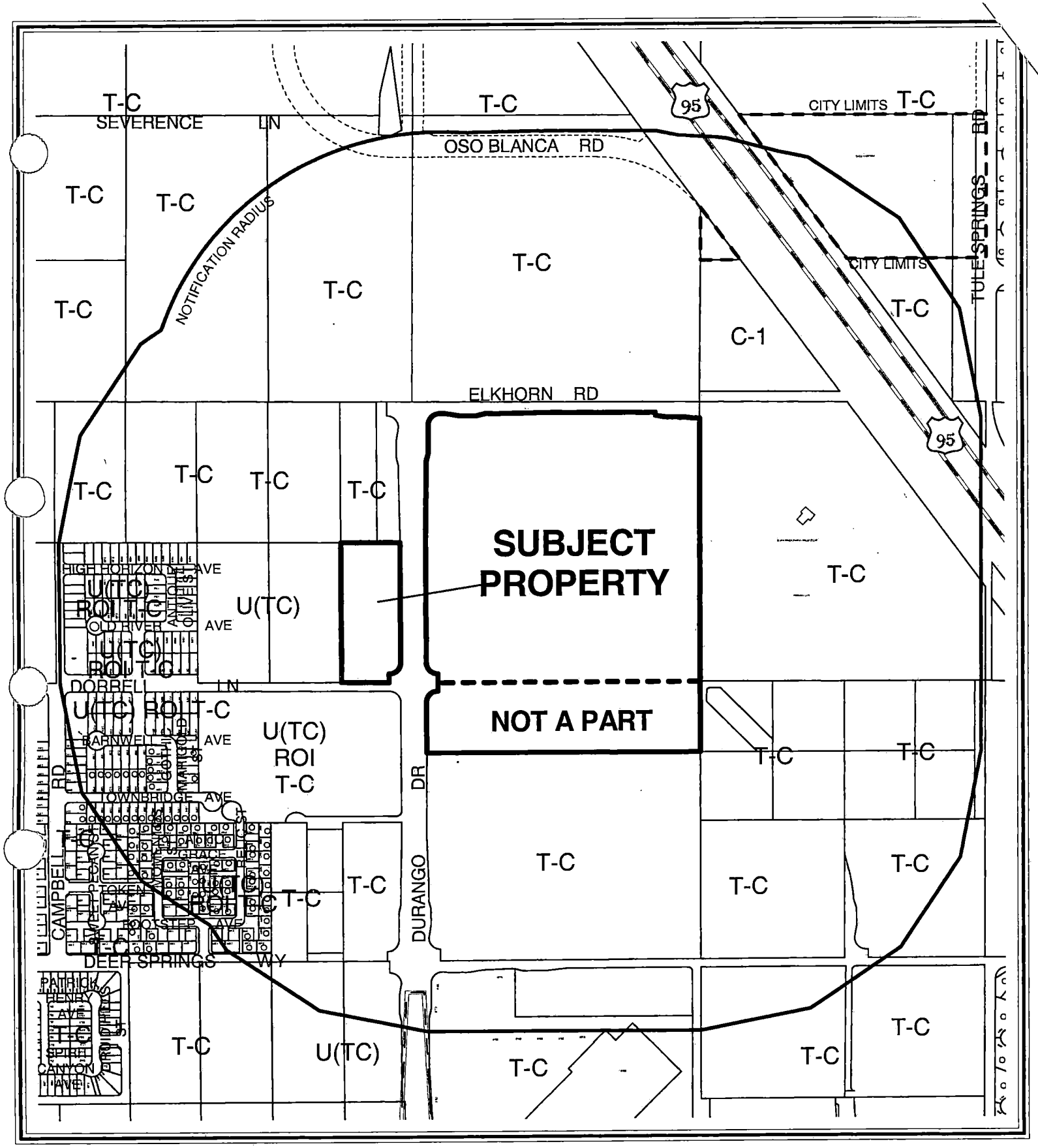
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.

23. 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.

CONDITIONS - Continued:

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

25. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, ZON-3840 and the Montecito Town Center North Tentative Map (TMP-1244).



0 400 800 Feet

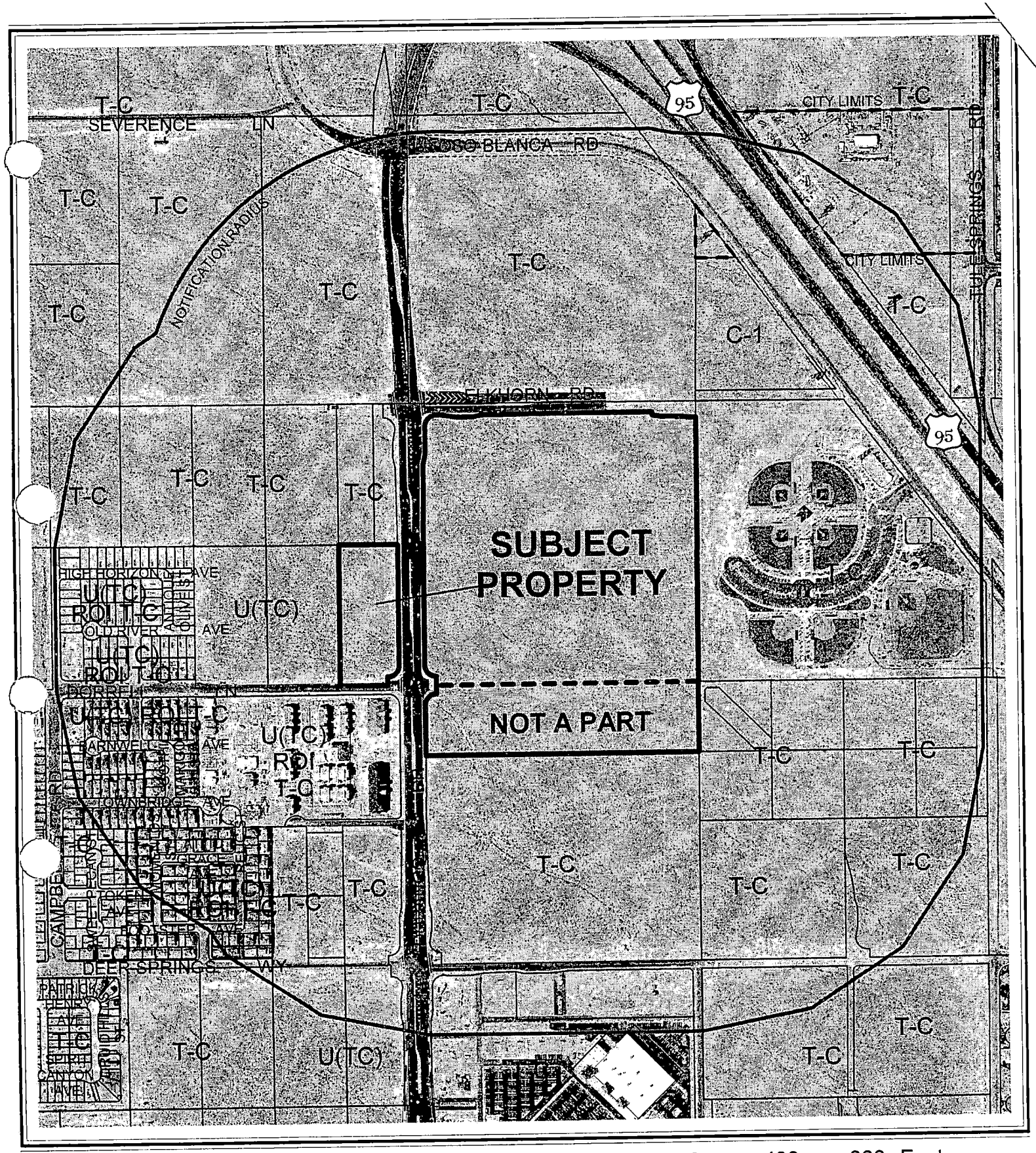
CASE: **SDR-3764**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION] AND U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N



0 400 800 Feet

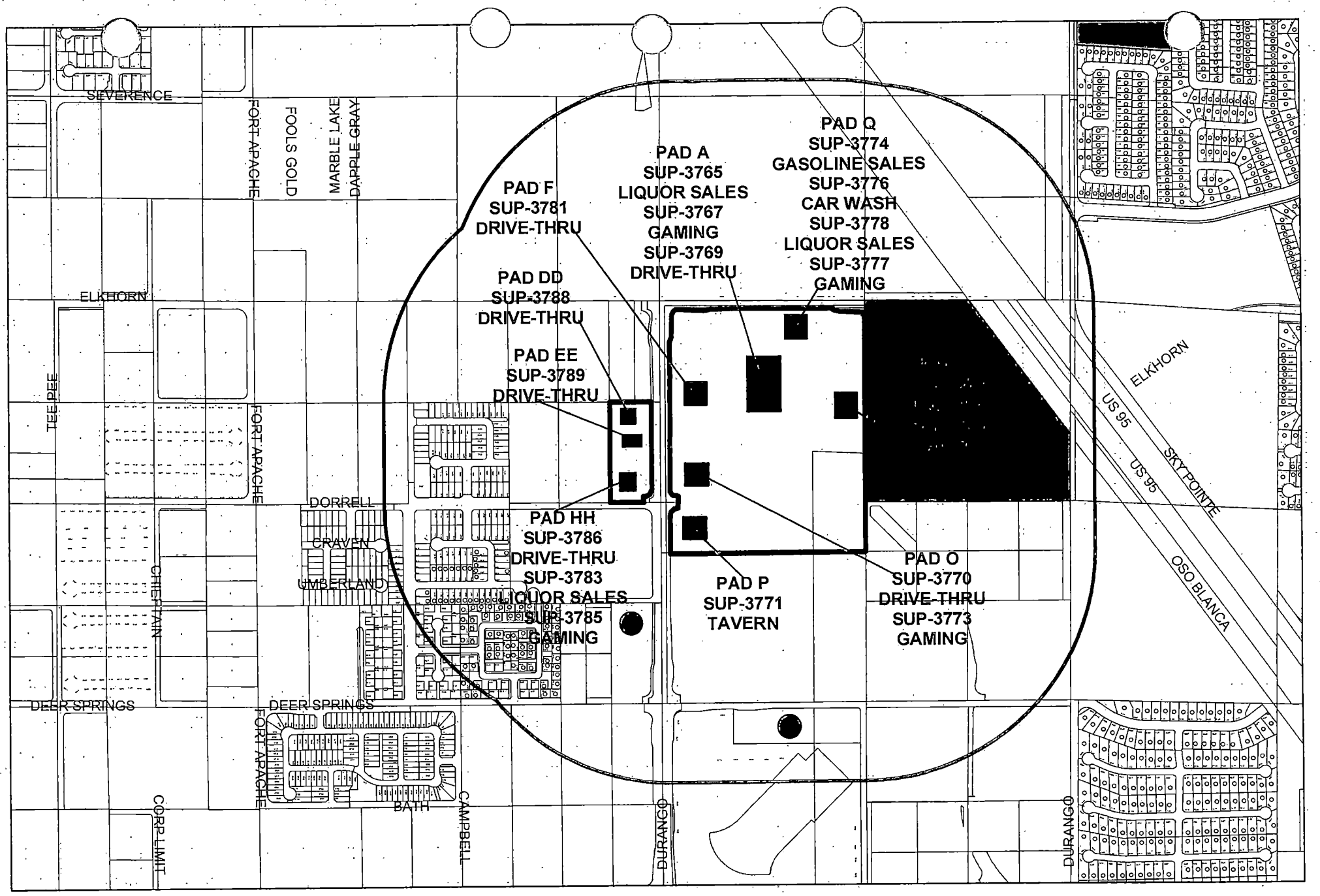
CASE: **SDR-3764**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION] AND U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

N



SUPs at the Proposed Montecito Marketplace Commercial Development

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

- Tavern
- Child Care/ Children Facility

Subject Property

1500 foot buffer

N

0 1,000 2,000 4,000

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3763 AND ZON-3840 - PUBLIC HEARING - SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Major Modification (MOD-3763) and a Rezoning [ZON-3840] to a T-C (Town Center) Zoning District approved by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a revision to the parking area to provide an additional 12 spaces or to otherwise alter the plan to conform with the parking requirements of the Code.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center in external perimeter locations, and 30 feet on-center for internal perimeter property boundaries, and to reflect a minimum of four five-gallon shrubs for each tree within provided planters.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement.

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

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

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

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

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

14. Any internal 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.

15. 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.

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

Public Works

17. Final Map FMP-2819 for the Montecito Town Center North must record prior to the approval of construction drawings or the issuance of any permits for this site.

18. The stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be vacated prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

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19. This site shall be responsible for all usual and customary dedications and street improvements for Elkhorn Road, Durango Drive and Grand Montecito Parkway not secured by the Special Improvement District for Special Improvement District numbers 1481 El Capitan Way and 1502 Grand Montecito Parkway prior to occupancy of this site.

20. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.

21. Provide a copy of a recorded Joint Access Agreement between parcel 125-20-101-017 and parcels 125-20-101-008 and 125-20-101-009 prior to the issuance of any permits.

22. Landscape and maintain all unimproved rights-of-way adjacent to this site.

23. 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.

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

25. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, ZON-3840 and the Montecito Town Center North Tentative Map (TMP-1244).

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 587,750 square-foot mixed-use commercial development (Montecito Marketplace) on 45.6 acres covering two separate but adjacent sites adjacent to the northeast and northwest corners of Durango Drive and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.

12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.

01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.

12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) and a number of other Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] and T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the two subject parcels on the Centennial Hills Sector Plan map is TC (Town Center), with special land use designations of UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) under the Town Center Development Standards Manual. The larger (40-acre) parcel is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The companion Major Modification (MOD-3763) will designate the smaller (five-acre) parcel in an identical fashion. The proposed site plan is in compliance with the provisions of the Development Agreement.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) The potential traffic generation for a project within one-half mile of Clark County exceeds 6,250 ADT vehicle trips.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. The Planning Commission shall is to consider the Environmental Impact Assessment and any proposed mitigation measures prior to make a decision on the proposal. As of the date of the preparation of this case report, no negative comments or requests for mitigation measures had been received.

PROJECT DESCRIPTION

The proposed Montecito Marketplace will be a commercial development with a blend of retail, entertainment, service and office uses. The project will consist of a 56,640 square-foot market anchor, and two other major retail outlets, 30,000 square feet and 20,545 square feet respectively. These three anchors are connected by 41,800 square feet of small commercial retail units. There are also 24 independent pad sites containing service, entertainment and retail activities and a 15,000 square-foot pharmacy. There are also two single-story office/retail structures and two office buildings, one a six-floor building and the other an eight-floor building. These latter two buildings will be served by an adjacent nine-level parking structure. The remainder of the site is served with on-site shared surface parking areas. The site contains 439,740 square feet of open space, mostly in perimeter buffers, median areas and parking lot islands.

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ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards for projects located within the Montecito Development Agreement area are set forth under Sections 3, 4 and 5 of the Agreement. Section 3 provides for general site development requirements, including streetscapes and pathways, setbacks, walls, signage, entry features, and the use of easements and screening for utilities. Section 4 provides for some general architectural and landscaping guidelines. Section 5 provides design standards for commercial projects, including site planning and circulation, required open space, and architecture, including building massing, colors and finishes, roof design and the use of lighting. The proposal appears to meet these requirements of the Development Agreement.

The site plan also provides for at least one loading zone per pad or structure for a total number that exceeds the nine zones called for by the Code; similarly, a satisfactory number of trash collection enclosures are identified on the plan.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to this project.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Retail, other than listed	181,840 s.f.	1 space/250 s.f.	728 spaces			
Restaurant	34,370 s.f.	1 space /50 s.f. seating area, + 1 space/200 s.f. remaining space	434 spaces			
Market	56,640 s.f.	1 space/250 s.f.	227 spaces			

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Pharmacy	15,000 s.f.	1 space/250 s.f.	60 spaces			
Office	280,000 s.f.	1 space/300 s.f.	934 spaces			
Convenience Store	3,800 s.f.	1 space/250 s.f. + 1 space/car wash bay	17 spaces			
Auto Repair	8,500 s.f.	1 space/200 s.f. + 5 spaces	48 spaces			
Auto Lube	2,600 s.f.	1 space/bay + 1 space/ employee	9 spaces			
Bank	5,000 s.f.	1 space/200 s.f.	25 spaces			
Totals	587,750 s.f.		2,482 spaces	35 spaces	2,470 spaces	72 spaces

Although the site plan is slightly deficient in the overall number of spaces, there is sufficient flexibility in the design of the site to accommodate the deficiency of 12 spaces. A condition of approval addresses this issue.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 spaces (2,470 trees)	412 Trees	
Buffer: • Min. Trees	1 Tree/ 20 Linear Feet (7,100 feet – External Perimeters) 1 Tree/ 30 Linear Feet (2,140 feet - Internal Perimeters)	355 Trees 72 Trees	
Total required number of trees		839 trees	507 trees + an additional 372 15-gal.trees
• Min. Zone Width • Wall height	15 Feet external, 8 feet internal 6 Feet		Y No walls indicated

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In terms of landscaping, the site is deficient in terms of the overall number of 24"-box trees; however, if the proposed 15-gallon trees are included, the number of trees would exceed the standard. A condition of approval will require that a sufficient number of the proposed 15-gallon trees be upgraded to 24"-box size to meet code requirements.

A number of the plants proposed do not appear on Appendix B to the Montecito Town Center Development Agreement, namely, African Sumac (Rhus Lancea), Tamarisk (Tamarix), and Desert Honeysuckle (Anisacanthus). A condition of approval will require revision of the landscaping plan to provide for trees, plants and shrubs that conform with the Development Agreement.

No walls have been identified for the proposed project. This is suitable where the site is not coterminus with other parcels; however, the east and west boundaries of the site have common boundaries with other lands that are not rights-of-way. In these areas, a six-foot meeting the design conditions of the Code must be provided. A condition of approval will address this matter.

Section 5.1.7 of the Montecito Town Center Development Agreement calls for a 20% contribution of open space, or which 12% must be provided within Montecito proper, and the other eight percent is Montecito's proportionate share of northwest development. The site plan as submitted identifies a total of 439,740 square feet of open space area provided; or 26.7% of the overall site. A total of 242,680 square feet of landscaped area is provided, or 14.7% of the overall site. The landscaped areas consist primarily of perimeter and parking lot landscaping, while the open space areas include, in addition to these landscaped areas, several plaza areas and walkways around the buildings. These areas meet the requirements of the Montecito Town Center Development Agreement for the provision of open space.

B) General Analysis and Discussion

- Zoning

The eastern 40-acre parcel of the overall development site is currently zoned as T-C (Town Center). The western five-acre parcel is currently zoned as U (Undeveloped) [TC (Town Center) General Plan Designation], but is the subject of companion Rezoning application ZON-3840. If approved, the five-acre parcel will also become T-C (Town Center). The Montecito Town Center Development Agreement supercedes the Town Center Development Standards Manual requirements, unless the Agreement is silent on a given topic. The site plan as presented meets the requirements of the Development Agreement.

- Site Plan

  The site plan depicts a 587,750 square-foot commercial/office complex that is designed to integrate primarily with approved hospital, medical and retail uses located to the south of the site within other portions of the Montecito Agreement area, and to a lesser extent with areas planned for vertically integrated mixed-use commercial/residential to the west of the site. The site plan makes little provision for integration with lands to the east, developed as recreational sports fields, and lands to the north, designated for as yet unspecified public facilities uses.

- Waivers

  No waivers have been requested as part of this application. A number of minor site plan deficiencies are expected to be addressed thorough site plan modifications noted under the conditions of approval.

- Landscape Plan

  The landscape plan depicts an amount of landscaping and open space which meets the standards of the Development Agreement; however, most of this landscaping and open space is found in parking lot landscaping islands and perimeter landscaping areas, which while necessary from a design perspective, do not lend themselves to any active uses. Active open space is limited to three plaza areas within the development; all of these are located on the 40-acre parcel. Changes to the landscaping plan are recommended by condition of approval to ensure that the trees and plants are found in Appendix B of the Agreement.

- Elevations

  The elevations depict a series of architecturally-related one-story flat-roofed buildings generally 24 feet (pad structures), 27 feet (convenience store) and 29 feet (principal buildings) in height, with low-angle pitched-roof details to 32 feet (pad structures), 34 feet (convenience store) and 38 feet (principal structures) in height. The market will have an entrance detail that rises to 42 feet, and a faux clock tower in another location will rise to 66 feet. One structure that will be developed as two-story shops will be 36 feet high, with architectural details rising to 46 feet. The proposed eight-story office tower (no detail is provided for the six-story tower) will rise to 120 feet, with a stepback after the sixth story at 92 feet, and an overall height including architectural details at 128 feet.

  Building materials consist of painted exterior cement plaster over tilt-up pre-cast panels, with cultured stone veneer, stained wood and metal accents, with aluminum and glazing storefront components. Foam accents and pop-outs with a painted plaster finish provide finishing details. The roofing is standing seam metal roofing accented with ceramic roof tiles. Black wrought-iron railings and fabric awnings in various colors will complete the trim details.

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;"**

   This proposed development will be compatible with other development that is adjacent or nearby within the Montecito Development Agreement area. Nearby areas within Town Center intended for commercial development, but outside the Development Agreement boundary will be held to more stringent development standards that require minimum two-story building heights and other specific design requirements; however, the proposed project should be compatible with these town Center projects.

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;"**

   Projects within the Development Agreement area are only required to comply with the provisions of the Agreement, unless the Agreement is silent on a particular standard. The project as submitted appears to comply with those Title 19 standards, such as parking, which apply to the site.

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

   Durango Drive, running through the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

   The building and landscape materials are typical of a commercial development of this type, and are complementary to those used in other surrounding and nearby commercial, office and institutional projects in the area.

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

The design, articulation and overall layout of the project are harmonious and compatible with other similar projects within the Montecito Development Agreement area.

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

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

NOTICES MAILED 153

APPROVALS 0

PROTESTS 0

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-37664 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

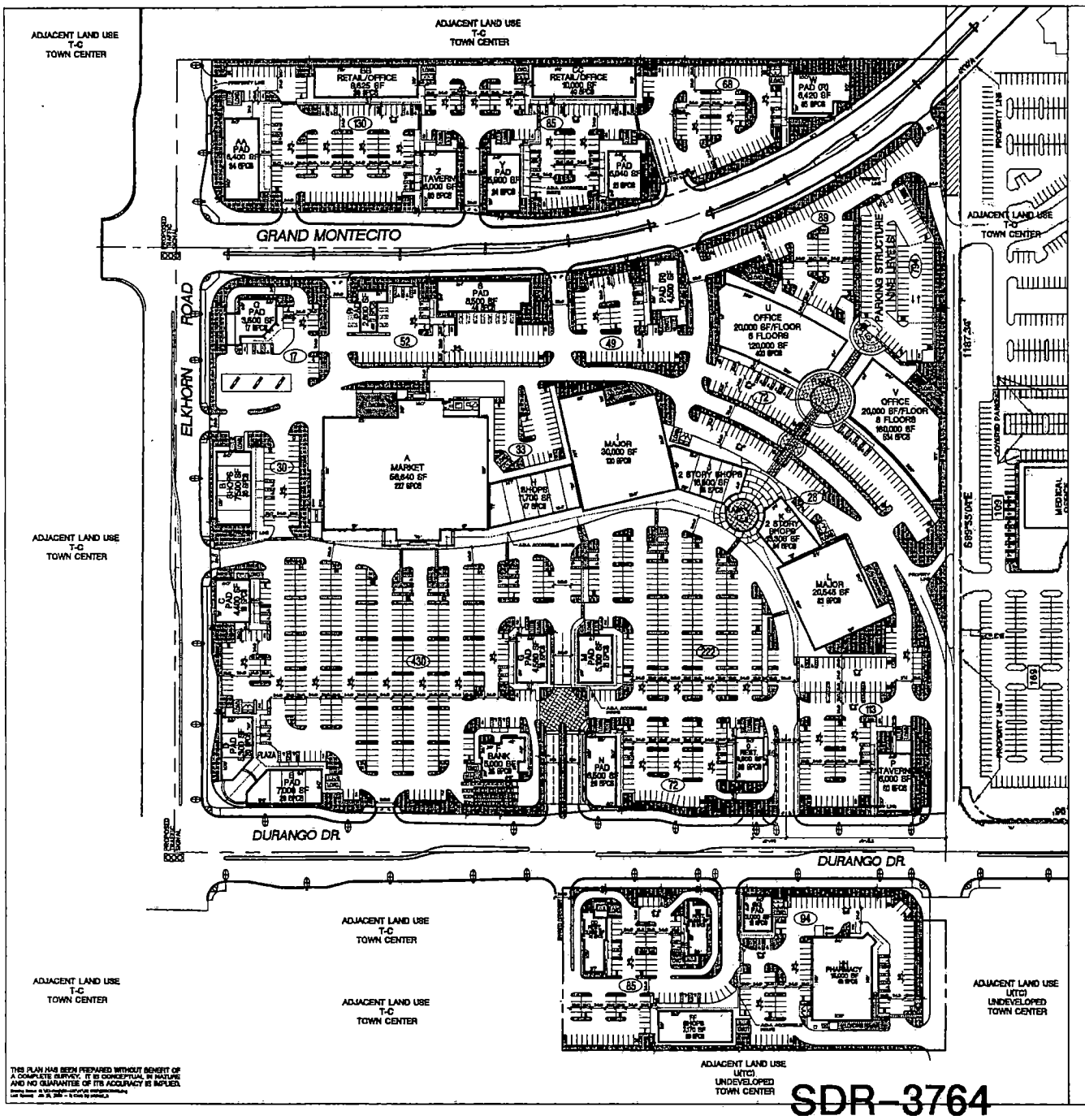
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp May 15, 20[illegible]

Marsha Bloss
Notary Public in and for said County and State



SUMMARY

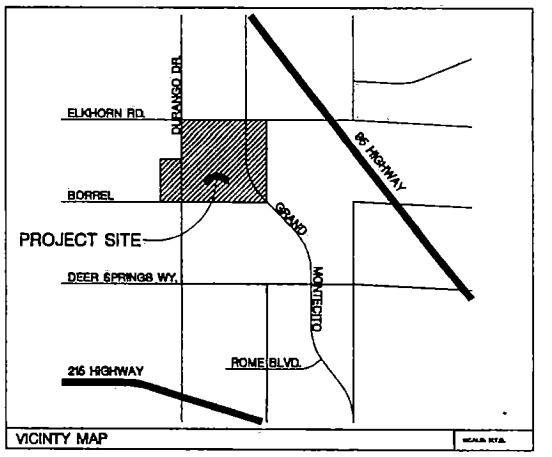
LAND AREA (GROSS)	• APPROX. 45.6	ACRES (1,986,391 SF±)
LAND AREA (NET)	• APPROX. 37.9	ACRES (1,649,954 SF±)
BUILDING AREA	• 587,750 SF	
LAND/BUILDING RATIO	• 1.8/1	35.6%
PARKING REQUIRED	• 2,392 STALLS	
PARKING PROVIDED	• 2,470 STALLS	
PARKING RATIO	• 4.2/1000	

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) @ 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) @ 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) @ 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) @ 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) @ 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,900 SF)
@ 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) @ 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP.) @ 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) @ 1 STALL/200 SF = 25 STALLS

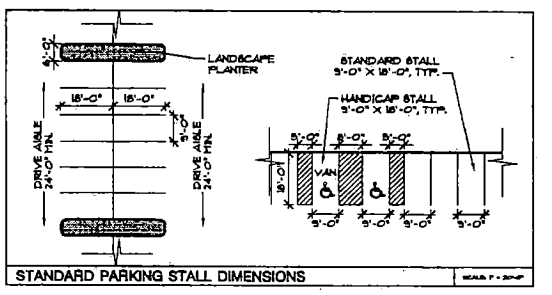
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED	• 439,740 SF	
OPEN SPACE/LAND RATIO	• 2.8/1	26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED	• 242,680 SF	
LANDSCAPE/LAND RATIO	• 5.7/1	14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

Parkowitz + Ruth ARCHITECTS
3800 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8514 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

SEC of Durango Drive + Elkhorn Road

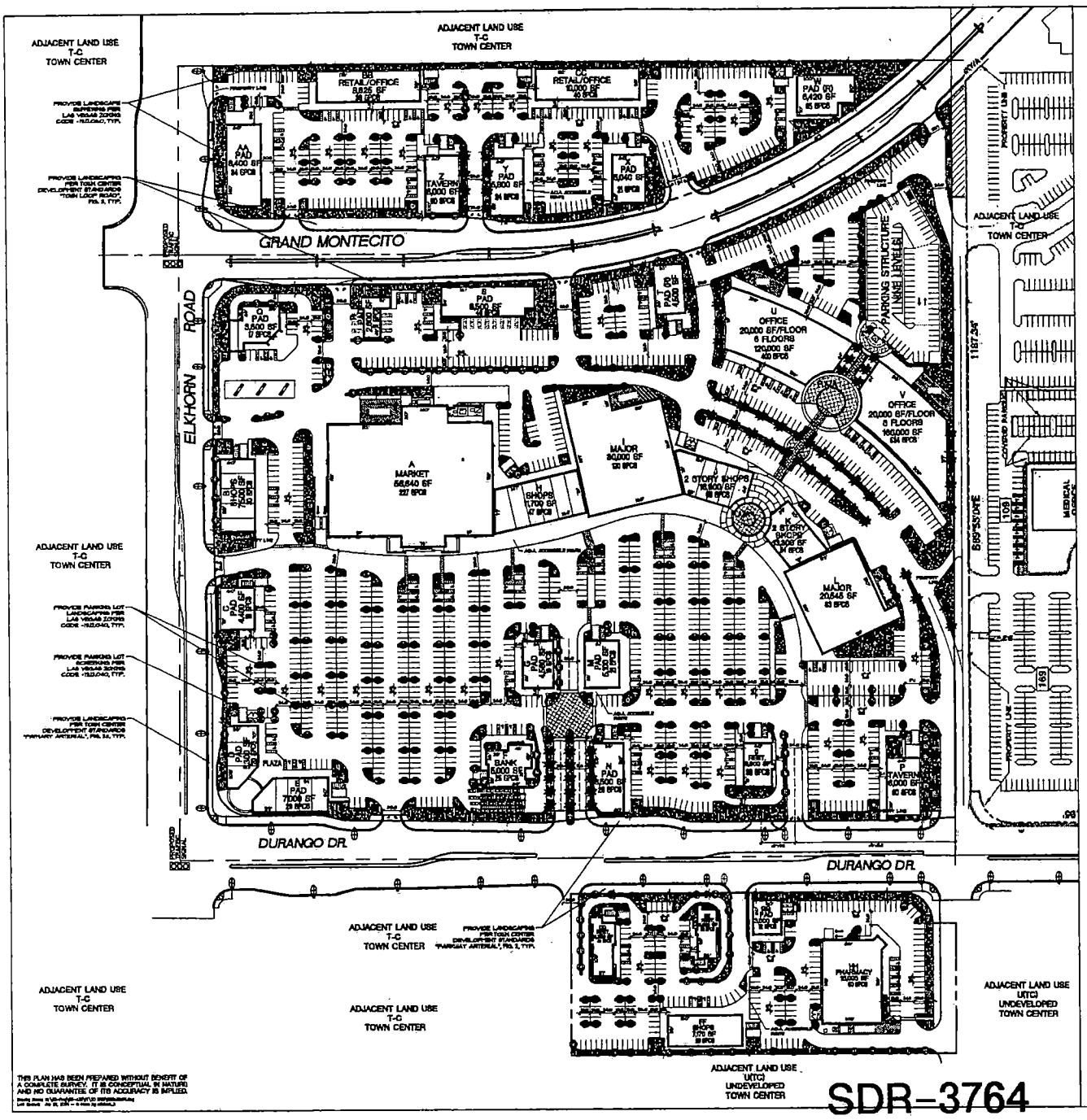
Revisions

Date	01/27/04
Drawn By	RK
Checked By	
Project No.	03-4321
File Name	03345Site04.dwg
Scale	1" = 80'

N
0 40' 80' 160'

Site Plan
SA-1

SDR-3764
03-11-04 PC



TREES				
SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
✳	50	80" BOX	MEXICAN FAN PALM or EQUIVALENT	WASHINGTON ROBUSTA HYBRID or EQ.
○	242	15 GAL.	AFRICAN SUMAC or EQUIVALENT	RHUS LANCEA or EQUIVALENT
○	130	15 GAL.	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
⊕	417	24" BOX	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

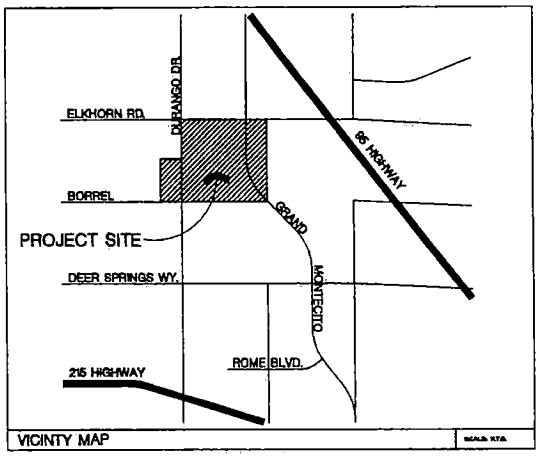
SHRUBS				
SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
⊙	3,602	5 GAL.	BRITTLEBUSH or EQUIVALENT	ENCELIA or EQUIVALENT
⊙	2,045	5 GAL.	DESERT HONEYSUCKLE or EQUIVALENT	ANISACANTHUS or EQUIVALENT

GROUND COVER			
SYMBOL	QUANTITY	COVERAGE	COMMON NAME
	242,680 SF	14.7%	DECORATIVE GRAVEL or EQUIVALENT

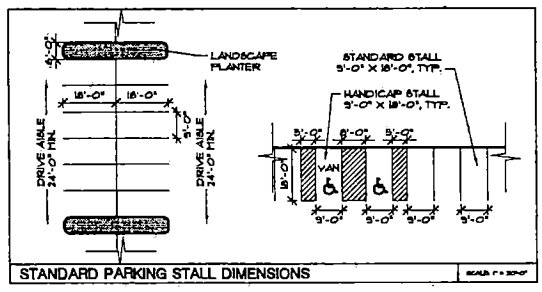
LANDSCAPE PALETTE

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR
3993 Howard Hughes Pkwy
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Client Information
MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions
01/27/04 mk

Date	01/24/04
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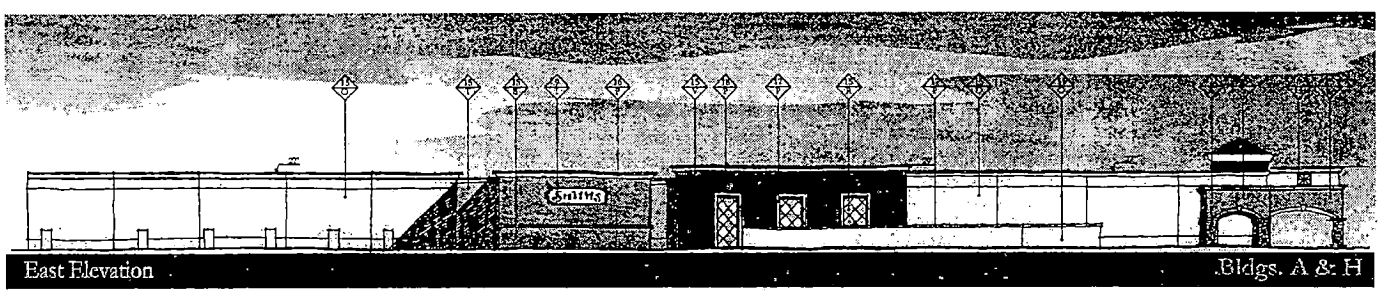
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Landscape Plan
LP-1

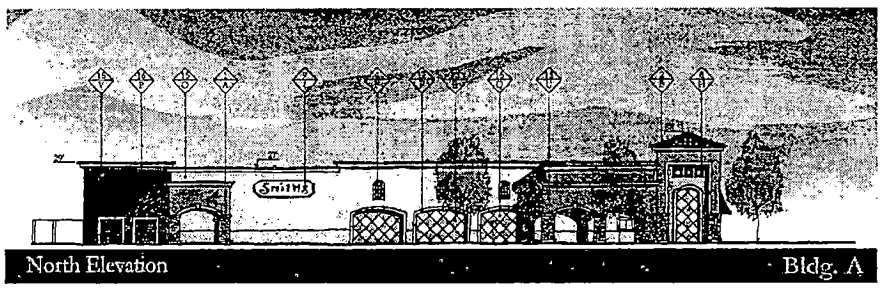
SDR-3764
03-11-04 PC



West Elevation — Bldgs. A & H



East Elevation — Bldgs. A & H



North Elevation — Bldg. A

	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pro-Fit Ledgestone (PF-8017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Simulated Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opus-Cost-300 #2-0213 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8008"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW033W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7730W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7731W "Light Topaz"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beach Grass"
21	Not Used	U	Frazee Paint 7824 "Desert Edge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver

MONTECITO COMPANIES

THE MONTECITO MARKETPLACE

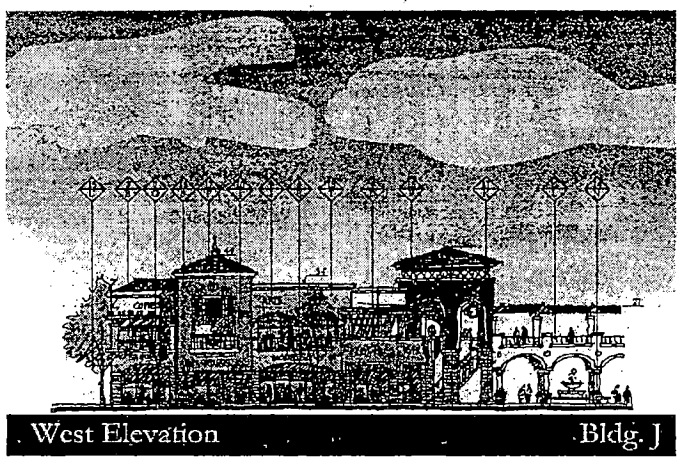
Market & Typical 1-Story Shops Conceptual Elevations

SCALE: 1" = 20'-0"
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DATE: January 27, 2004

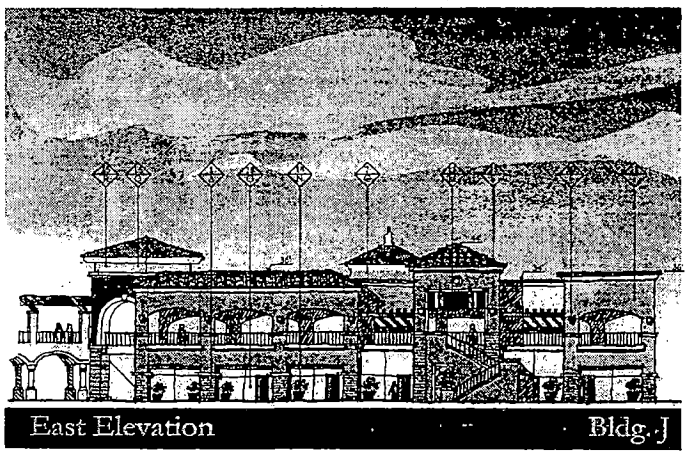
P+R ARCHITECTS

SDR-3764
03-11-04 PC

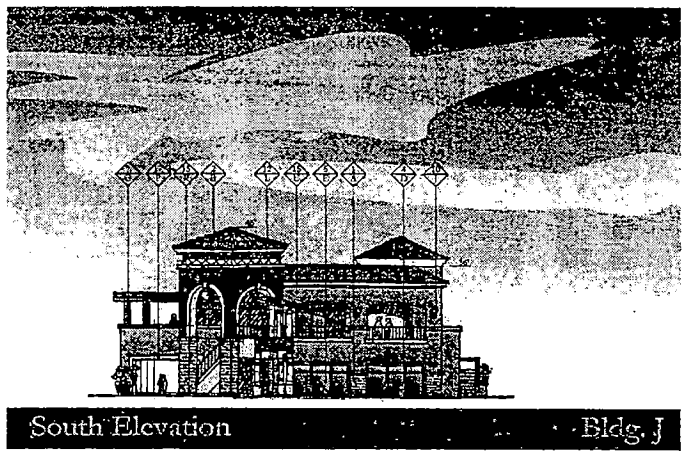


West Elevation — Bldg. J

	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pro-Fit Ledgestone (PF-8017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Semi-tested Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opaci-Coat-300 #2-0213 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8008"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW033W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7736W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7731W "Light Topaz"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beach Grass"
21	Not Used	U	Frazee Paint 7824 "Desert Edge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver



East Elevation — Bldg. J



South Elevation — Bldg. J

SDR-3764
03-11-04 PC

MONTECITO
COMPANIES

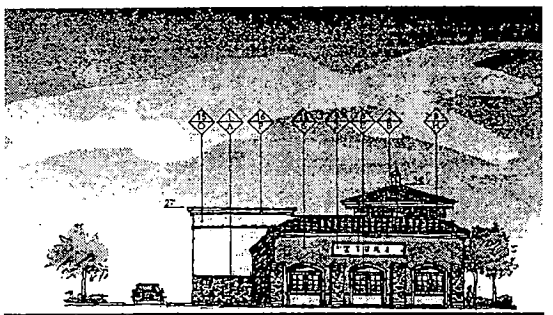
THE MONTECITO MARKETPLACE

Typical Two-Story Shops Conceptual Elevations

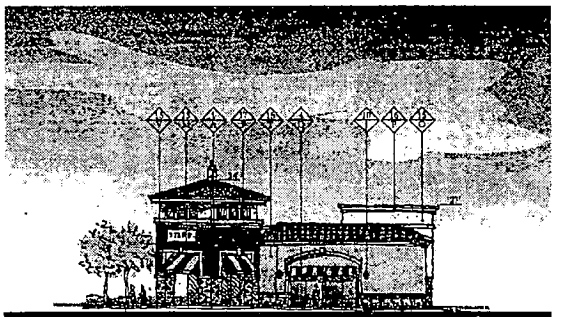
SCALE: 1" = 16'-0"
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DATE: January 27, 2004

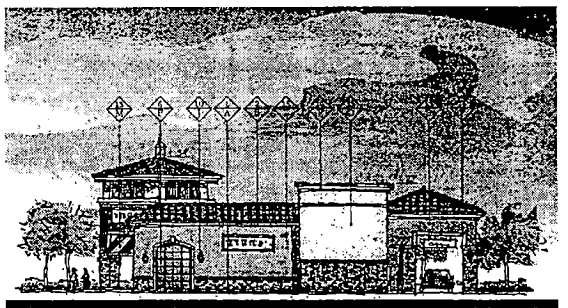
PR ARCHITECTS



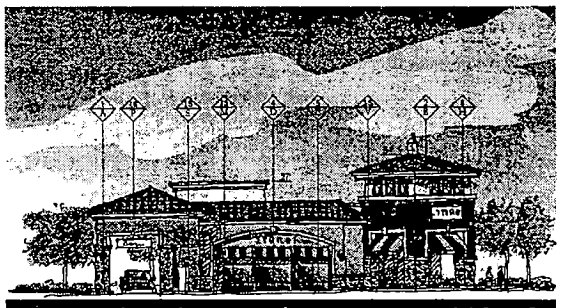
North Elevation — Bldg. Q



South Elevation — Bldg. Q



East Elevation — Bldg. Q



West Elevation — Bldg. Q

	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pro-Fit Ledgestone (PF-5017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Simulated Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opaci-Coat-300 42-0213 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8008"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW0057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW0023W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7730W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7731W "Light Topaz"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beech Grove"
21	Not Used	U	Frazee Paint 7824 "Desert Edge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver

MONTECITO COMPANIES

THE MONTECITO MARKETPLACE

Typical Convenience Store Conceptual Elevations

SCALE: 1" = 16'-0"

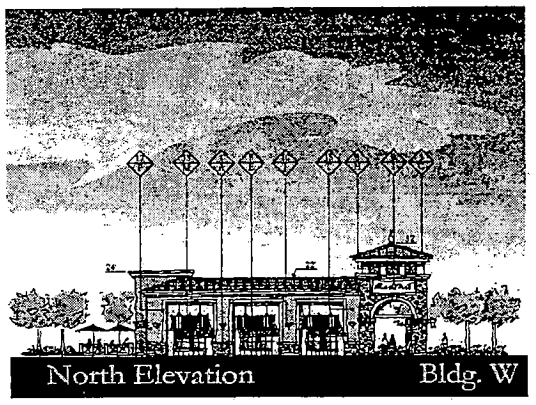
0' 8' 16' 32' 64'

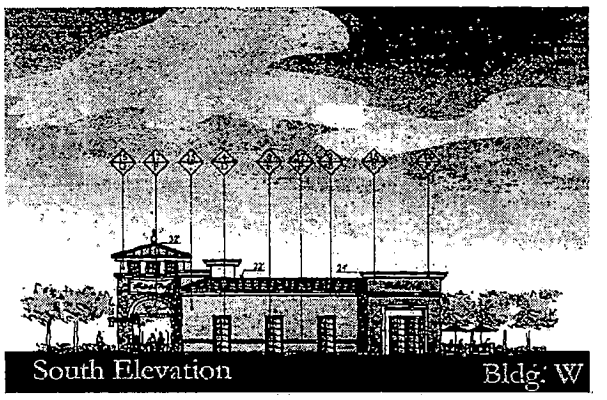
DATE: January 27, 2004

PR ARCHITECTS

SDR-3764

03-11-04 PC





	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pro-Fit Ledgestone (PF-8017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Simulated Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opaci-Coat-300 #2-0313 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8908"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW033W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7230W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7231W "Light Topaz"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beach Grass"
21	Not Used	U	Frazee Paint 7824 "Desert Edge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver

MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE

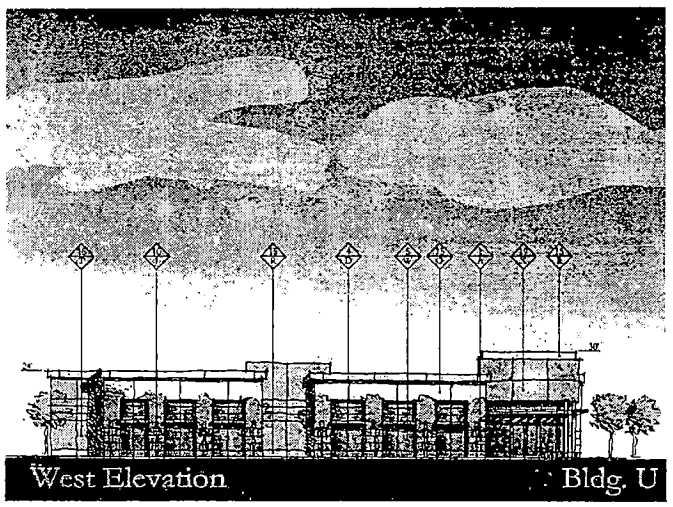
Typical Pad Building Conceptual Elevations

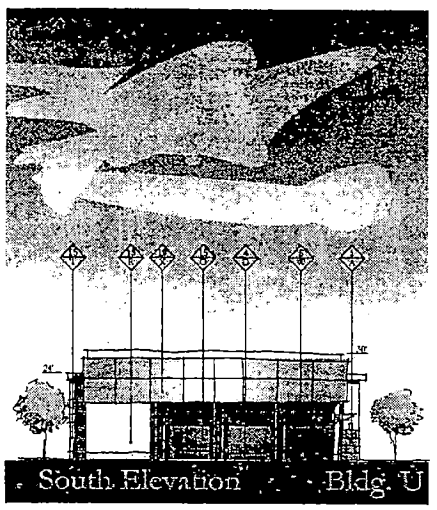
SCALE: 1" = 16'-0"
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DATE: January 27, 2004

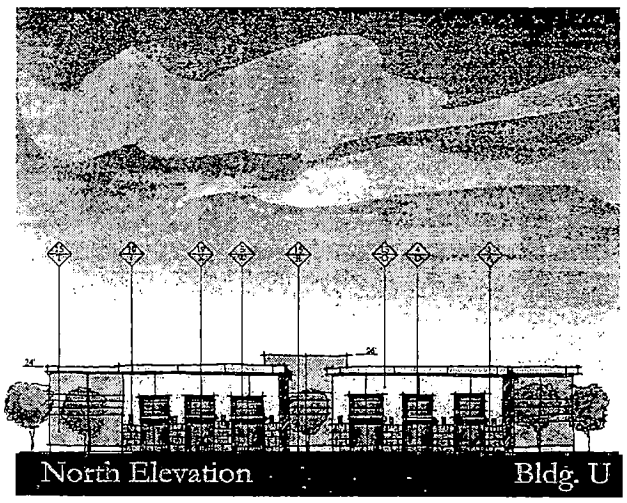
P+R ARCHITECTS

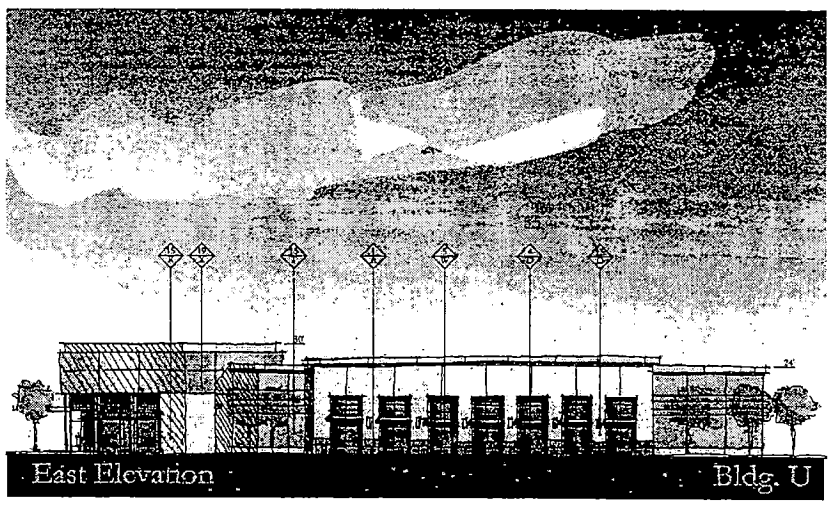
SDR-3764
03-11-04 PC





	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pro-Fit Ledgestone (PF-8017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Simulated Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opaci-Coat-300 #2-0213 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8008"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW033W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7730W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7731W "Light Vegas"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beach Grass"
21	Not Used	U	Frazee Paint 7824 "Desert Ridge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver





MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE

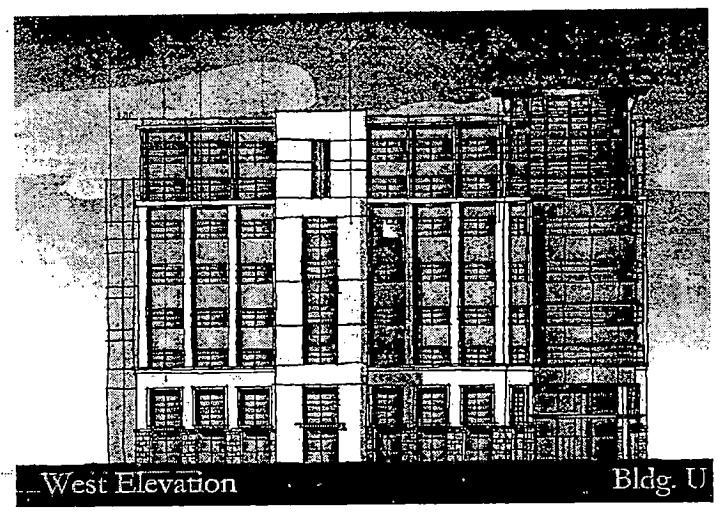
Typical One-Story Office Conceptual Elevations

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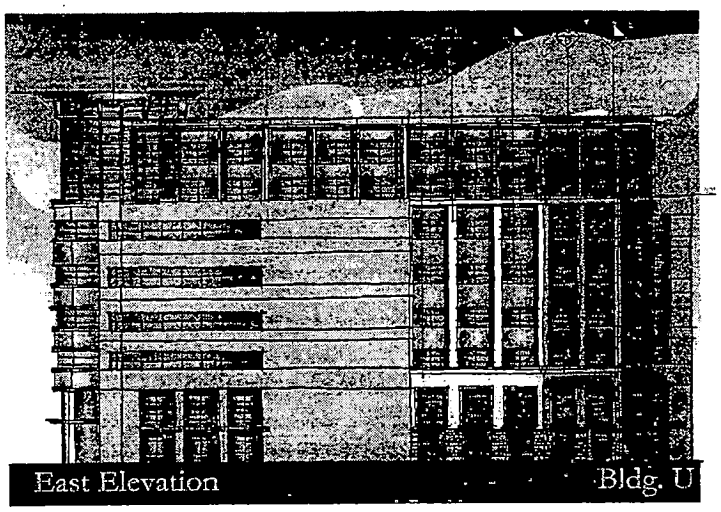
DATE: January 27, 2004

PR+ ARCHITECTS

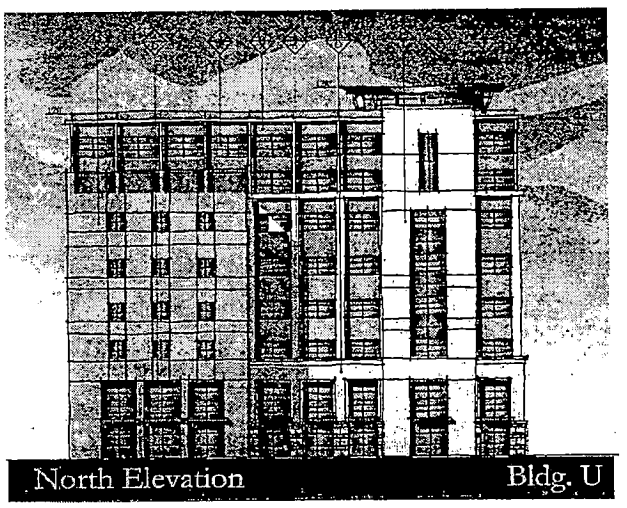
SDR-3764
03-11-04 PC



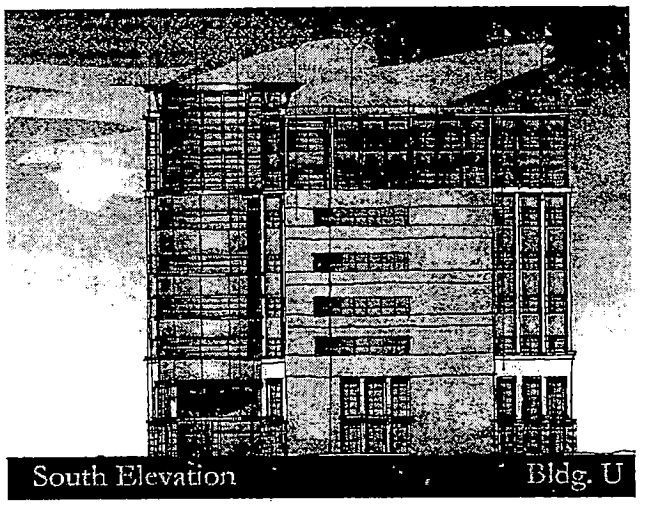
West Elevation Bldg. U



East Elevation Bldg. U



North Elevation Bldg. U



South Elevation Bldg. U

	MATERIAL		FINISH
1	Cultured Stone Veneer	A	Platinum Pre-Fit Ledgestone (PF-8017)
2	Ceramic Roof Tile Roof	B	US Tile "Newport Blend"
3	Standing Seam Metal Roofing	C	Simulated Copper Patina
4	Aluminum Storefront	D	Vista Wall "Champagne" 699
5	Storefront Glazing	E	Clear Glass
6	Spandrel Glazing	F	ICD Opaci-Coat-300 #23-0213 "Aged Copper"
7	Stained Wood	G	Olympic Deck Stain "Clove Brown"
8	Metal Accent	H	Tiger-Drylac Powder Coating "RAL 8008"
9	Channel Letter Tenant Sign	I	Various Colors
10	Exterior Light Sconce	J	Light Bronze
11	Gooseneck Light Fixture	K	Dark Bronze
12	Wrought Iron Railing	L	Black
13	Fabric Awning	M	Sunbrella Various Colors
14	Precast Concrete Planter	N	Quick Crete "Colonial Brick" C12
15	Painted Exterior Cement Plaster	O	Frazee Paint CW057W "White Solitude"
16	Foam Cornice w/ Painted Plaster Finish	P	Frazee Paint CW033W "Floral White"
17	Foam Trim w/ Painted Plaster Finish	Q	Frazee Paint 7730W "Corinthian"
18	Foam Accent w/ Painted Plaster Finish	R	Frazee Paint 7731W "Light Topaz"
19	Metal Panel	S	Frazee Paint 7742W "Light Toast"
20	Not Used	T	Frazee Paint 7751W "Beach Grass"
21	Not Used	U	Frazee Paint 7824 "Desert Edge"
22	Not Used	V	Frazee Paint 7846 "Eldorado"
23	Not Used	W	Tinted Glass
24	Not Used	X	Silver

MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE

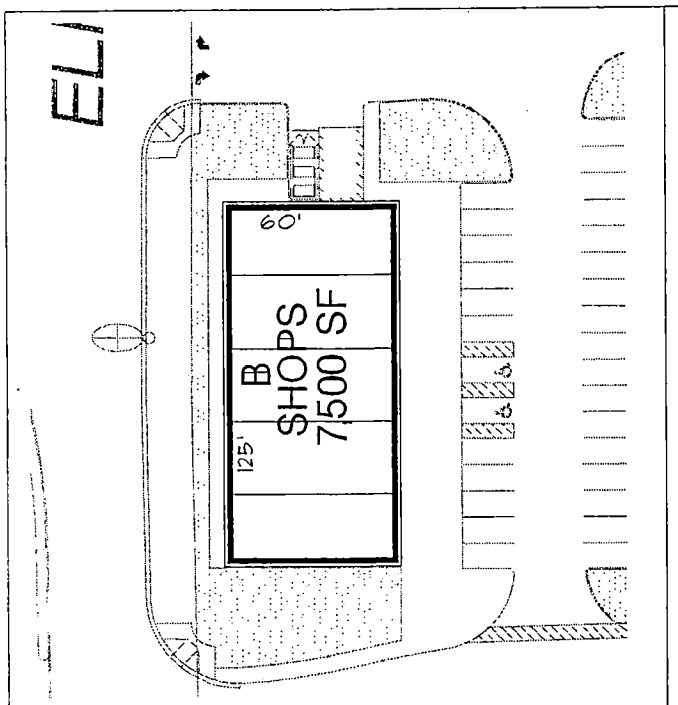
Typical Eight-Story Office Conceptual Elevations

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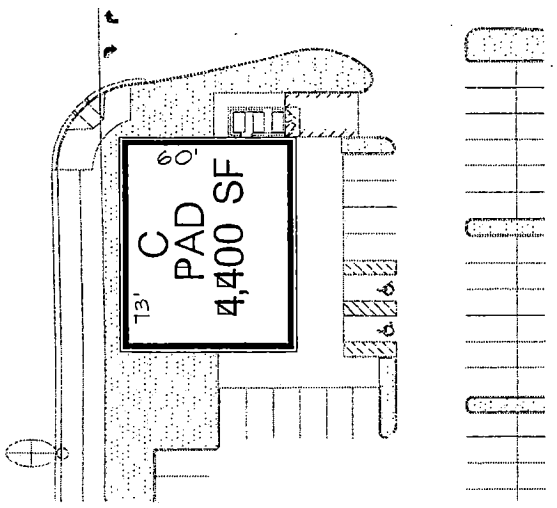
DATE: January 27, 2004

PR ARCHITECTS

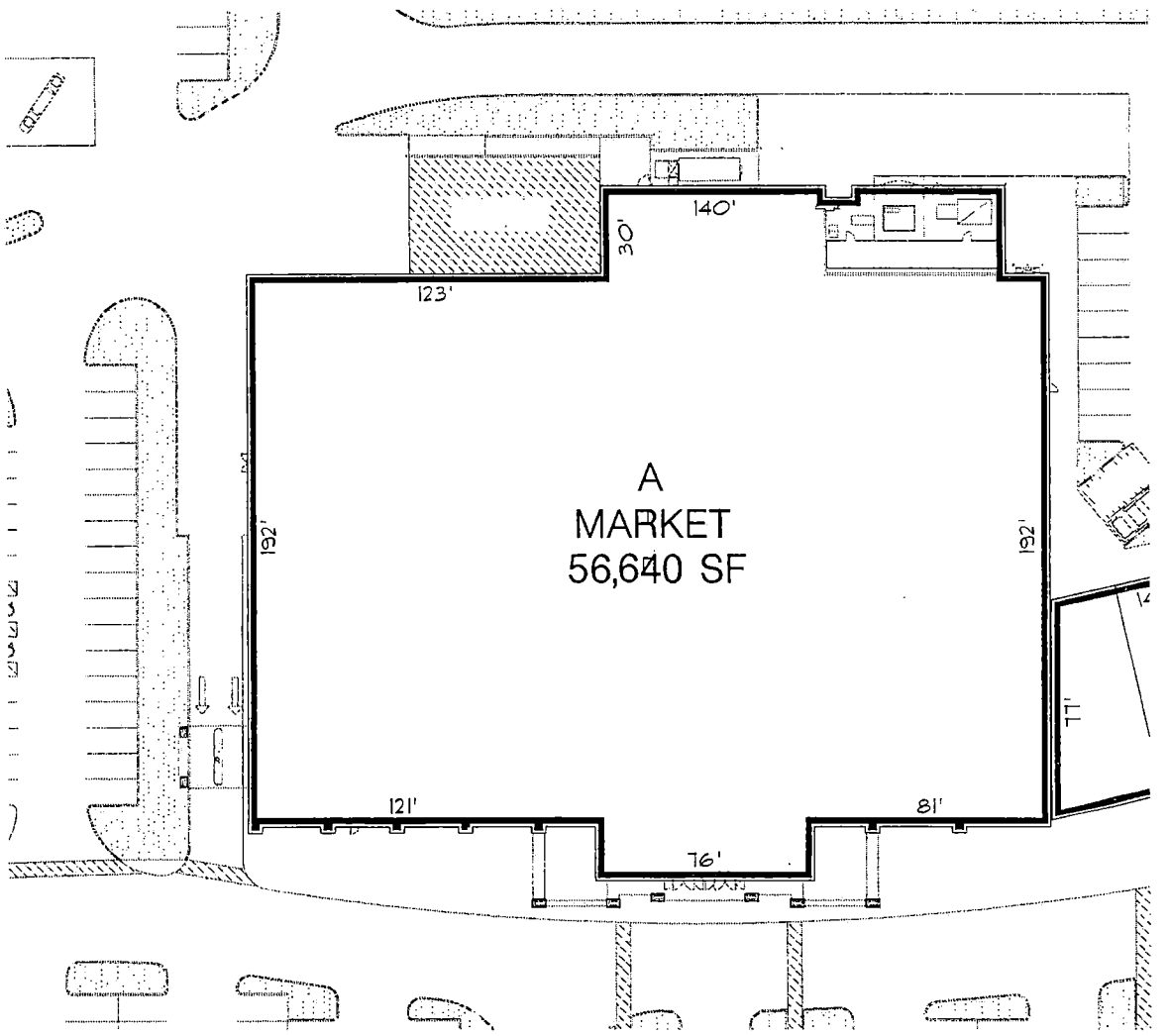
SDR-3764
03-11-04 PC



BUILDING "B" | DATE: 01/27/04 | SCALE: 1" = 30'-0" | B



BUILDING "C" | DATE: 01/27/04 | SCALE: 1" = 30'-0" | C



BUILDING "A" | DATE: 01/27/04 | SCALE: 1" = 30'-0" | A

SDR-3764
03-11-04 PC

PR
3980 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-892-8500
702-892-8576 fax
www.prarchitects.com
Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information
MONTECITO COMPANIES

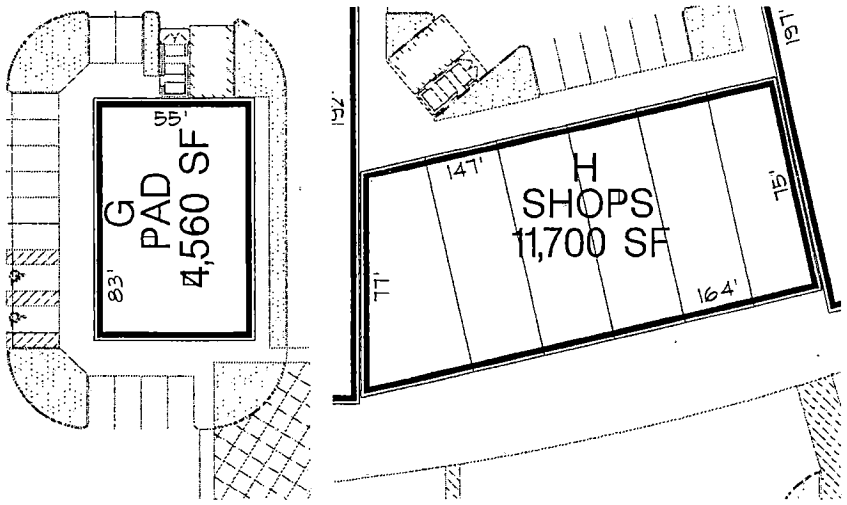
Perkowitz + Ruth ARCHITECTS
5351 of Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/27/04
Drawn By	mk
Checked By	mj
Project No.	03-432.01
File Name	D0343201.dwg
Scale	1" = - (As Noted)

N
Scale and North Orientation as Noted
0 SCALE 2X

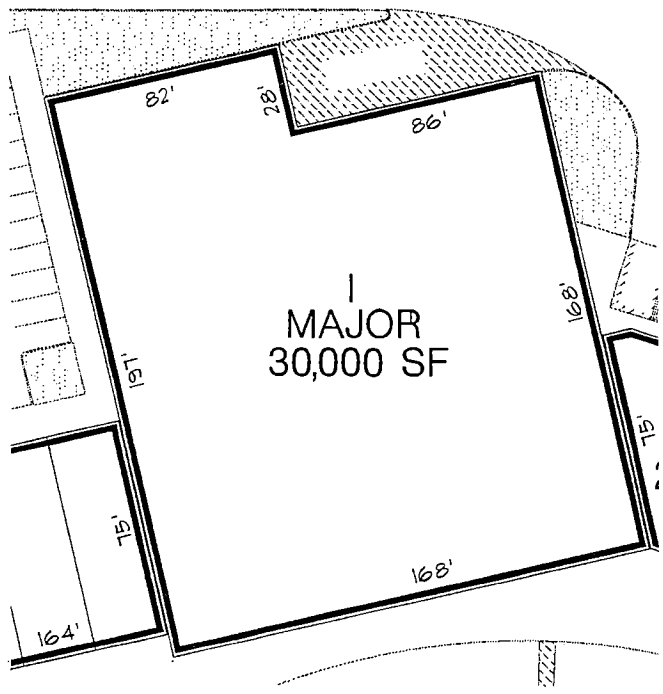
Floor Plans
FL-1



BUILDING "G" AND "H"

DATE: 01/27/04
SCALE: 1" = 20'-0"

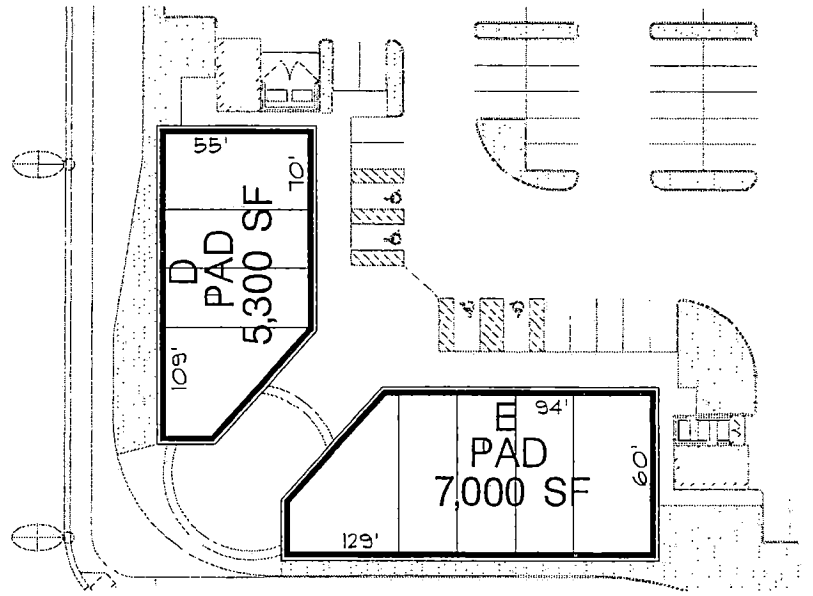
G&H



BUILDING "I"

DATE: 01/27/04
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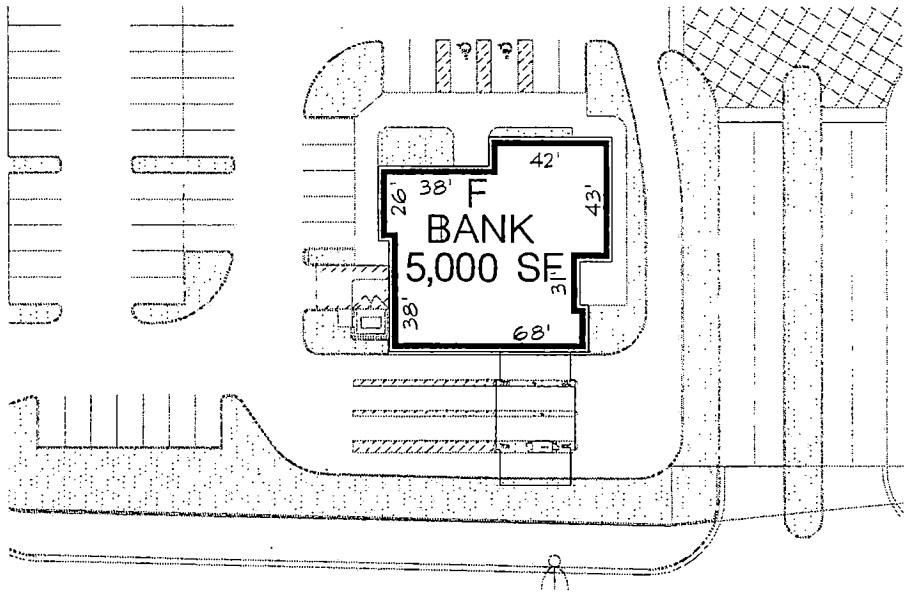
I



BUILDINGS "D" AND "E"

DATE: 01/27/04
SCALE: 1" = 20'-0"

D&E



BUILDINGS "F"

DATE: 01/27/04
SCALE: 1" = 20'-0"

F

PRI
3980 Howard Hughes Pkwy
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Las Vegas, NV 89109
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702-892-8501 fax

www.prarchitects.com

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Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS
850 of Durango Drive • Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

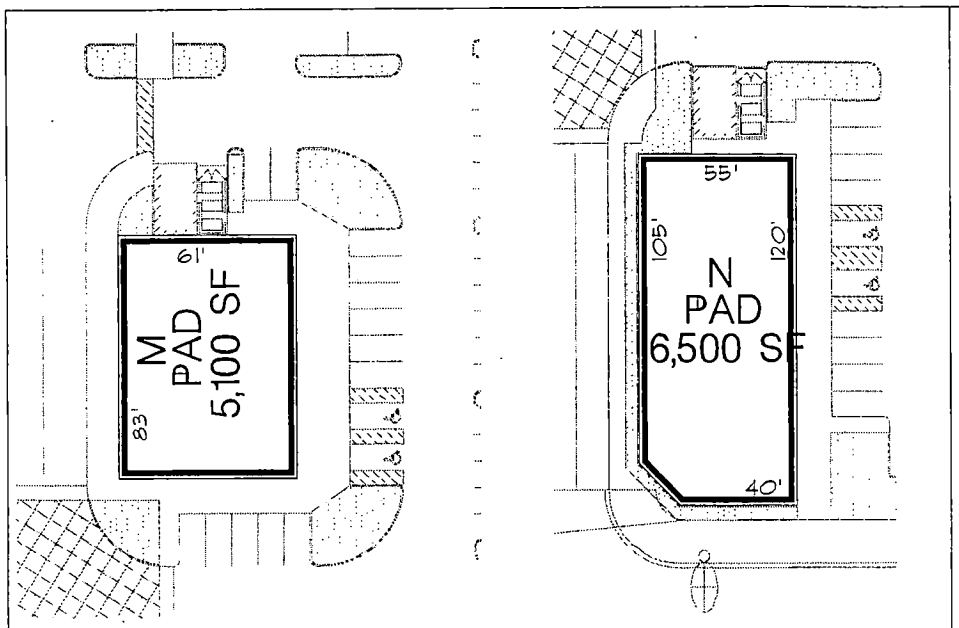
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Checked By	pk
Project No.	03-432.11
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Floor Plans
FL-2

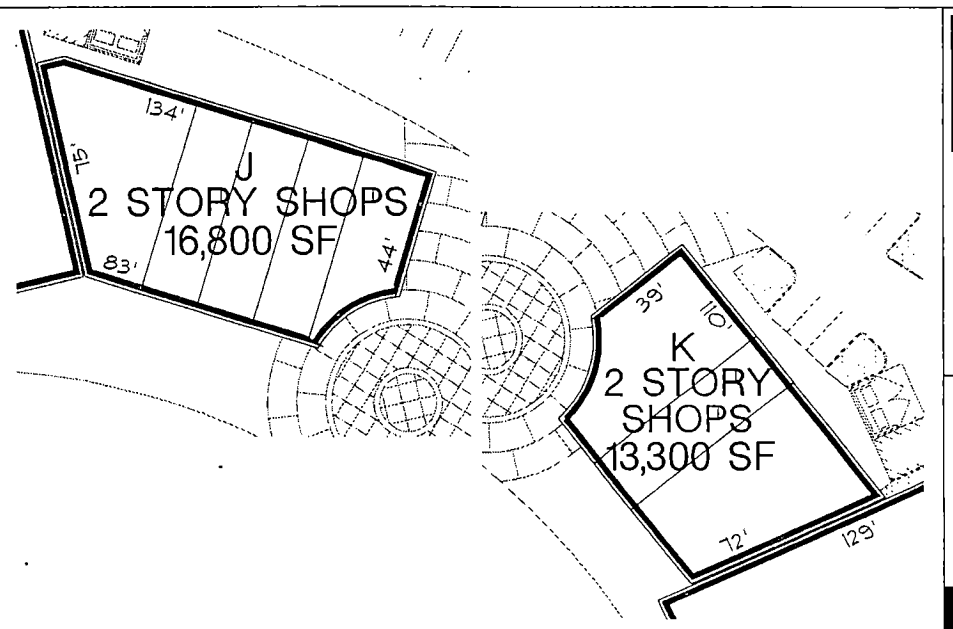
SDR-3764
03-11-04 PC



BUILDINGS "M" AND "N"

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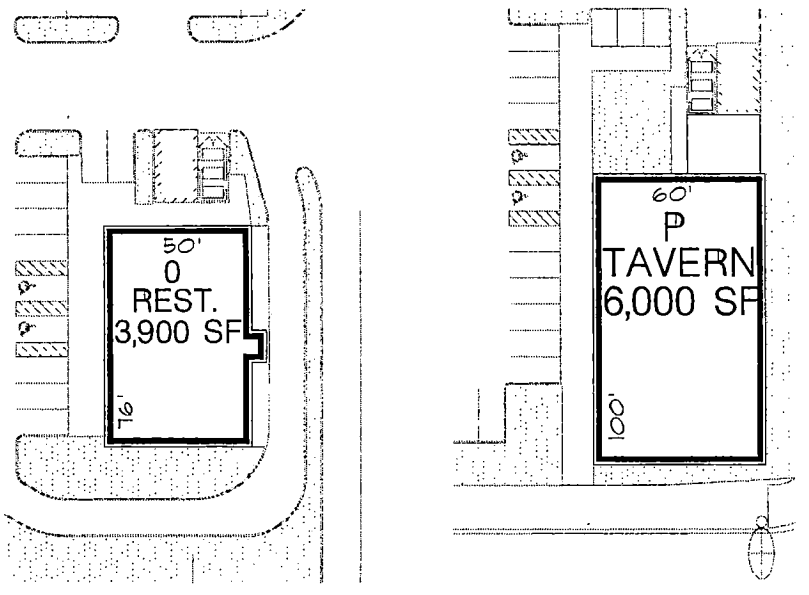
M&N



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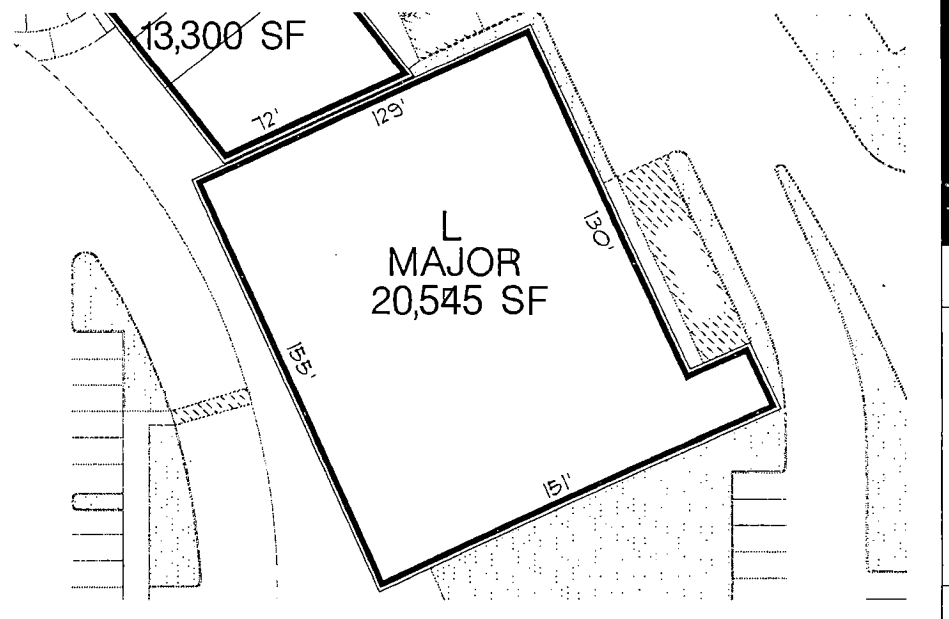
J&K



BUILDINGS "O" AND "P"

DATE: 01/22/04
SCALE: 1" = 30'-0"

O&P



BUILDING "L"

DATE: 01/22/04
SCALE: 1" = 30'-0"

L

SDR-3764

03-11-04 PC

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Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

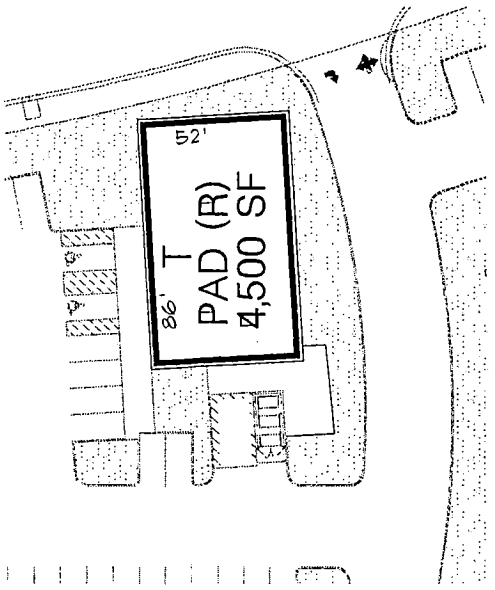
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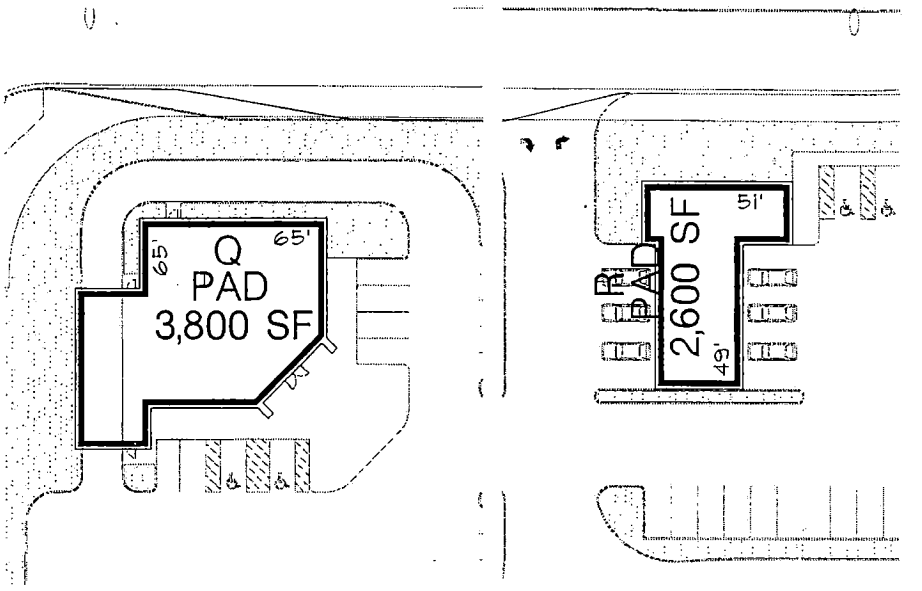
Floor Plans
FL-3



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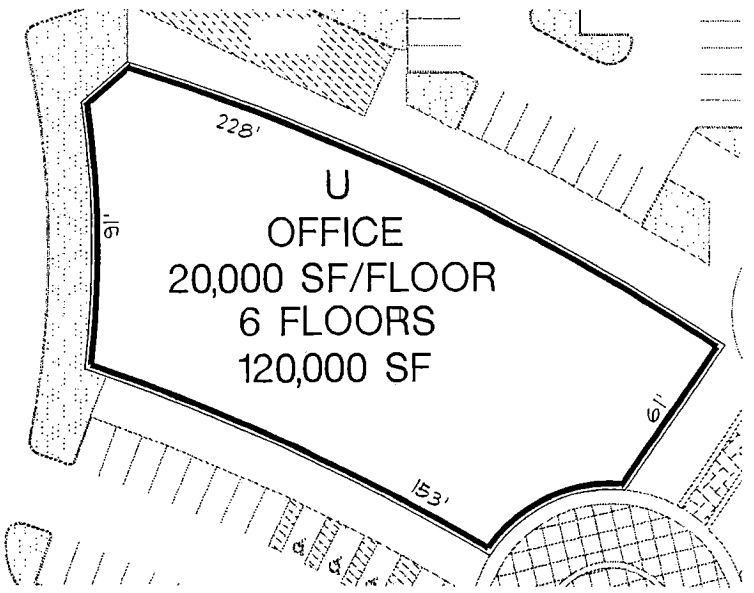
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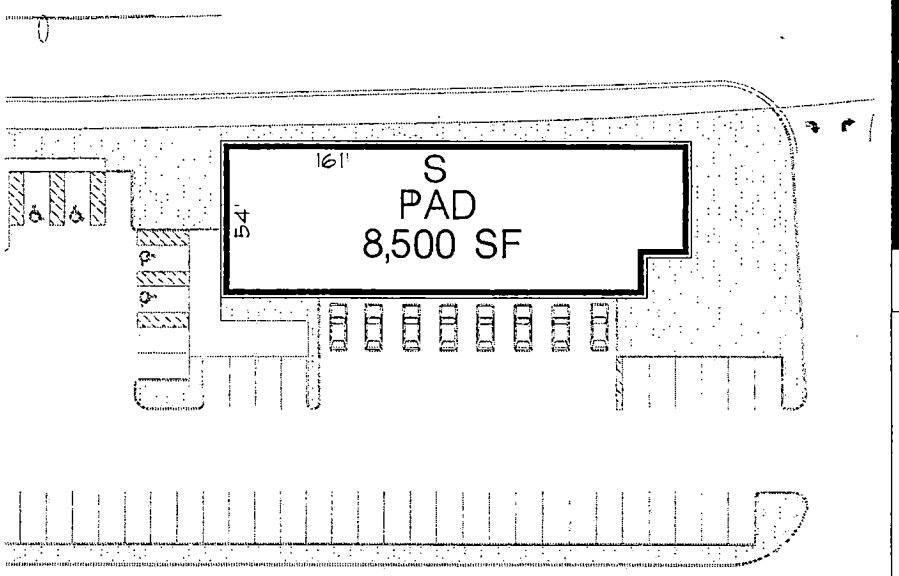
Q&R



BUILDING "U"

DATE: 01/22/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

DATE: 01/22/04
SCALE: 1" = 20'-0"

S

SDR-3764

03-11-04 PC

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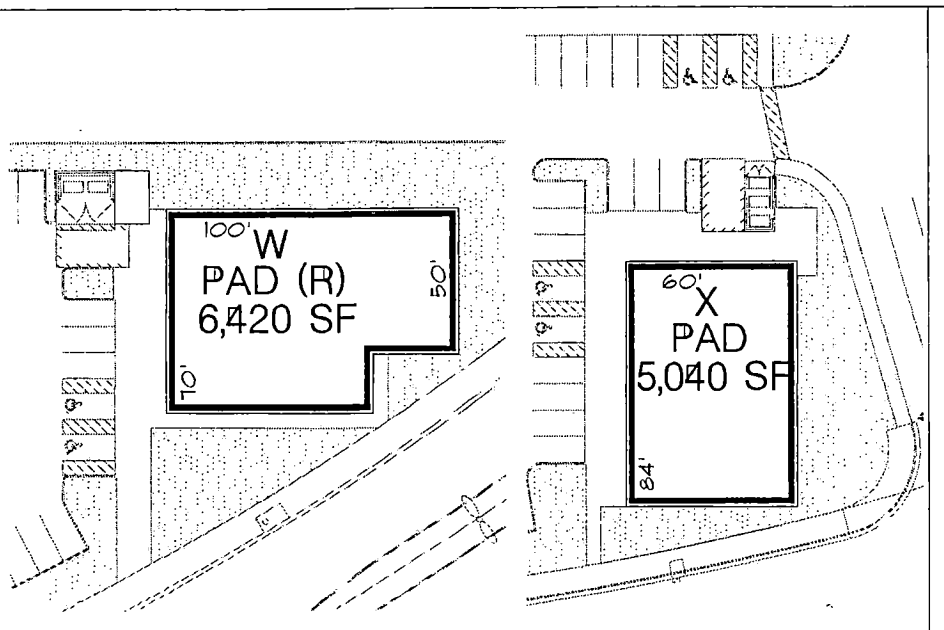
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

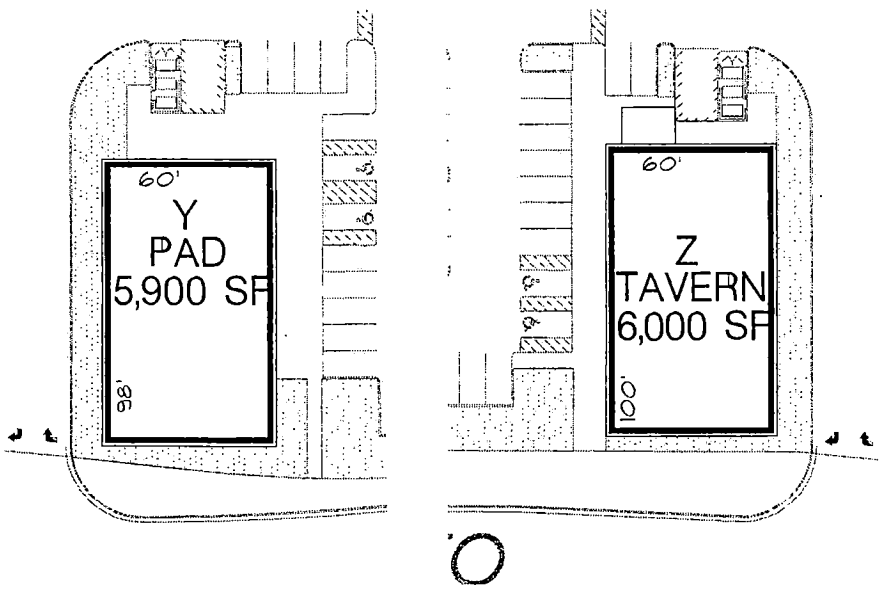
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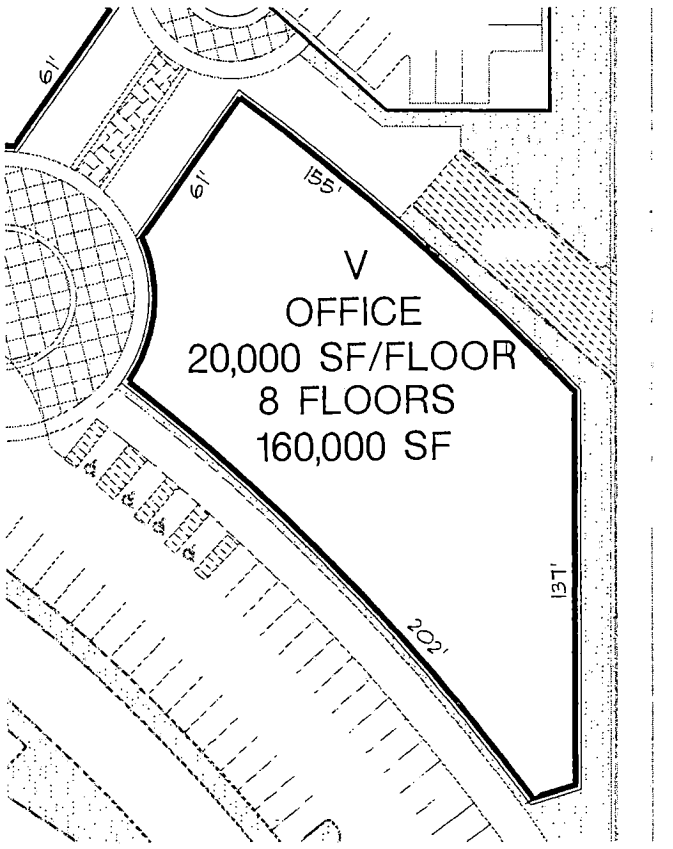
Floor Plans
FL-4



BUILDINGS "W" AND "X" | DATE: 01/21/04 | SCALE: 1" = 20'-0" | W&X



BUILDINGS "Y" AND "Z" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | Y&Z



BUILDING "V" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | V

SDR-3764
03-11-04 PC

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Perkowitz+Ruth ARCHITECTS

SEC of Durango Drive + Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

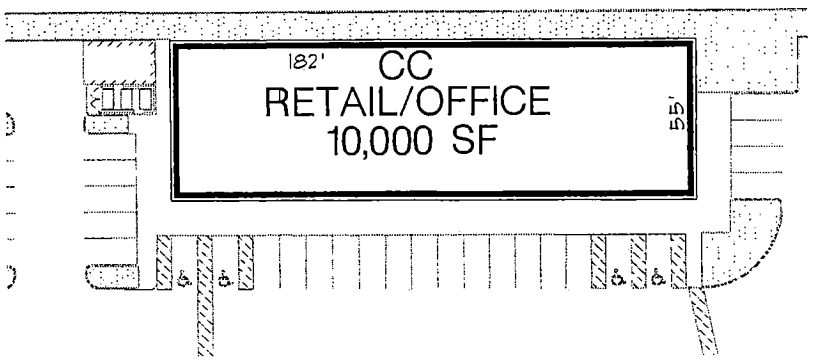
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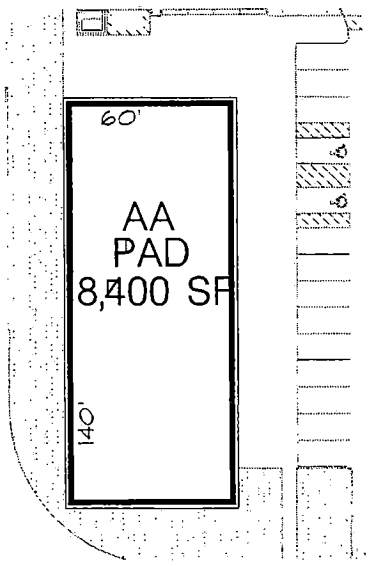
Floor Plans
FL-5



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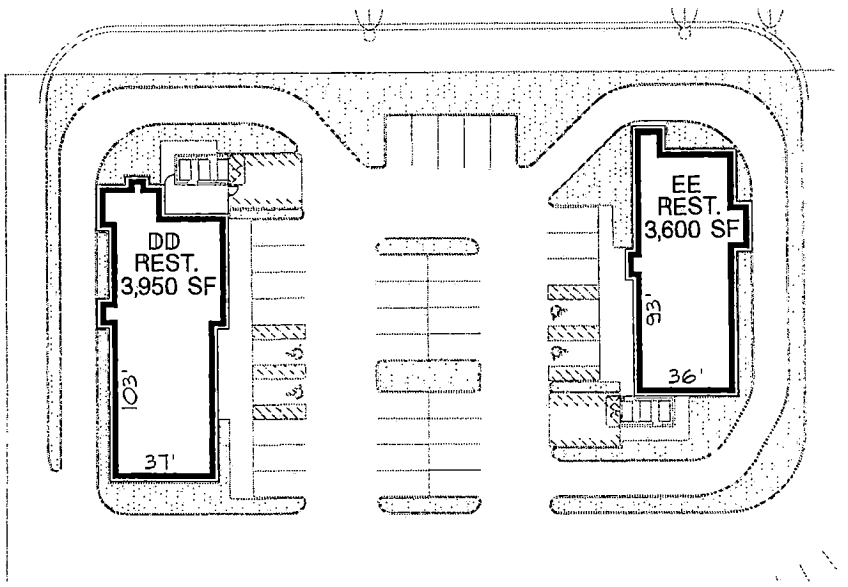
CC



BUILDING "AA"

DATE: 01/27/04
SCALE: 1" = 20'-0"

AA



BUILDINGS "DD" & "EE"

DATE: 01/27/04
SCALE: 1" = 20'-0"

DD&
EE



BUILDING "BB"

DATE: 01/27/04
SCALE: 1" = 20'-0"

BB

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Las Vegas, NV

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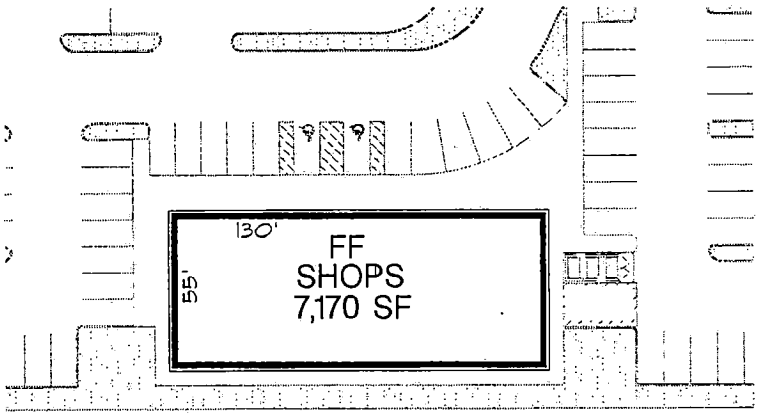
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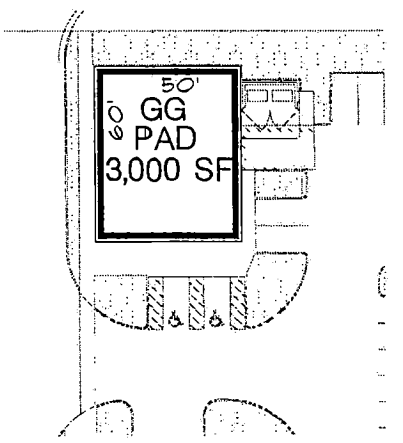
Floor Plans
FL-6



BUILDING "HH" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | HH



BUILDING "FF" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | FF



BUILDING "GG" | DATE: 01/22/04 | SCALE: 1" = 20'-0" | GG

SDR-3764

03-11-04 PC

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SEC of Durango Drive & Elkhorn Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date	01/22/04
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Checked By	aj
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Scale 1/2" North Orientation as Noted

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Floor Plans
FL-7



SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with EVANS excused

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

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 42 [ZON-3775], Item 43 [VAR-3946], Item 44 [WVR-3793], Item 45 [SDR-3784].

FRED SOLIS, Planning and Development Department, summarized each of the cases pertaining to a proposed 14-lot residential subdivision. Staff had no concerns with the applications and recommended approval subject to the appropriate conditions.

MINUTES - Continued:

ATTORNEY BILL CURRAN, Curran and Perry, 300 South 4th Street, appeared on behalf of the applicant and concurred with staff recommendations and conditions. With regard to concerns with the open space configuration, the applicant requested the opportunity to work with staff prior to going before the City Council in order to further improve the original Site Plan. He was apprehensive about specific sections of the open space area that prevented visibility from the outlying streets which he felt might cause some security concerns.

TODD FARLOW, 240 North 19th Street, was concerned about the trails on the east side of Bradley Road. GARY LEOBOLD, Planning and Development Department, replied that the trails are located on the opposite side of the street from the subject site.

COMMISSIONER McSWAIN commented that having a tree-lined street would probably be more aesthetically pleasing. ATTORNEY CURRAN stated that that was the original proposal; however, staff concluded that that wasn't usable space for the residential community.

MR. LEOBOLD explained the standards that the open space requirements are based on. DAVID CLAPSADDLE, Planning and Development Department, added that there is still time to work with the applicant to ensure the open space requirements are met.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 42 [ZON-3775], Item 43 [VAR-3946], Item 44 [WVR-3793], Item 45 [SDR-3784].

NOTE: All discussion for Item 42 [ZON-3775], Item 43 [VAR-3946], Item 44 [WVR-3793], Item 45 [SDR-3784] was held under Item 42 [ZON-3775].

(7:45 – 7:56)

2-442

CONDITIONS:

Planning and Development

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

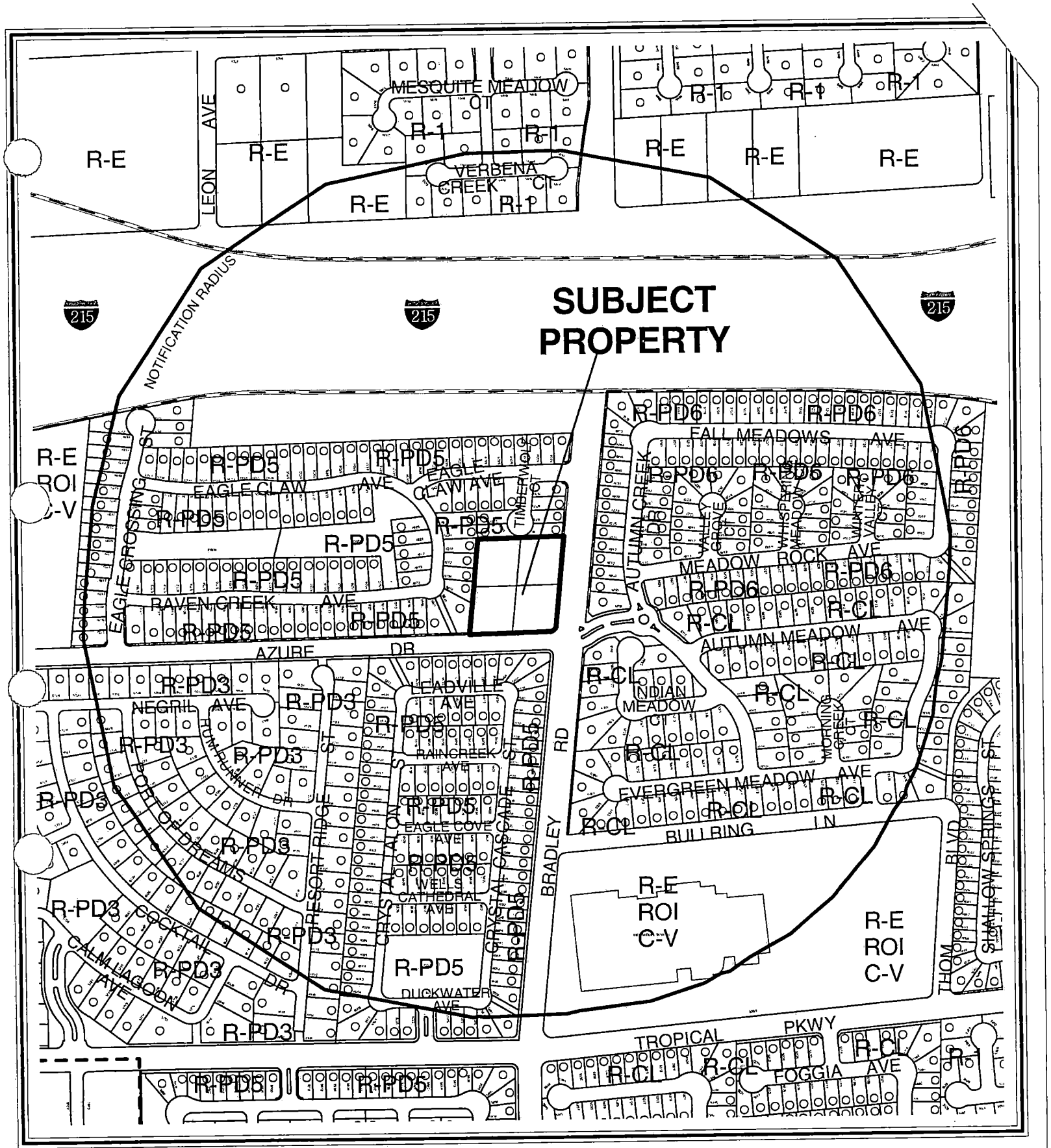
2. A Variance (VAR-3946), Site Development Plan Review (SDR-3784), and Waiver (WVR-3793) of certain Title 18 standards approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

MINUTES - Continued:

Public Works

3. Construct half-street improvements on Azure Drive and Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

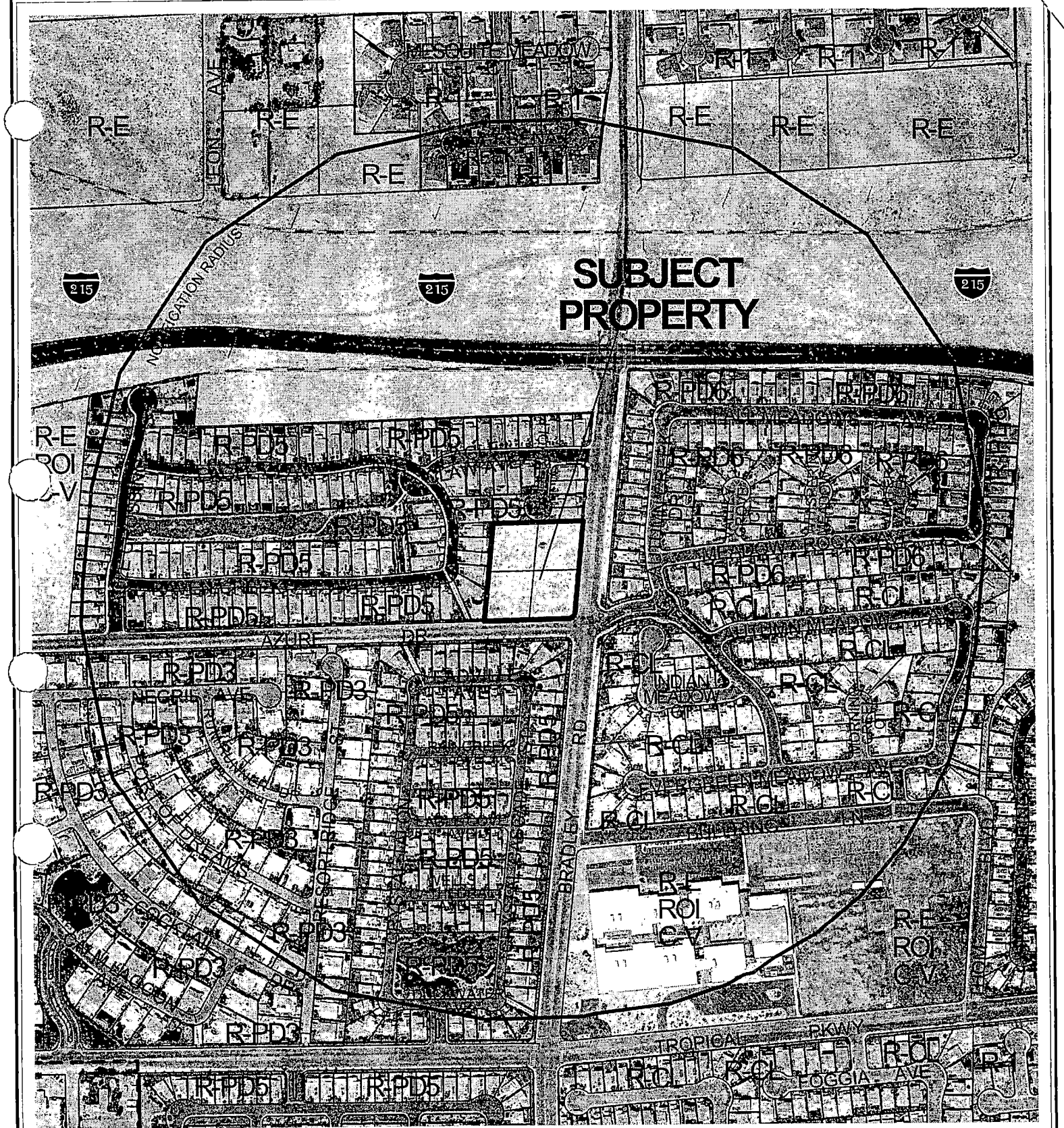


CASE: **ZON-3775**

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)



0 300 600 Feet

CASE: **ZON-3775**

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING RELATED TO VAR-3946, SDR-3784 AND WVR-3793 - PUBLIC HEARING - ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

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

2. A Variance (VAR-3946), Site Development Plan Review (SDR-3784), and Waiver (WVR-3793) of certain Title 18 standards approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements on Azure Drive and Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Rezoning from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive. Related requests for a Variance (VAR-3946) to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres is required, a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required, and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments and conforms to the General Plan.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission will consider three related items on this site: a Variance (VAR-3946) to allow a proposed Residential Planned Development site to contain 2.72 acres where a minimum of five acres is required; a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more; and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision. Staff is recommending approval of all items.

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.72
Net Acres:	2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 Units per Acre)
South:	R-PD5 (Residential Planned Development – 5 Units per Acre)
East:	R-PD6 (Residential Planned Development – 6 Units per Acre)
West:	R-PD5 (Residential Planned Development – 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) 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

SS

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) General Analysis and Discussion

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.72 gross acres; therefore, the applicant has requested the companion Variance (VAR-3946) of the standard. This Rezoning cannot be possible without prior approval of this Variance. The proposed R-PD5 (Residential Planned Development - 5 Units per Acre) development will result in the construction of 14 single-family residential lots having a density of 5.15 units per gross acre, below the 5.5 units per acre maximum density required of properties with the L (Low Density Residential) land use category in the General Plan. The proposed development is similar in density to adjacent residential neighborhoods in all directions, including developments zoned R-PD5 (Residential Planned Development - 5 Units per Acre) to the north, south and west, and one zoned R-PD6 (Residential Planned Development - 6 Units per Acre) across Bradley Road to the east.

The site plan submitted shows relatively uniform lots arranged around a single 51-foot wide public cul-de-sac street, which connects to existing development at Azure Drive. This entrance as designed does not meet the minimum standards of Title 18. The applicant has requested a Waiver (WVR-3793) of Title 18.12.160 to allow a reduction in the amount of separation distance between the proposed street and Bradley Road to the east. Open space is attached to required perimeter landscape buffers along Bradley Road and Azure Drive; however, Title 19.06.040.G disqualifies landscaped entry features or planters located along major thoroughfares or collector streets from consideration as open space. Furthermore, this space is not readily accessible by lots within the development and unusable for recreational purposes.

A redesign of the site could achieve one of the goals of larger R-PD developments, which is to make efficient provision of open space and enhanced residential amenities. Open space can be integrated into the site so that it can be more easily accessible to each lot and connect to the existing cul-de-sac on the development to the north without compromising lot space. The companion Site Development Plan Review (SDR-3784) addresses this deficiency, that, when corrected, will present a more attractive environment to residents.

As the proposed project is compatible with existing single-family development on all sides and should not adversely impact public facilities in the immediate area, there is no objection to rezone the subject area from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre), conditioned on the approval of the companion Variance.

FINDINGS

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

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

   The proposed Rezoning to R-PD5 (Residential Planned Development - 5 Units per Acre) conforms to the density range required by the existing L (Low Density Residential) General Plan Designation. Properties to the north, south, and west of the subject property also share the L (Low Density Residential) General Plan designation.

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

   The single-family residential uses proposed on the subject property would be similar to surrounding single-family uses and occur at a density similar to the surrounding properties and are therefore compatible with the uses and zoning designations of these surrounding properties. Reconfiguration of the lots on this site will allow for better integration of open space within the development and also allow for linkages to existing development.

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

   The proposed Rezoning and companion Site Development Plan will allow for low-density residential development that is appropriate for the area as an infill project. The proposed Variance will address the deficiency in site area required for R-PD developments.

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

   Access to the property is provided by Azure Drive, a 60-foot right-of-way, and will be adequate to meet traffic demands of the proposed single-family residential development. The reduced separation distance between the entry street into the proposed development and Bradley Road will necessitate a companion application for a Waiver to Title 18 (WVR-3793) in order for the proposed design to be approved.

NOTICES MAILED 579 (Mailed with VAR-3946, WVR-2793 and SDR-3784)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3775 APN: 125 25 101 014 & 015

Name of Property Owner: JANICE SHUMAN

Name of Applicant: FREDA HOMES

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Janice V. Shuman

Print Name: Janice V. Shuman

Subscribed and sworn before me

This 14 day of JAN, 2004

Barbara Fineanganofo

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BARBARA FINEANGANOFO
No: 98-4931-1
My Appointment Expires September 1,2006

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3775 APN: 125 - 25 101 010

Name of Property Owner: Ron & Misty Seaton

Name of Applicant: Fiesta Homes

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: R J Seat

Print Name: Ron J Seaton

Subscribed and sworn before me

This 9th day of January, 2004

Cathy Ryznar Maricopa, Arizona

Notary Public in and for said County and State

CATHY RYZNAR
Notary Public – Arizona
Maricopa County
Expires 08/10/06

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3775 APN: 125 25 101 011

Name of Property Owner: LEG PRISBEY

Name of Applicant: Fiesta Homes

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Loran L Prisbrey

Print Name: Loran L Prisbrey

Subscribed and sworn before me

This 15th day of January, 2004

Michelle R. Haney

Notary Public in and for said County and State

MICHELLE R. HANEY
Notary Public, State of Nevada
Appointment No. 93-3922-1
My Appt. Expires July 28, 2005

ZON-3775
SDR-3784
WVR-3793
03-11-04 PC

DELTA ENGINEERING

BRADLEY ROAD / AZURE AVENUE
14 LOTS

SITE PLAN

1

EXISTING RESIDENTIAL RPD-5

TIMBERWOLF COURT

BRADLEY ROAD

AZURE AVENUE

EXISTING RESIDENTIAL RPD-5

GRAPHIC SCALE

STREET SECTION

- MINIMUM LOT SIZE – 4,000 SF
- AVERAGE LOT SIZE – 4,000 SF
- GROSS AREA – 3.72 ACRES MORE OR LESS
- 3.76 LOTS PER ACRE

OPEN SPACE REQUIRED
(LOTS / ACRE)(1.45)= PERCENT OF OPEN SPACE REQUIRED
(3.76)(1.45)=5.5%
(3.72ACRES)(5.5%)=0.20 ACRES= +10,019 SQ FT OF OPEN SPACE REQUIRED
OPEN SPACE PROVIDED
10,041 SF = 0.24 ACRES

AZURE AVENUE

BRADLEY SECTION



ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILTY COMPANY - Request for a Variance TO ALLOW A PROPOSED R-PD (RESIDENTIAL PLANNED DEVELOPMENT) SITE TO DEVELOP ON 2.72 ACRES WHERE A MINIMUM OF FIVE ACRES ARE REQUIRED adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with EVANS excused

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

MINUTES:
NOTE: See Item 42 [ZON-3775] for related discussion.
(7:45 – 7:56)

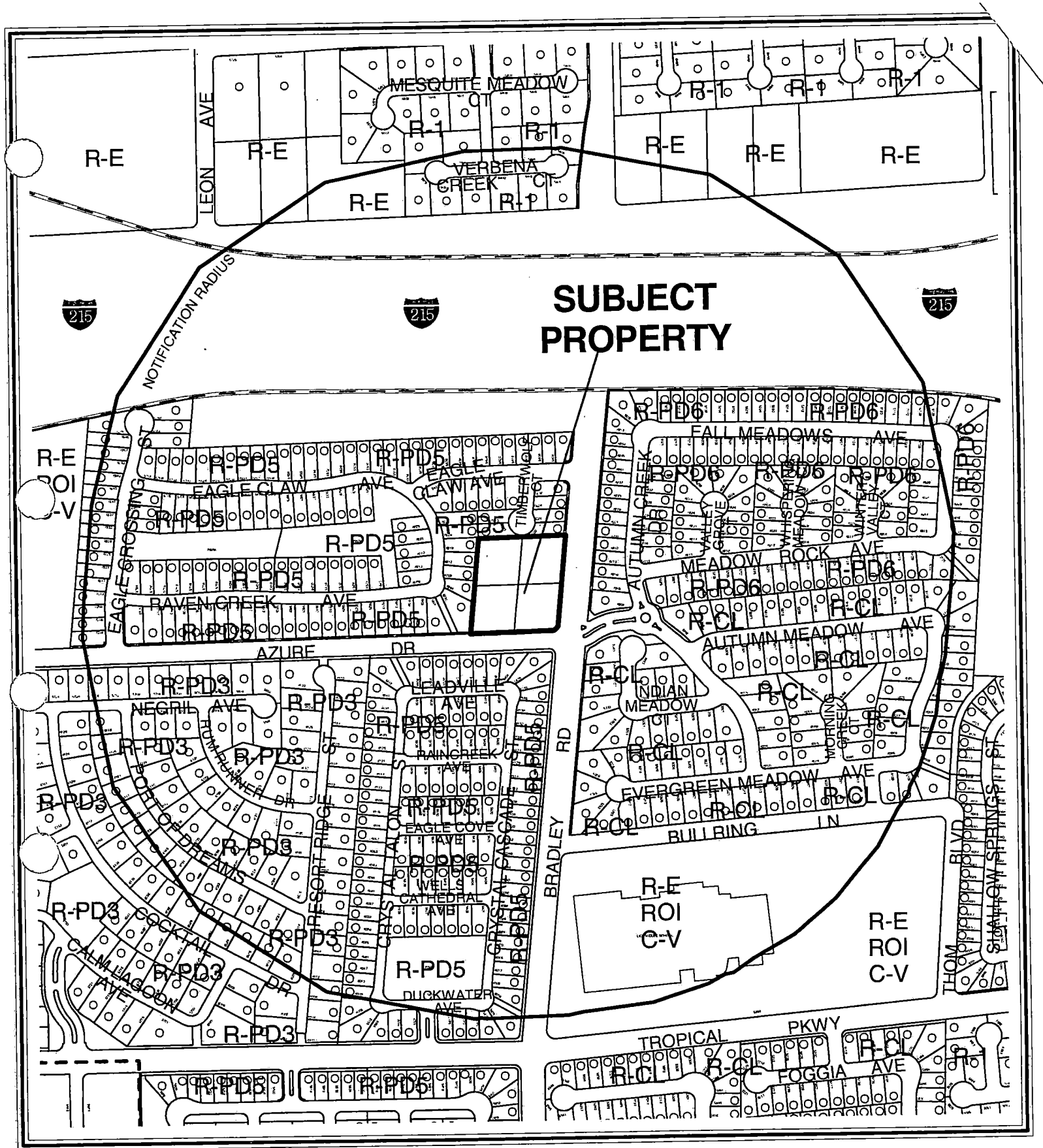
PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 43 – VAR-3946

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3775).

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



CASE: **VAR-3946**

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE RELATED TO ZON-3772, SDR-3784 AND WVR-3793 - PUBLIC HEARING - VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILTY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3775).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres are required on property adjacent to the northwest corner of Bradley Road and Azure Drive. Related requests for a Rezoning (ZON-3775) to R-PD5 (Residential Planned Development – 5 Units per Acre), a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required, and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments. The development will provide up to 2,135 square-foot floor plans. The site is composed of infill parcels surrounded by existing residential development.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission will consider three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre); a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision; and a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more. Staff is recommending approval of all items.

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.72
Net Acres:	2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development - 5 Units per Acre)
South:	R-PD5 (Residential Planned Development - 5 Units per Acre)
East:	R-PD6 (Residential Planned Development - 6 Units per Acre)
West:	R-PD5 (Residential Planned Development - 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

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

No special districts, zones, or studies are related to the subject site.

SS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. R-PD site area	5 acres	2.72 acres	N

Per Title 19.06.040.A, the minimum site area eligible for rezoning to any R-PD zoning district is five acres. Any proposal for a development of less than five acres will require a variance. The subject deviation is 46 percent from the standard.

B) General Analysis and Discussion

The purpose of the five-acre minimum requirement for R-PD sites is to allow the developer the flexibility to design an integrated development that includes reasonable development standards and adequate open space. The proposed 2.72-acre project can provide such a development if it is reconfigured to situate the amount of open space required by Title 19.06.040.G within the development so that it is usable and provides a connection to the existing adjacent neighborhood to the north.

FINDINGS

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

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

Additionally, Title 19.18.070(L) of the Las Vegas Municipal Code states:

"L. Determinations

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

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

Despite the small size of the overall site, the proposed development is able to provide lots featuring sizes and products that are comparable to existing adjacent development in the area. With reconfigured open space, the development will provide an innovative, integrated site characteristic of R-PD-zoned sites of greater than five acres. The recommendation, therefore, is for approval of the Variance.

NOTICES MAILED 579 (Mailed with ZON-3775, WVR-3793 and SDR-3784)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3946 APN: 125-25-101-010, 011, 013 & 014

Name of Property Owner: New York Plastics LLC

Name of Applicant: FIESTA HOMES

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

_____Yes ✓ _____No

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

City Official: N/A

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: CARLOS ESCAPA, MANAGER

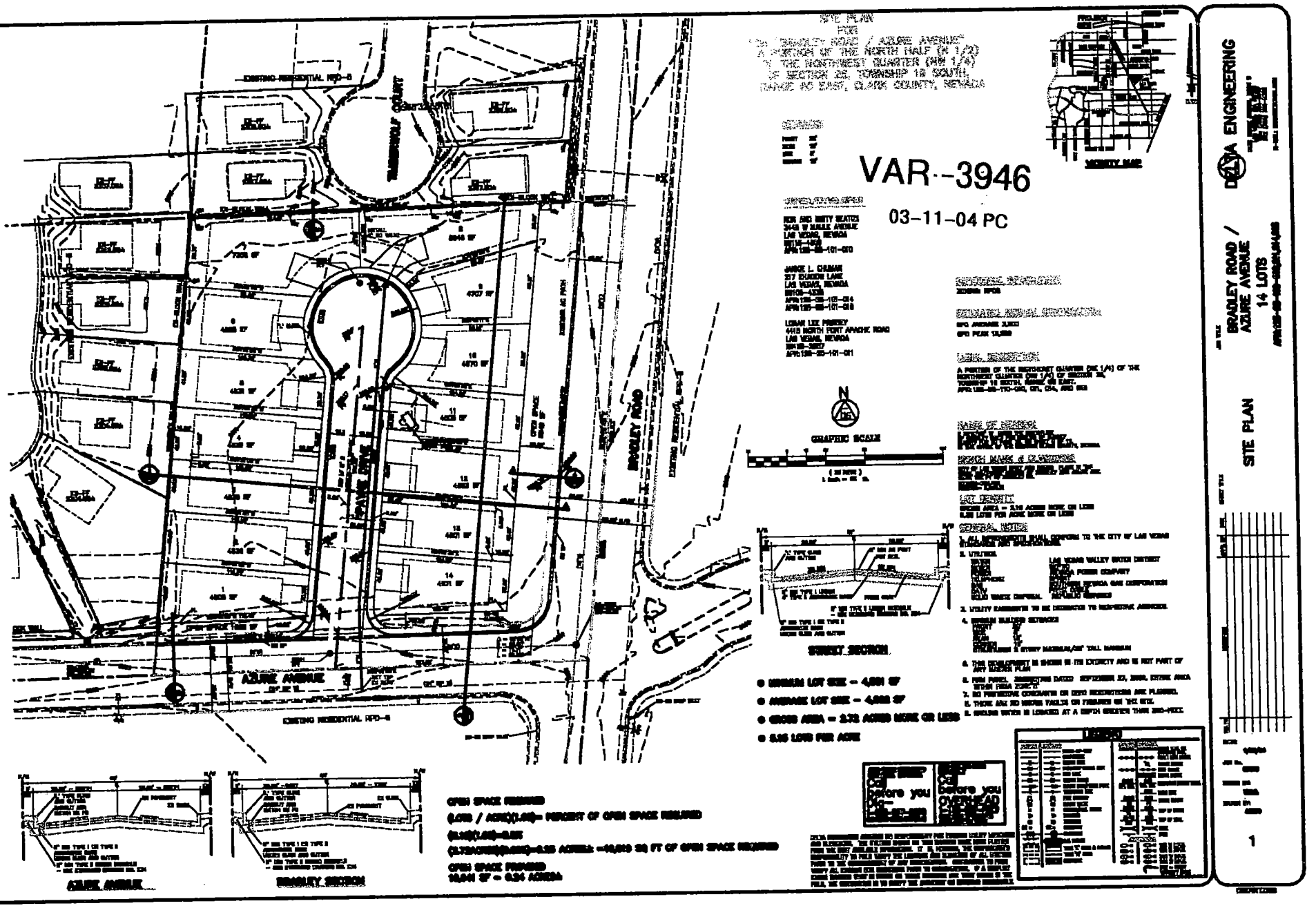
Subscribed and sworn before me

This 18 day of FEB., 2004

Barbara Fineanganofo

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BARBARA FINEANGANOFO
No: 98-4931-1
My Appointment Expires September 1,2006


SITE PLAN
FOR
BRADLEY ROAD / AZURE AVENUE
A PORTION OF THE NORTH HALF (N 1/2)
OF THE NORTHWEST QUARTER (NW 1/4)
OF SECTION 25, TOWNSHIP 19 SOUTH,
RANGE 60 EAST, CLARK COUNTY, NEVADA
VAR--3946
03-11-04 PC
DELTA ENGINEERING
BRADLEY ROAD / AZURE AVENUE
14 LOTS
SITE PLAN
EXISTING RESIDENTIAL RPD-6
AZURE AVENUE
BRADLEY ROAD
GOLF COURSE DRIVE
GRAPHIC SCALE
STREET SECTION
AZURE AVENUE
BRADLEY SECTION
MINIMUM LOT SIZE = 4,501 SF
AVERAGE LOT SIZE = 4,668 SF
GROSS AREA = 3.33 ACRES MORE OR LESS
5.35 LOTS PER ACRE
OPEN SPACE REQUIRED
OPEN SPACE PROVIDED
10,041 SF = 0.24 ACRES
1



VAR-3946 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

WVR-3793 - APPLICANT: FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Waiver of Title 18.12.160 TO ALLOW A 198 FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, for a proposed subdivision adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development – 5 Units per Acre)], Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with EVANS excused

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

MINUTES:
NOTE: See Item 42 [ZON-3775] for related discussion.
(7:45 – 7:56)

City of Las Vegas

Agenda Item No.: 44

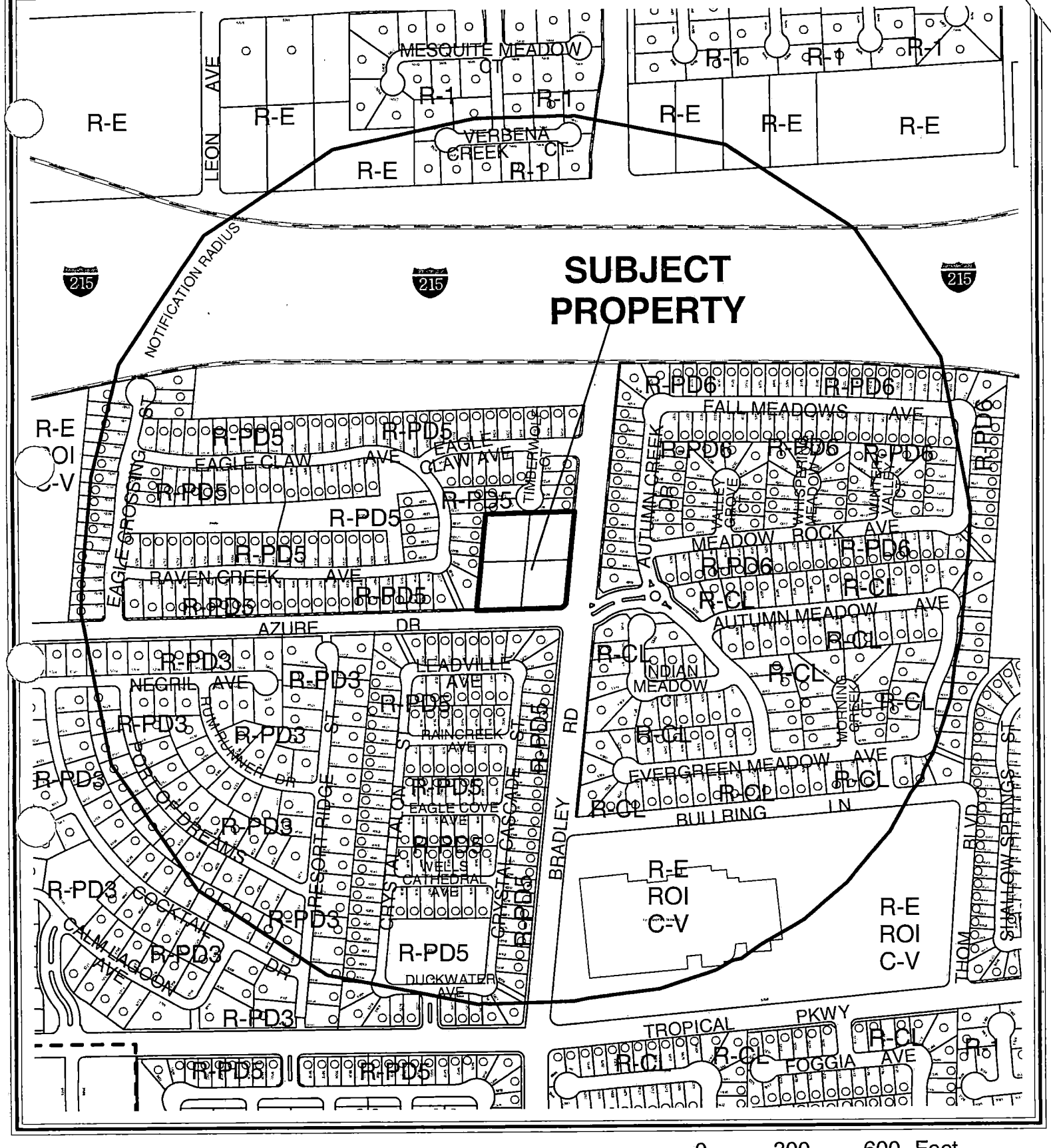
PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 44 – WVR-3793

CONDITIONS:

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-3946), Rezoning (ZON-3775) and Site Development Plan Review (SDR-3784).

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



0 300 600 Feet

CASE: **WVR-3793**

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WAIVER RELATED TO VAR-3946, ZON-3775 AND SDR-3784 - PUBLIC HEARING - WVR-3793 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-3946), Rezoning (ZON-3775) and Site Development Plan Review (SDR-3784).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Waiver of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more.

This Waiver is to apply to an 2.72-acre site adjacent to the northwest corner of Bradley Road and Azure Drive. Companion applications for a Variance (VAR-3946) to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres is required, a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre) and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development on this site will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The applicant has justified the request by stating that the proposed development is an infill project limited by existing adjacent residential developments and two existing streets, Bradley Road and Azure Drive. Centering the roadway allows for uniformity of lots, which aids in project construction and long-term maintenance of the future subdivision.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission will consider three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre); a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision; and a Variance (VAR-3946) to allow a proposed Residential Planned Development site to locate on 2.72 acres where a minimum of five acres is required. Staff is recommending approval of all items.

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.72
Net Acres:	2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 Units per Acre)
South:	R-PD5 (Residential Planned Development – 5 Units per Acre)
East:	R-PD6 (Residential Planned Development – 6 Units per Acre)
West:	R-PD5 (Residential Planned Development – 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

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

No special districts, zones, or studies are related to the subject site.

ANALYSIS

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum separation distance between intersections. Title 18.12.160 states:

> "Intersections – Length
> Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet."

The subject site has approximately 330 feet of frontage on Azure Drive. In order to provide a logical entryway to the site that also allows for the greatest number of uniform lots, the entrance has to be located in the center of this frontage. The centerline of the street thus created will be 197.62 feet from the centerline of Bradley Road, abutting this development on the east. The frontage along Bradley Road adjacent to this development is also approximately 330 feet; however, fewer lots could be subdivided using this option.

FINDINGS

The configuration of the site, the relatively low traffic volumes on Azure Drive and into the proposed development, and the additional traffic controls proposed to be installed concurrent with this site all contribute to the finding that the reduced separation distance is acceptable.

NOTICES MAILED 579 (Mailed with VAR-3946, ZON-3775 and SDR-3784)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3793 APN: 125 - 25 101 010

Name of Property Owner: Ron & Misty Seaton

Name of Applicant: Fiesta Homes

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Ron J Seat

Print Name: Ron J. Seaton

Subscribed and sworn before me

This 19th day of January, 2004

Cathy Ryznar Maricopa, Arizona

Notary Public in and for said County and State

CATHY RYZNAR
Notary Public – Arizona
Maricopa County
Expires 08/10/06

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3793 APN: 125 25 101 011

Name of Property Owner: LEE PRISBEY

Name of Applicant: Fiesta Homes

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Loran L Prisbrey

Print Name: Loran L Prisbrey

Subscribed and sworn before me

This 15th day of January, 2004

Michelle R Haney

Notary Public in and for said County and State

MICHELLE R. HANEY
Notary Public, State of Nevada
Appointment No. 93-3922-1
My Appt. Expires July 28, 2005

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3793 APN: 125 25 101 014 & 015

Name of Property Owner: JANICE SHUMAN

Name of Applicant: FREDA HOMES

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Janice L Shuman

Print Name: JANICE L. SHUMAN

Subscribed and sworn before me

This 14 day of JAN, 2004

Barbara Fineanganofo

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
BARBARA FINEANGANOFO
No: 98-4931-1
My Appointment Expires September 1,2006



WVR-3793 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone; [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions with the added condition as follows:

- ***The applicant shall work with Planning and Development Department staff to redesign the open space component of the project, prior to review of this application by the City Council.***

UNANIMOUS with EVANS excused

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

MINUTES:
NOTE: See Item 42 [ZON-3775] for related discussion.
(7:45 – 7:56)

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 45 – SDR-3784

CONDITIONS:

Planning and Development

1. Approval of a Variance (VAR-3946) to allow an R-PD development on a 2.72-acre site where five acres is the minimum site area required, a Rezoning (ZON-3775) to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3793) by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reconfigure the lots to provide the minimum amount of required open space on the interior of the development. The open space shall provide a connection to existing development to the north.

5. The standards for this development shall include the following: minimum lot size of 4,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

6. The setbacks for this development shall be a minimum of 20 feet in the front, 5 feet n the side, 10 feet on the corner side, and 15 feet in the rear.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.

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

10. Air conditioning units shall not be mounted on rooftops.

CONDITIONS – Continued:

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

12. The combined height of any perimeter retaining and screening walls shall not exceed eight feet, measured on the side exterior to the development. Retaining walls higher than six feet shall be stepped in conformance with Title 18.12.510.

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

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

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

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

Public Works

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

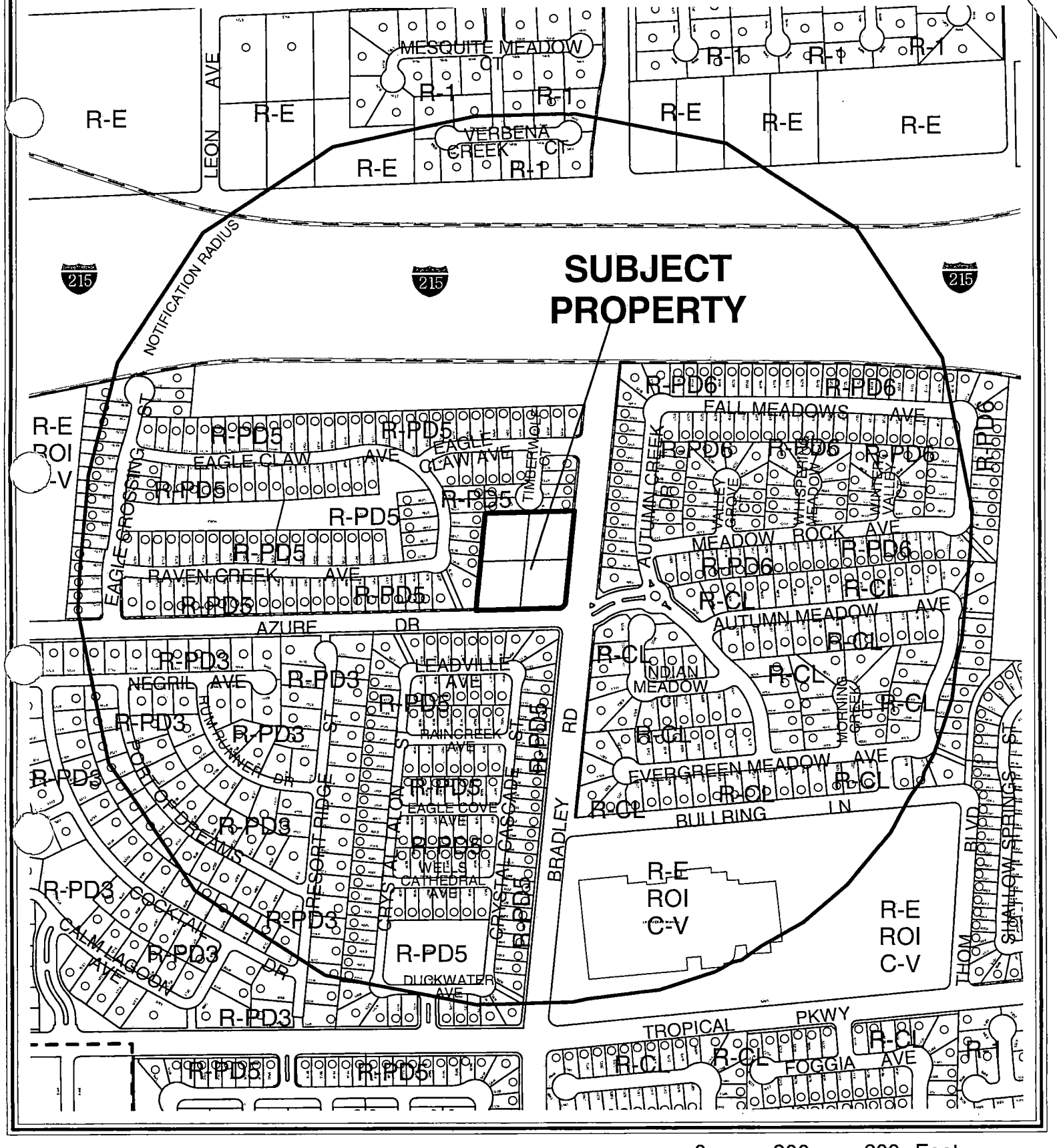
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3775 and all other subsequent site-related actions.

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 45 – SDR-3784

CONDITIONS – Continued:

20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



0 300 600 Feet

CASE: **SDR-3784**

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3946, ZON-3775 AND WVR-3793 - PUBLIC HEARING - SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Variance (VAR-3946) to allow an R-PD development on a 2.72-acre site where five acres is the minimum site area required, a Rezoning (ZON-3775) to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3793) by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reconfigure the lots to provide the minimum amount of required open space on the interior of the development. The open space shall provide a connection to existing development to the north.

5. The standards for this development shall include the following: minimum lot size of 4,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

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8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.

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

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

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

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

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

Public Works

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

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19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Review for a 14-lot single-family residential development on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive.

The subject site is proposed to be rezoned (ZON-3775) to R-PD5 (Residential Planned Development - 5 Units per Acre). Since Title 19 requires R-PD developments to be at least five acres in size, a request for a Variance (VAR-3946) will be reviewed with the Rezoning concurrently by the Planning Commission. In addition, a request for a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required will also be heard with the above cases by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission will consider three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre); a Variance (VAR-3946) to allow a proposed Residential Planned Development site to locate on 2.72 acres where a minimum of five acres is required; and a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more. Staff is recommending approval of all items.

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were

discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.72
Net Acres:	2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-PD5 (Residential Planned Development – 5 Units per Acre)
South:	R-PD5 (Residential Planned Development – 5 Units per Acre)
East:	R-PD6 (Residential Planned Development – 6 Units per Acre)
West:	R-PD5 (Residential Planned Development – 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

PROJECT DESCRIPTION

The site plan depicts 14 single-family residential lots on 2.72 gross acres, resulting in a density of 5.15 dwelling units per acre. All lots will have access to a single 51-foot wide public street terminating in a cul-de-sac. Access to the development will be from Azure Drive, a 60-foot wide right-of-way. Lots range in size from 4,501 square feet to 7,308 square feet with all but two lots less than 5,000 square feet. Typical lot dimensions are 43 feet wide by 105 feet deep. Setbacks proposed for this development are 20 feet in the front yard, 15 feet in the rear, five feet in side yards, and 10 feet on the corner side.

Landscaping includes a 10-foot wide planting buffer along the Azure Drive right-of-way and a 26.5-foot wide buffer along the Bradley Road right-of-way. Open space is not provided in the interior of the development, but instead is attached to the required landscape buffers. No amenities such as trail paths, picnic tables or shelters are provided.

The elevations show one- and two-story residential products with a building height of 21 feet (maximum height of 24 feet). The one-story floor plan will contain 1,553 square feet; the two-story plans contain a minimum of 2,135 square feet. Each dwelling will feature a two-car garage in front. Materials include cream and brown painted stucco exteriors, large shuttered windows, and concrete tile gabled roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for a R-PD (Residential Planned Development) zoning district are established by a Site Development Plan Review. The following standards are proposed for the subject development:

Standards	Provided
Min. Lot Size	4,501 SF
Min. Lot Width	40 Feet
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 10 Feet 15 Feet
Max. Building Height	2 Stories/ 35 Feet
Street Type	Public
Street Width	51 Feet

Lot width and lot size within the proposed development are acceptable, and setbacks are comparable to surrounding residential developments.

SS

A2) Parking and Traffic Standards

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

Uses	Ratio	Required Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Single-Family Detached Residential	Two spaces per dwelling unit	28	N/A	28	N/A

Pursuant to Title 19.10, single-family homes are required to provide two parking spaces per dwelling. Tandem parking is not permitted. The elevations depict two garage spaces per dwelling, in conformance to the parking standard.

The Public Works Department has determined the site plan as proposed is not in compliance with the Title 18 Subdivision Ordinance and must obtain a Waiver of Subdivision Code 18.12.160 for an insufficient intersection separation distance.

A3) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Buffer: • Min. Trees	1 Tree/30 Linear Feet + 1 Tree	19 Trees (560 Feet)	16 Trees
• Min. Zone Width	6 Feet		10 Feet
• Perimeter wall height	Max. 8 Feet if provided		6 Feet

The conceptual landscape plan shows a 10-foot planter along the Azure Drive right-of-way and a 26.5-foot planter along the Bradley Road right-of-way. Trees are spaced a minimum of 30 feet on center. The minimum number of trees and shrubs are not being provided. No interior landscaping is provided.

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
2.72 acres	5.15 du/ac	1.65	8.5 %	10,068 SF or 0.23 acres	9.0 %	10,641 SF or 0.24 acres

All residential planned developments containing 12 or more dwelling units must provide a minimum amount of usable open space. According to the table above, based on a gross density of 5.15 units per acre, the subject development must provide at least 10,068 square feet of open space. The landscape plan shows that by including the area used for required landscape buffers, the proposed development can provide 10,641 square feet. However, this area is not usable as open space.

According to Title 19.06.040.G, landscaped entry features or planters located along major thoroughfares or collector streets do not qualify as open space. The lack of area for open space is related to the unusual circumstance of a residential planned development being planned on less than five acres of land; however, the Planning and Development Department believes that usable open space can be integrated into the interior of the site using a more imaginative lot configuration. The open space should be located so as to create a connection between the proposed development and the existing development to the north and west.

B) General Analysis and Discussion

- Zoning

  The site is currently zoned R-E (Residential Estates). A companion Rezoning request (ZON-3775) would, if approved, rezone the subject property to R-PD5 (Residential Planned Development - 5 Units per Acre) in order to allow a greater number of lots to be developed. This designation would be compatible with the existing L (Low Density Residential) General Plan Designation for the site, which allows a density of up to 5.5 dwelling units per acre.

- Site Plan

  The proposed site plan, at a proposed density of 5.15 units per acre, conforms with the density maximums of both the existing General Plan designation and proposed rezoning for the site; however, R-PD guidelines require a minimum site area of five acres, thereby requiring a Variance. The challenge in requesting such a variance and moving forward with the development is the sparseness of land to provide usable open space and to also provide a reasonable number of lots under the density maximum. Although the site is small, it could still be redesigned to comply with the open space requirement so that it will be integrated with the development to the north and west, which contains an opposing cul-de-sac (an excellent connecting pathway).

- Waivers

  There are no waiver requests associated with this request, other than to allow a 198-foot distance separation between intersections, which is the subject of a separate request (WVR-3793).

- Landscape Plan

  While the width of landscape buffers is more than adequate, the additional area cannot be used as part of the required open space calculation. The site should be redesigned to include open space on the interior of the development that is easy accessible from all lots and which links this site with the development to the north and west. Another condition will require the provision of 24-inch box trees spaced at least 30 feet on center and a minimum of four five-gallon shrubs per tree provided in perimeter buffers. The landscape plan currently proposes alternating 24-inch Palo Verde and Texas Mesquite, with five-gallon Red Yucca and Desert Spoon shrubs in the planters. Decomposed granite, along with the provision of the required number of shrubs, will serve as adequate groundcover.

- Elevation

  The submitted elevations indicate that one- and two-story homes with two-car garages will be developed on the proposed lots.

FINDINGS

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

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

   The proposed development is adjacent to similarly dense residential neighborhoods in all directions, including developments zoned R-PD5 (Residential Planned Development - 5 Units per Acre) to the north, south and west, and zoned R-PD6 (Residential Planned Development - 6 Units per Acre) to the east.

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

   The proposed residential development is consistent with the General Plan. With the approval of a Variance to allow a residential planned development in an area of less than five acres and implementation of a condition to reconfigure the open space on the site, the

proposed development will be in compliance with Title 19 and the Landscape, Wall and Buffer Standards.

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

   Access to the property is provided by Azure Drive, a 60-foot right-of-way, which will be adequate to meet traffic demands of the proposed single-family residential development once fully developed to standards.

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

   The building and landscape materials are appropriate for this type of development in this portion of the City. If this plan is approved, additional trees and shrubs would be required in conformance to Title 19.12 and the Landscape, Wall, and Buffer Standards.

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

   The proposed one- and two-story building elevations are typical of single-family residential developments in the vicinity, and will be compatible with adjacent single-family development in all directions.

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

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

NOTICES MAILED 579 (Mailed with ZON-3775, VAR-3946 and WVR-3793)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3784 APN: 125 25 101 010

Name of Property Owner: Ron & Misty Seaton

Name of Applicant: Fiesta Homes

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Ron J. Seaton

Print Name: Ron J. Seaton

Subscribed and sworn before me

This 31 day of December, 2003

Andrea N. Hines

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF ARIZONA
Maricopa County
ANDREA N. HINES
My Appointment Expires 02/15/07

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3784 APN: 125 25 101 014 & 015

Name of Property Owner: JANICE L SHUMAN

Name of Applicant: FIESTA HOMES

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Janice L. Shuman

Print Name: JANICE L. SHUMAN

Subscribed and sworn before me

This 24th day of Dec, 2003

S. Caterer

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
S. CATERER
My Appointment Expires
October 19, 2005
No: 97-4333-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3784 APN: 125 25 101 011

Name of Property Owner: LEE PRISBEY

Name of Applicant: FIESTA HOMES

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Loran L Prisbrey

Print Name: Loran L PRISBREY

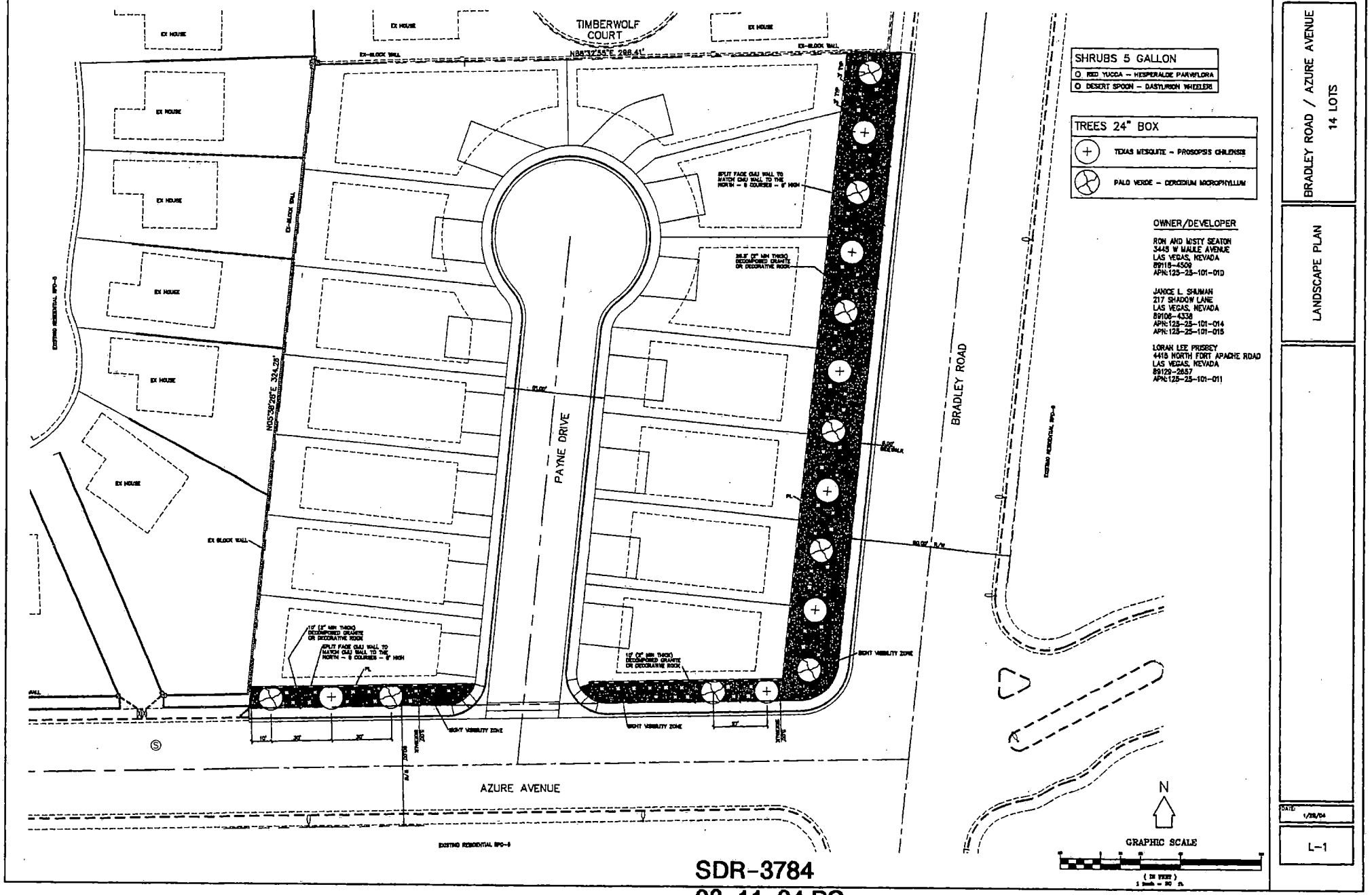
Subscribed and sworn before me

This 6th day of January, 2004

Cinthia Carrillo

Notary Public in and for said County and State

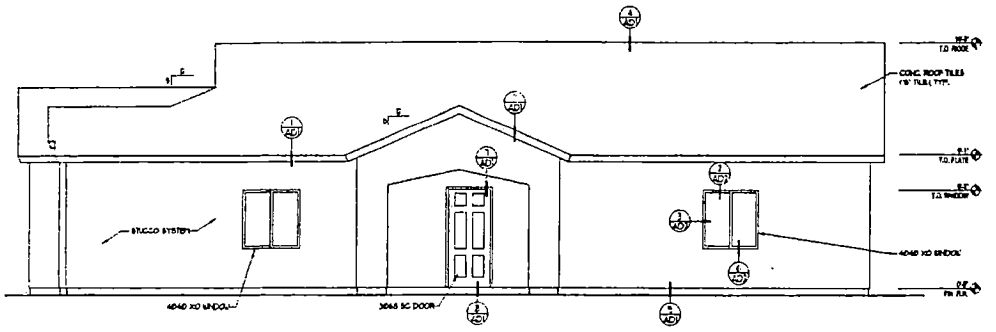
CINTHIA CARRILLO
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 03-79595-1
MY APPT. EXPIRES NOV. 6, 2006



SDR-3784
03-11-04 PC
REVISED 02-20-04

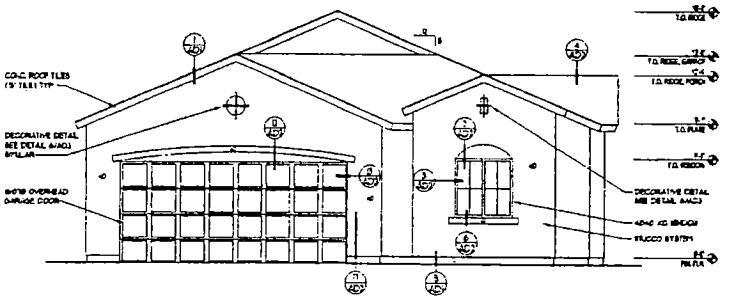
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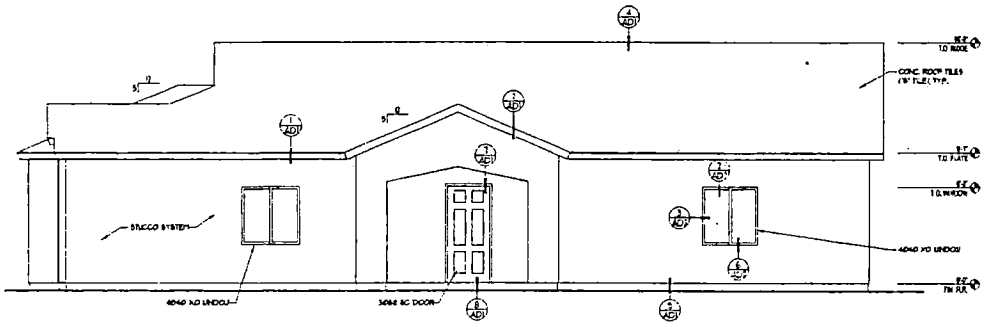
RIGHT ELEVATION C

ALL VARIATIONS



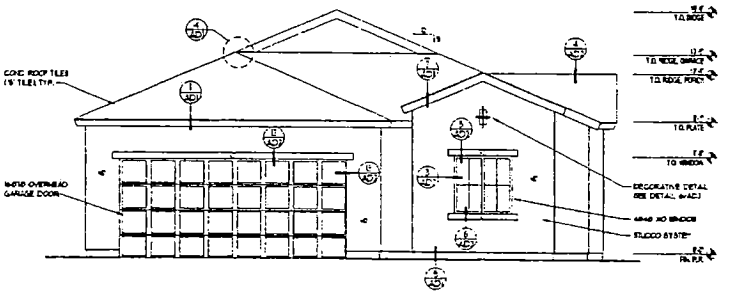
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ALL VARIATIONS



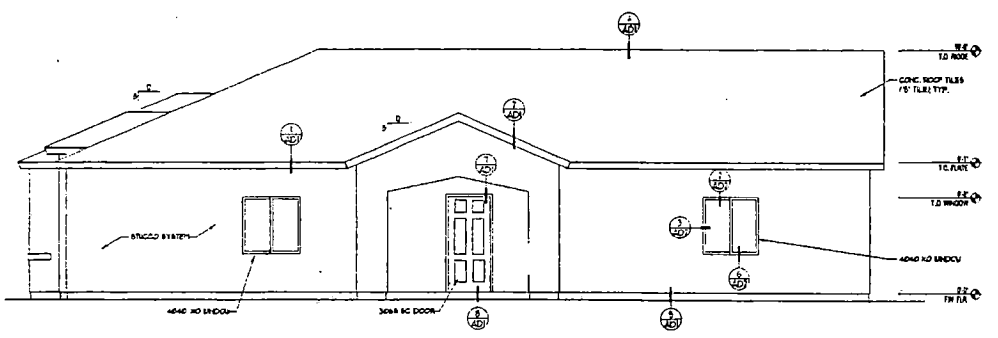
RIGHT ELEVATION B

ALL VARIATIONS

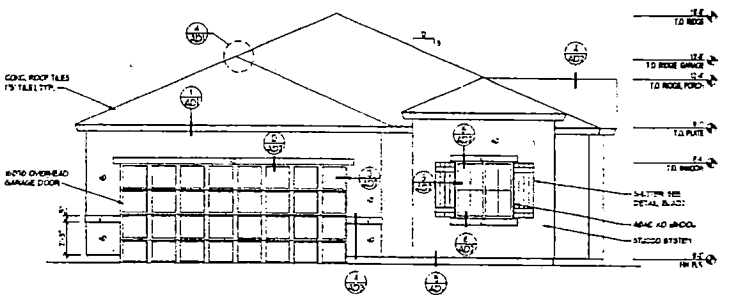


FRONT ELEVATION B

ALL VARIATIONS



RIGHT ELEVATION A



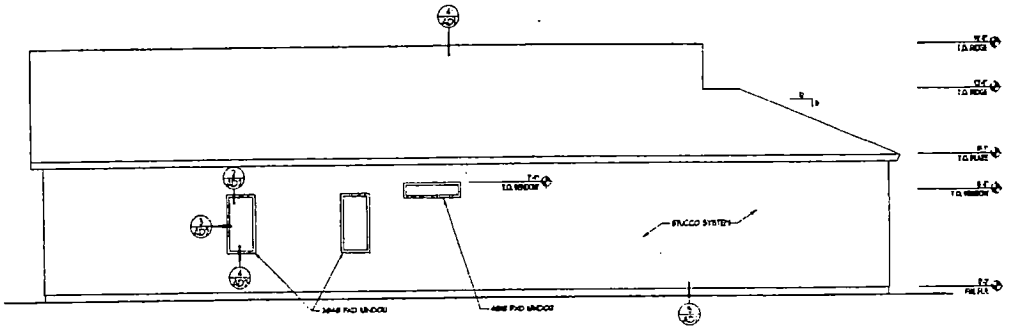
FRONT ELEVATION A

SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

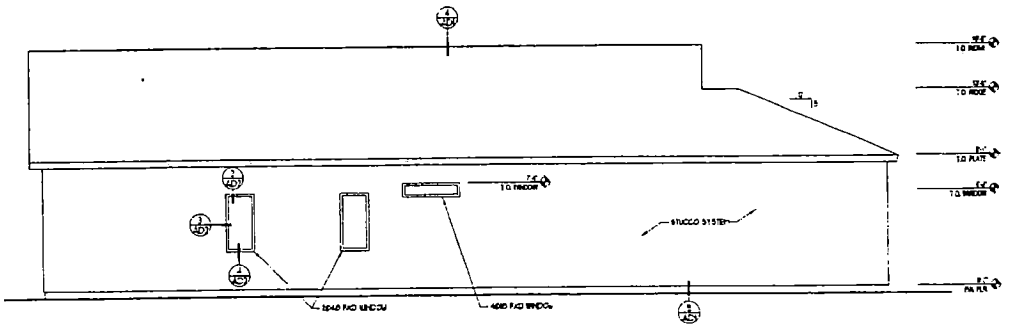
FRONT AND RIGHT EXTERIOR ELEVATIONS

A-3
101 PLAN



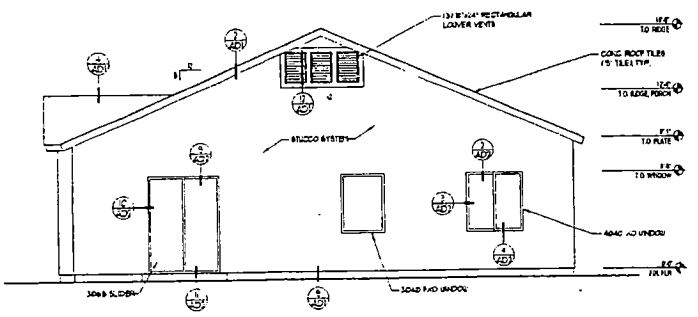
LEFT ELEVATION C

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



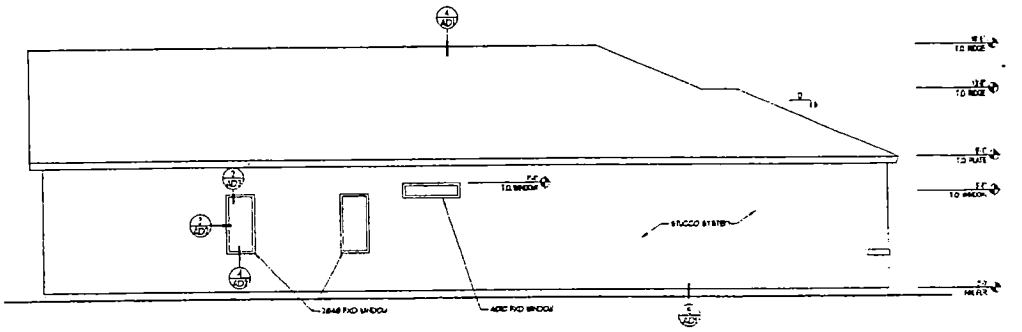
LEFT ELEVATION B

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



LEFT ELEVATION A, B & C

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



LEFT ELEVATION A

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

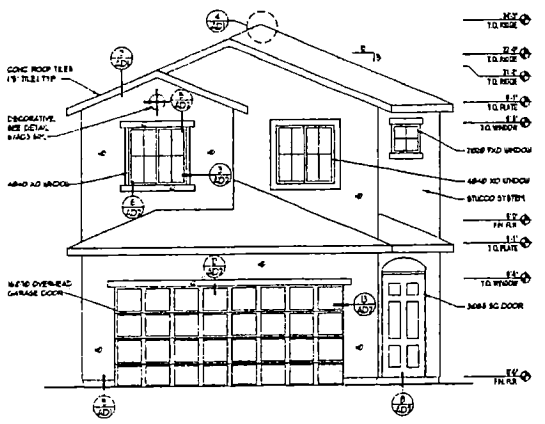
SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

LEFT AND REAR EXTERIOR ELEVATIONS

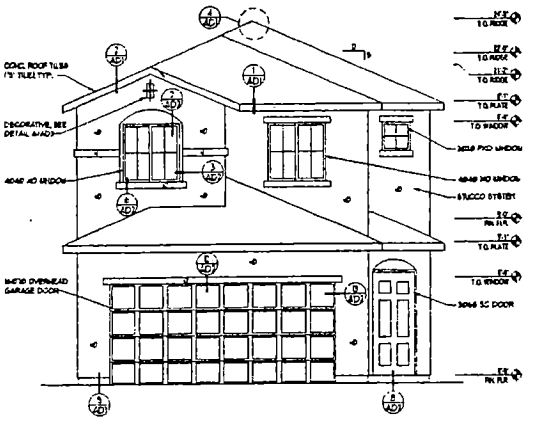
A-3.1

101 PLAN



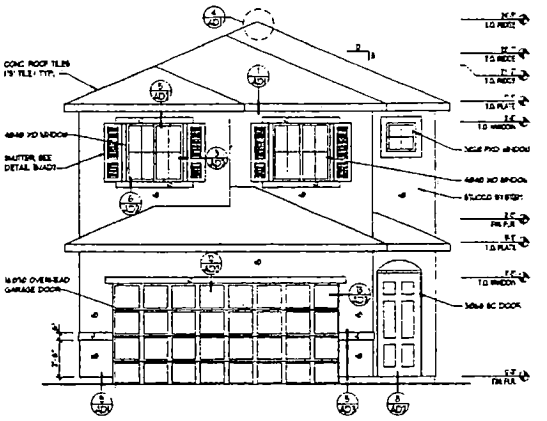
FRONT ELEVATION C

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



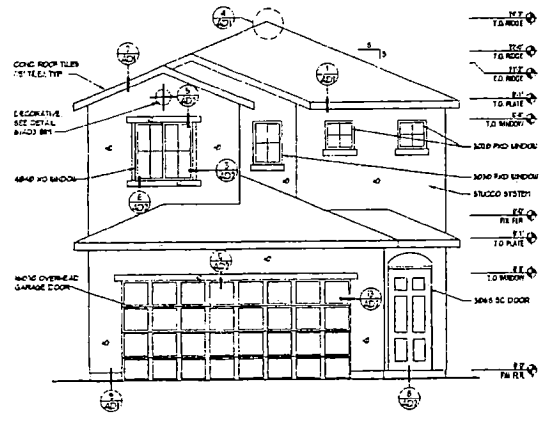
FRONT ELEVATION B

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



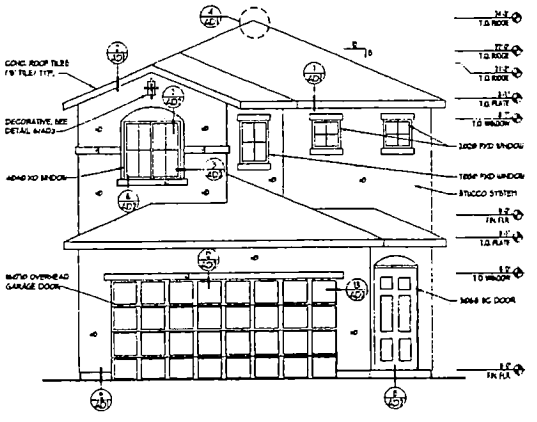
FRONT ELEVATION A

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



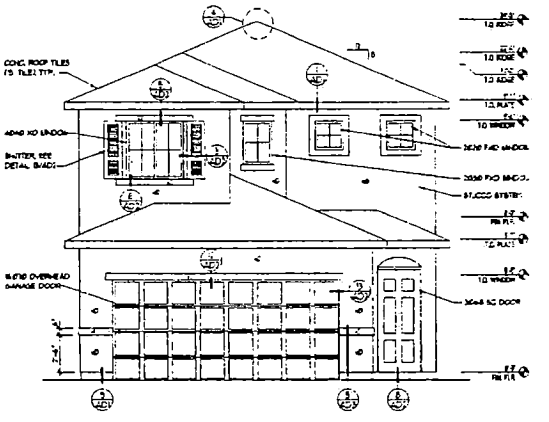
FRONT ELEVATION C

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



FRONT ELEVATION B

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



FRONT ELEVATION A

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

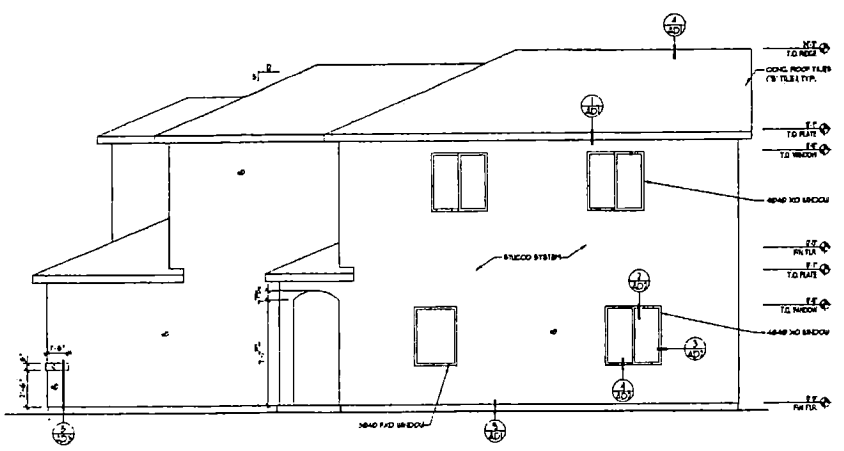
SDR-3784
03-11-04 PC
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OWNER BUILDER

FRONT EXTERIOR ELEVATIONS

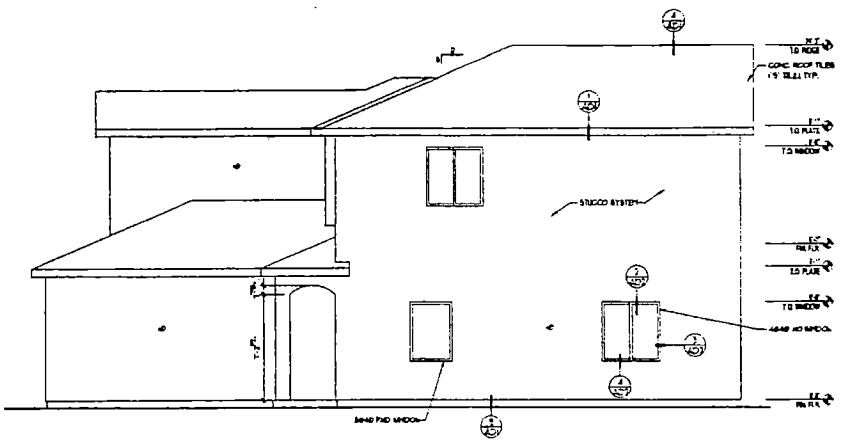
A-3

102 PLAN



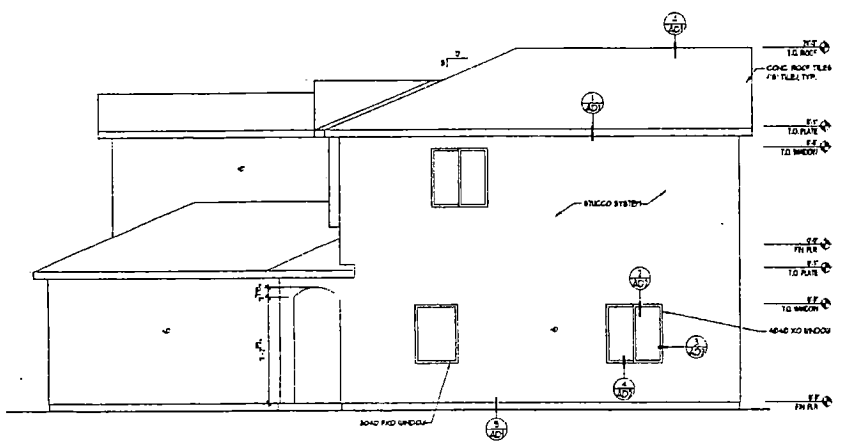
RIGHT ELEVATION A

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



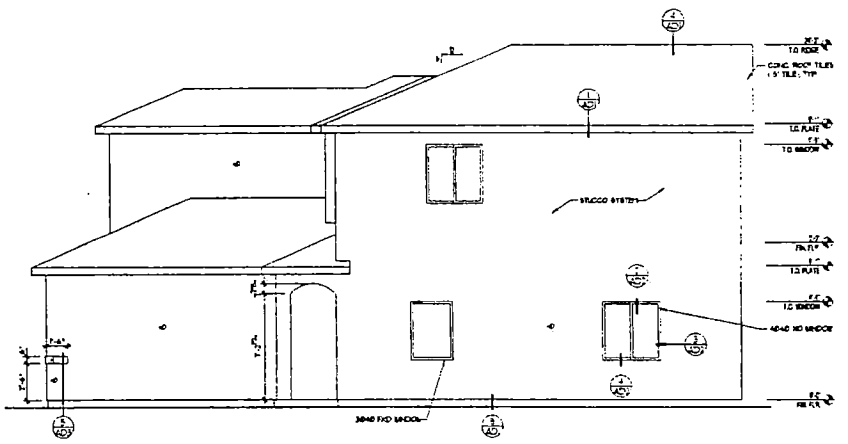
RIGHT ELEVATION B

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



RIGHT ELEVATION C

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



RIGHT ELEVATION D

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

SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

THESE PLANS HAS PREPARED AND SUBMITTED BY ME, CONTRACTOR AS AN ELECTRICAL OR MECHANICAL CONTRACTOR AUTHORIZED UNDER

CONTRACTOR'S SIGNATURE

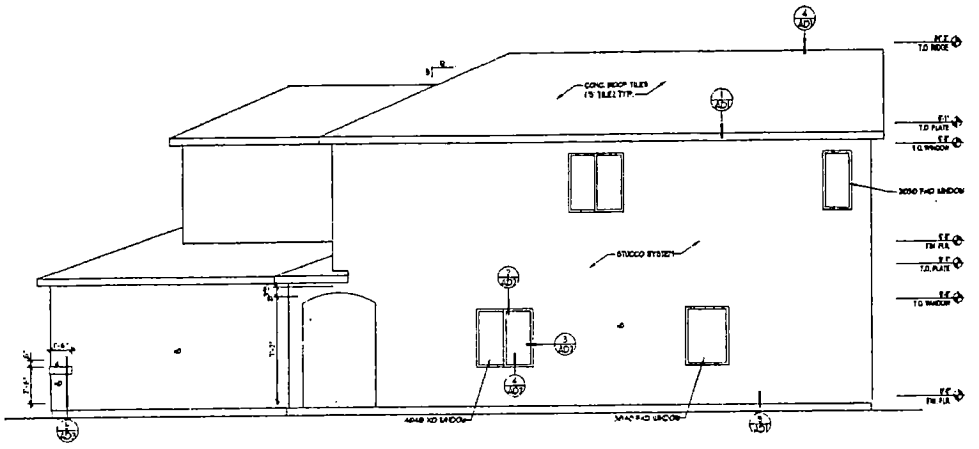
DATE

Pardee Homes

REVISIONS
NO. DATE DESCRIPTION APP.

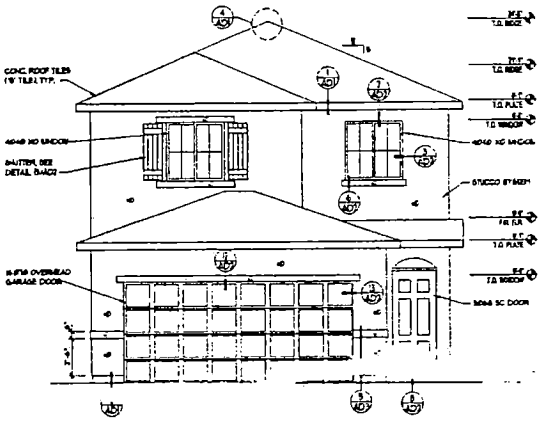
RIGHT EXTERIOR ELEVATIONS

A-3.1
102 PLAN



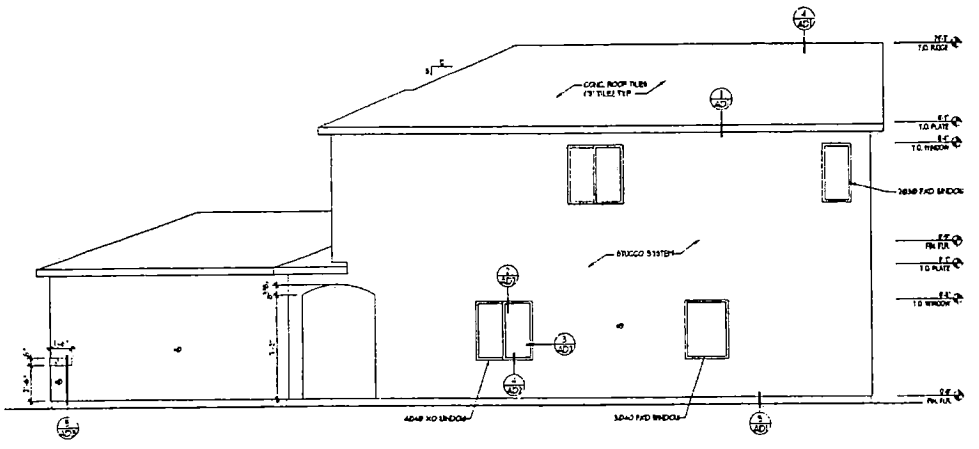
RIGHT ELEVATION A

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



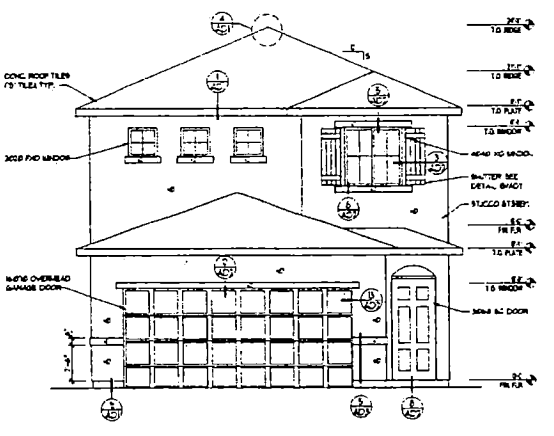
FRONT ELEVATION A

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



RIGHT ELEVATION A

SCALE: 1/4"=1'-0" STANDARD 4 BEDROOM 6



FRONT ELEVATION A

SCALE: 1/4"=1'-0" STANDARD 4 BEDROOM 6

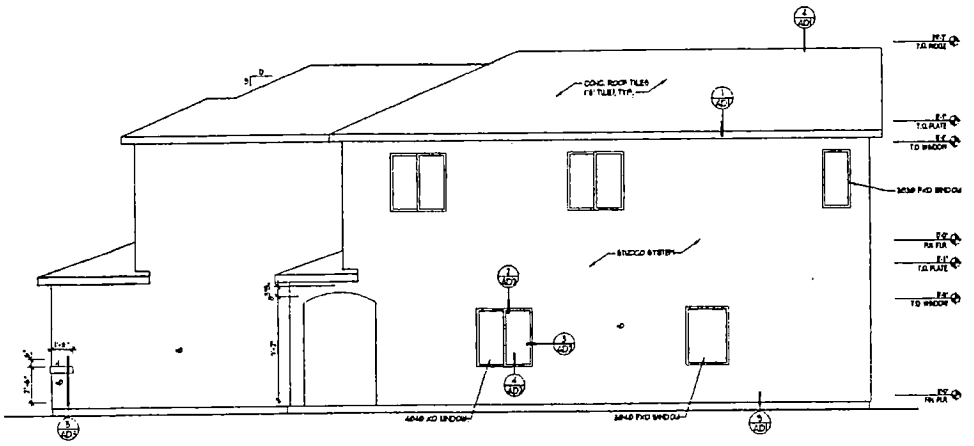
SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

FRONT & RIGHT EXTERIOR ELEVATIONS

A-3

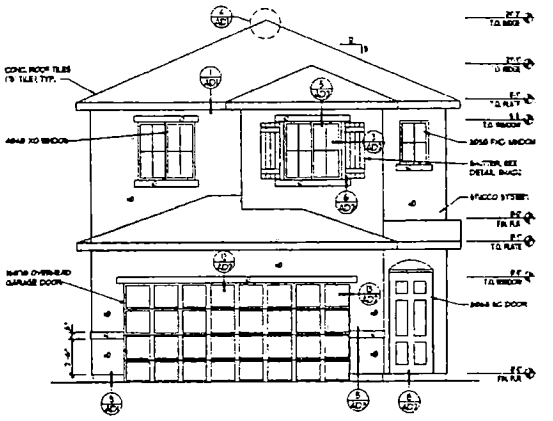
103 PLAN



RIGHT ELEVATION

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

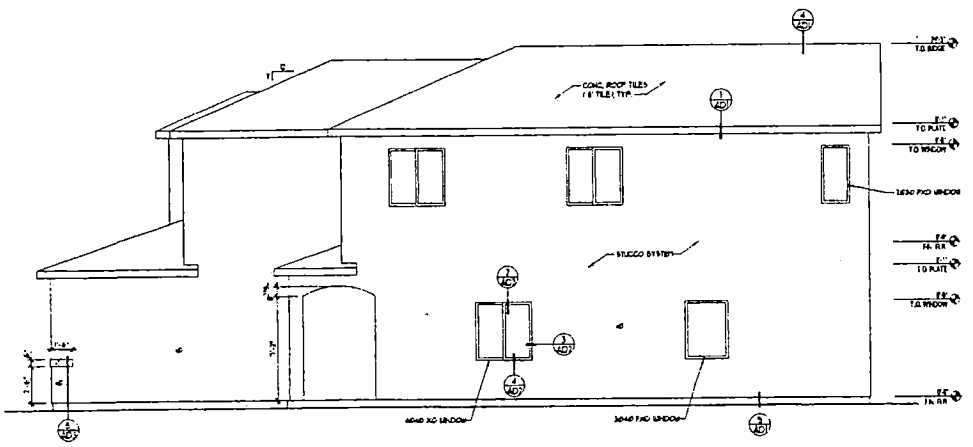
BEDROOM 45 & BEDROOM 456



FRONT ELEVATION

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

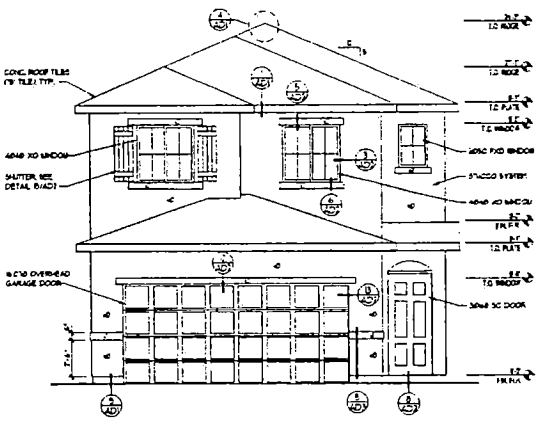
BEDROOM 45 & BEDROOM 456



RIGHT ELEVATION

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

BONUS



FRONT ELEVATION

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

BONUS

OWNER BUILDER

Fidelis Homes

FRONT & RIGHT EXTERIOR ELEVATIONS

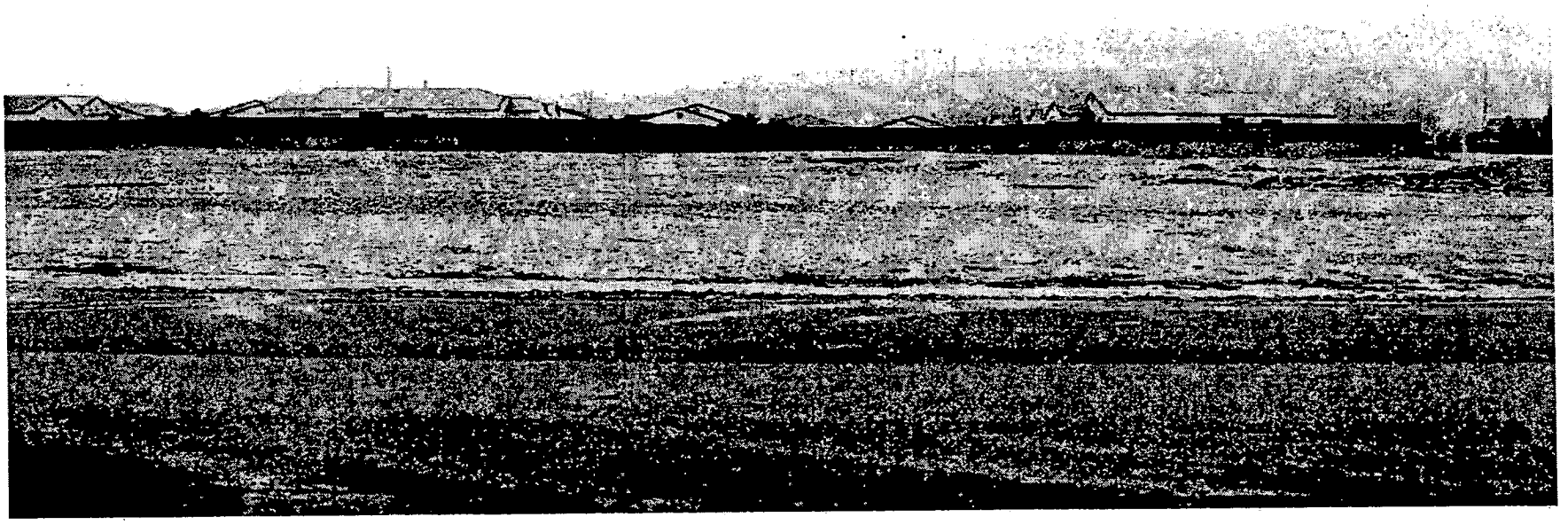
A-3.1

103 PLAN

SDR-3784

03-11-04 PC

REVISED 02-20-04



SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

ZON-3794 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC. - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 10.49 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN: 125-16-101-001), Ward 6 (Mack).

C.C. 04/07/04

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

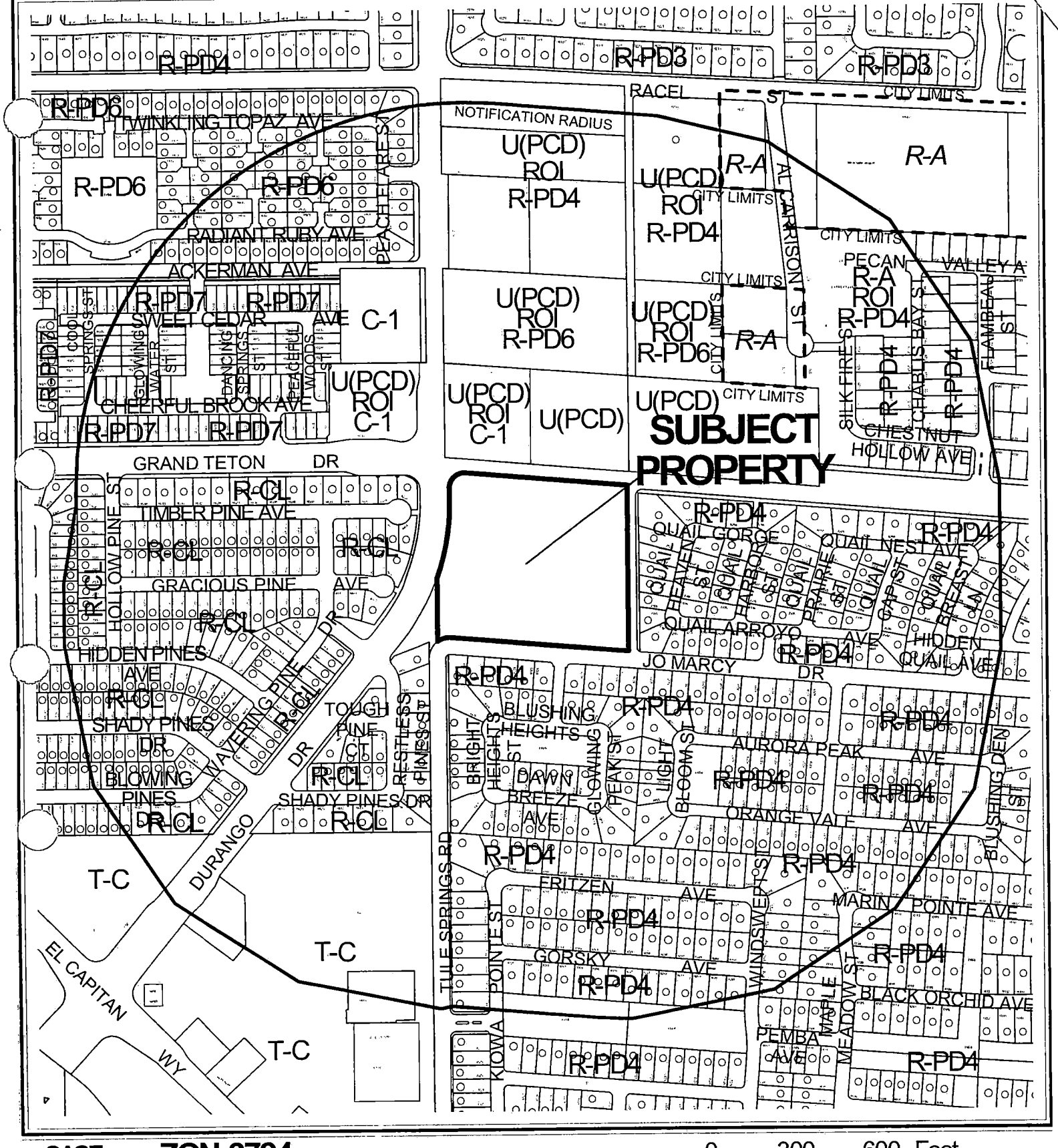
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE Item 3 [TMP-3791] to 3/25/2004 and Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768] to 4/8/2004, TABLE Item 7 [ANX-3740], and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 17 [VAR-3715] – UNANIMOUS with EVANS excused

MINUTES:'
CHAIRMAN TRUESDELL explained that the following items: Item 3 [TMP-3791], Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768], Item 7 [ANX-3740], and Item 17 [VAR-3715] are items that were requested to be held in abeyance to a future meeting, tabled or withdrawn without prejudice and may be considered in one motion.

(6:04 – 6:06)



CASE: **ZON-3794**

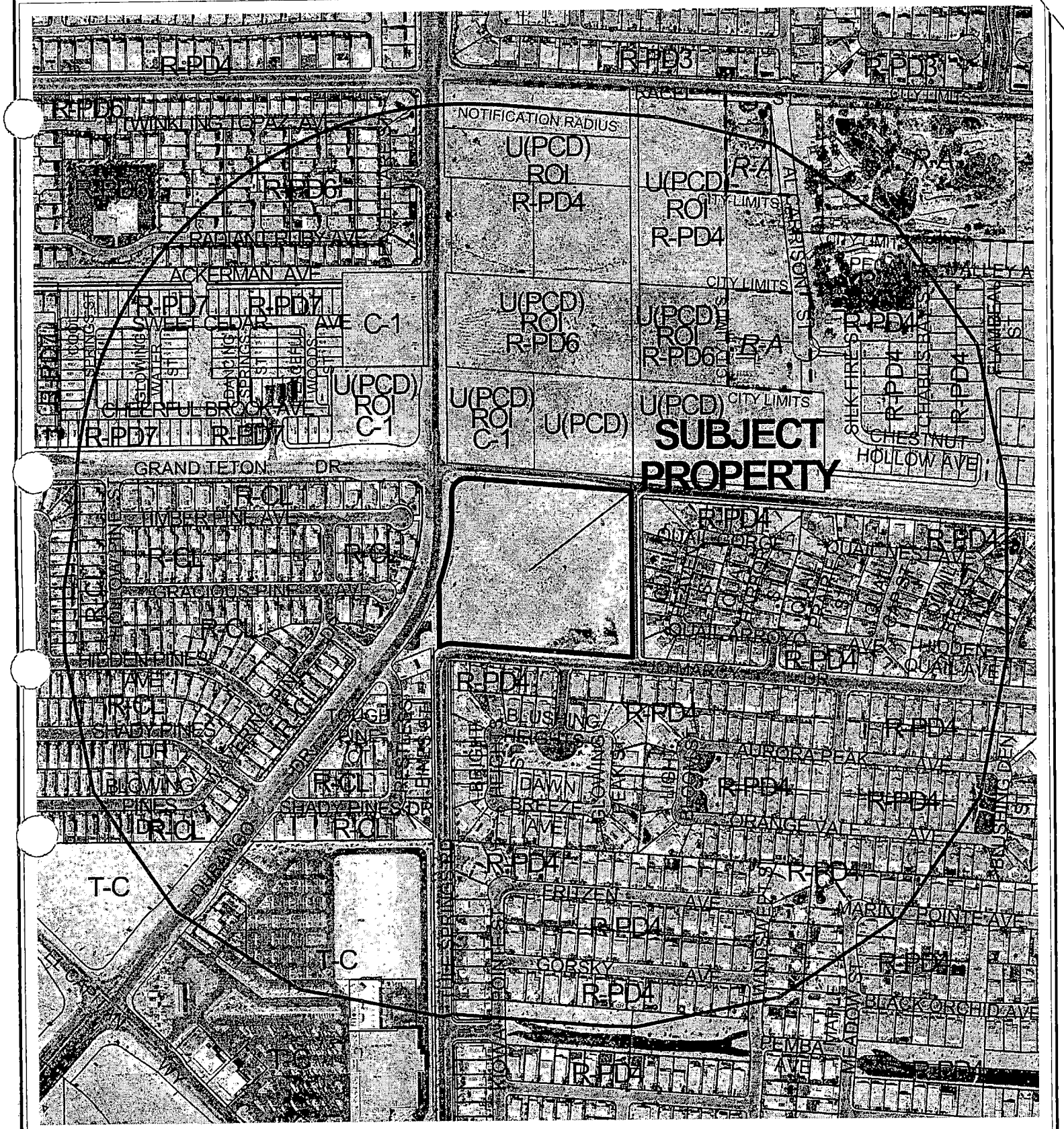
RADIUS: 1320 FT

0 300 600 Feet

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

PROPSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESEDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N



CASE: **ZON-3794**

0 300 600 Feet

RADIUS: 1320 FT

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

PROPSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESEDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING RELATED TO SDR-3796 - PUBLIC HEARING - ZON-3794 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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

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

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half street width of 60 feet on Grand Teton Drive, an additional 10 feet of right-of-way for a total half street width of 60 feet on Durango Drive, 30 feet of right-of-way adjacent to this site for Quail View Street, a 54 foot radius at the southeast corner of Grand Teton Drive and Durango Drive, a 25-foot radius at the southwest corner of Grand Teton Drive and Quail View Street, and a 15-foot radius at the northwest corner of Quail View Street and Jo Marcy Drive. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided. All required dedications shall be shown on the Tentative Map for this site.

4. Construct half-street improvements, including appropriate overpaving, on Durango Drive, Grand Teton Drive, Quail View Street and Jo Marcy Drive adjacent to this site concurrent with development. Also construct the complete median island required within Grand Teton Drive adjacent to this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.

5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. 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.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) Zone [PCD (Planned Community Development)] to R-PD7 (Residential Planned Development – 7 Units per Acre) on 10.49 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive. A companion Site Development Plan Review (SDR-3796) will be considered concurrently with this application.

B) Applicant's Justification

The project will be a buffer between the proposed C-1 zoning district to the north, and the R-PD4 district to the south.

BACKGROUND INFORMATION

A) Previous Actions

09/08/94	The Planning Commission approved an Annexation (A-0020-94), which included the subject site as a part of a larger request.
03/11/04	The Planning Commission will consider a related Site Development Plan Review (SDR-3796) for a 64-lot single family residential development. Staff recommends approval.

B) Pre-Application Meeting

01/09/04	No significant issues were identified during the pre-application meeting.

C) Neighborhood Meetings

Neighborhood meetings are not required for Rezoning applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.49

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North:	U (Undeveloped) [(PCD) Planned Community Development], and U [(PCD Planned Community Development) General Plan Designation], Under Resolution of Intent to C-1 (Limited Commercial)
South:	R-PD4 (Residential Planned Development – 4 Units per Acre)
East:	R-PD4 (Residential Planned Development – 4 Units per Acre)
West:	R-CL (Single Family Compact Lot)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses, while maintaining an overall density of two to eight dwelling units per acre depending upon compatibility with adjacent uses. The proposed zoning is R-PD7 (Residential Planned Development – 7 Units per Acre), which is consistent with the General Plan designation.

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

Trails

A Multi-Use Transportation Trail shall be included within the development of this site along Grand Teton and Durango Drives as stipulated by the Trails Element of the 2020 Master Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to proposed Site Development Plan Review SDR-3796, the following Development Standards apply to the subject proposal:

Standards	Proposed
Min. Lot Size	2,847 Feet
Min. Lot Width	32.11 Feet
Min. Setbacks • Front (Garage) • Front (Building) • Side • Corner • Rear	 20 Feet 10 Feet 5 Feet 10 Feet 5 Feet
Max. Building Height	2 Stories / 35 Feet

The proposal meets all applicable development standards as proposed by Site Development Plan Review SDR-3796.

B) General Analysis and Discussion

The subject parcel is currently undeveloped. It is located within the Centennial Hills Sector of the General Plan and is currently designated PCD (Planned Community Development), which allows densities of up to eight units per acre. The proposed R-PD7 zoning district falls within the parameters of the PCD land use designation, and is in conformance with the General Plan.

The Department of Public Works requires the construction of a properly landscaped median island within Grand Teton Drive.

FINDINGS

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

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

   The existing General Plan designation of the subject site is PCD (Planned Community Development). The proposed rezoning to R-PD7 (Residential Planned Development – 7 Units per Acre) is consistent with the existing General Plan designation.

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

   The single-family residential use allowed by this rezoning to R-PD7 (Residential Planned Development – 7 Units per Acre) will serve as a buffer between the less intense R-PD4 (Residential Planned Development – 4 Units per Acre) district to the south, and the proposed C-1 (Limited Commercial) district to the north.

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

   The site is currently zoned U (Undeveloped) and the proposed R-PD7 (Residential Planned Development – 7 Units per Acre) is compatible with the surrounding residential uses and growth in the western portion of the Las Vegas Valley has increased demand for housing in the area. In addition, the rezoning will provide a buffer between the less intense R-PD4 (Residential Planned Development – 4 Units per Acre) district to the south and the proposed C-1 (Limited Commercial) district to the north.

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

   The site receives access via a drive from Quail View Street, a 60-foot collector street, which is adequate in size to meet the requirements of the proposed R-PD7 (Residential Planned Development – 7 Units per Acre) zoning district.

NOTICES MAILED 612 (Mailed with SDR-3796)

APPROVALS 1

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3794 APN: 125-16-101-001

Name of Property Owner: Rainbow Valley Estates, Inc.

Name of Applicant: Carina Home

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: R Cohen (Owner)

Print Name: Robert Cohen

Subscribed and sworn before me

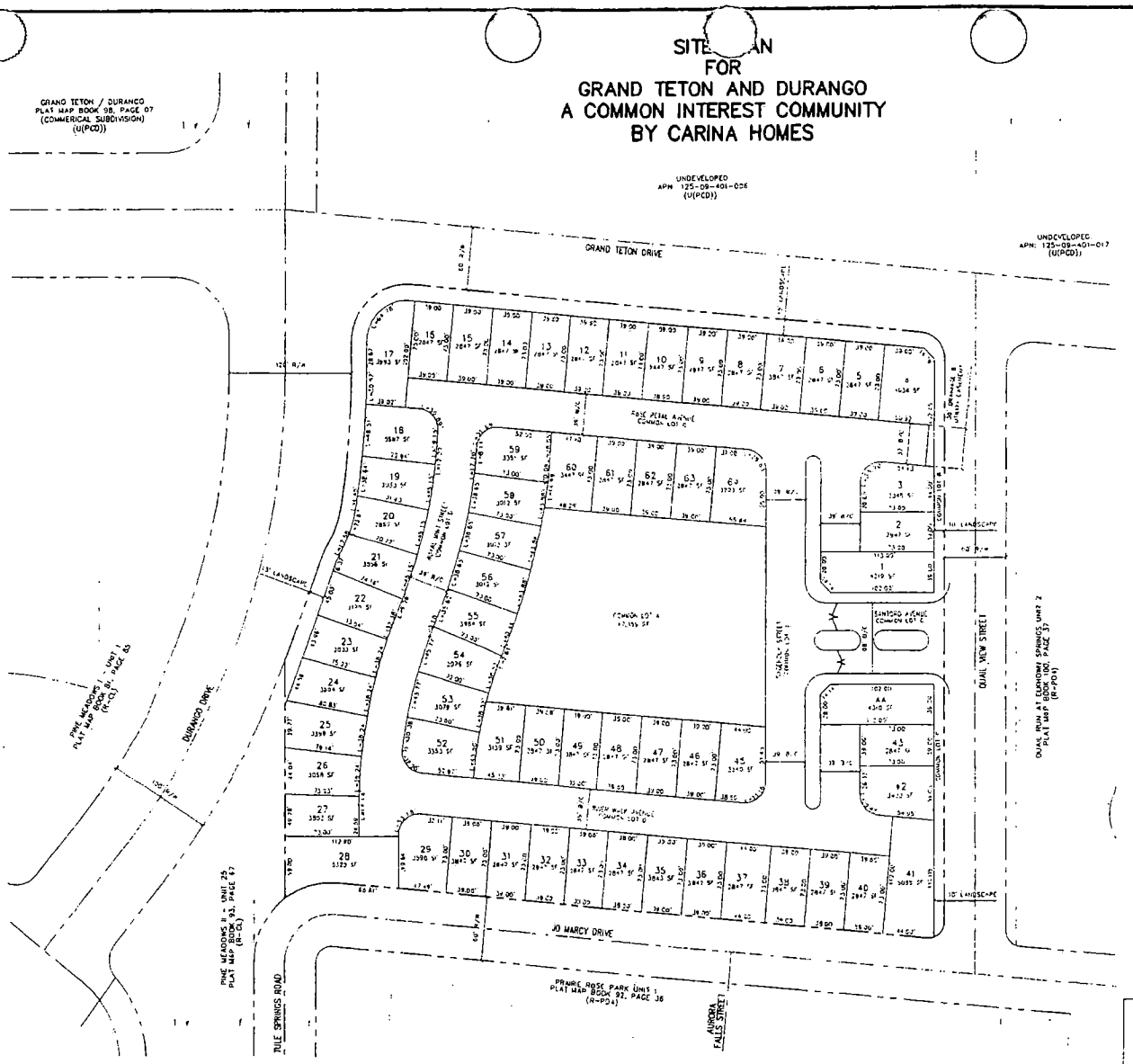
This 12th day of January, 2004

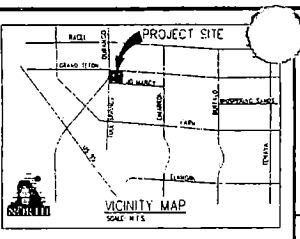
Mary F Williams Clark County, Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY F. WILLIAMS
Appt. No. 02-73998-1
My Appt. Expires Aug. 16, 2006

SITE PLAN
FOR
GRAND TETON AND DURANGO
A COMMON INTEREST COMMUNITY
BY CARINA HOMES

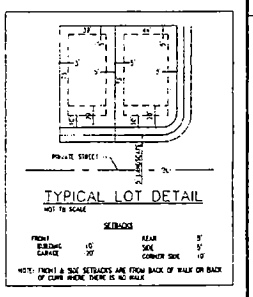


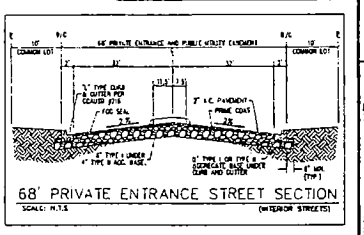


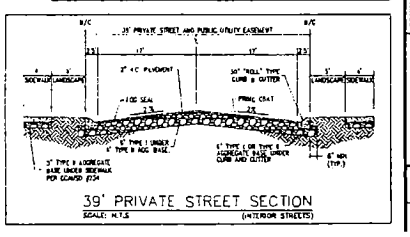


SITE DATA

ASSESSORS PARCEL NUMBER	125-16-101-001
CURRENT ZONING	U(RPD)
PROPOSED ZONING	RPD-7
GROSS ACRES	18.49
NUMBER OF LOTS	64
COMMON LOTS	4
DU/AC	6.10
MINIMUM LOT SIZE	2,847 SF
MAXIMUM LOT SIZE	5,323 SF







PARKING TABULATION

2 SPACES/UNIT 128
NOTE: 2 SPACES IN DRIVEWAY AND 1 IN GARAGE

LANDSCAPE TABULATION

ENGINEER

WRIGHT ENGINEERS, INC
7435 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 933-7000
FAX (702) 933-7001
STRUCTURAL CIVIL MEP SURVEYING

OWNER INFORMATION

DEVELOPER

CARINA CORPORATION
3884 BUSINESS PARK CT. #210
LAS VEGAS, NV 89129-8020
(702) 228-6370

CARINA HOMES
GRAND TETON & DURANGO
SITE PLAN

DRAWN BY: JSP
DATE: 01/09/04
CHECKED BY: JSP
DATE: 01/09/04
CHECKED BY: SSU
DATE: 01/09/04
PROJECT NO
SCALE: 1"=50'

SHEET
1 OF 1 SHEETS
DRAWING NO.

ZON-3794
SDR-3796
03-11-04 PC



ZON-3794 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC.
ADJACENT TO THE SOUTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

RECEIVED
04 MAR -5 PM 4:16
PLANNING & DEVELOPMENT

8313 Gorsky Ave.
Las Vegas, NV 89131
March 2, 2004

Gary M. Leobold, Senior Planner
Planning and Development Department,
Current Planning Division,
Development Services Center
731 South Fourth Street,
Las Vegas, NV 89101

Dear Sir:

I would like to voice my approval to case: ZON-3794. I feel Tule Springs Rd. is wide enough to support the added traffic expected from the development.

The only changes I see need to be made is stripping on Tule Springs Rd. The road is wide enough to support four lanes if properly marked.

I fear the "Appaloosa Canyon, Quarter Horse Falls" H.O.A. may voice opposition to this development. I definitely want it known that the H.O.A. does not speak for everyone in the developments it represents. In fact, there was no opinion poll taken up to this time. Thank you for the opportunity to voice my feelings on this matter.

Warren Colbert

Warren Colbert
8313 Gorsky Ave
Las Vegas, NV 89131

(702) 396-5483
warcolbe@aol.com

ZON-3794 A

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3796 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC. - Request for a Site Development Plan Review FOR A 64-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.49 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN: 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Proposed: R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 6 (Mack).

C.C. 04/07/04

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

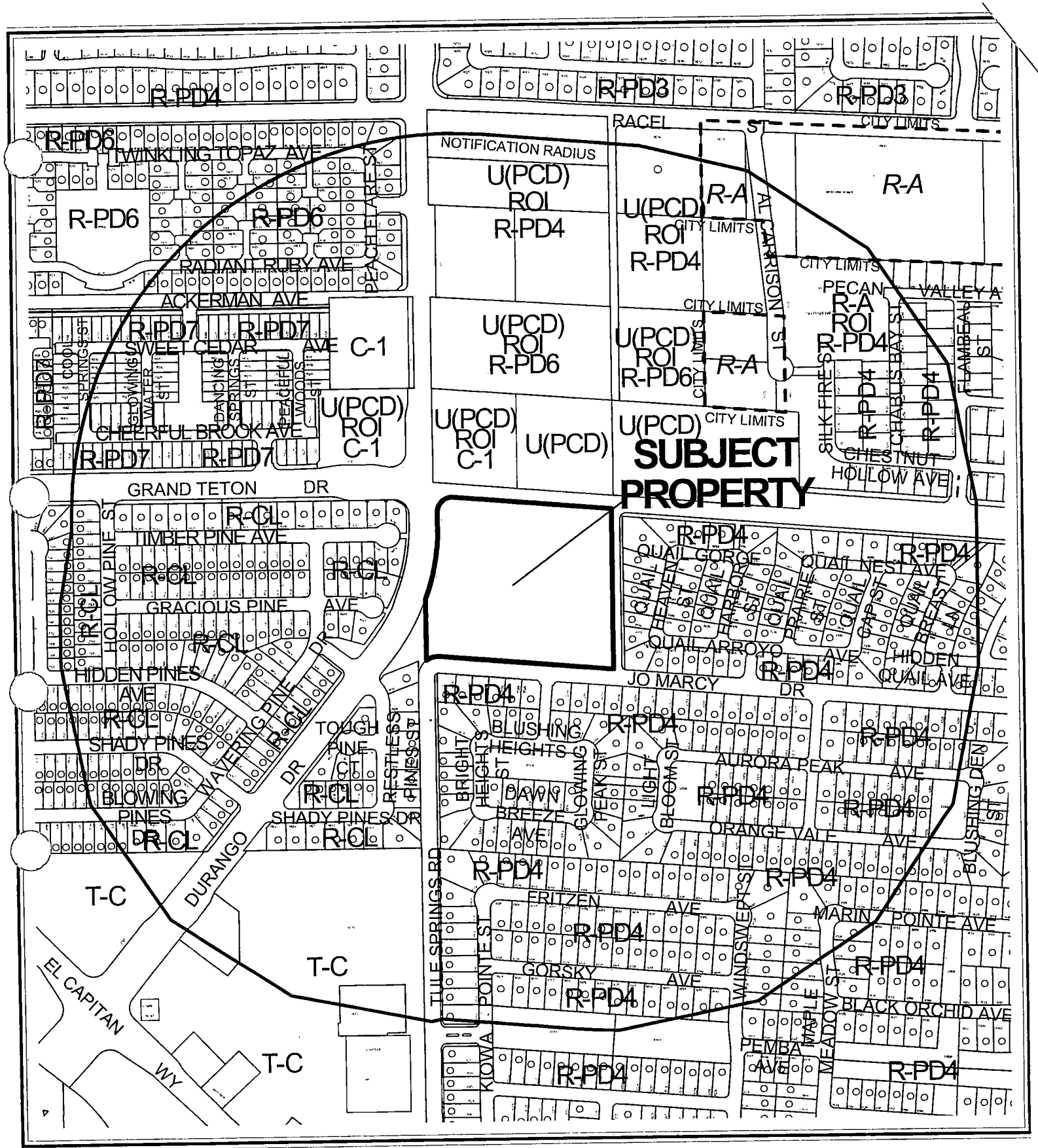
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE Item 3 [TMP-3791] to 3/25/2004 and Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768] to 4/8/2004, TABLE Item 7 [ANX-3740], and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 17 [VAR-3715] – UNANIMOUS with EVANS excused

MINUTES:'
CHAIRMAN TRUESDELL explained that the following items: Item 3 [TMP-3791], Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768], Item 7 [ANX-3740], and Item 17 [VAR-3715] are items that were requested to be held in abeyance to a future meeting, tabled or withdrawn without prejudice and may be considered in one motion.

(6:04 – 6:06)

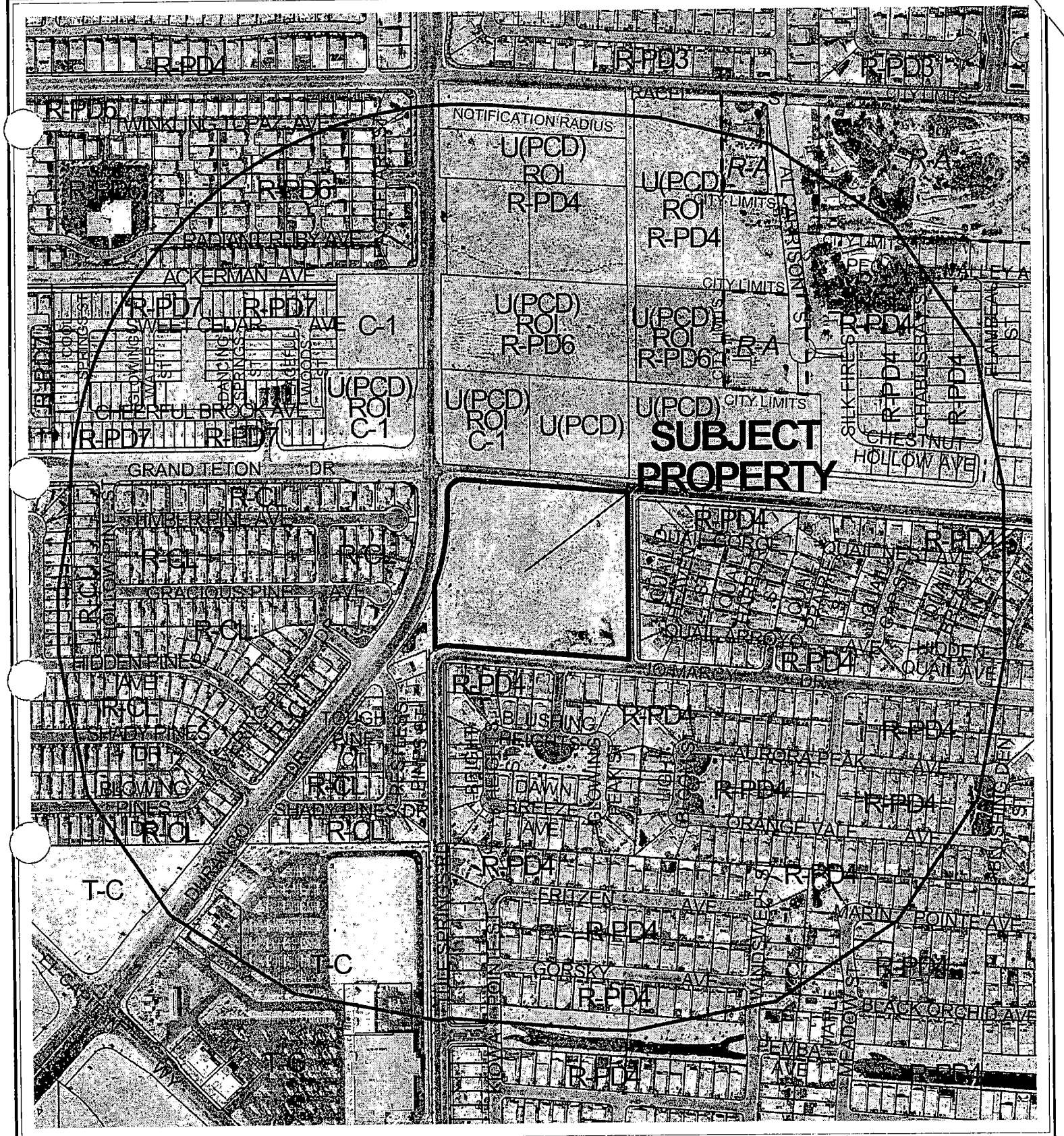


CASE: **SDR-3796**

RADIUS: 1320 FT

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

PROPSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESEDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



CASE: **SDR-3796**

RADIUS: 1320 FT

0 300 600 Feet

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

PROPSED ZONING OF SUBJECT PROPERTY:
R-PD7 (RESEDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3794 - PUBLIC HEARING - SDR-3796 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3794) to an R-PD7 (Residential Planned Development – 7 Units per Acre) Zoning District approved by the City Council.

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

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

4. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 5 feet in the rear.

5. Both the site plan and landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect the required Multi-Use Transportation Trail along Durango Drive and Grand Teton Drive, as stipulated by the Trails Element of the 2020 Master Plan. Public Works has identified that a bus turnout area is required along Grand Teton Drive, and a reduction in trail width is allowed for this purpose in the immediate vicinity of the turnout.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a perimeter screening wall along the north, east, and west property lines.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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

9. Air conditioning units shall not be mounted on rooftops.

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

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

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

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

14. 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.

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

Public Works

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

17. A Homeowners' 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. Submit and obtain approval for a Master Streetlight Plan for all public streetlights adjacent to this site prior to the submittal of any improvement plans.

19. 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.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3794 and all other subsequent site-related actions.

21. 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.

22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The Request is for Site Development Plan Review for a 64-lot single family residential Development on 10.49 acres located adjacent to the southeast corner of Grand Teton Drive and Durango Drive. A companion Rezoning (ZON-3794) request will be considered concurrently with this application.

B) Applicant's Justification

The project will be a buffer between the proposed C-1 (Limited Commercial) zoning district to the north, and the R-PD4 (Residential Planned Development – 4 Units per Acre) district to the south, and all required landscaping and open space requirements are being met.

BACKGROUND INFORMATION

A) Previous Actions

09/08/94 The Planning Commission approved an Annexation (A-0020-94), which included the subject site as a part of a larger request.

03/11/04 The Planning Commission will consider a related Rezoning (ZON-3794) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development – 7 Units per Acre). Staff recommends approval.

B) Pre-Application Meeting

01/09/04 Issues discussed included the proposed density, setbacks, and required trails along Durango and Grand Teton Drive.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.49

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North:	U (Undeveloped) [(PCD) Planned Community Development], and U [(PCD Planned Community Development) General Plan Designation], Under Resolution of Intent to C-1 (Limited Commercial)
South:	R-PD4 (Residential Planned Development – 4 Units per Acre)
East:	R-PD4 (Residential Planned Development – 4 Units per Acre)
West:	R-CL (Single Family Compact Lot)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses, while maintaining an overall density of two to eight dwelling units per acre depending upon compatibility with adjacent uses. The proposed zoning is R-PD7 (Residential Planned Development – 7 Units per Acre), which is consistent with the General Plan designation.

PROJECT DESCRIPTION

The site plan depicts a 64-lot single family residential Development on 10.49 acres located adjacent to the southeast corner of Grand Teton Drive and Durango Drive. The site receives access via a drive from Quail View Street, a 60-foot collector, and is served internally by 39-foot wide private streets.

The landscape plan depicts a 15-foot landscape area along Grand Teton Drive and Durango Drive, and a 10-foot area along Quail View Street planted with 24-inch box Ash trees, 15-gallon Leaf Plum trees, and various 5-gallon shrubs. A 47,356 square-foot common lot provides open space for the development. A Multi-Use Transportation Trail is required along the north and west property lines, but is not depicted on the Site Plan. A condition of approval has been included with this application to ensure compliance with the trail requirement.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan establishes Development Standards in a R-PD (Residential - Planned Development) District. The following standards are proposed:

Standards	Proposed
Min. Lot Size	2,847 Feet
Min. Lot Width	32.11 Feet
• Front (Garage) • Front (Building) • Side • Corner • Rear	20 Feet 10 Feet 5 Feet 10 Feet 5 Feet
Max. Building Height	2 Stories / 35 Feet

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet +1 tree	48 Trees	87 Trees
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		Not Shown

The proposal exceeds applicable Title 19 Landscape Standards. A perimeter wall is not depicted, and a Condition of Approval has been added to ensure compliance with this requirement.

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
10.49 acres	6.1 Units Per Acre	1.65	10.1 %	45,991 SF	10.3 %	47,356 SF

The proposal exceeds all applicable Open Space Standards.

B) General Analysis and Discussion

- Zoning

  The proposed R-PD7 (Residential Planned Development – 7 Units per Acre) is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The density allowed in the R-PD District shall be reflected by a numerical designation for that district.

- Site Plan

  The site plan depicts a 64-lot single family residential development on 10.49 acres located adjacent to the Southeast corner of Grand Teton Drive and Durango Drive. The site receives access via a drive from Quail View Street, a 60-foot collector, and is served internally by 39-foot wide private streets.

- Waivers

  There are no Waiver requests as a part of this application.

- Landscape Plan

  The landscape plan depicts a 15-foot landscape area along Grand Teton Drive and Durango Drive, and a 10-foot area along Quail View Street planted with 24-inch box Ash trees, 15-gallon Leaf Plum trees, and various 5-gallon shrubs. A 47,356 square-foot common lot provides open space for the development.

  A Multi-Use Transportation Trail is required along the north and west property lines, but is not depicted on the Site Plan. The Department of Public Works notes that a bus turnout is required on Grand Teton Drive. A condition of approval has been included with this application to ensure compliance with the trail requirement.

- Elevation

  The elevations depict various types of two-story residential dwellings with pitched roofs and stucco exteriors.

FINDINGS

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

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

   The proposed development is compatible with adjacent development and provides a buffer area between the residential development to the south, and the proposed commercial parcels to the north.

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

   The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly adopted City Plans, policies and Standards with the inclusion of the aforementioned conditions of approval.

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

   The site receives access via a drive from Quail View Street, a 60-foot collector street, and 39-foot wide private streets provide internal circulation. The proposed residential development will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials are typical of those used for single-family residential development, and are appropriate and compatible for the area and the City.

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

The building elevations depict design characteristics and other architectural features that are typical of single-family residential development, which create an aesthetically pleasing environment that is harmonious with development in the area.

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

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

NOTICES MAILED 612 (Mailed with ZON-3794)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3796 APN: 125-16-101-001

Name of Property Owner: Rainbow Valley Estates, Inc.

Name of Applicant: Carina Home

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: R Cohen

Print Name: Robert Cohen

Subscribed and sworn before me

This 12th day of January, 2004

Mary F Williams Clark County, Nevada

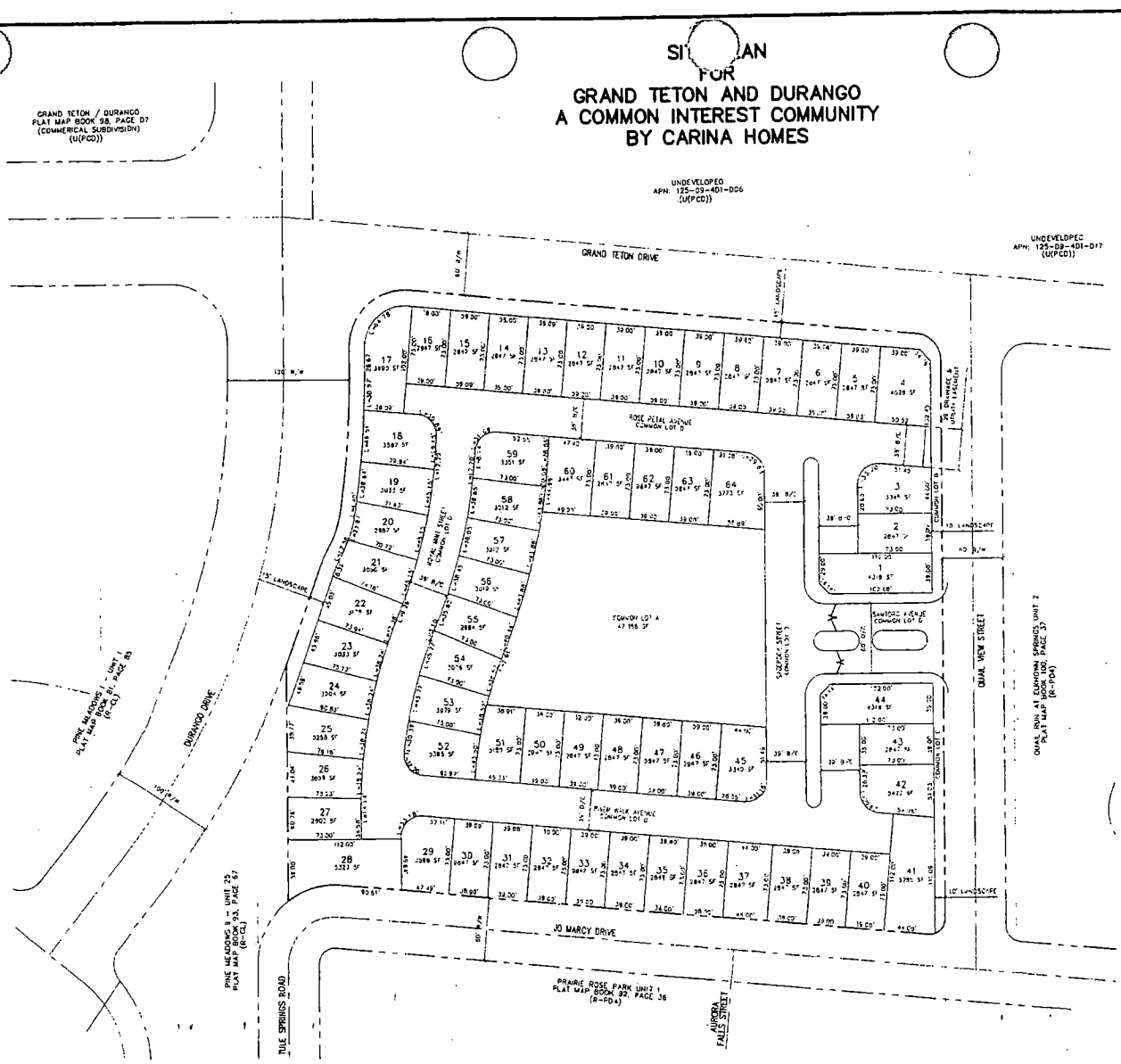
Notary Public in and for said County and State

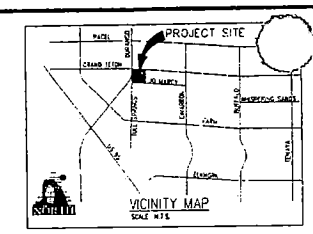
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY F. WILLIAMS
Appt. No. 02-78998-1
My Appt. Expires Aug. 16, 2006

Revised 2/12/02

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SITE PLAN
FOR
GRAND TETON AND DURANGO
A COMMON INTEREST COMMUNITY
BY CARINA HOMES



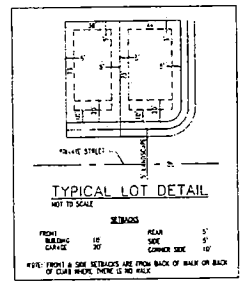


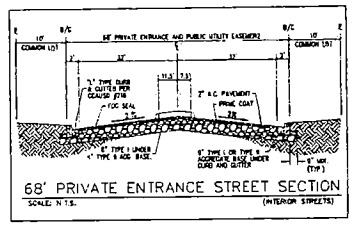
NORTH

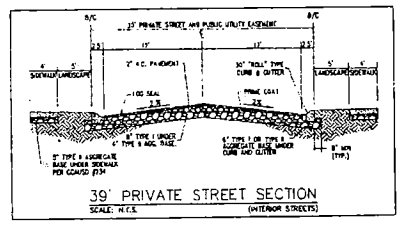
50 0 25 50 100
1 inch = 50 ft.

SITE DATA

ASSESSORS PARCEL NUMBER	125-16-101-001
CURRENT ZONING	U(RPD)
PROPOSED ZONING	RPD-7
GROSS ACRES	10.68
NUMBER OF LOTS	64
COMMON LOTS	4
DU/AC	6.00
MINIMUM LOT SIZE	2,847 SF
MAXIMUM LOT SIZE	5,323 SF







PARKING TABULATION	LANDSCAPE TABULATION	ENGINEER	OWNER INFORMATION	DEVELOPER
2 SPACES/UNIT 128 NOTE: 1 SPACE IN DRIVEWAY AND 1 IN GARAGE	8.02 ± 0.43 / 100 = 1.04 ± 1.05 AC. 128 x 43,560 = 40,951 SF REQUIRED 47,734 SF PROVIDED	WRIGHT ENGINEERS, INC 7405 PEAK DRIVE LAS VEGAS, NEVADA 89128 TEL (702) 933-7000 FAX (702) 933-7001 STRUCTURAL CIVIL M&P SURVEYING	APN 125-16-101-001 RAINBOW VALLEY ESTATES INC C/O CARINA HOMES 2881 BUSINESS PARK CT. #210 LAS VEGAS, NV 89128-8620	CARINA HOMES 2881 BUSINESS PARK CT. #210 LAS VEGAS, NV 89128-8620 (702) 228-6374

WRIGHT ENGINEERS, INC
7405 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 933-7000
FAX (702) 933-7001
STRUCTURAL CIVIL M&P SURVEYING

NO.	DESCRIPTION	BY	DATE

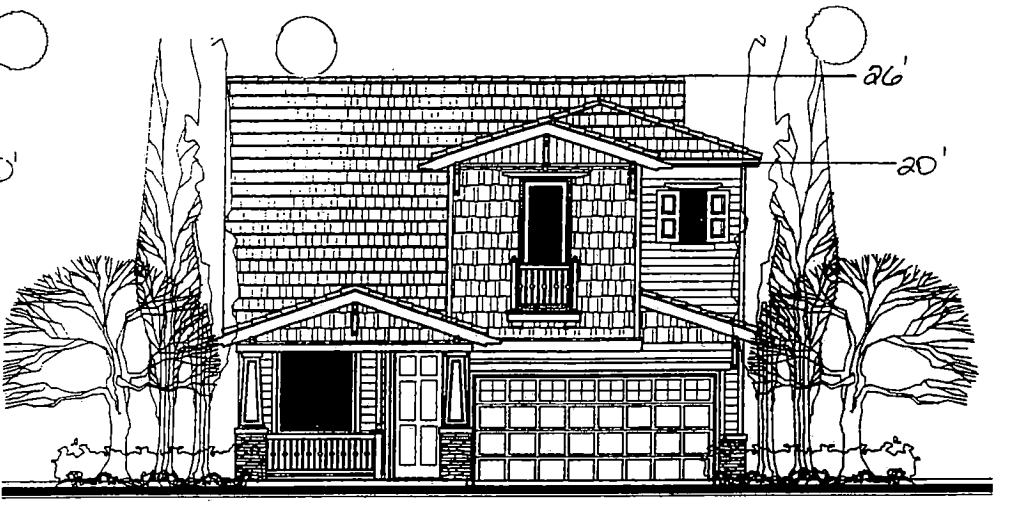
CARINA HOMES
GRAND TETON & DURANGO
SITE PLAN

DRAWN BY:	DESIGNED BY:	CHECKED BY:	SCALE:
JDP	JDP	JDM	1"=50'
DATE: 01/09/04	DATE: 01/09/04	DATE: 01/09/04	PROJECT NO.

SHEET
1 OF 1 SHEETS
DRAWING NO.

ZON-3794
SDR-3796
03-11-04 PC





1654
American Traditional
Lamplight Cottages II



1654
Craftsman
Lamplight Cottages II

Scale: 1" = 8'

1998
Key West
Lamplight Cottages

Conceptual Front Elvations

Lamplight Cottages II

Las Vegas, Nevada

na Corporation

#2003-818

KTGY GROUP, INC.
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03/17/2004

SDR-3796
03-11-04 PC



1833
American Traditional
Lamplight Cottages II





1833
French Country
Lamplight Cottages II

1833
Craftsman
Lamplight Cottages II

Conceptual Front Elvations

na Corporation Lamplight Cottages II

Las Vegas, Nevada

#2003-818

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02/17/2004

SDR-3796
03-11-04 PC



1833
Key West
Lamplight Cottages II



1833
Spanish Colonial
Lamplight Cottages II

na Corporation

#2003-818

Conceptual Front Elvations

Lamplight Cottages II

Las Vegas, Nevada

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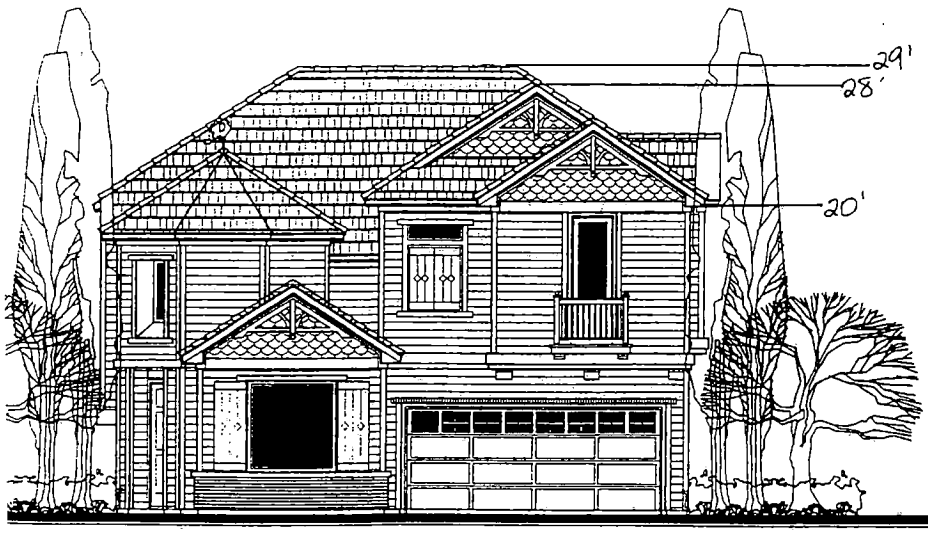
02/17/2004

SDR-3796
03-11-04 PC

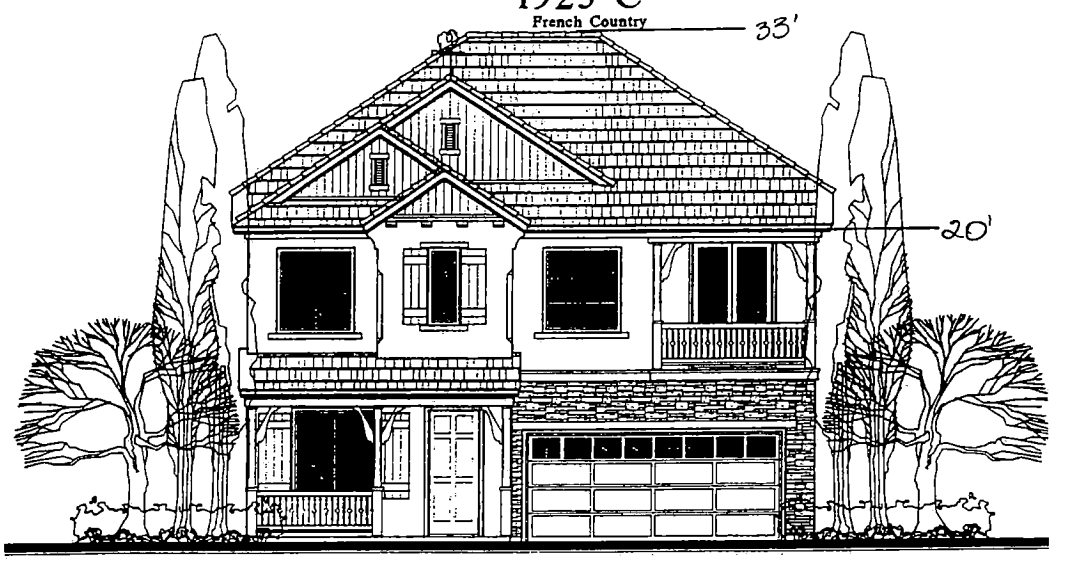




1923 A
American Traditional



1923 C
French Country



1996 A
American Traditional

2251 C
French Country

Conceptual Front Elevations

Lamplight Square II

Las Vegas, Nevada

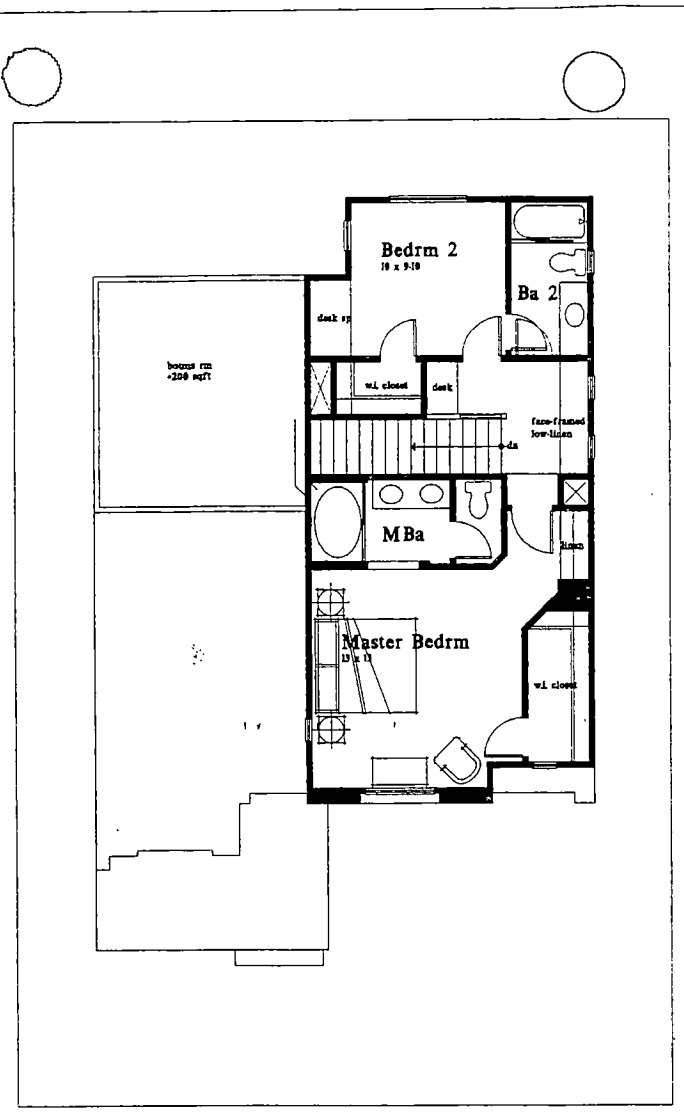
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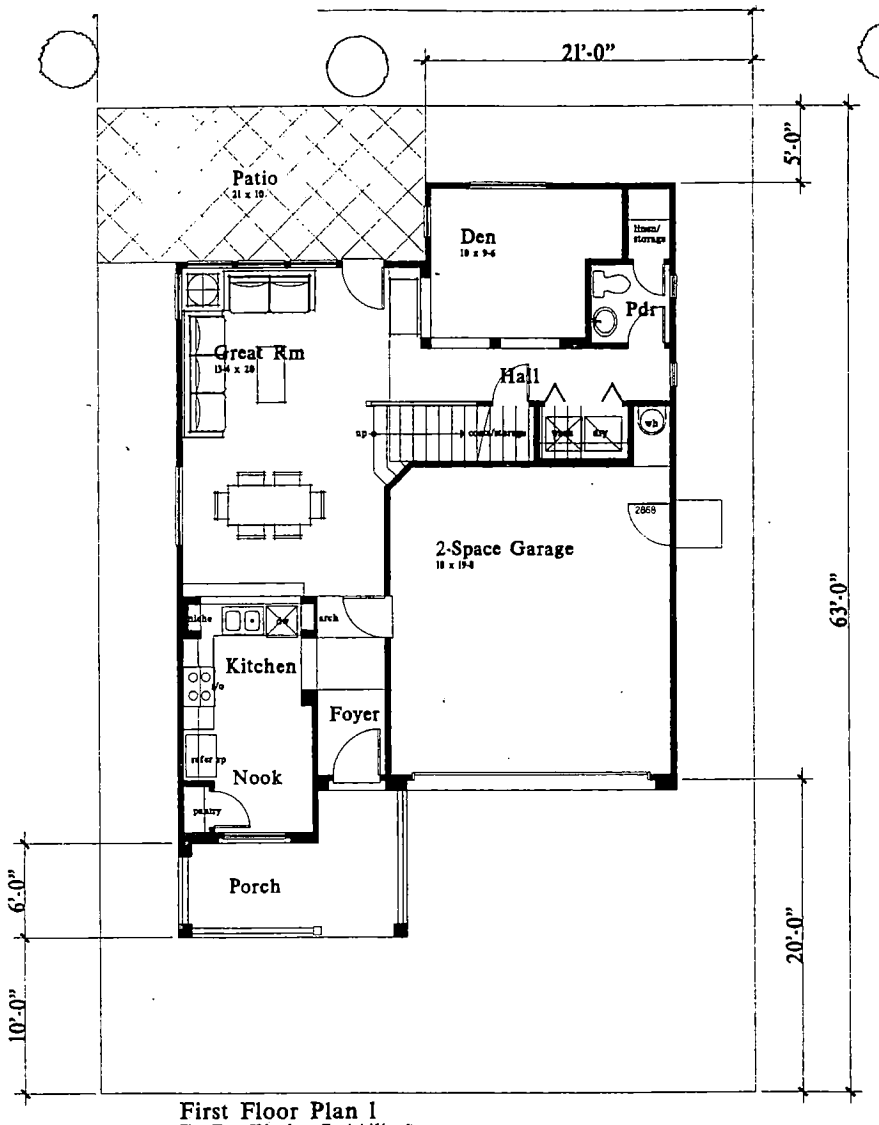
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02/18/2004

SDR-3796
03-11-04 PC



Second Floor Plan 1
Second Floor: 658 sqft Total: 1,454 sqft Total w/ bonus rm 1,654 sqft
Cottage Series



First Floor Plan 1
First Floor: 796 sqft Total: 1,454 sqft
Cottage Series

Conceptual Floor Plan 1 - 1,454 sqft - 1,654 sqft

na Corporation

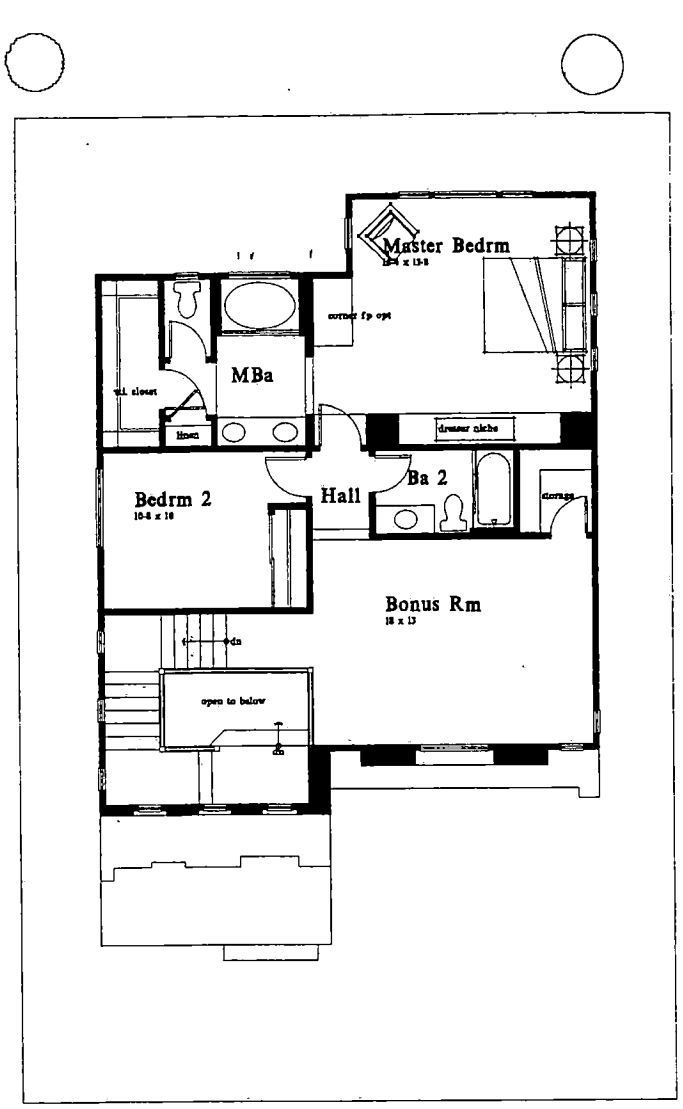
Lamplight Cottages II

Las Vegas, Nevada

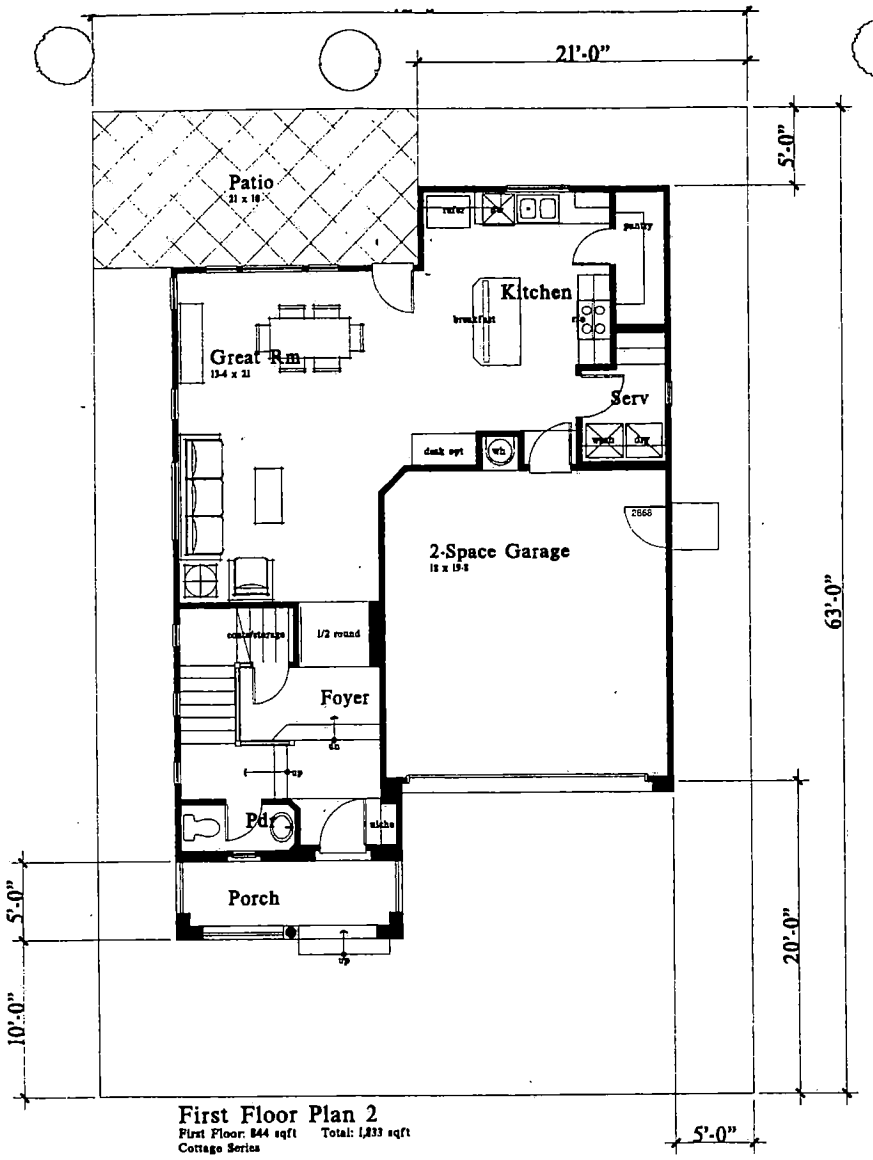
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ZON-3794
SDR-3796
03-11-04 PC



Second Floor Plan 2
Second Floor: 989 sqft Total: 1,833 sqft
Cottage Series



First Floor Plan 2
First Floor: 844 sqft Total: 1,833 sqft
Cottage Series

Conceptual Floor Plan 2 - 1,833 sqft

ina Corporation

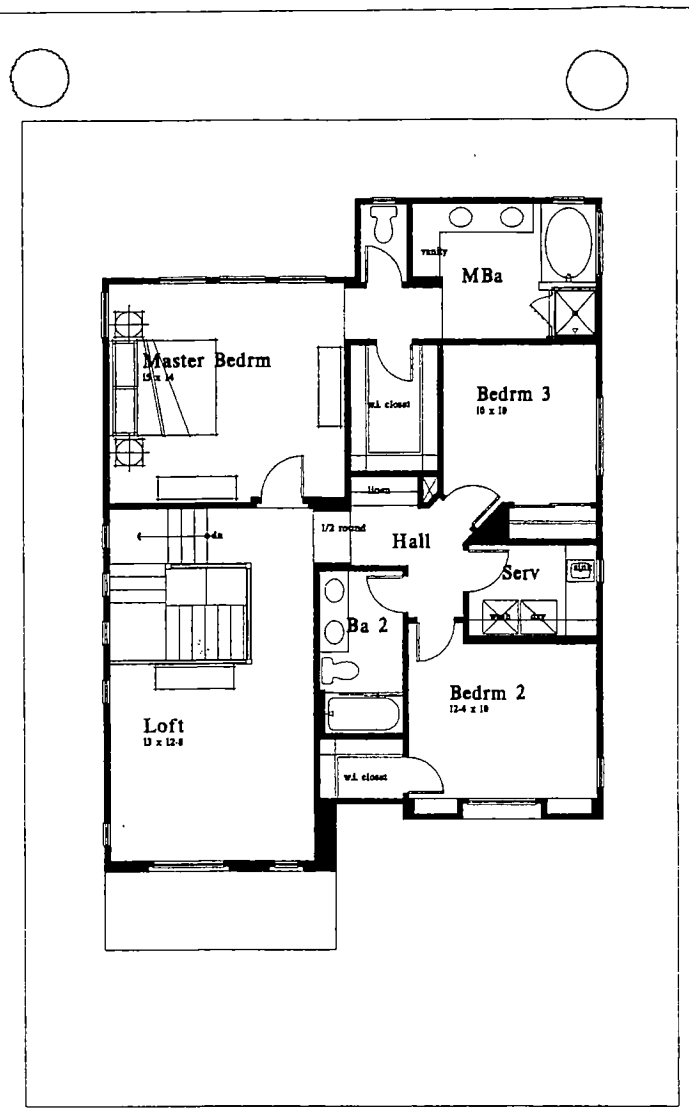
Lamplight Cottages II

Las Vegas, Nevada

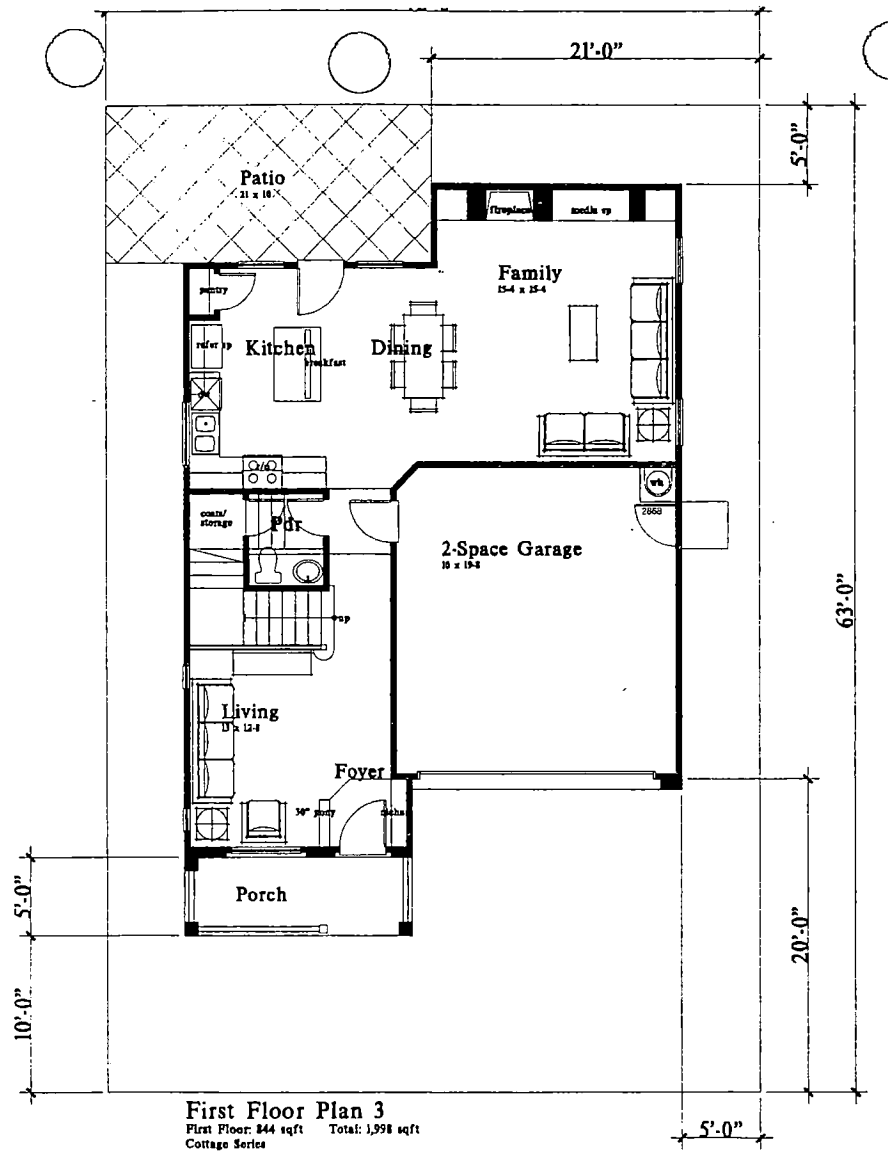
1 #2003-818

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ZON-3794
SDR-3796
03-11-04 PC



Second Floor Plan 3
Second Floor: 1,154 sqft Total: 1,998 sqft
Cottage Series



First Floor Plan 3
First Floor: 844 sqft Total: 1,998 sqft
Cottage Series

Conceptual Floor Plan 3 - 1,998 sqft

ina Corporation

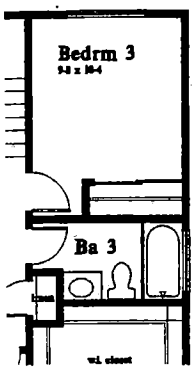
Lamplight Cottages II

Las Vegas, Nevada

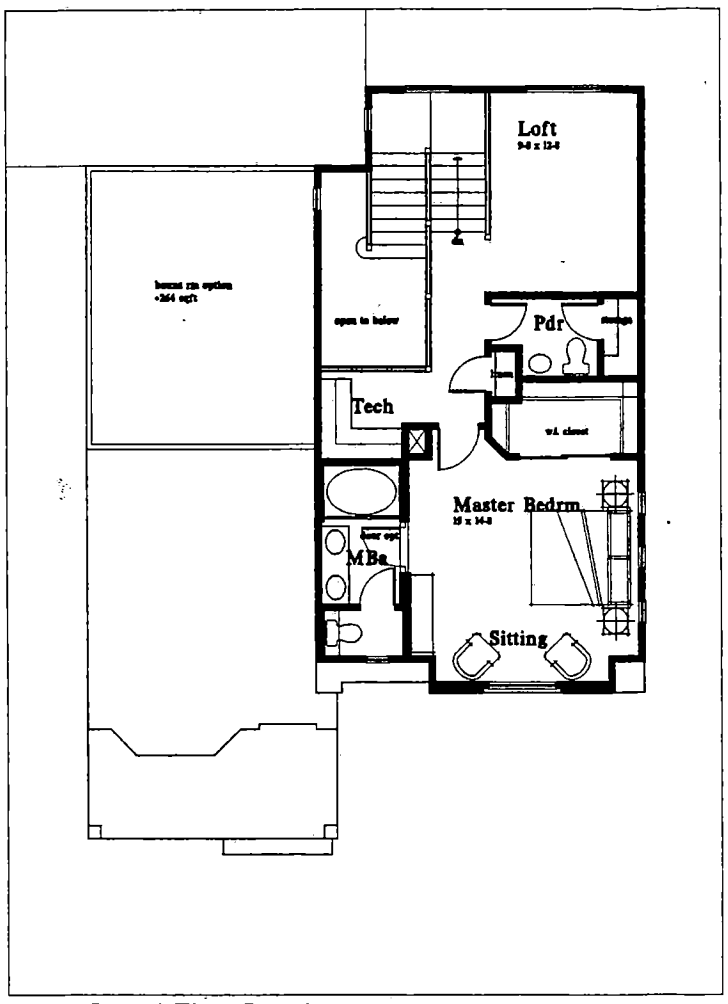
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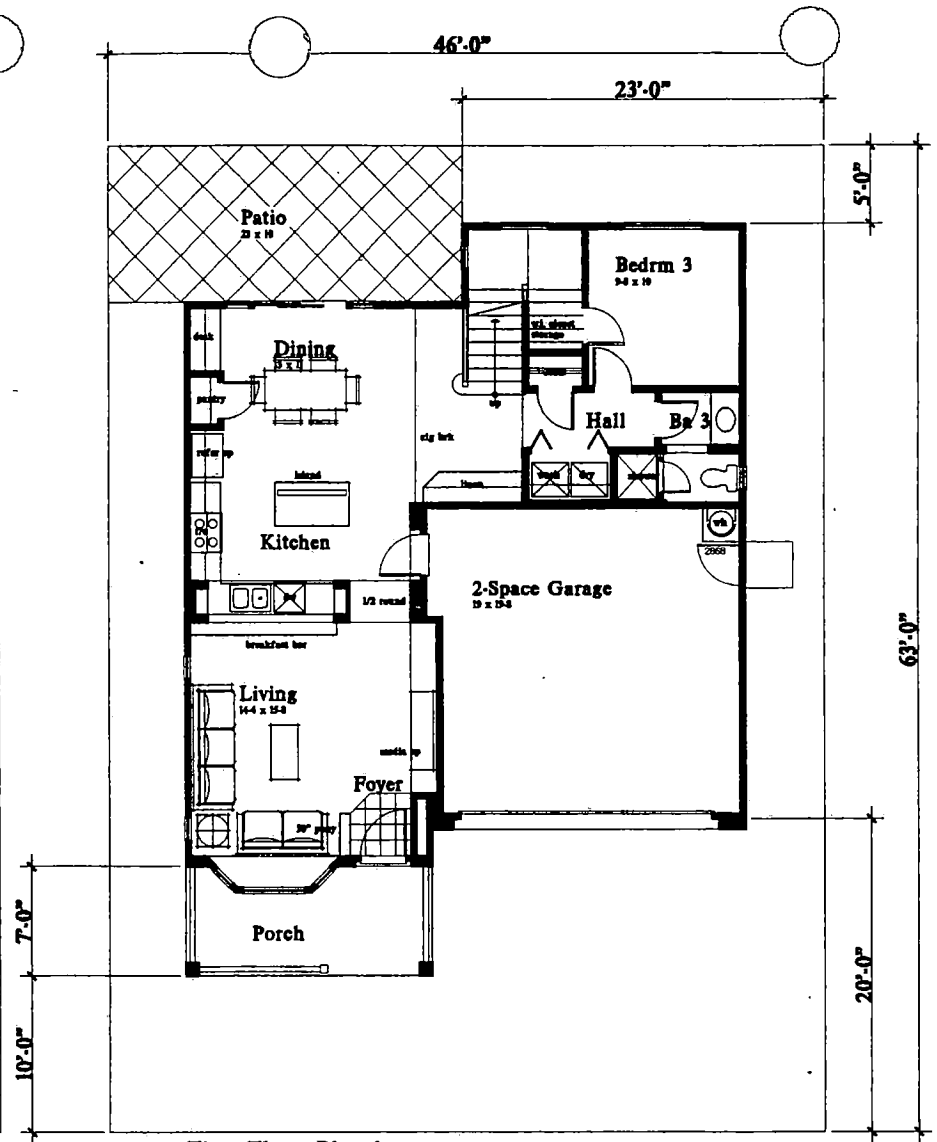
ZON-3794
SDR-3796
03-11-04 PC



om 3/ Bath 3 Option



Second Floor Plan 1
Second Floor: 680 sqft Total: 1,606 sqft Total w/ bonus rm: 1,870 sqft
Squares Series



First Floor Plan 1
First Floor: 926 sqft Total: 1,606 sqft
Squares Series

Conceptual Floor Plan 1 - 1,606 sqft - 1,870 sqft

ina Corporation

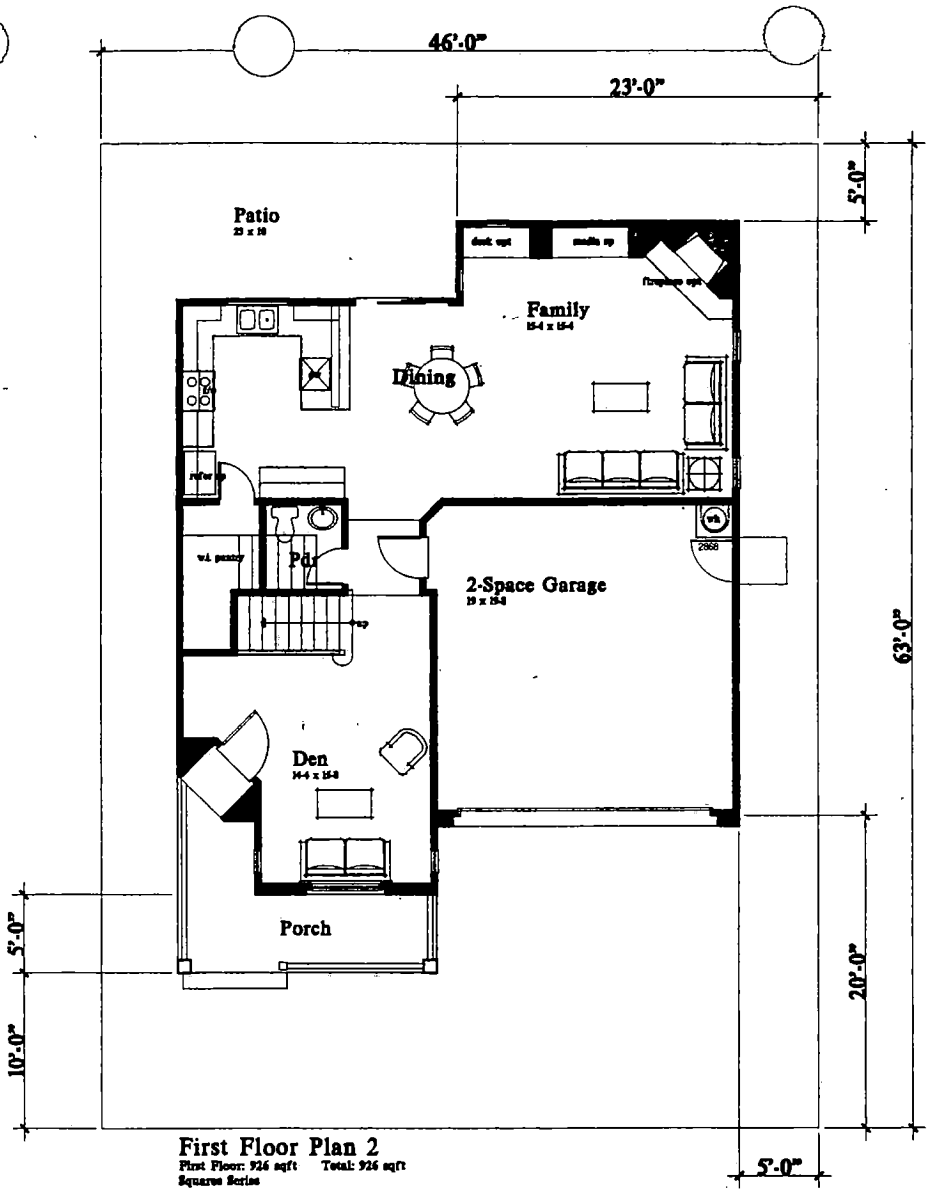
Lamplight Square II

Las Vegas, Nevada

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ZON-3794
SDR-3796
03-11-04 PC



First Floor Plan 2
First Floor: 926 sqft Total: 926 sqft
Squares Series

Conceptual Floor Plan 2 - 1,606 sqft - 1,870 sqft

ina Corporation

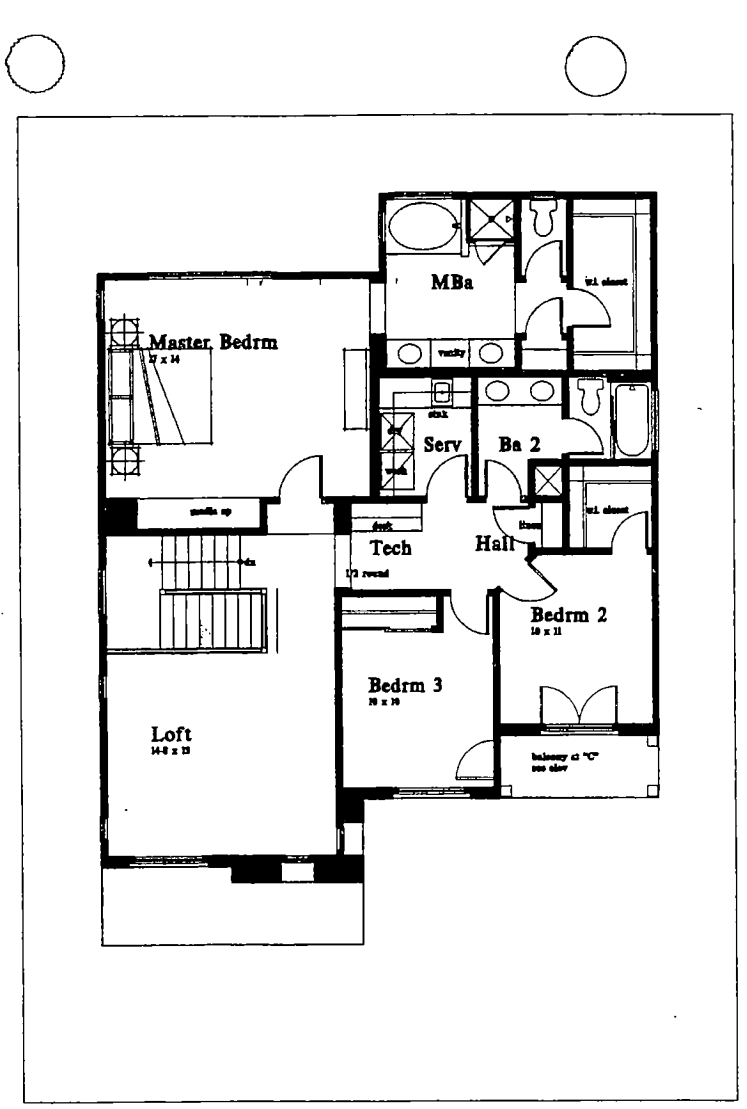
Lamplight Square II

Las Vegas, Nevada

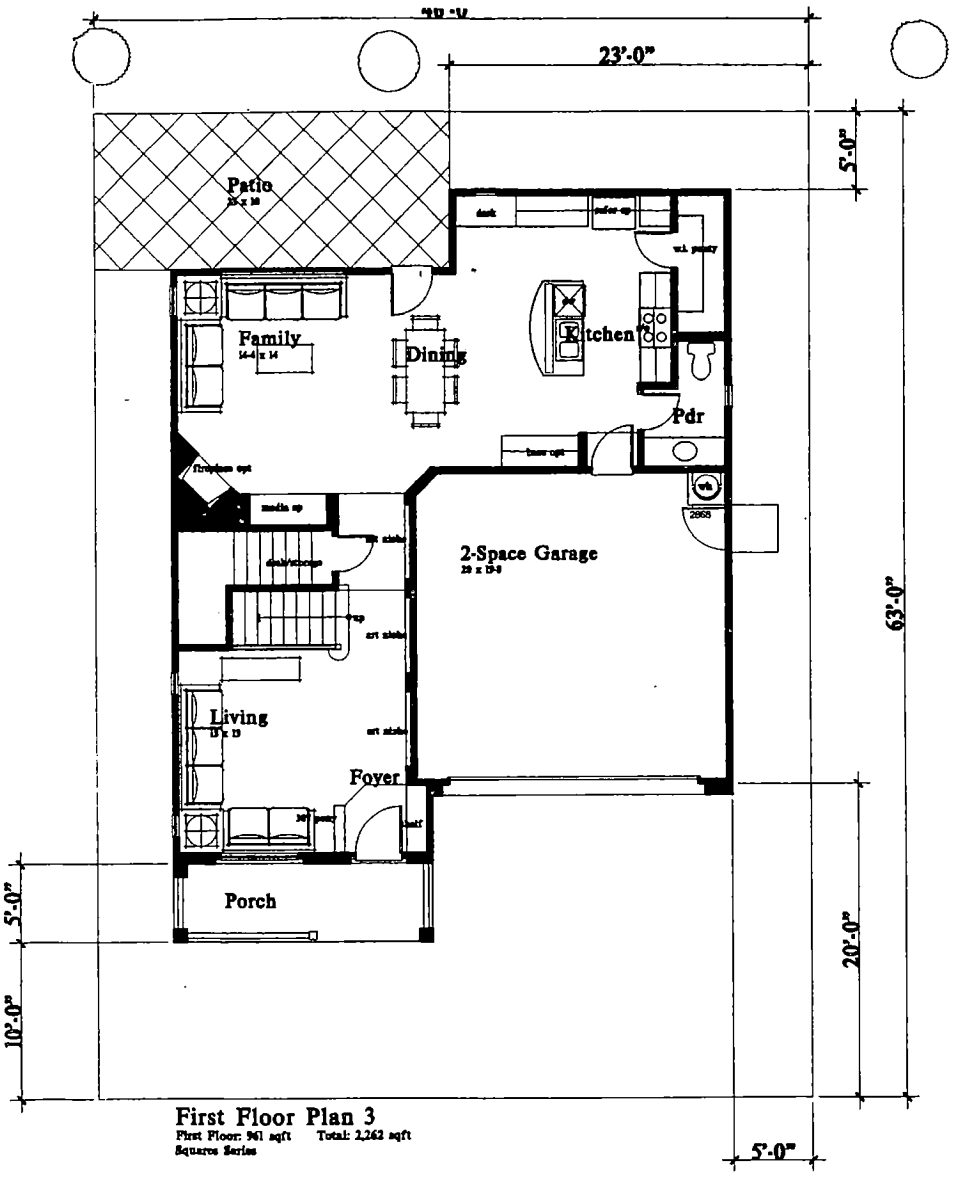
B #2003-817

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ZON-3794
SDR-3796
03-11-04 PC



Second Floor Plan 3
Second Floor: 1,301 sqft Total: 2,262 sqft
Squares Series



First Floor Plan 3
First Floor: 961 sqft Total: 2,262 sqft
Squares Series

Conceptual Floor Plan 3 - 2,262 sqft

ina Corporation

Lamplight Square II

Las Vegas, Nevada

B #2003-817

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ZON-3794
SDR-3796
03-11-04 PC



SDR-3796 - APPLICANT: CARINA HOMES - OWNER: RAINBOW VALLEY ESTATES, INC.
ADJACENT TO THE SOUTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1 (Moncrief).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns the subject property and DAVENPORT abstaining to avoid any conflict of interest and belief that his vote would be unbiased and EVANS excused

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

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 48 [ZON-3919] and Item 49 [SDR-3920].

DAVID CLAPSADDLE, Planning and Development Department, explained that this property was previously rezoned to C-1 (Limited Commercial). At that time, a Site Development Plan was submitted for a temporary building. Subsequently, that plan expired and, because the applicant did not file for an extension within the designated time period, it now requires a new Site Development Plan Review and Rezoning request be brought before the Commission. MR. CLAPSADDLE pointed out the conditions relative to the temporary buildings.

MINUTES - Continued:

MR. CLAPSADDLE stated that this would be a mixed-use project and will be forthcoming at a later date when the Site Plan is submitted for the permanent structure. He further noted that the goals of the Downtown Centennial Plan are being complied with. With regard to parking, landscaping and setbacks, staff believes the waivers are appropriate. Staff recommended approval of both applications subject to conditions.

DENNIS WATTS, Cornerstone Company, 201 Las Vegas Boulevard South, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

LEE HAYNES, 1101 North Las Vegas Boulevard, expressed his concern related to those properties that have been affected by eminent domain. Although he supported the proposed project he stated that the applicant has sought to have a median across from the subject parcel declared a public park to prevent anyone from developing it.

TODD FARLOW, 240 North 19th Street, commented that nothing is more permanent than a temporary structure.

COMMISSIONER McSWAIN asked staff if Condition 3 of the Site Development Plan Review adequately addresses the removal of the modular structure, specifically in regards to the two-year timeframe. MR. CLAPSADDLE replied that the conditions are appropriate and that staff will monitor and ensure that the temporary structure is removed within two years.

Prior to the vote, COMMISSIONER DAVENPORT stated his abstention to avoid any conflict of interest. CHIEF DEPUTY CITY ATTORNEY TOM GREEN remarked that a reason must be made for the record and read from the Nevada Revised Statutes situations that would warrant abstention. COMMISSIONER DAVENPORT concluded that he did not believe he could be unbiased.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 48 [ZON-3919] and Item 49 [SDR-3920].

NOTE: All discussion for Item 48 [ZON-3919] and Item 49 [SDR-3920] was held under Item 48 [ZON-3919].

(7:56 – 8:06)

CONDITIONS:

Planning and Development

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 48 – ZON-3919

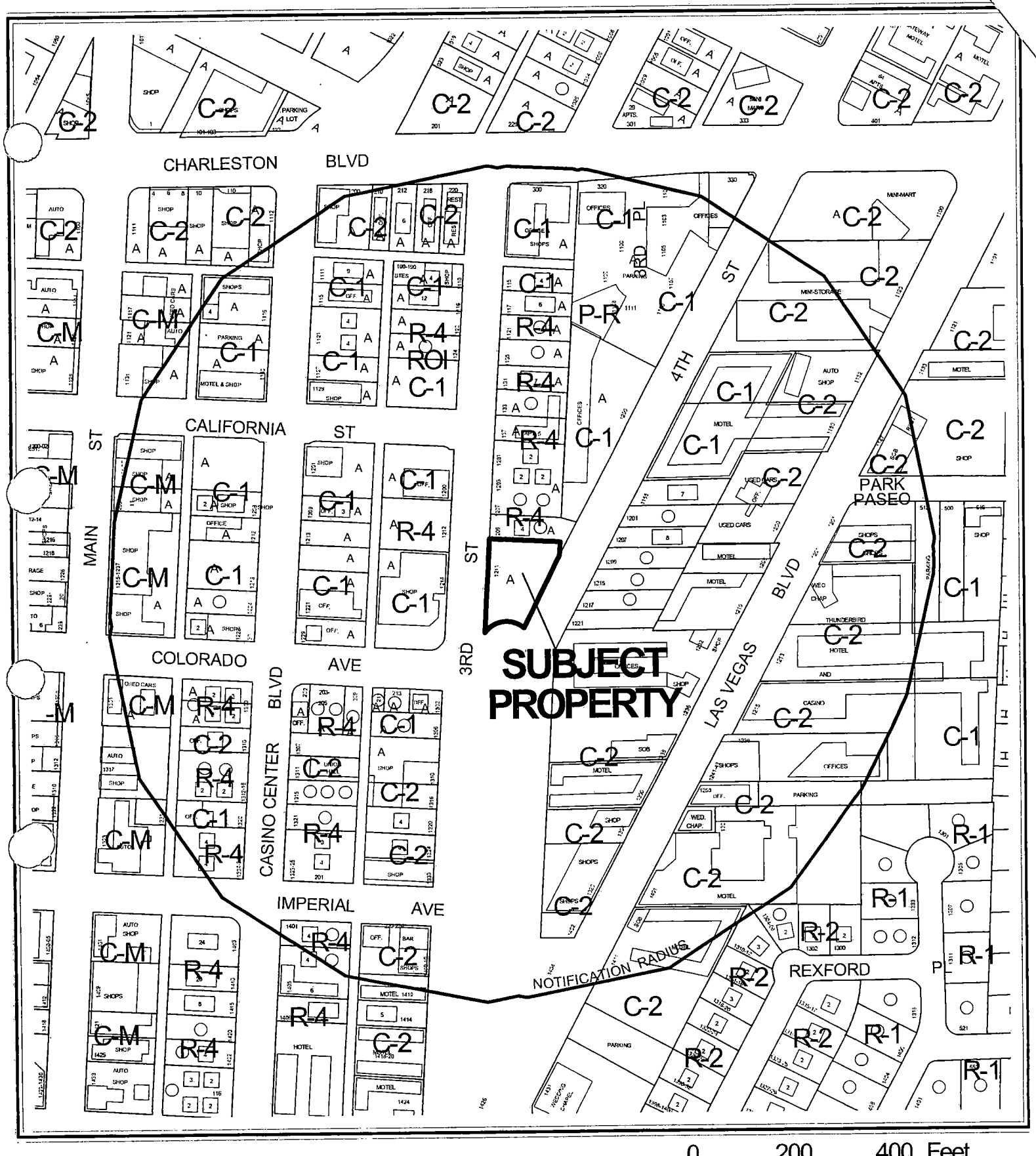
CONDITIONS - Continued:

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

Public Works

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

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

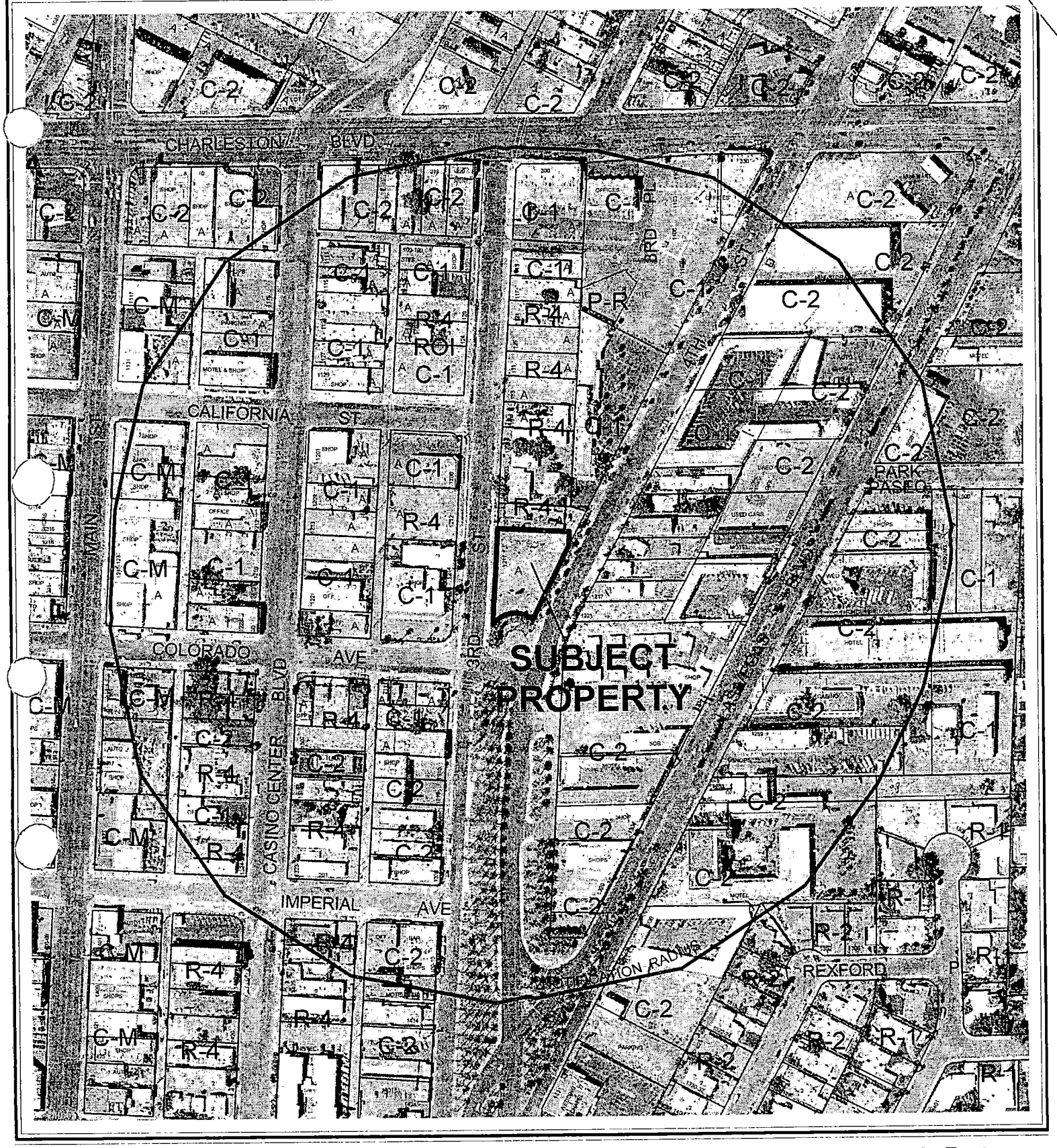


CASE: **ZON-3919**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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



CASE: **ZON-3919**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING RELATED TO SDR-3920 - PUBLIC HEARING - ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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

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

Public Works

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (SDR-3920) has been filed to allow a temporary office facility on the property.

B) Applicant's Justification

The applicant has stated that the rezoning will allow the development of a future multi-story mixed use project, and that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

12/15/99 — The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).

04/18/01 — The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission and staff recommended approval of the request on 03/08/01. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.

B) Pre-Application Meeting

01/30/04 — The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening requirements.

FF

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.46

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multifamily Residential Use
South:	Right-of-Way
East:	Single-family Use, Multifamily Residential Use, Office Use
West:	Retail Use, Multifamily Residential Use

C) Planned Land Use

Subject Property:	Mixed Use
North:	Mixed Use, Commercial
South:	Right-of-Way
East:	Commercial
West:	Mixed Use

D) Existing Zoning

Subject Property:	R-4 (High-Density Residential)
North:	R-4 (High-Density Residential)
South:	Right-of-Way
East:	R-3 (Medium-Density Residential), C-2 (General Commercial)
West:	R-4 (High-Density Residential), C-1 (Limited Commercial)

E) General Plan Compliance

The site is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Las Vegas Redevelopment Plan, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following dimensional requirements apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y

The subject property meets the minimum width requirement for C-1 (Limited Commercial) properties; no minimum lot size is required for the rezoning.

B) General Analysis and Discussion

The request involves the rezoning of the subject property from R-4 (High-Density Residential) to C-1 (Limited Commercial) in order to permit the eventual development of a mixed-use structure on the site. A modular office facility will located on the property in the interim until the new structure is constructed; a paved 18-space parking lot will be developed at the same time that the temporary structure is located on the site, and will serve both phases of the development.

FINDINGS

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

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

   The proposed rezoning to C-1 (Limited Commercial) is compatible with the Mixed Use designation of this site by the Las Vegas Redevelopment Plan.

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

   The office use proposed by the applicant is compatible with the surrounding land uses and zoning districts.

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

   The proposed rezoning supports the goals and objectives of the Downtown Centennial Plan and the Las Vegas Redevelopment Plan, which encourages office uses in the downtown area.

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

   Fourth Street and Third Street are both fully developed and will provide adequate access to the site.

NOTICES MAILED 97 (Mailed with SDR-3920)

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3919 APN: 162-03-110-011

Name of Property Owner: Cornerstone Company

Name of Applicant: Cornerstone Company

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

X Yes _____ No

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

City Official: Richard W. Truesdell

Partner(s): _____ _____

APN: 162-03-110-011

Signature of Property Owner/Authorized Agent: _____

Print Name: Richard W. Truesdell

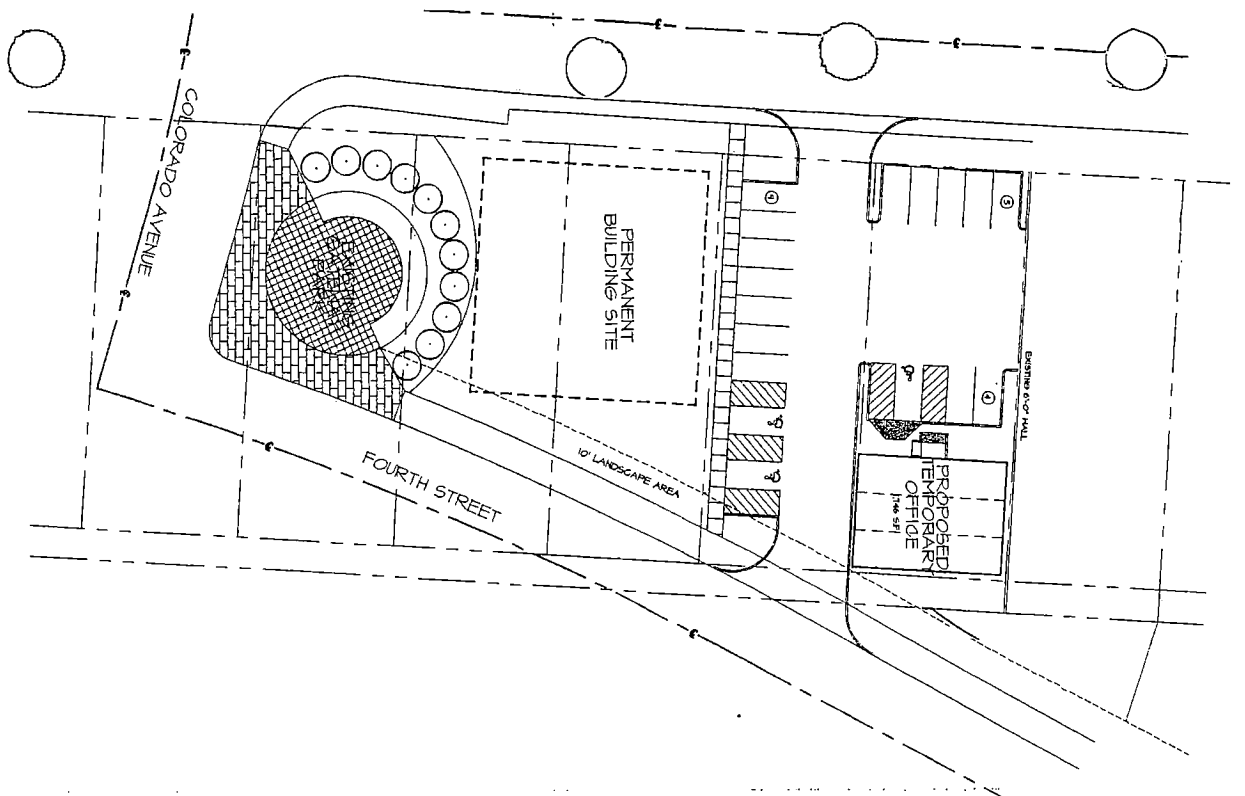
Subscribed and sworn before me

This 26th day of January, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DENNIS WATTS
No: 03-81805-1
My Appointment Expires April 24, 2007



SITE PLAN
SCALE: 1" = 30'

ZON-3919
SDR-3920
03-11-04 P

SP-1
SITE PLAN

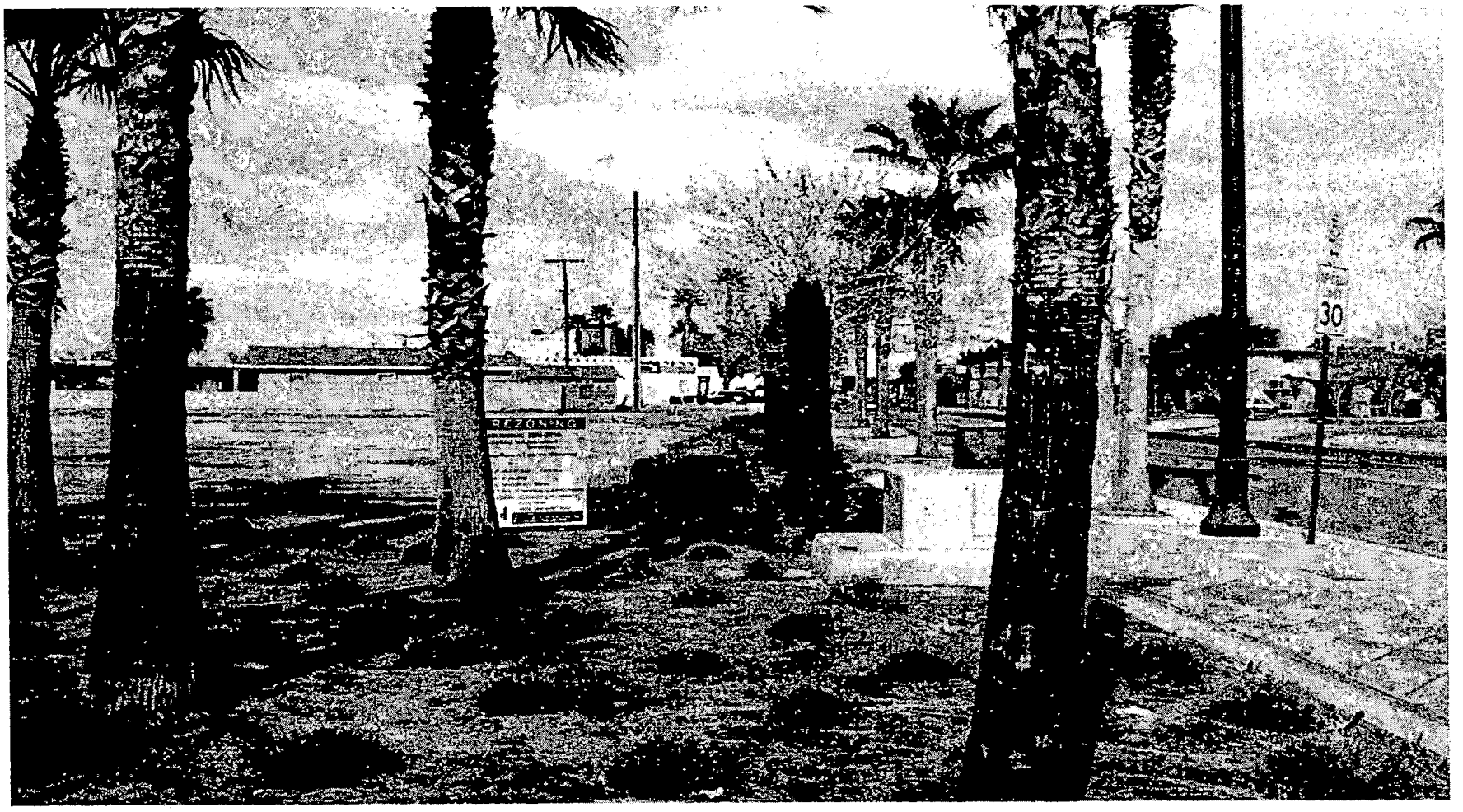
DRAWN BY: VM
REVIEWED BY: PK
PROJECT NUMBER: 950001.16
ISSUE DATE: 8.16.00

A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA

WESTAR

W * E * S * T * A * R
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX * LAS VEGAS
ARCHITECTURE * PLANNING * PROJECT MANAGEMENT
4700 EAST THOMAS ROAD, SUITE 263, PHOENIX, ARIZONA 85018
TELEPHONE: (602) 840-4900 FAX: (602) 840-0867

REVISIONS



ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns the subject property and DAVENPORT abstaining to avoid any conflict of interest and belief that his vote would be unbiased and EVANS excused.

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

MINUTES:
NOTE: See Item 48 [ZON-3919] for related discussion.
(7:56 – 8:06)
2-806

CONDITIONS:
Planning and Development
1. A Rezoning (ZON-3919) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

CONDITIONS – Continued:

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

3. The modular building shall be removed within two years of the issuance of the certificate of occupancy.

4. The applicant shall submit a Site Development Plan Review application for Planning Commission review prior to the construction of any permanent structure.

5. All development shall be in conformance with the site plan as proposed, except as amended by conditions herein.

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

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

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

9. 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.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 49 – SDR-3920

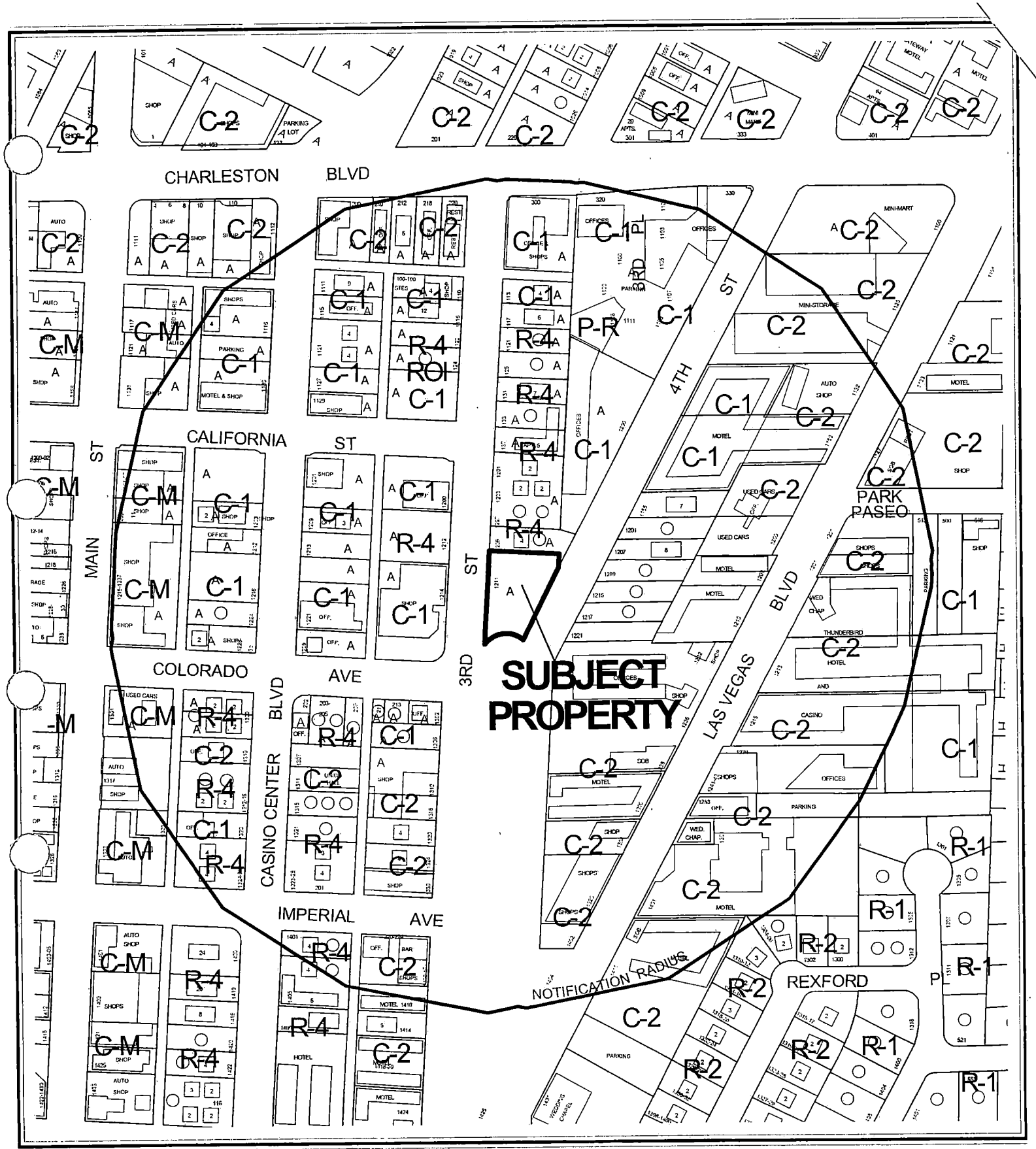
CONDITIONS – Continued:

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

Public Works

13. Buildings shall be designed so as not to encroach within the existing 20-foot wide public sewer easement.

14. Site development to comply with all applicable conditions of approval for ZON-3919 and all other applicable site-related actions.



CASE: **SDR-3920**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING - SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3919) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

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

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Public Works

13. Buildings shall be designed so as not to encroach within the existing 20-foot wide public sewer easement.

14. Site development to comply with all applicable conditions of approval for ZON-3919 and all other applicable site-related actions.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed modular office on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (ZON-3919) has been submitted to rezone the property to C-1 (Limited Commercial).

B) Applicant's Justification

The applicant has stated that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

12/15/99 The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).

04/18/01 The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission recommended approval of the request on 8 March 2001. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.

B) Pre-Application Meeting

01/30/04 The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening and streetscape requirements.

C) Neighborhood Meetings

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

FF

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multifamily Residential Use
South:	Right-of-Way
East:	Single-family Use, Multifamily Residential Use, Office Use
West:	Retail Use, Multifamily Residential Use

C) Planned Land Use

Subject Property:	Mixed Use
North:	Mixed Use, Commercial
South:	Right-of-Way
East:	Commercial
West:	Mixed Use

D) Existing Zoning

Subject Property:	R-4 (High-Density Residential)
North:	R-4 (High-Density Residential)
South:	Right-of-Way
East:	R-3 (Medium-Density Residential), C-2 (General Commercial)
West:	R-4 (High-Density Residential), C-1 (Limited Commercial)

E) General Plan Compliance

The site is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

PROJECT DESCRIPTION

The project involves the placement of a modular office facility of 1,746 square feet on the subject property, and the development of a paved 18-space parking lot. The modular office will be a temporary facility; the applicant intends to construct a multistory mixed-use building on the southern portion of the site at some point in the future.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y
Min. Setbacks			
• Front	0 Feet (for a minimum of 70% of lot width)	10 Feet	N
• Side	N/A	3 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	N/A	N/A	N/A
Max. Lot Coverage	Up to 100%	9%	Y
Max. Building Height	N/A	Approx. 12'	Y

The proposed temporary structure will comply with setback, height, and lot coverage requirements.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. On-site parking will be provided as follows:

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office Use	1,746 SF	1/300 GFA	5	1	15	3

The number of parking spaces to be provided will exceed the amount required by code.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of landscape requirements contained in Title 19; however, the Downtown Centennial Plan requires the following landscape elements:

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Trees/6 Spaces	3 Trees	Not indicated
Buffer: • Min. Trees	(See above)	(See above)	(See above)
• Min. Zone Width	8 Feet		0-10 Feet
• Fence height	3'-6"		Not provided

Landscaping has not been shown on the site plan, but is intended to be added upon the construction of the permanent structure. The landscape buffer facing Third Street does not meet the minimum depth requirements; a waiver has been requested.

A5) Sign Standards

No permanent signage is proposed as part of this request.

B) General Analysis and Discussion

- Zoning

The companion application to rezone the property (ZON-3919) to the C-1 (Limited Commercial) zoning designation will allow the proposed office use.

- Site Plan

The site plan generally conforms to the goals and objectives of the Downtown Centennial Plan by locating the temporary structure adjacent to the street, with the parking located to the side and rear of the building. The temporary structure does not occupy 70% of the street frontage as suggested by the Downtown Centennial Plan, but is exempt from the requirement due to its temporary nature. The site plan has been designed so that the parking lot can serve both phases of the development, and allows for the placement of the permanent building directly behind the public landscape feature at the intersection of Fourth Street and Colorado Avenue.

- Waivers

The applicant has requested a waiver from providing an eight-foot landscape buffer and the Downtown Centennial Plan fence along the Third Street side of the property due to the fact that there is existing landscaping in the right of way to screen the parking lot. A waiver has also been requested from the requirement for the provision of the Downtown Centennial Plan streetscape treatment in the public right-of-way along Third Street. Streetscape treatments are already in place along Fourth Street.

- Landscape Plan

No permanent landscaping has been proposed with this phase of the development, and is intended to be installed upon construction of the permanent structure on the site.

- Elevation

The applicant has submitted elevations of the proposed modular structure, which features wood siding, a parapet, and a screened base.

FINDINGS

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

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

   The proposed office use is compatible with the surrounding land uses and zoning districts.

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

The proposed use supports the goals and objectives of the Downtown Centennial Plan by locating office uses in the downtown area.

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

Third Street and Fourth Street are both fully developed and will provide adequate access to the site.

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

The use of a temporary modular structure may be allowed, provided that a time limit is provided for its removal. The permanent landscaping will be reviewed upon the submittal of the Site Development Plan Review application for the permanent structure on the site.

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

The proposed modular structure is generally of a better quality than most temporary structures, and will not be unsightly in appearance.

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

The proposed development will be subject to review and inspections by the Building and Safety Department, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 97 (Mailed with ZON-3919)

APPROVALS 1

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3920 APN: 162-03-110-011

Name of Property Owner: Cornerstone Company

Name of Applicant: Cornerstone Company

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

X Yes _____ No

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

City Official: Richard W. Truesdell

Partner(s): _____ _____

APN: 162-03-110-011

Signature of Property Owner/Authorized Agent: _____

Print Name: Richard W. Truesdell

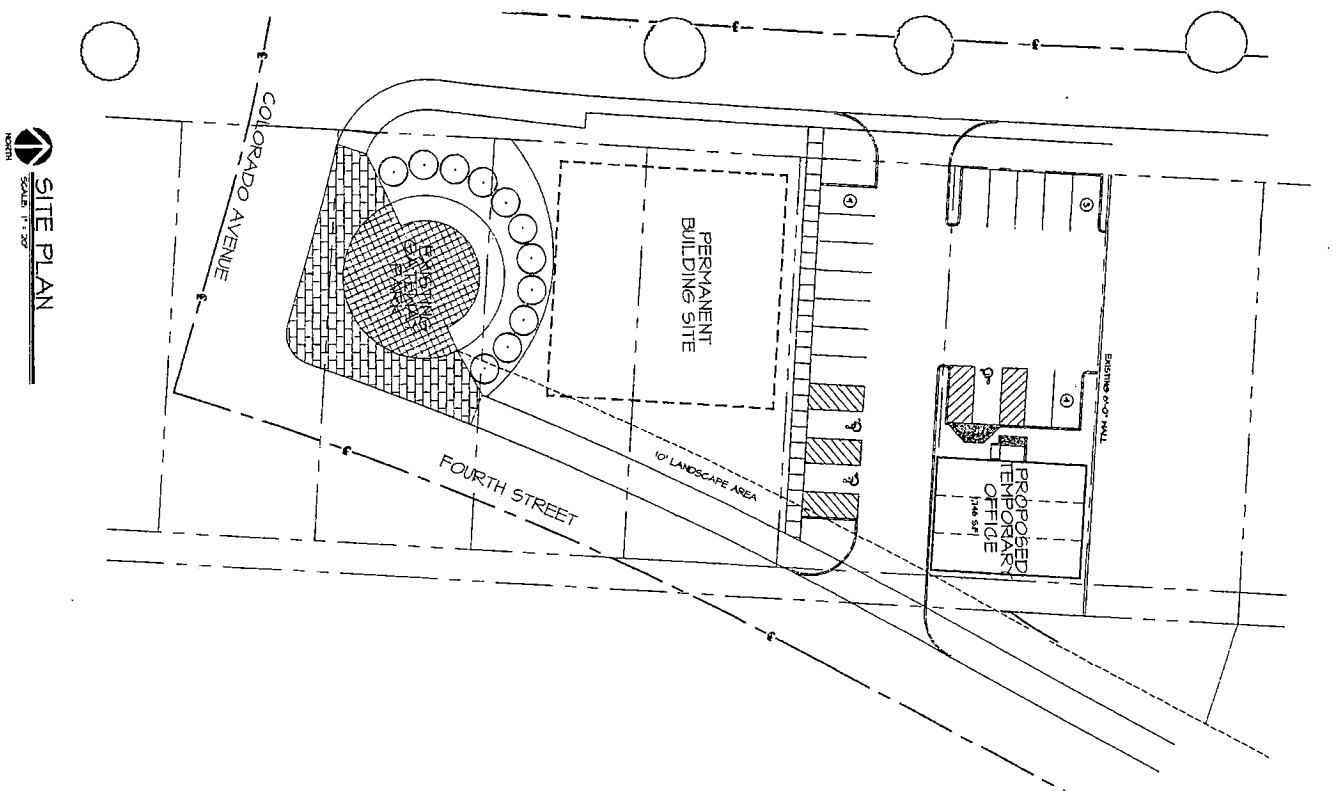
Subscribed and sworn before me

This 11th day of February, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DENNIS WATTS
No: 03-81805-1
My Appointment Expires April 24, 2007



SITE PLAN
SCALE: 1" = 30'

ZON-3919
SDR-3920
03-11-04 P

SP-1
SITE PLAN

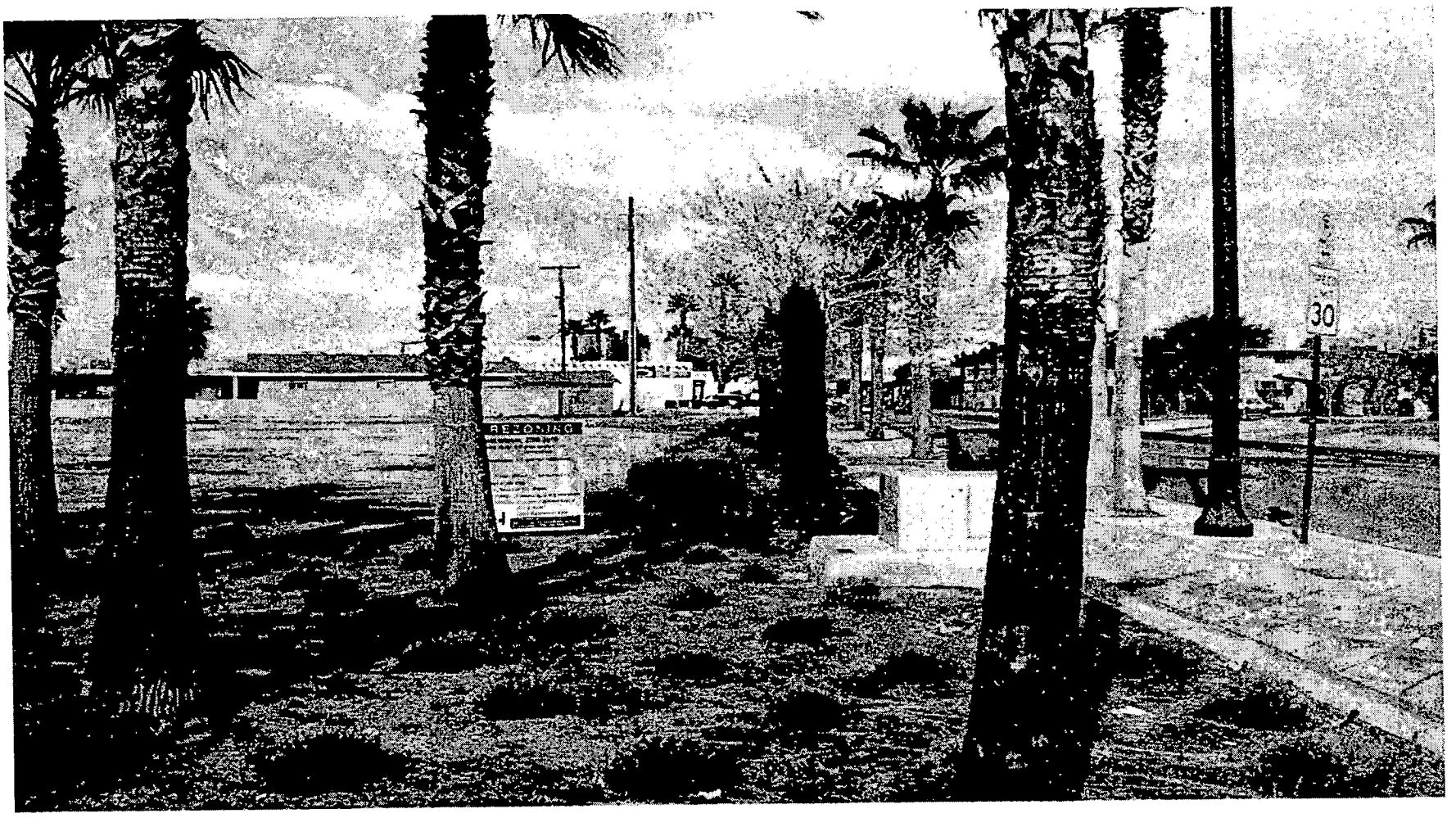
DRAWN BY: VM
REVIEWED BY: PK
PROJECT NUMBER: 980001.16
ISSUE DATE: 8.16.00

A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA

WESTAR

W * E * S * T * A * R
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX • LAS VEGAS
ARCHITECTURE • PLANNING • PROJECT MANAGEMENT
4700 EAST THOMAS ROAD, SUITE 203, PHOENIX, ARIZONA 85018
TELEPHONE: (602) 840-4900 FAX: (602) 840-0667

REVISIONS
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SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04

NOTICE OF PUBLIC HEARING

RECEIVED
04 MAR -2 PM 4:32
PLANNING AND
DEVELOPMENT

SITE DEVELOPMENT PLAN REVIEW

MEETING: PLANNING COMMISSION
DATE: MARCH 11, 2004
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

Domino Partners LLC
1250 - 8th Place
Las Vegas, Nevada 89104

SDR-3920

APPLICANT/OWNER: CORNERSTONE COMPANY - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING STANDARDS FOR A PROPOSED MODULAR OFFICE ON 0.46 ACRES ADJACENT TO THE NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET (APN: 162-03-110-011), R-4 (HIGH DENSITY RESIDENTIAL) ZONE [PROPOSED: C-1 (LIMITED COMMERCIAL) ZONE], WARD 1 (MONCRIEF).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

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

Above project approval recommended.
2/29/04
J Manack
Domino Partners

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

SEE LOCATION MAP ON REVERSE SIDE

SDR-3920 A

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

VAR-3800 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Variance TO ALLOW A 45-FOOT BUILDING HEIGHT WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 50 PARKING SPACES WHERE 58 SPACES ARE REQUIRED on 0.34 acres located at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly).

C.C. 04/07/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	7	Planning Commission Mtg.	1
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with EVANS excused.

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

MINUTES:
CHAIRMAN TRUESELL declared the Public Hearing open on Item 50 [VAR-3800] and Item 51 [SDR-3799].

DAVID CLAPSADDLE, Planning and Development Department, explained that the proposed project is located in the Medical District Plan area. This particular development is for a 45-foot high building where in the PO designated area of theMedical District, the maximum height allowance is 35 feet. MR. CLAPSADDLE stated that all of the surrounding area south of this site is MD-1 that allows 45-foot buildings. Inasmuch as

MINUTES – Continued:

this is a mixed-use project and compatible with the development pattern to the south, staff believed the waiver to be appropriate. He also emphasized that the Medical District Plan calls for exactly this type of project. Based on the findings, staff recommended approval subject to conditions.

MARGARET McMILLAN and DR. RICHARD MINNEAR, the property owners, 5125 North Cimarron Road, appeared to represent their applications. They concurred with staff's recommendations and conditions.

WAYNE TUE, CEO, appeared on behalf of the Clark County Federal Credit Union, whose property sits adjacent to the proposed development. He opposed the project stating that it will tremendously impact the already congested parking situation that currently exists. He recommended the Commission deny the applicants' request.

KEVIN HAGGARTY, Chiropractor, 1700 Bearden Drive, appeared in opposition to the proposed project. He agreed with the previous speaker that there will be a substantial amount of negative impact if this development is approved. He emphasized that parking is already at a premium and attests to people parking in his limited parking lot who are not patrons of his business. MR. HAGGARTY pointed out that he would have no objection if the project were to be approved according to the restrictions as regulated by law with no variances.

KAREN DOTTY, Physician, 1700 Bearden Drive, stated that this particular cul-de-sac has limited potential, especially in regards to parking. She explained that there is a high volume of traffic already existing in that area.

SHARI FETTERMAN, 1706 Bearden Drive, appeared on behalf of DR. ARTHUR FETTERMAN, owners of the property located across the street from the proposed development. She objected on the grounds that there is not room for the current parking. She added that granting the parking variance would be setting a precedent.

EZEANOLUE DOLUE, Medical Director of Apex Medical Center, appeared in opposition and agreed that parking congestion is already prevalent in the area. He noted that he has made significant schedule changes to accommodate his patients because of the shortage of parking. MR. DOLUE opined that if anything, the parking requirement should be increased to 70 spaces for this project.

TODD FARLOW, 240 North 19th Street, voiced his approval of this project and stated that it meets the goals of the Medical District.

MINUTES - Continued:

COMMISSIONER McSWAIN asked for clarification as to the required amount of parking spaces. MR. CLAPSADDLE explained that there is nothing written in the code that specifies parking for mixed-use projects. In this case, the calculation is based on the requirement for each individual use separately categorized and added together. COMMISSIONER McSWAIN understood the calculations, but felt that it is still essential to provide adequate vehicle parking. Having listened to the opponents of this project, COMMISSIONER McSWAIN expressed her understanding especially with regard to the parking situation; however, she remarked that this type of structure is exactly what is intended and encouraged for the Medical District. MR. CLAPSADDLE emphasized that not all applications will necessarily be handled in the same manner because staff will review each case as to context and to whether a variance is justified.

COMMISSIONER NIGRO agreed with staff's explanation, stating that if the project were composed entirely of office space with a variance of 20 percent, he would not support it. In this case, the office component itself would require 35 spaces and the applicant is providing 50 spaces, making at least 15 spaces available for the residential units. He noted that the allotted spaces are adequate assuming that everyone is there at the same time.

CHAIRMAN TRUESDELL reiterated that a live-work environment provides the opportunity for people to work in the community where they live because of the accessibility to their places of employment by walking. He added that a number of the office complexes in that area were converted from residential and the parking dilemma existed because it was not adequately provided. In comparison, the subject building meets the requirements for making a live-work environment workable.

CHAIRMAN TRUESELL declared the Public Hearing closed on Item 50 [VAR-3800] and Item 51 [SDR-3799].

NOTE: All discussion for Item 50 [VAR-3800] and Item 51 [SDR-3799] was held under Item 50 [VAR-3800].

(8:06 – 8:31)

2-1161

CONDITIONS:

Planning and Development

1. Approval of a Variance is granted to the height and rear setback standards of the Medical Office District.

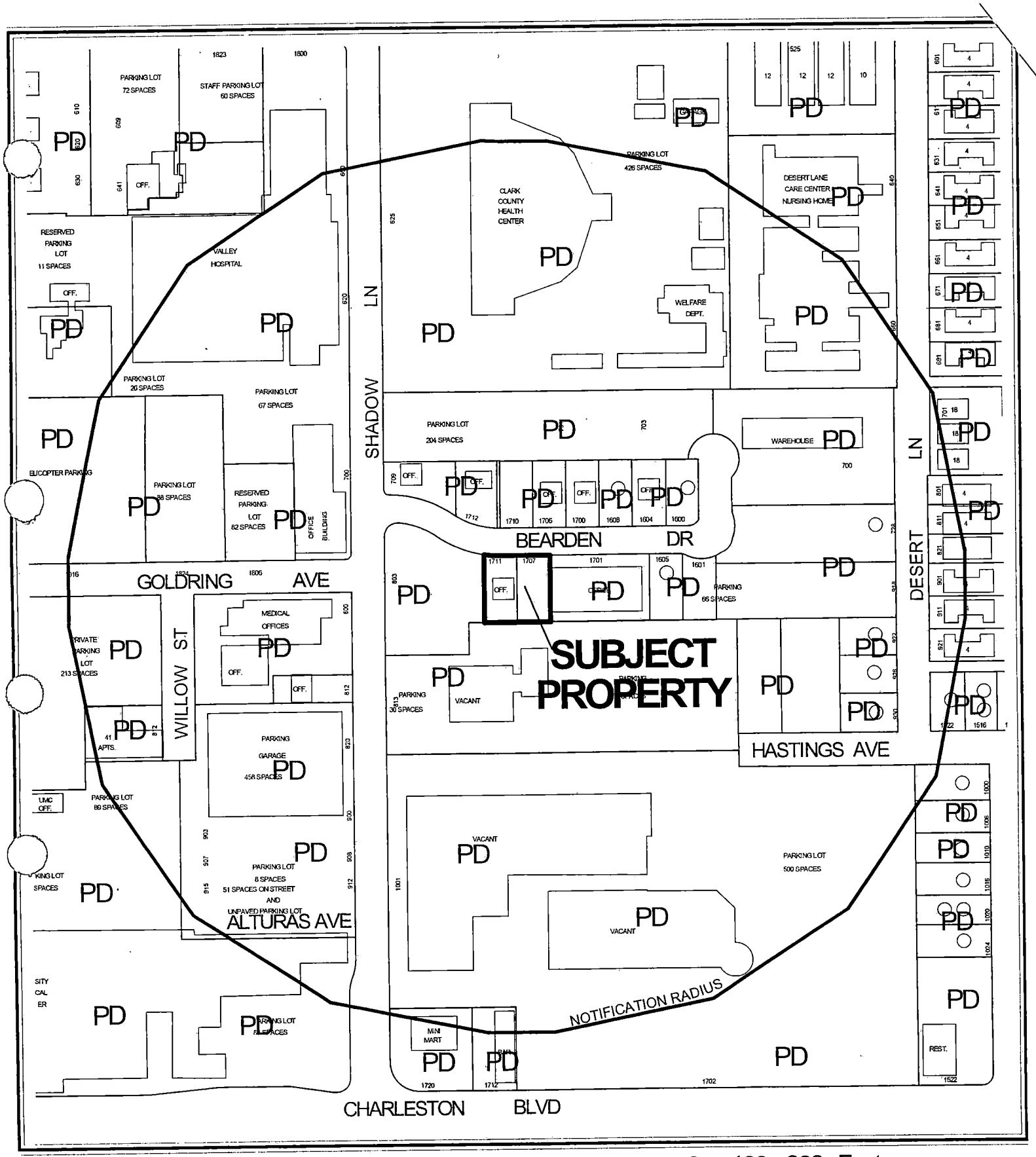
PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 50 – VAR-3800

MINUTES - Continued:

2. Approval of and conformance to Site Development Plan Review (SDR-3799) by the Planning Commission and City Council.

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

4. Conformance to all other standards of the Medical Office District.



0 100 200 Feet

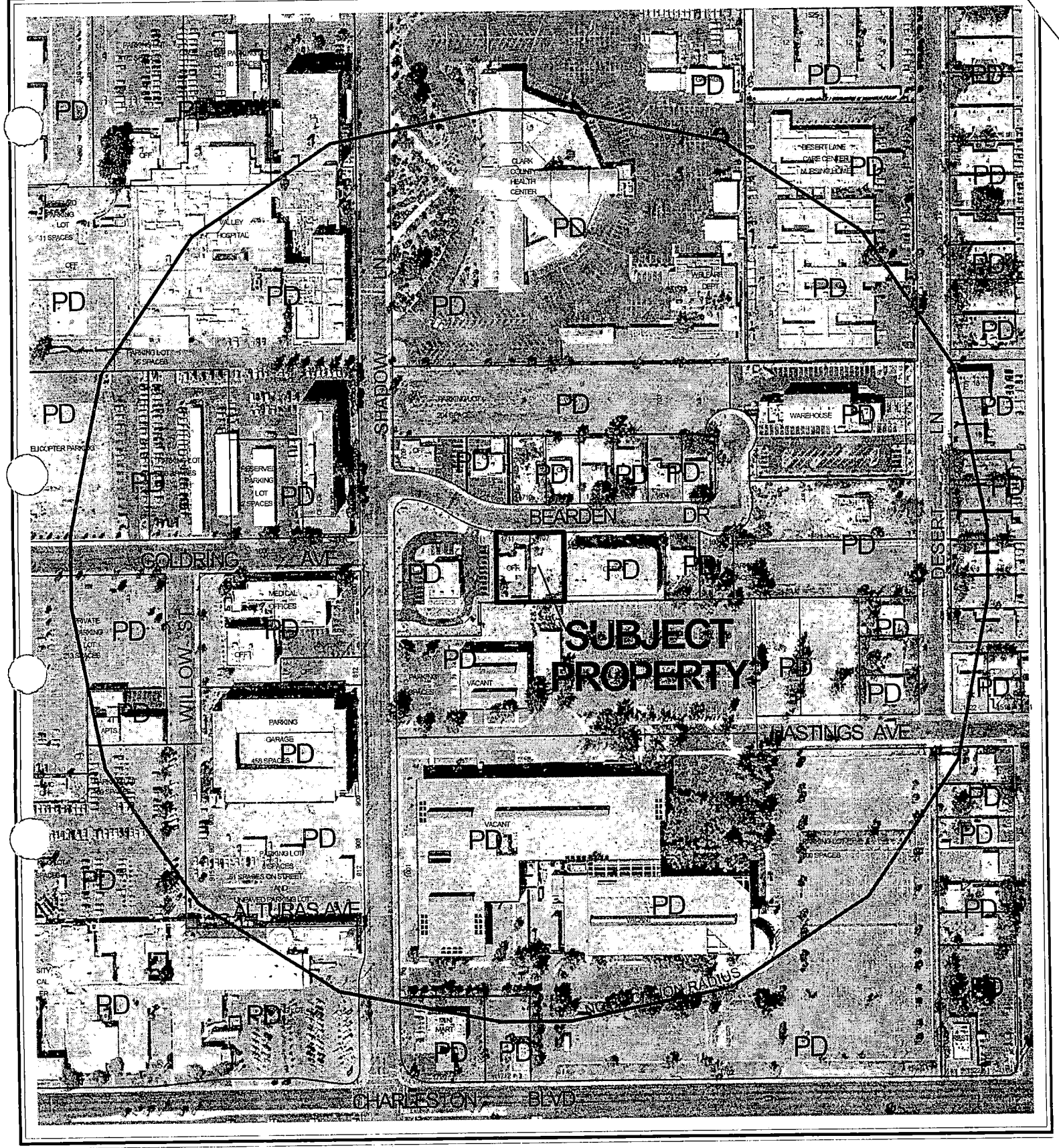
CASE: **VAR-3800**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

N



0 100 200 Feet

CASE: **VAR-3800**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE RELATED TO SDR-3799 - PUBLIC HEARING - VAR-3800 - APPLICANT/OWNER: RICHARD W. MINNEAR

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Approval of a Variance is granted to the height and rear setback standards of the Medical Office District.

2. Approval of and conformance to Site Development Plan Review (SDR-3799) by the Planning Commission and City Council.

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

4. Conformance to all other standards of the Medical Office District.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for relief from three standards of the Las Vegas Medical District Neighborhood Plan:

1) To allow a 45-foot tall building where two stories or 35 feet, whichever is less, is the maximum building height permitted;
2) To allow a rear setback of 10 feet where 15 feet is the minimum required; and
3) To allow 50 parking spaces where 58 spaces are the minimum number of spaces required. In calculating the site plan as submitted, the relief requested should be to allow 50 spaces where 65 spaces are the minimum number of spaces required.

This would accommodate a proposed mixed residential/office project on a 14,805 square-foot site located at 1711 Bearden Drive.

B) Applicant's Justification

While no specific reasons are provided for granting the request, the applicant states approval will result in convenient living and professional office space to serve the heart of the Medical District area.

BACKGROUND INFORMATION

A) Previous Actions

05/27/97	The City Council approved a request for a Rezoning (Z-0020-97) of the entire area covered by the Medical District Plan from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Downtown Apartment), R-E (Residence Estates), P-R Professional Office and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development). The Planning Commission and staff recommended approval on 04/24/97.
06/19/02	The City Council approved an update to the Las Vegas Medical District Plan [Z-0020-97 (33)]. The Planning Commission and staff recommended approval on 04/11/02.

DC

B) Pre-Application Meeting

01/14/04: It was determined that a Variance to the height and setbacks standards of the Medical Office District would be needed to construct the project as presented. Type B streetscape would be required and the project will be exempt from providing pedestrian open space and the plaza requirement. The applicant was advised of the requirements for submitting Variance and Site Development Plan Review applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.34 (14,805 square feet)

B) Existing Land Use

Subject Property:	Office
North:	Office
South:	Office
East:	Office
West:	Financial Institution, General

C) Planned Land Use

Subject Property:	P-O	Professional Office
North:	P-O	Professional Office
South:	MD-1	Medical Support
East:	P-O	Professional Office
West:	P-O	Professional Office

D) Existing Zoning

Subject Property:	PD	Planned Development
North:	PD	Planned Development
South:	PD	Planned Development
East:	PD	Planned Development
West:	PD	Planned Development

E) General Plan Compliance

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

DC

The site lies within the Las Vegas Medical District Plan Area, adopted by the City Council on 06/19/02. The overall plan area is bounded by Charleston Boulevard on the south, Rancho Drive to the west, Alta Drive to the north and Martin L. King Boulevard to the east. The overall purpose of the Medical District is to provide a regional medical district, which provides a complete range of medically related services. Other compatible and supporting uses are also encouraged.

This particular site is designated P-O (Professional Office). This category is intended to allow the conversion of existing single-family residential structures to low intensity commercial uses, as well as administrative and professional offices.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	None	14,805	Y
Min. Lot Width	Existing	120 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 5-15 Feet 10 Feet 15 Feet 15 Feet	 20 Feet 10 Feet N/A 10 Feet	 Y Y N/A N
Max. Lot Coverage	50 %	49.3%	Y
Max. Building Height	2 Stories / 35 Feet	4 Stories/45 Feet	N
Trash Enclosure	Yes	Not indicated	N
Loading Zone	Yes	Not indicated	N

The proposal does not meet the rear setbacks for the Professional Office category. The purpose of this application is for relief from these standards. The locations of the trash enclosure and loading area are not clearly defined and will be required by condition of the Site Development Plan Review.

A2) Residential Adjacency Standards

Residential Adjacency Standards are not applicable.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mixed Office/ Residential (Title 19 standard for Office, Medical and Dental)	6,800 square feet	1 space/200 s.f. up to 2,000 s.f. + 1 space/175 s.f for remainder	10 spaces 28 spaces			
Apartments	8 2-bdrm units 4 1-bdrm units 4 studio units Guest parking	1.75 spaces/unit 1.25 spaces/unit 1.25 spaces/unit 1 guest space/every 6 units total	14 spaces 5 spaces 5 spaces 3 spaces			
Totals			65 spaces	3 spaces	50 spaces	2 spaces

The proposal is 15 parking spaces and one handicap space short of meeting the standards of the Code. This Variance request includes relief from this standard.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Tree/6 Spaces	9 Trees	Since all parking is enclosed, this standard does not apply
Buffer: • Min. Trees	1 Tree/ 20 Linear Feet exterior perimeter (120 Feet) 1 Tree/30 Linear Feet interior perimeter (367 Feet)	6 Trees 13 Trees	4 Trees 5 Trees

The plan as submitted does not meet the standards of the Code. The applicant has not requested any landscaping waivers. The site plan shows four 24-inch box Modesto Ash trees along Bearden Drive and four-24 inch box Mondel Pines along the south property line. The landscape plan as submitted does not meet the standards of the Code. A condition of site plan approval will require the addition of additional trees and shrubs to meet Code requirements.

B) General Analysis and Discussion

The applicant is proposing a mixed office/residential project on this site, which is strongly encouraged in the Medical District Office Plan. Objective 1.1 encourages the transition of former single-family areas to medical/commercial uses. Policy 1.2.1 encourages the provision of pedestrian scale uses. Goal 4 encourages the maintenance of a balance of land uses within the Plan area to protect the character of the area.

This proposal is exactly the type of development these goals, objectives and policies of the Plan encourages. Also, the area to the south is designated MD-1, which allows 45-foot tall structures. Based on the need to achieve the goals, objectives and policies of the plan, the minor deviation from standards and the overall development pattern, approval of the Variance can be recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

DC

In this instance, advancement and achievement of the goals, objectives and policies of the Medical Office District outweighs the need for strict conformance to Code standards. Therefore, the Variance is in the best interest of the overall health, safety and welfare of City residents.

NOTICES MAILED 37 (Mailed with SDR-3799)

APPROVALS 0

PROTESTS 2

DC

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3800 APN: 139-33-402-015

Name of Property Owner: RICHARD MINNEAR

Name of Applicant: RICHARD MINNEAR.

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: Chad Vellinga

Print Name: CHAD VELLINGA

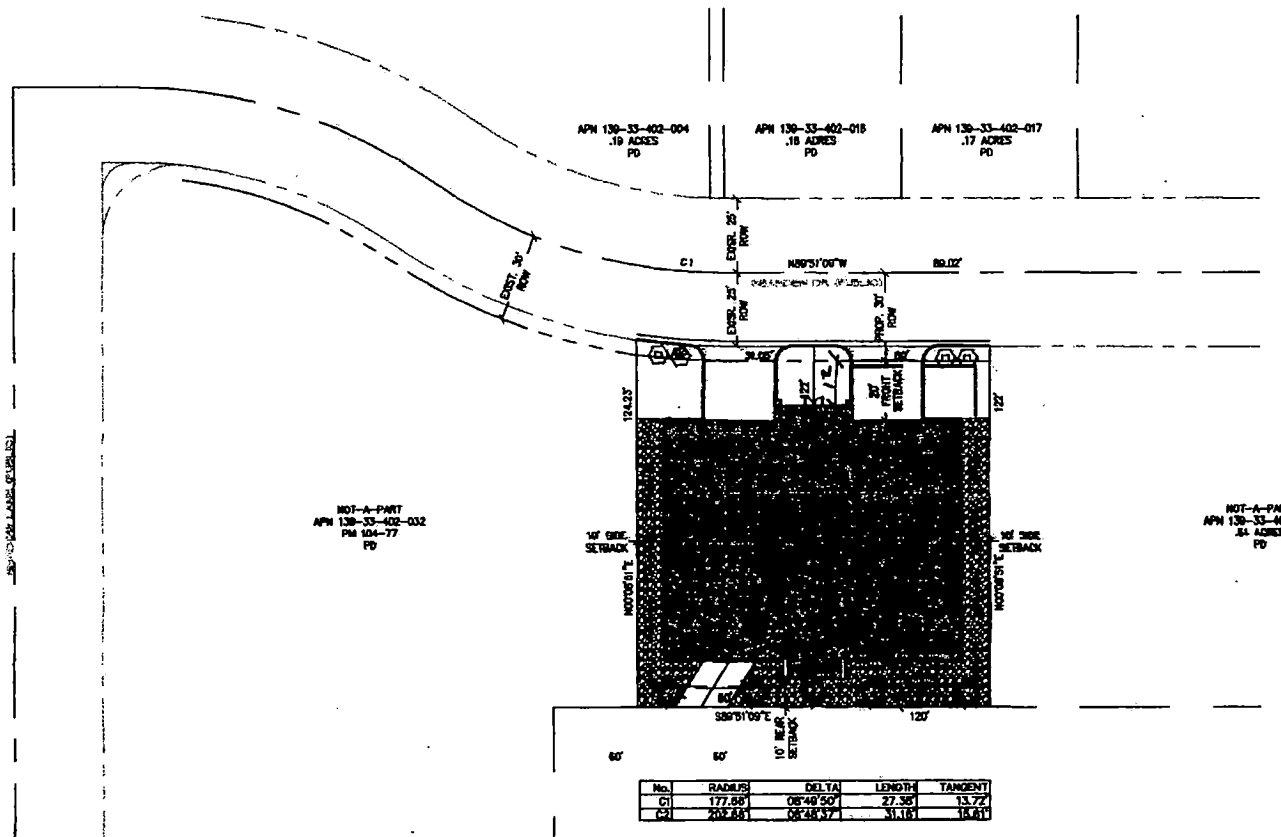
Subscribed and sworn before me

This 27th day of Jan, 2004

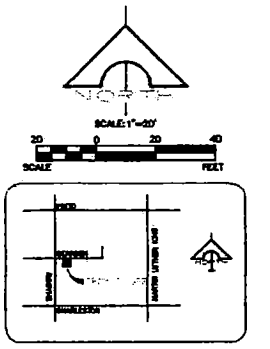
Carol S. Sullivan

Notary Public in and for said County and State

CAROL S. SULLIVAN
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Feb. 14, 2005
90-2347-1



No.	RADIUS	DELTA	LENGTH	TANGENT
C1	177.69'	08°49'50"	27.36'	13.72'
C2	202.69'	08°48'57"	31.16'	15.61'



VICINITY MAP

SITE INFORMATION

CURRENT ZONING: PD
JURISDICTION: CITY OF LAS VEGAS
APN: 139-33-402-014 & 015

TOTAL SITE ACREAGE
GROSS: 0.41 ACRES
NET: 0.34 ACRES

PROPOSED USE: RESIDENTIAL/PROFESSIONAL OFFICE
BUILDING HEIGHT: 45 FEET
NUMBER OF APTS: 16
OFFICE SPACE: 6,800 SF

BUILDING SETBACKS:
FRONT: 20 FT. MIN.
SIDE: 8-FT. MIN. TO
REAR: 10 FT. MIN.

REQUIRED OPEN SPACE
REQUIRED: NONE
PROVIDED: 3,796 SF

SYMBOL LEGEND

PLANTING LEGEND

NOTE: 3/4" SCREENED B.G. PINK CRUSH, 3" DEPTH IN ALL SWALE AREAS
INSTALLED TO BE KEPT FREE OF LANDSCAPE CONTRACTOR

THIS INFORMATION IS FOR CONCEPTUAL DISPLAY PURPOSES ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

DATE PREPARED: JAN. 2004

REVISIONS				
DESCRIPTION	DATE	BY	CHK'D	APPROVAL

OWNER / DEVELOPER
BEARDEN DRIVE DEVELOPMENT, LLC

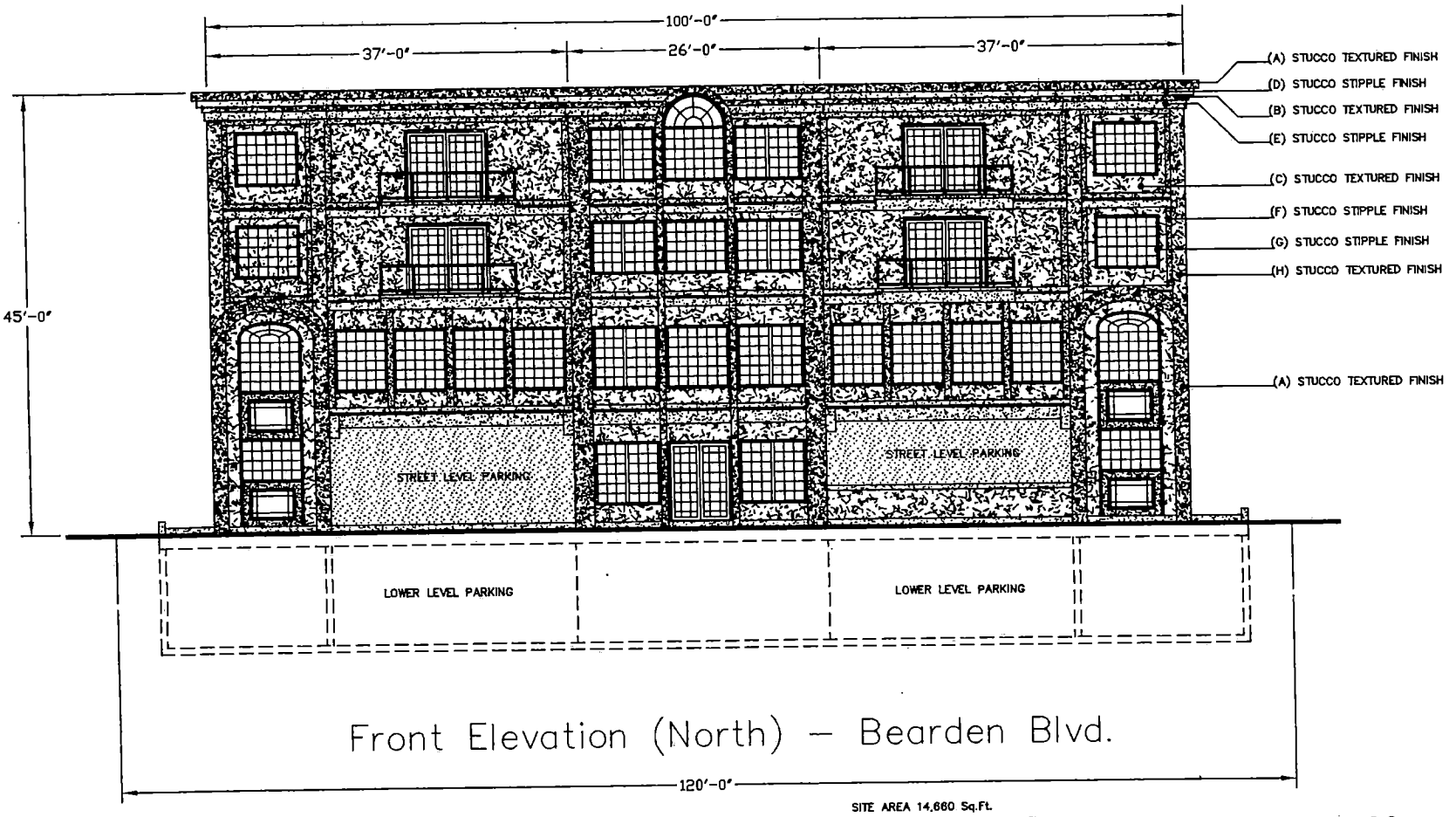
CHAD VELLINGA, P.E.
CIVIL ENGINEER
LLC.
3315 RAINBOW, STE. 140
LAS VEGAS, NV 89118
(702) 943-2900
FAX (702) 943-2901

PROJECT
A COMMERCIAL DEVELOPMENT
AT
BEARDEN DR AND SHADOW LANE

SHEET TITLE
SITE/LANDSCAPE PLAN

SCALE: 1" = 20'
JOB NO.: ---
DRAWN BY: MPLA
CHECKED BY: CCV
SHEET NO.: 1

VAR-3800
03-11-04 PC
REVISED 02-17-04



Front Elevation (North) – Bearden Blvd.

120'-0"

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

IOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-68th Avenue West
Edmonds, WA. 98026-8232
Phone 425.948.0258 Cel. 425.478.4814

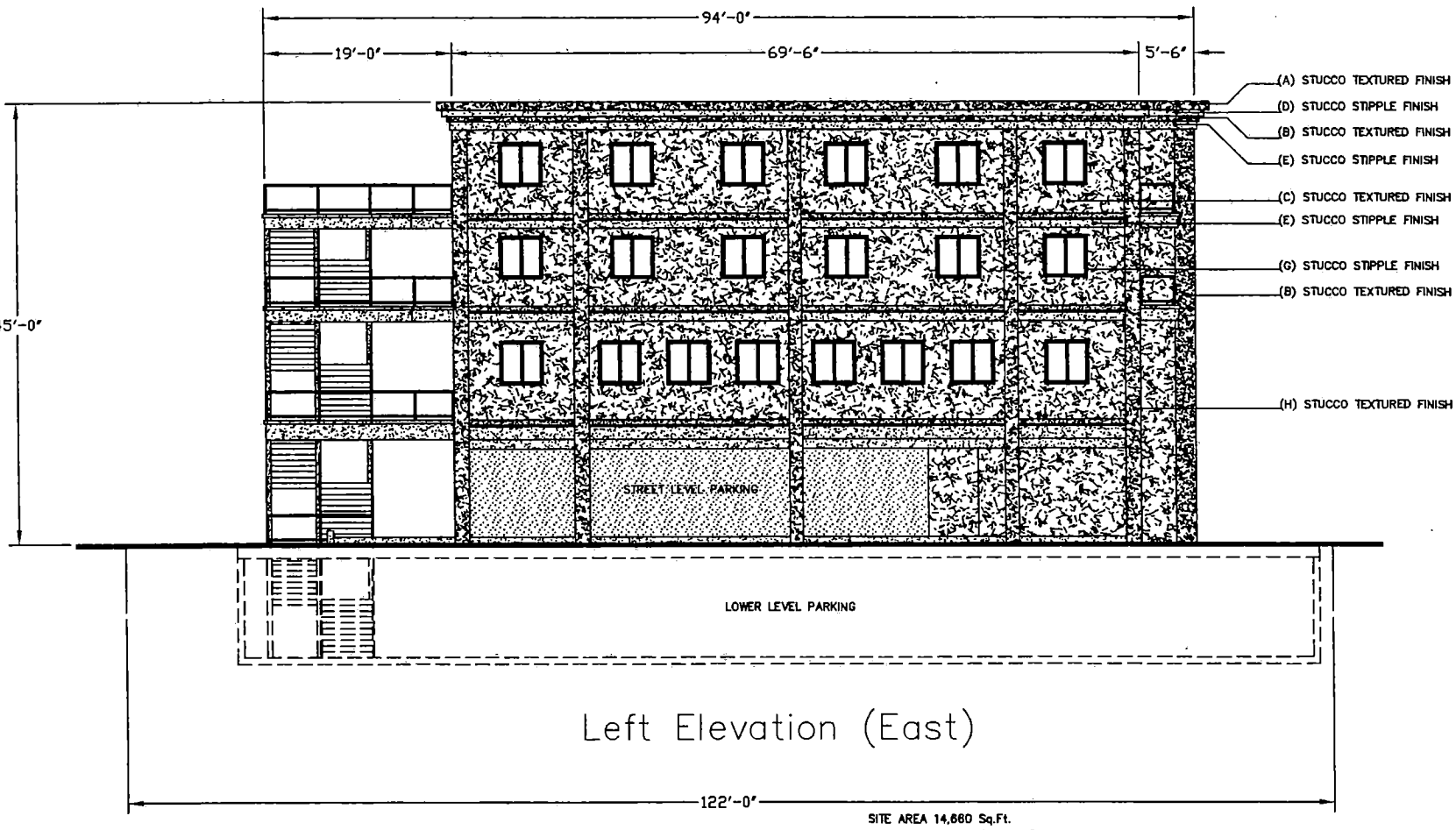
PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS – APARTMENTS / CONDOMINIUMS
1707 – 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
FRONT ELEVATION (NORTH) .....

DATE
1/26/2004

Drawing No.
A–1



Left Elevation (East)

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22631-88th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cel. 425.478.4814

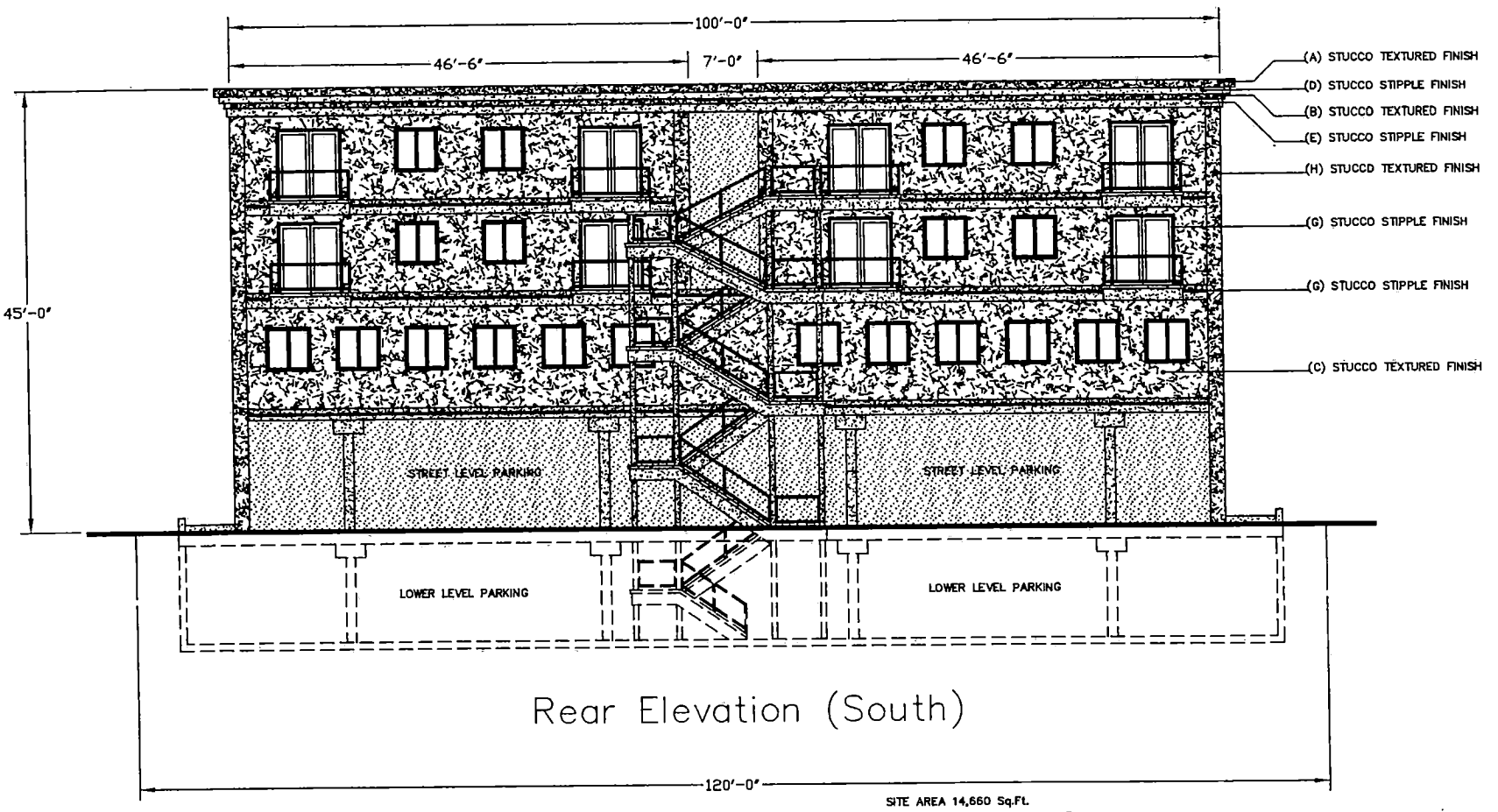
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

CONTENTS
LEFT ELEVATION EAST

DATE
1/26/2004

Drawing No.
A-2



Rear Elevation (South)

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22838-88th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cel. 425.478.4814

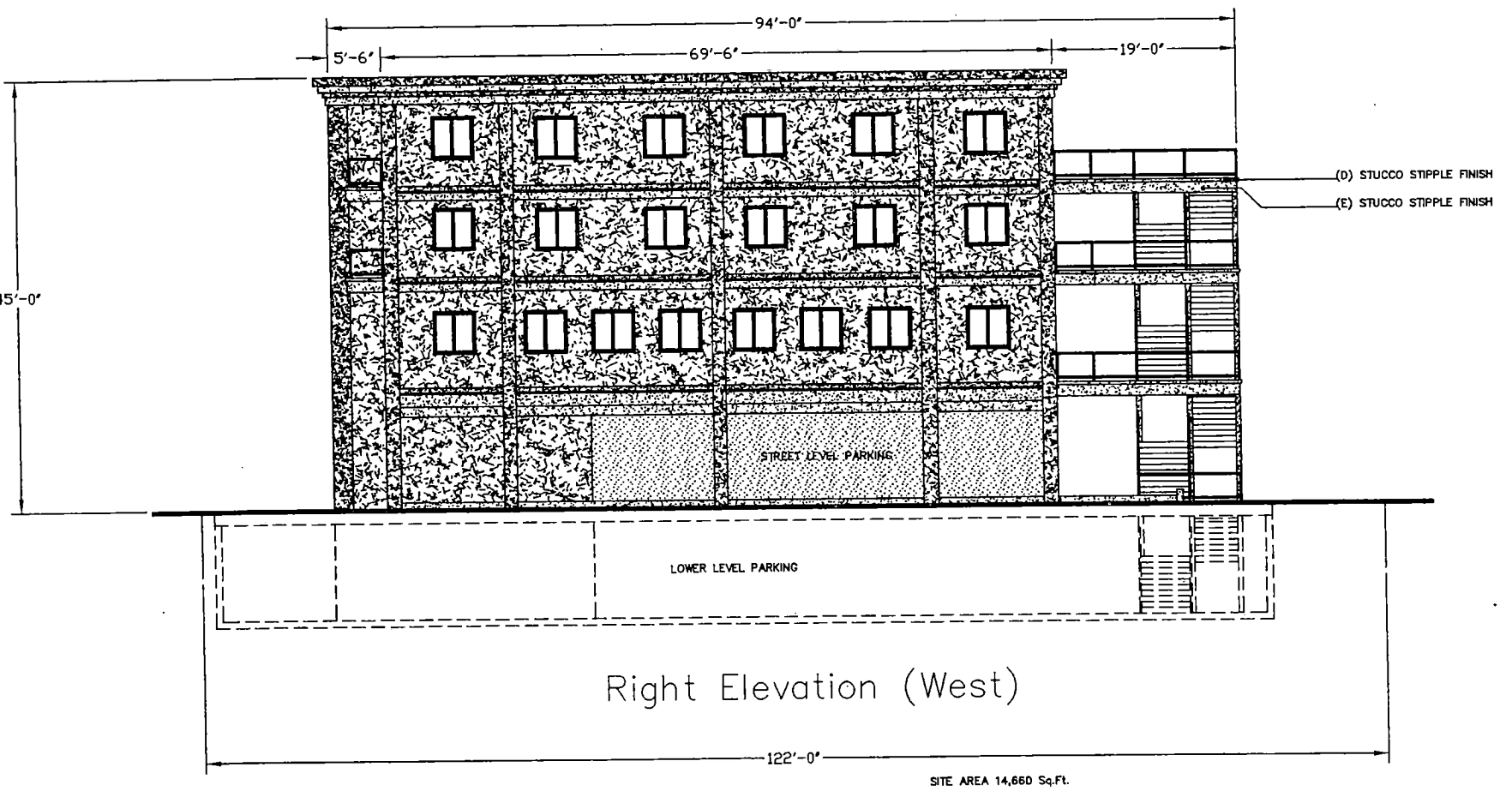
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS /
PRACTITIONERS - APARTMENTS /
CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

CONTENTS
REAR ELEVATION SOUTH

DATE
1/26/2004

Drawing No.
A-3



Right Elevation (West)

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-68th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cel. 425.478.4814

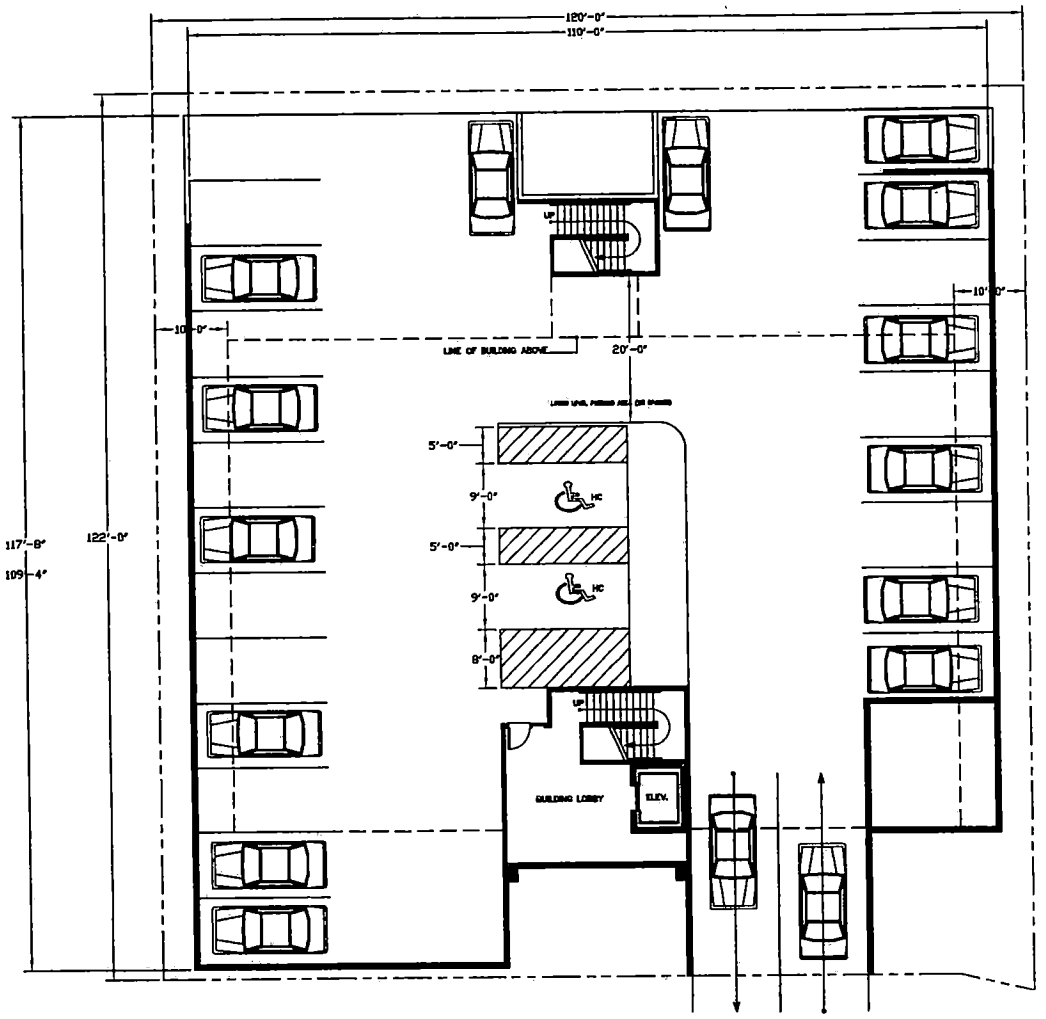
PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
RIGHT ELEVATION
EAST

DATE
1/26/2004

Drawing No.
A-4



Lower Level Parking

FRONT SETBACK 0-15 FEET
BUILDING FRONT SETBACK 13 FEET
SIDE SETBACK 10 FEET
REAR SETBACK 15 FEET

SITE AREA 14,880 Sq/Ft.
BUILDING FOOTPRINT 7,218 Sq/Ft.
PROPOSED LOT COVERAGE 48.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-88th Avenue West
Edmonds, WA. 98826-8232
Phone 425.640.8258 Cel. 425.478.4814

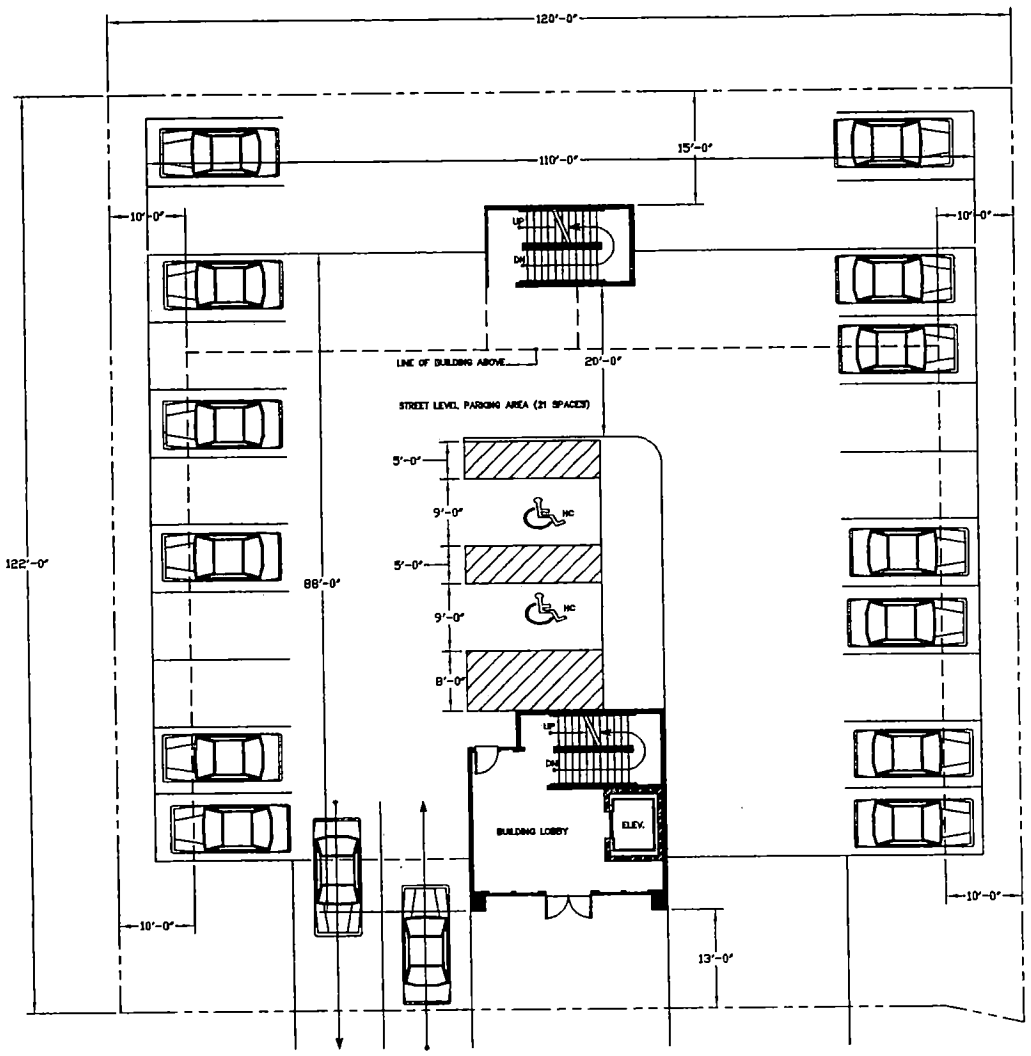
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

CONTENTS
LOWER LEVEL PARKING

DATE
1/26/2004

Drawing No.
A-5



Street Level Parking

FRONT SETBACK 5–15 FEET
BUILDING FRONT SETBACK 13 FEET
SIDE SETBACK 10 FEET
REAR SETBACK 15 FEET

SITE AREA 14,060 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 48.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

Bearden Blvd.

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22530-84th Avenue West
Edmonds, WA 98026-8232
Phone 425.640.8259 Cel. 425.478.4814

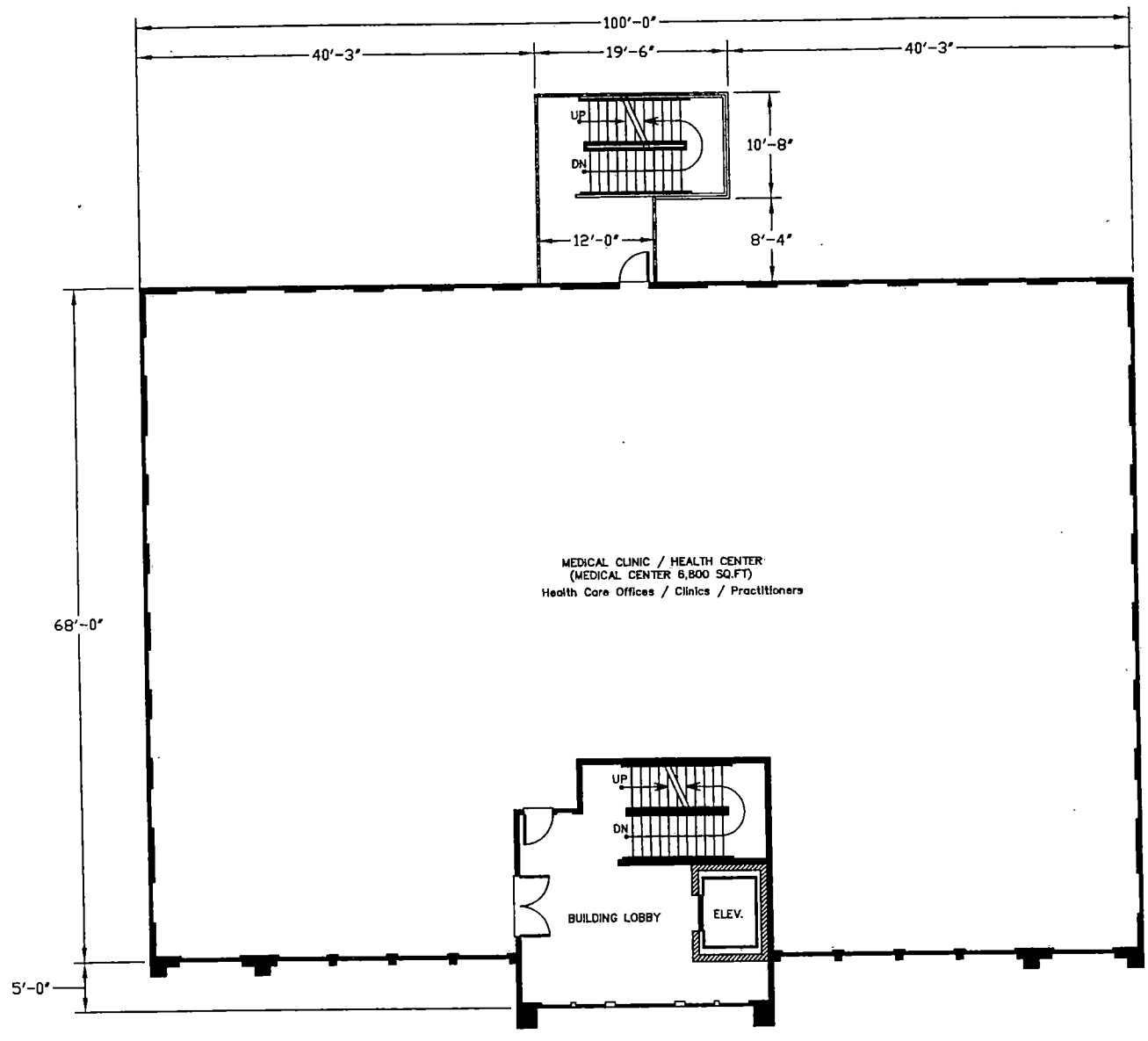
PROPOSED NEW RESIDENCE FOR:
DAVID & DARLENE STERN
907 – 10TH ST.
MUKILTEO, WASHINGTON
425.265.0917

DAVID & DARLENE STERN
SEASCAPE ESTATES – LOT C .67 AC.
PARCEL NO. S6205-00-09007-1
MUKILTEO, WASHINGTON

CONTENTS
STREET LEVEL PARKING

DATE
1/26/2004

Drawing No.
A–6



SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

Medical Clinic / Health Center Second Floor

LDT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-88th Avenue West
Edmonds, WA. 98026-6212
Phone 425.648.8258 Cell. 425.478.4814

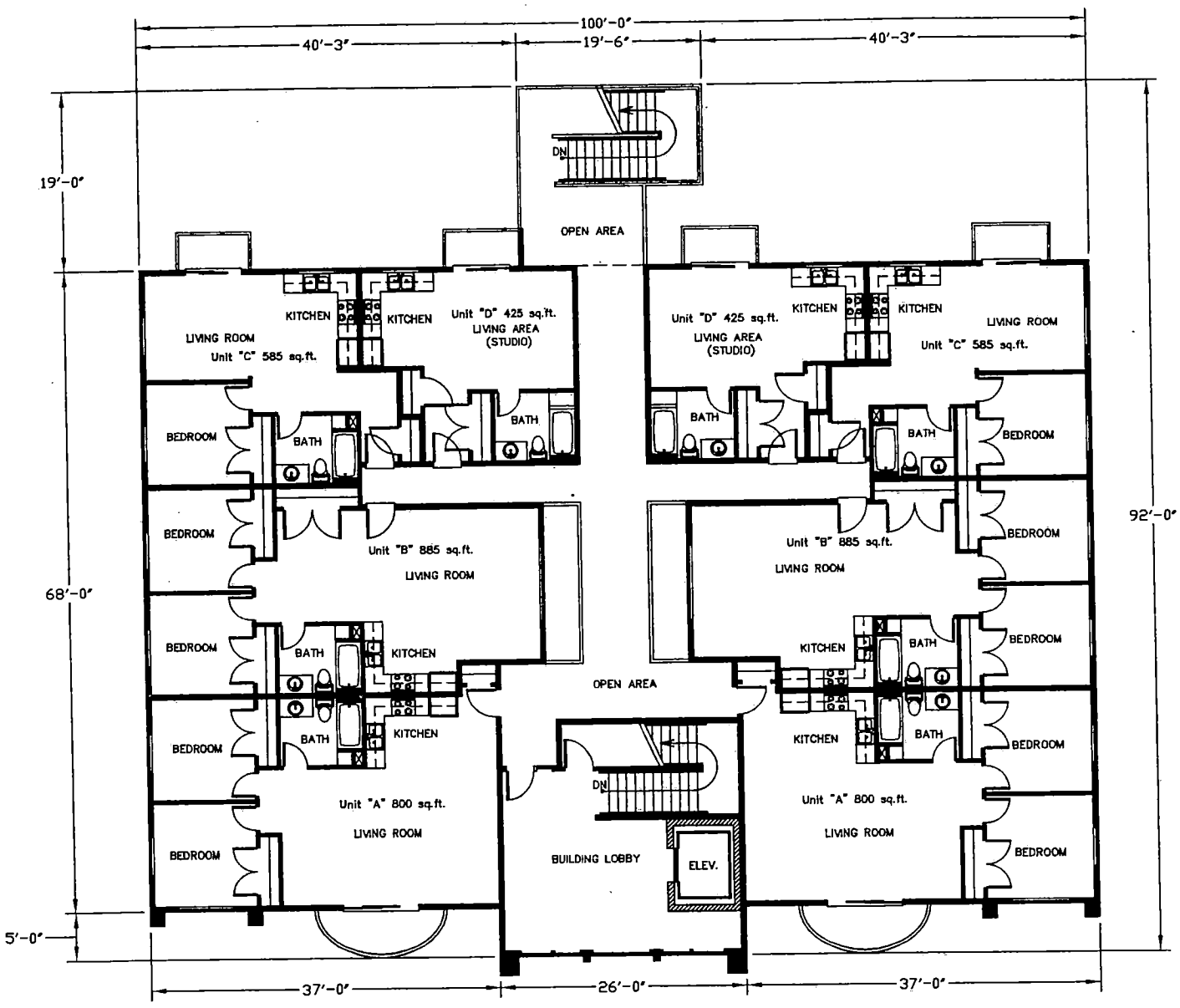
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

CONTENTS
MEDICAL CLINIC / HEALTH CENTER

DATE
1/26/2004

Drawing No.
A-7



Living Units Third Floor

8 Living UnitsThird Floor
18 Living Units Total Building

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-88th Avenue West
Edmonds, WA. 98026-8232

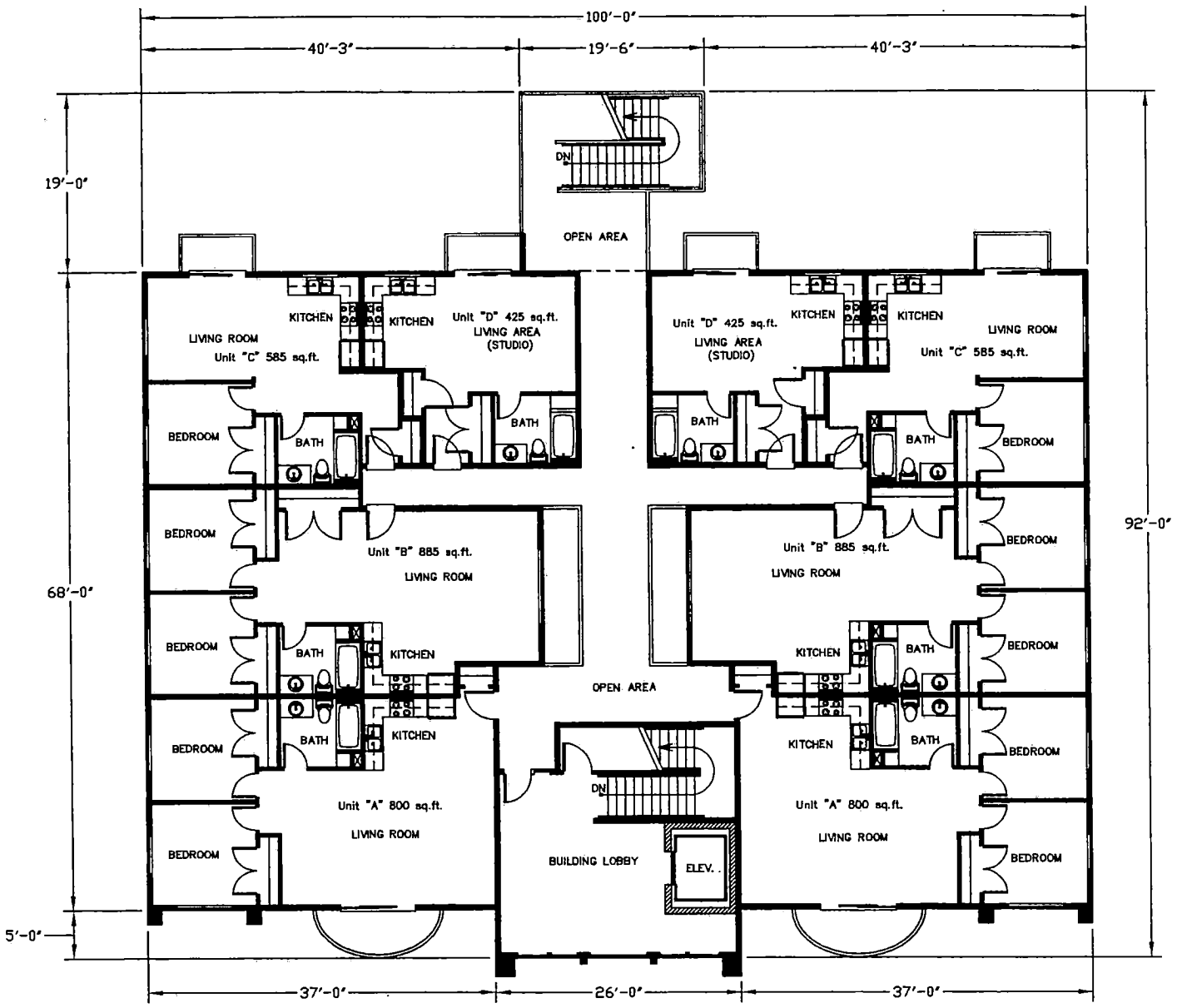
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS /
PRACTITIONERS - APARTMENTS /
CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE

CONTENTS
LIVING UNITS THIRD FLOOR

DATE
1/26/2004

Drawing No
A-8



Living Units Fourth Floor

8 Living Units Fourth Floor
16 Living Units Total Building

SITE AREA 14,860 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-88th Avenue West
Edmonds, WA 98026-8132
Phone 425.640.8238 Cel. 425.478.4814

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS /
PRACTITIONERS - APARTMENTS /
CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
LIVING UNITS
FOURTH FLOOR

DATE
1/26/2004

Drawing No.
A-0



VAR-3800 - APPLICANT/OWNER: RICHARD W. MINNEAR
1711 BEARDEN DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

NOTICE OF PUBLIC HEARING

We Object because of Additional parking
The project is too large for the size of the property
8 spaces is a lot to disallow and this will mean more cars in our lot + on the street

VARIANCE

13933402007
PITTERMAN ARTHUR & SHARI
1204 CHARMAST LN
LAS VEGAS NV 89102-2404

Case: VAR-3800

MEETING: PLANNING COMMISSION
DATE: MARCH 11, 2004
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

Shari + Arthur Pitterman 1706 Beardon Dr LV NV 89106 ph. 366-1250

VAR-3800

APPLICANT/OWNER: RICHARD W. MINNEAR - REQUEST FOR A VARIANCE TO ALLOW A 45-FOOT BUILDING HEIGHT WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 50 PARKING SPACES WHERE 58 SPACES ARE REQUIRED ON 0.34 ACRES LOCATED AT 1711 BEARDON DRIVE (APN: 139-33-402-014 & 015) PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION], WARD 5 (WEEKLY).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

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

CITY OF LAS VEGAS NEVADA

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

SEE LOCATION MAP ON REVERSE SIDE

VAR-3800 P

Pragmatic Chiropractic, LLP

Kevin D. Hagerty, DC, CIME, CPUR

March 8, 2004

Planning Commission
City of Las Vegas

Re: Proposed variance 3800 for Bearden Drive

To Whom It May Concern:

I have a Chiropractic office across the street from the site of the proposed development requiring a variance from your Commission in order to proceed. I am opposed to the proposed development, for the following reasons:

1. The proposal is for a variance of the requirement for 58 parking spaces, proposing instead to only provide 50 parking spaces. This will create a hardship for the abutting businesses on Bearden Drive, a short cul-de-sac with limited on-street parking. The other businesses all have their own on-site parking for their customers. If this new facility is approved as proposed, the overflow parking will either be using the on-street parking, which is quite limited, or will be using the neighbor's parking, which is even more limited than the on-street parking.
2. The proposal is for a variance of the zoning for Medical offices, instead using the space for a combination of Medical offices and a 16-unit apartment building. This is reversing the trend of the neighborhood toward the intent of the City in its zoning decision, and will adversely affect the surrounding Medical offices in their attempts to carry on their business. In addition to the parking problems mentioned above, there will be increased noise and traffic. The surrounding area is already well provided with affordable rental property with vacancy rates indicating that there is not an immediate need to create these proposed new rental units.
3. The proposal is for an oversize building, both in its footprint and in its height. If this plan would exceed the allowed area of building space, it would create a hardship on the surrounding area businesses, as discussed above.

I would also like to go on record as supporting the use of the property in question for its appropriate use, that being a Medical facility. A new Medical facility would be an asset to Bearden Drive, and would continue the synergistic effect that homogeneous development provides.

Yours sincerely,

Kevin D. Hagerty DC CIME CPUR

1700 Bearden Drive • Las Vegas, NV 89106-4107
Telephone: 702-386-0301 • Fax: 702-386-0307

VAR-3800
SDR-3799 P

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3799 - APPLICANT/OWNER: RICHARD W. MINNEAR - Request for a Site Development Plan Review FOR A PROPOSED 20,400 SQUARE-FOOT MIXED-USE DEVELOPMENT consisting of 6,800 square feet of Medical Office space and 16 multi-family residential units on 0.34 acres at 1711 Bearden Drive (APN: 139-33-402-014 & 015) PD (Planned Development) Zone [PO (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly).

C.C. 04/07/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	7	Planning Commission Mtg.	1
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with EVANS excused.

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

MINUTES:
NOTE: See Item 50 [VAR-3800] for related discussion.
(8:06 – 8:31)

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 51 – SDR-3799

CONDITIONS:

Planning and Development

1. Approval of a Variance to the parking and height standards of the Medical District Plan.

2. Approval of a revised Site Development Plan by the Planning and Development Department, showing a covered trash enclosure and loading area as required by the Medical District Plan.

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

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees and a minimum of four five-gallon shrubs for each tree within provided planters, sufficient to meet Code requirements.

5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened from view from all abutting streets.

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

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

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

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 51 – SDR-3799

CONDITIONS - Continued:

11. Conformance to all other standards of the Las Vegas Medical District Plan.

Public Works

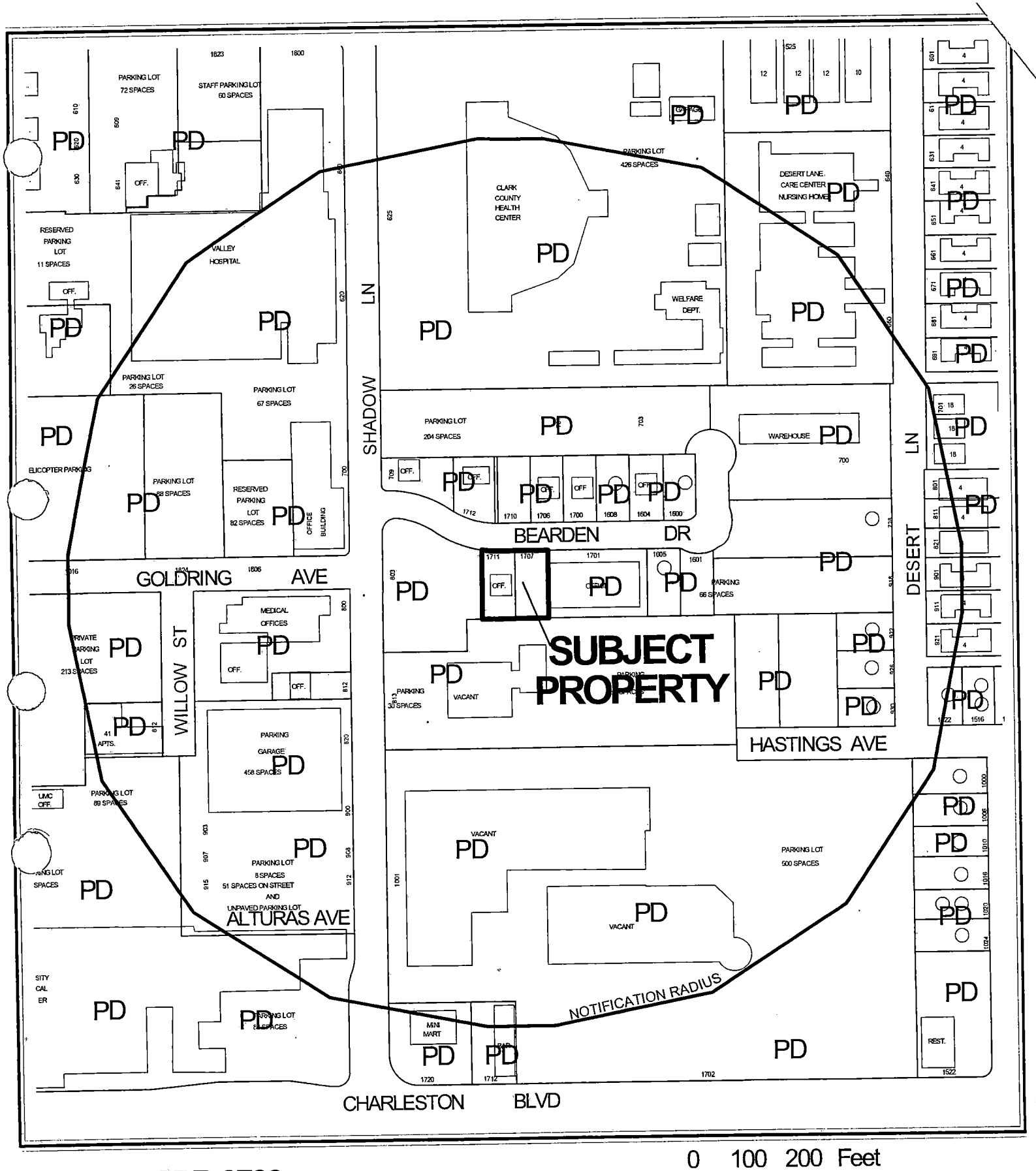
12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Medical District Neighborhood Plan Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

13. Grant pedestrian walkway easements for all public sidewalks not located within the public right-of-way.

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

15. Site development to comply with all applicable conditions of approval for Z-20-97, The City of Las Vegas Medical District Neighborhood Plan, and all other subsequent site-related actions.

16. Coordinate with the City Surveyor to determine if any mapping or joining is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

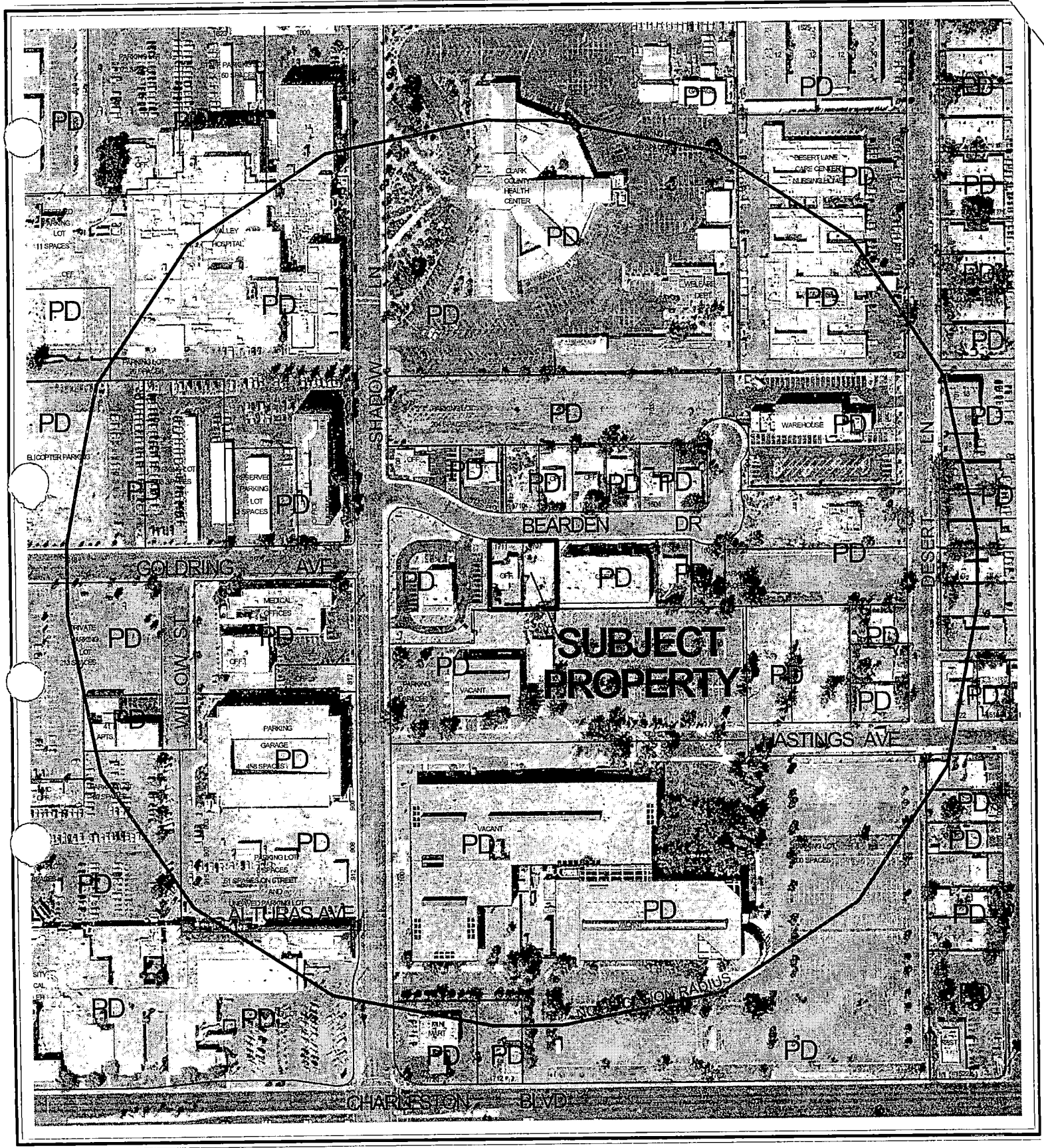


CASE: **SDR-3799**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]



0 100 200 Feet

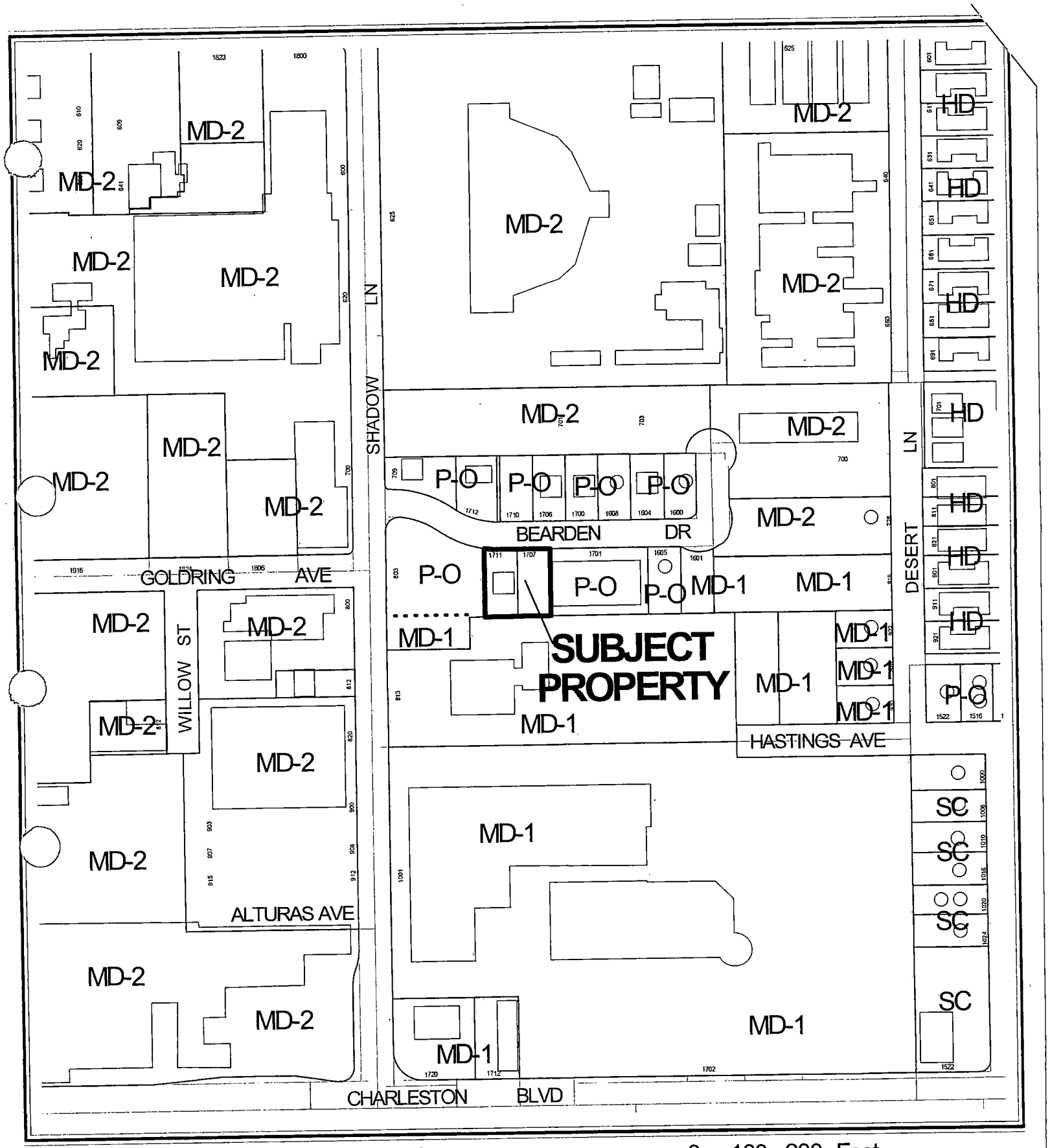
CASE: **SDR-3799**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

N



CASE: SDR-3799 VAR-3800

0 100 200 Feet

SPECIAL ZONING MAP

MEDICAL DISTRICT ZONING :

MD-1 - MEDICAL SUPPORT
MD-2 - MAJOR MEDICAL
PO - PROFESSIONAL OFFICE
HD - HIGH DENSITY RESIDENTIAL
SC - SERVICE COMMERCIAL

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3800 - PUBLIC HEARING - SDR-3799 - APPLICANT/OWNER: RICHARD W. MINNEAR

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. Approval of a Variance to the parking and height standards of the Medical District Plan.

2. Approval of a revised Site Development Plan by the Planning and Development Department, showing a covered trash enclosure and loading area as required by the Medical District Plan.

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

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees and a minimum of four five-gallon shrubs for each tree within provided planters, sufficient to meet Code requirements.

5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened from view from all abutting streets.

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

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

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

11. Conformance to all other standards of the Las Vegas Medical District Plan.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Medical District Neighborhood Plan Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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15. Site development to comply with all applicable conditions of approval for Z-20-97, The City of Las Vegas Medical District Neighborhood Plan, and all other subsequent site-related actions.

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DC

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a 20,400 square-foot mixed-use project on a 14,805 square-foot site, consisting of 6,800 square feet of medical offices, two levels of parking and 16 apartment units. An application for a Variance to the maximum height and minimum rear setback standards of the Medical District Plan regarding this project is also on this agenda.

B) Applicant's Justification

While no specific reasons are provided for granting the request, the applicant states approval will result in convenient living and professional office space to serve the heart of the Medical District area.

BACKGROUND INFORMATION

A) Previous Actions

05/27/97 The City Council approved a request for a Rezoning (Z-0020-97) of the entire area covered by the Medical District Plan from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Downtown Apartment), R-E (Residence Estates), P-R Professional Office and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development). The Planning Commission and staff recommended approval on 04/24/97.

06/19/02 The City Council approved an update to the Las Vegas Medical District Plan [Z-0020-97 (33)]. The Planning Commission and staff recommended approval on 04/11/02.

B) Pre-Application Meeting

01/14/04: It was determined that a Variance to the height and setbacks standards of the Medical Office District would be needed to construct the project as presented. Type B streetscape would be required; the project will be exempt from providing pedestrian open space and the plaza requirement. The applicant was advised of the requirements for submitting a variance and site plan application.

DC

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.34

B) Existing Land Use

Subject Property:	Office
North:	Office
South:	Office
East:	Office
West:	Financial Institution, General

C) Planned Land Use

Subject Property:	P-O	Professional Office
North:	P-O	Professional Office
South:	MD-1	Medical Support
East:	P-O	Professional Office
West:	P-O	Professional Office

D) Existing Zoning

Subject Property:	PD	Planned Development
North:	PD	Planned Development
South:	PD	Planned Development
East:	PD	Planned Development
West:	PD	Planned Development

PROJECT DESCRIPTION

The project will consist of a total of 20,400 square feet, on this 14,805 square-foot site. Access is via two driveways to Bearden Drive. A 20-foot wide front setback area is provided, with landscaping between the building and sidewalk. Ten-foot wide setbacks are provided on all other sites of the building. Decomposed granite is provided along the east, west and south sides of the building, with four 24-inch box trees provided along the south property line.

The floor plans show parking in the lower and street level, with the medical office on the second floor and multi-family units on the third and fourth floors. The building elevations depict a 45-foot high building, with stucco textured and stipple finish and a flat roof.

DC

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	None	14,805	Y
Min. Lot Width	Existing	120 feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 5-15 Feet 10 Feet 15 Feet 15 Feet	 20 10 N/A 10	 Y Y N/A N
Max. Lot Coverage	50 %	49.23%	Y
Max. Building Height	2 Stories / 35 Feet	4 Stories/45 Feet	N
Trash Enclosure	Yes	Not Indicated	N
Loading Zone	Yes	Not Indicated	N

The applicant has requested a Variance from the parking and height standards of the P-O (Professional Office) land use category of the Las Vegas Medical District Plan. These deviations have been determined to be appropriate, based on findings that the project advances the goals, objectives and policies of the Medical District Plan.

A2) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mixed Office/ Residential (Title 19 standard for Office, Medical and Dental)	6,800 square feet	1 space/200 s.f. up to 2,000 s.f. + 1 space/175 s.f for remainder	10 spaces 28 spaces			

Apartments	8 2-bdrm units 4 1-bdrm units 4 studio units Guest parking	1.75 spaces/unit 1.25 spaces/unit 1.25 spaces/unit 1 guest space/every 6 units total	14 spaces 5 spaces 5 spaces 3 spaces			
Totals			65 spaces	3 spaces	50 spaces	2 spaces

The proposal is 15 parking spaces and one handicap space short of meeting the standards of the Code. This Variance request includes relief from this standard.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	9 Trees	Since all parking is enclosed, this standard does not apply
Buffer: • Min. Trees	1 Tree/ 20 Linear Feet exterior perimeter (120 Feet) 1 Tree/30 Linear Feet interior perimeter (367 Feet)	6 Trees 13 Trees	4 Trees 5 Trees

The plan as submitted does not meet the standards of the Code. The applicant has not requested any landscaping waivers. The site plan shows four 24-inch box Modesto Ash trees along Bearden Drive and four-24 inch box Mondel Pines along the south property line. The landscape plan as submitted does not meet the standards of the Code. A condition of site plan approval will require the addition of additional trees and shrubs to meet Code requirements.

B) General Analysis and Discussion

- Zoning

The property is zoned PD (Planned Development), which is correct for properties located within a special planning area such as the Medical District. The property is designated P-O (Professional Office) in the Medical District Plan. This category allows mixed-use developments.

- Site Plan

  The site plan is an efficient layout for this type of project, which is strongly encouraged in the Medical District Plan. The traffic circulation pattern is adequate and the mixed-use concept will promote a pedestrian friendly environment as anticipated by the Plan.

- Waivers

  The applicant has requested Variances to the height and parking standards of the District. Both have been determined to be appropriate, since the mixed-use aspect of the building will reduce the need for parking. Also, advancement of the goals, objectives and policies of the Medical District Plan outweigh the need for strict enforcement of the standards.

- Landscape Plan

  Landscaping is inadequate based on Title 19 standards; a condition of approval will require improved landscaping to meet Code standards and set a benchmark for this area of the Medical District Plan.

- Elevation

  The buildings will be an attractive addition to this area of the Medical District Plan.

- Floor Plan

  The multi-family units range in size from 425 square-foot studio apartments to 885-square foot two-bedroom units. The layout of the parking floors and medical office is also efficient.

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;"**

DC

The surrounding area is designated P-O Professional Office, which encourages the conversion of single family dwellings to professional offices. The mixed-use project is harmonious and compatible with the neighborhood.

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 promotes the Goals, Objectives and Policies of the Las Vegas Medical District Plan area. It encourages pedestrian-friendly environments, which is promoted by this mixed-use building.

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

   Direct access from the site is to Bearden Drive, a 60-foot wide local dead-end street, which in turn has access to Shadow Lane, a 60-foot local street. This access is sufficient to serve the proposed development.

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

   The building design and proposed landscaping are in keeping with the design and landscaping prevalent in this area of the Medical District.

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

   The design of the buildings will be an attractive addition to this area and will promote orderly growth.

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

   The mixed-use building will be subject to permitting by the Building and Safety Department, which will ensure the maintenance of the health, safety and general welfare.

NOTICES MAILED 37 (Mailed with VAR-3800)

APPROVALS 0

PROTESTS 2

DC

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3799 APN: 139-33-402-014

Name of Property Owner: RICHARD MINNEAR

Name of Applicant: RICHARD MINNEAR

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: Chad Vellinga

Print Name: CHAD VELLINGA

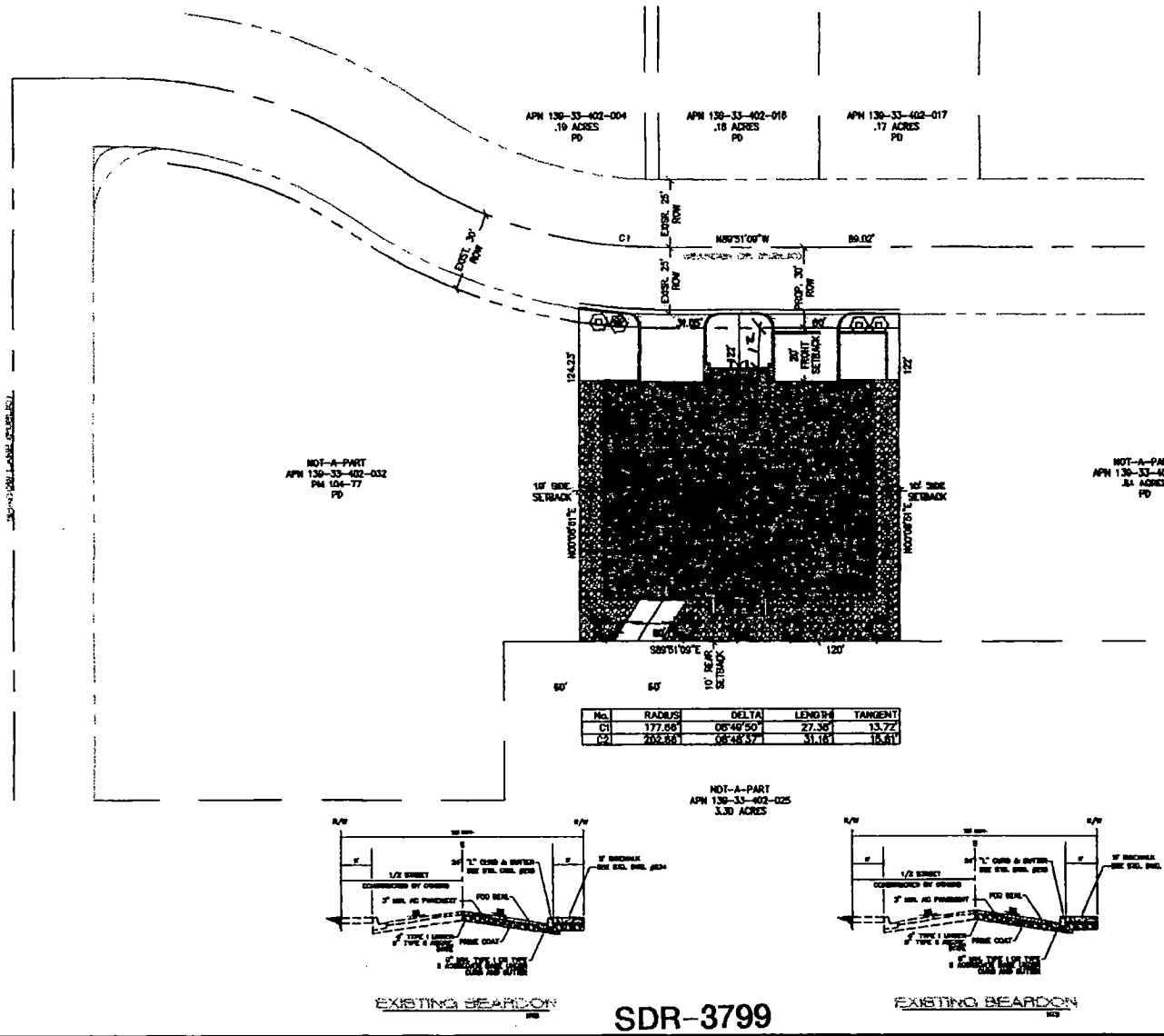
Subscribed and sworn before me

This 27th day of Jan, 2004

Carol S. Sullivan

Notary Public in and for said County and State

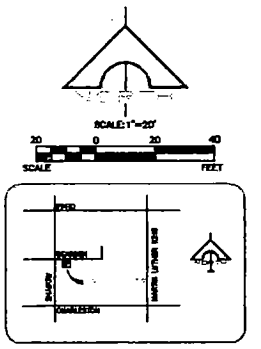
CAROL S. SULLIVAN
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires Feb. 14, 2005
90-2347-1



No.	RADIUS	DELTA	LENGTH	TANGENT
C1	177.66'	08°49'50"	27.36'	13.72'
C2	202.66'	08°48'57"	31.16'	15.61'

SCALE:1"=20'

20 0 20 40
SCALE FEET



VICINITY MAP

SITE INFORMATION

CURRENT ZONING: PD
JURISDICTION: CITY OF LAS VEGAS
APN: 139-33-402-014 & 015

TOTAL SITE ACREAGE
GROSS: 0.41 ACRES
NET: 0.34 ACRES

PROPOSED USE: RESIDENTIAL/PROFESSIONAL OFFICE
BUILDING HEIGHT: 45 FEET
NUMBER OF APTS: 10
OFFICE SPACE: 6,800 SF

BUILDING SETBACKS:

FRONT: 20 FT. MIN.
SIDE: 9-FT. MIN. 10'
REAR: 10 FT. MIN.

REQUIRED OPEN SPACE

REQUIRED: NONE
PROVIDED: 3,766 SF

EXISTING LANDSCAPE GRASS
PROPOSED LANDSCAPE/GRASS AREA
PROPOSED LOT
PROPOSED CONCRETE SIDEWALK

SYMBOL LEGEND

EXISTING RIGHT-OF-WAY
PROPOSED RIGHT-OF-WAY
PROPERTY LINE BOUNDARY
CENTERLINE
EXISTING PROPERTY LINE
PROPOSED BUILDING LINE
SETBACK LINE
PROPOSED CMU WALL

PLANTING LEGEND

PHOENIX CANARIENSIS (20' STD) — 24" BOX HOSKINS ASH
MEXICAN FINE — 24" BOX MEXICAN FINE

NOTE: 3/4" CRUSHED A.B. PER CONC. 3" DEEP IN ALL MEDIAN AREAS
EXTENSION TO BE DONE SOLD BY LANDSCAPE CONTRACTOR

THIS INFORMATION IS FOR CONCEPTUAL DISPLAY PURPOSES ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

DATE PREPARED: JAN. 2004

REV'd	BY	DATE	DESCRIPTION	APPROVAL

OWNER / DEVELOPER
BEARDEN DRIVE DEVELOPMENT, LLC

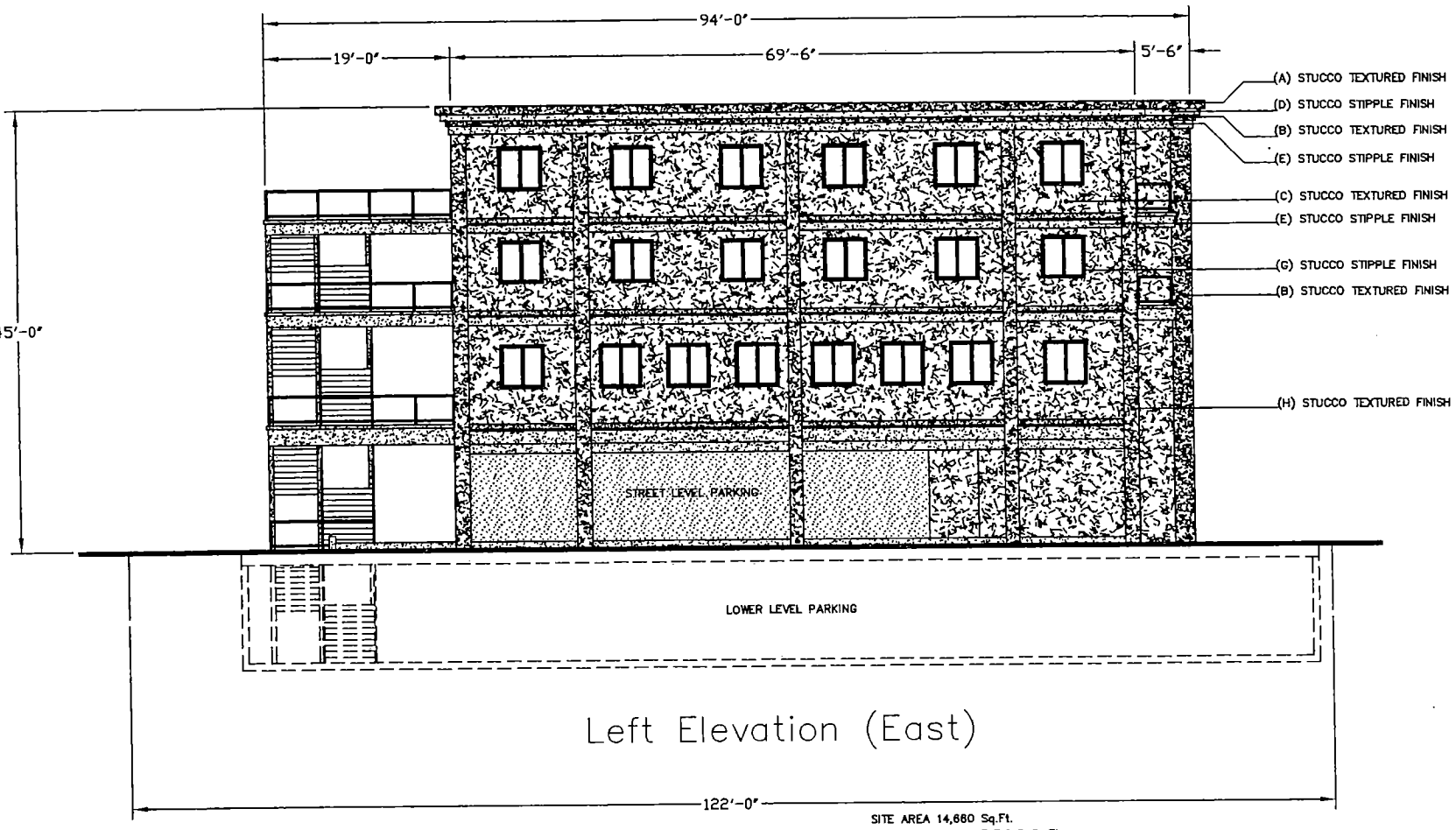
CHAD VELLINGA, P.E.
CIVIL ENGINEER
LLC.
(702) 341-2500
FAX (702) 943-2001
3315 S. RAINBOW, STE. 146
LAS VEGAS, NV 89146

PROJECT: A COMMERCIAL DEVELOPMENT AT BEARDEN DR AND SHADOW LANE

SHEET TITLE: SITE/LANDSCAPE PLAN

SCALE: 1" = 20'
JOB NO.: —
DRAWN BY: MPA
CHECKED BY: CCV
SHEET NO.: 1 OF —

SDR-3799
03-11-04 PC
REVISED 02-17-04



Left Elevation (East)

SITE AREA 14,680 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LGT Design Group
Custom Design Service
LARRY O. THRONDSEN
22638-88th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cell. 425.478.4814

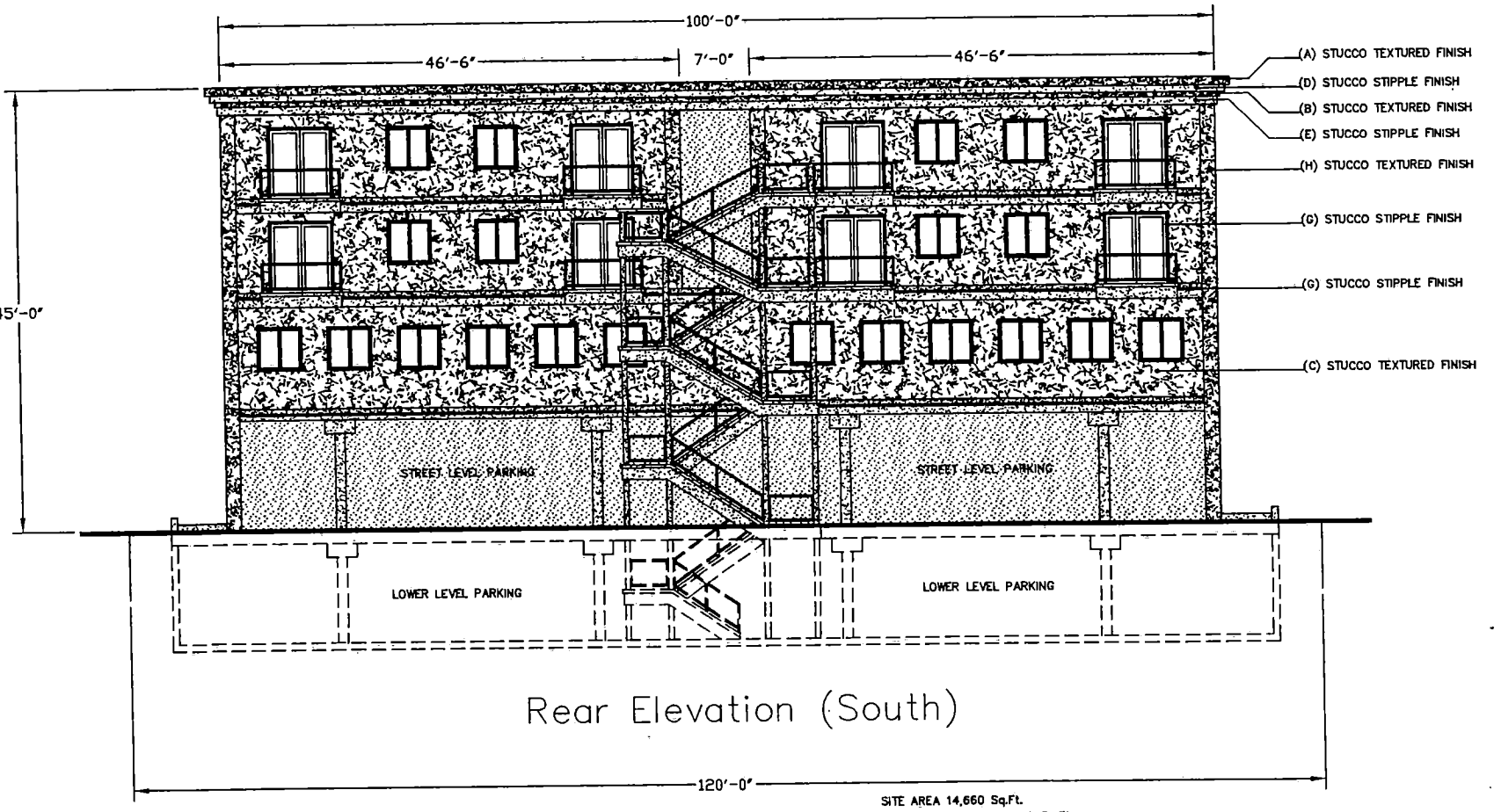
PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
LEFT ELEVATION EAST

DATE
1/26/2004

Drawing No.
A-2



Rear Elevation (South)

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22838-68th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8259 Cell. 425.478.4814

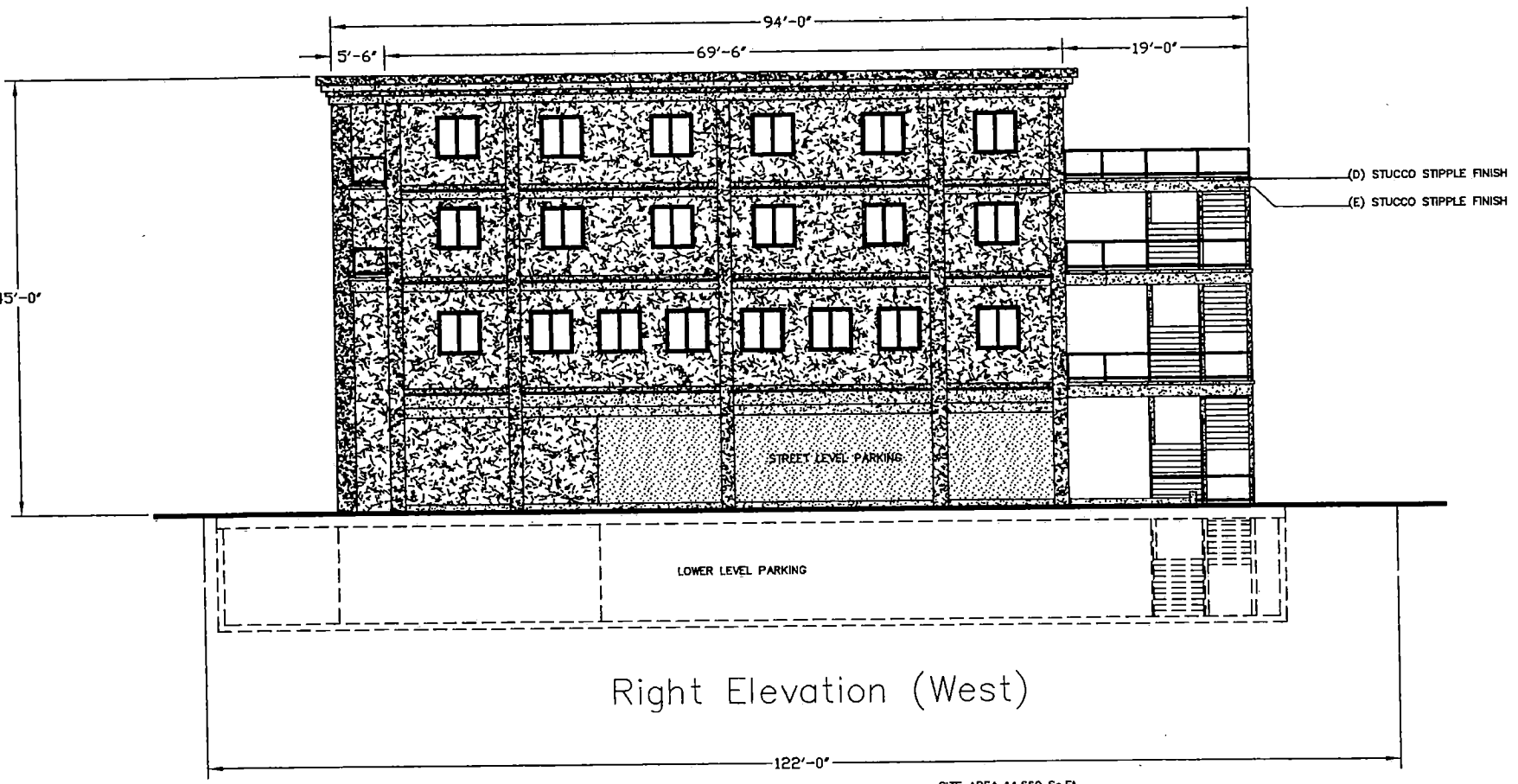
PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS NEVADA

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
REAR ELEVATION SOUTH

DATE
1/26/2004

Drawing No.
A-3



Right Elevation (West)

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPDSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
23535-86th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cell. 425.478.4814

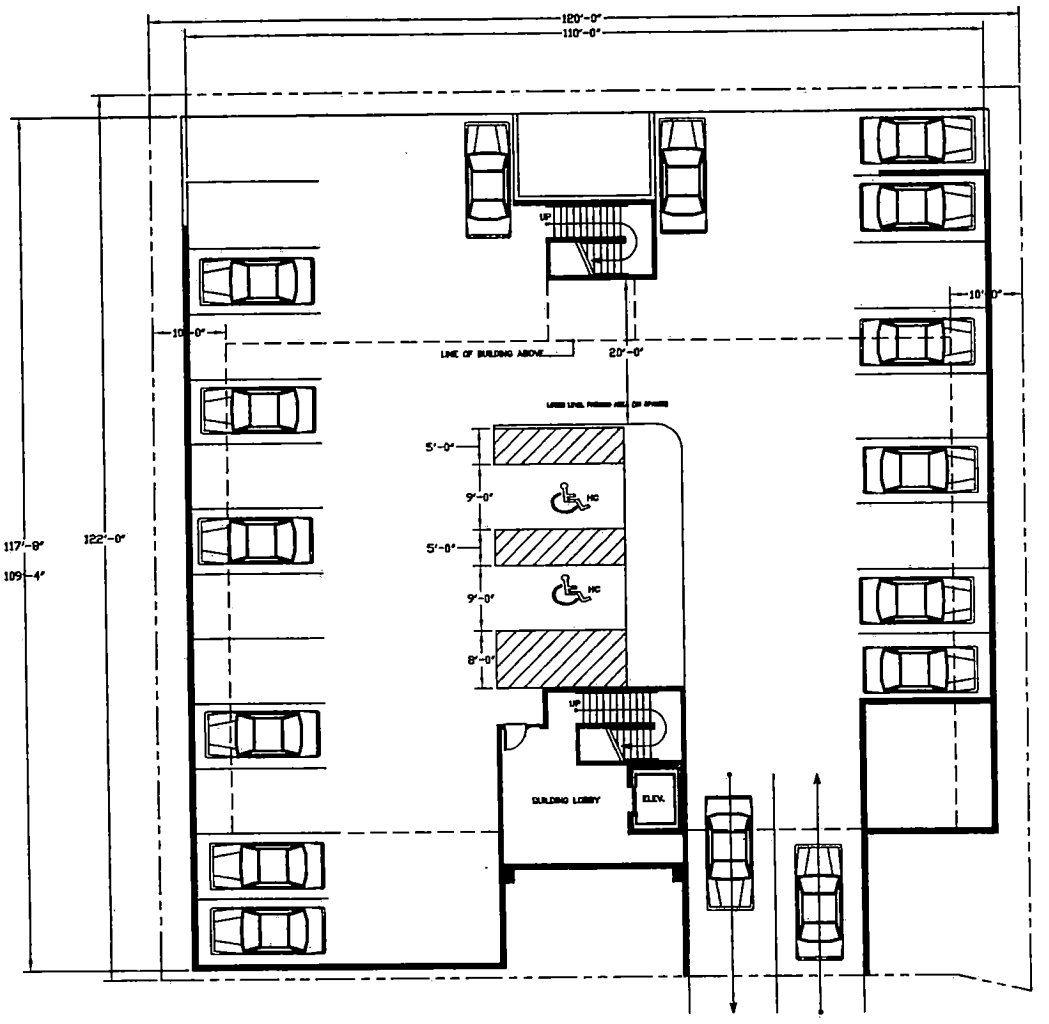
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS. NEVADA

CONTENTS
RIGHT ELEVATION
WEST

DATE
1/26/2004

Drawing No.
A-4



Lower Level Parking

FRONT SETBACK 5-15 FEET
BUILDING FRONT SETBACK 13 FEET
SIDE SETBACK 10 FEET
REAR SETBACK 15 FEET

SITE AREA 14,860 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 48.23%
MAX. LOT COVERAGE ALLOWED 50.00%
PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22030-68th Avenue West
Edmonds, WA. 98026-8232
Phone 425.640.8258 Cell. 425.478.4814

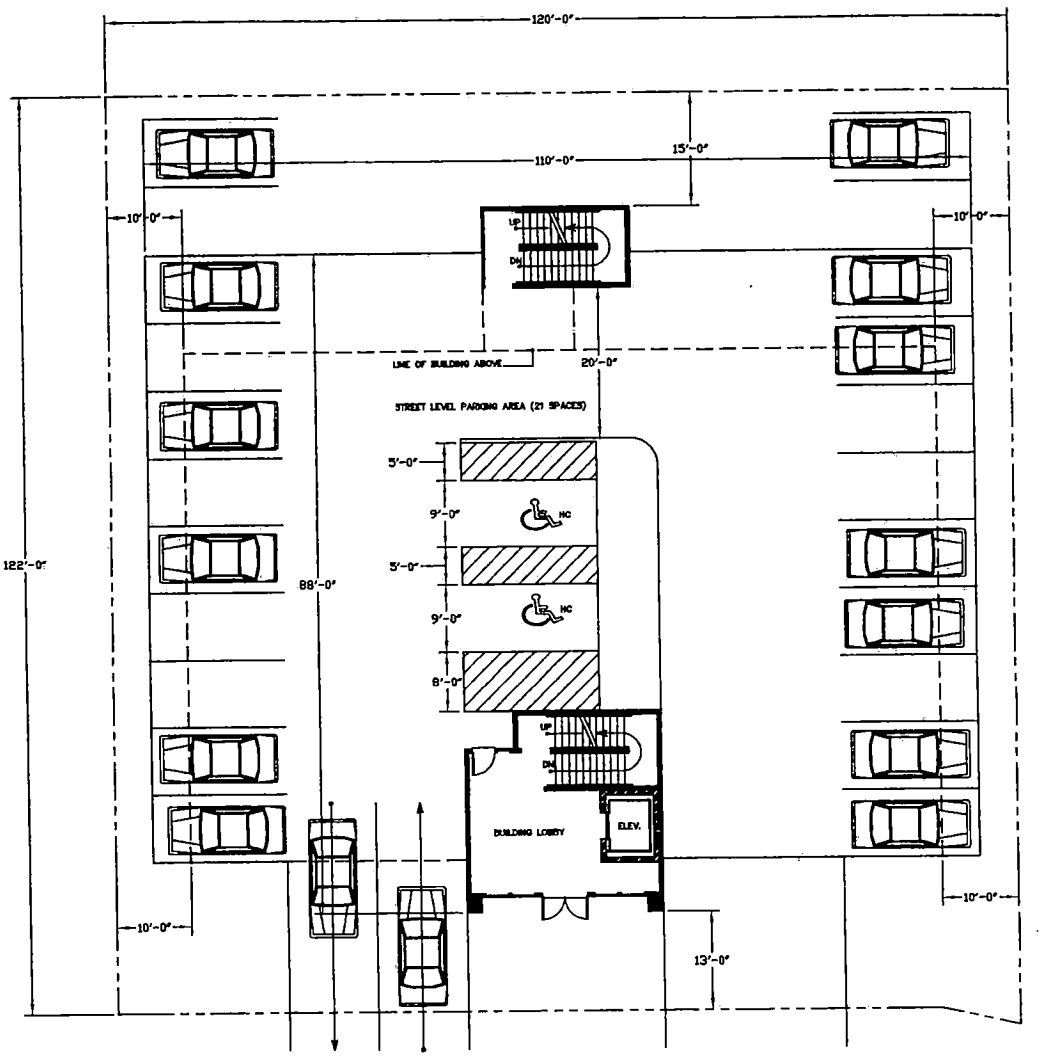
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS, NEVADA

CONTENTS
LOWER LEVEL PARKING

DATE
1/26/2004

Drawing No.
A-5



Street Level Parking

FRONT SETBACK 5-15 FEET
BUILDING FRONT SETBACK 13 FEET
SIDE SETBACK 10 FEET
REAR SETBACK 15 FEET

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

Bearden Blvd.

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
23531-46th Avenue West
Edmonds, WA. 98026-4232
Phone 425.640.8288 Cel. 425.478.4614

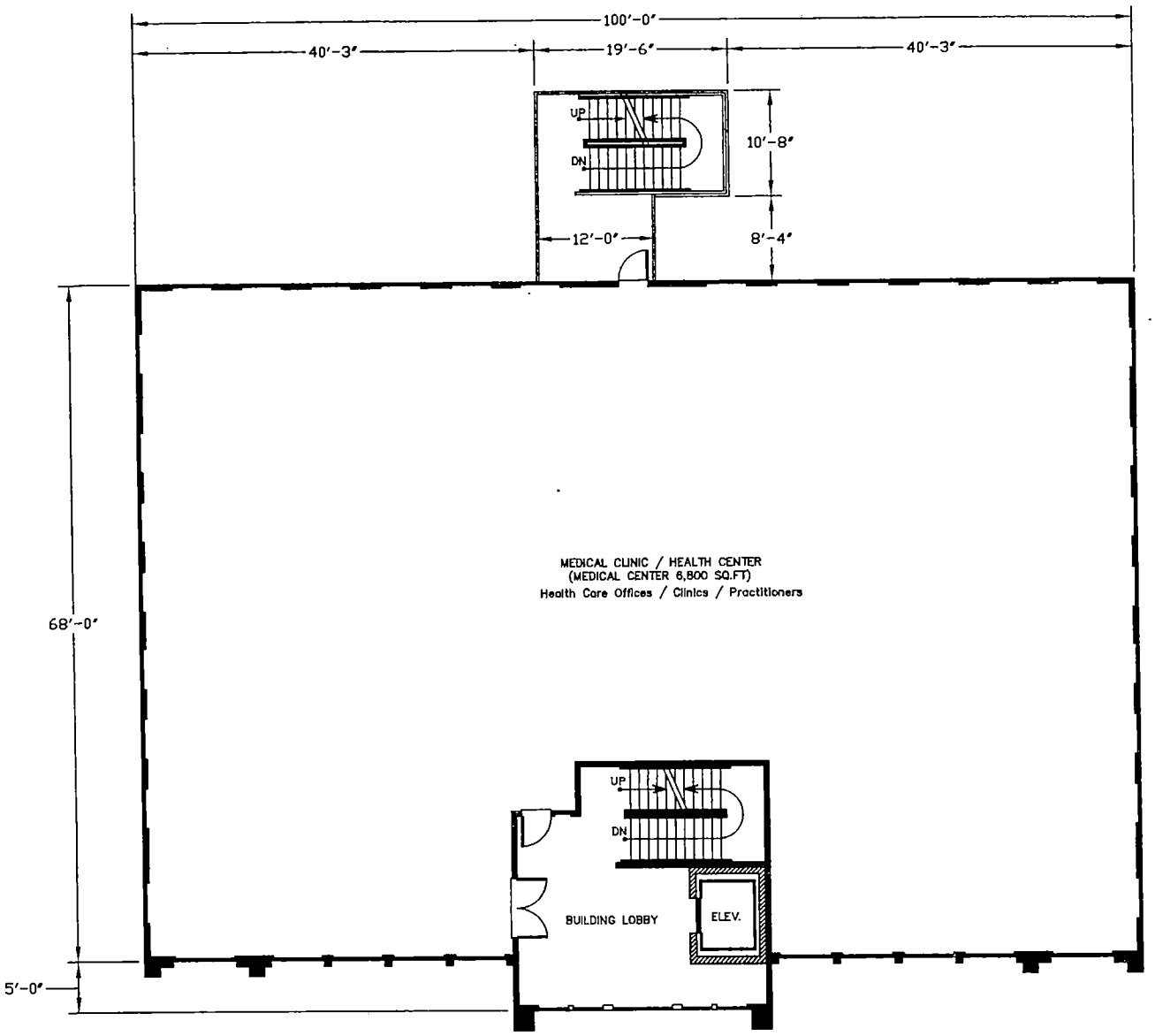
PROPOSED NEW RESIDENCE FOR:
DAVID & DARLENE STERN
SEASCAPE ESTATES – LOT C .67 AC.
PARCEL NO. S6205-00-09007-1
MUKILTEO, WASHINGTON

DAVID & DARLENE STERN
907 – 10TH ST.
MUKILTEO, WASHINGTON
425.265.0917

CONTENTS
STREET LEVEL PARKING

DATE
1/26/2004

Drawing No.
A–6



SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

Medical Clinic / Health Center Second Floor

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22630-88th Avenue West
Edmonds, WA. 98026-8232
Phone 425.648.8238 Cell. 425.478.4814

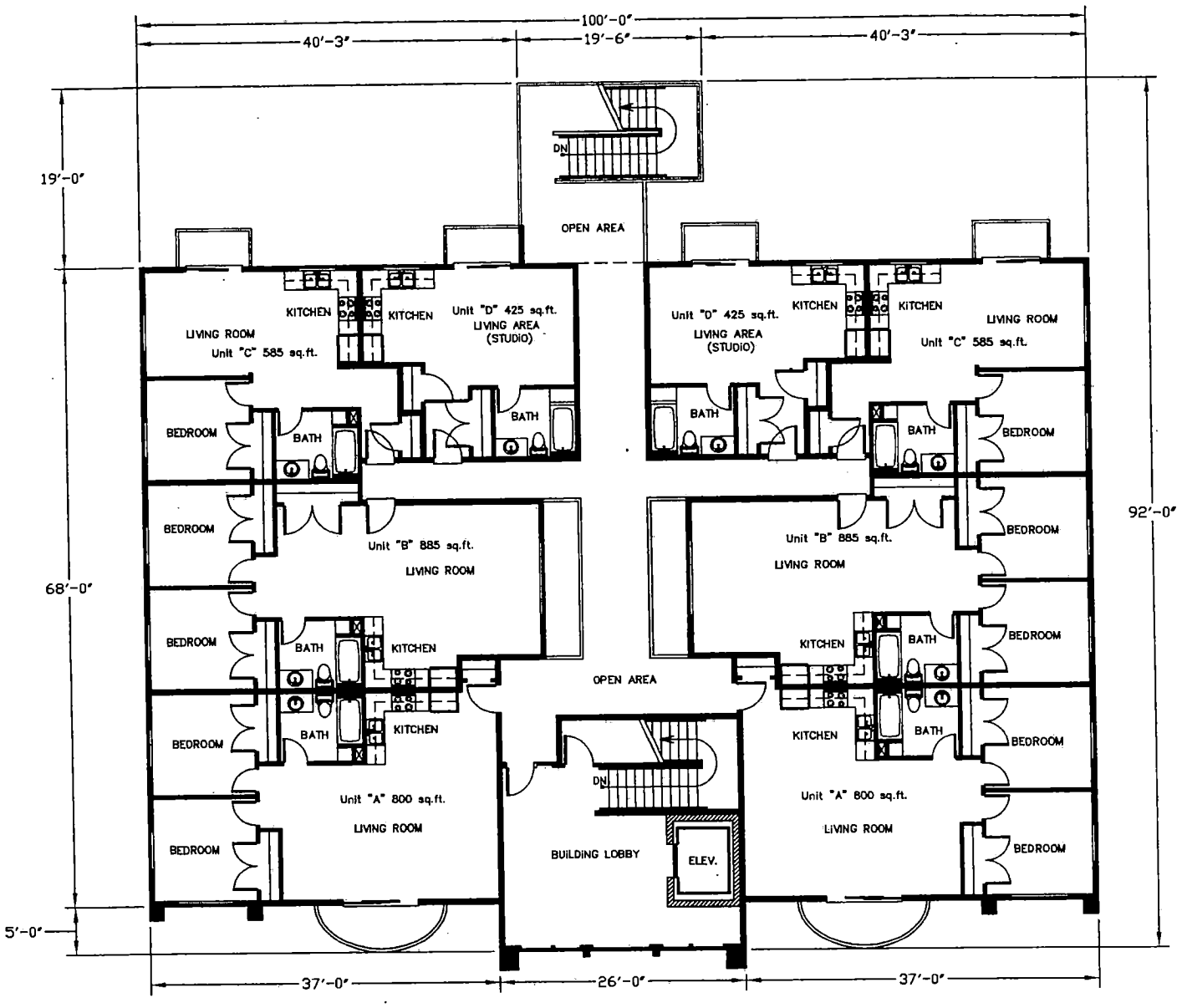
BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS - APARTMENTS / CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE
LAS VEGAS NEVADA

CONTENTS
MEDICAL CLINIC / HEALTH CENTER

DATE
1/26/2004

Drawing No.
A-7



Living Units Third Floor

8 Living UnitsThird Floor
16 Living Units Total Building

SITE AREA 14,660 Sq.Ft.
BUILDING FOOTPRINT 7,218 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LOT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LOT Design Group
Custom Design Service
LARRY O. THRONDSEN
22830-88TH Avenue West
Edmonds, WA. 98026-9222

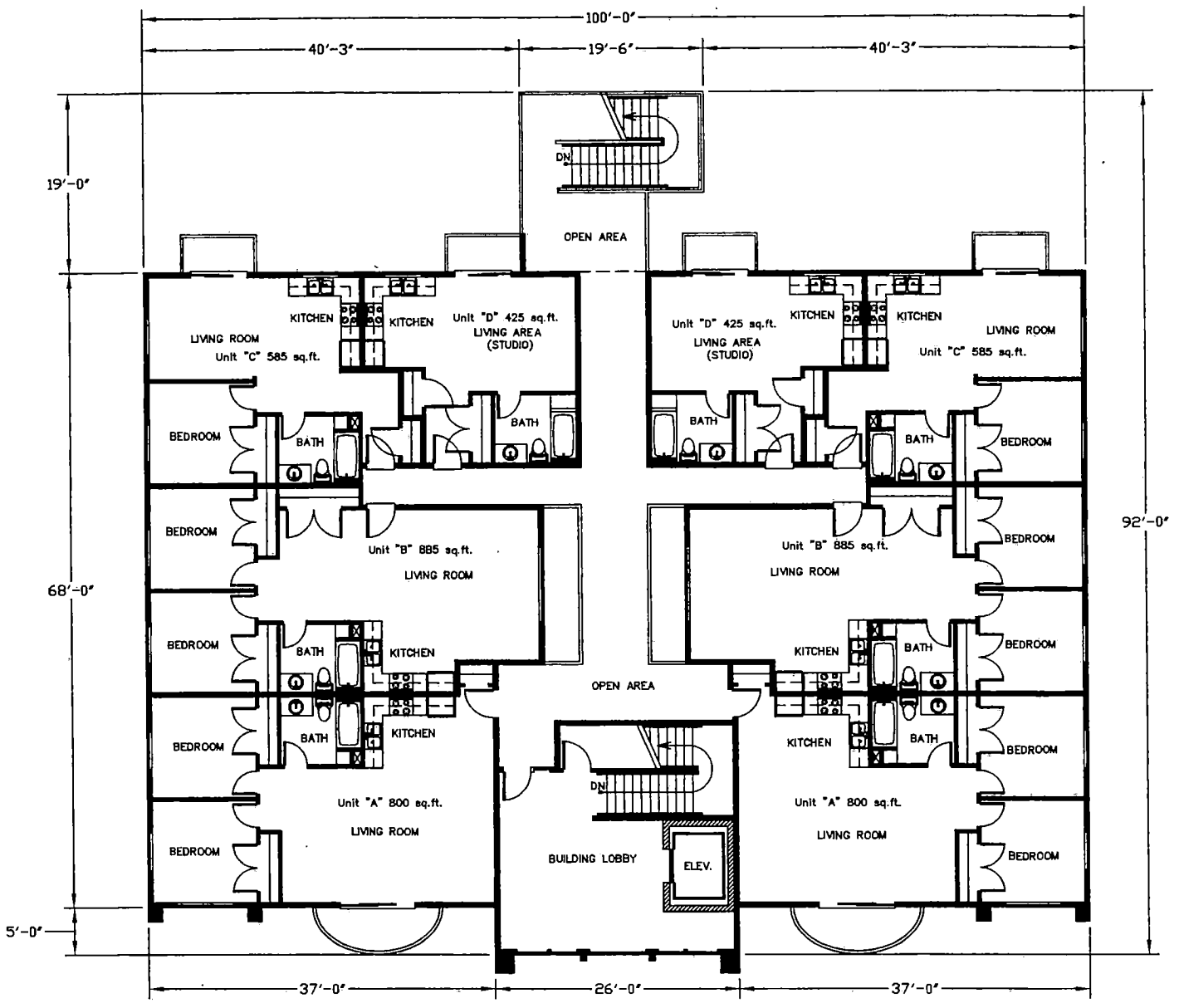
PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS / PRACTITIONERS – APARTMENTS / CONDOMINIUMS
1707 – 1711 BEARDEN DRIVE

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702 897 3096

CONTENTS
LIVING UNITS THIRD FLOOR

DATE
1/26/2004

Drawing No
A–8



Living Units Fourth Floor

8 Living Units Fourth Floor
16 Living Units Total Building

SITE AREA 14,680 Sq.Ft.
BUILDING FOOTPRINT 7,216 Sq.Ft.
PROPOSED LOT COVERAGE 49.23%
MAX. LDT COVERAGE ALLOWED 50.00%

PROPOSED BUILDING HEIGHT 45'
MAXIMUM BUILDING HEIGHT ALLOWED 45'

VAR-3800
SDR-3799
03-11-04 PC

LDT Design Group
Custom Design Service
LARRY O. THRONDSEN
22830-88th Avenue West
Edmonds, WA. 98026-9232

PROPOSED NEW BUILDING FOR:
HEALTH CARE OFFICES / CLINICS /
PRACTITIONERS - APARTMENTS /
CONDOMINIUMS
1707 - 1711 BEARDEN DRIVE

BEARDEN DRIVE
DEVELOPMENT LLC.
1253 AUTUMN WIND WAY
HENDERSON, NV 89052
702.897.3096

CONTENTS
LIVING UNITS
FOURTH FLOOR

DATE
1/26/2004

Drawing No
A-9



SDR-3799 - APPLICANT/OWNER: RICHARD W. MINNEAR
1711 BEARDEN DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

Pragmatic Chiropractic, LLP

Kevin D.Hagerty, DC, CIME, CPUR

March 8, 2004

Planning Commission
City of Las Vegas

Re: Proposed variance 3800 for Bearden Drive

To Whom It May Concern:

I have a Chiropractic office across the street from the site of the proposed development requiring a variance from your Commission in order to proceed. I am opposed to the proposed development, for the following reasons:

1. The proposal is for a variance of the requirement for 58 parking spaces, proposing instead to only provide 50 parking spaces. This will create a hardship for the abutting businesses on Bearden Drive, a short cul-de-sac with limited on-street parking. The other businesses all have their own on-site parking for their customers. If this new facility is approved as proposed, the overflow parking will either be using the on-street parking, which is quite limited, or will be using the neighbor's parking, which is even more limited than the on-street parking.
2. The proposal is for a variance of the zoning for Medical offices, instead using the space for a combination of Medical offices and a 16-unit apartment building. This is reversing the trend of the neighborhood toward the intent of the City in its zoning decision, and will adversely affect the surrounding Medical offices in their attempts to carry on their business. In addition to the parking problems mentioned above, there will be increased noise and traffic. The surrounding area is already well provided with affordable rental property with vacancy rates indicating that there is not an immediate need to create these proposed new rental units.
3. The proposal is for an oversize building, both in its footprint and in its height. If this plan would exceed the allowed area of building space, it would create a hardship on the surrounding area businesses, as discussed above.

I would also like to go on record as supporting the use of the property in question for its appropriate use, that being a Medical facility. A new Medical facility would be an asset to Bearden Drive, and would continue the synergistic effect that homogeneous development provides.

Yours sincerely,

Kevin D. Hagerty DC CIME CPUR

1700 Bearden Drive • Las Vegas, NV 89106-4107
Telephone: 702-386-0301 • Fax: 702-386-0307

VAR-3800
SDR-3799 P

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

We Object because:
The area is professional in character not residential the extra cars will fill our Lots and the streets. The site in the cul de sac to be developed will demand the same parking and building exemptions causing additional cars on the street.

SDR-3799

Shari + Arthur Pitterman 1706 Bearden Dr LVN 89106
ph 366-1250

MEETING:	PLANNING COMMISSION
DATE:	MARCH 11, 2004
TIME:	6:00 P.M.
LOCATION:	CITY COUNCIL CHAMBERS 400 STEWART AVENUE LAS VEGAS, NEVADA

APPLICANT/OWNER: RICHARD W. MINNEAR - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 20,400 SQUARE-FOOT MIXED-USE DEVELOPMENT CONSISTING OF 6,800 SQUARE FEET OF MEDICAL OFFICE SPACE AND 16 MULTI-FAMILY RESIDENTIAL UNITS ON 0.34 ACRES AT 1711 BEARDEN DRIVE (APN: 139-33-402-014 & 015) PD (PLANNED DEVELOPMENT) ZONE [PO (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION], WARD 5 (WEEKLY).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 33, TOWHSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

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

Fax 385-7268

CITY OF LAS VEGAS NEVADA

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

SEE LOCATION MAP ON REVERSE SIDE

SDR-3799 P

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

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

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – DENIED – Motion carried with McSWAIN voting No and EVANS excused

This is Final Action.

NOTE: CHAIRMAN TRUESDELL disclosed that he does and has previously represented the McDonald's Corporation with regard to acquisition but at present does not represent them on existing stores and has nothing to do with the subject site.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 52 [SUP-3772] and Item 53 [SDR-3766].

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 52 – SUP-3772

MINUTES: Continued:

FRED SOLIS, Planning and Development Department, stated that although there are no distance requirements for financial institutions, it is evident, as indicated on the aerial map, that within 1,000 feet of each other are three similar financial institutions currently in existence. Based on that observation, staff believes there is an over saturation and recommended denial of the Special Use Permit.

With regard to the Site Development Plan Review, MR. SOLIS stated that there are underground storage tanks located on the site, and in accordance with Environmental Regulations, building above them is prohibited. Additionally, the applicant has request numerous waivers relative to landscaping and setbacks. Lastly, there are concerns in regard to ingress and egress and the need for the existing bus stop fronting this property to be relocated.

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the applicant. She noted that the various waivers are required primarily because the previous use on the site was a combination convenience store with gas pumps. She acknowledged that the underground tanks are required by regulation to be monitored and that there is a no-build area as stated by staff. MS. RICHARDSON explained that the site itself is unique in its dimensions and adjoins the existing indoor flea market property. Additionally, she emphasized that the applicant will provide slightly different services than the other existing financial institutions. In conclusion, MS. RICHARDSON asserted that the applicant has made a significant investment on a piece of property desperately in need of redevelopment.

DAN CONTRARES, Bonanza Village, appeared in opposition. He presented photographs showing the buildings that currently exist on the site; however, on the subject parcel, there is no building because it was razed. MR. CONTRARES stated that this type of business does not fit in with the ongoing redevelopment of the area.

TODD FARLOW, 240 North 19th Street, agreed that approval of this request would definitely add to the existing saturation prevalent in this area. He argued that these financial institutions prey on individuals who patronize their business.

COMMISSIONER GOYNES agreed that this area is being upgraded consistent with intended redevelopment and therefore, would not support this use.

MINUTES: Continued:

COMMISSIONER McSWAIN agreed that this site has many challenges, specifically in regards to the former use, but looking at the proposed site plan it appears that the applicant is making every effort to make the most of the existing conditions of the site. Furthermore, she believed that previously with another application, there was a problem related to access to Rancho Drive and questioned whether that was resolved. MS. RICHARDSON interjected that the Nevada Department of Transportation has verbally stated that they are working on the access to Rancho Drive and, with that commitment, the applicant has agreed to relocate the existing bus stop. COMMISSIONER McSWAIN concluded by stating that she would feel much more comfortable if the City took steps to impose separation distance requirements

COMMISSIONER STEINMAN concurred with the previous comments especially in regards to sites that are subject to site challenges. He agreed that there should be regulations that determine compatibility based on distance requirements or specifying the allowable number of similar uses in an area. He questioned whether the same determination is made regarding saturation when fast food establishments apply for use permits. MR. CLAPSADDLE stated that staff does a thorough review to make sure that the number of similar businesses does not over saturate the area nor have a negative impact on the neighborhood. COMMISSIONER STEINMAN went on to express concern regarding the access issue.

COMMISSIONER NIGRO believed the lack of landscaping, the zero setback and the safety issue with regard to site access makes this a difficult case to support. With regard to the Commission's request to have distance requirements implemented, COMMISSIONER NIGRO asked what the Commission's alternate options would be to address similar applications in the future. ROBERT GENZER, Director of Planning and Development Department, informed that there is a pending Bill that was introduced at the Recommending Committee but was subsequently held in abeyance at the request of the industry, in order to allow them to work with staff to develop the appropriate language for that Bill. MR. GENZER estimated the Bill will be going back to the Recommending Committee within a month's time.

In response to COMMISSIONER McSWAIN'S query, GINA VENGLASS, Public Works Department, explained that the Site Plan appears to meet the standards pertaining to driveways. Inasmuch as there is no cross access between the adjacent parcels of this site, the only traffic that would be generated would be by customers visiting the subject business.

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 52 – SUP-3772

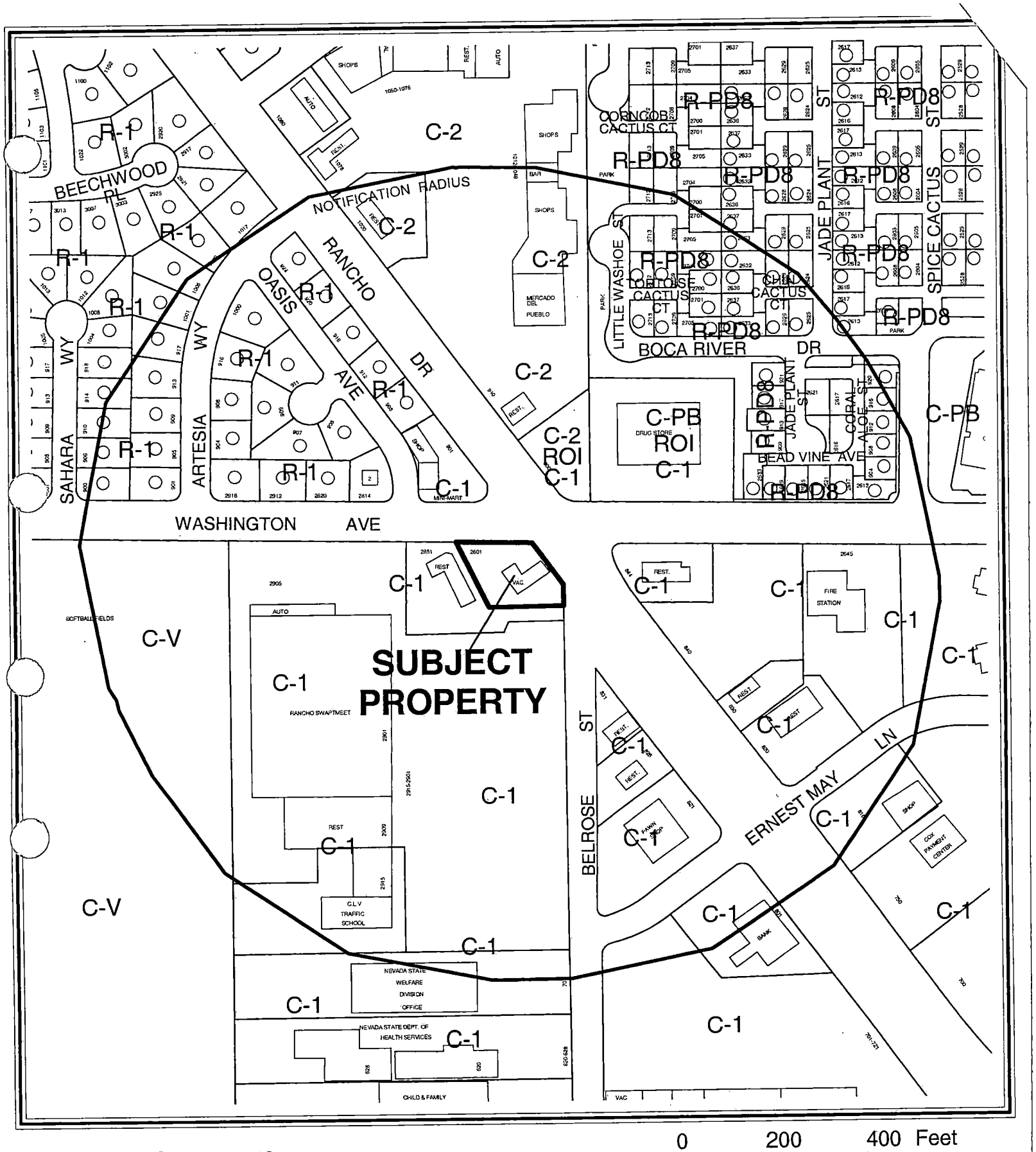
MINUTES: Continued:

CHAIRMAN TRUESDELL asked the applicant to explain the no-build clause. MS. RICHARDSON explained that the former use was a gas station and although the underground tanks have been removed, the wells must still be monitored pursuant to Federal requirements.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 52 [SUP-3772] and Item 53 [SDR-3766].

NOTE: All discussion for Item 52 [SUP-3772] and Item 53 [SDR-3766] was held under Item 52 [SUP-3772].

(8:31 – 9:05)
2-2165/3-1



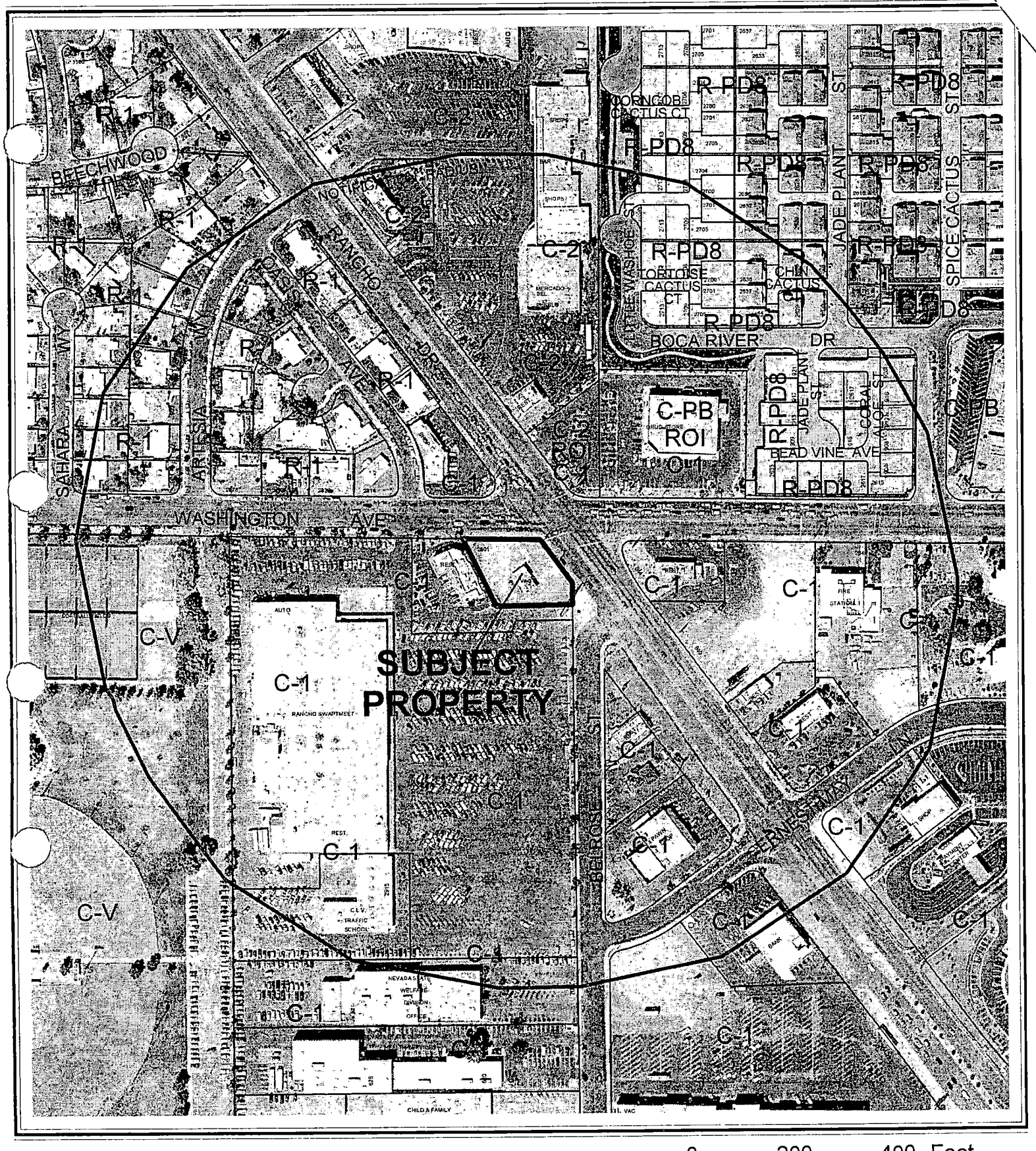
0 200 400 Feet

CASE: **SUP-3772**

RADIUS: 750 FT

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

N

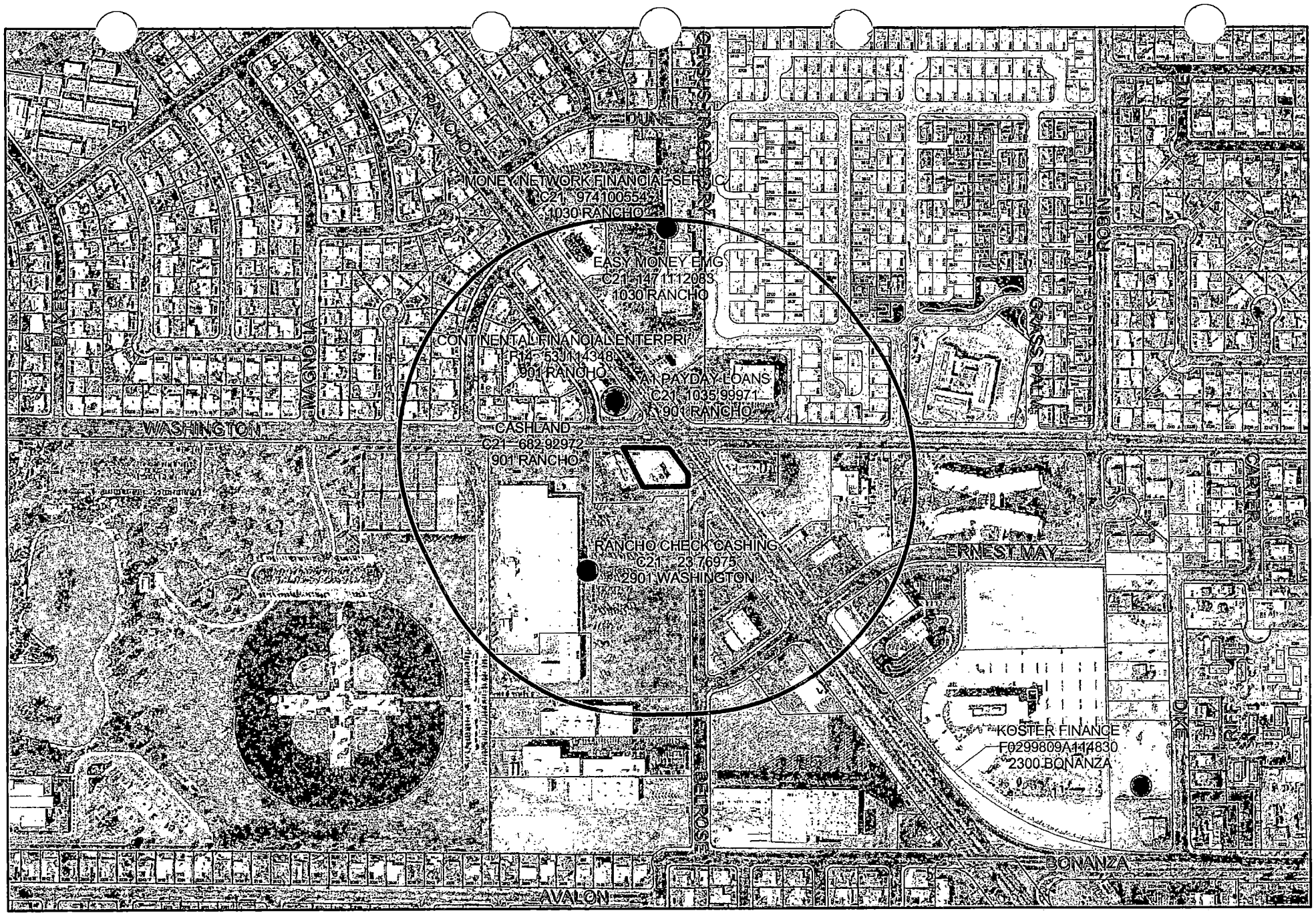


CASE: **SUP-3772**

RADIUS: 750 FT

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

N



SUP-3772 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- 750 foot buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO SDR-3766 - PUBLIC HEARING - SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The use shall comply with all applicable requirements of LVMC Title 6.

3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Financial Institution, Specified located at 2801 West Washington Avenue. A companion Site Development Plan Review (SDR-3766) will be considered concurrently with this application.

B) Applicant's Justification

The use is in conformance with the existing Master Plan and surrounding commercial uses.

BACKGROUND INFORMATION

A) Previous Actions

01/19/00 The City Council approved a Variance (V-0088-99) request to allow a second freestanding ground sign where one free standing ground sign is the maximum allowed. The Zoning Board of Adjustment recommended approval on 12/07/99.

03/11/04 The Planning Commission will consider a companion Site Development Plan Review (SDR-3766) for a Financial Institution, Specified. Staff recommends denial.

B) Pre-Application Meeting

01/15/04 It was acknowledged by the applicant that three other Financial Institutions, Specified were located within the immediate area of the subject site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.80
Net Acres:	0.48

B) Existing Land Use

Subject Property:	Undeveloped / Vacant Building
North:	Convenience Store
South:	Surface Parking Lot
East:	Restaurant
West;	Restaurant

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an SC (Service Commercial) land use designation, which allows for medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

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

The subject site does not fall within any Special Districts or Zones.

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	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	3,960 SF.	1 space / 200 GFA	19	1	19	1

The proposed site meets Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there are three other Financial Institutions, Specified within the immediate vicinity.

B) General Analysis and Discussion

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more that twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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 land use cannot be conduced in a manner that is harmonious and compatible with the surrounding land uses. An analysis of the surrounding area found three additional Financial Institutions, Specified within the immediate vicinity. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

   The subject site is not physically suitable for the proposed use, as the size of the proposed building results in noncompliance with Title 19 setback and landscaping requirements. Several waivers have been requested with the site plan application for relief of these requirements. In addition, the "no build" zone directly above the former location of underground storage tanks inhibits the development of the site and further reduces its suitability for the proposed land use.

FS

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

   Access to the site is provided via drives from Washington Avenue a Secondary (80-ft) Collector on the Master Plan of Streets and Highways, and Rancho Drive, a Primary (100-ft) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed Financial Institution, Specified use.

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

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

NOTICES MAILED 69 (Mailed with SDR-3766)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3772 APN: 139-29-301-011

Name of Property Owner: Rancho Washington LLC

Name of Applicant: Richardson Partnership (TRP)

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

_____Yes ____x____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Steve Boss

Subscribed and sworn before me

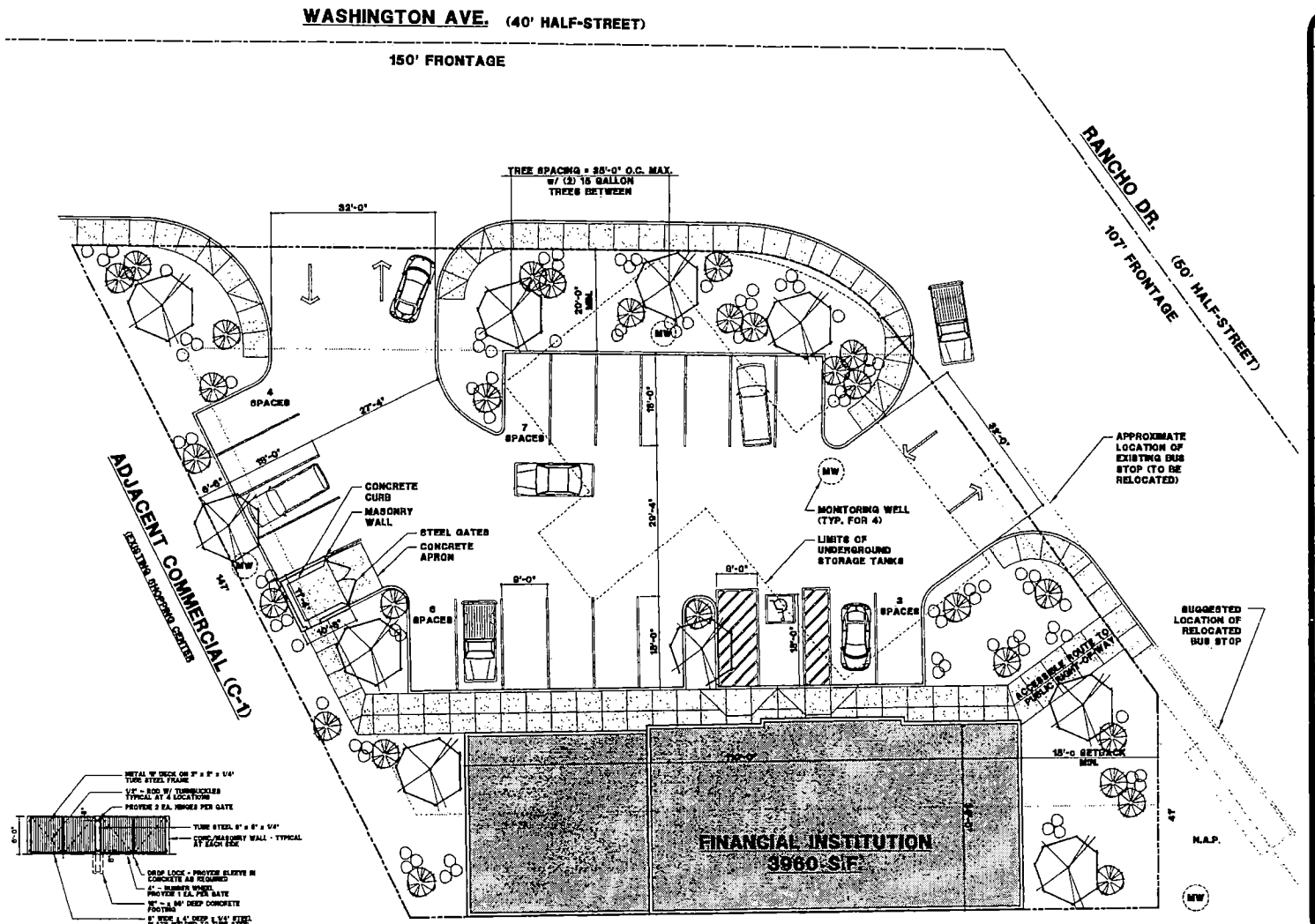
This 23 day of JAN, 2004

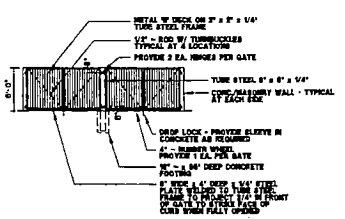
[signature]
Notary Public in and for said County and State OF CALIFORNIA
Los Angeles County

JULIE SMITH
Comm. # 1361127
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires June 15, 2006

Revised 2/12/02

F:\depot\Application Packet\Statement of Financial Interest.doc





TRASH ENCLOSURE

SITE DATA

ASSESSORS PARCEL NUMBER (APN): 139-29-301-001
CURRENT ZONING: C-1
PROPOSED ZONING: C-1
SITE: GROSS: 34,986 SF (0.80 ACRES)
NET: 20,720 SF (0.48 ACRES)

REQUIRED SETBACKS: FRONT (WASHINGTON): 20' MIN.
SIDE (RANCHO): 10' MIN.
SIDE: NONE
REAR: NONE

SITE COVERAGE: 19%

PROJECT ANALYSIS

FINANCIAL INSTITUTION	3,960 SF
PROJECT TOTAL:	3,960 SF

PARKING ANALYSIS

	REQUIRED	PROVIDED
PARKING REQUIRED:		
FINANCIAL INSTITUTION: 1 SPACE PER 200 S.F.	20	20
PROJECT TOTAL:	20	20
HANDICAPPED PARKING REQUIRED:	1	1

LANDSCAPE PLAN

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS	SIZE	QTY.
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	24" BOX	MEDIUM STANDARD	5
	PHOENIX CANARIENSIS	CANARY DATE PALM	24" BOX		3
	PINUS ELDARICA	MONDELL PINE	24" BOX		3
○	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GALLON		65
⊛	CHILOPSIS LINEARIS	DESERT WILLOW	15 GALLON		25

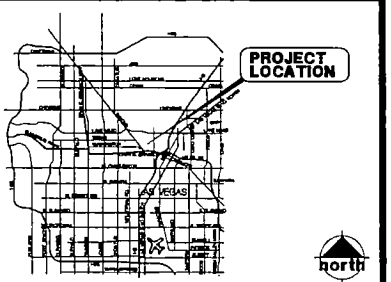
ROCK MULCH, MOJAVE GOLD, 3/8" SCREENED @ 3" DEPTH IN ALL PLANTING AREAS

NOTE: ALL TREES/SHRUBS TO BE PLANTED IN ACCORDANCE WITH THE CITY OF LAS VEGAS ZONING CODE (TITLE 19A), CHAPTER 19.12 LANDSCAPING AND BUFFER STANDARDS

LEGAL DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, NEVADA.

VICINITY MAP



OWNER/DEVELOPER

RAPID CASH

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES

trd inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.
815 Pilot Road Suite L Las Vegas Nevada 89119
PHONE 702 736 8933 FAX 702 736 8955
e-mail: mail@trd-architect.com

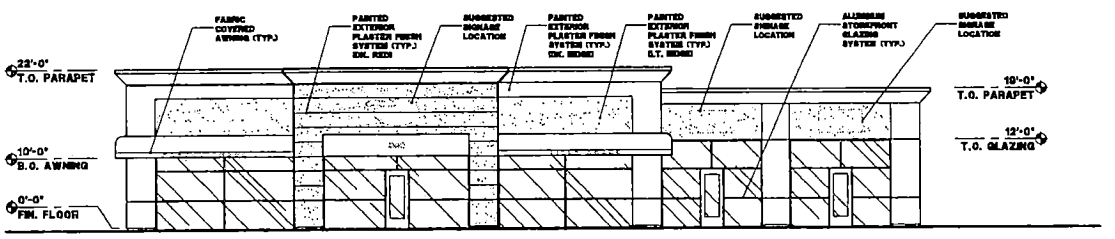
SITE/LANDSCAPE PLAN for RAPID CASH at RANCHO & WASHINGTON

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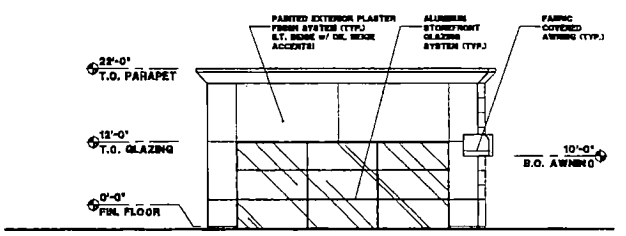
JANUARY 2004

LAS VEGAS - NEVADA

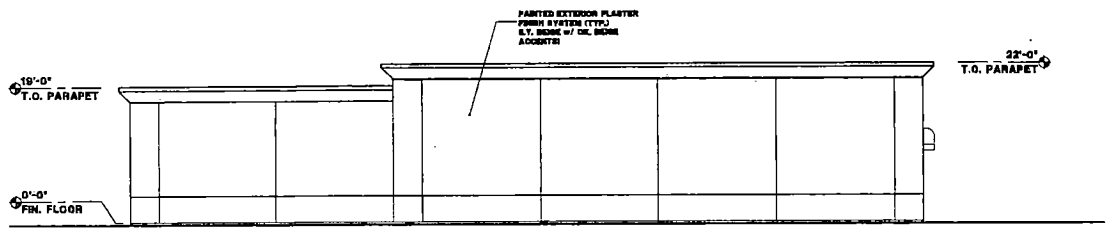
SDR-3766
SUP-3772
03-11-04 PC



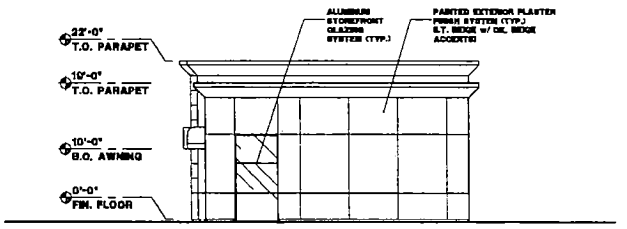
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS for RAPID CASH at RANCHO & WASHINGTON

0 2 4 6 8 16 24 1/8"=1'-0"

JANUARY 2004

SDR-3766
SUP-3772
03-11-04 PC

LAS VEGAS - NEVADA

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC
8159 Pilot Road Suite E Las Vegas, Nevada 89119
PHONE 702 736 8822 FAX 702 736 8855
E-mail: mail@trp-architect.com



SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY
2801 WEST WASHINGTON AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review, a Reduction in the amount of required Perimeter and Parking lot landscaping, and Waivers of the Commercial Development Standards to allow a zero rear yard setback where 20 feet is required and to allow no landscaping between the north façade of the building and the parking area, where a minimum of six feet is required FOR A PROPOSED 3,960 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED on 0.48 acres located at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

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

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

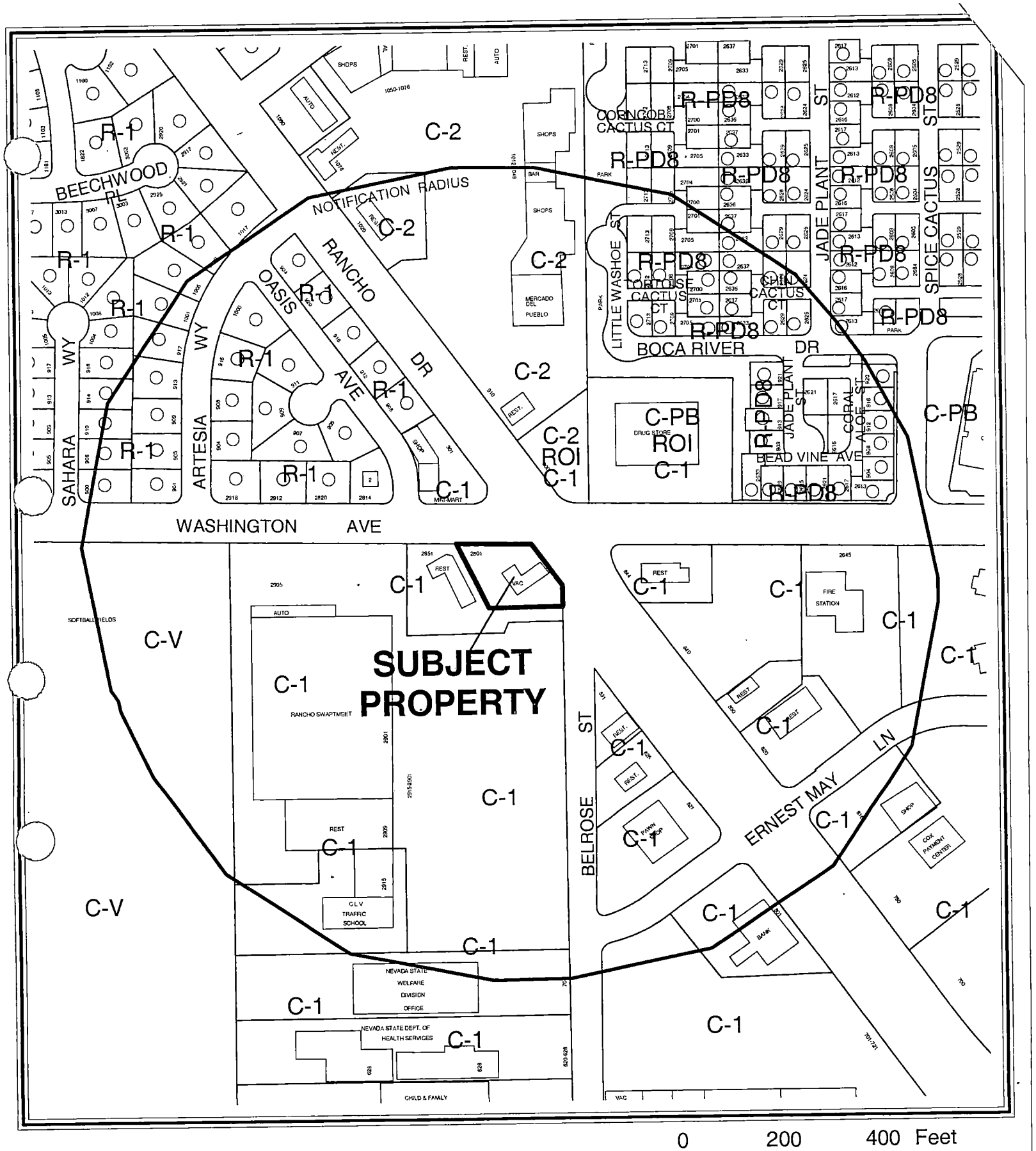
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – DENIED – Motion carried with McSWAIN voting No and EVANS excused

This is Final Action.

MINUTES:
NOTE: See Item 52 [SUP-3772] for related discussion.
(8:31 – 9:05)



CASE: **SDR-3766**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3772 - PUBLIC HEARING - SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

Planning and Development

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

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

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

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an 8-foot screening wall along the perimeter of the site.

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

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

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

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

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

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

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

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

13. 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.

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

Public Works

15. Dedicate a 25-foot radius on the southwest corner of Rancho Drive and Washington Avenue and dedicate those portions of right-of-way for a bus turn out along Rancho Drive adjacent to this site prior to the issuance of any permits.

16. Construct the bus turn out along Rancho Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored concurrent with development of this site.

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

18. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.

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

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a 3,960 square-foot Financial Institution, Specified at 2801 West Washington Avenue with waivers to allow a zero rear setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. A companion Special Use Permit (SUP-3772) will be considered concurrently with this application.

B) Applicant's Justification

The use is in conformance with the existing Master Plan and surrounding commercial uses, and the "no build" area limits the developable site area, which justifies the request for the setback and landscape waivers.

BACKGROUND INFORMATION

A) Previous Actions

01/19/00 The City Council approved a Variance (V-0088-99) request to allow a second freestanding ground sign where one free standing ground sign is the maximum allowed. The Board of Zoning Adjustment recommended approval on 12/07/99.

03/11/04 The Planning Commission will consider a companion Special Use Permit (SUP-3772) for a Financial Institution, Specified.

B) Pre-Application Meeting

01/15/04 It was acknowledged by the applicant that various landscape and setback waivers would be required, and that three other Financial Institutions, Specified were within 1000 feet of the subject site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.80
Net Acres:	0.48

B) Existing Land Use

Subject Property:	Undeveloped / Vacant Building
North:	Convenience Store
South:	Surface Parking Lot
East:	Restaurant
West:	Restaurant

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an SC (Service Commercial) land use designation, which allows for medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consentient with the General Plan designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

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

The subject site does not fall within any Special Districts or Zones.

PROJECT DESCRIPTION

The site plan depicts a 3,960 square foot building located at 2801 West Washington Avenue. Waiver requests include allowing a zero rear setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. Access is provided via drives from Washington Avenue and Rancho Drive, and 20 parking spaces are provided internal to the site. There is a "no build" area directly over the prior location of underground storage tanks, and three monitoring wells have been located on site to ensure compliance with State environmental regulations. The landscape plan depicts a 20-foot wide planter along Washington Avenue, a 15-foot wide planter along Rancho Drive, a 6.6-foot wide planter along the west property line, and no landscaping along the south property line. The building elevations depict a 22-foot single story structure with a generally flat roof and a stucco exterior tinted to a soft desert palette.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	147 Feet	Y
Min. Setbacks			
• Front	20 Feet	67 Feet	Y
• Side	10 Feet	11 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	19%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story/19 Feet	Y
Trash Enclosure	Enclosed	Enclosed	Y
Mech. Equipment	Screened from View	Screened	Y

The site does not meet Title 19 rear setback requirements, and a waiver has been requested for a zero rear-yard setback where 20 feet is required. The site meets all other applicable Title 19 requirements.

A2) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	3,960 SF.	1 space / 200 GFA	19	1	19	1

The proposed site meets Title 19 parking requirements.

A3) Landscape and Open Space Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Tree / 6 Spaces	1 Trees/ 6 Spaces	1 Trees/ 6 Spaces
Buffer:			
• Min. Trees (Street)	1 Tree/ 20 Linear Feet	5 Trees	4 Trees
• Min. Trees (Perimeter)	+ 1 Tree 1 Tree / 30 Linear Feet	5 Trees	2 Trees
• Min. Zone Width	8 Feet		6.6 Feet
• Wall height	8 Feet		Not Depicted

The site is deficient in the amount of street and perimeter trees provided, the width of the landscape planter along the west property line, and the amount of required foundation landscape buffering. Waivers have been requested for the aforementioned deficiencies. A required 8-foot perimeter screening wall is not depicted on the site or landscape plan and a condition of approval has been added to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary

thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

- Site Plan

The site plan depicts a 3,960 square-foot building located at 2801 West Washington Avenue. Access is provided via drives from Washington Avenue and Rancho Drive. The proposed access drives are approximately 120 feet and 60 feet, respectively, from the intersection of Rancho Drive and Washington Avenue. The relocation of an existing bus stop is required as a result of the proposed drive from Rancho Drive. There are 20 parking spaces internal to the site, which satisfy Title 19 parking requirements.

The prior use on the subject site required the utilization of underground storage tanks, which have since been removed. Three monitoring wells have been located on site in order for the area to be properly monitored for compliance with State environmental regulations. The result is a "no build" area directly over the prior location of the underground storage tanks, which limits the developable area of the site. The applicant has requested several waivers to accommodate the "no build" area and its resulting site constraints.

- Waivers

Waiver requests include allowing a zero rear-building setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. There is no justifiable reason to waive these sections of the Code.

- Landscape Plan

The landscape plan depicts a 20-foot wide planter along Washington Avenue, a 15-foot wide planter along Rancho Drive, a 6.6-foot wide planter along the west property line, and no landscaping along the south property line. The plan shows a deficiency of three 24-inch box trees along the west property line, one 24-inch box tree along the east property line, and no foundation landscape buffering. Parking lot landscaping meets Title 19 requirements.

- Elevation

The building elevations depict a 22-foot single story structure with a generally flat roof and a stucco exterior tinted to a soft desert palette.

- Floor Plan

  Floor plans were not provided.

FINDINGS

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

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

   The proposed land use cannot be conduced in a manner that is harmonious and compatible with adjacent development. An analysis of the surrounding area found three Financial Institutions within the immediate vicinity. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

   The development is not consistent with the Landscape, Wall and Buffer Standards, as several waivers from its requirements have been requested. In addition, the rear-yard setback established by Title 19 cannot be met, and a waiver has been requested to allow a zero rear yard setback where 20 feet is required. There is no justifiable reason to approve these deviations from the Code.

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

   Both proposed access drives are located within 220 feet from the intersection of Washington Avenue and Rancho Drive, which will negatively impact adjacent roadways by allowing ingress and egress of vehicular traffic within the immediate vicinity of a heavily traveled intersection.

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

   The building and landscape materials depicted on the site and landscape plans are appropriate for this area and for the City.

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

   The design characteristics of the building are not undesirable or obnoxious in appearance and are harmonious and compatible the surrounding commercial uses 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 inspections and permitting, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 69 (Mailed with SUP-3772)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3766 APN: 139-29-301-011

Name of Property Owner: Rancho Washington LLC

Name of Applicant: Richardson Partnership (TRP)

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Steve Boss

Subscribed and sworn before me

This 23 day of JAN, 2004

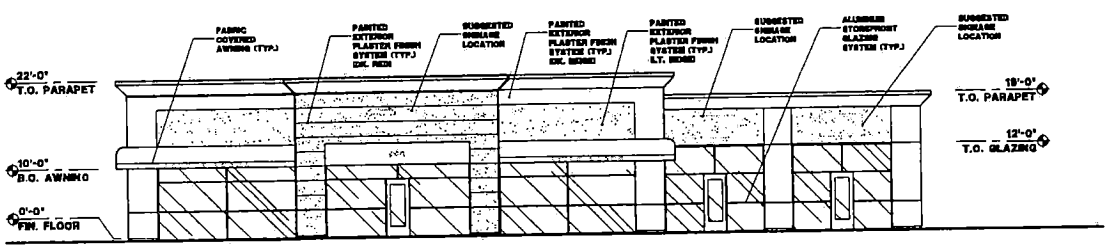
Julie Smith

Notary Public in and for said County and State OF CALIFORNIA Los Angeles Co.

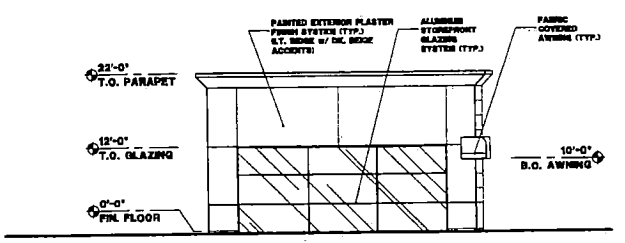
JULIE SMITH
Comm. # 1361127
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires June 15, 2006

Revised 2/12/02

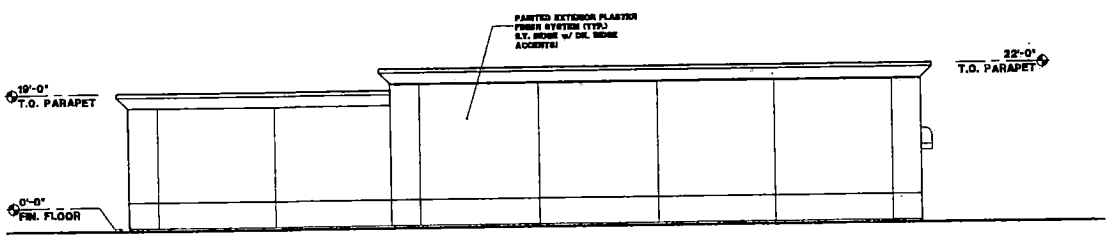
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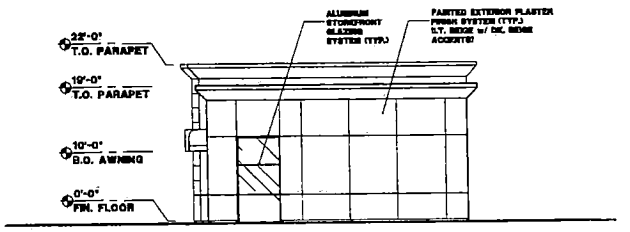
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS for RAPID CASH at RANCHO & WASHINGTON

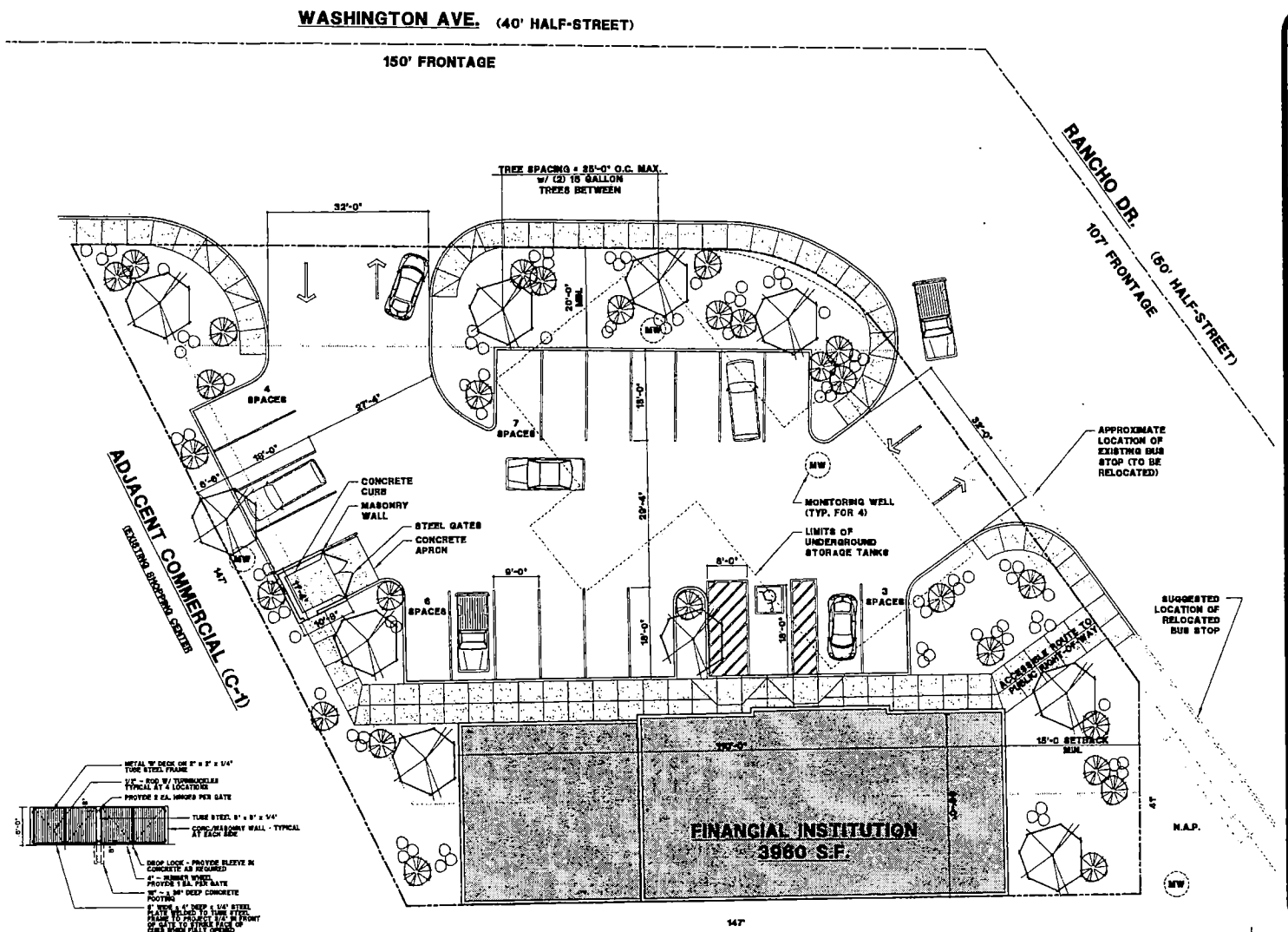
0 2 4 6 8 16 24 1/8"=1'-0"

JANUARY 2004

LAS VEGAS - NEVADA

SDR-3766
SUP-3772
03-11-04 PC

trp inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP, INC.



TRASH ENCLOSURE

SITE DATA

ASSESSORS PARCEL NUMBER (APN):	139-29-301-001
CURRENT ZONING:	C-1
PROPOSED ZONING:	C-1
SITE:	GROSS- 54,560 SF (0.80 ACRES) NET- 20,720 SF (0.48 ACRES)
REQUIRED SETBACKS:	FRONT (WASHINGTON): 20' MIN. SIDE (RAILROAD): 10' MIN. SIDE: NONE REAR: NONE
SITE COVERAGE:	76%

PROJECT ANALYSIS

FINANCIAL INSTITUTION	3,960 SF
PROJECT TOTAL:	3,960 SF

PARKING ANALYSIS

PARKING REQUIRED:	REQUIRED	PROVIDED
FINANCIAL INSTITUTION 1 SPACE PER 200 S.F.	20	20
PROJECT TOTAL:	20	20
HANDICAPPED PARKING REQUIRED:	1	1

LANDSCAPE PLAN

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS	SIZE	QTY.
	ACACIA STENOPHYLLA	SHOESTRING ACACIA	24" BOX	MINIMUM STANDARD	3
	PHOENIX CANARIENSIS	CANARY DATE PALM	24" BOX		3
	PINUS ELDARICA	MONDELL PINE	24" BOX		3
○	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GALLON		85
⊛	CHILOPSIS LINEARIS	DESERT WILLOW	15 GALLON		26

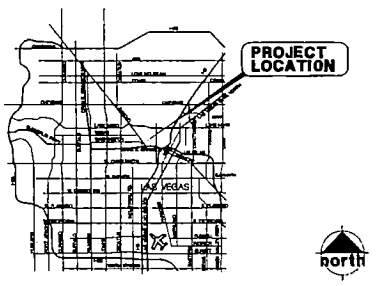
ROCK MULCH, MOJAVE GOLD, 3/8" SCREENED @ 3" DEPTH IN ALL PLANTING AREAS

NOTE: ALL TREES/SHRUBS TO BE PLANTED IN ACCORDANCE WITH THE CITY OF LAS VEGAS ZONING CODE (TITLE 19.8), CHAPTER 19.12 LANDSCAPING AND BUFFER STANDARDS

LEGAL DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER ONE 1/4) OF THE NORTHEAST QUARTER ONE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, NEVADA.

VICINITY MAP



OWNER/DEVELOPER

RAPID CASH

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES

rnd inc. architecture planning interiors
THE RICHARDSON PARTNERSHIP INC.
8934 W. Sahara Suite B Las Vegas Nevada 89117
PHONE (702) 734-8822 FAX (702) 734-8855
E-mail: mail@rnd-architect.com

SITE/LANDSCAPE PLAN for RAPID CASH at RANCHO & WASHINGTON

0 60 120 240 360 1"=10'-0"

JANUARY 2004

LAS VEGAS - NEVADA

SDR-3766
SUP-3772
03-11-04 PC



SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY
2801 WEST WASHINGTON AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 1426 East Charleston Boulevard, Suite 110 (APN: 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

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

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – DENIED – UNANIMOUS with EVANS excused

This is Final Action.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

FRED SOLIS, Planning and Development Department, explained that the site for the proposed financial institution is parking impaired, having been constructed back in 1964. He stated that the use is allowed with the approval of a special use permit. Referring to the Buffer Map, MR. SOLIS stated that there are several similar businesses within the notification area which is a clear indication of over saturation. Staff recommended denial of this application.

SUSAN RODRIGUEZ, 2201 Paseo Del Prado, appeared on behalf of the applicant and asked the Commission to approve the relocation of their existing business.

MINUTES: Continued:

TODD FARLOW, 240 North 19th Street, listed all the financial institutions that are currently operating in the area and stated that this is another case of over saturation.

MICHAEL HOWELL, 1313 South 15th Street, representing the Huntridge Neighborhood Association, appeared in opposition. He informed that the residents are currently in the process of creating a Neighborhood Association Master Plan. He stated that this proposed financial institution will be located within the confines of the Huntridge Neighborhood and he stated that there are currently several check cashing establishments on each corner of Charleston Boulevard. He observed that the shopping complex where this proposed financial institution will be located is already parking impaired. He recommended the Planning Commission deny the applicant's request.

MS. RODRIGUEZ, responding to the previous speaker's comments, stated that she is the only employee of this firm. She explained that the intent of relocating was to benefit the large Filipino community that reside in that area.

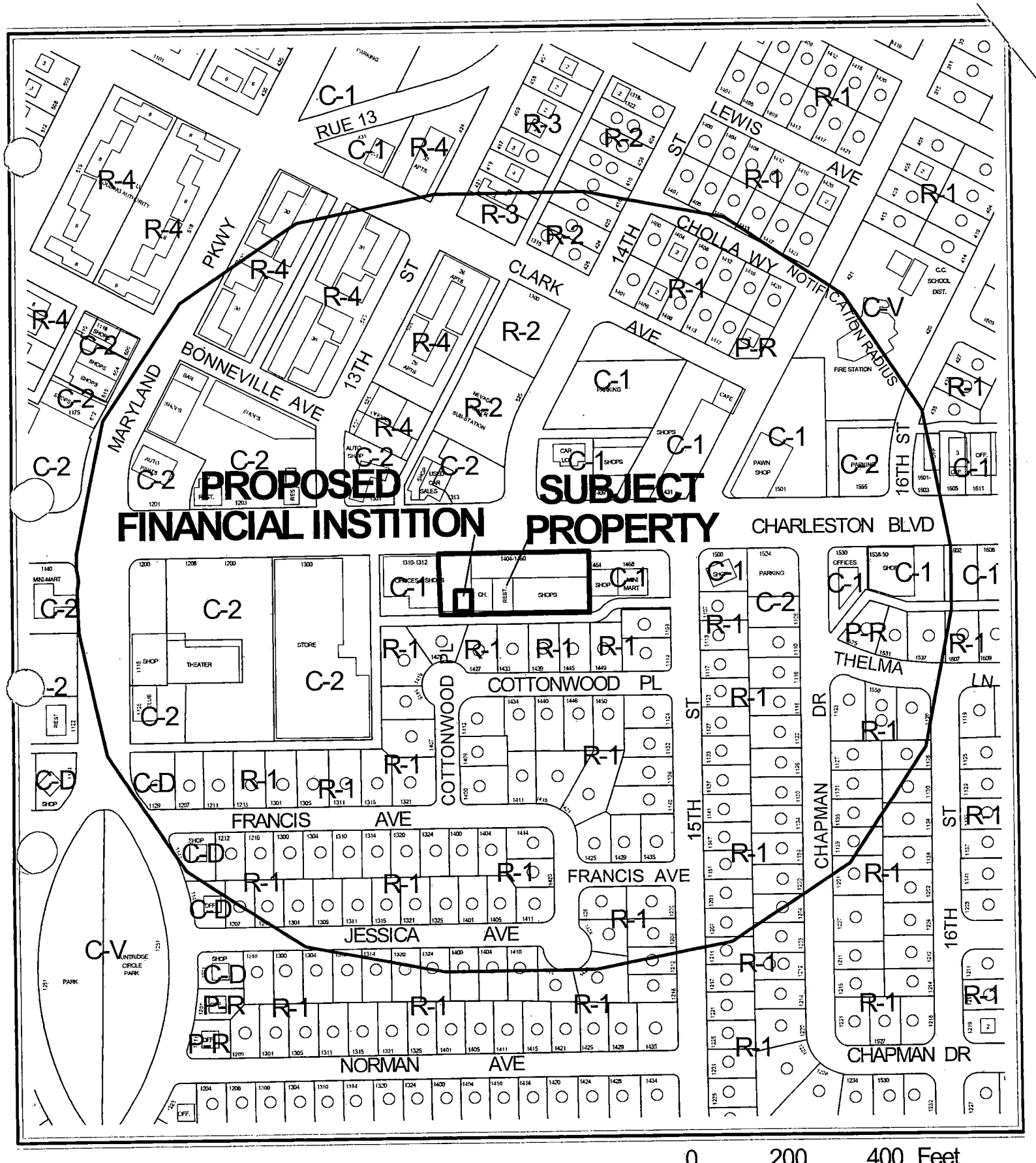
COMMISSIONER McSWAIN felt the applicant has not made any attempt to contribute to the upgrade of the Center. Inasmuch as the Center is already overparked, she could not support the application.

CHAIRMAN TRUESDELL noted that special use permits create a higher level of review and expressed his hope for better guidelines from the Council.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:05 – 9:11)

2-3364/3-18

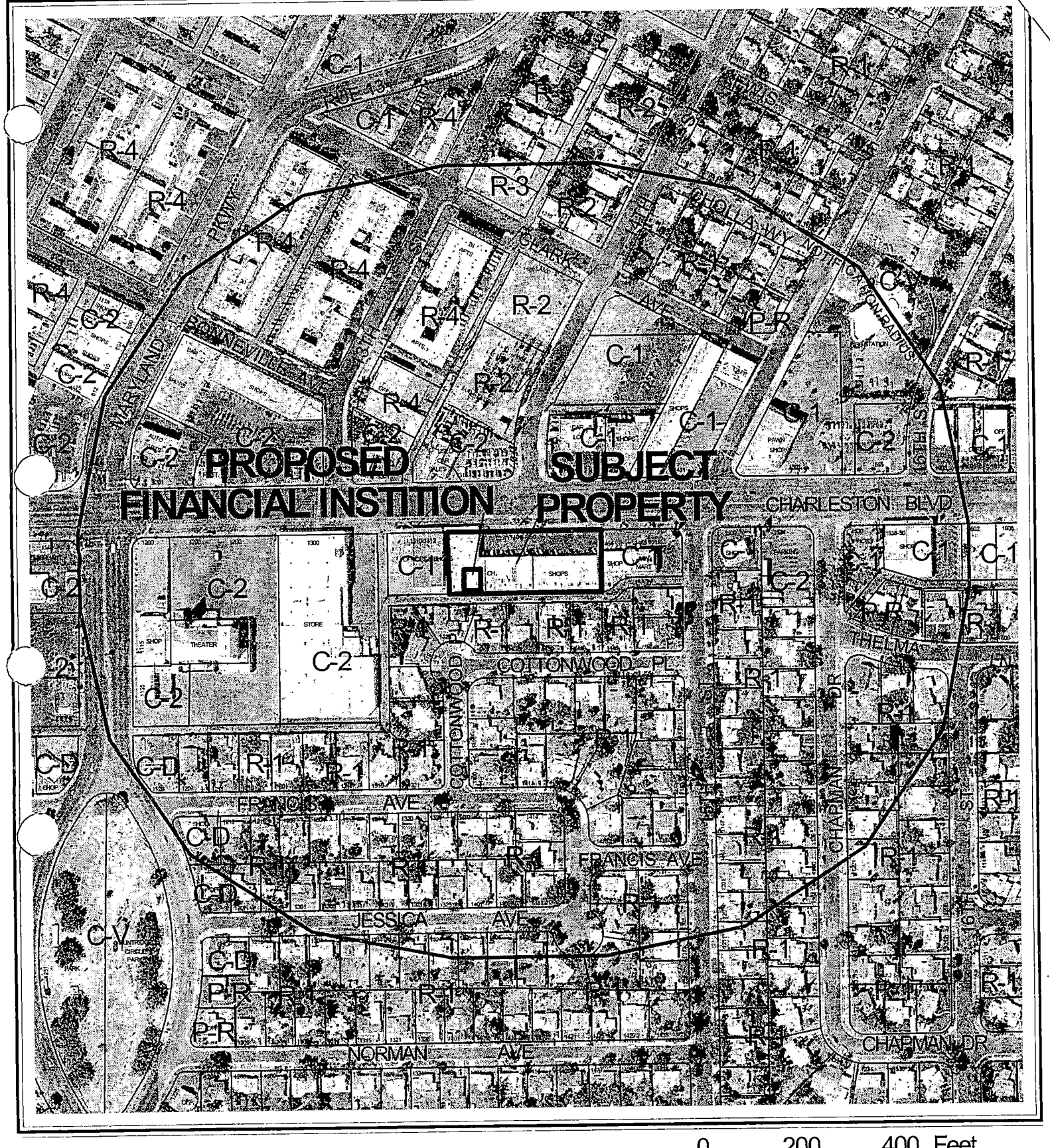


CASE: **SUP-3747**

RADIUS: 750 FT

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

N



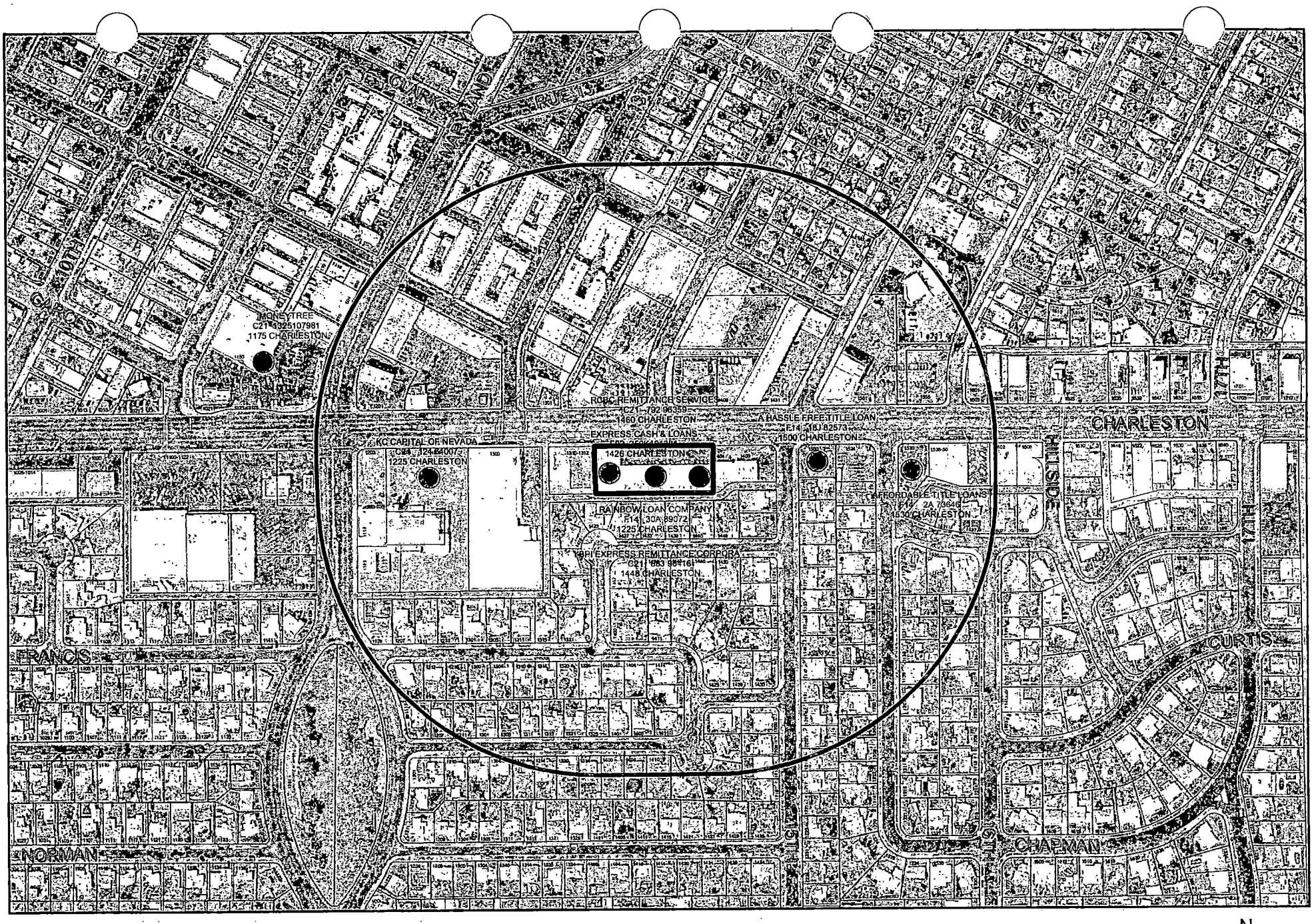
0 200 400 Feet

CASE: **SUP-3747**

RADIUS: 750 FT

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

N


MONEY TREE
C21 4325107981
1175 CHARLESTON
RGPC REMITTANCE SERVICES
C21 792 96359
1460 CHARLESTON
A HASSLE FREE TITLE LOAN
E14 16J 82573
1500 CHARLESTON
EXPRESS CASH & LOANS
KC CAPITAL OF NEVADA
C24 124 84007
1225 CHARLESTON
1426 CHARLESTON
RAINBOW LOAN COMPANY
F14 30A 89072
1225 CHARLESTON
AFFORDABLE TITLE LOANS
F14 2A 73646
1530 CHARLESTON
EXPRESS REMITTANCE CORPORA
C21 983 98416
1448 CHARLESTON
CHARLESTON
HILLSIDE
CLARK
MARYLAND
LEWIS
BONNIE VIEW
CARROLL
FRANCIS
NORMAN
CURTIS
CHAPMAN
SUP-3747 Financial Business Locations
Financial Institution, Specified
(Check Cashing Service)
Financial Institution, Specified
(Check Cashing Service with Gross)
Finance Company
Automobile Title Loan
Subject Property
750 foot buffer
N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3747 -
APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The use shall comply with all applicable requirements of LVMC Title 6.

3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Financial Institution, Specified located at 1426 East Charleston Boulevard, Suite 110.

B) Applicant's Justification

The applicant has been licensed for the issuance of payday loans for some time, and the Special Use Permit is required to accommodate the relocation of an existing payday loan business. The business will only issue payday loans and will not cash checks or offer auto title loans.

BACKGROUND INFORMATION

A) Previous Actions

11/10/97 The City Council approved a request for a Special Use Permit (U-0094-97) for a secondhand furniture dealership. Staff had recommended approval, and the Planning Commission recommend approval on 10/09/97. This project is located adjacent to the west property line of the subject site.

03/19/03 The City Council approved a request for a Site Development Plan Review (SDR-1547) for a proposed 5,406 square-foot auto parts establishment. Staff had recommended approval, and the Planning Commission recommended approval on 02/13/03. This project is located adjacent to the west property line of the subject site.

03/19/03 The City Council approved a request for a Variance (VAR-1549) to allow 27 parking spaces where 30 spaces are required in conjunction with a proposed auto parts establishment. Staff had recommended approval, and the Planning Commission recommended approval on 02/13/03. This project is located adjacent to the west property line of the subject site.

B) Pre-Application Meeting

01/21/04 Minor issues were discussed, including the need for a detailed parking analysis.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.91

B) Existing Land Use

Subject Property:	Shopping Center
North:	Auto Sales
South:	Single-family Residence
East:	Convenience Store
West:	Office and Retail

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment Plan – Commercial)
North:	DTR (Downtown Redevelopment Plan – Commercial)
South:	L (Low Density Residential)
East:	DTR (Downtown Redevelopment Plan – Commercial)
West:	DTR (Downtown Redevelopment Plan – Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial) and C-2 (General Commercial)
South:	R-1 (Single Family Residential)
East:	C-1 (Limited Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject site is located within the Downtown Redevelopment Plan Area of the General Plan with a C (Commercial) designation, which allows for uses typical in the O (Office), SC (Service Commercial) and GC (General Commercial) land use categories of the General Plan. The existing C-1 (Limited Commercial) is consistent with the Downtown Redevelopment Plan Designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Downtown Redevelopment Plan Area with a C (Commercial) land use designation. The proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	900 SF	1 space per 200 GFA	4	1	4	1
Retail	6,800 SF	1 space per 175 GFA	38	1	37	1
Restaurants	2,200 SF	1 space for each 50 sf of seating area and one for each of the remaining 200 of GFA	29	1	0	0

The existing building was constructed in 1964 and is classified as a Parking-Impaired development. A Parking-Impaired development is a land use or building which complied with the applicable parking standards at the time the use or building was established, but does not comply with current regulations. The site plan depicts a deficiency of 31 parking spaces.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there are seven other financial uses within the vicinity of this site. These include three check-cashing businesses, three auto title loan companies, and one finance company.

B) General Analysis and Discussion

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more that twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

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 land use cannot be conduced in a manner that is harmonious and compatible with the surrounding land uses. An analysis of the surrounding area found six Financial Institutions, Specified within 1000 feet of the subject site. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

   The proposed location of the Financial Institution, Specified use is located in an existing shopping center. The proposed Financial Institution, Specified use will not have a negative impact on the subject 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 use will be located within an existing commercial center with access to Charleston Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The Street facilities are adequate in size to meet the requirements of the proposed use.

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

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

NOTICES MAILED 165

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3747 APN: 162-02-110-007

Name of Property Owner: NICK HIMIDIAN

Name of Applicant: EXPRESS CASH of LOANS

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: [signature]

Subscribed and sworn before me

This 21st day of JANUARY, 2004

[signature]

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
ARTURO C. JAVIER
My Appointment Expires
No: 99-59701-1 November 23, 2007

PROJECT SITE ANALYSIS

SITE

SITE AREA =	39,897 S.F.
BUILDING AREA	22,770 S.F.
SITE COVERAGE =	57%

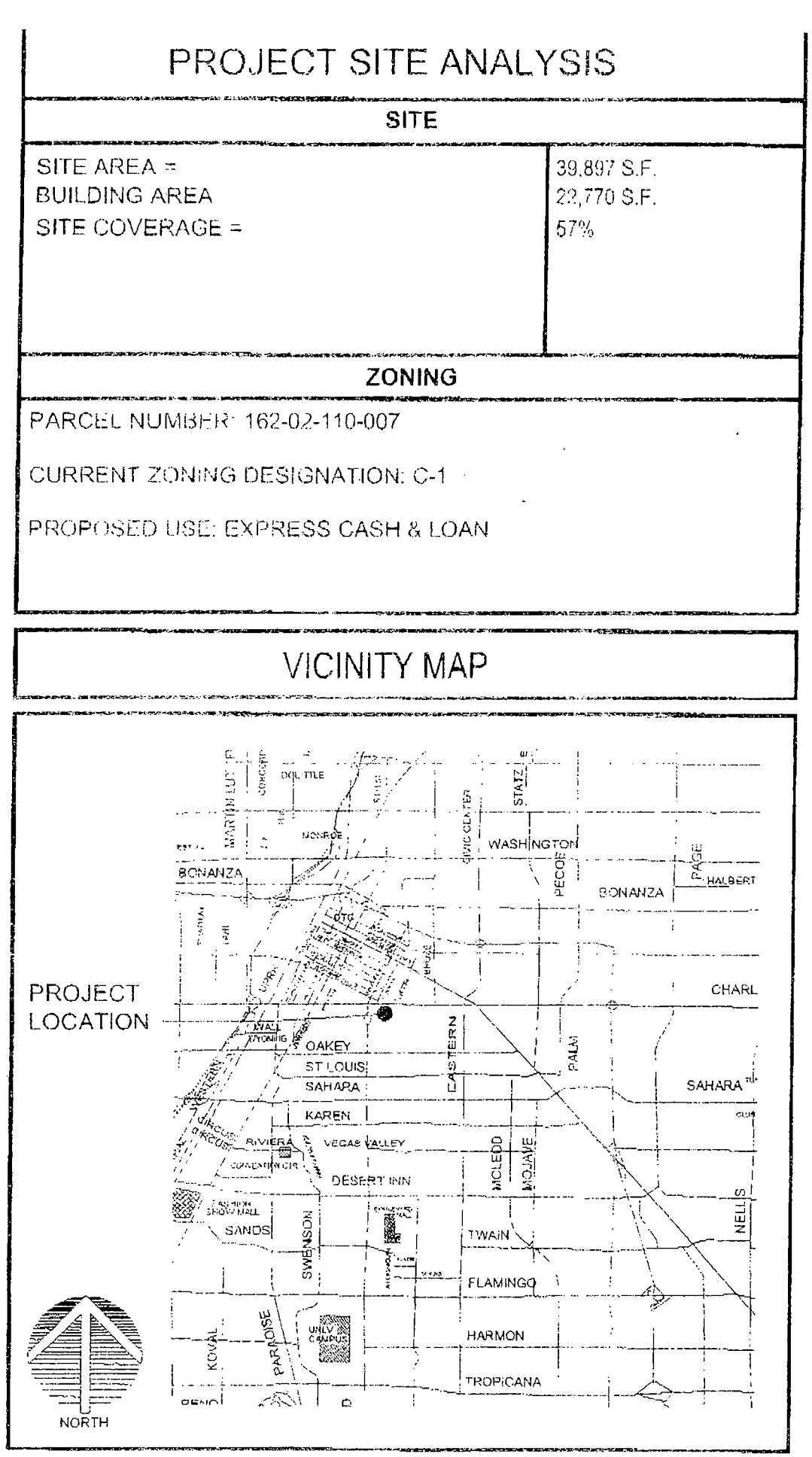
ZONING

PARCEL NUMBER: 162-02-110-007

CURRENT ZONING DESIGNATION: C-1

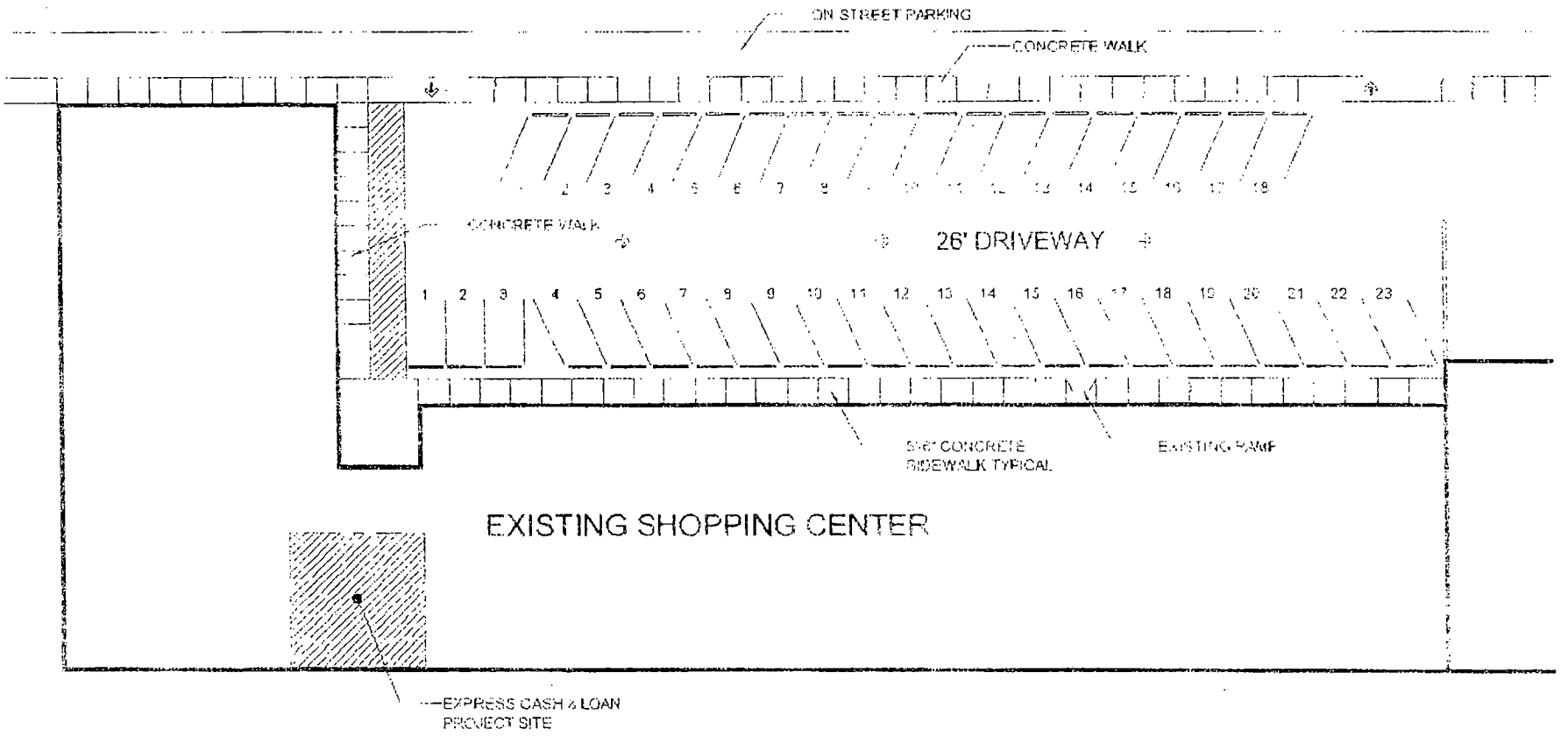
PROPOSED USE: EXPRESS CASH & LOAN

VICINITY MAP



SUP-3747
05-11-24PC

CHARLESTON BLVD.



OVERALL SITE PLAN

SCALE: 1" = 20'-0"

SUP-3747
03-11-04 PC

PROJECT SITE ANALYSIS

SITE

SITE AREA =	[illegible] S.F.
BUILDING AREA	[illegible]
SITE COVERAGE =	[illegible]

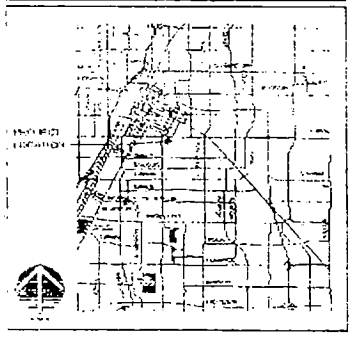
ZONING

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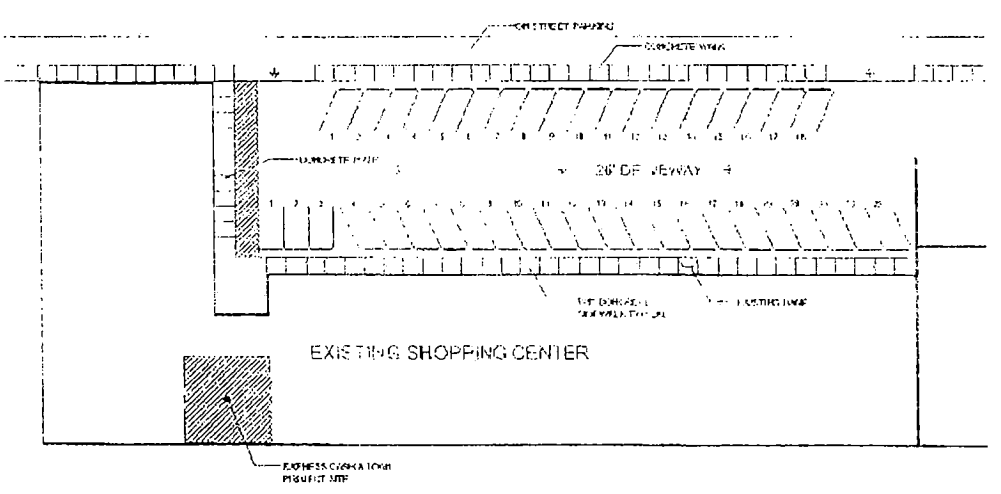
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VICINITY MAP



CHARLESTON BLVD.



OVERALL SITE PLAN

SCALE: 1" = 20'-0"

SUP-3747
05-11-04 PC

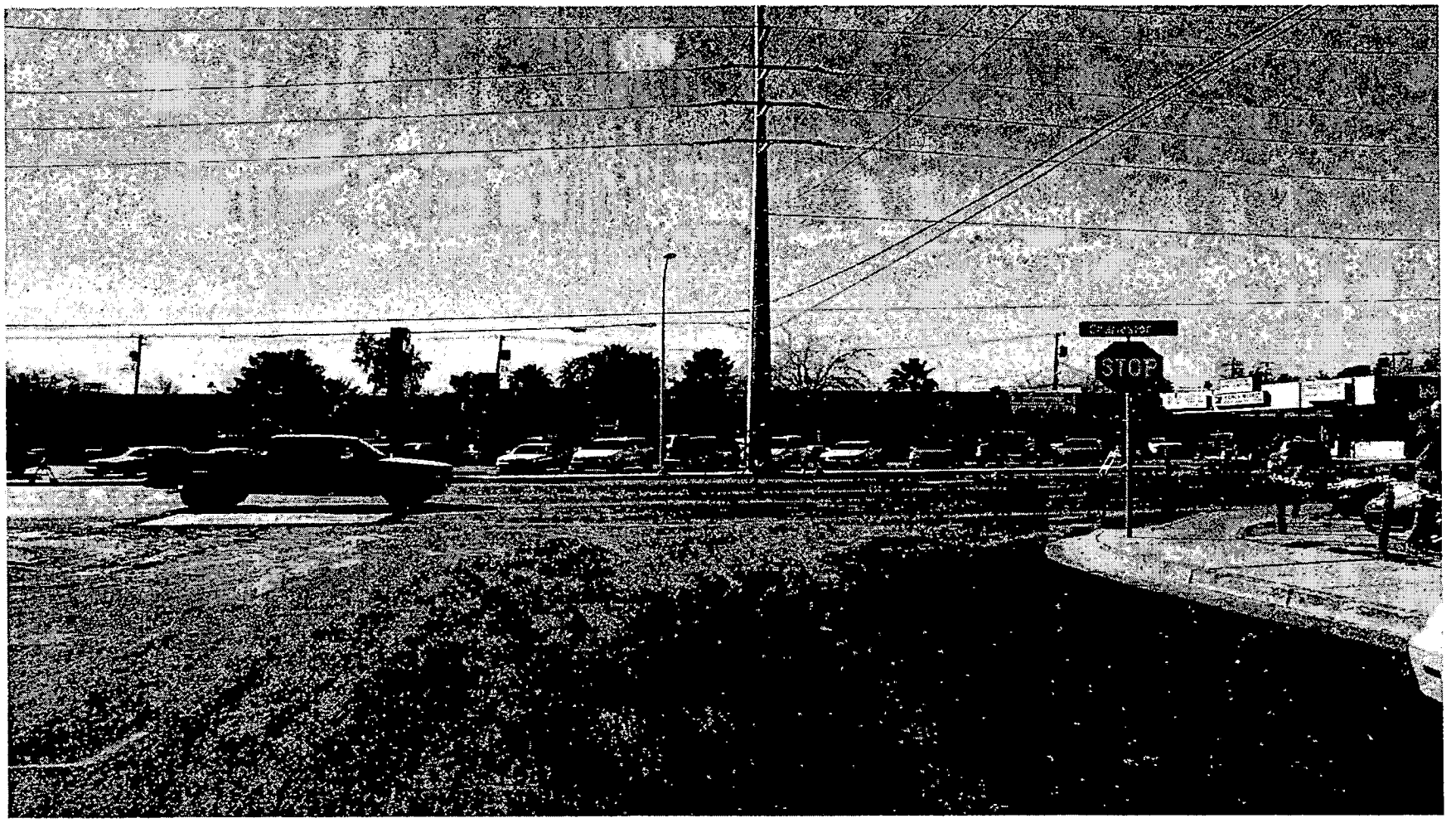
MGA

PROJECT
LAFAYETTE SQUARE
EXPRESS CASH & LOAN
1428 E. CHARLESTON BLVD. STE 110
LAS VEGAS, NEVADA

SHEET TITLE
OVERALL SITE PLAN

SHEET
AS1.01

Jan-14-2005 01:44p



SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST
1426 EAST CHARLESTON BOULEVARD, SUITE 110
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

NOTICE OF PUBLIC HEARING

04 MAR 2 PM 1:10

DEVELOPMENT

SPECIAL USE PERMIT

MEETING:	PLANNING COMMISSION
DATE:	MARCH 11, 2004
TIME:	6:00 P.M.
LOCATION:	CITY COUNCIL CHAMBERS 400 STEWART AVENUE LAS VEGAS, NEVADA

Case: SUP-3747

16202115111
MORGAN DOUGLAS & LINDA TRUST
4769 SPINDLERIDGE CIR
LAS VEGAS NV 89147-5272



SUP-3747

I am opposed to this - Douglas Morgan

APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST - REQUEST FOR A SPECIAL USE PERMIT FOR A FINANCIAL INSTITUTION, SPECIFIED AT 1426 EAST CHARLESTON BOULEVARD, SUITE 110 (APN: 162-02-110-007), C-1 (LIMITED COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www. lasvegasnevada.gov.

CITY OF LAS VEGAS NEVADA

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

SEE LOCATION MAP ON REVERSE SIDE

SUP-3747 P

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3768 - APPLICANT/OWNER: DAVID LITVAK - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape standards and perimeter landscaping standards FOR A PROPOSED 1,100 SQUARE-FOOT ANTIQUE STORE on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), R-4 (High Density Residential) Zone, Ward 1 (Moncrief).

C.C. 04/07/04

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

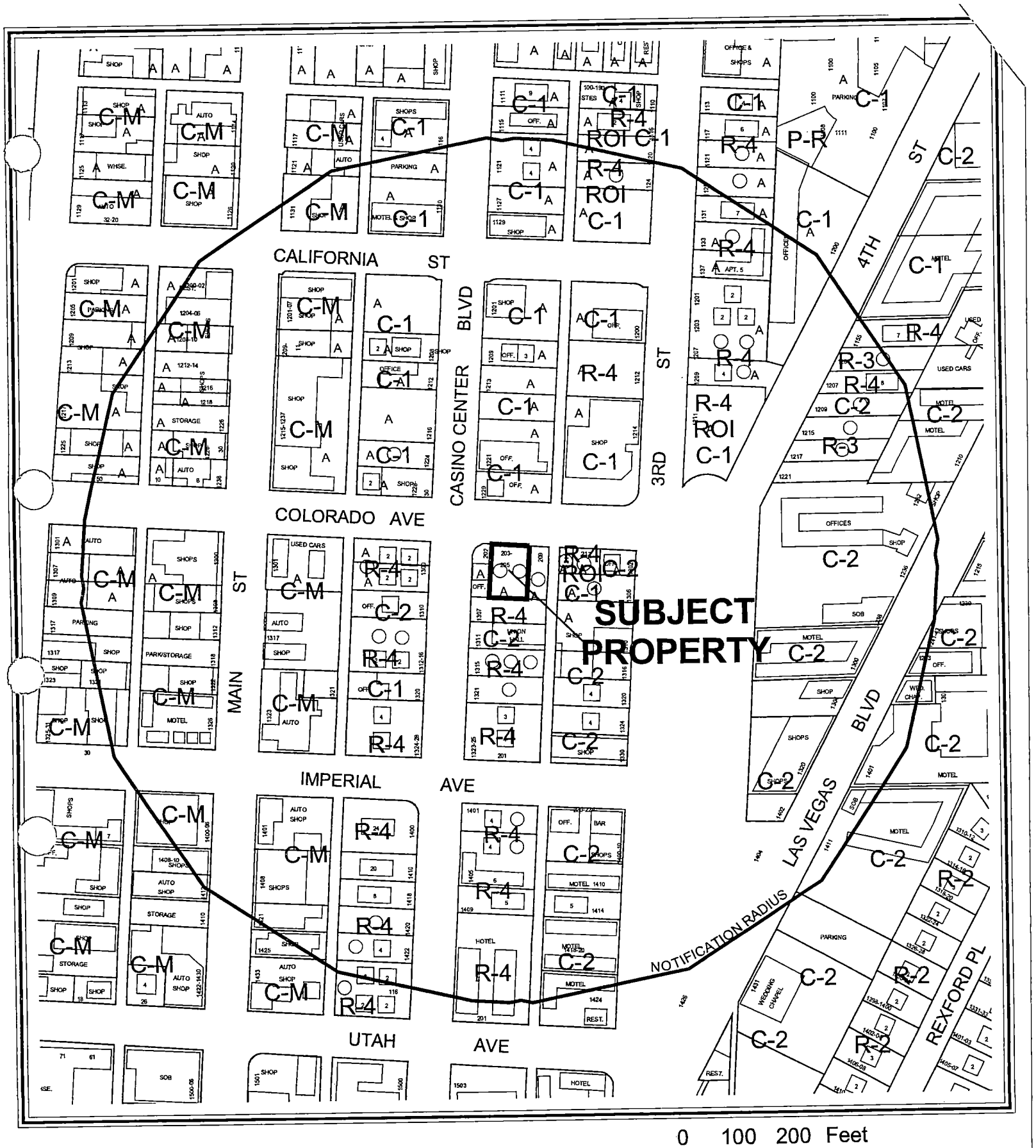
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE Item 3 [TMP-3791] to 3/25/2004 and Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768] to 4/8/2004, TABLE Item 7 [ANX-3740], and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 17 [VAR-3715] – UNANIMOUS with EVANS excused

MINUTES:'
CHAIRMAN TRUESDELL explained that the following items: Item 3 [TMP-3791], Item 2 [TMP-3624], Item 8 [ZON-3708], Item 46 [ZON-3794], Item 47 [SDR-3796] and Item 55 [SDR-3768], Item 7 [ANX-3740], and Item 17 [VAR-3715] are items that were requested to be held in abeyance to a future meeting, tabled or withdrawn without prejudice and may be considered in one motion.

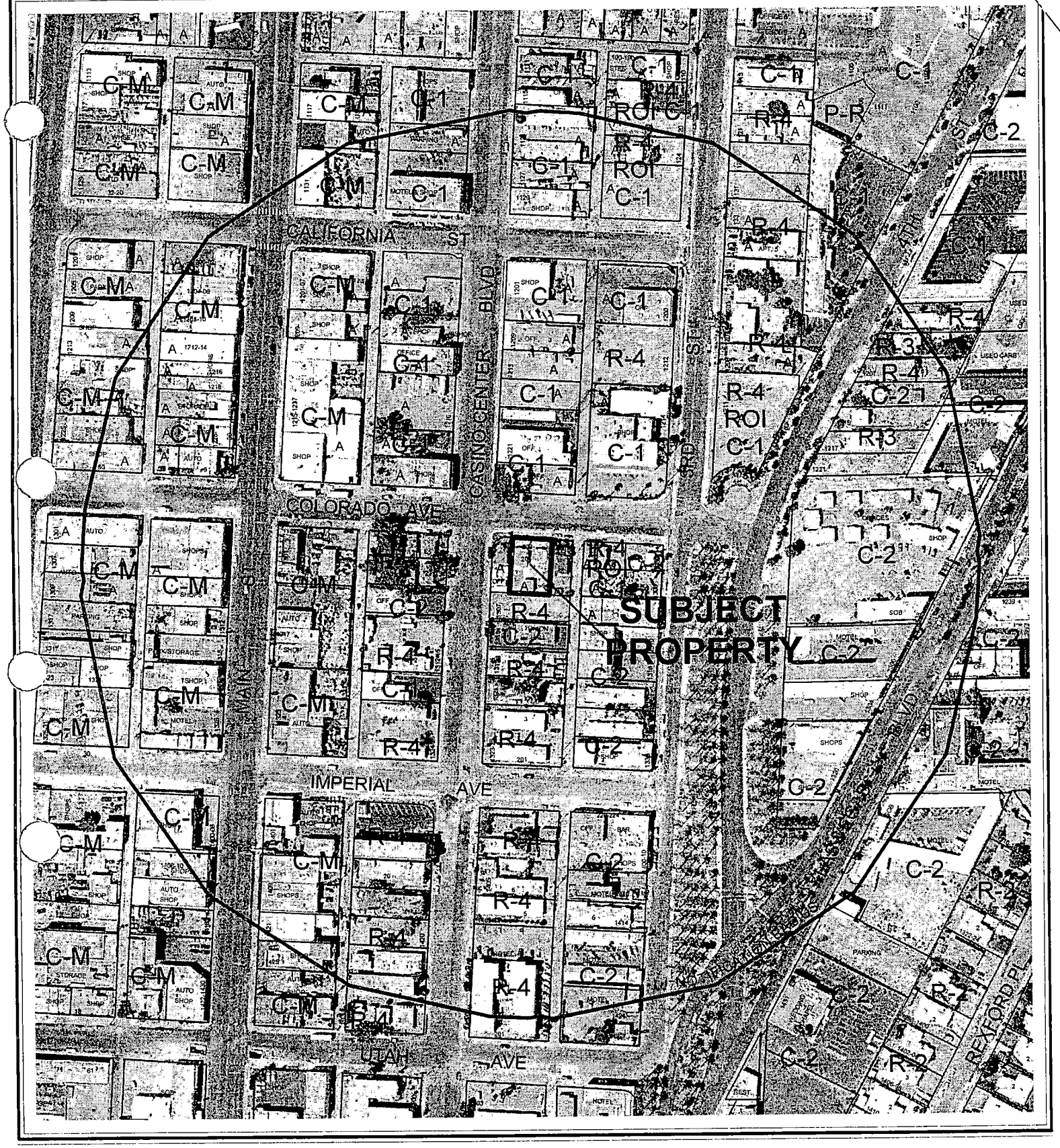
(6:04 – 6:06)



CASE: **SDR-3768**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)



0 100 200 Feet

CASE: **SDR-3768**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3768 - APPLICANT/OWNER: DAVID LITVAK

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

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

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

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

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

5. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

Public Works

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

Building and Safety

7. The following requirements are applicable for the conversion of residential properties to commercial uses:

   a. Fire-rated walls with parapets will be required where any building is less than ten feet from a property line. Protected openings are permitted when five to ten feet from the property line; no openings are permitted where less than five feet to the property line.

b. Replace electrical wiring with wiring in conduit if there is no grounding conductor.

c. Provide 100% upgrade to handicap accessibility including doors, restrooms, parking counters, and any other requirements for these uses.

d. Dissolve any interior property lines between buildings or design for property line requirements such as fire-rated parapets, protected openings, etc.

e. A grounding electrode and exterior disconnect shall be required at each building.

f. Conformance with all other applicable building code requirements.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and waivers of the Downtown Centennial Plan Streetscape standards and perimeter landscaping standards for the conversion of existing residential structures to commercial uses on 0.16 acres located at 203 and 205 East Colorado Avenue.

B) Applicant's Justification

The applicant has stated that the conversion of the existing residential structures will preserve these properties and contribute to the revitalization of downtown Las Vegas and will contribute to the cultural impact of the Arts District.

BACKGROUND INFORMATION

A) Previous Actions

05/23/74 The Board of Zoning Adjustment approved a Variance (V-0034-74) in order to permit a business office in the R-4 zoning district. A condition of approval stipulated that the property was to revert to residential use after five years (05/23/79).

B) Pre-Application Meeting

12/24/03 Streetscape and buffer requirements were discussed with the applicants. In addition, it was noted that a traffic study or impact fee may be required, and the applicants were admonished to review the residential conversion with the Building and Safety Department to verify building code requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

FF

B) Existing Land Use

Subject Property:	Residential Use
North:	Office Use
South:	Vacant
East:	Residential Use
West:	Office Use

C) Planned Land Use

Subject Property:	Mixed Use
North:	Mixed Use
South:	Mixed Use
East:	Mixed Use
West:	Mixed Use

D) Existing Zoning

Subject Property:	R-4 (High-Density Residential)
North:	C-1 (Limited Commercial)
South:	R-4 (High-Density Residential)
East:	R-4 (High-Density Residential)
West:	P-R (Professional Office and Parking)

E) General Plan Compliance

The property is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Las Vegas Redevelopment Plan Area, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Arts District sub-area; specific land use and design standards for the Arts District were adopted by City Council on 08/06/03. The proposed commercial uses are in conformance with the Mixed-Use land use designation specified by the Las Vegas Redevelopment Plan.

PROJECT DESCRIPTION

The project entails the conversion of the existing residential structures on the subject property to commercial uses. No new construction is proposed as part of the development plan. The structure at 205 Colorado will be utilized for retail sales; the structure at 203 Colorado will be utilized for a café/tea room. An existing outbuilding behind the residential structures is identified on the site plan as being used for storage. A small parking area with two spaces will be provided in the front yard setback area; it is intended that the adjacent on-street parking spaces will be adequate to serve the proposed commercial uses.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	7,000 SF	N/A
Min. Lot Width	N/A	70 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 0 Feet (for a minimum of 70% of lot width) N/A N/A N/A	 28 Feet 5 Feet N/A 3 Feet	 N N/A N/A N/A
Max. Lot Coverage	Up to 100%	21%	Y
Max. Building Height	N/A	15 Feet	N/A
Trash Enclosure	Must be screened from public view	No information provided	No information provided

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. On-site parking will be provided as follows:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
N/A	N/A	N/A	N/A	N/A	1	1

Two on-site parking spaces are available in the front yard setback area. There is sufficient on-street parking to address the parking needs for the proposed businesses.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of the landscape requirements contained in Title 19. The Downtown Centennial Plan requires an eight-foot landscape buffer and wrought-iron fence where a public parking lot abuts a public street; the applicants have requested a waiver from this requirement. The site plan indicates that additional shrubs will be installed along the east and west property lines in the front yard setback area, and three new trees will be planted on the property.

A5) Sign Standards

Properties within the Arts District are exempt from the automatic application of dimensional requirements for signage, in accordance with Section AD(5) of the Downtown Centennial Plan. Any signage proposed for the property will be reviewed in conformance with the Arts District Signage Design Standards listed in the Downtown Centennial Plan.

B) General Analysis and Discussion

- Zoning

The subject property is zoned R-4 (High Density Residential); however, the uses stipulated for the Arts District in the Downtown Centennial Plan override the underlying zoning. Consequently, the proposed retail uses are permitted by right without any rezoning action. In addition, the uses conform with the Mixed Use designation stipulated by the Las Vegas Redevelopment Plan.

- Site Plan

No new construction is proposed for the property; the interior of the structures will be modified as needed to accommodate the new commercial uses. The existing parking lot will be used to provide some of the parking for the businesses, with on-street parking on Colorado Avenue being utilized for any additional parking needs.

- Waivers

The applicants have requested a waiver from the requirement to install the Downtown Centennial Plan streetscape treatment, which would require street trees and paving treatments such as have been installed along Fourth Street. In addition, a waiver has been requested from the Downtown Centennial Plan requirement for a landscape buffer and wrought-iron fence to screen the parking lot located in the front yard setback area.

- Landscape Plan

As discussed above, the applicants have requested a waiver from providing a landscape buffer in the front yard setback area to screen the parking lot, due to the fact that the parking lot is existing. Additional landscaping will be added along the east and west property lines, and additional trees will be planted on the property.

- Elevation

No significant changes are proposed to the elevations of the existing buildings. The applicants will paint the structures and add minor decorative elements in order to provide a consistent theme with their other properties to the east.

- Floor Plan

No significant changes are proposed to the floor plans of the existing structures.

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 conversion of the residential structures to commercial uses is in conformance with the Las Vegas Redevelopment Plan and is generally compatible with adjacent development.

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

The proposed uses are in conformance with the Las Vegas Redevelopment Plan and the Arts District standards of the Downtown Centennial Plan. The design standards for the Arts District encourage artistic expression and architectural individuality; the project will generally exemplify that ideal.

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

Colorado Avenue is fully developed and will provide adequate access to the site.

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

The minor improvements planned for the exterior of the structures will be appropriate for the Arts District, as is the additional landscaping.

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

The proposed structures are existing, and are appropriate for the area; the modifications to be made by the applicants will be in keeping with the goals of the Arts District.

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

The structure will be inspected by the Building and Safety Department, and therefore will not compromise the public health, safety and welfare.

NOTICES MAILED 108

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3768 APN: 162-03-110-053

Name of Property Owner: DAVID LITVAK

Name of Applicant: DAVID LITVAK & VERONIKA HOLMES

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: DAVID M. LITVAK

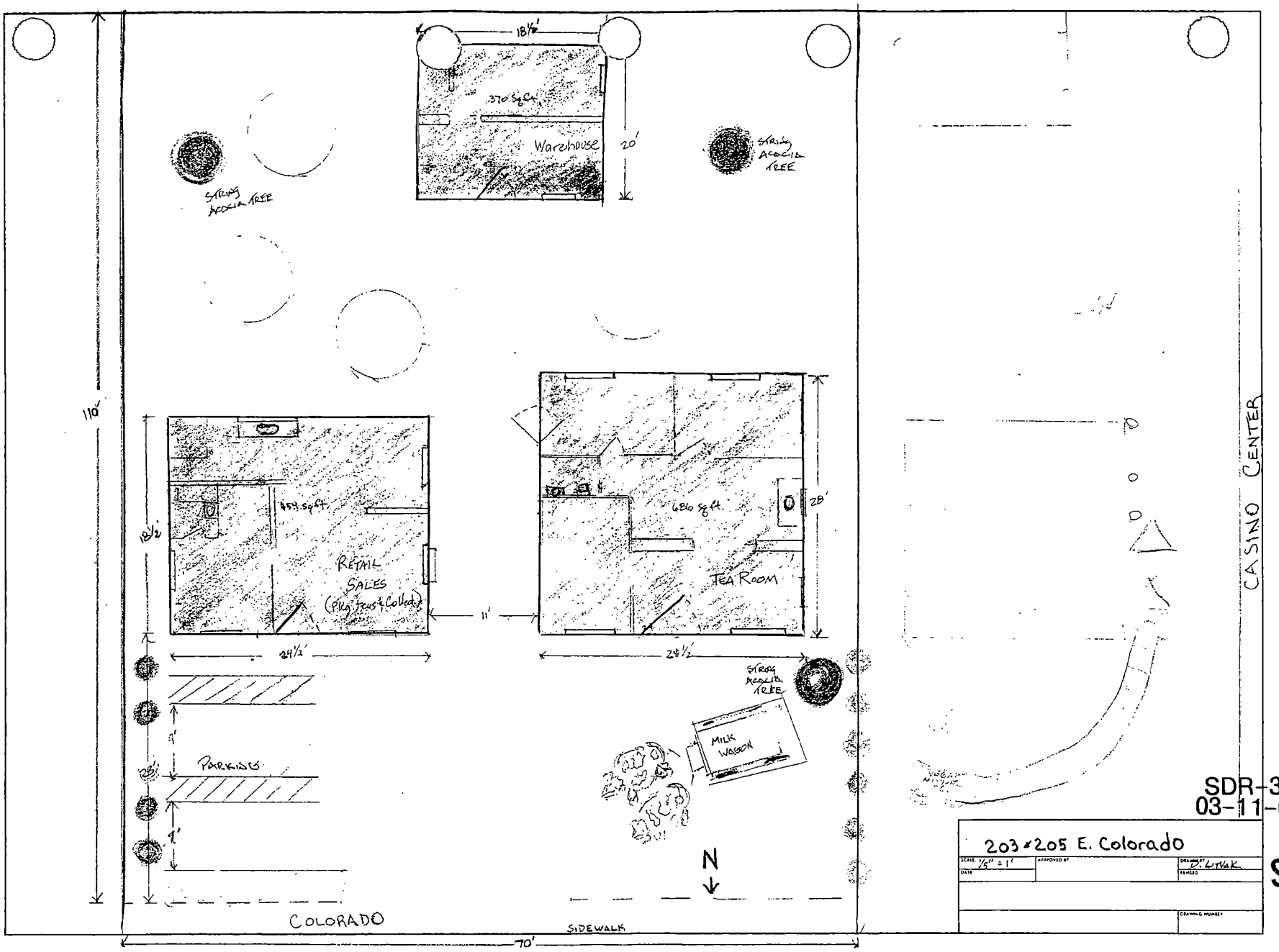
Subscribed and sworn before me

This 16th day of December, 2003

[signature]

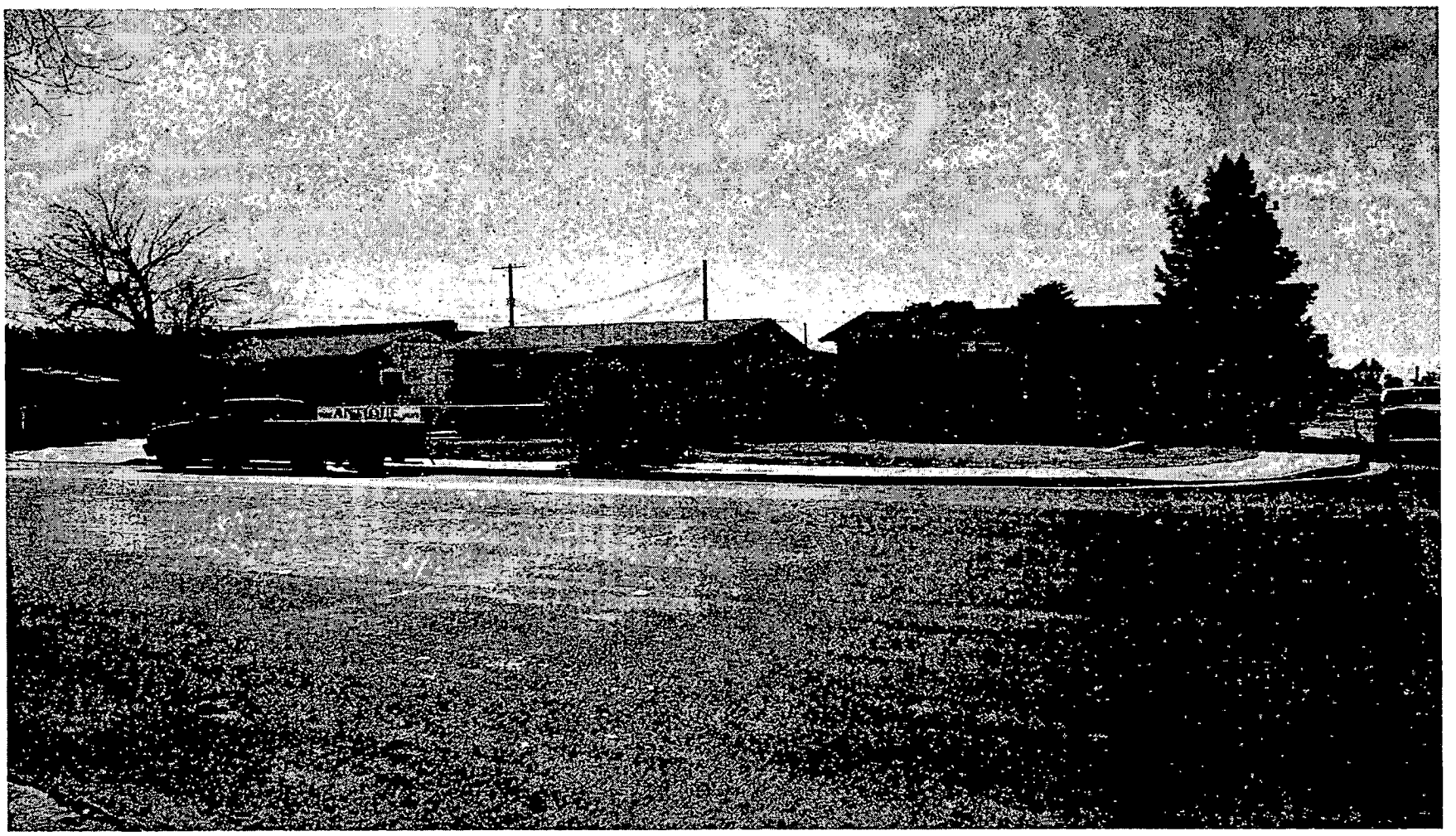
Notary Public in and for said County and State

MICHELLE L. URRY
NOTARY PUBLIC
STATE OF NEVADA
APPT No.00-62857-1
MY APPT EXPIRES APRIL 25, 2004



SDR-3768
03-11-04 PC

STAFF



SDR-3768 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SDR-3768 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards requiring on-site open space features; parking spaces to be set back a minimum of 15 feet from property lines; parking lots to be located away from street front; and walkways between parking lots and rows of parking spaces FOR A PROPOSED 293,355 SQUARE-FOOT RETAIL CENTER on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road (APN: 125-17-301-003 and a portion of 125-17-701-001) T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) land use designation], Ward 6 (Mack).

C.C. 04/07/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with EVANS excused

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

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this application involves three parcels with eleven separate pad sites. All Special Use Permits were previously approved. Staff recommended approval with the provision that some of the conditions be reworked. The applicant agreed to meet all of the conditions.

MINUTES: Continued:

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, and CALVIN CHAMPLIN, 3455 Cliff Shadows Parkway, appeared on behalf of the applicant. ATTORNEY FIORENTINO concurred with staff's presentation and agreed to work with staff relative to the landscaping issues.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:11 – 9:15)

3-358

CONDITIONS:

Planning and Development

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

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

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

4. An access agreement for access to Lot 6 shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any permits for that parcel.

5. Perimeter landscape buffers that front on Farm Road, Oso Blanca Road, and Severence Lane shall have a minimum width of 15 feet in accordance with code requirements.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the streetscape requirements of the Town Center Development Standards Manual and the landscape buffer requirements contained in Title 19. The revised landscape plan shall show no more than 12.5% of the total landscaped area as turf.

CONDITIONS - Continued:

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license(s).
8. The site plan shall be modified so that the buildings on the west side of the development conform with Residential Adjacency Standards. The modified site plan shall be reviewed and approved by the Planning and Development Department.
9. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
10. All mechanical equipment, air conditioning units and loading areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with the requirements of Title 19.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the CHARC-TC prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
14. 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.
15. 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.
16. Handicap parking spaces shall be provided in accordance with code requirements.

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 56 – SDR-3795

CONDITIONS - Continued:

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

18. All pad buildings shall be relocated to meet front yard setback requirements of the Town Center Development Standards Manual.

Public Works

19. Dedicate appropriate half-street right-of-way adjacent to this site for Farm Road, 40 feet of right-of-way for Severance Lane, 90 feet of right-of-way for the Frontage Road, a 25-foot radius at the northwest corner of Severance Road and US 95 Frontage Road and a 54-foot radius at the southwest corner of Farm Road and US 95 Frontage Road. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis Update.

20. Construct half-street improvements, or full-width street improvements as appropriate, including appropriate overpaving on Severance Road, Farm Road, and on the US 95 Frontage Road adjacent to this site concurrent with development of this site. Farm Road may be constructed per the 87 foot-wide cross-section proposed by the adjacent developers to the north and west, including the full-width of the 15 foot wide landscaped median, provided that this developer submits proof that the entire length of Farm Road from Fort Apache Road eastward to the Frontage Road will be developed to this cross section, and the adjacent developer(s) sign and record a Maintenance and Liability agreement for all proposed deviations from current Town Center standards; with all maintenance obligations to be borne by the adjacent Homeowner's or other Property Owner's Associations. If such proof cannot be provided prior to submittal of construction drawings, Farm Road shall be designed and constructed to meet current Town Center Arterial standards. Design and construction of all other adjacent streets shall comply with Town Center standards. Improvements on Oso Blanco (Frontage Road) shall also meet Nevada of Department of Transportation standards.

21. Provide proof acceptable to the Department of Public Works that access rights are in place between the Frontage Road and Lot 6 as proposed on this site plan.

22. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CONDITIONS - Continued:

23. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation for those driveways and/or traffic signals accessing the Frontage Road.

24. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

25. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.

26. Landscape and maintain all unimproved rights-of-way adjacent to this site.

27. Submit an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

28. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

29. A Master Streetlight Plan for all streetlights adjacent to public streets must be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

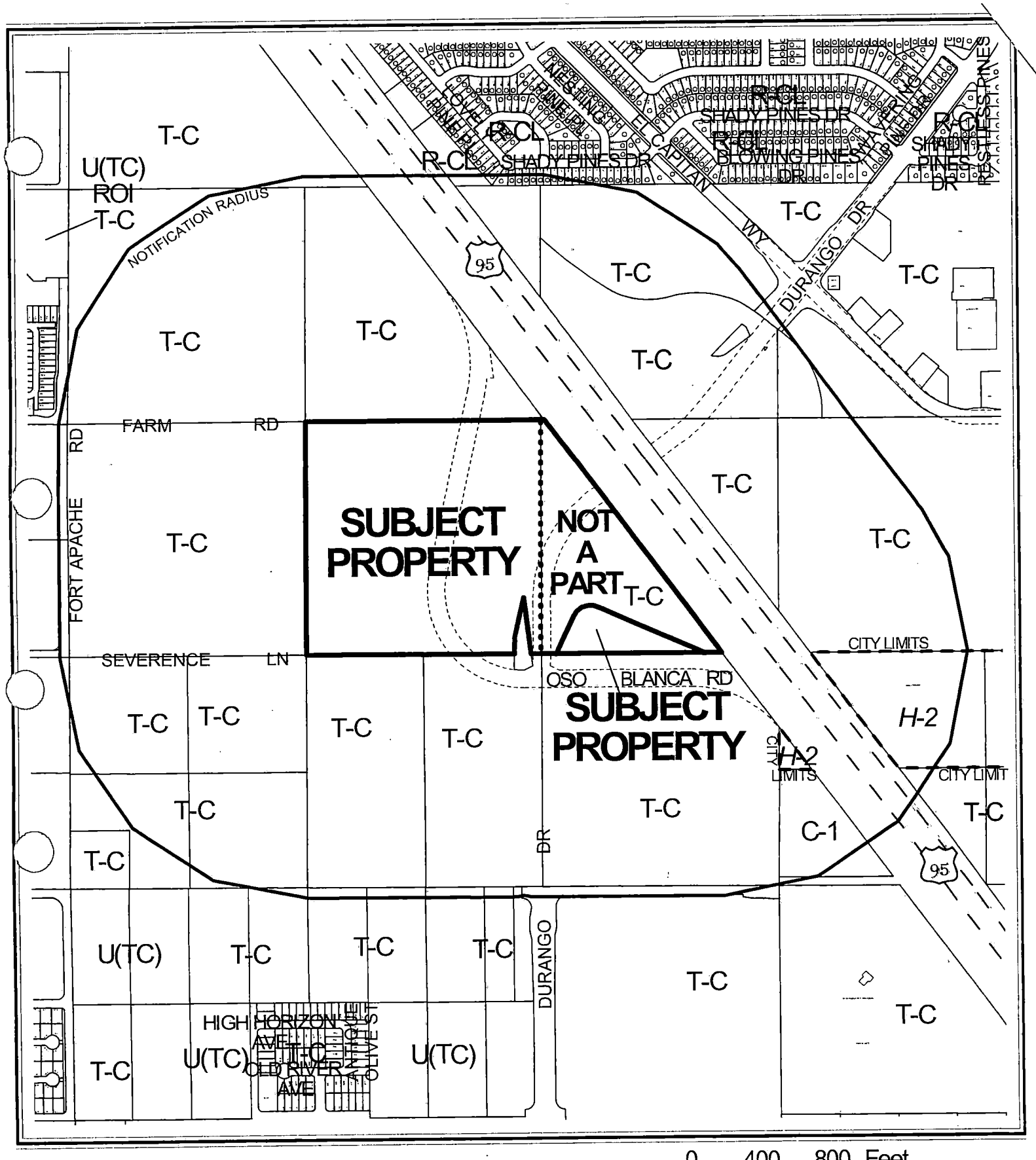
30. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer to the north edge of this site in the Frontage Road alignment to a location and depth acceptable to the City Engineer.

CONDITIONS - Continued:

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

32. 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.

33. Site development to comply with all applicable conditions of approval for the Town Center Master Plan and all other applicable site-related actions.



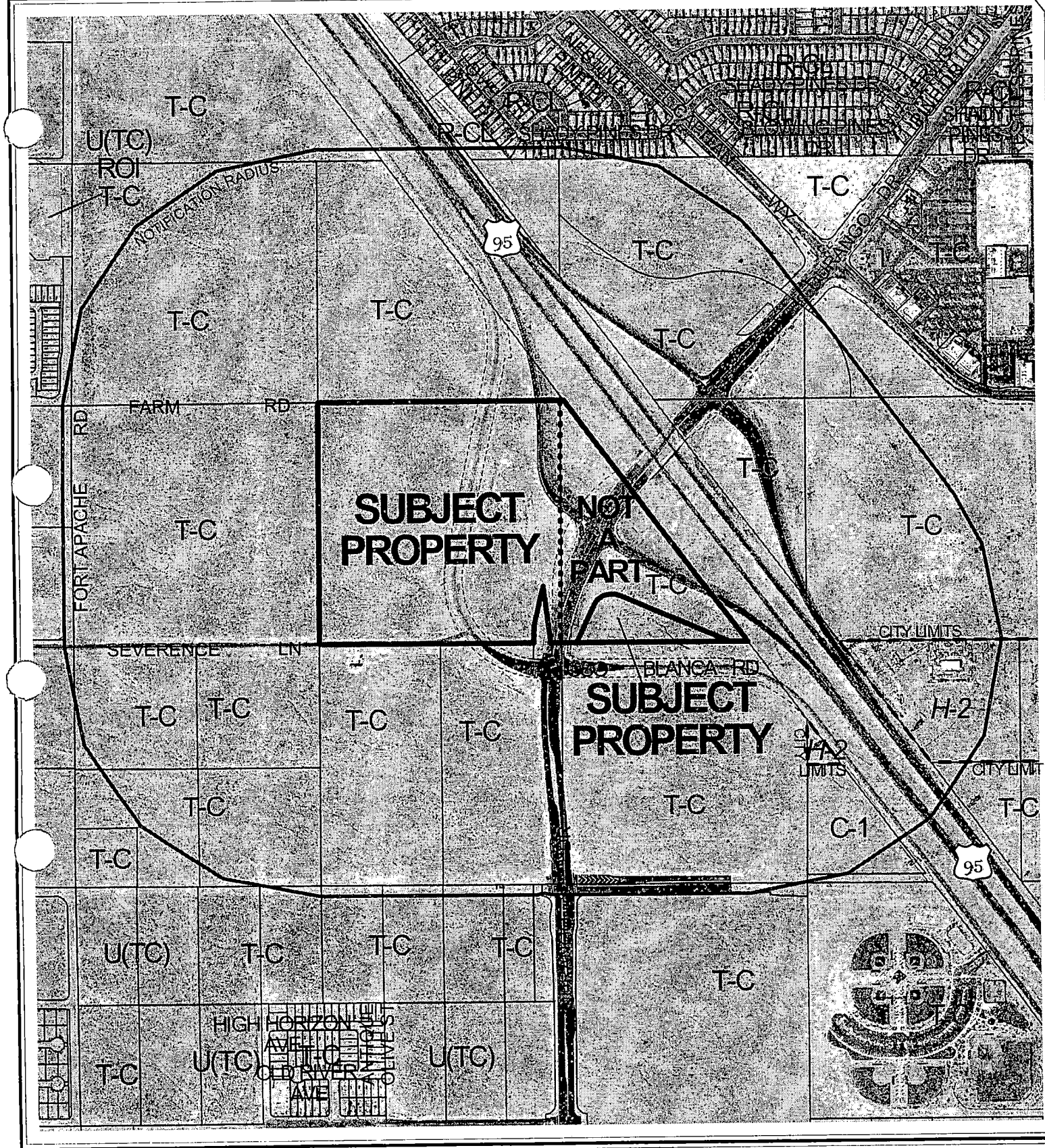
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CASE: **SDR-3795**

RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER) LAND USE DESIGNATION]

N



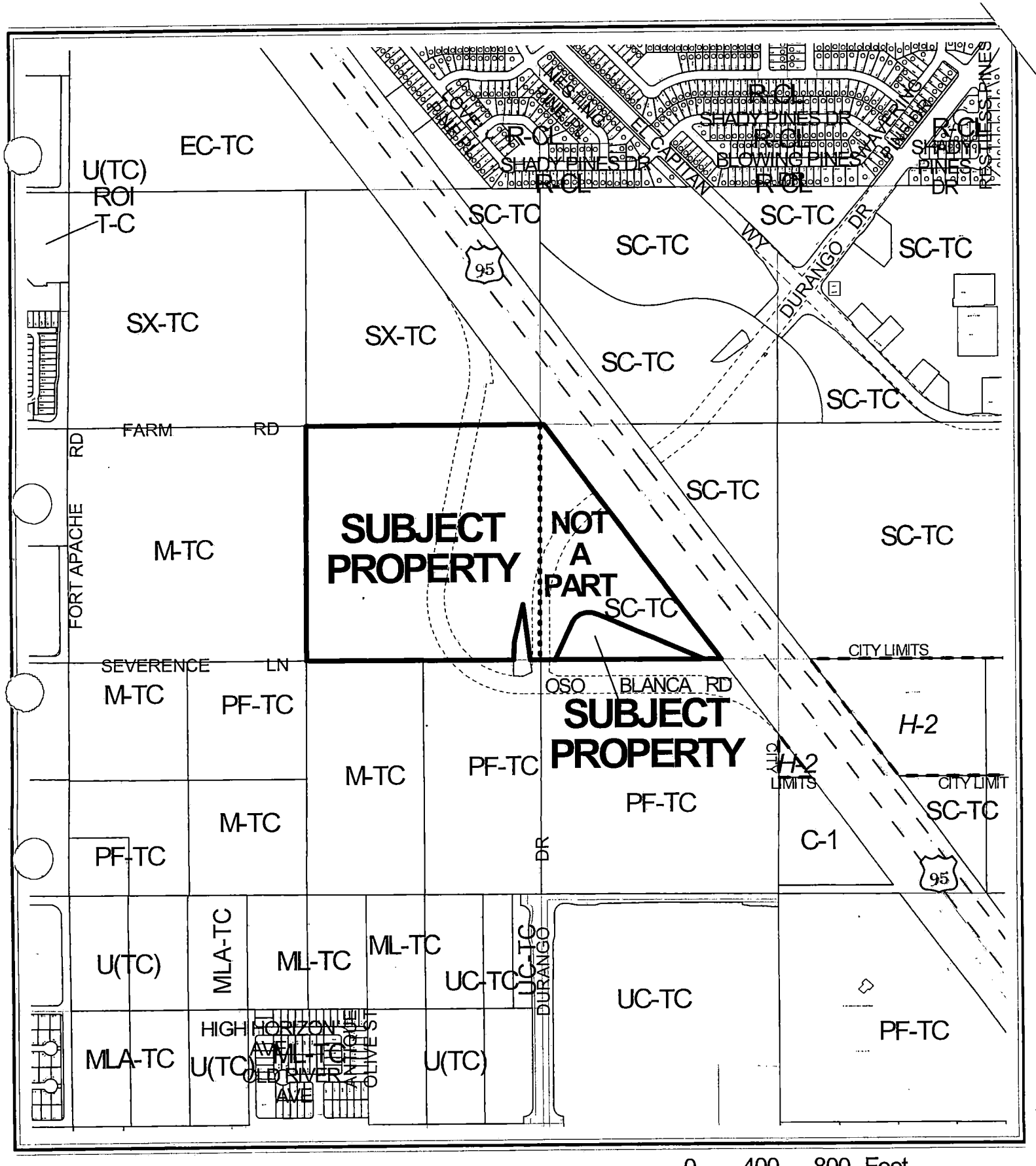
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CASE: **SDR-3795**

RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER) LAND USE DESIGNATION]

N



0 400 800 Feet

CASE: SDR-3795

TOWN CENTER SPECIAL ZONING MAP

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

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

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

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

4. An access agreement for access to Lot 6 shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any permits for that parcel.

5. Perimeter landscape buffers that front on Farm Road, Oso Blanca Road, and Severence Lane shall have a minimum width of 15 feet in accordance with code requirements.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the streetscape requirements of the Town Center Development Standards Manual and the landscape buffer requirements contained in Title 19. The revised landscape plan shall show no more than 12.5% of the total landscaped area as turf.

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

8. The site plan shall be modified so that the buildings on the west side of the development conform with Residential Adjacency Standards. The modified site plan shall be reviewed and approved by the Planning and Development Department.

9. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

10. All mechanical equipment, air conditioning units and loading areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with the requirements of Title 19.

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

12. A Master Sign Plan shall be submitted for approval of the CHARC-TC prior to the issuance of a Certificate of Occupancy for any building on the site.

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

14. 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.

15. 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.

16. Handicap parking spaces shall be provided in accordance with code requirements.

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

18. All pad buildings shall be relocated to meet front yard setback requirements of the Town Center Development Standards Manual.

Public Works

19. Dedicate appropriate half-street right-of-way adjacent to this site for Farm Road, 40 feet of right-of-way for Severance Lane, 90 feet of right-of-way for the Frontage Road, a 25-foot radius at the northwest corner of Severance Road and US 95 Frontage Road and a 54-foot radius at the southwest corner of Farm Road and US 95 Frontage Road. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis Update.

20. Construct half-street improvements, or full-width street improvements as appropriate, including appropriate overpaving on Severance Road, Farm Road, and on the US 95 Frontage Road adjacent to this site concurrent with development of this site. Farm Road may be constructed per the 87 foot-wide cross-section proposed by the adjacent developers to the north and west, including the full-width of the 15 foot wide landscaped median, provided that this developer submits proof that the entire length of Farm Road from Fort Apache Road eastward to the Frontage Road will be developed to this cross section, and the adjacent developer(s) sign and record a Maintenance and Liability agreement for all proposed deviations from current Town Center standards; with all maintenance obligations to be borne by the adjacent Homeowner's or other Property Owner's Associations. If such proof cannot be provided prior to submittal of construction drawings, Farm Road shall be designed and constructed to meet current Town Center Arterial standards. Design and construction of all other adjacent streets shall comply with Town Center standards. Improvements on Oso Blanco (Frontage Road) shall also meet Nevada of Department of Transportation standards.

21. Provide proof acceptable to the Department of Public Works that access rights are in place between the Frontage Road and Lot 6 as proposed on this site plan.

22. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

23. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation for those driveways and/or traffic signals accessing the Frontage Road.

24. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

25. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.

26. Landscape and maintain all unimproved rights-of-way adjacent to this site.

27. Submit an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

28. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

FF

29. A Master Streetlight Plan for all streetlights adjacent to public streets must be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

30. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer to the north edge of this site in the Frontage Road alignment to a location and depth acceptable to the City Engineer.

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

31. 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.

32. Site development to comply with all applicable conditions of approval for the Town Center Master Plan and all other applicable site-related actions.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Site Development Plan Review and waivers from the Town Center Development Standards for a proposed 293,355 square-foot retail center on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road. The applicant has requested waivers from the on-site open space features; the requirement for parking spaces to be set back a minimum of 15 feet from property lines; the provision that parking lots be located away from the street frontage; and the requirement for walkways between parking lots and rows of parking spaces.

B) Applicant's Justification

The applicant has stated that the redesigned commercial center will achieve an aesthetically pleasing and desirable development and will provide a compatible and stable developed environment in harmony with surrounding land uses.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was included in this Rezoning request.

11/15/00 The City Council approved a Site Development Plan Review [Z-0076-98(15)] for a 284,150 square foot commercial center on the subject property as part of a larger request. In addition, 12 associated Special Use Permit (U-0099-00 through U-0110-00) applications were approved, allowing four supper clubs, four restaurants with drive-through facilities, a convenience store with fuel pumps, sale of packaged liquor in conjunction with a convenience store, a car wash, and an auto lube facility. The Planning Commission recommended approval of the requests on 08/24/00.

12/18/02 City Council approved an Extension of Time for the Site Development Plan Review (EOT-1083) and the 12 associated Special Use Permit applications (EOT-1084 through EOT-1095) for the subject site. The Planning Commission recommended approval of the requests on 11/21/02.

B) Pre-Application Meeting

01/09/04 At the pre-application meeting, staff discussed Town Center standards relative to building placement and frontage requirements, streetscape treatments, residential adjacency requirements, intersection alignments, and existing approvals for drive-through facilities.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	33.76

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	U.S. 95 Right-of-Way
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial - Town Center)
North:	SX-TC (Suburban Mixed Use - Town Center)
South:	M-TC (Medium Density Residential - Town Center) PF-TC (Public Facilities - Town Center)
East:	SC-TC (Service Commercial - Town Center)
West:	M-TC (Medium Density Residential - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	U.S. 95 Right-of-Way, T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The subject parcel is located within the area governed by the Centennial Hills Sector Plan, and is designated SC-TC (Service Commercial - Town Center). This land use category permits low- to medium-intensity retail, office or other commercial uses that are intended to primarily serve residents of the Centennial Hills area and does not include more intense general commercial characteristics.

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

The subject parcel is subject to the Town Center Development Standards, but is not part of any other Special Overlay District or Study Area. No trails, other than sidewalks required through the applicable Town Center street sections, abut the development site. The traffic generated by the project warrants a Development Impact Notification Assessment.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) It is a commercial facility generating more than 3,000 average daily trips.

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

1) Development has been conditioned to extend the oversized public sewer line in the Frontage Road to the northern edge if it is not already constructed at the time of their development.
2) No significant law enforcement issues.
3) Drainage study required.

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

PROJECT DESCRIPTION

The project entails the development of a 293,355 square-foot retail center on three parcels (identified as Lot 1, Lot 2, and Lot 6) on both sides of Oso Blanca Road north of Severence Lane. The center will include a combination of anchor and in-line tenant space and 11 pad sites. A total of 12 Special Use Permits have been approved for the site, allowing four supper clubs, four restaurants with drive-through facilities, a convenience store with fuel pumps, sale of packaged liquor in conjunction with a convenience store, a car wash, and an auto lube facility. All of the

buildings will be one story in height, with stucco exteriors and tile accents. A total of 1,968 parking spaces will be provided in surface parking lots, with perimeter landscape buffers on all street frontages. The applicant will be installing streetscape treatments in accordance with the Town Center Design Standards.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	33.76 Acres	N/A
Min. Lot Width	100 Feet	180 Feet (Lot 6)	Y
Min. Setbacks			
• Front – Oso Blanca	0-15 Feet	25 Feet	Y
• Front – All others	20 Feet	51 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	43 Feet	Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	None	32 Feet	Y
Trash Enclosure	Screened and roofed	Not indicated	--
Loading Zone	Screened from R.O.W.	Not indicated	--
Mech. Equipment	Screened from view	Not indicated	--

The project exceeds all minimum setback requirements and conforms with lot coverage requirements. While the project generally conforms with height requirements, it should be noted that the buildings along the west property line will be subject to Residential Adjacency Standards. There is not sufficient information in order to determine that mechanical equipment and loading spaces will be adequately screened from view of abutting properties and the public rights-of-way.

A2) Residential Adjacency Standards

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

a) Proximity slope. The building designated as "Major A" appears to encroach the required proximity slope from the approved residential development abutting the western boundary of the site. The elevations indicate that the building is approximately 26 feet high, which would require a 78-foot setback from the west property line.

b) Building setback. The proposed project complies with the minimum building setback required under the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
General Retail	235,655 SF	1/250 GFA	943			
Restaurant	29,800 SF	1/50 GFA	596			
Restaurant (w/ drive-through)	18,000 SF	1/100 GFA	180			
Auto Lube	See Ratio	1/employee 3/bay	18			
Total:			1,737	28	1,968	Not indicated

The project will provide over 200 spaces in excess of Code requirements. No handicap parking spaces have been shown on the site plan, but will need to be provided in accordance with the Code.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	328 Trees	410 Trees
Buffer:			
• Min. Trees – Oso Blanca	1 Tree/35 Linear Feet	--	1 Tree/35 Feet
• Min. Trees – Farm Rd., Severence Lane	1 Tree/30 Feet O.C.	--	1 Tree/30 Feet
• Min. Trees – West property line	1 Tree/20 Feet O.C.	--	Not indicated
• Min. Zone Width – Street	15 Feet		8-15 Feet
• Min. Zone Width – Interior	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

A sufficient number of trees is shown within the parking lot areas. The landscape buffers along Farm Road and Severence Lane do not meet the minimum width requirement, and will need to be increased to 15 feet. All other buffer areas appear to be of the appropriate size. Due to Residential Adjacency requirements, the trees in the buffer area along the west property line shall not exceed 20 feet on center.

The proposed streetscape treatments appear to conform to the Town Center Development Standards. The landscape plan does not offer sufficient information about groundcover materials and landscape specifications.

A5) Sign Standards

Signage in Town Center is governed by the requirements listed in Section D of the Town Center Development Standards Manual, and is subject to review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC). A separate application for approval of a Master Sign Plan shall be submitted to CHARC-TC prior to the issuance of any permits for signage in the subject development.

B) General Analysis and Discussion

- Zoning

The subject property is designated SC-TC (Service Commercial – Town Center), which allows the proposed retail and restaurant uses by right. Special Use Permits have been approved and Extensions of Time are still valid for four supper clubs, four restaurants with drive-through facilities, sale of packed liquor in conjunction with a convenience store, a car wash, and an auto lube facility.

- Site Plan

The proposed structures meet or exceed all minimum setback requirements. The Town Center Development Standards require that surface parking lots be located away from the public right-of-way and to the side or rear of the buildings that they serve; while four of the pad sites generally conform to this requirement, the placement of the remaining buildings should be revised to conform with the regulation. Another deficiency of the site plan is the lack of a continuous internal pedestrian walkway from the public sidewalk to the principal building entries and an on-site pedestrian network.

The buildings on the west side of the site abut a residential development, and are subject to Residential Adjacency Standards. The height of the buildings along that property line may need to be decreased in height, or moved further away from the property line in order to conform to proximity slope requirements.

Lot 6 of the development requires access across BLM land in order to gain ingress and egress from Oso Blanca Road. A cross-access agreement will be necessary with BLM in order to permit the driveways as proposed. Should the applicant purchase the land between Lot 6 and Oso Blanca Road, a Site Development Plan Review application will be required to review and coordinate development on the parcel.

- Waivers

The applicant has requested waivers from the on-site open space features; the requirement for parking spaces to be set back a minimum of 15 feet from property lines; the provision that parking lots be located away from the street frontage; and the requirement for walkways between parking lots and rows of parking spaces. Staff would recommend that the landscape buffers be revised to conform to code requirements, that the pad buildings be relocated to conform as closely to the regulations as possible, and that the pedestrian walkways be incorporated as required.

- Landscape Plan

As previously noted, the landscape buffers along Farm Road and Severence Lane should be increased to 15 feet in depth in order to conform with Code requirements. As there are over 200 parking spaces in excess of code requirements, there is adequate site area to provide conforming buffers. The landscaping provided within the parking areas generally conforms to code requirements. Due to Residential Adjacency requirements, the trees in the buffer along the west property line shall be planted no more than 20 feet on center. The landscape plan does not provide sufficient information about landscape species and groundcover specifications; a revised landscape plan will need to be submitted to the Planning and Development Department for review and approval.

The submitted plan indicates that the project will generally conform with the Town Center streetscape requirements. Additional information will be needed to verify that the groundcover, plantings, street furniture and sidewalk treatments conform with Town Center requirements.

- Elevation

The submitted elevations depict the use of stucco as the primary façade material, with tile wainscoting at column bases and stone veneer on the pilasters. The proposed colors are within the range of "desert neutrals" recommended by the Development Standards, with orange and rust accent colors. Trellis structures and arcades will be provided to shade the walkways adjacent to the buildings and to provide visual interest. A detailed cornice is provided at the top of the parapet walls, and some variation in the height of the parapet is provided at the principal anchor spaces. While tile insets have been provided as a decorative element at the rear of the buildings, additional plaster reveals and offsets in the wall planes should be utilized to provide additional variation and interest, as the buildings will back up to a residential neighborhood on the west and U.S. 95 on the east. Generalized elevations have been provided for the pad buildings; any variation from the provided elevations will require further review.

- Floor Plan

Floor plans for the individual tenant spaces are not available at this time. The site plan generally depicts a convenient and rational layout for the buildings relative to associated parking areas and other tenant spaces.

FINDINGS

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

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

   The proposed uses are in conformance with the Centennial Hills Sector Plan and the development will provide adequate buffers between abutting 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 proposed development is generally consistent with adopted standards, with the exceptions that have been noted. The conditions of approval have been formulated to address the elements that must be corrected.

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

   The development has access to a Frontage Road, Secondary Collectors and is adjacent to a Primary Arterial, all of which contribute to carrying the capacity of traffic generated by the project. The applicant will be required to provide half streets improvements where streets do not currently exist.

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

   The proposed landscape buffers and streetscape treatments are generally consistent with City standards and will be appropriate for the area.

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

The proposed building elevations are consistent with other retail centers in the area and will create a unified architectural theme for the development.

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

The project will be subject to permit review and inspections, and therefore appropriate measures will be taken to protect public health, safety and general welfare.

NOTICES MAILED 40

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3795 APN: 125-17-301-003 and 125-17-701-001 (portion)

Name of Property Owner: Northwest 95, LLC

Name of Applicant: Northwest 95, LLC

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

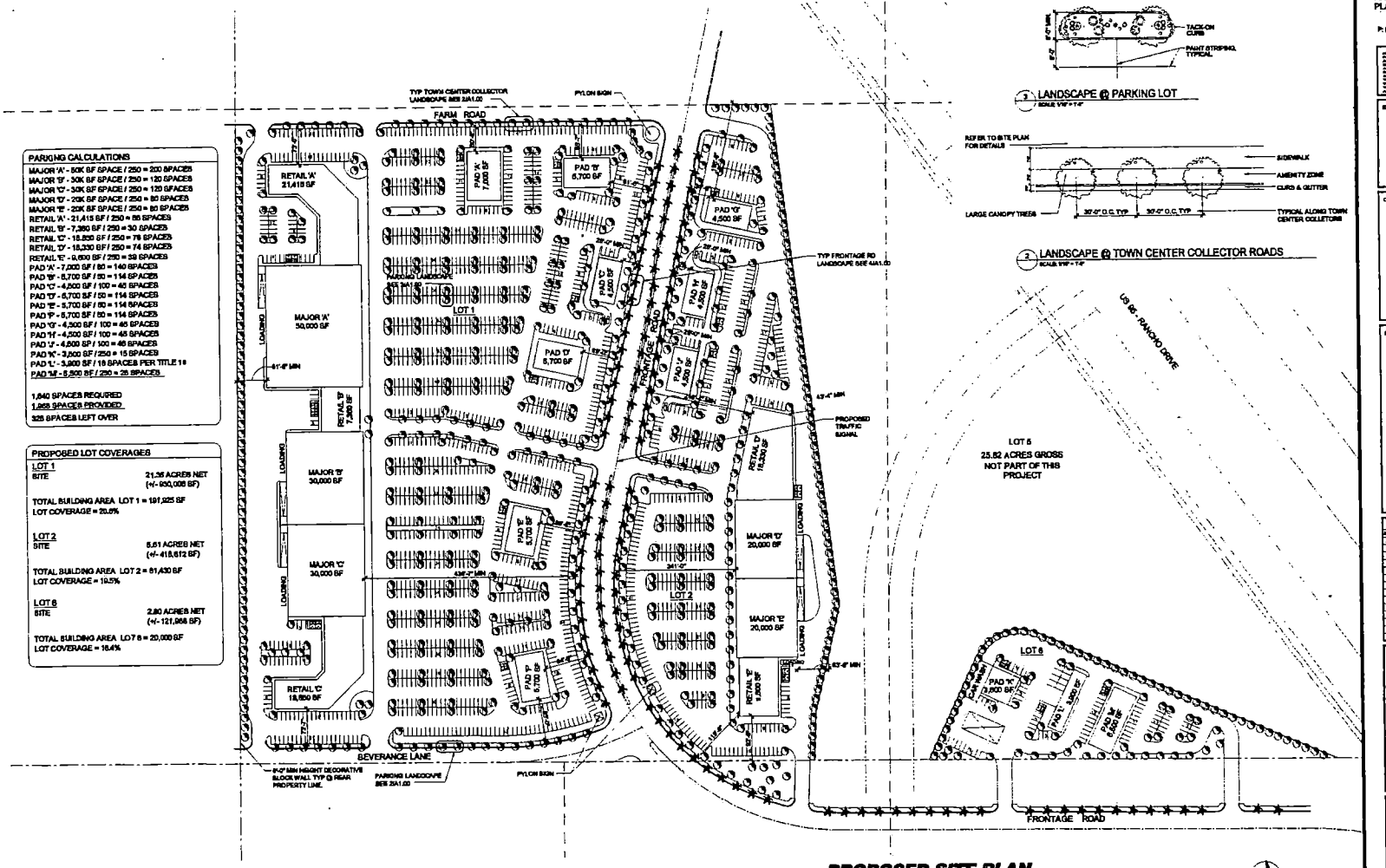
Subscribed and sworn before me

This 27th day of January, 2004

Amanda Dalton

Notary Public in and for said County and State

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



SDR-3795

03-11-04 PC

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RETAIL CENTER
FARM ROAD & US 95

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3025 CLAY STREET, SUITE 200
SAN FRANCISCO, CA 94115

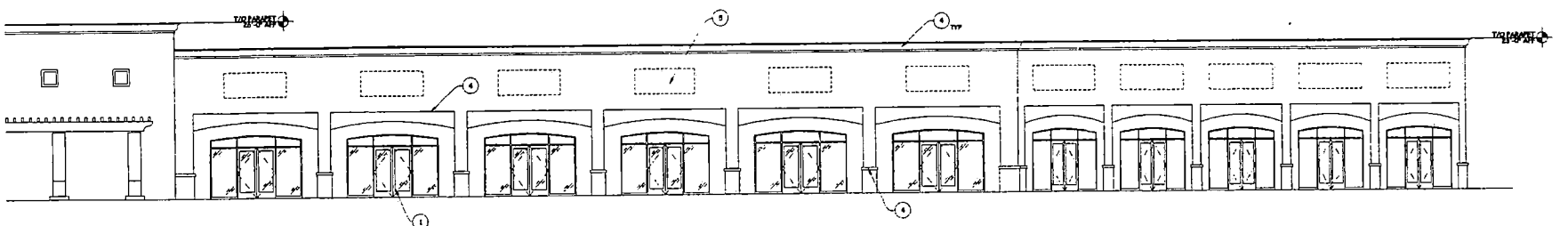
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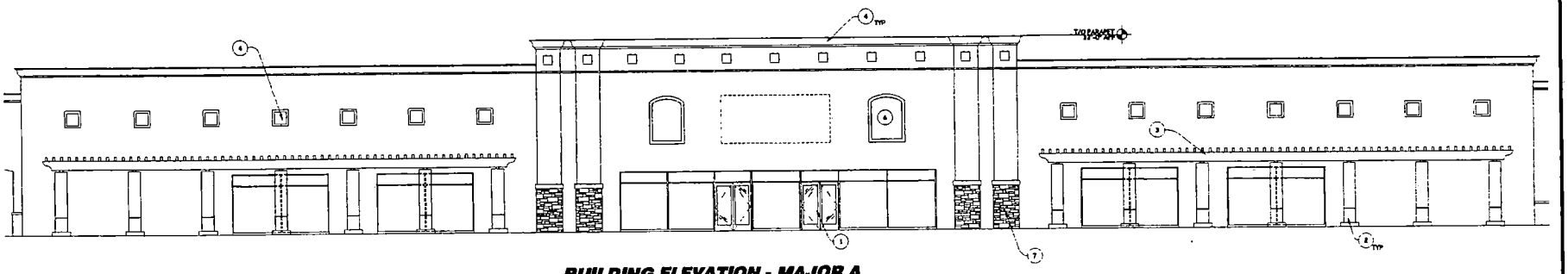
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SITE PLAN

PROJECT NO:
00-057.03
DATE:
JANUARY 27, 2004
ISSUED FOR:
ZONING

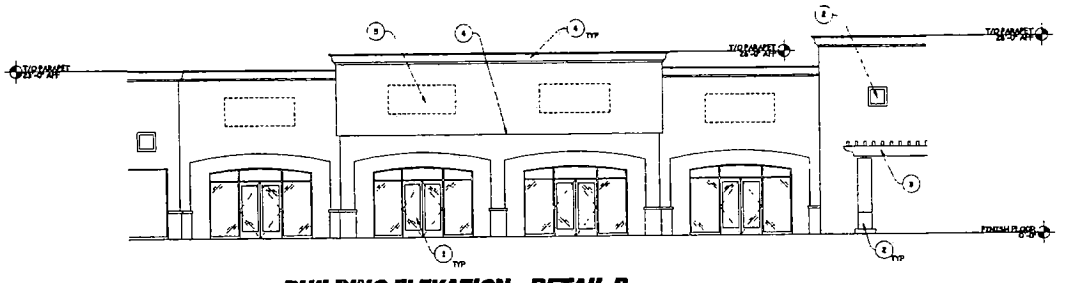
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BUILDING ELEVATION - RETAIL A
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR A
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL B
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

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SEAL:

CONSULTANT:

PROJECT NAME:
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RETAIL CENTER
FARM ROAD & US 95
DOC'S PROPERTY GROUP
3295 CLIFF SHADOWS PKY. #250
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(702) 304-0400

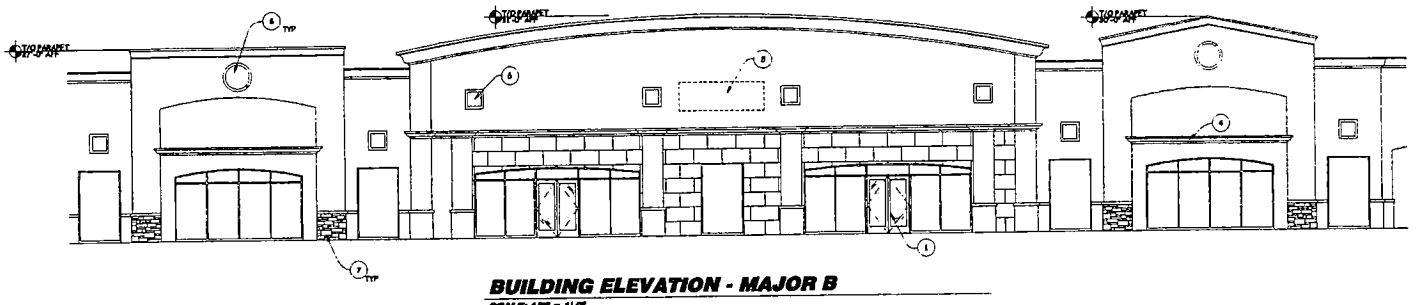
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NO.	DESCRIPTION	DATE

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PROPOSED EXTERIOR BUILDING ELEVATIONS

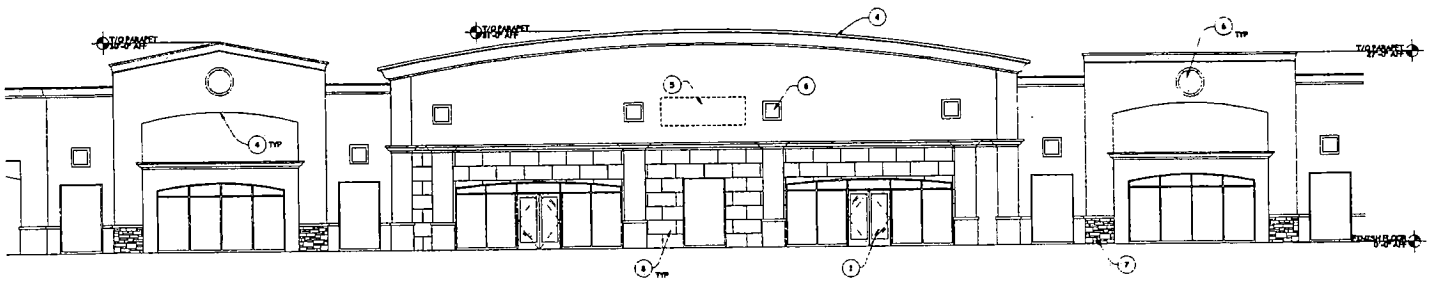
PROJECT NO: 00-067.03
DATE: JANUARY 07, 2004
ISSUED FOR: ZONING

A5.00



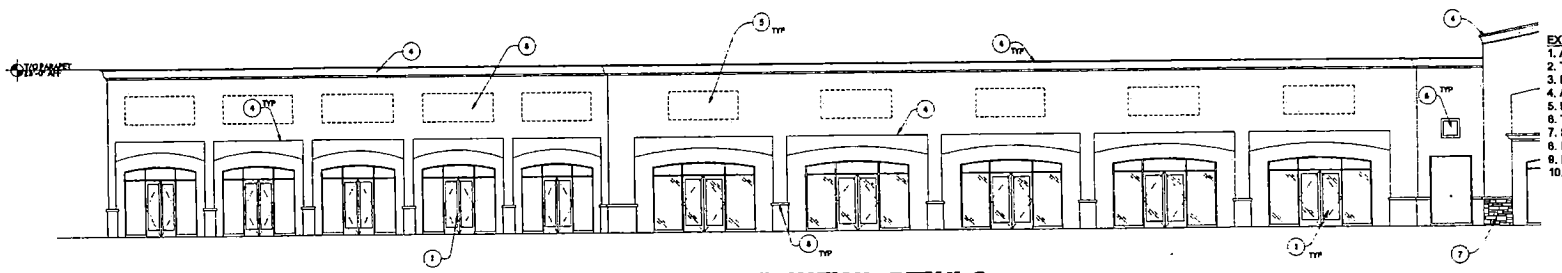
BUILDING ELEVATION - MAJOR B

SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR C

SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL C

SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND

1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795

03-11-04 PC

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SEAL:

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PROJECT NAME:
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RETAIL CENTER
FARM ROAD & US 95
OWNER:
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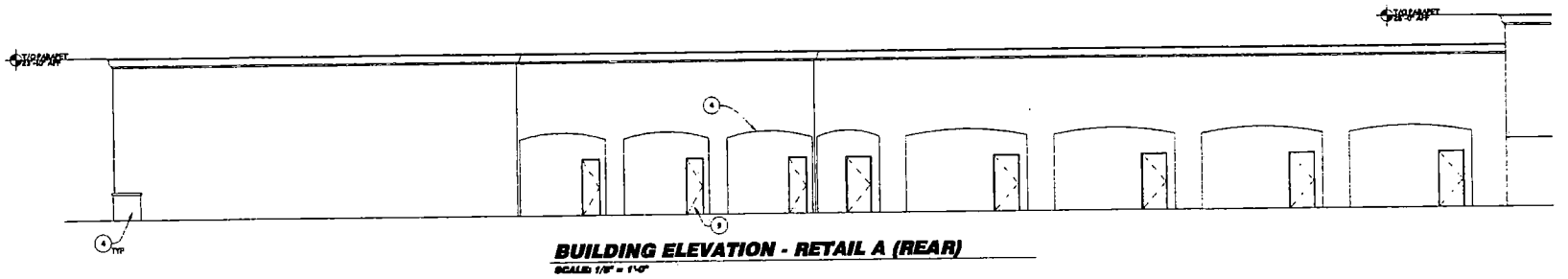
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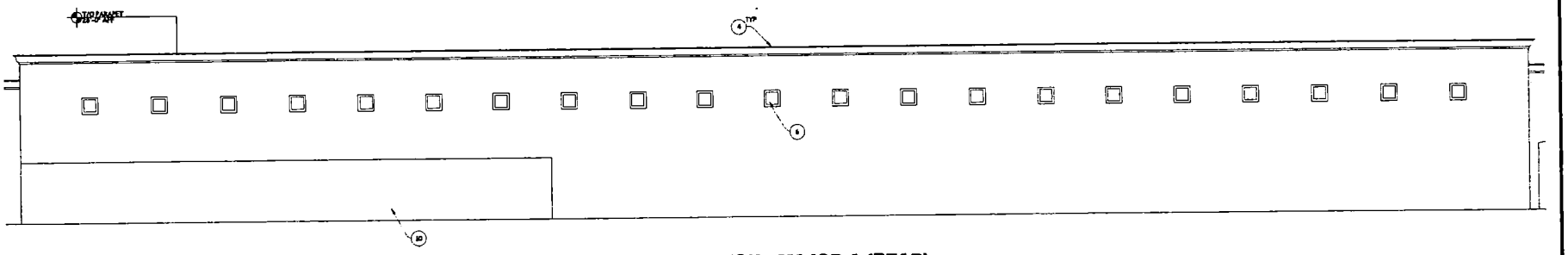
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PROJECT NO: 03-057.03
DATE: JANUARY 07, 2004
ISSUED FOR: ZONING

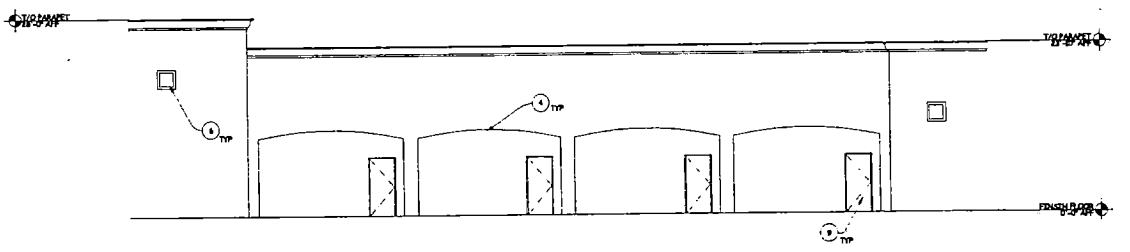
A5.01



BUILDING ELEVATION - RETAIL A (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR A (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL B (REAR)
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS
PLANNING THEMING
8255 WEST PATRICK LANE
LAS VEGAS, NEVADA 89113
P: (702) 243-0870 F: (702) 255-3211
E: info@ywsarchitects.com

SEAL:

CONSULTANT:

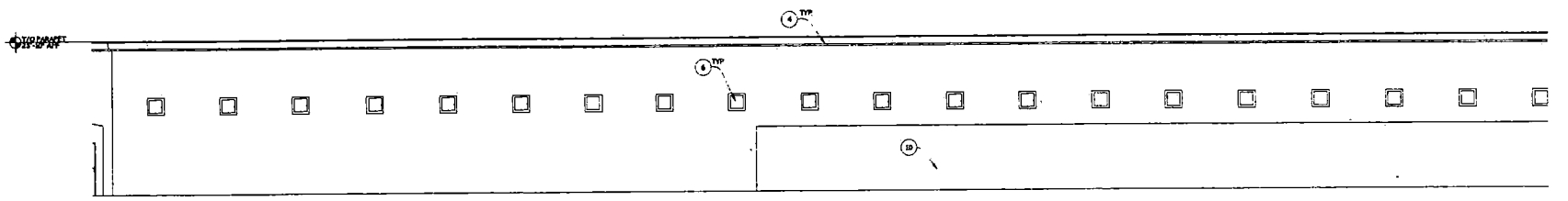
PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
DOWN CITY DEVELOPMENT GROUP
LAS VEGAS, NV 89128

REVISIONS:		
NO.	DESCRIPTION	DATE

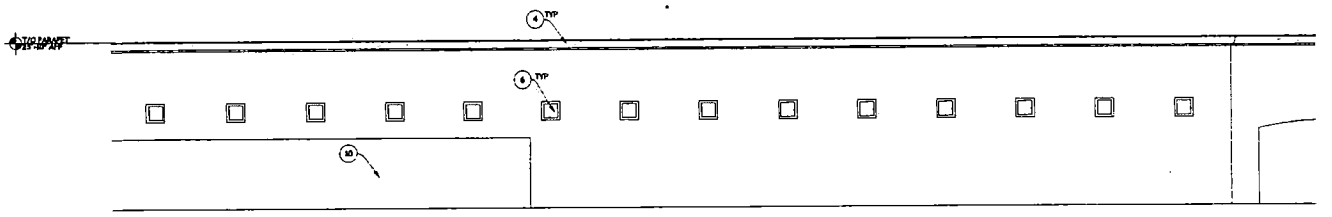
SHEET TITLE:
PROPOSED EXTERIOR BUILDING ELEVATIONS

PROJECT NO: 03-057.03
DATE: JANUARY 07, 2004
RESUBD FOR:

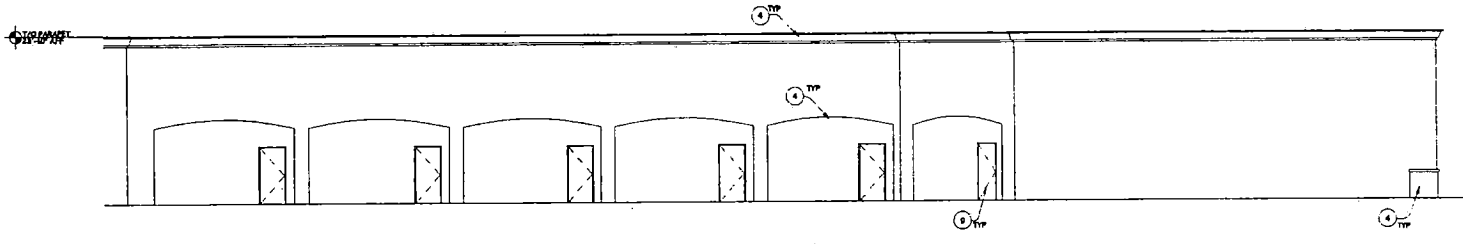
A5.02



BUILDING ELEVATION - MAJORS B & C (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJORS B & C (CONT.)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL C (REAR)
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS
PLANNING THEMING
8208 WEST PATRICK LANE
LAS VEGAS, NEVADA 89113
P: (702) 243-5979 F: (702) 255-3011
E: info@ywsarchitects.com

SEAL:

CONSULTANT:

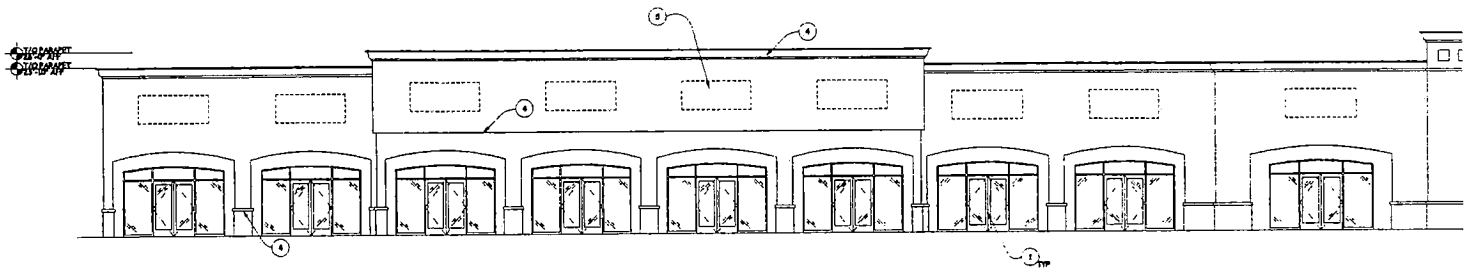
PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
OWNER:
FOCUS PROPERTY GROUP
2300 CLIFF SHADOWS PKY., #250
LAS VEGAS, NV 89128
(702) louisa

REVISIONS		
NO.	DESCRIPTION	DATE

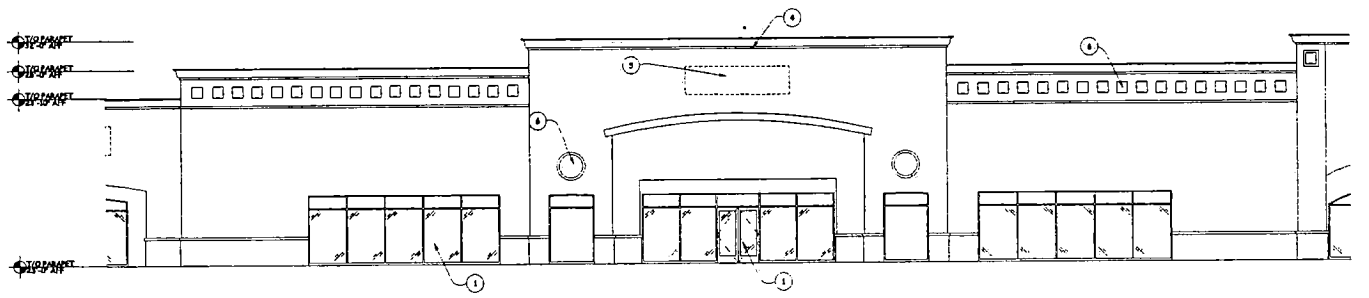
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PROPOSED EXTERIOR BUILDING ELEVATIONS

PROJECT NO:
00-057.03
DATE:
JANUARY 27, 2004
ISSUED FOR:
ZONING

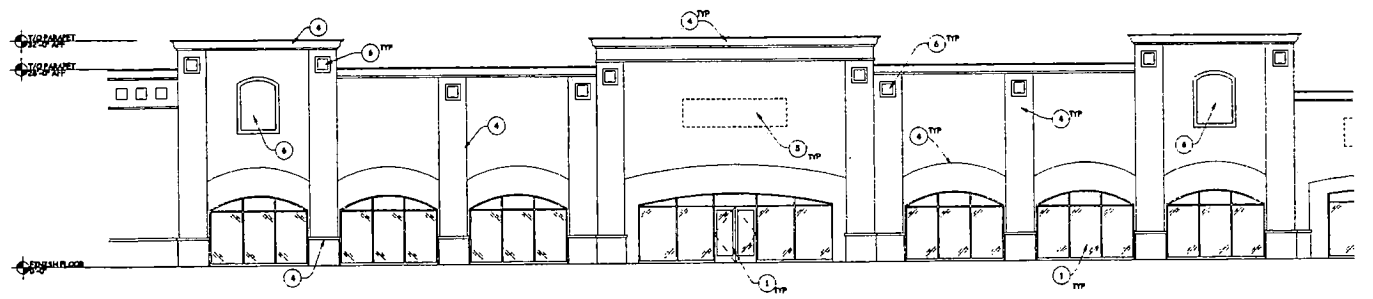
A5.03



BUILDING ELEVATION - RETAIL D
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR D
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR E
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS
PLANNING THEMING
9205 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 243-0370 F: (702) 368-3211
E: info@ywsarchitects.com

SEAL:

CONSULTANT:

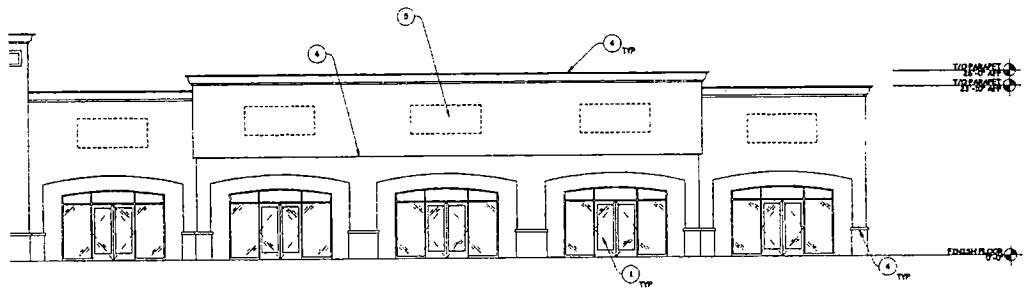
PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
OWNER:
DOUG'S PROPERTY GROUP
5455 CLIFF SHADOWS PY. #2250
LAS VEGAS, NV 89129
(702) 243-0000

REVISIONS		
NO.	DESCRIPTION	DATE

SHEET TITLE:
PROPOSED EXTERIOR BUILDING ELEVATIONS

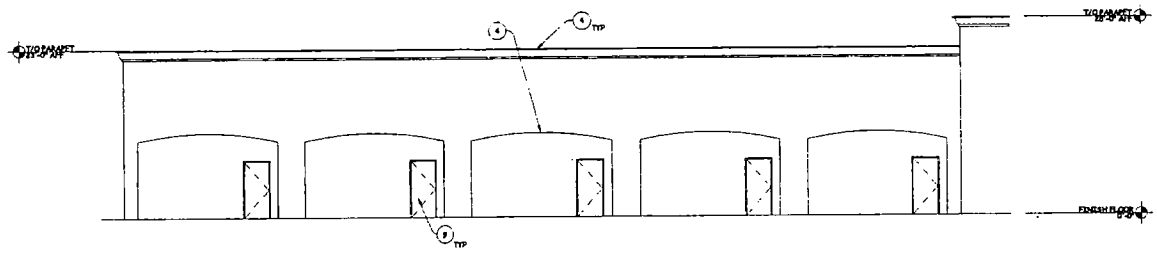
PROJECT NO:
00-087.03
DATE:
JANUARY 07, 2004
ISSUED FOR:
ZONING

A5.04



BUILDING ELEVATION - RETAIL E

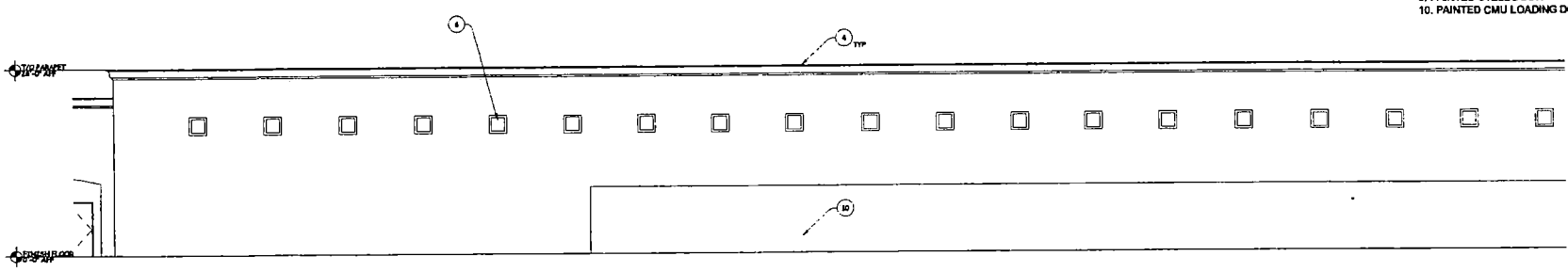
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL D (REAR)

SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL



BUILDING ELEVATION - MAJOR E (REAR)

SCALE: 1/8" = 1'-0"

SDR-3795
03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS PLANNING THEMING
6226 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 243-5570 P: (702) 365-3011
E: info@ywsarchitects.com

SEAL:

CONSULTANT:

PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
FOCUS PROPERTY GROUP
3455 CLIFF SHADOWS PY., #250
LAS VEGAS, NV 89129
(702) 732-0100

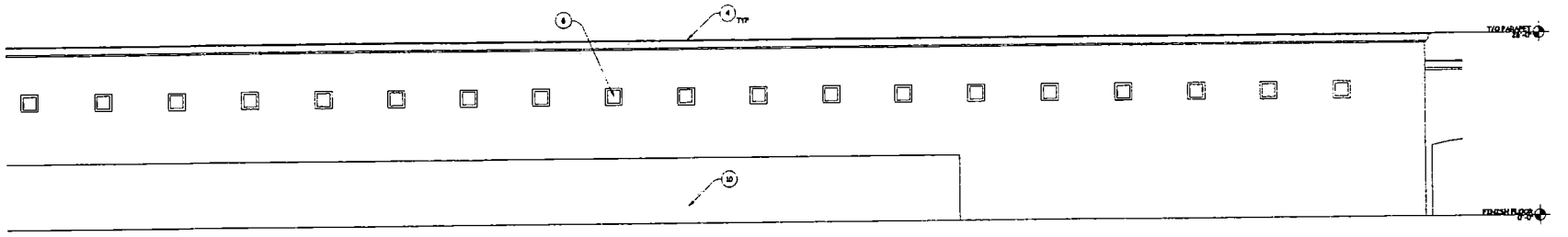
REVISIONS

NO.	DESCRIPTION	DATE

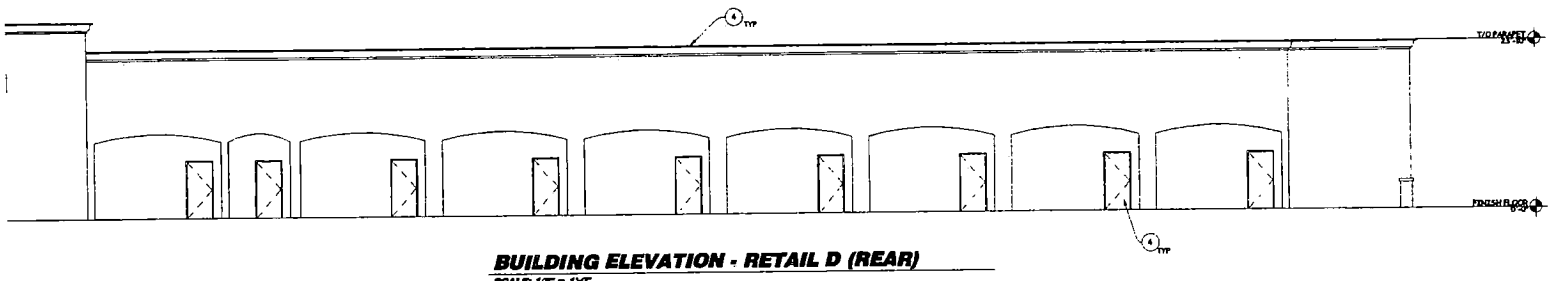
SHEET TITLE:
PROPOSED EXTERIOR BUILDING ELEVATIONS

PROJECT NO:
03-057.03
DATE:
JANUARY 07, 2004
ISSUED FOR:
ZONING

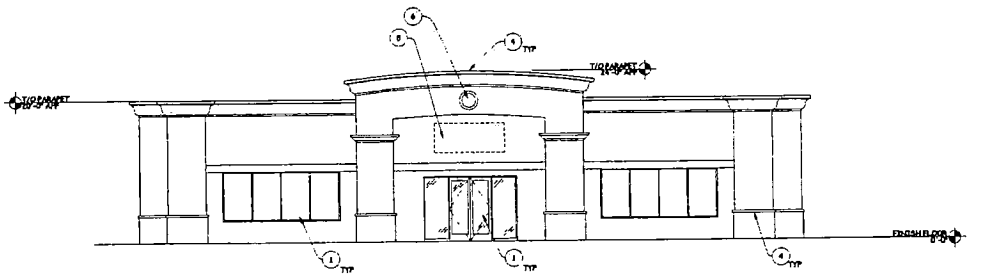
A5.05



BUILDING ELEVATION - MAJOR D (REAR) CONT.
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL D (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - TYPICAL SUPPER CLUB
SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS
PLANNING THEMING
5035 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 365-0870 F: (702) 255-3211
E: info@ywsarchitects.com

SEAL:

CONSULTANT:

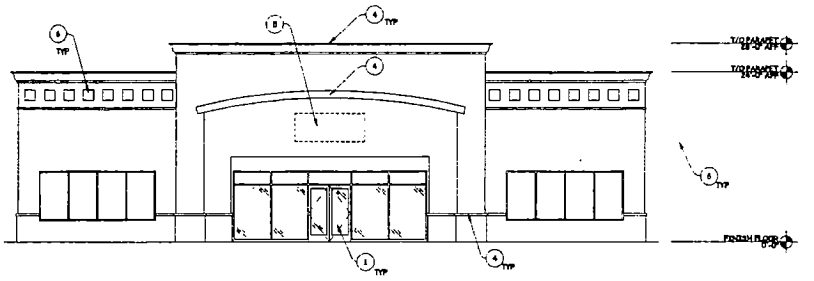
PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
FOCUS PROPERTY GROUP
2300 CLAY SPRINGS PT., #2500
LAS VEGAS, NV 89128

REVISIONS		
NO.	DESCRIPTION	DATE

SHEET TITLE:
PROPOSED EXTERIOR BUILDING ELEVATIONS

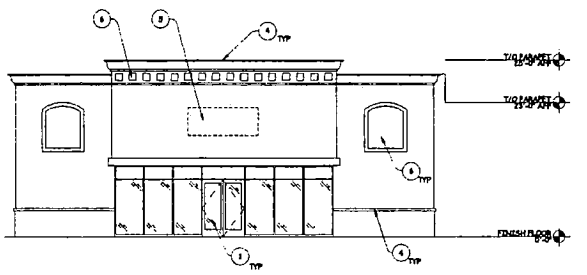
PROJECT NO: 03-057.03
DATE: JANUARY 27, 2004
ISSUED FOR: ZONING

A5.06



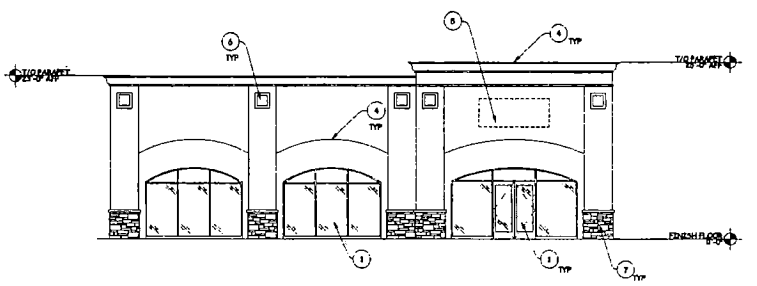
BUILDING ELEVATION - TYPICAL DRIVE-THRU RESTAURANT

SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - TYPICAL CONVENIENCE STORE

SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - TYPICAL RETAIL PAD

SCALE: 1/8" = 1'-0"

EXTERIOR FINISH LEGEND
1. ALUM & GLASS DOORS & WINDOWS
2. TILE WAINSCOT
3. PAINTED STEEL TRELLIS
4. ARCHITECTURAL POP-OUT /TRIM
5. LOCATION FOR SIGN
6. TILE INSET W/ ARCHITECTURAL POP-OUT
7. STONE CLADDING
8. PLASTER REVEALS
9. PAINTED STEEL DOOR
10. PAINTED CMU LOADING DOCK WALL

SDR-3795

03-11-04 PC

YWS ARCHITECTS
ARCHITECTURE INTERIORS
PLANNING THEMING
6030 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 243-8870 F: (702) 255-3011
E: info@ywsarchitects.com

PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
SOUTH PROPERTY CORNER
LAS VEGAS, NV 89135

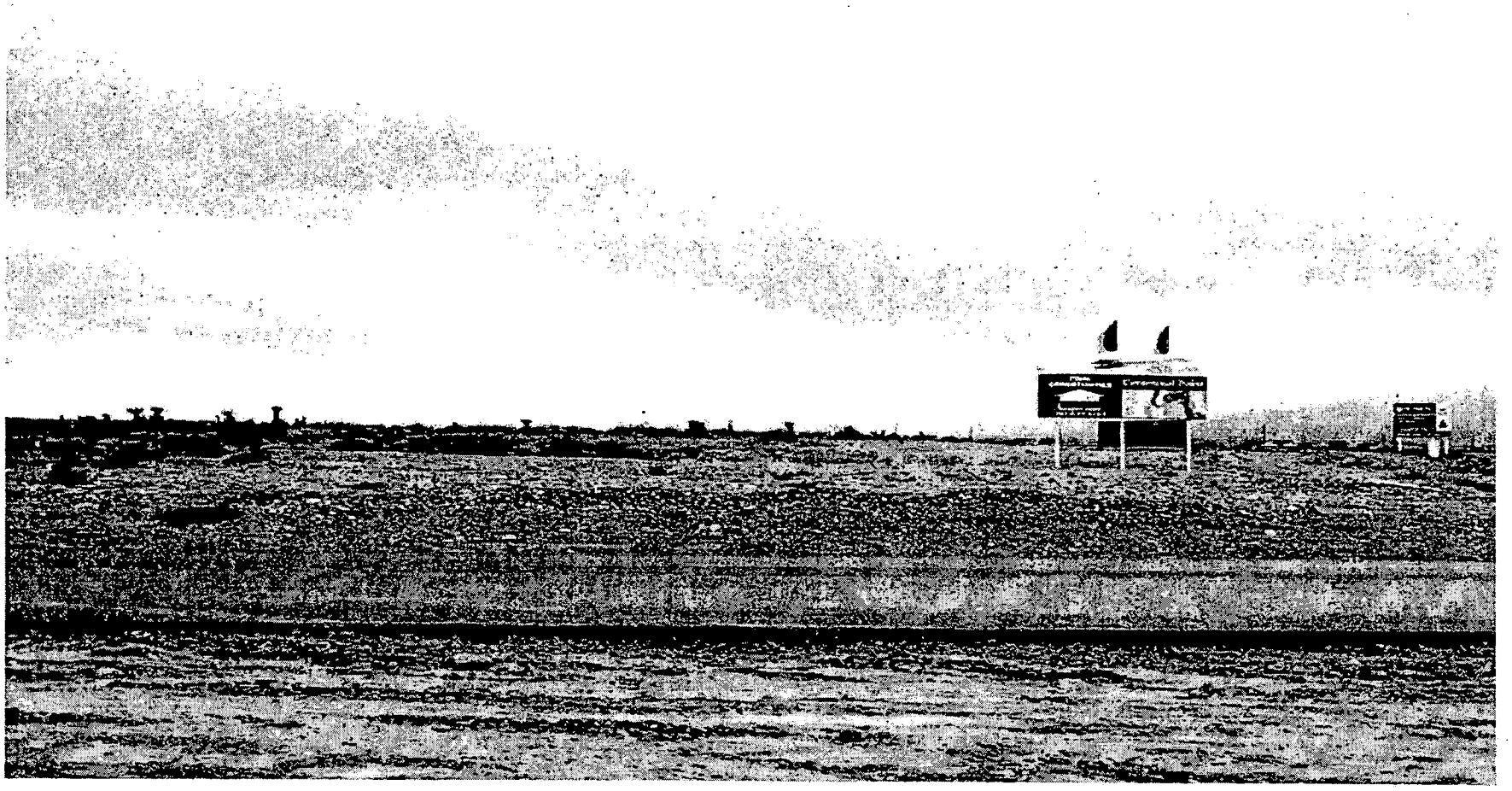
REVISIONS

NO.	DESCRIPTION	DATE

SHEET TITLE:
PROPOSED EXTERIOR BUILDING ELEVATIONS

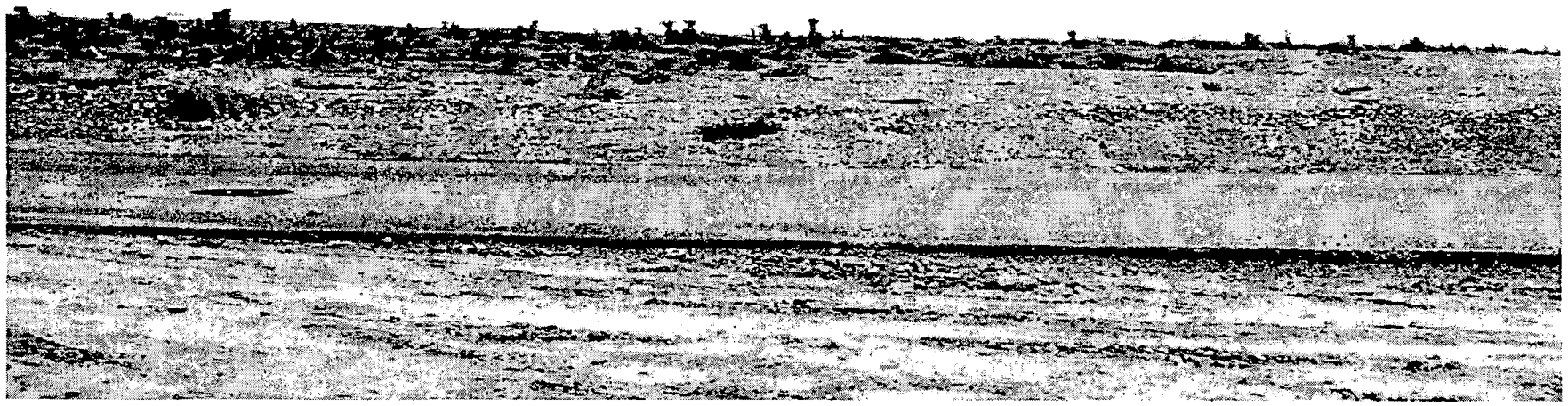
PROJECT NO: 00-057.03
DATE: JANUARY 27, 2004
ISSUED FOR: ZONING

A5.07



SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF SEVERENCE LANE AND OSO BLANCA ROAD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF SEVERENCE LANE AND OSO BLANCA ROAD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 11, 2004

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

SUBJECT:

TXT-3956 - CITY OF LAS VEGAS - AMEND TITLE 19.18.060 AND 19.18.070 TO ALLOW SPECIAL USE PERMITS TO BE FINAL ACTION AT PLANNING COMMISSION UNLESS APPEALED BY THE APPLICANT OR A CITY COUNCIL MEMBER OR IF THE SPECIAL USE PERMIT IS COMBINED WITH A REZONING OR GENERAL PLAN AMENDMENT. AMEND TITLE 19.04.010 TABLE 2 LAND USE TABLES TO CHANGE CERTAIN USES FROM REQUIRING A SPECIAL USE PERMIT TO BEING PERMITTED AS A CONDITIONAL USE OR OUTRIGHT.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends NO RECOMMENDATION

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

MOTION:
NIGRO – ABEYANCE to 4/8/2004 Planning Commission meeting – UNANIMOUS with EVANS excused

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development Department, explained that this item is a result of an issue discussed at the Special Joint Meeting. However, in reviewing the document, staff determined that before a vote is actually considered, there is additional work needing to be done. He asked the Commission to review the entire text and, should there be any issues or recommendations, staff would be willing to incorporate those into the final document. He recommended an abeyance of 30 days to the 4/8/2004 Planning Commission meeting.

PLANNING COMMISSION MEETING OF MARCH 11, 2004
Planning and Development Department
Item 57 – TXT-3956

MINUTES: Continued:
No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:15 – 9:17)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 11, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-3956 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: NO RECOMMENDATION

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Amend Title 19.18.060 and 19.18.070 to allow Special Use Permits to be final action at Planning Commission unless appealed by the applicant or a City Council member or if the Special Use Permit is combined with a Rezoning or General Plan Amendment. Amend Title 19.04.010 Table 2 Land Use Tables to change certain uses from requiring a Special Use Permit to being permitted as a Conditional Use or outright.

DETAILS OF APPLICATION REQUEST

The following text amendment is proposed in two separate, but related changes:

1) **Produral Changes** to Title 19.18.060 and .070, affecting the current Special Use Permit and Variance hearing and approval process, and

2) **Technical Changes to 19.04.010,** affecting some uses which currently require a Special Use Permit.

19.18.060 Special Use Permit

B. Authority

~~The City Council, upon recommendation by~~ The Planning Commission, shall have the authority to approve, approve with conditions, or deny an application for a Special Use Permit. *Upon appeal, the City Council shall be the final authority to approve, approve with conditions, or deny an application for a Special Use Permit.*

G. Planning Commission Public Hearing and Action

3. **Hearing.** The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. Following the hearing or hearings, the Planning Commission shall ~~make its recommendation to~~ approve, approve with conditions, or deny the application for Special Use Permit. The ~~recommendation~~ *action* shall be based upon evidence that makes the grant or denial of the Special Use Permit appropriate.

DC

4. **Conditions of Approval ~~Recommendation~~.** In ~~recommending the approval of~~ *approving* a Special Use Permit, the Planning Commission may impose any conditions, restrictions or limitations as the Commission may determine to be necessary to meet to the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained.

J. Appeals and City Council Review

1. **Appeal of *Conditions or* Denial.** A decision by the Planning Commission to *approve with conditions or to* deny a Special Use Permit application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant *or a City Council member* appeals the decision by written request filed with the City Clerk.

2. **Final Action by City Council Concerning ~~Approval~~ *Appeals*.** A decision by the Planning Commission to approve a Special Use Permit application *with conditions that is appealed* constitutes a recommendation to the City Council. The City Council shall make the final decision concerning the application *on appeal*.

M. Amendments to an Approved Special Use Permit

A Special Use Permit is limited to the uses and structures which are shown on the approved site development plan and are consistent with any conditions of approval. Any request to amend or modify an approved Special Use Permit shall be submitted to the Department of Planning and Development. Upon receipt of such a request, the Director shall determine if the request constitutes a minor amendment or a major amendment. Minor amendments may be approved administratively. A major amendment requires approval by the City Council, ~~after a recommendation~~ *or* by the Planning Commission *whichever body made the final approval of the original Special Use Permit*. Minor and major amendments are categorized as follows:

19.18.070 VARIANCE

B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. Variance applications shall initially be heard by the Planning Commission. Where a Variance application is proposed in connection with another application to be heard by the Planning Commission, including an application for Special Use Permit, an application for Rezoning, or an Application for Site Development Plan Review, the Variance application shall be considered by the Planning Commission, as a separate application, in conjunction with the associated application. A Variance *application* shall not be ~~granted~~ *accepted* in order to:

DC

1. Permit a use in a zoning district in which the use is not allowed;

2. Vary any minimum spacing requirement between uses~~;~~.

~~3. Relieve a hardship which is solely personal, self-created or financial in nature.~~

J. Appeals

3. Automatic Review by City Council.

b. A Variance application, whether approved or denied by the Planning Commission, that is related to and has been filed in connection with an application for *General Plan Amendment,* rezoning, ~~an application for a Special Use Permit,~~ or an application for Site Development Plan Review which required final action by the City Council.

19.04.010 Table 2: Land Use Tables

The following represents recommended changes to the Land Use Tables to delete the need for some uses to require a Special Use Permit, or permit administrative approval if such uses meet all of the required standards for Conditional Approval. These uses are proposed for amendment:

Animal Hospital (w/o outside pens)	To "P" in C-2
Animal Keeping, Exotic	To "C" in U, R-A and M
Assisted Living	To "C" in C-2
Automobile Rental	To "C" in C-2 and C-M
Banquet Facility	To "P" in C-1
Business School	To "C" in O
Catering Service	To "P" in C-M
Condominium	To "P" in P-R, N-S, O, C-1, C-2
Livestock Farming	To "C" in U, R-A, R-E
Open Air Vending	To "C" in all zoning districts
Primary Schools	To "C" in C-2 to M
Private Streets	To "C" in all districts
Secondhand Dealer	To "C" in C-M
Thriftshop	To "C" in C-M
Wedding Chapel	To "C" in C-1

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RURAL & ANIMAL-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
S	S	S										Animal Hospital, Clinic, or Shelter without Outside Pens					S	SP		C	C
SC	SC											Animal Keeping, Wild or Exotic*									SC
SC	SC	SC										Livestock Farming* (Bovines/Horses)									

DC

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RESIDENTIAL & LODGING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
						S	P	P	P			Assisted Living Apartments					S	SC			
						P	P	P	P			Condominiums	SP	SP	SP	SP	SP	SP			
												Time Share Development						SC			

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	INSTITUTIONAL & COMMUNITY SERVICE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
SC	SC	SC										Cemetery/Mausoleum						C		C	C
C	C	C	C	C	C	C	C	C	C	C	C	Public or Private School, Primary	C	C	S	SC	SC	SC	SC	SC	SC

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Banquet Facility					SP	P	A	P	
												Business School			SC		P	P	P	P	P
												Catering Service	C	C		C	P	P	P	SP	P
												Open Air Vending/ Transient Sales Lot					SC	SC		SC	SC
												Secondhand Dealer					S	S		SC	C
												Thriftshop					S	S		SC	C
												Wedding Chapel					SC	P		P	P

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	AUTO & MARINE-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Automobile Rental					S	SC		SC	C

RESIDENTIAL												*PERMITTED USES*	*COMMERCIAL*						*INDUSTRIAL*		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	UTILITIES, COMMUNICATIONS & TRANSPORTATION	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	Private Streets*									

ANALYSIS

Pertaining to 19.18.060 Special Use Permit

NRS 278.315 allows granting of variances, and special use permits by planning commissions. Currently Title 19 limits Planning Commission to making recommendations on Special Use Permits with City Council action required on all applications. The proposed changes will continue to allow City Council action when Special Use Permits are companion items to

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Rezoning and General Plan Amendment applications. Variances on parking and existing structures are required by code to go to City Council. Any individual City Council member who wishes to have any or all matters within their Ward automatically appealed may of course do so.

Pertaining to 19.04.010 Table 2- Land Use Table

Special Use Permit is defined in Title 19.20 as "A specific approval for a use which has been determined to be more intense or to have a potentially greater impact than a permitted or conditional use within the same zoning district."

Clearly, over time, it has become apparent that some uses which currently require a special use permit have not had the intense or negative impacts originally thought to be associated with them. For instance, it is appropriate to allow some rural uses, such as livestock farming and animal hospitals as a conditional use in the low-density residential zoning districts. The same is true of multi-family in commercial districts and open air vending in large commercial centers. In the case of changing from Special Use Permit to Conditional Uses, the base conditions of approval will be moved to the appropriate chapter of Title 19.04.

NOTICES MAILED Newspaper only

APPROVALS 0

PROTESTS 0

DC

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, was disappointed that no one attended the Sustained Architectural Sessions. He noted that the next meeting will be held on April 14, 2004.

(9:17 – 9:18)

MEETING ADJOURNED AT 9:18 P.M.

Respectfully submitted:

Vicky Darling
VICKY DARLING, ASSISTANT DEPUTY CITY CLERK

Deeny Araujo
DEENY ARAUJO, DEPUTY CITY CLERK