

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)], WHICH ESTABLISHED THE FRONT SETBACK TO GARAGE DOORS FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road (APN 125-20-301-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL (NOTE: To allow a 10' maximum setback to garage, where 5' maximum and 18' minimum is allowed)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow, appeared on behalf of applicant and explained that when the project was initially approved, the developer used the largest home on the smallest lot to establish the setbacks. He explained that one of the four floor plans had a recessed garage. Now that the project is underway, a problem has been discovered with the recessed garage floor plan in the last section of the development. The developer has found that in order to build the floor plan with the recessed garage, approval for 10-foot driveways is necessary.

TODD FARLOW, 240 North 19th Street, asked if the back end of a car parked in a 10-foot driveway would encroach onto the sidewalk and cause an inconvenience and hazard to pedestrians. He suggested that should Council approve this request, a condition should be imposed stating cars must be parked in the garage, not in the driveway.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 118 – ROC-4119

MINUTES – Continued:

COUNCILMAN MACK stated that he had shared MR. FARLOW's concerns until meeting with Concordia Homes to discuss the project. Concordia informed him that "No Parking" signs would be placed in the areas where the homes in question are located. MR. PSIODA added that there would be no sidewalks adjacent to the areas. COUNCILMAN MACK concurred these steps addressed the concerns

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

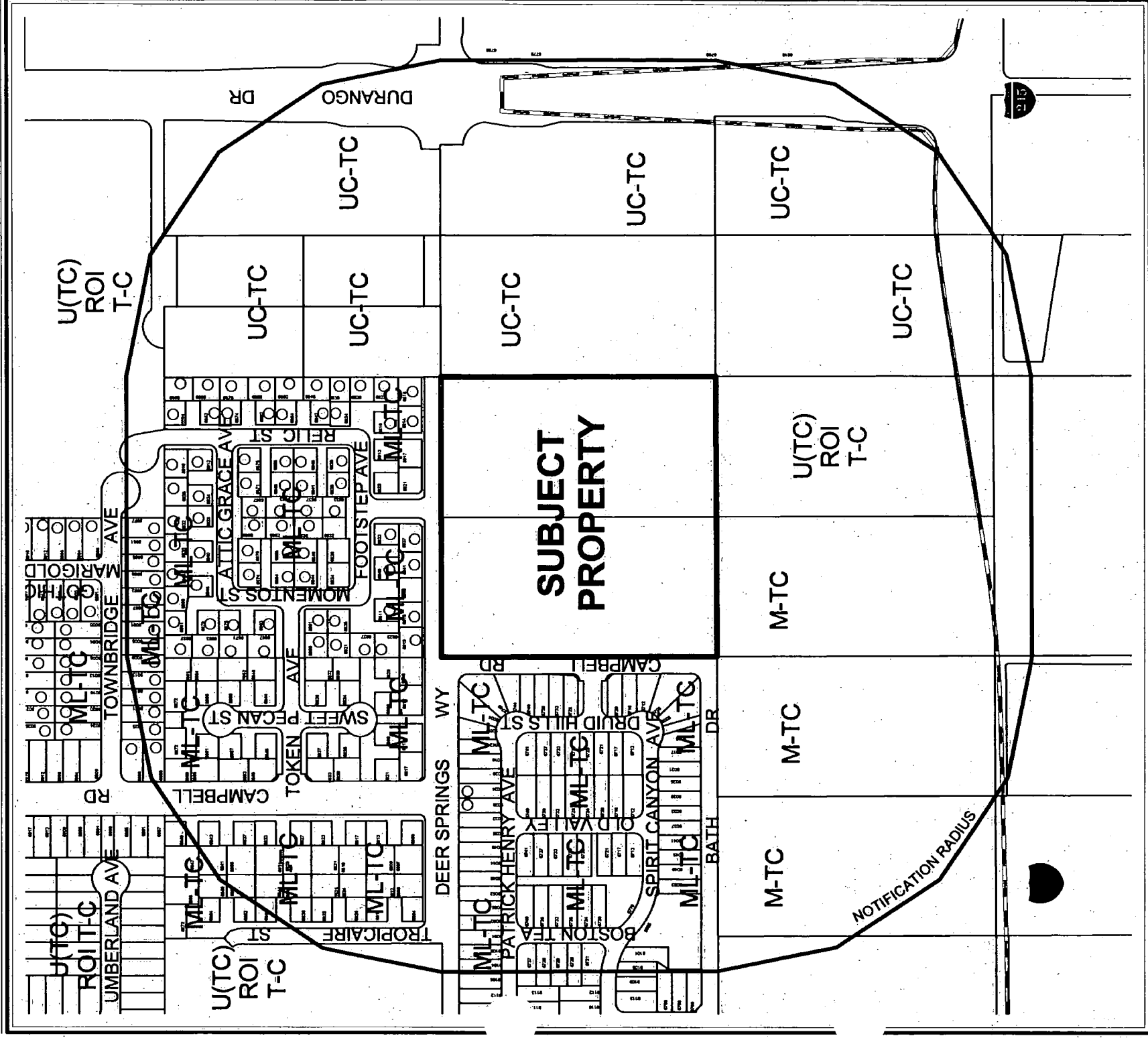
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CONDITIONS:

Planning and Development

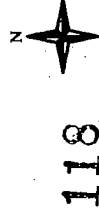
1. Conformance to all applicable Conditions of Approval for Site Development Plan Review Z-0069-02(1).



CASE: ROC-4119

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all applicable Conditions of Approval for Site Development Plan Review Z-0069-02(1).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)] which established a maximum 5 foot front setback to garage doors for a single family residential development on property located adjacent to the southeast corner of Deer Springs Way and Campbell Road.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting to revise the front setback to garage doors for this development.

BACKGROUND DATA

11/06/02 The City Council approved a Rezoning (Z-0069-02) to T-C (Town Center) and a Site Development Plan Review [Z-0069-02(1)] for the single family development on this site. The Planning Commission and staff recommended approval on September 12, 2002.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to change the following approved setback for this development.

Change the front setback to garage doors to a maximum of 10 feet where a maximum of 5 feet was established by Condition of Approval Number 3.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

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

Existing Land Use

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

ANALYSIS & FINDINGS

SITE PLAN

Condition of Approval Number 3 for the Site Development Plan Review reads: "The setbacks for this development shall be: Front (to House) 5 Feet, Front (to Garage) Maximum 5 Feet, Side 5 Feet, Corner Side 10 Feet, Rear 14 Feet". The applicant is requesting the condition be changed to allow a maximum of 10 feet for the front setback to the garage.

This change not is acceptable as it will result in driveways that will provide the appearance of a parking space, but it not be large enough to accommodate a vehicle. Residents attempting to park in front of the garage will put their vehicles in a position where they partially block the private access drive. It is common practice to require the setbacks to a garage door to be 5 feet or less, or 18 feet or greater. This either prevents someone from trying to park in this area or provides enough space for a vehicle to be properly parked. Therefore, the recommendation for the 10 foot maximum setback is denial.

The Department of Public Works provided the following comments:

Public Works is concerned with setbacks in regard to driveway lengths; a maximum of 5 feet should be provided to deter anyone from parking a vehicle on an insufficient driveway or a minimum of 18 feet of driveway length should be provided to accommodate a vehicle. These lengths are measured between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage.

The letter of request submitted with the site plan for this action indicates that the driveways will be a maximum of 10 feet in length. Therefore, Public Works would support a DENIAL recommendation on the Review of Condition No. 3 of an approved Site Development Plan Review [Z-0069-02(1)] application that established garage setback requirements.

FINDINGS

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

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

The proposed setback change will not affect this project's compatibility with the surrounding developments.

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

The request to change to the setback is consistent with Title 19, which allows for the establishment of setbacks for T-C (Town Center) zoned residential projects to create setbacks on a case by case basis. However, the proposed 10 foot maximum setback to the garage is not appropriate for this development.

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

The proposed setback changes will not affect site circulation and traffic in the area.

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

The proposed setback change will change the building or landscape materials for this development.

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

The proposed setback changes will not affect this project's appearance and compatibility with the surrounding developments.

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

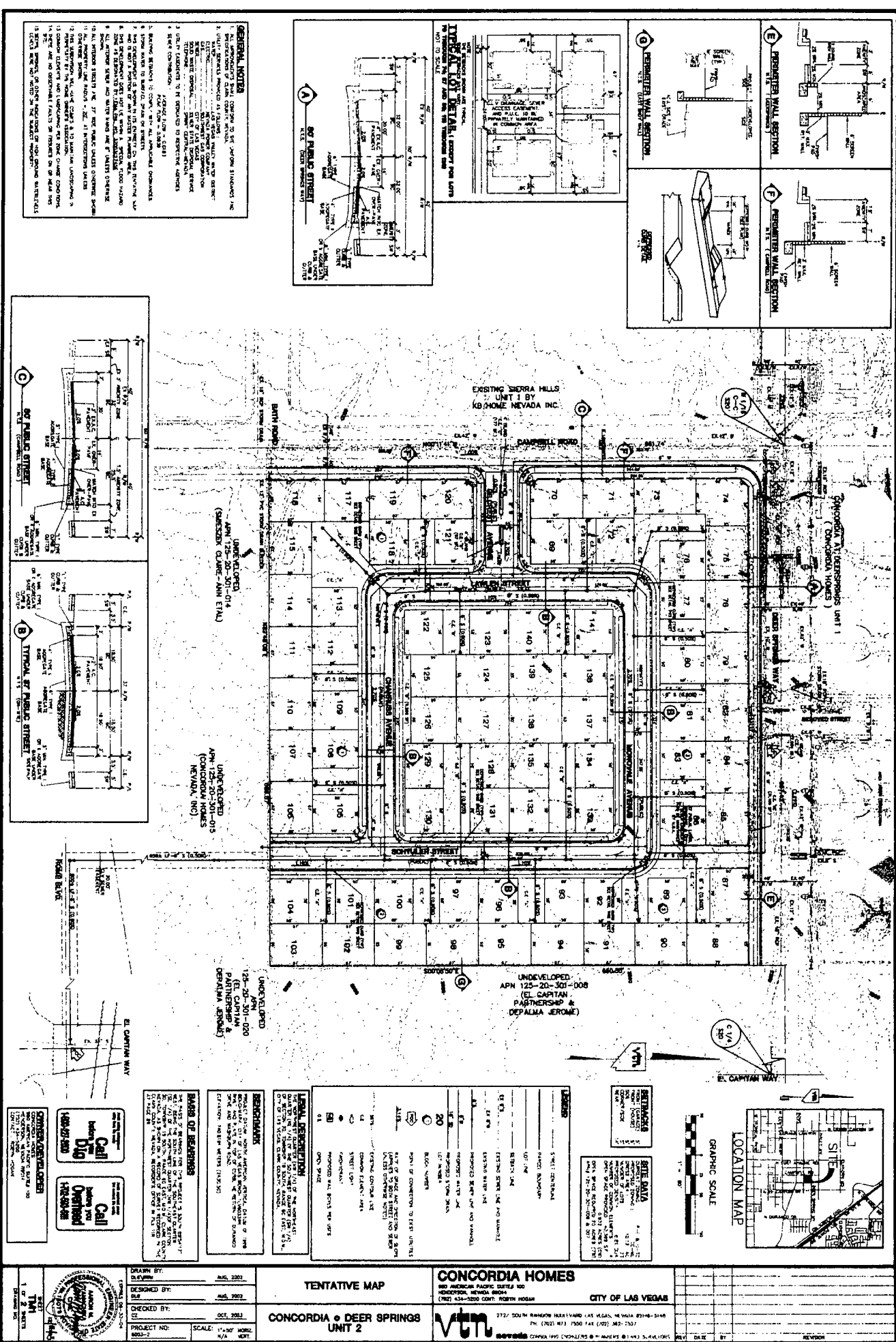
The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 119 By Planning Department

APPROVALS 0

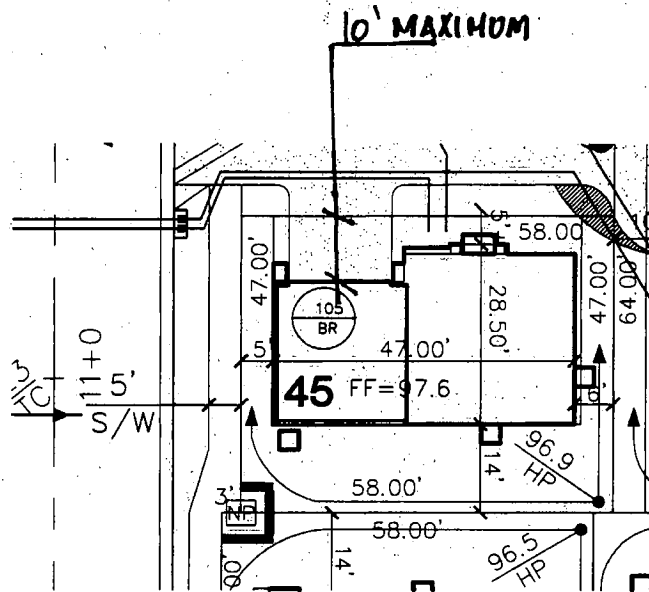
PROTESTS 0





APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: _____ PARCEL NO: _____
 REC. SUBDIV: CONCORDIA AT DEER SPRINGS _____ ZONE: _____
 PLAN CHECK: _____ LOT: _____ BLOCK: _____ BOOK: _____ PAGE: _____
 APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



☐ NP NEVADA POWER
TRANSFORMER PAD

ROC-4119
4-21-04 CC

SCALE: 30

CONCORDIA HOMES
 CONTRACTOR/AGENT/OWNER _____ DATE _____ STATE LICENCE NO. _____ CITY LICENCE NO. _____

CONTACT NAME STEPHANIE MOULTON PHONE NO. 434-5200 FAX NO. 434-8200

CONDITIONS _____

PLANNING DEPARTMENT _____ DATE _____ BUILDING DEPARTMENT _____ DATE _____

LAND DEVELOPMENT _____ DATE _____

I hereby certify that I have reviewed this application and the proposed plan and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.

"DEER SPRINGS"

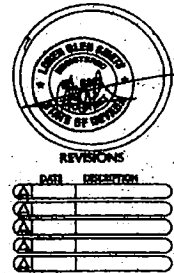
The City of Las Vegas, Nevada

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CONCORDIA HOMES

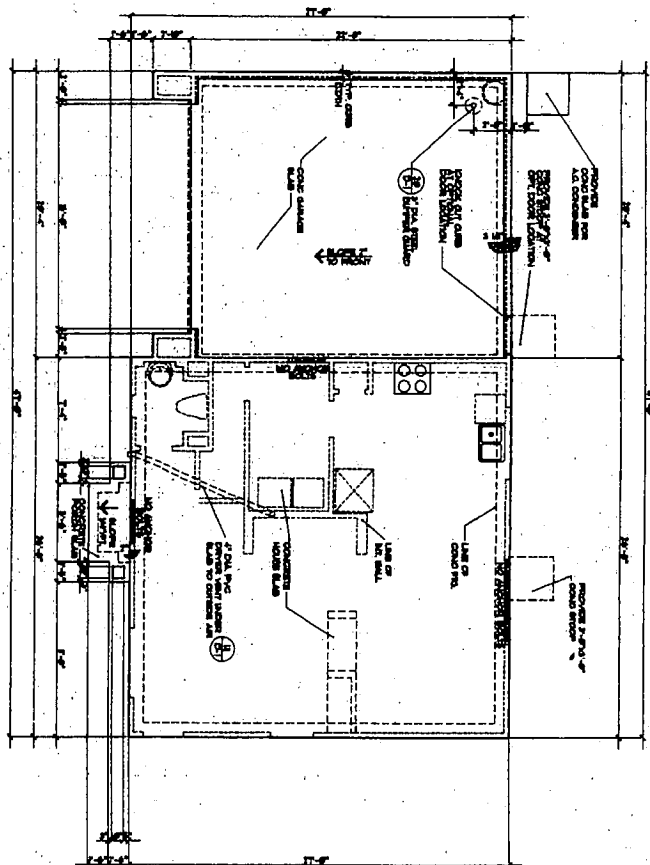


CONSTRUCTION DOCUMENTS



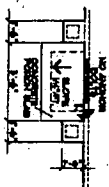
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SURFACE PLAN

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



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

ROC-4119
4-21-04 CC



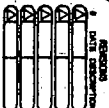
"DEER SPRINGS"
The City of Las Vegas, Nevada
CONCORDIA HOMES

3300 S. Pecos, Ste G
Las Vegas, Nevada 89120
Phone: (702) 434-2222
Fax: (702) 434-8722

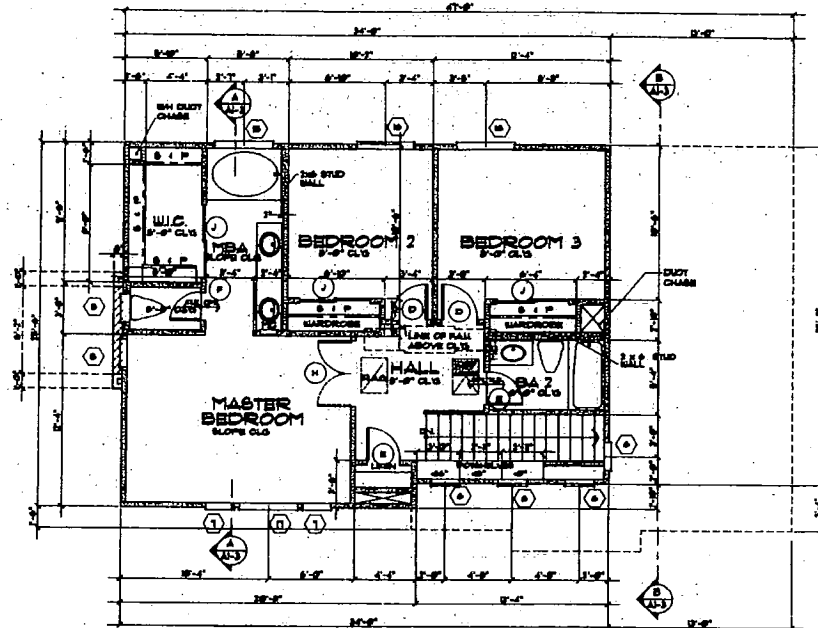


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1175 Montague Way Las Vegas, Nevada 89122
(702) 788-1199 Fax: (702) 788-6774

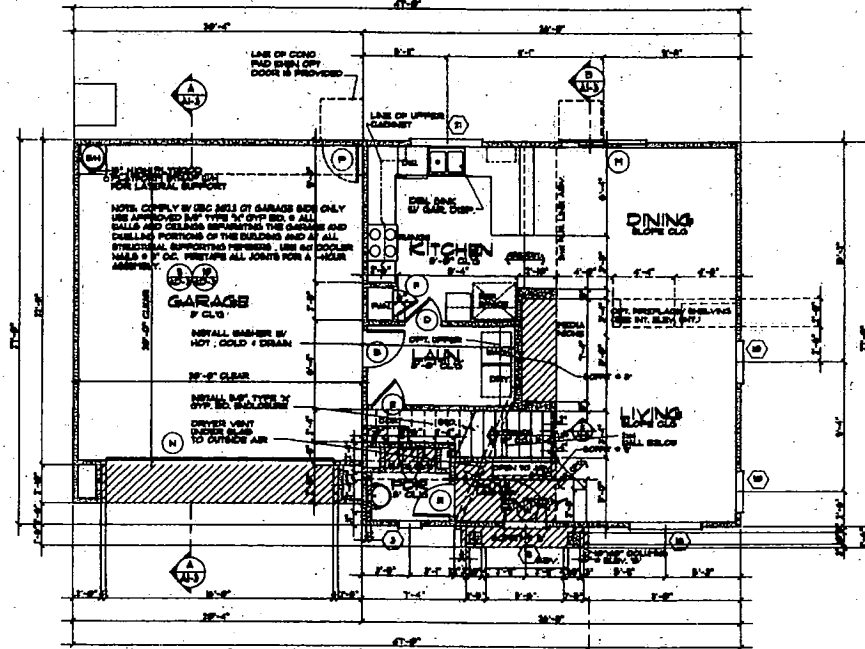


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SECOND FLOOR PLAN

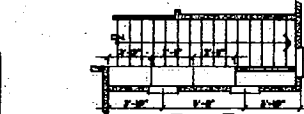
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

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

- WINDOW TYPE NOTES**
1. WINDOWS SHOWN SHALL BE ALUMINUM UNLESS OTHERWISE NOTED ON WINDOW SCHEDULE.
 2. EXTERIOR WINDOW GLAZING AT TERRACE LEVEL LESSER THAN 4'-0" SHALL BE TYPED GLASS.
 3. WINDOWS WITHIN 7'-0" FROM ANY DOOR OR OTHER OPENING SHALL BE TYPED GLASS AND OBSCURE.
- FLOOR PLAN NOTES**
1. ALL INTERIORS ARE 1'-0" DEEP WITH 1/2" SLOPE TOWARD DRAINAGE.
 2. ALL EXTERIOR WALLS ARE 8" THICK CONCRETE WITH TYPED GLASS AND OBSCURE.

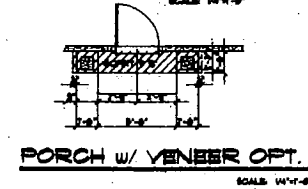


SECOND FLOOR PLAN 'B'

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

WINDOW SCHEDULE					
NO.	SIZE (H x W)	TYPE	DESCRIPTION	REMARKS	
1	4'-0" x 6'-0"	A	FIXED		
2	4'-0" x 6'-0"	A	FIXED		
3	4'-0" x 6'-0"	A	FIXED		
4	4'-0" x 6'-0"	A	FIXED		
5	4'-0" x 6'-0"	A	FIXED		
6	4'-0" x 6'-0"	A	FIXED		
7	4'-0" x 6'-0"	A	FIXED		
8	4'-0" x 6'-0"	A	FIXED		
9	4'-0" x 6'-0"	A	FIXED		
10	4'-0" x 6'-0"	A	FIXED		
11	4'-0" x 6'-0"	A	FIXED		
12	4'-0" x 6'-0"	A	FIXED		
13	4'-0" x 6'-0"	A	FIXED		
14	4'-0" x 6'-0"	A	FIXED		
15	4'-0" x 6'-0"	A	FIXED		
16	4'-0" x 6'-0"	A	FIXED		
17	4'-0" x 6'-0"	A	FIXED		
18	4'-0" x 6'-0"	A	FIXED		
19	4'-0" x 6'-0"	A	FIXED		
20	4'-0" x 6'-0"	A	FIXED		

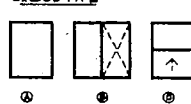
DOOR SCHEDULE					
NO.	SIZE (H x W)	TYPE	DESCRIPTION	REMARKS	
1	4'-0" x 6'-0"	A	FIXED		
2	4'-0" x 6'-0"	A	FIXED		
3	4'-0" x 6'-0"	A	FIXED		
4	4'-0" x 6'-0"	A	FIXED		
5	4'-0" x 6'-0"	A	FIXED		
6	4'-0" x 6'-0"	A	FIXED		
7	4'-0" x 6'-0"	A	FIXED		
8	4'-0" x 6'-0"	A	FIXED		
9	4'-0" x 6'-0"	A	FIXED		
10	4'-0" x 6'-0"	A	FIXED		
11	4'-0" x 6'-0"	A	FIXED		
12	4'-0" x 6'-0"	A	FIXED		
13	4'-0" x 6'-0"	A	FIXED		
14	4'-0" x 6'-0"	A	FIXED		
15	4'-0" x 6'-0"	A	FIXED		
16	4'-0" x 6'-0"	A	FIXED		
17	4'-0" x 6'-0"	A	FIXED		
18	4'-0" x 6'-0"	A	FIXED		
19	4'-0" x 6'-0"	A	FIXED		
20	4'-0" x 6'-0"	A	FIXED		



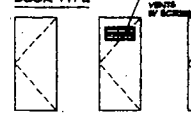
PORCH w/ VENEER OPT.

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

WINDOW TYPE



DOOR TYPE



FLOOR PLANS AND DOOR & WINDOW SCHEDULES PLAN 1



ROC-4119

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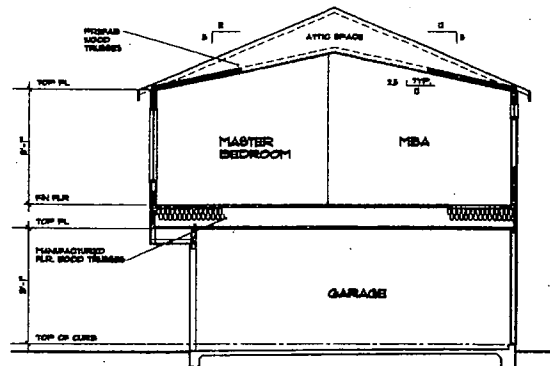
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10	4/21/04	ISSUED FOR PERMIT

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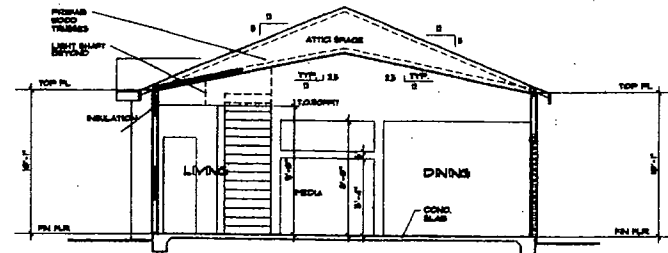
"DEER SPRINGS"
The City of Las Vegas, Nevada
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4000 S. Rainbow Blvd. Suite 200
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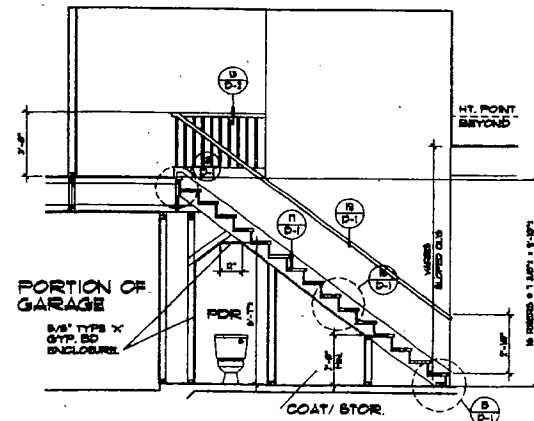
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SECTION A
SCALE: 1/4"=1'-0"



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



STAIR SECTION C
SCALE: 3/8"=1'-0"

ROC-4119
4-21-04 CC

SECTIONS PLAN 1

REVISION	DATE	DESCRIPTION
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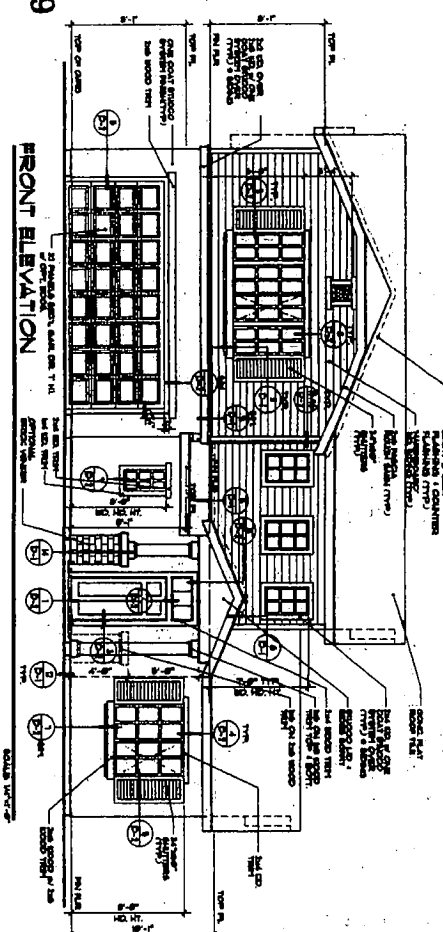
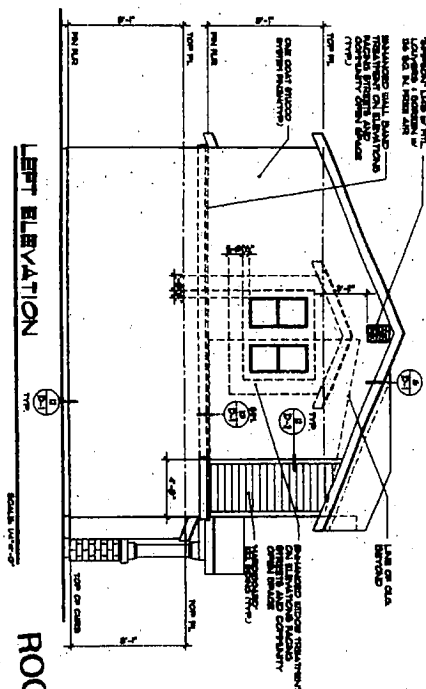
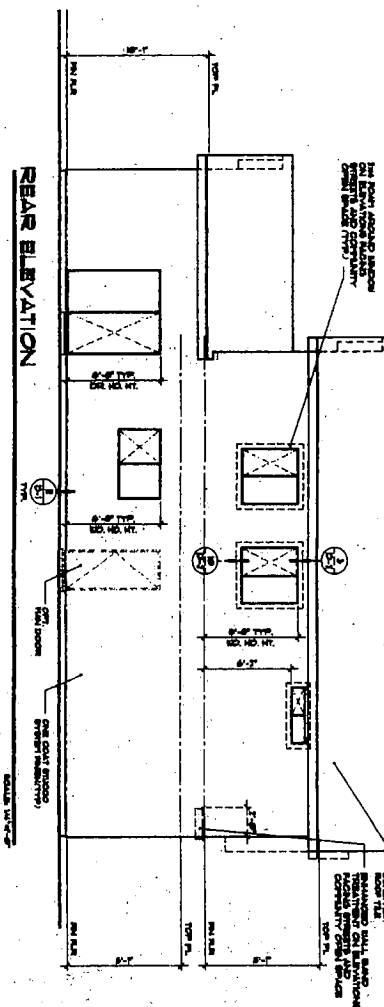
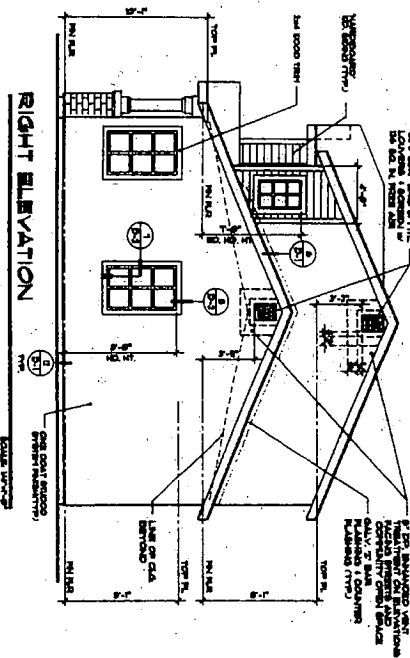
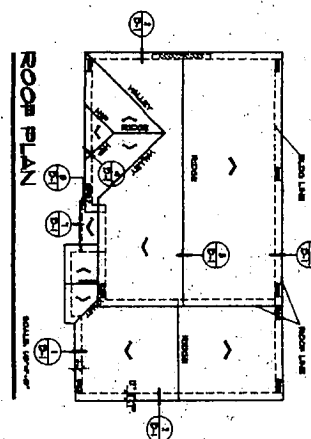
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SHEET	DESCRIPTION	REV	DATE	BY	CHK	APP	DATE
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ROC-4119
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ROOM PLAN & EXTERIOR ELEVATIONS "A" PLAN

REVISION	DATE	DESCRIPTION
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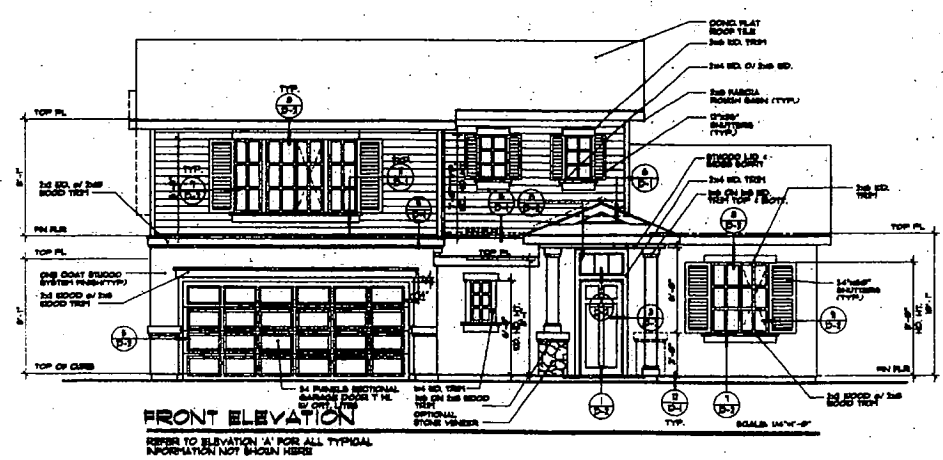
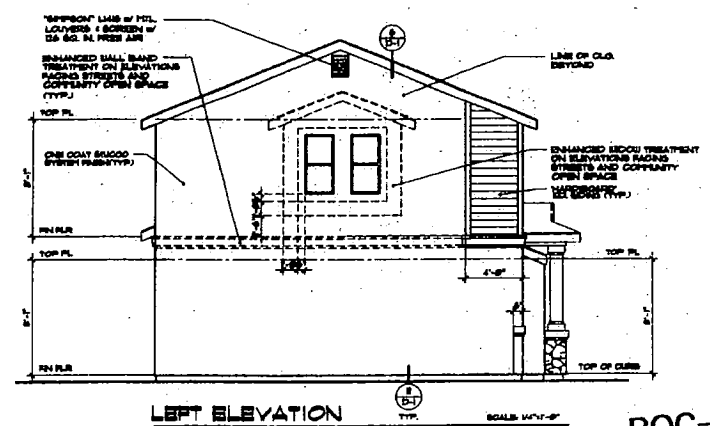
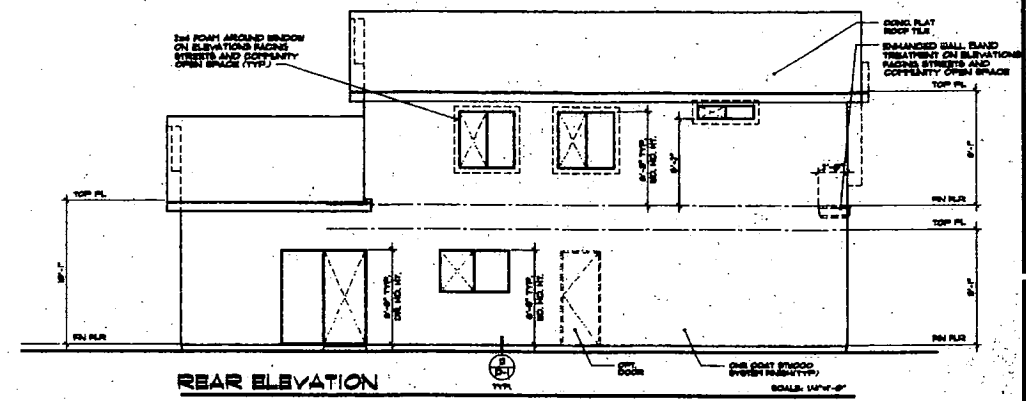
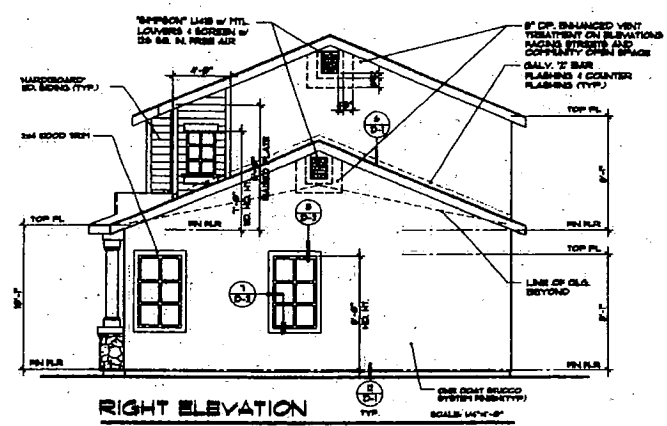
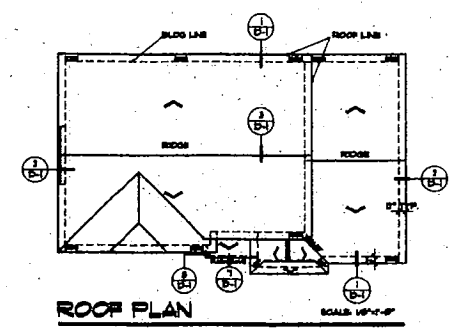
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 FAX (702) 735-1188

"DEER SPRINGS"
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 FAX (702) 735-1188



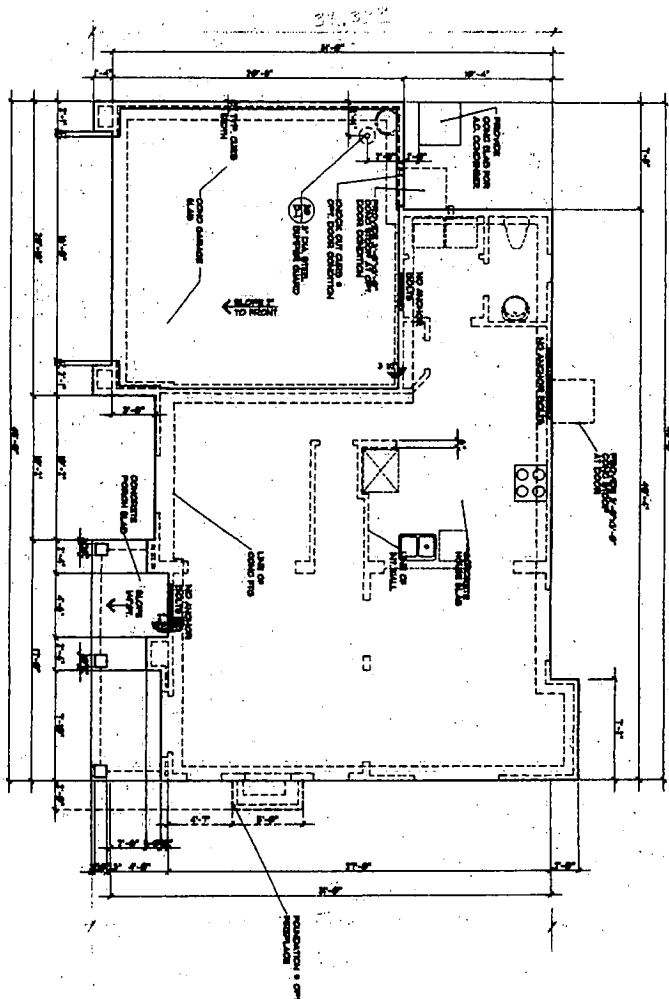
SHEET	DESCRIPTION	DATE	BY	CHKD	DATE	BY	CHKD
1							

SHEET
 A1-B



ROC-4119
 4-21-04 CC

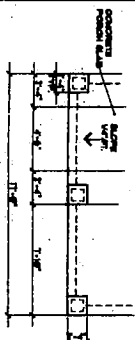
ROOF PLAN & EXTERIOR ELEVATIONS "B" PLAN 1



SURFACE PLAN

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

- GENERAL PLAN NOTES:**
1. REFER TO STRUCTURAL, PLUMBING AND NOTES FOR GENERAL NOTES AND TYPICAL DETAILS.
 2. ALL ROOMS SHALL BE PER STRUCTURAL FOUNDATION PLAN AND PER SOILS REPORT WHICH IS TO BE CONSIDERED PART OF THESE DOCUMENTS. FLOOR SLABS SHALL BE CONCRETE ON GRAVEL FILL.
 3. ALL SLABS SHALL BE PER STRUCTURAL FOUNDATION PLAN AND PER SOILS REPORT WHICH IS TO BE CONSIDERED A PART OF THESE DOCUMENTS. FLOOR SLABS SHALL BE CONCRETE ON GRAVEL FILL.
 4. BOLLING AND ATTACHMENT OF ALL WALLS PER STRUCTURAL PLAN.
 5. ALL WIRE, PIPES, HOSE, P.V.C., FIBERGLASS, ETC. SHALL BE USED IN PLACE PRIOR TO THE FOUNDATION AND MASONRY CONSTRUCTION. WALLS CONSIDER THE PLACEMENT OF ALL CONCRETE.
 6. FINISH FLOOR SHALL BE 4" ABOVE FINISHED GRADE. GRADE SHALL BEING ALWAY FROM THE BUILDING FOR A FIN.
 7. CONCRETE CONTRACTOR SHALL PROVIDE USER GRADE MARK. THE FINISHED FLOOR COORDINATE WITH THE EXISTENTIAL CONSTRUCTION.
 8. CONCRETE CONTRACTOR SHALL PROVIDE USER GRADE MARK. THE FINISHED FLOOR COORDINATE WITH THE EXISTENTIAL CONSTRUCTION.
 9. CONCRETE CONTRACTOR SHALL PROVIDE USER GRADE MARK. THE FINISHED FLOOR COORDINATE WITH THE EXISTENTIAL CONSTRUCTION.
 10. CONCRETE CONTRACTOR SHALL PROVIDE USER GRADE MARK. THE FINISHED FLOOR COORDINATE WITH THE EXISTENTIAL CONSTRUCTION.



PORCH W/ VENEER OPT.

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

ROC-4119
4-21-04 CC

CONCRETE FLOOR

WOOD FLOOR

SHEET
A2-1

SHEET DESCRIPTION
JOB NO. 1009
DATE 08/08/04
SCALE AS SHOWN
DRAWN
PROJECT MANAGER: TSP

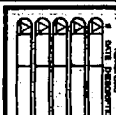


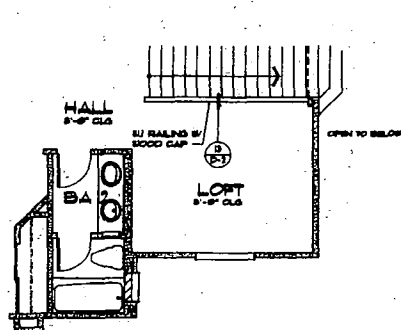
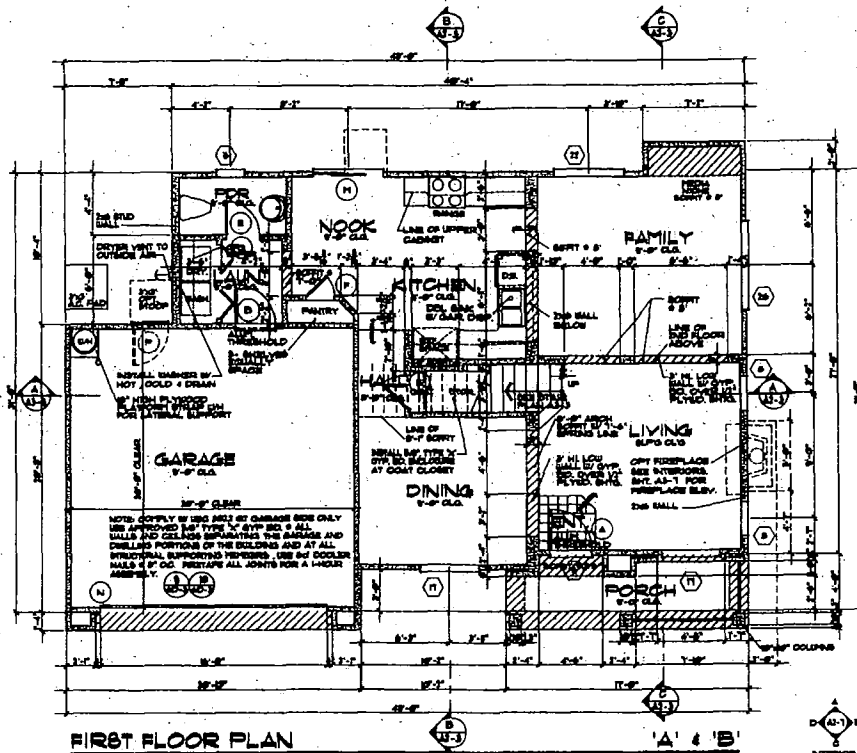
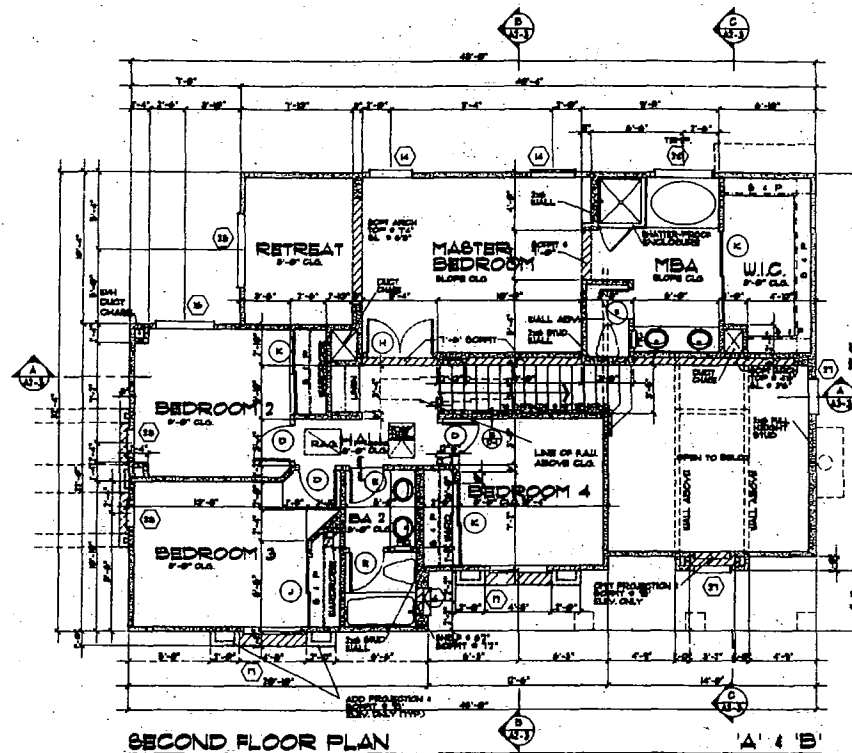
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The City of Las Vegas, Nevada
CONCORDIA HOMES
6360 S. Pecos, Ste. C
Las Vegas, Nevada 89120
Phone: (702) 494-0200



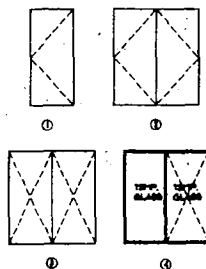
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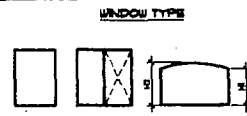


DOOR TYPE

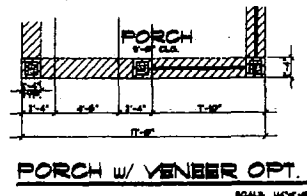


NO.	SIZE (W x H)	TYPE	DESCRIPTION	REMARKS
1	3'-0" x 7'-0"	B	SLIDER	
2	3'-0" x 7'-0"	B	SLIDER	
3	3'-0" x 7'-0"	A	FRD	SEE E.C. BLVD.
4	3'-0" x 7'-0"	A	FRD	SEE E.C. BLVD.
5	3'-0" x 7'-0"	C	FRD ARCH	1/2" x 1/2" x 1/2"
6	3'-0" x 7'-0"	B	SLIDER	SEE E.C. BLVD.
7	3'-0" x 7'-0"	B	SLIDER	SEE E.C. BLVD.
8	3'-0" x 7'-0"	B	SLIDER	SEE E.C. BLVD.
9	3'-0" x 7'-0"	B	SLIDER	SEE E.C. BLVD.
10	3'-0" x 7'-0"	A	FRD	SEE E.C. BLVD.
11	3'-0" x 7'-0"	B	SLIDER	
12	3'-0" x 7'-0"	B	SLIDER	
13	3'-0" x 7'-0"	A	FRD	
14	3'-0" x 7'-0"	A	FRD	

WINDOW TYPE



NO.	SIZE (W x H)	TYPE	DESCRIPTION	REMARKS
1	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
2	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
3	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
4	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
5	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
6	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
7	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
8	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
9	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
10	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
11	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
12	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
13	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.
14	3'-0" x 7'-0"	1	WOOD SOLID CORE	SEE E.C. BLVD.



FLOOR PLANS AND DOOR & WINDOW SCHEDULES PLAN 2

ROC-4119
4-21-04 CC

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TEL: (213) 444-4200 FAX: (213) 444-4201

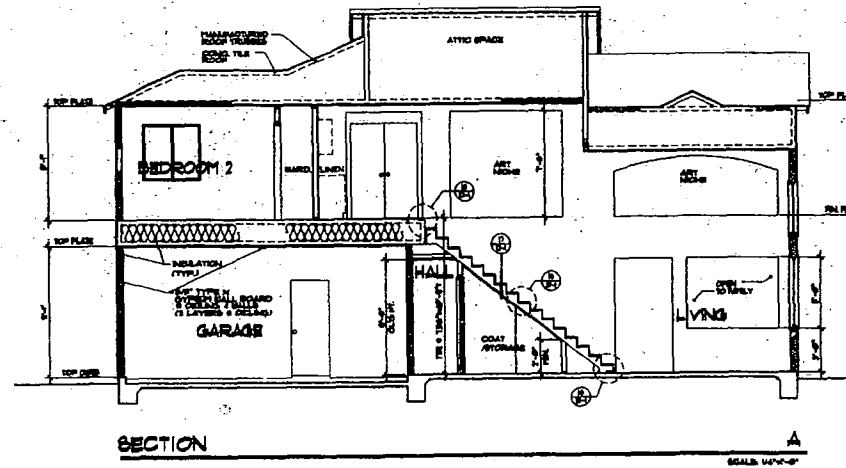
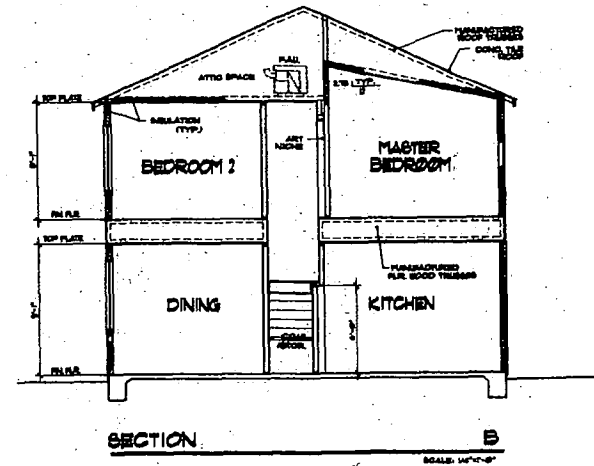
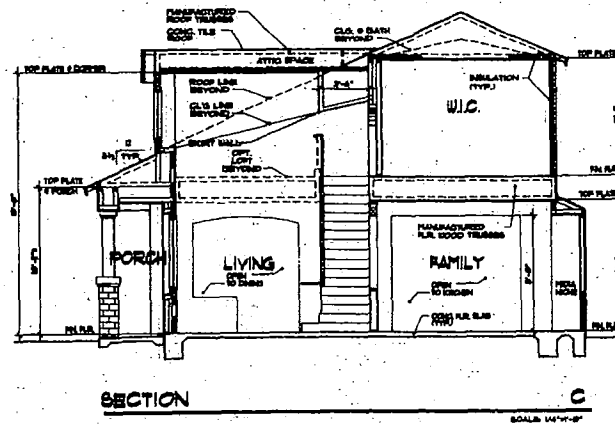
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CONCORDIA HOMES

LOS ANGELES, CA 90007
TEL: (213) 444-4200 FAX: (213) 444-4201

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT

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JOB NO.
DATE
SCALE
BY
CHECKED BY
PLANNING
PLOT DATE

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ROC-4119
4-21-04 CC

SECTIONS PLAN 2



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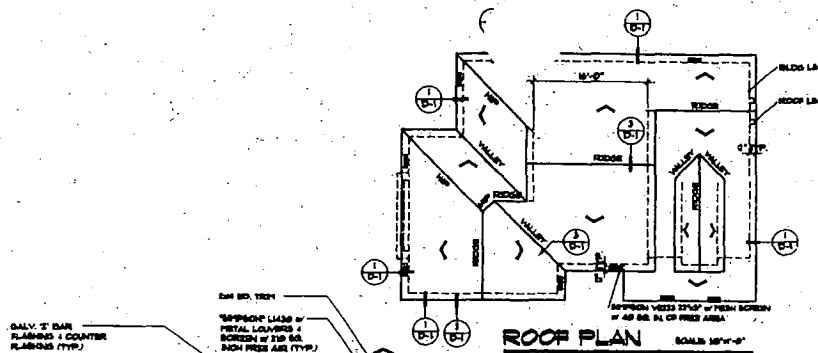
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Fax: (702) 434-0000



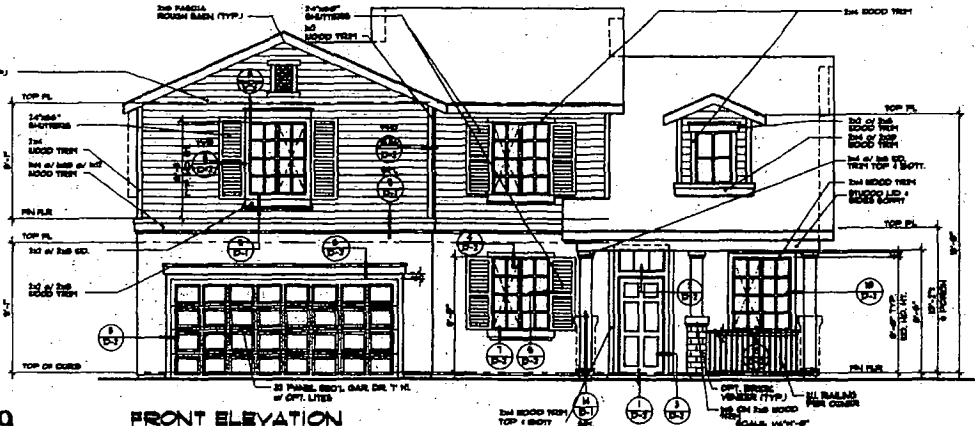
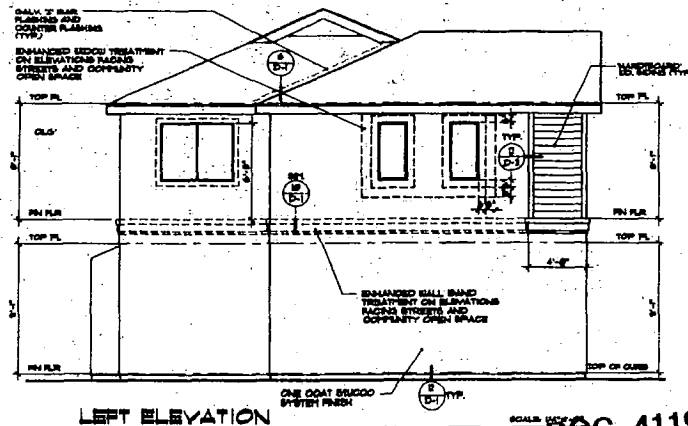
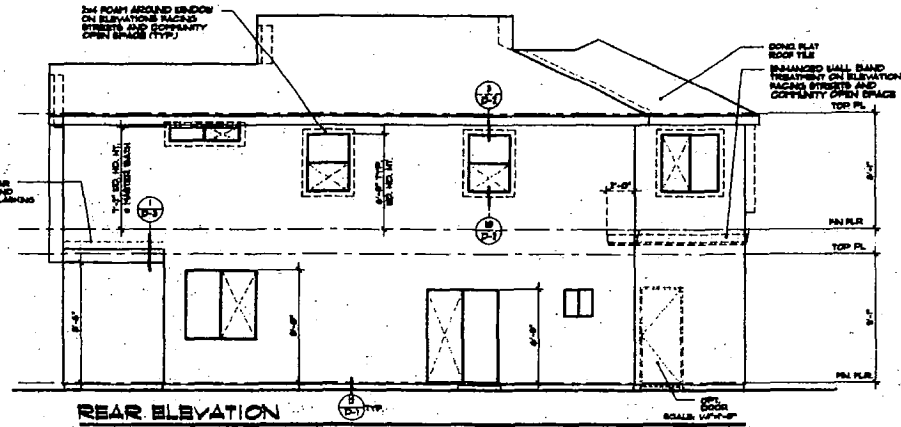
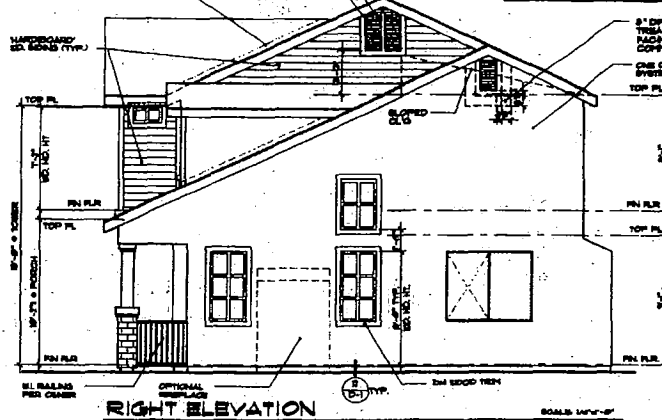
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SHEET
A2-3



ROOF NOTES	
1. CLASS "A"	
2. CONCRETE TILES 5" HEADLAP	
3. 1 LAYER 30 LB. ASPHALT SATURATED FELT	
4. VALLEYS TO BE FOLDED GAUGE GLASS PER ROOF SPEC.	
5. TOTAL WEIGHT 50 LB. PER SQ. FT.	
6. DRAMA - CONC. FLAT TILE ROOFING BY "PRIMER" OR EQUAL	
7. L.S.P. REPORT # 10348	
8. ROOF SLOPE: 8:12 UNO.	

ATTIC VENTILATION - ELEV. W/ SECOND FLOOR	
ATTIC AREA TO BE VENTILATED	100 SQ. FT.
REQUIRED FREE AREA OF VENTILATION	100 SQ. FT.
1. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
2. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
3. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
4. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
5. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
6. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
7. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
8. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
9. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.
10. 1/2" x 1/2" x 1/2" VENTS	100 SQ. FT.



ROC-4119

4-21-04 CC

ROOF PLAN & EXTERIOR ELEVATIONS "A" PLAN 2

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
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4		
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Las Vegas, Nevada 89102
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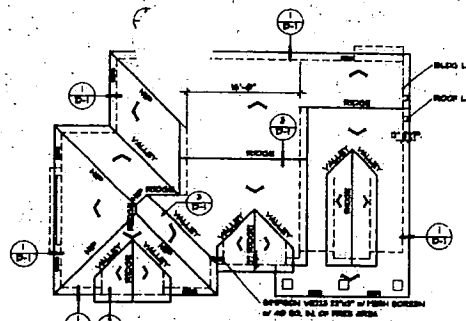
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The City of Las Vegas, Nevada
CONCORDIA HOMES

1775 Main Street, Suite 100
Las Vegas, Nevada 89102
(702) 735-1178
Fax: (702) 735-1179

LOUIS OLEN BATES
REGISTERED ARCHITECT
STATE OF NEVADA

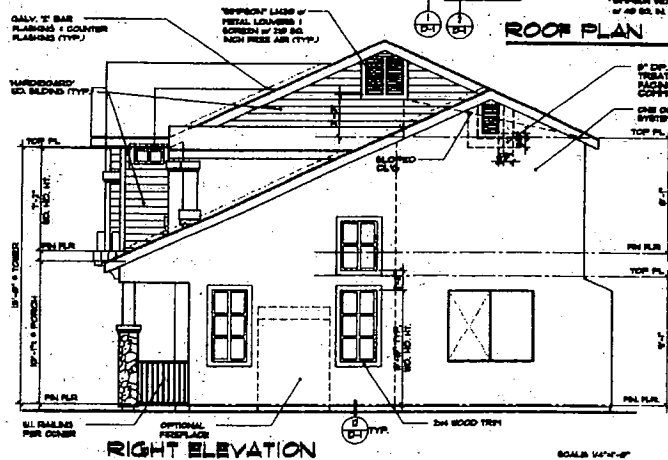
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APPROVED

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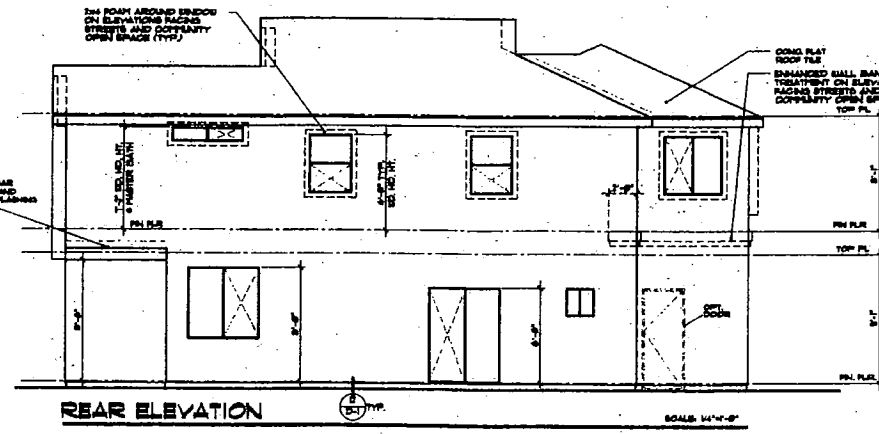


ATTIC VENTILATION	
ATTIC AREA TO BE VENTILATED	548 SQ. FT.
REQUIRED FREE AREA OF VENTILATION	269 SQ. FT.
PROVIDED	269 SQ. FT.
MINIMUM (1) DOUBLE VENTS LARGEST OF THE FOLLOWING	269 SQ. FT.
LOW - 1/2" BARS VENTS	
VENTS 24" W x 12" H	269 SQ. FT.
OR APPROVED EQ.	
TOTAL FREE AREA VENTILATION PROVIDED	269 SQ. FT.

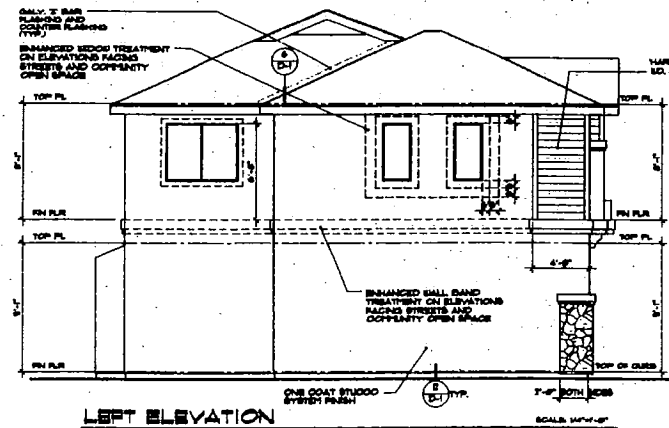
ROOF PLAN SCALE: 1/4"=1'-0"



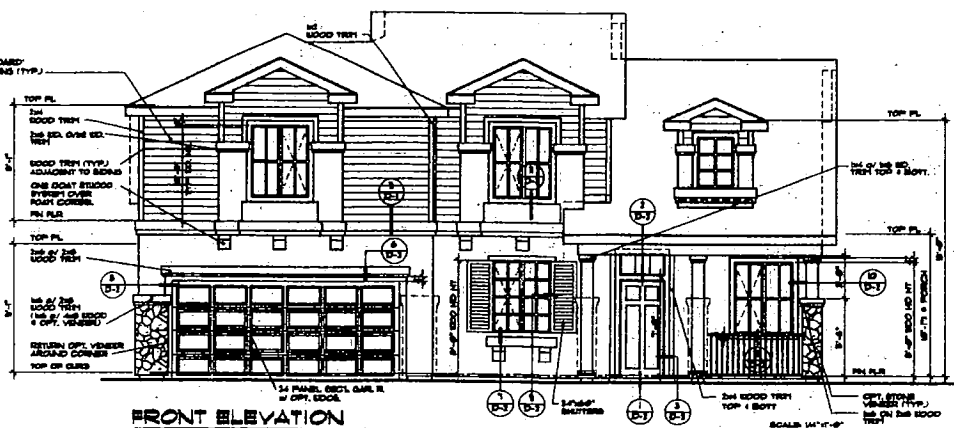
RIGHT ELEVATION SCALE: 1/4"=1'-0"



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



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



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

ROC-4119

4-21-04 CC

ROOF PLAN & EXTERIOR ELEVATIONS "B" PLAN 2

REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		
5		

LGS Nevada
ARCHITECTURE
1123 Montgomery Way
Las Vegas, Nevada 89103
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"DEER SPRINGS"
The City of Las Vegas, Nevada
CONCORDIA HOMES
6800 S. Jones Rd. #100
Las Vegas, Nevada 89118
Tel: (702) 444-4200

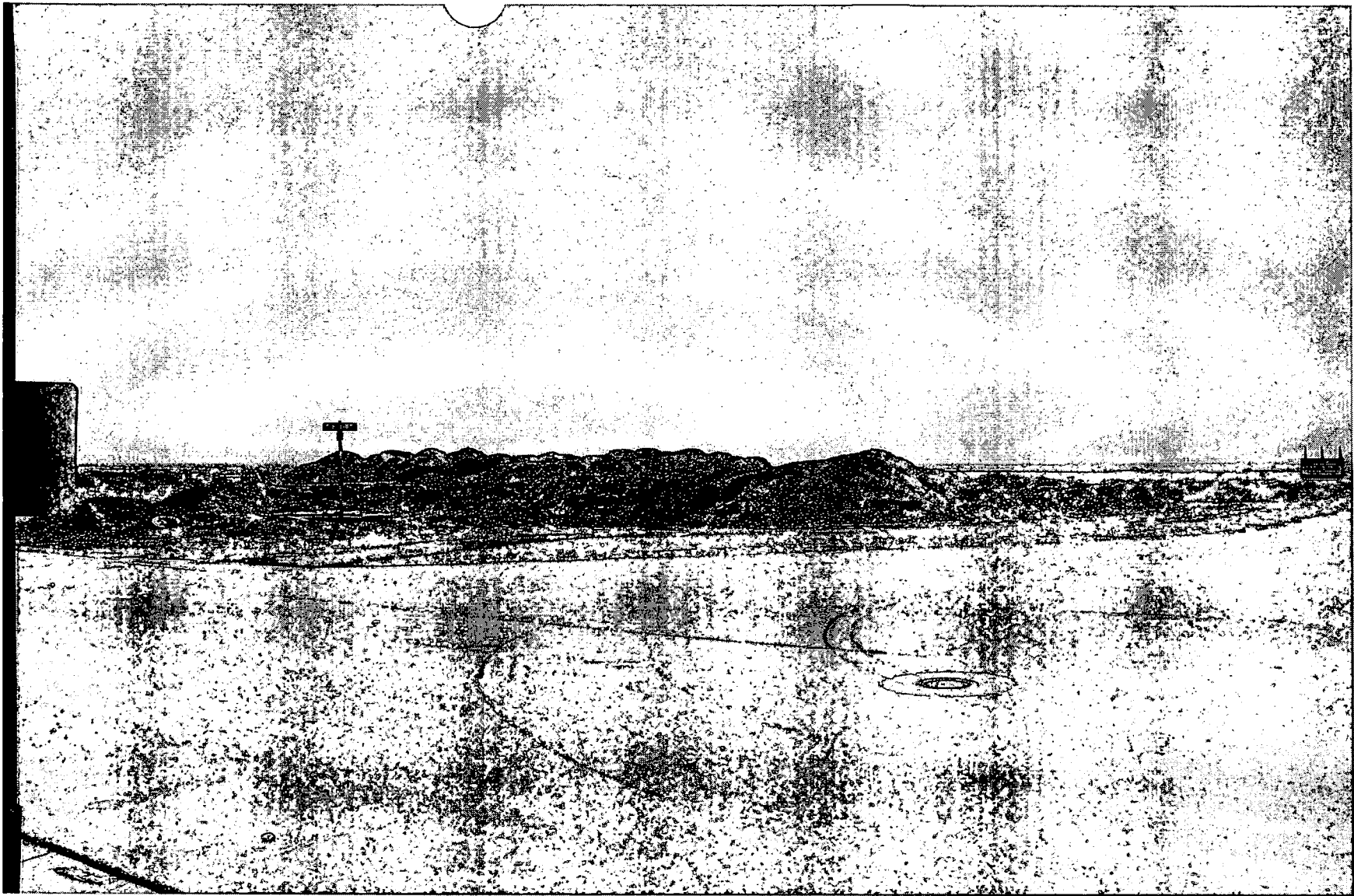


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A2-5						



ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA
Adjacent to the southeast corner of Deer Springs Way and Campbell Road
APRIL 21, 2004 CITY COUNCIL MEETING

Picture taken 04/05/04



ROC-4119 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA
Adjacent to the southeast corner of Deer Springs Way and Campbell Road
APRIL 21, 2004 CITY COUNCIL MEETING

Picture taken 04/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN - Request for a Site Development Plan Review FOR A PARKING LOT AND WAIVERS OF PERIMETER LANDSCAPE BUFFER AND PARKING LOT LANDSCAPE FINGERS on 0.34 acres adjacent to the east side of Jones Boulevard, approximately 300 feet south of Upland Boulevard (APN 138-36-112-005 and 006), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). The Planning Commission (7-0 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 (7-0 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 Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARY BRYAN, 408 South Jones, accepted all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:57 - 1:58)

4-684

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 119 – SDR-3817

CONDITIONS:

Planning and Development

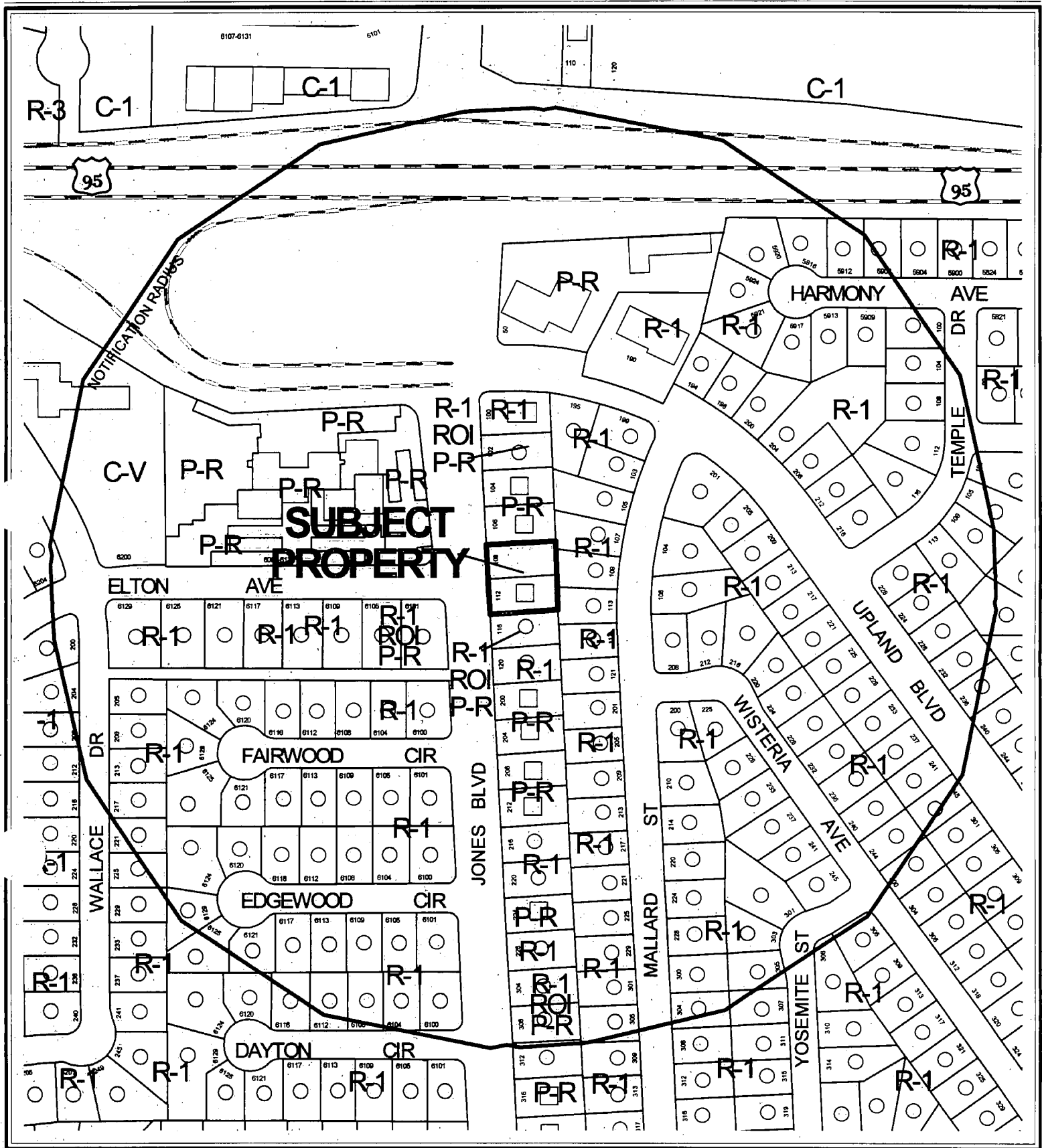
1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
2. A revised site plan shall be submitted to the staff of the Planning and development Department that shows the handicap parking spaces with a minimum width of 9'-0" and the width of the front landscape buffer next to the trash enclosure to be a minimum of 15 feet. The plan shall be submitted prior to the application for a building permit or license or prior to occupancy, whichever occurs first.
3. A waiver of the building foundation landscaping and the 8-foot perimeter buffer is approved.
4. All onsite residential uses shall cease as each property is converted to professional use.
5. The street planter between the driveways shall be a minimum 10 feet wide and 48 inches in length.
6. A minimum of two 24-inch box trees, with four, 5 gallon and 1 gallon shrubs and ground cover per tree, shall be planted in the 10-foot planter adjacent to the public street.
7. No public address systems or outdoor loudspeakers shall be permitted.
8. All exterior lighting shall be directed away from the adjacent residential properties. All exterior lighting shall be of low-intensity and of a cut off variety.
9. Excluding single-family development, all mechanical equipment, air conditioners and trash areas shall be screened from view front the abutting streets.
10. Install four, 5 gallon and 1 gallon shrubs for each 24" box and larger trees in the perimeter and street landscaped buffers.
11. Parking lot lighting shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilize shoebox 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 21, 2004
Planning and Development Department
Item 119 – SDR-3817

CONDITIONS – Continued:

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. Landscape and maintain all unimproved right-of-way, if any exists, on Jones Boulevard adjacent to this site concurrent with development of this site. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Submit an application for an Occupancy Permit for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.
15. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits. Also this site shall provide a Joint Access Agreement to adjacent sites of compatible uses as required by the Department of Public Works.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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.
17. Site development to comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

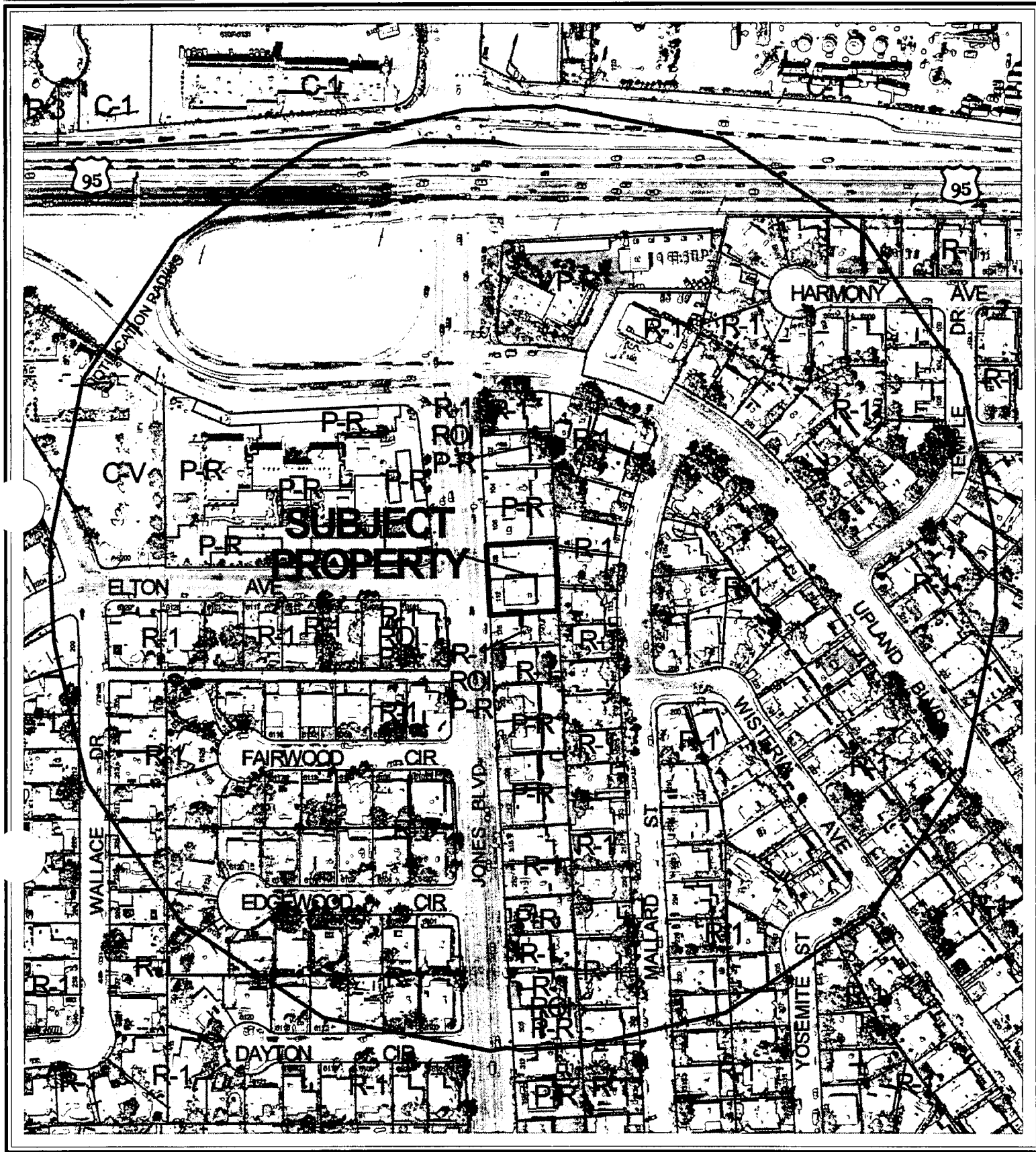


CASE: SDR-3817

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



CASE: SDR-3817

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS -
OWNER: GREGORY AND MARY BRYAN**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
2. A revised site plan shall be submitted to the staff of the Planning and development Department that shows the handicap parking spaces with a minimum width of 9'-0" and the width of the front landscape buffer next to the trash enclosure to be a minimum of 15 feet. The plan shall be submitted prior to the application for a building permit or license or prior the occupancy, whichever occurs first.
3. A waiver of the building foundation landscaping and the 8-foot perimeter buffer is approved.
4. All onsite residential uses shall cease as each property is converted to professional use.
5. The street planter between the driveways shall be a minimum 10 feet wide and 48 inches in length.
6. A minimum of two 24-inch box tree trees, with four, 5 gallon and 1 gallon shrubs and ground cover per tree, shall be planted in the 10-foot planter adjacent to the public street.
7. No public address systems or outdoor loudspeakers shall be permitted.
8. All exterior lighting shall be directed away from the adjacent residential properties. All exterior lighting shall be of low-intensity and of a cut off variety.
9. Excluding single-family development, all mechanical equipment, air conditions and trash areas shall be screened from view front the abutting streets.

10. Install four, 5 gallon and 1 gallon shrubs for each 24" box and larger trees in the perimeter and street landscaped buffers.
11. Parking lot lighting shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilize shoebox 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.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. Landscape and maintain all unimproved right-of-way, if any exists, on Jones Boulevard adjacent to this site concurrent with development of this site. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Submit an application for an Occupancy Permit for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.
15. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits. Also this site shall provide a Joint Access Agreement to adjacent sites of compatible uses as required by the Department of Public Works.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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.
17. Site development to comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review of a proposed 2,495 square foot medical office building at 108-112 South Jones Boulevard, and for a reduction in the amount of the landscaping buffer width and omission of the foundation landscaping.

B) Applicant's Justification

The applicant's justification letter states that a reduction in the amount of landscaping is necessary in order to provide parking.

BACKGROUND INFORMATION

A) Previous Actions

- 05/01/91 The City Council approved a general rezoning (Z-0026-91) of both sides of Jones Boulevard between Alta Drive and US-95 from R-1 (Single Family Residential) to P-R (Professional Office and Parking). The Planning Commission recommended approval.
- 09/20/00 The City Council approved a residential adjacency variance (V-0047-00) for a two-story office building. The Planning Commission recommended approval. Staff recommended denial.
- 09/20/00 The City Council approved a site development review request [Z-0026-91(13)] to add a second floor to an existing building. The Planning Commission recommended approval. Staff recommended denial.
- 03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/kcw).

B) Pre-Application Meeting

- 01/08/04 The following was discussed:
- A 23-foot drive aisle is acceptable for circulation.
 - A 15-foot landscape buffer along street frontages.
 - No changes to the existing building.
 - Less than 8 feet will be available for the landscaping buffer.
 - The trash enclosure will be at the front of the site near the street.
 - No landscaping will be around the building.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.34

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance: Southwest General Plan

The proposed office use is within the range of permitted uses of the existing planned land use, SC (Service Commercial), of the Southwest Sector Plan.

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

There are no Special Area Plans, notifications, or study areas that pertain to the site of this application.

PROJECT DESCRIPTION

Access to the site will be via a one-way driveway from Jones Boulevard along the south side of the property. Egress will be by a one-way driveway at the north of the site. Two parking spaces are shown in the west portion of the site (in front of the structure). A two-way drive aisle is proposed along the east side with three parking spaces parallel to the east property line. Along the north property line will be eight parking spaces, across from three van accessible along the north of the building. These parking spaces will be accessed by a 23-foot drive. The two parcels of the application share a common ownership.

The landscape plan depicts landscaping within a 15-foot wide planter along Jones Boulevard between the two street access drives. A 13-foot planter is shown at the northwest corner. A condition will be added to require that the planter width be increased to 15 feet. Additional landscaping is indicated along the north property line within a five-foot wide planter.

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	14,518 Sq Ft	Y
Min. Lot Width	60 Feet	122 Feet	Y
Min. Setbacks			
• Front	20 Feet	26'-4"	Y
• Side	5 Feet	13 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	15 Feet	40 feet	Y
Max. Lot Coverage	50 %	18%	Y
Max. Building Height	2 Stories / 35Feet	Existing Building	Y
Trash Enclosure	Screened from View	Yes	Y
Mech. Equipment	Screened from View	Yes	Y
Other ...			

The proposal exceeds the requirements for setbacks and height.

A2) Residential Adjacency Standards

The Residential Adjacency Standards are satisfied with the approval of V-0047-00 that approved a two-story office building to be 19 feet from residentially zoned property, where 105 feet would be required.

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
Medical Office	2,495 SF.	1space /200 sq. ft to 2,000 sq. ft. GFA 1/175 sq. ft. for the balance	13	1	13	3

The proposal meets the requirements for onsite parking.

- Circulation and traffic issues.

A copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits shall be provided.

The Site shall comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

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	6 Trees/Space	3 Trees	0
Buffer:			16
• Min. Trees	1 Trees/ 20Linear Feet	24 Trees	
• Min. Zone Width	8 Feet Perimeter, 15 feet Front		0, 15 feet
• Wall height	8 Feet		6feet

This application included a request to waive the landscaping requirements for the eight foot perimeter buffer and the landscaping around the foundation of the building.

A5) Sign Standards

Insufficient information was provided with this request to review the signage for the site. A separate application will need to be filed that will address on premise signs.

B) General Analysis and Discussion

- **Zoning**

The proposed office use is within the range of permitted uses of the existing P-R (Professional Office and Parking) zoning and the R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking).

- **Site Plan**

Access to the site will be via a one-way driveway from Jones Boulevard along the south side of the property. Egress will be by a one-way driveway at the north of the site. Two parking spaces are shown in the west portion of the site (in front of the structure). A two-way drive isle is proposed along the east side with three parking spaces parallel to the east property line. Along the north property line will be eight parking spaces, across from three van accessible along the north of the building. These parking spaces will be accessed by a 23-foot drive. The two parcels of the application share a common ownership.

- **Waivers**

This application included a request waive the landscaping requirements for the eight foot perimeter buffer, the landscaping around the foundation of the building, and location of the trash enclosure near to the street.

- **Landscape Plan**

The landscape plan depicts landscaping within a 15-foot wide planter along Jones Boulevard between the two street access drives. A 13-foot planter is shown at the northwest corner. A condition will be added to require that the planter width be increased to 15 feet. Additional landscaping is indicated along the north property line within a five-foot wide planter.

- **Elevation**

The proposed building elevations will feature light beige stucco wall construction with contrasting dark beige fascia design. The building will feature a flat roof and will have a raised decorative feature over the entrance.

- Floor Plan

This application is a review of the site around the building in terms of setbacks, landscaping, circulation, and parking.

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;”**

In approving the original Rezoning, the City Council found that proposed office uses of the parcels along Jones Boulevard would be compatible with adjacent residential development.

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

The proposed development is not consistent with Title 19, the Design Standards Manual, the Landscape, wall and buffer standards. Waivers of standards are requested with this application but the waivers do not detract from the spirit of the good site design and harmonious development.

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

The City Council found, in approving the original Rezoning that proposed office uses of the parcels along Jones Boulevard would not negatively impact adjacent roadways or neighborhood traffic.

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

The materials that are planned for the site are consistent with the materials that have been required for the other home/ office conversions along Jones in this neighborhood.

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

The design of the site and the building are harmonious with the neighboring office conversions along Alta and are compatible with adjacent residential.

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

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

NOTICES MAILED 176 By Planning Department

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: MARY SULLIVAN-BRYAN

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: _____

Print Name: MARY SULLIVAN - BRYAN

Subscribed and sworn before me

This 26th day of January, 2004

S. Hauglin
Notary Public in and for said County and State



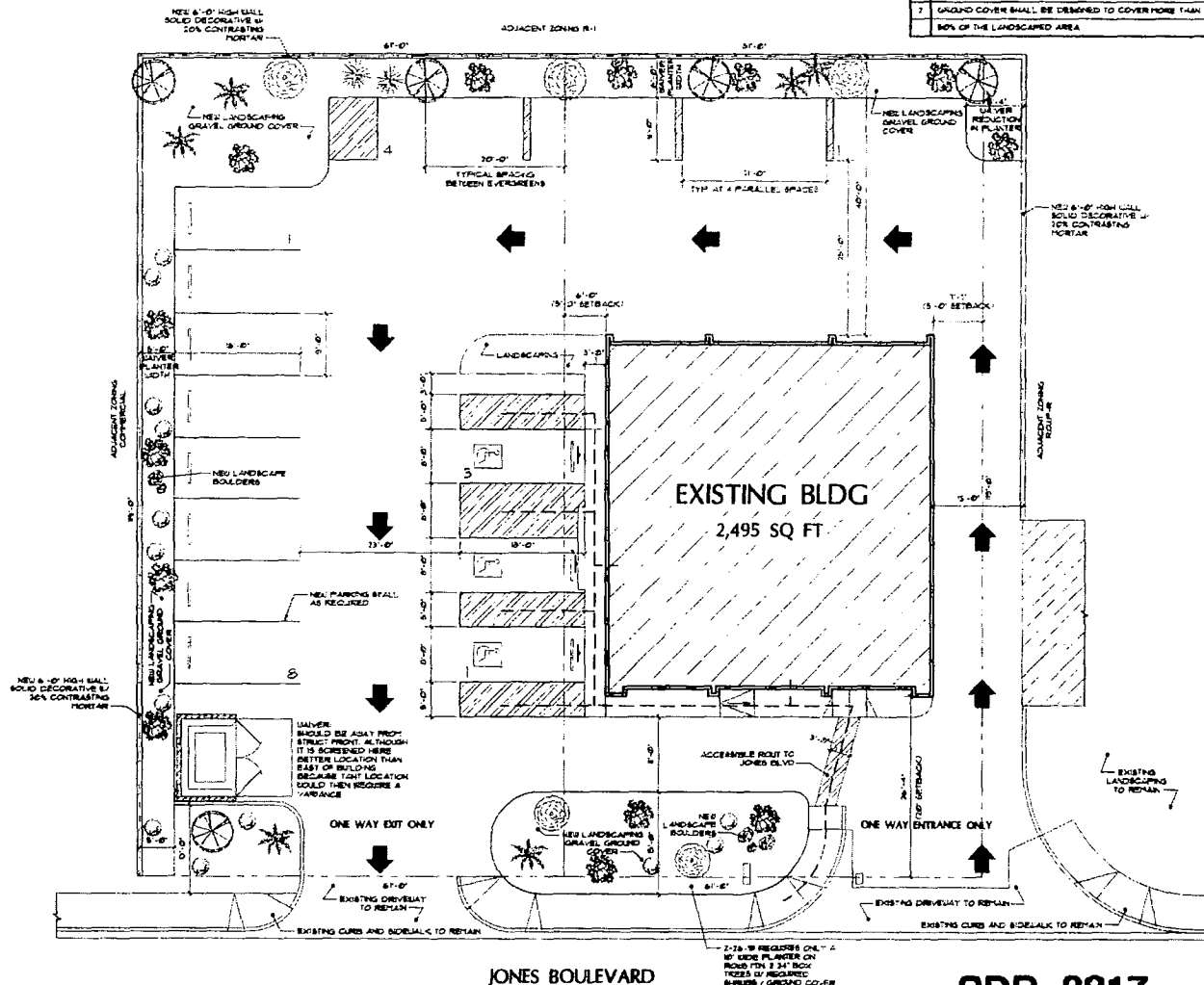
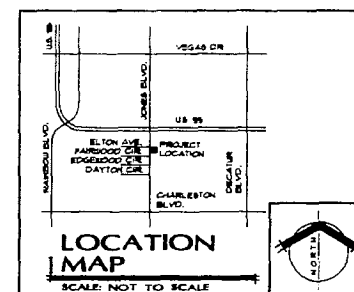
ITEM	DESCRIPTION
1	HANDICAPPED ACCESSIBLE ROUTE

GENERAL NOTES	
1	LANDSCAPE SHALL CONFORM TO TITLE PER REQUIREMENTS
2	GROUND COVER SHALL BE DESIGNED TO COVER MORE THAN 50% OF THE LANDSCAPED AREA

PROJECT DATA			
CURRENT ZONING	PUR	FRONT	20'-0" FR
DESIGNED ZONING	PUR	SIDE	5'-0"
		REAR	5'-0"
ACCESSIBLE PARKING		08-16-17-009	
		08-16-17-006	
NEW SITE AREA		1434 SQ FT	
COVERED		84% (10% ALLOWED)	
PLANTING HEIGHT		18'-0"	
ALLOWABLE		38' MAX ON 2 STORES	
ACTUAL		18'-0"	
		NOTE: RESIDENTIAL AD. STD. REQUIRE A 24" SETBACK FROM R-1 PROP. BUT THIS IS AN EXISTING NON-CONFORMING STRUCTURE.	

PARKING ANALYSIS			
BUILDING AREA	REQUIRED PARKING TABULATION		
BUILDING SPACE	AREA		
MEDICAL OFFICE	2,495 SQ FT		
1,000 SQ FT TO 1,000 SQ FT	10 SPACES		
175 SQ FT FOR BALANCE	3 SPACES		
OFFICE AREA	11 SPACES REQUIRED		
TOTAL PARKING REQUIRED	13 SPACES		
TOTAL PARKING PROVIDED	8 SPACES		
PROMOTED PARKING			
BUILDING	9 X 9	HANDICAPPED	TOTAL
	11 SPACES	3 SPACES	6 SPACES

SHRUB, TREES AND GROUND COVER LEGEND				
SYMBOL	DESCRIPTION	QTY.	SIZE	SPACING
	MODERNO ASH	5	24" BOX	VARIABLE
	MONTE PINO	5	24" BOX	VARIABLE
	DATE PALM	6	24" BOX	N/A
	PHOTIA	2	10 GALLON	VARIABLE
	FLOWERING PLUM	15	5 GALLON	VARIABLE
	GROUND COVER	75	1 GALLON	VARIABLE



SITE PLAN
SCALE: 1/8" = 10'-0"

SDR-3817
3-25-04 PC

ADVANCED HOUSE CALLS

112 South Jones Boulevard
Las Vegas, Nevada 89107

SITE PLAN

PROJECT NO.
DATE: 07/08/04
BY:
SHEET NO.
SITE PLAN

A1.0

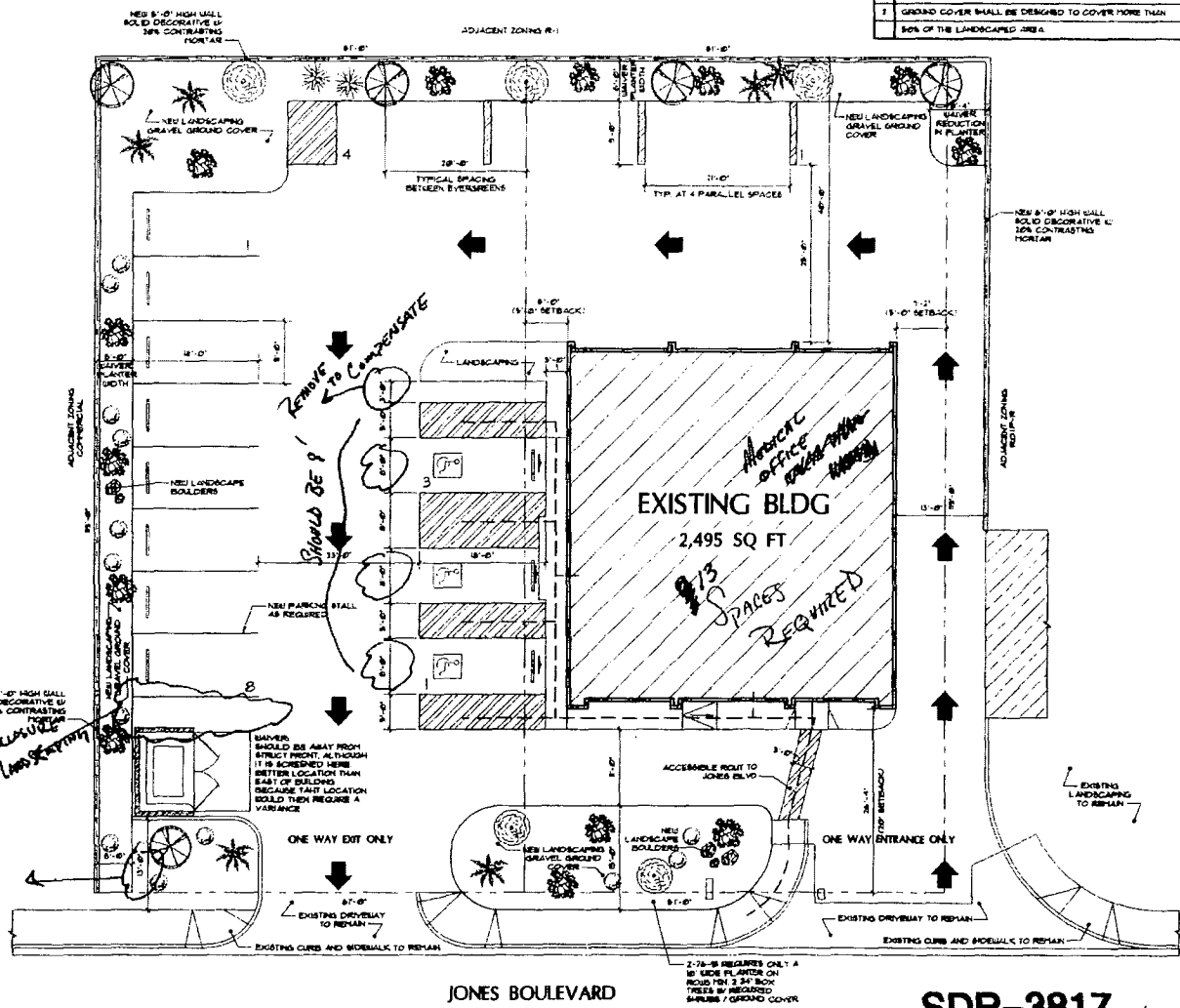
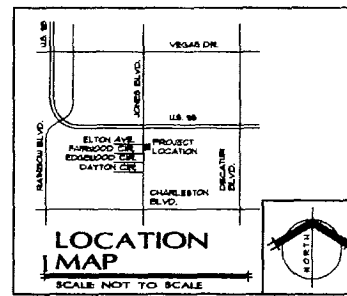
ITEM	ID	DESCRIPTION
---	---	HANDICAPPED ACCESSIBLE ROUTE

GENERAL NOTES	
1	LANDSCAPE SHALL CONFORM TO TITLE 10.0 REQUIREMENTS
2	GROUND COVER SHALL BE DESIGNED TO COVER MORE THAN 50% OF THE LANDSCAPED AREA

PROJECT DATA	
CURRENT ZONING	P-R
DESIGNED ZONING	P-R
ACCESSIBLE PARKING	FRONT 20'-0" PR SIDE 5'-0" PR REAR 5'-0" PR
NET SITE AREA	138-34-10-000
COVERAGE	140-34-10-000
IMPOSED SETBACK	14-00 SQ FT
ALLOWABLE	100% (100% ALLOWED)
ACTUAL	100% (100% ALLOWED)
	30' MAX OR 2 STOREYS WHICHEVER IS LESS
	8'-0"
	NOTE: RECONSTRUCTION ACTS TO REQUIRE A 54' SETBACK FROM R-1 PROPERTY (BUT THIS IS AN EXISTING NON-CONFORMING STRUCTURE)

PARKING ANALYSIS	
BUILDING AREA / REQUIRED PARKING TABULATIONS	AREA 2
BUILDING SPACE	7,495 SQ FT
MEDICAL OFFICE	10 SPACES
1,000 SQ FT TO 1,000 SQ FT	3 SPACES
1,000 SQ FT FOR BALANCE	3 SPACES
OFFICE AREA	13 SPACES REQUIRED
TOTAL PARKING REQUIRED	13 SPACES
TOTAL PARKING PROVIDED	13 SPACES
PROPOSED PARKING	
BUILDING	5 X 15
	13 SPACES
HANDICAPPED	2 SPACES
TOTAL	15 SPACES

SHRUB, TREES AND GROUND COVER LEGEND				
SYMBOL	DESCRIPTION	QTY	SIZE	SPACING
	MODESTO ASH	8	14" BOX	VARIABLE
	MONEL PINE	5	16" BOX	VARIABLE
	DATE PALM	6	24" BOX	N/A
	PHOTIA	3	12 GALLON	VARIABLE
	FLOWERING PLANT	13	8 GALLON	VARIABLE
	GROUND S-P-L-U-S	13	1 GALLON	VARIABLE



SITE PLAN
SCALE 1/8" = 10'-0"

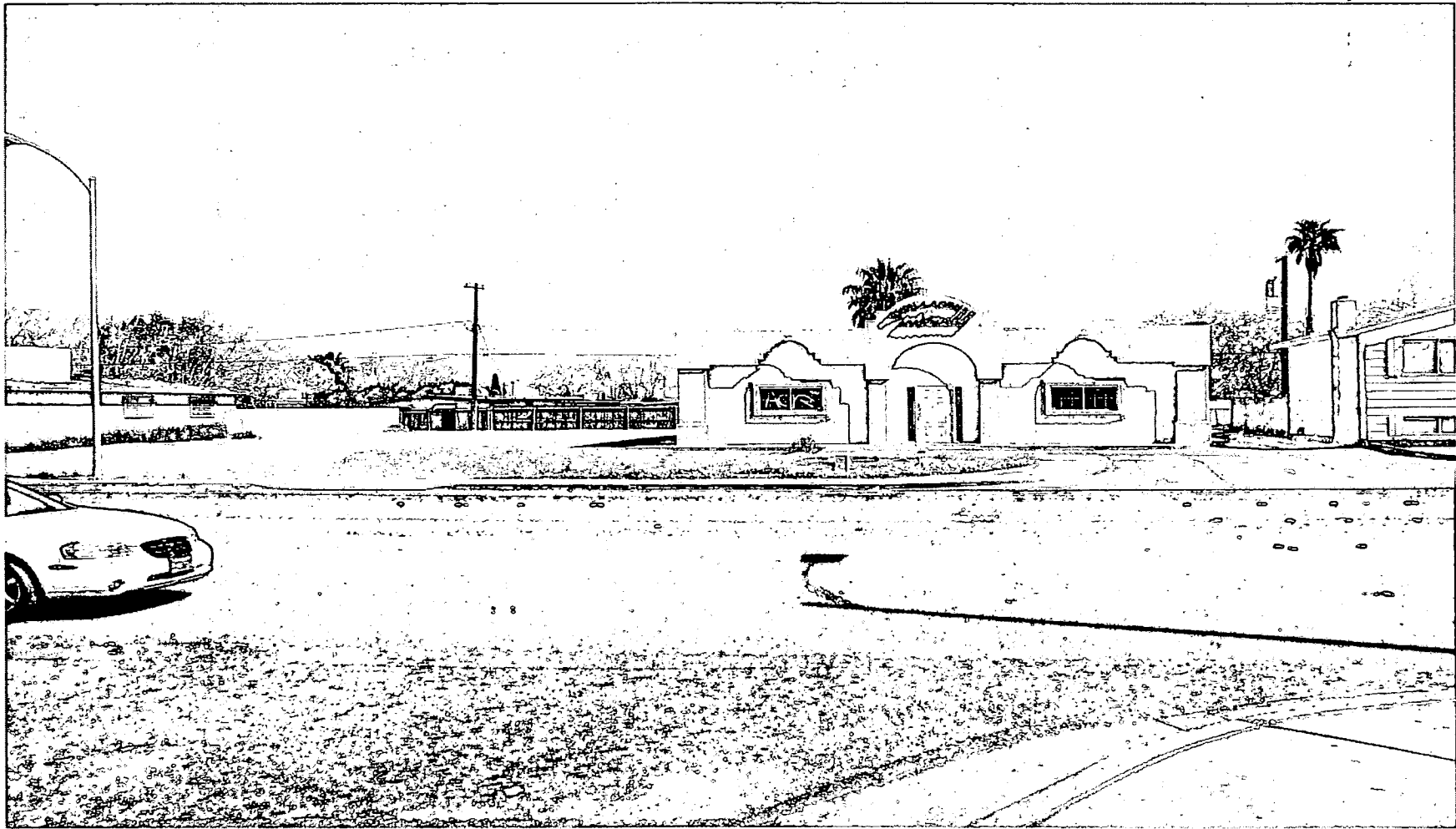
SDR-3817
3-25-04 PC

ADVANCED HOUSE CALLS
112 South Jones Boulevard
Las Vegas, Nevada 89107

PROJ: 0402
Dwg: 040201
DATE: 05/20/04
BY: [Signature]

SHEET CONTENTS
SITE PLAN

SHEET No.
A1.0



**SDR-3817 - APPLICANT: ADVANCED HOUSE CALLS - OWNER: GREGORY AND MARY BRYAN
EAST SIDE OF JONES BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF UPLAND BOULEVARD
MARCH 25, 2004 PLANNING COMMISSION**

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3853 -
APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST - Request
for a Site Development Plan Review FOR A 14,126 SQUARE FOOT OFFICE BUILDING on
1.10 acres adjacent to the southwest corner of Martin L. King Boulevard and Wheeler Peak
Drive (APN 139-21-416-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The
Planning Commission (6-0-1 vote) and staff recommend APPROVAL**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

**WEEKLY – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not
voting and Ward 2 seat vacant**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:58 – 1:59)

4-715

CONDITIONS:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 120 – SDR-3853

CONDITIONS – Continued:

2. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
5. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
9. 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.
10. All development shall be in conformance with the site plan and building elevations, date stamped April 21, 2004, except as amended by conditions herein.

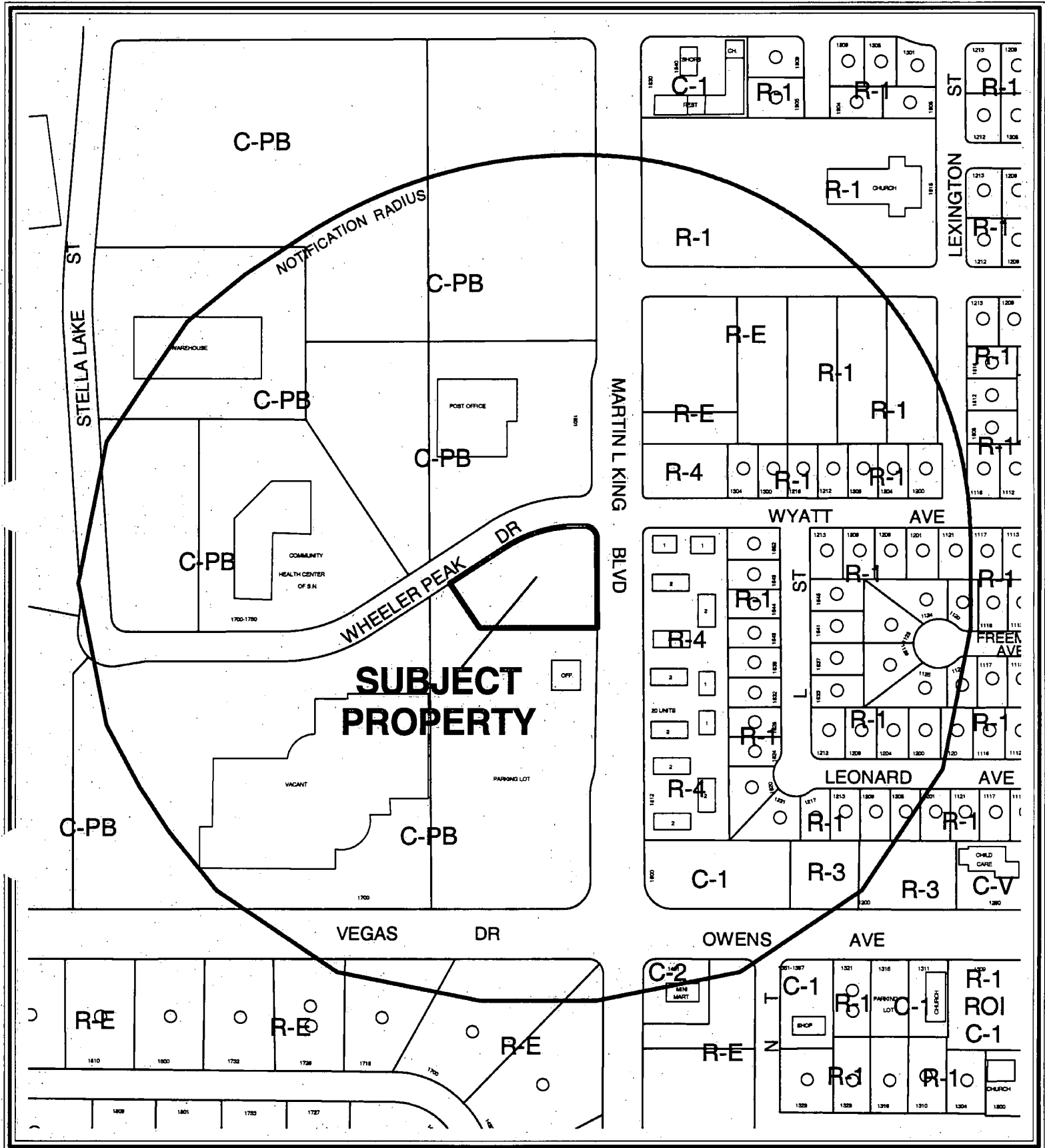
Public Works

11. 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.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 120 – SDR-3853

CONDITIONS – Continued:

12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-136-94 and all other subsequent site-related actions.



0 200 400 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
5. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
9. 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.
10. All development shall be in conformance with the site plan and building elevations, date stamped April 21, 2004, except as amended by conditions herein.

Public Works

11. 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.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-136-94 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is a Site Development Plan Review for a two-story 14,128 square foot office building to be located at the southwest corner of Wheeler Peak Drive and Martin L King Boulevard. There will be an 836 square foot four car detached garage. Covered employee parking will be located along the south and west property lines.

The applicant is requesting waivers of the 220-foot intersection separation and the 15-foot rear setback requirements.

B) *Applicant's Justification*

It is the position of the applicant that the building will be an attractive addition to the neighborhood. The Enterprise park Architectural Review committee approved as conforming with the Las Vegas Enterprise Park CC&R's.

BACKGROUND INFORMATION

A) *Previous Actions*

- 12/21/94 The City Council approved the rezoning (Z-0136-94) from R-E (Residence Estates) to C-PB (Planned Business Park) that would become the Las Vegas Enterprise Park. This site is part of that larger request. The Planning Commission and staff recommended approval.
- 09/14/95 The Planning Commission approved a Site development Plan Review for the Las Vegas Enterprise [Z-0136-94(1)] application. This site is part of that larger request.
- 10/26/95 The Planning Commission approved the Las Vegas Enterprise Park Final Map (FM-0134-95). This site is part of that larger request.
- 03/25/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #16/kcw).

B) *Pre-Application Meeting*

- 02/03/04 The following was discussed:

- A 10-foot dedication may be required for Martin L King.

- A drive may be needed to provide access between the proposed office building and the Veterans Administration facility.
- Update landscaping plan to show revised street buffer design per the Landscaping Guidelines.
- Waiver of the 15-foot rear setback acceptable because the Enterprise Park standards allow 10 feet.
- Landscaping Plan to show lot dimensions, covered parking, and quantity of trees.
- Elevations to show building materials.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.1

B) *Existing Land Use*

Subject Property: Vacant
North: Office building
South: Office building
East: Apartments
West: Office building

C) *Planned Land Use*

Subject Property:	PF	Public Facility
North:	LI/R	Light Industrial/ Research
South:	LI/R	Light Industrial/ Research
East:	DTR/ MXU	Downtown Redevelopment Plan Area/ Mixed Use
West:	LI/R	Light Industrial/ Research

D) *Existing Zoning*

Subject Property:	C-PB	Planned Business Park
North:	C-PB	Planned Business Park
South:	C-PB	Planned Business Park
East:	R-4	High Density Residential
West:	C-PB	Planned Business Park

E) *General Plan Compliance:* Southeast General Plan

The proposed office use is within the range of permitted uses of the current C-PB (Planned Business Park) zoning. C-PB (Planned Business Park) zoning is consistent with the PF (Public Facility) land use of the Southwest Sector Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
West Las Vegas	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 West Las Vegas Plan is an area map of the Southeast Sector Land Use Plan. Its purpose is to focus on the needs of this area of the Southeast Sector. The Plan specifies particular goals and objectives that will encourage the development of the plan area.

PROJECT DESCRIPTION

A two-story 14,128 square foot office building is proposed to be located at the southwest corner of Wheeler Peak Drive and Martin L King Boulevard. There will be an 836 square foot, four car detached garage. Covered employee parking will be located along the south and west property lines.

This site falls within the boundaries of the Las Vegas Enterprise Park. Consequently, all development that is proposed within the Enterprise Park is required to obtain approval from the Las Vegas Enterprise Park Architectural Review Committee. On January 23, 2004, the Architectural Review Committee conditionally approved this development project.

Access to the site will be via two driveways: one from Wheeler Peak Drive and another Martin L King Boulevard. The site plan for the proposed offices depicts a building moved toward the intersection of Wheeler Peak Drive and MLK with landscaping between the building and the intersection. The parking areas are situated behind the building.

ANALYSIS

10 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	N/A	N/A
Min. Lot Width	100	125.25 ft	Y
Min. Setbacks			
• Front	20 Feet	25 ft	Y
• Side	10 Feet		Y
• Corner	20 Feet	25 ft	Y
• Rear	15 Feet	10 ft	Waiver

Max. Lot Coverage	50 %	17%	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Yes	Y	Y
Loading Zone	N/A	N/A	N/A
Mech. Equipment	Screened	Y	Y
Other ...			

The proposal meets the setback requirements except for the rear setback. The applicant is requesting a waiver of the 15-foot setback standard with the justification that the CC&R's for the Enterprise Park permit a rear setback of 10 feet. The site plan has been approved by the Enterprise Park's Architectural Review Committee with a rear yard setback of 10 feet.

A2) Residential Adjacency Standards

The Residential Adjacency Standards pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Office	14,128 SF.	1 Space/ 300 GFA	46	2	48	3

The proposal meets the requirements of Title 19 for parking.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	9 Trees	7
Buffer:			23
• Min. Trees	1 Trees/ 30 Linear Feet	29Trees	
Buffer- 15 gal trees			19
Totals		38	49
• Min. Zone Width	8 Feet		10
• Wall height	8 Feet		Not Shown

The proposal meets the requirements of Title 19.

A5) Sign Standards

Insufficient information was provided to enable the review of on premise signage.

B) General Analysis and Discussion

- **Zoning**

The subject site is zone C-PB (Planned Business Park). The proposed office is a permitted use within the C-PB (Planned Business Park) zoning district.

- **Site Plan**

The site plan is in conformance with the requirements of Title 19. This site falls within the boundaries of the Las Vegas Enterprise Park Commercial Subdivision.

- **Waivers**

The applicant is requesting the following waivers:

- 220 feet separation between the centerline of Wheeler Peak Drive and the centerline of Martin L King Boulevard.
- 15-foot rear yard setback.

Both are appropriate due to it's location in the Enterprise Park District.

- **Landscape Plan**

The landscaping plan indicates a minimum 25-foot wide planter along Wheeler Peak Drive and Martin L King Boulevard frontages. Ten foot wide planters along the south and west property lines. Landscaping will consist of grouped 15 gallon and 24-inch box trees planted 35 feet on-center along the street frontages. The landscaping along the interior lot lines will consist of 24-inch box trees planted 30 feet on-center.

The proposed landscape plan meets the minimum requirements of the Las Vegas Urban Design Guidelines and Standards.

- **Elevation**

The elevations portray a concrete tilt-up wall construction with contrasting exposed aggregate wall construction. The building elevations depict fairly consistent façade detailing on all sides of the proposed buildings. Exterior elevations depict a flat roof and a maximum height of 36 feet. The elevations are consistent with existing development within the Las Vegas Enterprise Park.

- **Floor Plan**

The first floor plan shows most of the floor area as open labeled as future leaseable space. The second floor plan shows offices surrounding a large conference room and the restrooms. Particular features include a large Library, a large employee lounge area, and a balcony that is accessible from the lounge and one of the offices.

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 will operate at a level of intensity comparable to the development along this portion of Martin L King Boulevard and Wheeler Peak Drive. This proposed office development would be appropriate, in terms of the type and intensity of uses.

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

The proposed project is consistent with Title 19, the Landscape, Wall and Buffer standards in that the proposed office building and site meet the intent of the landscaping standards and zoning code requirements.

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

The proposed project will direct traffic onto Wheeler Peak Drive, which provides direct access to Martin L King Boulevard. Wheeler Peak Drive is a fully developed 60-foot wide right-of-way and Martin Luther King Boulevard is a fully developed 100-foot wide right-of-way.

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

The submitted building elevations and landscaping will demonstrate visual consistency with the surrounding light industrial/office developments, in that the submitted materials depict appropriate façade design and adequate landscape buffering.

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 elevations portray a concrete tilt-up wall construction with contrasting exposed aggregate wall construction. The building elevations depict fairly consistent façade detailing on all sides of the proposed buildings. Exterior elevations depict a flat roof and a maximum height of 36 feet. The design is compatible with surrounding development.

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

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

NOTICES MAILED 63 By Planning Department

APPROVALS 0

PROTESTS 0



**SOUTHWEST CORNER OF
MARTIN L KING BOULEVARD & WHEELER PEAK DRIV
LAS VEGAS, NEVADA**



SITE DATA

[illegible]

A map of the project area showing streets and the project gate location. The map includes the following streets: 12th Street, 13th Street, 14th Street, 15th Street, 16th Street, 17th Street, 18th Street, 19th Street, 20th Street, 21st Street, 22nd Street, 23rd Street, 24th Street, 25th Street, 26th Street, 27th Street, 28th Street, 29th Street, 30th Street, 31st Street, 32nd Street, 33rd Street, 34th Street, 35th Street, 36th Street, 37th Street, 38th Street, 39th Street, 40th Street, 41st Street, 42nd Street, 43rd Street, 44th Street, 45th Street, 46th Street, 47th Street, 48th Street, 49th Street, 50th Street, 51st Street, 52nd Street, 53rd Street, 54th Street, 55th Street, 56th Street, 57th Street, 58th Street, 59th Street, 60th Street, 61st Street, 62nd Street, 63rd Street, 64th Street, 65th Street, 66th Street, 67th Street, 68th Street, 69th Street, 70th Street, 71st Street, 72nd Street, 73rd Street, 74th Street, 75th Street, 76th Street, 77th Street, 78th Street, 79th Street, 80th Street, 81st Street, 82nd Street, 83rd Street, 84th Street, 85th Street, 86th Street, 87th Street, 88th Street, 89th Street, 90th Street, 91st Street, 92nd Street, 93rd Street, 94th Street, 95th Street, 96th Street, 97th Street, 98th Street, 99th Street, 100th Street. The project gate is located at the intersection of 12th Street and 13th Street. A north arrow is located in the bottom right corner of the map.

**A NEW OFFICE BUILDING FOR
TOM ARLT**



WILKINSON ARCHITECTURAL GROUP/FORMA, INC.
 1000 WILSON BLVD. SUITE 200
 LOS ANGELES, CALIFORNIA 90017
 TEL: (213) 894-0000

WILKINSON

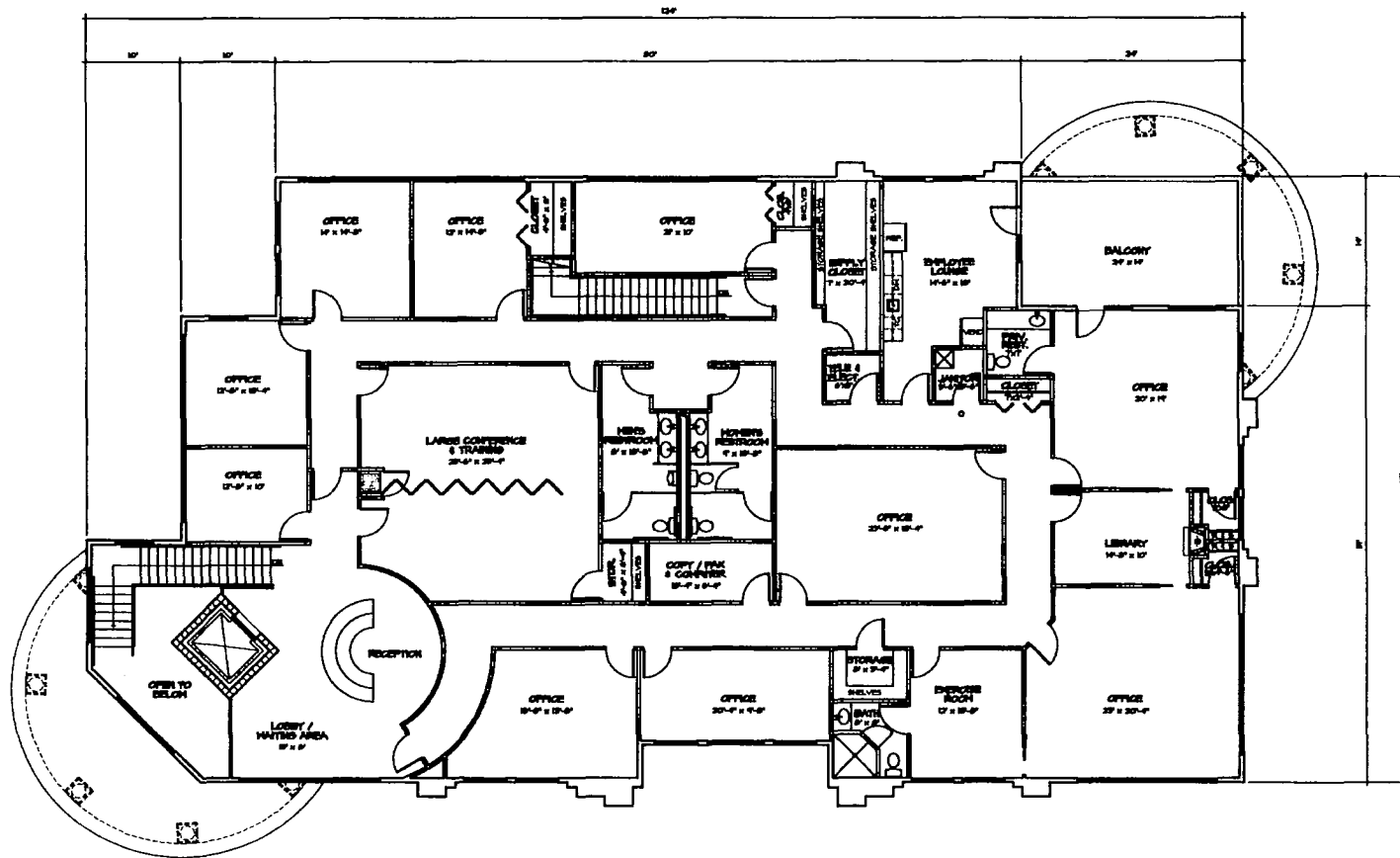
WILKINSON ARCHITECTURAL GROUP/FORMA, INC.
 1000 WILSON BLVD. SUITE 200
 LOS ANGELES, CALIFORNIA 90017
 TEL: (213) 894-0000

SDR-3853
3-25-04 PC

TOM ARLT OFFICE BUILDING

SOUTHWEST CORNER OF
MARTIN L. KING BOULEVARD & WHEELER PEAK DR.
LAS VEGAS, NEVADA

PROPOSED FLOOR PLAN



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



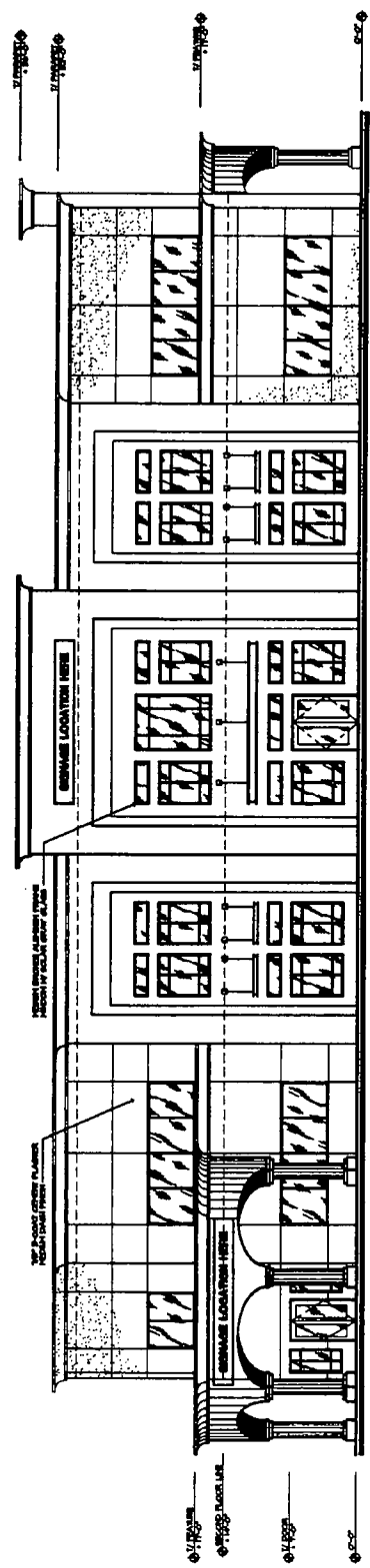
SDR-3853
3-25-04 PC

A NEW OFFICE BUILDING FOR:
TOM ARLT

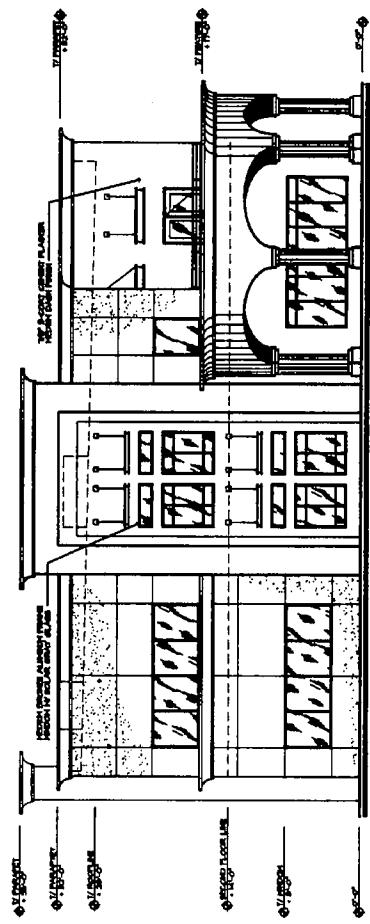
DESIGNED BY: SDR-3853
ARCHITECT: SDR-3853
DATE: 3-25-04
SCALE: 1/8" = 1'-0"

TOM ARLT OFFICE BUILDING
 SOUTHWEST CORNER OF
 SOUTHWEST 10TH AVENUE AND A WHEELER PEAK DRIVE
 LAS VEGAS, NEVADA

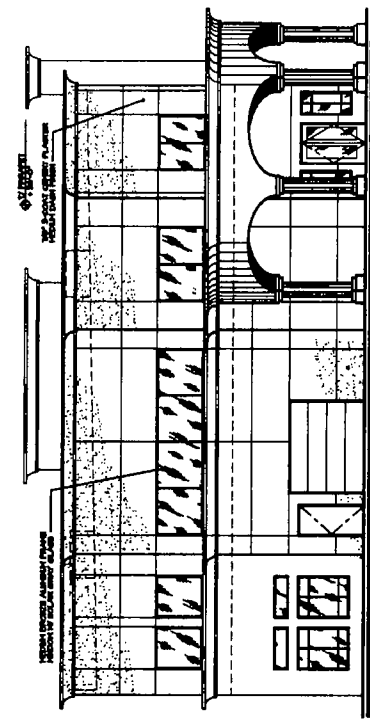
PROPOSED ELEVATIONS



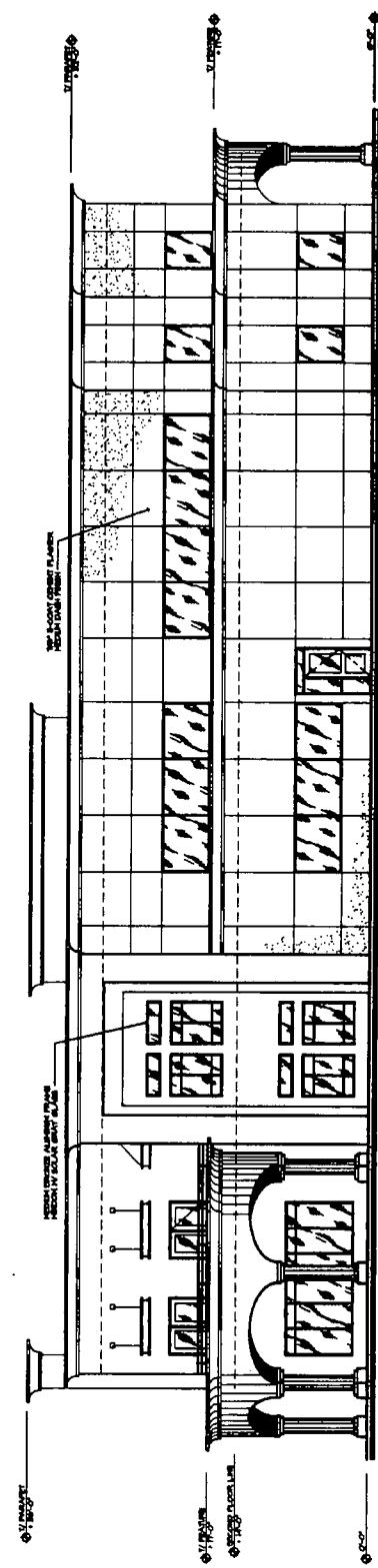
SOUTH ELEVATION
 SCALE: 3/8" = 1'-0"



EAST ELEVATION
 SCALE: 3/8" = 1'-0"



WEST ELEVATION
 SCALE: 3/8" = 1'-0"



NORTH ELEVATION
 SCALE: 3/8" = 1'-0"

A NEW OFFICE BUILDING FOR:
TOM ARLT
 1000 WEST 10TH AVENUE, SUITE 200
 LAS VEGAS, NEVADA 89102
 PHONE: (702) 735-1234
 FAX: (702) 735-1234

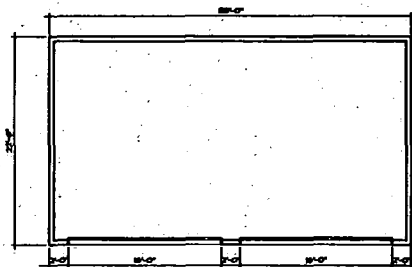
SDR-3853

3-25-04 PC

TOM ARLT OFFICE BUILDING

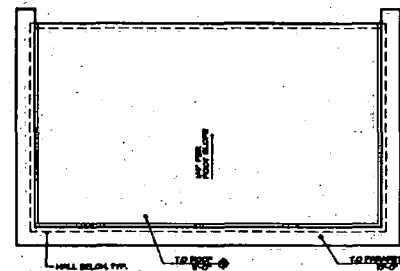
SOUTHWEST CORNER OF
MARTIN L. KING BOULEVARD & WHEELER PEAK DRIV
LAS VEGAS, NEVADA

PROPOSED GARAGE



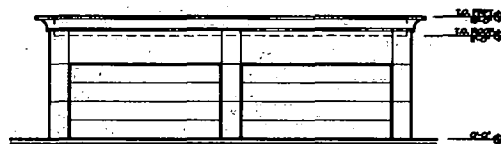
GARAGE PLAN

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



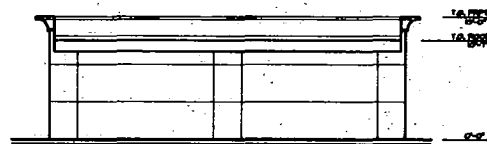
GARAGE - ROOF PLAN

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



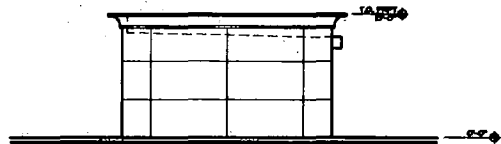
GARAGE - NORTH ELEVATION

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



GARAGE - SOUTH ELEVATION

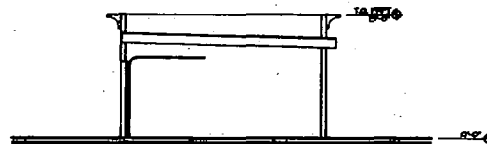
SCALE: 3/8" = 1'-0"



GARAGE - WEST ELEVATION

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

EAST OFFSHOOT



GARAGE - SECTION

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

SDR-3853
3-25-04 PC

A NEW OFFICE BUILDING FOR: TOM ARLT

WATSON ARCHITECTURAL GROUP/PORTLAND, ORE.
2000 SEASIDE DRIVE, SUITE 200, LAS VEGAS, NEVADA 89102
TEL: 702-735-1111 FAX: 702-735-1112
WWW.WATSONARCH.COM
DESIGNED BY WATSON ARCHITECTURAL GROUP/PORTLAND, ORE.
FOR CLIENT: TOM ARLT PROJECT NUMBER: 3853-04 FILE NAME: 3853-04.dwg



SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST
SOUTHWEST CORNER OF MARTIN L. KING BOULEVARD AND WHEELER PEAK DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



**SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST
SOUTHWEST CORNER OF MARTIN L. KING BOULEVARD AND WHEELER PEAK DRIVE
MARCH 25, 2004 PLANNING COMMISSION**

3/4/04



**SDR-3853 - APPLICANT: ARLT CORPORATION - OWNER: ARLT FAMILY TRUST
SOUTHWEST CORNER OF MARTIN L. KING BOULEVARD AND WHEELER PEAK DRIVE
MARCH 25, 2004 PLANNING COMMISSION**

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3923 - APPLICANT/ OWNER: SANTA FE STATION, INC. - Request for a Site Development Plan Review FOR A PROPOSED CASINO EXPANSION AND THEATER ADDITION on 34.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

The Planning Commission (7-0 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 with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GREG BORGEL, 300 South 4th Street, appeared on behalf of applicant. The applicant hopes to provide a better facility, including a large theatre complex that the community will appreciate.

MAYOR GOODMAN expressed concerns about removing the ice rink. COUNCILMAN MACK responded that a brand new rink would be built at the Fiesta Casino. MR. BORGEL confirmed COUNCILMAN MACK's statement, adding that the new facility down the street would be within North Las Vegas city limits. MAYOR GOODMAN was happy to hear there would be another venue for the community but sorry it was not within the City limits.

COUNCILMAN MACK stated that Station Casinos had come to the City of Las Vegas first to see if a joint effort could be made in relocating the rink. However, building at the Fiesta site was

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 121 – SDR-3923

MINUTES – Continued:

a better option and allowed for the multi million-dollar facility now proposed. He also asked MR. BORGEL to take a message back to Station Casinos regarding replacement of the large turf area in front of the Fiesta Rancho with drought tolerant materials.

COUNCILMAN REESE, concerned about the community being without a rink during construction, asked if the new facility would be finished before the old rink was torn down. MR. BORGEL replied there would most likely be a brief gap in time, depending on processing time for the building permit from North Las Vegas. He assured COUNCILMAN REESE that they had begun the process and the period would be brief. MAYOR GOODMAN asked MR. BORGEL to convey to Station Casinos that the Council is concerned about the community being able to continue with their ice skating functions. MR. BORGEL said he would pass on both messages.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:59 – 2:03)

4-741

CONDITIONS:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
4. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.

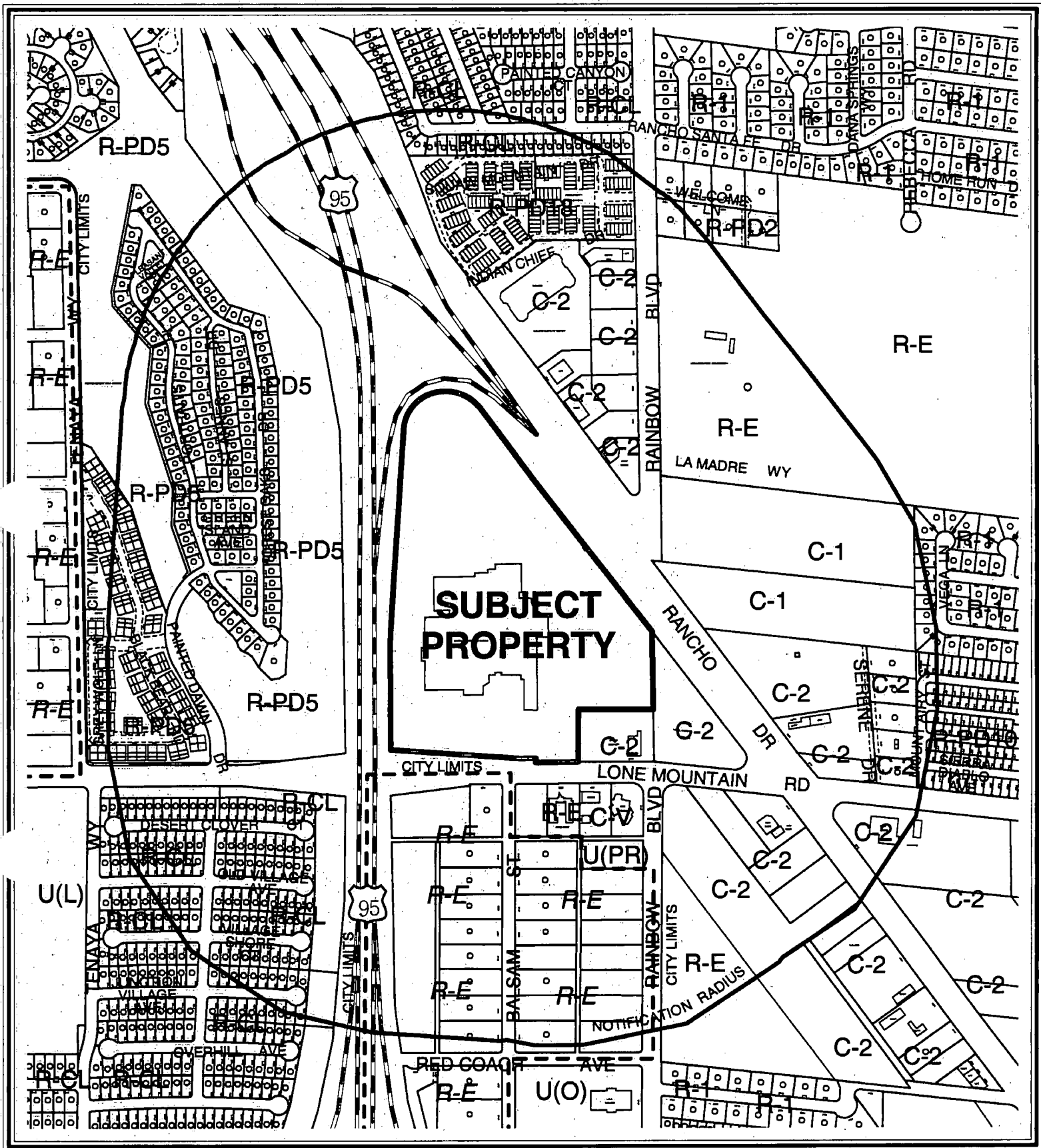
CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 121 – SDR-3923

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. All development shall be in conformance with the site plan and building elevations, date stamped April 22, 2004, except as amended by conditions herein.

Public Works

9. 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 the 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. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
10. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study. A portion of this site is located in a Federal Emergency Management Act (FEMA) Zone "AE" flood zone.
11. Site development to comply with all applicable conditions of approval for Z-32-85 and all other subsequent site-related actions.



CASE: SDR-3923

RADIUS: 1320 FT

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

0 400 800 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3923 - APPLICANT/OWNER: SANTA FE STATION, INC.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
5. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. All development shall be in conformance with the site plan and building elevations, date stamped April 22, 2004, except as amended by conditions herein.

Public Works

9. 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 the 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. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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11. Site development to comply with all applicable conditions of approval for Z-32-85 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is a Site Development Plan Review for a remodel of the Santa Fe Hotel Casino. The remodel encompasses the renovation of the existing bowling facility, the remodel of the existing Ice Rink into casino space, additional warehouse space, and the addition of a 16-screen movie theater.

B) Applicant's Justification

It is the applicant's contention that the proposed renovation and expansion is consistent with the City's policies and long-term goals, and will benefit the community.

BACKGROUND INFORMATION

A) Previous Actions

06/19/85	The City Council approved a Rezoning (Z-0032-85) request from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial). The Planning Commission recommended approval.
03/15/89	The City Council approved a Special Use Permit (U-0182-88) for a hotel and casino.
08/10/98	The City Council approved a Site Development Plan Review [Z-0032-85(9)] for a proposed 159,228 square foot, three-level parking garage. The Planning Commission recommended approval.
10/12/00	The Planning Commission approved a request for Site Development Plan Review [Z-0032-85(10)] for a 152,256 square foot, four-level parking garage.
12/07/00	The Planning Commission approved a request for a Site Development Plan Review [Z-0032-85(12)] for a temporary reduction in the amount of on-site landscaping and in the amount of on-site parking.
09/19/01	The City Council approved Review of Condition #3 of a Site Development Plan Review [Z-0032-85(14)] for signage on the northeast corner of the parking structure and a Master Sign Plan (MSP-0008-01) for an existing parking garage in conjunction with an existing hotel/casino. The Planning Commission recommended approval.
12/22/01	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0032-85(13)] for a 27,300 square foot addition (which includes administrative offices, hotel, lobby, gift shops and restaurants) to the existing Santa Fe Station Hotel/Casino.

03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #39/kcw).

B) Pre-Application Meeting

01/28/04 The following was discussed:

- Expansion of the Santa Fe Hotel Casino- theaters and warehouse
- An overall parking analysis will be required.
- An overall site plan is required.
- Six foot planter around building.
- Any waivers must be addressed in justification letter..

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 35.17 Acres

B) Existing Land Use

Subject Property: Hotel/Casino

North: Commercial Center and US 95 Interchange

South: Fire Station, Office Building, Child Care Facility, and Single Family Dwellings

East: Sexually Oriented Business, Auto Repair Garage and Undeveloped land

West: US 95

C) Planned Land Use

Subject Property: GC (General Commercial)

North: GC (General Commercial) and R.O.W. (Right of Way)

South: O (Office), PR (Parks/Recreation/Open Space), and PF (Public Facilities)

East: SC (Service Commercial)

West: R.O.W. (Right of Way)

D) Existing Zoning

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: C-V (Civic), R-E (Residence Estates), U (Undeveloped), and Clark County

East: C-2 (General Commercial)

West: US 95

E) General Plan Compliance

This property is designated GC (General Commercial) by the Centennial Hills Interlocal Land use Plan of the Centennial Hills Sector Plan. The GC (General Commercial) designation allows retail, service, wholesale, office, and other general business uses of an intense commercial character. The C-2 (General Commercial) zoning of the subject site is consistent with the GC land use.

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

PROJECT DESCRIPTION

The remodel encompasses the renovation of the existing bowling facility, the remodel of the existing Ice Rink into casino space, additional warehouse space, and the addition of a 16-screen movie theater to the Santa Fe Hotel Casino.

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	N/A	N/A
Min. Lot Width	100 Feet	N/A	N/A
Min. Setbacks			
• Front	20 Feet	N/A	N/A
• Side	10 Feet	71'-10"	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	100'-0"	Y
Max. Lot Coverage	50 %		Y
Max. Building Height	None		Y

The proposal meets the requirements of Title 19 in terms of building setback.

A2) Residential Adjacency Standards

The Residential Adjacency Standards pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	Factor	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Bowling Alley	60 Lanes	3 spaces per lane	180			
Hotel	200 rooms	1 space per room	200			
Casino	90,628 Sq Ft	1 space per 90 sq. ft.	1,007			
Movie Theater	3,394 seats- 20 Employees	1 space per 4 seats, 1 per employee	869			
Conference Center	5,995 Sq. Ft.	1 space per 100 Sq. Ft.	60			
Office	27,618 Sq. Ft.	1 per 300 Sq. Ft.	93			
Restaurant/Lounge	49,996 Sq. Ft.	1 space per 50 sq. ft. 1 space per 200 sq. ft.	712			
Totals			3,226		3,582	

The proposal meets the standards of the Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 spaces		38
Buffer:			156
• Min. Trees	1 Trees/ 303,970 L. F.	3,970 /30 =133 Trees	
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 feet		Not Shown

The proposal meets the requirements for the Title 19 landscaping standards.

A5) Sign Standards

The signage for the remodel will be a separate addendum to a previously Master Sign plan.

B) General Analysis and Discussion

- Zoning

The proposed development is consistent with the current C-2 (General Commercial) zoning and is compatible with surrounding development.

- Site Plan

The site plan shows a substantial remodel of the Hotel Casino while maintaining the facilities within the required setbacks.

- Waivers

There are no waivers requested by the applicant for the proposed development.

- Landscape Plan

The landscape plan shows an effective use of a wide variety of trees around the site as screening of the parking lot.

- Elevation

The elevations of the new addition blend well in design, articulation, and detail with the existing building.

- Floor Plan

The floor plan is typical of other Hotel casinos with similar amenities as a theater and the bowling center.

FINDINGS

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

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

The proposed development is compatible with existing development along Rancho Drive and the surrounding 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 proposed development is consistent with C-2 (General Commercial) zoning district. The site design is well within standards and the landscaping plan shows an effective screen of the large parking lot.

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

Site access will be via Rancho Drive and Lone Mountain Road. The roadway network is adequate to meet the traffic generated by the proposed development.

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

The proposed building materials and landscaping materials are typical of developments in other parts of the city and the neighborhood and are appropriate.

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 elevations of the new addition blend well in design, articulation, and detail with the existing building.

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

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

NOTICES MAILED 733 By Planning Department

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-3923** APN: 125-34-801-001

Name of Property Owner: Santa Fe Station, Inc

Name of Applicant: Santa Fe Station, 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?

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: Lynette B. McDonald is on the Board of Directors of Station Casinos, Inc., the parent corporation of the Owner/Applicant

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

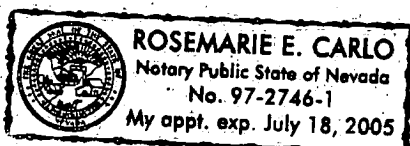
Print Name: Richard J. Haskins
Assistant Secretary

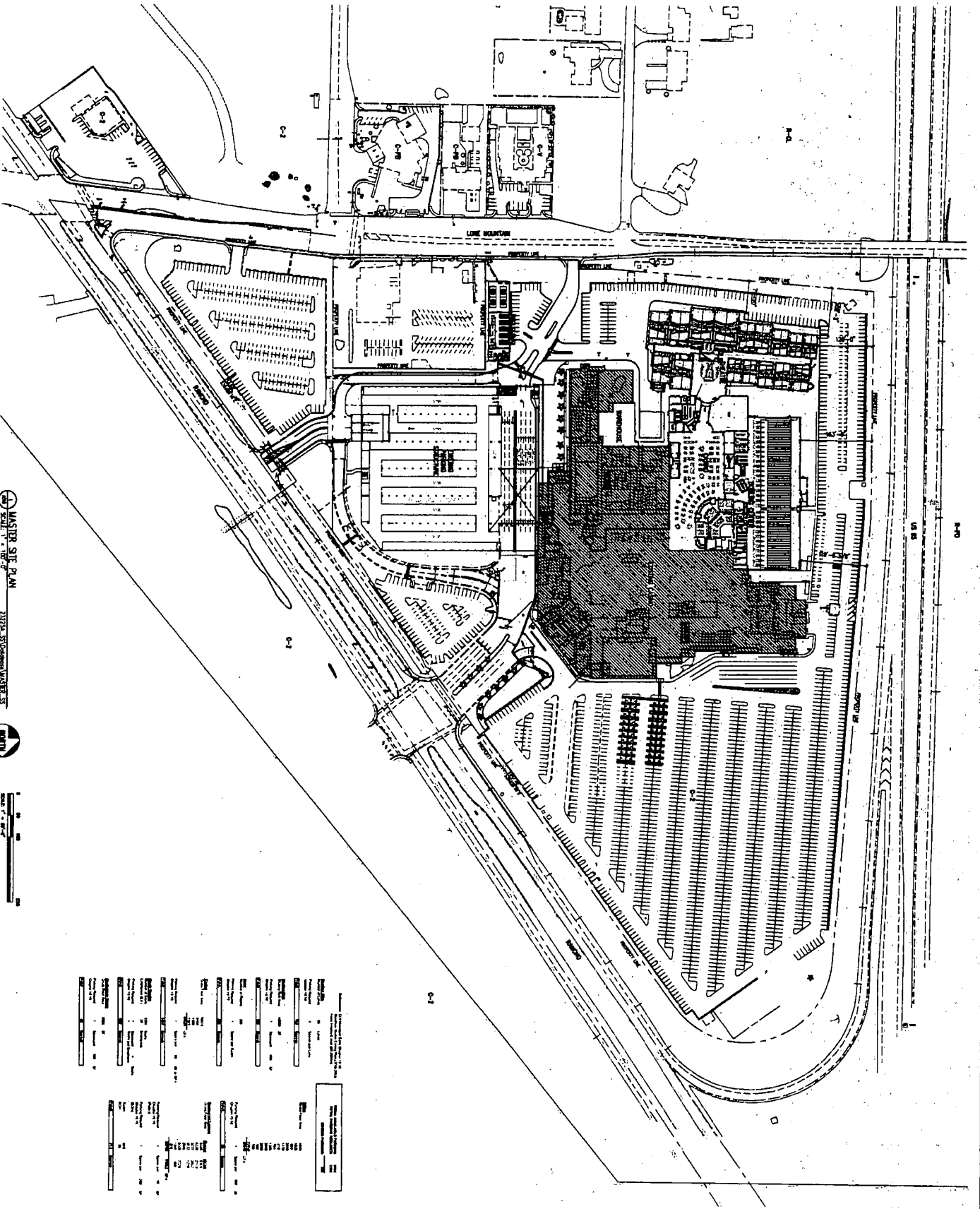
Subscribed and sworn before me

This 10TH day of February, 2004

Rosemarie E. Carlo

Notary Public in and for said County and State





MASTER SITE PLAN
SCALE: 1" = 100'-0"

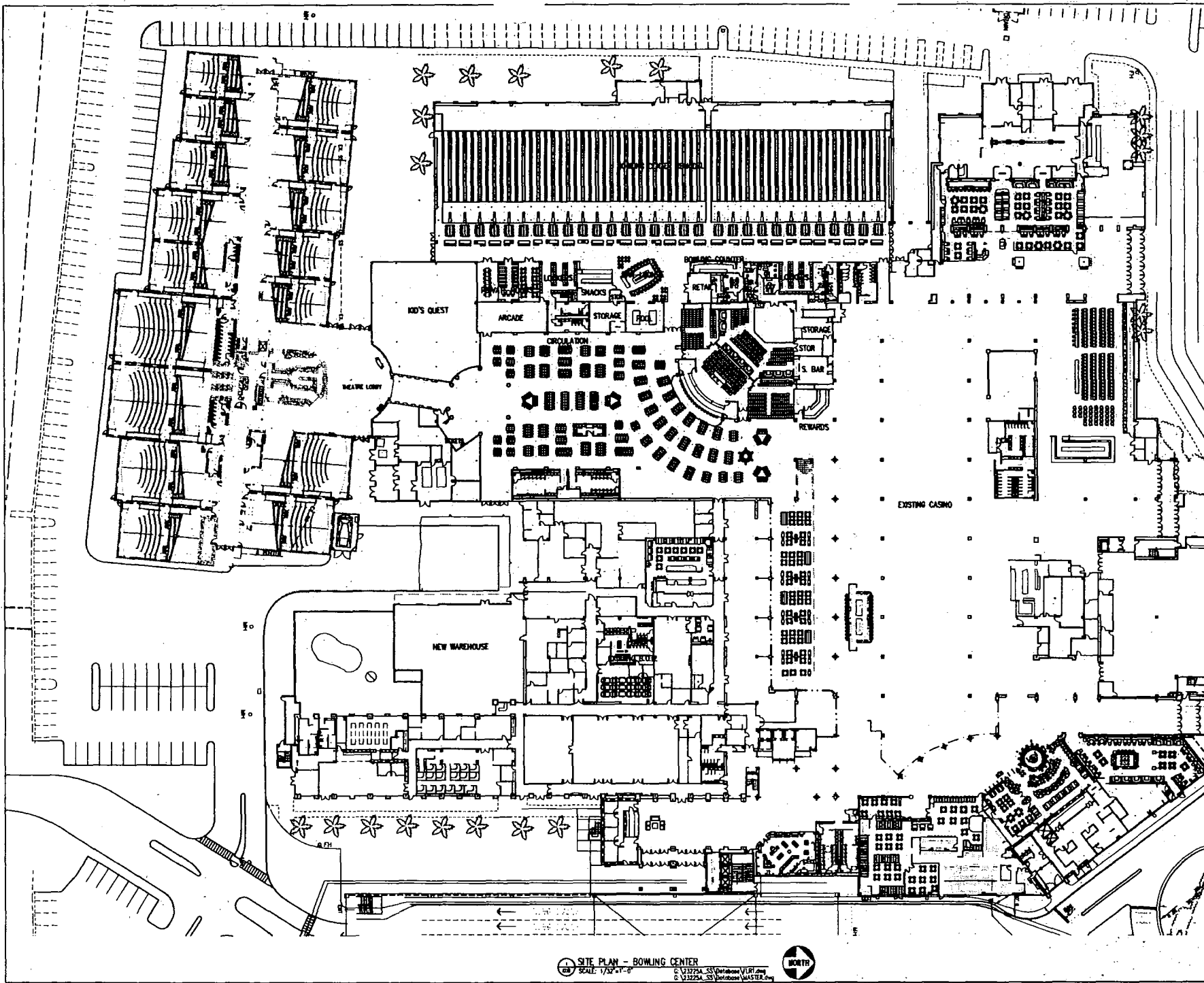


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SDR-3923 3-25-04 PC

PROJECT NAME: SANTA FE STATION HOTEL & CASINO 4949 S. RANCHO DR. LAS VEGAS, NV 89130		DATE: 11/1/80	
PROJECT NO: A010		SCALE: 1" = 100'-0"	
DESIGNED BY: [Signature]		CHECKED BY: [Signature]	
DATE: 11/1/80		DATE: 11/1/80	



ARCHITECT
 JAMES STEVENSON ARCHITECT, PLLC
 3311 Meade Avenue
 Las Vegas, NV 89102-7800

PROJECT NAME
 SANTA FE STATION
 BOWLING CENTER
 SANTA FE STATION
 HOTEL & CASINO
 4949 S. RANCHO DR.
 LAS VEGAS, NV, 89130

DATE
 3/25/04

SCALE
 AS NOTED

DATE
 3/25/04

SCALE FOR
 SHEET

SHEET
 A100

SDR-3923 3-25-04 PC

STATION CASINOS, INC.
 3311 Meade Avenue
 Las Vegas, NV 89102-7802

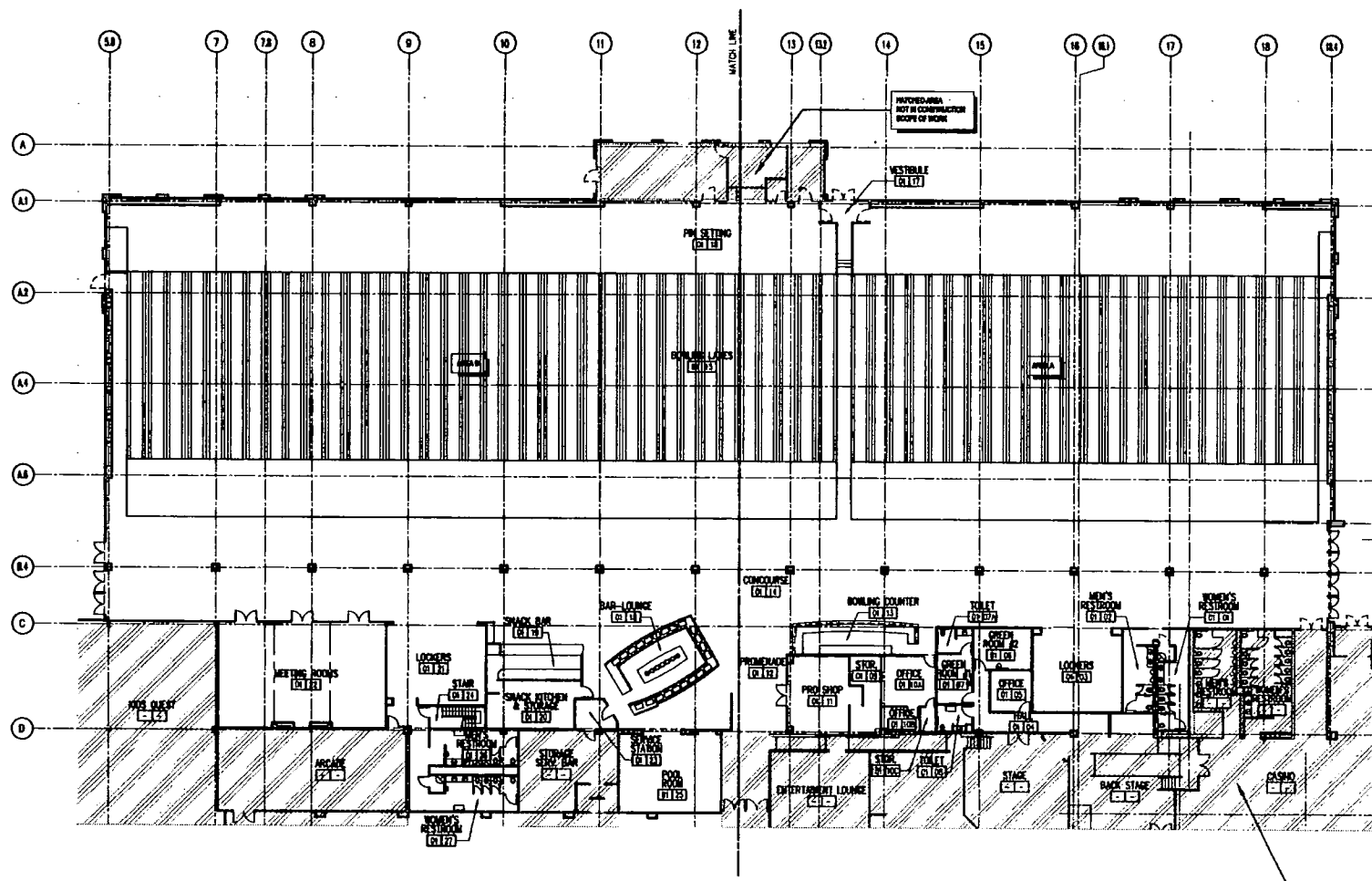
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 BOWLING CENTER
 SANTA FE STATION
 HOTEL & CASINO
 4949 S. RANCHO DR.
 LAS VEGAS, NV. 89130

NO.	DESCRIPTION	DATE

SHEET TITLE:
 OVERALL
 BOWLING CENTER
 FLOOR PLAN

SCALE	AS NOTED	AS BUILT
DATE:		
DESIGNER:		
DATE:		

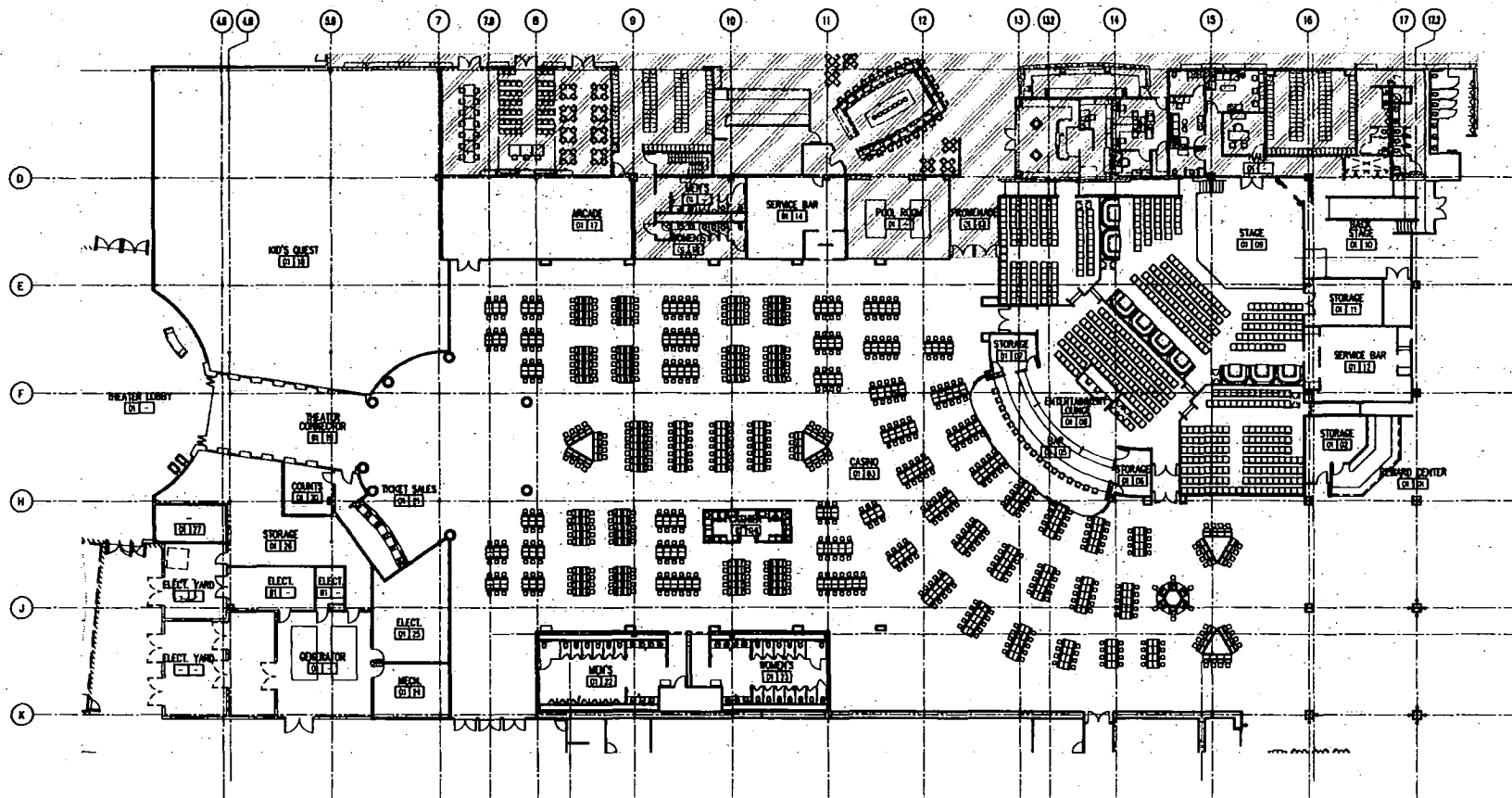
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1 OVERALL BOWLING CENTER FLOOR PLAN
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SDR-3923 3-25-04 PC

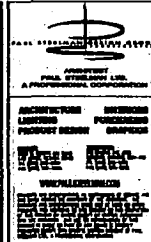


SOUTH EXPANSION FLOOR PLAN
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SDR-3923

3-25-04 PC



STATIONS CASINO
 3311 Meads Avenue
 Las Vegas, NV 89102-7800

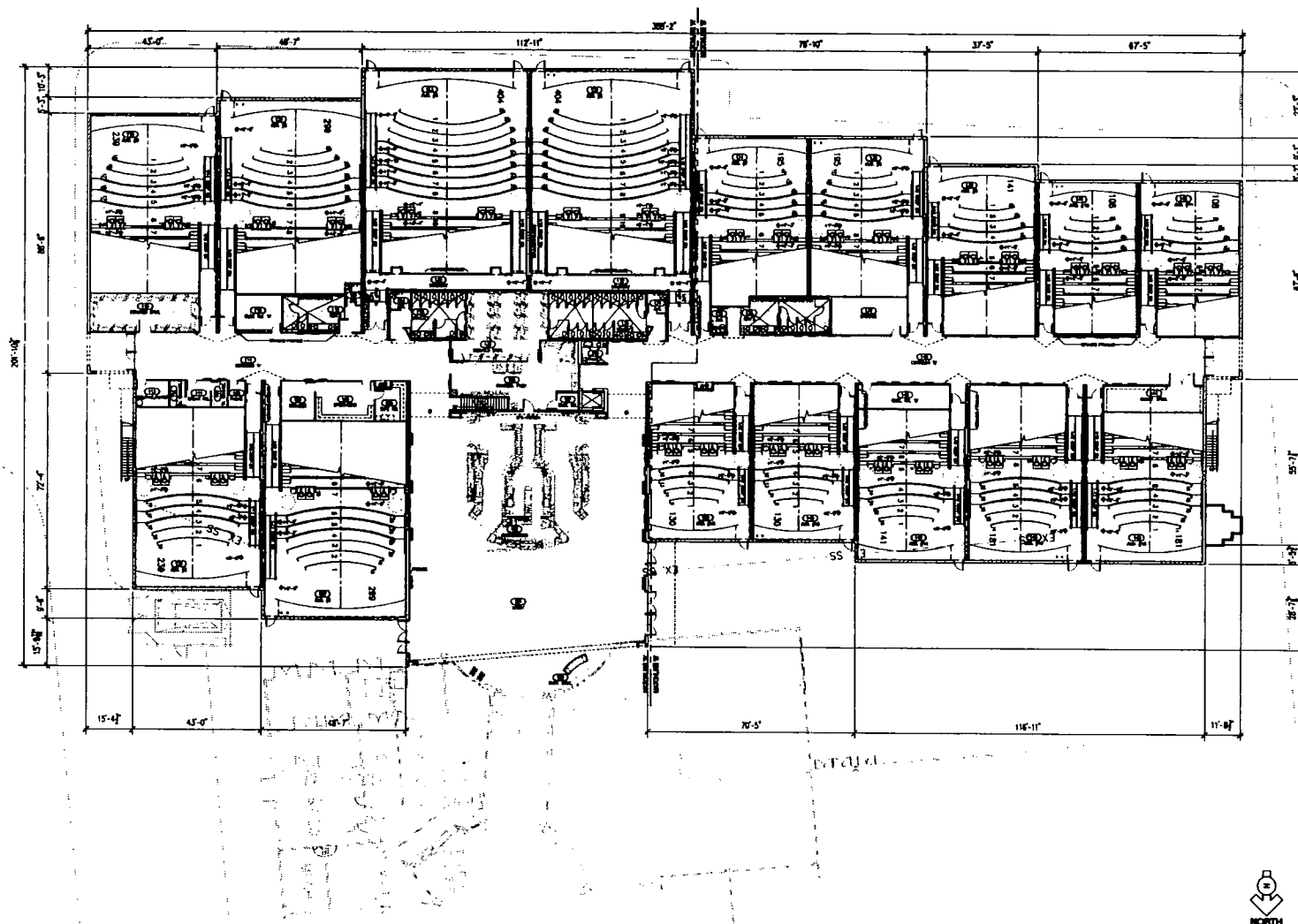
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SANTA FE STATION
SOUTH EXPANSION
SANTA FE STATION
HOTEL & CASINO
 4949 S. RANCHO DR.
 LAS VEGAS, NV, 89130

NO.	REVISION	DATE

SHEET TITLE:
SOUTH EXPANSION
FLOOR PLAN

TOTAL: 44 SHEETS
 SHEET: 1
 TALKED FOR:

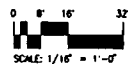
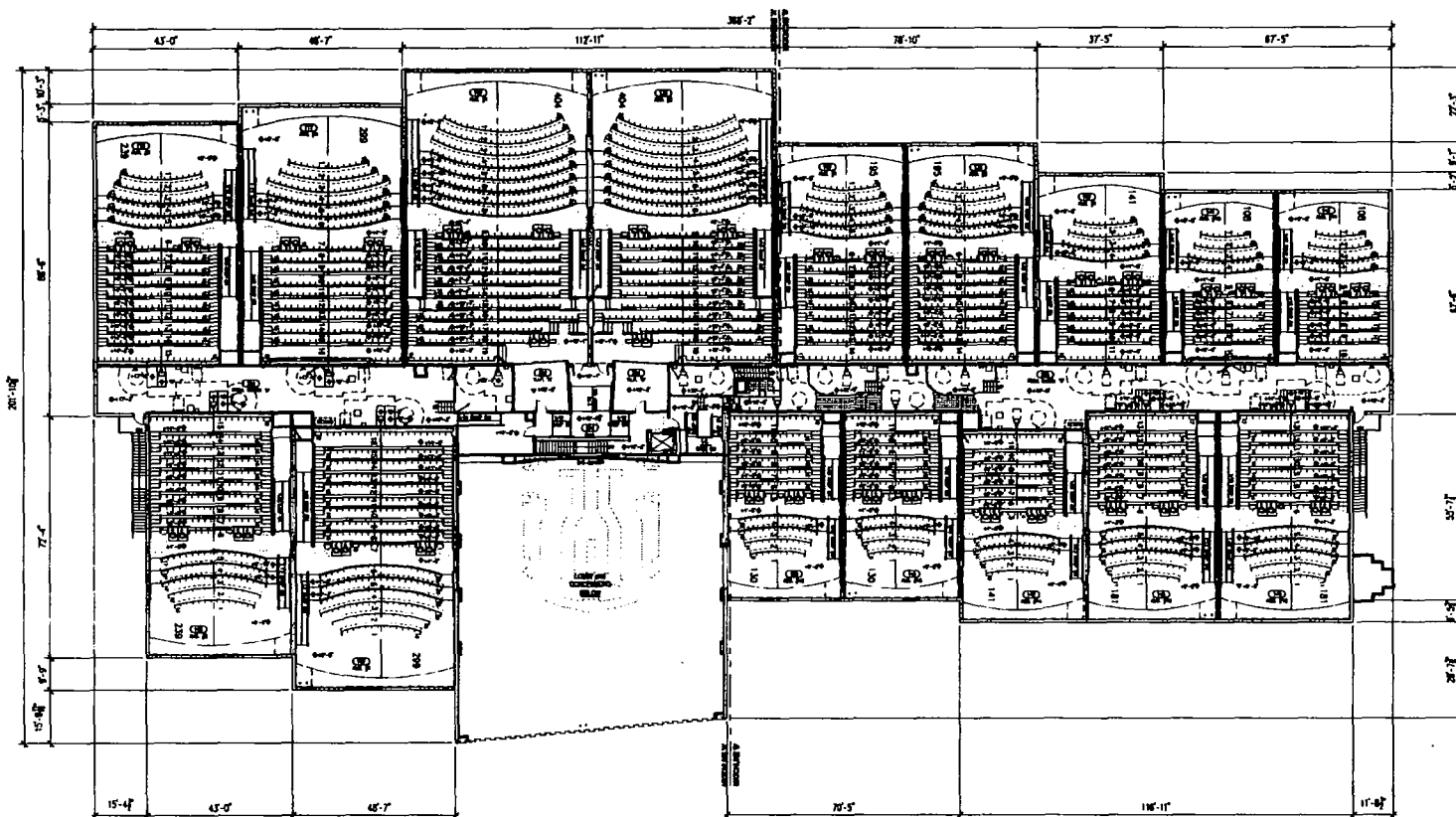
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OVERALL FIRST FLOOR PLAN

FEBRUARY 12, 1998

SDR-3923
3-25-04 PC

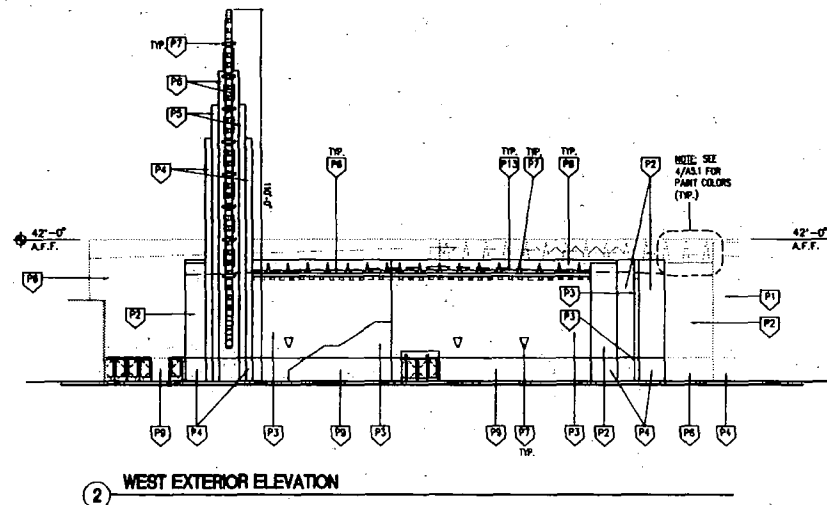
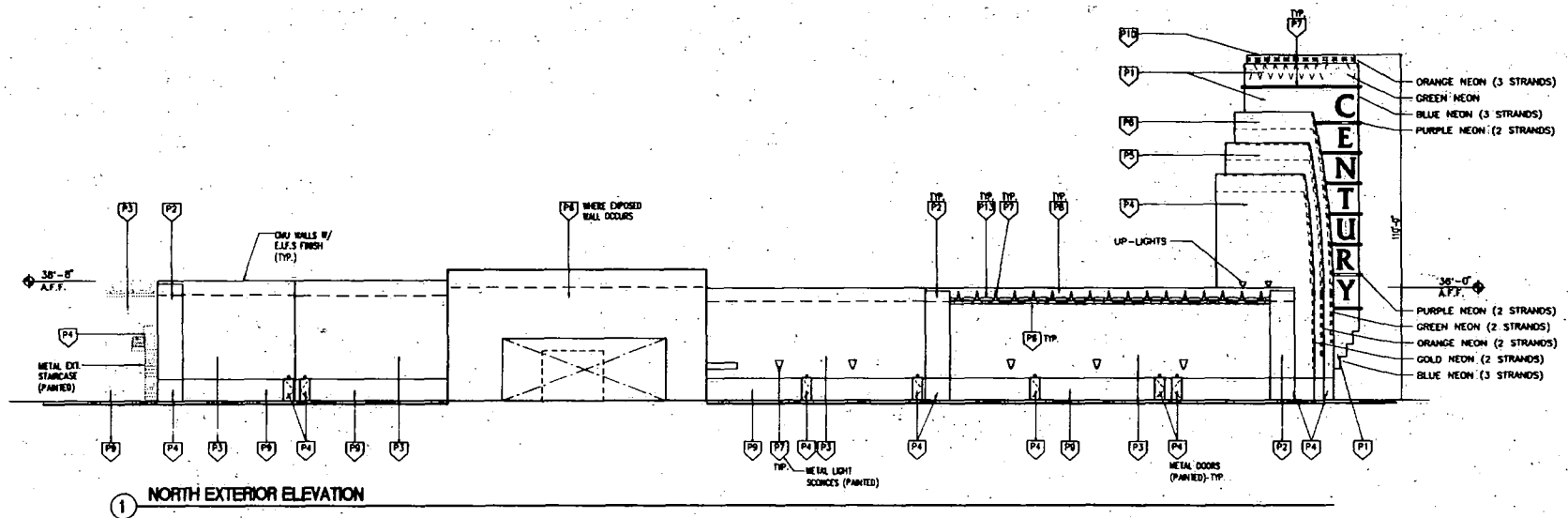


OVERALL MEZZANINE FLOOR PLAN

GENERAL NOTE TO THE STUDENT:

CENTURY
THEATRES

SDR-3923
3-25-04 PC

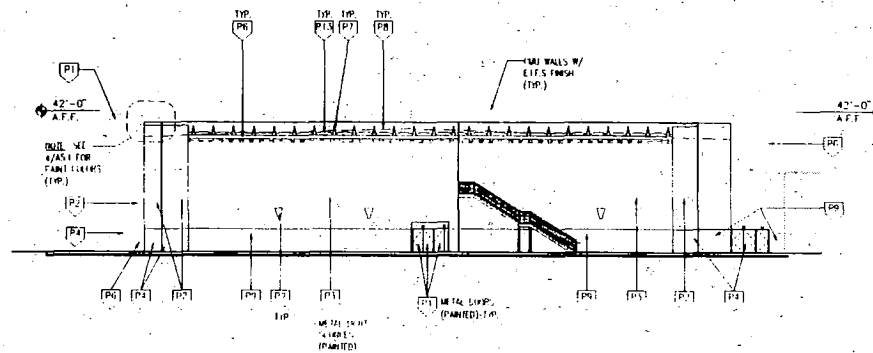


EXTERIOR ELEVATIONS

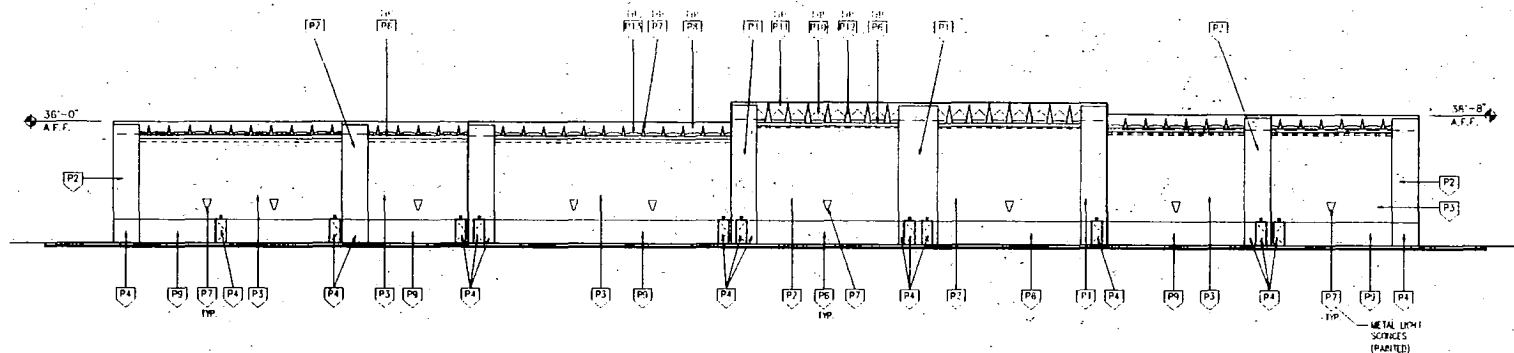
STATIONS CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

CENTURY
THEATRES

SDR-3923
3-25-04 PC



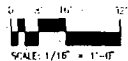
3 EAST EXTERIOR ELEVATION



4 SOUTH EXTERIOR ELEVATION

COLOR LEGEND

- P1 ORION-SAGE-TAN - ICY #421
- P2 SUGAR MAPLE - ICY #536
- P3 GOLDEN CHAMPAGNE - ICY #549
- P4 DEEP RUSSSET - ICY #264
- P5 CLEMATIS WINE - ICY # 1555
- P6 COPPER PENNY - ICY #363
- P7 PURPLE FIRE - ICY #1615
- P8 BLUE BLOOD - ICY #1523
- P9 ROSALE - ICY #126
- P10 PINK HONEY - ICY #109
- P11 PINK BLOSSOM - ICY #1510
- P12 GREEN WARD - ICY #1100
- P13 PINKIE - ICY #422



SCALE: 1/16" = 1'-0"

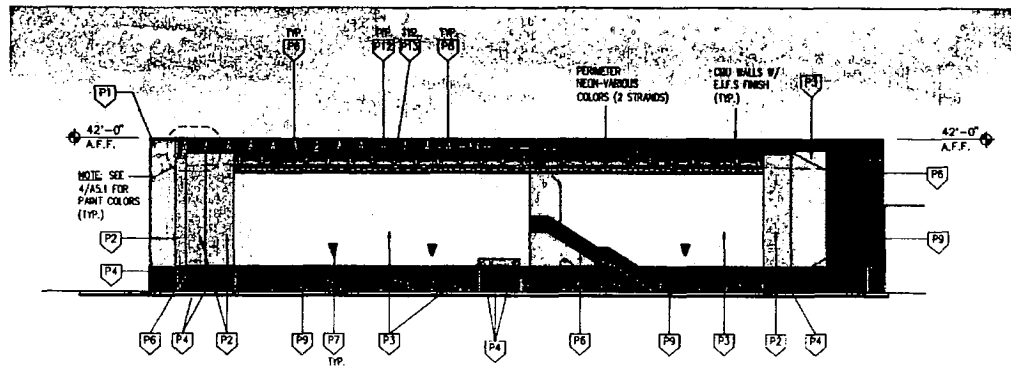
EXTERIOR ELEVATIONS

STATIONS CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

FEBRUARY 12, 2004

CENTURY
THEATRES

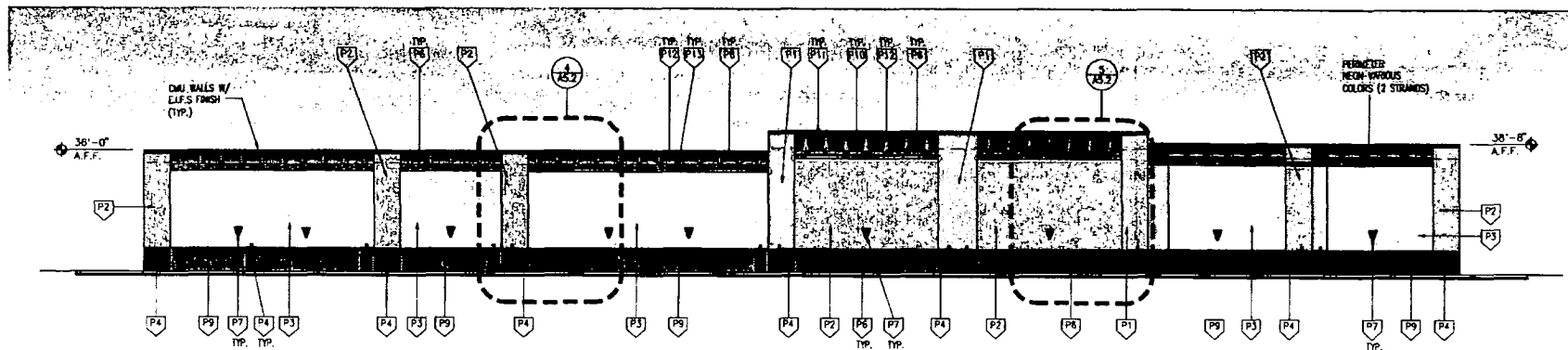
SDR-3923
3-25-04 PC



3 EAST EXTERIOR ELEVATION

COLOR LEGEND

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- P4 DEEP RUSETT - IC #264
- P5 CLEMATIS VINE - IC #1505
- P6 COPPER PENNY - IC #383
- P7 PURPLE FARE - IC #1815
- P8 BLUE BLOOD - IC #1523
- P9 ROSAUE - IC #129
- P10 RIDING HOOD - IC #168
- P11 PRELUDE BLUE - IC #1519
- P12 GREENSHAWD - IC #1106
- P13 CAROTENE - IC #402



4 SOUTH EXTERIOR ELEVATION

0 8' 16' 32'
SCALE: 1/16" = 1'-0"

EXTERIOR ELEVATIONS

STATIONS CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

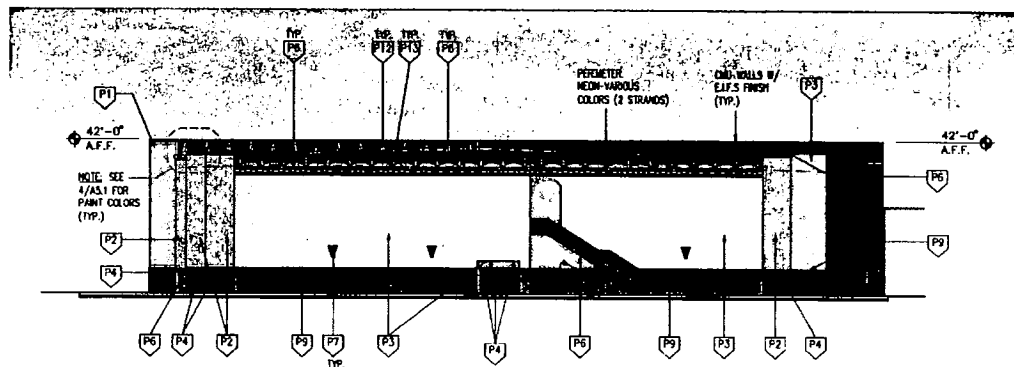
FEBRUARY 10, 2004

433 Eighth Avenue
Suite A
San Diego, CA 92101
Tel (619) 234-6000
Fax (619) 234-6126

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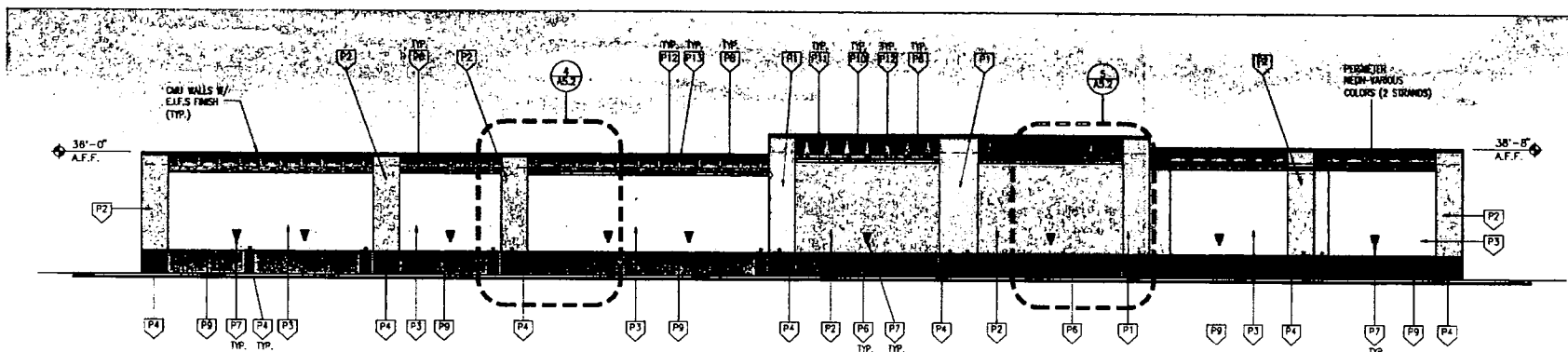
CENTURY
THEATRES

SDR-3923
3-25-04 PC

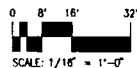


COLOR LEGEND

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- [P3] GOLDEN CHAMPAGNE - ICJ #549
- [P4] DEEP RUSSSET - ICJ #264
- [P5] CLEMATIS VINE - ICJ #1585
- [P6] COPPER PENNY - ICJ #563
- [P7] PURPLE FIRE - ICJ #1615
- [P8] BLUE BLOOD - ICJ #1523
- [P9] ROSAUE - ICJ #129
- [T1] RING HOOD - ICJ #100
- [T2] PRELUDE BLUE - ICJ #1519
- [T3] GREENSHAWD - ICJ #1106
- [T4] CAROTENE - ICJ #402



4 SOUTH EXTERIOR ELEVATION



EXTERIOR ELEVATIONS

STATIONS CASINOS - SANTA FE STADIUM 16
LAS VEGAS, NEVADA

CENTURY
THEATRES

SDR-3923
3-25-04 PC

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New Mexico, NM 87501
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Fax: (505) 224-1000

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SDR-3923 - APPLICANT/OWNER: SANTA FE STATION, INC.
4949 NORTH RANCHO DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-3288 - **APPLICANT:**
PAUL AND SANDY BROSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE
SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family
dwelling at 304 Canyon Drive (APN 139-32-211-031), R-E (Residence Estates) Zone, Ward 1
(Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF – ABEYANCE to 5/5/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILWOMAN MONCRIEF stated she would hold this item in abeyance to allow time to
speak with the applicants.

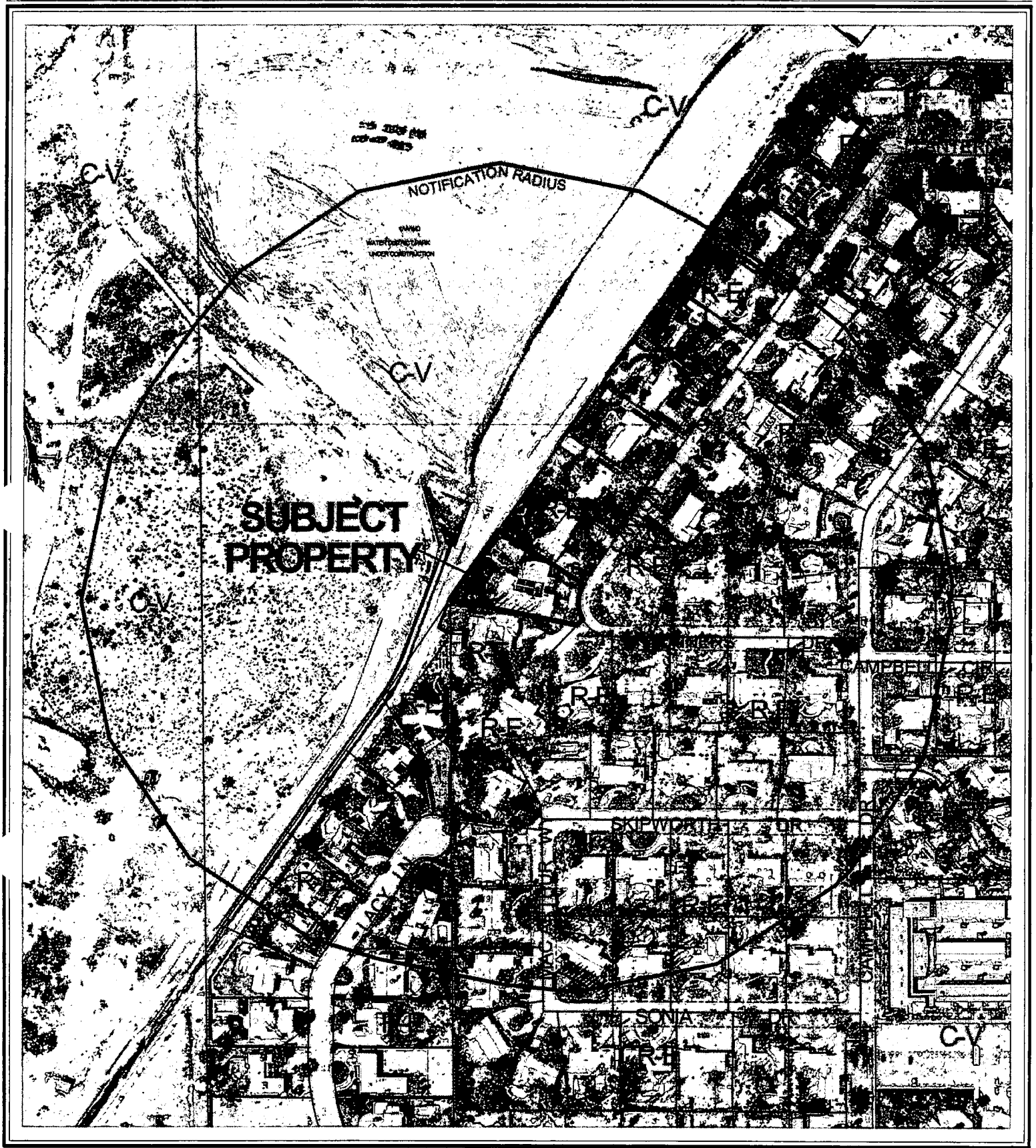
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:03 – 2:04)

4-882





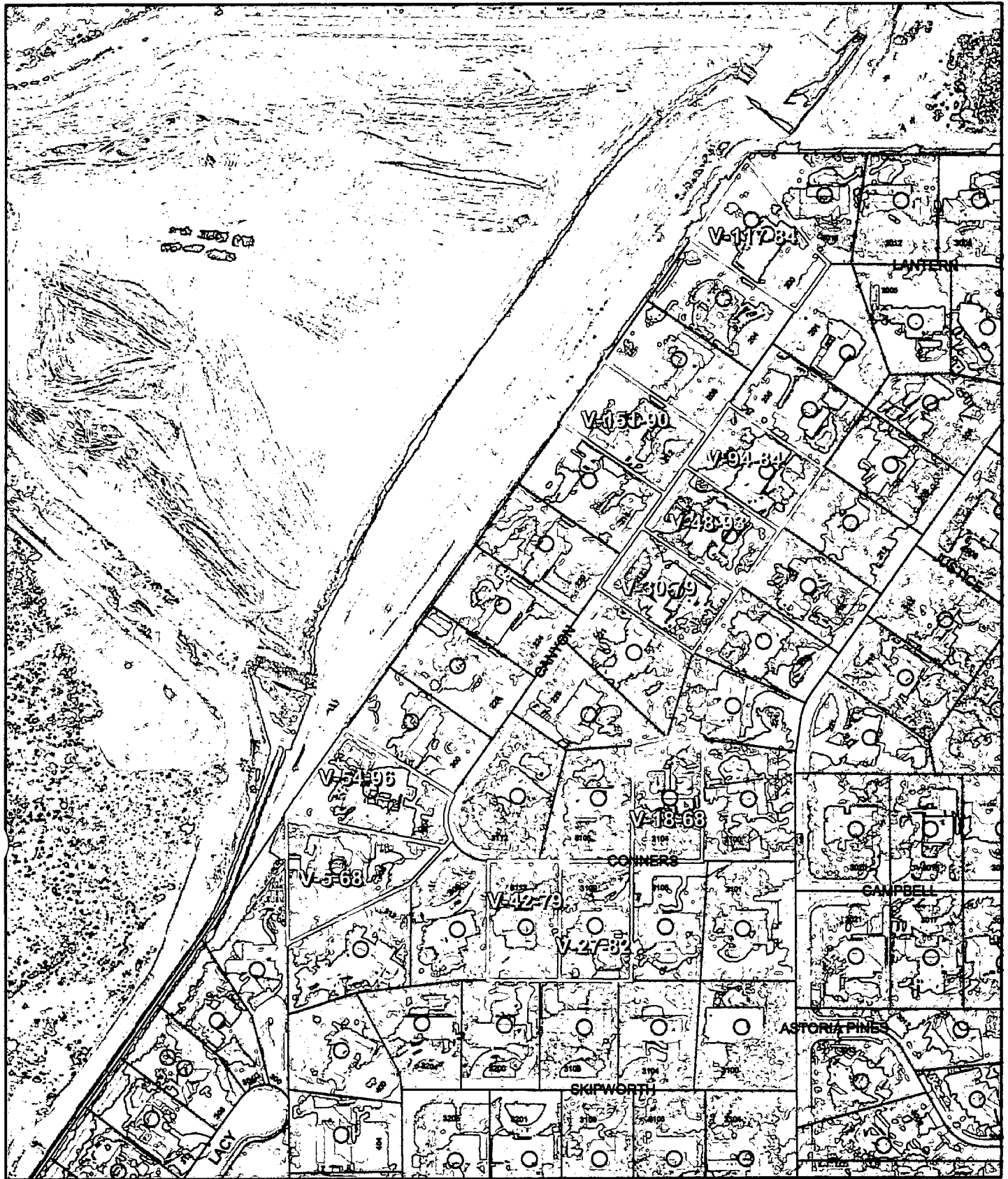
CASE: **VAR-3288**

RADIUS: 750 FT

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

0 200 400 Feet





VAR-3288

Legend

-  Subject Property
-  Other Properties with Variances

Variances

0 187.5 375 750 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-3288 - APPLICANT: PAUL AND SANDY BROSSAU

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. 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.
2. Conformance to the site plan as submitted.
3. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow a proposed addition to an existing single family dwelling to be 5 feet from the side property line where 10 feet is required at 304 Canyon Drive.

This item was abeyed from the 12/18/03 Planning Commission meeting in order for the applicant to meet with surrounding property owners.

B) Applicant's Justification

The applicant's justification letter states that the optimal solution to design considerations in matching the new addition floor plan to the existing house and meeting the desired space requirements is to place the new addition 5 feet off the property line and many developments do not have the full 10-foot side yard setback.

BACKGROUND INFORMATION

A) Previous Actions

03/28/68	The Board of Zoning Adjustment approved a Variance (V-0005-68) to allow a single family dwelling 38 feet from the front property line where 50 feet is required at 308 Canyon Drive.
07/03/68	The Board of City Commissioners granted an appeal of a Board of Zoning Adjustment denial of a Variance (V-0018-98) thereby allowing a walk-in closet addition 4 feet from the side property line where 10 is required at 304 Conners Drive.
05/24/79	The Board of Zoning Adjustment approved a Variance (V-0030-79) to allow a room addition 8 feet from the side property line where 10 feet is required at 217 Canyon Drive.
07/26/79	The Board of Zoning Adjustment approved a Variance (V-0042-79) to allow a carport 38 feet from the front property line where 50 feet is required at 217 Canyon Drive.
04/22/82	The Board of Zoning Adjustment approved a Variance (V-0027-82) to allow an addition 41 feet from the front property line where 50 feet is required at 3109 Conners Drive.

- 08/23/04 The Board of Zoning Adjustment approved a Variance (V-0094-84) to allow room additions 5.5 feet from the side property line where 10 feet is required and 30 feet from the rear property line where 35 feet is required at 209 Canyon Drive.
- 10/25/84 The Board of Zoning Adjustment approved a Variance (V-0117-84) to allow an addition 5 feet from the side property line where 10 feet is required at 200 Canyon Drive.
- 12/27/90 The Board of Zoning Adjustment approved a Variance (V-0151-90) to allow an addition 5.5 feet from the side property line where 10 feet is required at 212 Canyon Drive. An Extension of Time was granted for this Variance on January 28, 1992.
- 07/21/93 The City Council granted an appeal of a Board of Zoning Adjustment denial of a Variance (V-0048-93) thereby allowing a patio cover 5 feet from the side property line where 10 feet is required at 213 Canyon Drive.
- 05/28/96 The Board of Zoning Adjustment approved a Variance (V-0054-96) to allow room additions 6 feet from the side property line where 10 feet is required and 35 feet from the front property line where 50 feet is required and to allow a 2-foot wrought-iron extension to an existing 6-foot high block wall along the side and rear property line where 6 feet is the maximum height allowed on the subject site.
- 07/01/97 The Board of Zoning Adjustment approved an Extension of Time [V-0054-96(1)] for an approved Variance on the subject site.
- 12/18/03 The Planning Commission held this item in abeyance to allow the applicant time to meet with the neighbors.
- 02/12/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #21/al).

B) Pre-Application Meeting

- 10/17/03 No outstanding issues were noted at the pre-application meeting.

C) Neighborhood Meetings

The applicant has engaged in ongoing discussions with the protesting parties and has stated a compromise has been reached.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.68

B) Existing Land Use

Subject Property: Single Family Dwelling
North: Single Family Dwelling
South: Single Family Dwelling
East: Single Family Dwelling
West: Future Las Vegas Springs Preserve

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: PF (Public Facilities)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: C-V (Civic)

E) General Plan Compliance

The DR (Desert Rural Density Residential) category of the Southeast General Plan allows a maximum of two dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots.

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

The Planning and Development Department performed a land use study on the Rancho/Charleston Area beginning in 2001. The goal of the study was to identify a means of preserving the integrity of the subject neighborhoods through land use planning. The plan recommended that the city begin to promote Charleston Boulevard as an office corridor throughout the Study Area, and allow only very low-density single-family development in the areas that are currently developed at this density. The study resulted in a city-initiated General Plan Amendment (GPA-0047-01) to modify land use designations on a large portion of the Southeast Sector Plan. The General Plan Amendment was approved by the City Council on January 10, 2002.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 SF	29,137 SF	Y
Min. Lot Width	30' Feet (for lots along circular portion of a cul-de-sac)	59 Feet	Y
Min. Setbacks			
• Front	50 Feet	38 Feet	N
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	35 Feet	65 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories /35 Feet	26 Feet (overall ht. of dwelling)	Y

The existing single-family dwelling does not meet the front or side yard setbacks due to a previous Variance (V-0054-96), which allowed reductions for a proposed addition that has since been constructed. The addition proposed at this time, will allow encroach into the north side yard setback by 5 feet.

B) General Analysis and Discussion

As detailed in the background information, a survey of the immediate area surrounding the subject site revealed ten variances concerning setbacks within a one-block radius. However, the Planning and Development Department's recommendation is based upon the merits of each application. Previous variances can be considered in determining the appropriateness of a variance, but is not determinative. The burden of proof for approval of a Variance requires the presence of a hardship that is not solely personal, self-created or financial in nature. The lack of such hardship, as the site has no inherent topographical constrictions or extraordinary situations, on this site does not warrant a recommendation of approval.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship attempting to overbuild the site. Alternative designs would allow conformance to the Title 19 requirements as the applicant has ample area in the rear yard for additional living space. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

There was one neighbor who spoke at the Planning Commission hearing. Particular concern was expressed due to the Variance to allow two-story construction.

NOTICES MAILED 68 by City Clerk

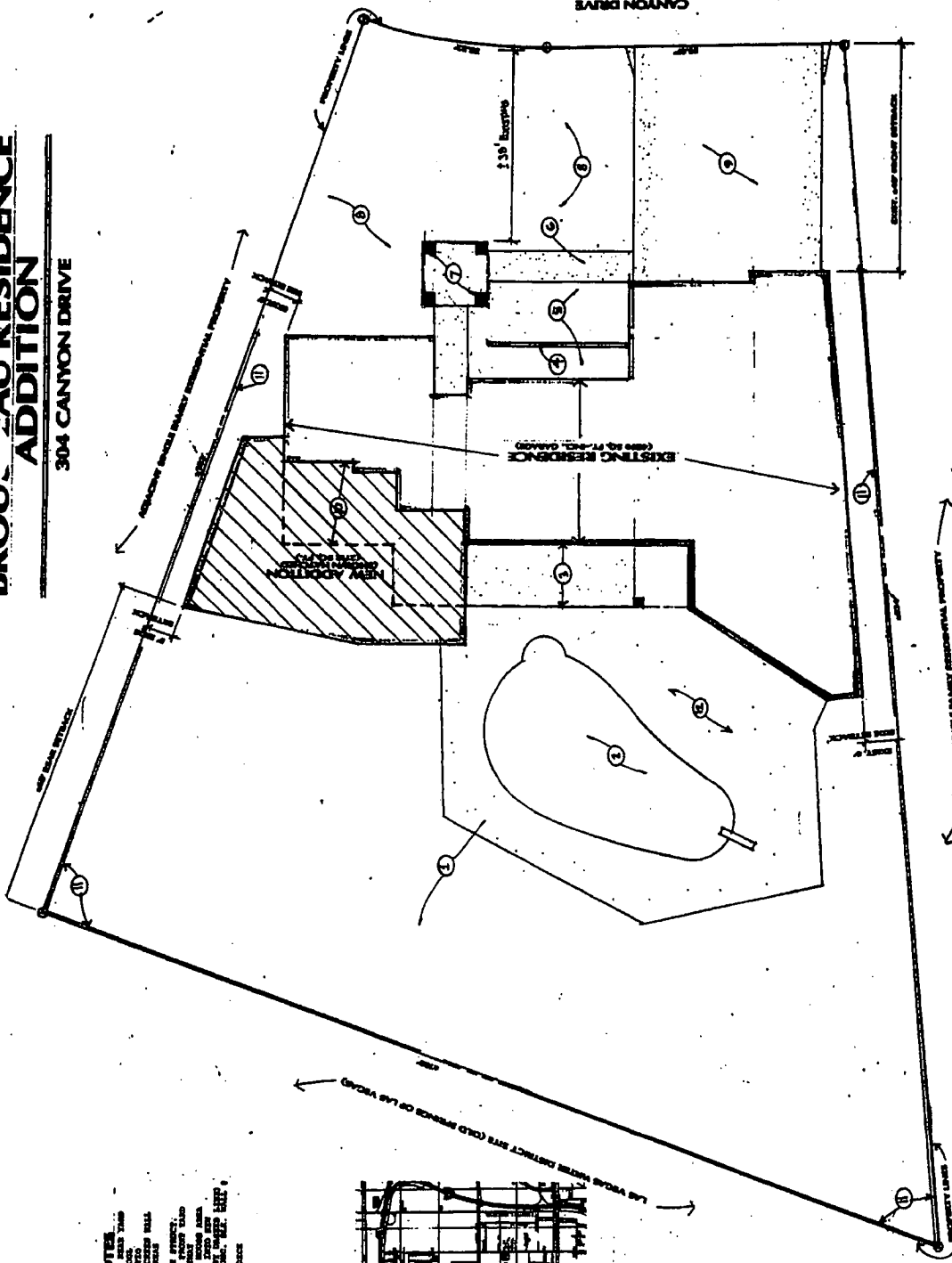
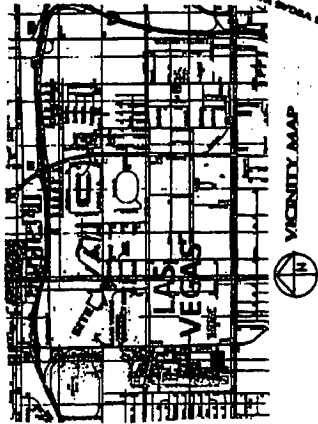
APPROVALS 0

PROTESTS 1



BROU...AU RESIDENCE ADDITION 304 CANYON DRIVE

- KEYNOTE**
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SITE PLAN



SO. FOOTAGE
EXIST. HOUSE - 400 SQ. FT. GROUND GARAGE
NEW ADDITION - 100 SQ. FT. GROUND GARAGE

STAFF
VAR-3288
12-18-03 PC

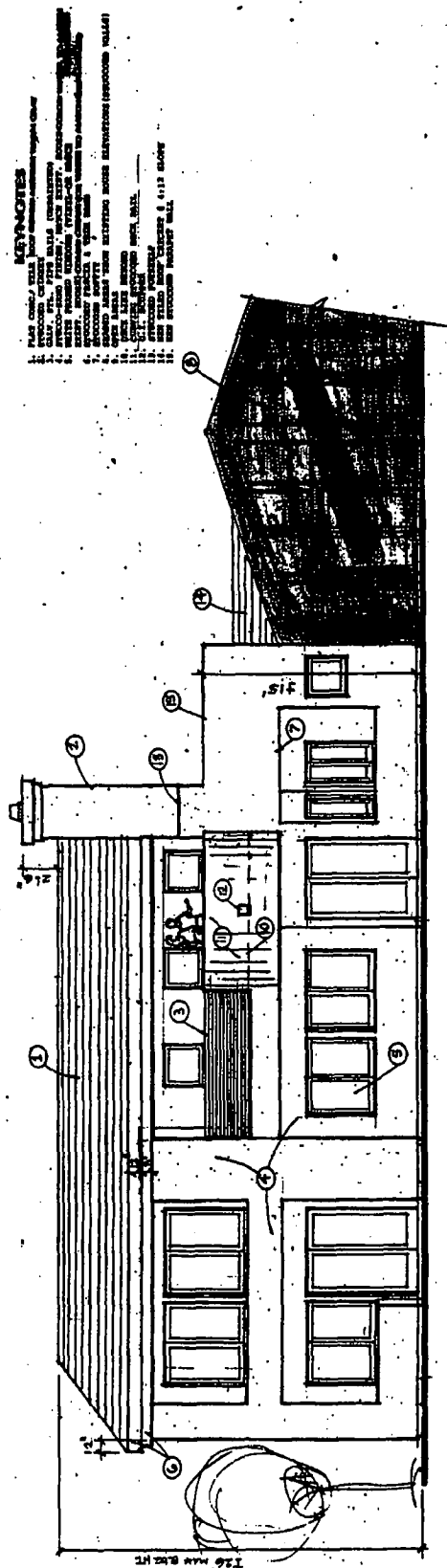


FIRST FLOOR PLAN

STAFF
VAR-3288
12-18-03 PC



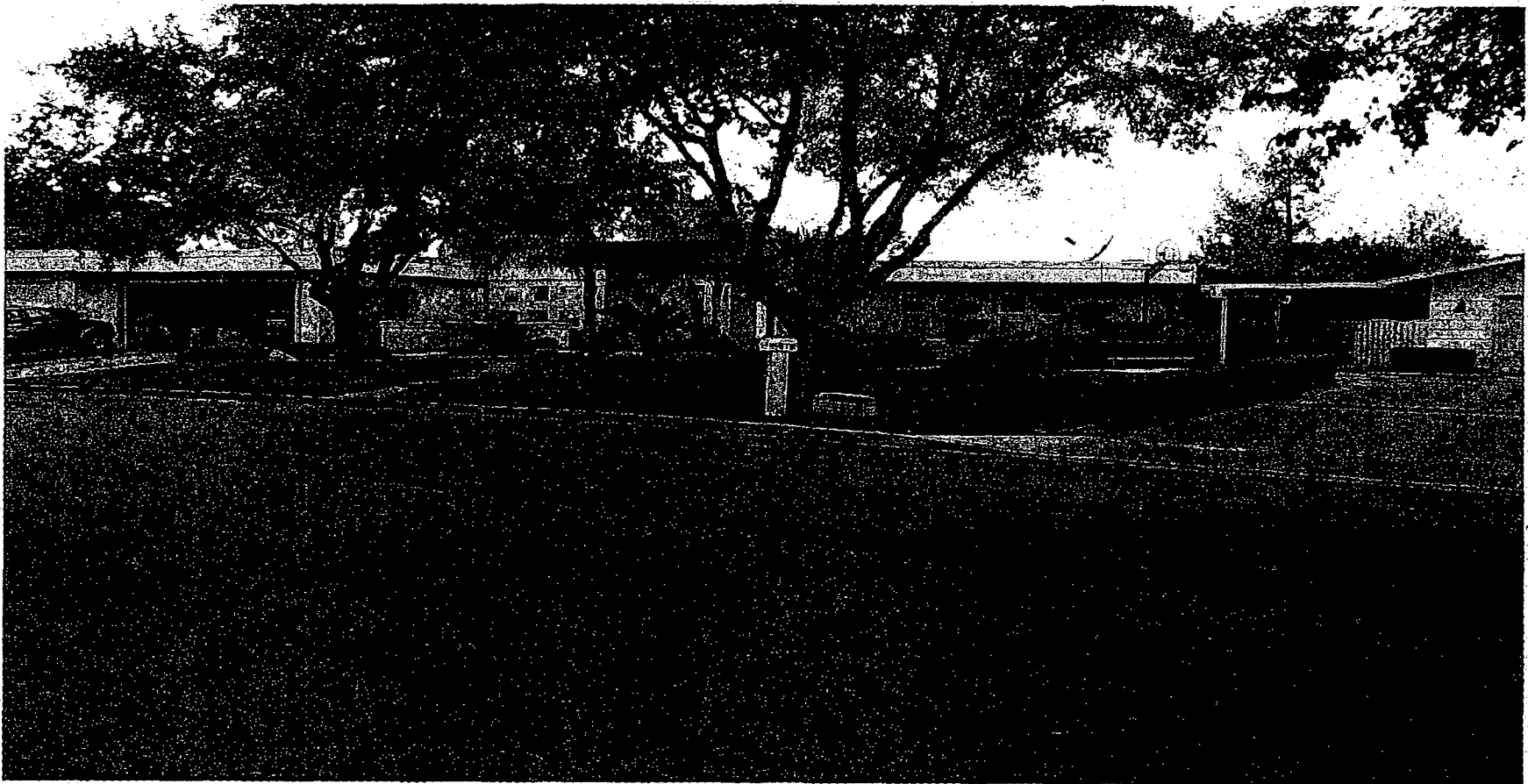
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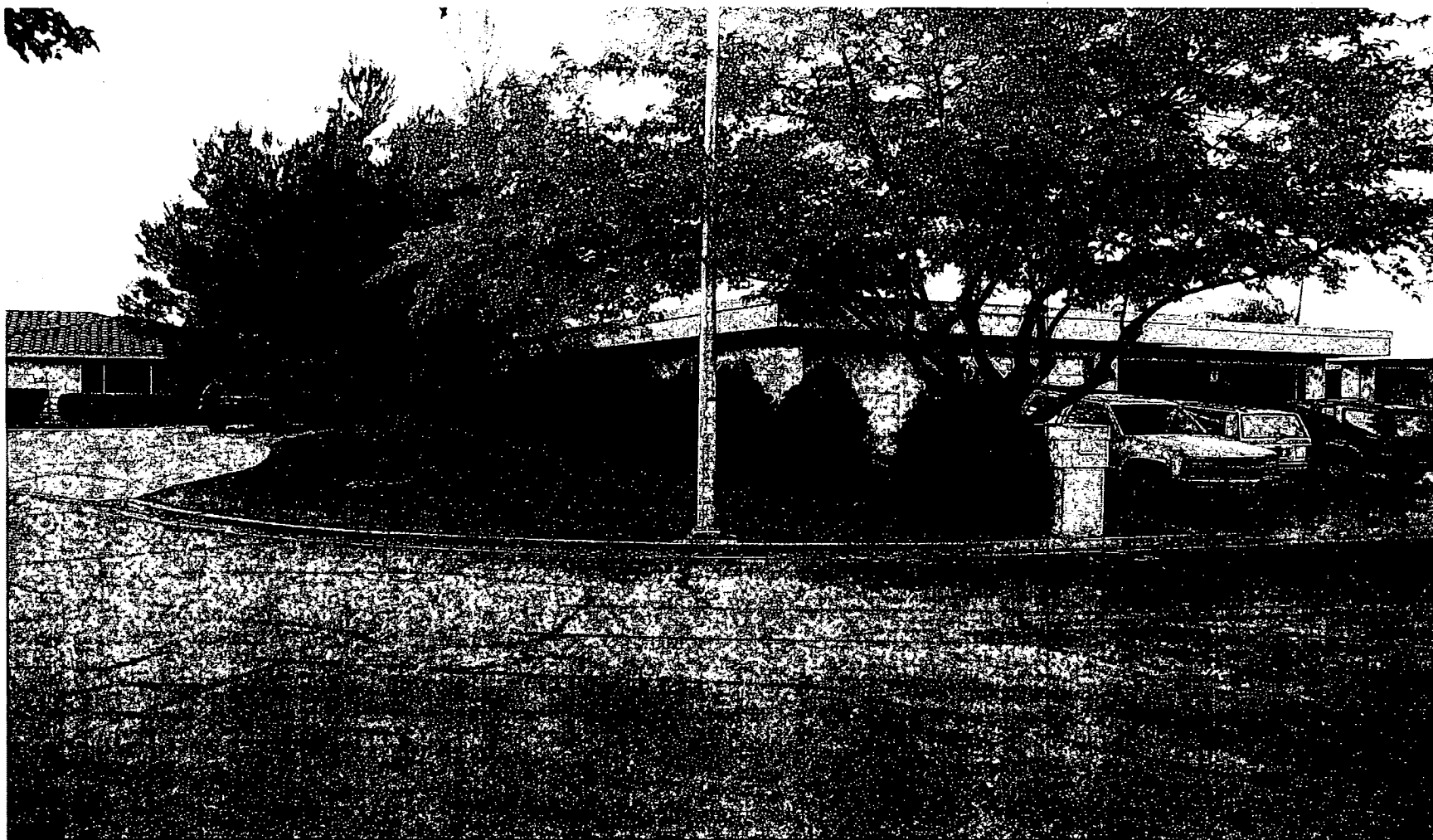
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VAR-3288
12-18-03 PC
STAFF



VAR-3288 - PAUL AND SANDY BROSSAU
304 CANYON DRIVE
FEBRUARY 12, 2004 PLANNING COMMISSION

11/25/03



VAR-3288 - PAUL AND SANDY BROSSEAU
304 CANYON DRIVE
FEBRUARY 12, 2004 PLANNING COMMISSION

11/25/03



VAR-3288 - PAUL AND SANDY BROSSAU
304 CANYON DRIVE
FEBRUARY 12, 2004 PLANNING COMMISSION

11/25/03

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 30 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.32 acres adjacent to the northeast corner of Maverick Street and Racel Street (APN 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (5-0-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter by VTN Nevada

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow, explained that the development is a 17-lot R-E subdivision. He expressed the developer's wish to be able to offer every house and lot with every option. These options include architectural embellishments of a front porch and bay window. Installation of this porch would result in a setback encroachment of approximately 4 feet. Because the bay window contains living space, it is required to be behind the setback. He referenced a diagram indicating the amount of encroachment and requested approval on the variance.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 123 – VAR-3762

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, told the Council he feels bay windows and front porches help to bring a community together. They encourage camaraderie among neighbors. COUNCILMAN MACK agreed.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

MAYOR GOODMAN informed the audience members that COUNCILMAN MACK had a prior commitment and would be excused from the remainder of the session. He asked if anyone in the audience was preparing to speak against any agenda item that would require the COUNCILMAN to remain to participate in any highly contested items. No speakers were identified.

TODD FARLOW, 240 North 19th Street, expressed concern COUNCILMAN BROWN did not vote on Item 88 during the a.m. session and confirmed COUNCILMAN MACK had voted. COUNCILMAN MACK was then excused.

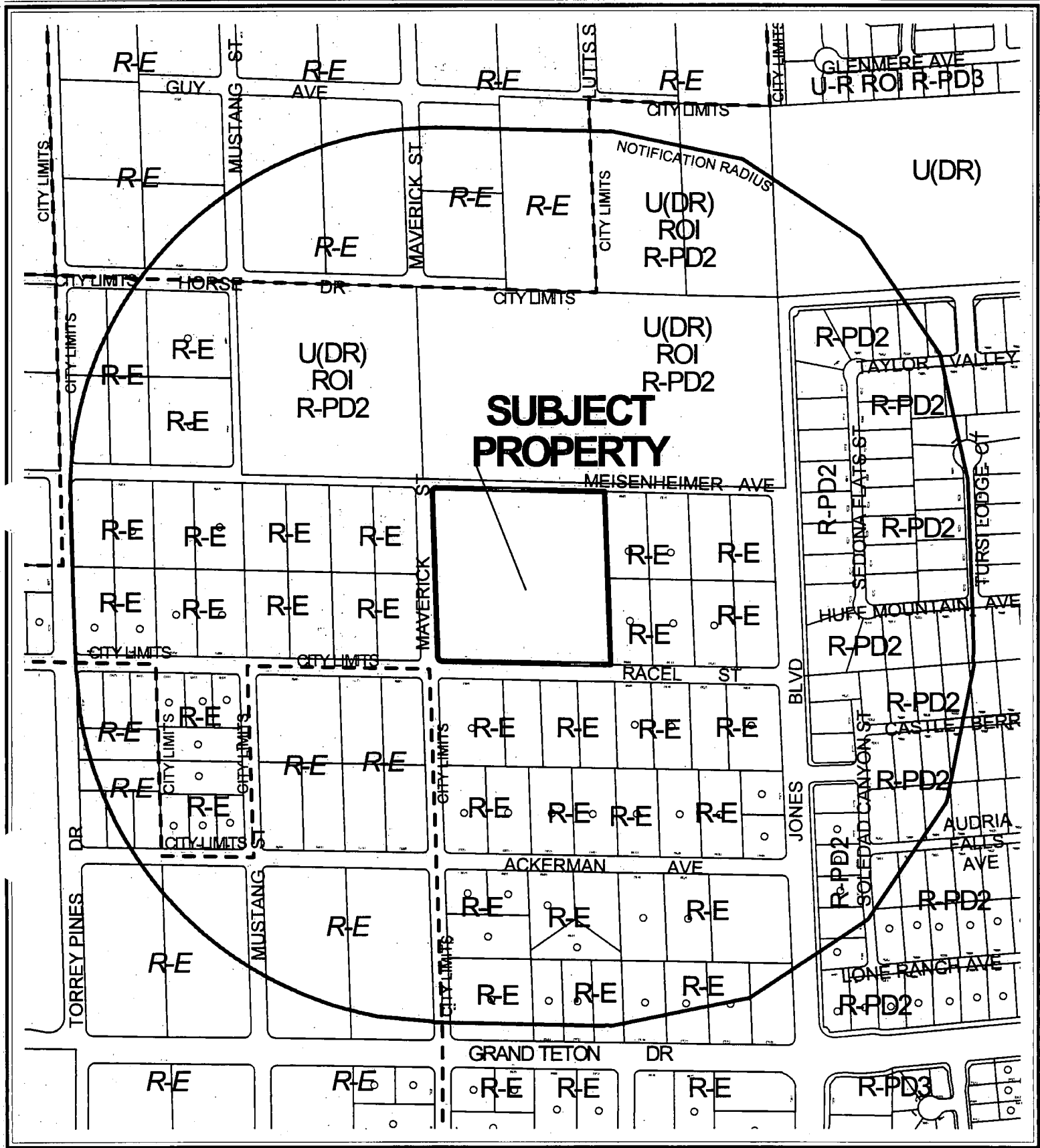
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4-908

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Tentative Map (TMP-3639).
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.

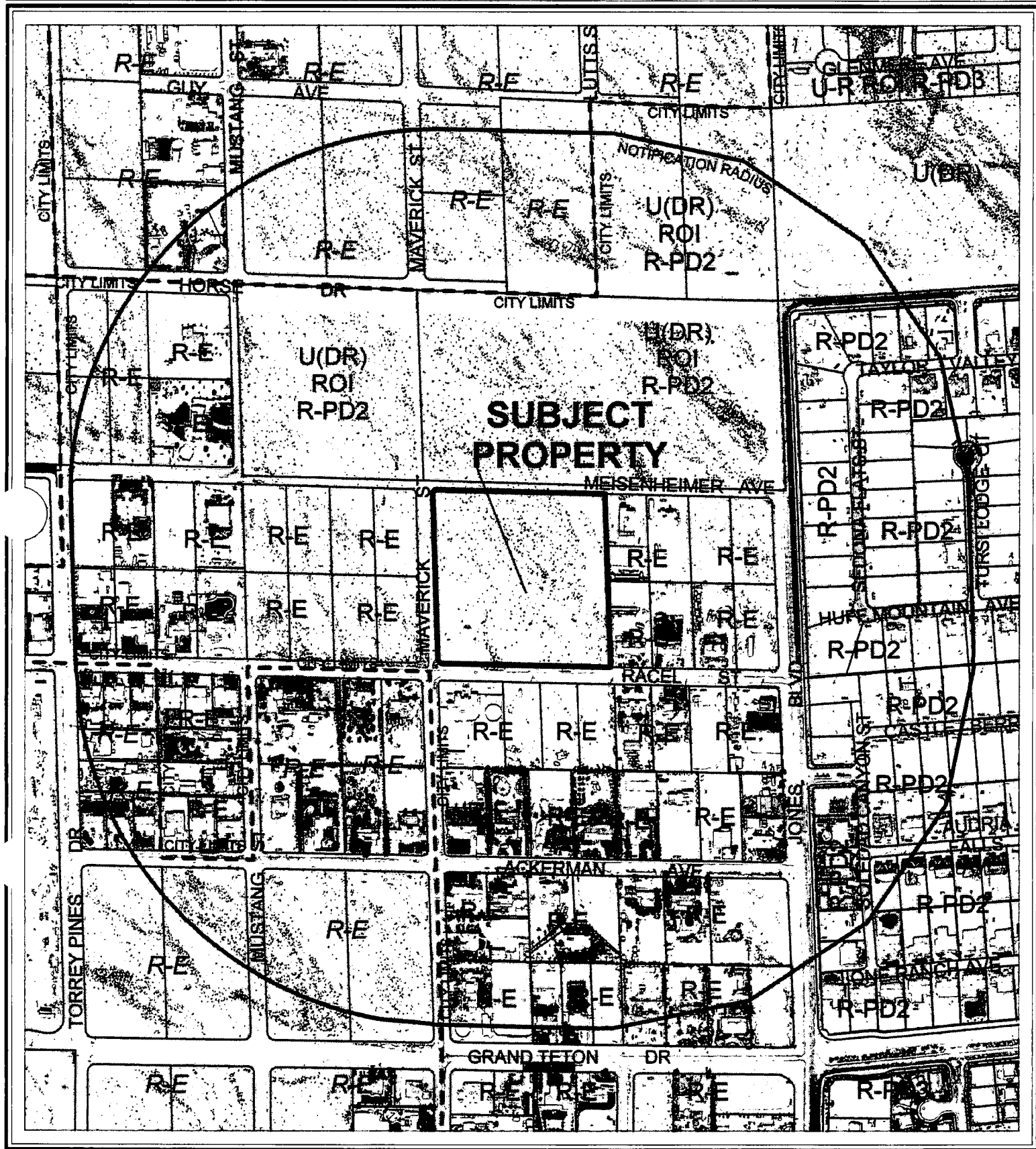


CASE: VAR-3762

RADIUS: 1320 FT

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





CASE: **VAR-3762**

RADIUS: 1320 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT -

OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (5-0-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Tentative Map (TMP-3639).
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 is an Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Variance to allow 25-foot front setbacks and 30-foot rear setbacks where 30 feet and 35 feet are required respectively for a residential subdivision titled Quarterhorse Estates Unit 1 consisting of 17 single-family lots on 9.32 acres adjacent to the northeast corner of Racel Street and Maverick Street.

B) Applicant's Justification

The applicant is requesting relief from the setback standards in order to allow a greater level of facade articulation due to the size of the homes proposed for the subject site.

BACKGROUND INFORMATION

A) Previous Actions

- 02/04/04 The City Council approved a Special Use Permit (SUP-3359) for Private Streets on the subject property. The Planning Commission and staff recommended approval.
- 02/26/04 The Planning Commission approved a Tentative Map (TMP-3639) titled Quarterhorse Estates Unit 1, a 17-lot single-family residential subdivision on the subject site. Staff recommended approval.
- 03/25/04 The Planning Commission voted 5-0-2 to recommend DENIAL (PC Agenda Item #31/pb).

B) Pre-Application Meeting

- 01/23/04 The applicant was advised to request a setback standard for all lots that would provide enough relief for the worst possible condition. The applicant explained that 25-foot fronts and 30-foot rears would accommodate all floor plans on all lots.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.00
Net Acres: 9.32 (Approximately 9.5 acres if Maverick Street is vacated)

B) Existing Land Use

Subject Property: Undeveloped
 North: Single Family Dwellings (Under Construction)
 South: Single Family Dwellings, Undeveloped
 East: Single Family Dwellings
 West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
 North: U (DR) U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
 South: R-E (Residence Estates)
 East: R-E (Residence Estates)
 West: R-E (Residence Estates)

E) General Plan Compliance

This site is designated DR (Desert Rural Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is one of the two zoning districts consistent with the DR (Desert Rural Density Residential) residential category of the General Plan and therefore is in conformance with the General Plan.

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

Approximately two-thirds of the subject site falls within Rural Preservation Neighborhood 330-foot buffer zones. The eastern half of the site falls within a Rural Preservation Neighborhood buffer generated by the presence of a Rural Preservation Neighborhood immediately to the east of the subject site and located within the City of Las Vegas. The southwestern corner of the site is within a buffer generated by residential estates development located within unincorporated Clark County. Nevada Revised Statute 278 limits residential development within these 330-foot buffer zones to an average density of three residential dwelling units per acre. The development's proposed density of 1.5 dwelling units per acre is within the parameters of the Rural Preservation Neighborhood legislation.

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	20,000 Square Feet	20,010 – 22,092 S.F.	Y
Min. Lot Width	100 Feet ¹	100 Feet ¹	Y
Min. Setbacks			
• Front	30 Feet ²	25 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	35 Feet	30 Feet	N
Number of Lots	1	17	Y
Max. Density	2.0 D.U.A.	1.70 D.U.A	Y
Private/Public Street	N/A	Private	Y
Min. Street Width	39 feet	39 feet	Y

¹ 30-foot lot width allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.

² A 25-foot setback is allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.

The approved Tentative Map (TMP-3639) met all of the development standards of Title 19.08, however the applicant is now requesting to deviate from the setback standards with this Variance application.

B) General Analysis and Discussion

The applicant is proposing to reduce the front setback from 30 feet to 25 feet, a reduction of 17%; and to reduce the rear setback from 35 feet to 30 feet, a reduction of 14%. Relief for lots on the circular portion of cul-de-sacs or knuckles are already allowed in the form of a front setback reduction to 25 feet. Overall, the increase of buildable area for typical lots would be a minimum of 1,000 square feet, although lot coverage is still limited to 50% for each lot.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing R-E (Residence Estates) lots that are wider than the 100-foot minimum lot width, and are very close to the 20,000 square foot lot size minimum. Because the width is increased and the lot size is not, the depths of the lots are limited and do not accommodate the optional façade articulations the applicant would like to offer on their homes. Alternative home models would easily allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 107 By City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-3762** APN: 125-11-704-001

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development - Mickey Stratton

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

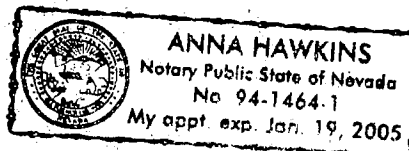
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: C. R. STRATTON PRES

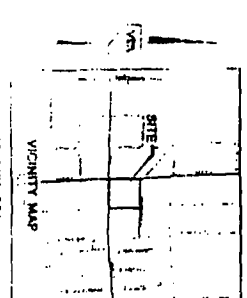
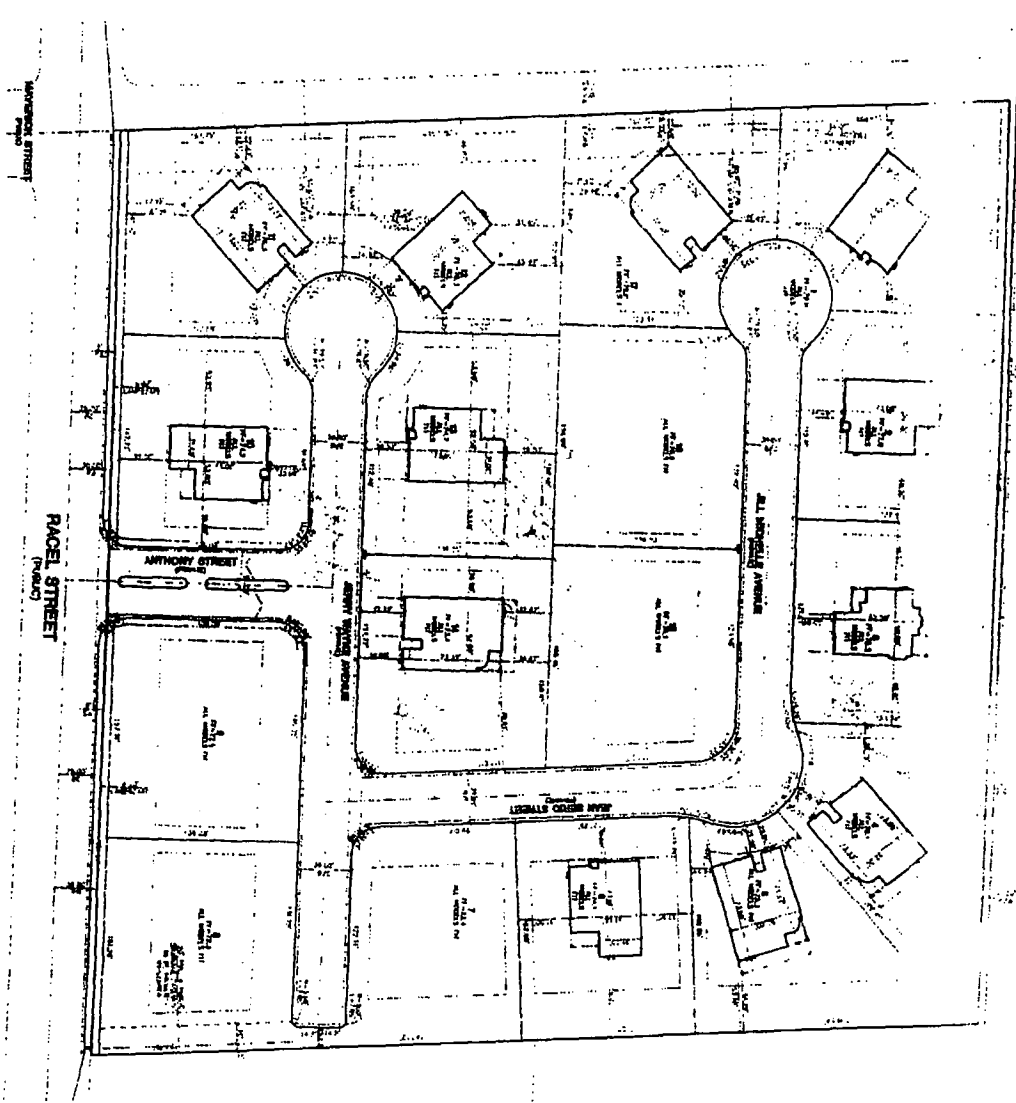
Subscribed and sworn before me

This 26 day of JANUARY, 2004

 Notary Public in and for said County and State



MEISSEMEIER STREET



GRAPHIC SCALE

REMARKS

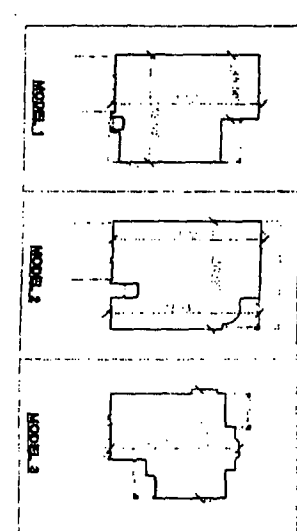
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Handwritten notes:

1. All finished areas are shown.

2. All areas are to be finished.

3. All areas are to be finished.

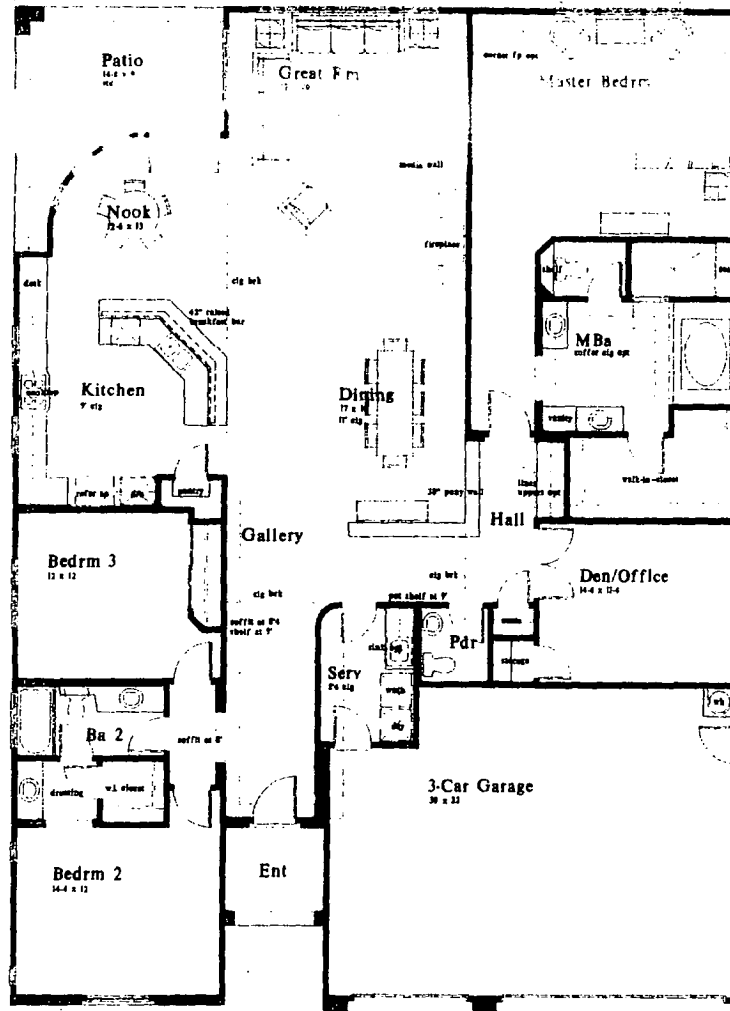
4. All areas are to be finished.

STERLING S. DEVELOPMENT 385 S. GARDEN LANE LAS VEGAS, NEVADA 89102 (702) 461-1111		CITY OF LAS VEGAS, NEVADA	
LOT FIT ANALYSIS		QUARTERHORSE ESTATES UNIT 1	
SHEET NO. 1 OF 1	DATE: 10/23/01 BY: [Signature] CHECKED BY: [Signature] DESIGNED BY: [Signature]	VTN Nevada	

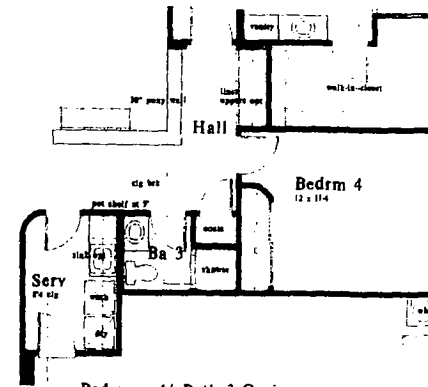
VAR-3762
3-25-04 PC

52'-0"

Enlarged Patio
12 x 19
pat



71'-0"



Bedroom 4/ Bath 3 Option

Sterling S

KTGY NO. 2003-757

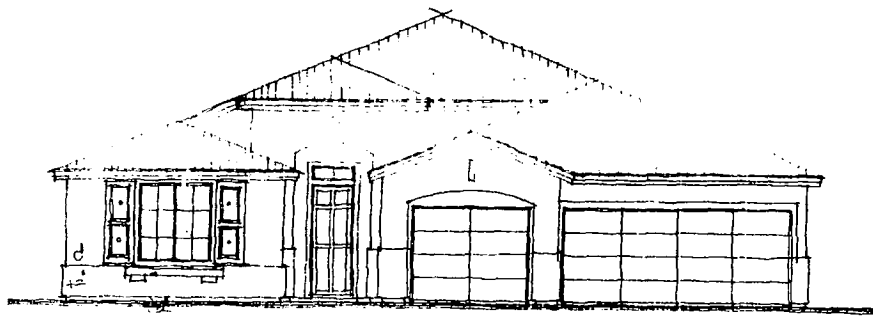
Conceptual Floor Plan 2 • 2,801 sqft
Quarterhorse Estates I
Las Vegas, Nevada



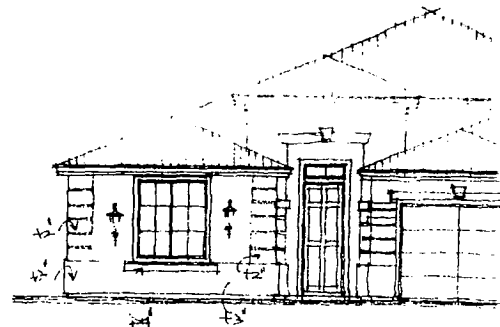
KTGY GROUP, INC.
ARCHITECTURE PLANNING
17522 MITCHELL ROAD
IRVINE, CALIFORNIA 92614
(949) 991-5155
FAX (949) 991-5155
ALL RIGHTS RESERVED

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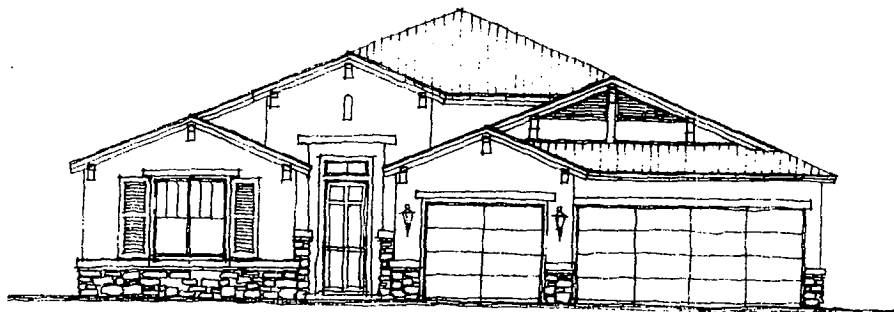
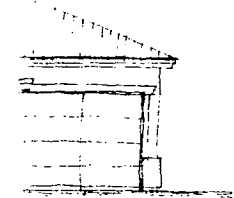
VAR-3762
3-25-04 PC



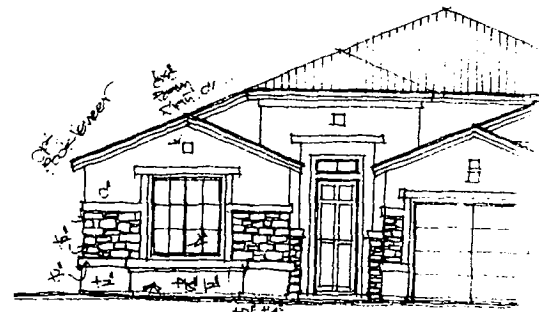
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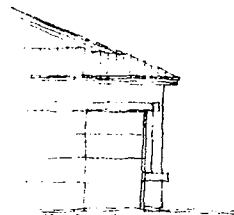
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2D



Sterling S

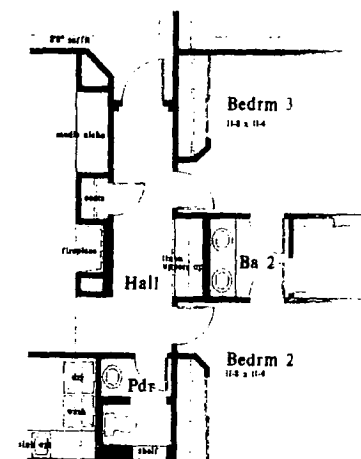
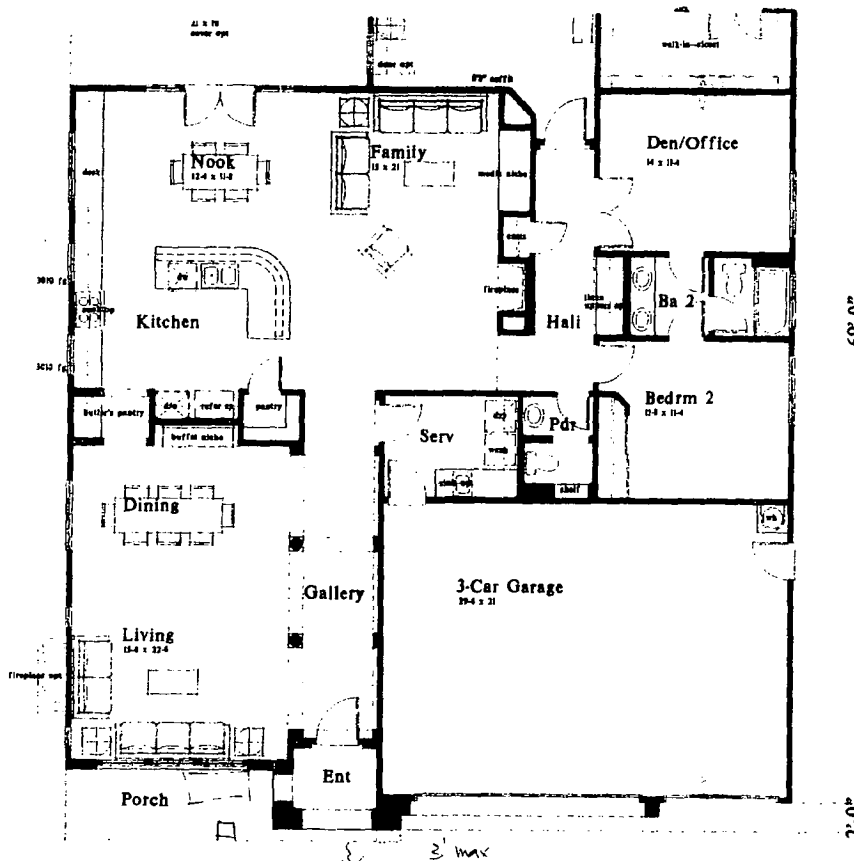
KTOY NO. 2003-757

Conceptual Front Elevations - Plan 2
 Quarterhorse Estates I
 Las Vegas, Nevada

KTGY GROUP, INC.
 ARCHITECTURE PLANNING
 15002 MITCHELL, SOUTH
 LAS VEGAS, CALIFORNIA 90114
 (760) 841-1111 FAX (760) 841-1111
 © 2004 ALL RIGHTS RESERVED

3 1/05/04

VAR-3762
 3-25-04 PC



Bedroom 3 Std Condition

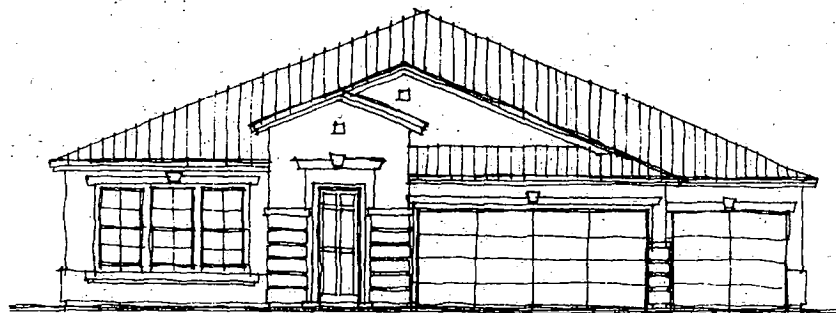
Conceptual Floor Plan 1 • 2,518 sqft
Quarterhorse Estates I
 Las Vegas, Nevada

Sterling S

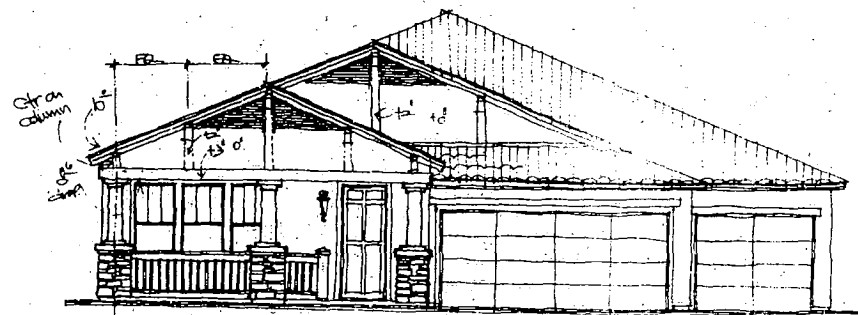
KTGY NO. 2003-757

KTGY GROUP, INC.
 ARCHITECTURE PLANNING
 15000 SUTHERLAND BOULEVARD
 IRVINE, CALIFORNIA 92614
 (949) 261-2128 FAX (949) 261-2128
 ALL RIGHTS RESERVED

VAR-3762
3-25-04 PC



1B



1C

Sterling S

KTGY NO. 2003-757

Conceptual Front Elevations - Plan I
Quarterhorse Estates I
 Las Vegas, Nevada



KTGY GROUP, INC.
 ARCHITECTURE PLANNING
 1999 MITCHELL SOUTH
 AVENUE, CALIFORNIA, 91604
 (818) 841-1111 FAX (818) 841-1111
 C 1999

1 1/05/04

VAR-3762
3-25-04 PC



3B



3C



3D

Sterling S

KTOY NO. 2003-757

Conceptual Front Elevations - Plan 3
 Quarterhorse Estates I
 Las Vegas, Nevada

KTGY GROUP, INC.
 ARCHITECTURE PLANNING
 17595 MITCHELL ROAD
 IRVINE, CALIFORNIA 92614
 (949) 851-3125 FAX (949) 851-3124
 C. 1998 ALL RIGHTS RESERVED

5 1/05/04

VAR-3762
3-25-04 PC



VAR-3762 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF MAVERICK STREET AND RACEL STREET
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



CONSULTING ENGINEERS • PLANNERS • SURVEYORS
PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

March 26, 2004
WO# 6294

VIA FACSIMILE: 382-4803

City of Las Vegas
City Clerk's Office
400 East Stewart Ave.
Las Vegas, NV 89101

RE: VAR-3762 – Sterling S. Development – Quarterhorse Falls Estate, LLC

On behalf of the applicant, VTN Nevada is appealing the Planning Commission's denial of VAR-3762. This item was heard at the Planning Commission's March 25, 2004 hearing (item #31). The applicant wishes to file this appeal so that VAR-3762 is forwarded to the April 21, 2004 City Council. Should you have any questions please call me at 253-2466. Thank you for your attention in this matter.

Respectfully,
VTN Nevada

A handwritten signature in black ink, appearing to read "Brian J. Psioda".

Brian J. Psioda, Associate
Planning Administrator

Cc Mickey Stratton, Sterling S. Development
Lora Dreja, VTN Nevada
Jim Thomas, VTN Nevada

2004 MAR 30 A 8:58

RECEIVED
CITY CLERK

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 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 (7-0 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 – Abeyance request by Neissan Koroghli for Item 124 [RQR-3930] and Item 125 [ROC-4121] filed in Item 124 [RQR-3930]

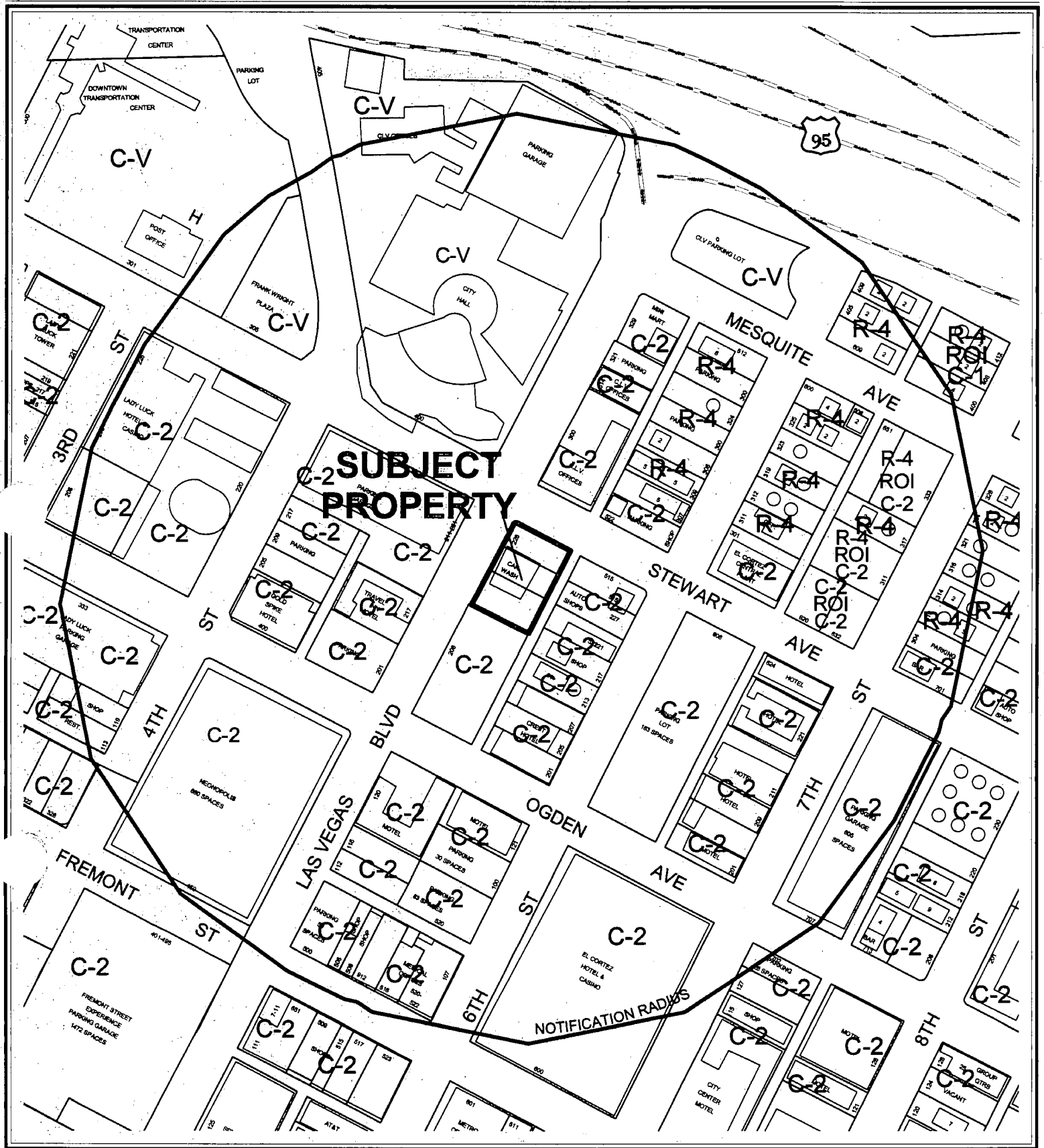
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121] and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and Item 135 [SDR-2458] to 5/5/2004 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(1:34 – 1:38)

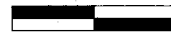


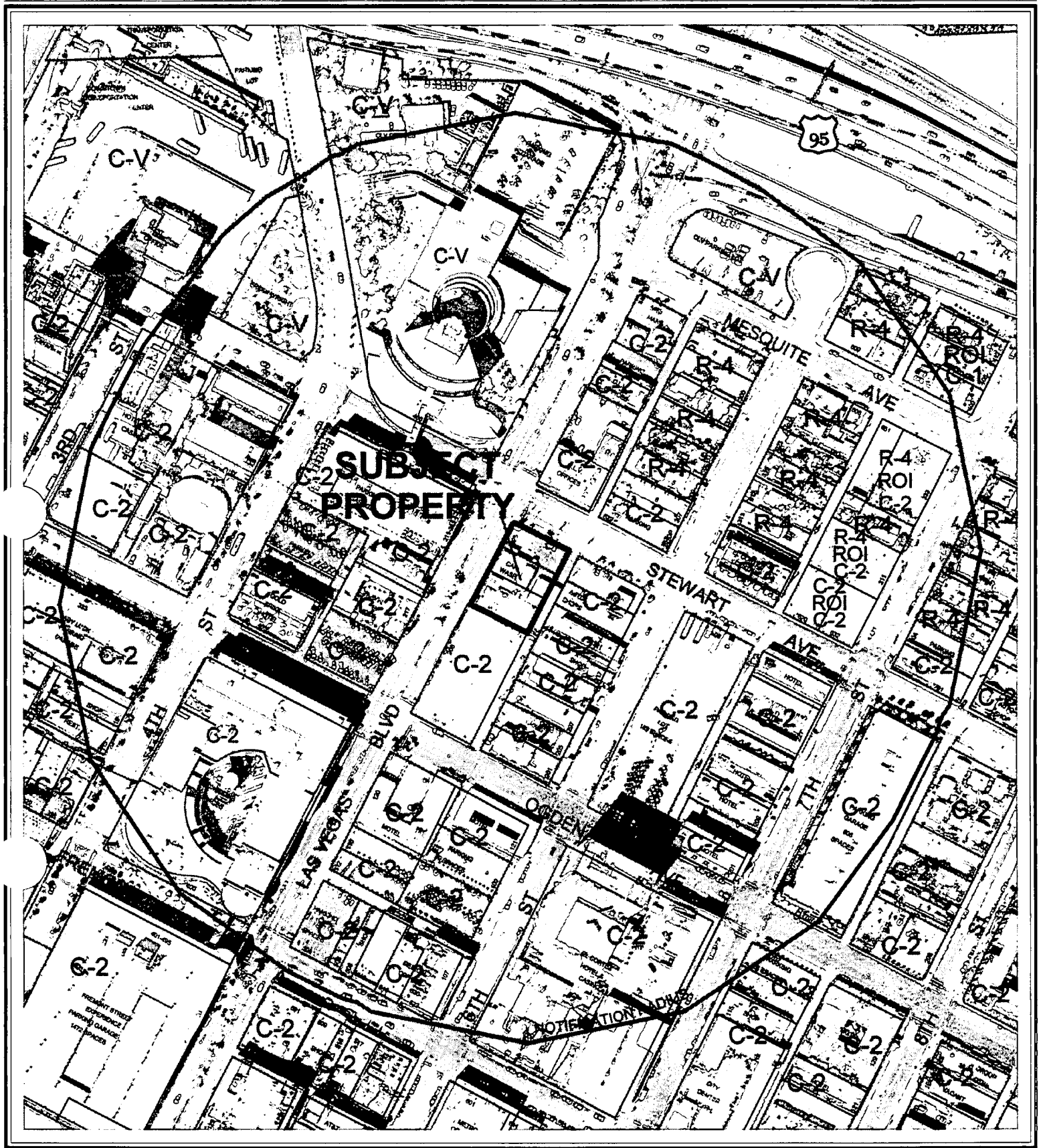
CASE: RQR-3930

RADIUS: 750 FT

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

0 100 200 Feet





CASE: **RQR-3930**

RADIUS: 750 FT

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

0 100 200 Feet





RQR-3930

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 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER:
FREMONT PLACE, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0106-02).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required Six Month Review of an approved Special Use Permit, which allowed a liquor establishment (off-premises consumption) in conjunction with a convenience store at 228 Las Vegas Boulevard North.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

- 12/04/02 The City Council approved the Special Use Permit (U-0106-02) to allow the liquor establishment (off-premises consumption) on this site. The Planning Commission and staff recommended denial on October 24, 2002.
- 10/02/03 The City Council approved a new version of the Downtown Redevelopment Plan (GPA-2497). The Planning Commission and staff recommended approval.
- 03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/mp).
- 04/21/04 The City Council will hear a request to review conditions pertaining to the sale of liquor.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45

B) Existing Land Use

Subject Property: Convenience Store and Car Wash
 North: City of Las Vegas Offices
 South: Undeveloped
 East: Automotive Repair Shop
 West: Parking Garage

C) Planned Land Use

Subject Property: DTR/ C (Downtown Redevelopment/ Commercial)
 North: DTR/ C (Downtown Redevelopment/ Commercial)
 South: DTR/ C (Downtown Redevelopment/ Commercial)
 East: DTR/ C (Downtown Redevelopment/ Commercial)
 West: DTR/ C (Downtown Redevelopment/ Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The site is designated DTR (Downtown Redevelopment) on the Southeast Sector Map of the General Plan. This location is shown as C (Commercial) on the DTR Map. The site is also located in the Downtown Centennial Plan area. The existing C-2 (General Commercial) Zoning designation is in conformance with the General Plan

<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

This site is located in the Las Vegas Redevelopment Plan and Downtown Centennial Plan areas. There are no requirements within these plans that would affect the continuation of the liquor establishment (off-premises consumption) use.

ANALYSIS

Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premises consumption)	A minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City Parks	There are no protected uses within the 400 foot distance separation requirement

The request meets Code standards for locating off-premise consumption liquor establishments.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-2 (General Commercial) which permits the liquor establishment (off-premise consumption) with the approval of a Special Use Permit. Special Use Permit (U-0106-02) was approved by City Council on December 4, 2002 with a condition requiring a review by the Planning Commission and City Council six-months after the approval of the Special Use Permit.

- Use

Title 19.040.050 the criteria for the approval of alcohol related uses. The Code requires the sale of packaged liquor for off-premise consumption to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City Park as measured from property line to property line. There are no protected uses that are known to be currently within the minimum separation distance requirement.

A report received from the Las Vegas Metropolitan Police Department indicates they responded to the following incidents at this location from February 14, 2003 to March 4, 2004:

<u>Incident</u>	<u>Number of Occurrences</u>
Unknown Problem	1
911 Disconnect	2
Burglary	2
Burglary Alarm	1
Petit Larceny	1
Other Disturbance	8
Sick or Injured Person	2
Suspicious Person	2

The Las Vegas Metropolitan Police Department has indicated they cannot confirm a relationship between above incidents and the sale of beer and wine at this location.

The liquor establishment (off-premises consumption) is not a use typically associated with a convenience store in a commercial area with the sale of alcohol normally limited to beer and wine. However, this use was approved with specific conditions governing the operation and has been conducted in a manner compatible with commercial development in the surrounding area. Therefore, this use remains appropriate at this location.

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 liquor establishment (off-premises consumption) is not a use typically associated with a convenience store in a commercial area. The sale of alcohol is usually limited to beer and wine. However, this use has been conducted in a manner compatible with commercial development in the surrounding area and remains an appropriate use at this location.

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

There are no physical constraints to the continuation of the liquor establishment (off-premise consumption) use on this 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 abutting street network will be adequate to meet the access requirements of the approved use in that Las Vegas Boulevard and Stewart Avenue are all fully developed Secondary Arterial roadways.

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

The subject establishment meets the minimum distance requirements for the projected uses as detailed in Title 19.040.050. The business will be subject to regular inspection by City and County regulatory agencies for business licensing, and will not compromise the public health, safety, and welfare.

NOTICES MAILED 43 By City Clerk

APPROVALS 0

PROTESTS 0

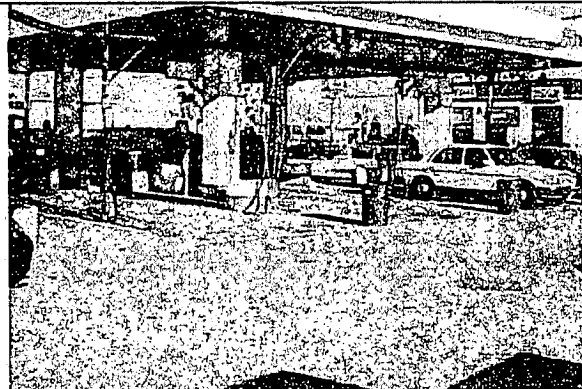


Photo #1 Car Wash Drop-off, Vacuums...



Photo #2 Car Wash Drop-off, Gas Pumps

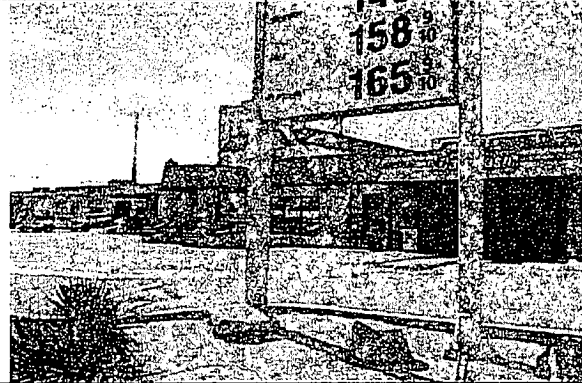


Photo #3 Signage, Car Wash Exit

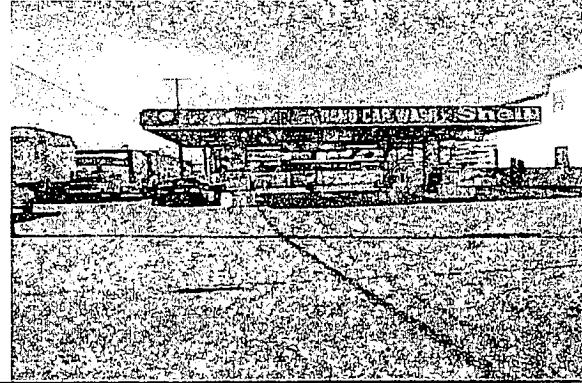


Photo #4 Car Wash Drop-off, Gas Pumps



Photo #5 Car Wash Exit

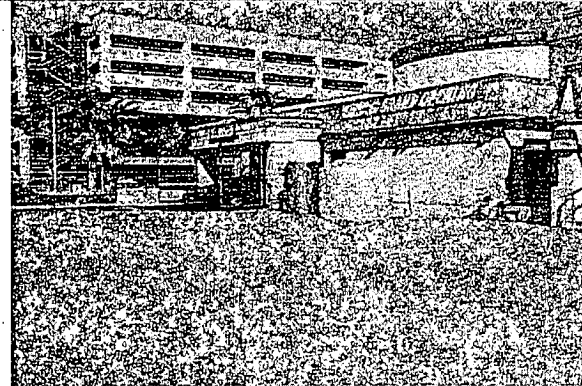
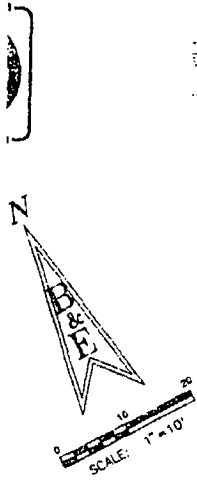


Photo # 6 Car Wash Entrance

RQR-3930
3-25-04 PC

STEWART AVENUE

SIXTH STREET



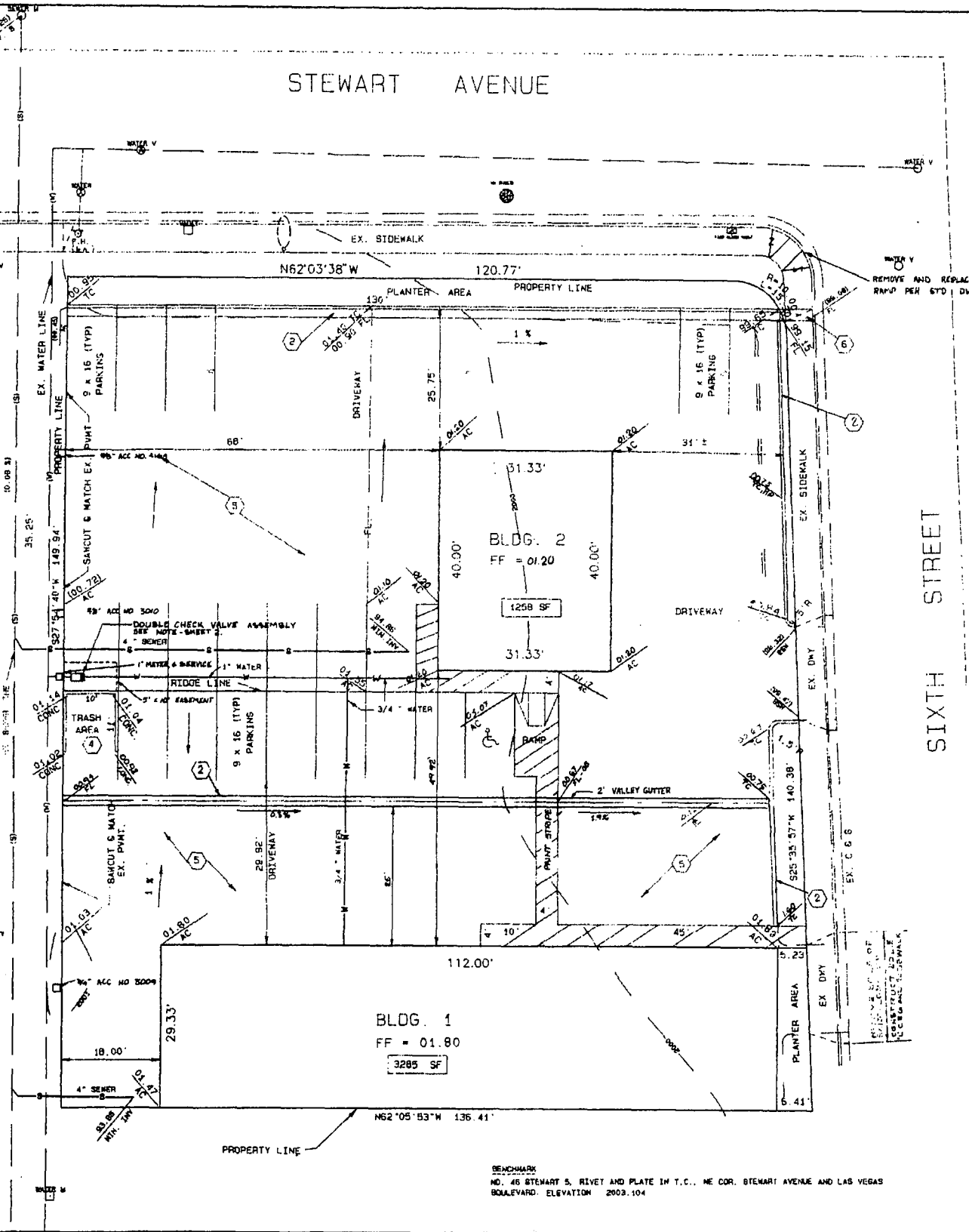
TO BE REMOVED
ACC. NO'S
004164 - 56"
005010 - 56"
005009 - 54"
SEE ABANDONMENT
NOTES - SHEET 2.

- NOTATIONS
- LT. OF CURB
 - OF SIDEWALK
 - OF CONCRETE
 - ELEVATION
 - LINE
 - T. LIGHT
 - EX. WATER
 - EX. SEWER
 - EX. GAS

CALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE NOT TO BE HOLDS BY AS BEING EXACT OR COMPLETE. APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS PRIOR TO FIELD LOCATION. IT IS THE RESPONSIBILITY OF THE USER TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. A STRUCTURAL DRAWING FOR TYPICAL BUILDING

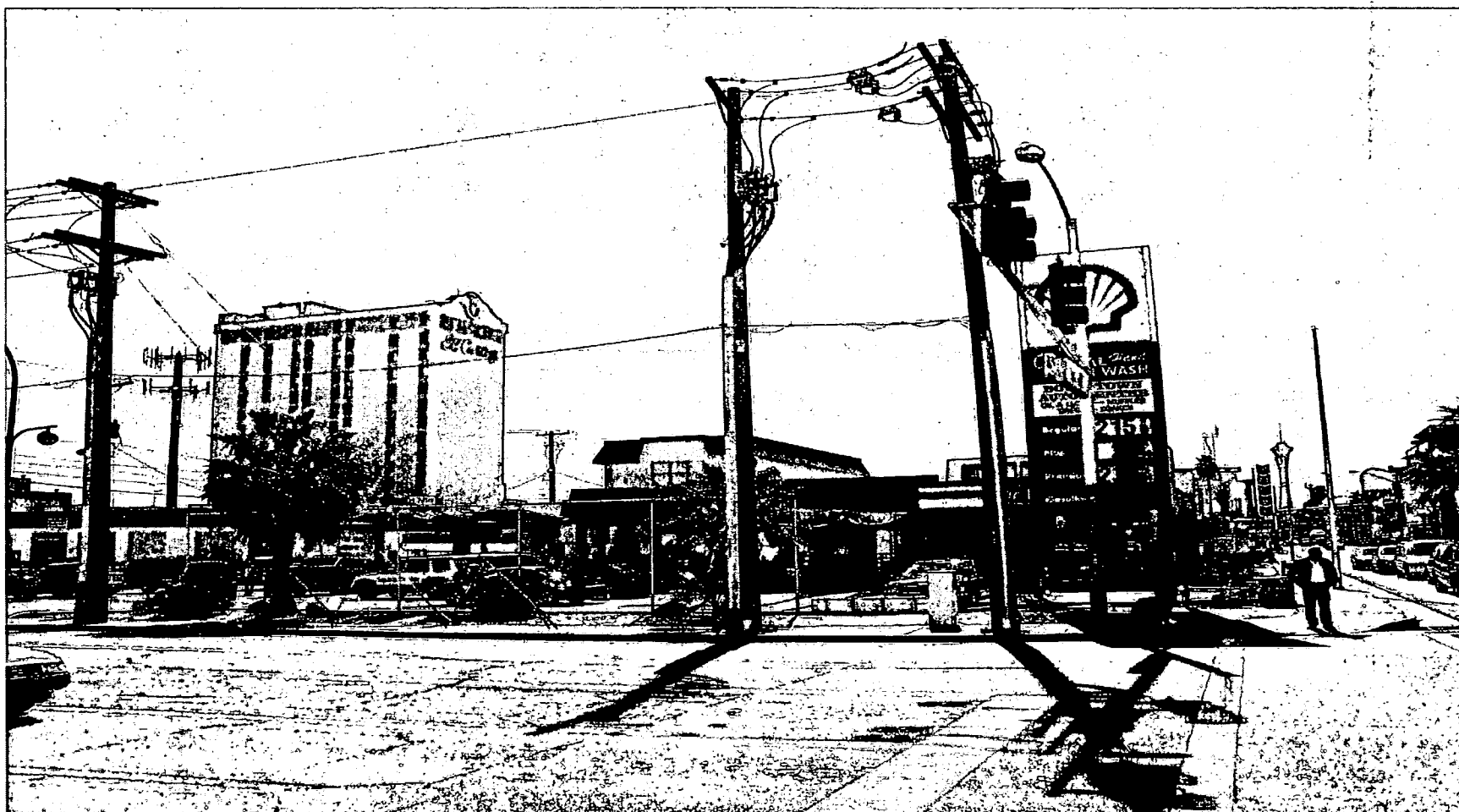
THE "UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS" AND THE LATEST

- CONSTRUCTION NOTES
- 1. TYPE "A" CURB
 - 2. TYPE "L" CURB & GUTTER
 - 3. INTERNAL CURB & SIDEWALK
 - 4. ARCHITECTURAL PLANS FOR DETAILS (SHOWN ENCLOSED)
 - 5. 2" AC OVER 4" TYPE 11
 - 6. SLOPEABLE DRAIN (STR. DNO. 220)
 - 7. CONC. PLANE
 - 8. 2" VALLEY GUTTER



BENCHMARK
NO. 46 STEWART S. RIVET AND PLATE IN T.C., NE COR. STEWART AVENUE AND LAS VEGAS BOULEVARD. ELEVATION 2003.104

RQR-3930
3-25-04 PC



RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY
COMPANY
228 LAS VEGAS BOULEVARD NORTH
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY
COMPANY
228 LAS VEGAS BOULEVARD NORTH
MARCH 25, 2004 PLANNING COMMISSION

3/4/04

4-21-04

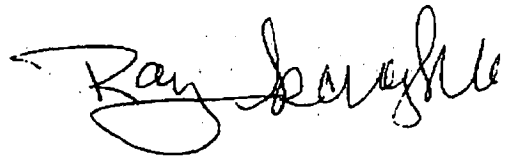
FREMONT PLACE LLC
3055 VIA SARAFIM DR
HENDERSON NV 89052

no:

ATTENTION OF THE CITY CLERK
CITY OF LAS VEGAS.

WE RAY KOROGHLI AND NEISSAN KOROGHLI
THE APPLICANT FOR FREMONT PLACE LL
WOULD LIKE TO ABET AGENDA ITEM
#124 & 125 UNTILL MAY-19TH-04
CITY COUNCIL

SINCERLY



Submitted after final agenda

Date 4/21/04 Item #124 +
#125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION RELATED TO RQR-3930 - PUBLIC HEARING - ROC-4121 -
APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED
LIABILITY COMPANY - Request for a Review of Conditions FOR AN APPROVED
SPECIAL USE PERMIT (U-0106-02), TO REMOVE CONDITION NOS. 1 THROUGH 4 FOR
A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION
WITH AN EXISTING CONVENIENCE STORE/DELICATESSEN at 228 Las Vegas
Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5
(Weekly). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Neissan Koroghli for Item 124 [RQR-3930] and Item 125 [ROC-4121] filed in Item 124 [RQR-3930]

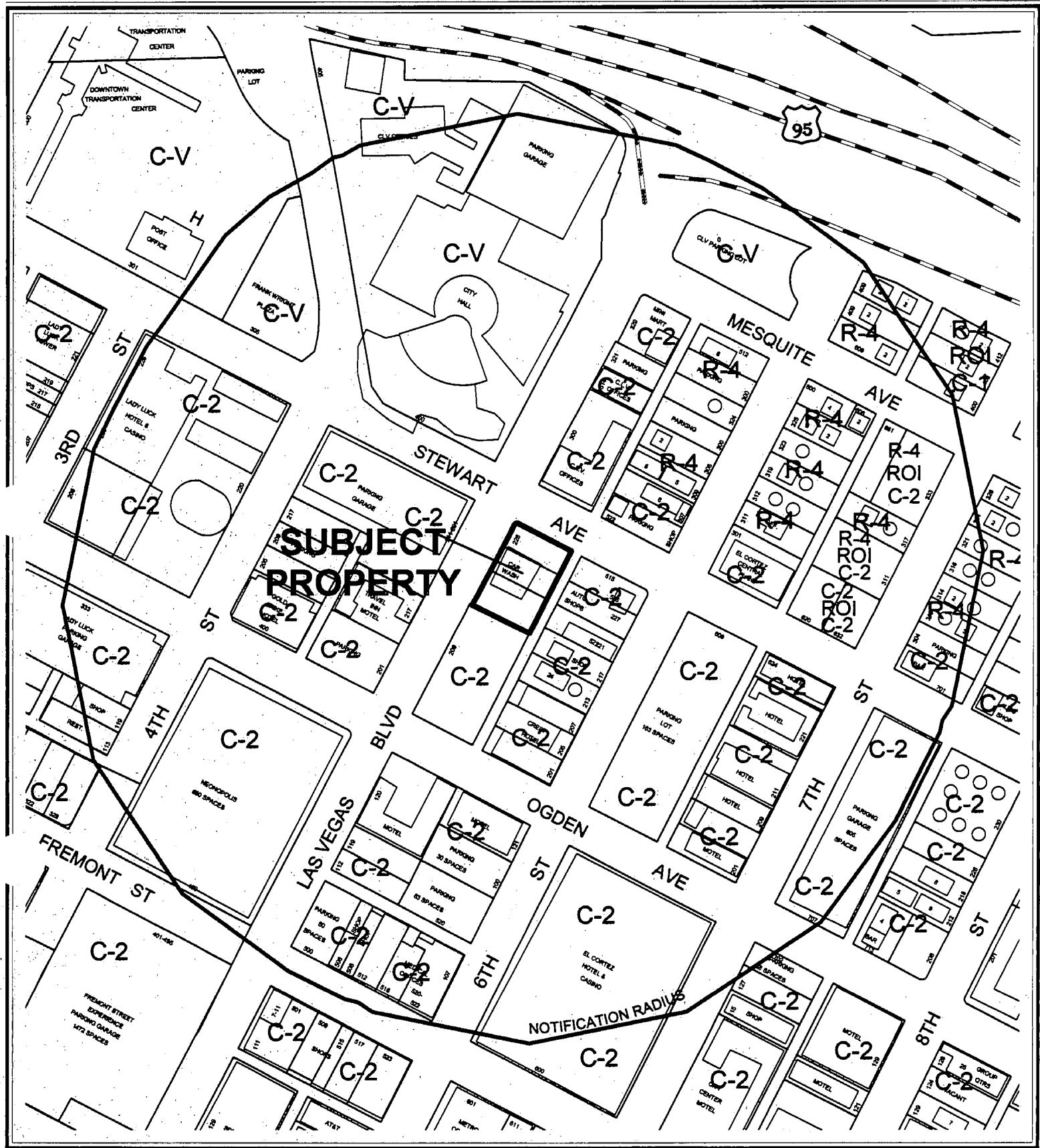
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121] and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and Item 135 [SDR-2458] to 5/5/2004 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

There was no related discussion.

(1:34 – 1:38)



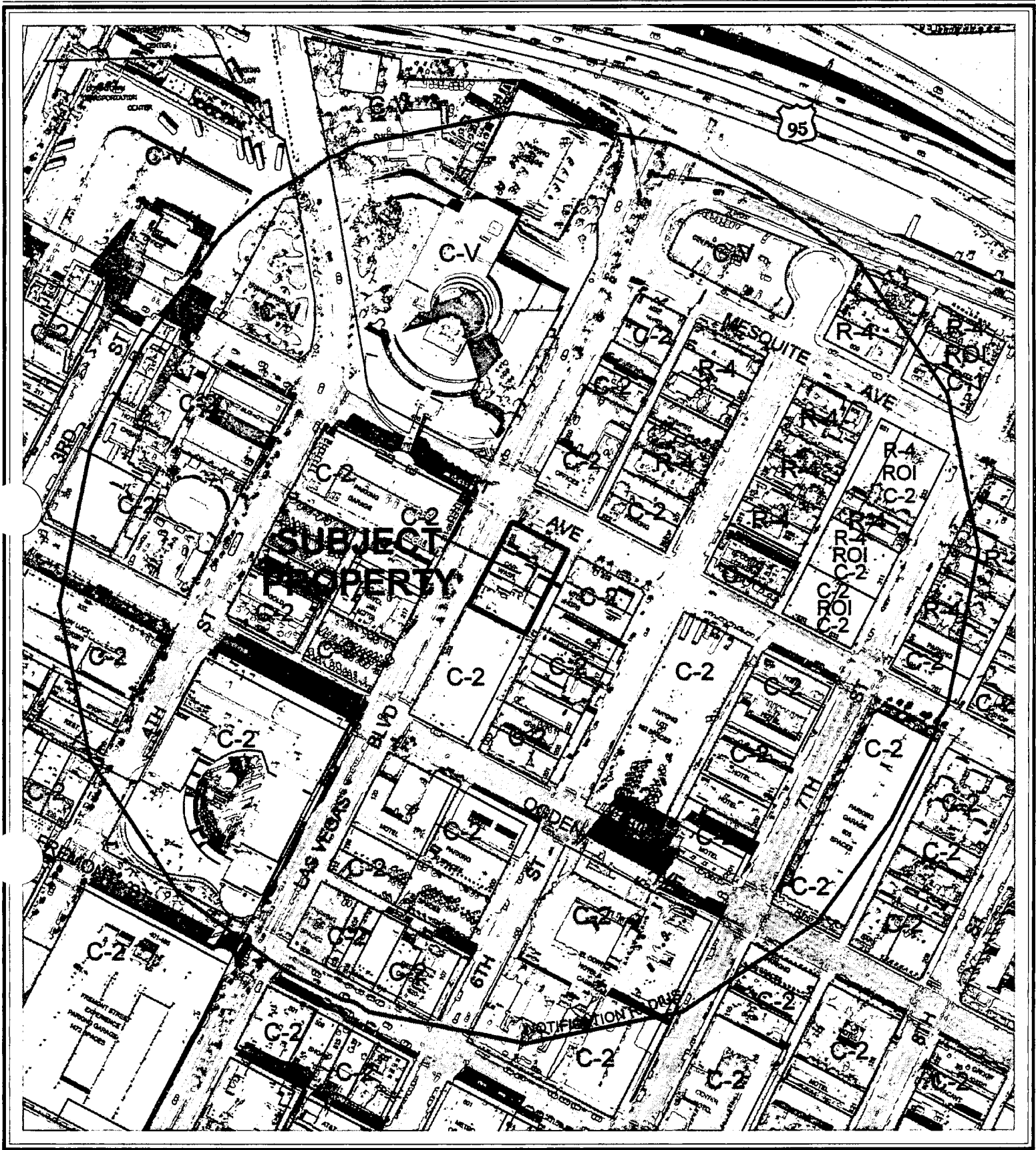
CASE: ROC-4121

RADIUS: 750 FT

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

0 100 200 Feet





CASE: ROC-4121

RADIUS: 750 FT

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ROC-4121 - APPLICANT: NEISSAN KOROGHLI – OWNER:
FREMONT PLACE, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. This use shall be subject to review by the City Council one year from the final approval of this Review of Condition at which time the Special Use Permit may be revoked.
2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
3. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Review of Condition to remove Condition Nos. 1 through 4 of an approved Special Use Permit (U-0106-02) for a liquor establishment (off-premises consumption) in conjunction with an existing convenience store/delicatessen at 228 Las Vegas Boulevard North.

B) Applicant's Justification

The applicant's justification letter states they want the conditions restricting the sale of alcohol removed completely.

BACKGROUND DATA

- 12/04/02 The City Council approved the Special Use Permit (U-0106-02)) to allow the liquor establishment (off-premises consumption) on this site subject to specific conditions. The Planning Commission and staff recommended denial on October 24, 2002.
- 02/14/03 The business license was issued to allow the sale of alcohol gift baskets.
- 03/25/04 The Planning Commission recommended approval of a Required Six Month Review (RQR-3930) of the Special Use Permit that allowed the sale of liquor in gift baskets to be delivered to downtown businesses. This item is scheduled to be heard on this agenda.

DETAILS OF APPLICATION REQUEST

The applicant is proposing to remove the following conditions for this Special Use Permit:

1. The sale of alcoholic beverages shall be restricted to the sale of a minimum of four miniature liquor bottles in multi-product gift-wrapped baskets.
2. The minimum price for each basket will be \$35.00.
3. Large single bottles of alcohol may only be displayed for delivery to offices located within the downtown area.
4. A list of all downtown deliveries shall be maintained on site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

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

Existing Land Use

Subject Property: Convenience Store and Car Wash
North: City of Las Vegas Offices
South: Undeveloped
East: Automotive Repair Shop
West: Parking Garage

ANALYSIS & FINDINGS

The applicant's request to remove the subject Conditions of Approval would result in a liquor establishment (off-premises consumption) use at this location. When the Special Use Permit was initially reviewed, the recommendation was for denial because it was felt a package liquor store was not an appropriate use at this location. When it was approved, conditions were added restricting the sale of liquor in gift baskets to be delivered to downtown businesses. Therefore the recommendation is for denial of this request. If this request is approved, a condition has been added restricting the sales of alcohol to beer and wine. An additional condition prohibits the sale of single containers and screw cap wine. Finally, if this request is approved, it is recommended the Special Use Permit be reviewed again in one year.

Title 19.040.050 specifies the criteria for the approval of alcohol related uses. The Code requires the sale of packaged liquor for off-premise consumption to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City Park as measured from property line to property line. There are no protected uses that are known to be currently within the minimum separation distance requirement.

The approved alcohol sales with specific conditions restricting the sale of alcohol to gift baskets only has been conducted in a manner compatible with commercial development in the surrounding area. Therefore, this use remains appropriate at this location with the conditions intact.

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 applicant's request to remove the subject Conditions of Approval would result in a liquor establishment (off-premises consumption) use at this location. When the Special Use Permit was initially reviewed, the recommendation was for denial because it was felt a package liquor store was not an appropriate use at this location. Therefore the recommendation is for denial of this request.

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

There are no physical constraints to the liquor establishment (off-premise consumption) use on this 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 abutting street network will be adequate to meet the access requirements of the approved use in that Las Vegas Boulevard and Stewart Avenue are all fully developed Secondary Arterial roadways.

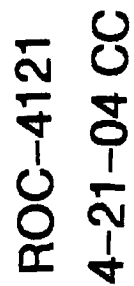
4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

The subject establishment meets the minimum distance requirements for the projected uses as detailed in Section 19.040.050 of the City of Las Vegas Municipal Code. The business will be subject to regular inspection by City and County regulatory agencies for business licensing, and will not compromise the public health, safety, and welfare.

NOTICES MAILED 43 By Planning Department

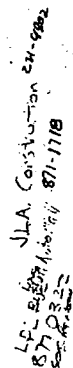
APPROVALS 0

PROTESTS 0



ROC-4121

4-21-04 CC

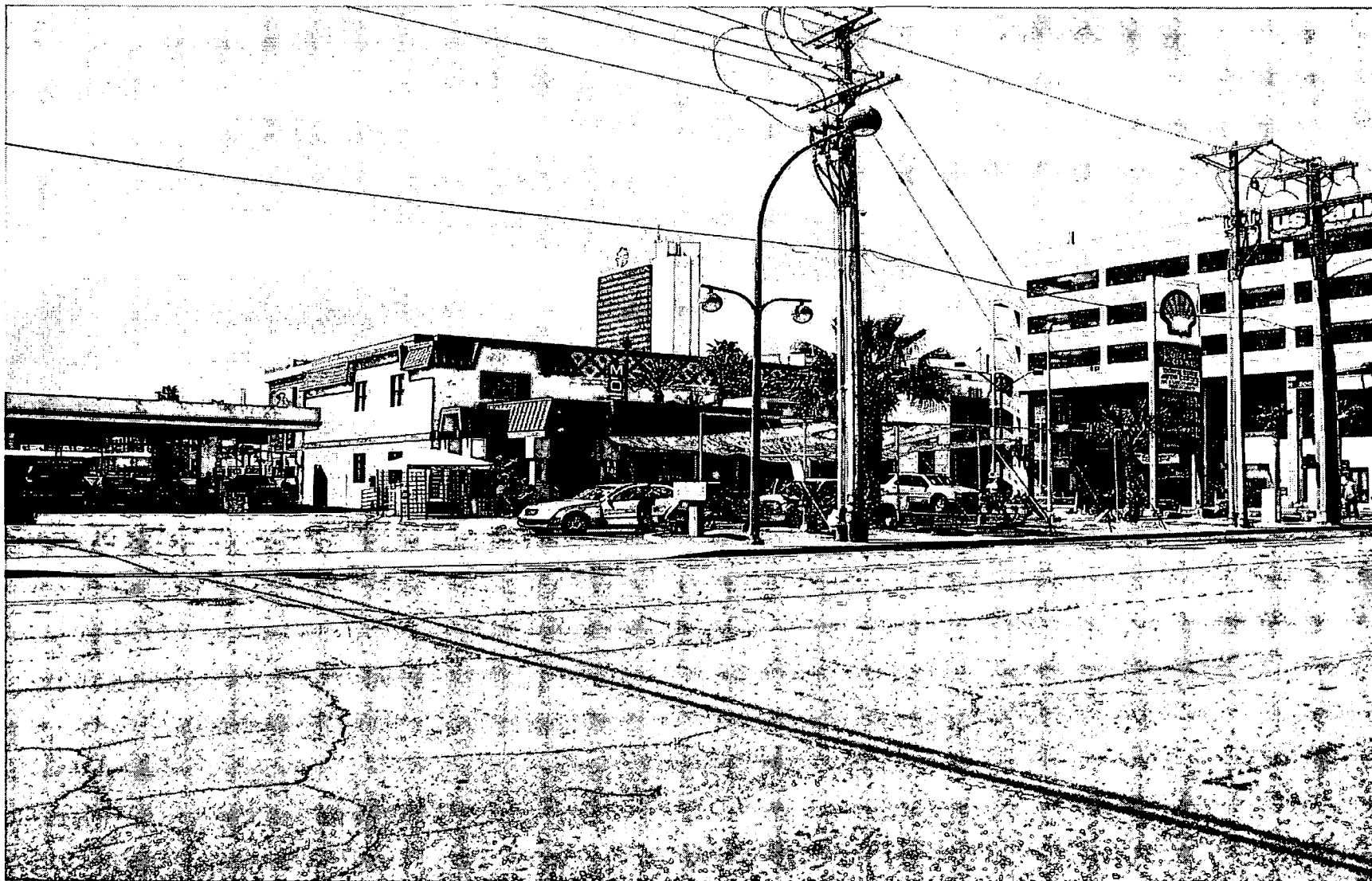


ROC-4121
4-21-04 CC



**ROC-4121 - APPLICANT: NEISSAN KOROGHLI – OWNER: FREMONT PLACE,
LIMITED LIABILITY COMPANY
228 Las Vegas Boulevard North
APRIL 21, 2004 CITY COUNCIL MEETING**

Picture taken 04/05/04



**ROC-4121 - APPLICANT: NEISSAN KOROGHLI – OWNER: FREMONT PLACE,
LIMITED LIABILITY COMPANY
228 Las Vegas Boulevard North
APRIL 21, 2004 CITY COUNCIL MEETING**

Picture taken 04/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED FOUR YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES - Required Four Year Review of an approved Special Use Permit (U-0159-89) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with GOODMAN abstaining as his law office is involved in negotiations, MACK excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ROB CARTER, 2880 Mead Ave, Suite 300, appeared on behalf of the applicant, and concurred with staff recommendation.

CYNDI MORGENTHAL, 8989 Flying Frog, expressed concern over questionable billboard content and asked what the subject billboard would be advertising. MR. CARTER explained there would be various advertisements and that Clear Channel was taking strong measures to keep adult content in the tourist corridor.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 126 – RQR-3732

MINUTES – Continued:

COUNCILMAN WEEKLY brought up a KOMP billboard located at Rancho and Charleston that he feels is questionable. MR. CARTER explained a similar situation occurred in COUNCILMAN REESE's Ward. DEPUTY CITY ATTORNEY BRYAN SCOTT stated content oriented discussion would only be proper if it would not affect anyone's decision making process. MR. CARTER continued that Clear Channel is trying to regulate questionable copy into appropriate areas. He was aware of the billboard COUNCILMAN WEEKLY mentioned and stated they are trying to regulate advertising without losing customers. COUNCILMAN WEEKLY commended the efforts of Clear Channel to keep clean content but stressed the importance of neighborhood friendly advertising.

AL GALLEGOS, Las Vegas resident, discussed how embarrassed he felt after seeing the billboard COUNCILMAN WEEKLY described.

MAYOR GOODMAN declared the Public Hearing closed.

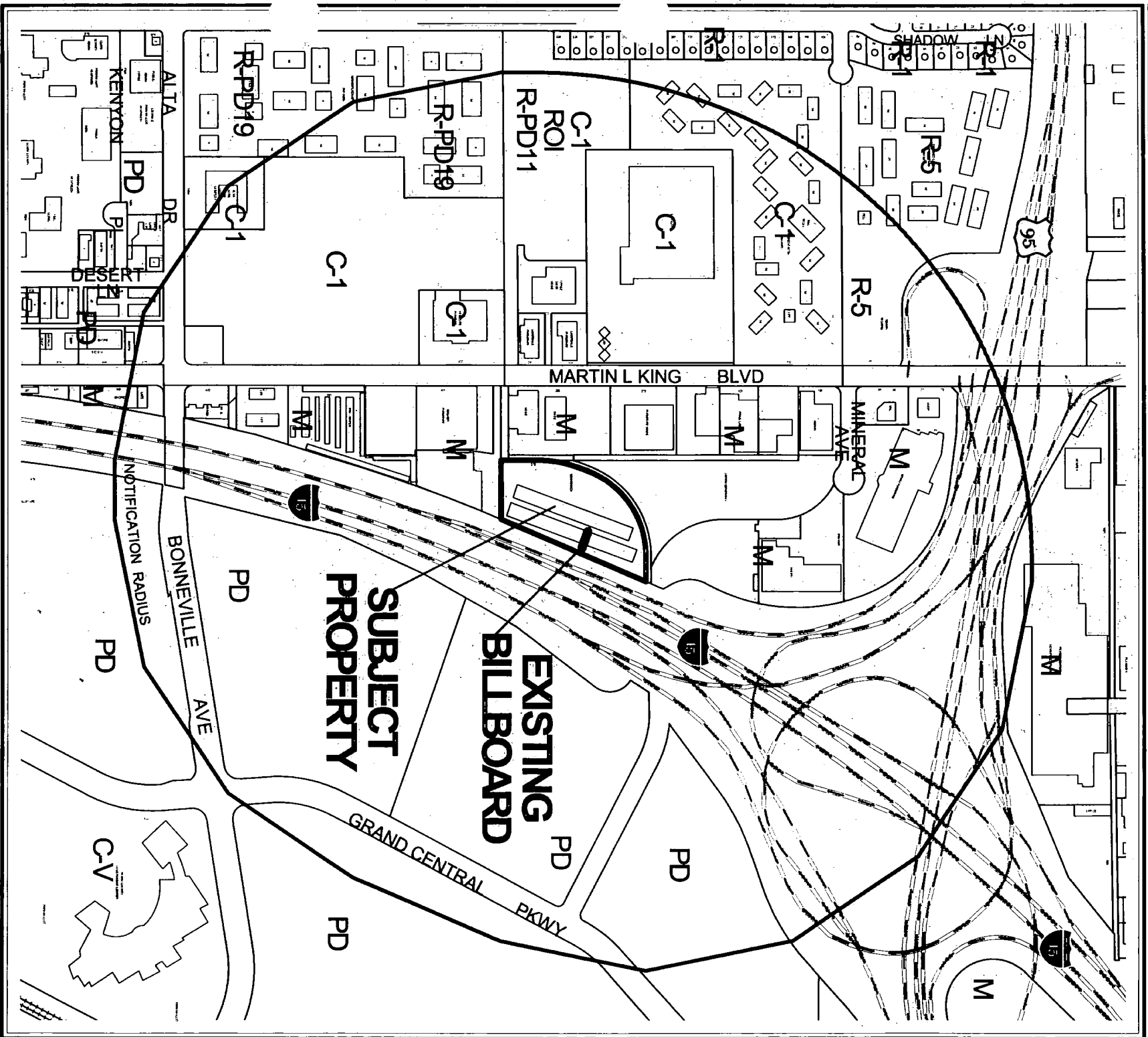
(2:08 – 2:13)

4-1066

CONDITIONS:

Planning and Development

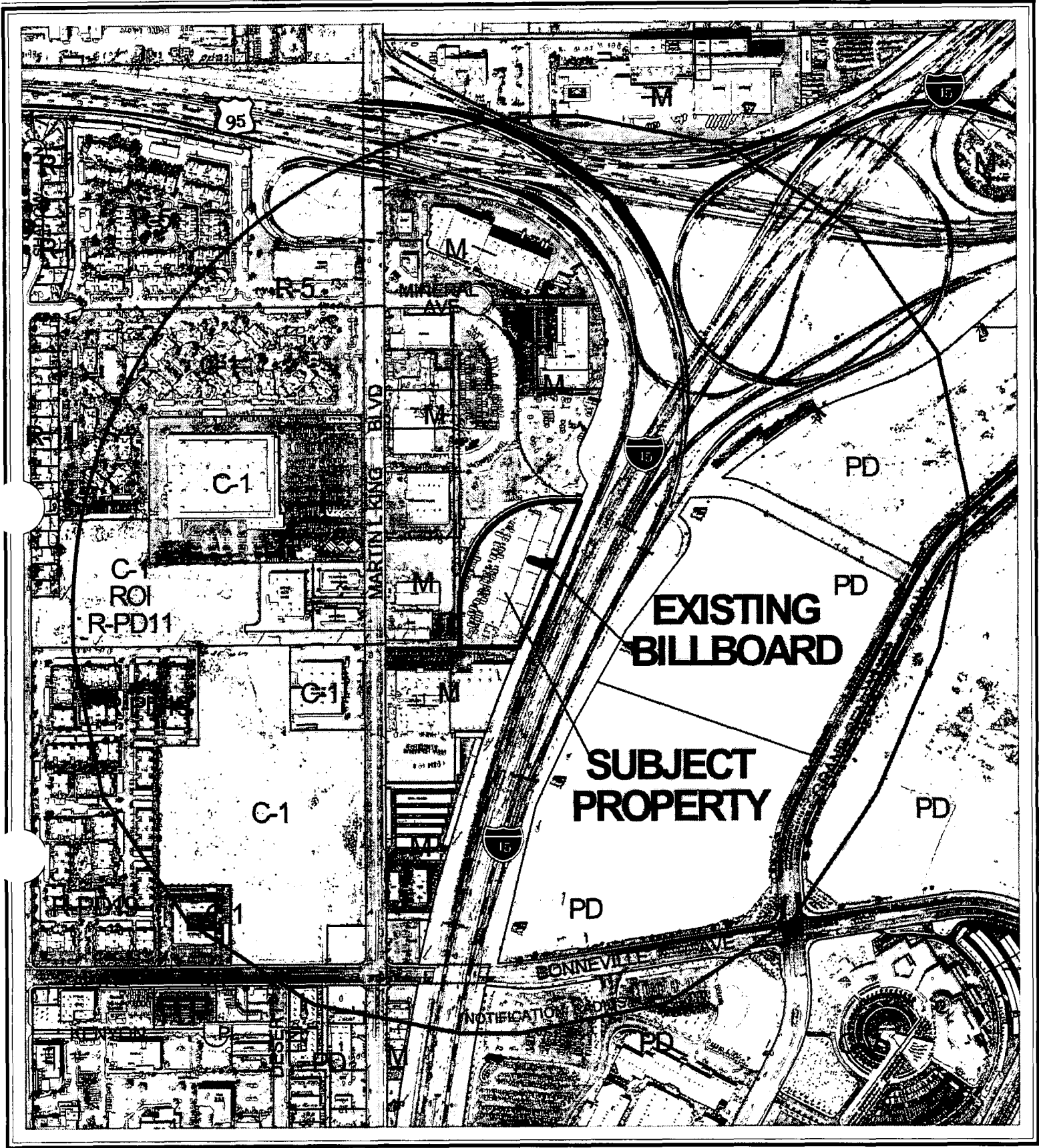
1. The Special Use Permit shall be reviewed in four (4) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise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



CASE: RQR-3732

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



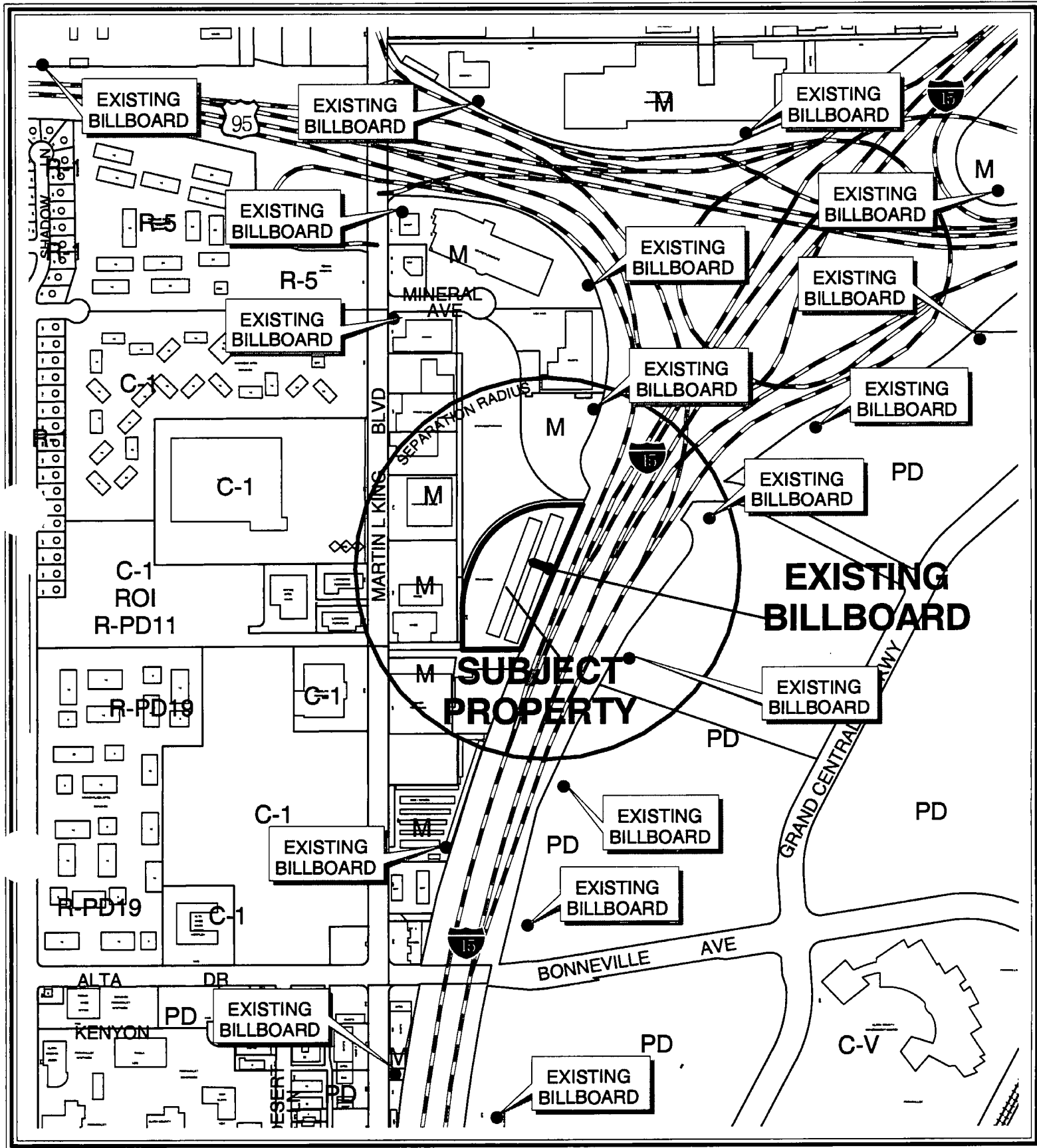
CASE: RQR-3732

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet





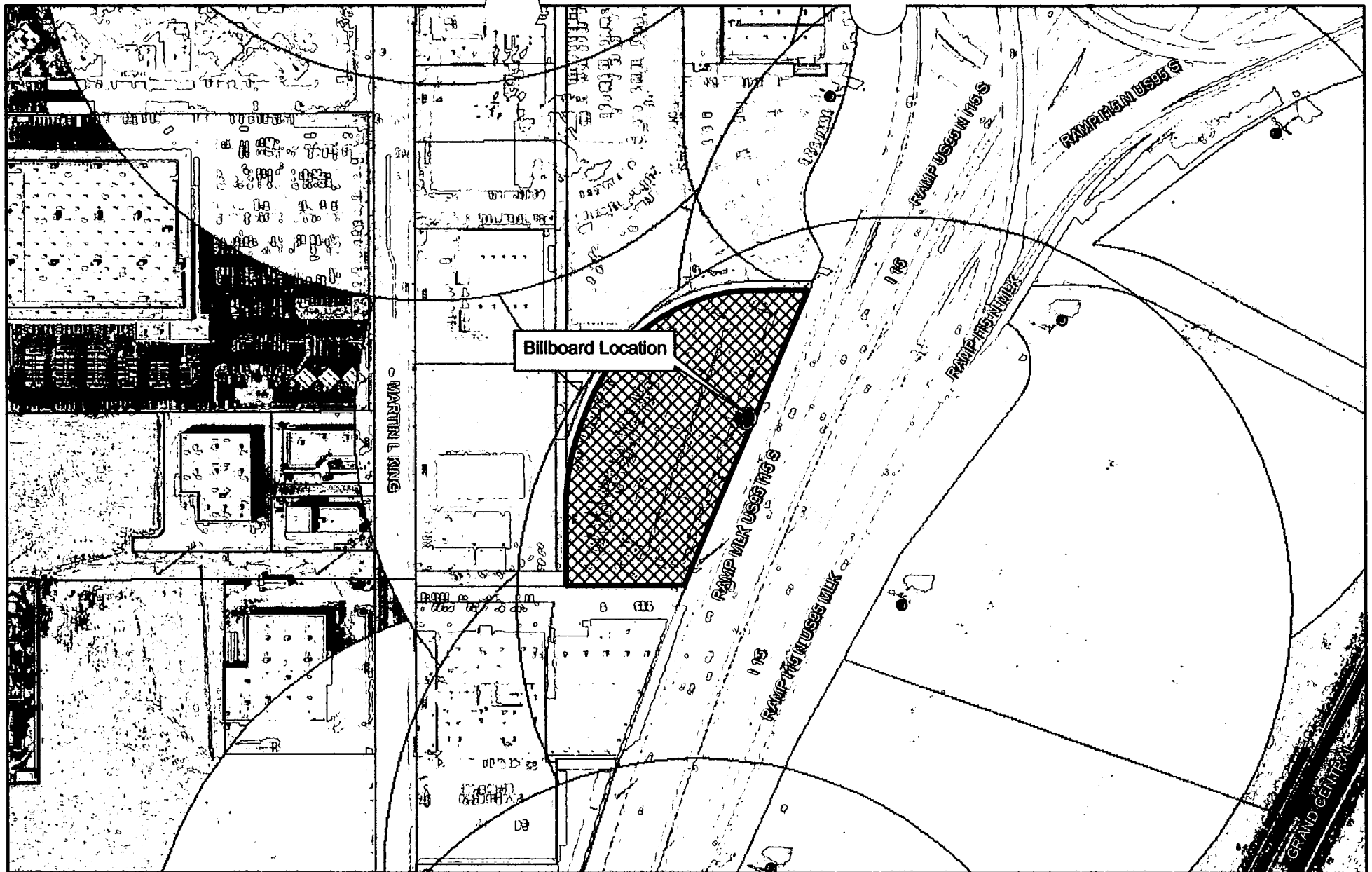
CASE: RQR-3732

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet





RQR-3732

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: STORAGE EQUITIES**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a required four (4) year review of an approved Special Use Permit [U-0159-89(2)], which allowed a 55 foot high, 672 square foot (14 foot X 48 foot) off-premise advertising (Billboard) sign oriented towards northbound and southbound traffic on Interstate 15.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

11/15/89 The City Council approved a Special Use Permit (U-0159-89) to remove and replace an existing 55 foot high, 672 square foot (14 foot X 48 foot) off-premise advertising (billboard) sign on this site. Approval was subject to a five (5) year review. The Board of Zoning Adjustment and staff recommended approval.

3/01/00 The City Council approved a Required Five (5) Year Review [U-0159-89(2)] of Special Use Permit (U-0159-89) for a 55 foot high, 672 square foot (14 foot X 48 foot) off-premise advertising (billboard) sign on this site. Approval was subject to a four year review. The Planning Commission and staff recommended approval.

03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/pl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.79

B) Existing Land Use

Subject Property: Industrial
 North: Industrial
 South: Industrial
 East: Interstate-15
 West: Industrial

C) Planned Land Use

Subject Property: DTR (Downtown Redevelopment Plan), LI/R (Light Industry/Research)
 North: DTR (Downtown Redevelopment Plan), LI/R (Light Industry/Research)
 South: DTR (Downtown Redevelopment Plan)
 East: ROW (Right of Way)
 West: DTR (Downtown Redevelopment Plan)

D) Existing Zoning

Subject Property: M (Industrial)
 North: M (Industrial)
 South: M (Industrial)
 East: ROW (Right of Way)
 West: M (Industrial)

E) General Plan Compliance

The site is designated as DTR (Downtown Redevelopment Plan), LI/R (Light Industry/Research) in the Southeast Sector General Plan. The existing M (industrial) Zoning is in conformance with the Southeast Sector General Plan.

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

This site is located within the Downtown Redevelopment Plan Area within the Southeast Sector General Plan. The proposed land use can be conducted in a manner that is harmonious and compatible with existing and surrounding land uses, and with future surrounding land uses as projected by the General Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	750 feet to another Off-Premise Sign visible from Interstate 15	YES
Off-Premise Advertisement (Billboard)	300 feet to any another Off-Premise Sign	Yes

An off-premise advertising (billboard) sign oriented toward the same highway cannot be closer than 750 feet to another off premise advertising (billboard) sign. An off-premise advertising (billboard) sign also cannot be any closer than 300 feet in any direction to another Off Premise Sign. This sign meets these standards.

B) General Analysis and Discussion

- Zoning

The existing zoning of this parcel is M (industrial), which permits an off-premise advertising (billboard) sign by means of a Special Use Permit.

- Use

Title 19.14.010 allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premises advertising (billboard) sign no longer meets the standards for approval. There have been no changes to the conditions in the surrounding area. The off-premises advertising (billboard) sign under review continues to be an allowable use. A condition has been added requiring a review again in four years.

- Conditions

The off-premises advertising (billboard) sign is clear of graffiti and vandalism and is in good repair.

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."**

Title 19.14.100 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. While the area immediately surrounding the subject site has not changed substantially in the past four years since the previous Special Use Permit review, billboards are not conducive to new development and are not an appropriate use in perpetuity. It is recommended this approval be subject to a four year review.

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

There are no physical constraints to the continuation of the off-premise advertising sign use on this site the present time.

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."**

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

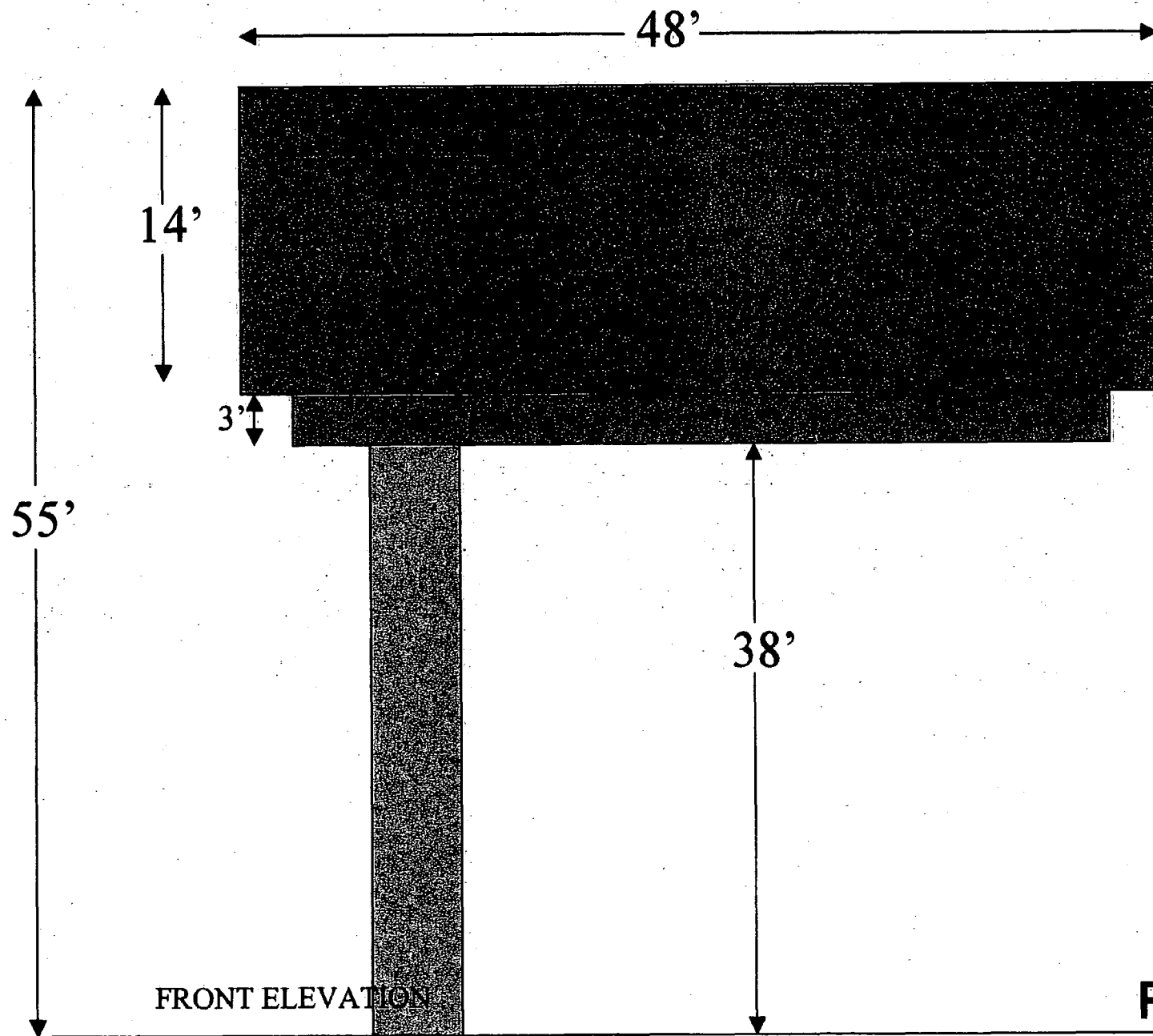
The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 36 By City Clerk

APPROVALS 0

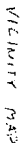
PROTESTS 0





RQR-3732

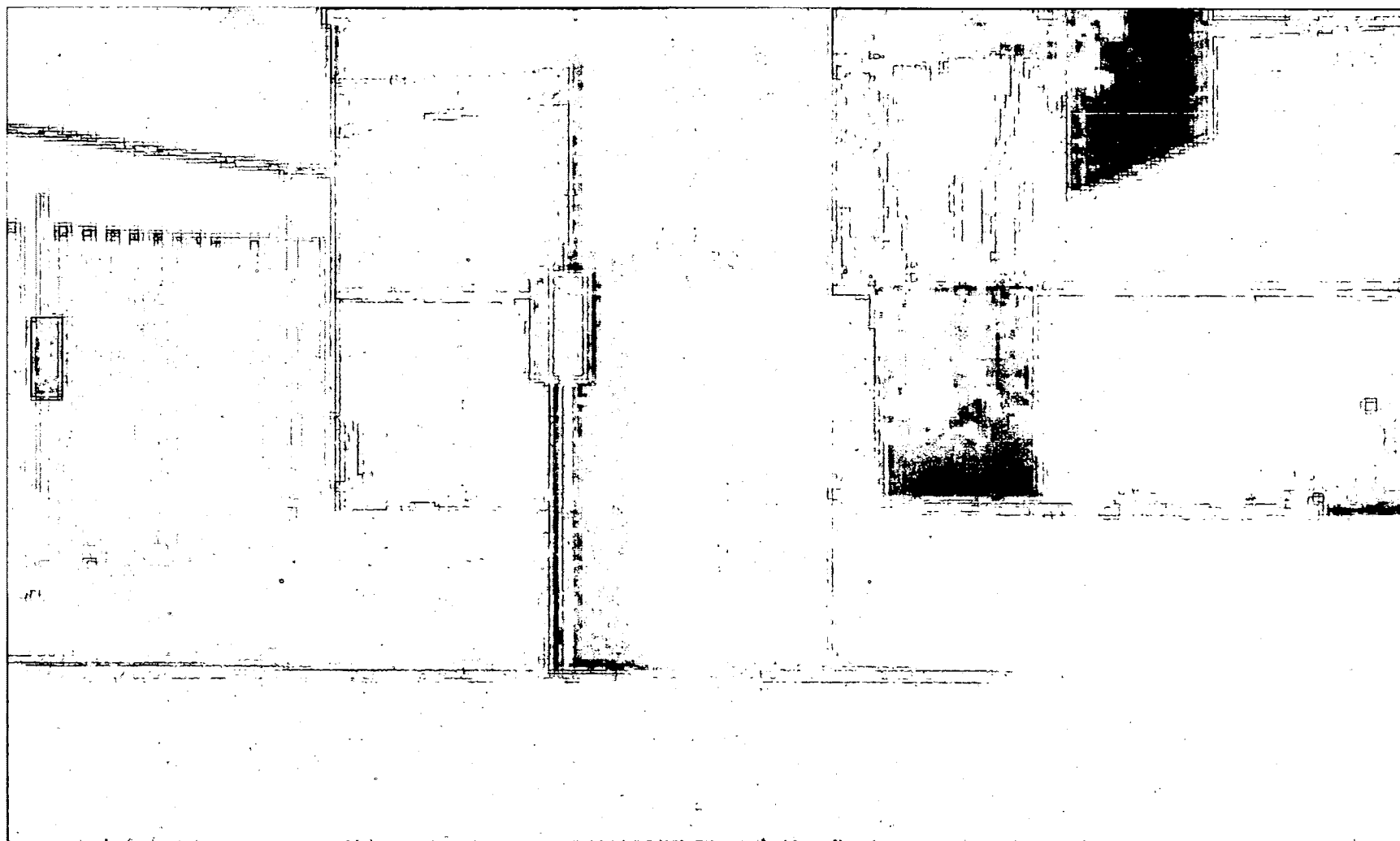
3-25-04 PC
NOT TO SCALE



ADONPREY

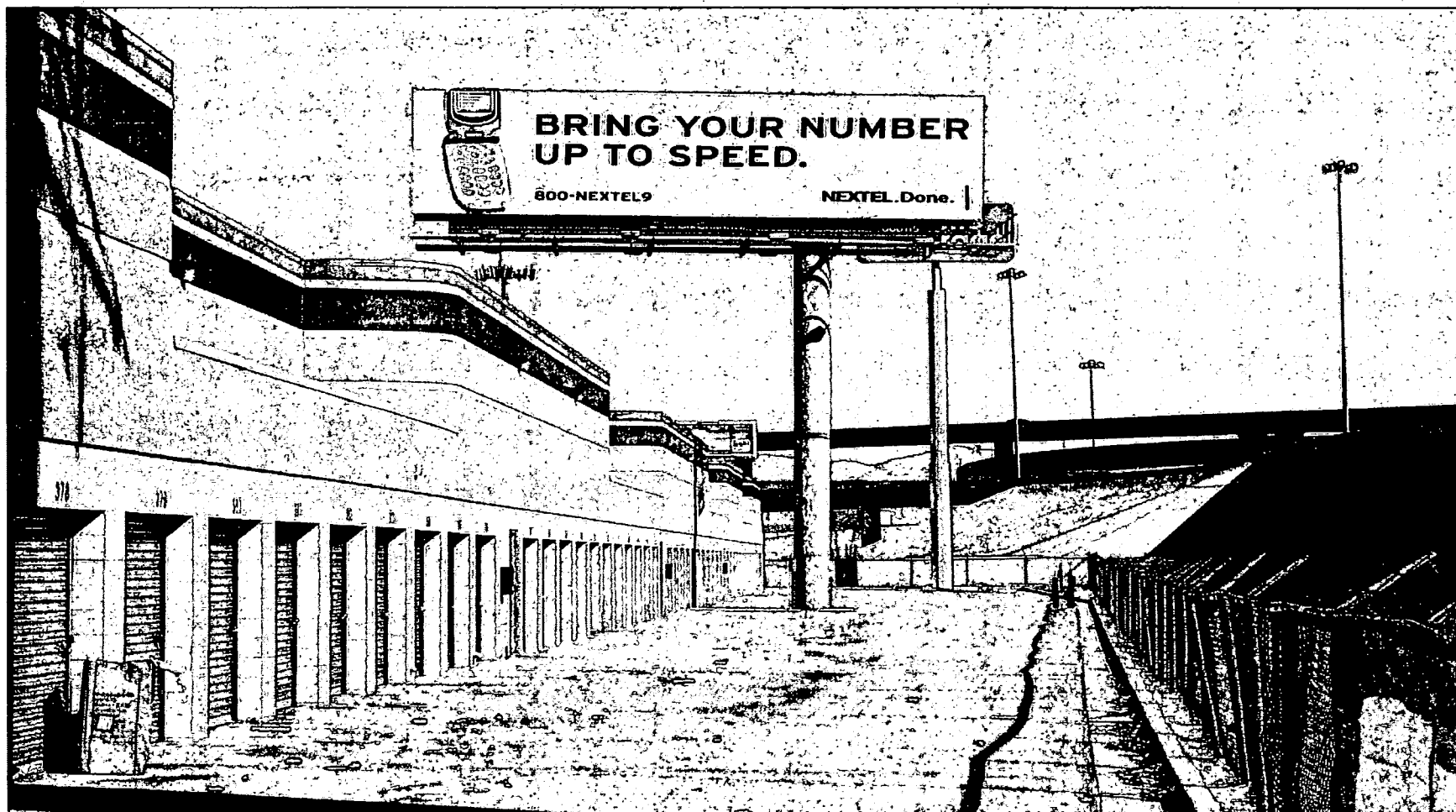
Model	1/2 yd
Year	1999-2001
Serial Number	1
For Amigos Land Dev	

1211 West Douglas Street, Green Bay, WI 54303 Phone 920-850-0020



RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES
275 SOUTH MARTIN L. KING BOULEVARD
MARCH 25, 2004 PLANNING COMMISSION

3/04/4



RQR-3732 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES
275 SOUTH MARTIN L. KING BOULEVARD
MARCH 25, 2004 PLANNING COMMISSION

3/04/4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

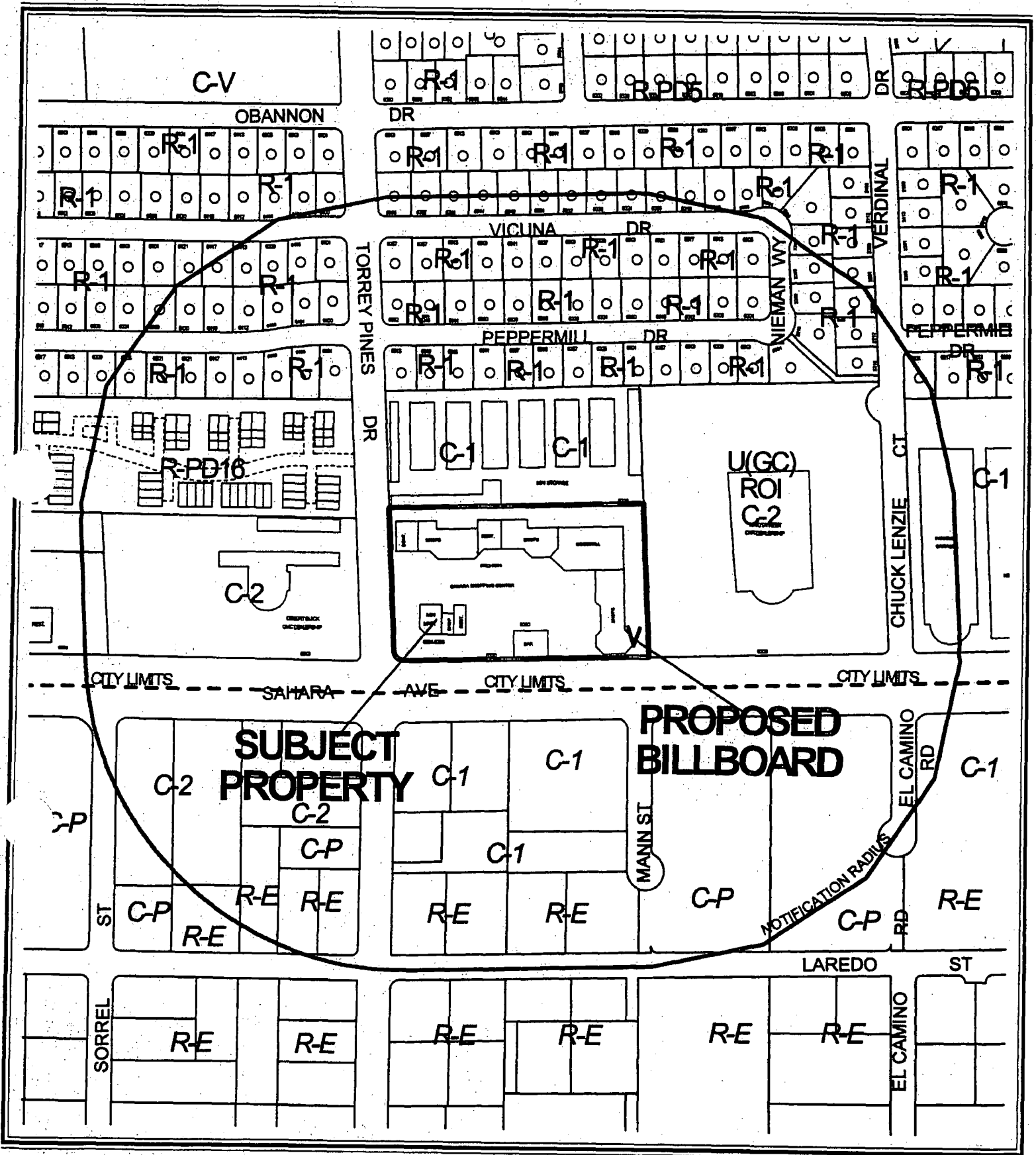
REESE – Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121] and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and Item 135 [SDR-2458] to 5/5/2004 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested MAYOR GOODMAN disclose his future abstention on Item 127 for the record. DEPUTY CITY ATTORNEY SCOTT advised the Mayor could vote on the abeyance now, but not the actual item when it comes back before Council. MAYOR GOODMAN disclosed that his law office is involved with the billboard business and he would be abstaining on the application when it comes back before Council.

There was no further discussion.

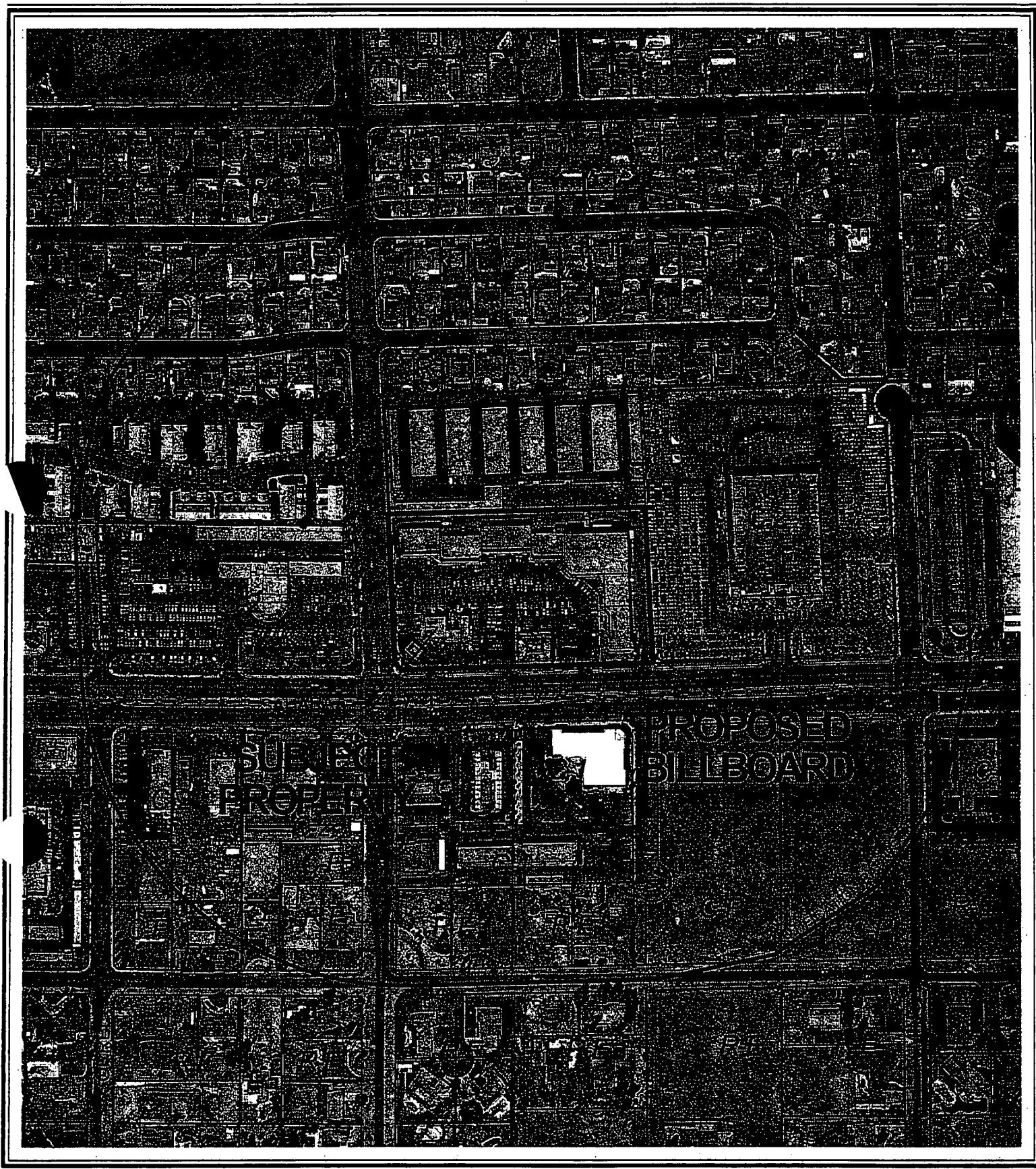
(1:34 – 1:38)



CASE: SUP-3394

RADIUS: 750 FT

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



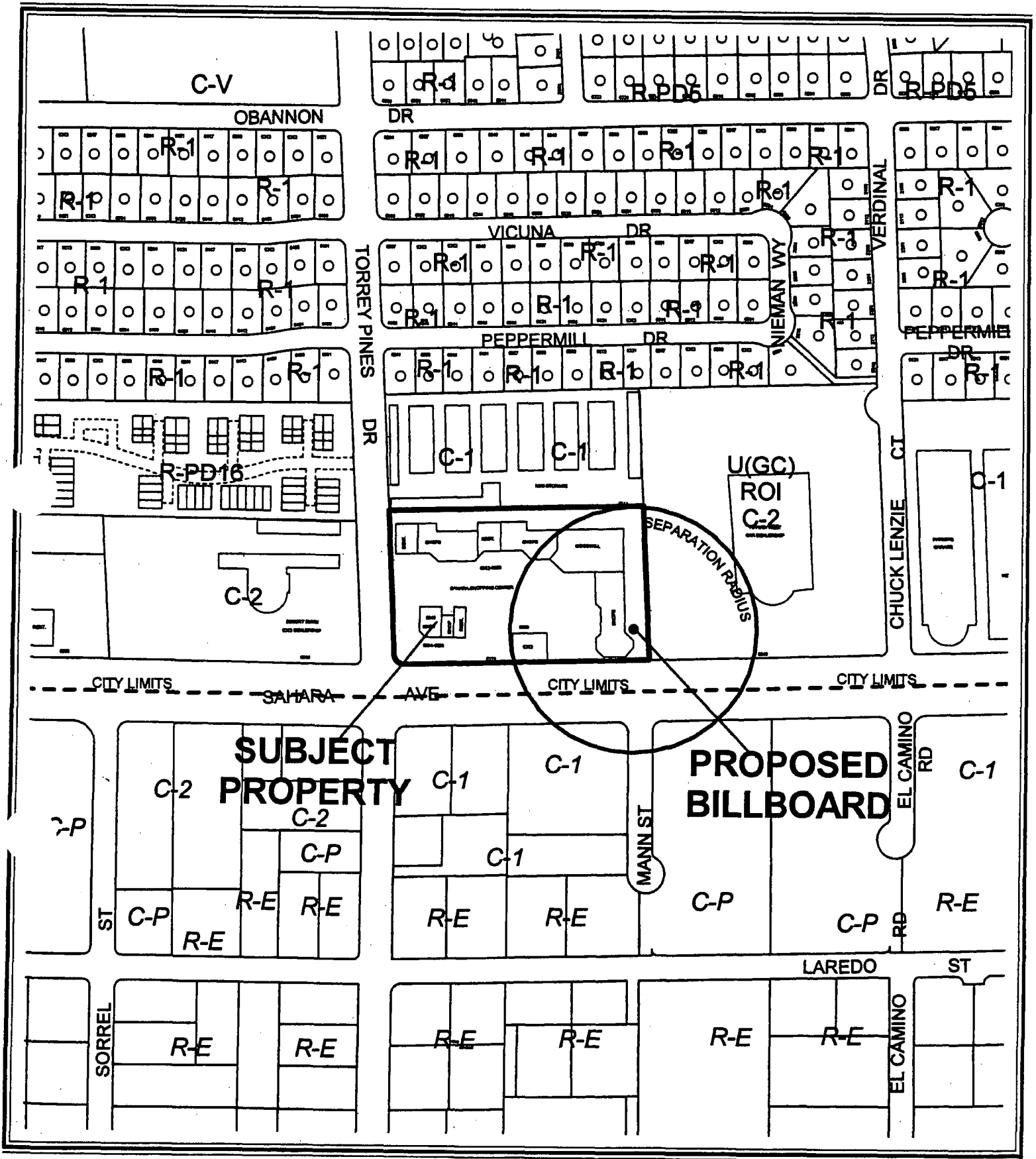
CASE: SUP-3394

RADIUS: 750 FT

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

0 200 400 Feet





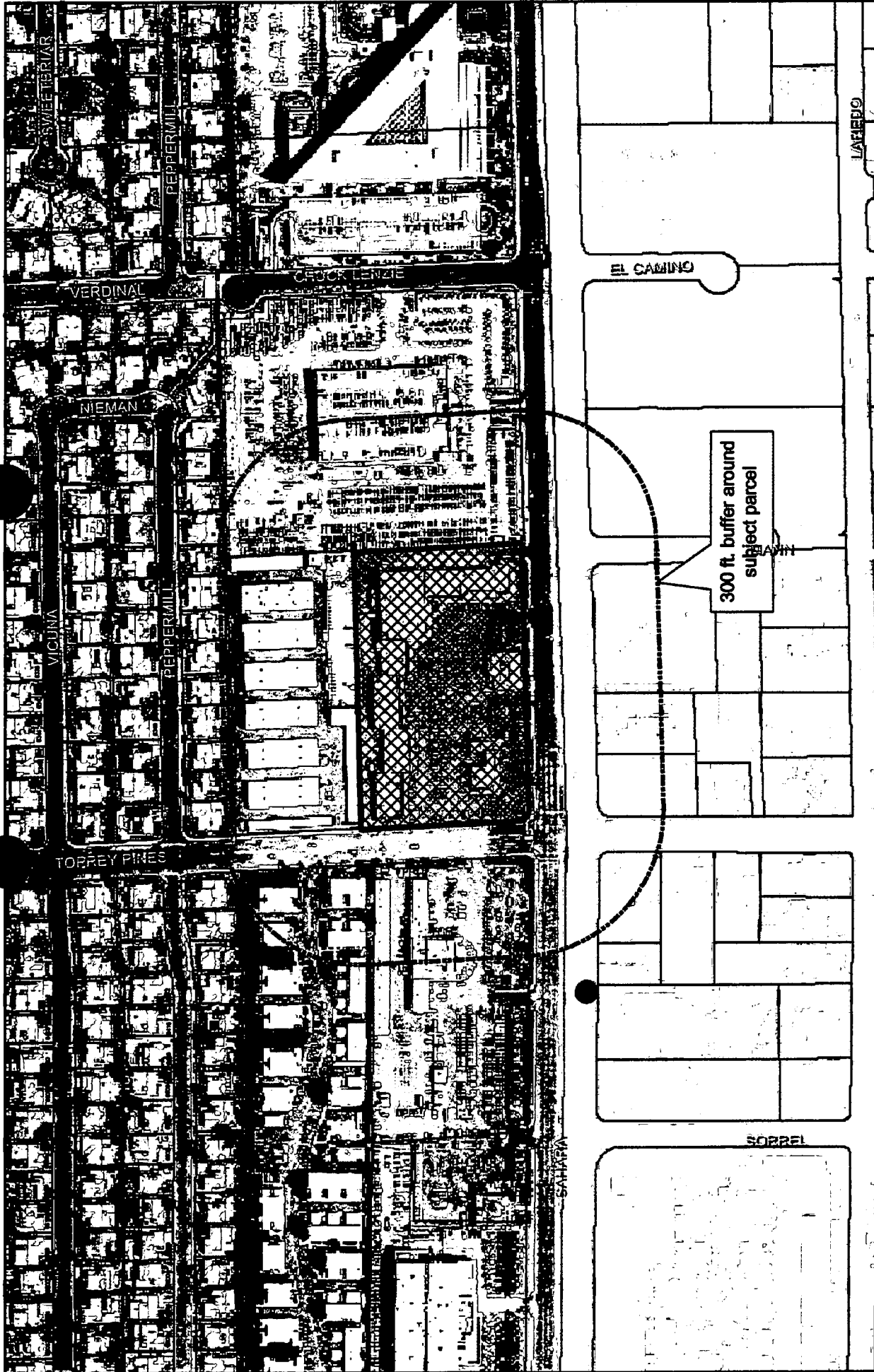
CASE: SUP-3394

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





SUP-3394

Subject Parcel

● City of Las Vegas Billboard Location

● Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 17, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.34

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

COUNTY NOTIFICATION

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

INTERAGENCY ISSUES

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

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

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 3

702-837-7821

5665 S. Valley View
Stc 4
89119



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3294 APN: 163-C2-S7E-CC1

Name of Property Owner: WEST SUBARU ASSOCIATES

Name of Applicant: has vegas bullbarks

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: _____

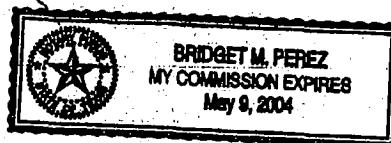
Signature of Property Owner/Authorized Agent: X

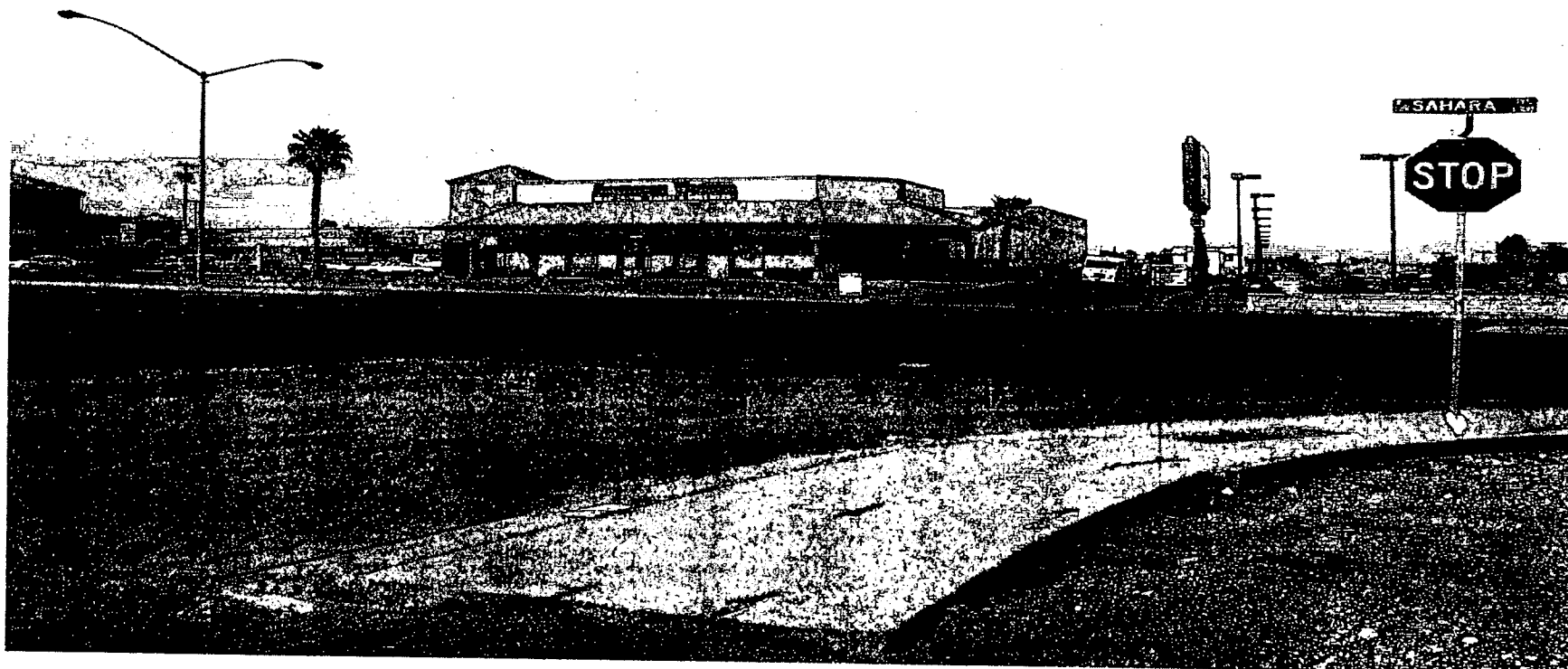
Print Name: Granville Harper

Subscribed and sworn before me

This 31 day of October, 2003

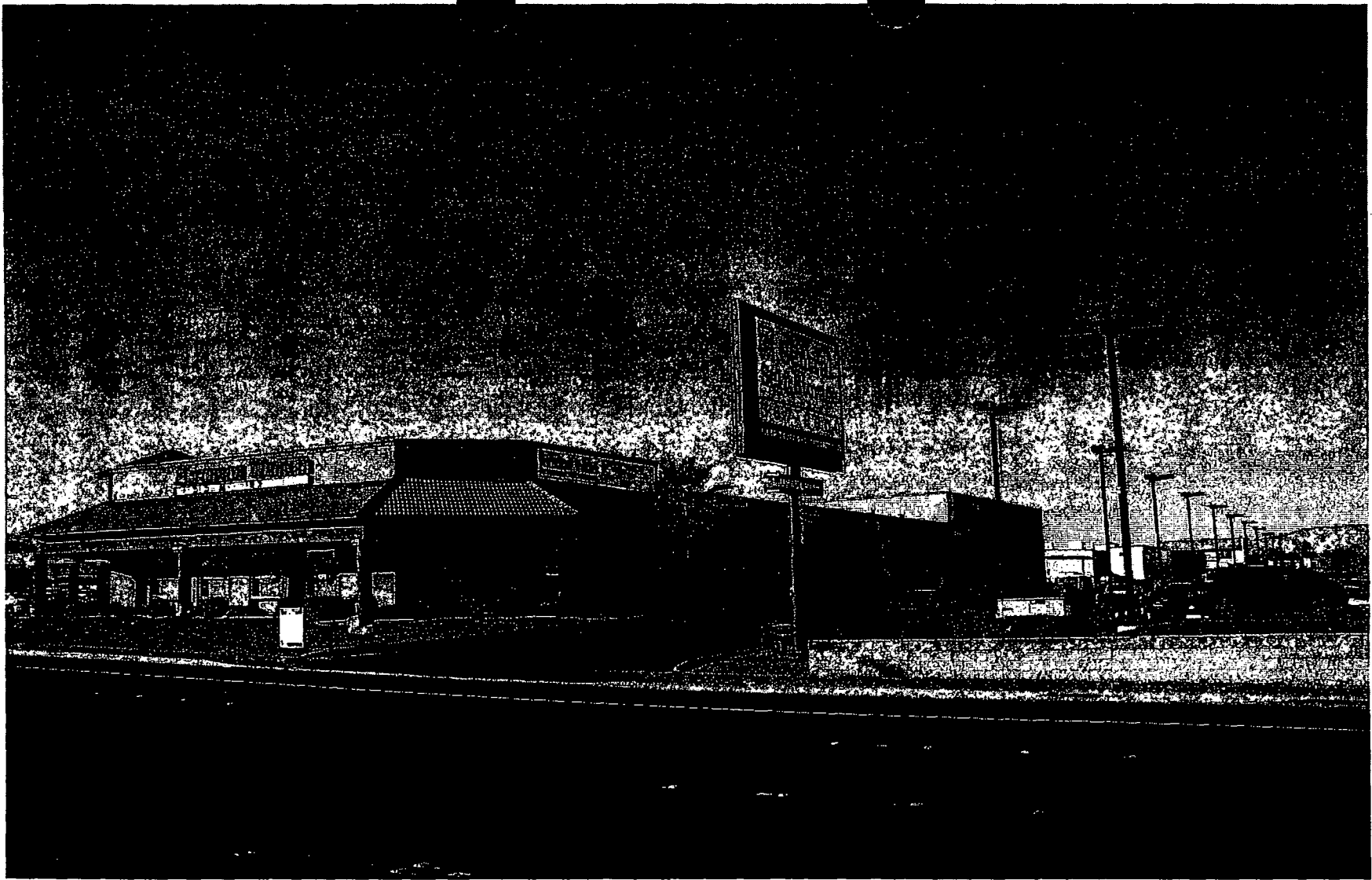
Notary Public in and for said County and State





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

12/29/03



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

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

Picture taken 01/21/04



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

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

Picture taken 01/21/04



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

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

Picture taken 01/21/04



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

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

Picture taken 01/21/04

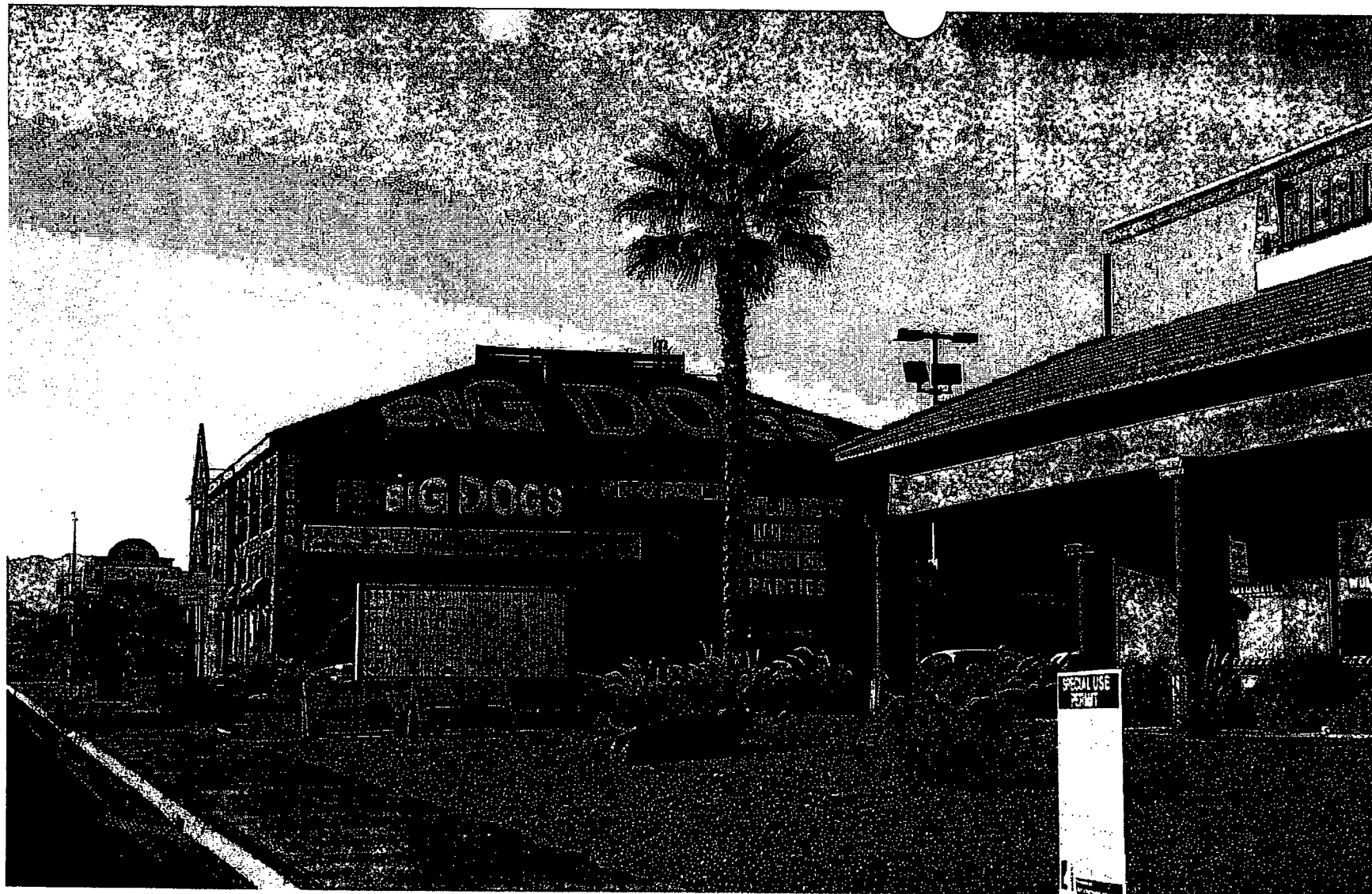


**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



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

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

Picture taken 01/21/04

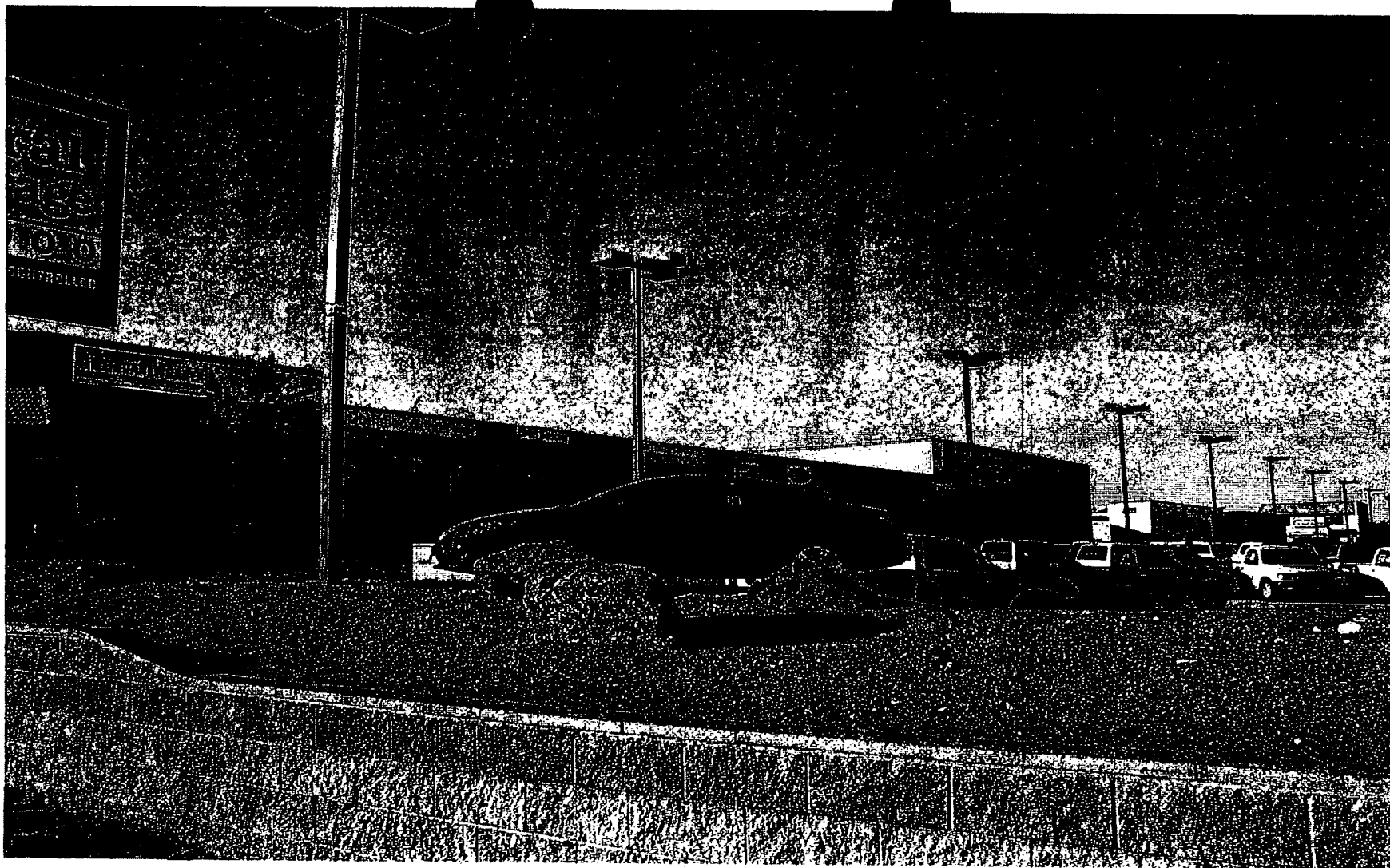


**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



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

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

Picture taken 01/21/04

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

RECEIVED
CITY CLERK

2004 JAN 14 P 3:41

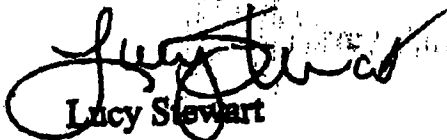
City of Las Vegas, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101
Fax: (702) 382-4803

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

Dear Sir or Madam:

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

Yours truly,


Lucy Stewart

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 364-5563
FACSIMILE (702) 385-1023
Brownhd@earthlink.net

April 20, 2004

FAX: 382-4803

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

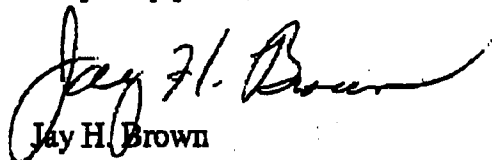
Re: Item No. 127 City Council Agenda of April 21, 2004
SUP-3394 - Special Use Permit - Las Vegas Billboards
on behalf of West Sahara Associates, Limited Partnership

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be removed from the City Council agenda of April 21, 2004, and be tabled for 30 days, until the May 19, 2004 City Council meeting.

Very truly yours,


Jay H. Brown

JHB:cc

RECEIVED
CITY CLERK

2004 APR 20 P 2:16

Submitted after final agenda

Date 4/20/04 Item #127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 -
APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED
LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT
SERVICE BAR AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION
REQUIREMENT FROM AN EXISTING CHURCH AND PARK at 7660 West Cheyenne
Avenue, Suite #122 (APN 138-09-821-003), U (Undeveloped) Zone [SC (Service Commercial)
General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4
(Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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:

BROWN - APPROVED subject to conditions - UNANIMOUS with COUNCILMAN
MACK excused and Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID JONES, 7660 West Cheyenne, appeared on behalf of Aurelio's and concurred with staff recommendations.

COUNCILMAN BROWN requested the item be trailed for a few minutes so that MR. DiFIORE could report to him on the issues that have been handled.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 128 – SUP-3716

MINUTES – Continued:

COUNCILMAN BROWN indicated that according to MR. DiFIORE, there had been problems with alcohol being served without a license and confirmed with MR. JONES that the applicant was currently in the license process. He also clarified that the applicant understood the ordinances and codes currently in place. As for the separation from the church, COUNCILMAN BROWN indicated the establishment is on-premise consumption only and the Council is comfortable with that. He wished the applicant success.

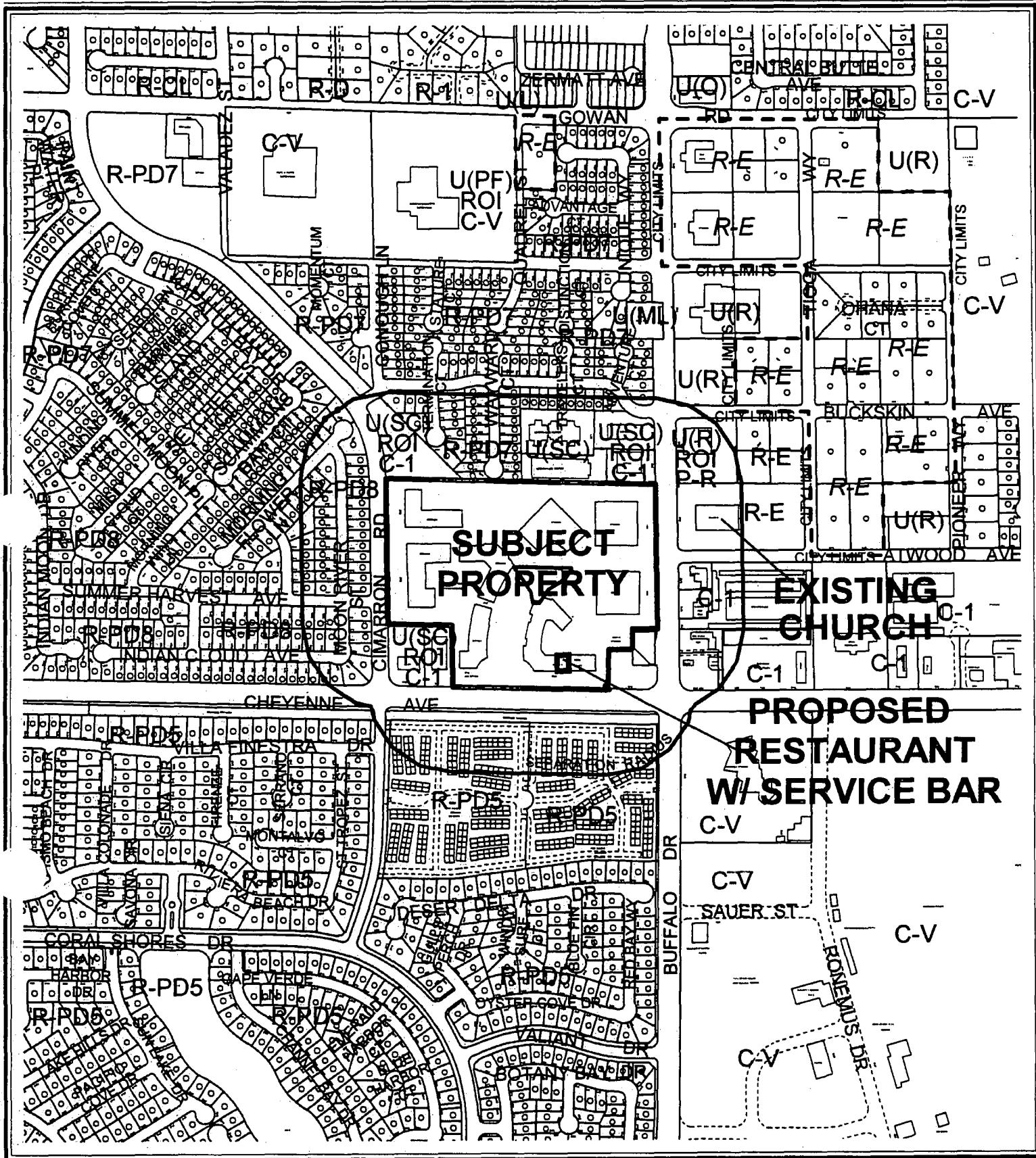
(2:13 – 2:15)(2:28-2:30)

4-1254 \ 4-1844

CONDITIONS:

Planning and Development

1. **Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar.**
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A waiver is granted to permit the use within the 400-foot minimum distance separation requirement from protected uses.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

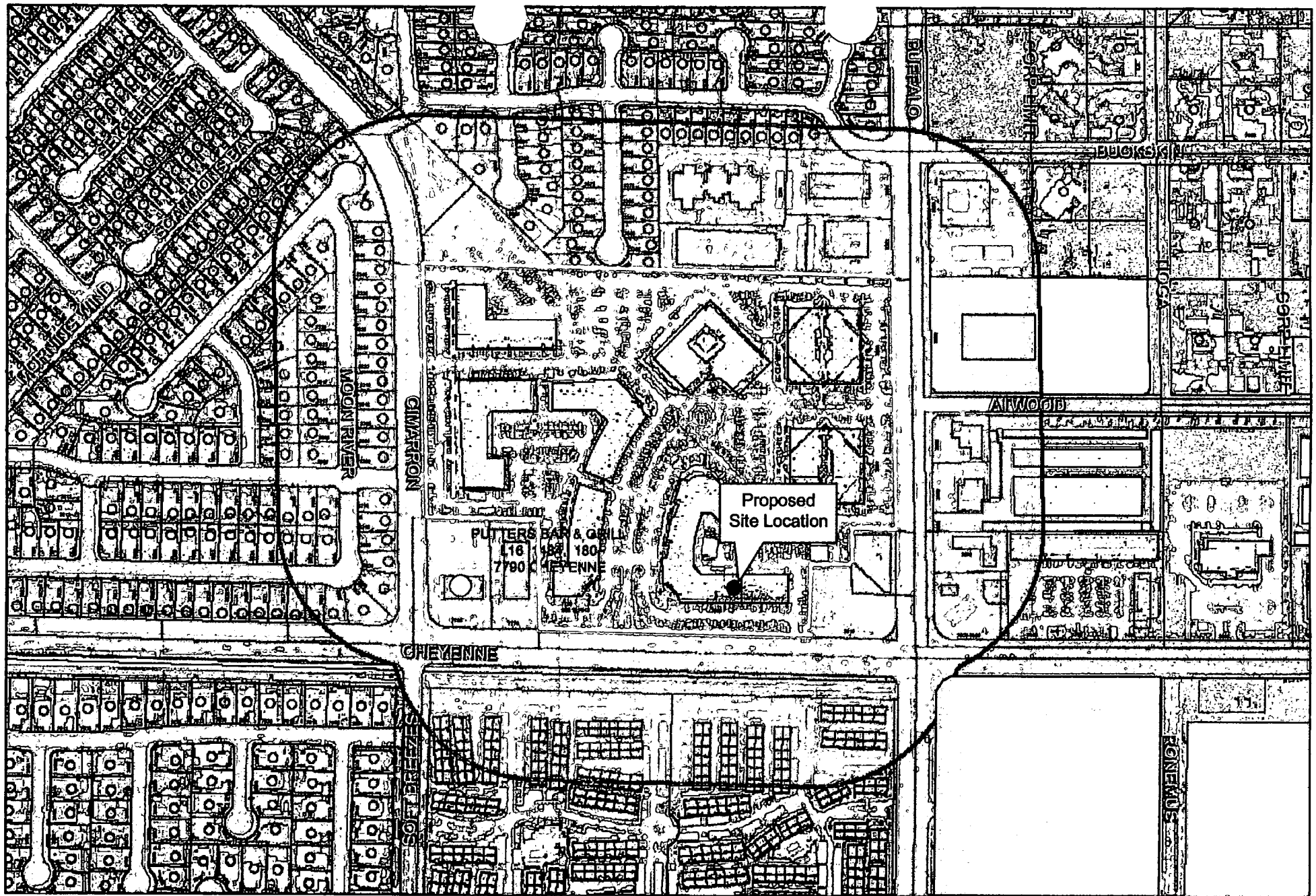


CASE: SUP-3716

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



SUP-3716

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 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-3716 - APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 7, 2004 CITY COUNCIL MEETING AT THE COUNCILMAN'S REQUEST.

**** 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 Restaurant Service Bar.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A waiver is granted to permit the use within the 400-foot minimum distance separation requirement from protected uses.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to allow a Restaurant Service Bar and a waiver of minimum distance requirements from a Church and City Park, on a 24.8-acre site located at 7660 West Cheyenne Avenue, Suite #122.

B) Applicant's Justification

The applicant has justified this request by indicating that the use will consist only as a "table service" because of the non-existence of an actual bar on site. The requested waiver of the minimum distance separation from a Church is justified by virtue of the actual distance measured from the front door of the Restaurant Service Bar to that of the Church is greater than the required 400-foot separation distance. The applicant has not addressed the requested waiver of the minimum distance separation from a City Park.

BACKGROUND INFORMATION

A) Previous Actions

- 07/21/93 The City Council approved a rezoning (Z-0052-93) of 113 acres to R-PD8 (Residential Planned Development 8 Units Per Acre) Zone and C-1 (Limited Commercial) Zone. The Planning Commission and staff recommended approval.
- 07/28/97 On an adjacent site, the City Council approved an Extension of Time for a Special Use Permit [U-0029-95(2)] for a Tavern located at the Northeast Corner of Cimarron Road and Cheyenne Avenue. City council originally approved the Special Use Permit (U-0029-95) on June 21, 1995. The Board of Zoning Adjustment and staff recommended approval.
- 07/13/98 The City Council approved a Site Development Review [Z-0052-93(11)] for a proposed 178,510 square foot office complex, at the Northeast corner of Cheyenne Avenue and Cimarron Road. The Planning Commission and staff recommended approval.
- 01/06/98 The Board of Zoning Adjustments approved a Variance (V-0104-97) to allow a 104-foot setback from the side property line where 156 feet is the minimum setback. Staff recommended denial.
- 09/14/98 The City Council approved a Site Development Review [Z-0052-93(12)] on property located on the Northwest corner of Buffalo Drive and Cheyenne Ave for a proposed 3,402 square foot restaurant. The Planning Commission and staff recommended approval.

03/09/02 Staff administratively approved a Site Development Review [Z-0052-93(13)] for a proposed 4,000 square foot Temporary Modular office.

02/26/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #32/pl).

B) Pre-Application Meeting

12/22/03 The waiver of the minimum distance requirement from protected uses was discussed. The applicant addressed this issue in regard to the church located at 3300 North Buffalo Drive in their justification letter.

C) Neighborhood Meetings

A neighborhood meeting is not required with respect to a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 24.8

B) Existing Land Use

Subject Property: Commercial Office Complex
North: Residential Subdivision
Adult Group Home & Day Care
Withdrawal Management Facility
South: Apartments
Southeast: Public Library
Public Park
East: Retail Commercial Center
Mini Warehouse
Church
West: Residential Subdivision

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
ML (Medium Low Density Residential)
South: M (Medium Density Residential)
Southeast: PF (Public Facility)
East: SC (Service Commercial)
R (Rural density residential)
West: ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property: U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

North: U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
 U (SC) (Undeveloped) [SC (Service Commercial) General Plan Designation]
 R-PD7 (Residential Planned Development - 7 Units Per Gross Acre)

South: R-PD5 (Residential Planned Development - 5 Units Per Gross Acre)

Southeast: C-V (Civic)

East: C-1 (Limited Commercial)
 R-E (Residence Estates)

West: R-PD8 (Residential Planned Development - 8 Units Per Gross Acre)

E) General Plan Compliance

- Centennial Hills General Plan

This site is located within a SC (Service Commercial) land use designation within the Centennial Hills Sector Plan of the General Plan. The proposed use is in compliance with the Centennial Hills Sector 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

The subject Special Use Permit for a Restaurant Service Bar is located within the 330-foot Rural Preservation Neighborhood street buffer zone. However, there are no parcels indicated as part of the Rural Preservation Neighborhood, in proximity to the site, therefore this application has no affect on any property designated as such.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, any application for a Special Use Permit within 500 feet of Clark County or the City of North Las Vegas is deemed to be a "Project of Regional Significance". As the subject site does not fall within these parameters, the proposal is not deemed to be a Project of Regional Significance and is therefore not subject to an Environmental Impact Assessment and associated notification procedures.

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Restaurant Service Bar	400 foot separation from protected uses	NO

Title 19 allows "Restaurant Service Bar" uses to be developed subject to a Special Use Permit. The primary condition to be satisfied for the issuance of such a Special Use Permit is a minimum separation distance. The minimum distance separation requirements of Title 19.04.050 stipulates that no restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

RESTAURANT SERVICE BAR [N-S THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- (1) No restaurant service bar business use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.
- (2) Except as otherwise provided in Subsection (3) below, the minimum 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 restaurant service bar 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 restaurant service bar. 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 restaurant service bar proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Subsection (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 restaurant service bar will be located, without regard to intervening obstacles; or
 - (b) In the case of a proposed restaurant service bar 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 restaurant service bar will be located, without regard to intervening obstacles.
- (4) When considering a Special Use Permit application for a restaurant service bar 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 requirement in Subsection (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.
 - (6) In the O District, a restaurant service bar is permitted only as an accessory use. This provision cannot be waived.
 - (7) All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code. This provision cannot be waived.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial). The "Restaurant Service Bar" use is permitted in a C-1 (Limited Commercial) District with the approval of a Special Use Permit, which is the subject of this application.

- Use

The use of a portion of this development site as a "Restaurant Service Bar" is appropriate, given the nature of development in this site, which includes a variety of restaurants and office uses.

- Conditions

With approval of the requested waiver of the 400-foot minimum separation distance, the proposed Restaurant Service Bar use meets all conditions of approval of a Special Use Permit as outlined in Title 19.04.050 of the Zoning Code.

FINDINGS

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

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

The project is compatible with the General Plan land use designation but fails to satisfy the requirements of the Zoning Code with respect to minimum separation distance requirements. The project is located in a substantial commercial development at an intersection where two quadrants are occupied by major commercial developments, while the remaining corners are zoned for residential and civic uses. The proposed use can be expected to be compatible with, and mutually supportive of, these other commercial uses.

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

There is no evidence of physical constraints to location of the proposed Restaurant Service Bar use on this 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 Restaurant Service Bar will be accessed from Buffalo Drive and Cheyenne Ave, which are both identified on the Master Plan of Streets and Highways as a Primary (100-foot) Arterials. These roads have adequate capacity to serve the proposed development. Additional access will be provided by means of Cimarron Road, which is identified by the Master Plan of Streets and Highways as a Secondary (80-foot) Collector. This road 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 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 1,265 by City Clerk

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3716** APN: 138 - 09 - 821 - 003
Name of Property Owner: Cheyenne Investments, LLC
Name of Applicant: Aurelio's

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: Yusef K. Connor

Print Name: George K Connor

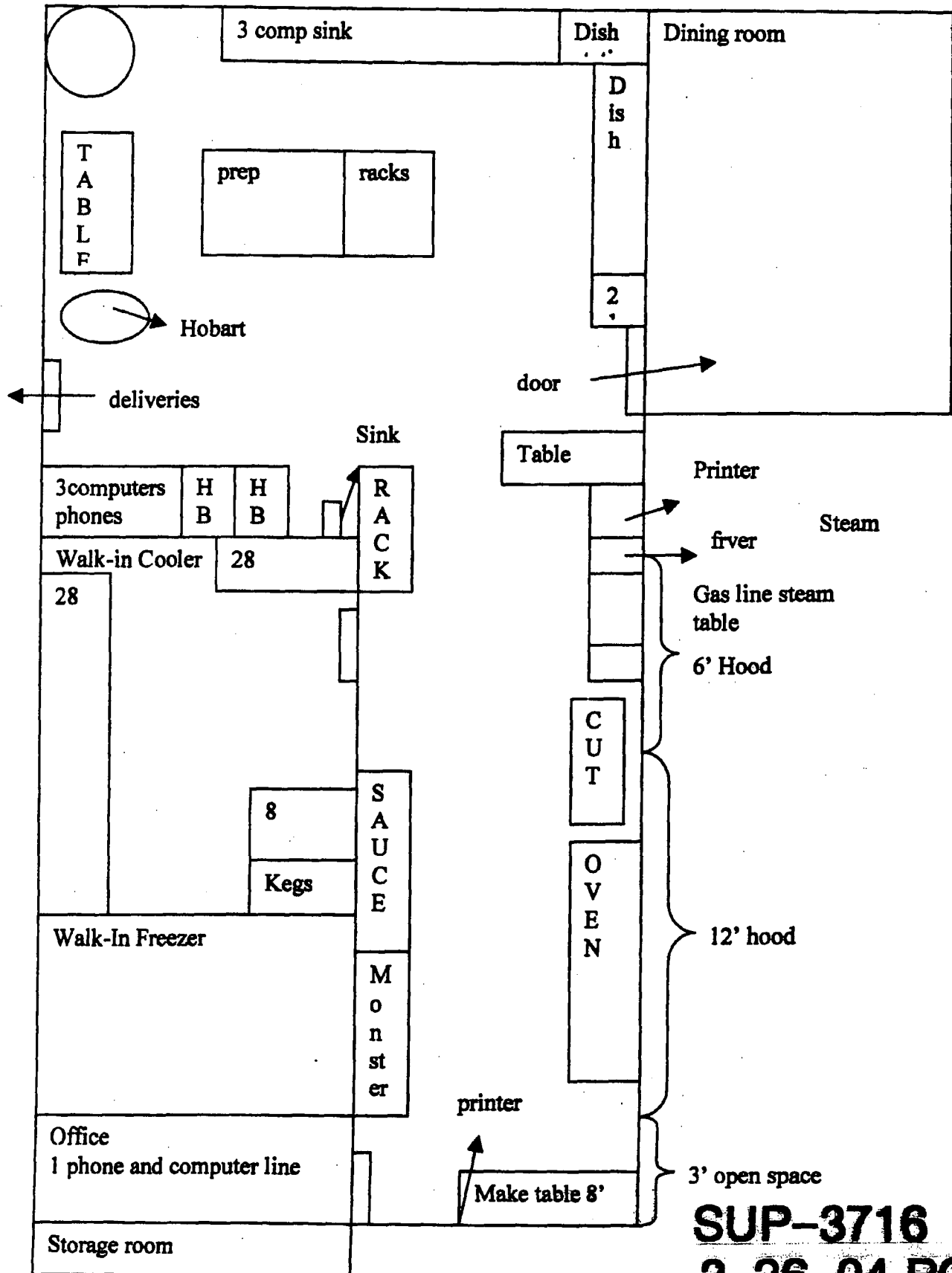
Subscribed and sworn before me

This 9th day of January, 2004

Kush Spore
Notary Public in and for said County and State



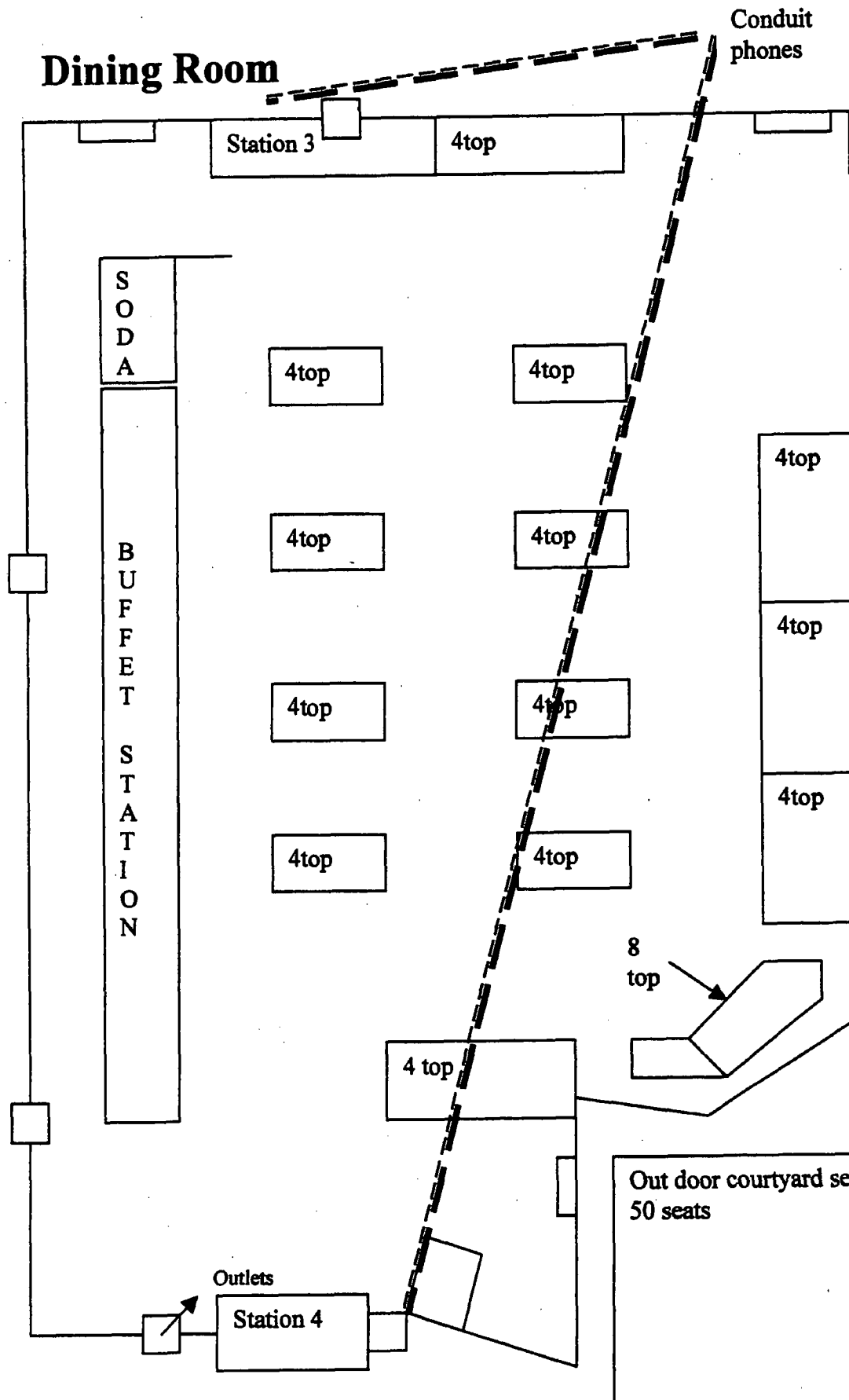
Kitchen Floor Plan



SUP-3716

2-26-04 PC

Dining Room



SUP-3716
2-26-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - 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

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Council meeting - Opinion memo from City Attorney regarding abstentions pertaining to Item 93, Item 129 [SUP-3747] and Item 131 [SUP-3478] filed under Item 93

MOTION:

REESE - APPROVED subject to conditions and an added condition for a six month review - **UNANIMOUS** with GOODMAN abstaining because his son, ERIC GOODMAN, has represented Check City and Rapid Cash, MACK excused and Ward 2 vacant

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT asked that comments made by CITY ATTORNEY JERBIC and the opinion memo on Item 93 be incorporated into this item. COUNCILMAN REESE added that those comments pertained to both MAYOR GOODMAN and COUNCILMAN MACK.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

SUSAN A. ROGRIGUEZ, 2201 Paseo Del Prado, appearing on behalf of applicant, requesting approval of Item.

TODD FARLOW, 240 North 19th Street, stated his opposition because the strip mall that the establishment would be located in is already overcrowded with parking problems.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 129 – SUP-3747

MINUTES – Continued:

MAYOR PRO TEM REESE stated he met with MS. RODRIGUEZ and that there is a need for her type of business in this area. She is relocating to this area. He asked MARGO WHEELER, Deputy Director, Planning and Development, to explain the denial recommendation.

MARGO WHEELER told the Council that subsequent to the Planning Commission hearing, the owners of other loan companies in the same shopping center reapplied for different business licenses because they only do wire transfers. She clarified that although two of the businesses in the center are shown as being the same type, they are not.

MAYOR PRO TEM REESE questioned if MRS. RODRIGUEZ would require a waiver of the distance requirement. MS. WHEELER confirmed she would. MAYOR PRO TEM REESE then clarified the Council's ability to waive that requirement. He supported approval subject to a six-month review.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:15 – 2:20)

4-1316

CONDITIONS:

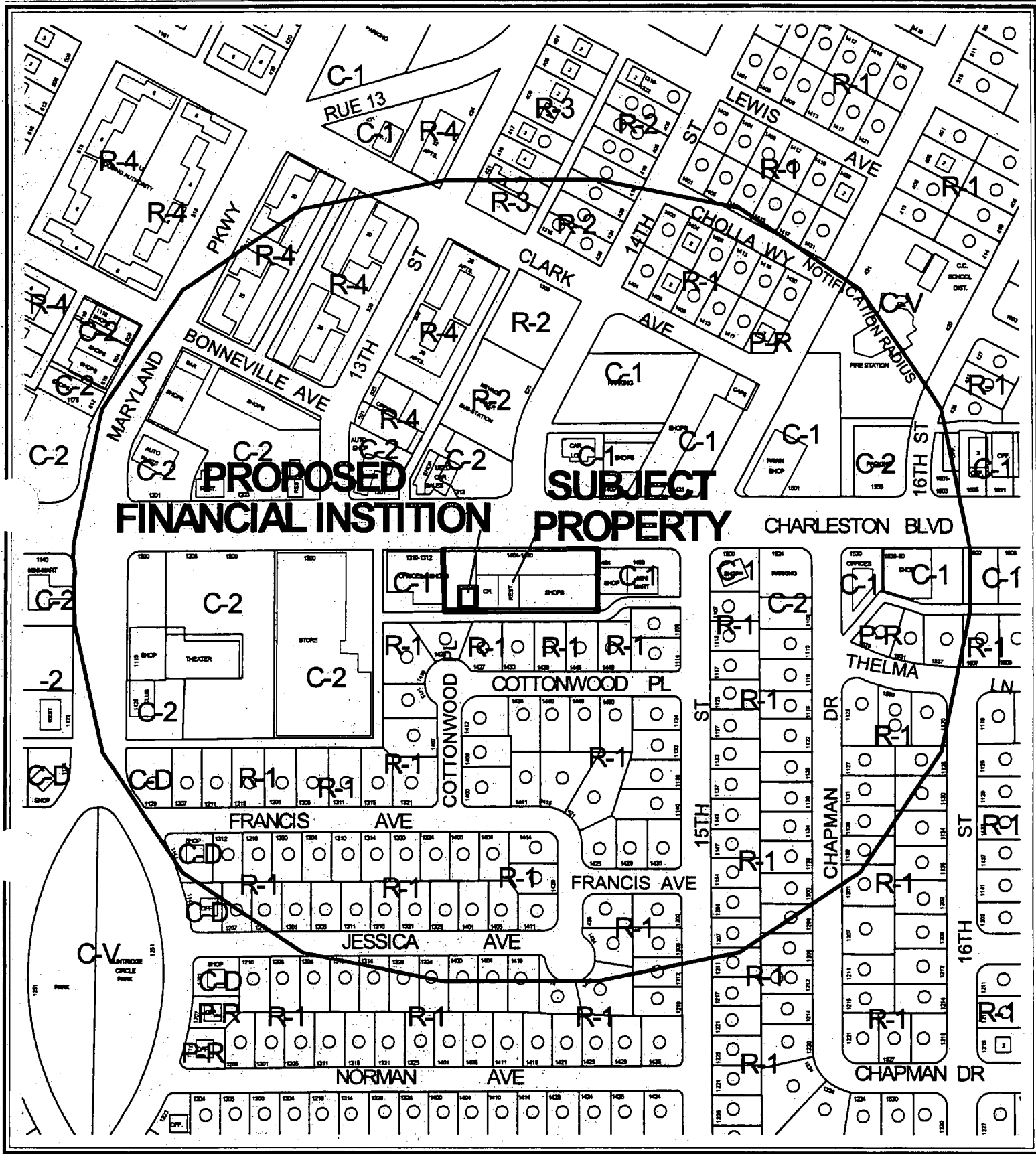
Planning and Development

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.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 129 – SUP-3747

CONDITIONS – Continued:

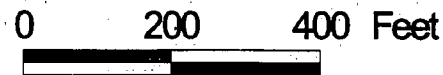
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

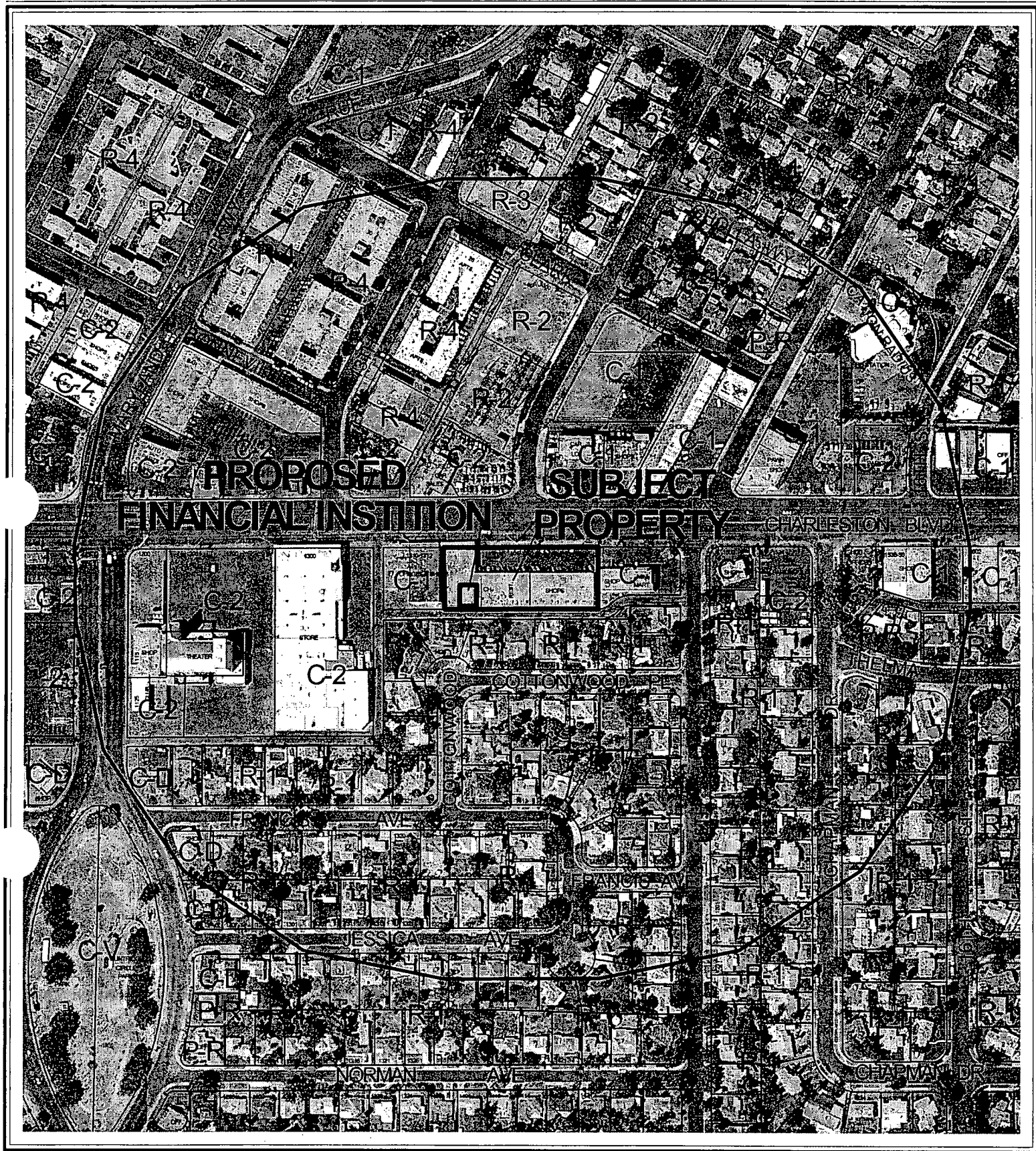


CASE: SUP-3747

RADIUS: 750 FT

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

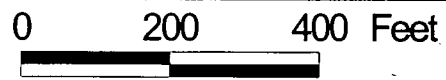


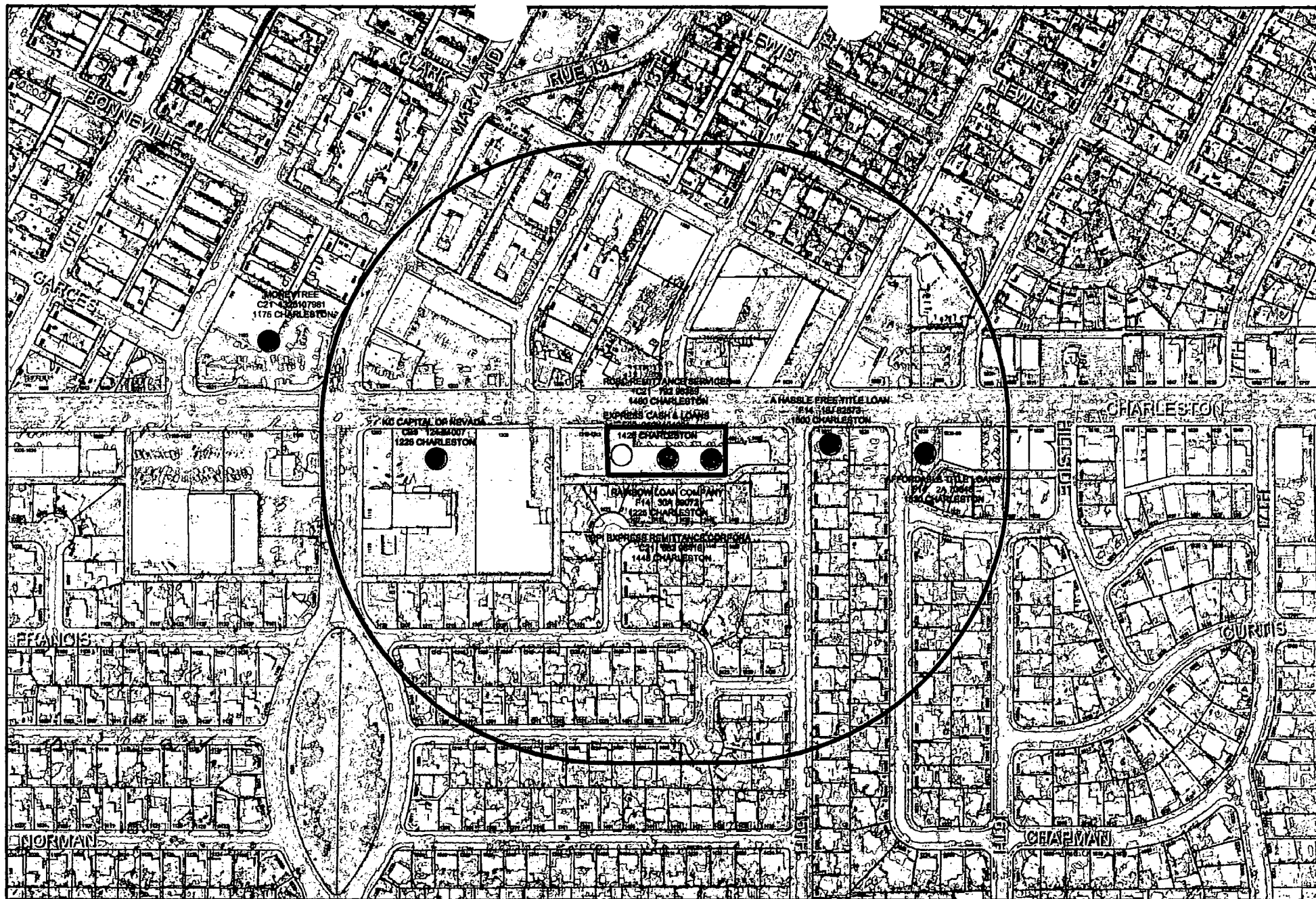


CASE: SUP-3747

RADIUS: 750 FT

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





SUP-3747 Financial Business Locations

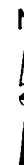
- Financial Institution, Specified (Check Cashing Service)
- Finance Company
- Financial Institution, Specified (Check Cashing Service with Gross)
- Automobile Title Loan



Subject Property



750 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 7, 2004 CITY COUNCIL MEETING AT THE COUNCILMAN'S REQUEST.

**** 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

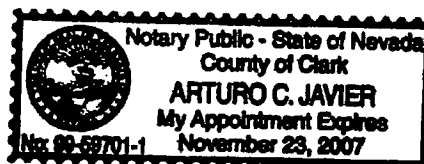
APN: N/A

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

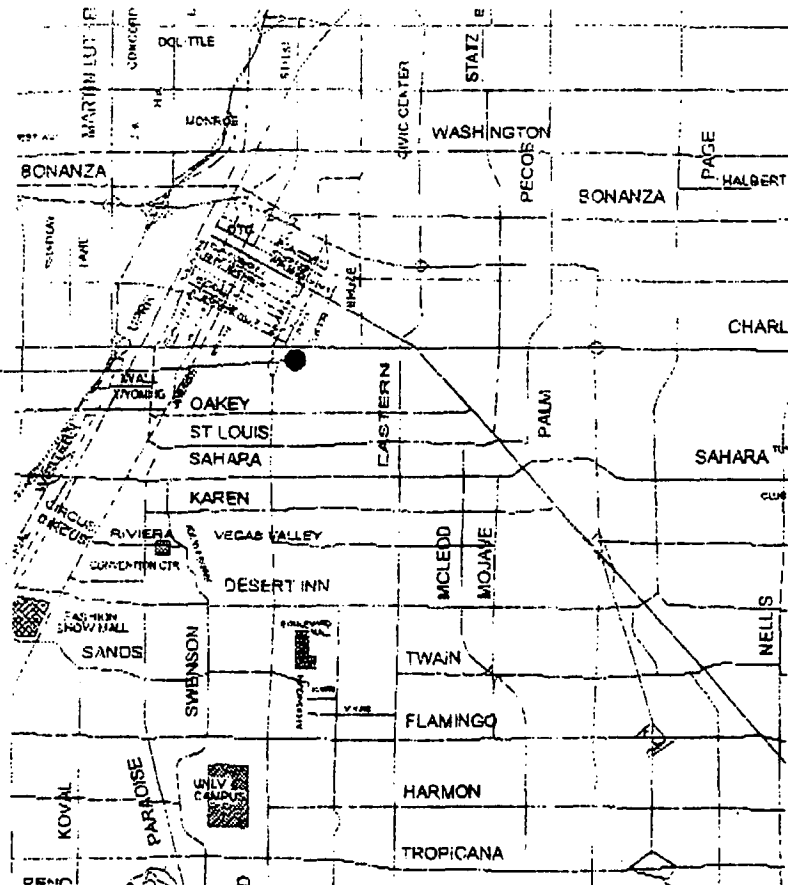
PARCEL NUMBER: 162-02-110-007

CURRENT ZONING DESIGNATION: C-1

PROPOSED USE: EXPRESS CASH & LOAN

VICINITY MAP

PROJECT
LOCATION

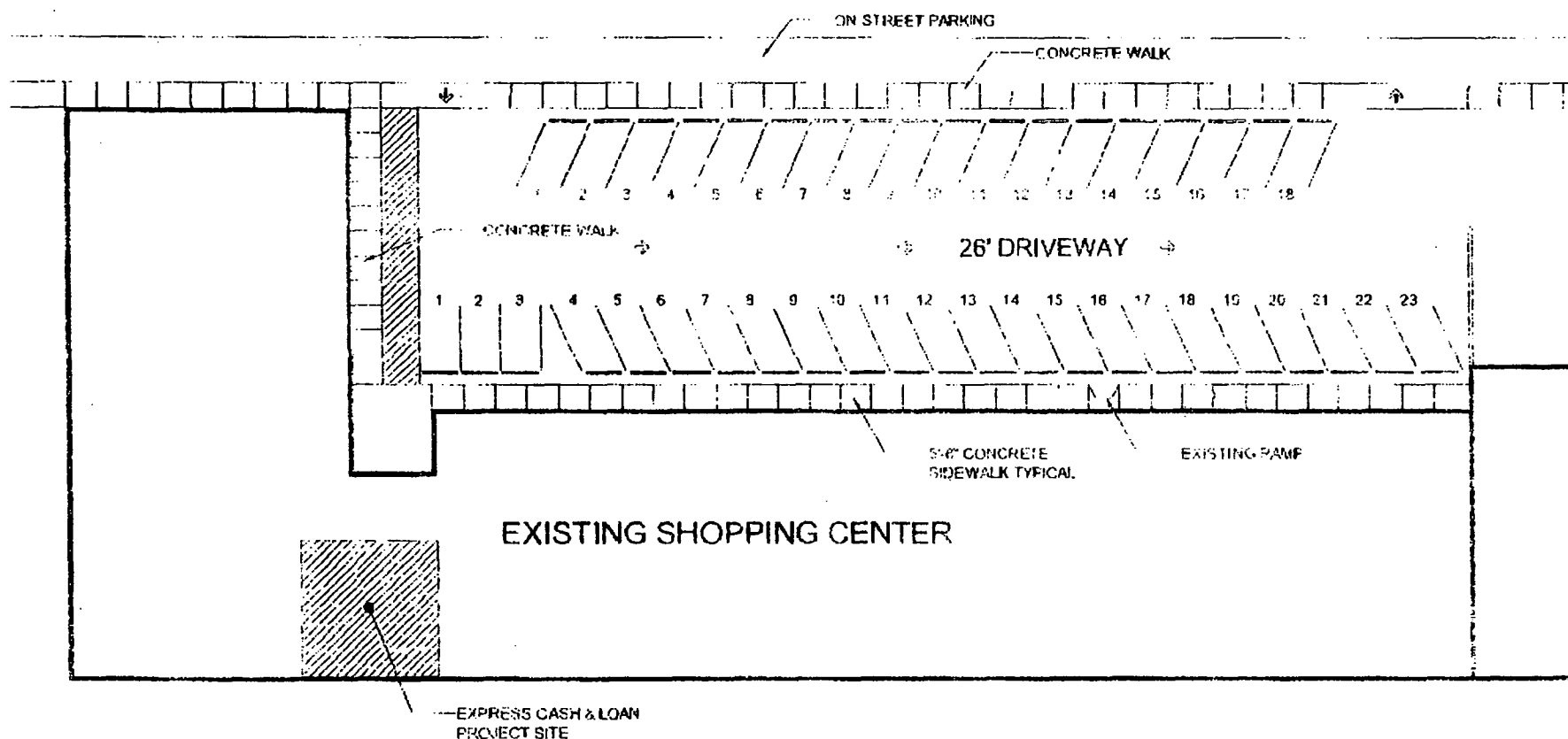


84P-3247
08-11-84

08-11-04 PC

08-11-04 PC

CHARLESTON BLVD.



OVERALL SITE PLAN

SCALE: 1" = 20'-0"

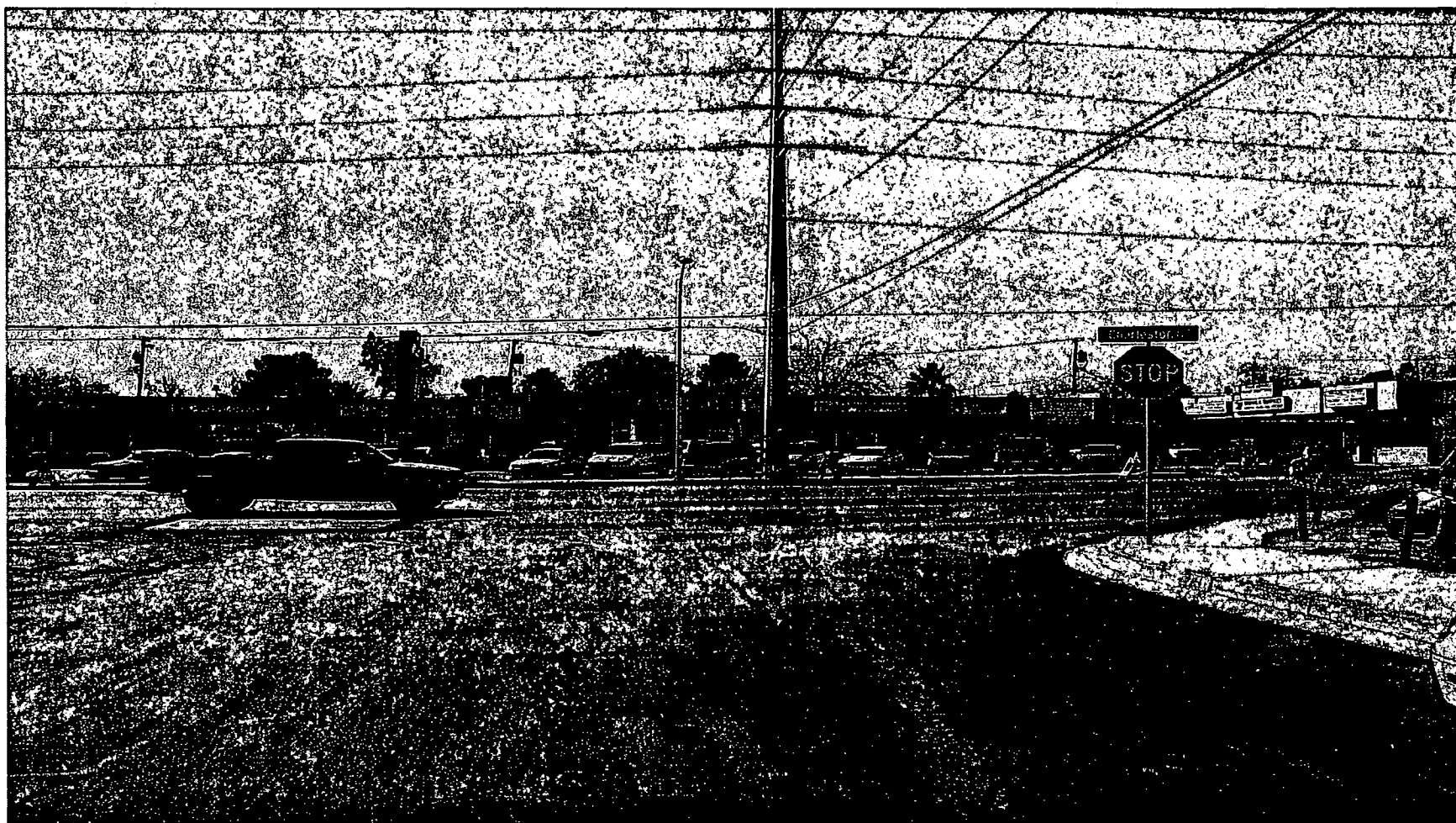
SUP-3747

08-11-04 PC



[illegible]

SUP-3747
05-11-04 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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A BANQUET FACILITY at 1520 North Eastern Avenue, Suite #101, 102 and 103 (APN 139-25-101-020), C-1 (Limited Commercial) and C-2 (General Commercial) Zones, Ward 5 (Weekly). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with MACK excused and Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JUAN JOSE AND ELIZA DIAZ, 2404 Kirk Avenue, agreed with recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

DEPUTY CITY ATTORNEY BRYAN SCOTT wanted the record to show that the vote tabulator was malfunctioning. COUNCILMAN MACK was excused, yet the vote tally was showing "Yes" votes from him. It was agreed the Clerk's office would correct the vote tally.

(2:20 - 2:21)

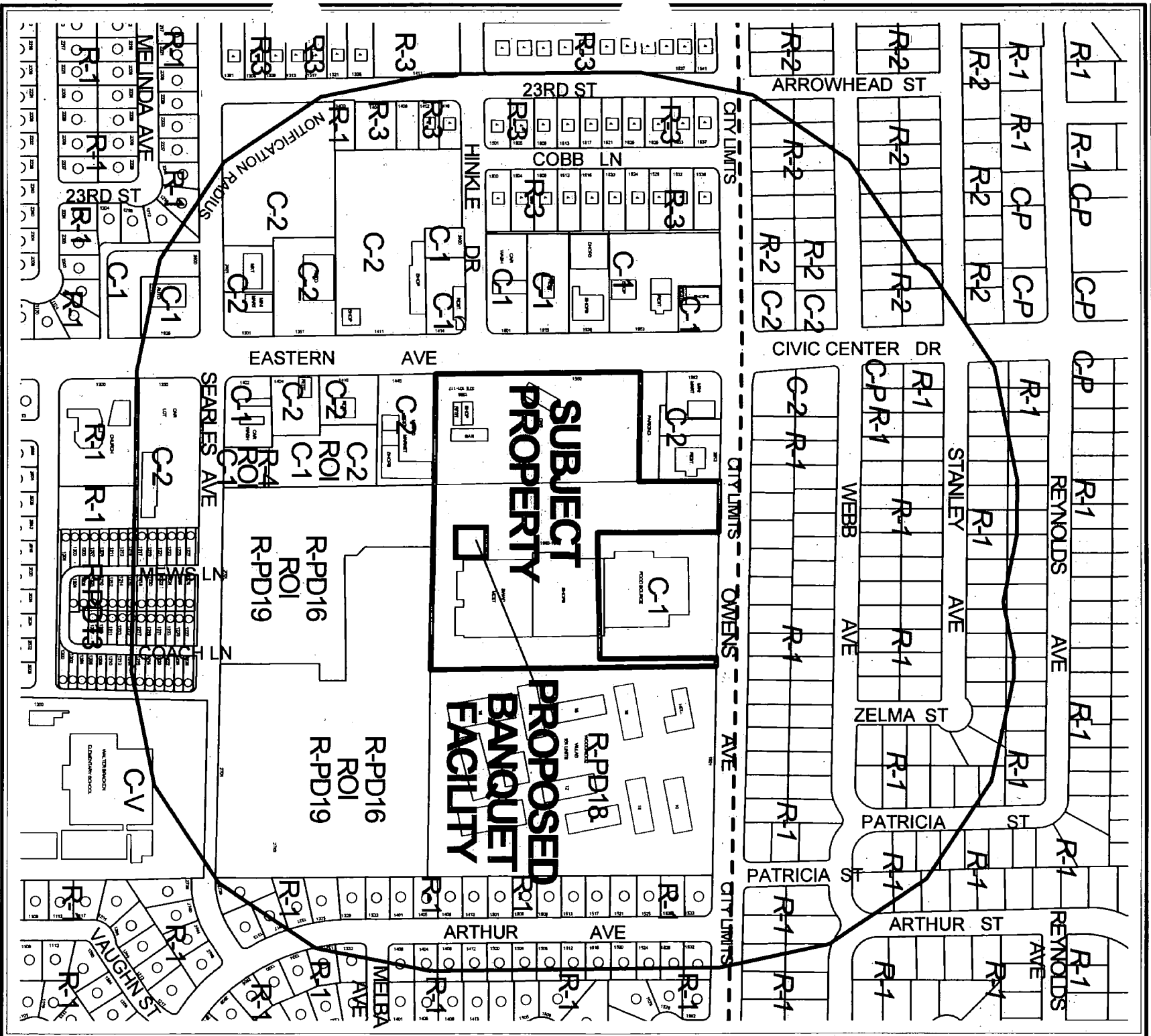
4-1500

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 130 – SUP-3844

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one (1) year after the approval, this Special Use Permit shall be void unless an Extension of Time is granted by the City Council.
2. Any doors or other apertures at the rear (south) side of the subject business space shall remain closed during the duration of every banquet event, except for emergency access needs.
3. No outdoor activities in connection with the banquet use shall be conducted on this site.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Hours of operation shall be limited to 4:00 pm to 12:00 am.



CASE: SUP-3844

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)



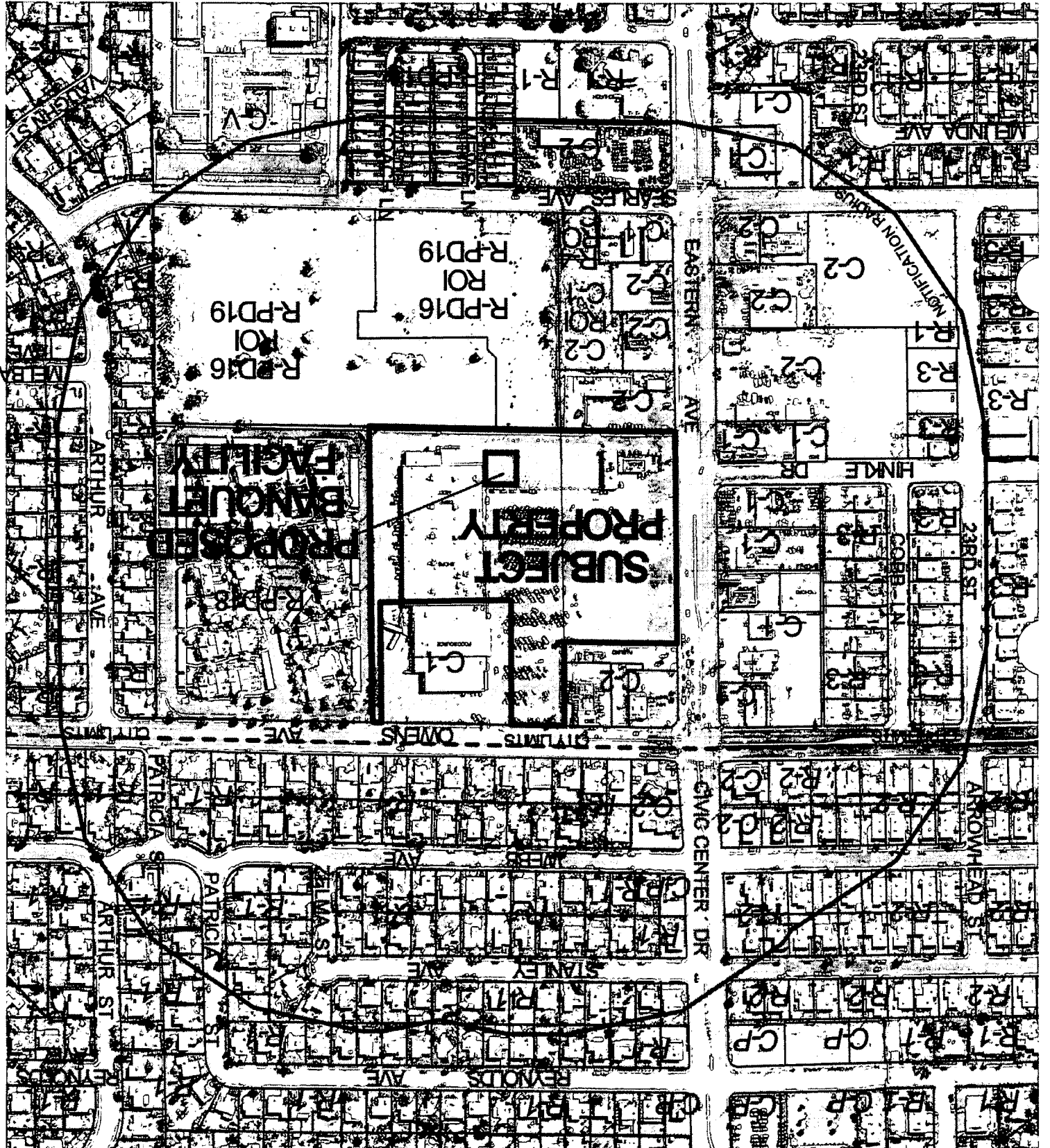
C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

ZONING OF SUBJECT PROPERTY:

RADIUS: 750 FT

CASE: SUP-3844

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER:
MIGUEL FAMILY TRUST 1993, ET AL**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one (1) year after the approval, this Special Use Permit shall be void unless an Extension of Time is granted by the City Council.
2. Any doors or other apertures at the rear (south) side of the subject business space shall remain closed during the duration of every banquet event, except for emergency access needs.
3. No outdoor activities in connection with the banquet use shall be conducted on this site.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Hours of operation shall be limited to 4:00 pm to 12:00 am.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to allow a banquet facility on property located at 1520 North Eastern Avenue.

B) Applicant's Justification

The applicant's justification letter states the intent is to provide banquet facilities in the area for weddings, birthdays, organizational and equivalent functions.

BACKGROUND INFORMATION

A) Previous Actions

- 02/28/02 The Planning Commission approved a Site Development Review application (SD-0080-01) that allowed expansion of the retail center in which this application is located. Staff recommended approval.
- 10/01/03 The City Council approved a Special Use Permit application (SUP-2683) for a restaurant service bar. The Planning Commission and staff recommended approval.
- 03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #15/kcw).

B) Pre-Application Meeting

- 01/20/04 The following topics were discussed:
- The people will be bringing their own food and liquor.
 - The space will be rented for events such as birthdays and weddings.
 - The hours will mostly be 4:00PM to 12:00 Midnight.
 - Events will be mostly Friday and Saturday, sometimes Sunday.
 - Security will be available during activities.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: N/A
 Net Acres: N/A

B) *Existing Land Use*

Subject Property: Shopping/ Retail Center
 North: Shopping/ Retail Center
 South: Multi-family
 East: Multi-family
 West: Retail, Auto repair, Restaurants

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 South: M (Medium Density Residential)
 East: M (Medium Density Residential)
 West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 South: R-PD16 (Residential Planned Development - 16 Units Per Acre) under Resolution of Intent to R-PD19 (Residential Planned Development- 19 Units Per Acre)
 East: R-PD18 (Residential Planned Development - 18 Units Per Acre)
 West: C-2 (General Commercial)

E) *General Plan Compliance: Southeast Sector General Plan*

The existing C-1 (Limited Commercial) zoning correlates with the SC (Service Commercial) land use classification of the Southeast Sector General Land Use Plan. The proposed use is permitted in the C-1 (Limited Commercial) zoning district with the requested Special Use Permit. Therefore, the proposed use complies with the Southeast Sector Plan.

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Required Parking		Provided Parking	
		Regular	Handicap	Regular	Handicap
Restaurant	1,658 SF	105			
Tavern	2,920 SF				
Existing Retail Building	102,547 SF	411			
Building Expansion	23,808 SF	105			
Totals		606	13	633	13

The proposal supplies parking that exceeds the requirements of Title 19.

A2) Minimum Distance Separation Requirements

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

B) *General Analysis and Discussion*

• Zoning

The subject property is zoned C-1 (Limited Commercial). This category is intended to provide most retail shopping and personal services. A banquet facility is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The sale of alcoholic beverages on this site is precluded by the approval of this Special Use Permit. Liquor sales would require a future Special Use Permit application.

• Use

The proposed banquet facility is a compatible use in this established commercial center. However, the banquet facility could potentially be a nuisance for the existing residential development to the south. Therefore, conditions prohibiting doors at the south side of the business space and hours of operation are recommended.

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 banquet facility use will likely include live and/or amplified music as part of the banquet activities, which may generate adverse noise impacts on the adjacent residences, especially during the evening hours. Therefore, conditions of approval that would keep any openings on the south side of the building closed during events and that all activities are to be conducted within the building will be added. Aside from this the facility is compatible with surrounding development.

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

The use will be located within a proposed expansion of the existing commercial building.

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."**

Site access is via Eastern Avenue (100-foot-wide Primary Arterial). The existing transportation facilities are adequate to accommodate traffic generated by 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 banquet facility will be subject to inspections for City, State, and Health District regulation, licensing and enforcement and therefore will not compromise the public health, safety, and welfare. The proposed use conforms to the General Plan.

NOTICES MAILED 265 By City Clerk

APPROVALS 0

PROTESTS 0



**SUP-3844 - APPLICANT: JOSE AND ELIZA DIAZ - OWNER: MIGUEL FAMILY TRUST 1993, ET AL
1520 NORTH EASTERN AVENUE, SUITE# 101, 102 AND 103
MARCH 25, 2004 PLANNING COMMISSION**

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN at 4458 North Rancho Drive (APN 138-02-601-001), 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 at Council meeting - Opinion memo from City Attorney regarding abstentions pertaining to Item 93, Item 129 [SUP-3747] and Item 131 [SUP-3478] filed under Item 93

MOTION:

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN abstaining because his son, ERIC GOODMAN, has represented Check City and Rapid Cash, MACK excused and Ward 2 vacant

MINUTES:

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT asked that comments made by CITY ATTORNEY JERBIC and the opinion memo on Item 93 be incorporated into this item.

MAYOR PRO TEM REESE declared the Public Hearing open.

QUAN REAGAN, 3280 E. Tropicana, appeared on behalf of applicant and concurred with staff recommendation.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 131 – SUP-3748

MINUTES – Continued:

CITY CLERK BARBARA JO RONEMUS, advised MAYOR PRO TEM REESE and COUNCILMAN BROWN that COUNCILMAN BROWN's vote registered as an abstention. COUNCILMAN BROWN indicated he had chosen the green YES button. MAYOR GOODMAN instructed that votes could be made by voice and a show of hands.

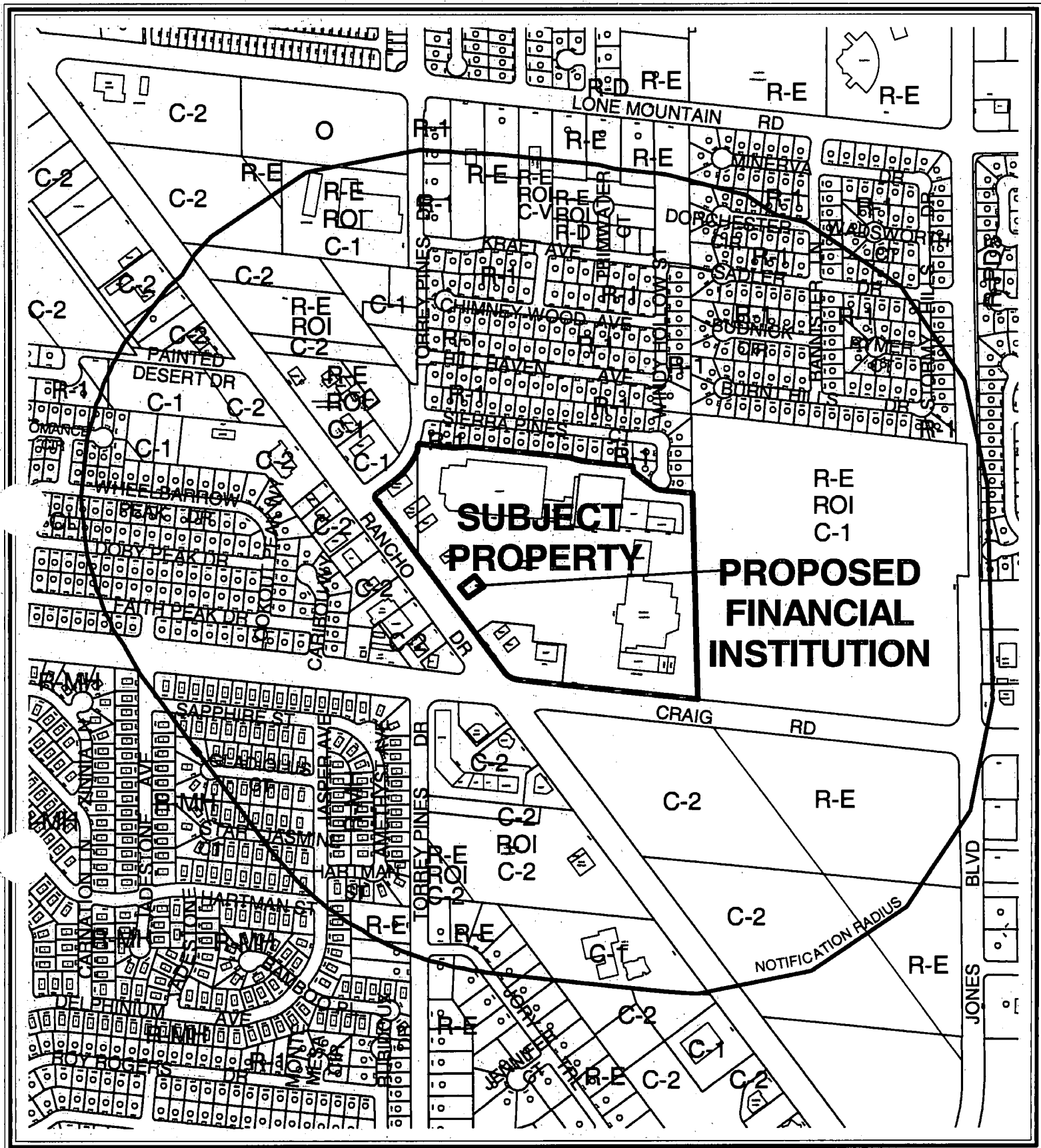
(2:21 – 2:23)

4-1550

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

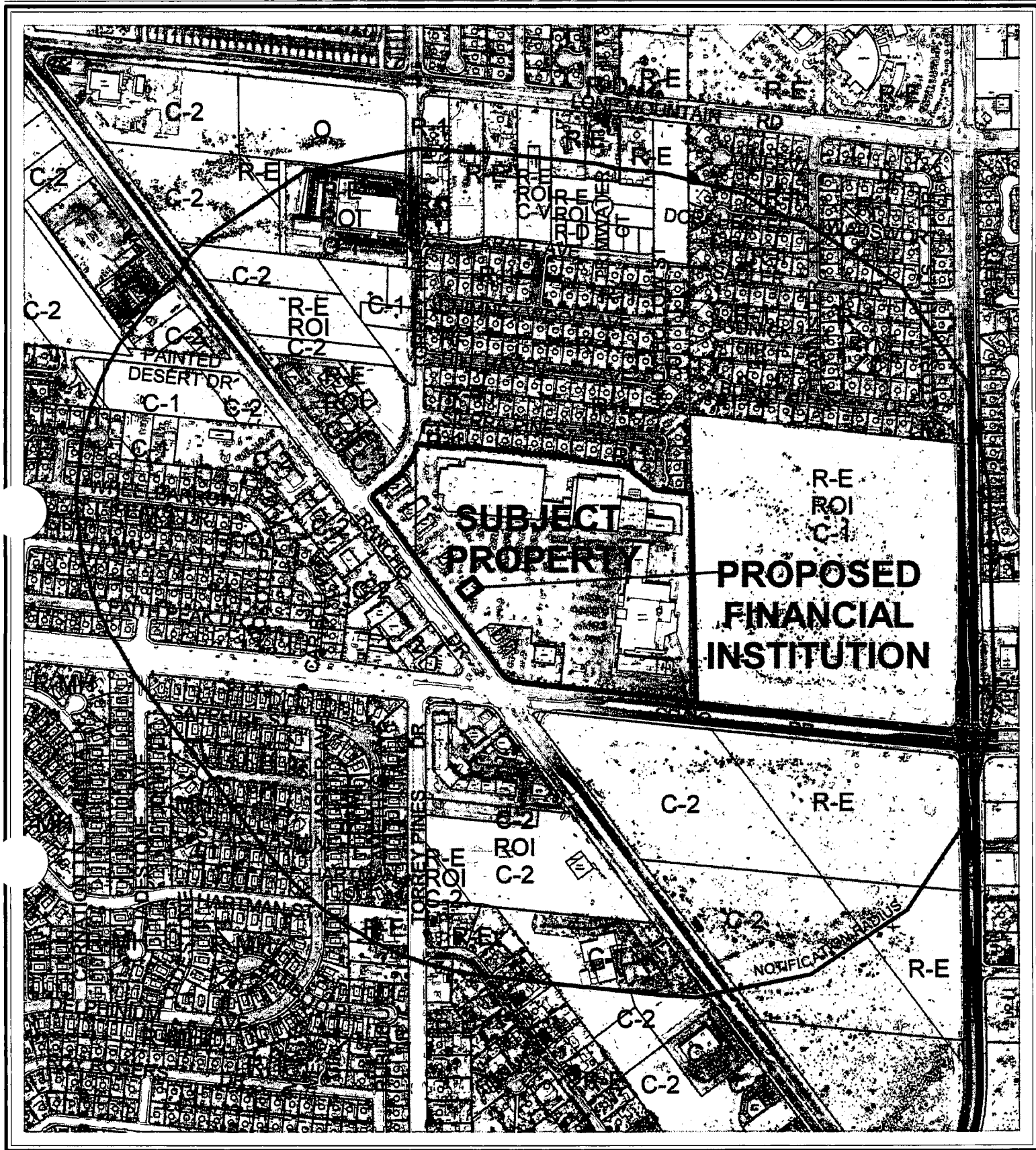


CASE: SUP-3748

RADIUS: 1320 FT

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

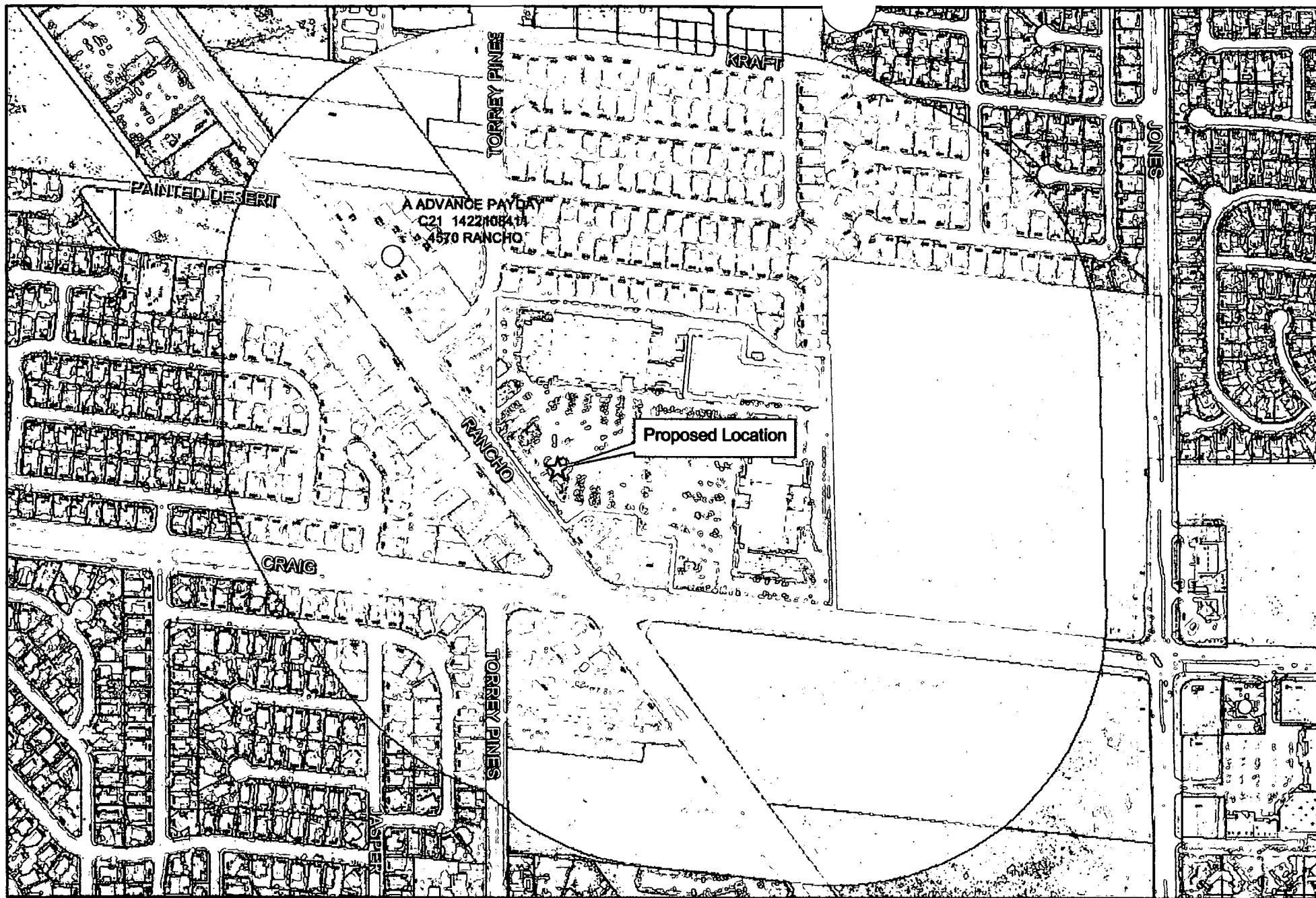




CASE: SUP-3748

RADIUS: 1320 FT

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



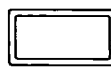
SUP-3748 Financial Business Locations

○ Financial Institution, Specified
(Check Cashing Service)

○ Finance Company

○ Financial Institution, Specified
(Check Cashing Service with Gross)

○ Automobile Title Loan



Subject Property



1000 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG ROAD COMPANY, LIMITED PARTNERSHIP

**** 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. 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. 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 Financial Institution, Specified and Auto Title Loan at 4458 North Rancho Drive.

B) Applicant's Justification

The applicant's justification letter indicates the proposed use is compatible and harmonious since it is located in a major shopping area.

BACKGROUND INFORMATION

A) Previous Actions

- 01/18/89 The City Council approved C-1 (Limited Commercial) zoning for this site as part of a larger request (Z-109-88). The Planning Commission and staff recommended approval on December 20, 1988.
- 10/12/89 The Planning Commission approved a Plot Plan and Building Elevation Review for the retail shopping center on this site [Z-109-88(1)]. Staff recommended approval on October 12, 2003.
- 02/19/99 The Planning and Development Department administratively approved a Site Development Plan Review [Z-109-88(2)] for this pad site.
- 03/25/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #34/mp).

B) Pre-Application Meeting

- 01/22/04 The applicant was advised of the requirements of a Special Use Permit.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 22.74

B) Existing Land Use

Subject Property: Commercial Retail Center
North: Single Family Residences and Commercial
South: Undeveloped
East: Undeveloped
West: Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: L (Low Density Residential) and 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: R-1 (Single Family Residential) and C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: C-2 General Commercial

E) General Plan Compliance

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The proposed use is located within an existing commercial shopping center and will not have an affect on the existing parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Financial Institution, Specified and Auto Title Loan uses. There are no similar approved uses within the 750' notification distance.

B) General Analysis and Discussion

- **Zoning**

The proposed Financial Institution, Specified and Auto Title Loan are 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.

Auto Title Loan is defined by Title 19 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

- **Conditions**

The following lists the minimum conditions from Title 19.04.050 for Financial Institution, Specified and Auto Title Loan:

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

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

This application appears to meet these base conditions of approval.

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 Financial Institution, Specified and Auto Title Loan uses will not adversely affect the current or future surrounding uses on this segment of Cheyenne Avenue.

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

The proposed use is located within an existing shopping center and will operate in a similar manner to other retail uses. Therefore, this site is physically suitable for this 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.”**

The abutting street network will be adequate for the traffic generated by the use since it has access to Rancho Drive, a 125-foot wide primary arterial and Craig Road, a 120 foot wide primary arterial on the Master Plan of Streets and Highways.

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

The proposed use will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 470 By City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3748** APN: 138-02-601-001, 138-02-601-002, 138-02-204-001, 138-02-601-003

Name of Property Owner: TONOPAH CRAIG ROAD CO., a California Limited Partnership

Name of Applicant: CONTINENTAL CURRENCY OF NEVADA, INC. DBA: CASHLAND

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: _____

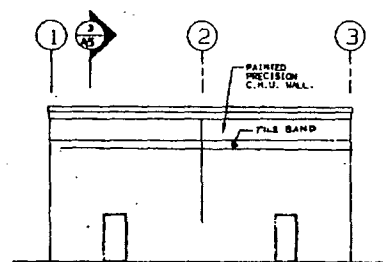
Signature of Property Owner/Authorized Agent: Mary [Signature]

Print Name: MAURY ABRAMS

Subscribed and sworn before me

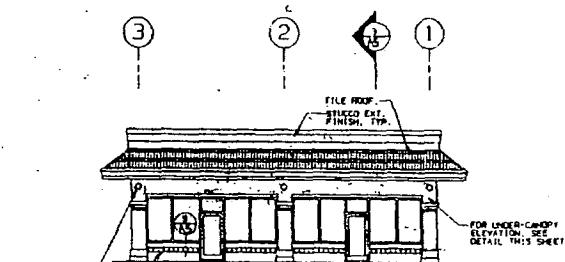
This 4TH day of DECEMBER, 2003

Notary Public in and for said County and State



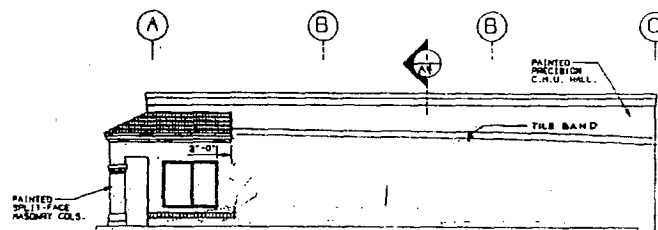
NORTH ELEVATION

1/8" = 1'-0"



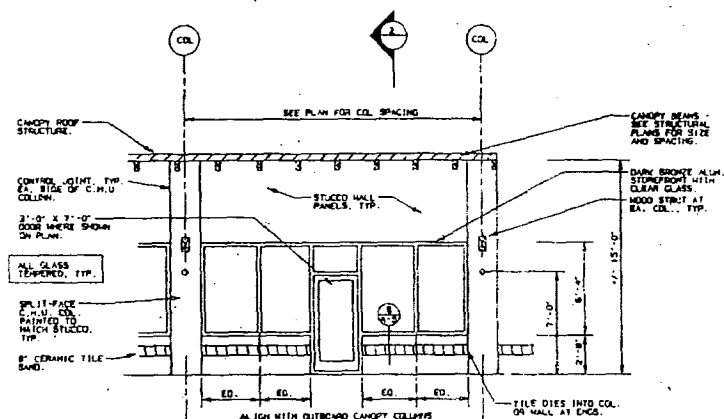
SOUTH ELEVATION

1/8" = 1'-0"



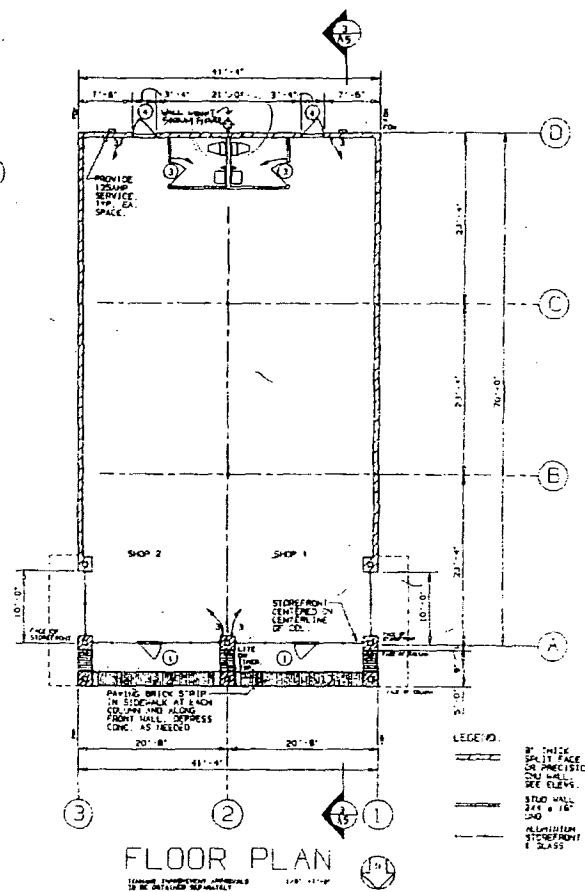
WEST AND EAST ELEVATION

1/8" = 1'-0"



TYPICAL UNDER-CANOPY ELEVATION

1/8" = 1'-0"



FLOOR PLAN

1/8" = 1'-0"

CHK.	BY
PHASE	
JOB NO	
DATE	02-20-99
REVISION	
NO	DATE

ABRAMS CONSTRUCTION COMPANY
15001 VENTURA BLVD.
SUITE 408
VANUCCIO, CA 91436
TELEPHONE: 818.985.1455

PROJECT TITLE:
HAWAIIAN ISLANDS EXTERIOR
SHEET TITLE:
FLOOR PLAN AND ELEVATIONS

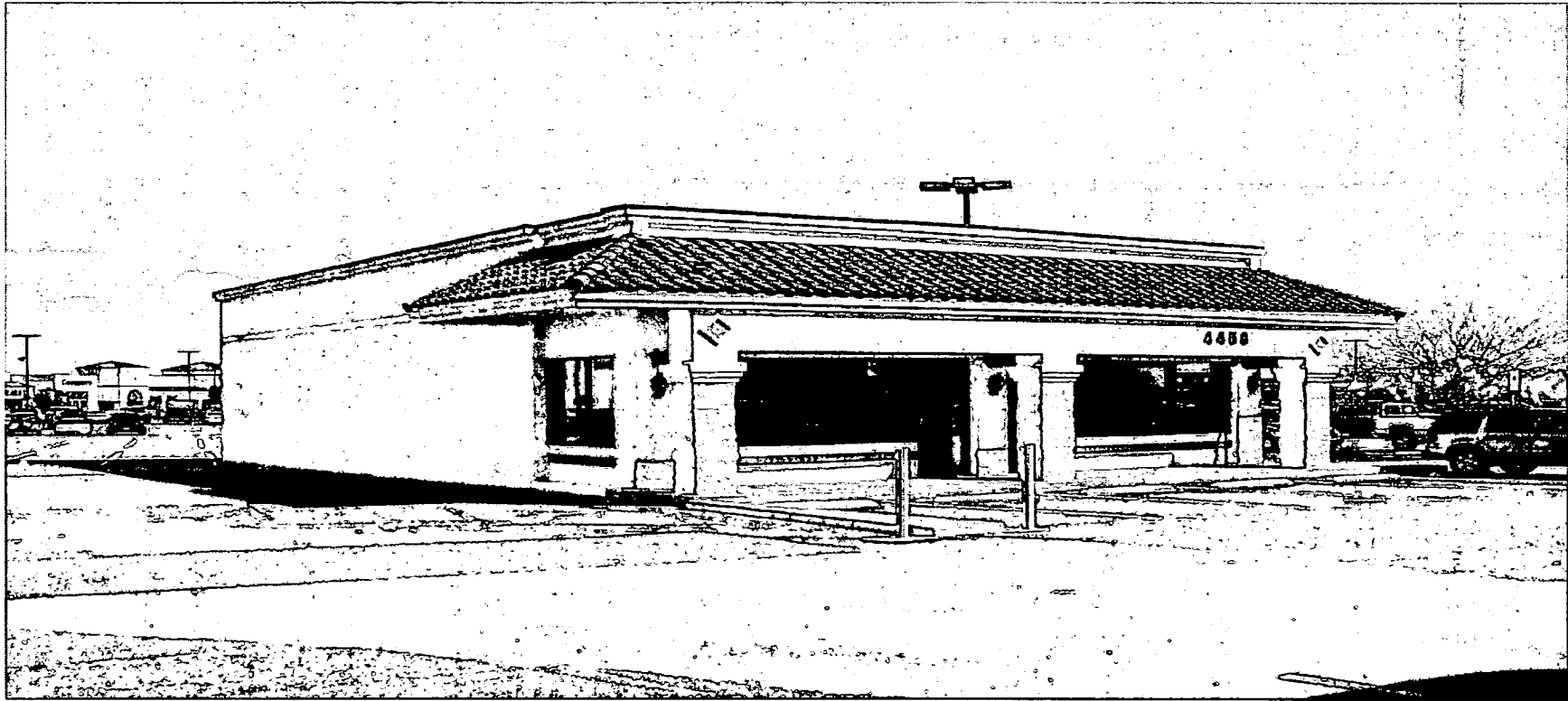
Scale: 1/8" = 1'-0"
A2

SUP-3748
3-25-04 PC



SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG
ROAD COMPANY, LIMITED PARTNERSHIP
4458 NORTH RANCHO DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



SUP-3748 - APPLICANT: CONTINENTAL CURRENCY OF NEVADA, INC. - OWNER: TONOPAH-CRAIG
ROAD COMPANY, LIMITED PARTNERSHIP
4458 NORTH RANCHO DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A 4,500 SQUARE FOOT CONVENIENCE STORE at 1600 North Martin L. King Boulevard (APN 139-21-804-006), C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with MACK excused and Ward 2 vacant

NOTE: COUNCILMAN REESE disclosed that one of his executives used to own a portion of this property. She no longer has any ownership or interest in the property, and he would be voting on the application.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHELLE SAXTON AND JIM SAXTON, 2626 South Rainbow Boulevard, appeared on behalf of applicant and concurred with Planning Commission recommendation and conditions.

MAYOR GOODMAN invited MR. SAXTON, or anyone who knew why gas prices are so high to contact his office. He feels the growing expense of fuel will have a negative impact on tourism.

CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 132 – SUP-3875

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, responded that bus prices were still the same. Regarding the application, he requested assurance that the tanks would be inspected before being used again. MR. SAXTON indicated the tanks were re-certified approximately six-months ago and that they are an active participant in the Superfund which insures tanks are maintained properly.

COUNCILMAN WEEKLY discussed with MR. SAXTON that HUGH CANADY, the original purchaser, had backed out. A second prospective client may be backing out as well. At this time, they have several other interested parties for lease purposes only and one prospective buyer remaining. COUNCILMAN WEEKLY asked when the store should be open. He expressed concern over the graffiti and upkeep of the landscaping. MR. SAXTON stated it would be between four and six months.

COUNCILMAN WEEKLY requested that MR. SAXTON coordinate a meeting with the confirmed buyer, or lessee.

MAYOR GOODMAN declared the Public Hearing closed.

(2:23 – 2:30)

4-1636

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All activities and operations shall be conducted entirely within an enclosed structure, except the following:

The dispensing of petroleum products, water and air from pump islands.
The provision of emergency services of a minor nature.
The sale of items via vending machines, which shall be located next to the main structure.
4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
5. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.

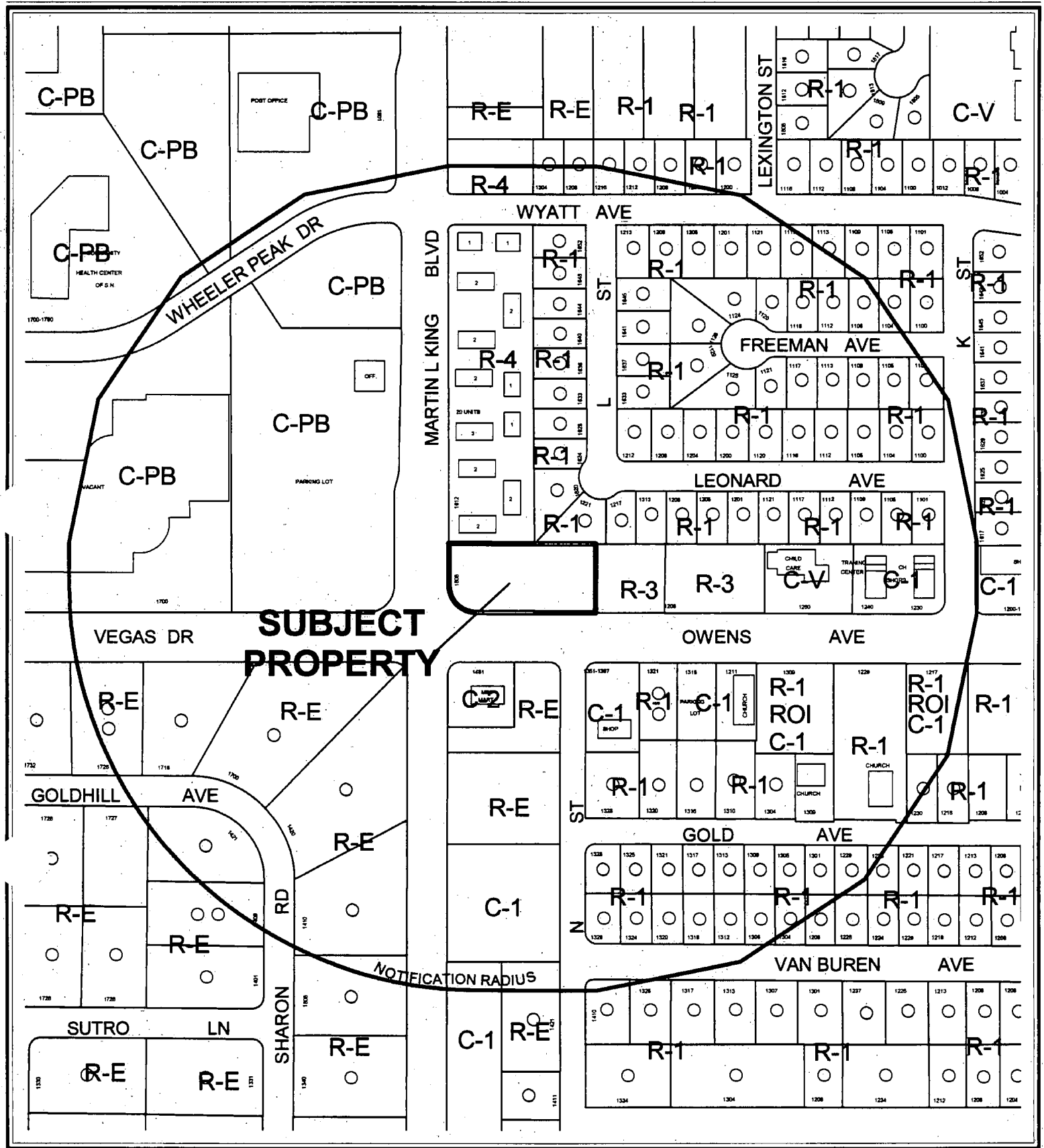
CITY COUNCIL MEETING OF APRIL 21, 2004
Planning and Development Department
Item 132 – SUP-3875

CONDITIONS – Continued:

6. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
7. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.

Public Works

8. Dedicate an additional 10 feet of right-of-way on Martin L. King Boulevard. Construction of these improvements is not required at this time. We note that the future Martin L. King Boulevard widening project may require additional right-of-way along Owens Avenue adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements in the Martin L King Boulevard public right-of-way adjacent to this site.
10. Landscape and maintain all unimproved right-of-way on Martin L King Boulevard adjacent to this site prior to occupancy of this site.
11. Site development to comply with all applicable conditions of approval for Rezoning Reclassification Z-0005-94 and all other subsequent site-related actions.

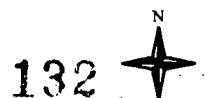


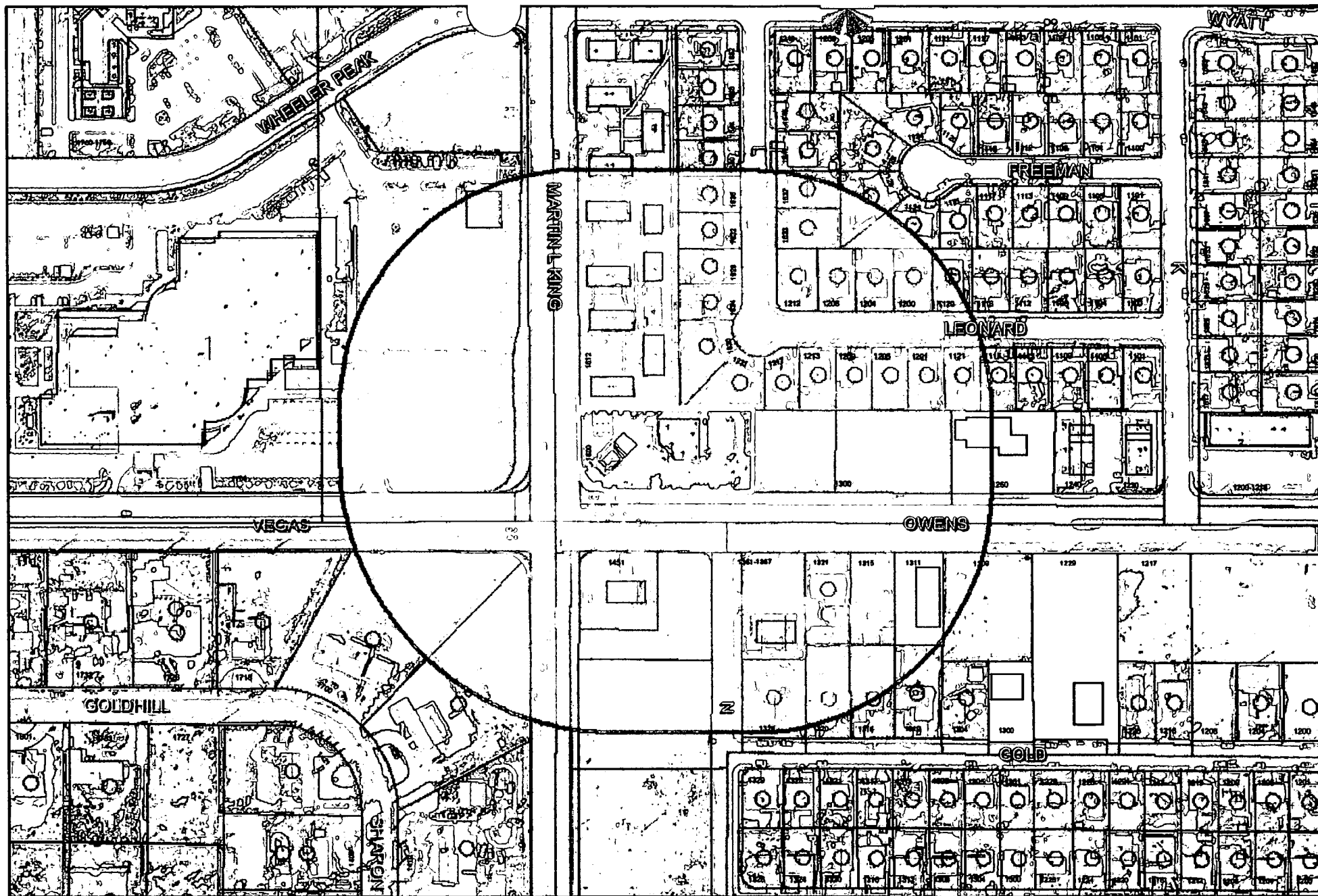
CASE: SUP-3875

RADIUS: 750 FT

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

0 200 400 Feet





SUP-3875

Package Liquor Sales

Business Licenses

-  Package Liquor Sales
-  Tavern
-  Supper Club/
Restaurant Service Bar

-  Religious Facility
-  Subject Property
-  School
-  400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-3875 - APPLICANT: HUGH CANNADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. If this Special Use Permit is not exercised within one year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All activities and operations shall be conducted entirely within an enclosed structure, except the following:
 - The dispensing of petroleum products, water and air from pump islands.
 - The provision of emergency services of a minor nature.
 - The sale of items via vending machines, which shall be located next to the main structure.
4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
5. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
6. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
7. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.

Public Works

8. Dedicate an additional 10 feet of right-of-way on Martin L. King Boulevard. Construction of these improvements is not required at this time. We note that the future Martin L. King Boulevard widening project may require additional right-of-way along Owens Avenue adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements in the Martin L King Boulevard public right-of-way adjacent to this site.

10. Landscape and maintain all unimproved right-of-way on Martin L King Boulevard adjacent to this site prior to occupancy of this site.
11. Site development to comply with all applicable conditions of approval for Rezoning Reclassification Z-0005-94 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit on property located at 1600 North Martin L King Boulevard for gasoline sales (i.e.: a Service Station) in conjunction with an existing 4,422 square foot convenience store.

B) Applicant's Justification

The applicant currently owns two other similar convenience stores. One is located in Las Vegas and the other is in Henderson. The applicant states that he has two very successful locations and the necessary retail experience to make this new store a vital and successful business venture in the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

05/18/94	The City Council approved a Rezoning from R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on the subject property (Z-0005-94).
07/20/94	The City Council approved a Special Use Permit for beer/ wine/ gas sales (U-0080-94) in conjunction with a convenience store. The Board of Zoning Adjustment and staff recommended approval.
10/06/99	The City Council denied a Special Use Permit for gasoline sales (U-0073-99) in conjunction with a convenience store. The Special Use Permit was denied because the proposed operator informed the Council that he would not operate the convenience store without the ability to sell liquor. The Planning Commission and staff recommended approval.
10/06/99	The City Council denied a Special Use Permit for beer/ wine sales (U-0074-99) in conjunction with a convenience store. The SUP was denied because it was within 400 feet of a childcare and church.
10/01/03	The City Council amended the City of Las Vegas Downtown Development Plan Map (GPA-2497) (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street.

03/25/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35).

B) Pre-Application Meeting

01/20/04 The following was discussed:

- Using an existing store the applicant will be only seeking a Special Use Permit for gas sales.
- A 10-foot dedication of right-of-way will be expected for Martin L. King Boulevard and Owens Avenue.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.92

B) Existing Land Use

Subject Property: Convenience store with gas pumps
North: Multi-family, Single family
South: Retail
East: Vacant
West: VA Hospital

C) Planned Land Use

Subject Property: DTR- C (Downtown Redevelopment Plan- Commercial)
North: DTR- MXU (Downtown Redevelopment Plan- Mixed Use)
South: DTR- C (Downtown Redevelopment Plan- Commercial)
East: DTR- C (Downtown Redevelopment Plan- Commercial)
West: DTR- I (Downtown Redevelopment Plan- Industrial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-4 (High Density Residential)
South: C-2 (General Commercial)
East: R-3 Medium density Residential
West: C-PB (Planned Business Park)

E) General Plan Compliance: Southeast General Plan

The subject site is located within the Downtown Redevelopment Area on the Southeast Sector Land Use General Plan and is designated as DTR-C on the DTR map. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
West Las Vegas 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
Special Notification		X

This site is within the West Las Vegas Plan Area and the Downtown Redevelopment area, both Special Plan areas on the Southeast Sector Land Use Plan. Redevelopment efforts in this area are not limited to just physical improvements such as streetscape, water fountains, and the promotion of new private-sector construction but also include evaluation of existing and proposed uses to ensure these do not preclude, prevent, detract from or conflict with redevelopment efforts or with each other.

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
Service Station	4,422 SF.	1/250 of retail/commercial GFA	16	1	35	2

The proposal exceeds the requirement of Title 19 for parking. However, the site plan needs to be revised to address handicapped parking.

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

A service station is permitted with approval of a Special Use Permit in a C-1 (Limited Commercial) zone.

- Use

Title 19.20 defines service station as any building, or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.

- Conditions

The following base conditions exist for the approval of a service station in a C-1 (Limited Commercial) zone:

- i. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - a. The dispensing of petroleum products, water and air from pump islands.
 - b. The provision of emergency service of a minor nature.
 - c. The sale of items via vending machines that shall be located next to the main structure.
- ii. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
- iii. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
- iv. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
- v. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- vi. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060(B)

The pump islands and canopy currently exist on site, as the site previously operated as a service station.

The Department of Public Works plans to widen Martin L King Boulevard and as a condition of approval for this application calls for the dedication of an additional 10 feet of right-of-way along Martin L King Boulevard. Any future development should be designed to incorporate setbacks measured from the required right-of-way, including structure, drive aisles and parking spaces.

FINDINGS

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

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

Although the site was formerly operated as a Service Station, the use ceased approximately two years ago, future development compliance with the current Title 19 requirements are necessary. The proposed Service Station can be operated in a manner that is harmonious and compatible with existing surrounding land uses, as the proposed use is typical in commercial districts. The conditions of approval will negate typical adverse conditions associated with the proposed use.

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

Minimum conditions of approval have been added to ensure development progresses in a controlled manner consistent with the policies and goals of Title 19.

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."**

Plans to widen Martin L King Boulevard are necessary to accommodate the current traffic flow. The traffic from the use will not burden the capacity of Owens Avenue and Martin L King Boulevard.

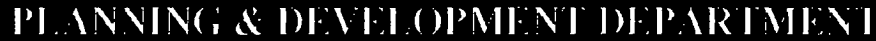
4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

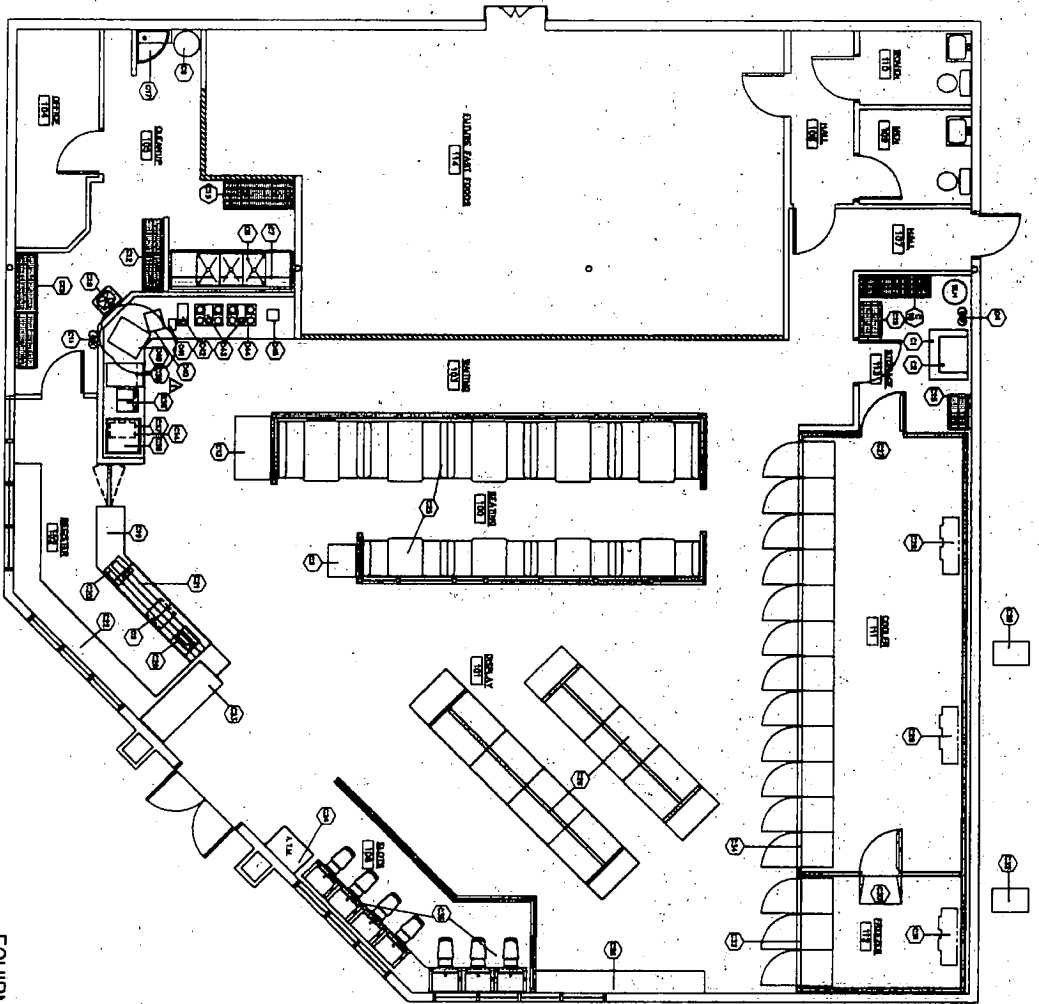
The proposed use will be subject to inspections for compliance to business licensing requirements. Approval of this special use permit will not compromise the public health, safety, and welfare.

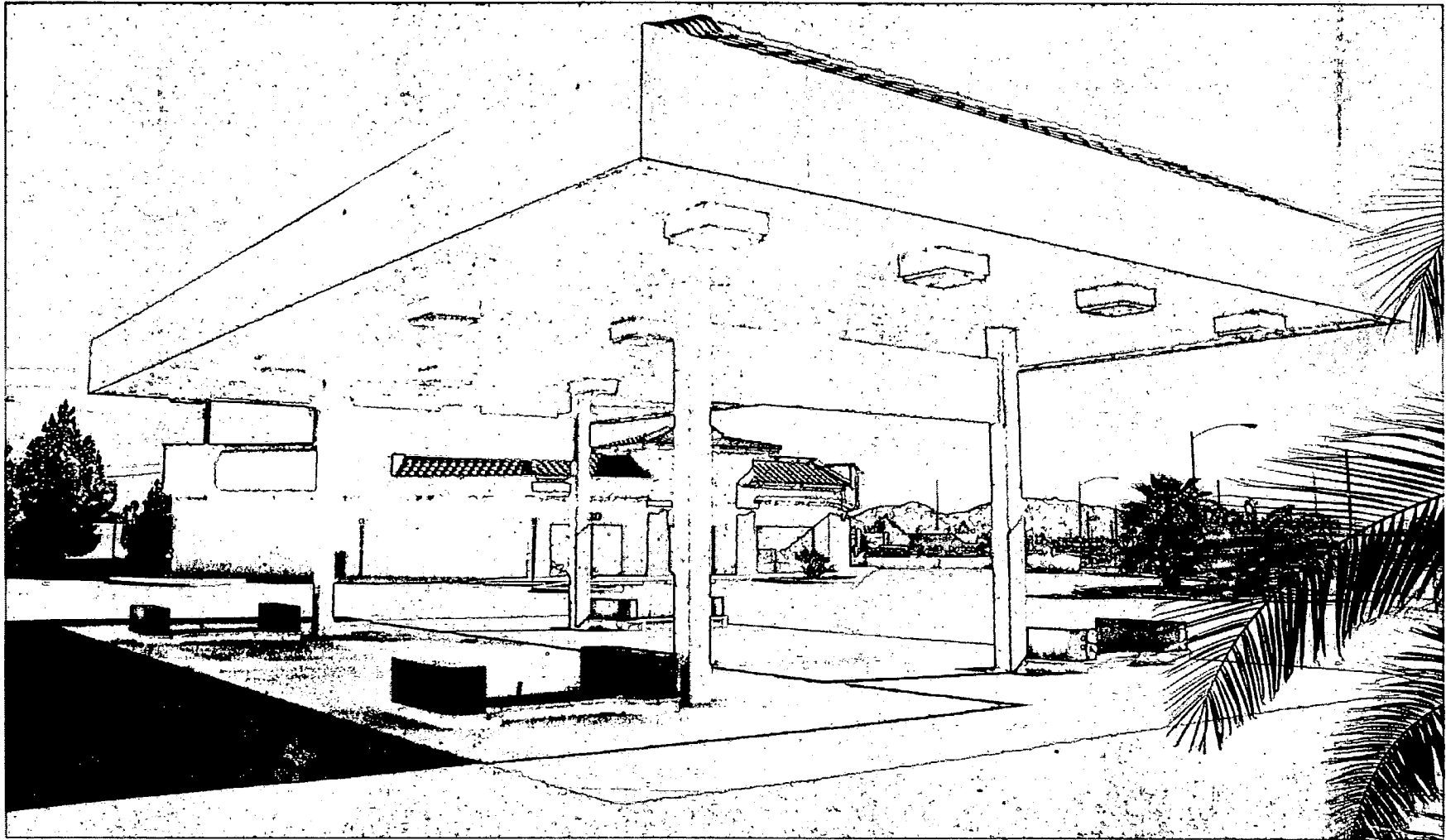
NOTICES MAILED 126 By City Clerk

APPROVALS 0

PROTESTS 0

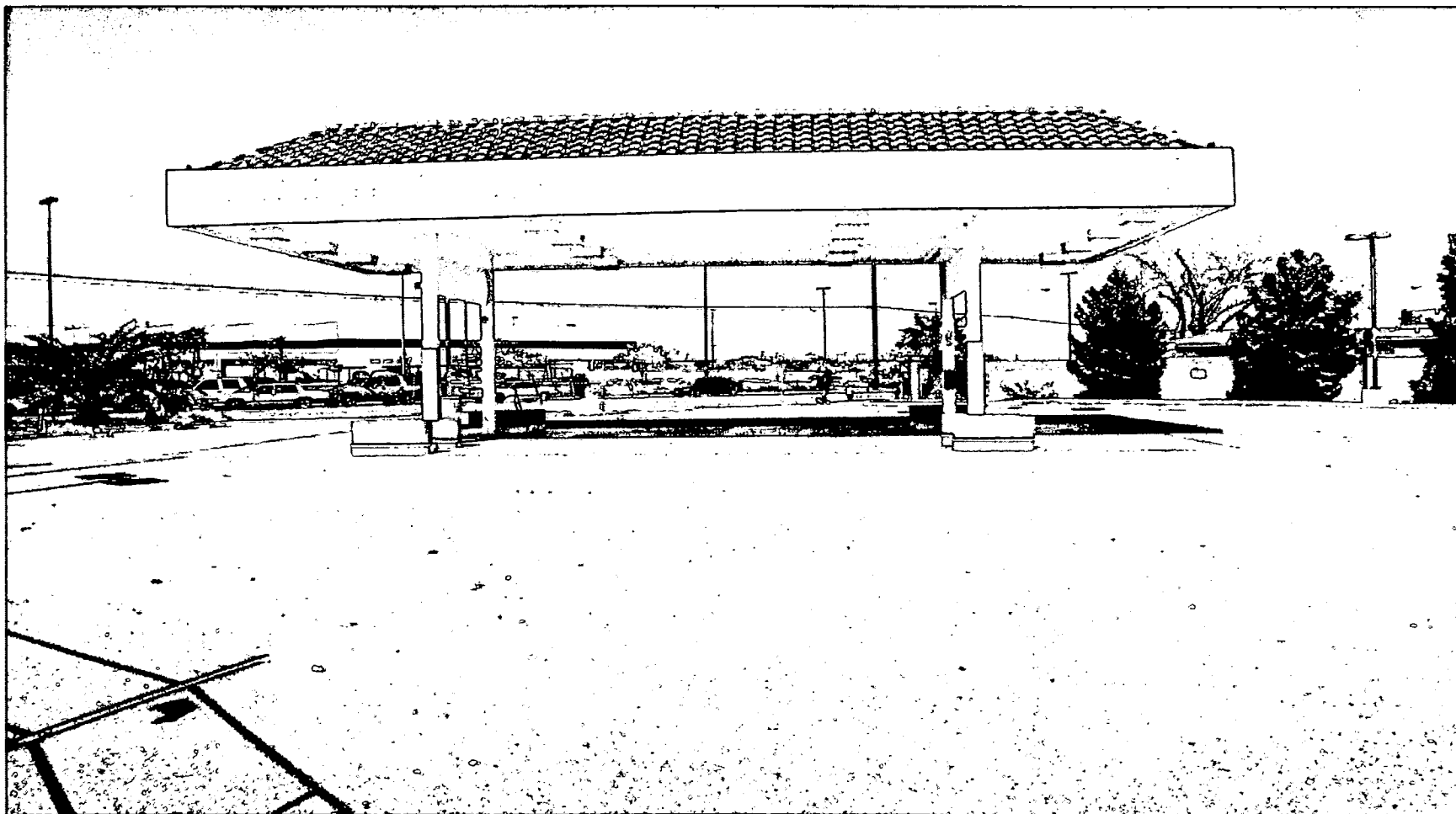






SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY
1600 NORTH MARTIN L. KING BOULEVARD
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



SUP-3875 - APPLICANT: HUGH CANADY - OWNER: CDS MEMBER, LIMITED LIABILITY COMPANY
1600 NORTH MARTIN L. KING BOULEVARD
MARCH 25, 2004 PLANNING COMMISSION

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Support letter from Nevada Title for Item 133 [ZON-2457] and Item 134 [SDR-2458] filed under Item 133 [ZON-2457]
5. Back up referenced from the 7/10/2003 Planning Commission meeting Item 37

MOTION:

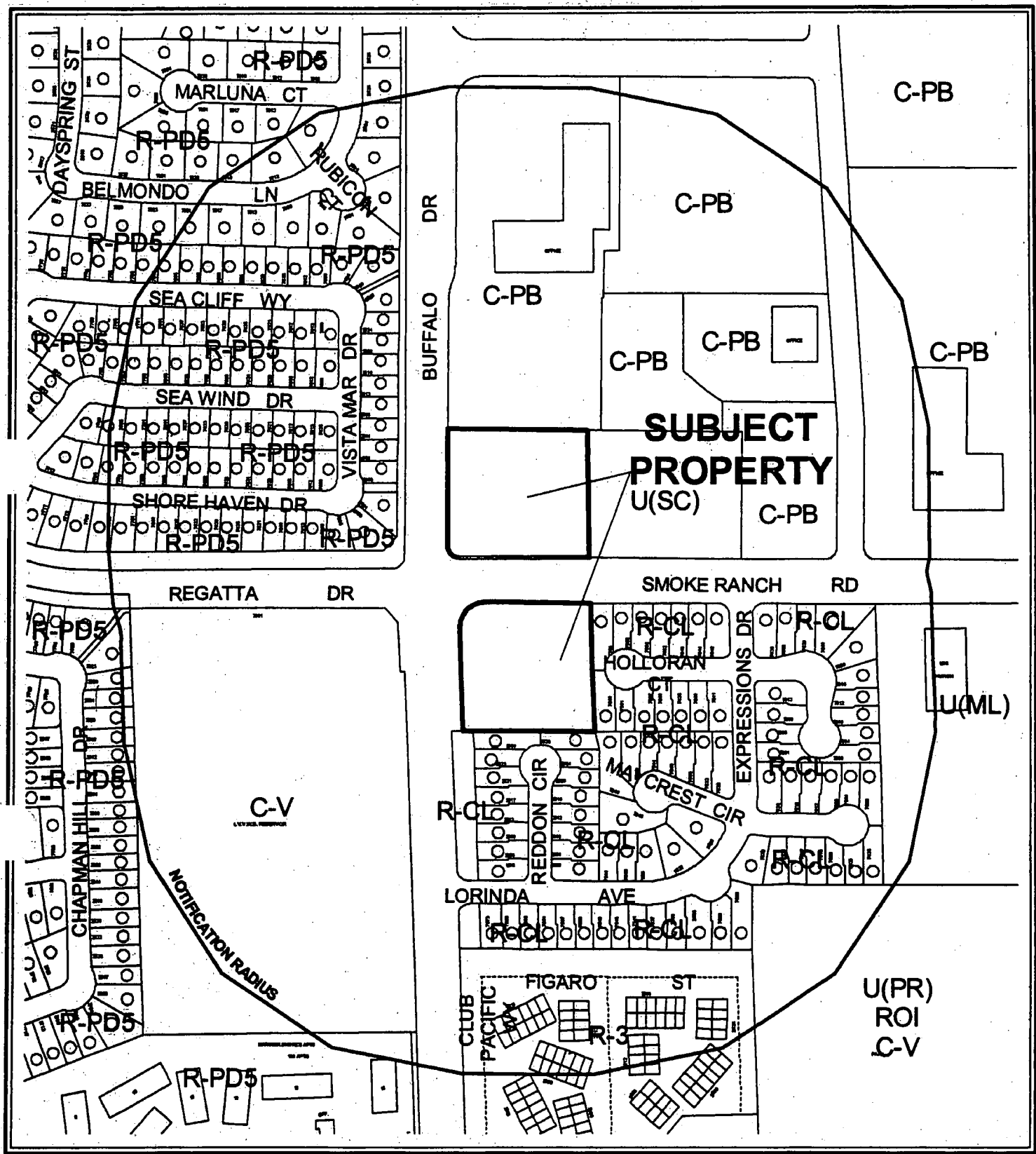
REESE – Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121] and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and Item 135 [SDR-2458] to 5/5/2004 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

COUNCILMAN BROWN stated the request to abey Items 133, 134 and 135 came from his office, not staff, as had been read. COUNCILMAN BROWN confirmed no one was present on Items 133, 134 or 135.

There was no related discussion.

(1:34 – 1:38)

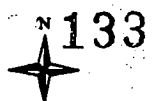


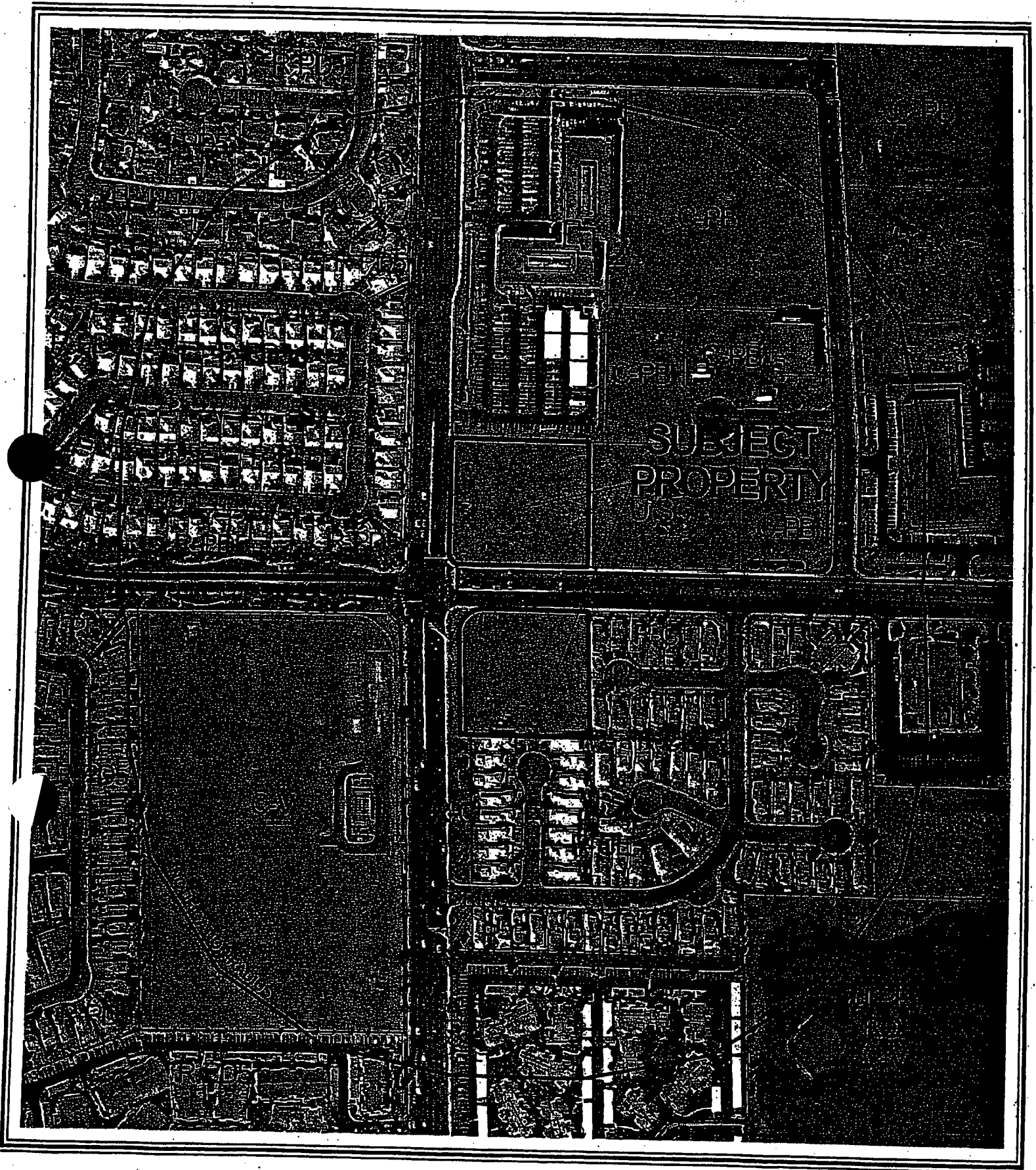
CASE: ZON-2457

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL)
GENERAL PLAN DESIGNATION]

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





CASE: ZON-2457

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL)
GENERAL PLAN DESIGNATION]

0 200 400 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - ZON-2457 - DONNA F. BEAM
REVOCABLE TRUST**

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

**** CONDITIONS ****

The Planning Commission (4-2 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. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
5. 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, whichever may occur first. 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.

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

6. A Drainage Plan and Technical Drainage Study for both parcels comprising this overall site 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 U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive. A companion Site Development Plan Review (SDR-2458) to allow two 15,300 square-foot retail buildings, one on each parcel, was reviewed concurrently by Planning Commission.

B) *Applicant's Justification*

The applicant has justified the request by stating that the proposed zoning is in conformance with the General Plan designation on the two sites, and that the proposed one-story projects are compatible with adjacent residential and business park uses.

BACKGROUND INFORMATION

A) *Previous Actions*

- 10/03/84 The City Council approved a petition (A-0015-84) to annex 985 acres of land, including the subject parcels. The effective date was 10/12/84.
- 05/10/99 The City Council accepted a request to withdraw without prejudice a request for Rezoning (Z-0006-99) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on a site located at the northeast corner of Buffalo Drive and Smoke Ranch Road. The Planning Commission recommended denial on 03/11/99.
- 05/10/99 The City Council accepted a request to withdraw without prejudice a request for two Special Use Permits (U-0010-99 and U-0011-99) located at the northeast corner of Buffalo Drive and Smoke Ranch Road for the Off-Premise Sale of Beer and Wine and for a proposed Minor Auto Repair facility, Full Service Car Wash and Gasoline Sales in conjunction with a proposed Convenience Store/Car Wash. The Planning Commission recommended denial of both applications on 03/11/99.
- 07/10/03 The Planning Commission recommended approval of a companion request for a Site Development Plan Review (SDR-2458) to allow two 15,300 square-foot retail buildings, one on each parcel.
- 07/10/03 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #37).
- 03/25/04 The Planning Commission recommended approval of a related Special Use Permit (SUP-3896) (Item #36).

B) *Pre-Application Meeting*

A pre-application meeting was held on 05/12/03. At that meeting, the development parameters of the application were reviewed to determine that no waivers to Code standards would be required. A number of requirements from the Public Works department were also identified, including ensuring that drive entrances lined up across from each other on Smoke Ranch Road, and that drainage and traffic analyses were required. The applicant was also advised to indicate on-site signage on the site plan.

C) *Neighborhood Meetings*

A neighborhood meeting is not required as part of a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.88

B) *Existing Land Use*

Subject Property: Undeveloped
North: Business Park uses
South: Single Family Residential
East: Undeveloped and Single Family Residential
West: Single Family Residential and Water District facility

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: LI/R (Light Industrial/Research)
South: ML (Medium Density Residential)
East: ML (Medium Density Residential) and SC (Service Commercial)
West: ML (Medium Density Residential) and PF (Public Facilities)

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
North: C-PB (Planned Business Park)
South: R-CL (Residential - Compact Lot)
East: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] and R-CL (Residential - Compact Lot)
West: R-PD5 (Residential Planned Development – 5 Units per Acre) and C-V (Civic)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The requested Rezoning to C-1 (Limited Commercial) and the proposed commercial development are consistent with this General Plan designation.

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

There are no special area plans, special overlay districts or study areas that affect the subject sites, although the Las Vegas Technology Park abuts the northern edge of the northern parcel.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The compliance of the project detailed in the companion Site Development Plan Review (SDR-2458) with the relevant Development Standards of the Zoning Code are outlined in the case report on that application.

B) General Analysis and Discussion

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. The proposed retail development is consistent with the uses typically found in C-1 (Limited Commercial) zoning designations.

C-1 (Limited Commercial) zoning districts 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. This project is located along Buffalo Drive at the intersection with Smoke Ranch Road, both of which are primary thoroughfares, at the edge of an established business park. Approval is therefore recommended.

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 as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The requested Rezoning to C-1 (Limited Commercial) is consistent with the existing SC (Service Commercial) land use designation of 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."

The retail development of the northern parcel would be compatible with the existing business park use to the north and the undeveloped parcel to the east that is designated identically to the subject site. The companion parcel is to the south, and to the west across Buffalo Drive is the Desert Shores community, which is protected by a wall.

The retail development of the southern parcel would be compatible with the single-family residential areas to the east and south of the parcel, as the proposed building has been set back from these property lines a sufficient distance to comply with Residential Adjacency Standards. Again, the companion parcel is to the north, while to the west is a Las Vegas Valley Water District facility.

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

The continuing development in this area, particularly within the Las Vegas Technology Park to the northeast of the site, demonstrates that the requested rezoning is appropriate, given proper measures to ensure design compatibility with the adjacent residential community to the south and east of the site.

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

This project is located on Buffalo Drive at the intersection with Smoke Ranch Road, both of which are identified as Primary (100-foot) Arterials on the Master Plan of Streets and Highways. These roads provide sufficient capacity for the intended development on the subject parcels.

NOTICES MAILED 190 by Planning Department

APPROVALS 0

PROTESTS 3



[illegible]

ATTENTION: PARCEL NUMBER (P#) 030-45-475-00
CITY/STATE/ZIP 0
PROPERTY SIZE 0
C-1

PARCEL DATA

BY OWNER 4+ 3.04 ACRES GRACE 04/29/84
BORROW FROM GRACE 4+ 0.6520 EA.

BUILDING BY COVERAGE 17 PERCENT

FINANCIAL RECORD

INDEPENDENT AGENT'S PRICE 000 EA. 00 SPACE
BANK/RENTAL/SALES/RENTAL/LEASE BY 000 EA. 00 SPACE
TOTAL PAYMENT REQUIRED 000 SPACE

PROVIDED 3.0400 EA. 100 SPACE

INVESTMENT EQUITY BUILDERS
4860 S. DECATUR, SUITE 300
LAS VEGAS, NEVADA 89103
DAVID L. NANN (702) 571-4545

Index - 2074

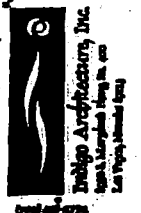


Tech Retail Center I

Schematic Design

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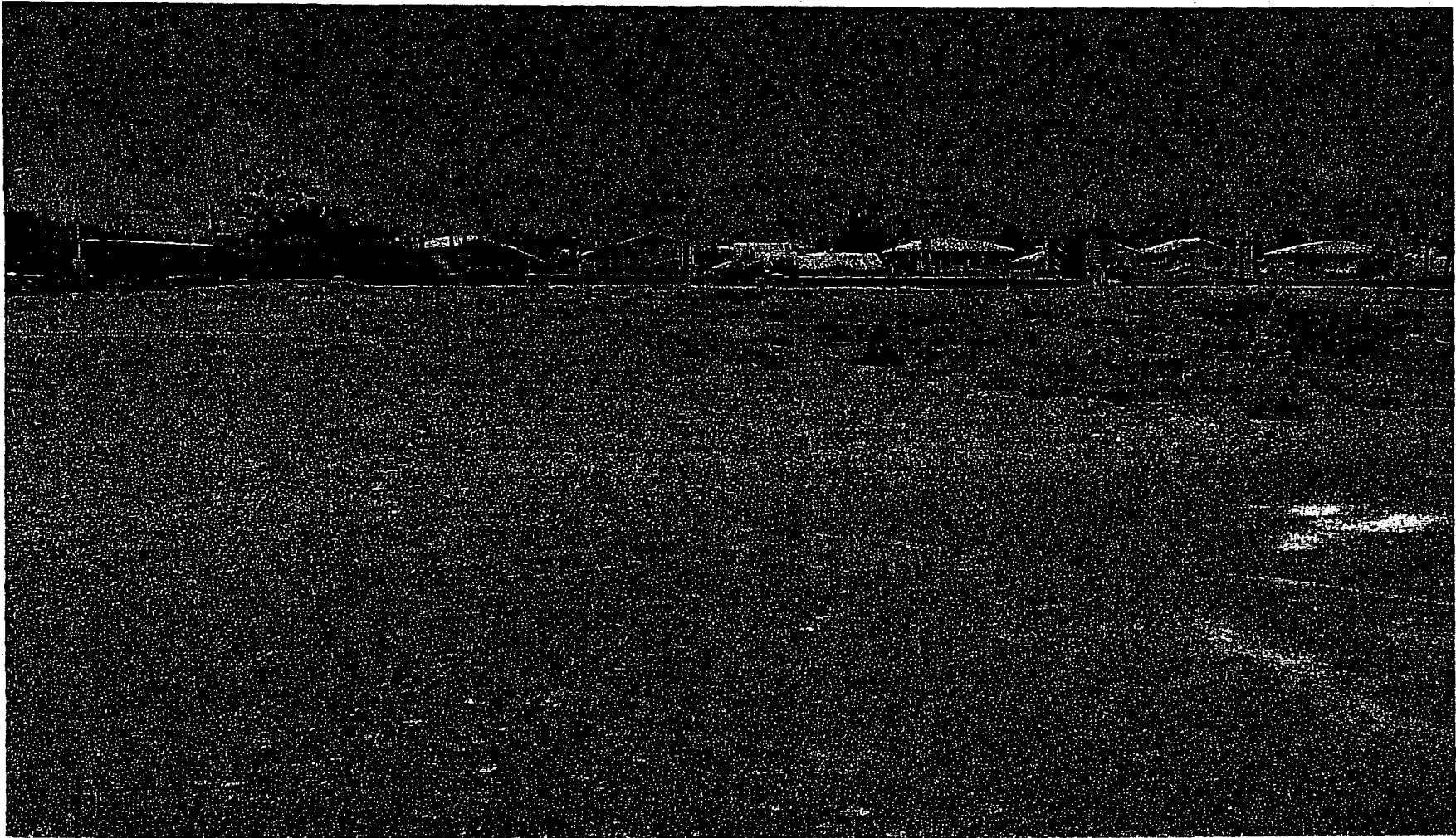
ZON-2457
SDR-2458
07-10-03 PC



Abstract

Prüfungsausschuss

Prüfungsausschuss



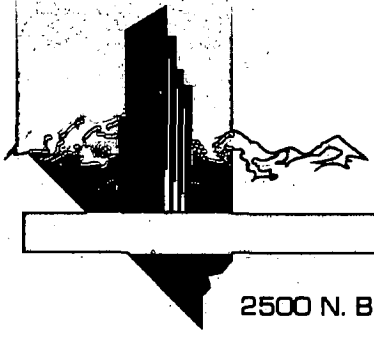
**ZON-2457 - DONNA F. BEAM REVOCABLE TRUST
NORTHEAST AND SOUTHEAST CORNERS OF SMIKE RANCH ROAD AND BUFFALO DRIVE
JULY 10, 2003 PLANNING COMMISSION**

6/23/03



**ZON-2457 - DONNA F. BEAM REVOCABLE TRUST
NORTHEAST AND SOUTHEAST CORNERS OF SMIKE RANCH ROAD AND BUFFALO DRIVE
JULY 10, 2003 PLANNING COMMISSION**

6/23/03



Nevada Title Company

RECEIVED
04 MAR -8 PM 4:16

CORPORATE HEADQUARTERS

2500 N. Buffalo Drive, Suite 150 • Las Vegas, NV 89128 • (702) 251-5000 • Fax (702) 251-4894

March 3, 2004

City of Las Vegas
Department of Planning & Development Dept.
731 S. Fourth St.
Las Vegas, NV 89101

4/21 CC

Re: ZON-2457-Rezoning Related to SDR ²⁴⁵⁸2450

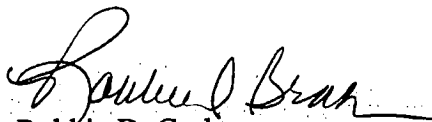
To Whom It May Concern:

On behalf of Nevada Title Company, Nevada Construction Services and Westcor Land Title, we support Investment Equity Builders' concept for the development of the NE corner of Buffalo and Smoke Ranch.

Investment Equity's principal, David Inman, represented to us that an upscale dining establishment would be the anchor tenant of a specialty retail center to be designed and constructed as depicted in architectural renderings as prepared by Indigo Architecture.

We are aware of the fact that the dining establishment being proposed will have limited gaming as is allowed after a special use permit is obtained. It is our view that this dining establishment and the ancillary service retail will be an amenity to our employees, our customers and our neighboring businesses in the Las Vegas Tech Center II.

Respectfully,


Robbie D. Graham

Issuing Policies of: Westcor Land Title Insurance Company, Commonwealth Land Title Insurance Company,
Old Republic Title Insurance Company & Fidelity Title Insurance Company

Offices throughout Clark County to Serve You

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING - SUP-3896 -
APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM
REVOCABLE TRUST - Request for a Special Use Permit FOR A LIQUOR
 ESTABLISHMENT (TAVERN) AND A WAIVER FROM THE 1,500 FOOT DISTANCE
 SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL, CHURCH, AND CITY
 PARK adjacent to the northeast corner of Smoke Ranch Road and Buffalo Drive (APN 138-15-
 402-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
 [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). Staff recommends DENIAL. The
 Planning Commission (5-0-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

26

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

11

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends 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 Kathy Best
5. Back up referenced from the 3/25/2004 Planning Commission meeting Item 36

MOTION:

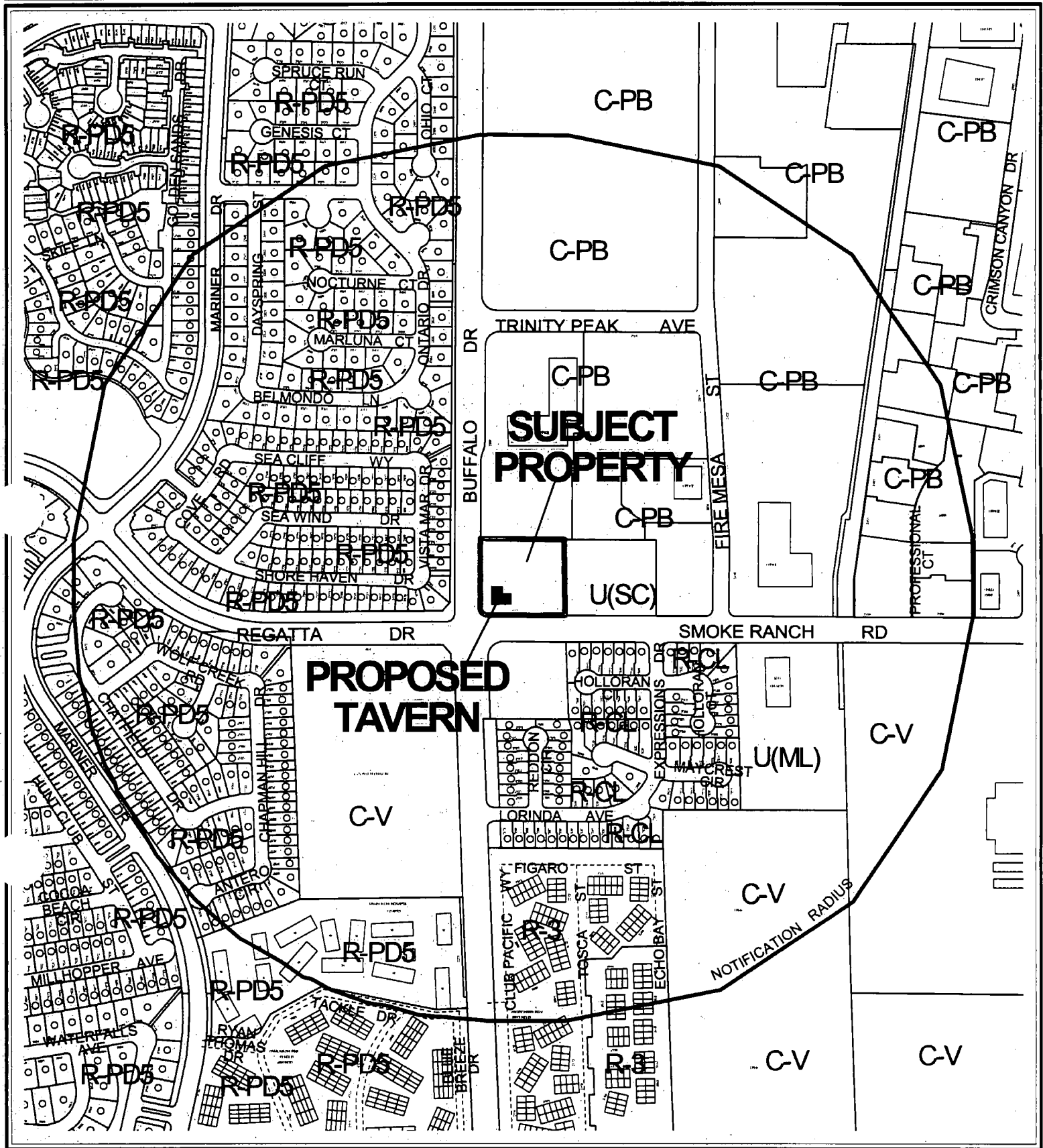
**REESE – Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121]
 and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and
 Item 135 [SDR-2458] to 5/5/2004 – UNANIMOUS with MONCRIEF excused and Ward 2
 seat vacant**

MINUTES:

COUNCILMAN BROWN stated the request to abey Items 133, 134 and 135 came from his
 office, not staff, as had been read. **COUNCILMAN BROWN** confirmed no one was present on
 Items 133, 134 or 135.

There was no related discussion.

(1:34 – 1:38)



CASE: SUP-3896

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

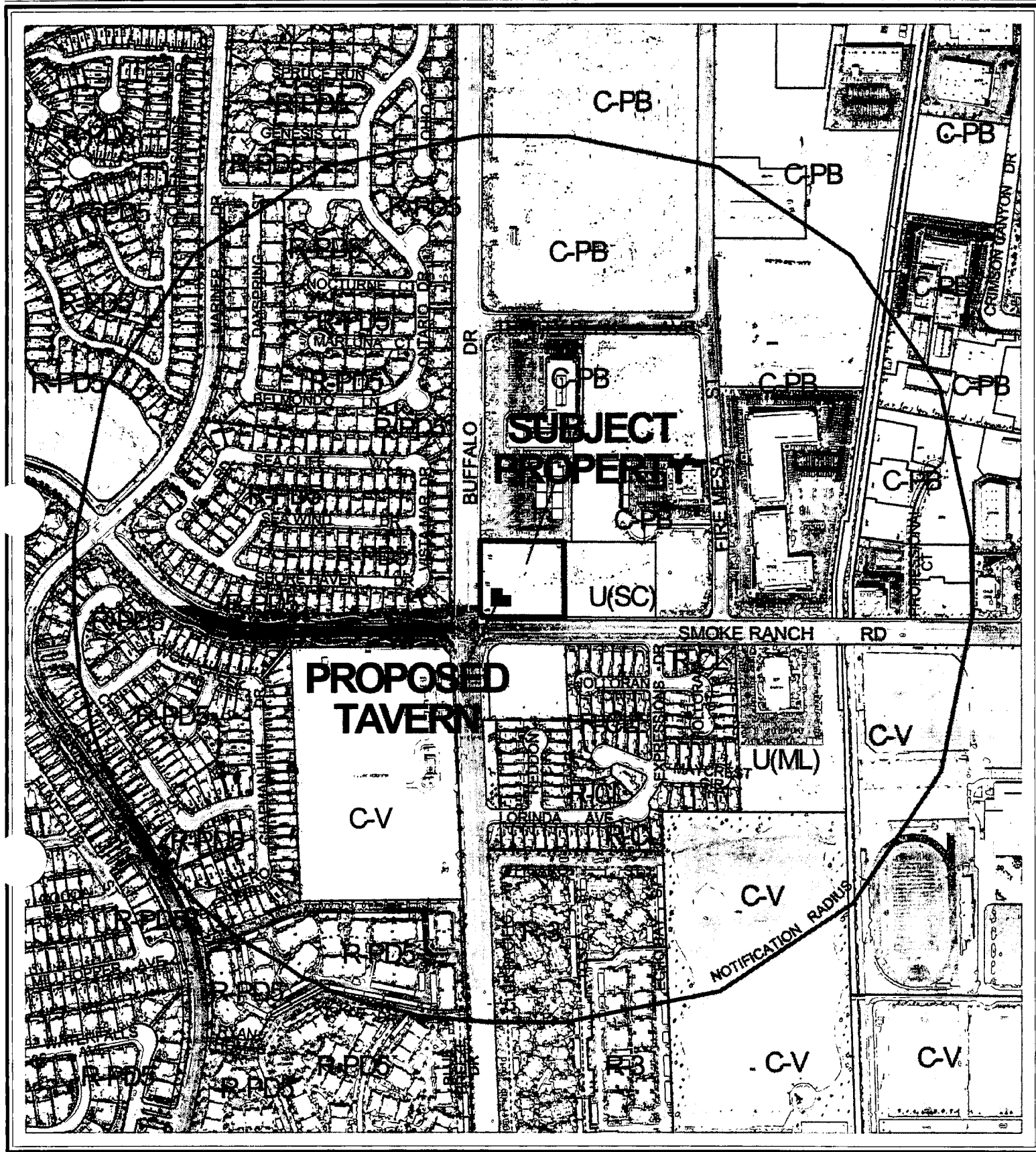
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 300 600 Feet





CASE: SUP-3896

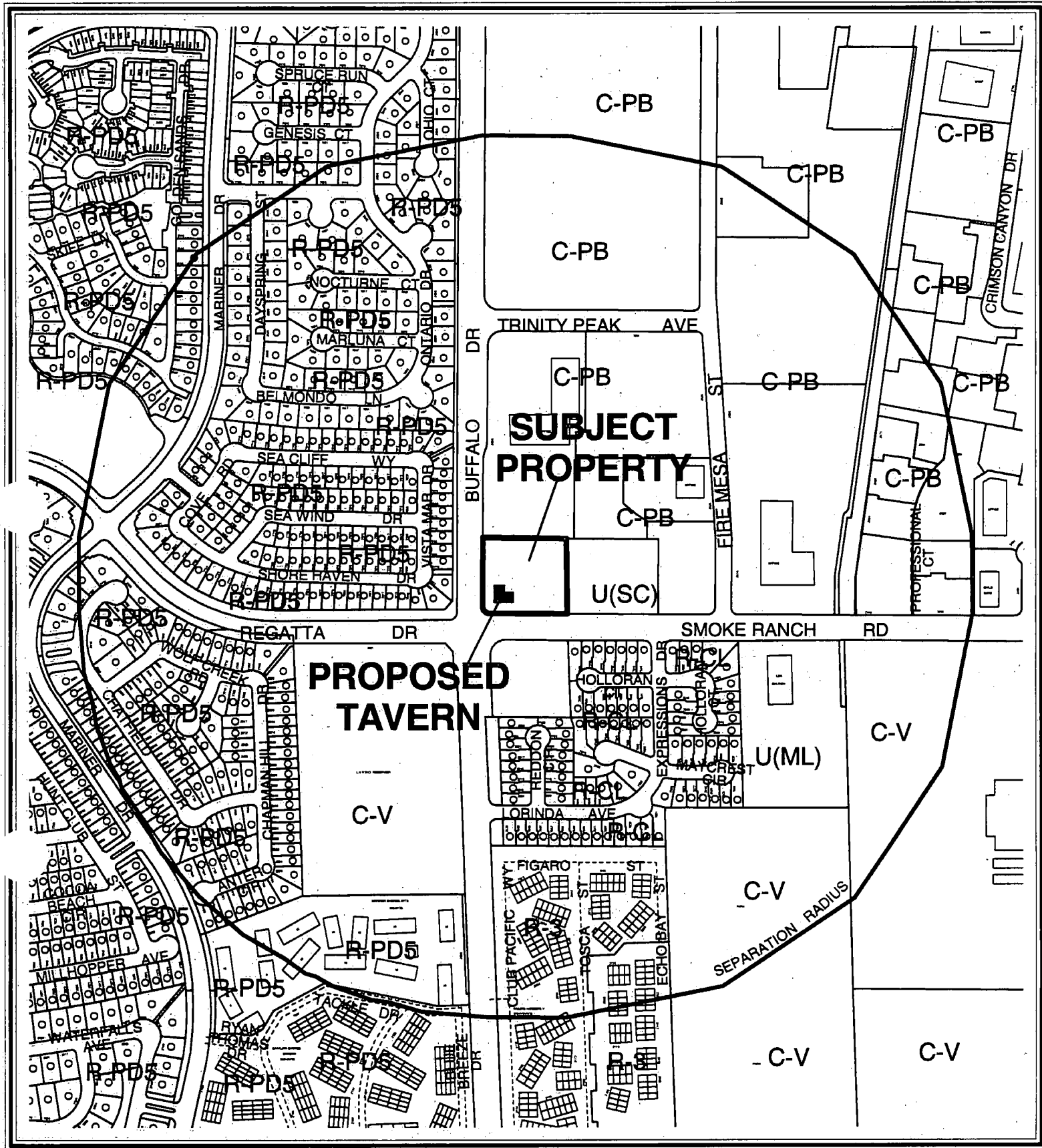
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



CASE: SUP-3896

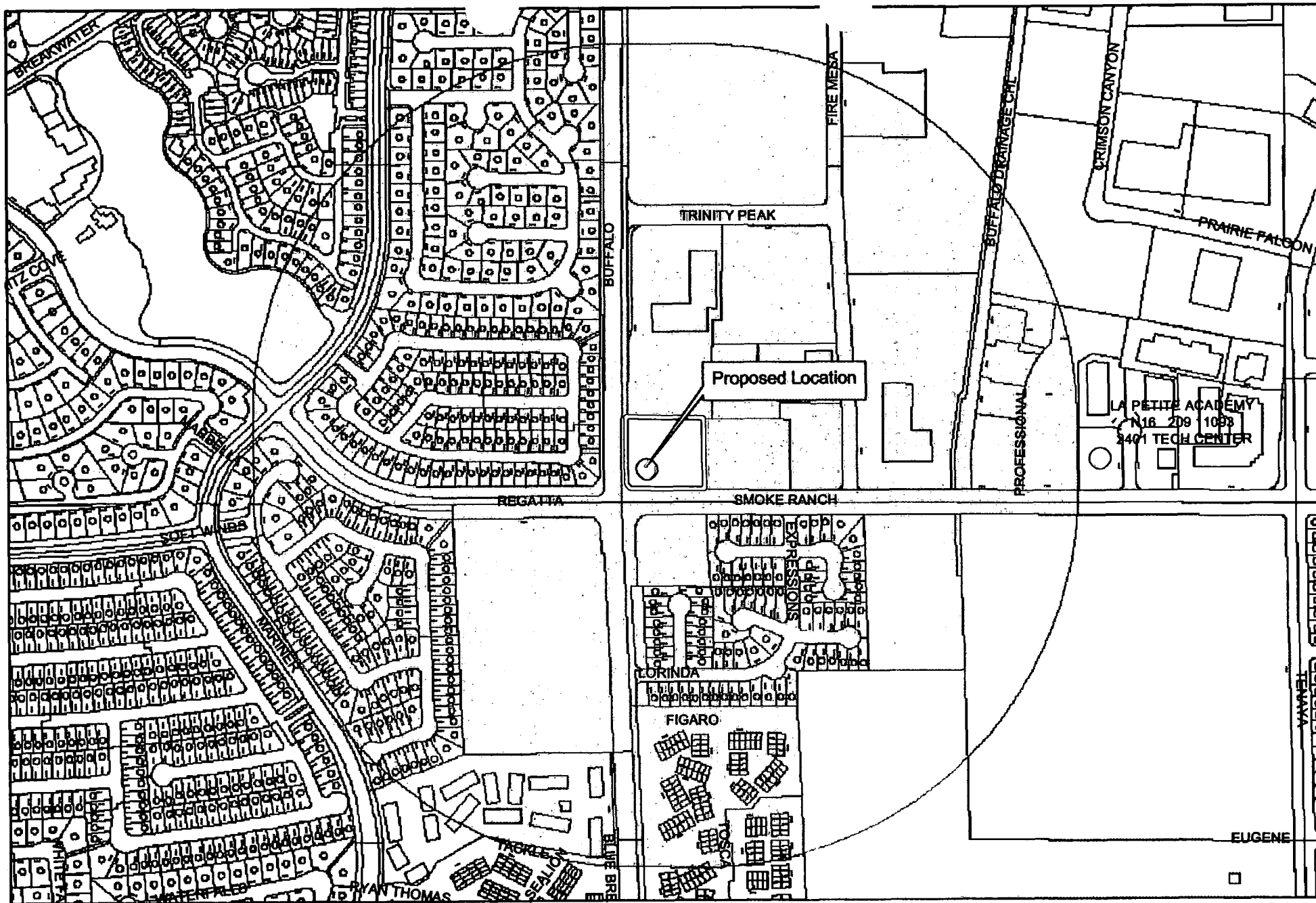
SEPARATION RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS -
OWNER: DONNA F. BEAM REVOCABLE TRUST**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of a subsequent Rezoning (ZON-2457) and Site Development Plan Review (SDR-2458) by the Planning Commission and City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to allow a Liquor Establishment (Tavern) and a waiver of the 1,500-foot minimum distance requirements from a Church, City Park and a school, on a 2.08-acre site located at the Northeast corner of the intersection of Buffalo Drive and Smoke Ranch Road. The subject application will be affected by companion items, ZON-2457 and SDR-2458, which are to be considered by City Council on the 04/21/04.

B) Applicant's Justification

The proposed single story commercial complex, in which the Tavern is a part, is compatible with the existing uses of similar localities. The school is within the 1,500-foot required separation but is separated by the 100-foot right-of-way of Smoke Ranch Road.

BACKGROUND INFORMATION

A) Previous Actions

10/03/84	The City Council approved a petition (A-0015-84) to annex 985 acres of land, including the subject parcels. The effective date was October 12, 1984.
05/10/99	The City Council accepted a request to withdraw without prejudice a request for Rezoning (Z-0006-99) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on a site located at the northeast corner of Buffalo Drive and Smoke Ranch Road. The Planning Commission and staff recommended denial on March 11, 1999.
05/10/99	The City Council accepted a request to withdraw without prejudice a request for two Special Use Permits (U-0010-99 and U-0011-99) located at the northeast corner of Buffalo Drive and Smoke Ranch Road for the Off-Premise Sale of Beer and Wine and for a proposed Minor Auto Repair facility, Full Service Car Wash and Gasoline Sales in conjunction with a proposed Convenience Store/Car Wash. The Planning Commission and staff recommended denial of both applications on March 11, 1999.
07/10/03	The Planning Commission recommended approval of a related Rezoning (ZON-2457) and Site Development Plan Review (SDR-2458).
01/07/04	The City Council voted to hold the related items in abeyance until this Special Use Permit was applied for so that they may all be heard together.
03/25/04	The Planning Commission voted 5-0-2 to recommend APPROVAL (PC Agenda Item #36/pl).

B) Pre-Application Meeting

01/20/04 At the pre-application conference, definitions and requirements for supper clubs, restaurant service bars and taverns were discussed. The applicant decided to apply for a tavern with waivers of the distance requirements. The applicant has also supplied a letter from a licensed surveyor stating the distance from the proposed site to an existing childcare facility is greater than 1500 feet. DEVCO comments were addressed in ZON-2457 and SDR-2458.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.08

B) Existing Land Use

Subject Property: Undeveloped
North: Business Park uses
South: Undeveloped and Single Family Residential
East: Undeveloped
West: Single Family Residential and Water District facility

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: LI/R (Light Industrial/Research)
South: SC (Service Commercial) and ML (Medium Density Residential)
East: SC (Service Commercial)
West: ML (Medium Density Residential) and PF (Public Facilities)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
North: C-PB (Planned Business Park)
South: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] and R-CL (Residential - Compact Lot)
East: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
West: R-PD5 (Residential Planned Development – 5 Units per Acre) and C-V (Civic)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The requested Rezoning to C-1 (Limited Commercial) and the proposed commercial development/use are consistent with this General Plan designation.

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

There are no special area plans, special overlay districts or study areas that affect the subject sites, although the Las Vegas Technology Park abuts the northern edge of the northern parcel.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	1,500 from any church, synagogue, school, child care facility licensed for more than 12 children, or City Park *1,500 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or City Park and any other liquor establishment (tavern) and can request a waiver if separated from the existing use by a street with a minimum right-of-way width of 100 feet	City Park (Bettye Wilson Soccer Complex) located approximately 805 feet away. School (Cimarron Memorial High School) located approximately 1,035 feet away. Church located approximately 638 feet away. *Meets standard for City Park, School and Church.

B) General Analysis and Discussion

- Zoning

A Liquor Establishment (Tavern) is permitted in the C-1 (Limited Commercial) zone with approval of a Special Use Permit.

- Use

Title 19.20.020 defines a Liquor Establishment (Tavern) as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

- Waiver

- (5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A) (4), but only in connection with a proposed liquor establishment (tavern) that:
- (a) Will be located on a parcel within a C-V (Civic) District or the Downtown Casino Overlay District;
 - (b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or land mark; or
 - (c) *Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.*

The following protected uses are located within 1,500 feet of the proposed use:

City Park (Bettye Wilson Soccer Complex) - 7353 Eugene Avenue
School (Cimarron Memorial High School) - 2301 N Tenaya Way
Church - 7401 Smoke Ranch Road

The proposed tavern location will be separated from the above mentioned protected uses by Smoke Rand Road, a right of way 100 feet or greater in width.

The amount of waivers requested for this site is considerable. In addition the proposed site is located in an area predominately populated by protected uses, i.e. the existence of City Parks to the north and south, as well as a number of schools (both high schools and elementary schools) located within the general area. Therefore, it is the position the Department to not support this application.

- Conditions

Listed are the applicable conditions as listed in Title 19.04.050 for a Liquor establishment (tavern):

- (1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.

- (2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.
- (3) For the purpose of Paragraph (2), and for that purpose only:
 - (a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
 - (b) The "property line" of a liquor establishment (tavern) refers to:
 - (i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or...
- (4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.
- (5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:
 - (a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;
 - (b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or
 - (c) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.
- (6) The use shall conform to the provisions of LVMC Chapter 6.50.

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."**

While the use is permitted the C-1 (Limited Commercial) zoning district as a special use, the proposal cannot be operated in a manner harmonious and compatible with the surrounding area, since it does not meet the 1,500 distance separation standards of the Code.

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

The subject site is physically suitable for the proposed 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."**

This project is located on Buffalo Drive at the intersection with Smoke Ranch Road, both of which are identified as Primary (100-foot) Arterials on the Master Plan of Streets and Highways. These roads provide sufficient capacity for the intended development on the subject parcels.

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 this request would not be consistent with the standards of Title 19. If the request is approved, it would be subject to other Codes to ensure health, safety and public welfare.

PLANNING COMMISSION ACTION

There was one speaker in opposition to the project at the Planning Commission hearing. The Planning Commission requested agreements to be completed prior to and provided to the City Council which would prove neighborhood compatibility.

NOTICES MAILED 534 By City Clerk

APPROVALS 11

PROTESTS 26



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-3896** APN: **138-15-402-001**

Name of Property Owner: Donna F. Beam Rev. Trust

Name of Applicant: INVESTMENT EQUITY BUILDERS

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: Donna F. Beane

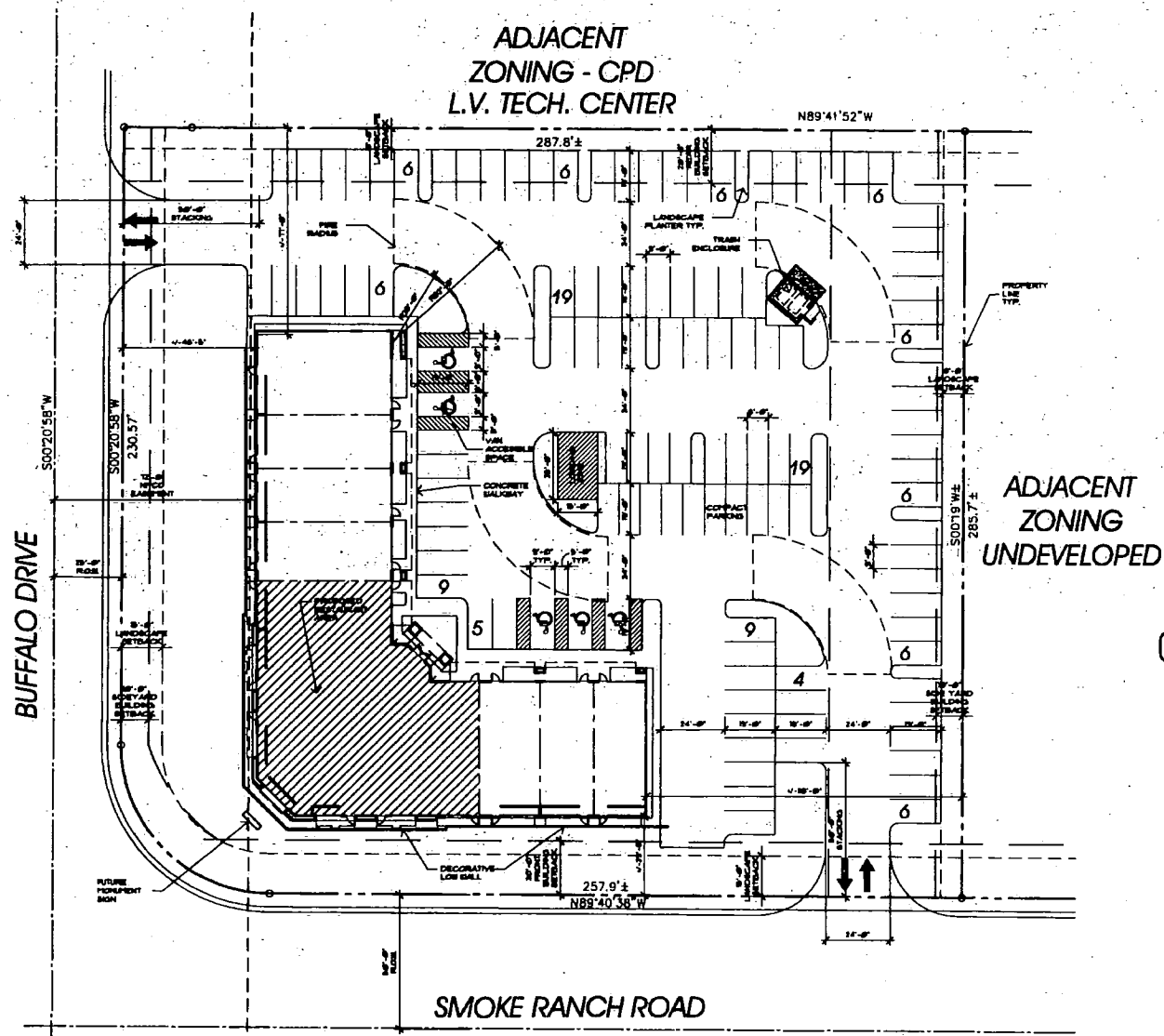
Print Name: Donna F. Beam

Subscribed and sworn before me

This 9 day of February, 2004

Notary Public in and for said County and State





ADJACENT
ZONING - CPD
L.V. TECH. CENTER

ADJACENT
ZONING
UNDEVELOPED

Site Data

ASSESSOR'S PARCEL NUMBER (APN) 138-15-402-001
CURRENT ZONING U
PROPOSED ZONING C-1

PARCEL AREA
SITE GROSS +/- 2.04 ACRES GROSS 88,716 S.F.
BUILDING AREA GROSS +/- 14,000 S.F.

BUILDING SITE COVERAGE 17 PERCENT

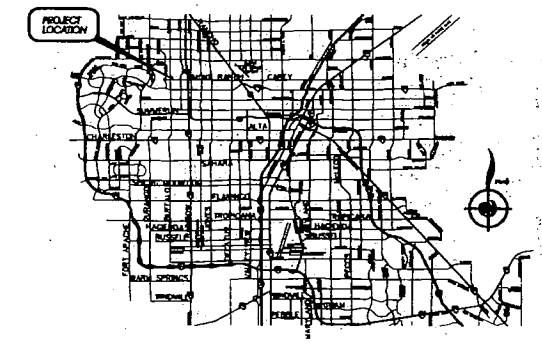
PARKING REQUIRED
RESTAURANT 2,498 SF (PUBLIC) 1/50 S.F. 50 SPACES
REMAINING RESTAURANT 3,530 SF 1/200 S.F. 18 SPACES
REMAINING RETAIL 7,872 SF 1/175 S.F. 45 SPACES
TOTAL PARKING REQUIRED 113 SPACES

PROVIDED 8,51000 S.F. 119 SPACES

Owner / Developer

INVESTMENT EQUITY BUILDERS
4560 S. DECATUR, SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

Vicinity Map



Site Plan
Scale: 1" = 20'-0"

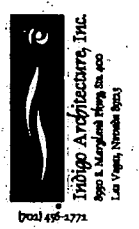


Tech Retail Center I

Schematic Design
© Copyright Indigo Architecture, Inc. 2004

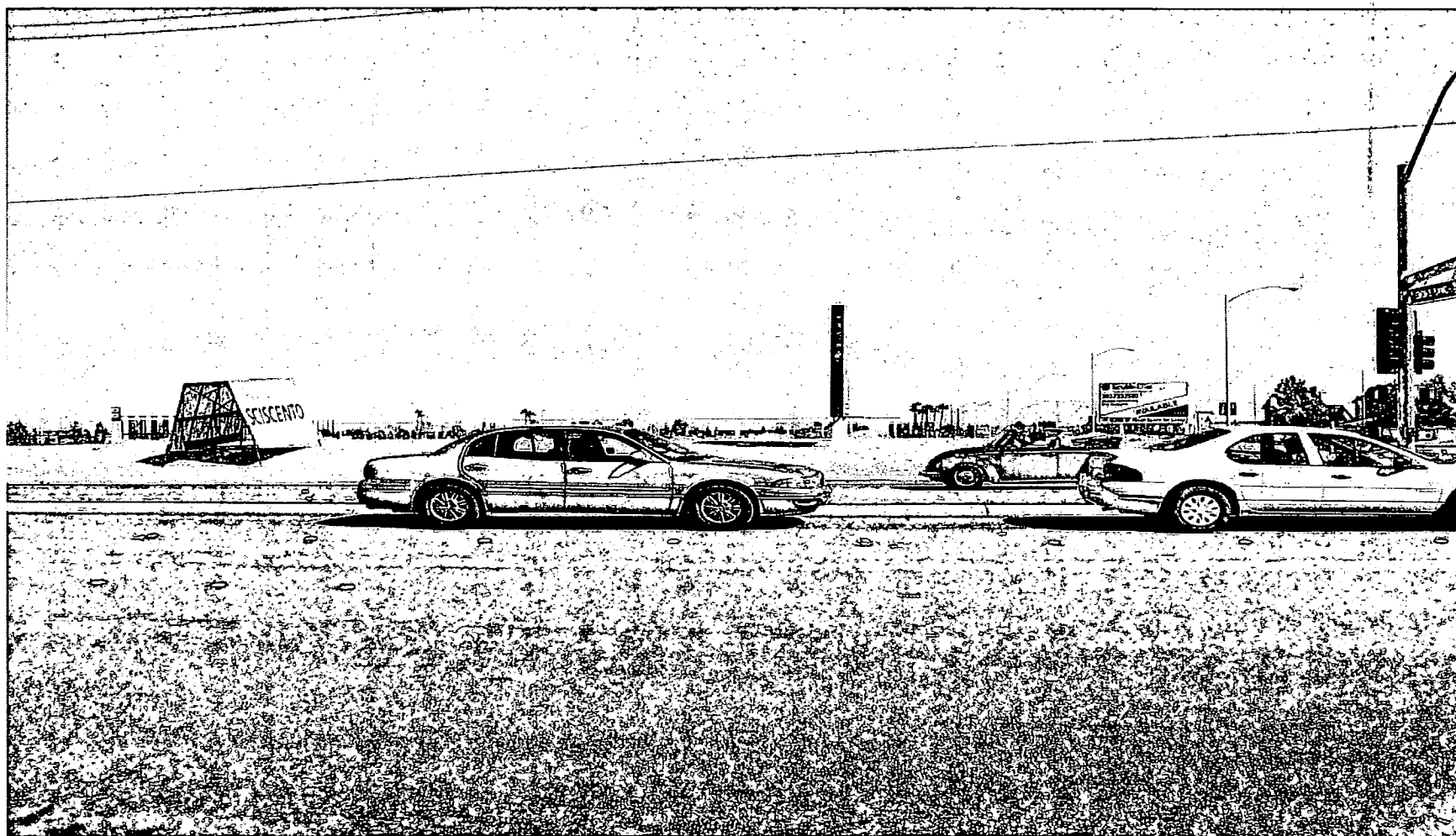
Las Vegas, Nevada

SUP-3896
3-25-04 PC



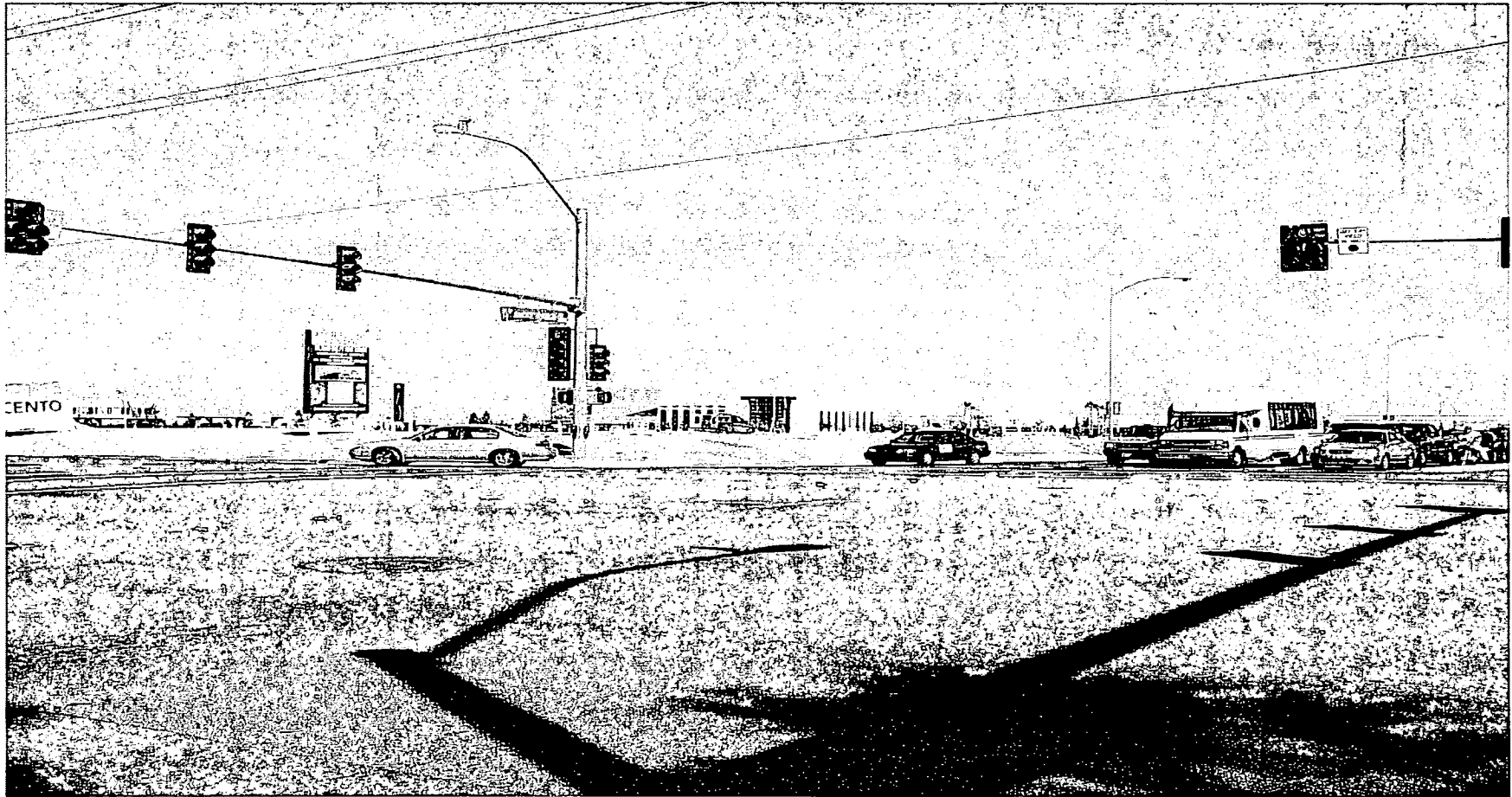
Note: This plan is Conceptual in Nature and
No Guarantee of its accuracy is implied.

February 9, 2004



SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST
NORTHEAST CORNER OF SMOKE RANCH ROAD AND BUFFALO DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04



SUP-3896 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DONNA F. BEAM REVOCABLE TRUST
NORTHEAST CORNER OF SMOKE RANCH ROAD AND BUFFALO DRIVE
MARCH 25, 2004 PLANNING COMMISSION

3/4/04

To the county commissioners and the recorder on file Paula
Fax # 382-4803

From: Kathy Best
7548 Holloran court
Las Vegas NV 89128

Re: SUP-3896

I am filing a written protest to the C-1 Zoning and Wavier of a separation distance.

Reasons:

- 1) I agree we as a community need to have 1500 foot distance separation requirement between Taverns and Schools, Churches and Day care centers. That has been the governing code and I request that our council members and planning commission to uphold this code.
- 2) I have been involved in this process for over a year now, I feel there have been many procedural errors in informing interested party's and it has never been about what the neighborhood needed or wanted. I attended every meeting that I was invited to and most people were against the idea of Liquor sales. This has been consistent with the same issues Five years ago.
- 3) Quoting unified development code 30.56.140. "Results in a development is as or more compatible with the adjacent developments" and "trends similar or superior to that anticipated". I do not see anything Medical, Technological, or family oriented about this property development. There is no compatibility with the existing school, church or day care center. The trend of the area CP-Zoning
- 4) The purpose of CP zoning to provide a buffer through the establishment of low intensity uses between the more intensive commercial districts and the residential districts.
- 5) I have a few real estate questions that could have future impact on this community, none of these questions have been discussed with the neighborhood. No one seems to truly inform us.
- 6) We as neighbors don't want a strip mall looking building representing our community

Protest

Submitted after final agenda

Date 4/20/04 Item #134

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 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 7/10/2003 Planning Commission meeting Item 38

MOTION:

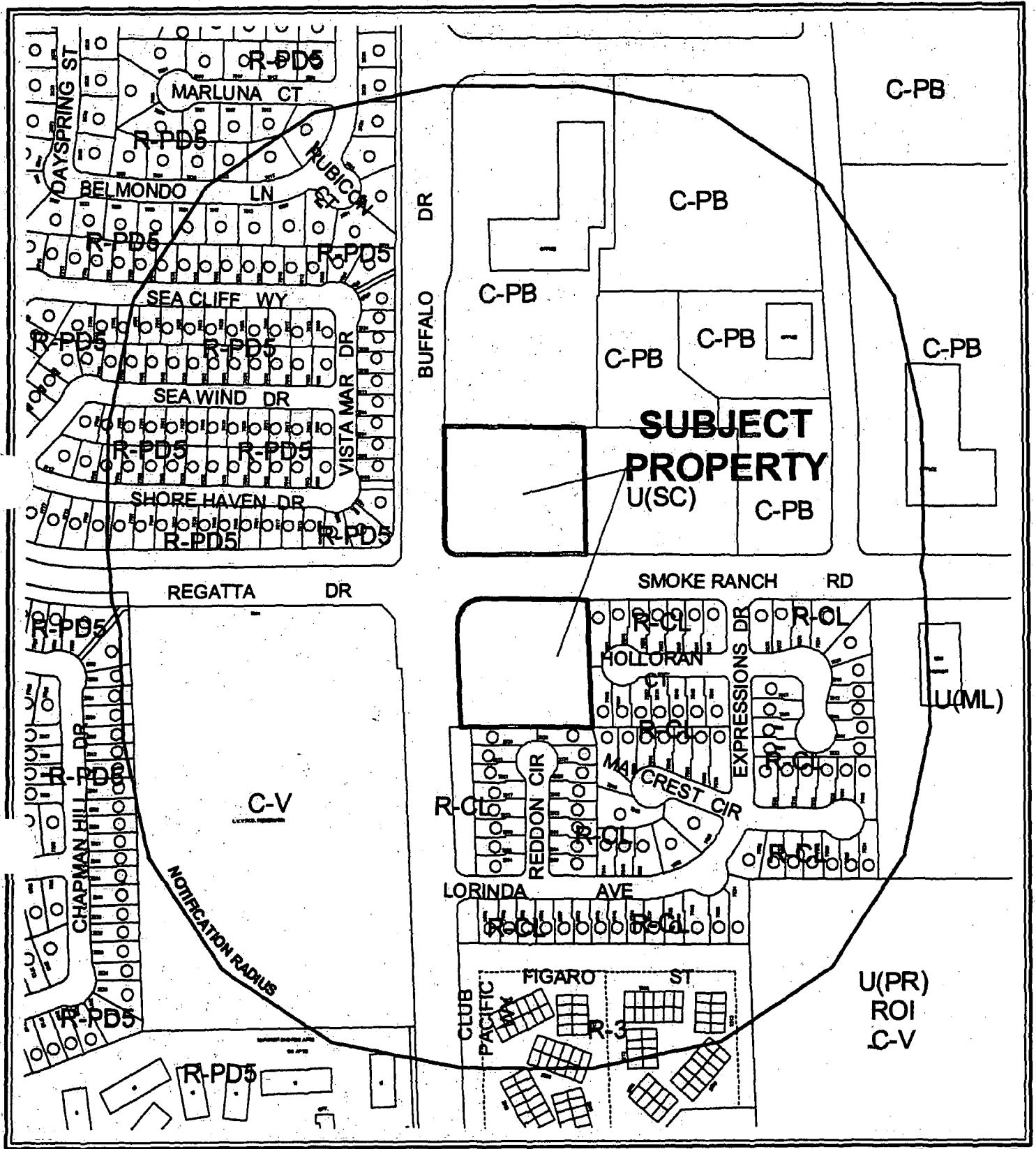
REESE - Motion to HOLD IN ABEYANCE Item 124 [RQR-3930], Item 125 [ROC-4121] and Item 127 [SUP-3394] to 5/19/2004 and Item 133 [ZON-2457], Item 134 [SUP-3896] and Item 135 [SDR-2458] to 5/5/2004 - UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

COUNCILMAN BROWN stated the request to abey Items 133, 134 and 135 came from his office, not staff, as had been read. COUNCILMAN BROWN confirmed no one was present on Items 133, 134 or 135.

There was no related discussion.

(1:34 - 1:38)



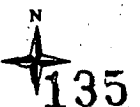
CASE: **SDR-2458**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL)
GENERAL PLAN DESIGNATION]

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-2458 - DONNA F. BEAM
REVOCABLE TRUST

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

**** CONDITIONS ****

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning [ZON-2457] 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. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permit, to reflect access aisles on both sides of all handicap spaces, in accordance with Title 19.10.G.3.a.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center where fronting on to streets or adjacent to residential areas and 30 feet on-center for other perimeters and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. 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.
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.

Public Works

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout for both parcels comprising this overall site prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2457 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review to allow two 15,300 square-foot retail buildings, one on each of two parcels, on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive. A companion Rezoning (ZON-2457) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on the subject property will be reviewed concurrently by Planning Commission.

B) Applicant's Justification

The applicant has justified the request by stating that the proposed one-story projects are compatible with adjacent residential and business park uses, and will be in conformance with the proposed zoning and existing General Plan designation on the two sites.

BACKGROUND INFORMATION

A) Previous Actions

- 10/03/84 The City Council approved a petition (A-0015-84) to annex 985 acres of land, including the subject parcels. The effective date was 10/12/84.
- 05/10/99 The City Council accepted a request to withdraw without prejudice a request for Rezoning (Z-0006-99) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on a site located at the northeast corner of Buffalo Drive and Smoke Ranch Road. The Planning Commission recommended denial on 03/11/99.
- 05/10/99 The City Council accepted a request to withdraw without prejudice a request for two Special Use Permits (U-0010-99 and U-0011-99) located at the northeast corner of Buffalo Drive and Smoke Ranch Road for the Off-Premise Sale of Beer and Wine and for a proposed Minor Auto Repair facility, Full Service Car Wash and Gasoline Sales in conjunction with a proposed Convenience Store/Car Wash. The Planning Commission recommended denial of both applications on 03/11/99.
- 07/10/03 The Planning Commission recommended approval of a companion request for a Rezoning (ZON-2457) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on the subject site.
- 07/10/03 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #38).
- 03/25/04 The Planning Commission recommended approval of a related Special Use Permit (SUP-3896).

B) Pre-Application Meeting

A pre-application meeting was held on 05/12/03. At that meeting, the development parameters of the application were reviewed to determine that no waivers to Code standards would be required. A number of requirements from the Public Works department were also identified, including ensuring that drive entrances lined up across from each other on Smoke Ranch Road, and that drainage and traffic analyses were required. The applicant was also advised to indicated on-site signage on the site plan.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88

B) Existing Land Use

Subject Property: Undeveloped
North: Business Park uses
South: Single Family Residential
East: Undeveloped and Single Family Residential
West: Single Family Residential and Water District facility

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: LI/R (Light Industrial/Research)
South: ML (Medium Density Residential)
East: ML (Medium Density Residential) and SC (Service Commercial)
West: ML (Medium Density Residential) and PF (Public Facilities)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]
North: C-PB (Planned Business Park)
South: R-CL (Residential - Compact Lot)
East: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] and R-CL (Residential - Compact Lot)
West: R-PD5 (Residential Planned Development - 5 Units per Acre) and C-V (Civic)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The requested Rezoning to C-1 (Limited Commercial) and the proposed commercial development are consistent with this General Plan designation.

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

There are no special area plans, special overlay districts or study areas that affect the subject sites, although the Las Vegas Technology Park abuts the northern edge of the northern parcel.

PROJECT DESCRIPTION

The proposal calls for a one-story, 15,300 square-foot retail/restaurant building on each of the two parcels that comprise the subject site (total space will be 30,600 square feet). The 3.88-acre site is comprised of a 1.88-acre parcel on the southeast corner of Smoke Ranch Road and Buffalo Drive and a 2.0-acre parcel on the northeast corner of the intersection. Each building is designed in an "L" shape to provide building exposure to the two adjacent streets. The parking area for each building is located to the rear.

The site plan indicates one entrance to each parcel from Buffalo Drive and from Smoke Ranch Road. The project contains 222 surface parking spaces, 107 spaces on the south parcel and 115 spaces on the northern parcel. Depending on the blend of uses, the parking provided should be adequate to support a predominantly retail development with a restaurant on each parcel. The site plan does not fully meet Zoning Code requirements with respect to perimeter buffering and landscaping; a condition of approval will require these standards to be met prior to issuance of building permits.

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 Width	100 Feet	285 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	10 Feet	76 Feet	Y
• Corner	15 Feet	17 Feet	Y
• Rear	20 Feet	78 Feet	Y

Max. Lot Coverage	50 %	18 %	Y
Max. Building Height	None	26 Feet/1 Story	Y
Trash Enclosure	Walled, gated, roofed, 50' from residential	Complies	Y
Loading Zone	2 per site	Not indicated	N
Mech. Equipment	Concealed behind roof parapet	Complies	Y

The proposed development meets all development standards of the Zoning Code relevant to the C-1 (Limited Commercial) zoning district. The applicant has not identified a dedicated loading zone area on each parcel; as the development will be occupied by a number of small business tenants, the limited demand for loading functions will be met from the parking area at each business premise as the need arises.

A2) Residential Adjacency Standards

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

- a) *Proximity slope.* The proximity slope requirement applies to the eastern and southern boundaries of the southern parcel. The project meets the 3:1 standard by providing 78 feet of distance between the 26-foot high building and these property lines.
- b) *Building setback.* The building setback requirements apply to the southern parcel only, but are less (10-foot rear yards in the R-CL zoning district) than the distance required to satisfy the proximity slope requirement.

A3) Parking and Traffic Standards

The blend of retail and restaurant uses on the two sites has not been finalized at this time. Pursuant to Las Vegas Zoning Code Section 19.10, the Parking Standards that apply to the subject proposal would require 88 spaces on each parcel (176 spaces total) if fully occupied with retail uses, but would require nearly 200 spaces per parcel (400 spaces total) if fully developed with Restaurant uses. Only 222 spaces in total are available on the two sites.

The applicant has expressed interest in having one or possibly two Restaurant uses on each parcel, with the remaining space occupied with Retail uses. The applicant has indicated that the intent would be to achieve a blend of uses that does not exceed Zoning Code parking standards. A condition of approval would require the applicant to provide a calculation of remaining parking as each space is leased to the Planning and Development, to ensure the site does not become parking-impaired. A sufficient amount of handicap spaces have been identified on the site plan as submitted.

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	37 Trees	41 Trees
Buffer:			
• Min. Trees	• 1 Tree / 30 Linear Feet + 1 Tree along internal perimeters (574 feet – north site) • 1 Tree / 20 Linear Feet + 1 Tree internal perimeters adjacent to residential (573 Feet – south site) • 1 Tree / 20 Linear Feet + 1 Tree where adjacent to right-of-way (1,146 feet – 100 feet for entrances = 1,046 Feet – both sites)	21 Trees 30 Trees 36 Trees	18 Trees 22 Trees 13 Trees
• Min. Zone Width	15 Feet in front, 8 Feet on internal perimeters		Meets or exceeds standards
• Wall height	6 Feet		Not indicated

The proposal meets parking lot landscaping standards, but is deficient on perimeter landscape standards. A condition of approval will require the landscape plan to be revised prior to issuance of building permits to address these deficiencies.

A5) Sign Standards

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

Monument Signs: C-1 District

Standards	Allowed	Provided
Maximum Number	1 / 200 lineal feet of street frontage 4 total	0.5 / Street frontage 2 total
Maximum Area	75 SF /sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	9 Feet
Illumination	Direct/Internal	Not indicated

Wall Signs: C-1 District

Standards	Allowed	Provided
Maximum Number	No limit – total area limit only	X / Street frontage X total
Maximum Area	20% of wall area	< 20%
Maximum Projection	4 Feet	Not indicated
Illumination	Internal/External	Not indicated

The proposed signage for the development, as indicated schematically on the elevations, appears to meet the signage development standards of the Zoning Code. The applicant has indicated that as tenant signage is developed, it will be designed to meet all signage provisions of the Code.

B) General Analysis and Discussion

- **Zoning**

The current zoning of the subject property is U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]. A companion request (ZON-2457) would change the zoning on the two parcels to C-1 (Limited Commercial). The site plan as proposed conforms to the requirements of the C-1 zoning district.

- **Site Plan**

The proposal calls for a one-story, 15,300 square-foot retail/restaurant building on each of the two parcels that comprise the subject site (total space will be 30,600 square feet). The 3.88-acre site is comprised of a 1.88-acre parcel on the southeast corner of Smoke Ranch Road and Buffalo Drive and a 2.0-acre parcel on the northeast corner of the intersection. Each building is designed in an “L” shape to provide building exposure to the two adjacent streets. The parking area for each building is located to the rear.

The site plan indicates one entrance to each parcel from Buffalo Drive and from Smoke Ranch Road. The project contains 222 surface parking spaces, 107 spaces on the south parcel and 115 spaces on the northern parcel. Depending on the blend of uses, the parking provided should be adequate to support a predominantly retail development with a restaurant on each parcel. The site plan does not fully meet Zoning Code requirements with respect to perimeter buffering and landscaping; a condition of approval will require these standards to be met prior to issuance of building permits.

- **Waivers**

No waivers have been requested by the applicant.

- **Landscape Plan**

The landscape plan depicts a blend of landscaping on the site, including a total of 94 trees comprised of 24-inch box Modesto Ash and African Sumac 10 to 15' bth Date Palm on both parcels. A variety of five-gallon plants is proposed as understory planting.

- **Elevation**

The elevations depict two one-story, painted concrete tilt-up structures with an accent cornice and canvas or metal awnings over the retail windows and entrances. The building will have storefronts mounted in aluminum frames, with decorative wall-mounted accent lighting between the storefronts.

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 retail development of the northern parcel would be compatible with the existing business park use to the north and the undeveloped parcel to the east that is designated identically to the subject site. The companion parcel is to the south, and to the west across Buffalo Drive is the Desert Shores community, which is protected by a wall.

The retail development of the southern parcel would be compatible with the single-family residential areas to the east and south of the parcel, as the proposed building has been set back from these property lines a sufficient distance to comply with Residential Adjacency Standards. Again, the companion parcel is to the north, while to the west is a Las Vegas Valley Water District facility.

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

The site is designated as SC (Service Commercial) on the Southeast Sector Map of the General Plan. The proposed development will be consistent with the companion request for Rezoning (ZON-2457) to C-1 (Limited Commercial), and is consistent with the existing SC (Service Commercial) land use designation of the General Plan.

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

This project is located on Buffalo Drive at the intersection with Smoke Ranch Road, both of which are identified as Primary (100-foot) Arterials on the Master Plan of Streets and Highways. These roads provide sufficient capacity for the intended development on the subject parcels.

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

The building and landscape materials for the proposed retail/restaurant development meet the requirements of Title 19, provided that perimeter buffering and landscaping is revised as conditioned.

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 articulation and design of this building will create an attractive and aesthetically pleasing appearance that will be harmonious with the future development in the area.

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

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

NOTICES MAILED 190 by Planning Department

APPROVALS 0

PROTESTS 2



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: INVESTMENT EQUITY BUILDERS

~~Yes~~ **No**

APN: _____

Print Name: DONNA F. BEAM

Michael S. Thomas
Notary Public in and for said County and State

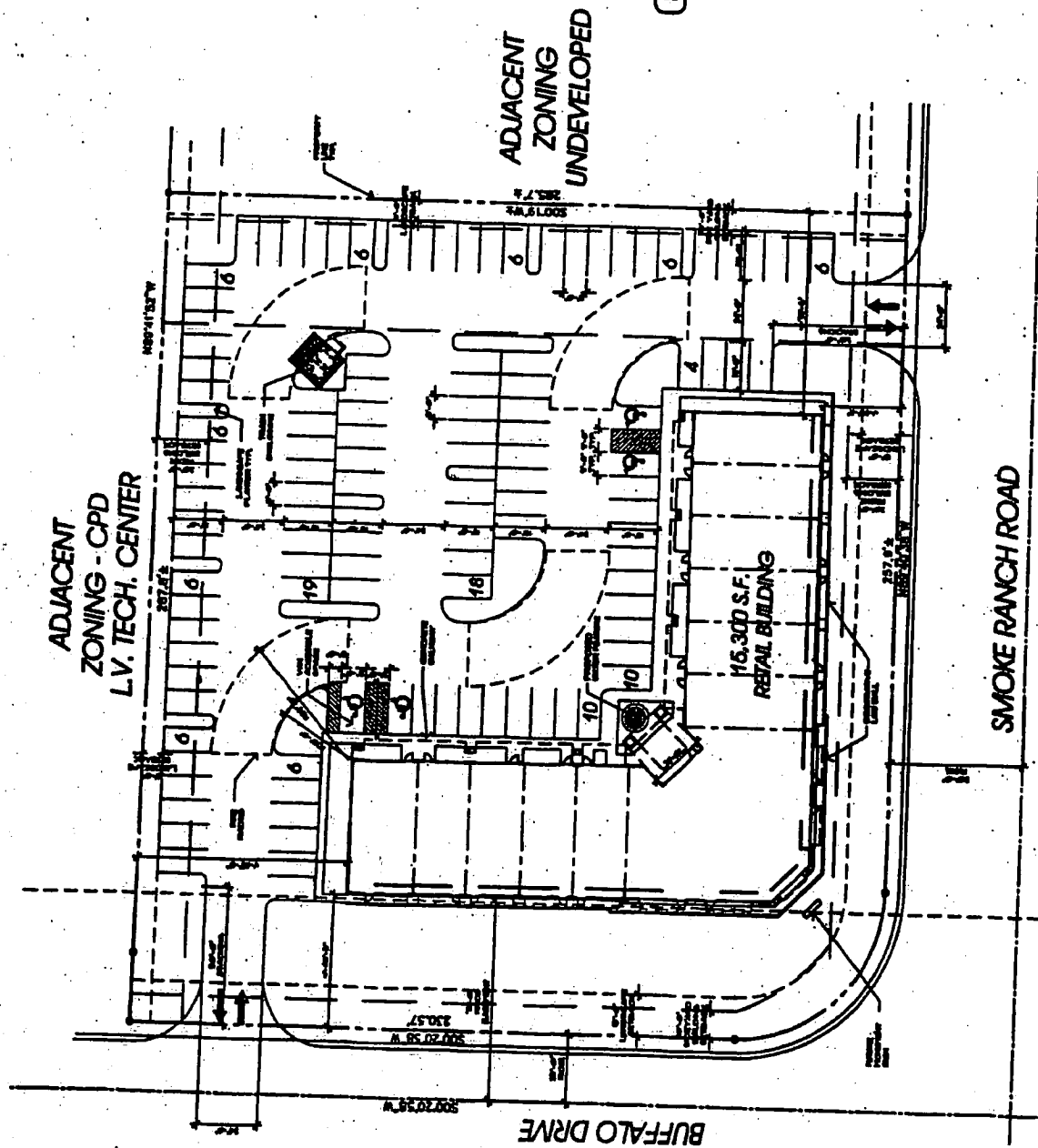
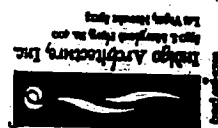


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Owner / Developer

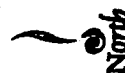
INVESTMENT POLICY BUILDERS
4880 E. DECADUR, SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. NIMMY (702) 671-4545

Vicinity Map



Site Plan

Study 1 - 2004



**Is Computerized Incentives and
Punishments of Employees and
Managers?**

Schematic Design

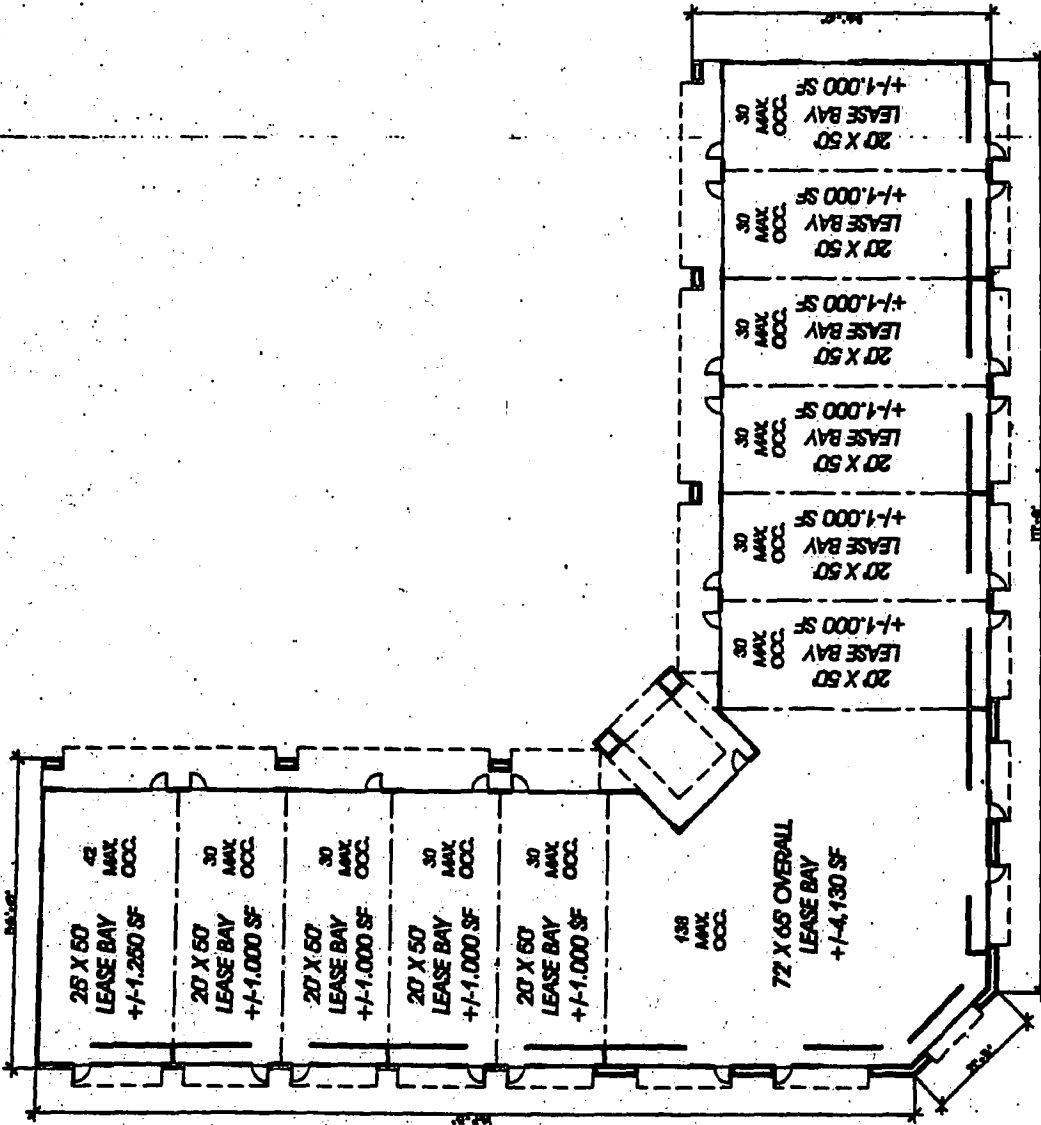
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Tech Retail Center I

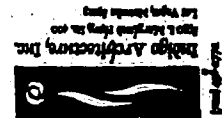
ZON-2457

SDR-2458

07-10-03 PC



ZON-2457
SDR-2458
07-10-03 PC



Tech Retail Center I

Floor Plan
15,300 GROSS SF

Schematic Design

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is Compared to Previous and
values of the community is helpful.

ADULTS: 100% (100%)
CHILDREN: 100% (100%)
TOTAL: 100% (100%)

4-15A ACROSS STREET 4-15B 15A 17 PEOPLE	4-15A ACROSS STREET 4-15B 15A 17 PEOPLE	4-15A ACROSS STREET 4-15B 15A 17 PEOPLE	4-15A ACROSS STREET 4-15B 15A 17 PEOPLE

INVESTMENT EQUITY BUILDERS
4600 S. DECATUR, SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. NANNY (702) 871-8548

Landscapes will meet the IA requirements.

Tree Legend		Tree	Height	Age	Notes
	STAR				
	CROSS				
	CIRCLE				

Suggested Study List

Ground Cover

Landmark Area

Book 1 - 1974

**Consistent in Means and
End of the Economy is Required**

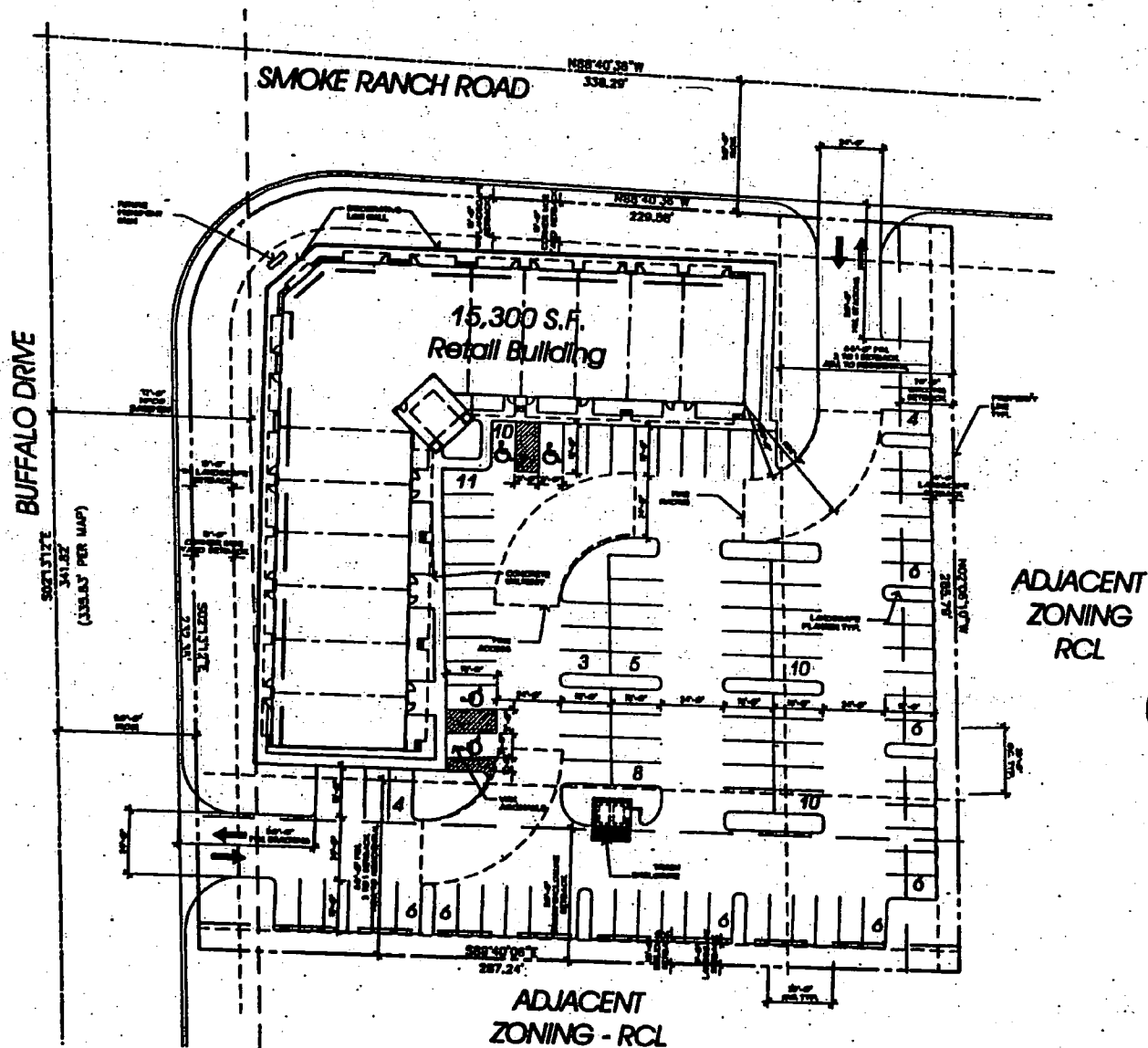
There are many ways to get a good deal on a car.

Los Vegas, Nevada

SDR-2458

07-10-03 PC

DeWitt
DeWitt Architecture, Inc.
1000 Maryland Drive, S.W.
Atlanta, Georgia 30334
404/525-1100



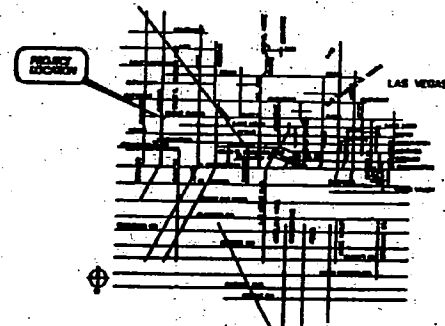
Site Data

ADJACENT PARCEL NUMBER (APN)	020-00-001-001
COMMITMENT NUMBER	0-4
PROPOSED ZONING	0-4
CONCESSION	
ONE CHANCE	44-1.00 ACRES GROSS 82,244 S.F.
SECOND CHANCE	44-1.00 ACRES S.F.
REVENUE ONE CHANCE	
CONCESSION	10 PERCENT
CONCESSION REQUIRED	
REVENUE 44-1.00 ACRES	480 S.F. 80 SPACES
REVENUE 44-1.00 ACRES	480 S.F. 80 SPACES
TOTAL PARKING REQUIRED	160 SPACES
PROVIDED	1,400 S.F. 107 SPACES

Owner / Developer

INVESTMENT EQUITY BUILDERS
4800 S. DECATUR, SUITE 300
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

Vicinity Map



Site Plan

Scale 1" = 20'-0"

Tech Retail Center II

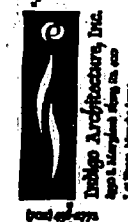
Schematic Design

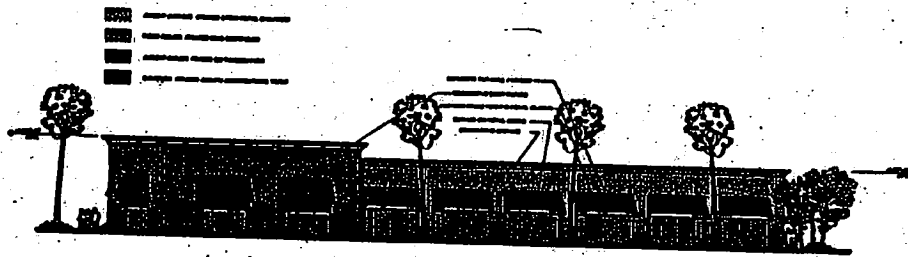
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ZON-2457

SDR-2458

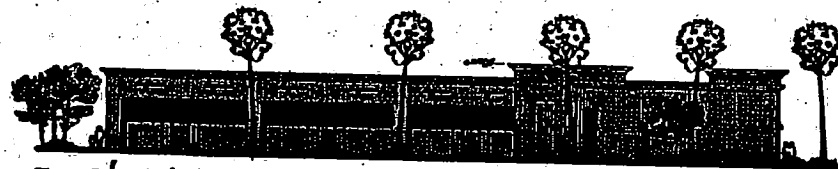
07-10-03 PC





West Elevation (Buffalo Drive)

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



East Elevation

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



North Elevation (Smoke Ranch Road)

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



South Elevation

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

Tech Retail Center II

May 14, 2003

Schematic Design

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ZON-2457

SDR-2458

07-10-03 PC

Las Vegas, Nevada



Indigo Architecture, Inc.
4444 Maryland Avenue, Suite 200
Las Vegas, Nevada 89169

138.25



**ADJACENT
ZONING - RCL**

Landscape Plan

 $\text{scale } x = 10^{-5}$

North

**1. Comparison in Nations and
rate of the accuracy is high.**

May 14, 2009

Schematic Design

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Tech Retail Center II

- ZON-2457
 - SDR-2458
 U7-10-03 PC

Los Yanes, Pioneros

ADDITIONAL PAGES: NUMBER (PAGES) 130-62-101-001
CLASSIFICATION 0
PROCESSING CODE C-1

DIRECTOR
SUP CHIEF
BILLING AREA CHIEF

+ 1.00 ACRES GROWN 2008-12
+ 1.00 ACRES 19

STUDIES ARE CONDUCTED **79 PERCENT**

STANDARD RECORDS

REVENUE + 1,000 (PAGES)	UNIT S.A.	NO SPACES
CITY AND COUNTY RECORDS OFFICE	UNIT S.A.	NO SPACES

TOTAL PENDING REQUESTS **101 SPACES**

RECEIVED 2 JANUARY 1972

INVESTMENT EQUITY BUILDERS
4000 E. DECATUR, SUITE 200
LAS VEGAS, NEVADA 89108
DAVID L. INMAN (702) 671-0545

Landscape will meet title 19A requirements

Tree Legend

	SUNBURST	SP 200	0	25-000000-000000
	WRENCH & GEAR	SP 200	01	25-000000-000000
	WRENCH & GEAR	SP 200	02	25-000000-000000

Suggested Shrub List

[REDACTED]

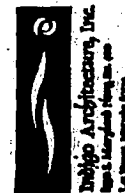
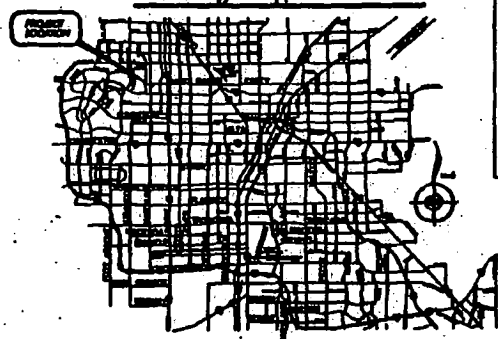
Ground Cover

RESEARCH DESIGN

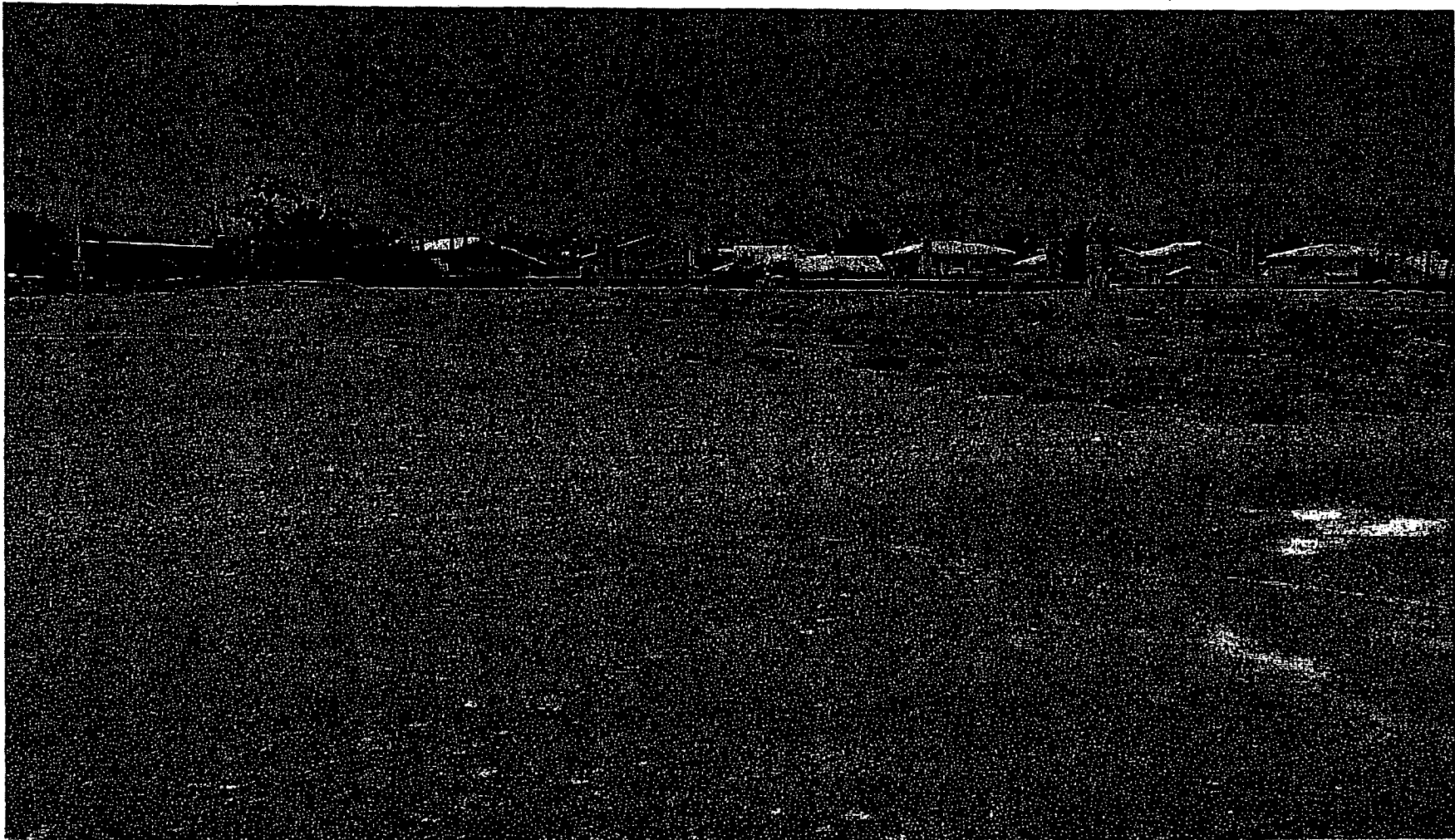
Landmark Areas

STATE OF ILLINOIS AND FRANKLIN

Vicinity Map



0000-0001-9000-0000



**SDR-2458 - DONNA F. BEAM REVOCABLE TRUST
NORTHEAST AND SOUTHEAST CORNERS OF SMIKE RANCH ROAD AND BUFFALO DRIVE
JULY 10, 2003 PLANNING COMMISSION**

6/23/03



**SDR-2458 - DONNA F. BEAM REVOCABLE TRUST
NORTHEAST AND SOUTHEAST CORNERS OF SMIKE RANCH ROAD AND BUFFALO DRIVE
JULY 10, 2003 PLANNING COMMISSION**

6/23/03

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - 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

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 - ABEYANCE to 5/5/04 - UNANIMOUS with MACK excused and Ward 2 vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

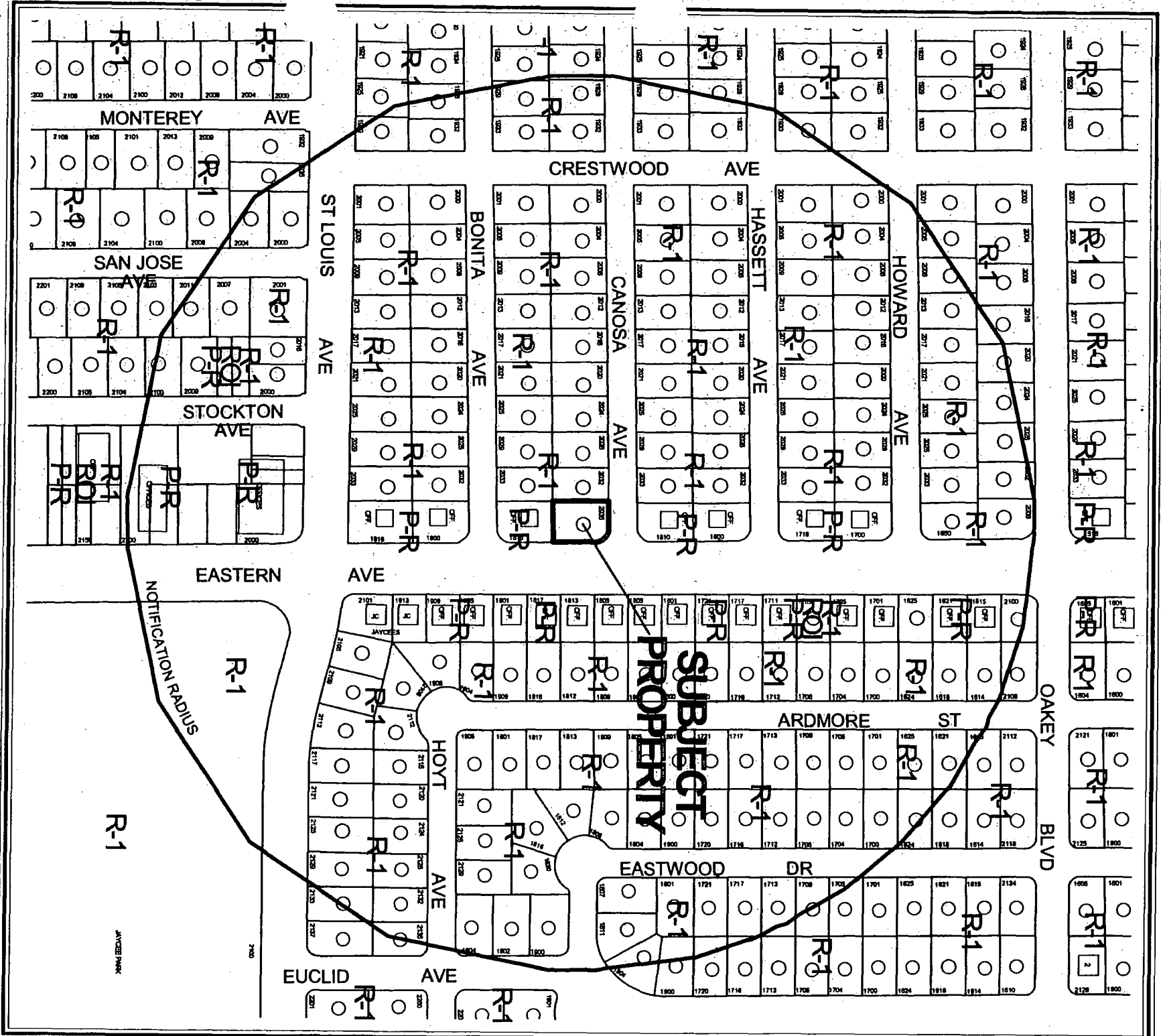
COUNCILMAN REESE stated he wanted to abey this item for two weeks. He wanted the applicant to be present to be certain they completely understood the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:30 - 2:31)

4-1915



CASE: ZON-3665

RADIUS: 750 FT

0 100 200 Feet

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





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 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 7, 2004 CITY COUNCIL MEETING AT THE COUNCILMAN'S REQUEST.

**** 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.

<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

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



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-3665** APN: 162-02-713-114

Name of Property Owner: Donna J. Capri

Name of Applicant: Donna J. Capri

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 None (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): _____

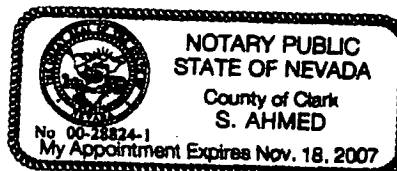
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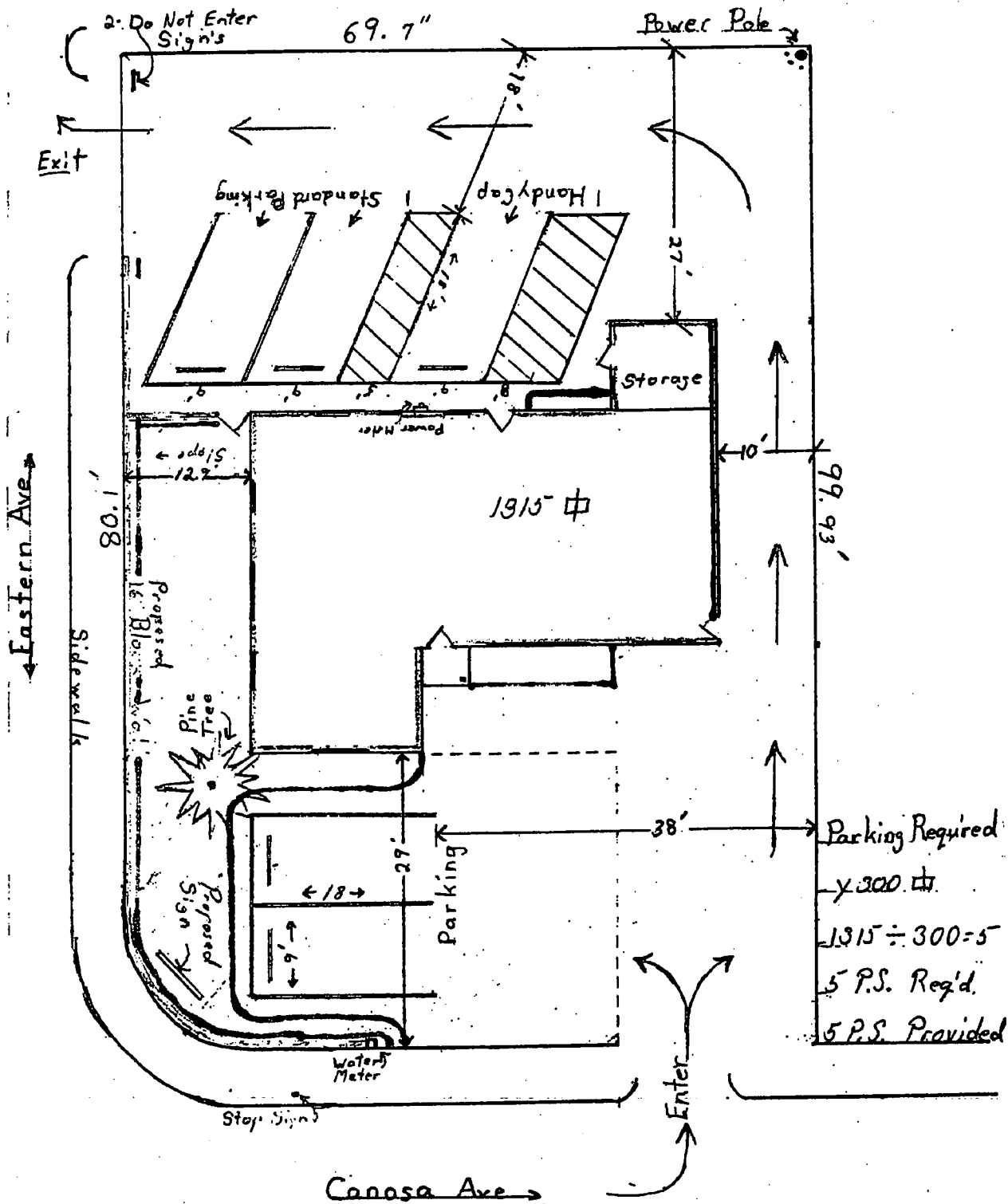
Signature of Property Owner/Authorized Agent: Donna J. Capri by Lori J. Chacortegui
her Attorney-In-Fact

Print Name: Donna J. Capri by Lori J. Chacortegui
her Attorney-In-Fact

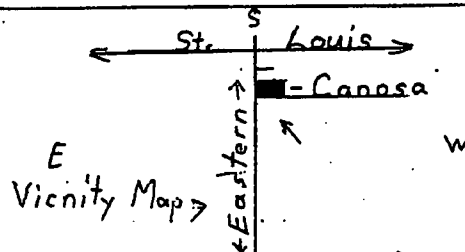
Subscribed and sworn before me

This 17th day of Dec, 2003
[Signature]
Notary Public in and for said County and State

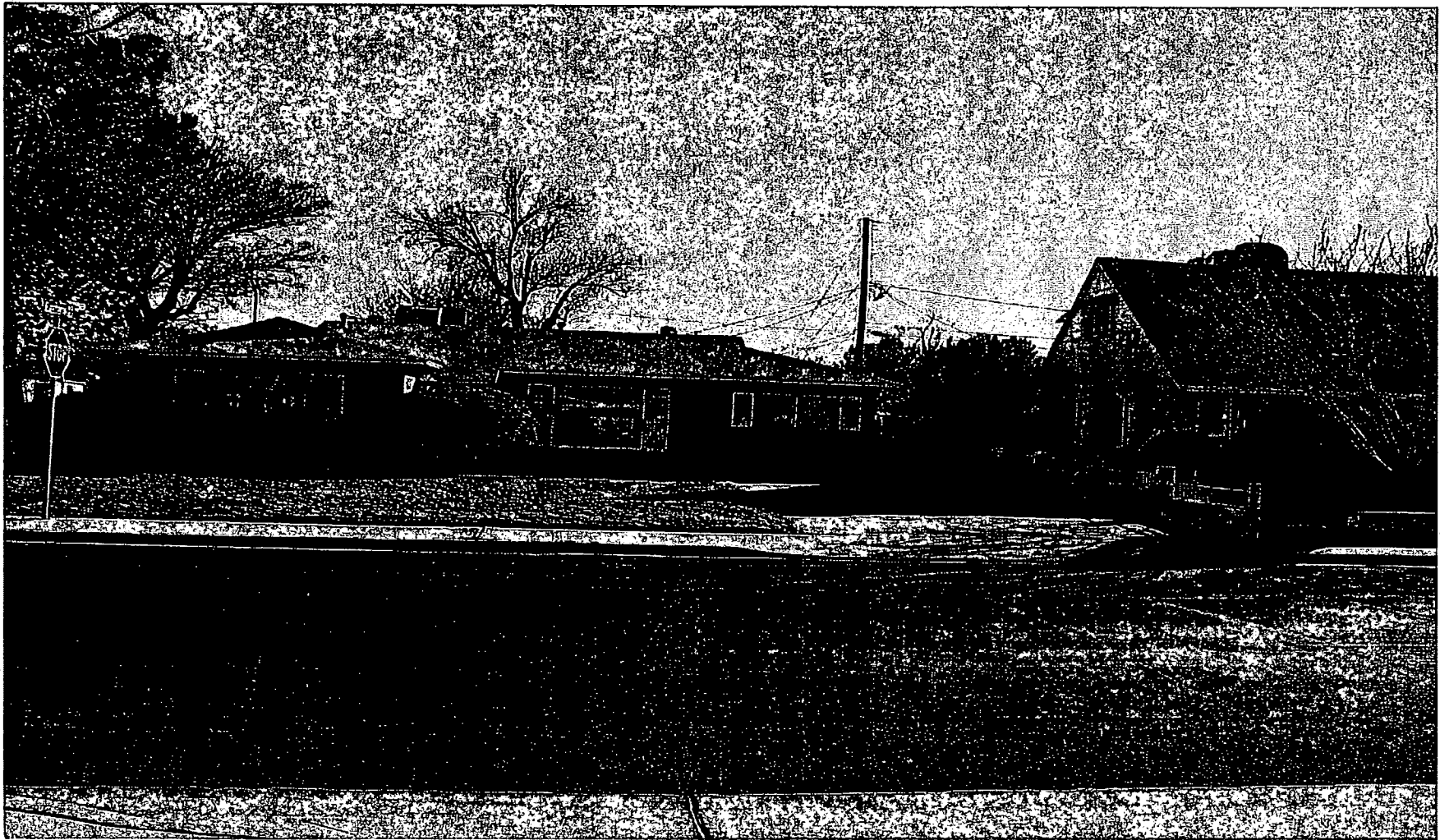




Address - 2036 ↑
 Scale - 1" = 10'
 .16 Acre



STAFF
ZON-3665
2-26-04 PC



ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI
SOUTHWEST CORNER OF EASTERN AVENUE AND CANOSA AVENUE
FEBRUARY 26, 2004 PLANNING COMMISSION

2/9/04