

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 - PUBLIC HEARING - SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A BAILBOND SERVICE at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). 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 with GOODMAN abstaining in an abundance of caution as he is still owed money on property he sold across the street at Casino Center and Bonneville and L. B. McDONALD excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 166 [SUP-3712] and Item 167 [SDR-3713].

DOLAN KANG, 600 South 3rd Street, appeared on behalf of the applicant. Also present were Jackson Hamilton and Jason Castleforte of Church's Bail Bonds, Inc. They concurred with staff's recommendations and agreed to all conditions.

TODD FARLOW, 240 North 19th Street, stated that this is a historical neighborhood and he would like to see the property maintained to keep with the standards established for the upgrade of Downtown.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 166 – SUP-3712

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 166 [SUP-3712] and Item 167 [SDR-3713].

NOTE: All discussion for Item 166 [SUP-3712] and Item 167 [SDR-3713] was held under Item 166 [SUP-3712].

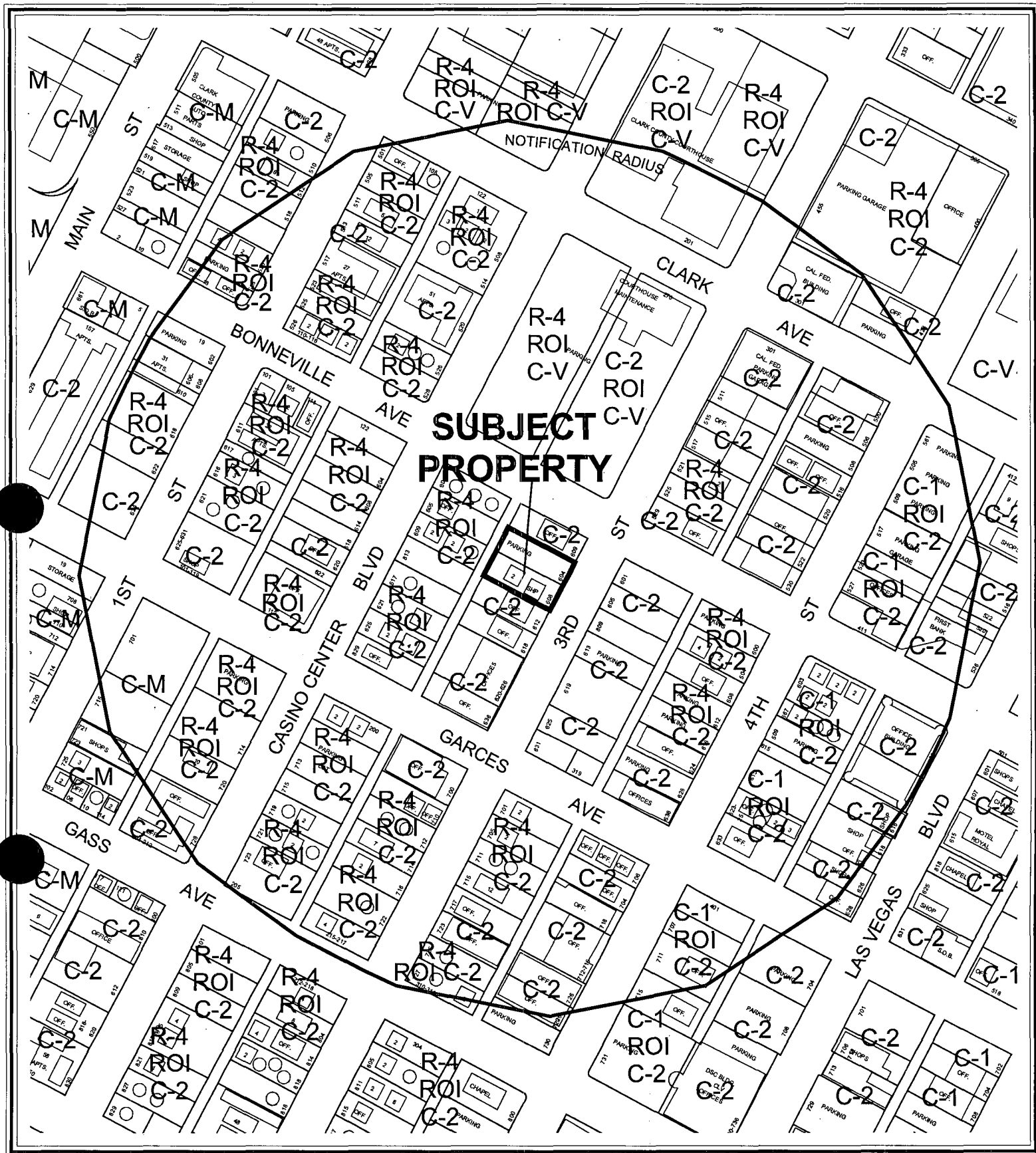
(1:01 – 1:04)

3-94

CONDITIONS:

Planning and Development

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



CASE: SUP-3712

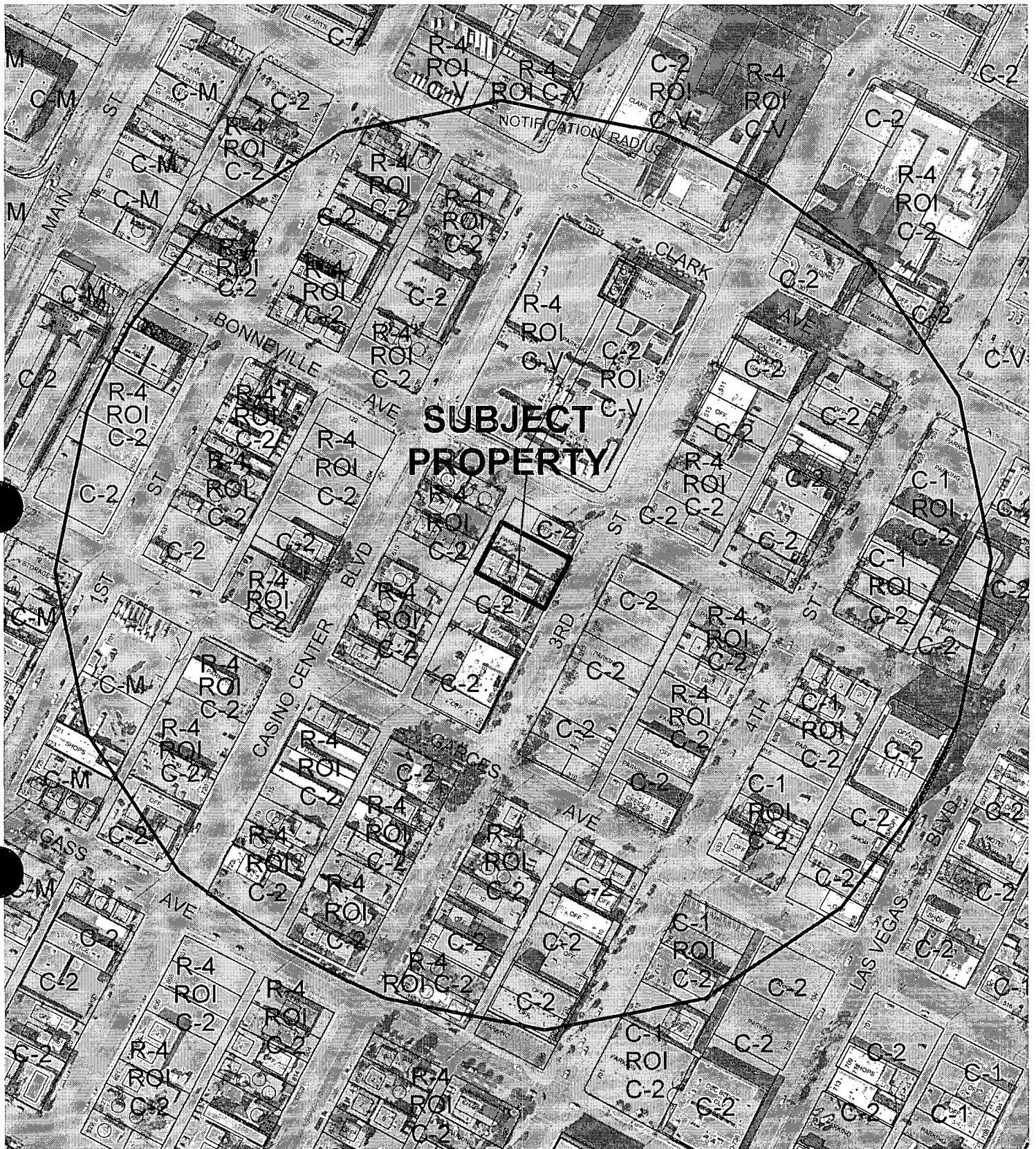
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 100 200 Feet





CASE: SUP-3712

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3712 - APPLICANT: CHURCH'S BAILBONDS, INC. -
OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/16/64 | The Board of City Commissioners approved a request (Z-0100-64) to reclassify property, including the subject site, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial). |
| 02/26/04 | The Planning Commission recommended approval of a related Site Development Plan Review (SDR-3713). |
| 02/26/04 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #30/cm). |

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 102 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Bonneville Center , LLC

Name of Applicant: Church's Bail Bonds , Inc

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

Yes ☒ 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: _____

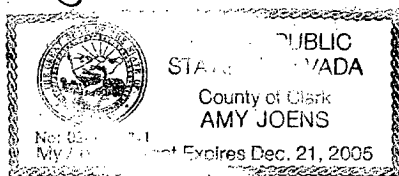
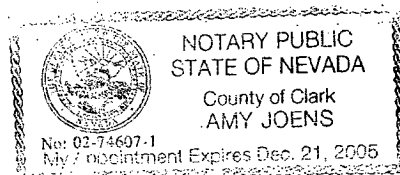
Signature of Property Owner/Authorized Agent:

Print Name:

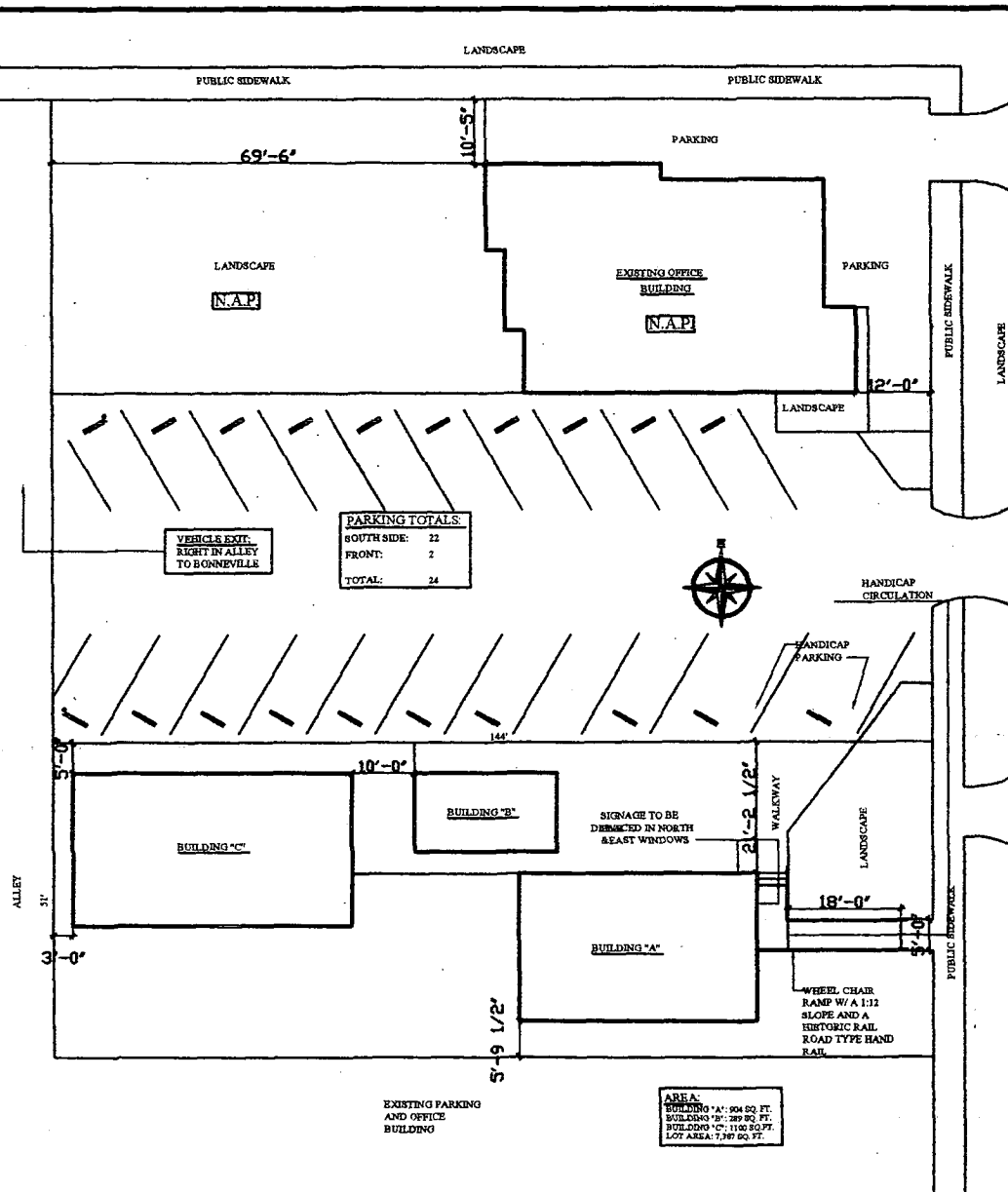
Subscribed and sworn before me

This 12 day of January, 2004

Notary Public in and for said County and State

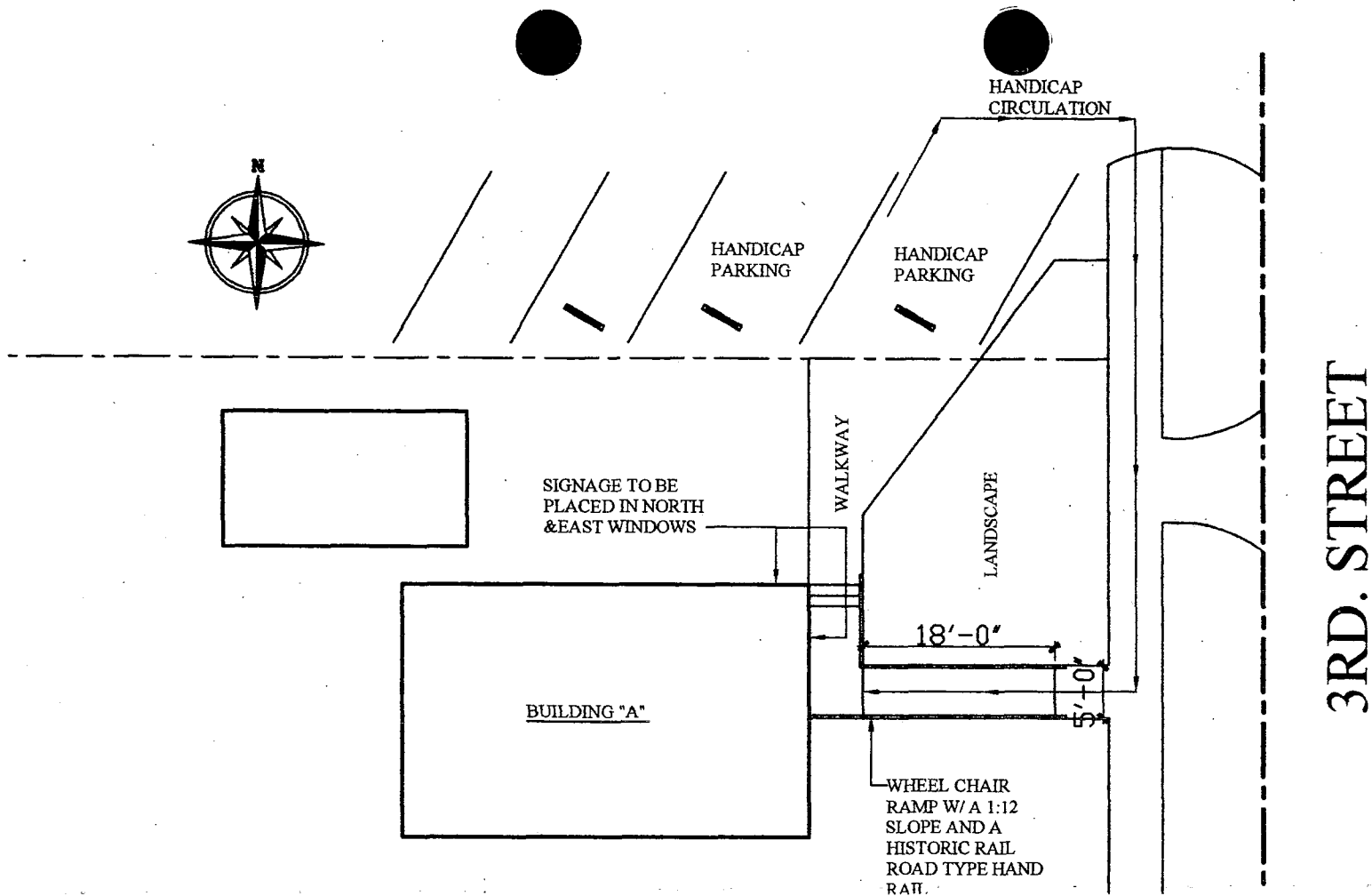


BONNEVILLE

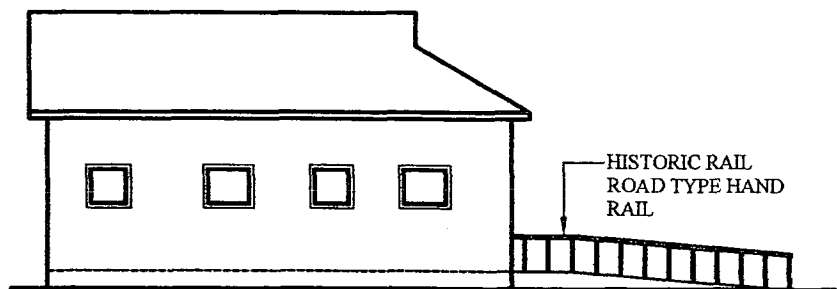


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2.13.04

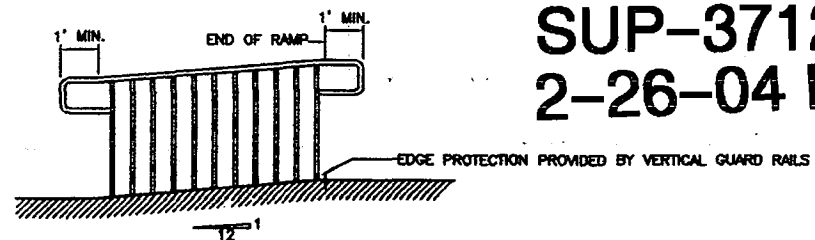
SUP-3712
2-26-04 PC



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



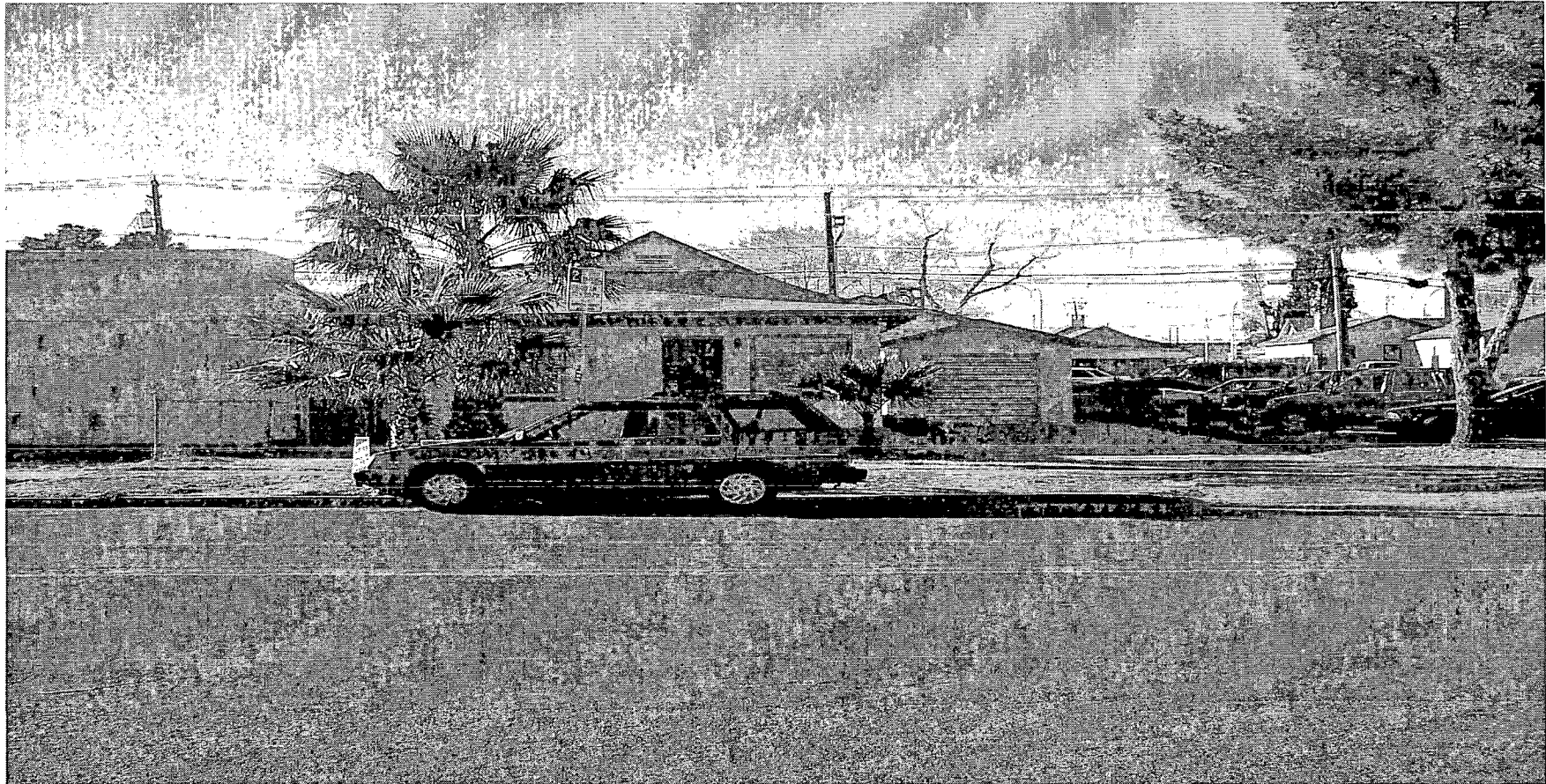
2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"



3 RAMP DETAIL
A1.0 NOT TO SCALE

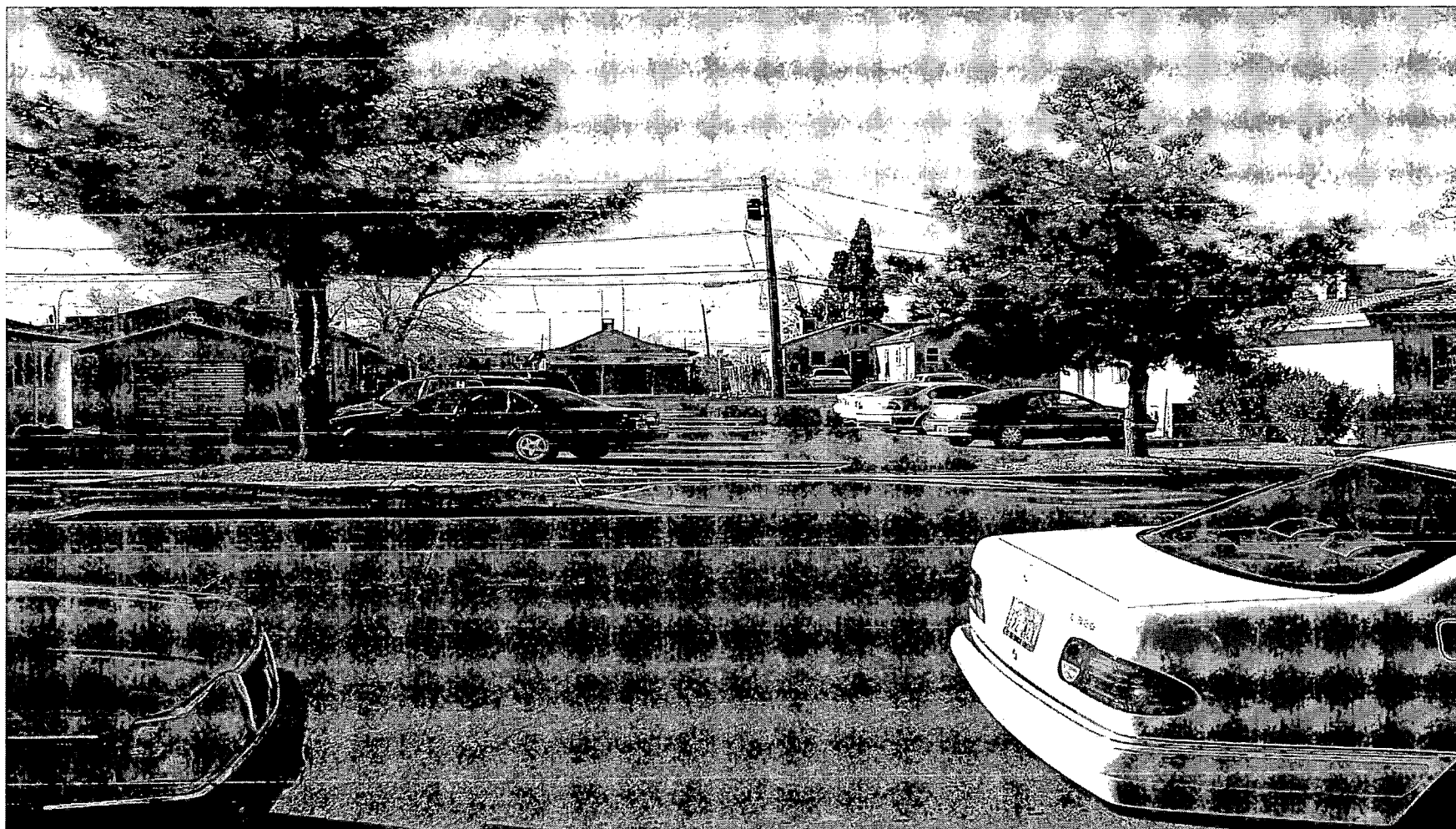
REVISED
7.13.04

SUP-3712
2-26-04 PC



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

2/9/04



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

2/9/04



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

2/9/04

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3712 - PUBLIC HEARING - SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Review FOR A PROPOSED BAILBOND OFFICE on 0.16 acres at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). 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 with GOODMAN abstaining in an abundance of caution as he is still owed money on property he sold across the street at Casino Center and Bonneville and L. B. McDONALD excused

MINUTES:

NOTE: See Item 166 [SUP-3712] for related discussion

(1:01 – 1:04)

3-94

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF MARCH 25, 2004
Planning and Development Department
Item 167 – SDR-3713

CONDITIONS – Continued:

3. A handicap access ramp shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a more compatible design in accordance with the historic nature of the building.
4. Parking lot lighting shall be limited to 30 feet in height. The lighting in the parking lot and attached to the buildings shall be positioned to prevent spill over onto adjacent property.
5. A plan designed to be in conformance with all Downtown Centennial Plan streetscape standards shall be submitted to the Planning and Development Department prior to the issuance of building permits.
6. The existing chain link fence shall be removed.

Public Works

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3713 - APPLICANT: CHURCH'S BAILBONDS, INC. -
OWNER: BONNEVILLE CENTER, 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, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein.
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Public Works

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8. Landscape and maintain all unimproved right-of-way on Third Street adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071.
9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Third Street public right-of-way adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071 prior to occupancy of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The Board of City Commissioners approved a request (Z-0100-64) to reclassify property, including the subject site, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 02/26/04 The Planning Commission recommended approval of a related Special Use Permit (SUP-3712).
- 02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/cm).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

PROJECT DESCRIPTION

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

The existing structures comply with all applicable development standards.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

A5) Sign Standards

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

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

- Landscape Plan

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

- Elevation

There will be no changes to the existing elevations.

- Floor Plan

There will be no changes to the existing floor plan.

FINDINGS

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

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

The existing buildings are compatible with the existing buildings on the property and with development in the immediate area.

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

The existing buildings with the new use are consistent with all code requirements.

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

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

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

The existing buildings and landscape are appropriate for the area.

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Conditions #5 and 6.

NOTICES MAILED 99 by Planning Department

APPROVALS 0

PROTESTS 0



LANDSCAPE

PUBLIC SIDEWALK

69'-6"

10'-5"

LANDSCAPE

N.A.P.

PARKING

EXISTING OFFICE BUILDING

N.A.P.

12'-0"

LANDSCAPE

PUBLIC SIDEWALK

LANDSCAPE

VEHICLE EXIT, RIGHT IN ALLEY TO BONNEYVILLE

PARKING TOTALS:

SOUTH SIDE:	22
FRONT:	2
TOTAL:	24

14'-0"

10'-0"

BUILDING "B"

BUILDING "C"

31'-0"

5'-0"

3'-0"

5'-9 1/2"

2'-2 1/2"

WALKWAY

LANDSCAPE

18'-0"

3'-0"

PUBLIC SIDEWALK

LANDSCAPE

WHEEL CHAIR RAMP W/ A 1:12 SLOPE AND A HISTORIC RAIL ROAD TYPE HAND RAIL

SIGNAGE TO BE DEMONSTRATED IN NORTH EAST WINDOWS

EXISTING PARKING AND OFFICE BUILDING

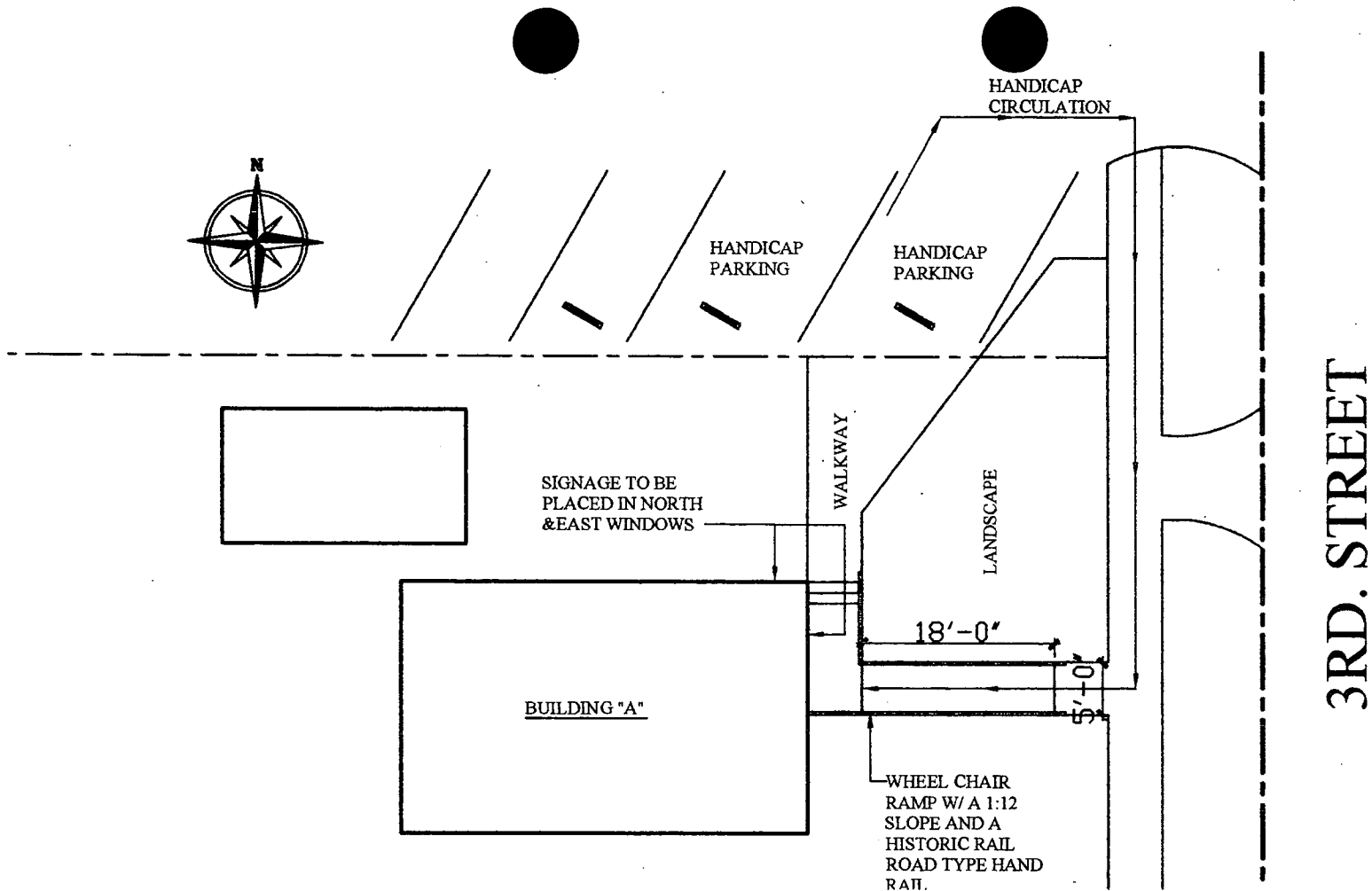
AREA:

BUILDING "A":	289 SQ. FT.
BUILDING "B":	204 SQ. FT.
BUILDING "C":	289 SQ. FT.
LOT AREA:	7,767 SQ. FT.

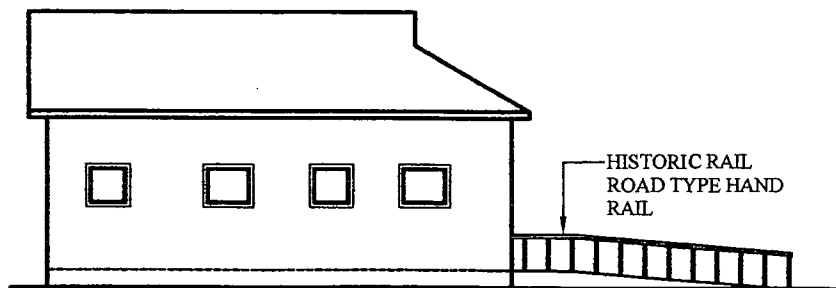
3RD. STREET

REVISED
7.13.04

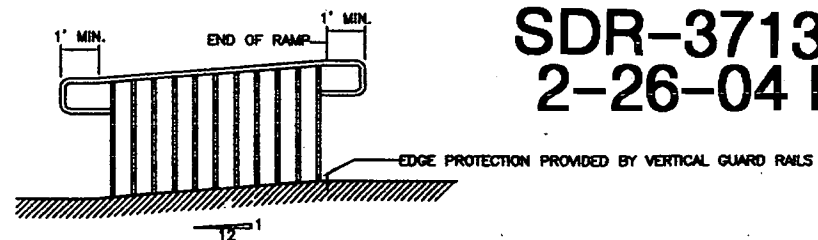
SDR-3713
2-26-04 PC



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

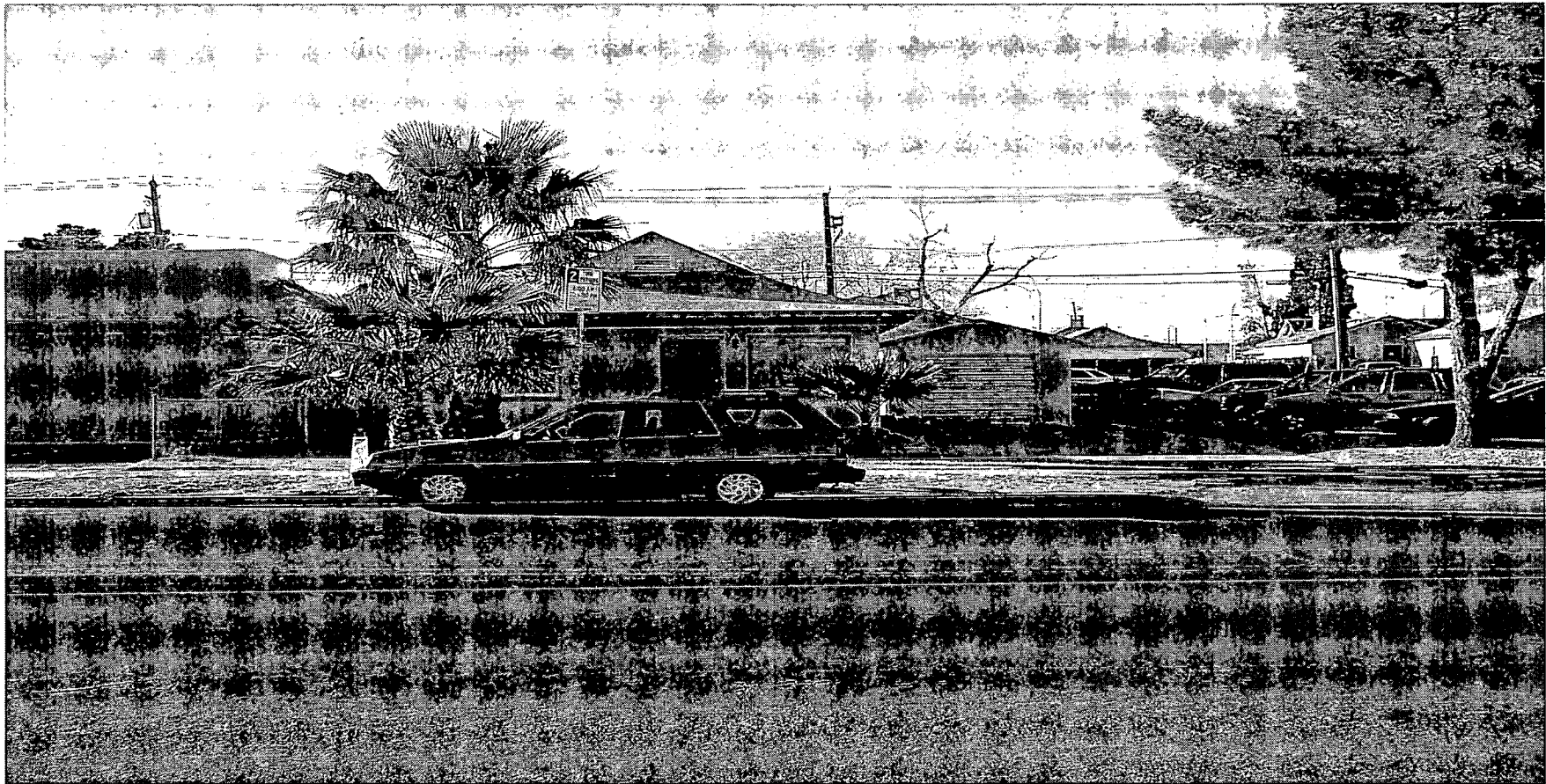


2 SOUTH ELEVATION
A1.0 SCALE: 1/16" = 1'-0"



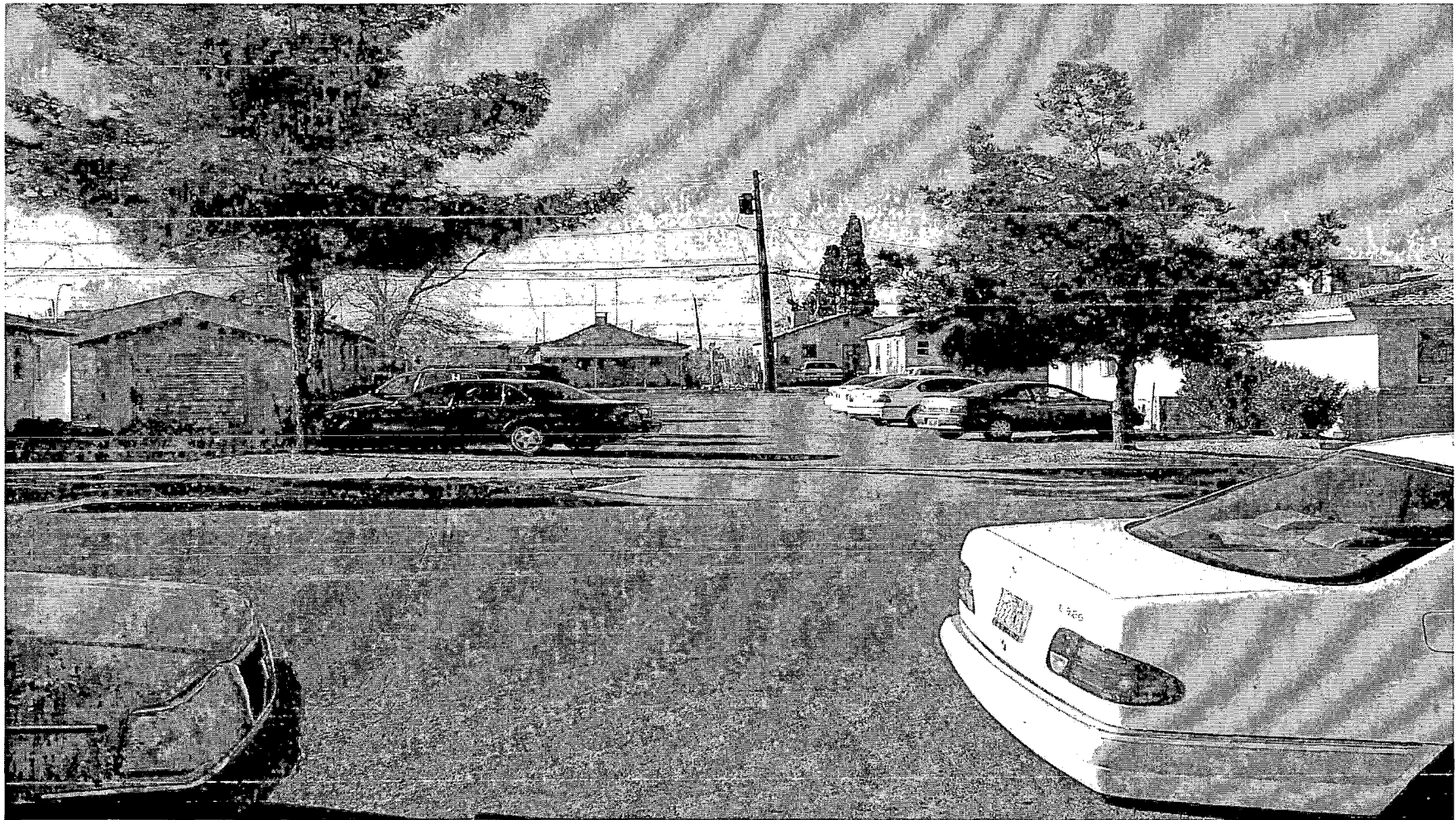
3 RAMP DETAIL
A1.0 NOT TO SCALE

REVISED
2.13.04
SDR-3713
2-26-04 PC



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

2/9/04



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

2/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND CHRISTINE ACCARDI - Request for a Special Use Permit FOR A BAILBOND SERVICE at 800 South Casino Center Boulevard (APN: 139-34-410-027), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Statement from Haaheo Leslie Andrade and payroll delivery receipt submitted by Mr. Accardi
5. Submitted at City Council – Photographs of delivery payroll package submitted by Mr. Deam

MOTION:

MONCRIEF – TABLED – UNANIMOUS with GOODMAN abstaining in an abundance of caution as he is still owed money on property he sold across the street at Casino Center and Bonneville

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MICHAEL ACCARDI, President of Bailbond America, 820 Casino Center, represented his application. He stated that he acquired the subject property in July 2003. He gave a brief summary of his business venture and the effect adjacent bailbond services had on his establishment. MR. ACCARDI noted that in his quest to obtain a special use permit, he experienced several drawbacks which he did not anticipate including site plans which he did not have available.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 168 – SUP-3729

MINUTES – Continued:

TIMOTHY DEAM, licensed bail bondsman, 726 South Casino Center, appeared in opposition. He stated that the applicant has conducted bail bonds services illegally and without a business license. He referenced documentation he submitted at the Planning Commission to be made a part of the record. Additionally, he submitted a copy of the payroll delivery receipt for MR. ACCARDI'S business.

MR. DEAM stated that to keep MR. ACCARDI from further conducting his bail bonds service illegally, he engaged the services of an informant, MIKE EVANS, to meet with MR. ACCARDI under the pretense of securing a bond. The entire transaction was video taped. MR. DEAN attributed his firm's decline in business to MR. ACCARDI'S practice of charging a lower percentage and further stated that he and his partner have received cash bribes from MR. ACCARDI.

TODD FARLOW, 240 North 19th Street, stated that when this item was brought before the Planning Commission, it was understood that JIM DIFIORE of Business Services would be contacted and further investigative research would be conducted. MR. FARLOW also expressed that many of these types of businesses make no effort to enhance the appearance of their establishments nor are they willing to invest money for adequate landscaping.

TOM MCGOWAN, 720 South Casino Center inquired as to the location of the Corporate Headquarters of Bailbonds America. MR. ACCARDI disclosed that there are offices in Las Vegas, Seattle, Denver and Orange County.

MR. ACCARDI denied all the allegations made by MR. DEAM. He stated that he obtained a signed testimony from the ADP delivery person who stated that she was approached by MR. DEAM, who then requested the payroll checks be released to him. Upon questioning by MAYOR PRO TEM REESE, MR. ACCARDI denied offering any bribes.

JIM DIFIORE, Office of Business Services, stated that MR. ACCARDI'S business has repeatedly been monitored. He also indicated that a few months ago, his inspectors with the intent to issue a citation, were refused entry to MR. ACCARDI'S business. MR. DIFIORE explained that a Summons and Complaint is currently pending in the City Attorney's Office against MR. ACCARDI for doing business without a license. MR. DIFIORE noted that the applicant had made a representation to the Planning Commission that he would cease all business transactions until such time as he obtained a license and a special use permit. MR. ACCARDI responded by denying he was conducting any bailbond transactions at 800 Casino Center.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 168 – SUP-3729

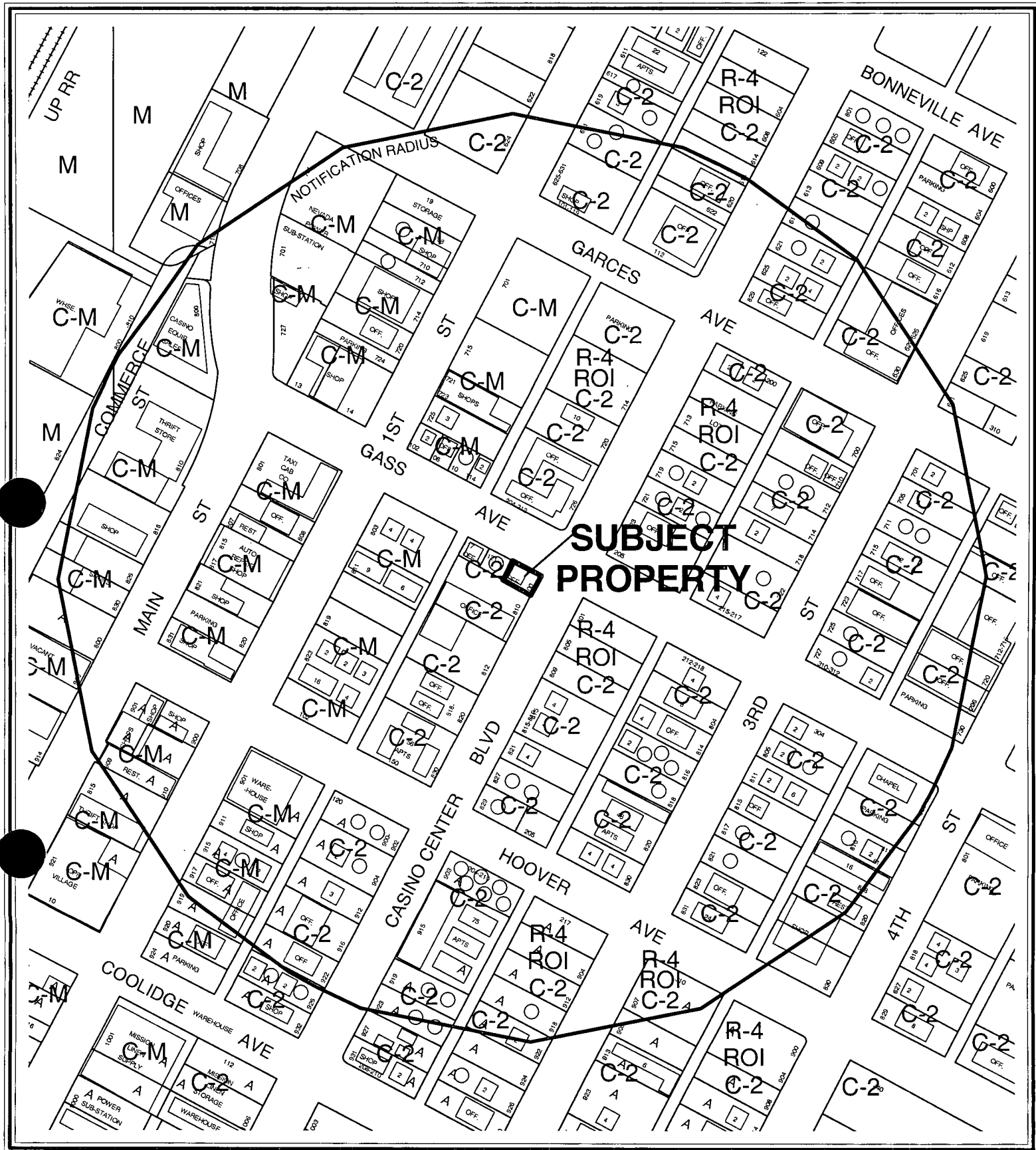
MINUTES – Continued:

COUNCILWOMAN MONCRIEF expressed concern about not being properly briefed on this matter especially with regard to the licensing aspect. DEPUTY CITY ATTORNEY BRYAN SCOTT asked whether it might not be feasible to hold this application until such time as the criminal action has taken place. COUNCILWOMAN MONCRIEF agreed and asked MR. ACCARDI to meet with her.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:42 – 3:02)

4-399



CASE: **SUP-3729**

RADIUS: 750 FT

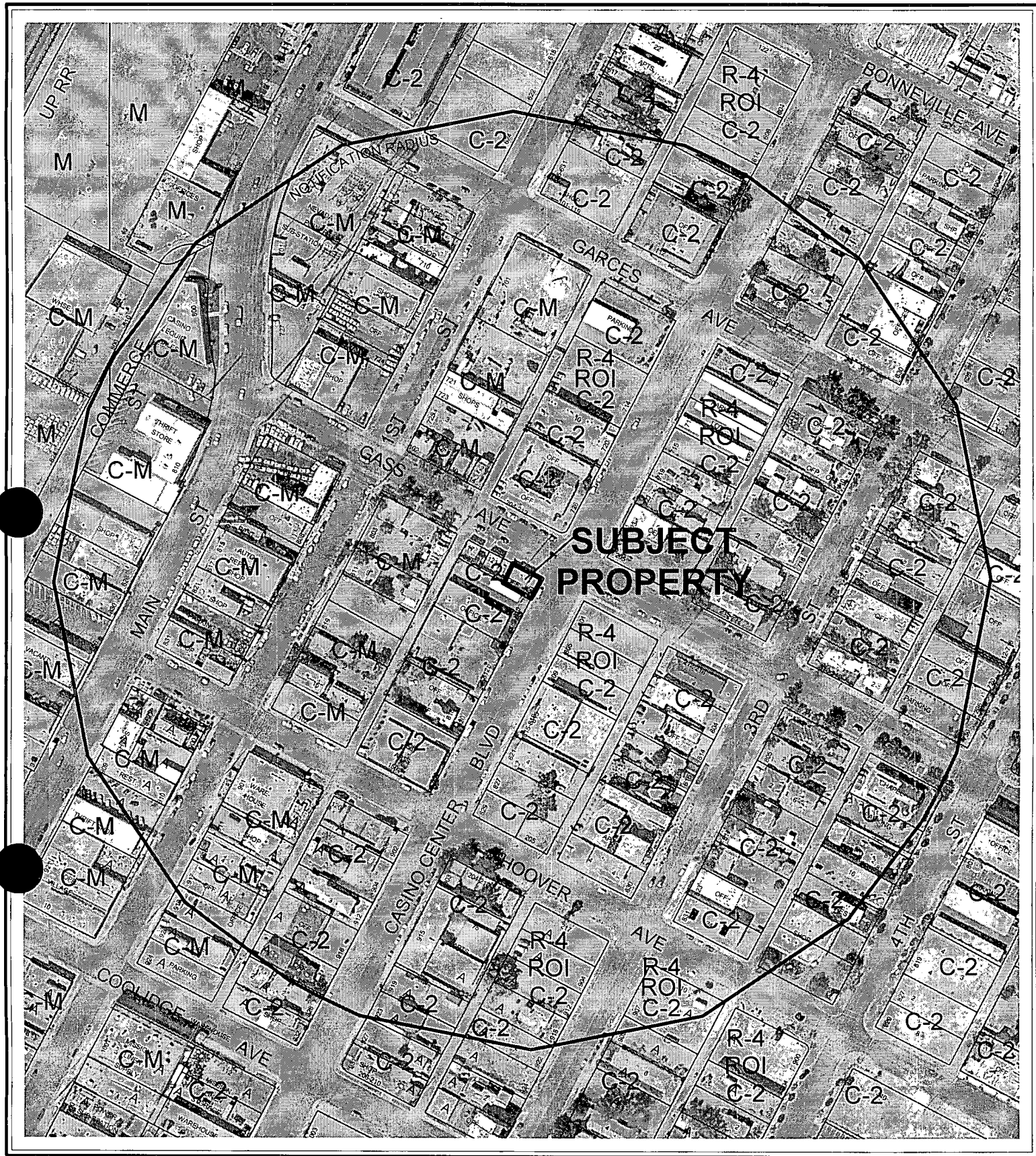
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 100 200 Feet



168





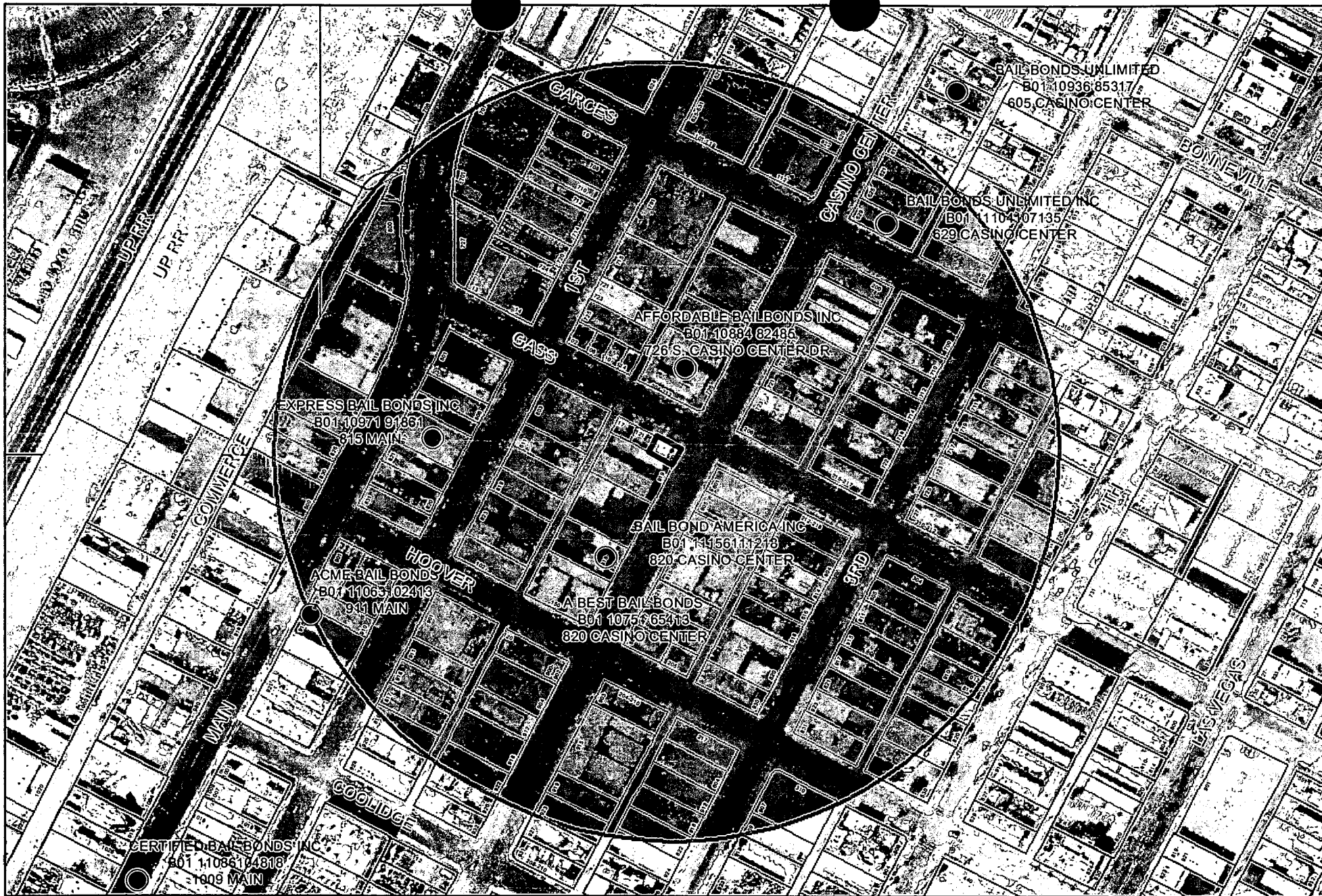
CASE: **SUP-3729**

RADIUS: 750 FT

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

0 100 200 Feet





SUP-3729

Business Licenses

● Bail Bond

□ Subject Property
○ 750 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. -
OWNER: MICHAEL AND CHRISTINE ACCARDI

**** CONDITIONS ****

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

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All signage proposed for the property shall be submitted to the Planning and Development Department for review and approval subject to consistency with Title 19.14 and the Downtown Centennial Plan.
4. The applicant shall meet with Planning and Development Department staff and provide revised landscaping plans and elevations that depict improvements to the site that are satisfactory to staff, prior to review of the application by City Council.

Public Works

5. Dedicate a 10 foot radius on the southwest corner of South Casino Center Boulevard and Gass Avenue prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
7. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for approval of a Special Use Permit for a Bailbond Service at 800 South Casino Center Boulevard.

B) *Applicant's Justification*

The applicant has noted that they already operate a Bailbond Service half a block away from the proposed location, and that no significant changes are proposed to the existing structure on the site.

BACKGROUND INFORMATION

A) *Previous Actions*

- 10/23/79 The Planning Commission approved a Plot Plan Review in order to permit the conversion of the residential structure on the property to an office.
- 03/11/04 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #11/ff).

B) *Pre-Application Meeting*

- 01/09/04 The applicant verified there was no changes proposed to the building or the property other than replacing the existing signage, and that off-site improvements might be required to be reconstructed in order to conform to code requirements.

C) *Neighborhood Meetings*

No neighborhood meeting was required as part of this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.04

B) *Existing Land Use*

Subject Property: Office Use
North: Office Use
South: Office Use
East: Undeveloped
West: Single-Family Residential Use, Office Use

C) Planned Land Use

Subject Property: Mixed Use
 North: Mixed Use
 South: Mixed Use
 East: Mixed Use
 West: Mixed Use

D) Existing Zoning

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

E) General Plan Compliance

The site is located within the boundaries of the Las Vegas Redevelopment Plan area and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of parking requirements. On-site parking will be provided as follows:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office Use	624 SF	1/300 GFA	2	1	2	0

Two parking spaces are currently developed on the property. Additional on-street parking is available immediately abutting the site. The site plan depicts the use of tandem parking spaces; the application as proposed does not meet the minimum standards listed in Title 19.10 for tandem parking spaces. Consequently, only two of the four parking spaces shown on the site plan may be counted in satisfying the parking requirement.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Bailbond Service use.

Title 19.04 does not list any specific standards that apply to the approval of a Special Use Permit for Bailbond Service uses.

B) *General Analysis and Discussion*

- Zoning

The subject parcel is zoned C-2 (General Commercial), which allows Bailbond Service uses upon approval of a Special Use Permit.

- Use

The proposed Bailbond Service will be relocated from its existing location at 820 South Casino Center Boulevard. The applicant has stated that most of the transactions are conducted by telephone, and that typically only one employee is on site at any time.

- Conditions

Title 19.04 does not list any minimum standards that must be satisfied in order to approve the Special Use Permit.

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 office use is compatible with the surrounding land uses and zoning districts.

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

The site is already developed, and is physically suitable for the low-intensity office use proposed for the site.

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

Gass Avenue and Casino Center Boulevard are both fully developed, and will provide adequate access to the 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."**

Approval of the Special Use Permit will not compromise public health, safety, or welfare.

PLANNING COMMISSION ACTION

There was considerable discussion on this case at Planning Commission. The owner purchased the property on September 4, 2003. He currently has a bailbond business license at 820 South Casino Center Boulevard issued July 3, 2003. The Planning Commission members were concerned regarding any bailbond activity at the subject address without this Special Use Permit. In addition, the Planning Commission requested elevations and landscape plans to be submitted prior to the City Council hearing.

NOTICES MAILED 111 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP 3729 APN: _____

Name of Property Owner: MICHAEL ACCARDI

Name of Applicant: BAIL BOND AMERICA, INC - MICHAEL ACCARDI

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): _____

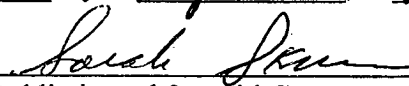
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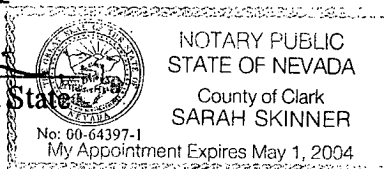
Signature of Property Owner/Authorized Agent: 

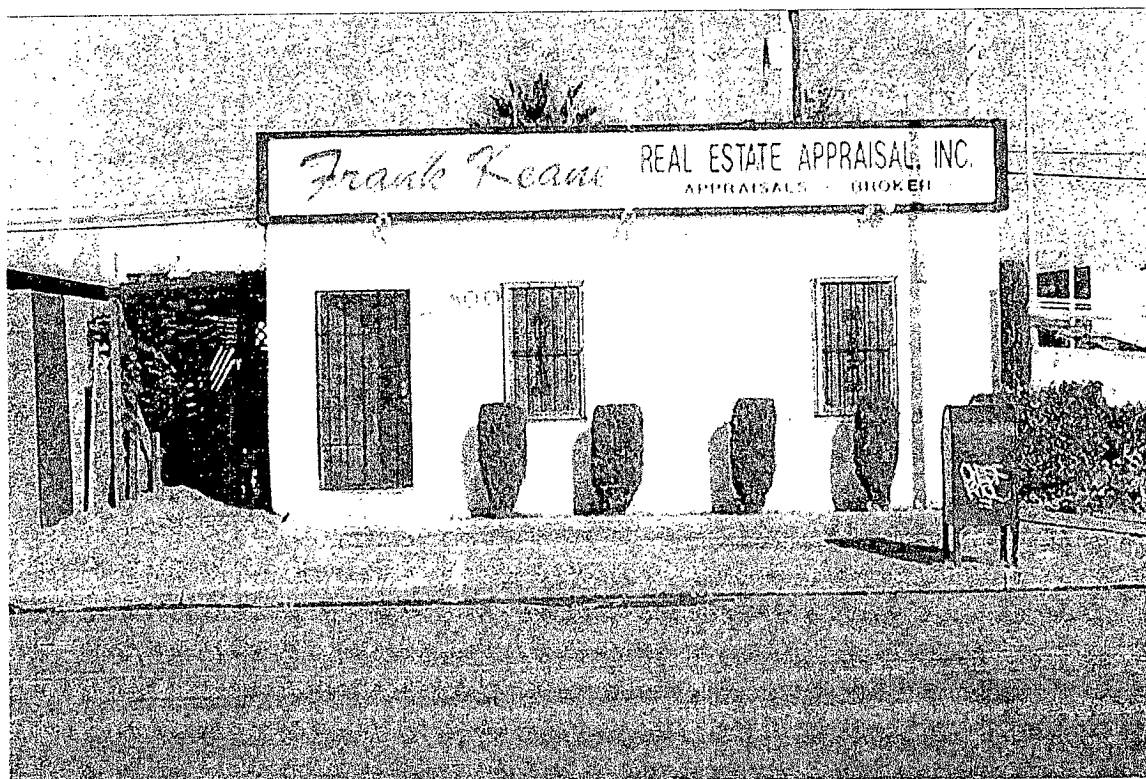
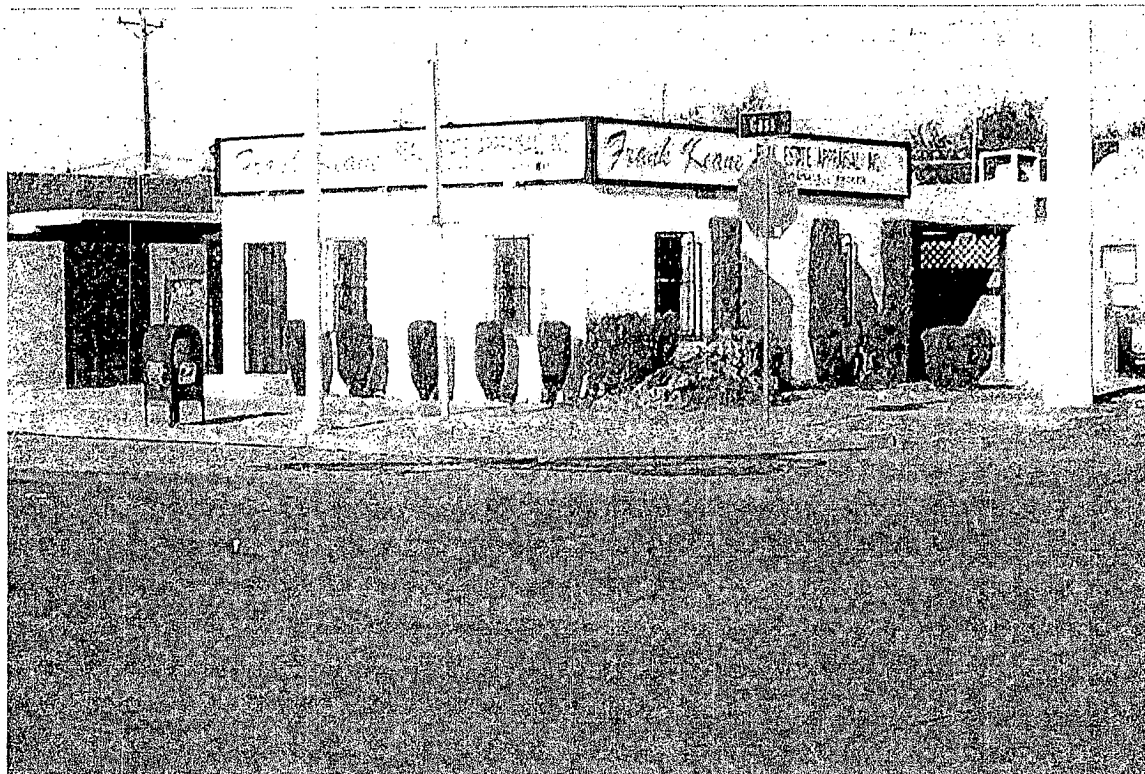
Print Name: Mr. Accardi

Subscribed and sworn before me

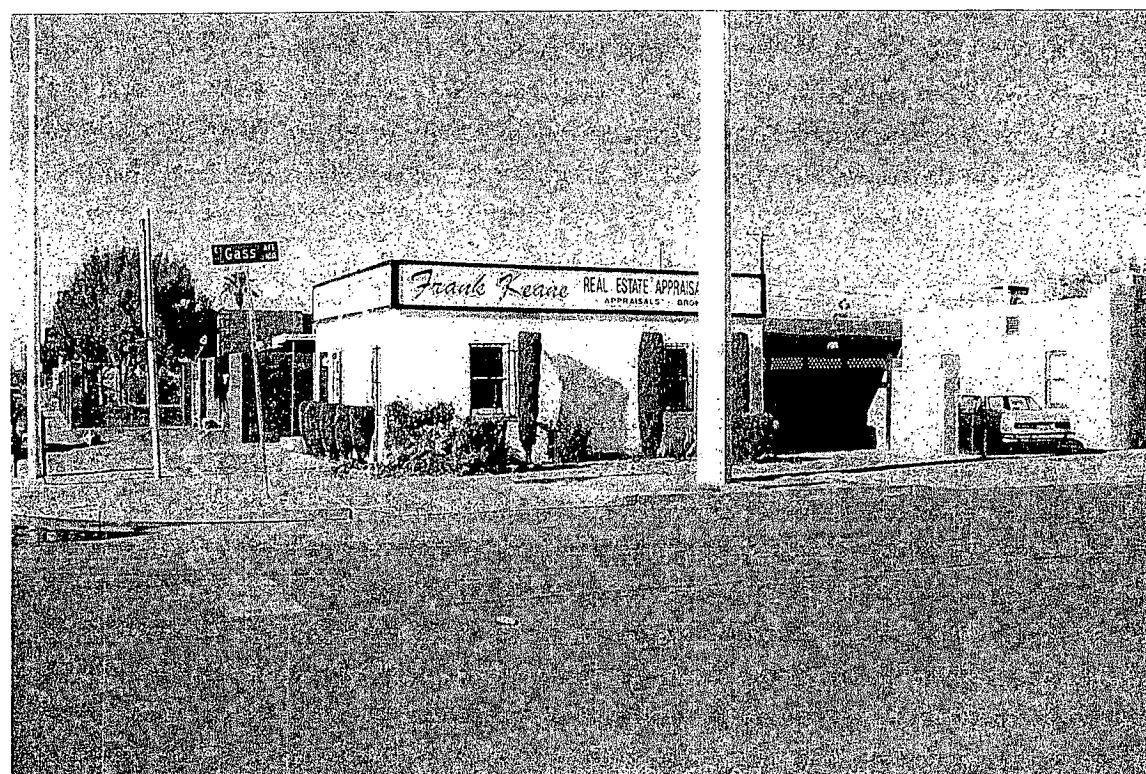
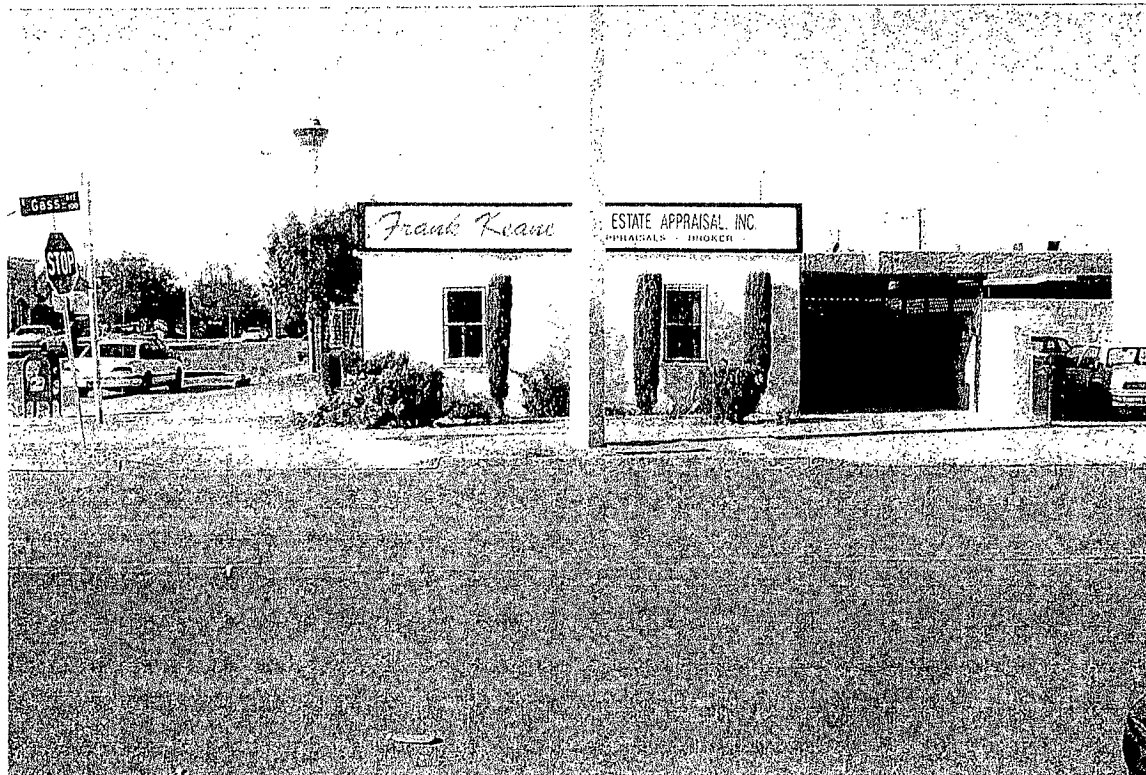
This 28 day of August, 2003


Notary Public in and for said County and State

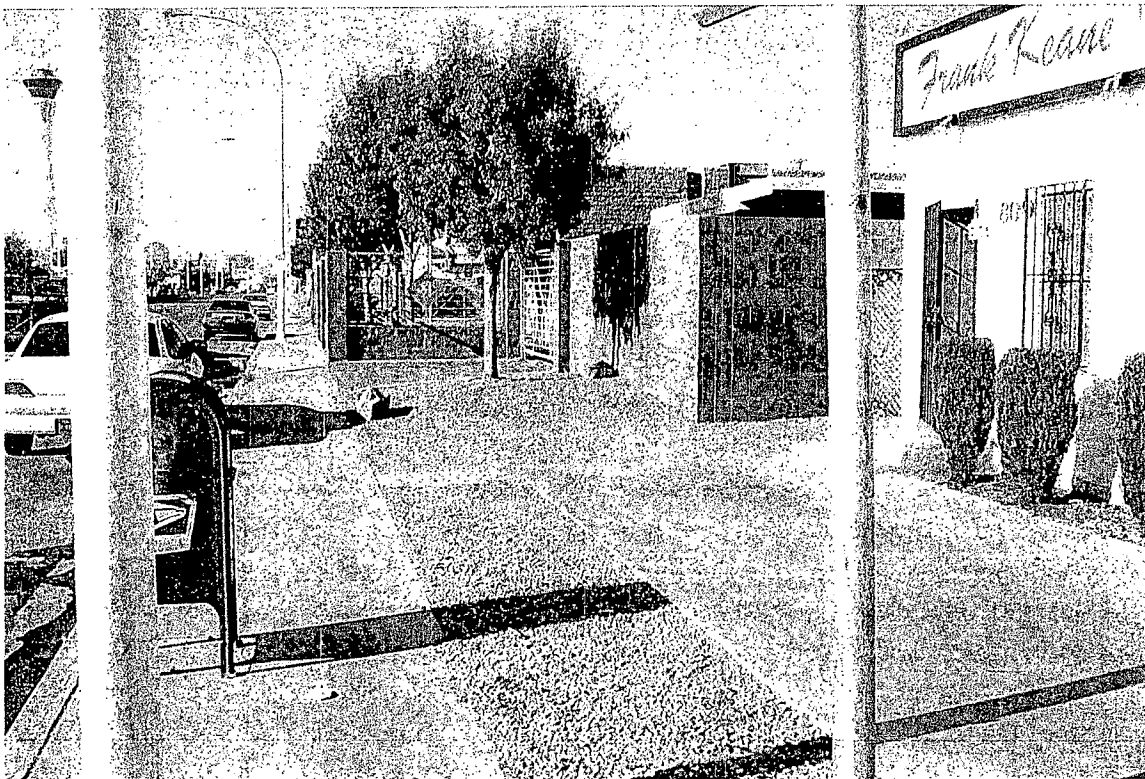




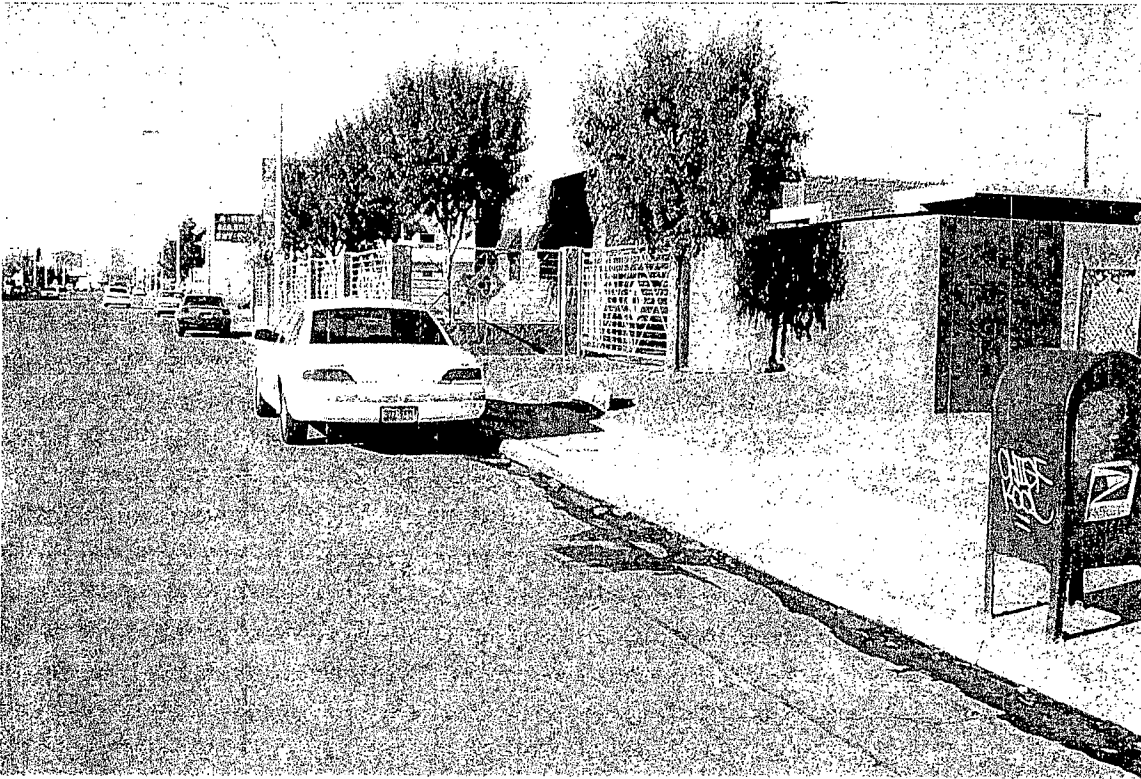
SUP-3729
03-11-04 PC



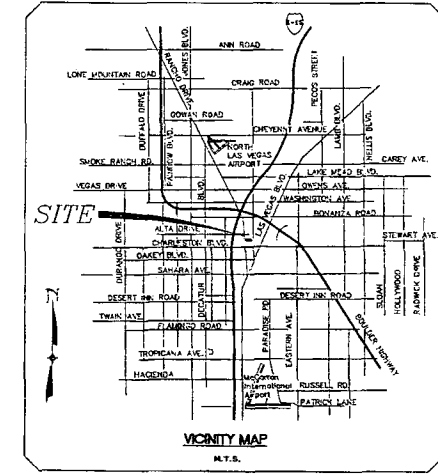
SUP-3729
03-11-04 PC

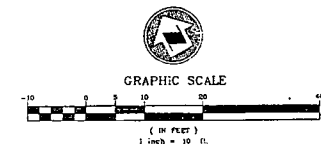
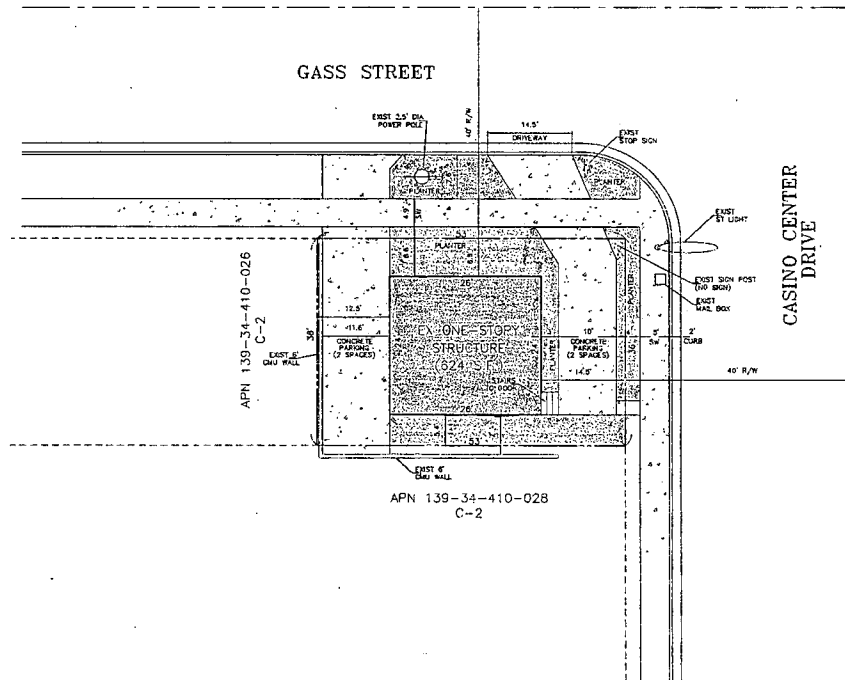


SUP-3729
03-11-04 PC



SUP-3729
03-11-04 PC





Call before you dig
1-800-227-2600
NEVADA STATE DEPT. OF TRANSPORTATION

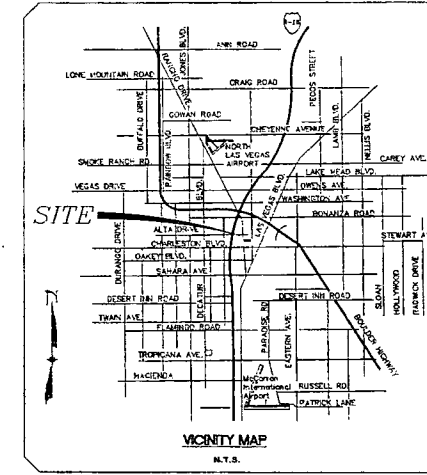


UTILITY NOTE
UTILITY LOCATIONS SHOWN HEREON ARE BASED ON RECORD DRAWINGS. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES PRIOR TO ANY CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES PRIOR TO ANY CONSTRUCTION.

LEGEND AND ABBREVIATIONS
 --- STREET CENTERLINE
 --- PROPERTY LINE
 --- SIDEWALK
 SW SIDEWALK
 EX OR FIRST EXISTING
 R/W RIGHT-OF-WAY

PROPERTY INFORMATION
 APN 139-34-410-027
 CURRENT ZONING = C-2
 ON-SITE PARKING = 4 SPACES (TYPICAL)
 BUILDING AREA = 624 S.F.
 LAND AREA = 1808 S.F.

LEGAL DESCRIPTION
 A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 41 EAST, N.M.S., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



SUMMIT
 ENGINEERING
 CORPORATION
 400 S. BUNKER ROAD, SUITE 100, LAS VEGAS, NEVADA 89106
 PHONE (702) 252-2500 FAX (702) 252-2507

DESIGNED: GOR	CHECKED: A.J.H.	SCALE: 1"=10'	DATE: 07/11/04
DRAWN: GOR	IN CHARGE: A.J.H.	FILE NO.	

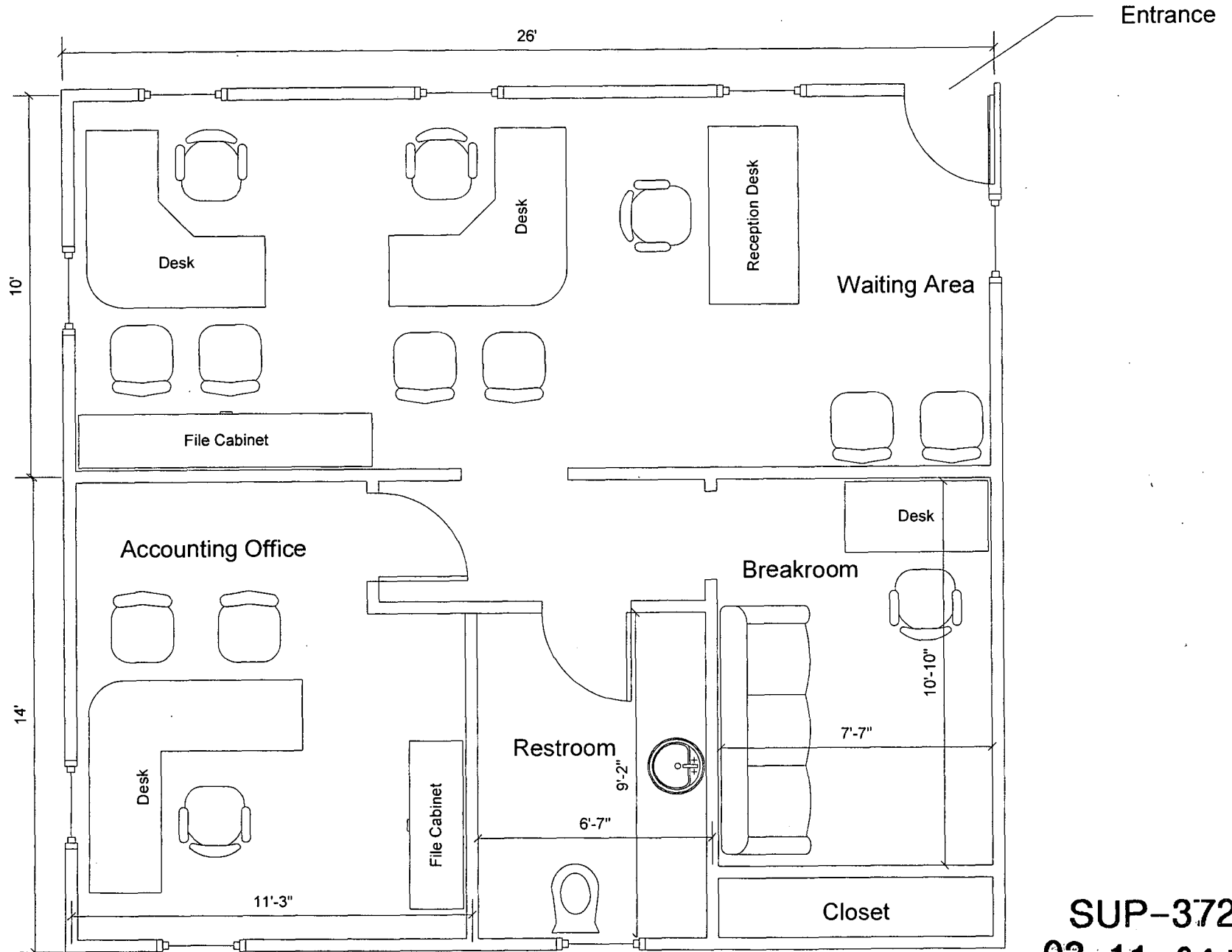
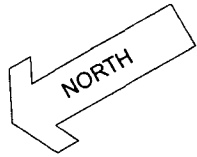
800 S. CASINO CENTER DRIVE
 SITE PLAN
 APN 139-34-410-027
 CITY OF LAS VEGAS

REV.	DATE	DESCRIPTION	BY	APPD.

SHEET
 C1
 1

SUP-3729
 03-11-04 PC

Casino Center, Las Vegas,
Floor Plan



SUP-3729
03-11-04 PC



SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND CHRISTINE
ACCARDI
800 SOUTH CASINO CENTER BOULEVARD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

STATEMENT
OF
HAAHEO LESLIE ANDRADE

On April 7, 2004, I was attempting to deliver a overnight envelope to Bail Bond America, Inc. at 800 Casino Center Blvd, Las Vegas, NV. I knocked several times. It seemed to be closed. The envelope contains their ADP Payroll, which I deliver every other Wednesday. As I was leaving the office I was approached by Tim Deam of Affordable Bail Bonds. I'm familiar with Tim & Chris as I delivered the same type of envelopes from ADP Payroll in the past, but stopped when I thought they went out of business. Tim questioned if anyone was there and I stated no. Tim stated they were probably in a "hearing" and he would take the envelope. After Tim signed my Trip Sheet I gave it to him with hesitation. He took the envelope and got into his grey Dodge truck and then drove away.

This statement is true and correct.



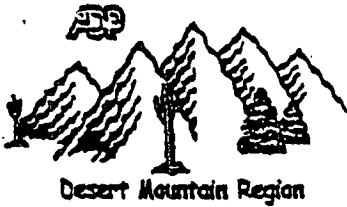
Haaheo Leslie Andrade

4-7-04

1:14 PM

Submitted at City Council

Date 4/7/04 Item #168



UNSCHEDULED ITEMS

DRIVER: H. LESLIE ANDRAVE

DATE: 4-7-04

ROUTE #: 46

WEEK #: 15

TOTAL STOPS: _____

CO CODE	COMPANY NAME	SIGNATURE	TIME
☒ AP ☒ EP BV3	AMER	☒ PR ☐ MGMT RPT ☐ MISC <i>S. Jones</i>	830
☒ AP ☒ EP BVK	PER	☒ PR ☐ MGMT RPT ☐ MISC <i>Jerry Freeman</i>	835
☒ AP ☒ EP FHD	WINNER	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	840
☒ AP ☒ EP PWB	HNR	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	845
☒ AP ☒ EP PPR	BAIL	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature] TIM</i>	850
☒ AP ☒ EP DDS	WHOLESALE	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	855
☒ AP ☒ EP GJR	#872	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	900
☒ AP ☒ EP LGA	CWMS	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	905
☒ AP ☒ EP HRQ	A COOK	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature] under mat</i>	930
☒ AP ☒ EP QSE	W BRIGHT	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature] mail plot</i>	940
☒ AP ☒ EP QMH	SIZZLERS	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	955
☒ AP ☒ EP Dwy	PRETZEL	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	1000
☒ AP ☒ EP M79	MRS PIELER	☒ PR ☐ MGMT RPT ☐ MISC <i>[Signature]</i>	1005

DP
STAY

First
Class
Mail

Solutions for Small Businesses

Thank You

Appreciate
business!

PPR		
		
DEL CTR 0073	PROC CTR 0610	
METHOD	TRIP	SECTO
TR	046	
DATE	DAY	TIME
4/07/2004	Wed	0000
PPR 702-384-9111		
ATTN: DONNA OR BOB		
BAIL BOND AMERICA INC		
800 CASINO CENTER DR		
LAS VEGAS	NV	89101

Attention:
Payroll Department:

Submitted at City Council
Date 4/9/04 Item #168

PPR



0073

METHOD

TR

TR

046

DATE

DAY

TIME

4/07/2004

Wed

0000

PPR

702-384-8111

ATTN: DONNA OR BOB
BAIL BOND AMERICA INC

800 CASINO CENTER DR

LAS VEGAS

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 - PUBLIC HEARING - SUP-3746 - APPLICANT: JEFFREY CAMPBELL - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC. - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 2101 North Rainbow Boulevard, Suite 102 (APN: 138-22-603-001), C-1 (Limited Commercial) Zone, 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
4. Submitted after final agenda – Protest letter from Warren Lam

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

NOTE: COUNCILMAN MACK disclosed that Timbers Bar & Grill is located on the opposite side of Rainbow Boulevard and is owned by his brother-in-law, ANDREW DONNER. He did not believe this application would have any affect on his business and would vote on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JEFFREY CAMPBELL, the applicant, concurred with staff recommendations and conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:27 – 2:28)

4-626

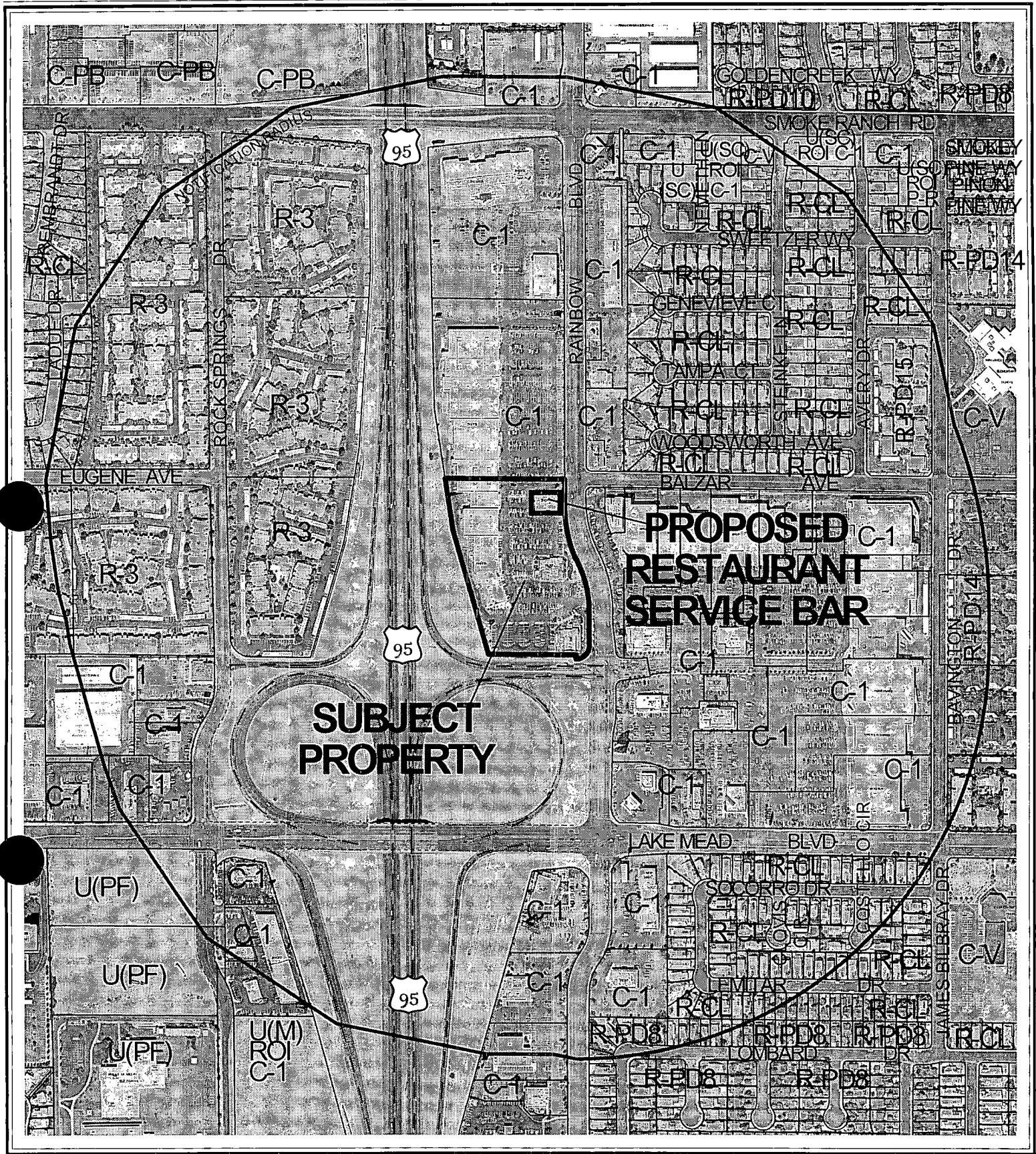
CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 169 – SUP-3746

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0100-87(7) and Z-0174-94(1)] and all subsequent site-related actions.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Conformance to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied.





CASE: SUP-3746

RADIUS: 1500 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3746 - APPLICANT: JEFFREY CAMPBELL - OWNER:
PAN PACIFIC RETAIL PROPERTIES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0100-87(7) and Z-0174-94(1)] and all subsequent site-related actions.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Conformance to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for a proposed Restaurant Service Bar at 2101 North Rainbow Boulevard, Suite 102 (Southern Comfort Café).

B) Applicant's Justification

The proposed restaurant would be replacing another eating establishment; therefore, no additional parking would be required. The Restaurant Service Bar use will meet the required 400-foot separation distance from protected uses, and beer and wine will only be served to customers as part of a meal.

BACKGROUND INFORMATION

A) Previous Actions

- 11/18/87 The City Council approved a request for a Rezoning (Z-0100-87) from N-U (Non-Urban) with a portion under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 25.8 acres on the west side of Lorenzi [Rainbow] Boulevard, between Lake Mead Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval on 10/27/87.
- 11/16/94 The City Council approved a fifth Extension of Time [Z-0100-87(5)] on the Rezoning to C-1 (Limited Commercial). The Planning Commission and staff recommended approval on 10/27/94.
- 02/15/95 The City Council approved a request for a Rezoning (Z-0174-94) from N-U (Non-Urban) to C-1 (Limited Commercial) on 7.41 acres adjacent to the southwest corner of Rainbow Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval on 01/26/95.
- 08/10/95 The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0100-87(7) and Z-0174-94(1)] for a proposed 227,276 square foot commercial shopping center on 20 acres adjacent to the southwest corner of Rainbow Boulevard and Smoke Ranch Road. Staff recommended approval.
- 06/19/96 The City Council approved a Special Use Permit (U-0031-96) for a Tavern and a Waiver of the 1,500-foot minimum distance separation from proposed and existing taverns, in conjunction with a proposed restaurant (Chili's Bar & Grill) on

the subject site. The City Council also approved a Special Use Permit (U-0032-96) for a Tavern and a Waiver of the 1,500-foot minimum distance separation from proposed and existing taverns, in conjunction with a proposed restaurant (Romano's Macaroni Grill). The Board of Zoning Adjustment recommended approval on 05/28/96.

- 02/20/02 The City Council approved a Special Use Permit (U-0150-01) for a Restaurant Service Bar in conjunction with an existing restaurant (Da Franco Ristorante) located at 2101 North Rainbow Boulevard, Suite 101. Staff recommended approval. The Planning Commission and staff recommended approval on 01/10/02.
- 03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #12/ss).

B) Pre-Application Meeting

- 01/12/04 The applicant requested a tavern use on this site; however, because a tavern and a school already exist within 1,500 feet of the subject property and are not separated from the subject property by at least a 100-foot right-of-way, the distance separation requirement cannot be waived. It was decided that a Restaurant Service Bar use would be appropriate for the site. Parking was not determined to be an issue, as the suite was formerly occupied by an eating establishment, a similar use.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 7.14 (20.03 net acres on overall site)

B) Existing Land Use

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

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: Right-of-Way
East: SC (Service Commercial)
West: Right-of-Way

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: Right-of-Way
East: C-1 (Limited Commercial)
West: Right-of-Way

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use category allows low to medium intensity retail, office 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) zoning district is consistent with this category, and the proposed Restaurant Service Bar is a permitted use in the C-1 (Limited Commercial) district with the approval of a Special Use Permit.

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

No special districts, zones, or studies are associated with the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant/Bar	2,000 SF (900 SF public)	1/50 SF GFA public seating and waiting area; 1/200 SF GFA thereafter	23	1	1,393	Not provided

The entire 20-acre shopping center provides 1,393 parking spaces. Parking is shared across parcel lines; therefore, the number of parking spaces provided will greatly exceed the number required for the proposed restaurant. The number of parking spaces required for the overall shopping center site will be unaffected, as the proposed restaurant would be replacing a previous restaurant use.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Restaurant Service Bar	Property must be located 400 Feet from any church, synagogue, school, child care facility (13+ children), or City park	Property located greater than 400 feet from protected properties

No restaurant service bar business use is to be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park. There are no protected uses within the required 400-foot distance separation radius.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). A Restaurant Service Bar is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

A Restaurant Service Bar is defined as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in

connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption. The submitted floor plan depicts a 906 square foot tenant space located within an existing building approved under Site Development Plan Review [Z-0100-87(7) and Z-0174-94(1)]. This floor plan appears to meet the provisions of the Restaurant Service Bar definition, as there is no separate public bar area depicted. The applicant's justification letter explains that the proposed restaurant will serve alcoholic beverages only in conjunction with a meal.

- Conditions

Per Title 19.04.050, base conditions shall be met prior to approval of the Special Use Permit. They include meeting the 400-foot distance separation requirement from protected properties, how this distance is measured, and conformance to the provisions of Chapter 6.50 of the Las Vegas Municipal Code regarding the license of alcoholic beverages.

FINDINGS

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

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

The proposed Restaurant Service Bar is situated within an existing building located within an established retail center and is adequately buffered from residential uses to the northeast. There are no protected uses within 400 feet of the proposed Restaurant Service Bar. As the previous use in this suite was also an eating establishment, parking requirements remain unchanged.

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

The retail center in which the proposed restaurant is located will provide an adequate number of parking spaces to accommodate the Restaurant Service Bar use in addition to the other uses currently onsite.

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

Access to the site is via Rainbow Boulevard, designated as an 80-foot wide Secondary Collector on the Master Plan of Streets and Highways. (The portion of Rainbow Boulevard in the vicinity of the subject site is wider than 80 feet.) This street will adequately serve the proposed Restaurant Service Bar Use.

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

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

NOTICES MAILED 505 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3746 APN: 138-22-605-001

Name of Property Owner: Fay Vredic

Name of Applicant: Jeffrey Campbell

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: Sandra Khanejal

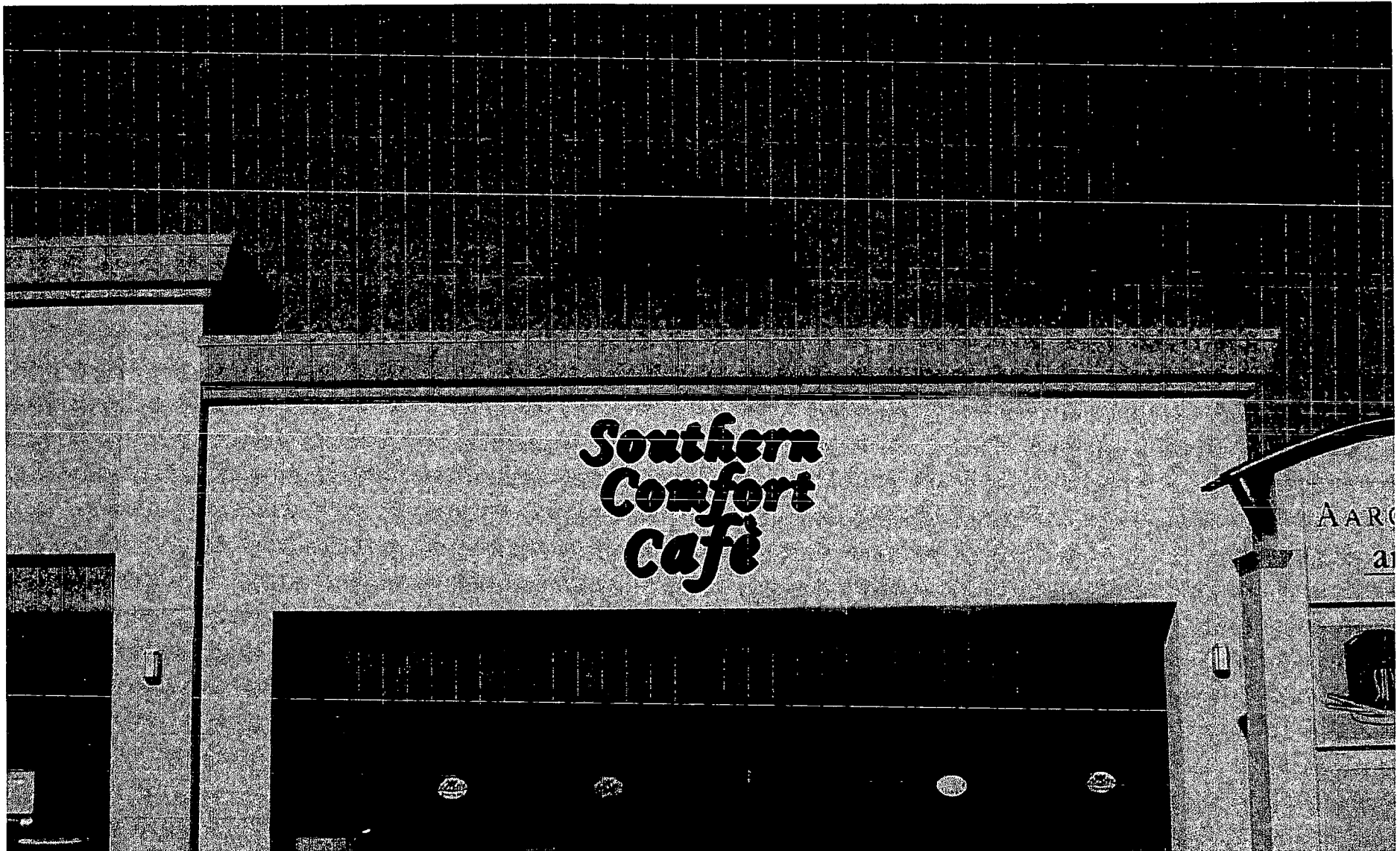
Print Name: Brenda Thaneppinn

Subscribed and sworn before me

This 6th day of January, 2004

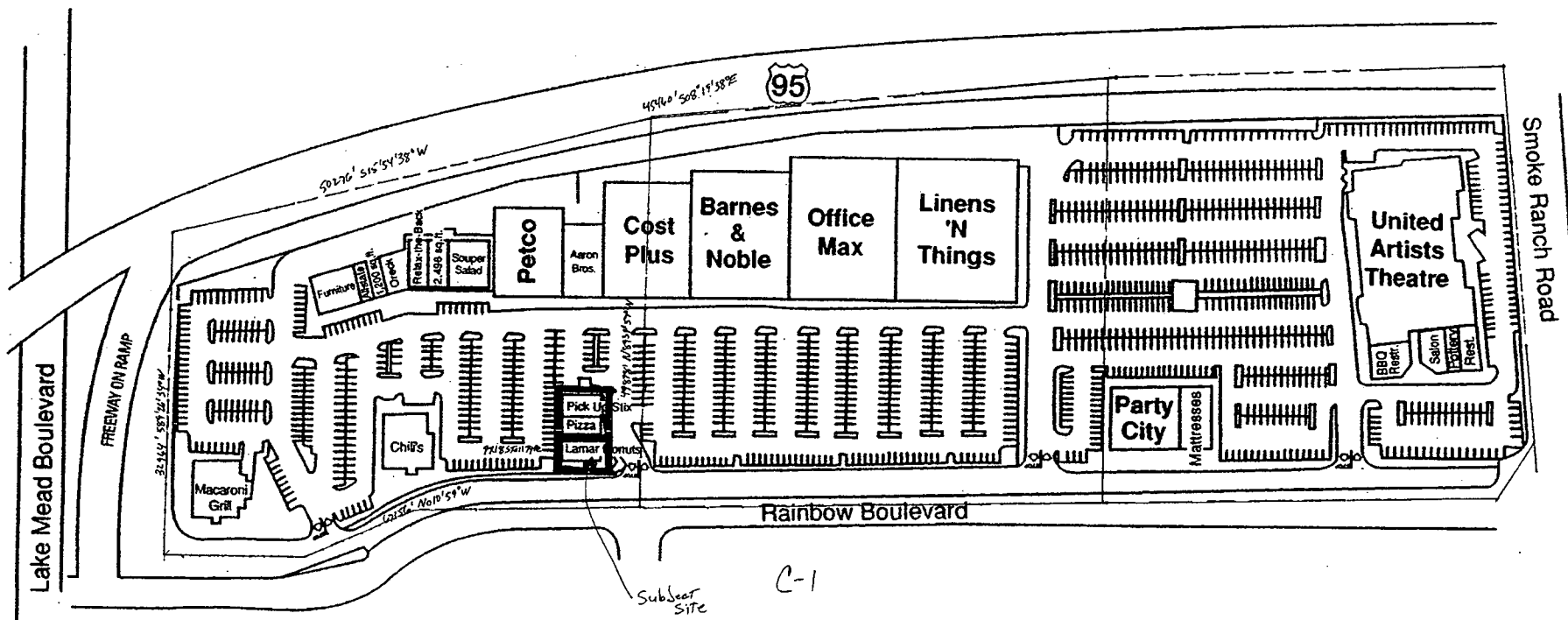
Heath Gamber
Notary Public in and for said County and State





SUP-3746
03-11-04 PC

R-3

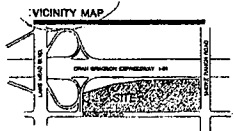


C-1

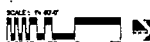
C-1

Land Area
 Parking Provided
 Parking Required
 Building Size
 Sublot Size

(2.234 AC Gross)
 376,974 SF
 1393 STALLS 594/ROOSE
 (1:50 SEATING/WAITING = 20)
 25 STALLS (Remaining 64 = 25)
 5600 SF
 2000 SF



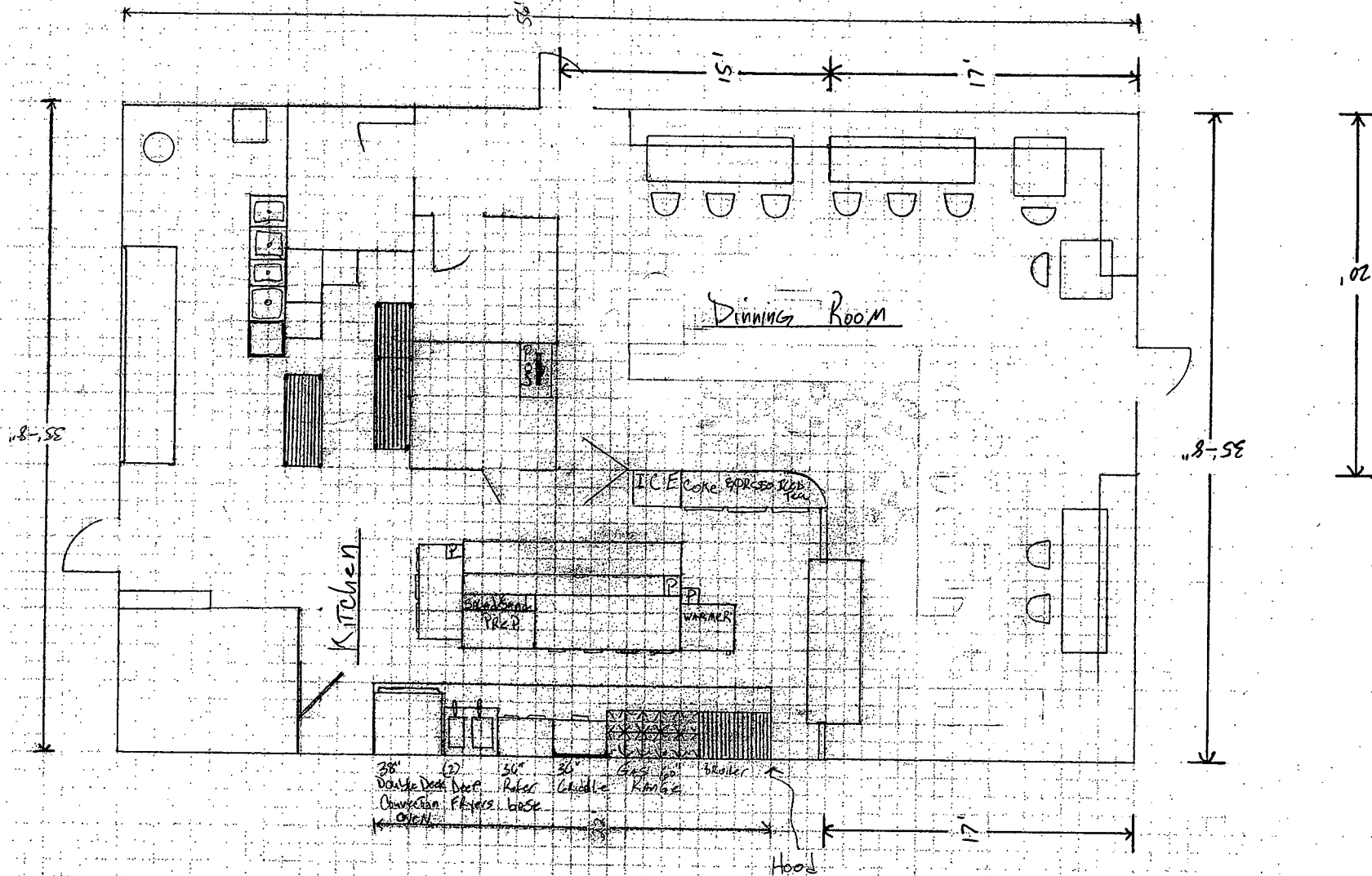
COMMERCIAL PROJECT
 HWY OF RAINBOW BLVD/LAKE MEAD BLVD
 LAS VEGAS, NEVADA



SUP-3746
 03-11-04 PC

CITE DI ANI

TOTAL SP 900 SF



SUP-3746
03-11-04 PC



SUP-3746 - APPLICANT: JEFFREY CAMPBELL - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC.
2101 NORTH RAINBOW BOULEVARD
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

April 1, 2004

Dear Mrs. Barbara Jo Ronemus,

I'm writing regarding to your letter I received about sup-3746.

I do not wish for Jeffery Campbell to sell his wine for low prices around this area. I will only okay with him building his restaurant service bar there if he sold wine for higher prices

Sincerely,

Warren Lam.

WARREN LAM
6597 LEMITAR AV
LV NV 89108

RECEIVED
CITY CLERK

2004 APR -2 P 1:59

Protest

Submitted after final agenda

Date 4/2/04 Item #169

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 - PUBLIC HEARING - SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 1426 East Charleston Boulevard, Suite 110 (APN: 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Express Cash and Loans
5. Back up referenced from the 3/11/2004 Planning Commission meeting Item 54
6. Submitted after final agenda – Abeyance request by Susan Rodriguez
7. Submitted after final agenda – Support letters from Emilia Aguilar and Alyca Tanner and Alvaro Rojas
8. Submitted after final agenda – Protest letter from Cindy E. Quintero

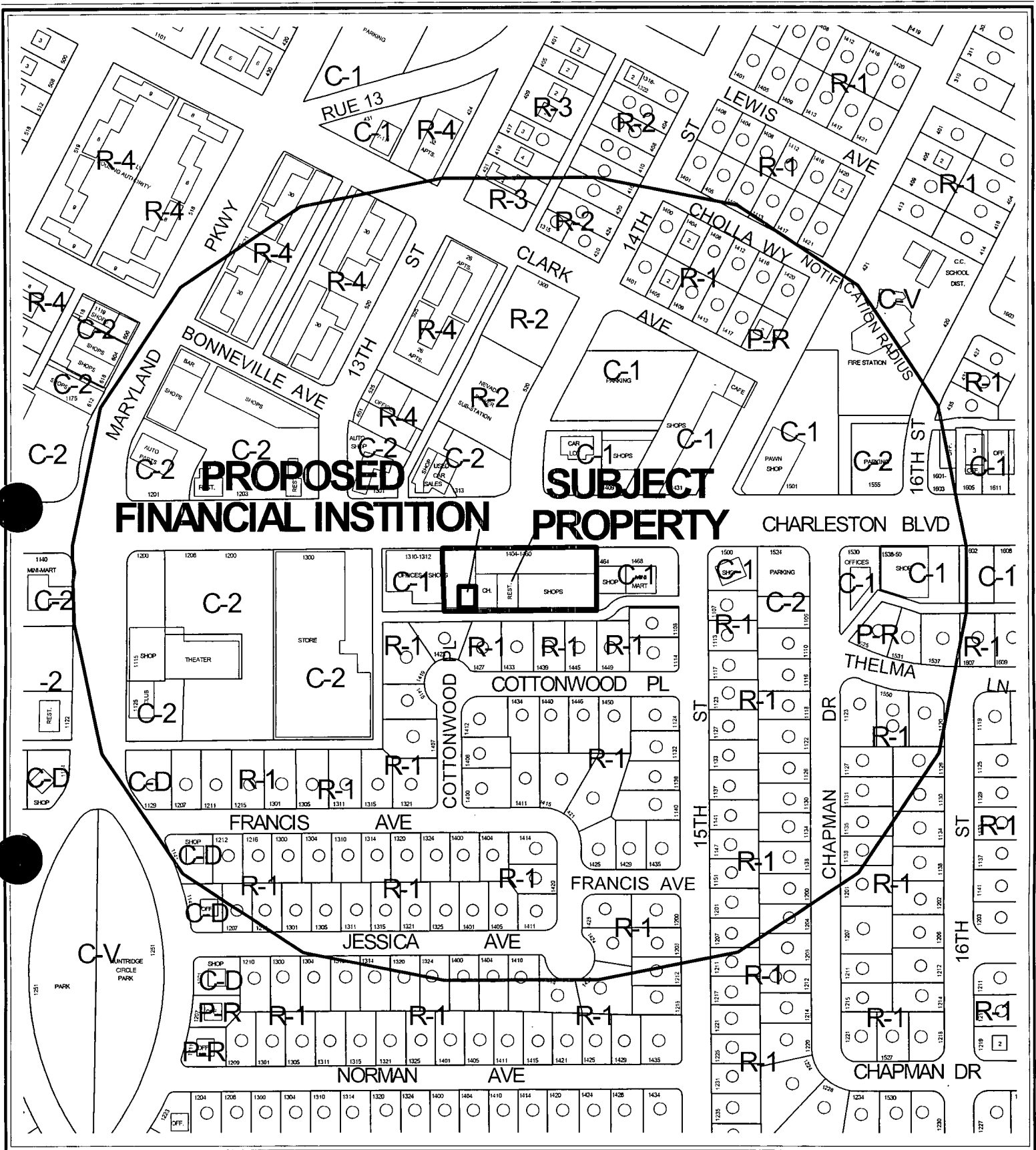
MOTION:

REESE – ABEYANCE to 4/21/2004 – UNANIMOUS with GOODMAN abstaining on the advice of DEPUTY CITY ATTORNEY SCOTT in view of his son's, ERIC GOODMAN, representation on previous occasions of two payday loan companies that opposed the distance separation and MACK abstaining as the Superawn Stores are owned by his brother, STEVEN MACK, and provide the same type of service.

MINUTES:

MAYOR PRO TEM REESE explained that the applicant requested additional time to meet with him.

(3:03 – 3:06)
 4-1128



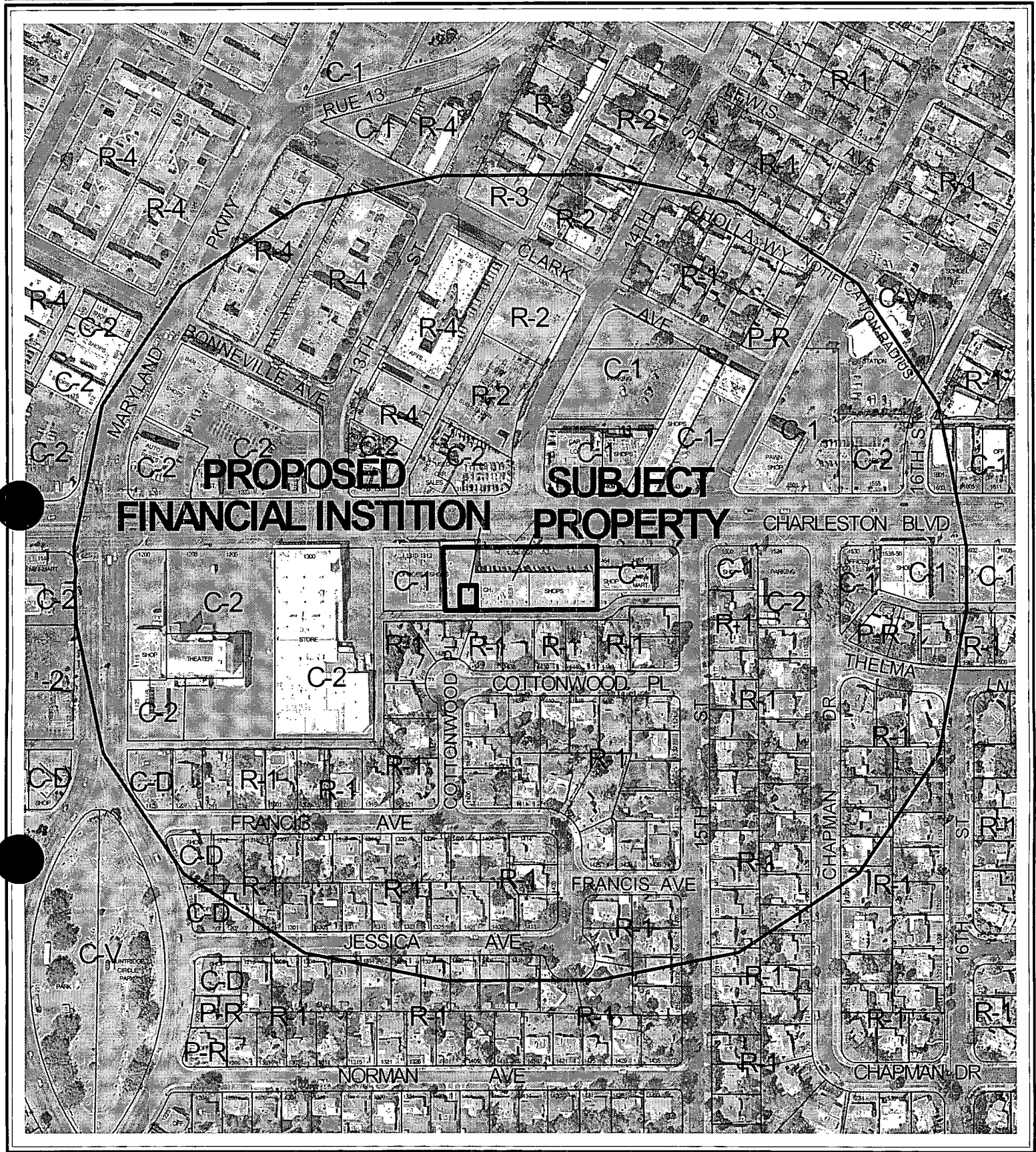
CASE: SUP-3747

RADIUS: 750 FT

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

0 200 400 Feet





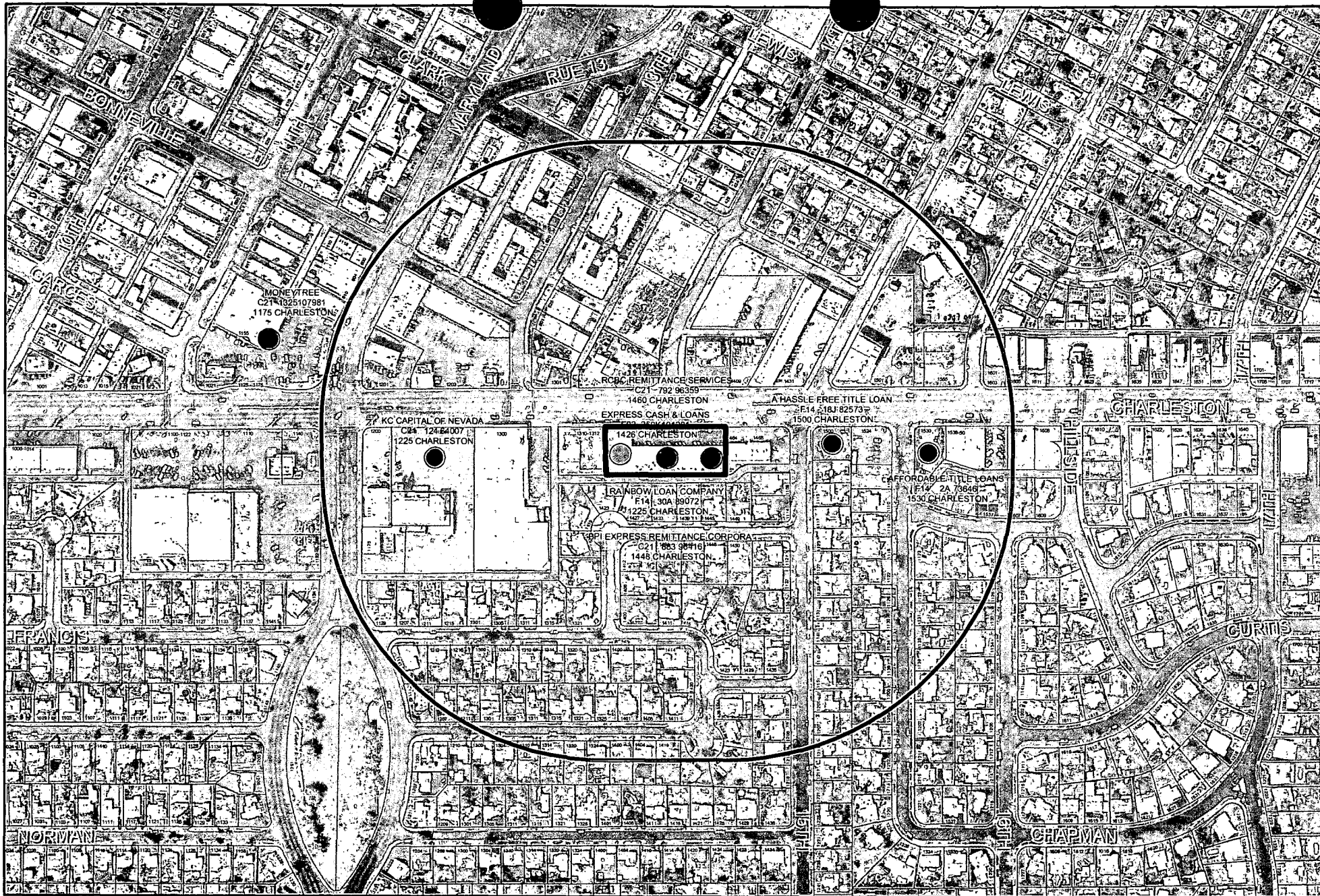
CASE: SUP-3747

RADIUS: 750 FT

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

0 200 400 Feet





SUP-3747 Financial Business Locations

- Financial Institution, Specified
(Check Cashing Service)
- Financial Institution, Specified
(Check Cashing Service with Gross)
- Finance Company
- Automobile Title Loan



Subject Property



750 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3747 - APPLICANT: EXPRESS CASH & LOANS -
OWNER: NERCES HIMIDIAN LIVING TRUST**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit for a Financial Institution, Specified located at 1426 East Charleston Boulevard, Suite 110.

B) Applicant's Justification

The applicant has been licensed for the issuance of payday loans for some time, and the Special Use Permit is required to accommodate the relocation of an existing payday loan business. The business will only issue payday loans and will not cash checks or offer auto title loans.

BACKGROUND INFORMATION

A) Previous Actions

- 11/10/97 The City Council approved a request for a Special Use Permit (U-0094-97) for a secondhand furniture dealership. Staff had recommended approval, and the Planning Commission recommended approval on 10/09/97. This project is located adjacent to the west property line of the subject site.
- 03/19/03 The City Council approved a request for a Site Development Plan Review (SDR-1547) for a proposed 5,406 square-foot auto parts establishment. Staff had recommended approval, and the Planning Commission recommended approval on 02/13/03. This project is located adjacent to the west property line of the subject site.
- 03/19/03 The City Council approved a request for a Variance (VAR-1549) to allow 27 parking spaces where 30 spaces are required in conjunction with a proposed auto parts establishment. Staff had recommended approval, and the Planning Commission recommended approval on 02/13/03. This project is located adjacent to the west property line of the subject site.
- 03/11/04 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #54/fs).

B) Pre-Application Meeting

- 01/21/04 Minor issues were discussed, including the need for a detailed parking analysis.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.91

B) *Existing Land Use*

Subject Property: Shopping Center
 North: Auto Sales
 South: Single-family Residence
 East: Convenience Store
 West: Office and Retail

C) *Planned Land Use*

Subject Property: DTR (Downtown Redevelopment Plan – Commercial)
 North: DTR (Downtown Redevelopment Plan – Commercial)
 South: L (Low Density Residential)
 East: DTR (Downtown Redevelopment Plan – Commercial)
 West: DTR (Downtown Redevelopment Plan – Commercial)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial) and C-2 (General Commercial)
 South: R-1 (Single Family Residential)
 East: C-1 (Limited Commercial)
 West: C-2 (General Commercial)

E) *General Plan Compliance*

The subject site is located within the Downtown Redevelopment Plan Area of the General Plan with a C (Commercial) designation, which allows for uses typical in the O (Office), SC (Service Commercial) and GC (General Commercial) land use categories of the General Plan. The existing C-1 (Limited Commercial) is consistent with the Downtown Redevelopment Plan Designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Downtown Redevelopment Plan Area with a C (Commercial) land use designation. The proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	900 SF	1 space per 200 GFA	4	1	4	1
Retail	6,800 SF	1 space per 175 GFA	38	1	37	1
Restaurants	2,200 SF	1 space for each 50 sf of seating area and one for each of the remaining 200 of GFA	29	1	0	0

The existing building was constructed in 1964 and is classified as a Parking-Impaired development. A Parking-Impaired development is a land use or building which complied with the applicable parking standards at the time the use or building was established, but does not comply with current regulations. The site plan depicts a deficiency of 31 parking spaces.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there are seven other financial uses within the vicinity of this site. These include three check-cashing businesses, three auto title loan companies, and one finance company.

B) General Analysis and Discussion

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

FINDINGS

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

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

The proposed land use cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses. An analysis of the surrounding area found six Financial Institutions, Specified within 1000 feet of the subject site. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

The proposed location of the Financial Institution, Specified use is located in an existing shopping center. The proposed Financial Institution, Specified use will not have a negative impact on the subject site.

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

The proposed use will be located within an existing commercial center with access to Charleston Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The Street facilities are adequate in size to meet the requirements of the proposed use.

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

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

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3747 APN: 162-02-110-007
Name of Property Owner: NICK HIMLDIAN
Name of Applicant: EXPRESS CASH & LOANS

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

 Yes

 ✓ No

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

City Official: N/A

Partner(s): N/A

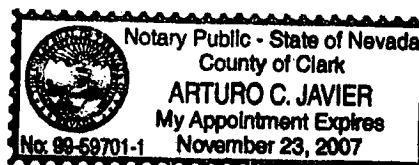
APN: N/A

Signature of Property Owner/Authorized Agent: *Nick Himldian*

Subscribed and sworn before me

This 21st day of JANUARY, 2004

Arturo C. Javier
Notary Public in and for said County and State



PROJECT SITE ANALYSIS

SITE

SITE AREA =
BUILDING AREA
SITE COVERAGE =

39,897 S.F.
22,770 S.F.
57%

ZONING

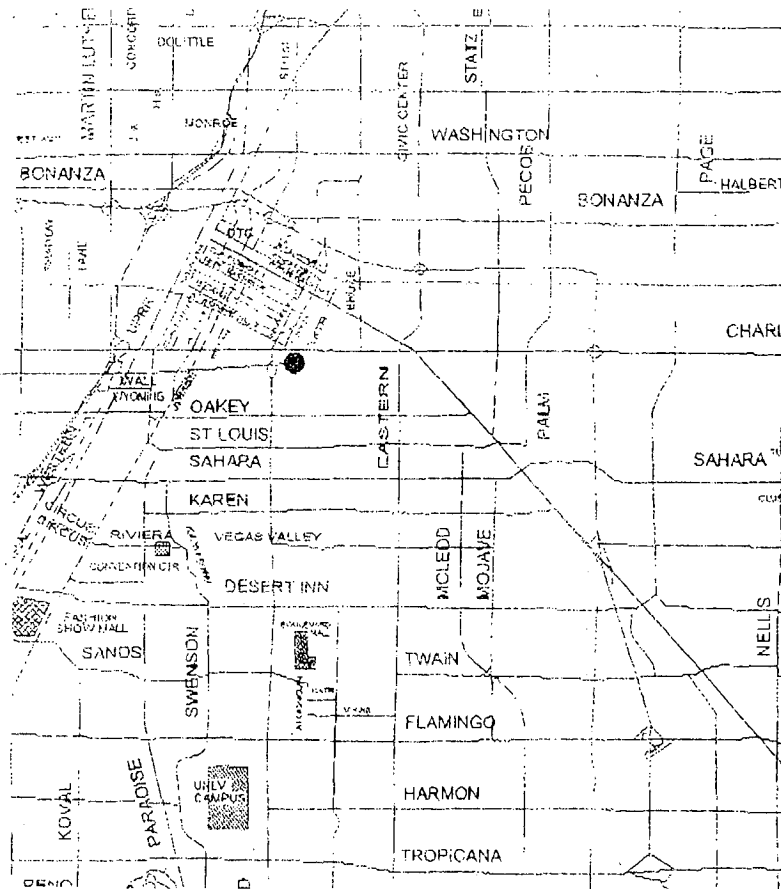
PARCEL NUMBER: 162-02-110-007

CURRENT ZONING DESIGNATION: C-1

PROPOSED USE: EXPRESS CASH & LOAN

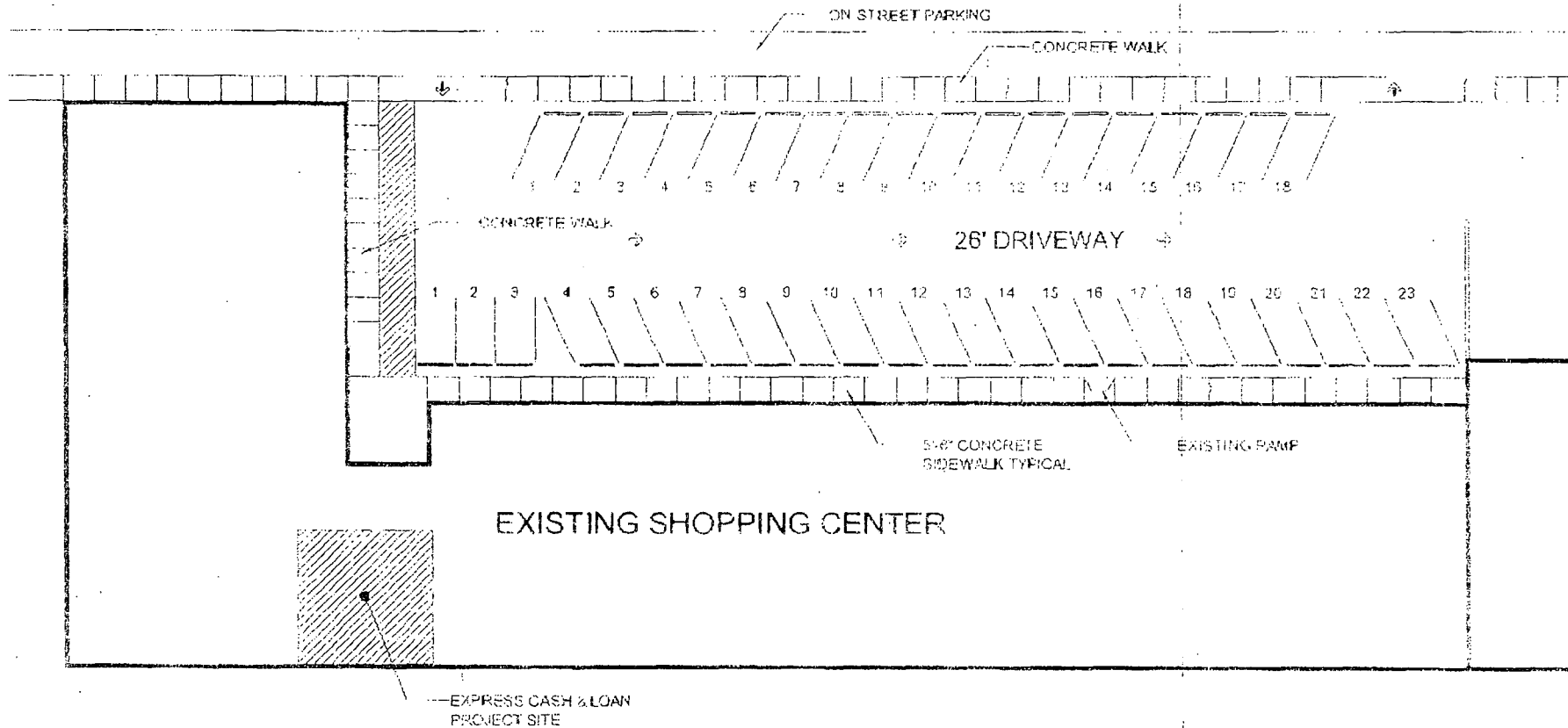
VICINITY MAP

PROJECT
LOCATION



SUP-3747
08-11-04 PC

CHARLESTON BLVD.



OVERALL SITE PLAN

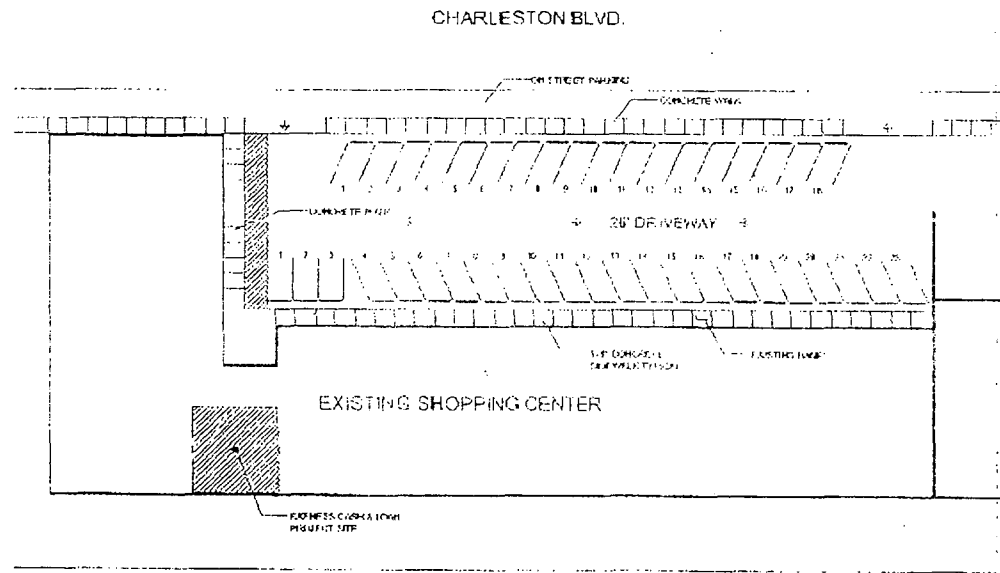
SCALE: 1" = 20'-0"

SUP-3747

03-11-04 PC



Jan. 14, 2004 9:06 PM



OVERALL SITE PLAN
SCALE: 1" = 20'-0"

PROJECT SITE ANALYSIS

SITE	
SITE AREA = BUILDING AREA SITE COVERAGE =	38,881 SF. 10,700 SF 27%
ZONING	
ANNUAL REVENUE ESTIMATE: \$100,000 FUTURE ZONING OF SURROUNDING: C-1 PROPOSED USE: EXPRESS CASH & LOAN	
VICINITY MAP	

MGA MARY G. SMITH ARCHITECT, LTD. 1428 E. CHARLESTON BLVD. STE. 110 LAS VEGAS, NEVADA 89102 PH: 702.735.1100 FAX: 702.735.1101 WWW.MGASQUARE.COM	
OVERALL SITE PLAN	
DATE: 11/11/03 BY: MGA CHECKED: MGA APPROVED: MGA	SCALE: AS1.01



SUP-3747
03-11-04 PC



SUP-3747 - APPLICANT: EXPRESS CASH & LOANS - OWNER: NERCES HIMIDIAN LIVING TRUST
1426 EAST CHARLESTON BOULEVARD, SUITE 110
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

Express Cash and Loans

1426 E. Charleston Blvd., Ste. 110
Las Vegas, NV 89104
702-893-9898

RECEIVED
CITY CLERK

2004 MAR 19 A 10: 29

Gary M. Leobold, Service Planner
Planning & Development Department
Current Planning Division

Re: SUP 3747 - Special Use Permit

March 19, 2004

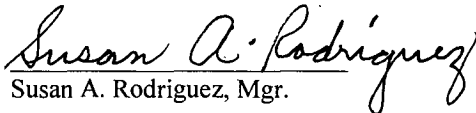
Dear Mr. Leobold;

I wish to appeal for denying the request for a Special Use Permit for a Financial Institution specified at 1426 E. Charleston Blvd., Ste. 110. A.P.N. 162-02-110-007 C-1 Limited Commercial Zone.

The request was denied because information given to the planning commission was outrageously Erroneous.

Enclosed herewith are letters and business licenses both from RCBC Remittance Services and BPI Express Remittance Corporation certifying that they are not check cashing institution as specified in your plan. I would like to request that these documents including my justification letter be sent to the City Council for further review.

Sincerely,


Susan A. Rodriguez, Mgr.

RECEIVED
CITY CLERK
2004 APR - 6 P 3:53

April 6, 2004

Ms. Barbara Jo Ronemus
City Clerk
400 East Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Ronemus:

I would like to request that SUP-3747 scheduled for a public hearing at the April 7, 2004 City Council Meeting be held in abeyance for two week. Please contact me personally if you have any questions. *April 21, 2004*

Thank you.

Susan A. Rodriguez
Susan Rodriguez
1426 East Charleston Boulevard *Suite 110*
Las Vegas, Nevada 89104

tel: 702-893-9898

Submitted after final agenda

Date *4/6/04* Item *#170*

To Whom it may concern,

In behalf of our community especially The Filipinos, we are requesting that the approval of Special Permit should be granted.

The office where it is now located was very convenient & safe and very accessible especially and mostly Filipinos as a client.

We are hoping for the best that the Planning Commission or City County will granted this Special Permit # 3747.

Hoping for a little consideration in this matter

2004 APR - 1 P 1:17

RECEIVED
CITY CLERK

Support

Respectfully Yours
Concha St. Aquila
1912 Houston Dr
Las Vegas, NV 89104
Tel # 676-1007

Submitted after final agenda

Date 4/1/04 Item #170

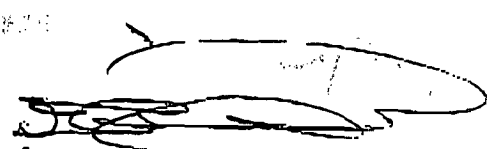
5/01/04

The presence of Express Cash and loan
is a great convenience for us -
located at the Northwest corner
of East Charleston Blvd near Sahara

Signed

Alyca Tarnor

Alyca Tarnor


Alvaro Rojas

RE: SUP-3747

RECEIVED
CITY CLERK

2004 APR -2 P 2:10

Support

Submitted after final agenda

Date 4/2/04 Item #170

4-7-04

544-3747

I, CINDY E. QUINTERO, LIVING AT 1411 JESSICA AVE. LAS VEGAS, NV. 89104
DO OBJECT TO BUSINESS - EXPRESS CASH & LOANS AT 1426 E. CHARLESTON BLVD.
SUITE 110.

CURRENTLY AT THIS LOCATION (MINI MALL) THERE IS 20 KNOWN BUSINESSES WHICH
INCLUDE A MARKET, TWO RESTURANTS, A MASSAGE PARLOR, U.S. POSTAL SERVICE AND
OTHER BUSINESSES OFFERING PRODUCTS/SERVICES TOO NUMEROUS TO MENTION.
AT THIS LOCATION I COUNTED 40 PARKING PLACES. ON ANY GIVEN DAY THIS
AREA IS A TRAFFIC NIGHTMARE WITH CUSTOMERS/OWNERS USING ALL AVAILABLE PARKING
SPACES, CHARLESTON BLVD. AND PARKING ILLEGALLY. TO TOP THIS OFF, BUSINESS'S
ARE NOW USING HOMELESS PEOPLE TO DIRECT TRAFFIC.
AS A RESIDENT IN THE CITY OF LAS VEGAS AND PART OF THE HUNTRIDGE COMMUNITY I
SUPPORT NEW BUSINESSES. BUT THIS SPECIFIC AREA IS OVERUSED.
THANK YOU FOR YOUR TIME,

CINDY E. QUINTERO

Protest

RECEIVED
CITY CLERK

2004 APR - 7 A 8:16

Submitted after final agenda

Date 4/7/04 Item #170

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 - PUBLIC HEARING - SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Political Science, Inc.

MOTION:

WEEKLY - APPROVED subject to conditions - **UNANIMOUS** with GOODMAN abstaining on the advice of **DEPUTY CITY ATTORNEY SCOTT** in view of his son's, **ERIC GOODMAN**, representation on previous occasions of two payday loan companies that opposed the distance separation and **MACK** abstaining as the SuperPawn Stores are owned by his brother, **STEVEN MACK**, and provide the same type of service.

NOTE: For the record **DEPUTY CITY ATTORNEY SCOTT** clarified that one of these companies was Rapid Cash.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 171 [SUP-3772] and Item 172 [SDR-3766].

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 171 – SUP-3772

MINUTES – Continued:

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the applicant. She introduced MIKE McKNIGHT, representing Rapid Cash, who was present to answer any questions. MS. RICHARDSON, on the site plan, indicated an area that is designated "no build". She explained that because the location was previously an Arco Gas Station, monitoring wells were placed on the site to fulfill government requirements to remedy any contamination that may have occurred because of that use.

MS. RICHARDSON stated that designation of that specific area as "no build" subsequently prompted the applicant to request a waiver of both the setback and landscaping standards. MS. RICHARDSON explained that there were concerns with the ingress and egress and pointed out that the driveway onto Rancho Drive needs to remain in that location. She also noted that there is an existing bus stop but relayed that it would be moved further south with the applicant agreeing to demolish the existing one and reconstruct the bus stop at its new location.

TODD FARLOW, 240 North 19th Street, addressing COUNCILWOMAN MONCRIEF, inquired whether she had received a report related to financial institutions and saturation issues. He stated the report was prepared by COMMISSIONER DAVENPORT. Relative to the bus stop, he preferred to see a bus turnout.

DAN CONTRERAS, Bonanza Village, objected to the special use permit noting that the applicant on two other occasions applied for special use permits, which were both denied by the Planning Commission. He stated that having this as the sixth financial institution, if approved, constitutes saturation of this area. To substantiate his argument, he displayed photographs of the existing financial institutions. MR. CONTRERAS also questioned the "no build" claim and felt that after such a length of time, the area should already be remediated.

JOHNNY VENTURA, 601 Raintree Lane, agreed that a bus turnout would be appropriate.

AL GALLEGOS, citizen of Las Vegas, noted that a bill was heard at the Recommending Committee and suggested that until such time as it is adopted, all relevant applications should be held.

BEATRICE TURNER, West Las Vegas, recalled similar applications that came before the City Council and despite denial recommendations by staff and the Planning Commission, they were subsequently approved. She argued that there are too many like businesses concentrated in this area.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 171 – SUP-3772

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, explained that the site plan was reviewed with the applicant particularly in regard to the waivers. He stated that, if the Site Plan is approved, the building should be placed along the south property line. With regard to remediation, staff recommended the addition of two conditions: (1) The site must be cleaned of all ground contamination per the requirements of the Nevada Department of Environmental Protection and (2) The site remediation shall be complete and clean prior to the issuance of any building permits for any structure within the portion of the site which is outlined as the "no build" zone. MS. RICHARDSON agreed to the added conditions.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 171 [SUP-3772] and Item 172 [SDR-3766].

NOTE: All discussion for Item 171 [SUP-3772] and Item 172 [SDR-3766] was held under Item 171 [SUP-3772].

(3:06 – 3:22)

4-1178

CONDITIONS:

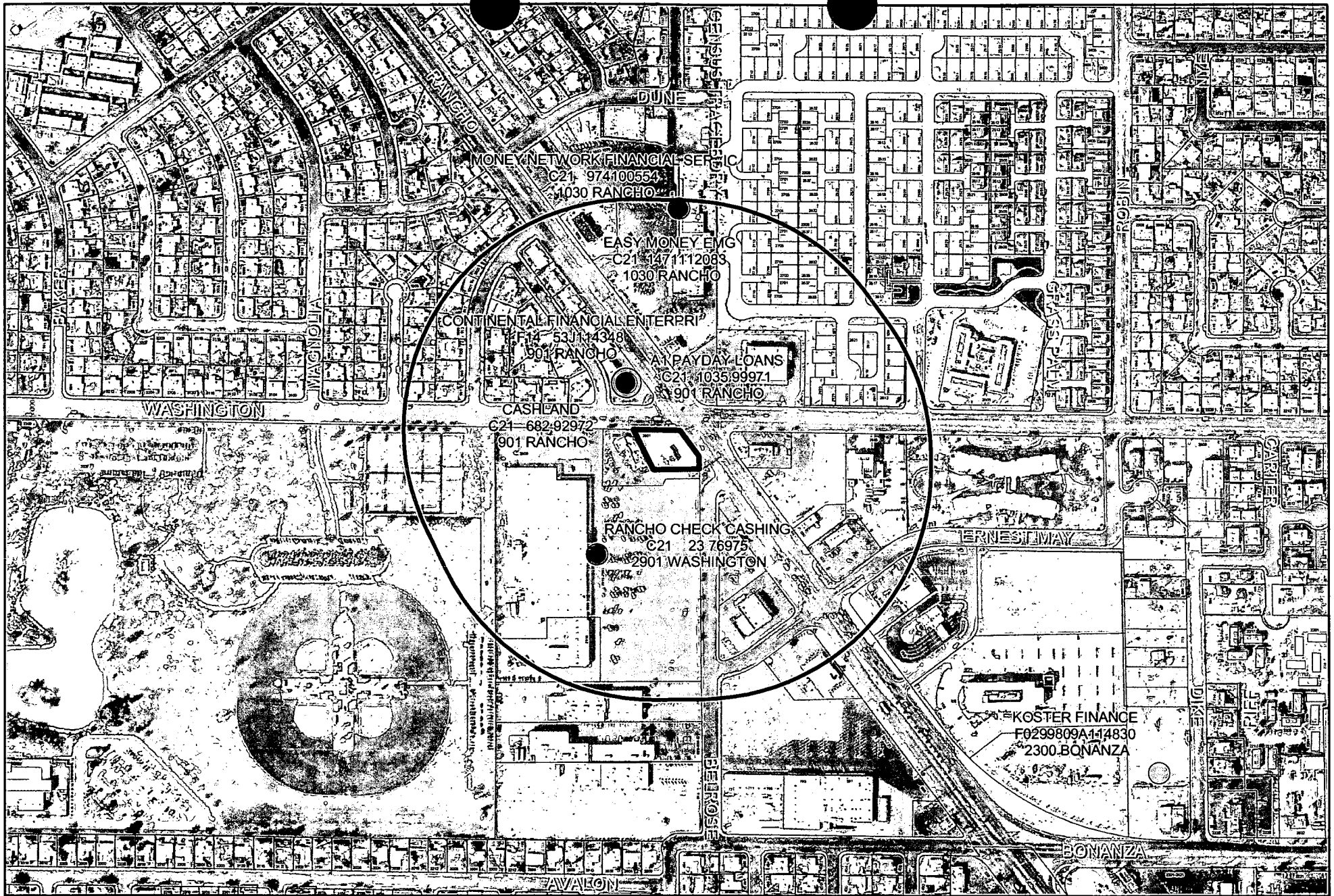
Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.



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



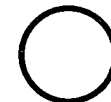


SUP-3772 Financial Business Locations

- Financial Institution, Specified (Check Cashing Service)
- Finance Company
- Financial Institution, Specified (Check Cashing Service with Gross)
- Automobile Title Loan



Subject Property



750 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP -
OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
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5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The is an Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit for a Financial Institution, Specified located at 2801 West Washington Avenue. A companion Site Development Plan Review (SDR-3766) will be considered concurrently with this application.

B) Applicant's Justification

The use is in conformance with the existing Master Plan and surrounding commercial uses.

BACKGROUND INFORMATION

A) Previous Actions

- 01/19/00 The City Council approved a Variance (V-0088-99) request to allow a second freestanding ground sign where one free standing ground sign is the maximum allowed. The Zoning Board of Adjustment recommended approval on 12/07/99.
- 03/11/04 The Planning Commission recommended denial of a companion Site Development Plan Review (SDR-3766) for a Financial Institution, Specified. Staff recommends denial.
- 03/11/04 The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item #52/fs).

B) Pre-Application Meeting

- 01/15/04 It was acknowledged by the applicant that three other Financial Institutions, Specified were located within the immediate area of the subject site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.80
Net Acres: 0.48

B) Existing Land Use

Subject Property: Undeveloped / Vacant Building
North: Convenience Store
South: Surface Parking Lot
East: Restaurant
West: Restaurant

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an SC (Service Commercial) land use designation, which allows for medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

<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

The subject site does not fall within any Special Districts or Zones.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	3,960 SF.	1 space / 200 GFA	19	1	19	1

The proposed site meets Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified use. However, there are three other Financial Institutions, Specified within the immediate vicinity.

B) *General Analysis and Discussion*

- Zoning

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

FINDINGS

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

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

The proposed land use cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses. An analysis of the surrounding area found three additional Financial Institutions, Specified within the immediate vicinity. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

The subject site is not physically suitable for the proposed use, as the size of the proposed building results in noncompliance with Title 19 setback and landscaping requirements. Several waivers have been requested with the site plan application for relief of these requirements. In addition, the "no build" zone directly above the former location of underground storage tanks inhibits the development of the site and further reduces its suitability for the proposed land use.

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

Access to the site is provided via drives from Washington Avenue a Secondary (80-ft) Collector on the Master Plan of Streets and Highways, and Rancho Drive, a Primary (100-ft) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed Financial Institution, Specified use.

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

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

NOTICES MAILED 92 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3772 APN: 139-29-301-001

Name of Property Owner: Rancho Washington LLC

Name of Applicant: Richardson Partnership (TRP)

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

Yes

X	No
---	----

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: Steve Boss

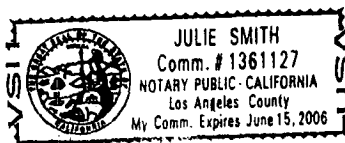
Subscribed and sworn before me

This 123 day of JAN, 2004

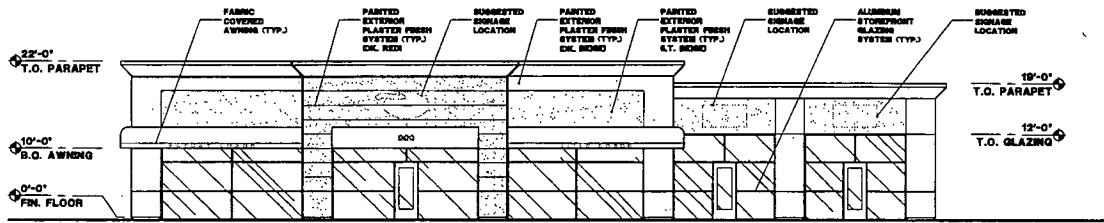
Julie Smith
Notary Public in and for said County and State.

Los Angeles County

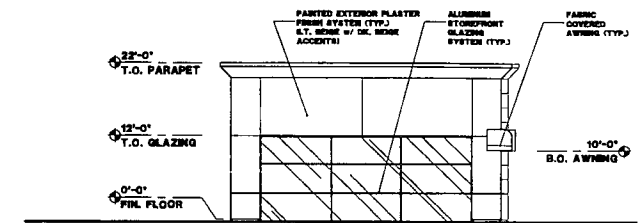
Revised 2/12/02



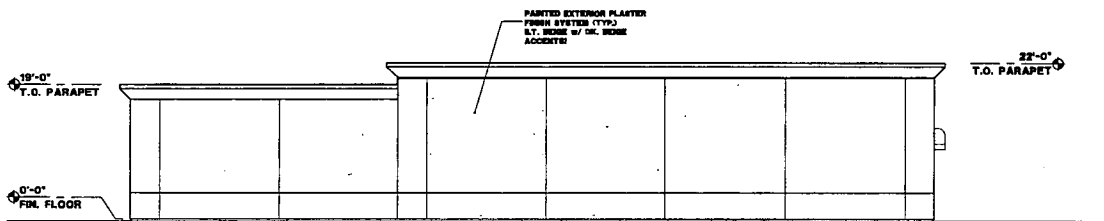
F:\depo\Application Packet\Statement of Financial Interest.doc



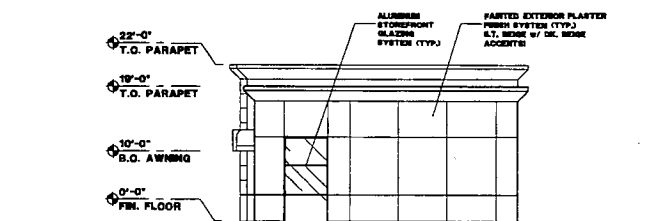
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS for RAPID CASH at RANCHO & WASHINGTON



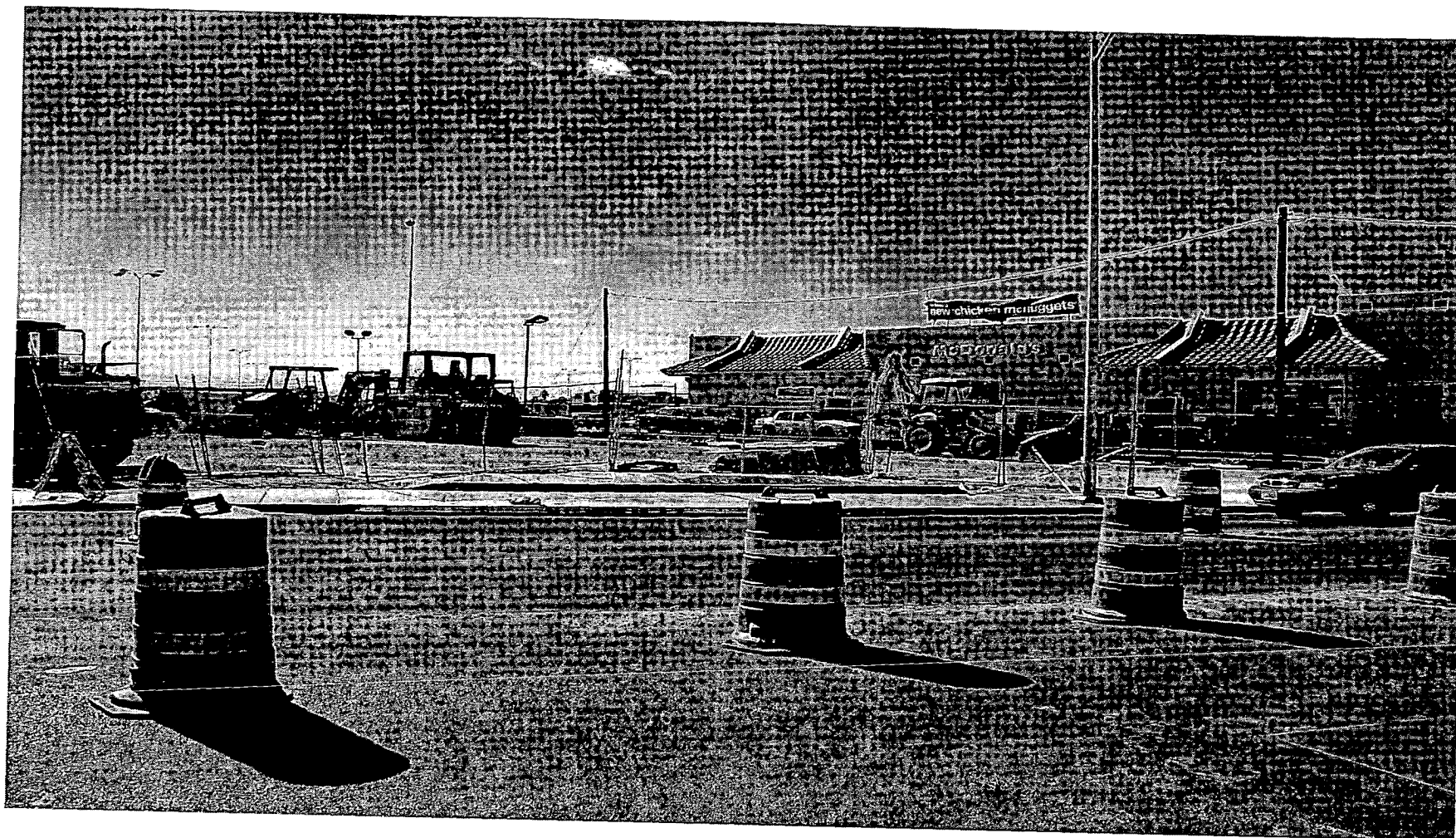
1/8"=1'-0"

JANUARY 2004

SDR-3766
SUP-3772
03-11-04 PC

LAS VEGAS - NEVADA

lrp inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
215 HILL ROAD SUITE 201 TROY, MI 48060-8719
PHONE: 782.733.8822 FAX: 782.733.8155
E-MAIL: melli@lrp-architect.com



SUP-3772 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED
LIABILITY COMPANY
2801 WEST WASHINGTON AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

Political Science, Inc.
856 E. Sahara, Suite A
Las Vegas, NV. 89104
Ofc. (702) 650-5117
Fax: (702) 650-5579

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

17 2004 12:06

2004 MAR 17 P 12:12

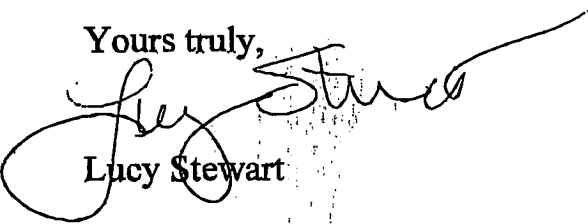
RECEIVED
CITY CLERK

RE: SUP-3772 & SDR3766

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the 3/11/04 Planning Commission meeting. I would like to appeal it to be heard by the City Council. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

Amendment to Final Minutes

Office of the City Clerk

City Council Meeting Minutes of April 7, 2004

Date Submitted: October 11, 2005

Amendment to Item #171 and Item #172

Purpose of Amendment:

NOTE: Subsequent to the final minutes, a combined verbatim transcript of Items 171 and 172 was made a part of the final minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

BRYAN SCOTT, Deputy City Attorney

GARY REESE, Mayor Pro Tem

KAREN RICHARDSON, Richardson Partnership, 815 Pilot Road, Suite B

TODD FARLOW, 240 North 19th Street

UNIDENTIFIED MALE SPEAKER

DANNY CONTRERAS, Bonanza Village

JOHN VENTURA, 601 Raintree Lane

JANET MONCRIEF, Councilwoman

AL GALLEG0, citizen of Las Vegas

BEATRICE TURNER, West Las Vegas

LAWRENCE WEEKLY, Councilman

ROBERT GENZER, Director, Planning and Development

Submitted By: Vicky Darling

Signature: Barbara K. Prunzer

City Clerk or Chief Deputy

Date: 10/11/2005

CITY COUNCIL MEETING OF
April 7, 2004

**COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
AND ITEM 172 [SDR-3766]**

1 **Item 171 - PUBLIC HEARING - SUP-3772 - APPLICANT: RICHARDSON**
2 **PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY**
3 **COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission**
4 **on a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at**
5 **2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone,**
6 **Ward 5 (Weekly) . The Planning Commission (5-1 vote) and staff recommend DENIAL**
7 **and**

8 **Item 172 - PUBLIC HEARING - SDR-3766 - APPLICANT: RICHARDSON**
9 **PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY**
10 **COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission**
11 **on a request for a Site Development Plan Review, a Reduction in the amount of required**
12 **Perimeter and Parking lot landscaping, and Waivers of the Commercial Development**
13 **Standards to allow a zero rear yard setback where 20 feet is required and to allow no**
14 **landscaping between the north façade of the building and the parking area, where a**
15 **minimum of six feet is required FOR A PROPOSED 3,960 SQUARE-FOOT FINANCIAL**
16 **INSTITUTION, SPECIFIED on 0.48 acres located at 2801 West Washington Avenue**
17 **(APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning**
18 **Commission (5-1 vote) and staff recommend DENIAL**

19 APPEARANCES:

20 OSCAR GOODMAN, Mayor

21 BRYAN SCOTT, Deputy City Attorney

22 GARY REESE, Mayor Pro Tem

23 KAREN RICHARDSON, Richardson Partnership, 815 Pilot Road, Suite B

24 TODD FARLOW, 240 North 19th Street

25 UNIDENTIFIED MALE SPEAKER

26 DANNY CONTRERAS, Bonanza Village

27 JOHN VENTURA, 601 Raintree Lane

28 JANET MONCRIEF, Councilwoman

29 AL GALLEGOS, citizen of Las Vegas

CITY COUNCIL MEETING OF
April 7, 2004

**COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
AND ITEM 172 [SDR-3766]**

30 BEATRICE TURNER, West Las Vegas
31 LAWRENCE WEEKLY, Councilman
32 ROBERT GENZER, Director, Planning and Development
33 (3:06 – 3:22)
34 4-1178
35 16 minutes
36
37 Typed by: Vicky Darling
38 Proofed by: Ydoleena Yturralde
39

CITY COUNCIL MEETING OF

April 7, 2004

**COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
AND ITEM 172 [SDR-3766]**

40 **MAYOR GOODMAN**

41 Item 171 is a public hearing on SUP-3772. The applicant is Richardson Partnership; owner
42 Rancho Washington Limited Liability Company. Appeal filed by the applicant from the denial
43 by the Planning Commission on a request for a Special Use Permit for a financial institution,
44 specified, at 2801 West Washington Avenue. Planning Commission and staff both recommend
45 denial. I'll abstain on the same basis, based on Mr. Scott's advice, that my son Eric or his firm
46 represented companies in that business regarding distance requirements.

47
48 **BRYAN SCOTT**

49 Yes. And, Mayor, just for the record, one of those companies was Rapid Cash. I'm not sure of
50 the other one though.

51
52 **MAYOR GOODMAN**

53 Okay, Rapid Cash.

54
55 **BRYAN SCOTT**

56 Thank you.

57
58 **MAYOR PRO TEM REESE**

59 Did you read 172 also?

60
61 **MAYOR GOODMAN**

62 Sure. 172 is, thank you, is a public hearing on SDR-3766. The same applicant, an appeal filed
63 by the applicant from the denial by the Planning Commission on a request for a Site
64 Development Plan Review and reduction in the amount of required perimeter and parking lot
65 landscaping and waivers of the commercial development standards to allow a zero rear yard
66 setback where 20 feet is required and to allow no landscaping between the north façade of the
67 building and the parking area where a minimum of six feet is required for a proposed thirty-nine
68 hundred and sixty square foot financial institution, specified, on point 48 acres located at 2801

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COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
AND ITEM 172 [SDR-3766]

69 West Washington Avenue. The Planning Commission and staff also recommend denial on this
70 instance. These are both public hearings, which are now declared open. Thank you, Mayor Pro
71 Tem.

72

73 **MAYOR PRO TEM REESE**

74 Thank you, Your Honor. Applicant's present. Yes, Ma'am.

75

76 **KAREN RICHARDSON**

77 Good afternoon. I'm Karen Richardson. I'm with the Richardson Partnership at 815 Pilot Road,
78 Suite B, Las Vegas. I'm representing the team that has been working on this proposed
79 development and with me today at the podium is Mike McKnight. He is with Rapid Cash and
80 he's here to answer any questions about the operation that you may have.

81 I'd like to direct your attention to the drawing that's on your screen. And you may, I hope, be
82 able to see the dashed line, on the site plan. That indicates an area of no building, because this
83 was an – ARCO AM/PM gas station and there are monitoring wells that have been placed on the
84 site to fulfill the requirements of the government to remediate any contamination or – any
85 problems that may have occurred because of the previous use.

86 That area really required the building to be on the property line, as it's shown. And that resulted
87 in a request for a waiver of not only setback, but landscaping. If you are familiar with this
88 intersection, and – this parcel is odd-shaped to begin with, but years ago this was developed as –
89 a major shopping center. But this parcel was carved out to stand alone. In effect, however, we
90 believe that this property relates to that shopping center, even though a property line was
91 established. So asking, in – our opinion, for a waiver of the setback and a landscaping really
92 creates no negative impact to that shopping center.

93 If I could just show you the elevations of the building. This, the south elevation would be the
94 elevation visible to that shopping center. The other major – concerns of discussion that we had
95 with staff, and by the way, I do want to thank staff for putting in as much effort as they did on –
96 this parcel. There have been other developments that – have come through for approval and just
97 haven't been able to make it happen because, in our opinion, it's odd shape. And the ingress and

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AND ITEM 172 [SDR-3766]

98 egress that's required because of this very busy intersection. So those issues were the driveways,
99 and you see them on the site plan. The driveway off of Rancho really does have to be in this
100 location to provide the least amount of impact or – stacking or conflict with traffic. And there is
101 an existing bus stop that, in this location, that will be moved further south on a parcel that the
102 City of Las Vegas owns. And Rapid Cash has agreed to demolish the existing bus stop and
103 relocate it, reconstruct it in its new location.
104 So with that, we'd ask for your approval.

105
106 **MAYOR PRO TEM REESE**

107 Thank you. This is, is there any questions of the applicant? This is a public hearing. Anyone
108 wish to speak on this item, or these items?

109
110 **TODD FARLOW**

111 Thank you. Todd Farlow, 240 North 19th Street. Councilwoman Moncrief, did you get the
112 report from Commissioner Davenport that he was gonna write up on – the financial institutions?
113 He said that – he had prepared it and I would like to – see that, when – you get it, if you'd share
114 that with me. It's regarding a saturation issue. All the different issues that – pertain to these.

115 I – Councilman – Weekly's, has spoken with me and – explained his position. And in – a way, I
116 agree with him. It's just that, I don't know, I – just do not understand even the people that
117 patronize these. But the, it's, the banks do it. The banks dropped the ball on this, so now we
118 have these. But on the land use issue, if it's gonna come to this, I would like to – see a bus
119 turnoff or – what do you call 'em, a cutout, on that. And, like Council, and – they will clean up
120 the land and that's – a good compromise, I think. Thank you.

121
122 **MAYOR PRO TEM REESE**

123 Thank you. Anybody else wishing to speak?

124
125 **UNIDENTIFIED MALE SPEAKER**

126 They're not cleaning up the landfill.

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127 **DANNY CONTRERAS**

128 Danny Contreras, Bonanza Village. I'd like to start off with the Special Use Permit. I'd just like
129 to separate the applicant from the application. This is a Special Use Permit. He may run the top-
130 notch check cashing firm in the state. I don't know. But all I know is if this is approved, this'll
131 be number six for this intersection; number six. This applicant was denied twice by the Planning
132 Commission. Once last year, when they tried to get the old Kentucky Fried Chicken building,
133 200 feet south of this project. It was saturation. They come back a year later, 200 feet, they
134 move themselves 200 feet north, once again, they were denied, saturation. What has changed?
135 They'll still be number six at the end of the day.

136

137 **MAYOR PRO TEM REESE**

138 Thank you. Are you through?

139

140 **DANNY CONTRERAS**

141 I'm – not done. Directly behind this parcel is the check cashing firm that's inside the swap meet.
142 Then you have the EZ Pawn, which – is about 400 feet or 500 feet south of this. Yeah, their
143 sign's not even good. Then you have the Ace Loans, which is inside Super Mercado, which is
144 across the street from this. Then, within 10 to 20 feet of the Super Mercado, is the bottom one
145 that says EZ Money. It's a whole completely different firm. There across the street from this
146 application, north, by 7-Eleven, you have this other check cashing place. That brings the total to
147 five. If you go down just a block to Vegas and Rancho, we have this God-awful neon building,
148 Auto Title Loans. That makes it – seven. I mean, this is pure saturation.

149 And – to go, by approving this application, once again, this does nothing for our area of town.
150 Summerlin, I believe, disallows this use. So there's a negative aspect to these type businesses.
151 Like it or not, there is. Like it or not. And if you stand on the corner of Rancho and
152 Washington, Councilman Reese, to rent a video, it's not within walking distance. We're talking
153 miles away. To even sit down at a restaurant, an Applebees, an Outback Steakhouse, some kind
154 of, even a Denny's, for goodness sakes, no where near us. No where near us. And by putting
155 these buildings, these types of businesses in this area is not gonna bring in better development.

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156 I'd also like to speak on the land use itself. When we talk about Rancho and Washington, this is
157 a major, major intersection. And, I wish Councilman Mack was in here, because we tried to
158 move a bus stop on Washington and the RTC flat out said no. Even working with his office,
159 they would not allow us to move it because the bus stops in front of Bonanza Village and it, you
160 can't even turn out. We couldn't even move that bus stop 75 feet down the street. They
161 disallowed it. So I can't believe they're allowing them to change this bus stop.

162 And we talk about Washington, heading east on Washington to take a right onto Rancho, there
163 is, this right lane used to be right-turn only. About a year ago, they took the sign down and both
164 lanes go right. So what's happening now is that there's no – right turn lane. We have the
165 expansion of Rancho right now and this is not even part of the project. And what they said is
166 well, the only people that are gonna turn into this project would be their customers. Absolutely
167 wrong. You're gonna have all this cut-through traffic. Everybody that's tired of waiting in that,
168 on that, on Washington, to get onto Rancho, is gonna cut right through this business.

169 And any waiver, any waiver of landscaping is unacceptable. And a no-build site? How long are
170 these monitor stations gonna be in the ground? I think that this ground should be remediated. I
171 think they should go in there, ARCO and/or this company, should be made to go in there, spend
172 the money, to remediate this dirt. Their justification for moving this building back to zero lot set
173 line is a hardship. It's a self-imposed hardship, because somebody doesn't wanna put the money
174 down to clean up the poison they put in the ground.

175 And what's gonna happen to the back of this building is what happens to the front of the swap
176 meet. It's gonna be graffitied. I mean, I call in probably once a week on the – swap meet alone,
177 'cause of the graffiti. So, please, this would be number six, number six. Please help us on this
178 stuff. I mean, if the lot's too small, then it's too small. I think they should have a bus turnout on
179 this property. I think they should be a collector lane from Washington to Rancho. They have a
180 collector lane for Cox Communication, for goodness sakes. So, please, Councilman Reese, I
181 mean, this Council, do not allow them any waivers. This is a self-imposed hardship and I believe
182 the Code does not allow for a waiver for a self-imposed hardship. Thank you.

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183 **MAYOR PRO TEM REESE**

184 Thank you. Thank you very much. Anyone else wishing to speak?

185

186 **JOHN VENTURA**

187 John Ventura, 601 Raintree Lane, near Washington. I drive that route a lot. Is there gonna be –
188 a bus stop in, what do you call it, (inaudible)

189

190 **MAYOR PRO TEM REESE**

191 Pull out.

192

193 **JOHN VENTURA**

194 Pardon me?

195

196 **COUNCILWOMAN MONCRIEF**

197 Turnout.

198

199 **MAYOR PRO TEM REESE**

200 Turnout.

201

202 **JOHN VENTURA**

203 Turnout, yeah. Where the bus will stay off the road and on the, in the, will there be one? Thank
204 you very much.

205

206 **MAYOR PRO TEM REESE**

207 Thank you.

208

209 **AL GALLEGO**

210 Al Gallego, citizen of Las Vegas. This was in the Recommending meeting last Monday and I
211 think that we should go by that and wait until that bill is – in law before we – go ahead with this.

CITY COUNCIL MEETING OF
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212 What I think that this application right now should be held until that time. Because it's gonna be
213 a distance restriction on – this. So, I think that it should be held, whoever has this agenda here.
214 Thank you.

215

216 **MAYOR PRO TEM REESE**

217 Thank you. Anyone else wishing to speak?

218

219 **BEATRICE TURNER**

220 Beatrice Turner, West Las Vegas.

221

222 **MAYOR PRO TEM REESE**

223 I thought you wasn't coming to any more of our meetings?

224

225 **BEATRICE TURNER**

226 Oh, that's all right. I'm gonna come to many more.

227

228 **MAYOR PRO TEM REESE**

229 Oh.

230

231 **BEATRICE TURNER**

232 You know, I was here last year this time when the one on Vegas Drive and Rancho wanted to
233 open and he was taken car loans or whatever. And they said it was just too much in that area.
234 Come on now, our community can do way better than constantly putting these Rapid Cash things
235 in the – middle of our community. You know, we can't get nothing else, no better than this?
236 And this show me how, you know, how people don't stand on their word. 'Cause now last year,
237 it was something different. When you got staff saying denial, the Planning board saying denial,
238 but then, you know, we come here and here they come with this lovely, pretty picture. We know
239 Rancho is not gonna have, it's not gonna end up being like this. And we already have enough on
240 Rancho of these kind of businesses. Now if they want to move from, you know, -- up, maybe on

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241 Decatur somewhere, but on Rancho, we have enough. But then that show me how people don't
242 stand on their word when it comes to our community.

243

244 **MAYOR PRO TEM REESE**

245 Well, I wish – you'd have been here, Ma'am, I wish you'd been here this morning and seen the
246 renderings, the \$28 million FBI building that's gonna go there on the corner of Lake Mead and –
247 Martin Luther King. No, I – just, it's fine.

248

249 **BEATRICE TURNER**

250 Hold up. You must've forgot I was here during that time when they first came before the City
251 Council –

252

253 **MAYOR PRO TEM REESE**

254 We – should –

255

256 **BEATRICE TURNER**

257 – and I asked the questions of about what they – gonna have within the community. I seen their
258 renderings –

259

260 **MAYOR PRO TEM REESE**

261 – 28–

262

263 **BEATRICE TURNER**

264 – this morning, –

265

266 **MAYOR PRO TEM REESE**

267 – 20–

CITY COUNCIL MEETING OF
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AND ITEM 172 [SDR-3766]

268 **BEATRICE TURNER**

269 – thank you very much.

270

271 **MAYOR PRO TEM REESE**

272 – \$28 million. Thank you.

273

274 **BEATRICE TURNER**

275 I seen their rendering.

276

277 **MAYOR PRO TEM REESE**

278 Anyone else wishing to speak on this item? Then we'll close the public hearing. Are there any
279 questions or comments? Councilman Weekly, please.

280

281 **COUNCILMAN WEEKLY**

282 Yes. Could you please talk about some of the conditions that we talked about, please.

283

284 **ROBERT GENZER**

285 Yes, then, Councilman, thank you. We have met with the applicant to discuss the site plan and
286 some of the waivers that are requested. While the staff recommendation would stand as –
287 written, in terms of the site plan and the request for the waiver on the setback, we would agree
288 that if this is to be approved, it is a better situation to put the building along the south property
289 line than to have a 10-foot setback with an – area between the building and a wall that would be
290 difficult to enforce, should there be someone back in that area. So, from that standpoint, we are
291 – in agreement regarding the setback issue.

292 In terms of the clean up of the site, we would suggest that if the site plan is approved, that two
293 conditions be added. The first one would read that the site shall be cleaned of all ground
294 contamination per the requirements of the Nevada Department of Environmental – Protection.
295 The second condition would be the site remediation shall be complete and cleaned prior to the

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**COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
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296 issuance of any building permits for any structure within the portion of the site which is outlined
297 as the no-build zone on the site plan that you have in front of you.

298

299 **MAYOR PRO TEM REESE**

300 Thank you. Councilman Weekly?

301

302 **COUNCILMAN WEEKLY**

303 Are we in agreeance (sic)?

304

305 **KAREN RICHARDSON**

306 Yes, we are in agreeance (sic).

307

308 **COUNCILMAN WEEKLY**

309 Thank you. On that, on 171, Your Honor, **I move for approval, subject to all conditions,**
310 **please, as amended.**

311

312 **MAYOR PRO TEM REESE**

313 You've heard that motion. Please cast your vote. Please post. Item 171 passes. **(Motion**
314 **carried unanimously with GOODMAN abstaining on the advice of DEPUTY CITY**
315 **ATTORNEY SCOTT in view of his son's, ERIC GOODMAN, representation on previous**
316 **occasions of two payday loan companies that opposed the distance separation and MACK**
317 **abstaining as the SuperPawn Stores are owned by his brother, STEVEN MACK, and**
318 **provide the same type of service.) Item 172?**

319

320 **COUNCILMAN WEEKLY**

321 **172, move for approval, subject to all conditions, please, as amended.**

322

323 **MAYOR PRO TEM REESE**

324 Same motion for approval. Please cast your vote.

CITY COUNCIL MEETING OF
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COMBINED VERBATIM TRANSCRIPT – ITEM 171 [SUP-3772]
AND ITEM 172 [SDR-3766]

325 **COUNCILMAN WEEKLY**

326 Thank you.

327

328 **MAYOR PRO TEM REESE**

329 Please post. Item 172 passes also. (Motion carried unanimously with GOODMAN
330 abstaining on the advice of DEPUTY CITY ATTORNEY SCOTT in view of his son's,
331 ERIC GOODMAN, representation on previous occasions of two payday loan companies
332 that opposed the distance separation and MACK abstaining as the SuperPawn Stores are
333 owned by his brother, STEVEN MACK, and provide the same type of service.)

334

335 **KAREN RICHARDSON**

336 Thank you very much for your time.

337

338 **MAYOR PRO TEM REESE**

339 Thank – you.

340

341 **BRYAN SCOTT**

342 Mayor Pro Tem, if the record could reflect Councilman Mack abstaining on those.

343

344 **MAYOR PRO TEM REESE**

345 Thank you.

346

347 **MAYOR GOODMAN**

348 Thank you.

349

350 **(END OF DISCUSSION)**

351

352 /vwd;yy

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 SUP-3772 - PUBLIC HEARING - SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Site Development Plan Review, a Reduction in the amount of required Perimeter and Parking lot landscaping, and Waivers of the Commercial Development Standards to allow a zero rear yard setback where 20 feet is required and to allow no landscaping between the north façade of the building and the parking area, where a minimum of six feet is required FOR A PROPOSED 3,960 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED on 0.48 acres located at 2801 West Washington Avenue (APN: 139-29-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Political Science, Inc.

MOTION:

WEEKLY – APPROVED subject to conditions with the following added conditions:

- *The site must be cleaned of all ground contamination per the requirements of the Nevada Department of Environmental Protection.*
- *The site remediation shall be complete and clean prior to the issuance of any building permits for any structure within the portion of the site which is outlined as the "no build" zone.*

– UNANIMOUS with GOODMAN abstaining on the advice of DEPUTY CITY ATTORNEY SCOTT in view of his son's, ERIC GOODMAN, representation on previous occasions of two payday loan companies that opposed the distance separation and MACK abstaining as the SuperPawn Stores are owned by his brother, STEVEN MACK, and provide the same type of service.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 172 – SDR-3766

MOTION – Continued:

NOTE: For the record DEPUTY CITY ATTORNEY SCOTT clarified that one of these companies was Rapid Cash.

MINUTES:

NOTE: See Item 171 [SUP-3772] for related discussion.

(3:06 – 3:22)

4-1178

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. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an 8-foot screening wall along the perimeter of the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 172 – SDR-3766

CONDITIONS - Continued:

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

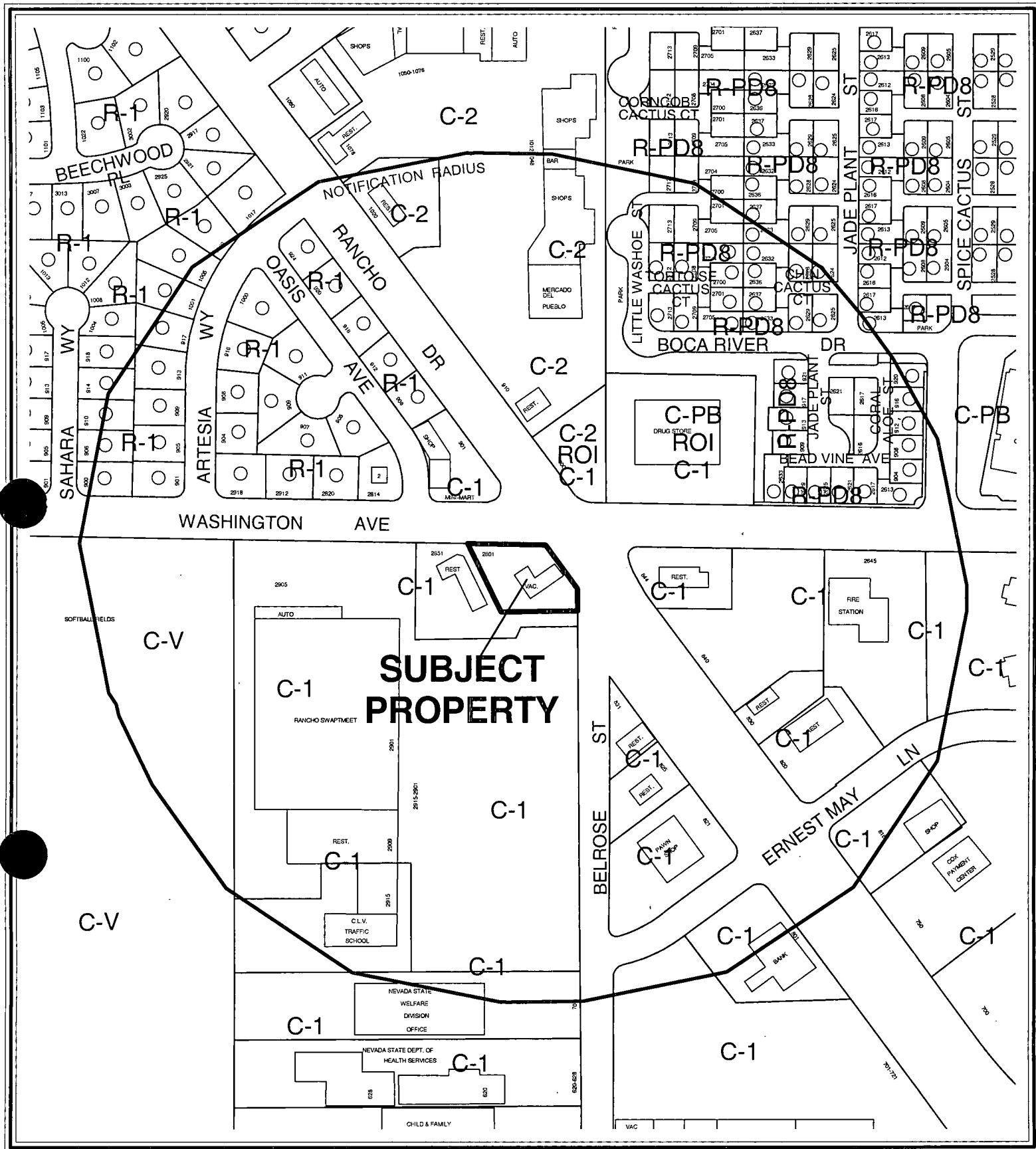
Public Works

15. Dedicate a 25-foot radius on the southwest corner of Rancho Drive and Washington Avenue and dedicate those portions of right-of-way for a bus turn out along Rancho Drive adjacent to this site prior to the issuance of any permits.
16. Construct the bus turn out along Rancho Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored concurrent with development of this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 172 – SDR-3766

CONDITIONS - Continued:

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: **SDR-3766**

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-3766 - APPLICANT: RICHARDSON PARTNERSHIP -
OWNER: RANCHO WASHINGTON, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an 8-foot screening wall along the perimeter of the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

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

Public Works

15. Dedicate a 25-foot radius on the southwest corner of Rancho Drive and Washington Avenue and dedicate those portions of right-of-way for a bus turn out along Rancho Drive adjacent to this site prior to the issuance of any permits.
16. Construct the bus turn out along Rancho Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored concurrent with development of this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. Obtain an Occupancy Permit for all work within the Nevada Department of Transportation right-of-way adjacent to this site prior to the issuance of any permits.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The is an Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Site Development Plan Review for a 3,960 square-foot Financial Institution, Specified at 2801 West Washington Avenue with waivers to allow a zero rear setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. A companion Special Use Permit (SUP-3772) will be considered concurrently with this application.

B) Applicant's Justification

The use is in conformance with the existing Master Plan and surrounding commercial uses, and the "no build" area limits the developable site area, which justifies the request for the setback and landscape waivers.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/19/00 | The City Council approved a Variance (V-0088-99) request to allow a second freestanding ground sign where one free standing ground sign is the maximum allowed. The Board of Zoning Adjustment recommended approval on 12/07/99. |
| 03/11/04 | The Planning Commission recommended denial of a companion Special Use Permit (SUP-3772) for a Financial Institution, Specified. |
| 03/11/04 | The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item #53/fs). |

B) Pre-Application Meeting

- | | |
|----------|--|
| 01/15/04 | It was acknowledged by the applicant that various landscape and setback waivers would be required, and that three other Financial Institutions, Specified were within 1000 feet of the subject site. |
|----------|--|

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.80
Net Acres: 0.48

B) *Existing Land Use*

Subject Property: Undeveloped / Vacant Building
North: Convenience Store
South: Surface Parking Lot
East: Restaurant
West: Restaurant

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject site is located within the Southeast Sector of the General Plan with an SC (Service Commercial) land use designation, which allows for medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consentient with the General Plan designation, and the proposed Financial Institution, Specified is a permitted use with the approval of a Special Use Permit.

<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

The subject site does not fall within any Special Districts or Zones.

PROJECT DESCRIPTION

The site plan depicts a 3,960 square foot building located at 2801 West Washington Avenue. Waiver requests include allowing a zero rear setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. Access is provided via drives from Washington Avenue and Rancho Drive, and 20 parking spaces are provided internal to the site. There is a "no build" area directly over the prior location of underground storage tanks, and three monitoring wells have been located on site to ensure compliance with State environmental regulations. The landscape plan depicts a 20-foot wide planter along Washington Avenue, a 15-foot wide planter along Rancho Drive, a 6.6-foot wide planter along the west property line, and no landscaping along the south property line. The building elevations depict a 22-foot single story structure with a generally flat roof and a stucco exterior tinted to a soft desert palette.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	147 Feet	Y
Min. Setbacks			
• Front	20 Feet	67 Feet	Y
• Side	10 Feet	11 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	19%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story/19 Feet	Y
Trash Enclosure	Enclosed	Enclosed	Y
Mech. Equipment	Screened from View	Screened	Y

The site does not meet Title 19 rear setback requirements, and a waiver has been requested for a zero rear-yard setback where 20 feet is required. The site meets all other applicable Title 19 requirements.

A2) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	3,960 SF.	1 space / 200 GFA	19	1	19	1

The proposed site meets Title 19 parking requirements.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	1 Trees/ 6 Spaces	1 Trees/ 6 Spaces
Buffer:			
• Min. Trees (Street)	1 Tree/ 20 Linear Feet	5 Trees	4 Trees
• Min. Trees (Perimeter)	+ 1 Tree		
	1 Tree / 30 Linear Feet	5 Trees	2 Trees
• Min. Zone Width	8 Feet		6.6 Feet
• Wall height	8 Feet		Not Depicted

The site is deficient in the amount of street and perimeter trees provided, the width of the landscape planter along the west property line, and the amount of required foundation landscape buffering. Waivers have been requested for the aforementioned deficiencies. A required 8-foot perimeter screening wall is not depicted on the site or landscape plan and a condition of approval has been added to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

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

- Site Plan

The site plan depicts a 3,960 square-foot building located at 2801 West Washington Avenue. Access is provided via drives from Washington Avenue and Rancho Drive. The proposed access drives are approximately 120 feet and 60 feet, respectively, from the intersection of Rancho Drive and Washington Avenue. The relocation of an existing bus stop is required as a result of the proposed drive from Rancho Drive. There are 20 parking spaces internal to the site, which satisfy Title 19 parking requirements.

The prior use on the subject site required the utilization of underground storage tanks, which have since been removed. Three monitoring wells have been located on site in order for the area to be properly monitored for compliance with State environmental regulations. The result is a "no build" area directly over the prior location of the underground storage tanks, which limits the developable area of the site. The applicant has requested several waivers to accommodate the "no build" area and its resulting site constraints.

- Waivers

Waiver requests include allowing a zero rear-building setback where 20 feet is required, a 6.6-foot perimeter landscape buffer where 8 feet is required, a reduction of perimeter landscaping along the west and south property lines, and no foundation landscape buffering where 6 feet is required. There is no justifiable reason to waive these sections of the Code.

- Landscape Plan

The landscape plan depicts a 20-foot wide planter along Washington Avenue, a 15-foot wide planter along Rancho Drive, a 6.6-foot wide planter along the west property line, and no landscaping along the south property line. The plan shows a deficiency of three 24-inch box trees along the west property line, one 24-inch box tree along the east property line, and no foundation landscape buffering. Parking lot landscaping meets Title 19 requirements.

- Elevation

The building elevations depict a 22-foot single story structure with a generally flat roof and a stucco exterior tinted to a soft desert palette.

- Floor Plan

Floor plans were not provided.

FINDINGS

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

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

The proposed land use cannot be conducted in a manner that is harmonious and compatible with adjacent development. An analysis of the surrounding area found three Financial Institutions within the immediate vicinity. Adding this proposed use will contribute to the concentration of similar uses within the area and result in an over-saturation of these types of businesses.

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

The development is not consistent with the Landscape, Wall and Buffer Standards, as several waivers from its requirements have been requested. In addition, the rear-yard setback established by Title 19 cannot be met, and a waiver has been requested to allow a zero rear yard setback where 20 feet is required. There is no justifiable reason to approve these deviations from the Code.

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

Both proposed access drives are located within 220 feet from the intersection of Washington Avenue and Rancho Drive, which will negatively impact adjacent roadways by allowing ingress and egress of vehicular traffic within the immediate vicinity of a heavily traveled intersection.

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

The building and landscape materials depicted on the site and landscape plans are appropriate for this area and for the City.

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

The design characteristics of the building are not undesirable or obnoxious in appearance and are harmonious and compatible the surrounding commercial uses in the area.

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

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

NOTICES MAILED 92 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDK-3766 APN: 139-29-301-011

Name of Property Owner: Rancho Washington LLC

Name of Applicant: Richardson Partnership (TRP)

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

Yes

	X	No
1. The company has a clear vision and mission statement.		
2. The company has a strong leadership team.		
3. The company has a solid financial foundation.		
4. The company has a diverse and talented workforce.		
5. The company has a strong commitment to social responsibility.		
6. The company has a strong customer base.		
7. The company has a strong brand identity.		
8. The company has a strong competitive advantage.		
9. The company has a strong track record of innovation.		
10. The company has a strong commitment to sustainability.		

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: Steve Boss

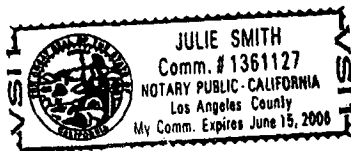
Subscribed and sworn before me

The 23 day of JAN, 2004

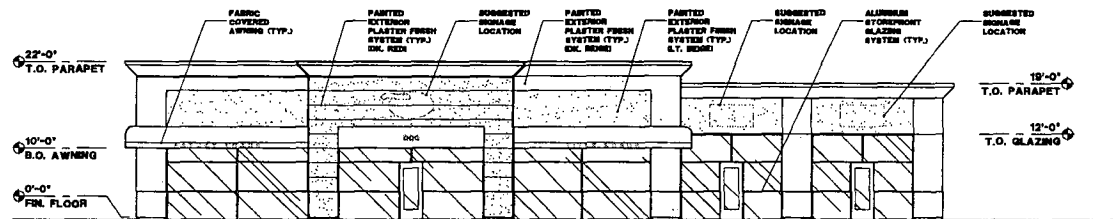
Julie Smith
Notary Public in and for

Notary Public in and for said County and State of CALIFORNIA
Los Angeles Co.

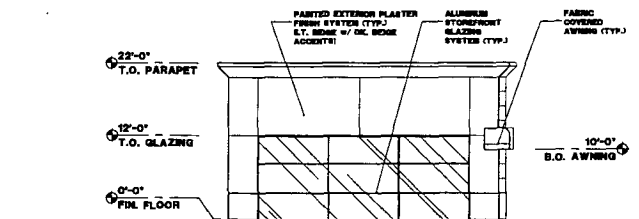
Rev. of 2/12/83



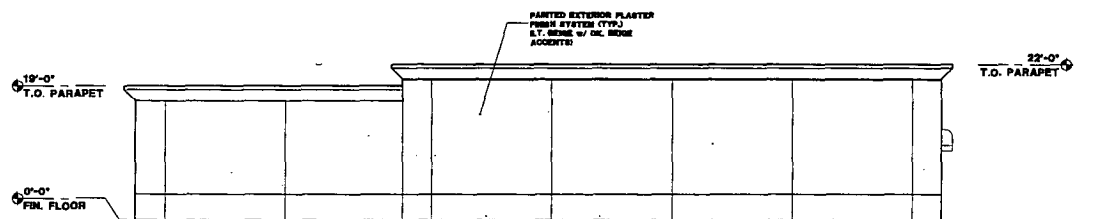
File: DepotApplication Packet Statement of Financial Interest.doc



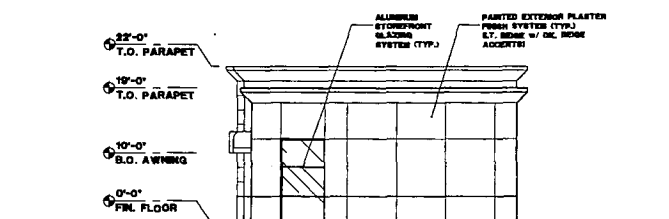
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS for RAPID CASH at RANCHO & WASHINGTON



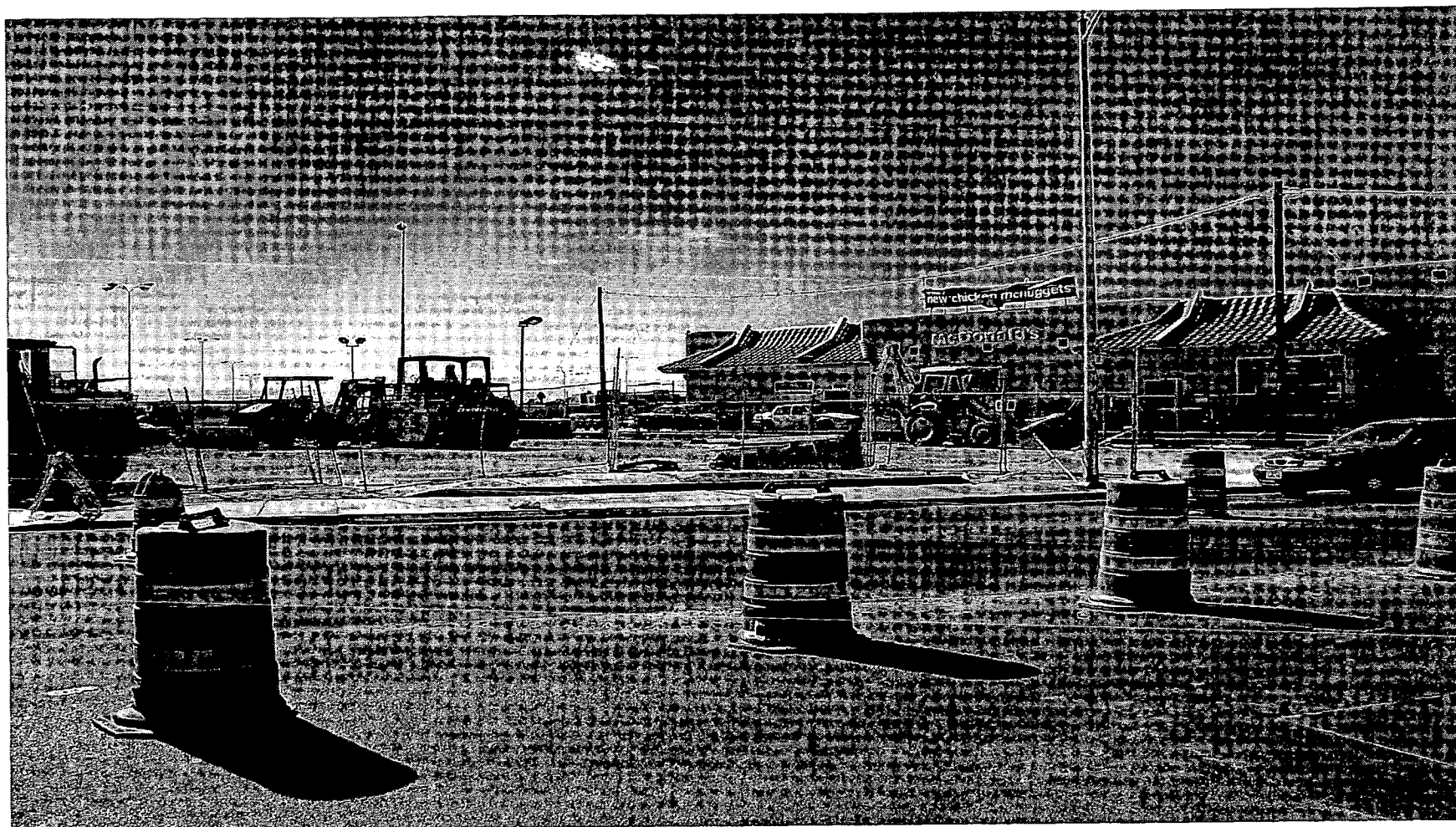
1/8"=1'-0"

JANUARY 2004

LAS VEGAS - NEVADA

**SDR-3766
SUP-3772
03-11-04 PC**

irp inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
215 PINE ROAD SUITE 100 LAS VEGAS, NEVADA 89101
PHONE 702.734.8422 FAX 702.734.8455
E-MAIL: MORT@IRP-ARCHITECT.COM



SDR-3766 - APPLICANT: RICHARDSON PARTNERSHIP - OWNER: RANCHO WASHINGTON, LIMITED
LIABILITY COMPANY
2801 WEST WASHINGTON AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

Political Science, Inc.
856 E. Sahara, Suite A
Las Vegas, NV. 89104
Ofc. (702) 650-5117
Fax: (702) 650-5579

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

7 2004 12:06

2004 MAR 17 P 12:12

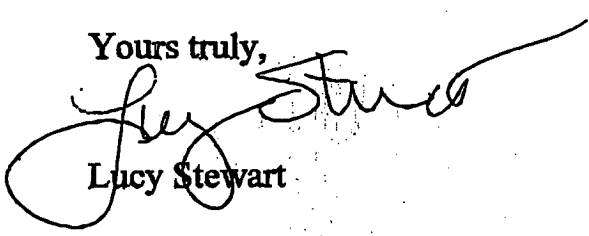
RECEIVED
CITY CLERK

RE: SUP-3772 & SDR3766

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the 3/11/04 Planning Commission meeting. I would like to appeal it to be heard by the City Council. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

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 - PUBLIC HEARING - SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR LIQUOR SALES (OFF-PREMISE CONSUMPTION) adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-35-801-002; 138-35-803-001), C-1 (Limited-Commercial) Zone, Ward 1 (Moncrief). 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

4

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:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 173 [SUP-3815] and Item 174 [SDR-3790].

RUDY STARKS, Architect, 3980 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations and conditions. He noted that the applicant is currently working with the neighbors with regard to providing the type of wall they desire.

PEARL LENARDO, 6300 Blair Way, appeared in support of the proposed development. She commended the developer for working with the neighbors.

GENE LENARDO, 6300 Blair Way, expressed his support. He stated that he knew a wall would be constructed but was a little concerned about light intrusion to the neighboring homes. MR. STARKS replied that the applicant proposes a berm with heavy landscaping in addition to the block wall.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 173 – SUP-3815

MINUTES – Continued:

JUANITA CLARK, Charleston Neighborhood Preservation, asked the applicant to affirm that the wall will be solid block. MR. STARKS stated that the applicant will be happy to accommodate the wishes of the neighborhood and will continue working with them to accomplish that. MS. CLARK expressed that this proposed development will be an asset to the community.

JUNE INGRAM, Charleston Neighborhood Preservation, concurred with the previous speakers and supported approval of the Special Use Permit and the Site Development Plan Review.

COUNCILWOMAN MONCRIEF commended both the applicant and the residents and stated that working on this particular project has been a delightful experience.

TED KRUGER, owner/applicant, thanked everyone for their continued support and expressed his gratitude to COUNCILWOMAN MONCRIEF for her encouraging comments.

No one appeared in opposition.

MAYOR GOODMAN declared the Public hearing closed on Item 173 [SUP-3815] and Item 174 [SDR-3790].

NOTE: All discussion for Item 173 [SUP-3815] and Item 174 [SDR-3790] was held under Item 173 [SUP-3815].

(3:22 – 3:30)
4-1825

CONDITIONS:

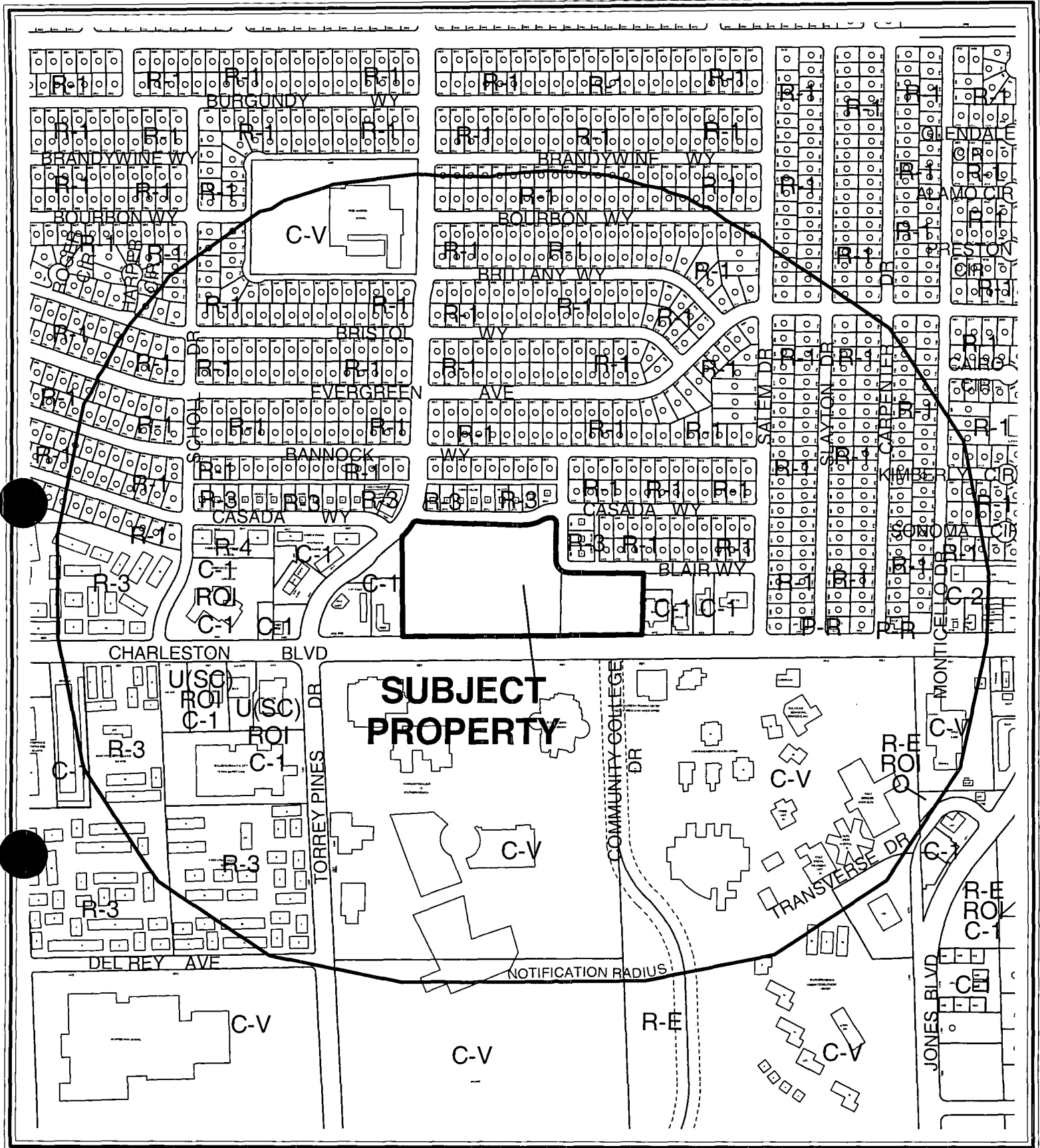
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3790].
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.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 173 – SUP-3815

CONDITIONS – Continued:

6. The sale of alcoholic beverages shall be limited to an area not to exceed 10% of the retail floor space of the market.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-3815**

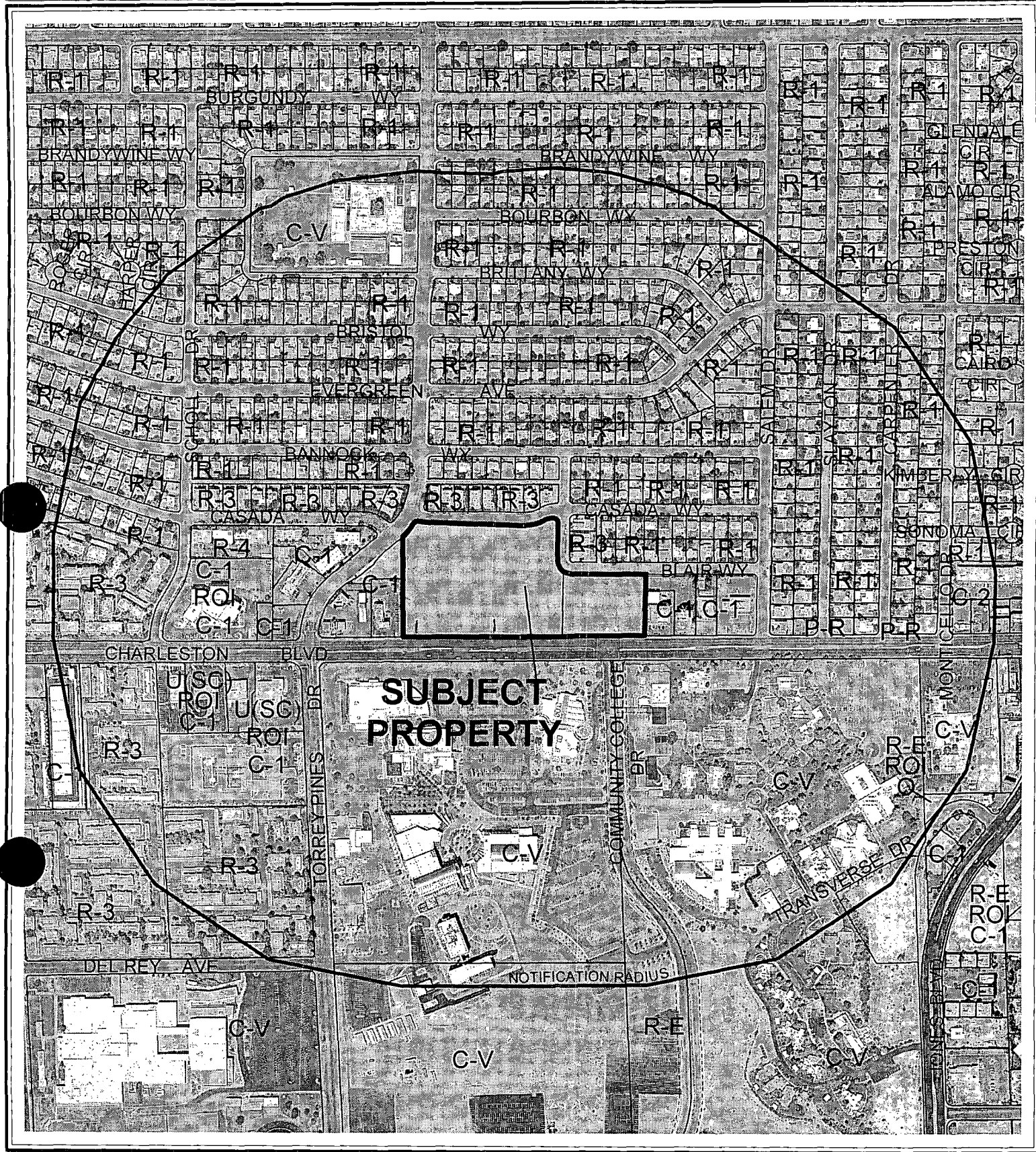
RADIUS: 1500 FT

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

0 300 600 Feet

173





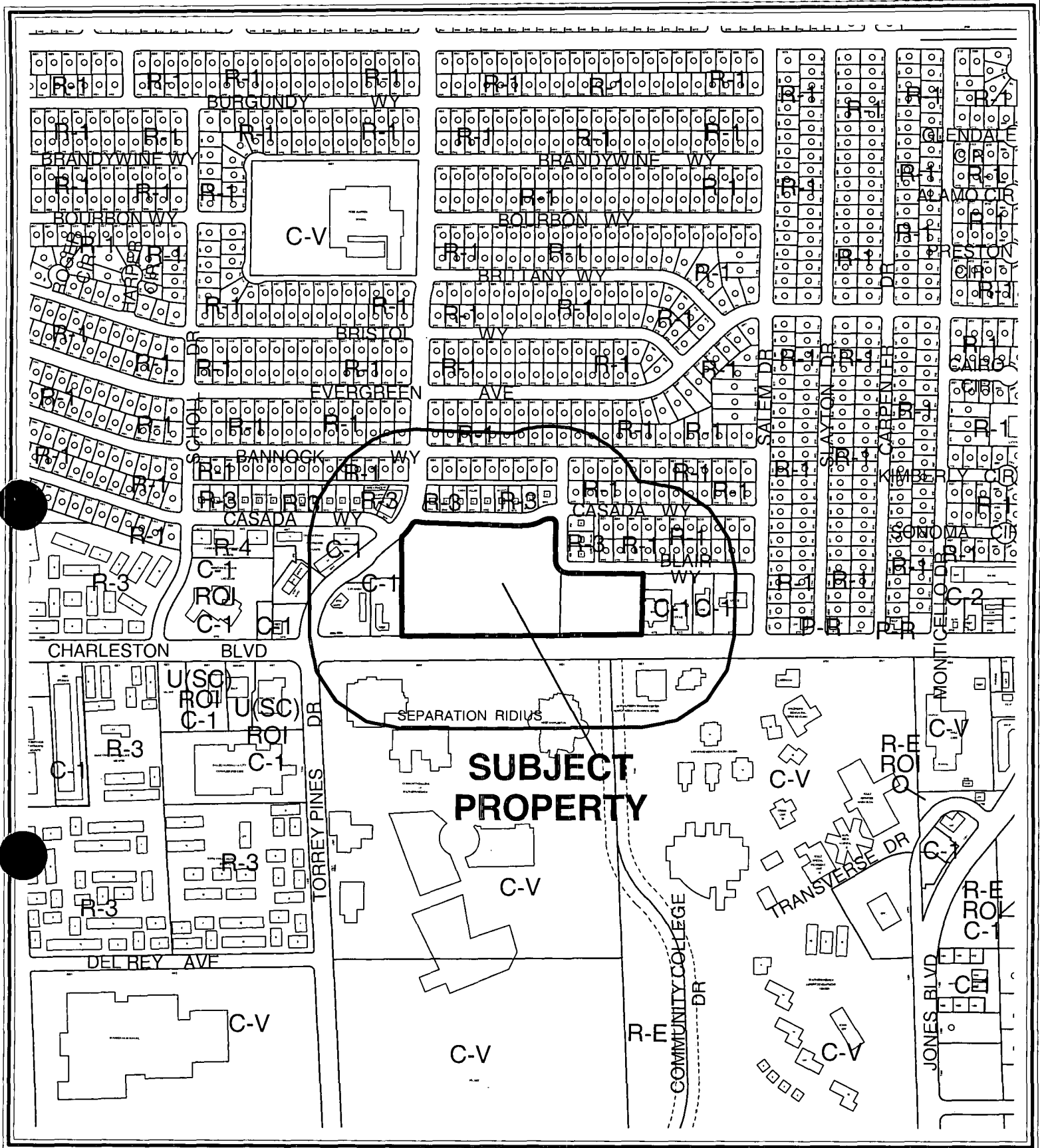
CASE: **SUP-3815**

RADIUS: 1500 FT

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

0 300 600 Feet





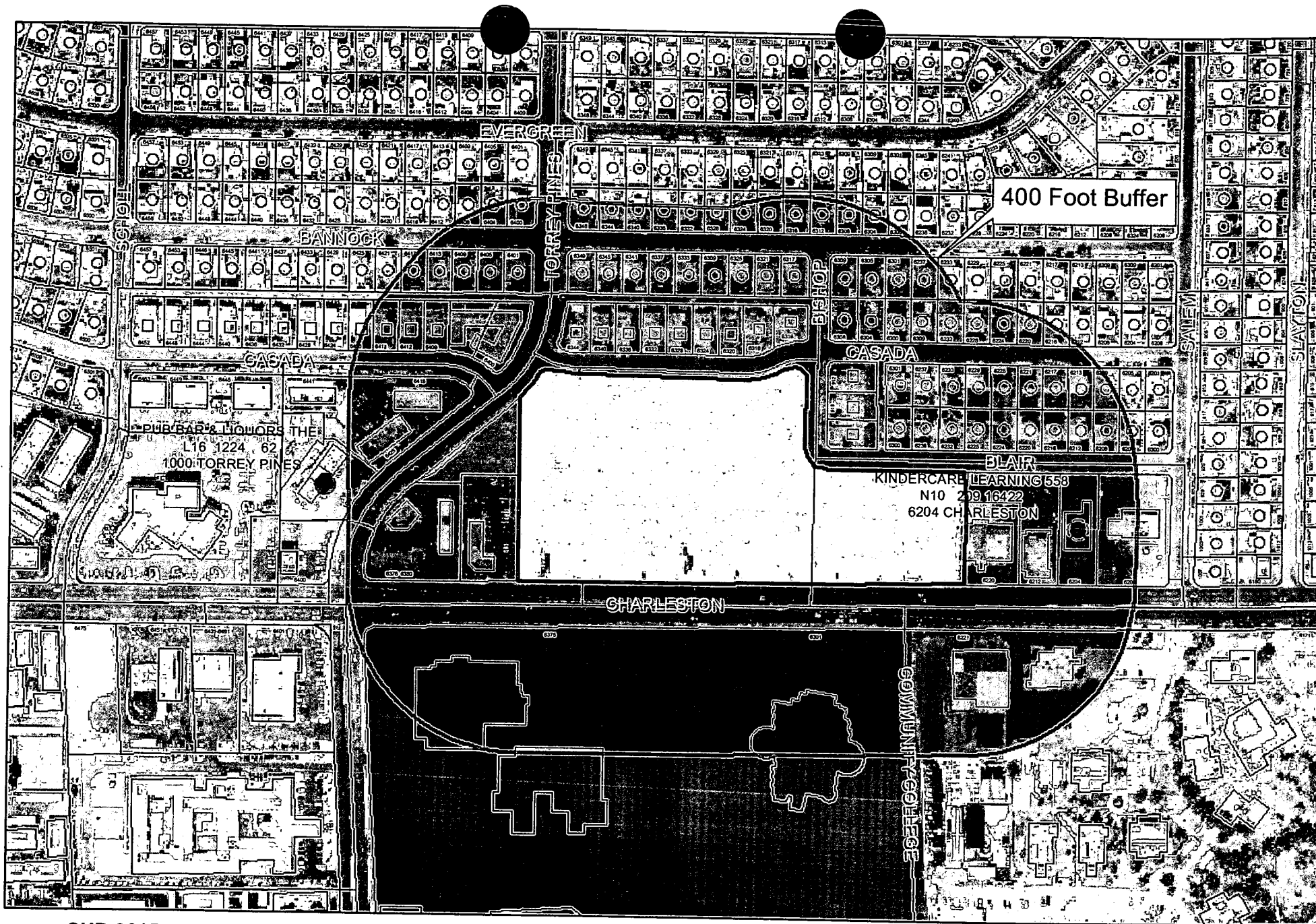
CASE: SUP-3815

SEPARATION RADIUS: 400 FT

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

0 300 600 Feet





SUP-3815

Protected Landuses

- | | |
|---------|-----------|
| Parks | Taverns |
| Schools | Religious |

Business Licenses

- | | |
|--|----------------------------------|
| Tavern | Child Care/
Children Facility |
| Supper Club/
Restaurant Service Bar | |

- | |
|------------------|
| Subject Property |
| 400 foot buffer |



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3790].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to an area not to exceed 10% of the retail floor space of the market.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit for a Liquor Sales (Off-Premise Consumption) use for the sale of packaged liquors and a waiver of separation distance requirements on the north side of Charleston Boulevard approximately 375 feet west of Torrey Pines Drive. The applicant is concurrently submitting an application for a Site Development Plan Review (SDR-3790) and a waiver of perimeter buffering and landscaping standards for a proposed 95,250 square-foot retail center on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the project will provide a café-style neighborhood center for daytime and evening use by community college students as well as shopping and dining for the surrounding residential and business areas.

BACKGROUND INFORMATION

A) Previous Actions

- 02/09/61 The City Council approved a request for Rezoning (Z-0057-60) to R-3 and C-1 on property generally located on the north side of Charleston Boulevard, east of Torrey Pines Drive. The Planning Commission recommended approval on 01/12/61.
- 06/19/92 The City Council approved an appeal for a Special Use Permit (U-0092-95) to allow a 672 square-foot Off-Premise Advertising Sign on property generally located on the north side of Charleston Boulevard, 450 east of Torrey Pines Drive. The Board of Zoning Adjustment recommended denial on 05/26/92.
- 10/13/97 The City Council approved an appeal for a Five-Year Required Review of a Special Use Permit (U-0092-95(1)) to allow a 672 square-foot Off-Premise Advertising Sign to continue on property generally located on the north side of Charleston Boulevard, 450 east of Torrey Pines Drive. The Planning Commission recommended denial on 09/11/97.
- 03/12/98 The Planning Commission approved a request for a Site Development Plan Review (Z-0057-60(1)) on property located on the north side of Charleston Boulevard approximately 200 feet east of Torrey Pines Drive (immediately to the west of the subject site) for a proposed 4,270 square-foot fast food restaurant.

- 03/11/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-3790) and a waiver of perimeter buffering and landscaping standards for a proposed 95,250 square-foot retail center on the subject site. Staff has recommended approval.
- 03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #9/gl).

B) Pre-Application Meeting

- 01/12/04 At the pre-application meeting, the applicant was advised that the site plan would need to be modified to verify the locations of loading zones on the site, and that waivers of perimeter and parking lot landscaping would have to be requested if the project as proposed were to be considered. Public Works advised regarding the necessary drainage study, bringing off-site improvements to current standards and the need for a joint access agreement.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application; however, at the request of the Charleston Neighborhood Preservation Group, a neighborhood meeting is being held on Wednesday, March 10 in Room #323, the President's Conference Room, Community College of Southern Nevada at 6:00 p.m.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.75

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Community College
East: Retail Uses
West: Fast Food Restaurant

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential) and L (Low Density Residential)
South: PF (Public Facilities)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated as SC (Service Commercial) on the Southwest Sector Plan map of the General Plan. The SC designation allows 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 current C-1 (Limited Commercial) zoning district that applies to the subject site is in conformance with the current SC General Plan designation. The site plan as proposed is substantially in compliance with both the General Plan designation and the zoning district, provided the requested waivers are approved.

<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

The site is not affected by any special area plans, overlay districts or study areas.

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.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail, other than listed	75,500 s.f.	1 space/250 s.f. GFA	302 spaces			
Restaurant	15,800 s.f.	1 space /50 s.f. seating space + 1 space/200 s.f. remaining space	172 spaces			
Financial Institution, General + drive-through	4,200 s.f.	1 space/200 s.f. GFA + min 6-space queue	21 spaces			
Totals	95,250 s.f. GFA		495 spaces	9 spaces	502 spaces	11 spaces

The proposed retail complex exceeds the requirement for parking in the Code; however, the design of the handicap spaces in front of the market anchor need striped aprons on either side of each parking space to meet Code requirements. This is referenced in a condition of approval.

A2) Minimum Distance Separation Requirements

Title 19.04.050 requires that a Liquor Establishment (Off-Premise Consumption) has to be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or a city park. There is a childcare facility within this minimum distance to the east of the overall site, although the building-to-building distance is approximately 850 feet. Also, the Community College of Southern Nevada is directly across Charleston Boulevard, a Primary (100-foot) Arterial. The applicant has requested a waiver of subsection 7.c of the conditions, as referenced below, as less than 10% of the market floor space, which is between 20,000 and 50,000 square feet, will be devoted display or merchandising of the Liquor Sales use.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). This zoning district conforms to the General Plan designation of SC (Service Commercial) and the site plan, with approval of the requested waivers, complies with the requirements of the C-1 zoning district.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-Premise Consumption) 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. In this case, there are sensitive uses within the minimum 400-foot distance separation requirement, but the applicant has requested a waiver of the distance based on meeting the criteria for such a waiver as outlined in subsection 7.c below. The use is proposed as an ancillary component of a proposed 39,910 square-foot grocery store, which in turn is part of an approximately 95,250 square-foot retail commercial center proposed for the site. It would appear that this use can be conducted in a manner that is harmonious and compatible with the surrounding development and is appropriate at this location.

- Conditions

The following conditions are stipulated for the development of a Liquor Establishment (Off-Premise Consumption) within a C-1 zoning district. The conditions with asterisks are non-waivable:

- *1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.
- *2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.
- *3. In the case of a liquor establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

- b.** In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.
- 4.** When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
- 5.** The minimum distance requirements in Subsection 1 do not apply to:
 - a.** An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
 - b.** A proposed retail establishment having more than 50,000 square feet of retail floor space.
- *6.** All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
- 7.** The minimum distance requirements set forth in Subsection 1, which are otherwise non-waivable under the provisions of this subdivision, may be waived:
 - a.** In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment, which is proposed to be located on a parcel within the Downtown Casino Overlay District;
 - b.** In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or
 - c.** In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or
 - d.** In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

The application as proposed does not meet the applicable conditions of Title 19.04.050, but meets the qualifying conditions for the approval of the requested waiver of the separation distance condition.

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 Liquor Establishment (Off-Premise Consumption) use will be an accessory use to the proposed market anchor store. This use is an ancillary function to the principal market function. This proposed development will be compatible with other development that is adjacent or nearby within this portion of the Charleston Boulevard corridor. This use will enable the market to provide a full range of products normally available at a grocery store.

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

The site is in a location along Charleston Boulevard that is suited to the requested use. The site is bordered to the east and west by existing commercial development, and is across Charleston Boulevard from the community college campus. The project is also strategically located to serve the medium-density apartment area to the north of the site.

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

Principal access to the site will be from Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This street has adequate capacity to serve the proposed development.

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

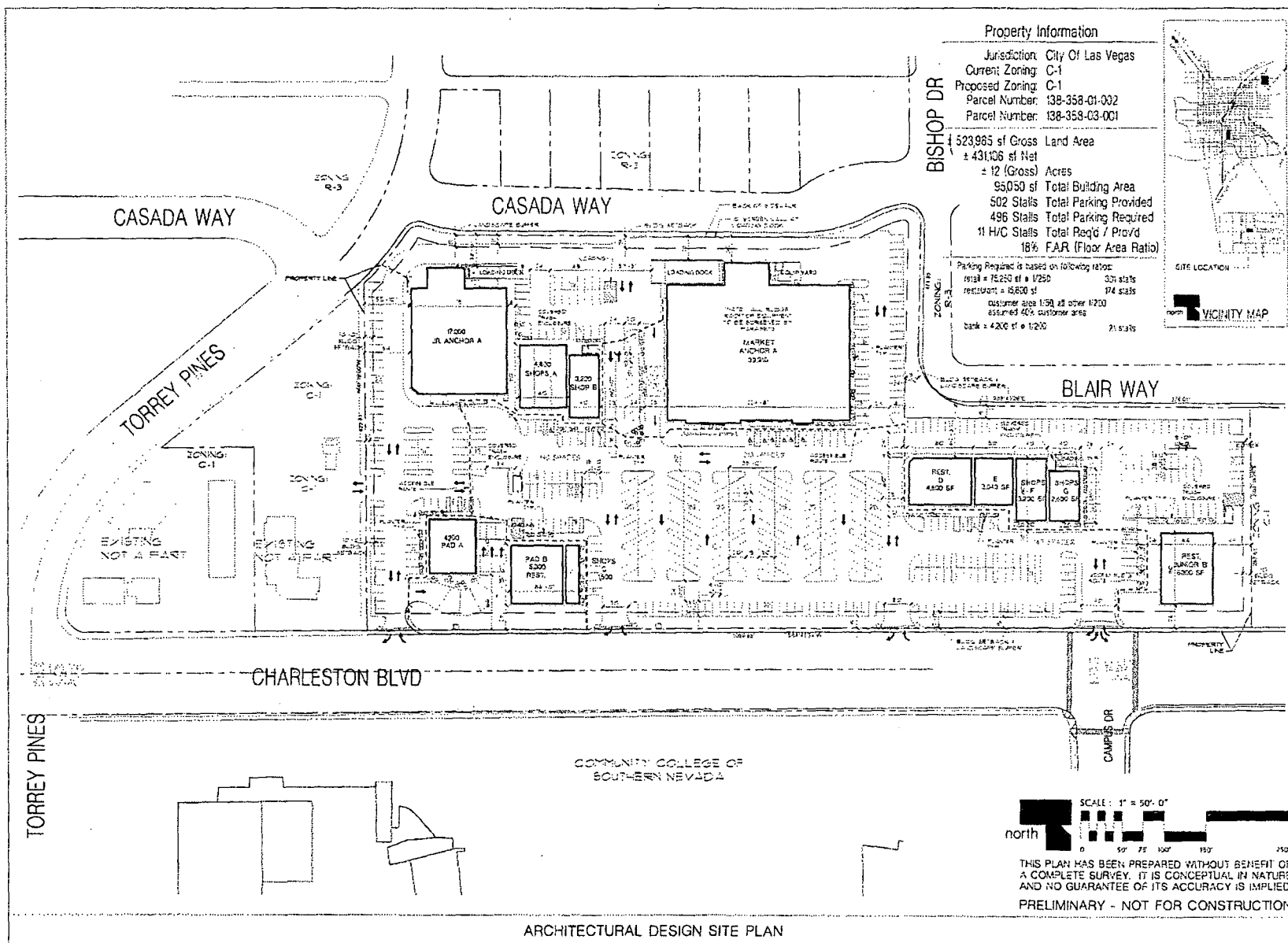
The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare. The proposed use is consistent, subject to conformance with Code conditions, with the Service Commercial policies of the General Plan and the zoning regulations of the C-1 (Limited Commercial) zoning district.

NOTICES MAILED 628 by City Clerk

APPROVALS 4

PROTESTS 0





TREE / SHRUB AND GROUND COVER SCHEDULE

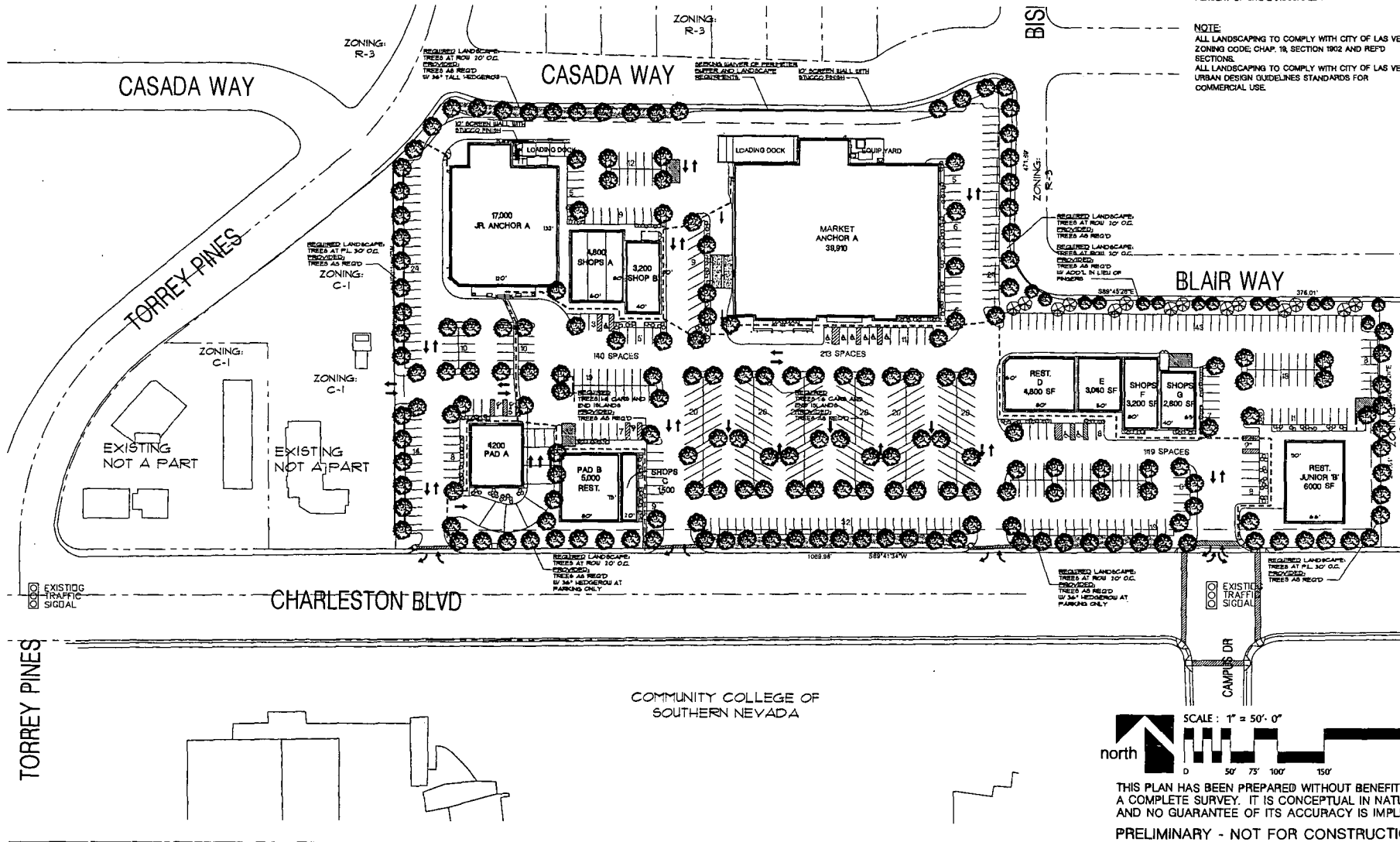
SYMBOL	SIZE	SPACING	COMMON NAME
⊙	24" BOX	30' DIA. ALONG PRIMARY THOROUGHFARE	FRUITLESS OLIVE OR EQUIV. AS ACCEPTABLE BY CLV.
⊙	24" BOX	30' DIA. ALONG PROP. LINE ADJACENT TO COMMERCIAL	ITALIAN STONE PINE OR EQUIV. AS ACCEPTABLE BY CLV.
⊙	24" BOX	ADDITIONAL TREES ADDED IN LIEU OF ISLANDS	ITALIAN STONE PINE OR EQUIV. AS ACCEPTABLE BY CLV.
⊙	1-GAL	1 PER 3 LINEAR FEET (GROUP WHERE APPROPRIATE)	DESERT CARPET ACACIA OR EQUIV. AS ACCEPTABLE BY CLV.

SITE LANDSCAPE INFORMATION:

SITE: 43,908 SF
TOTAL LANDSCAPE AREA: 99,409 SF
PERCENT OF SITE LANDSCAPED: 23.0%

NOTE:

ALL LANDSCAPING TO COMPLY WITH CITY OF LAS VEGAS
ZONING CODE CHAP. 18, SECTION 1802 AND REF'D
SECTION.
ALL LANDSCAPING TO COMPLY WITH CITY OF LAS VEGAS
URBAN DESIGN GUIDELINES STANDARDS FOR
COMMERCIAL USE.



ARCHITECTURAL DESIGN LANDSCAPE PLAN

SUP-3815

03-11-04 PC

REVISED 03-10-04

PR

3560 Howard Hughes Pkwy.
Suite 450
Las Vegas, Nevada 89109
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702-892-8511 fax

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(916) 879-1697 fax

Perkowitz + Ruth
ARCHITECTS
CHARLESTON BLVD AND TORREY PINES
CHARLESTON FESTIVAL
Las Vegas, Nevada

Revisions

Date: 07/30/04
Drawn By: BLM
Checked By: RUS
Project No: 03-40311
File Name: 40311-LS1.dwg
Scale: 1" = 100'

LANDSCAPE PLAN

LS-1

Property Information

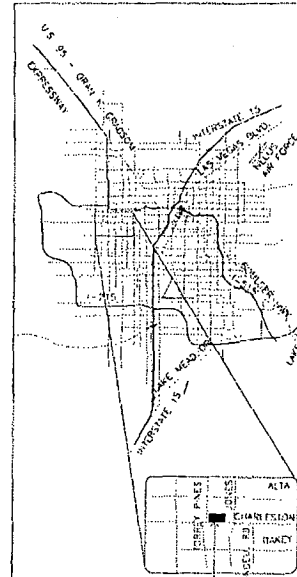
Jurisdiction: City Of Las Vegas
 Current Zoning: C-1
 Proposed Zoning: C-1
 Parcel Number: 138-358-01-002
 Parcel Number: 138-358-03-001

BISHOP DR

± 523,985 sf Gross Land Area
 ± 431,106 sf Net
 ± 12 (Gross) Acres
 95,050 sf Total Building Area
 502 Stalls Total Parking Provided
 496 Stalls Total Parking Required
 11 H/C Stalls Total Req'd / Prov'd
 18% F.A.R. (Floor Area Ratio)

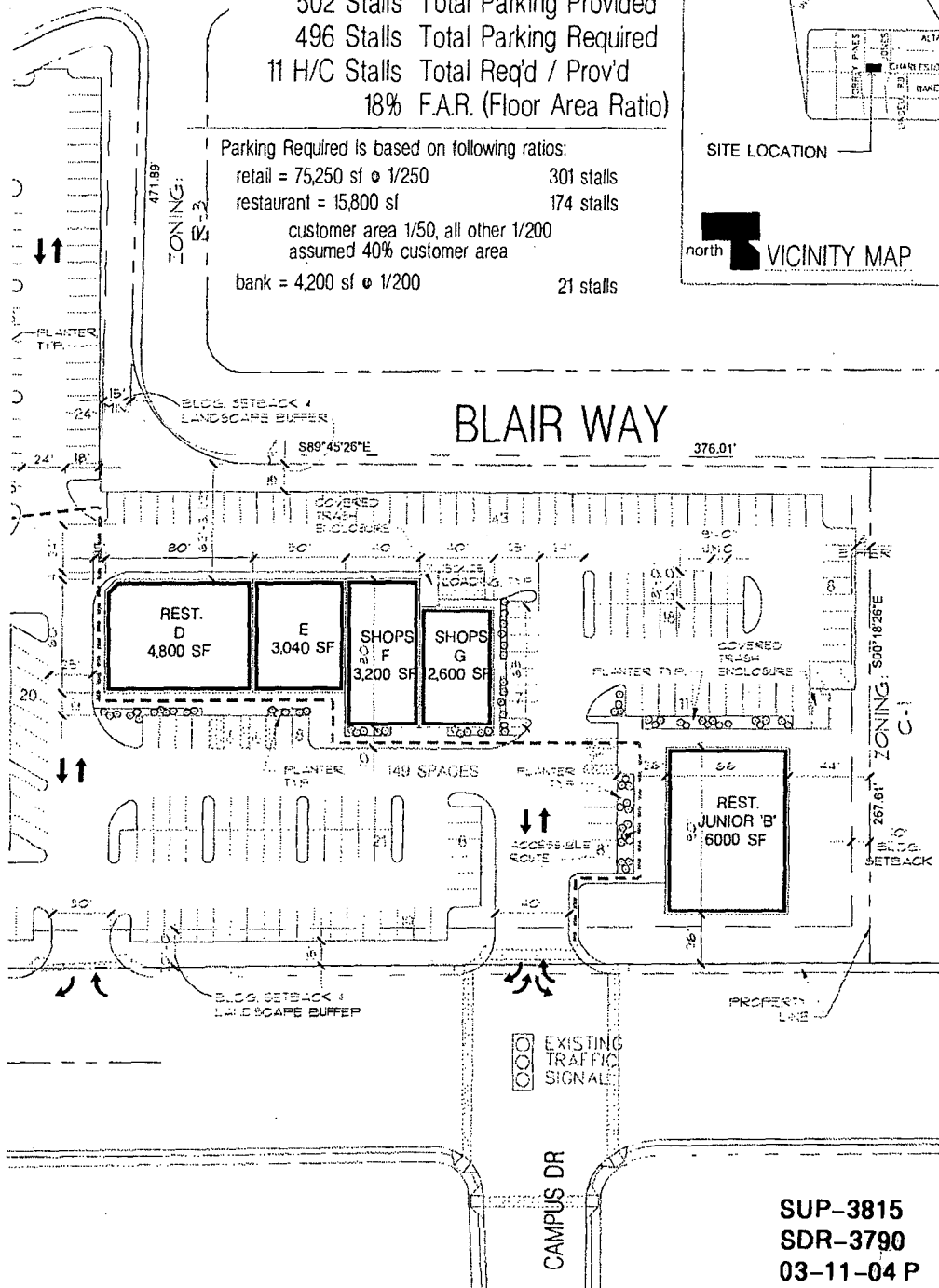
Parking Required is based on following ratios:

retail = 75,250 sf @ 1/250	301 stalls
restaurant = 15,800 sf	174 stalls
customer area 1/50, all other 1/200	
assumed 40% customer area	
bank = 4,200 sf @ 1/200	21 stalls

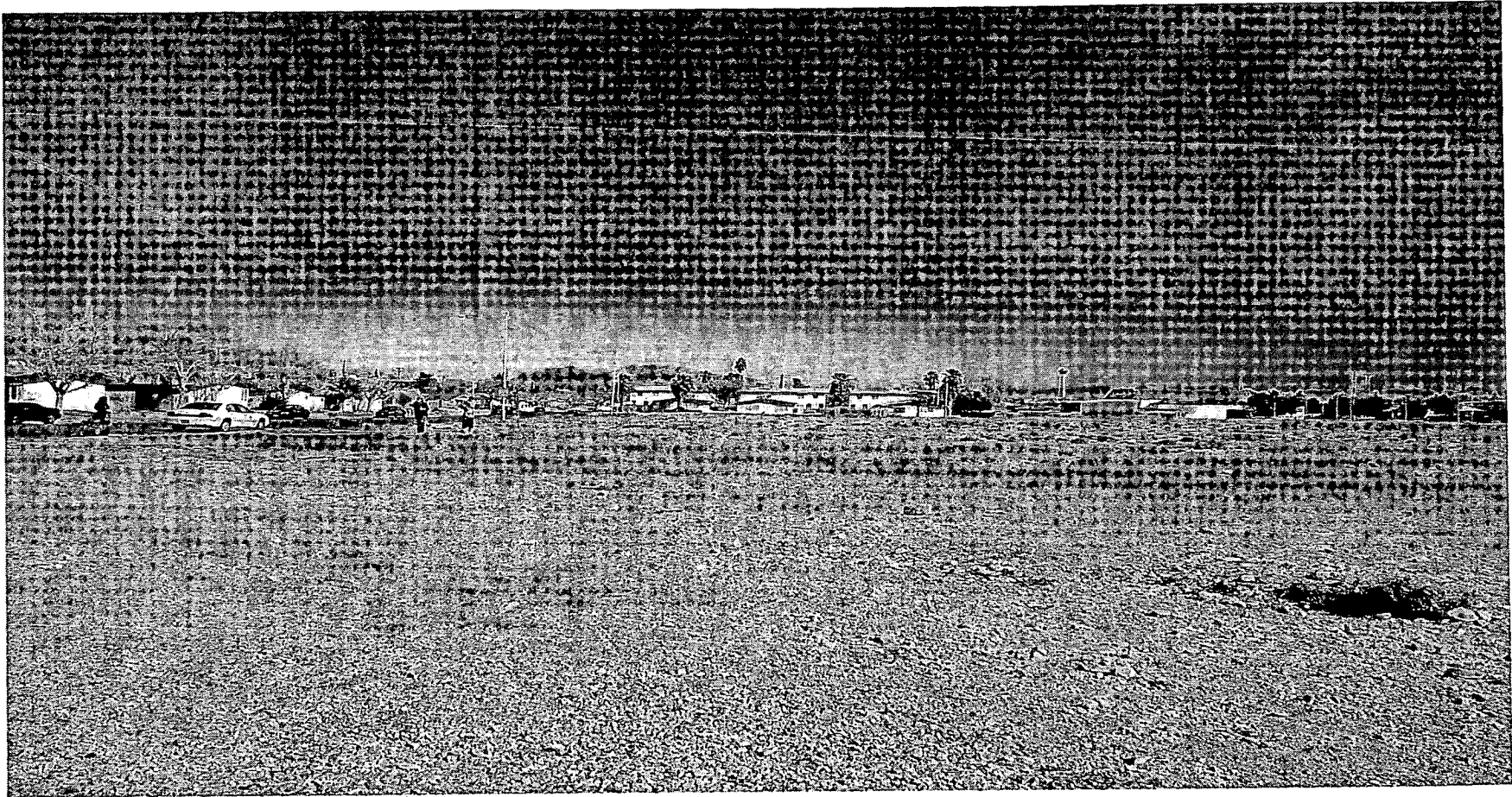


SITE LOCATION

north VICINITY MAP

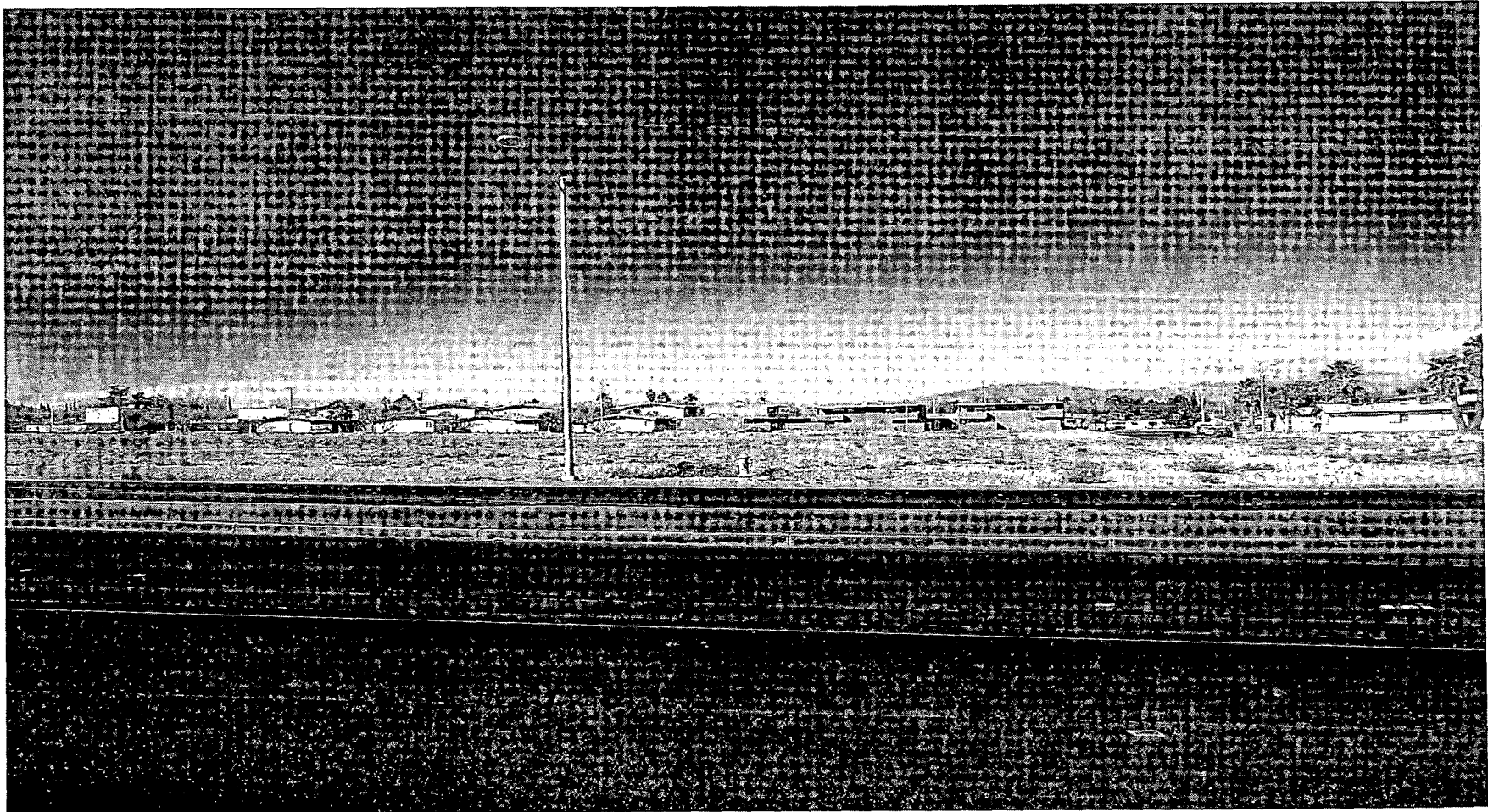


SUP-3815
 SDR-3790
 03-11-04 P
 REVISED 02-27-04



SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND
INVESTMENTS, LIMITED LIABILITY COMPANY
NORTH SIDE OF CHARLESTON AVENUE, APPROXIMATELY 375 FEET EAST OF TORREY PINES DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SUP-3815 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND
INVESTMENTS, LIMITED LIABILITY COMPANY
NORTH SIDE OF CHARLESTON AVENUE, APPROXIMATELY 375 FEET EAST OF TORREY PINES DRIVE
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:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3815 - PUBLIC HEARING - SDR-3790 - **APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers of perimeter buffering and landscaping standards FOR A PROPOSED 101,000 SQUARE-FOOT RETAIL CENTER on 9.74 acres adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive (APN: 138-358-01-002; 138-358-03-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). 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:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 173 [SUP-3815] for related discussion.

3:22 – 3:30)

4-1825

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.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 174 – SDR-3790

CONDITIONS – Continued:

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the design of handicap parking spaces to meet Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. 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.
10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 174 – SDR-3790

CONDITIONS – Continued:

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
17. Deliveries to the site shall be restricted to the hours of 8:00 a.m. to 8:00 p.m.

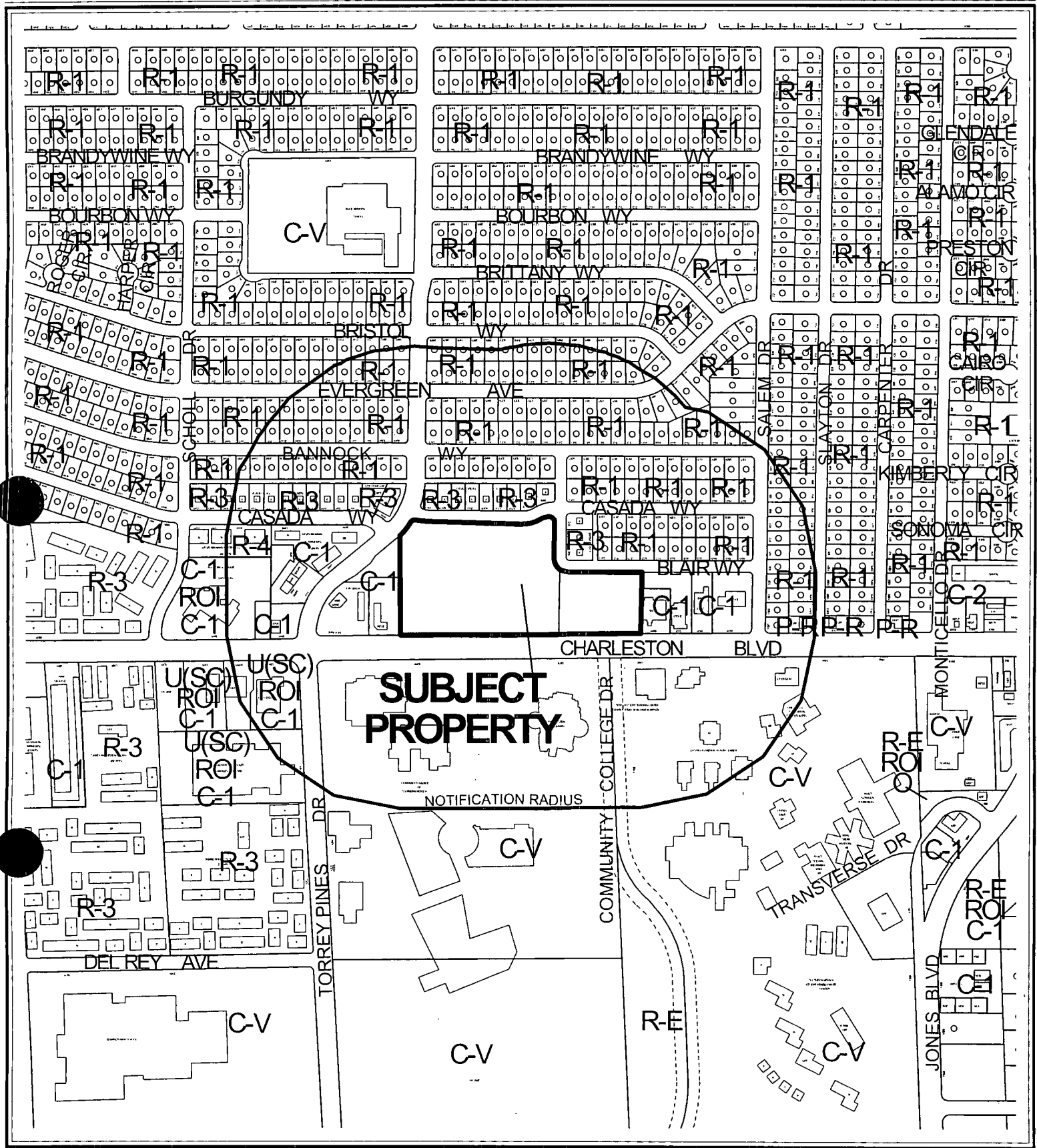
Public Works

18. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
19. Construct all incomplete half-street improvements on Charleston Boulevard, Torrey Pines Drive, Blair Way, Bishop Drive and Casada Way adjacent to this site concurrent development of this site. Also, construct a bus turnout on Charleston Boulevard if recommended by the approved Traffic Impact Analysis. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development. Improvements on Charleston Boulevard shall receive approval from the Nevada Department of Transportation.
20. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access of any type, including construction traffic, shall not be taken from the proposed Campus Drive entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 174 – SDR-3790

CONDITIONS – Continued:

21. 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.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-49-99 and all other subsequent site-related actions.



CASE: **SDR-3790**

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-3790 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND INVESTMENTS, LIMITED LIABILITY COMPANY

**** 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. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the design of handicap parking spaces to meet Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. 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.
10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
17. Deliveries to the site shall be restricted to the hours of 8:00 a.m. to 8:00 p.m.

Public Works

18. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
19. Construct all incomplete half-street improvements on Charleston Boulevard, Torrey Pines Drive, Blair Way, Bishop Drive and Casada Way adjacent to this site concurrent development of this site. Also, construct a bus turnout on Charleston Boulevard if recommended by the approved Traffic Impact Analysis. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development. Improvements on Charleston Boulevard shall receive approval from the Nevada Department of Transportation.

20. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access of any type, including construction traffic, shall not be taken from the proposed Campus Drive entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.
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23. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-49-99 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review and a waiver of perimeter buffering and landscaping standards for a proposed 95,250 square-foot retail center on the north side of Charleston Boulevard approximately 375 feet west of Torrey Pines Drive. The applicant is concurrently submitting an application for a Special Use Permit (SUP-3815) for a Liquor Sales (Off-Premise Consumption) use on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the project will provide a café-style neighborhood center for daytime and evening use by community college students as well as shopping and dining for the surrounding residential and business areas.

BACKGROUND INFORMATION

A) Previous Actions

- 02/09/61 The City Council approved a request for Rezoning (Z-0057-60) to R-3 and C-1 on property generally located on the north side of Charleston Boulevard, east of Torrey Pines Drive. The Planning Commission recommended approval on 01/12/61.
- 06/19/92 The City Council approved an appeal for a Special Use Permit (U-0092-95) to allow a 672 square-foot Off-Premise Advertising Sign on property generally located on the north side of Charleston Boulevard, 450 east of Torrey Pines Drive. The Board of Zoning Adjustment recommended denial on 05/26/92.
- 10/13/97 The City Council approved an appeal for a Five-Year Required Review of a Special Use Permit [U-0092-95(1)] to allow a 672 square-foot Off-Premise Advertising Sign to continue on property generally located on the north side of Charleston Boulevard, 450 east of Torrey Pines Drive. The Planning Commission recommended denial on 09/11/97.
- 03/12/98 The Planning Commission approved a request for a Site Development Plan Review [Z-0057-60(1)] on property located on the north side of Charleston Boulevard approximately 200 feet east of Torrey Pines Drive (immediately to the west of the subject site) for a proposed 4,270 square-foot fast food restaurant.

- 03/11/04 The Planning Commission recommended a related Special Use Permit (SUP-3815) for a Liquor Sales (Off-Premise Consumption) use on the subject site. Staff has recommended approval.
- 03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #10/gl).

B) Pre-Application Meeting

- 01/12/04 At the pre-application meeting, the applicant was advised that the site plan would need to be modified to verify the locations of loading zones on the site, and that waivers of perimeter and parking lot landscaping would have to be requested if the project as proposed were to be considered. Public Works advised regarding the necessary drainage study, bringing off-site improvements to current standards and the need for a joint access agreement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.75

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Community College
East: Retail Uses
West: Fast Food Restaurant

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential) and L (Low Density Residential)
South: PF (Public Facilities)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated as SC (Service Commercial) on the Southwest Sector Plan map of the General Plan. The SC designation allows 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 current C-1 (Limited Commercial) zoning district that applies to the subject site is in conformance with the current SC General Plan designation. The site plan as proposed is substantially in compliance with both the General Plan designation and the zoning district, provided the requested waivers are approved.

<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

The site is not affected by any special area plans, overlay districts or study areas.

PROJECT DESCRIPTION

The initial application called for a project consisting of a 101,000 square-foot commercial retail center on the north side of Charleston Boulevard, east of Torrey Pines Drive. The applicant has since submitted revised plans that scale the project back to 95,250 square feet. The project is anchored by a 39,910 square-foot market in the central portion of the site, and a 17,000 square-foot junior anchor in the northwest corner of the site. The project contains five other pads containing a total of 16,840 square feet of retail space divided among a number of retail units. There are also three restaurant pads totaling 15,800 square feet and a bank pad 4,200 square feet in size, with a drive-through facility.

The complex is oriented towards Charleston Boulevard, with three vehicular entrances accessing Charleston Boulevard. An inter-site access point is provided with the fast-food restaurant site immediately to the west. No access is provided to Casada Way, Bishop Drive or Blair Way, to the rear of the site. While three of the pads are pushed forward on the site, pursuant to commercial design standards, the bulk of the structures on the site are placed towards the rear, with the parking area to the front of the site; however, given the proximity of the site to residential areas to the north, this configuration is acceptable.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards C-1 District	Required	Provided	Compliance
Min. Lot Size	None	9.75	N/A
Min. Lot Width	100 Feet	1,070 Feet	Y
Min. Setbacks			
• Front	20 Feet	26 Feet	Y
• Side	10 Feet	44 Feet	Y
• Rear	20 Feet	30 Feet	Y
Max. Lot Coverage	50 %	18%	Y
Max. Building Height	None	34 Feet	N/A
Trash Enclosure	Walled, gated, roofed	4 Indicated, plus compactors for the two anchors	Y
Loading Zone	4 Required	4 Indicated, plus 2 loading docks for the anchors	Y
Mech. Equipment	Screened on roof	Screened on roof	Y

The application appears to meet the development standards of the Code.

A2) Residential Adjacency Standards

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

- a) Proximity slope. Only the eastern portion of the site is affected by proximity slope requirements, where there are single-family homes on the north side of Blair Way. The structures depicted on Pads F and G would be the closest to these homes. With a maximum height of 26 feet, these buildings need to be at least 78 feet away. Since the actual shortest distance to the property line of these homes is approximately 120 feet, this development complies with the requirements of this portion of the Code.
- b) Building setback. The rear setback for these single-family homes is 20 feet. Since the closest buildings proposed for this site will be approximately 120 feet, the project conforms to this requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail, other than listed	75,500 s.f.	1 space/250 s.f. GFA	302 spaces			
Restaurant	15,800 s.f.	1 space /50 s.f. seating space + 1 space/200 s.f. remaining space	172 spaces			
Financial Institution, General + drive-through	4,200 s.f.	1 space/200 s.f. GFA + min 6-space queue	21 spaces			
Totals	95,250 s.f. GFA		495 spaces	9 spaces	502 spaces	11 spaces

The proposed retail complex exceeds the requirement for parking in the Code; however, the design of the handicap spaces in front of the market anchor need striped aprons on either side of each parking space to meet Code requirements. This is referenced in a condition of approval.

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	84 Trees	121 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet along exterior perimeters (1,700 Feet)	85 Trees	73 Trees
	+ 1 Tree /30 Linear Feet along interior perimeters (720 Feet)	24 Trees	24 Trees

• Min. Zone Width	15 Feet exterior, 8 Feet interior	Y
• Wall height	6 Feet	Y 250-foot long, 10-foot screen wall proposed at rear of site

The project meets or exceeds all landscaping and buffering standards of the Code, with the exception of an area approximately 250 feet in length along the rear of the site, behind the major market anchor. There is insufficient width in this area to allow access for large delivery vehicles, and still provide a landscaped buffer in this area. The applicant has requested a waiver of buffering and landscaping standards in this limited area, and has proposed a 10-foot high, stuccoed screen wall to eliminate negative impact on residential properties to the north across Casada Way. This request proposes a reasonable compromise and is acceptable.

A5) Sign Standards

No on-site signage proposals were submitted with the project. The applicant intends to obtain signage approvals separately through the subsequent submission of a Master Sign Plan application.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). This zoning district conforms to the General Plan designation of SC (Service Commercial) and the site plan, with approval of the requested waivers, complies with the requirements of the C-1 zoning district.

- Site Plan

The site plan depicts a 95,250 square-foot retail commercial complex that provides a range of shopping, dining and service commercial uses that area designed to cater to both area residents and the student and employee populations of the Community College of Southern Nevada, directly across Charleston Boulevard to the south. The site plan attempts to integrate with other commercial uses along Charleston Boulevard in this area, and to buffer nearby residential uses from any adverse noise or traffic impacts.

- Waivers

The applicant has requested a waiver of buffering and landscaping standards in an area approximately 250 feet in length along the rear of the site, behind the major market anchor. There is insufficient width in this area to allow access for large delivery vehicles, and still provide a landscaped buffer in this area. In lieu of buffering and landscaping this limited area, the applicant has proposed a 10-foot high, stuccoed screen wall to eliminate negative impact on residential properties to the north across Casada Way. This request proposes a reasonable compromise and represents an acceptable solution.

- Landscape Plan

The landscape plan depicts a variety of 24-inch box trees used for perimeter and parking lot landscaping, including Fruitless Olive and Italian Stone Pine, with one-gallon Desert Carpet Acacia as ground cover plantings. Plant and shrub requirements call for a minimum of four five-gallon shrubs and four one-gallon shrubs for each 24-inch box tree planted. A condition of approval will require revision to the landscape plan to meet these standards of the Code.

- Elevation

The elevations illustrate an interesting and architecturally pleasing design using a combination of stucco plaster finish, a variety of metal cladding surfaces, aluminum storefronts, and exposed structural steel columns and framing supporting standing seam metal roofs and canopies in each building. The variety and uniqueness of the architectural details and the angled roof and canopy elements combine to give the project a flair that should be a welcome addition to the area.

FINDINGS

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

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

This proposed development will be compatible with other development that is adjacent or nearby within this portion of the Charleston Boulevard corridor. Nearby areas within the Community College of Southern Nevada campus and the related public development in that area, including the West Charleston Library, should benefit from, and be complimented by, this proposed Charleston Festival Marketplace project.

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

The project is consistent with the Service Commercial policies of the General Plan and the zoning regulations of the C-1 (Limited Commercial) zoning district. It appears to be in keeping with the listed standards, with the exception of the 250-foot area at the rear of the site, which is the subject of the requested waiver of buffering and landscaping standards.

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

Principal access to the site will be from Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This street has adequate capacity to serve the proposed development.

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

The building and landscape materials present an creative and exciting design that will be complementary to the design of buildings found across Charleston Boulevard on the community college campus site, and with the design of other surrounding and nearby commercial, office and institutional projects in the area.

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

The design, articulation and overall layout of the project, while unique, will be harmonious and compatible with other similar projects within this portion of the Charleston Boulevard area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Condition #17 as shown.

NOTICES MAILED 625 by Planning Department

APPROVALS 0

PROTESTS 0



Property Information

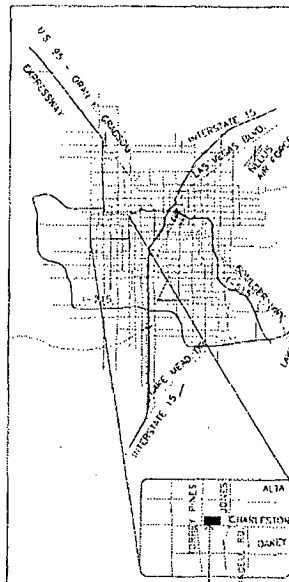
Jurisdiction: City Of Las Vegas
 Current Zoning: C-1
 Proposed Zoning: C-1
 Parcel Number: 138-358-01-002
 Parcel Number: 138-358-03-001

BISHOP DR

± 523,985 sf Gross Land Area
 ± 431,106 sf Net
 ± 12 (Gross) Acres
 95,050 sf Total Building Area
 502 Stalls Total Parking Provided
 496 Stalls Total Parking Required
 11 H/C Stalls Total Req'd / Prov'd
 18% F.A.R. (Floor Area Ratio)

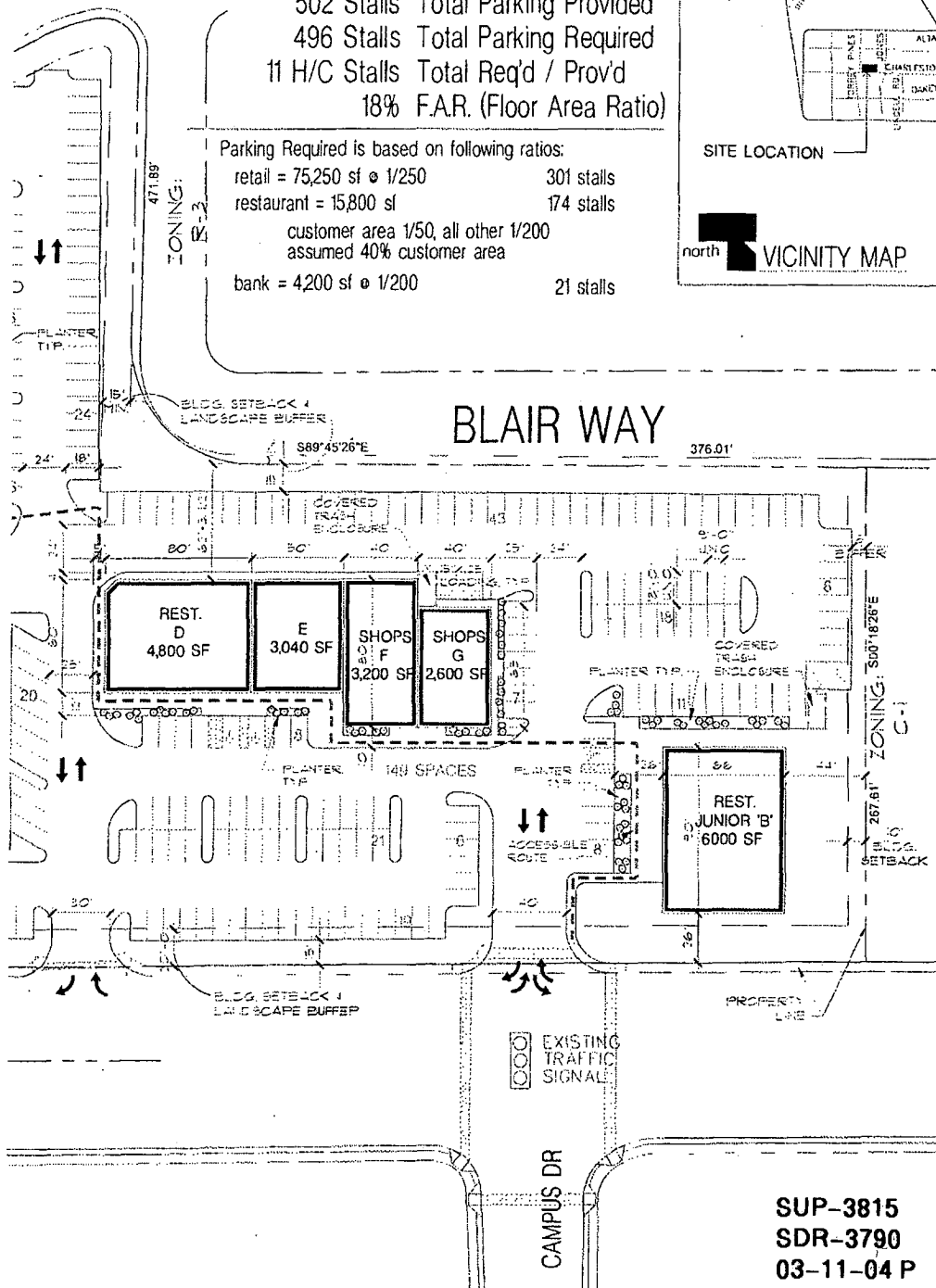
Parking Required is based on following ratios:

retail = 75,250 sf @ 1/250	301 stalls
restaurant = 15,800 sf	174 stalls
customer area 1/50, all other 1/200 assumed 40% customer area	
bank = 4,200 sf @ 1/200	21 stalls



SITE LOCATION

north
VICINITY MAP



SUP-3815
 SDR-3790
 03-11-04 P
 REVISED 02-27-04

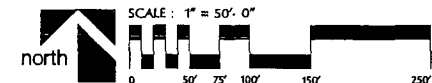
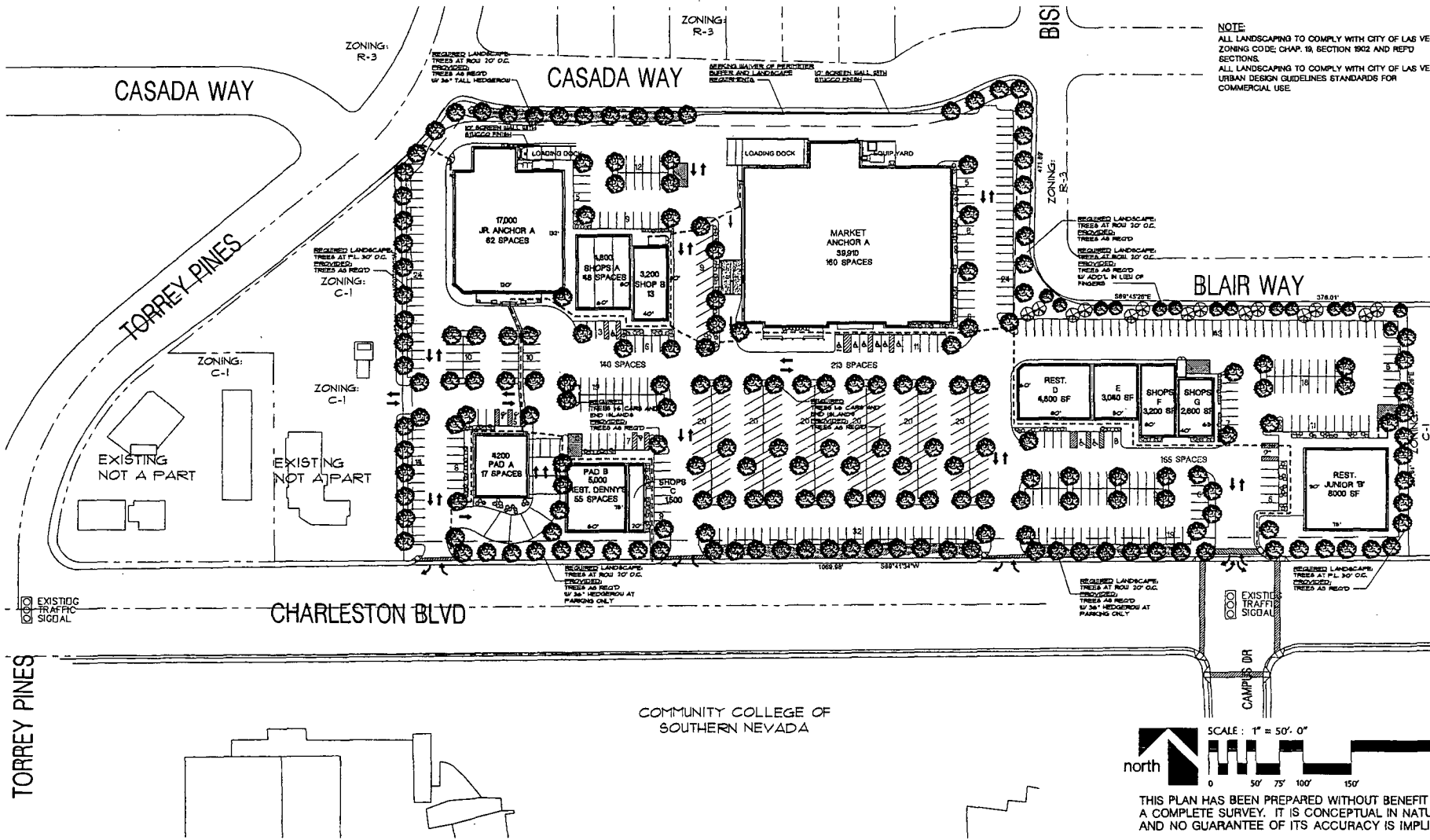
TREE / SHRUB AND GROUND COVER SCHEDULE

SYMBOL	SIZE	SPACING	COMMON NAME
⊗	24" BOX	20' O/C ALONG PRIMARY THOROUGHFARE	FRUITLESS OLIVE OR EQUIV. AS ACCEPTABLE BY CLV
⊗	24" BOX	30' O/C ALONG PROP. LINE ADJACENT TO COMMERCIAL	ITALIAN STONE PINE OR EQUIV. AS ACCEPTABLE BY CLV
⊗	24" BOX	ADDITIONAL TREES ADDED IN LIEU OF ISLANDS	ITALIAN STONE PINE OR EQUIV. AS ACCEPTABLE BY CLV
⊙	1-GAL	1 PER 3 LINEAR FEET (GROUP WHERE APPROPRIATE)	DESERT CANEPT ACACIA OR EQUIV. AS ACCEPTABLE BY CLV

SITE LANDSCAPE INFORMATION

SITE: 43106 SF
TOTAL LANDSCAPE AREA: 98408 SF
PERCENT OF SITE LANDSCAPED: 23.0%

NOTE:
ALL LANDSCAPING TO COMPLY WITH CITY OF LAS VEGAS ZONING CODE, CHAP. 19, SECTION 1902 AND REF'D SECTIONS.
ALL LANDSCAPING TO COMPLY WITH CITY OF LAS VEGAS URBAN DESIGN GUIDELINES STANDARDS FOR COMMERCIAL USE.



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
PRELIMINARY - NOT FOR CONSTRUCTION

ARCHITECTURAL DESIGN LANDSCAPE PLAN

SUP-3815
SDR-3790
03-11-04 PC



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Suite 450
Las Vegas, Nevada 89109
702-892-8500
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REAL ESTATE
29100 Old Mill Creek Lane
Aurora, CA 91301
(916) 456-7366
(916) 473-6577 fax

Parkowitz + Rüh
ARCHITECTS

CHARLESTON BLVD AND TORREY PINES
CHARLESTON FESTIVAL
Las Vegas, Nevada

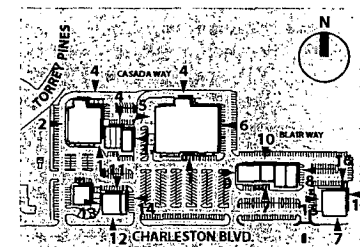
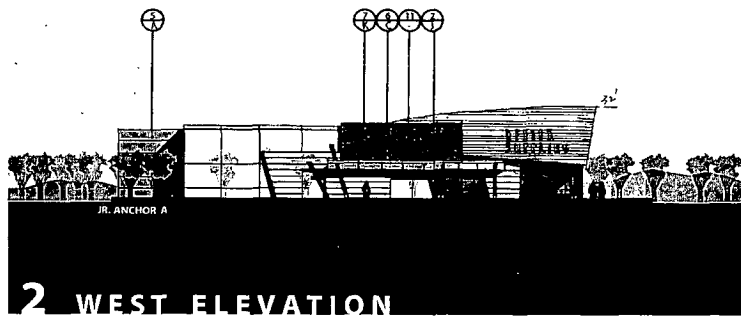
Revisions

Date: 01/30/04
Drawn By: DJM
Checked By: RJS
Project No: 03-4023.11
File Name: 40311-LS1.dwg
Scale: 1" = 10'

LANDSCAPE PLAN

LS-1

FLOOR PLAN - ANCHOR "A"



CHARLESTON FESTIVAL

CORNER OF CHARLESTON BLVD. AND TORREY PINES
LAS VEGAS, NEVADA

BULLSEYE COMMERCIAL REAL ESTATE, LLC
29100 OLD MILL CREEK LANE
AGOURA, CA 91301

SUP-3815
SDR-3790
03-11-04 PC

BUILDING ELEVATIONS

0"=5'10" 20' 1" 40' SCALE 1"=20'-0"

MATERIAL FINISH LEGEND

- 1 CORRUGATED METAL CLADDING
- 2 STANDING SEAM METAL ROOF/CANOPY
- 3 FLUSH PANEL METAL CLADDING
- 4 RIBBED METAL CLADDING
- 5 LIGHT DASH STUCCO PLASTER FINISH
- 6 HEAVY DASH STUCCO PLASTER FINISH
- 7 METAL REVEAL
- 8 ALUMINUM STOREFRONT
- 9 EXPOSED STRUCTURAL STEEL COLUMNS & FRAMING

- 10 CONCRETE COLUMN BASE
- 11 RECESSED LIGHTS
- 12 CENTER ID TOWER
- 13 SCORED CMU
- 14 TUBULAR STEEL HORIZONTAL FRAME
- 15 METAL LOUVERS

COLOR LEGEND

- A COLOR TO MATCH FRAZEE 8813W "Stone Cistern"
- B COLOR TO MATCH FRAZEE CW002W "Rain Shimmer"
- C COLOR TO MATCH FRAZEE 7375A "Tangerine"
- D COLOR TO MATCH FRAZEE AC120R "Wright Red"
- E COLOR TO MATCH FRAZEE 8521W "Halation"
- F COLOR TO MATCH FRAZEE CW060W "Sea Cloud"
- G ANGELUS BLOCK "Warm Grey"
- H "Dark Bronze" by BERRIDGE MANUFACTURING CO.
- J "Champagne" by BERRIDGE MANUFACTURING CO.
- K CLEAR ANODIZED

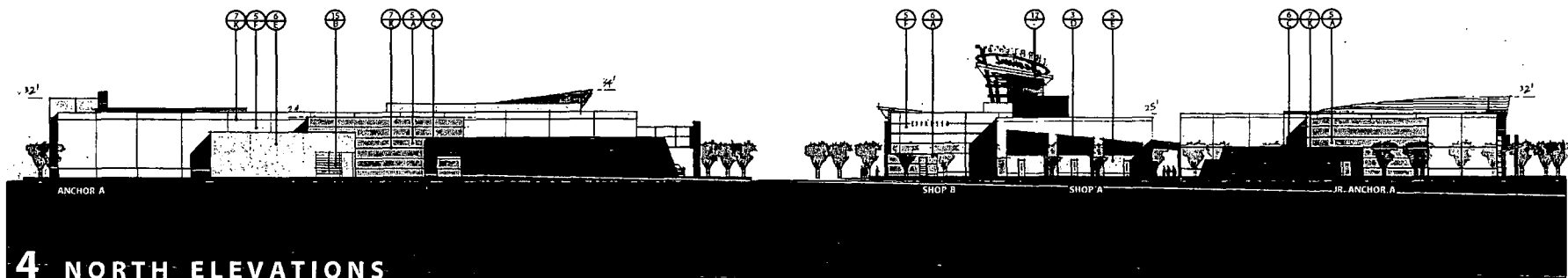
KEY MAP



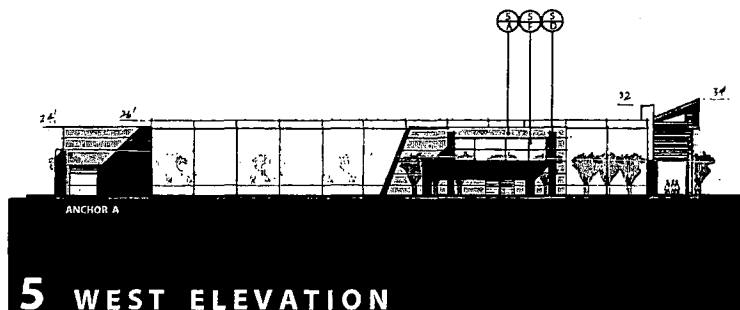
Perkowitz + Ruth
ARCHITECTS

3980 Howard Hughes Parkway
Suite 450 Las Vegas, NV 89169
702.892.8500 fax 702.892.8514

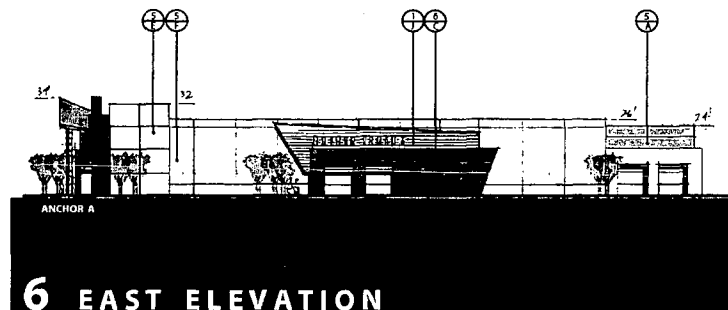
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4 NORTH ELEVATIONS



5 WEST ELEVATION



6 EAST ELEVATION

BUILDING ELEVATIONS

0' 5' 10' 20' 40' SCALE 1"=20'-0"

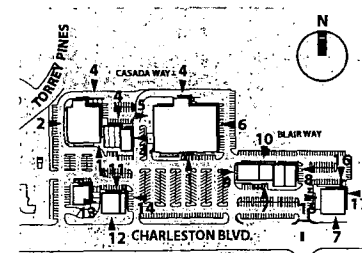
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- H "Dark Bronze" by BERRIDGE MANUFACTURING CO.
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- K CLEAR ANODIZED



KEY MAP

CHARLESTON FESTIVAL

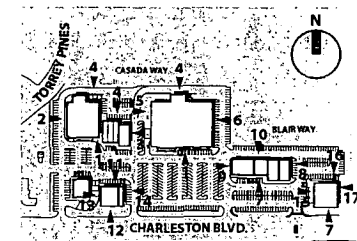
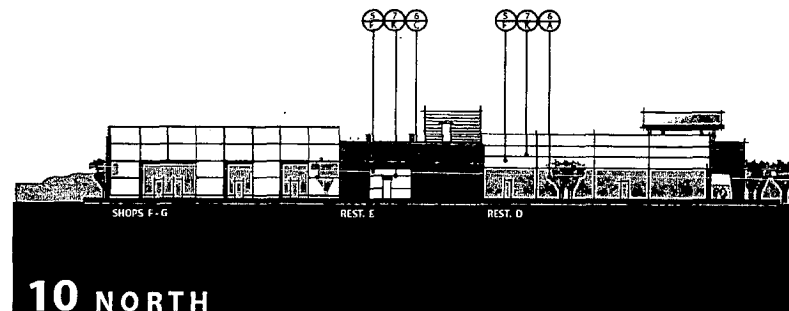
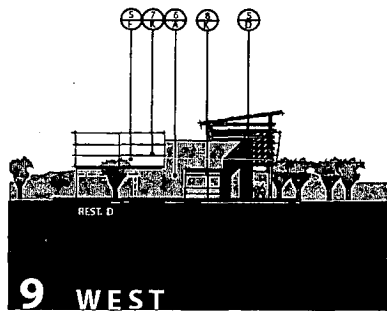
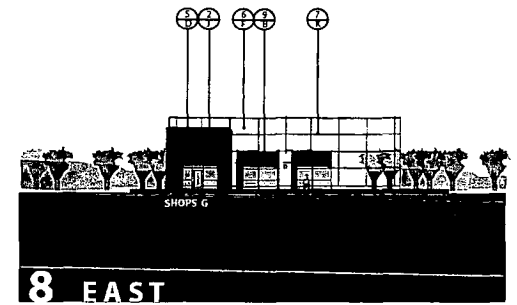
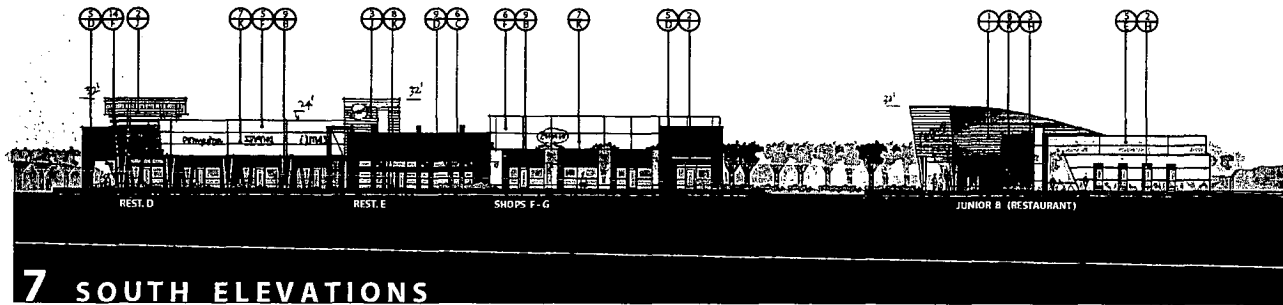
CORNER OF CHARLESTON BLVD. AND TORREY PINES
LAS VEGAS, NEVADA

BULLSEYE COMMERCIAL REAL ESTATE, LLC
29100 OLD MILL CREEK LANE
AGOURA, CA 91301

SUP-3815
SDR-3790
03-11-04 PC



2



CHARLESTON FESTIVAL

CORNER OF CHARLESTON BLVD. AND TORREY PINES
LAS VEGAS, NEVADA

BULLSEYE COMMERCIAL REAL ESTATE, LLC
29100 OLD MILL CREEK LANE
AGOURA, CA 91301

BUILDING ELEVATIONS

0' 5' 10' 20'

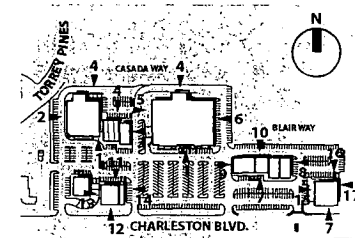
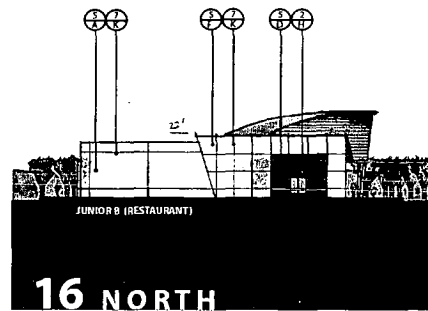
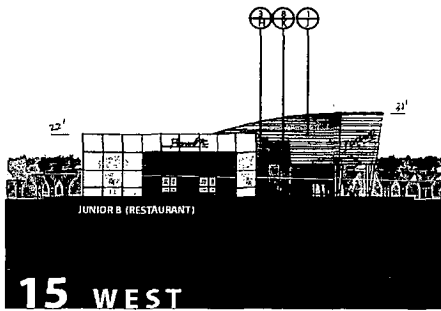
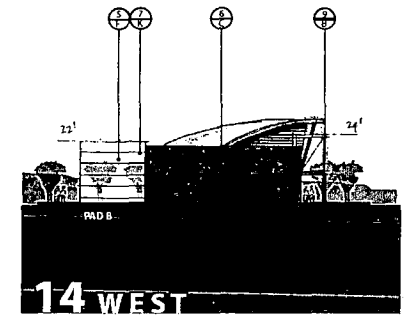
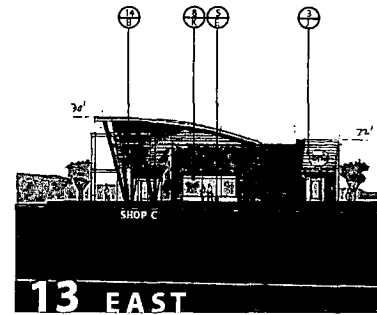
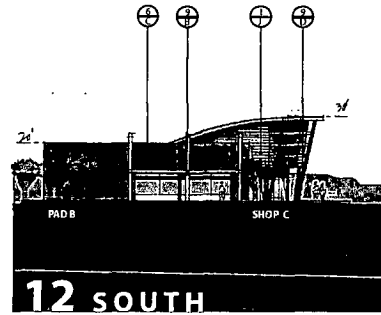
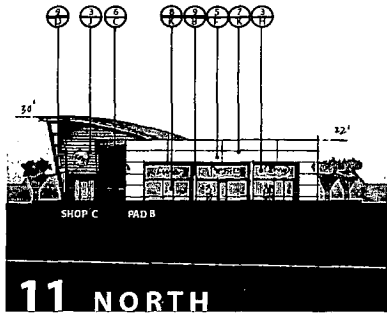
40' SCALE 1"=20'-0"

KEY MAP



Perkowitz + Ruth
ARCHITECTS
3980 Howard Hughes Parkway
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- K CLEAR ANODIZED

KEY MAP



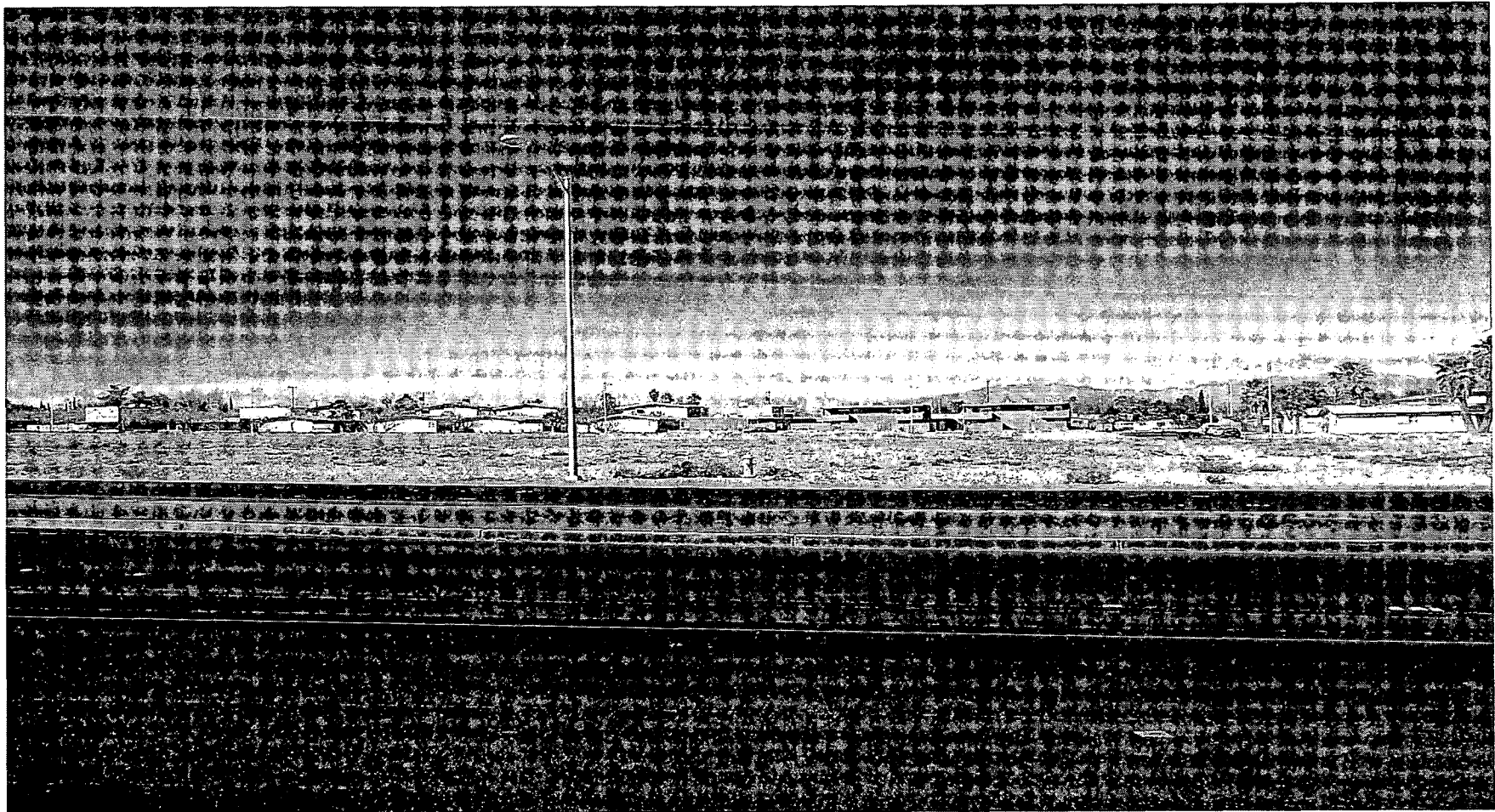
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SUP-3815
SDR-3790
03-11-04 PC



SDR-3790 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND
INVESTMENTS, LIMITED LIABILITY COMPANY
NORTH SIDE OF CHARLESTON AVENUE, APPROXIMATELY 375 FEET EAST OF TORREY PINES DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SDR-3790 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: PSA LAND
INVESTMENTS, LIMITED LIABILITY COMPANY
NORTH SIDE OF CHARLESTON AVENUE, APPROXIMATELY 375 FEET EAST OF TORREY PINES DRIVE
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:

REZONING - PUBLIC HEARING - ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 2/26/2004 Planning Commission meeting Item 23

MOTION:

REESE – ABEYANCE to 4/21/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

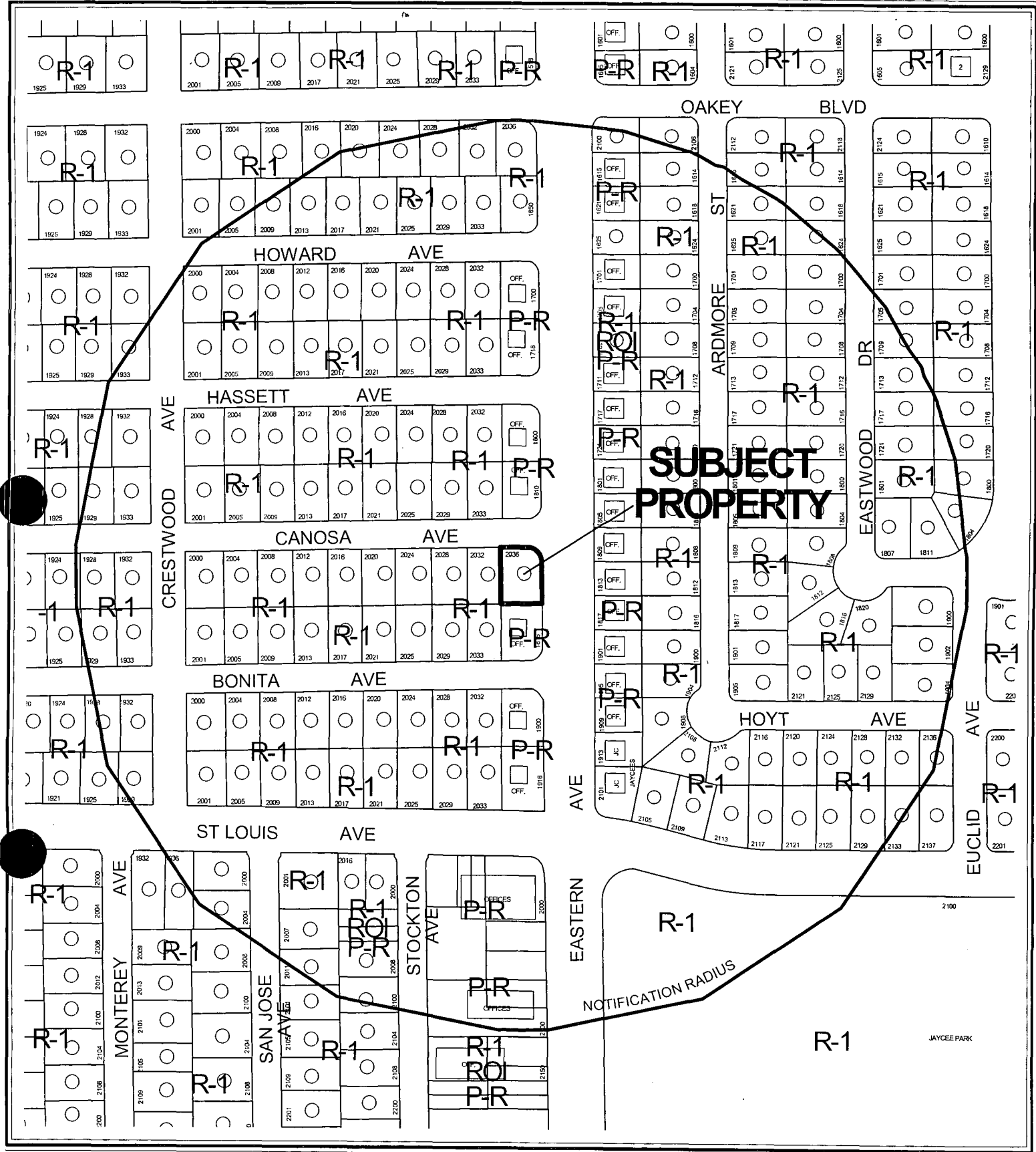
LORI CHACARJEGUI, 6571 Monterey Mesa Court, appeared on behalf of the applicant.

COUNCILMAN REESE stated that he would hold the application in abeyance for two weeks to ensure that the applicants agree to all of the conditions, as MS. CHACARTEGUI was unable to agree to the conditions on behalf of the applicant.

MAYOR GOODMAN declared the Public Hearing closed.

(3:30 – 3:31)

4-2177



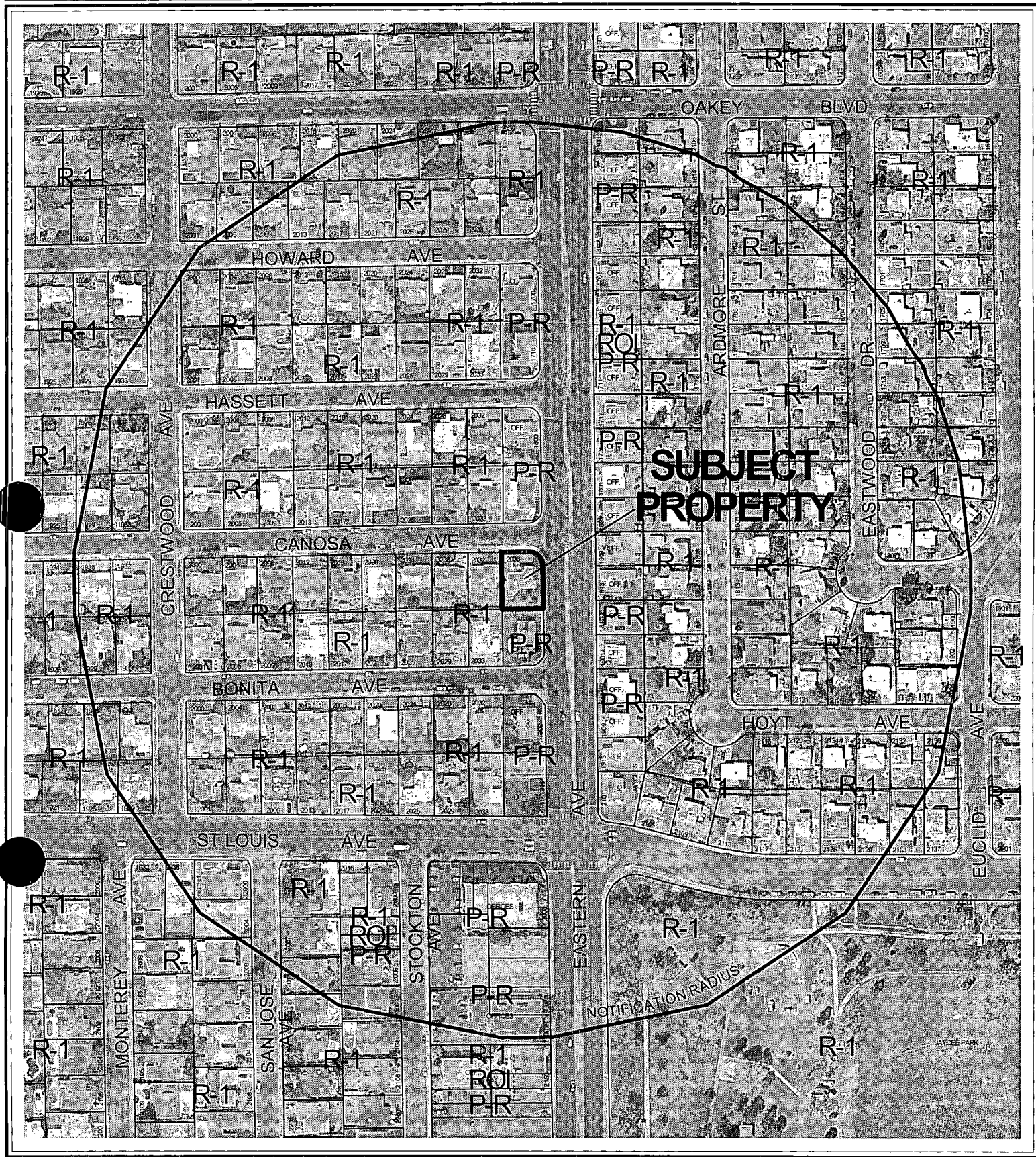
CASE: **ZON-3665**

RADIUS: 750 FT

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

0 100 200 Feet





CASE: **ZON-3665**

RADIUS: 750 FT

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history on this site.

02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/mp).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.16 Acres	Y
Min. Lot Width	60 Feet	70 Feet	Y

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

B) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

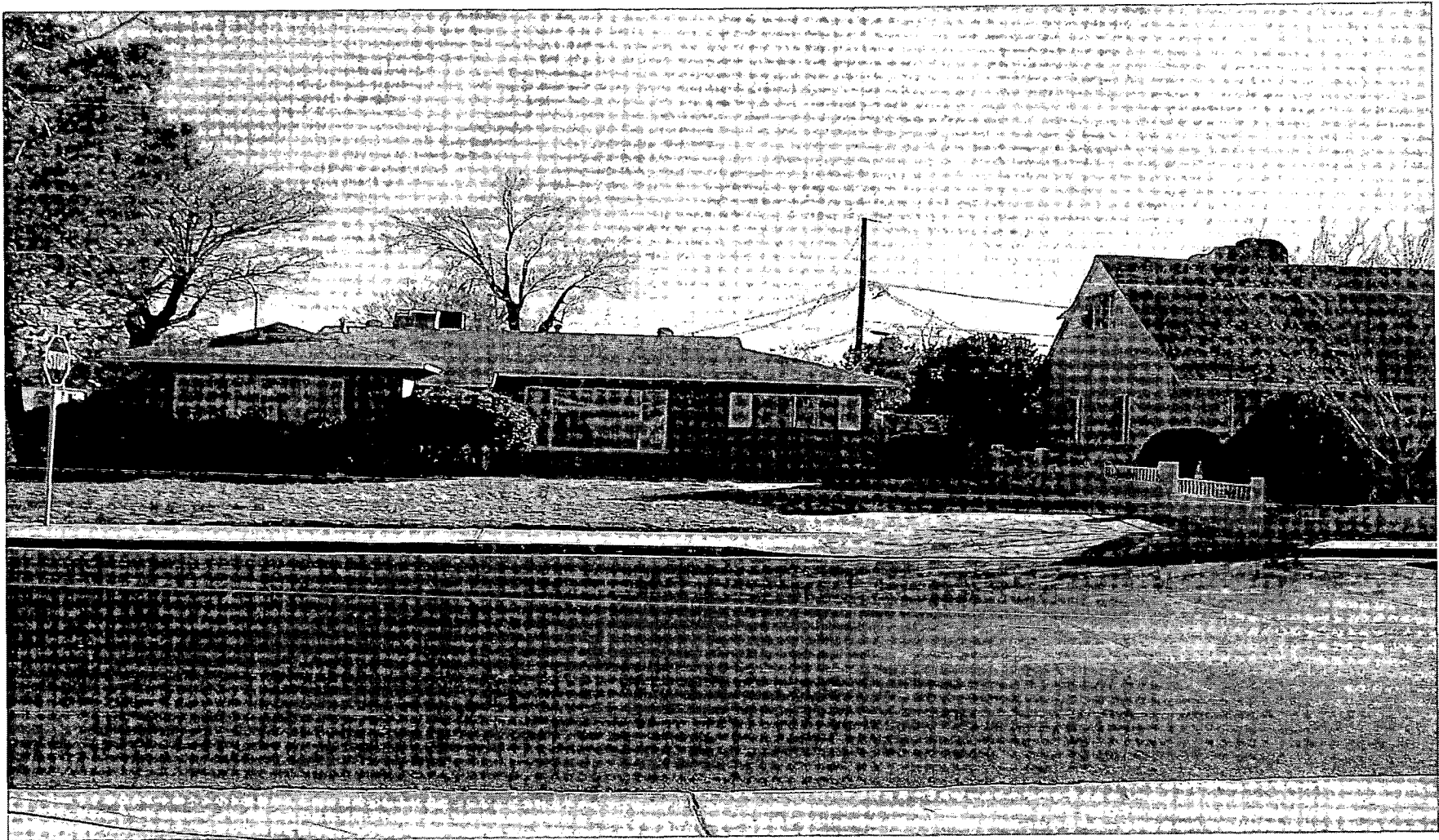
Access to this site is provided from Eastern Avenue, a fully developed 100-foot-wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities.

NOTICES MAILED 234 by Planning Department

APPROVALS 0

PROTESTS 1





ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI
SOUTHWEST CORNER OF EASTERN AVENUE AND CANOSA AVENUE
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:

REZONING - PUBLIC HEARING - ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 220 North Lamb Boulevard (APN: 140-32-310-002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE ELLERTSON, 103 East Charleston Boulevard, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, recalled that within the past few months, there were a number of homes that were converted from Residential to Office. The entire procedure was done collectively. He felt that process was most appropriate. **COUNCILMAN REESE** reiterated that a study was conducted with the understanding that the existing residents did have the ability to convert to P-R (Professional Office and Parking) if they so desired. He emphasized that if there are neighbors who do not wish to have their residences converted, the City cannot force them to do so.

MAYOR GOODMAN declared the Public Hearing closed.

(3:31 – 3:34)

4-2242

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 176 – ZON-3678

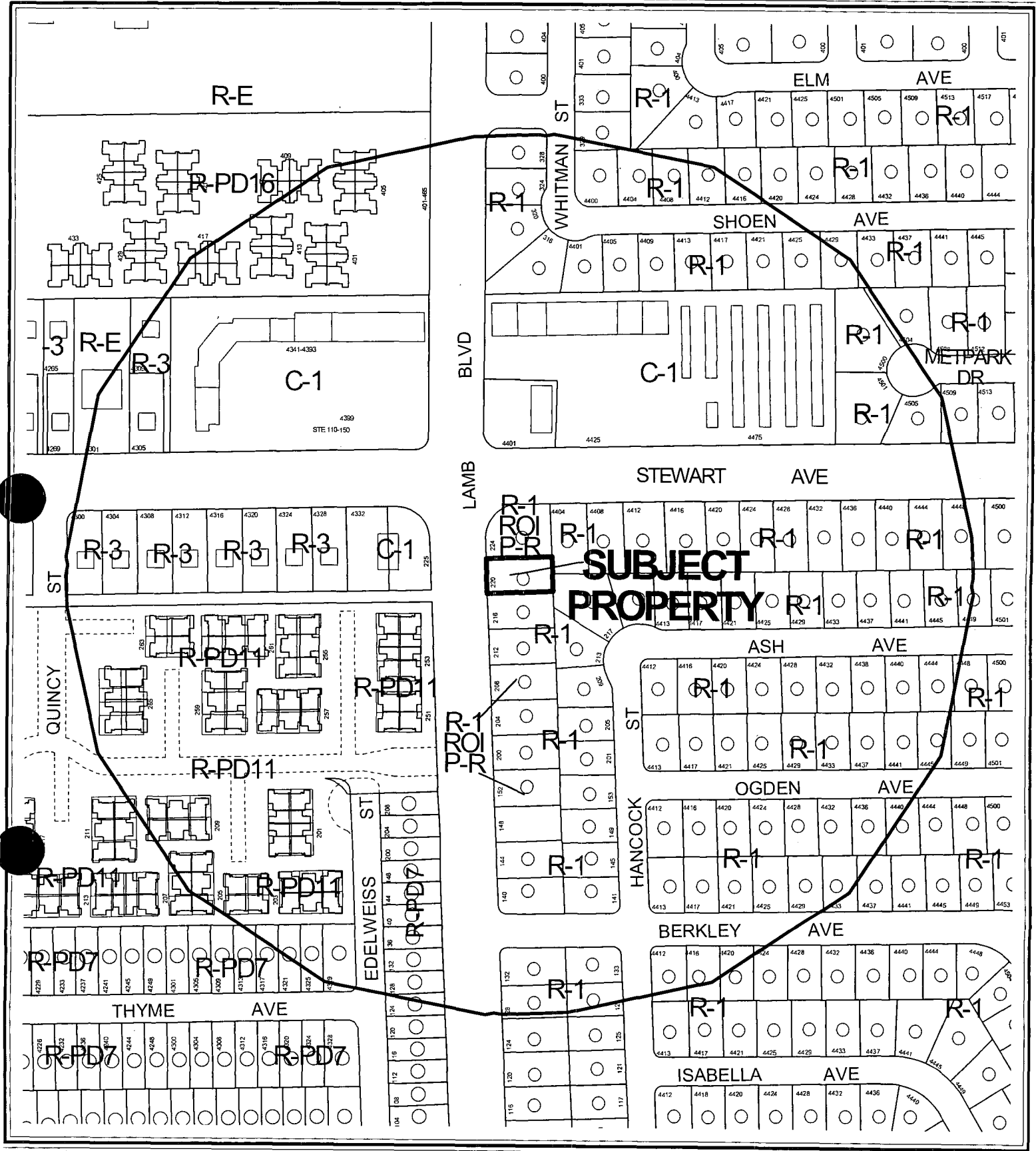
CONDITIONS:

Planning and Development

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

Public Works

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



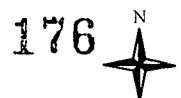
CASE: **ZON-3678**

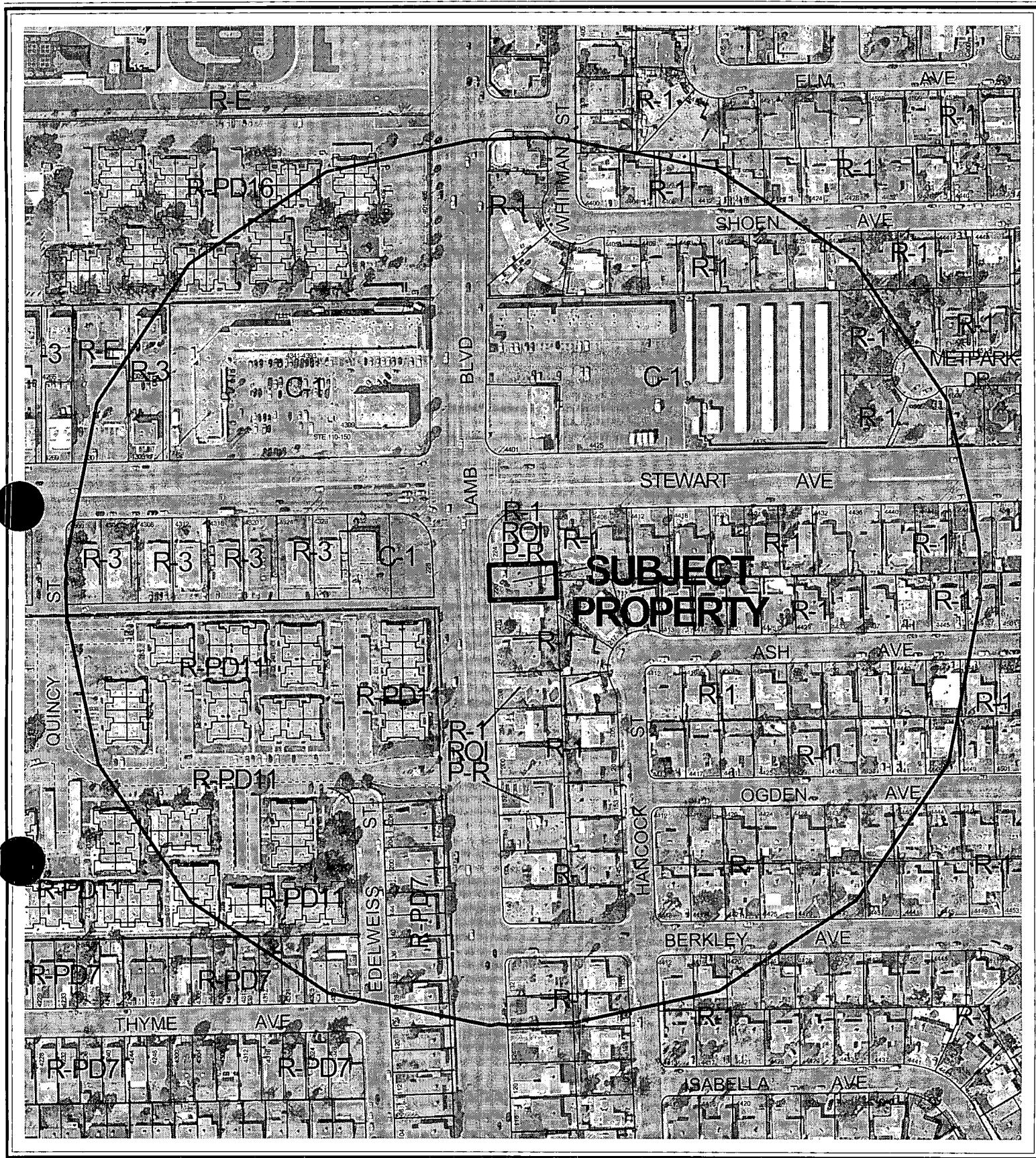
RADIUS: 750 FT

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

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

0 100 200 Feet





CASE: ZON-3678

RADIUS: 750 FT

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

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

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

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Previous Actions*

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

02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #24/mp).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.16 Acres	Y
Min. Lot Width	60 Feet	63 Feet	Y

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

B) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

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

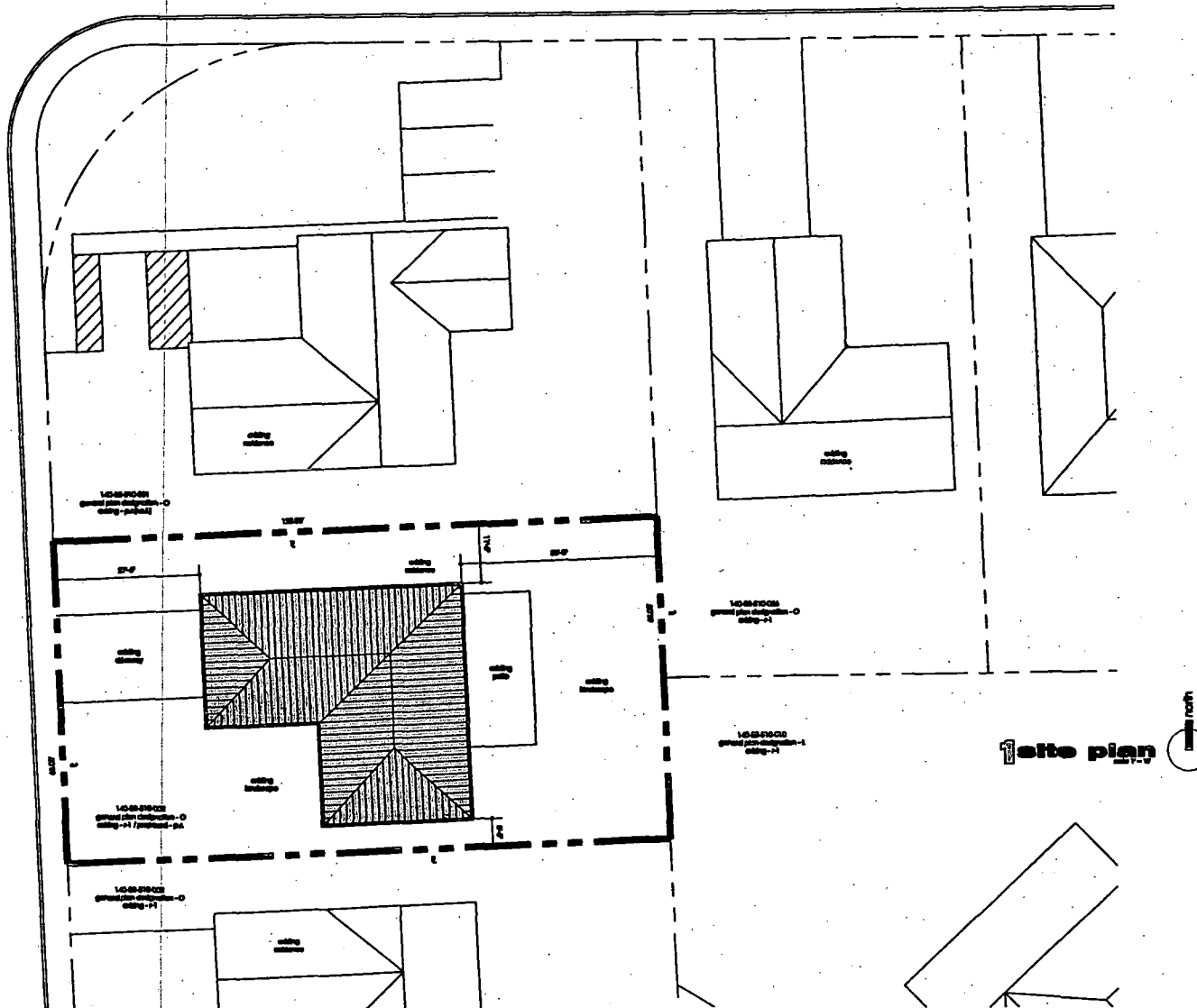
NOTICES MAILED 249 by Planning Department

APPROVALS 0

PROTESTS 0

220 n. lamb blvd.

m. larnb boulevard



cover sheet / site plan 20.0

2-26-04 PC



ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON
220 North Lamb Boulevard
APRIL 7, 2004 CITY COUNCIL MEETING

Picture taken 03/8/04

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), Ward 6 (Mack). 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 on Item 177 [ZON-3775], Item 178 [VAR-3946], Item 179 [WVR-3793], and Item 180 [sdr-3784].

ATTORNEY BILL CURRAN, Curran and Perry, 300 South 4th Street, appeared on behalf of the applicant and concurred with staff recommendations and conditions. He briefly described the proposed project explaining that this parcel is a small infill piece and the applicant has been diligent in working with staff subsequent to the Planning Commission in order to resolve the outstanding issues.

NIA HENDERSON-YOUNG, 5204 Autumn Meadow Avenue, welcomed the addition of new housing to the Las Vegas Valley. She cited one concern relative to the size of the lot and the proposal to construct 14 homes and felt that the number of units was too intense for the size of the parcel. She asked the applicant to consider the value as well as the aesthetics of the existing homes so that there would be no negative impact to the residents who reside in the area.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 177 – ZON-3775

MINUTES – Continued:

ATTORNEY CURRAN stated the both the lot sizes and the residential sizes are compatible with the existing neighborhood.

MS. HENDERSON-YOUNG remarked that she would like to see the proposed subdivision managed by a homeowners association to ensure the same level of standards are adhered to.

COUNCILMAN MACK appreciated the comments and concerns expressed by the previous speakers. He explained that inasmuch as three sides of the subject property are R-PD5 with the fourth side being six units to the acre, he felt it was a good fit for an infill parcel and appropriate for the area.

MAYOR GOODMAN declared the Public Hearing closed on Item 177 [ZON-3775], Item 178 [VAR-3946], Item 179 [WVR-3793], and Item 180 [sdr-3784].

NOTE: All discussion for Item 177 [ZON-3775], Item 178 [VAR-3946], Item 179 [WVR-3793], and Item 180 [sdr-3784] was held under Item 177 [ZON-3775].

(3:34 – 3:40)

4-2354

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance (VAR-3946), Site Development Plan Review (SDR-3784), and Waiver (WVR-3793) of certain Title 18 standards approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements on Azure Drive and Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

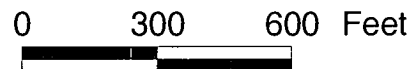
CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 177 – ZON-3775

CONDITIONS – Continued:

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



R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance (VAR-3946), Site Development Plan Review (SDR-3784), and Waiver (WVR-3793) of certain Title 18 standards approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements on Azure Drive and Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Rezoning from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre) on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive. Related requests for a Variance (VAR-3946) to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres is required, a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required, and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments and conforms to the General Plan.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission recommended approval of three related items on this site: a Variance (VAR-3946) to allow a proposed Residential Planned Development site to contain 2.72 acres where a minimum of five acres is required; a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more; and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision. Staff is recommending approval of all items.

03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #42/ss).

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.72
Net Acres: 2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 Units per Acre)
South: R-PD5 (Residential Planned Development – 5 Units per Acre)
East: R-PD6 (Residential Planned Development – 6 Units per Acre)
West: R-PD5 (Residential Planned Development – 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

<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

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) General Analysis and Discussion

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.72 gross acres; therefore, the applicant has requested the companion Variance (VAR-3946) of the standard. This Rezoning cannot be possible without prior approval of this Variance. The proposed R-PD5 (Residential Planned Development - 5 Units per Acre) development will result in the construction of 14 single-family residential lots having a density of 5.15 units per gross acre, below the 5.5 units per acre maximum density required of properties with the L (Low Density Residential) land use category in the General Plan. The proposed development is similar in density to adjacent residential neighborhoods in all directions, including developments zoned R-PD5 (Residential Planned Development - 5 Units per Acre) to the north, south and west, and one zoned R-PD6 (Residential Planned Development - 6 Units per Acre) across Bradley Road to the east.

The site plan submitted shows relatively uniform lots arranged around a single 51-foot wide public cul-de-sac street, which connects to existing development at Azure Drive. This entrance as designed does not meet the minimum standards of Title 18. The applicant has requested a Waiver (WVR-3793) of Title 18.12.160 to allow a reduction in the amount of separation distance between the proposed street and Bradley Road to the east. Open space is attached to required perimeter landscape buffers along Bradley Road and Azure Drive; however, Title 19.06.040.G disqualifies landscaped entry features or planters located along major thoroughfares or collector streets from consideration as open space. Furthermore, this space is not readily accessible by lots within the development and unusable for recreational purposes.

A redesign of the site could achieve one of the goals of larger R-PD developments, which is to make efficient provision of open space and enhanced residential amenities. Open space can be integrated into the site so that it can be more easily accessible to each lot and connect to the existing cul-de-sac on the development to the north without compromising lot space. The companion Site Development Plan Review (SDR-3784) addresses this deficiency, that, when corrected, will present a more attractive environment to residents.

As the proposed project is compatible with existing single-family development on all sides and should not adversely impact public facilities in the immediate area, there is no objection to rezone the subject area from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre), conditioned on the approval of the companion Variance.

FINDINGS

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

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

The proposed Rezoning to R-PD5 (Residential Planned Development - 5 Units per Acre) conforms to the density range required by the existing L (Low Density Residential) General Plan Designation. Properties to the north, south, and west of the subject property also share the L (Low Density Residential) General Plan designation.

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

The single-family residential uses proposed on the subject property would be similar to surrounding single-family uses and occur at a density similar to the surrounding properties and are therefore compatible with the uses and zoning designations of these surrounding properties. Reconfiguration of the lots on this site will allow for better integration of open space within the development and also allow for linkages to existing development.

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

The proposed Rezoning and companion Site Development Plan will allow for low-density residential development that is appropriate for the area as an infill project. The proposed Variance will address the deficiency in site area required for R-PD developments.

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

Access to the property is provided by Azure Drive, a 60-foot right-of-way, and will be adequate to meet traffic demands of the proposed single-family residential development. The reduced separation distance between the entry street into the proposed development and Bradley Road will necessitate a companion application for a Waiver to Title 18 (WVR-3793) in order for the proposed design to be approved.

NOTICES MAILED 579 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3775 APN: 125 25 101 014 & 015

Name of Property Owner: JANICE SHUMAN

Name of Applicant: Freda Holmes

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

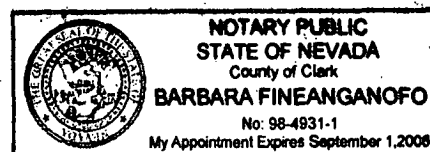
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 14 day of JAN, 2004

Barbara Sincanap
Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3715 APN: 125-25 101 010

Name of Property Owner: Ron & Misty Seaton

Name of Applicant: FIRSTA 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: [Signature]

Print Name: Mon 5 Season

Subscribed and sworn before me

This 19th day of January, 2004

This 19th day of January, 2004
Wade Lynece Maricopa, Arizona
 Notary Public in and for said County and State



CATHY RYZNAR
Notary Public - Arizona
Maricopa County
Expires 08/10/06



ZON-3775 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY
COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-3775 - PUBLIC HEARING - VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED R-PD (RESIDENTIAL PLANNED DEVELOPMENT) SITE TO DEVELOP ON 2.72 ACRES WHERE A MINIMUM OF FIVE ACRES ARE REQUIRED adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). 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:

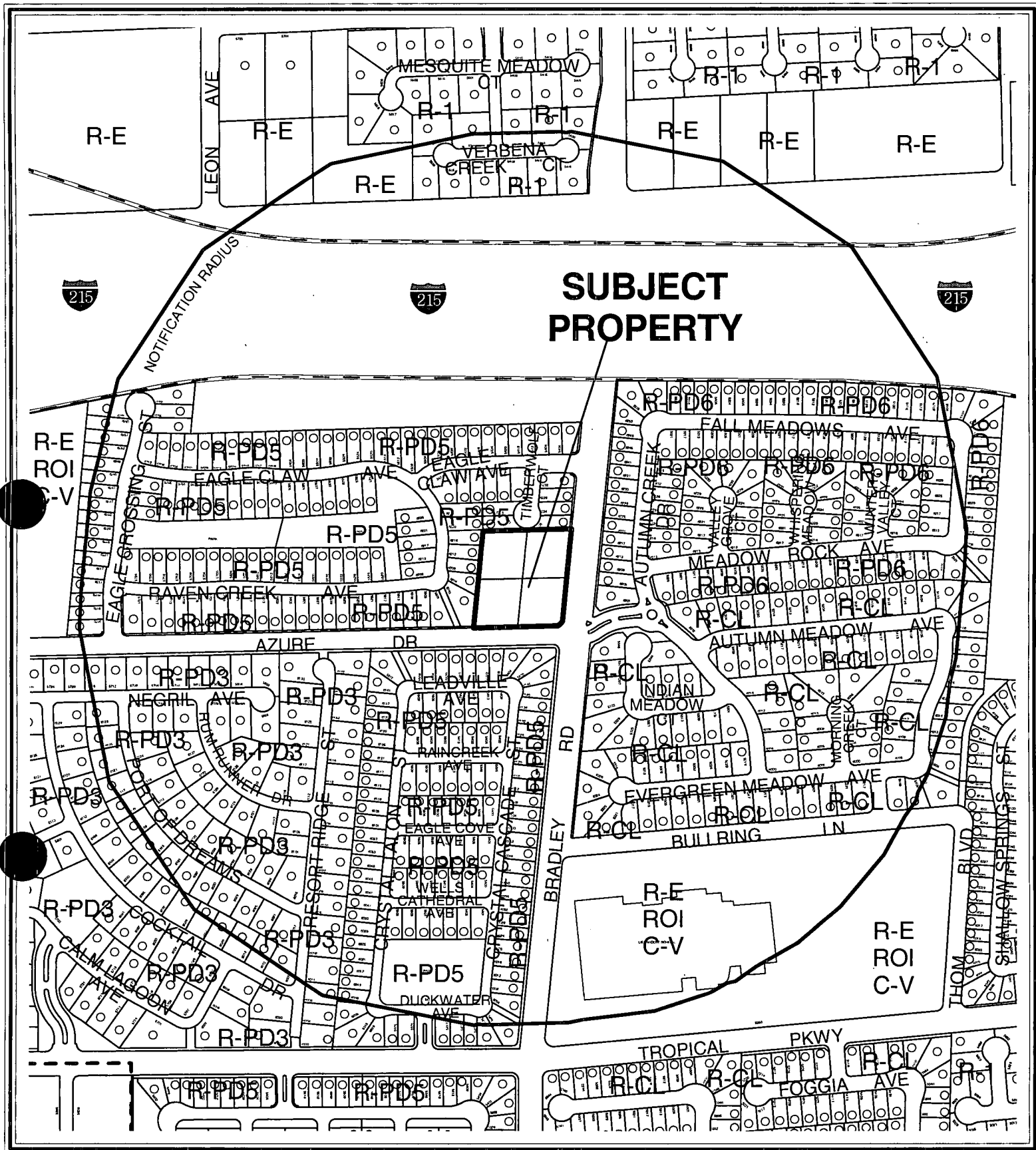
NOTE: See Item 177 [ZON-3775] for related discussion.
(3:34 – 3:40)

4-2354

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3775).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-3946

RADIUS: 1320 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 300 600 Feet

178



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-3946 - APPLICANT FIESTA HOMES - OWNERS: NEW
YORK PLASTICS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3775).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres are required on property adjacent to the northwest corner of Bradley Road and Azure Drive. Related requests for a Rezoning (ZON-3775) to R-PD5 (Residential Planned Development – 5 Units per Acre), a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required, and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments. The development will provide up to 2,135 square-foot floor plans. The site is composed of infill parcels surrounded by existing residential development.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission recommended approval of three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre); a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision; and a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more. Staff is recommending approval of all items.

03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #43/ss).

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.72
Net Acres: 2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development - 5 Units per Acre)
South: R-PD5 (Residential Planned Development - 5 Units per Acre)
East: R-PD6 (Residential Planned Development - 6 Units per Acre)
West: R-PD5 (Residential Planned Development - 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

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

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. R-PD site area	5 acres	2.72 acres	N

Per Title 19.06.040.A, the minimum site area eligible for rezoning to any R-PD zoning district is five acres. Any proposal for a development of less than five acres will require a variance. The subject deviation is 46 percent from the standard.

B) *General Analysis and Discussion*

The purpose of the five-acre minimum requirement for R-PD sites is to allow the developer the flexibility to design an integrated development that includes reasonable development standards and adequate open space. The proposed 2.72-acre project can provide such a development if it is reconfigured to situate the amount of open space required by Title 19.06.040.G within the development so that it is usable and provides a connection to the existing adjacent neighborhood to the north.

FINDINGS

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

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

Additionally, Title 19.18.070(L) of the Las Vegas Municipal Code states:

“L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission and City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.
2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property . . . or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition . . . the strict application of any zoning regulation

would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

Despite the small size of the overall site, the proposed development is able to provide lots featuring sizes and products that are comparable to existing adjacent development in the area. With reconfigured open space, the development will provide an innovative, integrated site characteristic of R-PD-zoned sites of greater than five acres. The recommendation, therefore, is for approval of the Variance.

NOTICES MAILED 580 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3946 APN: 125-25-101-010, 011, 013 & 014
Name of Property Owner: New York PLASTICS LLC
Name of Applicant: FIESTA HOMES

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

 Yes

 No ☒

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

City Official:

Partner(s):

APN:

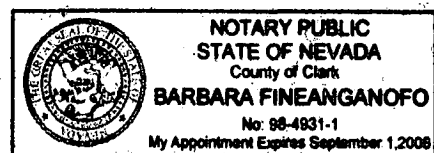
Signature of Property Owner/Authorized Agent:

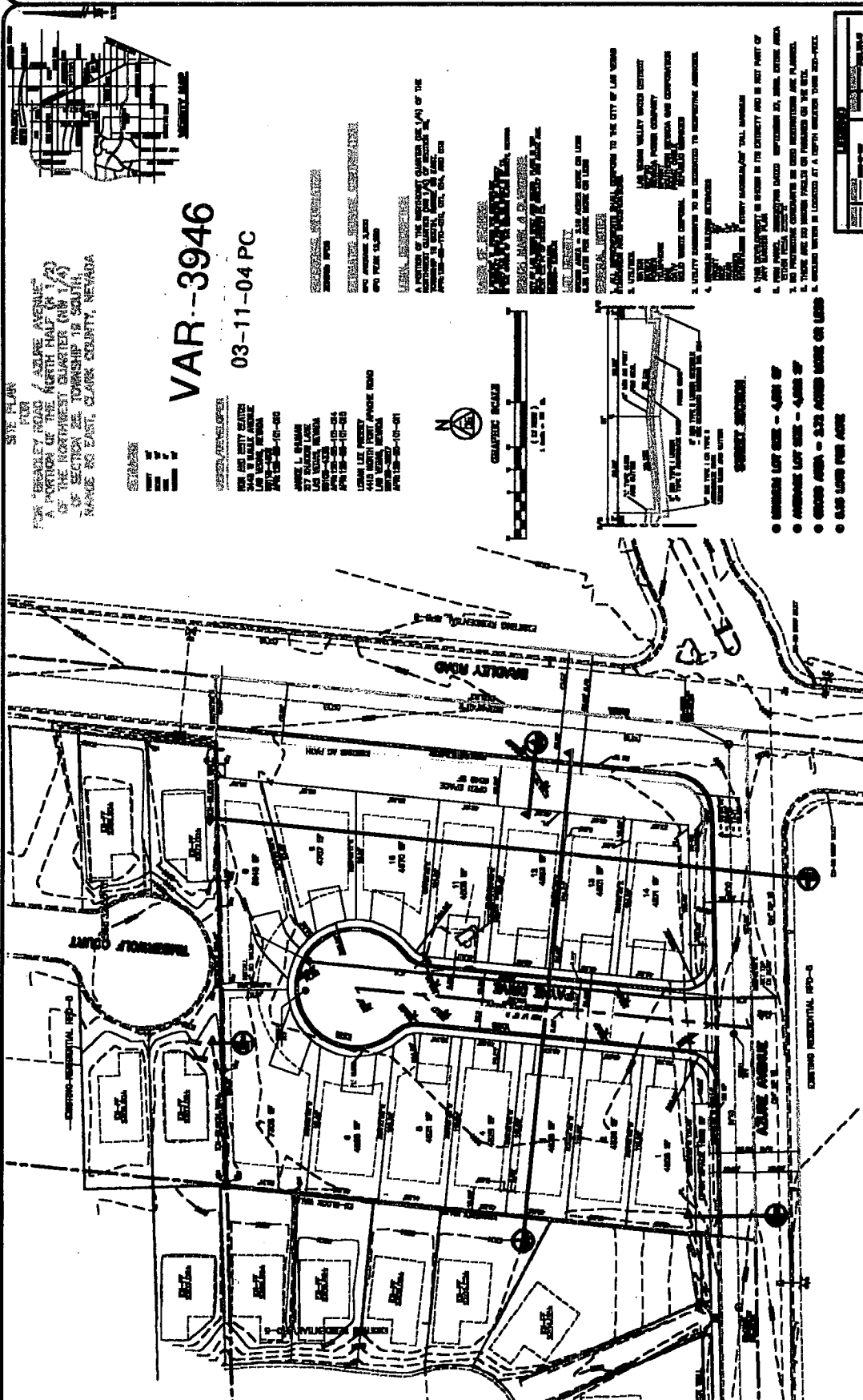
Print Name: CARLOS ESCAPA, MANAGER

Subscribed and sworn before me

This 18 day of FEB, 2004

Barbara Fineanganof
Notary Public in and for said County and State





STATE PLANT
FIRM
"GRANDVIEW ROAD" & "AZULE AVENUE"
A PORTION OF THE NORTH HALF (N 1/2)
OF THE NORTHWEST QUARTER (NW 1/4)
OF SECTION 22, TOWNSHIP 12 SOUTH,
RANGE 20 EAST, CLARK COUNTY, NEVADA.

VAR--3946

03-11-04 PC

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LAS VEGAS, NEVADA
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LEON LEE KELLY
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LAS VEGAS, NEVADA
702-639-3827
DOB: 12-22-1961

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1. **UNITED STATES OF AMERICA**
2. **DEPARTMENT OF JUSTICE**
3. **ATTORNEY GENERAL**
4. **WASHINGTON, D.C. 20530**
5. **TELEPHONE (202) 547-5000**
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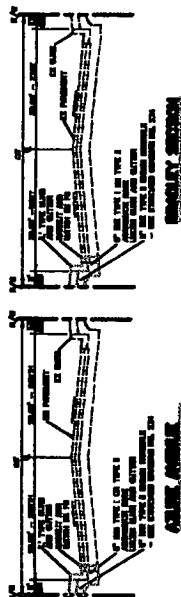
1. NO FURTHER CONSIDERATION BE GIVEN NEGOTIATIONS ARE PLANNED.
2. THERE ARE NO OTHER FACILITIES OR PROBLEMS ON THE SITE.
3. THE PROJECT IS IN PROGRESS AT A POINT WHERE THE PROJECT

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THE UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.
OFFICE OF THE CHIEF, BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.
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WASHINGTON, D. C.

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PERCENT OF OWN SPACE REQUIRED
100%
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10000 SF - 0.23 ACRES
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10000 SF - 0.23 ACRES





VAR-3946 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY
COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

WAIVER OF TITLE 18 RELATED TO ZON-3775 AND VAR-3946 - PUBLIC HEARING - WVR-3793 - **APPLICANT: FIESTA HOMES - OWNERS: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY** - Request for a Waiver of Title 18.12.160 TO ALLOW A 198 FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, for a proposed subdivision adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development – 5 Units per Acre)], Ward 6 (Mack). 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:

NOTE: See Item 177 [ZON-3775] for related discussion.

(3:34 – 3:40)

4-2354

CONDITIONS:

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-3946), Rezoning (ZON-3775) and Site Development Plan Review (SDR-3784).
2. All City Code requirements and design standards of all City departments must be satisfied.



R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-3793 - APPLICANT: FIESTA HOMES - OWNER: NEW
YORK PLASTICS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. All development shall conform to Conditions of Approval for Variance (VAR-3946), Rezoning (ZON-3775) and Site Development Plan Review (SDR-3784).
2. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Waiver of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more.

This Waiver is to apply to an 2.72-acre site adjacent to the northwest corner of Bradley Road and Azure Drive. Companion applications for a Variance (VAR-3946) to allow a proposed R-PD (Residential Planned Development) site to contain 2.72 acres where a minimum of five acres is required, a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre) and a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential development on this site will be reviewed concurrently by the Planning Commission.

B) Applicant's Justification

The applicant has justified the request by stating that the proposed development is an infill project limited by existing adjacent residential developments and two existing streets, Bradley Road and Azure Drive. Centering the roadway allows for uniformity of lots, which aids in project construction and long-term maintenance of the future subdivision.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

- | | |
|----------|--|
| 03/11/04 | The Planning Commission recommended approval of three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units per Acre); a Site Development Plan Review (SDR-3784) for a 14-lot single-family residential subdivision; and a Variance (VAR-3946) to allow a proposed Residential Planned Development site to locate on 2.72 acres where a minimum of five acres is required. Staff is recommending approval of all items. |
| 03/11/04 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #44/ss). |

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) Neighborhood Meetings

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.72
Net Acres: 2.19

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 Units per Acre)
South: R-PD5 (Residential Planned Development – 5 Units per Acre)
East: R-PD6 (Residential Planned Development – 6 Units per Acre)
West: R-PD5 (Residential Planned Development – 5 Units per Acre)

E) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

<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 waive the requirements of the Subdivision Code with regard to the minimum separation distance between intersections. Title 18.12.160 states:

“Intersections – Length

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet.”

The subject site has approximately 330 feet of frontage on Azure Drive. In order to provide a logical entryway to the site that also allows for the greatest number of uniform lots, the entrance has to be located in the center of this frontage. The centerline of the street thus created will be 197.62 feet from the centerline of Bradley Road, abutting this development on the east. The frontage along Bradley Road adjacent to this development is also approximately 330 feet; however, fewer lots could be subdivided using this option.

FINDINGS

The configuration of the site, the relatively low traffic volumes on Azure Drive and into the proposed development, and the additional traffic controls proposed to be installed concurrent with this site all contribute to the finding that the reduced separation distance is acceptable.

NOTICES MAILED 579 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3793 APN: 125-25 101 010

Name of Property Owner: Ron & Misty Seaton

Name of Applicant: Fiesta Homes

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN:

Signature of Property Owner/Authorized Agent: 

Print Name: Ron J. Sexton

Subscribed and sworn before me

This 19th day of January, 2004

Glady Lynner Thacopa, Arizona
Notary Public and for said County and State



CATHY RYZMAR
Notary Public - Arizona
Maricopa County
Expires 08/10/06



 **MICHELLE R. HANEY**
Notary Public, State of Nevada
Appointment No. 93-3922-1
My Appt. Expires July 28, 2005

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-3793 APN: 125 25 101 014 & 015

Name of Property Owner: JANICE SHUMAN

Name of Applicant: Freda Hones

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: _____

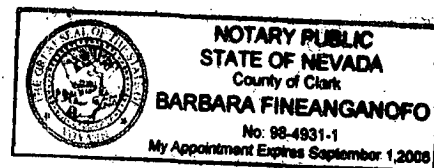
Signature of Property Owner/Authorized Agent:

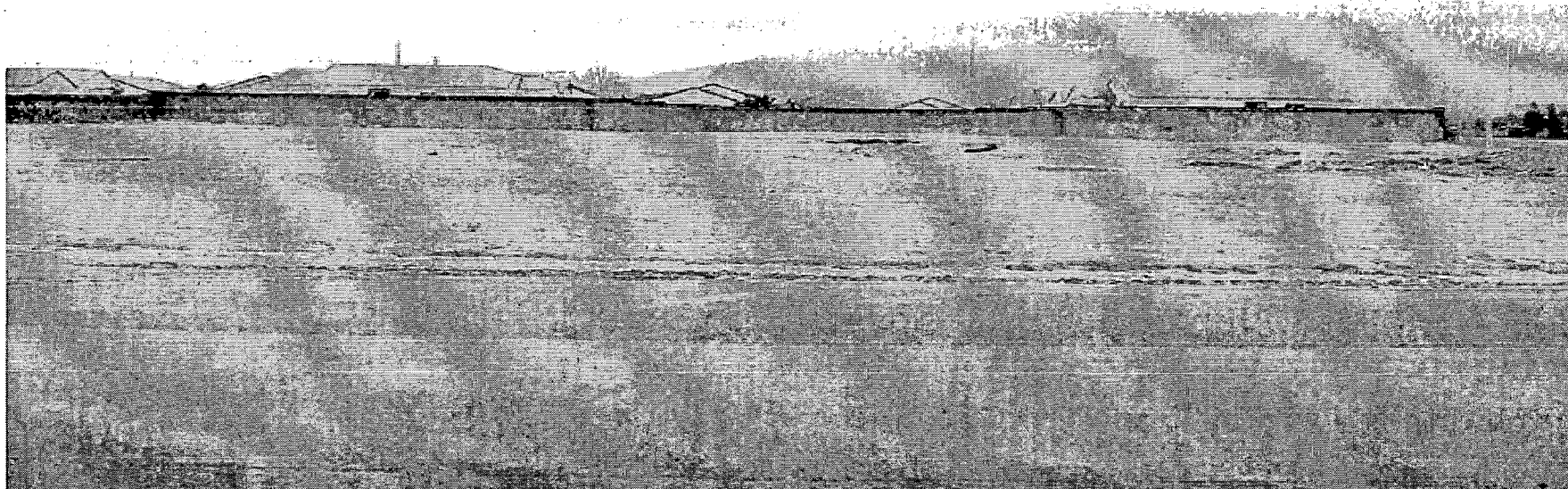
Print Name:

Subscribed and sworn before me

This 14 day of JAN, 2004

Barbara Fineengard
Notary Public in and for said County and State





WVR-3793 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY
COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

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 ZON-3775, VAR-3946 AND WVR-3793 - PUBLIC HEARING - **SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN: 125-25-101-010 & 011; 125-25-101-014 & 015), R-E (Residence Estates) Zone; [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 6 (Mack). 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:

NOTE: See Item 177 [ZON-3775] for related discussion.

(3:34 – 3:40)

4-2354

CONDITIONS:

Planning and Development

1. Approval of a Variance (VAR-3946) to allow an R-PD development on a 2.72-acre site where five acres is the minimum site area required, a Rezoning (ZON-3775) to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3793) by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 180 – SDR-3784

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reconfigure the lots to provide the minimum amount of required open space on the interior of the development. The open space shall provide a connection to existing development to the north.
5. The standards for this development shall include the following: minimum lot size of 4,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet in the front, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. The combined height of any perimeter retaining and screening walls shall not exceed eight feet, measured on the side exterior to the development. Retaining walls higher than six feet shall be stepped in conformance with Title 18.12.510.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 180 – SDR-3784

CONDITIONS – Continued:

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. All City Code requirements and design standards of all City departments must be satisfied.
17. The applicant shall work with Planning and Development Department staff to redesign the open space component of the project, prior to review of this application by the City Council.

Public Works

18. A Homeowner's Association or other private maintenance association shall be established to maintain all common perimeter walls, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3775 and all other subsequent site-related actions.
20. 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.
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Approval of a Variance (VAR-3946) to allow an R-PD development on a 2.72-acre site where five acres is the minimum site area required, a Rezoning (ZON-3775) to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3793) by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reconfigure the lots to provide the minimum amount of required open space on the interior of the development. The open space shall provide a connection to existing development to the north.
5. The standards for this development shall include the following: minimum lot size of 4,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet in the front, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. The combined height of any perimeter retaining and screening walls shall not exceed eight feet, measured on the side exterior to the development. Retaining walls higher than six feet shall be stepped in conformance with Title 18.12.510.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. All City Code requirements and design standards of all City departments must be satisfied.
17. The applicant shall work with Planning and Development Department staff to redesign the open space component of the project, prior to review of this application by the City Council.

Public Works

18. A Homeowner's Association or other private maintenance association shall be established to maintain all common perimeter walls, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3775 and all other subsequent site-related actions.
20. 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.
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Review for a 14-lot single-family residential development on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive.

The subject site is proposed to be rezoned (ZON-3775) to R-PD5 (Residential Planned Development - 5 Units per Acre). Since Title 19 requires R-PD developments to be at least five acres in size, a request for a Variance (VAR-3946) will be reviewed with the Rezoning concurrently by the Planning Commission. In addition, a request for a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where at least 220 feet is required will also be heard with the above cases by the Planning Commission.

B) Applicant's Justification

The density of the proposed residential development is comparable to that of surrounding developments.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent zoning-related history on the subject site.

03/11/04 The Planning Commission recommended approval of three related items on this site: a Rezoning (ZON-3775) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre); a Variance (VAR-3946) to allow a proposed Residential Planned Development site to locate on 2.72 acres where a minimum of five acres is required; and a Waiver (WVR-3793) of Title 18.12.160 to allow a 198-foot separation between intersections where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more. Staff is recommending approval of all items.

03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #45/ss).

B) Pre-Application Meeting

01/12/04 Issues discussed included compatibility of the proposed development with surrounding development and the need for a Waiver from the Title 18 standard to maintain at least 220 feet between intersections. Submittal requirements were discussed. The applicant was informed that a traffic study and flood study would be required, as well as off-site improvements. The applicant was asked to revise the gross acreage and density calculations on the site plan.

C) *Neighborhood Meetings*

A neighborhood meeting was not required for this request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.72
Net Acres: 2.19

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 Units per Acre)
South: R-PD5 (Residential Planned Development – 5 Units per Acre)
East: R-PD6 (Residential Planned Development – 6 Units per Acre)
West: R-PD5 (Residential Planned Development – 5 Units per Acre)

E) *General Plan Compliance*

The Centennial Hills Sector Map of the General Plan designates the subject site as L (Low Density Residential). This land use category allows between 3.6 to 5.5 residential dwelling units per gross acre, as well as supporting recreational uses, churches, and schools. The proposed 5.15 units per acre and R-PD5 zoning would conform to the L (Low Density Residential) category.

PROJECT DESCRIPTION

The site plan depicts 14 single-family residential lots on 2.72 gross acres, resulting in a density of 5.15 dwelling units per acre. All lots will have access to a single 51-foot wide public street terminating in a cul-de-sac. Access to the development will be from Azure Drive, a 60-foot wide right-of-way. Lots range in size from 4,501 square feet to 7,308 square feet with all but two lots

less than 5,000 square feet. Typical lot dimensions are 43 feet wide by 105 feet deep. Setbacks proposed for this development are 20 feet in the front yard, 15 feet in the rear, five feet in side yards, and 10 feet on the corner side.

Landscaping includes a 10-foot wide planting buffer along the Azure Drive right-of-way and a 26.5-foot wide buffer along the Bradley Road right-of-way. Open space is not provided in the interior of the development, but instead is attached to the required landscape buffers. No amenities such as trail paths, picnic tables or shelters are provided.

The elevations show one- and two-story residential products with a building height of 21 feet (maximum height of 24 feet). The one-story floor plan will contain 1,553 square feet; the two-story plans contain a minimum of 2,135 square feet. Each dwelling will feature a two-car garage in front. Materials include cream and brown painted stucco exteriors, large shuttered windows, and concrete tile gabled roofs.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, Development Standards for a R-PD (Residential Planned Development) zoning district are established by a Site Development Plan Review. The following standards are proposed for the subject development:

Standards	Provided
Min. Lot Size	4,501 SF
Min. Lot Width	40 Feet
Min. Setbacks	
• Front	20 Feet
• Side	5 Feet
• Corner	10 Feet
• Rear	15 Feet
Max. Building Height	2 Stories/ 35 Feet
Street Type	Public
Street Width	51 Feet

Lot width and lot size within the proposed development are acceptable, and setbacks are comparable to surrounding residential developments.

A2) Parking and Traffic Standards

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

Uses	Ratio	Required		Provided	
		Parking		Parking	
		Regular	Handicap	Regular	Handicap
Single-Family Detached Residential	Two spaces per dwelling unit	28	N/A	28	N/A

Pursuant to Title 19.10, single-family homes are required to provide two parking spaces per dwelling. Tandem parking is not permitted. The elevations depict two garage spaces per dwelling, in conformance to the parking standard.

The Public Works Department has determined the site plan as proposed is not in compliance with the Title 18 Subdivision Ordinance and must obtain a Waiver of Subdivision Code 18.12.160 for an insufficient intersection separation distance.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet + 1 Tree	19 Trees (560 Feet)	16 Trees
• Min. Zone Width	6 Feet		10 Feet
• Perimeter wall height	Max. 8 Feet if provided		6 Feet

The conceptual landscape plan shows a 10-foot planter along the Azure Drive right-of-way and a 26.5-foot planter along the Bradley Road right-of-way. Trees are spaced a minimum of 30 feet on center. The minimum number of trees and shrubs are not being provided. No interior landscaping is provided.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.72 acres	5.15 du/ac	1.65	8.5 %	10,068 SF or 0.23 acres	9.0 %	10,641 SF or 0.24 acres

All residential planned developments containing 12 or more dwelling units must provide a minimum amount of usable open space. According to the table above, based on a gross density of 5.15 units per acre, the subject development must provide at least 10,068 square feet of open space. The landscape plan shows that by including the area used for required landscape buffers, the proposed development can provide 10,641 square feet. However, this area is not usable as open space.

According to Title 19.06.040.G, landscaped entry features or planters located along major thoroughfares or collector streets do not qualify as open space. The lack of area for open space is related to the unusual circumstance of a residential planned development being planned on less than five acres of land; however, the Planning and Development Department believes that usable open space can be integrated into the interior of the site using a more imaginative lot configuration. The open space should be located so as to create a connection between the proposed development and the existing development to the north and west.

B) General Analysis and Discussion

- Zoning

The site is currently zoned R-E (Residential Estates). A companion Rezoning request (ZON-3775) would, if approved, rezone the subject property to R-PD5 (Residential Planned Development - 5 Units per Acre) in order to allow a greater number of lots to be developed. This designation would be compatible with the existing L (Low Density Residential) General Plan Designation for the site, which allows a density of up to 5.5 dwelling units per acre.

- Site Plan

The proposed site plan, at a proposed density of 5.15 units per acre, conforms with the density maximums of both the existing General Plan designation and proposed rezoning for the site; however, R-PD guidelines require a minimum site area of five acres, thereby requiring a Variance. The challenge in requesting such a variance and moving forward with the development is the sparseness of land to provide usable open space and to also provide a reasonable number of lots under the density maximum. Although the site is small, it could still be redesigned to comply with the open space requirement so that it will be integrated with the development to the north and west, which contains an opposing cul-de-sac (an excellent connecting pathway).

- Waivers

There are no waiver requests associated with this request, other than to allow a 198-foot distance separation between intersections, which is the subject of a separate request (WVR-3793).

- Landscape Plan

While the width of landscape buffers is more than adequate, the additional area cannot be used as part of the required open space calculation. The site should be redesigned to include open space on the interior of the development that is easy accessible from all lots and which links this site with the development to the north and west. Another condition will require the provision of 24-inch box trees spaced at least 30 feet on center and a minimum of four five-gallon shrubs per tree provided in perimeter buffers. The landscape plan currently proposes alternating 24-inch Palo Verde and Texas Mesquite, with five-gallon Red Yucca and Desert Spoon shrubs in the planters. Decomposed granite, along with the provision of the required number of shrubs, will serve as adequate groundcover.

- Elevation

The submitted elevations indicate that one- and two-story homes with two-car garages will be developed on the proposed lots.

FINDINGS

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

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

The proposed development is adjacent to similarly dense residential neighborhoods in all directions, including developments zoned R-PD5 (Residential Planned Development - 5 Units per Acre) to the north, south and west, and zoned R-PD6 (Residential Planned Development - 6 Units per Acre) to the east.

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

The proposed residential development is consistent with the General Plan. With the approval of a Variance to allow a residential planned development in an area of less than five acres and implementation of a condition to reconfigure the open space on the site, the proposed development will be in compliance with Title 19 and the Landscape, Wall and Buffer Standards.

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

Access to the property is provided by Azure Drive, a 60-foot right-of-way, which will be adequate to meet traffic demands of the proposed single-family residential development once fully developed to standards.

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

The building and landscape materials are appropriate for this type of development in this portion of the City. If this plan is approved, additional trees and shrubs would be required in conformance to Title 19.12 and the Landscape, Wall, and Buffer Standards.

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

The proposed one- and two-story building elevations are typical of single-family residential developments in the vicinity, and will be compatible with adjacent single-family development in all directions.

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Condition #17 as shown.

NOTICES MAILED 579 by Planning Department

APPROVALS 0

PROTESTS 0

Case Number: SDR-3784 APN: 125 25 101011
Name of Property Owner: LEE PRISBEY
Name of Applicant: FIESTA HOMES

Yes ☐ No ☒

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

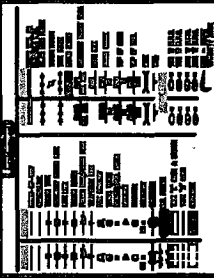
Print Name: Loran L PRISBREY

Subscribed and sworn before me

This 6th day of January, 2004

Notary Public in and for said County and State



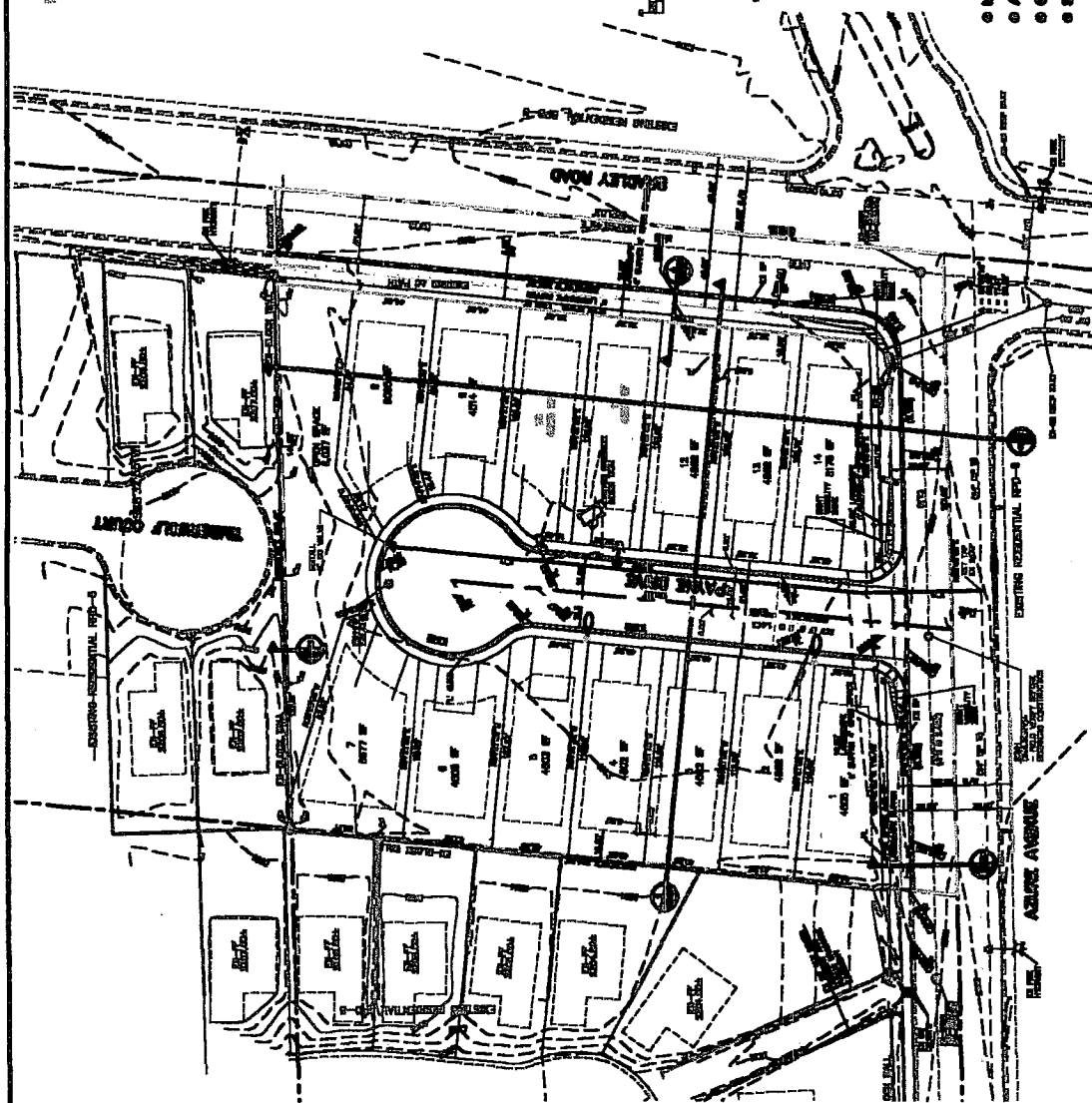
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TO ACHIEVE THE RESPONSIBILITY FOR KNOWING THE QUALITY OF THE INFORMATION BEING RELAYED TO THE PUBLIC, THE TELEVISION STATIONS IN NEW YORK HAVE AGREED TO SIGN A PLEDGE TO THE PUBLIC. THE PLEDGE, WHICH WAS SIGNED BY THE STATIONS' PRESIDENTS, VICE PRESIDENTS, AND GENERAL MANAGERS, STATES THAT THE STATIONS WILL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION THEY RELAY TO THE PUBLIC. THE PLEDGE ALSO STATES THAT THE STATIONS WILL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION THEY RELAY TO THE PUBLIC.



2 210 1000 PER AGENT

STANLEY



**COST SPACE REQUIRED
DUES / ANNUAL PERCENT OF COST SPACE REQUIRED**

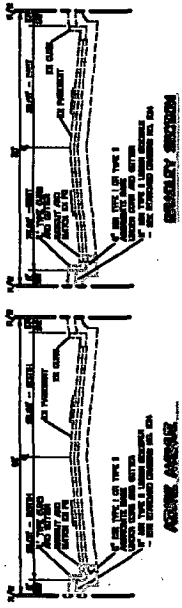
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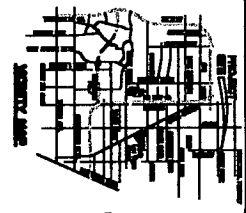
PERCENTAGE OF COST SPACE REQUIRED - \$6.90 TO PT OF COST SPACE REQUIRED

SDR-3784

\$1.2K TO \$1.5K

PERCENTAGE OF COST SPACE REQUIRED - \$1.2K TO \$1.5K





WATER TREATMENT

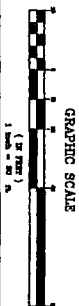
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Abstract

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Call before you dig!
Call before you dig!

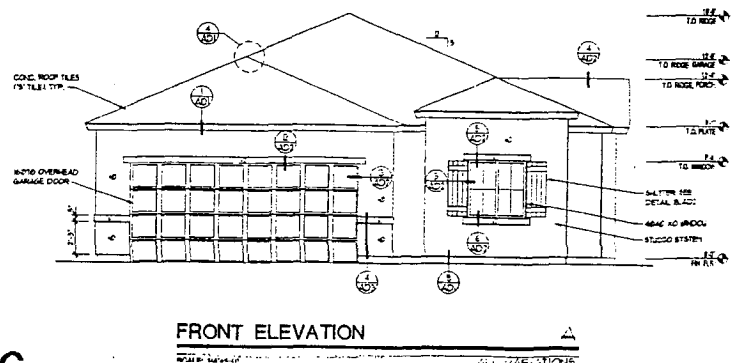
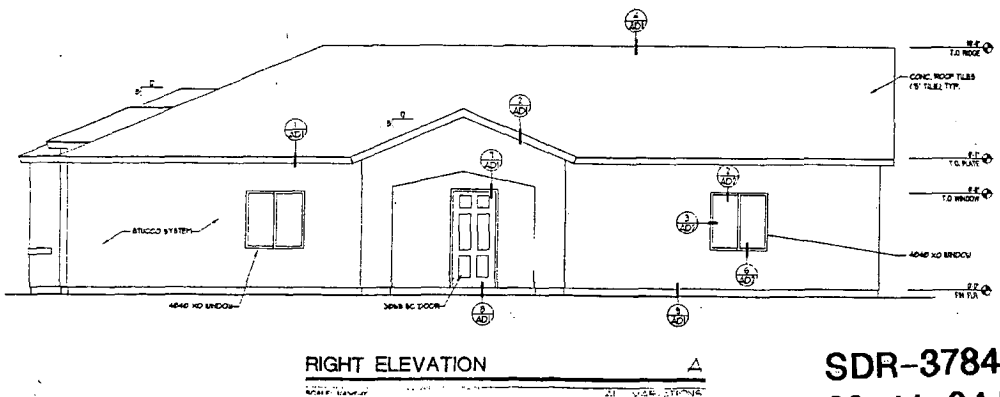
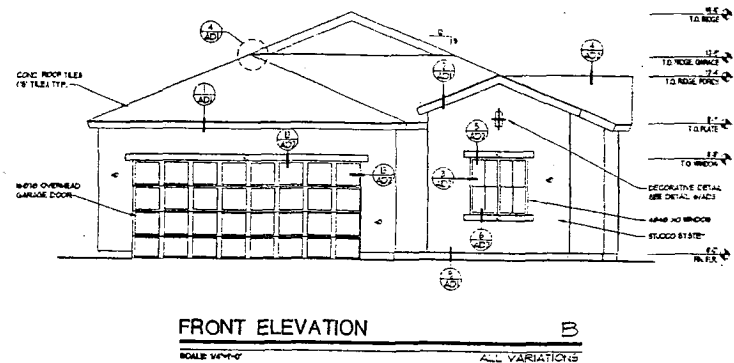
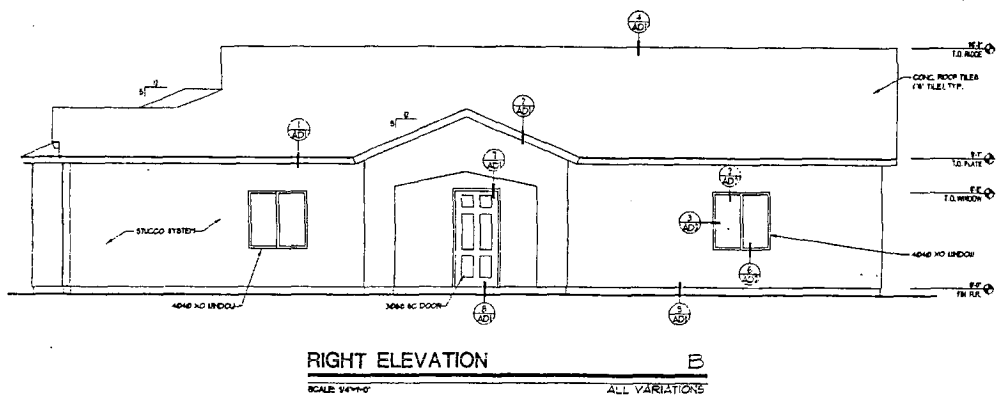
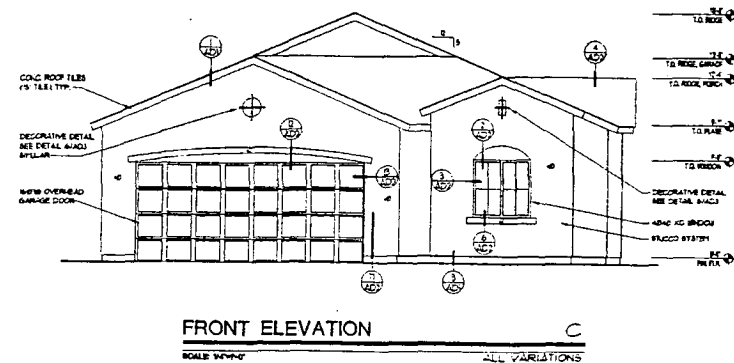
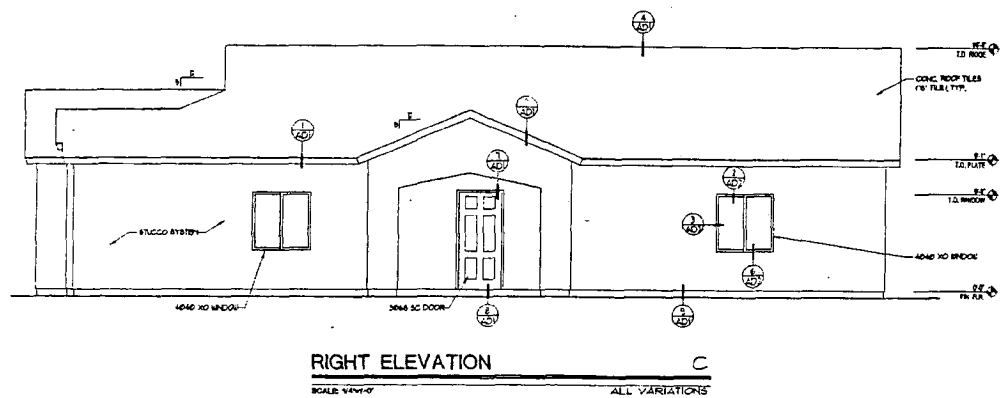
SDR-3784
03-11-04 PC
REVISIED 03-10-04



SDR-3784
03-11-04 PC
REVISED 02-20-04

LANDSCAPE PLAN

BRADLEY ROAD / AZURE AVENUE
14 LOTS



SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

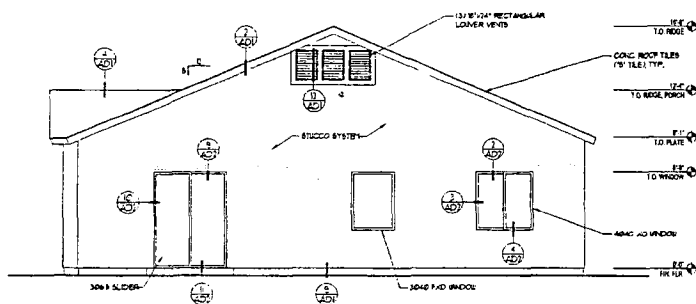


Fiesta Homes

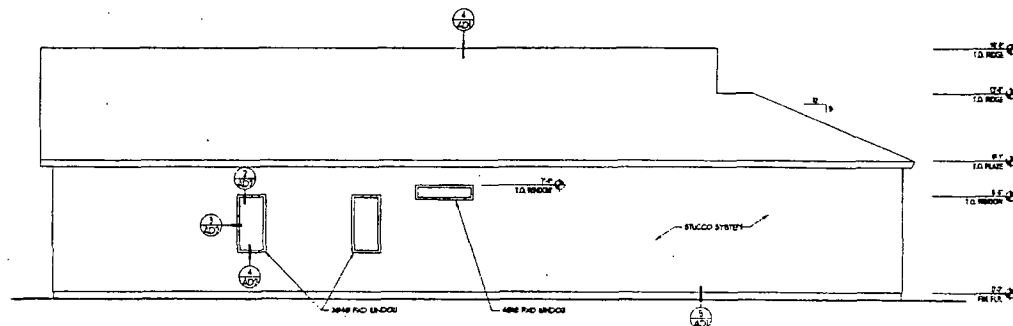
FRONT AND RIGHT EXTERIOR ELEVATIONS

A-3

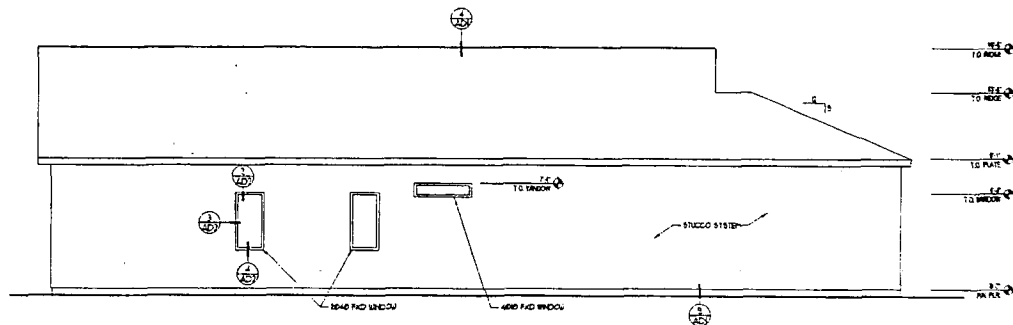
101 PLAN



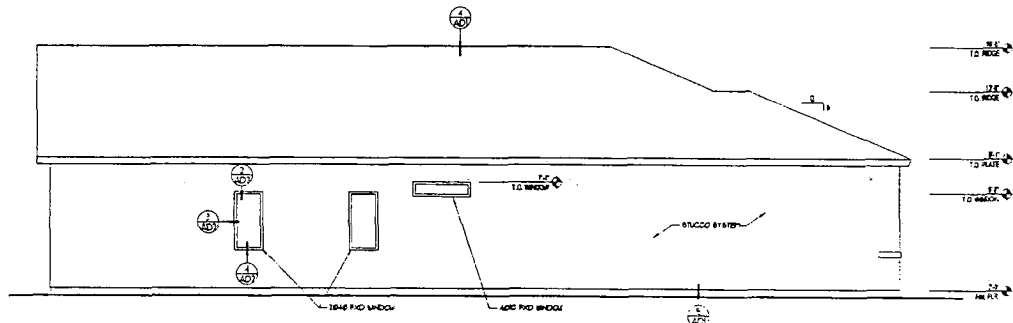
LEFT ELEVATION A, B & C
SCALE 1/4"=1'-0" ALL VARIATIONS



LEFT ELEVATION C
SCALE 1/4"=1'-0" ALL VARIATIONS



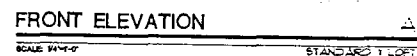
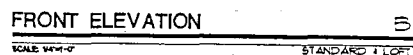
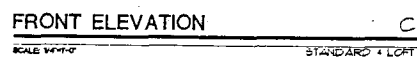
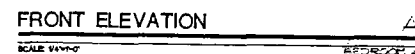
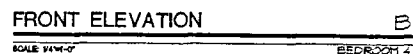
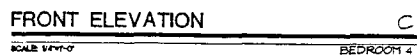
LEFT ELEVATION B
SCALE 1/4"=1'-0" ALL VARIATIONS



LEFT ELEVATION A
SCALE 1/4"=1'-0" ALL VARIATIONS

SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER	
NAME	ADDRESS
DATE	DESCRIPTION
LEFT AND REAR EXTERIOR ELEVATIONS	
A-3.1 101 PLAN	



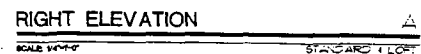
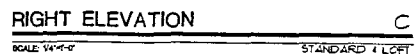
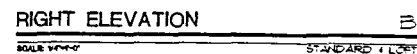
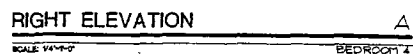
SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER BUILDER

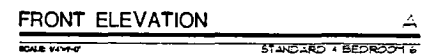
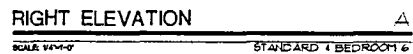
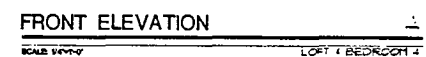
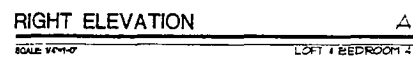


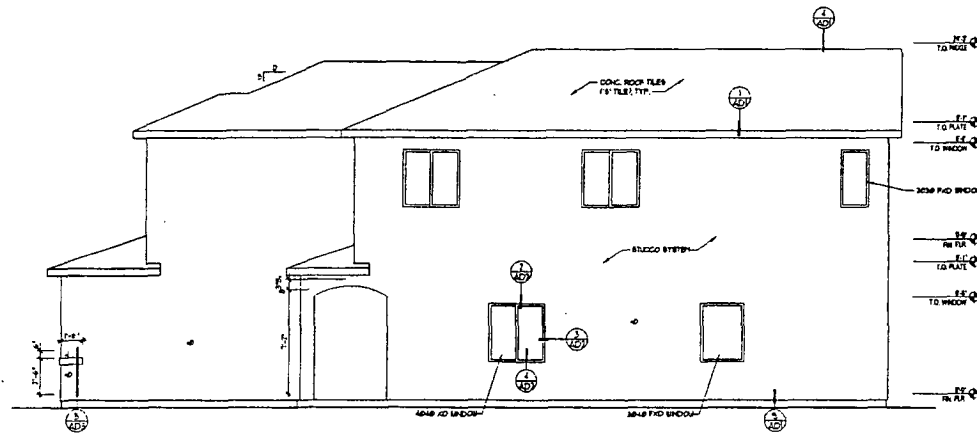
**FRONT EXTERIOR
ELEVATIONS**

A-3
102 PLAN



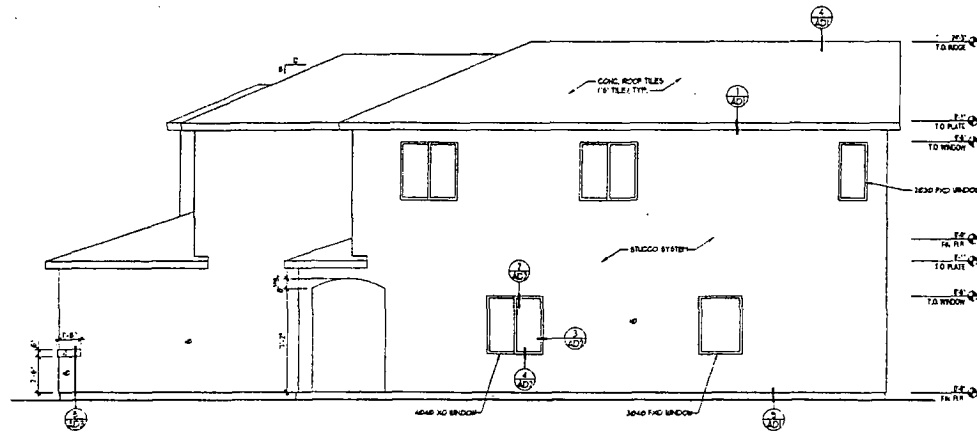
SDR-3784
03-11-04 PC
REVISED 02-20-04

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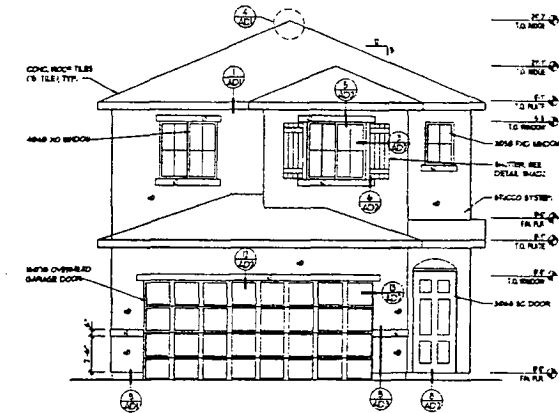
RIGHT ELEVATION

SCALE: 1/4"=1'-0" BEDROOM 45' x BEDROOM 45'6"



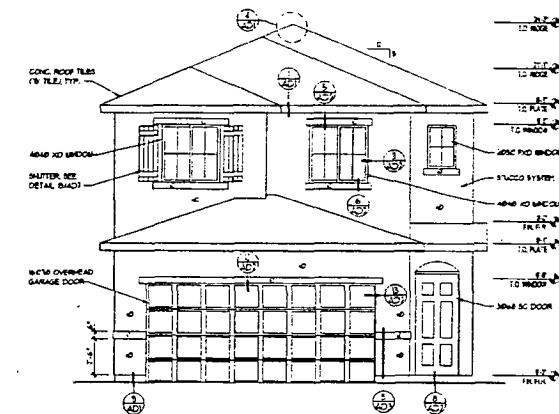
RIGHT ELEVATION

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



FRONT ELEVATION

SCALE: 1/4"=1'-0" BEDROOM 45' x BEDROOM 45'6"



FRONT ELEVATION

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

SDR-3784
03-11-04 PC
REVISED 02-20-04

OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____

OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____



OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____

OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____

OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____

OWNER: _____
BUILDER: _____
DATE: _____
SCALE: _____
SHEET: _____

A-3.1
103 PLAN



SDR-3784 - APPLICANT: FIESTA HOMES - OWNER: NEW YORK PLASTICS, LIMITED LIABILITY
COMPANY
ADJACENT TO THE NORTHWEST CORNER OF BRADLEY ROAD AND AZURE DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Cornerstone Company for Item 181 [ZON-3919] and Item 182 [SDR-3920] filed under Item 181 [ZON-3919]

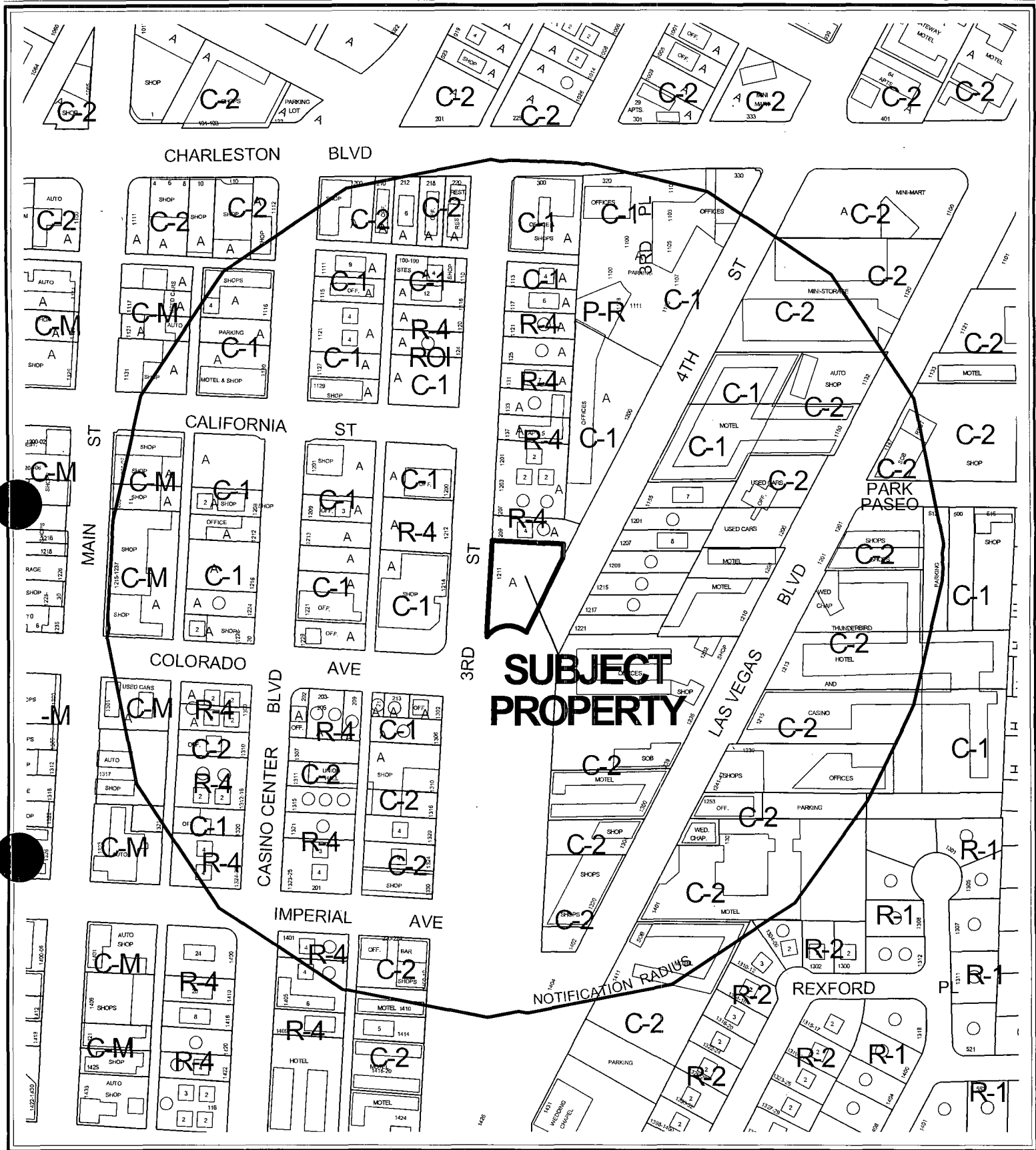
MOTION:

REESE – Motion to Accept the **WITHDRAWAL** Without Prejudice of Item 163 [SUP-3479] and **HOLD IN ABEYANCE** Item 181 [ZON-3919] and Item 182 [SDR-3920] to 5/5/2004 – **UNANIMOUS** with L. B. McDONALD excused

MINUTES:

There was no discussion.

(1:00 – 1:01)



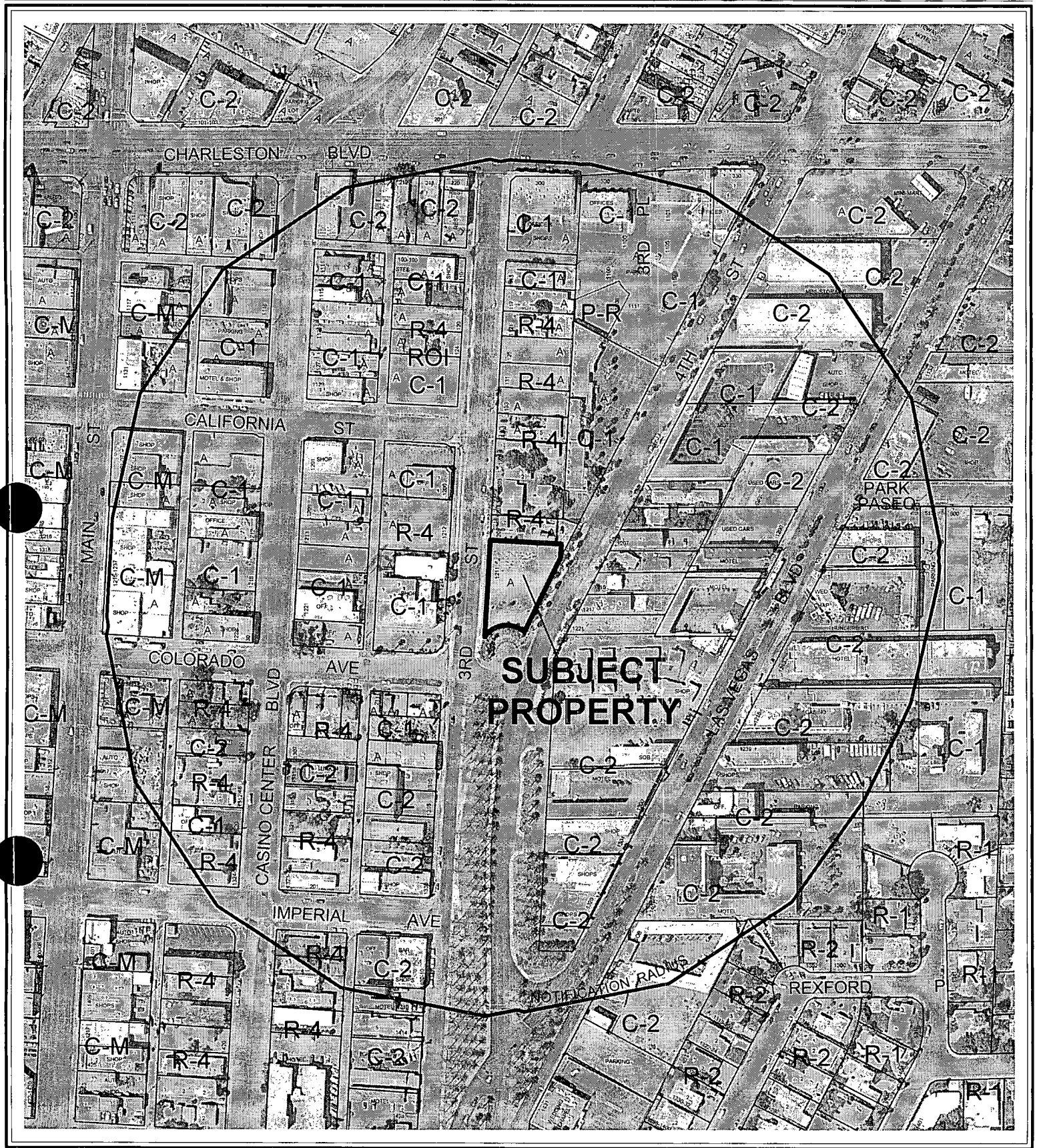
CASE: ZON-3919

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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





CASE: **ZON-3919**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3919 - APPLICANT/OWNER: CORNERSTONE
COMPANY

**** CONDITIONS ****

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (SDR-3920) has been filed to allow a temporary office facility on the property.

B) Applicant's Justification

The applicant has stated that the rezoning will allow the development of a future multi-story mixed use project, and that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

- 12/15/99 The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).
- 04/18/01 The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission and staff recommended approval of the request on 03/08/01. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.
- 03/11/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-3920).
- 03/11/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #48/ff).

B) Pre-Application Meeting

- 01/30/04 The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

Subject Property: Undeveloped
 North: Multifamily Residential Use
 South: Right-of-Way
 East: Single-family Use, Multifamily Residential Use, Office Use
 West: Retail Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: Mixed Use
 North: Mixed Use, Commercial
 South: Right-of-Way
 East: Commercial
 West: Mixed Use

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
 North: R-4 (High-Density Residential)
 South: Right-of-Way
 East: R-3 (Medium-Density Residential), C-2 (General Commercial)
 West: R-4 (High-Density Residential), C-1 (Limited Commercial)

E) *General Plan Compliance*

The site is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Las Vegas Redevelopment Plan, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following dimensional requirements apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y

The subject property meets the minimum width requirement for C-1 (Limited Commercial) properties; no minimum lot size is required for the rezoning.

B) General Analysis and Discussion

The request involves the rezoning of the subject property from R-4 (High-Density Residential) to C-1 (Limited Commercial) in order to permit the eventual development of a mixed-use structure on the site. A modular office facility will be located on the property in the interim until the new structure is constructed; a paved 18-space parking lot will be developed at the same time that the temporary structure is located on the site, and will serve both phases of the development.

FINDINGS

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

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

The proposed rezoning to C-1 (Limited Commercial) is compatible with the Mixed Use designation of this site by the Las Vegas Redevelopment Plan.

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

The office use proposed by the applicant is compatible with the surrounding land uses and zoning districts.

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

The proposed rezoning supports the goals and objectives of the Downtown Centennial Plan and the Las Vegas Redevelopment Plan, which encourages office uses in the downtown area.

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

Fourth Street and Third Street are both fully developed and will provide adequate access to the site.

PLANNING COMMISSION ACTION

There were two protesting speakers at the Planning Commission hearing.

NOTICES MAILED 97 by Planning Department

APPROVALS 1

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-3919**, APN: **162-03-110-011**

Name of Property Owner: **Cornerstone Company**

Name of Applicant: **Cornerstone Company**

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

☒ Yes ☐ No

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

City Official: **Richard W. Truesdell**

Partner(s): _____

APN: **162-03-110-011**

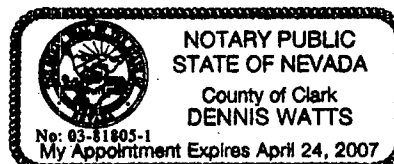
Signature of Property Owner/Authorized Agent: _____

Print Name: **Richard W. Truesdell**

Subscribed and sworn before me

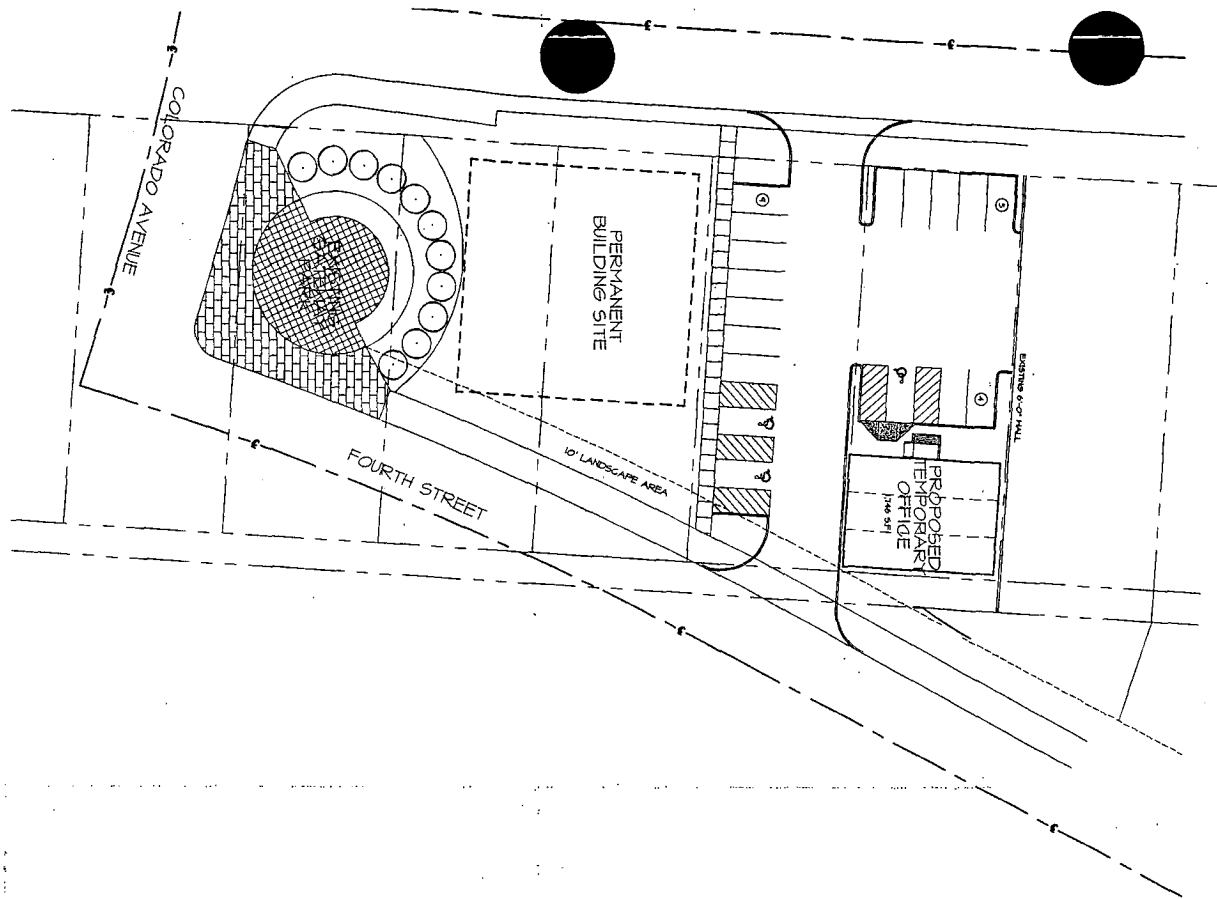
This **26th** day of **JANUARY**, 20**04**

Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 20'



ZON-3919
SDR-3920
03-11-04 P

SP-1

SITE PLAN

DRAWN BY:
YH
REVIEWED BY:
PK
PROJECT NUMBER:
980001.16
ISSUE DATE:
8.16.00

A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA



W * E * S * T * A * R
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX • LAS VEGAS
ARCHITECTURE • PLANNING • PROJECT MANAGEMENT
4700 EAST THOMAS ROAD, SUITE 203, PHOENIX, ARIZONA 85018
TELEPHONE: (602) 840-4900 FAX: (602) 840-0887

REVISIONS





ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04



Cornerstone Company

Commercial Real Estate Services

RECEIVED
CITY CLERK

2004 APR -6 A 8:47

April 5, 2004

David Clapsaddle
Supervisor
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101
Via Fax No. 702-868-6374

RE: ZON-3919 and SDR-3920

Dear Mr. Clapsaddle:

I am righting you today to request the above mentioned Items be held for 30 days. Due to Staffing issues within our company I will be unable present this project to City Council on the 7th. We feel that it is very important that someone from Cornerstone be present at the Council meeting. Therefore I request the above mentioned items be pulled from the April 7th agenda and held until the May 5th city council meeting.

We appreciate all of the effort that you and staff has made with regards to this project and look forward to working with you in the future.

Sincerely,

Dennis Watts
Broker / Salesman
Cornerstone Company

201 Las Vegas Blvd. South, Suite 150
Las Vegas, Nevada 89101-5725
(702) 383-3033 • FAX (702) 383-8576

Submitted after final agenda

Date 4/5/04 Item #181 +
#182

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 ZON-3919 - PUBLIC HEARING - SDR-3920 - **APPLICANT/OWNER: CORNERSTONE COMPANY** - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Cornerstone Company for Item 181 [ZON-3919] and Item 182 [SDR-3920] filed under Item 181 [ZON-3919]
5. Back up referenced from the 3/11/2004 Planning Commission meeting Item 48

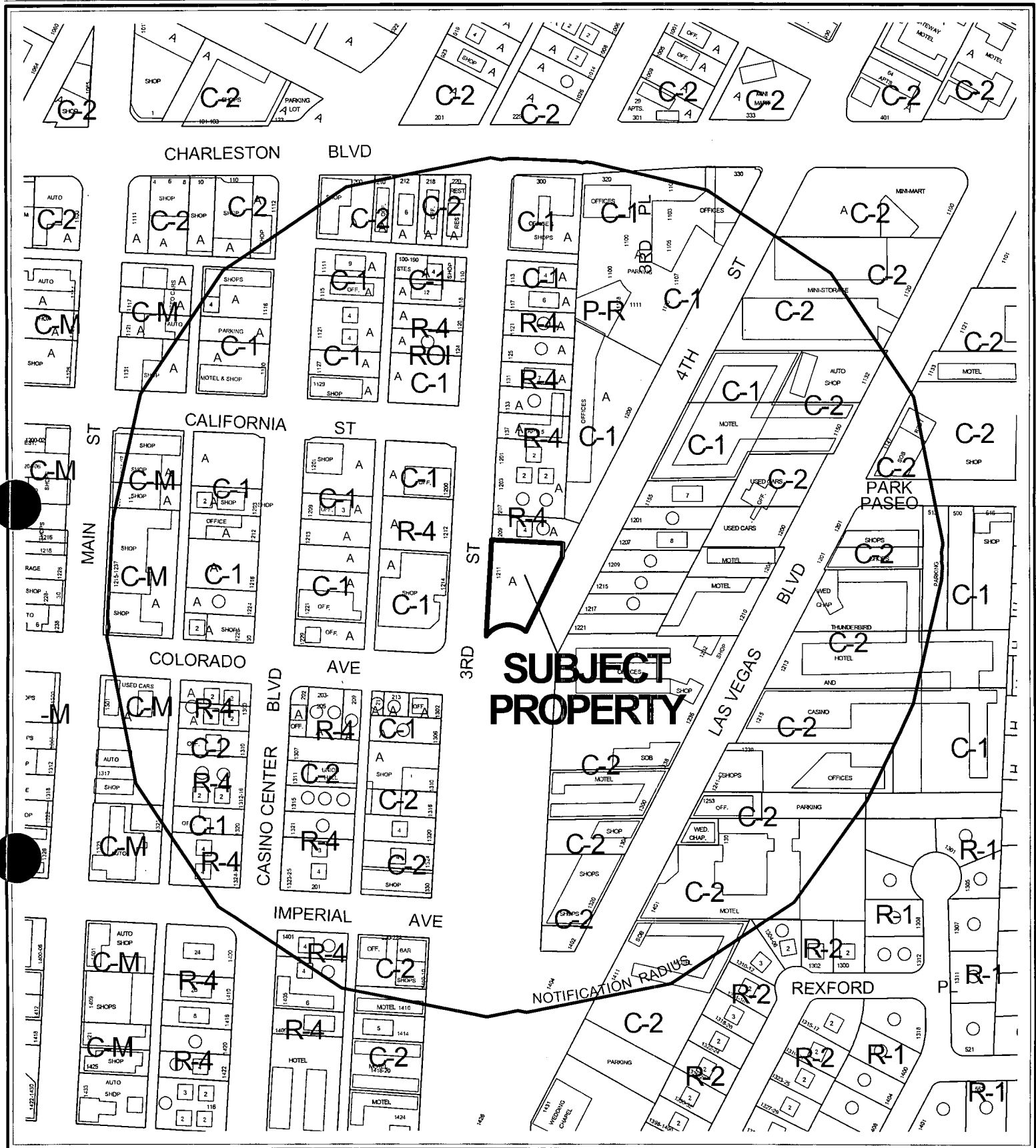
MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 163 [SUP-3479] and HOLD IN ABEYANCE Item 181 [ZON-3919] and Item 182 [SDR-3920] to 5/5/2004 – UNANIMOUS with L. B. McDONALD excused

MINUTES:

There was no discussion.

(1:00 – 1:01)

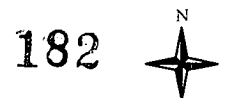


CASE: SDR-3920

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY

**** CONDITIONS ****

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3919) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The modular building shall be removed within two years of the issuance of the certificate of occupancy.
4. The applicant shall submit a Site Development Plan Review application for Planning Commission review prior to the construction of any permanent structure.
5. All development shall be in conformance with the site plan as proposed, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

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

Public Works

13. Buildings shall be designed so as not to encroach within the existing 20-foot wide public sewer easement.
14. Site development to comply with all applicable conditions of approval for ZON-3919 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed modular office on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (ZON-3919) has been submitted to rezone the property to C-1 (Limited Commercial).

B) Applicant's Justification

The applicant has stated that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

- 12/15/99 The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).
- 04/18/01 The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission recommended approval of the request on 8 March 2001. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.
- 03/11/04 The Planning Commission recommended approval of a related Rezoning (ZON-3919).
- 03/11/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #49/ff).

B) Pre-Application Meeting

- 01/30/04 The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening and streetscape requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

Subject Property: Undeveloped
 North: Multifamily Residential Use
 South: Right-of-Way
 East: Single-family Use, Multifamily Residential Use, Office Use
 West: Retail Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: Mixed Use
 North: Mixed Use, Commercial
 South: Right-of-Way
 East: Commercial
 West: Mixed Use

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
 North: R-4 (High-Density Residential)
 South: Right-of-Way
 East: R-3 (Medium-Density Residential), C-2 (General Commercial)
 West: R-4 (High-Density Residential), C-1 (Limited Commercial)

E) *General Plan Compliance*

The site is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

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

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

PROJECT DESCRIPTION

The project involves the placement of a modular office facility of 1,746 square feet on the subject property, and the development of a paved 18-space parking lot. The modular office will be a temporary facility; the applicant intends to construct a multistory mixed-use building on the southern portion of the site at some point in the future.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y
Min. Setbacks			
• Front	0 Feet (for a minimum of 70% of lot width)	10 Feet	N
• Side	N/A	3 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	N/A	N/A	N/A
Max. Lot Coverage	Up to 100%	9%	Y
Max. Building Height	N/A	Approx. 12'	Y

The proposed temporary structure will comply with setback, height, and lot coverage requirements.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. On-site parking will be provided as follows:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office Use	1,746 SF	1/300 GFA	5	1	15	3

The number of parking spaces to be provided will exceed the amount required by code.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of landscape requirements contained in Title 19; however, the Downtown Centennial Plan requires the following landscape elements:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	3 Trees	Not indicated
Buffer:			
• Min. Trees	(See above)	(See above)	(See above)
• Min. Zone Width	8 Feet		0-10 Feet
• Fence height	3'-6"		Not provided

Landscaping has not been shown on the site plan, but is intended to be added upon the construction of the permanent structure. The landscape buffer facing Third Street does not meet the minimum depth requirements; a waiver has been requested.

A5) Sign Standards

No permanent signage is proposed as part of this request.

B) General Analysis and Discussion

- Zoning

The companion application to rezone the property (ZON-3919) to the C-1 (Limited Commercial) zoning designation will allow the proposed office use.

- Site Plan

The site plan generally conforms to the goals and objectives of the Downtown Centennial Plan by locating the temporary structure adjacent to the street, with the parking located to the side and rear of the building. The temporary structure does not occupy 70% of the street frontage as suggested by the Downtown Centennial Plan, but is exempt from the requirement due to its temporary nature. The site plan has been designed so that the parking lot can serve both phases of the development, and allows for the placement of the permanent building directly behind the public landscape feature at the intersection of Fourth Street and Colorado Avenue.

- Waivers

The applicant has requested a waiver from providing an eight-foot landscape buffer and the Downtown Centennial Plan fence along the Third Street side of the property due to the fact that there is existing landscaping in the right of way to screen the parking lot. A waiver has also been requested from the requirement for the provision of the Downtown Centennial Plan streetscape treatment in the public right-of-way along Third Street. Streetscape treatments are already in place along Fourth Street.

- Landscape Plan

No permanent landscaping has been proposed with this phase of the development, and is intended to be installed upon construction of the permanent structure on the site.

- Elevation

The applicant has submitted elevations of the proposed modular structure, which features wood siding, a parapet, and a screened base.

FINDINGS

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

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

The proposed office use is compatible with the surrounding land uses and zoning districts..

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

The proposed use supports the goals and objectives of the Downtown Centennial Plan by locating office uses in the downtown area.

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

Third Street and Fourth Street are both fully developed and will provide adequate access to the site.

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

The use of a temporary modular structure may be allowed, provided that a time limit is provided for its removal. The permanent landscaping will be reviewed upon the submittal of the Site Development Plan Review application for the permanent structure on the site.

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

The proposed modular structure is generally of a better quality than most temporary structures, and will not be unsightly in appearance.

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

The proposed development will be subject to review and inspections by the Building and Safety Department, and therefore will not compromise the public health, safety or welfare.

NOTICES MAILED 97 by Planning Department

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3920** APN: 162-03-110-011

Name of Property Owner: Cornerstone Company

Name of Applicant: Cornerstone Company

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

x	Yes	No
---	-----	----

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

City Official: Richard W. Truesdell

Partner(s): _____

APN: 162-03-110-011

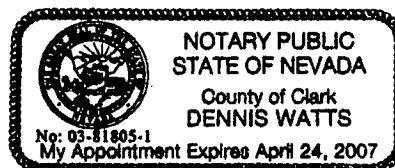
Signature of Property Owner/Authorized Agent: _____

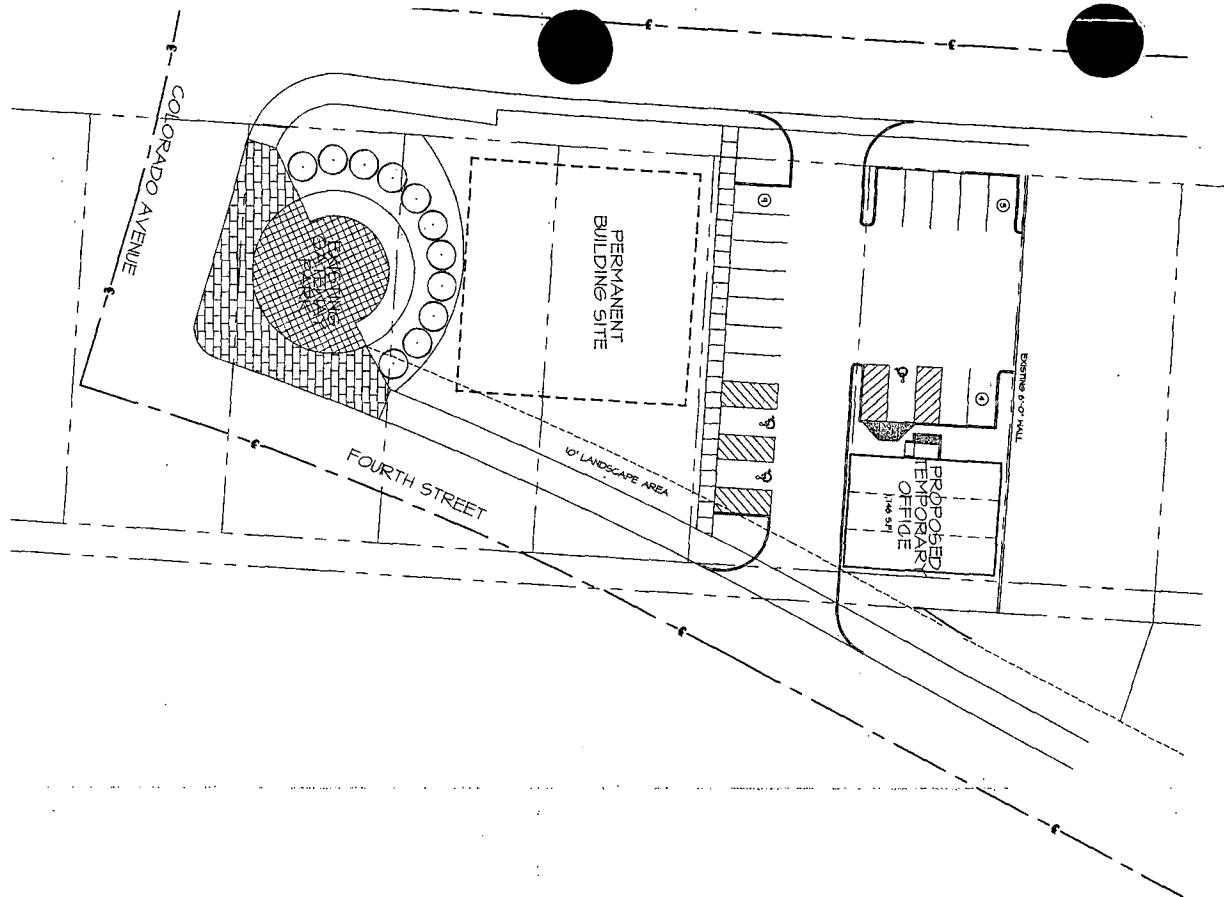
Print Name: Richard W. Truesdell

Subscribed and sworn before me

This 11th day of FEBRUARY, 2004

Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 30'
NORTH

ZON-3919
SDR-3920
03-11-04 P

SP-1
SITE PLAN

DRAWN BY:
VM
REVIEWED BY:
PK
PROJECT NUMBER:
980001.16
ISSUE DATE:
8.16.00

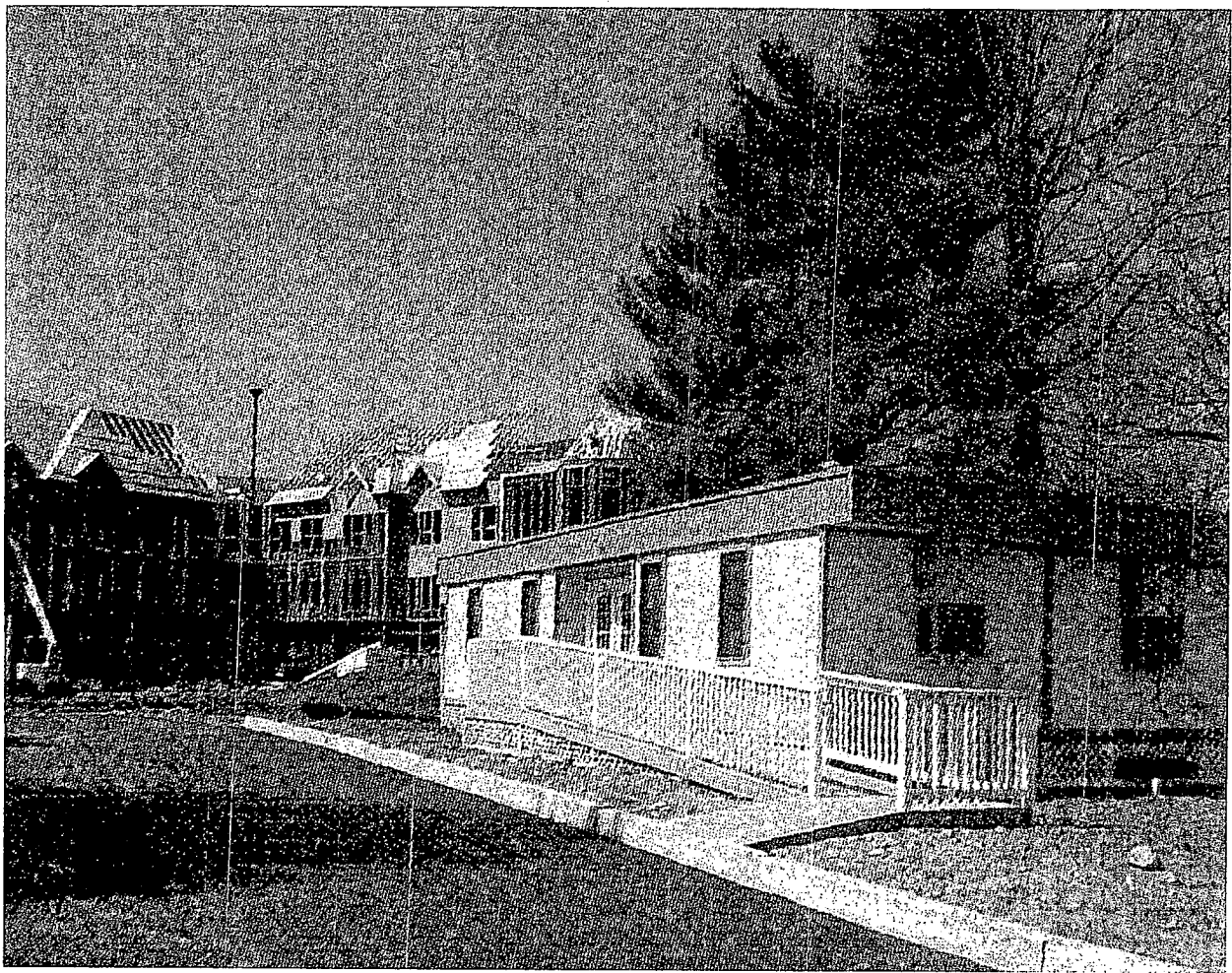
A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA

WESTAR

WESTAR
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX • LAS VEGAS
ARCHITECTURE • PLANNING • PROJECT MANAGEMENT
4700 EAST THOMAS ROAD, SUITE 203, PHOENIX, ARIZONA 85018
TELEPHONE: (602) 840-4900 FAX: (602) 840-0867

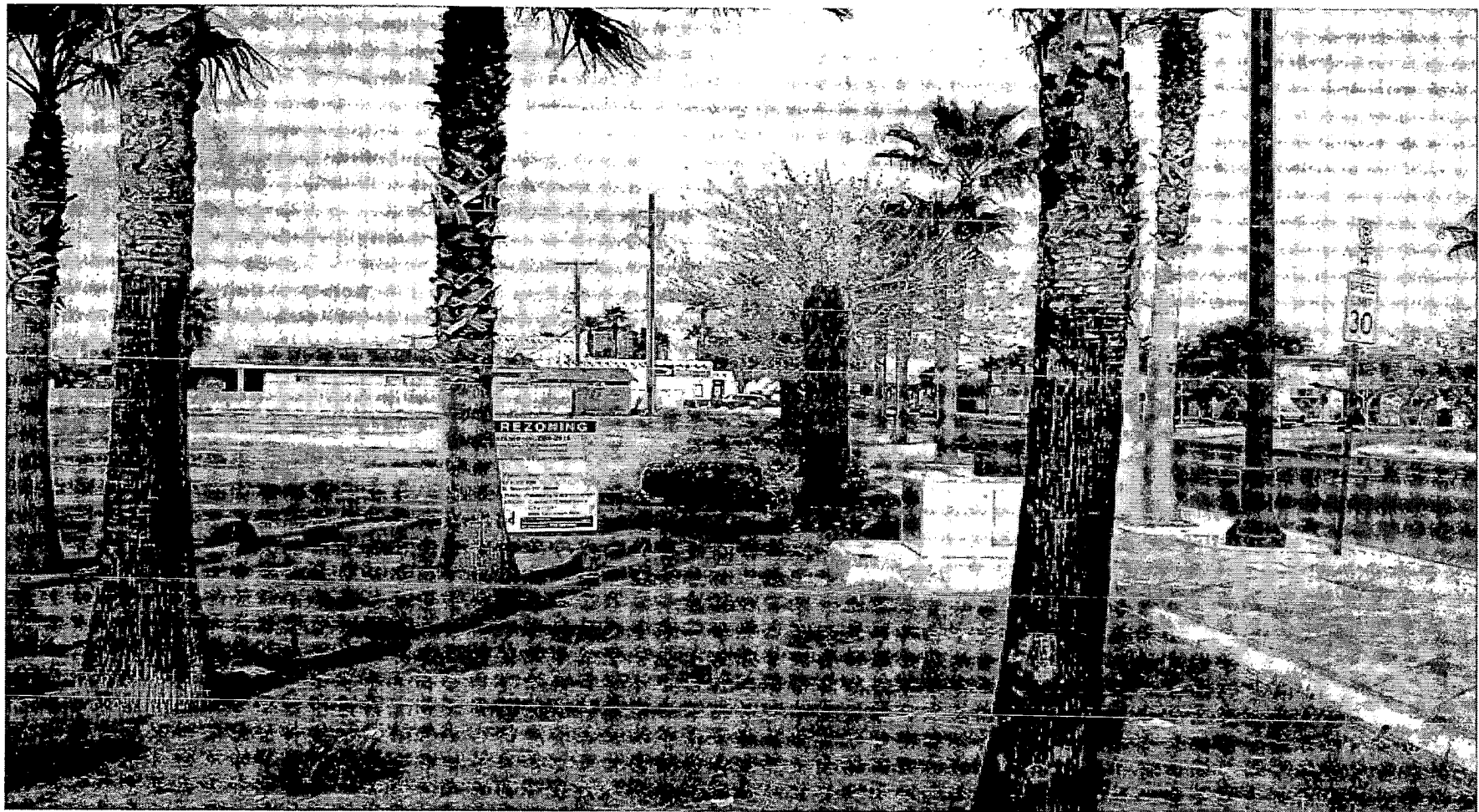
REVISIONS

△
△
△
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SDR-3920

3-25-04 PC



SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

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

DB 4550 EAST WASHINGTON AVENUE, DB 3224 BRADY AVENUE, DB 1611 EUCLID AVENUE, RQR-3732, RQR-3930, SUP-3844, SUP-3748, SUP-3875, SUP-3896, VAR-3762 and VAR-3826 – 4/21/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: CITY CLERK

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

SUBJECT:

ADDENDUM:

None

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 7, 2004

CITIZENS PARTICIPATION:

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

MINUTES:

BETH JONES, 15 West Jones, Skyvue Mobile Home Park, appeared distraught as she explained the number of violations that exist in the Mobile Home Park. She stated that the availability of water is extremely deficient and should a fire occur within the Park, more than 91 trailers will be consumed within a matter of minutes because of the lack of water. She remarked that the owners of the Skyvue Mobile Home Park have never responded to her concerns. In her quest for assistance, MS. JONES contacted COUNCILMAN WEEKLY and ASSEMBLYWOMAN GIUNCHIGLIANI, and as a result, all of the trailers were inspected and every one failed. MS. JONES noted that many of the residents have recurring illnesses and attribute that to the unsanitary conditions prevalent within the Park.

COUNCILMAN WEEKLY attested to the deplorable conditions mentioned by MS. JONES. He asked MS. JONES to meet with DEPUTY CITY MANAGER BETSY FRETWELL who is conducting an assessment of the entire situation and would be able to give her a thorough progress report on the matter. MAYOR GOODMAN stated that the City would make every effort to rectify this situation.

DEPUTY CITY MANAGER FRETWELL explained that there is a very delicate balance between property rights and the City's ability to intervene to protect the health and safety of the occupants. She noted that the City is working in conjunction with the Health District, who has several concerns and are currently moving through the legal process with the DeMARCO'S based on criteria set by State Law. Additionally, DEPUTY CITY MANAGER FRETWELL noted that every effort is being made to identify relocation possibilities for individuals as well as provide housing opportunities for a similar rate. To date, she stated that the City has identified at least 42 units and is aiming for an additional 40 units. DEPUTY CITY MANAGER FRETWELL stated the City is also soliciting the assistance of all of the agencies within that area as well as the Clark County Social Services, HELP of Southern Nevada and other organizations that offer services in situations like this.

(3:40 – 3:52)

4-2683

City of Las Vegas

CITY COUNCIL MEETING OF APRIL 7, 2004 CITIZENS PARTICIPATION

MINUTES – Continued:

PATRICIA BROWN, 507 Prescott, announced that she was served with an eviction notice and subsequently evicted from her residence at the Las Vegas Housing Authority confines. She felt she was not given adequate time to prepare her appeal and her case was improperly handled. MAYOR GOODMAN replied that in checking with several resources, he was informed that everything was conducted in an appropriate manner.

(3:52 – 3:57)

4-3330

DOROTHY BARNES, Las Vegas resident, conveyed that she came to Las Vegas as a tourist. Since then, she claims she has been blamed for many of the City's problems and argued that all the illegal drug trafficking and illegal immigration have been associated with her name. Her solution is that everything has to be done decently and in order.

(3:57 – 4:00)

4-3580/5-1

NOEL SORRELL, 1810 Furtado Road, stated that a brochure listing products approved by the Department of Energy was left at the Mayor's Office. She explained that one of the products was designed to save up to 25% of the water usage if installed at golf courses and school grounds. As Nevada is experiencing drought conditions, she offered to do an experimental test in the City of Las Vegas at no cost to the City.

(4:00 – 4:02)

5-583

TOM McGOWAN, citizen of Las Vegas, displayed a design graphic and detailed text of his proposals for the upcoming Las Vegas Centennial Celebration. The proposals included the world's largest Centennial Celebration Birthday Cake, an Entertainment Walk of Fame and an entertainment contest entitled Centennial Idol. MR. McGOWAN'S oral presentation was made a part of the record.

(4:02 – 4:05)

5-155

JOHNNY VENTURA, 601 Raintree Lane, stated that he received his diploma at the last sessions of the People's Law, sponsored by the Trial Lawyers of Nevada. As the editor of the Clark County Chronicle, he stated that he is seeking funding and intends for this newspaper to have a Letters to the Editor concept. He expressed his dismay concerning ethic allegations against MAYOR GOODMAN. In closing, MR. VENTURA congratulated COUNCILWOMAN McDONALD and wished her well.

(4:05 – 4:09)

5-242

City of Las Vegas

CITY COUNCIL MEETING OF APRIL 7, 2004 CITIZENS PARTICIPATION

MINUTES – Continued:

BEATRICE TURNER, West Las Vegas, wished the very best to COUNCILWOMAN McDONALD in her new capacity as County Commissioner. MS. TURNER, having heard the statements made regarding Skyvue Mobile Home Park, remarked that the same situations exist at Marble Manor. Inasmuch as this has been an ongoing situation, she was very critical of MAYOR GOODMAN.

(4:09 – 4:12)

5-373

Unidentified Female, 921 Fade (Inaudible) Street, questioned why she, a recipient of social security, must pay the same sewer charges as younger adults who have good, stable jobs and higher incomes. CITY MANAGER SELBY remarked that his office would be happy to handle the situation.

(4:12 – 4:13)

5-445

DAN CONTRERAS, Bonanza Village, complimented COUNCILWOMAN McDONALD for all she has done for the citizens in her Ward. He referenced the Bonanza Village Wall and the Angel Tree donations. MR. CONTRERAS reiterated that his community is sorely in need of vital services. With regard to the panhandlers, he expressed his appreciation to the Marshals for their sincere concerns and for pointing out various avenues to explore.

(4:13 – 4:18)

5-497

JOEY HAMILTON, 814 M Street, Marble Manor, Secretary for the Resident Council, stated that many of the residents are experiencing numerous problems with their water from washing machines not filling up due to very low pressure. He stated that many of the residents are afraid to speak up.

(4:18 – 4:21)

5-641

TODD FARLOW, 240 North 19th Street, reminded the Council that the last lecture on Sustainable Architecture will be held on April 14, 2004. He encouraged the Council members to show their support. MR. FARLOW stated that he would like to send a letter with attachments to each of the Council members on matters relative to Metro.

(4:21 – 4:25)

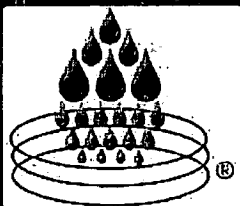
5-752

THE MEETING ADJOURNED AT 4:25 P.M.

For Your Information:

Dr. Martin D. Miffin
Senior Hydrogeologist

Miffin and Associates, Inc.
HCR 38, Box 126
Las Vegas, NV 89124
(702) 845-2969 Fax (702) 395-2981
Email: maffhydrogeol@msn.com



"Anytime you can reduce the surface tension of water you are going to increase the efficiency of that water use."

John E. Crane, Agronomist
Professor Emeritus
Ohio State University

Reduces Surface Tension of Water

Water Reaches Roots Faster

Reduces Water Usage Up to 30%.

Enhances Effectiveness of Chemical Applications.

Reduces Maintenance Costs.

Will Be Effective & Retain Efficiency for 25 Years.

Environmentally Friendly.



Today the cost of water and chemicals is rapidly increasing. Water shortages are becoming all too familiar. The need to conserve our dwindling water supply is becoming a major concern.

You can now reduce your costs for water and chemicals and lower overall irrigation expenses.

The Magnawet water conditioner's patented system, installed in the irrigation system supply line and sprayers, reduces the surface tension of the water, making it more mobile. All chemicals will be utilized more efficiently because of this increased mobility.

Magnawet will reduce or totally eliminate the need to use wetting agents because of the reduction in surface tension, which allows the water to penetrate the soil deeper and faster. A deeper, thicker root system provides for better growth. The water treated by the Magnawet water conditioner spreads through the ground more uniformly, and eliminates the puddling caused by over-watering an area to eliminate dry spots. An improvement in germination is an additional benefit.

The Magnawet water conditioner is sized to treat the maximum flow rate of your system. The Magnawet water conditioner has no moving parts and requires no maintenance. The elimination of scale in your irrigation system and sprayers will greatly reduce overall maintenance requirements.

Magnawet also has smaller units that are used in conjunction with golf course, agricultural, and horticultural sprayers. As water with pesticide (e.g. fungicides, insecticides, and herbicides) is circulated throughout the sprayer, the water and pesticides are subjected to the influence of the magnetic field of the Magnawet unit. The reduction of surface tension allows a very thorough coverage of the "spray solution", and enhances the activity of the pesticide. There is an even distribution of the spray solution, and increased activity when the pesticide is negatively charged, such as Round-up. In the case of contact fungicides, as the water in the solution dries, the fungicide does not concentrate in the evaporating droplet of water, but is spread evenly over the surfaces of the leaves of the target plant. Many of our users are reporting successful applications using lower than manufacturer's recommended rates, with protection lasting for the time specified and longer, and more thorough control in the case of herbicide and broadleaf weed control.

Submitted at City Council

Date 4/17/04 Item Citizens Panel

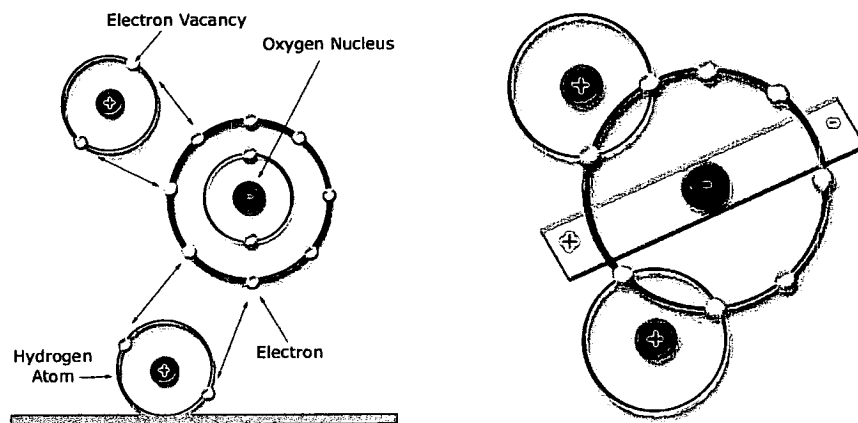
Magnets and their force fields have been mysterious from the time that the compass was used to navigate during early explorations, to the complexities of the present day MRI's (Magnetic Resonance Imaging).

Anytime when you can feel or see an invisible force, such as when a child plays with a pair of magnets that exhibit the power to repel or attract to each other, there is curiosity.

The technology of treating water, MHD (Magnetohydrodynamic's) is a very old concept. The technology Magnawet uses has been utilized over 30 years in eliminating the scale and corrosion of boilers, cooling towers, and related equipment.

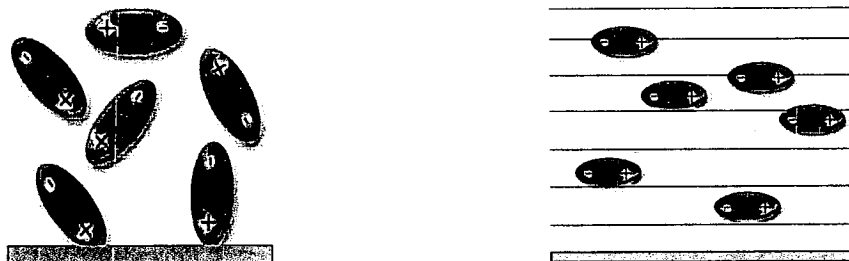
Scott Sanderson, Steve Frazier, and Dan Gamble, (owners of Magnawet Corp.) have a patent for the "Magnetic treatment of water to increase activity of chemical spray solutions and Irrigation water" (in conjunction with turf-type, horticultural, and agricultural sprayers).

Water is a universal solvent, made from two atoms of Hydrogen and one atom of Oxygen. Electrons of the atoms are shared and form a tightly held bond. The water molecule formed possesses a positive charge on one end, and a negative charge on the other end.



When water is passed through the Magnawet's permanent cobalt magnetic field, the water molecules are re-arranged, likes repelling likes in the strong magnetic field.

The arrangement of polar molecules after passing over the Magnawet field.



*Arrangement of polar molecules
in the absence of a magnetic field.*

Under the influence of a magnetic field.

Various compounds and minerals are quite soluble in water. When dissolved in water, they have broken down into either positively or negatively charged ions or compounds and are carried along by the far greater number of bipolar water molecules. They, therefore, are also orientated by the strong magnetic field. The benefits are reduced lime deposits and scale buildups resulting in reduced maintenance costs.

Questions & Answers



Q. How long do the Magnawet units retain power?

A. Unlike electric assisted units that need to have power units replaced, Magnawet will lose 1% to 1½% efficiency over a thirty-five year period. This is based on similar units that have been used by industry in related fields. Virtually all maintenance is eliminated, except for back flushing if there is dirty water from a pond.

Q. Will the Magnawet reduce or get rid of iron?

A. No; however, by reducing the ability of calcium carbonate (lime scale) to form, iron that was trapped in scale will not be visibly apparent and can be flushed away.

Q. How long does water that has been passed through a Magnawet unit retain its properties?

A. Water passed through a Magnawet unit will retain its magnetic properties for 36 hours.

Q. How does Magnawet treated water influence plant nutrients in the soil water solution?

A. Plant nutrients will move more freely and grass roots will more effectively pick up nutrients and water.

Q. What effect does Magnawet treated water have on sodium in the soil?

A. The SAR (Sodium Alkali Ratio) values will be reduced by the use of Magnawet units. (This research was done at Cal Poly).

Q. How do you save in the amount of water that is used?

A. Because of reduced surface tension, water does not remain on the ground surfaces any significant length of time and therefore, is not subject to as much evaporation. Also, once the water continuum is established in the soil, there will be an insignificant amount of run-off. Magnawet water will penetrate through the thatch and into the root zone more effectively.

Q. How does Magnawet reduce disease incidence?

A. We have documented evidence at a Northern Indiana Golf Course that over a two-year period of use, Pythium control has not been needed. The length of time that water has been accumulated on the grass leaves has been so drastically reduced that the disease has not had a chance to proliferate.

Customer Testimonials

💧 "The water just moves off the surface so much better than it did before we started conditioning our water. Plus, the firmer surface has really enhanced the playability of the golf course."

- Brian Chalifoux,
Certified Golf Course Superintendent,
Fort Wayne, Indiana Country Club

💧 "There is no question the enhanced coverage produced by the Magnawet assisted me in virtually eliminating the breakthrough of two prolific Dollarspot organisms- *Sclerotinia Homoeocarpa* and *Sclerotinia Lanzia*. Because of improved coverage with the same previously used DMI products my applications remained in a 21 to 28 day frequency with no breakthrough. I had been spraying for Dollarspot at a 10 to 14 day interval with the same products in the past four seasons "

Chris L. Hague
Certified Golf Course Superintendent
Crooked Stick Golf Club

Quotes from **Magnetic Conditioning of Fluids: An Emerging Green Technology**

"Irrigation and agriculture are important users of water resources and chemicals, including pesticides fertilizers, and wetting agents to improve penetration. Resulting environmental issues include chemical contamination of surface, and groundwater, and water usage."

"It is noted that the magnetic technology has dramatically improved the infiltration distribution of the water substantially eliminating both wet and dry areas. Prior to installation of the unit, approximately 80 labor hours per week were spent on hand watering, even with the Toro system, and the golf course still had uneven infiltration of water. A 71% reduction in the use of wetting agents and fertilizers and a related cost savings of 62% was noted after the installation of the magnetic unit. An anecdotal report from a facility in a hot weather region suggests a payback time of less than one year for facilities that pay for water."

"This paper provides additional evidence that magnetic fluid conditioning technology has the potential to contribute substantially to reduced consumption of energy and chemical resources leading to cost savings and environmental improvements."

Magnetic Conditioning of Fluids: An Emerging Green Technology

Ingrid M. Ritchie, Ph.D.

Robert G. Lehnert, Ph.D.

School of Public and Environmental Affairs

Indiana University Purdue University

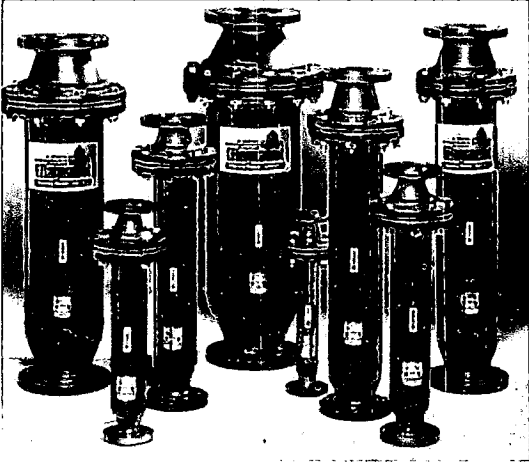
Presented to 5th Annual Green Chemistry and Engineering Conference

Washington, D.C., June 26-28, 2001

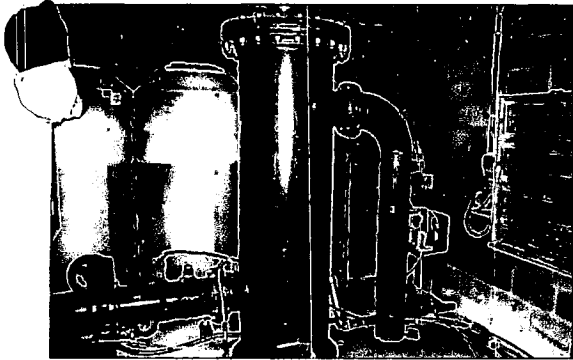
"Any Time you can reduce the surface tension of water you are going to increase the efficiency of that water use."

- John E. Craine, Agronomist,
Professor Emeritus,
Ohio State University

Magnawet Units

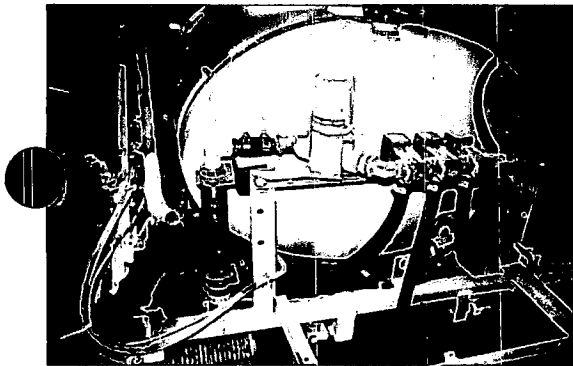


Magnawet units can be designed for many different types of applications and can be configured for your individual pressure/flow requirements. The Magnawet units in the picture range from 35 GPM to 500 GPM. These are used in commercial lawn irrigation systems, football, soccer, baseball stadiums, isolated greens, tees, and blocked fairway systems.



Brickyard Crossing Golf Club

This unit has a 2200 GPM capacity, designed to integrate into the existing pumping station system. The installation took less than one day. Systems are designed to have minimal impact in tight quarters. Note: The existing plumbing was painted blue, and you can see where the steel pipe was cut and the transition fittings were welded into position.



Current Magnawet sprayer unit users have installed Magnawet on several different makes of sprayers. This is a Toro 5500 sprayer. The Magnawet unit is mounted upstream from the distribution valve bank to the different sections of the boom. Aside from the benefits of better pesticide coverage, and longer residual efficacy, the mechanic at this particular golf course commented that he did not have to take the valve bank apart and clean lime deposits and scale that caused clogging during the entire season.



There are several different Magnawet units that range in usage from syringing (to eliminate localized dry spots) on putting greens, to the unit that is used universally on sprayers. There is even a small unit that is used on a "home lawn" 3/4 inch hose.

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→ TM/CCBOC MTG. [9A] WED, 7 APRIL, '04 (CCBO) (CH. C. MAXFIELD)
Cit. Partic.: LAS CNCL. MTG [1P] (CNCL. CHAIR) (CH. MAN O'G) (1 min) →

• TOM MCGOWAN, 50 YEARS RESIDENT OF LAS VEGAS, NEVADA, AND CANDIDATE FOR ELECTION AS U.S. SENATOR FOR THE STATE OF NEVADA IN 2004.

~ (EXHIBIT CENTENNIAL PROPOSALS) ~

• YOUR ATTENTION IS INVITED TO THE OVERHEAD DISPLAY, WHERE YOU SEE THE GRAPHIC DESIGN AND DETAILED TEXT OF MY LAS VEGAS CENTENNIAL CELEBRATION ORIGINAL PROPOSALS ENTITLED: ~

• "THE WORLD'S LARGEST CENTENNIAL CELEBRATION BIRTHDAY CAKE"

• "THE ENTERTAINMENT WALK OF FAME", AND: ~ THE YEAR-LONG LAS VEGAS ENTERTAINMENT CONTEST ENTITLED: ~

• "CENTENNIAL IDOL"

THE CAKE IS DESIGNED AS 1,000 FEET LONG, 20 FEET WIDE AND UP TO 6 FEET HIGH, AND WILL BE TOPPED BY ARTISTIC CULINARY REPLICAS OF WORLD-FAMED LAS VEGAS STRUCTURAL ICONS, PAST, CURRENT AND PROPOSED. IT WILL SET A NEW WORLD'S RECORD WEIGHT OF 60 TONS.

ALL OF THE INDUCTEES INTO THE 'ENTERTAINMENT WALK OF FAME' WILL BE SELECTED BY THE RESIDENTS OF LAS VEGAS, NEVADA, AND NOT BY ANY SO-CALLED: 'MAINSTREAM POWER-ELITE BUREAUCRACY'.

'CENTENNIAL IDOL' WILL BE OPEN TO CONTESTANTS OF ALL AGES AND RACIAL, ETHNIC AND CULTURAL HERITAGES, AND WILL FEATURE THE FULL RANGE OF CULTURAL AND PERFORMING ARTISTRY AND THE HUMANITIES. THE WINNERS WILL BE CHOSEN BY THE PEOPLE OF LAS VEGAS.

ALL OF MY ORIGINAL PROPOSALS ARE DULY NOTICED AS: © 2004 TOM MCGOWAN.

MY PUBLIC COMMENT IS SUBMITTED AND REQUESTED INCLUSION IN THE MINUTES OF TODAY'S MEETING, IN COMPLIANCE WITH NRS 241, THE NEVADA OPEN MEETING LAW.

THANK YOU.

(SUBMITTED)

Submitted at City Council

Date: 4/7/04 Item: Citizens Participation