

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 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 - DENIED - UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

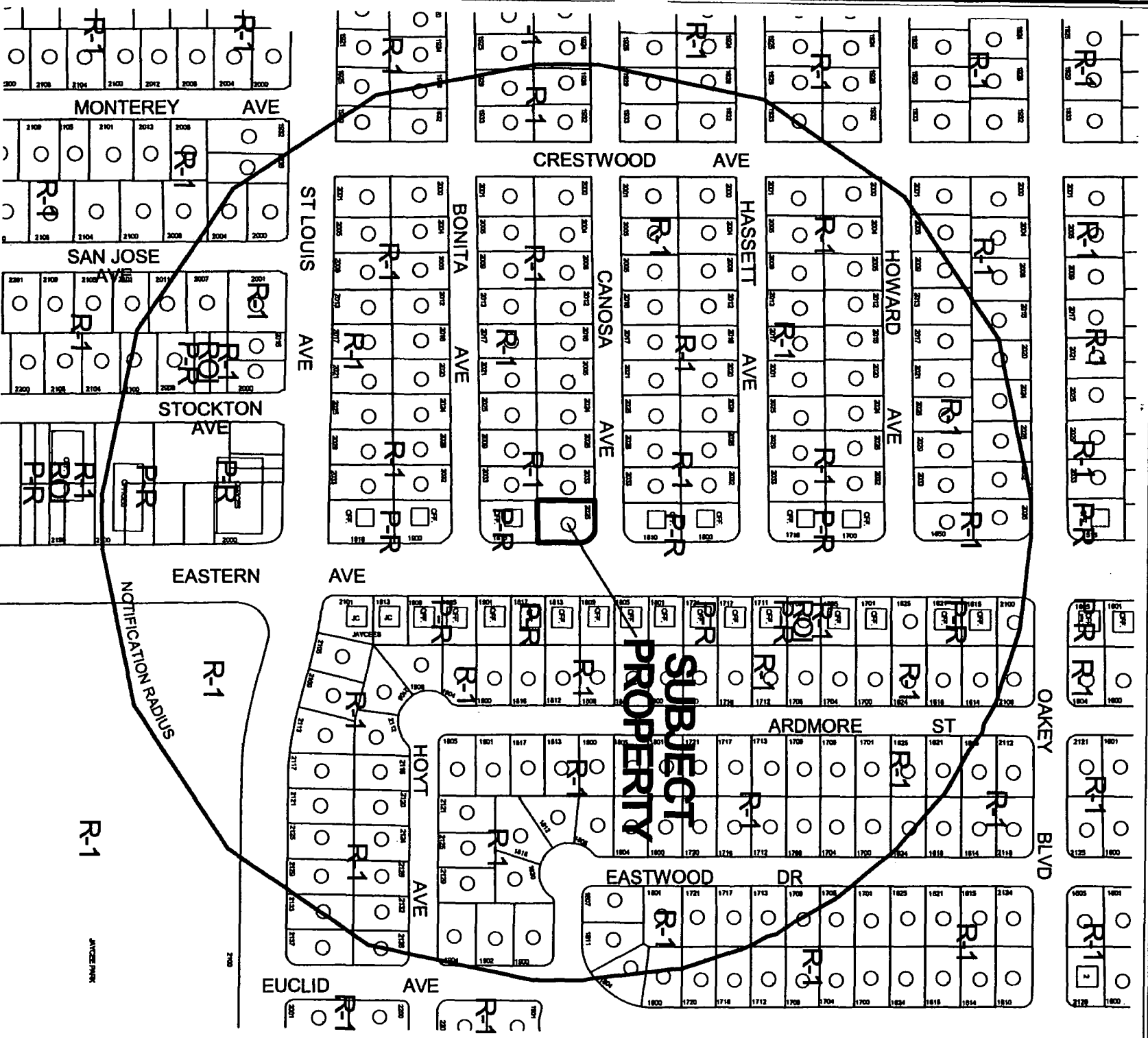
MAYOR PRO TEM REESE indicated that this item has been held in abeyance three times and the applicant was not present.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:21 - 3:22)

5-968



CASE: ZON-3665

RADIUS: 750 FT

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): _____

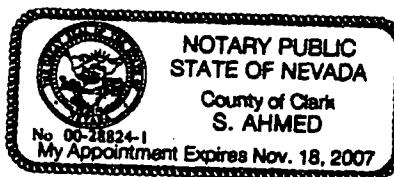
APN: 162-02-713-114

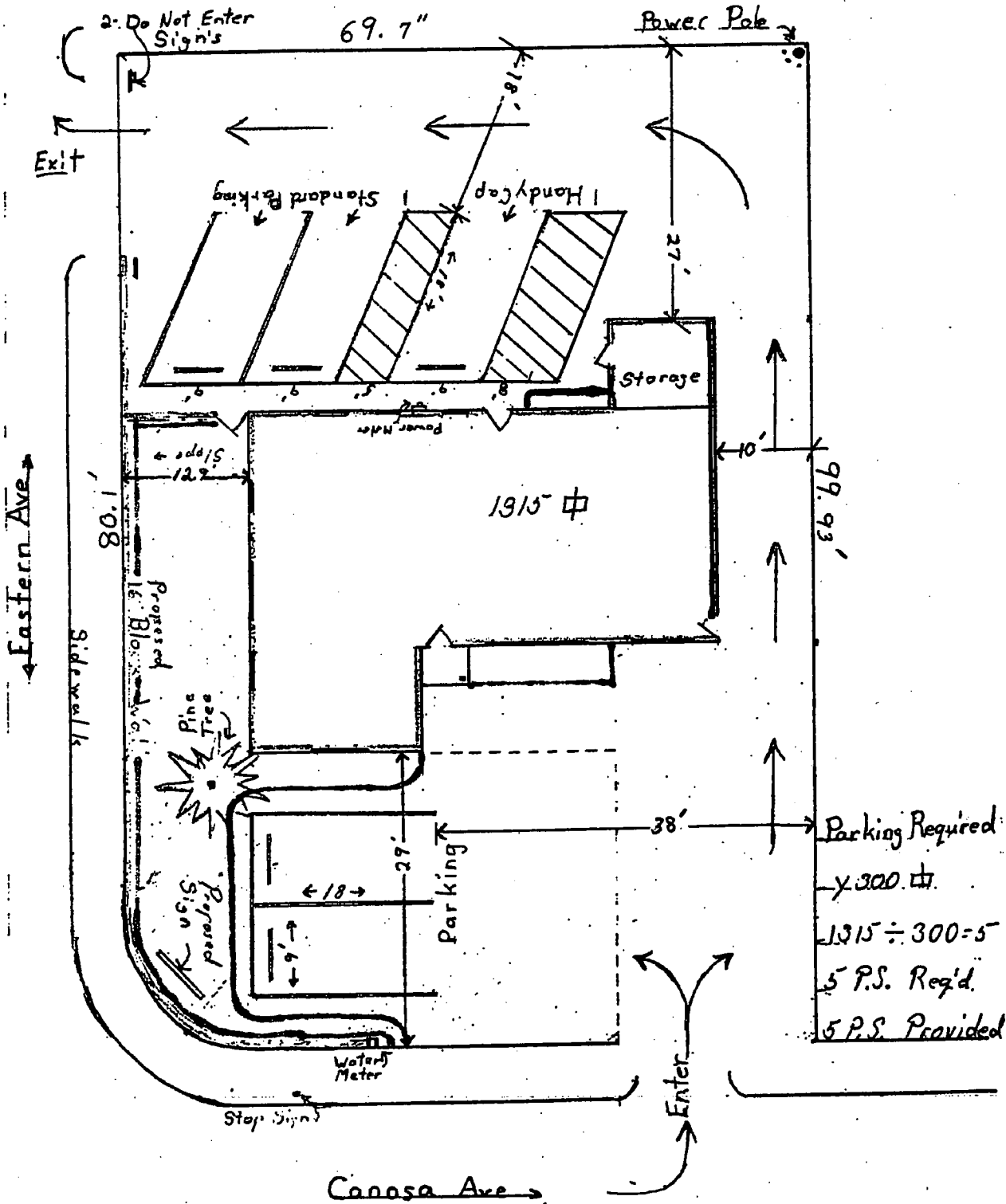
Signature of Property Owner/Authorized Agent: Donna J. Capri by Lori J. Chacartegui
her Attorney-In-Fact

Print Name: Donna J. Capri by Lori J. Chacartegui
her Attorney-In-Fact

Subscribed and sworn before me

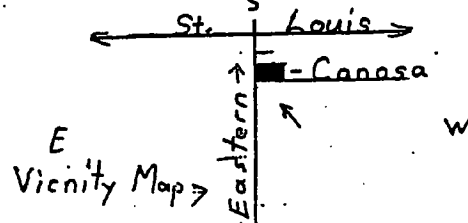
This 17th day of Dec, 2003
[Signature]
Notary Public in and for said County and State





Parking Required
 $\times 300$ ft.
 $1315 \div 300 = 5$
 5 P.S. Req'd.
 5 P.S. Provided

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-3919 -

APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152],

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 113 – ZON-3919

MOTION – Continued:

Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DENNIS WATTS, 201 Las Vegas Boulevard South, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:22 – 3:24)

5-994

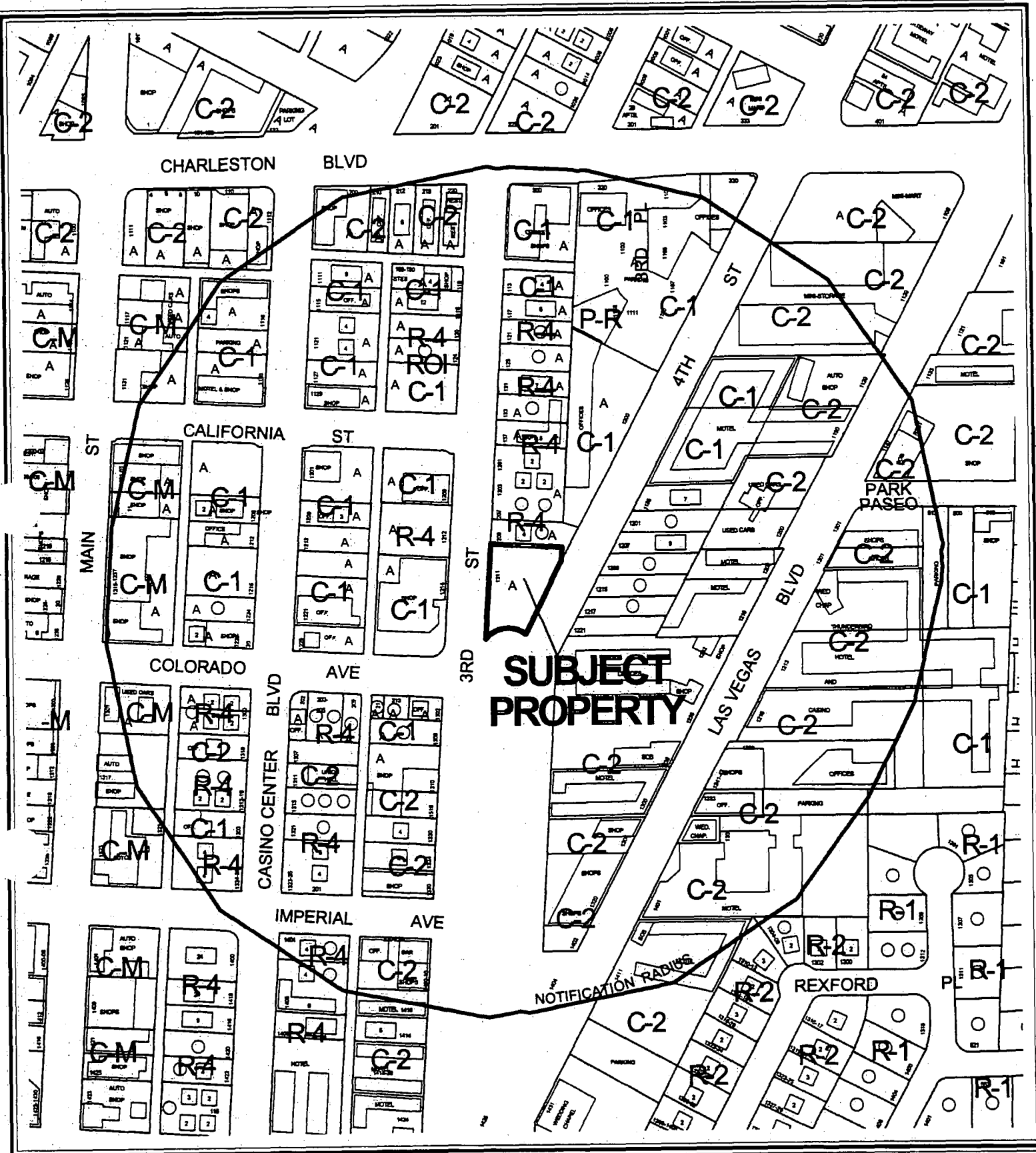
CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: ZON-3919

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

113





0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY

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

**** CONDITIONS ****

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-4 (High Density Residential) to C-1 (Limited Commercial) on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (SDR-3920) has been filed to allow a temporary office facility on the property.

B) Applicant's Justification

The applicant has stated that the rezoning will allow the development of a future multi-story mixed use project, and that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

- 12/15/99 The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).
- 04/18/01 The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission and staff recommended approval of the request on 03/08/01. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.
- 03/11/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-3920).
- 03/11/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #48/ff).

B) Pre-Application Meeting

- 01/30/04 The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multifamily Residential Use
South: Right-of-Way
East: Single-family Use, Multifamily Residential Use, Office Use
West: Retail Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: Mixed Use
North: Mixed Use, Commercial
South: Right-of-Way
East: Commercial
West: Mixed Use

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
North: R-4 (High-Density Residential)
South: Right-of-Way
East: R-3 (Medium-Density Residential), C-2 (General Commercial)
West: R-4 (High-Density Residential), C-1 (Limited Commercial)

E) *General Plan Compliance*

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

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

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

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following dimensional requirements apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y

The subject property meets the minimum width requirement for C-1 (Limited Commercial) properties; no minimum lot size is required for the rezoning.

B) General Analysis and Discussion

The request involves the rezoning of the subject property from R-4 (High-Density Residential) to C-1 (Limited Commercial) in order to permit the eventual development of a mixed-use structure on the site. A modular office facility will be located on the property in the interim until the new structure is constructed; a paved 18-space parking lot will be developed at the same time that the temporary structure is located on the site, and will serve both phases of the development.

FINDINGS

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

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

The proposed rezoning to C-1 (Limited Commercial) is compatible with the Mixed Use designation of this site by the Las Vegas Redevelopment Plan.

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

The office use proposed by the applicant is compatible with the surrounding land uses and zoning districts.

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

The proposed rezoning supports the goals and objectives of the Downtown Centennial Plan and the Las Vegas Redevelopment Plan, which encourages office uses in the downtown area.

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

Fourth Street and Third Street are both fully developed and will provide adequate access to the site.

PLANNING COMMISSION ACTION

There were two protesting speakers at the Planning Commission hearing.

NOTICES MAILED 97 by Planning Department

APPROVALS 1

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-3919** APN: **162-03-110-011**

Name of Property Owner: **Cornerstone Company**

Name of Applicant: **Cornerstone Company**

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

☒ Yes ☐ No

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

City Official: **Richard W. Truesdell**

Partner(s): _____

APN: **162-03-110-011**

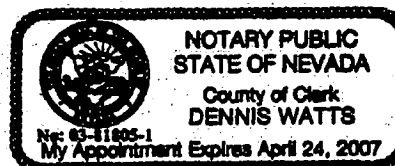
Signature of Property Owner/Authorized Agent: _____

Print Name: **Richard W. Truesdell**

Subscribed and sworn before me

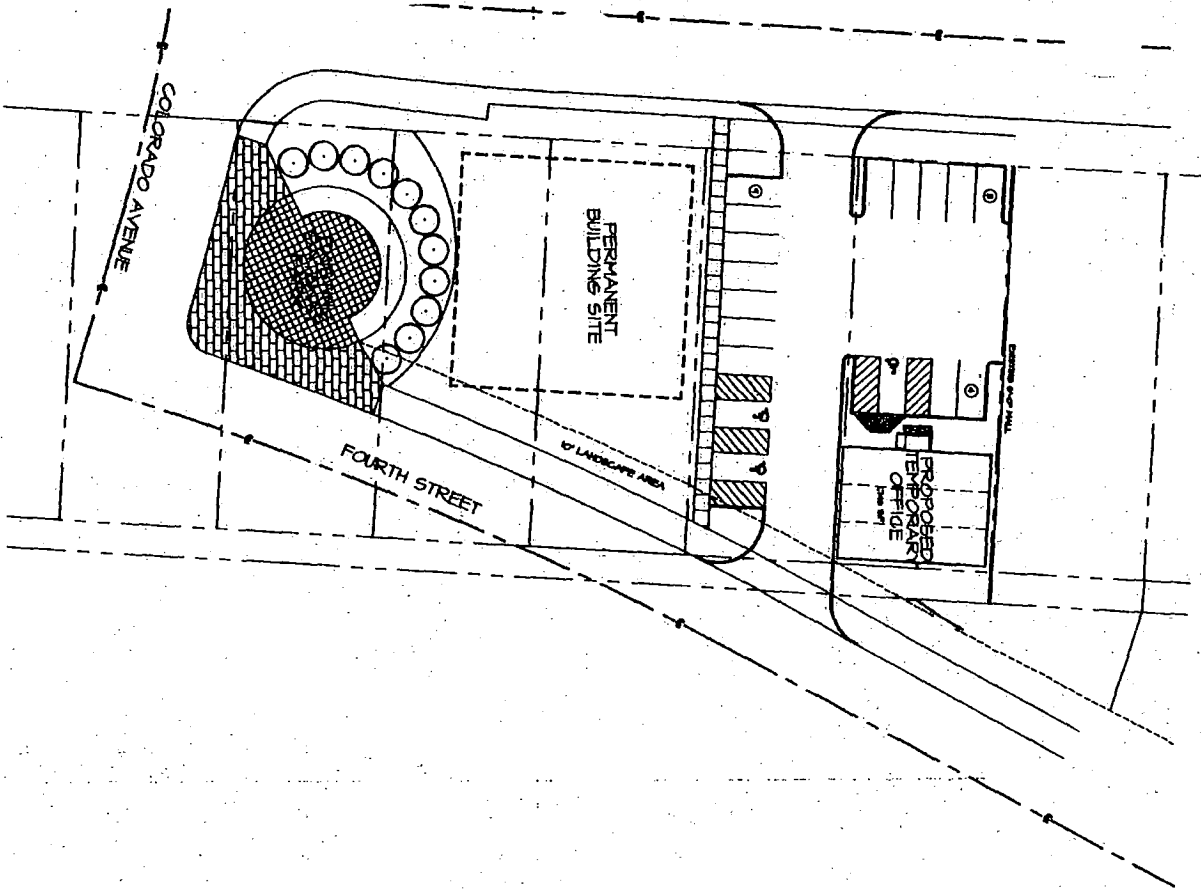
This **26th** day of **JANUARY**, 2004

Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 20'



ZON-3919
SDR-3920
08-11-04 P

SP-1

SITE PLAN

DRAWN BY:
VM
REVIEWED BY:
PM
PROJECT NUMBER:
800001.16
ISSUE DATE:
8.16.00

A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA

WESTAR

W*E*S*T*A*R
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX • LAS VEGAS
ARCHITECTURE • PLANNING • PROJECT MANAGEMENT
6700 EAST THOMAS ROAD, SUITE 200, PHOENIX, ARIZONA 85018
TELEPHONE: (602) 840-4900 FAX: (602) 840-0897

REVISIONS
△
△
△
△



ZON-3919 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

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

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING - SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape and parking standards FOR A PROPOSED MODULAR OFFICE on 0.46 acres adjacent to the northwest corner of Colorado Avenue and 4th Street (APN: 162-03-110-011), R-4 (High Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

2**RECOMMENDATION:**

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Withdrawal without prejudice requested by Applicant
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 114 – SDR-3920

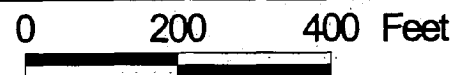
MOTION – Continued:

COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)



114 N

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3920 -- APPLICANT/OWNER: CORNERSTONE COMPANY

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

**** CONDITIONS ****

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3919) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The modular building shall be removed within two years of the issuance of the certificate of occupancy.
4. The applicant shall submit a Site Development Plan Review application for Planning Commission review prior to the construction of any permanent structure.
5. All development shall be in conformance with the site plan as proposed, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Buildings shall be designed so as not to encroach within the existing 20-foot wide public sewer easement.
14. Site development to comply with all applicable conditions of approval for ZON-3919 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed modular office on 0.46 acres adjacent to the northwest corner of Colorado Avenue and Fourth Street. A companion application (ZON-3919) has been submitted to rezone the property to C-1 (Limited Commercial).

B) Applicant's Justification

The applicant has stated that the project is compatible with adjacent uses and will promote the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

- 12/15/99 The City Council approved a Vacation of a portion of Fourth Street adjacent to this site. One of the conditions of approval required the applicant to submit a Site Development Plan Review application for this property prior to the recordation of the Vacation (VAC-49-99).
- 04/18/01 The City Council approved a request (Z-0010-01) to rezone the subject property from R-4 (High Density Residential) to C-1 (Limited Commercial); the Planning Commission recommended approval of the request on 8 March 2001. An associated Site Development Plan Review [Z-0010-01(1)] was also approved at that time. Both applications expired in April 2003.
- 03/11/04 The Planning Commission recommended approval of a related Rezoning (ZON-3919).
- 03/11/04 The Planning Commission voted 4-0-2 to recommend APPROVAL (PC Agenda Item #49/ff).

B) Pre-Application Meeting

- 01/30/04 The applicant verified that there are have been no changes to the proposal since it was originally submitted in 2001, and that the project would require a waiver from the Downtown Centennial Plan parking lot screening and streetscape requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multifamily Residential Use
South: Right-of-Way
East: Single-family Use, Multifamily Residential Use, Office Use
West: Retail Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: Mixed Use
North: Mixed Use, Commercial
South: Right-of-Way
East: Commercial
West: Mixed Use

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
North: R-4 (High-Density Residential)
South: Right-of-Way
East: R-3 (Medium-Density Residential), C-2 (General Commercial)
West: R-4 (High-Density Residential), C-1 (Limited Commercial)

E) *General Plan Compliance*

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

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

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

PROJECT DESCRIPTION

The project involves the placement of a modular office facility of 1,746 square feet on the subject property, and the development of a paved 18-space parking lot. The modular office will be a temporary facility; the applicant intends to construct a multistory mixed-use building on the southern portion of the site at some point in the future.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	19,820 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y
Min. Setbacks			
• Front	0 Feet (for a minimum of 70% of lot width)	10 Feet	N
• Side	N/A	3 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	N/A	N/A	N/A
Max. Lot Coverage	Up to 100%	9%	Y
Max. Building Height	N/A	Approx. 12'	Y

The proposed temporary structure will comply with setback, height, and lot coverage requirements.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. On-site parking will be provided as follows:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office Use	1,746 SF	1/300 GFA	5	1	15	3

The number of parking spaces to be provided will exceed the amount required by code.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of landscape requirements contained in Title 19; however, the Downtown Centennial Plan requires the following landscape elements:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	3 Trees	Not indicated
Buffer:			
• Min. Trees	(See above)	(See above)	(See above)
• Min. Zone Width	8 Feet		0-10 Feet
• Fence height	3'-6"		Not provided

Landscaping has not been shown on the site plan, but is intended to be added upon the construction of the permanent structure. The landscape buffer facing Third Street does not meet the minimum depth requirements; a waiver has been requested.

A5) Sign Standards

No permanent signage is proposed as part of this request.

B) General Analysis and Discussion

• Zoning

The companion application to rezone the property (ZON-3919) to the C-1 (Limited Commercial) zoning designation will allow the proposed office use.

• Site Plan

The site plan generally conforms to the goals and objectives of the Downtown Centennial Plan by locating the temporary structure adjacent to the street, with the parking located to the side and rear of the building. The temporary structure does not occupy 70% of the street frontage as suggested by the Downtown Centennial Plan, but is exempt from the requirement due to its temporary nature. The site plan has been designed so that the parking lot can serve both phases of the development, and allows for the placement of the permanent building directly behind the public landscape feature at the intersection of Fourth Street and Colorado Avenue.

- **Waivers**

The applicant has requested a waiver from providing an eight-foot landscape buffer and the Downtown Centennial Plan fence along the Third Street side of the property due to the fact that there is existing landscaping in the right of way to screen the parking lot. A waiver has also been requested from the requirement for the provision of the Downtown Centennial Plan streetscape treatment in the public right-of-way along Third Street. Streetscape treatments are already in place along Fourth Street.

- **Landscape Plan**

No permanent landscaping has been proposed with this phase of the development, and is intended to be installed upon construction of the permanent structure on the site.

- **Elevation**

The applicant has submitted elevations of the proposed modular structure, which features wood siding, a parapet, and a screened base.

FINDINGS

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

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

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

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

The proposed use supports the goals and objectives of the Downtown Centennial Plan by locating office uses in the downtown area.

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

Third Street and Fourth Street are both fully developed and will provide adequate access to the site.

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

The use of a temporary modular structure may be allowed, provided that a time limit is provided for its removal. The permanent landscaping will be reviewed upon the submittal of the Site Development Plan Review application for the permanent structure on the site.

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

The proposed modular structure is generally of a better quality than most temporary structures, and will not be unsightly in appearance.

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

The proposed development will be subject to review and inspections by the Building and Safety Department, and therefore will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission set a two year time limit on this temporary structure.

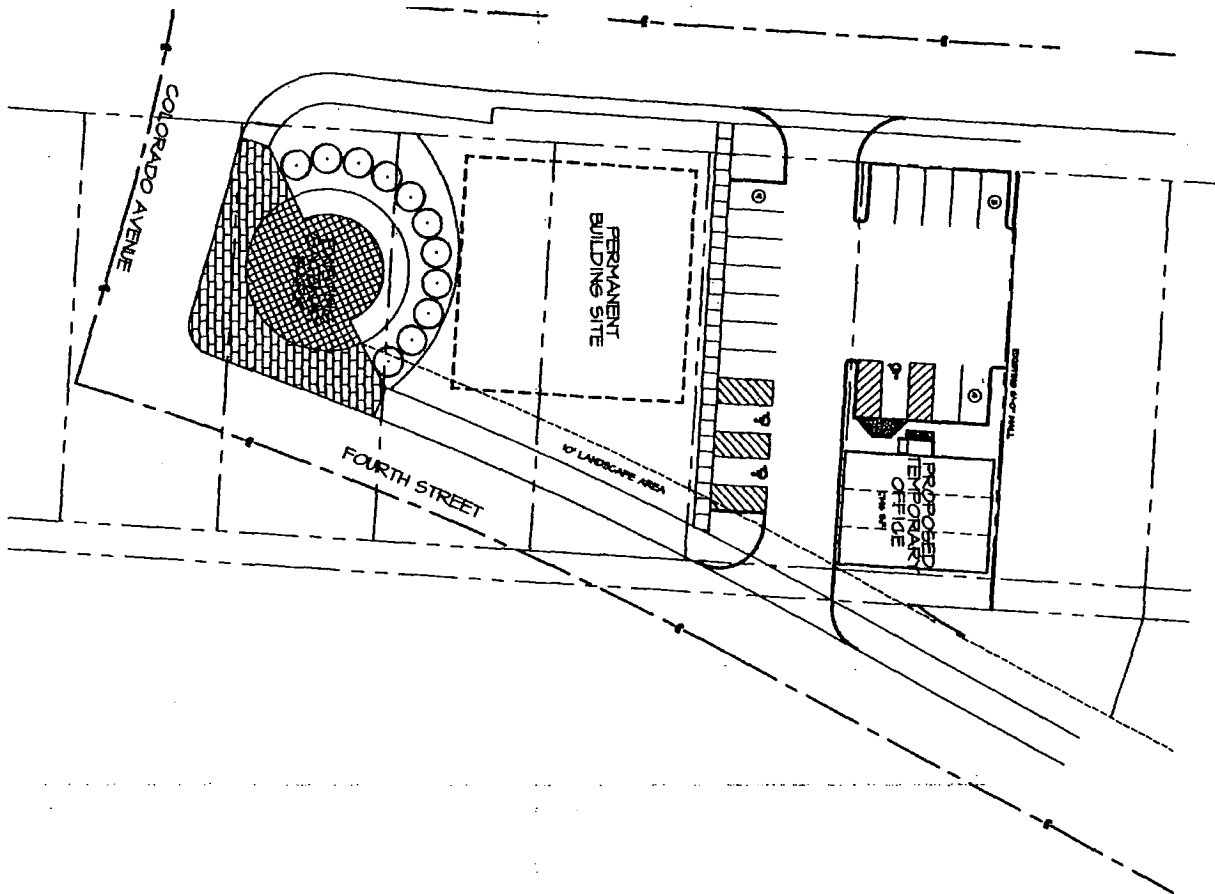
NOTICES MAILED 97 by Planning Department

APPROVALS 2

PROTESTS 0



SITE PLAN



ZON-3919
SDR-3920
03-11-04 P

SP-1
SITE PLAN

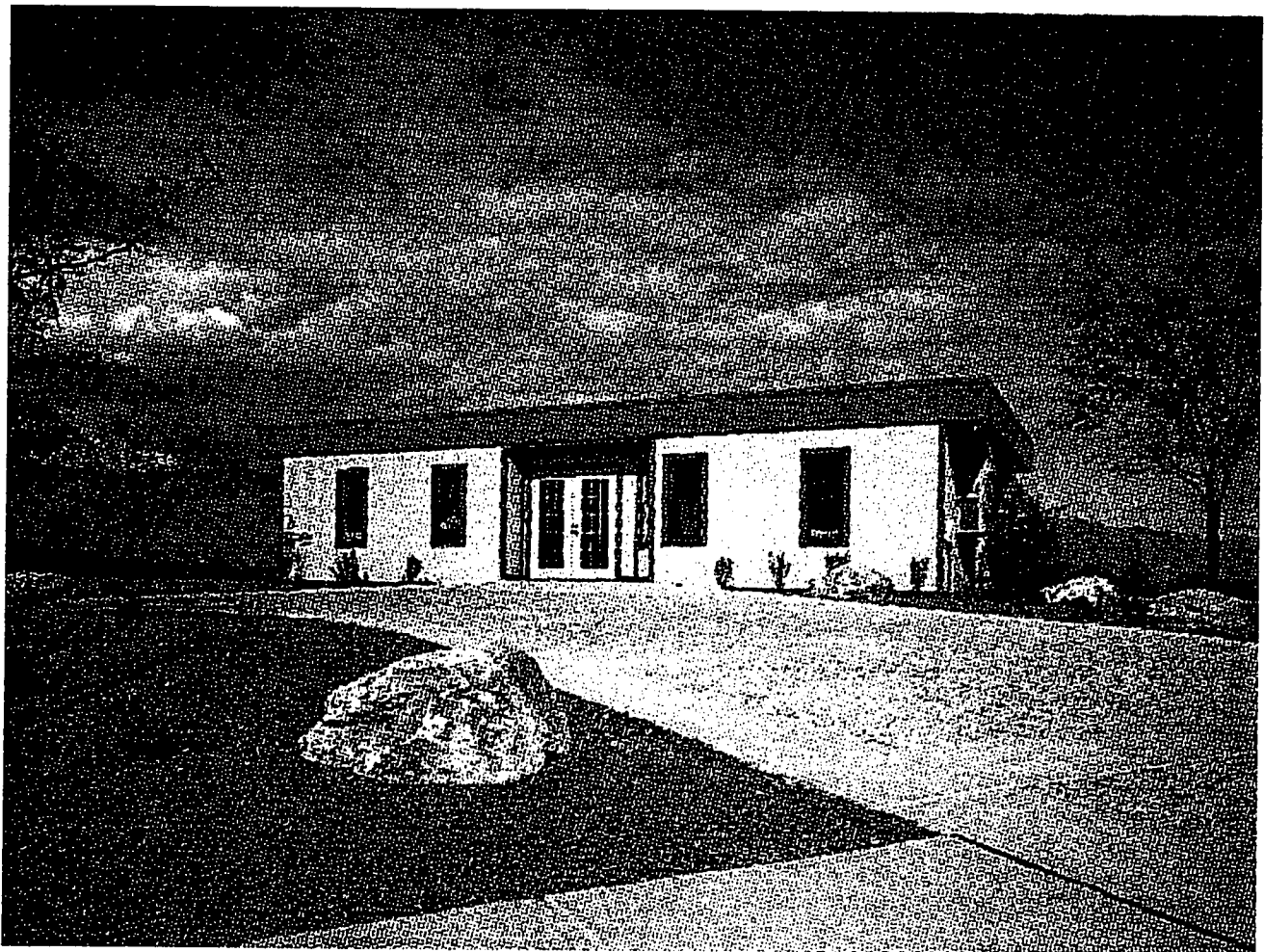
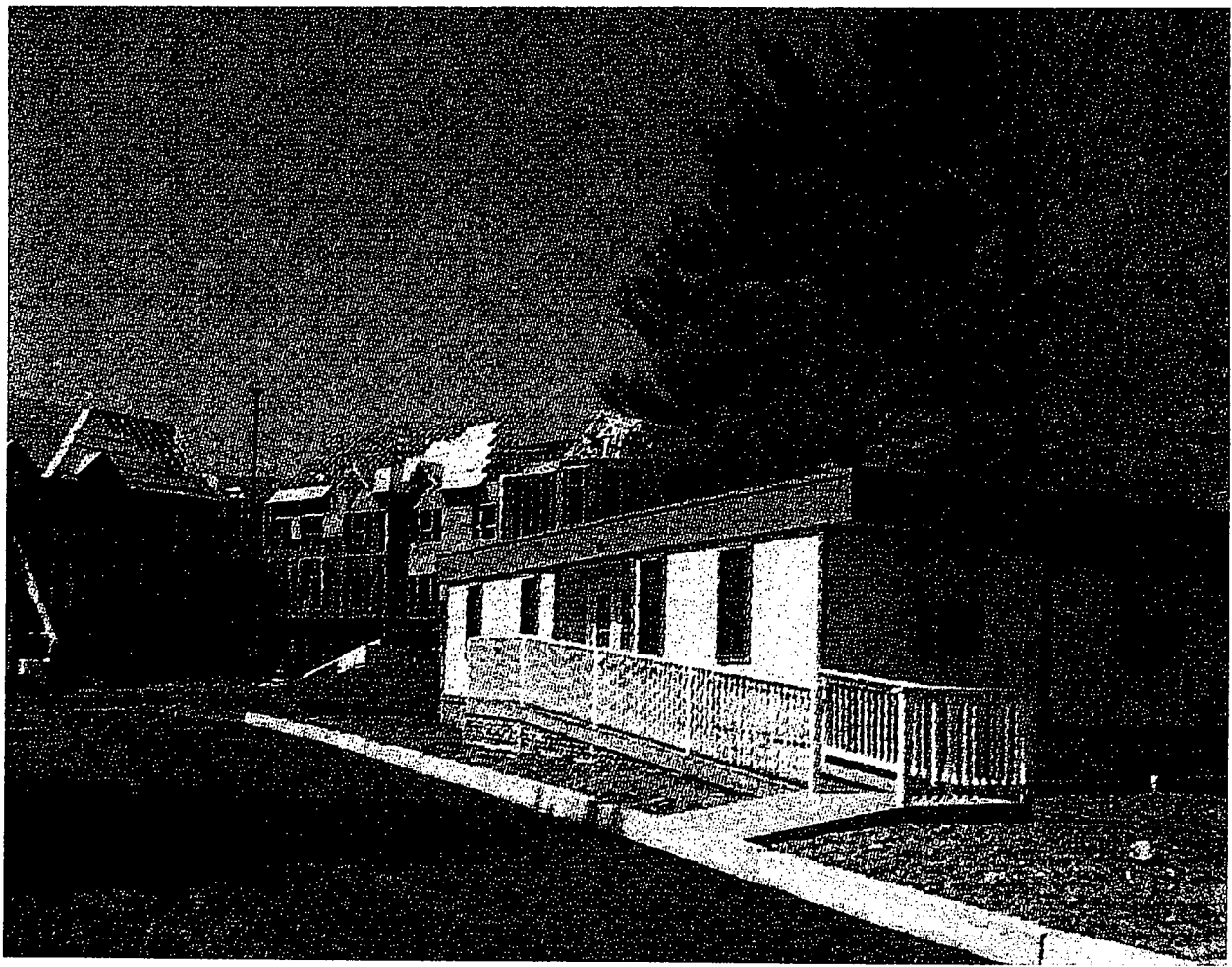
DRAWN BY:
WJ
REVIEWED BY:
PK
PROJECT NUMBER:
000001.16
ISSUE DATE:
8.18.00

A NEW OFFICE DESIGN FOR:
CORNERSTONE OFFICE DEVELOPMENT
1211 S. THIRD STREET
LAS VEGAS, NEVADA

WESTAR

W*E*S*T*A*R
ARCHITECTURAL GROUP, INCORPORATED
PHOENIX • LAS VEGAS
ARCHITECTURE • PLANNING • PROJECT MANAGEMENT
4700 EAST VIRGINIA ROAD, SUITE 202, PHOENIX, ARIZONA 85016
TELEPHONE: (602) 540-4900 FAX: (602) 540-0607

REVISIONS
△
△
△
△



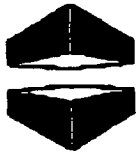
SDR-3920

3-25-04 PC



SDR-3920 - APPLICANT/OWNER: CORNERSTONE COMPANY
NORTHWEST CORNER OF COLORADO AVENUE AND 4TH STREET
MARCH 11, 2004 PLANNING COMMISSION

03/02/04



Cornerstone Company

Commercial Real Estate Services

May 4, 2004

David Clapsaddle
Supervisor
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101
Via Fax No. 702-868-6374

RE: SDR-3920

Dear Mr. Clapsaddle:

Please accept this letter as my request to withdraw without prejudice the above referenced item from the City Councils Agenda for May 5, 2004.

It would not be appropriate for us to push this forward to City Council with regards to SDR-3920 at this time.

It is our intention, in the future, to resubmit revised site development review application.

It is our intention to go forward at City Council on May 5, 2004 with the zoning application ZON- 3919.

Should you have any questions or concerns regarding this matter, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis Watts
Broker / Salesman
Cornerstone Company

DW/lt

Submitted after final agenda

Date 5/4/04 Item #114

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MAY 5, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3708 - APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue (APN: 138-35-517-001), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****8****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
4. Submitted after final agenda – Abeyance request by Vornsand Consulting
5. Back up referenced from the 4/8/2004 Planning Commission meeting Item 8

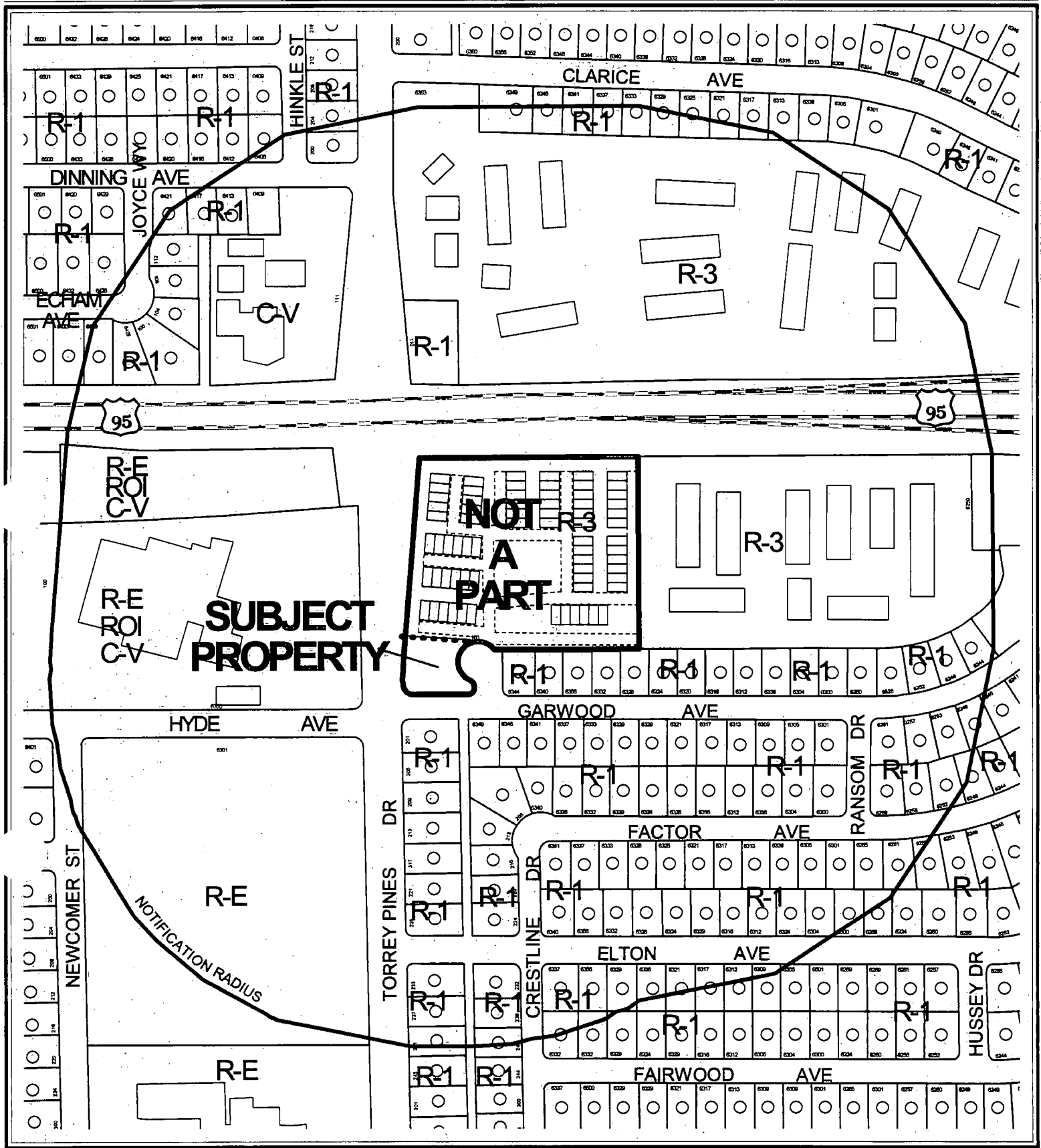
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

There was no discussion.

(1:22 – 1:28)



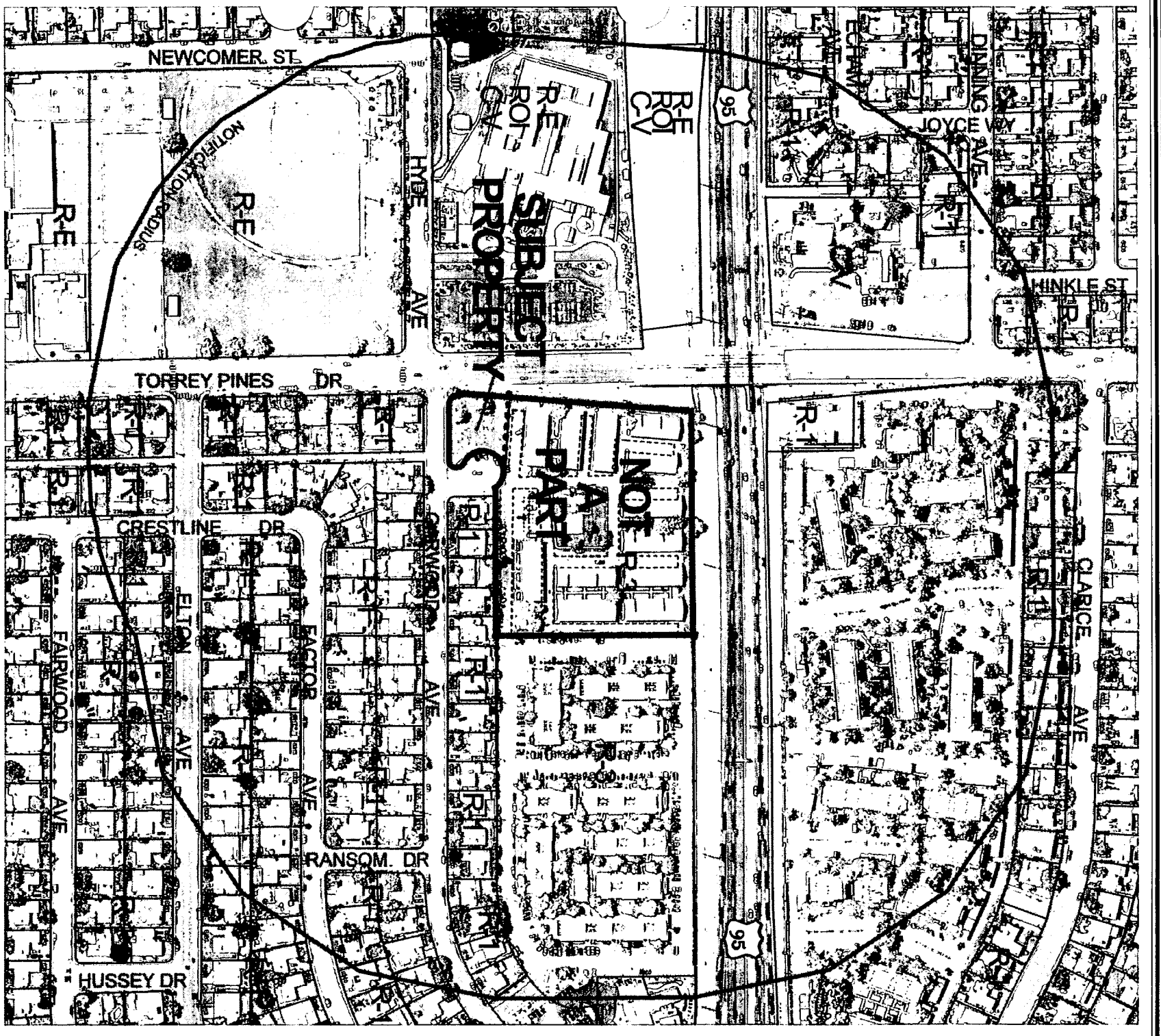
CASE: ZON-3708

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)





CASE: ZON-3708

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-3708 -

APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review by the Planning Commission and City Council prior to any future development.

Public Works

3. The Department of Public Works reserves the right to request future improvements should this site develop including, but not limited to half street improvements, drainage studies, and Traffic Impact Analyses.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue.

B) Applicant's Justification

The subject site is a part of an existing condominium development that is zoned R-3 (Medium Density Residential). From a development and neighborhood impact perspective, the applicant feels that the parcel should be included under the same zoning designation as the balance of the project.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 05/10/99 | The City Council denied a Rezoning (Z-0015-99) request from R-1 (Single Family Residential) to R-3 (Medium Density Residential). The Planning Commission and staff had recommended approval on 3/25/99. |
| 05/10/99 | The City Council denied a Special Use Permit (U-0025-99) for a 5,500 square foot childcare center. The Planning Commission and staff had recommended approval on 3/25/99. |
| 03/11/04 | The Planning Commission held this item in abeyance to the 04/08/04 meeting to give the applicant an opportunity to discuss the proposal with concerned residents. |
| 04/08/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/fs) |

B) Pre-Application Meeting

- | | |
|----------|---|
| 01/05/04 | It was acknowledged that there were no immediate plans to develop the site, and that there are possible plans by the State of Nevada to acquire some or all of the condominium development for the widening of US Highway 95. |
|----------|---|

C) Neighborhood Meetings

03/31/04 A neighborhood meeting was held with the Charleston Neighborhood Preservation group on March 31. The applicant's legal counsel and planning representative met with five property owners present at the meeting. The reasons for the application were outlined and the applicants attempted to answer the questions raised by the group. The applicants indicated that the request was to unify the zoning of the project so that after the condemnation proceedings by the State for the widening of US 95 was completed, the owner could move forward with a redevelopment of the property in an expeditious manner knowing that the zoning was unified and in place. The applicants acknowledged that any future project would be subject to a site development review as a public hearing and that they would be pleased to meet with the group and any other interested neighbors when the redevelopment plans are completed. The applicant has indicated that it appeared that the residents were satisfied that most of their concerns were answered although they may still want to make a clear record of their representations at the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.29

B) Existing Land Use

Subject Property: Undeveloped
North: Condominiums
South: Single-family Residential
East: Single-family Residential
West: Elementary School

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a M (Medium Density Residential) land use designation, which allows for residential development of up to 25 units per acre. The proposed rezoning to R-3 (Medium Density Residential) is consistent with the General Plan designation.

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

The subject site is not within any Special District or Zone.

A) General Analysis and Discussion

The subject parcel is currently undeveloped and there are no immediate plans for development. A condition of approval has been included which requires the approval of a Site Development Plan Review prior to any future development.

The subject site is currently a part of the adjacent condominium complex and the owner wishes to rezone the parcel so that the entire condominium development has the same zoning designation. In addition, the widening of Torrey Pines Road and the future expansion of US Highway 95 reduces the appropriateness of the existing R-1 (Single Family Residential) zoning district.

FINDINGS

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

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

The existing General Plan designation of the subject site is M (Medium Density Residential). The proposed rezoning to R-3 (Medium Density Residential) is consistent with the existing General Plan designation.

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

The site is currently zoned R-1 (Single Family Residential) District and the proposed R-3 (Medium Density Residential) District is compatible with the adjacent condominium use to the north as well as the residential uses to the south and east.

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

Given the nature of the adjoining condominium project and the widening and elevation of Torrey Pines Road to the west, it is unlikely that the subject site will be developed with single-family residential units in the future. Furthermore, the State of Nevada may acquire part or all of the condominium complex to the north through eminent domain proceedings for the widening of US 95, which further reduces the appropriateness of the existing R-1 (Single Family Residential) zoning district.

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

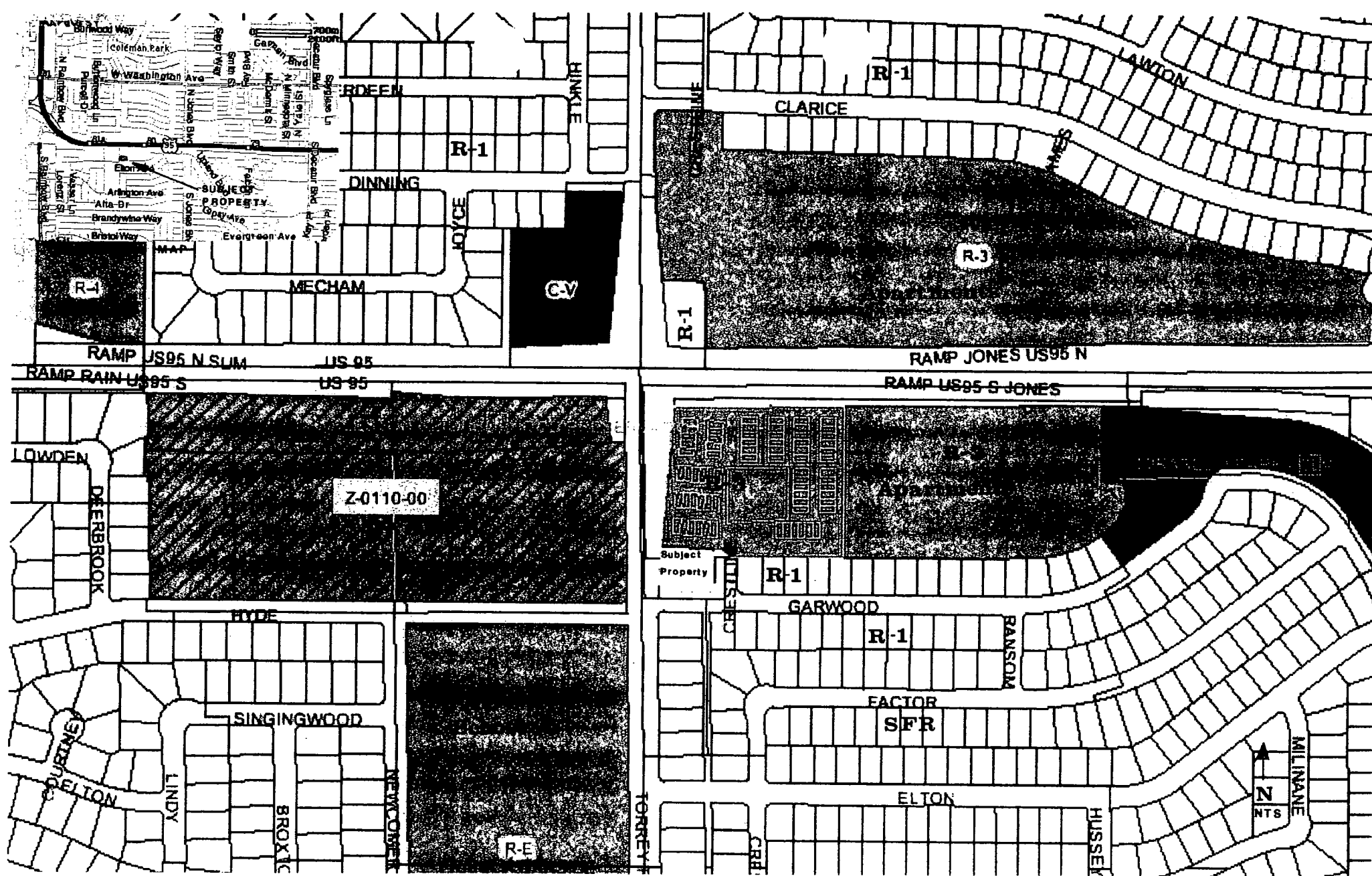
Access to the site is provided via a drive from Crestline Drive, a 60-foot collector street, which is adequate in size to meet the requirements of the proposed zoning district.

PLANNING COMMISSION ACTION: There were two speakers protesting this matter at the PC meeting.

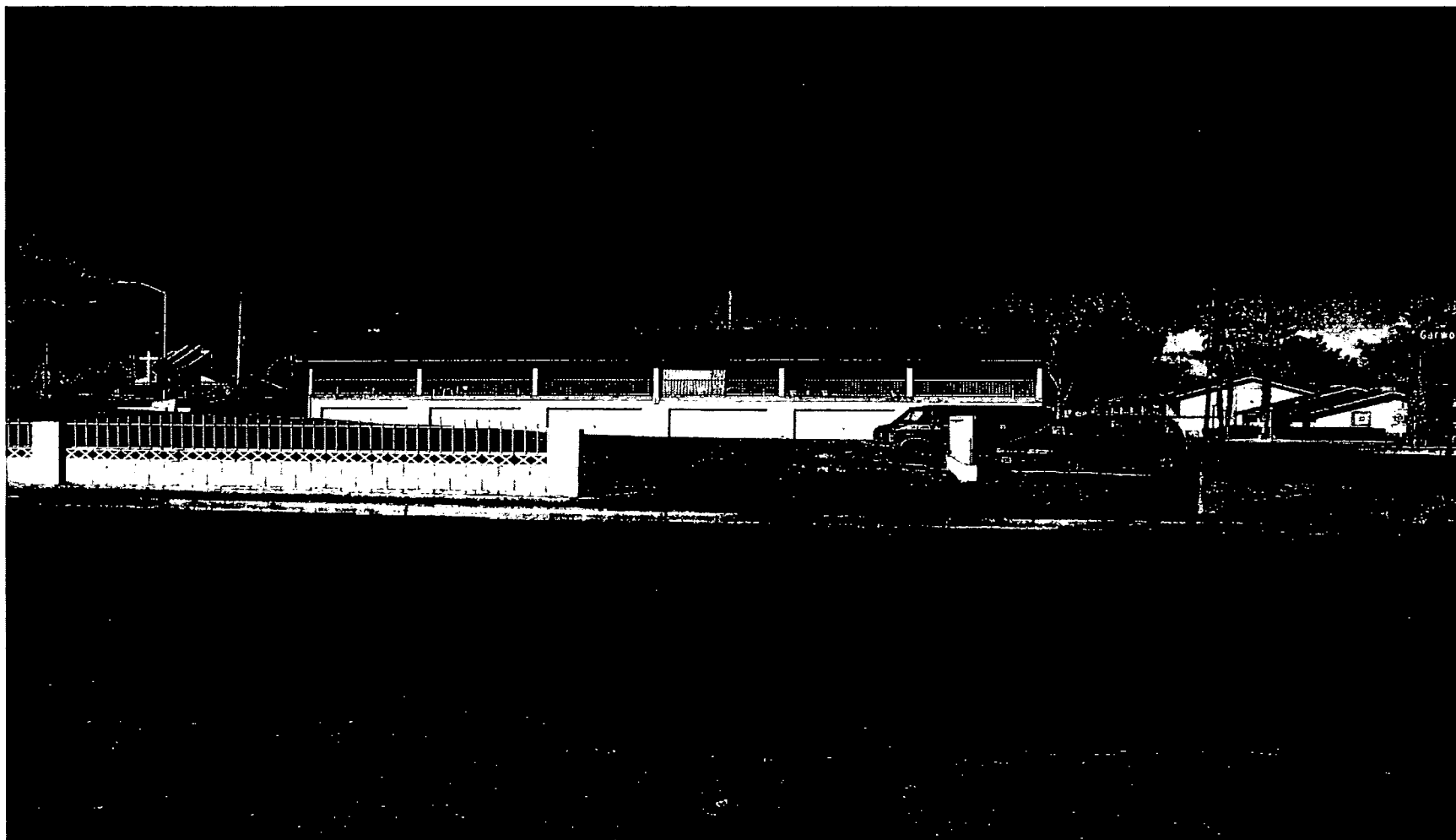
NOTICES MAILED 144 by Planning Department

APPROVALS 0

PROTESTS 8



ZON-3708
03-11-04 PC



ZON-3708 - APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF TORREY PINES DRIVE AND GARWOOD AVENUE
APRIL 8, 2004 PLANNING COMMISSION

01/23/04

VORNSAND CONSULTING
Planning & Zoning Services

2564 WIGWAM PARKWAY, #308
HENDERSON, NEVADA 89074
Phone (702) 896-2932
Fax (702) 896-2932
Email vornsand@earthlink.net

May 5, 2004

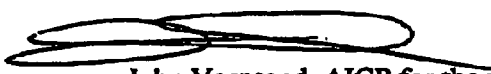
Mayor Oscar Goodman
Las Vegas City Council
400 Stewart Avenue
Las Vegas, NV

VIA FAX

RE: ZON-3708

The applicant respectfully requests that the above referenced zone change application presently scheduled for your May 5 meeting be held in abeyance for two weeks to the City Council meeting of May 19. The applicant would like time to address additional concerns that have recently arisen. We will be present at the meeting if the Council should have any questions.

SINCERELY



John Vornsand, AICP for the property owner

cc: Councilwoman Janet Moncrief
Doug Malan, Esq.

RECEIVED
CITY CLERK
2004 MAY -5 A 8:31

Submitted after final agenda

Date 5/5/04 Item #115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4124 - APPLICANT/OWNER: DAVID LITVAK - Request for a Rezoning FROM: R-4 (HIGH-DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

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:

MONCRIEF - APPROVED subject to conditions - **UNANIMOUS** with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM RESE declared the Public Hearing open on Item 116 [ZON-4124] and Item 117 SDR-3768].

DAVID and VERONICA HOLMES LITVAK, 1302 South Third Street, asked that the Antique and Arts District be expanded.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 116 [ZON-4124] and Item 117 SDR-3768].

NOTE: All discussion for Item 116 [ZON-4124] and Item 117 SDR-3768] was held under Item 116 [ZON-4124].

(3:24 - 3:25)

5-1044

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 116 – ZON-4124

CONDITIONS:

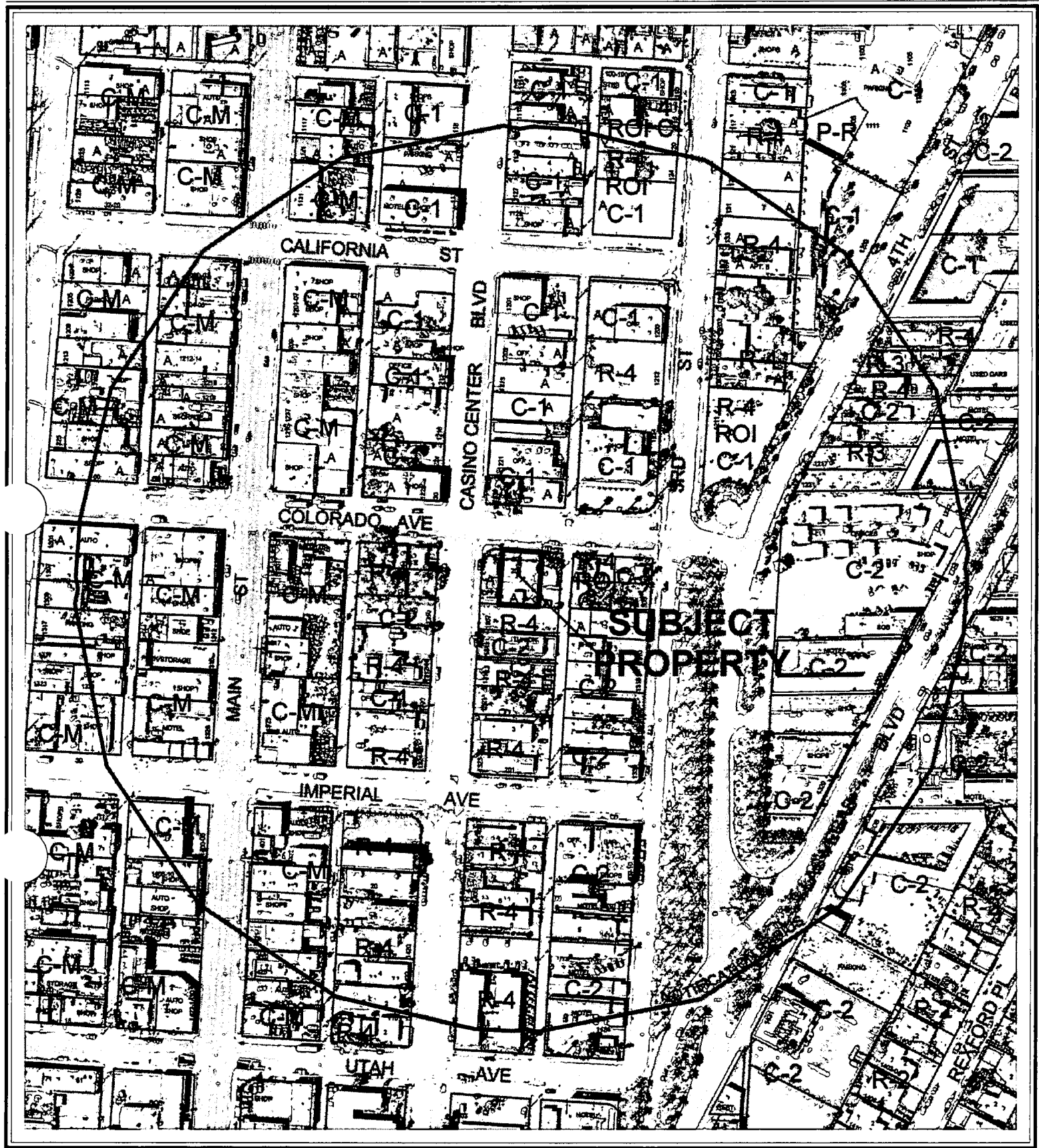
Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.





CASE: ZON-4124

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4124 - APPLICANT/OWNER: DAVID LITVAK

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-4 (High-Density Residential) to C-1 (Limited Commercial) on .16 acres located at 203 and 205 East Colorado Avenue. A companion Site Development Plan Review application (SDR-3768) will be considered concurrently.

B) Applicant's Justification

The applicant has stated that the conversion of the existing residential structures will preserve these properties and contribute to the revitalization of downtown Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

- 05/23/74 The Board of Zoning Adjustment approved a Variance (V-0034-74) in order to permit a business office in the R-4 zoning district. A condition of approval stipulated that the property was to revert to residential use after five years (05/23/79).
- 03/11/04 The Planning Commission held the companion Site Development Plan Review in abeyance to the 04/08/04 meeting to allow time for the applicant to file a rezoning petition.
- 04/08/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #23/ff)

B) Pre-Application Meeting

- 12/24/03 Streetscape and buffer requirements were discussed with the applicants. In addition, it was noted that a traffic study or impact fee may be required, and the applicants were admonished to review the residential conversion with the Building and Safety Department to verify building code requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

Subject Property: Residential Use
North: Office Use
South: Vacant
East: Residential Use
West: Office Use

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
North: C-1 (Limited Commercial)
South: R-4 (High-Density Residential)
East: R-4 (High-Density Residential)
West: P-R (Professional Office and Parking)

E) *General Plan Compliance*

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

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

The Centennial Plan identifies the property as belonging to the Arts District sub-area; specific land use and design standards for the Arts District were adopted by City Council on 08/06/03. The proposed Rezoning is in conformance with the Mixed-Use land use designation specified by the Las Vegas Redevelopment Plan.

FINDINGS

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

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

The proposed Rezoning is consistent with the Mixed-Use designation identified by the Las Vegas Redevelopment Plan, which permits any combination of residential, office, service commercial and general commercial uses.

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

The proposed C-1 (Limited Commercial) designation allows uses that are consistent with the surrounding commercial, office, and multifamily residential uses.

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

The proposed Rezoning is consistent with the transformation of the Arts District to a mixture of low-intensity commercial and multifamily residential uses.

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

Access to the parcel is provided by Colorado Avenue, which is already developed and provides an 80-foot right-of-way. The street will adequately support the commercial uses permitted by the C-1 zoning designation.

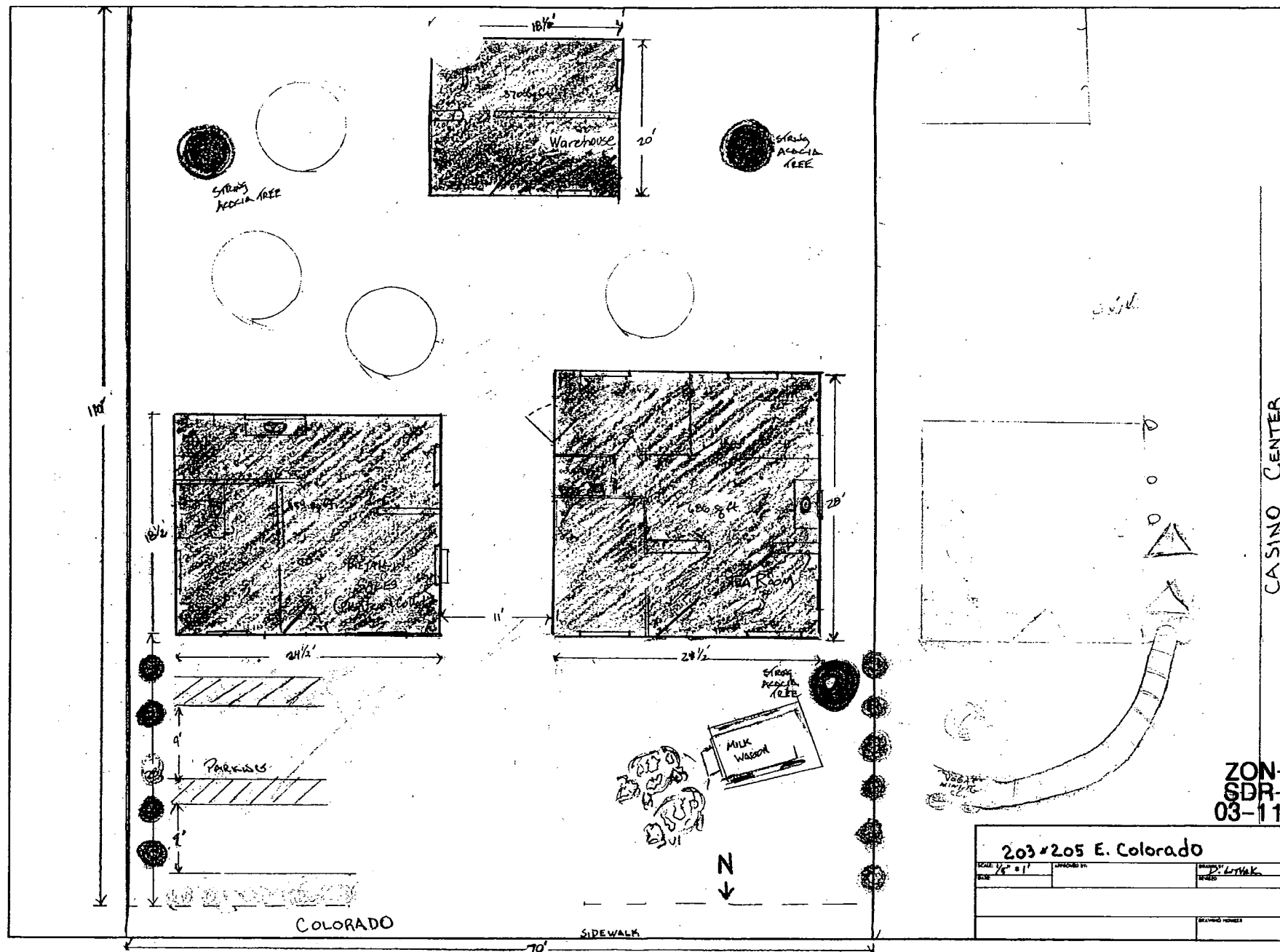
PLANNING COMMISSION ACTION

There were two speakers in favor of this project at the Planning Commission meeting.

NOTICES MAILED 108 by Planning Department

APPROVALS 2

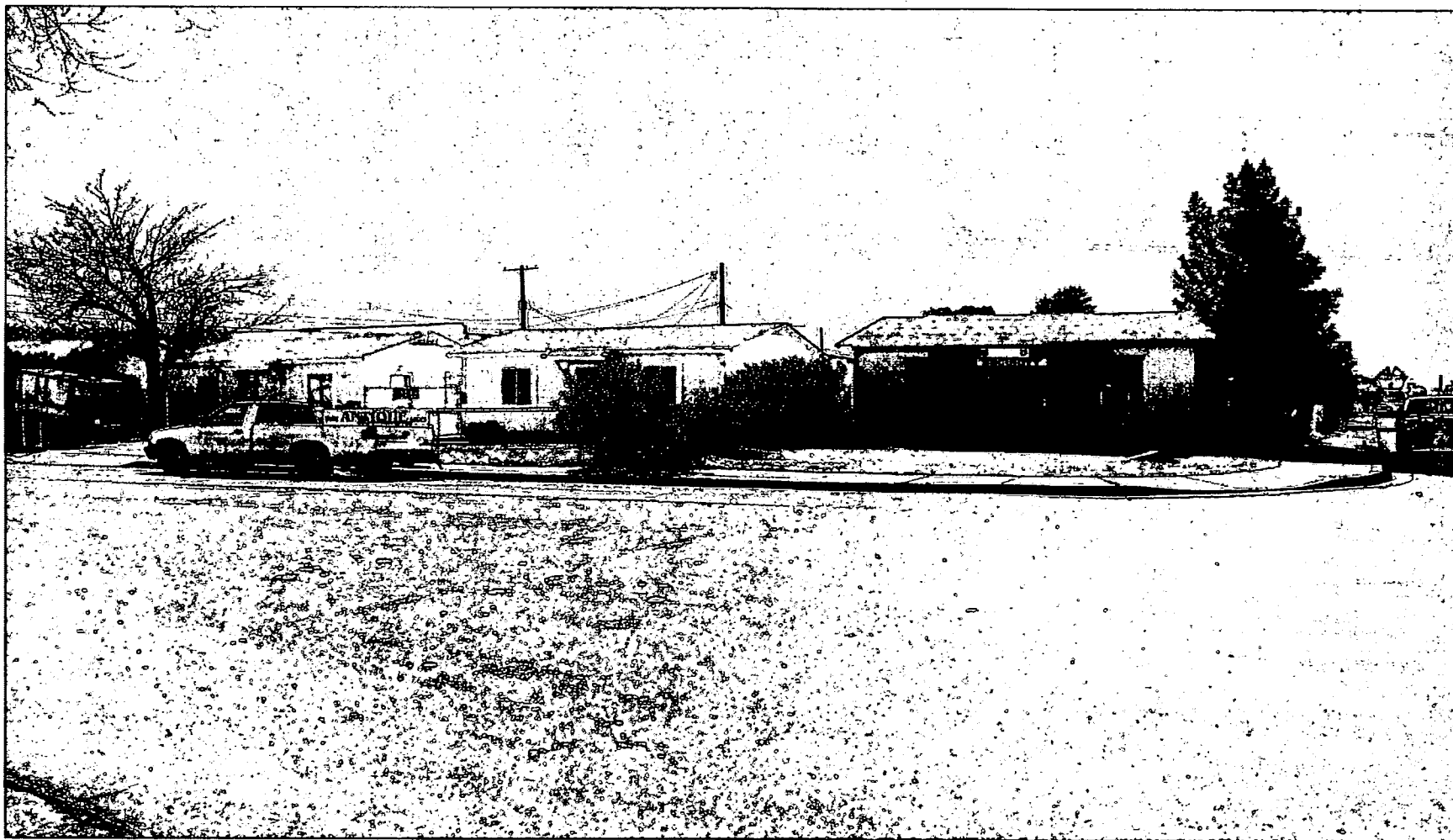
PROTESTS 0



ZON-4124
 SDR-3768
 03-11-04 PC

203-205 E. Colorado		
SCALE 1/4" = 1'	DESIGNED BY	DRAWN BY L. H. K.
DATE		REVISION

STAFF



ZON-4124 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



ZON-4124 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4124 - PUBLIC HEARING - SDR-3768 - APPLICANT/OWNER: DAVID LITVAK - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan streetscape standards and perimeter landscaping standards FOR A PROPOSED 1,100 SQUARE-FOOT ANTIQUE STORE on 0.16 acres located at 203 and 205 East Colorado Avenue (APN: 162-03-110-053), R-4 (High Density Residential) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

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:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 116 [ZON-4124] for all related discussion.

(3:24 – 3:25)

5-1044

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4124) 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.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 117 – SDR-3768

CONDITIONS – Continued:

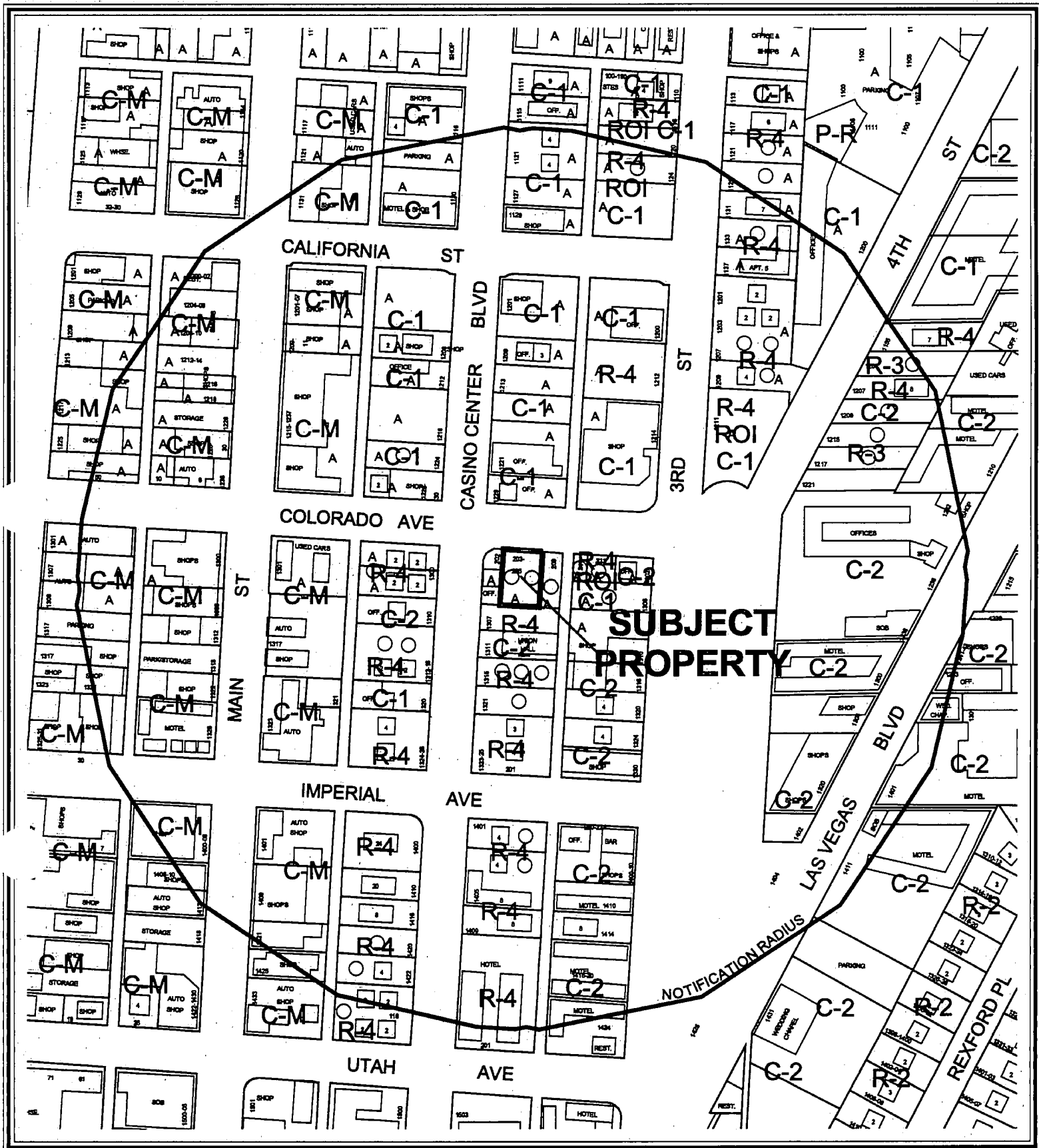
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

Public Works

7. Site development to comply with all applicable conditions of approval for ZON-4124 and all other subsequent site-related actions.

Building and Safety

8. The following requirements are applicable for the conversion of residential properties to commercial uses:
 - a. Fire-rated walls with parapets will be required where any building is less than ten feet from a property line. Protected openings are permitted when five to ten feet from the property line; no openings are permitted where less than five feet to the property line.
 - b. Replace electrical wiring with wiring in conduit if there is no grounding conductor.
 - c. Provide 100% upgrade to handicap accessibility including doors, restrooms, parking counters, and any other requirements for these uses.
 - d. Dissolve any interior property lines between buildings or design for property line requirements such as fire-rated parapets, protected openings, etc.
 - e. A grounding electrode and exterior disconnect shall be required at each building.
 - f. Conformance with all other applicable building code requirements.



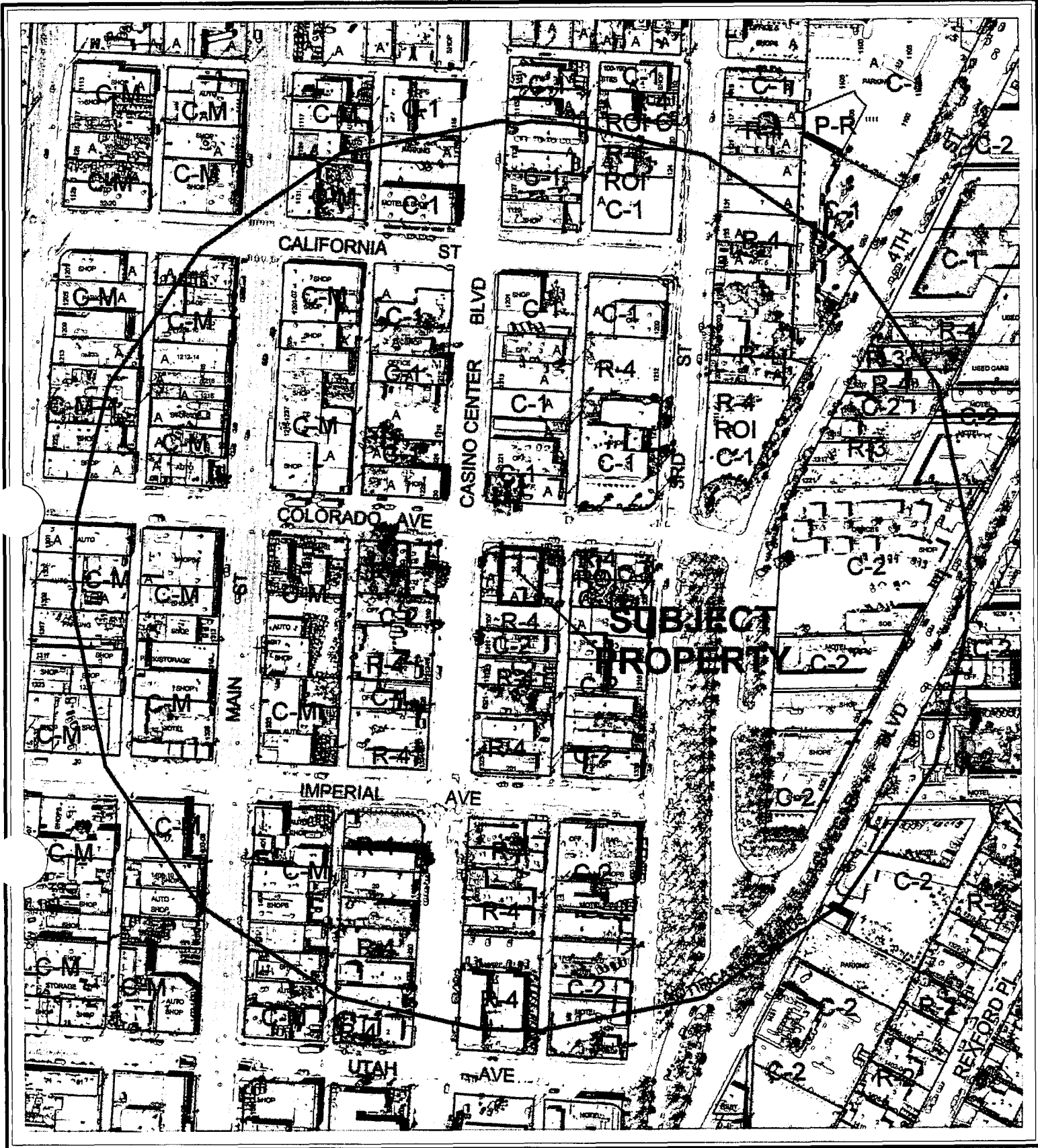
CASE: SDR-3768

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

0 100 200 Feet





CASE: SDR-3768

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
SDR-3768 - APPLICANT/OWNER: DAVID LITVAK**

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning (ZON-4124) 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. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.

Public Works

7. Site development to comply with all applicable conditions of approval for ZON-4124 and all other subsequent site-related actions.

Building and Safety

8. The following requirements are applicable for the conversion of residential properties to commercial uses:
 - a. Fire-rated walls with parapets will be required where any building is less than ten feet from a property line. Protected openings are permitted when five to ten feet from the property line; no openings are permitted where less than five feet to the property line.

- b. Replace electrical wiring with wiring in conduit if there is no grounding conductor.
- c. Provide 100% upgrade to handicap accessibility including doors, restrooms, parking counters, and any other requirements for these uses.
- d. Dissolve any interior property lines between buildings or design for property line requirements such as fire-rated parapets, protected openings, etc.
- e. A grounding electrode and exterior disconnect shall be required at each building.
- f. Conformance with all other applicable building code requirements.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and waivers of the Downtown Centennial Plan Streetscape standards and perimeter landscaping standards for the conversion of existing residential structures to commercial uses on 0.16 acres located at 203 and 205 East Colorado Avenue. A companion Rezoning application (ZON-4124) will be considered concurrently.

B) Applicant's Justification

The applicant has stated that the conversion of the existing residential structures will preserve these properties and contribute to the revitalization of downtown Las Vegas and will contribute to the cultural impact of the Arts District.

BACKGROUND INFORMATION

A) Previous Actions

- 05/23/74 The Board of Zoning Adjustment approved a Variance (V-0034-74) in order to permit a business office in the R-4 zoning district. A condition of approval stipulated that the property was to revert to residential use after five years (05/23/79).
- 03/11/04 The Planning Commission held this item in abeyance to the 04/08/04 meeting to be heard concurrently with a Rezoning application.
- 04/08/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #24/ff)

B) Pre-Application Meeting

- 12/24/03 Streetscape and buffer requirements were discussed with the applicants. In addition, it was noted that a traffic study or impact fee may be required, and the applicants were admonished to review the residential conversion with the Building and Safety Department to verify building code requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

Subject Property: Residential Use
North: Office Use
South: Vacant
East: Residential Use
West: Office Use

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-4 (High-Density Residential)
North: C-1 (Limited Commercial)
South: R-4 (High-Density Residential)
East: R-4 (High-Density Residential)
West: P-R (Professional Office and Parking)

E) *General Plan Compliance*

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

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

In addition to being located within the Las Vegas Redevelopment Plan Area, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as lying within to the Arts District sub-area; specific land use and design standards for the Arts District were adopted by City Council on 08/06/03. The proposed commercial uses are in conformance with the Mixed-Use land use designation specified by the Las Vegas Redevelopment Plan.

PROJECT DESCRIPTION

The project entails the conversion of the existing residential structures on the subject property to commercial uses; the applicant has requested to rezone the property to C-1 (Limited Commercial) as part of the conversion. No new construction is proposed as part of the development plan. The structure at 205 Colorado will be utilized for retail sales; the structure at 203 Colorado will be utilized for a café/tea room. An existing outbuilding behind the residential structures is identified on the site plan as being used for storage. A small parking area with two spaces will be provided in the front yard setback area; it is intended that the adjacent on-street parking spaces will be adequate to serve the proposed commercial uses.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	7,000 SF	N/A
Min. Lot Width	N/A	70 Feet	Y
Min. Setbacks			
• Front	0 Feet (for a minimum of 70% of lot width)	28 Feet	N
• Side	N/A	5 Feet	N/A
• Corner	N/A	N/A	N/A
• Rear	N/A	3 Feet	N/A
Max. Lot Coverage	Up to 100%	21%	Y
Max. Building Height	N/A	15 Feet	N/A
Trash Enclosure	Must be screened from public view	No information provided	No information provided

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. On-site parking will be provided as follows:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail Use	824 SF	1/175 SF	5			
Café Use	686 SF	1/50 SF 1/200 SF	8			
Total:	1,510 SF		13	1	1	1

Two on-site parking spaces are available in the front yard setback area. One of the factors that reduces the need for the full amount of parking required by code is the fact that patrons of the proposed businesses will most likely visit the other businesses operated by the applicants, and will park in one location and walk between the businesses. In addition, there is sufficient on-street parking to address the parking needs for the proposed businesses.

A4) Landscape and Open Space Standards

The property is not subject to the automatic application of the landscape requirements contained in Title 19. The Downtown Centennial Plan requires an eight-foot landscape buffer and wrought-iron fence where a public parking lot abuts a public street; the applicants have requested a waiver from this requirement. The site plan indicates that additional shrubs will be installed along the east and west property lines in the front yard setback area, and three new trees will be planted on the property.

A5) Sign Standards

Properties within the Arts District are exempt from the automatic application of dimensional requirements for signage, in accordance with Section AD(5) of the Downtown Centennial Plan. Any signage proposed for the property will be reviewed in conformance with the Arts District Signage Design Standards listed in the Downtown Centennial Plan.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned R-4 (High Density Residential); however, the applicant has filed a Rezoning application to change the zoning designation to C-1 (Limited Commercial). The proposed uses conform with the Mixed Use designation stipulated by the Las Vegas Redevelopment Plan, and are consistent with the uses permitted in the Arts District.

- Site Plan

No new construction is proposed for the property; the interior of the structures will be modified as needed to accommodate the new commercial uses. The existing parking lot will be used to provide some of the parking for the businesses, with on-street parking on Colorado Avenue being utilized for any additional parking needs.

- Waivers

The applicants have requested a waiver from the requirement to install the Downtown Centennial Plan streetscape treatment, which would require street trees and paving treatments such as have been installed along Fourth Street. In addition, a waiver has been requested from the Downtown Centennial Plan requirement for a landscape buffer and wrought-iron fence to screen the parking lot located in the front yard setback area.

- Landscape Plan

As discussed above, the applicants have requested a waiver from providing a landscape buffer in the front yard setback area to screen the parking lot, due to the fact that the parking lot is existing. Additional landscaping will be added along the east and west property lines, and additional trees will be planted on the property.

- Elevation

No significant changes are proposed to the elevations of the existing buildings. The applicants will paint the structures and add minor decorative elements in order to provide a consistent theme with their other properties to the east.

- Floor Plan

No significant changes are proposed to the floor plans of the existing structures.

FINDINGS

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

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

The conversion of the residential structures to commercial uses is in conformance with the Las Vegas Redevelopment Plan and is generally compatible with adjacent development.

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

The proposed uses are in conformance with the Las Vegas Redevelopment Plan and the Arts District standards of the Downtown Centennial Plan. The design standards for the Arts District encourage artistic expression and architectural individuality; the project will generally exemplify that ideal.

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

Colorado Avenue is fully developed and will provide adequate access to the site.

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

The minor improvements planned for the exterior of the structures will be appropriate for the Arts District, as is the additional landscaping.

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

The proposed structures are existing, and are appropriate for the area; the modifications to be made by the applicants will be in keeping with the goals of the Arts District.

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

The structure will be inspected by the Building and Safety Department, and therefore will not compromise the public health, safety and welfare.

NOTICES MAILED 108 by Planning Department

APPROVALS 2

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3768 APN: 162-03-110-053

Name of Property Owner: DAVID LITVAK

Name of Applicant: DAVID LITVAK & VERONIKA HOLMES

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

 Yes

 ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

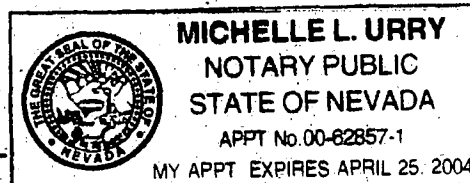
Signature of Property Owner/Authorized Agent: _____

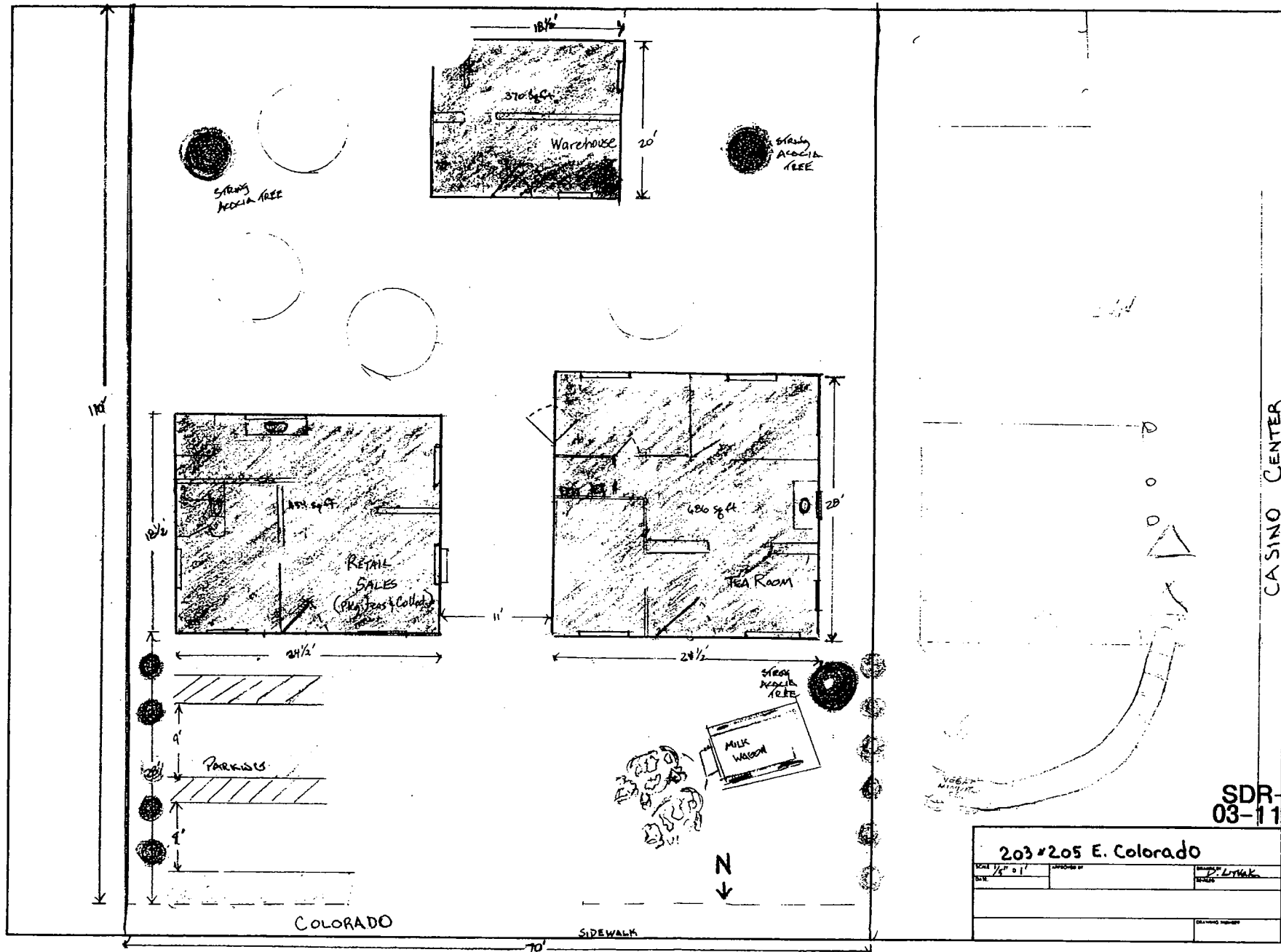
Print Name: DAVID M. LITVAK

Subscribed and sworn before me

This 21st day of December, 2003

Michelle L. Urry
Notary Public in and for said County and State



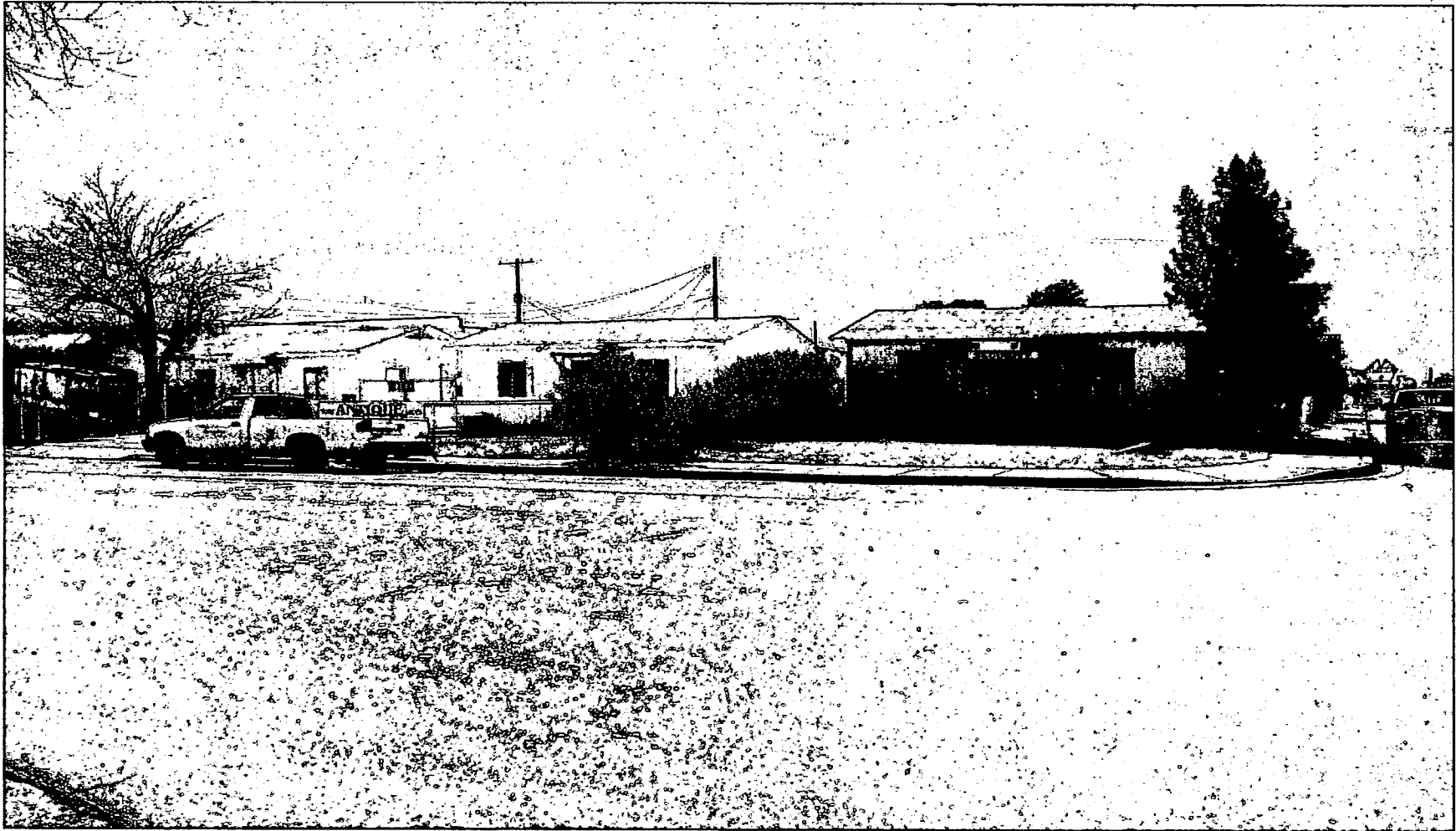


CASINO CENTER

SDR-3768
03-11-04 PC

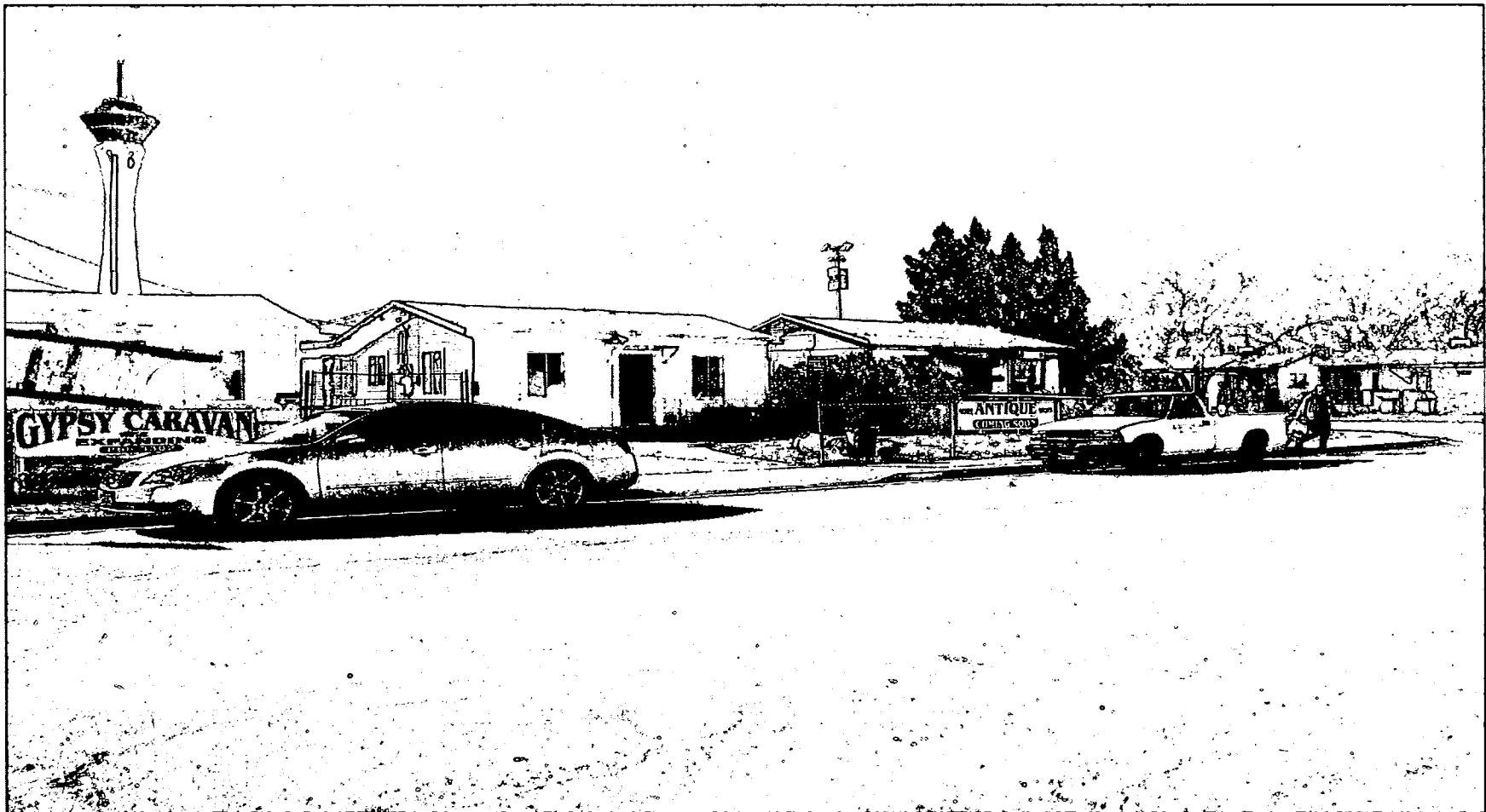
203 #205 E. Colorado		
Scale 1/8" = 1'	Drawn by	Checked by
Date	Author	Reviewer
		Reviewed by

STAFF



SDR-3768 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SDR-3768 - APPLICANT/OWNER: DAVID LITVAK
203 AND 205 EAST COLORADO AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), Ward 6 (Mack). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

132

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 39
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.

MOTION:

BROWN – APPROVED subject to conditions and amending Condition 2 as follows:

2. A Site Development Plan Review application shall be approved by the Planning Commission and City Council at a public hearing prior to issuance of any permits, any site grading, and all development activity on the site.

And adding the following condition:

- *The applicant shall mail a notice to the neighborhood and hold a neighborhood meeting prior to the Planning Commission meeting.*

– UNANIMOUS with MACK abstaining because, although POUY PREMSRIRUT no longer represents either Las Vegas Previews or Ipolitics, he does not believes his financial relationship with Goodman, Brown, Premsrirut has been terminated, as ERIC GOODMAN still has interest in partners who work for his company, and with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY ERIC GOODMAN, 520 South 4th Street, appeared on behalf of the applicant and stated that the property was originally zoned C-1. The zoning designation lapsed and the applicant is requesting that it be rezoned from R-E to C-1. ATTORNEY GOODMAN indicated that the original plan was for a mini storage, but those applications, Item 119 [SUP-3980] and Item 120 [SDR-3979] were withdrawn.

CAROL HEALEY, 6501 Mimosa Valley Street, President of the Meister Park North Homeowners Association, appeared on behalf of 280 homeowners. MS. HEALEY thanked the applicant for withdrawing the request for the mini storage. They understand that this will probably be rezoned to C-1, but asked that a site plan be brought back so that the residents can provide input.

ROBERT GENZER, Director, Planning and Development Department, clarified for MAYOR PRO TEM REESE that Condition 2 requires a site plan review. Currently the condition refers to the site plan and Special Use Permit that have been withdrawn. Therefore, he recommended that the condition be reworded and suggested the requirement that the site plan review be at a public hearing.

MAYOR PRO TEM REESE verified for MS. HEALEY that the residents would be notified by mail before the meeting. ATTORNEY GOODMAN agreed to the amended condition.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

MINUTES – Continued:

VERNA LUTZ, 5208 Primrose Flower Avenue, asked if some excluded uses could be submitted for this application. MAYOR PRO TEM REESE replied that that will not be necessary because the residents will be able to provide input on whichever use is being requested and would also be able to see a plan prior to the public hearing.

COUNCILMAN BROWN requested a condition be added that the applicant will mail a notice to the neighborhood and hold a neighborhood meeting prior to Planning Commission. ATTORNEY GOODMAN agreed to the added condition.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:25 – 3:32)

5-1110

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3979) and Special Use Permit (SUP-3980) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

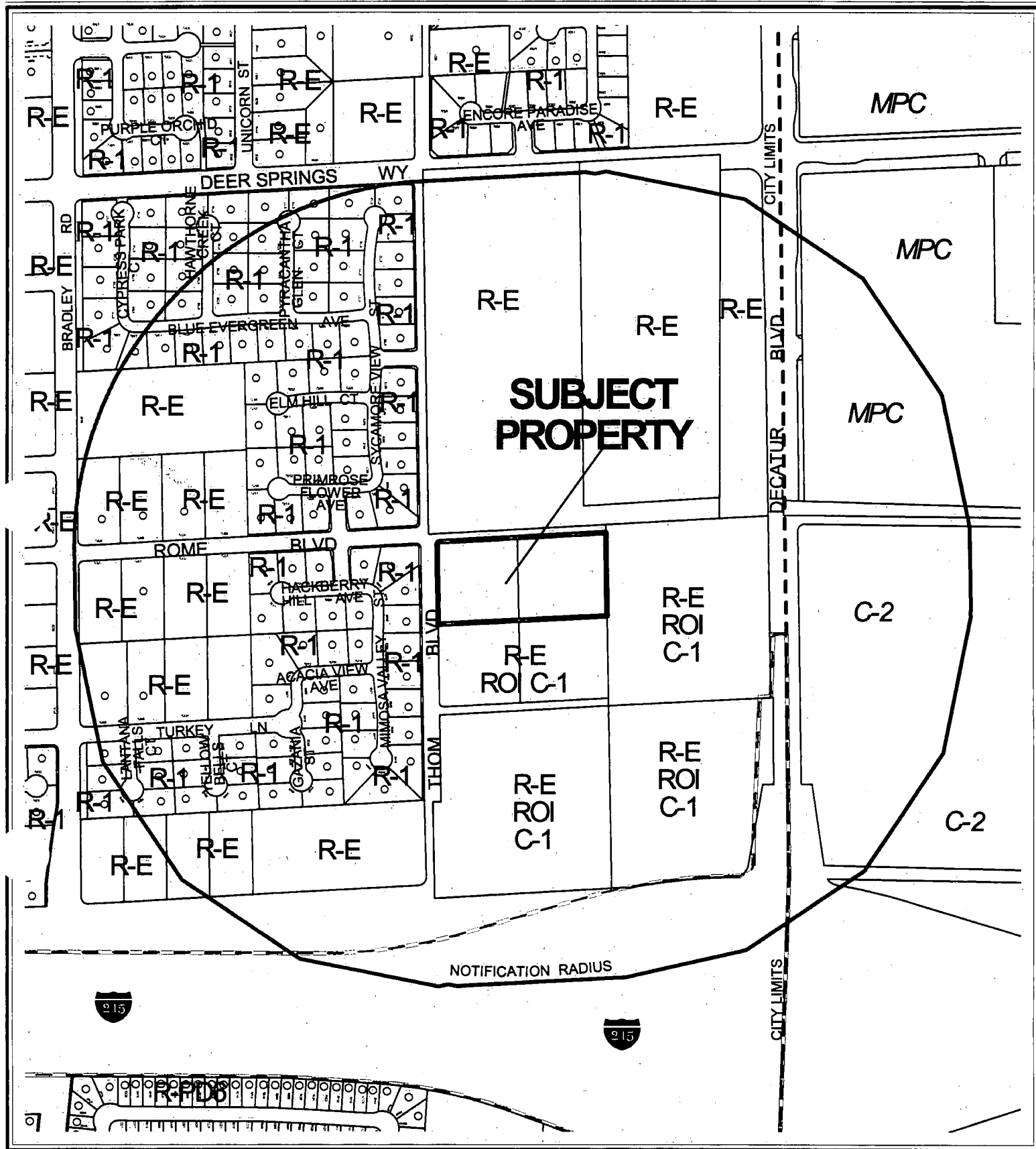
Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site. If a map is not required, provide a copy of a recorded joint access agreement comprising the overall site prior to the issuance of any permits.
4. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 118 – ZON-3976

CONDITIONS – Continued:

5. Construct half-street improvements on Thom Boulevard adjacent to this site and construct half street improvements including appropriate overpaving on Rome Boulevard adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width.
6. Construct two lanes of paved, legal access from Decatur Boulevard to this site concurrent with development of this site.
7. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-3976

RADIUS: 1320 FT

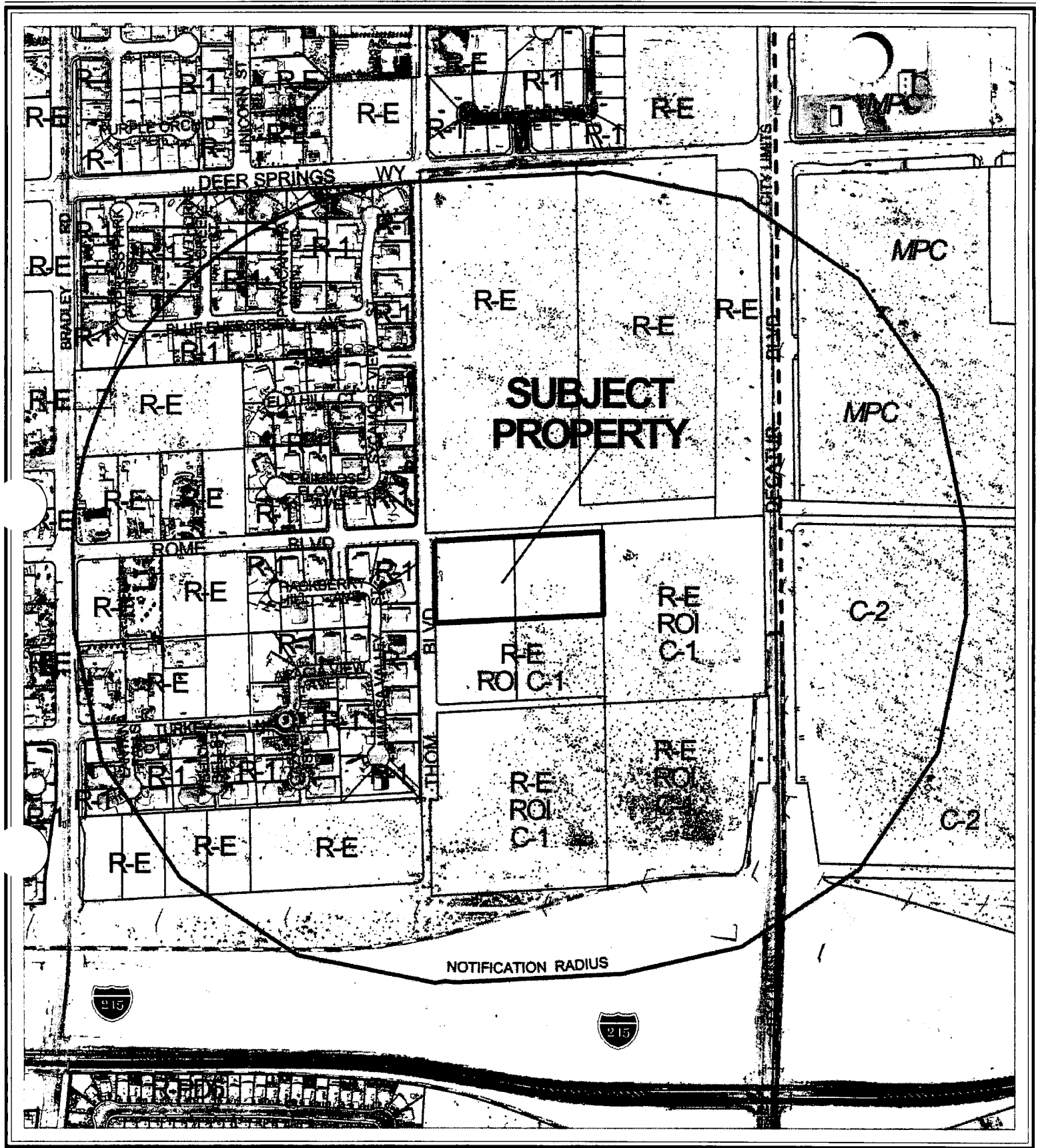
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

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

0 300 600 Feet

118





CASE: ZON-3976

RADIUS: 1320 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3979) and Special Use Permit (SUP-3980) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site. If a map is not required, provide a copy of a recorded joint access agreement comprising the overall site prior to the issuance of any permits.
4. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
5. Construct half-street improvements on Thom Boulevard adjacent to this site and construct half street improvements including appropriate overpaving on Rome Boulevard adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width.

6. Construct two lanes of paved, legal access from Decatur Boulevard to this site concurrent with development of this site.
7. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) on 3.88 acres located adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. A companion Special Use Permit (SUP-3980) and a Site Development Plan Review (SDR-3979) will be considered concurrently with this application.

B) Applicant's Justification

The unique design and color scheme blends the proposed Mini-Warehouse Facility in with the adjacent residential and commercial structures. In addition, the applicant agrees to abide by all the requirements and guidelines set by the City of Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Rezoning (Z-0107-00) from R-E (Residence Estates) to C-1 (Limited Commercial) for the subject site. The Planning Commission and staff recommended approval on 12/07/00.
- 04/08/04 The Planning Commission DENIED a related Special Use Permit (SUP-3980) to allow a Mini-Warehouse Facility on the subject site.
- 04/08/04 The Planning Commission DENIED a related Site Development Plan Review (SDR-3979) for a Mini-Warehouse Facility on the subject site.
- 04/08/04 The Planning Commission voted 6-0-1 to recommend DENIAL (PC Agenda Item #39/fs)

B) Pre-Application Meeting

- 02/11/04 No significant issues related to the rezoning request were identified during the pre-application meeting.

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.88

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed mini-warehouse facility is a permitted use with the approval of a Special Use Permit.

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

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

FEB-20-2004 FRI 01:52 PM GEP LAW FIRM

2702 385 3939

P. 005

Feb 20 04 10:25a

Scott L. Baker Architect

702 537 5850



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 20N-3976 APN: 125-24-802-001 + 125-24-802-002Name of Property Owner: JANET McNABB, SCME, LLC

Name of Applicant: _____

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

____ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

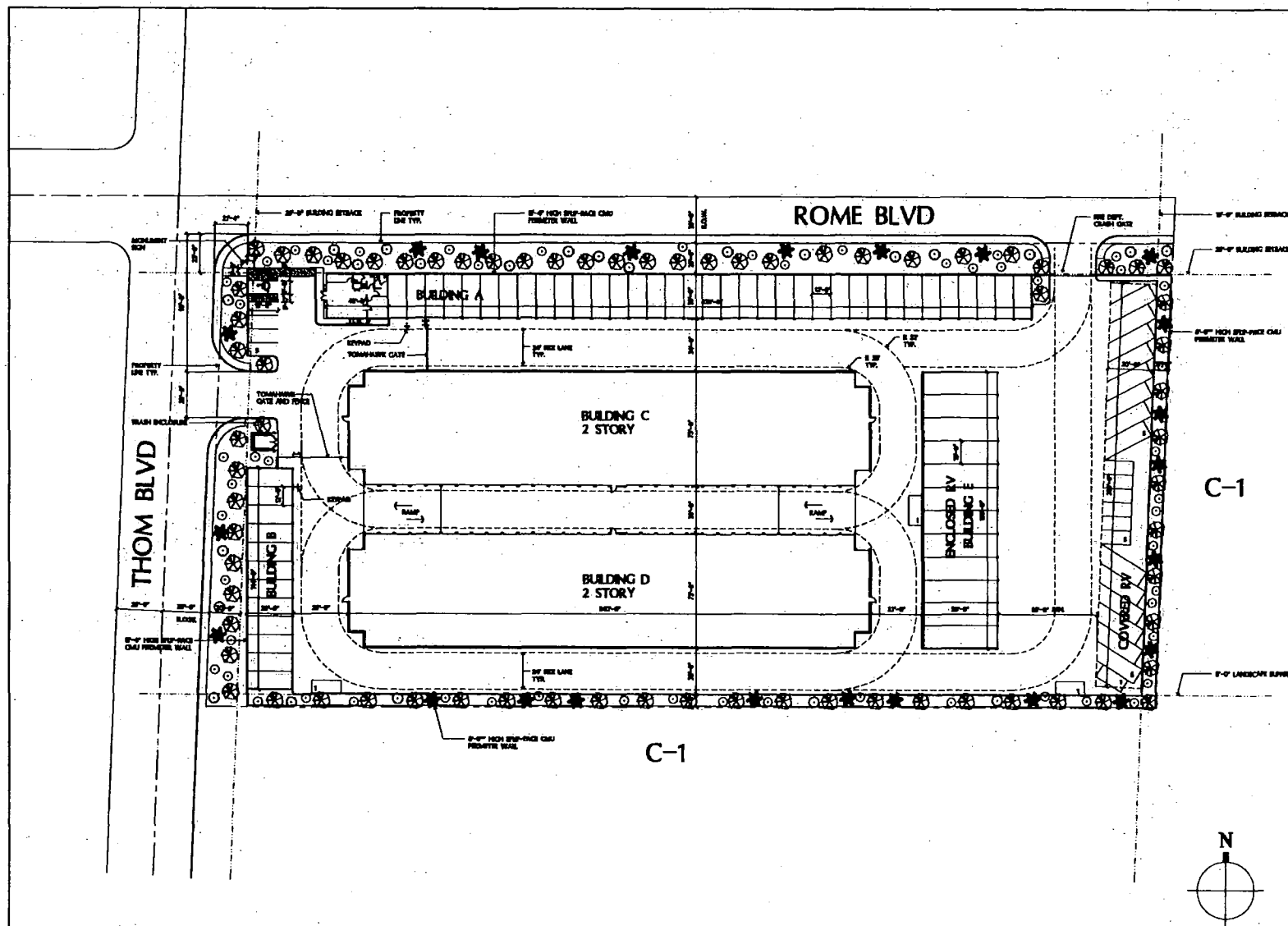
Signature of Property Owner/Authorized Agent: _____

Print Name: JANET McNABB

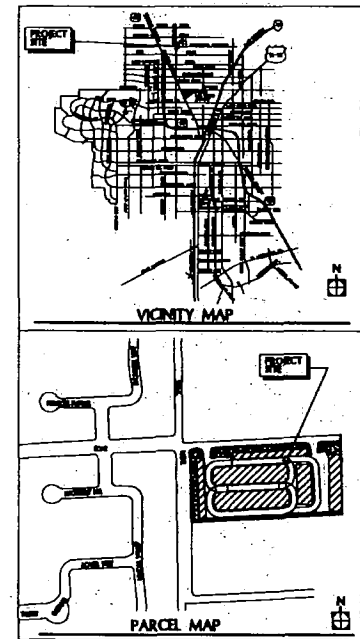
Subscribed and sworn before me

This 20 day of February, 2004_____
Notary Public in and for said County and State

MATTHEW D. MANNING
Notary Public, State of Nevada
Appointment No. 02-52158-1
My Appt. Expires Jan. 7, 2006



SITE DATA		
SITE AREA		169,189 S.F. 3.88 ACRES
BUILDING A		
OFFICE	1,200 S.F.	
APARTMENT	1,200 S.F.	
BUILDING B		4,320 S.F.
BUILDING C		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING D		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING E		9,000 S.F.
TOTAL BUILDING S.F.	127,617 S.F.	
PARKING REQUIRED	15 SPACES	
PARKING PROVIDED	15 SPACES	
COVERED RV PARKING	14 SPACES	
BUILDING FOOTPRINT S.F.	76,217 S.F.	
SITE COVERAGE	45.1%	



 **SCOTT L. BAKER,**
ARCHITECT, INC.

ALIANTE MINI STORAGE SITE PLAN

ZON-3976
SUP-3860
SDR-3979
04-08-04 PC

SCALE = 1" = 30'-0"
PROJECT NO. 04-108 2.21.04
120' SITE PLAN

NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. SEE SEPARATE SHEETS FOR DETAILS.
3. SEE SEPARATE SHEETS FOR SPECIFICATIONS.
4. SEE SEPARATE SHEETS FOR SCHEDULE.
5. SEE SEPARATE SHEETS FOR NOTES.



ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER:
SCME, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF THOM BOULEVARD AND ROME BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MAY 5, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO ZON-3976 - PUBLIC HEARING - SUP-3980 -
APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY -
OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit
FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the southeast corner of Thom
Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002) R-E (Residence Estates) Zone,
[Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0-1
vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****132****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL,
subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to withdraw without prejudice by Goodman, Brown & Premsrut
5. Submitted after final agenda – Protest letters by Robert and Patricia Klapperick, Gary C. Olson and Dell and Shirley Bedard
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
7. Back up referenced from the 4/8/2004 Planning Commission meeting Item 40

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 119 – SUP-3980

MOTION – Continued:

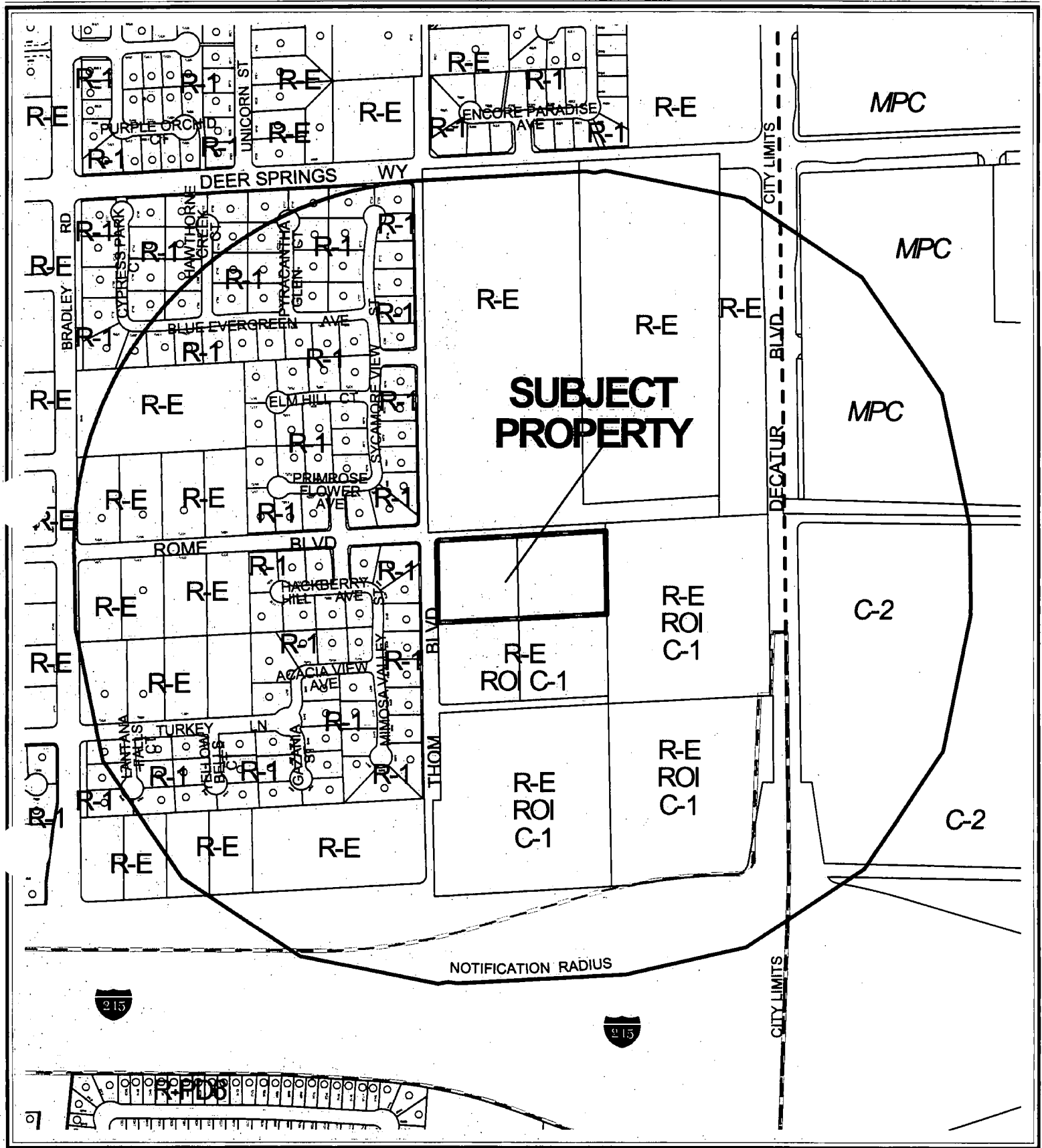
NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have been requested to be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no further discussion.

(1:22 – 1:28)



CASE: SUP-3980

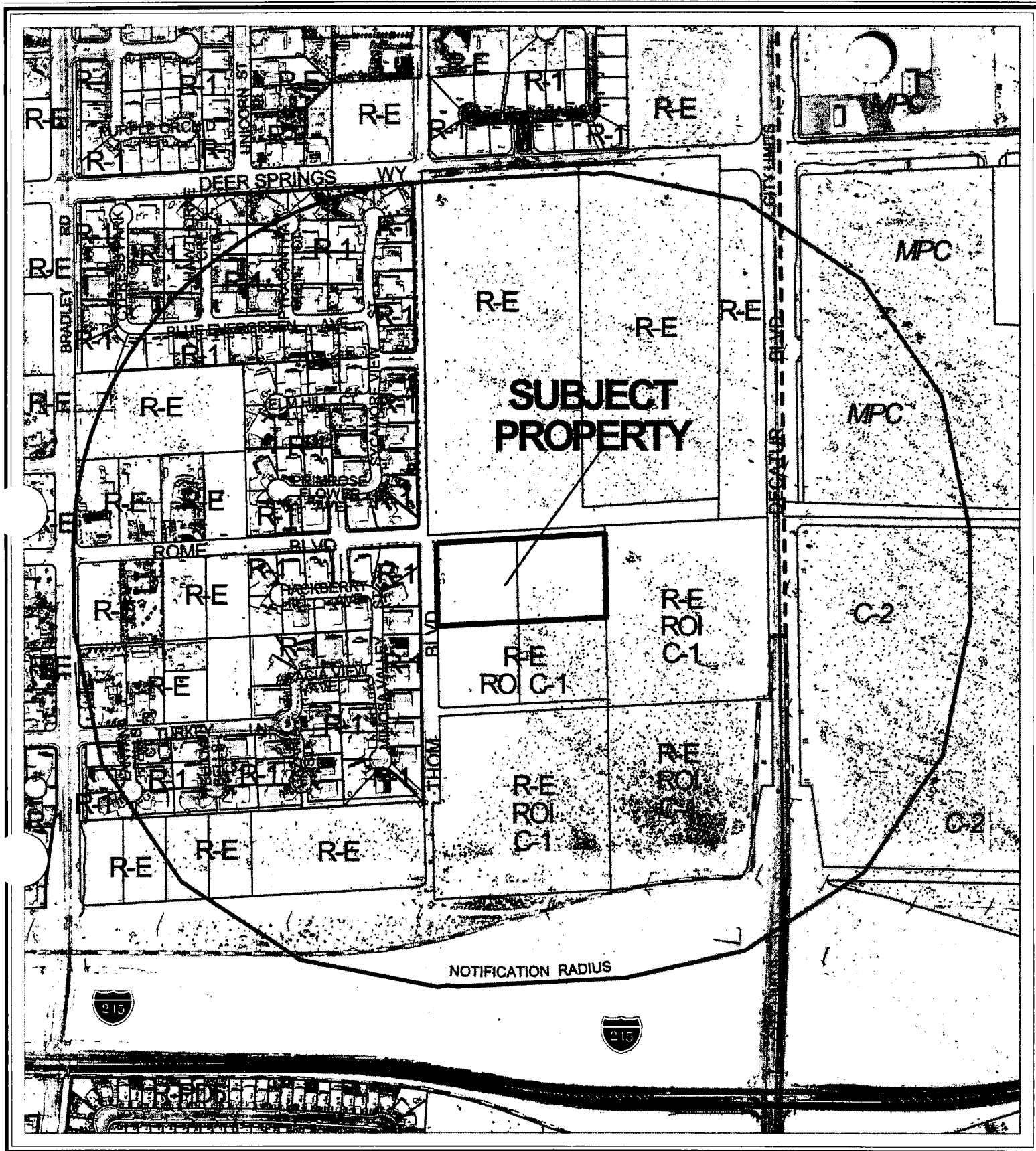
RADIUS: 1320 FT

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

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

119





CASE: SUP-3980

RADIUS: 1320 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS,
LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mini-Warehouse Facility use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3976) and Site Development Plan Review (SDR-3979).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Mini-Warehouse Facility on 3.88 acres located adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. A companion Rezoning (ZON-3976) and Site Development Plan Review application (SDR-3979) will be considered concurrently with this application.

B) Applicant's Justification

The unique design and color scheme blends the proposed mini storage in with the adjacent residential and commercial structures. In addition, the applicant agrees to abide by all the requirements and guidelines set by the City of Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Rezoning (Z-0107-00) from R-E (Residence Estates) to C-1 (Limited Commercial) for the subject site. The Planning Commission and staff recommended approval on 12/07/00.
- 04/08/04 The Planning Commission voted to recommend DENIAL of a related Rezoning (ZON-3976) request from R-E (Residence Estates) to C-1 (Limited Commercial).
- 04/08/04 The Planning Commission voted to recommend DENIAL of a related Site Development Plan Review (SDR-3979) for a mini-warehouse facility on the subject site.
- 04/08/04 The Planning Commission voted 6-0-1 to recommend DENIAL (PC Agenda Item #40/fs)

B) Pre-Application Meeting

- 02/11/04 No significant issues related to the Special Use Permit request were identified during the pre-application meeting.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.88

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed mini-warehouse facility is a permitted use with the approval of a Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	127,617 SF.	1 per 50 Units + 5 spaces outside the security gate	12	1	12	1
Manager's Apartment (2-bedroom)	1,200 SF	1 ¾ spaces per unit	2	0	2	0

The project meets Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mini-Warehouse Facility use, and there are no similar approved uses within the 750-foot notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Roofed & Enclosed	Enclosed

While the site plan indicates a screened trash enclosure, it does not depict it as being roofed. A condition of approval has been included with the Site Development Plan Review (SDR-3979) to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

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

- Use

A Mini-Warehouse Facility is defined by Title 19 as a facility with enclosed storage space, divided into separate compartments no larger than five hundred square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

- Conditions

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

9. Truck and trailer storage shall be screened from the street and adjacent property.
10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

The proposal meets these base conditions of Title 19. There are no waivers associated with this application.

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 Mini-Warehouse Facility conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the proposed C-1 (Limited Commercial) zoning district. The subject use is harmonious and compatible with surrounding properties in the area.

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 Mini-Warehouse Facility use, and no waivers of development standards have been requested as a part of this application.

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 a drive from Thom Boulevard, a 60-foot collector street. 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.”**

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

NOTICES MAILED 130 by City Clerk

APPROVALS 0

PROTESTS 132

FEB-20-2004 FRI 01:52 PM GP LAW FIRM

2702 385 3939

P. 008

Feb 20 04 10:25a

Scott L. Baker Architect

702 837 8880

P. 8



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 2UP-3080 APN: 125-24-802-001 + 125-24-802-002

Name of Property Owner: JANET McNABB - SCME, LLC

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: _____

JANET McNABB

Subscribed and sworn before me

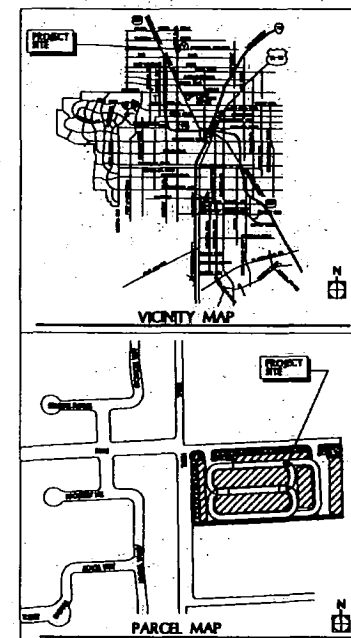
This 20 day of February, 2004

Notary Public in and for said County and State

MATTHEW D. MANNING
Notary Public, State of Nevada
Appointment No. 02-52158-1
My Appt. Expires Jan. 7, 2006

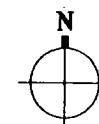
SITE DATA

SITE AREA	169,189 S.F. 3.88 ACRES
BUILDING A OFFICE APARTMENT	1,200 S.F. 1,200 S.F.
BUILDING B	4,320 S.F.
BUILDING C 1st FLOOR 2nd FLOOR	25,100 S.F. 25,100 S.F.
BUILDING D 1st FLOOR 2nd FLOOR	25,100 S.F. 25,100 S.F.
BUILDING E	9,000 S.F.
TOTAL BUILDING S.F.	127,617 S.F.
PARKING REQUIRED	15 SPACES
PARKING PROVIDED	15 SPACES
COVERED RV PARKING	14 SPACES
BUILDING FOOTPRINT S.F.	76,217 S.F.
SITE COVERAGE	45.7%



C-1

C-1



SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE SITE PLAN

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

SCALE - 1" = 30'-0"
PROJECT NO. 04-108 2.21.04
SITE PLAN

Project of drawings shall be prepared by the Architect.
Client is responsible for obtaining all necessary permits.
All work shall be in accordance with the City of
Tampa, Florida, and State of Florida, and all applicable
laws and regulations.



OCCUPANT LOAD	TOTAL		INITS REMAINED		INITS	
	OCCUPANT LOAD	INITS AVAILABLE	OCCUPANT LOAD	INITS AVAILABLE	OCCUPANT LOAD	INITS AVAILABLE
OFFICE	12000 of 1.00000 = 0	1 INIT	1 INIT	1 INIT	1 INIT	1 INIT
APARTMENT	12000 of 1.00000 = 0	1 INIT	1 INIT	1 INIT	1 INIT	1 INIT
ST FLOOR STORAGE BLD "C"	20000 of 1.00000 = 20.00	2 INITS	2 INITS	2 INITS	2 INITS	2 INITS
ST FLOOR STORAGE BLD "D"	20000 of 1.00000 = 20.00	2 INITS	2 INITS	2 INITS	2 INITS	2 INITS
ST FLOOR STORAGE BLD "E"	20000 of 1.00000 = 20.00	2 INITS	2 INITS	2 INITS	2 INITS	2 INITS
ST FLOOR STORAGE BLD "F"	20000 of 1.00000 = 20.00	2 INITS	2 INITS	2 INITS	2 INITS	2 INITS
Total Building Storage	60000 of 1.00000 = 60.00	60 INITS	60 INITS	60 INITS	60 INITS	60 INITS



ZON-3976
SUP-3980
SDR-3979
04-08-04 PC



**SCOTT L. BAKER,
ARCHITECT, INC.**

ALIANTE MINI STORAGE

ENLARGED PLANS AT OFFICE/APARTMENT

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

PROJECT NO. 04-108 2 23 04

BUILDING A FLOOR PLANS

[illegible]



OCCUPANT LOAD	TOTAL		INETS REQUIRED		INETS PROVIDED	
	OCCUPANT LOAD	(PER TABLE 1002.10.1)	OCCUPANT LOAD	(PER TABLE 1002.10.1)	OCCUPANT LOAD	(PER TABLE 1002.10.1)
OFFICE	1,000	12	1,000	12	1,000	12
REPRESENTATIVE	1,000	6	1,000	6	1,000	6
NET FLOOR STORAGE BLD "D"	25,000	~ 84	25,000	~ 84	25,000	~ 84
2ND FLOOR STORAGE BLD "D"	25,000	~ 84	25,000	~ 84	25,000	~ 84
1ST FLOOR STORAGE BLD "D"	25,000	~ 84	25,000	~ 84	25,000	~ 84
2ND FLOOR STORAGE BLD "D"	25,000	~ 84	25,000	~ 84	25,000	~ 84
Total Building Storage	100,000	~ 336	100,000	~ 336	100,000	~ 336



ZON-3976
SUP-3980
SDR-3979
04-08-04 PC



**SCOTT L. BAKER,
ARCHITECT, INC.**

ALIANTE MINI STORAGE

BUILDING "C" FLOOR PLANS "D" SIMILAR

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

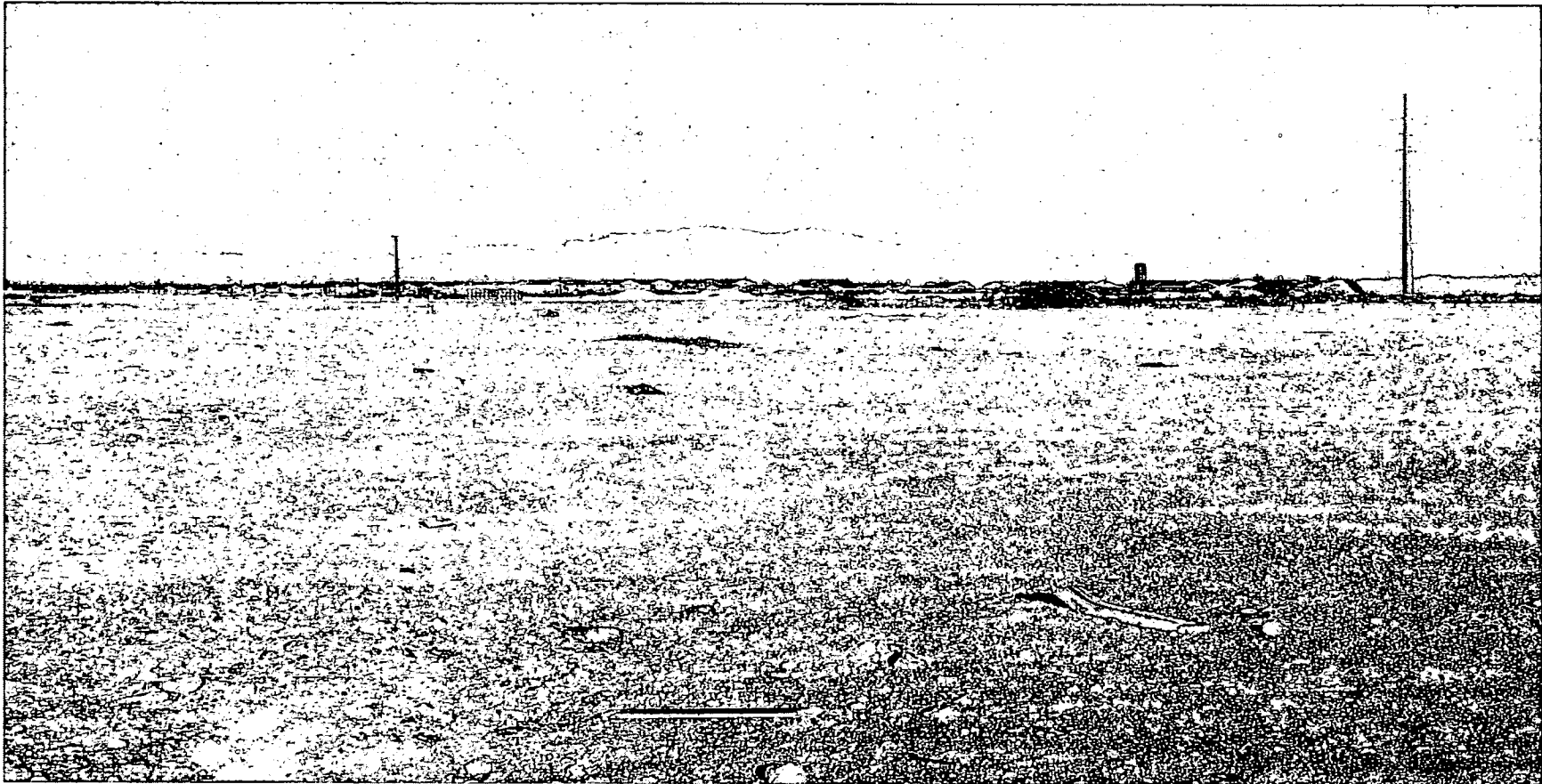
PROJECT NO. 04-108 2 23 04

0 8 16 32

64

**BUILDING C
FLOOR PLANS**

Drawings and specifications remain the property of the duly-protected
 holder of the drawings and specifications and shall be the
 sole property of the holder of the drawings and specifications and shall be
 used only for the purpose for which they were prepared and shall not be
 used for the construction of any other project. **END** **CLASSE 2**
 1999/01/01 - 1999/01/01, 1999/01/01, 1999/01/01



SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER:
SCME, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF THOM BOULEVARD AND ROME BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

GOODMAN BROWN & PREMSRIRUT

ATTORNEYS AT LAW

520 SOUTH FOURTH STREET SUITE NO. 320
LAS VEGAS, NEVADA 89101
TEL. 702.384-3939 FAX. 702.385-3939
WWW.GBPLAWFIRM.COM

ERICA GOODMAN, ESQ.

DAVID T. BROWN, ESQ.

PUOY K. PREMSRIRUT, ESQ.

May 3, 2004

Via First Class Mail and FAX

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

Re: SUP-3980 - Chrysalis Investments, Limited Liability Company

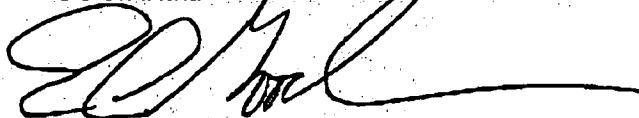
Dear Ms. Ronemus:

Please be advised that I represent Chrysalis Investments in connection with its application for a Special Use Permit that is on the May 5, 2004 City Council agenda (items no. 119 and 120).

Out of a desire to continue talks with the community over the use of the property, my client requests that SUP-3980 be withdrawn without prejudice.

Very truly yours,

GOODMAN BROWN & PREMSRIRUT



Eric A. Goodman, Esq.

EAG/pmt

cc: Chrysalis Investments
Leni Skaar

Submitted after final agenda

Date 5/3/04 Item #119

RECEIVED
CITY CLERK
2004 MAY -3 A 10:14

OPPOSITION TO SUP-3980

April 30, 2004

**TO WHOM IT MAY CONCERN:
RE: SUP-3980
MEETING MAY 5, 2004 @ 1:00 P.M.**

IN REGARDS TO THE NOTICE SENT OUT ABOUT THE SPECIAL USE PERMIT.

WE, ROBERT AND PATRICIA KLAPPERICK OF 5308 ROME BLV AND 5300

**ROME BLVD. GREATLY OPPOSE THE SPEICAL USE PERMIT REQUEST FOR
THE MINI-WAREHOUSES.**

**ROBERT AND PATRICIA KLAPPERICK
5308 ROME BLVD.
LAS VEGAS, NV 89131**

Protest

RECEIVED
CITY CLERK
2004 APR 30 A 10:51

Submitted after final agenda

Date **4/30/04** Item **#119**

Gary and Mary Olson

6489 Mimosa Valley Street, Las Vegas, NV 89131 702-655-9835

kimntamsdad@yahoo.com

kimntamsmom@yahoo.com

April 28, 2004

Barbara Jo Ronemus, City Clerk
City of Las Vegas
1st Floor, City Hall Stewart Avenue
Las Vegas, NV 89101

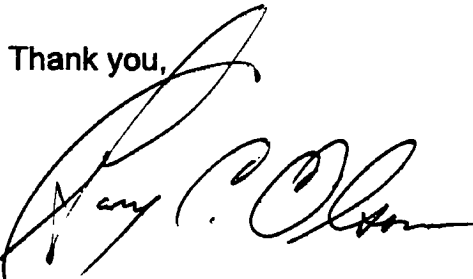
RECEIVED
CITY CLERK
2004 MAY -4 PM 2:54

REGARDING SPECIAL USE PERMIT - 3980

I would like to express my opposition to the proposed change to the Las Vegas Zoning Plan. I believe that this is an inappropriate change due to fact that Thom Boulevard serves only residential areas and that the surrounding property is R-1 or R-E. The changing of the zoning of these parcels will cause commercial activities to intrude upon these established residential areas and is an incompatible usage.

I purchased my residence in 2003. During the purchase process I examined the existing zoning and purchased only after determining that there would be no detrimental activities located in close proximity to my home. The City of Las Vegas has the moral obligation to follow its general plan to insure the integrity of Zoning Regulations and to protect its residents from inappropriate activities intruding into our neighborhood.

Thank you,



Gary C. Olson

Protest

Submitted after final agenda

Date 5/4/2004 Item #119

Bedard Household

5290 Hillgate Crossing
Alpharetta, Georgia 30005
USA

April 28, 2004

City Clerk, 1st Floor
City Hall
400 Stewart Avenue
Las Vegas, NV 89101

Subject: SUP-3980

Protest

Dear City Council Members,

We did attend the meeting dated April 8, 2004 to have our objections be heard regarding Chrysalis Investments, LLC request for special use permit for a proposed mini-warehouse facility adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 and 002) R-E (Residence Estates) Zone, (Proposed: C-1 (Limited Commercial) Zone, Ward 6 (Mack).

We voiced our objections in unison with many other neighbors at the previous meeting, however, we are unable to attend the Council Meeting scheduled for May 5, 2004. We are, therefore, submitting our written objections to the applicants request for rezoning.

This is a residential area which should remain as such. We and our neighbors respectfully ask the council members to allow our neighborhood to earn the respect that is bestowed upon the already established residential areas throughout the Las Vegas area. Please keep our area pristine and clean of unwanted commercial zoning.

With Regards,



Dell and Shirley Bedard
6604 Sycamore View Street
Las Vegas, NV 89131



2950 Industrial Road
Las Vegas, Nevada 89109-1150

ADDRESS SERVICE REQUESTED

RECEIVED
CITY CLERK

2004 MAY -3 10 10

City Hall
400 Stewart Avenue
Las Vegas NV 89101

#119

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

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

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3976 AND SUP-3980 - PUBLIC HEARING - SDR-3979 - **APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED MINI-WAREHOUSE FACILITY on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), R-E (Residence Estates) Zone, [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

132**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to withdraw without prejudice by Goodman, Brown & Premsrut filed Under Item 119
5. Submitted after final agenda – Protest letters by Robert and Patricia Klapperick, Gary C. Olson and Dell and Shirley Bedard filed under Item 119
6. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
7. Back up referenced from the 4/8/2004 Planning Commission meeting Item 41

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 120 – SDR-3979

MOTION – Continued:

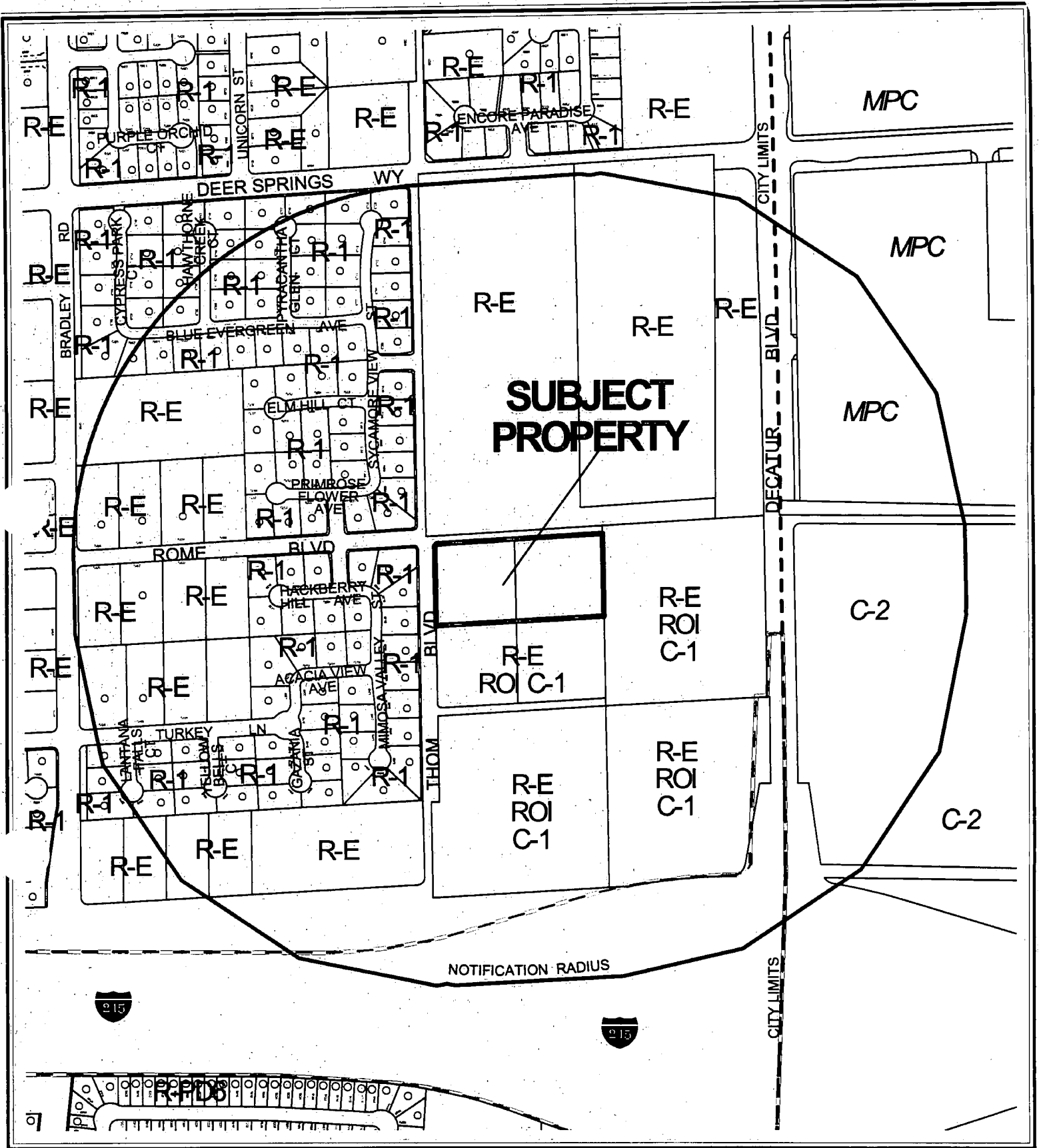
NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have requested to be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no further discussion.

(1:22 – 1:28)



CASE: **SDR-3979**

RADIUS: 1320 FT

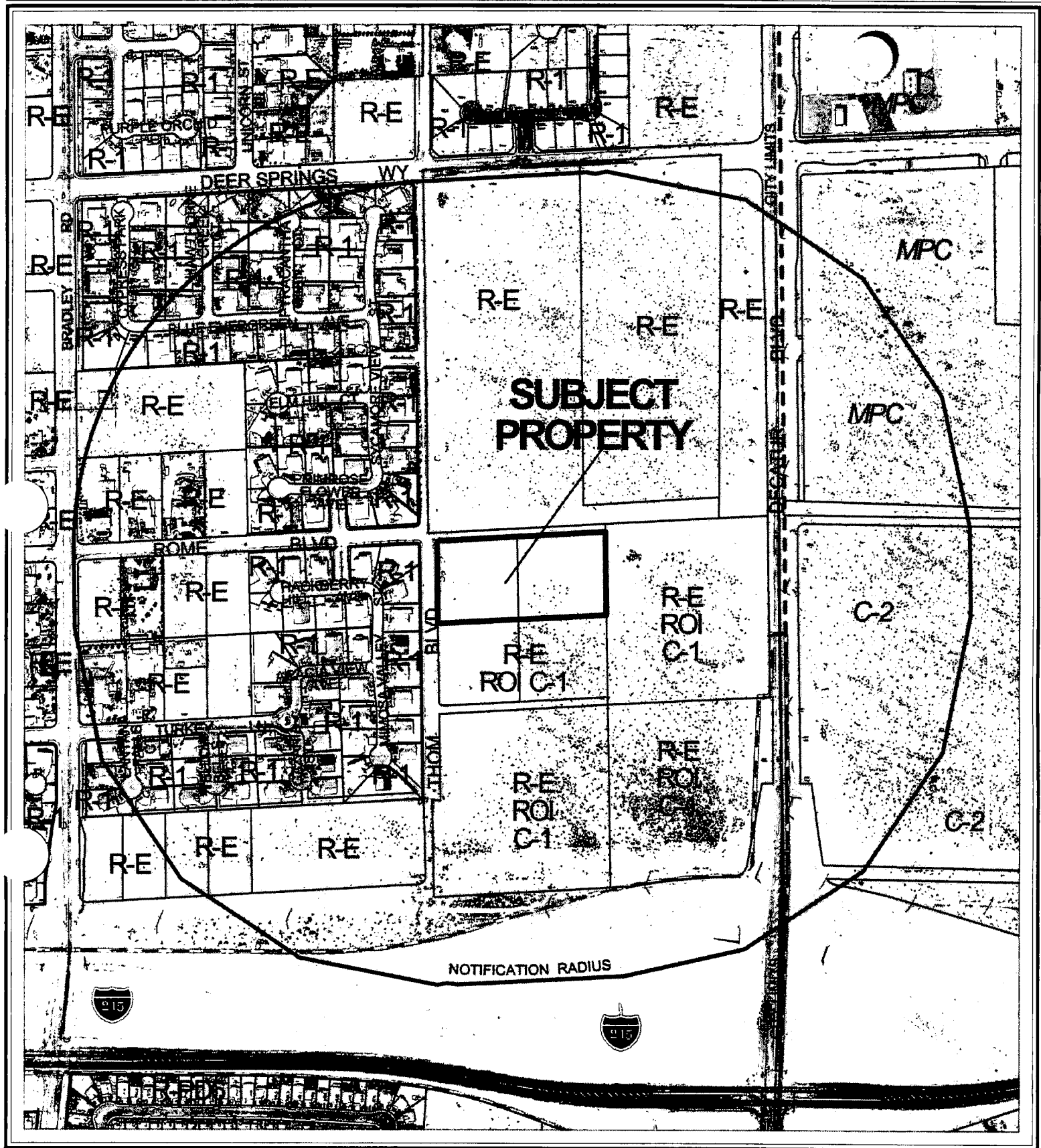
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

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

0 300 600 Feet

120





CASE: SDR-3979

RADIUS: 1320 FT

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

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

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3979 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. Rezoning ZON-3976 to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-3980) to allow a Mini-Warehouse Facility 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 to depict a roofed trash enclosure prior to the issuance of building permits.
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 along Rome Boulevard.
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 Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [*Residential or commercial subdivisions*] The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Site development to comply with all applicable conditions of approval for ZON-3976 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a Mini-Warehouse Facility on 3.88 acres located adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. A companion Rezoning (ZON-3976) and Special Use Permit (SUP-3980) will be considered concurrently with this application.

B) Applicant's Justification

The design and color scheme blends the proposed Mini-Warehouse Facility in with the adjacent residential and commercial structures. In addition, the applicant agrees to abide by all the requirements and guidelines set by the City of Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Rezoning (Z-0107-00) from R-E (Residence Estates) to C-1 (Limited Commercial) for the subject site. The Planning Commission and staff recommended approval on 12/07/00.
- 04/08/04 The Planning Commission voted to recommend DENIAL of a related Rezoning (ZON-3976) request from R-E (Residence Estates) to C-1 (Limited Commercial).
- 04/08/04 The Planning Commission voted to recommend DENIAL of a related Special Use Permit (SUP-3980) to allow a Mini-Warehouse Facility on the subject site.
- 04/08/04 The Planning Commission voted 6-0-1 to recommend DENIAL (PC Agenda Item #41/fs)

B) Pre-Application Meeting

- 02/11/04 Several issues were discussed including the need for a drainage study, the need for a reversionary map to create one parcel, and the location of the proposed sign.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.88

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: RE (Residence Estates)
North: RE (Residence Estates)
South: RE (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: RE (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) *General Plan Compliance*

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

PROJECT DESCRIPTION

The site consists of two two-story and two one-story mini-warehouse buildings, an enclosed RV storage building, 14 covered RV parking spaces, and an office/manager's apartment building. Access is provided via a drive from Thom Boulevard, and a crash gate provides emergency access to Rome Boulevard. With the exception of a deficiency of two

required street trees along Rome Boulevard, the plan depicts adequate landscaping. A condition of approval has been included to ensure compliance with Title 19 landscape requirements. The building elevations depict aesthetically pleasing structures that are compatible with the residential development to the west.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	302 Feet	Y
Min. Setbacks			
• Front	20 Feet	65 Feet	Y
• Side	10 Feet	60 Feet	Y
• Corner	10 Feet	20 Feet	Y
• Rear	15 Feet	95 Feet	Y
Max. Lot Coverage	50 %	45.1 %	Y
Trash Enclosure	Screened / Roofed	Screened	N

While the site plan indicates a screened trash enclosure, it does not depict it as being roofed. A condition of approval has been included to ensure compliance with this requirement.

A2) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	127,617 SF.	1 per 50 Units + 5 spaces outside the security gate	12	1	12	1
Manager's Apartment (2 bedroom)	1,200 SF	1 ¾ spaces per unit	2	0	2	0

The project meets Title 19 parking requirements.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Street Trees	1 Tree / 20 Linear Feet	44 Trees	42 Trees
• Perimeter Trees	1 Tree / 30 Linear Feet	29 Trees	29 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	6 Feet		8 Feet

The landscape plan shows a deficiency of two street trees along Rome Boulevard, and a condition of approval has been included to ensure compliance with Title 19 landscape requirements. The proposal exceeds Title 19 minimum tree size requirements by proposing 36-inch box trees where 24-inch box trees are required.

A4) Sign Standards

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

Monument Signs		
Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	1 / Street frontage 1 total
Maximum Area	60 SF /sign	55 SF
Maximum Height	8 Feet	5 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Direct	Direct

The proposed monument sign meets all applicable Title 19 sign standards.

B) General Analysis and Discussion

• Zoning

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

- Site Plan

The site consists of two two-story and two one-story mini-warehouse buildings, an enclosed RV storage building, 14 covered RV parking spaces, and an office/manager's apartment building totaling 127,617 square feet. There are 677 storage units overall, and the building square footage and unit totals are as follows:

Building A	13,897 SF	35 units
Building B	4,320 SF	12 units
Building C	50,200 SF	309 units
Building D	50,200 SF	309 units
Building E	9,000 SF	12 units

Access is provided via a drive from Thom Boulevard, and a crash gate provides emergency access to Rome Boulevard. Five parking spaces are provided outside the security gates, and 10 additional parking spaces are provided within the secured area of the site.

- Waivers

There are no waivers requested as a part of this application.

- Landscape Plan

The landscape plan depicts 20-foot planters along Thom and Rome Boulevards, a 10-foot planter along the east property line, and an 8-foot planter along the south property line. Landscaping consists of 36-inch Mondel Pines, 9-gallon Desert Cassias, and 5-gallon Fraser Phtinias and Chaparral Sages. Ground cover within the planters consists of red or gold decomposed granite. With the exception of a deficiency of two required street trees along Rome Boulevard, the plan depicts adequate landscaping. A condition of approval has been included to ensure compliance with Title 19 landscape requirements.

- Elevation

Buildings A and B are 11-foot, one-story structures with flat roofs and an exterior consisting of metal roll up doors. Building A also includes a two-story office / manager's apartment with a teal metal pitched roof and a tan stucco exterior. Buildings C and D are similar 24-foot, two-story structures with flat roofs and an exterior of metal roll up doors and ribbed metal panels. Building E is a 17-foot high structure that also consists of a flat roof and an exterior of metal roll up doors and ribbed metal panels. All roll up doors are a shade of teal, and all metal panels are tan.

- Floor Plan

The floor plans are tentative, but the buildings will contain storage units varying in size between 5'x 5' and 15' x 50'. The office / manager's apartment consists of a two bedroom unit on the second floor, and the facility's office on the bottom floor.

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 mini-warehouse conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the proposed C-1 (Limited Commercial) zoning district. The subject use is harmonious and compatible with surrounding properties in the area.

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

With the inclusion of the conditions of approval added by Staff, 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.

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

Access to the site is via a drive from Thom Boulevard, a 60-foot collector street. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

Landscaping materials are appropriate for this area of the City, with exception of the proposed landscape planter along Rome Boulevard, which is deficient two trees. A condition of approval has been added to address this deficiency. In addition, the proposal exceeds Title 19 landscaping standards by proposing 36-inch box trees where 24-inch box trees are required.

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;”**

Building elevations for the proposed mini-warehouse are not unsightly and will be harmonious and compatible with the existing residential development to the west.

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

The proposed mini-warehouse use will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 126 by Planning Department

APPROVALS 0

PROTESTS 132



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3979 APN: 125-24-802-001 + 125-24-802-002

Name of Property Owner: JANET McNABB, SCME, LLC

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

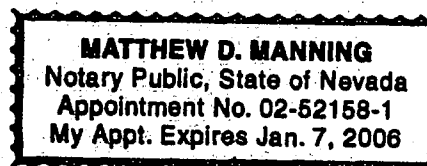
Print Name: _____

JANET McNABB

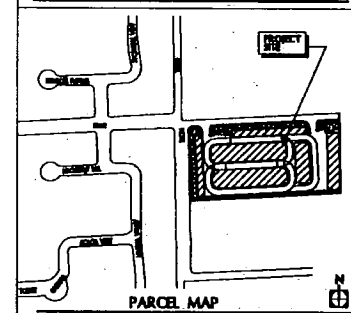
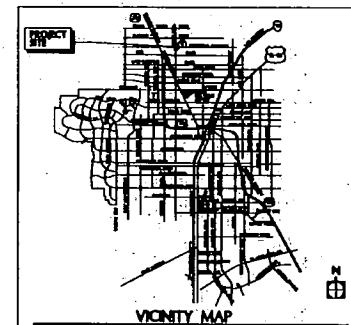
Subscribed and sworn before me

This 20 day of February, 2004

[Signature]
Notary Public in and for said County and State

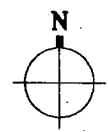


SITE DATA	
SITE AREA	169,889 S.F. 3.88 ACRES
BUILDING A	13,897 S.F.
OFFICE	1,200 S.F.
APARTMENT	1,200 S.F.
BUILDING B	4,320 S.F.
BUILDING C	
1st FLOOR	25,800 S.F.
2nd FLOOR	25,800 S.F.
BUILDING D	
1st FLOOR	25,800 S.F.
2nd FLOOR	25,800 S.F.
BUILDING E	9,000 S.F.
TOTAL BUILDING S.F.	127,617 S.F.
PARKING REQUIRED	15 SPACES
PARKING PROVIDED	15 SPACES
COVERED RV PARKING	14 SPACES
BUILDING FOOTPRINT S.F.	76,217 S.F.
SITE COVERAGE	45.7%



C-1

C-1



SCALE = 1" = 30'-0"
PROJECT NO. 04-108 2.21.04
0 15 30 60 120 SITE PLAN



SCOTT L. BAKER,
ARCHITECT, INC.

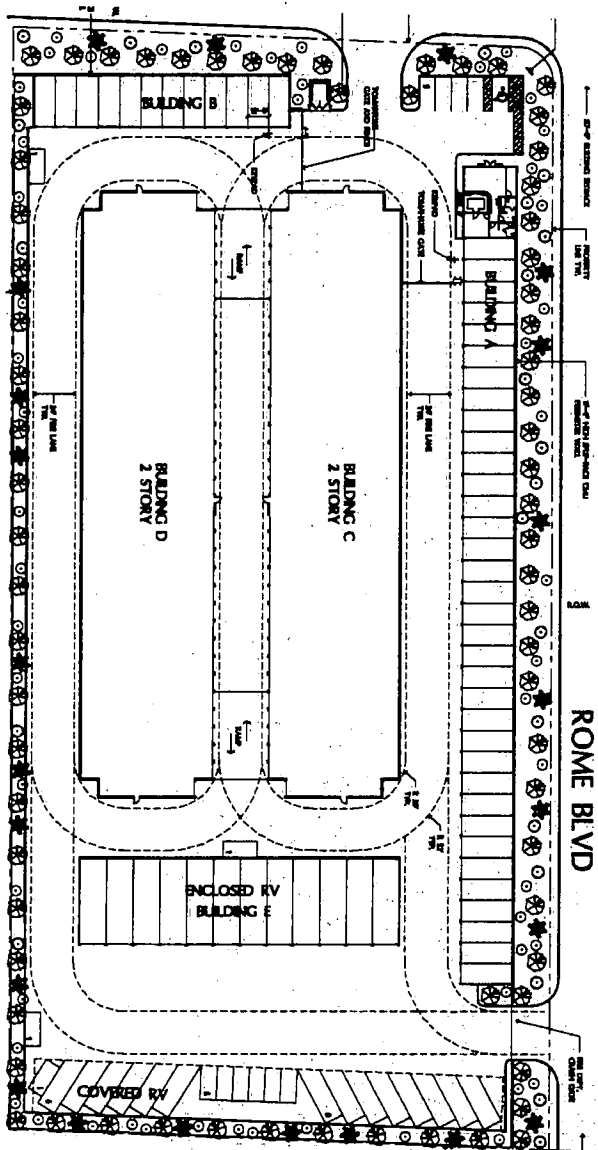
ALIANTE MINI STORAGE SITE PLAN

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.



SCOTT L. BAKER,
ARCHITECT, INC.



ROME BLVD

LANDSCAPE S.F. 24,733 S.F.
14.5%

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE
--------	----------------	-------------	----------	------

Tree symbol	PAVE BARK	MINOR PINE	61	36" DBH
-------------	-----------	------------	----	---------

SHRUBS

Circle symbol	CASIA NEROPHYLLA	DESERT CASIA	41	9" GAL
Circle symbol	PROTIA RABER	RABER PROTIA	23	3" GAL
Star symbol	SAVIA CLEVELAND	CHAMBERLAIN SAGE	20	3" GAL

GROUNDCOVERS

DO GROUNDCOVERS - 1/2" DBH OR SMALLER ONLY
RECOMMENDED QUANTITY IN ALL PLANTING AREAS, 2" DEPTH TYPICAL
SEE TO BE 1/4" DEPTH

ALANTE MINI STORAGE

LANDSCAPE PLAN

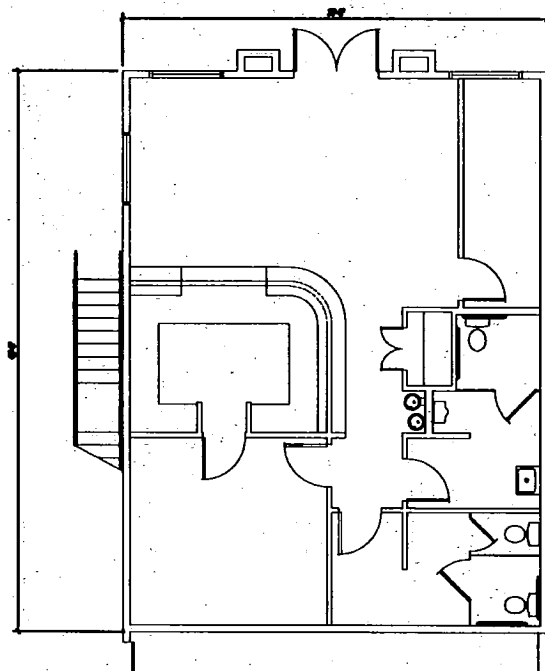
ZON-39/6
SUP-39E10

SDR-39/9

04-08-04 PC

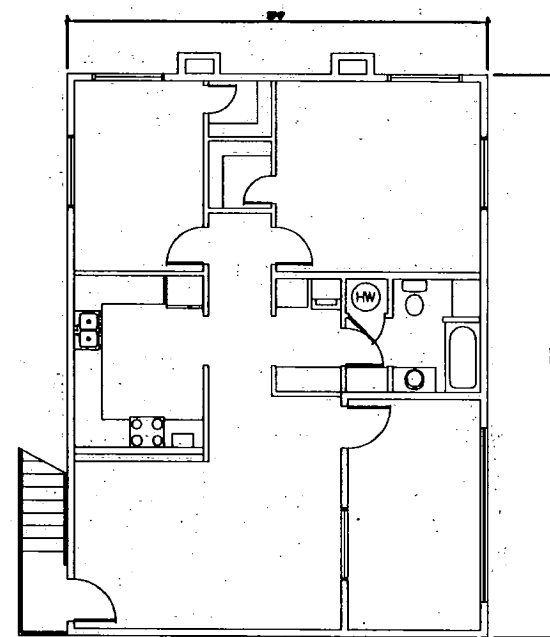
SCALE - 1" = 30'-0" PROJECT NO. 04-08 2.23.04

DATE 01/27/04 LANDSCAPE PLAN



LEVEL ONE PLAN AT OFFICE

OCCUPANT LOAD	TOTAL		EXITS REQUIRED		EXITS PROVIDED
	OCCUPANT LOAD / PER TABLE (1000/11)		OCCUPANT LOAD / PER TABLE (1000/11)		
OFFICE	1000 sf / 11 = 90.9	9	1 EXIT	1 EXIT	1 EXIT
APARTMENT	1000 sf / 11 = 90.9	9	1 EXIT	1 EXIT	1 EXIT
1ST FLOOR STORAGE BLD "C"	10,000 sf / 11 = 909.1	90.9	9 EXITS	9 EXITS	9 EXITS
2ND FLOOR STORAGE BLD "C"	10,000 sf / 11 = 909.1	90.9	9 EXITS	9 EXITS	9 EXITS
3RD FLOOR STORAGE BLD "C"	10,000 sf / 11 = 909.1	90.9	9 EXITS	9 EXITS	9 EXITS
4TH FLOOR STORAGE BLD "C"	10,000 sf / 11 = 909.1	90.9	9 EXITS	9 EXITS	9 EXITS
Total Building Storage	40,000 sf	363.6	36 EXITS	36 EXITS	36 EXITS



LEVEL TWO PLAN AT APARTMENT



SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE

ENLARGED PLANS AT OFFICE/APARTMENT

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

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

PROJECT NO. 04-108 2.21.04

0 2 4 8 16

BUILDING A
FLOOR PLANS



OCCUPANT LOAD		TOTAL OCCUPANT LOAD	INITS REQUIRED (PER TABLE 1023.2.1)	INITS PROVIDED
OFFICE	Load of 0.0000 x 0		1 EXIT	1 EXIT
APARTMENT	Load of 0.0000 x 0		1 EXIT	1 EXIT
1ST FLOOR STORAGE BLD "C"	23,500 sq ft x 0.0000 = 23.5 ~ 24		3 EXITS	3 EXITS
2ND FLOOR STORAGE BLD "C"	23,500 sq ft x 0.0000 = 23.5 ~ 24		3 EXITS	3 EXITS
1ST FLOOR STORAGE BLD "D"	23,500 sq ft x 0.0000 = 23.5 ~ 24		3 EXITS	3 EXITS
2ND FLOOR STORAGE BLD "D"	23,500 sq ft x 0.0000 = 23.5 ~ 24		3 EXITS	3 EXITS
Total Building Storage	94,000 sq ft x 0.0000 = 94		12 EXITS	12 EXITS



ZON-3976
SUP-3980
SDR-3979
04-08-04 PC



**SCOTT L. BAKER,
ARCHITECT, INC.**

ALIANTE MINI STORAGE

BUILDING "C" FLOOR PLANS "D" SIMILAR

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

PROJECT NO. 04-108 2 23 04

0 8 16 24

64

BUILDING C FLOOR PLANS

Order and production made the property of the fully protected
rights of the country and production authority in the
and the effect of the law on the rights of the people which they were prepared
of all by the constitution of the state. 1911, 1912, 1



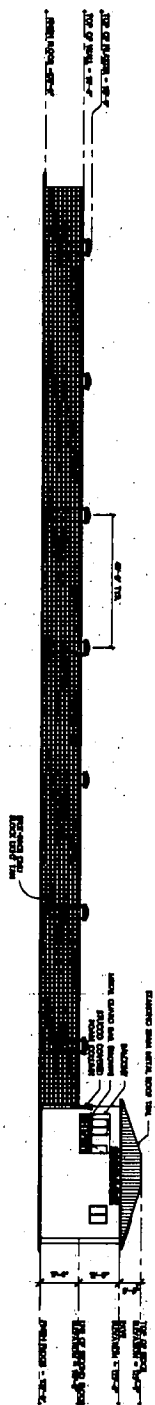
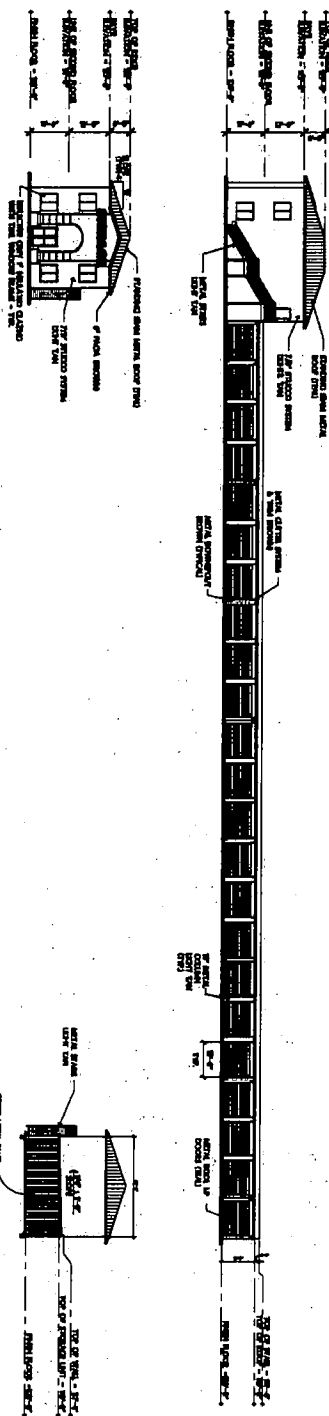
ALIANTE MINI STORAGE

BUILDING "A"

**ZON-3976
SUP-3980
SDR-3979
04-08-04 PC**

SCALE - 1/8" = 1'-0" PROJECT NO. 04-113 2-23-04

BUILDING A ELEVATIONS





SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE

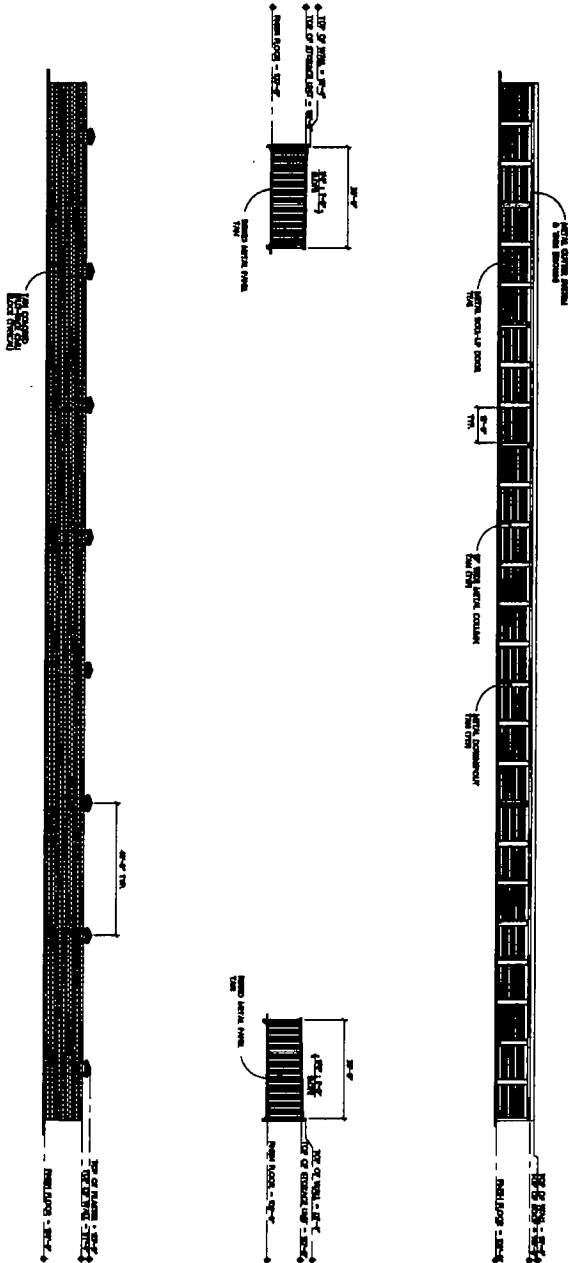
BUILDING "B"

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

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

PROJECT NO. 04-08 2.23.04

BUILDING B
ELEVATIONS



SCOTT L BAKER,
ARCHITECT, INC.

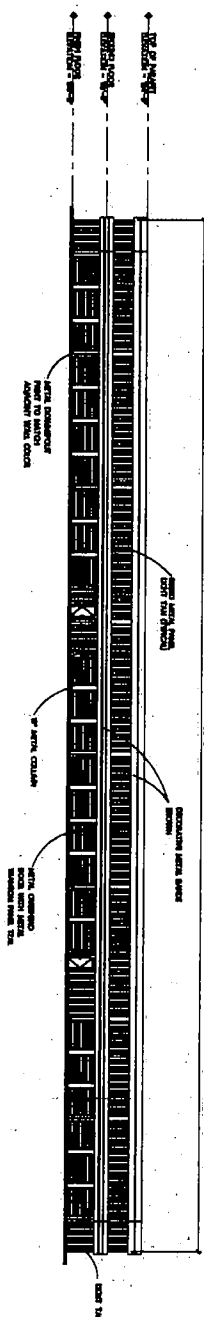
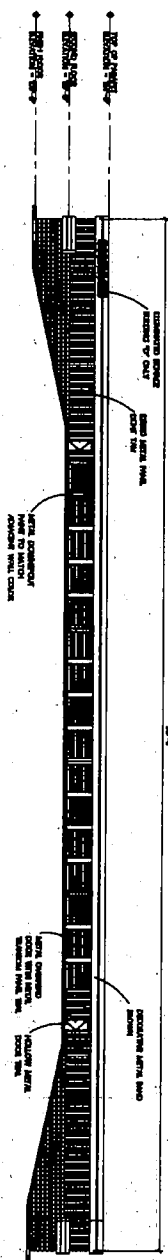
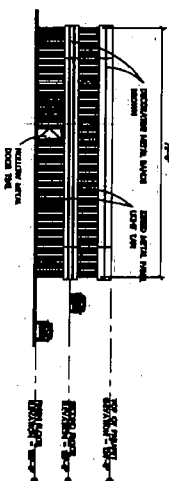
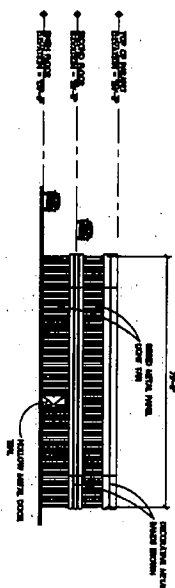
ALIANTE MINI STORAGE

BUILDING "C" ELEVATIONS "D" SIMILAR

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

SCALE - 1/8" = 1'-0" PROJECT NO. 04-08 2.23.04

BUILDING C
ELEVATIONS
D SIMILAR





SCOTT L. BAKER,
ARCHITECT, INC.

ALANTE MINI STORAGE

BUILDING "E" ENCLOSED RV

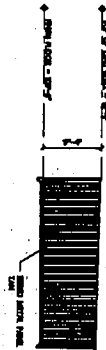
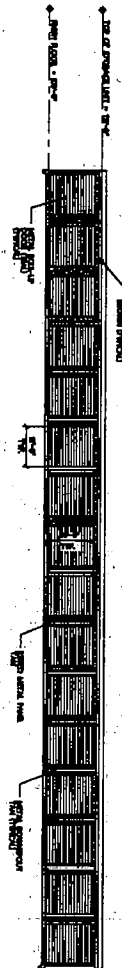
ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

SCALE - 1/8" = 1'-0" PROJECT NO. 04-08 2.23.04

0 8 16 24

64

BUILDING E
ELEVATIONS



SCOTT L. BAKER,
ARCHITECT, INC.



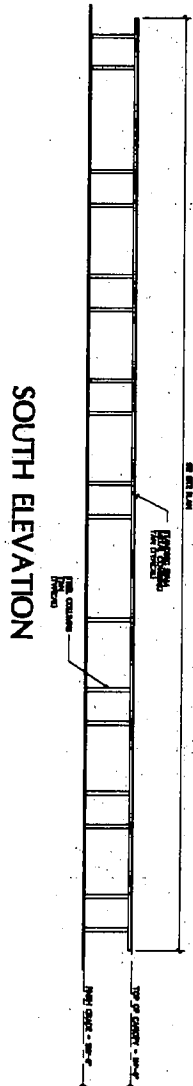
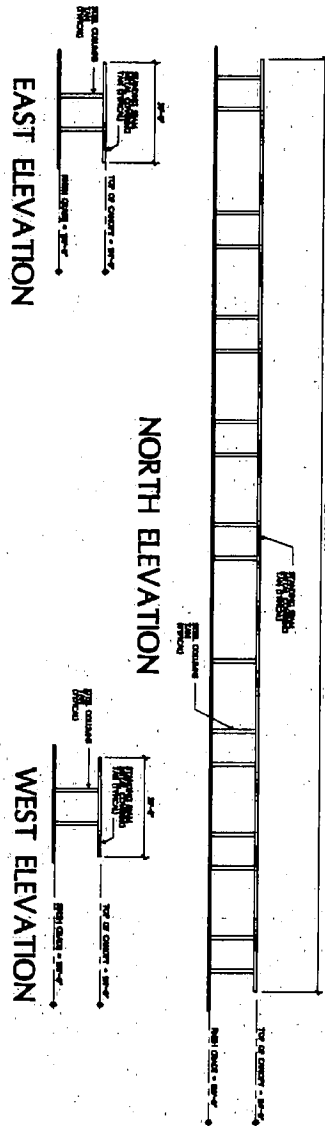
ALIANTE MINI STORAGE RV CANOPY ELEVATIONS

ZON-3976
SUP-3980
SDR-3979
04-08-04-PC

SCALE = 1/8" = 1'-0" PROJECT NO. 04-108 2.11.04

0 8 16 32 64

RV CANOPY
ELEVATIONS





SDR-3979 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER:
SCME, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF THOM BOULEVARD AND ROME BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3995 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), Ward 2 (Vacant). 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.

2

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
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 42

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LENDALL MAINS, 10624 South Eastern Avenue, Suite #A-332, appeared on behalf of the applicant with **PASTOR NORM LORENCO**, who concurred with all conditions.

ROBERT GENZER, Director, Planning and Development Department, indicated that staff does not have any problems with this application.

JUANITA CLARK, Charleston Neighborhood Preservation, stated that the residents are looking forward to having this development on this property and are pleased with the proposed project.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 121 – ZON-3995

MINUTES – Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:32 – 3:34)

5-1355

CONDITIONS:

Planning and Development

1. Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-3997) for this site and conformance to conditions of approval for site related actions.

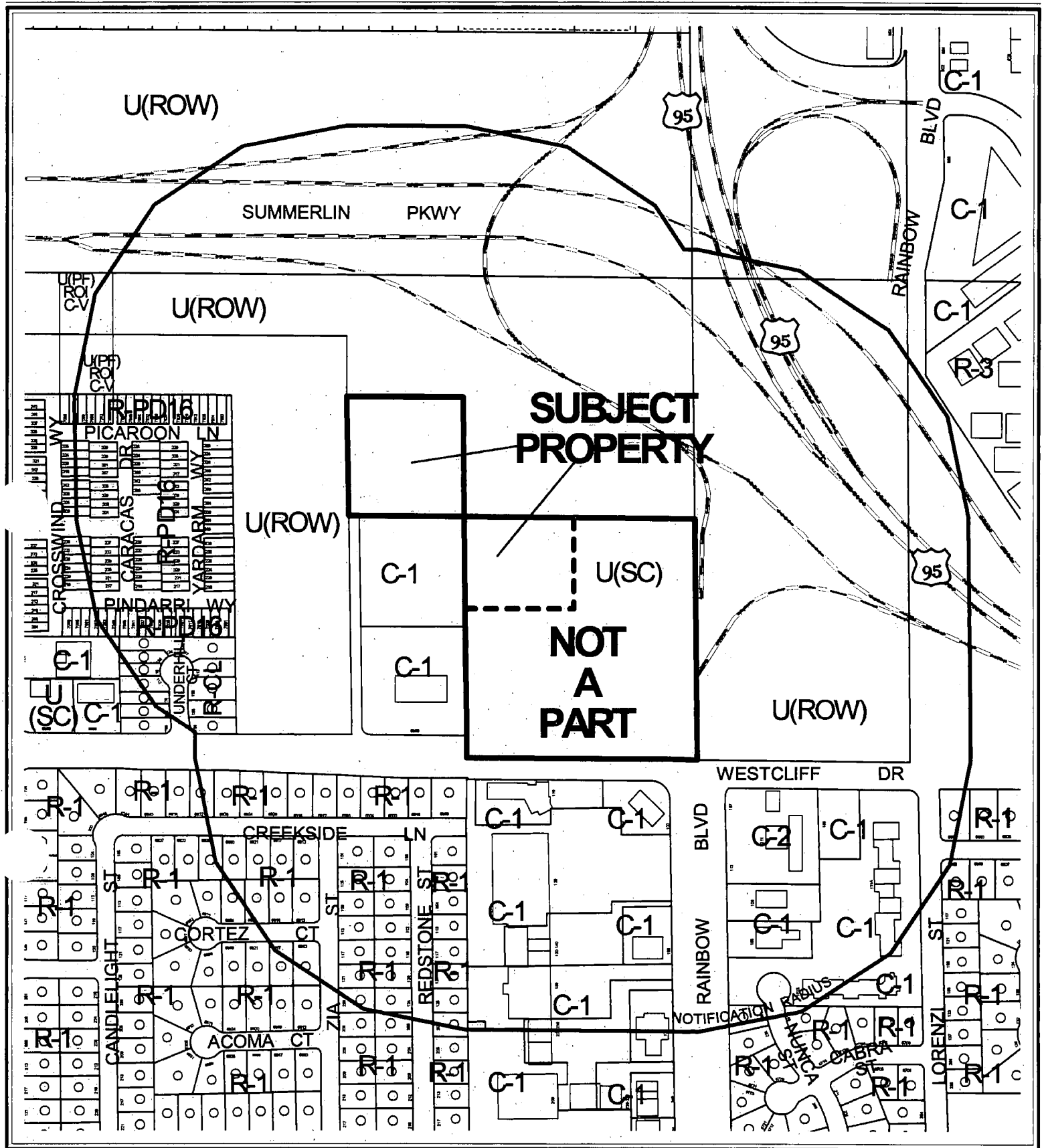
Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Westcliff Drive prior to the issuance of any permits. In addition, dedicate appropriate right-of-way for a bus stop in accordance with Standard Drawing #234.1 or #234.3. 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.
4. Dedicate 25 feet of right-of-way for the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001, continuous to the north edge of the parcel, including appropriate right-of-way for a knuckle meeting current City Standards prior to the issuance of any permits, unless otherwise allowed by the City Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works prior to the issuance of any permits for this site to determine submittal requirements for a Bureau of Land Management (BLM) application for the west half of the unnamed street and for assistance with the preparation of appropriate dedication documents.
5. Coordinate with the Nevada Department of Transportation (NDOT) to determine impacts to this site from the Rainbow Boulevard interchange. If required, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rainbow Boulevard public right-of-way adjacent to this site, if required. Public Works notes that NDOT has existing Control of Access rights within this parcel that may impact proposed and/or required improvements and dedications along Westcliff Drive.
6. Construct half-street improvements on the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001 including appropriate overpaving, if legally able, concurrent with development of this site.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 121 – ZON-3995

CONDITIONS – Continued:

7. Completion of all incomplete half street improvements on Rainbow Boulevard and required improvements along Westcliff Drive adjacent to this site shall be required at the time of the Three Year Review, unless otherwise determined at that time.
8. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
9. A Traffic Impact Analysis may be required by the Department of Public Works upon development of Phase II of this project. Such requirement will be imposed at the time of the Required Three Year Review, unless otherwise determined at that time. Public Works notes that additional right-of-way dedications in accordance with Standard Drawing #201.1 may be determined necessary at that time.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-3995

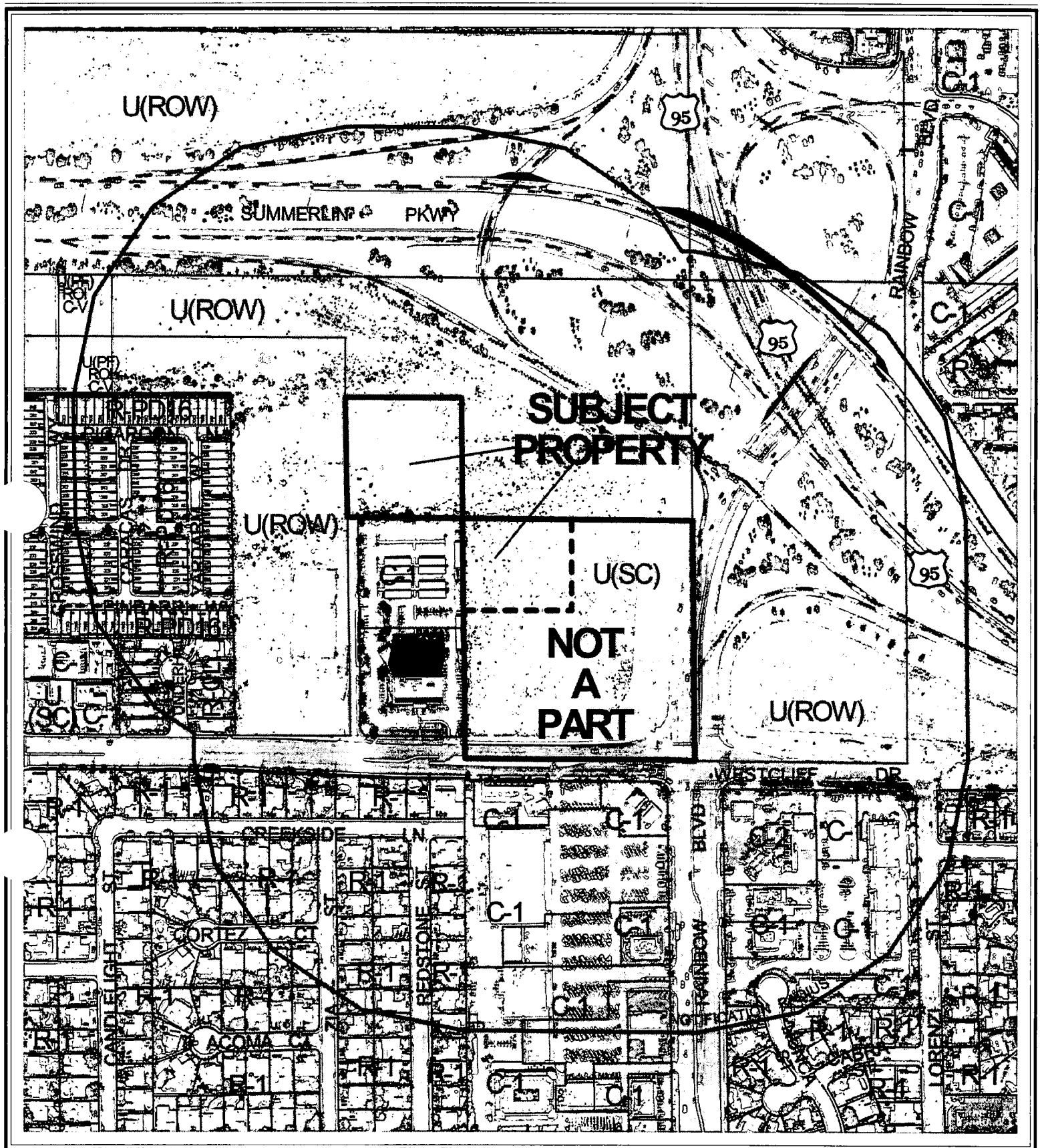
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

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

121



CASE: ZON-3995

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: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-3995 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH

**** CONDITIONS ****

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

Planning and Development

1. Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-3997) for this site and conformance to conditions of approval for site related actions.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Westcliff Drive prior to the issuance of any permits. In addition, dedicate appropriate right-of-way for a bus stop in accordance with Standard Drawing #234.1 or #234.3. 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.
4. Dedicate 25 feet of right-of-way for the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001, continuous to the north edge of the parcel, including appropriate right-of-way for a knuckle meeting current City Standards prior to the issuance of any permits, unless otherwise allowed by the City Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works prior to the issuance of any permits for this site to determine submittal requirements for a Bureau of Land Management (BLM) application for the west half of the unnamed street and for assistance with the preparation of appropriate dedication documents.
5. Coordinate with the Nevada Department of Transportation (NDOT) to determine impacts to this site from the Rainbow Boulevard interchange. If required, obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rainbow Boulevard public right-of-way adjacent to this site, if required. Public Works notes that NDOT has existing Control of Access rights within this parcel that may impact proposed and/or required improvements and dedications along Westcliff Drive.
6. Construct half-street improvements on the unnamed street along the western border of Assessor's Parcel Number 138-27-802-001 including appropriate overpaving, if legally able, concurrent with development of this site.

7. Completion of all incomplete half street improvements on Rainbow Boulevard and required improvements along Westcliff Drive adjacent to this site shall be required at the time of the Three Year Review, unless otherwise determined at that time.
8. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
9. A Traffic Impact Analysis may be required by the Department of Public Works upon development of Phase II of this project. Such requirement will be imposed at the time of the Required Three Year Review, unless otherwise determined at that time. Public Works notes that additional right-of-way dedications in accordance with Standard Drawing #201.1 may be determined necessary at that time.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning to C-1 (Limited Commercial) on a 12.50 acre parcel located on the northwest corner of Westcliff Drive and Rainbow Boulevard. A site development plan application has also been filed for approval of a 40,649 square foot church and 1,200 square foot modular building on a portion of the property (SDR-3997).

B) Applicant's Justification

The letter states that Phase one will consist of a two-story mixed use worship center on the northern portion of the site. Phase Two will consist of a five-level parking garage for approximately 1,300 cars and another 60,000 square foot worship center. It is anticipated that the portion of the property covered by APN Number 138-27-802-001 may be sold to Bank of America in the future.

The reason for rezoning the site to C-1 (Limited Commercial) was to save time expense of filing a General Plan Amendment. Part of the site plan application requests a modular building to be used as office and conference room space.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 11/27/90 | The Board of Zoning Adjustment approved a Special Use Permit to allow the construction of a church on this property. This was final action; staff recommended approval (U-0168-90). |
| 04/08/04 | The Planning Commission voted to recommend APPROVAL of a related Site Development Plan Review (SDR-3997) for a church/house of worship and a temporary modular building on the subject site. |
| 04/08/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item \$42/dc) |

B) Pre-Application Meeting

- | | |
|----------|---|
| 02/06/04 | Issues relating to the Bonanza Trail and application options were discussed. The applicant chose to file a Rezoning and Site Development Plan Review application instead of a General Plan Amendment and Rezoning to C-V (Civic). |
|----------|---|

C) Neighborhood Meetings

A neighborhood meeting is not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.50

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Right-of-Way
South: Bank of America Building
East: Vacant
West: Vacant

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

Both parcels are designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The proposed C-1 (Limited Commercial) district is in conformance to this designation.

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 Bonanza Multi-Use Transportation Trail will be constructed along the north and east sides of the property. A condition of approval requiring construction will be recommended as part of the companion site development plan review.

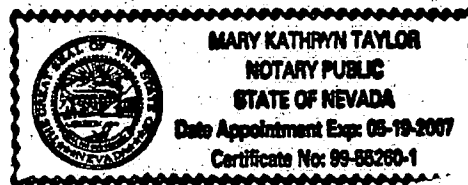
STATEMENT OF FINANCIAL INTEREST

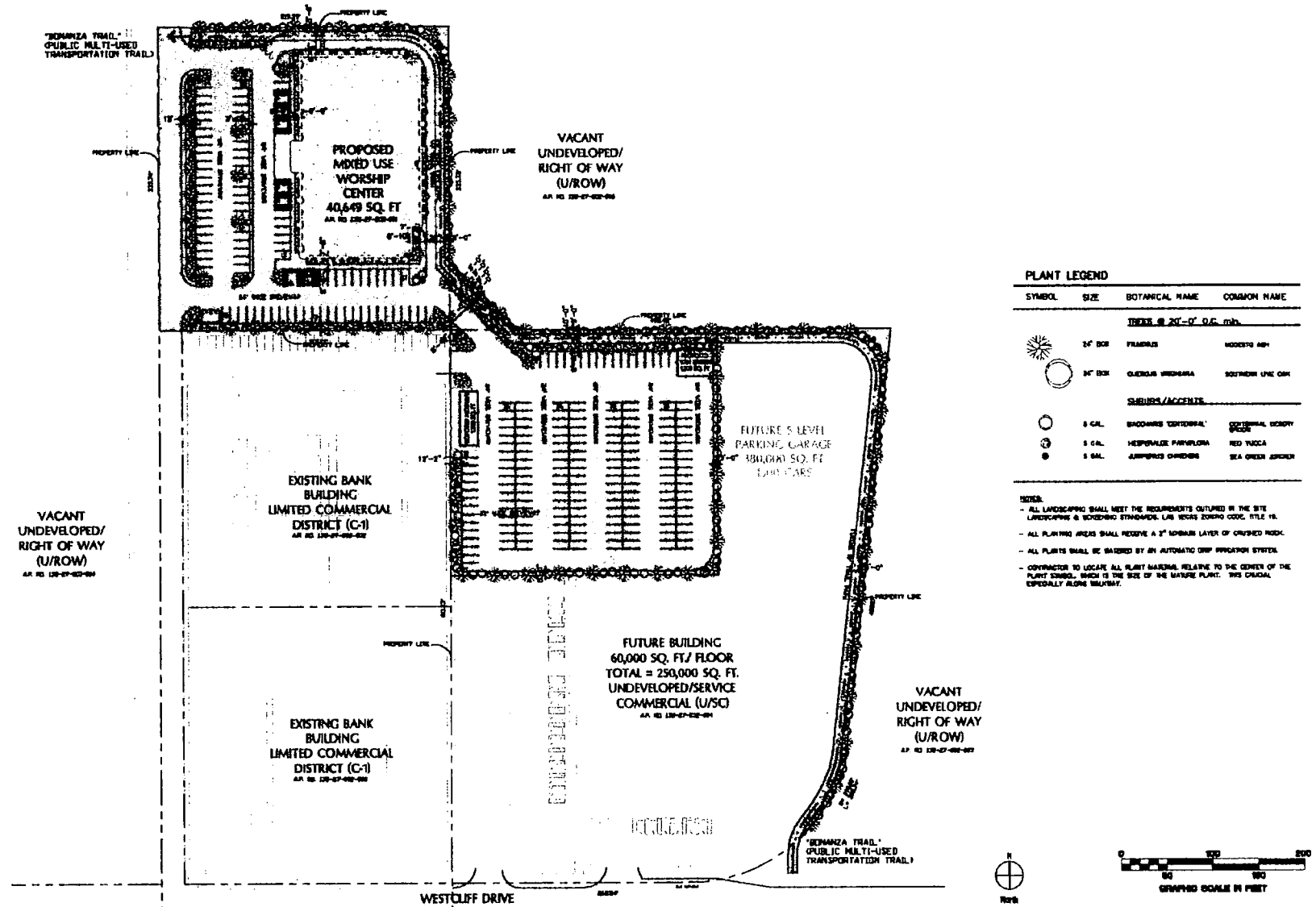
Name of Applicant: TWIN LAKES BAPTIST CHURCH

No

APN: _____

Notary Public in and for said County and State





LANDSCAPE PLAN- PHASE 1 (revised 3-31-04)

TWIN LAKES BAPTIST CHURCH

ZON-3995
SDR-3997
04-08-04 PC
REVISED 04-05-04

LENDALL MAINS
ARCHITECT
10044 E. Canyon Ave.
Suite 100
Henderson, Nevada 89052
Phone 702.910.0000
Fax 702.910.0000

SHEET No.

L-1



ZON-3995 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
ADJACENT TO THE NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3995 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
ADJACENT TO THE NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3995 - PUBLIC HEARING - SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review and a Waiver of the parking lot landscaping standards FOR A PROPOSED 40,649 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A 1,200 SQUARE-FOOT TEMPORARY MODULAR BUILDING on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive (APN: 138-27-802-001; 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [Proposed: C-1 (Limited Commercial) Zone], Ward 2 (Vacant). 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

2

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. Back up referenced from the 4/8/2004 Planning Commission meeting Item 43

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LENDALL MAINS, 10624 South Eastern Avenue, Suite #A-332, appeared on behalf of the applicant with PASTOR NORM LORENCO, who concurred with all conditions

MAYOR PRO TEM REESE asked how long the modular buildings would be needed. MR. MAINS replied that they would be removed within three years.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

MINUTES – Continued:

COUNCILMAN BROWN explained that Condition 4 indicates that the modular trailer would be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer. ROBERT GENZER, Director, Planning and Development Department, clarified that the Planning Commission imposed that added condition. Whenever a modular trailer is proposed, even if for a limited time, that limited time often gets extended. That is the reason the Planning Commission was concerned about how long it would actually be there. The applicant could certainly come back at the end of that two-year period and request an extension for an additional year. COUNCILMAN BROWN requested that the applicant abide with the two-year limit. There have been similar instances where the modular building has been removed within that two-year period. MR. MAINS explained that originally it was going to be three years from now, and then it was tied to the two-year from the issuance of the Certificate of Occupancy. He concurred with all the conditions as well as Condition 4.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(3:34 – 3:36)

5-1434

CONDITIONS:

Planning and Development

1. Rezoning (ZON-3995) to C-1 (Limited Commercial) approved by the City Council.
2. This approval shall be subject to a required three-year review by the Planning Commission as a public hearing.
3. This site development plan approval shall expire in two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The modular trailer shall be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer.
5. A Site Development Plan Review application for Phase II of the project which shall include the development of the perimeter trail, shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

CONDITIONS – Continued:

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop an address plan for the site.
7. The landscaping plan shall be revised to depict the minimum landscaped buffer width and number of trees for perimeter and parking landscaping prior to application for a building permit. The landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from views of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilized shoebox fixtures and downward directed lights on the proposed building.
10. All utility boxes exceeding 27 feet cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20% contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

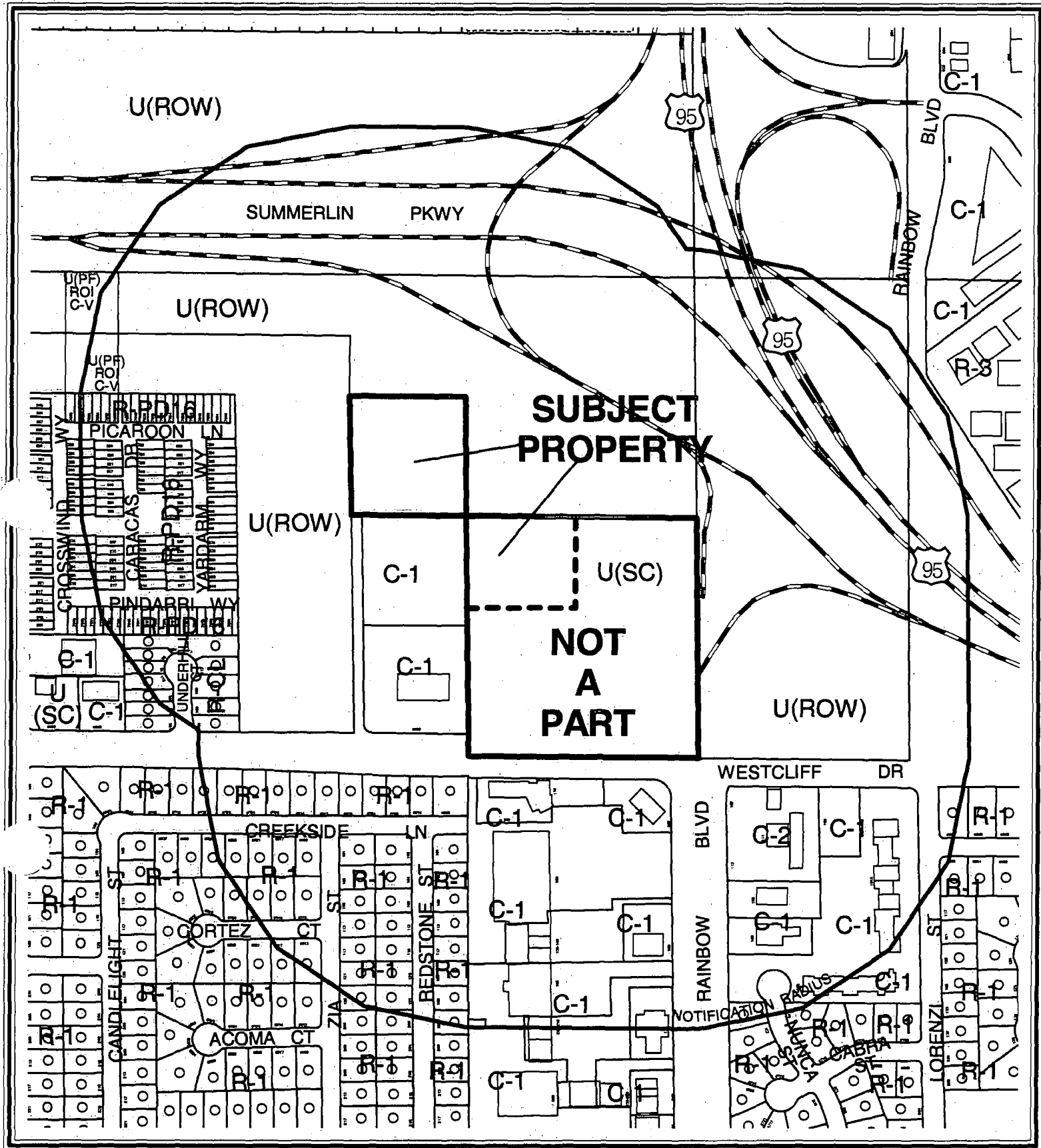
Public Works

12. Provide proof acceptable to the City Engineer that this site has permission to construct a 10 foot trail path, 20 foot wide fire lane and a 25 foot wide driveway across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. If such proof cannot be provided, an alternative access plan must be submitted for approval by the City Engineer that excludes proposed improvements within said BLM owned parcel. Recorded Joint Access Agreements must be provided, if applicable. This condition must be satisfied prior to the issuance of any permits or the submittal of any construction drawings, whichever may occur first.
13. Provide a copy of a recorded Joint Access Agreement between all parcels that comprise this site prior to the issuance of any permits.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 122 – SDR-3997

CONDITIONS – Continued:

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3995 and all other subsequent site-related actions.



CASE: SDR-3997

RADIUS: 750 FT

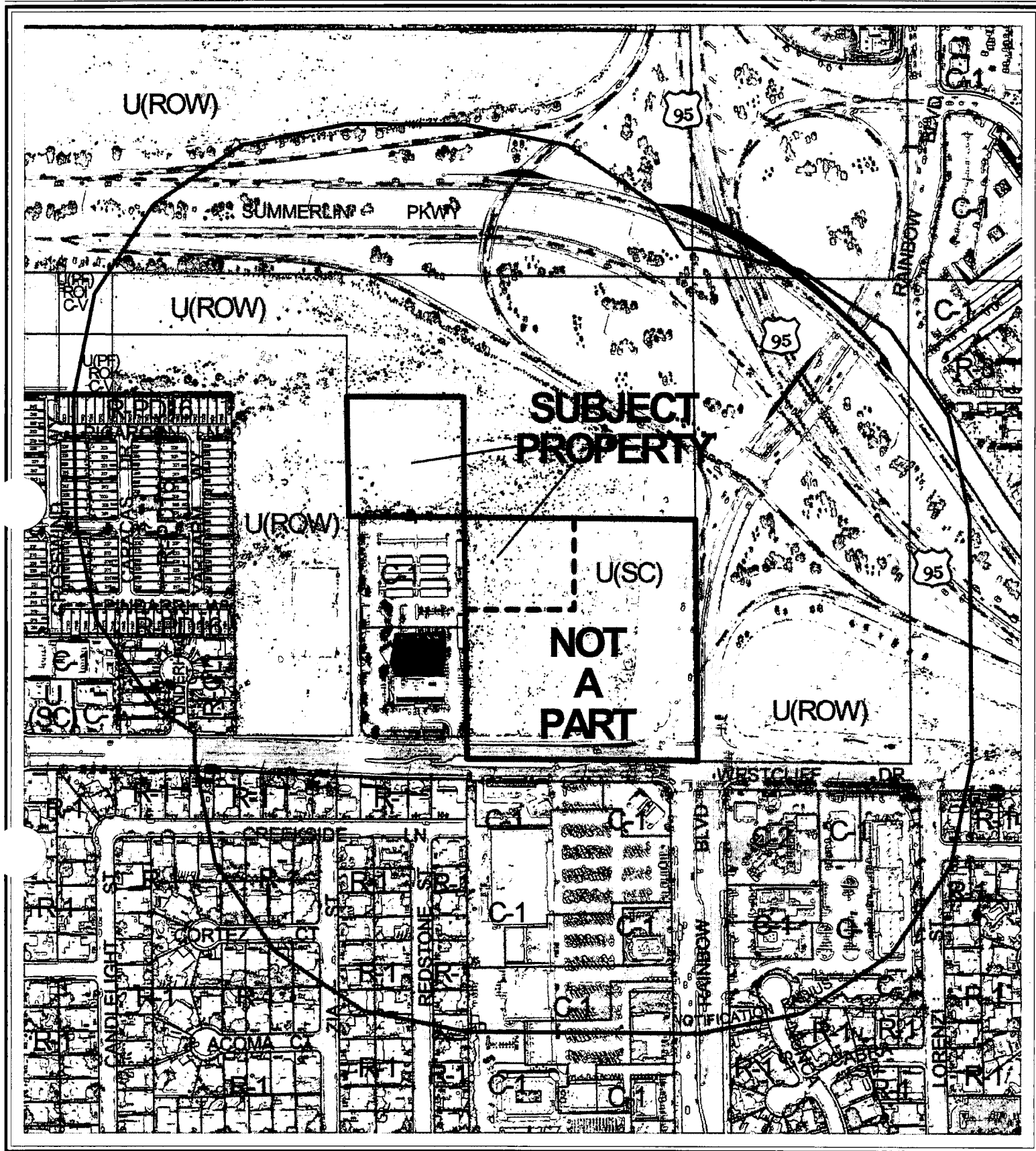
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

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

122





CASE: SDR-3997

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: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH

**** CONDITIONS ****

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

Planning and Development

1. Rezoning (ZON-3995) to C-1 (Limited Commercial) approved by the City Council.
2. This approval shall be subject to a required three-year review by the Planning Commission as a public hearing.
3. This site development plan approval shall expire in two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The modular trailer shall be removed in two years from the date of the issuance of a Certificate of Occupancy for the trailer.
5. A Site Development Plan Review application for Phase II of the project which shall include the development of the perimeter trail, shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop an address plan for the site.
7. The landscaping plan shall be revised to depict the minimum landscaped buffer width and number of trees for perimeter and parking landscaping prior to application for a building permit. The landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from views of abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wallpack lighting shall utilized shoebox fixtures and downward directed lights on the proposed building.
10. All utility boxes exceeding 27 feet cubic feet in size shall meet the standards of Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20% contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

12. Provide proof acceptable to the City Engineer that this site has permission to construct a 10 foot trail path, 20 foot wide fire lane and a 25 foot wide driveway across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. If such proof cannot be provided, an alternative access plan must be submitted for approval by the City Engineer that excludes proposed improvements within said BLM owned parcel. Recorded Joint Access Agreements must be provided, if applicable. This condition must be satisfied prior to the issuance of any permits or the submittal of any construction drawings, whichever may occur first.
13. Provide a copy of a recorded Joint Access Agreement between all parcels that comprise this site prior to the issuance of any permits.
14. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3995 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a two-story, 40,649 square foot house of worship, modular building and parking area on a 12.50 acre parcel located on the northwest corner of Rainbow Boulevard and Westcliffe Drive. A future Phase II, to consist of a church and parking garage is also depicted on the site development plan, but is not a part of this application. A rezoning to C-1 (Limited Commercial) is also on this agenda.

B) Applicant's Justification

The letter states that Phase one will consist of a two story mixed use worship center on the northern portion of the site. Phase Two will consist of a five level parking garage for approximately 1,300 cars and another 60,000 square foot worship center. It is anticipated that the portion of the property covered by APN Number 138-27-802-001 may be sold to Bank of America in the future.

BACKGROUND INFORMATION

A) Previous Actions

- 11/27/90 The Board of Zoning Adjustment approved a Special Use Permit to allow the construction of a church on this property. This was final action; staff recommended approval (U-0168-90).
- 04/08/04 The Planning Commission voted to recommend APPROVAL of a related Rezoning (ZON-3995) request from U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial).
- 04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/dc)

B) Pre-Application Meeting

- 02/06/04 Issues relating to the Bonanza Trail and application options were discussed. The applicant chose to file a rezoning and site development plan review application instead of a General Plan Amendment and rezoning to C-V (Civic).

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 12.50

B) *Existing Land Use*

Subject Property: Vacant
North: Vacant, Right-of-Way
South: Bank of America Building
East: Vacant
West: Vacant

C) *Planned Land Use*

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

D) *Existing Zoning*

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

PROJECT DESCRIPTION

The proposed two story building will be located on the north portion of the site. The first floor will consist of 26,315 square feet, with a 451 seat sanctuary, a 500 seat fellowship area, office space, classrooms and work rooms. The second floor is 14,334 square feet in area, with a 212 seat balcony and additional classroom space. The 1,200 square foot modular building will be located to a proposed parking area to the south of the church, directly east of the existing bank.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Direct access to the church is to the street along the west property line. Direct access to the parking lot is to Westcliff Drive.

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		Y
Min. Lot Width	100 Feet	319	Y
Min. Setbacks			
• Front	25 Feet	28 Feet	Y
• Side	10 Feet	19.5 Feet	Y
• Corner	N/A	---	N/A
• Rear	20 Feet	70 Feet	Y
Max. Lot Coverage	50 %	17	Y
Max. Building Height	None	Two Story	Y
Trash Enclosure	Y	Y	Y

The request meets or exceeds Code Development Standards.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject development.

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
Church	40,649	1 per 4 fixed seats; 1 per 100 square feet of non-fixed; 1/300 for office	268	7	270	7
Total						

The project meets the parking standards of the Code. Additional review will occur at the time of site development plan approval for Phase II of the project.

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	46 Trees	30 Trees
Min. Trees - Perimeter	1 Tree/30 Feet	More info needed	More info needed
• Min. Zone Width	8 Feet		5 Feet
• Wall height	8 Feet		

The applicant has requested no waivers to the landscaping standards. However, the landscaping plan is deficient in the number of trees required in the parking area and additional information will be needed pertaining to perimeter landscaping. A revised landscaping plan depicting conformance to all landscaping standards will be required prior to permits.

B) General Analysis and Discussion

- Zoning

The property is proposed to be rezoned C-1 (Limited Commercial) by companion item ZON-3995. The proposed house of worship is a permitted use in this zoning district.

- Site Plan

The site development plan meets the standards of the Code in terms of setbacks and parking. A joint access and parking agreement will be required prior to the issuance of any permits.

- Waivers

The applicant has not requested any waivers to development standards. However, the site is deficient in terms of parking and perimeter landscaping. If not corrected, the applicant will need to submit a revised site plan and waivers.

- Landscape Plan

A revised landscape plan will be required prior to the issuance of permits.

- Elevation

The building elevations show the building to be 45 feet, five inches to the top of the roof line; the steeple projects to a height of 77 feet, eight inches. The façade consists of foam cornices with stucco and kite shaped decorative insets. A metal ribbed roof will be constructed; the steeple is pre-fabricated.

- Floor Plan

The floor plan provides detail on the number and square footage of each classroom and seating area.

FINDINGS

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

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

The proposed church is compatible with adjacent development, as it is in close proximity to the freeway and other commercial 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 use is consistent with the goals, objectives and policies of the General Plan. A revised landscape plan will be needed to ensure conformity with the landscape and wall buffer standards. A joint parking and access agreement will be necessary to ensure conformity to parking standards.

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

The project will have access to Westcliffe Drive, which should not negatively impact adjacent roadways or adjacent traffic.

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

The height and building elevations are appropriate for this area of the City.

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

The building elevations and design characteristics will contribute to an orderly and pleasing environment and are harmonious and compatible with other development in the area.

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

Building inspections will take place to ensure conformance to the building code.

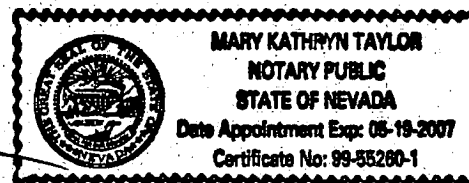
PLANNING COMMISSION ACTION

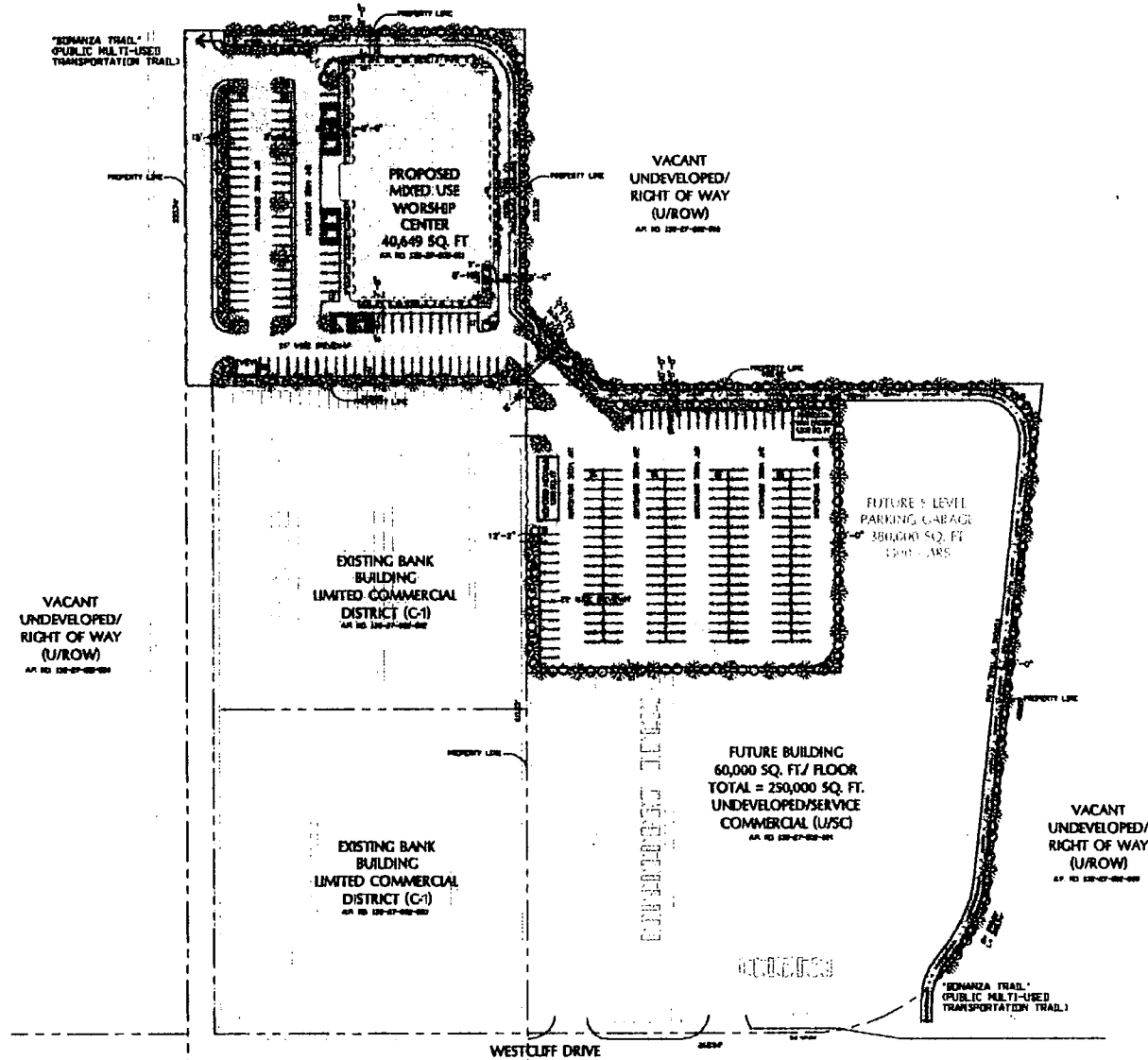
The Planning Commission added condition #2 requiring a three year review and amended condition #5 regarding the required trail.

NOTICES MAILED 181 by Planning Department

APPROVALS 2

PROTESTS 0





PLANT LEGEND

SYMBOL	SIZE	BOTANICAL NAME	COMMON NAME
TREES @ 24" - 36" O.C. min.			
	24" BOX	FRAXINUS	MODERN ASH
	24" BOX	QUERCUS VIRENDA	SOUTHERN LIVE OAK
SHRUBS/ACCENTS			
	5 GAL.	BACCHARIS VERTICILLATA	COASTAL BERRY
	5 GAL.	HESPERALOE PARVIFLORA	RED YUCCA
	5 GAL.	ARTEMISIA CANADENSIS	SEA BREEZ SPIDER

NOTES:

- ALL LANDSCAPING SHALL MEET THE REQUIREMENTS OUTLINED IN THE SITE LANDSCAPING & SCHEDULING STANDARDS, LAS VEGAS DESIGN CODE, FILE 15.
- ALL PLANTING AREAS SHALL RECEIVE A 2" SOILBASE LAYER OF CRUSHED ROCK.
- ALL PLANTS SHALL BE WATERED BY AN AUTOMATIC Drip IRRIGATION SYSTEM.
- COOPERATOR TO LOCATE ALL PLANT MATERIAL RELATIVE TO THE CENTER OF THE PLANT SYMBOL. EACH IS THE SIZE OF THE NATURAL PLANT. THIS CRUCIAL, ESPECIALLY ALONG TRAILWAY.



LANDSCAPE PLAN- PHASE 1 (revised 3-31-04)

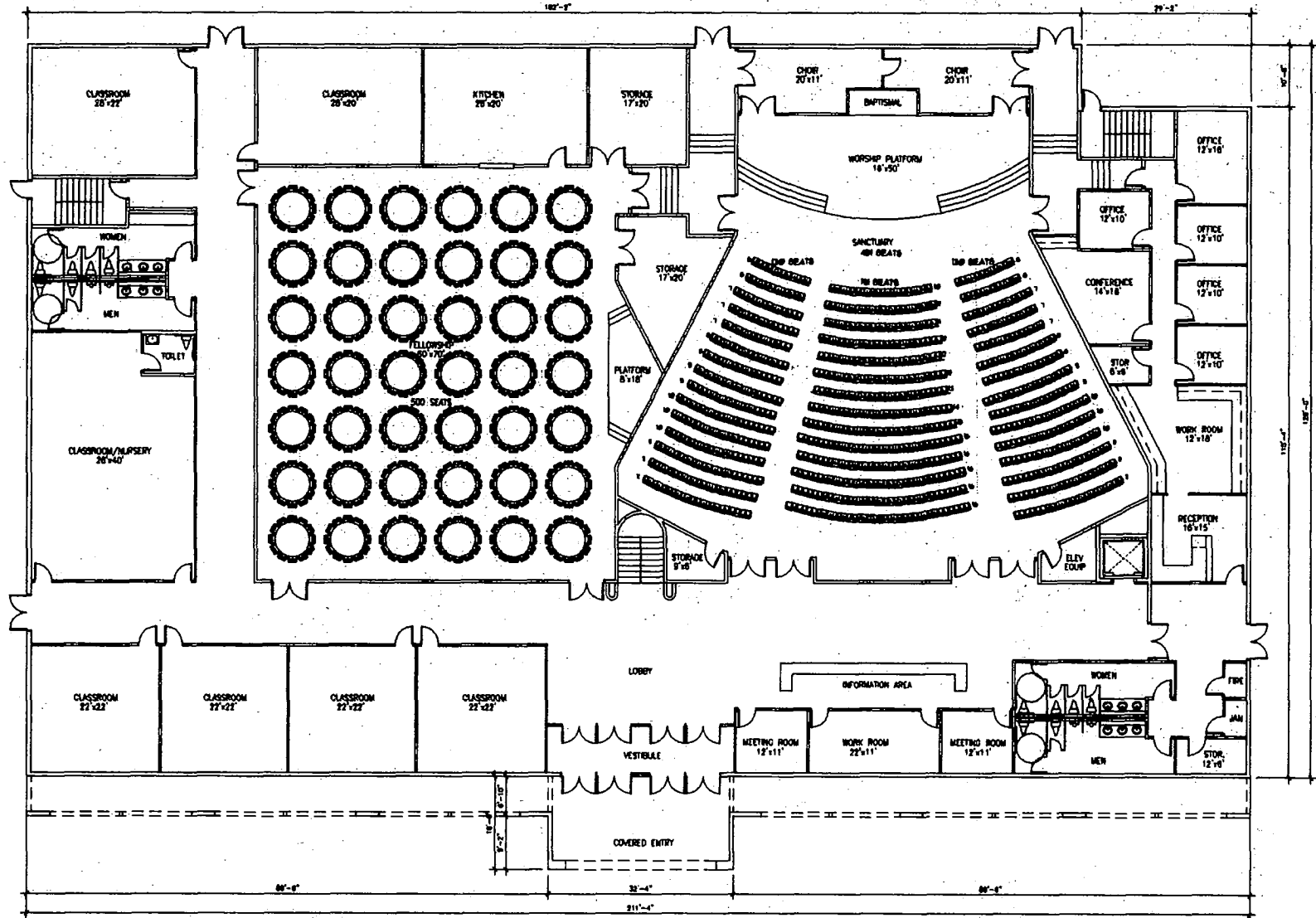
TWIN LAKES BAPTIST CHURCH

ZON-3995
SDR-3997
04-08-04 PC
REVISED 04-05-04

LENDALL MAINS
ARCHITECT
12004 S. Eastern Ave.
Suite 100
Henderson, Nevada 89002
Phone: 702.891.0000
Fax: 702.891.1000

SHEET No.

L-1



FIRST FLOOR PLAN - 26,315 SF

TWIN LAKES BAPTIST CHURCH

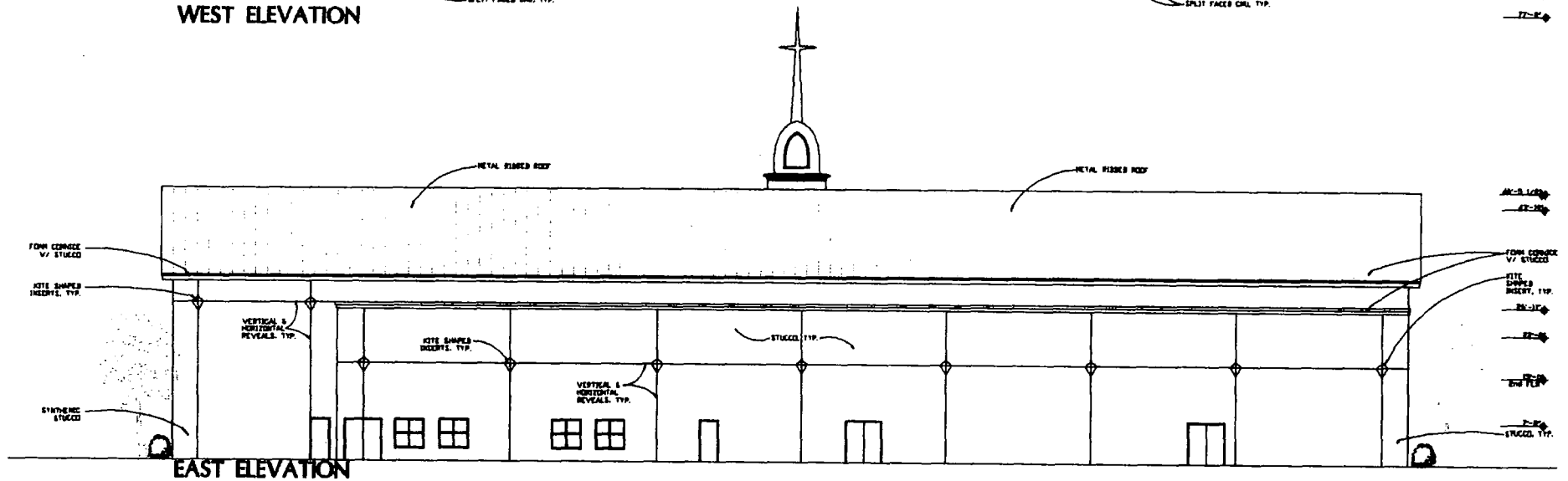
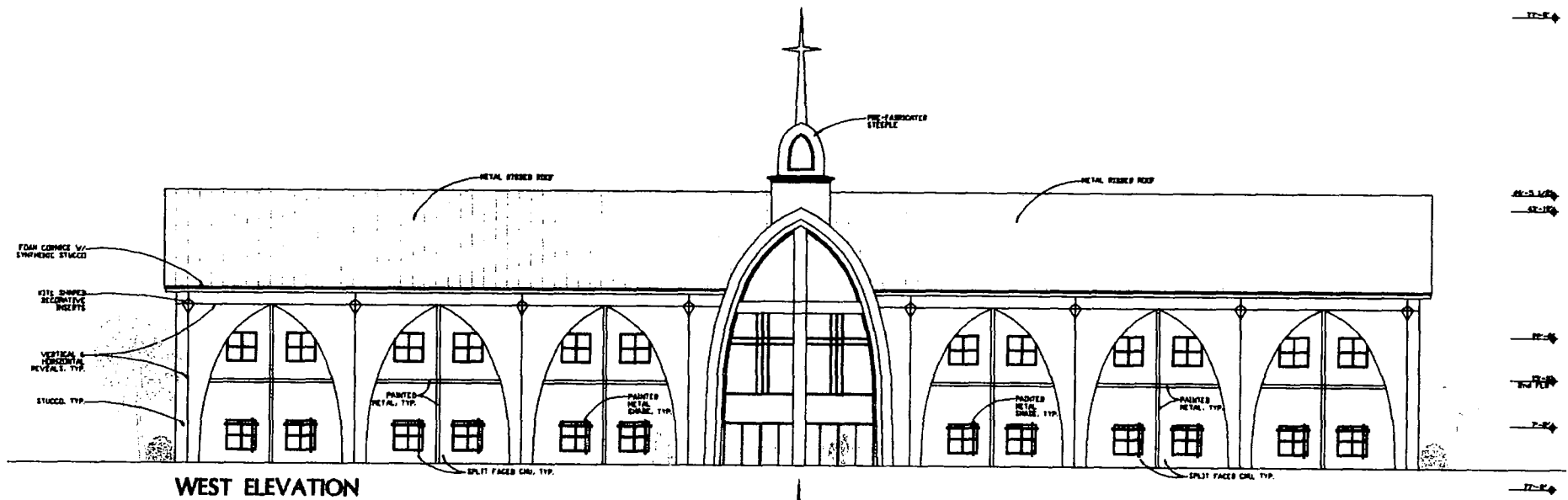


LENDALL MAINS
ARCHITECT
 1000 A. Street, Suite 100
 Twin Lakes, Oregon 97143
 Phone: (503) 466-1000
 Fax: (503) 466-1000

SHEET No.

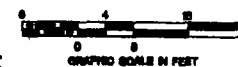
A-1

ZON-3995
SDR-3997
04-08-04 PC



TWIN LAKES BAPTIST CHURCH

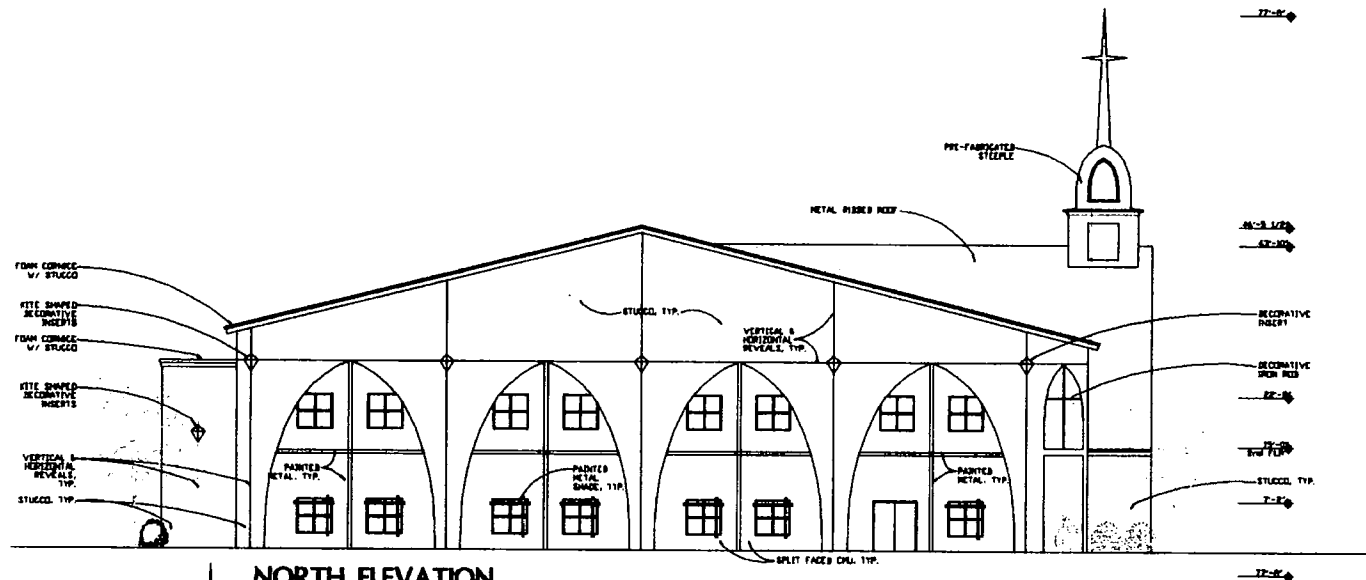
ZON-3995
SDR-3997
04-08-04 PC



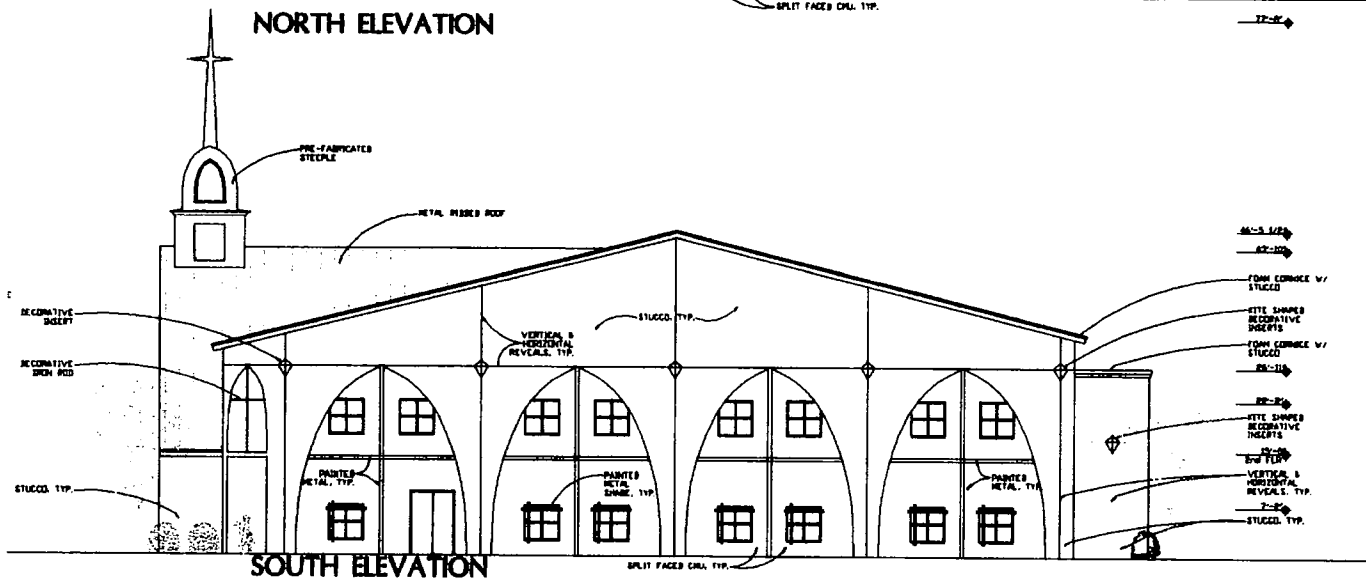
LENDALL MANS
ARCHITECT
1000-A, Dallas, TX
75201
PH: 214.744.1111
FAX: 214.744.1112

SHEET No.

A-3



NORTH ELEVATION



SOUTH ELEVATION

TWIN LAKES BAPTIST CHURCH



ZON-3995
SDR-3997
04-08-04 PC

LENDALL MAINS
ARCHITECT
2024 S. Main Ave.
Salt Lake City
Utah 84143
Phone: 313.222.2222
Fax: 313.222.2222

SHEET No.

A-4



SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
ADJACENT TO THE NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3997 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
ADJACENT TO THE NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MAY 5, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****106****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application Not Applicable
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 28

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 123 [GPA-3977]

MOTION – Continued:

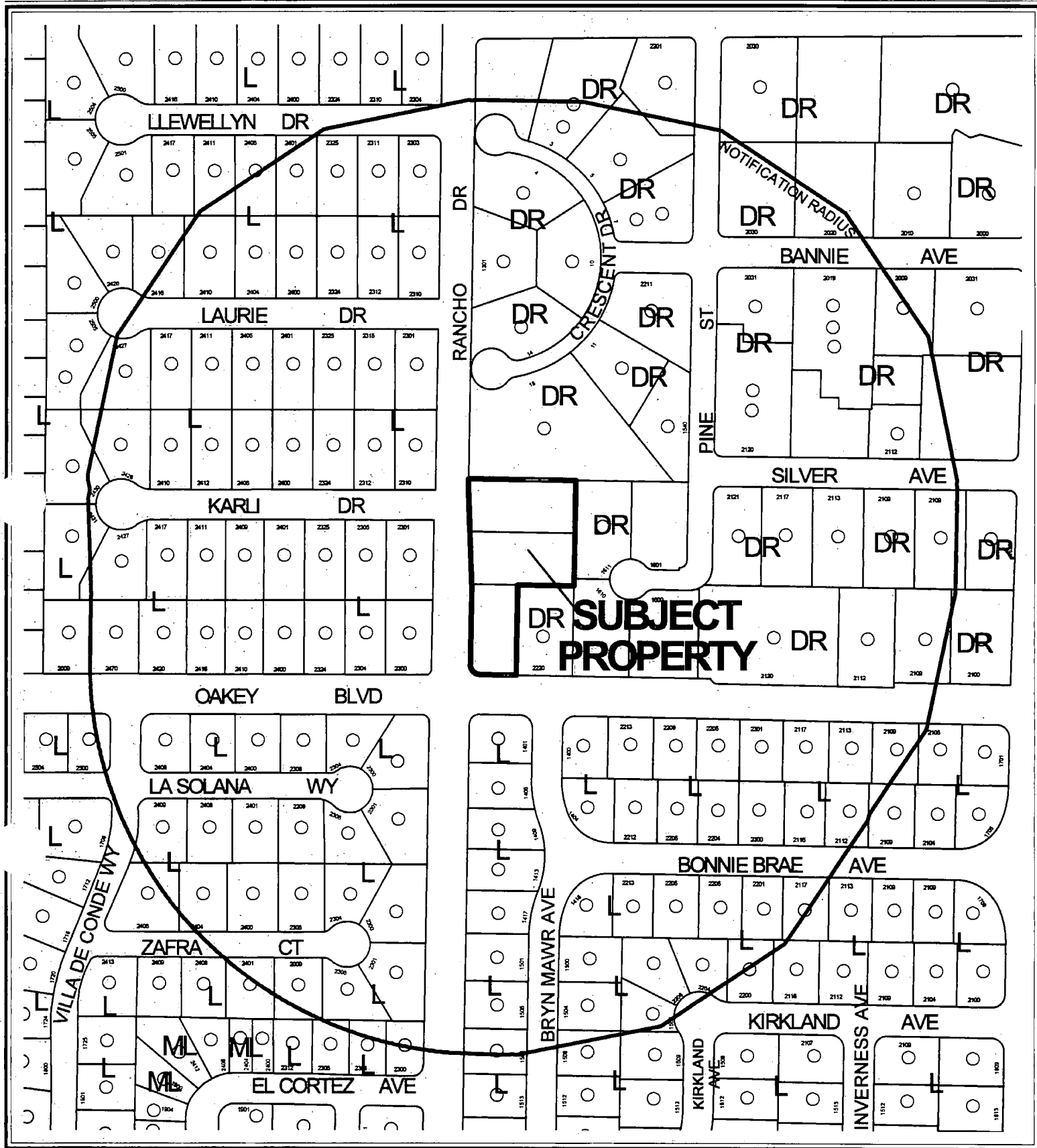
NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

4-1



CASE: GPA-3977

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

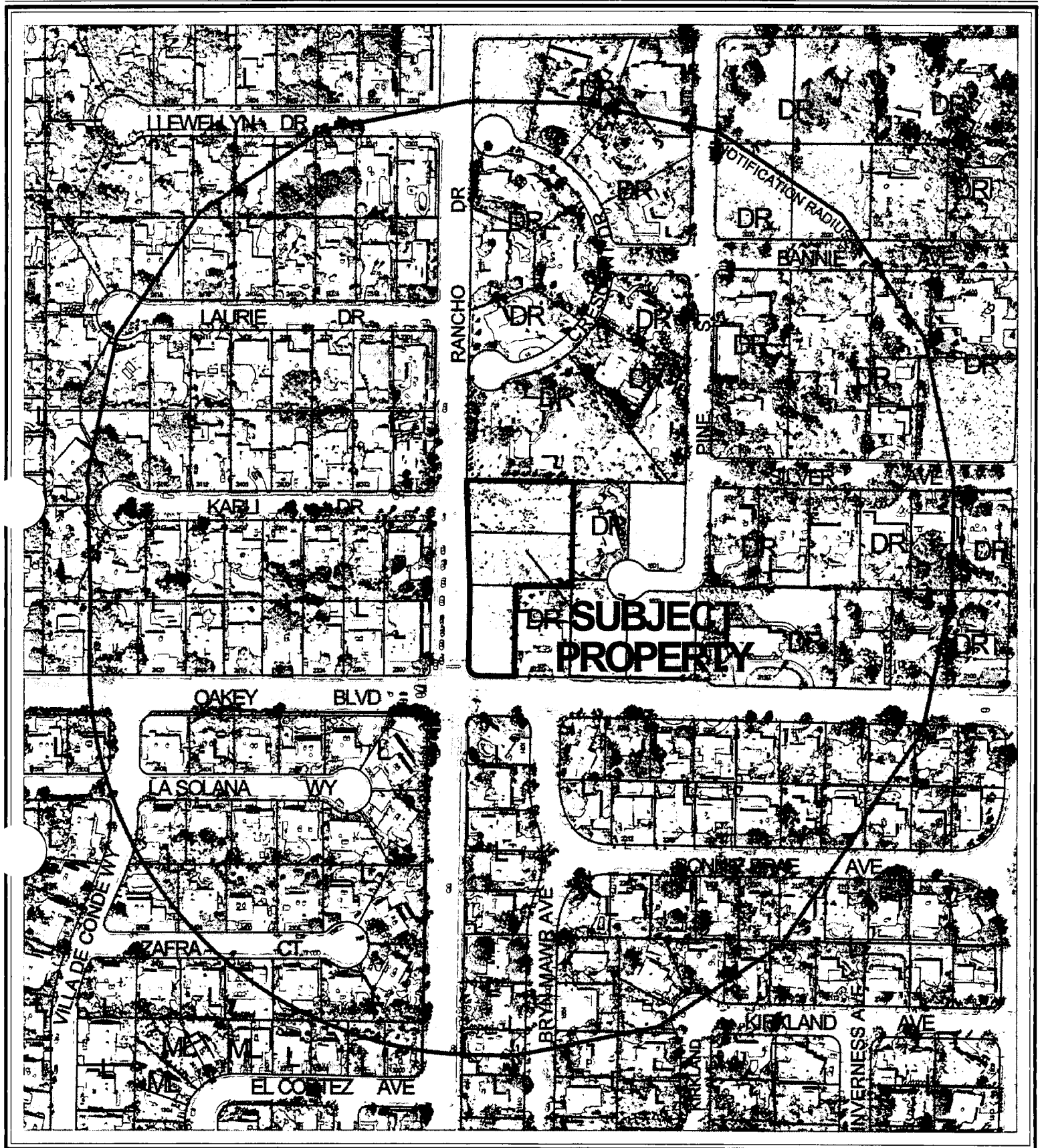
PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet

123





CASE: GPA-3977

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS:
HELEN GOULETTE, ET AL**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject 1.38 acre property located at the northeast corner of Rancho Drive and Oakey Drive from DR (Desert Rural Density Residential) to O (Office). A rezoning application (ZON-3981) and site development plan (SDR-3982) accompany this application.

BACKGROUND DATA:

- | | |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 06/19/02 | The City Council approved the Rancho Charleston Land Use Study and Strategic Plan. On this plan the subject property was designated for Rural Density Residential land uses with a maximum density of two dwelling units per acre. |
| 10/01/03 | The City Council approved an update of the Southeast Sector Map (GPA-2497) of the city of Las Vegas General Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan. |
| 04/08/04 | The Planning Commission voted to recommend DENIAL of a related Rezoning (ZON-3981) request from R-E (Residence Estates) to P-R (Professional Office and Parking) and a Site Development Plan Review (SDR-3982) for a proposed medical office. |
| 04/08/04 | The Planning Commission voted to recommend DENIAL (PC Agenda Item #28/dds) |

DETAILS OF APPLICATION REQUEST

Site Area: 1.38 Acres

EXISTING LAND USE

Subject Property Undeveloped
North Single family residential
South Across Oakey Boulevard, Single Family Residential
East Single family residential
West Across Rancho Drive, Single Family Residential

PLANNED LAND USE

Subject Property D-R (Desert Rural Density Residential)
North D-R (Desert Rural Density Residential)
South Across Oakey Boulevard, D-R (Desert Rural Density Residential)
East D-R (Desert Rural Density Residential)
West Across Rancho Drive, D-R (Desert Rural Density Residential)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North R-E (Residence Estates)
South Across Oakey Boulevard, R-E (Residence Estates)
East R-E (Residence Estates)
West Across Rancho Drive, R-E (Residence Estates)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER	X	
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential) (0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle in this classification is single-family homes on large lots.

O (Office)

The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

RPN (Rural Preservation Neighborhood)

An area identified by Chapter 278 of the Nevada Revised Statutes where residential development density is limited to two dwelling units per acre.

RPN Buffer

A 330-foot transitional buffer for a Rural Preservation Neighborhood identified by Chapter 278 of the Nevada Revised Statutes. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

INTERAGENCY ISSUES

None.

ANALYSIS

A major land use study was undertaken in 2001 out of concern with increasing interest to develop many of the vacant lots in the Rancho – Charleston corridor for office use. Consequently, the Rancho Charleston Land Use Study and Strategic Plan was adopted June 19, 2002. As stated in the Plan, the major goal is to: “Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21).”

The Rancho Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an “island” of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal “spot zoning.” Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. The staff was not able to make that distinction.

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The staff could not find good cause for varying from the provisions of this law.

FINDINGS

Title 19.18.030.I requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

As to condition number "1," a compatibility issue exists when commercial development is introduced to a residential area. Office development is less intensive than many other commercial uses, but it is more intensive than residential development, when considering the associated activities with a business.

Likewise, there is a problem in satisfying condition number "2" for the same reasons indicated for condition number "1."

In regard to condition number "3," public facilities and infrastructure presently exist to support commercial development. Access would be directly to Rancho Drive or Oakey Boulevard. The property is within 1½ miles of a fire station at 1020 Hinson Street and approximately two miles of a police station at 4th Street and Clark Avenue.

In regard to condition number "4," objectives and policies are addressed in the Rancho Charleston Land Use Study and Strategic Plan. As discussed above, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21)." The subject application is contrary to this goal.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/03/04 Approximately 40 to 60 people attended the meeting. Their concerns were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection)
- Overall concept of community will be disrupted
- Angry with past "city planners" for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community
- "Greedy" landowners and "greedy" agent wanting to make a profit without considering neighborhood needs
- Loss of property value in neighborhood

PLANNING COMMISSION ACTION

There were 18 speakers protesting this application at the Planning Commission hearing.

NOTICES MAILED: 154 by Planning Department

APPROVALS: 0

PROTESTS: 106



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3977 APN: 162-04-210-101
Name of Property Owner: SHERMA HARTZKE
Name of Applicant: DR JAS GROVER

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

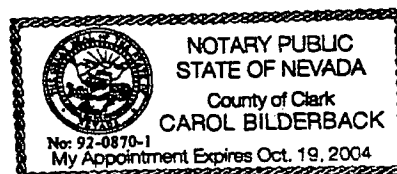
Signature of Property Owner/Authorized Agent:

Print Name: SINEMA ABCTZE

Subscribed and sworn before me

This 17 day of FEBRUARY, 2004

Carol Bildenbach
Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3977 APN: 162-04-210-103

Name of Property Owner: HELEN GOULETTE

Name of Applicant: DR. JAS GROVER

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: _____

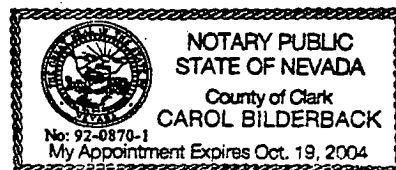
Signature of Property Owner/Authorized Agent: Helen Goullette

Print Name: Helen Goulette

Subscribed and sworn before me

This 6 day of FEB, 2004

Carol Bildbeck
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3977 APN: 162-04-210-102
Name of Property Owner: IBRAHIM BARLAJ / LAURA K. BARLAJ
Name of Applicant: DR JAS GROVER

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: _____

Particular(s): _____

APN: _____

Signature of Property Owner/Authorized Agent _____

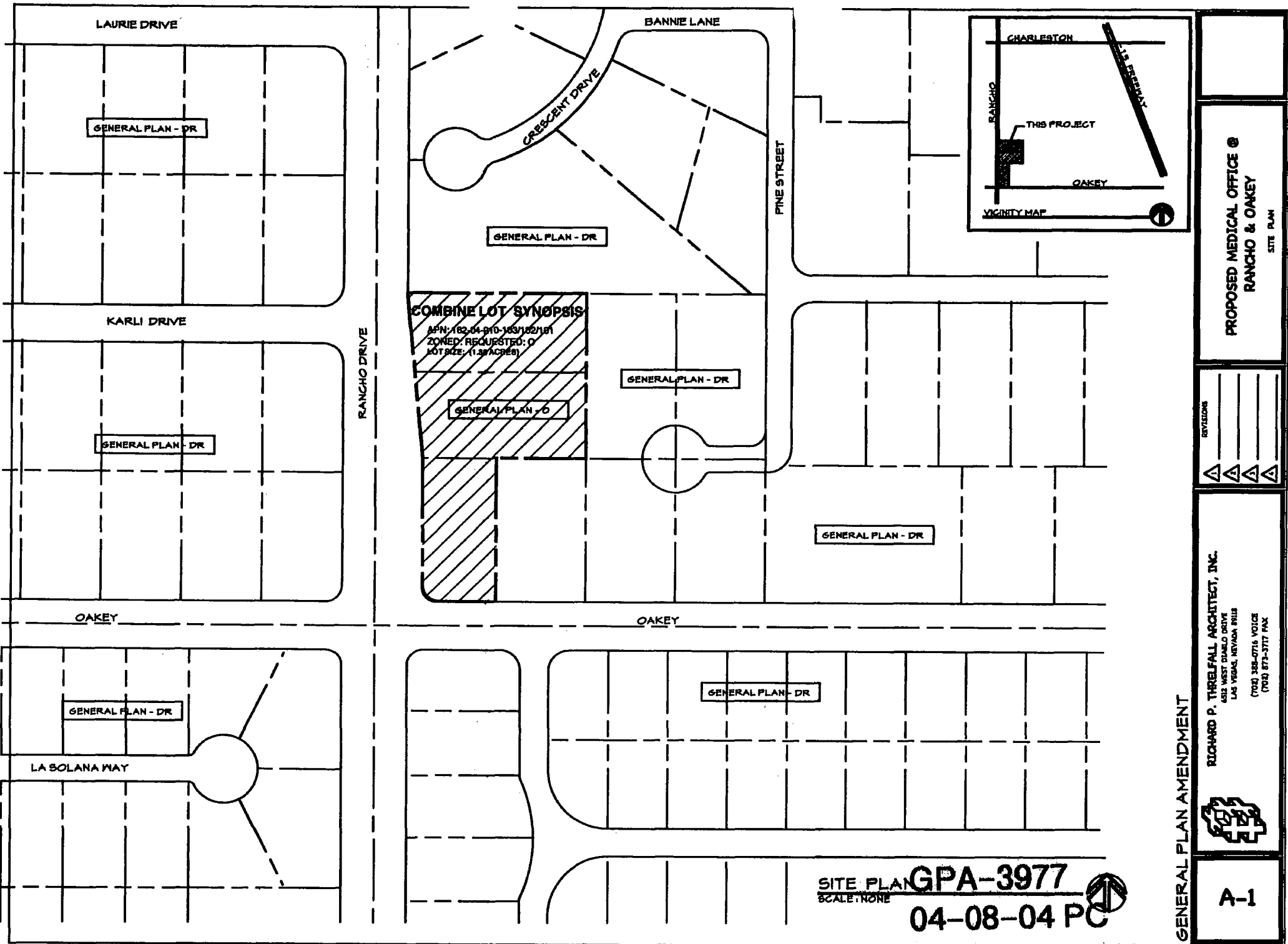
Print Name:

Subscribed and sworn before me

This 9th day of February, 2004

Notary Public in and for said County and State



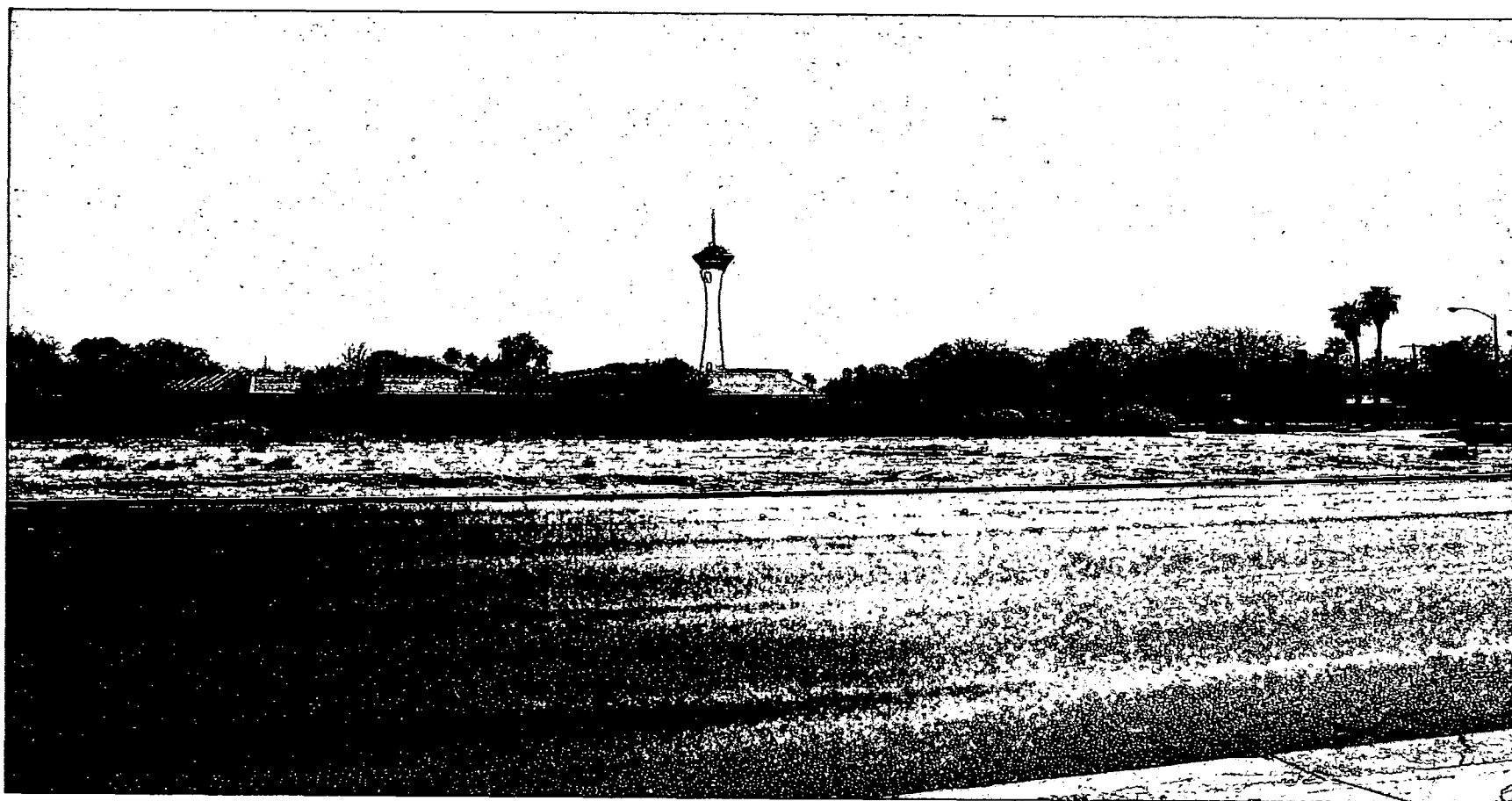


REVISIONS	
1	
2	
3	
4	

**PROPOSED MEDICAL OFFICE @
RANCHO & OAKLEY**

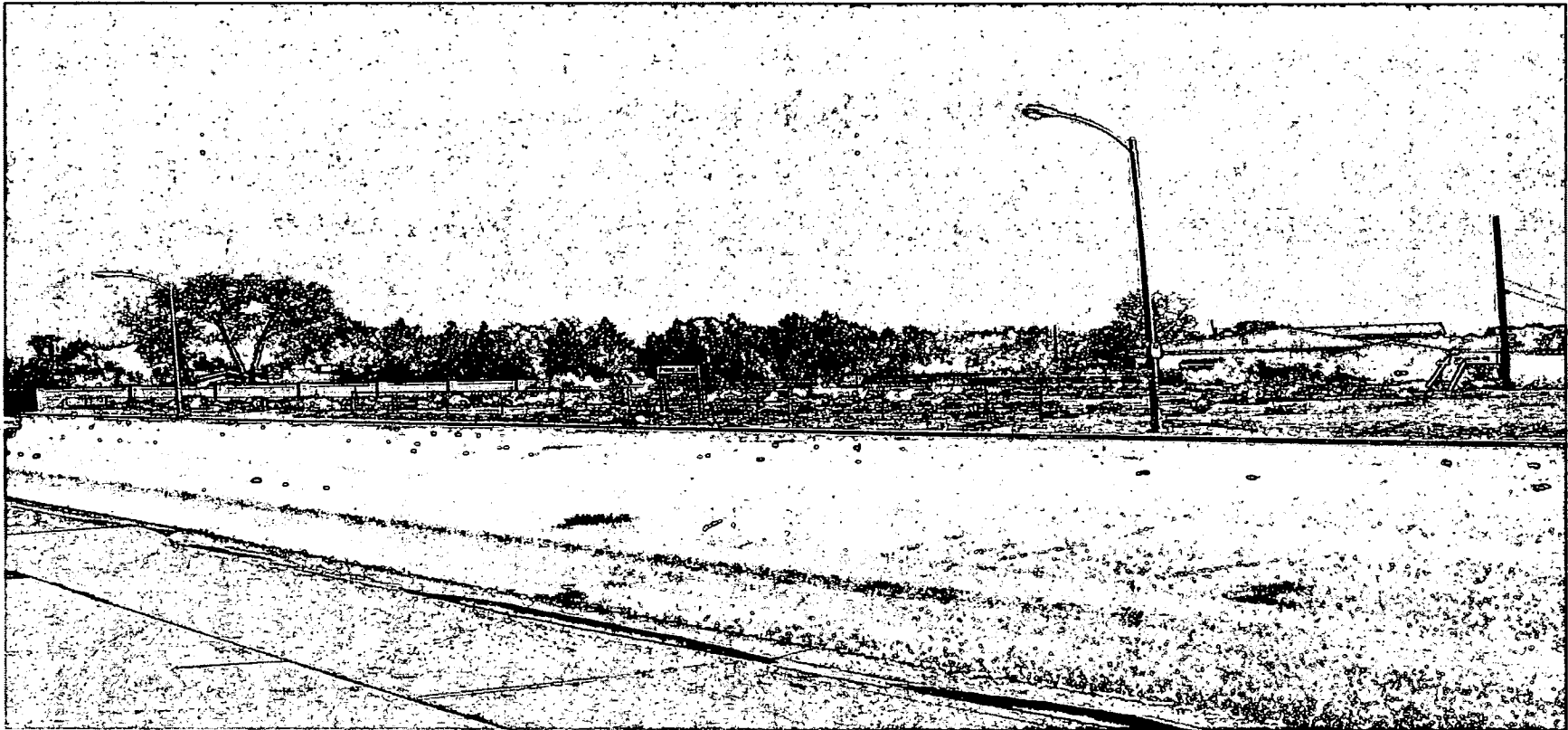
GENERAL PLAN AMENDMENT

RICHARD P. THRELFALL ARCHITECT, INC.
433 WEST CHAMBERLAIN DRIVE
LAS VEGAS, NEVADA 89101
(702) 388-0716 VOICE
(702) 873-3717 FAX



GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

5/3/04

To City Clerk,

Request for Meeting POSTPONEMENT

City of Las Vegas Office of the Mayor / City Council

Re: Request to amend the general plan (DR to O) and re-zone existing RE property to PR for (3) lots located at the North/ East side of the Rancho / Oakley intersection.

APN #: 162-04-210-101 / 2 / 3

RECEIVED
CITY CLERK
2004 MAY -3 12 2332

SDR-3982 / ZON-3981 / GPA-3977

TO WHOM IT MAY CONCERN,

I am the representative of the applicant Dr. Jas Grover.

At this time we would like to respectfully request a postponement for our scheduled May 5th meeting with City Council, to a future June 16th 2004 City Council meeting.

The applicant at this time, would like to review his options and continue to consult with legal council.

Thank you,



Richard Threlfall Architect
702 388-0716

Submitted after final agenda

Date 5/3/04 Item #123,
#124,
#125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MAY 5, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-3977 - PUBLIC HEARING - ZON-3981 -
APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****111****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 29

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 124 – ZON-3981

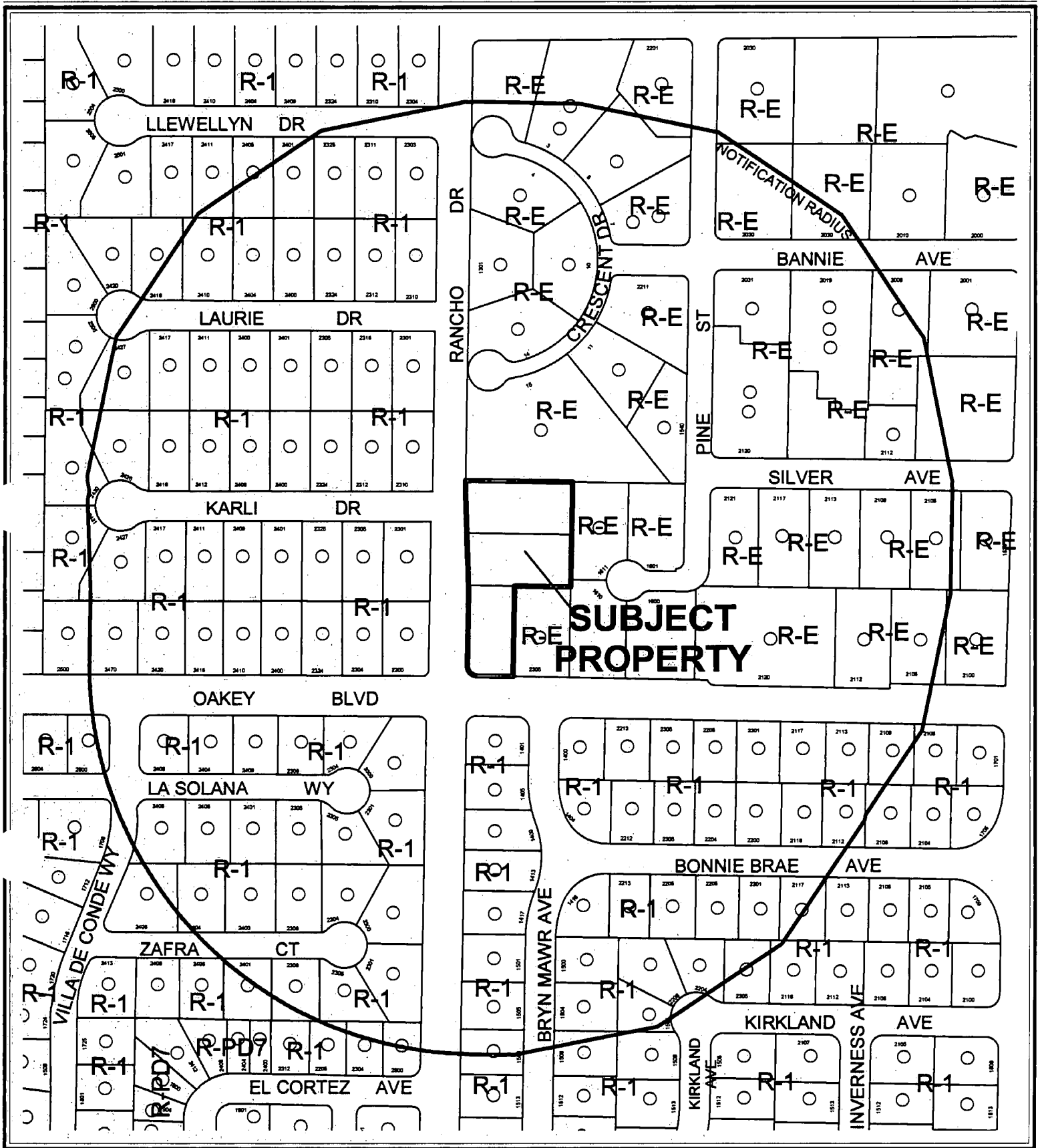
MOTION – Continued:

NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)



CASE: ZON-3981

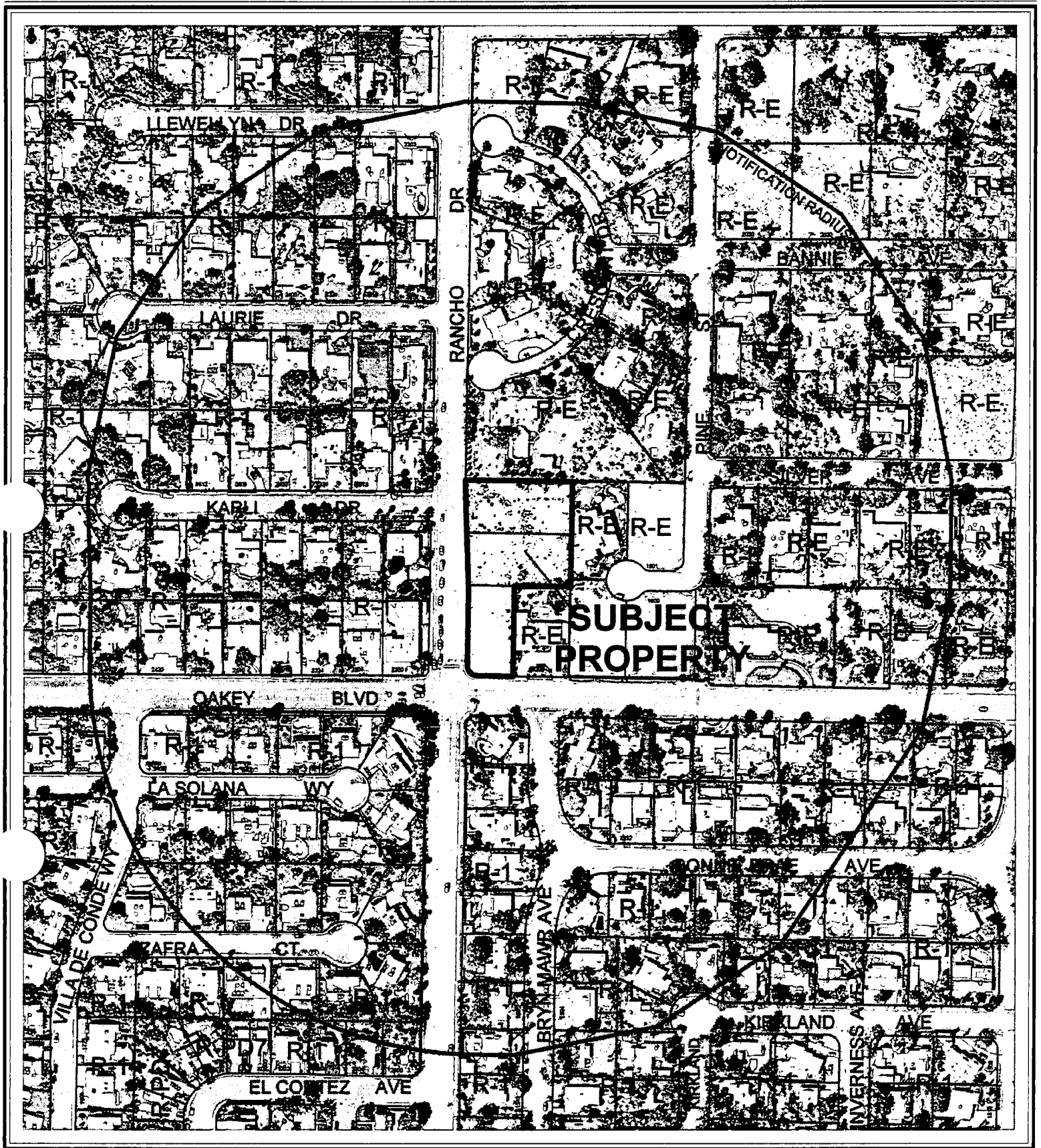
RADIUS: 750 FT

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

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

0 200 400 Feet





CASE: ZON-3981

RADIUS: 750 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: REZONING RELATED TO GPA-3977 AND SDR-3982 -
PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS:
HELEN GOULETTE, ET AL**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3977) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3982) 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

4. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
5. Grant a Traffic Signal Chord Easement at the northeast corner of Rancho Drive and Oakey Boulevard prior to the issuance of any permits for this site; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
6. Construct all incomplete half-street improvements on Rancho Drive and Oakey Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to P-R (Professional Office & Parking) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Boulevard. Companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Site Development Plan Review (SDR-3982) for a proposed 11,200 square-foot medical office will be considered concurrently.

B) Applicant's Justification

The applicant has justified the request by stating that the intent is to create a practical use for three empty residential lots that have very undesirable and isolated locations within an older neighborhood. The applicant feels that the lots, which all border along Rancho Drive, will not be developed as residential property because the only access to them is directly off Rancho Drive and that they have no real relationship or association with the surrounding existing neighborhood. The proposed Rezoning will facilitate the development as proposed.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission recommended DENIAL of related applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and a Site Development Plan Review (SDR-3982) for a proposed 11,200 square-foot medical office.

04/08/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #29/gl)

B) Pre-Application Meeting

02/02/04 The following comments were made at the meeting:

- No commercial uses exist anywhere in the area of predominately low-density residential uses and denial would be recommended.
- Transportation trail is required along the east side of Rancho Drive. There may be the possibility of reducing the width of the path to five feet, consistent with proposed new standards.
- Landscaping would be required around the building foundations; a waiver would be required if the six-foot standard could not be met.

- There may be residential adjacency issues with properties to the south and east.
- One curb cut may be allowed to meet the 220-foot separation requirements

C) *Neighborhood Meetings*

03/03/04 A neighborhood meeting was held by the applicant pursuant to Code requirements for the companion General Plan Amendment. Approximately 40 to 60 people attended the meeting. The concerns raised were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive.
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection).
- Overall concept of community will be disrupted.
- Residents angry with past “city planners” for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community.
- Landowners and representatives wanting to make a profit without considering neighborhood needs.
- Loss of property value in neighborhood.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net acres: 1.38 Acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single-Family Dwelling
South: Across Oakey Boulevard, Single-Family Dwelling
East: Single-Family Dwelling
West: Across Rancho Drive, Single-Family Dwelling

C) *Planned Land Use*

Subject Property: D-R (Desert Rural Density Residential)
North: D-R (Desert Rural Density Residential)
South: Across Oakey Boulevard, D-R (Desert Rural Density Residential)
East: D-R (Desert Rural Density Residential)
West: Across Rancho Drive, D-R (Desert Rural Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: Across Oakey Boulevard, R-E (Residence Estates)
East: R-E (Residence Estates)
West: Across Rancho Drive, R-E (Residence Estates)

E) General Plan Compliance

A major land use study was undertaken in 2001 out of concern with increasing interest to develop many of the vacant lots in the Rancho - Charleston corridor for office use. Consequently, the Rancho - Charleston Land Use Study and Strategic Plan was adopted June 19, 2002. As stated in the Plan, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21)."

The Rancho - Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal "spot zoning." Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. Staff was not able to make that distinction.

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

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. Staff could not find good cause for varying from the provisions of this law.

A trail is required along the west side of the property along the east side of Rancho Drive. The development would have to provide a trail meeting the requirements of the Las Vegas 2020 Master Plan Transportation Trails Element.

ANALYSIS

A) *Zoning Code Compliance*

Development standards for the proposed P-R (Professional Office) zoning are outlined within Title 19.08 of the Zoning Code and are addressed as part of the Site Development Plan Review process. Analysis of landscaping requirements is also part of the review. The Planning Commission and City Council will review the development standards through consideration of the Site Development Plan Review (SDR-3982), a related item.

B) *General Analysis and Discussion*

The applicant has indicated in a letter of justification for the change in zoning that it is doubtful the property will develop for single-family residences because of their configuration, having frontage on Rancho Drive. This premise may be suspect since the area is a well-established large lot exclusive single-family residential area. Furthermore, with the three subject lots under single ownership, there is the opportunity to reconfigure the lots in such a way that they would be more desirable for residential purposes.

FINDINGS

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

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

The existing General Plan designation of the subject site is DR (Desert Rural Density Residential), which allows a density of 2.0 units/gross acre. The applicant has filed a companion General Plan Amendment (GPA-3977), requesting amendment to the O (Office) designation. This land use classification is inconsistent with the General Plan. Accordingly, denial of the General Plan Amendment request is recommended.

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."

As discussed above, the uses permitted in the P-R (Professional Office) are not compatible with the existing large lot single-family dwellings that are located adjacent to the site.

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

The growth and development factors in the community do not indicate a need for the Rezoning to P-R for an office complex on this site. In addition, there are other locations with the appropriate zoning within Las Vegas that would allow a development such as this.

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

Access to the site is proposed from Rancho Drive, which is depicted as a Secondary (80-foot) Collector road on the Master Plan of Streets and Highways. This road contains sufficient capacity to serve the proposed development.

NOTICES MAILED 154 by Planning Department

APPROVALS 0

PROTESTS 111



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3981 APN: 162-04-210-101

Name of Property Owner: SHERMA HARTZKE

Name of Applicant: DR JAS GROVER

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 _____

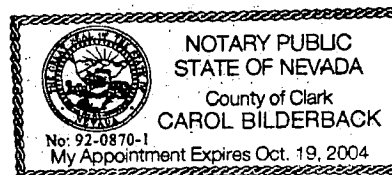
Signature of Property Owner/Authorized Agent: Shelma [Signature]

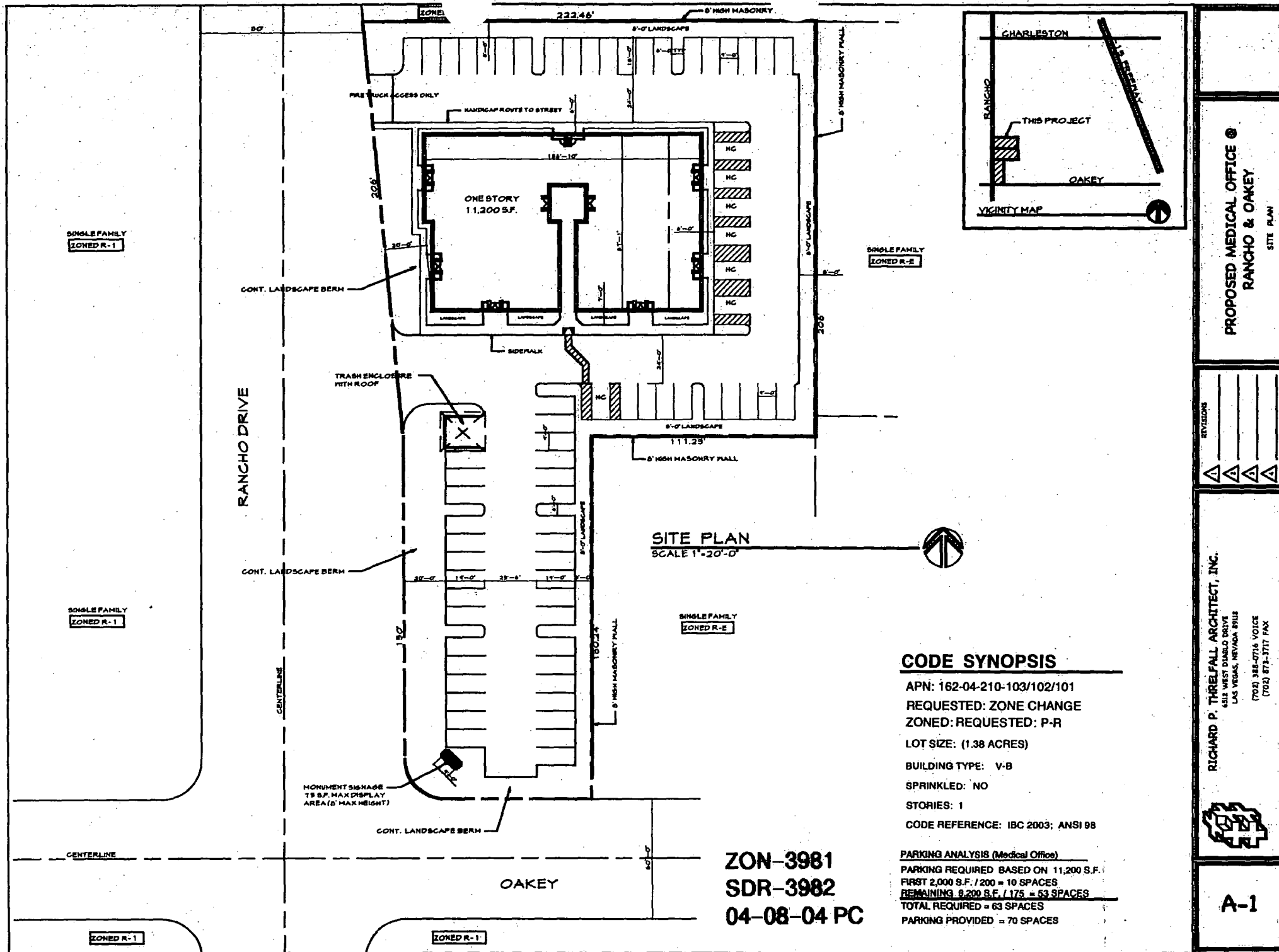
Print Name: SHERMS ARTZKE

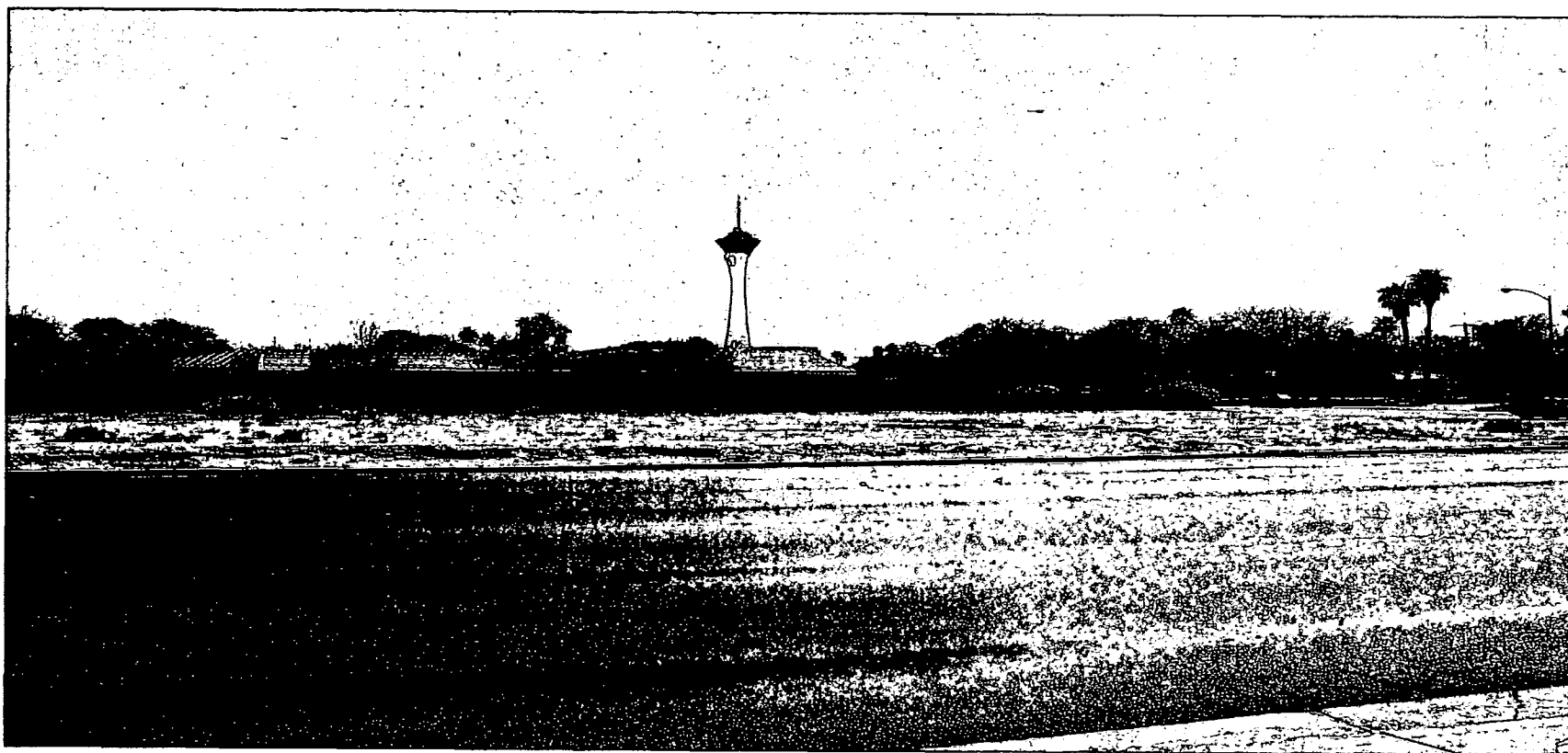
Subscribed and sworn before me

This 17 day of FEBRUARY, 2004

Carol Bildenbach
Notary Public in and for said County and State







ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - **SDR-3982** - **APPLICANT: DR. JAS GROVER** - **OWNERS: HELEN GOULETTE, ET AL** - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

106

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Richard Threlfall Architect for Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982] filed under Item 123 [GPA-3977]
5. Submitted at City Council – Written Opinion for Mayor Goodman regarding abstentions on Items 59, 100, 101, 103, 104, 105, 113, 114, 118, 119, 120, 123, 124 and 125 and Written Opinion for Councilman Mack regarding abstentions for Items 88, 103, 118, 119 and 120. Both Opinions were filed under Item 78.
6. Back up referenced from the 4/8/2004 Planning Commission meeting Item 30

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 125 – SDR-3982

MOTION – Continued:

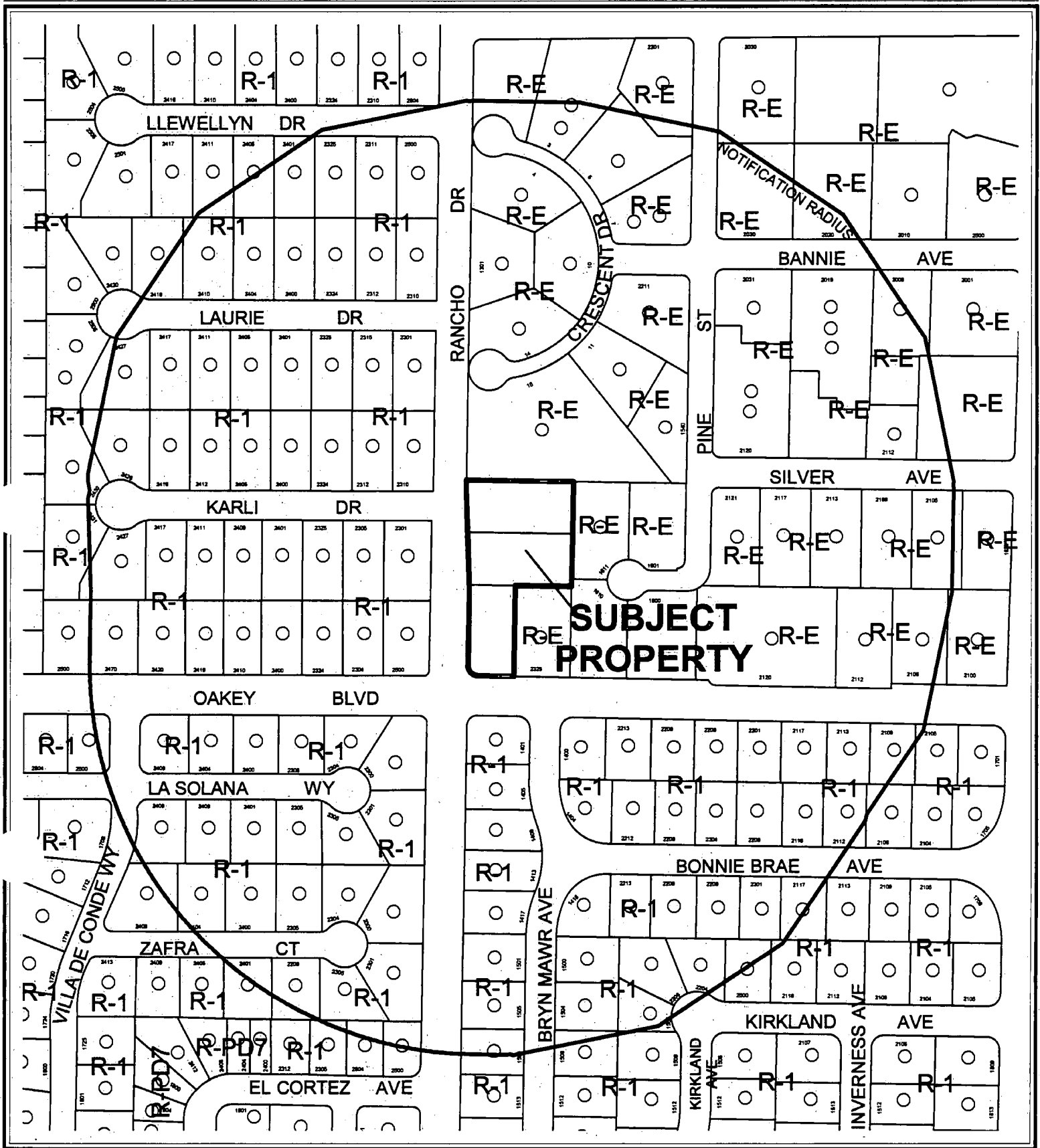
NOTE: DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

MINUTES:

There was no discussion.

(1:22 – 1:28)

4-1



CASE: SDR-3982

RADIUS: 750 FT

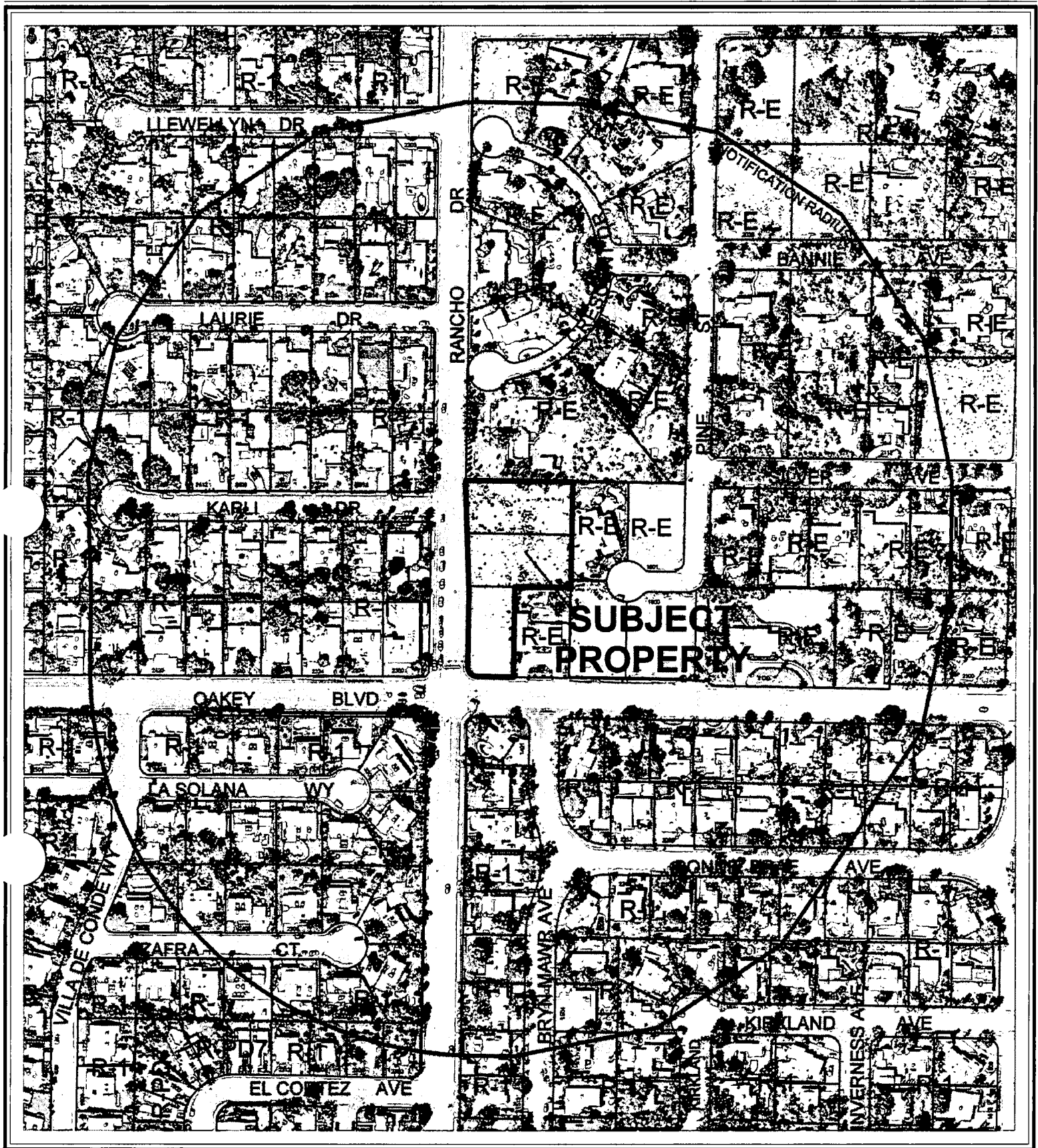
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

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

0 200 400 Feet

125





CASE: SDR-3982

RADIUS: 750 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3977) to O (Office) and a Rezoning [ZON-3981] to P-R (Professional Office) District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a loading zone and to meet Residential Adjacency Standards of the Code. This will require that the site plan be amended to move the building or reduce the building height, or that the applicant seek and receive approval of a Variance from this requirement of the Code.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along the interior perimeters of the site, a minimum 24-inch box trees, each with two minimum 15-gallon trees, planted a minimum of 35 feet on-center along the external perimeters of the site, and the use of a minimum size of 24" box trees in the parking areas.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate any impact from the project on the residential area to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

Public Works

18. Construct a median island within Rancho Drive to restrict driveway movements to right-in/right-out only that is acceptable to the City Traffic Engineer concurrent with development of this site.
19. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
20. Site development to comply with all applicable conditions of approval for Rezoning application ZON-3981 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 11,200 square-foot medical office on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Boulevard. Companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Rezoning (ZON-3981) from R-E (Residence Estates) to P-R (Professional Office & Parking) will be considered concurrently.

B) Applicant's Justification

The applicant has justified the request by stating that the intent is to create a practical use for three empty residential lots that have very undesirable and isolated locations within an older neighborhood. The applicant feels that the lots, which all border along Rancho Drive, will not be developed as residential property because the only access to them is directly off Rancho Drive and that they have no real relationship or association with the surrounding existing neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and a Rezoning (ZON-3981) from R-E (Residence Estates) to P-R (Professional Office & Parking). Staff recommended denial of all three applications.

04/08/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #30/gl)

B) Pre-Application Meeting

02/02/04 The following comments were made at the meeting:

- No commercial uses exist anywhere in the area of predominately low-density residential uses and denial would be recommended.
- Transportation trail is required along the east side of Rancho Drive. There may be the possibility of reducing the width of the path to five feet, consistent with proposed new standards.
- Landscaping would be required around the building foundations; a waiver would be required if the six-foot standard could not be met.

- There may be residential adjacency issues with properties to the south and east.
- One curb cut may be allowed to meet the 220-foot separation requirements

C) Neighborhood Meetings

03/03/04 Approximately 40 to 60 people attended the meeting. The concerns raised were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive.
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection).
- Overall concept of community will be disrupted.
- Residents angry with past "city planners" for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community.
- Landowners and representatives wanting to make a profit without considering neighborhood needs.
- Loss of property value in neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net acres: 1.38 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-Family Dwelling
South: Across Oakey Boulevard, Single-Family Dwelling
East: Single-Family Dwelling
West: Across Rancho Drive, Single-Family Dwelling

C) Planned Land Use

Subject Property: D-R (Desert Rural Density Residential)
North: D-R (Desert Rural Density Residential)
South: Across Oakey Boulevard, D-R (Desert Rural Density Residential)
East: D-R (Desert Rural Density Residential)
West: Across Rancho Drive, D-R (Desert Rural Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: Across Oakey Boulevard, R-E (Residence Estates)
East: R-E (Residence Estates)
West: Across Rancho Drive, R-E (Residence Estates)

E) General Plan Compliance

The site is currently designated as DR (Desert Rural density Residential) on the Southeast Sector Plan map of the General Plan. Desert Rural uses include single family homes on large lots, possibly with equestrian facilities and non-equestrian raising of animals. The companion request for a General Plan Amendment (GPA-3977) would change the designation of the site to O (Office). A major land use study was undertaken in 2001 at the direction of City Council out of concern with increasing pressure to develop many of the vacant lots in the Rancho - Charleston corridor for office use. Consequently, the Rancho Charleston Land Use Study and Strategic Plan was adopted on 06/19/02. As stated in the Plan, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses (page 21)."

The Rancho Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory for all present and future landowners. The burden is on the property owner to demonstrate why the site cannot be developed in the manner in which it is classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal "spot zoning." Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. The staff was not able to make that distinction.

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre; **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. Staff could not find good cause for varying from the provisions of this law.

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 11,200 square-foot one-story medical office on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakley Drive. The building is located on the northern portion of the site and is designed with a pitched tile roof and a central courtyard area. The building is surrounded by parking and the southern portion of the site is dedicated to parking as well. Access to the site is via two driveways to Rancho Drive. A monument sign is proposed at the southwest corner of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards PR District	Required	Provided	Compliance
Min. Lot Width	100 Feet	356 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	56 Feet	Y
• Corner	15 Feet	242 Feet	Y
• Rear	15 Feet	56 Feet	Y
Max. Lot Coverage	50 %	18.6%	Y
Max. Building Height	2 Stories / 35 Feet	1 story/24 Feet	Y
Trash Enclosure	Walled, gated, roofed and 50 Feet from residential	Walled, gated, roofed and 52 Feet from residential	Y
Loading Zone	1	Not indicated	N

The project as proposed conforms to the development standards applicable to the PR (Professional Office and Parking) zoning district, with the exception of a loading zone that is not indicated on the site plan. A condition of approval will require that loading zone to be added to the site plan.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The properties immediately to the north and east of the subject site are designated as DR (Desert Rural Density Residential). Title 19.08.060.A.1.a. requires that residential adjacency standards be observed for non-residential projects adjacent to land so designated. Based on the required 3:1 proximity slope and the proposed building height of 24 feet, a separation distances of 72 feet from the proposed building to the north and east property lines are required. A distance of 56 feet in each direction is proposed. The applicant will need to either move the building or reduce the building height (from 24 feet to approximately 18 feet based on the current building footprint) to comply with the requirement, or seek a Variance from the above-noted provision. A condition of approval addresses this issue.

b) Building setback. The project exceeds this requirement of the Code.

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
Office, Medical and Dental	11,200 S.F.	1 space/200 S.F. up to 2,000 S.F. GFA + 1 space/each add'l 175 S.F. 10% handicap spaces	10 spaces 53 spaces	 7 spaces		
Totals			63 spaces	7 spaces	70 spaces	7 spaces

The project as proposed exceeds the parking requirements 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 24" box Tree/6 Spaces	12 24" box Trees	12 15-gal Trees
Buffer:			
• Min. Trees	1 24" box Tree/35 Feet + 2 15-gal Trees/35 Feet on external perimeters (940 Feet – driveways = 885 Feet) 1 24" box Tree/20 Linear Feet on internal perimeters (720 Feet)	25 24" box Trees + 50 15-gal Trees 36 Trees	10 24" box Trees + 29 5-gal Trees 34 Trees
• Min. Zone Width	15 Feet on external perimeters, 8 Feet on internal perimeters		Y
• Wall height	6 Feet		Y

The proposed landscaping does not meet Code requirements with regard to the required size and number of perimeter trees, and the size of parking lot trees, to be planted. A condition of approval will address this issue.

A5) Sign Standards

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

Monument Signs: P-R zoning district

Standards	Allowed	Provided
Maximum Number	1 / 500 feet street frontage 2 total	1 total
Maximum Area	75 SF	75 SF
Maximum Height	8 Feet	8 Feet
Minimum Setback	5 Feet	16 Feet
Illumination	Must be designed to avoid fugitive light	Y

The proposed monument sign as proposed meets the sign standards of the Code, including the Residential Protection Standards of Title 19.14.070.

B) General Analysis and Discussion

- **Zoning**

The companion Rezoning request (ZON-3981) proposes to rezone the site from the R-E (Residence Estates) Zone to the P-R (Professional Office) Zone. This proposed zone conforms to the proposed O (Office) land use designation, which is the subject of the companion General Plan Amendment request (GPA-3977).

- **Site Plan**

The proposed site plan would conform to the regulations of the Code, other than Residential Adjacency standards, placement of a loading zone and certain landscaping deficiencies highlighted in this report. Discussions have indicated that the applicant is willing to make adjustments in the site plan and building design to eliminate these issues within current Code standards, without the need for Waivers of or Variances to the Code.

- **Waivers**

No Waivers have been requested as part of this application.

- **Landscape Plan**

The landscape plan depicts the use of 24-inch box Arizona Mesquite and Mondel Pine trees as exterior perimeter plantings along Oakey Boulevard and Rancho Drive. Twenty-four inch Mondel Pines are proposed along the interior perimeters of the site. The use of 15-gallon Mondel Pines within the parking area does not meet Code standards. Also, the tree-planting interval proposed for external perimeters is acceptable only if two 15-gallon trees are matched with each 24-inch box tree; the proposal is for five-gallon shrubs, which does not meet Code standards.

- **Elevation**

The elevations depict a one-story structure finished in stucco with a steep-angle pitched tile roof. Columns, banding and stucco wainscoting are used to provide detail and visual interest. Foundation landscape planters are proposed along the south side of the building. An open passageway from the south face of the building will lead to an outdoor courtyard in the middle of the building. The eave height of the building is proposed at 14 feet, with the top of the roof being 24 feet in height. The applicant has proposed to reduce this overall height to approximately 18 feet in order to comply with the Residential Adjacency Standards of the Code.

FINDINGS

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 subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. A compatibility issue develops when commercial development is introduced to a residential area. Office development is less intensive than many other commercial uses, but it is more intensive than residential development, when considering the associated activities with a business.

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;"**

Subject to approval of the companion General Plan Amendment and Rezoning requests, the application will comply with most of the above-noted policies and standards, with the exception of Residential Adjacency Standards, provision of a loading zone, and certain deficiencies in the landscaping plan. The applicant has indicated that the site plan and elevations will be revised to rectify these deficiencies and meet all aspects of the current Code.

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

Access to the site is proposed from Rancho Drive, which is depicted as a Secondary (80-foot) Collector road on the Master Plan of Streets and Highways. This road contains sufficient capacity to serve the proposed development.

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

The building and landscape materials are appropriate for this type of 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 building elevations as shown are typical of office developments. The development of a perimeter wall with a significant amount of landscaping will improve compatibility with adjacent single-family residential development.

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 154 by Planning Department

APPROVALS 0

PROTESTS 106



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3982 APN: 162-04-210-102
Name of Property Owner: IBRAHIM BARLAJ / LAURA K. BARLAJ
Name of Applicant: DR JAS GROVER

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: _____

Partners: _____

APN: _____

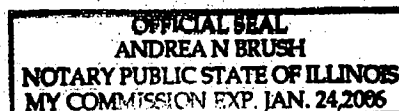
Signature of Property Owner/Authorized Agent _____

Print Name:

Subscribed and sworn before me

This 9th day of February, 2004

Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3982 APN: 162-04-210-103

Name of Property Owner: HELEN GOULETTE

Name of Applicant: DR. JAS GROVER

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: _____

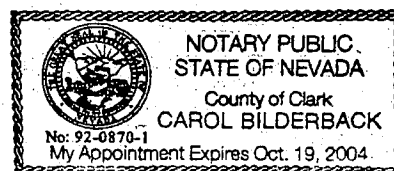
Signature of Property Owner/Authorized Agent: Helen Goullette

Print Name: Helen Goulette

Subscribed and sworn before me

This 6 day of FEB, 2004

Carol B. Hubback
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SPR-3982 APN: 162-04-210-101

Name of Property Owner: SHERMA HARTZKE

Name of Applicant: DR JAS GROVER

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN _____

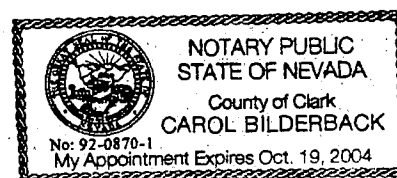
Signature of Property Owner/Authorized Agent:

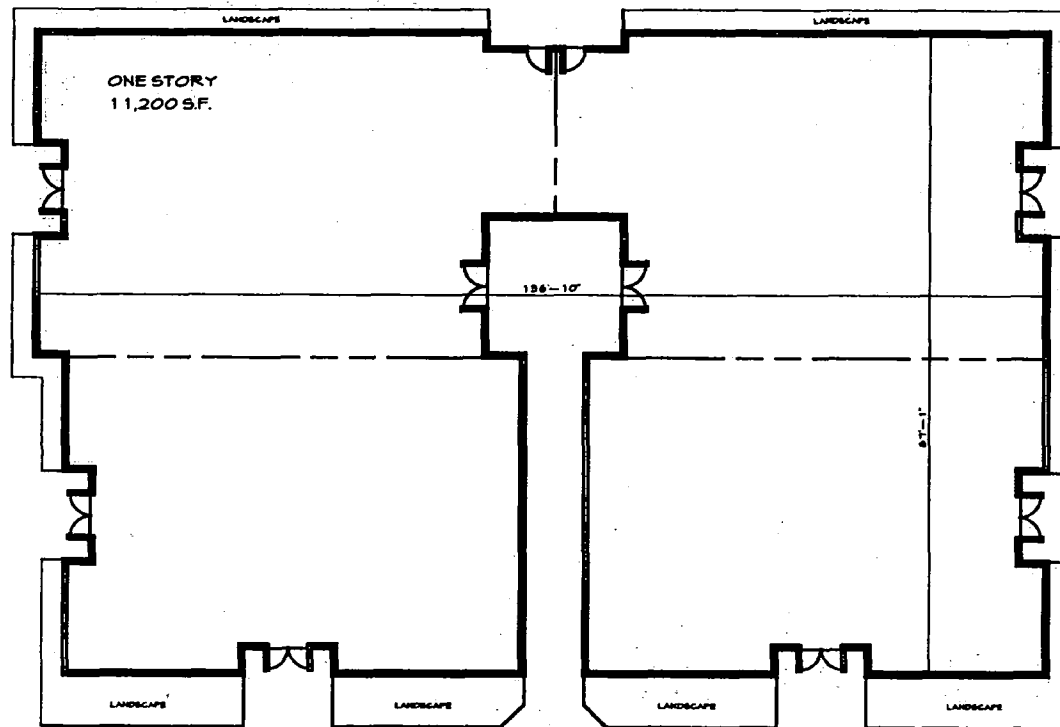
Print Name:

Subscribed and sworn before me

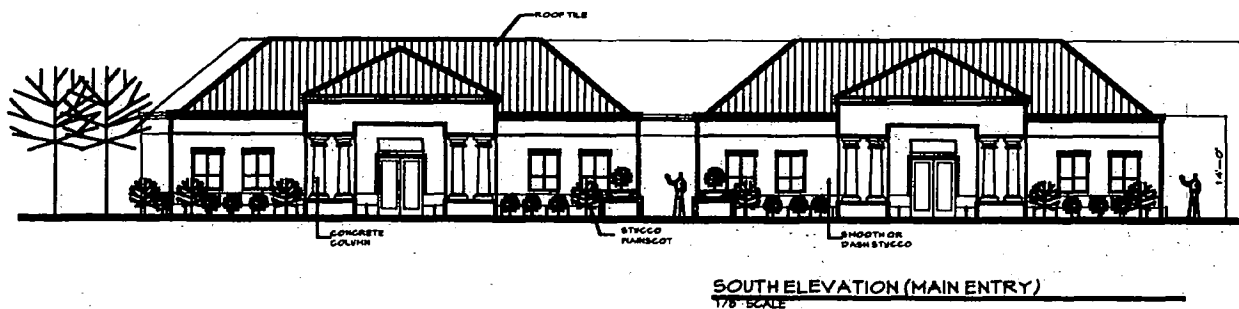
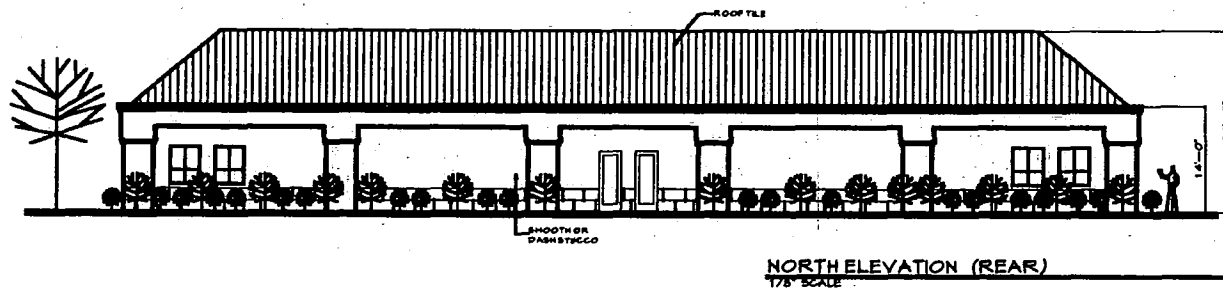
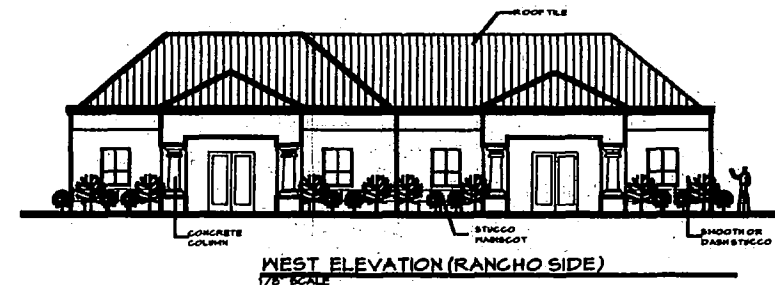
This 17 day of FEBRUARY, 2004

Carol Bildenbach
Notary Public in and for said County and State





FLOOR PLAN
1/8" SCALE



ZON-3981
SDR-3982
04-08-04 PC

PROPOSED MEDICAL OFFICE @
RANCHO & OAKY
FLOOR PLAN / ELEVATIONS

RICHARD P. THRELFALL ARCHITECT, INC.
4511 WEST DUALO DRIVE
LAS VEGAS, NEVADA 89118
(702) 318-0716 VOICE
(702) 871-2717 FAX



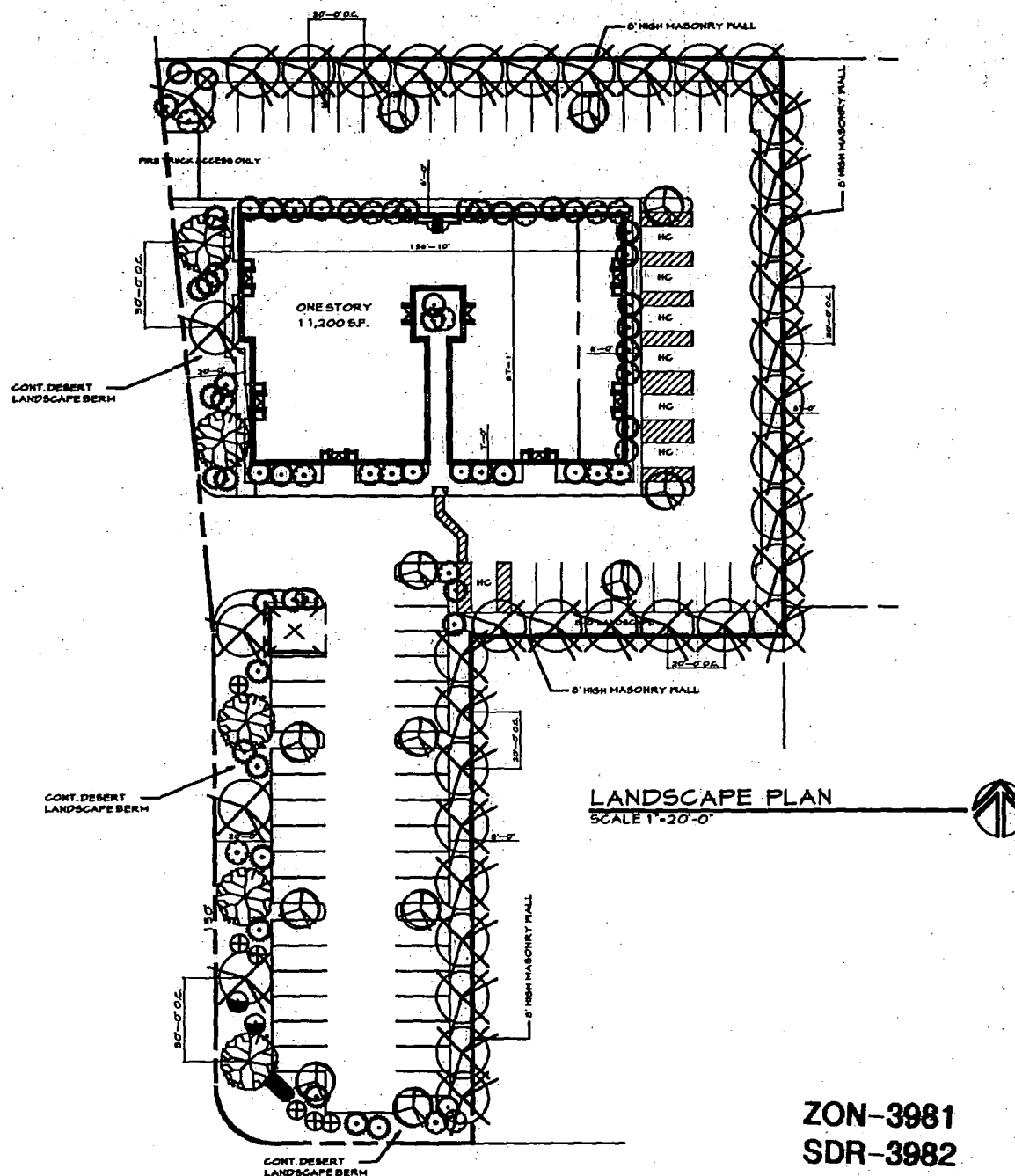
A-2

SYMBOL	COMMON NAME	SIZE
TREES		

	ARIZONA MESQUITE	24" BOX
	MONDEL PINE	24" BOX
	MONDEL PINE	15 GAL

⊕ — Tagetes lucida M. Lombracoid 5 Yellow

	Blackberry Lambdaphys	Controlled Blackberry	0 bushes
	Gould rosehip	Blackberry Gould	5 bushes
	Lamb rosehip	Trailing Lamb	5 bushes
	Multicellular rosehip	Dead rosehip	5 bushes



ZON-3981
SDR-3982
04-08-04 PC

PROPOSED MEDICAL OFFICE @
RANCHO & OAKLEY
LANDSCAPE PLAN

100



RICHARD P. THRELFALL ARCHITECT, INC.
6113 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 875-3717 FAX



L-1



SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: MAY 5, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3985 -
APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY
COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan
FROM: R (RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.30 acres adjacent to the
south side of Via Olivero Avenue, approximately 950 feet east of Buffalo Drive (APN: a portion
of 163-03-402-017), 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 Not Applicable
3. Staff Report

MOTION:

MONCRIEF – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988].

GEORGE ROGERS, 465 South Polaris, appeared on behalf of the applicant. This is the last parcel of its nature that fronts on Sahara Avenue and backs Via Olivero Avenue, a residential street. There have been other controversial parcels relative to car dealerships in the vicinity. However, the request is to zone the parcel C-1, which does not allow a car dealership. It will be for professional development in the rear and some commercial in the front along Sahara Avenue. MR. ROGERS indicated that no negative comments were expressed at the neighborhood meeting. However, at the Planning Commission two neighborhood representatives asked that conditions be added, namely an eight-foot block wall along Via Olivero Avenue to the rear, 20-foot maximum height light poles in the parking lot, enhanced landscaping, and most importantly, no driveways along Via Olivero Avenue. The applicant agreed to those conditions.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 126 – GPA-3985

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that the date 04/02/04 in Conditions 3 and 18 of Item 128 [SDR-3988] needs to reflect 04/08/04. Additionally, a condition needs to be added that was inadvertently dropped from Planning Commission that stated that there is no ingress or egress from Via Olivero.

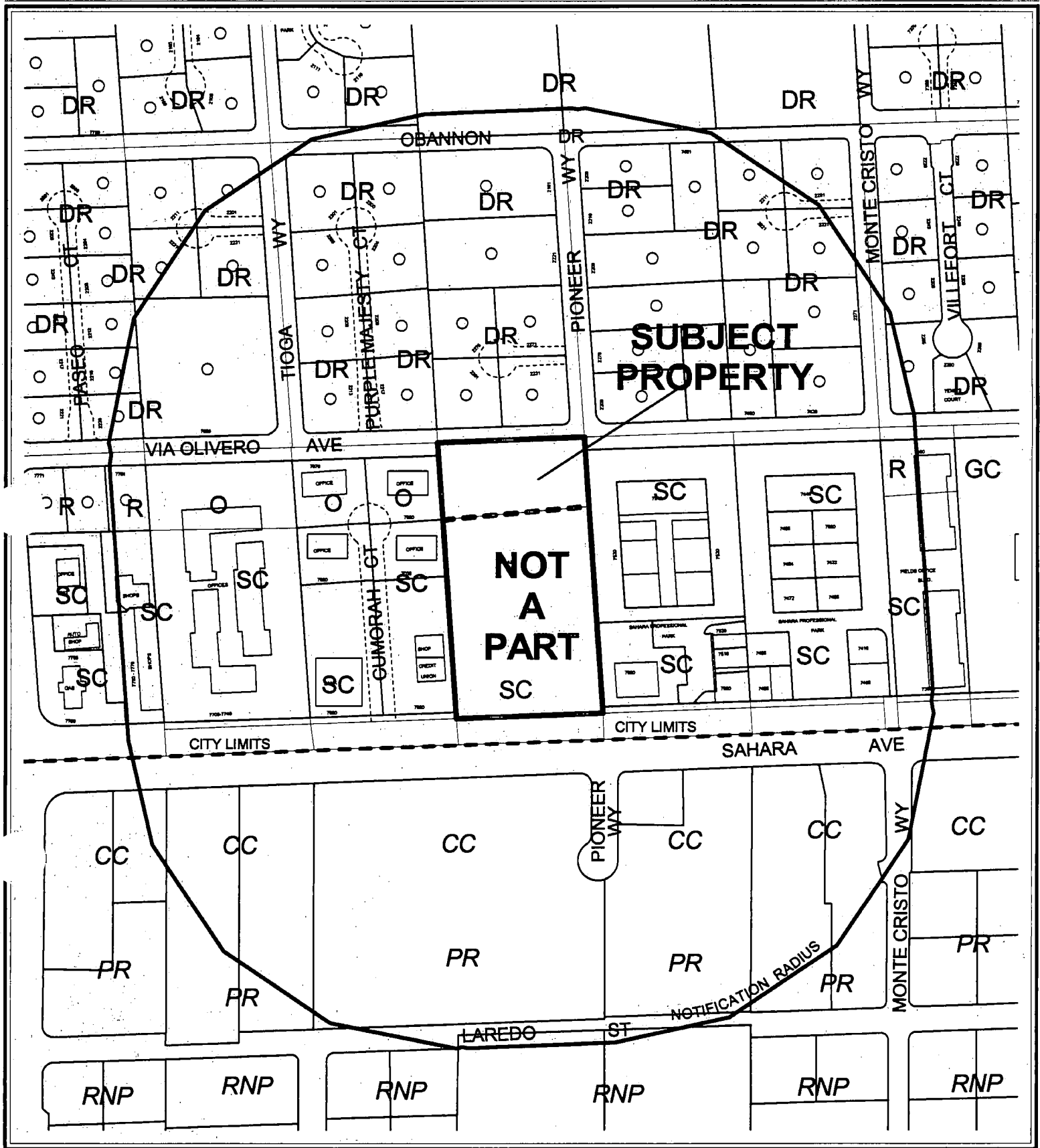
No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988].

NOTE: All discussion for Item 126 [GPA-3985], Item 127 [ZON-3987] and Item 128 [SDR-3988] was held under Item 126 [GPA-3985].

(3:36 – 3:42)

5-1533



CASE: GPA-3985

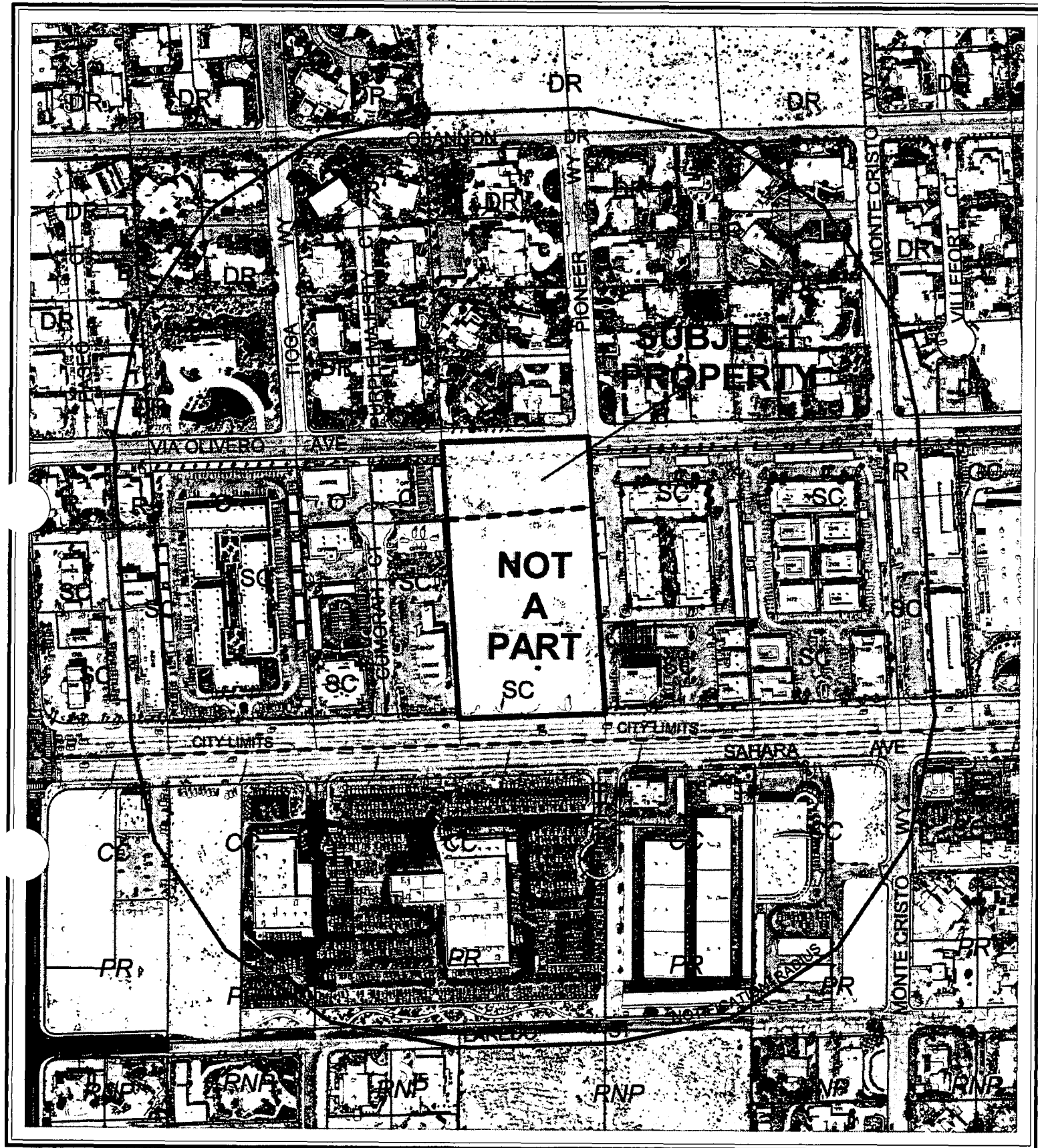
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: O (OFFICE) 126

0 200 400 Feet





CASE: GPA-3985

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: O (OFFICE)



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-3985 - JOHN LEE AND ONG PARTNERS, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend the Southwest Sector Plan of the General Plan land use designation of a 1.30-acre tract of land located adjacent to the south side of Via Olivero Avenue, approximately 950 feet east of Buffalo Drive, from R (Rural Density Residential) to SC (Service Commercial). A rezoning application, ZON-3987, and a site development plan, SDR-3988, have been submitted in conjunction with this application.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject property was designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 08/18/99 The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the *City of Las Vegas Master Plan 2020*. This site is not designated within any specific geographic strategy area as described in the Plan.
- 04/08/04 The Planning Commission voted to recommend APPROVAL of a related Rezoning (ZON-3987) request from FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: O (Office) and FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) and a related Site Development Plan Review (SDR-3988) for a proposed office building and a retail building.
- 04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #31/gl)

DETAILS OF APPLICATION REQUEST

Site Area: 1.3 acres

EXISTING LAND USE

Subject Property Undeveloped
North Across Via Olivero Avenue - Single Family Residential
South Undeveloped
East Offices
West Offices

PLANNED LAND USE

Subject Property R (Rural Density Residential)

North Across Via Olivero Avenue – DR (Desert Rural)
South SC (Service Commercial)
East SC (Service Commercial)
West O (Office)

EXISTING ZONING

Subject Property U (Undeveloped)
North Across Via Olivero Avenue – R-E (Residence Estates)
South U (Undeveloped)
East P-R (Professional Office and Parking)
West P-R (Professional Office and Parking)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER	X	
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential)

(0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

R (Rural Density Residential)

(2.1 to 3.5 dwelling units/gross acre). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

O (Office)

The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

SC (Service Commercial)

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

RURAL PRESERVATION NEIGHBORHOOD

An area identified by Chapter 278 of the Nevada Revised Statutes where residential development density is limited to two dwelling units per acre.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

A 330-foot transitional buffer for a Rural Preservation Neighborhood identified by Chapter 278 of the Nevada Revised Statutes. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

INTERAGENCY ISSUES

None

ANALYSIS

The subject request is to change the land use classification of the rear portion of a tract of land, located approximately 950 feet of Buffalo Drive, that fronts on Sahara Avenue and extends to Via Olivero Avenue to the north. The front portion of the property is currently designated Service Commercial and the interest is to reclassify the remaining portion of the tract from a Rural Density Residential classification to Service Commercial.

The applicant indicates in a report attached to this application that this GPA would provide for the development of retail, office and professional services associated with and conforming to Service Commercial zoning in line with the development of this area of the Sahara Corridor. The existing land use east and west of the subject property is developed for office and service commercial use. Likewise, the future land use designations of property east and west of the subject property are for office or service commercial. Since, the future R classification of the subject tract is the only such designation within 645 feet in either direction, its reclassification would seem to have merit.

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. A large Rural Preservation Neighborhood is located north of Via Olivero Avenue. Except for the subject property, office development is adjacent to this RPN and has land use classifications of Office or Service Commercial. Conditions have been placed upon this development to protect the integrity of the RPN. Residential development within this commercial corridor is inappropriate, providing reasonable justification for departing from the limitations of the RPN Buffer.

FINDINGS

Title 19.18.030.I requires that the following conditions be met to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

Condition number "1" is satisfied, since Office and Service Commercial designations exist east, west and south of the subject property.

Likewise, condition number "2" is satisfied, because P-R and C-1 zoning districts abut the property to the east and west. The applicant is requesting by a separate application the rezoning of the remaining portion of the tract to the south to a C-1 district.

In regard to the third condition, public facilities and infrastructure presently exist to support commercial development. Access would be directly to West Sahara Street. The property is just over two miles of a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to the fourth condition, objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/15/04 There were three representatives present. One resident attended who had questions, but there were no objections to the project.

NOTICES MAILED: 79 by Planning Department

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3985 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

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: Kenny OngPrint Name: Kenny Ong

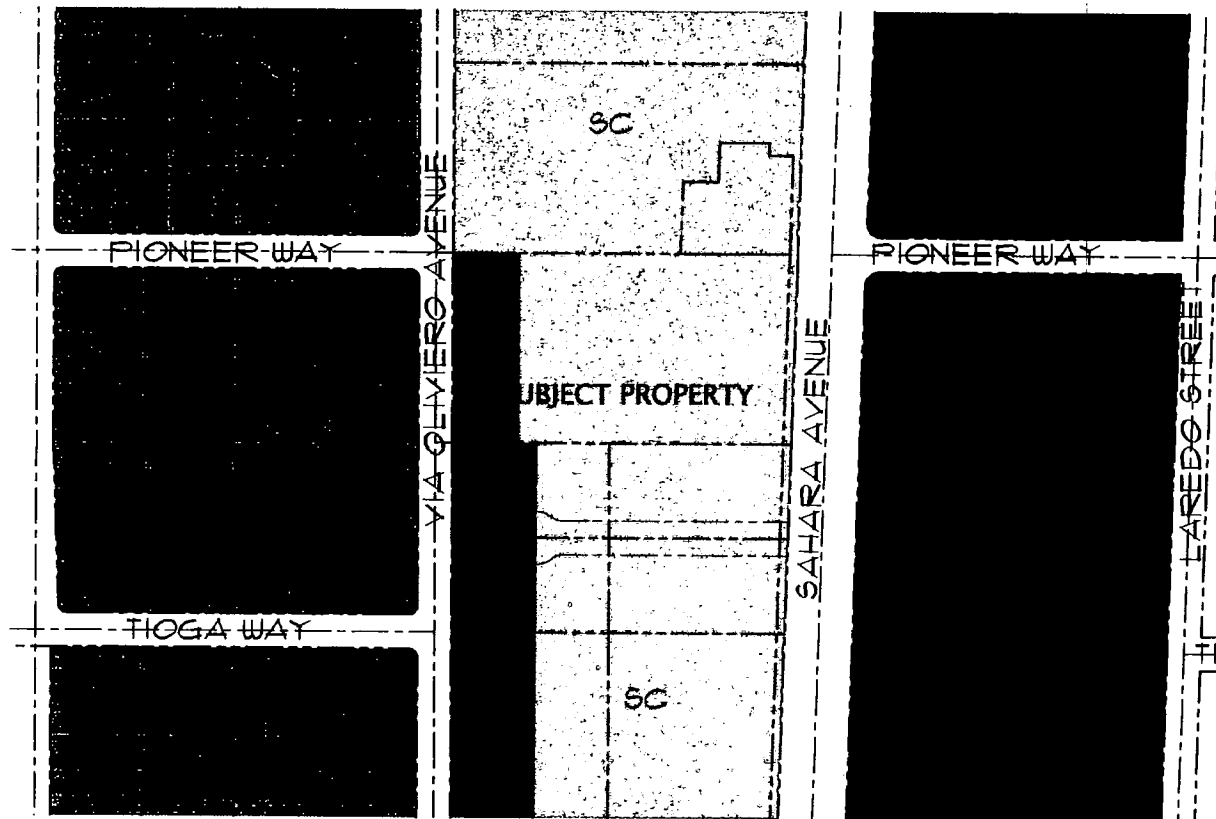
Subscribed and sworn before me

This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02

JAMES C. CHACHAS
Notary Public, State of Nevada
Appointment No. 02-72935-1
My Appt. Expires Nov. 1, 2005

f:\dcpot\Application Packet\Statement of Financial Interest.doc

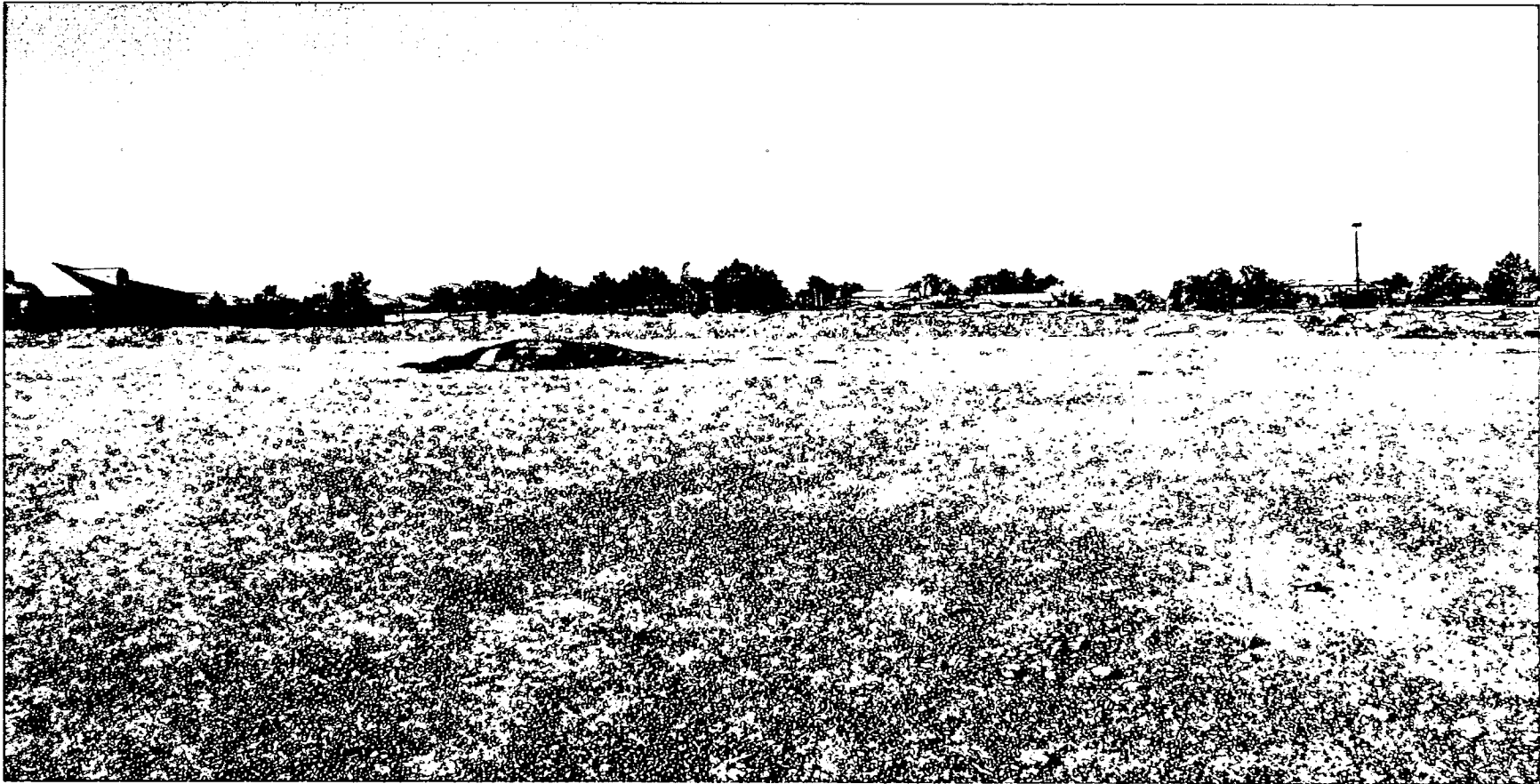


GENERAL PLAN DESIGNATIONS



OFFICE/ RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

GPA-3985
04-08-04 PC



GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3985 - PUBLIC HEARING - ZON-3987 -
APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY
COMPANY - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density
Residential) General Plan Designation] TO: O (Office) and FROM: U (Undeveloped) [SC
(Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 4.86 acres
adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN:
163-03-402-017), 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 GOODMAN
excused, WEELY not voting and Ward 2 seat vacant

MINUTES:

NOTE: See Item 126 [GPA-3985] for all related discussion.

(3:36 - 3:42)

5-1533

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a
portion of the site approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 127 – ZON-3977

CONDITIONS – Continued:

3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

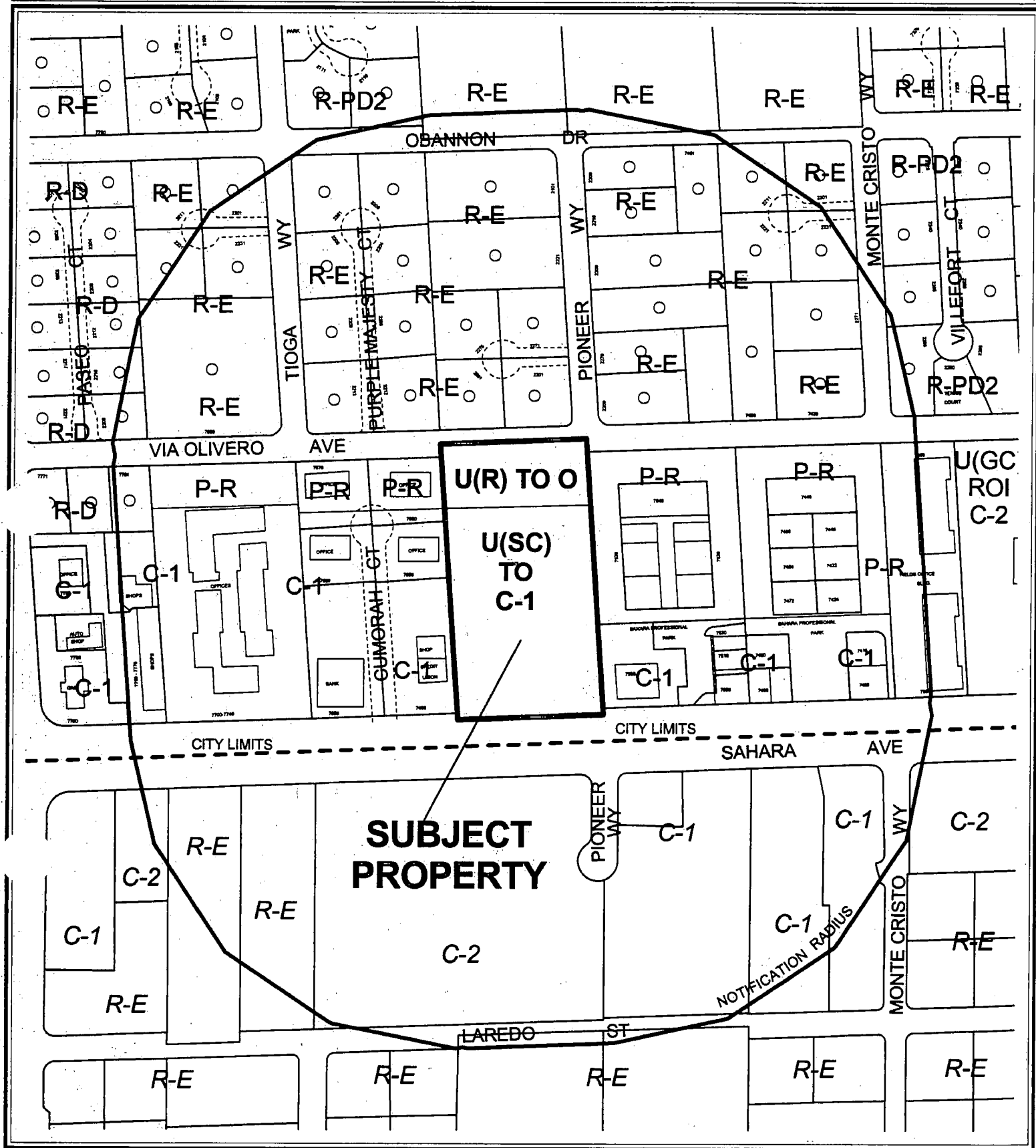
Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. 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 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, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 127 – ZON-3977

CONDITIONS – Continued:

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



CASE: ZON-3987

RADIUS: 750 FT

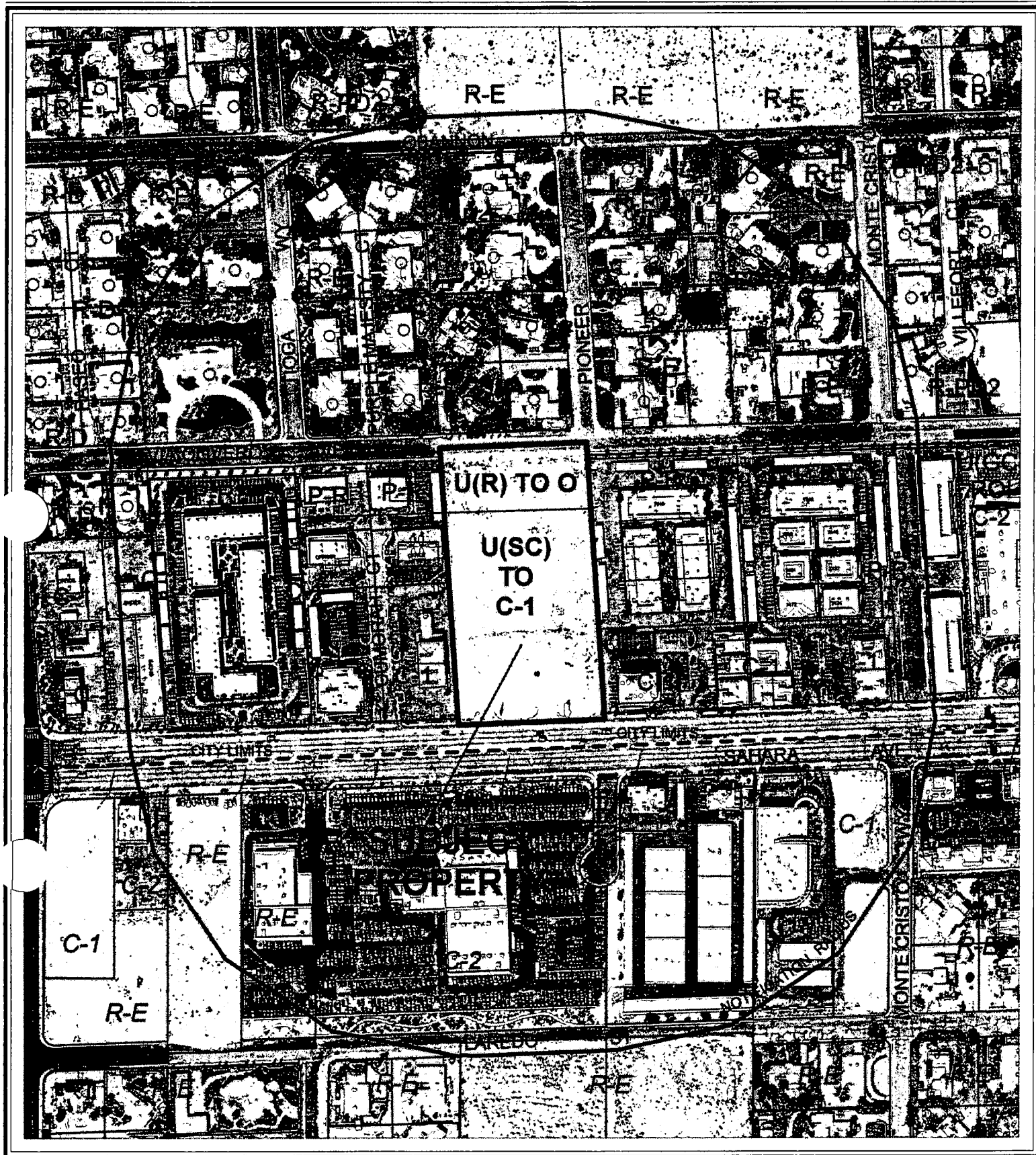
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

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

0 200 400 Feet





CASE: ZON-3987

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a portion of the site approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. 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 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, 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..

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on the 4.86-acre site, adjacent to the north side of Sahara Avenue approximately 950 feet east of Buffalo Drive. Approval of this Rezoning request will allow the applicant to develop 42,400 square feet of office space in two buildings and a 12,800 square-foot retail building on the subject site.

Related requests to change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Site Development Plan Review for the office and retail buildings (SDR-3988) will also be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Rezoning will be compatible with commercial and office zoning currently in place to the east, south and west of the subject site.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 04/08/04 The Planning Commission voted to recommend APPROVAL of companion requests for a General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Site Development Plan Review for the office and retail buildings (SDR-3988).
- 04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #32/gl)

B) Pre-Application Meeting

01/30/04 At the pre-application meeting, the issues raised included the need for dedication of Via Olivero Avenue to match the existing right-of-way and other Public Works issues, a limit of 60% for the glazing on the front of the proposed retail building, and certain revisions to be made for the submittal, including handicap spaces, elevations of retail structure, a landscape plan with appropriate details, and a detail of the proposed carports.

C) Neighborhood Meetings

03/15/04 There were three representatives present at the required General Plan Amendment Neighborhood Meeting. One resident attended who had questions, but there were no objections to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan currently designates this site as a combination of R (Rural Density Residential) and SC (Service Commercial). The intent was to ensure that the northern 130 feet (eastern edge) to 144 feet (western edge) of the net site area (the portion designated as R) was developed at lower density and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue. A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 net acres of the site to O (Office), which allows for business, professional and financial offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed O (Office) Zoning District is in conformance with the proposed O (Office) land use designation. The southern 3.49 net acres of the site will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

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

The northern 265 feet of the 590-foot deep site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation (NRS); however, the RPN is located within the City, and is not a County RPN. The City has the authority to allow a greater density or intensity of use "for good cause" within a buffer area. The southern 330 feet of the site would have no restriction for commercial development under State law due to the frontage of the site on a road with a width greater than 99 feet (Sahara Avenue). Due to the presence of a significant amount of office and commercial development in this area, it is recommended that the site not be subject to development restrictions pursuant to RPN law. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect 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 existing General Plan designation of the subject site is a combination of R (Rural Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 acres of the site to O (Office), which allows for the development of office uses. The proposed zoning change to the O (Office) Zoning District would be in conformance with the proposed O (Office) land use designation. The southern 3.49

acres will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

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

The proposed development that is shown on the companion Site Development Plan to this rezoning application (SDR-3988) is intended to comply with both the O (Office) and SC (Service Commercial) land use designations and the proposed O (Office) and C-1 (Limited Commercial) Zoning Districts. The proposed project will be compatible with office and financial services activities to the west and east of the site, and the auto dealership across Sahara Avenue to the south.

Low density residential development to the north of the site is to be protected by the placement of a significant amount of perimeter landscaping along the outside of the perimeter wall, with no vehicular access to this low-density residential area.

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

The subject site represents an infill parcel primarily surrounded by existing office development, with some limited commercial development in the area. It is appropriate to continue to develop the area along Sahara Avenue with office development that can act as a transitional buffer to the area of Desert Rural residential development on the other side of Via Olivero Avenue to the north of the site, as long as these residential areas are buffered from any impacts that may occur as a result of office development, such as noise and light, and are protected from any traffic and parking impacts. These issues will be addressed as part of the Site Development Plan Review process.

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

The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

PLANNING COMMISSION ACTION

There were three speakers with concern on this matter at the Planning Commission hearing.

NOTICES MAILED 79 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3287 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

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: Kenny OngPrint Name: Kenny Ong

Subscribed and sworn before me

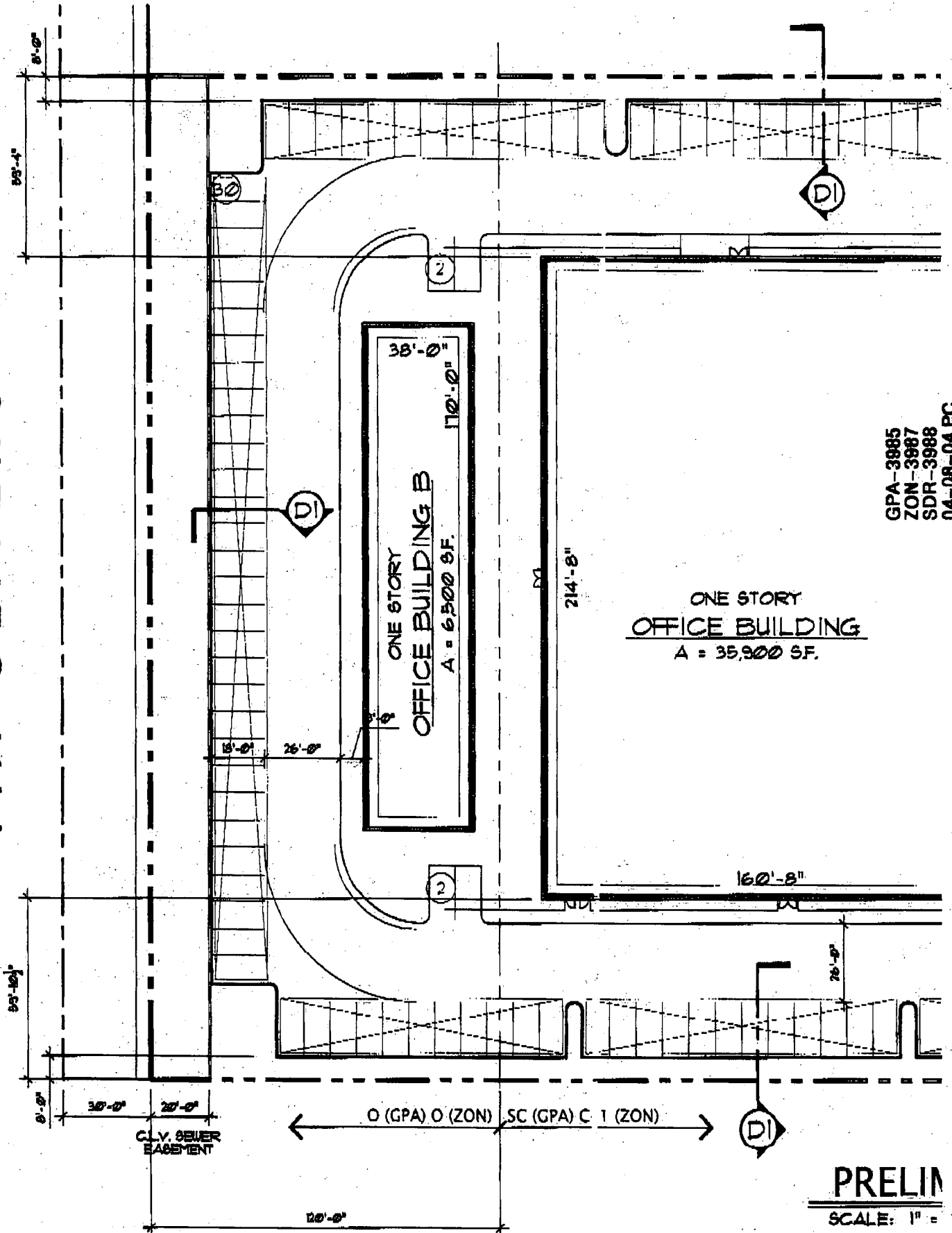
This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02

JAMES C. CHACHAS
Notary Public, State of Nevada
Appointment No. 02-72935-1
My Appt. Expires Nov. 1, 2005

E:\depot\Application Packet\Statement of Financial Interest.doc

VIA OLIVERO AVENUE



GPA-3885
ZON-3887
SDR-3888
04-08-04 PC
REVISED 04-05-04

ONE STORY
OFFICE BUILDING
A = 35,900 SF.

ONE STORY
OFFICE BUILDING B
A = 6,500 SF.

PRELIM
SCALE: 1" =

04-291

FACT SHEET

FRONT	20'-0"	25'-7"	(SOUTH)
INTERIOR	10'-0"	14'-0"/6'-4"	(W/ E)
SIDE/ CORNER	15'-0"	--	N/A
REAR	10'-0"	93'-2"	(NORTH)

JURISDICTIONAL AGENCY: CITY OF LAS VEGAS

CODE USED: TITLE 19 (LAS VEGAS ZONING CODE)

ASSESSOR'S PARCEL NO.: 163-03-402-017

NET SITE AREA: = 197,081 SF (4.52 ACRES)

SITE/BUILDING RATIO: = 50% (MAX.)
ACTUAL: 28%

BUILDING HEIGHT: = 35'-0"

BUILDING DESIGNATION	BUILDING AREA	PARKING SUMMARY	
		REQUIRED	PROVIDED
OFFICE BLDG. A	35,900 SF	120 (1/300 SF)	151 (3.56/ 1,000 SF)
OFFICE BLDG. B	6,500 SF	22 (1/300 SF)	
RETAIL BLDG.	12,800 SF	73 (1/175 SF)	90
TOTAL	55,200 SF	215	221

HANDICAP PARKING

REQUIRED: 1 (CHAPTER 19.10, TABLE 2)

PROVIDED: 1 (TOTAL SITE)

GPA-3985
ZON-3987
SDR-3988
04-08-04 PC
REVISED 04-05-04



ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING - SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of foundation landscaping standards FOR A PROPOSED 42,400 SQUARE-FOOT OFFICE BUILDING AND 12,800 SQUARE-FOOT RETAIL BUILDING on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), U (Undeveloped) [R (Rural Density Residential) and [SC (Service Commercial) General Plan Designations], [Proposed: O (Office) and C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). 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:

MONCRIEF – APPROVED subject to conditions and amending Conditions 3 and 18 by correcting the date from 04/02/04 to 04/08/04 and the following added condition:

- *There shall be no vehicular ingress or egress from Via Olivero.*

– UNANIMOUS with GOODMAN excused, WEEKLY not voting and Ward 2 seat vacant

MINUTES:

NOTE: See Item 126 [GPA-3985] for all related discussion.

(3:36 – 3:42)

5-1533

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts approved by the City Council.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
3. All development shall be in conformance with the revised site plan and building elevations as submitted on 04/02/04, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
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.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
7. The elevations shall be revised and approved by staff prior to the time application is made for a building permit with additional architectural features to enhance façade articulation.
8. 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 system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

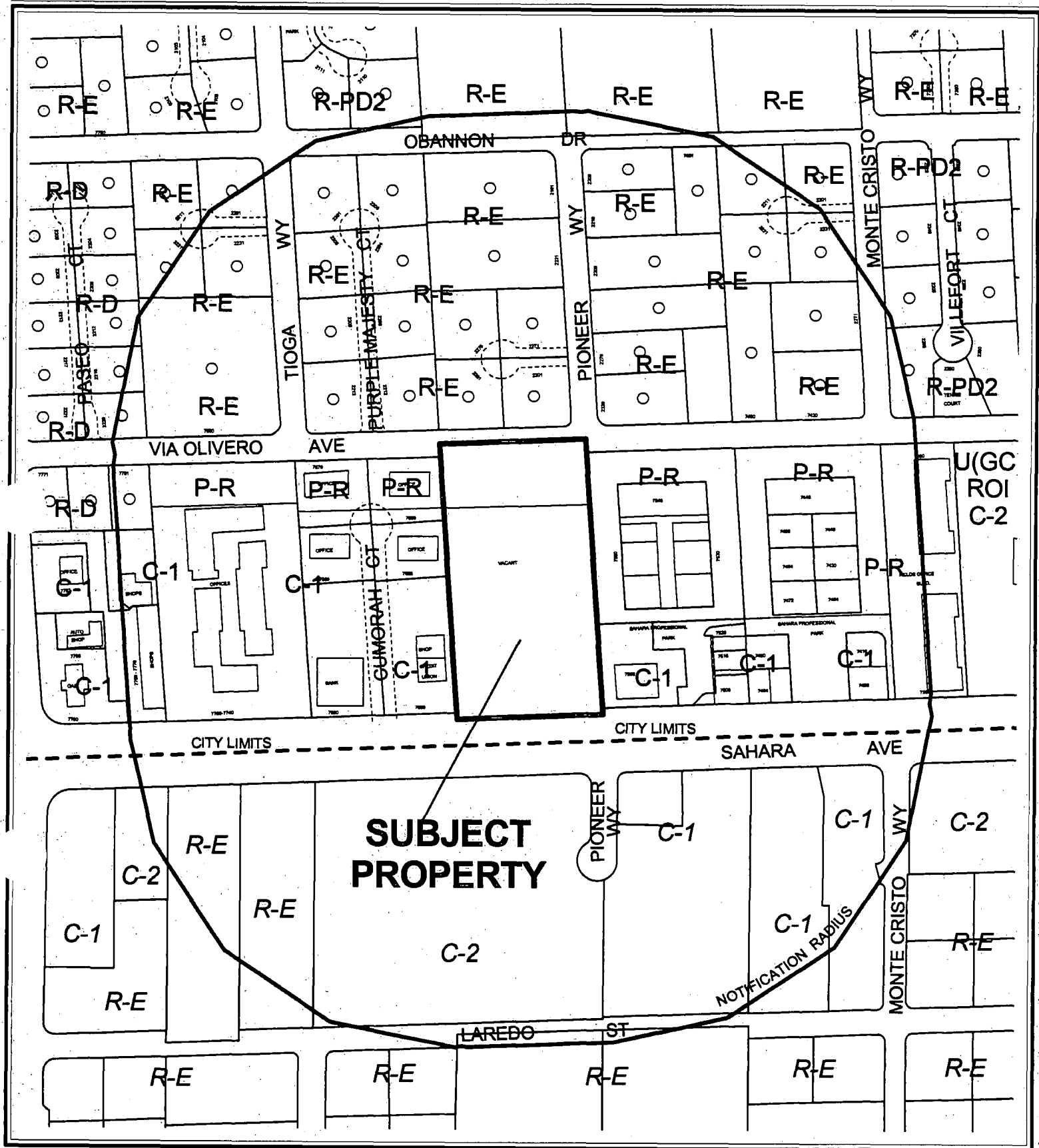
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
12. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be a minimum of eight feet in height and be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 128 – SDR-3988

CONDITIONS – Continued:

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.



CASE: SDR-3988

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

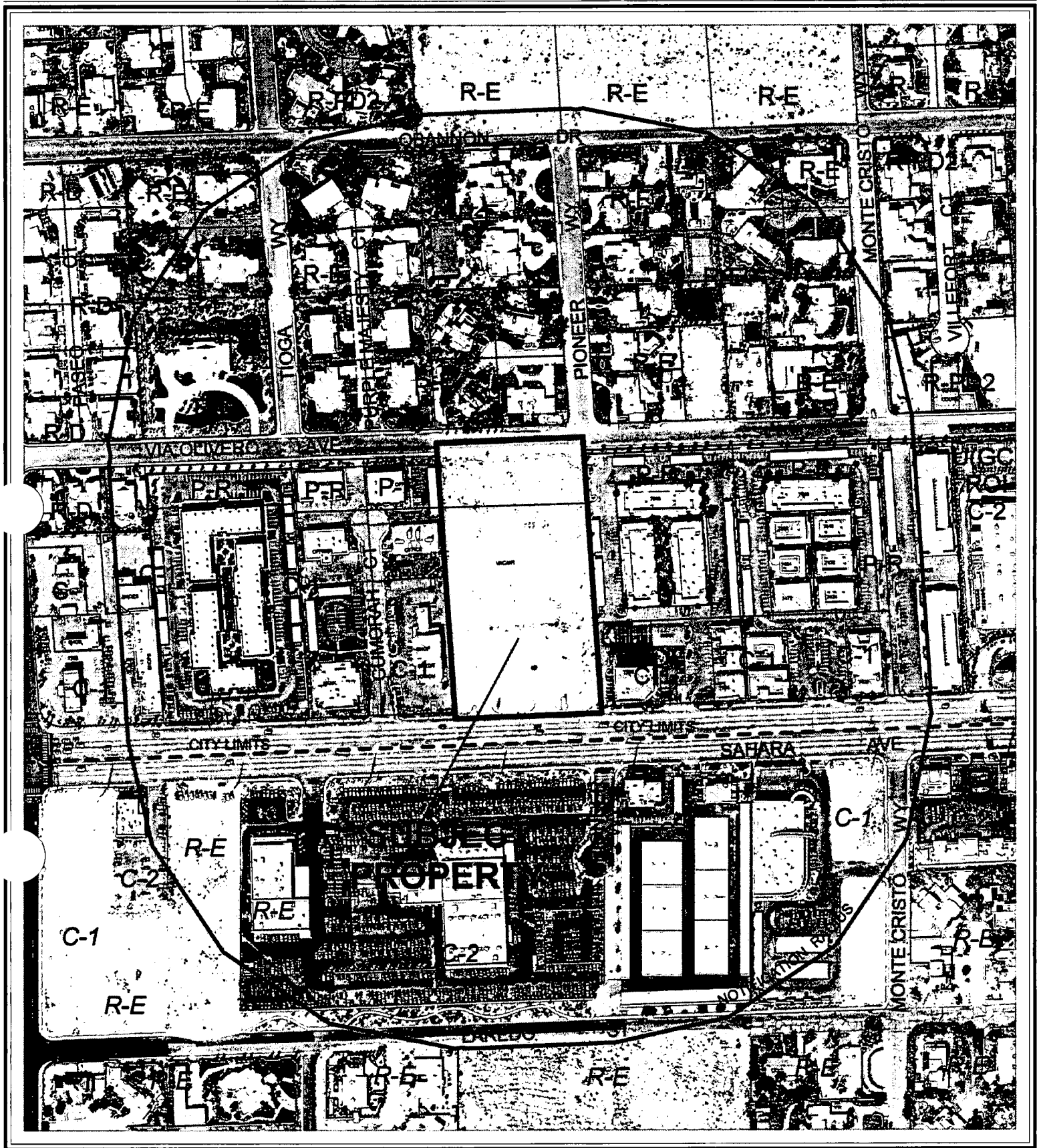
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

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

0 200 400 Feet



128



CASE: SDR-3988

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts 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.
3. All development shall be in conformance with the revised site plan and building elevations as submitted on 04/02/04, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
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.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
7. The elevations shall be revised and approved by staff prior to the time application is made for a building permit with additional architectural features to enhance façade articulation.
8. 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 system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack 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.
12. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be a minimum of eight feet in height and be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.

23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review to develop two office buildings totaling 42,400 square feet, and a 12,800 square-foot retail building on the 4.86-acre site, adjacent to the north side of Sahara Avenue approximately 950 feet east of Buffalo Drive.

Related requests to change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) (ZON-3987) will also be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed development will be compatible with commercial and office uses currently developed to the east, south and west of the subject site.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 04/08/04 The Planning Commission recommended APPROVAL of companion requests for a General Plan Amendment (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) (ZON-3987).
- 04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #33/gl)

B) Pre-Application Meeting

01/30/04 At the pre-application meeting, the issues raised included the need for dedication of Via Olivero Avenue to match the existing right-of-way and other Public Works issues, the amount of glazing on the front of the proposed retail building, and certain revisions to be made for the submittal, including handicap spaces, elevations of retail structure, a landscape plan with appropriate details, and a detail of the proposed carports.

C) Neighborhood Meetings

03/15/04 There were three representatives present at the required meeting for the General Plan Amendment. One resident attended who had questions, but there were no objections to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan currently designates this site as a combination of R (Rural Density Residential) and SC (Service Commercial). The intent was to ensure that the northern 130 (eastern edge) to 144 feet (western edge) of the net site area (the portion designated as R) was developed at lower density and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue. A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 net acres of the site to O (Office), which allows for business, professional and financial offices for individuals, civic, social, fraternal, and other non-profit organizations. A companion Rezoning application (ZON-3987) to the proposed O (Office) Zoning District is in conformance with the proposed O (Office) land use designation. The southern 3.49 net acres of the site will remain as SC (Service Commercial). The proposed development is in conformance with the proposed land use designation and zoning district for the site.

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

The northern 265 feet of the 590-foot deep site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation (NRS); however, the RPN is located within the City, and is not a County RPN. The City has the authority to allow a greater density or intensity of use "for good cause" within a buffer area. The southern 330 feet of the site would have no restriction for commercial development under State law due to the frontage of the site on a road with a width greater than 99 feet (Sahara Avenue). Due to the presence of a significant amount of office and commercial development in this area, it is recommended that the site not be subject to development restrictions pursuant to RPN law. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

PROJECT DESCRIPTION

The project as originally submitted consisted of a 42,400 square-foot single-story office development, located in a one-story building located in the central portion of the site, and a single-story 12,800 square-foot retail building located towards the front of the property, on the southwest corner of the site. The applicant submitted revised drawings on 04/02/04 showing the same amount of office space divided into two one-story buildings, one in the central part of the site and one at the rear of the site. All of the buildings currently proposed may be divided into a

number of independent business units. The retail building and the larger of the two office buildings will be located on the portion of the site which is currently designated as SC (Service Commercial) and which is proposed to be zoned C-1 (Limited Commercial). The second office building, as well as parking and landscaping, will be located in the northern portion of the site to be designated as O (Office) and zoned as O (Office).

Parking areas surround the structures, with the parking along the perimeter of the site being covered. Vehicular access will be via a shared access point at the eastern boundary of the site, with the project to the east, and a second driveway to Sahara Avenue at the mid-point of the southern boundary of the site. No access will be provided to the site from Via Olivero Avenue to the north, and the northern boundary of the site will be bermed and landscaped so as to minimize and noise or visual intrusion on the low-density residential area to the north of the street. This approach would be in keeping with how other adjacent and nearby sites along Sahara Avenue have been developed.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Las Vegas Zoning Code Sections 19.08 and 19.10, the following Development Standards apply to the subject proposal:

Standards	Required/Provided - (O)	Required/Provided - (C-1)	Compliance
Min. Lot Width	100 Feet/334 Feet	100 Feet/334 Feet	Y
Min. Setbacks			
• Front	25 Feet/N/A	25 Feet/26 Feet	Y
• Side	10 Feet/62 Feet	10 Feet/14 Feet	Y
• Rear	15 Feet/105 Feet	15 Feet/N/A	Y
Max. Lot Coverage	30 % / 0%	50% / 27.9%	Y
Max. Building Height	2 Stories or 35 Feet/ N/A	None / 1 Story or 27 Feet	Y
Trash Enclosure	Yes	Yes	Y
Loading Zone	4 Spaces	2 Spaces	N
Mech. Equipment	Hidden from View	Hidden from View	Y

The proposed development meets all relevant provisions of the Zoning Code, with the exception of the required number of loading zone areas. A condition of approval will address this issue.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Offices	42,400 s.f.	1 space /300 s.f.	142 spaces			
Retail, Other Than Listed	12,800 s.f.	1 space /175 s.f.	74 spaces			
Totals	55,200 s.f.		216 spaces	7 spaces	227 spaces	7 spaces

The proposal exceeds the requirement for on-site parking in the Zoning Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Trees	Provided
	Ratio			
Parking Lot Landscaping	1 tree/6 spaces		41 trees	30 trees
Minimum Number of Trees Required in Buffers	1-24" box tree/20 linear feet + 1 tree along rear lot line		17 trees	17 trees
	1-24" box tree/30 linear feet + 1 tree along front lot line		12 trees	6 trees
	1-24" box tree/30 linear feet + 1 tree along side lot lines (990 feet total)		33 trees	30 trees
• Min. Zone Width	8 feet			8 feet
• Wall height	6 feet			Not indicated

The perimeter landscaping does not meet the minimum perimeter landscaping requirement of the Zoning Code in certain respects. The applicant is proposing six trees along the front property line, where 12 trees are required, and 30 trees on the sides of the site where 33 trees are required. A condition of approval will require additional trees to be added to meet these Code requirements.

The number of parking lot trees is below the Code requirement; however, since much of the parking is covered, the trees provided in open parking areas exceeds the requirement and can be deemed to comply.

A5) Sign Standards

No signage is proposed at this time for the project, as part of this site plan. A Master Sign Plan will have to be submitted and approved prior to the development of signage for this project. A condition of approval addresses this issue.

B) General Analysis and Discussion

- **Zoning**

The companion rezoning request (ZON-3987) will rezone the site from U (Undeveloped) Zone [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations] to the O (Office) and C-1 (Limited Commercial) Zones. The proposed site plan will conform to the regulations of these Zoning Districts.

- **Site Plan**

The site plan shows a total of 42,400 square feet of office development in two one-story building, and 12,800 square feet of retail space in a separate single-story building. The retail building is oriented to Sahara Avenue at the front of the site, with the office building located in the central portion of the site. The larger office building and the retail building will be located on the portion of the site to be zoned C-1 (Limited Commercial), with the O (Office) portion of the site containing the smaller office building as well as parking and landscaping.

Parking areas surround the structures, with the parking along the perimeter of the site being covered. Vehicular access will be via a shared access point at the east boundary of the site, with the property to the east, and a second driveway to Sahara Avenue is located at the mid-point of the southern boundary of the site. A Master Sign Plan is required, as a separate application, to identify signage to be developed on the site.

- **Waivers**

No Waivers have been requested as part of this application.

- **Landscape Plan**

The on-site and perimeter landscaping includes 24"-box Blue Palo Verde, Thornless Chilean Mesquite and Mondel Pine, 15-foot Mexican Fan Palms and eight-foot Mediterranean Fan Palms.

Understory plantings include 15-gallon Ocotillo, five-gallon Mexican Bird of Paradise, Green Cloud Texas Ranger and Trailing Lantana, and one-gallon Feathery Cassia and Red Yucca.

Perimeter landscaping is indicated at between ten-foot and 25-foot on center, depending on the species, which exceeds the minimum standard, provided that all such trees are a minimum size of 24" box. Landscaped areas are finished off with large rocks and boulders and gravel mulch. There are no turf areas indicated.

- Elevation

The retail building is indicated as a flat-roofed concrete tilt-up structure with anodized and glazed storefront sections. The office structure is depicted as a flat-roofed building with a brick veneer exterior, with anodized window glazing panels and a metallic column-and-archway feature framing the main entrance to add visual interest.

FINDINGS

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

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

The proposed development will represent an office and retail complex that will be compatible with office and commercial development to the west, east and south of the site. Where single family development is adjacent to the site to the north, across Via Olivero Avenue, the applicant is proposing to place a significant amount of perimeter landscaping along the outside of the perimeter wall, with no vehicular access to Via Olivero Avenue.

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

With the approval of the companion General Plan Amendment (GPA-3985) and Rezoning (ZON-3987) applications to this site plan, the proposed development will be consistent with the General Plan as well as Title 19 and other standards. The conditions of approval will address minor deficiencies that have been identified in the site plan as submitted.

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

The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

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

The building and landscape materials are appropriate for this type of development.

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

The building elevations are typical of office and retail developments in this vicinity and will be compatible with surrounding development. The development of a perimeter wall with a significant amount of landscaping will improve compatibility with adjacent single-family residential development and will improve the aesthetics of 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 the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended conditions 3 and 14 as shown.

NOTICES MAILED 79 by Planning Department

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: SPR-3988 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

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: Kenny OngPrint Name: KENNY ONG

Subscribed and sworn before me

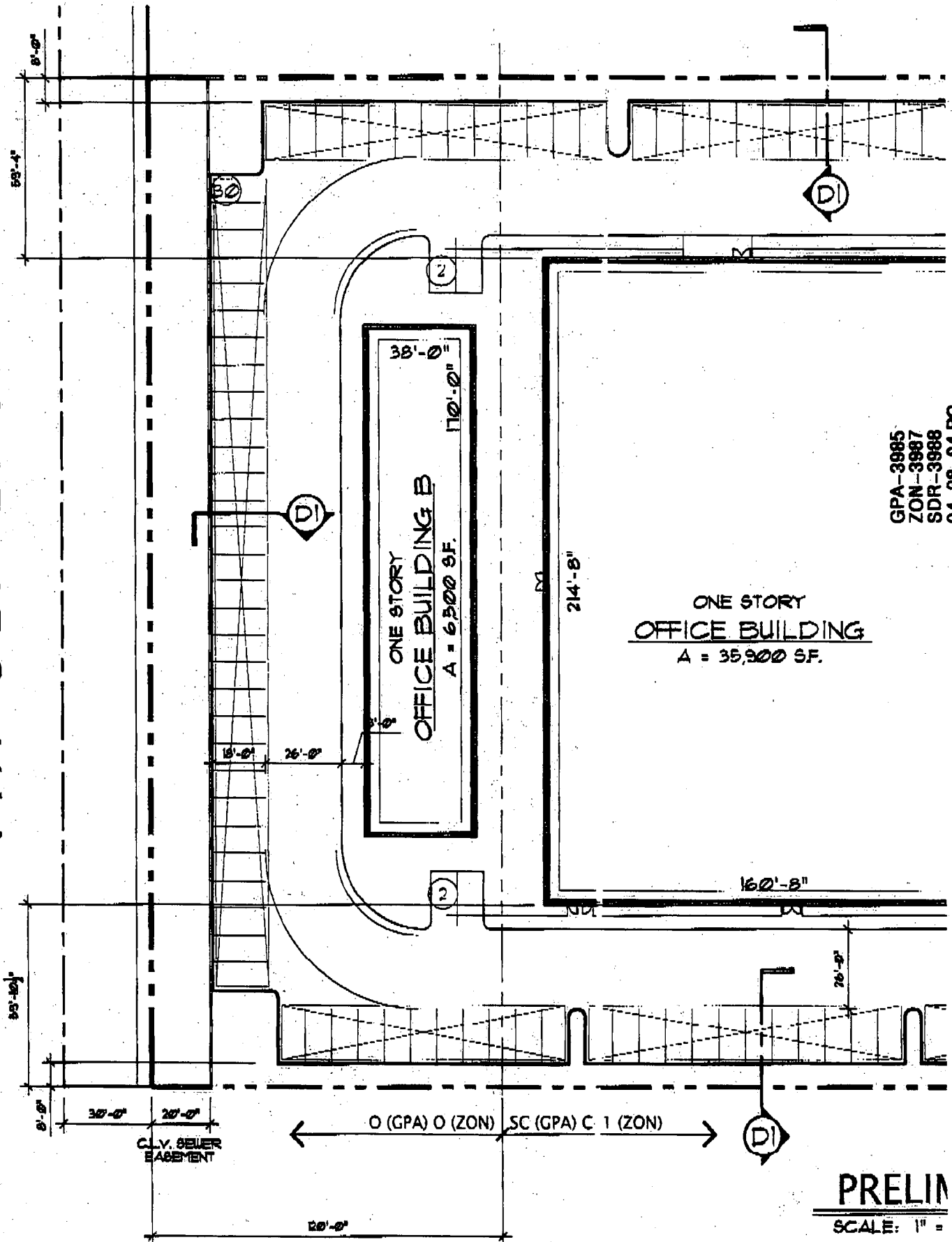
This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02

JAMES C. CHACHAS
Notary Public, State of Nevada
Appointment No. 02-72935-1
My Appt. Expires Nov. 1, 2005

E:\Reports\Applications Packet\Statement of Financial Interest.doc

VIA OLIVERO AVENUE



GPA-3985
 ZON-3987
 SDR-3988
 04-08-04 PC
 REVISED 04-05-04

ONE STORY
 OFFICE BUILDING
 A = 35,900 SF.

ONE STORY
 OFFICE BUILDING B
 A = 6,500 SF.

PRELIM
 SCALE: 1" =

04-297

FACT SHEET

FRONT	20'-0"	25'-7"	(SOUTH)
INTERIOR	10'-0"	14'-0"/6'-4"	(W/ E)
SIDE/ CORNER	15'-0"	--	N/A
REAR	10'-0"	93'-2"	(NORTH)

JURISDICTIONAL AGENCY: CITY OF LAS VEGAS

CODE USED: TITLE 19 (LAS VEGAS ZONING CODE)

ASSESSOR'S PARCEL NO.: 163-03-402-017

NET SITE AREA: = 197,001 SF (4.52 ACRES)

SITE/BUILDING RATIO: = 50% (MAX.)
ACTUAL: 28%

BUILDING HEIGHT: = 35'-0"

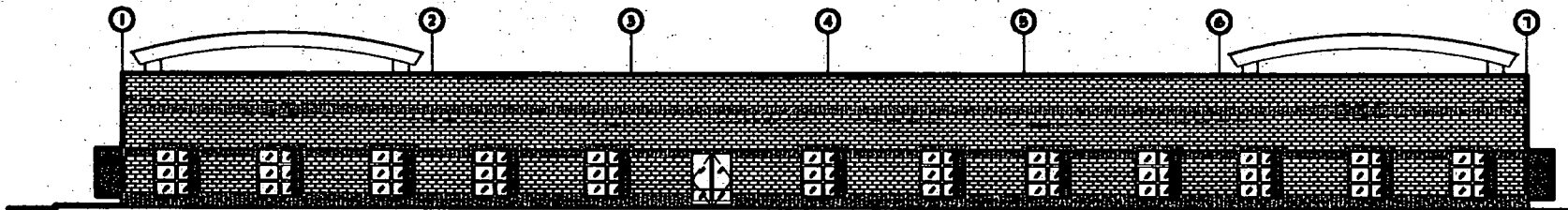
BUILDING DESIGNATION	BUILDING AREA	PARKING SUMMARY	
		REQUIRED	PROVIDED
OFFICE BLDG. A	35,900 SF	120 (1/300 SF)	151 (3.56/ 1,000 SF)
OFFICE BLDG. B	6,500 SF	22 (1/300 SF)	
RETAIL BLDG.	12,800 SF	73 (1/175 SF)	
TOTAL	55,200 SF	215	221

HANDICAP PARKING

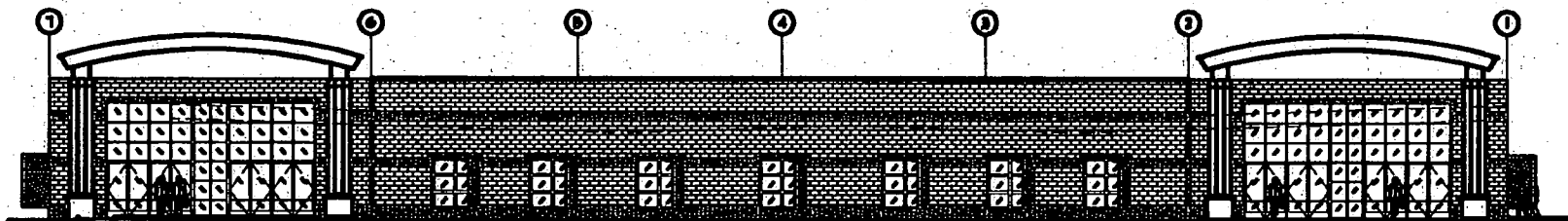
REQUIRED: 1 (CHAPTER 19.10, TABLE 2)

PROVIDED: 1 (TOTAL SITE)

GPA-3985
ZON-3987
SDR-3988
04-08-04 PC
REVISED 04-05-04



② REAR ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

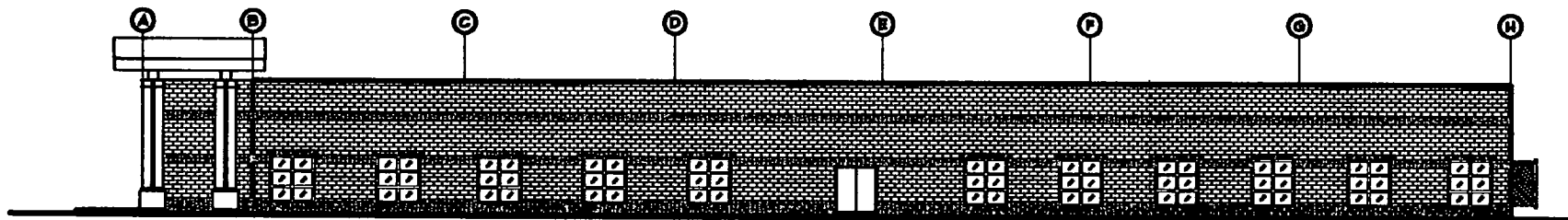


① FRONT ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

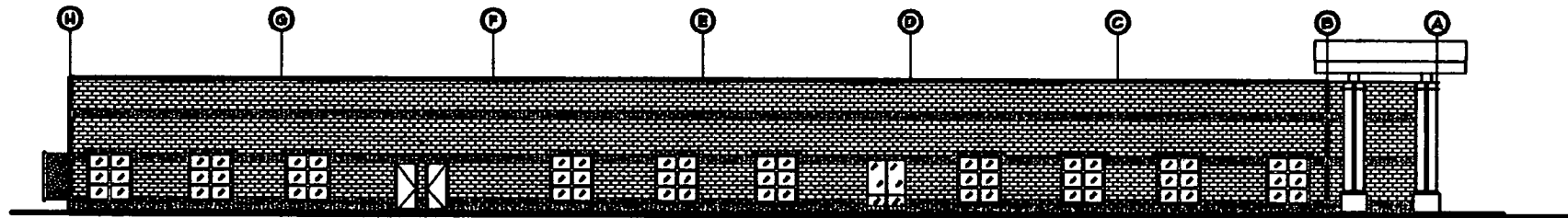


OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



④ RIGHT SIDE ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

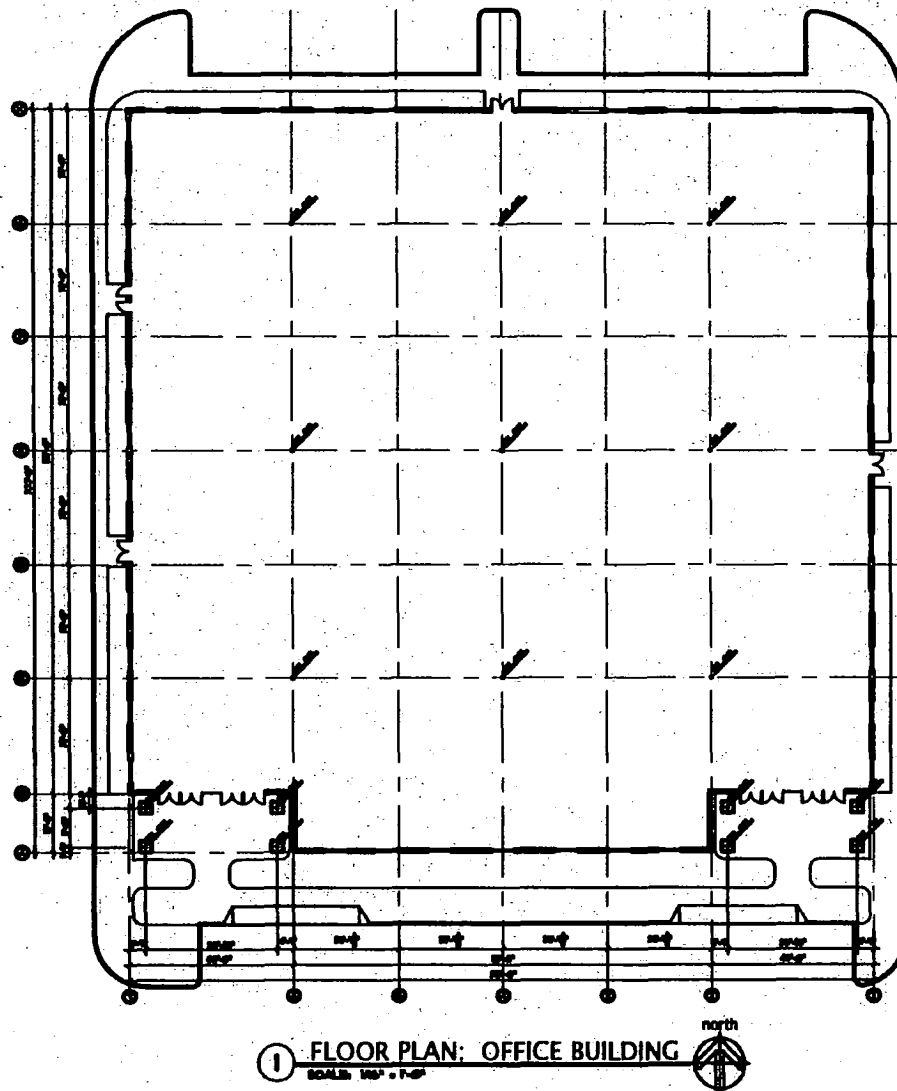


③ LEFT SIDE ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"



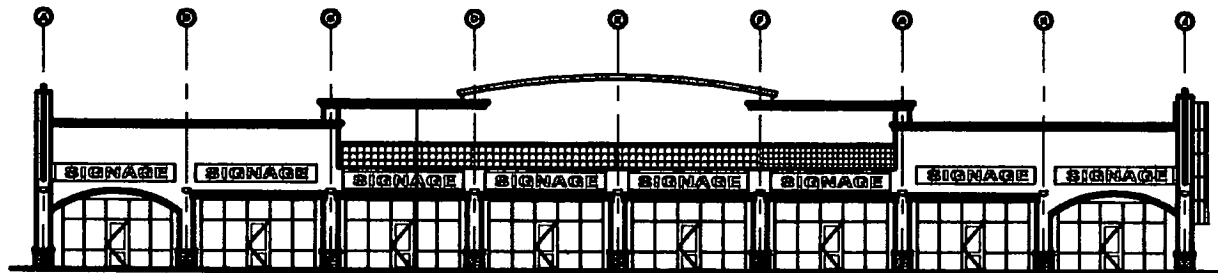
OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC

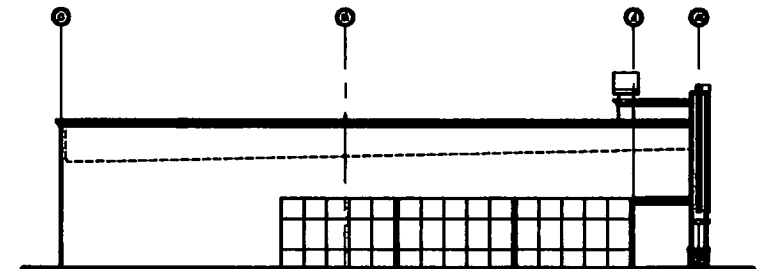


OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

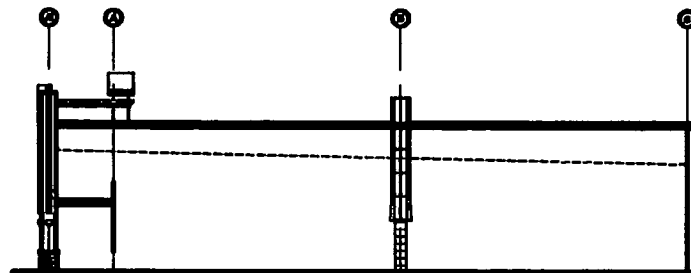
ZON-3987
SDR-3988
04-08-04 PC



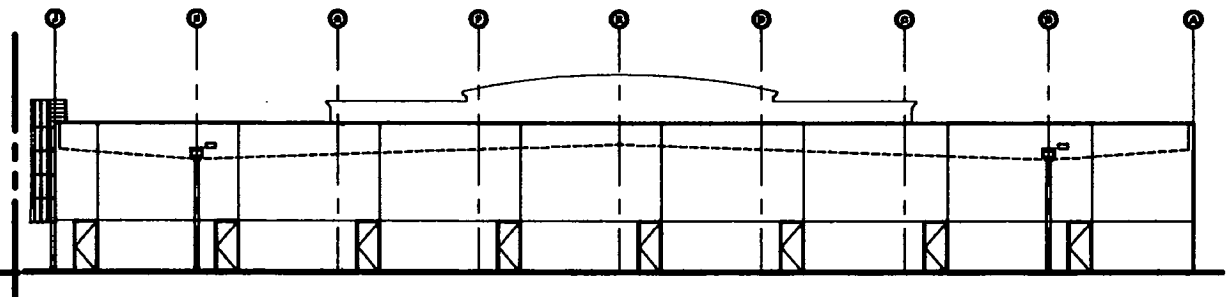
① **EAST ELEVATION RETAIL BLDG.**
SCALE: 1/8" = 1'-0"



② **SOUTH ELEVATION RETAIL BLDG.**
SCALE: 1/8" = 1'-0"



③ **NORTH ELEVATION RETAIL BLDG.**
SCALE: 1/8" = 1'-0"

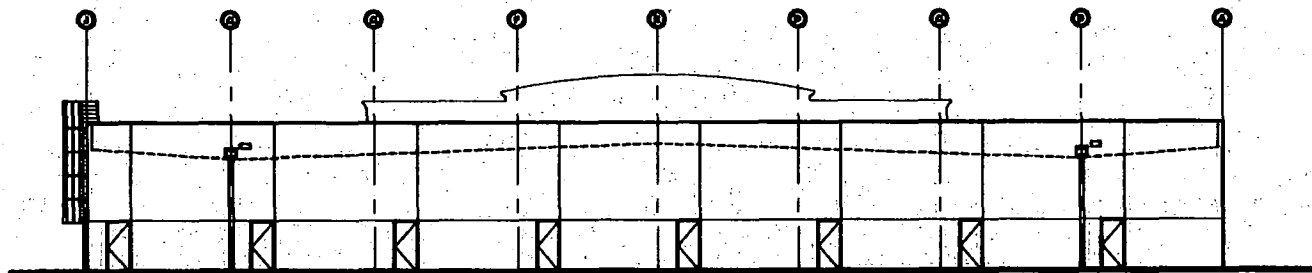


④ **WEST ELEVATION RETAIL BLDG.**
SCALE: 1/8" = 1'-0"

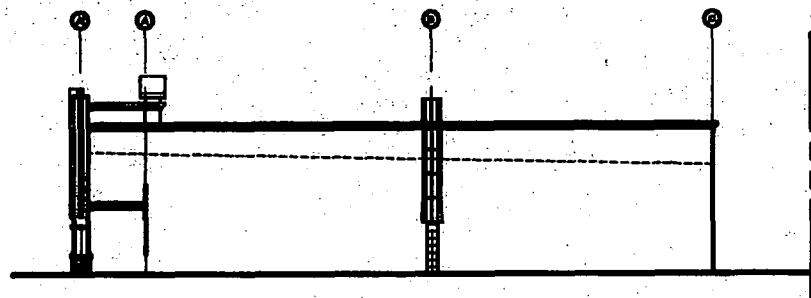


OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



4 REAR ELEVATION
SCALE: 1/8" = 1'-0"

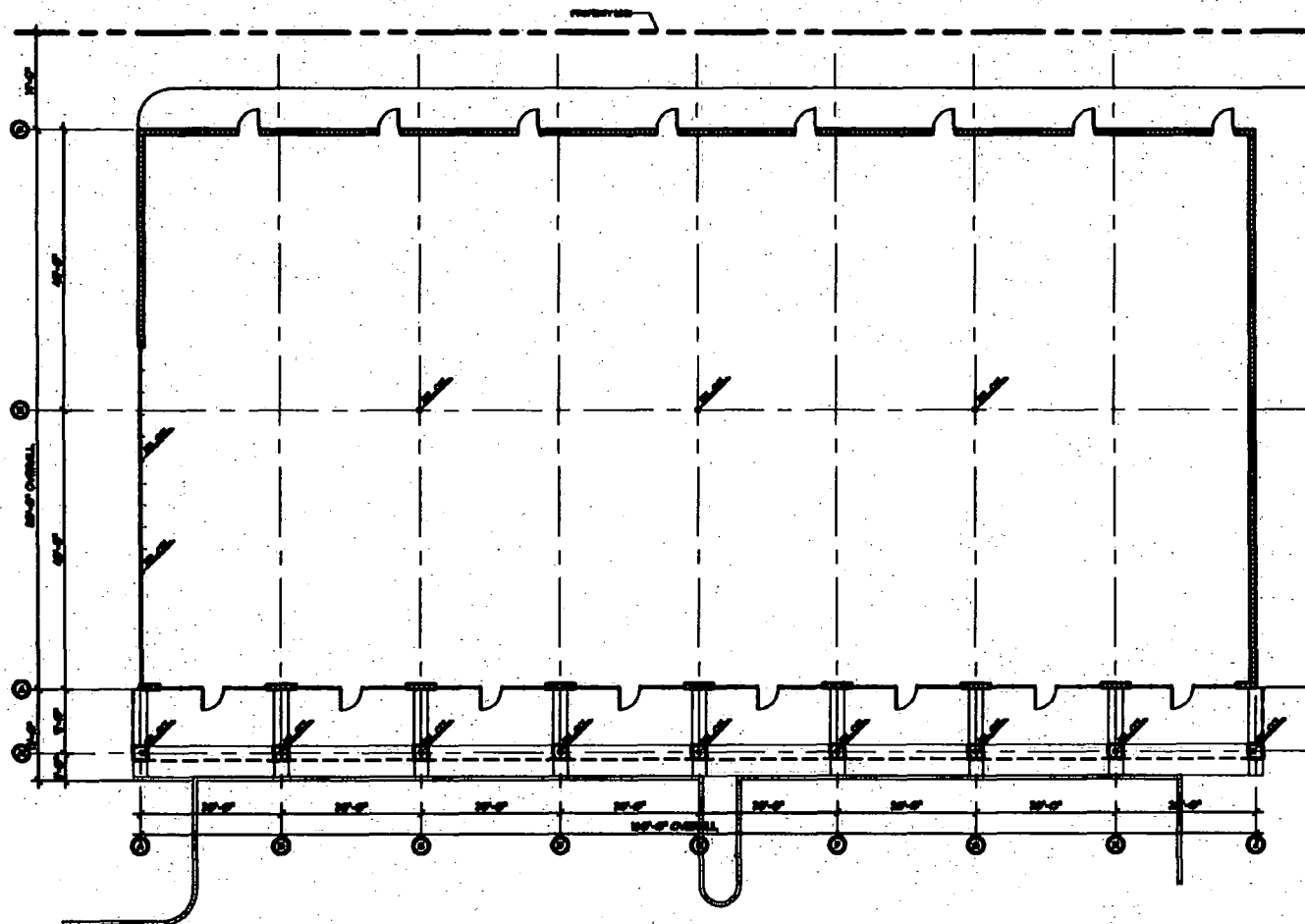


3 RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



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



OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4000 -
APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application Not Applicable
3. Staff Report
4. Submitted at City Council – Protest petition with 11 properties
5. Back up referenced from the 4/8/2004 Planning Commission meeting Item 34

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004].

SCOTT COLLINS, 11424 Rancho Portena, explained that this project was originally designed as an upscale lifestyle community with high quality homes. The demographics, market research and trend analysis were the driving factors in the design of this development. The applicant had several meetings with the adjacent neighbors and met with several Council members as well. MR. COLLINS outlined some of the concerns that have arisen regarding this site. Originally, the setback on the eastern border was for a six-foot setback. At a neighborhood meeting it was requested that the proposed 15-foot open space along Buffalo Drive be moved to the east side to create larger setbacks, to which the applicant agreed. After the Planning Commission meeting, the applicant was able to expand that open space to 35 feet.

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 129 – GPA-4000

MINUTES – Continued:

MR. COLLINS indicated that another concern was the density. Originally, the request was for 10-units to the acre and they have agreed to reduce that to eight-units to the acre, which would take the units from 28 to 24 units. Regarding the open space and landscaping concerns, the applicant is willing to work with the neighbors to ensure that the border along the eastern edge would have a favorable tree that will compliment what currently exists. He presented a photograph of a similar development depicting a three-story product, which is what is being proposed at this location. The height of the building has always been 35 feet, whether it is a two or three-story building. The neighbors' homes directly to the east are allowed to be 35 feet and the majority is close to this height.

MARK ADAIR, 1401 Marbella Ridge Court, stated that he was aware only of three meetings, of which he attended two. He expressed concern about the project's density and felt it is not appropriate for the surrounding area.

DAVID KNOWLTON, 1616 Marbella Ridge Court, objected to the development because it is out of character with the surrounding neighborhood. The majority of the neighbors oppose this development.

JOHN GALLEGOS, 1625 Marbella Ridge Court, submitted a protest petition at a meeting held at his house with COUNCILWOMAN MONCRIEF. The biggest objections are the height and the density. The three-story would infringe on the privacy of the homes along the eastern side of the neighborhood.

CLINA THOMPSON, 1710 South Buffalo Drive, resides adjacent to the proposed project and opposed the proposed development.

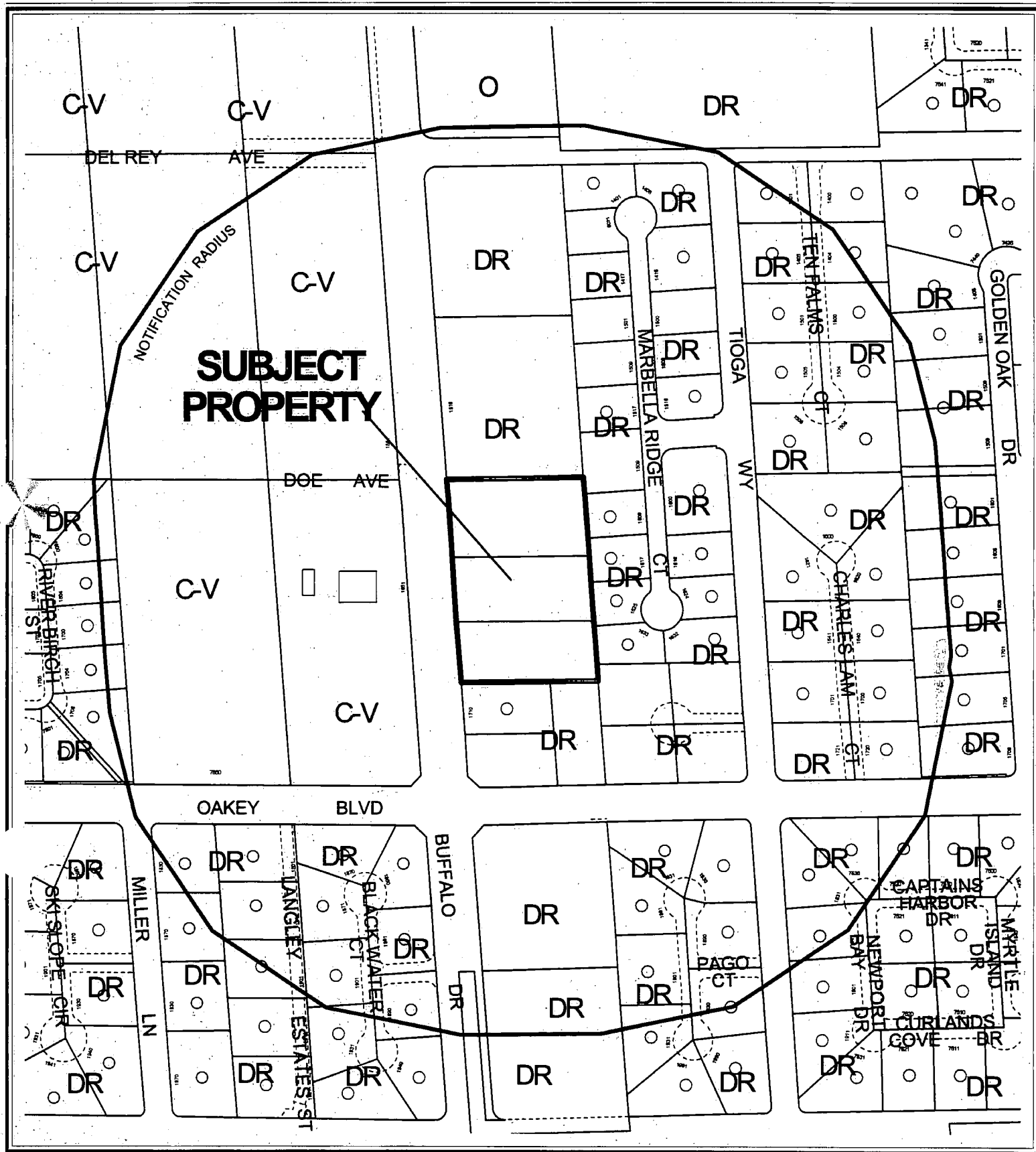
COUNCILWOMAN MONCRIEF stated that when she first met with the developer she felt they had a great product. She, as well as the neighbors, believed it would be a two-story condominium project. She pointed out that both staff and the Planning Commission recommended denial. She is not willing to devalue the existing residents' properties in order for Valencia Communities to market their homes as having views of the Strip. She is willing to work with the applicant to provide a two-story product, as well as provide two-story properties adjacent to the neighbors on the east side. She felt the developer could provide single story for those residents most impacted.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004].

NOTE: All discussion for Item 129 [GPA-4000], Item 130 [VAR-4005], Item 131 [ZON-4003] and Item 132 [SDR-4004] was held under Item 129 [GPA-4000].

(3:42 – 3:57)

5-1748



CASE: GPA-4000

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

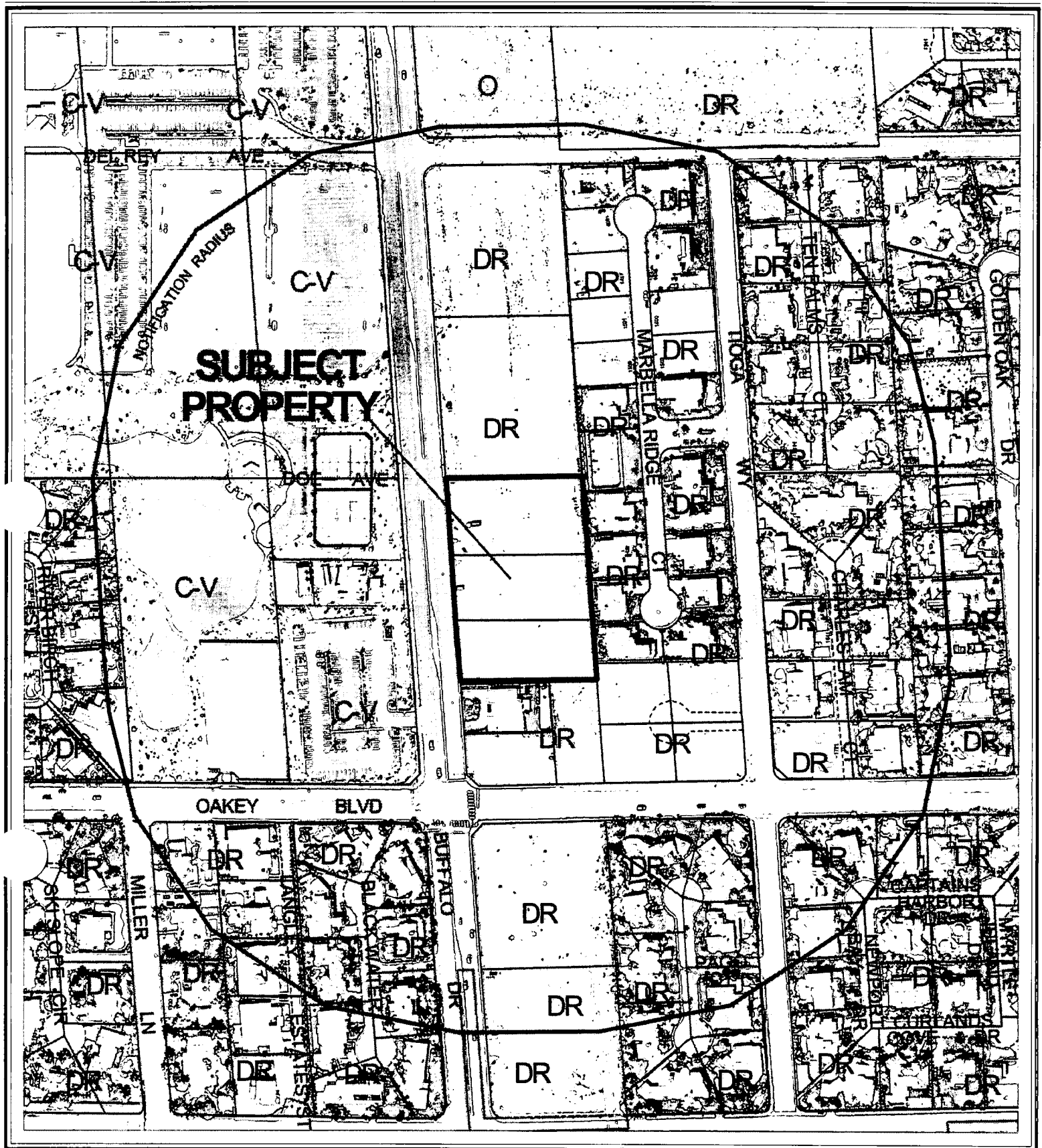
MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

0 200 400 Feet



129





CASE: GPA-4000

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend the Southwest Sector Plan of the General Plan land use designation of a 2.92-acre tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). A rezoning application, ZON-4003, a variance, VAR-4005, and a site development plan, SDR-4004, have been submitted in conjunction with this application.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject property was designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 08/18/99 The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the *City of Las Vegas Master Plan 2020*. This site is not designated within any specific geographic strategy area as described in the Plan.
- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 2-5 on a motion for approval which is DENIAL (PC Agenda Item #34/gl).

DETAILS OF APPLICATION REQUEST

Site Area: 2.92 acres

EXISTING LAND USE

Subject Property Undeveloped
North Undeveloped
South Single family residence and undeveloped
East Single family residential; small park at the northeast corner
West Across Buffalo Drive, park

PLANNED LAND USE

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South DR (Desert Rural)
East DR (Desert Rural)
West Across Buffalo Drive, PR (Park / Recreation / Open Space)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North R-E (Residence Estates)
South R-E (Residence Estates)
East R-PD2 (Residential Planned Development at two Dwelling Units / acre)
West Across Buffalo Drive, C-V (Civic District)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential)

(0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

MLA (Medium Low Attached Density Residential)

(8.1 to 12 dwelling units/gross acre.) The Medium Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. It is also an appropriate transitional use.

PR (Parks/Recreation/Open Spaces)

This category allows large public parks and recreation areas such as public and private golf courses, trails and easements, drainage-ways and detention basins, parking to serve such uses and any other public usage of large areas of permanent open land.

INTERAGENCY ISSUES

None

ANALYSIS

The subject request is to change the land use classification of a tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). Property to the north, east and south is classified DR (Desert Rural Density Residential) which permits residential development at a density of up to two dwelling units per acre. Property across the street to the west is classified C-V (Civic) for a large existing park and sports fields.

The MLA classification would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR classification. The applicant states: "The residents of the Buffalo and Oakey area have recently suffered, what they consider to be, a potential zoning disaster with the approval of the Social Security building at the corner of Buffalo and Del Rey Avenue (south of Oakey Boulevard)." For this reason, the "Neighborhood Alliance" has showed support for a proposed upscale condominium development on the subject tract. Purportedly, the project would consist of three story buildings.

The General Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified.

The applicant has presented no justification for altering the plan, except to indicate that the proposed project would be better than the project recently approved on the northeast corner of Buffalo and Del Rey. Such a project, however, is not being proposed. Staff is at a loss to see how a three-story project at up to 12 dwelling units per acre would benefit an area that is developing at two dwelling units per acre. The staff, therefore, recommends that the General Plan be upheld.

FINDINGS

Title 19.18.030.I requires that the following conditions be met to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

Condition number "1" is not satisfied, as the subject request would permit residential development at six times the density permitted in every direction from the site.

Likewise, condition number "2" is not satisfied, because residential zoning districts permitting up to 12 dwelling units per acre would be allowed in a MLA classification. This increase in density raises an incompatibility issue.

In regard to the third condition, public facilities and infrastructure presently exist to support commercial development. Access would be directly to Buffalo Drive. The property is within 1½ miles of a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to the fourth condition, objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/08/04 There were 20 residents in attendance. There comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single story or two story custom homes.
- Some residents indicated they would support one story offices instead of residential.
- Residents would like the BC agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

PLANNING COMMISSION ACTION

There were three speakers protesting this application at the Planning Commission hearing.

NOTICES MAILED: 90 by Planning Department

APPROVALS: 0

PROTESTS: 7



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4000 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc., Scott Collins

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: _____

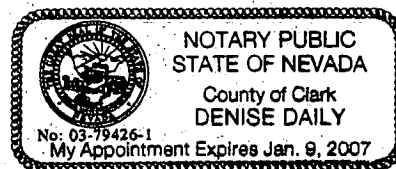
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004

[Signature]
Notary Public in and for said County and State



DATE
01.28.04
REVISION
02.16.04

CORVALE
LAS VEGAS

1/16" = 1'-0"
1 of 10

DUNKER HILL DESIGN & ARCHITECTURE, INC.

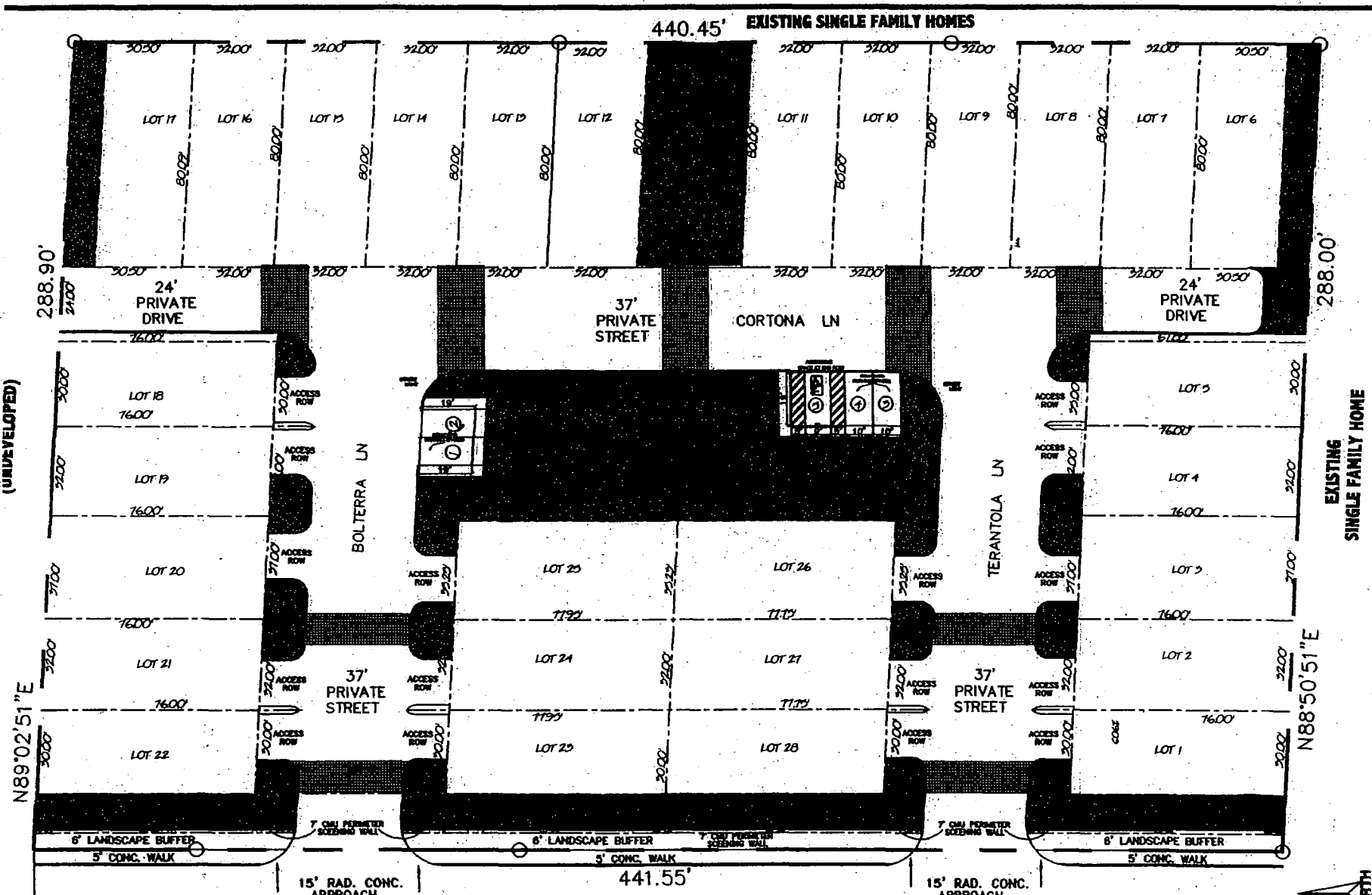
PROJECT NO. 0000
PLAN
BUF.



ZON-4003
SDR-4004
VAR-4005

VINITY MAP

440.45' EXISTING SINGLE FAMILY HOMES



NOTE:

TOTAL FOOTAGE OF PROPERTY	181,011	SQ. FT.	295	AC.
OPEN SPACE REQUIRED	19,090	SQ. FT.	295	AC.
OPEN SPACE PROVIDED	31,443	SQ. FT.	105	AC.
NON PERVIOUS AREA	82,281	SQ. FT.	60	AC.
PERVIOUS AREA	44,976	SQ. FT.	22	AC.
TOTAL UNITS	20 UNITS			
UNITS PER ACRE	160 UNITS			
F.A.R. / FLOOR RATIO	20.5			
TOTAL LIVING AREA	79,009	SQ. FT.		

PARKING ANALYSIS

SINGLE FAMILY ATTACHED REQUIREMENT PER DWELLING UNIT	2
PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING REQUIRED / SPACE FOR EVENT & UNITS	146
GUEST PARKING PROVIDED PER UNIT'S TOTAL	3
TOTAL REQUIRED SPACES	146
TOTAL PROVIDED SPACES	1700

SUBDIVISION PLAT

1/16" = 1'-0"

ESPLANADE

15' RAD. CONC. APPROACH

BUFFALO DRIVE

15' RAD. CONC. APPROACH

(UNDEVELOPED)

N89°02'51"E

N88°50'51"E



GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

Petition against VAR-4005

Application/Owner: Valencia Communities, Inc.

Meeting Date/Time: May 5, 2004 1:00PM

Dear City Council Members,

Please accept the below signatures from the Aurora View Estates Homeowners opposing the zoning changes being requested by Valencia Communities, Inc. We believe this project will affect our neighborhood negatively. The proposed three story buildings including the grade change will eliminate any privacy the homes to the west will have in their rear yards. With the height being proposed and the grade change of approximately 10 feet, this proposed project will have buildings 45 feet high to our west. In addition, the builder has designed this project too dense for the size property. A project of this size requires 5 acres vs. the 2.92 acres Valencia Communities is trying to use. By the builder trying to squeeze 24 units on the property, this will also eliminate the option for a gated community.

Please help us protect the value and integrity of our homes by rejecting the proposed project. We request this signed petition be made a matter of record.

NAME	ADDRESS
1. <u>[Signature]</u>	<u>1625 MARBELLA Ridge COURT</u>
2. <u>[Signature]</u>	<u>1616 MARBELLA Ridge CT</u>
3. <u>Jim - Pham</u>	<u>1516 Marbella Ridge CT</u>
4. <u>Jeff Hammack</u>	<u>8412 DEL REY</u>
5. <u>Janice R. Hammack</u>	<u>1501 Marbella Ridge Court</u>
6. <u>Maule Jones</u>	<u>1401 Marbella Ridge ct</u>
7. <u>Karen Gladczuk</u>	<u>1401 Marbella Ridge ct.</u>
8. <u>Marilynn & Walt Stowe</u>	<u>1609 Marbella Ridge Ct</u>
9. <u>DENICE & DAVID SILVERMAN</u>	<u>1624 MARBELLA RIDGE CT.</u>
10. <u>Francisco & Thomas Deun, MD.</u>	<u>1408 Marbella Ridge Ct. 89117</u>
11. <u>[Signature]</u>	<u>1617 Marbella Ridge Ct.</u>
12. <u>[Signature]</u>	<u>1617 Marbella Ridge Ct.</u>
13. <u>Howard & Cleta Thompson</u>	<u>1710 So Buffalo Dr</u>

Submitted at City Council

Date 5/5/04 Item # 129-132

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING - VAR-4005 -
APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Variance TO
ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON
2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located at 1700 South
Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-
PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). The Planning
Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item 35

MOTION:

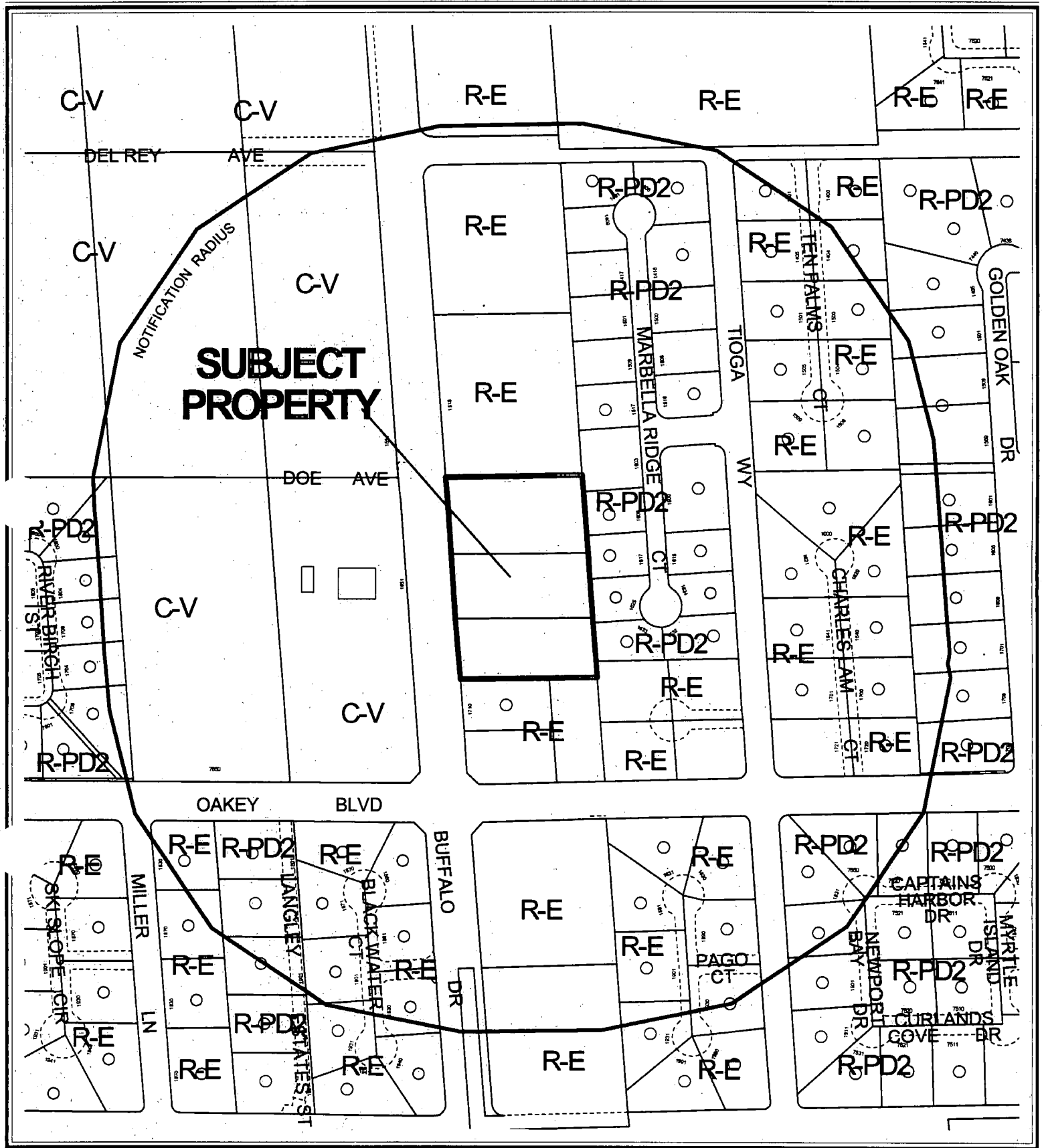
MONCRIEF - DENIED - UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 129 [GPA-4000] for all related discussion.

(3:42 - 3:57)

5-1748



CASE: VAR-4005

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



130



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4003) and Site Development Plan Review [SDR-4004].
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 a request for a Variance to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.

- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.
- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #35/gl).

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined the revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

- 03/08/04 There were 20 residents in attendance at the required neighborhood meeting for the General Plan Amendment. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped

North: Undeveloped

South: Single family residence and undeveloped

East: Single family residential; small park at the northeast corner

West: Park

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: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

East: R-PD2 (Residential Planned Development - 2 Units per Acre)

West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. The proposed R-PD10 zoning district would conform to the MLA land use 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, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 2.92 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 28-unit attached single-family project on the site. The subject deviation is 41.7%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-2 (Medium Low Density Residential) zoning district allows up to 12 units per acre, and would conform to the MLA land use designation proposed for the site, the R-2 district contains a minimum lot size requirement of 6,500 square feet, front and rear setbacks and a two-story building height limit that would not work with the project as proposed.

There are no other standard districts which would be adequate for a project of this type; however, the project has been tightly clustered on the site, utilizing minimal building setbacks and identifying what would traditionally be front yard space to meet R-PD open space requirements. All this is indicative of an overbuilding situation, wherein the developer is attempting to simply put too many units on a given parcel of land, without providing justification that the hardship is not solely personal, self-created or financial in nature.

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 proposing a type and style of residential development that can only be granted using Residential Planned Development zoning on a site that is too small too accommodate the amenities necessary for this type of zoning district. Alternative design or the addition of adjacent undeveloped parcels to the overall site plan would 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 92 by City Clerk

APPROVALS 0

PROTESTS 5



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4005 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc.

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

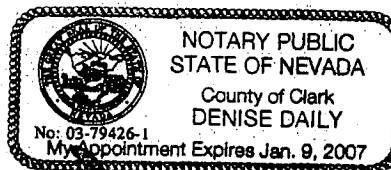
Print Name: _____

Christopher Ferguson, President

Subscribed and sworn before me

This 28th day of February, 2006

[Signature]
Notary Public in and for said County and State





CORVIALE
LAS VEGAS



DESIGN

1/16" = 1' - 0"

1 of 10



41'-8 1/2" ESPLANADE

NOTE:			
TOTAL FOOTAGE OF PROPERTY	187,011	SQ. FT.	2,295 AC.
OPEN SPACE REQUIRED	17,070	SQ. FT.	209 X
OPEN SPACE PROVIDED	31,443	SQ. FT.	308 X
NON PERVIOUS AREA	63,831	SQ. FT.	60 X
PERVIOUS AREA	141,896	SQ. FT.	92 X
TOTAL UNITS	30 UNITS		
UNITS PER ACRE	940 UNITS		
F.A.R. / FLOOR RATIO	30 X		
TOTAL LIVING AREA	79,009	SQ. FT.	

SINGLE FAMILY ATTACHED REQUIREMENTS FOR DWELLING UNIT	2
PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING REQUIRED / SPACE FOR EVERY 6 UNITS	466
GUEST PARKING PROVIDED 25 UNITS TOTAL	5
TOTAL REQUIRED SPACES	6066
TOTAL PROVIDED SPACES	8700

VIN CITY MAP

DUNKER HILL DESIGN



VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING - ZON-4003
- **APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request for a Rezoning
FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development - 10 Units per
Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward
1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 4/8/2004 Planning Commission meeting Item36

MOTION:

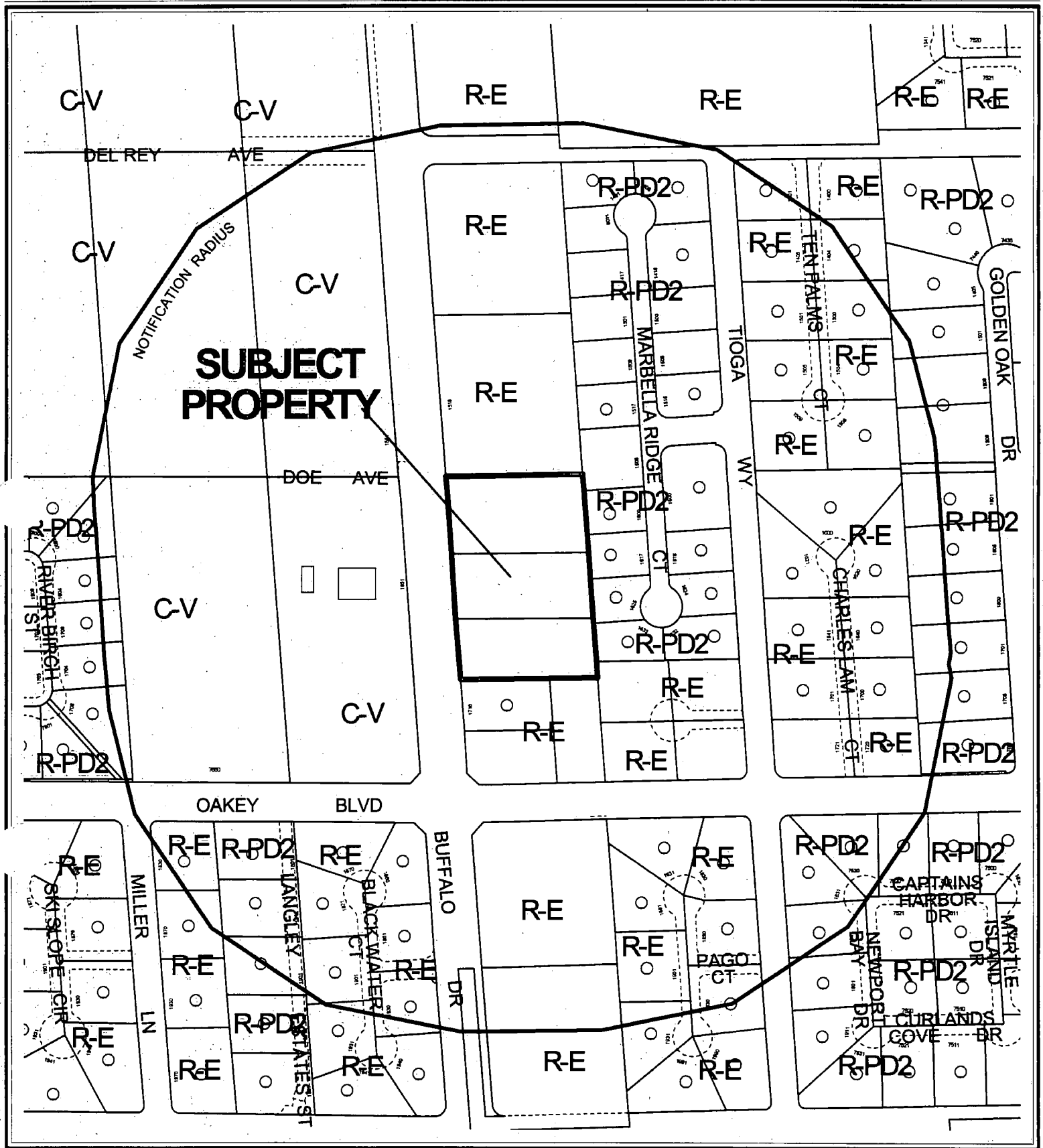
MONCRIEF – DENIED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

NOTE: See Item 129 [GPA-4000] for all related discussion.

(3:42 – 3:57)

5-1748



CASE: ZON-4003

RADIUS: 750 FT

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

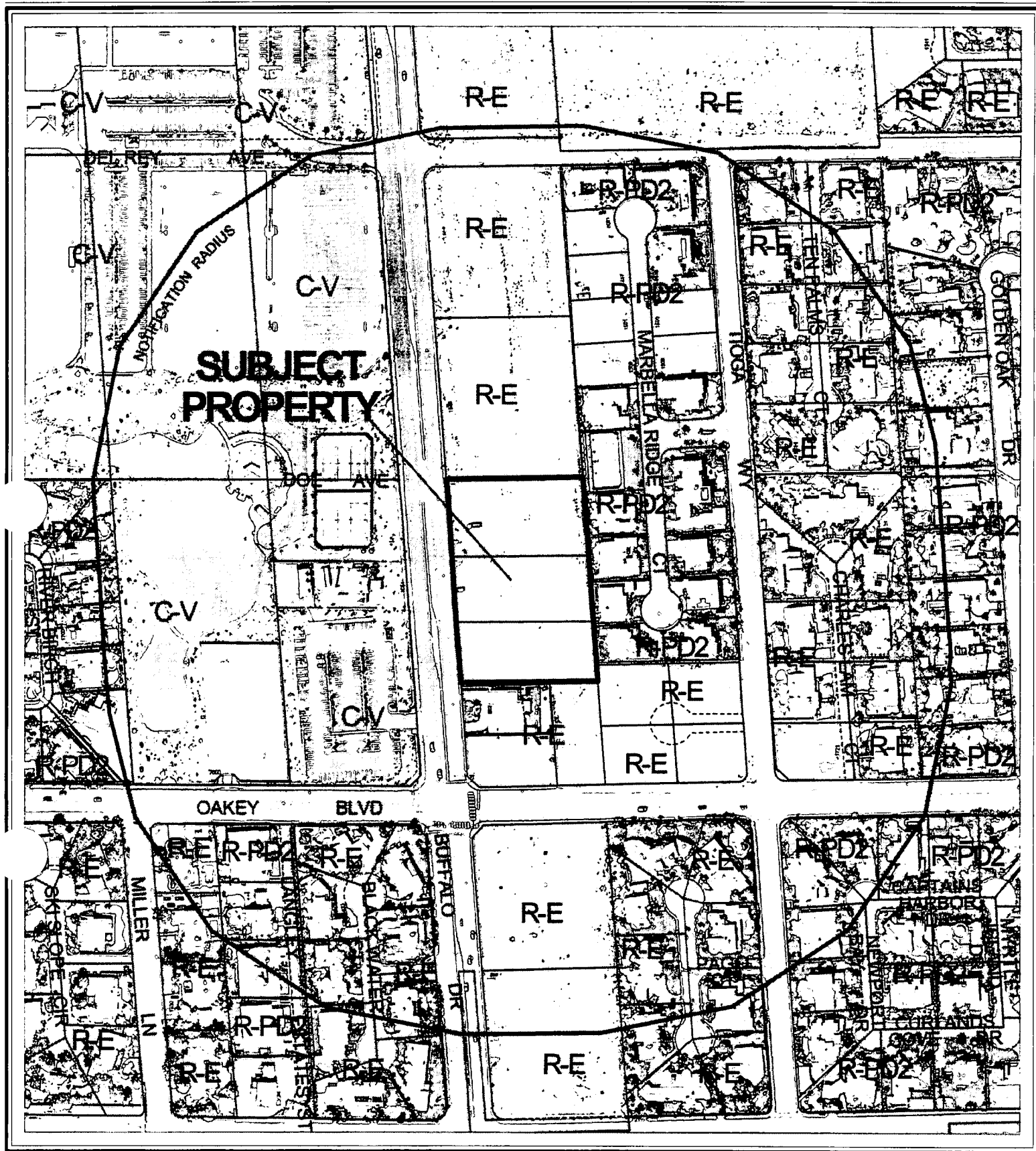
PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet

131





CASE: ZON-4003

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-4000) to an MLA (Medium-Low Attached Density Residential) land use designation and a Variance (VAR-4005) to allow a reduced site area for R-PD zoning approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to rezone a 2.92-acre parcel located at 1700 South Buffalo Drive from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre). Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.

- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.
- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #36/gl).

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 A neighborhood meeting is not required for a Rezoning application; however, the companion General Plan Amendment request requires such a meeting. There were 20 residents in attendance at the required General Plan Amendment neighborhood meeting. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.92

B) *Existing Land Use*

Subject Property: Undeveloped

North: Undeveloped

South: Single family residence and undeveloped

East: Single family residential; small park at the northeast corner

West: Park

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: P/R/OS (Parks/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

East: R-PD2 (Residential Planned Development - 2 Units per Acre)

West: C-V (Civic)

E) *General Plan Compliance*

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. The proposed R-PD10 zoning district would conform to the MLA land use 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, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	2,280 SF
Min. Lot Width	30 Feet
Min. Setbacks	• Front • Side • Corner • Rear none 3 Feet (zero feet on attached side) 3 Feet 5 Feet (estimated)
Max. Lot Coverage	Not indicated
Max. Building Height	3 Stories / 35 Feet

The front yard setback will have to be revised to at least three feet, or the structures will have to meet Building Code standards for a one-hour fire rating. Any common walls between each pair of attached units will similarly have to meet the same rating standard. Also, rear yard setbacks will have to be provided on the site plan.

Also pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
2.92 acres	10.41 u.p.a.	1.65	17.2 %	21,812 SF	16.9%	21,445 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval for the companion site plan application (SDR-4004) will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) *General Analysis and Discussion*

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.92 gross acres. A companion Variance request (VAR-4005) will address this issue. The proposed rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the proposed MLA (Medium-Low Attached Density Residential) land use category in the General Plan, which is the subject of another companion application (GPA-4000). The proposed development (SDR-4004) will result in the construction of 24 attached single-family and four single-family residential lots having a density of 10.4 units per gross acre, below the 12 u.p.a. maximum density allowed within MLA (Medium-Low Density Residential) designation. The development will feature 37-foot wide private streets with "L" curbs and open space areas with amenities that, in total, are slightly deficient with respect to the requirements of an R-PD district.

The proposed zoning is not compatible with the size and density of surrounding lots. Lots to the east and south of the proposed development meet the development standards for the R-PD2 (Residential Planned Development - 2 Units per Acre) or R-E (Residence Estates) zoning districts, with most lots approximately one-quarter acre or more in size. Lots in the proposed development will average approximately 2,300 square feet. The proposed development will detract from the low-density character of the area and deviates from the established development pattern of the surrounding properties.

FINDINGS

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

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

The proposed Rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the density range allowed by the proposed MLA (Medium-Low Attached Density Residential) General Plan Designation. Properties to the north, south, and east of the subject property share the current DR (Desert Rural Density Residential) General Plan designation of the subject site.

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

The attached single-family residential uses proposed on the subject property are proposed at a significantly higher density than any of the surrounding properties and are therefore incompatible with the lower-density uses and zoning designations of these surrounding properties.

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

The density and size of the lots proposed for the property to be rezoned do not resemble the development pattern of surrounding properties. The applicant has provided no compelling evidence substantiating the need for this type of development within the area. The proposed rezoning is therefore inappropriate.

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

Access to the property is provided by Buffalo Drive, identified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This road is adequate to meet the traffic demands of the proposed attached single-family residential development.

NOTICES MAILED 90 by Planning Department

APPROVALS 0

PROTESTS 5



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4003 APN: _____

Name of Property Owner: Valencia Communities Inc

Name of Applicant: Scott Collins

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

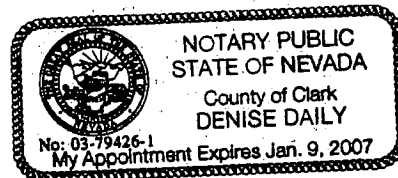
Signature of Property Owner/Authorized Agent: _____

Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004

Notary Public in and for said County and State



DATE
01.28.04
REVISION
02.18.04

CORVIALE
LAS VEGAS

EXISTING
SINGLE FAMILY HOME



DUNKER HILL DESIGN & ASSOCIATES
REAL ESTATE DESIGN & ARCHITECTURE

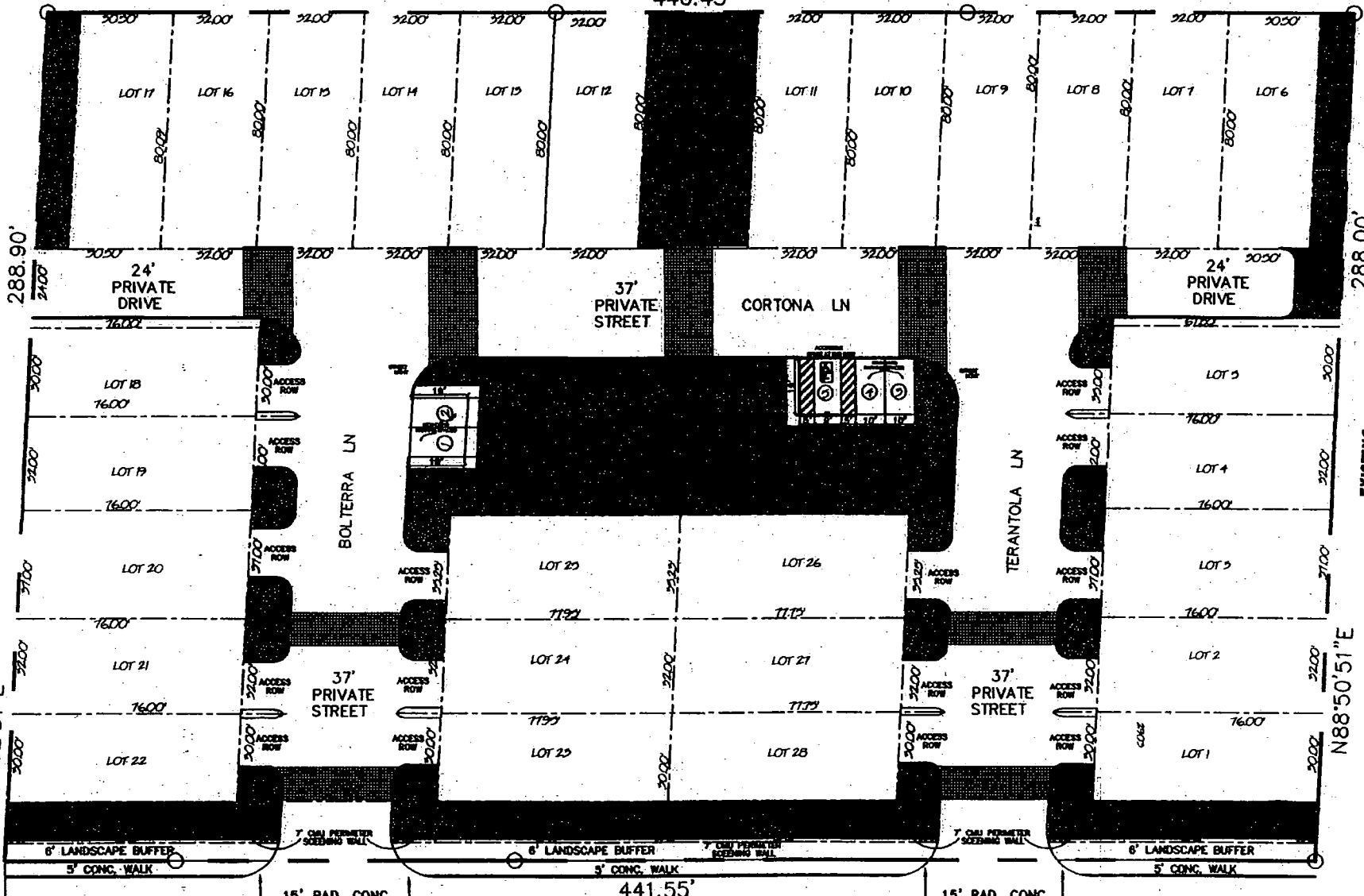
MAP
PLAN
BUF.

1/16" = 1'-0"
1 of 10

**ZON-4003
SDR-4004
VAR-4005**

VINITY MAP

440.45' **EXISTING SINGLE FAMILY HOMES**



SUBDIVISION PLAT

1/16" = 1'-0"

41'-8" ESPLANADE

NOTE:

TOTAL FOOTAGE OF PROPERTY	121,071	SQ. FT.	2,815 AC.
OPEN SPACE REQUIRED	19,090	SQ. FT.	439 AC.
OPEN SPACE PROVIDED	21,440	SQ. FT.	493 AC.
NON PERVIOUS AREA	82,121	SQ. FT.	188 AC.
PERVIOUS AREA	44,856	SQ. FT.	102 AC.
TOTAL UNITS	20 UNITS		
UNITS PER ACRE	0.40 UNITS		
PAV. / FLOOR AREA	20 X		
TOTAL LIVING AREA	79,009	SQ. FT.	1,811 AC.

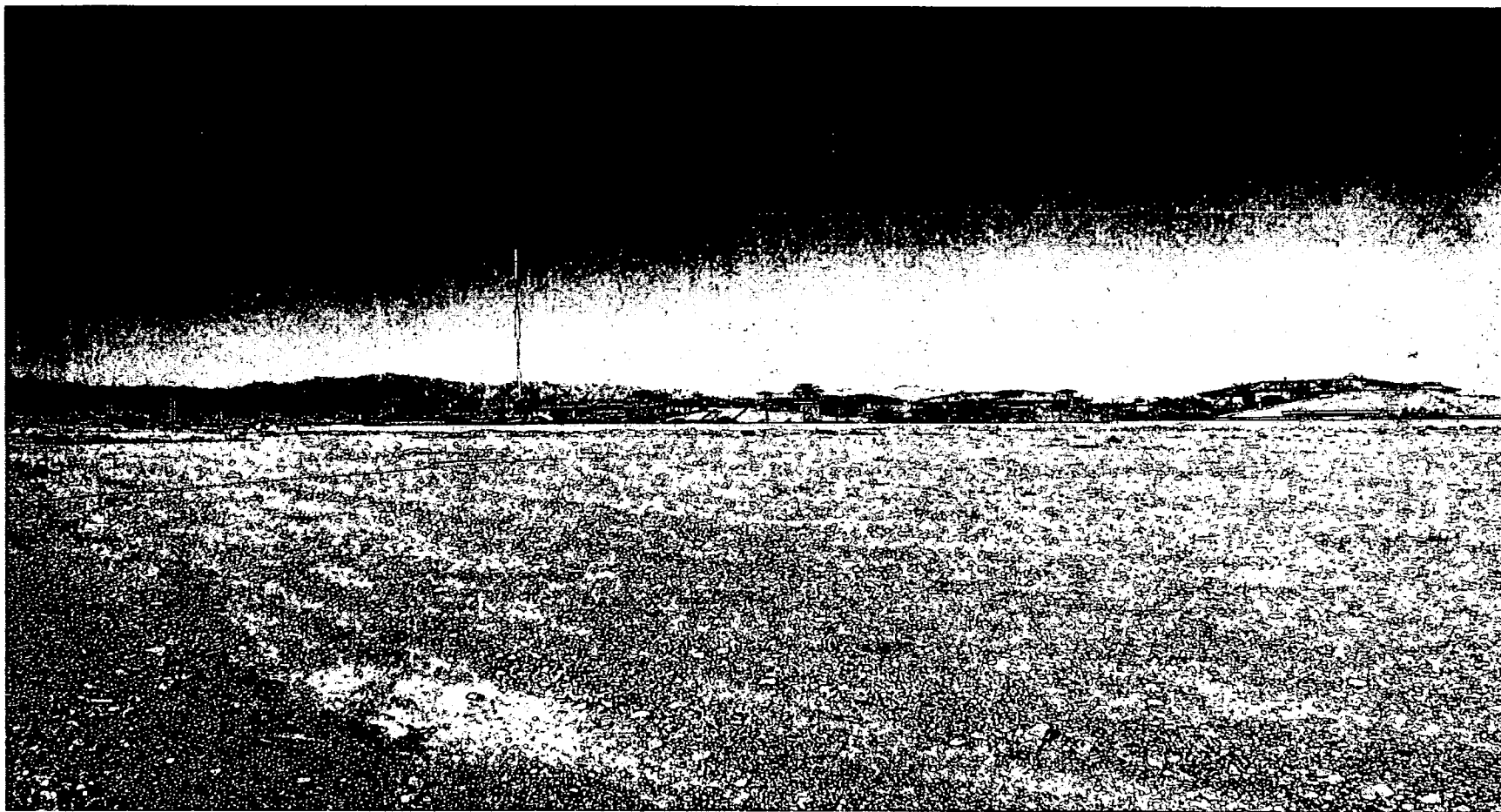
FINDINGS ANALYSIS

SINGLE FAMILY ATTACHED REQUIREMENTS PER DWELLING UNIT	2
PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING REQUIRED / SPACE FOR EVERY 6 UNITS	144
GUEST PARKING PROVIDED TO UNITS TOTAL	80
TOTAL REQUIRED SPACES	164
TOTAL PROVIDED SPACES	164



ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04