

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: IAIN VASEY (ACTING)**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Discussion and possible action regarding an Agreement to Negotiate Exclusively with 601 Development Company, LLC, regarding negotiation of a Disposition and Development Agreement for the real property located at 601 Fremont Street, APN 139-34-611-018 (receipt of \$1,000 earnest money deposit) - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:** \$1,000 earnest money deposit☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On August 6, 2003, the City Council approved a Purchase and Sale Agreement for purchase of the 601 Fremont Street property from Clark County for the price of \$1,196,500 plus closing costs. Of six development proposals submitted by qualified respondents solicited from Staff, two finalists were selected to make best and final offers. The two finalists have elected to submit a single, joint proposal that maximizes the potential of the existing building through entertainment and residential uses. Execution of the Agreement to Negotiate Exclusively would allow 60 days to negotiate a Disposition and Development Agreement.

RECOMMENDATION:

The 3/15/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Site Map
2. Agenda Memo
3. Agreement to Negotiate Exclusively
4. Disclosure of Principals
5. Letter from Moran & Associates outlining agreement details dated March 8, 2004

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

MINUTES:

ATTORNEY JEFFREY BENDAVID, Moran & Associates, appeared representing the applicant, in the company of the Development Team, KEN WOLFSON, ANDREW MOLASKY, ANDREW FONFA, and TODD MARSHALL.

CITY COUNCIL MEETING OF MARCH 17, 2004

Real Estate

Item 88 - Discussion and possible action regarding an Agreement to Negotiate Exclusively with 601 Development Company, LLC, regarding negotiation of a Disposition and Development Agreement for the real property located at 601 Fremont Street, APN 139-34-611-018 (receipt of \$1,000 earnest money deposit) - Ward 5 (Weekly)

MINUTES - Continued:

IAIN VASEY, Acting Director, Business Development Office, went over the information contained under the Purpose/Background section of the Agenda Summary Page. He added that the developers submitted the preliminary development terms sheet outlining the conditions of the purchase of the property. The developers will pay \$1.3 million in cash at closing, plus payment of an additional \$500,000 upon 50% lease up of the building. Approval of this agreement would allow staff 60 days to negotiate the terms of the Disposition and Development Agreement (DDA). Once a mutually agreeable DDA is negotiated, it would be brought back to Council for consideration, along with the full development concept.

ATTORNEY BENDAVID stated that the developers are very excited about this project. He showed renderings of the proposed buildings, including a nightclub and coffee shop. COUNCILMAN WEEKLY noted that the drawings for the lofts are great.

MAYOR GOODMAN said that he is enthralled with the project, especially with the two developers working together. The project brings all the concepts the Council has been talking about for the area. This is going to be the future tourist hotspot.

COUNCILMAN WEEKLY commented that he is very excited about this project. It will greatly benefit the area.

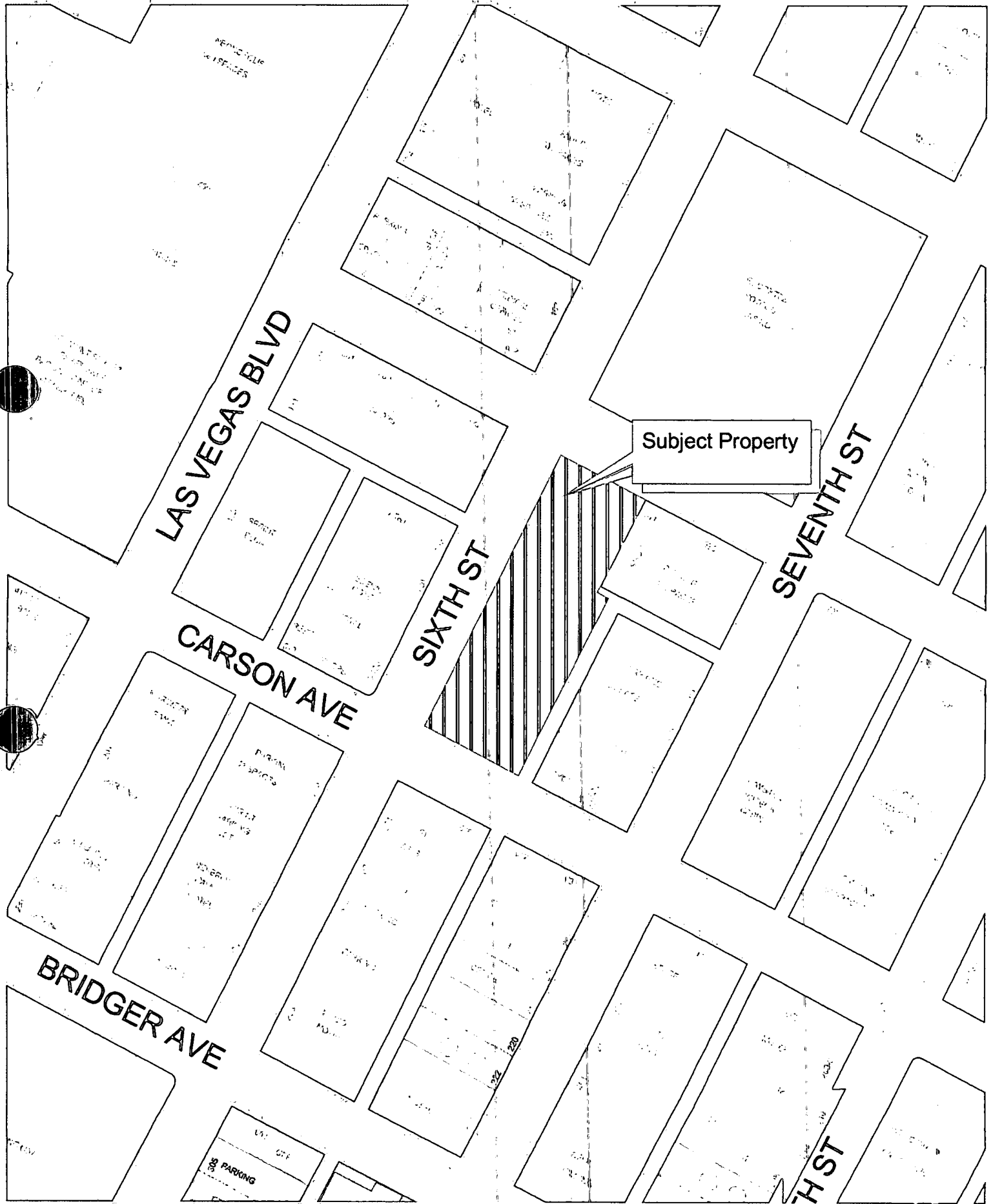
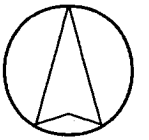
TOM McGOWAN, Las Vegas resident, demanded the owners be identified.

COUNCILMAN MACK stressed that the developers must continue to receive the full support of the Council and the Las Vegas Metropolitan Police Department in order to ensure their success in this area.

(12:51 – 1:00)

3-1469

Site Map



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

ITEM DESCRIPTION: Discussion and possible action regarding an Agreement to Negotiate Exclusively with 601 Development Company, LLC to negotiate a Disposition and Development Agreement for 601 Fremont Street

1. On October 1, 2003, the City closed on the purchase of the real property from Clark County and located at 601 Fremont Street ("Site"), Assessor's Parcel Number (APN) 139-34-611-018, in an "as is" condition, for the fee simple price of \$1,196,500 plus closing costs (a total of \$1,202,616).
2. On March 3, 2004, the City extended the duration of City of Las Vegas Ordinance No. 5621, known as the Downtown Entertainment Overlay District, in order to attract additional private investment and sustainable entertainment uses to East Fremont Street.
3. The City solicited proposals from developers with experience in developing entertainment and mixed-use projects. The City received and reviewed six qualified proposals for the acquisition of the property and renovation of the existing building on the Site.
4. Three finalists were invited to submit best and final offers, based on specific financial and development standards. Two finalists submitted responsive proposals.
5. Following presentations made to the Mayor and to Councilman Lawrence Weekly, it was suggested that both proposals could be strengthened if the parties could work together and present a single, joint proposal.
6. After exploring options, both developers believe that a unified proposal would maximize the development potential of the building, based on the financial strength and development concept of the proposal.
7. The two developers have formed a single development entity, 601 Development Company, LLC, for submission of the unified development proposal.
8. Approval of this Agreement to Negotiate Exclusively would allow the City and the developer sixty (60) days to negotiate the terms of a Disposition and Development Agreement (DDA).
9. Upon negotiation of mutually agreeable terms, the DDA will be presented to City Council for consideration.
10. The City is seeking to negotiate a DDA that will provide for the optimum redevelopment of the building, promote entertainment and mixed uses, and recoup the city's investment in the property. The developer has proposed to pay \$1.3 Million upon closing, plus an additional \$500,000 upon achieving initial leasing targets.

AGREEMENT TO NEGOTIATE EXCLUSIVELY

THIS AGREEMENT TO NEGOTIATE EXCLUSIVELY is entered into this 17 day of March, 2004, by and between the City of Las Vegas, a Nevada Municipality (hereinafter "City") and 601 Development Company, a Nevada LLC (hereinafter "Developer"), on the terms and provisions set forth below.

WHEREAS, Developer desires to undertake to develop certain real property depicted on Exhibit "A" attached hereto and incorporated herein (hereinafter "Site"); and

WHEREAS, Developer desires to enter into exclusive negotiations with City concerning the Developer's plans for the development of the Site WITH THE INTENT TO ENTER INTO A "DISPOSITON AND DEVELOPMENT AGREEMENT" (hereinafter "DDA") AT THE CONCLUSION OF THE NEGOTIATING PERIOD, as defined hereafter.

NOW, THEREFORE, for and in consideration of the mutual agreements, which are hereinafter contained, the parties do hereby agree as follows:

I. [\\$100] Negotiations

A. [\\$101] Good Faith Negotiations

City and Developer agree for the Negotiation Period set forth below to negotiate diligently and in good faith to prepare a DDA to be considered for execution between City and Developer, in the manner set forth herein, with respect to the development of the Site located in downtown Las Vegas as shown on the Site Map of Exhibit "A". City agrees, for the period set forth below, not to negotiate with any other person or entity regarding development of the Site or any portion thereof.

B. §102] Negotiation Period

The duration of this Agreement shall be sixty (60) days from the date of execution of this Agreement by City (hereinafter "Negotiation Period"). If upon expiration of the Negotiation Period, Developer has not signed and submitted the DDA to the City, then this Agreement shall automatically terminate.

II. §200] Development Concept

A. §201] Scope of Development

The negotiations hereunder shall be based on a development concept, which shall include the development of 601 Fremont Street into an entertainment and mixed use venue that includes renovation and reuse of existing building as described in developer's letter of intent dated March 8, 2004.

Negotiation of the DDA is contingent upon Developer's submittal of conceptual design and architectural plans and evidens of financial resources to coplete the project. Developer will commit to close escrow within thirty (30) days of execution of the DDA..

B. §202] Developer's Findings, Determinations, Studies and Reports

Developer shall submit to City written progress reports every two weeks describing the status of Developer's performance since the preceding report, including any reports and studies completed, and the expected progress to be made in the next succeeding period. Upon reasonable notice, requested by City, Developer agrees to make oral progress reports advising City or the Las Vegas City Council on all matters and all studies being made by Developer. ALL REPORTS AND STUDIES SHALL BECOME THE PROPERTY OF City.

III. §300] Purchase Price and/or Other Consideration

Upon the execution of this Agreement by both parties, Developer shall pay City a non-refundable sum of one thousand dollars (\$1,000) as consideration for the exclusivity provisions defined herein. The purchase price and other considerations to be paid by Developer under the DDA will be established by City after negotiation with Developer. Such purchase price and/or other consideration will be based upon the proposed purchase price listed in Developer's proposal to City, received January 21, 2003, and will be subject to approval by City and the Las Vegas City Council after a public hearing as required by law.

IV. §400] Developer

A. §401] Nature of Developer

Developer is 601 Development Company, a Nevada LLC

B. §402] Office of Developer

The principal office of Developer is:

630 South Fourth Street
Las Vegas, NV 89101
Phone: 702-384-8424
FAX: 702-384-6568

C. §403] Full Disclosure of Principals

Developer is required to make full disclosure to City of its principals, officers, major stockholders, major partners, joint venture partners, key managerial employees and other associates, and all other material information concerning Developer and its associates. Any significant change in the principals, associates, partners, joint venture, negotiators, development manager, consultants, professionals and directly-involved managerial employees of Developer is

subject to the approval of City.

Pursuant to Resolution R-105-99 adopted by the Las Vegas City Council effective October 1, 1999, Developer warrants that it has disclosed, on the form attached hereto as Exhibit "B", all principals, including, partners or members of 601 Development Company, as well as all persons and entities holding more than 1% interest in said company or any principal, partner or member of the same. Throughout the term hereof, Developer shall provide written notification of any material change in the above disclosure within 15 days of any such change, pursuant to Section X (Notices).

V. [§500] Developer's Financial Capacity

A. [§501] Financial Ability

Prior to execution of the DDA, Developer shall submit to City satisfactory evidence of its ability to finance and complete the development.

B. [§502] Construction Financing

Developer's proposed method of obtaining construction financing for the development of the Site shall be submitted concurrently with Developer's proposed DDA to City for approval.

C. [§503] Long-Term Development Financing

Developer's proposed method of obtaining long-term development financing shall be submitted concurrently with Developer's proposed DDA to City for approval.

D. [§504] Full Disclosure of Financing

Developer will be required to make and maintain full disclosure to City of its methods of financing to be used in the development of the Site.

VI. [\$600] Developer's Responsibilities

A. [\$601] Return of Site to Original Condition

Developer hereby agrees to return the Site to its original condition upon completion of any investigations requiring access to the Site.

B. [\$602] Indemnification and Hold Harmless

Developer will indemnify and hold harmless the City, its officers, employees and agents from and against any claims, demands or causes of action caused by Developer or persons acting on behalf of Developer in carrying out their responsibilities in accessing the Site.

VII. [\$700] City's Responsibilities

A. [\$701] Intentionally Deleted.

B. [\$702] City Assistance and Cooperation

City shall cooperate fully in providing Developer with appropriate information and assistance. THE FOLLOWING DOCUMENTATION IS PROVIDED HEREIN AS EXHIBIT D: ALTA Survey (Carter:Burgess September 26, 2003).

C. [\$703] RIGHT TO ENTER

AS SET FORTH IN EXHIBIT "C," CITY GIVES DEVELOPER THE RIGHT TO ENTER THE SITE TO CARRY OUT ITS DUE DILIGENCE INSPECTION OF THE SITE AND THE DEVELOPER ACKNOWLEDGES AND UNDERSTANDS THE CONDITIONS AND EXCEPTIONS UNDER WHICH SAID RIGHT IS GRANTED.

VIII. [\$800] Real Estate Commission

The City shall not be liable for any real estate commission or brokerage fees, which may arise herefrom. Developer represents that it has engaged no broker, agent or finder in

connection with this transaction, and Developer agrees to hold City harmless from any claim by any broker or finder retained by Developer.

IX. [§900] Limitations of this Agreement

By its execution of this Agreement, City is not committing itself to or agreeing to undertake:

(a) disposition of land to Developer; or (b) any other acts or activities requiring the subsequent independent exercise of discretion by the City or any City department or board thereof.

This Agreement does not constitute a disposition of property or exercise of control over property by the City. Execution of this Agreement by City is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving final discretion and approval by the Las Vegas City Council as to any and all proceedings and decisions in connection therewith.

X. [§1000] CONFLICT OF INTEREST

A. An official of the City, who is authorized in such capacity and on behalf of City to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Agreement, payments under this Agreement, or work under this Agreement, shall not be directly or indirectly interested personally in this Agreement or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for the City, who is authorized in such capacity and on behalf of the City to exercise any legislative, executive, supervisory or other similar functions in connection with this Agreement, shall become directly or indirectly interested personally in this Agreement or in any part hereof, any material supply contract, subcontract, insurance contract,

or any other contract pertaining to this Agreement.

B. Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City relating to this Agreement. Notwithstanding any other provision of this Agreement, if such interest becomes known, the City may immediately terminate this Agreement for default or convenience, based on the culpability of the parties.

C. Developer represents and warrants that it has, in accordance with the current policy of the City, disclosed the ownership and principals of Developer on Exhibit "B", "Certificate - Disclosure of Ownership/Principals", and that it has a continuing obligation to update this disclosure whenever there is a material change in the information.

XI. [§1100] Notices

All legal notices required pursuant to the terms and conditions of this Agreement shall be in writing, unless an emergency situation dictates otherwise. Any notice required to be given under the terms of this Agreement shall be deemed to have been given when (i) received by the party to whom it is directed by hand delivery or personal service, (ii) transmitted by facsimile with confirmation of transmission, or (iii) sent by U.S. mail via certified mail-return receipt requested at the following addresses:

If to Developer:

John T Moran — *ad* *Jeffrey A. Benda*
630 South Fourth Street
Las Vegas, NV 89101

Phone: 702-384-8424
FAX: 702-384-6568

If to City:

Economic Development Manager
Office of Business Development
City hall, 2nd Floor

400 Stewart Avenue
Las Vegas, NV 89101

Phone: 702-229-6551
FAX: 702-385-3128

And

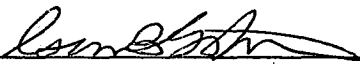
City Manager
City Hall, 8th Floor
400 Stewart Avenue
Las Vegas, NV 89101

Phone: 702-229-6501
Fax: 702-388-1807

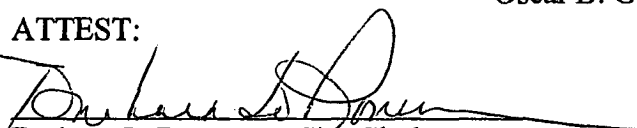
An original signed copy, via U. S. Mail, shall follow facsimile transmissions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to Negotiate
Exclusively on the date set forth above.

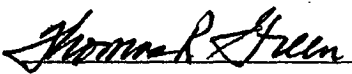
City of Las Vegas

By 
Oscar B. Goodman, Mayor

ATTEST:


Barbara Jo Ronemus, City Clerk

APPROVED AS TO FORM:

 3/8/04
Date

601 Development Company, a Nevada LLC

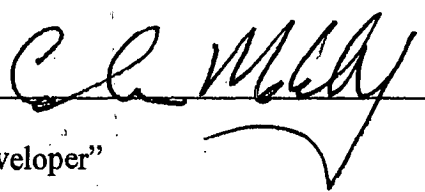
By 
"Developer"

EXHIBIT "A"

LEGAL DESCRIPTION

Situated in the County of Clark, State of Nevada, described as follows:

Lots One (1) through Five (5) inclusive and Lots Thirteen (13) through Twenty-two (22) inclusive in Block Six (6) of HAWKINS ADDITION TO THE CITY OF LAS VEGAS, as shown by map thereof on file in Book 1 of Plats, Page 40, in the County Recorder of Clark County, Nevada.

TOGETHER with those portions of vacated alley as disclosed by that certain "Order of Vacation" recorded in Book 48 of Official Records, as Document No. 038243.

EXHIBIT "B"
CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1 Contracting Entity
Name
Address
Telephone
ENR/DUNS

Block 2 Description
Exclusivity Agreement
301 Fremont Building/2004
Contract No.

Block 3	Type of Business
☐ Individual ☐ Partnership ☐ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:	

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

The Contracting Entity shall continue the above list on a sheet of paper entitled "disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the **Number of sheets:** ____.

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate.

Name _____

Date _____

Subscribed and sworn to before me this _____ day of _____,

_____, 2004

Notary Public _____

EXHIBIT "C"
RIGHT TO ENTER

FOR 601 FREMONT

The City of Las Vegas hereby authorizes Right-of-Entry onto parcel #139-34-611-018, located at 601 Fremont to 601 Development Company, LLC. For the purpose of performing surveys, environmental and/or geotechnical services on said city-owned site.

City of Las Vegas contact person is Bill Arent: 702-229-6551

601 Development Company, LLC contact person is John T Moran, 702-384-8424

City of Las Vegas

by: _____
Oscar B. Goodman, Mayor

_____ Date

INDEMNIFICATION

Subject to NRS 41.035, 601 Development Company, LLC hereby agrees to protect, indemnify, and hold the City of Las Vegas, its officers, employees and agents, harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs, which the City of Las Vegas, its officers, employees or agents, may suffer or which may be sought against or are recovered or obtainable from the City of Las Vegas, its officers, employees or agents, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of 601 Development Company, LLC or its officers employees, contractors, subcontractors, agents, volunteers or anyone who s directly or indirectly employed by, or is acting in concert with 601 Development Company, LLC's officers, its employees, contractors, subcontractors, volunteers or agents in the performance of this Agreement.

In this connection, 601 Development Company, LLC expressly agrees, at its sole cost and expense, to defend the City of Las Vegas, its officers, employees and agents, in any suit or action that may be brought against it or them, or any of them by reason of any act or omission, negligent or otherwise, against which 601 Development Company, LLC has agreed to indemnify the City of Las Vegas, its officers, employees and agents. If 601 Development Company, LLC fails so to do, the City of Las Vegas shall have the right, but not the obligation to defend same and to charge all of the direct and incidental costs of such defense, including attorneys' fees and court costs, to 601 Development Company, LLC.

601 Development Company, LLC agrees to restore the site to its original condition as much as possible, and agrees to conduct its testing in a manner which will cause the least amount of disruption to the present users. This agreement does not constitute or imply any binding contracts or other commitments by the agency, 601 Development Company, LLC agrees that it proceeds at its own and agrees that the results of the testing shall be shared with the City.

T.A.A., LLC, as Manager and Member of
601 Development Company, LLC

by: _____
Its: _____

3/17/04
_____ Date

Exhibit "D"

ALTA Survey

See attached by Carter:Burgess September 26, 2003.

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 1	<u>Contracting Entity</u>
Name	601 Development Company, L.L.C.
Address	c/o Jeffery A. Bendavid 630 South Fourth Street Las Vegas, Nevada 89101
Telephone	(702) 384-8424
EIN or DUNS	

Block 2	Description
	Subject Matter of Contract/Agreement:
	Agreement to Negotiate Exclusively
	RFP # N/A

Block 3	Type of Business
☐ Individual	☐ Partnership
☒ Limited Liability Company	☐ Corporation

Block 4	<u>Disclosure of Ownership and Principals</u>		
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	TAA, L.L.C. (Member)	2330 Industrial Road Las Vegas, Nevada 89102	385-5233
2.	WMMB, L.L.C. (Member)	630 South Fourth Street Las Vegas, Nevada 89101	384-8424
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: 1

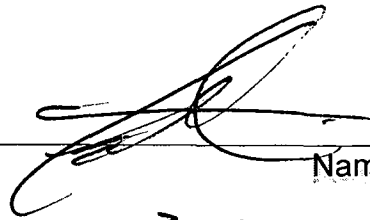
Block 5 **Disclosure of Ownership and Principals - Alternate**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate.



Name

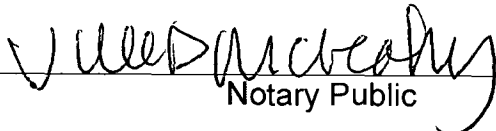
Jeffery A. Beeland

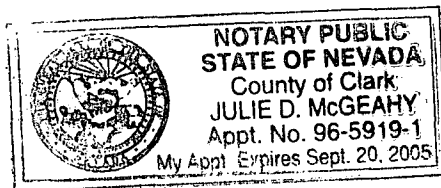
3-8-04

Date

Subscribed and sworn to before me this 8th
day of March

March, 2004.


Notary Public



SUPPLEMENT TO DISCLOSURE FORM BLOCK 4

Members of TAA, L.L.C.

The Todd Marshall Revocable Family Trust	2330 Industrial Road Las Vegas, Nevada 89102 385-5233
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Andrew Molasky	3111 South Maryland Parkway Las Vegas, Nevada 89109
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Andrew Fonfa	3135 Industrial Road Las Vegas, Nevada 89102
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Members of WMMB, L.L.C.

Rainbow II, L.L.C.	6440 Sky Pointe Drive Suite #140-137 Las Vegas, Nevada 89131
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Triple J Downtown Development, L.L.C.	630 South Fourth Street Las Vegas, Nevada 89101 (702) 384-8424
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Members of Rainbow II, L.L.C.

Ken Wolfson	6440 Sky Pointe Drive Suite #140-137 Las Vegas, Nevada 89131
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Members of Triple J Downtown Development, L.L.C.

JOMO 2, L.L.C.	2433 Palomino Lane Las Vegas, Nevada 89107 (702) 384-8424
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JEB Revocable Living Trust	630 South Fourth Street Las Vegas, Nevada 89101 (702) 384-8424
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Members of JOMO 2, L.L.C.

John T. Moran, Jr.	630 South Fourth Street Las Vegas, Nevada 89101 (702) 384-8424
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John T. Moran, III	630 South Fourth Street Las Vegas, Nevada 89101 (702) 384-8424
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MORAN & ASSOCIATES
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101

JOHN T. MORAN, JR.
JILL M. LYNNE
LEW BRANDON, JR.
JEFFERY A. BENDAVID
SHAWN R. HUGGINS
J. T. MORAN III

TELEPHONE (702) 384-8424

TELECOPIER (702) 384-6568

MORANLAWFIRM.COM

March 8, 2004

VIA HAND DELIVERY

Mr. Iain D. Vasey
Office of Business Development
City Hall
400 Stewart Avenue, 2nd Floor
Las Vegas, Nevada 89101

Re: **Agreement to Negotiate Exclusively Development Agreement and Purchasing
of 601 East Fremont Street**

Dear Mr. Vasey:

Pursuant to our telephone conversation, as you know, this law firm represents all parties now who have now joined into one development company to purchase the 601 East Fremont Property. The name of the entity that will purchasing and entering into the Agreement to Negotiate Exclusively as well as the Development Agreement and subsequently purchasing 601 East Fremont Street will be **"601 DEVELOPMENT COMPANY, LLC."** As we discussed, the Agreement to Negotiate Exclusively, which will be heard on the March 17, 2004 City Council Agenda will have the following deal points illustrated:

1. The development will consist of a mixed use of entertainment including nightclubs and bars combined with live/work units.
2. We are purchasing the property and the building for One Million Three Hundred Thousand Dollars and 00/100 (\$1,300,000.00) at closing. Plus an additional Five Hundred Thousand Dollars and 00/100 (\$500,000.00) will be paid to the City after at least fifty percent (50%) of the building is leased.
3. We expect to lease at least ten thousand (10,000) square feet of nightclub and additional square feet for bar.
4. We expect to have approximately ten (10) to twelve (12) live/work units.

Mr. Iain D. Vasey

Re: Agreement to Negotiate Exclusively Development Agreement and Purchasing of 601 East Fremont Street

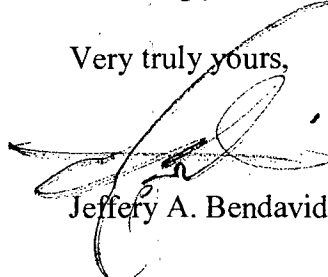
March 8, 2004

Page Two

5. Our expectation to close will be thirty (30) days from execution of the Development Agreement.
6. We expect to start construction between sixty (60) and ninety (90) days after close of escrow and anticipate at least eighteen (18) to twenty-four (24) months of construction.
7. We expect to spend approximately Four Million Five Hundred Thousand Dollars and 00/100 (\$4,500,000.00) to Five Million Five Hundred Thousand Dollars and 00/100 (\$5,500,000.00) in redevelopment of the building.

We look forward to seeing a draft of the Agreement to Negotiate Exclusively. Again, thank you for your time and we look forward to seeing you soon. I remain,

Very truly yours,



Jeffery A. Bendavid, Esq.

JAB/jdm

cc: 601 Development Company

Mr. Todd Marshall

Mr. Andrew Molasky

Mr. Andrew Fonfa

Mr. Ken Wolfson

John T. Moran, Jr., Esq.

John T. Moran III, Esq.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-7 – Eliminates the special use permit requirement for the use “Beer/Wine/Cooler Art Event.” Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The zoning regulations currently are written in a way that requires a special use permit for the use “Beer/Wine/Cooler Art Event.” It has been determined that this type of use is sufficiently limited in frequency and impact that requiring a special use permit is not necessary. This bill will eliminate that requirement.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-7

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5674 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(1:00 – 1:01)

3-1816

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-8 – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City's zoning regulations generally do not treat swap meets as a separate type of land use, categorizing them under a broader retail category. Because of the nature of the use, it is deemed appropriate to establish particularized requirements for the use. This bill establishes the circumstances under which swap meets will be allowed in commercial and industrial zoning districts.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-8

MOTION:

REESE – Motion to STRIKE - UNANIMOUS

NOTE: The initial motion for approval by WEEKLY, which carried unanimously, was reconsidered upon a motion by REESE, which also carried unanimously.

MINUTES:

The item was recalled during the afternoon session. COUNCILMAN REESE explained that the original publication of the bill had the wrong title; therefore, the item should be stricken.

(1:00 – 1:01/4:00 – 4:01)

3-1816/4-2118

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-9 – Increases the number of zoning districts in which a special use permit may be obtained for the keeping of carrier or racing pigeons. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Several months ago the City Council adopted Ordinance No. 5609 to allow, by special use permit, the keeping of carrier or racing pigeons in several of the larger-lot residential zoning districts. It is now proposed to authorize the same thing in additional zoning districts, namely, the R-1, R-CL, R-2, C-D, C-1, C-2, C-M and M Zoning Districts. If adopted, this bill will accomplish that change.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting as First Amendment pursuant to the 3/15/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

1. Bill No. 2004-9
2. Submitted after final agenda – Bill No. 2004-9 – First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5675 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

CITY ATTORNEY JERBIC noted that the Bill was recommended for approval as First Amendment at the Recommending Committee. The First Amendment deletes zoning districts R-CL and R-2. The same deletion applies to the zoning tables. The only new addition to a zoning district is R-1.

(1:01 – 1:03)

3-1865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-10 – Adopts development agreement with Cliffs Edge, LLC for the Cliffs Edge Development. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

At its meeting of February 18, 2004, the City Council is scheduled to approve a development agreement for the Cliffs Edge Development. Pursuant to State law, such an agreement must be adopted by ordinance. This bill will accomplish that adoption.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-10

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5676 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that the Bill in the backup includes the agreement as originally drafted, which required clarification in certain areas. Hence, a First Amendment is being recommended that includes changes, as well as exhibits that had not been finalized, as discussed at the Recommending Committee where this bill was considered.

(1:03 – 1:04)

3-1926

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-11 – Levies Assessment for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$168,901.24

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the cost of street improvements: pavement, curb, gutter, sidewalk, driveways, streetlights, and sewer laterals. This district will be financed by the City, and the assessments will be paid over a 10-year period.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-11

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5677 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(1:04)
3-1969

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-12 – Levies Assessment for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$209,036.50

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the cost of street improvements: pavement, left turn lane and/or center median, "L" type curb and gutter, sidewalks, streetlights, water laterals and sewer laterals. The entire project length is located in Wards 2 and 6; however, the properties involved in the SID are located in Ward 6. This district will be financed through the sale of bonds, and the assessments will be paid over a 10-year period.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-12

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5678 – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar and Grill, which is owned by his brother-in-law ANDREW DONNER, is located along this section of Rainbow. It is not one of the properties included in this SID. His brother-in-law has not discussed this bill with him, and COUNCILMAN MACK did not believe it would impact his brother-in-law's tavern. Therefore, he would be voting.

Clerk to proceed with second publication

CITY COUNCIL MEETING OF MARCH 17, 2004
Recommending
Item 94 – Bill No. 2004-12

MINUTES:

There was no discussion.

(1:04 – 1:05)
3-1997

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-13 – Levies Assessment for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$2,744,088.73

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the cost of street improvements: pavement, curb, gutter, driveway approaches, streetlights, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, pavement, curb, gutter, storm drain facilities, water mains, and streetlights were installed along the south side of Elkhorn Road. Bonds will be sold for this district, and the assessments will be paid over a 20-year period.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; **First Publication** – 3/5/2004

BACKUP DOCUMENTATION:

1. Bill No. 2004-13
2. Submitted at meeting: letter of opposition dated 3/17/2004 from James J. Leavitt

MOTION:

WEEKLY – **Second Reading** and **BILL ADOPTED** as recommended as **Ordinance No. 5679** – **UNANIMOUS**

Clerk to proceed with second publication

NOTE: A previous motion, which carried unanimously, by GOODMAN to recall this matter rescinded the original motion by WEEKLY for approval as recommended. The original motion also carried unanimously.

CITY COUNCIL MEETING OF MARCH 17, 2004
Recommending
Item 95 – Bill No. 2004-13

MINUTES:

JEFFREY PIKE submitted a letter of opposition on behalf of the law office of KERMITT WATERS, as the landowner did not receive notice of this hearing.

This item was recalled after Item 96 to determine whether it required different action because of the letter that was submitted.

RICHARD GOECKE, Director, Public Works Department, indicated that the letter was submitted from the attorney representing MR. HITT. CITY ATTORNEY JERBIC advised that the SID process includes an appropriate time for individuals to appear and protest the SID. The individual represented by the Waters Law Firm had appeared and protested the SID. The protest was found to be without merit; therefore, staff proceeded. It is appropriate for the Waters Law Firm to continue to make a record and for the Council to vote on this SID.

(1:05 – 1:06/1:07 – 1:09)

3-2038/3-2135

Law Offices of Kermitt L. Waters, Esq.

Kermitt L. Waters, Esq.
Charles E. Springer, Esq., of Counsel
James Jack Leavitt, Esq.
Brian C Padgett, Esq.

*Michael Schneider, Esq.
(licensed to practice in Montana only)
*Autumn Waters, Esq.
(licensed to practice in Montana only)

March 17, 2004

Honorable Oscar B. Goodman
City of Las Vegas Mayor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Opposition to Special Improvement District No. 1481 - El Capitan Way
(Centennial Parkway to US-95)

Dear Mayor Goodman:

This letter is sent on behalf of Deer Springs Investments LLC, (hereinafter "the Landowner") in opposition to Special Improvement District No. 1481 (hereinafter "SID #1481"). The Landowner owns that property identified as APN: 125-20-201-025 which the City of Las Vegas proposes to assess the total amount of \$91,093.20 for the acquisition of a "right-of-way" as part of SID #1481. This assessment, if applied will confiscate the compensation previously paid to the Landowner for the taking of its property.

On January 17, 2003, the City took through its power of eminent domain approximately 0.829 acres of the Landowner's property identified above and paid \$90,345.90 to the Landowner as compensation for the taking. The City now, through SID #1481 is assessing the Landowner \$91,093.20 for the cost of acquiring his own property. In other words the City paid the Landowner compensation for the taking of his property, but now proposes to take away this compensation by way of SID #1481. This portion of SID #1481 as applied to the Landowner's property, if implemented, will grossly violate the Landowner's constitutional right to payment of just compensation under article 1 section 8 of the Nevada Constitution and the Fifth Amendment to the United States Constitution.

The United States Supreme Court has already held that this act of assessing a landowner the cost of acquiring his own property results in an unconstitutional taking without payment of just compensation. *See Village of Norwood v. Baker*, 172 U.S. 269 (1898). The principles in *Norwood* were furthered by the California Supreme Court in *Spring Street Co. v. City of Los Angeles*, 170 Cal.24 (1915), wherein the Court concluded an assessment that attempts to confiscate a landowner's just compensation award in a condemnation proceeding should always be held illegal and void to prevent oppressive acts by governmental entities that deprive its citizens of their constitutional and property rights. Nevada has also adopted the principles announced in *Norwood* and *Spring Street* in *City of Reno v. Folsom*, 86 Nev. 39, 464 P.2d 454 (1970), wherein the Court held that an assessment that amounts to a deprivation of property rights is illegal and void.

Additionally, SID #1481 results in an inequitable tax burden on the Landowner. In *City of Reno v. Folsom*, *supra*, the Nevada Supreme Court held that "A special assessment tax is predicated upon the theory that the proposed improvements of the assessment district will result in a benefit

Las Vegas Office:
704 South 9th Street, Las Vegas, NV 89101
Phone: (702) 733-8877
Fax: (702) 731-1964

Reno Office:
333 Flint Street, Reno, NV 89509
Phone: 1 (877) 733-8877
Submitted at City Council

Date 3/17/04 Item #95

to those property owners included in the assessment. This is the very essence of and the only justification for the special assessment." There is no benefit the Landowner will receive from the right-of-way it sold to the City in the first instance. Accordingly, the Landowner should not be tax assessed the cost of acquiring this right-of-way.

Setting aside the above legal analysis, common sense dictates that tax assessing the Landowner the cost of acquiring his own property is grossly unfair and unjust.

This office appeared on behalf of the Landowner at the February 4, 2004, public hearing wherein the City Council discussed SID #1481. The Landowner's objections were put on the record at that time. The City Council stated that no action would be taken on the SID #1481 at that time and, accordingly, no vote was taken on the matter.

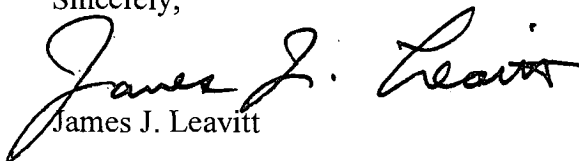
Following the hearing, I assumed that my office or the Landowner would receive notice of the next hearing when the City Council would vote on the matter. However, neither our office or the Landowner ever received notice of a hearing.

Accordingly, yesterday I requested that Michael Schneider from our office contact Richard Goecke to request information regarding the status of SID #1481. Mr. Schneider contacted Mr. Goecke today and was advised that the City Council would vote on the matter this morning. He also advised Mr. Schneider that he discussed our office's objections with the City Attorney and Bond Council and that SID #1481 would be approved in its entirety today. Mr. Goecke stated that we did not need to meet with him regarding the matter, because SID #1481 would be approved as submitted, without a reduction for the Landowner's \$91,093.20 right-of-way.

As this public hearing for SID #1481 was scheduled without notice to the Landowner or this office we are not prepared to attend the public hearing. Accordingly, the Landowner's objection is being delivered to the City Council by this letter.

Based upon the lack of notice and the unconstitutional argument stated above, the Landowner strongly opposes the \$91,093.20 right-of-way portion of SID #1481, which tax assesses the Landowner the cost of acquiring its own property.

Sincerely,


James J. Leavitt

cc: City Council
Gary Reese (Mayor Pro-Tem)
Larry Brown
Lynette B. McDonald
Lawrence Weekly
Michael Mack
Janet Moncrief

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-14 – Levies Assessment for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$394,135.77

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the cost of street improvements: pavement, "L" type curb and gutter, sidewalk, commercial and residential driveway approaches, water laterals, sewer laterals and streetlights. Bonds will be sold for this district, and the assessments will be paid over a 10-year period.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-14

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5680 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(1:06 – 1:07)

3-2100

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-15 – Ordinance Creating Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$349,029.49

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Installation of pavement, curb, gutter, and streetlights.

RECOMMENDATION:

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-15

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5681 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(1:09 – 1:10)

3-2207

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-17 – Annexation No. ANX-3693 – Property location: On the northeast corner of Michelli Crest Way and Bath Drive; Petitioned by: Cliffs Edge, LLC; Acreage: 2.60 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Michelli Crest Way and Bath Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-17 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

3-2230

1
2
3
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6
7
8 **BILL NO. 2004-17**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3693)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as located on the northeast corner
of Michelli Crest Way and Bath Drive.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
16 ORDAIN AS FOLLOWS:

17 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
18 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
19 following described real property:

20 The South Half (S 1/2) of the West Half (W 1/2) of the Northeast Quarter
21 (NE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE
22 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., in the
County of Clark, State of Nevada, being PARCEL 2 as shown on LAND
23 DIVISION 51-79, recorded May 22, 1979 in Book 1059 as Instrument
1018736 of Clark County, Nevada Records, and the adjacent half street right
24 of way of ORNELIS STREET (now MICHELLI CREST WAY, 30 foot wide
half street) and the half street right of way of TATE AVENUE (now BATH
25 DRIVE, 30 foot wide half street), together with the 15.00 feet radius spandrel
area on the southwest corner of said PARCEL 2, all as dedicated by GRANT,
BARGAIN, SALE DEED recorded May 22, 1979 in Book 1059 as
Instrument Number 1018737 of Clark County, Nevada Records.

26
27 SECTION 2: The City Council hereby determines that the described territory
28 meets the requirements provided by law for annexation to the City for the following reasons:

- 1 A. The area to be annexed was contiguous to the City's boundaries at the
2 time the annexation proceedings were instituted;
3 B. More than one-eighth (1/8) of the aggregate external boundaries of
4 the area are contiguous to the City;
5 C. The territory proposed to be annexed is not included within the
6 boundaries of another incorporated city or within the boundaries of
7 any unincorporated town as those boundaries existed as of July 1,
8 1983;
9 D. The City is eligible to annex the described territory since the
10 landowners have signed a petition constituting one hundred percent
11 (100%) of the owners of record of individual lots or parcels of land
12 within the annexation area.

13 SECTION 3: The City will provide police protection through the Las Vegas
14 Metropolitan Police Department, fire protection, street maintenance, and library services
15 immediately upon annexation. Garbage collection by the company franchised by the City
16 will also be provided immediately. The City sanitary sewer system will serve the proposed
17 annexation area. Any connection to or extension of this sewer line to serve the annexation
18 area shall be at the expense of the landowners. Other services, such as participation in the
19 City's recreational programs, special education classes and programs, public works planning,
20 building inspections, and other City services will also be available immediately. Utilities
21 such as gas, electricity, telephone, and water are provided by private utility companies and
22 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
23 sidewalks and street lights which are not in place at the time of annexation will be installed
24 in the presently developed areas upon the request of the property owners and at their expense
25 by means of special assessment districts. Such improvements will be extended into the
26 undeveloped areas as development takes place and the need therefor arises, and will be
27 located according to the needs of the area at that time. Such installations will also be made
28 at the expense of the property owners, either by means of special assessment districts or as

1 prerequisites to the approval of subdivision plats, building permits or other land use or
2 development applications.

3 SECTION 4: The annexation of the described territory shall become
4 effective on the 30th day of April, 2004, and on that date the City will have the funds
5 appropriated in sufficient amount to finance the extension into the described territory of
6 police protection, fire protection, street maintenance, street sweeping, and street lighting
7 maintenance.

8 SECTION 5: The described territory, together with the inhabitants and
9 property thereof, shall, from and after the 30th day of April, 2004, be subject to all debts,
10 laws, ordinances and regulations in force in the City and shall be entitled to the same
11 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
12 levied by the City.

13 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
14 an accurate map or plat of the described territory and to record the map or plat, together with
15 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
16 Nevada, which recording shall be done prior to the 30th day of April, 2004.

17 SECTION 7: The described territory, which previously has been zoned R-U
18 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas
19 classification), which is deemed to be the City equivalent of the County classification.

20 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
21 clause of phrase in this ordinance or any part thereof, is for any reason held to be
22 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
23 decision shall not affect the validity or effectiveness of the remaining portions of this
24 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares
25 that it would have passed each section, subsection, subdivision, paragraph, sentence, clause
26 or phrase thereof irrespective of the fact that any one or more sections, subsections,
27 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
28 or ineffective.

1 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
2 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____,
5 2004.

6 APPROVED:

7
8 By _____
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 BARBARA JO RONEMUS, City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 3-3-04
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2004, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2004, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

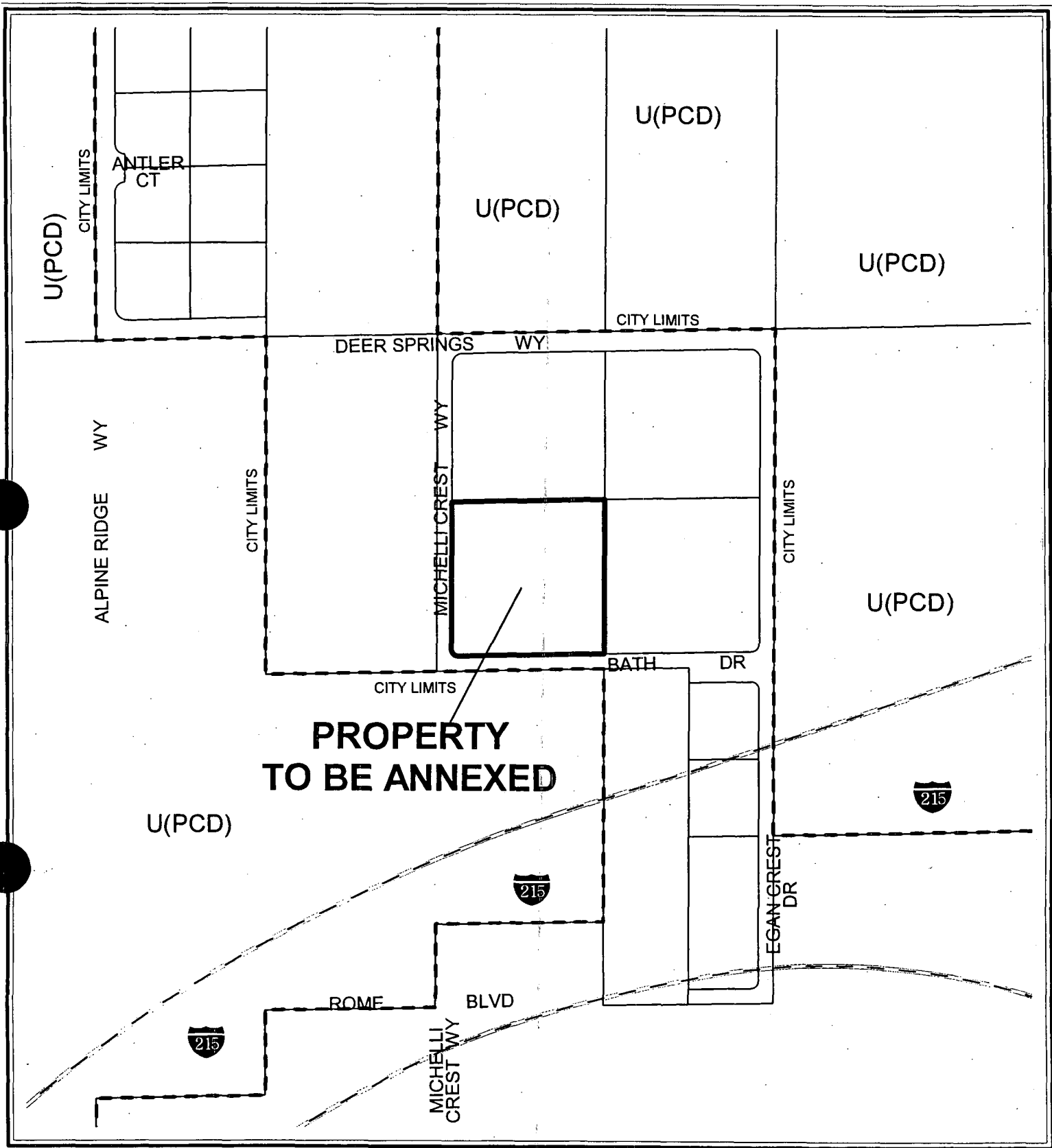
10 ABSENT: _____

11 APPROVED:

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13 By OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-3693

0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-18 – Annexation No. ANX-3714 – Property location: On the southwest corner of Chieftain Street and Bath Drive; Petitioned by: James and Lori Kibler; Acreage: 2.53 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Chieftain Street and Bath Drive. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-18 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

3-2230

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8 **BILL NO. 2004-18**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
13 CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3714)

13 Sponsored by: Councilman Michael Mack Summary: Annexes property described
14 generally as located on the southwest corner
15 of Chieftain Street and Bath Drive.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
16 ORDAIN AS FOLLOWS:

17 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
18 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
19 following described real property:

20 The Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the
21 Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 19,
22 Township 19 South, Range 60 East, M.D.M., in the County of Clark, State
23 of Nevada, and the adjacent half street right of way of BATH DRIVE (30.00
24 feet wide as measured from centerline thereof), and half street right of way
25 of CHIEFTAIN STREET (30.00 feet wide as measured from centerline
26 thereof), together with the 15.00 feet radius spandrel area at the southwest
27 corner of the intersection of BATH DRIVE and CHIEFTAIN STREET, all
28 as dedicated by GRANT, BARGAIN, SALE DEED recorded July 22, 1977
in Book 766 as Instrument Number 725481 of Clark County, Nevada
Records.

26 SECTION 2: The City Council hereby determines that the described territory
27 meets the requirements provided by law for annexation to the City for the following reasons:

28 A. The area to be annexed was contiguous to the City's boundaries at the

1 time the annexation proceedings were instituted;

2 B. More than one-eighth (1/8) of the aggregate external boundaries of
3 the area are contiguous to the City;

4 C. The territory proposed to be annexed is not included within the
5 boundaries of another incorporated city or within the boundaries of
6 any unincorporated town as those boundaries existed as of July 1,
7 1983;

8 D. The City is eligible to annex the described territory since the
9 landowners have signed a petition constituting one hundred percent
10 (100%) of the owners of record of individual lots or parcels of land
11 within the annexation area.

12 SECTION 3: The City will provide police protection through the Las Vegas
13 Metropolitan Police Department, fire protection, street maintenance, and library services
14 immediately upon annexation. Garbage collection by the company franchised by the City
15 will also be provided immediately. The City sanitary sewer system will serve the proposed
16 annexation area. Any connection to or extension of this sewer line to serve the annexation
17 area shall be at the expense of the landowners. Other services, such as participation in the
18 City's recreational programs, special education classes and programs, public works planning,
19 building inspections, and other City services will also be available immediately. Utilities
20 such as gas, electricity, telephone, and water are provided by private utility companies and
21 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
22 sidewalks and street lights which are not in place at the time of annexation will be installed
23 in the presently developed areas upon the request of the property owners and at their expense
24 by means of special assessment districts. Such improvements will be extended into the
25 undeveloped areas as development takes place and the need therefor arises, and will be
26 located according to the needs of the area at that time. Such installations will also be made
27 at the expense of the property owners, either by means of special assessment districts or as
28 prerequisites to the approval of subdivision plats, building permits or other land use or

1 development applications.

2 SECTION 4: The annexation of the described territory shall become
3 effective on the 30th day of April, 2004, and on that date the City will have the funds
4 appropriated in sufficient amount to finance the extension into the described territory of
5 police protection, fire protection, street maintenance, street sweeping, and street lighting
6 maintenance.

7 SECTION 5: The described territory, together with the inhabitants and
8 property thereof, shall, from and after the 30th day of April, 2004, be subject to all debts,
9 laws, ordinances and regulations in force in the City and shall be entitled to the same
10 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
11 levied by the City.

12 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
13 an accurate map or plat of the described territory and to record the map or plat, together with
14 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
15 Nevada, which recording shall be done prior to the 30th day of April, 2004.

16 SECTION 7: The described territory, which previously has been zoned R-E
17 (County of Clark classification), is hereby classified as U (TC) (City of Las Vegas
18 classification), which is deemed to be the City equivalent of the County classification.

19 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
20 clause of phrase in this ordinance or any part thereof, is for any reason held to be
21 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
22 decision shall not affect the validity or effectiveness of the remaining portions of this
23 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares
24 that it would have passed each section, subsection, subdivision, paragraph, sentence, clause
25 or phrase thereof irrespective of the fact that any one or more sections, subsections,
26 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
27 or ineffective.

28 SECTION 9: All ordinances or parts of ordinances, sections, subsections,

1 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this _____ day of _____,
4 2004.

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 *Val Steel* 3-3-04
13 Date
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1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of ____, 2004, and referred to the following committee
3 composed of ____ and ____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 ____, 2004, which was a ____ meeting of said Council; that
6 at said ____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

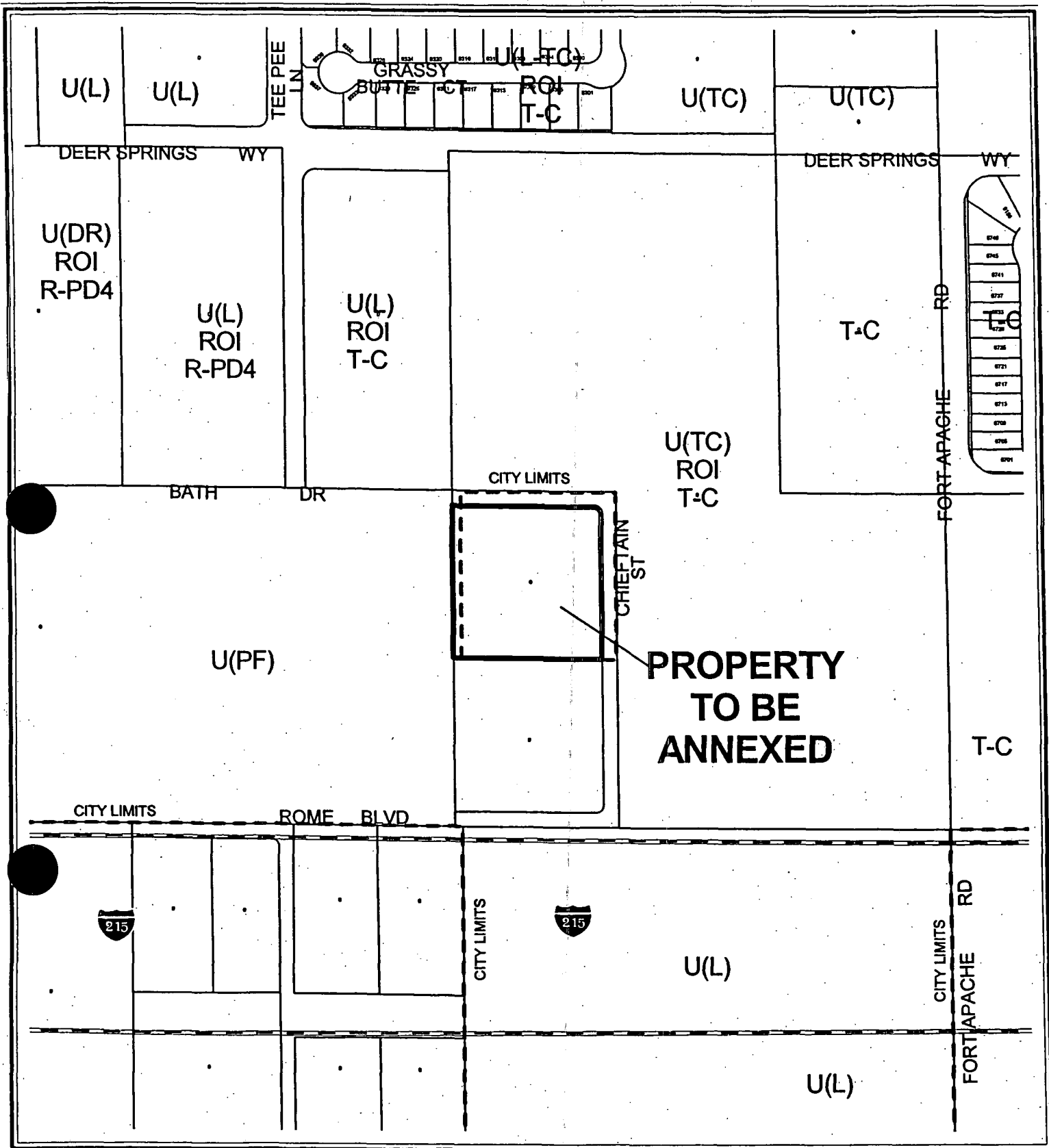
10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-3714

0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-19 – Annexation No. ANX-3740 – Property location: On the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard; Petitioned by: Cytha Price, et al.; Acreage: 1.00 acres; Zoned: R-E (County zoning), U (GC) (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-19 and Location Map

MOTION:

REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS

MINUTES:

There was no discussion.

(9:47 – 9:49)

1-1256

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8 **BILL NO. 2004-19**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3740)

13 Sponsored by: Councilman Lawrence
14 Weekly

Summary: Annexes property described
generally as located on the east side of
Fairhaven Street, 1,170 feet south of Lake
15 Mead Boulevard.

16 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
17 ORDAIN AS FOLLOWS:

18 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
19 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
20 following described real property:

21 The west 264.00 feet of the South Half (S 1/2) of the South Half (S 1/2) of
22 the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the
23 Southeast Quarter (SE 1/4) of Section 24, Township 20 South, Range 60
24 East, M.D.M., in the County of Clark, State of Nevada, including the east
25 half of FAIRHAVEN STREET right of way (30.00 feet wide as measured
from the centerline thereof) as dedicated by GRANT, BARGAIN, SALE
DEED, recorded in Book 20021217, as Instrument Number 01751 of Clark
County, Nevada Records.

26 SECTION 2: The City Council hereby determines that the described territory
27 meets the requirements provided by law for annexation to the City for the following reasons:

28 A. The area to be annexed was contiguous to the City's boundaries at the

1 time the annexation proceedings were instituted;

2 B. More than one-eighth (1/8) of the aggregate external boundaries of
3 the area are contiguous to the City;

4 C. The territory proposed to be annexed is not included within the
5 boundaries of another incorporated city or within the boundaries of
6 any unincorporated town as those boundaries existed as of July 1,
7 1983;

8 D. The City is eligible to annex the described territory since the
9 landowners have signed a petition constituting one hundred percent
10 (100%) of the owners of record of individual lots or parcels of land
11 within the annexation area.

12 SECTION 3: The City will provide police protection through the Las Vegas
13 Metropolitan Police Department, fire protection, street maintenance, and library services
14 immediately upon annexation. Garbage collection by the company franchised by the City
15 will also be provided immediately. The City sanitary sewer system will serve the proposed
16 annexation area. Any connection to or extension of this sewer line to serve the annexation
17 area shall be at the expense of the landowners. Other services, such as participation in the
18 City's recreational programs, special education classes and programs, public works planning,
19 building inspections, and other City services will also be available immediately. Utilities
20 such as gas, electricity, telephone, and water are provided by private utility companies and
21 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
22 sidewalks and street lights which are not in place at the time of annexation will be installed
23 in the presently developed areas upon the request of the property owners and at their expense
24 by means of special assessment districts. Such improvements will be extended into the
25 undeveloped areas as development takes place and the need therefor arises, and will be
26 located according to the needs of the area at that time. Such installations will also be made
27 at the expense of the property owners, either by means of special assessment districts or as
28 prerequisites to the approval of subdivision plats, building permits or other land use or

1 development applications.

2 SECTION 4: The annexation of the described territory shall become
3 effective on the 30th day of April, 2004, and on that date the City will have the funds
4 appropriated in sufficient amount to finance the extension into the described territory of
5 police protection, fire protection, street maintenance, street sweeping, and street lighting
6 maintenance.

7 SECTION 5: The described territory, together with the inhabitants and
8 property thereof, shall, from and after the 30th day of April, 2004, be subject to all debts,
9 laws, ordinances and regulations in force in the City and shall be entitled to the same
10 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
11 levied by the City.

12 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
13 an accurate map or plat of the described territory and to record the map or plat, together with
14 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
15 Nevada, which recording shall be done prior to the 30th day of April, 2004.

16 SECTION 7: The described territory, which previously has been zoned R-E
17 (County of Clark classification), is hereby classified as U (GC) (City of Las Vegas
18 classification), which is deemed to be the City equivalent of the County classification.

19 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
20 clause of phrase in this ordinance or any part thereof, is for any reason held to be
21 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
22 decision shall not affect the validity or effectiveness of the remaining portions of this
23 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares
24 that it would have passed each section, subsection, subdivision, paragraph, sentence, clause
25 or phrase thereof irrespective of the fact that any one or more sections, subsections,
26 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
27 or ineffective.

28 SECTION 9: All ordinances or parts of ordinances, sections, subsections,

1 | phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
2 | Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 | PASSED, ADOPTED and APPROVED this ____ day of _____,
4 | 2004.

5 | APPROVED:

6 |
7 | By OSCAR B. GOODMAN, Mayor

8 | ATTEST:

9 |
10 | BARBARA JO RONEMUS, City Clerk

11 | APPROVED AS TO FORM:

12 | Val Steed 3-3-04
13 | Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2004, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2004, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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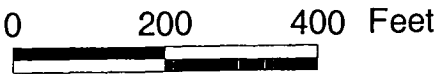
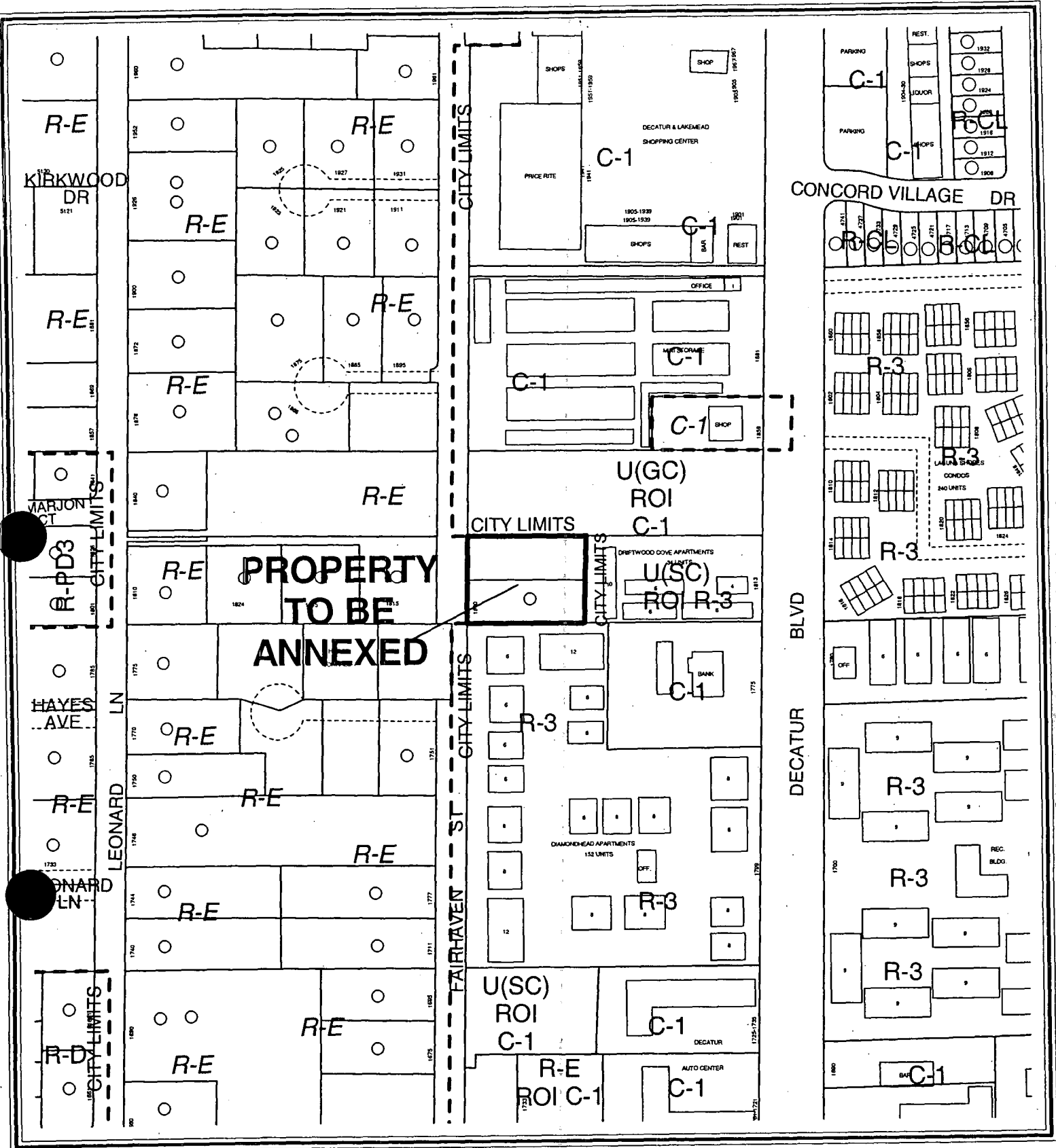
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CASE: ANX-3740



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-20 – Revises the zoning standards and procedures for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

A special use permit currently is required in order to create private streets within a subdivision, including to allow the conversion of public streets to private streets within an existing subdivision. It has been proposed to allow this type of conversion as a conditional use rather than by means of special use permit if certain minimum conditions are met. This bill will accomplish that objective.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-20

MOTION:

None required.

NOTE: MAYOR GOODMAN disclosed that he would have to abstain on this Bill as the property is located near his residence and could affect his property's value.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

3-2230

BILL NO. 2004-20

ORDINANCE NO. _____

AN ORDINANCE TO REVISE THE ZONING STANDARDS AND PROCEDURES FOR CONVERTING PUBLIC STREETS INTO PRIVATE STREETS IN EXISTING SUBDIVISIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Janet Moncrief

Summary: Revises the zoning standards and procedures for converting public streets into private streets in existing subdivisions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that private streets are a conditional use in all residential zoning districts. In order to reflect the amendment, the row pertaining to the use "Private Streets," as it appears in the "Utilities, Communication & Transportation" element of the Land Use Tables, is amended to read as follows:

U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	UTILITIES, COMMUNICATION & TRANSPORTATION
[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	[S] C	Private Streets[*]

SECTION 2: Title 19, Chapter 4, Section 40, Subsection (C), is hereby amended by adding thereto a new subdivision entitled "Private Streets," reading as follows:

PRIVATE STREETS [ALL RESIDENTIAL DISTRICTS]

(1) Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:

(a) The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and

(b) All the lots within the subdivision conform to the minimum lot size requirements of Title 19.

(2) Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.

1 (3) Access Restrictions. The entrances to all private streets must be marked with a sign stating
2 that it is a private street. Guard houses, access control gates and cross arms may be constructed. All
3 restricted access entrances shall be manned twenty four hours every day or provide an alternative
4 means of ensuring access to the subdivision by the City and other emergency and utility service
5 providers with appropriate identification. If the association fails to maintain reliable access as
6 required to provide City services, the City may enter the subdivision and remove any gate or device
7 which is a barrier to access at the sole expense of the association. The association documents shall
8 contain provisions in conformity with this paragraph which may not be amended without the written
9 consent of the City.

10 (4) Access Restricted Entrance Design Standards. Any private street which has access control
11 gates or cross arms must be of a break-away design. A turn-around space must be located in front of
12 any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any
13 guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of
14 fourteen feet in height above the road surface.

15 (5) Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used,
16 maintained, or constructed as private streets. Also, the Department may deny the creation of any other
17 private street if it is determined that the private street would have any of the following effects:

- 18 (a) Negatively affect traffic circulation on public streets;
- 19 (b) Impair access to property either on-site or off site to the subdivision;
- 20 (c) Impair access to or from public facilities including schools, parks and libraries; or
- 21 (d) Delay the response time of emergency vehicles.

22 (6) Property Owners' Associations Required. Subdivisions developed with private streets must
23 have a mandatory property owners' association which includes all property served by private streets.
24 The association shall own and be responsible for the maintenance of private streets and appurtenances.
25 The association documents must establish a reserve fund for the maintenance of streets and other
26 improvements. Such documents are subject to review and approval by the City to ensure that adequate
27 provision for maintenance has been made.

28 (7) Private Street Lot. Private streets shall be constructed on property separately owned by a

1 property owners' association. Private streets must include provision for appropriate easements to be
2 granted to the City and to other utility providers allowing necessary use and access for utilities and
3 the maintenance thereof. The easement shall also provide the City and protective service providers
4 with the same right of access they would have if the streets were public streets.

5 (8) Waiver of Services. The subdivision final map, property deeds and property owners
6 association documents shall note that certain City services shall not be provided on private streets.
7 Among the services which will not be provided are: routine police patrols, enforcement of traffic and
8 parking ordinances, preparation of accident reports and other services which may not be reasonably
9 or properly available within a particular development. All private regulatory signs shall conform to
10 State of Nevada regulations.

11 (9) Special Use Permit. In cases where a Special Use Permit is required to allow private streets
12 that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of
13 Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special
14 Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not
15 waivable in connection with a Special Use Permit approval.

16 SECTION 3: Title 19, Chapter 4, Section 50, Subsection (B), is hereby amended by
17 deleting in its entirety the subdivision pertaining to the use "Private Streets."

18 SECTION 4: In Section 2 of this Ordinance, the brackets that follow the title of the
19 subdivision being added are not intended to indicate deleted matter, but instead are used as the means
20 of indicating the applicable districts.

21 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,
22 19.04.040, and 19.04.050 are deemed to be subchapters rather than sections.

23 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

7 APPROVED:

8
9 By _____
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 _____
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 3-3-04
16 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2004, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2004, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-21 – Updates the City's emergency management provisions. Sponsored by:
Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will update the provisions of LVMC Chapter 2.30, relating to emergency management, in accordance with recommendations made by the City's Management Committee for Emergency Operations. The changes are minor in nature and are intended to simplify the process of responding to emergencies and give the City greater flexibility during that process.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-21

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

3-2230

THE MORNING SESSION RECESSED AT 1:11 P.M.

1 **BILL NO. 2004-21**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO UPDATE THE PROVISIONS OF CHAPTER 2.30 RELATING TO
4 EMERGENCY MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Mayor Oscar B. Goodman

Summary: Updates the City's emergency
management provisions.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
8 AS FOLLOWS:

9 SECTION 1: Title 2, Chapter 30, Section 30, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.30.030:** (A) [A state of disaster emergency shall be deemed to exist whenever during any
12 disaster, public safety authorities are unable to maintain public order or afford adequate protection for
13 lives or property.

14 (B)] The Mayor, pursuant to the powers granted in Title III, Section 3.010 of the
15 Charter for the City of Las Vegas, shall have the authority to declare a state of disaster emergency by
16 proclamation. Upon the absence or the unavailability of the Mayor, the Mayor Pro Tem shall have
17 the powers and authority granted to the Mayor in this Chapter, and upon the absence or unavailability
18 of the Mayor[, and the Mayor Pro Tem, the powers [shall be] are delegated to any two of the
19 remaining members of the City Council. Upon the absence or unavailability of two Council members,
20 the powers [shall be] are delegated to the City Manager [or,] and upon the absence or unavailability
21 of [two Council members] the City Manager, the powers [shall be] are delegated to the [City Manager,
22 the] Director of Fire [Services.] and Rescue.

23 [(C)] (B) The Mayor is authorized and empowered to [limit by] include in the
24 proclamation [the application of all or any part of the restrictions described in this Section] any
25 restrictions related to emergency management or for the protection and preservation of life and
26 property that are authorized by the City Charter or State law, and to limit any or all of those
27 restrictions to any area specifically designated or described within the corporate limits of the City [and
28 to] for specific hours of the day or night.

1 [(D)] (C) The Mayor shall proclaim the end of such state of disaster emergency or all or
2 any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the
3 City Council.

4 [(E) During the existence of a proclaimed state of disaster emergency, the Mayor
5 may impose by proclamation any or all of the following restrictions:

6 (1) Prohibit or regulate the possession off one's own premises of explosives,
7 firearms, ammunition, or dangerous weapons of any kind, and prohibit the purchase, sale, transfer or
8 other disposition thereof;

9 (2) Prohibit or regulate the buying or selling of intoxicating beverages of
10 any kind, and their consumption off one's own premises;

11 (3) Prohibit or regulate the sale of gasoline (except when directly introduced
12 into a motor vehicle), kerosene, naphtha, or any other explosive or inflammable fluids or substances;

13 (4) Prohibit or regulate pedestrian or motor vehicle travel or presence upon
14 any public street, highway, alley, or roadway or upon any other public property, including the
15 proclamation of a curfew.

16 (F) Any proclamation may be extended, altered or repealed in any particular during
17 the continued or threatened existence of a state of emergency by the issuance of a subsequent
18 proclamation.

19 [(G)] (D) Upon the declaration of a state of disaster emergency, the City Manager shall
20 post a written notice of such declaration upon the special outside City Hall bulletin board, and shall
21 notify by fax, e-mail or telephone [not less] no fewer than two newspapers of general circulation
22 within the City, at least three television stations and at least three radio stations broadcasting in Clark
23 County. When practicable, the City Manager shall also cause the written notice to be published in its
24 entirety, at least four days each week in a newspaper of general circulation in the City until the state
25 of emergency is declared to be terminated.

26 [(H)] (E) Any proclamation made pursuant to this Section must be ratified by the City
27 Council [as soon as possible, but in any case within forty-eight hours. The Council's consideration
28 of such proclamation shall be deemed to be an emergency for purposes of the Nevada Open Meeting

1 Law.] at the next available regular or special meeting of the City Council. Notwithstanding any
2 provision of this Section, no proclamation made hereunder shall be deemed invalid or be deemed to
3 expire by the City Council's failure to convene or to take action concerning the proclamation. [In
4 considering any proclamation pursuant to this Subsection, the Council may take such action as is
5 described in Subsection (D) of this Section.]

6 SECTION 2: Title 2, Chapter 30, Section 40, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **2.30.040:** (A) [A board is created to be known as the] The Office of Emergency Operations[.]
9 is hereby created.

10 (B) The City Manager shall [be the head of the Office of Emergency Operations
11 to be known as the Coordinator of Emergency Operations and must act as the Coordinator of
12 Emergency Operations during a disaster emergency. At all other times, the City Manager may appoint
13 a substitute to act in the City Manager's stead, to be known as the Acting Coordinator of Emergency
14 Operations. Upon the absence or the unavailability of the City Manager, the Senior Deputy City
15 Manager shall be the Coordinator of Emergency Operations.] have overall responsibility for the Office
16 of Emergency Operations. The City Manager may designate a Deputy City Manager to act in the City
17 Manager's stead during the absence or unavailability of the City Manager. The City Manager may
18 also appoint an Emergency Management Officer to be responsible for the day-to-day operation of the
19 Office of Emergency Operations.

20 SECTION 3: Title 2, Chapter 30, Section 50, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **2.30.050:** As may be authorized by the City Manager, [The Coordinator of Emergency
23 Operations] the Emergency Management Officer is authorized and directed to:

24 (A) Prepare, [and] maintain and implement an emergency operations plan [and an
25 emergency resources management plan] for the City, in support of and in accordance with Federal,
26 State and County emergency plans and guidance;

27 (B) Designate, [and] prepare and implement standard operating procedures for an
28 Emergency Operation Center from which centralized direction and control of the emergency

1 operations may be exercised;

2 (C) Establish an Emergency Operations Organization, utilizing City, public and
3 private resources for this purpose;

4 (D) Monitor and supervise the Emergency Operations Organization at drills, and
5 train and prepare the organization to effect the purpose of this Chapter;

6 (E) Represent the Emergency Operations Organization of the City in all dealings
7 with public or private agencies pertaining to emergency operations, except that the Sheriff of the Las
8 Vegas Metropolitan Police Department will provide such representation in all matters dealing with
9 riot, serious domestic violence, insurrection, or other civil disobedience as provided by provision of
10 the Nevada Revised Statutes; and

11 (F) Recommend to the City Council[,] mutual aid agreements with adjoining
12 jurisdictions determined essential to any part of emergency operations. [;

13 (G) Execute the emergency operations plan and coordinate the emergency
14 operations organization upon the proclamation of a disaster emergency by the Mayor, or successor
15 as contained in Section 2.30.030(B)].

16 SECTION 4: Title 2, Chapter 30, Section 60, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **2.30.060:** (A) A Management Committee for Emergency Operations (hereinafter
19 "Committee") is created. The Committee shall be composed of [one member] two members of the
20 City Council, the City Manager, the Sheriff of the Las Vegas Metropolitan Police Department, the
21 Chief Health Officer of the Clark County Health District, the Director of Fire and Rescue, and [not
22 less than five] no fewer than four additional persons who are appointed by the City Manager and
23 selected from the Directors and Deputy Directors of Departments of the City.

24 (B) The Director of Fire [Services] and Rescue will be the Chairman of the
25 Committee.

26 (C) The Committee shall, as a specific function, provide technical and policy
27 guidance to the Mayor, the City Council, the City Manager and the [Coordinator of Emergency
28 Operations.] Emergency Management Officer.

1 (D) The Committee [shall approve such emergency operations plans as prepared
2 by the Coordinator of Emergency Operations and recommend to the Mayor, the City Manager and
3 City Council the adoption of the plans.] is authorized to review, approve and update the emergency
4 operations plan as prepared and recommended by the Emergency Management Officer. Any changes
5 to the emergency operations plan shall be reported to the City Council on an annual basis.

6 (E) The members of the Committee shall be the primary staff of the Emergency
7 Operations Organization and the Emergency Operations Center and shall execute the emergency
8 operations plan to accomplish the purpose of this Chapter.

9 SECTION 5: Title 2, Chapter 30, Section 80, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.30.080:** For the purposes of this Chapter, the Mayor, the Management Committee for
12 Emergency Operations, and the [Coordinator of Emergency Operations] Emergency Management
13 Officer shall utilize the services, equipment, supplies and facilities of existing departments, officers
14 and agencies of the City to the maximum extent practicable, and the officers and personnel of all such
15 departments are directed to cooperate and extend such services and facilities upon request.

16 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
18 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
20 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
21 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
22 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
23 invalid or ineffective.

24 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
25 ...
26 ...
27 ...
28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2004.

4 APPROVED:

5
6 By _____
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 3-4-04
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2004, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2004, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

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APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs

MINUTES:

There was no discussion.

(2:07 – 2:10)

4-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 104 Sacramento Drive. PROPERTY OWNER: FIRST HORIZON HOME LOAN CORP., C/O FORECLOSURE DEPT. #6205 – Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$1,121.25**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, Weaver Construction was hired to abate the problem by removing all refuse, waste, litter, trash, debris, shopping carts, miscellaneous items, tumbleweeds, and overgrown vegetation; and by posting "No Trespassing" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1,121.25 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

REESE – APPROVED the action of Neighborhood Services – **UNANIMOUS** with **WEEKLY** not voting

CITY COUNCIL MEETING OF MARCH 17, 2004
Neighborhood Services Department
Item 104 – 104 Sacramento Drive

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that the property had previously been boarded by the City. It is now in foreclosure and being taken by the mortgage company. Trash and debris had accumulated and weeds had grown very high in the yards. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, Weaver Construction was hired to abate the problem. The property was nicely cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$1,121.25 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN commented that this is a nice home and it is hoped that the City can figure out a way to own it. Nice people could live in that home.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:19 – 2:21)

4-357

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: Neighborhood Services

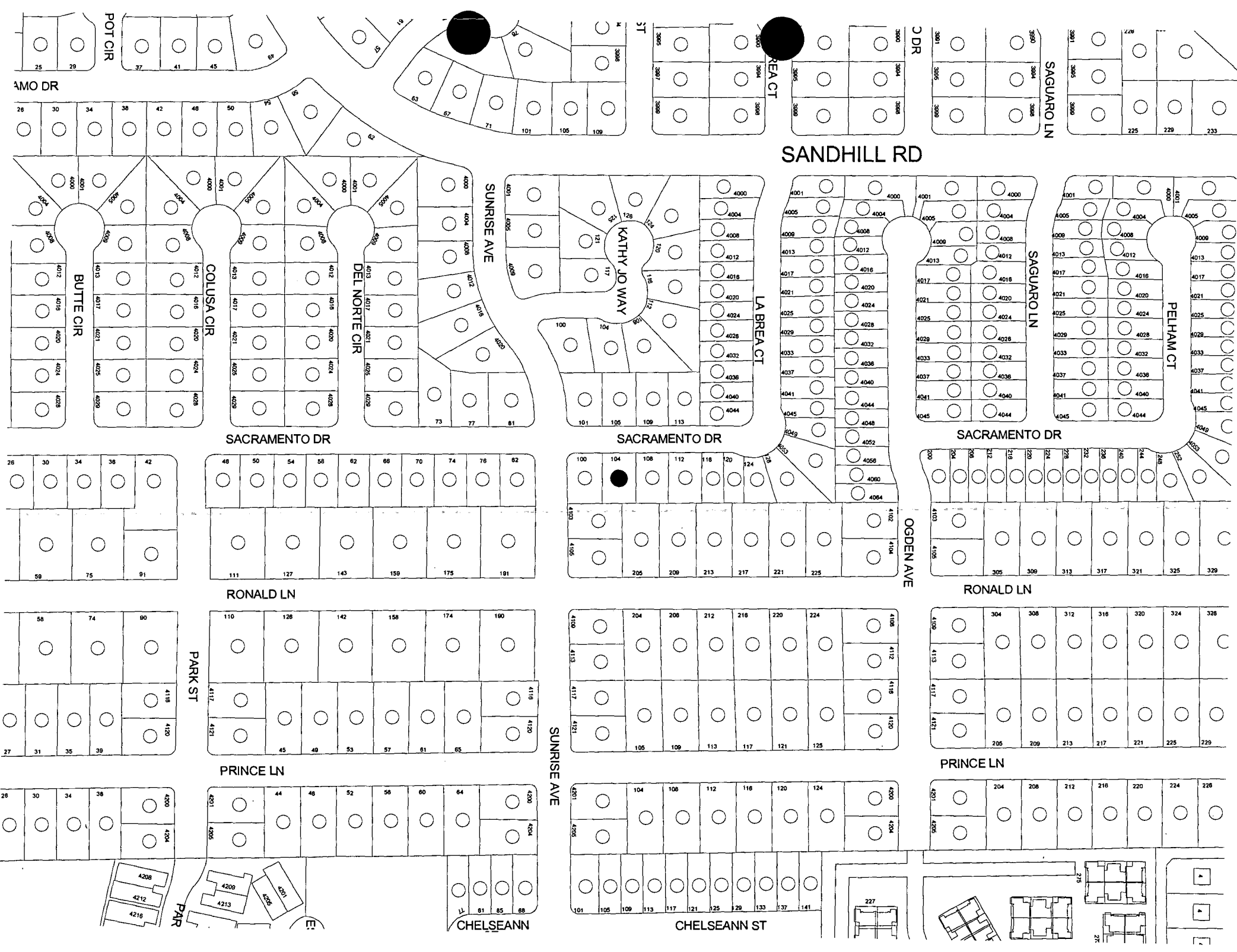
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 104 Sacramento Drive.

PROPERTY OWNER: FIRST HORIZON HOME LOAN CORP., C/O FORECLOSURE DEPT. #6205 – Ward 3 (Reese)

Weaver Construction completed work on February 13, 2004 at a cost of \$975.00, plus a 15% administration fee, for a total of \$1,121.25.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building/Boarded Building Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: March 1, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter located at 104 Sacramento Drive - Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse, waste, litter, trash, debris, shopping carts, miscellaneous items, tumbleweeds, and overgrown vegetation; and by posting "No Trespassing" signs on the property. Weaver Construction completed work on February 13, 2004 at a cost of \$975.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 975.00
AMOUNT DUE	975.00
Administrative processing fee	146.25
TOTAL AMOUNT DUE	\$ 1,121.25

OWNER OF RECORD: FIRST HORIZON HOME LOAN CORP.
C/O FORECLOSURE DEPT. #6205

PROPERTY ABATED: 104 SACRAMENTO DRIVE

ASSESSOR'S PARCEL: 140 31 719 002

LEGAL DESCRIPTION: MEADOW HOMES UNIT #3 2ND AMD
PLAT BOOK 9 PAGE 63
LOT 18/BLOCK 3

DS:jg

WEAVER CONSTRUCTION

"GENERAL ENGINEERING"

2590 NORTH NELLIS BLVD.

LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and
all persons and entities holding more than a 1% interest in
Weaver Construction or any principal of
Weaver Construction are the following:

<u>FULL NAME</u>	<u>BUSINESS ADDRESS</u>	<u>BUSINESS PHONE</u>
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

Continue list until full and complete disclosure is made

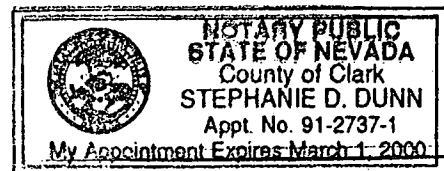
I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public





MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
TERENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

NOTICE OF PUBLIC HEARING MARCH 17, 2004

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 17, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing all refuse, waste, litter, trash, debris, shopping carts, miscellaneous items, tumbleweeds, and overgrown vegetation; and by posting "No Trespassing" signs on property located at **104 SACRAMENTO DRIVE** legally described as **MEADOW HOMES UNIT #3 2ND AMD, PLAT BOOK 9 PAGE 63 LOT 18 BLOCK 3** Owner of record at time of abatement: **FIRST HORIZON HOME LOAN CORP. c/o FORECLOSURE DEPT. #6205 - WARD 3 (REESE)**

The Director of Neighborhood Services certifies in the report that the sum of \$1,121.25 was expended (\$975.00 to Weaver Construction for cleaning the property; and \$146.25 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Address: 104 SACRAMENTO DR

CITZ

BOARDED UP HOUSE PEOPLE ARE GOING IN AND OUT

Parcel(s)

Parcel:	Size:	Subdivision Name:
14031719002	0.13 ACRE	MEADOW HOMES UNIT #3 2ND AMD

Owner Information:

10-Aug-02	14-Feb-03	HERNANDEZ VALENTIN ESQUIVEL AURELIA 104 SACRAMENTO DR; LAS VEGAS, NV 89110-4419
14-Feb-03		FIRST HORIZON HOME LOAN CORP 4900 HORIZON WY; IRVING, TX 75063

Inspection Summary

Inspector:	Status:	Scheduled DT:	Start Dt:	Comp DT:	Min:
870076	Passed		02/17/2004 14:30	02/17/2004 14:40	10
960066	Failed	12/16/2003	12/16/2003 13:00	12/16/2003 13:15	15
960392	Passed	Partial 12/29/2003	12/29/2003 9:50	12/29/2003 10:00	10
960066	Passed	Partial 1/9/2004	01/12/2004 13:05	01/12/2004 13:15	10
Time in Minuets:					45

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	12/16/2003	2/17/2004	All yards Remove or cut any high grass & weeds.
A-REFUSE/WST	12/16/2003	2/17/2004	All yards Remove refuse & waste from all yards (papers, bottles, shopping carts).
A-NUISANCE	12/16/2003	2/17/2004	Side yard Secure north side yard gate, pad lock to deter access to rear.
A-LITTER	12/16/2003	2/17/2004	All yards Remove all litter, trash & debris from all yards.

Log

Type:	Date:	Employee:	Min:
RECORD	2/27/2004 3:20:00 PM	JESSICA LARRAMENDY	0
JL) RECORDED N&O AT CLARK COUNTY. BOOK: 20040227 INST: 02718.			
MISC	2/19/2004 2:56:00 PM	KATHY STEWART	0
Sent Invoice (\$975) from Weaver Construction to Finance for payment. Gave file to Jackie Gordon for Council.			
MISC	2/19/2004 11:45:00 AM	L. GORDON	0
MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 3-17 COUNCIL AGENDA			
INSP	2/17/2004 2:30:00 PM	KATHY STEWART	11
24) Weeds cut. Litter removed. Abated. Clean.			
VIDPST	2/17/2004 2:30:00 PM	KATHY STEWART	10
24) Post video completed. Weeds cut. Litter removed. Abated. Clean. Tape to DS.			
PHONE	2/12/2004 1:30:00 PM	KATHY STEWART	0
Phyllis with Weaver Construction called to say abatement is completed.			

PHONE	2/11/2004 9:59:00 AM	KATHY STEWART	0
Phyllis with Weaver Construction called with start date for abatement is 2/12/04.			
BIDA	2/10/2004 1:06:00 PM	KATHY STEWART	0
Per David Semenza, okay to award to the lowest bidder, Weaver Construction (\$975). Faxed Award letter to Weaver Construction. Contractor to call with a start date.			
BIDR	2/10/2004 8:11:00 AM	KATHY STEWART	0
Received bids from contractors (1) Weaver Construction - \$975; (2) KO Construction - \$1,169; (3) C&W Enterprises - \$2,800.			
BIDS	2/4/2004 8:16:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due back Monday, February 9, 2004.			
VIDPRE	2/2/2004 12:36:00 PM	KATHY STEWART	9
24) Pre Video completed. High weeds, tumbleweeds, litter, refuse in front yard and rear yard. House is secure but north side gate is open allowing access to rear yard. Tape to DS, file to KS.			
PHONE	1/12/2004 3:55:00 PM	LAURA DEARMOND	5
21) LEFT MSG W/JOSH TO CALL ME (IS FIRST HORIZON GOING TO ABATE?) CON ABATEMENT-REFER TO OFFICE			
INSP	1/12/2004 1:05:00 PM	LAURA DEARMOND	10
21) PROPERTY SECURE. HIGH WEEDS, LITTER, TUMBLE WEEDS REMAIN IN FRONT & REAR YARDS, WILL CALL FIRST HORIZON			
INSP	12/29/2003 9:50:00 AM	LAURA DEARMOND	10
17) PROP SECURE HOWEVER SAME VIOLS EXIST, CALLED BANK REP JOSH X17357 & LEFT MSG CB 1/9			
MISC	12/24/2003 1:40:00 PM	KATHY STEWART	0
Received Certified Card back signed. Sent to C/E for filing.			
NOPOST	12/22/2003 9:40:00 AM	LAURA DEARMOND	10
17) NO CHANGE, POSTED N&O ON SITE			
MISC	12/18/2003 9:05:00 AM	KATHY STEWART	0
N&O letter in OLE.			
NOTICE	12/18/2003 8:40:00 AM	KATHY STEWART	20
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner First Horizon Home Loan Corporation. Post: 12/19. C/B: 12/29. Sent file to #21.			
NOREQ	12/17/2003 7:37:00 AM	VICTORIA ROSEMORE	0
16) SENT N&O REQUEST TO OFFICE FOR PROCESSING.			
NOREQ	12/17/2003 7:26:00 AM	ANTHONY GUARINO	0
21)gave to 16 for approval			
PHONE	12/17/2003 7:05:00 AM	KATHY STEWART	5
21) Left telephone message w/Josh P. at First Horizon Loan (214) 441-4000 to call me & abate problems. Refer to 16 to approve.			
INSP	12/16/2003 1:00:00 PM	KATHY STEWART	15
cont'd) 21) Will try to contact owner.			
INSP	12/16/2003 1:00:00 PM	KATHY STEWART	15
21) Structure secure. High/dry weeds, trash&debris litter: phone books, paper, tumble weeds front yard, shopping cart. Chain link gate front yard is off the hinges, laying on ground (I fixed). Access to rear-side yard unlocked. High grass/weeds.			

Time in minuets:

120

APN 140-31-719-002
Ref # - 7661

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: FIRST HORIZON HOME LOAN CORP.,
c/o FORECLOSURE DRPT. #6205
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: **140-31-719-002**
Commonly known as: **104 SACRAMENTO DRIVE**
Legal Description: **MEADOW HOMES UNIT #3 2ND AMD**
PLAT BOOK 9 PAGE 63
LOT 18 BLOCK 3

On **February 13, 2004**, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$1,121.25** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **March 17, 2004**, ordered the above charges in the amount of **\$1,121.25**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

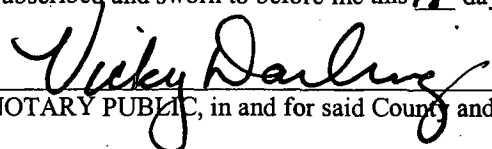

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

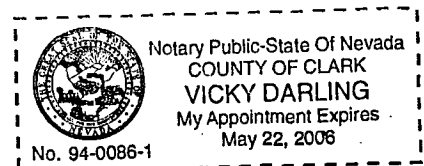
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18 day of March, 2004


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4736 Teakwood Avenue. PROPERTY OWNER: JAIME L. & HEATHER M. CAMPOS – Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount: \$583.05**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, ADS Consulting, Inc. was hired to abate the problem by removing all refuse, waste, litter, trash, debris, miscellaneous items, high/dry/overgrown vegetation, and tarp covering security gate; securing the security gate; and by posting "No Trespassing" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$583.05 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

REESE – APPROVED the action of Neighborhood Services – **UNANIMOUS** with **WEEKLY** not voting

CITY COUNCIL MEETING OF MARCH 17, 2004
Neighborhood Services Department
Item 105 – 4735 Teakwood Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that the vacant property was going into foreclosure. The owner indicated that he did not care what the City did with the home. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, ADS Consulting, Inc. was hired to abate the problem. The property was nicely cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$583.05 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN pointed out that this is another nice home. DEPUTY CITY ATTORNEY DAN STILL advised that staff has been working on a new creative resolution to address vacant buildings and intends to bring a report back to the Council at one of the April meetings. MAYOR GOODMAN encouraged the effort as a transitional measure to keep people from becoming homeless.

TODD FARLOW, 240 North 19th Street, commended the City on this project. Boarded houses need to be occupied as soon as possible. Occupancy will keep the yards cleaned and the weeds under control.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:21 – 2:23)

4-414

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: Neighborhood Services

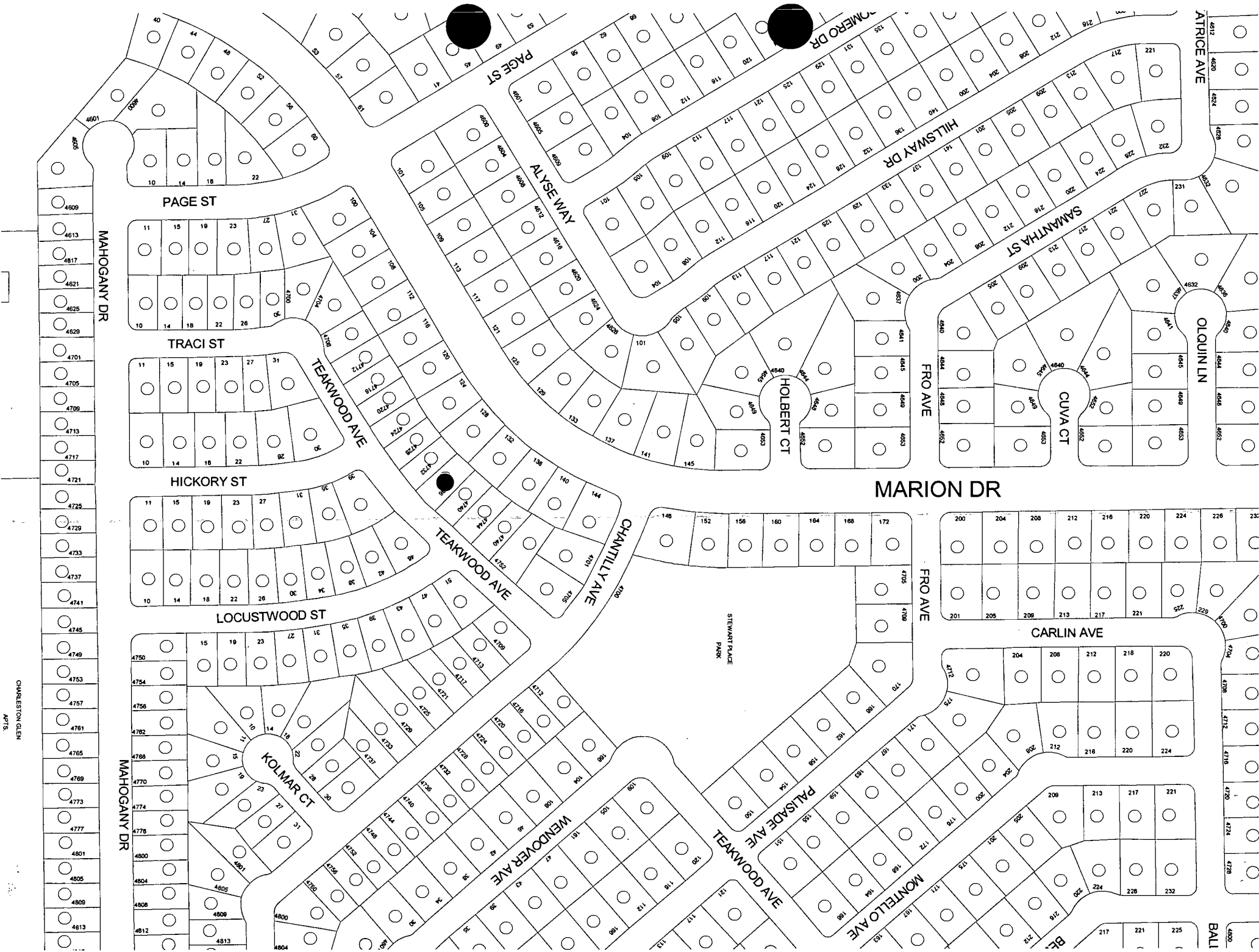
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4736 Teakwood Avenue.

PROPERTY OWNER: JAIME L. & HEATHER M. CAMPOS – Ward 3 (Reese)

ADS Consulting, Inc. completed work on December 8, 2004 at a cost of \$507.00, plus a 15% administration fee, for a total of \$583.05.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building/Boarded Building Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: March 1, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter located at 4736 Teakwood Avenue
- Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse, waste, litter, trash, debris, miscellaneous items, high/dry/overgrown vegetation, and tarp covering security gate; securing the security gate; and by posting "No Trespassing" signs on the property. ADS Consulting, Inc. completed work on December 8, 2003 at a cost of \$507.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$	507.00
AMOUNT DUE		507.00
Administrative processing fee		76.05
TOTAL AMOUNT DUE	\$	583.05

OWNER OF RECORD: JAIME L. & HEATHER M. CAMPOS

PROPERTY ABATED: 4736 TEAKWOOD AVENUE

ASSESSOR'S PARCEL: 140 32 415 001

LEGAL DESCRIPTION: PINWOOD UNIT #1
PLAT BOOK 20 PAGE 36
LOT 22 BLOCK 1

DS:jg

ADS Consulting Inc.
1801 S Eastern Ave.
Las Vegas, NV 89104

Disclosure of Principals

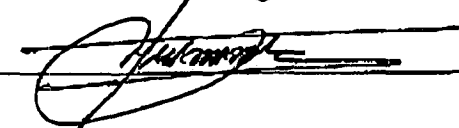
The principals and partners of ADS Consulting, and all persons and entities holding more than 1% interest in ADS Consulting or any principal of ADS Consulting are the following:

	Full Name	Business Address	Business Phone
1.	<u>Nelson Quezada</u>	<u>1801 S. Eastern Avenue</u>	<u>(702) 531 3336</u>
2.	<u></u>	<u></u>	<u></u>
3.	<u></u>	<u></u>	<u></u>
4.	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>
6.	<u></u>	<u></u>	<u></u>
7.	<u></u>	<u></u>	<u></u>

Continue list until full and complete disclosure is made.

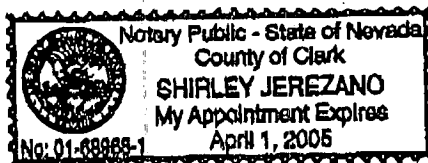
I certify under penalty of perjury, that the foregoing list is full and complete.

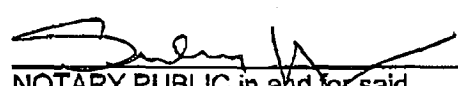
ADS Consulting

By: 

STATE OF NEVADA)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 24th day of April, 2002.




NOTARY PUBLIC in and for said
County and State



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
ERIN WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

**NOTICE OF PUBLIC HEARING
MARCH 17, 2004**

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 17, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing all refuse, waste, litter, trash, debris, miscellaneous items, high/dry/overgrown vegetation and tarp covering security gate; securing the security gate; and by posting "No Trespassing" signs on property located at **4736 TEAKWOOD AVENUE** legally described as **PINEWOOD UNIT #1, PLAT BOOK 20 PAGE 36 LOT 22 BLOCK 1** Owner of record at time of abatement: **JAIME L. & HEATHER M. CAMPOS – WARD 3 (REESE)**

The Director of Neighborhood Services certifies in the report that the sum of \$583.05 was expended (\$507.00 to ADS Consulting, Inc. for cleaning the property; and \$76.05 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS
CITY CLERK**

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Address: 4736 TEAKWOOD AVE

Vacant house (For Sale), trash & junk in front yard.

Parcel(s)

Parcel:	Size:	Subdivision Name:
14032415001	0.11 ACRE	PINEWOOD UNIT #1

Owner Information:

10-Aug-02	CAMPOS JAIME L & HEATHER M
	4736 TEAKWOOD AVE; LAS VEGAS, NV 89110-4715

Inspection Summary

Inspector:	Status:	Scheduled DT:	Start Dt:	Comp DT:	Min:
960066	Failed	9/10/2003	09/15/2003 14:05	09/15/2003 14:15	10
960066	Passed Partial	9/29/2003	10/03/2003 9:35	10/03/2003 9:40	5
960066	Failed	10/13/2003	10/17/2003 7:25	10/17/2003 7:35	10
870076	Closed	11/11/2003	12/16/2003 8:00	12/16/2003 8:15	15
Time in Minuets:					40

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	9/15/2003		FRONT/SIDE YARDS
REMOVE ALL HIGH/DRY VEGETATION FROM ALL YARDS.			
A-REFUSE/WST	9/15/2003		FRONT/SIDE YARDS
REMOVE ALL TRASH, DEBRIS AND SCATTERED LITTER FROM ALL YARDS			

Log

Type:	Date:	Employee:	Min:
MISC	2/19/2004 11:49:00 AM	L. GORDON	0
MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 3-17 COUNCIL AGENDA			
MISC	2/12/2004 10:16:00 AM	JESSICA LARRAMENDY	-616
JL) Removed \$75 and late fee from this case - testing and they were generated.			
MISC	12/17/2003 11:18:00 AM	KATHY STEWART	0
Sent Invoice (\$507) from ADS Consulting, Inc. to Finance for payment. Gave file to Jackie Gordon for Council.			
VIDPST	12/16/2003 8:00:00 AM	KATHY STEWART	15
24) Post video completed.			
INSP	12/16/2003 8:00:00 AM	KATHY STEWART	15
24) Front, side, & rear free of wees & litter. Tarp gone. Security gate pad-locked. Side gate pad-locked. Abated!			
MISC	12/11/2003 1:19:00 PM	JESSICA LARRAMENDY	0
JL) RECORDED N&O AT CLARK COUNTY. BOOK: 20031211 INSTR: 01842.			
MISC	12/11/2003 8:00:00 AM	KATHY STEWART	0
Sent Request for AFTER Abatement Video to Pam Hines.			
MISC	12/10/2003 1:30:00 PM	KATHY STEWART	0
Received Invoice (\$507) from ADS Consulting, Inc. for completion of abatement.			
PHONE	12/4/2003 10:00:00 AM	KATHY STEWART	0
Lena w/ADS Consulting called with start date, 12/5/03.			

BIDA	12/3/2003 2:45:00 PM	KATHY STEWART	0
Per David Semenza, Award to lowest bidder, ADS Consulting. Faxed Award letter to ADS Consulting. ADS Consulting will call with a start date.			
BIDR	12/3/2003 8:00:00 AM	KATHY STEWART	10
Received bids from contractors (1) ADS Consulting - \$507; (2) Weaver Construction - \$950; (3) K.O. Construction - \$1,169; (4) C&W Enterprises - \$1,700.			
MISC	11/25/2003 1:30:00 PM	KATHY STEWART	0
Received Certified letter back Return to Sender, UNCLAIMED. Sent to C/E for filing.			
BIDS	11/24/2003 2:33:00 PM	KATHY STEWART	0
Per David Semenza, Faxed Invitation to Bid to contractors. Bids due back 12/1/03.			
VIDPRE	11/20/2003 8:00:00 AM	KATHY STEWART	0
24) Pre video done. High vegetation/weeds (front & rear), minor litter, tarp on wrought iron security gate needs to be removed. After RRT cleans up, gate needs to be padlocked.			
MISC	11/17/2003 1:36:00 PM	KATHY STEWART	0
Received Regular letter back from owners, Return to Sender, Moved Left No Address, Unable to Forward. Sent letter to C/E for filing.			
INSP	11/11/2003 10:55:00 AM	KATHY STEWART	10
21) No improvement, high weeds front & litter, windblown t/d, bottles. # for owner no longer in service, owner has not responded to N&O request. Per 24, will have RRT abate.			
NOPOST	10/29/2003 1:20:00 PM	LAURA DEARMOND	5
21) POSTED N&O, PROPERTY IN SAME CONDITION: HIGH WEEDS/GRASS, LITTER, WINDBLOWN T/D ALL YARDS, PROPERTY VACANT/SECURE/CB 11.11			
NOTICE	10/28/2003 4:36:00 PM	KATHY STEWART	0
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owners, Jamie L. & Heather M. Compos. Post: 10/30. C/B: 11/11. Sent file to #21.			
DIRECT	10/23/2003 7:40:00 AM	VICTORIA ROSEMORE	0
16) ADVISED 21 TO ATT'D TO MAKE CONTACT WITH RESPONSIBLE PARTY AND DOCUMENT IN COMPUTER.			
RESEAR	10/22/2003 12:52:00 PM	JESSICA LARRAMENDY	0
JL) Tel book - 647-1923 (Jaime Campos). Hill Donnelly - Nothing. Sewer - No phone listed. Bus Lic - Nothing. Bldg Permits - see attached. White pages - 647-3687 (see attached).			
INSP	10/17/2003 7:25:00 AM	ANTHONY GUARINO	10
No abatement yet. Spoke to Michael @ Merit, the owner won't abate (doesn't care) letting property go into foreclosure. County still shows same ownership. Will process \$75 fee & open N&O for contractor abatement.			
INSP	10/3/2003 9:35:00 AM	LYNN NIHIPALI	5
21) TRASH REMOVED, STILL HIGH VEG PROP VACANT/SECURE. SENT FINAL TO OWNER. CB 10/13			
INSP	9/15/2003 2:05:00 PM	ANTHONY GUARINO	10
PROPERTY VACANT/SECURE. FOR SALE, MERIT REALTY 434-4500, HIGH GRASS/WEEDS AND LITTER: PAPER, BOTTLES IN FRONT, SIDE YARD. SENT CN TO OWNER. CB 9/29			

Time in minuets:

-536

APN 140-32-415-001
Ref # - 5755

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: JAIME L. & HEATHER M. CAMPOS
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 140-32-415-001
Commonly known as: 4736 TEAKWOOD AVENUE
Legal Description: PINWOOD UNIT #1
PLAT BOOK 20 PAGE 36
LOT 22 BLOCK 1

On December 8, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$583.05 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on March 17, 2004, ordered the above charges in the amount of \$583.05, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

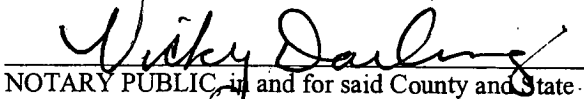

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

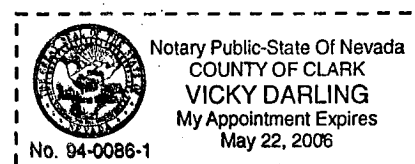
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18 day of March, 2004.


NOTARY PUBLIC, in and for said County and State.

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter and dangerous building located at 1813 Joella Street. PROPERTY OWNER: WASHINGTON MUTUAL BANK FA – Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount: \$2,621.55**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, ADS Consulting, Inc. was hired to abate the problem by boarding and securing all doors, windows, and openings; removing all trash, debris, litter, refuse, waste, vagrant materials, miscellaneous items, dead/dry/overgrown vegetation, and the inoperable blue van; and by posting "No Trespassing" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$2,621.55 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS

CITY COUNCIL MEETING OF MARCH 17, 2004
Neighborhood Services Department
Item 106 – 1813 Joella Street

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that there was drug activity within the vacant home. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, ADS Consulting, Inc. was hired to abate the problem. The inside of the house and outside property was cleaned and the structure secured by boarding. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$2,621.55 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office. He further advised the Council that the mortgage company has been in contact to make arrangements to pay the lien.

AL GALLEG0, Las Vegas citizen, informed the Council that he spoke with the mortgage company last week to suggest they call MR. SEMENZA. The County is the biggest slumlord in the Valley. The City should take the homes from the County and use them.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:23 – 2:26)

4-486

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

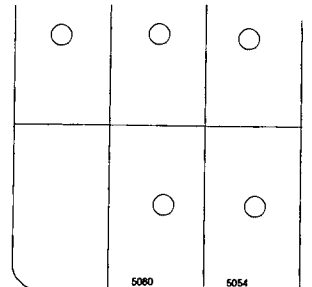
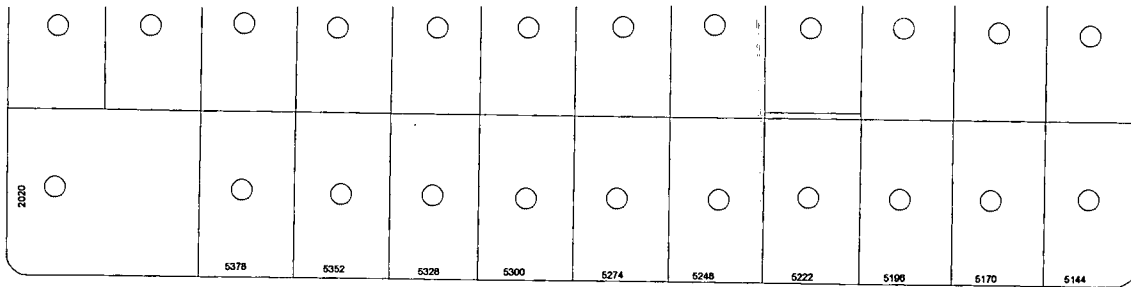
DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter and dangerous building located at 1813 Joella Street. PROPERTY OWNER: WASHINGTON MUTUAL BANK FA – Ward 5 (Weekly)

ADS Consulting, Inc. completed work on January 9, 2004 at a cost of \$1,997.00, a boarding fee of \$325 plus a 15% administration fee, for a total of \$2,621.55.

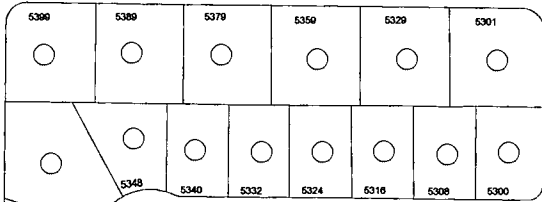
Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building/Boarded Building Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

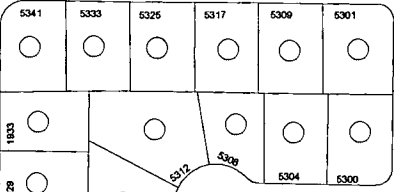


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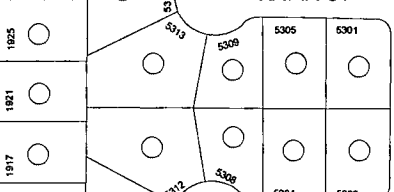
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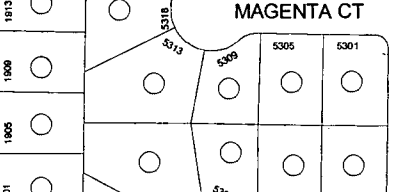
DULCE AVE



NADIA CT

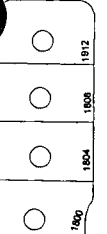


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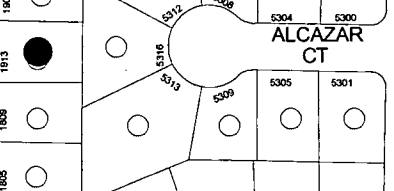


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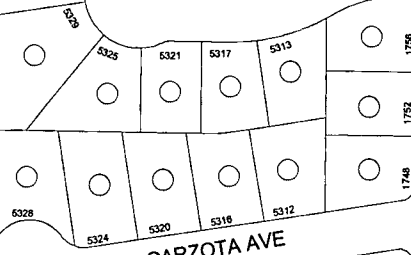
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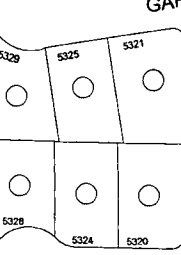
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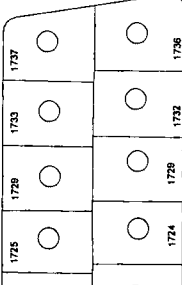
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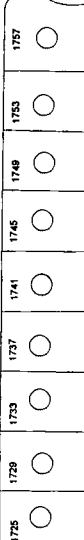
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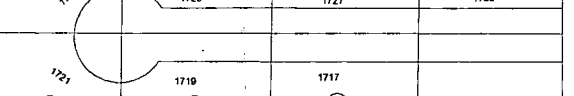
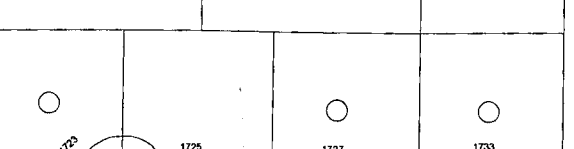
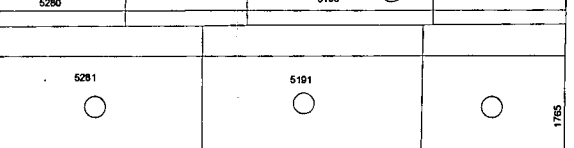
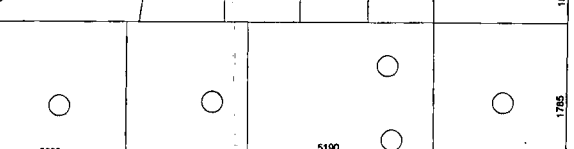
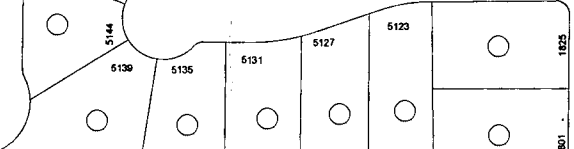
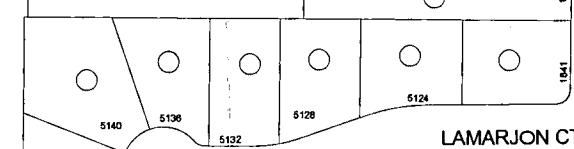
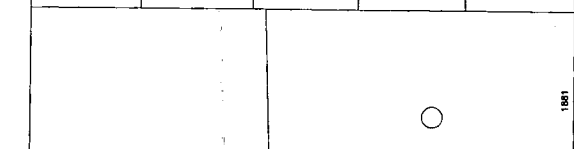
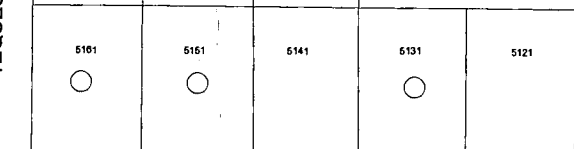
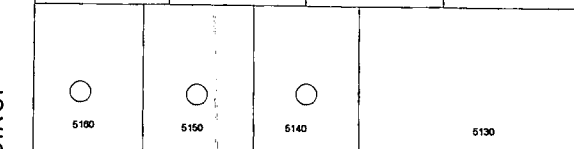
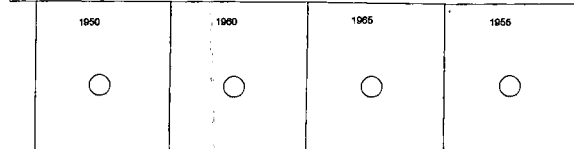
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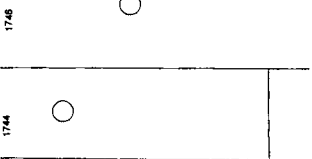
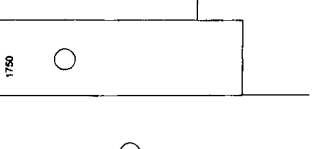
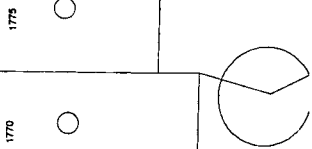
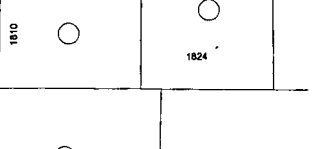
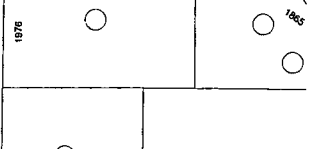
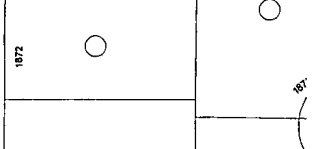
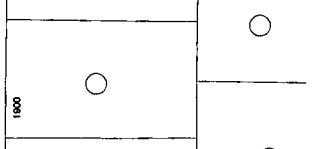
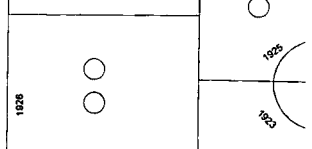
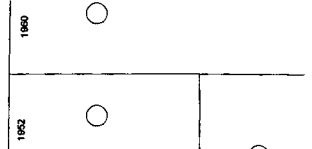
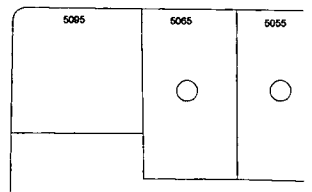
ANZIO ST



TEQUESTA ST



LEONARD LN



Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: March 1, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter and Dangerous Building located at 1813 Joella Street - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Codes for "Nuisance/Litter and Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing all doors, windows, and openings; removing all trash, debris, litter, refuse, waste, vagrant materials, miscellaneous items, dead/dry/overgrown vegetation, and the inoperable blue van; and by posting "No Trespassing" signs on the property. ADS Consulting, Inc. completed work on January 9, 2004 at a cost of \$1,997.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$ 1,997.00
AMOUNT DUE	1,997.00
Boarding Fee	325.00
Administrative processing fee	299.55
TOTAL AMOUNT DUE	\$ 2,621.55

OWNER OF RECORD: WASHINGTON MUTUAL BANK FA

PROPERTY ABATED: 1813 JOELLA STREET

ASSESSOR'S PARCEL: 138 24 712 018

LEGAL DESCRIPTION: OESTE VILLAS UNIT #3
PLAT BOOK 30 PAGE 57
LOT 16 BLOCK 2

ADS Consulting Inc.
1801 S Eastern Ave.
Las Vegas, NV 89104

Disclosure of Principals

The principals and partners of ADS Consulting, and all persons and entities holding more than 1% interest in ADS Consulting or any principal of ADS Consulting are the following:

Full Name	Business Address	Business Phone
1. <u>Nelson Quezada</u>	<u>1801 S. Eastern Avenue</u>	<u>(702) 531 3336</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

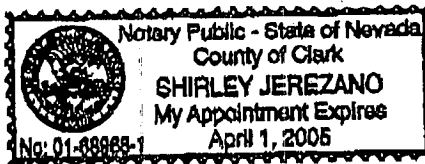
I certify under penalty of perjury, that the foregoing list is full and complete.

ADS Consulting

By: _____

STATE OF NEVADA)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 24th day of April, 2002.



Shirley Jerezano
NOTARY PUBLIC in and for said
County and State



**NOTICE OF PUBLIC HEARING
MARCH 17, 2004**

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 17, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

Abatement of the property by boarding and securing all doors, windows, and openings; removing all trash, debris, litter, refuse, waste, vagrant materials, miscellaneous items, and dead/dry/overgrown vegetation and the inoperable blue van; and by posting "No Trespassing" signs on property located at **1813 JOELLA STREET** legally described as **OESTE VILLAS UNIT #3, PLAT BOOK 30 PAGE 57 LOT 16 BLOCK 2** Owner of record at time of abatement: **WASHINGTON MUTUAL BANK FA – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,621.55 was expended (\$1,997.00 to ADS Consulting, Inc. for cleaning the property; \$325.00 Boarding Fee; and \$299.55 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS
CITY CLERK**

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Address: 1813 JOELLA ST

CAR

26002

POWER OFF FOR PAST WEEK - NO POWER BOX; ALSO PEOPLE LIVING IN GARAGE
THIS IS NOW A CAR - 01/12/04

Parcel(s)

Parcel:	Size:	Subdivision Name:
13824712018	0.15 ACRE	OESTE VILLAS UNIT #3

Owner Information:

10-Aug-02	09-Oct-02	ALTEGRA CREDIT COMPANY 150 ALLEGHENY CENTER IDC 24-050; PITTSBURGH, PA 15202-1402
09-Oct-02	18-Feb-04	BAUER RICK A & GEORGE 1813 JOELLA ST; LAS VEGAS, NV 89108-2337
25-Feb-04		BANK WASHINGTON MUTUAL F A 8120 NATIONS WY; BLDG 100 JACKSONVILLE, FL 32256-4450
18-Feb-04	25-Feb-04	BANK WASHINGTON MUTUAL F A 8120 NATIONS WY; BLDG 100 JACKSONVILLE, FL 32256

Inspection Summary

Inspector:	Status:	Scheduled DT:	Start Dt:	Comp DT:	Min:
940274	Closed	11/4/2003	02/23/2004 10:12	02/23/2004 10:12	0
Time in Minuets:					0

Violation Details**Log**

Type:	Date:	Employee:	Min:
MISC	2/19/2004 11:39:00 AM	L. GORDON	0
MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 3-17 COUNCIL AGENDA			
MISC	2/18/2004 9:09:00 AM	KATHY STEWART	0
Sent Invoice (\$1,997) from ADS Consulting, Inc. to Finance for payment. Gave file to Jackie Gordon for Council.			
MISC	1/15/2004 8:37:00 AM	KATHY STEWART	0
Received Invoice (\$1,997) from ADS Consulting, Inc. for completion of abatement.			
DIRECT	1/12/2004 8:51:00 AM	ERIN HERNANDEZ	0
THIS IS NOW A CAR 26002			
MISC	12/30/2003 9:47:00 AM	KATHY STEWART	0
Per ADS Consulting, start date for abatement 12/31/03.			
MISC	12/24/2003 12:54:00 PM	JESSICA LARRAMENDY	0
JL) RECORDED NOTICE AND ORDER AT CLARK COUNTY TODAY. BOOK: 20031224 INST: 00897.			
BIDA	12/23/2003 1:10:00 PM	KATHY STEWART	20
Per David Semenza, okay to Award to lowest bidder, ADS Consulting, Inc. Faxed Award letter to ADS Consulting, Inc. Contractor to call with a start date.			
BIDR	12/23/2003 8:00:00 AM	KATHY STEWART	0
Received bids from contractors: (1) ADS Consulting - \$1,997; (2) Weaver Construction - \$2,170; (3)C&W Enterprises - \$2,800. LATE BID received 12/23/03 @ 8:02 a.m.: CASA Enterprises - \$2,256.			
BIDS	12/16/2003 1:55:00 PM	KATHY STEWART	0
Per David Semenza, faxed Invitation to Bid to contractors. Bids due back 12/22/03.			

VIDPRE	12/12/2003	KATHY STEWART	0
24) Front door unlocked, interior trashed. Blue Ford van remains on south side of house. There is a pad lock on both side gates. Vagrant material around van, inside the house & in the rear yard. Interior is badly trashed.			
VIDPRE	12/12/2003	KATHY STEWART	0
cont'd 24) Gained entry thru rear door with Metro's assistance. Proceed with abatement.			
PHONE	12/1/2003 9:56:00 AM	VICTORIA ROSEMORE	0
16) TELCON W/ ROGER PRUITT (300-7469), COMPLAINANT WHO STATES THAT METRO WAS OUT AGAIN TO ADDRESS PEOPLE COMING AND GOING - DRUG ACTIVITY. ADVISED ROGER THAT I WILL CHECK STATUS AND HAVE AREA OFFICER CALL HIM AND KEEP HIM UP-TO-DATE. REF TO 19.			
PHONE	12/1/2003 9:56:00 AM	VICTORIA ROSEMORE	0
16) TELCON W/ ROGER PRUITT (300-7469), COMPLAINANT WHO STATES THAT METRO WAS OUT AGAIN TO ADDRESS PEOPLE COMING AND GOING - DRUG ACTIVITY. ADVISED ROGER THAT I WILL CHECK STATUS AND HAVE AREA OFFICER CALL HIM AND KEEP HIM UP-TO-DATE.			
PHONE	11/25/2003 8:25:00 AM	VICTORIA ROSEMORE	0
16) ATT'D TO CALL ROGER PRUITT (300-7469) AS REQUESTED BY OFFICE. L/M REGARDING STATUS.			
MISC	10/23/2003 1:48:00 PM	LYNN NIHIPALI	0
RECEIVED CERTIFIED CARD SIGNED BY DAVID KOCYKO			
NOPOST	10/23/2003 1:30:00 PM	LAURA DEARMOND	5
19) POSTED N&O, CONDITIONS SAME ON PROPERTY CB 11/4			
NOTICE	10/20/2003 4:00:00 PM	KATHY STEWART	0
Sent Nuisance/Litter Abatement Notice & Order to Comply to owners. Post: 10/21. C/B: 11/4. Sent file to #19.			
PHONE	10/20/2003 2:00:00 PM	VICTORIA ROSEMORE	5
16) TELECON W/ ROGER PRATT (631-8977), COMPLAINANT WHO IS REQUESTING STATUS. ADVISED ROGER THAT A N&O HAS BEEN TURNED INTO OFFICE FOR PROCESSING AND WE ARE BEHIND. CONTACTED KATHY IN OFFICE WHO WILL TYPE ASAP FOR POSTING.			
RESEAR	10/20/2003 1:49:00 PM	JESSICA LARRAMENDY	0
JL) Tel book - Nothing. Hill Donnelly - Joe Chandler 648-3439. Sewer - No phone #. Bus. Lic - Nothing. Building permits - Nothing. White pages - Nothing. Water screen - 647-4401 or 480-5753. Forwarded to KS for processing.			
PHONE	10/6/2003 3:37:00 PM	LAURA DEARMOND	0
REC'D ANOTHER COMPLAINT; CALLER SAID VAGRANTS INSIDE, POOL GREEN & GATE NOT SECURE, JUNK VAN ON D/W; SENT EMAIL TO 27			
INSP	10/2/2003 3:28:00 PM	GERALD GUZMAN	20
(cont'd) Gray Ford Van (appears inop) on driveway. Some high grass/weeds; trash & debris in front. Also, pool is full & water is green. Will send N&O.			
INSP	10/2/2003 3:28:00 PM	GERALD GUZMAN	20
Verified electrical meter removed. No on home but appears occupied. Dogs on north side yard. Spoke w/neighbor @1809, said occupant is owner's step-son & that owner does not live on-site. Metro & Child Protective Services have made calls here.			
Time in minuets:			70

APN 138-24-712-018
Ref # - 4835

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: WASHINGTON MUTUAL BANK FA
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: **138-24-712-018**
Commonly known as: **1813 JOELLA STREET**
Legal Description: **OESTE VILLAS UNIT #3**
PLAT BOOK 30 PAGE 57
LOT 16 BLOCK 2

On January 9, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$2,621.55 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on March 17, 2004, ordered the above charges in the amount of \$2,621.55, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

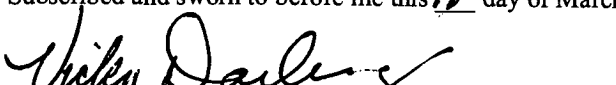

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

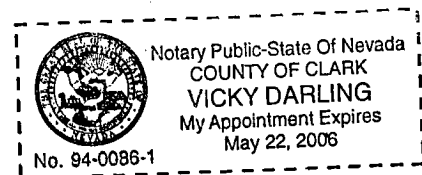
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18 day of March, 2004


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 609 N. 11th Street. PROPERTY OWNER: TRUSTEE CLARK COUNTY
TREASURER. – Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$552.00

☒

Budget Funds Available

Dept./Division: Neighborhood Services/Response

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, City of Las Vegas Rapid Response Team was hired to abate the problem by removing all trash, debris, weeds, miscellaneous items, and vagrant materials; trimming all overhanging tree limbs; removing all dead/dry vegetation; and by posting "No Trespassing" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$552.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Notice of Public Hearing
5. Chronological List of Events
6. Copy of the Notice and Claim of Lien
7. Video shown but not submitted

MOTION:

WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS

CITY COUNCIL MEETING OF MARCH 17, 2004
Neighborhood Services Department
Item 107 – 609 N. 11th Street

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and referenced the comments of AL GALLEG0 from Item 106.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, explained that properties go into the care of the Clark County Trustee as a result of outstanding taxes. They do not actually own the property at this time. He presented a video of the subject property and stated that there were vagrants on the property as well as considerable trash and debris. The Department of Neighborhood Services declared the property in violation and started legal notification. During the bid process, it was determined that Rapid Response could correct the property for less than the bids received. Rapid Response was directed to abate the problem. The property was cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$552.00 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN stated that he awaits the day the City can put these homes in the right hands.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:26 – 2:27)

4-568

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter and dangerous building located at 609 N 11th Street. PROPERTY OWNER: TRUSTEE CLARK COUNTY

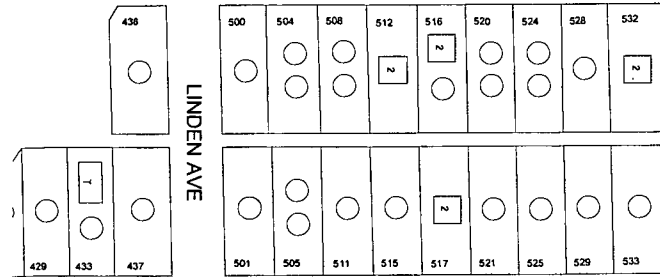
TREASURER – Ward 5 (Weekly)

City of Las Vegas Rapid Response Team completed work on November 20, 2003 at a cost of \$480.00, plus a 15% administration fee, for a total of \$552.00.

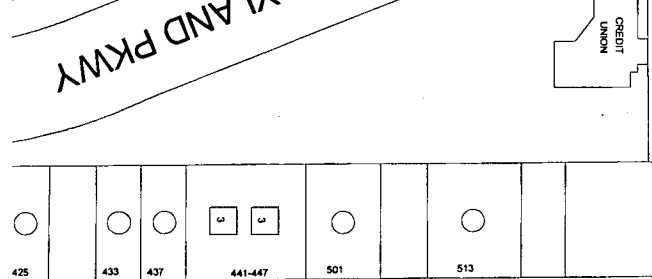
Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building/Boarded Building Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

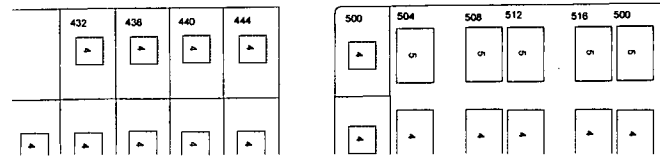
TH ST



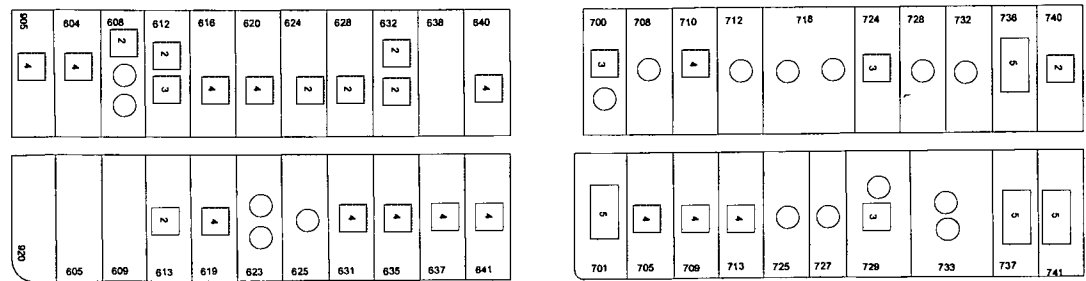
TENTH ST



TH RUE 13TH



NINTH ST



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: March 1, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter located at 609 N 11th Street - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all trash, debris, weeds, miscellaneous items, and vagrant materials; trimming all overhanging tree limbs; removing all dead/dry vegetation; and by posting "No Trespassing" signs on the property. City of Las Vegas Rapid Response Team completed work on November 20, 2003 at a cost of \$480.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	\$	480.00
AMOUNT DUE		480.00
Administrative processing fee		72.00
TOTAL AMOUNT DUE	\$	552.00

OWNER OF RECORD: TRUSTEE CLARK COUNTY TREASURER.

PROPERTY ABATED: 609 N 11TH STREET

ASSESSOR'S PARCEL: 139 26 410 060

LEGAL DESCRIPTION: STEWART ADD
PLAT BOOK 1 PAGE 57
PT LOT 14 BLOCK 4

DS:jg



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

**NOTICE OF PUBLIC HEARING
MARCH 17, 2004**

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 17, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing all trash, debris, weeds, miscellaneous items, and vagrant materials; trimming all overhanging tree limbs; removing all dead/dry vegetation; and by posting "No Trespassing" signs on property located at **609 NORTH 11TH STREET** legally described as **STEWART ADD, PLAT BOOK 1 PAGE 57 PT LOT 14 BLOCK 4** Owner of record at time of abatement: **TRUSTEE CLARK COUNTY TREASURER – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$552.00 was expended (\$480.00 to the City of Las Vegas Rapid Response Team for cleaning the property; and \$72.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS
CITY CLERK**

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Address: 609 N 11TH ST

T/D, & HIGH VEG ON THIS V/L

Parcel(s)

Parcel:	Size:	Subdivision Name:
13926410060	0.16 ACRE	STEWART ADD

Owner Information:

10-Aug-02	16-May-03	CARMICHAEL HARVEY L 4970 S WESTMOOR RD; SALT LAKE CITY, UT 84117-5930
16-May-03	21-May-03	CARMICHAEL HARVEY L 6603 S OLD MILL CIR; SALT LAKE CITY, UT 84121
21-May-03	18-Jun-03	CARMICHAEL HARVEY L 6603 S OLD MILL CIR; SALT LAKE CITY, UT 84121-6919
18-Jun-03	24-Dec-03	TRUSTEE CLARK COUNTY TREASURER 6603 S OLD MILL CIR; SALT LAKE CITY, UT 84121-6919
24-Dec-03		TRUSTEE CLARK COUNTY TREASURER % CARMICHAEL HARVEY L 6603 S OLD MILL CIR; SALT LAKE CITY, UT 84121-6919

Inspection Summary

Inspector:	Status:	Scheduled DT:	Start Dt:	Comp DT:	Min:
960066	Failed	10/2/2003	10/02/2003 7:50	10/02/2003 7:55	5
970581	Passed Partial	10/13/2003	10/13/2003 12:05	10/13/2003 12:15	10
970581	Passed	10/23/2003	11/20/2003 14:05	11/20/2003 14:05	0
Time in Minuets:					15

Violation Details

Violation	Violation DT	Resolve DT	Location:
A-WEEDS	9/22/2003	11/20/2003	CUT & REMOVE ALL HIGH GRASS/WEEDS
A-LITTER	9/22/2003	11/20/2003	REMOVE ALL T/D, REFUSE, WASTE, TRASH BAGS, PAPER, BOTTLES, TREE STUMPS

Log

Type:	Date:	Employee:	Min:
MISC	2/19/2004 11:48:00 AM	L. GORDON	0
MAILED LETTER AND REPORT OF EXPENSES TO PROPERTY OWNER - 3-17 COUNCIL AGENDA			
MISC	11/20/2003 2:04:00 PM	KATHY STEWART	0
Per David Semenza, Ready for Council. Gave file to Jackie Gordon for Council.			
VIDPST	11/20/2003 1:58:00 PM	DAVID SEMENZA	0
ds] video completed. Clean-up by RRT \$480.00+15% ready for Council.			
BIDR	11/7/2003 8:00:00 AM	KATHY STEWART	5
Received bids from contractors (1) ADS Consulting - \$1,020; (2) K.O. Construction - \$1,369; (3) Weaver Construction - \$1,885.			
BIDS	11/3/2003 11:25:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due back Thursday, 11/6/03.			

PHONE	10/21/2003 10:50:00 AM	VICTORIA ROSEMORE	1
16) ATT'D TO CALL CARMICHAEL 801-631-1802. REC. STATES CALL CANNOT BE COMPLETED AS DIALED. TRIED TWICE.			
PHONE	10/20/2003 7:25:00 PM	VICTORIA ROSEMORE	1
24) ATT'D TO CALL CARMICHAEL 801-631-1802. REC. STATES CALL CANNOT BE COMPLETED AS DIALED. TRIED TWICE.			
VIDPRE	10/18/2003	VICTORIA ROSEMORE	0
24) CONT. PROPERTY- NEED TO BE CUT (THEY HIDE VAGS).			
VIDPRE	10/18/2003	VICTORIA ROSEMORE	0
24) PRE-VIDEO COMPLETED. THE ORIGINAL FILE NEEDS TO BE LOCATED OR AT LEAST A COPY OF THE ORIGINAL N & O. (DS CAN PULL FROM LD'S COMP FILE). LITTER/DEBRIS, WEEDS AROUND PERIMETER OF LOT. CARPET, TIRES, & VAG MATERIAL. OVER HANGING TREE LIMBS FROM NORTH			
INSP	10/13/2003 12:05:00 PM	LYNN NIHIPALI	10
26) NO CHANGE IN STATUS, T/D AND REFUSE/WASTE STILL COVER PROPERTY. HIGH GRASS/WEEDS ALONG NORTH AND SOUTH SIDES OF PROPERTY. TOOK PIX, HP 257-8915 DICO CONTINUE ABATEMENT			
INSP	10/13/2003 12:05:00 PM	VICTORIA ROSEMORE	10
26) NO CHANGE IN STATUS. T/D AND REFUSE/WASTE STILL COVER PROPERTY, HIGH GRASS/WEEDS ALONG N & S SIDES OF PROP. TOOK PIX. HP# 257-8915 DISCONNECTED, CONTINUE ABATEMENT.			
NOPOST	10/2/2003 7:50:00 AM	LYNN NIHIPALI	5
21)POST PROPERTY, NUISANCE N&O.			
INSP	10/2/2003 7:50:00 AM	LYNN NIHIPALI	5
21)PROPERTY IN SAME CONDITION, T/D, HIGH-VEG, WEEDS CB 10/13			
NOTICE	9/30/2003 4:30:00 PM	LAURA DEARMOND	15
SENT N&O TO OWNER: TRUSTEE CLARK COUNTY TREASURER, CB 10-13			
PHONE	9/29/2003 10:38:00 AM	SHIRLEY WARMOUTH	0
CALLER STATES THERE ARE VAGRANTS LIVING ON THIS VACANT LOT ALSO - E-MAILED INSP 25 & 29 (INSP 25 ON VACATION)			
NOREQ	9/27/2003 6:37:00 AM	ROBERT KAEMPFER	5
INSP	9/27/2003 6:27:00 AM	ROBERT KAEMPFER	10
<i>Time in minuets:</i>			67

APN 139-26-410-060
Ref # - 4514

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: TRUSTEE CLARK COUNTY TREASURER
(Reputed Owner(s)) at time of abatement.

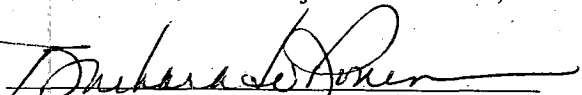
Assessor's Parcel No.: 139-26-410-060
Commonly known as: 609 NORTH 11TH STREET
Legal Description: STEWART ADD
PLAT BOOK 1 PAGE 57
LOT 14 BLOCK 4

On November 20, 2003, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$552.00 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on March 17, 2004, ordered the above charges in the amount of \$552.00, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

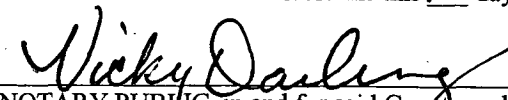

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
COUNTY OF CLARK)

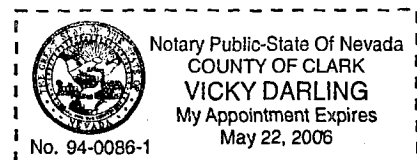
BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 18 day of March, 2004


NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

EXTENSION OF TIME - SPECIAL USE PERMIT

- 108 **EOT-3659** - Applicant: Tipanan Sa Franklyns – Owner: Hovanec Ethney Living Trust

REINSTATEMENT AND EXTENSION OF TIME - REZONING

- 109 **EOT-3842** - Applicant/Owner: William Hodshon

DISCUSSION/ACTION ITEMS

SITE DEVELOPMENT PLAN REVIEW

- 110 **SDR-3631** - Applicant: City of Las Vegas

REVIEW OF CONDITION - PUBLIC HEARING

- 111 **ROC-3666** - Applicant: Univest I, Limited Liability Company
112 **ROC-3852** - Applicant: Superior Electrical Advertising – Owners: System Capital Real Property Corporation and Cassu Investment Group
113 **ROC-3891** - Applicant: Southwest Homes Limited – Owner: Southwest Homes (Centennial Park), Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 114 **SDR-3386** - Applicant: FM Parking Facilities, Limited Liability Company – Owner: Jerry J. Kaufman, et al

MAJOR MODIFICATION TO THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING

- 115 **MOD-3652** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

SPECIAL USE PERMIT RELATED TO MOD-3652 - PUBLIC HEARING

- 116 **SUP-3650** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3652 AND SUP-3650 - PUBLIC HEARING

- 117 **SDR-3648** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

INDEX

City Council Meeting of March 17, 2004

VACATION - PUBLIC HEARING

- 118 **VAC-3467** - Applicant: Signature Homes – Owner: Plaster Development Company
- 119 **VAC-3555** - Applicant: Centex Homes – Owner: Centex Homes and R & S El Capitan
- 120 **VAC-3643** - Applicant: City Parkway IV, Inc. and City Parkway V, Inc.
- 121 **VAC-3654** - Applicant: Rick Williams, et al – Owner: Craig Buffalo Limited

VARIANCE - PUBLIC HEARING

- 122 **VAR-3288** - Applicant: Paul and Sandy Brosseau
- 123 **VAR-3658** - Applicant: Bobbye Evans
- 124 **VAR-3736** - Applicant: Durango and Elkhorn, Limited Liability Company – Owner: Durango Elk Holding Company, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3736 - PUBLIC HEARING

- 125 **SDR-3657** - Applicant: Durango and Elkhorn, Limited Liability Company – Owner: Durango Elk Holding Company, Limited Liability Company

SPECIAL USE PERMIT - PUBLIC HEARING

- 126 **ABEYANCE ITEM - SUP-3394** - Las Vegas Billboards on behalf of West Sahara Associated, Limited Partnership
- 127 **SUP-3635** - Applicant: Louis Seligman – Owner: Paramount Investments Company
- 128 **SUP-3636** - Applicant: Acosta Enterprise – Owner: Vraam, Limited Liability Company
- 129 **SUP-3642** - Applicant: Jorge Caldera – Owner: Namco 8, Limited Liability Company
- 130 **SUP-3644** - Applicant: Lukegroup, Limited Liability Company – Owner: Italian-American Club of Southern Nevada
- 131 **SUP-3653** - Applicant: Shadow Hills Plaza, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3653 - PUBLIC HEARING

- 132 **SDR-3651** - Applicant: Shadow Hills Plaza, Limited Liability Company

GENERAL PLAN AMENDMENT - PUBLIC HEARING

- 133 **ABEYANCE ITEM - GPA-3470** - Juan J. Elias

REZONING RELATED TO GPA-3470 - PUBLIC HEARING

- 134 **ABEYANCE ITEM - ZON-3473** - Juan J. Elias

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3470 AND ZON-3473 - PUBLIC HEARING

- 135 **ABEYANCE ITEM - SDR-3475** - Juan J. Elias

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of March 17, 2004

NOT TO BE HEARD BEFORE 4:00 P.M.

REVIEW OF CONDITION - PUBLIC HEARING

- 136 **ABEYANCE ITEM - ROC-2671** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

GENERAL PLAN AMENDMENT RELATED TO ROC-2671 - PUBLIC HEARING

- 137 **ABEYANCE ITEM - GPA-3483** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

REZONING RELATED TO ROC-2671 AND GPA-3483 - PUBLIC HEARING

- 138 **ABEYANCE ITEM - ZON-3509** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 139 **SDR-3638** - Applicant: State of Nevada Public Works Board

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3659 - APPLICANT: TIPANAN SA FRANKLYNS - OWNER: HOVANEC ETHNEY LIVING TRUST - Request for an Extension of Time for an approved Special Use Permit (SUP-1132) FOR A PROPOSED RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (TIPANAN SA FRANKLYNS) at 2202 West Charleston Boulevard (APN: 139-32-804-007), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE – APPROVED Item 108 [EOT-3659] and Item 109 [EOT-3842] subject to conditions – UNANIMOUS

MINUTES:

There was no discussion.

(2:27 – 2:28)

4-626

CONDITIONS:

Planning and Development

1. This Reinstatement and Extension of Time will expire on December 18, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0020-97) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

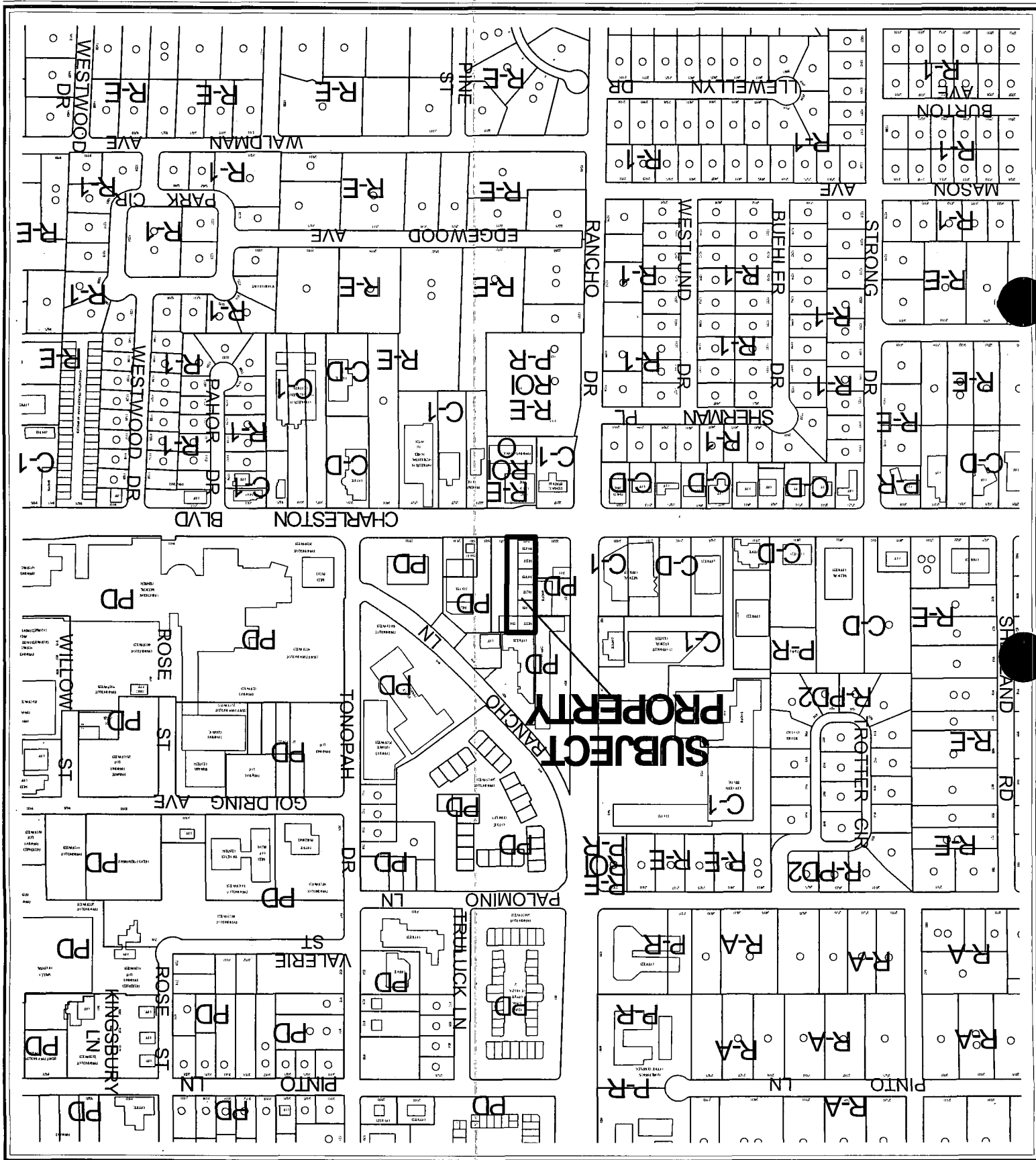
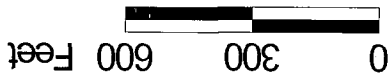
CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 108 – EOT-3659

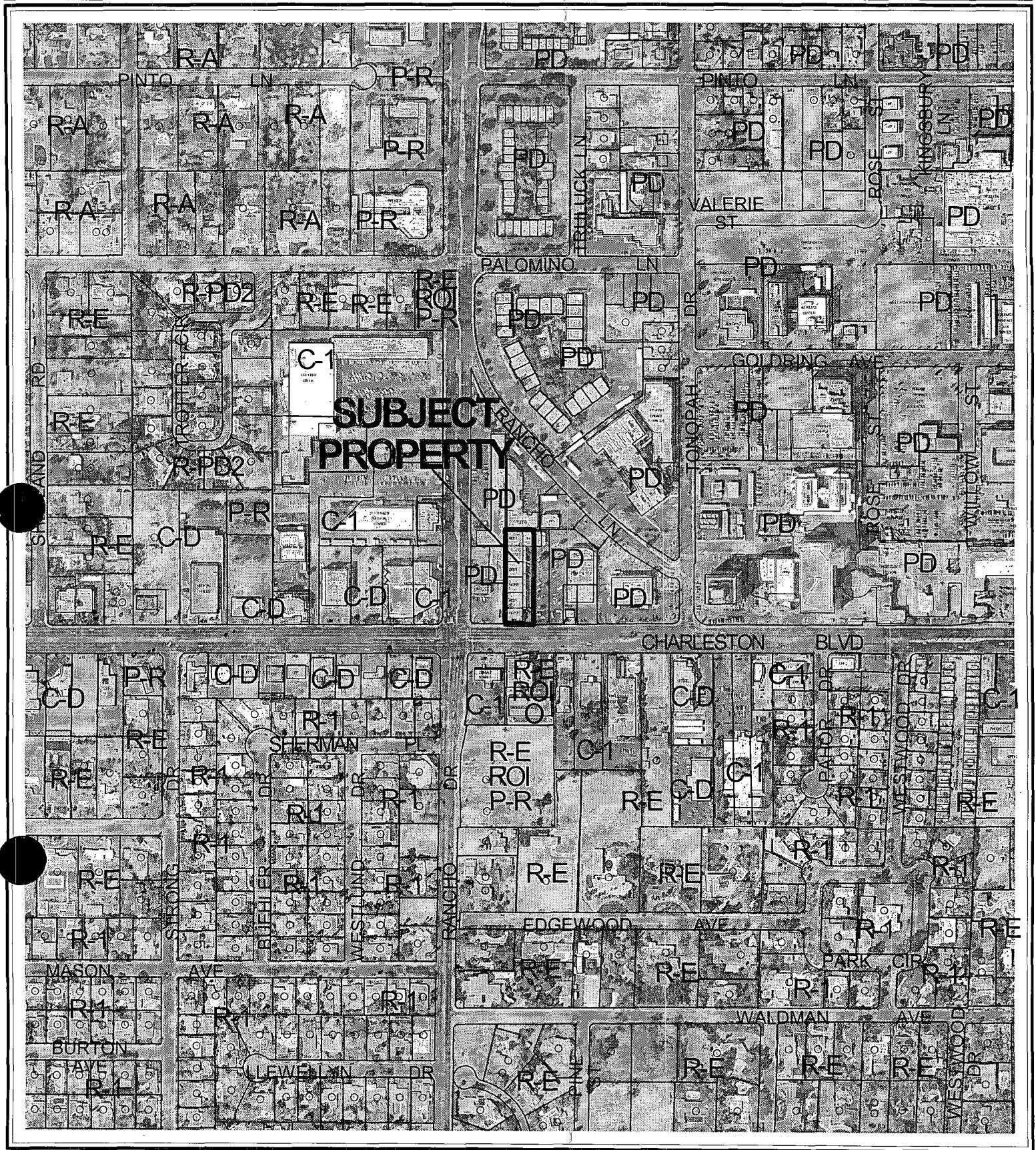
CONDITIONS - Continued:

3. Conformance to all minimum requirements under Title 19.04.050 for a Restaurant Service Bar use.

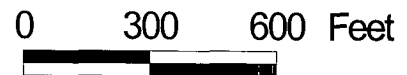


CASE: EOT-3659





CASE: EOT-3659



ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-3659 - APPLICANT: TIPANAN SA FRANKLYNS -
OWNER: HOVANEC ETHNEY LIVING TRUST**

**** CONDITIONS ****

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

Planning and Development

1. This Reinstatement and Extension of Time will expire on December 18, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0020-97) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.
3. Conformance to all minimum requirements under Title 19.04.050 for a Restaurant Service Bar use.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for an Extension of Time for a Special Use Permit to allow a Restaurant Service Bar in conjunction with an existing restaurant (Tipanan Sa Franklyns), located at 2202 West Charleston Boulevard.

B) Applicant's Justification

An internal reorganization within the applicant's corporation has made it impossible to file for a Beer and Wine License. The applicant intends to file for a license in the coming year.

BACKGROUND INFORMATION

A) Previous Actions

- 05/27/97 The City Council approved a Rezoning (Z-0020-97) to PD (Planned Development) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive. The Planning Commission recommended approval on 4/24/97.
- 06/19/02 The City Council approved a Major Modification [Z-0020-97(33)] to The Las Vegas Medical District Plan. The Planning Commission and staff recommended approval on 4/11/02.
- 12/18/02 The City Council approved a Special Use Permit (SUP-1132) to allow a Restaurant Service Bar in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 11/21/02.
- 02/12/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #8/fs).

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application, nor was one held for this request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.26

B) Existing Land Use

Subject Property: Commercial Center
 North: Offices
 South: UMC Quickcare
 East: Drugstore
 West: 7-11 and retail shops

C) Planned Land Use

Subject Property: UMC [Las Vegas Medical District (Service Commercial)]
 North: UMC [Las Vegas Medical District (Service Commercial)]
 South: O (Office)
 East: UMC [Las Vegas Medical District (Service Commercial)]
 West: UMC [Las Vegas Medical District (Service Commercial)]

D) Existing Zoning

Subject Property: PD (Planned Development)
 North: PD (Planned Development)
 South: R-E (Residence Estates) under Resolution of Intent to O (Office)
 East: PD (Planned Development)
 West: PD (Planned Development)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a UMC (Las Vegas Medical District – Service Commercial) land use designation, which allows for low to medium density retail, office, or other commercial that serve local patrons. The existing PD (Planned Development) zoning district is consistent with the General Plan designation, and the proposed Restaurant Service Bar is a permitted use within an SC (Service Commercial) designated parcel of the UMC (Las Vegas Medical District Plan) with the approval of a Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Las Vegas Medical District	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

Las Vegas Medical District

The purpose of the Las Vegas Medical District is to create a regional medical district that will provide a complete range of medical related services. Additionally, compatible and supporting uses are encouraged within the district.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant	4,235 SF.	1/50 of public seating and waiting area, plus 1/200 for the remaining GFA	56	3	108	Not Provided

This commercial center is parking-impaired. Title 19.10.010 defines a parking-impaired development as a development, which complied with the applicable parking standards at the time the building or use was established, but does not comply with the requirements of Title 19. In this case, the addition of beer and wine is not expected to increase the parking demand of the existing restaurant.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Restaurant Service Bar	400 feet from any church, synagogue, school, child care facility licensed for more than twelve children, or City park.	270 feet from a child care facility

Because the proposed use lies within an established commercial center and is separated from the childcare facility by Charleston Boulevard, a 100-foot primary arterial, the Restaurant Service Bar can be conducted in a manner that is harmonious and compatible with the development in the area.

B) General Analysis and Discussion

- Zoning

The proposed Restaurant Service Bar is a permitted use within the SC (Service Commercial) land use designation of the UMC (Las Vegas Medical District Plan) with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar 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. In this case there is a protected use known to be within the minimum distance requirement. A childcare facility, Little Scholar, which is licensed for 126 children is located approximately 270 feet from the parcel line of the proposed restaurant service bar. Because the use lies within an established commercial center and is separated from the protected use by Charleston Boulevard, a 100-foot primary arterial, the restaurant service bar can be conducted in a manner that is harmonious and compatible with the development in the area.

- Conditions

1. No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.
2. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The request will conform to these standards.

FINDINGS

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

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

The proposed Restaurant Service Bar for the sale of beer and wine for on-premise consumption will be an accessory use to an existing restaurant. The proposed use will not adversely affect the current or future surrounding uses.

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

The restaurant service bar use continues to be an appropriate use within this commercial center.

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

The subject site will have direct access from Charleston Boulevard, a Primary (100-foot wide) Arterial designated on the Master Plan of Streets and Highways, and is adequate in size to accommodate any additional traffic generated by the proposed Restaurant Service Bar.

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

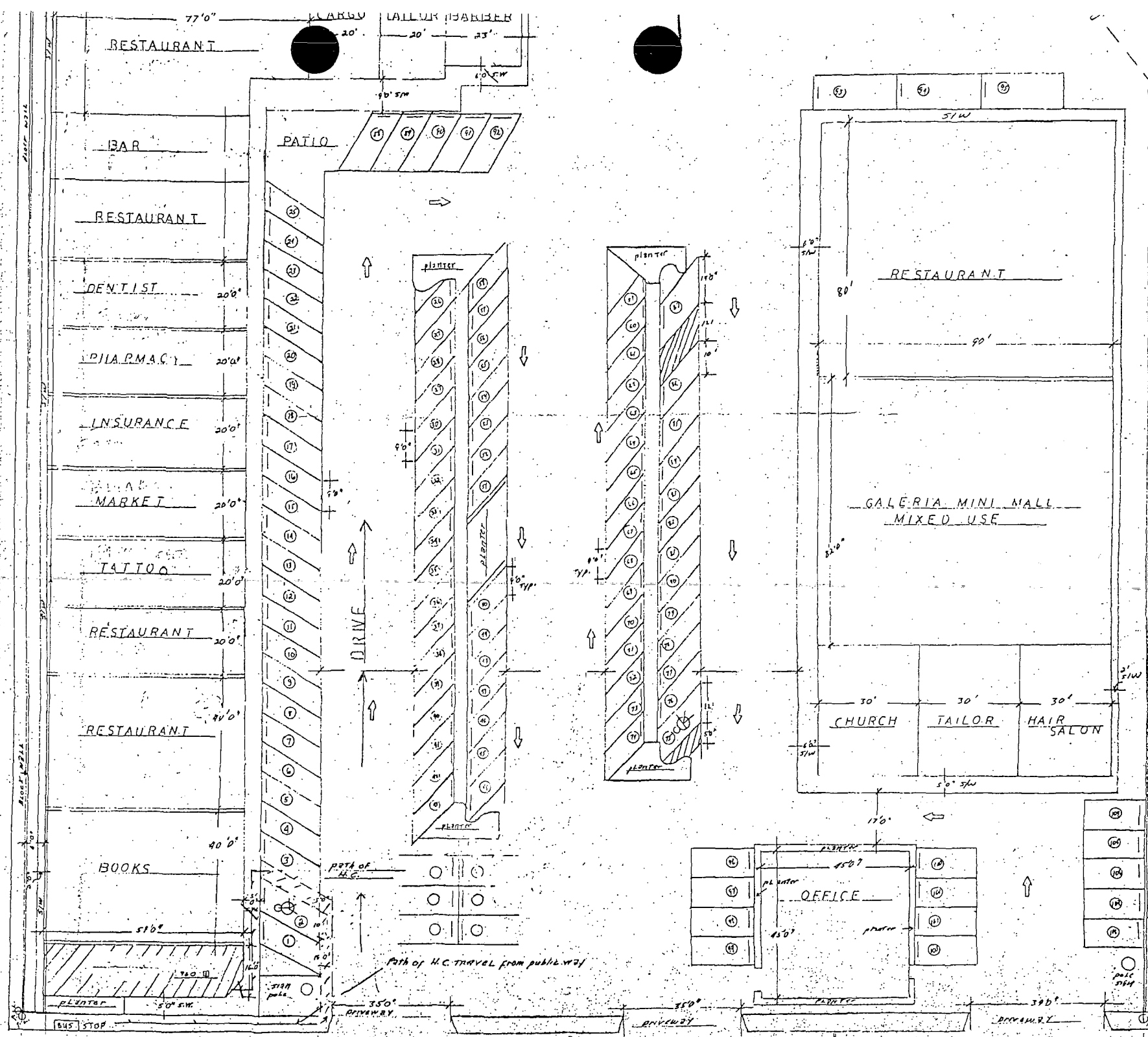
The proposed restaurant service bar on this site will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

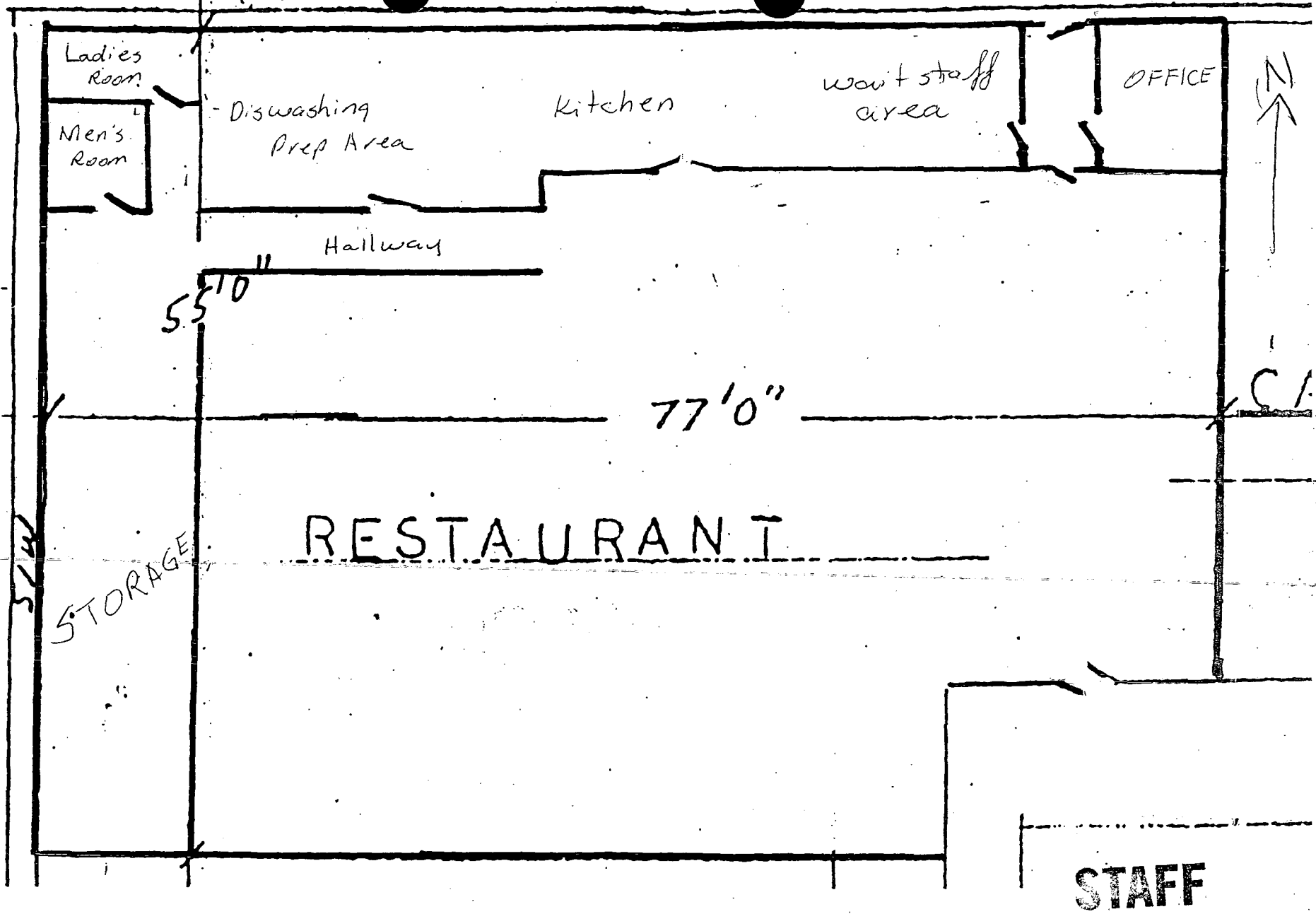
NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

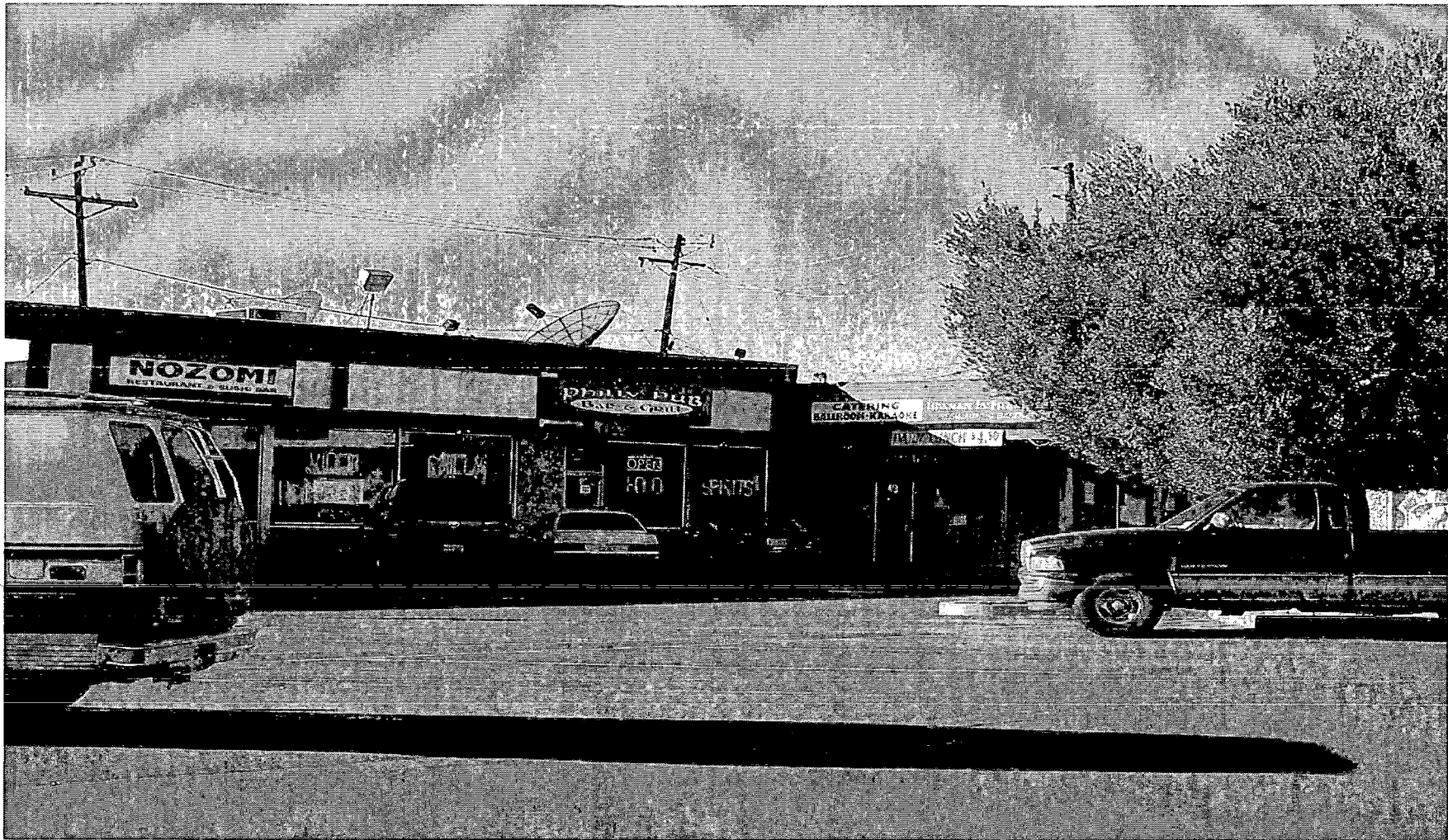
EOT-3659
02-12-04 PC





712

EOT-3659
02-12-04 PC



EOT-3659 - APPLICANT: TIPANAN SA FRANKLYNS - OWNER: HOVANEC ETHNEY LIVING TRUST
2202 WEST CHARLESTON BOULEVARD
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REINSTATEMENT AND EXTENSION OF TIME - REZONING - EOT-3842 -
APPLICANT/OWNER: WILLIAM HODSHON - Request for a Reinstatement and
Extension of Time of an approved Rezoning (Z-0045-01) FROM: R-1 (Single Family
Residential) TO: P-R (Professional Office and Parking) on 0.16 acres at 500 South 7th Street
(APN: 139-34-710-027), Ward 1 (Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE – APPROVED Item 108 [EOT-3659] and Item 109 [EOT-3842] subject to
conditions – UNANIMOUS

MINUTES:

There was no discussion.

(2:27 – 2:28)

4-626

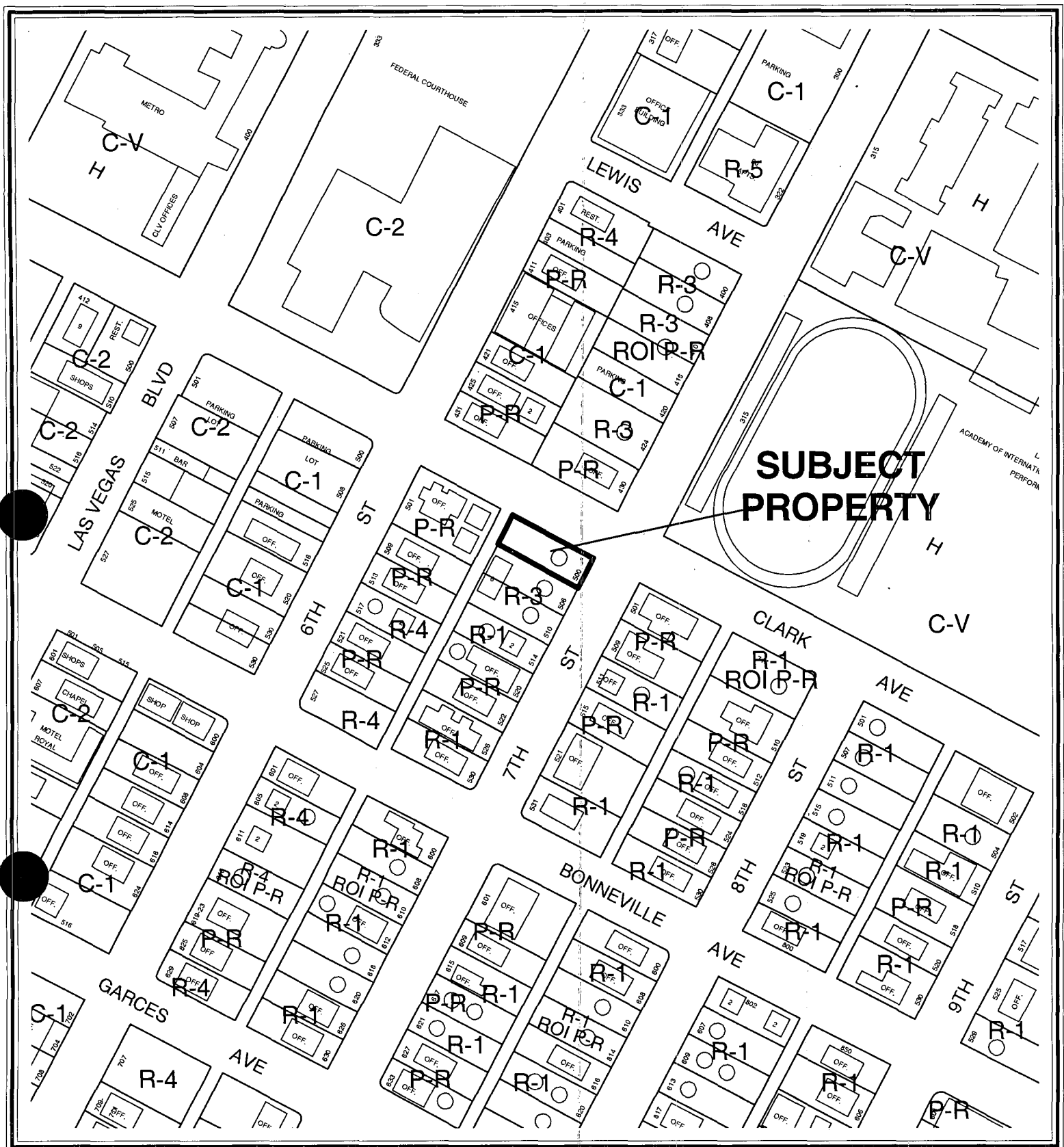
CONDITIONS:

1. This Extension of Time will expire on September 5, 2005 unless another Extension of Time is approved by the City Council.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 109 – EOT-3842

CONDITIONS – Continued:

3. Conformance to the conditions of approval for Rezoning (Z-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

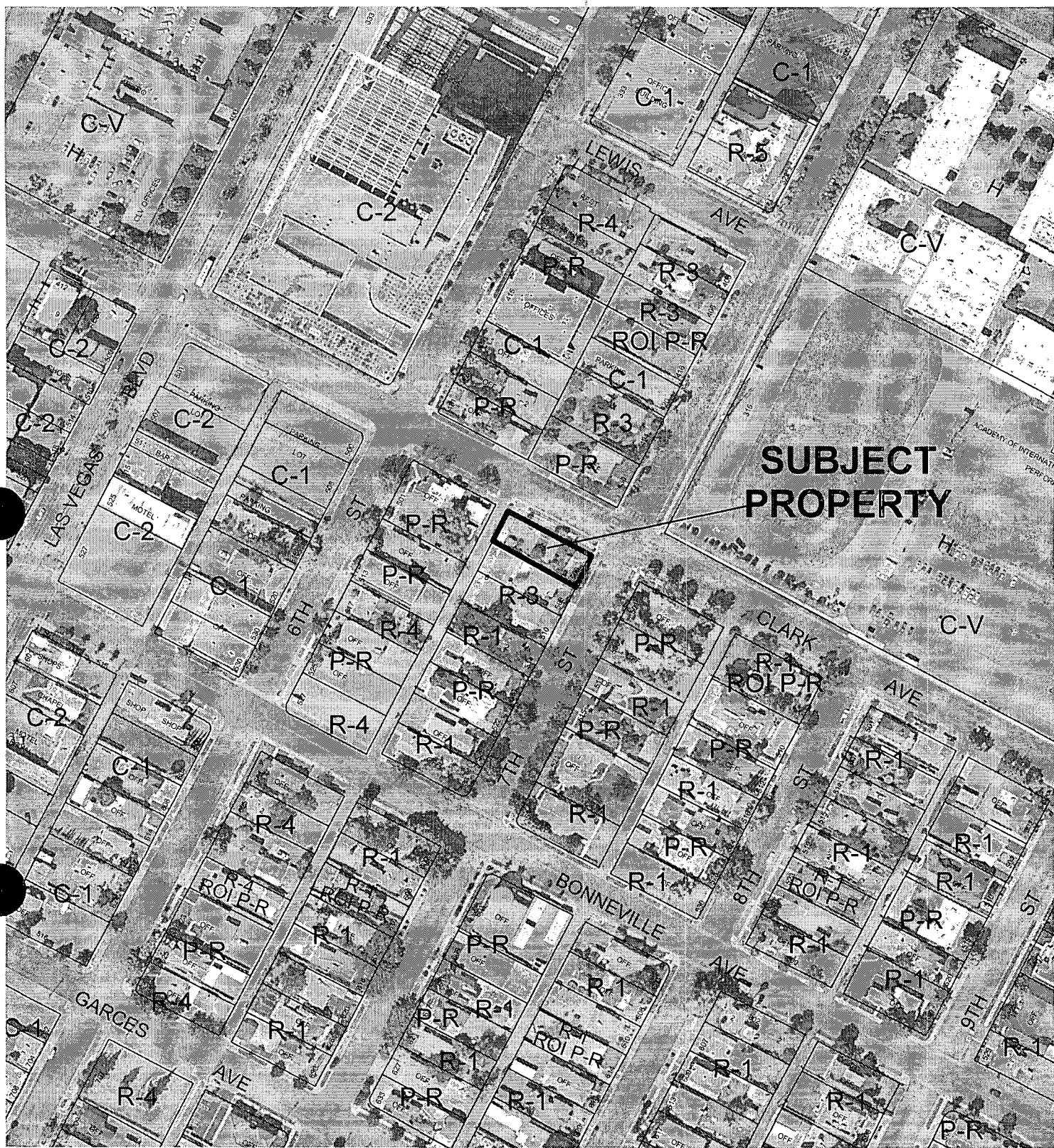


CASE: EOT-3842

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT

P-R (PROFESSIONAL OFFICE AND PARKING)



0 100 200 Feet



CASE: EOT-3842

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT
 P-R (PROFESSIONAL OFFICE AND PARKING)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: EOT-3842 - APPLICANT/OWNER: WILLIAM HODSHON

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

1. This Extension of Time will expire on September 5, 2005 unless another Extension of Time is approved by the City Council.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Conformance to the conditions of approval for Rezoning (Z-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Reinstatement and Extension of Time on an approved Rezoning (Z-0045-01) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on 0.16 acres at 500 South 7th Street. The Resolution of Intent expired September 5, 2003.

B) Applicant's Justification

The applicant justifies this request by stating that additional time is needed to obtain approval of a Site Development Plan Review and move forward with the project.

BACKGROUND DATA

09/05/01 The City Council approved a Rezoning (Z-0045-01) to P-R (Professional Office and Parking) and a Variance (V-0056-01) to allow a 50 foot wide lot where 60 feet is the minimum width required in the P-R (Professional Office and Parking) zoning district on this site. The Planning Commission recommended approval of both items on July 26, 2001. The Planning and Development Department recommendation was for approval of both items.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

A) Existing Land Use

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

B) Existing Zoning

Subject Property: R-1 (Single-Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: R-3 (Medium Density Residential)
East: P-R (Professional Office and Parking)
West: P-R (Professional Office and Parking)

ANALYSIS & FINDINGS

ZONING

The approved P-R (Professional Office and Parking) zoning on this site conforms to the MU (Mixed Use Development) Las Vegas Redevelopment Plan designation for this site. This will allow for low intensity office uses in this area of Downtown and P-R (Professional Office) remains an appropriate zoning for this property. It is recommended this zoning application be reinstated with another two year time limit.

SITE PLAN

A Site Development Plan Review application did not accompany the original rezoning request. A Condition of Approval was imposed by the City Council requiring a Site Development Plan Review to be approved prior to any and all development activity on this site. That same condition has been added to this Reinstatement and Extension of Time request.

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 rezoning request to P-R (Professional Office and Parking) conforms to the MU (Mixed Use Development) Las Vegas Redevelopment Plan designation for this site.

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 proposed office use will be a low-intensity use and will be compatible with other uses in this area.

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

The office use planned for the subject property will serve the needs of residents and other businesses within 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."

The site will be accessed from Clark Avenue and 7th Street, with specific driveway locations to be determined with the required Site Development Plan Review. These roadways are adequate in size to meet the requirements of the proposed office conversion.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-3842 APN: 139-34-710-024
Name of Property Owner: WILLIAM H HODSFLOW
Name of Applicant: SAME

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Subscribed and sworn before me

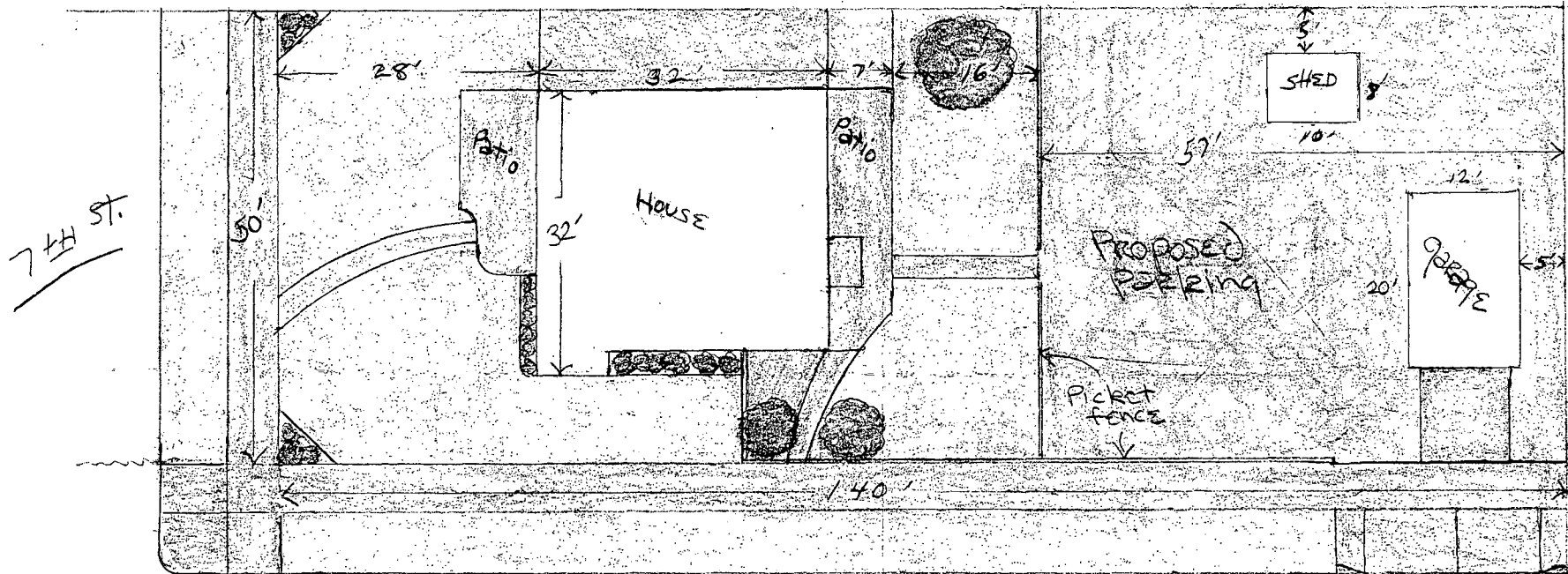
This 4th day of FEB, 2004

Notary Public in and for said County and State



Scale $\frac{1}{2} = 1'$
Property size 7000 sq. ft.
Building size 1548 sq. ft.

Lots 31 + 32 in block 4 of Ward's Addition



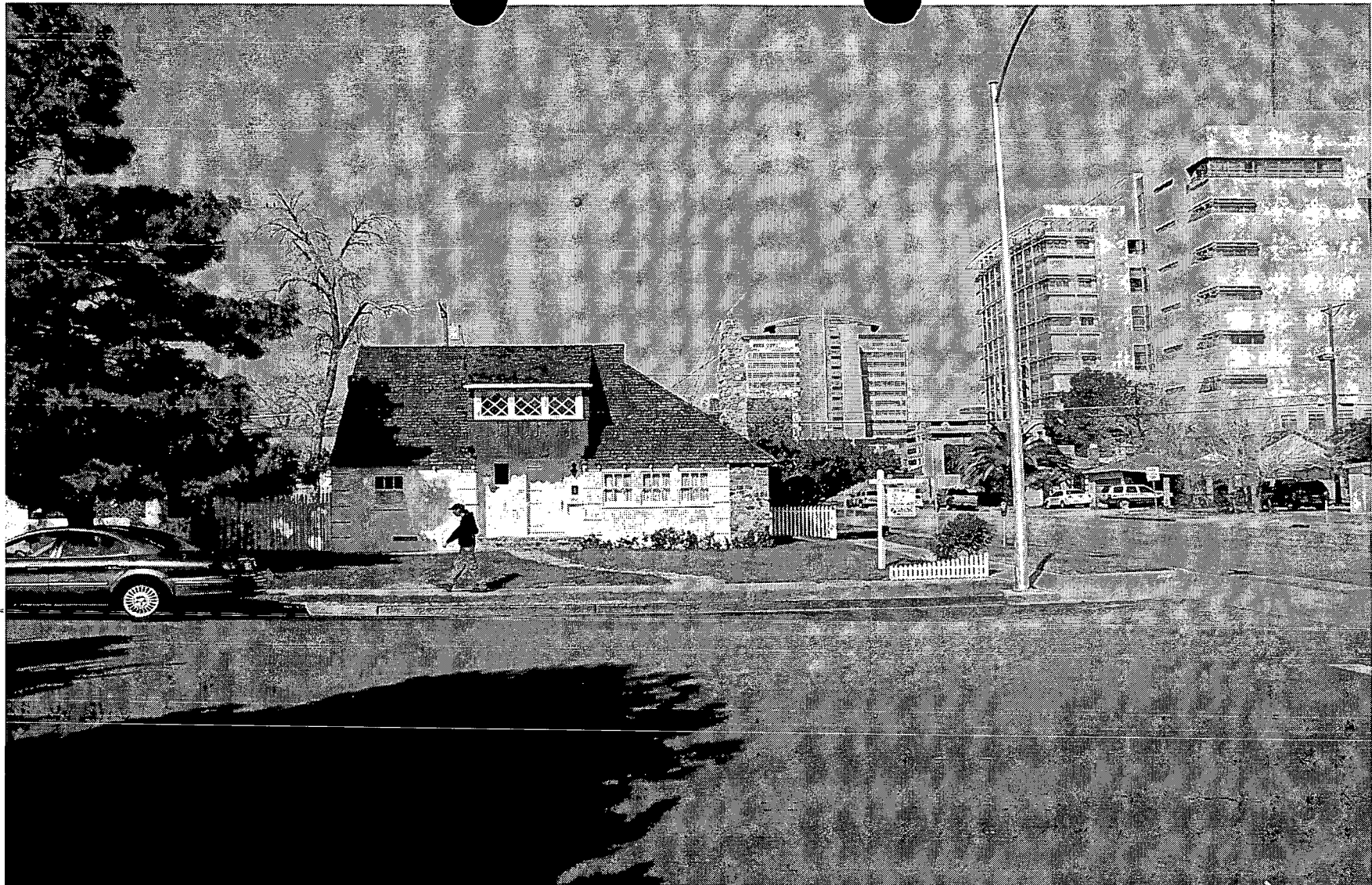
CLARK ST.



2-0045-01

PC 07/26/01
CC 9/5/01 APPV

3-17-04 CC
EOT-3842



EOT-3842 - APPLICANT/OWNER: WILLIAM HODSHON
500 South 7th Street
MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04



EOT-3842 - APPLICANT/OWNER: WILLIAM HODSHON
500 South 7th Street
MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - SDR-3631 - APPLICANT: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED FIRE STATION on a portion of 5.52 acres adjacent to the northwest corner of Harris Avenue and Mojave Road (APN: 139-25-303-014), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

ERIK SINGMAN, Public Works, appeared on behalf of the application, concurred with the conditions and presented the renderings for the structure to be located across the street from Freedom Park.

No one appeared in opposition.

(2:28 – 2:29)

4-636

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 110 – SDR-3631

CONDITIONS – Continued:

3. The provided trash enclosure shall be walled and roofed according to Title 19.08.045.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

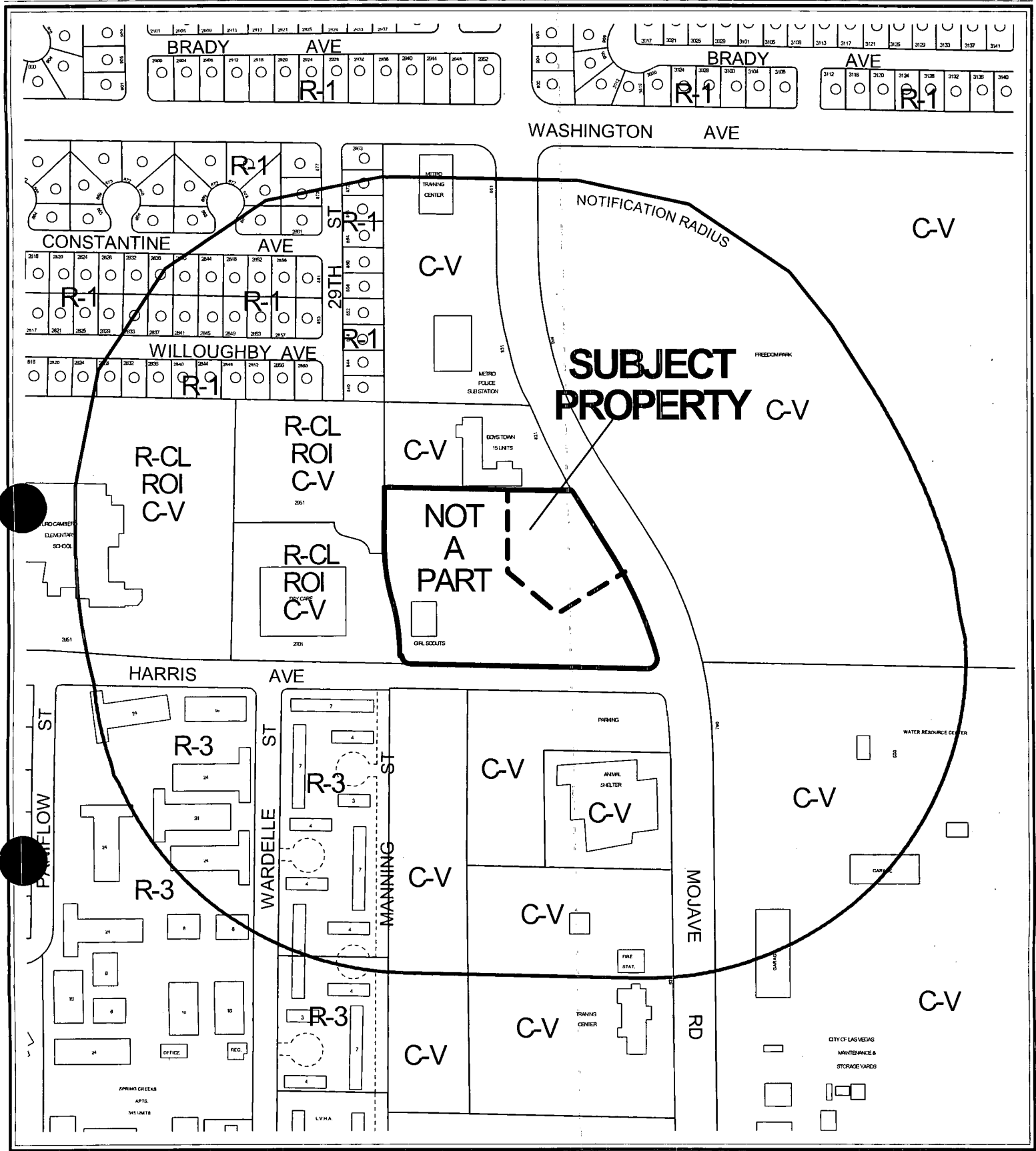
Public Works

11. Construct half-street improvements on Harris Street adjacent to this site and extending westward to existing improvements concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 110 – SDR-3631

CONDITIONS – Continued:

13. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.



CASE: SDR-3631

RADIUS: 750 FT

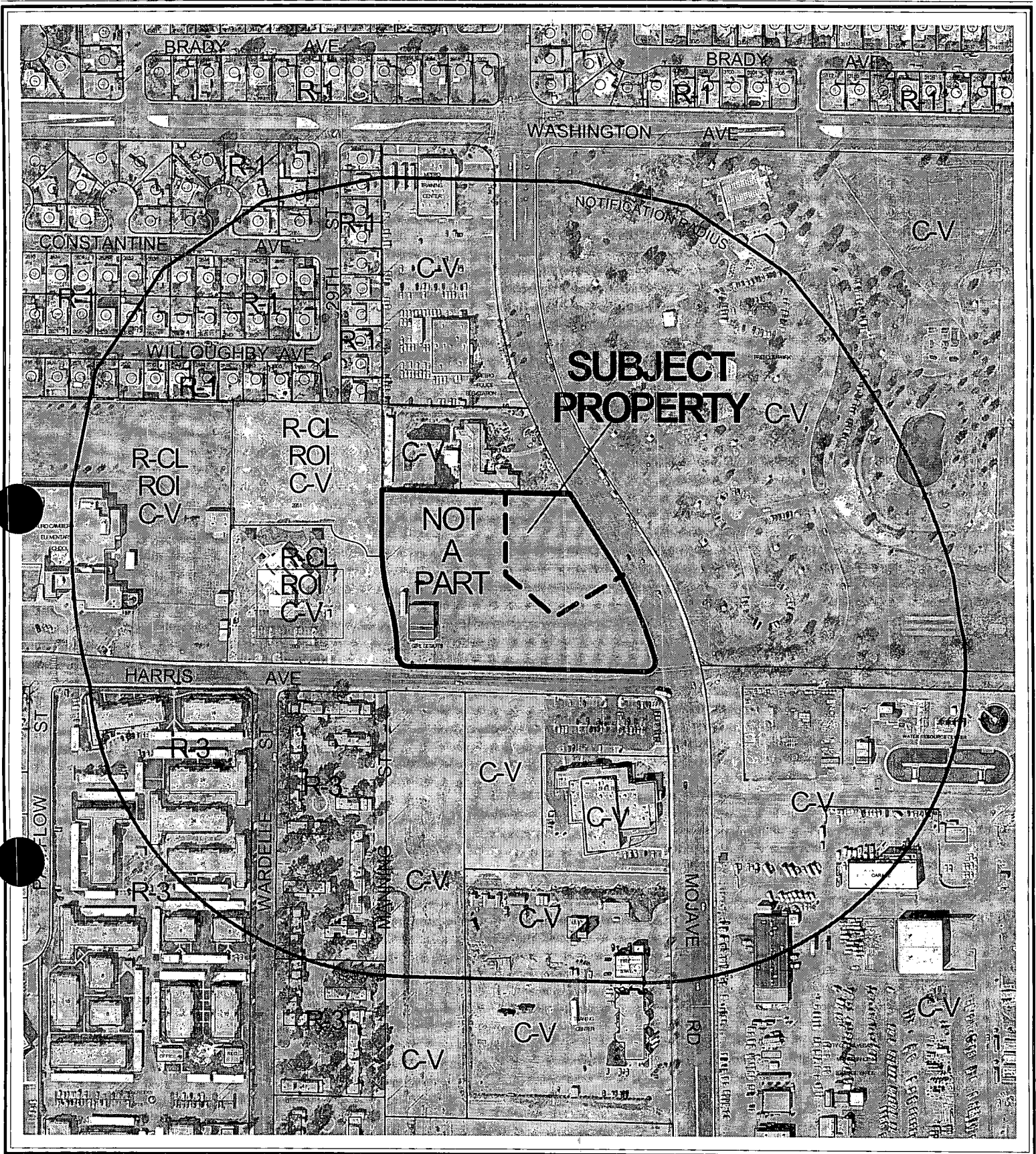
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet



110





CASE: SDR-3631

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3631 - APPLICANT: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
3. The provided trash enclosure shall be walled and roofed according to Title 19.08.045.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Construct half-street improvements on Harris Street adjacent to this site and extending westward to existing improvements concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
13. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review for a proposed 10,738 square-foot fire station on a portion of 5.52 acres adjacent to the northwest corner of Harris Avenue and Mojave Road.

B) Applicant's Justification

A new station is required to replace the existing Fire Station No. 8 at 633 North Mojave Road, which is inadequate as a full service facility. Fire and Rescue Services will better be able to respond to emergencies and will be close enough to the existing facility to stay within the existing coverage area.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history on the subject site.

01/07/04 The City Council approved a request for a Site Development Plan Review for a proposed Animal Shelter and Veterinary Complex on 9.5 acres adjacent to the southwest corner of Mojave Road and Harris Avenue, adjacent to the subject site. Staff recommended approval. The Planning Commission recommended approval on 12/04/03.

02/12/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #20/ss).

B) Pre-Application Meeting

12/09/03 The applicant was asked to revise several items on the site plan and to acknowledge the proposed parking and landscaping to be installed by others along the north side of Harris Avenue within the justification letter. Public Works specified the preferred location of stop bars on Mojave Road in order to avoid traffic congestion in case of emergency.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.72 acres (a portion of a 5.52 acre parcel)

B) *Existing Land Use*

Subject Property: Girl Scout Temporary Offices and Parking
North: Girls and Boys Town
South: Public Animal Shelter
East: Freedom Park
West: Child Care Center - Preschool

C) *Planned Land Use*

Subject Property: PF (Public Facilities)
North: PF (Public Facilities)
South: PF (Public Facilities)
East: PR-OS (Parks/Recreation/Open Space)
West: PF (Public Facilities)

D) *Existing Zoning*

Subject Property: C-V (Civic)
North: C-V (Civic)
South: C-V (Civic)
East: C-V (Civic)
West: R-CL (Single-Family Compact-Lot) under Resolution of Intent to C-V (Civic)

E) *General Plan Compliance*

The subject property is designated PF (Public Facilities) on the Southeast Sector Map of the General Plan. This category allows large governmental building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public, such as libraries and public utility facilities. The subject site is currently zoned C-V (Civic), which conforms to the PF (Public Facilities) General Plan designation. The activities proposed on this site conform both to the zoning and land use type currently designated for this site.

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

No special districts, zones, or studies are related to this Site Development Plan Review request.

PROJECT DESCRIPTION

The proposal is for a 10,738 square foot public fire station to be constructed on the east central portion of a 5.52-acre City parcel just north of an existing fire station. The facility will be accessed via three driveways from Mojave Road. Emergency vehicles exiting the fire station building will use the center 21-foot wide driveway. Forty-three parking spaces are provided, two of which are handicap-accessible. The southern portion of the parcel (outside of the subject area) will be striped for parking and landscaped by the developers of a newly approved addition to the public animal shelter on the adjacent parcel to the south. The parking is intended to accommodate overflow demand from the expanded animal shelter and Freedom Park. An existing structure used as an administrative office for Girl Scouts of America is located on the southwestern corner of the parcel.

Landscaping consists of a 15- to 40-foot perimeter buffer containing clustered 36-inch box Fan-Tex Ash, Mondel Pine, Moraine Honey Locust, African Sumac and Flowering Pear trees and an assortment of 5-gallon shrubs, including Red/Orange Lantana, Regal Mist Deer Grass, Fraser's Photinia and Dwarf India Hawthorn. Decorative boulders and decomposed granite will provide adequate groundcover. Parking lot landscaping is not provided; however, foundational landscaping is provided so that no parking spaces abut the building, and most spaces are located around the perimeter of the site adjacent to the provided landscape planter. Mechanical equipment is located in the perimeter planter and screened by landscaping materials.

The elevations depict a flat metal roof with parapets. Both ends of the building feature tall emergency vehicle service doors under pitched roofs. Exterior walls will be finished in champagne-colored metal siding, off-white painted stucco and glazed block accents displaying Fire Engine Red.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for a C-V (Civic) zoning district shall be established by an approved site development plan. The following standards are proposed for this development:

Standards	Provided
Min. Setbacks	
• Front	52 Feet
• Side	72 Feet
• Corner	212 Feet
• Rear	357 Feet
Max. Lot Coverage	4 %
Max. Building Height	30.8 Feet
Trash Enclosure	Screened
Loading Zone	Not provided
Mech. Equipment	Screened by parapets and landscaping.

The proposed standards in most cases meet the Commercial Development Standards of the Zoning Code. Loading zones are not required for uses that do not need frequent pickup and delivery services. The trash enclosure depicted on the site plan does not indicate whether it is walled or contains a roof. A condition of approval will require the trash enclosure to meet the current commercial standard of six-foot high walls and a roof matching the design theme of the building.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject property, as there are no residential properties developed for sale that are adjacent to the subject property.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards will be applied to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Other Uses Than Listed (Fire Station)	10,738 SF	1 space per 250 SF of GFA	41	2	41	2

Title 19.10 does not provide specific parking standards for the proposed fire station. Minimum parking requirements for this project are based upon a standard commercial parking ratio of one space per 250 square feet of gross floor area, resulting in 43 spaces. The developer will provide an equal number of parking spaces to meet the requirement, including two handicapped spaces.

A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12.010, Landscape Standards as presented in Title 19.12 do not apply to special purpose zoning districts (such as C-V) containing special landscaping standards. The proposed project provides sufficient perimeter buffering with 15- to 40-foot wide planters on all sides. Thirty-six-inch box trees are primarily clustered in groups of three or four within the planter and are accompanied by shrubs and groundcover. No parking lot landscaping is provided; however, foundational landscaping is provided so that no parking spaces abut the building, and most spaces are located adjacent to the perimeter planter in the rear.

A5) Sign Standards

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

Freestanding Signs:

Standards	Allowed	Provided
Maximum Number	1 / Street frontage or per lot less than 43,000 SF 1 total	None
Maximum Area	48 SF	
Maximum Height	12 Feet	
Minimum Setback	5 Feet	
Illumination	Internal and/or Direct External	

Monument Signs:

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None
Maximum Area	75 SF	
Maximum Height	10 Feet	
Minimum Setback	5 Feet	
Illumination	Internal and or/Direct External	

Wall Signs:

Standards	Allowed	Provided
Maximum Number	1 / Elevation facing street or on-site parking lot 2 total	None
Maximum Area	10 % of Elevation	
Maximum Projection	2 Feet	
Illumination	Internal and/or Direct External	

No freestanding or wall signs are depicted on the submitted plans. Signage must meet the criteria established in Title 19.14.060 for the C-V zoning district.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-V (Civic), which allows various types of public and semi-public uses. The proposed public fire station is appropriate for this zoning district and conforms to the PF (Public Facilities) General Plan land use category.

- Site Plan

The site plan depicts an orderly arrangement of the building, parking, vehicle driveways and access points. Parking should be adequate to meet the needs of the Fire and Rescue staff, which will occupy as many as 13 dormitories.

- Waivers

No Waivers of Zoning Code requirements were requested as part of the application, nor were any required.

- Landscape Plan

Landscaping on the subject site generally meets the intent of the Landscape, Wall, and Buffer Standards. Perimeter landscaping will adequately separate the proposed fire station from the proposed overflow parking area to the south. Foundational and perimeter landscaping on the site compensate for the lack of parking lot landscaping.

- Elevation

The submitted elevations are appropriate for a fire station. They display sufficient contrasts of texture and color, with varied materials providing enhanced visual interest. The architectural style and coloring is consistent with other fire stations approved within the City of Las Vegas.

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 fire station is located in the current C-V (Civic) zoning district, which is intended for such public uses. Neighboring parcels are zoned and used for similar public services. No residential development directly abuts the site. It is, therefore, compatible with existing development in the area.

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

With the implementation of conditions of approval regarding trash enclosures and signage, the proposed fire station site agrees with the intent and either meets or exceeds the standards contained in Title 19, the General Plan, and the Landscape, Wall and Buffer Standards.

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

Mojave Road, a 100-foot wide Primary Arterial as depicted on the Master Plan of Streets and Highways, will be adequate in size to serve the proposed fire station site in addition to current neighborhood traffic. Sufficient space on site is provided to ensure circulation without congestion

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

Building and landscape materials will enhance the aesthetic appeal of the area and will serve the needs of 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 building elevations proposed depict appropriate site and building design and architectural features to provide visual interest.

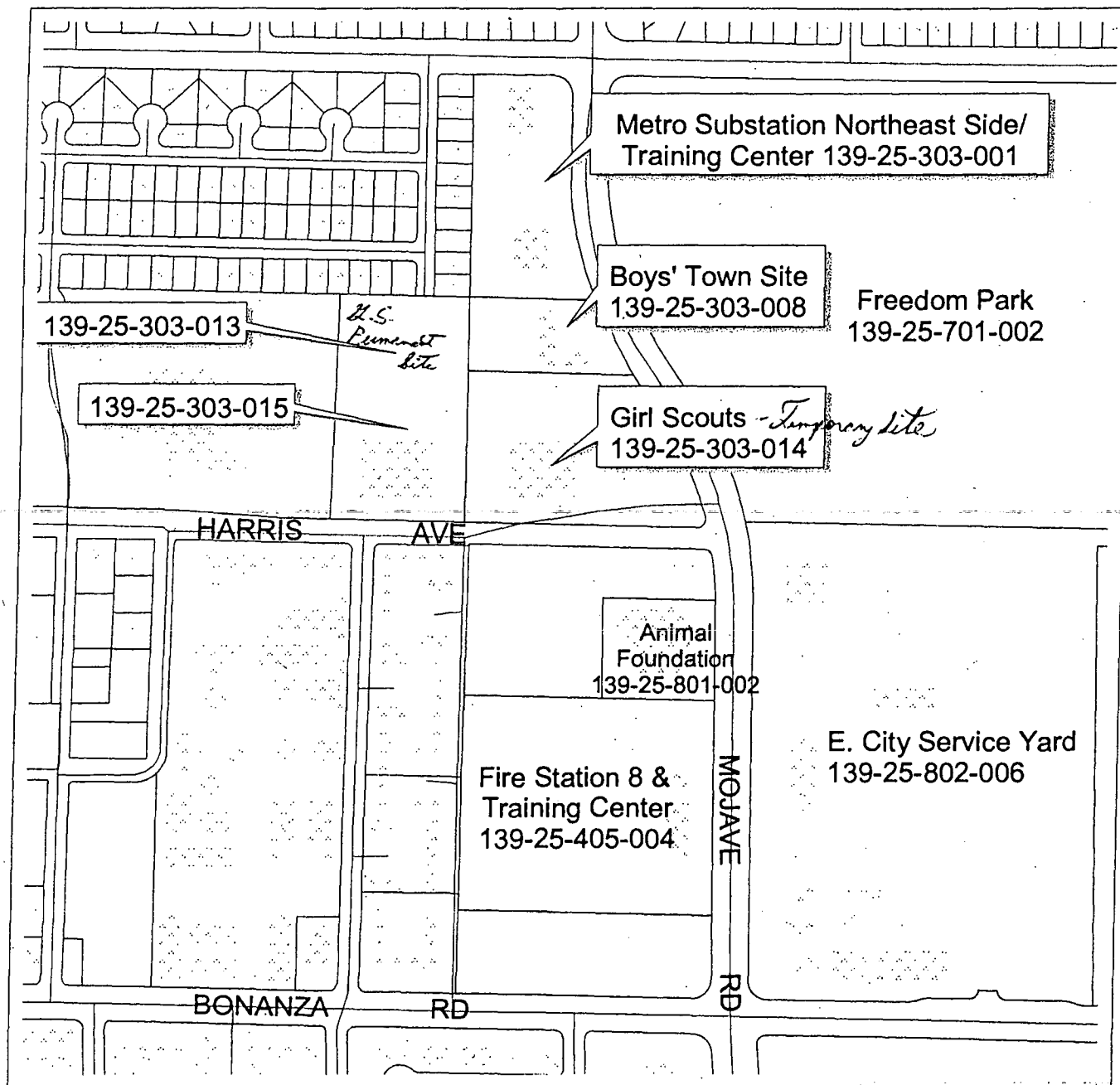
6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The proposed development will be subject to inspections for Certificate of Occupancy and for Emergency Preparedness, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED N/A

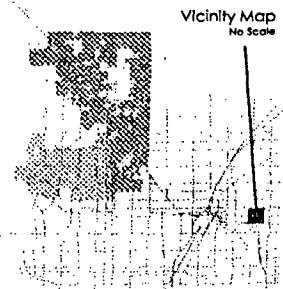
APPROVALS 0

PROTESTS 0



Site Map

- Street Centerline
- Building Footprints
- City of Las Vegas
- Parcels



Real Estate & Asset Management

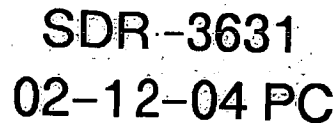


Date of Data: 2001/03/26

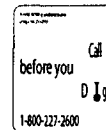
SDR-3631
02-12-04 PC



Cable 1'x22.0"



10) Contractor shall excavate and remove all caliche encountered during planting operations. Excavate to the required depth as indicated on the drawings. Remove and properly dispose of excavated caliche from site.



DEPARTMENT OF PUBLIC WORKS

CITY OF LAS VEGAS, NEVADA

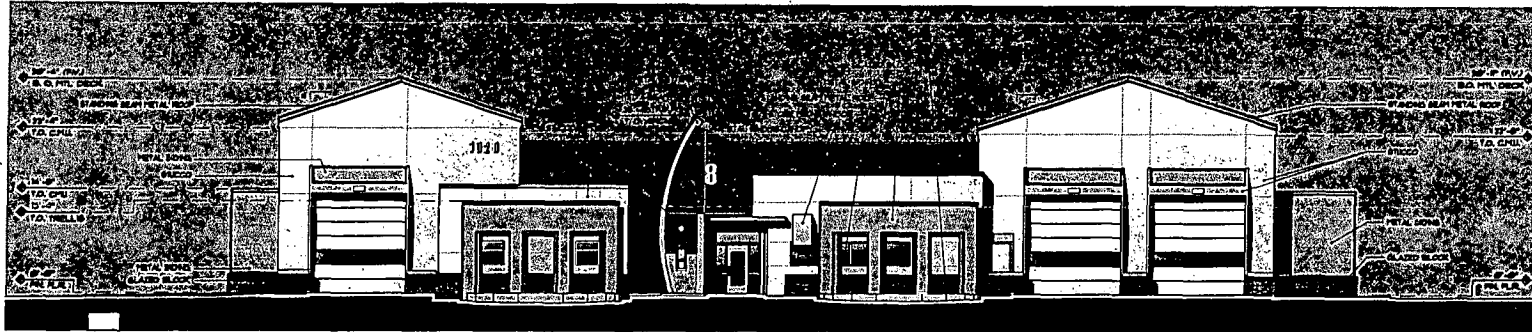
FIRE STATION #8

Landscape Plan

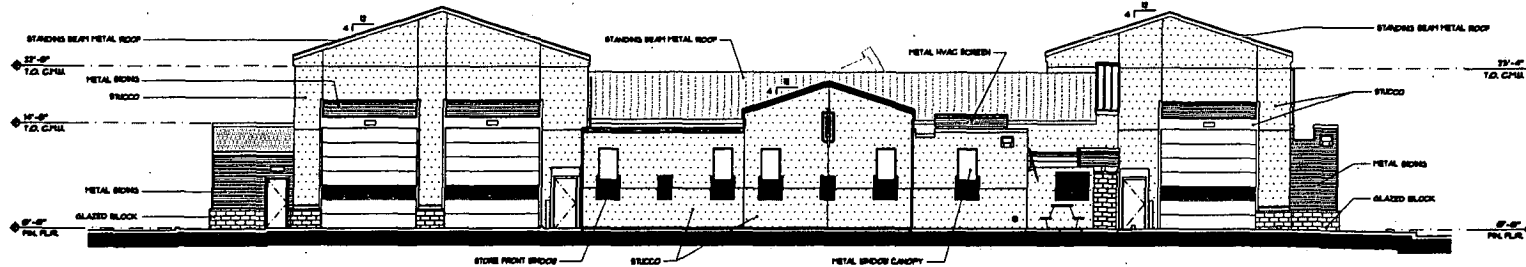
OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

400 EAST STEWART AVENUE LOS ANGELES, CALIFORNIA 90011	TEL: (213) 290-6500 (213) 109-3221 9645 10th Avenue
NAME	CLAMS
DATE	08/25/78
TIME	12/15/78
NAME	11/24/78
DATE	
TIME	

12



1 East Elevation
Scale: 1/8" = 1'-0"



2 West Elevation
Scale: 1/8" = 1'-0"

SDR-3631
02-12-04 PC



DEPARTMENT OF PUBLIC WORKS

CITY OF LAS VEGAS, NEVADA
FIRE STATION 18

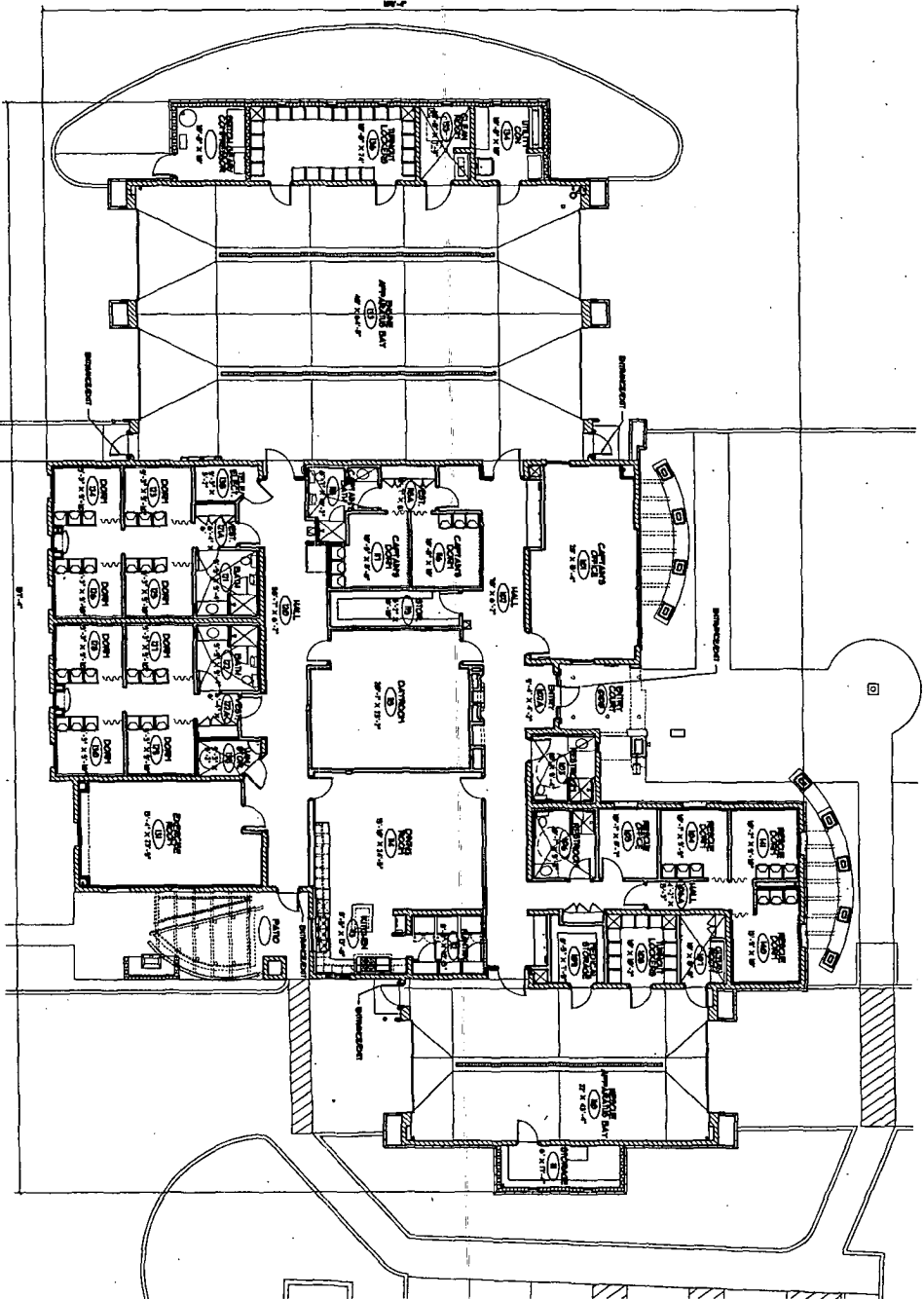
Exterior Elevations

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

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMIT	02-12-04	PC	PC
2	FOR CONSTRUCTION	02-12-04	PC	PC
3	FOR RECORD	02-12-04	PC	PC

A2





Floor Plan - Total Occupancy per the 1991 UBC = 10621

Project North



DEPARTMENT OF PUBLIC WORKS CITY OF LAS VEGAS, NEVADA FIRE STATION #3 Floor Plan DATE: 02-12-04 BY: [Signature] FOR: [Signature] PROJECT: [Signature] REVISIONS: <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Initial Design</td> <td>02-12-04</td> </tr> </tbody> </table>										NO.	DESCRIPTION	DATE	1	Initial Design	02-12-04
NO.	DESCRIPTION	DATE													
1	Initial Design	02-12-04													
PROJECT NO. 02-12-04 PROJECT NAME: FIRE STATION #3 PROJECT LOCATION: 1000 S. LAS VEGAS BLVD. PROJECT OWNER: CITY OF LAS VEGAS PROJECT ARCHITECT: [Signature] PROJECT ENGINEER: [Signature] PROJECT CONTRACTOR: [Signature] PROJECT NO. 02-12-04 PROJECT NAME: FIRE STATION #3 PROJECT LOCATION: 1000 S. LAS VEGAS BLVD. PROJECT OWNER: CITY OF LAS VEGAS PROJECT ARCHITECT: [Signature] PROJECT ENGINEER: [Signature] PROJECT CONTRACTOR: [Signature]															



SDR-3631

02-12-04 PC



NON-PUBLIC HEARING - SDR-3631 - APPLICANT: CITY OF LAS VEGAS
NORTHWEST CORNER OF HARRIS AVENUE AND MOJAVE ROAD
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3666** - **APPLICANT: UNIVEST I, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-2853), to allow a front setback of 17 feet where 20 feet is required for lots in association with a proposed 58-lot single-family residential development on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL. (NOTE: It is Condition #6 being reviewed.)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 2/12/2004 Planning Commission meeting Item 15

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. This is a clean-up measure to bring the setback condition into conformance with the approved site development plan.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:29 – 2:30)

4-666

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 111 – ROC-3666

CONDITIONS:

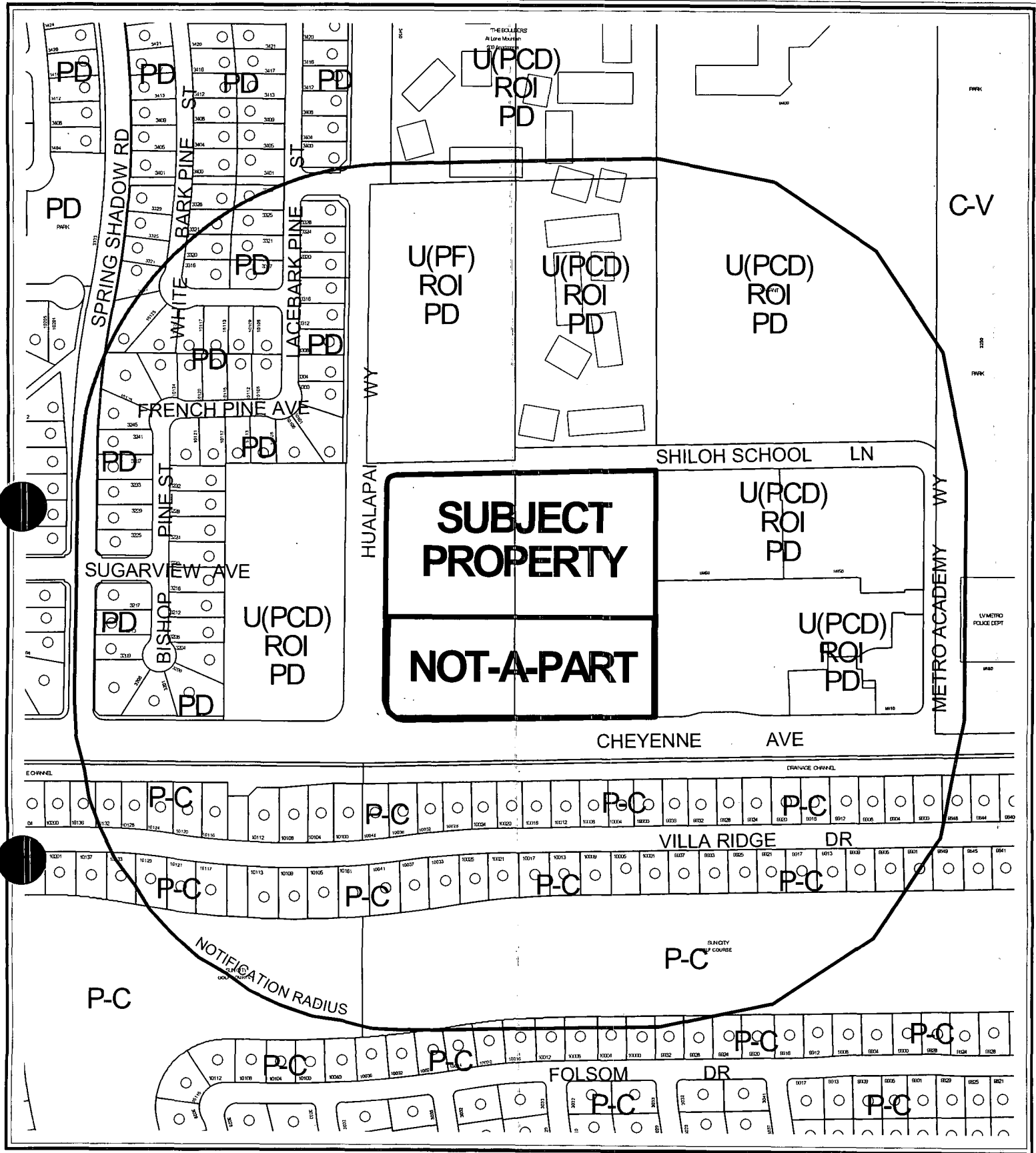
Planning and Development

1. Revise Condition No. 6 of SDR-2853 to read as follows:

“6. The setbacks for this development shall be a minimum of 20 feet to the front of the house (11 feet to porch element, 17 feet to non-garage living area), 3 feet on the side, and 5 feet in the rear.”

Public Works

2. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.
3. Site development to comply with all applicable conditions of approval for SDR-2853, and all other site-related actions.



CASE: ROC-3666

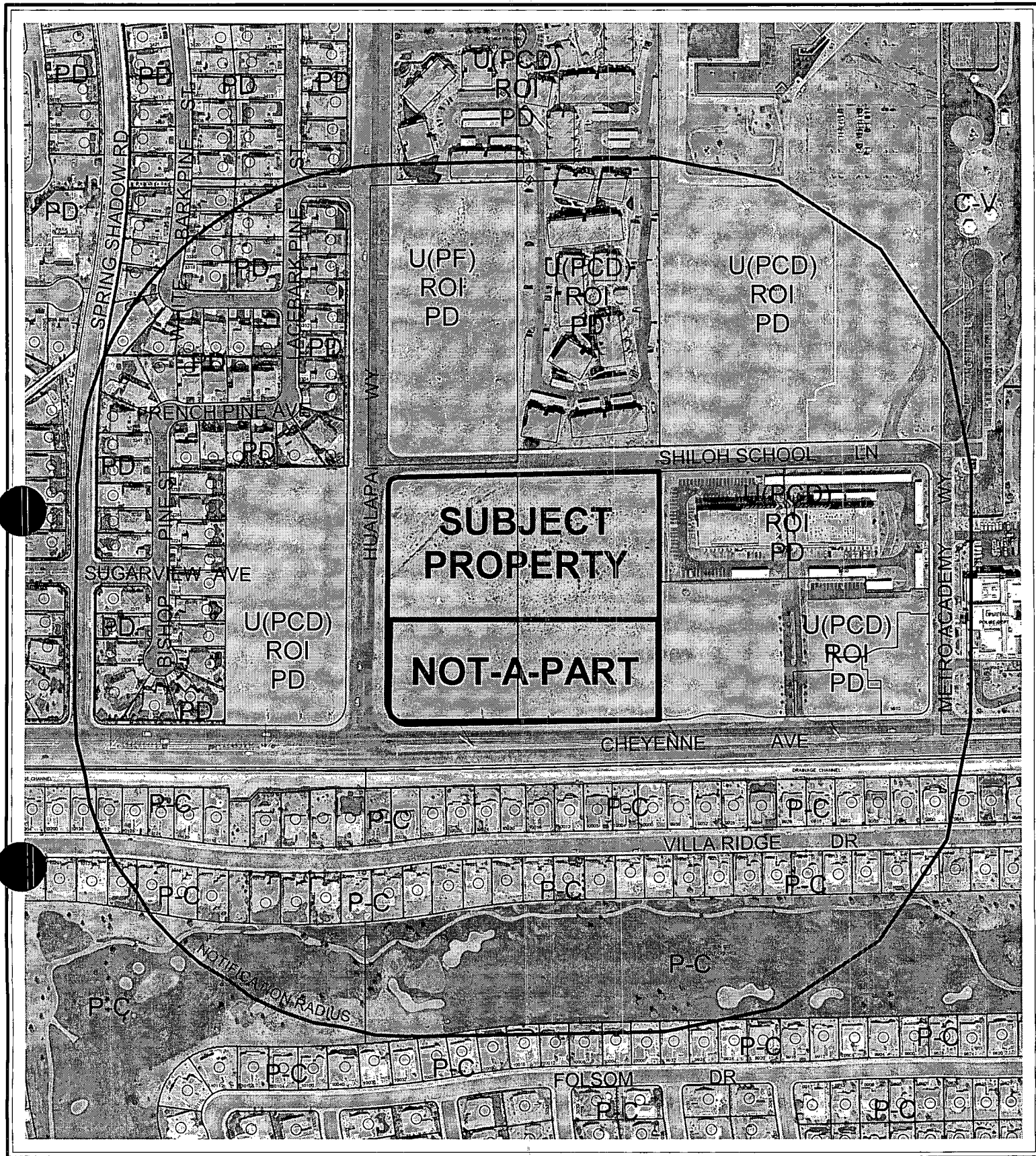
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

111





CASE: ROC-3666

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-3666 - APPLICANT: UNIVEST I, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Revise Condition No. 6 of SDR-2853 to read as follows:

“6. The setbacks for this development shall be a minimum of 20 feet to the front of the house (11 feet to porch element, 17 feet to non-garage living area), 3 feet on the side, and 5 feet in the rear.”

Public Works

2. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.
3. Site development to comply with all applicable conditions of approval for SDR-2853, and all other site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Review of Condition No. 6 of an approved Site Development Plan Review (SDR-2853) to allow for front yard setbacks consistent with the previously submitted site plan. These revised setbacks will not affect the front setbacks where garages and driveways are to be located.

B) Applicant's Justification

The applicant has justified this request by stating that the request will be consistent with the site plan as submitted with SDR-2853.

BACKGROUND INFORMATION

A) Previous Actions

- 02/24/97 The City Council approved a request for a Rezoning (Z-0117-96) from N-U (Non-Urban) to R-2 (Medium Density Residential), for a proposed 384-bed convalescent care facility, on 10.87 Acres. The Planning Commission recommended approval. That zoning was expunged by Z-0033-97.
- 06/23/97 The City Council approved a Rezoning (Z-0033-97) to PD (Planned Development) on this site as part of a larger request (Lone Mountain Master Plan Area). The Planning Commission and Staff recommended approval on 06/12/97.
- 04/29/98 The Planning and Development Department administratively approved a Site Development Plan Review [Z-0033-97(4)] for an assisted living facility, nursing home and convalescent care facility on this site. Condition #3 of (Z-0033-97) permitted this use on this property.
- 09/19/01 The City Council approved a request for a Site Development Plan Review [Z-0095-98(5)] for a proposed 65,700 square-foot office complex on a portion of 8.8 acres at the northwest corner of the intersection of Cheyenne Avenue and Conquistador Street. The Planning Commission and Staff recommended approval on 08/23/01. This application was for the site to the east of the subject property.
- 06/02/03 A Parcel Map was submitted depicting the two parcels to be split into two lots, which includes this site.

- 08/14/03 The Planning Commission accepted a request to withdraw without prejudice a request for a Major Modification (MOD-2356) to the Lone Mountain Master Development Plan of the southern portion of the overall site from NC (Neighborhood Commercial) to VC (Village Commercial). The Planning Commission also recommended approval of a companion Site Development Plan Review (SDR-2612) to allow a 38,800 square-foot office/retail center and Waivers of perimeter landscaping, building landscape buffers and parking lot landscaping on the site.
- 10/29/03 The City Council approved SDR-2853, as well as a companion Major Modification (MOD-2851) to the Lone Mountain Master Development Plan from NC (Neighborhood Commercial) to MLA (Medium-Low Attached Density Residential), and to request a waiver of the provisions of Section 6.2.3.A.c. of the Plan, and tabled a Variance (VAR-2864) to allow 11,303 square feet of open space where 23,430 square feet are required, and to allow relief from the on-site parking provisions of the Code. The Planning Commission and staff recommended denial of all applications on 09/11/03.
- 02/12/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #15/gl).

B) Pre-Application Meeting

- 12/31/03 At the pre-application meeting, the applicant explained the request and was advised of additional submission materials that were required.

C) Neighborhood Meetings

No neighborhood meetings are required as a result of a Review of Condition submittal.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 6.26

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped and Apartment Complex
South: Undeveloped
East: Office Building Development
West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development) and PF (Public Facility)

South: PCD (Planned Community Development) - southern half of subject parcels
East: PCD (Planned Community Development)
West: PCD (Planned Community Development)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
North: U (Undeveloped) Zone [PCD (Planned Community Development) and PF (Public Facilities) General Plan Designations] under Resolutions of Intent to PD (Planned Development)
South: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) – southern half of subject parcels
East: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

E) General Plan Compliance

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The requested Review of Condition is not affected by any General Plan policy.

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

Lone Mountain Master Development Plan

The site also falls within the Lone Mountain Master Development Plan, which designates this site as MLA (Medium-Low Attached Density Residential). The allowable density range for lands so designated is between 8.1 and 12 units per acre. The approved Site Development Plan, at a density of approximately 9.3 units per acre, conforms to the overall density provisions of the existing Medium-Low Attached Density Residential land use designation. The requested Review of Condition is not affected by any policy of the Lone Mountain Master Development Plan.

ANALYSIS

This request will bring the conditions of approval of an approved Site development Plan Review in line with the site plan submitted with that application. The revised condition will have no effect on the design or layout of the housing product that was intended to be constructed on the site as part of the approved site plan. Given this situation, the request for a revised condition is reasonable.

FINDINGS

The nature of the request is minor. The revised front setback dimensions that will be allowed as a result of the approval of this Review of Condition are consistent with the design and intent of the original Site Plan Review and can be approved.

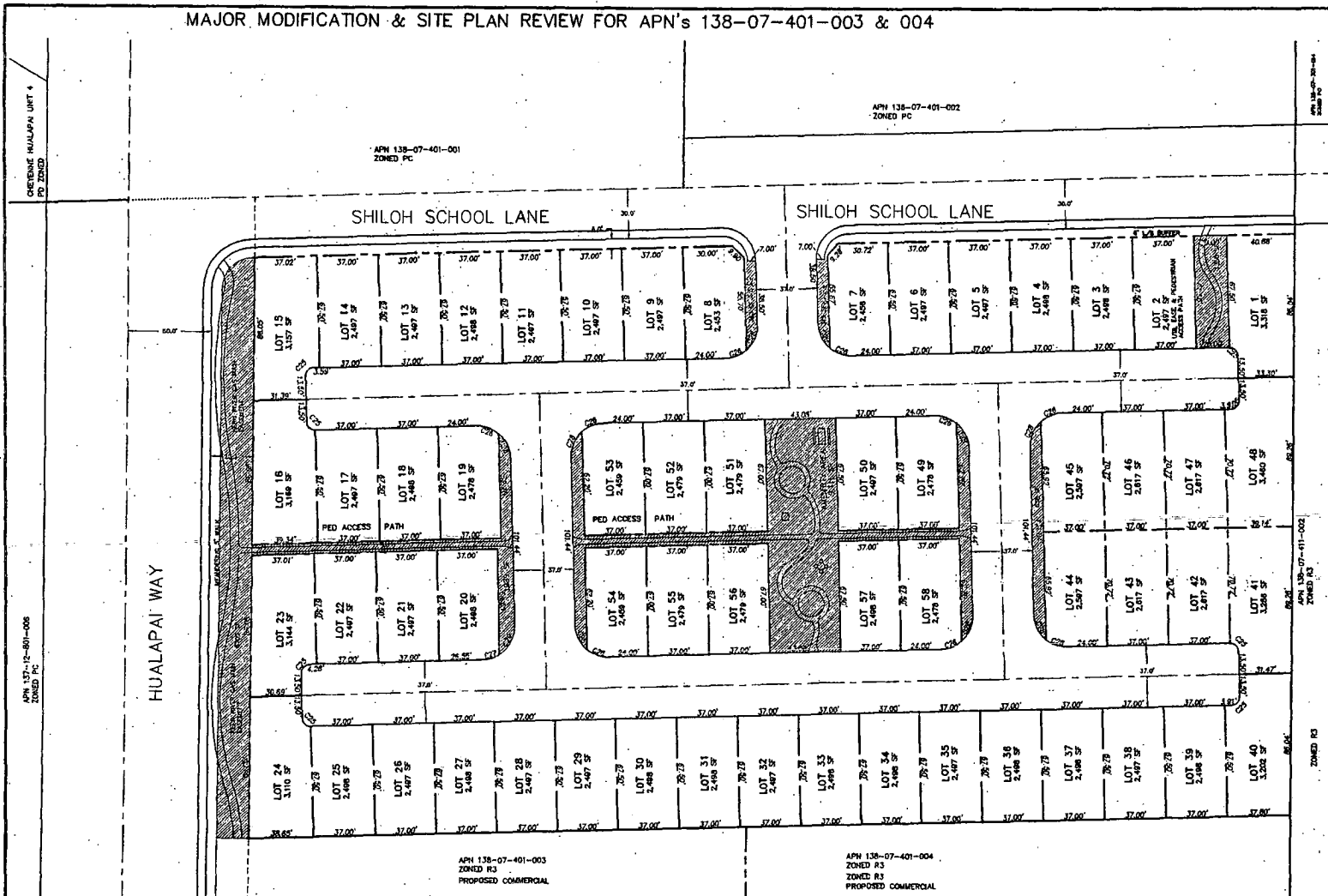
NOTICES MAILED 139 by Planning Department

APPROVALS 0

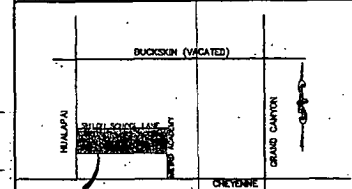
PROTESTS 1



MAJOR MODIFICATION & SITE PLAN REVIEW FOR APN's 138-07-401-003 & 004



KEY MAP



SITE DATA

GROSS SITE AREA 8.36 ACRES
NET SITE AREA 8.36 ACRES (EXCLUDING 0.78 ON SHILOH & HUALAPAI)
APN'S PORTIONS OF 138-07-401-003 & 004
CURRENT ZONING PD (PLANNED DEVELOPMENT)
PROPOSED ZONING PD (PLANNED DEVELOPMENT)
SETBACKS
FRONT 37' (11.25' TO PORCH ELEVATE, 17' TO NEW GRASS LINE AREA)
SIDE CORNER 37'
REAR 37'

BASIS OF BEARING

SOUTH 85° 30' 10" WEST, BEING THE BEARING OF THE CENTERLINE OF SHILOH SCHOOL DRIVE.

LEGEND

PROPERTY LINE
STREET CENTERLINE
LOT NUMBER
BLOCK NUMBER

1

UTILITIES

- NEVADA POWER COMPANY
6225 W. SAHARA AVE. 897-5505
- SPRINT TELEPHONE COMPANY
130 S. VALLEY VIEW BLVD. 344-7400
- SOUTHWEST GAS CORP.
3300 W. HUALAPAI AVE. 302-7110
- SANITARY SERVICE (WATER)
770 E. SAHARA AVE. 735-5151
- CITY OF LAS VEGAS, UTILITIES DEPARTMENT (SEWER)
1000 VALLEY VIEW BLVD. 870-2011
- CLARK COUNTY, NV 89103

LEGAL DESCRIPTION

A PORTION OF THE SOUTH HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, 104M., CLARK COUNTY, NEVADA.

ENGINEER

TANEY ENGINEER COMPANY
4445 S. JONES BOULEVARD
SUITE 8
LAS VEGAS, NV 89103

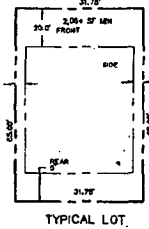
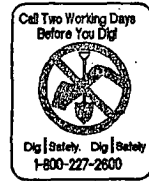
DEVELOPER

GREAT AMERICAN CAPITAL HOMES
8887 W. SAHARA AVENUE, SUITE 801
LAS VEGAS, NV 89117

OWNERS

HUALAPAI HOLDINGS LLC
3000 E. 10TH AVE.
SUITE 200
SANTA BARBARA, CA 93106-2006

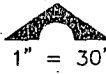
NO.	DATE	BY	REVISIONS
1	7-05	EFT	DESIGNED BY
2	8-05	EFT	DRAWN BY
3	9-05	EFT	CHECKED BY
4	10-05	EFT	APPROVED BY



ALL LANDSCAPE BUFFERS ARE TO BE COMMON LOTS

PROPERTY LINE CURVE & LINE TABLES

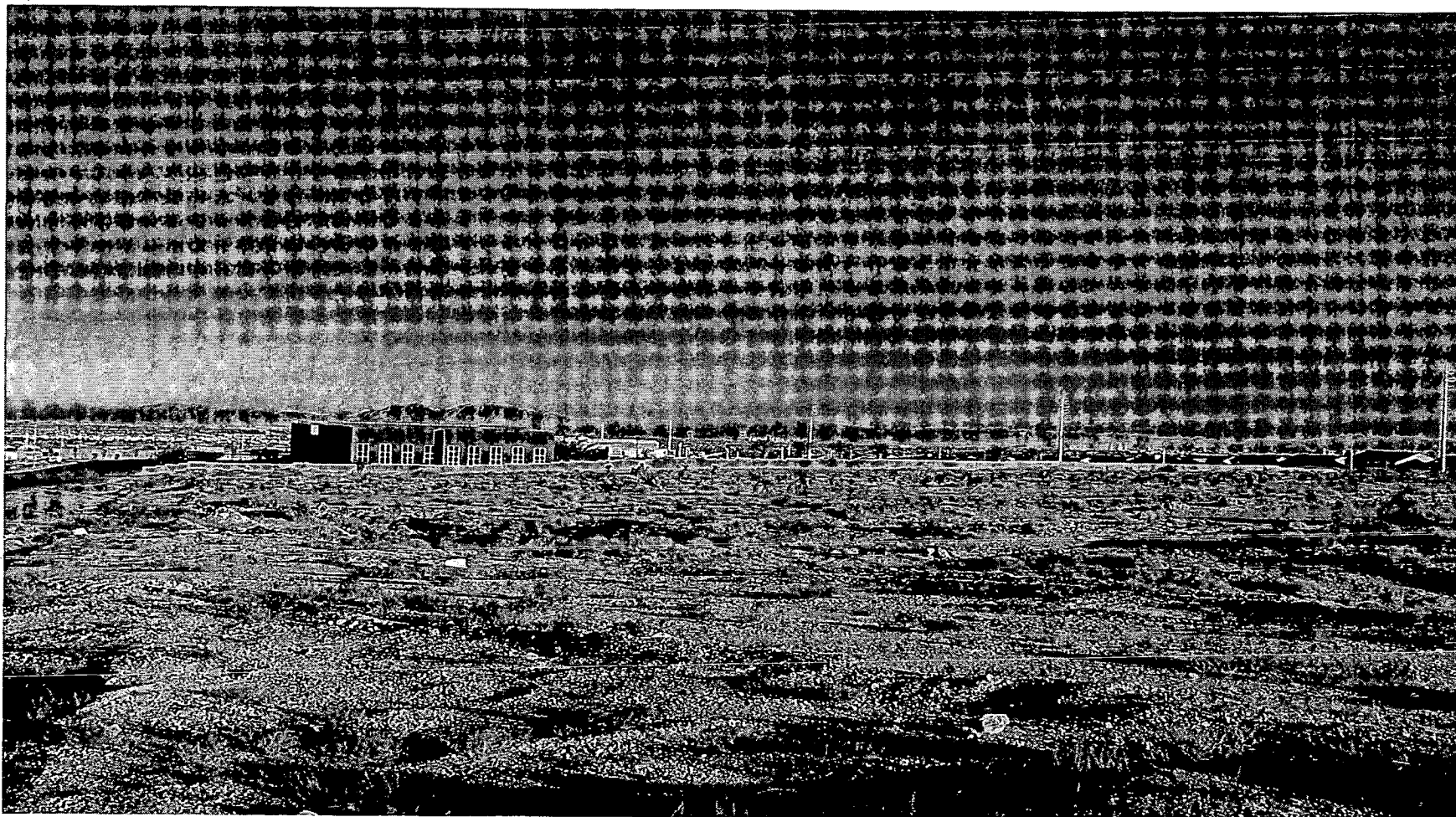
Curve Data	Length (Feet)	Area (Sq. Feet)
1. 100' Radius	100.00	100.00
2. 100' Radius	100.00	100.00
3. 100' Radius	100.00	100.00
4. 100' Radius	100.00	100.00
5. 100' Radius	100.00	100.00
6. 100' Radius	100.00	100.00
7. 100' Radius	100.00	100.00
8. 100' Radius	100.00	100.00
9. 100' Radius	100.00	100.00
10. 100' Radius	100.00	100.00



A VARIANCE FOR OPEN SPACE IS APPLIED FOR

ROC-3666
02-12-04 PC





PUBLIC HEARING - ROC-3666 - APPLICANT: UNIVEST I, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF HUALAPAI WAY AND SHILOH SCHOOL LANE
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3852 - APPLICANT: SUPERIOR ELECTRICAL ADVERTISING - OWNERS: SYSTEM CAPITAL REAL PROPERTY CORPORATION AND CASSU INVESTMENT GROUP - Request for a Review of Condition No. 11 of an approved Site Development Plan Review (SD-0059-01) WHICH REQUIRED A MASTER SIGN PLAN TO BE APPROVED PRIOR TO THE OCCUPANCY OF ANY BUILDINGS on property located adjacent to the southwest corner of Sahara Avenue and Arville Street (APN: 162-07-101-011 and 019), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF – APPROVED subject to condition – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GEORGE ADAMS, Superior Electrical Advertising, 1700 West Anaheim Street, Long Beach, California, appeared on behalf of the applicant. This is a single-use tenant that will have signage similar to his previous location. There is no retail center and no master sign plan required.

No one appeared in opposition.

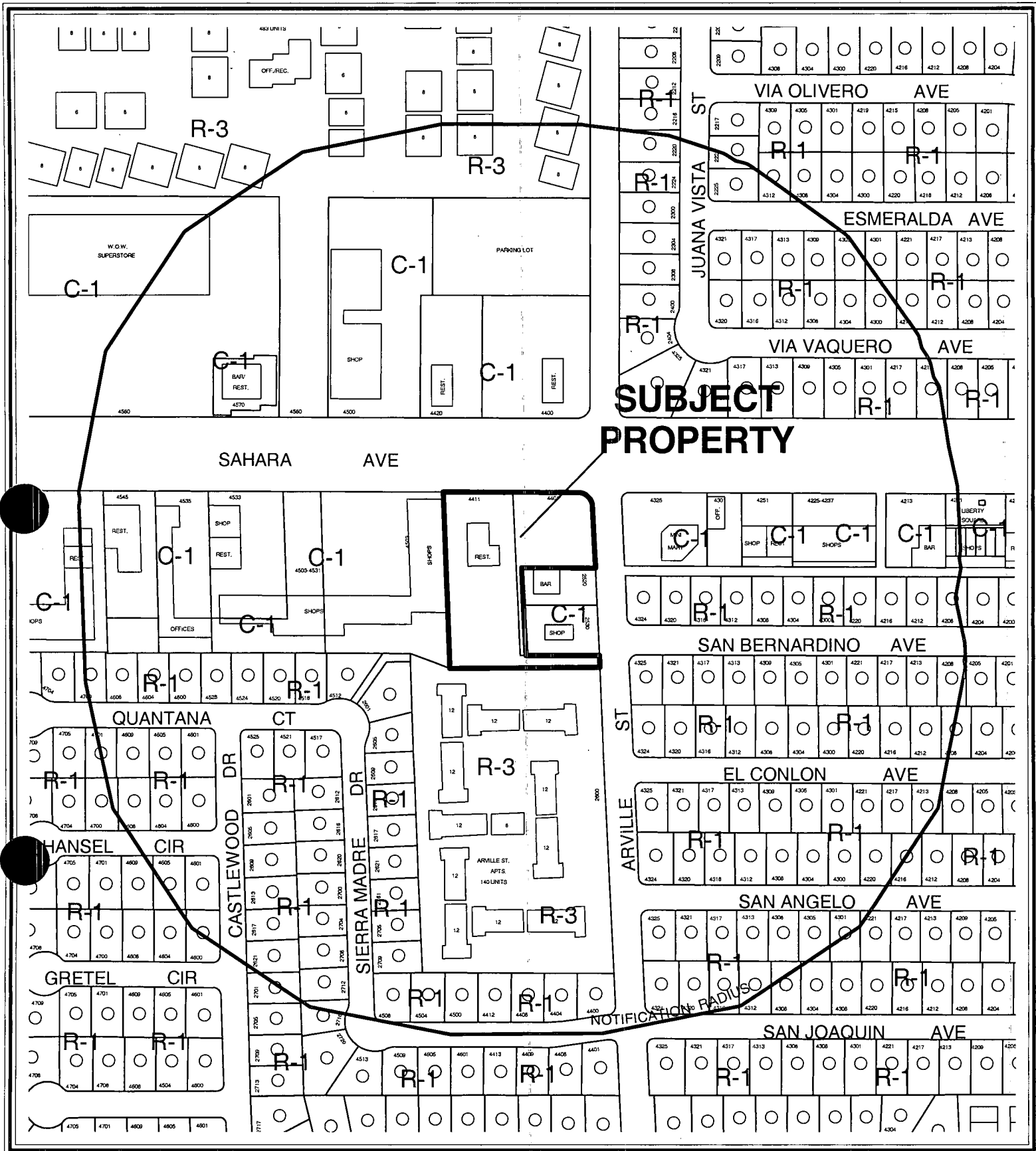
MAYOR GOODMAN declared the Public Hearing closed.

(2:30 – 2:31)

4-705

CONDITIONS:

1. All signage for the fast food restaurant shall be in compliance with Title 19.14.



CASE: ROC-3852

RADIUS: 750 FT

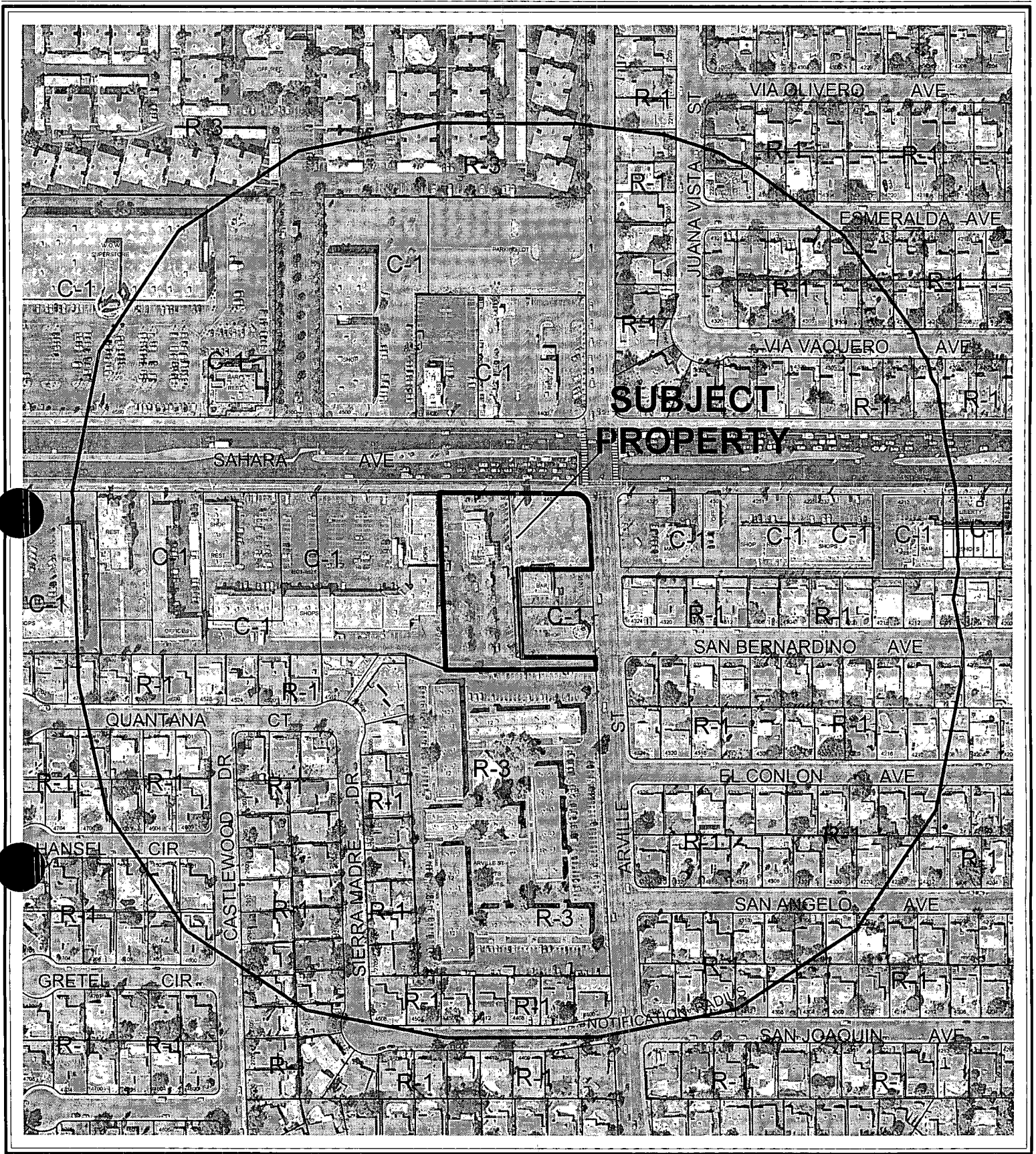
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



112





**SUBJECT
PROPERTY**

NOTIFICATION RADIUS

CASE: ROC-3852

RADIUS: 750 FT

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: ROC-3852 - APPLICANT: SUPERIOR ELECTRICAL
ADVERTISING - OWNERS: SYSTEM CAPITAL REAL PROPERTY CORPORATION
AND CASSU INVESTMENT GROUP**

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

1. All signage for the fast food restaurant shall be in compliance with Title 19.14.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition Number 11 of an approved Site Development Plan Review (SD-0059-01), which required a master sign plan to be approved prior to the occupancy of any buildings on property located adjacent to the southwest corner of Sahara Avenue and Arville Street.

B) Applicant's Justification

The applicant's justification letter indicates they are seeking to obtain a Certificate of Occupancy for the new fast food restaurant (McDonald's) without doing the required Master Sign Plan. The letter states Title 19 no longer requires a Master Sign Plan for developments of this size.

BACKGROUND DATA

- | | |
|----------|--|
| 11/07/01 | The City Council approved a Site Development Plan Review (SD-0059-01) for the fast food restaurant on this site. The Planning Commission recommended approval on October 4, 2001. The Planning and Development Department recommendation was for approval. |
| 12/31/02 | Permits for the fast food restaurant were issued by the Department of Building and Safety. The restaurant is currently under construction and nearing completion. |
| 01/21/04 | Permits for the on-premises signage were submitted to the Department of Building and Safety. The Planning and Development Department review the permits on January 26, 2004 and denied them because the required Master Sign Plan had not been submitted and approved. |

DETAILS OF APPLICATION REQUEST

The applicant is asking to obtain a Certificate of Occupancy for the new fast food restaurant on this site without receiving approval of a Master Sign Plan application by the City Council. Condition of Approval Number 11 for the approved Site Development Plan Review required the Master Sign Plan Prior to the occupancy of any buildings on this property.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

A) Existing Land Use

Subject Property: Fast Food Restaurant (Under Construction)
North: Fast Food Restaurants (Two)
South: Apartments
East: Single Family Residential and Convenience Store
West: Retail Commercial

B) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-3 (Medium Density Residential)
East: R-1 (Single Family Residential) and C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

ANALYSIS & FINDINGS

The applicant's request to remove Condition of Approval Number 11 requiring a Master Sign Plan is appropriate as long as all standards of the zoning code regarding signage are met. The original condition has been revised requiring all signage for the fast food restaurant (McDonald's) to be in compliance with Title 19.14.

On July 16, 2003 the City Council adopted Ordinance Number 5615, which amended the Zoning Code to require Master Sign Plans for commercial developments in excess of 15 acres. Therefore, if this site were reviewed under the current code a Master Sign Plan would not be required.

FINDINGS

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

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

The removal of the requirement for a Master Sign Plan will not affect this project's compatibility with the surrounding developments.

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

The removal of the requirement for a Master Sign Plan will not affect this project's compliance with the General Plan, Title 19 or Commercial Design Standards.

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

The removal of the requirement for a Master Sign Plan will not affect site circulation and traffic in the area.

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

The removal of the requirement for a Master Sign Plan will not change the building or landscape materials for this development.

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

The removal of the requirement for a Master Sign Plan will not affect this project's appearance and compatibility with the surrounding developments.

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

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

NOTICES MAILED 179 by Planning Department

APPROVALS 0

PROTESTS 0



Case Number: ROC-3852 APN: 162-07-101-011
Name of Property Owner: MCDONALD'S CORPORATION
Name of Applicant: Superior Electrical Advertising (George Adams)

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: ZIC TRUESDELL

Partner(s): _____

APN: 162-07-101-011

Signature of Property Owner/Authorized Agent:

Print Name: BENJAMIN GIZAY

Subscribed and sworn before me

This 30th day of January, 20 04
 Rosente Wisowa
 Notary Public in and for said County and State



SAHARA AVENUE

ROC-3852

3-17-04 CC



superior
Electrical Advertising

1700 West Anaheim Street
Long Beach, California
90813-1195
phone: 562.495.3808
facsimile: 562.435.1867

www.superiorsigns.com
design@superiorsigns.com

Project
McDonald's

Address:
4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1 1/22/03 L.R. 20m sign C: change playface
color, use pay draw area, add 2 arch sign,
change call out on pole sign
R2 1/16/04 L.R. Change spec call out to match
verbages used by George.

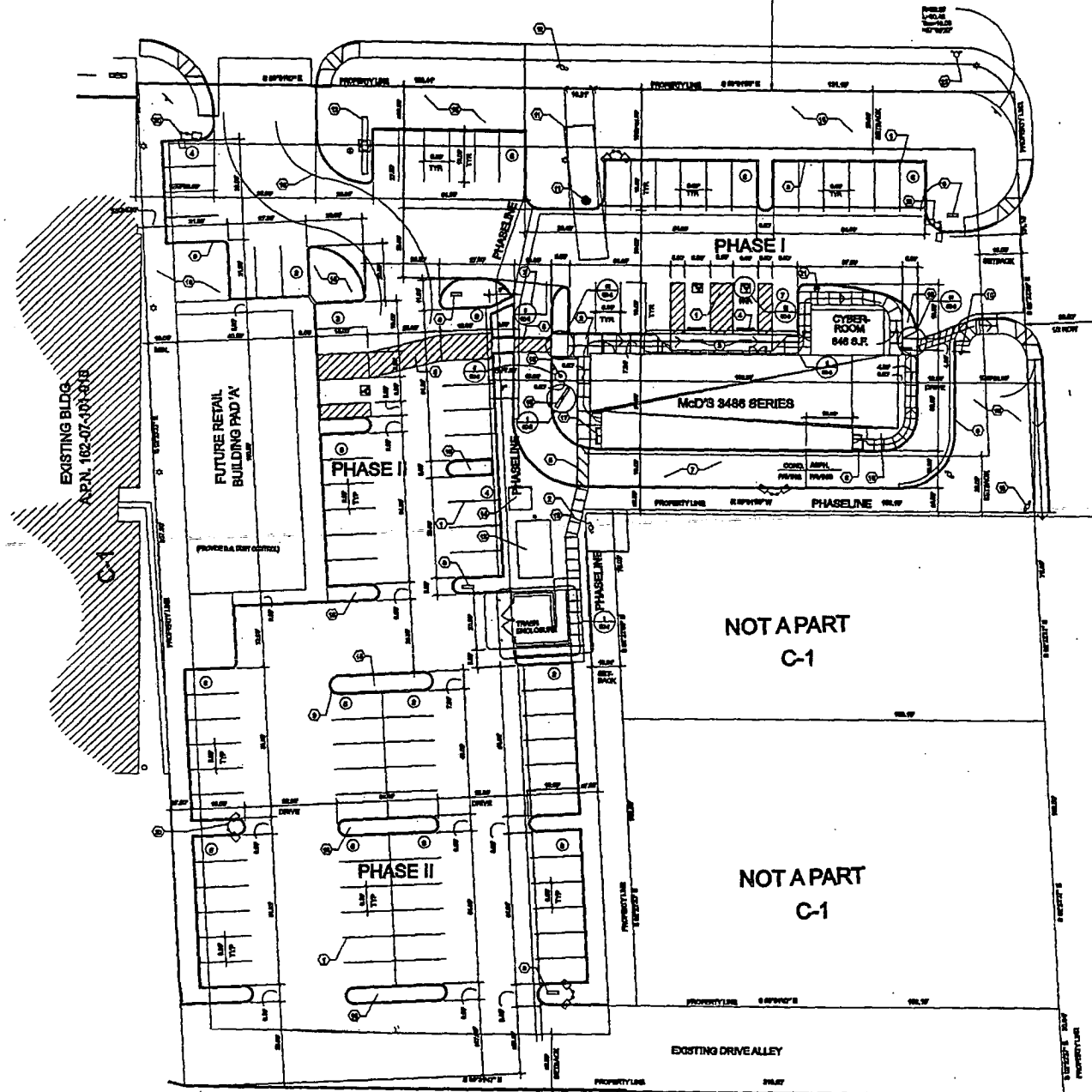
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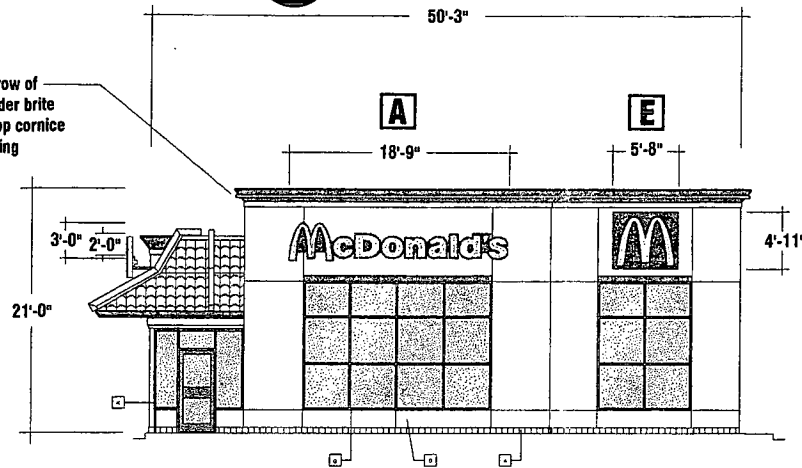
ARVILLE STREET



EXISTING DRIVE ALLEY

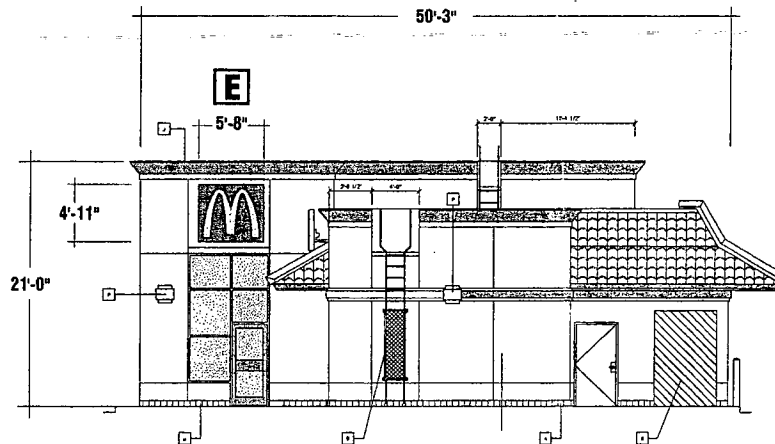
R-3

Single row of
red border brite
along top cornice
of building



EAST ELEVATION (ARVILLE AVE.)

Scale: 3/32" = 1'-0"



WEST ELEVATION

Scale: 3/32" = 1'-0"



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L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1 12/28/02 L.R. Elin, sign C, change playplace
color, use pop clearance, add w/ each sign
change call into no pole sign
R2 01/28/04 L.R. Change sign and note to match
workings sent by George

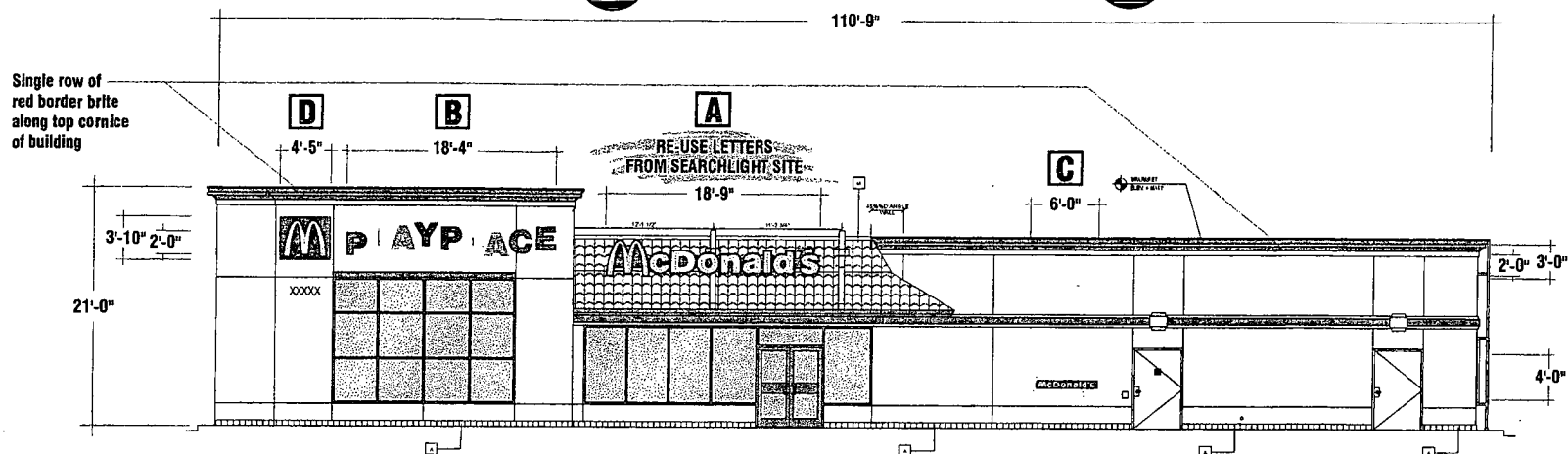
Page: 01
Of: 15

ROC-3852

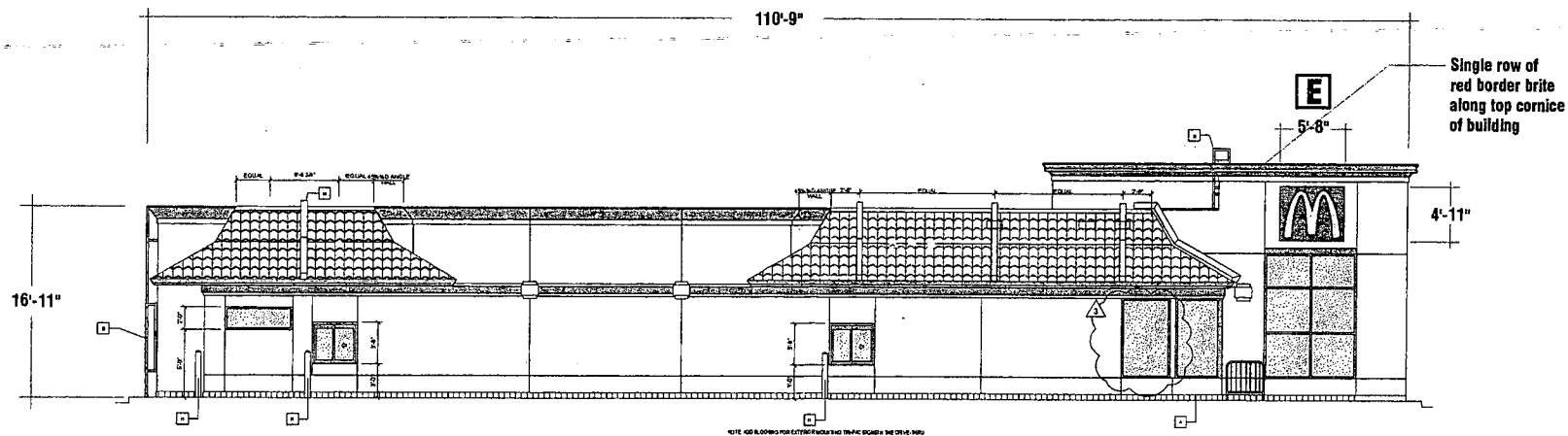
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NORTH ELEVATION (SAHARA AVE.)
Scale: 3/32" = 1'-0"



SOUTH ELEVATION
Scale: 3/32" = 1'-0"



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4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1: 04/30/02 L.R. Edm. sign C, change play area colors, use new dimensions, add all with sign, change color to new sign.
R2: 05/06/02 L.R. Change open end note to match verbiage used by George

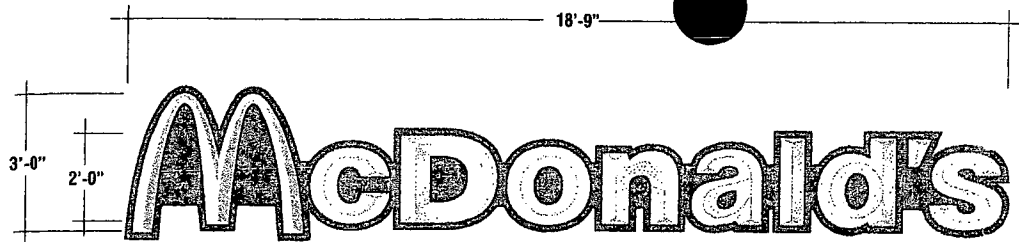
Page: Of
02 15

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3-17-04 CC



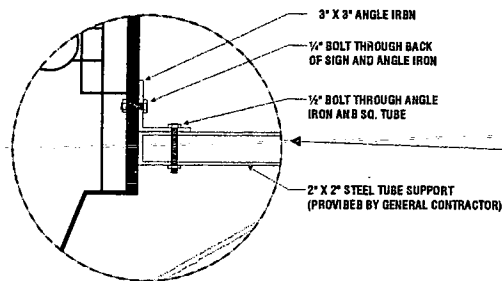
A UNITIZED LETTERS

Scale: 3/8" = 1'-0"

Quantity: Make One (1) Sign & Install One (1) Sign Relocated From Searchlight

SPECIFICATIONS:

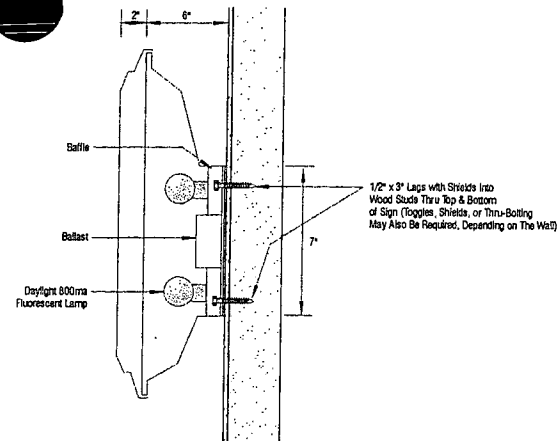
- TWO-PIECE FORMED CHANNEL PLAQUE. LETTERS TO BE VACUUM-FORMED 0.118 CLEAR TOUGH GLASS PS0652 AND DECORATED VIA FLAT CUT AND SPRAY SECOND SURFACE.
- BACK TO BE FORMED IN BLACK ABS AND PAINTED RED OUTSIDE & WHITE INSIDE.
- INTERNAL ILLUMINATION TO BE HIGH OUTPUT FLUORESCENT LAMPS PLACED ON CENTERS FOR EVEN LIGHTING.
- COLORS: LETTER FACES - #7328 WHITE
OUTLINE - RED
BACK OF FORM - RED



ATTACHMENT DETAIL

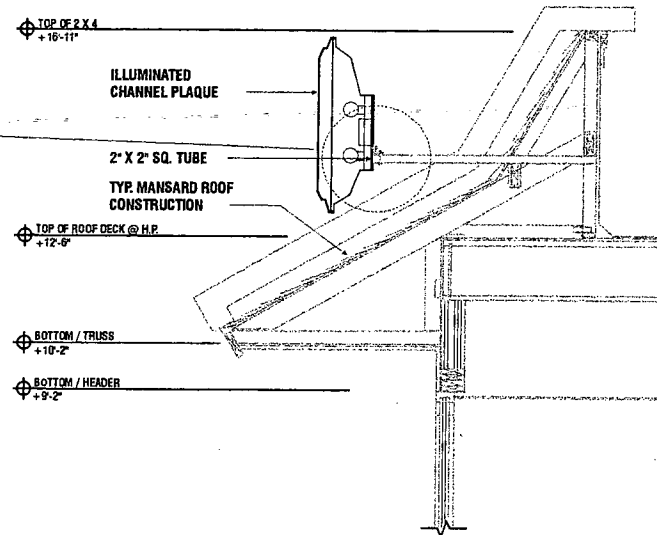
Scale: N.T.S.

RE-USE ONE SET OF LETTERS
FROM SEARCHLIGHT SITE



UNITIZED DETAIL - ELECTOBITS

Scale: N.T.S.



ROOF MOUNTED - WALL SECTION

Scale: N.T.S.



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90813-1195
phone: 562.495.3808
facsimile: 562.435.1867

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design@superiorsigns.com

Project:
McDonald's

Address:
4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1 12/29/04 LR Change spec call note to match
color, use prep clearance, add off with sign.
change call note on pole sign.
R2 1/15/04 LR Change spec call note to match
color, use prep clearance, add off with sign.
change call note on pole sign.

Page: 0f
03 15

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ROC-3852

3-17-04 CC

18'-4"

2'-0"

PLAYPLACE



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phone: 562.495.3808
facsimile: 562.435.1867

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Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1 12/28/02 L.A. Edin, sign C, change plex faces to
colors, use pop clearance, add 1/2 inch high,
change call outs on plex sign
R2 1/2/04 L.A. Change open call outs to read as
varnishes used by George

Page: 04
Df: 15

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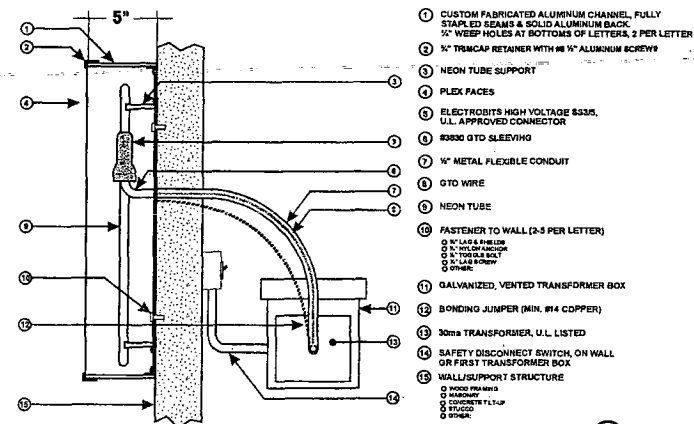
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Note: The Colors depicted here are a
graphic representation. Actual colors
may vary. See color specifications.

B ILLUMINATED CHANNEL LETTERS

Scale: 3/8" = 1'-0"

SPECIFICATIONS:

- PLAYPLACE LETTERS ARE CUSTOM FABRICATED ALUMINUM PAN CHANNEL CONSTRUCTION WITH 5" DEEP RETURNS THAT ARE FINISHED IN AUTOMOTIVE ENAMEL OVER PRIMER UNDERCOAT.
- LETTERS HAVE CLEAR PLEX FACES
- PLAYPLACE ILLUMINATED CHANNEL LETTERS TO BE A "SPELLER" SIGN, EACH LETTER TO LIGHT UP IN SEQUENCE, WHILE PREVIOUSLY LIT LETTERS REMAIN ILLUMINATED. AT THE END, ALL LETTERS WILL BE LIT.
- COLORS: P & E - CLEAR RED NEON
L - YELLOW NEON
A - ORANGE NEON
Y - PURPLE NEON
C - GREEN NEON

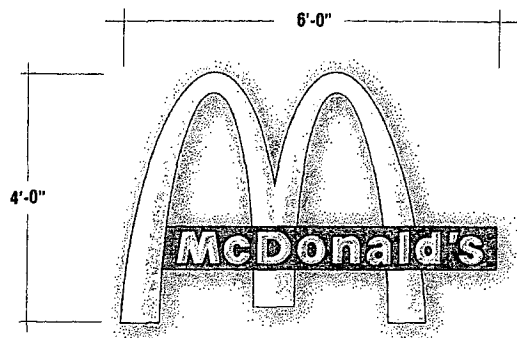


CHANNEL LETTERS SECTION DETAIL - ELECTROBRITE
DETAIL = UL48-T1D



ROC-3852

3-17-04 CC



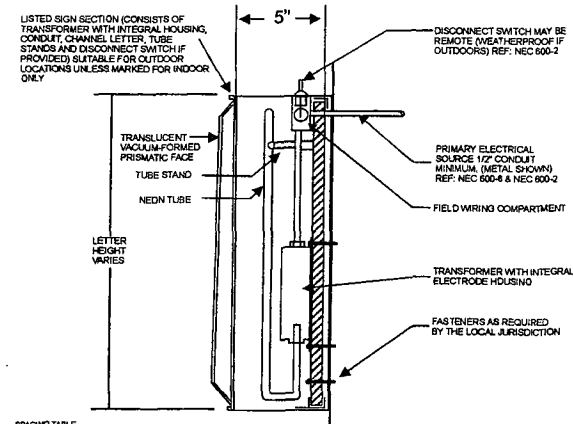
C SINGLE FACE ILLUMINATED WALL ARCH

Scale: 1/2" = 1'-0"

Quantity: One (1) Required

SPECIFICATIONS:

- ARCH & McDONALDS ARE CUSTOM ALUMINUM PAN CHANNEL CONSTRUCTION WITH 5" RETURNS THAT ARE FINISHED IN THERMOSET ENAMEL OVER PRIMER UNDERCOAT
- ARCH FACE IS VACUUM-FORMED
- McDONALDS FACE IS FLAT WITH GRAPHICS SPRAYED SECOND SURFACE
- COLORS: ARCH LOGO - McD'S YELLOW RETURNS
#2037 YELLOW FACE
3/4" GOLD TRIMCAP
McDONALDS - McD'S RED BACKGROUND
WHITE LETTERS



SPACING TABLE

- A. BETWEEN PRIMARY WIRING AND INSULATED HIGH VOLTAGE WIRING
B. BETWEEN INSULATED HIGH VOLTAGE WIRING AND DEAD METAL WHERE WIRING PARALLELS DEAD METAL FOR MORE THAN 1' WITHIN SIGN SECTIONS
C. BETWEEN NEON TUBE (IF OVER 75000 VOLT CIRCUIT) AND DEAD METAL
D. BETWEEN UNINSULATED HIGH VOLTAGE CONDUCTORS OR COMPONENTS (MIDPOINT-GROUNDED TRANSFORMER) AND METAL (GROUND). LOW VOLTAGE CIRCUIT CONDUCTORS AND HIGH VOLTAGE CONDUCTORS OF OPPOSITE POLARITY.

VOLTAGE	A	B	C	D
1001 TO 5000	1/2 INCH	1/2 INCH	NONE	3/4 INCH
5001 TO 10000	3/4 INCH	3/4 INCH	1/4 INCH IF	1 1/8 INCH
10001 TO 75000	1 INCH	1 INCH	75000+	1 1/2 INCH



SELF CONTAINED CHANNEL LOGO SECTION DETAIL

N.T.S.



1700 West Anaheim Street
Long Beach, California
90813-1195
phone: 562.495.3808
facsimile: 562.435.1867

www.superiorsigns.com
design@superiorsigns.com

Project:
McDonald's

Address:
4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
R1 1/2" x 1/2" Ltr. sign, sign C, change play area
colors, use prep channels, add all sign signs,
change call outs on sign also
R2 1/2" x 1/2" Ltr. Change spec call outs to match
hardware used by client

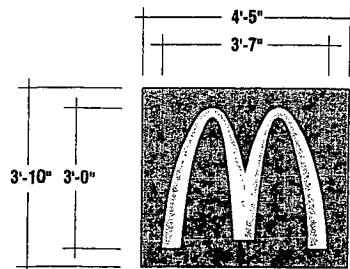
Page: 05
Of: 15

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3-17-04 CC

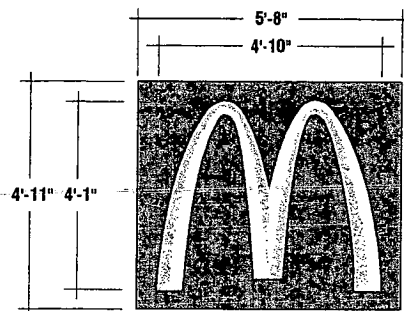


D ILLUMINATED SELF-CONTAINED CHANNEL ARCH ON NON-ILLUMINATED BACKGROUND
Scale: 3/8" = 1'-0"

Quantity: Make One (1) Sign

SPECIFICATIONS:

- LOGOS ARE SELF-CONTAINED PAN CHANNEL ALUMINUM CONSTRUCTION W/5" DEEP RETURNS THAT ARE FINISHED IN THERMOET ENAMEL OVER PRIMER UNDERCOAT.
- FACES ARE VACUUM-FORMED TO CREATE PRISMATIC EFFECT.
- LOGOS ARE INTERNALLY ILLUMINATED WITH U/L LISTED NEON.
- BACKGROUND IS NON-ILLUMINATED ALUMINUM PAINTED McDONALD'S RED
- COLORS: ARCH FACE - #2037 YELLOW
ARCH RETURNS - McD'S YELLOW
TRIMCAP - 3/4" GOLD
BACKGROUND - McD'S RED

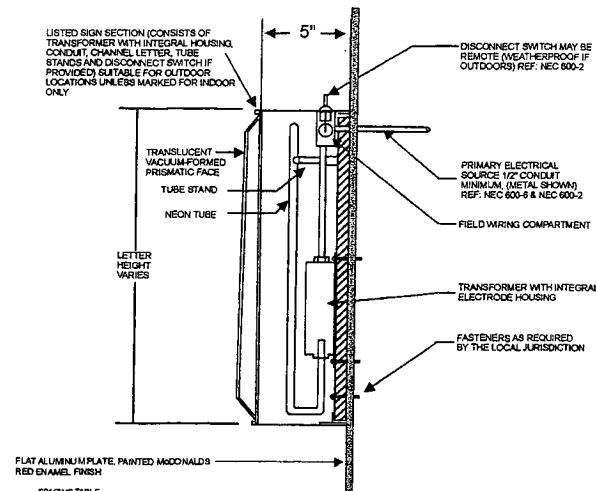


E ILLUMINATED SELF-CONTAINED CHANNEL ARCH ON NON-ILLUMINATED BACKGROUND
Scale: 3/8" = 1'-0"

Quantity: Make Three (3) Signs

SPECIFICATIONS:

- LOGOS ARE SELF-CONTAINED PAN CHANNEL ALUMINUM CONSTRUCTION W/5" DEEP RETURNS THAT ARE FINISHED IN THERMOET ENAMEL OVER PRIMER UNDERCOAT.
- FACES ARE VACUUM-FORMED TO CREATE PRISMATIC EFFECT.
- LOGOS ARE INTERNALLY ILLUMINATED WITH U/L LISTED NEON.
- BACKGROUND IS NON-ILLUMINATED ALUMINUM PAINTED McDONALD'S RED
- COLORS: ARCH FACE - #2037 YELLOW
ARCH RETURNS - McD'S YELLOW
TRIMCAP - 3/4" GOLD
BACKGROUND - McD'S RED



SPACING TABLE

A. BETWEEN PRIMARY WIRING AND INSULATED HIGH VOLTAGE WIRING
B. BETWEEN INSULATED HIGH VOLTAGE WIRING AND DEAD METAL
WHICH WIRING PARALLEL DEAD METAL FOR MORE THAN 1" WITHIN RIGID SECTIONS
C. BETWEEN NEON TUBE IF OVER 7500 VOLT CIRCUIT AND DEAD METAL
D. BETWEEN UNINSULATED HIGH VOLTAGE CONDUCTORS OR COMPONENTS, IMPERFECTLY-INSULATED TRANSFORMERS AND METAL (GROUND) LOW VOLTAGE CIRCUIT CONDUCTORS AND HIGH VOLTAGE CONDUCTORS OF OPPOSITE POLARITY.

VOLTAGE	A	B	C	D
1001 TO 6000	1/2 INCH	1/2 INCH	1/2 INCH	3/4 INCH
6001 TO 10000	3/4 INCH	3/4 INCH	3/4 INCH	1 INCH
10001 TO 15000	1 INCH	1 INCH	1 INCH	1 1/2 INCH
15001 TO 20000	1 1/2 INCH	1 1/2 INCH	1 1/2 INCH	2 INCH



SELF CONTAINED CHANNEL LOGO SECTION DETAIL

H.T.S.



1700 West Anaheim Street
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90813-1195
phone: 562.495.3808
facsimile: 562.435.1887

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design@superiorsigns.com

Project:
McDonald's

Address:
4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

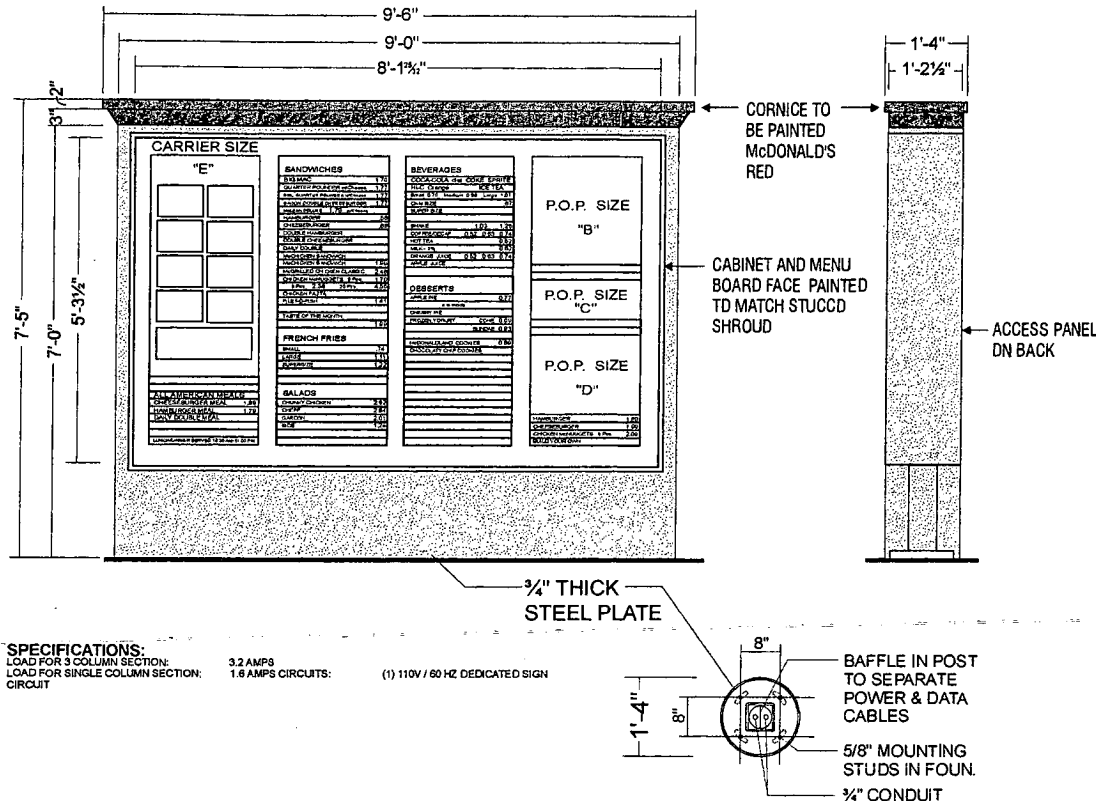
Revisions:
R1 12/28/02 L.R. Edm. sign C. change plate size
color, use new dimensions, add off arch high
change callouts on plate sign
R2 01/28/03 L.R. Change spec callouts to match
variance used by George

Page: Of:
06 15

ROC-3852
3-17-04 CC

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SIGN F (Add Shroud to an Existing Menuboard)



FLORIDA PLASTICS STATIC ILLUMINATED MENUBOARD

43.31 SQ. FT.

(1 UNIT REQUIRED)

SCALE: NTS

SPECIFICATIONS:

SHROUD AND CORNICE TO BE CUSTOM FABRICATED ALUMINUM CONSTRUCTION FINISHED IN AUTOMOTIVE ENAMEL OVER PRIMER UNDERCOAT WITH STUCCO FINISH PAINTED WHITE TO MATCH BUILDING.

ROC-3852

3-17-04 CC

* FOOTING BY G.C. FOOTING TO BE EVEN WITH GRADE *



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 90813-1195
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 facsimile: 562.435.1867

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 design@superiorsigns.com

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 McDonald's

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Designer:
 L. Ramirez 14.0

Scale:
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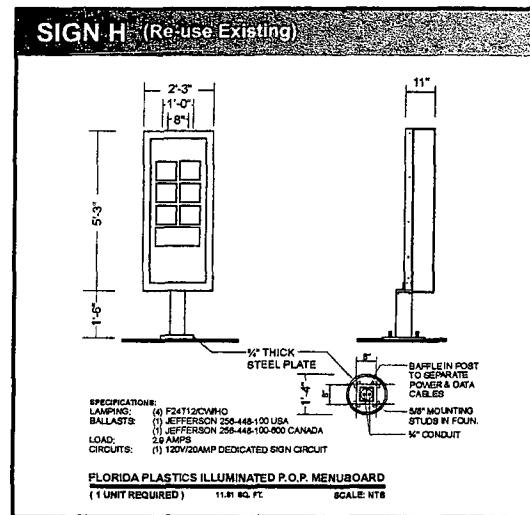
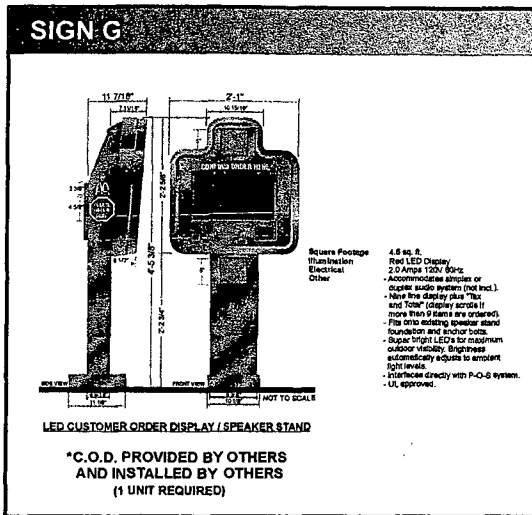
Revisions:
 R1 12/29/02 L.R. E.D. sign C, change playface
 colors, use pop channels, add off back sign,
 change call out to sign plate
 R2 07/20/04 L.R. Change sign call out to match
 callouts used by George

Page: 07
 Of: 15

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**** ALL FOOTINGS BY THE GENERAL CONTRACTOR ****
(for signs on this page)



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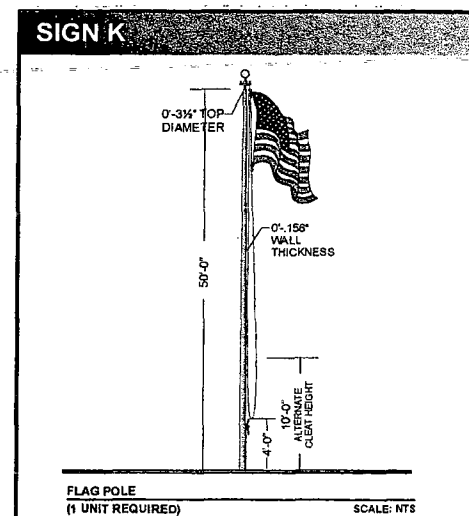
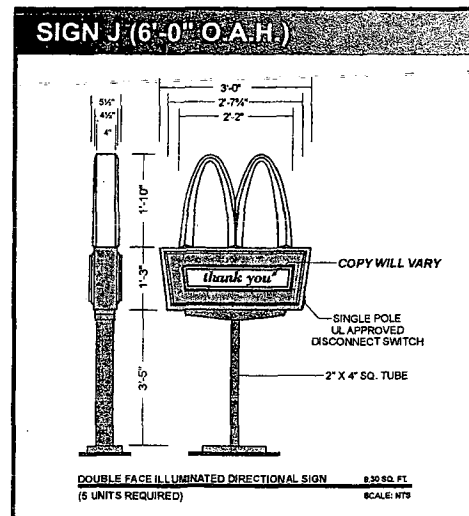
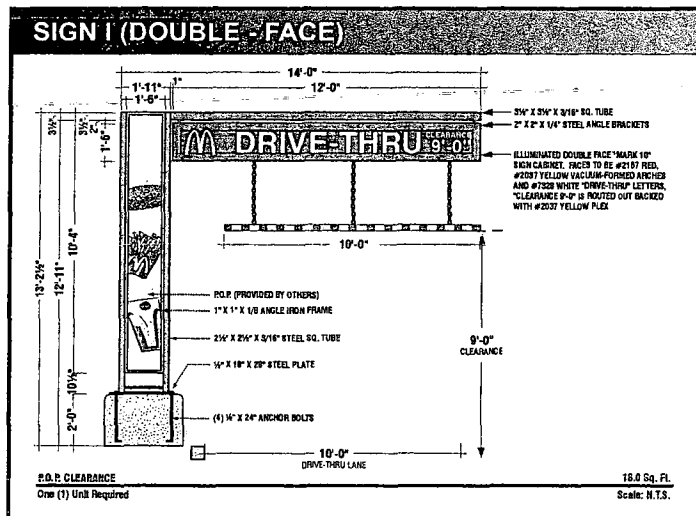
Date:
04-30-02

Reg. No.:

Revisions:
 R1 10/28/02 L.R. 02m, sign G, change flagpole to 50'-0\"/>

Page: 08 Of: 15

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**NEW
Product
Introduction!**

Drive-Thru Canopy

Benefits

- Customer protection from the elements while easing lost drive-thru revenue during inclement weather
- Increased feeling of safety when ordering at night

Features

- Canopy is manufactured of UV protected polycarbonate that withstands the elements without fading or cracking
- Clearance 9'-0" message pre-warns customers of building clearance
- Spring mounted recoil system returns canopy to the original position when struck
- Down-lighting provides customers with a safe ordering environment

General Specs

- 9'-0" Vehicle Height Clearance
- 72" W x 126" H x 50" D
- Canopy manufactured out of translucent Solar Grade Polycarbonate
- Anchor Bolt Installation

Electrical

- 3.0 Amps 120V 60Hz
- (4) F72 T12 H/O lamps & ballast

Ship Weight

- 943 lbs.

0 DRIVE-THRU CANOPY
Scale: N.T.S.

SPECIFICATIONS:

MANUFACTURED BY OTHERS AND INSTALLED BY S.E.A.

Quantity: Install One (1)



1700 West Anaheim Street
Long Beach, California
90813-1195
phone: 562.495.3808
facsimile: 562.435.1867

www.superiorsigns.com
design@superiorsigns.com

Project:
McDonald's

Address:
4411 W. Sahara Ave.,
Las Vegas, NV

Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

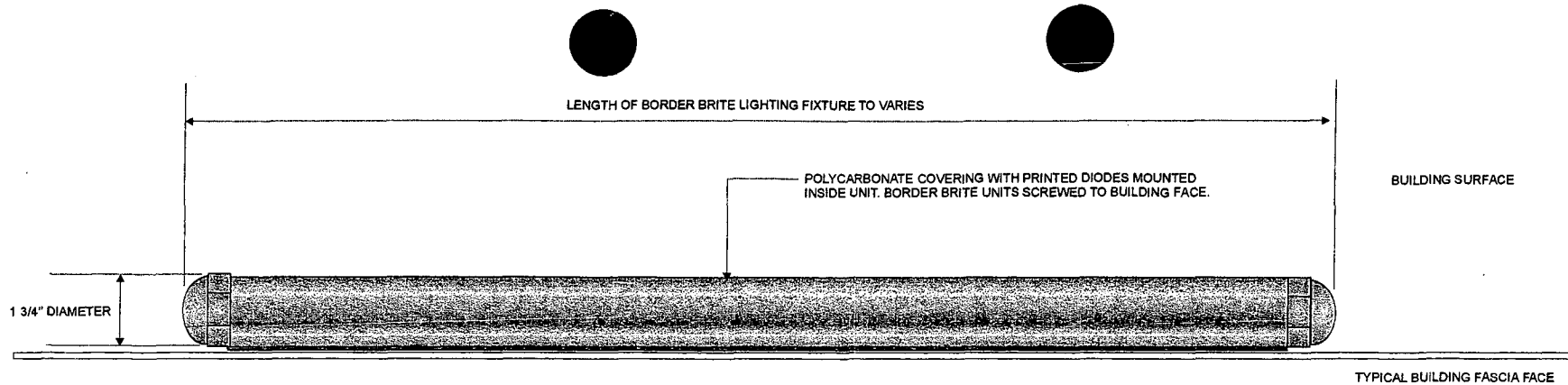
Revisions:
R1 12/29/02 LR: ERM, sign C, change plywood covers, use pre-drilled holes, and all arch sign, change call outs on panel sign.
R2 01/25/03 LR: Change sign call outs to match drawings used by George

ROC-3852
3-17-04 CC

Page: 09
Of: 15

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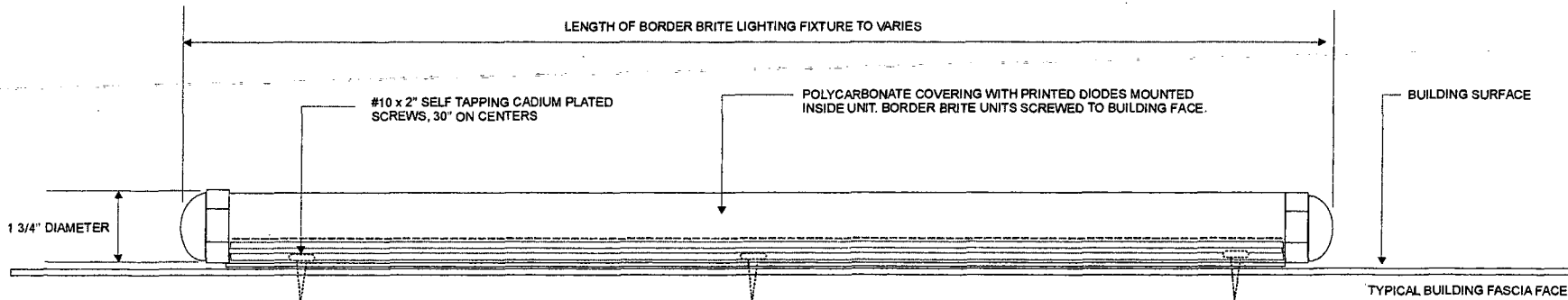
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DURA L.E.D. LIGHTING / LUMILEDS TYPICAL L.E.D. LOW VOLTAGE LIGHTING FIXTURE

N

POLYCARBONATE COLORED EXTERIOR COVERING OVER A LINEAR ARRAY OF SOLID STATE LIGHT EMITTING DIODES (LED) MOUNTED ON A ELONGATED PRINTED CIRCUIT BOARD. BORDER BRITE UNITS ARE MOUNTED END TO END FOR CONTINUOUS LENGTHS , WITH LOW 40 VOLT ,VOLTAGE POWER SUPPLY LOCATED AT THE END OF THE SERIES. ONE POWER CONTROLLER, POWERS 100 FEET OF BORDER BRITE LIGHTING FIXTURES, WITH A SEVEN (7) AMP POWER LOAD. LIGHTING MODULES OPERATE WITH 120 VOLTS, WITH A 40 VOLT SECONDARY ELECTRICAL POWER REQUIREMENT.



DURA L.E.D. LIGHTING / LUMILEDS TYPICAL L.E.D. LOW VOLTAGE LIGHTING FIXTURE INSTALLATION DETAIL

POLYCARBONATE COLORED EXTERIOR COVERING OVER A LINEAR ARRAY OF SOLID STATE LIGHT EMITTING DIODES (LED) MOUNTED ON A ELONGATED PRINTED CIRCUIT BOARD. BORDER BRITE UNITS ARE MOUNTED END TO END FOR CONTINUOUS LENGTHS , WITH LOW 40 VOLT ,VOLTAGE POWER SUPPLY LOCATED AT THE END OF THE SERIES.



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Account Manager:
George Adams

Designer:
L. Ramirez 14.0

Scale:
AS NOTED

Design No.:
02-04-2739

Date:
04-30-02

Reg. No.:

Revisions:
BY 12/28/02 L.R. (L.R. sign C, change plastic covers, use per clearance, add 1/2 inch sign, change call outs on side sign)
BY 1/13/04 L.R. (Change types call outs to match drawings used by George)

Page: 15
Df: 15

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Note: The Colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

ROC-3852
3-17-04 CC



**ROC-3852 - APPLICANT: SUPERIOR ELECTRICAL ADVERTISING – OWNERS:
SYSTEM CAPITAL REAL PROPERTY CORPORATION AND CASSU INVESTMENT
GROUP**

**Located adjacent to the southwest corner of Sahara Avenue and Arville Street
MARCH 17, 2004 CITY COUNCIL MEETING**

Picture taken 02/24/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED - OWNER: SOUTHWEST HOMES (CENTENNIAL PARK) LIMITED LIABILITY COMPANY - Request for a Review of Condition Nos. 4 and 5 of an approved Site Development Plan Review (SDR-1925) WHICH ESTABLISHED SETBACKS FOR A 209 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Severence Lane and Campbell Road (APN: 125-17-401-005), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. This is a clarification of two conditions from the original land use application to allow models with architectural features to fit on the lots. She concurred with the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

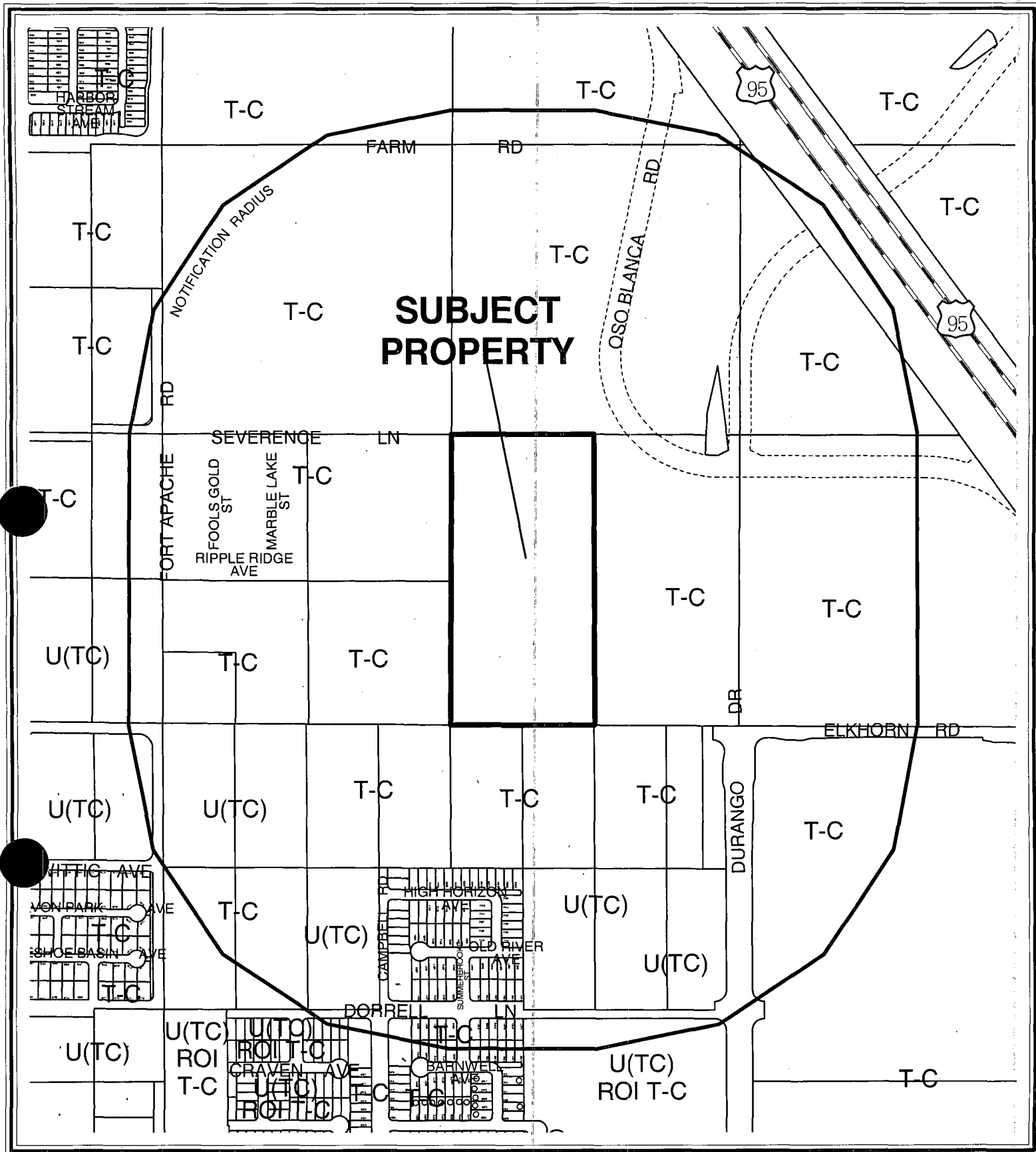
(2:31 – 2:33)

4-745

CITY COUNCIL MEETING OF MARCH 17, 2004.
Planning and Development Department
Item 113 – ROC-3891

CONDITIONS:

1. Condition of Approval Number 4 for Site Development Plan Review SDR-1925 shall be amended to read: The standards for this development shall include the following: typical lot size of 2,200 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
2. Condition of Approval Number 5 for Site Development Plan Review SDR-1925 shall be amended to read: The setbacks for this development shall be a minimum of 10 feet to the front of the house from living space, 3 feet on the side, 3 feet on the corner side, 3 feet in the rear and 5 feet or less or 18 feet or greater from the garage door.



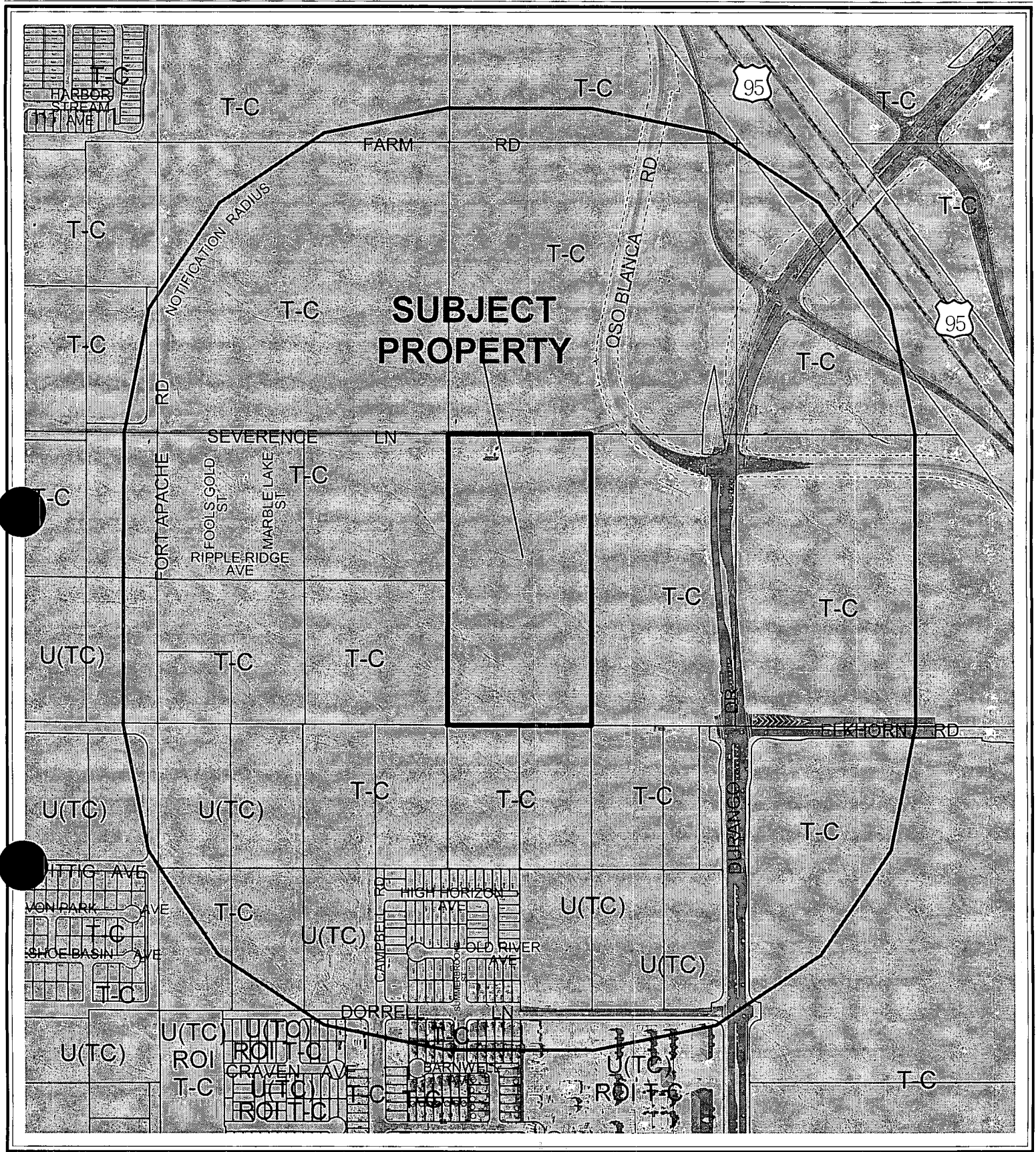
CASE: **ROC-3891**

RADIUS: 1500 FT

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

0 400 800 Feet





CASE: **ROC-3891**

RADIUS: 1500 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED - OWNER: SOUTHWEST HOMES (CENTENNIAL PARK), LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

1. Condition of Approval Number 4 for Site Development Plan Review SDR-1925 shall be amended to read: The standards for this development shall include the following: typical lot size of 2,200 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
2. Condition of Approval Number 5 for Site Development Plan Review SDR-1925 shall be amended to read: The setbacks for this development shall be a minimum of 10 feet to the front of the house from living space, 3 feet on the side, 3 feet on the corner side, 3 feet in the rear and 5 feet or less or 18 feet or greater from the garage door.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Request for a Review of Condition Nos. 4 and 5 of an approved Site Development Plan Review (SDR-1925), which established setbacks for a 209 lot single family residential development on property located adjacent to the southeast corner of Severence Lane and Campbell Road.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting to revise and clarify the setbacks for this development.

BACKGROUND DATA

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on this site as part of a larger request. The Planning Commission recommended denial on November 5, 1998. The Planning and Development Department recommendation was for denial.

05/07/03 The City Council approved a Site Development Plan Review (SDR-1925), which for a 209 lot single family residential development on this site. The Planning Commission recommended denial on April 10, 2003. The Planning and Development Department recommendation was for denial.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to change the following approved setbacks for this development.

Change the minimum separation between buildings to 6 feet where a 10 foot separation is required by Condition of Approval Number 4.

Change the setbacks for the single family residences to: 10 feet in the front from living space, 5 feet or less or 18 feet or greater to the garage, 3 feet on the side and 3 feet in the rear. This change will establish different setbacks than were shown in Condition of Approval Number 5.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

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

Existing Land Use

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

ANALYSIS & FINDINGS

SITE PLAN

Condition of Approval Number 4 for the Site Development Plan Review reads: "The standards for this development shall include the following: typical lot size of 2,200 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less". The applicant is requesting the condition be changed to allow a minimum 6 foot separation buildings. This change is acceptable provided the requirements of all other City Departments are satisfied.

Condition of Approval Number 5 for the Site Development Plan Review reads: "The setbacks for this development shall be a minimum of 10 feet to the front of the house, 5 feet on the side, 5 feet on the corner side, and 3 feet in the rear, to the garage door from the common private drive". The applicant is requesting the condition be changed to: The setbacks for this development shall be a minimum of 10 feet to the front of the house from living space, 3 feet on the side, 3 feet on the corner side, 3 feet in the rear and 5 feet or less or 18 feet or greater from the garage door. This change is also acceptable provided the requirements of all other City Departments are satisfied.

However, staff's original recommendation was for denial of the site plan and these changes will result in lesser setbacks and buildings closer together.

FINDINGS

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

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

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

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

The proposed changes to the setbacks are consistent with Title 19, which allows for the establishment of setbacks for T-C (Town Center) zoned residential projects to create setbacks on a case by case basis.

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

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

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

The proposed setback change will change the building or landscape materials for this development.

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

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

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

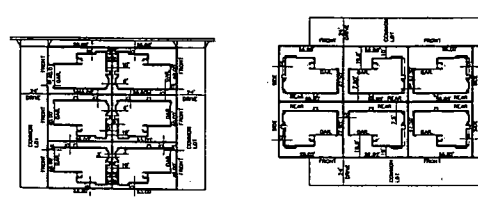
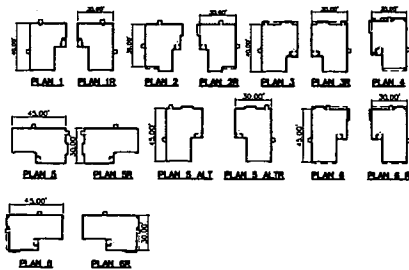
The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 51 by Planning Department

APPROVALS 0

PROTESTS 0

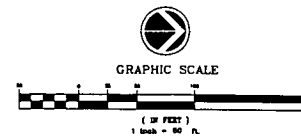
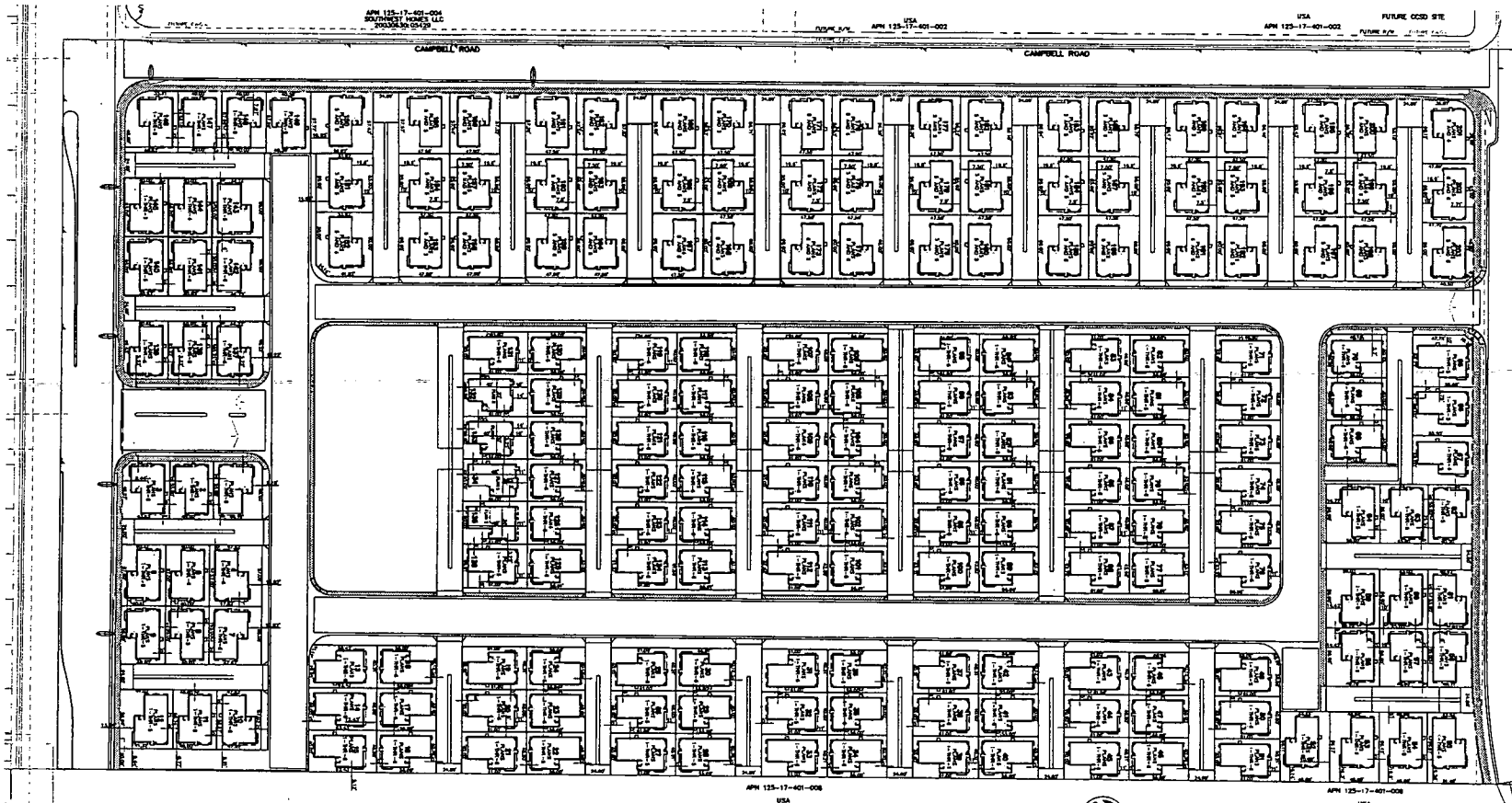
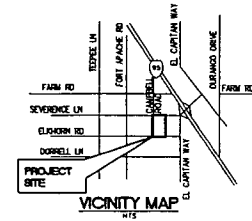




TYPICAL LOT LAYOUTS
1"=50'

BUILDING SETBACKS

THE SETBACKS FOR THIS DEVELOPMENT SHALL BE A MINIMUM OF 10 FEET TO THE FRONT OF THE HOUSE, 5 FEET ON THE SIDE, 5 FEET ON THE CORNER SIDE, AND 3 FEET IN THE REAR, TO THE GARAGE DOOR FROM THE COMMON PRIVATE DRIVE.



NO.	DATE	BY	REVISION DESCRIPTION

STAMP DATE: _____

3810 North Decatur Drive
Las Vegas, NV 89121
Telephone: (702) 448-7700
Fax: (702) 448-7143

SOUTHWEST
LAND PLANNING / ARCHITECT / DEVELOPMENT

FILE _____

PROJECT **LOTFIT ANALYSIS CENTENNIAL PARK**

CITY OF LAS VEGAS

DESIGN BY: **TEAM 1**

DATE: **2-9-04**

SCALE: **1"=50'**

COUNT: **CP-LOTFIT ANALYSIS**

SHEET: **1 OF 1** SHEETS

CLY ENG NO: _____

ROC-3891

3-17-04 CC

STAFF



ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED – OWNER: SOUTHWEST HOMES (CENTENNIAL PARK), LIMITED LIABILITY COMPANY

Located adjacent to the southeast corner of Severance Lane and Campbell Road

MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04



ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED – OWNER: SOUTHWEST HOMES (CENTENNIAL PARK), LIMITED LIABILITY COMPANY

Located adjacent to the southeast corner of Severance Lane and Campbell Road

MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04



ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED – OWNER: SOUTHWEST HOMES (CENTENNIAL PARK), LIMITED LIABILITY COMPANY

Located adjacent to the southeast corner of Severance Lane and Campbell Road

MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3386 -
APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY -
OWNER: JERRY J. KAUFMAN, ET AL - Request for a Site Development Plan Review and
a Waiver of the Downtown Centennial Plan Transportation and Parking Standards FOR A
COMMERCIAL PARKING LOT (VALET) on 0.97 acres located at 601 South Casino Center
Boulevard (APN: 139-34-311-058 through 063), R-4 (High Density Residential) Zone under
Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning
Commission (6-0 vote) and staff recommend DENIAL**

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request from Attorney Jerry Kaufman to withdraw without prejudice

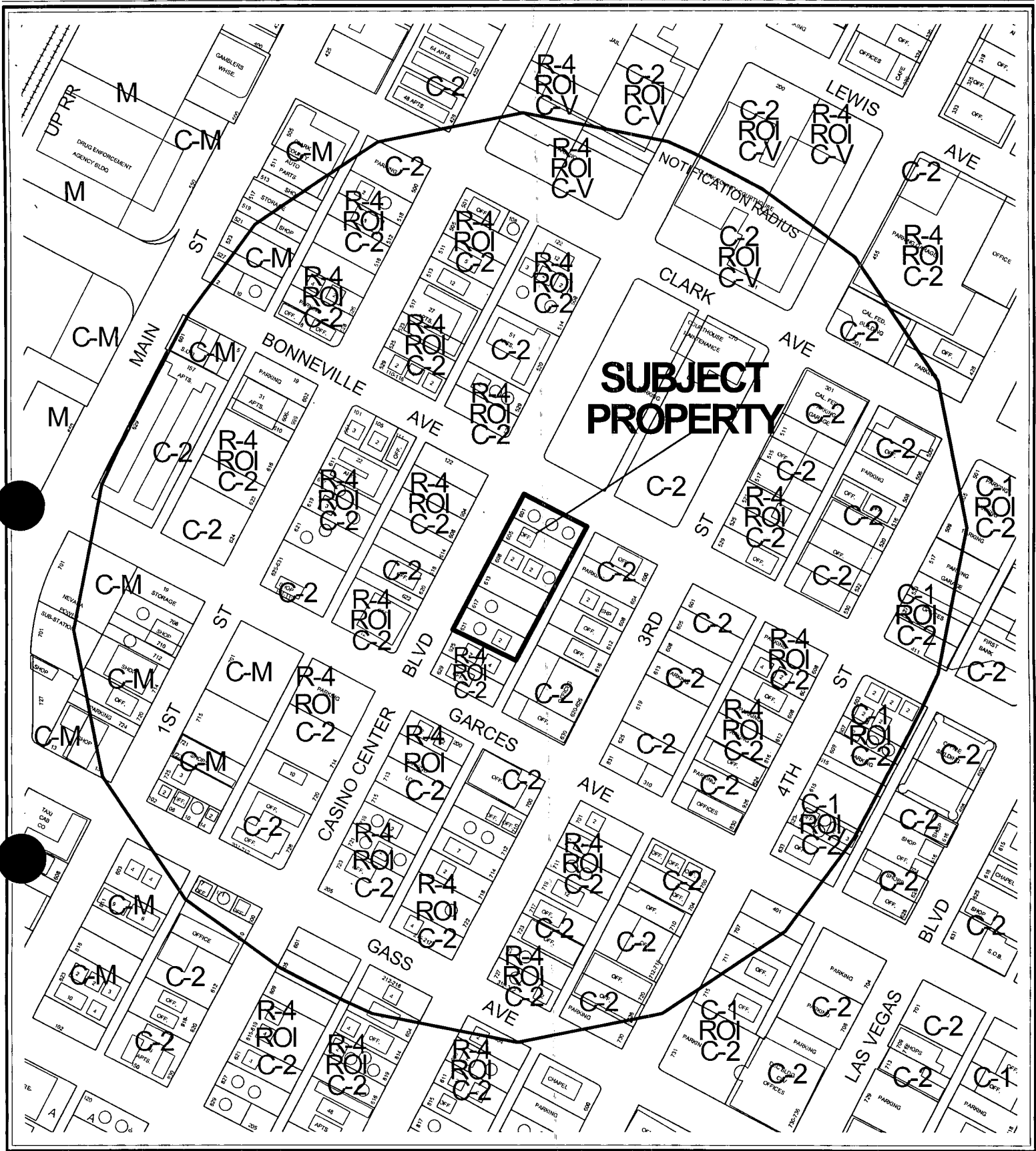
MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs

MINUTES:

There was no discussion.

(2:07 – 2:10)



CASE: SDR-3386

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J. KAUFMAN, ET AL

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised.
2. All development shall be in conformance with the site plan documentation, except as amended by conditions herein.
3. This Site Development Plan Review shall be reviewed in two (2) years at which time the City Council may require the installation of streetscape improvements in accordance with the Downtown Centennial Plan at the applicant's expense. The applicant shall be responsible for notification costs of the review.
4. The railroad cottages shall be relocated to a new site and preserved. The applicant shall allow the City's Historic Preservation Officer to inspect and survey the houses prior to their relocation.
5. A fence and eight-foot deep landscape buffer shall be provided along the east property line, and an eight-foot deep landscape buffer shall be added along the south property line in order to buffer the parking lot from adjacent multifamily properties.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Dedicate a 20-foot radius and grant a traffic chord easement on the southeast corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.
12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Plan Development Standards concurrent with development of this site. All new driveways or modifications to existing driveways should be designed, located and constructed in accordance with Standard Drawing #222a.
13. Landscape and maintain all unimproved rights-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.
14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Bonneville Avenue and Casino Center Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
15. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Transportation and Parking Standards for a Commercial Parking Lot (Valet) on 0.97 acres located at 601 South Casino Center Boulevard.

B) Applicant's Justification

The applicant has stated that there is a need for additional parking in the downtown area, and that the surface lot is only temporary, and that a parking structure will be built on the site in two years.

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The City Council approved a Resolution of Intent (Z-0100-64) to reclassify 230 acres in the downtown area to C-2 (General Commercial). The Planning Commission recommended approval of the reclassification on 12/10/64.
- 09/15/99 The City Council approved a Special Use Permit (U-0082-99) to allow a Bail Bond Service on the property at 605 South Casino Center Boulevard. The Planning Commission recommended approval of the request on 08/12/99. Staff recommended Denial.
- 01/08/04 The Planning Commission voted to hold this item in abeyance at the request of the applicant until the February 12, 2004 Planning Commission meeting.
- 02/12/04 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #23/ff).

B) Pre-Application Meeting

- 10/23/03 The applicant was informed a ten square feet landscape area would be required per parking space; additional information would be required relative to the operation of the business and the proposed kiosk on the site; and that all substandard improvements abutting the site would need to be brought up to code. In addition, issues relative to the preservation of the railroad cottages were discussed, including their listing on the National Register of Historic Properties and possibility of the moving the cottages to a new site.

E) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

E) Site Area

Net Acres: 0.97

E) Existing Land Use

Subject Property: Residential Use, Office Use, Multifamily Residential Use,
Undeveloped

North: Regional Justice Center parking lot

South: Multifamily Use, Office Use

East: Office Use, Multifamily Residential Use

West: Office Use, Undeveloped

E) Planned Land Use

Subject Property: Downtown Redevelopment Area

North: Public Facility

South: Commercial (Office, Service Commercial, General Commercial)

East: Commercial (Office, Service Commercial, General Commercial)

West: Commercial (Office, Service Commercial, General Commercial)

E) Existing Zoning

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

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

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

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

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

E) General Plan Compliance

The subject property is designated Commercial by the Las Vegas Redevelopment Plan. The Commercial designation allows uses comparable to the following designations: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is generally in compliance with the land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Project 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

The development site is subject to the requirements of the Downtown Centennial Plan, and is located within the boundaries of the Office Core District. The site is not part of any additional Overlay District or Study Area, and there are no trails abutting the site. The development is not a Project of Regional Significance, nor does it require the submittal of a Development Impact Notification Assessment.

PROJECT DESCRIPTION

The scope of the project includes the removal of five existing railroad cottages on the site and the construction of a 179-stall commercial parking lot. The parking lot is designed with tandem spaces to maximize the quantity of cars that can be parked on the site, and on-site staff will be retained to park the cars and collect parking fees. A pre-fabricated kiosk building will be installed on the site for the staff attendants. An eight-foot wide landscape buffer will be provided along the north and west sides of the property, with a 42-inch high decorative fence to screen the lot from the abutting streets.

The applicant has pledged to preserve the railroad cottages if possible; however, no plan is currently in place to move the cottages to a new location. These cottages are listed on the National Register of Historic Properties, and their demolition or removal will seriously impact preservation efforts in the City of Las Vegas.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided
Min. Lot Size	N/A	.97 acres
Min. Lot Width	N/A	300 Feet
Min. Setbacks		
• Front	0 Feet	55 Feet
• Side	N/A	105 Feet
• Corner	0 Feet	175 Feet
• Rear	N/A	78 Feet
Building Step-backs	N/A	N/A
Max. Lot Coverage	Up to 100%	93%
Max. Building Height	N/A	N/A
Trash Enclosure	Must be screened from public view	None provided

The parking kiosk is the only habitable structure that will be located on the site, and will conform to all required setbacks.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan from the automatic application of Residential Adjacency Standards. There is a multifamily residential property immediately abutting the southern border of the site, and another multifamily property immediately east of the site.

A3) Parking and Traffic Standards

Minimum parking space requirements do not apply to commercial parking lots. Three handicap parking spaces will be provided on the site.

A4) Landscape and Open Space Standards

The property is subject to the landscape standards of the Downtown Centennial Plan, as listed below:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	30 Trees	15 Trees
Buffer:			
• Min. Square Footage	10 SF/Parking Space	1,790 SF	3,110 SF
• Min. Zone Width	8 Feet		8 Feet
• Wall height	42 Inches		42 Inches

The site plan as submitted will comply with the minimum landscape area, minimum buffer width, and street-side screen wall requirements. An insufficient number of trees are provided in the landscape buffer area, no landscape islands have been provided in the interior of the parking lot, and no buffers are provided at the south or east property lines. In addition, no streetscape treatment has been provided as required by the Downtown Centennial Plan. The applicant has requested a waiver from the interior landscaping and streetscape treatment requirements.

A5) Sign Standards

The applicant is proposing to locate a small freestanding sign at each driveway entrance to the parking lot. The proposed signage will be subject to the requirements listed in Title 19.14.

B) General Analysis and Discussion

- Zoning

Commercial parking facilities are a permitted use in the C-2 (General Commercial) district. The only structure proposed for the site, a valet kiosk, will conform with all required setbacks.

- Site Plan

The design of the parking spaces abutting the Bonneville Avenue driveway provides no area for vehicular stacking, which may result in impacts to the flow of traffic on Bonneville Avenue as vehicles wait to enter the parking lot. The design of the Casino Center driveway provides sufficient on-site stacking room so that no impacts should result. The easternmost row of parking spaces will exit directly to the public alley behind the property, with no fence or landscape buffer to separate the parking lot from the alleyway. Allowing all of the parking spaces on the eastern side of the lot to exit onto the alley may overburden the use of the alley and pose impacts to other alley users.

- Waivers

The applicant has requested waivers from the Downtown Centennial Plan requirements for interior landscaping and buffer areas, and from the provision of streetscape improvements.

- Landscape Plan

A conforming landscape buffer is provided adjacent to the Bonneville Avenue and Casino Center Boulevard rights-of-way. No buffers are proposed along the east and south property lines; consequently, the parking lot is not adequately screened from adjacent parcels. No landscaping will be provided at the interior of the parking lot. As previously mentioned, the applicant has requested a waiver from providing the streetscape improvements that are required by the Downtown Centennial Plan along Bonneville Avenue and Casino Center Boulevard. The required streetscape improvements would include an 11-foot wide sidewalk and a five-foot deep amenity zone along both streets, with palm trees in the amenity zone along Casino Center, and shade trees in the amenity zone along Bonneville Avenue.

- Downtown Centennial Plan

The Office Core required a minimum 1.5 FAR and minimum two-story building height unless waived by the City Council due to economic hardship.

FINDINGS

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

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

The proposed development will remove the largest collection of historic railroad cottages in one block and replace them with a parking lot. While providing needed parking facilities in the downtown area, the proposed surface parking lot is inconsistent with intended development of the surrounding Office Core.

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

The proposed development is inconsistent with goals and objectives of the Office Core District of the Downtown Centennial Plan, which seeks to minimize gaps in the urban fabric caused by surface parking lots. The Plan encourages a dense, pedestrian-oriented district, with widened sidewalks, street-level retail uses, and parking in structured facilities. No buffers will be provided at the south or east property lines, contrary to Code requirements, nor will streetscape treatments be installed as part of the development plan. In addition, no landscape islands will be provided within the parking lot. The applicant has requested waivers from the landscaping and streetscape requirements.

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

The design of the parking spaces adjacent to the Bonneville driveway may result in impacts to the flow of traffic on Bonneville Avenue. In addition, the easternmost row of parking spaces will exit directly to the public alley behind the property, which will impact other users of the alley.

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

The landscape materials proposed for the buffer areas are consistent with the streetscape materials specified by the Downtown Centennial Plan, and the perimeter buffer abutting Bonneville and Casino Center conforms with minimum requirements.

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

The only structure proposed for the site is a pre-fabricated valet kiosk, which will be located adjacent to the Casino Center driveway. The structure is of a generic character.

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

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

PLANNING COMMISSION ACTION

The applicant requested that sentence #1 of Condition #4 be amended as follows: “The applicant shall provide reasonable financial participation in the relocation of the railroad cottages.” Staff concurred with this change. Staff requested two conditions be added and the applicant agreed.

- Applicant must provide proof of economic hardship for less than 1.5 FAR development and less than two-story building height.
- All streetscape, sidewalk and landscape requirements of the Downtown Centennial Plan shall be met by the applicant.

Also Condition #8 is to be deleted and Condition #5 amended to refer to fencing as shown in Graphic 6 of the Downtown Centennial Plan.

NOTICES MAILED 118 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3386 APN: 139-34-311-058 thru 063
Name of Property Owner: JERRY S. KAUFMAN, INDIV, & AS TRUSTEE
JERRY S. KAUFMAN FAMILY TRUST
Name of Applicant: FM PARKING FACILITIES LLC

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

Yes

~~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: _____

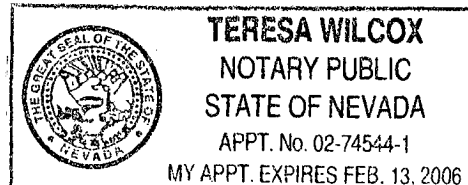
Signature of Property Owner/Authorized Agent:

Print Name: OF THE JERRY J. KAUFMAN FAMILY TRUST.

Subscribed and sworn before me

This 17 day of November, 2013

Teresa Wilson
Notary Public in and for said County and State



KAUFMAN FM PARKING FACILITIES PROPOSAL

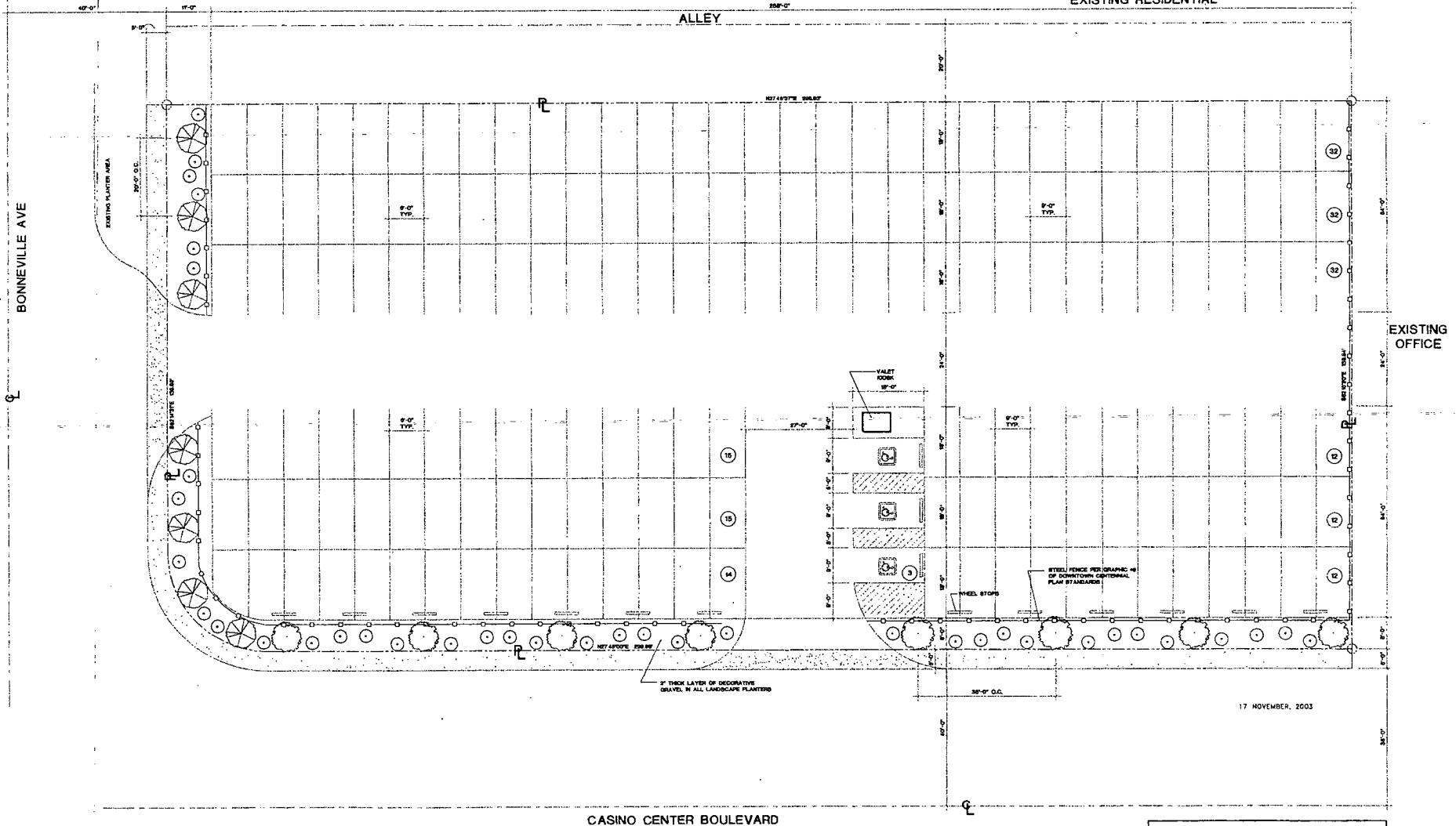
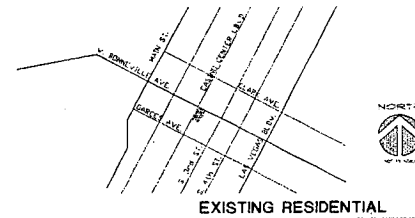
PLANT LEGEND

SIZE	QUANTITY	BOTANICAL NAME	COMMON NAME
2" HIGH x 30" O.C.	8	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM
5" HIGH x 30" O.C.	8	FRAXELUS LAEVE	EVERGREEN ASH
SHRUBS / GROUND COVERS			
6" GAL	88	RAVENSOLIA BICOLOR	PINK HAWTHORN

MISCELLANEOUS NOTES

1. ALL EXPOSED SOILS TO BE COVERED BY 2" THICK LAYER OF DECORATIVE GRAVEL.
2. ALL TREES AND SHRUBS TO BE SPACED ACCORDING TO CITY OF LAS VEGAS REQUIREMENTS.
3. ASSORTED 6 GAL SHRUBS TO COVER MORE THAN 80% OF LANDSCAPE AREA.
4. TREES SHALL NOT BE PLANTED WITHIN 2' OF A DEDICATED FOOT-OF-WALK, TREES MATURE.
5. ANY TREE WITHIN 9' OF A SIDEWALK / PAVED SURFACE AND/OR WALL SHALL BE PLANTED WITH A ROOT BARRIER DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
6. NOT USED.
7. DECORATIVE GRAVEL - COLOR RED SANDSTONE 8/16" DECOMPOSED GRANITE - COLOR PLAINING CORAL 1/2" SORBED.
8. DECORATIVE GRAVEL SOURCE: VISTA ROCK, LAS VEGAS, NEVADA. STAR HARBOR, STAR HARBOR, STAR HARBOR.
9. ALL LANDSCAPE AREAS TO RECEIVE COMPLETE AUTOMATIC IRRIGATION UNDERGROUND DRIP IRRIGATION SYSTEM.

VICINITY MAP



SITE PLAN - 179 STALLS

1" = 10'-0"



ARCHITECT
 CERALD GARAPICH • AIA • LLC
 10 COMMERCE CENTER DRIVE
 HENDERSON, NEVADA 89014
 (702) 434-5442 FAX (702) 434-7842

SDR-3386
 01-08-04 PC



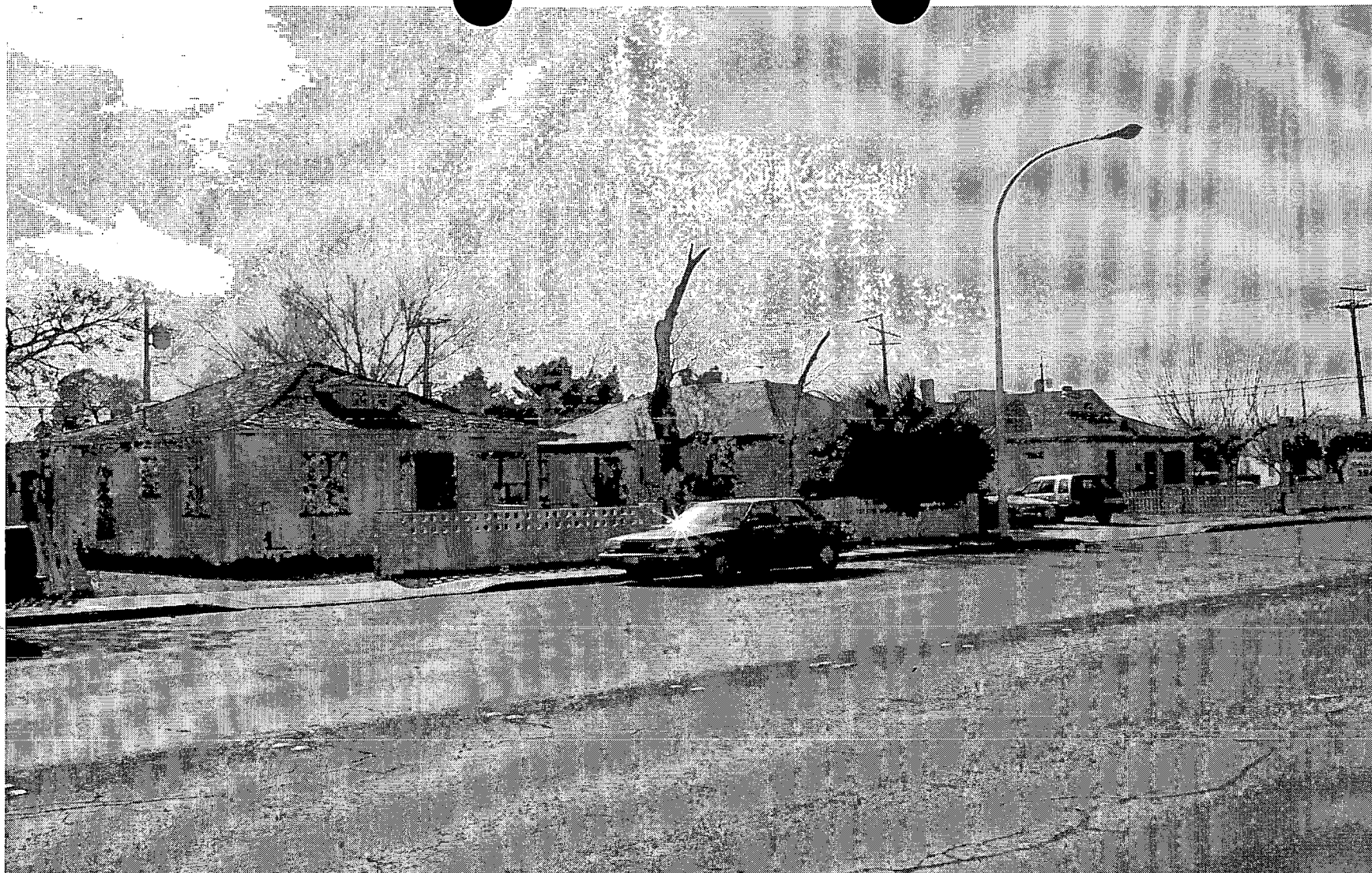
SDR-3386 - FM PARKING FACILITIES, LIMITED LIABILITY COMPANY ON BEHALF OF JERRY J.
KAUFMAN, ET AL
601 SOUTH CASINO CENTER BOULEVARD
FEBRUARY 12, 2004 PLANNING COMMISSION

12/29/03



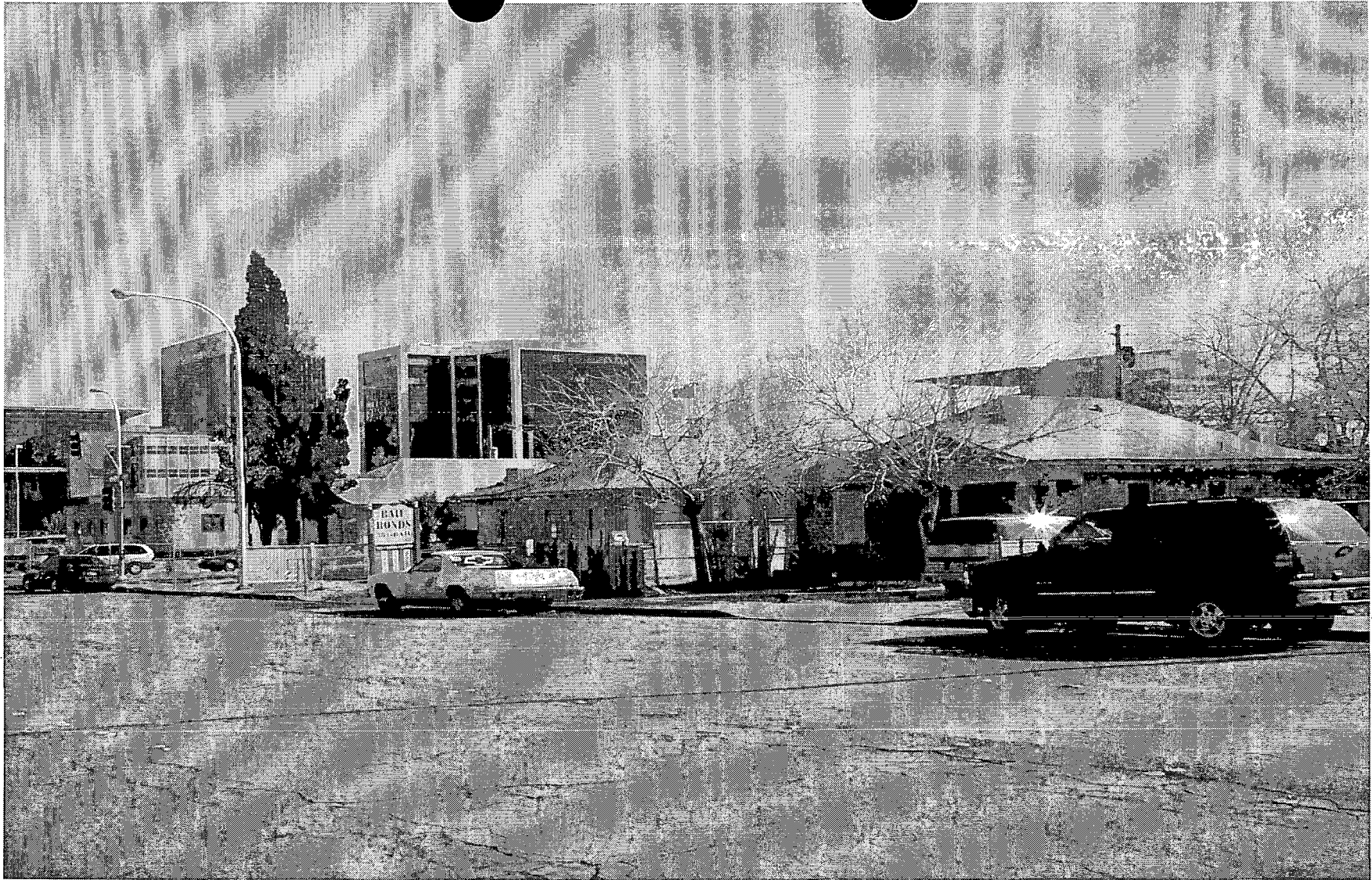
SDR-3386 - APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY
- OWNER: JERRY J. KAUFMAN, ET AL
601 South Casino Center Boulevard
MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04



SDR-3386 - APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY
- OWNER: JERRY J. KAUFMAN, ET AL
601 South Casino Center Boulevard
MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04



SDR-3386 - APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY
- OWNER: JERRY J. KAUFMAN, ET AL
601 South Casino Center Boulevard
MARCH 17, 2004 CITY COUNCIL MEETING

Picture taken 02/24/04

FROM : Jerry Kaufman, Esq.

FAX NO. : 702+362+3615

Mar. 17 2004 01:22PM P1

FAX FAX FAX FAX FAX FAX FAX FAX FAX

JERRY J. KAUFMAN, ESQ.
8380 TURTLE CREEK CIRCLE
LAS VEGAS, NEVADA 89113
(702) 362-7192
FAX(702) 247-4753
e-mail: JKAUFDROP@AOL.COM

March 8, 2004

CLV PLANNING

To: Margo/City of Las Vegas

Re: Item # 114 of Council Agenda for March 17, 2004

VIA FACSIMILE

From: Jerry J. Kaufman, Esq.

I have received this date a fax from Mr. Frederic Richman of FMG Parking Facilities, LLC. He advised, and I partially quote:

"I received your fax and will prepare a stipulation."

"I will send you a letter later today that we agreed to terminate our relationship and for the return of the escrow money to FMG Parking Facilities LLC."

Based upon this agreement, I hereby request that Item # 114 be taken off calendar and that the application be withdrawn without prejudice.

Any future applications will be very considerate of the Council's desire to maintain the highest degree of architectural integrity. I love this City, after almost 40 years, second only to the Mayor.

Very truly yours,

Jerry J. Kaufman

SDR-3386

Submitted after final agenda

Date 3/17/2004 Item #114

RECEIVED
CITY CLERK
2004 MAR 17 PM 1:05

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING - **MOD-3652** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: AZURE SOUTH, INC.** - Request for a Major Modification to the Town Center Development Standards TO ALLOW AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) AS A PERMITTED USE IN THE SX-TC (SUBURBAN MIXED USE – TOWN CENTER) DISTRICT with the approval of a Special Use Permit and Conditions of approval, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 115 [MOD-3652], Item 116 [SUP-3650] and Item 117 [SDR-3648].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, and MATT WERNER, Montecito Companies, 6600 West Charleston Boulevard, Suite #126, appeared on behalf of the applicant. ATTORNEY LAZOVICH advised MAYOR GOODMAN that this is a Shulman project. MR. WERNER clarified that MR. SNYDER had an interest in property brought forward under and within a Montecito Companies project, but had never had an ownership interest with this project or with Montecito Companies itself. DEPUTY CITY ATTORNEY BRYAN SCOTT assured MAYOR GOODMAN that upon that representation, he was not required to abstain due to a partnership with MR. SNYDER regarding property owned in Apex.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 115 – MOD-3652

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commented on the grass landscaping shown in the rendering displayed at the Planning Commission meeting. He expressed concerns with the non-drought tolerant landscaping, especially along the trail, and with the poor architectural design.

COUNCILMAN MACK expressed appreciation for the aesthetically pleasing tire store. There was initial concern with the proximity to a neighborhood, but the developer has worked with those neighbors regarding increased tree buffering. ATTORNEY LAZOVICH concurred with the added condition on Item 117 [SDR-3648]. MR. WERNER noted that the rendering was provided by Discount Tire to show the new building elevation. The landscaping was artistic license. The proposed landscaping is desert landscaping and ground cover specified in the Town Center standards.

ROBERT GENZER, Director of Planning and Development Department, reported that staff did not have the revised plan and requested that the developer be directed to provide same. ATTORNEY LAZOVICH provided a copy of the plan to MR. GENZER.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [MOD-3652], Item 116 [SUP-3650] and Item 117 [SDR-3648].

(2:33 – 2:40)

4-796

CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-3648) and a Special Use Permit (SUP-3650) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Town Center Development Standards Manual, except as amended by this request.
3. Add the following to the Centennial Hills Town Center Development Standards Manual:

Add “Auto Parts (New and Rebuilt) (Accessory Sales and Service)” as a Special Use Permit to the SX-TC (Suburban Mixed Use - Town Center) column only of the Permitted Uses Matrix under Section B.2 of the Manual; and

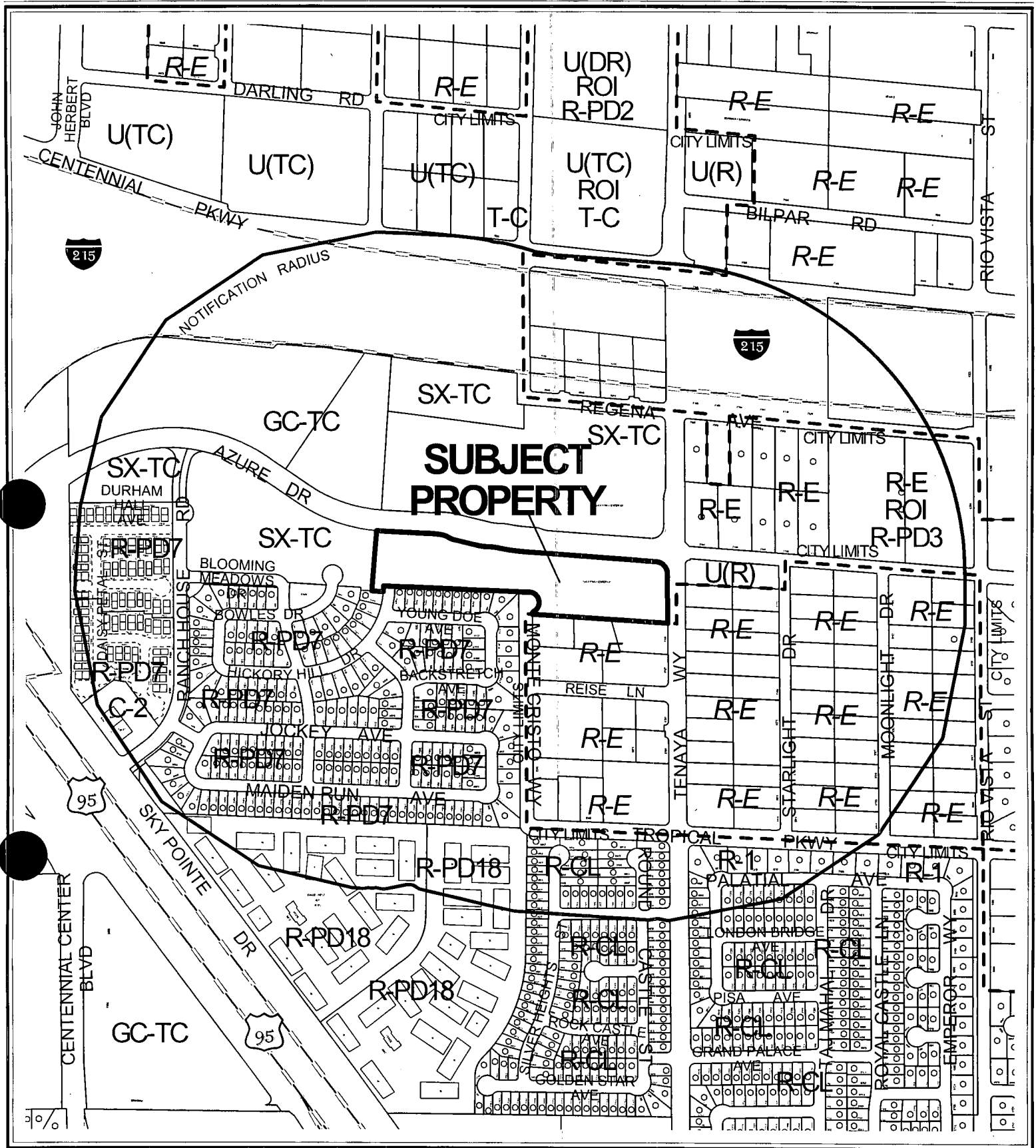
Add the following text as a new Subsection 1a) under Section B.4.b of the Manual:

- “ 1a) Auto Parts (New and Rebuilt) (Accessory Sales and Service)
- All conditions for this use as specified under Title 19.04.040 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following conditions must also be satisfied.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 115 – MOD-3652

CONDITIONS – Continued:

- The building occupied by the Auto Parts use must be at least 330 feet from the property boundary of any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development, or be separated from such existing or potential residential areas by an existing trail/buffer area with a minimum width of 30 feet.
- Any vehicular doors must not face any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development.”



CASE: MOD-3652

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

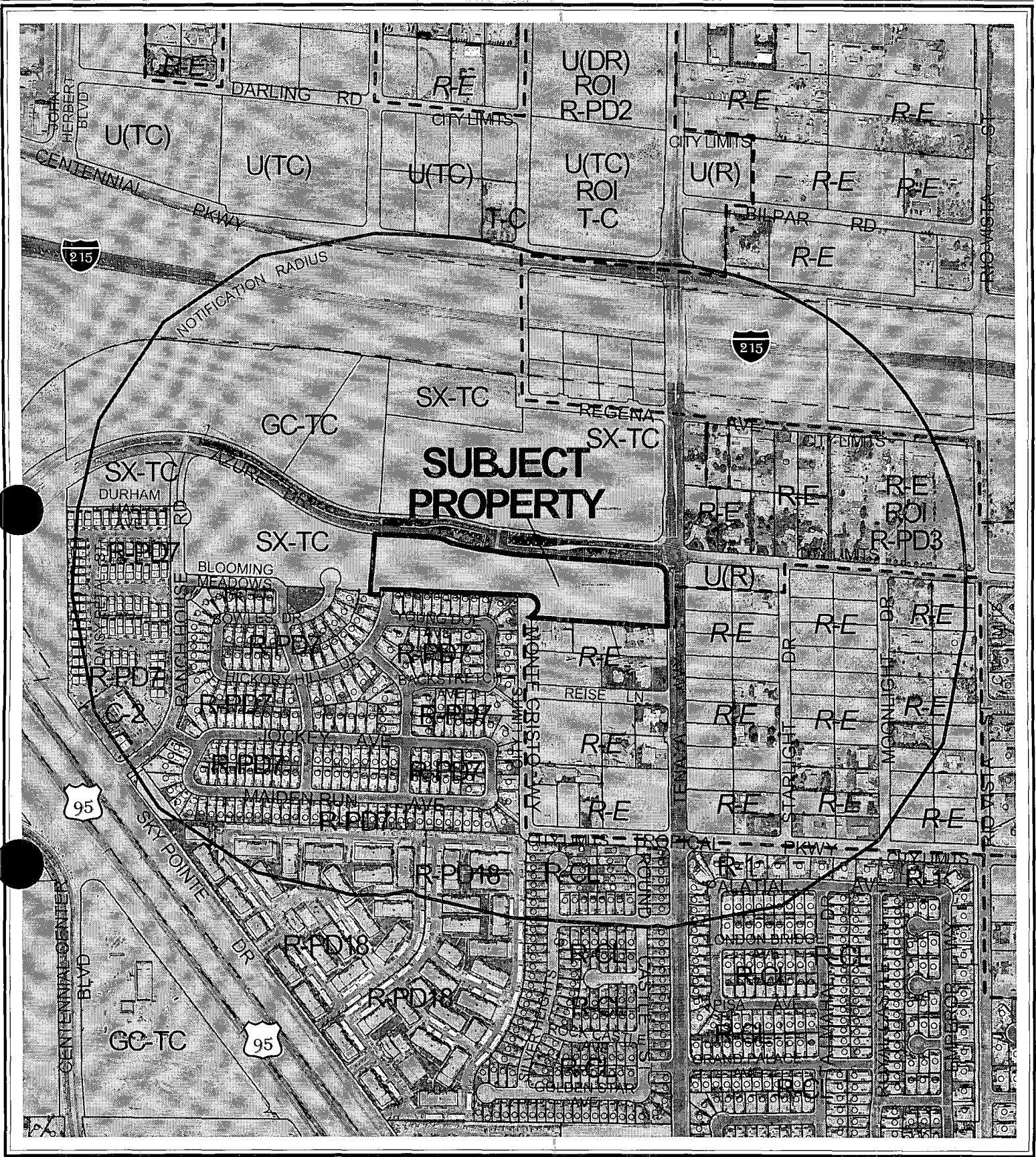
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
LAND USE DESIGNATION]

0 300 600 Feet



115





CASE: MOD-3652

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
LAND USE DESIGNATION]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-3652 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC.

**** CONDITIONS ****

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

Planning and Development

1. A Site Development Plan Review (SDR-3648) and a Special Use Permit (SUP-3650) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Town Center Development Standards Manual, except as amended by this request.
3. Add the following to the Centennial Hills Town Center Development Standards Manual:
 - Add "Auto Parts (New and Rebuilt) (Accessory Sales and Service)" as a Special Use Permit to the SX-TC (Suburban Mixed Use - Town Center) column only of the Permitted Uses Matrix under Section B.2 of the Manual; and
 - Add the following text as a new Subsection 1a) under Section B.4.b of the Manual:
 - "1a) Auto Parts (New and Rebuilt) (Accessory Sales and Service)"
 - a. All conditions for this use as specified under Title 19.04.040 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following conditions must also be satisfied.
 - b. The building occupied by the Auto Parts use must be at least 330 feet from the property boundary of any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development, or be separated from such existing or potential residential areas by an existing trail/buffer area with a minimum width of 30 feet.
 - c. Any vehicular doors must not face any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development."

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Centennial Hills Town Center Development Standards Manual to allow Auto Parts (New and Rebuilt) (Accessory Sales and Service) with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, where separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance. Approval of this Major Modification request will allow the applicant to develop an Auto Parts store on the subject site.

Companion applications for a Site Development Plan Review and perimeter buffering and landscaping Waivers (SDR-3648) and a Special Use Permit (SUP-3650) for a proposed 7,852 square-foot Auto Parts store will be considered concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed amendment would be appropriate, subject to the requirement for a review through the Special Use Permit process and where appropriately buffered from residential development.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff had recommended approval of this request on 11/05/98.
- 04/04/01 The City Council approved a Site Development Plan Review [Z-0076-98(20)] for the overall commercial development. Associated requests for Special Use Permits (U-0006-01 through U-0013-01, U-0015-01, U-0016-01, and U-0019-01 through U-0023-01) to allow seven supper clubs, one restaurant with drive-up, one restaurant service bar, two restricted gaming locations, and two requests for the sale of packaged liquor on the larger subject site were also approved at that time. The Planning Commission had voted to recommend denial of requests for Special Use Permits (U-0013-01, U-0014-01, and U-0022-01) for two supper clubs and one restaurant service bar, but had recommended approval of all of the other applications. Staff recommended approval of these requests.

- 06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission had recommended approval of the requests. Staff recommended approval of these requests.
- 01/08/04 The Planning Commission recommended approval of a request for a Master Sign Plan (DIR-3572) for an approved retail center on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/US 95. Staff recommended approval. The City Council is scheduled to consider this request on 02/04/04.
- 02/12/04 The Planning Commission recommended denial of companion requests for a Site Development Plan Review and perimeter buffering and landscaping Waivers (SDR-3648) and a Special Use Permit (SUP-3650) for a proposed Auto Parts store on a 0.92-acre parcel that is part of the 16.66-acre SX-TC designated site on the south side of Azure Drive west of Tenaya Way. Staff recommended denial.
- 02/12/04 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item #26/gl).

B) Pre-Application Meeting

- 12/05/03 At the pre-application meeting, the issues discussed included the conditions under which the proposed use would be appropriate in the SX-TC (Suburban Mixed Use - Town Center) land use designation. It was proposed by the applicant that appropriate conditions would include approval by Special Use Permit, and only where the proposed Auto Parts use would be separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance. Other issues discussed pertained to the site planning details of the companion applications.

C) Neighborhood Meetings

A neighborhood meeting is not required with respect to a Major Modification application.

DETAILS OF APPLICATION REQUEST

This request will potentially affect any land within the Centennial Hills Town Center area that is, or will in the future be, designated as SX-TC (Suburban Mixed Use - Town Center). The proposed Major Modification seeks to add the Auto Parts (New and Rebuilt) (Accessory Sales and Service) with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, under certain separation distance conditions.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Major Modification will have no effect on zoning regulations or other development standards, other than those contained within the SX-TC (Suburban Mixed Use - Town Center) land use designation.

B) General Analysis and Discussion

The proposed Major Modification is inappropriate in that it will add an auto-related use to a Town Center land use designation that currently does not allow any form of auto-related activity. The allowance of this use within the SX-TC designation, even with the suggested separation conditions, will set the stage to allow other auto-related uses within this category in the future. The presence of such auto-related uses is contrary to the intent of the SX-TC designation, which is to create a buffer of low-intensity commercial and office uses, or vertically integrated mixed-use residential/commercial projects, as a transitional area between robust Town Center commercial activities and surrounding low-density residential areas. As a result, it is recommended that this request be denied.

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."

All land designated as SX-TC (Suburban Mixed Use - Town Center) within the Town Center area is designated in the General Plan as TC (Town Center). The subject request is neither consistent nor inconsistent with this 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 Major Modification would allow auto-related uses within the SX-TC (Suburban Mixed Use - Town Center) land use designation. Even with the suggested separation distances, the proposed use would not be compatible with single-family residential development, if such development existed on adjacent or nearby sites. Additionally, approval of the request will lead to future requests for the addition of other incompatible auto-related uses to the SX-TC land use designation.

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

The applicant has indicated no information to support the need for the addition of the Auto Parts use category to the SX-TC designation. An examination of the Town Center Development Standards Manual reveals that, where auto-related uses are allowed within Town Center land use designations, these are concentrated in the GC-TC (General Commercial - Town Center) and EC-TC (Employment Center Mixed Use - Town Center) classifications. It is suggested that if there is evidence to support the need for Auto Parts uses in the Town Center area, that these uses should be added to one of the two categories that already are designed to support such uses.

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."

This request will affect all areas designated as SX-TC (Suburban Mixed Use - Town Center) on Map 4 of the Centennial Hills Sector Plan. These areas are served by a wide variety of street and highway facilities, which will be adequate to serve these SX-TC areas, if the Auto Parts use is added to these areas as requested by the applicant, and such projects are then developed on these sites so designated.

PLANNING COMMISSION ACTION

The Planning Commission believed the use could be appropriately accommodated within the SX-TC Zone with mitigation measures imposed on site plan proposals.

NOTICES MAILED Newspaper Only

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-3452 APN: 125-27-222-002

Name of Property Owner: **AZURE SOUTH, INC**

Name of Applicant: Montecito Companies, LLC

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

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: _____

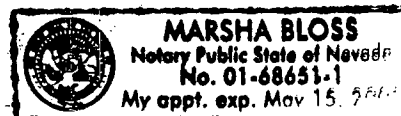
Signature of Property Owner/Authorized Agent:

Print Name: Frank Nielsen

Subscribed and sworn before me

This 19 day of December, 2003

Marsha Bloss
Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3652 - PUBLIC HEARING - SUP-3650 -
APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY -
OWNER: AZURE SOUTH, INC. - Appeal filed by the applicant from the Denial by the
Planning Commission of a request for a Special Use Permit FOR AN AUTO PARTS (NEW
AND REBUILT) (ACCESSORY SALES AND SERVICE) USE on a 0.92 acre portion of 7.24
acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way
(APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town
Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and
staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Kummer Kaempfer Bonner & Renshaw

MOTION:

**MACK – Granted the Appeal; thereby APPROVING the Special Use Permit subject to
conditions – UNANIMOUS**

MINUTES:

NOTE: See Item 115 [MOD-3652] for all related discussion.

(2:33 – 2:40)

4-796

CONDITONS:

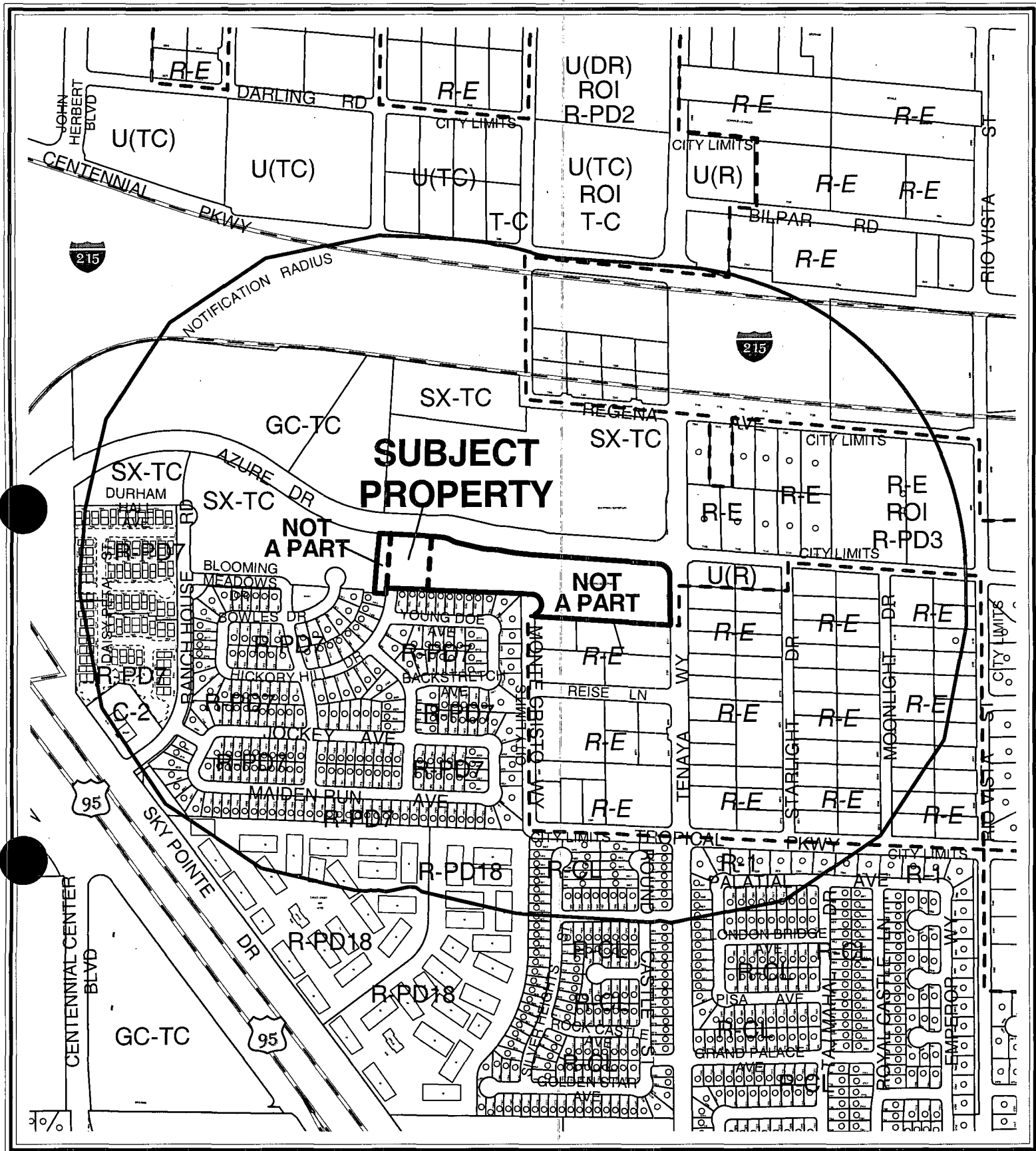
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification
(MOD-3652) and Site Development Plan Review [SDR-3648].
2. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Parts
(New and Rebuilt) and (Accessory Sales and Service) use.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 116 – MOD-3652

CONDITIONS – Continued:

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.



CASE: SUP-3650

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

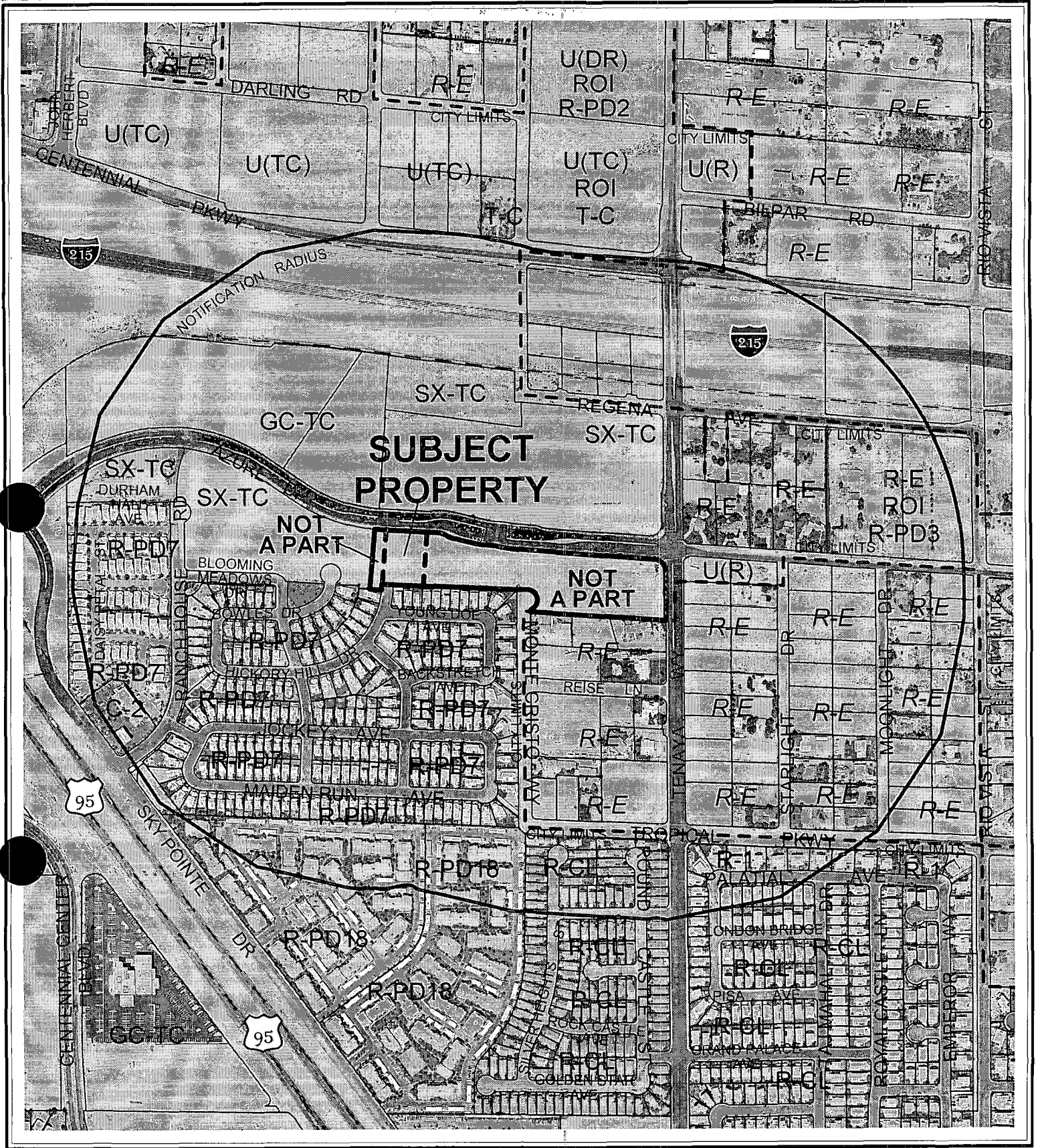
T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
LAND USE DESIGNATION]

0 300 600 Feet



116





CASE: **SUP-3650**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
LAND USE DESIGNATION]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3650 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC.**

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3652) and Site Development Plan Review [SDR-3648].
2. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Parts (New and Rebuilt) and (Accessory Sales and Service) use.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed Auto Parts store on the subject site on the south side of Azure Drive, approximately 660 feet west of Tenaya Way. Approval of this Special Use Permit request will allow the applicant to develop a 7,852 square-foot Auto Parts store on the subject site.

Companion applications for a Major Modification (MOD-3652) to the Centennial Hills Town Center Development Standards Manual to allow the Auto Parts (New and Rebuilt) (Accessory Sales and Service) use with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, where separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance, and a Site Development Plan Review and perimeter buffering and landscaping Waivers (SDR-3648) for the proposed Auto Parts store, will be considered concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed development would be appropriate within the context of a master planned commercial development as approved on the subject site, subject to review through the Special Use Permit process, and where appropriately buffered from residential development.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff had recommended approval of this request on 11/05/98.
- 04/04/01 The City Council approved a Site Development Plan Review [Z-0076-98(20)] for the overall commercial development. Associated requests for Special Use Permits (U-0006-01 through U-0013-01, U-0015-01, U-0016-01, and U-0019-01 through U-0023-01) to allow seven supper clubs, one restaurant with drive-up, one restaurant service bar, two restricted gaming locations, and two requests for the sale of packaged liquor on the larger subject site were also approved at that time. The Planning Commission had voted to recommend denial of requests for Special Use Permits (U-0013-01, U-0014-01, an U-0022-01) for two supper clubs and one restaurant service bar, but had recommended approval of all of the other applications. Staff recommended approval of these requests.

- 06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission and Staff had recommended approval of the requests.
- 01/08/04 The Planning Commission recommended approval of a request for a Master Sign Plan (DIR-3572) for an approved retail center on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/US 95. Staff recommended approval.
- 02/12/04 The Planning Commission recommended approval of a companion request for a Major Modification (MOD-3652) to the Centennial Hills Town Center Development Standards Manual to allow Auto Parts (New and Rebuilt) (Accessory Sales and Service) with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, where separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance; and recommended denial of a Site Development Plan Review and perimeter buffering and landscaping Waivers (SDR-3648) for a proposed Auto Parts store on a 0.92-acre parcel that is part of a 16.66-acre SX-TC designated site on the south side of Azure Drive, west of Tenaya Way. Staff recommended denial of all three applications.
- 02/12/04 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #27/gl).

B) Pre-Application Meeting

- 12/05/03 At the pre-application meeting, the issues discussed included the conditions under which the proposed use would be appropriate in the SX-TC (Suburban Mixed Use - Town Center) land use designation. It was proposed by the applicant that appropriate conditions would include approval by Special Use Permit, and only where the proposed Auto Parts use would be separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance. Other issues discussed pertained to the site planning details of the companion applications.

C) Neighborhood Meetings

A neighborhood meeting is not required with respect to a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 16.66
 Net Acres: 0.92

B) *Existing Land Use*

Subject Property: Undeveloped
 North: Retail Shopping Center (under construction)
 South: Single Family Dwellings
 East: Retail Shopping Center (under construction)
 West: Retail Shopping Center (under construction)

C) *Planned Land Use*

Subject Property: SX-TC (Suburban Mixed Use - Town Center)
 North: SX-TC (Suburban Mixed Use - Town Center)
 South: ML (Medium-Low Density Residential) - Clark County
 East: SX-TC (Suburban Mixed Use - Town Center)
 West: SX-TC (Suburban Mixed Use - Town Center)

D) *Existing Zoning*

Subject Property: T-C (Town Center)
 North: T-C (Town Center)
 South: R-E (Rural Estates Residential) - Clark County
 East: T-C (Town Center)
 West: T-C (Town Center)

E) *General Plan Compliance*

The site is located within the Town Center area of the Centennial Hills Sector Plan. The Town Center area is designated as TC (Town Center) in that Sector Plan. Within Town Center, the site has an SX-TC (Suburban Mixed Use - Town Center) special land use designation. An Auto Parts use is not currently allowed within this designation, but a companion Major Modification (MOD-3652), if approved, will add that use to the SX-TC designation, subject to the approval of this Special Use Permit, and subject to certain conditions.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Centennial Hills 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	

Trails

A 30-foot Multi-use Transportation Trail is required along the southern boundary of the subject pad site and through the overall commercial development, in accordance with the requirements of Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan. This trail has been factored into the site plan for the project.

Rural Preservation Neighborhood

Although much of the site falls within a rural preservation neighborhood buffer created by the proximity of rural properties in Clark County to the immediate south of the site, the SX-TC land use designation and the approval of the use of the site for commercial activities predates RPN legislation.

Project of Regional Significance

This application is deemed to be a Project of Regional Significance, pursuant to state law, as the application is for a Special Use Permit on a site that is within 500 feet of Clark County. This issue is outlined below.

INTERAGENCY ISSUES

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

- 1) Any Special Use Permit within 500 feet of Clark County lands.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. None of the comments received to date reflect any concerns with the project. The Department of Public Works has indicated that a drainage study will be required for this project.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Auto Parts (New and Rebuilt) (Accessory Sales and Service)	7,852 s.f.	5 spaces + one space/200 s.f. of g.f.a.	45 spaces	2 spaces	46 spaces	2 spaces

The revised site plan identifies an amount of parking which exceeds Code requirements. The project contains the required two handicap spaces; however, the design of these spaces does not meet current city Code requirements. A condition of approval will require that these spaces be reconfigured to meet current standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Parts Store use. There are no similar approved uses within the 750-foot notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	50 feet from residential areas	N

The revised site plan as submitted depicts a trash enclosure that meets Code requirements.

B) General Analysis and Discussion

- Zoning

This site is currently zoned as T-C (Town Center). Although specific uses are not listed in the T-C zoning district, the SX-TC (Suburban Mixed Use - Town Center) special land use designation of Map 4 of the Centennial Hills Sector Plan does not currently allow the proposed Auto Parts use. A companion Major Modification (MOD-3652) to the Permitted Uses Matrix of the Town Center Development Standards Manual, if approved, will allow this use in the SX-TC designation, with approval of a Special Use Permit and subject to specified conditions.

- Use

The proposed Auto Parts use would be allowed by Special Use Permit and subject to a number of conditions, should companion Major Modification MOD-3652 be approved.

- Conditions

The proposed Major Modification will impose the following existing conditions for Auto Parts uses from Title 19.04.040:

1. If an installation service is offered, the service shall be restricted to the installation of minor parts only, including batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, but excluding engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, remanufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

Section B.4.B of the Town Center Development Standards Manual will have the following text amended through Major Modification MOD-3652, if approved, to include the above Title 19 conditions, as well as specific conditions within the SX-TC special land use designation, where Auto Parts development is approved:

“ 1a) Auto Parts (New and Rebuilt) (Accessory Sales and Service)

- a. All conditions for this use as specified under Title 19.04.040 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following conditions must also be satisfied.
- b. The building occupied by the Auto Parts use must be at least 330 feet from the property boundary of any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development, or be separated from such existing or potential residential areas by an existing trail/buffer area with a minimum width of 30 feet.
- c. Any vehicular doors must not face any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development.”

The application as currently submitted would be in compliance with these proposed conditions.

FINDINGS

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

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

The proposed Auto Parts store is not currently allowed anywhere in the Town Center area, but through a companion Major Modification (MOD-3652), if approved, will be permitted with approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) special land use designation. Given the proximity of this site to low-density residential development, despite the separation of the site from residential uses by a 30-foot trail, the proposed use is likely to have a detrimental impact on these adjacent residential sites, and denial is therefore recommended.

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

The site is relatively flat and level and contains no impediments to commercial development; however, the size of building proposed does not allow for sufficient parking on the site. The site plan needs to be revised to reduce the size of the building, or additional site area must be added to the project, or a parking variance would have to be applied for and approved, in order for the project as currently proposed to proceed.

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 site access will not negatively impact adjacent roadways, as the proposed development will have direct access to Azure Drive, a 90-foot wide Town Center Loop Road.

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 project will be consistent with Title 19, the Town Center Development Standards Manual and applicable City plans, policies and standards, with the approval of the companion Major Modification MOD-3652 and Site Development Plan Review SDR-3648; however, it is recommended that it is inappropriate to add auto-related uses to the SX-TC special land use designation. There are minor deficiencies in required perimeter landscaping that is addressed by the applicant by a Waiver request. A deficiency in the handicap parking design is addressed through a condition of approval.

NOTICES MAILED 487 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3450 APN: 125-27-222-002

Name of Property Owner: AZURE SOUTH, INC

Name of Applicant: Montecito Companies, LLC

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

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: _____

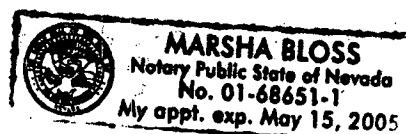
Signature of Property Owner/Authorized Agent:

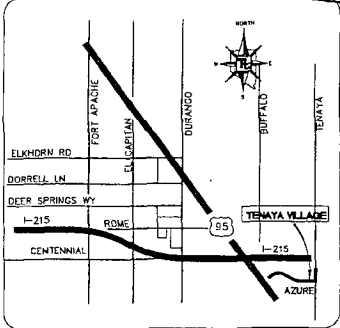
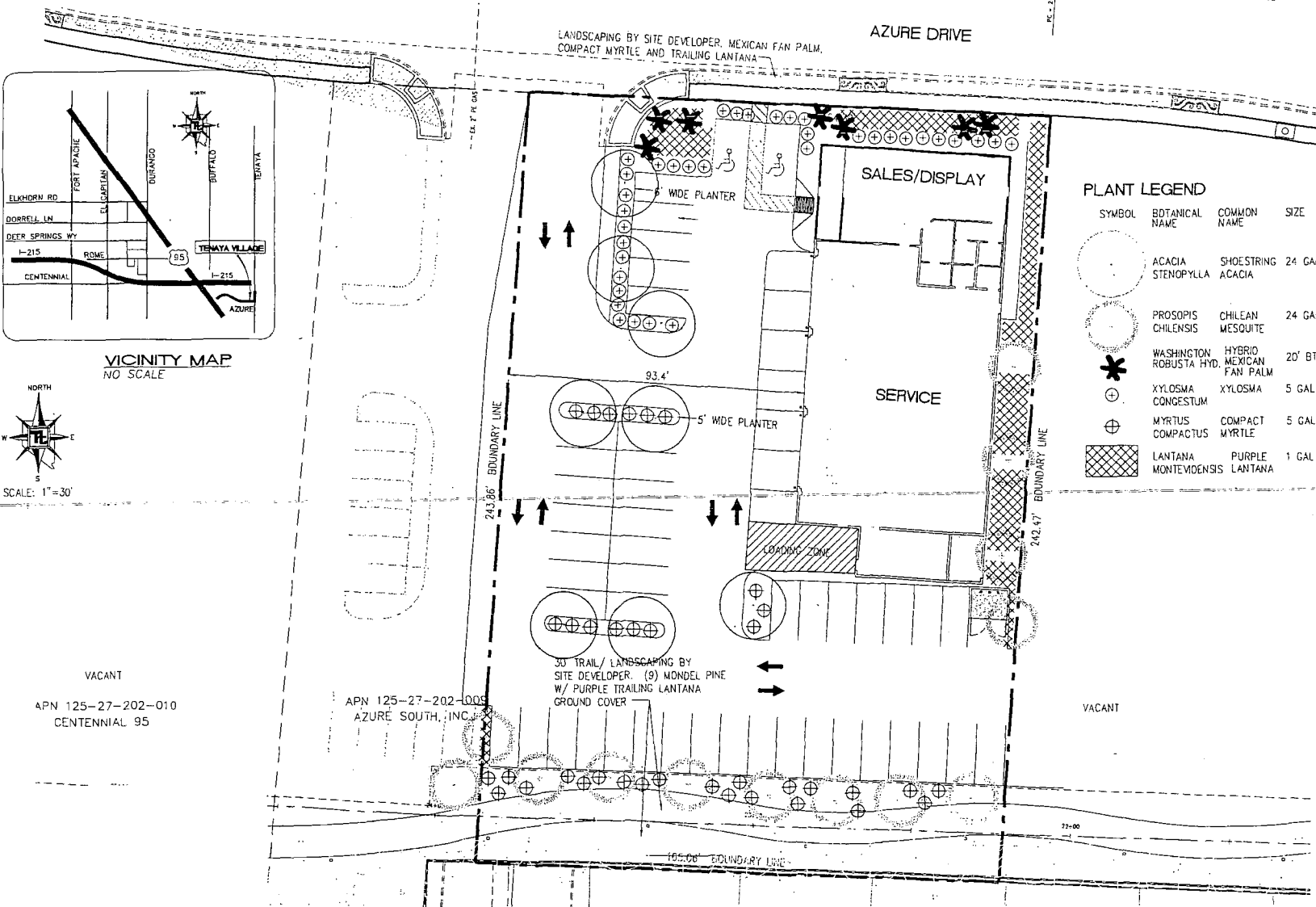
Print Name: _____

Subscribed and sworn before me

This 19 day of December, 2002

Maisha Bloss
Notary Public in and for said County and State





SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
○	ACACIA STENOPYLLA	SHOESTRING ACACIA	24 GAL	14
○	PROSOPIS CHILENSIS	CHILEAN MESQUITE	24 GAL	14
✱	WASHINGTON ROBUSTA HYD	HYBRID MEXICAN FAN PALM	20' BTH	7
⊕	XYLOSMA CONGESTUM	XYLOSMA	5 GAL	34
⊕	MYRTUS COMPACTUS	COMPACT MYRTLE	5 GAL	41
⊗	LANTANA MONTEVIDENSIS	PURPLE LANTANA	1 GAL	24" OC

TETRA TECH, INC.
INFRASTRUCTURE SOUTHWEST GROUP
401 N. Buffalo Dr. Suite 100, Las Vegas, Nevada 89128 (702) 242-4200

DISCOUNT TIRE
LANDSCAPE PLAN - CITY OF LAS VEGAS

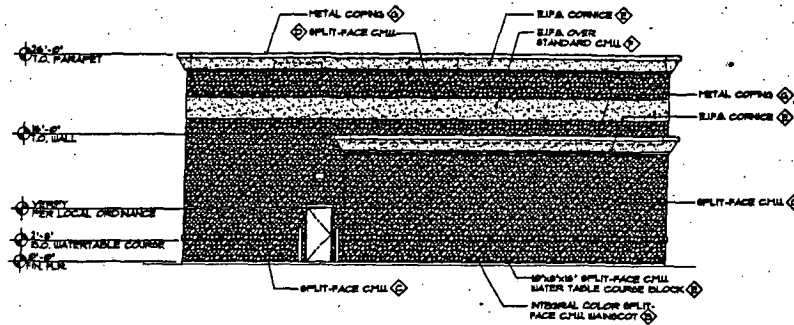
SHEET
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1 OF 1

**SUP-3650
SDR-3648
02-12-04 PC
REVISED 01-22-04**

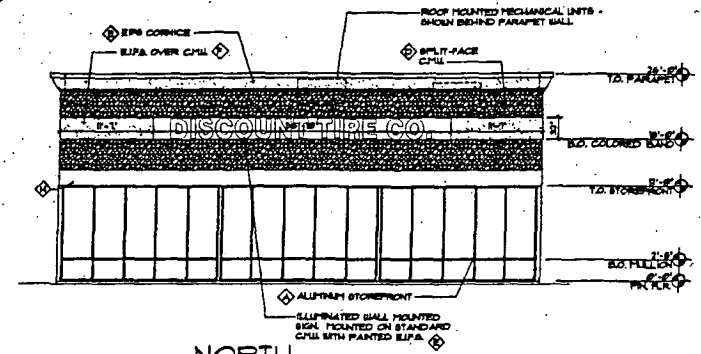
- GENERAL FINISH NOTES:
1. CHILL BASE COURSE - INTEGRAL COLOR
 2. CHILL WATERTABLE COURSE - INTEGRAL COLOR
 3. CHILL MAIN BODY - PAINTED
 4. ALUMINUM STOREFRONT TO BE FACTORY FINISH
 5. E.P.A. - PAINTED PER PAINT NOTES
 6. STEEL TRIM / ALL EXPOSED STRUCTURAL STEEL TO BE FACTORY PRIMED - FINISHED PAINTED ON THE JOB SITE

COLOR / PAINT NOTES:

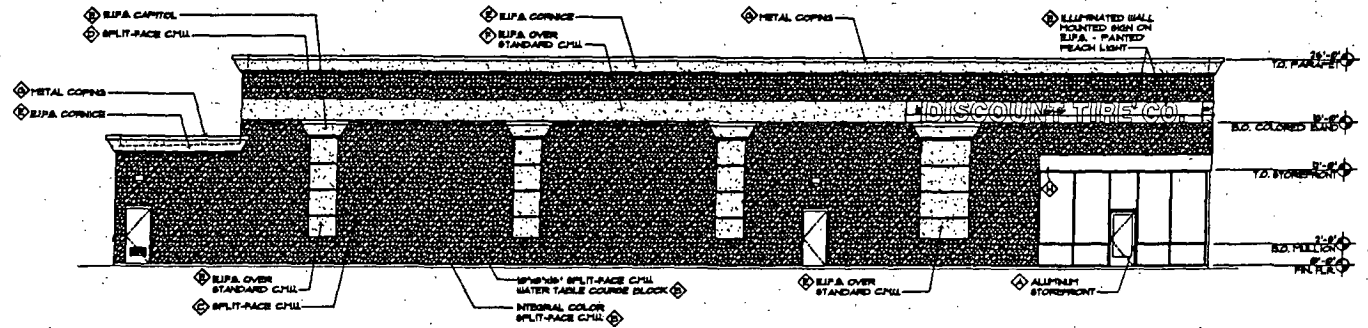
- ◆ MANUFACTURER'S STANDARD COLOR - TO MATCH "DARKER RED"
- ◆ INTEGRAL COLOR SPLIT-FACE CHILL - TO MATCH "DARKER TAN"
- ◆ INTEGRAL COLOR SPLIT-FACE CHILL - TO MATCH "COCOA"
- ◆ GREY SPLIT-FACE CHILL - PAINTED - "PEACH LITE"
- ◆ E.P.A. - PAINTED - "PEACH LITE"
- ◆ E.P.A. - PAINTED - "BURUNDY"
- ◆ STEEL FRAMING / METAL FLASHING - PAINTED - "DARK HARBOR"
- ◆ PAINTED "DARKER TAN"



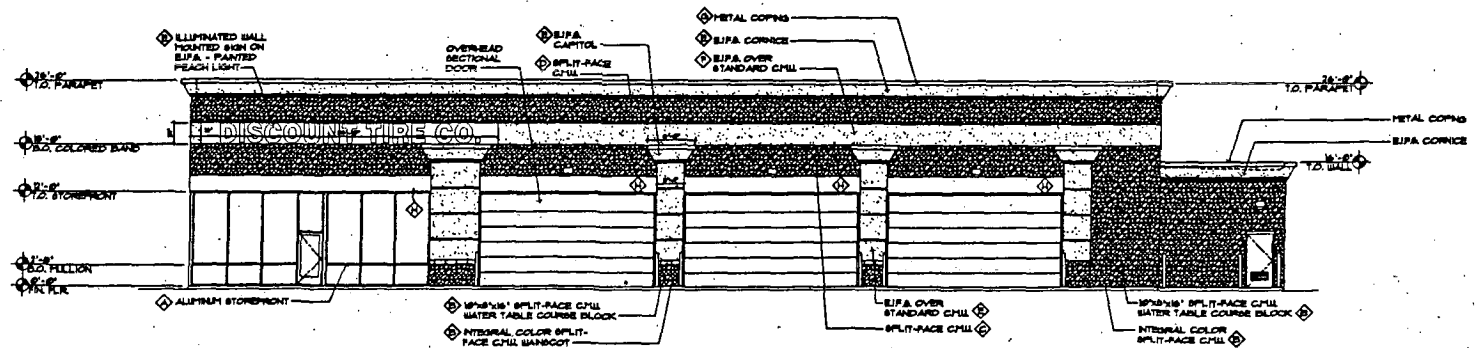
SOUTH



NORTH



EAST



WEST

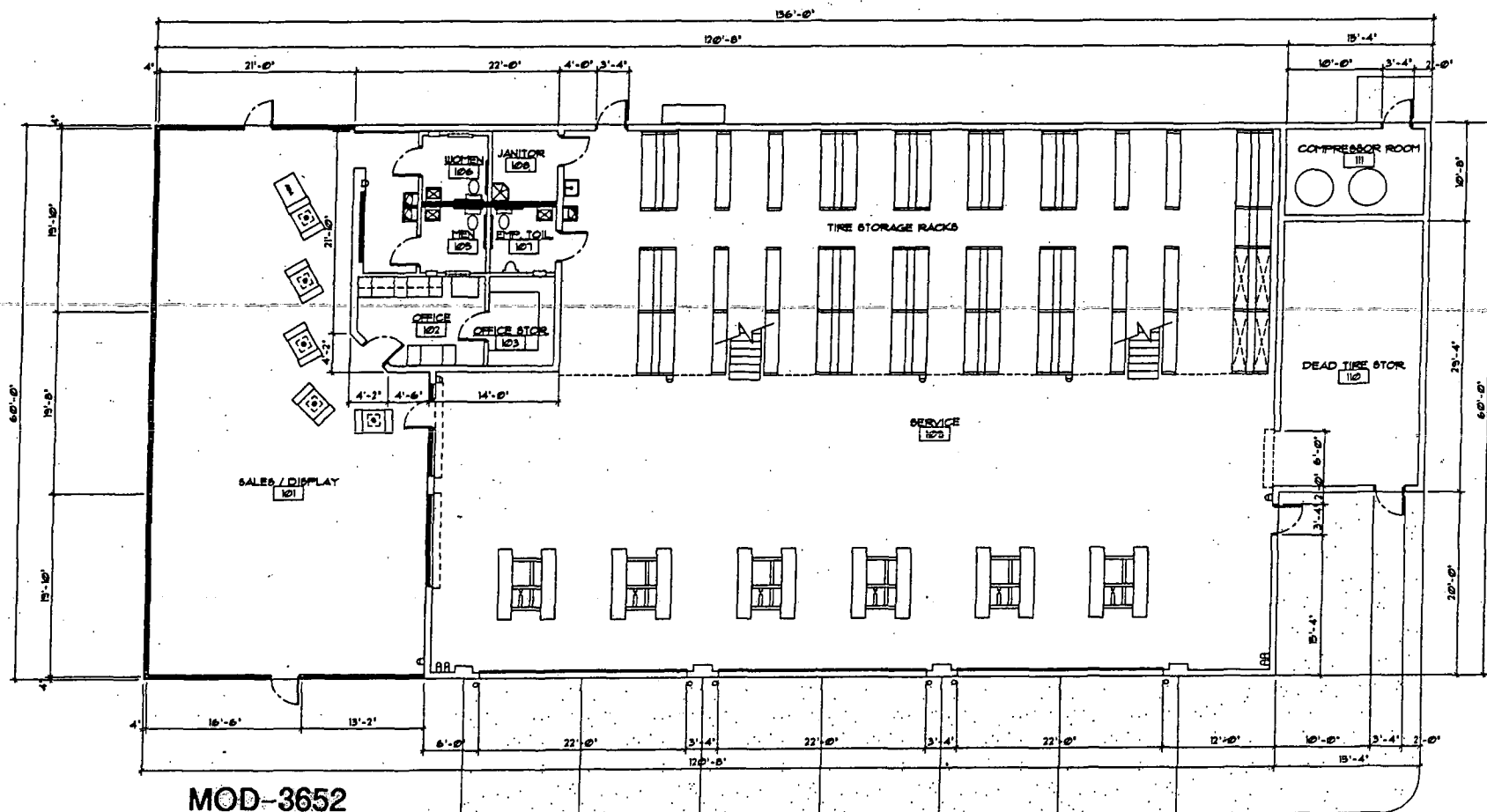
MOD-3652
 SUP-3650
 SDR-3648
 02-12-04 PC

PROPOSED: 7,853 S.F.

OCCUPANCY LOAD:
 OLD TIRE STORAGE: - 420 S.F. @ 1 PERSON / 300 S.F. = 2 PERSONS
 SHOWROOM / OFFICE: - 1730 S.F. @ 1 PERSON / 30 S.F. = 58 PERSONS
 SERVICE AREA -
 INCL. TIRE STORAGE: - 4,800 S.F. @ 1 PERSON / 300 S.F. = 17 PERSONS
 MEZZANINE STORAGE - 503 S.F. @ 1 PERSON / 300 S.F. = 2 PERSONS
 TIRE BACK WALKING GRATE: - 1268 S.F. @ 1 PERSON / 300 S.F. = 8 PERSONS
 TOTAL - 84 PERSONS



PROTOTYPE 6-BAY FLOOR PLAN
 3 - SIDED SHOWROOM
 138' X 60'
 7,853 S.F.

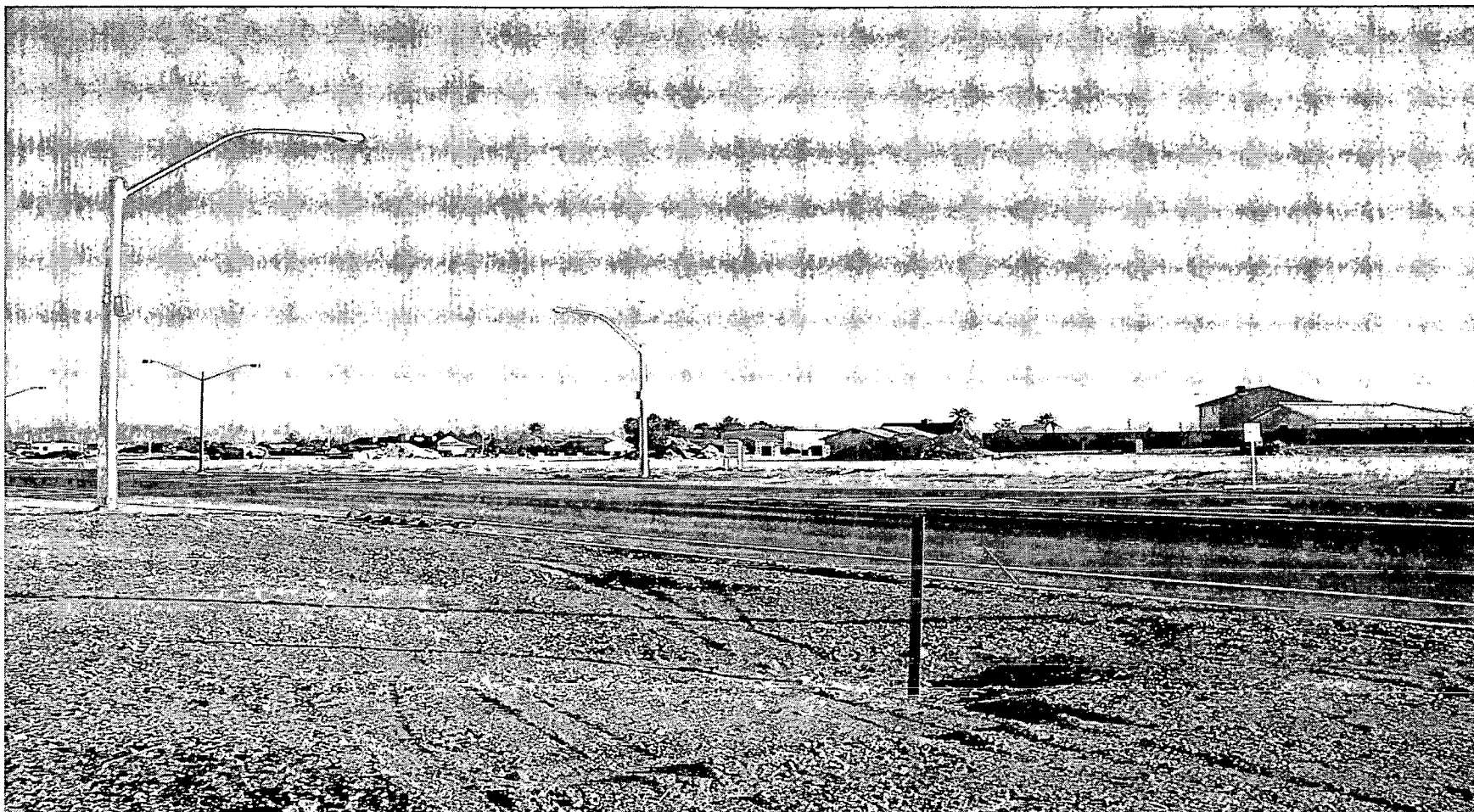


MOD-3652
 SUP-3650
 SDR-3648
 02-12-04 PC



PUBLIC HEARING - SUP-3650 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY
COMPANY - OWNER: AZURE SOUTH, INC.
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 1,100 FEET WEST OF TENAYA WAY
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04



PUBLIC HEARING - SUP-3650 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY
COMPANY - OWNER: AZURE SOUTH, INC.
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 1,100 FEET WEST OF TENAYA WAY
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

KUMMER KAEMPFER BONNER & RENSCHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JENNIFER LAZOVICH
jlazovich@kkbr.com

February 13, 2004

VIA FACSIMILE

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: SUP-3650
Applicant - Montecito Companies, LLC.
Owner - Azure South, Inc.

RECEIVED
CITY CLERK
2004 FEB 13 A 10:55

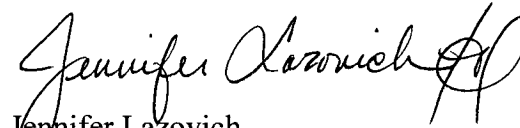
Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matter. This item was heard by the City of Las Vegas Planning Commission on February 12, 2004, and was denied. We hereby appeal the Planning Commission's decision.

Thank you for your assistance. Please call if you need anything further.

Sincerely,

KUMMER KAEMPFER BONNER & RENSCHAW


Jennifer Lazovich

JL/hm

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MARCH 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3652 AND SUP-3650 - PUBLIC HEARING - **SDR-3648** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: AZURE SOUTH, INC.** - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Site Development Plan Review and a Waiver of the perimeter and buffering landscaping requirements FOR A 7,852 SQUARE FOOT AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) STORE on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way (APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Kummer Kaempfer Bonner & Renshaw
5. Protest letter from M&S Goodweiler

MOTION:

MACK – Granted the Appeal; thereby APPROVING the Site Development Plan Review and Waiver subject to conditions and adding the following at the end of Condition 5:

- *Within the trail planter areas, the 24-inch box trees shall be a maximum of 15 feet on-center adjacent to this site.*

– UNANIMOUS

MINUTES:

NOTE: See Item 115 [MOD-3652] for all related discussion.

(2:33 – 2:40)

4-796

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 117 – SDR-3648

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect handicap spaces that meet current Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site, if not already done as part of the master development. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, other than as reduced through a specific Waiver request.
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. 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.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 117 – SDR-3648

CONDITIONS – Continued:

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

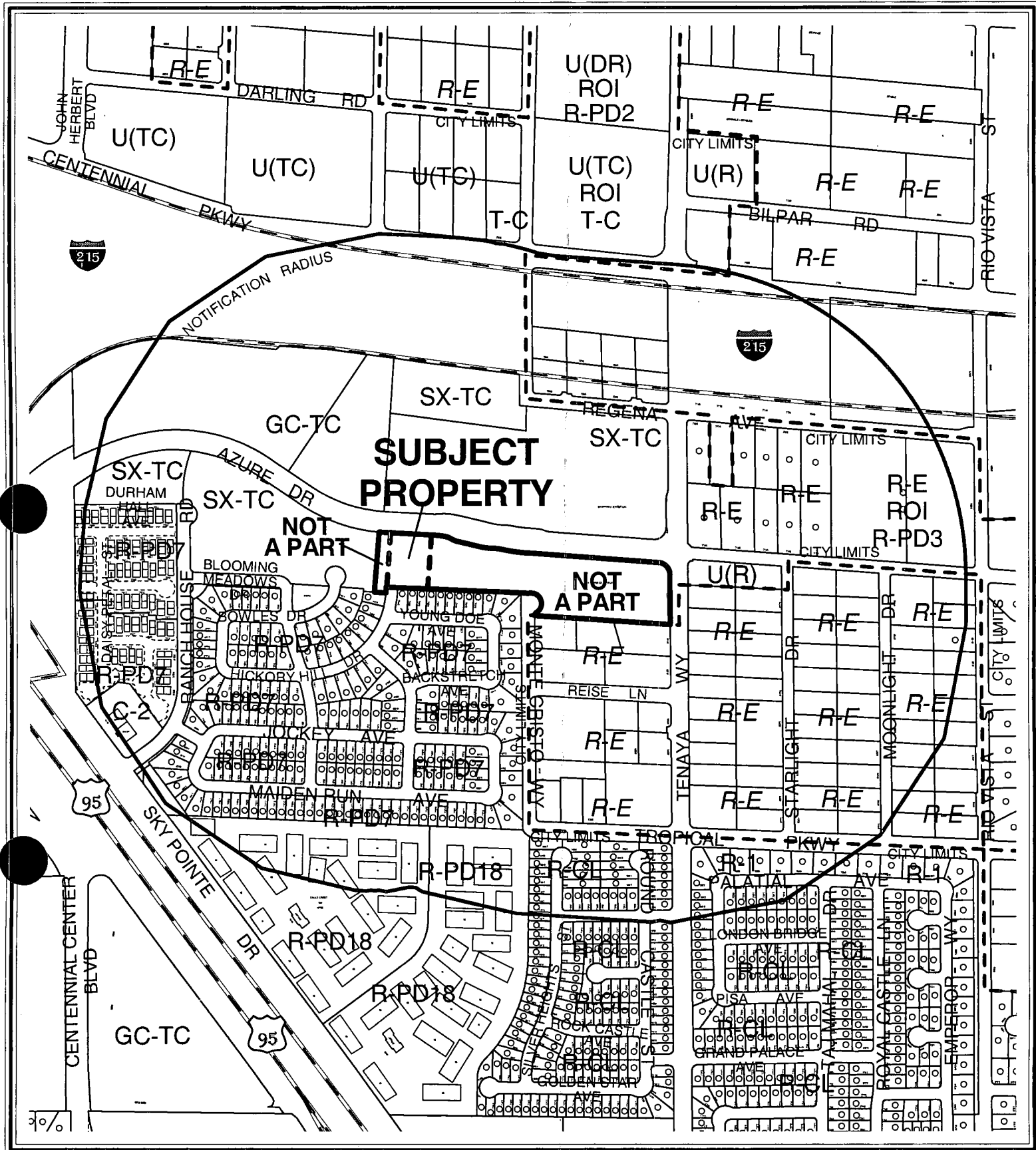
Public Works

14. If not already constructed by the master developer, construct the full width of the driveway and sufficient onsite paving to allow two-way traffic to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
16. 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.

CITY COUNCIL MEETING OF MARCH 17, 2004
Planning and Development Department
Item 117 – SDR-3648

CONDITIONS – Continued:

17. Site development to comply with all applicable conditions of approval for Z-0076-98(20), the Montecito East Commercial Subdivision, the approved Traffic Impact Analysis and all other applicable site-related actions.



CASE: SDR-3648

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
LAND USE DESIGNATION]

0 300 600 Feet

117



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3648 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: AZURE SOUTH, INC.

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect handicap spaces that meet current Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site, if not already done as part of the master development. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, other than as reduced through a specific Waiver request.
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. 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 Municipal Code Section 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. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. If not already constructed by the master developer, construct the full width of the driveway and sufficient onsite paving to allow two-way traffic to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
16. 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.
17. Site development to comply with all applicable conditions of approval for Z-0076-98(20), the Montecito East Commercial Subdivision, the approved Traffic Impact Analysis and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an appeal filed by Kummer Kaempfer Bonner & Renshaw from the denial by the Planning Commission of a application a request for a Site Development Plan Review with waivers of the perimeter buffering and perimeter landscaping requirements, that will allow a 7,852 square-foot Auto Parts store on the subject site.

Companion applications for a Major Modification (MOD-3652) to the Centennial Hills Town Center Development Standards Manual to allow Auto Parts (New and Rebuilt) (Accessory Sales and Service) with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, where separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance, and a Special Use Permit (SUP-3650) for the proposed Auto Parts store, will be considered concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed development would be appropriate within the context of a master planned commercial development as approved on the subject site, subject to review through the Special Use Permit process, and where appropriately buffered from residential development.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission had recommended approval of this request on 11/05/98.
- 04/04/01 The City Council approved a Site Development Plan Review [Z-0076-98(20)] for the overall commercial development. Associated requests for Special Use Permits (U-0006-01 through U-0013-01, U-0015-01, U-0016-01, and U-0019-01 through U-0023-01) to allow seven supper clubs, one restaurant with drive-up, one restaurant service bar, two restricted gaming locations, and two requests for the sale of packaged liquor on the larger subject site were also approved at that time. The Planning Commission had voted to recommend denial of requests for Special Use Permits (U-0013-01, U-0014-01, an U-0022-01) for two supper clubs and one restaurant service bar, but had recommended approval of all of the other applications. Staff recommended approval of these requests.

- 06/18/03 The City Council approved an Extension of Time for the approved Site Development Plan Review (EOT-2152) for the site. The Council also approved related Extensions of Time for approved Special Use Permits (EOT-2153, EOT-2154, EOT-2155, EOT-2156, EOT-2157, EOT-2158, EOT-2159, EOT-2160, EOT-2162, EOT-2163, EOT-2164, and EOT-2165) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar, and two requests for the sale of packaged liquor on the subject site. The Planning Commission and Staff had recommended approval of the requests.
- 01/08/04 The Planning Commission recommended approval of a request for a Master Sign Plan (DIR-3572) for an approved retail center on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/US 95. Staff recommended approval.
- 02/12/04 The Planning Commission recommended approval of a companion request for a Major Modification (MOD-3652) to the Centennial Hills Town Center Development Standards Manual to allow Auto Parts (New and Rebuilt) (Accessory Sales and Service) with the approval of a Special Use Permit within the SX-TC (Suburban Mixed Use - Town Center) land use designation, where separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance; and recommended denial of a Special Use Permit (SUP-3650) for a proposed Auto Parts store on a 0.92-acre parcel that is part of the 16.66-acre SX-TC designated site on the south side of Azure Drive west of Tenaya Way. Staff recommended denial of the three applications.
- 02/12/04 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #28/gl).

B) Pre-Application Meeting

- 12/05/03 At the pre-application meeting, the issues discussed included the conditions under which the proposed use would be appropriate in the SX-TC (Suburban Mixed Use - Town Center) land use designation. It was proposed by the applicant that appropriate conditions would include approval by Special Use Permit, and only where the proposed Auto Parts use would be separated from adjacent residential development by either a 30-foot Town Center pedestrian trail/buffer or a 330-foot separation distance. Other issues discussed pertained to the site planning details of the companion applications.

C) Neighborhood Meetings

A neighborhood meeting is not required with respect to a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 16.66
Net Acres: 0.92

B) *Existing Land Use*

Subject Property: Undeveloped
North: Retail Shopping Center (under construction)
South: Single Family Dwellings
East: Retail Shopping Center (under construction)
West: Retail Shopping Center (under construction)

C) *Planned Land Use*

Subject Property: SX-TC (Suburban Mixed Use - Town Center)
North: SX-TC (Suburban Mixed Use - Town Center)
South: ML (Medium-Low Density Residential) - Clark County
East: SX-TC (Suburban Mixed Use - Town Center)
West: SX-TC (Suburban Mixed Use - Town Center)

D) *Existing Zoning*

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: R-E (Rural Estates Residential) - Clark County
East: T-C (Town Center)
West: T-C (Town Center)

E) *General Plan Compliance*

The site is located within the Town Center area of the Centennial Hills Sector Plan. The Town Center area is designated as TC (Town Center) in that Sector Plan. Within Town Center, the site has an SX-TC (Suburban Mixed Use - Town Center) special land use designation. An Auto Parts use is not allowed within this designation, but a companion Major Modification (MOD-3652), if approved, will add that use to the SX-TC designation, subject to the approval of a Special Use Permit (also a companion application, SUP-3650), and subject to certain conditions. The site plan as proposed meets the conditions proposed for the Special Use Permit request.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Centennial Hills 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	

Trails

A 30-foot Multi-use Transportation Trail is required along the southern boundary of the subject pad site and through the overall commercial development, in accordance with the requirements of Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan. This trail has been factored into the site plan for the project.

Rural Preservation Neighborhood

Although much of the site falls within a rural preservation neighborhood buffer created by the rural properties in Clark County to the immediate south of the site, the SX-TC land use designation and the approval of the use of the site for commercial activities predates RPN legislation.

Project of Regional Significance

This application is deemed to be a Project of Regional Significance, pursuant to state law, as the site is within 500 feet of Clark County and requires approval of a companion Special Use Permit to be approved. This issue is discussed in greater detail in the case report for companion Special Use Permit SUP-3650. The Department of Public Works has indicated that a drainage study will be required for this project.

PROJECT DESCRIPTION

The project consists of a 7,852 square-foot, one-story auto parts building. The building is designed as a retail tire store and service center. It contains six service bays oriented west towards future commercial land on the overall site. A sales/display area is located at the front of the building which faces north towards Azure Drive. The exterior of the building is composed of split-faced CMU with EIFS cornice and column details, with bands of metal coping. The building will also feature a wrap around aluminum storefront with glazing panels that predominantly face north, and three west-facing overhead sectional doors to conceal the service bays.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.110, the Development Standards within a T-C District are established by the Site Development Plan. The development standards that are proposed for this site through this Site Development Plan are as follows:

Proposed Standards	
Min. Setbacks	
• Front	12.5 Feet
• Side	11.6 Feet
• Rear	94 Feet

Max. Lot Coverage	19.6 %
Max. Building Height	1 Story / 26 Feet
Trash Enclosure	Provided, but within 50 Feet of residential
Loading Zone	Y
Mech. Equipment	Screened on roof

The proposed development is planned to match the setbacks and appearance of other commercial development projects within the Montecito East development site. The applicant has submitted a revised site plan that clearly identifies the on-site loading zone, and locates the trash enclosure away from the residential area to the south, to a location adjacent to the building in accordance with Code requirements.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The proposed development will be 26 feet in height, and is directly adjacent to County lands designated for low-density residential development; as a result, a setback of at least 78 feet is required to the south of the building to meet the 3:1 slope requirement. Since this proposed setback is 94 feet, the project exceeds proximity slope requirements.
- b) Building setback. The adjacent County R-E (Rural Estates Residential) land has a 30-foot rear yard setback. The proposed development easily exceeds this matching setback requirement.

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
Auto Parts (New and Rebuilt) (Accessory Sales and Service)	7,852 s.f.	5 spaces + one space/200 s.f. of g.f.a.	45 spaces	2 spaces	46 spaces	2 spaces

The revised site plan identifies an amount of parking which exceeds Code requirements.

The project contains the required two handicap spaces; however, the design of these spaces does not meet current city Code requirements. A condition of approval will require that these spaces be reconfigured to meet current standards.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces (45 spaces required)	8 Trees	9 Trees
Buffer:			
• Min. Trees	1 Tree/ 20 Linear Feet (adjacent to street [140 Feet] or residential [164 Feet])	7 Trees adjacent to street, 9 Trees adjacent to residential	7 Trees 9 Trees
	1 Tree/ 30 Linear Feet (adjacent to commercial [485 Feet])	17 Trees	3 Trees
• Min. Zone Width	Town Center Loop Road street section requirements (4-foot amenity zone, 5- foot sidewalk) 0 to 15 Feet on-site adjacent to street 8 Feet on other perimeters		Y 12.5 Feet 11.6 Feet east of building, none elsewhere
• Wall height	6 Feet		Y

The initial application was deficient with respect to perimeter buffering on the sides of the site and perimeter landscaping on the front and sides of the site. The applicant has indicated that the appropriate amount of landscaping will be provided to the front of the site, and has requested a Waiver from the other deficient standards. These Waiver requests are appropriate, given the small size of the parcel and its integration into a larger commercial subdivision with a significant amount of site landscaping. Much of the landscaping that is provided in conjunction with this development is to be located in the 30-foot trail right-of-way to the south of the site. Technically, the required landscaping should be provided within the developed portion of the site.

A5) Sign Standards

Pursuant to the Centennial Hills Town Center Development Standards Manual, the Planning Commission recommended approval of a request for a Master Sign Plan (DIR-3572) for the overall retail center located on this site. The signage for the proposed development will comply with the Master Sign Plan.

B) General Analysis and Discussion

- Zoning

This site is currently zoned as T-C (Town Center). Although specific uses are not listed in the T-C zoning district, the SX-TC (Suburban Mixed Use - Town Center) special land use designation of Map 4 of the Centennial Hills Sector Plan does not currently allow the proposed Auto Parts use, but a companion Major Modification to the Permitted Uses Matrix of the Town Center Development Standards Manual, if approved, will allow this use in the SX-TC designation with approval of a Special Use Permit.

- Site Plan

The site plan illustrates the development of a 7,852 square-foot single-story building on the subject site, which although a separate parcel, is functionally part of a larger overall commercial site. Deficiencies on the original submission with respect to perimeter buffering and landscaping, trash enclosure location, handicap parking specifications and the amount of on-site parking have been satisfactorily addressed through the submission of a revised site plan and Waiver requests by the applicant.

- Waivers

The applicant has requested Waivers of side yard perimeter buffering and perimeter landscaping requirements. These Waiver requests are appropriate given the small size of the parcel and its integration into a larger commercial subdivision with a significant amount of site landscaping.

- Landscape Plan

The landscape plan depicts eleven 24"-box Shoestring Acacia trees and fourteen 24"-box Chilean Mesquite trees, as well as a number of five-gallon and one-gallon shrubs. A total of 41 trees of this size are required for the perimeter and parking lot landscaping requirements of the Code. If 41 trees are provided at the 24"-box size, the Code requirement is for 164 five-gallon shrubs and 164 one-gallon shrubs. Reduction of these overall landscaping requirements should be proportional to the reduction in the perimeter buffering and landscaping areas, as shown on the submitted conceptual landscaping plan. The applicant has provided a letter indicating that the number of ground cover plants to be provided will meet Code requirements.

- Elevation

The exterior of the building is composed of split-faced CMU with EIFS cornice and column details, with bands of metal coping. The building will also feature a wrap around aluminum storefront with glazing panels that predominantly face north, and three west-facing overhead sectional doors to conceal the service bays.

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 original concept for the Town Center area was to limit the presence of auto-related uses, particularly in the transitional areas around the edge of the Town Center area where it borders on to low-density residential development. Although the project will be somewhat buffered from the residential area to the south by the presence of a perimeter wall and a 30-foot wide trail between the subject site and these residential uses, the project is incompatible with these low-density residential uses to the immediate south of the site.

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

The proposed project will be consistent with Title 19, the Town Center Development Standards Manual and applicable City plans, policies and standards, with the approval of the companion Major Modification MOD-3652 and Special Use Permit SUP-3650 except as noted below; however, it is recommended that it is inappropriate to add auto-related uses to the SX-TC special land use designation. There are deficiencies in required perimeter landscaping and parking lot landscaping, as well as on-site parking, handicap parking design, loading zone location and trash enclosure location that need to be addressed.

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

The proposed site access will not negatively impact adjacent roadways, as the proposed development will have direct access to Azure Drive, a 90-foot wide Town Center Loop Road.

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

The proposed building elevations and landscaping with implementation of the recommended conditions will be appropriate for a commercial development of this type.

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 proposed are comparable to similar developments within the overall commercial site, and appear to meet the standards contained in the Town Center Development Standards Manual.

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

The proposed development will be subject to inspections for Certificate of Occupancy and for Emergency Preparedness, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 487 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SPR-3648 APN: 125-27-222-002

Name of Property Owner: AZURE SOUTH, INC

Name of Applicant: Montecito Companies, LLC

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

 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: _____

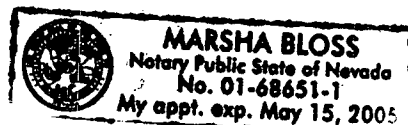
Signature of Property Owner/Authorized Agent: _____

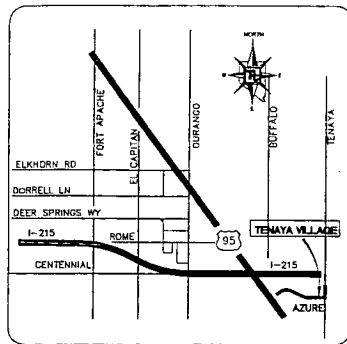
Print Name: Frank Nielsen

Subscribed and sworn before me

This 19 day of December, 2002

Marta Bloss
Notary Public in and for said County and State





VICINITY MAP
NO SCALE



VACANT

APN 125-27-202-010
CENTENNIAL 95

APN 125-27-202-009
AZURE SOUTH, INC.

FUTURE IMPROVEMENTS
BY OTHERS

FUTURE IMPROVEMENTS
BY OTHERS

PROPOSED EDGE OF PAVEMENT

243.86' BOUNDARY LINE

15.7' R.O.W.

50.7' DRIVE

EXISTING APPROACH

25.4'

9'x19' TYP. PARKING SPACE

24'

7

93.4'

14

24'

24'

LOADING ZONE

7

24'

18

94'

23+00

30'

TRAIL / LANDSCAPE

165.06' BOUNDARY LINE

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

23+00

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23+00

23+00

23+00

23+00

23+00

AZURE DRIVE

AOA ROUTE
5.0% MAX.

164.32'

12.5'

8" WTR

6" SWR

SALES/DISPLAY

SERVICE

242.47' BOUNDARY LINE

11.6'

SITE DATA:

SITE AREA: 0.92 ACRES
BUILDING AREA: 7,852 S.F.
PARKING SPACES:
44 REGULAR SPACES
2 HANDICAP SPACES

VACANT

SHEET

1

1 OF 1

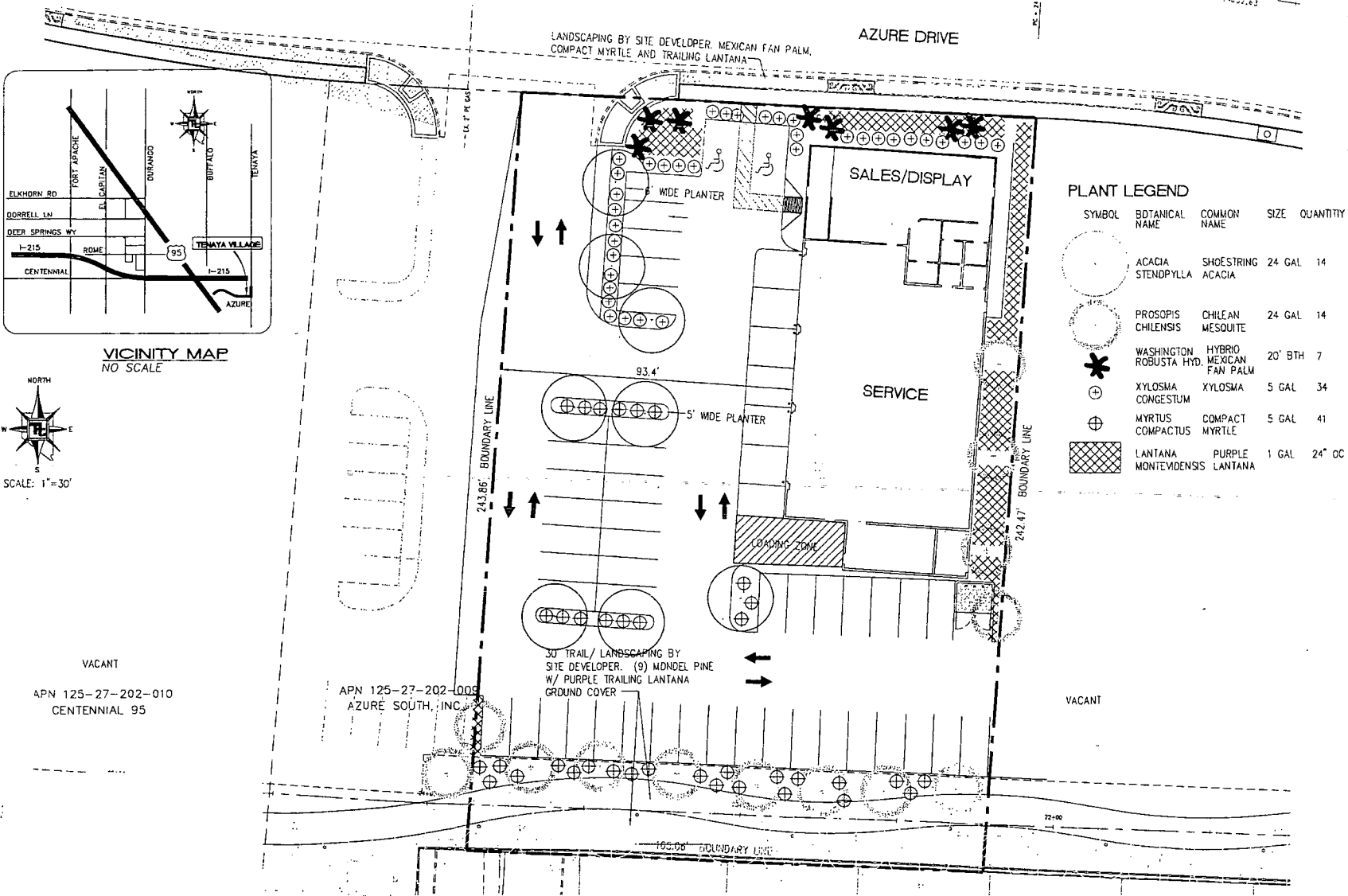
DISCOUNT TIRE

SITE PLAN - CITY OF LAS VEGAS



TETRA TECH, INC.
INFRASTRUCTURE SOLUTIONS GROUP
401 N. Buffalo Dr. Suite 100, Las Vegas, Nevada 89104 (702) 242-4200

SUP-3650
SDR-3648
02-12-04 PC
REVISED 01-22-04



TETRA TECH, INC.
INFRASTRUCTURE SOUTHWEST GROUP
401 N. Buffalo Dr. Suite 100, Las Vegas, Nevada 89120 (702) 242-4200

DISCOUNT TIRE
LANDSCAPE PLAN - CITY OF LAS VEGAS

SHEET
1
1 OF 1

SUP-3650
SDR-3648
02-12-04 PC
REVISED 01-22-04

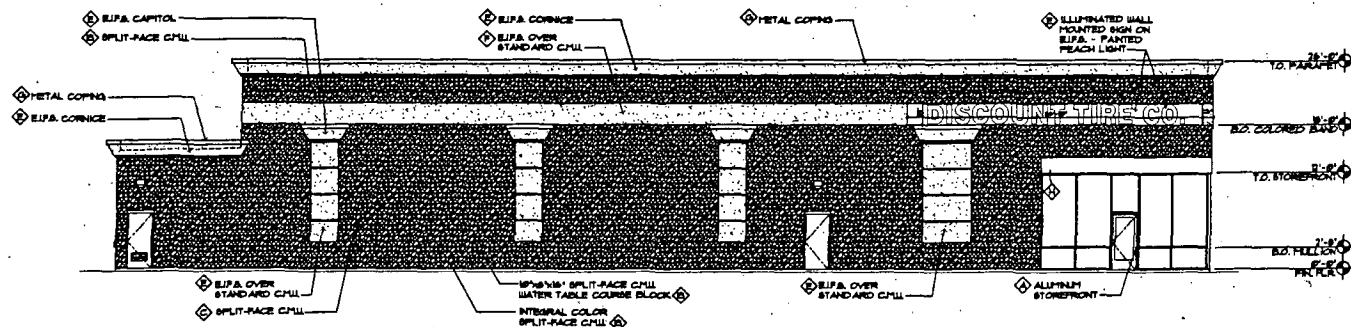
-
- Architectural cross-section drawing of a building facade. The drawing shows a multi-layered structure with various materials and structural details. Key components and labels include:
- Top Layer:** METAL CORNING, SPLIT-FACE CHILL, ELFA CORNICE, ELFA OVER STANDARD CHILL.
 - Second Layer:** METAL CORNING, ELFA CORNICE.
 - Third Layer:** METAL CORNING, ELFA CORNICE.
 - Fourth Layer:** SPLIT-FACE CHILL.
 - Bottom Layer:** SPLIT-FACE CHILL, 60"x18"x18" SPLIT-FACE CHILL, WATER TABLE COURSE BLOCK, INTEGRAL COLOR SPLIT-FACE CHILL WAINCOT.
 - Structural Details:** 18'-0" PARAPET, 18'-0" WALL, VERTICAL PER LOCAL ORDINANCE, 18'-0" WATER TABLE COURSE, WATER TABLE.

Architectural elevation drawing of a building facade. The drawing includes the following callouts and details:

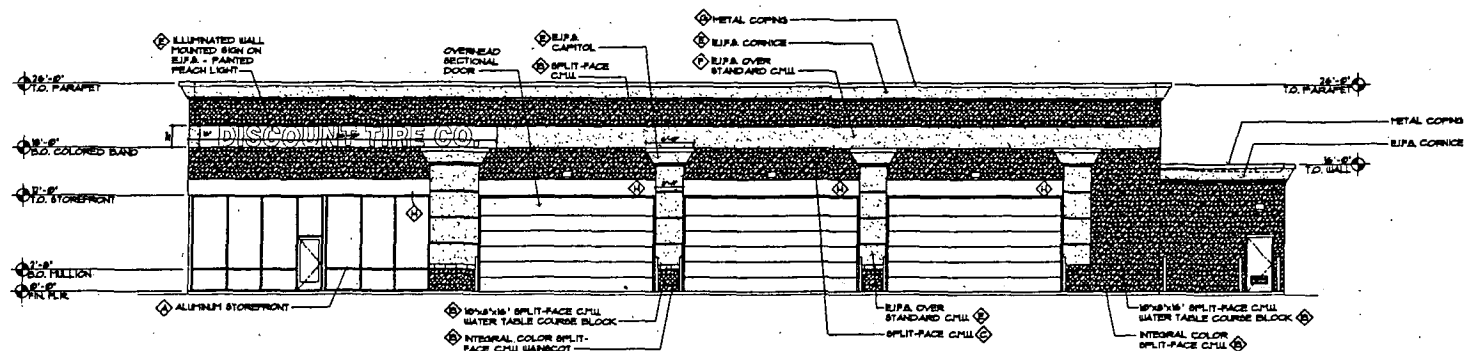
- ROOF MOUNTED MECHANICAL UNITS -** SHOWN BEHIND PARAPET WALL.
- EIFS CORNER** - EIFS OVER CMU
- SPLIT-FACE CMU**
- 1/2" PARAPET**
- 1/2" COLORED BAND**
- 1/2" STONE FINISH**
- 1/2" HILLTOP FIN. PL. R.**
- ILLUMINATED WALL MOUNTED SIGN MOUNTED ON STANDARD CMU WITH PAINTED EIFS**
- ALUMINUM STOREFRONT**

NORTH

- COLOR / PAINT NOTES:**
- ④ MANUFACTURER'S STANDARD COLOR - TO MATCH "BANNER RED"
 - ⑤ INTEGRAL COLOR SPLIT-FACE CHWL - TO MATCH "BRIGHT TAN"
 - ⑥ INTEGRAL COLOR SPLIT-FACE CHWL - TO MATCH "EGG" CHWL
 - ⑦ GREY SPLIT-FACE CHWL - PAINTED - "TEACH LITE"
 - ⑧ ELFA - PAINTED - "TEACH LITE"
 - ⑨ ELFA - PAINTED - "BURUNDY"
 - ⑩ STEEL FRAMING / METAL FLASHING - PAINTED - "HANE HARBOR"
 - ⑪ PAINTED "BRIGHT TAN"



EAST



WEST

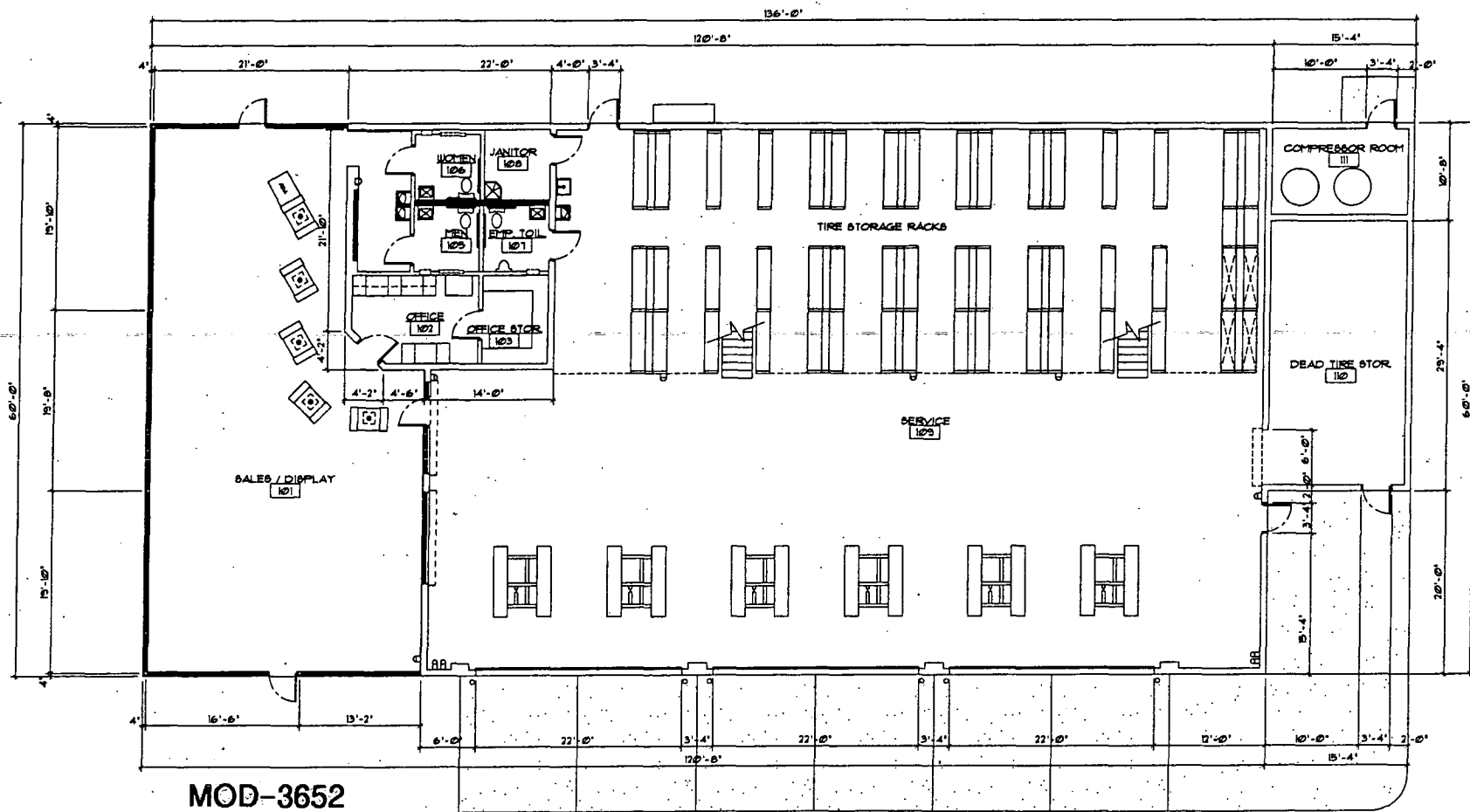
02-12-04 PC

PROPOSED: 7,853 S.F.

OCCUPANCY LOAD:
 OLD TIRE STORAGE: - 420 S.F. • 1 PERSON / 300 S.F. = 2 PERSONS
 SHOWROOM / OFFICE: - 1,130 S.F. • 1 PERSON / 30 S.F. = 38 PERSONS
 SERVICE AREA -
 NCL TIRE STORAGE: - 4,000 S.F. • 1 PERSON / 300 S.F. = 13 PERSONS
 MEZZANINE STORAGE - 503 S.F. • 1 PERSON / 300 S.F. = 2 PERSONS
 TIRE RACK WALKING GRATE: - 126.8 S.F. • 1 PERSON / 300 S.F. = 0 PERSONS
 TOTAL - 64 PERSONS



PROTOTYPE 8-BAY FLOOR PLAN
3 - SIDED SHOWROOM
 138' X 60'
 7,853 S.F.

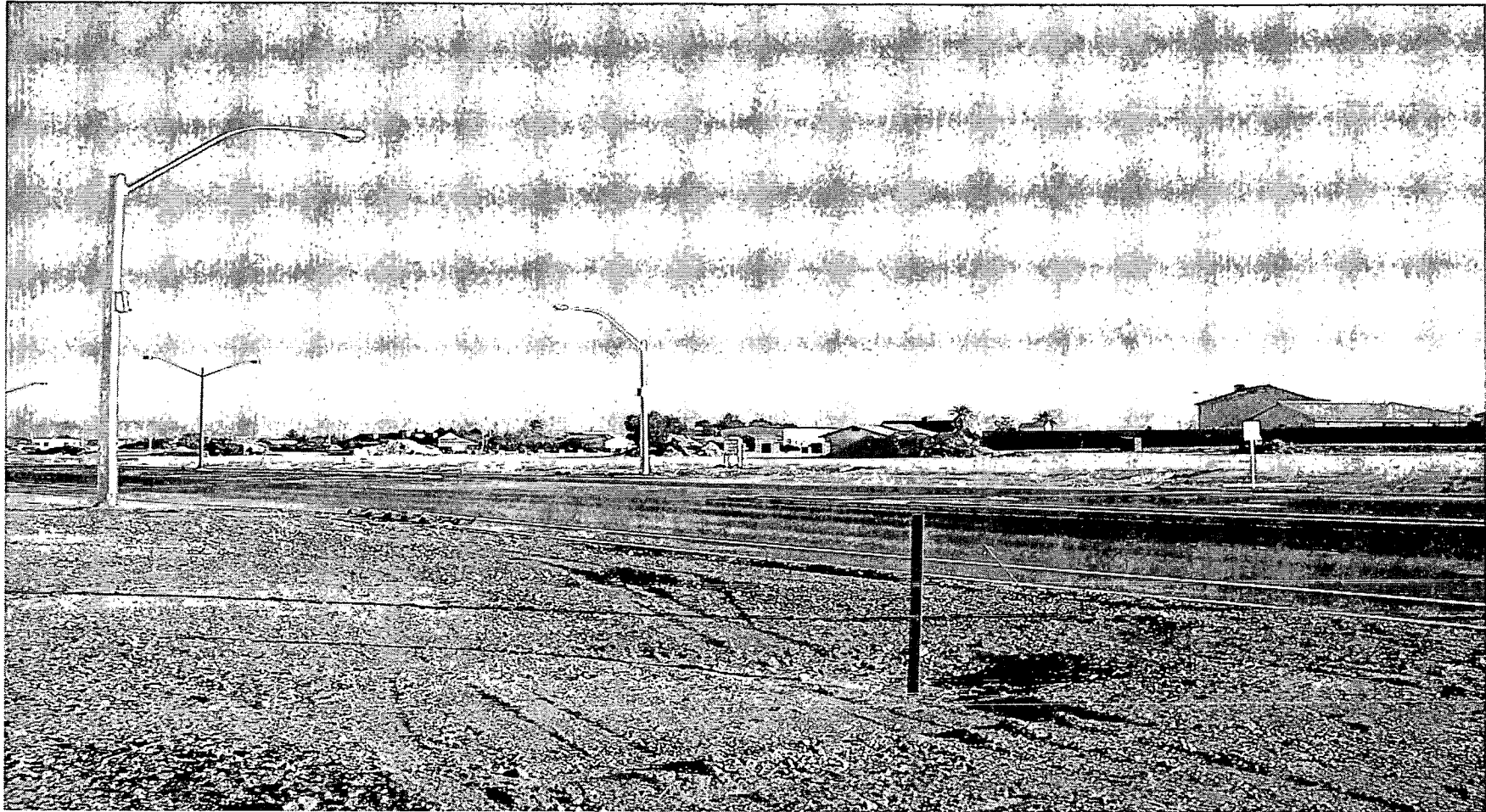


MOD-3652
 SUP-3650
 SDR-3648
 02-12-04 PC



PUBLIC HEARING - SDR-3648 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY
COMPANY - OWNER: AZURE SOUTH, INC.
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 1,100 FEET WEST OF TENAYA WAY
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04



PUBLIC HEARING - SDR-3648 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY
COMPANY - OWNER: AZURE SOUTH, INC.
SOUTH SIDE OF AZURE DRIVE, APPROXIMATELY 1,100 FEET WEST OF TENAYA WAY
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

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ATTORNEYS AT LAW

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Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
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www.kkbr.com

JENNIFER LAZOVICH

jlazovich@kkbr.com

February 13, 2004

VIA FACSIMILE

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: SDR-3648
Applicant - Montecito Companies, LLC.
Owner - Azure South, Inc.

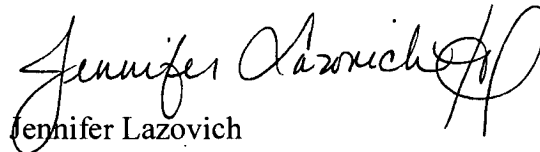
Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matter. This item was heard by the City of Las Vegas Planning Commission on February 12, 2004, and was denied. We hereby appeal the Planning Commission's decision.

Thank you for your assistance. Please call if you need anything further.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW


Jennifer Lazovich

JL/hm

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CITY CLERK

2004 FEB 13 A 10:55

KK&R

 **MERITAS LAW FIRMS WORLDWIDE**

03-06-04

RECEIVED
CITY CLERK

City Clerk

RE: SDR-3648

2004 MAR -9 P 2:08

I am against any waiver for this appeal. I feel that Montecito has changed this plan so many times it is nothing like the plan originally present to our Home Owners Association. When so many changes are made the whole area might end up being a detriment to the community.

Michael Goodweiler

6102 Hillside Bloom Ct #101

Las Vegas, NV. 89130

M&S GOODWEILER
6102 Hillside Bloom Ct. #101
Las Vegas, NV. 89130