

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - REVIEW OF CONDITION - PUBLIC HEARING - RQR-3881 - APPLICANT: YONO ENTERPRISES - OWNER: RICHARD AND BEATRICE STURMAN - Required One-Year Review of an approved Review of Condition (ROC-1770) [WHICH DELETED CONDITION NO. 2] of an approved Special Use Permit (U-0154-98) PROHIBITING THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE for an existing market (Fremont Family Market and Deli) at 611 Fremont Street, Suite 20 (APN: 139-34-611-019), C-2 (General Commercial) Zone, Ward 5 (Weekly). 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:

WEEKLY – DENIED the permanent removal of Condition 2 of ROC-1770 subject to another review in one year – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, has a contract with the Lady Luck Casino, which is located within the notification area. Since MR. DONNER'S interests are related to gaming only, he did not feel that the subject request would impact the Lady Luck Casino and would therefore vote on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

STEVE ONO, owner, 611 Fremont Street, disagreed with staff's recommendation for denial. He stated that he has not had any problems since acquiring his special use permit and did not understand why he is being denied the sale of single containers.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 114 – RQR-3881

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, stated keeping the condition as is would be appropriate until such time as the downtown area has been completely rehabbed.

MAYOR GOODMAN declared the Public Hearing closed.

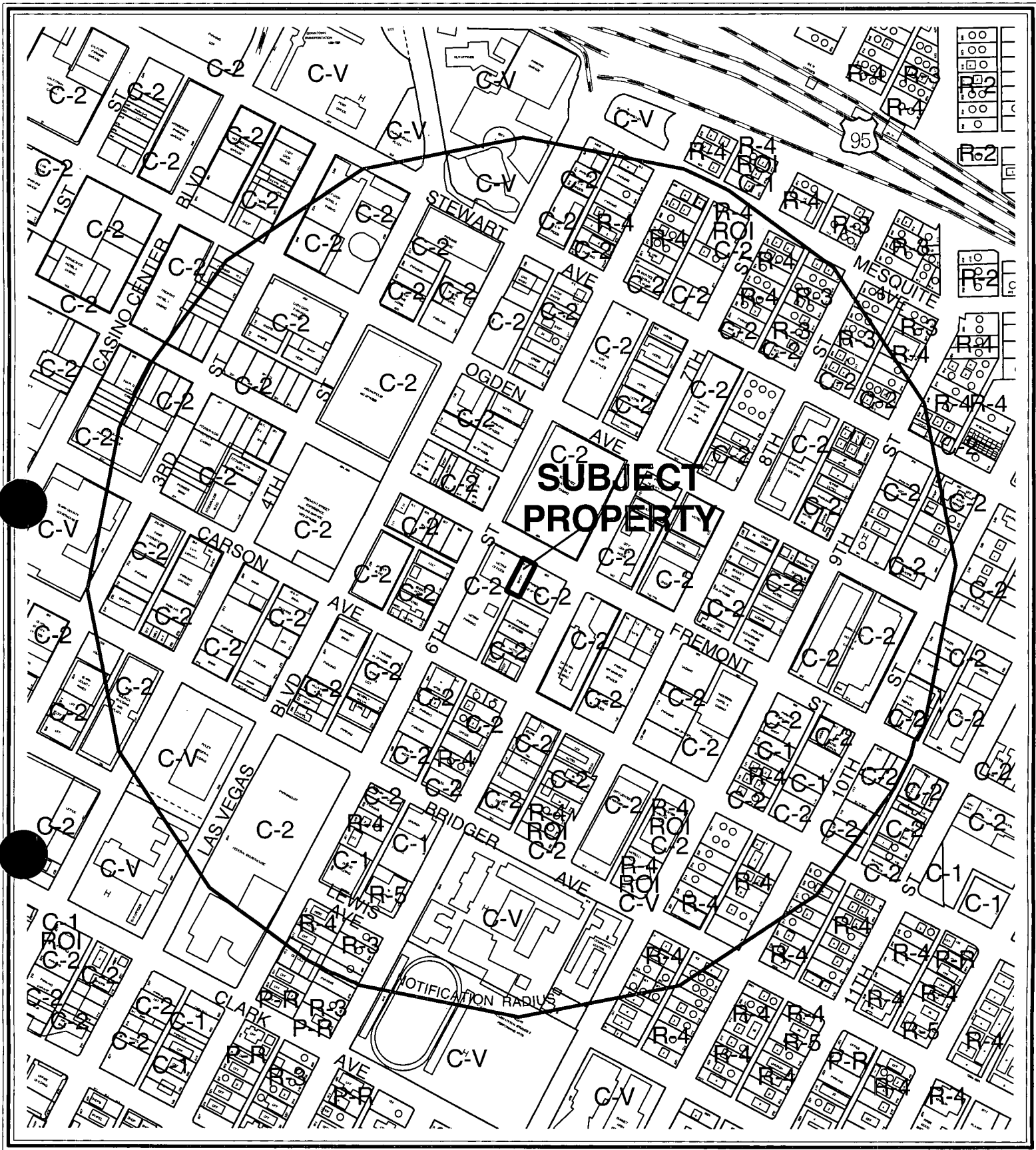
(1:29 – 1:32)

3-945

CONDITION:

Planning and Development

1. The sale of individual containers of any size beer, wine coolers, or screw cap wine at this location shall be reviewed in one year by the City Council.



CASE: **RQR-3881**

RADIUS: 1500 FT

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

0 300 600 Feet

114





CASE: **RQR-3881**

RADIUS: 1500 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3881 - APPLICANT: YONO ENTERPRISES - OWNER:
RICHARD AND BEATRICE STURMAN

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. The sale of individual containers of any size beer, wine coolers, or screw cap wine at this location shall be reviewed in one year by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required One Year Review of an approved Review of Condition (ROC-1770) of an approved Special Use Permit (U-0154-98) for the off-premise sale of beer and wine in conjunction with an existing market (Fremont Family Market and Deli) at 611 Fremont Street, Suite 20. Condition Number 2 of the Special Use Permit prohibited the sale of individual containers of any size beer, wine coolers, or screw cap wine. The subsequent review of this condition allowed the sale of individual containers with the added condition of a one-year review at City Council. Approval of this review will allow continuance of the sale of individual containers of beer, wine coolers, and screw cap wine at this location.

B) Applicant's Justification

A justification letter is not required for this review.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/16/64 | The subject property was rezoned to C-2 (General Commercial) as part of a larger request (Z-0100-64). |
| 03/22/99 | The City Council approved a Special Use Permit (U-0154-98) for the sale of beer and wine for off-premise consumption in conjunction with an existing market/deli, subject to a six-month review. Staff recommended denial. The Planning Commission recommended denial on 01/14/99. |
| 01/05/00 | The City Council approved a Required Six-Month Review of a Special Use Permit [U-0154-98(1)] for the sale of beer and wine for off-premise consumption in conjunction with an existing market/deli, subject to a one-year review. Staff recommended approval. |
| 03/07/01 | The City Council approved a Required One-Year Review of an approved Special Use Permit [U-0154-98(2)] for the sale of beer and wine for off-premise consumption in conjunction with an existing market/deli, with no subsequent reviews required. Staff recommended approval. The Planning Commission recommended approval on 01/25/01. |
| 04/16/03 | The City Council approved a request for a Review of Condition (ROC-1770) Number 2 of the Special Use Permit (U-0154-98), which prohibited the sale of individual containers of any size beer, wine coolers or screw cap wine for an |

existing market. The approval allowed the sale of such containers, subject to a one-year review at City Council. Staff recommended denial. The Planning Commission recommended denial on a tie vote on 03/13/03.

B) Pre-Application Meeting

A pre-application meeting is not required for this review.

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property: Retail Commercial
North: Hotel & Casino
South: Parking lot
East: Parking lot
West: Metro Police Department Office

C) Planned Land Use

Subject Property: C (Commercial)
North: C (Commercial)
South: C (Commercial)
East: C (Commercial)
West: PF (Public Facility)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as being included in the "Downtown Redevelopment Plan" Area. It is subject to the land use designations identified in the Las Vegas Redevelopment Plan. The Redevelopment Plan designates the parcel as C (Commercial), which allows office uses, service-oriented commercial uses, and general commercial uses. The existing market and deli on the subject site is consistent with the Commercial designation and is a permitted use in the C-2 (General Commercial) zoning district. The sale of beer and wine for off-premise consumption is also a permitted use in the C-2 district with the approval of a Special Use Permit.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
<i>Downtown Centennial Plan</i>	<i>X</i>	
<i>Redevelopment Plan Area</i>	<i>X</i>	
Special Overlay District	X	
<i>Entertainment District</i>	<i>X</i>	
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

Downtown Redevelopment Area: The subject site is included in the Las Vegas Redevelopment Plan Area, which includes most of downtown Las Vegas, portions of West Las Vegas, and the industrial area located south of Charleston and east of the Union Pacific Railroad. The purpose of this plan is to eliminate blighted properties, develop vacant or underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas.

Las Vegas Downtown Centennial Plan: The subject site falls within the East Fremont district of the Las Vegas Downtown Centennial Plan. According to the plan, this district "will present future opportunities for new commercial ventures and the integration of medium density mixed-income residential neighborhoods." The current retail commercial use is compatible with the goals of the plan.

Entertainment Overlay District: The subject site and all surrounding sites also fall within the boundaries of the Downtown Entertainment Overlay District. This district was created to revitalize a portion of Downtown by encouraging the clustering of non-gaming nightclubs, comedy clubs, restaurants, and other eating, drinking, and entertainment establishments.

ANALYSIS

Condition Number 2 of approved Special Use Permit (U-0154-98) prohibited the sale of individual containers of any size beer, wine coolers, or screw cap wine by the Fremont Family Market and Deli. The City Council decided in the review of this condition to allow the sale of individual containers and added the condition of a one-year review at City Council.

According to the Department of Finance and Business Services, Licensing Division, the Fremont Family Market was issued a business license for the off-premise sale of beer and wine on July 12, 1999. Since the approval of the Review of Condition (ROC-1770) that allowed the sale of individual containers in April 2003, the business has been in compliance with applicable licensing regulations relating to the sale of alcohol.

A report received from the Las Vegas Metropolitan Police Department indicates that it responded to the following incidents at this location from April 4, 2003 to February 7, 2004:

<u>Incident</u>	<u>Number of Occurrences</u>
Unknown Problem	2
911 Disconnect	1
Burglary	1
Burglary Alarm	2
Stolen Vehicle	2
Petit Larceny	1
Larceny From A Person	1
Assault/Battery	1
Fight	2
Other Disturbance	5
Sick Or Injured Person	1
Suspicious Person	1
Fraud	2
Assist Citizen	2
Malicious Destruction of Property	1
Narcotics	1
Vehicle Stop	1
Pedestrian Check	31
Range	2

The incident data listed above indicates, at best, that a relationship between crime and the sale of individual containers of beer and wine at this location cannot be confirmed. This is not to say that the above incidents were not directly related to individual container sales at this particular market.

Staff has consistently recommended denial of requests for the sale of individual containers of beer, wine coolers, and screw cap wine in this area, based on findings that carry-out sales appear to contribute to the deterioration of the downtown environment. Furthermore, the prohibition of individual container sales has been a standard condition of approval for any Special Use Permit pertaining to off-premise liquor sales. The evidence provided is insufficient to change the staff position on this item.

FINDINGS

Although the absence of business licensing violations and lack of reports of drunkenness are encouraging, the sale of individual containers of beer, wine coolers, and screw cap wine at this location does not promote the goals of revitalization of the downtown area. Therefore, the recommendation is for denial, with another one-year review if approved.

NOTICES MAILED 227 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RRR-3881 APN: _____

Name of Property Owner: _____

Name of Applicant: _____

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: _____

[Signature]
Richard STURMAN

Subscribed and sworn before me

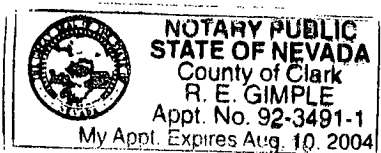
This 6th day of FEBRUARY, 2004

[Signature]

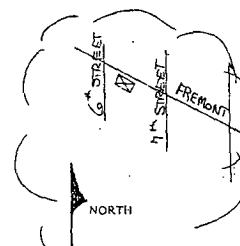
Notary Public in and for said County and State



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
R. E. GIMPLE
Appt. No. 92-3491-1
My App. Expires Aug. 10, 2004



66-8905-7



V-NR
A-3
1,752 SQ. FT.
9 (PROV.) 10 (Avail.)
14'6"
NONE
1987

1. OCCUPANT LOAD 60
2. EOTS (Table 10-A) REQUIRED 2 AVAILABLE 2
3. BATHROOMS (Table A-25-A)
MAMMOTIES (A-2)
*KITCHEN AREA (10700-3)
EATING AREA (83015 -57)
FREMONT CLOSET (34)
TOTAL AREA (1.10020-9)
4. TOTAL BATHROOMS REQUIRED 2 WITH 2 WATERCLOSETS EACH
5. ADDRESS (611 E. FREMONT STREET)
6. REQUIREMENT INT. & EXT. DOORS (10-110" x 61" all ANSI acceptable)

*ICBO FOOTING

SITE PLAN COVERSHEET	A - 1
CONSTRUCTION NOTES	X - 2
EQUIP. SCHED. & FLOOR PLAN	A - 3
EQUIP. & CAB ELEVATIONS	A - 4
PLUMBING PLAN	P - 1
ELECTRICAL PLAN CONNECTION	E - 1
ELECTRICAL FLOOR & PANEL	E - 2
MECHANICAL CON. SCHED.	M - 1
MECHANICAL HOOD SHAFT	M - 2

(Labeled on Plan)

HARDY DEVELOPMENT
MERLIN HARDY
L.I.C. # B 26060

611 E FREEMONT STREET
LAS VEGAS NEVADA

PG A - 13

4-07-04 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3761 - APPLICANT/OWNER: WESTVIEW, LIMITED LIABILITY COMPANY - Request FOR A REVIEW OF CONDITION NO. 5 OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW [Z-0058-01(1)] WHICH ESTABLISHED MINIMUM SITE SETBACKS on property adjacent to the southwest corner of Wittig Avenue and Tee Pee Lane (APN: 125-19-501-011 thru 014; 125-19-601-002 and 003), U (Undeveloped) Zone [L (Low Density Residential) and R (Rural Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack). 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:

MACK – APPROVED subject to conditions – Motion carried with BROWN not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LORA DREYA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and agreed to all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:32)

3-1034

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 115 – ROC-3761

CONDITIONS:

Planning and Development

1. Condition Number 5 of Site Development Plan Review [Z-0058-01(1)] shall be revised to read:

The setbacks for this development shall be a minimum of:

Front (to House)	10 Feet
Front (to Garage)	18 Feet
Side	5 Feet
Corner Side	10 Feet
Rear	10 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3761 - APPLICANT/OWNER: WESTVIEW, LIMITED
LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition Number 5 of Site Development Plan Review [Z-0058-01(1)] shall be revised to read:

The setbacks for this development shall be a minimum of:

Front (to House)	10 Feet
Front (to Garage)	18 Feet
Side	5 Feet
Corner Side	10 Feet
Rear	10 Feet

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Review of Condition No. 5 of an approved Site Development Plan Review [Z-0058-01(1)], which established minimum site setbacks for a proposed 100-lot single-family residential development adjacent to the southwest corner of Tee Pee Lane and Wittig Avenue. The applicant wishes to revise the front yard setback to the house from 20 feet to 10 feet, the front yard setback to the garage from 20 feet to 18 feet, and the rear yard setback from 15 feet to 10 feet on all lots within the development.

B) Applicant's Justification

The approved residential products for this development will not fit on some of the cul-de-sac bulbs and along the eastern boundary of the site.

BACKGROUND INFORMATION

A) Previous Actions

- 01/26/01 The subject property, as part of a larger request, was Annexed (A-0003-99) into the City of Las Vegas.
- 10/03/01 The City Council approved requests for a Rezoning (Z-0058-01) from U (Undeveloped) [DR (Desert Rural Density Residential) and R (Rural Density Residential) General Plan Designations] to R-PD3 (Residential Planned Development – 3 Units per Acre) and R-PD5 (Residential Planned Development – 5 Units per Acre); and a Site Development Plan Review [Z-0058-01(1)] for a 100-lot single-family residential development on 20.21 acres on the subject site. Staff recommended approval of both requests. The Planning Commission recommended approval of both requests on 08/23/01.
- 12/18/02 The City Council approved a Review of Condition No. 4 (ROC-1119) of an approved Rezoning request (Z-0058-01), which required the construction of half-street improvements on the subject site. Staff recommended approval. The Planning Commission recommended approval on 11/21/02.
- 04/24/03 The Tentative Map for the Ridgeway subdivision (TMP-2006) was approved by the Planning Commission. Staff recommended approval.
- 09/17/03 The City Council approved Extension of Time requests (EOT-2652 and EOT-2653) on the approved Rezoning (Z-0058-01) and Site Development Plan Review [Z-0058-01(1)] on this site. Staff recommended approval. The Planning Commission recommended approval of both requests on 08/14/03.

B) Pre-Application Meeting

12/29/03 The reasons for the request were discussed. It was indicated that a front driveway area would need to be a minimum of 18 feet, measured from the back of sidewalk where a sidewalk is provided, or from the back of curb where no sidewalk exists. Submittal requirements were also discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.21

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [L (Low Density Residential) and R (Rural Density Residential) General Plan Designations] under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units per Acre) and R-PD5 (Residential Planned Development – 3 Units per Acre)
North: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and U (Undeveloped) [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units per Acre)
South: U (Undeveloped) [L (Low Density Residential) and R (Rural Density Residential) General Plan Designations]
East: U (Undeveloped) [L (Low Density Residential) General Plan Designation]
West: U (Undeveloped) [R (Rural Density Residential) General Plan Designation]

E) General Plan Compliance

This site is designated L (Low Density Residential) and R (Rural Density Residential) on the Centennial Hills Sector Map of the General Plan. The L (Low Density Residential) category allows developments with gross densities of up to 5.5 dwelling units per acre, while the R (Rural Density Residential) category allows densities up to 3.59 dwelling units per acre. The proposed single-family residential development conforms to the density criterion for each General Plan category. The Review of Condition request is not directly related to any General Plan policies.

<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 the subject site.

ANALYSIS

This request seeks to reduce the front yard setback to the house from 20 feet to 10 feet, the front yard setback to the garage from 20 feet to 18 feet, and the rear yard setback from 15 feet to 10 feet on all lots within the development now mapped as Ridgeway. The corner side setback will remain 10 feet. According to the applicant, the finalized floor plans include models that extend four to ten feet past the garage. If the front setbacks do not change, these models will encroach into the setback area. All proposed garages will remain 18 feet from the back of sidewalk or back of curb where no sidewalk exists. The grading plan for the site indicated that the eastern edge of the development along Tee Pee Lane would require a terraced retaining wall with a four-foot offset between walls. As a result, the rear property lines of lots adjacent to Tee Pee Lane were moved four feet to the west. With the retaining wall thus moved, the current 15-foot rear yard setback would not accommodate the models used in the lot-fit analysis. In addition, cul-de-sacs in the northwestern portion of the site could not accommodate the models with the 15-foot rear yard setbacks in place.

FINDINGS

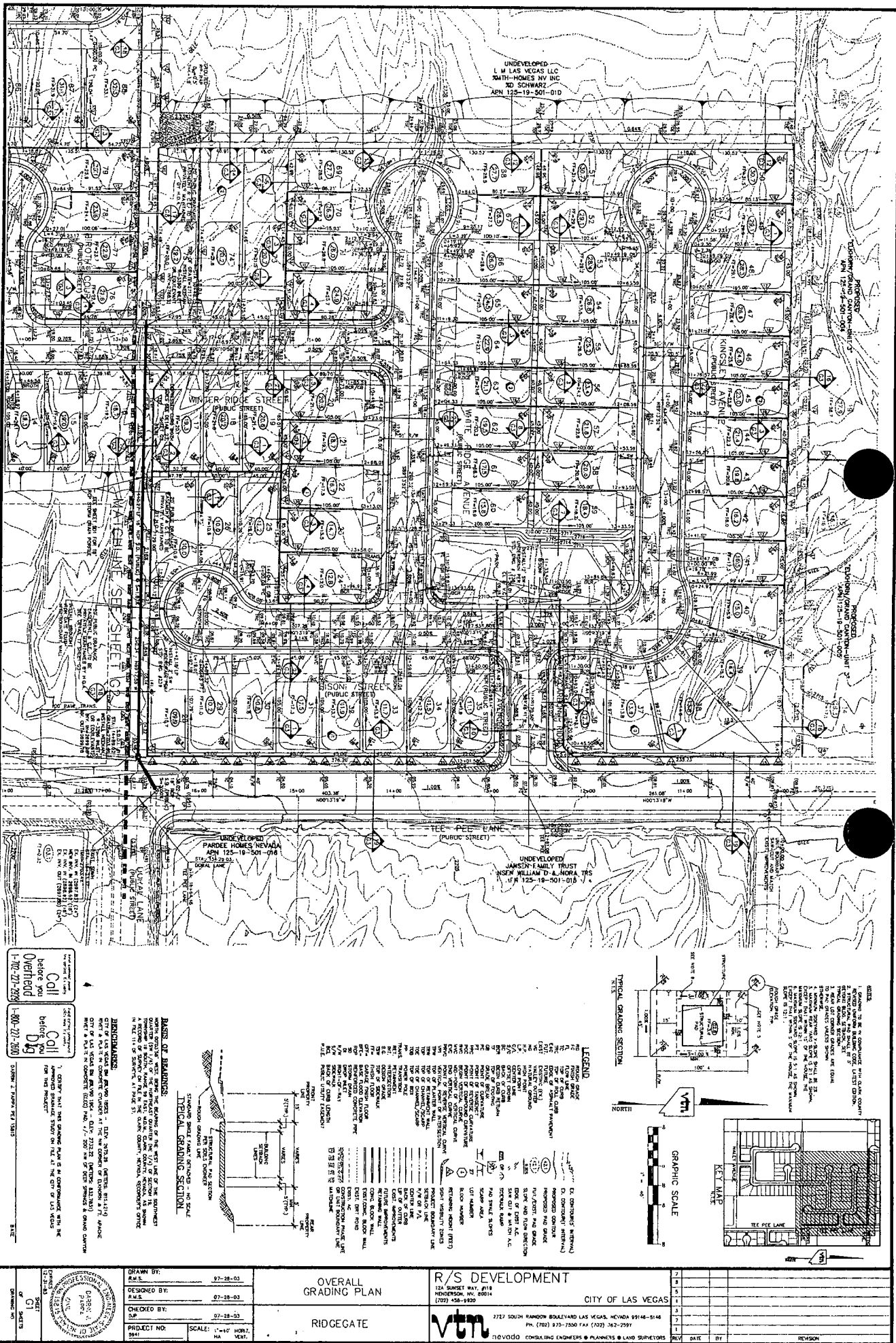
The proposed changes to Condition Number 5 of Site Development Plan Review [Z-0058-01(1)] are acceptable. The lots in question will still provide adequate driveway space to meet the minimum parking capsule standards of the Zoning Code. The revised front setbacks will also allow for visual variety along frontages, as opposed to a row of prominent garages. The rear setback will still allow for some yard space and up to seven feet for patio cover structures. Balconies will remain behind the required setback lines. The proposed changes will not significantly alter the intent of the approved Site Development Plan Review of the Ridgeway development.

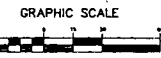
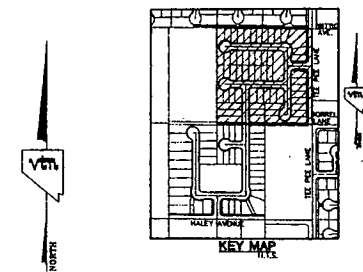
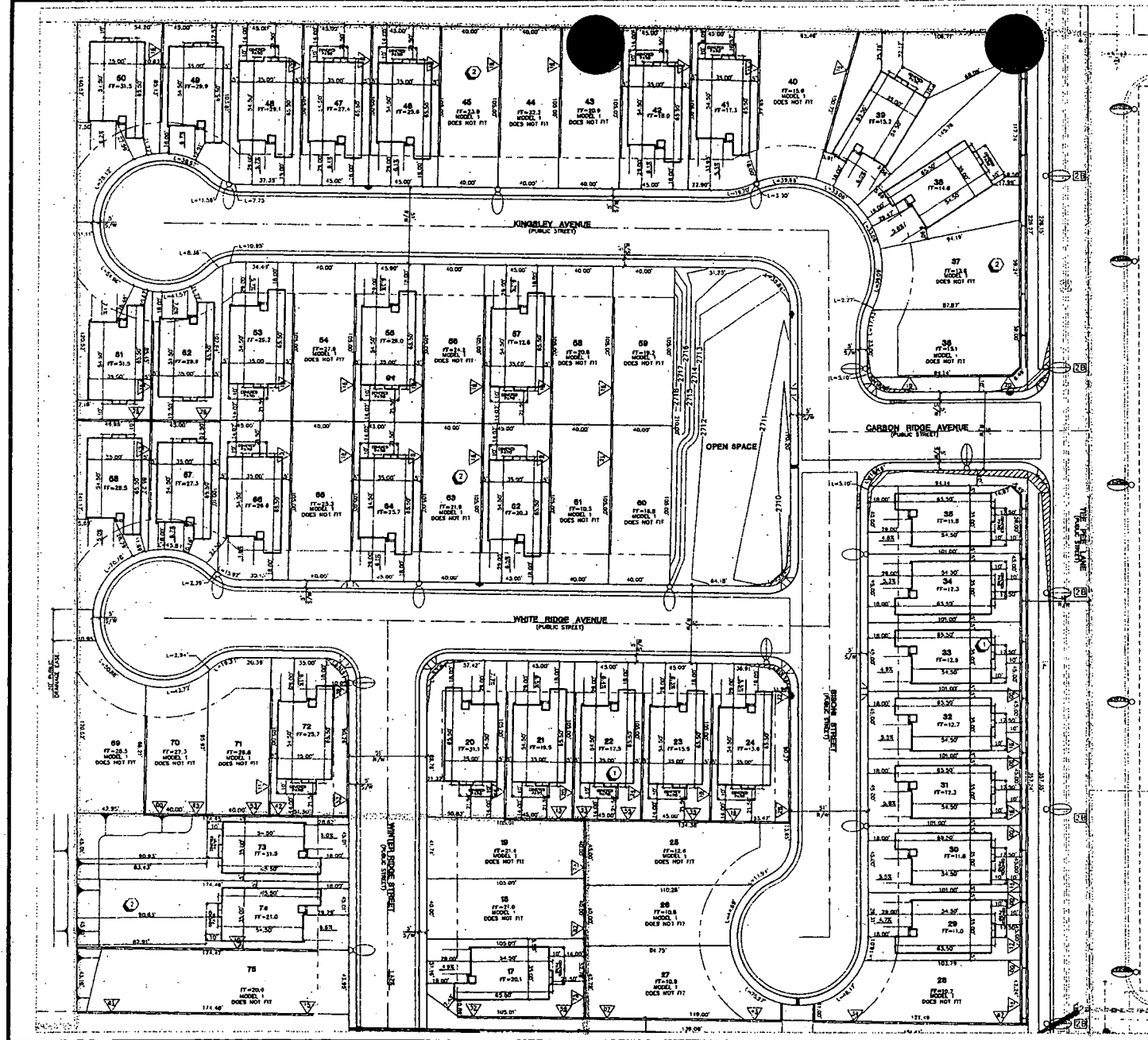
NOTICES MAILED 102 by Planning Department

APPROVALS 0

PROTESTS 0

4-07-04-CC

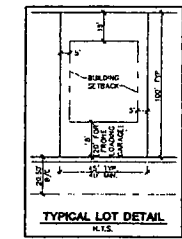




BASIS OF BEARINGS:
 NORTH 00°15'45" WEST, BEING THE BEARING OF THE WEST LINE OF THE SOUTHWEST QUARTER (QTR 1/4) OF THE NORTHEAST QUARTER (QTR 1/4) OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 28 EAST, N.E.M.L. CLARK COUNTY, NEVADA, AS SHOWN A RECORD OF SURVEY ON FILE IN THE CLARK COUNTY, NEVADA, RECORDS OFFICE IN FILE 114 OF SURVEYS, AS PAGE 21.

BENCHMARKS:
 CITY OF LAS VEGAS BM JELLYWOOD - ELEV. 3272.28 (METER) (81.431')
 IRNET & PLATE IN CONCRETE CYLINDER AT THE NW CORNER OF TOWNSHIP & F. 47400
 CITY OF LAS VEGAS BM JELLYWOOD - ELEV. 1722.22 (METER) (5652.75')
 IRNET & PLATE IN CONCRETE (ELEV. 1722.22) - 200' W. OF DEEP SPRINGS & GRAND CANYON

* PENDING SETBACK VARIANCE FOR LOTS 49, 50, 51, 52, 67 & 68.
 GARAGE - 18'
 REAR - 10'



OWNER
 WESTVIEW, LLC
 1724 S. SAGEWAY, SUITE 100
 LAS VEGAS, NEVADA 89119
 (702) 408-1400

DEVELOPER
 S.A. DEVELOPMENT
 1724 S. SAGEWAY, SUITE 100
 LAS VEGAS, NEVADA 89119
 (702) 408-1400
 CONTACT: RANDY SCHAEFER

SETBACKS
 FRONT (GARAGE) 10'
 FRONT (HOUSE) 10'
 SIDE 10'
 CORNER 10'
 REAR 10'

Call before you Overhead
 1-702-583-6111

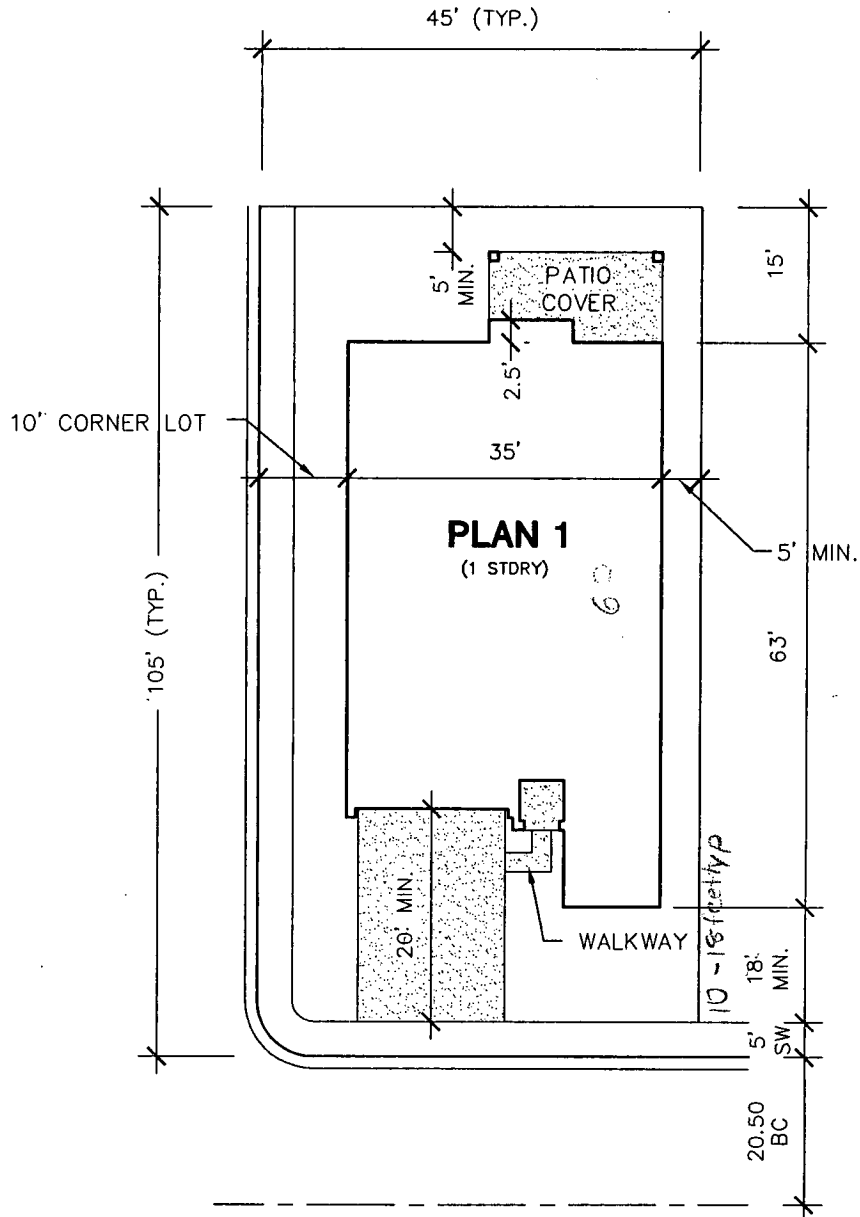
Call before you Dig
 1-800-227-2600

R/S DEVELOPMENT		CITY OF LAS VEGAS	
LOT FIT ANALYSIS MODEL 1		RIDGEGATE	
DESIGNED BY:	DATE: 06/08/2003	CHECKED BY:	REVISION: 001
DRAWN BY:	PROJECT NO:	SCALE:	1" = 20' HORIZ.
SHEET 1 OF 2 SHEETS			
DRAWING NO.			

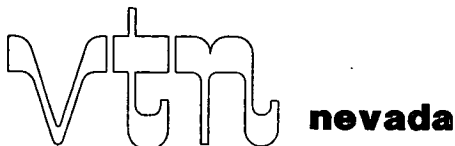
ROC-3761
 4-07-04 CC

SETBACKS

FRONT (GARAGE) : 20'
FRONT (HOUSE) : 18'
SIDE : 5'
CORNER : 10'
REAR : 15'

**ROC-3761****4-7-04 CC****TYPICAL LOT DETAIL-PLAN 1**

N.T.S.



2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

PROJECT:

TYPICAL LOT
Ridgeway
PLAN 1

FOR:

R/S DEVELOPMENT

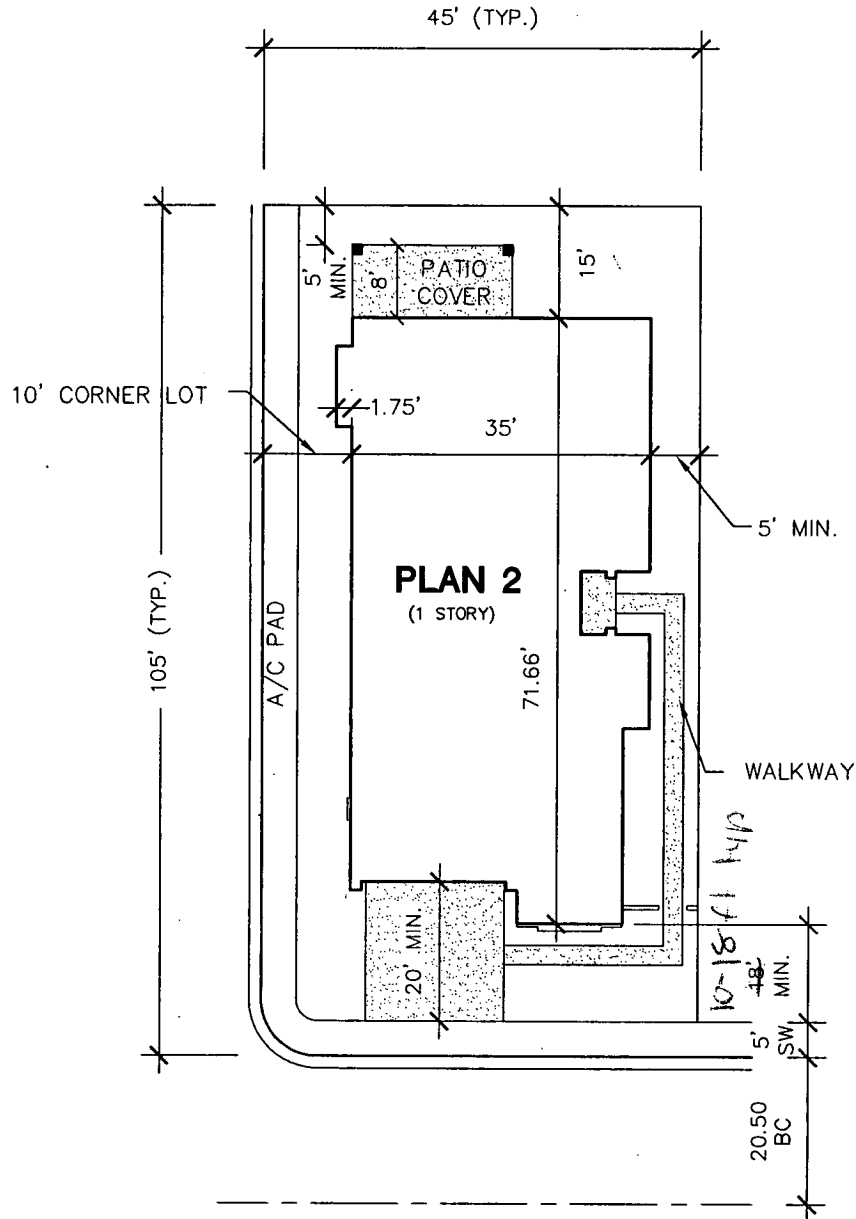
SCALE

HORZ. **NTS**
VERT. **NTS**

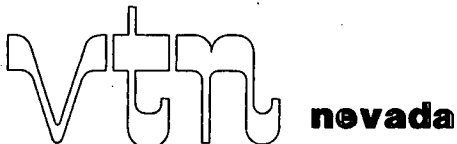
W.O. NO. **5941**DRAWN BY: **JSR**DATE: **12/05/03**SHEET **1** OF **6**

SETBACKS

FRONT (GARAGE) : 20'
FRONT (HOUSE) : 18'
SIDE : 5'
CORNER : 10'
REAR : 15'

**ROC-3761**

TYPICAL LOT DETAIL-PLAN 2
N.T.S.

4-7-04 CC

2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

PROJECT:

TYPICAL LOT
Ridgegate
PLAN 2

FOR:

R/S DEVELOPMENT

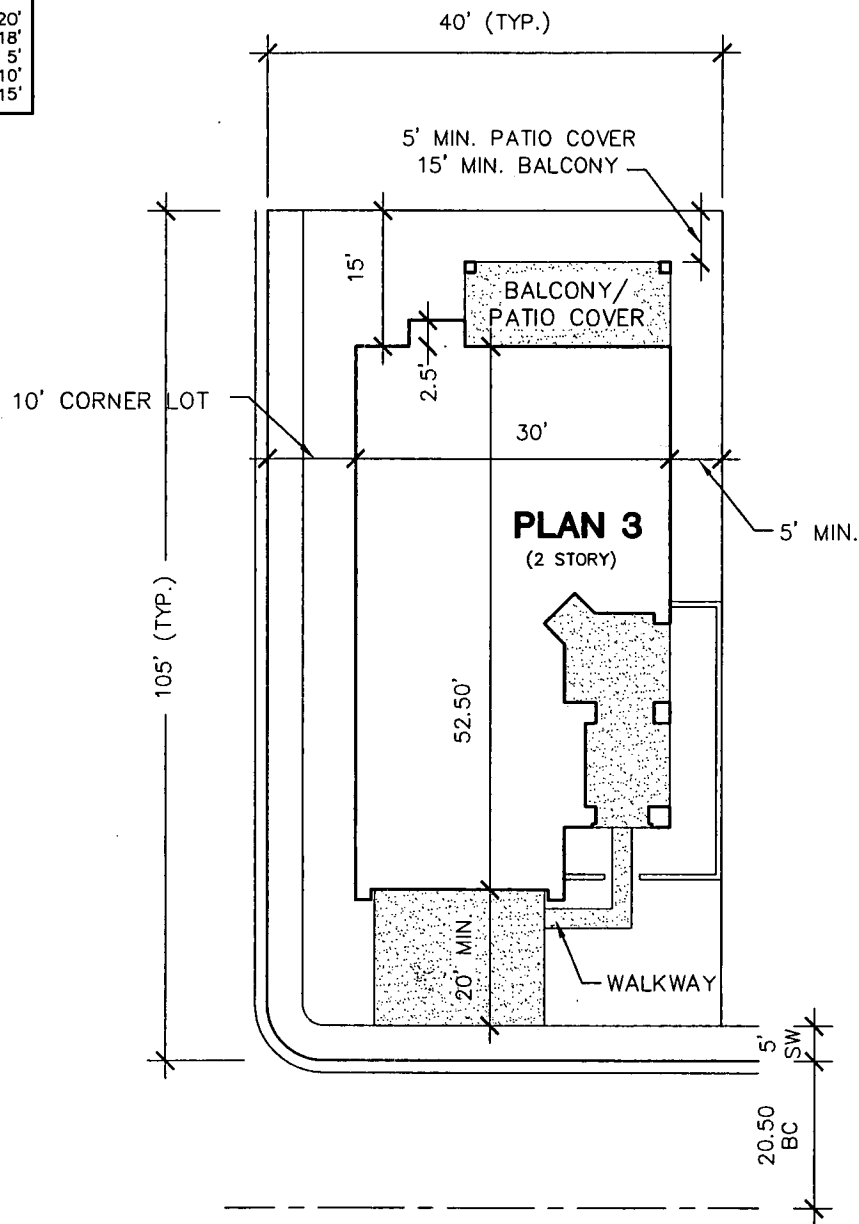
SCALE

HORZ. **NTS**
VERT. **NTS**

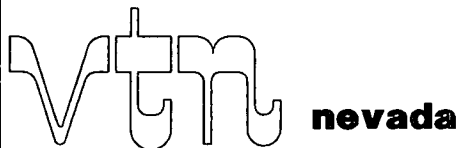
W.O. NO. **5941**DRAWN BY: **JSR**DATE: **12/05/03**SHEET **2** OF **6**

SETBACKS

FRONT (GARAGE) : 20'
FRONT (HOUSE) : 18'
SIDE : 5'
CORNER : 10'
REAR : 15'

**ROC-3761****4-7-04 CC****TYPICAL LOT DETAIL-PLAN 3**

N.T.S.



2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

PROJECT:

TYPICAL LOT
Ridgegate
PLAN 2

FOR:

R/S DEVELOPMENT

SCALE

HORZ. NTS

VERT. NTS

W.O. NO.

5941

DRAWN BY:

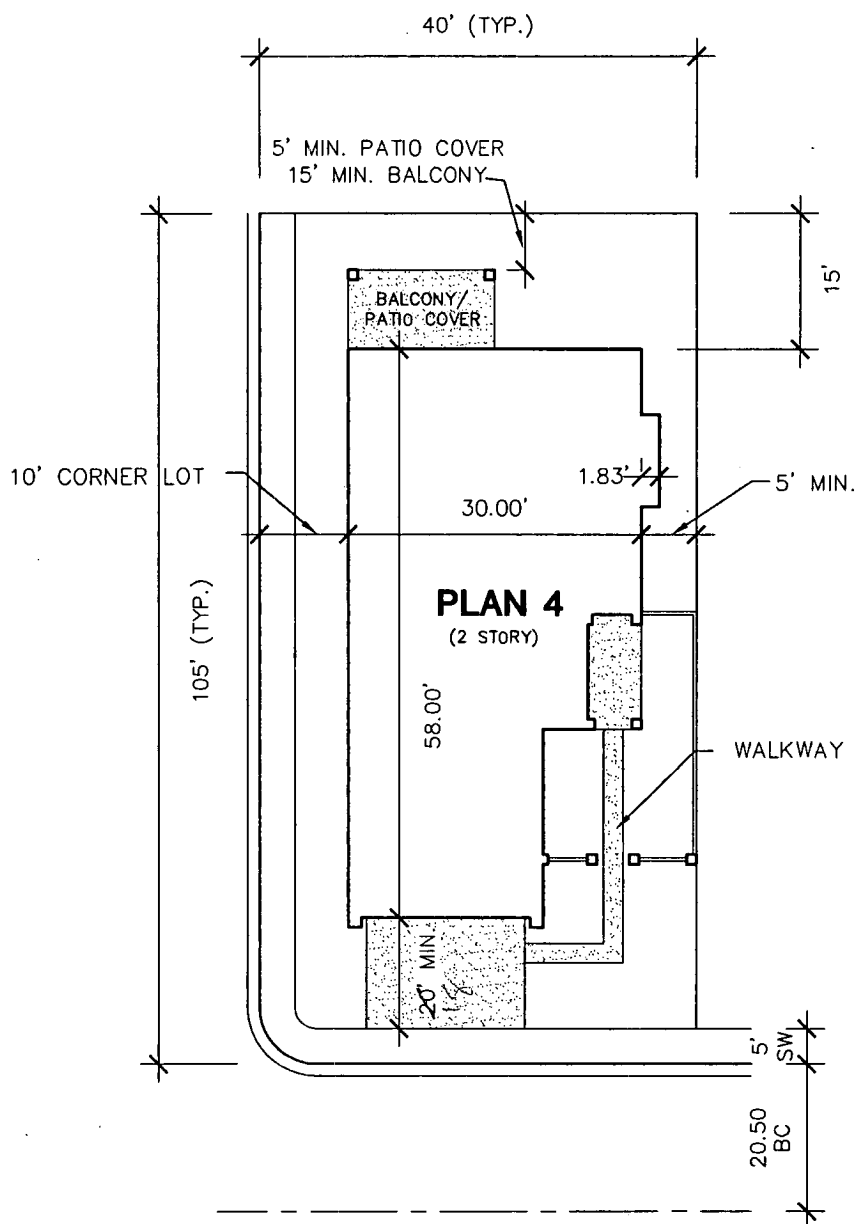
JSR

DATE:

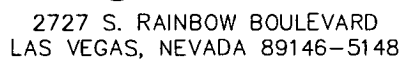
12/05/03

SHEET **3** OF **6**

SETBACKS:
FRONT (GARAGE) : 20'
FRONT (HOUSE) : 18'
SIDE : 5'
CORNER : 10'
REAR : 15'

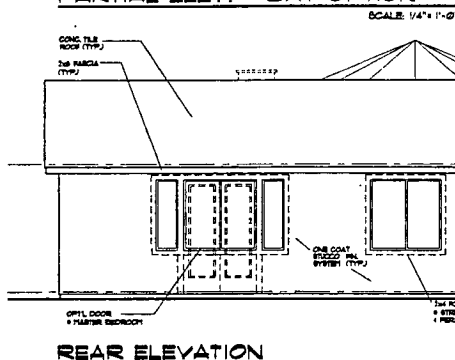


~~4-7-04 CC~~



R/S DEVELOPMENT

SCALE	HORZ. NTS
	VERT. NTS
W.O. NO.	5941
DRAWN BY:	JSR
DATE:	12/05/03
SHEET	4 OF 6



ROOF NOTES SURV. 'A'

U.S. CLASS "A"

CONCRETE "CAPSTRAND" (8 TIE) 3" HEADLAP

1 LAYER 36 LB. ASPHALT SATURATED FELT

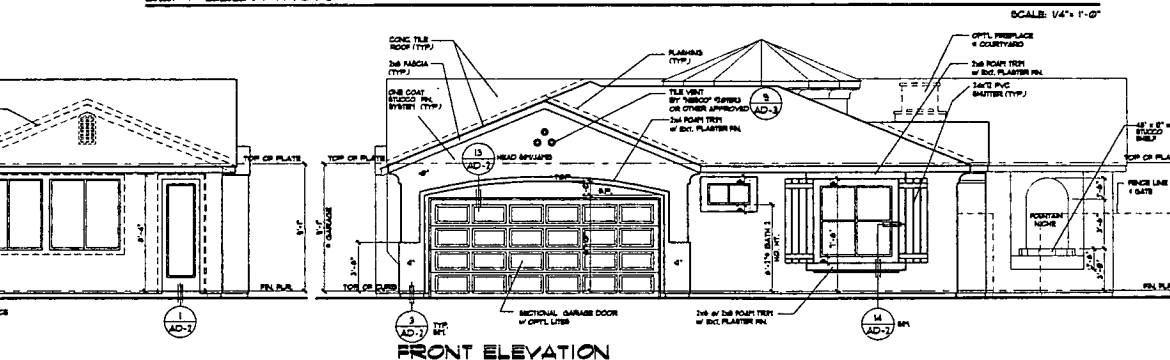
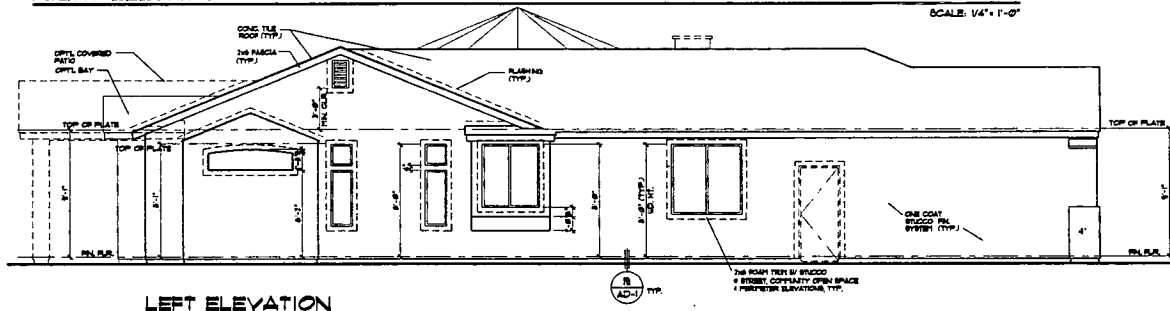
VALLEYS TO BE MIN. 72" GAUGE G.L. AS PER ROOF SPEC.

TOTAL WEIGHT 85 LB. / SQ. FT.

BRAND - CONC. TILE ROOFING BY "EAGLE" OR EQUAL

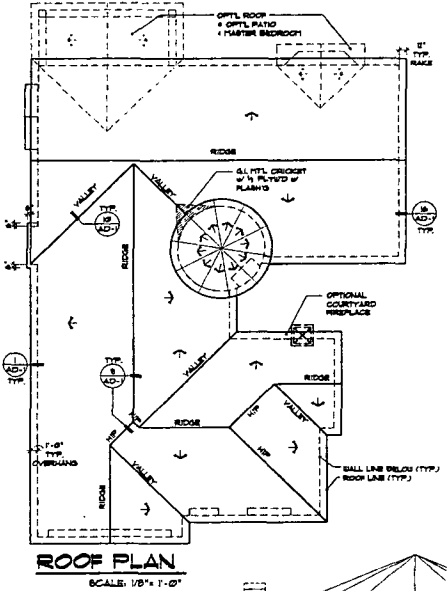
(E.S.S. REPORT 19748)

ROOF SLOPE: 5:12 UND.

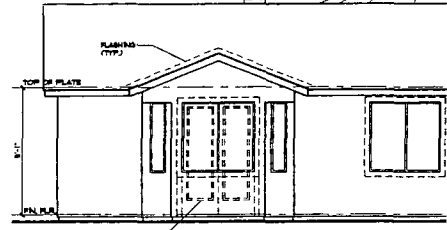


4-7-04 CC

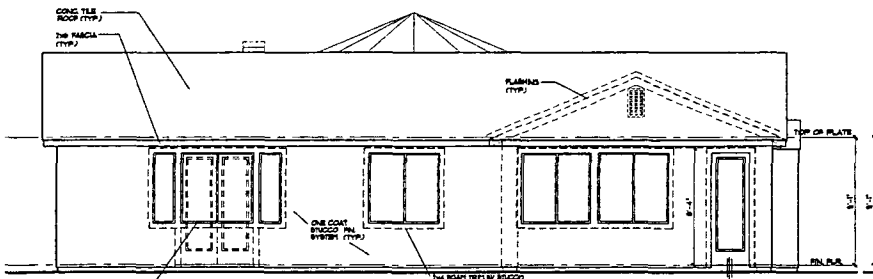
14. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS IN PARENTHESES ARE FOR INFORMATION ONLY.



ROOF PLAN
SCALE: 1/8" = 1'-0"



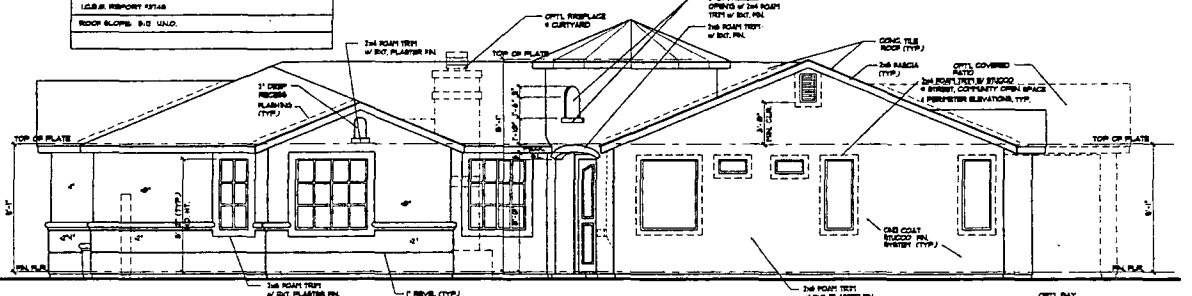
PARTIAL ELEV. @ BAY OPTION
SCALE: 1/4" = 1'-0"



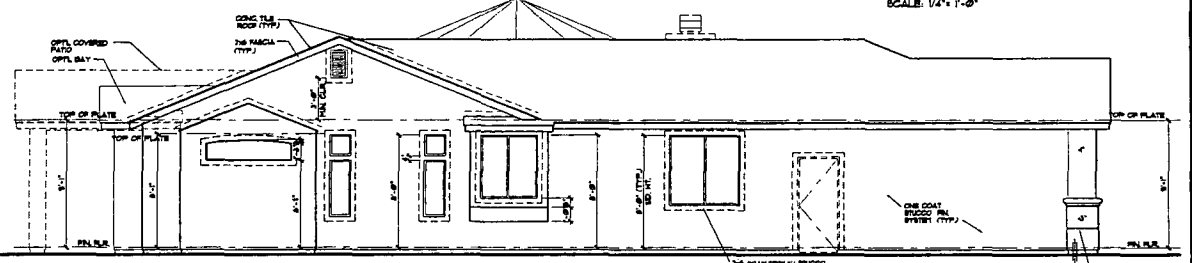
REAR ELEVATION

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

ROOF NOTES ELEV. 'B'	
1. CLAS. 1/2"	
2. CONCRETE 'WEL-AIR' (SLATE TILE) 1" HEADLAP	
3. 1 LAYER OF 1/2" ASPHALT SATURATED FELT	
4. VALLEYS TO BE FILL 1/2" GAUGE G.I. AS PER ROOF SPEC.	
5. TOTAL WEIGHT 5.5 LB / SQ FT.	
6. BRAND 1 CONC. TILE ROOFING BY 'EAGLE' OR EQUAL	
7. (G.S. & REPORT 1974)	
8. ROOF SLOPE: 9:12 UNDO.	

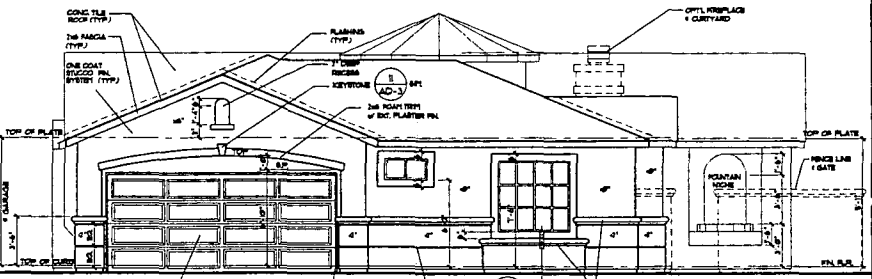


RIGHT ELEVATION



LEFT ELEVATION

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



FRONT ELEVATION

NOTE: REFER TO ELEVATIONS 'A' FOR TYP. INFORMATION

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

ROOF PLAN & EXT. ELEVATIONS "B" PLAN 5

REVISIONS	DATE	DESCRIPTION

LGS Nevada
building • DESIGN
residential •

9. 2001 LGS ARCHITECT INC.
10. 1000 S. 10TH ST.
11. SUITE 100
12. LAS VEGAS, NV 89102
13. TEL: (702) 735-1111
14. FAX: (702) 735-1111
15. WWW.LGSARCHITECT.COM

RidgeGate
The City of Las Vegas, Nevada
R/S DEVELOPMENT CO.

16. 1000 S. 10TH ST.
17. SUITE 100
18. LAS VEGAS, NV 89102
19. TEL: (702) 735-1111
20. FAX: (702) 735-1111

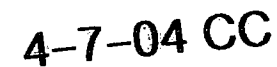
CERTIFIED PEER REVIEWED

SHEET	DESCRIPTION
AD-1	
AD-2	
AD-3	
AD-4	
AD-5	

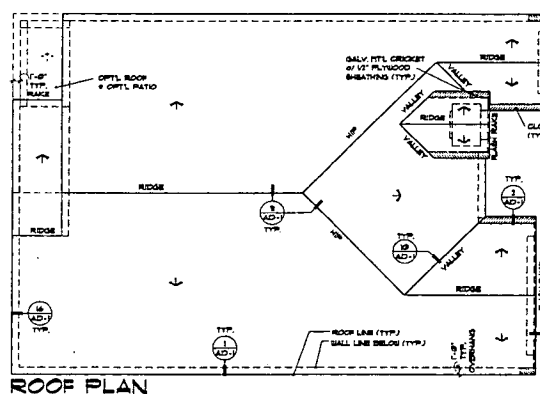
SHEET
AD-5

ROC-3761

4-7-04 CC



4-7-04 CC

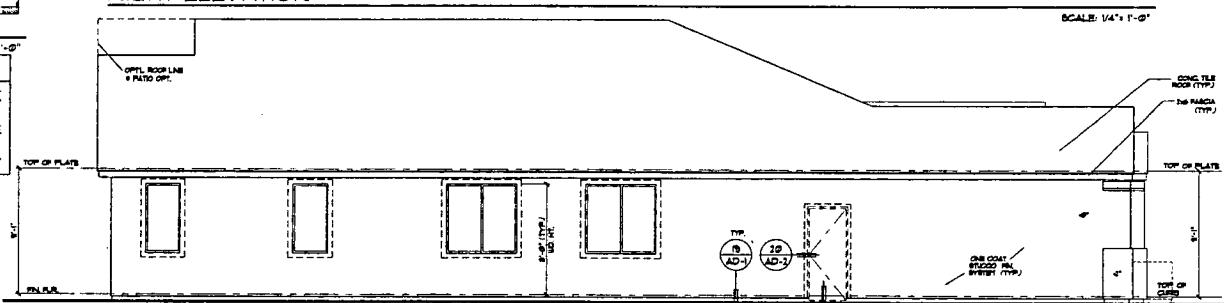


ROOF PLAN

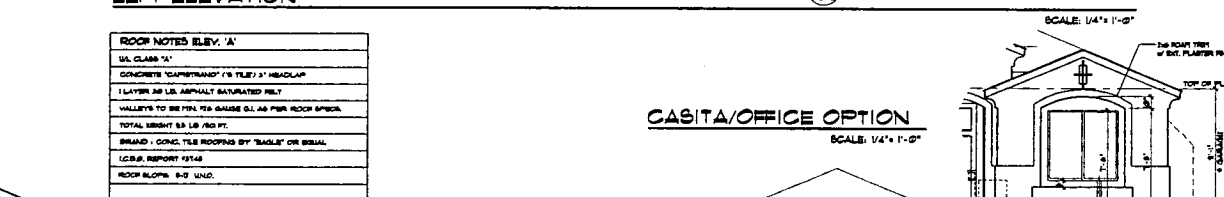
SCALE: 1/8" = 1'-0"

TYP. ATTIC VENTILATION ELEV. 'A', 8'4"		TYP. ATTIC VENTILATION ELEV. 'A', 8'4" (PATIO COVER OPTION)	
ATTIC AREA TO BE VENTILATED	8482 SQ. FT.	ATTIC AREA TO BE VENTILATED	8482 SQ. FT.
REQUIRED FREE AREA OF VENTILATION	352 SQ. FT.	REQUIRED FREE AREA OF VENTILATION	352 SQ. FT.
(352/2) = 176		(352/2) = 176	
352		352	
(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.	(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.
(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.	(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.
(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.	(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.
(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.	(176/2) GABLE END VENTS (4) 14x20-2IP AL. PLY. SASH SQ. FT.	848 SQ. FT.
VENTILATION PROVIDED	352 SQ. FT.	VENTILATION PROVIDED	352 SQ. FT.

RIGHT ELEVATION

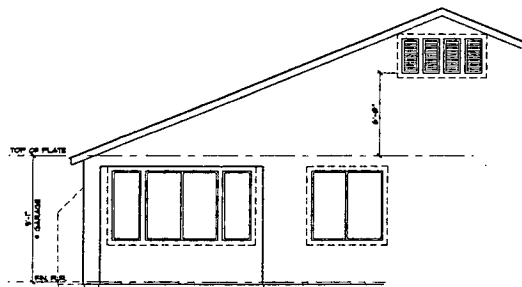
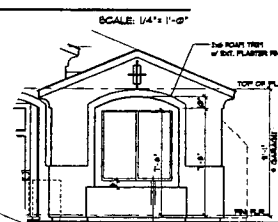


LEFT ELEVATION



CASITA/OFFICE OPTION

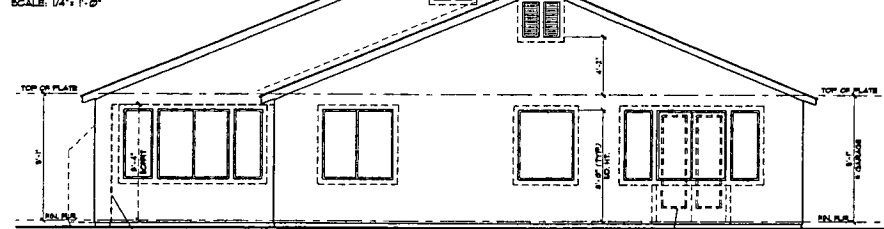
SCALE: 1/4" = 1'-0"



REAR ELEVATION

(COVERED PATIO OPTION)

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

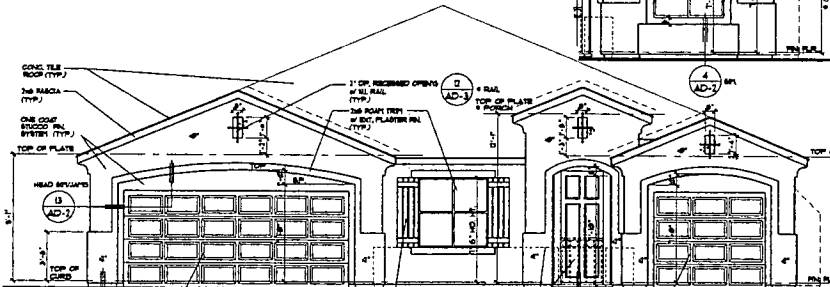


REAR ELEVATION

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

ROOF NOTES ELEV. 'A'

- U.S. CLASS 'A'
- CONCRETE 'CAMBRAND' (1" TILE) 3" HEADLAP
- 1 LAYER 30 LB. AMPHIL SATURATED FELT
- VALLEYS TO BE FILL TIE GUTTER 6" AS PER ROOF SPEC.
- TOTAL WEIGHT 50 LB. / SQ. FT.
- BRAND - CONC. TILE ROOFING BY 'BAGLE' OR EQUAL
- LCR.R. REPORT #148
- ROOF SLOPE: 6-12 UND.



FRONT ELEVATION

ROOF PLAN + EXT. ELEVATIONS "A" PLAN 6

REVISIONS

DATE	DESCRIPTION

LGS Nevada
residential • building • DESIGN

© 2002 LGS Architects Inc. All Rights Reserved.
LGS Architects Inc. is a California
Corporation. LGS Architects Inc. is
not responsible for the design of
any structure or component thereof.
2441 DUPONT DRIVE, IRVINE, CA 92612
Tel: (949) 252-2211
Fax: (949) 252-2211

RidgeGate
The City of Las Vegas, Nevada
R/S DEVELOPMENT CO.

1000 S. LAS VEGAS BLVD., SUITE 100
LAS VEGAS, NV 89101
Phone: (702) 431-4330
Fax: (702) 431-4330

CERTIFIED PEER REVIEWED

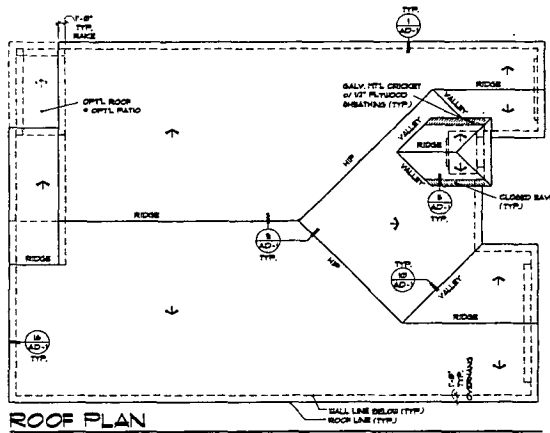
SHEET DESCRIPTION

JOB NO.	1000-00
DATE	04-07-04
DRAWN	VP
PROJ. MGR.	VP
PLOT DATE	04-07-04

SHEET A6-5

ROC-3761

4-7-04 CC



ROOF PLAN

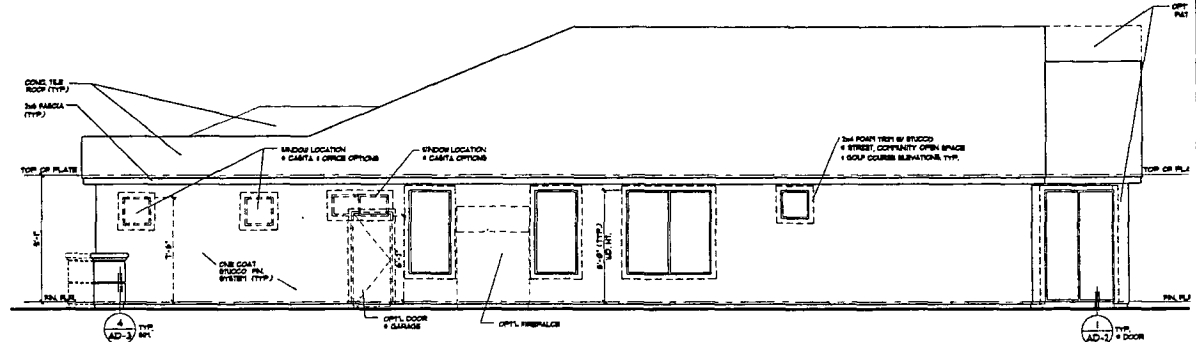
SCALE: 1/8" = 1'-0"

ROOF NOTES ELEV. 'B'	
1.	US CLARK 1/2"
2.	CONCRETE 2" MIN. (PLATE TIE) 2" HEADLAP
3.	1 LAYER 30 LBS. ASPHALT SATURATED FELT
4.	VALLEYS TO BE FILL WITH GRAVEL 3/4" AIR PER ROOF SPACE
5.	TOTAL WEIGHT 30 LBS. PER SQ. FT.
6.	BRIDGE, CONG. TIE ROOFING BY "WALKER" OR EQUAL
7.	LOCAL REPORT FORM
8.	ROOF SLOPE: 5:12 UNLS.



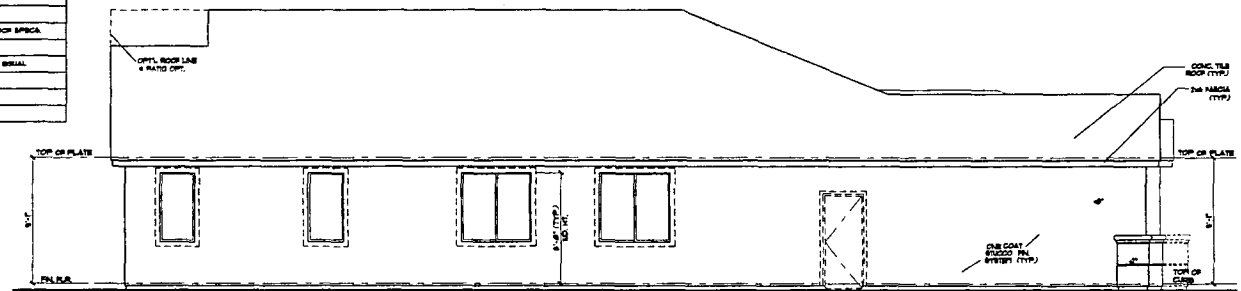
CASITA/OFFICE OPTION

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



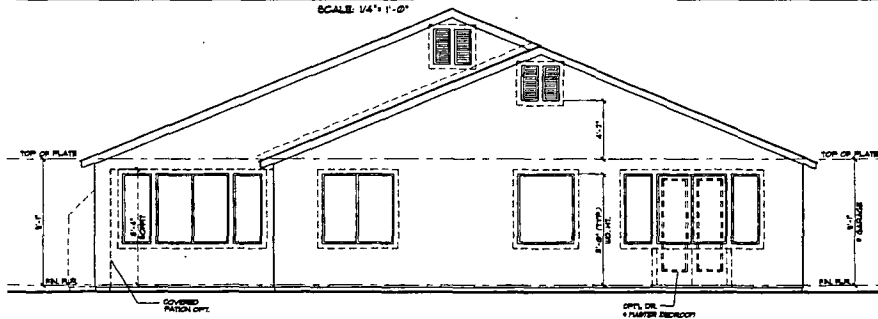
RIGHT ELEVATION

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



LEFT ELEVATION

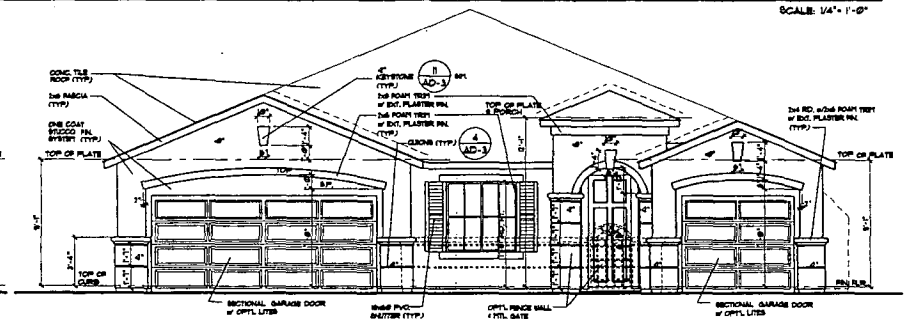
SCALE: 1/4" = 1'-0"



REAR ELEVATION

NOTE: REFER TO ELEVATION 'A' FOR COVERED PATIO OPT.

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



FRONT ELEVATION

NOTE: REFER TO ELEVATION 'A' FOR TYP. INFORMATION

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

ROOF PLAN & EXT. ELEVATIONS "B" PLAN 6

REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		
5		

LGS Nevada
residential • building • design

© 2003 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California

RidgeGate
The City of Las Vegas, Nevada
R/S DEVELOPMENT CO.

13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California
13400 LGS Architects Inc. in California

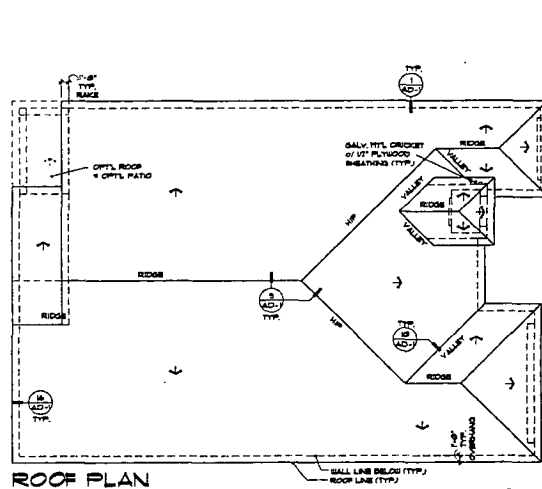
SHEET	DESCRIPTION
1	
2	
3	
4	
5	

DATE	DESCRIPTION
1	
2	
3	
4	
5	

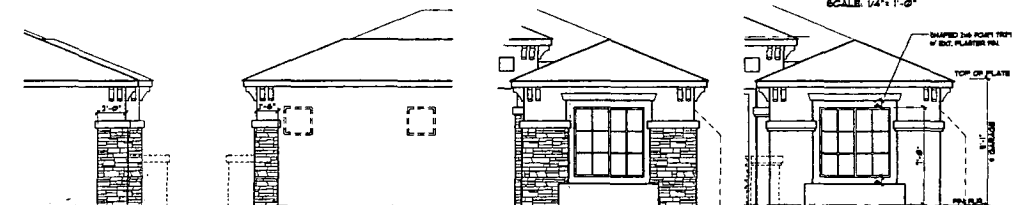
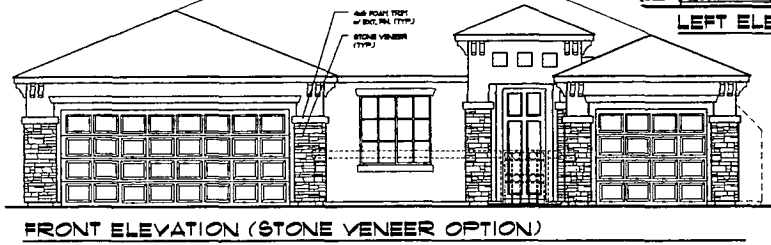
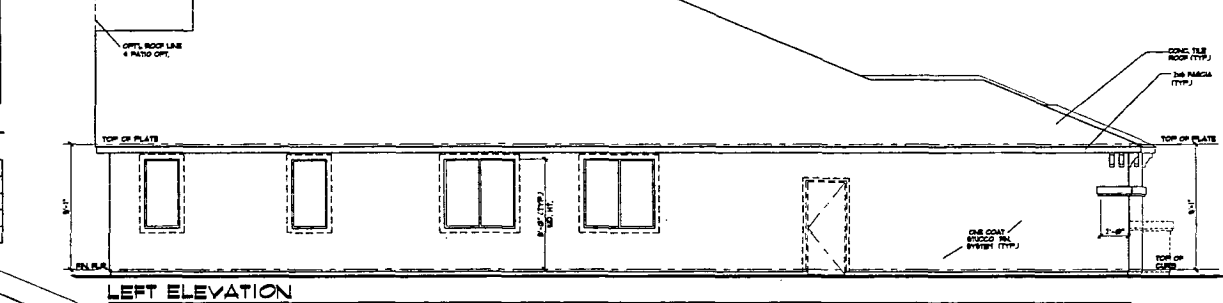
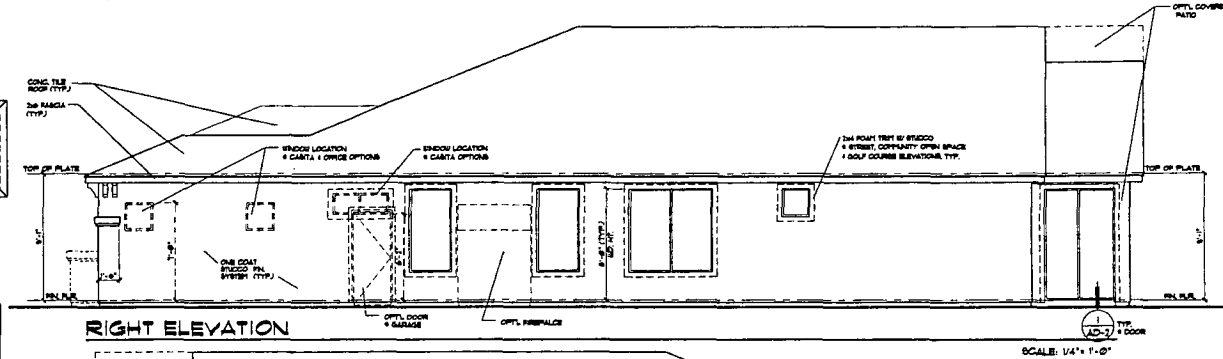
SHEET
A6-6

ROC-3761

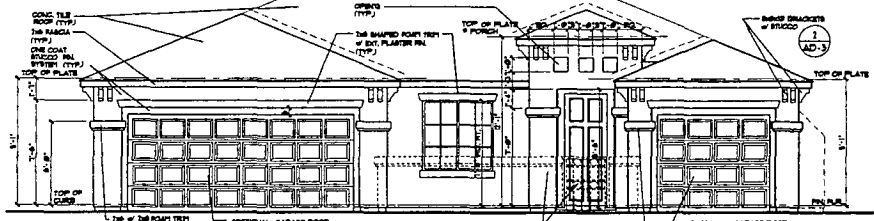
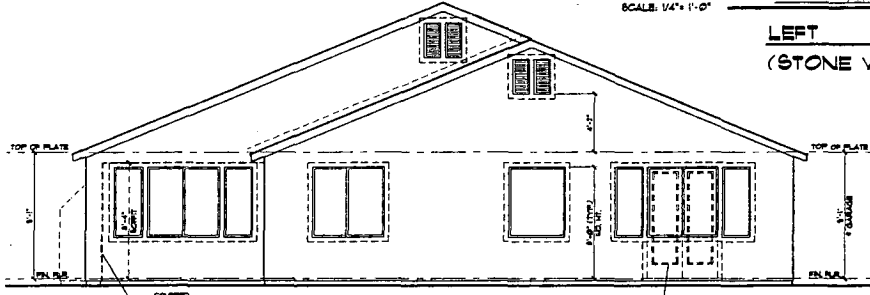
4-7-04 CC



ROOF NOTES ELEV. 'C'	
1. U.S. CLAIM 'A'	TOTAL WEIGHT 12.5 LB. 100 FT.
2. CONCRETE 'MONOCORNA' (EMERALD TILE) 1/2\"	BRAND - CONCRETE TILE ROOFING BY 'SANGU' OR 'SANGU'
3. 1 LAYER 30 LB. ANNUALLY SATURATED FELT	1.5\"
4. VALLEYS TO BE FTL. 1/2\"	ROOF SLOPE: 12:12



LEFT RIGHT CASITA / OFFICE OPT. CASITA / OFFICE OPT.



FRONT ELEVATION

REAR ELEVATION

NOTE: REFER TO ELEVATIONS 'A' FOR COVERED PATIO OPT.

NOTE: REFER TO ELEVATIONS 'A' FOR TYP. ANNOTATION

ROOF PLAN & EXT. ELEVATIONS 'C' PLAN 6

REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		
5		

LGS Nevada
 Residential • Building • Design
 3000 LGS Avenue Inc. in California
 1400 Sunset Way, Suite 115
 Los Angeles, CA 90026
 Tel: (818) 202-2211
 Fax: (818) 202-2211
 3000 LGS Avenue Inc. in California
 1400 Sunset Way, Suite 115
 Los Angeles, CA 90026
 Tel: (818) 202-2211
 Fax: (818) 202-2211

RidgeGate
 The City of Las Vegas, Nevada
 R/S DEVELOPMENT CO.
 1400 Sunset Way, Suite 115
 Los Angeles, CA 90026
 Tel: (818) 202-2211
 Fax: (818) 202-2211

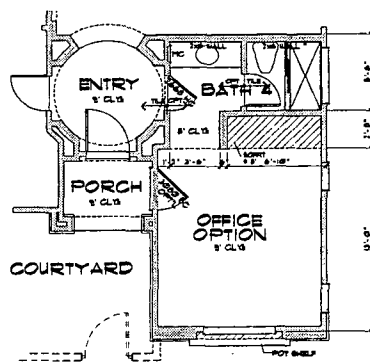
CERTIFIED PAPER REVIEWED

SHEET	DESCRIPTION
1	NOTED
2	NOTED
3	NOTED
4	NOTED
5	NOTED

SHEET
 A6-7

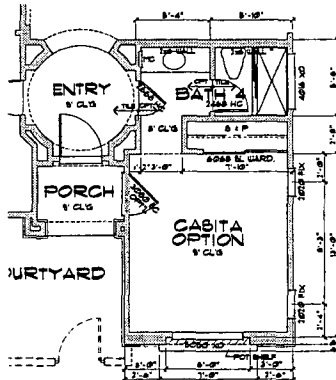
ROC-3761

4-7-04 CC



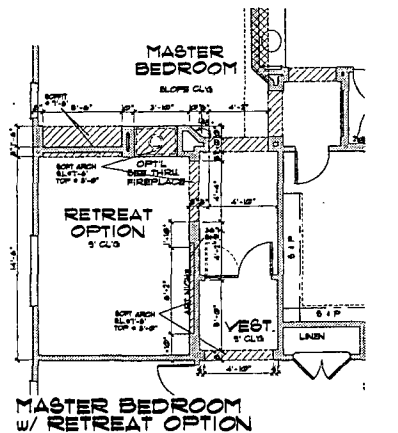
**2 BAY GARAGE w/
OFFICE OPTION**

LIVING FLOOR AREA 7,890 SQ. FT. SCALE: 1/4" = 1'-0"
2 BAY GARAGE 456 SQ. FT.



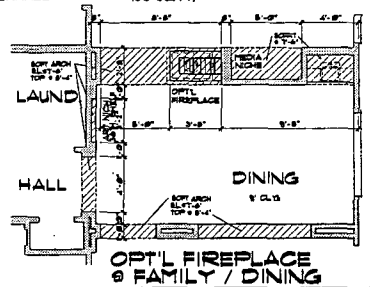
**2 BAY GARAGE w/
CASITA OPTION**

LIVING FLOOR AREA 7,890 SQ. FT. SCALE: 1/4" = 1'-0"
2 BAY GARAGE 456 SQ. FT.



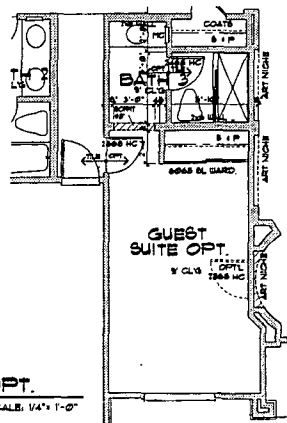
**MASTER BEDROOM
w/ RETREAT OPTION**

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



**OPT'L FIREPLACE
9 FAMILY / DINING**

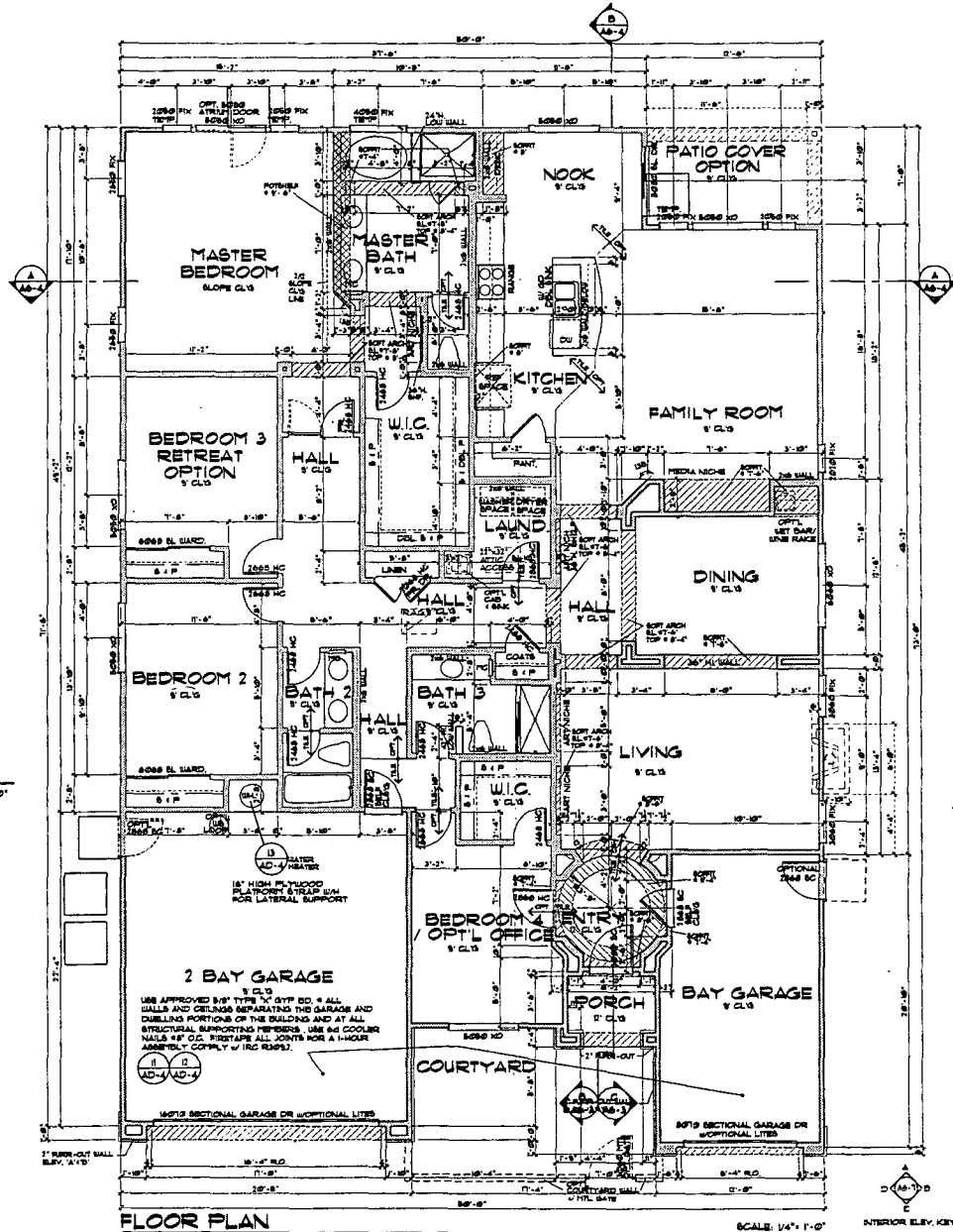
SCALE: 1/4" = 1'-0"



GUEST SUITE OPT.

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

FLOOR PLAN DATA:
LIVING FLOOR AREA 2653 SQ. FT.
2 BAY GARAGE 456 SQ. FT.
1 BAY GARAGE 241 SQ. FT.
PORCH 34 SQ. FT.
COVERED PATIO OPTION 88 SQ. FT.



FLOOR PLAN

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

INTERIOR ELEV. KEY

FLOOR PLANS A PLAN 6

REVISION	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

LGS Nevada
building • design
residential • commercial
3000 Las Vegas Blvd. S., Suite 100
Las Vegas, NV 89102
Tel: 702.734.1111
Fax: 702.734.1112

RidgeGate
The City of Las Vegas, Nevada
R/S DEVELOPMENT CO.
1000 Las Vegas Blvd. S., Suite 100
Las Vegas, NV 89102
Tel: 702.734.1111
Fax: 702.734.1112

SHEET
DESCRIPTION
DATE
SCALE
DATE
DRAWN
CHECKED
APPROVED
POST DATE

SHEET
DESCRIPTION
DATE
SCALE
DATE
DRAWN
CHECKED
APPROVED
POST DATE

ROC-3761

4-7-04 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3797 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Review of Condition No. 4 of an approved Special Use Permit (U-0088-01) WHICH PROHIBITED THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS, OR SCREW CAP WINE on property located at 2320 East Fremont Street (APN: 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). 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:

REESE – APPROVED subject to conditions with a 6-month Review – UNANIMOUS with MACK abstaining as he is a consultant for Super Pawn, which is owned by his brother STEVEN MACK, and which is located at the intersection across from the subject business.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARC RISMAN, 10120 South Eastern Avenue, appeared on behalf of the applicant and disagreed with staff's recommendation for denial. He asked for the condition to be removed, explaining that the applicant has made tremendous capital improvements to his service station that includes a convenience store. ATTORNEY RISMAN stated that there are two other stores across the street that are allowed to sell single containers and his client would be economically penalized if the City Council did not consider the removal of this restriction. He added that ARCO also has monthly promotions and those facilities that do not participate are assessed monetary penalties. ATTORNEY RISMAN remarked that the applicant has maintained his property aesthetically and has a close working relationship with the Metropolitan Police Department.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 116 – ROC-3797

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, stated that the applicant has done an outstanding job of improving the subject property and agreed that he should be allowed to sell single containers. However, as a note of precaution, he felt a review would be appropriate.

COUNCILMAN REESE agreed that the applicant has done a great job in renovating this corner and it is a significant contribution to the City's plans for redevelopment of the area.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

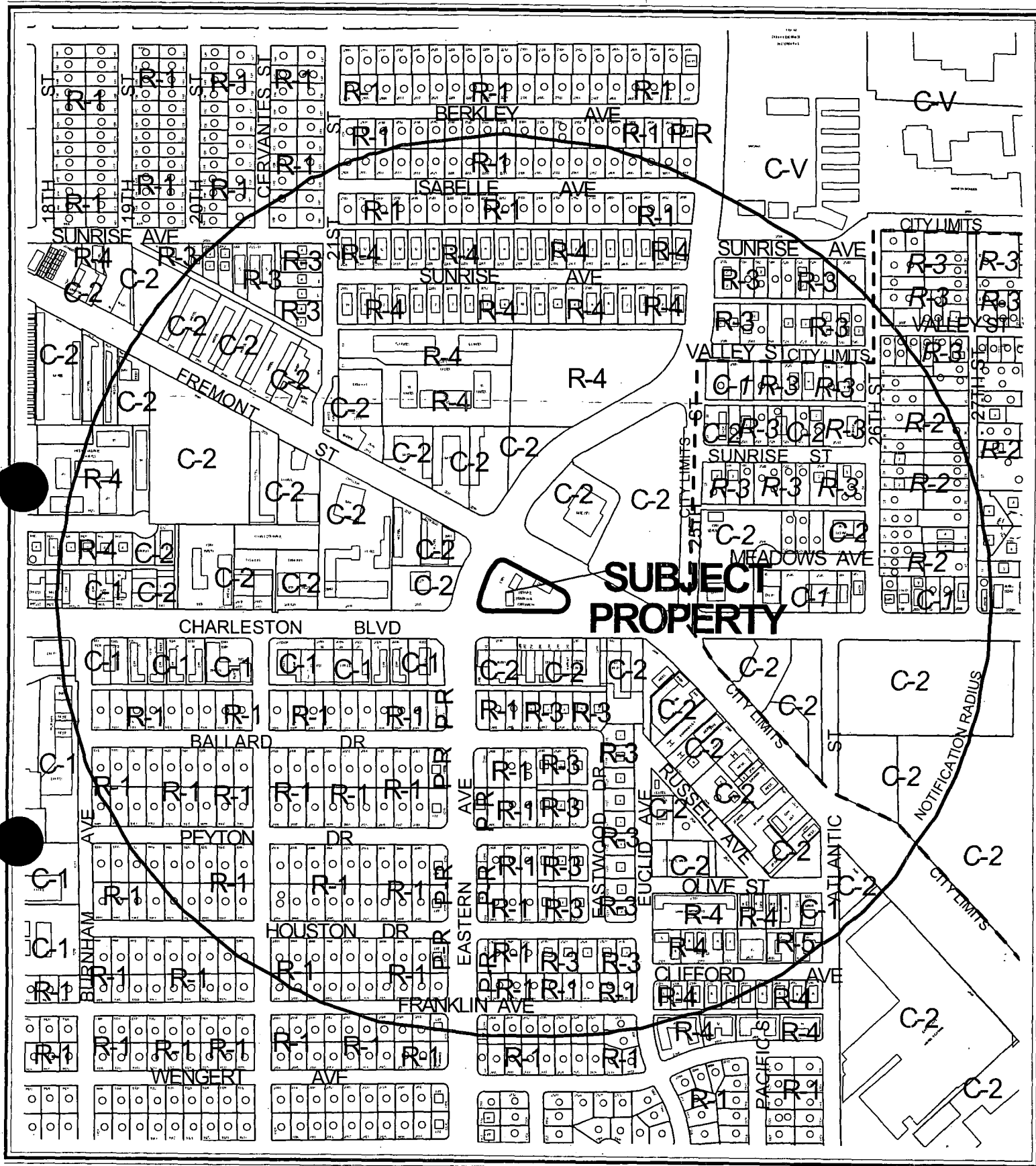
(1:32 – 1:37)

3-1061

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0088-01).

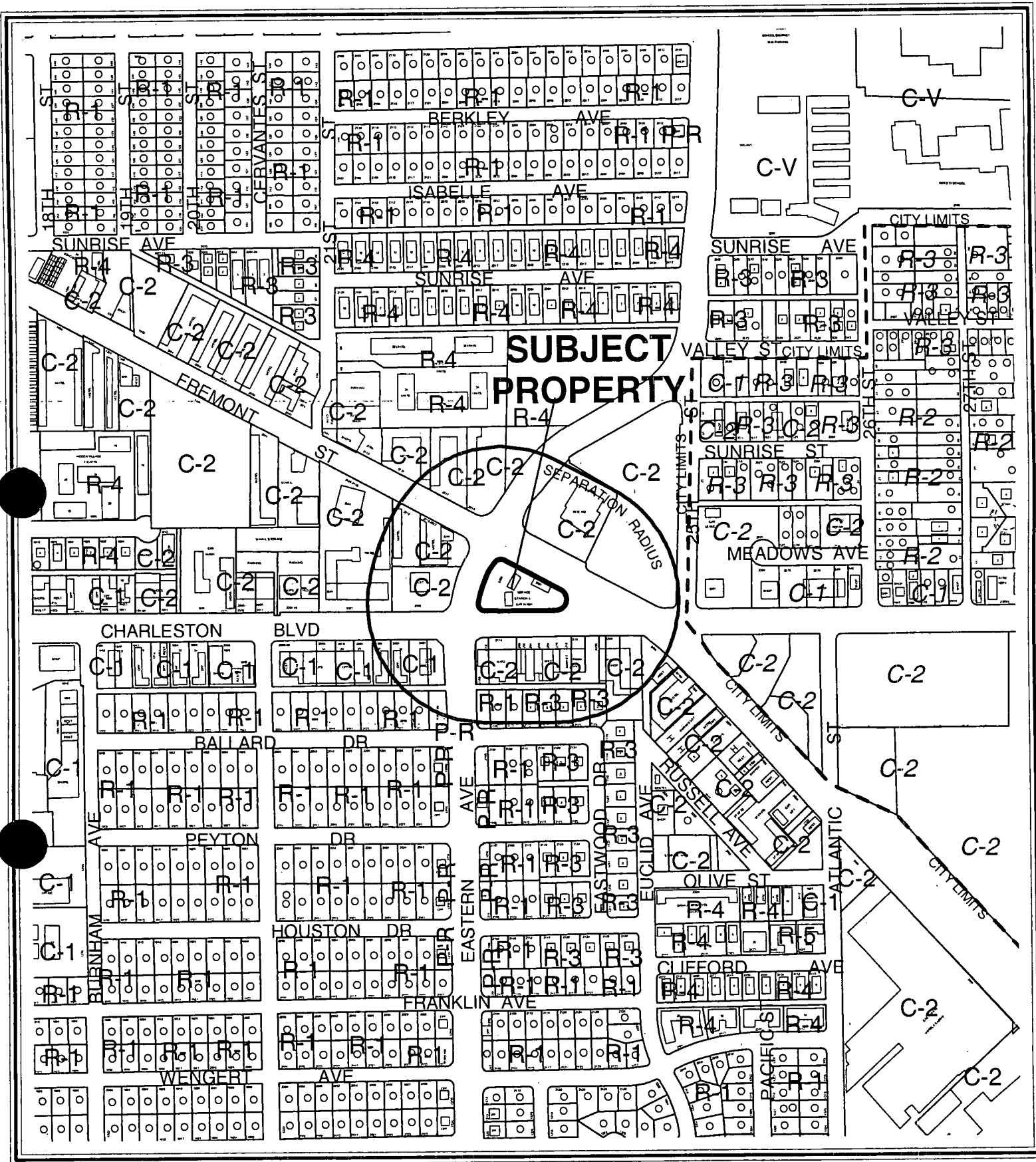


CASE: **ROC-3797**

RADIUS: 1500 FT

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





CASE: ROC-3797

SEPARATION RADIUS: 400 FT

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

0 300 600 Feet

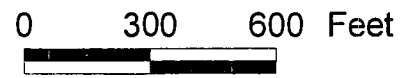




CASE: ROC-3797

RADIUS: 1500 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-3797 - APPLICANT/OWNER: UNITED BROTHERS
ENTERPRISES, INCORPORATED

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0088-01).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 4 of an approved Special Use Permit (U-0088-01) which prohibited the sale of screw cap wine and any size beer or wine coolers in individual cans or bottles and packaged other than in its original manufactured form in conjunction with an existing convenience store at 2320 Fremont Street. The applicant wishes to remove Condition Number 4 in order to allow the sale of these individual containers.

B) Applicant's Justification

The applicant states that the prohibition of single sales of beer, wine coolers, and screw cap wine puts the convenience store in a financially disadvantageous situation compared to other convenience stores in the area who are allowed to sell individual containers. There are two stores in particular selling individual containers located within 200 feet of the subject property.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 07/12/01 | The Planning Commission denied a request for a Variance (V-0044-01) to allow a 75 foot tall flagpole where 40 feet is the maximum height allowed in conjunction with a proposed convenience store. Staff recommended denial of this request. |
| 08/15/01 | The City Council approved requests for a Site Development Plan Review (SD-0029-01) for a proposed 2,800 square foot convenience store and a Reduction in the amount of Required Perimeter Landscaping; and a Special Use Permit (U-0088-01) for the sale of beer and wine for off-premise consumption in conjunction with the convenience store. The Planning Commission recommended approval of both requests on July 12, 2001. Staff recommended approval of these requests. |
| 01/24/02 | The Planning Commission approved a request for a Site Development Plan Review [SD-0029-01(1)] for an approximately 800 square foot addition to an approved service station and full-service car wash on the subject site. Staff recommended approval. |
| 10/16/02 | The City Council approved a request for a Site Development Plan Review (SD-0039-02) and a Reduction of the on-site perimeter landscape requirement for a proposed 3,285 square foot convenience store and fuel canopy on the subject site. The Planning Commission recommended denial. Staff recommended approval. |

01/21/04 The City Council approved a Required Six Month Review (RQR-3541) of an approved Special Use Permit (U-0088-01) that allowed the sale of beer and wine for off-premise consumption in conjunction with an existing convenience store on the subject site. Staff recommended approval with no further reviews scheduled.

B) Pre-Application Meeting

A pre-application conference is not required for a Review of Condition application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.92

B) Existing Land Use

Subject Property: Convenience Store with Fuel Pumps and Automatic Car Wash
North: General Retail/Pharmacy and Undeveloped
South: Pawn Shop, Auto Part Sales (New and Rebuilt), General Retail
East: Tavern
West: Fast Food Restaurant

C) Planned Land Use

Subject Property: C (Commercial – Downtown Redevelopment Area)
North: C (Commercial – Downtown Redevelopment Area)
South: C (Commercial – Downtown Redevelopment Area)
East: Clark County
West: C (Commercial – Downtown Redevelopment Area)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial – Clark County)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as being included in the “Downtown Redevelopment Plan” Area. It is subject to the land use designations identified in the Las Vegas Redevelopment Plan. The Redevelopment Plan designates the parcel as C (Commercial), which allows office uses, service-oriented commercial uses, and general commercial uses, such as the existing convenience store. The sale of beer and wine for off-premise consumption is a permitted use in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

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

The subject site is included in the Las Vegas Redevelopment Plan Area, which includes most of downtown Las Vegas, portions of West Las Vegas, and the industrial area located south of Charleston and east of the Union Pacific Railroad. The purpose of this plan is to eliminate blighted properties, develop vacant or underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas.

The Transportation Trails Element of the Las Vegas 2020 Master Plan shows that a 15-foot trail is required along the east side of Eastern Avenue adjacent to this site. A 10-foot sidewalk and five-foot landscape planter has been constructed on the western edge of the site in compliance with the Master Plan requirements.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because it involves a Special Use Permit application for property within 500 feet of the City's border with unincorporated Clark County. No questionnaire detailing the impacts of the convenience store project on the surrounding area was submitted, since the ordinance had not been finalized at the time of application for Special Use Permit.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premise)	Minimum 400-foot separation from any church, synagogue, school, child care facility licensed for more than 12 children, or City park.	No protected uses within 400 feet of convenience store

The use complies with the 400-foot distance separation requirement in the Zoning Code.

B) General Analysis and Discussion

A report received from the Las Vegas Metropolitan Police Department indicates that it responded to the following incidents at this location from September 1, 2003 to March 17, 2004:

<u>Incident</u>	<u>Number of Occurrences</u>
Hit And Run	1
Accident With Injuries	1
Accident (Private Property)	1
911 Disconnect	2
Vehicle Burglary	1
Robbery	1
Stolen Vehicle	1
Petit Larceny	8
Assault/Battery	1
Assault/Battery With Other Deadly Weapon	2
Fight	2
Other Disturbance	26
Family Disturbance	2
Mentally Ill Person	1
Assist Citizen	1
Wanted Suspect	1
Investigation/Follow Up	2
Vehicle Stop	1
Pedestrian Check	1

A total of 56 incidents were reported in the given six-month period. Of these incidents, two citations were issued and three arrests were made. The police dispatch was canceled in eight of the incidents. In 10 of the 26 incidents reported in the "Disturbance" category, the subject was advised or a warning was given.

A business license for the off-premise sale of beer, wine, and wine coolers was issued to the Arco AM/PM store on August 29, 2003. Follow-up licensing inspections have shown the business to be in compliance with all applicable codes. The Department of Neighborhood Services/Neighborhood Response Division reported that there were no code enforcement issues for this property since the convenience store opened in September 2003. A site visit confirmed that the property is in compliance with all planning-related conditions of approval of the Special Use Permit and Site Development Plan Review and that it appears to be properly maintained.

- Zoning

The subject site is zoned C-2 (General Commercial), which permits the sale of beer and wine for off-premise consumption with the approval of a Special Use Permit.

- Use

Title 19.040.050 establishes the criteria for the approval of alcohol-related uses. The Code requires sales of beer and wine 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. There is no protected use known to be within the required minimum separation distance.

On January 21, 2004, in a Required Six-Month Review (RQR-3541) of the Special Use Permit (U-0088-01), the City Council found that the sale of beer and wine for off-premise consumption in conjunction with the convenience store was an acceptable use on this site, subject to the original conditions of approval of the Special Use Permit, one of which included the prohibition on the sale of screw cap wine and any size beer or wine coolers in individual cans or bottles and packaged other than in its original manufactured form.

Staff has consistently recommended denial of requests for the sale of individual containers of beer, wine coolers, and screw cap wine in this area, based on findings that carry-out sales appear to contribute to the deterioration of the downtown environment. Furthermore, the prohibition of individual container sales has been a standard condition of approval for any Special Use Permit pertaining to off-premise liquor sales. The allowance of single container sales may compromise the public health, safety and welfare, and is inconsistent with a primary objective of the Las Vegas Redevelopment Plan, which is to promote the advancement of the quality of life in the Redevelopment Area. Recommendation is therefore for denial of the Review of Condition. The fact that a Special Use Permit has been granted for similar uses and in the same area as the subject site is not determinative of Staff's recommendation for this request.

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 sale of beer and wine for off-premise consumption is a use typically associated with a convenience store in a commercial area, and can be conducted in a manner compatible with future commercial development in the surrounding area.

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

The subject site has no physical constraints to the proposed sale of beer and wine for off-premise consumption.

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 abutting street network will be adequate to meet the access requirements of the proposed use in that Fremont Street, Charleston Boulevard and Eastern Avenue are all fully improved Primary Arterial roadways as designated on the Master Plan of Streets and Highways.

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 existing convenience store is subject to regular inspection by City and County regulatory agencies for business licensing; however, the sale of screw cap wine and any size beer or wine coolers in individual cans or bottles and packaged other than in its original manufactured form may compromise the public health, safety and welfare, and is inconsistent with a primary objective of the Las Vegas Redevelopment Plan, which is to promote the advancement of the quality of life in the Redevelopment Area.

NOTICES MAILED 447 by Planning Department

APPROVALS 0

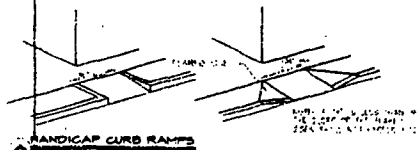
PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

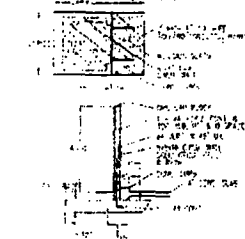




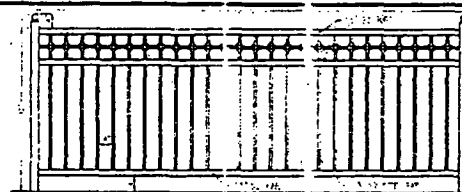
Call
before you
Dig.
1-800-227-2600



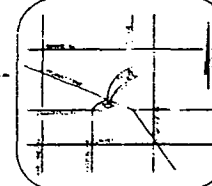
HANDICAP CURB RAMP



TYPE TRASH ENCLOSURE - SECTION



FENCE DETAIL



VICINITY MAP

CONSTRUCTION NOTES

1. REMOVE EXISTING 1" DIA. 8' ALK.
2. REMOVE EXISTING CONC. S.D.
3. REMOVE EXISTING CONC. S.D.
4. REMOVE EXISTING CONC. S.D.
5. EXISTING CONC. S.D. TO BE RE-LOCATED
6. EXISTING CONC. S.D. TO BE RE-LOCATED
7. EXISTING CONC. S.D. TO BE RE-LOCATED
8. EXISTING CONC. S.D. TO BE RE-LOCATED
9. EXISTING CONC. S.D. TO BE RE-LOCATED
10. EXISTING CONC. S.D. TO BE RE-LOCATED
11. EXISTING CONC. S.D. TO BE RE-LOCATED
12. EXISTING CONC. S.D. TO BE RE-LOCATED



CAR WASH ENTRY DETAIL

PROJECT DATA

CODE ANALYSIS (PROJECT DATA)

ST. AREA 14,400 SQ. FT. 0.32 ACRES
FLOOR AREA RATIO 2.0% 12,480 SQ. FT. 1,440 SQ. FT.
TOTAL FLOOR AREA 12,480 SQ. FT.

BUILDING AREA

EXISTING CARWASH 14,400 SQ. FT. 1,440 SQ. FT.
EXISTING CARWASH 14,400 SQ. FT. 1,440 SQ. FT.

TYPE OF CONSTRUCTION

EXISTING CARWASH EXISTING
EXISTING CARWASH EXISTING

OCCUPANCY LOAD

CARWASH 14,400 / 100 = 144
EXISTING 14,400 / 100 = 144
TOTAL 14,400 / 100 = 144

OCCUPANCY

CARWASH 14,400 / 100 = 144
EXISTING 14,400 / 100 = 144

PARKING REQUIREMENTS

PARKING REQUIRED - CARWASH 14,400 / 100 = 144
PARKING REQUIRED - EXISTING 14,400 / 100 = 144
TOTAL PARKING REQUIRED 14,400 / 100 = 144

ACCESSIBLE PARKING PROVIDED

ACCESSIBLE PARKING PROVIDED 14,400 / 100 = 144

ACE ENGINEERING
8720 S. VALLEY VIEW BLVD
SUITE 200 LAS VEGAS, NV 89148
PHONE 702-734-1111 FAX 702-734-1112
ON-PLANS LUD. SEVERELY INEQU. DELEG.

SITE PLAN

ARCO GAS STATION (C. STORE)
CHARLESTON BLVD. & FREMONT ST.
CITY OF LAS VEGAS, NV.



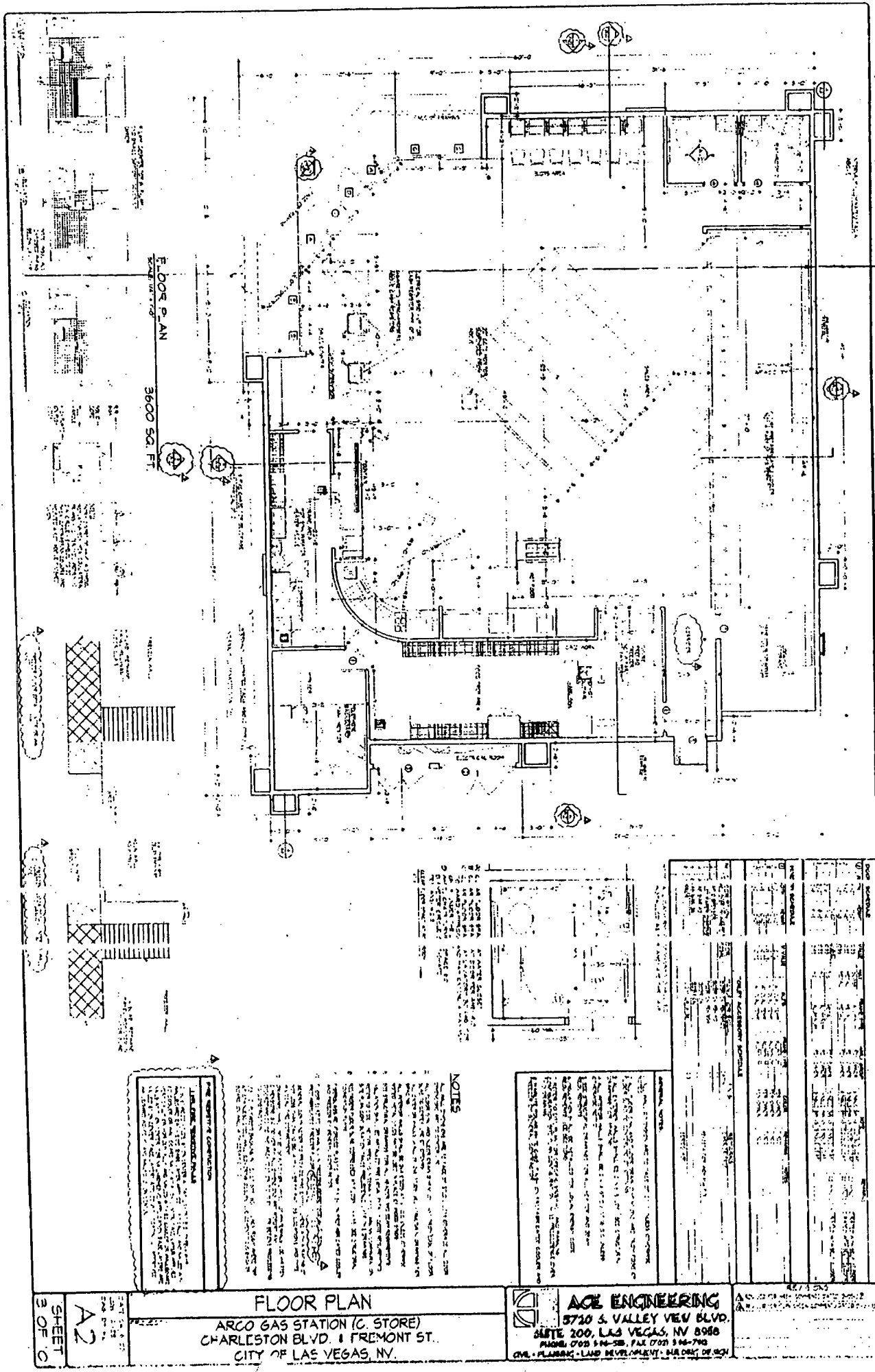
DATE: 07/24/2003
JOB: 174-05
DWC ST. LSV
SHEET
2 OF 10

GRAPHIC SCALE



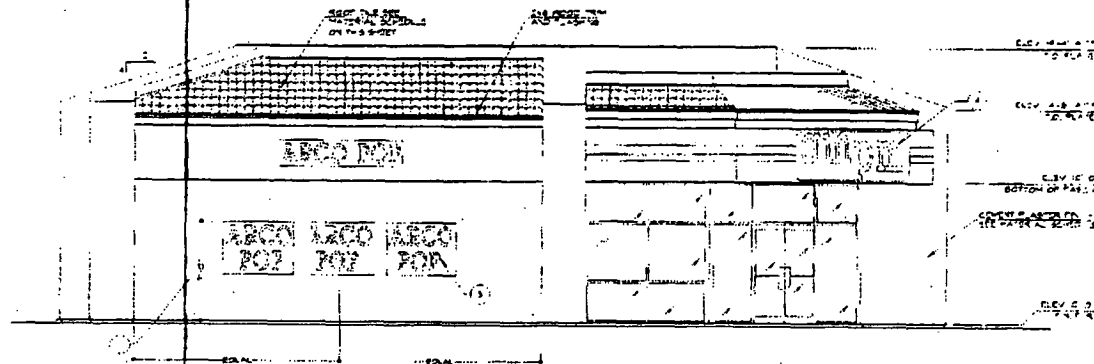
ROC-3797

4-07-04 CC

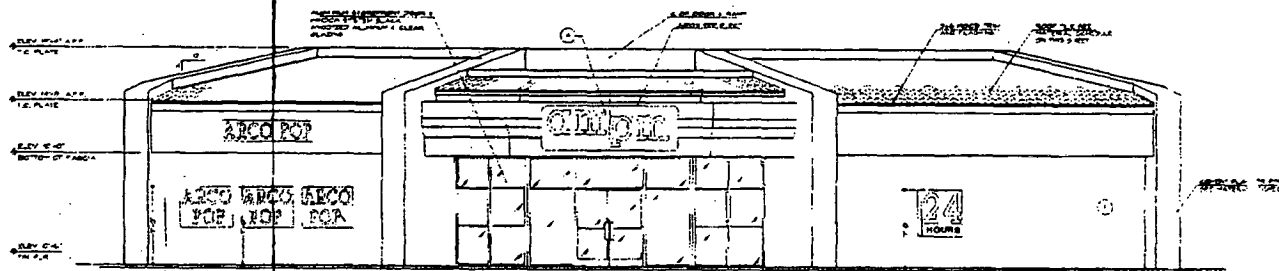


ROC-3797
 4-07-04 CC

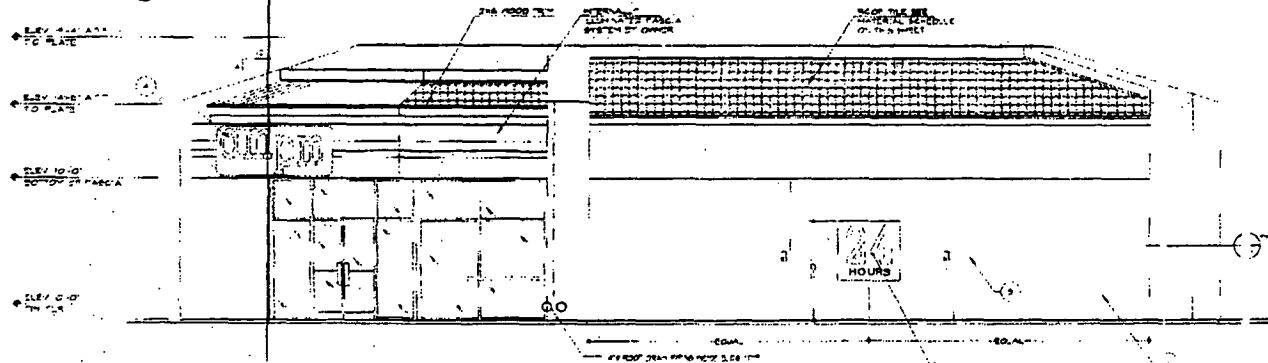
SHEET 3 OF 3 A2	FLOOR PLAN ARCO GAS STATION (C. STORE) CHARLESTON BLVD. & FREMONT ST. CITY OF LAS VEGAS, NV.	ACE ENGINEERING 3720 S. VALLEY VIEW BLVD. SUITE 200, LAS VEGAS, NV 89103 PHONE: 702 344-5555, FAX: 702 344-7700 CIVIL - PLANNING - LAND DEVELOPMENT - SURVEYING - DESIGN	10/1/00 10/1/00
	10/1/00 10/1/00		



① SIDE ELEVATION
SCALE: 1/4" = 1'-0"



② FRONT ELEVATION
SCALE: 1/4" = 1'-0"



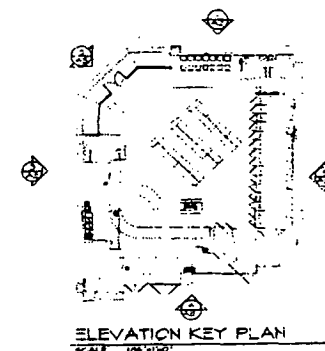
③ SIDE ELEVATION
SCALE: 1/4" = 1'-0"

MATERIAL SCHEDULE

SHED ROOFING	SHED ROOFING: 1/2\"/>
SHED ROOFING	SHED ROOFING: 1/2\"/>
SHED ROOFING	SHED ROOFING: 1/2\"/>
SHED ROOFING	SHED ROOFING: 1/2\"/>
SHED ROOFING	SHED ROOFING: 1/2\"/>

KEY NOTES

1. ALL ROOFING SHALL BE 1/2\"/>
2. ALL ROOFING SHALL BE 1/2\"/>
3. ALL ROOFING SHALL BE 1/2\"/>
4. ALL ROOFING SHALL BE 1/2\"/>
5. ALL ROOFING SHALL BE 1/2\"/>



ELEVATION KEY PLAN
SCALE: 1/4" = 1'-0"

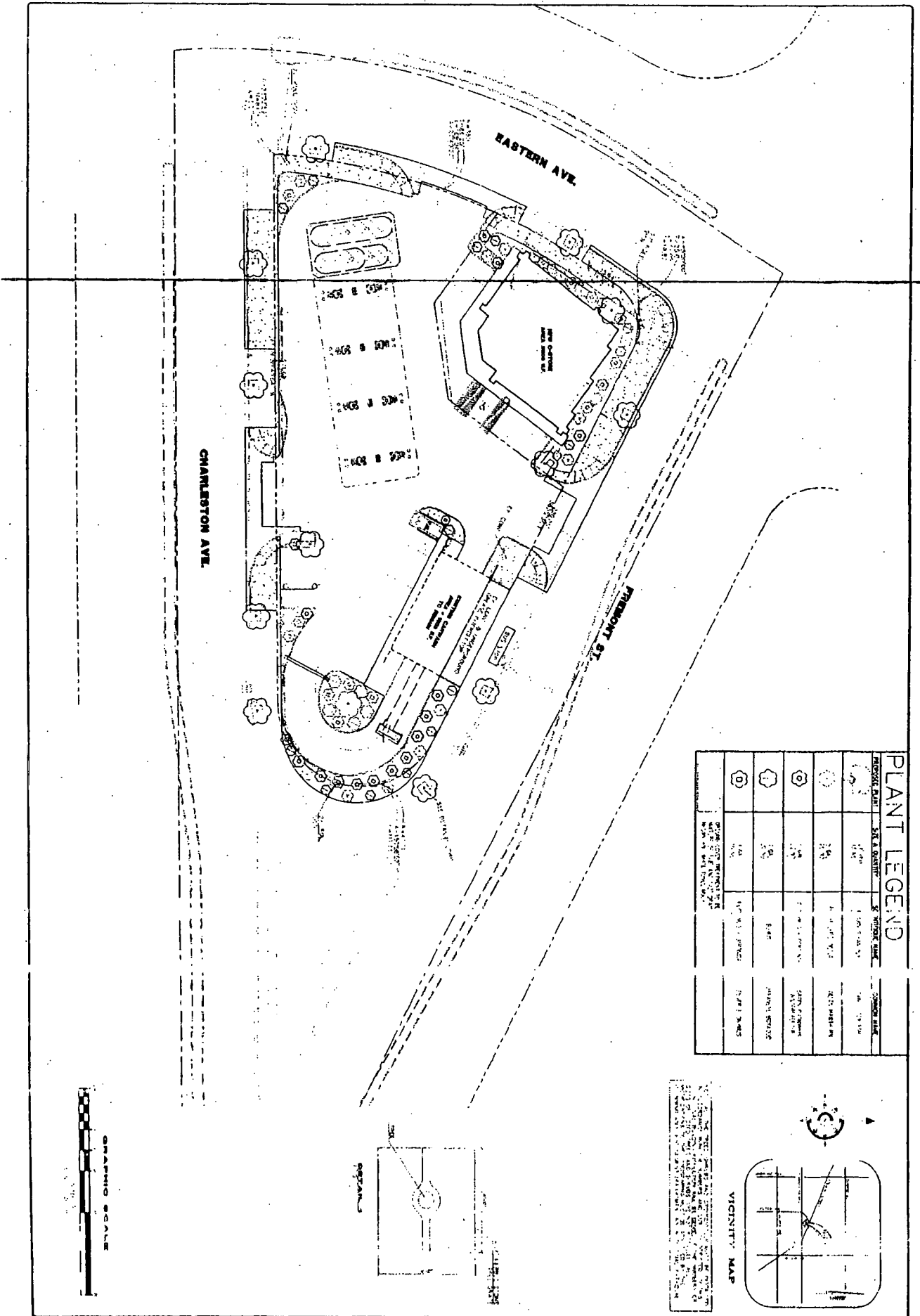
ACE ENGINEERING
6720 S. VALLEY VIEW BLVD.
SUITE 200, LAS VEGAS, NV 89108
PHONE: 702.544.2800 FAX: 702.544.2801
WWW.ACEENGINEERING.COM

EXTERIOR ELEVATIONS
ARCO GAS STATION (C. STORE)
CHARLESTON BLVD. & FREMONT ST.
CITY OF LAS VEGAS, NV.

DATE: 07-04-04
BY: A3
SHEET
4 OF 10

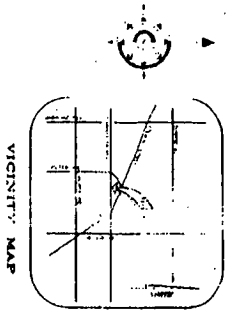
ROC-3797

4-07-04 CC



PLANT LEGEND

SYMBOL	PLANT NAME	QUANTITY	NOTES
1	SPRING	1	1.00 x 1.00 x 1.00
2	SPRING	1	1.00 x 1.00 x 1.00
3	SPRING	1	1.00 x 1.00 x 1.00
4	SPRING	1	1.00 x 1.00 x 1.00
5	SPRING	1	1.00 x 1.00 x 1.00
6	SPRING	1	1.00 x 1.00 x 1.00
7	SPRING	1	1.00 x 1.00 x 1.00
8	SPRING	1	1.00 x 1.00 x 1.00
9	SPRING	1	1.00 x 1.00 x 1.00
10	SPRING	1	1.00 x 1.00 x 1.00



SHEET 1 OF 1	DATE: 07/20/2006 BY: J. J. J. FOR: J. J. J.		TITLE LANDSCAPE PLAN ARCO GAS STATION (C. STORE) CHARLESTON BLVD. & FREMONT ST. CITY OF LAS VEGAS, NV.	ACE ENGINEERING 3720 S. VALLEY VIEW BLVD. SUITE 200, LAS VEGAS, NV 89103 PHONE: 702-591-2828 FAX: 702-591-7878 WWW.ACE-ENGINEERING.COM	REVISIONS:
					REVISIONS:

ROC-3797
4-07-04 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3691 -
APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Required Two Year Review of an approved Site Development Plan Review [Z-0026-92(3)] FOR A 4,032 SQUARE FOOT CHILD CARE CENTER IN THREE MODULAR BUILDINGS on 0.97 acres adjacent to the east side of Valley View Boulevard, approximately 1,200 feet north of Charleston Boulevard (APN: 139-31-801-006), C-V (Civic) Zone, Ward 1 (Moncrief). 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:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAN WEISNER appeared on behalf of the Las Vegas Water District, 1001 South Valley View Drive, and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, stated that there is nothing more permanent than a temporary building.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:37 – 1:39)

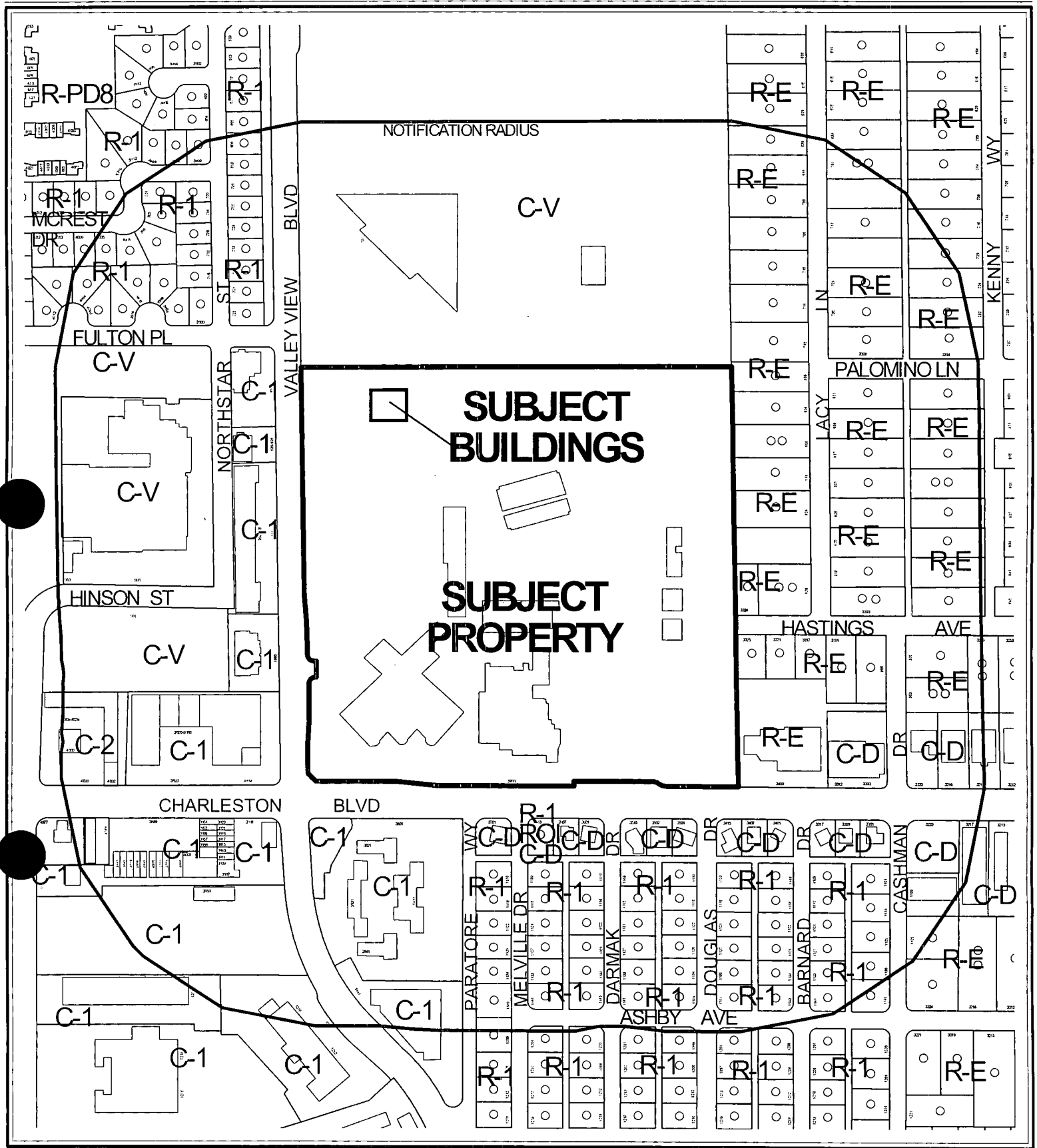
3-1237

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 117 – RQR-3691

CONDITIONS:

Planning and Development

1. No additional reviews of this Site Development Plan Review [Z-0026-92(3)] shall be required.
2. Conformance to all applicable conditions of approval for Site Development Plan Review [Z-0026-92(3)].



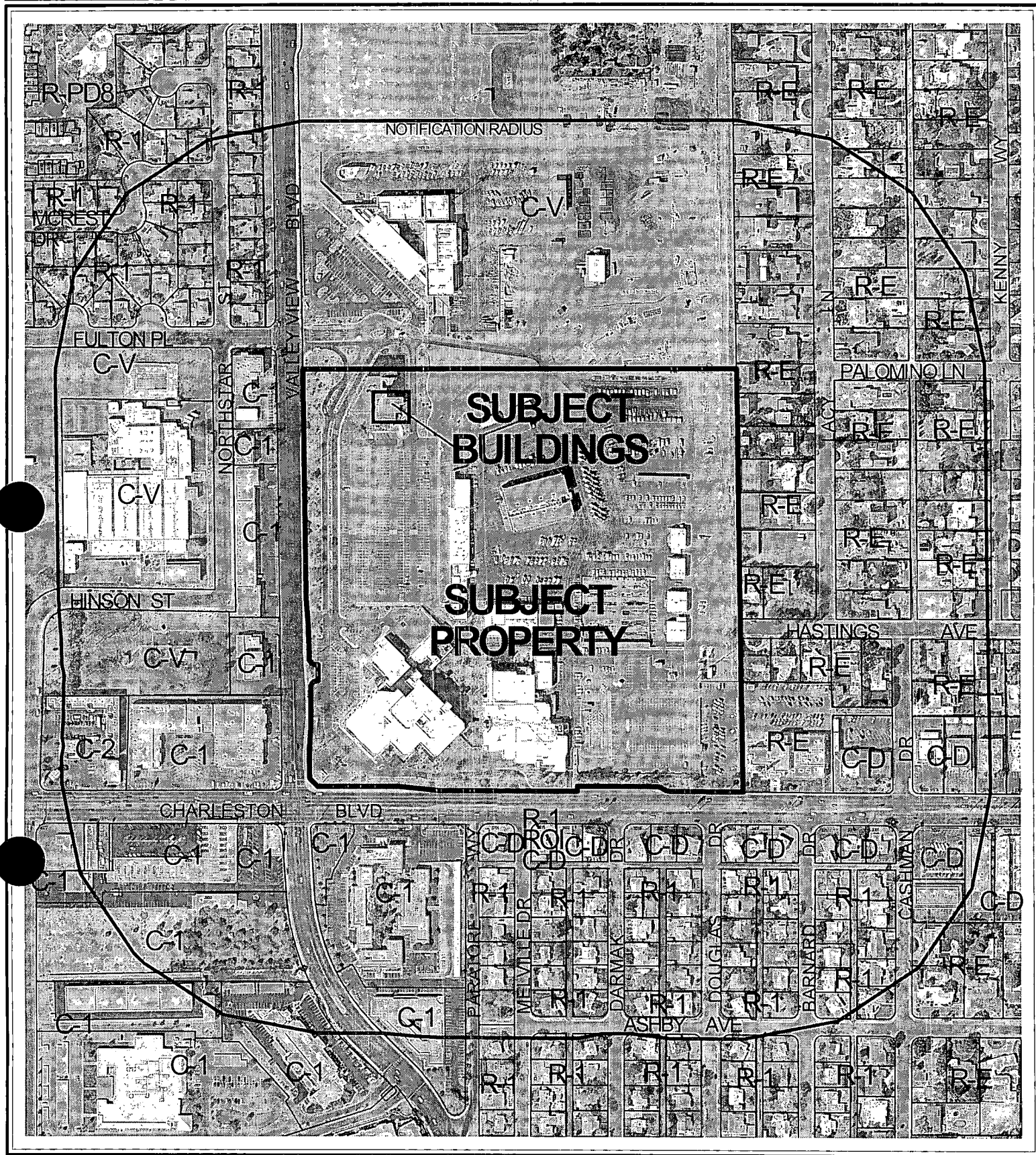
CASE: **RQR-3691**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet





CASE: RQR-3691

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY
WATER DISTRICT

**** CONDITIONS ****

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

Planning and Development

1. No additional reviews of this Site Development Plan Review [Z-0026-92(3)] shall be required.
2. Conformance to all applicable conditions of approval for Site Development Plan Review [Z-0026-92(3)].

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a required Two Year Review of an approved Site Development Plan Review for a 4,032 square foot childcare center within three modular buildings on the east side of Valley View Boulevard, approximately 1,200 feet north of Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required for this review.

BACKGROUND INFORMATION

A) Previous Actions

07/01/92 The City Council approved a Rezoning (Z-0026-92) to C-V (Civic) on this site as part of a larger request. The Planning Commission and staff recommended approval on June 12, 1992.

03/23/00 The Planning Commission approved a Site Development Plan Review [Z-0026-92(3)] for a 4,032 square foot childcare center in three modular buildings, subject to a condition requiring a review in two years time.

03/20/02 The City Council approved a Required Two Year Review [Z-0026-92(9)] of the approved Site Development Plan Review [Z-0026-92(3)] for a 4,032 square foot childcare center within three modular buildings on this site. The Planning Commission and staff recommended approval on February 14, 2002.

02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #14/mp).

B) Pre-Application Meeting

A pre-application meeting is not required for this review.

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.97

B) Existing Land Use

Subject Property: Child Care Center/Public Facility
North: Public Facility
South: Public Facility
East: Public Facility
West: Commercial

C) Planned Land Use

Subject Property: PF (Public Facility)
North: PF (Public Facility)
South: PF (Public Facility)
East: PF (Public Facility)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated PF (Public Facility) on the Southeast Sector Land Use Plan Map of the General Plan. The existing C-V (Civic) Zoning designation is in conformance with the General Plan.

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

Any special plan areas or districts do not affect this site.

ANALYSIS

The modular buildings are buffered from the surrounding properties by landscaping along the Valley View Boulevard frontage and within the site around the modular buildings. The continued use of the modular buildings on this site is appropriate, in that the buildings do not resemble temporary modular structures, but rather permanent buildings. Therefore, the recommendation is for approval of this required two-year review with an added condition that no further reviews are required.

FINDINGS

The following findings required for approval of a Site Development Plan Review, per Title 19.18.050, should also be required for any subsequent Site Development Plan Reviews. Thus, the Planning Commission or City Council must affirm the following:

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

The continued use of the childcare center is consistent with the current development for the site and will be an accessory use beneficial to the employees of the Las Vegas Valley Water District facility.

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 Planning Commission found in approving the initial review that the proposed childcare center was consistent with the General Plan, Title 19 and Urban Design Guidelines and Standards.

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

The childcare center still does not negatively impact the adjacent roadways or neighborhood traffic in that the site utilizes existing traffic from employees. Childcare is only available to employees, so additional traffic has not been generated by this use.

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

The Planning Commission found in approving the initial request that the elevations and landscape materials of the site were appropriate. In addition, the landscaping provides a significant buffer to the surrounding properties.

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 Planning Commission found in approving the initial request that the building elevations, design characteristics and other architectural and aesthetic features were not unsightly, undesirable or obnoxious in appearance. In addition, the landscaping provides a significant buffer to the surrounding properties.

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

The childcare center is subject to regular City and County inspections, and therefore will not compromise the public health, safety or welfare. In checking with the Business Licensing Department of the City of Las Vegas, the childcare center is fully licensed.

NOTICES MAILED 181 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-3691** APN: 139-31-801-006

Name of Property Owner: Patricia Mulroy, General Manager, LVVWD

Name of Applicant: Shawn P. Mollus, Director of LVVWD Engineering

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: P. M. Kroger

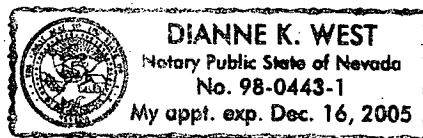
Print Name: Patricia Mulroy

Subscribed and sworn before me

This 7th day of January, 2004

Shavie K. West

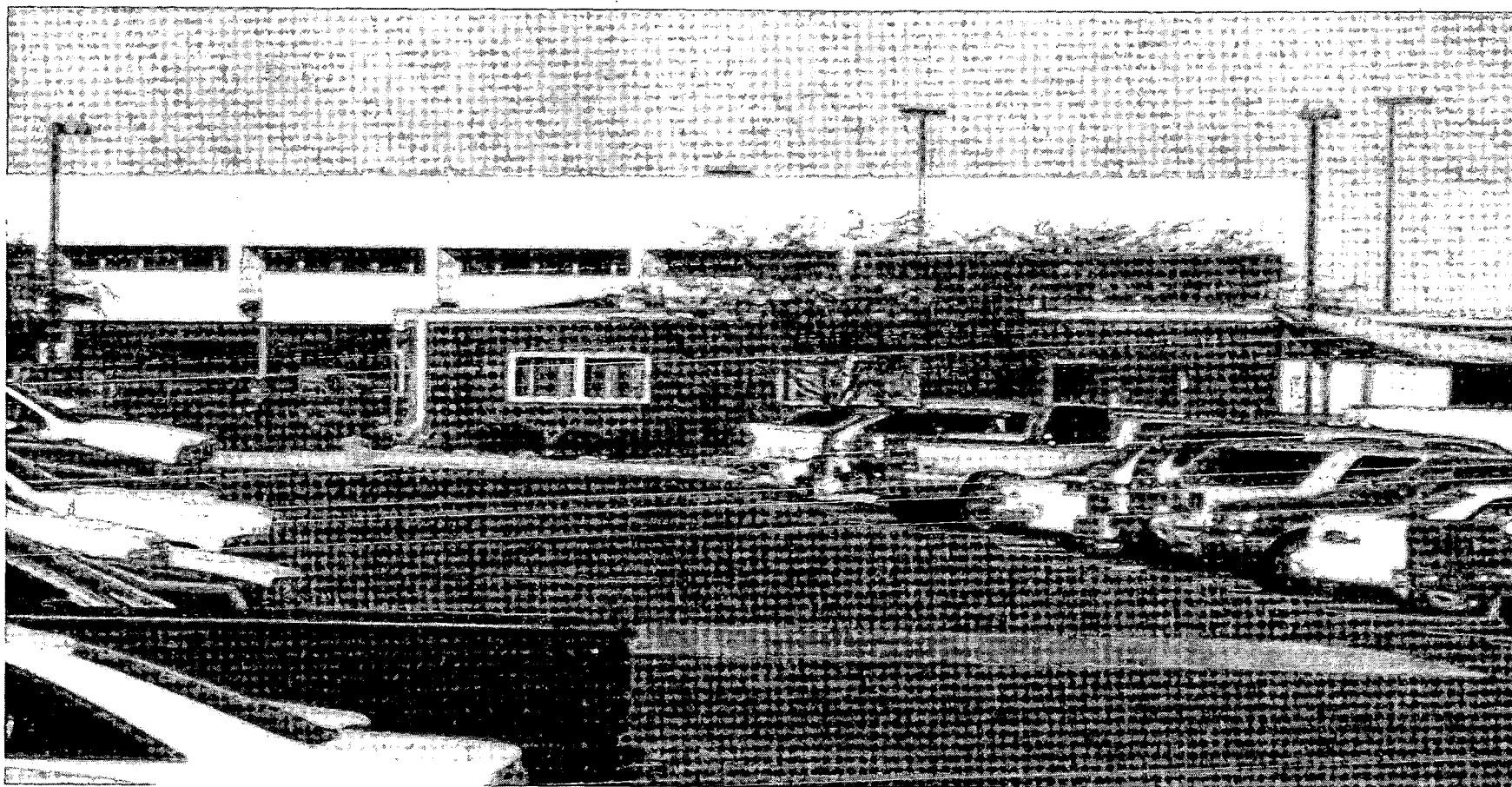
Notary Public in and for said County and State





RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT
EAST SIDE OF VALLEY VIEW BOULEVARD, APPROXIMATELY 1,200 FEET NORTH OF CHARLESTON
BOULEVARD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04



RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT
EAST SIDE OF VALLEY VIEW BOULEVARD, APPROXIMATELY 1,200 FEET NORTH OF CHARLESTON
BOULEVARD
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3703** -
APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a Site
Development Plan Review FOR A PROPOSED HEALTH SPA, RESTAURANT AND
KARAOKE BAR AND WAIVERS TO THE PERIMETER LANDSCAPING
REQUIREMENTS at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and
069), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote)
and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

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 2/26/2004 Planning Commission meeting Item 28

MOTION:

REESE – APPROVED subject to conditions and adding the following condition:

- *All landscaping shall meet Code requirements and no waiver is granted.*

– UNANIMOUS

NOTE: MAYOR GOODMAN disclosed that he has in the past abstained from voting on items located in the subject area because of ownership of property at 1000 East Sahara. He has sold that property and has no existing interest in it and will be voting on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RAY CORDOVA, 1201 South Beach Boulevard, La Habra, California, appeared on behalf of the applicant. For the record, MR. CORDOVA stated that the agenda references a Karaoke Bar; however, he clarified that this is an Asian-themed Health Spa that does not serve alcohol. He remarked that this facility will have exercise areas, showers, salt and steam saunas, skincare facilities, lounge, a full-facility gym and a restaurant available for the benefit of its customers.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 118 – SDR-3703

MINUTES – Continued:

MR. CORDOVA paid compliment to the Planning staff for their assistance in making the necessary changes in order to comply with the standards of the Code.

COUNCILMAN REESE asked staff to clarify removal of the landscaping waiver. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that a condition will be added and will state that all landscaping shall meet code requirements and no waivers will be granted. The applicant concurred and noted that additional trees will be added to the backside of the property as a separation buffer between the adjacent school and the subject parcel.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:39 – 1:43)

3-1282

CONDITIONS:

Planning and Development

1. The applicant shall meet with Planning and Development Staff prior to the issue of building permits to develop an address plan for the development.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, a minimum five-foot sidewalk shall connect the front of the building to the parking areas to the west.
3. A covered trash enclosure and a loading zone shall be provided.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations presented at the February 26, 2004 Planning Commission meeting.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.)
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

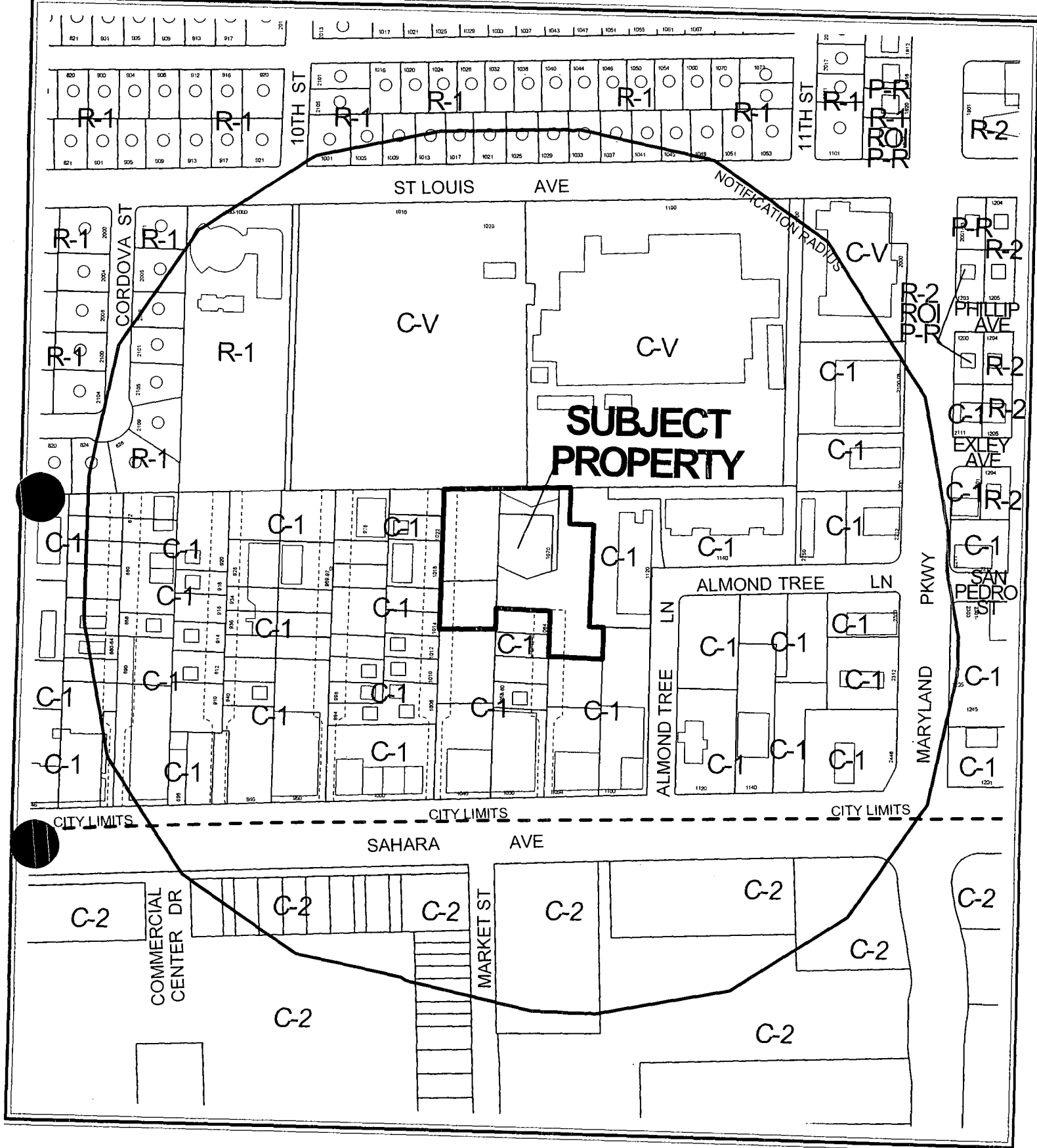
CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 118 – SDR-3703

CONDITIONS – Continued:

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.
12. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
13. Site development to comply with all applicable conditions of approval for Parcel Map PM-41-99 and all other subsequent site-related actions.

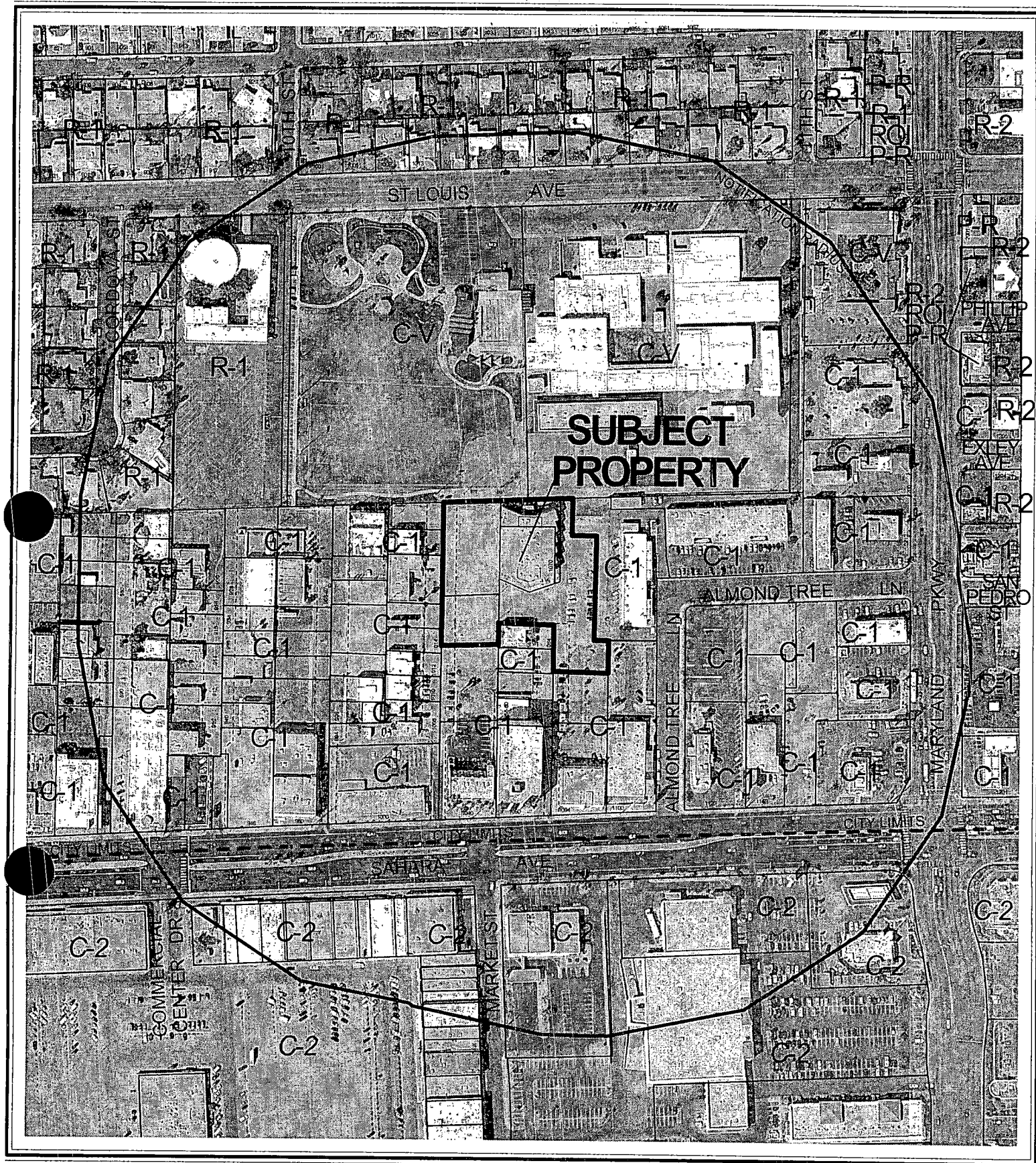


CASE: SDR-3703

RADIUS: 750 FT

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





CASE: **SDR-3703**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-3703 - APPLICANT/OWNER: SHARON KEA -
IMPERIAL HEALTH SPA**

**** CONDITIONS ****

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

Planning and Development

1. The applicant shall meet with Planning and Development Staff prior to the issue of building permits to develop an address plan for the development.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, a minimum five-foot sidewalk shall connect the front of the building to the parking areas to the west.
3. A covered trash enclosure and a loading zone shall be provided.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations presented at the February 26, 2004 Planning Commission meeting.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.)
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.
12. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
13. Site development to comply with all applicable conditions of approval for Parcel Map PM-41-99 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

02/26/04 The Planning Commission accepted the applicant's request to withdraw a companion item for a Parking Variance (VAR-3704).

02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #28/kcw).

B) Pre-Application Meeting

12/22/03 Topics that were discussed in the pre-application conference:

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.08

B) *Existing Land Use*

Subject Property: Commercial and Office uses

North: School/ Park

South: Commercial and Office uses

East: Commercial and Office uses

West: Commercial and Office uses

C) *Planned Land Use*

Subject Property: SC (Service Commercial), O (Office)

North: PR (Park/ Recreation), PF (Public Facility)

South: SC (Service Commercial), O (Office)

East: SC (Service Commercial), O (Office)

West: O (office)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)

North: C-V (Civic)

South: C-1 (Limited Commercial)

East: C-1 (Limited Commercial)

West: C-1 (Limited Commercial)

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

The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed use and parking are consistent with the Office land use category of the Southeast Sector Land Use plan of the General Plan.

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

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

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

PROJECT DESCRIPTION

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

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

A2) Residential Adjacency Standards

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

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

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

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

A4) Landscape and Open Space Standards

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

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

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

A5) Sign Standards

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

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

- Waivers

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

The floor plans reflect a typical commercial design.

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There were 3 speakers at the Planning Commission hearing who originally had objections. However, upon learning more about the project, they rescinded their objections.

The applicant has been informed to submit new plans showing all necessary parking.

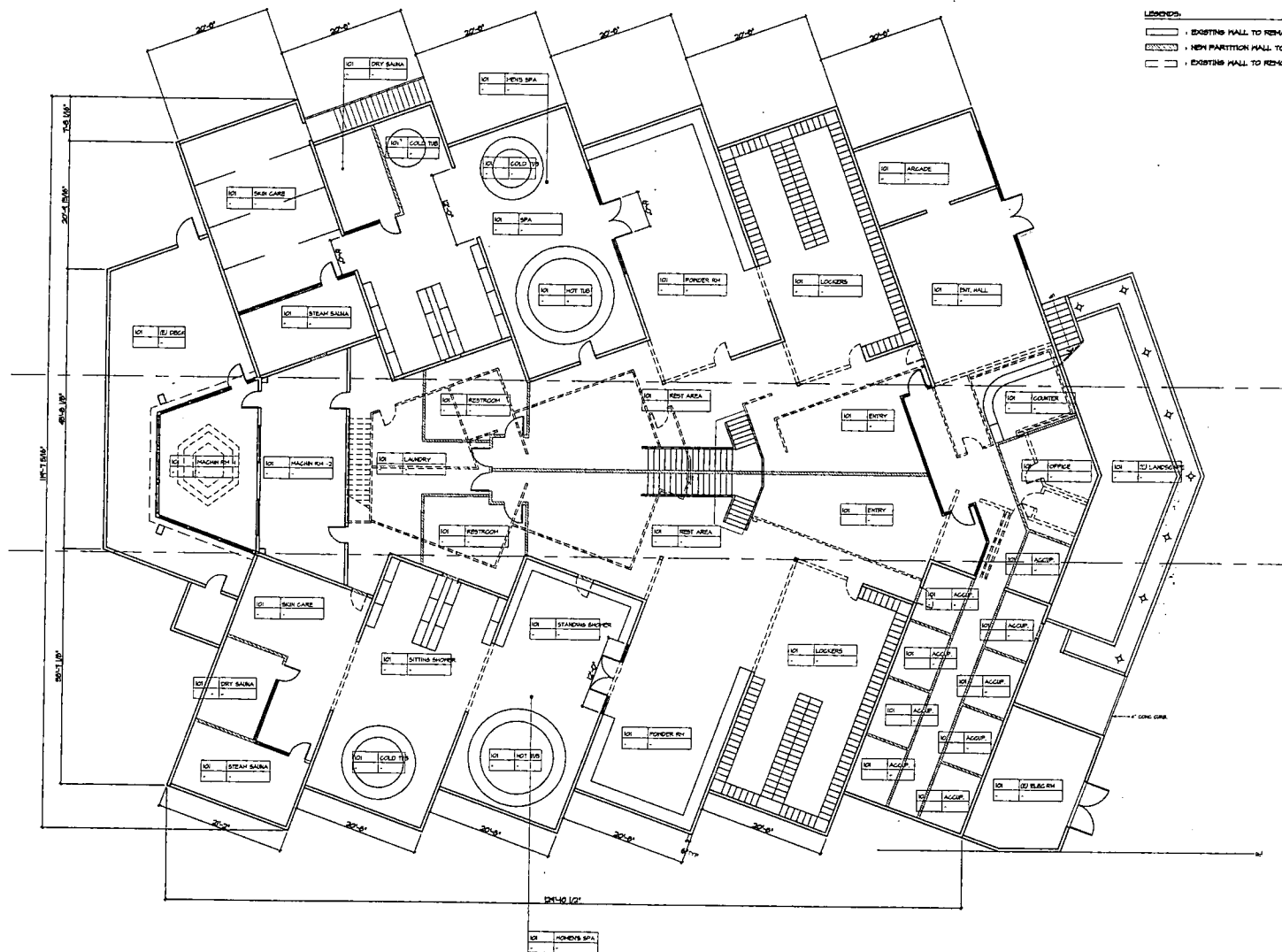
NOTICES MAILED 119 by Planning Department

APPROVALS 3

PROTESTS 2



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



PROP'D FIRST FLOOR PLAN

N.L.D.
New Line Design
3435 WILSHIRE BLVD. #200
LOS ANGELES, CALIFORNIA 90010
TEL: 313.457.5334 FAX: 313.457.2119

PROPOSED TENANT
IMPERIAL HEALTH SPA
1000 E. SANDRA AVE.
LAS VEGAS, NV 89104

DRAWING TITLE

PROPOD
FIRST FLOOR PLAN

REVISION
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

DATE: JUNE 2005
BLDG. SUBMITTAL DATE: ①
DATE: ②
DATE: ③
NO. DATE: ④
DATE: ⑤
DATE: ⑥
DATE: ⑦
DATE: ⑧
DATE: ⑨
DATE: ⑩
DATE: ⑪
DATE: ⑫
DATE: ⑬
DATE: ⑭
DATE: ⑮
DATE: ⑯
DATE: ⑰
DATE: ⑱
DATE: ⑲
DATE: ⑳
DATE: ㉑
DATE: ㉒
DATE: ㉓
DATE: ㉔
DATE: ㉕
DATE: ㉖
DATE: ㉗
DATE: ㉘
DATE: ㉙
DATE: ㉚
DATE: ㉛
DATE: ㉜
DATE: ㉝
DATE: ㉞
DATE: ㉟
DATE: ㊱
DATE: ㊲
DATE: ㊳
DATE: ㊴
DATE: ㊵
DATE: ㊶
DATE: ㊷
DATE: ㊸
DATE: ㊹
DATE: ㊺
DATE: ㊻
DATE: ㊼
DATE: ㊽
DATE: ㊾
DATE: ㊿

A-4.0

SDR-3703
2-26-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK - Request for a Site Development Plan Review and Waivers of the parking lot landscaping and building foundation landscaping standards FOR A PROPOSED 5,000 SQUARE-FOOT OFFICE BUILDING on 0.46 acres located at 8901 West Sahara Avenue (APN: 163-08-120-036), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILWOMAN McDONALD explained that the applicant worked with the West Sahara Homeowners Association and no concerns with the site plan were expressed.

TODD FARLOW, 240 North 19th Street, asked staff to clarify when this application went before the Planning Commission. MARGO WHEELER, Deputy Director, Planning and Development Department, stated that it was reviewed at the 3/11/2004 Planning Commission meeting.

No one appeared in opposition.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 119 – SDR-3787

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(1:43 – 1:46)
3-1439

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. 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.]
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. Parking lot lighting standards shall be no more than 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.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

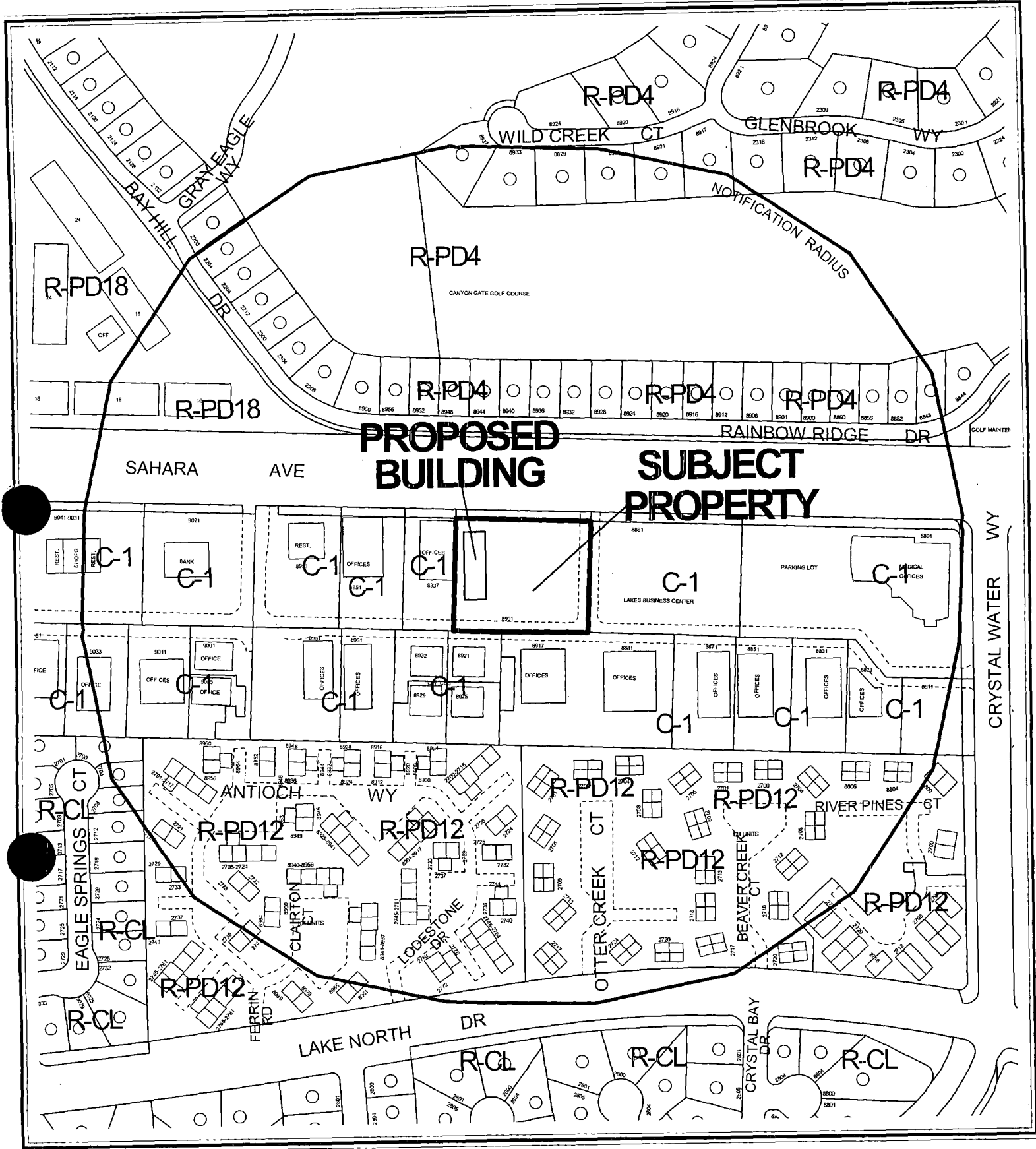
CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 119 – SDR-3787

CONDITIONS– Continued:

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
11. All City Code requirements and design standards of all City departments must be satisfied

Public Works

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. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.
14. Site development to comply with all applicable conditions of approval for Z-0013-86, the Lakes Business Center commercial subdivision, and all other applicable site-related actions.

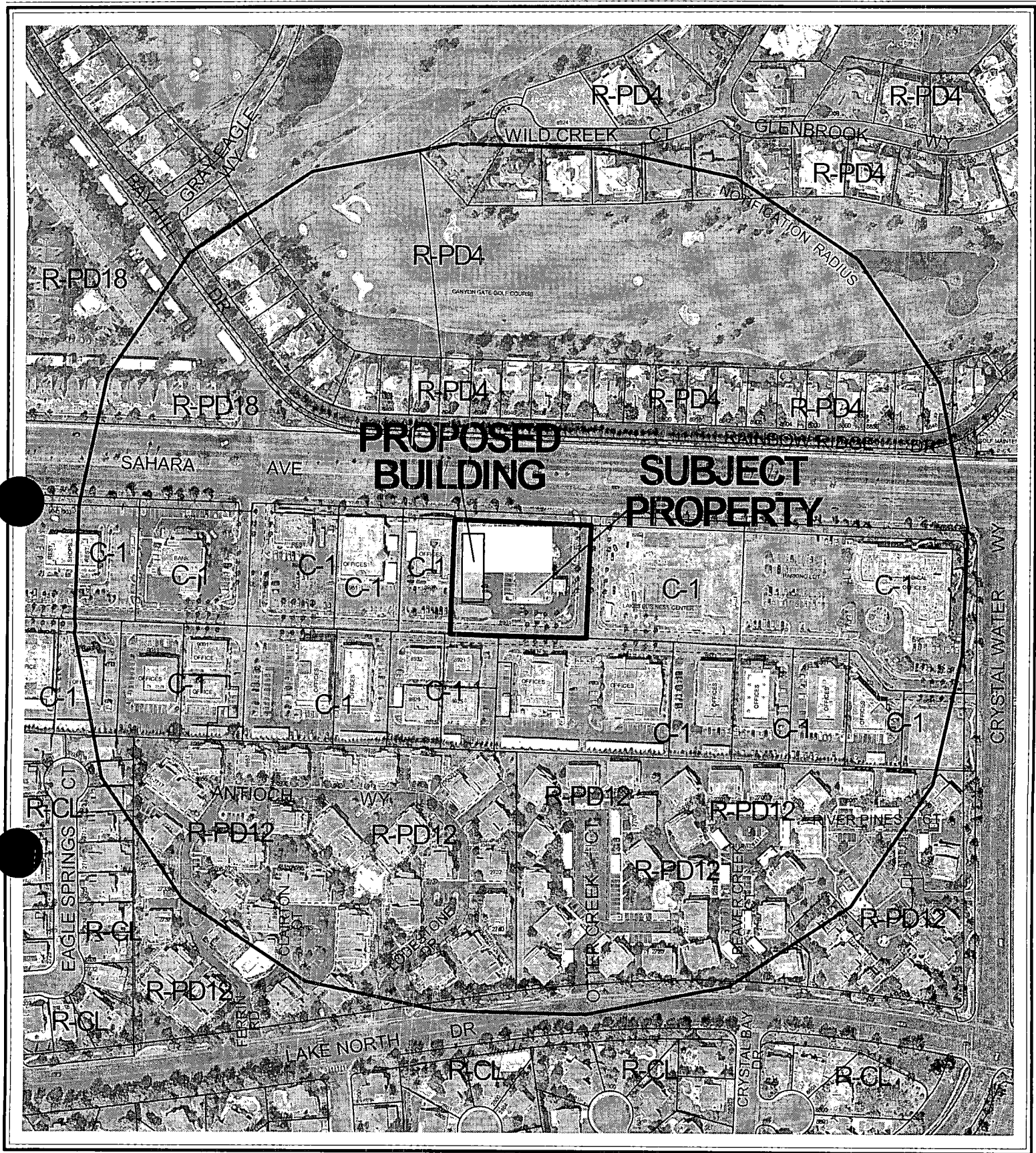


CASE: SDR-3787

RADIUS: 750 FT

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





CASE: **SDR-3787**

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. 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.]
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. Parking lot lighting standards shall be no more than 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.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
11. All City Code requirements and design standards of all City departments must be satisfied

Public Works

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. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.
14. Site development to comply with all applicable conditions of approval for Z-0013-86, the Lakes Business Center commercial subdivision, and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a proposed 4,998 square-foot Professional Office building with waivers from parking lot and foundation buffer landscaping requirements on 0.46 acres located at 8901 West Sahara Avenue.

B) Applicant's Justification

The proposed office building maintains the character of the development by maintaining a scale appropriate to the development, by utilizing colors and materials found on adjacent projects, and by adhering to the Lakes Business Park guidelines. The project was reviewed and approved by both the Lakes Business Park and the Lakes at West Sahara Architectural Review Committees.

BACKGROUND INFORMATION

A) Previous Actions

08/09/84 The City Council approved a Reclassification of Property (Z-0054-84) from N-U (Non-Urban), to R-1 (Single Family Residence), R-PD3 (Residential Planned Development-3 Units per Acre), R-PD4 (Residential Planned Development-4 Units per Acre), R-PD7 (Residential Planned Development-7 Units per Acre), R-PD12 (Residential Planned Development-12 Units per Acre), R-PD23 (Residential Planned Development-23 Units per Acre), P-R (Professional Offices & Parking), C-1 (Limited Commercial), and C-V (Civic).

06/08/00 The Planning Commission approved a Site Development Review [Z-0013-86(13)] for two medical office buildings on 3.05 acres. The Planning and Development Department recommended approval.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #13/fs).

B) Pre-Application Meeting

01/08/04 Issues discussed included the need for a parking analysis, sign elevations, and waivers from parking lot and foundation buffer landscaping requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.46

B) Existing Land Use

Subject Property: Financial Institution, General / Professional Office

North: Single Family Residential

South: Professional Office

East: Undeveloped

West: Professional Office

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: L (Low Density Residential)

South: SC (Service Commercial)

East: SC (Service Commercial)

West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)

North: R-PD4 (Residential Planned Development – 4 Units per Acre)

South: C-1 (Limited Commercial)

East: C-1 (Limited Commercial)

West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) district is consistent with the General Plan designation, and the proposed Professional Office is a permitted use in the C-1 zoning district.

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

The site is not located within any Special Districts or Zones.

PROJECT DESCRIPTION

The proposal is for a 4,998 square-foot Professional Office building located within the Lakes Business Park at 8901 West Sahara Avenue. The site consists of an existing two-story bank/office building and is fully developed with the exception of the subject pad site and a portion of its associated parking. Access is provided via private drives adjacent to the east and south sides of the site, and there are 11 parking spaces proposed in addition to those existing on the site. Waivers have been requested for relief from parking lot and foundation buffer landscaping, and perimeter and streetscape landscaping is not required.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Setbacks			
• Front	20 Feet	22 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	96 Feet	Y
Max. Lot Coverage	50 %	24.7 %	Y
Max. Building Height	2 Stories / 35 Feet	19 Feet	Y

The subject site meets or exceeds all applicable Title 19 requirements.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Proposed Office	4,998 SF.	1 Space/300 GFA	16	1	21	1
Existing Office	4,800 SF	1 Space/300 GFA	15	1	15	1
Existing Financial Institution	4,800 SF	1 Space/200 GFA	23	1	23	1

The subject site exceeds Title 19 parking requirements.

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 + 1 Tree	5 Trees	0 Trees

The landscape plan depicts a deficiency of five parking lot trees and a waiver has been requested to allow relief from this requirement.

A5) Sign Standards

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

Monument Signs: MSC, Limited

Standards	Allowed	Provided
Maximum Area	60 SF /sign	32 SF
Maximum Height	8 Feet	4 Feet
Minimum Setback	5 Feet	30 Feet
Illumination	Direct	Direct

The proposed sign meets or exceeds all applicable Title 19 Sign Standards.

B) General Analysis and Discussion

- Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

- Site Plan

The proposal is for a 4,998 square-foot Professional Office building located within the Lakes Business Park at 8901 West Sahara Avenue. The site consists of an existing two-story bank/office building and is fully developed with the exception of the subject pad site and a portion of its associated parking. There are 11 parking spaces proposed in addition to those already existing on the site. Access is provided via two private drives, which are internal to the Lakes Business Park, adjacent to the east and south sides of the site.

- Waivers

Waivers have been requested for relief from parking lot and foundation landscape buffer landscaping. Title 19 requires one tree for every six parking spaces, and a six-foot landscape buffer between the building and proposed sidewalk. The existing bank/office parking area has no parking lot landscaping, and the parking lot landscaping waiver will allow for a consistent parking area throughout the site. The foundation landscape buffer is not practical given the size of the pad site and the required 10-foot separation between the proposed building and the existing office building to the west.

- Landscape Plan

The landscape plan depicts a deficiency of parking lot and foundation buffer landscaping, and waivers have been requested to allow relief from these requirements. Perimeter and streetscape landscaping is not required as the proposed development is for a pad site located within an existing development.

- Elevation

The building elevations depict a 19-foot building with a roof consisting of concrete tiles and an exterior of a cultured stone veneer and stucco in light earth tones. The building façade matches that of the existing bank/office building and is consistent with other office development in the area.

- Floor Plan

The floor plan depicts seven office suites ranging in size from 500 to 1,000 square feet.

FINDINGS

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

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

The proposed development is located within the Lakes Business Park and is compatible with both the adjacent development and 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 inclusion of the requested landscaping waivers, the 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.

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

Two private drives, which are internal to the Lakes Business Park, serve the site. The nearest roadway to the development is Sahara Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The proposed office building will not negatively impact traffic in the area.

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

The proposed building is an aesthetically appropriate structure for a professional office, and landscape materials as proposed are appropriate for this project.

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

The building elevations depict design characteristics and other architectural features that are typical of professional office buildings in the area. The site is not obnoxious in appearance, and is harmonious and compatible with development in the area.

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

The subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 281 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3787 APN: 14308120036

Name of Property Owner: SILVER STATE RAN

Name of Applicant: SAMB

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

☒ 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: _____

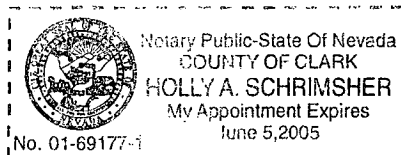
Signature of Property Owner/Authorized Agent:

Print Name: MICHAEL J THROES
CFO

Subscribed and sworn before me

This 26 day of January, 2004

Holly A. Schrimsher
Notary Public in and for said County and State





**Dekker
Perich
Holmes
Sabatini**

1 Holmes Sabatini Way
Henderson, Nevada 89014
702.438.1008
fax 438.1450
central@dpsh.com

ARCHITECT

DRAWER

PROJECT

**MSC, LIMITED
OFFICE BUILDING
LAKES BUSINESS CENTER
LAS VEGAS, NEVADA**

REVISIONS

△
△
△
△

DRAWN BY

REVIEWED BY

DATE

PROJECT NO.

DRAWING NAME

DRAWING NO.

OF

PROJECT DATA

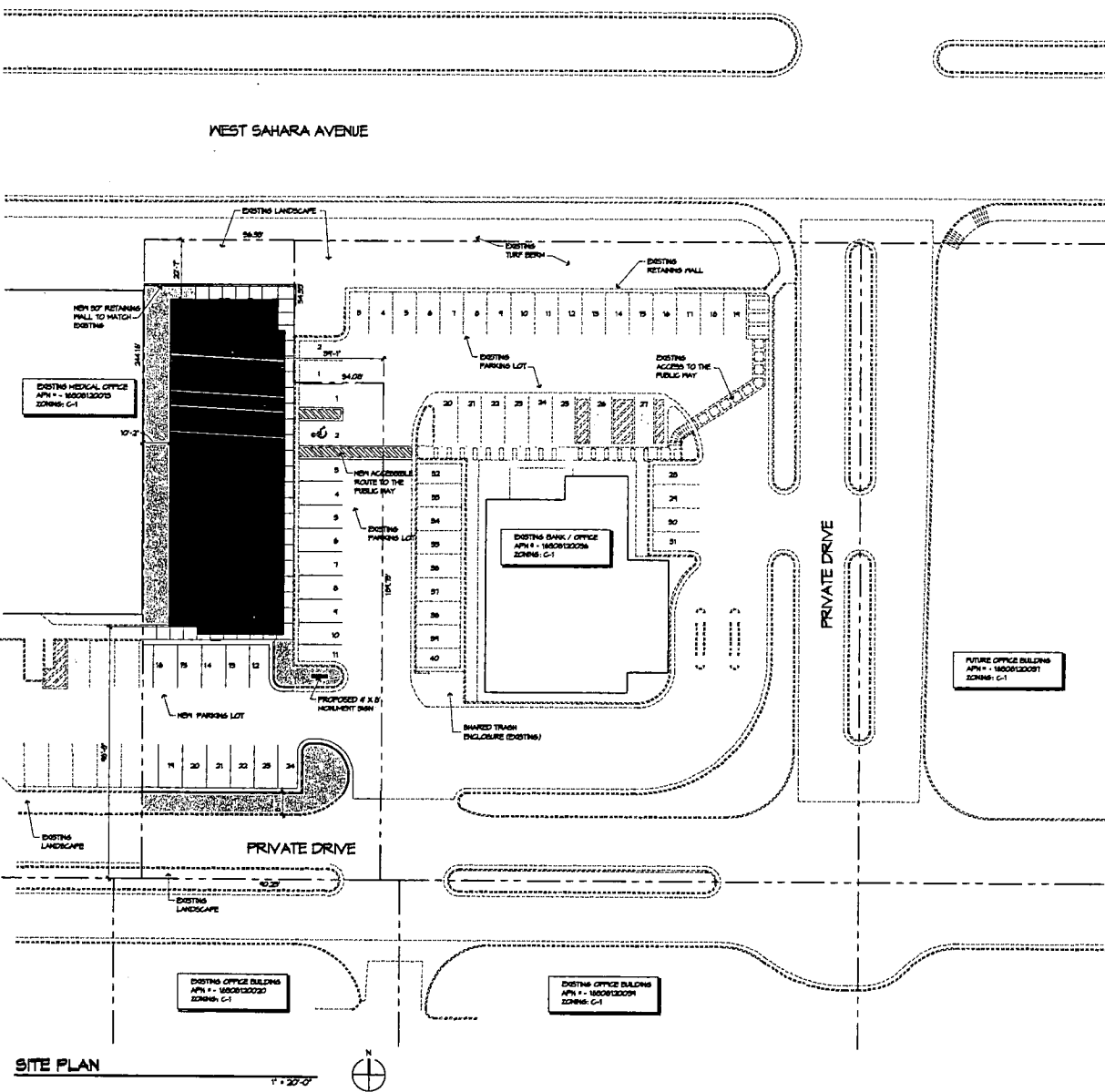
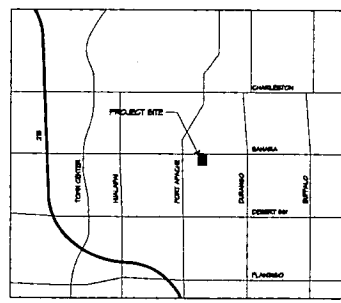
LOCATION: LAKES BUSINESS PARK, WEST SAHARA & DURANGO
PARCELS: PARCELS 4-2, APN# 18009120028
LOT SUB: AS ACRES (30,370 S.F.)
ZONING CLASSIFICATION: C-1
BUILDING SIZE: 4,493 S.F.
LOT COVERAGE: 24.7%

PARKING ANALYSIS

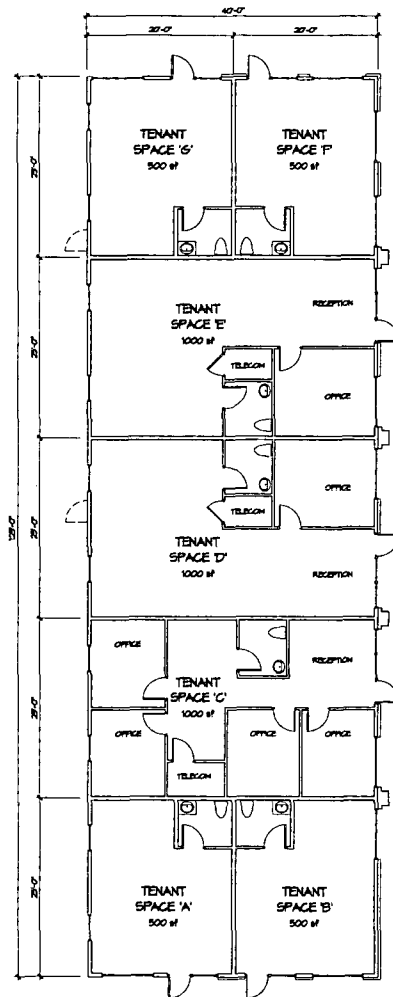
EXISTING BANK/OFFICE BUILDING
FINANCIAL INSTITUTION: 4,800 SF @ 1200 = 34
OFFICE SPACE: 4,800 SF @ 1000 = 18
TOTAL REQUIRED: 40 INCLUDING 2 H.C.
TOTAL PROVIDED: 40 INCLUDING 2 H.C.

NEW OFFICE BUILDING
OFFICE SPACE: 4,493 SF @ 1500 = 17
TOTAL REQUIRED: 17 INCLUDING 1 H.C.
TOTAL PROVIDED: 33 INCLUDING 1 H.C.

VICINITY MAP

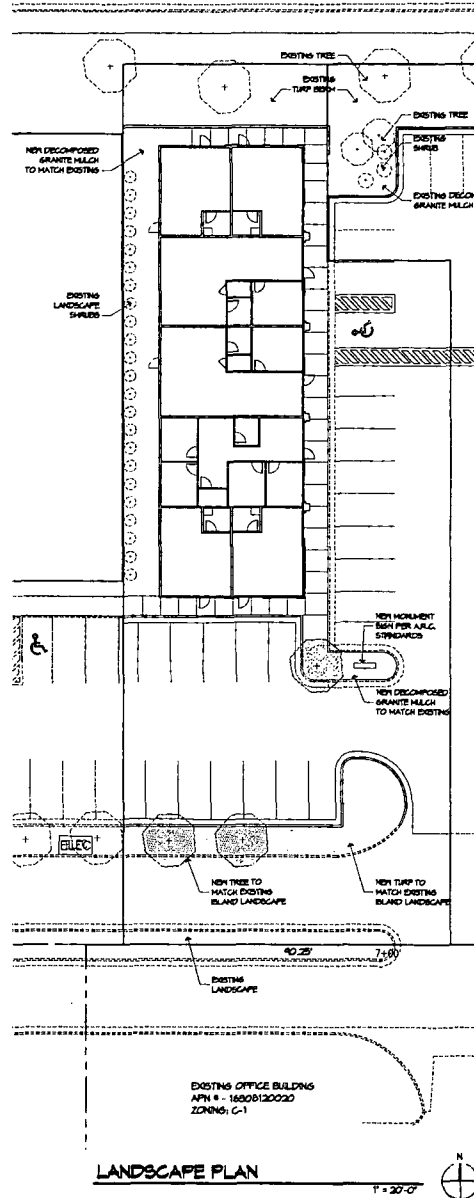


**SDR-3787
03-11-04 PC**



FLOOR PLAN

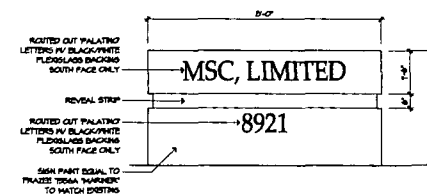
1/8" = 1'-0"



LANDSCAPE PLAN

1" = 30'-0"

PLANTING LEGEND		
SYMBOL	SYMBOL NAME	INSTALLED SIZE
+	OVERGREEN TREES	24" BOX
+	MULCH	DECOMPO GRANITE MULCH
+	TURF	COLOR TO MATCH ADJACENT PROPERTY, 1/2" HING
+		1-1/2" DEPTH, NO FILTER FABRIC



SIGN ELEVATION

1/2" = 1'-0"

architects
interiors
planning
interior design

**Dekker
Perich
Holmes
Sabatini**

1 Holmes Sabatini Way
Redwood, Nevada 89014
702.456.1000
fax 458.5550
dph@dpshs.com

ARCHITECT

DESIGNER

PROJECT

**MSC, LIMITED
OFFICE BUILDING
LAKES BUSINESS CENTER
LAS VEGAS, NEVADA**

REVISIONS

△
△
△
△

DRAWN BY

REVIEWED BY

DATE

PROJECT NO.

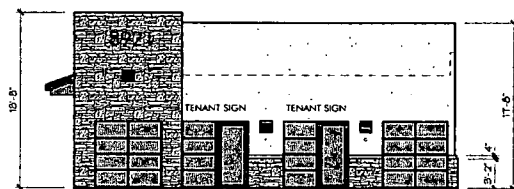
DRAWING NAME

SITE PLAN

DRAWING NO.

0"

SDR-3787
03-11-04 PC



NORTH ELEVATION

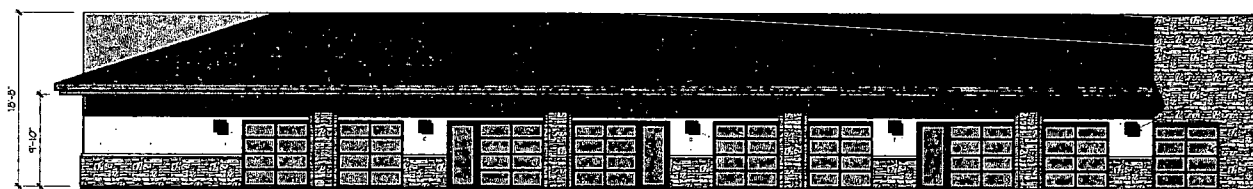
1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"

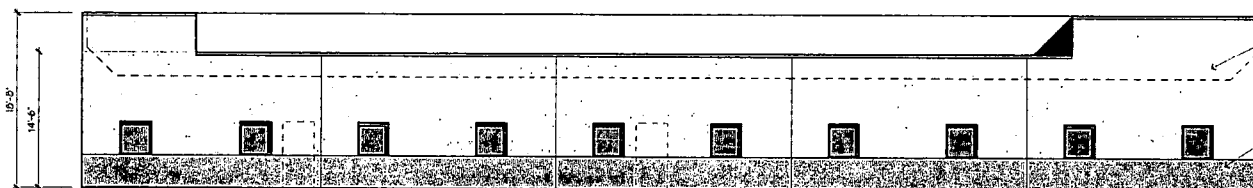
- EAGLE CONCRETE ROOF TILE
- "B&G DADO" MASONRY SANTA BARBARA
- TO MATCH EXISTING BANK
- DASH FINISH STUCCO FASCIA
- IV FRAZEE DASHED "COPPER NAIL"
- ACCENT COLOR
- DASH FINISH STUCCO IV
- FRAZEE 343 "SONOMA"
- FIELD COLOR
- ANODIZED BRONZE
- STOREFRONT FRAMING
- DASH FINISH STUCCO IV
- FRAZEE 334 "CASITA"
- ACCENT COLOR



EAST ELEVATION

1/8" = 1'-0"

- CULTURED STONE KCSV-202B
- "FOG SOUTHERN LEDGESTONE"
- STONE VENEER TO MATCH EXISTING BANK
- ACCENT LIGHT
- 1" INSULATED GLAZING
- GRAY TINT

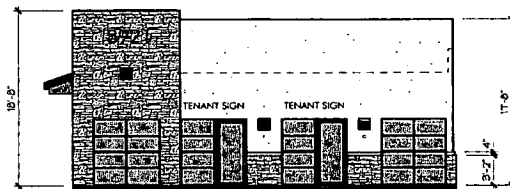


WEST ELEVATION

1/8" = 1'-0"

- DASH FINISH STUCCO IV
- FRAZEE 343 "SONOMA"
- FIELD COLOR
- DASH FINISH STUCCO IV
- FRAZEE 334 "CASITA"
- ACCENT COLOR

**SDR-3787
03-11-04 PC**



NORTH ELEVATION

1/8" = 1'-0"

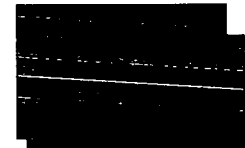


SOUTH ELEVATION

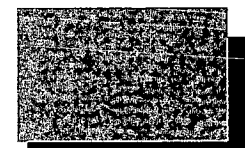
1/8" = 1'-0"



EAGLE CONCRETE ROOF TILE
#1910 BAGO "MISSION SANTA BARBARA"



FRAZEE #3291D "COPPER NAIL"
ACCENT STUCCO COLOR



FRAZEE #534P "CASITA"
ACCENT STUCCO COLOR



FRAZEE #1910 "SONOMA"
FIELD STUCCO COLOR

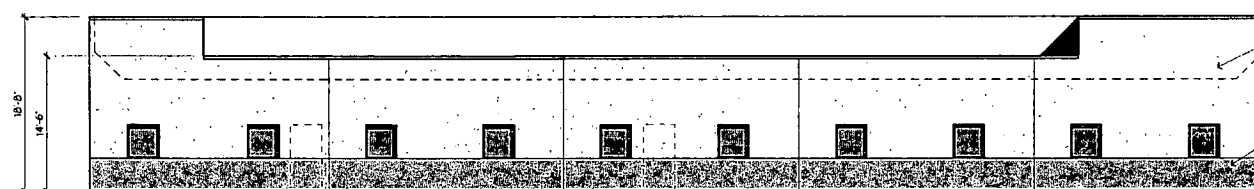


CULTURED STONE #CSV-2020
"TUG SOUTHERN LEDGESTONE"
STONE VENEER



EAST ELEVATION

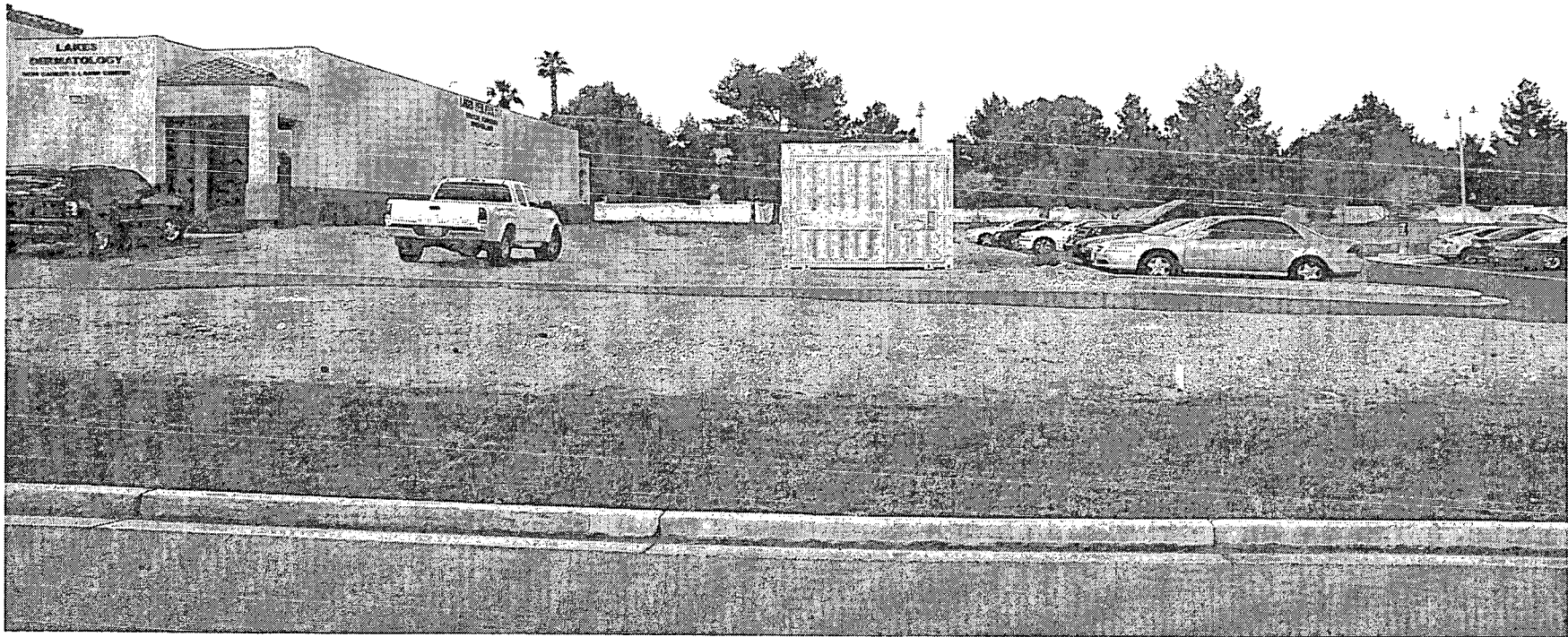
1/8" = 1'-0"



WEST ELEVATION

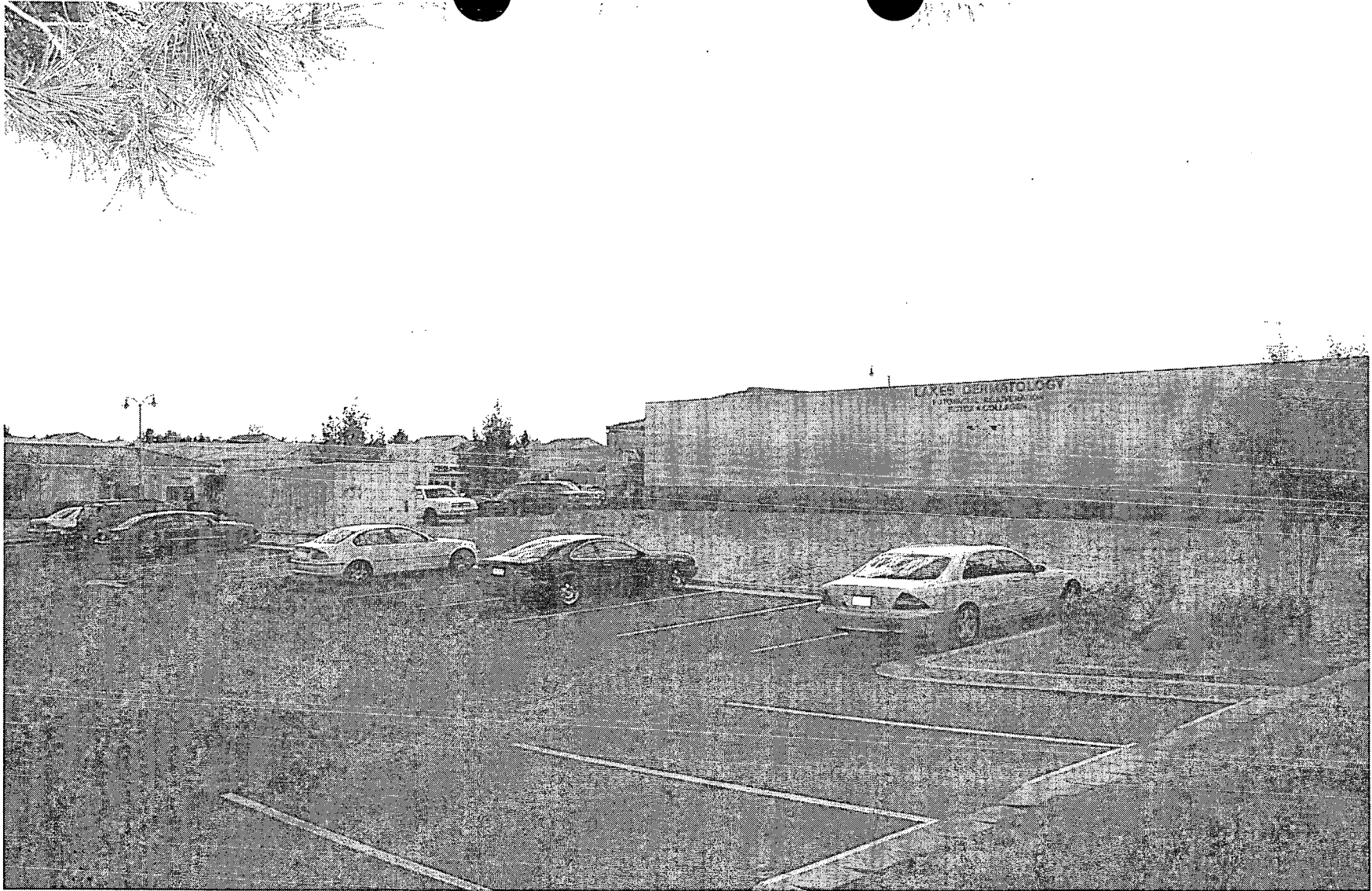
1/8" = 1'-0"

SDR-3787
03-11-04 PC



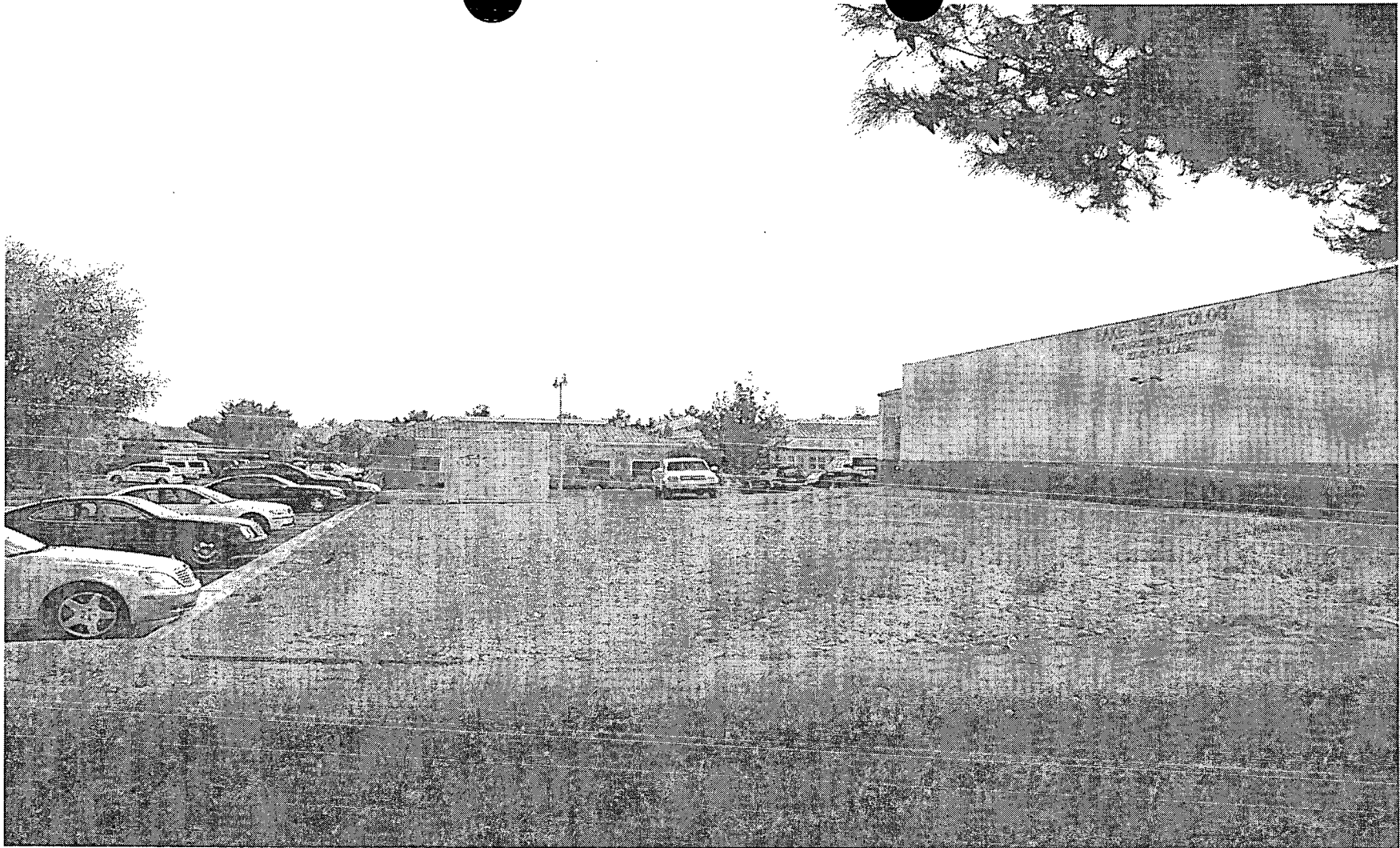
SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK
8901 West Sahara Avenue
APRIL 7, 2004 CITY COUNCIL MEETING

Picture taken 03/22/04



SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK
8901 West Sahara Avenue
APRIL 7, 2004 CITY COUNCIL MEETING

Picture taken 03/22/04



SDR-3787 - APPLICANT/OWNER: SILVER STATE BANK
8901 West Sahara Avenue
APRIL 7, 2004 CITY COUNCIL MEETING

Picture taken 03/22/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards requiring on-site open space features; parking spaces to be set back a minimum of 15 feet from property lines; parking lots to be located away from street front; and walkways between parking lots and rows of parking spaces FOR A PROPOSED 293,355 SQUARE-FOOT RETAIL CENTER on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road (APN: 125-17-301-003 and a portion of 125-17-701-001) T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) land use designation], Ward 6 (Mack). 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:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

No one appeared in opposition.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 120 – SDR-3795

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:44 – 1:46)

3-1487

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. An access agreement for access to Lot 6 shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any permits for that parcel.
5. Perimeter landscape buffers that front on Farm Road, Oso Blanca Road, and Severence Lane shall have a minimum width of 15 feet in accordance with code requirements.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the streetscape requirements of the Town Center Development Standards Manual and the landscape buffer requirements contained in Title 19. The revised landscape plan shall show no more than 12.5% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license(s).
8. The site plan shall be modified so that the buildings on the west side of the development conform with Residential Adjacency Standards. The modified site plan shall be reviewed and approved by the Planning and Development Department.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 120 – SDR-3795

CONDITIONS – Continued:

9. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
10. All mechanical equipment, air conditioning units and loading areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with the requirements of Title 19.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the CHARC-TC prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. Handicap parking spaces shall be provided in accordance with code requirements.
17. All City Code requirements and design standards of all City departments must be satisfied.
18. All pad buildings shall be relocated to meet front yard setback requirements of the Town Center Development Standards Manual.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 120 – SDR-3795

CONDITIONS – Continued:

Public Works

19. Dedicate appropriate half-street right-of-way adjacent to this site for Farm Road, 40 feet of right-of-way for Severance Lane, 90 feet of right-of-way for the Frontage Road, a 25-foot radius at the northwest corner of Severance Road and US 95 Frontage Road and a 54-foot radius at the southwest corner of Farm Road and US 95 Frontage Road. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis Update.
20. Construct half-street improvements, or full-width street improvements as appropriate, including appropriate overpaving on Severance Road, Farm Road, and on the US 95 Frontage Road adjacent to this site concurrent with development of this site. Farm Road may be constructed per the 87 foot-wide cross-section proposed by the adjacent developers to the north and west, including the full-width of the 15 foot wide landscaped median, provided that this developer submits proof that the entire length of Farm Road from Fort Apache Road eastward to the Frontage Road will be developed to this cross section, and the adjacent developer(s) sign and record a Maintenance and Liability agreement for all proposed deviations from current Town Center standards; with all maintenance obligations to be borne by the adjacent Homeowner's or other Property Owner's Associations. If such proof cannot be provided prior to submittal of construction drawings, Farm Road shall be designed and constructed to meet current Town Center Arterial standards. Design and construction of all other adjacent streets shall comply with Town Center standards. Improvements on Oso Blanco (Frontage Road) shall also meet Nevada Department of Transportation standards.
21. Provide proof acceptable to the Department of Public Works that access rights are in place between the Frontage Road and Lot 6 as proposed on this site plan.
22. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
23. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation for those driveways and/or traffic signals accessing the Frontage Road.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 120 – SDR-3795

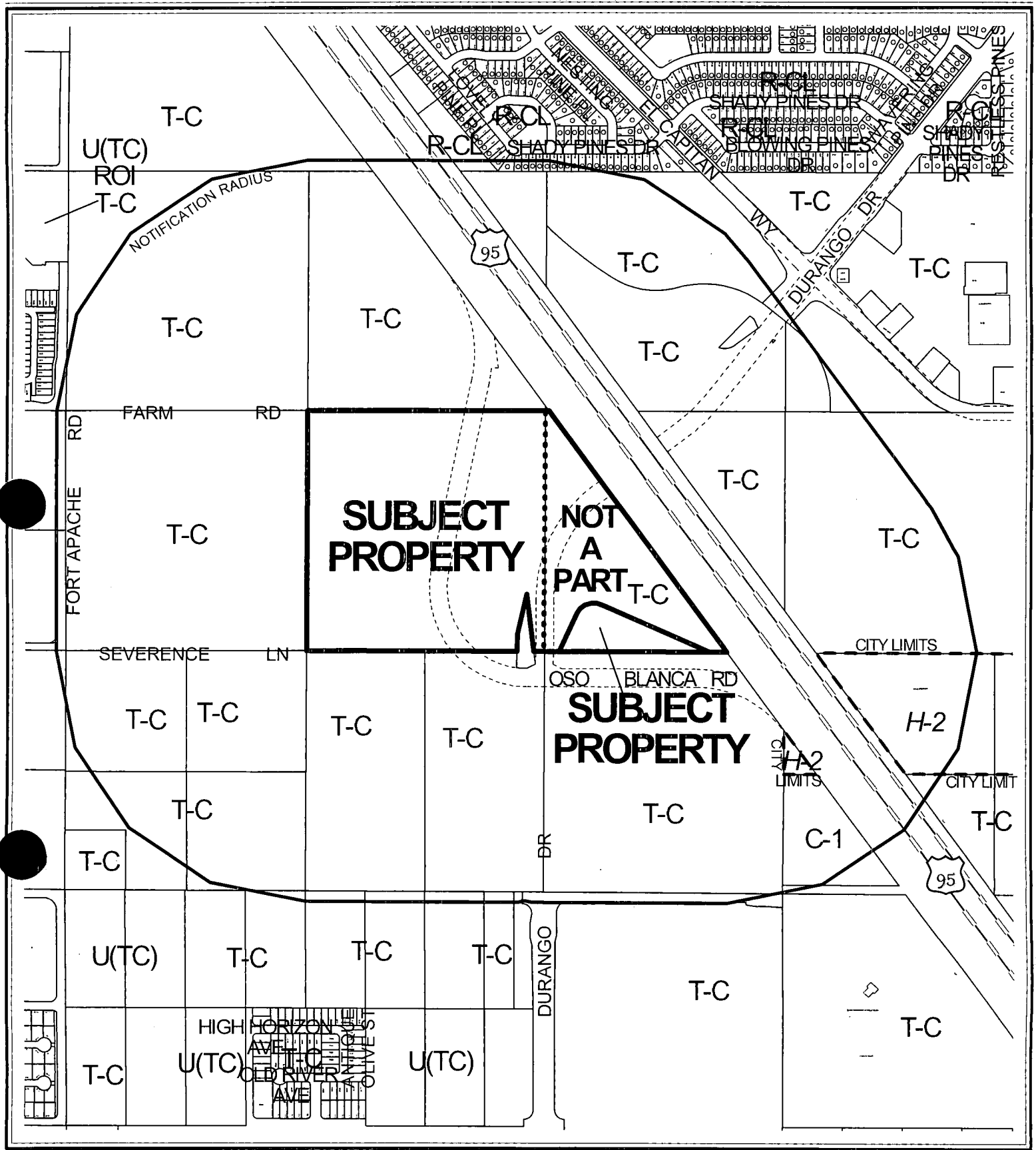
CONDITIONS – Continued:

24. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
25. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.
26. Landscape and maintain all unimproved rights-of-way adjacent to this site.
27. Submit an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
28. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
29. A Master Streetlight Plan for all streetlights adjacent to public streets must be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.
30. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer to the north edge of this site in the Frontage Road alignment to a location and depth acceptable to the City Engineer.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 120 – SDR-3795

CONDITIONS – Continued:

31. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
32. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
33. Site development to comply with all applicable conditions of approval for the Town Center Master Plan and all other applicable site-related actions.



CASE: SDR-3795

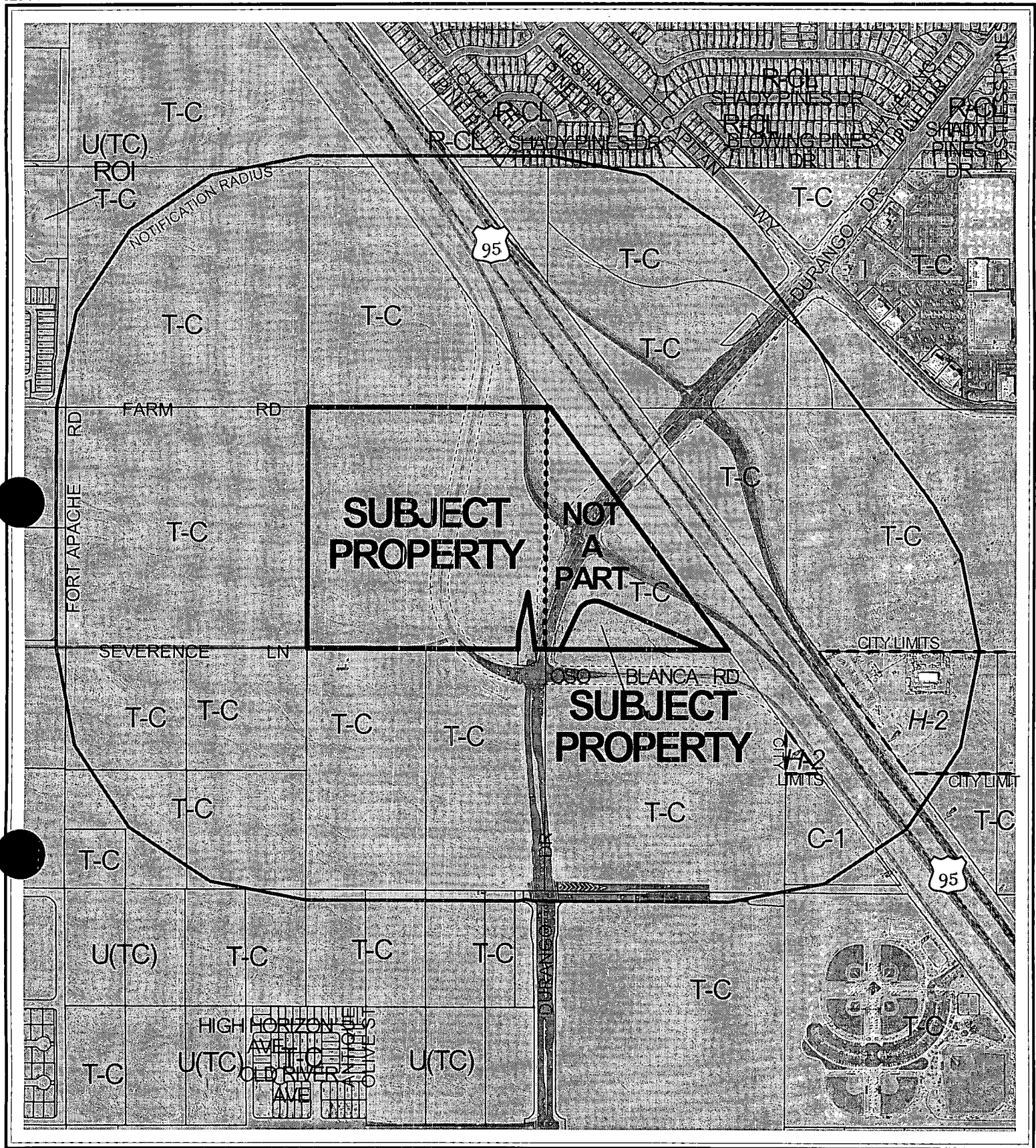
RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER)
LAND USE DESIGNATION]

0 400 800 Feet





CASE: SDR-3795

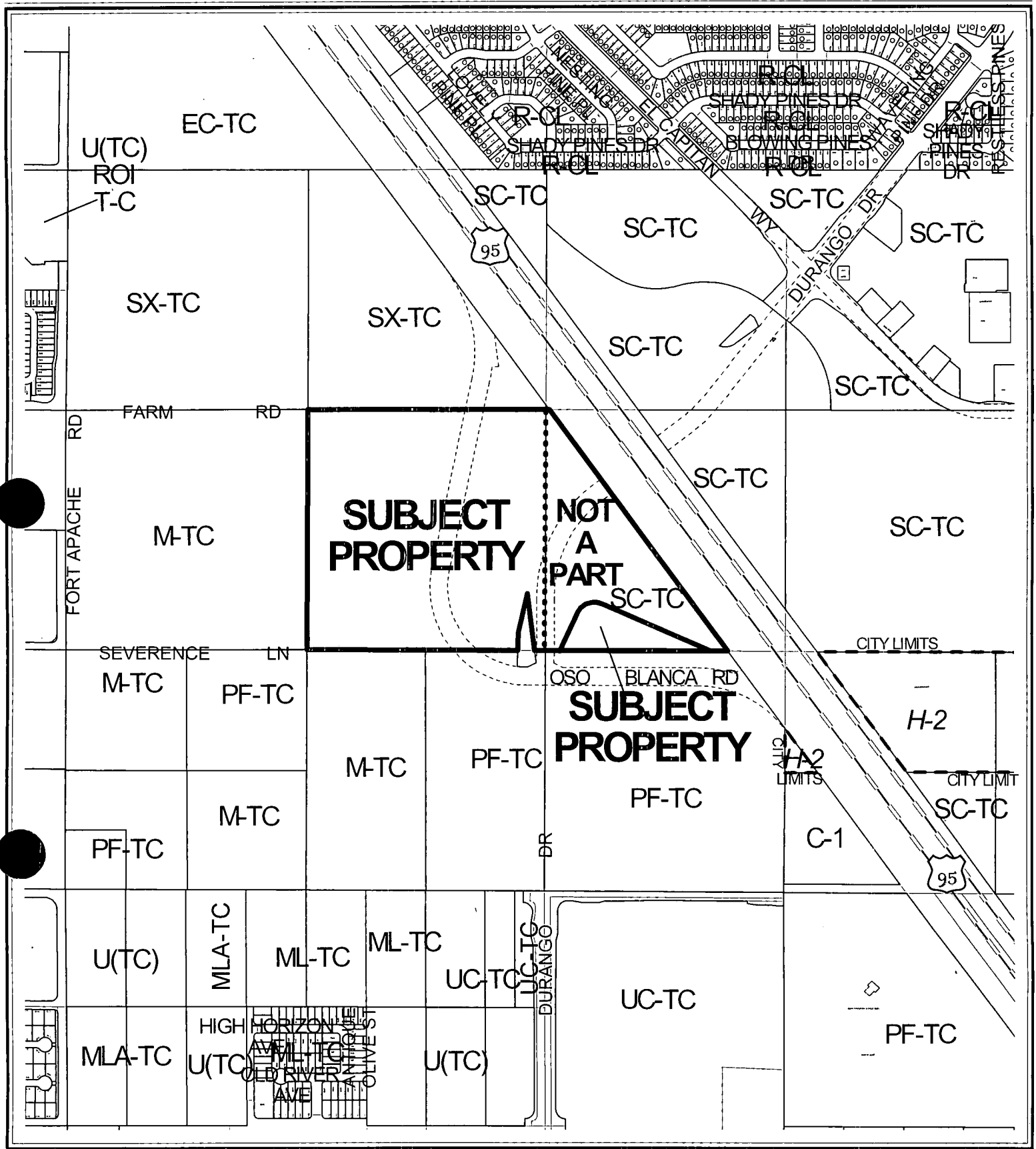
RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER)
LAND USE DESIGNATION]

0 400 800 Feet





CASE: **SDR-3795**

TOWN CENTER SPECIAL ZONING MAP

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC (SERVICE COMMERCIAL - TOWN CENTER)
LAND USE DESIGNATION]

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3795 - APPLICANT/OWNER: NORTHWEST 95
LIMITED LIABILITY COMPANY

**** 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 and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. An access agreement for access to Lot 6 shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any permits for that parcel.
5. Perimeter landscape buffers that front on Farm Road, Oso Blanca Road, and Severence Lane shall have a minimum width of 15 feet in accordance with code requirements.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the streetscape requirements of the Town Center Development Standards Manual and the landscape buffer requirements contained in Title 19. The revised landscape plan shall show no more than 12.5% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license(s).
8. The site plan shall be modified so that the buildings on the west side of the development conform with Residential Adjacency Standards. The modified site plan shall be reviewed and approved by the Planning and Development Department.

9. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
10. All mechanical equipment, air conditioning units and loading areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with the requirements of Title 19.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the CHARC-TC prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. Handicap parking spaces shall be provided in accordance with code requirements.
17. All City Code requirements and design standards of all City departments must be satisfied.
18. All pad buildings shall be relocated to meet front yard setback requirements of the Town Center Development Standards Manual.

Public Works

19. Dedicate appropriate half-street right-of-way adjacent to this site for Farm Road, 40 feet of right-of-way for Severance Lane, 90 feet of right-of-way for the Frontage Road, a 25-foot radius at the northwest corner of Severance Road and US 95 Frontage Road and a 54-foot radius at the southwest corner of Farm Road and US 95 Frontage Road. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis Update.
20. Construct half-street improvements, or full-width street improvements as appropriate, including appropriate overpaving on Severance Road, Farm Road, and on the US 95 Frontage Road adjacent to this site concurrent with development of this site. Farm Road

may be constructed per the 87 foot-wide cross-section proposed by the adjacent developers to the north and west, including the full-width of the 15 foot wide landscaped median, provided that this developer submits proof that the entire length of Farm Road from Fort Apache Road eastward to the Frontage Road will be developed to this cross section, and the adjacent developer(s) sign and record a Maintenance and Liability agreement for all proposed deviations from current Town Center standards; with all maintenance obligations to be borne by the adjacent Homeowner's or other Property Owner's Associations. If such proof cannot be provided prior to submittal of construction drawings, Farm Road shall be designed and constructed to meet current Town Center Arterial standards. Design and construction of all other adjacent streets shall comply with Town Center standards. Improvements on Oso Blanco (Frontage Road) shall also meet Nevada of Department of Transportation standards.

21. Provide proof acceptable to the Department of Public Works that access rights are in place between the Frontage Road and Lot 6 as proposed on this site plan.
22. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
23. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation for those driveways and/or traffic signals accessing the Frontage Road.
24. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
25. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.
26. Landscape and maintain all unimproved rights-of-way adjacent to this site.
27. Submit an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
28. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
29. A Master Streetlight Plan for all streetlights adjacent to public streets must be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

30. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer to the north edge of this site in the Frontage Road alignment to a location and depth acceptable to the City Engineer.
31. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
32. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
33. Site development to comply with all applicable conditions of approval for the Town Center Master Plan and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Site Development Plan Review and waivers from the Town Center Development Standards for a proposed 293,355 square-foot retail center on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road. The applicant has requested waivers from the on-site open space features; the requirement for parking spaces to be set back a minimum of 15 feet from property lines; the provision that parking lots be located away from the street frontage; and the requirement for walkways between parking lots and rows of parking spaces.

B) Applicant's Justification

The applicant has stated that the redesigned commercial center will achieve an aesthetically pleasing and desirable development and will provide a compatible and stable developed environment in harmony with surrounding land uses.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was included in this Rezoning request. |
| 11/15/00 | The City Council approved a Site Development Plan Review [Z-0076-98(15)] for a 284,150 square foot commercial center on the subject property as part of a larger request. In addition, 12 associated Special Use Permit (U-0099-00 through U-0110-00) applications were approved, allowing four supper clubs, four restaurants with drive-through facilities, a convenience store with fuel pumps, sale of packaged liquor in conjunction with a convenience store, a car wash, and an auto lube facility. The Planning Commission recommended approval of the requests on 08/24/00. |
| 12/18/02 | City Council approved an Extension of Time for the Site Development Plan Review (EOT-1083) and the 12 associated Special Use Permit applications (EOT-1084 through EOT-1095) for the subject site. The Planning Commission recommended approval of the requests on 11/21/02. |
| 03/11/04 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #56/ff). |

B) Pre-Application Meeting

01/09/04 At the pre-application meeting, staff discussed Town Center standards relative to building placement and frontage requirements, streetscape treatments, residential adjacency requirements, intersection alignments, and existing approvals for drive-through facilities.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 33.76

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: U.S. 95 Right-of-Way
West: Undeveloped

C) Planned Land Use

Subject Property: SC-TC (Service Commercial - Town Center)
North: SX-TC (Suburban Mixed Use - Town Center)
South: M-TC (Medium Density Residential - Town Center)
PF-TC (Public Facilities - Town Center)
East: SC-TC (Service Commercial - Town Center)
West: M-TC (Medium Density Residential - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: U.S. 95 Right-of-Way, T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The subject parcel is located within the area governed by the Centennial Hills Sector Plan, and is designated SC-TC (Service Commercial - Town Center). This land use category permits low- to medium-intensity retail, office or other commercial uses that are intended to primarily serve residents of the Centennial Hills area and does not include more intense general commercial characteristics.

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

The subject parcel is subject to the Town Center Development Standards, but is not part of any other Special Overlay District or Study Area. No trails, other than sidewalks required through the applicable Town Center street sections, abut the development site. The traffic generated by the project warrants a Development Impact Notification Assessment.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

- 1) It is a commercial facility generating more than 3,000 average daily trips.

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

- 1) Development has been conditioned to extend the oversized public sewer line in the Frontage Road to the northern edge if it is not already constructed at the time of their development.
- 2) No significant law enforcement issues.
- 3) Drainage study required.

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

PROJECT DESCRIPTION

The project entails the development of a 293,355 square-foot retail center on three parcels (identified as Lot 1, Lot 2, and Lot 6) on both sides of Oso Blanca Road north of Severence Lane. The center will include a combination of anchor and in-line tenant space and 11 pad sites. A total of 12 Special Use Permits have been approved for the site, allowing four supper clubs, four restaurants with drive-through facilities, a convenience store with fuel pumps, sale of packaged liquor in conjunction with a convenience store, a car wash, and an auto lube facility. All of the

buildings will be one story in height, with stucco exteriors and tile accents. A total of 1,968 parking spaces will be provided in surface parking lots, with perimeter landscape buffers on all street frontages. The applicant will be installing streetscape treatments in accordance with the Town Center Design Standards.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	33.76 Acres	N/A
Min. Lot Width	100 Feet	180 Feet (Lot 6)	Y
Min. Setbacks			
• Front – Oso Blanca	0-15 Feet	25 Feet	Y
• Front – All others	20 Feet	51 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	43 Feet	Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	None	32 Feet	Y
Trash Enclosure	Screened and roofed	Not indicated	--
Loading Zone	Screened from R.O.W.	Not indicated	--
Mech. Equipment	Screened from view	Not indicated	--

The project exceeds all minimum setback requirements and conforms with lot coverage requirements. While the project generally conforms with height requirements, it should be noted that the buildings along the west property line will be subject to Residential Adjacency Standards. There is not sufficient information in order to determine that mechanical equipment and loading spaces will be adequately screened from view of abutting properties and the public rights-of-way.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The building designated as “Major A” appears to encroach the required proximity slope from the approved residential development abutting the western boundary of the site. The elevations indicate that the building is approximately 26 feet high, which would require a 78-foot setback from the west property line.

- b) Building setback. The proposed project complies with the minimum building setback required under the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail	235,655 SF	1/250 GFA	943			
Restaurant	29,800 SF	1/50 GFA	596			
Restaurant (w/ drive-through)	18,000 SF	1/100 GFA	180			
Auto Lube	See Ratio	1/employee 3/bay	18			
Total:			1,737	28	1,968	Not indicated

The project will provide over 200 spaces in excess of Code requirements. No handicap parking spaces have been shown on the site plan, but will need to be provided in accordance with the Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	328 Trees	410 Trees
Buffer:			
• Min. Trees – Oso Blanca	1 Tree/35 Linear Feet	--	1 Tree/35 Feet
• Min. Trees – Farm Rd., Severence Lane	1 Tree/30 Feet O.C.	--	1 Tree/30 Feet
• Min. Trees – West property line	1 Tree/20 Feet O.C.	--	Not indicated
• Min. Zone Width – Street	15 Feet		8-15 Feet
• Min. Zone Width – Interior	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

A sufficient number of trees is shown within the parking lot areas. The landscape buffers along Farm Road and Severence Lane do not meet the minimum width requirement, and will need to be increased to 15 feet. All other buffer areas appear to be of the appropriate size. Due to Residential Adjacency requirements, the trees in the buffer area along the west property line shall not exceed 20 feet on center.

The proposed streetscape treatments appear to conform to the Town Center Development Standards. The landscape plan does not offer sufficient information about groundcover materials and landscape specifications.

A5) Sign Standards

Signage in Town Center is governed by the requirements listed in Section D of the Town Center Development Standards Manual, and is subject to review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC). A separate application for approval of a Master Sign Plan shall be submitted to CHARC-TC prior to the issuance of any permits for signage in the subject development.

B) General Analysis and Discussion

- Zoning

The subject property is designated SC-TC (Service Commercial – Town Center), which allows the proposed retail and restaurant uses by right. Special Use Permits have been approved and Extensions of Time are still valid for four supper clubs, four restaurants with drive-through facilities, sale of packed liquor in conjunction with a convenience store, a car wash, and an auto lube facility.

- Site Plan

The proposed structures meet or exceed all minimum setback requirements. The Town Center Development Standards require that surface parking lots be located away from the public right-of-way and to the side or rear of the buildings that they serve; while four of the pad sites generally conform to this requirement, the placement of the remaining buildings should be revised to conform with the regulation. Another deficiency of the site plan is the lack of a continuous internal pedestrian walkway from the public sidewalk to the principal building entries and an on-site pedestrian network.

The buildings on the west side of the site abut a residential development, and are subject to Residential Adjacency Standards. The height of the buildings along that property line may need to be decreased in height, or moved further away from the property line in order to conform to proximity slope requirements.

Lot 6 of the development requires access across BLM land in order to gain ingress and egress from Oso Blanca Road. A cross-access agreement will be necessary with BLM in order to permit the driveways as proposed. Should the applicant purchase the land between Lot 6 and Oso Blanca Road, a Site Development Plan Review application will be required to review and coordinate development on the parcel.

- Waivers

The applicant has requested waivers from the on-site open space features; the requirement for parking spaces to be set back a minimum of 15 feet from property lines; the provision that parking lots be located away from the street frontage; and the requirement for walkways between parking lots and rows of parking spaces. Staff would recommend that the landscape buffers be revised to conform to code requirements, that the pad buildings be relocated to conform as closely to the regulations as possible, and that the pedestrian walkways be incorporated as required.

- Landscape Plan

As previously noted, the landscape buffers along Farm Road and Severence Lane should be increased to 15 feet in depth in order to conform with Code requirements. As there are over 200 parking spaces in excess of code requirements, there is adequate site area to provide conforming buffers. The landscaping provided within the parking areas generally conforms to code requirements. Due to Residential Adjacency requirements, the trees in the buffer along the west property line shall be planted no more than 20 feet on center. The landscape plan does not provide sufficient information about landscape species and groundcover specifications; a revised landscape plan will need to be submitted to the Planning and Development Department for review and approval.

The submitted plan indicates that the project will generally conform with the Town Center streetscape requirements. Additional information will be needed to verify that the groundcover, plantings, street furniture and sidewalk treatments conform with Town Center requirements.

- Elevation

The submitted elevations depict the use of stucco as the primary façade material, with tile wainscoting at column bases and stone veneer on the pilasters. The proposed colors are within the range of “desert neutrals” recommended by the Development Standards, with orange and rust accent colors. Trellis structures and arcades will be provided to shade the walkways adjacent to the buildings and to provide visual interest. A detailed cornice is provided at the top of the parapet walls, and some variation in the height of the parapet is provided at the principal anchor spaces. While tile insets have been provided as a decorative element at the rear of the buildings, additional plaster reveals and offsets in the wall planes should be utilized to provide additional variation and interest, as the buildings will back up to a residential neighborhood on the west and U.S. 95 on the east. Generalized elevations have been provided for the pad buildings; any variation from the provided elevations will require further review.

- Floor Plan

Floor plans for the individual tenant spaces are not available at this time. The site plan generally depicts a convenient and rational layout for the buildings relative to associated parking areas and other tenant spaces.

FINDINGS

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

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

The proposed uses are in conformance with the Centennial Hills Sector Plan and the development will provide adequate buffers between abutting uses.

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

The proposed development is generally consistent with adopted standards, with the exceptions that have been noted. The conditions of approval have been formulated to address the elements that must be corrected.

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

The development has access to a Frontage Road, Secondary Collectors and is adjacent to a Primary Arterial, all of which contribute to carrying the capacity of traffic generated by the project. The applicant will be required to provide half streets improvements where streets do not currently exist.

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

The proposed landscape buffers and streetscape treatments are generally consistent with City standards and will be appropriate for the area.

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

The proposed building elevations are consistent with other retail centers in the area and will create a unified architectural theme for the development.

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

The project will be subject to permit review and inspections, and therefore appropriate measures will be taken to protect public health, safety and general welfare.

NOTICES MAILED 40 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3795 APN: 125-17-301-003 and 125-17-701-001
(portion)
Name of Property Owner: Northwest 95, LLC
Name of Applicant: Northwest 95, LLC

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

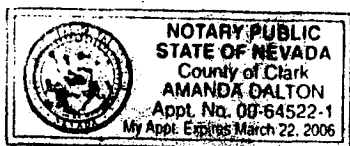
Signature of Property Owner/Authorized Agent: _____

Subscribed and sworn before me

This 11 day of January, 2004

Amanda Dalton

Notary Public in and for said County and State



YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
3008 WEST PATRICK LANE
LAW YOUNG, NEWARK, NJ 07102
P: (702) 843-8870 F: (702) 855-5011
E: info@ywsarch.com

PROJECT NAME
FARM ROAD
RETAIL CENTER
FARM ROAD & US 96
FOCUS PROPERTY GROUP
LAW YOUNG, NEWARK, NJ 07102
DATE: 03-11-04

REVISIONS
NO. DESCRIPTION DATE

CORRELATIVE
SHEET TITLE
PROPOSED
EXTERIOR
BUILDING
ELEVATIONS

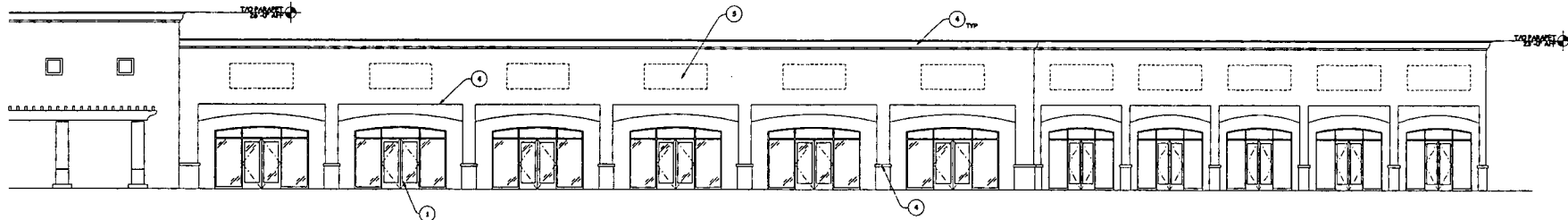
PROJECT NO:
03-067.03
DATE:
JANUARY 27, 2004
ISSUED FOR:
2004.02

NO.	DESCRIPTION	DATE

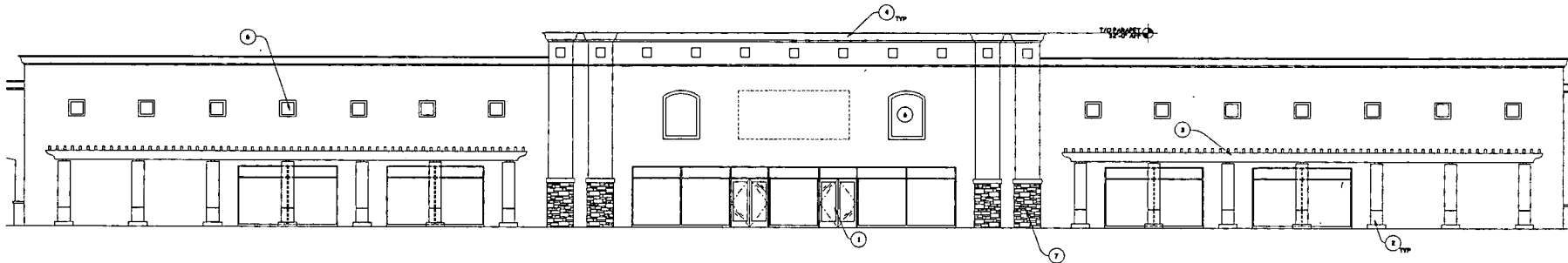
PROPOSED
EXTERIOR
BUILDING
ELEVATIONS

PROJECT NO:
03-067.03
DATE:
JANUARY 27, 2004
ISSUED FOR:
2004.02

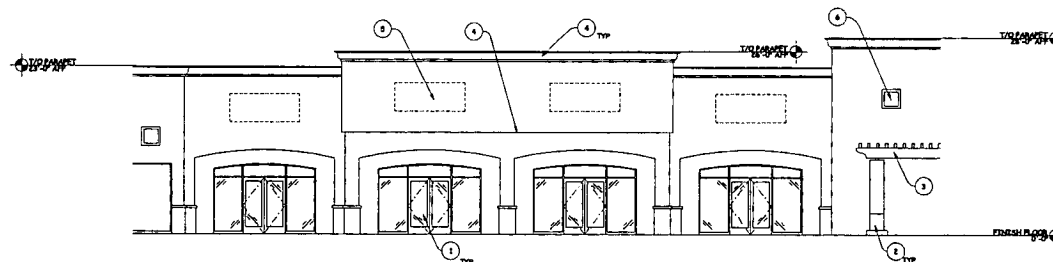
A5.00



BUILDING ELEVATION - RETAIL A
SCALE: 1/8" = 1'-0"



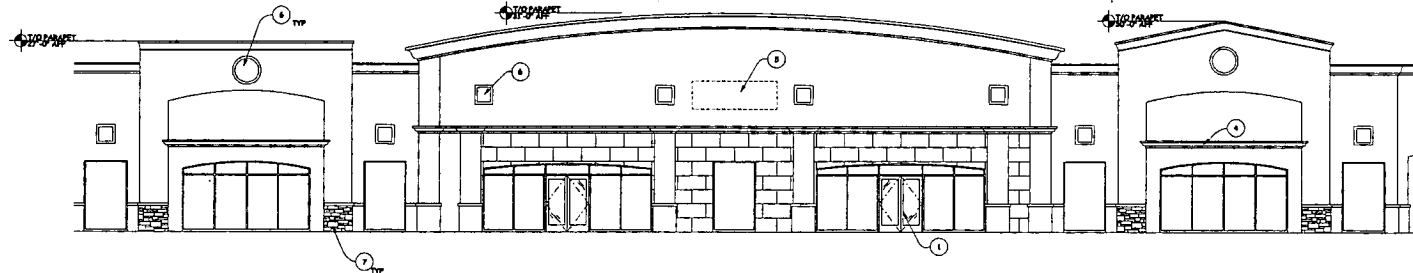
BUILDING ELEVATION - MAJOR A
SCALE: 1/8" = 1'-0"



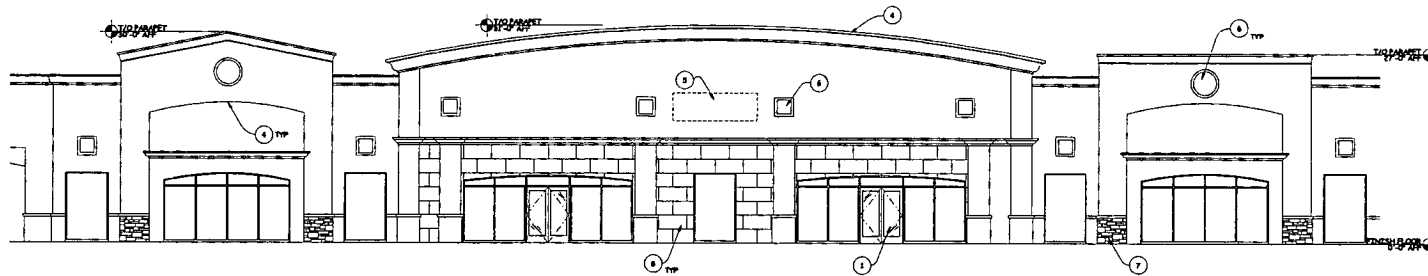
BUILDING ELEVATION - RETAIL B
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT / TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

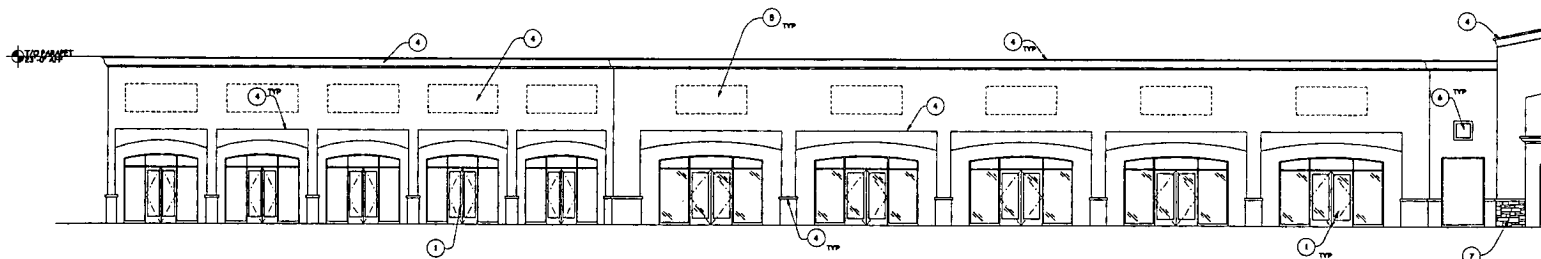
SDR-3795
03-11-04 PC



BUILDING ELEVATION - MAJOR B
SCALE 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR C
SCALE 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL C
SCALE 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT/TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
3025 WEST PATRICK LANE
LAKESIDE, MINN. 55116
P: (763) 943-8670 F: (763) 943-8011
E: info@ywsarch.com

REVISION

COMMENTS

PROJECT NAME

**FARM ROAD
RETAIL CENTER
FARM ROAD & US 96
FOCUS PROPERTY GROUP
LAKESIDE, MN 55116**

REVISION

NO.	DESCRIPTION	DATE

SHEET TITLE

**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

PROJECT NO.

03-067-03

DATE

JANUARY 27, 2004

ISSUED FOR

20040127

A5.01

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
1000 WEST PATRICK LANE
LAS VEGAS, NEVADA 89115
P: (702) 895-8870 F: (702) 895-8811
E: info@ywsarch.com

PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
POCUS PROPERTY GROUP
LAS VEGAS, NV 89115
Drawing No: 03-11-04

REVISIONS

NO.	DESCRIPTION	DATE

CONSULTANT:

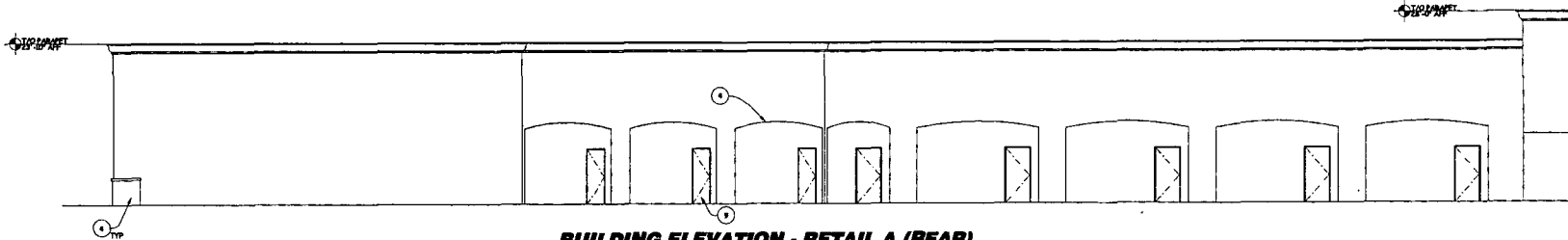
PROJECT NO:
00-07-03
DATE:
JANUARY 27, 2004
DESIGNED FOR:
ZONING

NO.	DESCRIPTION	DATE

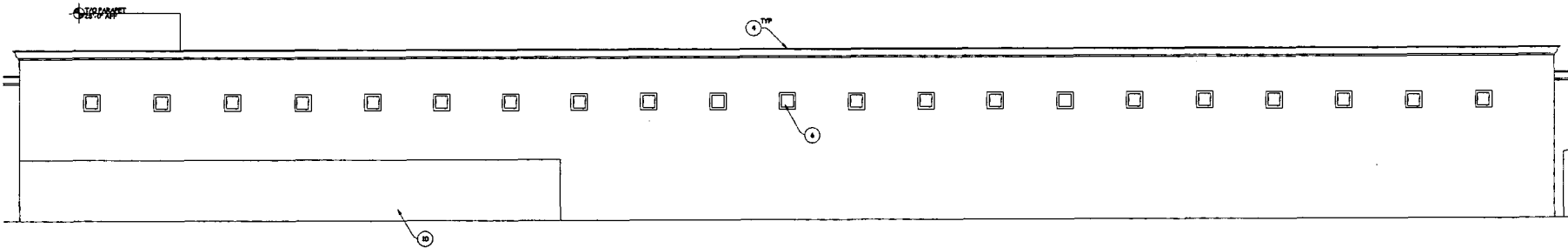
**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

PROJECT NO:
00-07-03
DATE:
JANUARY 27, 2004
DESIGNED FOR:
ZONING

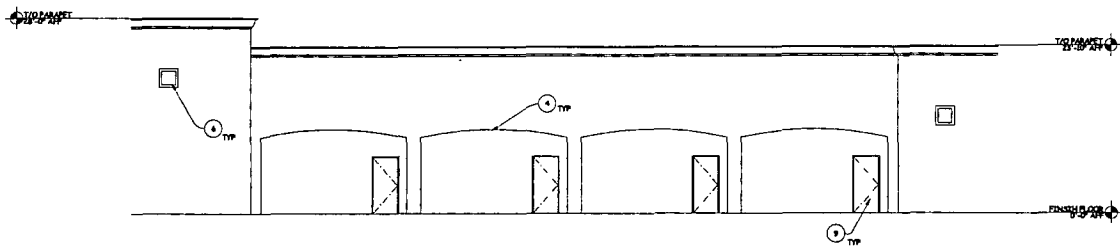
A5.02



BUILDING ELEVATION - RETAIL A (REAR)
SCALE: 1/8" = 1'-0"



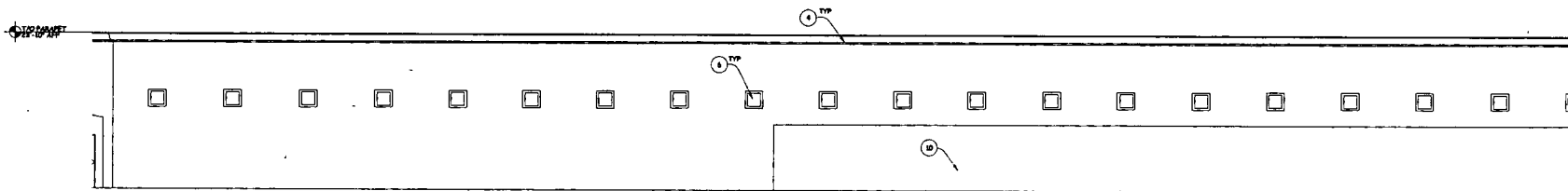
BUILDING ELEVATION - MAJOR A (REAR)
SCALE: 1/8" = 1'-0"



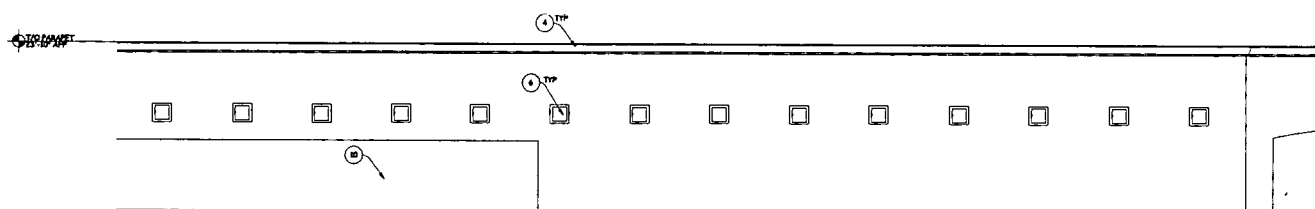
BUILDING ELEVATION - RETAIL B (REAR)
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAHSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT / TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

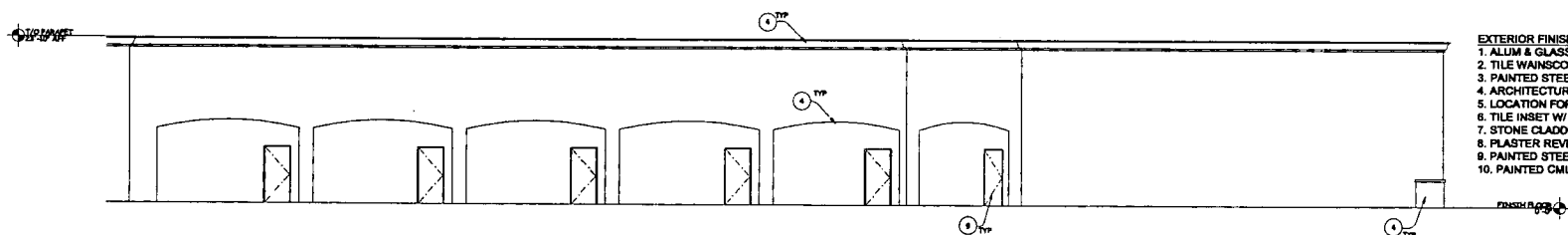
SDR-3795
03-11-04 PC



BUILDING ELEVATION - MAJORS B & C (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJORS B & C (CONT.)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL C (REAR)
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT/TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
3000 WEST PATRICK LANE
LAS VEGAS, NEVADA 89115
P: (702) 943-8870 F: (702) 855-8011
© 1999 ywsarch.com

PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
FOCUS PROPERTY GROUP
LAS VEGAS, NV 89115
DATE: 03-11-04

DATE:
03-11-04

COMMENTS:

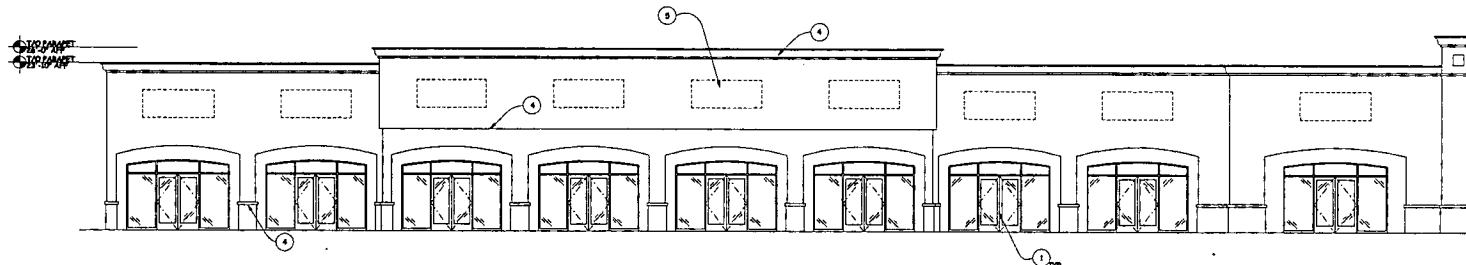
PROJECT NAME:
FARM ROAD
RETAIL CENTER
FARM ROAD & US 95
FOCUS PROPERTY GROUP
LAS VEGAS, NV 89115
DATE: 03-11-04

NO.	DESCRIPTION	DATE

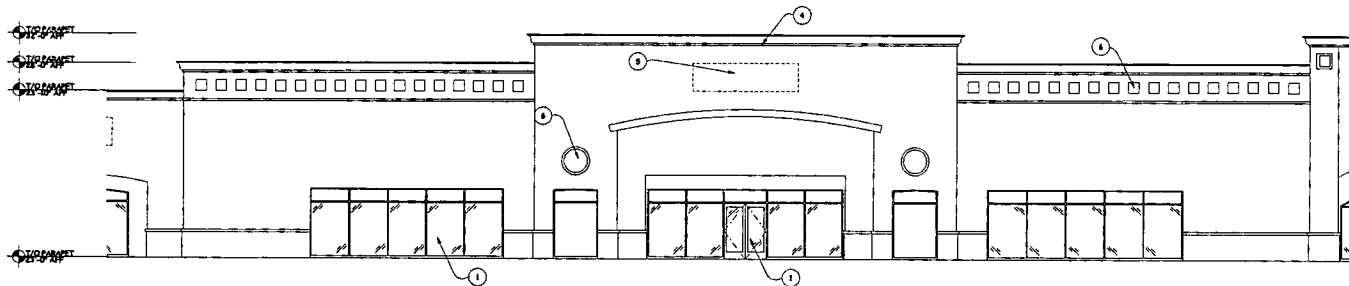
**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

PROJECT NO:
03-067-03
DATE:
JANUARY 27, 2004
ISSUED FOR:
202504

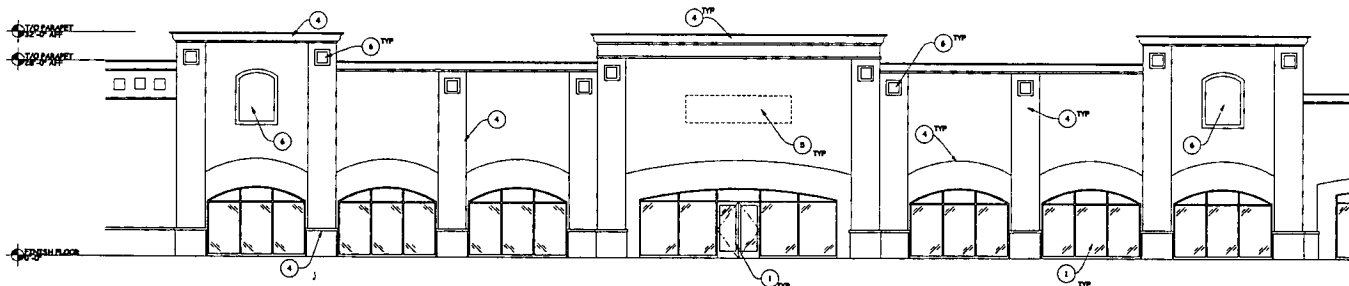
A5.03



BUILDING ELEVATION - RETAIL D
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR D
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR E
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT / TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
8000 WEST PATRICK LANE
LAK VEGAS, NEVADA 89115
P: (702) 943-8870 F: (702) 958-3011
E: info@ywsarch.com

PROJECT NAME
FARM ROAD
RETAIL CENTER
FARM ROAD & US 96
FOCUS PROPERTY GROUP
LAK VEGAS, NEVADA 89115
P: (702) 943-8870 F: (702) 958-3011
E: info@ywsarch.com

DATE
COMMENTS

PROJECT NAME
FARM ROAD
RETAIL CENTER
FARM ROAD & US 96
FOCUS PROPERTY GROUP
LAK VEGAS, NEVADA 89115
P: (702) 943-8870 F: (702) 958-3011
E: info@ywsarch.com

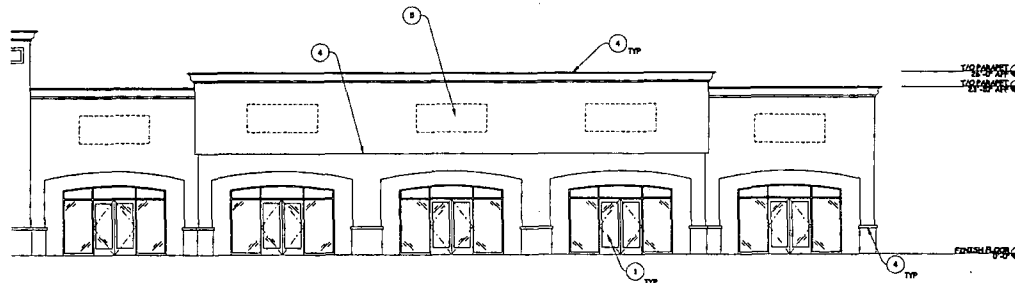
REVISION
NO. DESCRIPTION DATE

NO.	DESCRIPTION	DATE

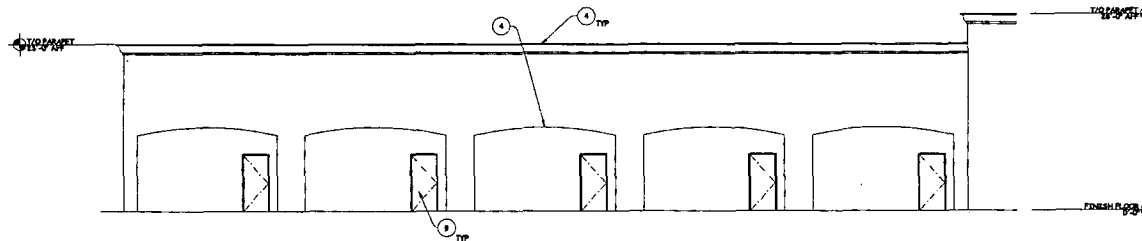
**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

PROJECT NO.
00-067.03
DATE:
JANUARY 27, 2004
ISSUED FOR:
ZONING

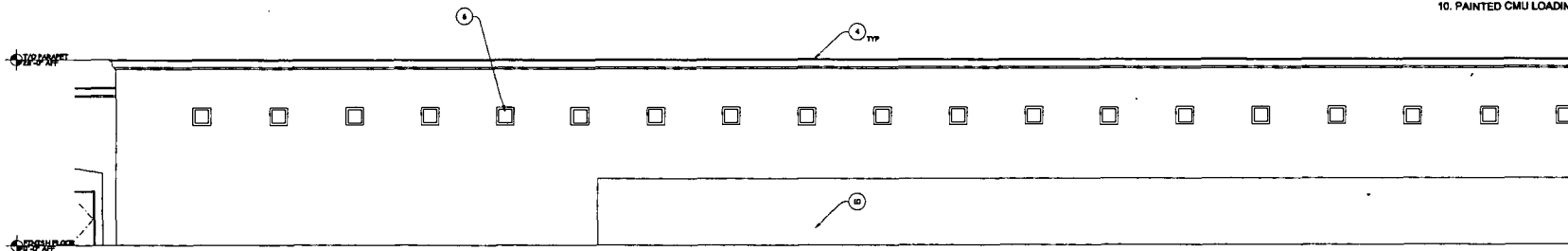
A5.04



BUILDING ELEVATION - RETAIL E
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - RETAIL D (REAR)
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - MAJOR E (REAR)
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT / TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING DESIGN
600 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 940-8870 F: (702) 940-8871
E: info@ywsarch.com

PROJECT NAME:
PROJECT NUMBER:
PROJECT LOCATION:
PROJECT DATE:

REVISION:
NO. DESCRIPTION DATE

REVISION:
NO. DESCRIPTION DATE

REVISION:
NO. DESCRIPTION DATE

REVISION:
NO. DESCRIPTION DATE

**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

PROJECT NO:
DATE:
DRAWN BY:
CHECKED BY:

A5.05



- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT / TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

**ARCHITECTURE INTERIORS
PLANNING THEMING**
5006 WEST PATRICK LANE
LAS VEGAS, NEVADA 89118
P: (702) 263-0870 F: (702) 255-3011
E: info@researchfields.com

HA. Schreiner's book *Indigeneität und Nationalismus* (Indigeneity and Nationalism) is a study of the indigenous movements in the Andes of Peru, Bolivia, and Colombia. The book is a critical analysis of the indigenous movements and their role in the construction of the nation-state. It is a valuable contribution to the study of Latin American history and politics.

CONCLUSIONS

PROJECT NAME:

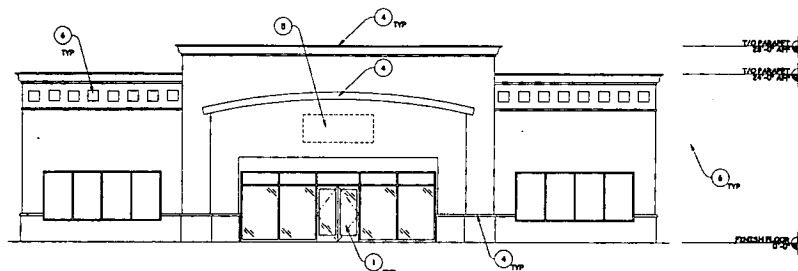
**FARM ROAD
RETAIL CENTER
FARM ROAD & US 95**

[illegible]**QUEST TITLE:**

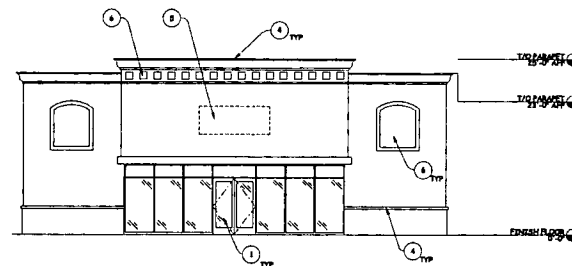
PROPOSED EXTERIOR BUILDING ELEVATIONS

PROJECT NO:
00-057.03
DATE:
JANUARY 27, 2000
ISSUED FOR:
ZONING

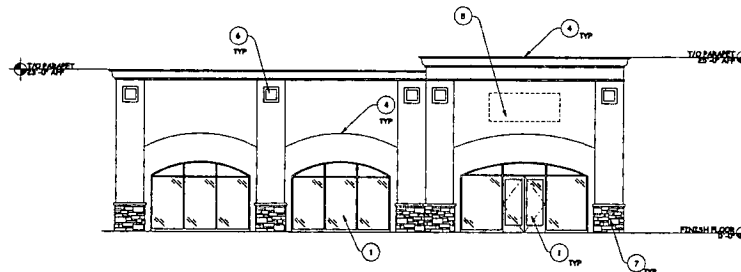
A5.06



BUILDING ELEVATION - TYPICAL DRIVE-THRU RESTAURANT
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - TYPICAL CONVENIENCE STORE
SCALE: 1/8" = 1'-0"



BUILDING ELEVATION - TYPICAL RETAIL PAD
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND**
1. ALUM & GLASS DOORS & WINDOWS
 2. TILE WAINSCOT
 3. PAINTED STEEL TRELLIS
 4. ARCHITECTURAL POP-OUT/TRIM
 5. LOCATION FOR SIGN
 6. TILE INSET W/ ARCHITECTURAL POP-OUT
 7. STONE CLADDING
 8. PLASTER REVEALS
 9. PAINTED STEEL DOOR
 10. PAINTED CMU LOADING DOCK WALL

SDR-3795
03-11-04 PC

YWS
ARCHITECTS

ARCHITECTURE INTERIORS
PLANNING THEMING
3035 WEST PATRICK LANE
LAK MICHIGAN, MICHIGAN 48116
P: (734) 243-0071 F: (734) 258-3011
© 1998 YWS Architects, Inc.

THIS DOCUMENT IS THE PROPERTY OF YWS ARCHITECTS, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF YWS ARCHITECTS, INC.

REVISIONS

COMMENTS

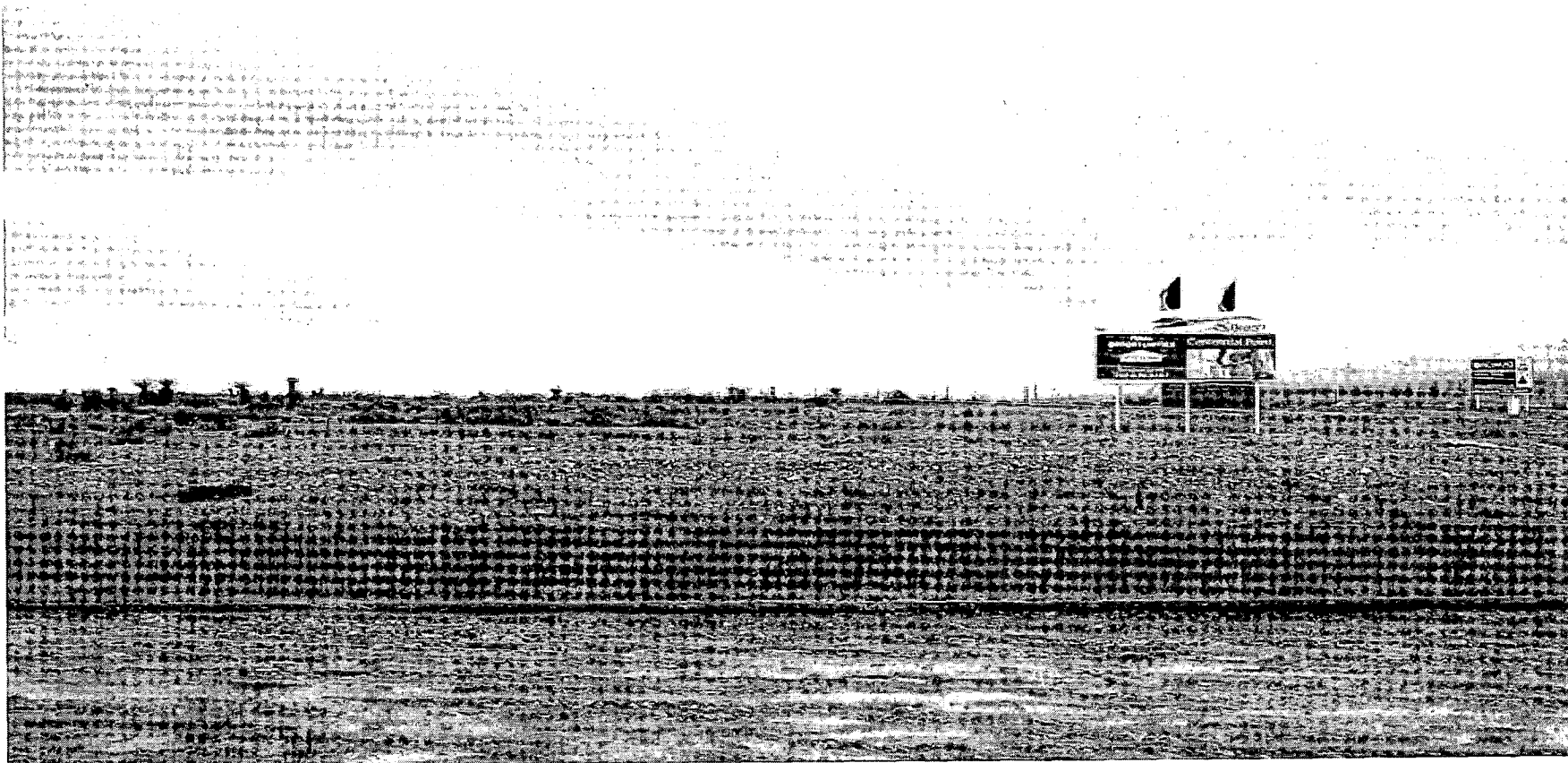
PROJECT NAME
**FARM ROAD
FARM ROAD & US 95
FOCUS PROPERTY GROUP
10000 FARM ROAD, N.W. 55125
FOCUS PROPERTY GROUP**

REV	DESCRIPTION	DATE

**PROPOSED
EXTERIOR
BUILDING
ELEVATIONS**

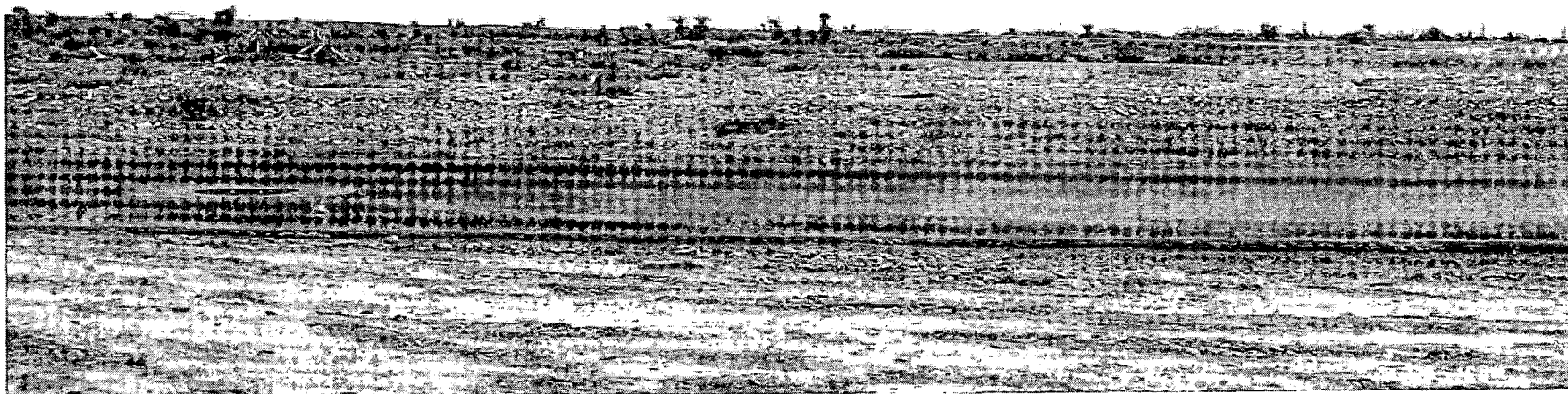
PROJECT NO:
00-087.03
DATE:
JANUARY 27, 2004
DESIGNED FOR:
ZONING

A5.07



SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF SEVERENCE LANE AND OSO BLANCA
ROAD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SDR-3795 - APPLICANT/OWNER: NORTHWEST 95 LIMITED LIABILITY COMPANY
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF SEVERENCE LANE AND OSO BLANCA
ROAD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

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

MAJOR MODIFICATION TO THE MONTECITO DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Major Modification to the Montecito Development Agreement TO ADD 10 ACRES TO THE OVERALL PLAN AREA adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-0-2 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 and adding the following condition:

- *Prior to the issuance of building permits, applicant must supply written verification that the Montecito Town Center Development Agreement has been recorded against the property by the hand of the "Owner", as defined in Section 1.1 (33) of the Montecito Town Center Development Agreement.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 121 [MOD-3735], Item 122 [SUP-3503] and Item 123 [SDR-3505].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the application and concurred with staff recommendations and conditions.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 121 – MOD-3735

MINUTES – Continued:

ATTORNEY GRONAUER, on the overhead, indicated the 10 acres requested to be added to the overall Master Plan area. He noted that the addition of the acreage would enable the Montecito Development Agreement to move forward. ATTORNEY GRONAUER explained that the proposed project, which complies with the intent of the Town Center Master Plan, would include single-family detached homes, an office complex and a school. He noted that this would not be a gated community.

TODD FARLOW, 240 North 19th Street, was curious as to the number of units per acre allowed in Timberlake. He expressed that the projected development would be too dense to be placed next to Timberlake.

MANNY ARIAS, 8237 Fawn Heather Court, stated that while the residents of Timberlake would prefer a project of less density, they do welcome commercial. He expressed disappointment that the applicant will now be able to put in two stories with the change to residential. He concluded by stating that the Timberlake residents believe that the intention of Town Center is being compromised.

COUNCILMAN MACK explained that he has worked hard with regard to several of the changes that have taken place in Town Center and noted that the majority of those changes are market driven. He stated that the Council looks at various developments in terms of affordable housing. COUNCILMAN MACK read modifications to each of the applications, as reflected in each motion. ATTORNEY GRONAUER concurred with the modifications.

MAYOR GOODMAN declared the Public Hearing closed on Item 121 [MOD-3735], Item 122 [SUP-3503] and Item 123 [SDR-3505].

NOTE: All discussion for Item 121 [MOD-3735], Item 122 [SUP-3503] and Item 123 [SDR-3505] was held under Item 121 [MOD-3735].

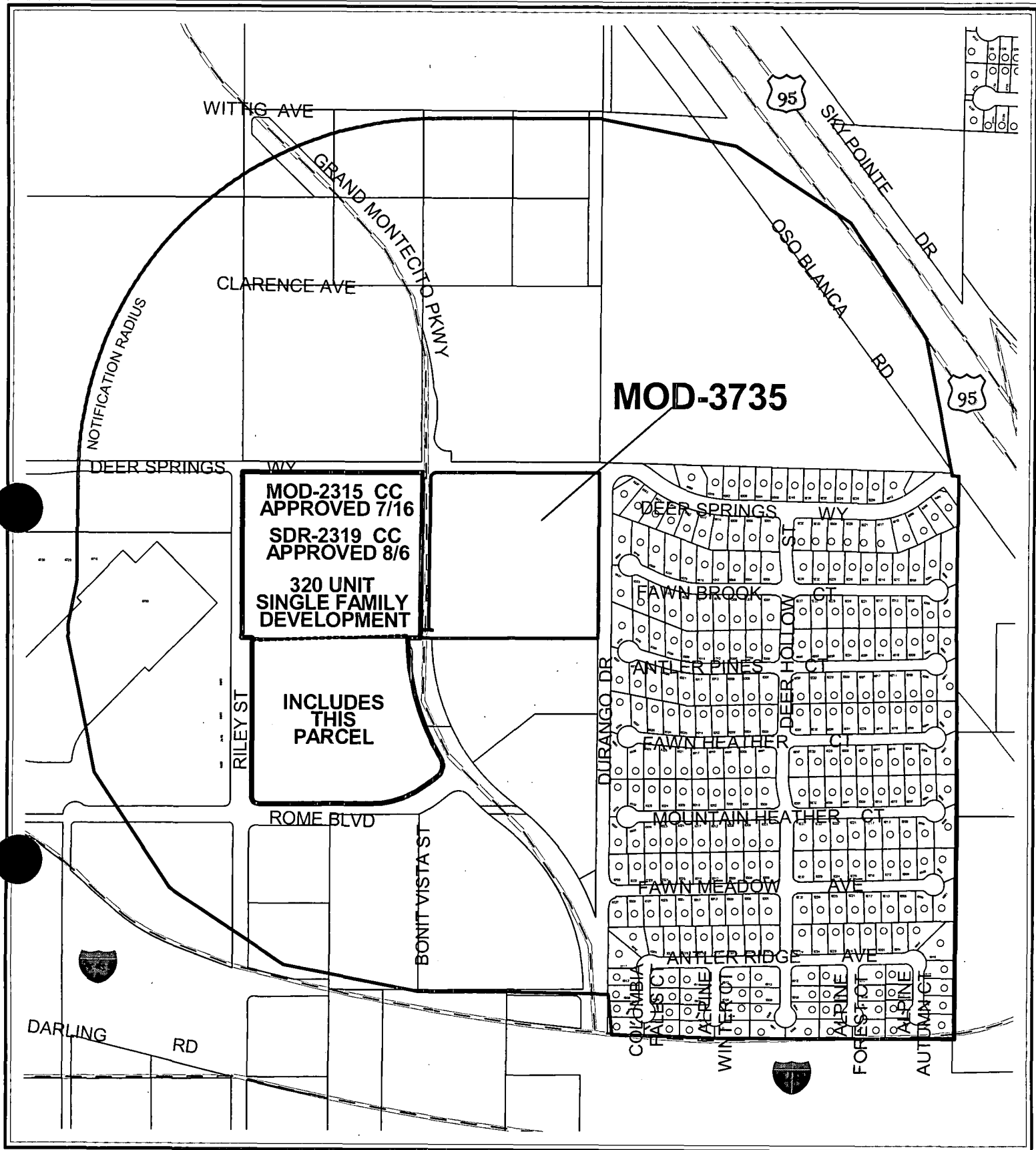
(1:46 – 1:56)

3-1555

CONDITIONS:

Planning and Development

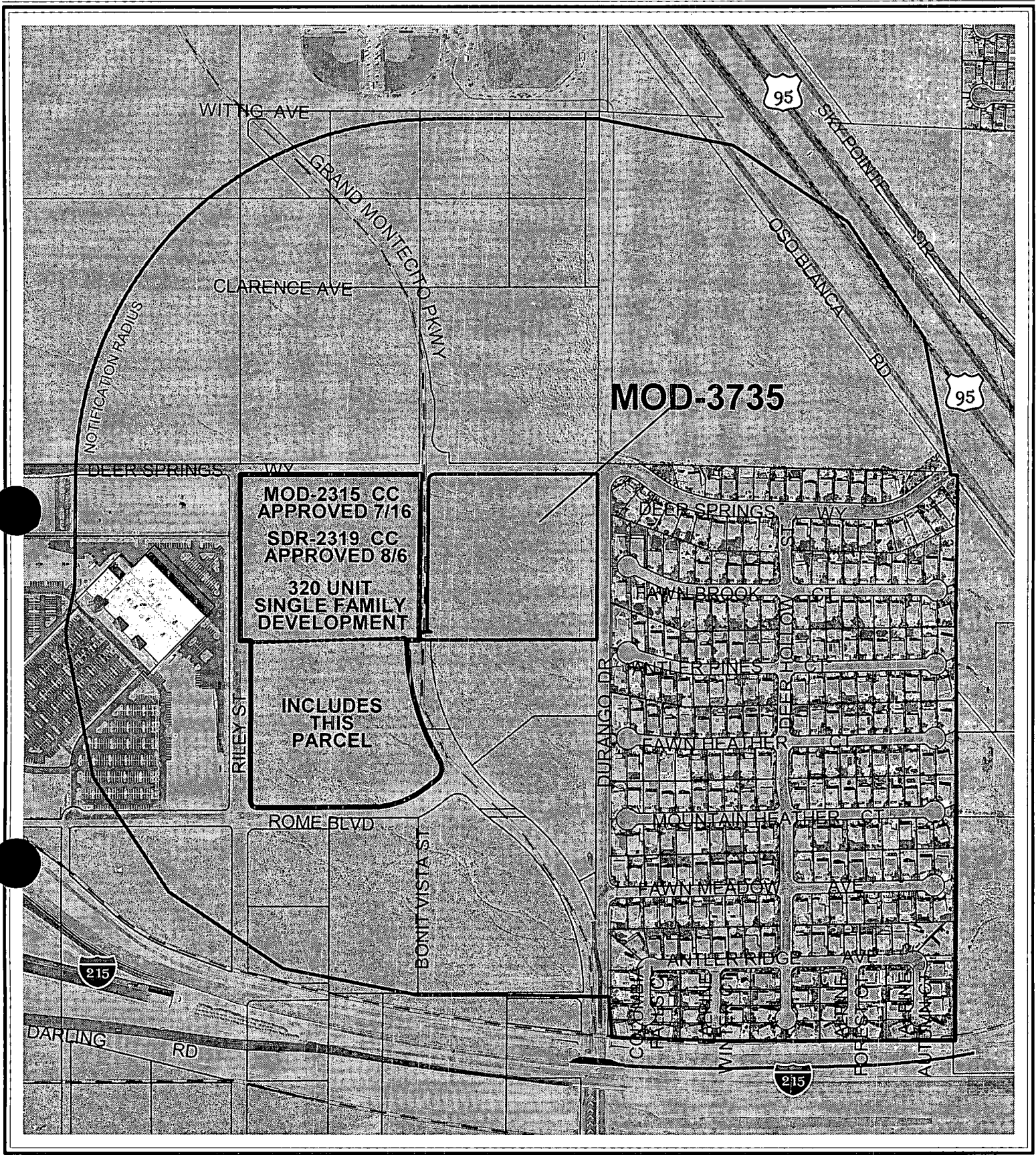
1. A Special Use Permit (SUP-3503) and a Site Development Plan Review (SDR-3505) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Development Agreement and the Town Center Development Standards Manual, as appropriate, except as amended by this request.



CASE: **MOD-3735**

RADIUS: 1320 & SPECIAL

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



CASE: **MOD-3735**

RADIUS: 1320 & SPECIAL

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a request for a rezoning (Z-0076-98) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan, including a portion of the subject site, from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development - 7 Units Per Acre), R-PD11 (Residential Planned Development - 11 Units Per Acre), R-PD13 (Residential Planned Development - 13 Units Per Acre), R-PD18 (Residential Planned Development - 18 Units Per Acre), R-CL (Residential - Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and P-D (Planned Development) to T-C (Town Center). The Planning Commission and staff recommended approval on November 5, 1998.
- 11/07/01 The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed-Use - Town Center). The Planning Commission and staff recommended approval.
- 04/03/02 The City Council adopted the Montecito Town Center Development Agreement (DA-0002-01) by Ordinance Number 5464. The Planning Commission and staff recommended approval.
- 07/16/03 The City Council approved a request for a Minor Modification (MOD-2315) to Montecito Town Center to add 10.08 acres to the overall plan and to change section 4.1 to increase square footages and residential units accordingly. The Planning Commission and staff recommended approval.

02/26/04 The Planning Commission recommended approval of related items (SUP-3503 and SDR-3505).

02/26/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #20/kcw).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

Special Area Plan – Town Center

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

Trails

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

A) Zoning Code Compliance: Development Standards

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

B) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

Two Timberlake residents spoke in opposition to this project. However, the Planning Commission members believe that this residential project while located in Town Center, has residential development to the east and west and is therefore appropriate.

NOTICES MAILED 302 by Planning Department

APPROVALS 1

PROTESTS 2



Case Number **MOD-3735** APN: 125-20-702-001
Name of Property Owner: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRS.
Name of Applicant: RICHMOND AMERICAN HOMES

 Yes x No

APN: _____

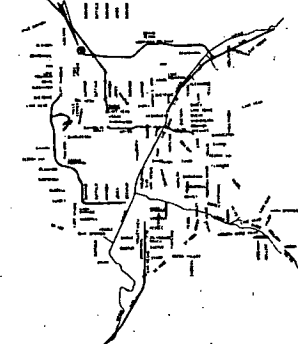
Print Name: JAMES R. TUCKER

 **JODIE LYNNE CRUM**
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

DEER SPRINGS / DURANGO

PROJECT SITE

VICINITY MAP
NOT TO SCALE



DEVELOPER

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

OWNERS

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

ASSESSORS PARCEL NUMBER

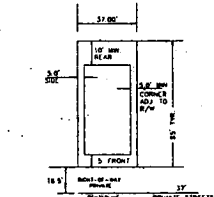
125-20-702-001

TABULATIONS

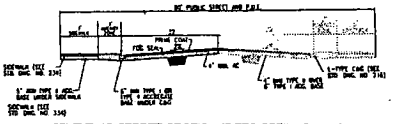
EXISTING ZONING: T-C
EXISTING LAND USE: MS-TC (MAIN STREET MIXED USE)
PROPOSED LAND USE: MLA-TC (MEDIUM-LOW ATTACHED)
CROSS ACREAGE: 10 ACRES ±
LOT COUNT: 96
OVERALL DENSITY: 9.3 ± DUA
OPEN SPACE PROVIDED: 0.93 ACRE ± (40,492)
*(OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA)

NOTES

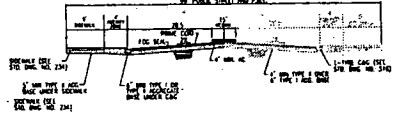
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR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



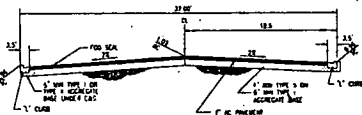
LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,405 SQ. FT. +/-)



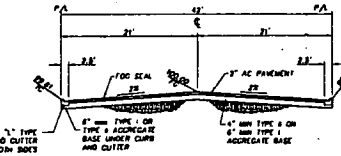
80' PUBLIC STREET SECTION (DEER SPRINGS WAY)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER ARTERIAL)



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

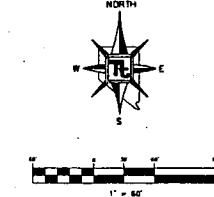


37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS



45' PRIVATE ENTRANCE SECTION
NOT TO SCALE

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



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

DEER SPRINGS WAY

GRAND MONTECITO PARKWAY

DOE BROOK TRAIL

APN: 125-20-311-001
OWNER: DEER SPRINGS RANCH - UNIT 2
MASTER PLANNED: L-C

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

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

RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA 89128
(702) 740-3000

TETRA TECH, INC.
10000 S. RAY BLVD., SUITE 100
DURANGO, CO 81301
(970) 246-0000

SITE PLAN TO ACCOMPANY
MINOR MODIFICATION

DEER SPRINGS / DURANGO
CITY OF LAS VEGAS, NEVADA

DATE: 11/19/2004	SCALE: 1" = 10'	PROJECT NO: P02243-0024
DRAWN BY: J. SALVO	CHECKED BY: J. SALVO	DATE: 11/19/2004
DESIGNED BY: J. SALVO	PROJECT NO: P02243-0024	SCALE: 1" = 10'
DATE: 11/19/2004	SCALE: 1" = 10'	PROJECT NO: P02243-0024



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

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3735 - PUBLIC HEARING - SUP-3503 -
APPLICANT: RICHMOND AMERICAN HOMES – OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-0-2 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 with the deletion of Conditions 5, 6 and 7 –
UNANIMOUS

MINUTES:

NOTE: See Item 121 [MOD-3735] for related discussion.

(1:46 – 1:56)

3-1555

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for the Modification of the Montecito Town Center Development Agreement (MOD-3735) and Site Development Plan Review (SDR-3505).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

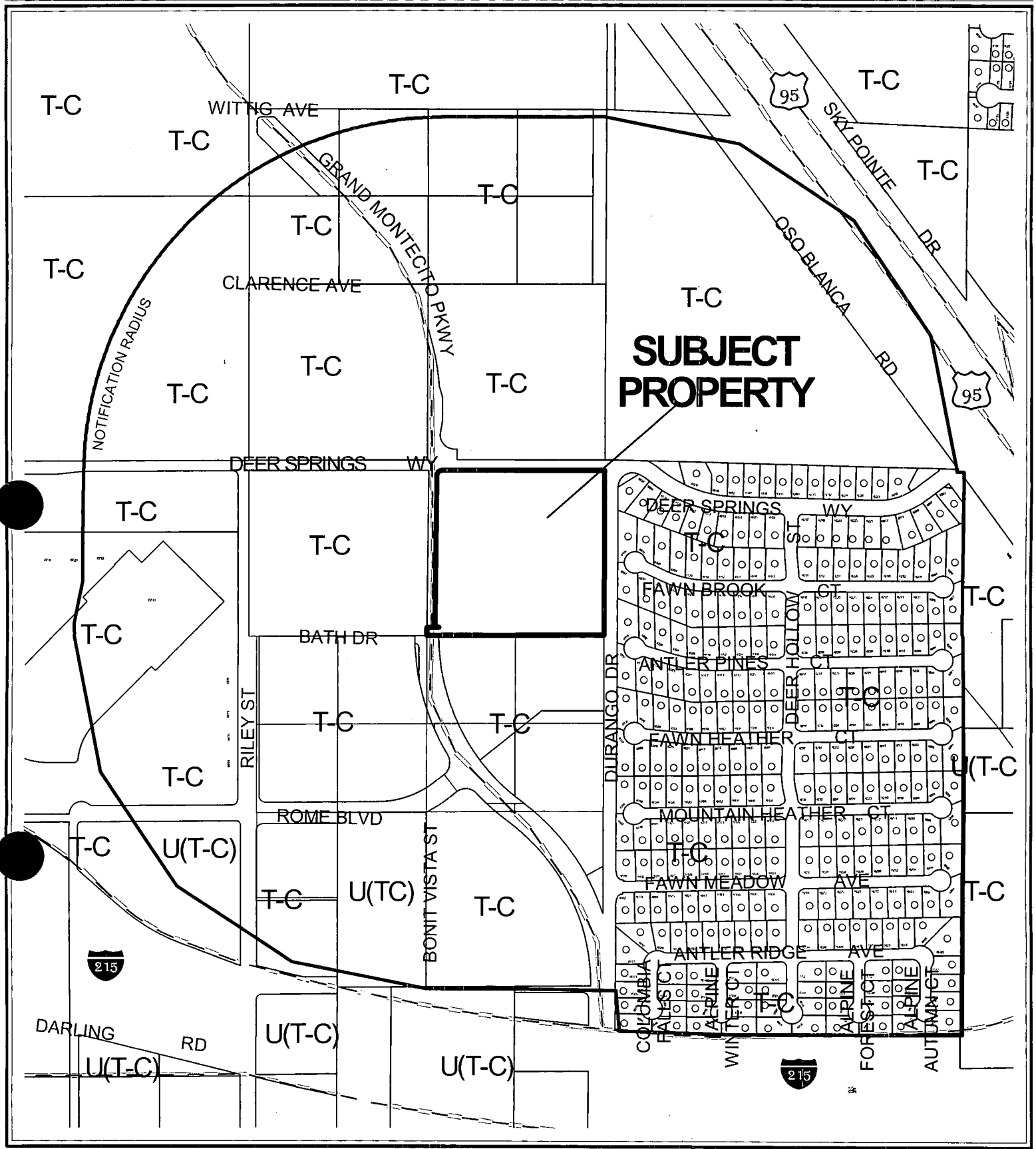
CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 122 – SUP-3503

CONDITIONS – Continued:

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

Public Works

7. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-3505 and all other subsequent site-related actions.



CASE: **SUP-3503**

RADIUS: 1320 & SPECIAL

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES –
OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL, subject to:

Planning and Development

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

Public Works

7. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

02/26/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #21/kcw).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

Special Area Plan – Town Center

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

Trails

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

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

- Use and Conditions

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission believes the gates are appropriate for this residential development especially as there will be commercial development across Deer Springs Way.

NOTICES MAILED 285 by City Clerk

APPROVALS 1

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

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

Name of Applicant: RICHMOND AMERICAN HOMES

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

Yes

No

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

City Official: _____

Partner(s): _____

APN:

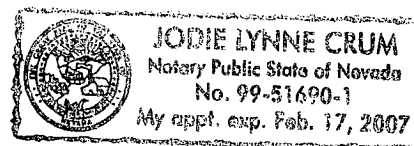
Signature of Property Owner/Authorized Agent:

Print Name: _____

Subscribed and sworn before me

This 10th day of November, 2003

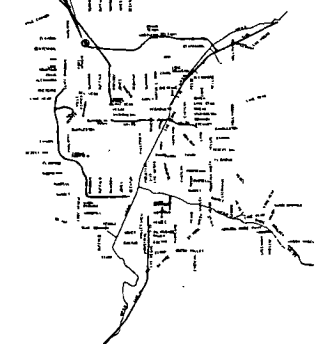
Notary Public in and for said County and State



DEER SPRINGS / DURANGO

PROJECT SITE

VICINITY MAP
NOT TO SCALE



DEVELOPER

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

OWNERS

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

ASSESSORS PARCEL NUMBER

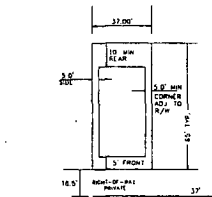
125-20-702-001

TABULATIONS

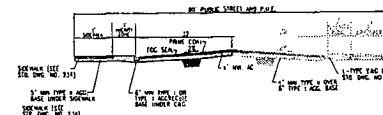
EXISTING ZONING: T-C
EXISTING LAND USE: MS-TC (MAIN STREET MIXED USE)
PROPOSED LAND USE: MLA-TC (MEDIUM-LOW ATTACHED)
GROSS ACREAGE: 10 ACRES ±
LOT COUNT: 96
OVERALL DENSITY: 9.3 ± DUA
OPEN SPACE PROVIDED: 0.93 ACRE ± (40.49%)
*(OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA)

NOTES

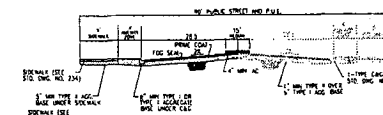
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR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



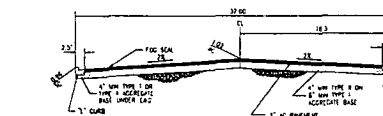
LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,405 SQ. FT. +/-)



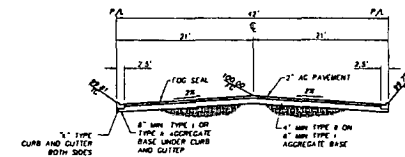
80' PUBLIC STREET SECTION (DEER SPRINGS WAY)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER ARTERIAL)



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



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



42' PRIVATE ENTRANCE SECTION
NOT TO SCALE

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

REVISED
1.27.04

SUP-3503

2-26-04 PC

RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA 89128
(702) 740-5000

TETRA TECH, INC.
401 N. RAILROAD BLVD., SUITE 200, LAS VEGAS, NEVADA 89101
(702) 740-5000

SITE PLAN TO ACCOMPANY
MINOR MODIFICATION

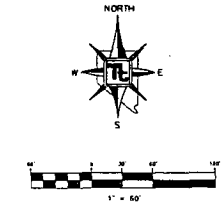
DEER SPRINGS / DURANGO
CITY OF LAS VEGAS, NEVADA

SHEET: 1 OF 1
DATE: 11/17/2003
DRAWN BY: J. L. JONES
CHECKED BY: J. L. JONES
SCALE: AS SHOWN

PROJECT NO: P02243-0024

SHEET: 1
1 OF 1
DATE: 11/17/2003

PROJECT NO: P02243-0024



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

DEER SPRINGS WAY

GRAND MONTECITO PARKWAY

DOE BROOK TRAIL

APN: 125-20-311-311
ZONE: T-C
OWNER: DEER SPRINGS RANCH - UNIT 2
MASTER PLANNED: T-C

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

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



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

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

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

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3735 AND SUP-3503 - PUBLIC HEARING - **SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST** - Request for a Site Development Plan Review FOR A PROPOSED 96 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10 acres adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 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 (4-0-2 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 with the deletion of Conditions 8 and 10 and amending Condition 6 as follows:

6. *The applicant shall submit a Lot Fit analysis to the Planning and Development Department to ensure the proposed product fits on the proposed lots.*

and adding the following condition:

- *Prior to the issuance of building permits, the applicant must supply written verification that the Montecito Town Center Development Agreement has been recorded against the property by the hand of the "Owner", as defined in Section 1.1 (33) of the Montecito Town Center Development Agreement.*

- UNANIMOUS

MINUTES:

NOTE: See Item 121 [MOD-3735] for related discussion.

(1:46 - 1:56)

3-1555

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 123 – SDR-3505

CONDITIONS:

Planning and Development

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

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 123 – SDR-3505

CONDITIONS – Continued:

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

Public Works

18. Dedicate, a 54 foot radius on the southeast corner of Grand Montecito Parkway and Deer Springs Way prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving if legally able on Grand Montecito Parkway, Deer Springs Way, and Doe Brook Trail adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in the Doe Brook Trail Alignment to the north edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 123 – SDR-3505

CONDITIONS – Continued:

21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

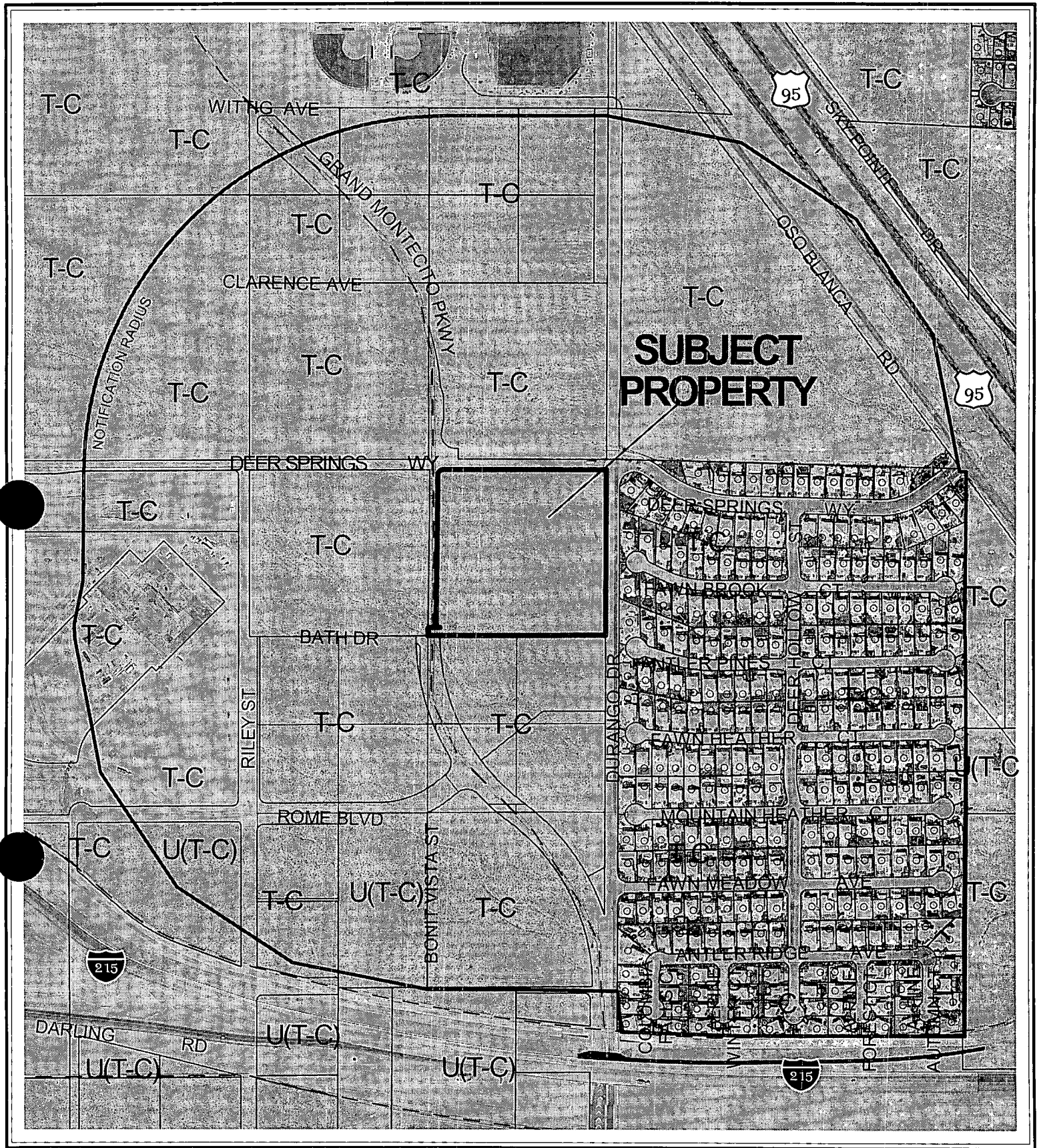
Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 123 – SDR-3505

CONDITIONS – Continued:

23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
24. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
25. Provide an encroachment agreement for all landscaping and private improvements in public right-of-way adjacent to this site prior to the issuance of any permits.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.



CASE: **SDR-3505**

RADIUS: 1320 & SPECIAL

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3505 - APPLICANT: RICHMOND AMERICAN HOMES –
OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL, subject to:

Planning and Development

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

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

Public Works

18. Dedicate, a 54 foot radius on the southeast corner of Grand Montecito Parkway and Deer Springs Way prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving if legally able on Grand Montecito Parkway, Deer Springs Way, and Doe Brook Trail adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in the Doe Brook Trail Alignment to the north edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic

Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
24. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
25. Provide an encroachment agreement for all landscaping and private improvements in public right-of-way adjacent to this site prior to the issuance of any permits.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission recommended approval. The Planning Commission and Staff recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval. |
| 01/02/02 | The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval. |
| 01/22/04 | The Planning Commission abeyed this application and companion SUP-3503 to the February 26, 2004 PC so the Modification of the Montecito Town Center Development Agreement (MOD-3735) will run concurrently. |
| 02/26/04 | The Planning Commission recommended approval of related items (MOD-3735 and SUP-3503). |

02/26/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #22/kcw).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

Special Area Plan – Town Center

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

Trails

There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual. Grand Montecito Parkway, on the west boundary of the site, will be developed as a 90-foot wide Town

Center Loop Road, which includes a four-foot amenity zone and a five-foot sidewalk on either side of the street. Deer Springs Way is a Town Center 80 foot Arterial/ Secondary Collector with a three-foot amenity and a five-foot sidewalk. These street section improvements are correctly reflected on the proposed site plan.

PROJECT DESCRIPTION

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

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

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

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to the proposal.

A3) Parking and Traffic Standards

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

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

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

A4) Landscape Standards

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

- Open Space Standards

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

B) General Analysis and Discussion

- Zoning

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

The proposed single-family residential development is not within the range of uses contemplated under the MS-TC (Main Street Mixed Use - Town Center) land use designation, within the T-C (Town Center) zoning district. A project of this proposed density is permitted within the mixed-

use designations, UC-TC (Urban Center Mixed Use – Town Center) and SX-TC (Suburban Center Mixed Use – Town Center) and only in conjunction with a development with a variety of commercial and residential uses; and in residential districts, MLA-TC (Medium Low Density Attached Residential) and M-TC (Medium Density Residential – Town Center).

- Site Plan

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

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

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

- Waivers

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission believed that this site plan is appropriately designed for its location, which is to the west of Timberlake, and the other approved residential product to the east.

NOTICES MAILED 302 by Planning Department

APPROVALS 0

PROTESTS 0

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

Name of Applicant: RICHMOND AMERICAN HOMES

Yes ☐ No ☒

City Official: _____

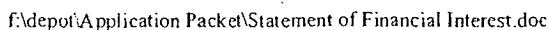
Partner(s): _____

APN:

Print Name: _____

This ^{4th} day of November 2023

Notary Public in and for said County and State



DEER SPRINGS / DURANGO



APN: 125-20-601-003
ZONE: T-C
OWNER: JACK BINKIN & PHYLLIS
COPC
MASTER PLAND: MS-1C

DEER SPRINGS WAY

GRAND MONTECITO PARKWAY

DOE BROOK TRAIL

APN: 125-20-701-002
ZONE: T-C
OWNER: MTC 18 INC
MASTER PLAND: MS-1C

APN: 125-20-704-001
ZONE: T-C
OWNER: MONTECITO TOWN CENTER LLC
MASTER PLAND: MS-1C

APN: 125-20-704-002
ZONE: T-C
OWNER: MONTECITO TOWN CENTER LLC
MASTER PLAND: MS-1C

PROJECT SITE

VICINITY MAP
NOT TO SCALE

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

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

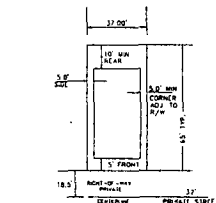
ASSESSORS PARCEL NUMBER
125-20-702-001

TABULATIONS

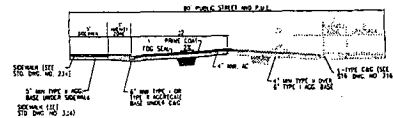
EXISTING ZONING: T-C
EXISTING LAND USE: MS-1C (MAIN STREET MIXED USE)
PROPOSED LAND USE: MLA-1C (MEDIUM-LOW ATTACHED)
GROSS ACREAGE: 10 ACRES ±
LOT COUNT: 95
OVERALL DENSITY: 9.3 ± DUA
OPEN SPACE PROVIDED: 0.93 ACRE ± (40,492)
**OPEN SPACE PROVIDED AS PER THE MONTECITO DEVELOPMENT AGREEMENT AREA

NOTES

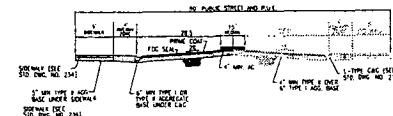
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL ROWS ARE 37' & 42' PRIVATELY MAINTAINED RIGHTS-OF-WAY
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR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



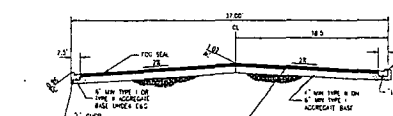
LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,450 SQ. FT. +/-)



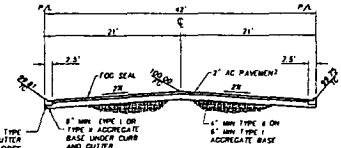
80' PUBLIC STREET SECTION (DEER SPRINGS WAY)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER ARTERIAL)



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



37' PRIVATE STREET SECTION (DOE BROOK TRAIL)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS



42' PRIVATE ENTRANCE SECTION
NOT TO SCALE

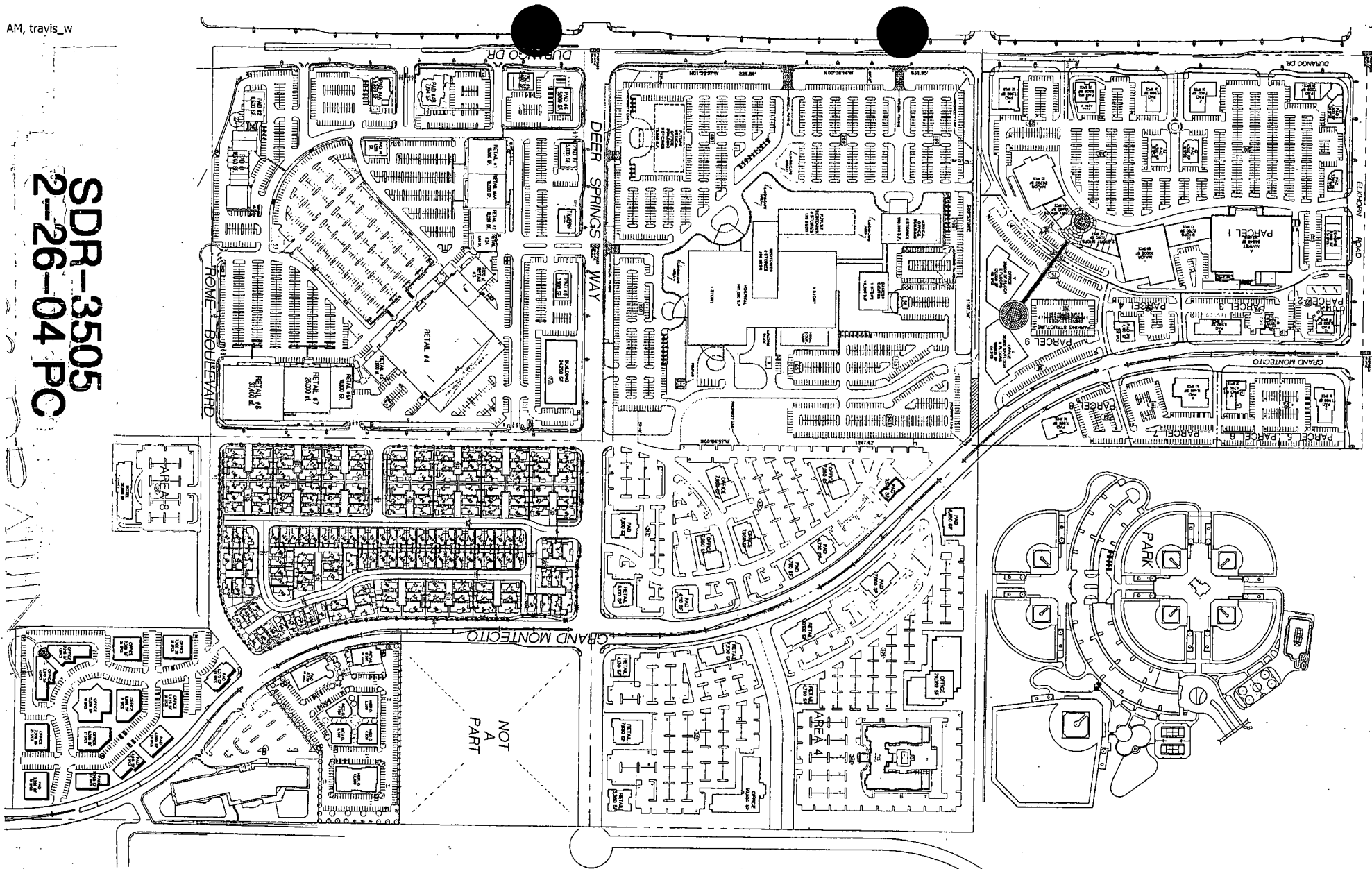
REVISED
1.27.04

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

RICHMOND AMERICAN HOMES 7250 WEST PEAK DRIVE, SUITE 212 LAS VEGAS, NEVADA 89128 (702) 240-5500			
TETRA TECH, INC.			
125-20-702-001			
SITE PLAN TO ACCOMPANY MINOR MODIFICATION			
DEER SPRINGS / DURANGO			
CITY OF LAS VEGAS, NEVADA			
DATE: 11/27/04	QUANTITY: 1	SCALE: 1" = 60'	PROJECT NO: P02243-0024
DESIGNED BY: J. L. BAKER	CHECKED BY: J. L. BAKER	DATE: 11/27/04	SCALE: 1" = 60'
SHEET 1 OF 1			

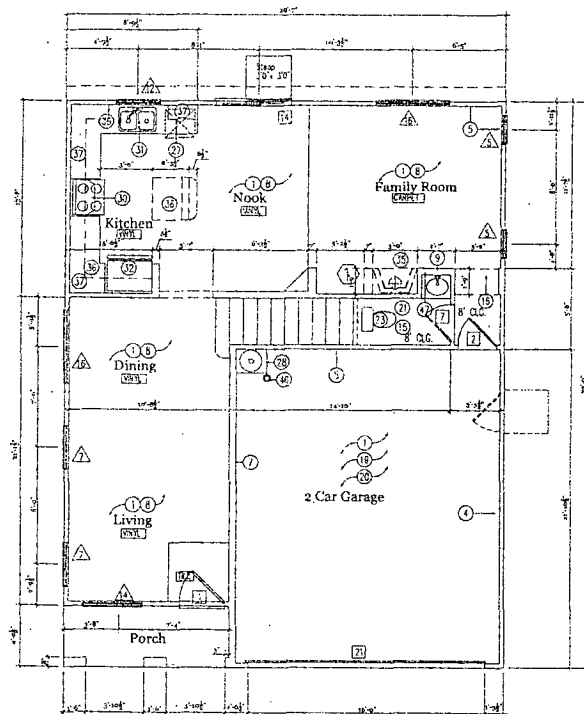
SDR-3505

2-26-04 PC

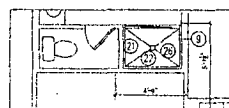


SDR-3505
2-26-04 PC

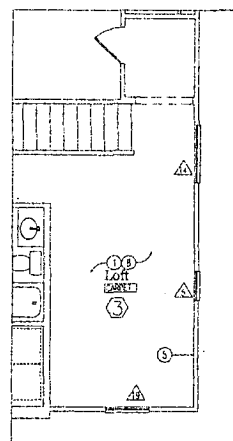
SDR-3505
2-26-04 PC



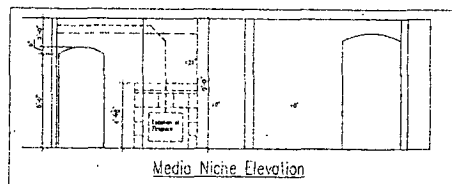
1st Floor



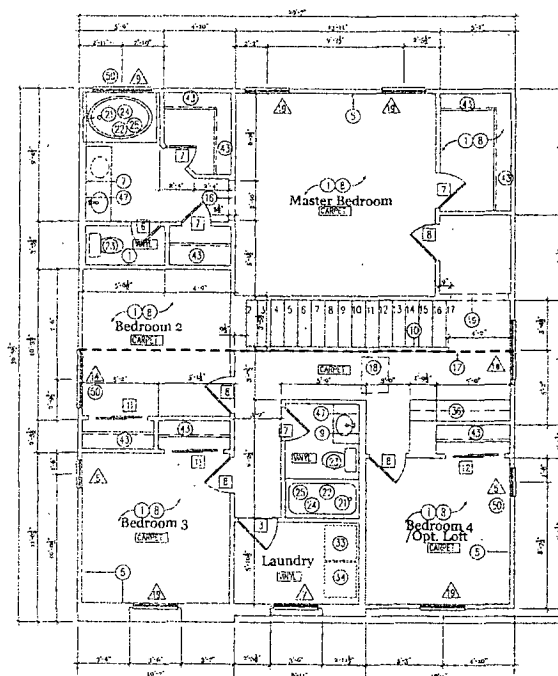
Opt. Shower



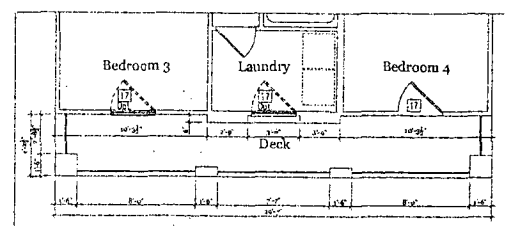
Opt. Loft



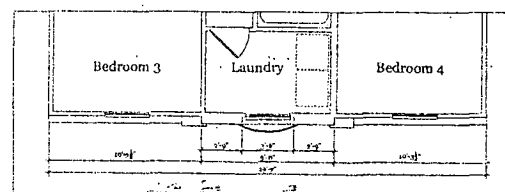
Media Niche Elevation



2nd Floor



2nd Floor Elevation "B"



2nd Floor Elevation "C"

[illegible]

LAS VEGAS DIVISION



RICHMOND
AMERICAN HOMES

FLOOR PLAN (1ST & 2ND FLOOR)

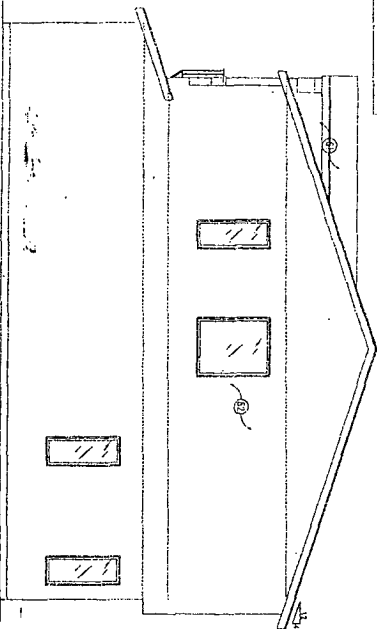
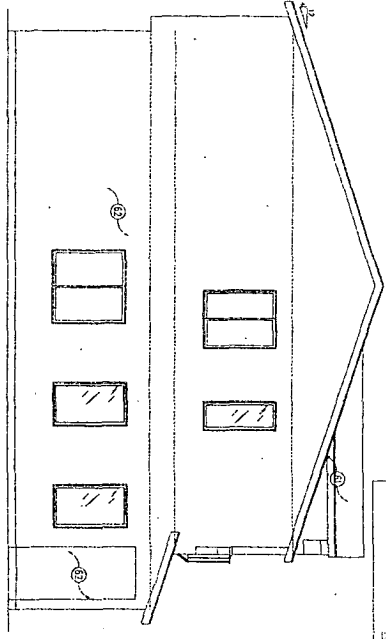
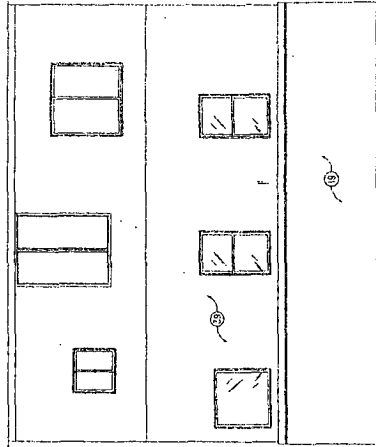
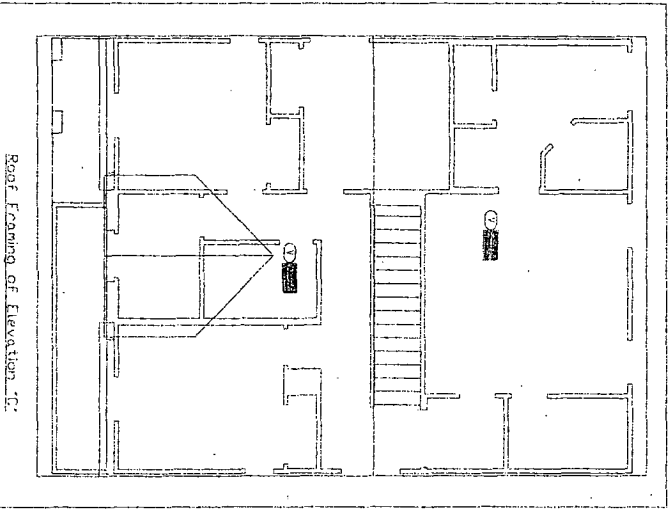
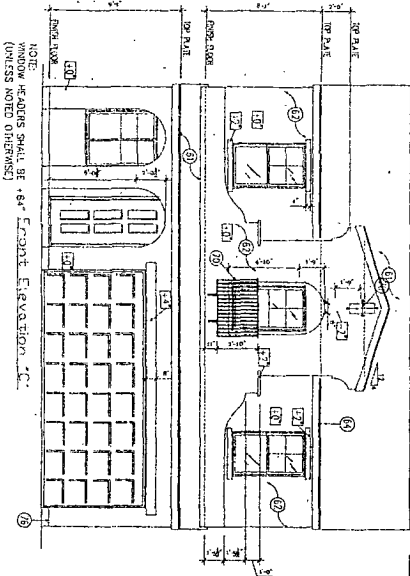
DRAWN BY:	
E.D.	
DATE: 03/3	
REV. No.	DATE
1	
2	
3	
4	
5	
6	

175

SUBORDINATE
Belonging

A1.

SDR-3505
2-26-04 PC



[illegible]



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

1/8/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE MONTECITO TOWN CENTER DEVELOPMENT AGREEMENT - PUBLIC HEARING - MOD-3763 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Major Modification to the Montecito Town Center Development Agreement TO ADD 5.00 ACRES TO THE OVERALL PLAN UNDER THE "MONTECITO TOWN CENTER MIXED USE COMMERCIAL" SPECIAL LAND USE DESIGNATION AND TO MODIFY SECTION 4.1 TO INCREASE COMMERCIAL SQUARE FOOTAGES AND RESIDENTIAL UNITS ACCORDINGLY, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 124 – MOD-3763

MOTION – Continued:

Item 135 [SUP-3778] Deletion of Condition 7

Item 144 [SDR-3764] Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764].

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated that the site plan depicts the planned development as read into the record. He explained that this project is a large-scale mixed-use development, including substantial office, retail, entertainment and bank components.

ATTORNEY FIORENTINO commended the Planning Staff for their assistance in reviewing each of the applications and for their recommendations. He concurred with the amended conditions for Items 125 [ZON-3840], Item 135 [SUP-3778] and Item 144 [SDR-3764].

No one appeared in opposition.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 124 – MOD-3763

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed on Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764].

NOTE: All discussion for Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] was held under Item 124 [MOD-3763].

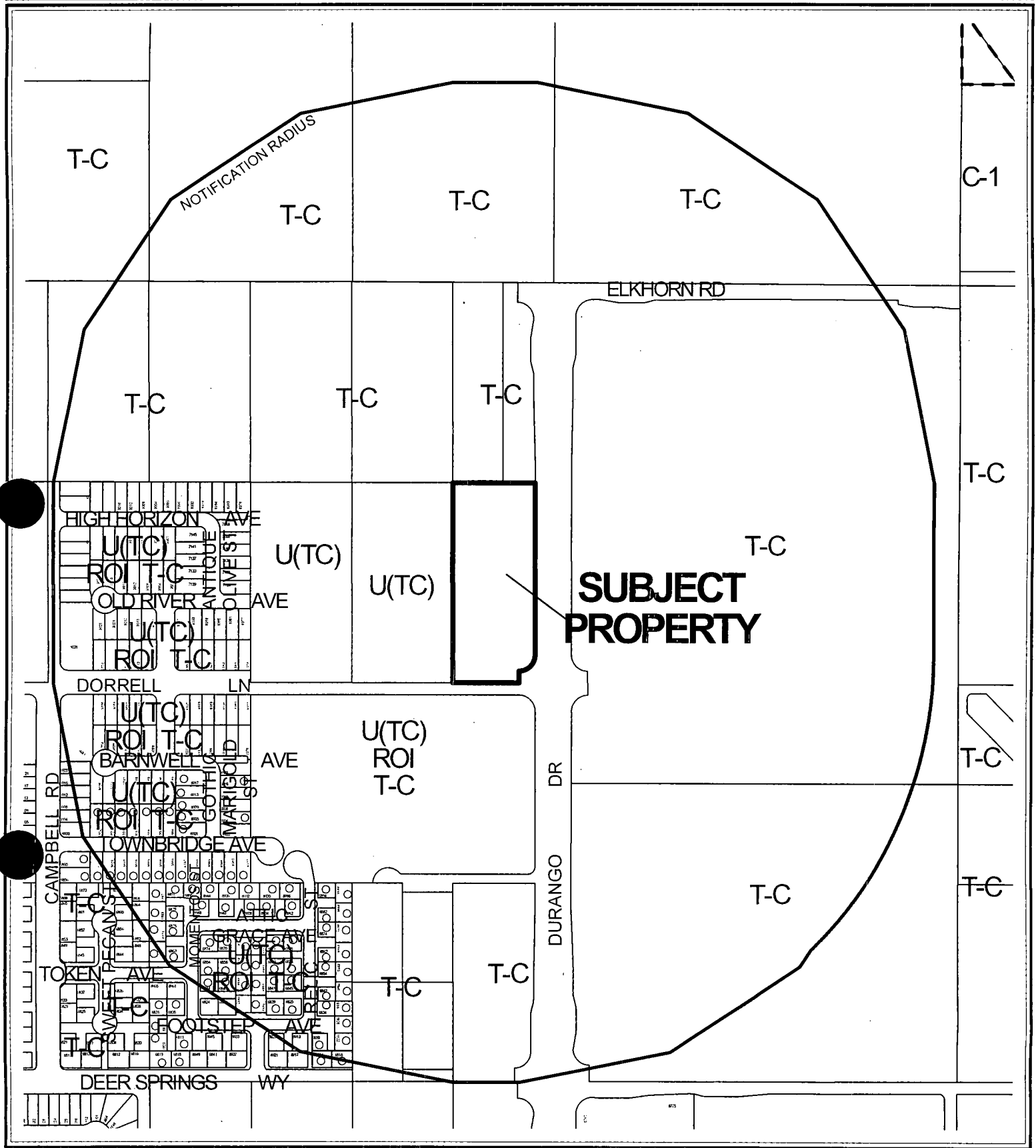
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3840) to T-C (Town Center) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Town Center Development Agreement and the Centennial Hills Town Center Development Standards Manual, as appropriate, and as amended by this request.



CASE: MOD-3763

RADIUS: 1320 FT

0 300 600 Feet

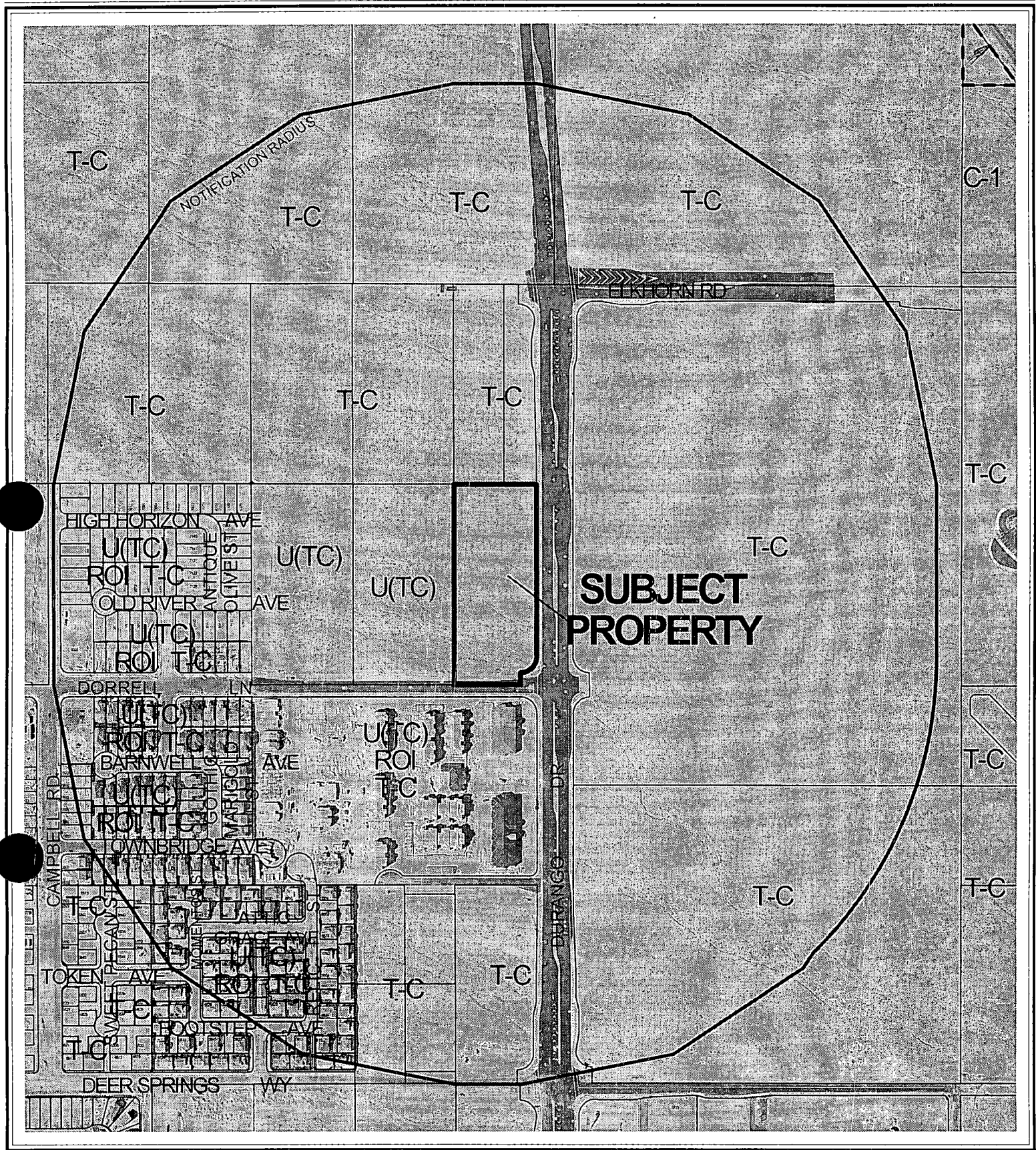
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

124





CASE: **MOD-3763**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-3763 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning (ZON-3840) to T-C (Town Center) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Town Center Development Agreement and the Centennial Hills Town Center Development Standards Manual, as appropriate, and as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial". The application also seeks to change the maximum allowable total commercial (office, medical, retail and hotel) square footage from 4,207,792 square feet to 4,311,688 square feet and the maximum total number of residential units from 1,683 to 1,725, in the Montecito Development Agreement area, on a pro-rata basis, pursuant to Section 4.12 of the Agreement.

B) Applicant's Justification

The applicant has justified this request by stating that the addition of this area to the Agreement area boundary would be in conformance with Section 4.12 of the Montecito Town Center Development Agreement.

BACKGROUND INFORMATION

A) Previous Actions

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

03/11/04 The Planning Commission recommended approval of related items: a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Liquor Sales, Incidental Gaming and Drive-through Facilities on the subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #21/gl).

B) Pre-Application Meeting

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

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

C) *Planned Land Use*

Subject Property: UC-TC (Urban Center Mixed Use - Town Center)
North: UC-TC (Urban Center Mixed Use - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center)
East: UC-TC (Urban Center Mixed Use - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: U (Undeveloped) [TC (Town Center) General Plan Designation] under
Resolution of Intent to T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation]

E) *General Plan Compliance*

This application is in conformance with Section 4.12 of the Montecito Town Center Development Agreement, which contains provisions to allow for the addition of land within Town Center and adjacent to the Development Agreement area to be included within the terms and conditions of the Agreement. The provisions of any previously approved General Plan categories are superceded by the land use provisions of the Development Agreement.

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

Town Center Development Standards – Although the site falls within the Town Center boundaries, once added to the Development Agreement area, future land use of the site will be governed by the provisions of the Agreement.

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

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

INTERAGENCY ISSUES

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

B) *General Analysis and Discussion*

The proposed request will add five acres of property currently regulated by the provisions of the Town Center Development Standards Manual, to the area affected by the Montecito Town Center Development Agreement, as "Montecito Town Center Mixed Use Commercial". It will also increase the amount of commercial floor space and residential units that can develop within the Agreement area, on a pro-rata basis, based on the additional five acres added to the Agreement area.

There is no indication in the applicant's submission or otherwise that there is a demand for specific land uses in the immediate area. The Development Agreement, beyond providing a range of uses, does not define the appropriateness of specific uses; in fact, the Agreement seeks to maximize flexibility for future development of sites within the Agreement area by allowing a wide range of uses.

The provisions of the Agreement override any other Town Center policies, where the two may be inconsistent. The outcome is that future development of the site may or may not be consistent with the objectives of the Town Center Development Standards Manual, particularly those which recommend a relatively dense urban form of development, rather than a suburban form; however, the Development Agreement states that contiguous land may be automatically brought into the Development Agreement area, providing it is in the Town Center area.

FINDINGS

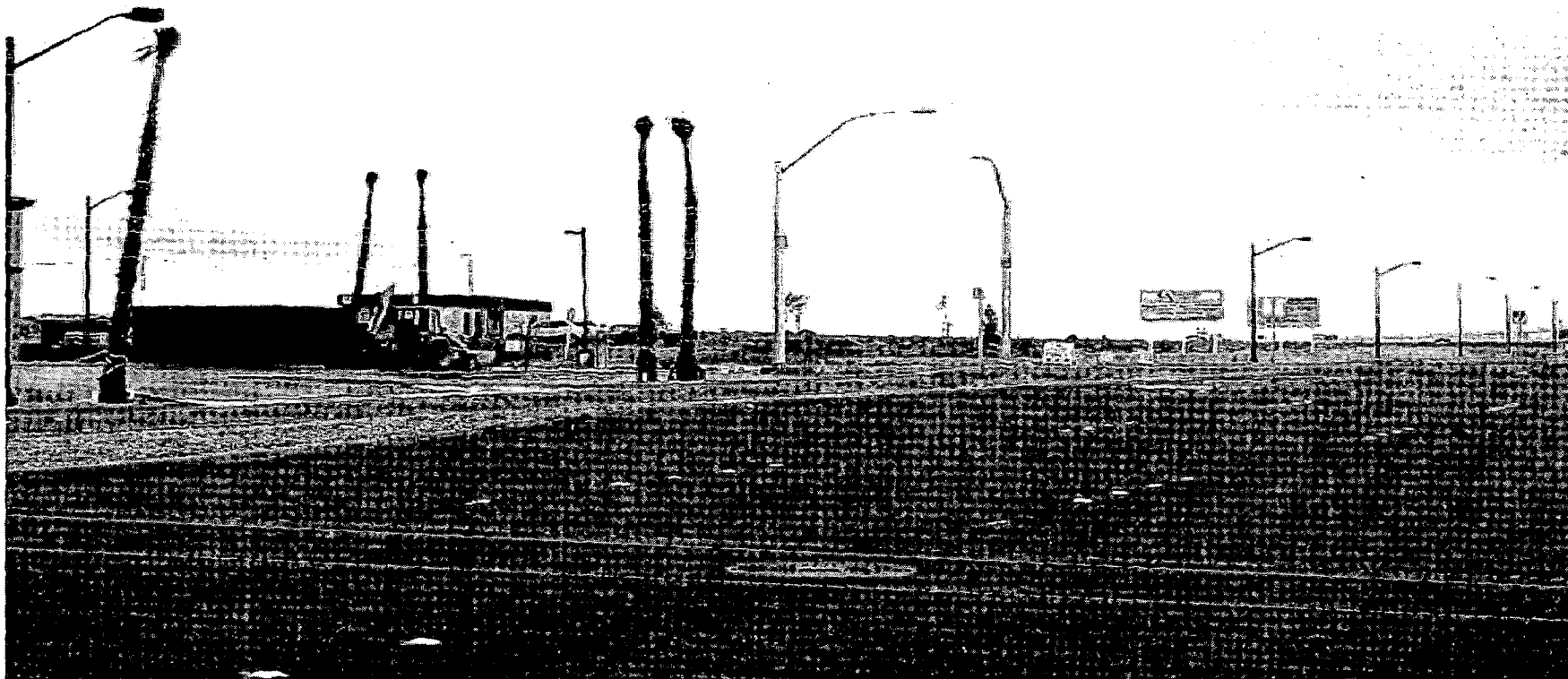
This application is in conformance with Section 4.12 of the Montecito Town Center Development Agreement, which contains provisions to allow for the addition of land within Town Center and adjacent to the Development Agreement area to be included within the terms and conditions of the Agreement.

The proposed changes are not inconsistent with Title 19 and will allow the Planning Commission and City Council to review future development on the subject site in the context of the Development Agreement that currently applies to lands to the east of the subject site.

NOTICES MAILED 163 by Planning Department

APPROVALS 0

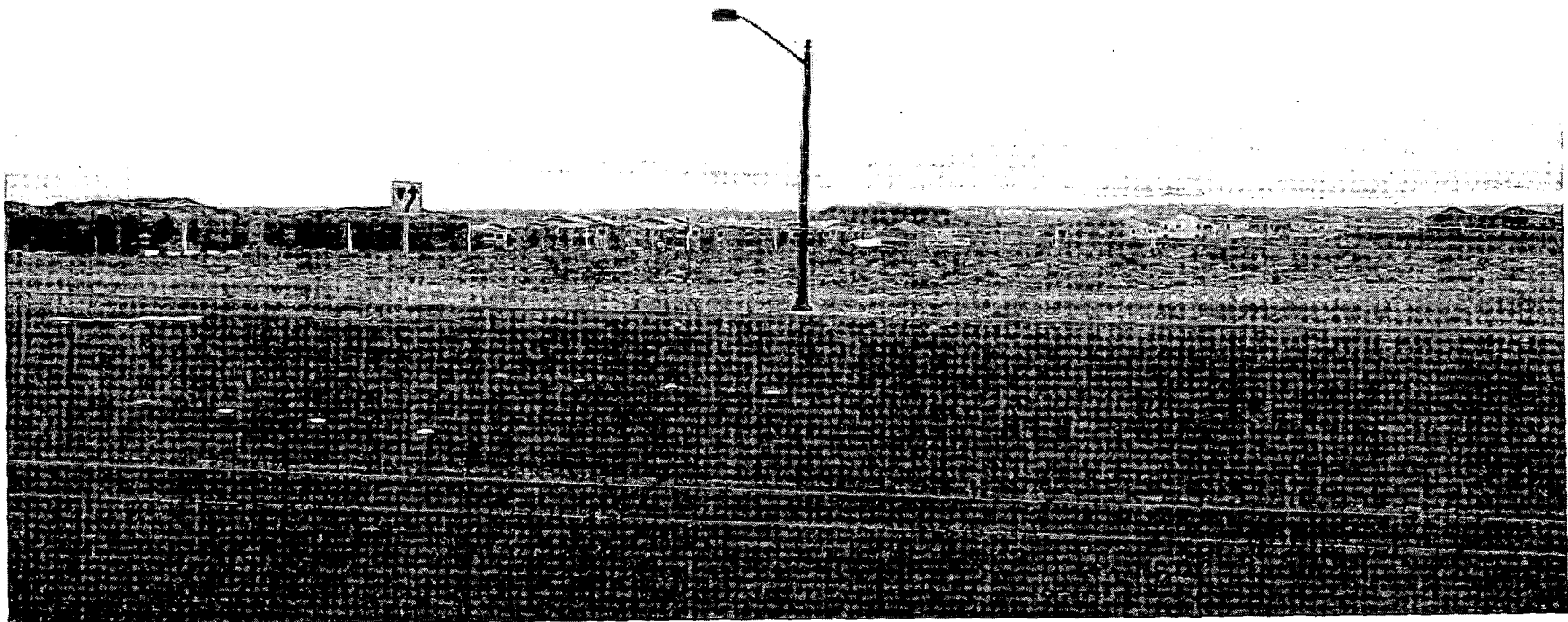
PROTESTS 0



MOD-3763 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



MOD-3763 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO MOD-3763 - PUBLIC HEARING - ZON-3840 -
APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY -
OWNER: MTC-118, INC. - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 5.00 acres adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 125 – ZON-3840

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane prior to the issuance of any permits.
4. This site shall be responsible for all usual and customary street improvements for Durango Drive not secured by the Special Improvement District for Special Improvement District number 1481 El Capitan Way prior to occupancy of this site.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 125 – ZON-3840

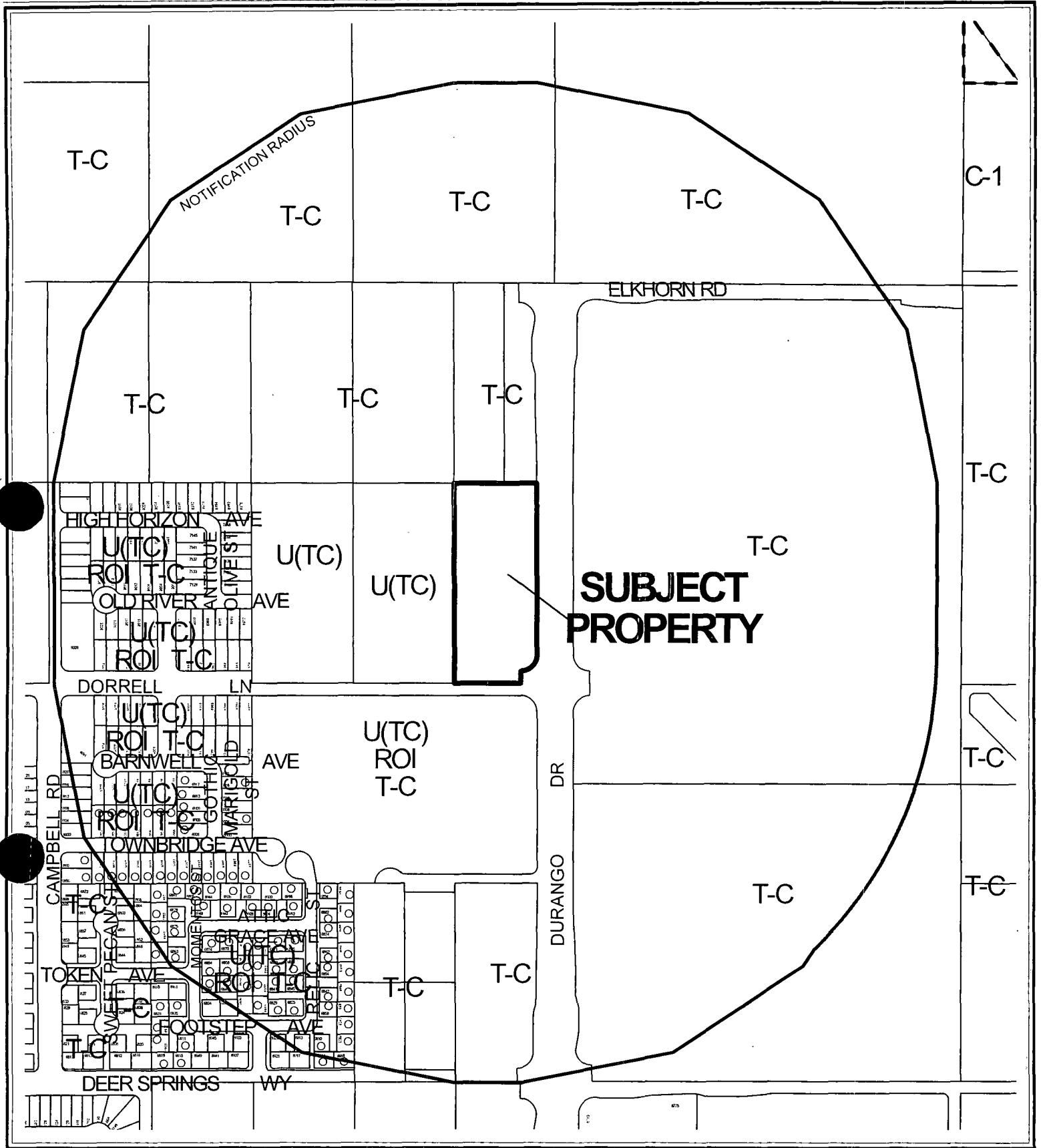
CONDITIONS– Continued:

5. Construct half-street improvements including appropriate overpaving on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 125 – ZON-3840

CONDITIONS – Continued:

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



CASE: **ZON-3840**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

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

0 300 600 Feet



125



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3840 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane prior to the issuance of any permits.
4. This site shall be responsible for all usual and customary street improvements for Durango Drive not secured by the Special Improvement District for Special Improvement District number 1481 El Capitan Way prior to occupancy of this site.
5. Construct half-street improvements including appropriate overpaving on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes

shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation] to T-C (Town Center) on five acres adjacent to northwest corner of Durango Drive and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the area is adjacent to other similarly zoned land, and is planned for future mixed-use development.

BACKGROUND INFORMATION

A) Previous Actions

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

03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add the subject site to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Liquor Sales, Restricted Gaming and Drive-Through Facilities on the subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #22/gl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

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

C) *Planned Land Use*

Subject Property: UC-TC (Urban Center Mixed Use - Town Center)
 North: UC-TC (Urban Center Mixed Use - Town Center)
 South: UC-TC (Urban Center Mixed Use - Town Center)
 East: UC-TC (Urban Center Mixed Use - Town Center)
 West: UC-TC (Urban Center Mixed Use - Town Center)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation]
 North: T-C (Town Center)
 South: U (Undeveloped) [TC (Town Center) General Plan Designation] under
 Resolution of Intent to T-C (Town Center)
 East: T-C (Town Center)
 West: U (Undeveloped) [TC (Town Center) General Plan Designation]

E) *General Plan Compliance*

The proposed T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site on the Centennial Hills Sector map as TC (Town Center), and UC-TC (Urban Center Mixed-Use) as part of the Centennial Hills Town Center under the Town Center Development Standards Manual. The intent of this district is to enable development with imaginative site and building design and maximize the use of the property.

If companion Major Modification application MOD-3763 is approved, the provisions of these land use designations will be superceded by the provisions of the "Montecito Town Center Mixed Use Commercial" designation of the Montecito Development Agreement, which applies to land covered by the Agreement. The T-C (Town Center) zoning district is compatible with this proposed designation.

<i>SPECIAL DISTRICTS/ZONES</i>		Yes	No
Special Area Plan		X	
Town Center		X	
Development Agreement		X	
Special Overlay District			X

Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, once added to the Development Agreement area, future land use of the site will be governed by the provisions of the Agreement.

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

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

INTERAGENCY ISSUES

This Rezoning request did not meet the threshold criteria to be deemed a “Project of Regional Significance”, and therefore no Environmental Impact Assessment questionnaire was requested from the applicant.

The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Rezoning request. Due to the potential traffic generation from this project, which exceeds the threshold for a Project of Regional Significance for projects within one-half mile of Clark County or the City of North Las Vegas, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

The development standards for future development of the subject site are not directly provided through the proposed T-C (Town Center) zoning district. Instead, at present, they are dictated by the provisions of the UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation, which applies to the site. The intent of the Urban Center Mixed Use District as defined in the Town Center Development Standards Manual (A.3.C) is as follows:

“The intent of the Urban Center Mixed Use District is to enable development with imaginative site and building design and maximize the use of the property. These developments should have a compatible mixture of land uses and encourage employment opportunities and the provision of goods and services to the Centennial Hills area of the City.

Development within this land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses utilizing the upper floors. Minimum development shall be two stories in height. Developments in excess of twelve (12) stories along the Durango corridor are possible with a Special Use Permit (SUP). There are no density limitations in the UC District.

Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan.

Development in the UC-TC District shall be by Development Agreement per Section 19.18.090. A condition has been placed on the Rezoning application to submit a Development Agreement, prior to the issuance of any permits, any site grading, and all development activity for the site.”

If companion Major Modification (MOD-3763) is approved, this site becomes subject to the provisions of the Montecito Town Center Development Agreement. When this happens, the provisions of the Agreement supercede the above-noted UC-TC Town Center objectives, including multi-story development with a minimum height of two stories and vertical integration of mixed uses. The applicant, however, is entitled pursuant to Section 4.12 of the Agreement to “automatically” include this site within the Agreement area upon request (the Major Modification) and subject to a few conditions. For this reason, the companion Major Modification has been recommended for approval. The outcome is that development of the site will not be required to meet the Town Center objectives and standards outlined above.

B) General Analysis and Discussion

The proposed T-C (Town Center) zoning district will allow the development of this property in accordance with either the Town Center Development Standards Manual or the Montecito Town Center Development Agreement. In order to facilitate urban development within the Town Center area, all developable lands within the Town Center eventually should be zoned as T-C (Town Center) and remain T-C (Town Center); as a result, this Rezoning application serves this objective. It is recommended that this Rezoning request go direct to Ordinance.

FINDINGS

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

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

The proposed T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site on the Centennial Hills Sector map as TC (Town Center), and UC-TC (Urban Center Mixed-Use) as part of the Centennial Hills Town Center under the Town Center Development Standards Manual.

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 T-C (Town Center) zoning will allow the development of this property in accordance with the Town Center Development Standards Manual, which in turn will be compatible with other surrounding Town Center designated land uses and zoning districts. The requirement for the applicant to provide a Development Agreement for the site prior to the issuance of any permits, any site grading, and all development activity for the site, will be satisfied by companion Major Modification (MOD-3763), if approved.

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

The proposed T-C (Town Center) zoning is appropriate for the community as the General Plan designates the subject parcel as TC (Town Center), and the Town Center Development Standards Manual designates the site as UC-TC (Urban Center Mixed-Use - Town Center). The Rezoning is necessary to facilitate urban development of this site pursuant to the Montecito Town Center Development Agreement.

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."

Durango Drive, on the east boundary of the subject site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. Both rights-of-way will provide adequate access to the subject site.

NOTICES MAILED 163 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 20N-3840 APN: 125-20-101-017

Name of Property Owner: **MTC 118, Inc**

Name of Applicant: Montecito Companies, LLC

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

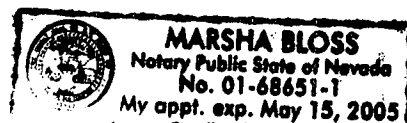
Signature of Property Owner/Authorized Agent: _____

Print Name: Frank Nielsen.

Subscribed and sworn before me

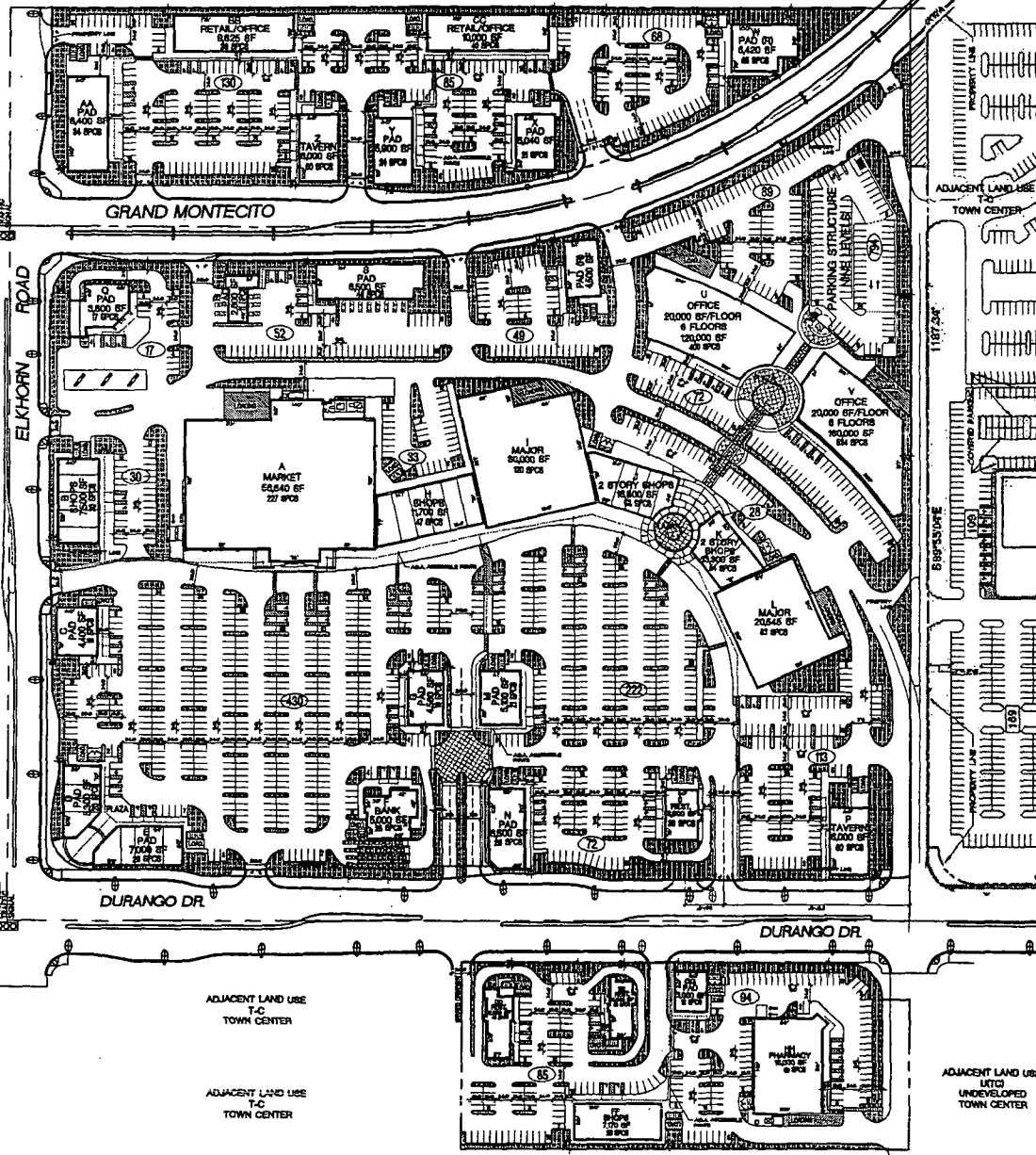
This 2 day of February, 2004

Marsha Bloss
Notary Public in and for said County and State



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTCD
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
UTCD
UNDEVELOPED
TOWN CENTER

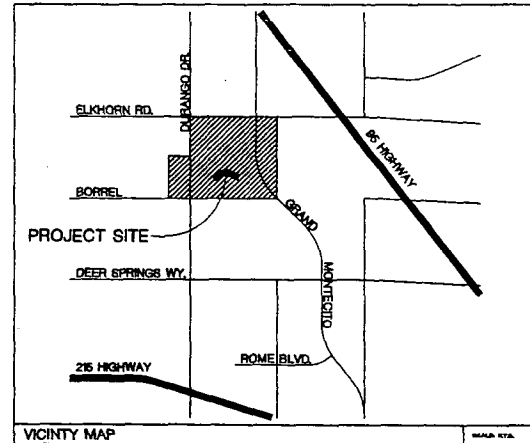
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 1/8/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 42/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (81,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF = 5 STALLS + 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

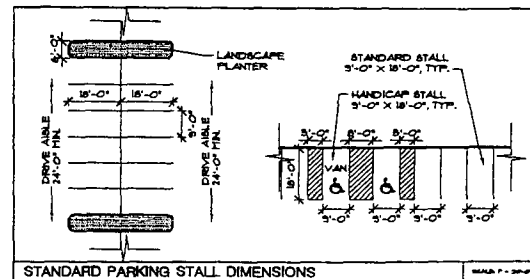
SUMMARY / PARKING ANALYSIS / FAR

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3850 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89169
702-662-9500
702-662-9504 fax

www.parkowirz.com

Corporate Office
Long Beach, CA

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

Client Information

MONTECITO
COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Parkowirz & Ruth
ARCHITECTS

5851 S Durango Drive • Elkhorn Road

Revisions

Date: 09/27/04
Drawn By: JRH
Checked By: JRH
Project No.: 03-43211
File Name: 03032104.dwg
Scale: 1" = 80'

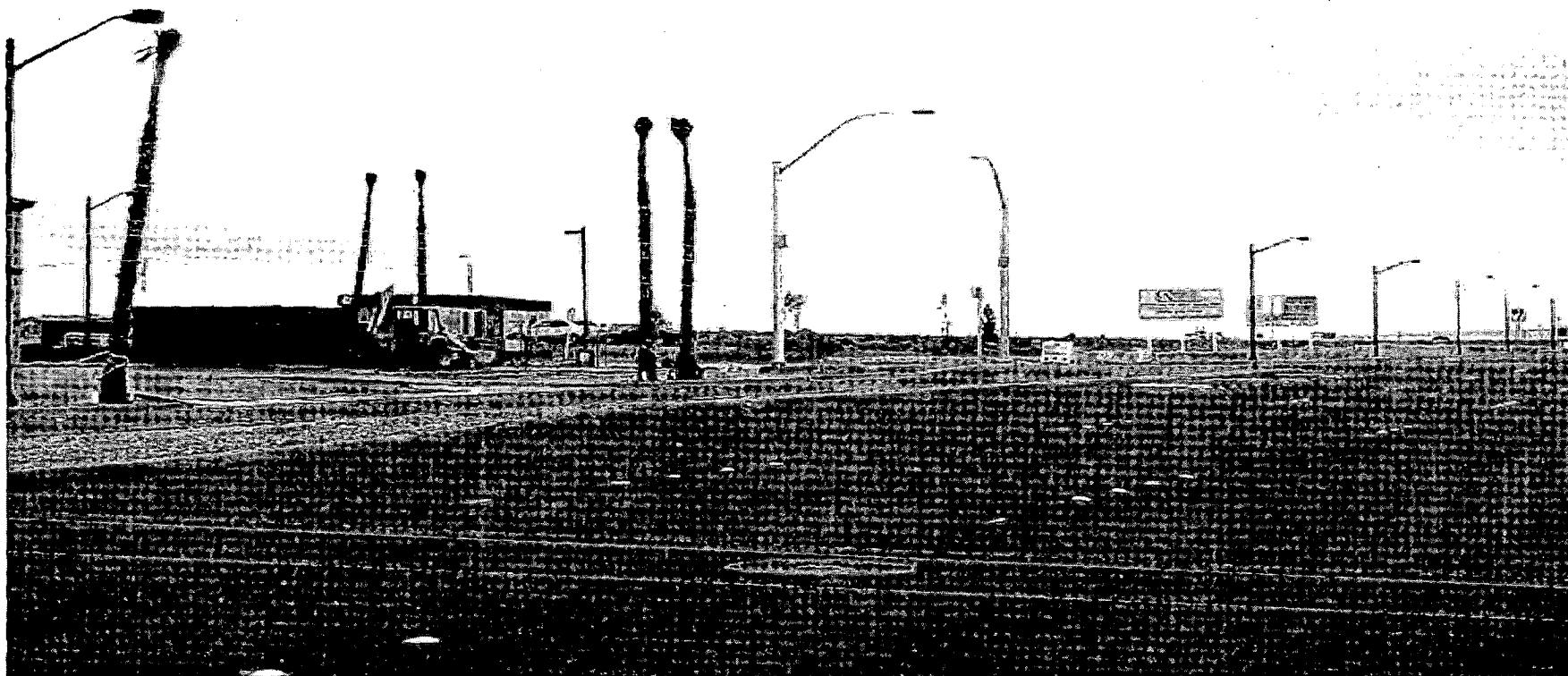
North Arrow
0 40 80 120

Site Plan
SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
Survey Date: 10/10/2003
Last Revised: 10/14/2003

ZON-3840

03-11-04 PC



ZON-3840 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



ZON-3840 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763 AND ZON-3840 - PUBLIC HEARING - SUP-3765 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR LIQUOR SALES on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 126 – SUP-3765

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

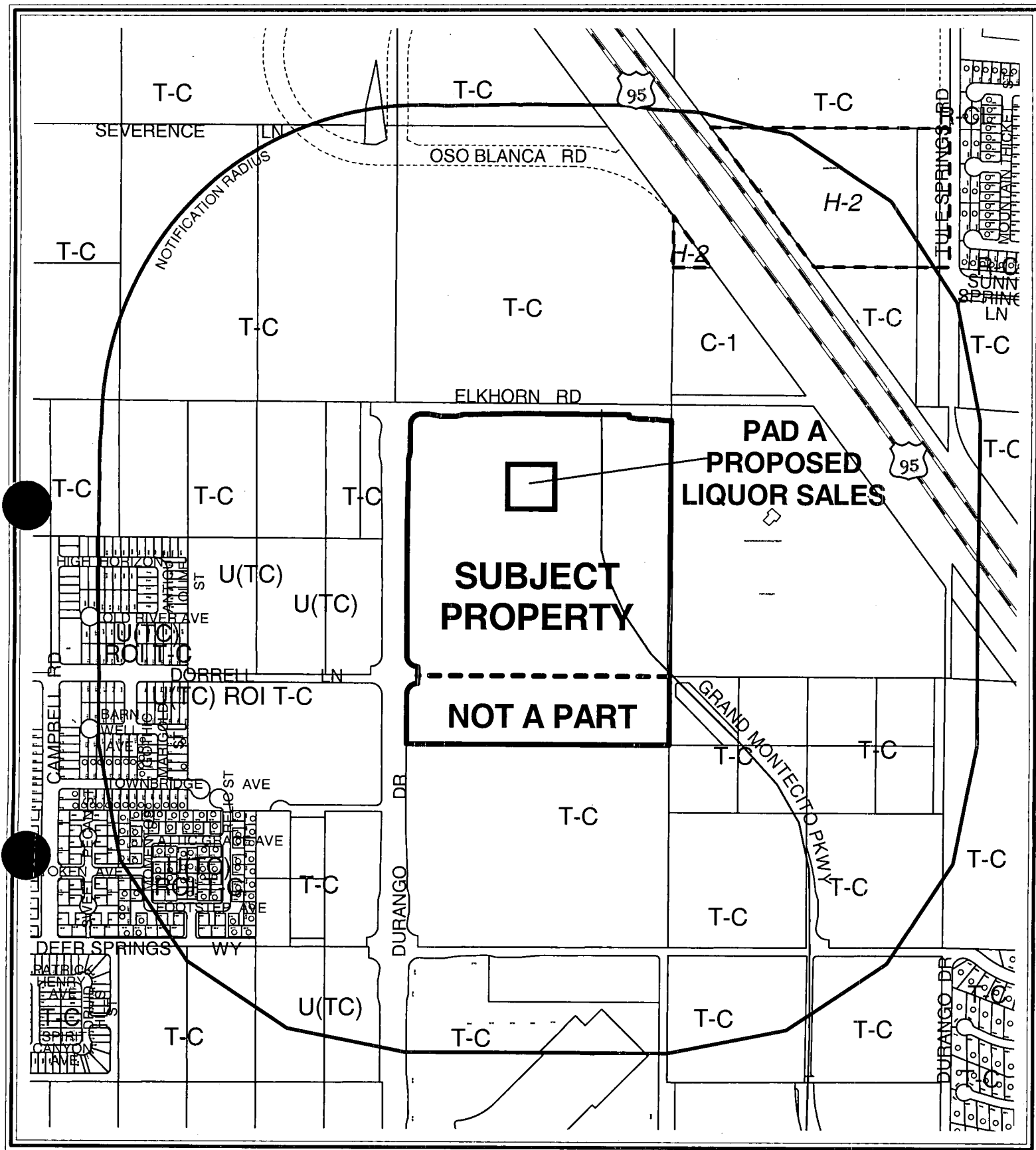
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3765

RADIUS: 1500 FT

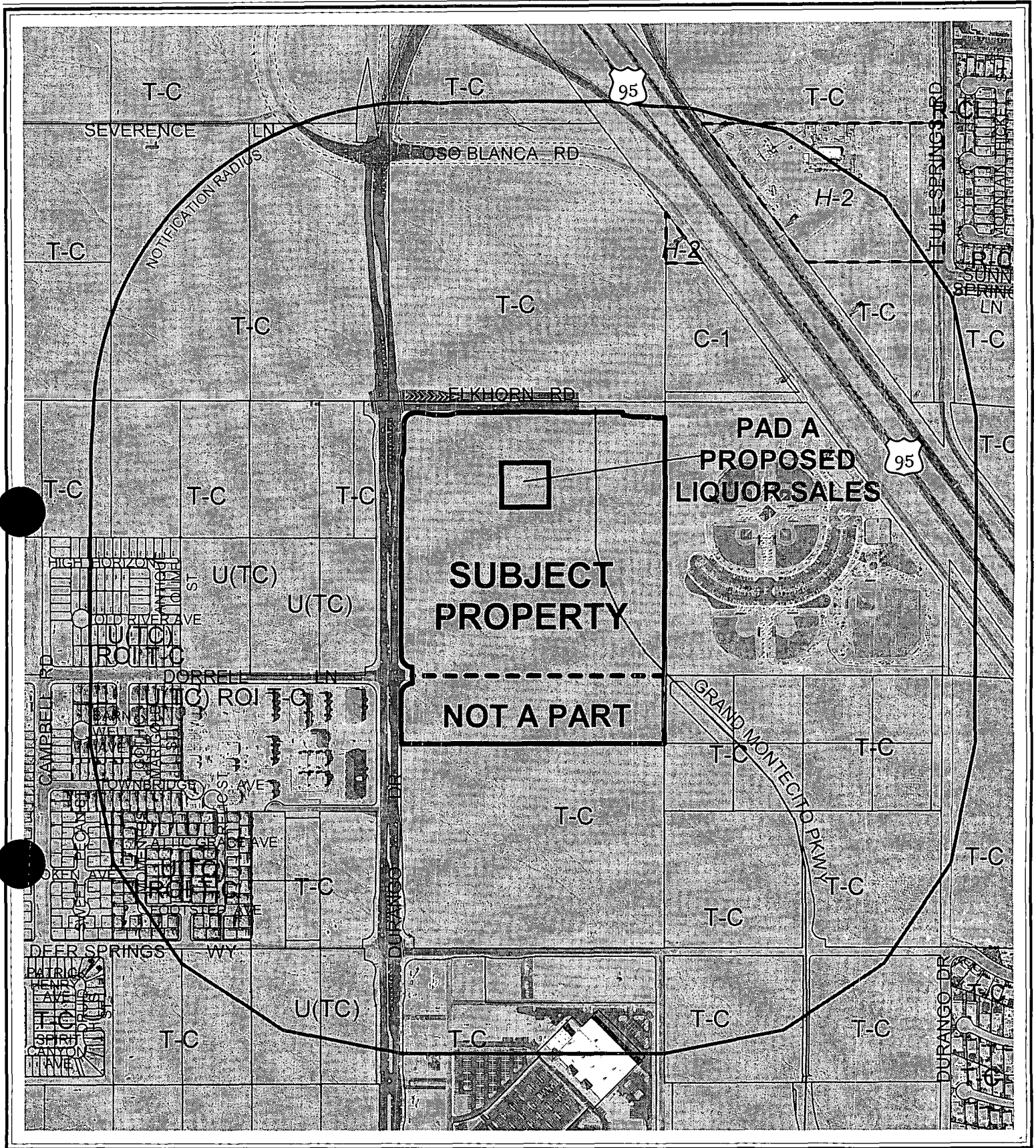
ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet

126





CASE: **SUP-3765**

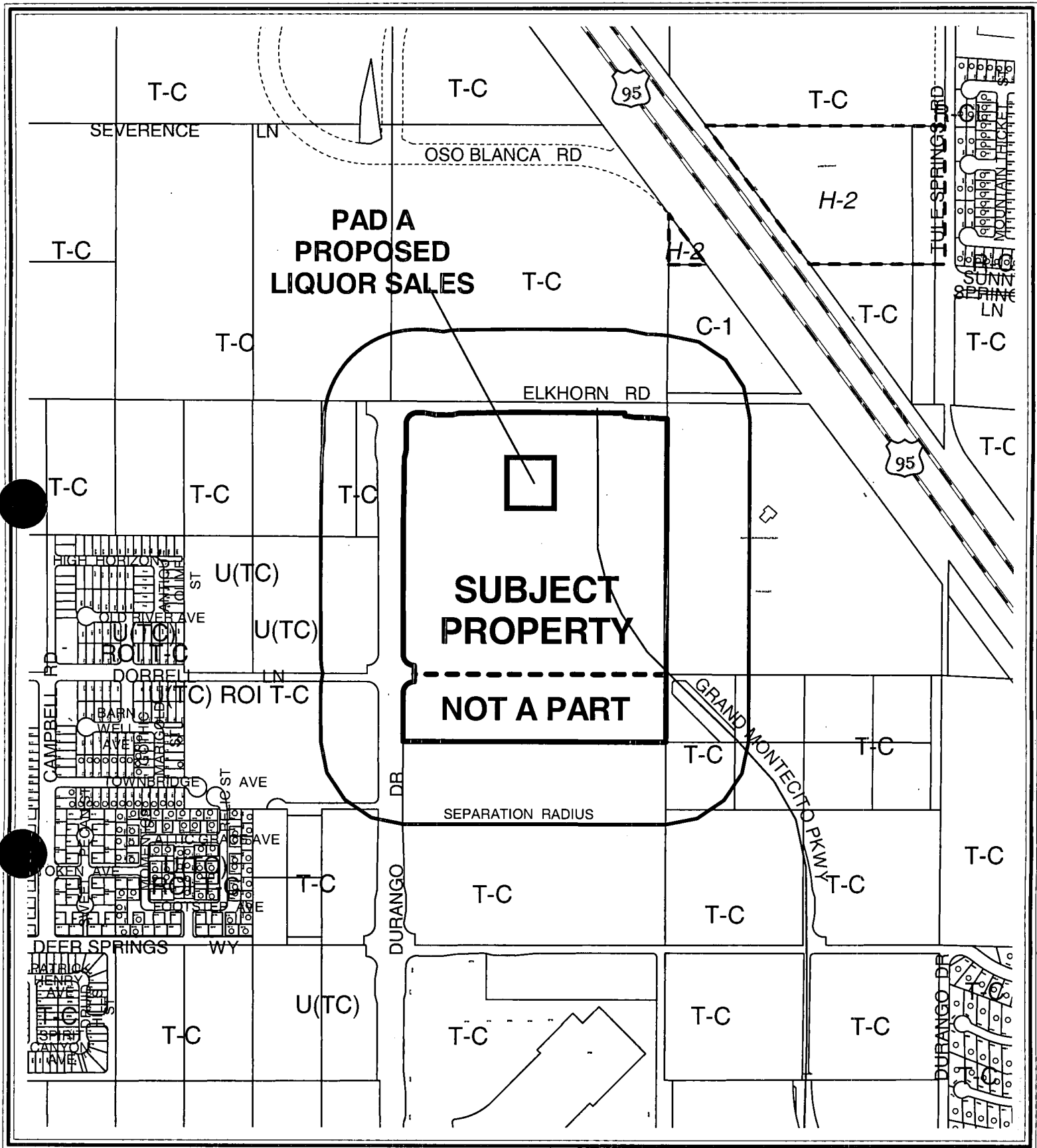
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet





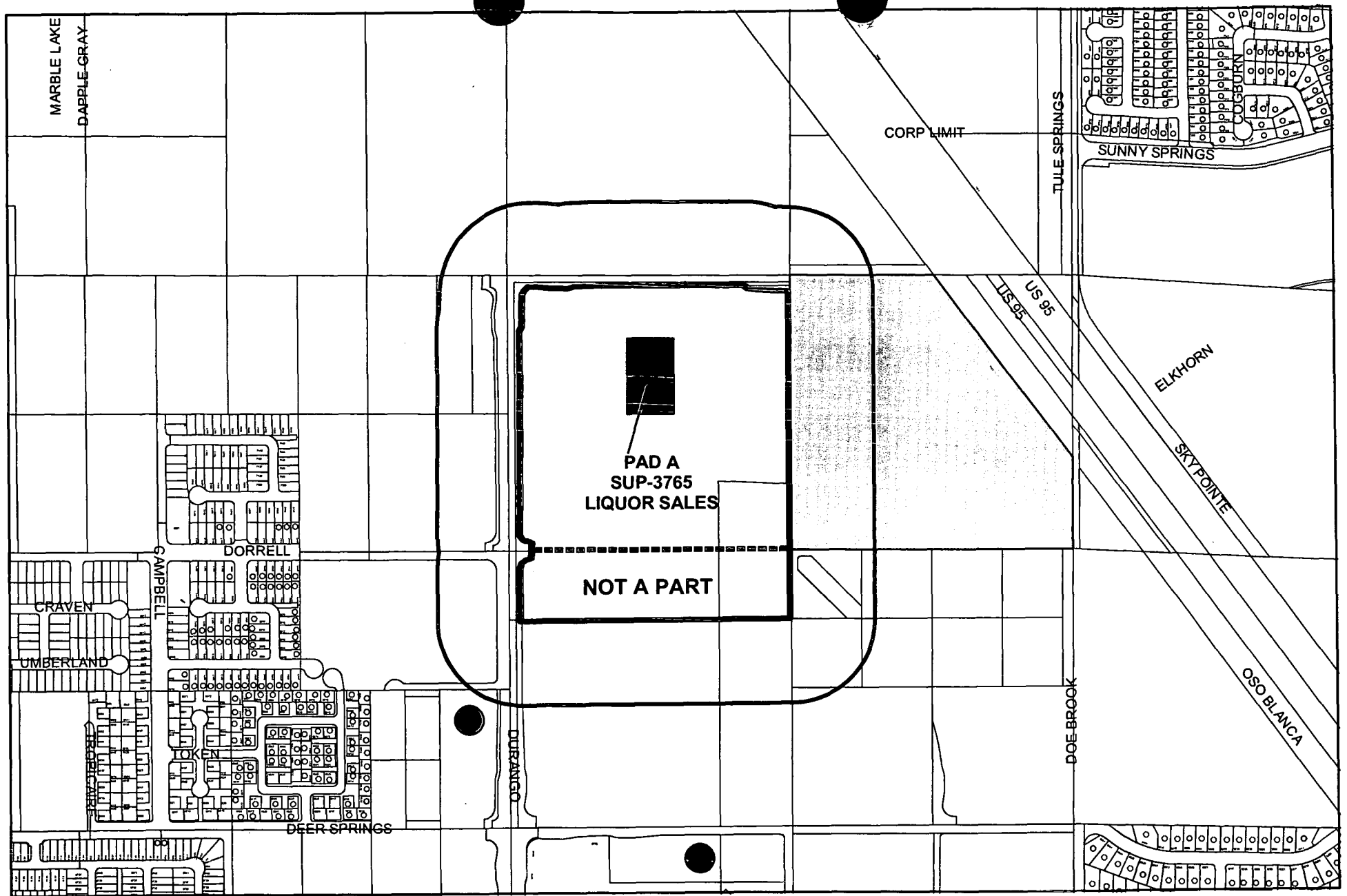
CASE: SUP-3765

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

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





SUP-3765

Protected Landuses

- | | |
|---------|-----------|
| Parks | Taverns |
| Schools | Religious |

Business Licenses

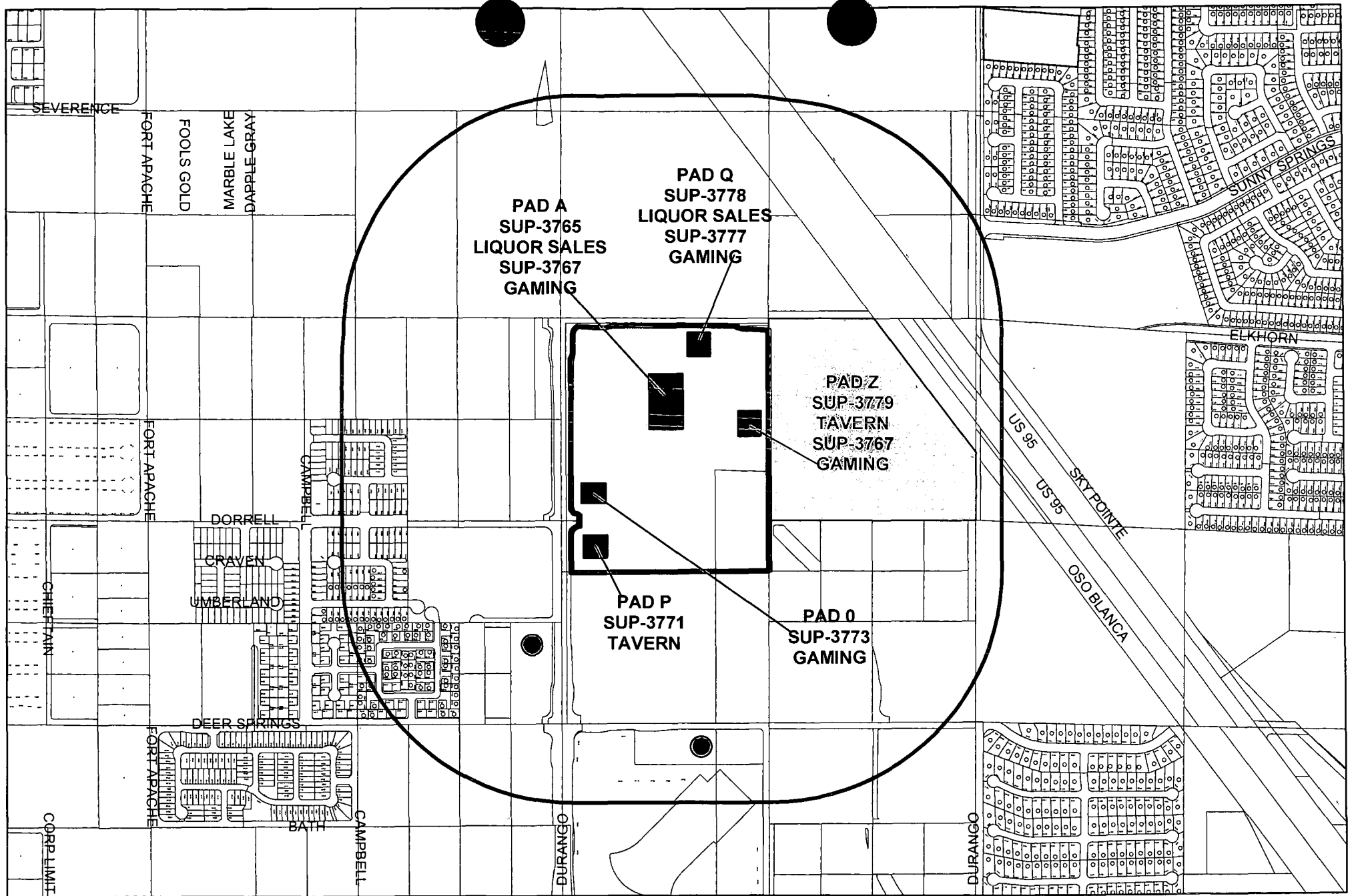
- | |
|----------------------------------|
| Tavern |
| Child Care/
Children Facility |

Subject Property

400 foot buffer

0 550 1,100 2,200 Feet

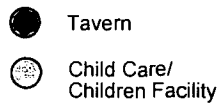




**LIQUOR SUPs 3765, 3771, 3778 and 3779
Protected Landuses**

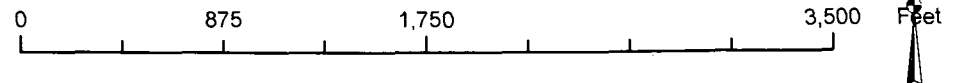


**GAMING SUPs 3767, 3773, 3777 and 3780
Business Licenses**



Subject Property

1500 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3765 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Liquor Sales use on Pad A of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 56,640 square-foot Grocery Store on the subject site.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #23/gl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

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

INTERAGENCY ISSUES

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Grocery Store	56,640 s.f.	1 space/250 s.f. of GFA	227 spaces	7 spaces	227 spaces (2,470 spaces provided overall)	7 spaces

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3765 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: **Montecito Companies, LLC**

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

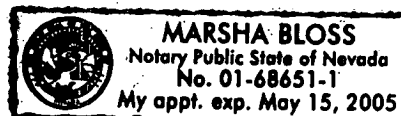
Signature of Property Owner/Authorized Agent: _____

Print Name: Frank Nielsen

Subscribed and sworn before me

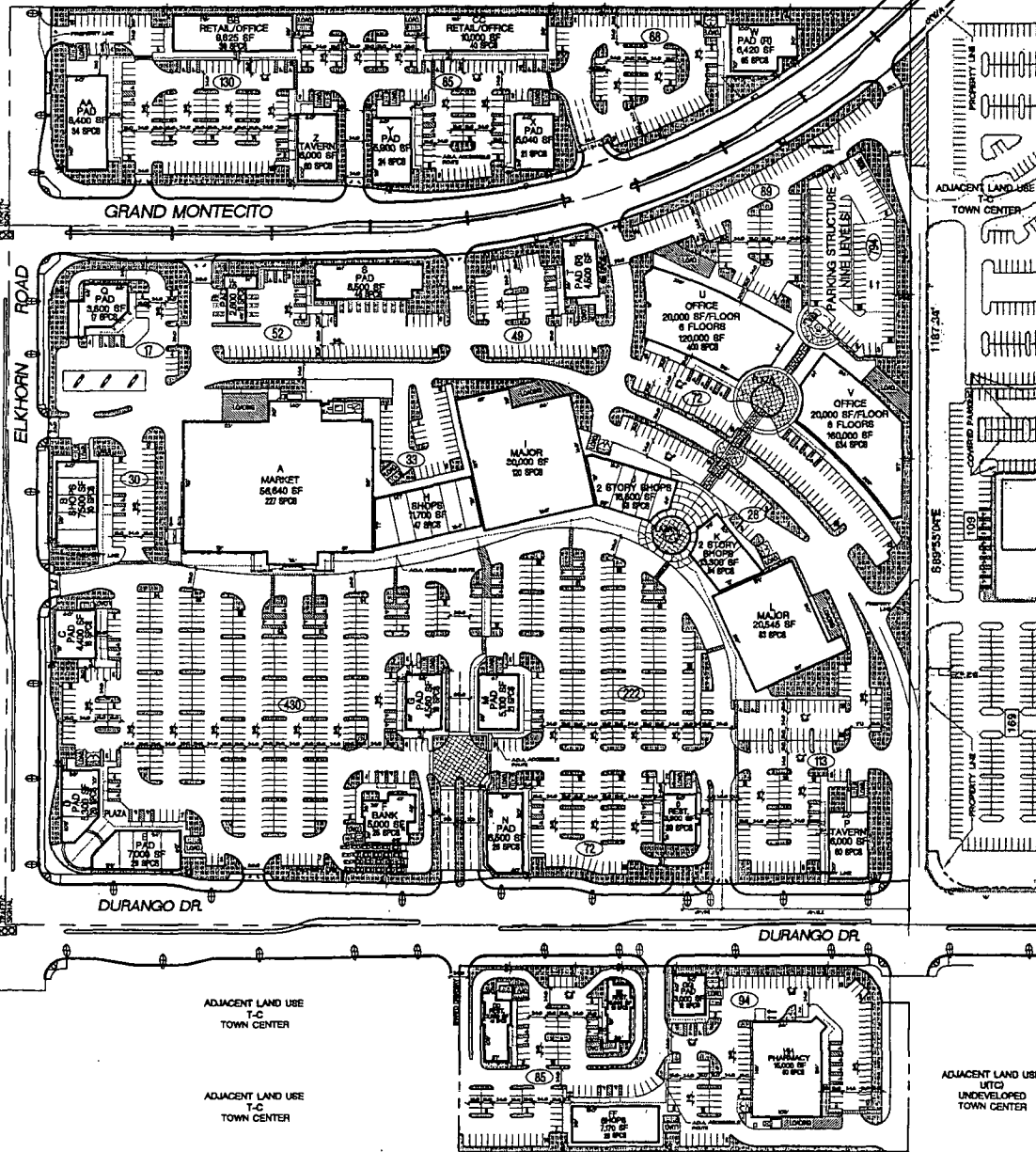
This 26 day of January, 2009

Marsda Bloss
Notary Public in and for said County and State



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. ANYONE USING THIS PLAN FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED, DOES SO AT HIS OWN RISK.

SUP-3765
03-11-04 PC

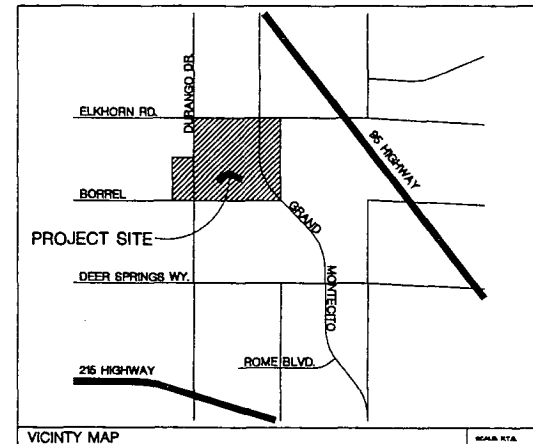
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 1.8/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,640 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

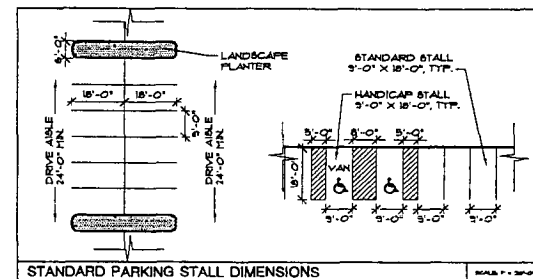
SUMMARY / PARKING ANALYSIS / F.A.R.

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

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3280 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89129
702-852-8500
702-852-4544 fax

www.parkowirz.com

Corporate Office:
Long Beach, CA

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

Client Information

MONTECITO
COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Parkowirz-Ruth
ARCHITECTS

853 of Durango Drive • Elkhorn Road

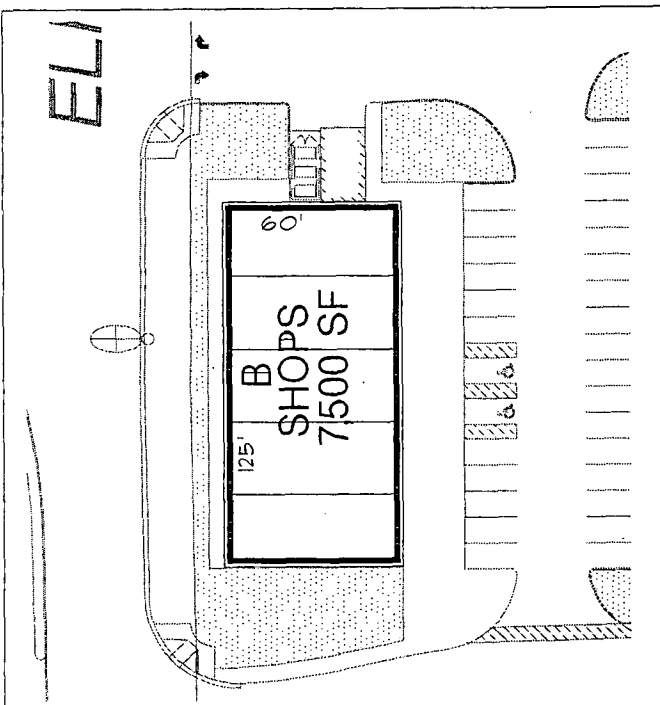
Revisions

Date: 01/27/04
Drawn By: mfk
Checked By: mfk
Project No.: 03-43211
File Name: 03043211.dwg
Scale: 1" = 80'

North Arrow

0 40 80 160

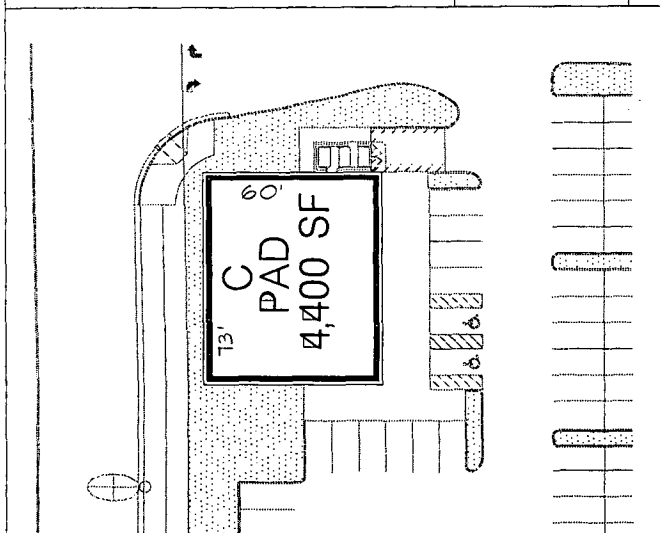
Site Plan
SA-1



BUILDING "B"

DATE: 01/21/04
SCALE: 1" = 10'-0"

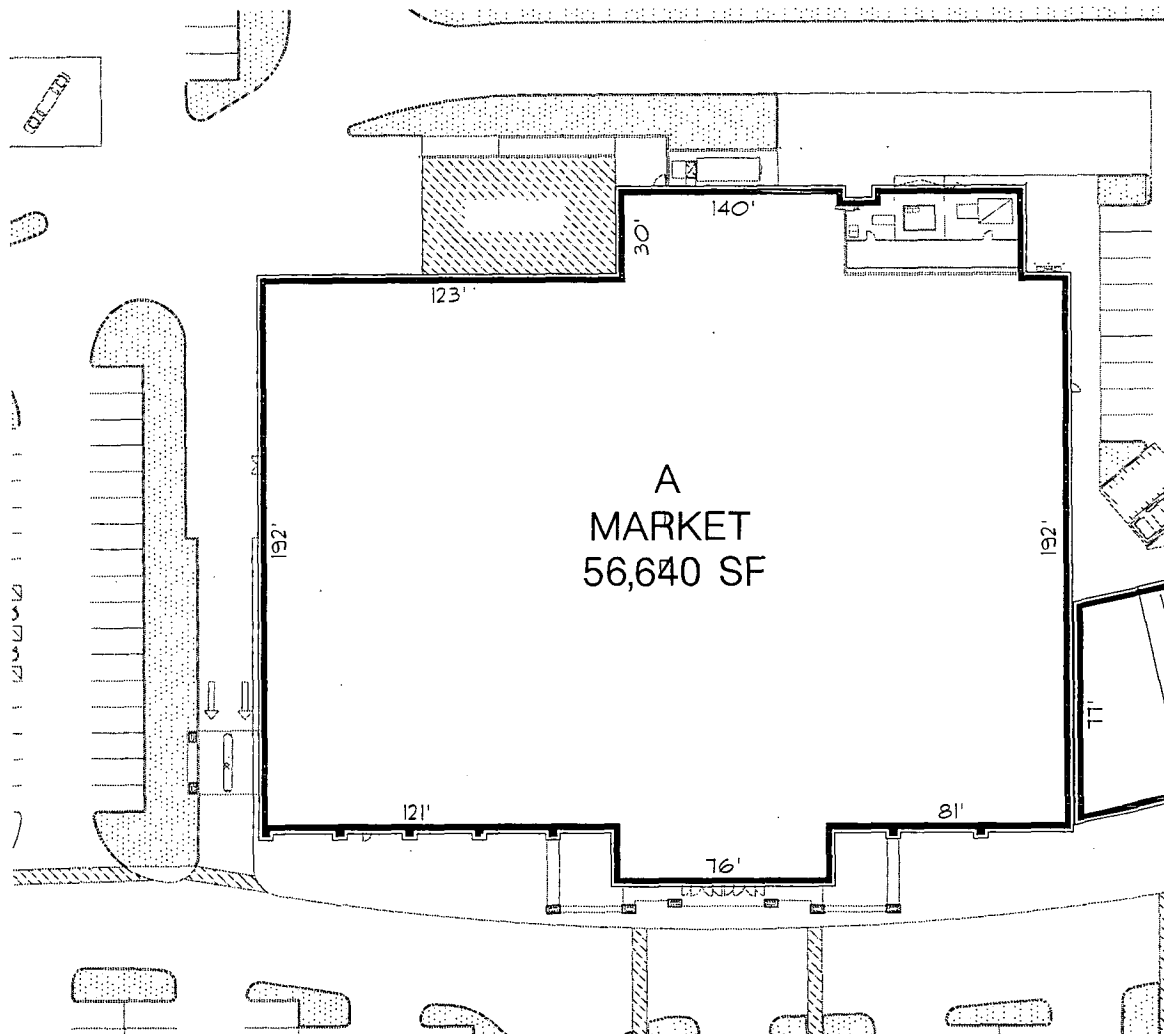
B



BUILDING "C"

DATE: 01/21/04
SCALE: 1" = 10'-0"

C



BUILDING "A"

DATE: 01/21/04
SCALE: 1" = 10'-0"

A

SUP-3765

03-11-04 PC



3380 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89129
702-852-8500
702-852-8504 fax

www.prcarchitect.com

Corporate Office:
Long Beach, CA

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

Client Information

MONTECITO
COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Parkowitz-Roth
Architects

Revisions

Date: 01/21/04
Drawn By: msk
Checked By: rsl
Project No.: 03-43211
File Name: 03032003.dwg
Scale: 1" = 10'-0"

Scale: 1" = 10'-0"
0 10 20
SCALE: 2X

Floor Plans
FL-1



SUP-3765 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3765 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840 AND SUP-3765 - PUBLIC HEARING - SUP-3767 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 127 – SUP-3767

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

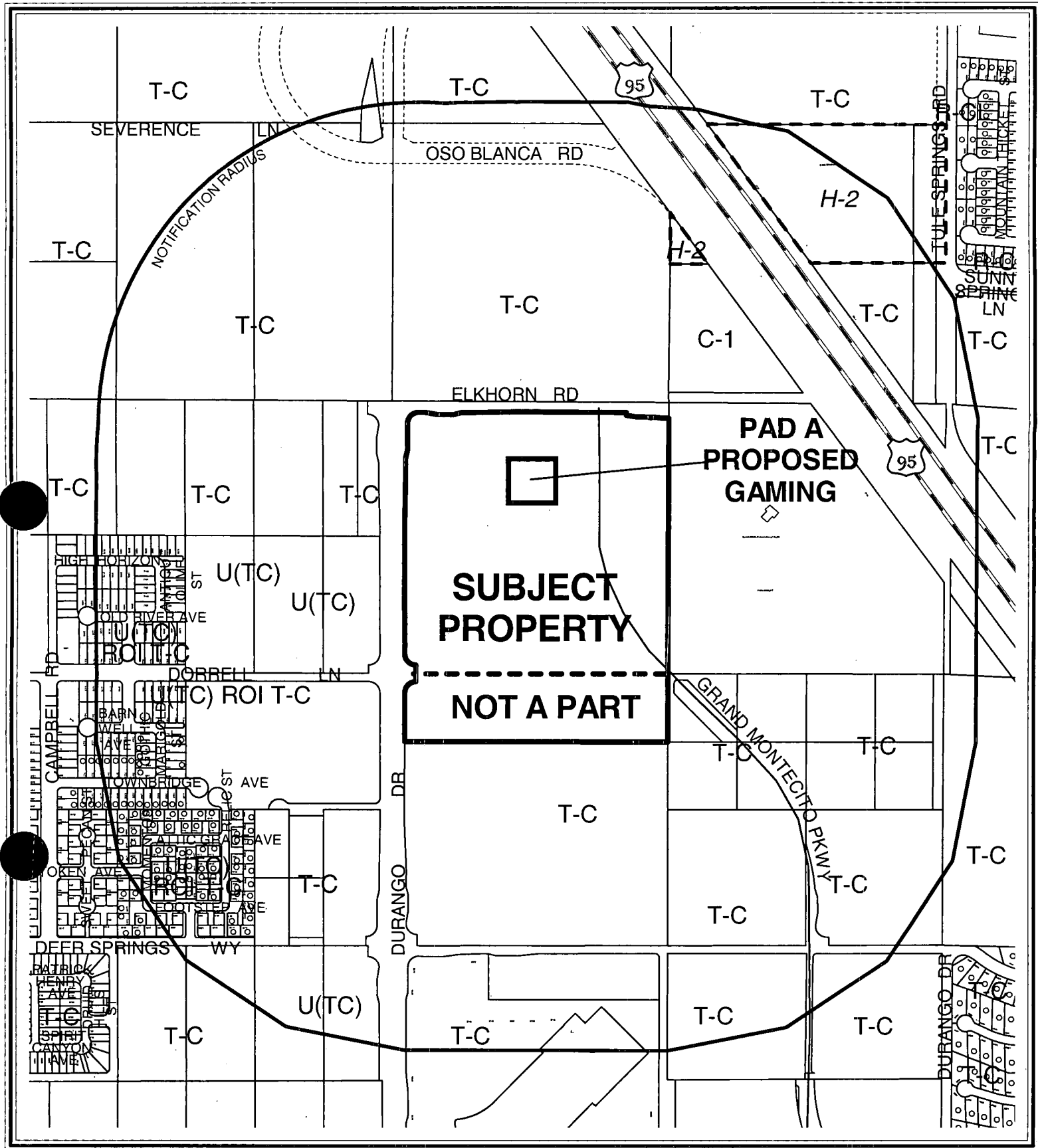
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3767

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet



127



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3767 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad A of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 56,640 square-foot Grocery Store on the subject site.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #24/gl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

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

INTERAGENCY ISSUES

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Grocery Store	56,640 s.f.	1 space/250 s.f. of GFA	227 spaces	7 spaces	227 spaces (2,470 spaces provided overall)	7 spaces

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

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?

X No

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

City Official: _____

Partner(s): _____

APN: _____

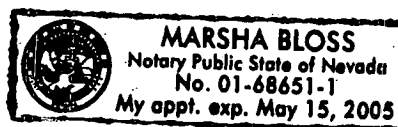
Signature of Property Owner/Authorized Agent: 

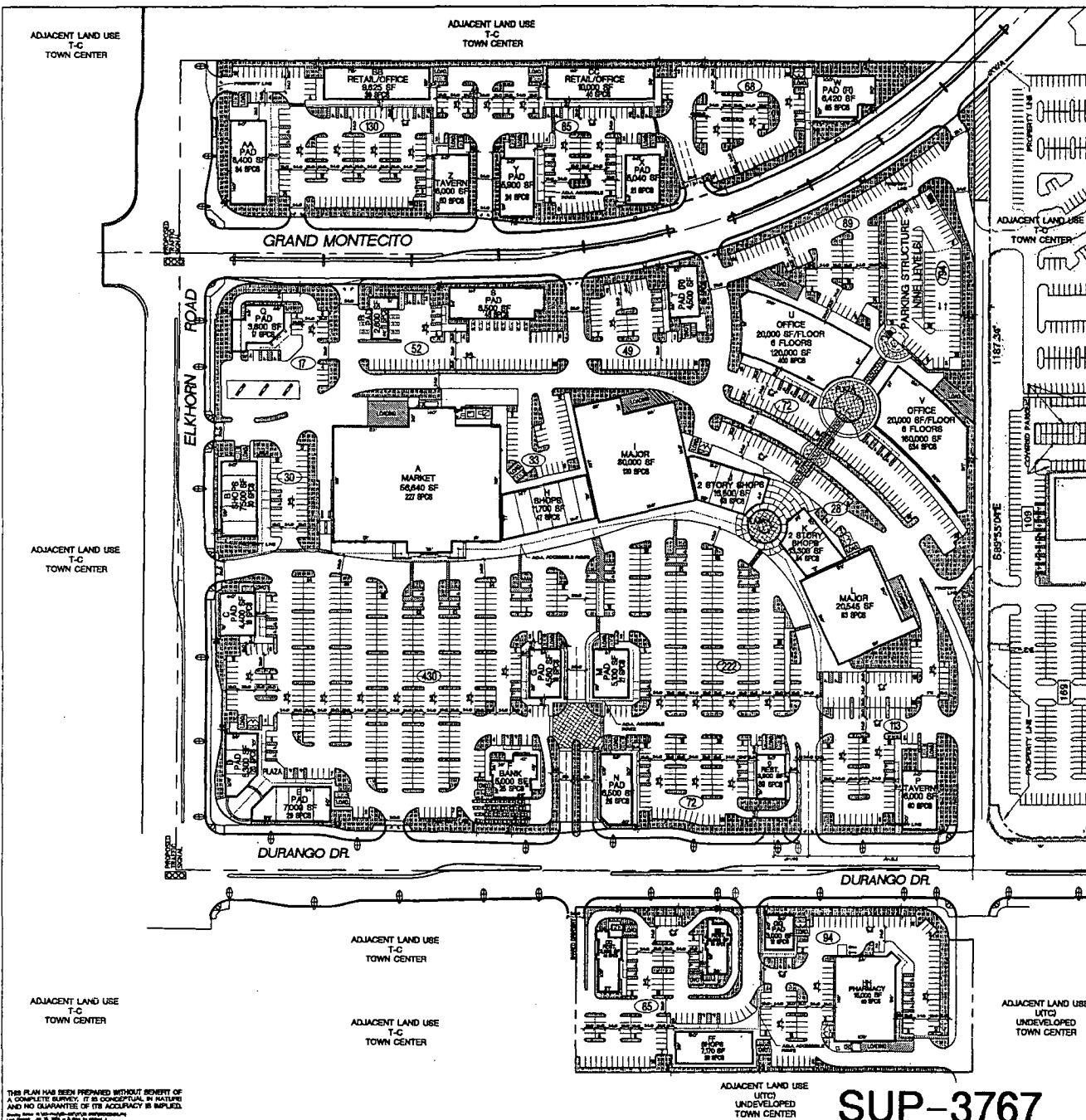
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marcia Bloss
Notary Public in and for said County and State





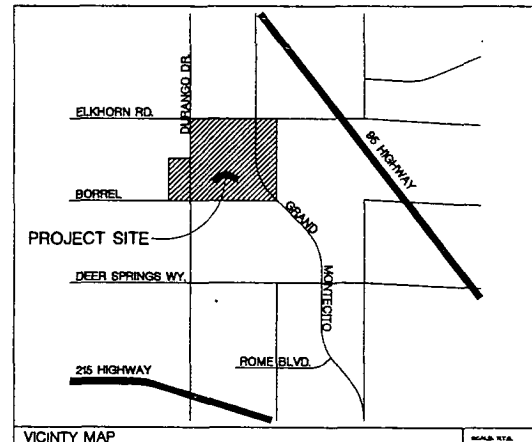
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 18/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 4.2/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (56,840 SF) • 1 STALL/250 SF = 227 STALLS
 PHARMACY (10,000 SF) • 1 STALL/250 SF = 40 STALLS
 OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
 CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
 AUTO LUBE (2,600 SF, 3 BAYS, 8 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

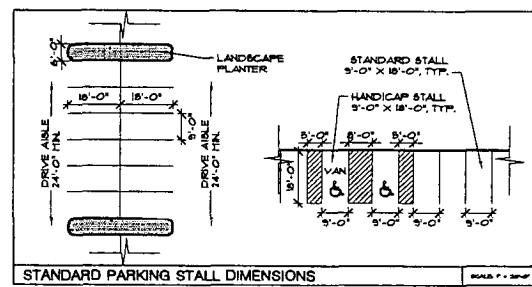
SUMMARY / PARKING ANALYSIS / F.A.R.

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

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. Please Refer to Surveyor's Record for Information.

SUP-3767
03-11-04 PC

3880 Howard Hughes Pkwy
 Suite 450
 Las Vegas, NV 89169
 702-892-8500
 702-892-8504 fax
www.parkway-nv.com

Corporate Office
 Long Beach, CA

Regional Offices
 Newport Beach, CA
 Westborough, DC
 Portland, OR

Client Information

MONTECITO
 COMPANIES

MONTECITO MARKETPLACE
 Las Vegas, NV

Perkowski, Ruth
 ARCHITECTS

SEC of Durango Drive • Elkhorn Road

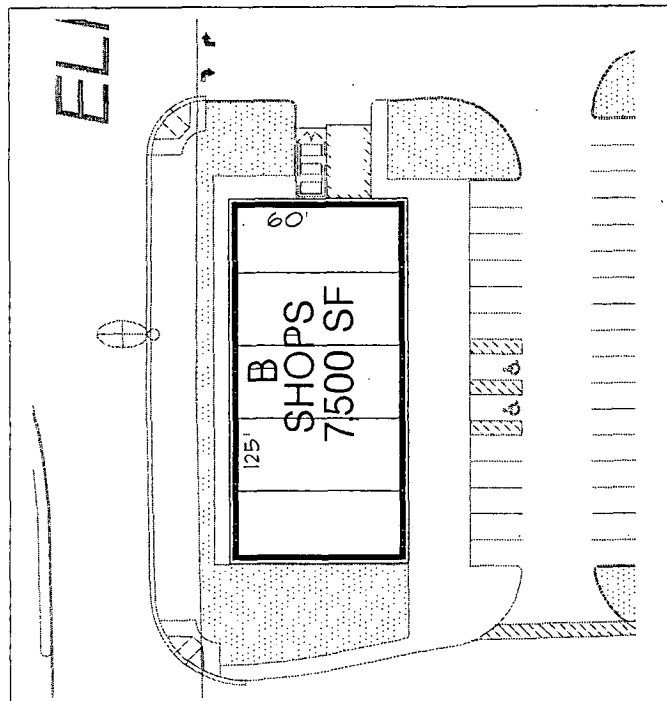
Previstors

Date: 01/27/04
 Drawn By: NIK
 Checked By: NIK
 Project No: 03-43211
 File Name: 0304320404.dwg
 Scale: 1" = 50'

N

0 40 80 120

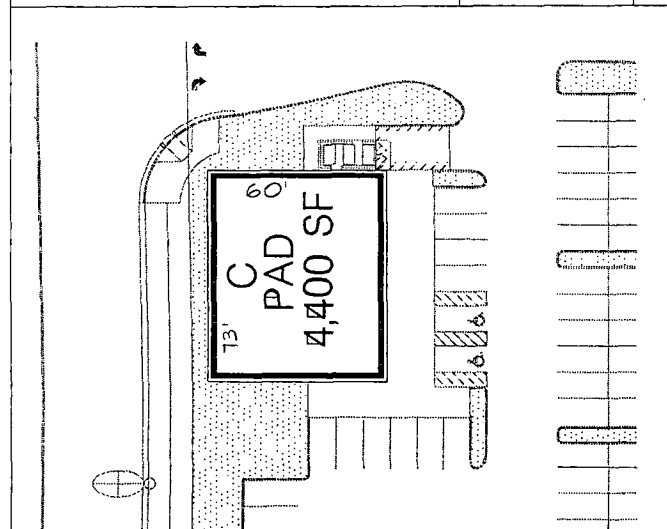
Site Plan
SA-1



BUILDING "B"

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

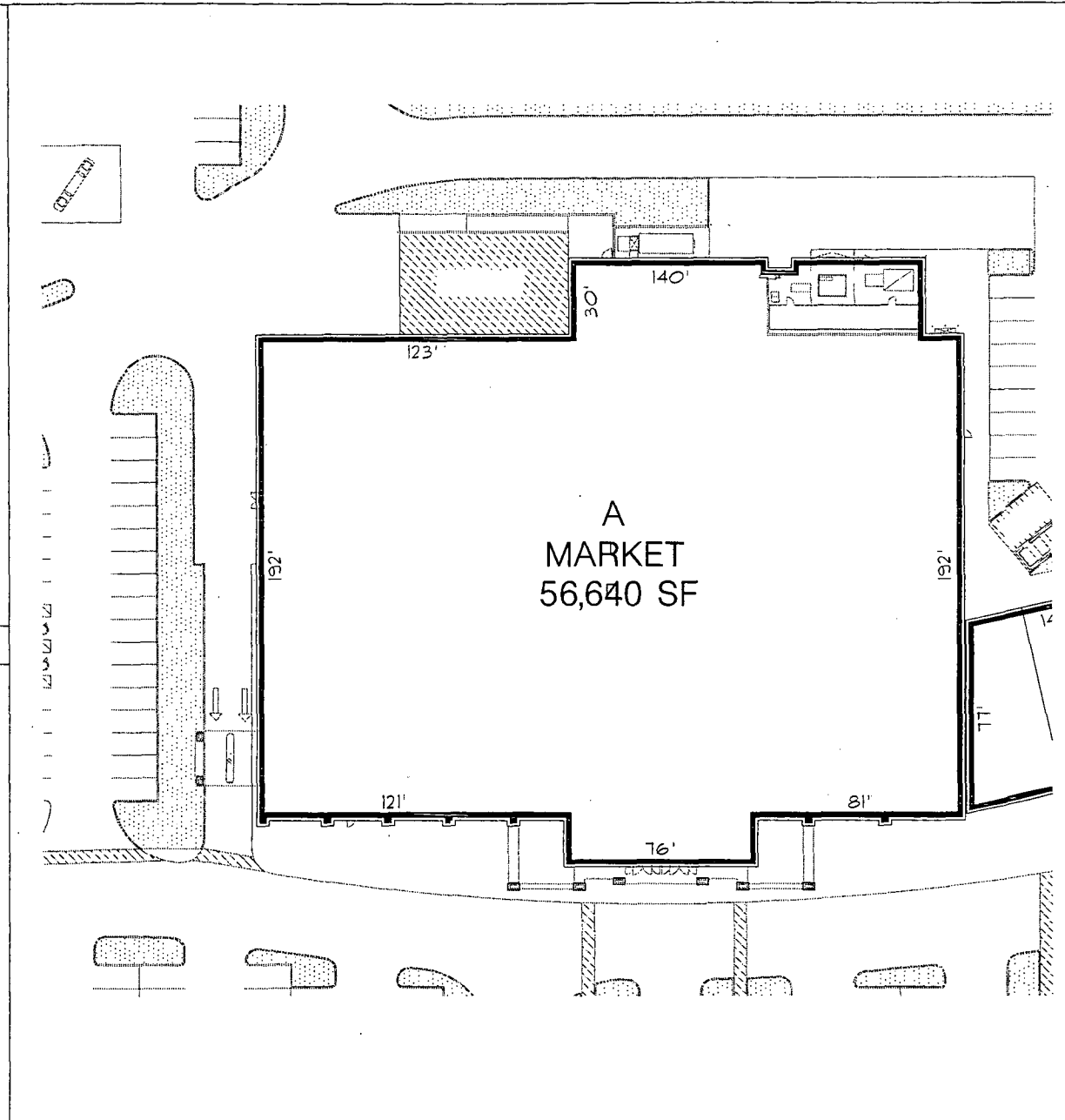
B



BUILDING "C"

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

C



BUILDING "A"

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

A



3980 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-882-8500
702-882-8500 fax

www.parkowicz.com

Corporate Office:
Long Beach, CA

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

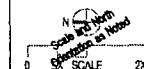
Client Information

MONTECITO
COMPANIES

Parkowicz + Ruth
ARCHITECTS
555 of Dungey Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
Drawn By: mfk
Checked By: mfk
Project No.: 03-432.11
File Name: 03062301.dwg
Scale: 1" = 30'-0" (As Noted)



Floor Plans
FL-1

SUP-3767

03-11-04 PC



SUP-3767 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3767 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765 AND SUP-3767 - PUBLIC HEARING - **SUP-3769** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad A of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]	Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements
Item 135 [SUP-3778]	Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 128 – SUP-3769

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

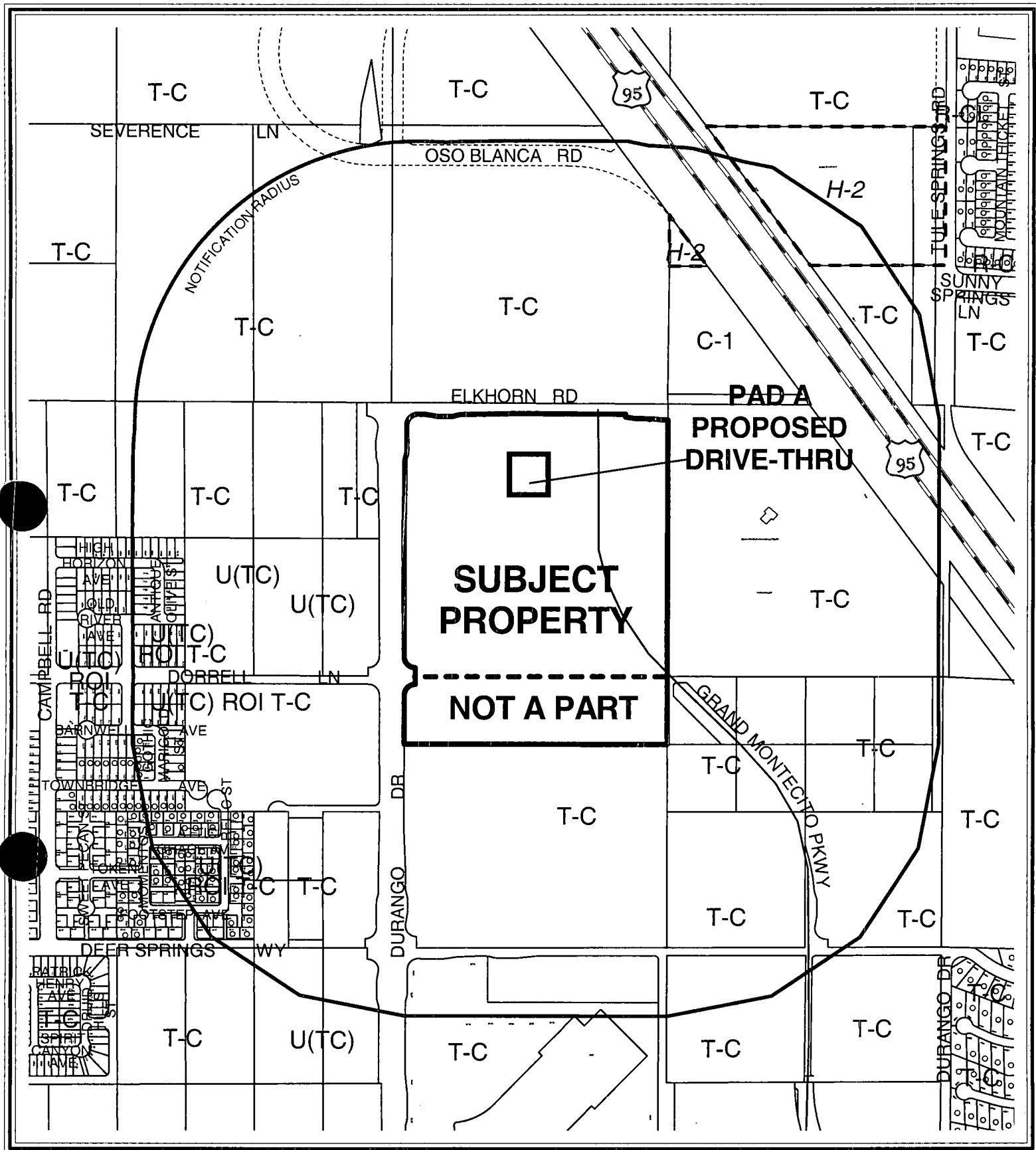
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3769

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

128



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3769 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad A of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 56,640 square-foot Grocery Store on the subject site.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 05/20/64 | The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964. |
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval. |
| 12/19/02 | The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval. |
| 10/16/03 | The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit. |

- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.
- 03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #25/gl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

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

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

INTERAGENCY ISSUES

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Grocery Store	56,640 s.f.	1 space/250 s.f. of GFA	227 spaces	7 spaces	227 spaces (2,470 spaces provided overall)	7 spaces

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3769 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: **Montecito Companies, LLC**

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

Yes X No

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

City Official:

Partner(s): _____

APN: _____

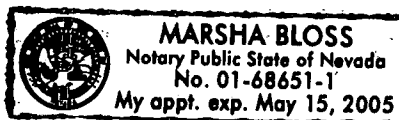
Signature of Property Owner/Authorized Agent:

Print Name: Frank Nielsen

Subscribed and sworn before me

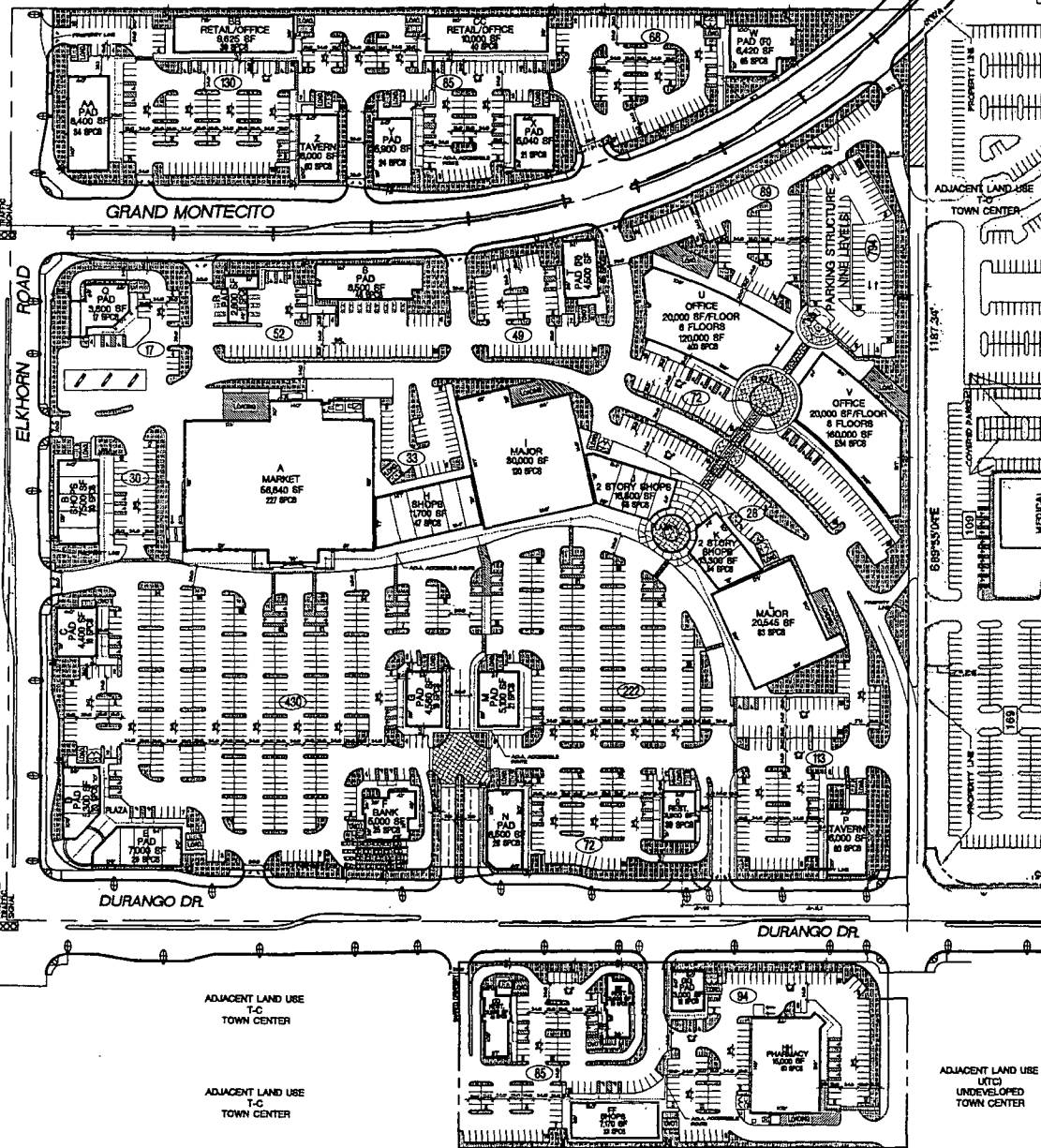
This 26 day of January, 2004

Marcia Bloss
Notary Public in and for said County and State



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

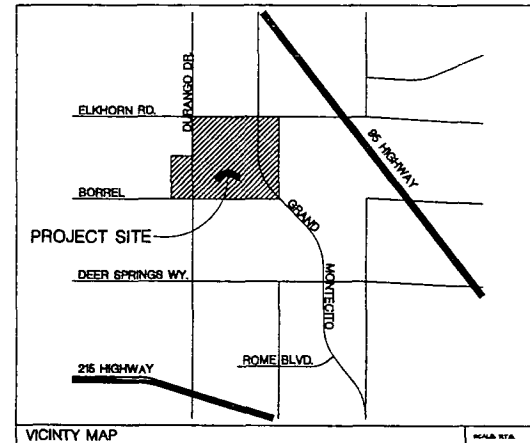
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 1.8/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 42/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (24,370 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 8 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

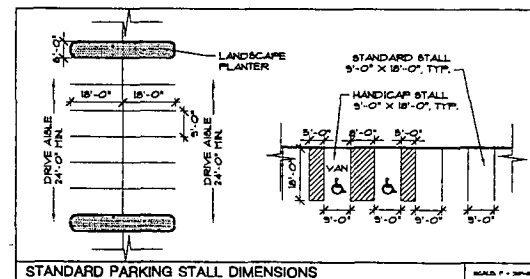
SUMMARY / PARKING ANALYSIS / F.A.R.

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

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3550 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89169
702-852-6570
702-852-6571 fax

www.parkcity.com

Corporate Office
Long Beach, CA

Regional Offices
Hempstead Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz + Roth
ARCHITECTS
6550 Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date 01/27/04
Drawn By mfk
Checked By mfk
Project No. 03-0225
File Name 0304030404.dwg
Scale 1" = 80'

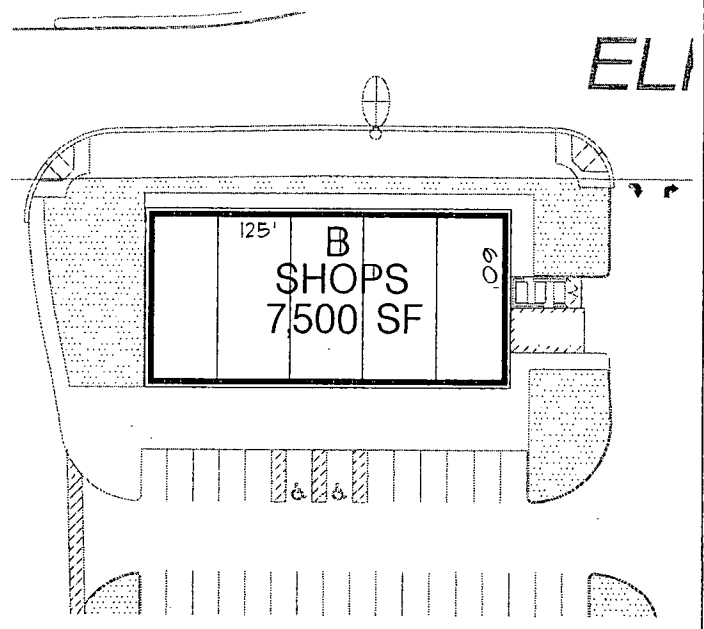
0 40 80 120
N

Site Plan
SA-1

SUP-3769
03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
DATE: 03-11-04 BY: [signature]

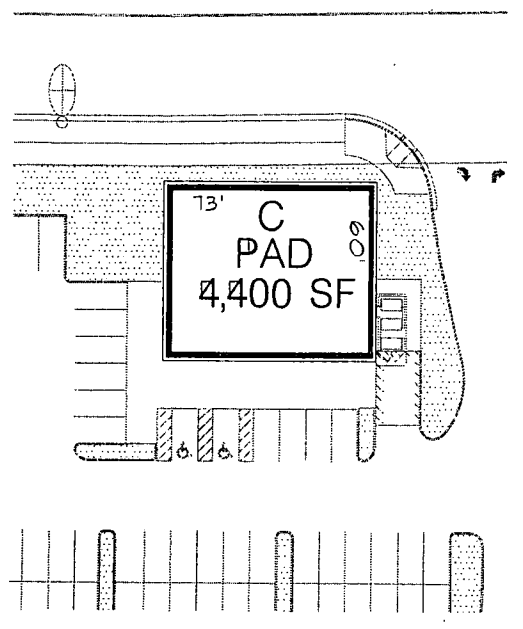
ELI



BUILDING 'B'

DATE: 03/10/04
SCALE: 1" = 10'-0"

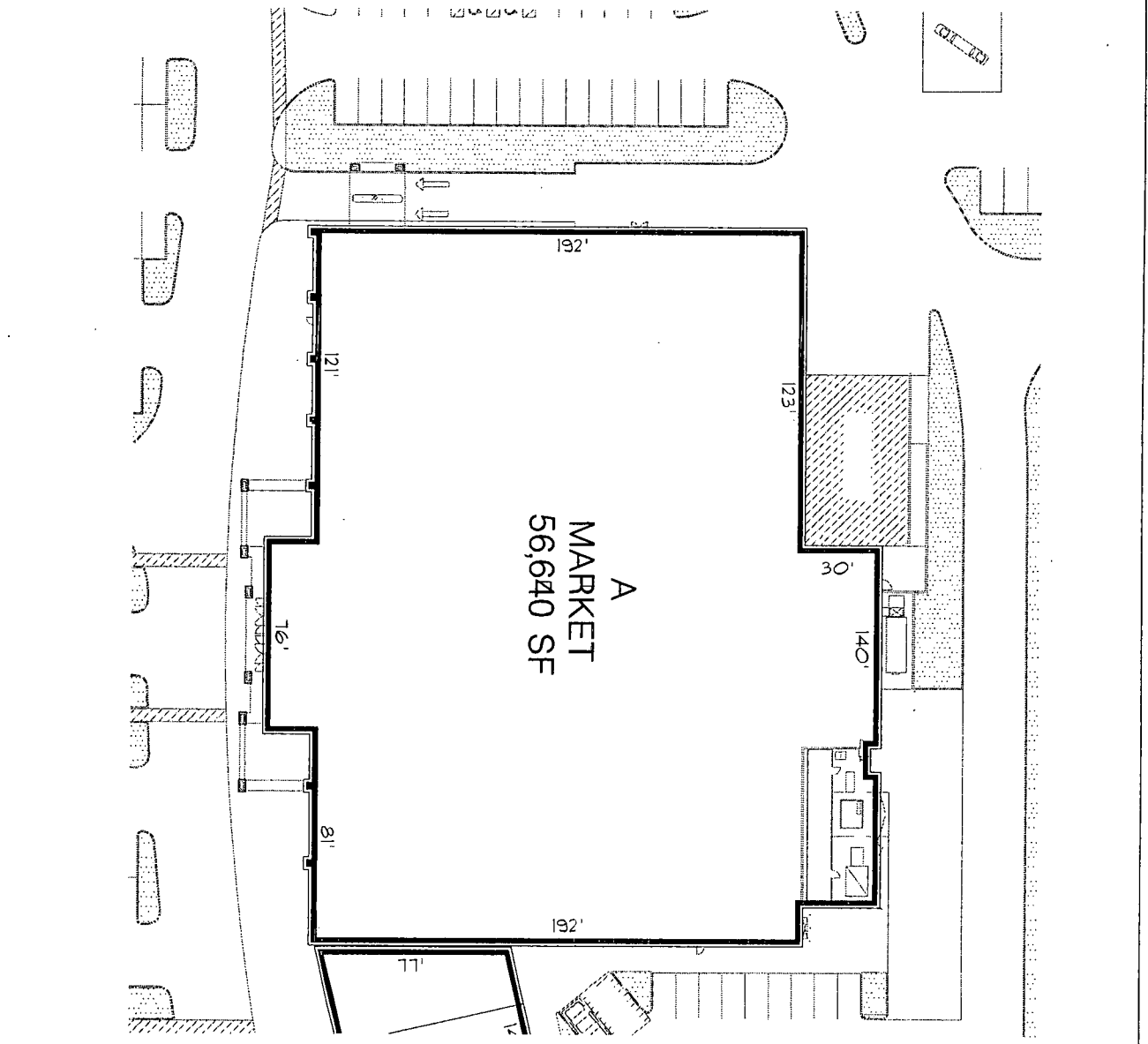
B



BUILDING 'C'

DATE: 03/10/04
SCALE: 1" = 10'-0"

C



BUILDING 'A'

DATE: 03/10/04
SCALE: 1" = 10'-0"

A

SUP-3769
03-11-04 PC



3200 Howard Light Ferry
Suite 100
Las Vegas, NV 89139
702-895-8200
702-895-8201 fax
www.perkowitzruth.com
Corporate Office
Long Beach, CA
Regional Office
Hayward, CA
Regional Office
Westbury, NY
Portland, OR

Client Information
MONTECITO COMPANIES

Perkowitz-Ruth ARCHITECTS
3500 of Burnage Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Drawn By: 03/10/04
Checked By: 03/10/04
Project No.: 03-11-04
File Name: 03-11-04
Scale: 1" = 10'-0"

Floor Plans
FL-1



SUP-3769 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3769 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

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

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 AND SUP-3769 - PUBLIC HEARING - SUP-3770 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad O of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 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 (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 129 – SUP-3770

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

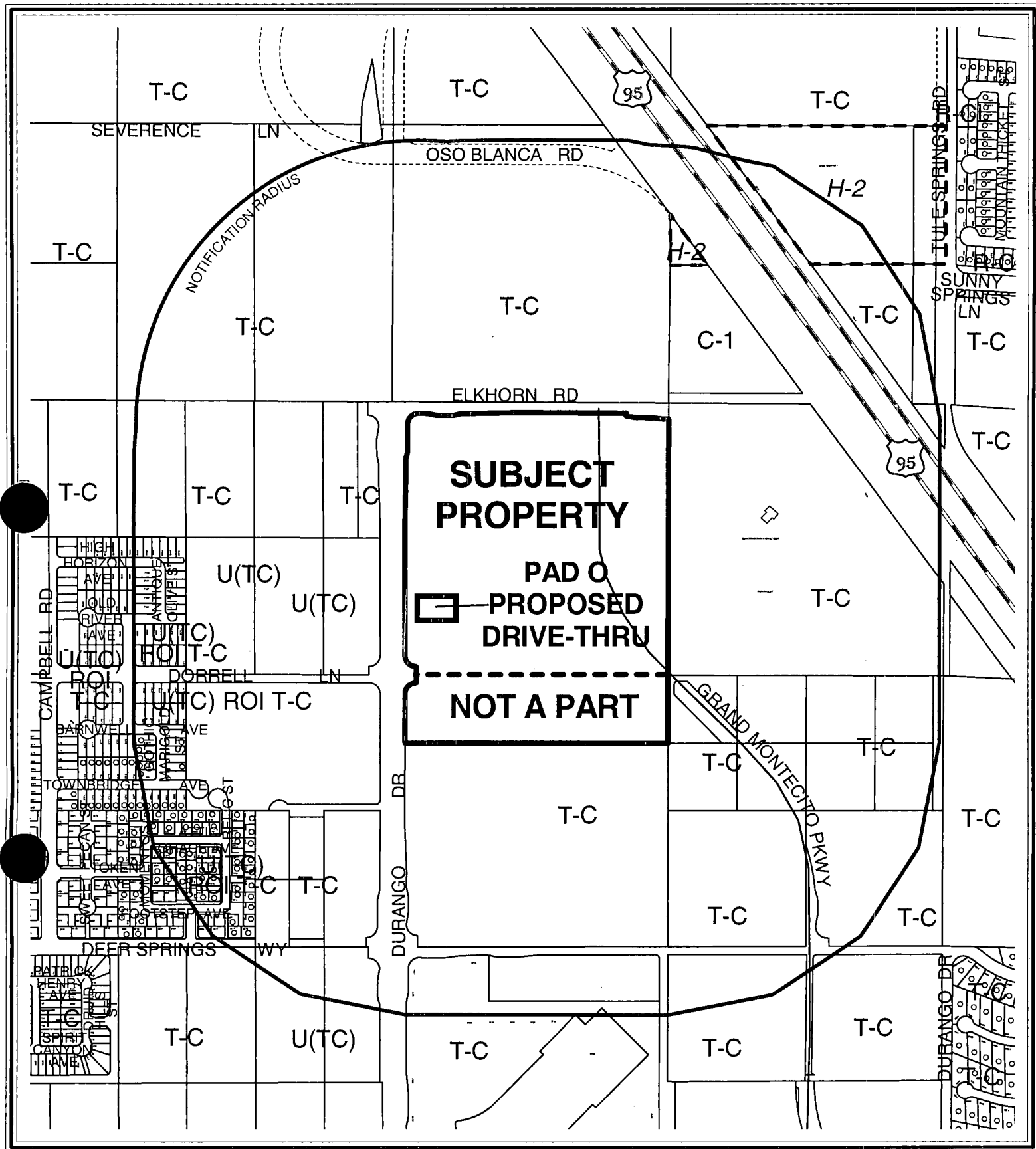
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3770

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

129



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3770 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad O of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 3,900 square-foot Restaurant on the subject site.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 05/20/64 | The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964. |
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval. |
| 12/19/02 | The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval. |
| 10/16/03 | The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit. |

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

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

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

INTERAGENCY ISSUES

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, with drive- up/drive-thru facilities	3,900 s.f.	1 space/100 s.f. of GFA, including outdoor seating and 1 lane/drive- up window with stacking for six	39 spaces	2 spaces	39 spaces (2,470 spaces provided overall) Provided	2 spaces

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3770 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: Montecito Companies, LLC

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

Yes X No

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

City Official:

Partner(s): _____

APN: _____

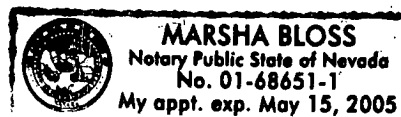
Signature of Property Owner/Authorized Agent:

Print Name: Frank Nielsen

Subscribed and sworn before me

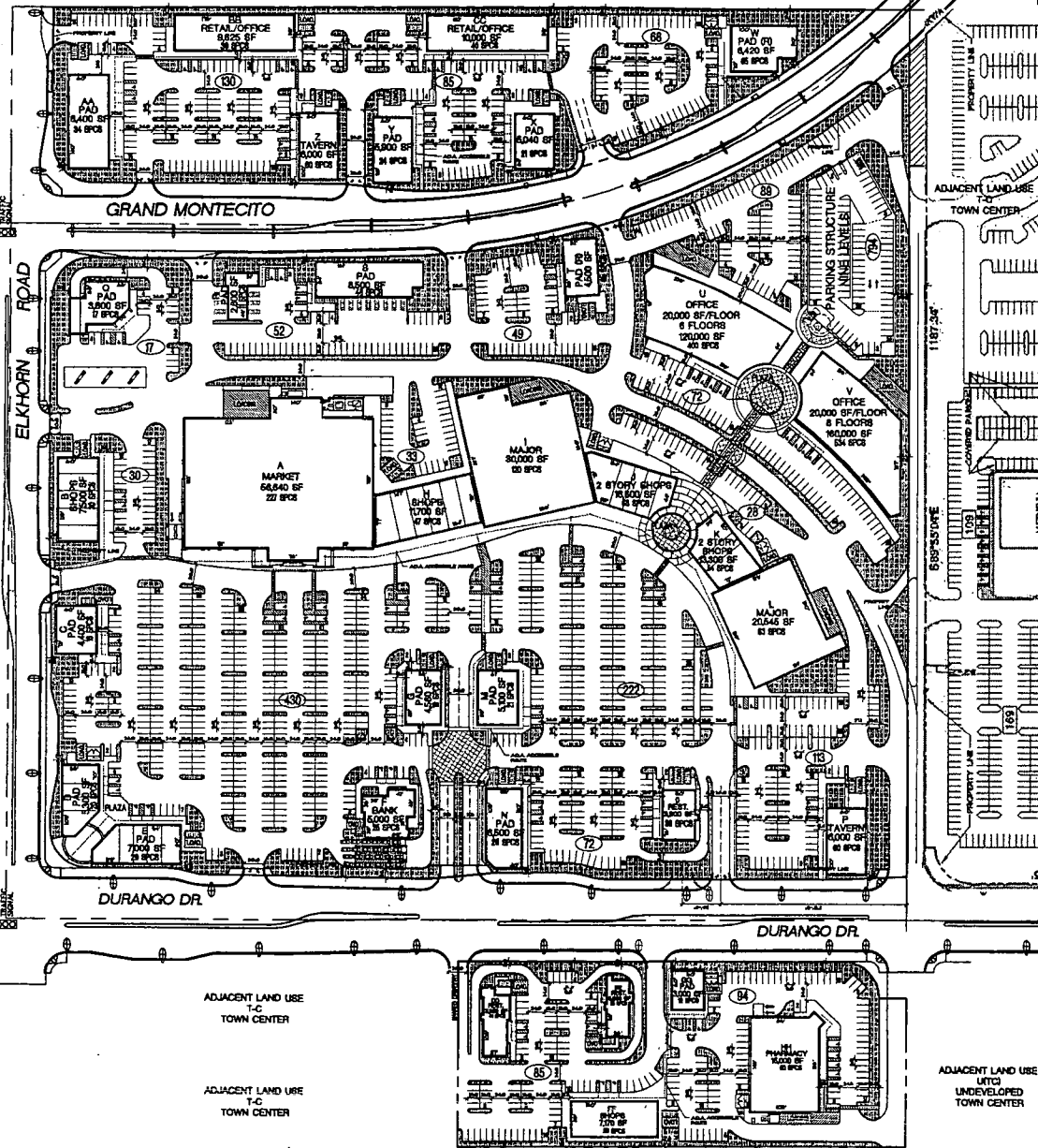
This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER

SUP-3770

03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
DATE: 03-11-04
BY: [Signature]

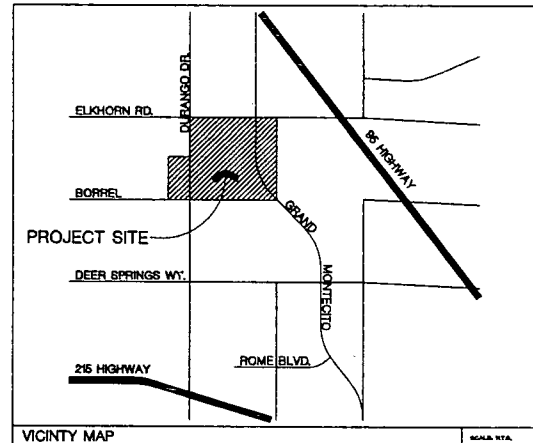
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 1/1.1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 42/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (68,840 SF) • 1 STALL/250 SF = 275 STALLS
PHARMACY (10,000 SF) • 1 STALL/250 SF = 40 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

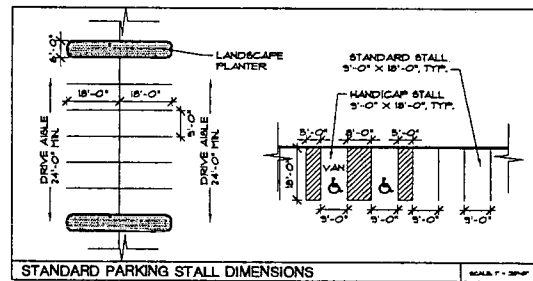
SUMMARY / PARKING ANALYSIS / F.A.R.

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

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3550 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89169
702-822-8500
702-822-8504 fax

www.parkarchitects.com

Corporate Office
Long Beach, CA

Regional Office
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

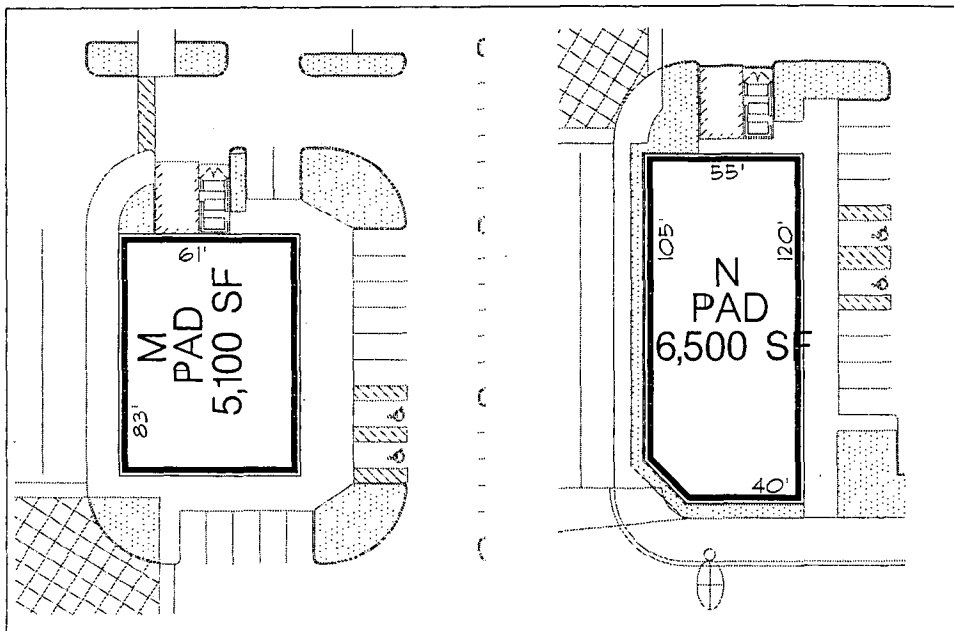
Perkowitz + Ruth
ARCHITECTS
655 of Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date 09/27/04
Drawn By mfk
Checked By [Signature]
Project No. 03-4321
File Name 03032204.dwg
Scale 1" = 8'

N
0 40 80 120

Site Plan
SA-1

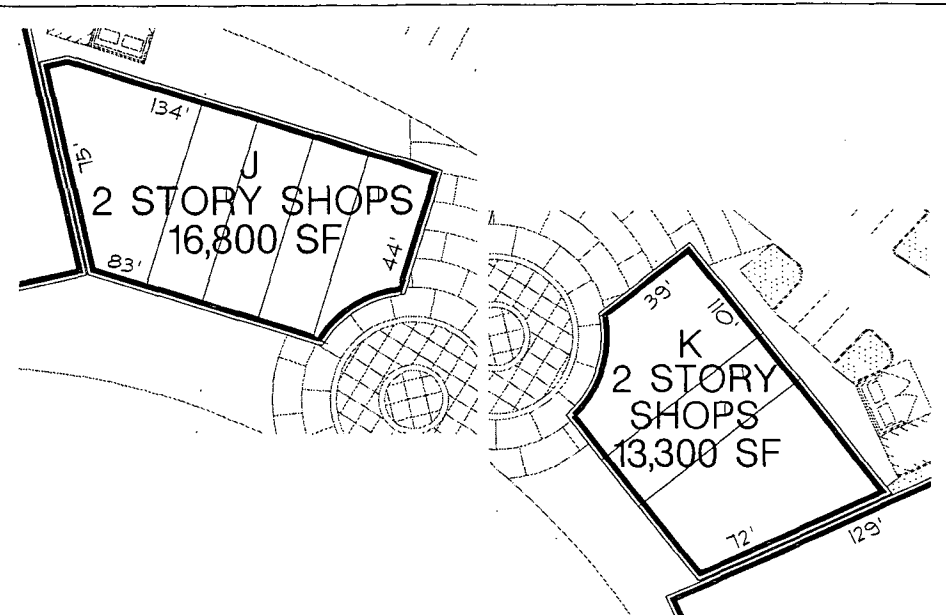


BUILDINGS 'M' AND 'N'



DATE: 01/21/04
SCALE: 1" = 30'-0"

M&N

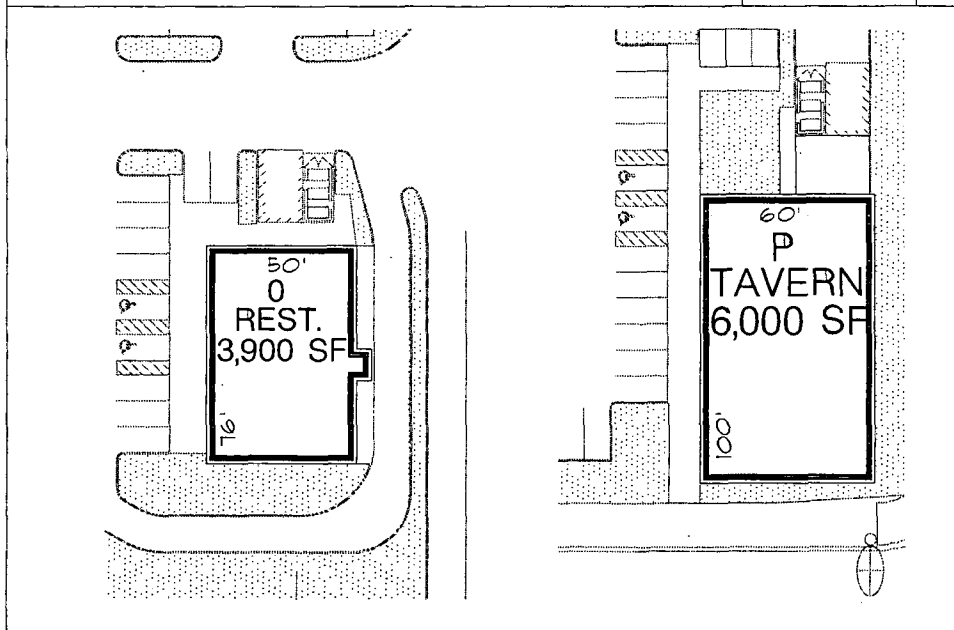


BUILDINGS 'J' AND 'K'



DATE: 01/21/04
SCALE: 1" = 30'-0"

J&K

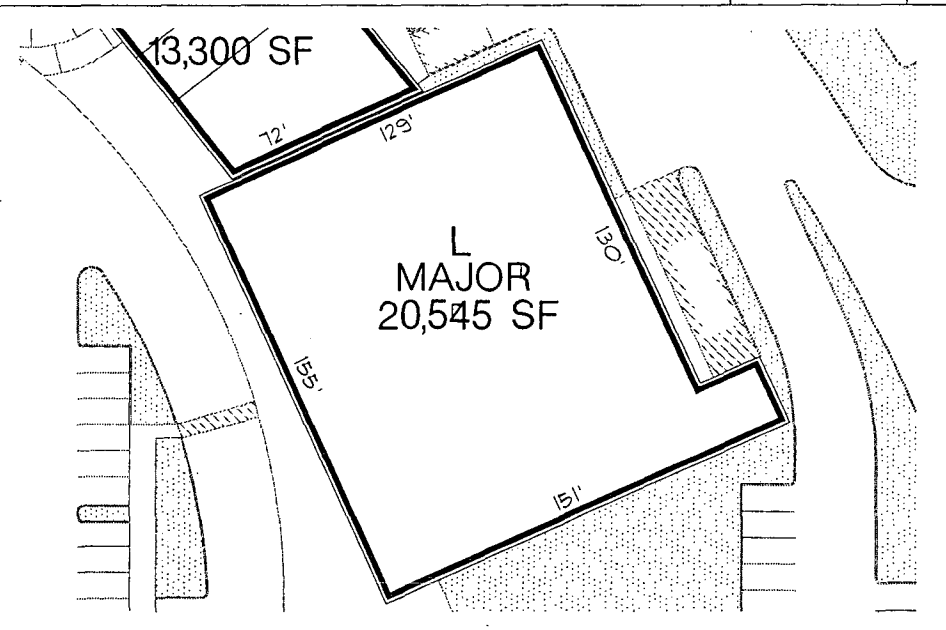


BUILDINGS 'O' AND 'P'



DATE: 01/21/04
SCALE: 1" = 30'-0"

O&P



SUP-3770 BUILDING 'L'



DATE: 01/21/04
SCALE: 1" = 30'-0"

L



3390 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-892-8500
702-892-8518 fax

www.prarchitects.com

Corporate Office
Long Beach, CA

Regional Office
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Perkowitz-Roth
ARCHITECTS

650 d'Arango Drive - Elburn Road

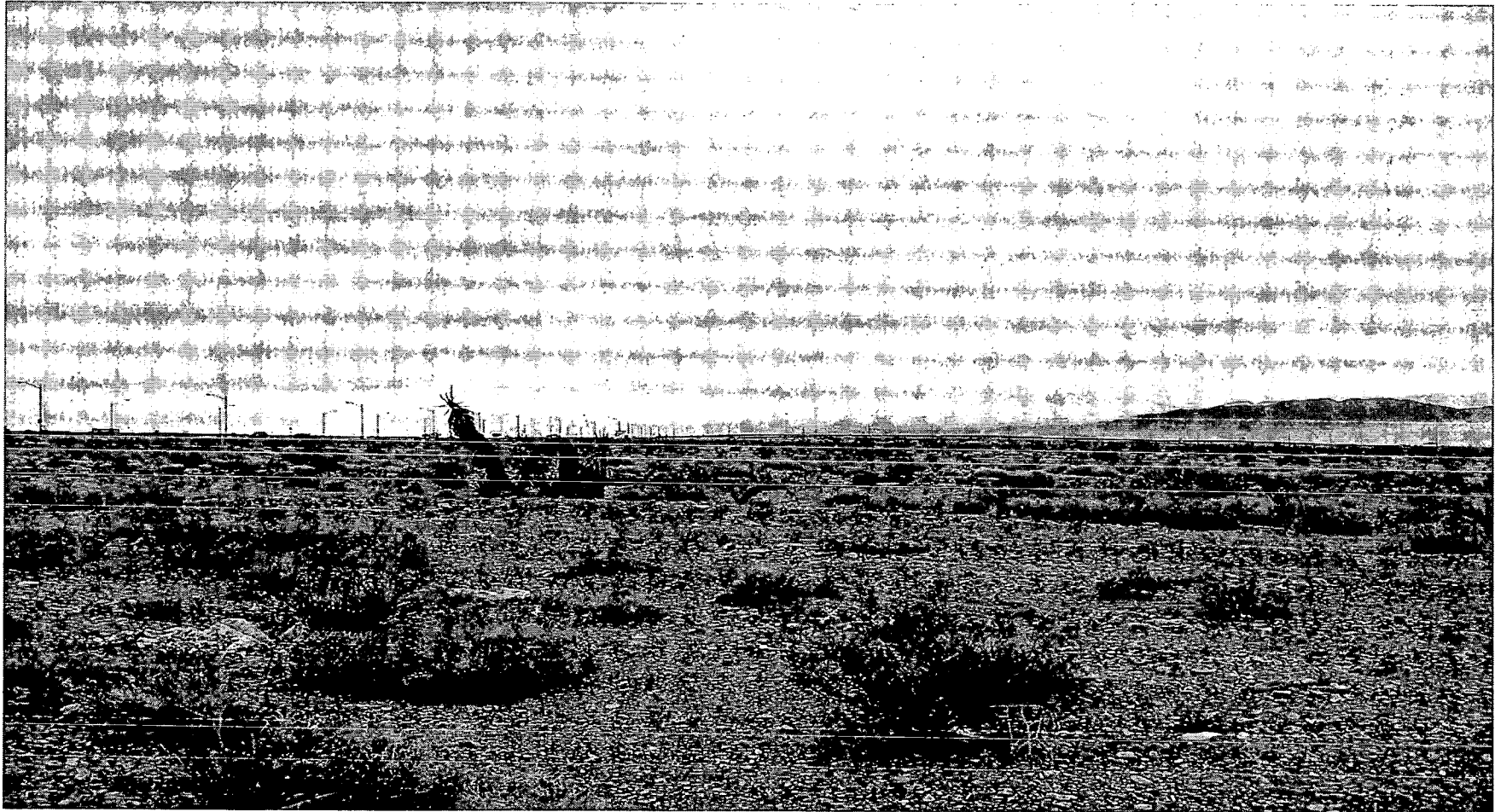
Revisions

Date Drawn By 01/21/04
Checked By mk
Project No. 03-432.1
File Name D:\03\0321\04mg
Scale T = (As Noted)

Scale and North
Orientation as Noted
SCALE 2X

Floor Plans
FL-3

03-11-04 PC



SUP-3770 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3770 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04