City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4193 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: FARLEY ANDERSON, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 131 PARKING SPACES WHERE 161 SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT ON 2.27 ACRES adjacent to the north side of Lake Mead Boulevard approximately 200 feet West of Torrey Pines Drive (APN: 138-23-201-008), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – APPROVED subject to condition – UNANIMOUS

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this application is a retail center that was initially approved in November 2003. According to the applicant, there is positive market pressure to put restaurants on the site, as well as a prospective financial institution, which would raise the amount of required parking spaces to 161 spaces instead of 131 including handicap. The application for the Variance would allow the more intense uses to locate within the development. In order to do this, the applicant would redesign 39 parking spaces to compact design standards. The site meets the Code Standards, which is 30% for

MINUTES – Continued:

compact parking. In addition, six landscape fingers along the north edge of the site have been removed to accommodate the extra parking. As a result, an Administrative Site Plan Review would be required if this modification occurred to the Site Plan. The applicant has also indicated that they have cross access to the adjacent convenient store. However, parking for the site has to be satisfied on the site regardless of any available additional parking spaces in that area. Staff believes that the applicant is creating a self-hardship, as the project is overbuilt and/or inviting more intense uses which requires additional parking than the initial approval. The site can comply with Title 19 parking requirements if the uses remain retail and office space. The property is under the 25,000 square foot threshold for retail, which makes the parking space requirement 1-175 rather than 1-250. Therefore, staff recommended denial.

RUDY STARKS, Perkowitz and Ruth Architects, 3980 Howard Hughes Parkway, appeared on behalf of Bullseye Commercial Real Estate, stated that since approval in November, they have proceeded with construction documents, which have been submitted to the City of Las Vegas and is close to breaking ground. The type of tenant mix is good, such as a lunch and breakfast shops, coffee shop, and a restaurant that sells finger foods. The restaurants are not real intense on parking, and there has been some request for more food use in that area. If this were a 25,000 square foot retail center, the parking requirements would be met. The applicant cannot use the parking at the adjacent convenient store, which has 13 parking spaces. Although the applicant cannot ask for this additional parking as part of the Variance; however, they are available for the applicant use. MR. STARKS stated that recently the City Council approved the Charleston Festival project, and it was noted that it was one of the easiest projects to approve. The applicant is trying to present quality projects with four sided buildings that have great architecture. In addition, the goal is to have a successful project with long term leasing. He asked for approval without the two-year time extension.

COMMISSIONER EVANS asked the applicant to verify whether or not they can use the convenient store parking. MR. STARKS replied that it is reciprocal parking, with the convenient store needed 17 spaces thereby leaving 13 available spaces that can be used. MR. STARKS also informed COMMISSIONER EVANS that this commitment has been made in writing. COMMISSIONER NIGRO commented that he understands that Staff has to maintain the strict interpretation of the Code. His concern would be a small retail center allowing over five parking spaces per 1,000 square feet. This would be an issue if threw were a large restaurant, such as 6,000 square feet, trying to accommodate the parking. He then asked how does the two-year time limit work with this application in regards to the requested retail spaces. MR. LEOBOLD explained that if construction does not take place on this site within that period of time, then the applicant would have to apply for an extension or the application would lapse. MR. STARKS confirmed with COMMISSIONER NIGRO that he understood the condition.

MINUTES – Continued:

MR. STARKS reiterated that it would be a drive-through coffee shop and fast food restaurants. COMMISSIONER STEINMAN pointed out that this is not a good site for a shopping center use because it does not have the necessary depth. Third of the parking spaces would be needed at the rear of the center. In reality, people do not park along the back wall then walk around the building to the entrance. They want to be closer. In addition, people may not want to park at the gas station, located next to this property, just to eat at the restaurant. The application will probably be acceptable if it will be for non-intense restaurant use; however, due to the parking along the back wall, it will get intense at times. Although the applicant added that some of the parking in the rear would be for employees, COMMISSIONER STEINMAN rebutted that even so, it is still difficult to make employees park in the rear. He will support the application, though, because of its use. COMMISSIONER McSWAIN concurred with COMMISSIONER STEINMAN and stated that she feels the parking can be absorbed with the 13 available parking spaces at the convenient store if necessary.

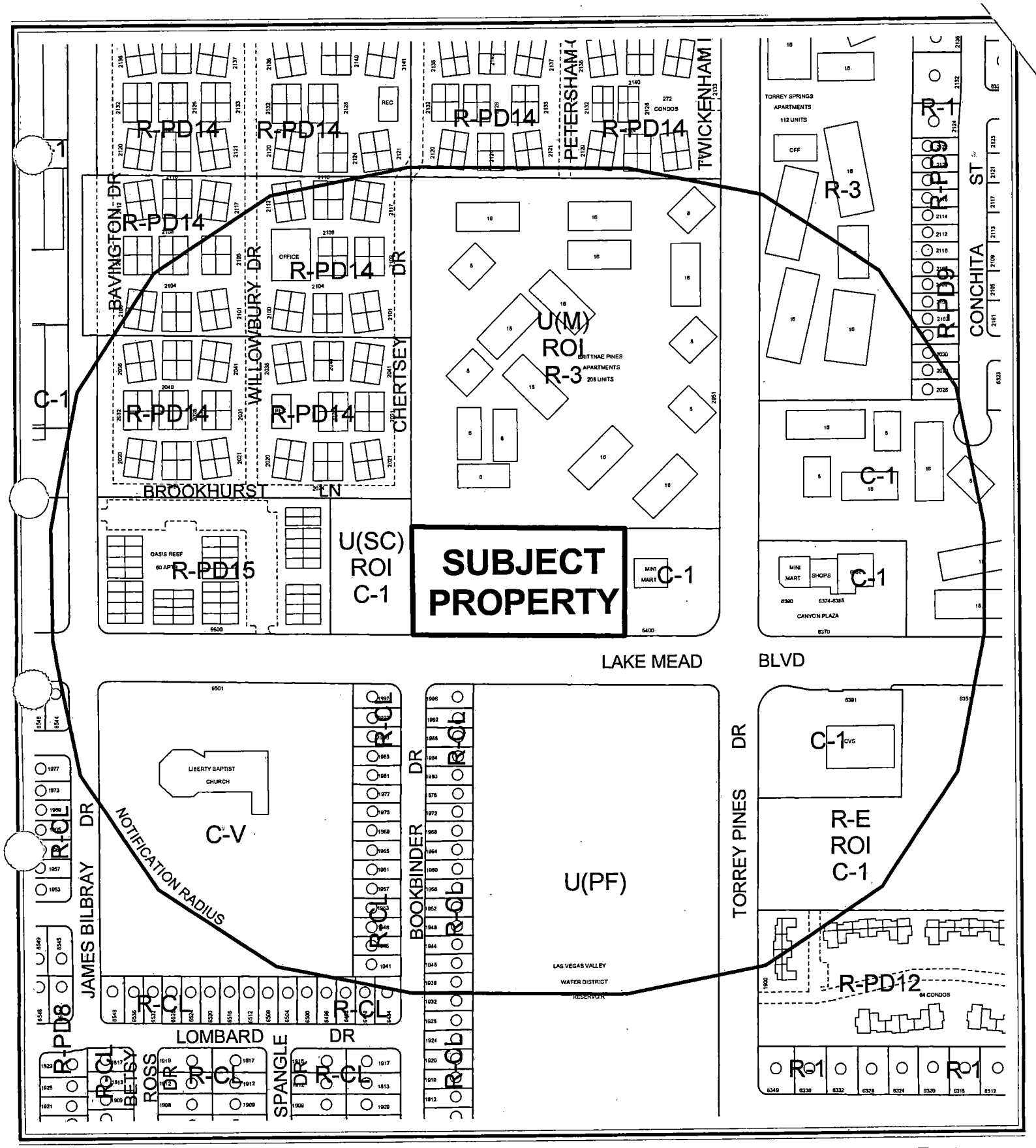
No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(7:46 – 8:00)

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.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TWICKENHAM
BAVINGTON DR
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OFFICE
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WILLOWBURY DR
CHERTSEY DR
C-1
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BROOKHURST LN
U(M)
ROI
R-3
BRITTNAE PINES
APARTMENTS
205 UNITS
TORREY SPRINGS
APARTMENTS
112 UNITS
OFF
R-3
R-PD9
R-1
CONCHITA ST
R-PD9
C-1
OASIS REEF
60 APTS
R-PD15
U(SC)
ROI
C-1
SUBJECT
PROPERTY
MINI MART
C-1
MINI MART
SHOPS
C-1
CANYON PLAZA
LAKE MEAD
BLVD
LIBERTY BAPTIST CHURCH
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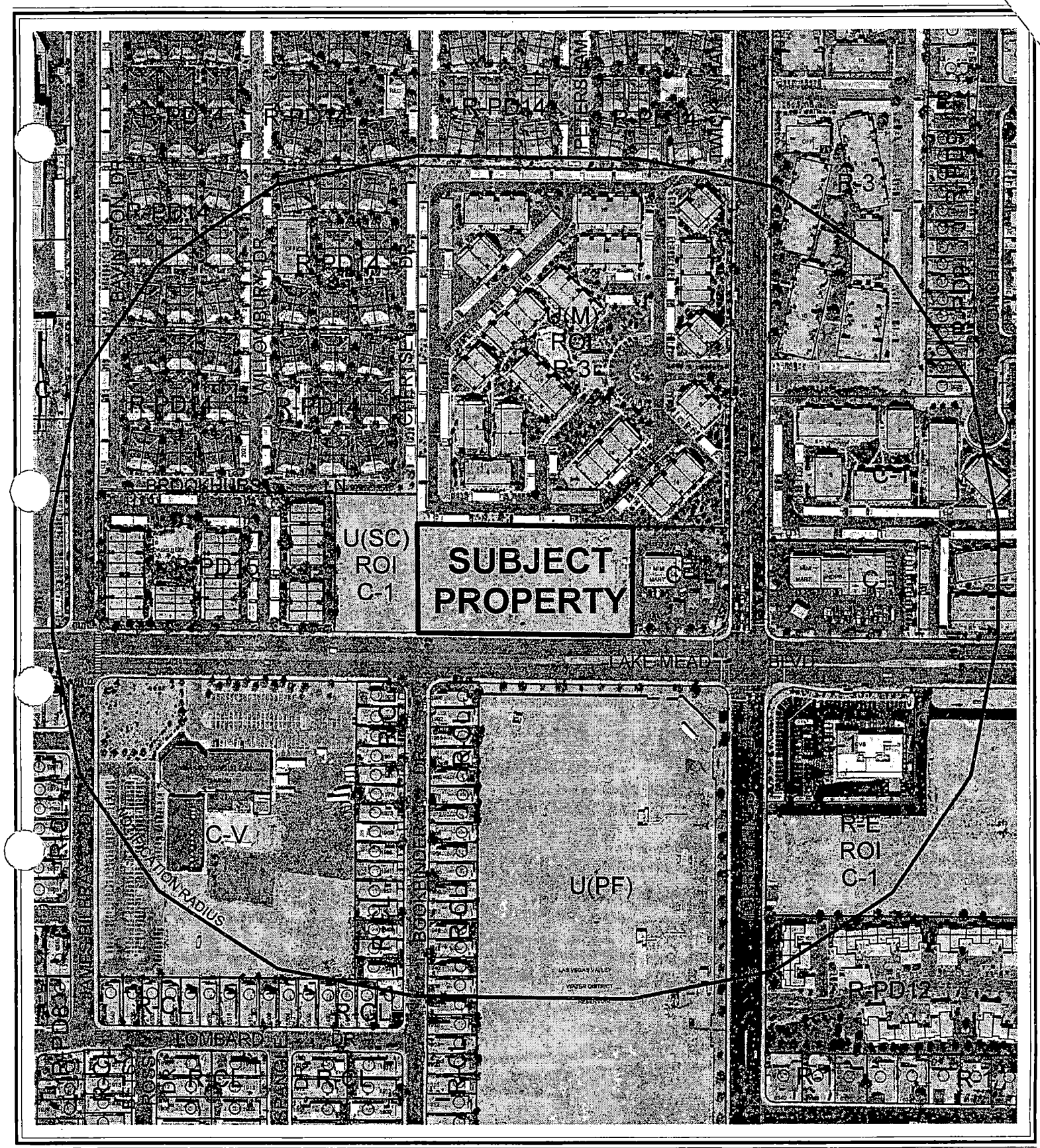
SUBJECT PROPERTY
U(SC) ROI C-1
U(PF)
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R-PD15
R-PD12
R-3
C-1
C-2
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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4193 - APPLICANT: BULLSEYE COMMERCIAL REAL ESTATE - OWNER: FARLEY ANDERSON, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 131 parking spaces where 161 spaces is the minimum required for a proposed commercial development on 2.27 acres adjacent to the north side of Lake Mead Boulevard, approximately 200 feet west of Torrey Pines Drive.

B) Applicant's Justification

The applicant claims that the parking requirements are more stringent for smaller retail developments (1:175 rather than 1:250 for developments less than 25,000 square feet), and the subject development would have met the code for larger retail centers. In addition, the development plans to accommodate at least three restaurants in order to meet demand for this service by area residents. This parcel and the corner parcel to the east are jointly held by the same owner and a cross-access agreement exists between the two properties, allowing for additional parking if necessary. Finally, use of some of the retail area as office space would favorably affect the parking calculation so that fewer spaces would be required.

BACKGROUND INFORMATION

A) Previous Actions

11/19/03 The City Council approved a General Plan Amendment (GPA-3058) from M (Medium Density Residential) to SC (Service Commercial), a Rezoning (ZON-3060) from U (Undeveloped) [M (Medium Density Residential) and SC (Service Commercial) General Plan Designations] to C-1 (Limited Commercial), and a Site Development Plan Review (SDR-3062) and a Waiver of the parking lot landscaping requirements for a proposed 22,700 square foot retail development on the subject site. The Planning Commission and staff recommended approval on 10/23/03.

B) Pre-Application Meeting

03/12/04 The applicant discussed ways to gain additional parking spaces on the site, including the removal of landscape fingers in the rear and converting up to 30 percent of the spaces to compact size. The applicant also wants to add a drive-through lane to the east side of the main retail building.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.27

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multi-Family Residential
South:	Undeveloped
East:	Convenience Store
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential)
South:	U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] and R-CL (Single-Family Compact-Lot)
East:	C-1 (Limited Commercial)
West:	U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is currently designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use classification is intended to permit most retail, office, and commercial uses that do not contain more general commercial characteristics. The approved retail center for this site and the current C-1 (Limited Commercial) zoning district are in conformance with the SC (Service Commercial) category.

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

No special districts, zones, or studies are related to the subject site. It is noted that a Multi-Use Non-Equestrian Trail has been proposed for Lake Mead Boulevard in the vicinity of this development. At this time it has not been determined on which side the trail will be required. The developer will not be responsible for providing the trail at this time.

ANALYSIS

A) Zoning Code Compliance

A3) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
General Retail	10,200 SF	1/175 SF GFA	58			
Restaurant without drive-thru	4,000 SF	1/50 SF customer seating area + 1/200 SF remaining floor area	44			
Restaurant with drive-thru	3,200 SF	1/100 SF GFA + 1 lane with stacking space for 6 vehicles	32			
Financial Institution	5,300 SF	1/200 SF GFA	27			
TOTAL	22,700 SF		155 (161 with HC)	6	126	5

SS

The development is deficient 30 required parking spaces, a 19 percent deviation from the minimum standard, given the expected uses on the site.

B) General Analysis and Discussion

The applicant gained approval for a 22,700 square foot retail development in November 2003 showing 121 spaces on site and an additional 30 spaces on the corner convenience store parcel adjacent to the east. Although a cross-access and shared parking agreement existed between these two properties, the multi-tenant retail property remained underparked. Since the time of approval, the applicant began plans to attract several restaurants and an additional financial institution to the development, thereby raising the amount of required parking to 161 spaces. This application for a Variance would allow these more intense uses to locate within the development.

In order to fit additional spaces in the development, 39 spaces have been designated as compact eight-foot by 18-foot spaces. This arrangement is within the Zoning Code standard, which allows up to 30 percent of provided spaces to be designated as compact. Cross-access with the adjacent convenience store property will allow for more parking, but cannot be used in the required calculation and will be away from the uses they intend to serve. Although a Variance would help the site to accommodate more intense uses, Staff cannot support such a request because it would not have been needed if there were only retail uses on the site. The development will not be able to accommodate additional tenants with intense uses such as spas, taverns, or restaurants without the granting of another Variance.

The applicant was also able to gain additional spaces on the current site plan by removing six landscape fingers along the north edge of the property. A drive-through lane was also annexed to the east side of Building 'A'. An administrative Site Development Plan Review will be required for these changes since the original approval of November 19, 2003. A Waiver was granted for the parking lot landscape fingers, so it is acceptable for them to be removed.

FINDINGS

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

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

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

"L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission and City Council must determine that the Variance is warranted both under

State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by inviting in more intense uses requiring additional parking that the site is not equipped to accommodate. The site can comply with Title 19 parking requirements if the uses remain retail and office-based. 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 358

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4193 APN: 138-23-201-008

Name of Property Owner: Farley Anderson, ~~LP~~ LLC

Name of Applicant: Bullseye Commercial Real Estate, Nevada LLC

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

_____ Yes XX 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: Farley Anderson

Print Name: FARLEY ANDERSON

Subscribed and sworn before me

This 23rd day of MARCH, 2004

M. Scott Williams

Notary Public in and for said County and State King County Washington State

M. SCOTT WILLIAMS NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES MARCH 24, 2007

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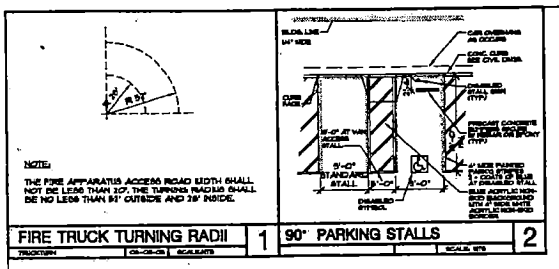


Property Information

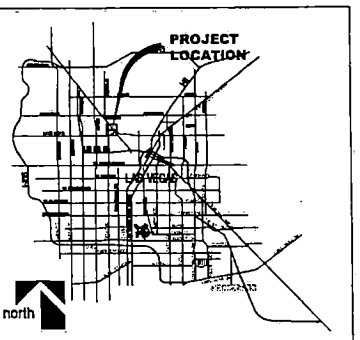
Jurisdiction: City Of Las Vegas
Current Zoning: C-1
Parcel Number: 138-232-01-008

± 123,604 sf Gross Land Area
± 98,881 sf Net
± 2.84(Gross) Acres
22,700 sf Total Building Area
131 Stalls Total Parking Provided
(30% shown as Compact Car stalls)
(Cross Access Agrmt: 13 stalls are on adjacent property)
161 Stalls Total Parking Required
5 HC Stalls Total Req'd / Prov'd
23% F.A.R. (Floor Area Ratio)

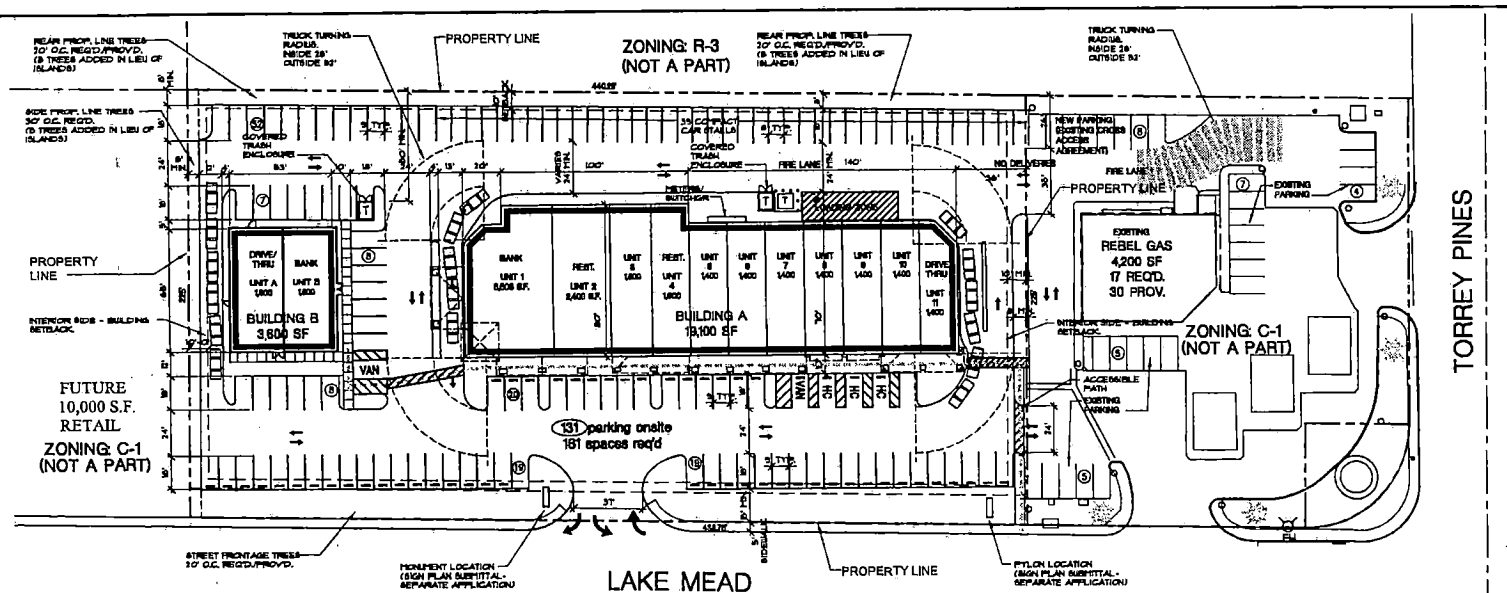
Parking Calculations

Parking Required is based on following ratios:

retail = 10,200 sf @ 1/175	58.2 stalls
restaurant = 4,000 sf	44.0 stalls
customer area 1/50, all other 1/200 assumed 40% customer area	
drive/thru = 3,200 sf @ 1/100	32 stalls
bank = 5,300 sf @ 1/200	26.5 stalls



VICINITY MAP - N.T.S.



SITE PLAN

MARCH 29, 2004
SCALE: 1" = 30'-0"
A

VAR-4193
5-13-04 PC

REVISIONS

OWNER:
Bill Saye

Perkowitz+Ruth Architects
Architecture / Planning / Store Design
3980 Howard Hughes Parkway, Suite 150, Las Vegas, NV 89109 Tel (702) 892-8500

PROJECT:
LAKE MEAD PROMENADE
SITE DESIGN
NWC / TORREY PINES & LAKE MEAD
LAS VEGAS, NEVADA

BID DATE:
JOB NUMBER: 03-272
PLOT DATE: 03-29-04
DRAWN BY: TEAM
SHEET TITLE: MASTER SITE PLAN
SHEET NO:
SA.1

TREE / SHRUB AND GROUND COVER SCHEDULE

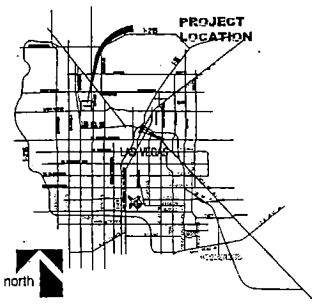
SYMBOL	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	24" BOX	20' O/C ALONG PRIMARY THOROUGHFARE	FRUITLESS OLIVE	OLEA EUROPEAEA 'SWAN HILL'
	24" BOX	20' O/C ALONG PROP. LINE ADJACENT TO RESIDENTIAL	ITALIAN STONE PINE	PINUS PINEA
	24" BOX	30' O/C ALONG PROP. LINE ADJACENT TO COMMERCIAL	ITALIAN STONE PINE	PINUS PINEA
	24" BOX	ENTRY ACCENTS	MEDITERRANEAN FAN PALM	CHAMAEROPS HUMILIA
	1-GAL	1 PER 3 LINEAR FEET (GROUP WHERE APPROPRIATE)	DESERT CARPET ACACIA	ACACIA REDOLENS
	24" BOX	ADDITIONAL TREES ADDED IN LIEU OF ISLANDS (5 MIN)	ITALIAN STONE PINE	PINUS PINEA

Note:

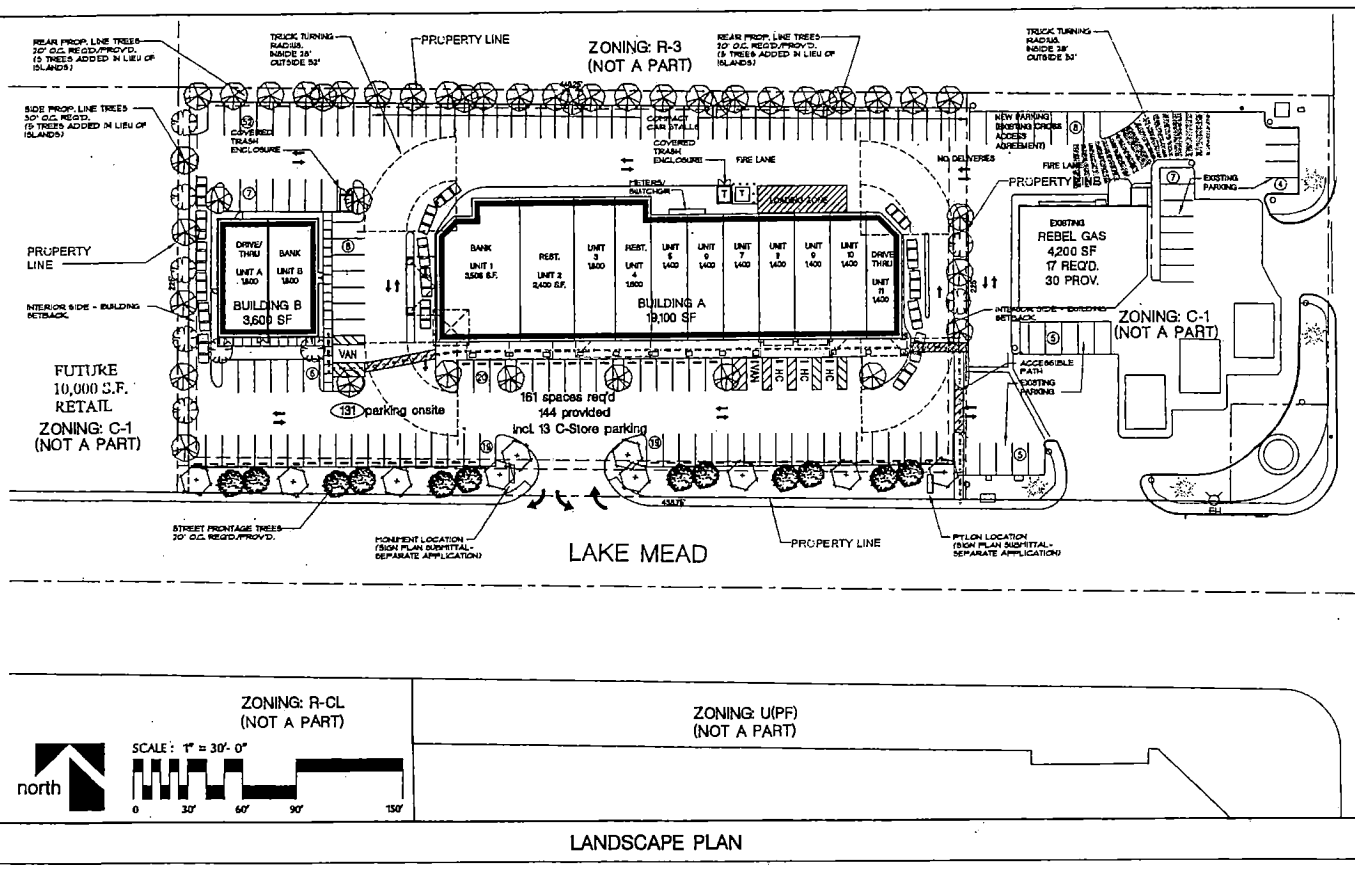
All landscaping to comply w/ CLV Zoning Code Chapter 19, Section 19.12, and ref. sections.

SITE LANDSCAPE INFORMATION:

SITE :	123,604 SF
TOTAL LANDSCAPE AREA :	22,632 SF
PERCENT OF SITE LANDSCAPED :	18.3%



VICINITY MAP - N.T.S.



LANDSCAPE PLAN

SEPTEMBER 09, 03

SCALE: 1" = 60'-0"

A

REVISIONS

OWNER: Bullseye

Perkowitz+Ruth Architects
Architecture / Planning / Store Design
3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109 Tel (702) 892-8500

PROJECT: LAKE MEAD PROMENADE SITE DESIGN
NWC / TORREY PINES & LAKE MEAD
LAS VEGAS, NEVADA

BID DATE:
JOB NUMBER: 03-272.1
PLOT DATE: 10-22-03
DRAWN BY: TEAM
SHEET TITLE: LANDSCAPE PLAN
SHEET NO:

LS.1

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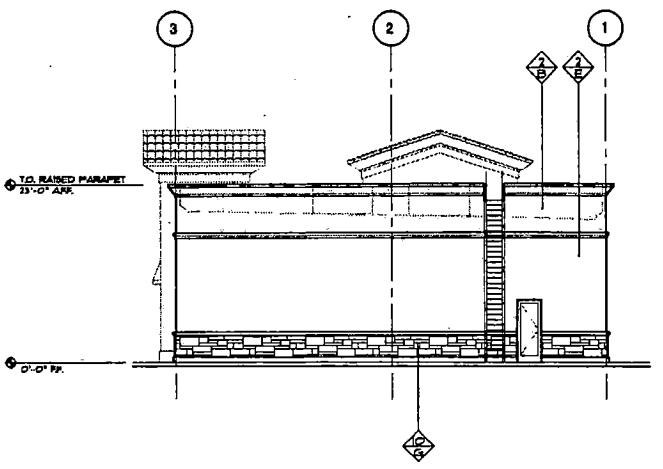
VAR-4193

5-13-04 PC



PAD "B" -- NORTH ELEVATION

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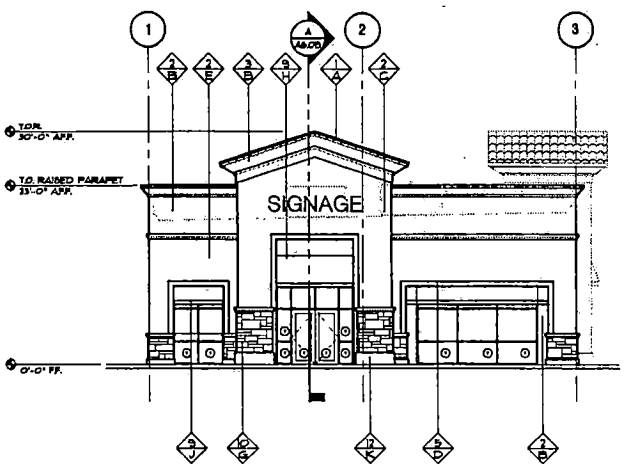

PAD "B" -- SOUTH ELEVATION

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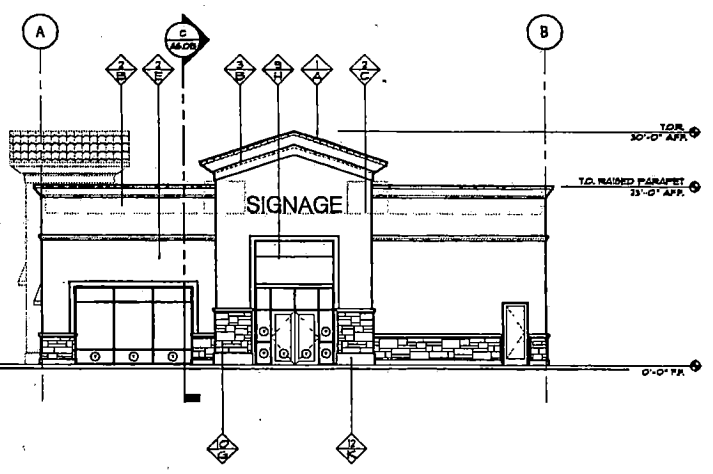
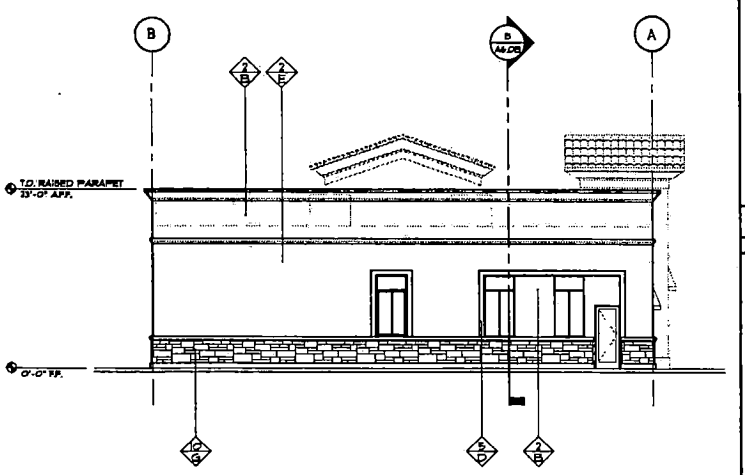


PAD "B" -- EAST ELEVATION

C

XGT222E3.DWG | 02/27/04 | SCALE: 3/32" = 1'-0"



PAD "B" -- WEST ELEVATION

B

XGT222E3.DWG | 02/27/04 | SCALE: 3/32" = 1'-0"

	MATERIAL	FINISH
1	CLAY ROOF TILE	A — MB TILE 3 PIECE MISSION "EL CAMINO BLEND"
2	SMOOTH STUCCO PLASTER FINISH	B — BENJAMIN MOORE 252-10 "MAYONNAISE"
3	FOAM CORNICE W/"SMOOTH COAT" STUCCO PLASTER FINISH	C — BENJAMIN MOORE 2165-30 "PEARL HARBOR"
4	PRECAST CONCRETE MOULDINGS	D — BENJAMIN MOORE 2161-40 "ACORN YELLOW"
5	WOOD TRIM MOULDINGS W/ PLASTER FINISH	E — BENJAMIN MOORE 2162-30 "ARIZONA TAN"
6	FOAM SHAPE W PLASTER FINISH	F — BENJAMIN MOORE 2096-30 "GRANDFATHER CLOCK BROWN"
7	ACCENT CERAMIC TILES	G — CULTURED STONE "HONEY COUNTRY LEDGESTONE"
8	DECORATIVE METAL GRILLE ON RECESSED WINDOWS	H — SUNBRELLA "BURGUNDY - STYLE 4622"
9	FABRIC AWNING	J — SUNBRELLA "OYSTER - STYLE 4642"
10	STONE VENEER	K — COLOR TO MATCH CDI "WHEAT W W 34"
11	VERTICAL TRELLIS	L — DAL TILE "ORD TA-01 & RD960 TA-01"
12	CONCRETE BASE	M — -
13	-	N — -
14	-	P — -
15	-	Q — -
16	-	R — -
17	-	S — -
18	-	T — -
19	-	U — -
20	-	V — -
21	-	W — -
22	-	X — -

NOTES

1. ALL GLAZING PANELS ADJACENT TO FINISH FLOOR AND TO EITHER SIDE OF DOOR ENTRANCES ARE TO BE TEMPERED. ALL GLAZING SET IN STOREFRONT DOORS IS ALSO TO BE TEMPERED U.N.O.
2. BOTTOM OF AWNING HEIGHT TYP. X'-X" ABOVE ADJACENT FINISH FLOOR. TOP OF AWNING HEIGHTS ARE X'-X" @ AT TOWERS AND X'-X" AT ALL OTHERS U.N.O.
3. SEE ROOF PLAN FOR TOP OF BREATHING HEIGHTS.

EXTERIOR FINISH SCHEDULE

3

XBGH-EF1.DWG | 02/26/04 | SCALE: -----

VAR-4193
5-13-04 PC

TITLE

DRAWING.DWG | MM/DD/YY | SCALE: X-X/X" = X'

-

REVISIONS

PROJECT:
LAKE MEAD PROMENADE
NWC TORREY PINES DR. & LAKE MEAD BLVD.
LAS VEGAS, NEVADA

BID DATE:
-
JOB NUMBER:
03-272.23
PLOT DATE:
03/2/04
DRAWN BY:
TEAM
SHEET TITLE:
BLDG. SECTIONS BUILDING "B"
SHEET NO:

A4.0B

Perkowitz+Ruth Architects
Architecture / Planning / Store Design
3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109
Tel (702) 892-6500

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City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4176 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

NOTE: An initial motion by TRUESDELL to abey Item 44 [SUP-4176] and Item 45 [SDR-4174] to 5/27/2004, which carried unanimously, was reconsidered by NIGRO'S subsequent motion, which also carried unanimously.

NOTE: CHAIRMAN TRUESDELL disclosed that his company manages common areas of landscaping of the Tech Park but has no involvement or economic interest in any of these parcels, therefore, he will be voting on Item 44 [SUP-4176] and Item 45 [SDR-4174].

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 44 [SUP-4176] and Item 45 [SDR-4174] and GARY LEOBOLD, Planning and Development Department, gave staff's presentation. After it was determined that the applicant was not present, the items were abeyed to the 5/27/2004 Planning Commission meeting.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 44 – SUP-4176

MINUTES – Continued:
Subsequently, a representative arrived and requested the items be recalled. Following passage of a motion to reconsider the abeyance, GARY LEOBOLD, Planning and Development Department, reiterated portions of the staff report. He stated that the proposal is for a two-story building with 2,200 square feet of showroom space and 30,000 square feet of warehouse space at the ground level. The project is located in the Las Vegas Technology Park which allows for such uses under the CPB District, and the site is suitable for warehousing, and street network can handle the amount of expected traffic from this type of use. The Architectural Review Committee has approved the related Office and Warehouse Distribution Center Site Plan application accordingly on the Special Use Permit. Staff recommends approval subject to three conditions. There were a number of waivers requested including allowed parking in front of the building, having reflective glass at the pedestrian level and fewer trees than required in the parking lot area. Staff feels the waivers are justifiable and recommended approval.

E HONG LU, HFTA, 400 N. Stephanie, Ste. 245, appeared on behalf of the owner and concurred with staff conditions.

COMMISSIONER STEINMAN stated that they should not be cutting corners on landscaping, given the image they are trying to establish for this area. The applicant should abide to the standards for this area. MR. CLAPSADDLE indicated that the applicant is willing to provide landscaping in accordance with Tech Park's CC&RS. MR. LU concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 44 [SUP-4176] and Item 45 [SDR-4174].

NOTE: All discussion for Item 44 [SUP-4176] and Item 45 [SDR-4174] was held under Item 44 [SUP-4176].

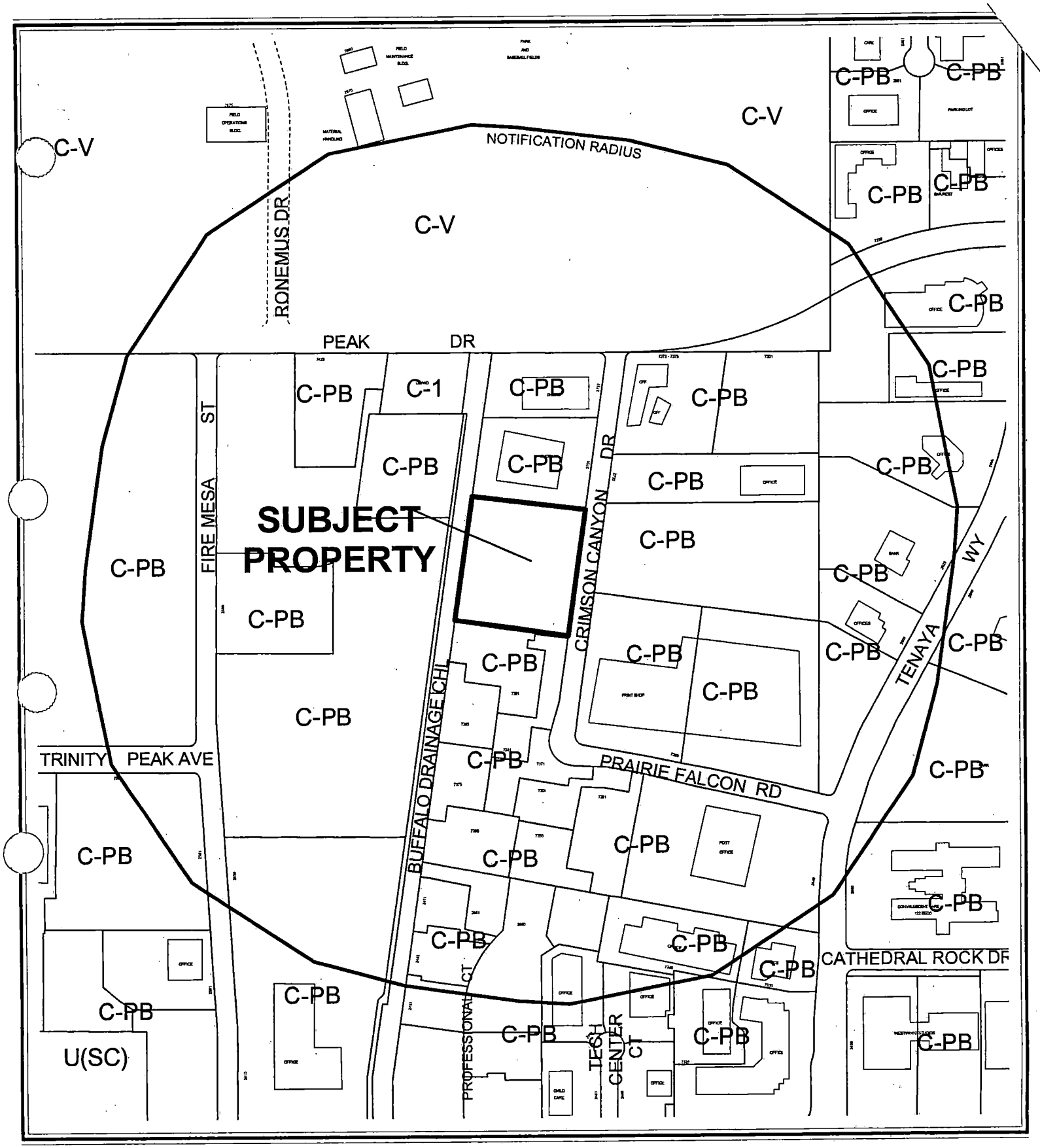
(7:57 – 8:00/9:51 – 9:56)
2-902/3-1896

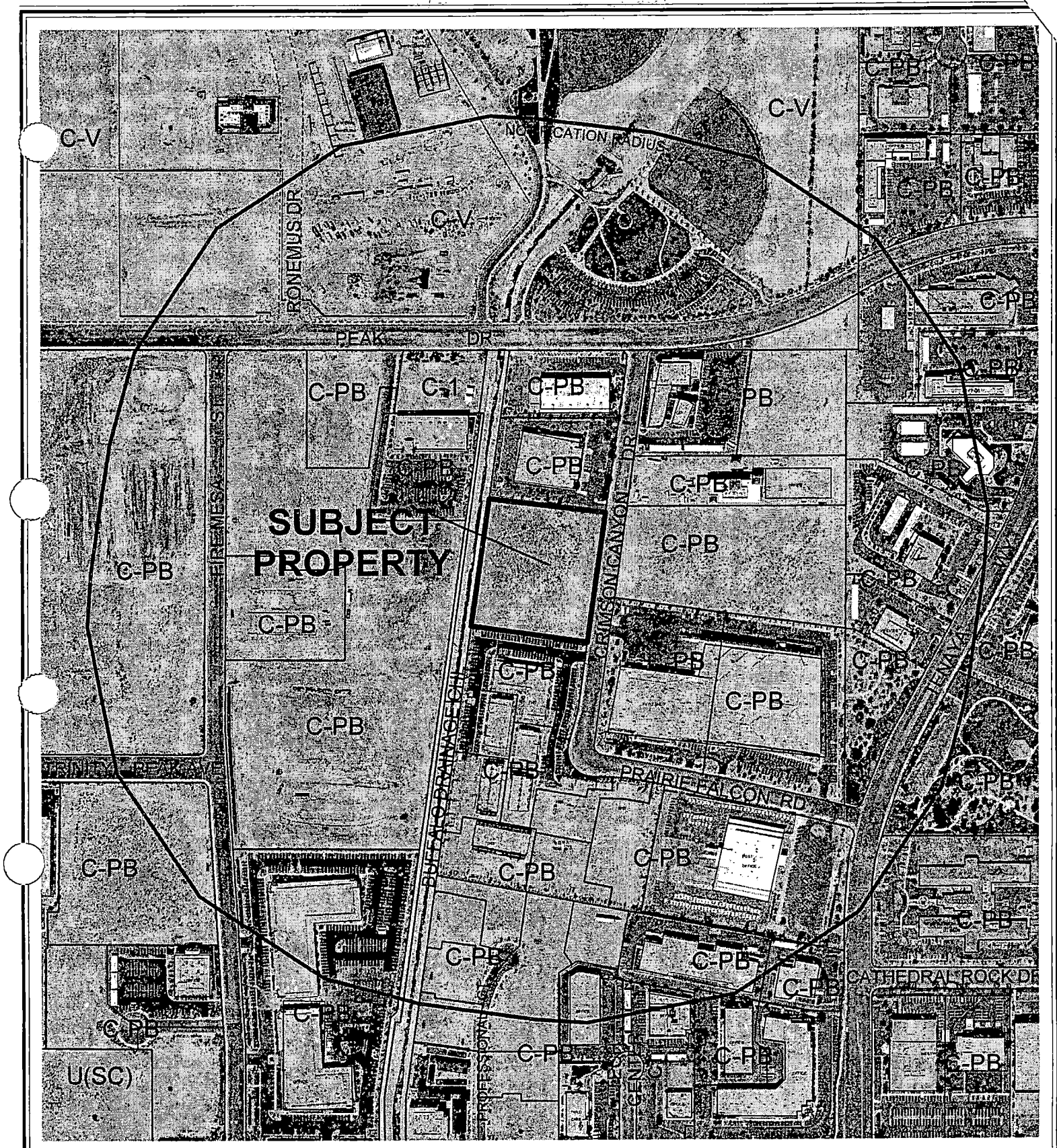
CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4174).

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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


NOTIFICATION RADIUS
C-V
C-V
C-V
C-V
RONEMUS DR
PEAK DR
C-PB
C-1
C-PB
C-PB
C-PB



0 200 400 Feet

CASE: **SUP-4176**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4176 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4174).

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed Warehouse/Distribution Center in a C-PB (Planned Business Park) zoning district, located at 2651 Crimson Canyon Drive in the Las Vegas Technology Park. The Planning Commission will also hear a related Site Development Plan Review request (SDR-4174) for a proposed Office and Furniture Warehouse/Distribution Center on the subject site.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed development would be compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the City's policies and regulation.

BACKGROUND INFORMATION

A) Previous Actions

1984	The subject property was annexed into the City of Las Vegas as part of a larger request (A-0015-84).
11/20/85	The City Council approved a request for a Rezoning from N-U (Non-Urban) to C-PB (Planned Business Park) on the subject property as part of a larger request (Z-0068-85). The Planning Commission recommended approval on 10/22/85.
03/23/04	The Las Vegas Technology Center I Architectural Review Committee conditionally approved the site plan for a proposed Office and Warehouse/Distribution Center on the subject site.
05/13/04	The Planning Commission will consider a companion item, a Site Development Plan Review, a Waiver of certain Commercial Development Standards, and a Reduction in the amount of required parking lot landscaping for a proposed Office and Warehouse/Distribution Center on the subject site (SDR-4174). Staff has recommended approval.

B) Pre-Application Meeting

03/11/04	The applicant was informed that the Warehouse/Distribution use would require a Special Use Permit to be heard concurrently with the proposed Site Development

Plan Review. Aspects of the plan for which waivers would need to be requested include the presence of parking in front of the building, use of mirrored glass, and the lack of some required parking lot landscaping fingers. A drainage study or update would need to be submitted for the site. Traffic Engineering asked that driveways on the east side of Crimson Canyon Drive be shown on the site plan so that they appear to be aligned.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.94

B) Existing Land Use

Subject Property:	Undeveloped
North:	Offices and Warehouse
South:	Offices
East:	Industrial Printing Facility and Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	LI/R (Light Industry/Research)
South:	LI/R (Light Industry/Research)
East:	LI/R (Light Industry/Research)
West:	LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property:	C-PB (Planned Business Park)
North:	C-PB (Planned Business Park)
South:	C-PB (Planned Business Park)
East:	C-PB (Planned Business Park)
West:	C-PB (Planned Business Park)

E) General Plan Compliance

The subject property is designated LI/R (Light Industry/Research) on the Southwest Sector Map of the General Plan. This category allows clean, low-intensity industrial uses. Warehousing and distribution are acceptable uses within the LI/R(Light Industry/Research) General Plan classification.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Las Vegas Technology Center		
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 located within the Las Vegas Technology Center. The companion Site Development Plan Review (SDR-4174) has been reviewed and conditionally approved by the LVTC I Architectural Review Committee.

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
Furniture Warehouse/ Distribution Center	32,200 SF	1/500 SF GFA floor display area + 1/2500 SF GFA of warehouse storage	17 (2,200 SF show-room, 30,000 SF ware-house)			
Office	18,600 SF	1/300 SF GFA	62			
TOTAL	50,800 SF		75 (79 total)	4	127	5

The proposed Office and Furniture Warehouse/Distribution Center far exceeds the number of parking spaces required by the Zoning Code.

A2) Minimum Distance Separation Requirements

SS

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Warehouse/Distribution Center use.

Pursuant to Title 19.08.045, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed to match theme of building	Walled, gated, roofed

It is unclear from the plans if the trash enclosure will contain a roof that matches the architectural theme of the proposed building.

B) General Analysis and Discussion

- Zoning

The property is zoned C-PB (Planned Business Park). The Warehouse/Distribution Center use is permitted within this district but requires an approved Special Use Permit prior to obtaining a business license for the use.

- Use

A two-story office building proposed, with a 2,200 square foot showroom and 30,000 square feet of warehouse space at the ground level. The office space is intended to be ancillary to the warehouse use; however, the applicant has indicated that some of the space will be available for use by prospective tenants. The Las Vegas Technology Park allows for such uses, the site is suitable for warehousing, and the street network should be able to handle the amount of expected traffic to and from the site.

- Conditions

There are no base conditions for approval of a Special Use Permit for a Warehouse/Distribution Center within a C-PB (Planned Business Park) zoning district. The applicant is expected to comply with the Conditions of Approval for the companion Site Development Plan Review (SDR-4174) on the site.

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 Warehouse/Distribution Center use is harmonious and compatible with the existing office and warehouse development to the north, office complex to the south, and the printing and publishing use to the east. Undeveloped parcels to the northeast and west should carry similar uses.

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

   The proposed site will easily be able to accommodate the office, furniture showroom, and warehouse uses, as well as parking and loading zones. There are no physical constraints to the site.

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

   Access to the site will be from Crimson Canyon Drive, a 60-foot right-of-way, which also accommodates similar existing facilities to the north and south of the proposed location. This street ties into Peak Avenue, the primary east-west collector within the Technology Center.

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."**

   Routine licensing and building inspection will ensure that the public health, safety, and welfare is safeguarded.

NOTICES MAILED **37 [Mailed with SDR-4174]**

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4172 APN: 13815310013

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: 2651 Crimson Canyon, LLC

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

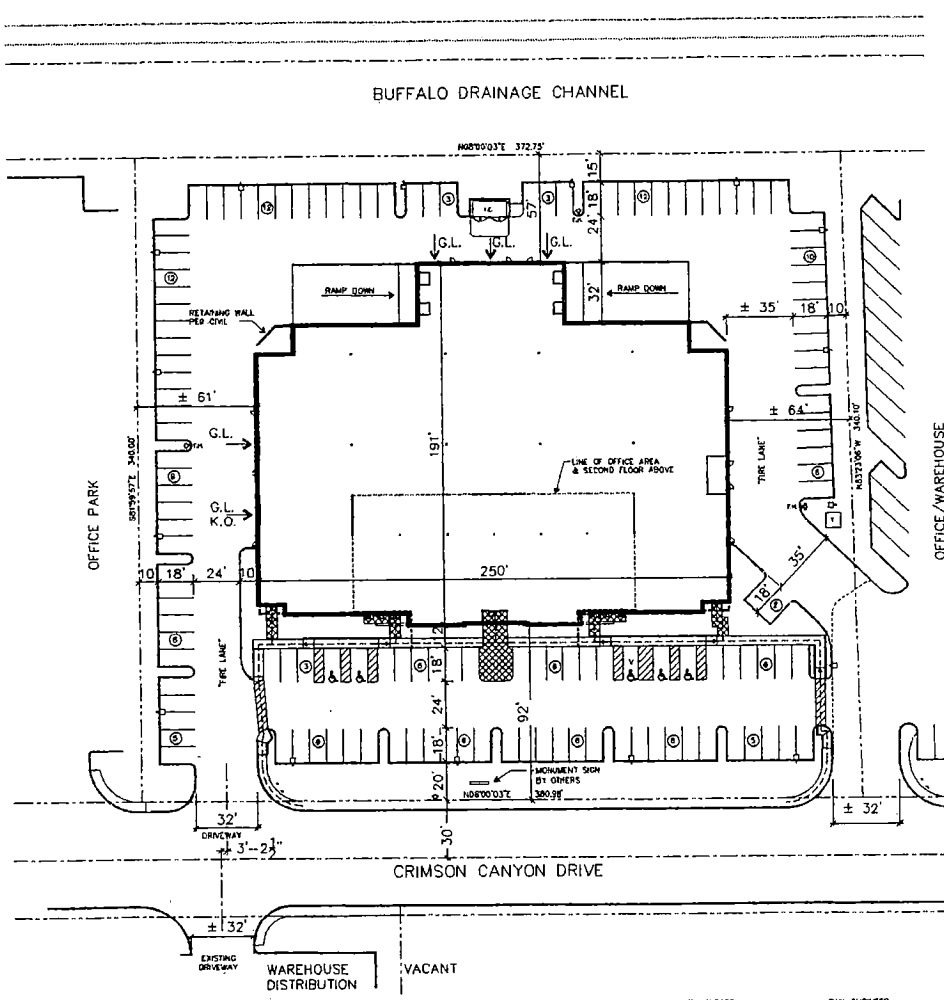
Subscribed and sworn before me

This 29th day of March, 2004

Cecili C. Green

Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1



PROJECT SUMMARY

LAND AREA ± 128,124 S.F (2.94 A.C.)
BLDG. AREA ± 50,805 S.F.

AREA BREAKDOWN DEFINITION:

1. "GROSS AREA" DEFINED AS AREA WITHIN THE DRIPLINE OF THE ROOF (INCLUDES SOFFITS).
2. "NET AREA" DEFINED AS AREA WITHIN THE OUT-SIDE FACE OF WALLS AND GLASS (DOES NOT INCLUDE SOFFITS).

BUILDING AREA	GROSS	NET
1ST FLR.	40,856S.F.	40,436 S.F.
2nd FLR.	9,949S.F.	9,884 S.F.
TOTAL AREA	50,805S.F.	50,320S.F.

PARKING PROVIDED 132 CARS
PARKING RATIO 2.59 CARS/1000 S.F.
PARKING REQUIRED 96.4 CARS

± 2,200 S.F. SHOWROOM/500	± 4.4 CARS
± 18,600 S.F. OFFICE/300	± 62 CARS
± 30,000 S.F. WHSE/1,000	± 30 CARS

F.A.R. 31.9%
ZONING: C - PB

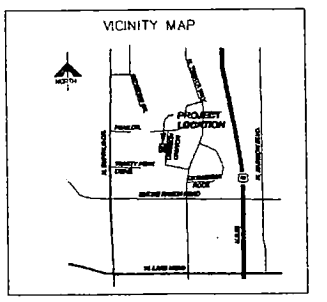
NOTES:

1. PARKING STALLS SHALL BE 9' X 18'. "HV" DENOTES VAN ACCESSIBLE STALLS AND "H" DENOTES CAR ACCESSIBLE STALLS.

LEGEND/SYMBOLS:

- LIGHT POLE
- T.E. TRASH ENCLOSURE PER CITY'S STANDARDS
- T TRANSFORMER PAD
- G.L. GRADE LEVEL TRUCK DOOR
- DOCK HIGH TRUCK DOOR
- DENOTES A.D.A. PATH

VICINITY MAP



SITE PLAN

HFTA

NORTH

SCALE: 1" = 30'-0"

0 30' 60'

HOWARD F. THOMPSON ARCHITECT, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson Nevada 89014
(702)798-8815/FAX(702)269-8825

This is a schematic representation/plan only. The information and boundary locations shown have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any entity, public or private, including the owner of this property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

PP/23-122-00-PP/CITY SUBMTL-SITE.dwg 03-22-2004

ON THE WEB MARKETING GROUP
2651 CRIMSON CANYON DRIVE
LAS VEGAS, NEVADA

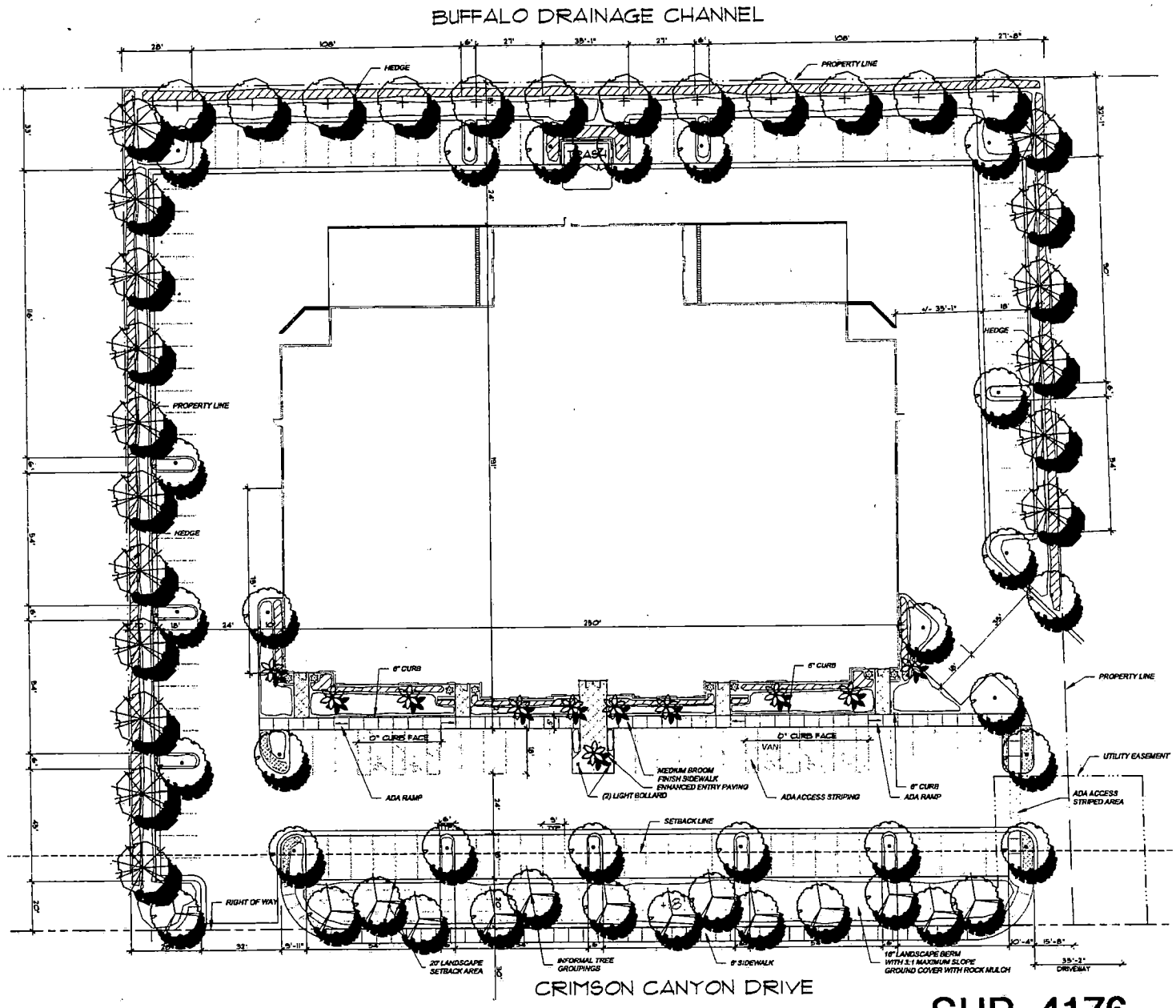
OWNER/DEVELOPER:
ALEX SALMONS
7340 SMOKE RANCH RD.
Suite A
LAS VEGAS, NEVADA 89128
TEL-(702) 384-8909
FAX-(702) 304-0910
CONTACT: ALEX SALMONS

ARCHITECT:
HOWARD F. THOMPSON, INC.
400 N. STEPHANIE
Suite 245
HENDERSON, NEVADA 89014
TEL-(702) 269-0915
FAX-(702) 269-8825
CONTACT: JOHN DELACY

CIVIL ENGINEER:
THE KEITH COMPANIES
444 WARM SPRINGS ROAD
Suite 110
LAS VEGAS, NEVADA 89119
TEL-(702) 303-6306
FAX-(702) 263-8528
CONTACT: ALI SHAHABI

LANDSCAPE ARCHITECT:
RICHARD PRICE & ASSOCIATES
27127 CALLE ARROYO COURT
Suite 1905
SAN JUAN CAPISTRANO, CA 92675
TEL-(949) 246-7138
FAX-(949) 248-4980
CONTACT: RICHARD PRICE

SUP-4176
SDR-4174
05-13-04 PC



TREE LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	ACACIA STENOPHYLLA SHOESTRING ACACIA	24" BOX	DOUBLE STAKE (D.S.)
	FRAXINUS V. 'RIO GRANDE' FANTEX ASH	24" BOX	(D.S.)
	PINUS ELDARICA MONDEL PINE	24" BOX	(D.S.)
	PROSOPIS CHILENSIS (THORNLESS) CHILEAN MESQUITE	24" BOX	(D.S.)
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	20'-25' BR. TRUNK	SKINNED

SHRUB LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM	24" BOX	AS SHOWN
	CASSIA NEMOPHILA BUSHY SENNA	5 GAL	48" O.C.
	DASYLIRION WHEELERI DESERT SPOON	5 GAL	30" O.C.
	HESPERALOE PARVIFLORA RED YUCCA	5 GAL	36" O.C.
	LEUCOPHYLLUM F. 'COMPACTA' COMPACT TEXAS RANGER	5 GAL	36" O.C.
	LEUCOPHYLLUM 'GREEN CLOUD' GREEN CLOUD TEXAS RANGER	5 GAL	48" O.C.
	MUHLENBERGIA C. 'REGAL MIST' REGAL MIST	5 GAL	30" O.C.
	MUHLENBERGIA RIGENS DEER GRASS	5 GAL	36" O.C.
	SALVIA GREGGII TEXAS RED SAGE	5 GAL	24" O.C.

GROUND COVER LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	DALEA C. 'SIERRA GOLD' SIERRA GOLD DALEA	1 GAL	36" O.C. PLANT 30" BACK OF CURB OR WALK
	ROSMARINUS OFFICINALIS ROSEMARY	1 GAL	30" O.C. PLANT 30" BACK OF CURB OR WALK
	LANTANA 'NEW GOLD' NEW GOLD LANTANA	1 GAL	24" O.C. PLANT 24" BACK OF CURB OR WALK

ROCK MULCH

APPLY A 2" DEEP LAYER OF 3/4" SIZE REBEL RED ROCK MULCH IN ALL PLANTING AREAS. THERE ARE TO BE NO BARE AREAS WITHOUT ROCK MULCH. TOP OF ROCK MULCH SHALL BE 1" BELOW FINISH SURFACE OF ADJACENT PAVING. ALL SLOPES GREATER THAN 2-V:1-H SHALL HAVE 2" TO 4" ROCK TO MATCH THE REBEL RED ROCK SOURCE.

IRRIGATION NOTE

ALL PLANTING AREAS SHALL RECEIVE WATER FROM A FULLY AUTOMATIC DRIP IRRIGATION SYSTEM OFF A SEPARATE IRRIGATION METER.

SITE REQUIREMENTS

1 TREE/ 30 L.F. - SIDE, FRONT AND REAR PROPERTY LINE
1 TREE/ 6 PARKING STALLS
133 PARKING STALLS
22 TREES REQUIRED
22 TREES PROVIDED

0 20 40 60
1"=20'-0"

PRELIMINARY LANDSCAPE PLAN

ON THE WEB MARKETING GROUP
2651 CRIMSON DRIVE
LAS VEGAS, NEVADA

Richard Price & Associates, Inc.

Landscape Architects/Planners
27127 Calle Arroyo, Suite 1905
San Juan Capistrano, CA 92675
949-248-7138 Fax: 949-248-4980
CA License 1381
10120 S. Eastern Ave., Suite 200
Henderson, NV 89052
702-564-0960 Fax: 702-492-1297
NV License 119

2-11-04, 3-19-04 REVISED

RPA #24109

SUP-4176
SDR-4174
05-13-04 PC

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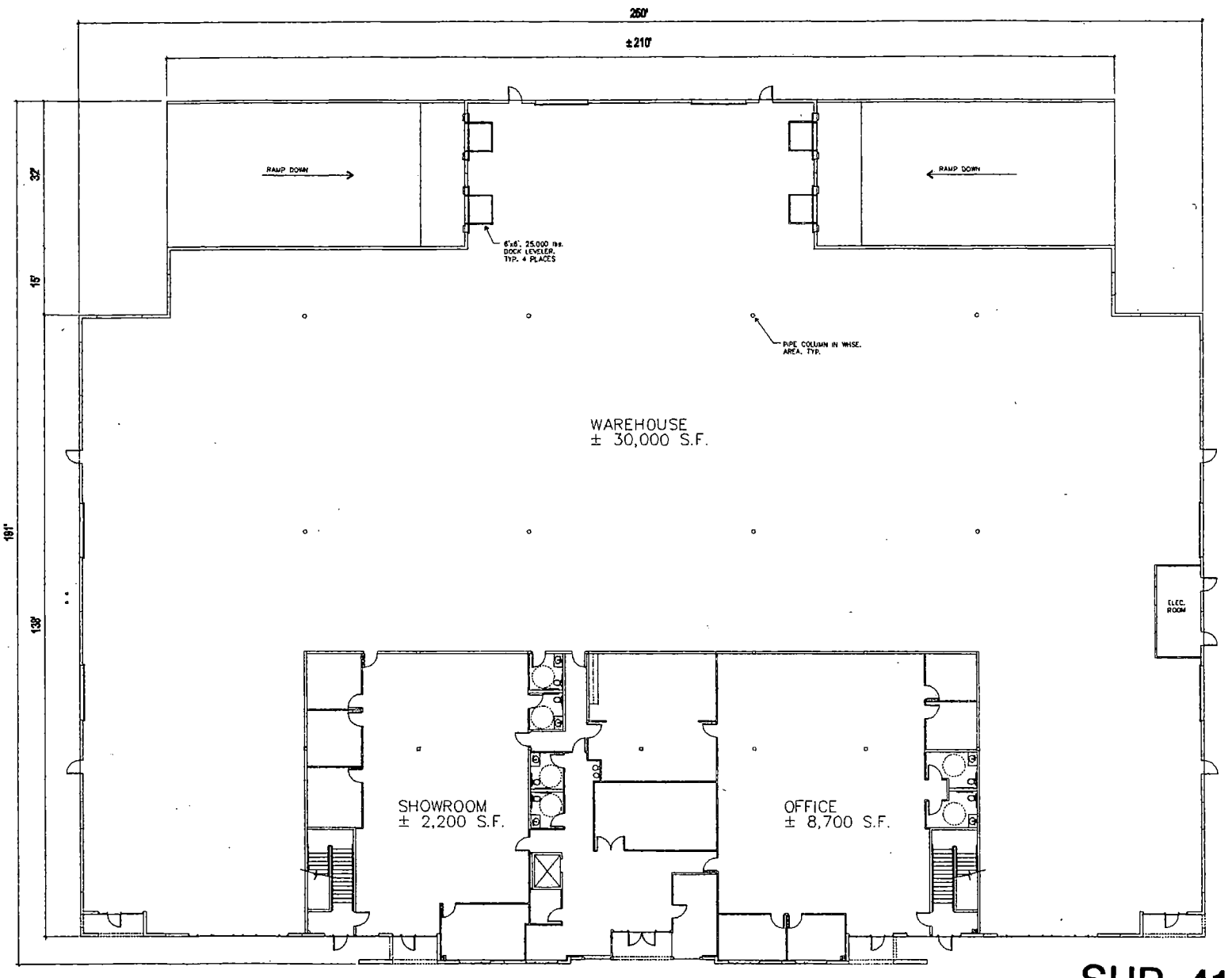

ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIV
LAS VEGAS, NEVADA

FIRST FLOOR PLAN

HFA

NORTH

SCALE: 1" = 10'-0"

0 10' 20'

HERBERT F. THOMPSON ARCHITECT, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson Nevada 89014
(702)260-8815/FAX(702)260-8925

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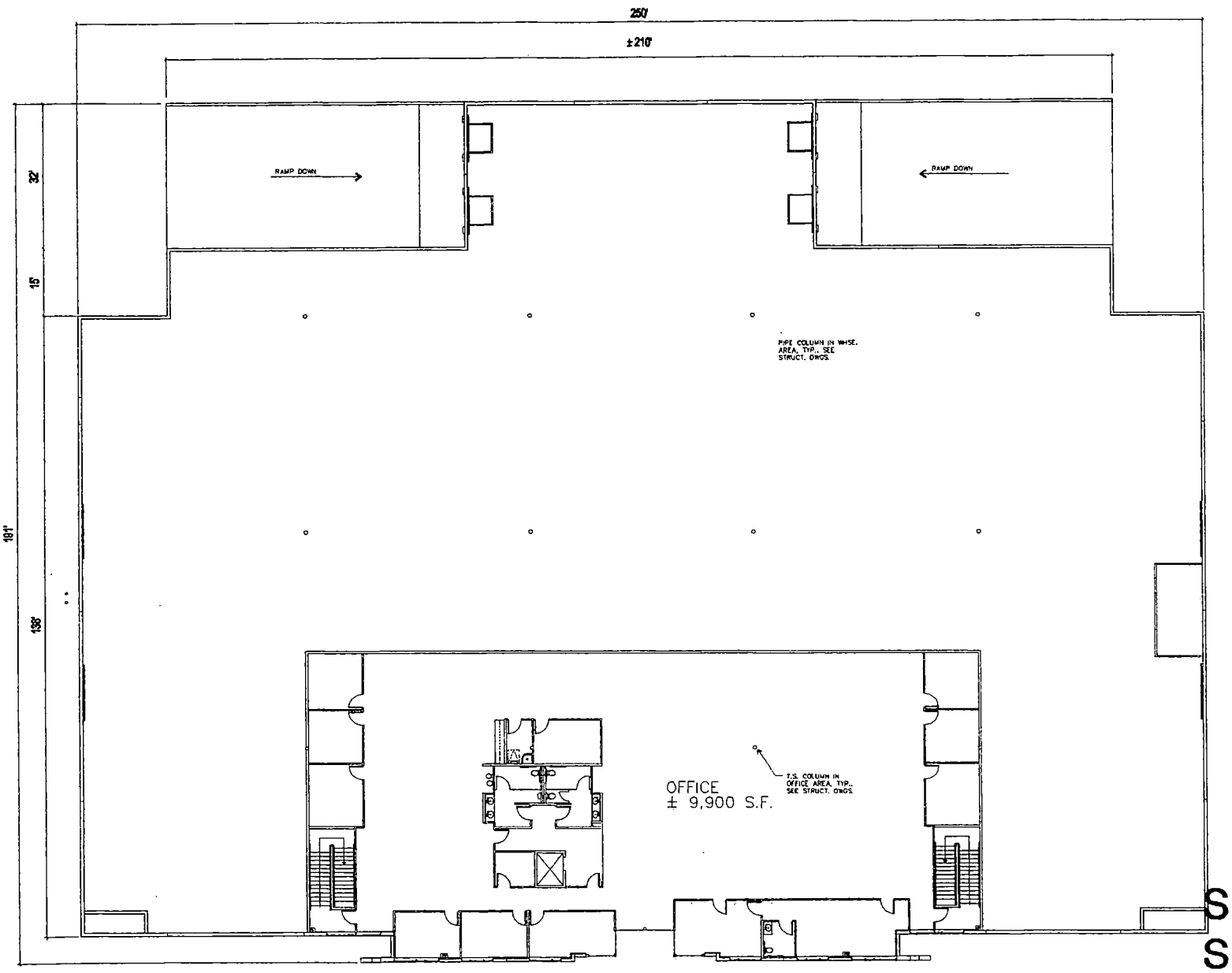
PR/23-122-00-PR/GTT-SUBMTL 1ST-FLRPLN.DWG 3-23-2004

SUP-4176
SDR-4174
05-13-04 PC



ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIVE
LAS VEGAS, NEVADA

SECOND FLOOR PLAN

HFA

HUNTSMAN

SCALE: 1" = 10'-0"

0 10' 20'

ROBERT E. THOMPSON ARCHITECT, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)269-6815/FAX(702)260-5825

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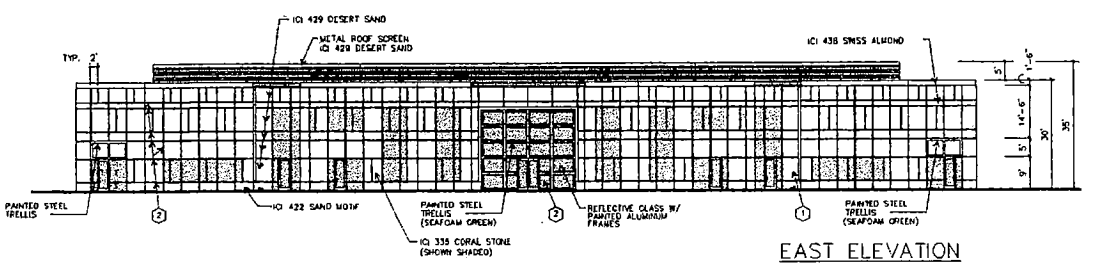
PR/23-122-00-PR/DTI-SUBMTL 2ND-FLRPLN.Dwg 3-22-2004

SUP-4176 3
SDR-4174
05-13-04 PC



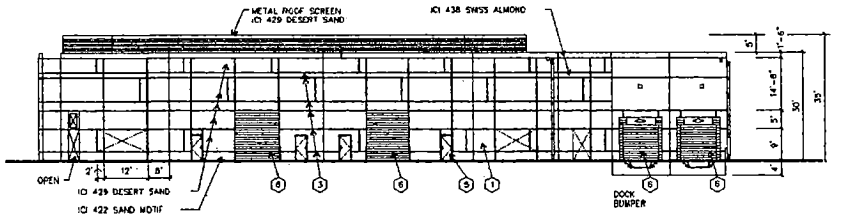
EAST ELEVATION

1/8"=1'-0"

MATERIAL LEGEND

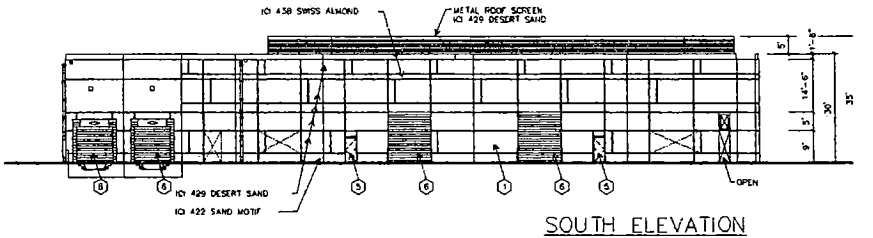
1. PAINTED CONCRETE TILT-UP PANELS
2. PAINTED ALUMINUM STOREFRONT FRAME W/ HIGH PERFORMANCE GLAZING
3. TYPICAL REVEAL
5. PAINTED METAL MAN DOOR (SEAFOAM GREEN)
6. PAINTED METAL TRUCK DOOR (SEAFOAM GREEN)

DENOTES KNOCKOUT PANEL FOR FUTURE DOORS/WINDOWS



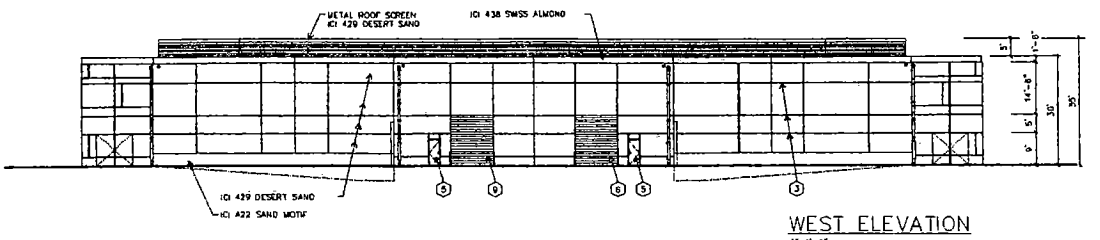
NORTH ELEVATION

1/8"=1'-0"



SOUTH ELEVATION

1/8"=1'-0"



WEST ELEVATION

1/8"=1'-0"

SUP-4176
SDR-4174
05-13-04 PC

ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIV
LAS VEGAS, NEVADA

ELEVATIONS

HFA

0 8' 16' 32'

400 N. Stephanie, Suite 245
Henderson Nevada 89014
(702)269-6611/FAX(702)269-6629

This is a schematic parcelization/plan only. The information and boundary locations shown have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any entity, public or private, including the owner of this property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

PR/23-122-00-PR/CITY-SUBMTL ELEVATIONS.Dwg 3-22-2004

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4176 - PUBLIC HEARING - SDR-4174 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED WAREHOUSE/DISTRIBUTION CENTER, A WAIVER OF COMMERCIAL DEVELOPMENT STANDARDS, AND A REDUCTION IN THE AMOUNT OF REQUIRED PARKING LOT LANDSCAPING on 2.91 acres at 2651 Crimson Canyon Drive (APN: 138-15-310-013), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

NOTE: An initial motion by TRUESDELL to abey Item 44 [SUP-4176] and Item 45 [SDR-4174] to 5/27/2004, which carried unanimously, was reconsidered by NIGRO'S subsequent motion, which also carried unanimously.

NOTE: CHAIRMAN TRUESDELL disclosed that his company manages common areas of landscaping of the Tech Park but has no involvement or economic interest in any of these parcels, therefore, he will be voting on Item 44 [SUP-4176] and Item 45 [SDR-4174].

To be heard by the City Council on 6/16/2004

MINUTES:
NOTE: See Item 44 [SUP-4176] for all related discussion.
(7:57 – 8:00/9:51 – 9:56)
2-902/3-1896

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 45 – SDR-4174

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an additional loading zone in compliance with Title 19.10.020.

4. The trash enclosure shall contain a roof using materials similar to those in the primary building.

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. 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 percent of the total landscaped area as turf.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Crimson Canyon Drive.

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 shall be cause for revocation of a business license.]

9. All signage shall be shown to conform to the standards contained in Title 19.14.060 for the C-PB (Planned Business Park) zoning district prior to obtaining sign permits.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

CONDITIONS - Continued:

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize "shoe-box" fixtures and downward-directed lights. Wallpack lighting shall utilize "shoe-box" fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. 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. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [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.

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

Public Works

17. Construct all incomplete half-street improvements on Crimson Canyon Drive adjacent to this site concurrent with development of this site.

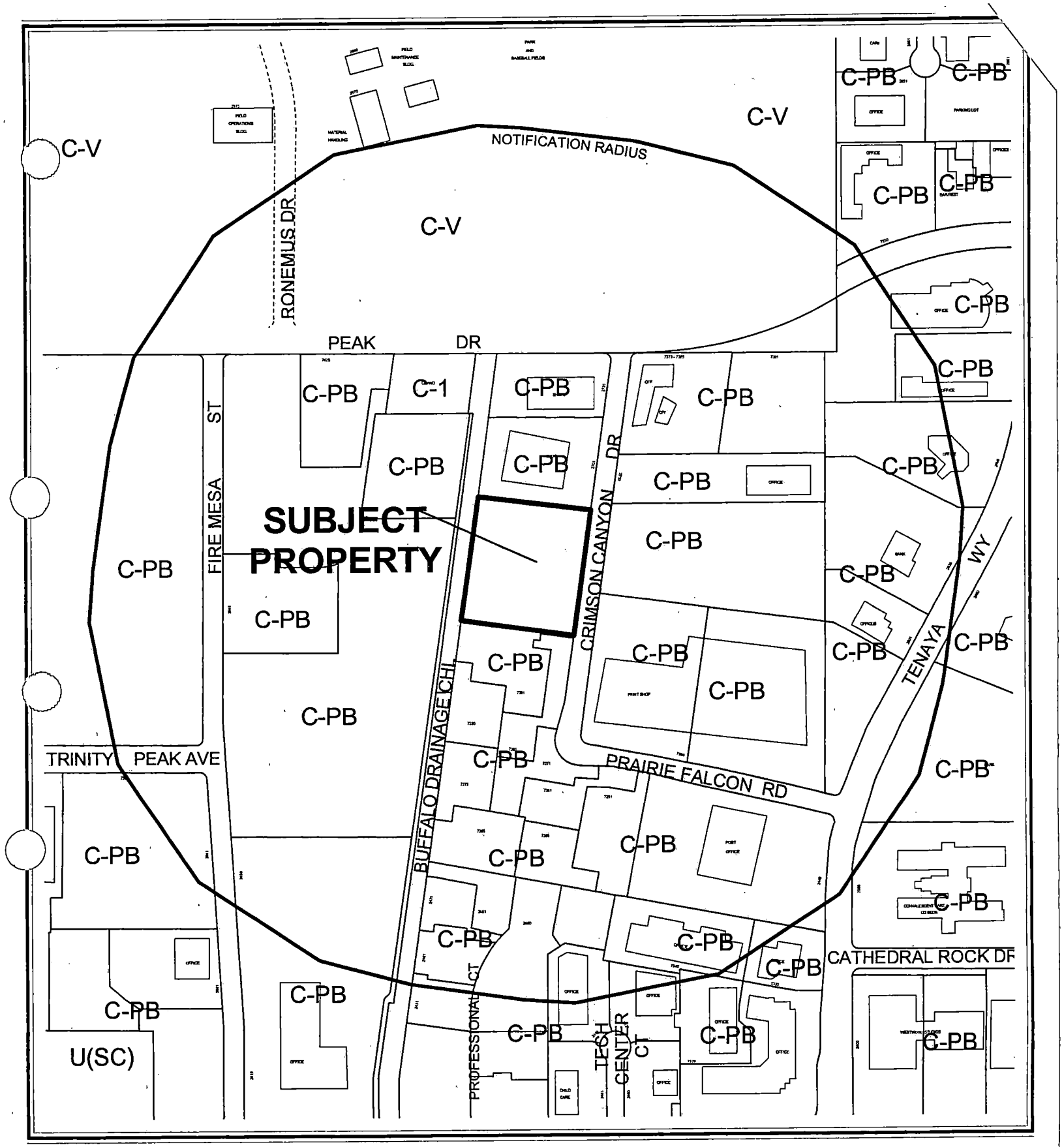
18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

CONDITIONS - Continued:

20. 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 or submittal of any construction drawings, 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, whichever may occur first, if allowed by the City Engineer.

21. Site development to comply with all applicable conditions of approval for Z-0068-85 and all other subsequent site-related actions.



CASE: **SDR-4174**

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4174 - APPLICANT/OWNER: 2651 CRIMSON CANYON, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an additional loading zone in compliance with Title 19.10.020.

4. The trash enclosure shall contain a roof using materials similar to those in the primary building.

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. 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 percent of the total landscaped area as turf.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Crimson Canyon Drive.

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 shall be cause for revocation of a business license.]

9. All signage shall be shown to conform to the standards contained in Title 19.14.060 for the C-PB (Planned Business Park) zoning district prior to obtaining sign permits.

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. 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.

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14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [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.

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

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17. Construct all incomplete half-street improvements on Crimson Canyon Drive adjacent to this site concurrent with development of this site.

18. 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.

19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

20. 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 or submittal of any construction drawings, 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, whichever may occur first, if allowed by the City Engineer.

21. Site development to comply with all applicable conditions of approval for Z-0068-85 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review, a Waiver of certain Commercial Development Standards, and a Reduction in the amount of required parking lot landscaping for a proposed Office and Warehouse/Distribution Center at 2651 Crimson Canyon Drive in the Las Vegas Technology Park. The Planning Commission will also hear a related Special Use Permit request (SUP-4176) for a proposed Warehouse/Distribution Center use in a C-PB (Planned Business Park) zoning district.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed development would be compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the City's policies and regulation.

BACKGROUND INFORMATION

A) Previous Actions

1984	The subject property was annexed into the City of Las Vegas as part of a larger request (A-0015-84).
11/20/85	The City Council approved a request for a Rezoning from N-U (Non-Urban) to C-PB (Planned Business Park) on the subject property as part of a larger request (Z-0068-85). The Planning Commission recommended approval on 10/22/85.
03/23/04	The Las Vegas Technology Center I Architectural Review Committee conditionally approved the site plan for a proposed Office and Warehouse/Distribution Center on the subject site.
05/13/04	The Planning Commission will consider a companion item, a Special Use Permit (SUP-4176) for a Warehouse/Distribution Center in a C-PB (Planned Business Park) zoning district on the subject site. Staff has recommended approval.

B) Pre-Application Meeting

03/11/04	The applicant was informed that the Warehouse/Distribution use would require a Special Use Permit to be heard concurrently with the proposed Site Development Plan Review. Aspects of the plan for which waivers would need to be requested

include the presence of parking in front of the building, use of mirrored glass, and the lack of some required parking lot landscaping fingers. A drainage study or update would need to be submitted for the site. Traffic Engineering asked that driveways on the east side of Crimson Canyon Drive be shown on the site plan so that they appear to be aligned.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.94

B) Existing Land Use

Subject Property:	Undeveloped
North:	Offices and Warehouse
South:	Offices
East:	Industrial Printing Facility and Undeveloped
West:	Undeveloped, Buffalo Drainage Channel

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	LI/R (Light Industry/Research)
South:	LI/R (Light Industry/Research)
East:	LI/R (Light Industry/Research)
West:	LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property:	C-PB (Planned Business Park)
North:	C-PB (Planned Business Park)
South:	C-PB (Planned Business Park)
East:	C-PB (Planned Business Park)
West:	C-PB (Planned Business Park)

E) General Plan Compliance

The subject property is designated LI/R (Light Industry/Research) on the Southwest Sector Map of the General Plan. This category allows clean, low-intensity industrial

uses. Warehousing and Distribution as well as Offices are acceptable uses within the LI/R(Light Industry/Research) General Plan classification.

PROJECT DESCRIPTION

The proposal includes a 50,805 square foot building consisting of 30,000 square feet of warehousing space for furniture, 2,200 square feet of showroom area, and 18,600 square feet of office space on two levels. Access to the development will be from one dedicated driveway and one shared driveway on Crimson Canyon Drive. Vehicles will also be able to access the adjoining property to the north, which contains an existing office and warehouse building. The development provides 132 parking spaces; only 79 spaces are required by the Zoning Code. The building is situated in the middle of the property, creating a rectangular parking area around the entire perimeter of the building. Two ramped loading areas are depicted at the rear of the building. A trash enclosure is located at the rear of the property next to the loading zones.

Landscaping is provided within a 20-foot wide buffer along the east edge of the property, a 15-foot wide buffer along the west edge, and 10-foot wide buffers along the north and south property lines. Parking lot landscape fingers are provided with regularity throughout most of the parking area.

The elevations show a two-story structure of painted tilt-up concrete construction, with metal accents and trellis work. The entryway contains some reflective glass. The structure has a flat metal roof with a parapet screening element. Colors employ an earth-colored theme, with light green accents.

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	2.94 acres	N/A
Min. Lot Width	100 Feet	381 Feet	Y
Min. Setbacks			
• Front	20 Feet	92 Feet	Y
• Side	10 Feet	61 Feet	Y
• Corner	20 Feet	N/A	N/A
• Rear	15 Feet	57 Feet	Y
Max. Lot Coverage	50 %	32 %	Y
Max. Building Height	none	35 Feet	Y
			SS

Trash Enclosure	Walled, gated, roofed to match theme of building	Walled, gated, roofed	Y
Loading Zone	3 Spaces	2 Spaces	N
Mech. Equipment	Screened from view	Screened by landscaping	Y

All development code standards are met or exceeded except that the site is deficient one loading space, based on the requirements for the warehouse and showroom areas. A condition of approval addresses this requirement. Space is available on the site to provide an additional loading space to meet Code requirements. If the requirement cannot be met, the applicant must submit a Variance application justifying the reason(s) why the standard cannot be met.

A2) Residential Adjacency Standards

The proposed project meets the Residential Adjacency Standards, as the subject property is not adjacent to any protected properties.

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
Furniture Warehouse/ Distribution Center	32,200 SF	1/500 SF GFA floor display area + 1/2500 SF GFA of warehouse storage	17 (2,200 SF show-room, 30,000 SF ware-house)			
Office	18,600 SF	1/300 SF GFA	62			
TOTAL	50,800 SF		75 (79 total)	4	127	5

The proposed Office and Furniture Warehouse/Distribution Center far exceeds the number of parking spaces required by the Zoning Code.

SS

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	22 Trees	21 Trees
Buffer: • Min. Trees (Crimson Canyon Drive) • Min. Trees (sides and rear)	1 Tree/20 Linear Feet + 1 Tree 1 Tree/30 Linear Feet + 1 Tree	16 Trees 36 Trees	14 Trees 30 Trees
• Min. Zone Width – ROW	15 Feet		20 Feet
• Min. Zone Width – sides and rear	8 Feet		10 Feet
• Wall height	Min. 6 Feet		Not provided

The parking lot and perimeter landscaped areas are deficient in the number of trees provided. Pursuant to the Landscape, Wall, and Buffer Standards, trees may be clustered as shown on the landscape plan along Crimson Canyon Drive; however, this arrangement is unacceptable if the number of trees does not exceed the number of trees required by at least one tree. The applicant has asked for a waiver to reduce the number of trees within the parking area, but not for the perimeter planter areas. A condition of approval addresses the number of trees within the buffer area along Crimson Canyon Drive. Walls were not shown on the site plan. If perimeter walls are to be constructed, they shall be a maximum of six feet in height in accordance with Commercial Development Standards.

A5) Sign Standards

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

Monument Signs: [Front of site]

Standards	**Allowed**	**Provided**
Maximum Number	1 / Street frontage 1 total	1 total
Maximum Area	75 SF /sign	Not provided
Maximum Height	10 Feet	Not provided
Minimum Setback	5 Feet	8 Feet
Illumination	Direct External/Internal	Not provided

SS

A monument sign is indicated on the site plan, but does not indicate dimensions or illumination type. Wall signs are not indicated on the building elevations. All signage will be subject to the standards contained in Title 19.14.060 for the C-PB zoning district and must be shown to comply to these standards prior to obtaining sign permits.

B) General Analysis and Discussion

- Zoning

The property is zoned C-PB (Planned Business Park). Office and Warehouse/Distribution uses are permitted uses within this zoning district. The Warehouse/Distribution Center use within this district requires an approved Special Use Permit prior to obtaining a business license for the use.

- Site Plan

The site plan presents an orderly development with adequate parking and circulation. The trash enclosure depicted along the north central edge of the property should contain a roof using materials similar to those for the main building. The warehousing and showroom uses in the building require the provision of three loading spaces. Because additional parking is available, an additional loading space per parking code requirements will be recommended as a condition of approval of this project.

- Waivers

The applicant has requested waivers to the following Commercial Development Standards:

Buildings located at the front of the site should locate all parking to the side or rear of the buildings and away from the street front. The applicant justifies the inclusion of parking in front by stating that it would maintain the design rhythm of buildings along the Crimson Canyon Drive street front that have parking oriented toward the street. Staff accepts this justification and recommends approval of the waiver.

Reflective glass at the pedestrian level is prohibited. Glass on the second floor and above shall not be greater than 22 percent reflectivity. No justification is given for this waiver request; however, the glass will only be used on panels near the front entrance on the east elevation of the building, and is used similarly on neighboring buildings. The building would be located in an area not heavily traveled by pedestrians. Furthermore, the Las Vegas Technology Center Architectural Review Committee has approved this project without comment about the reflective glass. Staff therefore finds the request acceptable.

The applicant's justification letter makes the assumption that the development contains an adequate number of trees within provided landscape planters, which it does not. The letter does, however, specifically request a waiver of the spacing of parking lot landscaping fingers (and

therefore the trees that would be contained within these planters). It is reasonable to grant this waiver, as the number of parking spaces provided sufficiently exceeds the number of spaces required on the site, and the number of trees lacking is negligible. The full number of trees required in the perimeter planters still must be provided.

- Landscape Plan

The perimeter buffer planters depict 24-inch Chilean Mesquite and Fantex Ash along the east property line, Mondel Pine along the north and south property lines, and Shoestring Acacia along the west (rear) property line. Shrubs include 24-inch box Mediterranean Fan Palms and five-gallon Bush Senna, Desert Spoon, Red Yucca, Texas Ranger, Regal Mist, Deer Grass, and Texas Red Sage. Ground cover consists of one-gallon New Gold Lantana, Rosemary, and Sierra Gold Dalea in a two-inch deep layer of Rebel Red Rock mulch. With the required spacing of 20 feet on center along Crimson Canyon Drive and 30 feet on center along the side and rear edges of the property, the required number of trees can be planted in the buffer areas, which will provide adequate screening from abutting properties. A revised final landscaping plan must be submitted to the Department of Planning and Development prior to the issuance of building permits.

- Elevation

Materials and design of the building create a pleasing environment and are appropriate for the industrial character of the Technology Park.

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 Warehouse/Distribution Center use is harmonious and compatible with the existing office and warehouse development to the north, office complex to the south, and the printing and publishing use to the east. Undeveloped parcels to the northeast and west should carry similar 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;"**

   With approval of the requested waivers of landscaping and certain Commercial Design Standards, and the implementation of recommended conditions regarding site, the proposed Office and Warehouse/Distribution development will be in substantial compliance with all City codes and policies. In addition, the proposed project was approved by the Las Vegas Technology Park Architectural Review Committee.

SS

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

   Access to the site will be from Crimson Canyon Drive, a 60-foot right-of-way, which also accommodates similar existing facilities to the north and south of the proposed location. This street ties into Peak Avenue, the primary east-west collector within the Technology Center. These roadways should be able to handle traffic to and from the site without being overburdened. Circulation through the site is not confusing and will be adequate.

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

   Building materials are typical of and are appropriate for an industrial-type development within the Las Vegas Technology Park. The site landscaping will provide appropriate buffering. A condition is recommended that all landscape materials meet the minimum spacing and planting requirements of the Las Vegas Urban Design Guidelines and Standards.

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

   The elevations present an interesting and varied use of tilt-up painted concrete paneling and glass similar to other buildings in the Las Vegas Technology Park.

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

   The building site will be subject to inspection, as will the businesses occupying the structure; therefore, the development will not compromise the public health, safety or welfare.

NOTICES MAILED **37 [Mailed with SUP-4176]**

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4174 APN: 13815310013

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: 2651 Crimson Canyon, LLC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Douglas Selby

Print Name: Douglas Selby

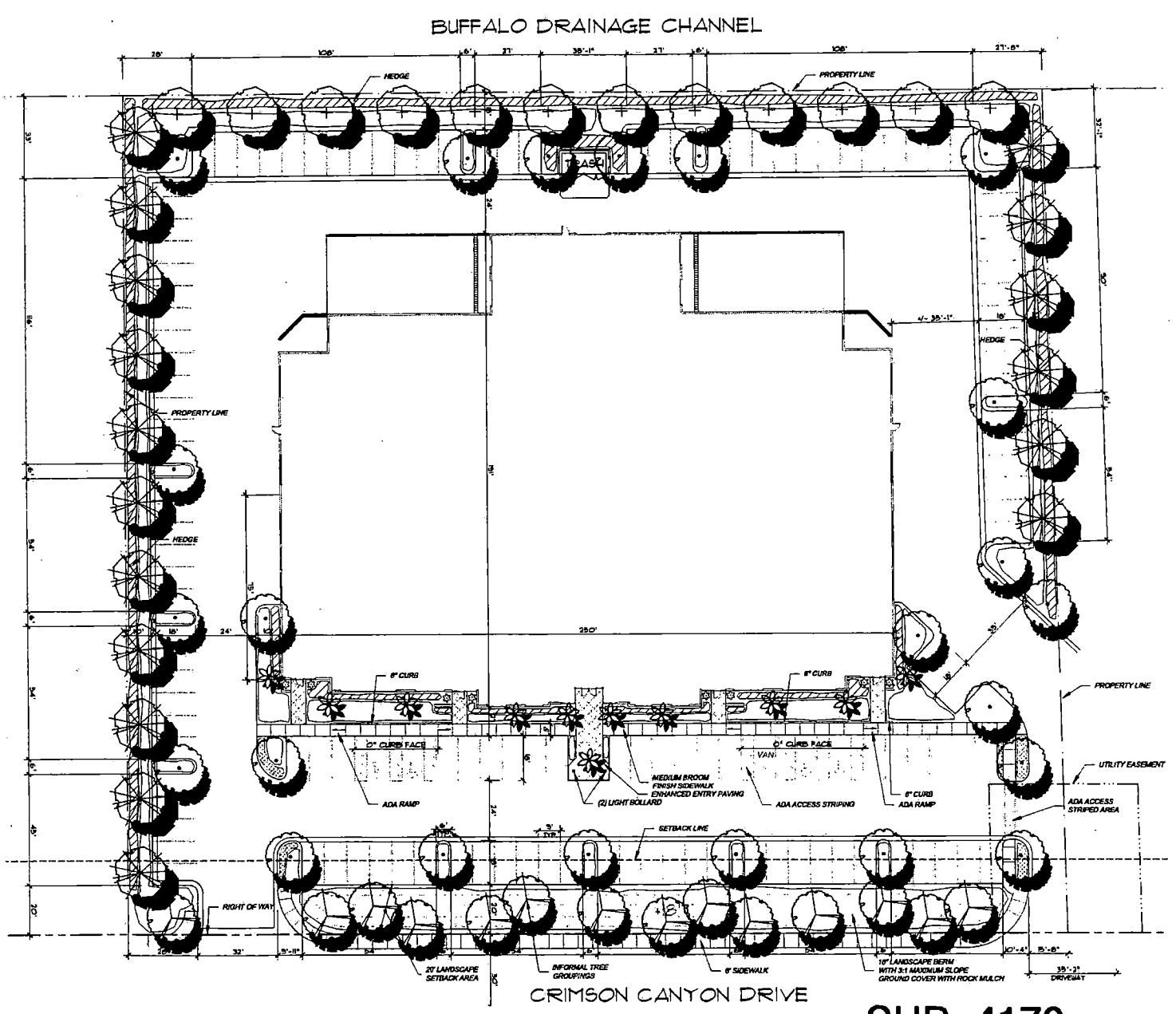
Subscribed and sworn before me

This 29th day of March, 2004

Cecili C. Green

Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 98-1693-1



TREE LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	ACACIA STENOPHYLLA SHOESTRING ACACIA	24" BOX	DOUBLE STAKE (D.S.)
	FRAXINUS V. 'RIO GRANDE' FANTEX ASH	24" BOX	(D.S.)
	PINUS ELDARICA MONDEL PINE	24" BOX	(D.S.)
	PROSOPIS CHILENSIS (THORNLESS) CHILEAN MESQUITE	24" BOX	(D.S.)
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	30'-35' BR. TRUNK	SKINNED

SHRUB LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM	24" BOX	AS SHOWN
	CASSIA NEMOPHILA BUSHY SENNA	5 GAL	48" O.C.
	DASYLIRION WHEELERI DESERT SPOON	5 GAL	30" O.C.
	HESPERALOE PARVIFLORA RED YUCCA	5 GAL	36" O.C.
	LEUCOPHYLLUM F. 'COMPACTA' COMPACT TEXAS RANGER	5 GAL	36" O.C.
	LEUCOPHYLLUM 'GREEN CLOUD' GREEN CLOUD TEXAS RANGER	5 GAL	48" O.C.
	MUHLENBERGIA C. 'REGAL MIST' REGAL MIST	5 GAL	30" O.C.
	MUHLENBERGIA RIGENS DEER GRASS	5 GAL	36" O.C.
	SALVIA GREGGII TEXAS RED SAGE	5 GAL	24" O.C.

GROUND COVER LEGEND

SYM.	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	DALEA C. 'SIERRA GOLD' SIERRA GOLD DALEA	1 GAL	36" O.C. PLANT 30" BACK OF CURB OR WALK
	ROSMARINUS OFFICINALIS ROSEMARY	1 GAL	30" O.C. PLANT 30" BACK OF CURB OR WALK
	LANTANA 'NEW GOLD' NEW GOLD LANTANA	1 GAL	24" O.C. PLANT 24" BACK OF CURB OR WALK

ROCK MULCH

APPLY A 2" DEEP LAYER OF 3/4" SIZE REBEL RED ROCK MULCH IN ALL PLANTING AREAS. THERE ARE TO BE NO BARE AREAS WITHOUT ROCK MULCH. TOP OF ROCK MULCH SHALL BE 1" BELOW FINISH SURFACE OF ADJACENT PAVING. ALL SLOPES GREATER THAN 3:1/2:1 SHALL HAVE 3" TO 4" ROCK TO MATCH THE REBEL RED ROCK SOURCE.

IRRIGATION NOTE

ALL PLANTING AREAS SHALL RECEIVE WATER FROM A FULLY AUTOMATIC DRIP IRRIGATION SYSTEM OFF A SEPARATE IRRIGATION METER.

SITE REQUIREMENTS

1 TREE/ 30 L.F. - SIDE, FRONT AND REAR PROPERTY LINE
1 TREE/ 6 PARKING STALLS
133 PARKING STALLS
22 TREES REQUIRED
22 TREES PROVIDED

0 20 40 60
1"=20'-0"

PRELIMINARY LANDSCAPE PLAN

ON THE WEB MARKETING GROUP
2651 CRIMSON DRIVE
LAS VEGAS, NEVADA

Richard Price & Associates, Inc.

Landscape Architects/Planners
27127 Calle Arroyo, Suite 1905
San Juan Capistrano, CA 92675
949-248-7138 Fax: 949-248-4980
CA License 1381
1012D S. Eastern Ave., Suite 200
Henderson, NV 89052
702-564-0960 Fax: 702-492-1297
NV License 119

2-11-04, 3-19-04 REVISED RPA #24109

SUP-4176
SDR-4174
05-13-04 PC

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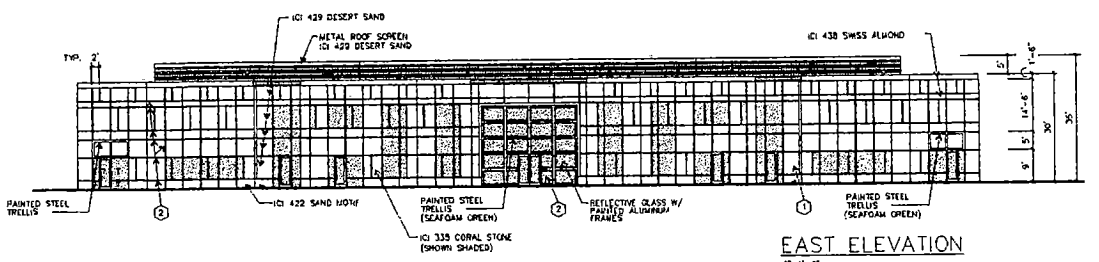


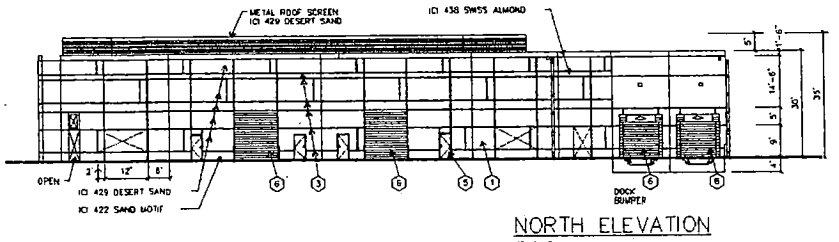
EAST ELEVATION

1/4"=1'-0"

MATERIAL LEGEND

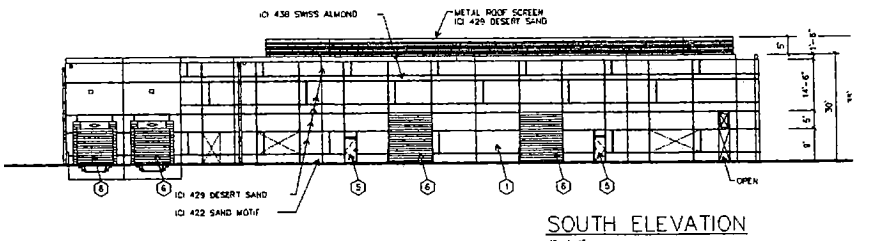
1. PAINTED CONCRETE TILT-UP PANELS
2. PAINTED ALUMINUM STOREFRONT FRAME W/ HIGH PERFORMANCE GLAZING
3. TYPICAL REVEAL
5. PAINTED METAL MAN DOOR (SEAFOAM GREEN)
6. PAINTED METAL TRUCK DOOR (SEAFOAM GREEN)

DENOTES KNOCKOUT PANEL FOR FUTURE DOORS/WINDOWS



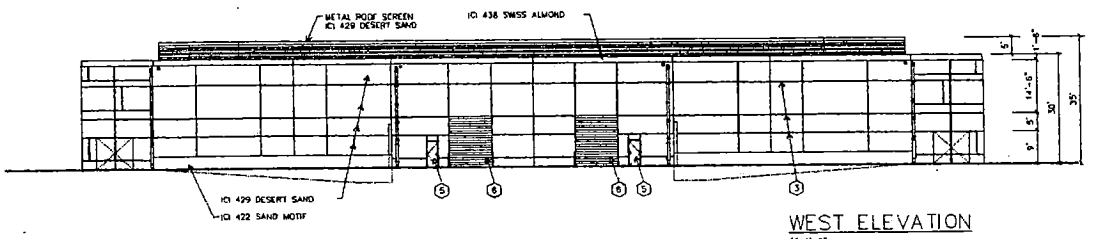
NORTH ELEVATION

1/4"=1'-0"



SOUTH ELEVATION

1/4"=1'-0"



WEST ELEVATION

1/4"=1'-0"

SUP-4176
SDR-4174
05-13-04 PC

ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIV
LAS VEGAS, NEVADA

ELEVATIONS

HFA

HOWARD F. FRONTON ASSOCIATES, INC.
Architecture/Land Planning/Interiors

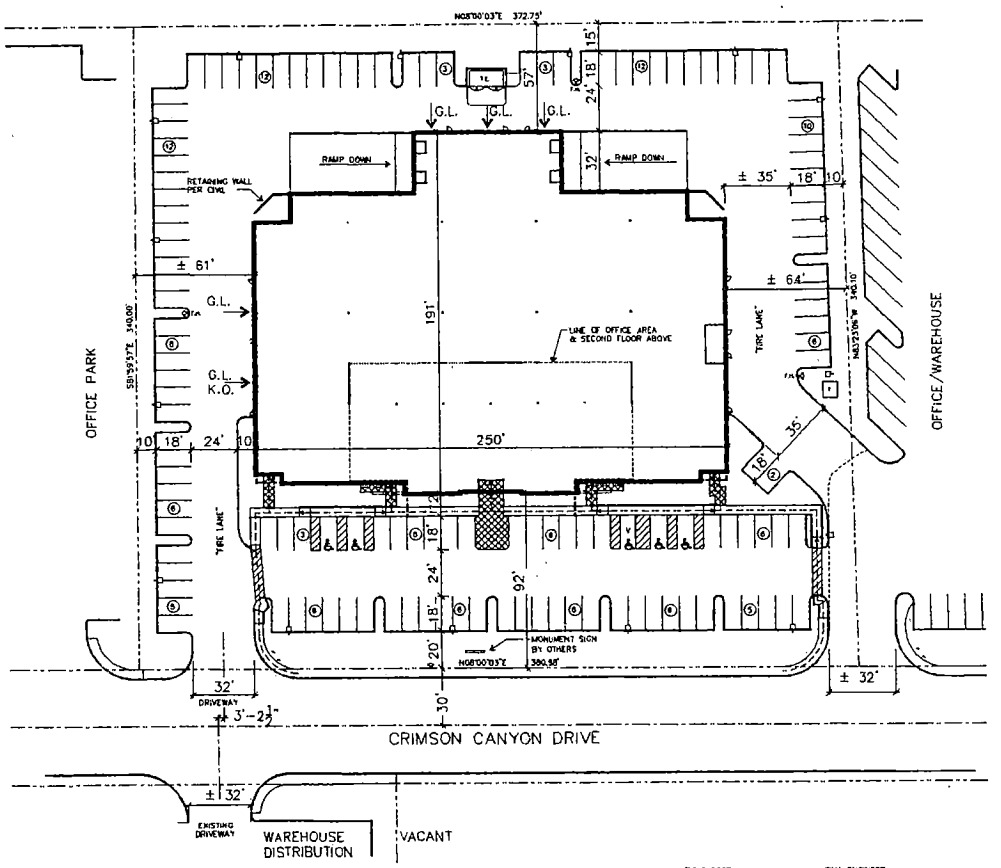
100 N. Stephanie, Suite 245
Henderson Nevada 89014
(702)269-9675/FAX(702)263-9625

0 8' 16' 32'

This is a schematic representation/plan only. The information and boundary locations shown have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any public or private, including the owner of this property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

PR/23-123-00-PR/CITY-SUBMTL ELEVATIONS.Dwg 3-22-2004

BUFFALO DRAINAGE CHANNEL



ON THE WEB MARKETING GROUP
2651 CRIMSON CANYON DRIVE
LAS VEGAS, NEVADA

OWNER/DEVELOPER:
ALEX SALMONS
7340 SMOKE RANCH RD.
Suite A
LAS VEGAS, NEVADA 89128
TEL-(702) 304-0909
FAX-(702) 304-0910
CONTACT: ALEX SALMONS

ARCHITECT:
HOWARD F. THOMPSON, INC.
400 N. STEPHANIE
Suite 245
HENDERSON, NEVADA 89014
TEL-(702) 268-6815
FAX-(702) 263-6825
CONTACT: JOHN DeLACY

CIVIL ENGINEER:
THE KEITH COMPANIES
444 WARM SPRINGS ROAD
Suite 110
LAS VEGAS, NEVADA 89119
TEL-(702) 263-0208
FAX-(702) 263-8529
CONTACT: ALI SHAHABI

LANDSCAPE ARCHITECT:
RICHARD PRICE & ASSOCIATES
27127 CALLE ARROYO COURT
Suite 1905
SAN JUAN CAPISTRANO, CA 92675
TEL-(949) 248-7138
FAX-(949) 248-4380
CONTACT: RICHARD PRICE

SUP-4176
SDR-4174
05-13-04 PC

PROJECT SUMMARY

LAND AREA ± 128,124 S.F (2.94 A.C.)
BLDG. AREA ± 50,805 S.F.

AREA BREAKDOWN DEFINITION:

1. "GROSS AREA" DEFINED AS AREA WITHIN THE DRIPLINE OF THE ROOF (INCLUDES SOFFITS).
2. "NET AREA" DEFINED AS AREA WITHIN THE OUT-SIDE FACE OF WALLS AND GLASS (DOES NOT INCLUDE SOFFITS).

BUILDING AREA	GROSS	NET
1ST FLR.	40,856S.F.	40,436 S.F.
2nd FLR.	9,949S.F.	9,884 S.F.
TOTAL AREA	50,805S.F.	50,320 S.F.

PARKING PROVIDED 132 CARS
PARKING RATIO 2.59 CARS/1000 S.F.
PARKING REQUIRED 96.4 CARS

± 2,200 S.F. SHOWROOM/500	± 4.4 CARS
± 18,600 S.F. OFFICE/300	± 62 CARS
± 30,000 S.F. WHSE/1,000	± 30 CARS

F.A.R. 31.9%
ZONING: C - PB

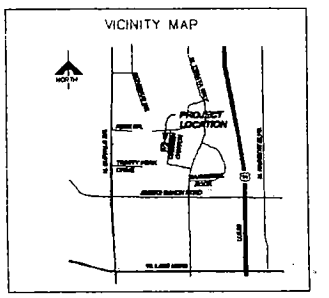
NOTES:

1. PARKING STALLS SHALL BE 9' X 18'. "HV" DENOTES VAN ACCESSIBLE STALLS AND "H" DENOTES CAR ACCESSIBLE STALLS.

LEGEND/SYMBOLS:

- LIGHT POLE
- T.E. TRASH ENCLOSURE PER CITY'S STANDARDS
- T TRANSFORMER PAD
- G.L. GRADE LEVEL TRUCK DOOR
- DOCK HIGH TRUCK DOOR
- DENOTES A.D.A. PATH

VICINITY MAP



SITE PLAN

HFTA

NORTH

SCALE: 1" = 30'-0"

0 30' 60'

HOWARD F. THOMPSON ARCHITECT, INC.
Architecture/Land Planning/Interiors
400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)268-6815/FAX(702)268-6825

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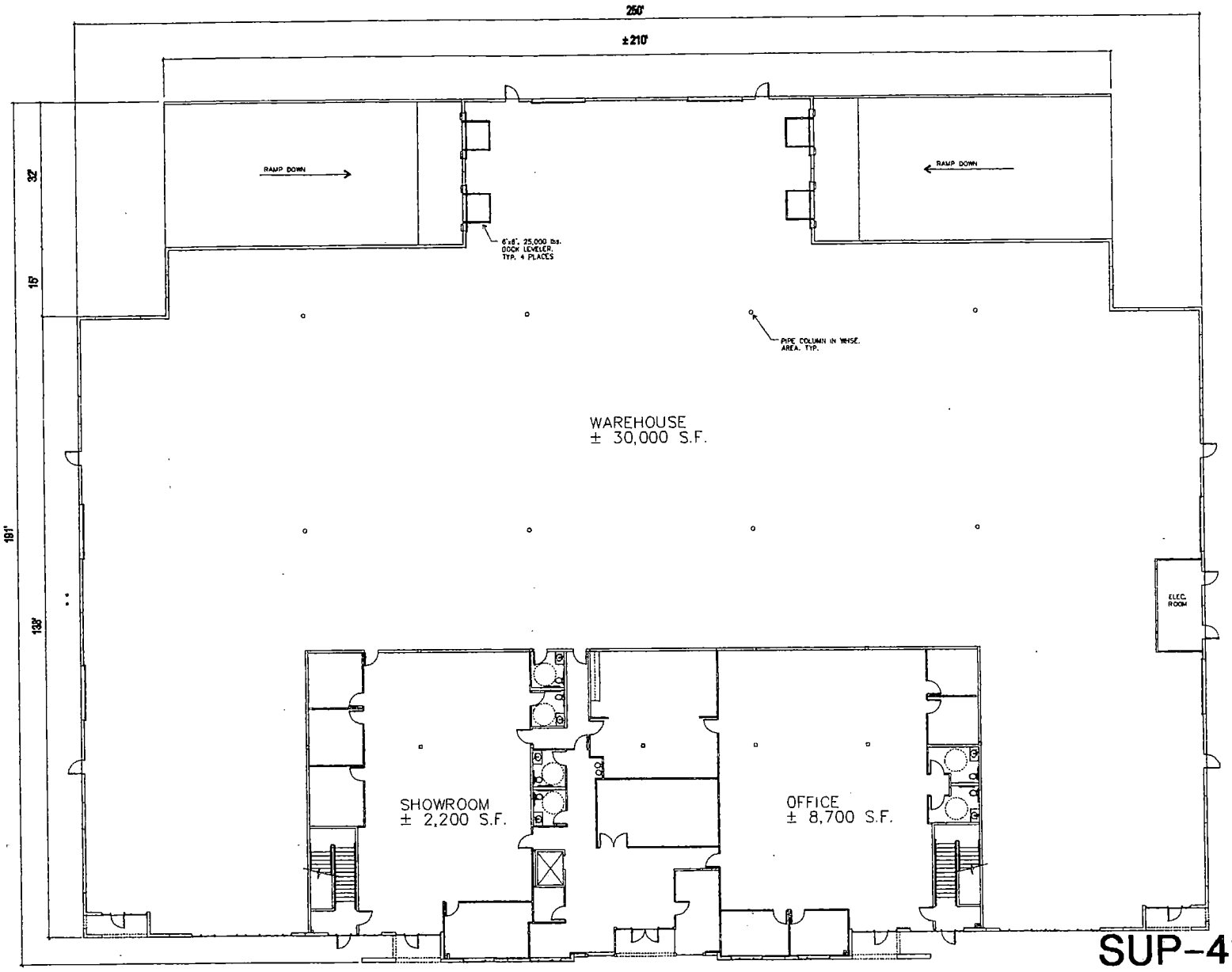
PP/23-123-00-PP/DTP SUBMTL-SITE.dwg 03-22-2004



ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIV
LAS VEGAS, NEVADA

FIRST FLOOR PLAN

HFA

NORTH

SCALE: 1" = 10'-0"

0 10' 20'

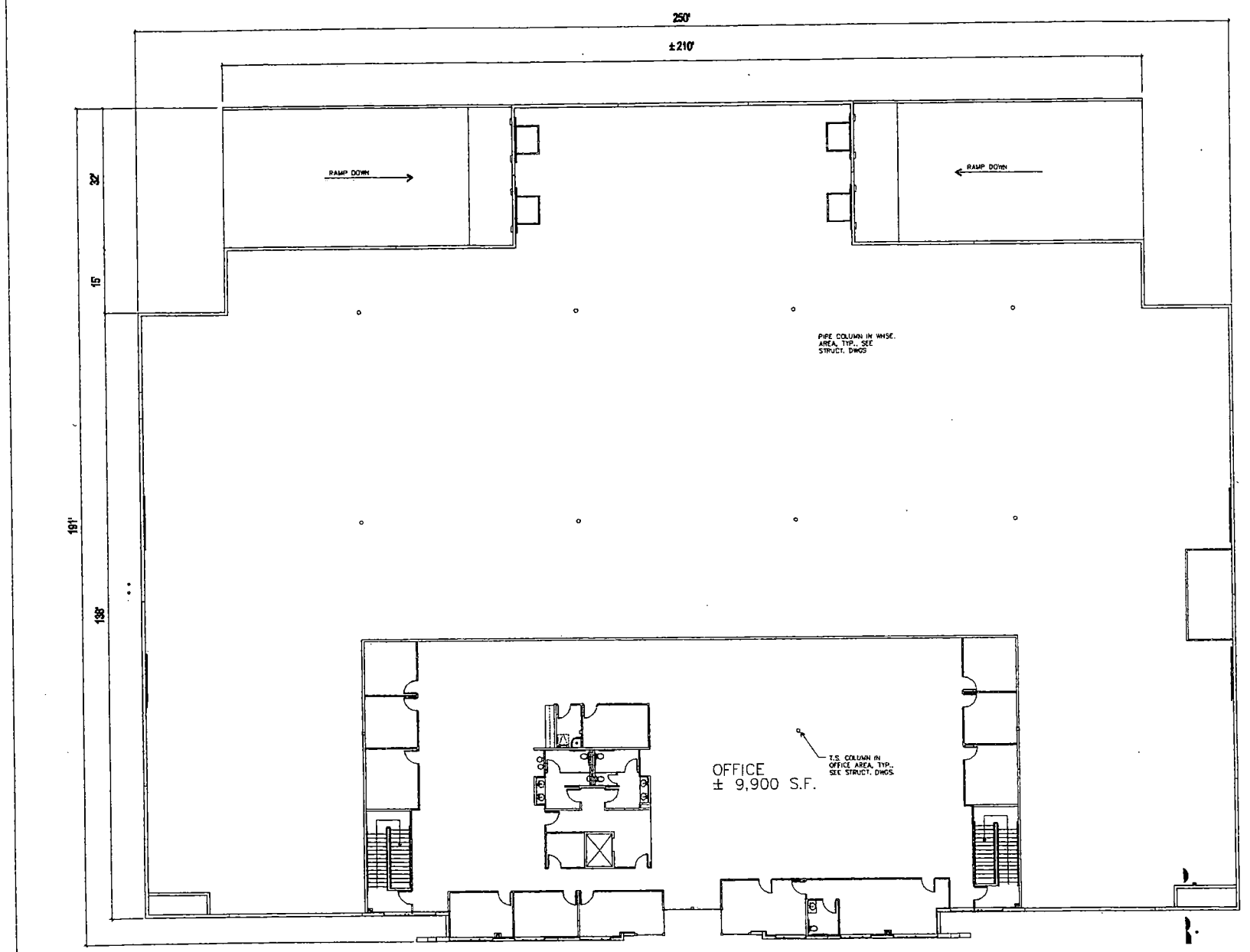
HERMAN F. THOMPSON ARCHITECT, INC.
Architecture/Land Planning/Interiors

402 N. Stephanie, Suite 245
Henderson Nevada 89014
(702)798-4815/FAX(702)798-8825

This is a schematic penciliation/plan only. The information and boundary locations shown have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any entity, public or private, including the owner of this property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

PR/03-122-00-PR/CITY-SUBMTL 1ST-FLRPLN.Dwg 3-22-2004

SUP-4176
SDR-4174
05-13-04 PC



ON THE WEB
MARKETING GROUP
2651 CRIMSON CANYON DRIVE
LAS VEGAS, NEVADA

SECOND FLOOR PLAN

HFA

NORTH

SCALE: 1" = 10'-0"

0 10' 20'

EDWARD F. HOFFMAN ARCHITECT, INC.
Architecture/Land Planning/Interiors

400 N. Stephanie, Suite 245
Henderson, Nevada 89014
(702)263-8813/FAX(702)871-8825

This is a schematic penciltation/plan only. The information and boundary locations shown have been compiled from sources believed to be reliable. However, their accuracy is not guaranteed and is subject to change. It is not intended and should not be construed that any entity, public or private, including the owner of this property has committed itself to the implementation of this plan or to the development or construction of any element of this plan.

PR/23-122-00-PP/CITY-SUBMTL 2ND-FLRPLN.Dwg 3-12-2004

SUP-4176 3
SDR-4174
05-13-04 PC

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED at 1750 South Rainbow Boulevard, Suite 10 (APN: 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – APPROVED subject to conditions – Motion carried with GOYNES and EVANS voting No

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated recently there was a Code amendment pertaining to the use. However, this application was submitted prior to the Code amendment adoption, so the standards were not applied to this application. In the back-up documentation, it is noted that there are two other such uses in the vicinity. Therefore, based upon concerns regarding over saturation, the recommendation is for denial.

MINUTES - Continued:

VALENTINE LOPEZ, 128 Macoby Run Street, Las Vegas, stated that the tax and bookkeeping services located on the same premise, as is this application. He would like to add this additional service to assist his customers in cashing their tax refunds. He is a small business owner and feels the check cashing service is detrimental to the success of his tax and bookkeeping services. He may lose customers if this additional service is not offered. He is aware of the a saturation of payday loan centers, but pleaded with the Commission to approve his application as it is not a payday loan center, but a check cashing service. He also noted that there were six vacant storefronts for a long period of time; he does not want his business or the surrounding area to be an eyesore.

In reply to COMMSSIONER McSWAIN'S query, MR. CLAPSADDLE indicated that they found two payday loan centers located within 750 feet. COMMISSIONER McSWAIN noted that even though this would be a similar business, it is still an existing business. The applicant wishes to add this as an ancillary service, and she is inclined to support this application.

CHAIRMAN TRUESDELL discussed with the applicant that he has been at this location since October. He also stated that a lot of the banks do not cash tax refunds unless you have an existing account with them and even then, they would have to deposit their check.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 46 [SUP-4120].

(8:00 – 8:05)

CONDITIONS:

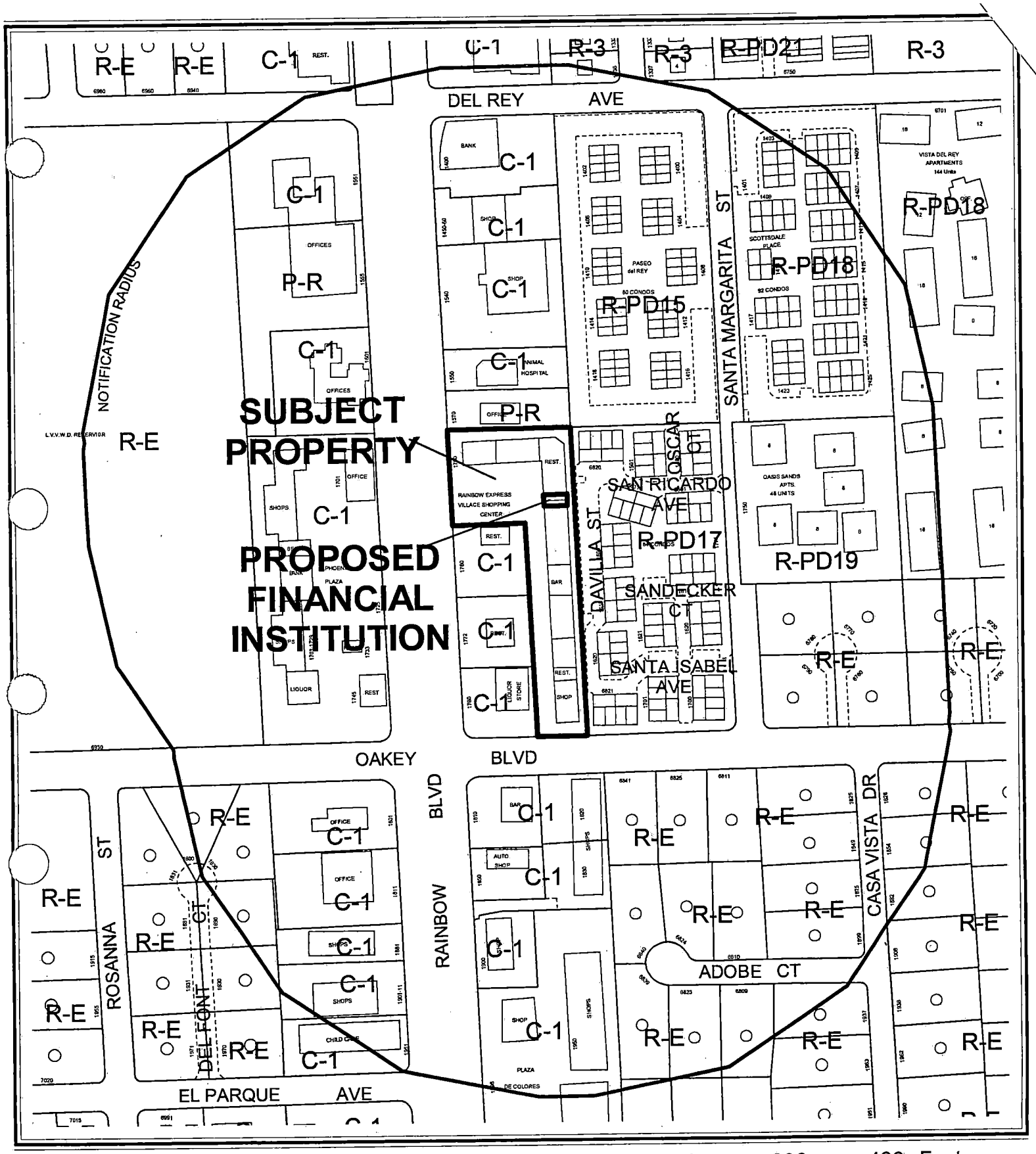
Planning and Development

1. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. Compliance with all City Code requirements and design standards of all city departments.

3. Conformance to all minimum requirements in Title 19.04.050 for a Financial Institution, Specified use, except for those physical limitations (building size and separation) required by new ordinance provisions.

4. A full parking analysis that shows compliance with the required number of parking spaces for the shopping center within which the proposed use would be located.

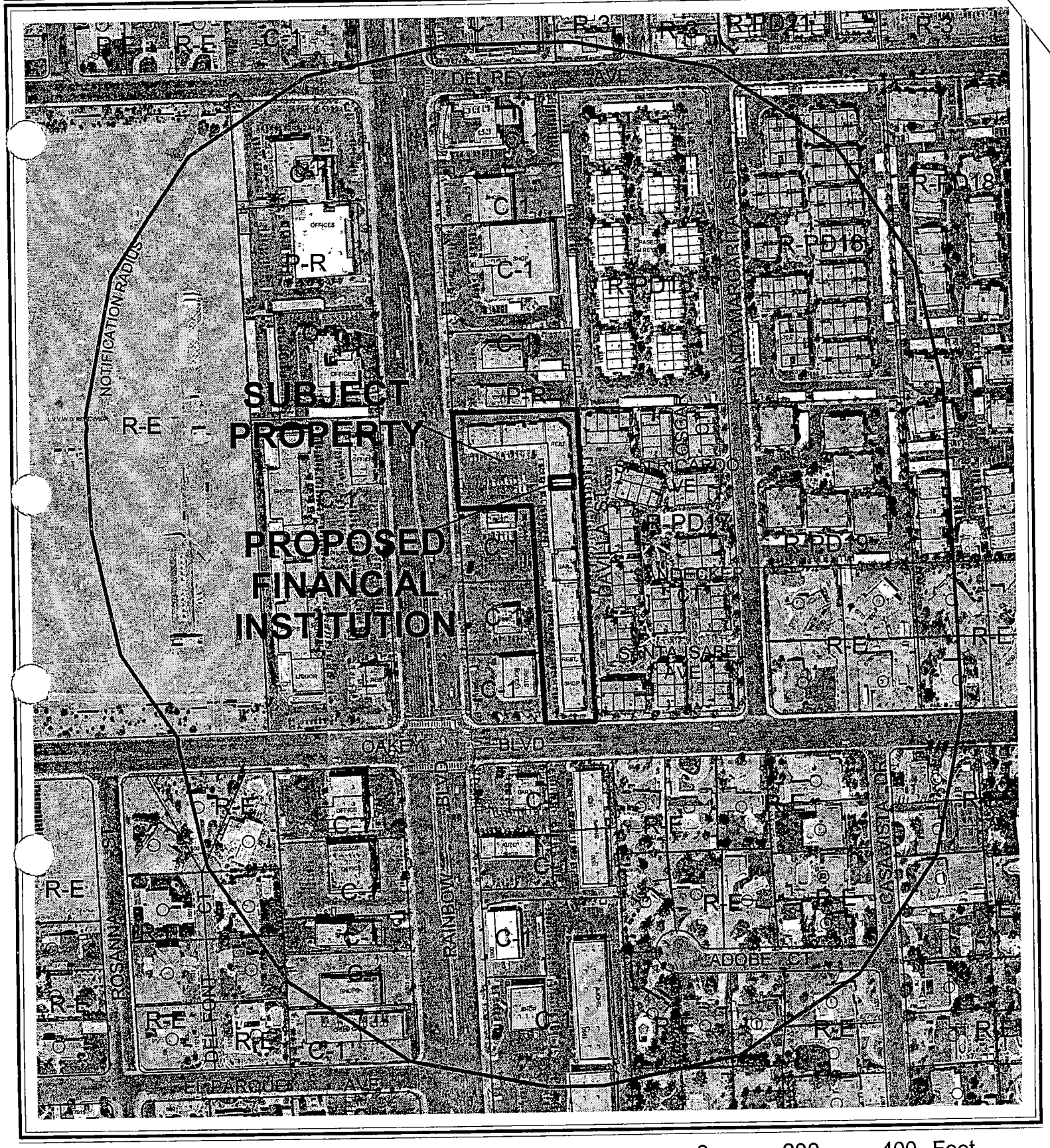


CASE: **SUP-4120**

RADIUS: 750 FT

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

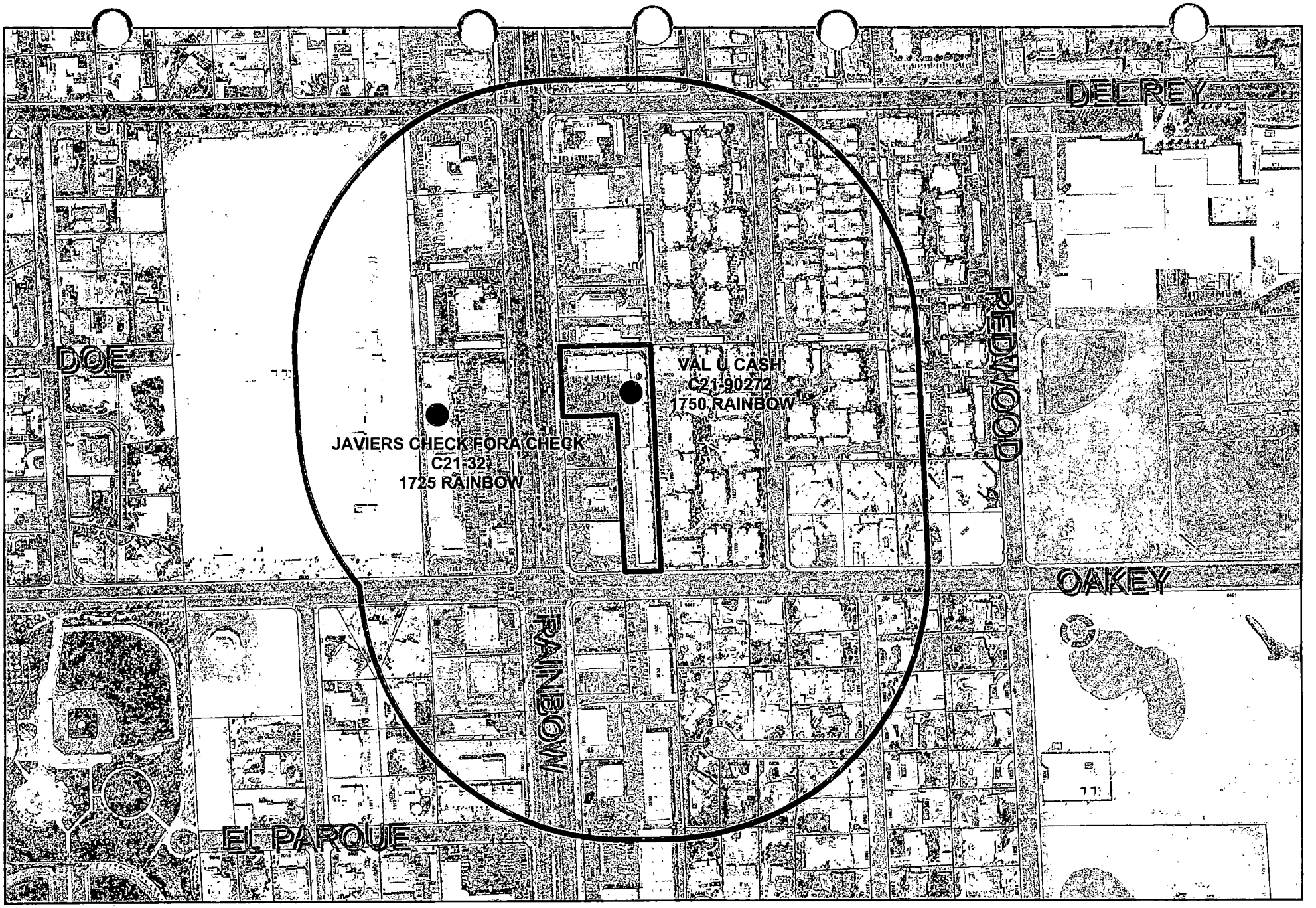
N



CASE: **SUP-4120**

RADIUS: 750 FT

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



SUP-4120 **Financial Business Locations**

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- 750 foot buffer

0 312.5 625 1,250 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. Compliance with all City Code requirements and design standards of all city departments.

3. Conformance to all minimum requirements in Title 19.04.050 for a Financial Institution, Specified use, except for those physical limitations (building size and separation) required by new ordinance provisions.

4. A full parking analysis that shows compliance with the required number of parking spaces for the shopping center within which the proposed use would be located.

** STAFF REPORT **

APPLICATION REQUEST:

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified to be located in an existing building at 1750 South Rainbow Boulevard, Suite 10.

B) Applicant's Justification

The applicant indicates in a letter attached to this application the following:

> "Bank branch on every corner is a thing of the past. It is difficult to find branches in the inner city. They are moving to the suburbs where the money is. With the increase in direct deposit, check-cashing companies are looking for a new profit centers...I strongly believed that the City of Las Vegas and in my location is the best place to start the business."

In a subsequent letter, the applicant states:

> "I have the tax and bookkeeping services located at 1750 S. Rainbow Boulevard. I'm adding the Check Cashing service to help my customers cashing the tax refund they received. The check cashing service is detrimental to the success of my tax and bookkeeping services. I might be losing my customer if I will not be offering the Check Cashing service to them. I will not survive competing with a big Payday Loan franchise operators without the check cashing service because they are also start offering tax services now, that means that Big Companies is very hard to compete and we, the small business man like us can not compete with just tax services only."

BACKGROUND INFORMATION:

A) Previous Actions

03/19/86	The City Council approved an annexation request (A-0009-85).
04/17/91	The City Council approved a request for a Special Use Permit (U-0039-91) for the sale of beer and wine in conjunction with a restaurant. The Board of Zoning Adjustment recommended approval of the request on 03/28/91.

DDS

04/15/92 The City Council approved a request for a Special Use Permit (U-0043-92) for beer and wine sales in conjunction with a restaurant. The Board of Zoning Adjustment recommended approval of the request on 3/24/92.

B) Pre-Application Meeting

03/08/04 Minor issues were discussed, including the need for a detailed parking analysis.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres: 0.52

B) Existing Land Use

Subject Property:	Shopping center
North:	Shopping center
South:	Shopping center
East:	Shopping center
West:	Across Rainbow Boulevard, shopping center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	Across Rainbow Boulevard, SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	Across Rainbow Boulevard, C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the SC (Service Commercial) land use category of the General Plan. The existing C-1 (Limited Commercial) zone is consistent with the SC (Service Commercial) land use, and the proposed Financial Institution is a permitted use with the approval of a Special Use Permit.

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

ANALYSIS:

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	889 SF	1 space per 200 GFA	4	1	4	1
Various	32,369 SF	Varies/use	107	6	93	2

DDS

Restaurants	5670 SF	1 space for each 50 sf of seating area and one for each of the remaining 200 of GFA	121	5	121	5

The existing building was constructed in 1991 as part of a shopping center development. The number of parking spaces required and provided is inconclusive from the information provided by the applicant. Based on the original size of the shopping center's floor area, the types of uses known to exist, and the number of parking spaces required, it appears that the shopping center is deficient in the required number of parking spaces. According to the staff's calculations, 232 regular parking spaces and 12 handicapped spaces are required, and 218 regular spaces and eight handicapped spaces have been provided.

A2) Minimum Distance Separation Requirements

By new Zoning Code regulations adopted 04/21/04, no Financial Institution, Specified use may be located within 200 feet from any parcel zoned for residential use nor closer than 1000 feet from any other specified financial institution use, auto title loan use or auto pawn use. Since this application was submitted on 03/31/04 and prior to the date of adoption of the ordinance, the new provisions are not subject to this case. Regardless, because there are two other check-cashing businesses within 750 feet of this site, it is recommended that the use be denied.

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more that twenty percent (20%) of the area of all exterior windows.

5. Window signs shall not include flashing lights or neon lighting (adopted 03/31/04).

6. Window signs shall not include any text other than text that indicates the hours of operation and whether the business is open or closed (adopted 03/31/04).

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

8. The building or portion thereof that is dedicated to the use shall have a minimum size of 1,000 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks) (adopted 03/31/04).

9. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1,000 feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles (adopted 03/31/04).

The proposed use does not comply with the conditions specified above. Since the use has 889 square feet, it has less than the 1,000 square of feet floor area required for the business (number 8 under conditions). In addition, the proposed use is located within 1000 feet of two other specified financial institutions, which is not permissible (number 9 under conditions). This application, however, was submitted prior to the date of adoption of these provisions (03/31/04). Therefore, the use is not restricted to these provisions. However, because of the over saturation of like uses within the same area, it is recommended that the use be denied.

FINDINGS:

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

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

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

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

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

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

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

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

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

NOTICES MAILED: 318

APPROVALS: 0

PROTESTS: 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4120 APN: _____

Name of Property Owner: Rainbow Express Village L.P.

Name of Applicant: VAL-U - CASH

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: Norman Pokras

Subscribed and sworn before me

This 12 day of February, 2004

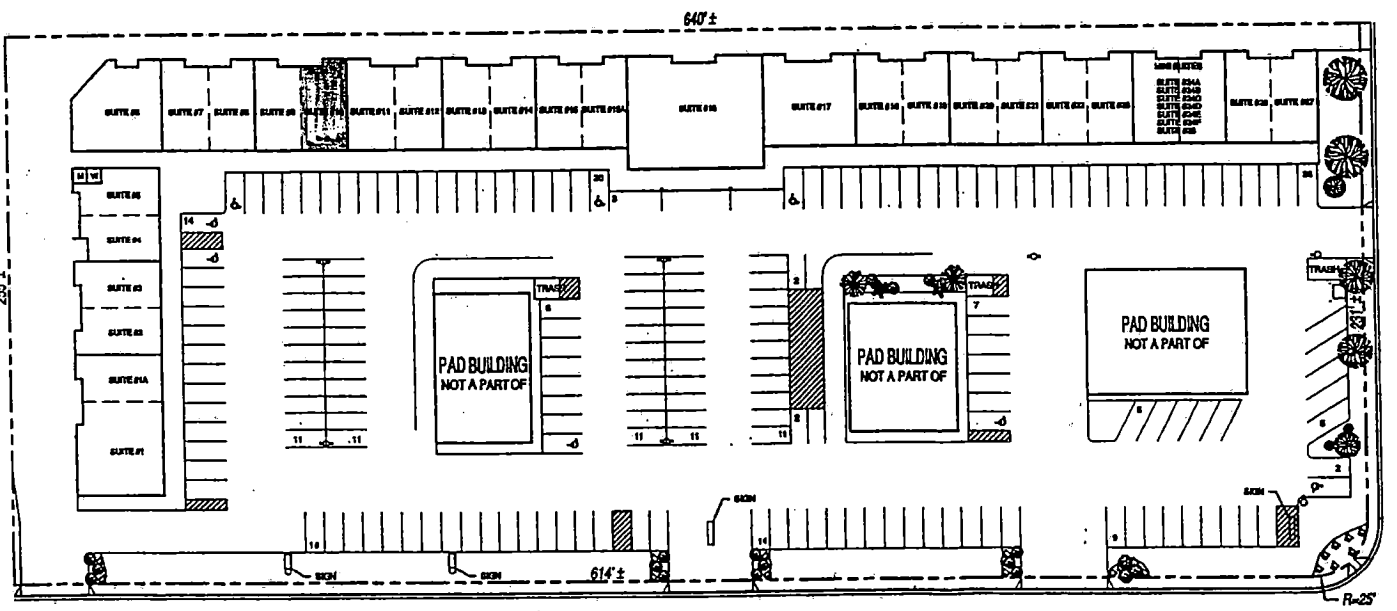
Mary Ann Lomeo

Notary Public in and for said County and State

MARY ANN LOMEO
Notary Public, State of Nevada
Appointment No. 9331801
My Appt. Expires April 20, 2005

NORTH

SCALE: REDUCED



OAKEY BOULEVARD

RAINBOW ROAD

LEASING SITE PLAN
N.T.S.

OCCUPANCY SCHEDULE:

INLINE STORES
#1750 S. RAINBOW BOULEVARD

SUITE # 1	1,958 SQ. FT.
SUITE # 1A	889 SQ. FT.
SUITE # 2	993 SQ. FT.
SUITE # 3	889 SQ. FT.
SUITE # 4	835 SQ. FT.
SUITE # 5	836 SQ. FT.
SUITE # 6	1,663 SQ. FT.
SUITE # 7	889 SQ. FT.
SUITE # 8	889 SQ. FT.
SUITE # 9	889 SQ. FT.
SUITE # 10	889 SQ. FT.
SUITE # 11	799 SQ. FT.
SUITE # 12	889 SQ. FT.
SUITE # 13	889 SQ. FT.
SUITE # 14	889 SQ. FT.
SUITE # 15	1,083 SQ. FT.
SUITE # 15A	605 SQ. FT.
SUITE # 16	2,552 SQ. FT.
SUITE # 17	2,552 SQ. FT.
SUITE # 18	889 SQ. FT.
SUITE # 19	889 SQ. FT.
SUITE # 20	889 SQ. FT.
SUITE # 21	889 SQ. FT.
SUITE # 22	889 SQ. FT.
SUITE # 23	889 SQ. FT.
SUITE # 24A	185 SQ. FT.
SUITE # 24B	150 SQ. FT.
SUITE # 24C	185 SQ. FT.
SUITE # 24D	285 SQ. FT.
SUITE # 24E	145 SQ. FT.
SUITE # 24F	240 SQ. FT.
SUITE # 25	150 SQ. FT.
SUITE # 26	889 SQ. FT.
SUITE # 27	811 SQ. FT.

TOTAL SQUARE FEET 30,251 SQ. FT.

TOTAL LEASEABLE AREA 30,251 SQ. FT.

TOTAL SPACES PROVIDED 184 STANDARD SPACES
8 HANDICAP
192 TOTAL

REVISIONS: BY DATE

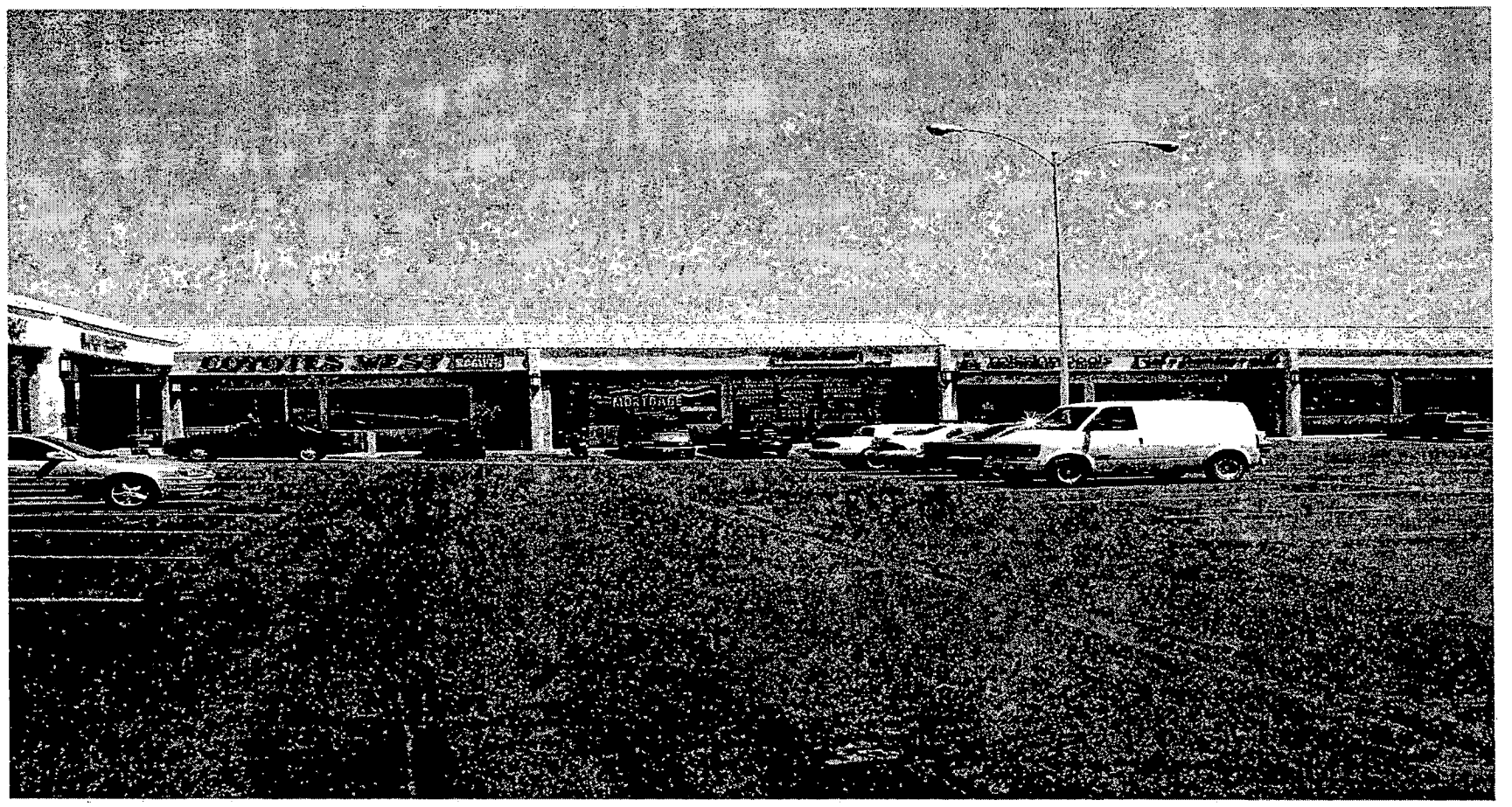
LEASING SITE PLAN
LAS VEGAS, NEVADA

RAINBOW EXPRESS VILLAGE
NE CORNER OF RAINBOW & OAKEY
LAS VEGAS, NEVADA

DATE: 8/15/99
DRAWN: P.A.K.
SCALE: AS SHOWN
JOB No.: 99-114

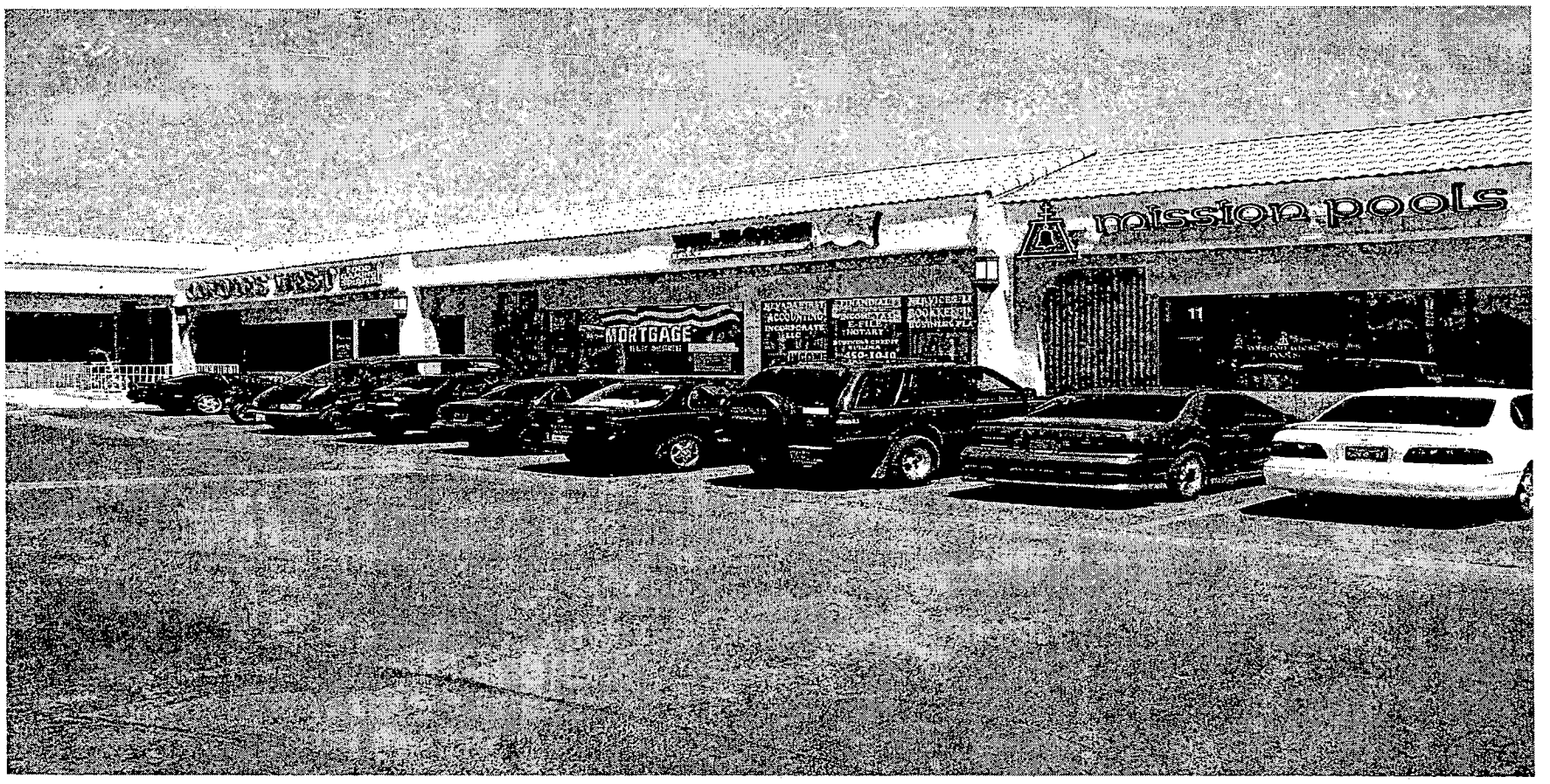
SHEET
1
1 OF 1

SUP–4120
5–13–04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP
1750 SOUTH RAINBOW BOULEVARD, SUITE
MAY 13, 2003 PLANNING COMMISSION

4/23/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4120 - APPLICANT: VAL-U-CASH - OWNER: RAINBOW EXPRESS VILLAGE LIMITED PARTNERSHIP
1750 SOUTH RAINBOW BOULEVARD, SUITE
MAY 13, 2003 PLANNING COMMISSION

4/23/04

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at 4921 Vegas Drive (APN: 138-25-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and amended Condition 6 to limit the square footage of alcohol to 10%, on Condition 9 require that the applicant submit all detailed Site and Landscaping Plan, and add a one-year review – Motion carried with DAVENPORT and GOYNES voting No

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the back-up documentation includes a colored map showing protected uses. One use is shown on the north side of the property within the notification area. For the record, there is a license for a

MINUTES - Continued:

daycare facility on that site; it has been abandoned and not in operation. Staff has looked at the site, and it is for sale. As a result, the colored map is not a reflection of the surrounding area. A waiver was not advertised nor does staff feel one is necessary. Based on the proximity of residential development on the corner to the west and to the south, staff recommended denial.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised that the license goes with the individual, and the use goes with the property itself. The license probably transferred somewhere else so it does not belong to this piece of property.

VINNY YALDO, 5869 Sleepy Fawn Drive, Las Vegas, stated that the previous site plan was a 7-11 convenient store, and the site plan has been revised. He commented on how he intends to maintain a clean property just like he does his home. He was recently married and would also like to lend support to his parents.

RONALD THOMAS, 8908 Goldstone Avenue, Las Vegas, 89143, stated that he is a pastor at 1401 N. Decatur Boulevard, Suite 14. The property on this application is on the corner of Vegas Drive. The City has owned the 10 acres of property for redevelopment and is in the process of tearing down some condominiums. As this property is being redeveloped, he does not believe it would include a liquor store in a predominantly residential neighborhood. There are already other convenience stores that sell alcohol, such as on the corner of Decatur and Vegas Drive, a Chevron gas station, and a Circle K on Michael Way and Vegas Drive. In addition, there is a neighborhood bar. He and his congregation are in communication with COUNCILWOMAN MONCRIEF and the Mayor's Office to submit proposals on the use for this particular property. Their concern is the use in this area, as there is also a school in this area. He also reiterated ATTORNEY SCOTT'S statement and added since the license follows the applicant and not the property, then this applicant is free to find another location for his business.

MR. YALDO responded that his main focus is not to sell liquor but sell produce and deli type items, with beer and wine as accessories. The property is zoned for commercial, but his intent is to have a family-owned business. Using the overhead, the applicant's site plan was shown to the Commission. COMMISSIONER McSWAIN asked what would change on the site. MR. YALDO replied that the structure still exists. He would stucco the building, paint it a neutral color, reseal the parking lot, put in new parking spaces and add landscaping. The building is nearly 40 years old and wants to revitalize the building like new. He is willing to abide by any City, State or County laws.

COMMISSIONER EVANS reiterated the fact that there are a number of places in the area where liquor is being sold, but asked the applicant if he is aware of any stores in the area that sell food other than fast food. MR. YALDO replied that the Chevron located on the corner and believes the 7-11 on the other side of Decatur. There is an Albertson's at Vegas Drive and Jones about a 9/10 of a mile away.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 47 – SUP-4137

MINUTES - Continued:

COMMISSIONER EVANS pointed out there are many places to buy liquor and wine, but no places to buy food. When Meyer's Market existed in this area, one could go 50 feet in any direction for several miles and always get a 40-ounce, screw top, hard liquor, beer or wine. However, someone would have to travel three miles just to buy produce such as apples. There are a lot of residents who are elderly and nowhere to buy actual food other than fast food. His concern is that to compete, one must also have beer and wine as an incidental aspect of the business. On the other hand, these types of places become simply liquor or beer and wine stores. He understands the applicant's dilemma, as well as those that feel there is a saturation of beer and wine, but it is difficult to bridge the gap. COMMISSIONER EVANS then asked to defer to his colleagues, as he wanted to know their opinions on this matter.

MR. YALDO stated that a very close friend of his opened his convenience store with produce and deli approximately a year and a half ago. He also stated that he would even abide by a condition that states he must have certain items in the convenience store in order for the application to be approved. He knows that the beer brings customers in, but the alcohol is only an accessory use. His intent is not to have individuals loitering as he intends to maintain a clean property.

COMMISSIONER McSWAIN stated that she is familiar with this particular corner, as she grew up in the area of Lake Mead. She feels that this particular location has not been a beautifying element to the area. She feels that a small grocery store is ideal for this location. There has been other application where the square feet of alcohol was limited. She is aware that starting a business can be a burden; she appreciates the applicant's intent on cleaning up the weeds in one particular corner. However, she feels that the entire corner needs an overhaul to make the location presentable and appealing. MR. YALDO reiterated that he intends on redoing the entire exterior of the building, including repaving the parking lot if necessary.

CHAIRMAN TRUESDELL asked the applicant if he would accept a condition to install landscaping according to Title 19 standards. MR. YALDO strongly accepted the condition, as well as any other stipulations. CHAIRMAN TRUESDELL also stated he is familiar with the area. If the item is approved, he requested that there be very specific conditions. There is so much effort being put into this Decatur and Vegas area, and a small neighborhood grocery is a great start. However, a neighborhood liquor store does not create that same great start. He would like to see the property improve and raise the level of what is expected here by placing some very strict limitations and timeframes.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 47 – SUP-4137

MINUTES - Continued:

MR. YALDO stated that Catholic Charities is getting ready to vacate the building and would be beneficial if the applicant could beautify the project rather than leaving it as an eyesore. COMMISSIONER McSWAIN stated that if the applicant is willing to attempt to do the landscaping according to Title 19, is it appropriate to hold this item in abeyance, which will give him time to meet with staff and do a more elaborate landscape plan. COMMISSIONER EVANS suggested that rather than having the applicant come back, he suggested an administrative approval with specific language regarding the conditions.

DAVID CLAPSADDLE responded that with a developed site, a Site Plan Review is generally not required, only photographs. Title 19 standards is tough for this application, as it would require 15 feet landscaping along Vegas Drive, 15 feet along the south and east side, and 8 feet along the west side. The applicant will not be able to meet Title 19 standards. COMMISSIONER McSWAIN responded she would be more comfortable with a review because she knows that this can be a substantial investment, as well as a hardship with a new a business. She wants to give the applicant an opportunity to evaluate the costs to ensure that it would be feasible to develop this project. COMMISSIONER EVANS also asked DEPUTY CITY ATTORNEY SCOTT about a condition regarding the percent of square footage for alcohol, as a means of attempting to move this application forward. DEPUTY CITY ATTORNEY SCOTT indicated that there have been applications approved with certain percentages of their floor area only for alcohol.

ROBERT GENZER, Director, Planning and Development Department, replied that he believes the standard indicates not to exceed 10% of the gross floor area for a building this size. In addition, MR. GENZER stated that staff could work with the applicant on the floor plan and the Site Development Plan. Condition 9 does require that the applicant submit a detailed site plan, and landscaping can be included.

COMMISSIONER STEINMAN suggested including a one-year review as well. COMMISSIONER GOYNES did not feel he was "on the same page" as COMMISSIONER EVANS previously stated. His concern is that the area is still over saturated with facilities that sell alcohol. He commented that if the applicant wants to get off to a good start, then he should patronize himself as a true family market with no alcohol. He indicated that Ward 5 is over saturated with crack heads. Right now, those stores have a different clientele that patronize these supposed family markets. MR. YALDO replied that is not his intention. COMMISSIONER GOYNES reiterated that the applicant could agree to not selling liquor. MR. YALDO reassured the Commission that if he is given the opportunity to sell alcohol, he plans to run a clean and reputable store.

MINUTES - Continued:
No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(8:05 – 8:28)
2-1190

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.

2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. Conformance with all City Code requirements and design standards of all City departments.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This application being restricted to the sale of beer and wine only.

6. Prohibition of the sale of individual containers of any size of beer, wine coolers or screw cap wine containers. All such products shall remain in their original configurations as shipped by the manufacturer. No repackaging of containers into groups smaller than the original shipping container size shall be permitted.

7. Operation of this business being absolutely in conformance with Chapter 6.50 of the City of Las Vegas Municipal Code.

8. No seating if permitted on-site.

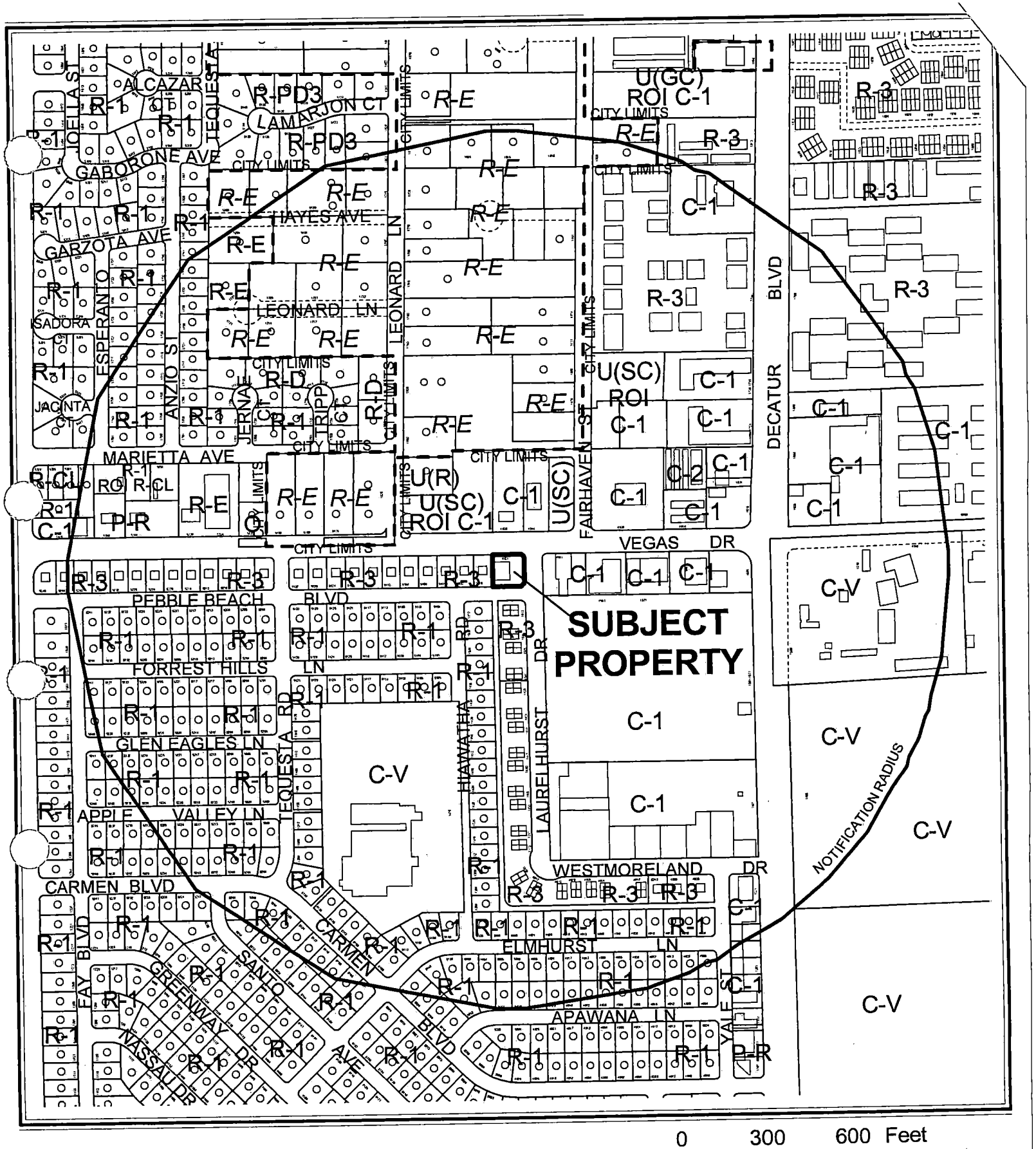
9. Submittal of a detailed site plan that illustrates compliance with the parking requirements and that provides onsite amenities acceptable to the Department prior to City Council approval.

CONDITIONS - Continued:

Public Works

10. Removal all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the issuance of any permits or business license for this site.

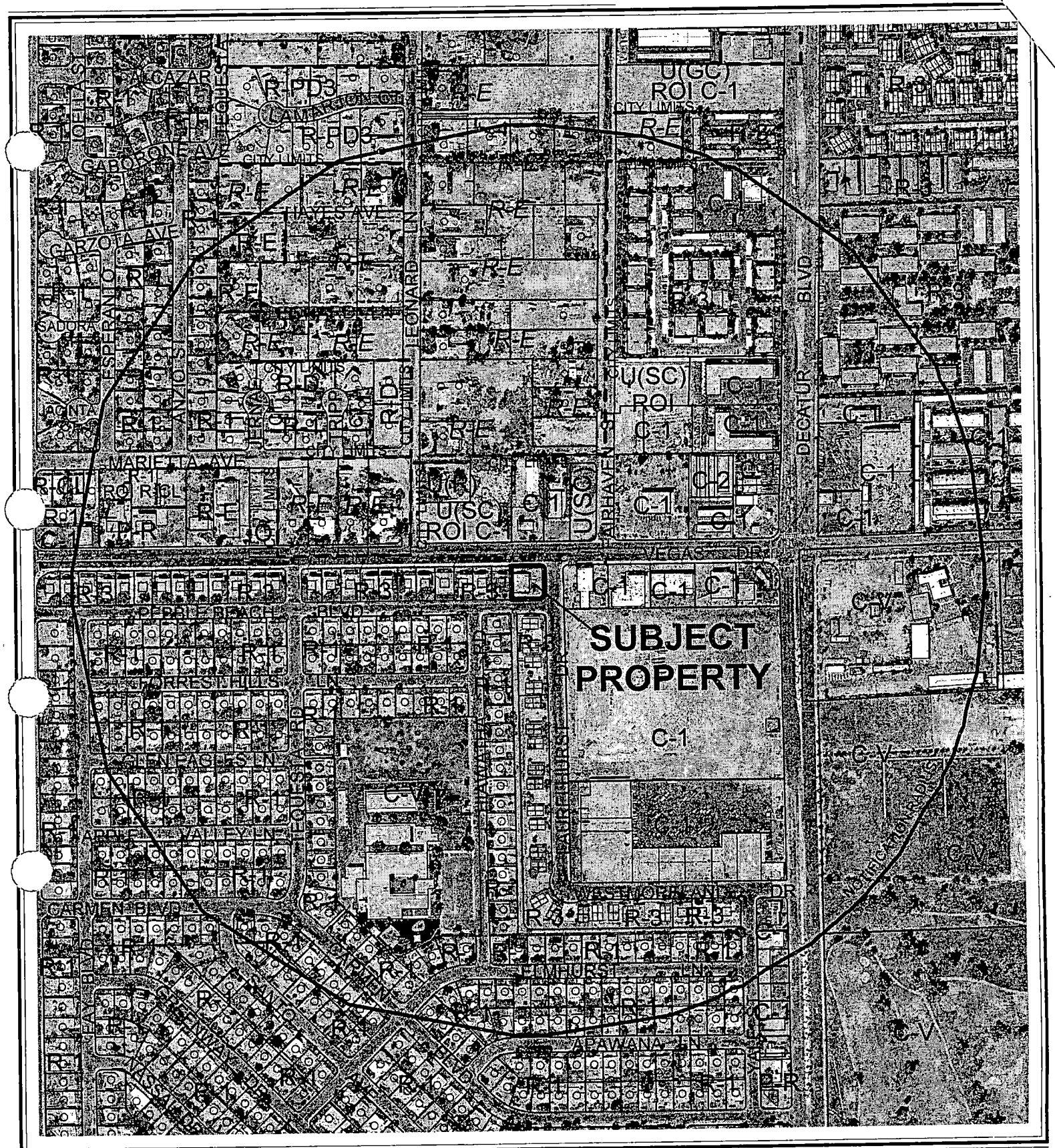
11. Dedication of an additional five (5) feet of right-of-way for a total radius of 20 feet on the southwest corner of Vegas Drive and Laurelhurst Drive adjacent to this site prior to the issuance of any permits for this site. This requirement will not be enforced if it is determined that a permanent structure improvement exists within the area to be dedicated.



CASE: **SUP-4137**

RADIUS: 1500 FT

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



0 300 600 Feet

CASE: **SUP-4137**

RADIUS: 1500 FT

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

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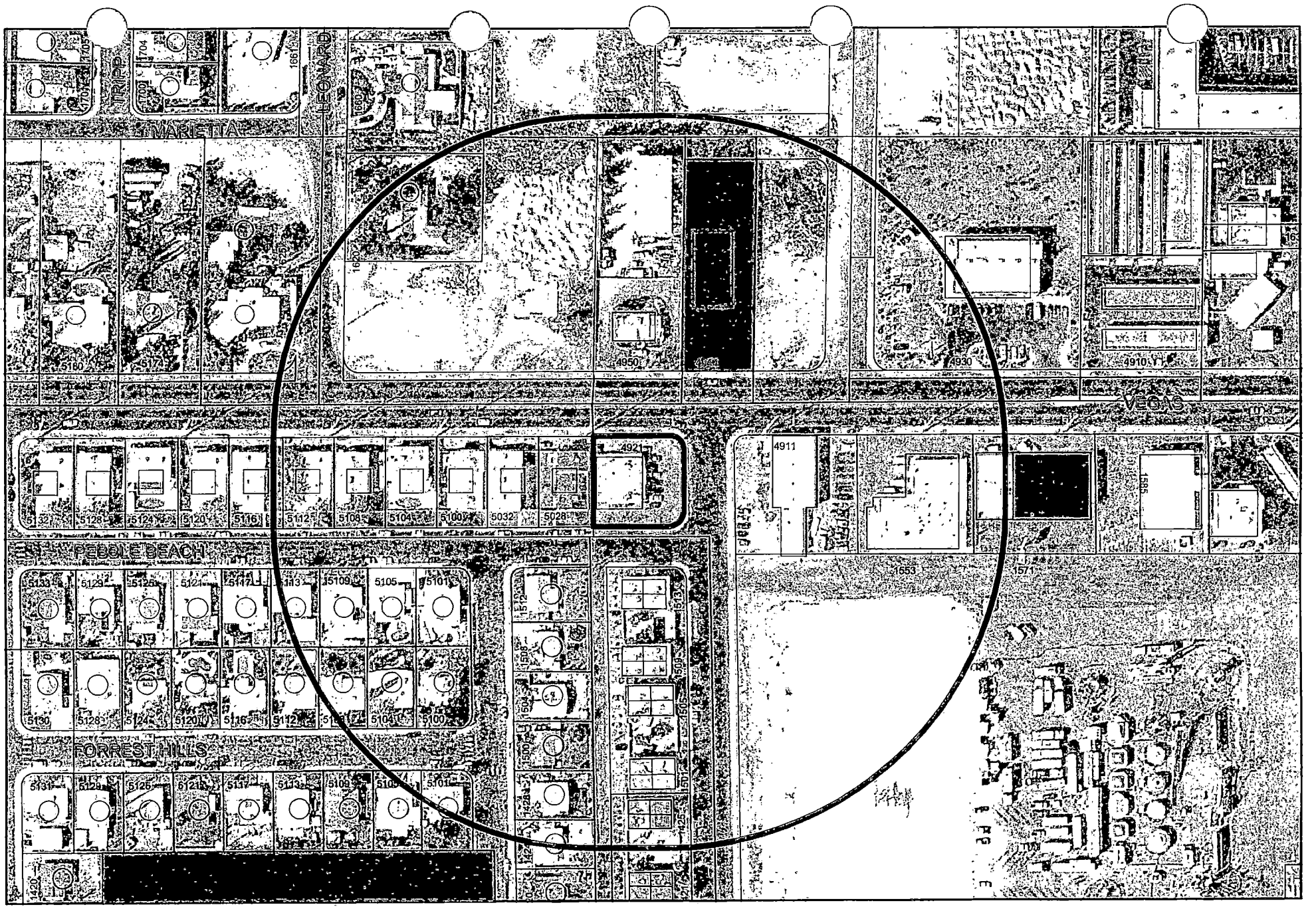
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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.

2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. Conformance with all City Code requirements and design standards of all City departments.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This application being restricted to the sale of beer and wine only.

6. Prohibition of the sale of individual containers of any size of beer, wine coolers or screw cap wine containers. All such products shall remain in their original configurations as shipped by the manufacturer. No repackaging of containers into groups smaller than the original shipping container size shall be permitted.

7. Operation of this business being absolutely in conformance with Chapter 6.50 of the City of Las Vegas Municipal Code.

8. No seating if permitted on-site.

9. Submittal of a detailed site plan that illustrates compliance with the parking requirements and that provides onsite amenities acceptable to the Department prior to City Council approval.

Public Works

10. Removal all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the issuance of any permits or business license for this site.

11. Dedication of an additional five (5) feet of right-of-way for a total radius of 20 feet on the southwest corner of Vegas Drive and Laurelhurst Drive adjacent to this site prior to the issuance of any permits for this site. This requirement will not be enforced if it is determined that a permanent structure improvement exists within the area to be dedicated.

** STAFF REPORT **

APPLICATION REQUEST:

A) Action Requested

This is a request for a Special Use Permit for a proposed Liquor Establishment (Off-Premise Consumption) at 4921 Vegas Drive.

B) Applicant's Justification

The applicant has submitted a letter with this application, stating:

> This business will cater to local customers, primarily within walking distance from the store. Deli sandwiches are an essential element to the business as well; we will carry a small delicatessen for carryout, along with basic fruits and vegetables, we will also a line of groceries at low competitive prices. With regards to selling beer and wine, my interest in obtaining a special use permit to sell beer/wine for off premises consumption is to have this convenience available to the consumer. Needless to say, I would also like to mention that I have full knowledge and comprehension of the enforced laws, rules, and regulations that govern this type of license and will adhere to them obediently if given the opportunity.

BACKGROUND INFORMATION:

A) Previous Actions

11/22/61 The Board of City Commissioners approved a Rezoning request (Z-0054-61) to rezone the subject property from an R-1 (Single-Family Residence) zone to an R-3 (Limited Multiple Residence) zone.

09/11/63 The Board of City Commissioners approved a Rezoning request (Z-0113-63) to rezone the subject property from an R-3 (Limited Multiple Residence) zone to a C-1 (Limited Commercial) zone.

B) Pre-Application Meeting

03/10/04 Submittal requirements for a Special Use Permit application were discussed, namely the need for the addition of a vicinity map to the site plan, the deed to the property, a signed application, a Project of Regional Significance questionnaire, and 10 total parking spaces. A day care center that did exist across the street is no longer in existence. There would be no seating in conjunction with the establishment.

DDS

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST:

A) Site Area

Net Acres: 0.30

B) Existing Land Use

Subject Property:	Retail commercial
North:	Across Vegas Drive, single-family residential
South:	Across Pebble Beach Boulevard, multi-family residential
East:	Across Laurelhurst Drive, retail commercial
West:	Duplexes

C) Planned Land Use

Subject Property:	M (Medium Density Residential)
North:	Across Vegas Drive, SC (Service Commercial)
South:	Across Pebble Beach Boulevard, M (Medium Density Residential)
East:	Across Laurelhurst Drive, SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	Across Vegas Drive, R-3 (Limited Multiple Residence)
South:	Across Pebble Beach Boulevard, R-3 (Limited Multiple Residence)
East:	Across Laurelhurst Drive, C-1 (Limited Commercial)
West:	R-3 (Limited Multiple Residence)

E) General Plan Compliance

The subject property is designated M (Medium Density Residential) in the General Plan. The existing zoning, however, is C-1 (Limited Commercial), which is inconsistent with the General Plan. The zoning has been noncompliant with the General Plan since 1963, when the property was originally rezoned to a commercial classification. A number of different commercial uses have existed on the property since that time.

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 proposed convenience store with or without liquor sales continues the commercial use of this property. Consequently, the City should take the initiative to amend the General Plan during then next General Plan cycle to a land use classification consistent with the existing zoning. (The subject property could alternatively be rezoned to a district consistent with the land use classification, but any commercial use of the property would then be made nonconforming.)

No special districts, zones, or studies are related to the subject property. However, the property is within 500 feet of the city limits of North Las Vegas, which for a special use is a Project of Regional Significance. To date, no comments have been received from North Las Vegas officials.

ANALYSIS:

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The 2,400 square-foot retail establishment is required to have 10 parking spaces. A total of 10 spaces are shown on the site plan, although there is some question whether the parking space configuration will fit within the physical dimensions of the lot.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premise)	Shall not be located within 400 feet of any church, synagogue, school, child care facility, or City park	Greater than 400 feet from protected uses

Title 19.04.050 requires that a Liquor Establishment (Off-Premise Consumption) be a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than 12 children, or a City park. None of these protected uses are within this 400-foot radius.

B) General Analysis and Discussion

- Zoning

The Liquor Establishment (Off-Premise Consumption) use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-Premise Consumption) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or city park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius.

The use would be located in the immediate vicinity of multi-family and single-family dwellings to the south and west of the property. The staff has concerns about the proximity of a liquor establishment so close to residences. For this reason, it is recommended that the application be denied.

- Conditions

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

* 1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or city park.

* 2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.

* 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Subsection (1) do not apply to:
   a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

   b. A proposed retail establishment having more than 50,000 square feet or retail floor space.

* 6. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

7. The minimum distance requirements set forth in Subsection (1), which are otherwise non-waivable under the provisions of this subdivision, may be waived:

   a. In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment, which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

The application as proposed appears to meet all the applicable conditions of Title 19.04.050.

FINDINGS:

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

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

   The proposed Liquor Establishment (Off-Premise Consumption) use is located in the immediate vicinity of existing residential developments to the west and south. Severe incompatibility issues arise with the convergence of these types of land uses. Consequently, it is recommended that the special use permit be denied.

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

   The subject site is barely suitable for the type and intensity of land use proposed, as the entire site would be consumed by the required amount of parking. Without a detailed site plan, it is questionable whether the required number of spaces will fit on the lot.

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 is proposed from Vegas Drive, Laurelhurst Drive and Pebble Beach Boulevard. According to the Master Plan of Streets and Highways, Vegas Drive is identified as a Secondary Collector street with an 80-foot wide right-of-way. Adequate access would be provided.

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

   The proposed Liquor Establishment (Off-Premise Consumption) will be an accessory use to the proposed grocery store on this site that will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED: 364

APPROVALS: 0

PROTESTS: 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4137 APN: 138-25-502-001

Name of Property Owner: Thomas Patrick

Name of Applicant: Vincent N. Yaldo

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: Thomas Patrick

Print Name: Thomas Patrick

Subscribed and sworn before me

This 3 day of 18 2004

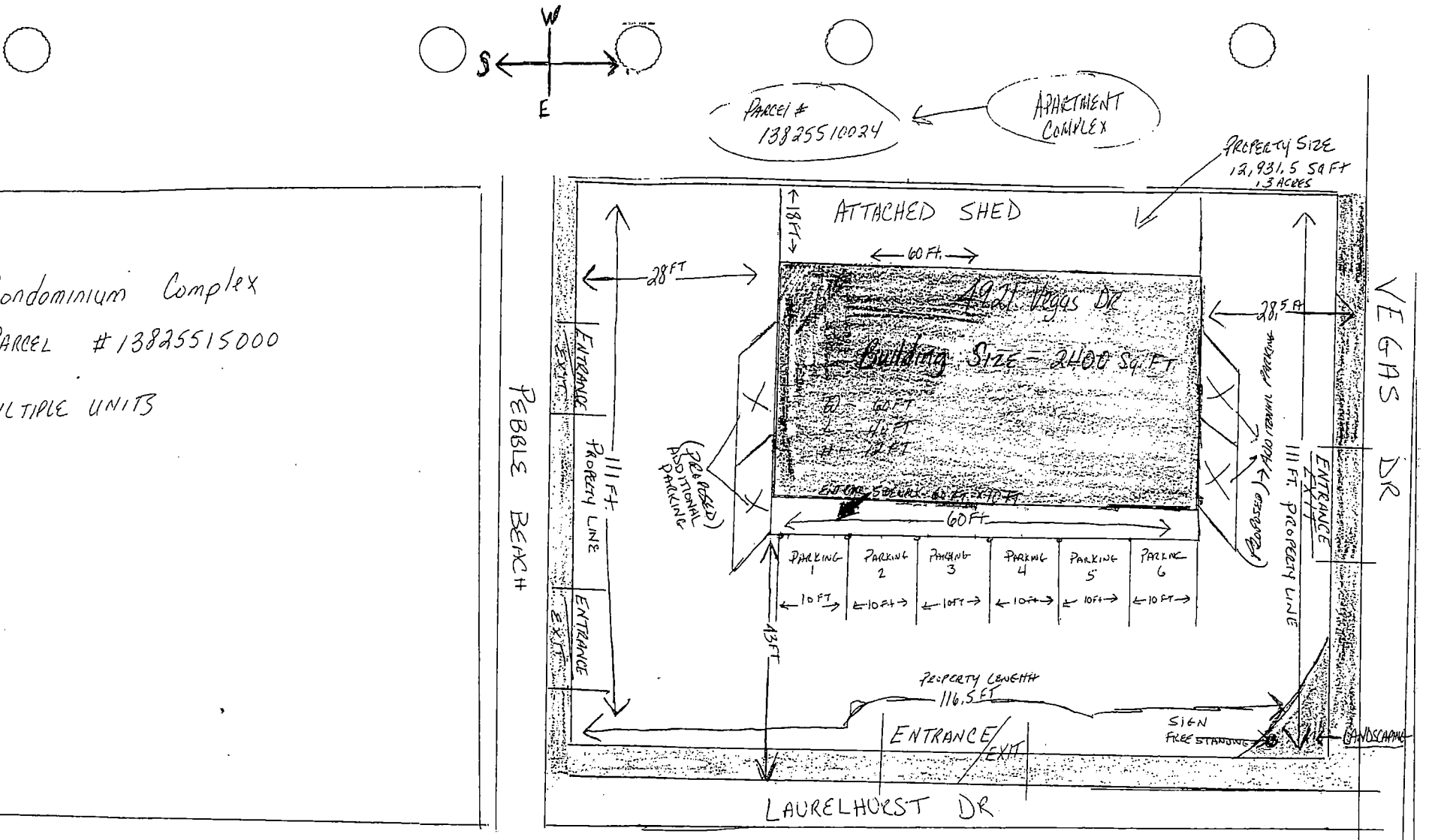
ESTELLA PADILLA
Notary Public, State of Nevada
Appointment No. 03-83000-1
My Appt. Expires Dec. 10, 2007

Notary Public in and for said County and State

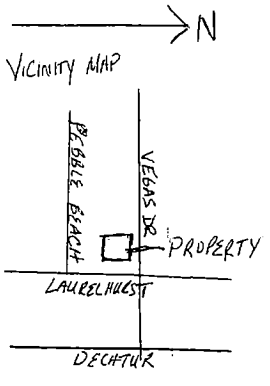
Condominium Complex

PARCEL #13825515000

MULTIPLE UNITS

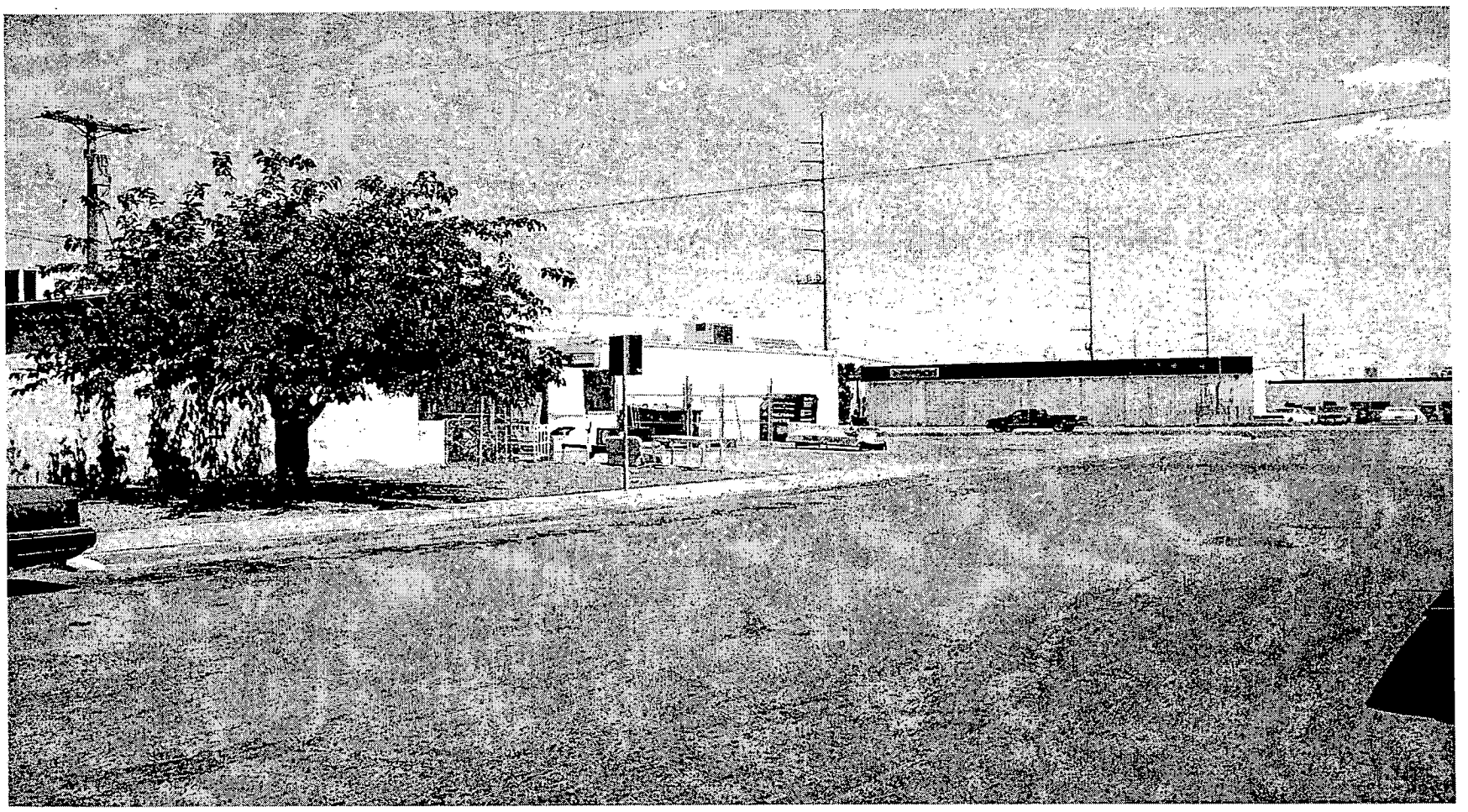


COMMERCIAL PROPERTY PARCEL # 13825503001



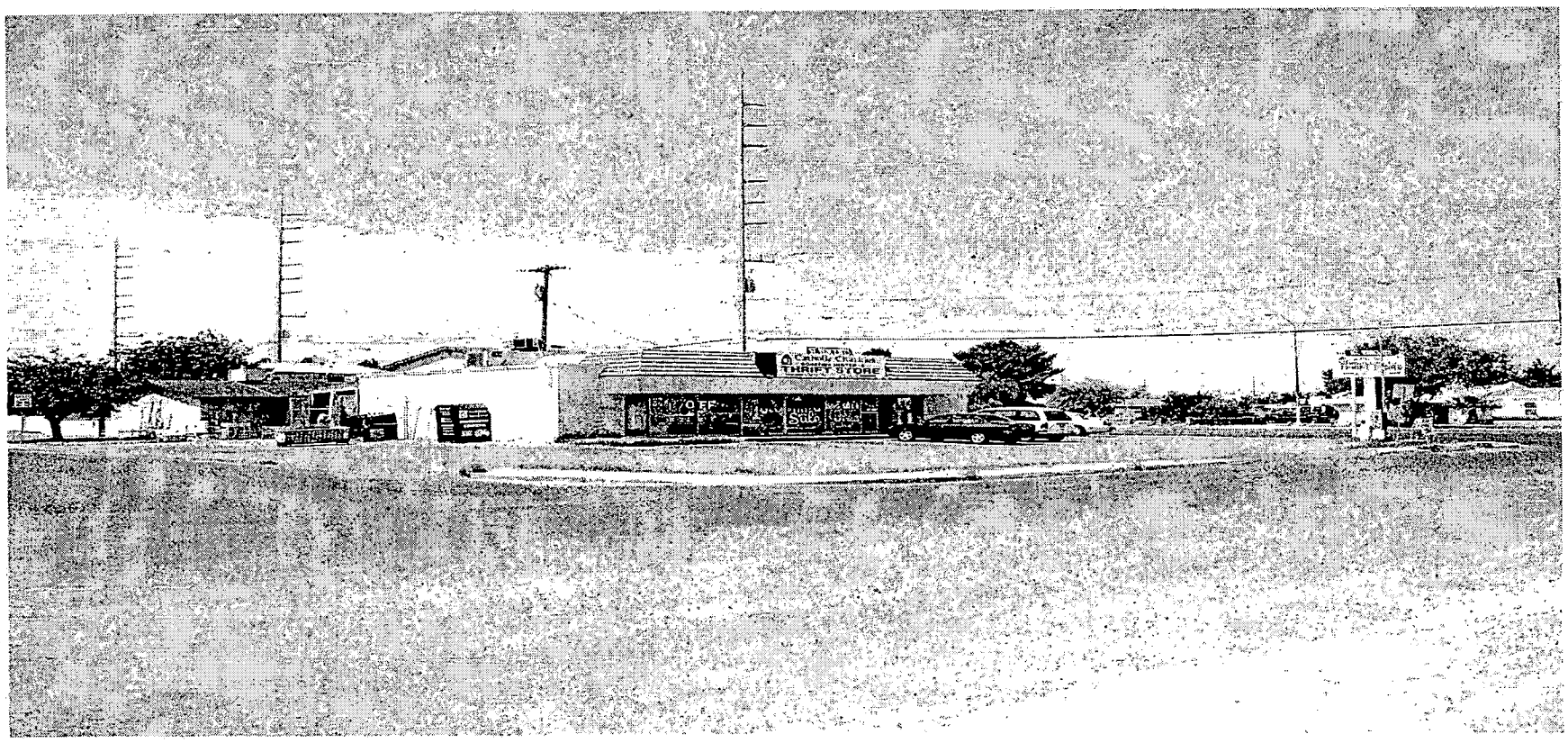
* RETAIL PARKING - 2400 Sq ft / 1 Per 250 sq ft - 10 PARKING SPACES.
* SCALE - NTS
* LAND SIZE - 12,931 Sq Ft / APPROX .30 ACRES

SUP-4137
05-13-04 PC



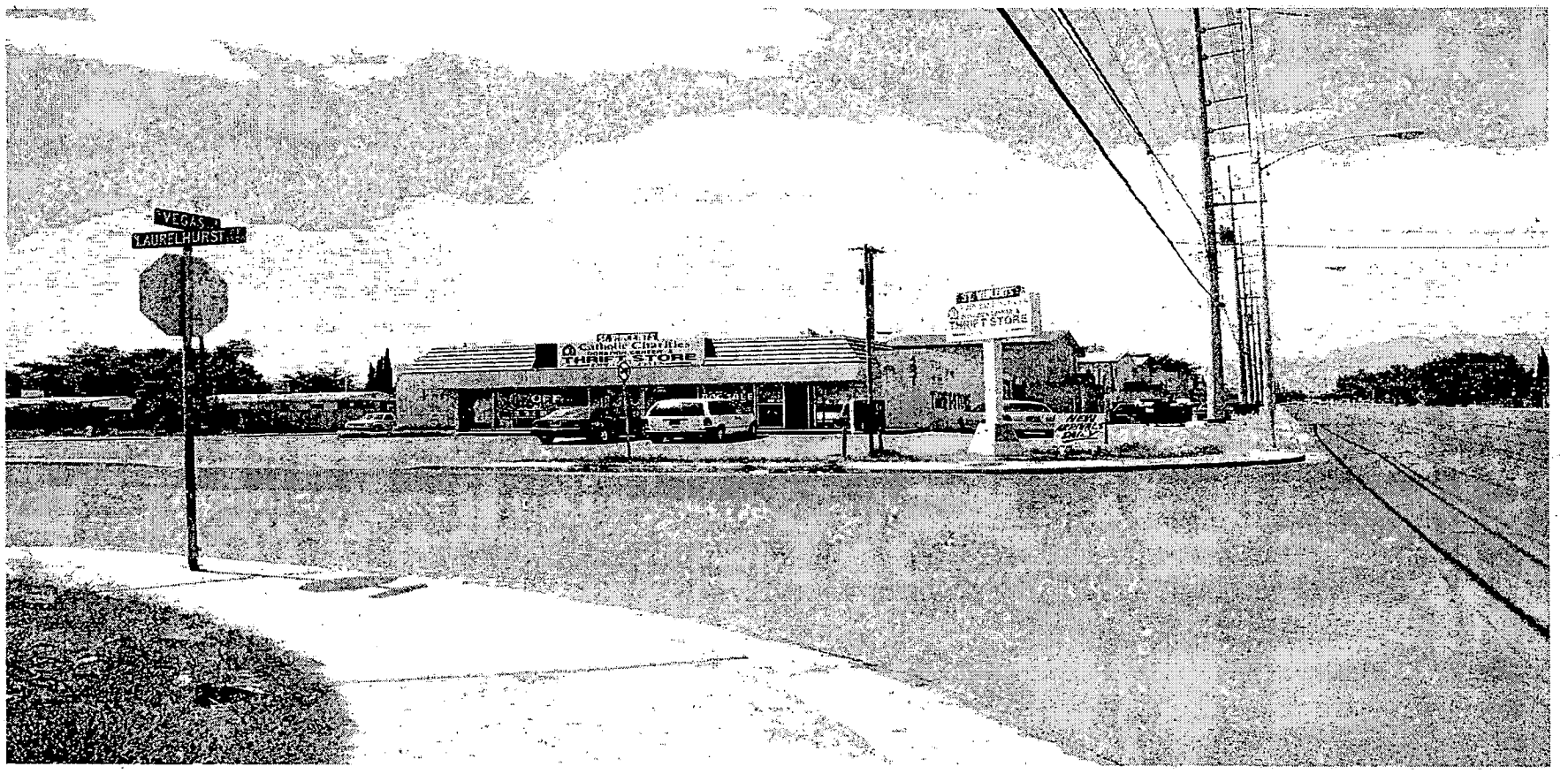
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST
4921 VEGAS DRIVE
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST
4921 VEGAS DRIVE
MAY 13, 2003 PLANNING COMMISSION

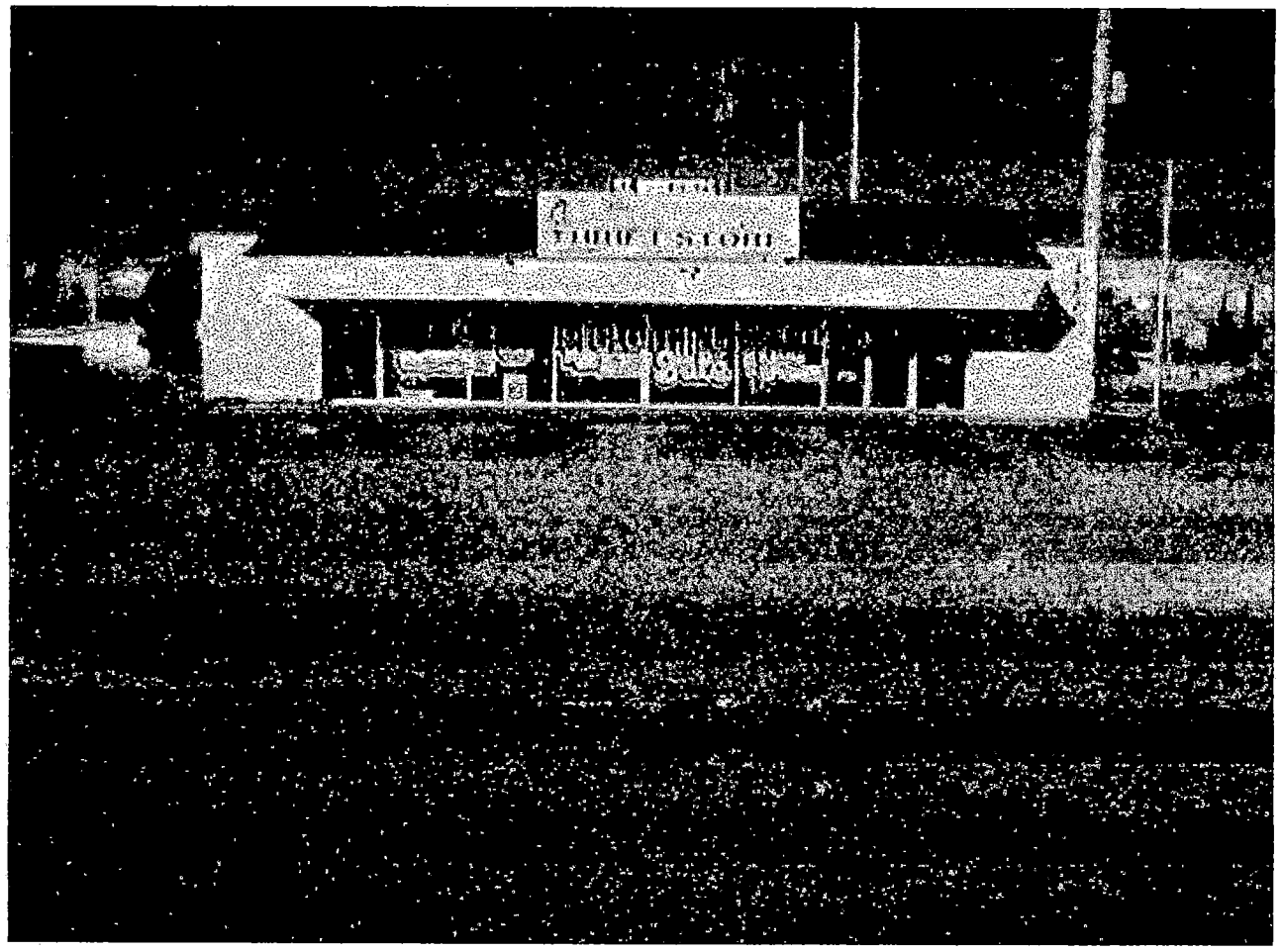
4/19/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4137 - APPLICANT: VINCENT YALDO - OWNER: THOMAS E. PATRICK, LIVING TRUST
4921 VEGAS DRIVE
MAY 13, 2003 PLANNING COMMISSION

4/19/04

Business Plan Overview
4921 Vegas Dr.



Presented to:
The City Of Las Vegas, Planning And Development

By: Vincent N. Yaldo

Submitted at Planning Commission
Date 5/13/2004 Item #47

May 11, 2004

The City of Las Vegas Planning and Development Staff
City Planning Commission
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Special Use Permit 4137
4921 Vegas Drive
Las Vegas, NV 89108

Dear City Planning Commission:

Initially, I would like to introduce myself to the commission. My name is Vincent Yaldo. I am the applicant for Special Use Permit ***SUP-4137***. I have prepared an information packet for your department in order to outline all the details, so that you may become familiar with what my goals and plans are for the Special Use Permit for the proposed property: 4921 Vegas Dr. Las Vegas, Nevada 89108.

I respectfully ask that you please take the following information into consideration when basing your recommendations and conditions: I intend to make several significant changes to the existing property. Based on the commission's approval of my request, I will abide by all of the laws, rules, and regulations, which govern this special use permit. I am also willing to accept a probation period if the commission deems it necessary. I thank you for your time and for taking my request into consideration.

Sincerely,

Vincent N. Yaldo
5869 Sleepy Fawn Dr.
Las Vegas, NV 89142
Phone: (702) 219-0299
Fax: (702) 438-5285

Planned Building Improvements
4921 Vegas Dr.
Las Vegas, NV 89108

List of building improvements planned for 4921 Vegas Dr.

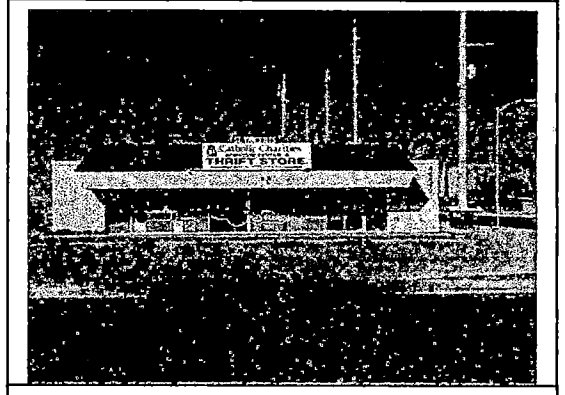
Exterior:

- Coat building with stucco and paint neutral color
- Repaint front customer walkway (red)
- Repave / recoat parking lot and create new parking spaces
- Exterior landscaping at the northeast corner of the lot
- Change signage to new attractive building sign and outdoor pole sign
- Add extra flood lighting to the customer parking area

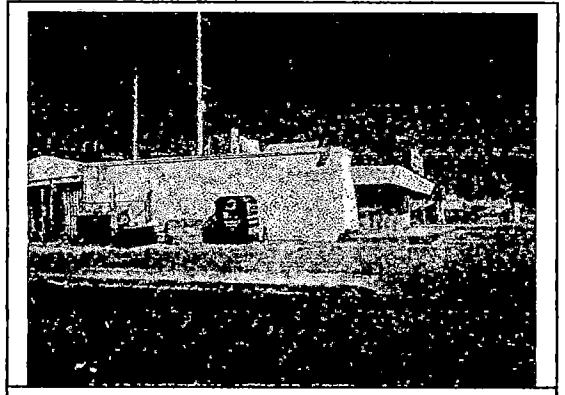
Interior:

- Change the interior flooring
- Repaint the interior of the building
- Add new ceiling tiles if needed
- New store fixtures including deli cooler, and beverage cooler
- And any mandatory changes required by any department of the City of Las Vegas or Clark County

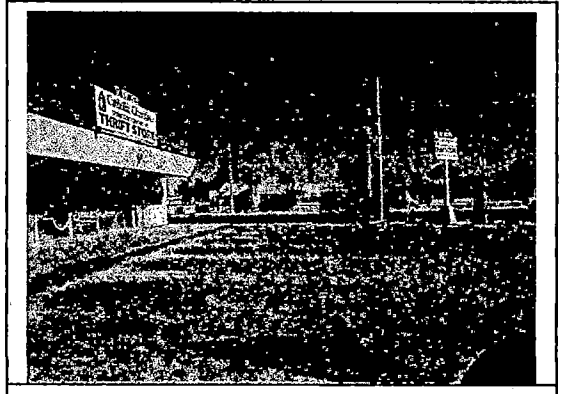
4921 Vegas Dr.



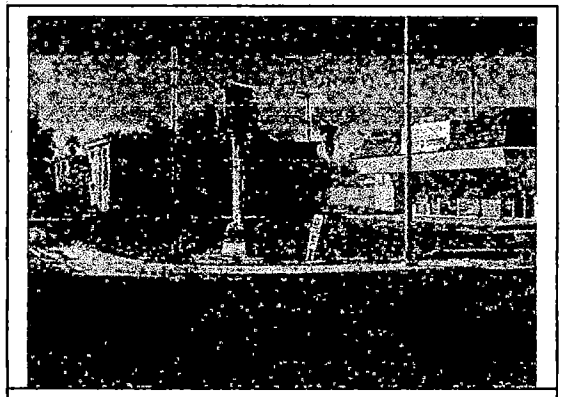
Front (West View)
Entrance / Exit off Laurel Hurst



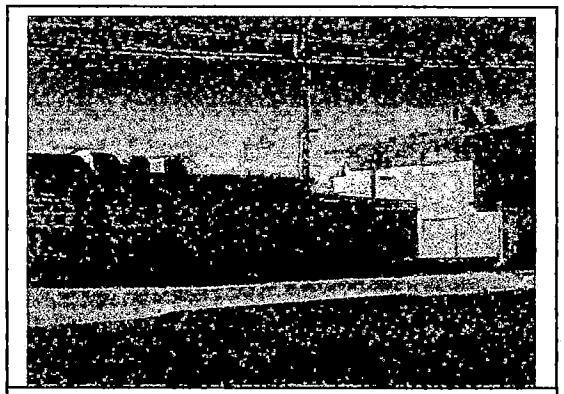
Side (North View)
2 Entrances / Exits off Pebble Beach



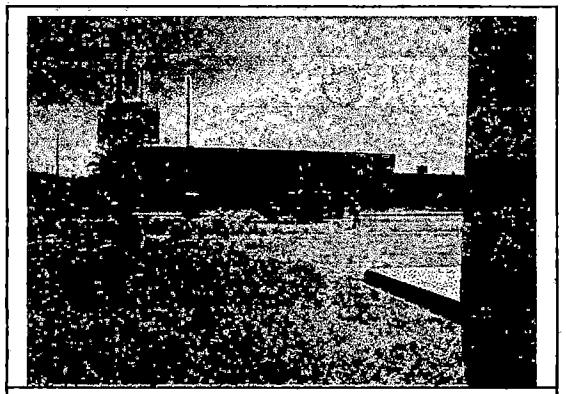
Side (North View #2)



Side (South View)



Side (South View #2)
2 entrances / exits off Vegas Dr.



Rear (East View)
Dunlop Auto Repair across the street

Provided above, you will find detailed pictures from all angles of the property. I had taken the above pictures to show a more detailed view of the property. I hope that you will find these pictures to be a useful tool.

SIGNA
Realty Group

May 13, 2004

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Vincent Yaldo
Wireless World LLC
765 N. Nellis Blvd. Suite C3
Las Vegas, NV 89110

To Whom It May Concern:

I am pleased and honored to write this character reference letter for Vincent Yaldo. I have had the pleasure of knowing Mr. Yaldo on a business and professional level. I am the Broker, Property Manager for Nellis Trails Shopping Center of which Vincent is a tenant and has been for several years. He was one of my first tenants. He is an excellent tenant and I have had the opportunity to observe his performance on a variety of duties. He has made several improvements to his business, which has improved the appearance of the shopping center. He keeps his area extremely clean and maintains a courteous, friendly and professional staff.

Vincent is self-motivated and works extremely well with the public. He possesses excellent skills in the area of logic and reasoning and is therefore able to troubleshoot and solve both expected and unexpected issues that arise from time to time. His enthusiasm for his company promotes a constant progression in his business.

On a personal note, in addition to his business related skills, Mr. Yaldo has a positive, pleasant and professional personality. He is loyal, honest, and always cooperative and gets along extremely well with both genders and all ethnicities. He is an obedient tenant and follows all rules and regulations required of the tenants. I am confident that he would be a valuable asset to the surrounding community in which he does business.

If you have any questions or need more information, I would be happy to assist you. Please contact me at 702-319-6300.

Sincerely,

Mark Holten
Broker Owner
Signa Realty Group
702-319-6300

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Variance TO ALLOW A REDUCTION OF THE AMOUNT IN REQUIRED PARKING at 1401 North Decatur Boulevard, Suite #34 (APN: 138-25-503-007), C-1 (LIMITED COMMERCIAL) Zone, Ward 1 (Moncrief).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and amended conditions to ensure the staging area, as the landlord has stated, be – UNANIMOUS with TRUESDELL not voting

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 48 [VAR-4340] and Item 49 [SUP-4168].

GREG WARE, 1091 S. Cimmaron, appeared on behalf of the landlord.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 48 – SUP-4137

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that a meeting was going to be held on May 17th between the City and the property owner, but this meeting has been moved back. Staff report speaks about litigation but there is none. The purpose of the meeting is to discuss agreements and abandoning agreements, such as joint parking facilities. The City owns Wonder World. Staff does not object to the Variance because the thrift store will occupy the last vacant spot in this shopping center. The parking Variance is not self-imposed because the abrogation of these agreements, is what causes the parking problem. The thrift store is less than 10% of the overall project and is not a huge traffic generator. MR. CLAPSADDLE spoke with DAVID ROARK, Department of Public Works, today who stated that the parking lot is never more than 25% full. Staff recommends approval. One hundred and fifty-two notices mailed with no approvals or protests.

PASTOR THOMAS commented that MR. WARE was his landlord and asked that the application be approved.

COMMISSIONER McSWAIN stated that in the past there have been conditions relative to dropping off goods. She asked the applicant how would this work for a thrift store. MR.WARE replied that he is not the applicant, but is aware that the container for dropping off goods is limited to a 10x10 area, which will be monitored on a daily basis to avoid overflow, as this information is stated in the lease agreement. She then asked if there was substantial space for the container, as her concern is the possibility of a visual problem for the other tenants. MR. WARE replied that there is a staging fenced area in the back where goods are sorted. He suggested that a cyclone fence could be installed for better screening and this could be an added condition.

COMMISSIONER McSWAIN asked about the barbwire fence, as this has been an issue on other applications. She does not see a need for it if the applicant is only requesting a staging area; she feels that the barbwire on top of the fence should be taken down. MR. WARE replied that it is not part of the landlord's responsibility. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that a condition could be added to have the fence removed under the Special Use Permit. She then requested that conditions be added to ensure the staging area, as the landlord has stated, be screened from public view, the area be maintained as noted on the Special Use Permit, and imposed a one-year review indicating that during the review staff will monitor the property to ensure it does not become unsightly. MR. CLAPSADDLE also stated that should there be a complaint against the property, staff would investigate.

DEPUTY CITY ATTORNEY SCOTT verified with MR. WARE that the collection box has not been in front of the property, but there used to be a small building. DEPUTY CITY ATTORNEY SCOTT stated that since MR. WARE represents the applicant and the Special Use Permit goes to the property itself, he will gave to agree to these conditions.

MINUTES - Continued:
COMMISSIONER EVANS then asked MR. WARE if he agreed to these conditions, as the landlord. MR. WARE concurred. MR. CLAPSADDLE then asked MR. ROARK if the green wall would affect the other uses on this site. MR. ROARK responded that the cyclone fence already affects other businesses that are leasing in this area, but h is not sure how it will affect the thrift store. A cut-off area could be in place. He would prefer that the entire area be enclosed and he supports the Waiver on the parking.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 48 [VAR-4340] and Item 49 [SUP-4168].

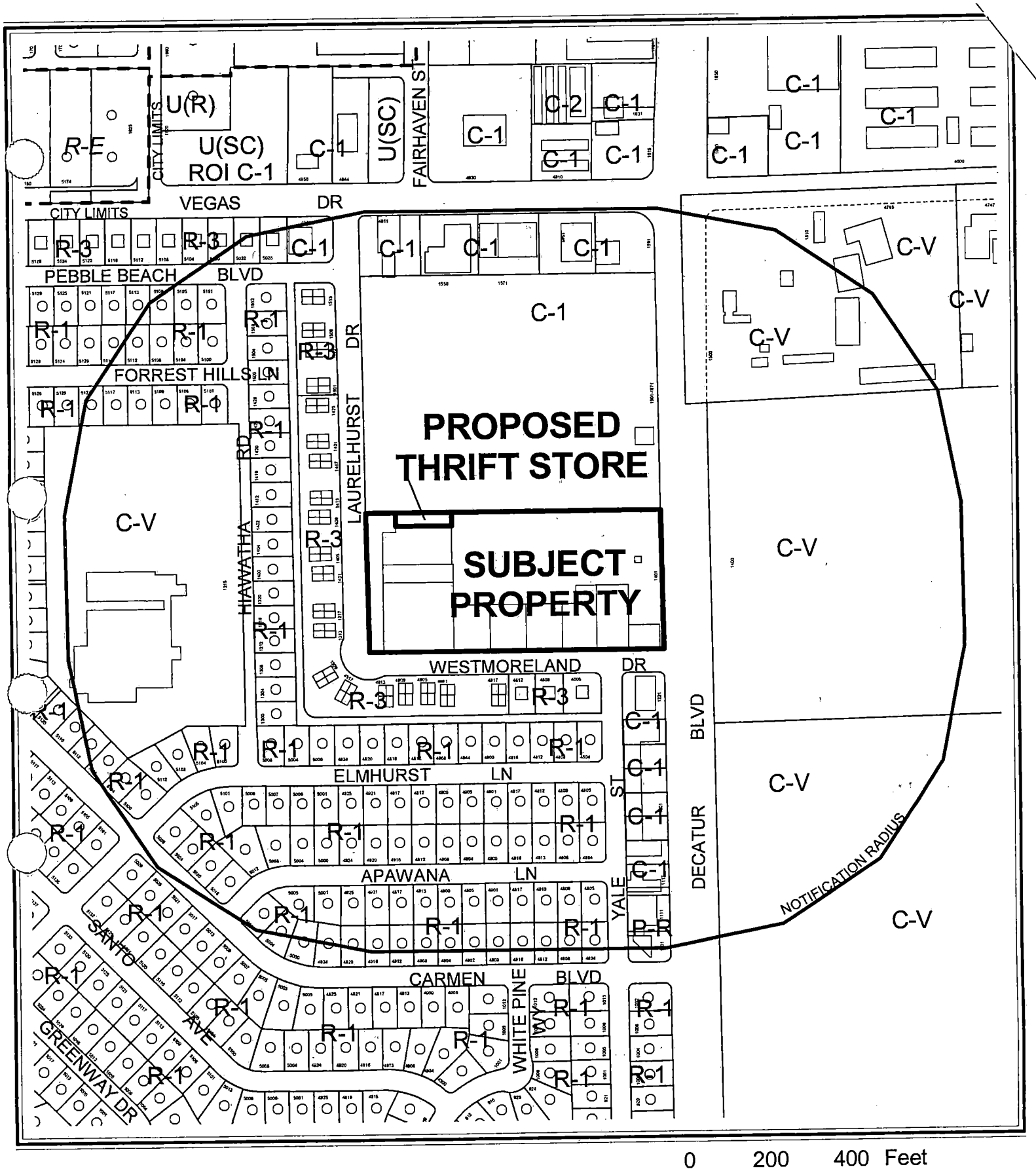
NOTE: All discussion for Item 48 [VAR-4340] and Item 49 [SUP-4168] was held under Item 48 [VAR-4340].

(8:28 – 8:40)

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval Special Use Permit (SUP-4168)

2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-4340**

RADIUS: 750 FT

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

0 200 400 Feet

CASE: **VAR-4340**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval Special Use Permit (SUP-4168)

2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Variance to allow 276 parking spaces where 534 parking spaces are required for an existing shopping center located at 1401 North Decatur Boulevard. A companion Special Use Permit (SUP-4168) request will be considered concurrently with this application.

B) Applicant's Justification

No justification was provided.

BACKGROUND INFORMATION

A) Previous Actions

05/24/61	The Board of City Commissioners approved a Reclassification of Property (Z-0018-61) from R-1 (Single Family Residence) to R-4 (High Density Residential) and C-1 (Limited Commercial) for this site as a part of a larger request. The Planning Commission recommended approval on 05/11/61.
12/16/81	The Board of City Commissioners approved a Special Use Permit (U-0066-81) to allow a Class III Secondhand Dealership for the sale of used jewelry. The Board of Zoning Adjustment recommended approval on 11/23/81.
05/17/89	The City Council approved a Special Use Permit (U-52-89) to allow a Class III Secondhand Dealership for the sale of used books. The Board of Zoning Adjustment recommended approval on 04/27/89.
12/06/95	The City Council denied a request for a Special Use Permit (U-127-95) for the sale of beer and wine in conjunction with a proposed billiard parlor. The Board of Zoning Adjustment recommended approval on 10/24/95.
10/02/02	The City Council approved a request for a Special Use Permit (U-86-02) for a Banquet Facility. The Planning Commission and staff recommended approval on 08/08/02.
05/13/04	The Planning Commission will consider a companion Special Use Permit (SUP-4168) for a proposed Non-profit Thrift Shop.

B) Pre-Application Meeting

A pre-application meeting was not held.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.86

B) Existing Land Use

Subject Property:	Shopping Center
North:	Undeveloped
South:	Single Family Residence
East:	Public Park / Golf Course
West:	Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-3 (Medium Density Residential)
East:	R-3 (Medium Density 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 SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-1 (Limited Commercial) and is consistent with the General Plan.

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

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

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	**Required** Parking Ratio	Regular	Handicap	**Provided** Parking	
Thrift Shop – Non-Profit	13,500 SF	1 / 250 GFA	43			
Retail	44,085 SF	1 / 250 GFA	174			
Church/House of Worship	20,906 SF.	1 / 100 GFA	209			
Office	7,550 SF	1 / 300 GFA	25			
Restaurant / Tavern	6,224 SF	1 / 200 GFA	31			
Banquet Facility	4,675 SF	1 / 90 GFA	52			
Total	96,940 SF		534	11	267	13

On site parking consists of 267 regular and 13 handicap spaces. 534 regular and 11 handicap parking spaces are required, which results in an excess of two handicap spaces and a deficiency of 267 regular spaces. A Variance has been requested to provide relief from Title 19 parking requirements.

B) General Analysis and Discussion

The request is for a Variance to allow 267 parking spaces where 534 are required, and is related to a concurrent Special Use Permit application for a Non-profit Thrift Shop. While this is a significant deficiency, Staff believes the request is justified for several reasons.

First, the parcel to the north is owned by the City of Las Vegas and was formerly a shopping center with a shared parking agreement with the subject site. During the shopping centers operating years, there was adequate parking onsite to accommodate the development on both parcels. The shopping center has since been demolished, and the City wishes to dissolve all agreements between the two parcels for future sale and redevelopment of the property. The City and the owner of the subject parcel are engaged in litigation regarding these matters, and a court date has been recently scheduled to resolve these issues. In addition to litigation, the City also has the option to condemn the property, which would also negate all agreements between the two parcels. In all likelihood, the reciprocal parking agreement will be dissolved in the near future, which will result in a deficiency of 267 parking spaces for the subject site. Given that these hardships are being imposed on the property owner by actions on behalf of the City, Staff feels that the Variance request is justifiable.

Second, there are five churches located within the shopping center that hold services on different days and at different times. This creates a unique situation in which there is a large parking requirement per Title 19, but due to the different worship schedules of the churches, the actual need and any given time is much less. A check of the gathering hours of the different congregations was conduced, and there were no major overlaps of services being held on any particular day.

Finally, the proposed Non-profit Thrift Shop accounts for only 54 parking spaces of the overall parking requirement. Without a Variance, vacant suites within the shopping center cannot be utilized by future tenets, as compliance with Title 19 parking requirements will not be possible. Given the on going litigation and the nature of the proposed and existing uses within the shopping center, Staff believes the Variance request is justified and recommends approval.

FINDINGS

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

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

FS

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."

Staff recommends the Variance as the current litigation has caused an undue hardship on the owner of the shopping center. The abatement of the joint parking agreement is imminent, and when nullified, will result in a deficiency of 267 parking spaces. Also, the hours and nature of the Church uses create a unique parking situation, which results in a surplus during non-service hours. Without a Variance, vacant suites within the shopping center cannot be utilized by future tenets, as compliance with Title 19 parking requirements will not be possible.

NOTICES MAILED **152 [Mailed with SUP-4168]**

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4340 APN: _____

Name of Property Owner: Decatur Shopping Center Associates

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: _____

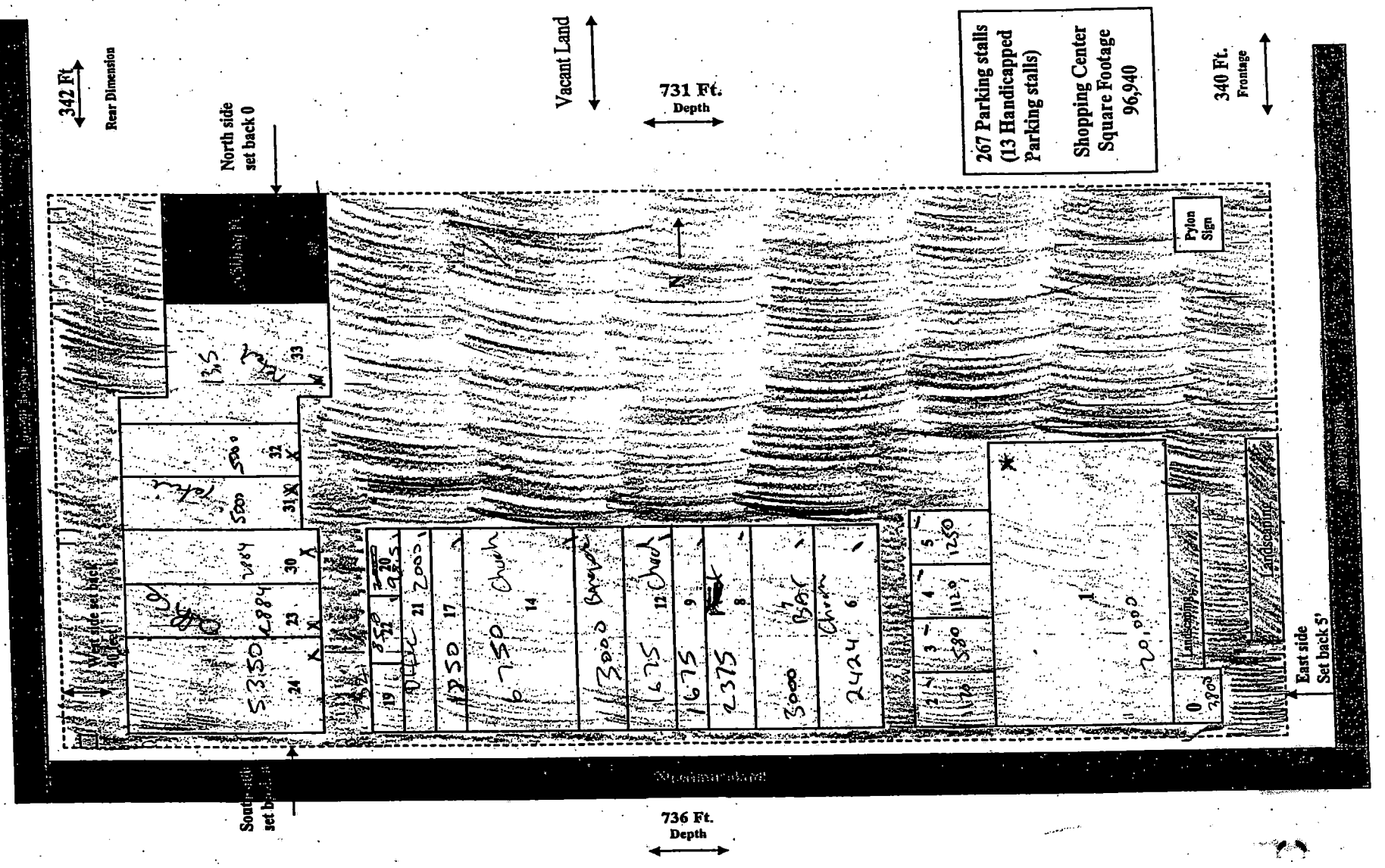
Print Name: Gregory B. Pico

Subscribed and sworn before me

This 22 day of April, 2004

Michele Gudeman
Notary Public in and for said County and State

MICHELE GUDEMAN
Notary Public, State of Nevada
Appointment No. 04-87056-1
My Appt. Expires Jan 22, 2008



VAR-4340

SUP-4168

5-13-04 PC

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Special Use Permit FOR A PROPOSED THRIFTSHOP, NON-PROFIT at 1401 North Decatur Boulevard, Suite 34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions screened from public view, the area be maintained as noted on the Special Use Permit, and add a one-year review indicating that during the review Staff will monitor property to see if it becomes unsightly – UNANIMOUS with TRUESDELL not voting

To be heard by the City Council on 6/16/2004

MINUTES:
NOTE: See Item 48 [VAR-4340] for all related discussion.

(8:28 – 8:40)
2-2128

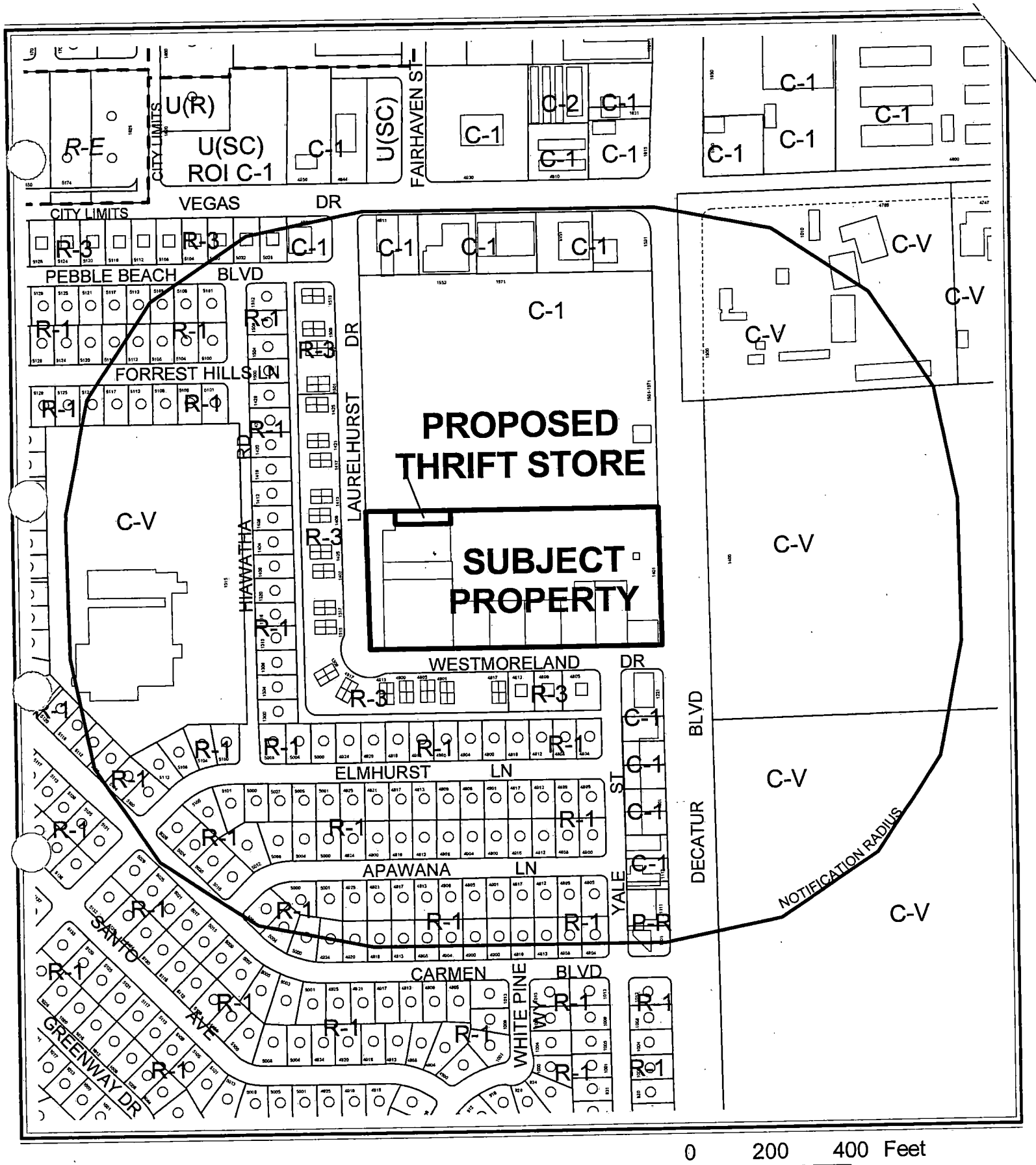
CONDITIONS:
Planning and Development
1. Conformance to all Minimum Requirements under Title 19.04.050 for Non-profit Thrift Shop use.

CONDITIONS - Continued:

2. Approval of and conformance to the Conditions of Approval for VAR-4340.

3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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



0 200 400 Feet

CASE: **SUP-4168**

RADIUS: 750 FT

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

N

CASE: **SUP-4168**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Non-profit Thrift Shop use.

2. Approval of and conformance to the Conditions of Approval for VAR-4340.

3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. 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 13,500 square-foot Non-profit Thrift Shop located at 1401 North Decatur Boulevard, Suite #34. A companion Variance (VAR-4340) request will be considered concurrently with this application.

B) Applicant's Justification

The Catholic Charities of Southern Nevada provides a wide range of community services, and the profits from the proposed thrift store will be used to offset the costs of these programs.

BACKGROUND INFORMATION

A) Previous Actions

05/24/61	The Board of City Commissioners approved a Reclassification of Property (Z-0018-61) from R-1 (Single Family Residence) to R-4 (High Density Residential) and C-1 (Limited Commercial) for this site as a part of a larger request. The Planning Commission recommended approval on 05/11/61.
12/16/81	The Board of City Commissioners approved a Special Use Permit (U-0066-81) to allow a Class III Secondhand Dealership for the sale of used jewelry. The Board of Zoning Adjustment recommended approval on 11/23/81.
05/17/89	The City Council approved a Special Use Permit (U-52-89) to allow a Class III Secondhand Dealership for the sale of used books. The Board of Zoning Adjustment recommended approval on 04/27/89.
12/06/95	The City Council denied a request for a Special Use Permit (U-127-95) for the sale of beer and wine in conjunction with a proposed billiard parlor. The Board of Zoning Adjustment recommended approval on 10/24/95.
10/02/02	The City Council approved a request for a Special Use Permit (U-86-02) for a Banquet Facility. The Planning Commission and staff recommended approval on 08/08/02.

05/13/04 The Planning Commission will consider a companion Variance (VAR-4340) to allow 276 parking spaces where 534 parking spaces are required. Staff recommends approval.

B) Pre-Application Meeting

03/17/04 No significant issues were identified during the pre-application meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.86

B) Existing Land Use

Subject Property:	Shopping Center
North:	Undeveloped
South:	Single Family Residence
East:	Public Park / Golf Course
West:	Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-3 (Medium Density Residential)
East:	R-3 (Medium Density 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 SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-1 (Limited Commercial) and the proposed Non-profit Thrift Shop is a permitted use with the approval of a Special Use Permit.

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 site does not fall within any Special Districts or Zones.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Thrift Shop – Non-Profit	13,500 SF	1 / 250 GFA	43	11	43	13
Retail	44,085 SF	1 / 250 GFA	174	0	174	0
Church/House of Worship	20,906 SF.	1 / 100 GFA	209	0	51	0
Office	7,550 SF	1 / 300 GFA	25	0	0	0
Restaurant / Tavern	6,224 SF	1 / 200 GFA	31	0	0	0
Banquet Facility	4,675 SF	1 / 90 GFA	52	0	0	0
Total	96,940 SF		534	11	267	13

On site parking consists of 267 regular and 13 handicap spaces. 534 regular and 11 handicap parking spaces are required, resulting in a deficiency of 267 regular spaces and an excess of two handicap spaces. A Variance has been requested to provide relief from 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 Non-profit Thrift Shop use, and there are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

- Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The Non-Profit Thrift Shop use is permitted in the C-1 (Limited Commercial) with the approval of a Special Use Permit.

- Use

A Non-Profit Thrift Shop is a shop operated by a charitable organization which sells donated used merchandise only. All such merchandise shall be displayed and/or stored in an enclosed building. The proposed 13,500 square-foot thrift shop will occupy a suite of an established shopping center located at 1401 North Decatur Boulevard

- Conditions

1. No outdoor display, sales or storage of any merchandise shall be permitted.

2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

FINDINGS

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

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

   The subject site is located within an existing shopping center in a predominantly commercial area. Therefore, the proposed use can be conduced 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.

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

   The subject site is deficient by 267 parking spaces, and a Variance has been requested to provide relief from Title 19 parking standards. With the approval of the requested Variance, the subject site will be physically suitable for the proposed Non-profit Thrift Shop use.

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

   The site receives access from Decatur Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways, and is adequate in size to meet the requirements of the proposed use.

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

   The proposed Non-profit Thrift Shop will not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED **152**

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4168 APN: 138-25-503-007

Name of Property Owner: Decatur Shopping Center Associates.

Name of Applicant: Catholic Charities

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: Gregory B. Pico

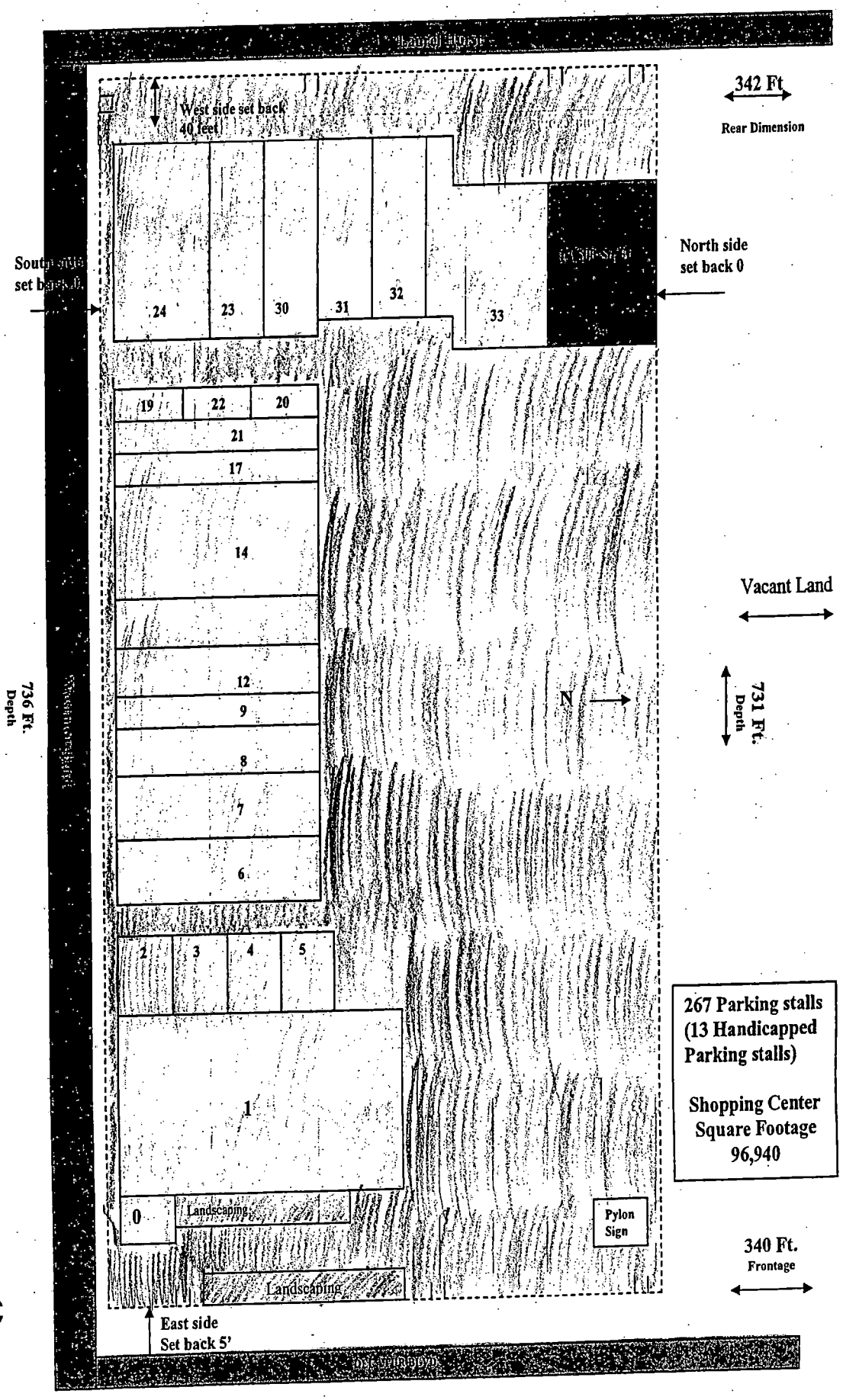
Subscribed and sworn before me

This 29th day of March, 2004

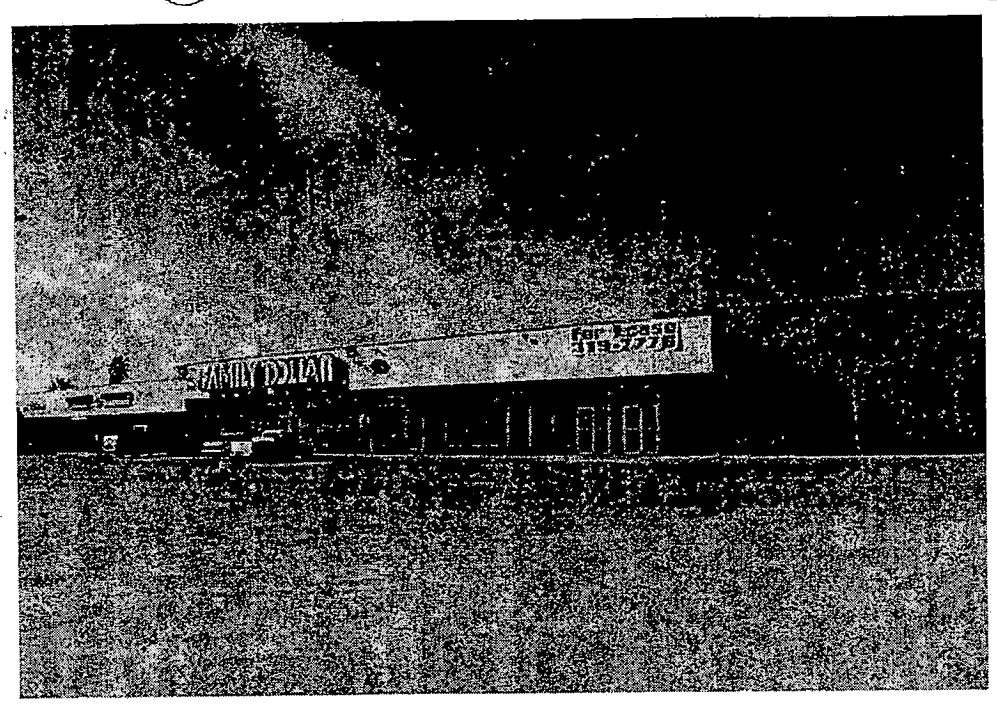
Joy Lea Turner

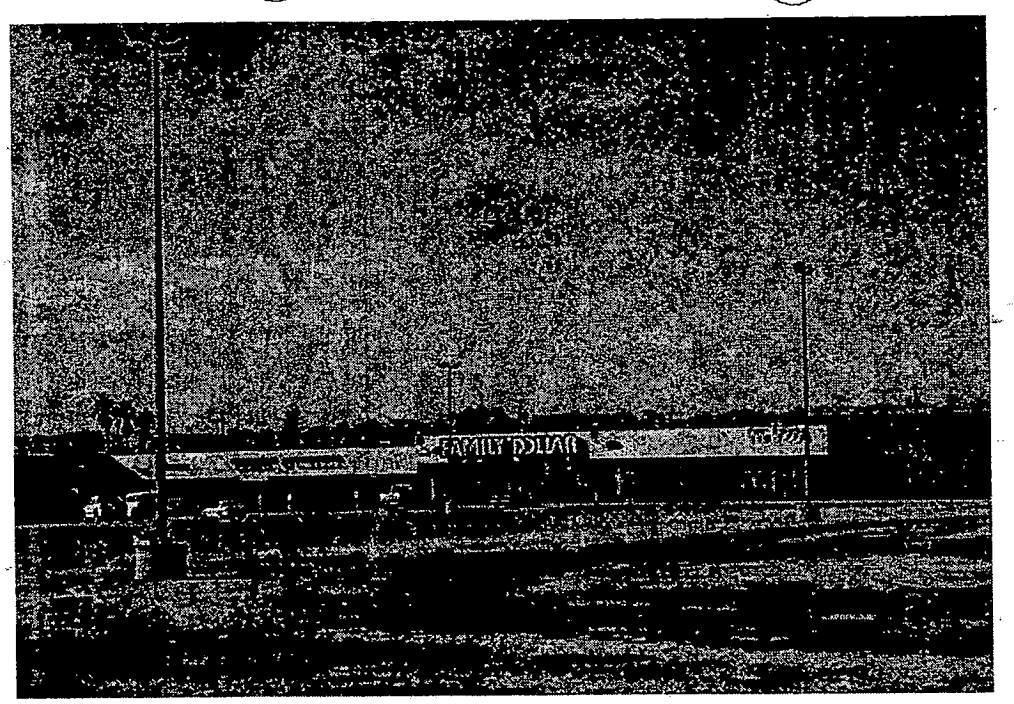
Notary Public in and for said County and State

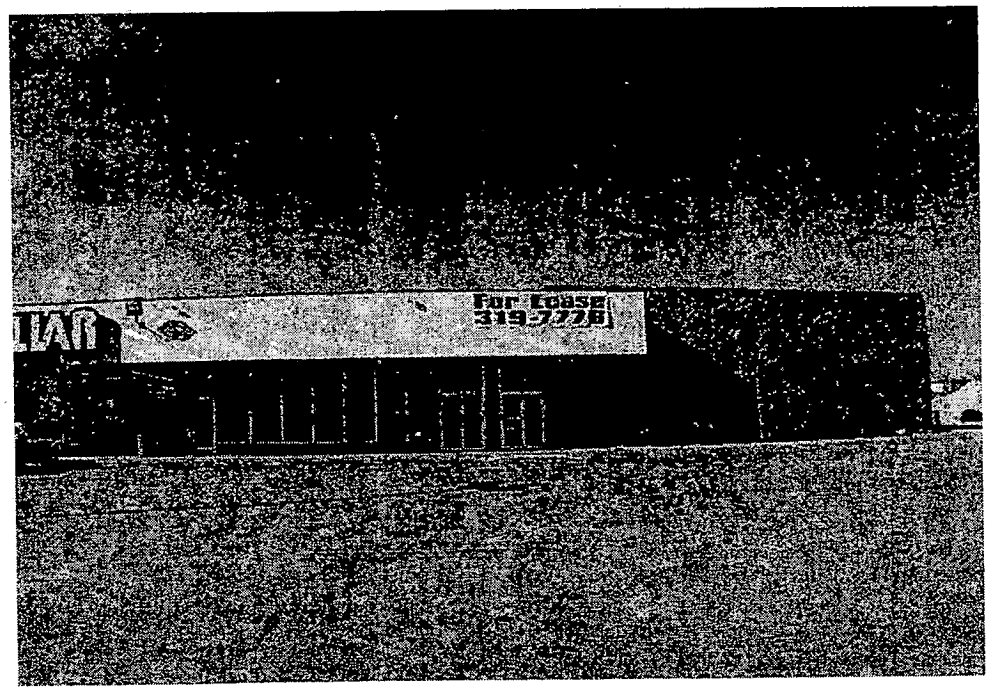
JOY LEA TURNER
Notary Public - Nevada
No. 00-62947-1
exp May 31, 2004

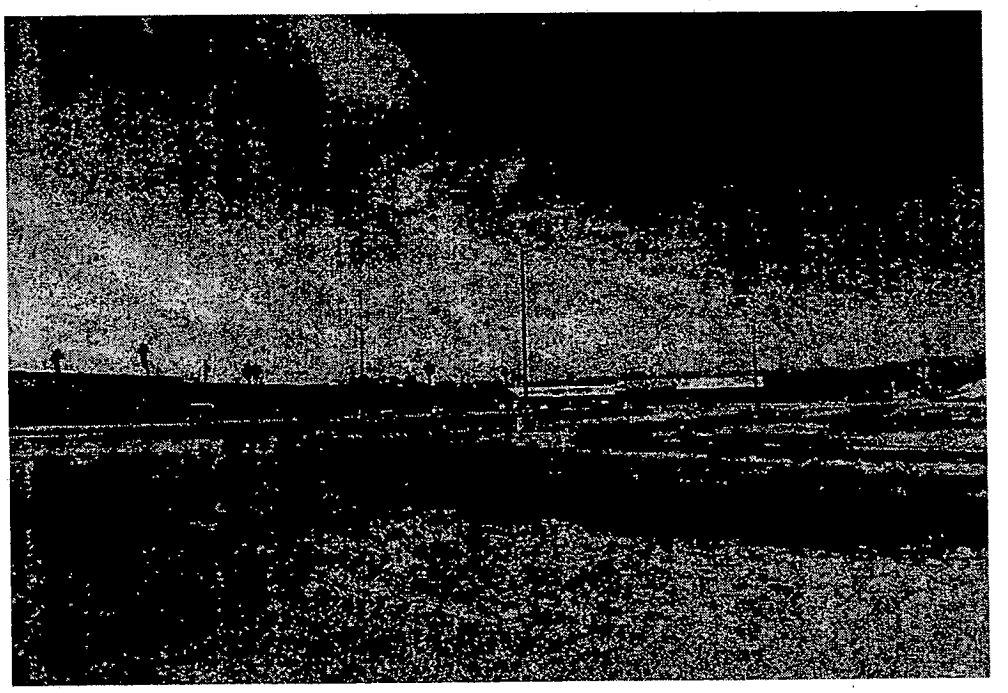


SUP-4168
05-13-04 PC



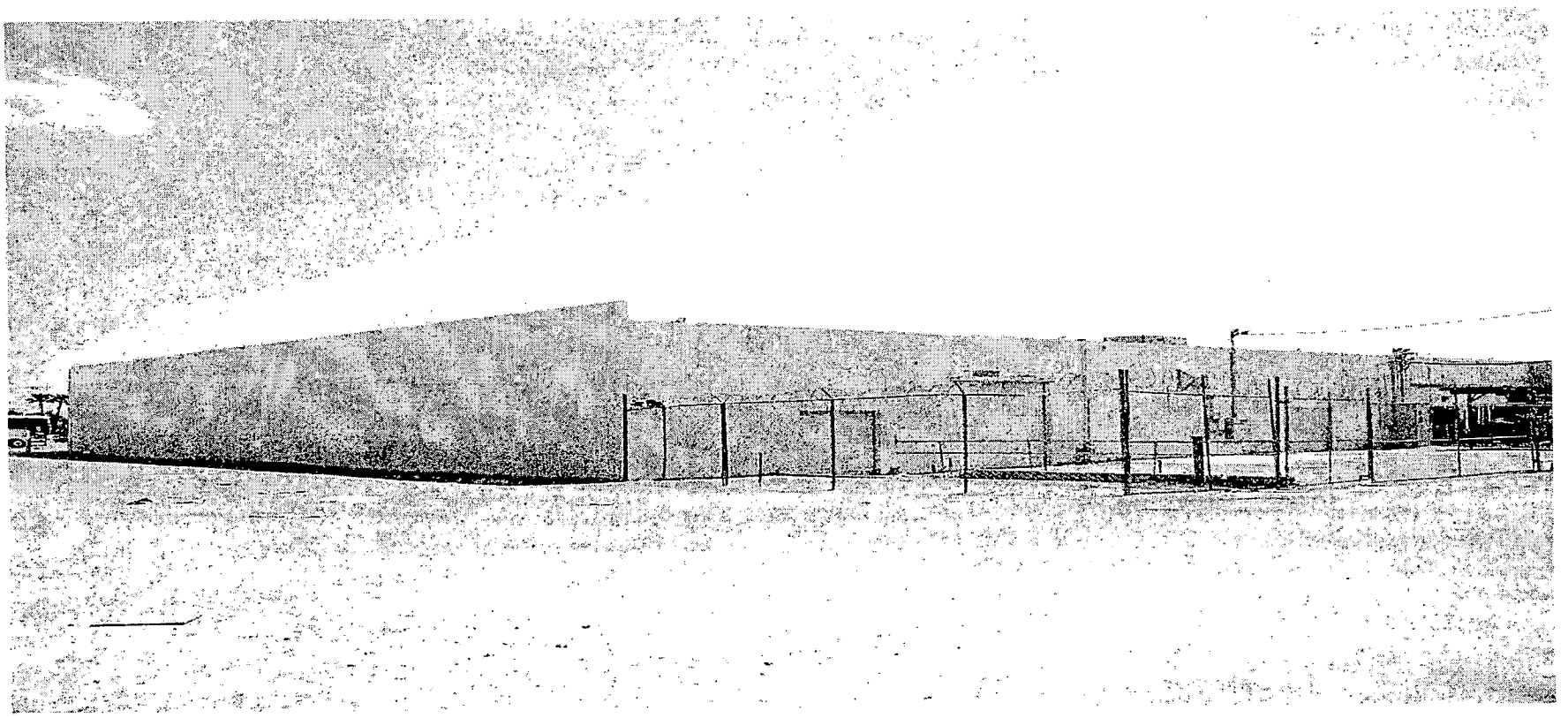






SUP-4168

05-13-04 PC

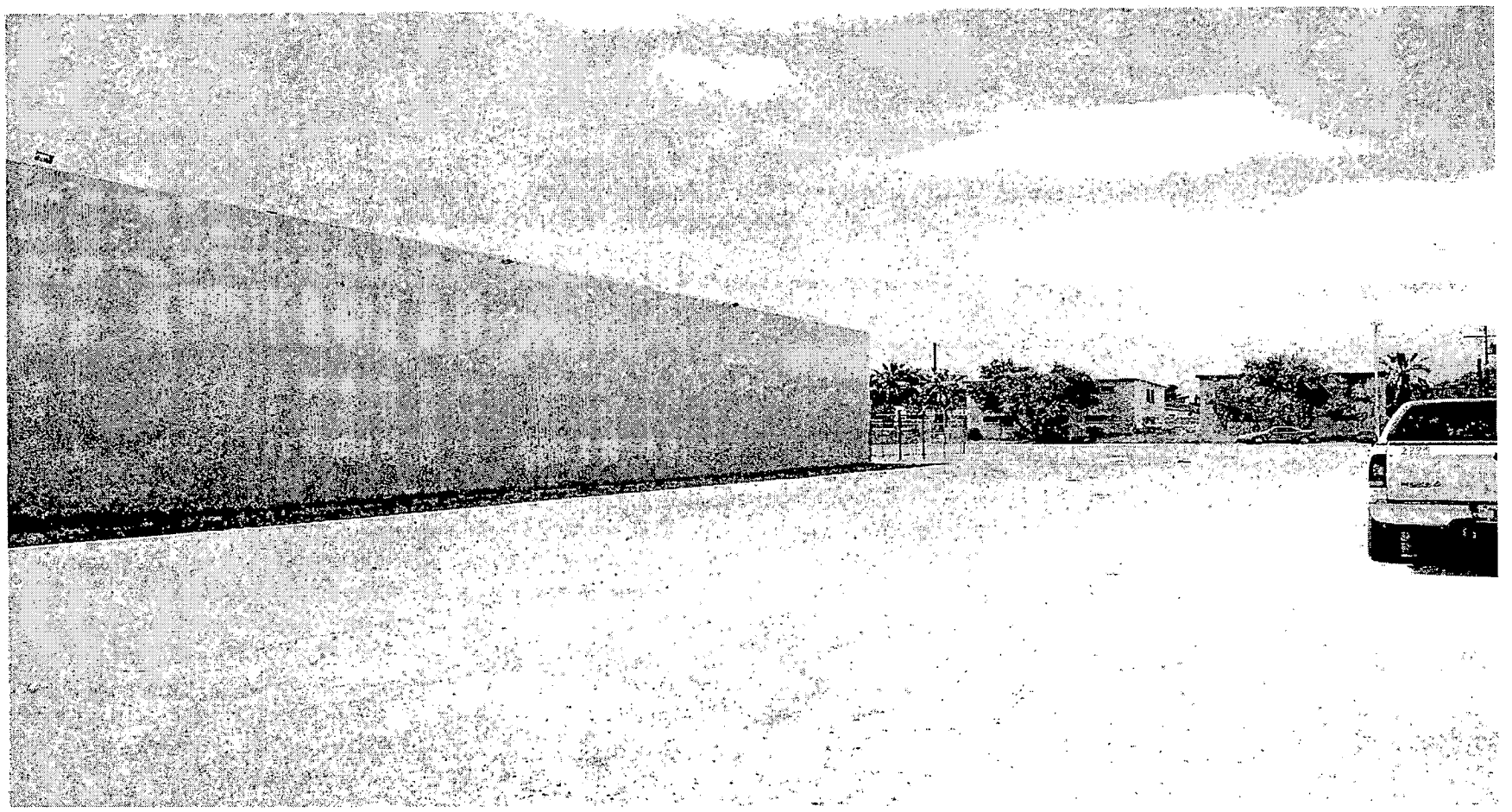


SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 NORTH DECATUR BOULEVARD, SUITE 34
MAY 13, 2003 PLANNING COMMISSION

4/19/04

SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 NORTH DECATUR BOULEVARD, SUITE 34
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 NORTH DECATUR BOULEVARD, SUITE 34
MAY 13, 2003 PLANNING COMMISSION

4/19/04

SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 NORTH DECATUR BOULEVARD, SUITE 34
MAY 13, 2003 PLANNING COMMISSION

4/19/04

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST - Request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1615 North Decatur Boulevard (APN: 138-24-804-013), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

DENIED: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN– DENIED – UNANIMOUS

This is Final Action, unless appealed within 10 days.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the initial submittal did not meet the high distance separation requirement. The applicant has subsequently recited the billboard on site and has the latitude to do so and now complies with the minimum distance separation requirements. Given the commercial nature of the area and lack of any negative enforcement history on the site, approval is recommended. The initial Site Plan submitted indicated the billboard was 50 feet; however, this has been corrected and now reflects 40 feet. Staff recommended approval.

MINUTES - Continued:

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of the developer and accepted all of staff's conditions.

COMMISSIONER McSWAIN stated there was a previous application for a billboard adjacent to this property, and she did not support it. For typical redevelopment areas like this application, she has not supported prior ones and will not support this application.

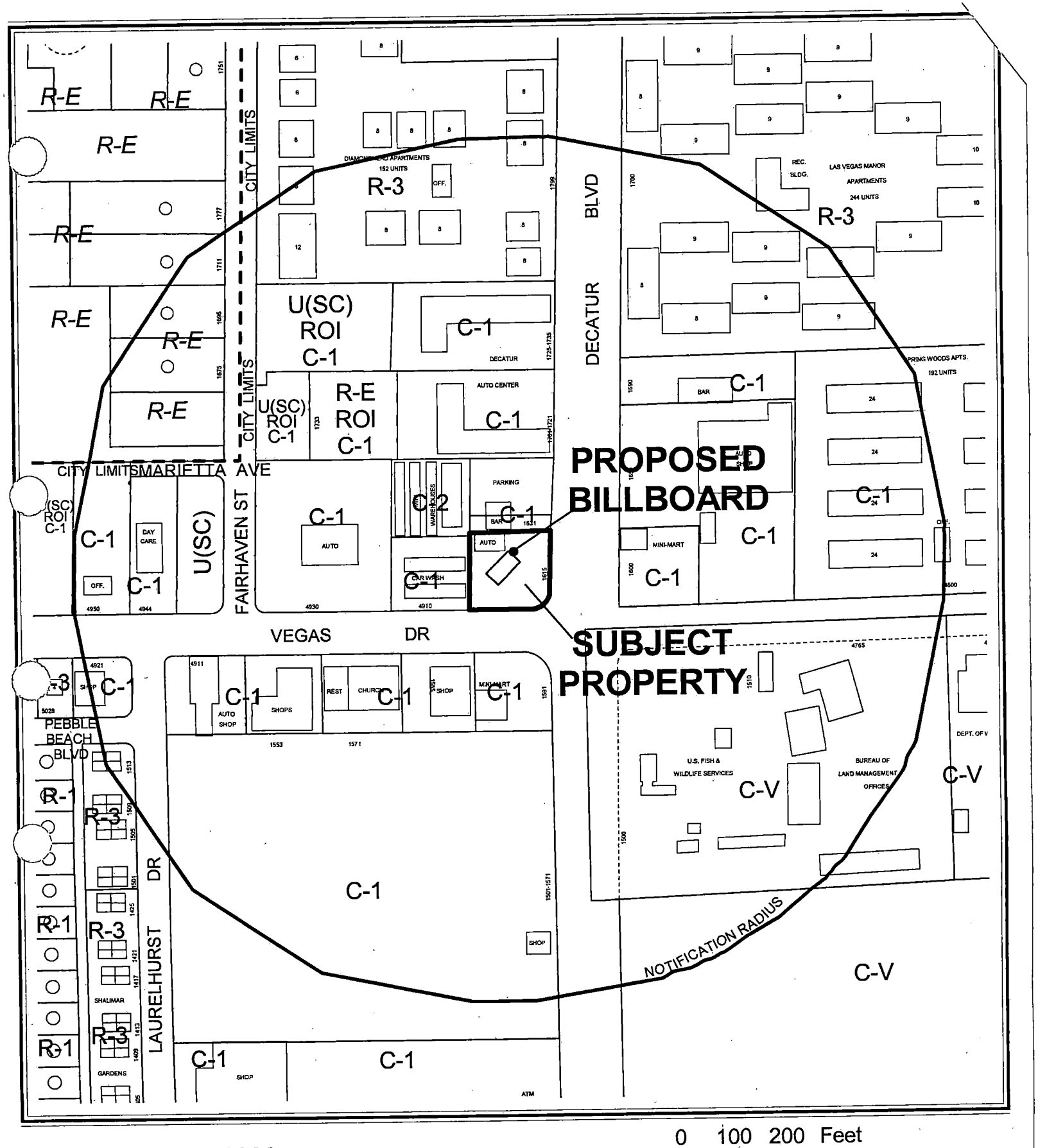
COMMISSIONER EVANS stated that if this application is approved ultimately, some of the revenue will be used to do some type of landscaping, as he would like to see trees.

COMMISSIONER STEINMAN stated that billboards and graffiti are criticized. To place a billboard on this property, which has never been maintained, is just the opposite of what we should be doing. He cannot understand why the applicant is placing a billboard on this unsightly piece of property.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

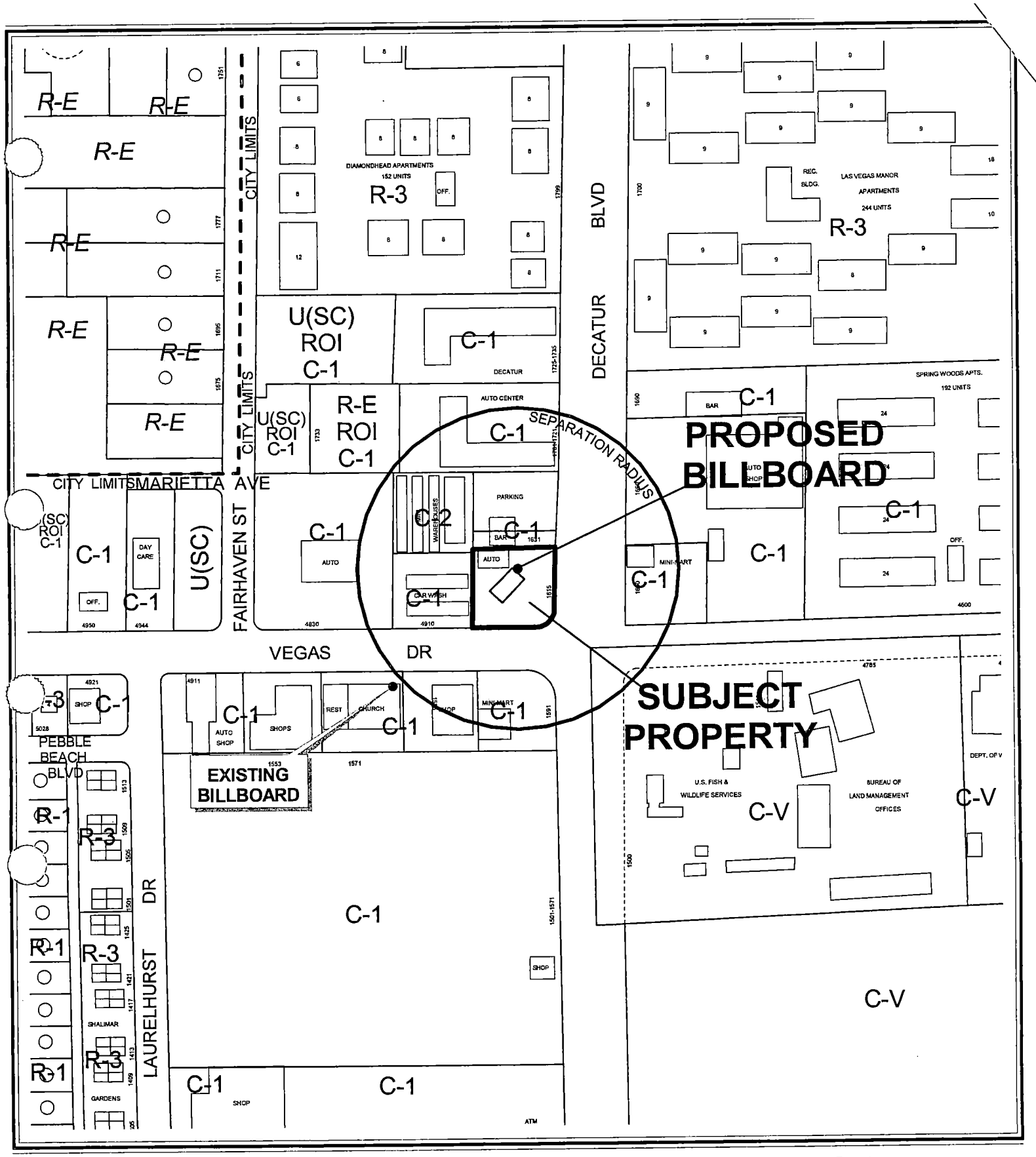
(8:40 – 8:44)



CASE: **SUP-4169**

RADIUS: 750 FT

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



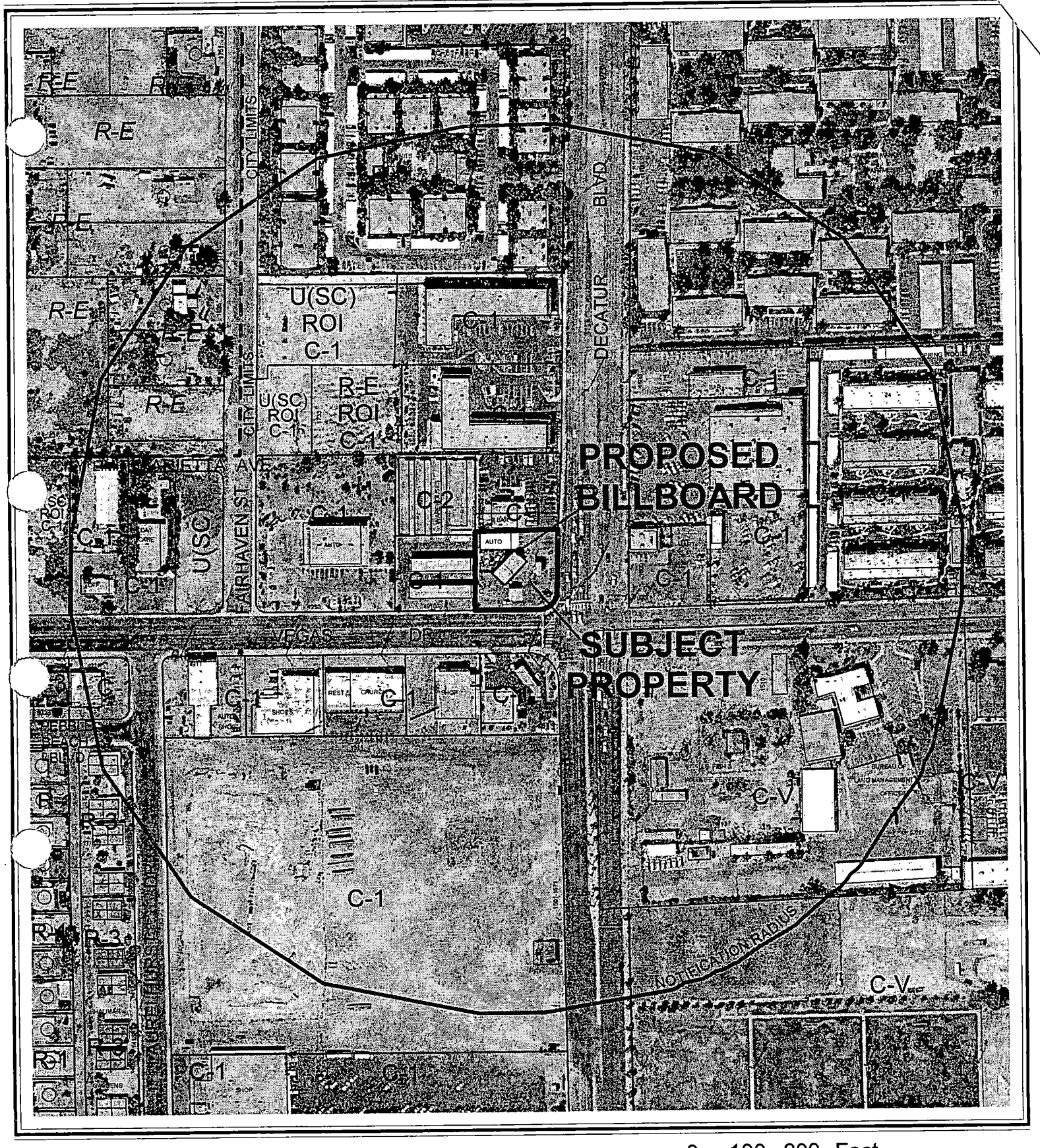
0 100 200 Feet

CASE: **SUP-4169**

SEPARATION RADIUS: 300 FT

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

N



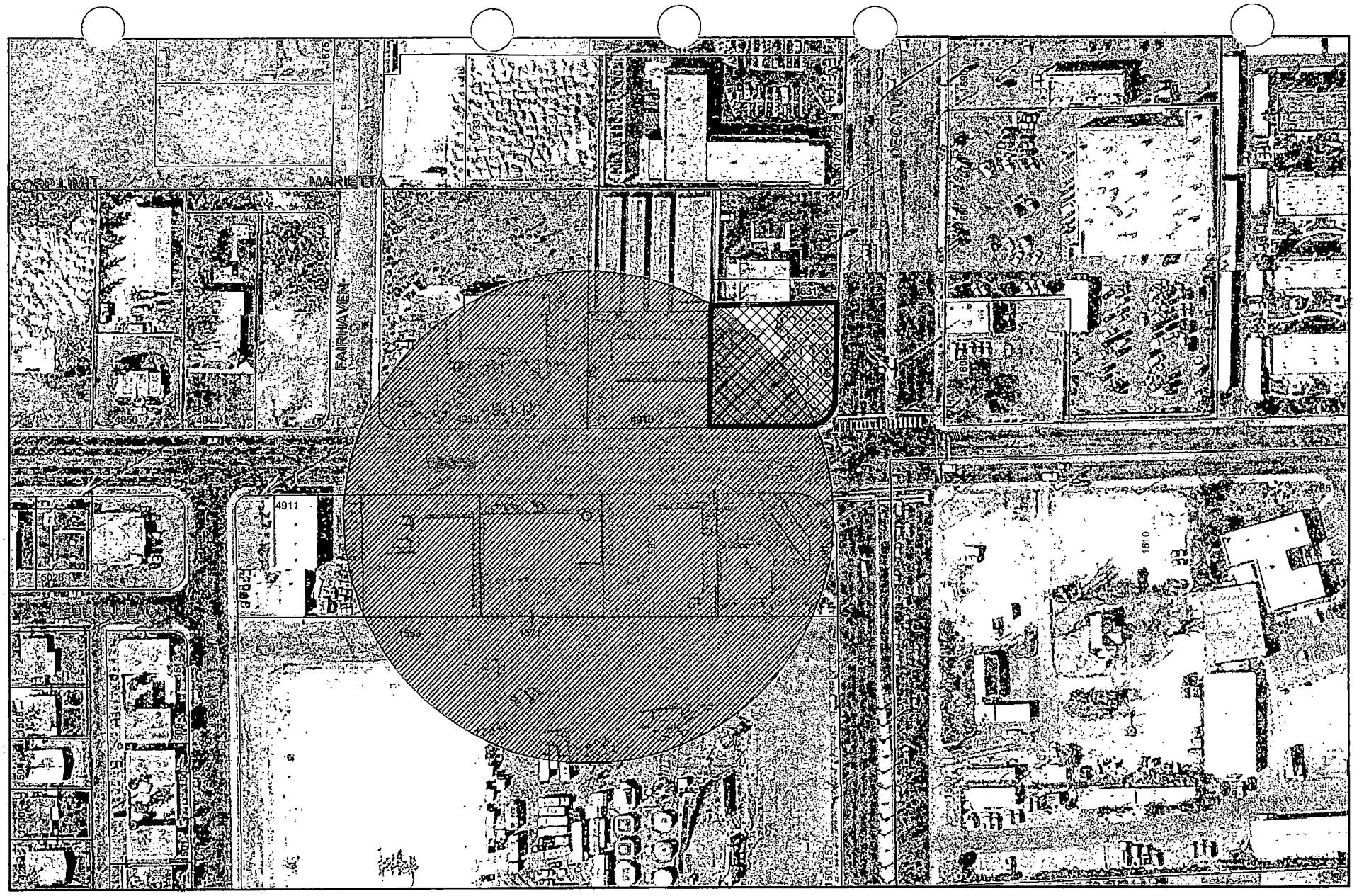
0 100 200 Feet

CASE: **SUP-4169**

RADIUS: 750 FT

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

N



SUP-4169

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

6. Only one advertising sign is permitted per sign face.

7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation

requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

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

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign located at 1615 North Decatur Boulevard.

B) Applicant's Justification

The proposed sign meets all distance separation requirements and is located within an established commercial area of the City.

BACKGROUND INFORMATION

A) Previous Actions

There are no recent case histories.

B) Pre-Application Meeting

03/08/04 No significant issues were identified during the pre-application meeting.

C) Neighborhood Meetings

A Neighborhood Meeting is not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: .51

B) Existing Land Use

Subject Property:	Commercial Building
North:	Commercial Building
South:	Convenience Store
East:	Convenience Store
West:	Commercial Building

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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 site does not fall within any Special Districts or Zones.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 Feet	300 Feet

The subject site meets all minimum distance separation requirements.

FS

B) General Analysis and Discussion

- Zoning

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

- Use

  Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation.

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 subject site is located within a commercially developed area, and the proposed Off-Premise Advertising (Billboard) Sign is harmonious and compatible with the existing and future land uses in the area.

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

   The subject is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign. No waivers are requested, and the site allows for compliance with all distance separation requirements

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

   This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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

   The proposed Off-Premises (Billboard) Advertising Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 40

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4169 APN: 138-24-804-013

Name of Property Owner: mark milford

Name of Applicant: Las Vegas Billboards

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: Mark Milford

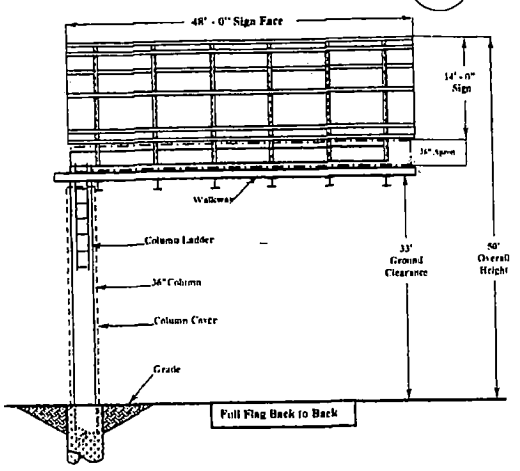
Print Name: MARK MILFORD

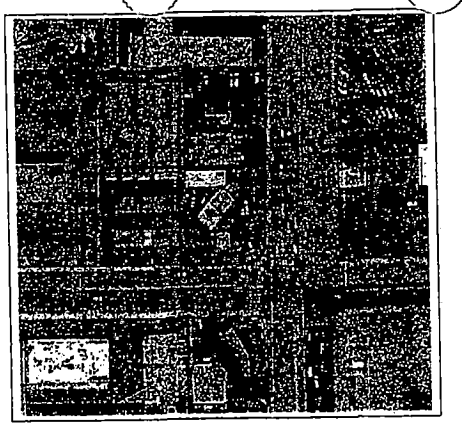
Subscribed and sworn before me

This 17 day of February, 2004

Notary Public in and for said County and State

LINA R. HEISLER
Notary Public State of Nevada
No. 99-56546-1
My appt. exp. Apr. 3, 2007





PROPERTY OWNER:	MARK & LORILYN MILFORD TRS. 1615 N. DECATUR BLVD. LAS VEGAS, NV 89108-2292
PROPERTY ADDRESS:	1615 N. DECATUR BLVD LAS VEGAS, NV 89108
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

APN: 138-24-804-013
ZONED: C-1
14' x 48' FULL FLAG BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R-E ZONE WITHIN 300'
SCALE 1" = 20'

NORTH

SIGN ANALYSIS TABLE

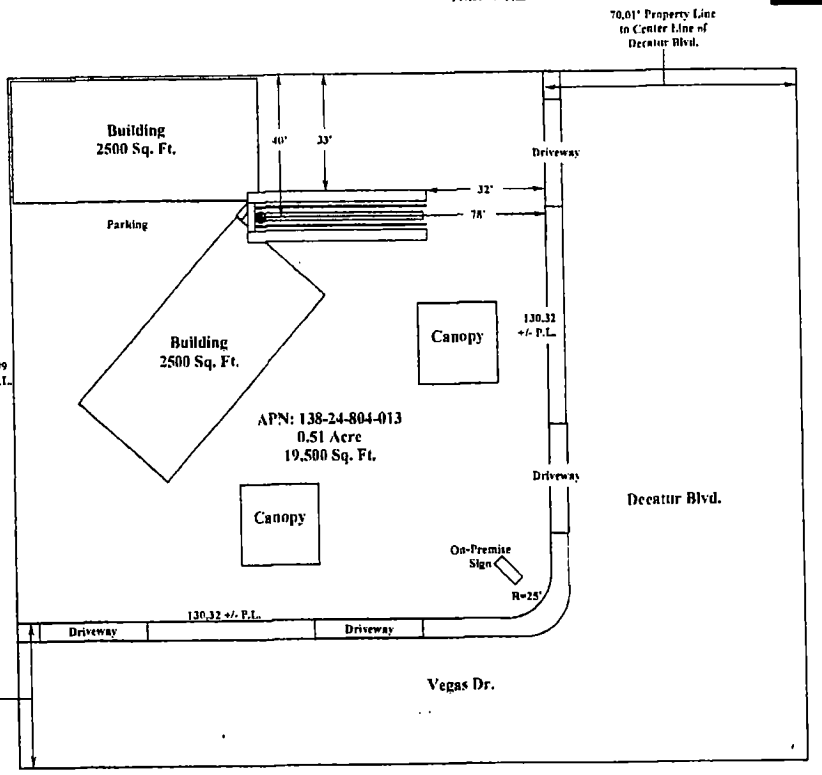
TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLEMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
32' FRONT SETBACK FROM DECATUR BLVD. TO LEADING EDGE OF SIGN.
78' FRONT SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.
33' SIDE SETBACK FROM NORTH PROPERTY LINE TO LEADING EDGE OF COLUMN.
40' SIDE SETBACK FROM NORTH PROPERTY LINE TO CENTER OF COLUMN.

C-1
Zoning

149.99 +/- P.L.

70.01' Property Line to Center Line of Decatur Blvd.



C-1
Zoning

C-1
Zoning

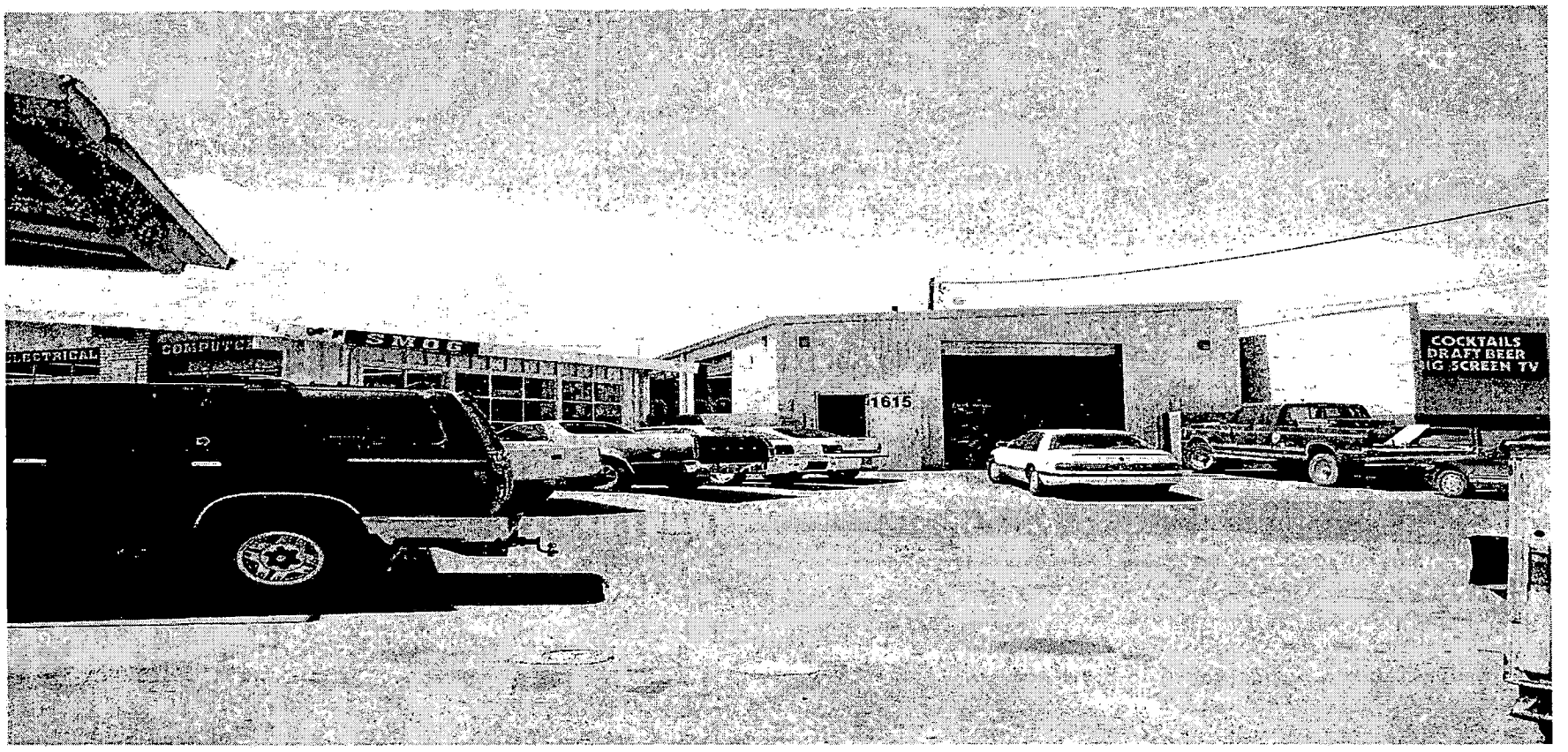
C-1
Zoning

SUP--4169

05-13-04 PC

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST
1615 NORTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4169 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MARK P. MILFORD AND LORILYN MILFORD TRUST
1615 NORTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/19/04

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN: 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

DENIED: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
STEINMAN – DENIED – UNANIMOUS

This is Final Action, unless appealed within 10 days

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the proposal meets all minimum distance separation requirement of the Code. Due to the heavily commercial nature of the area and lack of negative enforcement history, Staff recommended approval.

KAREN RICHARDSON, 815 N. Pilot Road, appeared on behalf of the developer and accepted all of staff's conditions.

CHAIRMAN TRUESDELL commented that this site is much prettier.

MINUTES - Continued:

WOODROW WAGNER, 240 Kipling Street, Las Vegas, NV 89107, stated that he has a business near the corner of Decatur and Meadows Lane in front of Sav-On Drugs. He received the Notice of Public Hearing last week and has not had time to discuss this with the residents of the area. He is not aware of the procedure staff does to notify individuals, tenants or owners, as he is concerned that many of the tenants in this shopping center is not aware of this taking place nor that they may not have had sufficient time to respond. Using the overhead, he pointed out his business to the Commission. His concern is if Diversity Tattoo's existing sign will come down and be replaced with the proposed sign. CHAIRMAN TRUESDELL replied that the notices are mailed to the property owners of record. MR. WAGNER stated that he was aware that a private individual owned it years ago, but does not know who owns the property now. Some property owners have their headquarters out of town. These signs are huge, 12-14 feet high and 48 feet long, and he pointed out similar signs that are by freeways and some main streets. He feels that these signs will become an eyesore. He felt that if the tenants knew about this sign, they would not have their business located there. It is just a moneymaker for the landowner.

COMMISSIONER GOYNES verified with MR. RICHARDSON that this sign will be an additional one.

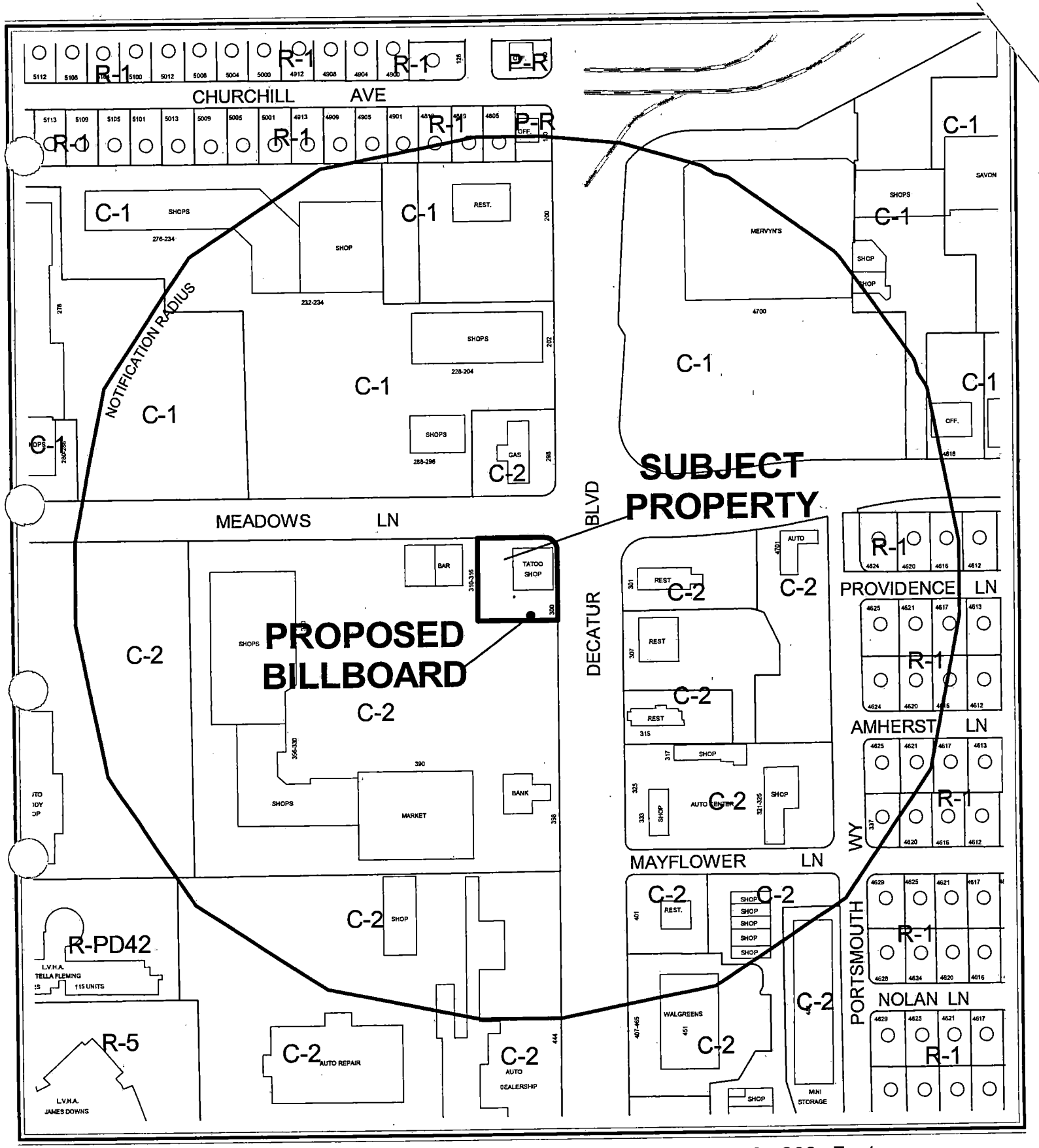
COMMISSIONER McSWAIN stated that she is aware that the Code allows for signs to be C- 1. Areas need to be looked at where there is retail competition. She has a problem with clutter and agrees with MR. WAGNER and his concern the impact will have on the tenants in the area. She does not mind signs in industrial areas or along the freeways, but she is not inclined to support them in retail corridors, such as this one. Therefore, she will not be supporting the application.

COMMISSIONER STEINMAN concurred with COMMISSIONER McSWAIN. He added that they try to have monument signs in commercial properties that are eye pleasing with the major tenant at the top of the sign and others below. Within this particular district, he feels the sign does not fit in, so he is not in favor of the application.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:44 – 8:51)



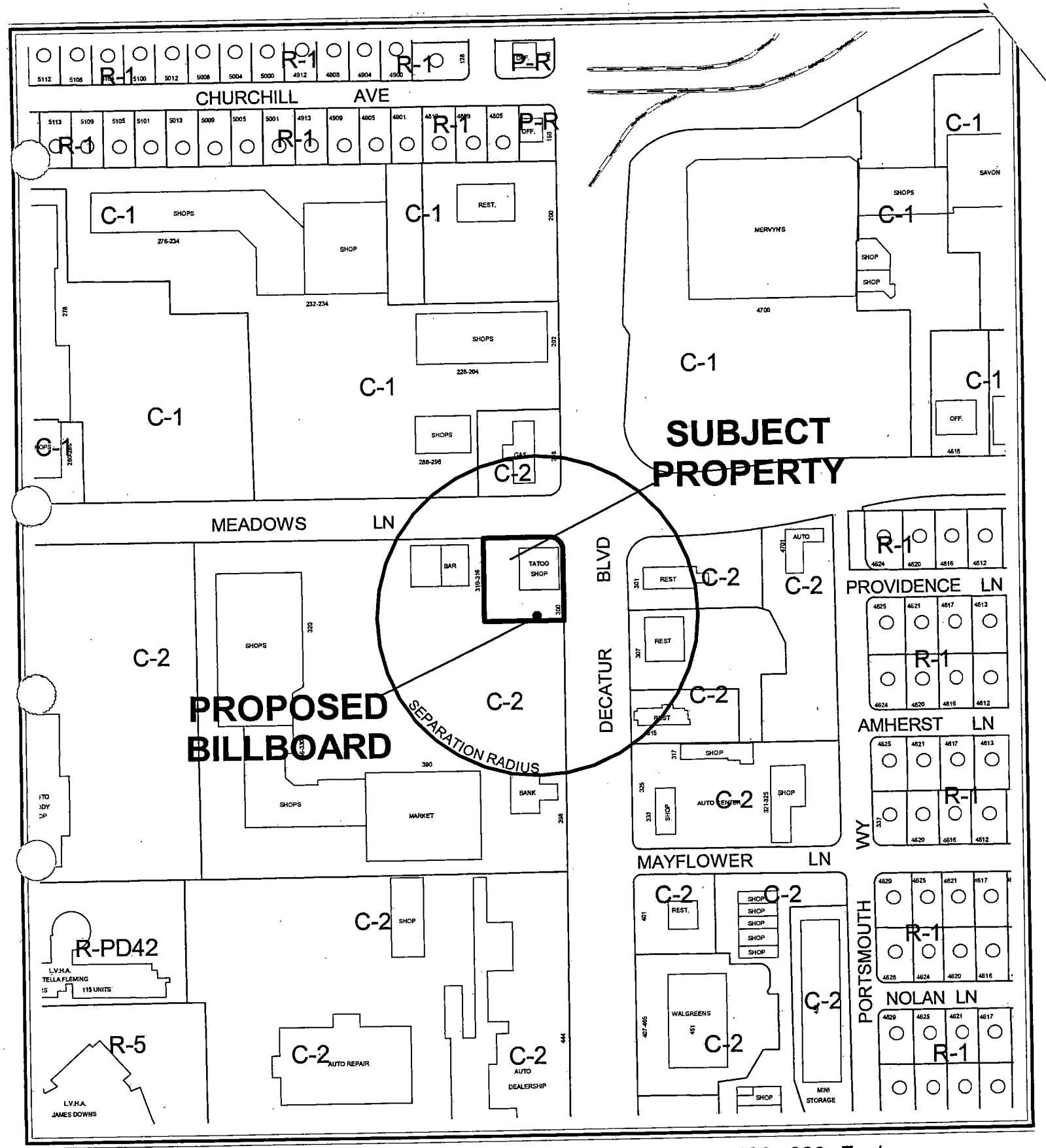
0 100 200 Feet

CASE: **SUP-4172**

RADIUS: 750 FT

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

N

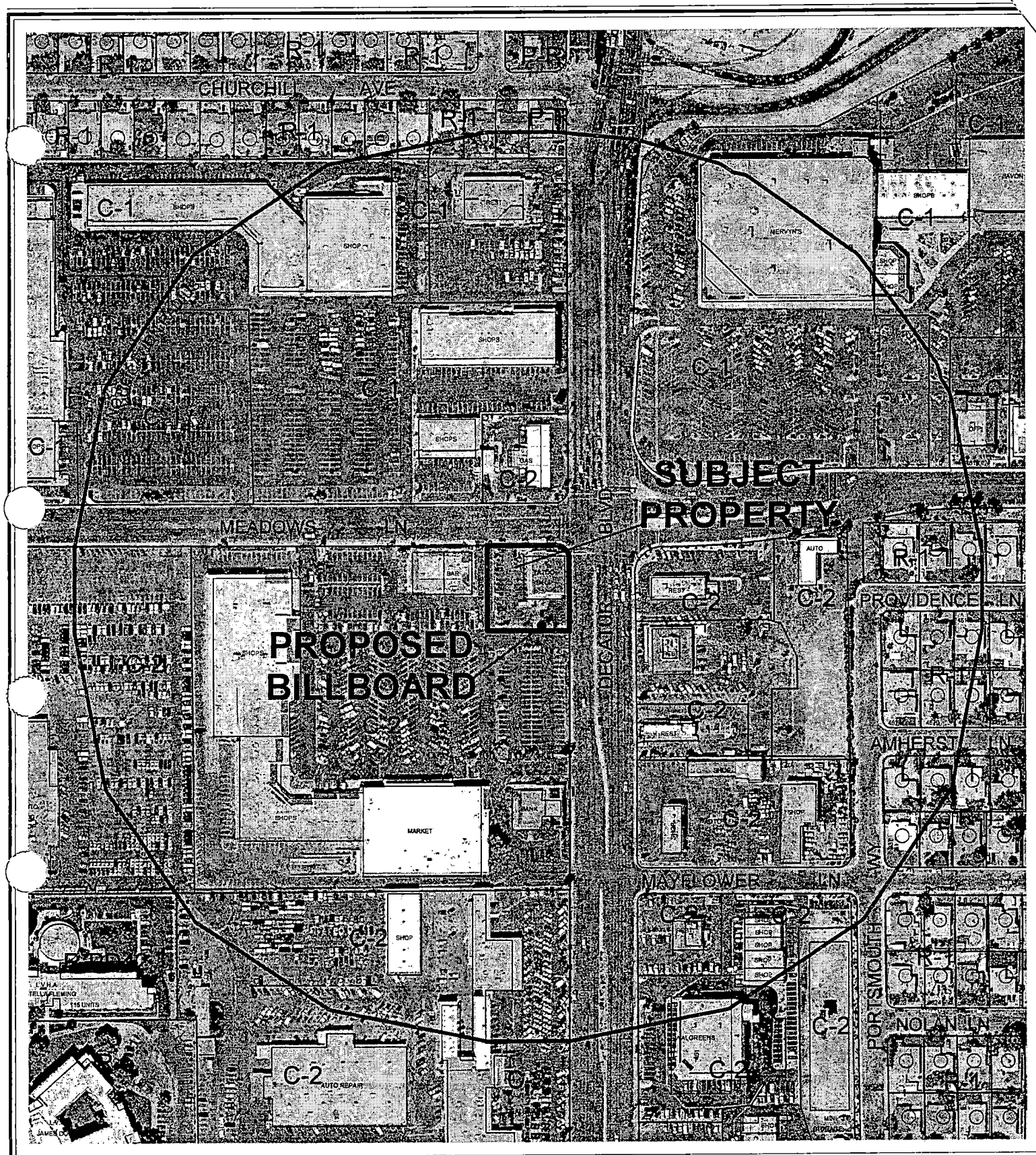


CASE: **SUP-4172**

SEPARATION RADIUS: 300 FT

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

NOTE: NO EXISTING BILLBOARDS IN AREA



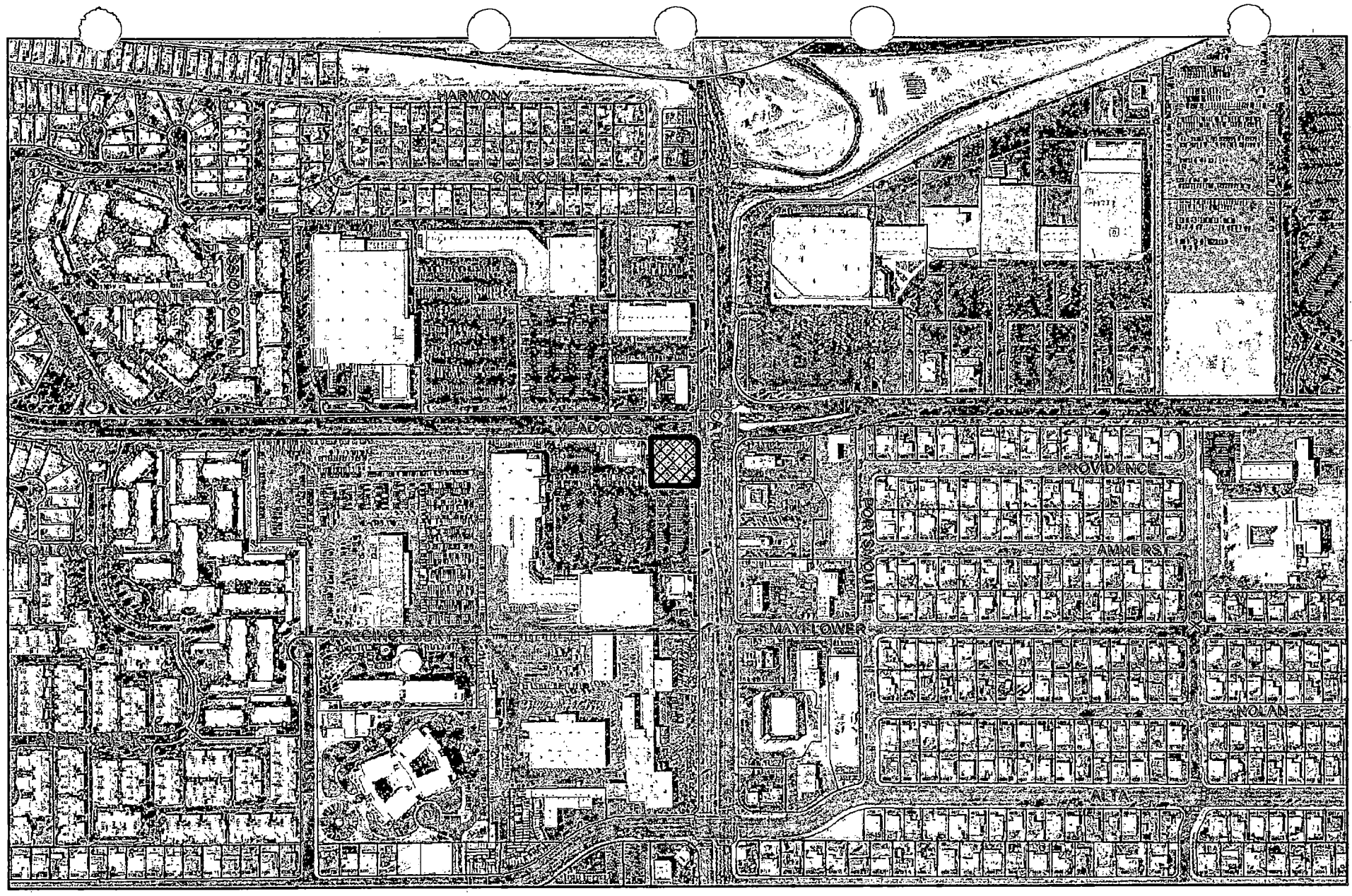
0 100 200 Feet

CASE: **SUP-4172**

RADIUS: 750 FT

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

N



SUP-4172

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

6. Only one advertising sign is permitted per sign face.

7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of

Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

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

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign located at 300 South Decatur Boulevard.

B) Applicant's Justification

The proposed sign meets all distance separation requirements and is located within a commercial area.

BACKGROUND INFORMATION

A) Previous Actions

08/22/73 The Board of City Commissioners approved a Reclassification of Property (Z-0061-73) from R-1 (Single Family Residential District) to C-2 (General Commercial). The Planning Commission recommended approval on 8/09/73.

05/11/98 The City Council denied a Special Use Permit (U-0013-98) for a Pawnshop and Second-Hand Sales. The Planning Commission and staff recommended approval on 2/26/98.

B) Pre-Application Meeting

03/08/04 No significant issues were identified during the pre-application meeting.

C) Neighborhood Meetings

A Neighborhood Meeting is not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.52

FS

B) Existing Land Use

Subject Property:	Commercial Building
North:	Service Station
South:	Shopping Center
East:	Fast Food Restaurant
West:	Shopping Center

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-2 (General Commercial) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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 site does not fall within any Special Districts or Zones.

FS

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet	Over 300 feet

The subject site meets all minimum distance separation requirements.

B) General Analysis and Discussion

- Zoning

The C-2 (General Commercial) district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character. An Off-Premises Advertising (Billboard) Sign is a permitted use in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation. The center of the proposed sign is located along the south property line, approximately 50 feet west of Decatur Boulevard.

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 subject site is located within a commercial shopping center, and the proposed Off-Premise Advertising (Billboard) Sign is harmonious and compatible with the existing and future land uses in the area.

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

   The subject is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign. No waivers are requested, and the site allows for compliance with all distance separation requirements.

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

   This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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

   The proposed Off-Premises (Billboard) Advertising Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 40

APPROVALS 0

PROTESTS 1

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4172 APN: 138-36-601-004

Name of Property Owner: SHEIKHAN SHAHRAM & TAWNYA

Name of Applicant: LAS VEGAS BILLBOARDS

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: X _____

Print Name: TAWNYA SHEIKHAN

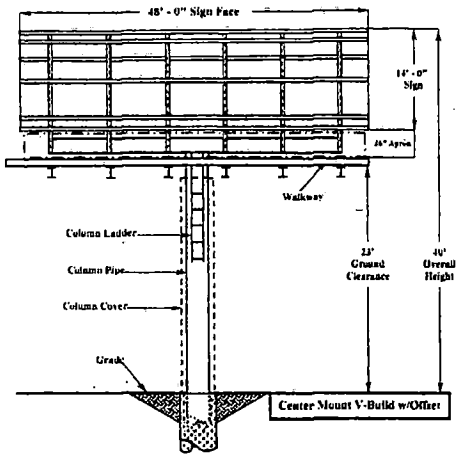
Subscribed and sworn before me

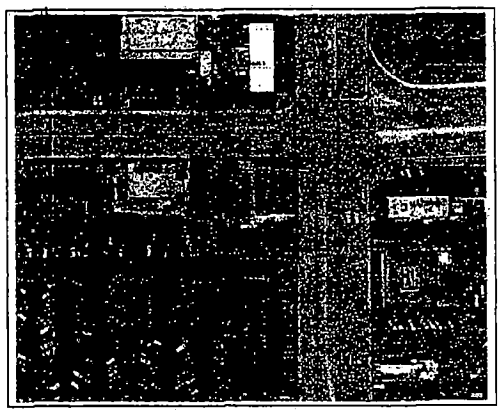
This 21 day of January, 2004

_____

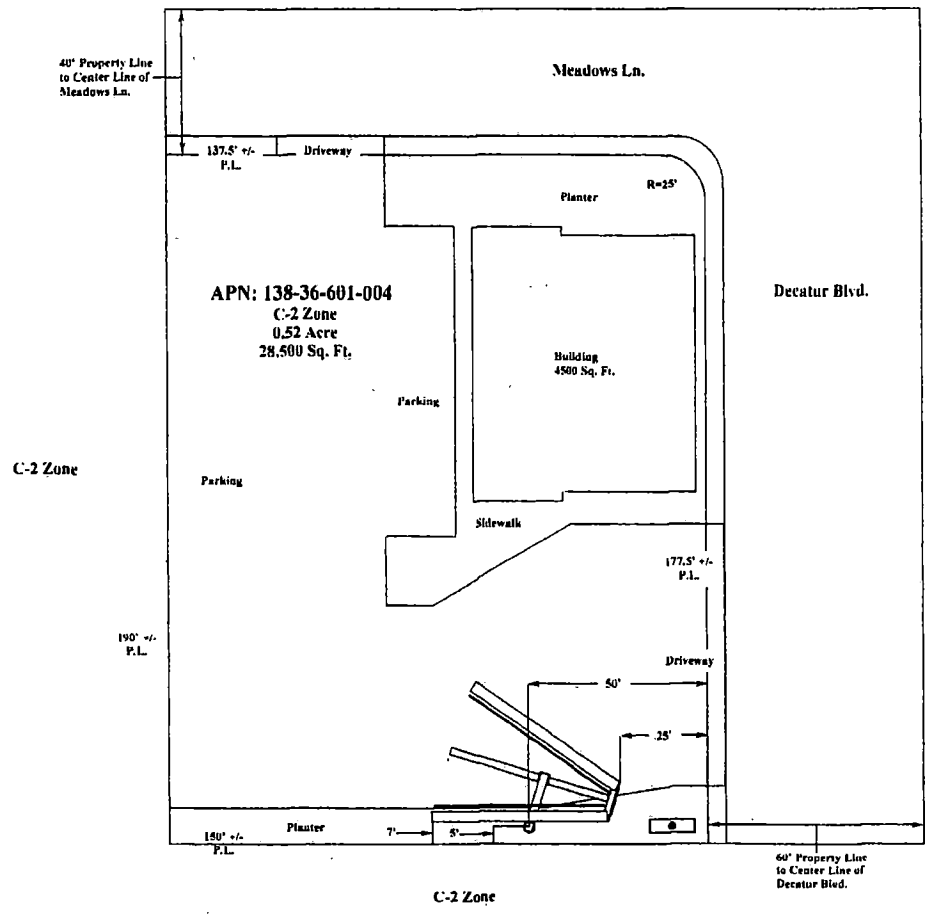
Notary Public in and for said County and State

LINA R. HEISLER
Notary Public State of Nevada
No. 99-56546-1
My appt. exp. Apr. 3, 2007





C-1 Zone



PROPERTY OWNER:	SHAHRAM & TAWNYA SHEIKHAN 300 S. DECATUR BLVD. LAS VEGAS, NV 89107
PROPERTY ADDRESS:	300 S. DECATUR BLVD. LAS VEGAS, NV 89107
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

APN: 138-36-601-004
ZONED: C-2
14' x 48' CENTER MOUNT V-BUILD w/OFFSET
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R-E ZONE WITHIN 300'
SCALE 1" = 20'

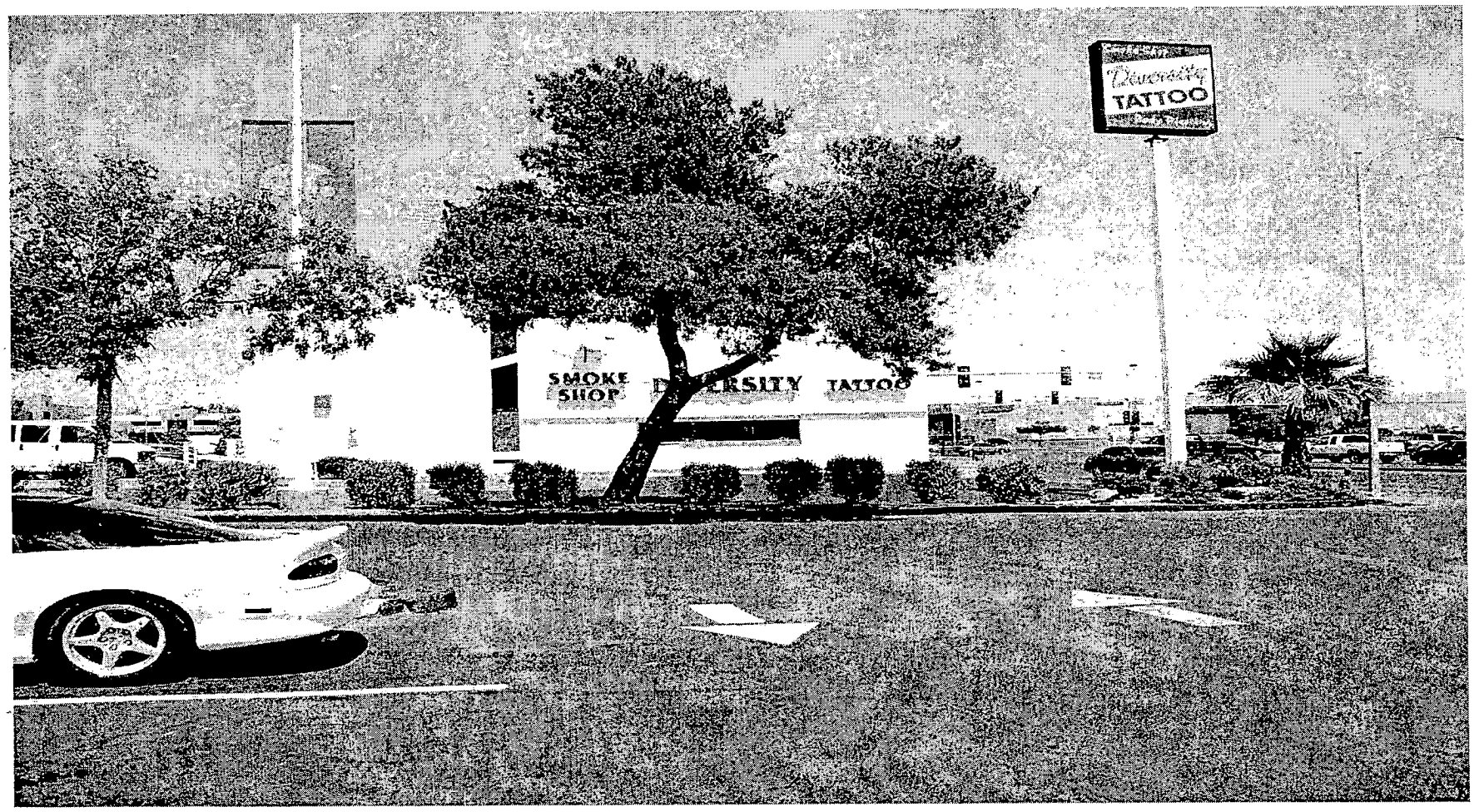
NORTH

SIGN ANALYSIS TABLE

TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

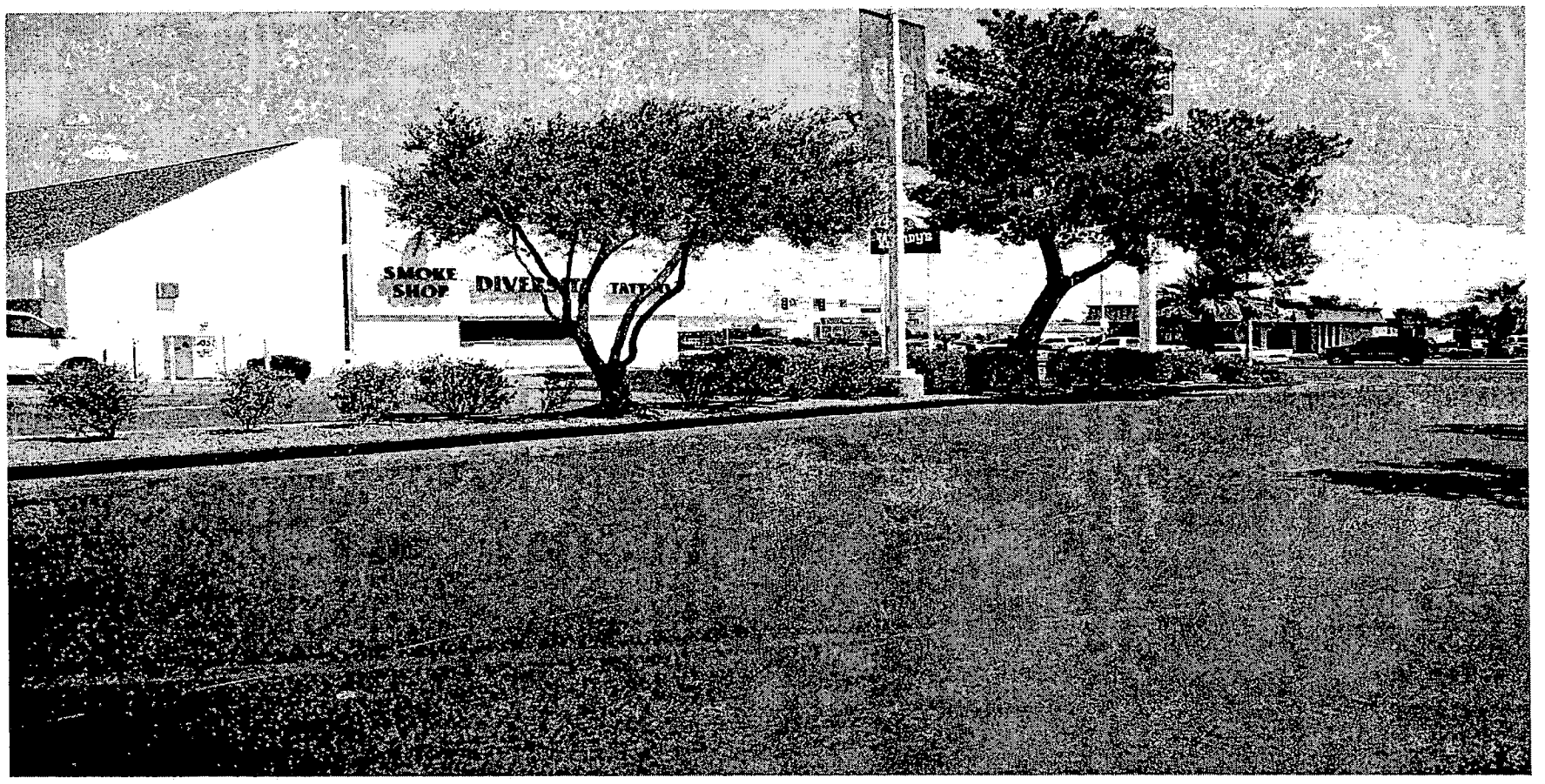
LOCATION:
5' FRONT SETBACK FROM DECATUR BLVD. TO LEADING EDGE OF SIGN.
7' FRONT SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.
25' SIDE SETBACK FROM SOUTH PROPERTY LINE TO LEADING EDGE OF COLUMN.
50' SIDE SETBACK FROM SOUTH PROPERTY LINE TO CENTER OF COLUMN.

SUP-4172
05-13-04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN
300 SOUTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN
300 SOUTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/19/04

Four K's Investment Co.
5670 Wynn Road
Las Vegas, NV 89118-2313

May 4, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Reference: SUP-4172
300 S. Decatur Boulevard

As property owners in this area, we are opposed to this special use permit.

Steven C. Kalb
Manager

DEVELOPMENT
04 APR 35 PM 3:47
RECEIVED

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Reduction in the amount of required perimeter landscaping FOR AN EXISTING AUTO REPAIR GARAGE, MINOR at 2027 North Decatur Boulevard (APN: 138-24-611-062), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
DAVENPORT – APPROVED subject to amended conditions to add landscaping within 90 days from the date of approval, and added conditions stating that there shall be no selling of vehicles from this property, no test driving vehicles within the neighborhood, a one-year review, and add a temporary barrier to eliminate vehicles cutting across the property – UNANIMOUS with EVANS not voting

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that this site has had a history of having minor auto repair garage use on site. It did appear to be compatible with commercial uses in the area. There is an existing outdoor storage yard, which is screened from public rights-of-way but is non-conforming to the C1. As a result, it should not be expanded on the site. The building exterior will not change, but the site will be striped for parking. The Code

MINUTES - Continued:

requires landscaping at 15 feet on the exterior edges and 8 feet along the interior edges which will be fairly prejudicial to a site like this. The applicant is seeking a Waiver to reduce the perimeters to 6 feet along street edges with no planter along the west property line and a 9-foot planter along the north property line. As this site already exists, the corner will be matched to reflect others at the center section. Given these circumstances, staff feels the Waiver requests are acceptable. There is a condition of approval, where staff is requiring that the landscaping be done within six months of final approval. Staff recommended.

ADRIAN JONES, 4750 W. Flamingo, concur with staff's recommendations.

DEANNE STOUT, 4949 Sawyer Avenue, and BARB CLARK, 4950 Sawyer Avenue, both live in the neighborhood behind this property. MS. STOUT stated there are many children in the neighborhood. In the past they have had to oppose several applications such as smog facilities, auto repair shops and many eyesores that do not match the Code. They have had to endure autos that are parked for sale on their street and vehicles being test-driven down their street. They are pleased with the landscaping plans, but there are concerned about the expansion and the impact this will have on the surrounding neighborhood. MS. STOUT was informed that the applicant wants to reduce the amount of required perimeter landscaping.

MS. CLARK added that the area does include older homes on half acres. She has lived there for 14 years, and this corridor has been a nightmare for her and an eyesore. They see how certain parts of the City are being beautified while other areas are being neglected, which are a detriment to their homes. The residents have worked hard to remodel their homes and would like to see the businesses taking pride and ownership of what they see. She and the residents have considered coming before the Commission with a request to block off their streets because many people cut through Sawyer Avenue to avoid the light at Lake Mead and Decatur. It is a rural area without sidewalks and city lights, but this has been an ongoing concern, including the dust that rises in the air when vehicles cut through the desert. She referred to other properties that have not been maintained. MS. STOUT stated that individuals would still have easy access to cut through the desert because there is no landscaping blocking off the desert area.

WILLIAM McGALPINE, owner of Billy Mack's Auto Repair, stated that he was informed two weeks ago about the issue of his mechanics test driving the vehicles and cutting across the desert. The reason the mechanics were cutting across the street was because the Water District had the streets blocked off and traffic was backed up on Decatur. At that time, there was only one way into their lot. He has put a stop to this. He had the block wall repaired, painted the building; and

MINUTES - Continued:

has designed a mural on the wall to which he has received compliments. He only spoke with one individual regarding the residents' concerns, but feels that he has now resolved those issues. He has an alarm system that is fairly loud but is used for security purposes. He has also installed a big light in front of the property to deter any unwanted activities in the area. He has tried to maintain the property and keep it clean.

CHAIRMAN TRUESDELL verified with MR. McGALPINE that cars have not been sold on this lot and that he has been at this location since April 5th.

COMMISSIONER McSWAIN clarified where the block wall was located at and asked if the applicant wanted a back wall at his property. MR. McGALPINE replied that this is not up to him because he only leases the property but he is open to accepting whatever the owner chooses to do regarding upgrading the property. COMMISSIONER McSWAIN asked who was doing the landscaping. MR. JONES replied that the owner intends to provide the landscaping at the corner and on the street buffers within six-month. In addition, the applicant did not propose too many improvements at this point for the front corner because he hopes to see expansion and improvements of a commercial center in the undeveloped properties behind this facility. CHAIRMAN TRUESDELL clarified with MR. JONES that the owner also owns the property to the north and is working on obtaining that property.

COMMISSIONER McSWAIN asked staff to clarify what the applicant was requesting with the Special Use Permit. MR. CLAPSADDLE replied that this is a property that staff, the applicant and the lessee have been working on through COUNCILMAN WEEKLY'S Office. Staff agrees with the two residents that spoke earlier regarding their concerns. Several years ago, the previous lessee obtained a Special Use Permit and agreed to numerous conditions to improve the property, but failed to follow through. This particular applicant had to relocate because of the roadway expansion. In working with the property owner and the lessee, a temporary permit was issued so that the lessee could operate his business while going through this particular process, with the understanding that the property owner and lessee would perform to bring the property up to the required standards. Staff is aware that the property owner is attempting to purchase property to the west and to the north to make this site part of a larger development parcel. At this time, staff is not requiring a block wall to be placed around this property, although the Commission can make that a condition if necessary. COMMISSIONER McSWAIN responded that the landscape plan will be a definite improvement to this site and hopes that the residents will find that they have a better neighbor with this lessee. She suggested a two-year time limit, that if the rest of the property is not required for a large development, then a block wall must be placed at the north wall. MR. JONES replied that he is sure that the landlord would agree to this.

MINUTES - Continued:

COMMISSIONER McSWAIN also recommended a one-year review on the Special Use Permit, which would allow the residents to voice any concerns at that time. MR. CLAPSADDE stated the applicant would need to remove the illegal sign advertising smog checks, as it is a Code violation. MR. JONES replied that the sign is not his, but would remove it.

DEPUTY CITY ATTORNEY BRYAN SCOTT asked for a specific timeframe regarding the review. COMMISSIONER McSWAIN replied a one-year review. CHAIRMAN TRUESDELL suggested that a barrier be installed if the applicant is not required to place a block wall at this time. This will prevent individuals from cutting across the lot. He appreciated the applicant's efforts on making the improvements. MR. JONES suggested parking blocks. COMMISSIONER McSWAIN asked that whatever is placed as a temporary barrier be something attractive. COMMISSIONER STEINMAN stated that he does not understand why the landscaping has to be limited and why the applicant is allowed six months to do the landscaping rather than doing it now before it gets too hot. MR. LEOBOLD replied that because of the small size of the parcel, it is unreasonable to impose the normal requirements for the landscaping. COMMISSIONER STEINMAN replied that the landscaping needs to be done now and not six months prior to their review, and he would like to see that as a condition. MR. JONES concurred with all conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 52 [SUP-4195].

(8:51 – 9:12)

2-3267/3-1

CONDITIONS:

Planning and Development

1. Proposed perimeter landscape planters shall be installed within six months from the date of approval.

2. 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.]

3. The existing outside storage yard shall not be expanded.

4. Provision of a trash enclosure as required by Title 19.08.045.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 52 – SUP-4195

CONDITIONS - Continued:

5. All repair and service work shall be performed within a completely enclosed building.

6. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.

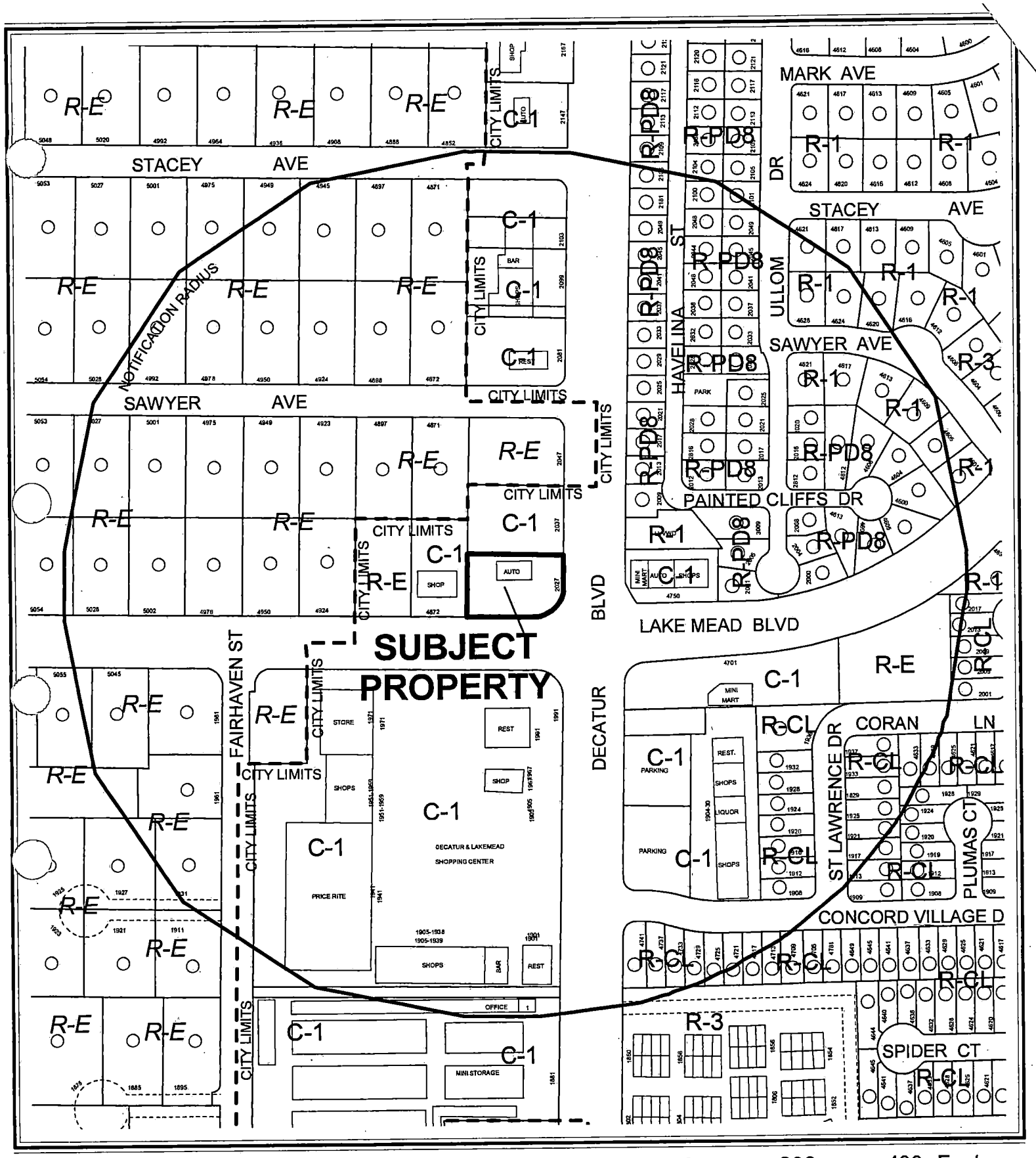
7. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

8. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

10. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards prior to the issuance of any permits for this site.

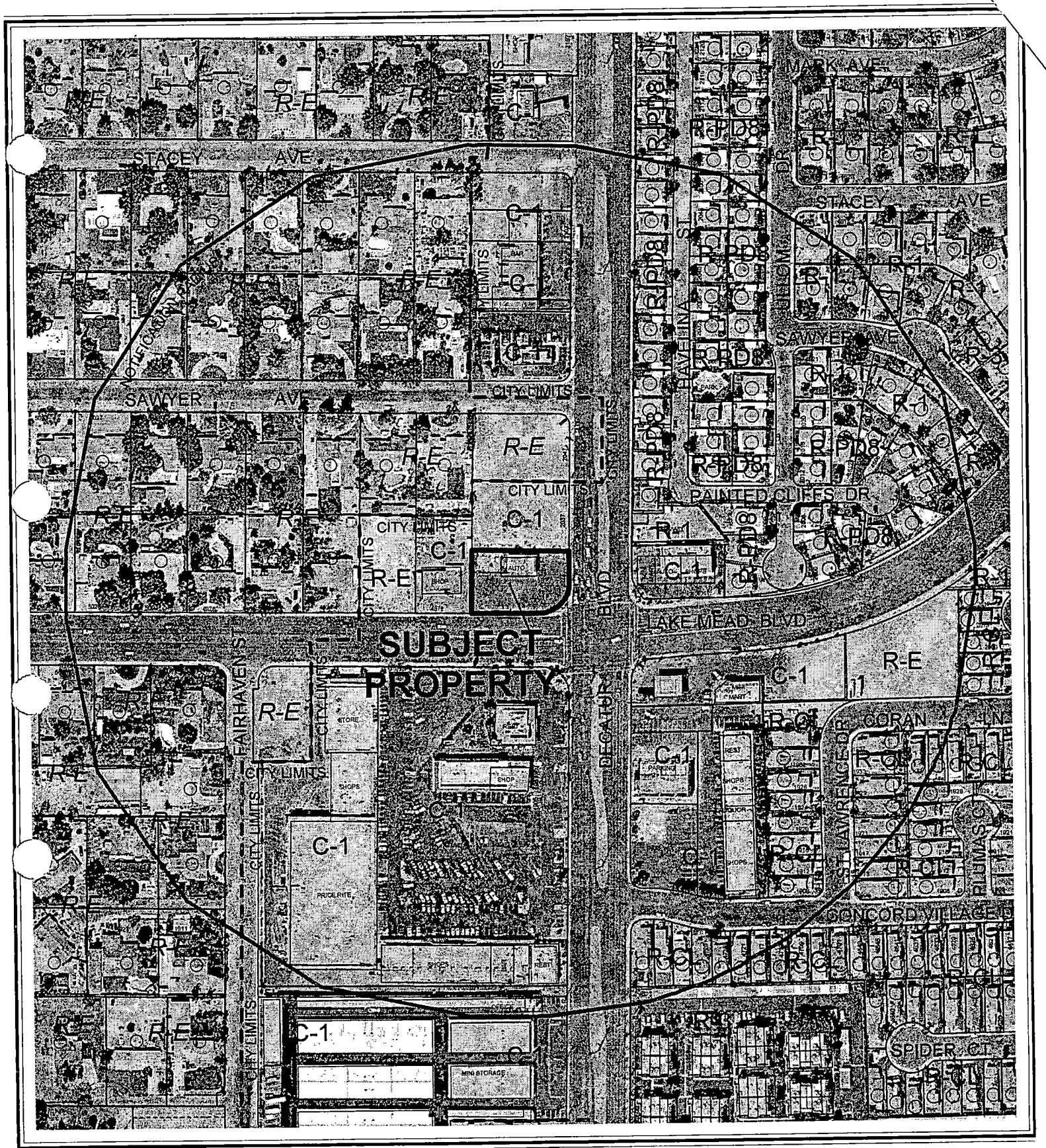


CASE: **SUP-4195**

RADIUS: 750 FT

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

N



CASE: **SUP-4195**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. Proposed perimeter landscape planters shall be installed within six months from the date of approval.

2. 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.]

3. The existing outside storage yard shall not be expanded.

4. Provision of a trash enclosure as required by Title 19.08.045.

5. All repair and service work shall be performed within a completely enclosed building.

6. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.

7. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

8. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

10. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards prior to the issuance of any permits for this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit and a Reduction in the amount of required perimeter landscaping for an existing Auto Repair Garage, Minor at 2027 North Decatur Boulevard.

B) Applicant's Justification

The applicant justifies this request by stating that this building has, until recently, been operating as a minor auto repair facility for over 35 years. A potential new tenant whose business is being displaced by the widening of U.S. 95 wants to move into the building and continue to operate it as a minor auto repair garage. A waiver of the side and rear perimeter landscaping requirements is requested because the site is already existing and the north and west edges of the property are less visible from Lake Mead Boulevard and Decatur Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

06/17/97 The Clark County Planning Commission denied a request for a Variance (VC-0599-97) to permit an automobile repair facility where not permitted and where required to be located within a C-3 (General Commercial) zone, to permit outside storage, and to waive the requirement for landscaping along street frontages.

12/19/97 The City Council approved the Annexation (A-0017-97) of the subject site into the City of Las Vegas. The Planning Commission recommended approval on 08/28/97.

03/15/00 The City Council approved a request for a Site Development Plan Review for a proposed 3,660 square foot addition to an existing 1,839 square foot Minor Auto Repair Garage. A condition of approval required a minimum eight foot wide landscape planter along Decatur Boulevard and a minimum six foot wide planter along Lake Mead Boulevard. The Planning Commission and staff recommended denial on 01/13/00.

B) Pre-Application Meeting

03/12/04 The Special Use Permit is required because the auto repair garage that was existing on the property ceased operations for longer than 12 months. The

existing building on the site has been used for auto repair for at least 35 years, well before the parcel was annexed into the City. No changes are proposed to the building exterior. The proposed tenant will be displaced by the U.S. 95 expansion April 5 and quickly needs to settle into a new location. A contractor for the Nevada Department of Transportation was present at the meeting to lend assistance to the applicant and owner to this end. The owner was reminded that landscaping would eventually be required as the site is upgraded. In a later meeting, it was agreed that landscaping would be provided along the street frontages, and a waiver of the perimeter landscaping requirements could be sought for the west and north property lines. Public Works indicated that substandard improvements within the right-of-way would have to be brought up to current codes.

Requirements for completing an Environmental Impact Assessment were briefly discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property:	Minor Auto Repair
North:	Undeveloped
South:	Restaurant, Retail Commercial
East:	Convenience Store
West:	Pet Shop, Retail Commercial, Equipment Rental

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The Auto Repair Garage, Minor use is compatible with this land use category. The existing C-1 (Limited Commercial) zoning district is also compatible with this 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	

A Multi-Use Transportation Trail is proposed along Lake Mead Boulevard, although at this time it has not been determined whether it will be constructed on the north or south side of the street. As this is an existing site, the owner will not be responsible for trail improvements until the site is fully upgraded and a Site Development Plan Review submitted. As the subject property is located within 500 feet of parcels in unincorporated Clark County, this Special Use Permit application is deemed a "Project of Regional Significance." Clark County was notified of the project. Information concerning possible impacts to public services are detailed below.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500'

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments were received from these agencies.

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
Auto Repair Garage	1,839 SF	1/200 SF GFA + 5 spaces	13	1	15	1

The subject site will exceed the Zoning Code parking space requirement. One loading zone is provided on the west side of the property.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Repair Garage, Minor use.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed; 50 feet from residential property	Not shown

A trash enclosure is not indicated on the site plan. A condition of approval addresses this requirement.

B) General Analysis and Discussion

- Zoning

The property is zoned C-1 (Limited Commercial) and is surrounded by similarly zoned parcels. The Auto Repair Garage, Minor use is permitted in a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

The existing building on the site was used as a Minor Auto Repair Garage with outside storage at the time of annexation into the City of Las Vegas. According to a Metro Police report citing Department of Motor Vehicles records, the business owner passed away in 2002 and the business closed down. The site has remained unoccupied for at least 12 months. In order for the business to continue as a Minor Auto Repair Garage, the current Zoning Code requires an approved Special Use Permit.

SS

Although the building exterior will remain unchanged, several changes are proposed on the balance of the site. The site will be re-striped to allow for 15 spaces and one loading zone to comply with Zoning Code requirements. Current Landscape, Wall, and Buffer Standards require minimum 15-foot landscape planters along Decatur Boulevard and Lake Mead Boulevard and eight-foot planters along the side and rear of the property. The applicant is seeking waivers for reductions of these perimeter planters to a minimum of six feet along the street frontages, with no planters along the west property line and a minimum nine-foot planter along the north property line abutting the building. As the site is existing, the corner will be landscaped to match the others at this intersection, and full landscaping will be required at such time the site is redeveloped, the waiver requests are acceptable.

- Conditions

There are no base conditions for approval of a Special Use Permit for an Auto Repair Garage, Minor use. However, the Department of Planning and Development routinely recommends that all repair and service work be performed within a completely enclosed building, that no used or discarded automotive parts or equipment be located in any open area outside of an enclosed building, and that all disabled vehicles be screened from view and stored for no more than 45 days.

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 site previously had an Auto Repair Garage, Minor use, which proved to be compatible with the light commercial uses that occurred on neighboring parcels during the time it occupied the site. The proposed Auto Repair Garage, Minor will be harmonious and compatible with the existing retail, convenience store and restaurant uses at the intersection of Lake Mead Boulevard and Decatur Boulevard. The existing outdoor storage yard, though screened from view from public rights-of-way and surrounding properties, is a nonconforming use in the C-1 (Limited Commercial) zoning district and should not be expanded.

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

   The subject site's corner location makes it suitable for an Auto Repair Garage, Minor use. The site provides adequate parking to serve the needs of the proposed auto repair facility.

SS

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 property will be from existing driveways from Lake Mead Boulevard and Decatur Boulevard, both designated as 100-foot Primary Arterials on the Master Plan of Streets and Highways. These streets will be adequate in capacity to serve the proposed Minor Auto Repair Garage.

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 Minor Auto Repair Garage will be subject to City inspection prior to receipt of a Certificate of Occupancy, and regular licensing inspections thereafter; therefore, the public health, safety, and welfare or General Plan objectives will not be compromised.

NOTICES MAILED 151

APPROVALS 0

PROTESTS 0

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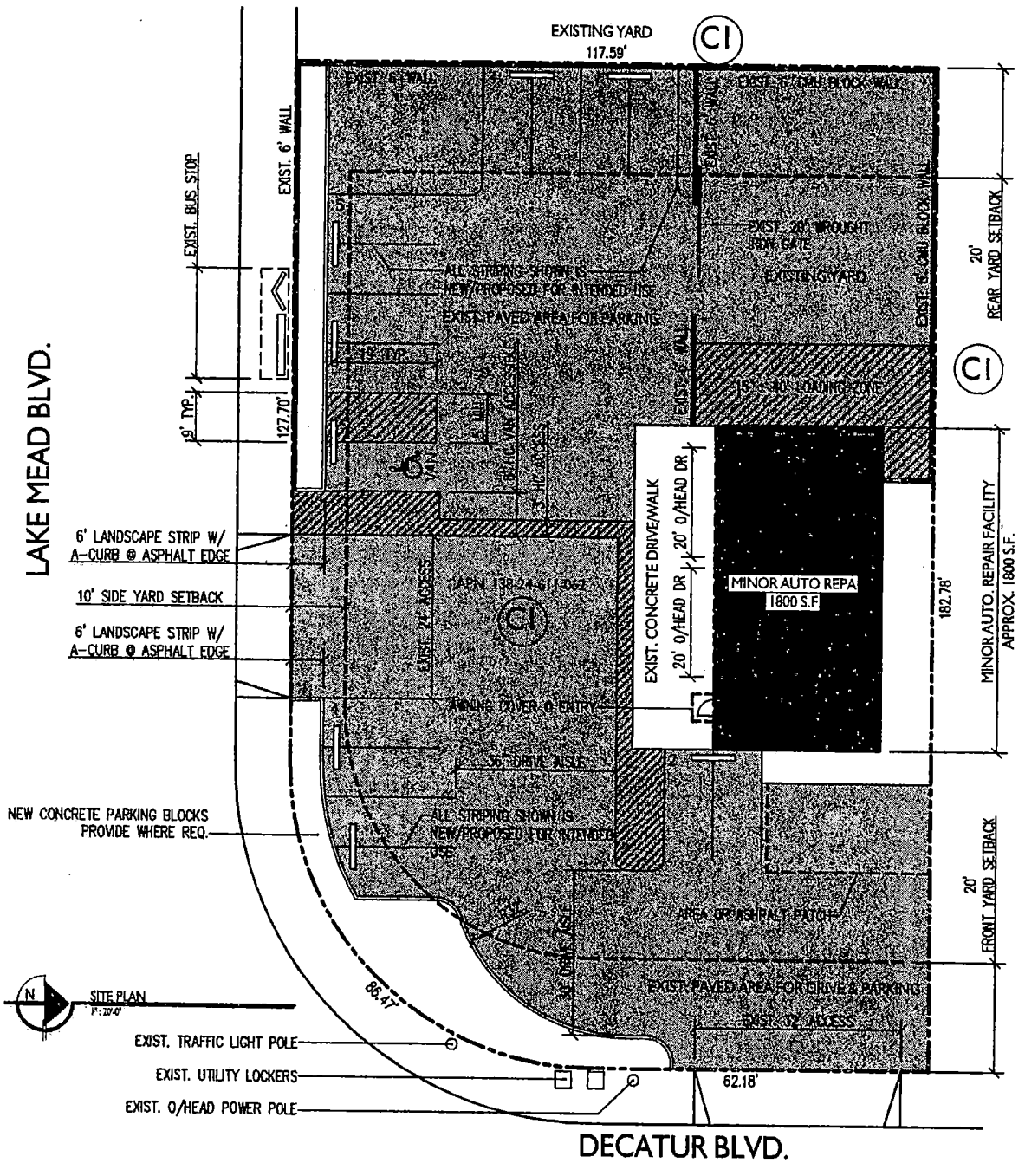


SITE DESIGN GENERAL NOTES

LEGEND

- COMMERCIAL STRUCTURE
- PAVING/ASPHALT AREAS
- PROPERTY LINE
- CURBLINE
- PAINTED LOADING / CROSSWALK ZONES

PARKING

BLDG A - AUTOMOTIVE USE

5 SPACES + 1 : 200 S.F. (5 + 1800/200 = 14 SPACES REQ.)

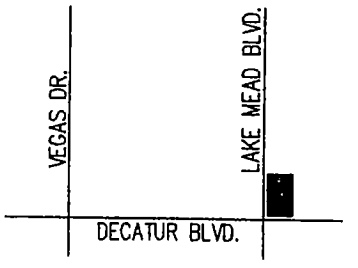
ALL PARKING AREAS ARE EXISTING PAVING WITH NEW STRIPING PROVIDED AS FOLLOWS:
16 STANDARD SPACES PROVIDED
1 HC VAN ACCESSIBLE SPACE PROVIDED
1 LOADING ZONE PROVIDED

REVISED

SUP-4195

5-13-04 PC

STAFF



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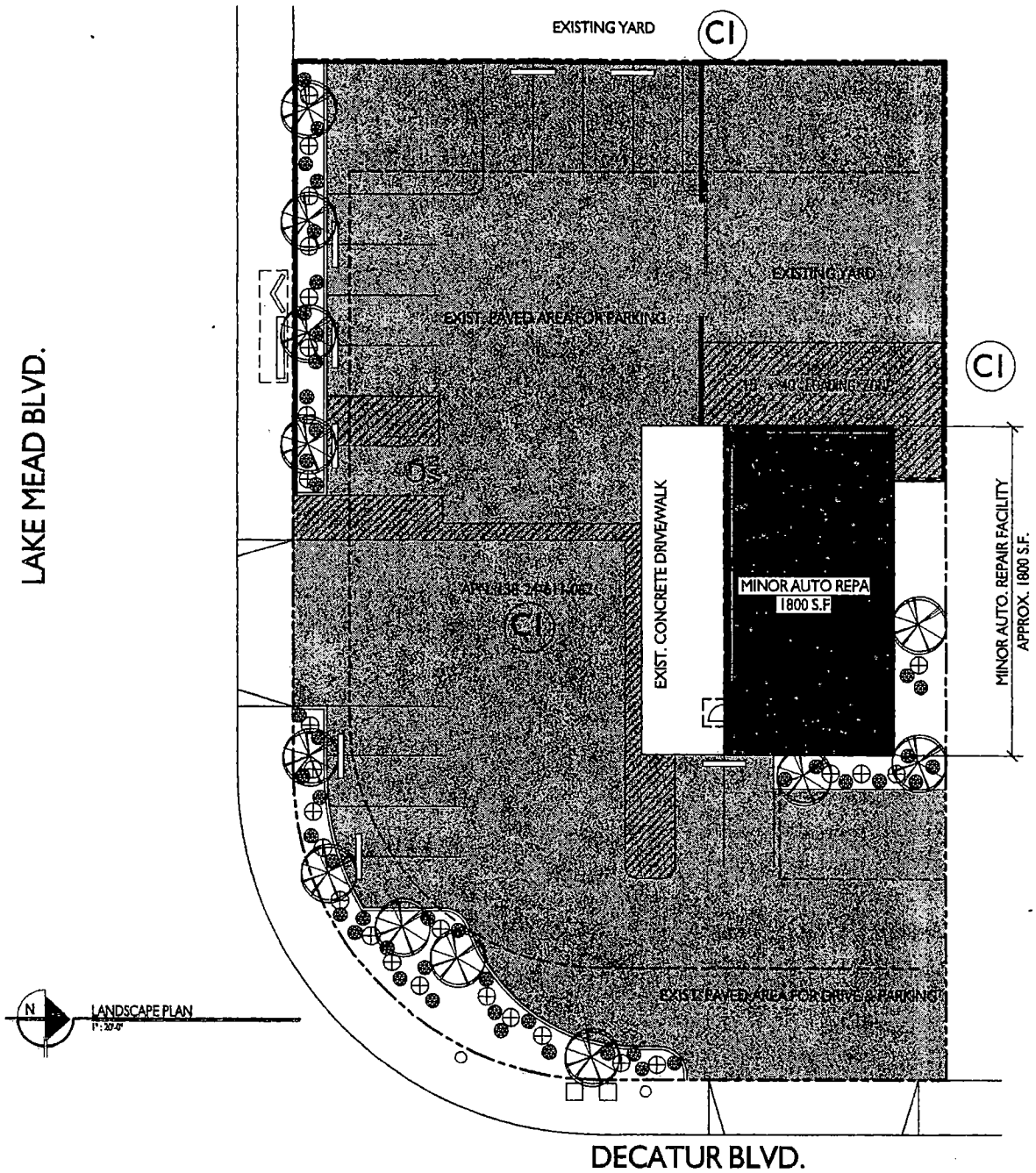
M.G.B LLC. Automotive

Exist. C1 with a Special Use Permit Application
APN 138.24.611.062
LAS VEGAS, NEVADA

DRAWN BY AJ
DATE - 03.29.04 - REV. 04.29.04



PLANT MATERIAL SCHEDULE

EQUIP. REF	COMMON NAME / BOTANICAL NAME	QUANTITY	SIZE
	CHILEAN MESQUITE (THORNLESS) PROSOPIS CHILENSIS	12	24" BOX
	FOUNTAIN GRASS PENNISETUM SETACEUM	26	5 GALLON
	LANTANA LANTANA CAMARA	46	1 GALLON
	ROCK OUTCROPPING FIELD LOCATION TBD W/ DESIGNER		TBD

PLANTING GENERAL NOTES

1. ALL PLANT AND INGROUND LIGHTING LOCATIONS ARE TO BE FIELD LOCATED AND APPROVED W/ DESIGNER, PRIOR TO FINAL DESIGN IMPLEMENTATION.

2. LANDSCAPE CONTRACTOR TO COORDINATE WITH EXCAVATION CONTRACTOR WHERE REQ. FOR PLANTER AREAS TO ENSURE POSITIVE DRAINAGE IN CONFORMANCE WITH CIVIL ENGINEER REQUIREMENTS. KEEP ALL PLANTING A MINIMUM OF 5'-0" FROM BUILDING FOUNDATIONS AND UNDERGROUND SEWER. ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURES.

3. PROVIDE MIN. OF 2" DG (DECOMPOSED GRANITE - TYPE AS SPECIFIED IN PLANTING SCHEDULE) AT ALL PLANTER LOCATIONS U.N.O. TO WITHIN 1" OF TOP OF ADJACENT CURBS & SIDEWALKS.

4. DG INSTALL/PREP - PROVIDE PRE-EMERGENT HERBICIDE TO PLANTER SOILS, INSTALL DG, RAKE SMOOTH AND WATER TO FULL DEPTH OF DG, LET DRY AND LIGHTLY SCARIFY SURFACE RELEASING FINE LOOSE GRANULES ON TOP LAYER.

5. REFER TO LD.2 FOR IRRIGATION SPECIFICATIONS

6. KEEP TREE PLANTING A MIN. OF 3'-0" FROM ALL SIDEWALKS. PLANTING WHICH EXCEEDS 24" IN HEIGHT ARE NOT PERMITTED WITHIN SIGHT VISIBILITY ZONES.

7. ALL IRRIGATION SLEEVES TO BE PLACED ACROSS ALL HARDSCAPE AREAS PRIOR TO FINAL PAVING & CONCRETE IMPROVEMENTS. LANDSCAPE CONTRACTOR TO COORDINATE WITH CONSTRUCTION SUPERVISOR FOR APPROPRIATE SCHEDULING.

8. LANDSCAPE CONTRACTOR TO COORDINATE WITH EXCAVATION CONTRACTOR AND ALL UTILITY LOCATIONS PRIOR TO DESIGN IMPLEMENTATION.

9. ALL IRRIGATION TO BE KEPT A MIN. OF 3'-0" FROM ALL BUILDING FOUNDATIONS.

10. ALL IRRIGATION EQUIPMENT TO BE QUALITY PRODUCTS AS SPECIFIED HEREIN OR REPUTABLE EQUIVALENT (I.E. TORO, RAINBIRD, HARDIE)

STAFF

REVISED

SUP-4195

5-13-04 PC

M.G.B LLC. Automotive

Exist. C1 with a Special Use Permit Application

APN 138.24.611.062 — DRAWN BY AJ

LAS VEGAS, NEVADA — DATE - 03.29.04 - REV. 04.29.04

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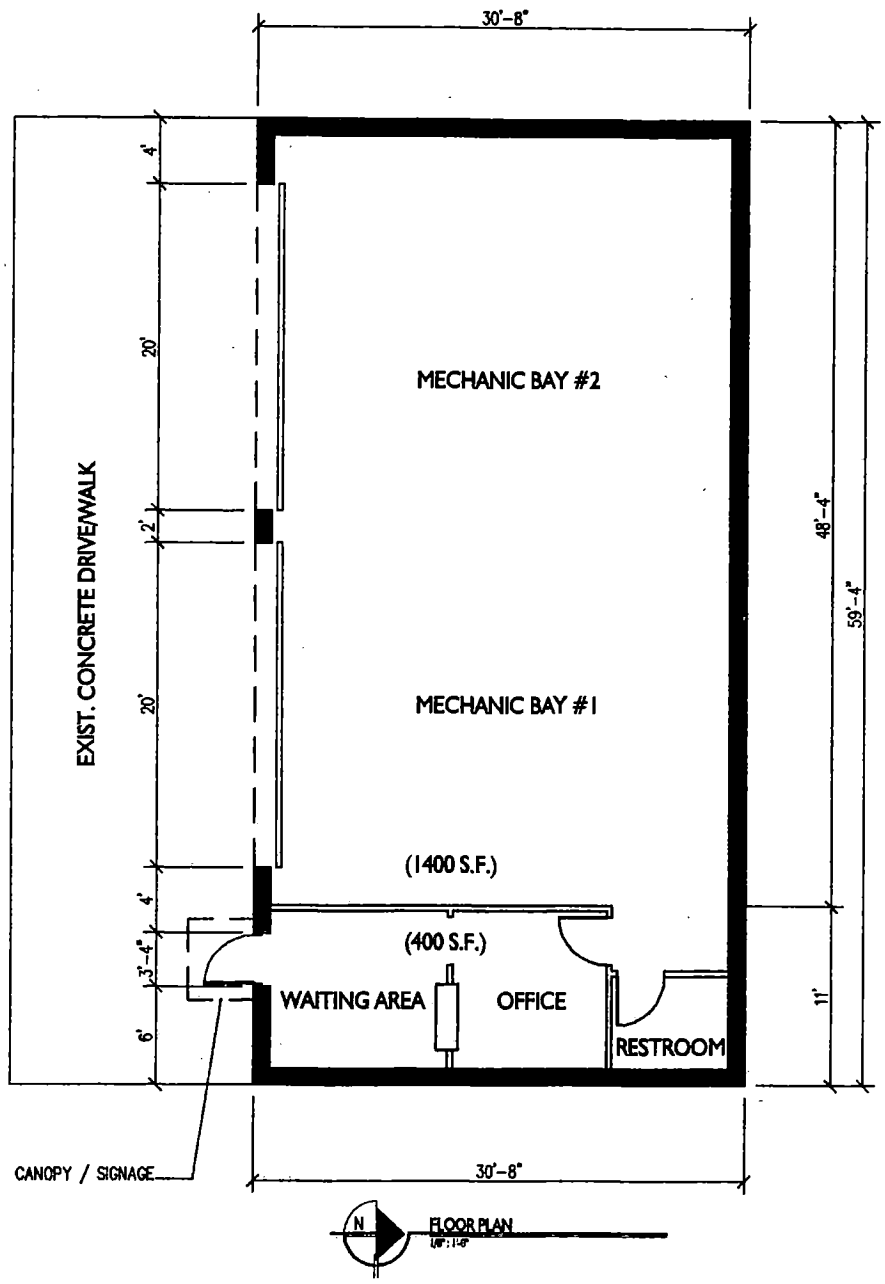

SUP-4195

5-13-04 PC

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M.G.B LLC. Automotive

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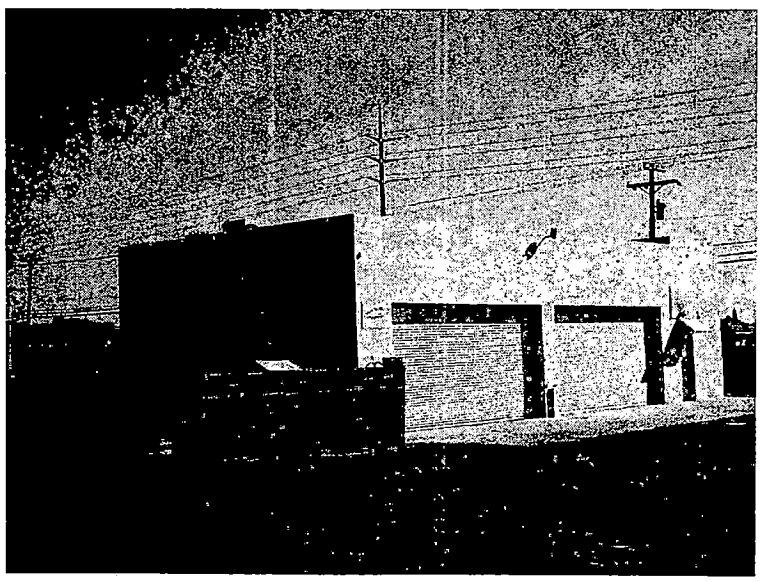
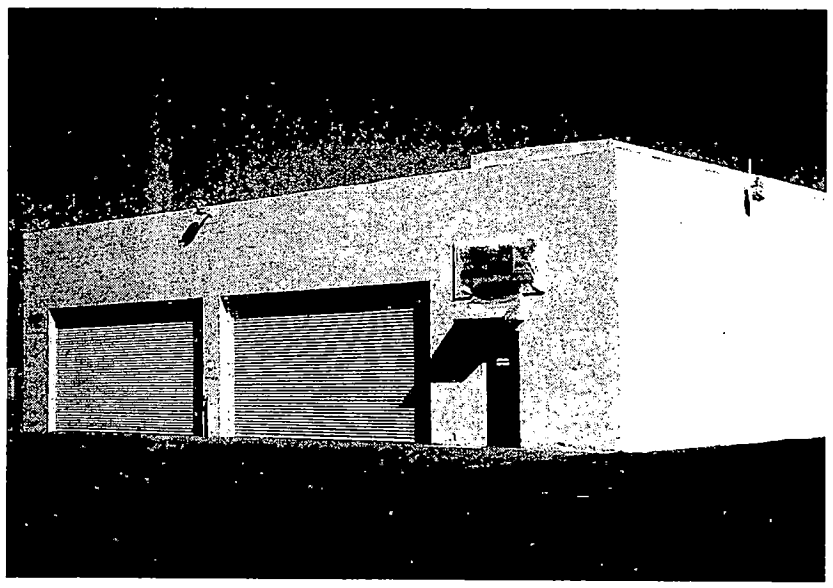
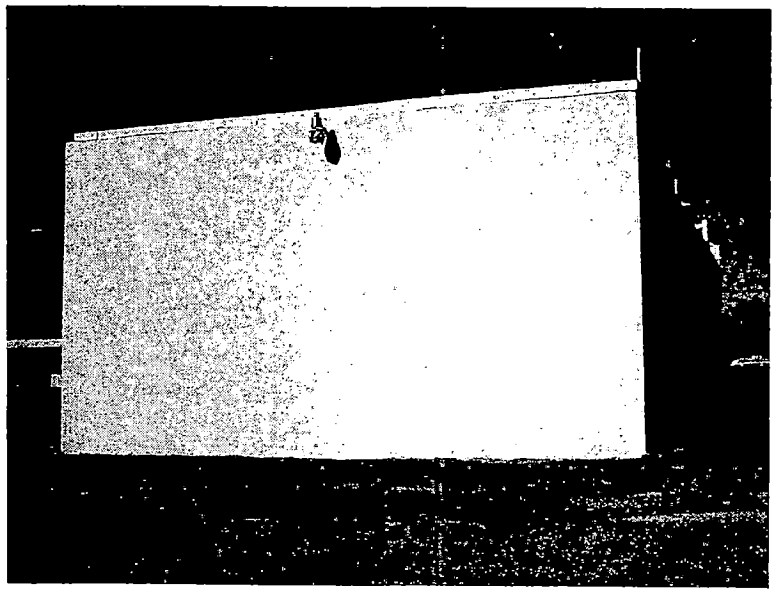


SOUTH WEST ELEVATION



SOUTH EAST ELEVATION
VIEW FROM INTERSECTION



EAST ELEVATION
PARTIAL NORTH ELEVATION

SUP-4195

5-13-04 PC

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M.G.B LLC. Automotive

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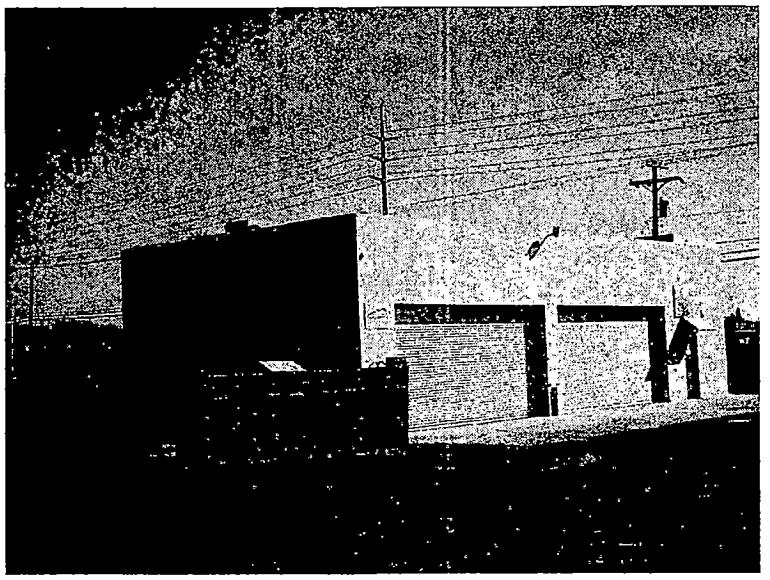
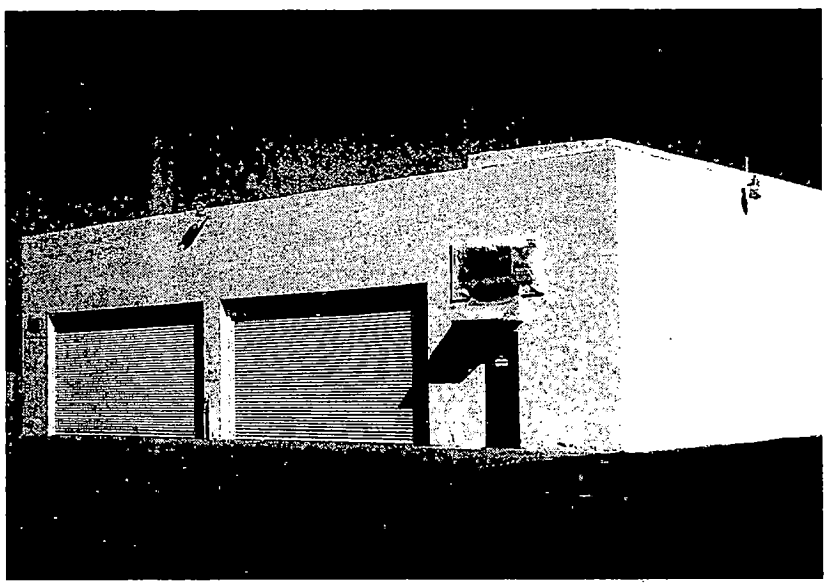
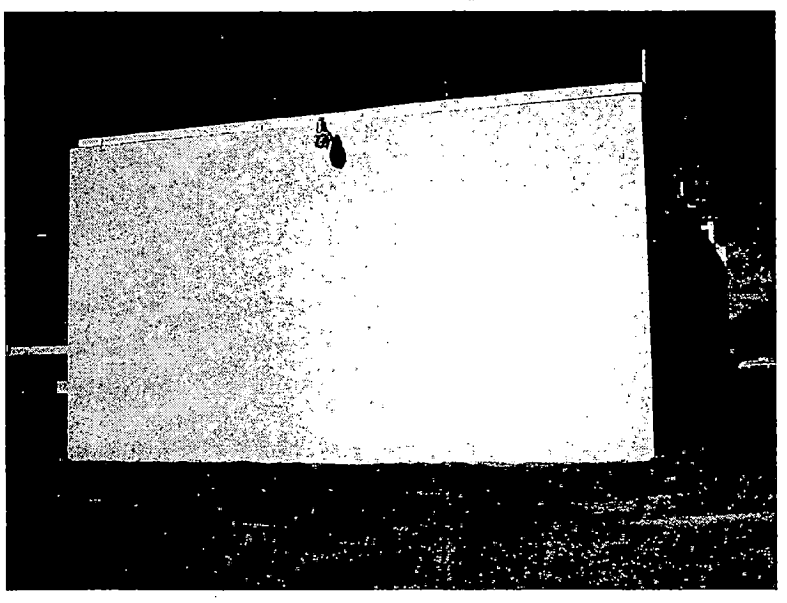


SOUTH WEST ELEVATION



SOUTH EAST ELEVATION
VIEW FROM INTERSECTION



EAST ELEVATION
PARTIAL NORTH ELEVATION

SUP-4195

5-13-04 PC

jones greenwold
architecture interiors

4750 w flamingo rd suite c | lv nv 89103
www.arcjg.com | email: design@arcjg.com
phone 702.733.1252 | fax 702.733.1253

M.G.B LLC. Automotive

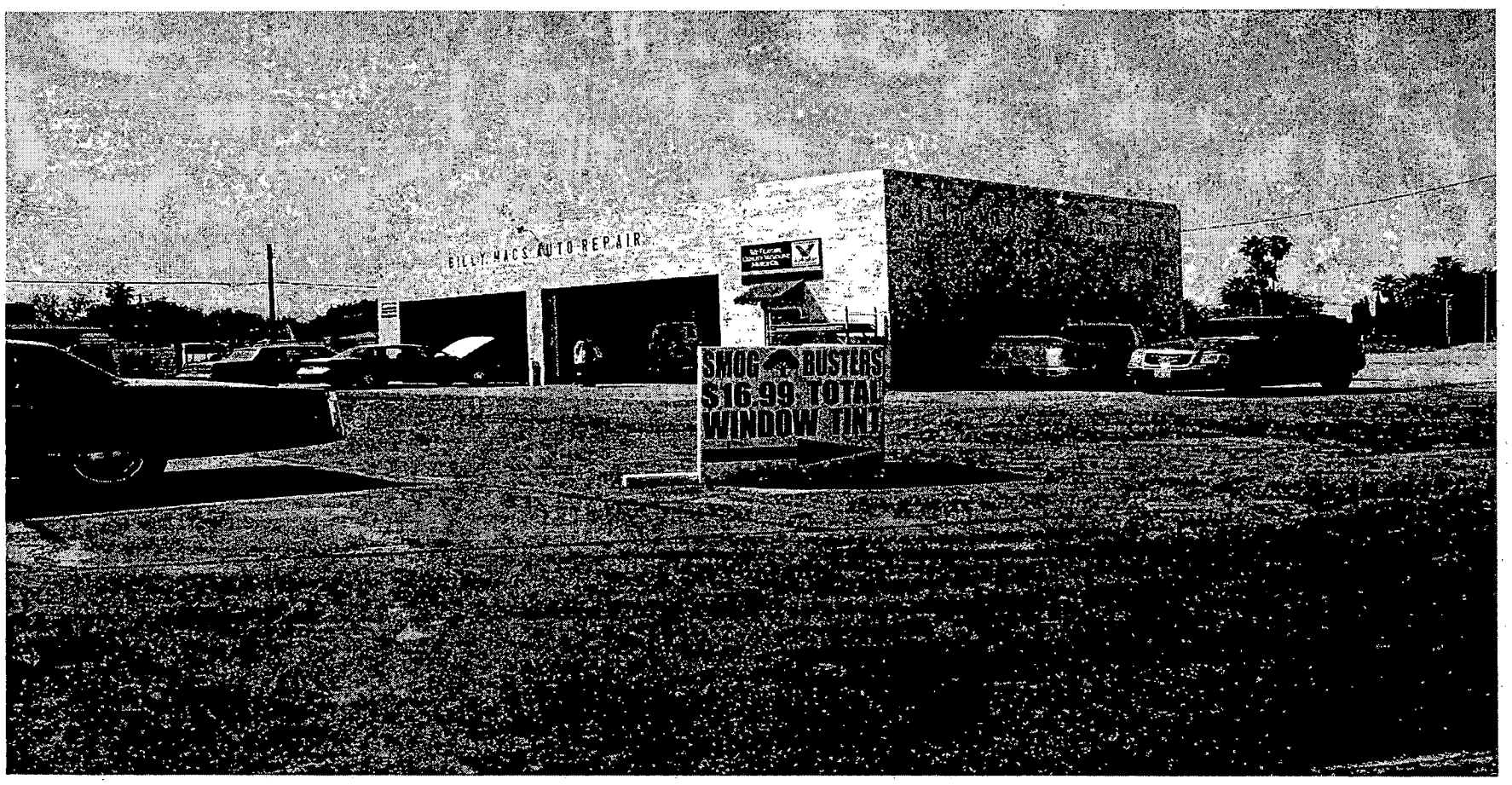
Exist. C1 with a Special Use Permit Application

APN 138.24.611.062 DRAWN BY AJ

LAS VEGAS, NEVADA DATE - 03.29.04

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY
2027 NORTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/21/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4195 - OWNER/APPLICANT: M G B, LIMITED LIABILITY COMPANY
2027 NORTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/21/04

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW – PUBLIC HEARING - SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Site Development Plan Review FOR A PROPOSED 126-UNIT CONDOMINIUM COMPLEX on 10.29 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Density Attached) General Plan Designation] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone, Ward 6 (Mack).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
NIGRO – APPROVED subject to conditions and amending Condition 3 to delete the reference to the trash enclosure; Condition 9 to state "an 8 foot solid wall with 2 feet of wrought iron" – Motion carried with McSWAIN abstaining as her company has submitted bids to D.R. Horton and TRUESDELL and GOYNES voting No

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that this application is a revision to an application that was approved on the site in November 2003. The original Site Plan was approved for 129 units, which are basically triplex units. This applicant has reconfigured the site and removed one building consisting of three units, which makes the total now 126 units.

MINUTES - Continued:

Staff recommended denial on the previous application due to concerns about density, design its proximity to single family residential to the west and south. The applications have been subsequently approved, and now the zoning category on the site is R-PD12. The applicant is requesting Waivers for a 10-foot landscaping buffer on the east side of the property, 6 feet along the west side, and increase the perimeter wall height on Tee Pee Lane to 10 feet. The setbacks adjacent to the west and south edges of the property remain insufficient to ensure the adjacent sites are not negatively impacted by the proposed development. Staff recommended denial.

JERRY SLATER, 5740 S. Arville, Suite 216, appeared on behalf of the applicant. His client purchased this property after it was approved. Using the overhead, MR. SLATER showed the previously approved Site Plan for this project. Since then, they have reconfigured the Site Plan. He discussed those changes with the Commission. There was a Variance approved on this Site that allowed 15-feet minimum setback along the perimeter for the residential adjacency standards. MR. SLATER requested three conditions to be changed. Condition 3, he asked that the requirement for a trash enclosure be deleted. These types of units have garages and residents take their trash out to the curb. Therefore, a trash enclosure is not necessary. On Condition 9, the applicant asked that the wall requirement be changed from 50% solid above the area retained to approximately 67%. The applicant also used the overhead to show the balcony on the front of the property that extends 4 feet from the garage. MR. SLATER asked that Condition 19 the balcony setback be 4 feet from the curb and the garage to be set back at 8 feet.

COMMISSIONER NIGRO asked the differences between this application and the one previously approved. MR. LEOBOLD replied that initially, there was going to be a Review of Conditions on the old Site Plan. Because there were sufficient changes to the design configuration standards, staff felt the application should be presented to the Commission for review. In addition, an Administrative Review was to be included, but was cancelled and staff went with this approach. COMMISSIONER NIGRO then asked if the perimeter condition, the current Waiver request or one that was previously discussed and approved. MR. LEOBOLD replied that it is the new one. MR. SLATER then stated that they are improving the perimeter conditions, and what was previously approved was 20 feet from the west property line and approximately the same along the south property line. They have increased the buffer along the west property line and decreased the number of building, and it is approximately the same setback on the south property line. The only difference is the wall height along Tee Pee Lane, as they are requesting 10 feet instead of 8 feet. VICE CHAIRMAN NIGRO then stated that the driveway length requirement of 8 feet has been a consistent standard of 5 or less or 18 feet or more. He asked if either the Planning Commission and or City Council have approved previous applications where a Waiver was allowed for an 8-foot driveway.

MINUTES - Continued:

DAVID GUERRA, Public Works Department, replied that some projects could have been approved. As a result of these applications, they have supplied 18 feet so that a vehicle could park completely out of the passageways or 5 feet or less to avoid any parking at all. Therefore, COMMISSIONER NIGRO stated he does not recall an application like this being approved, and MR. GUERRA responded that he could not vouch that none have been approved with a Waiver.

COMMISSIONER NIGRO stated that he does not believe the trash enclosure is necessary. His only concern is the driveway. He does not feel comfortable approving a Waiver because of the standard that has been put forth by Public Works and the City. CHAIRMAN TRUESDELL verified with MR. LEOBOLD that the streets did not connect and that there was no intent for them to connect as a stub. CHAIRMAN TRUESDELL confirmed with the applicant that the entire front areas of the project are garages. The front door is on the side. COMMISSIONER STEINMAN asked if the wall on Tee Pee Lane was a solid 10-foot block wall. MR. SLATER replied the wall is 8 feet solid and 2 feet wrought iron. COMMISSIONER NIGRO stated that it is difficult to compare the site plans because the new plan was not included in the back up. MR. LEOBOLD apologized for the oversight.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:12 – 9:27)

3-471

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. The standards for this development shall include the following: minimum distance between buildings of 10 feet; building height shall not exceed two stories or 35 feet, whichever is less; and Residential Adjacency Standards shall be no less than 15 feet.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including site plan revisions to show the location of trash enclosures on the site. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a tentative map.

4. 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.

CONDITIONS - Continued:

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

7. 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.

8. Any property line or perimeter wall shall be a decorative block wall with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

9. Except along Tee Pee Lane, all perimeter walls, including a combination of retaining and screen walls, shall not exceed a height of 8 feet. A wall higher than 8 feet along Tee Pee Lane shall consist of a decorative wrought iron fence no more than 50% solid above the area retained; provided, however, the perimeter wall and wrought-iron fence shall not exceed a height of 10 feet.

10. The landscape plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, and reflect minimum 24-inch box trees along Tee Pee Lane of a type approved pursuant to the Town Center Development Standards Manual, trees planted a maximum of 20 feet on-center, and a minimum of four five-gallon shrubs for each tree within provided planters.

11. One 24-inch box tree shall be provided within each rear yard of the lots on the south and west project perimeter.

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

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

CONDITIONS - Continued:

Public Works

15. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Tee Pee Lane. 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 approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

16. Gated entry driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.

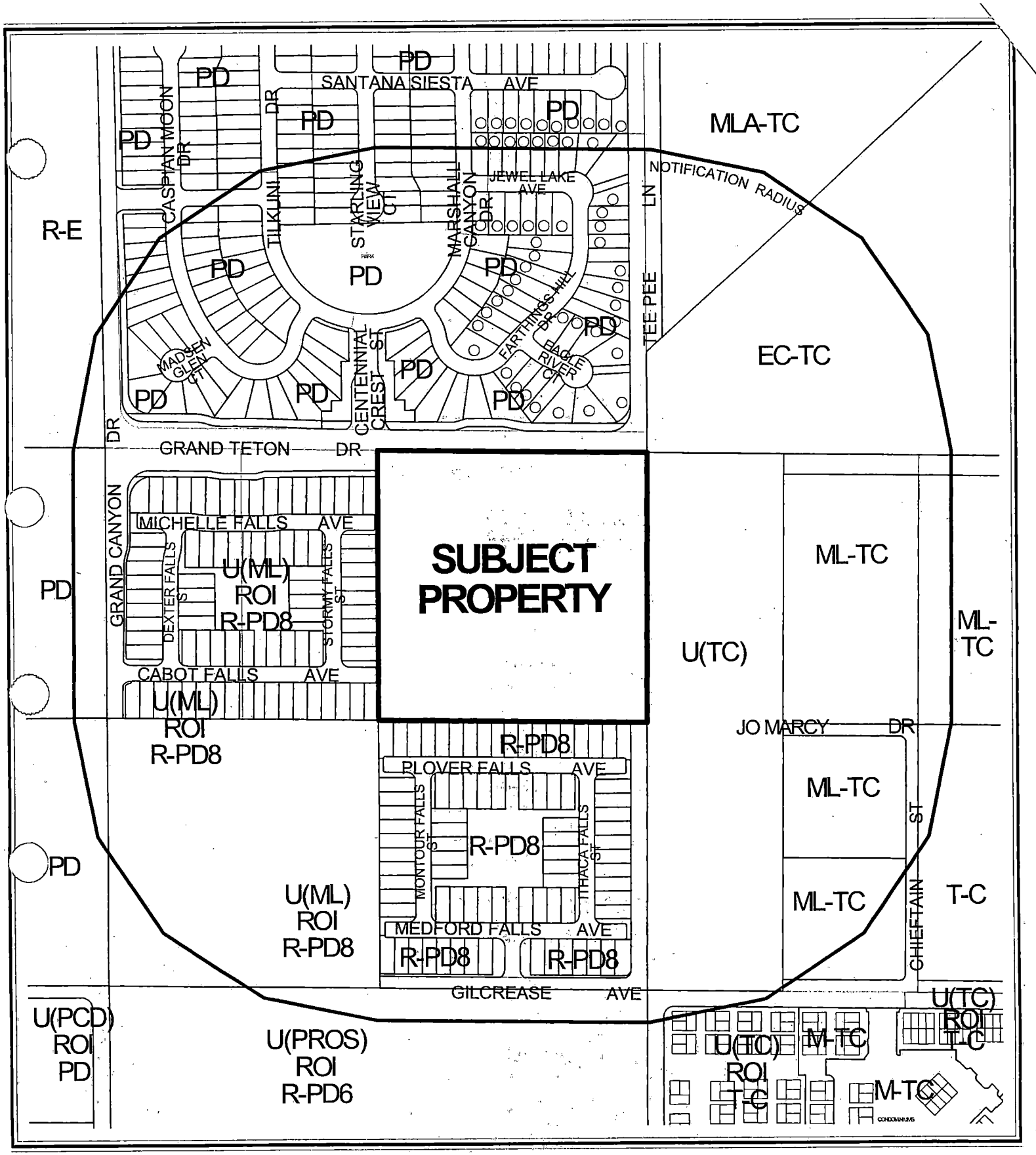
20. Landscape and maintain all unimproved rights-of-way on Grand Teton Drive and Tee Pee Lane adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Grand Teton Drive and Tee Pee Lane public rights-of-way adjacent to this site prior to occupancy of this site.

22. Site development to comply with all applicable conditions of approval for ZON-2849 and all other subsequent site-related actions.

CONDITIONS - Continued:

23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

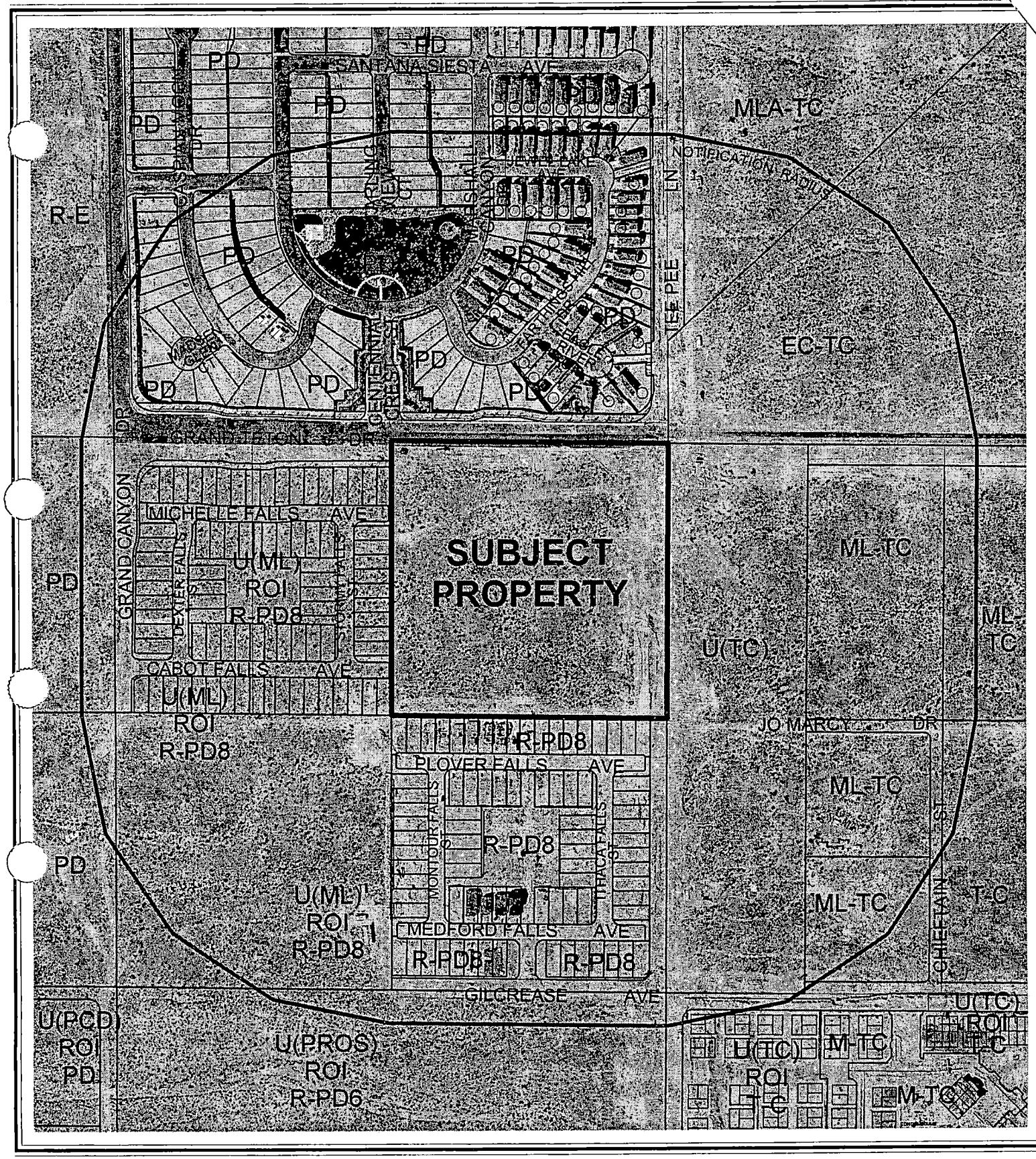


CASE: **SDR-4147**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)



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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC.

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. The standards for this development shall include the following: minimum distance between buildings of 10 feet; building height shall not exceed two stories or 35 feet, whichever is less; and Residential Adjacency Standards shall be no less than 15 feet.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including site plan revisions to show the location of trash enclosures on the site. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a tentative map.

4. 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.

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6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

7. 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.

8. Any property line or perimeter wall shall be a decorative block wall with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

9. Except along Tee Pee Lane, all perimeter walls, including a combination of retaining and screen walls, shall not exceed a height of 8 feet. A wall higher than 8 feet along Tee Pee Lane shall consist of a decorative wrought iron fence no more than 50% solid above the area retained; provided, however, the perimeter wall and wrought-iron fence shall not exceed a height of 10 feet.

10. The landscape plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, and reflect minimum 24-inch box trees along Tee Pee Lane of a type approved pursuant to the Town Center Development Standards Manual, trees planted a maximum of 20 feet on-center, and a minimum of four five-gallon shrubs for each tree within provided planters.

11. One 24-inch box tree shall be provided within each rear yard of the lots on the south and west project perimeter.

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

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

Public Works

15. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Tee Pee Lane. 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 approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

16. Gated entry driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.

20. Landscape and maintain all unimproved rights-of-way on Grand Teton Drive and Tee Pee Lane adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Grand Teton Drive and Tee Pee Lane public rights-of-way adjacent to this site prior to occupancy of this site.

22. Site development to comply with all applicable conditions of approval for ZON-2849 and all other subsequent site-related actions.

23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST:

A) Action Requested

This is a request for a Site Development Plan Review for a 126-unit condominium development on 10.3 acres at the southwest corner of Grand Teton Drive and Tee Pee Lane; for a waiver in the perimeter wall height to allow a 10-foot high wall along Tee Pee Lane in lieu of a maximum permitted eight-foot high wall; and a waiver of the buffer standards.

B) Applicant's Justification

The applicant states in a letter submitted with the application the following:

> "Since approval of the previous plan for Site Development Review, the applicant has adjusted the internal layout of the project to better incorporate the grading constraints in the site plan....The applicant is proposing to enhance this area with an aesthetically pleasing development that the City of Las Vegas will be proud of. This property will complement the adjacent development in this area."

BACKGROUND INFORMATION:

A) Previous Actions

07/27/98	The City Council approved a petition (A-0003-99) to annex approximately 615 acres located at the southwest corner of Gilmore Avenue and Buffalo drive. The Planning Commission recommended approval on March 25, 1999. The effective date of the application was August 6, 1998.
12/20/00	The City Council approved a request for a Rezoning (Z-0093-00) of 89.3 acres immediately to the north of the subject site from R-E (Residence Estates) to PD (Planned Development) Zone located at the northeast corner of the intersection of Grand Teton Drive and Grand Canyon Drive. The Planning Commission and staff recommended approval on November 11, 2000.
03/21/01	The City Council approved a request for a Site Development Plan Review [Z-0093-00(1)] for a proposed 266-lot single-family residential development and a 384-unit multi-family apartment complex at the northeast corner of Grand Teton Drive and Grand Canyon Drive. The Planning Commission and staff recommended approval on February 8, 2001.

DDS

07/17/02 The City Council approved a request for Site Development Plan Review [Z-0032-02(1)] for an 80-lot single-family subdivision on 10.26 acres immediately south of the subject site from U (Undeveloped) Zone [MLA (Medium-Low Attached Residential) General Plan Designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) located adjacent to the northwest corner of Gilcrease Avenue and Tee Pee Lane. The Planning Commission recommended approval on June 13, 2002.

02/05/03 The City Council approved a request for a Rezoning (ZON-1260) of 10.3 acres immediately west of the subject site from the U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) adjacent to the southeast corner of Grand Teton Drive and Grand Canyon Drive. The Planning Commission recommended approval on January 9, 2003.

02/05/03 The City Council approved a request for a Site Development Plan Review (SDR-1262) for a proposed 77-lot single-family detached development on 10.3 acres immediately west of the subject site, adjacent to the southeast corner of Grand Teton Drive and Grand Canyon Drive. The Planning Commission recommended approval on January 9, 2003.

09/11/03 The Planning Commission considered companion applications for a Rezoning (ZON-2849) from U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] to R-PD12 (Residential Planned Development - 12 Units Per Acre) and a Site Development Plan Review (SDR-2850) to allow a 129-unit condominium development, and waivers of the perimeter landscaping requirements and five-foot driveway lengths.

11/5/03 The City Council approved a Site Development Review (SDR-2850) for a 129-unit condominium complex; granted a Rezoning (ZON-2849) from U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] to R-PD12 (Residential Planned Development - 12 Units per Acre); and a Site Development Plan Review (SDR-2850) to allow a 123-unit condominium development, and waivers of the perimeter landscaping requirements and five-foot driveway lengths.

B) Pre-Application Meeting

03/08/04 Staff discussed the need for a change in conditions that would permit a 10-foot high wall along Tee Pee Lane. (The decision was subsequently made to submit the revised plan as a new Site Development Review for review by the Planning Commission.)

DDS

C) Neighborhood Meetings

No meeting was held or required for this application

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres: 10.3

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	MLA (Medium-Low Attached Density Residential)
North:	PCD (Planned Community Development)
South:	MLA (Medium-Low Attached Density Residential)
East:	PF-TC (Public Facilities - Town Center)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units per Acre)
North:	R-E (Residence Estates) under Resolution of Intent to PD (Planned Development)
South:	U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units per Acre)
East:	U-TC (Undeveloped) Zone [TC (Town Center) General Plan Designation) and T-C (Town Center)
West:	U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre)

E) General Plan Compliance

This site is designated MLA (Medium-Low Attached Density Residential) within the Centennial Hills Sector Plan of the General Plan. The MLA (Medium-Low Attached Density Residential) designation allows densities from 8.1 to 12 dwelling units per acre. At 12.2 units per acre, the density of the proposed site plan conforms to both the MLA land use designation and to the proposed R-PD12 (Residential Planned Development - 12 Units Per Acre) zoning district.

SPECIAL DISTRICT/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 is a Multi-Use Transportation Trail identified along the south side of Grand Teton Drive, on the north edge of the subject site. The developer will be required to include this trail as part of the companion Site Development Plan review (SDR-4147) and to develop that segment of the trail as part of this development.

Tee Pee Lane forms the western boundary of the Centennial Hills Town Center, and Town Center trails standards must be met on both sides of Tee Pee Lane. In this area, Tee Pee Lane is identified as a Town Center (80-foot) Collector, which requires a seven-foot sidewalk with a five-foot amenity zone on both sides of the street. This sidewalk fulfills the trails function within Town Center areas.

There are no other special area plans, overlay districts or study areas that affect the subject site.

INTERAGENCY ISSUES:

None

PROJECT DESCRIPTION:

The project consists of 126-unit condominium complex in 42 buildings distributed across the 10.3-acre site. Each building is to contain three units - two three-bedroom, two-story units and

one two-bedroom unit, located on the second floor. Each three-bedroom unit has a two-car garage, and the two-bedroom unit has a single car garage, all within the building. Each garage has direct internal access to each respective unit. All five garage spaces in each building are in a row along the side of the building facing the internal roadway for the development. This parking arrangement does not contain sufficient parking to meet Code requirements for the two-bedroom units. However, additional striped parking spaces are scattered throughout the site, bringing the total number of parking spaces in compliance with Code requirements.

The three-bedroom units each have a small outdoor fenced patio area, while the two-bedroom unit has a small balcony area. The project contains a central open space area that is of sufficient size to meet R-PD open space requirements. Access to the site will be via a single gated entry to Tee Pee Lane on the east side of the project.

ANALYSIS:

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Las Vegas Zoning Code Section 19.06.040, the Development Standards within an R-PD District are established by the Site Development Plan. The following table shows the setbacks and standards proposed under the Site Development Plan for this site:

Standards	**Proposed**
Min. Setbacks • All sides of the development	20 Feet
Max. Building Height	2 Stories / 30.75 feet
Trash Enclosure	Not indicated

Although the density of the proposed development is similar to the approved MLA land use density to the south of the site, it is greater than the approved density on that site, which is 8.49 units per acre under R-PD8 zoning. Similarly, it is greater than both the approved ML land use density and the approved R-PD8 zoning to the west of the site. Both of these adjacent sites have approved single-family developments on the sites. The project is also denser than the single-family project to the north of the site across Grand Teton Drive. The 20-foot setbacks to the adjacent site to the west and south are insufficient to ensure that these sites are not negatively impacted by the proposed development.

A2) Residential Adjacency Standards

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

a) ***Proximity slope***. The proposed buildings are slightly over 30 feet in height. This means that a 3:1 proximity slope would require these buildings to be about 90 feet from the west and south property lines. However, a Variance (VAR-2855) was granted to reduce the setback requirement from 90 feet to 15 feet.

b) ***Building setback***. There are no building setback issues as the 20-foot setback proposed for this site is greater than the required 10-foot rear yard setbacks of the adjacent R-PD (Residential Planned Development) projects to the west and south.

A3) Parking and Traffic Standards

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

Uses	Units	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
3-bdrm. units	84	2 spaces/unit	168 spaces	N/A	210 spaces in 42 buildings plus 60 spaces	7 spaces
2-bdrm. units	42	1.75 spaces/ unit	74 spaces			
Guest pkg.		1 space/6 units	7 spaces			
Totals	126		249 spaces		270 spaces	7 spaces

Each building will be provided with five parking spaces, two spaces for each two-bedroom unit and one parking space for each two-bedroom unit. Additional 60-striped parking spaces are provided to compensate for the additional spaces required for the two-bedroom units. The proposed project meets the parking requirements of the Zoning Code as currently designed.

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	
Perimeter Landscaping	1 - 24" box tree/30 linear feet of gross perimeter frontage plus one tree	44 Trees (1290 feet)	57 Trees

Standards	Required	Provided
• Min. Zone Width		
Along Tee Pee Lane	10 Feet	None
Along Grand Teton Dr.	10 Feet	13
Along south and west boundaries	6 Feet	12 feet along south boundary; none along west boundary
• Wall height	8 Feet	Not indicated

Although this project contains the required number of trees, the type of trees does not meet approved standards along the Tee Pee Lane frontage of the site. The Town Center Development Standards Manual calls for shade trees along Town Center Residential Collectors. According to section D.2.B of the Manual, such trees must be Rio Grande Ash, at least 18 feet in height at the time of planting. The landscape plan indicates the placement of 27 Shoestring Acacia and Coonavitra Wattle. A condition of approval will require an adjustment to the landscaping to meet the current standard.

The project fails to meet the minimum buffer area requirements of the Code. The applicant has requested a waiver of these buffer requirements as part of this Site Development Plan Review.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
10.3 acres	12.2 u.p.a.	1.65	20.1 %	2.1 acres	21.4	2.2

DDS

The proposal meets the requirement for Open Space in the Zoning Code.

B) General Analysis and Discussion

- Zoning

  The site is zoned R-PD12 (Residential Planned Development - 12 Units per Acre), which allows up to 12.49 units per acre. This zoning district is in conformance with the density provisions of the MLA (Medium-Low Attached Density Residential) land use designation of the site; however, the lack of compliance with Residential Adjacency Standards, even with a variance, and its failure to comply with perimeter buffering requirements result in a recommendation of denial.

- Waivers

  The applicant has requested waivers of the following requirements:
  - Ten-foot landscaping buffer on the east side of the project;
  - Six-foot landscaping buffers along the west side of the project; and
  - To increase short driveway lengths, which cannot be longer than five feet, to six feet.

  The reasons for these waivers are to allow the applicant to more completely develop the site. As the hardship to grant the waiver is self-imposed and financial in nature and results from a proposal to overbuild the site, the waiver requests cannot be supported.

  The applicant also is requesting a waiver in the perimeter wall height along Tee Pee Lane to allow a 10-foot high wall in lieu of a maximum permitted eight-foot high wall. If permitted, the side of the wall facing Tee Pee Lane (east side) would be 10 feet high and the opposite side of the wall (west side) would be six feet above four feet of retention. It is not recommended that a solid wall of that height be permitted, because the large expanse of wall would result in a "tunnel" affect along Tee Pee Lane. It is recommended that the waiver be denied or that the wall consist of wrought-iron fencing at least 50% open above the area to be retained. A condition of approval addresses this waiver.

- Landscape Plan

  The landscape plan indicates the placement of 27 Shoestring Acacia and Coonavitra Wattle along Tee Pee Lane, a Town Center Residential Collector. These species do not meet approved Town Center Development Standards. The Town Center Development Standards Manual calls for shade trees along Town Center Residential Collectors. According to section D.2.B of the Manual, such trees must be Rio Grande Ash, at least 18 feet in height at the time of planting. A condition of approval will require an

adjustment to the landscaping to meet the current standard. The landscape plan must also identify a minimum of four five-gallon Morning Glory shrubs to be planted with each tree.

- Elevation

  The elevations depict a two-story triplex building with a stucco exterior and a 4:12 pitch concrete tile roof. No other information on exterior details was provided with the application. The building is designed to have the second floor project slightly out from the first. Some banding and other architectural details around the entrances and second floor balcony are also illustrated. Forty-two of these buildings are proposed for this development.

- Floor Plan

  The floor plans are typical for the types of uses proposed.

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 future land use designation and zoning on the site to the south and the future land use and zoning on the site to the west, as well as the development to the north, are substantially below the density proposed for this site. A variance has been granted to reduce the Residential Adjacency Standards to 20 feet. The proposed density of development (12 dwelling units per acre) is less than permitted under the present zoning of the site [R-PD12 (Residential Planned Development - 12 Units per Acre)], which allows up to 12.49 units per acre.

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 Centennial Hills Sector Plan designates this site as MLA (Medium-Low Attached Density Residential). The allowable density range for lands so designated is up to 12 units per acre. The existing zoning of R-PD12 (Residential Planned Development - 12 Units per

Acre), which allows up to 12.49 units per acre, is in conformance with the MLA (Medium-Low Attached Density Residential) land use designation.

The proposed development is consistent with the density and land use provisions of the General Plan; however, a waiver of the perimeter buffer standards means that the application is not consistent with Title 19, the Design Standards Manual, the Landscape, Wall and Buffer standards, particularly with single-family development directly adjacent on two sides and across the street on a third side of the site.

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

The subject site is proposed to have a single gated access point to Tee Pee Lane, designated as a Town Center Residential (80-foot) Collector on Map 4 of the Town Center Development Standards Manual. This access 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, provided that the perimeter landscaping along Tee Pee Lane is adjusted to comply with town Center species requirements.

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

The design of the project complies with the variance granted in the Residential Adjacency Standards.

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: 98

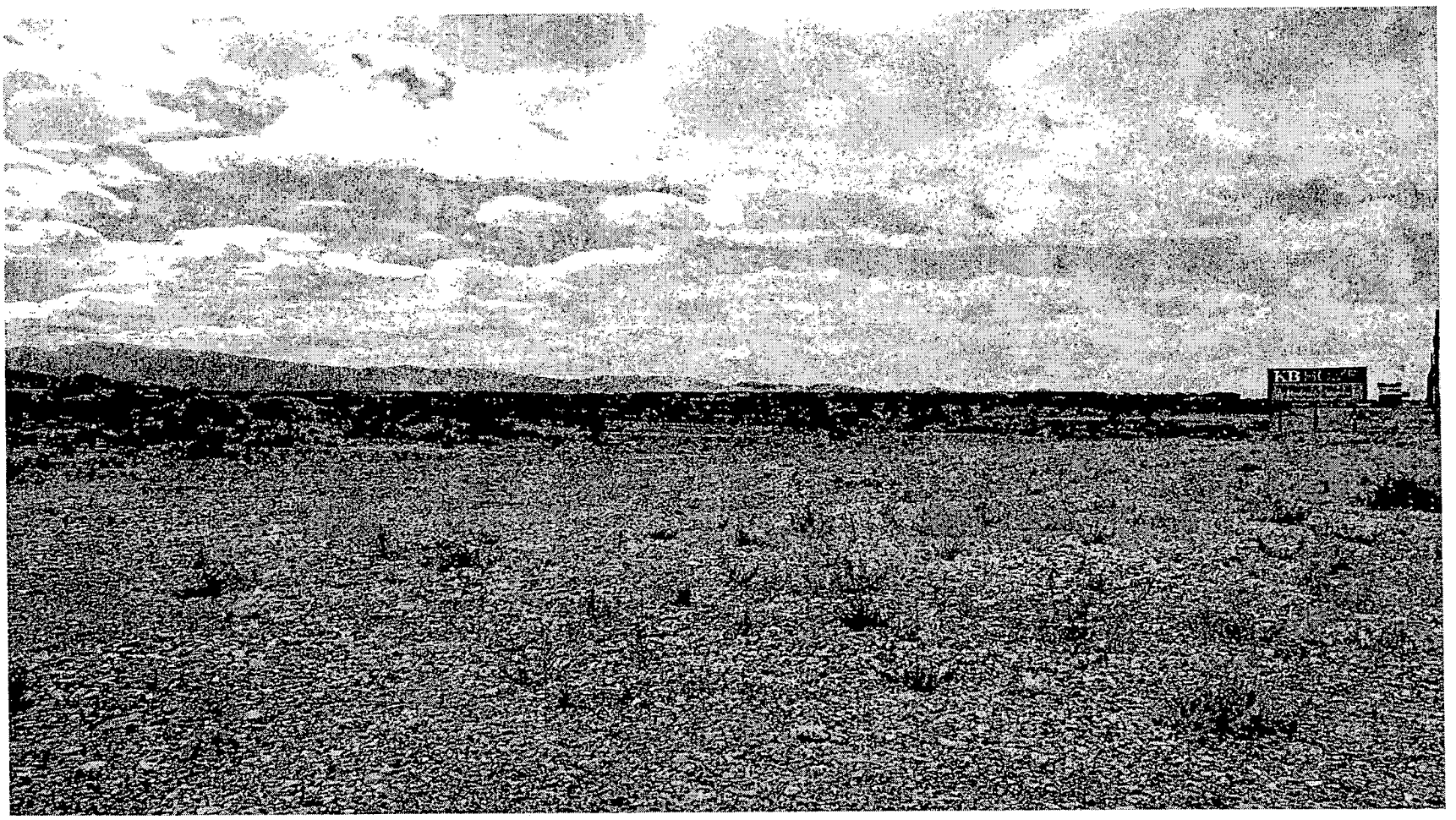
APPROVALS: 0

PROTESTS: 0

DDS

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC.
ADJACENT TO THE SOUTHWEST CORNER OF GRAND TETON DRIVE AND TEE PEE LANE
MAY 13, 2003 PLANNING COMMISSION

4/22/04



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4147 - APPLICANT/OWNER: D.R. HORTON, INC.
ADJACENT TO THE SOUTHWEST CORNER OF GRAND TETON DRIVE AND TEE PEE LANE
MAY 13, 2003 PLANNING COMMISSION

4/22/04

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER: FOURTH & BONNEVILLE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED EIGHT-LEVEL, 150,000 SQUARE-FOOT RETAIL AND PARKING STRUCTURE on 0.29 acres adjacent to the southeast corner of Fourth Street and Bonneville Avenue (APN: 139-34-311-133), C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as the applicant is completing another post office for one of his clients

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the structure will be eight levels, the ground floor will be 10,000 square feet of retail, as needed in the downtown area and required by the Redevelopment Plan. The applicant is requesting a Waiver on the step back at the fourth floor due to structural and architectural reasons. On Condition 3, staff will ensure that the landscaping meets the Downtown Centennial Plan, and on Condition 4, staff is suggesting that the elevations be revised to have additional space for retail along

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 54 – SDR-4153

MINUTES - Continued:
4th Street, which needs to be enhanced with additional glazing and architectural features. Staff recommended approval.

CALVIN HAYWOOD, Westar Architectural Group Nevada, appeared on behalf of the applicant.

ROBERT GENZER, Director, Planning and Development Department, disclosed that his wife and mother-in-law previously owned this particular property, but it has not been paid off. As the Planning Director, he was not been involved in the staff recommendation for this property.

MR. HAYWOOD concurred with staff recommendations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:27 – 9:31)

CONDITIONS:
Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped May 13, 2004, except as amended by conditions herein.

3. The streetscape treatment shall be reviewed and approved by Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials 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.

4. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional glazing for the retail space fronting on Fourth Street and additional architectural features to enhance façade articulation. No building setback will be required at the fourth story.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

CONDITIONS - Continued:

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. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

Public Works

8. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

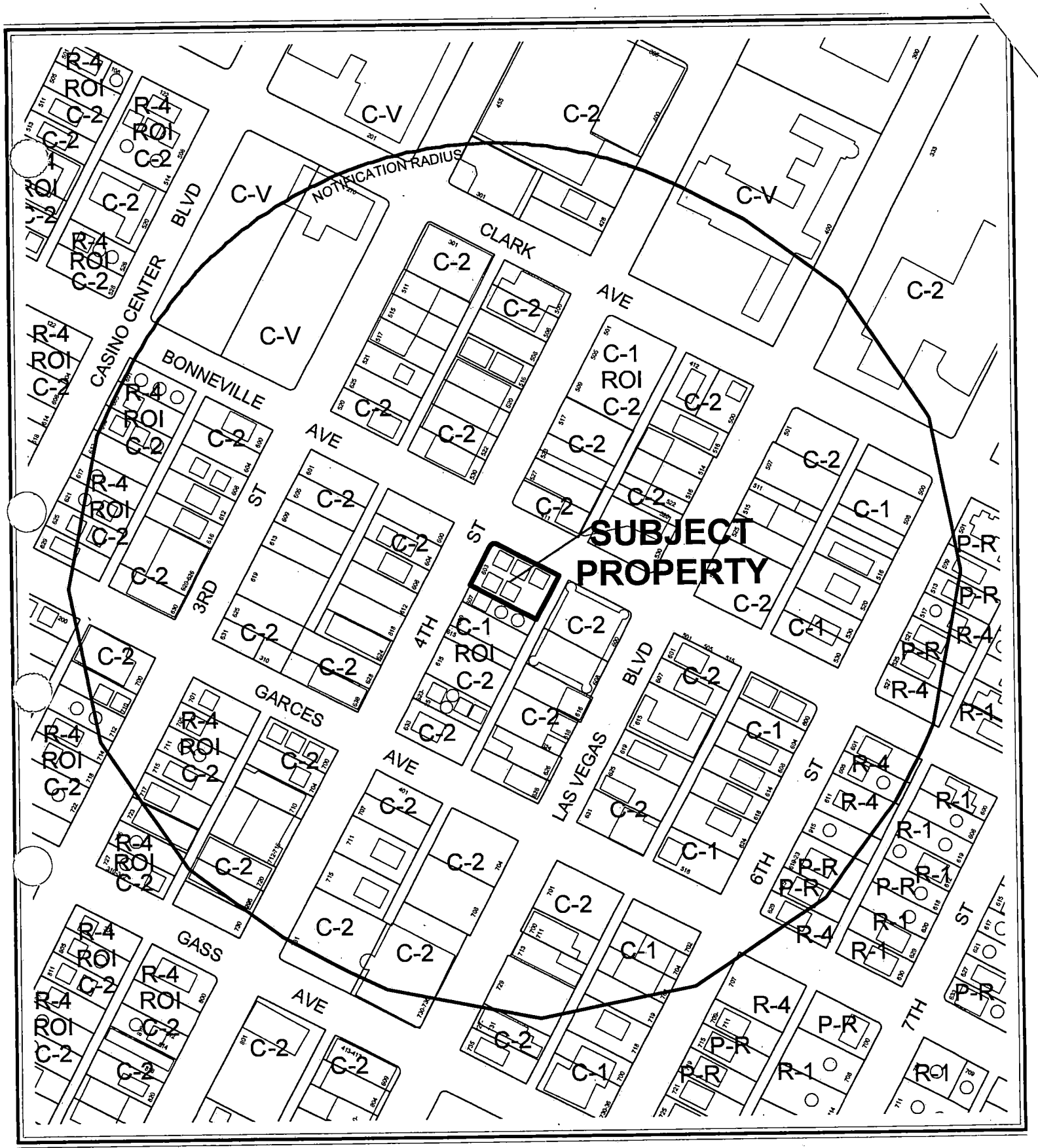
9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. This site should be designed to accommodate ingress queing on site. Comply with the recommendations from the Traffic Engineering Section.

11. 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.

12. Landscape and maintain all unimproved right-of-way on Fourth Street and Bonneville Avenue adjacent to this site.

13. Submit an Encroachment Agreement for all private improvements located in the Fourth Street and Bonneville Avenue public right-of-way adjacent to this site prior to occupancy of this site.



0 100 200 Feet

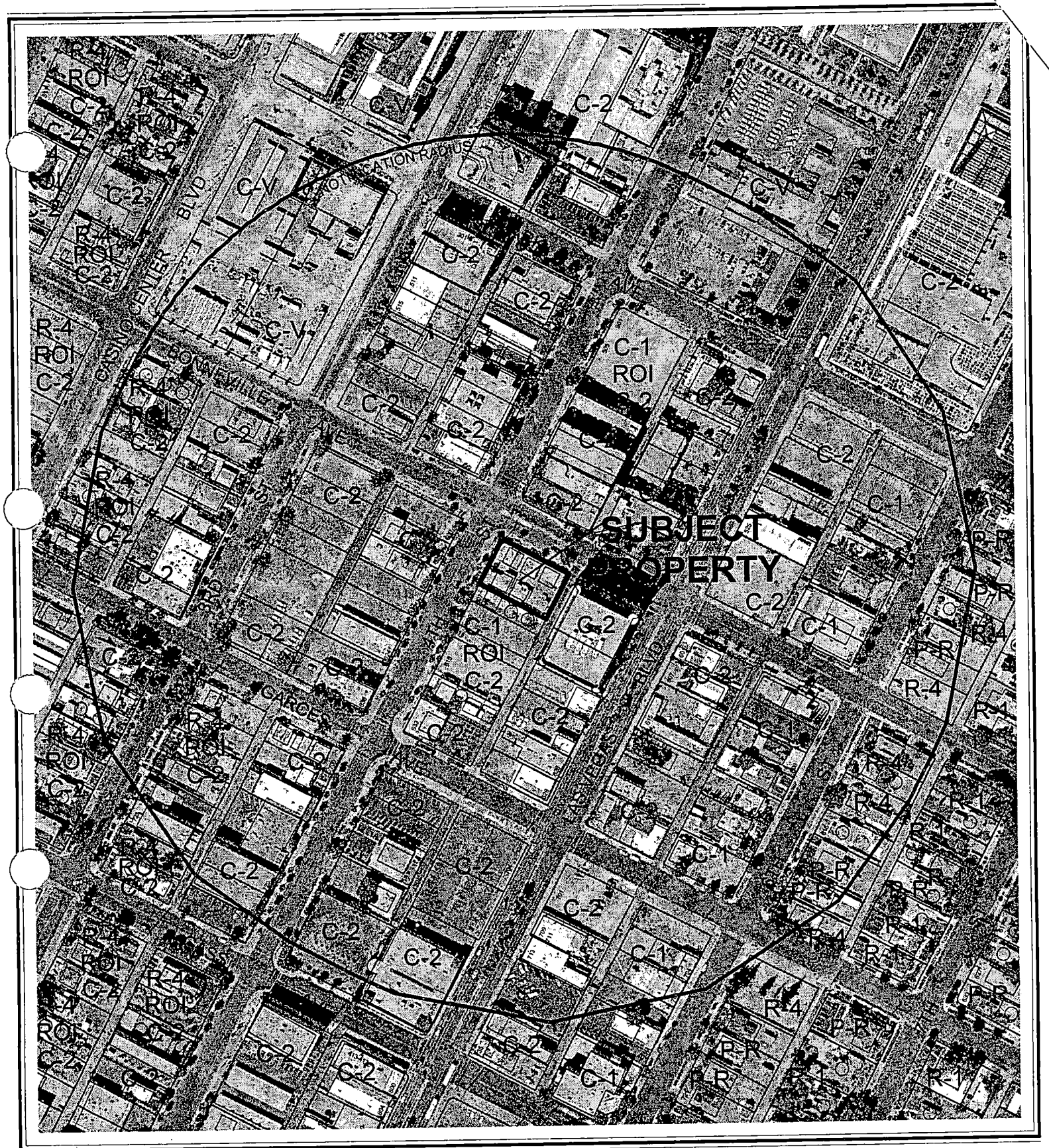
N

CASE: **SDR-4163**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL



0 100 200 Feet

N

CASE: **SDR-4163**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4163 - APPLICANT/OWNER: FOURTH & BONNEVILLE, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped May 13, 2004, except as amended by conditions herein.

3. The streetscape treatment shall be reviewed and approved by Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials 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.

4. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional glazing for the retail space fronting on Fourth Street and additional architectural features to enhance façade articulation. No building setback will be required at the fourth story.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

Public Works

8. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

9. 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.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. This site should be designed to accommodate ingress queing on site. Comply with the recommendations from the Traffic Engineering Section.

11. 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.

12. Landscape and maintain all unimproved right-of-way on Fourth Street and Bonneville Avenue adjacent to this site.

13. Submit an Encroachment Agreement for all private improvements located in the Fourth Street and Bonneville Avenue public right-of-way adjacent to this site prior to occupancy of this site.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for an eight-story parking structure with 10,000 square feet of ground-floor retail space on 0.29 acres adjacent to the southeast corner of Fourth Street and Bonneville Avenue.

B) Applicant's Justification

The applicant has stated that the project will provide much-needed parking in the Office Core District and will enhance the streetscape and pedestrian network.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject site, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

B) Pre-Application Meeting

03/16/04 At the pre-application conference, the need for a queuing lane on Fourth Street was discussed, as well as the need for a Reversionary Map to unite the separate parcels that comprise the development site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.29

FF

B) Existing Land Use

Subject Property:	Multifamily Residential Use
North:	Office Use
South:	Undeveloped
East:	Office Use
West:	Parking Lot Use, Multifamily Residential Use, Office Use

C) Planned Land Use

Subject Property:	Commercial
North:	Commercial
South:	Commercial
East:	Public Facilities
West:	Commercial

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Commercial land use designation. The Commercial designation allows the following comparable land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed uses are in compliance with the land use designation.

SPECIAL DISTRICTS/ZONES	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

The subject parcel is located within the boundaries of the Downtown Centennial Plan, and is subject to the design standards listed in the plan. The property abuts a designated Urban Trail route along Bonneville; however, Urban Trails will be developed with grant funds or budgeted as a capital project, and will not be implemented by individual property owners.

PROJECT DESCRIPTION

The proposed parking structure will be eight stories in height, with approximately 10,000 square feet of retail space on the ground floor. The vehicular entrance and exit will be located on the Fourth Street side of the structure; no other access points are planned. The garage will have an attendant on site to collect parking fees as patrons exit the structure. Decorative metal screens will be utilized on the north and west facades of the structure to create visual interest and add variety to the elevations. The existing cottages on the site will be demolished to make way for the new structure; the structures have been already been surveyed and documented by the Historic Preservation Officer.

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	.29 acres	N/A
Min. Lot Width	N/A	125 Feet	N/A
Min. Setbacks			
• Front	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner	0 Feet	0 Feet	Y
• Rear	N/A	0 Feet	N/A
Building Step-backs	4th Floor	Not Provided	N
Max. Lot Coverage	Up to 100%	100%	Y
Max. Building Height	N/A	104 Feet	N/A
Trash Enclosure	Walled/roofed	Within structure	Y

The structure will comply with all applicable development standards listed above, with the exception of the requirement for a building step-back at the fourth story.

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. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Retail	10,000 SF	337	8

Parking for the ground-level retail uses will easily be accommodated within the parking structure. Handicap parking spaces will be provided as required by Code.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Bonneville Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	8 Trees
North/South Street Fourth Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	4 Trees	2 Trees

The landscape plan depicts shade trees planted 18 feet on-center along Bonneville Avenue in accordance with the recommendations of the Downtown Centennial Plan. The streetscape treatment along Fourth Street was installed by the City of Las Vegas in 1998; it will be the responsibility of the applicant to replace and repair any modifications to the existing streetscape. The landscape plan shows accent paving used for all sidewalk areas; the accent paving treatment is only required at the intersection.

A5) Sign Standards

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

Wall Signs: Standards	**Allowed**	**Provided**
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	2%
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

The only signage proposed for the building will be wall signage on the Bonneville Avenue elevation; the proposed signage conforms with the area limitation stipulated by Title 19.14. Signage for the development will be permitted under a separate application.

B) General Analysis and Discussion

- Zoning

The commercial parking structure and retail uses are permitted in the C-2 (General Commercial) District. The structure is consistent with the setbacks, lot coverage, and permissible height established by the Downtown Centennial Plan.

- Site Plan

The ground floor is arranged with the vehicular entrance and exit occupying the south side of the structure, and the retail space being located on the north side of the structure. Street trees and streetscape improvements will be provided in accordance with the Centennial Plan. The alley to the east of the parcel will be retained, but will only be used for deliveries and trash collection and will not be used for vehicular access.

- Waivers

The development will require a waiver from the Downtown Centennial Plan requirement for a building stepback at the fourth story of the structure. The request for a waiver is valid, due to the specific layout and construction requirements for a parking structure.

- Landscape Plan

The proposed structure will occupy the entire site, and no landscape buffers will be required. The applicant will be providing streetscape treatments as required by the Downtown Centennial Plan.

- Elevation

The elevations depict a rectangular structure, with no articulation of the wall planes. As an alternative, the applicant is proposing the use of decorative metal screens on the facades facing Bonneville Avenue and Fourth Street. If properly detailed, the screens will assist in giving variety to the massing of the structure and creating visual interest.

The north elevation of the structure will utilize glazed storefronts at the ground floor level, as required by the Downtown Centennial Plan. No glazing is provided for the retail frontage on the west side of the structure; it is recommended that the elevation be revised to include storefront glazing abutting the sidewalk in conformance with the Centennial Plan.

- Floor Plan

The floor plan for the structure is appropriately designed to accommodate both the retail and parking uses. Egress stairwells are provided at the northeast and southwest corners of the structure, and exit directly to the public sidewalks on Bonneville Avenue and Fourth Street. The elevator access to the upper floors is also located directly at the public sidewalk as well, which increases safety through being directly visible from the public right-of-way.

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 parking structure is compatible with the adjacent development and is consistent with the plan for 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;"**

   The parking structure is consistent with the directives of the Downtown Centennial Plan by providing parking for adjacent businesses and allowing the density of development necessary for an urban area. While the structure does not meet the stepback requirement and glazing requirement along Fourth Street as specified by the Downtown Centennial

Plan, it generally conforms with all other requirements. The development is also consistent with Title 19 and the General Plan.

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

All vehicular traffic will enter from and exit to Fourth Street, which has sufficient capacity to accommodate the amount of traffic generated by the facility. The Bonneville/Clark one-way couplet system, to be constructed in 2005, will also assist in dispersing traffic generated by the development.

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

The proposed streetscape treatment is in conformance with the materials specified by the Downtown Centennial Plan and is appropriate for the urban core. The proposed building materials are generally appropriate for the area; staff has requested minor revisions to the exterior of the structure prior to the issuance of a building permit.

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;"**

While the unarticulated form of the structure is generally inconsistent with the goals and objectives of the Downtown Centennial Plan, the use of decorative metal screening assists in giving variety to the façade and creating visual interest. Glazing will be required for portion of the retail space fronting Fourth Street.

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

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

NOTICES MAILED 100

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4163 APN: 139-34-311-133

Name of Property Owner: FOURTH & BONNEVILLE LLC

Name of Applicant: FOURTH & BONNEVILLE LLC

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Paul Tocchetti

Subscribed and sworn before me

This 16th day of March, 2004

Sheryl R. Lee Clark County NV

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHERYL R. LEE
Appt. No. 01-68329-1
My Appt. Expires March 2, 2005

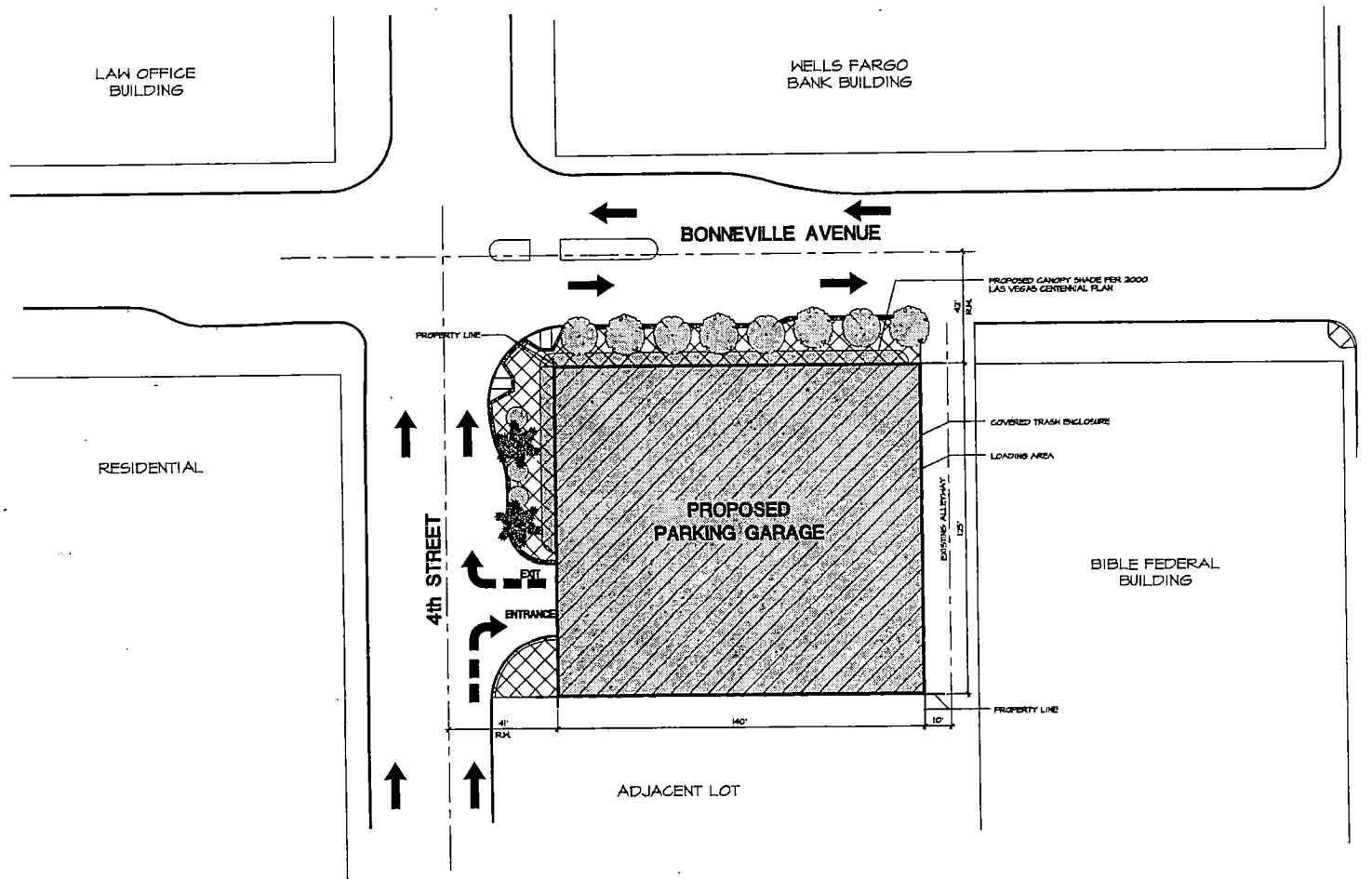
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

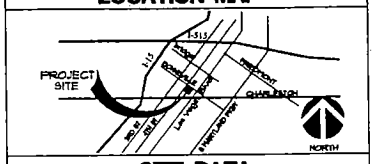
SCALE: 1" = 20'

NORTH

PROPOSED SITE PLAN



LOCATION MAP



SITE DATA

OWNER: FOURTH & BONNEVILLE L.L.C.
4850 SOUTH EASTERN, SUITE #1
LAS VEGAS, NEVADA 89119
TEL: (702) 382-5677
FAX: (702) 444-2310
ATTN: PAUL TORRALVA

ARCHITECT: WESTAR ARCHITECTS
3900 MEADOWS LANE SUITE #220
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FAX: (702) 878-8430
ATTN: KELVIN HATHCOCK ARSOC. AIA

LEGAL DESCRIPTION:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4) AND FIVE (5) IN BLOCK FORTY (40) OF CLARK'S LAS VEGAS TOWNSITE, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 91, IN OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE CITY OF LAS VEGAS IN THAT CERTAIN GRANT DEED RECORDED JUNE 14, 1995 IN BOOK 950614 AS DOCUMENT NO. 00957, OF OFFICIAL RECORDS.

A.P.N.	139-34-511-135
ZONING:	C-2
OCCUPANCY:	S-2 PARKING GARAGE, OPEN M RETAIL A-2 RESTAURANT
TYPE OF CONSTRUCTION:	TYPE II-B

BUILDING AREA:

FIRST FLOOR =	17,500 SQ. FT.	OF WHICH 10,000 DEDICATED RETAIL
SECOND FLOOR =	17,500 SQ. FT.	
THIRD FLOOR =	17,500 SQ. FT.	
FOURTH FLOOR =	17,500 SQ. FT.	
FIFTH FLOOR =	17,500 SQ. FT.	
SIXTH FLOOR =	17,500 SQ. FT.	
SEVENTH FLOOR =	17,500 SQ. FT.	
EIGHTH FLOOR =	17,500 SQ. FT.	
TOTAL BUILDING =	140,000 SQ. FT.	

LOT SIZE:	17,500 SQ. FT. (.5 ACRES)
LOT COVERAGE:	17,500 S.F. / 17,500 S.F. = 100%
PARKING:	ONE SPACE FOR EACH 500 S.F.
REQUIRED:	= 350 SPACES
PROVIDED:	
STANDARD: 9' X 18'	= 256 SPACES
COMPACT: 8' X 16'	= 94 SPACES (28.1% OF TOTAL SPACES)
HANDICAP: 11' X 18'	= 8 SPACES
TOTAL PARKING:	= 348 SPACES (SEE BELOW)

PARKING DATA

GROUND LEVEL	-		
SECOND LEVEL	-	17 STANDARD SPACES 2 H/C VAN ACCESSIBLE 6 H/C SPACES 9 COMPACT SPACES	34 SPACES TOTAL
THIRD LEVEL	-	35 STANDARD SPACES 15 COMPACT SPACES	50 SPACES TOTAL
FOURTH LEVEL	-	37 STANDARD SPACES 15 COMPACT SPACES	52 SPACES TOTAL
FIFTH LEVEL	-	37 STANDARD SPACES 15 COMPACT SPACES	52 SPACES TOTAL
SIXTH LEVEL	-	37 STANDARD SPACES 15 COMPACT SPACES	52 SPACES TOTAL
SEVENTH LEVEL	-	37 STANDARD SPACES 15 COMPACT SPACES	52 SPACES TOTAL
EIGHTH LEVEL	-	38 STANDARD SPACES 15 COMPACT SPACES	53 SPACES TOTAL
TOTAL PARKING	-	256 STANDARD SPACES 8 H/C SPACES 94 COMPACT SPACES	348 SPACES TOTAL

FOURTH & BONNEVILLE PARKING STRUCTURE

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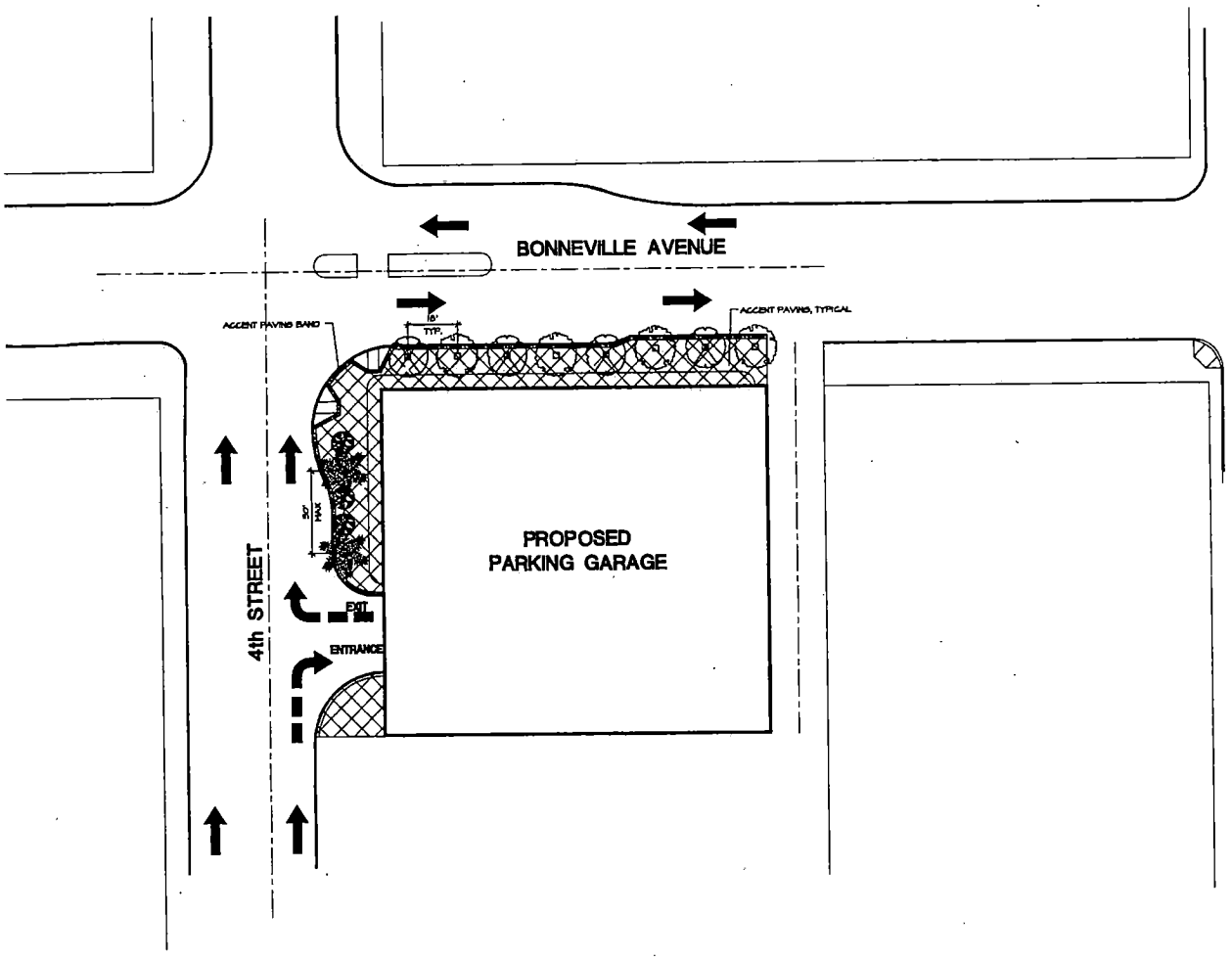
DATE: 03/29/04 PROJECT NUMBER: 04022 FILE NAME: dr04022_SDr1.dwg

SDR-4163
05-13-04 PC

FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA



NORTH

0' 20' 40' 80'
SCALE: 1" = 20'

PROPOSED LANDSCAPE PLAN

LANDSCAPE LEGEND

TREES		QTY
	ARIZONA ASH - 24" BOX	4
	FANTEX ASH - 24" BOX	4
	FAN PALM	4
	PURPLE LEAF PLUM - 15 GALLON	5

LANDSCAPE NOTES

ALL PLANTS SHALL HAVE A GROWTH HABIT NORMAL TO THE SPECIES AND SHALL BE SOUND, HEALTHY, VIGOROUS, AND FREE FROM INSECT PEST, PLANT DISEASES, SUN SCALDS, FRESH BARK ABRASIONS, EXCESSIVE ABRASIONS OR OTHER OBJECTIONABLE DISFIGUREMENTS. TREE TRUNKS SHALL BE STURDY AND WELL "HARDENED OFF." ALL PLANTS SHALL HAVE NORMAL, WELL-DEVELOPED BRANCH SYSTEMS, AND VIGOROUS AND FIBROUS ROOT SYSTEMS WHICH ARE NEITHER ROOT NOR POT-BOUND AND FREE OF KINKED OR GIRDLING ROOTS. ALL TREES SHALL STAND REASONABLE ERECT WITHOUT SUPPORTS.

TREES SHALL NOT BE PLANTED WITHIN THREE (3) FEET OF A DEDICATED RIGHT-OF-WAY. ANY TREES WITHIN 5' OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. ANY PLANT OR TREE THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.

SHRUBS SHALL BE PLANTED TO COVER MORE THAN FIFTY (50) PERCENT OF THE LANDSCAPED AREA. TREES SHALL BE PROVIDED WITH A 1 INCH MIN. DEEP BASIN OR WELL (3" WIDE AROUND ROOT BALL. SHRUBS SHALL BE PROVIDED WITH A 1 INCH (MIN.) DEEP BASIN OR WELL, 9 INCH WIDE AROUND ROOT BALL.

PLANTING HOLES FOR TREES SHOULD BE AT LEAST TWO TO THREE TIMES THE WIDTH OF THE ROOTBALL AND SHOULD BE NO DEEPER THAN THE CONTAINER. SHRUBS SHOULD HAVE A HOLE THREE TO FIVE TIMES THE WIDTH OF THE ROOTBALL AND SHOULD NOT BE DEEPER THAT THE ROOTBALL ITSELF.

MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER PLANTING PLANTING AND SHALL CONTINUE ON A PERMANENT BASIS. REQUIRED MAINTENANCE INCLUDES:

- PRUNING, CULTIVATION AND WEEDING OF TREES, SHRUBS AND OTHER PLANTS AS REQUIRED FOR HEALTHY GROWTH.
- RESTORING OF WATERING BASINS.
- TIGHTENING AND REPAIR OF STAKES AND TIES.
- RESETTING OF TREES AND SHRUBS TO PROPER GRADES OR VERTICAL POSITIONS AS REQUIRED.
- SPRAYING AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
- FERTILIZING OF PLANTS TO MAINTAIN SOUND, HEALTHY GROWING.

AN AUTOMATIC IRRIGATION SYSTEM IS REQUIRED FOR ALL PLANTING AREAS, AND SHALL INCLUDE:

1. AN ELECTRIC AUTOMATIC CONTROLLER WITH MULTIPLE PROGRAM,
2. MULTIPLE REPEAT CYCLE CAPABILITIES,
3. A FLEXIBLE CALENDAR PROGRAM

ALL IRRIGATION SYSTEMS SHALL BE DRIP EMITTERS OR BUBBLERS, AND MUST OPERATE IN A MANNER THAT DOES NOT PERMIT OVERSPRAYING OR RUNOFF ONTO STREETS OR SIDEWALKS.

FOURTH & BONNEVILLE PARKING STRUCTURE

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SDR-4163
05-13-04 PC

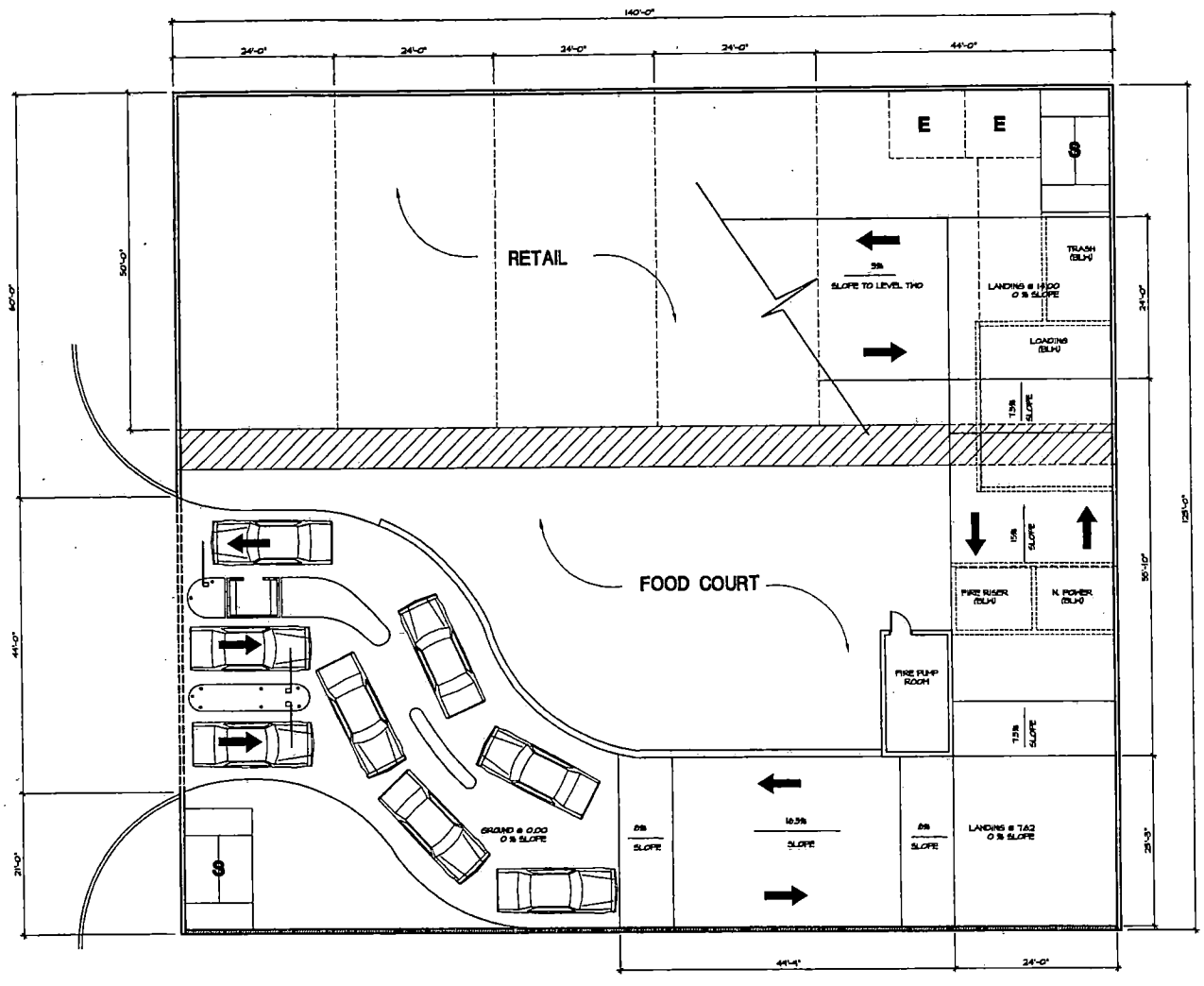
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

GROUND LEVEL



GROUND LEVEL

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

FOURTH & BONNEVILLE PARKING STRUCTURE

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05-13-04 PC

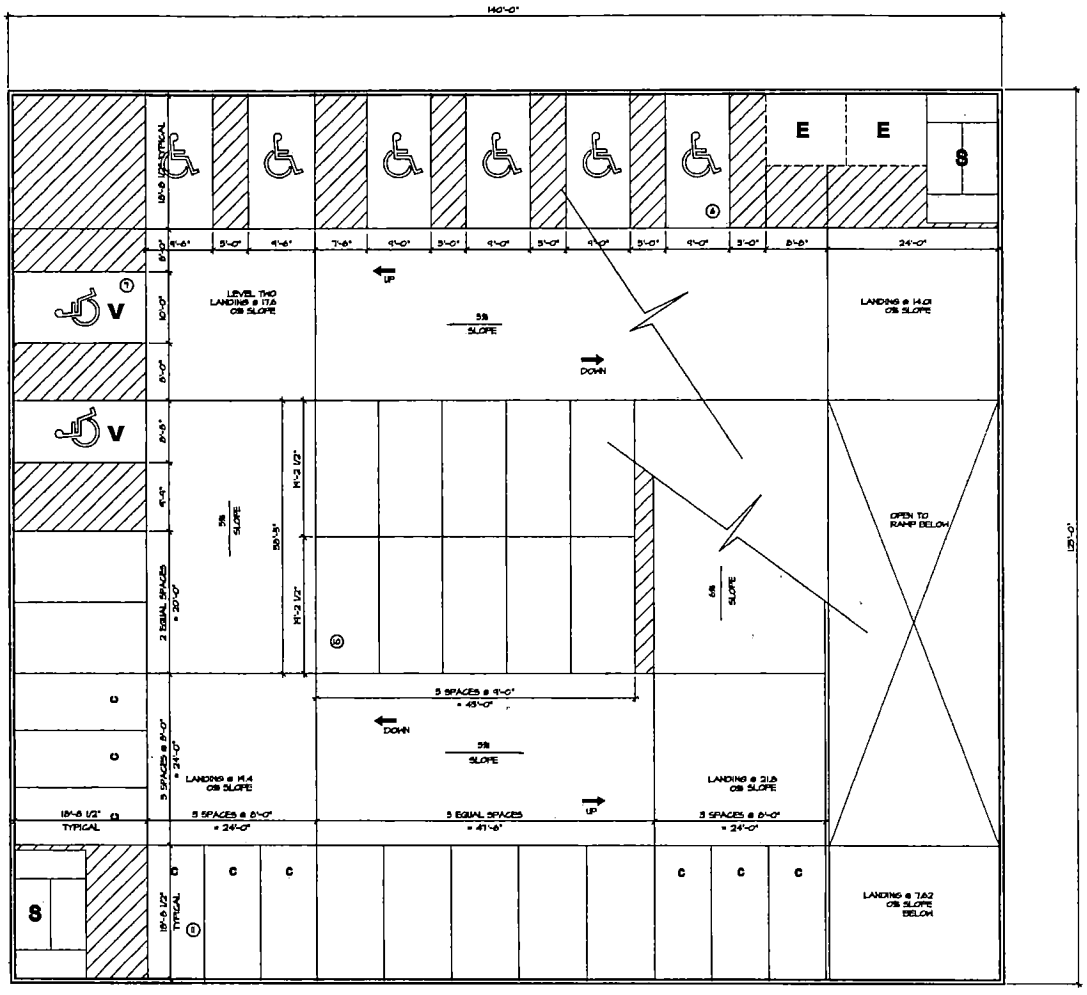
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

SECOND LEVEL



SECOND LEVEL

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

PARKING DATA

SECOND LEVEL -	17 STANDARD SPACES 2 H/C VAN ACCESSIBLE 6 H/C SPACES 9 COMPACT SPACES	} 34 SPACES TOTAL

FOURTH & BONNEVILLE PARKING STRUCTURE

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05-13-04 PC

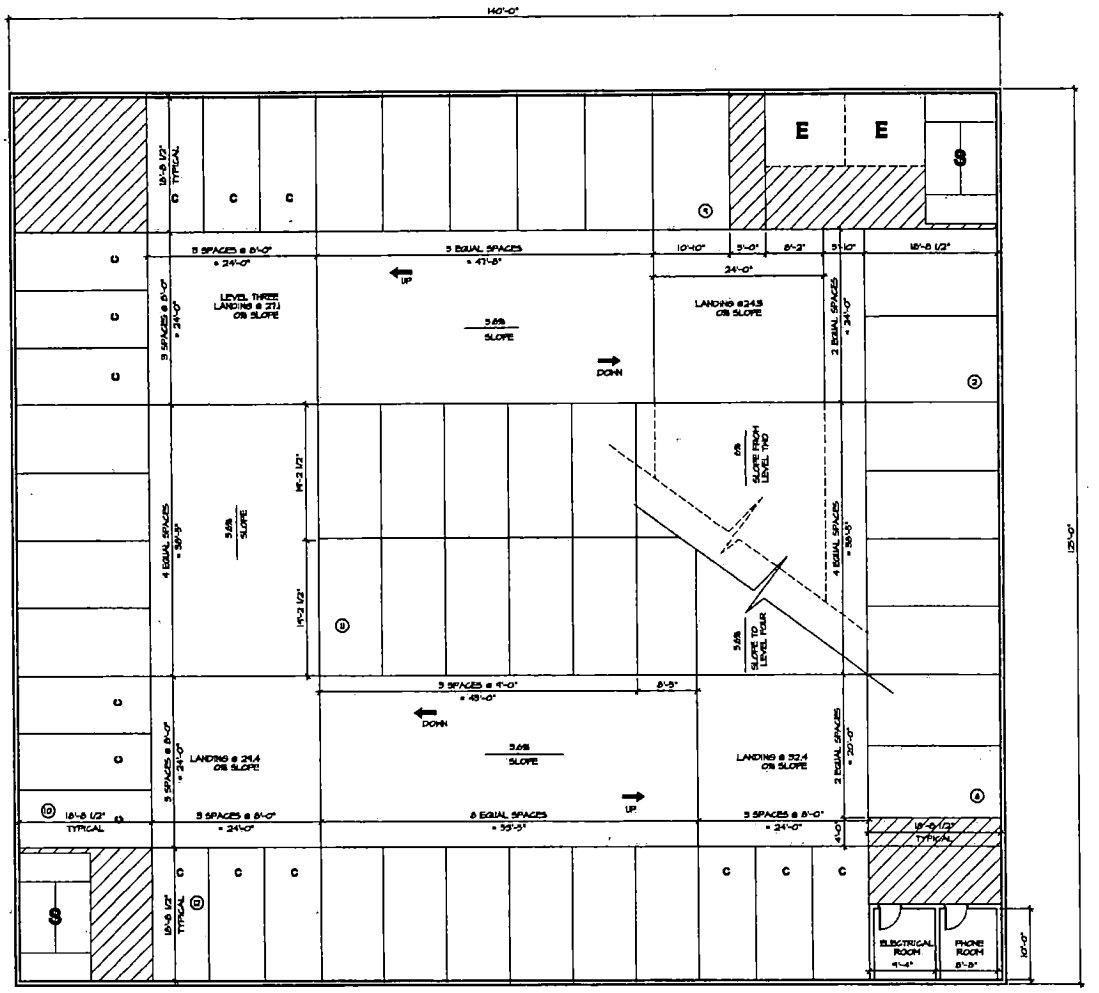
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

THIRD LEVEL



THIRD LEVEL

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

PARKING DATA

THIRD LEVEL	-	35 STANDARD SPACES 15 COMPACT SPACES } 50 SPACES TOTAL

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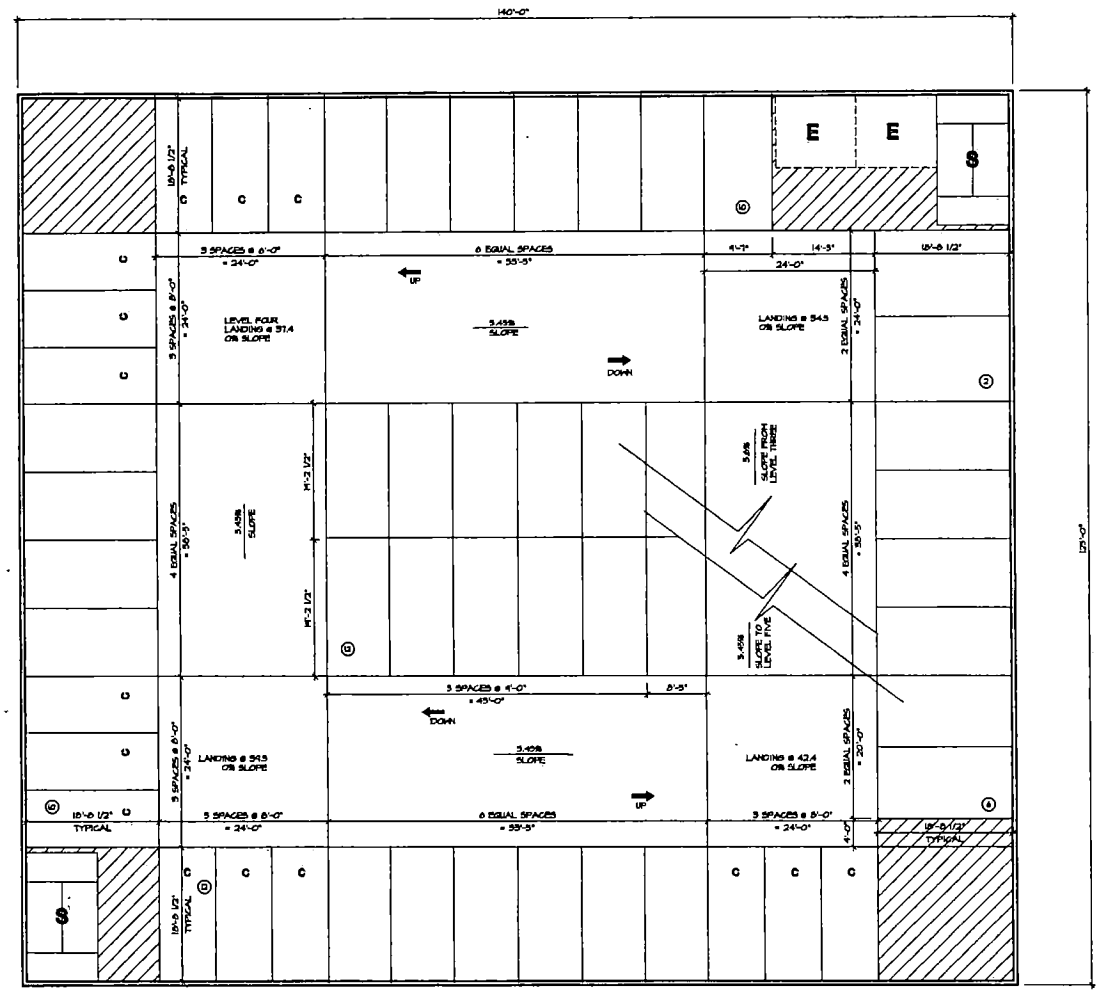
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

FOURTH LEVEL



FOURTH LEVEL

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

PARKING DATA

FOURTH LEVEL	87 STANDARD SPACES 15 COMPACT SPACES	92 SPACES TOTAL

FOURTH & BONNEVILLE PARKING STRUCTURE

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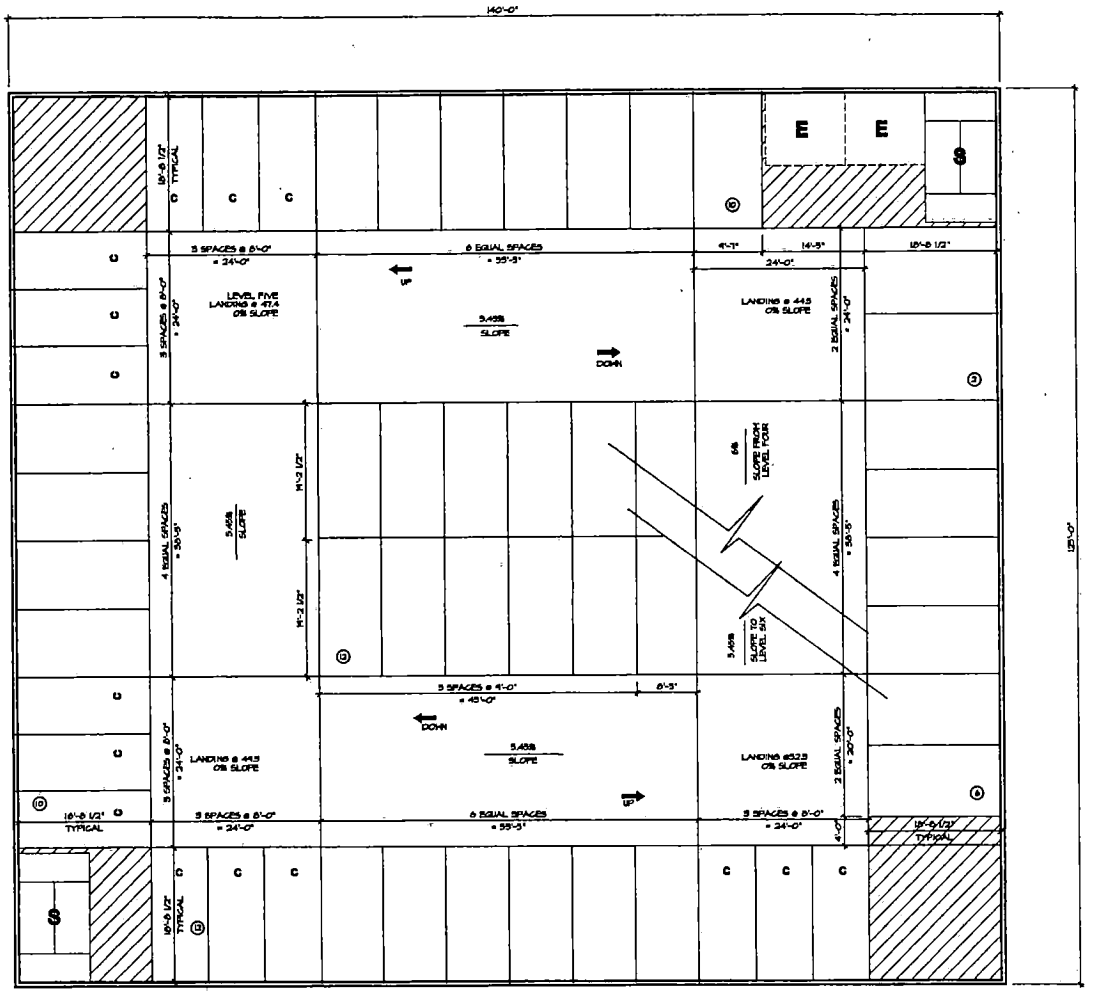
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

FIFTH LEVEL



FIFTH LEVEL

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

PARKING DATA

FIFTH LEVEL	37 STANDARD SPACES 5 COMPACT SPACES	42 SPACES TOTAL

FOURTH & BONNEVILLE PARKING STRUCTURE

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FOURTH & BONNEVILLE PARKING STRUCTURE

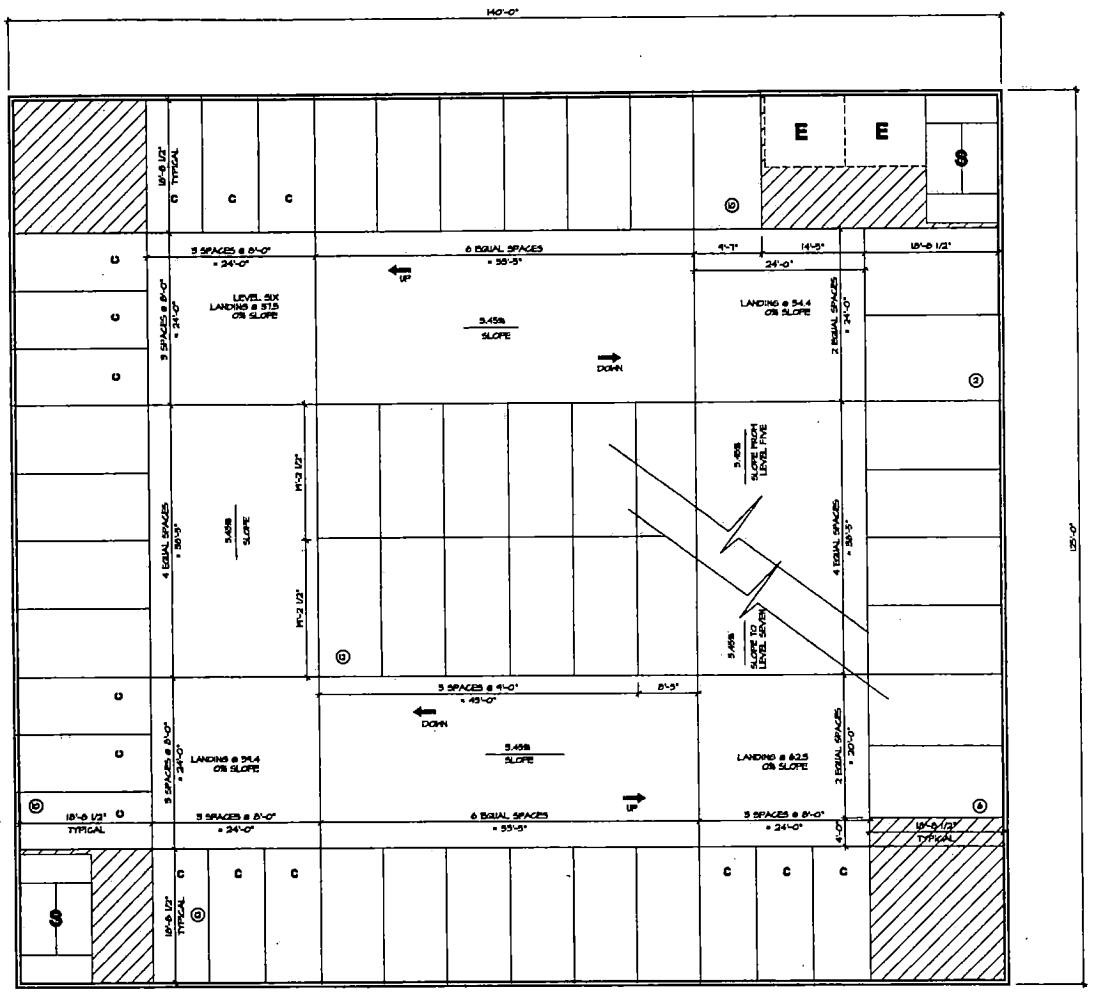
FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

SIXTH LEVEL

PARKING DATA		
SIXTH LEVEL	87 STANDARD SPACES 5 COMPACT SPACES	92 SPACES TOTAL



SIXTH LEVEL

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

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FOURTH & BONNEVILLE PARKING STRUCTURE

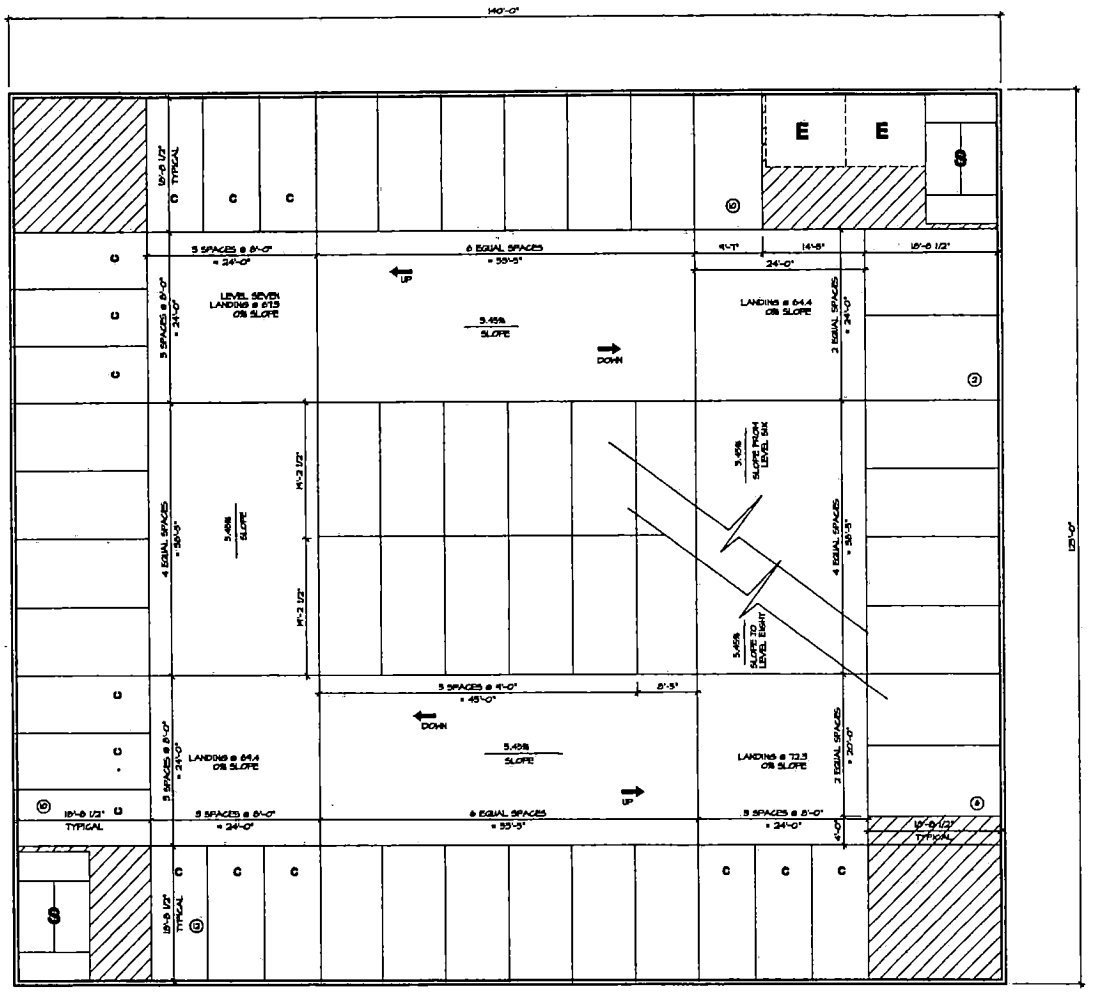
FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

SEVENTH LEVEL

PARKING DATA		
SEVENTH LEVEL	87 STANDARD SPACES 5 COMPACT SPACES	92 SPACES TOTAL



SEVENTH LEVEL

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

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FOURTH & BONNEVILLE PARKING STRUCTURE

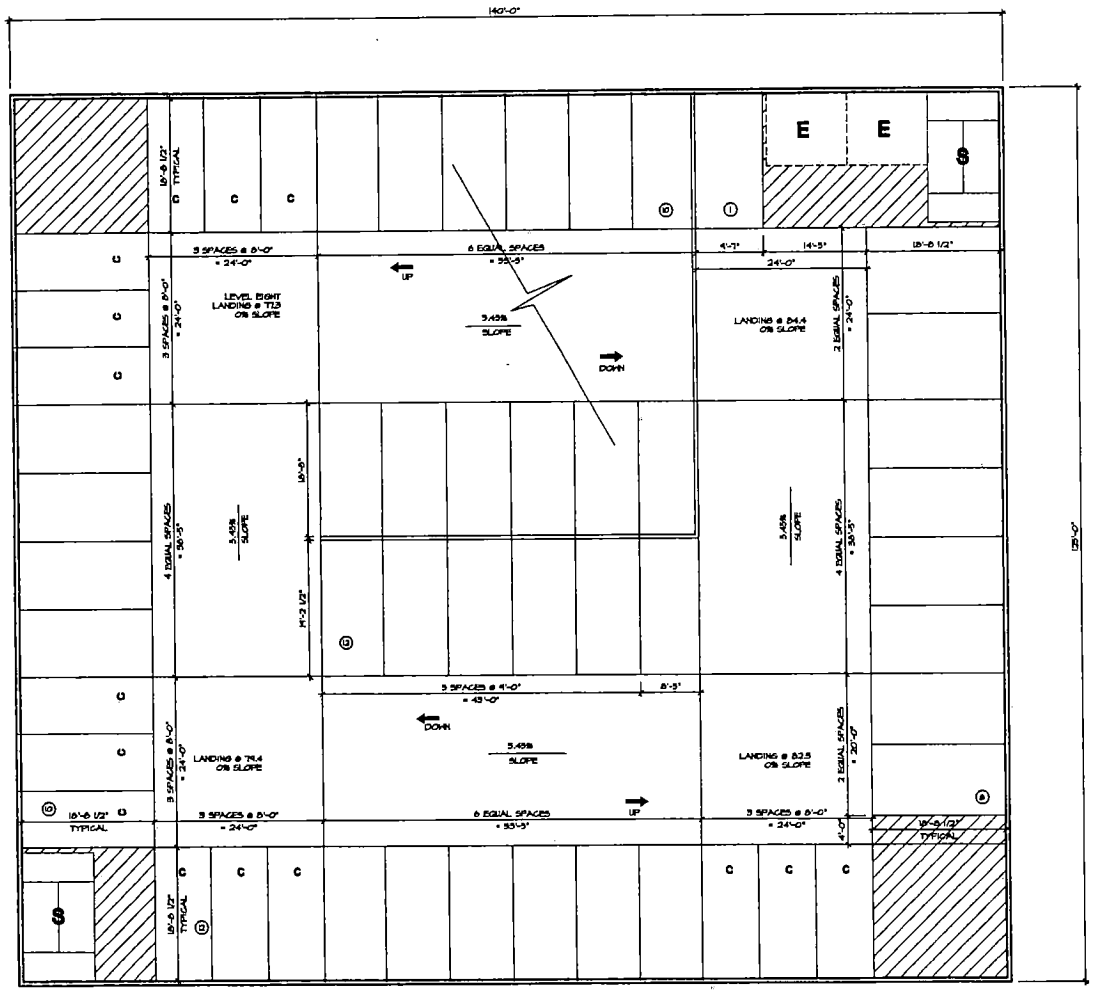
FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

EIGHTH LEVEL

PARKING DATA		
EIGHTH LEVEL	-	38 STANDARD SPACES 15 COMPACT SPACES] = 55 SPACES TOTAL



EIGHTH LEVEL

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

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FOURTH & BONNEVILLE PARKING STRUCTURE

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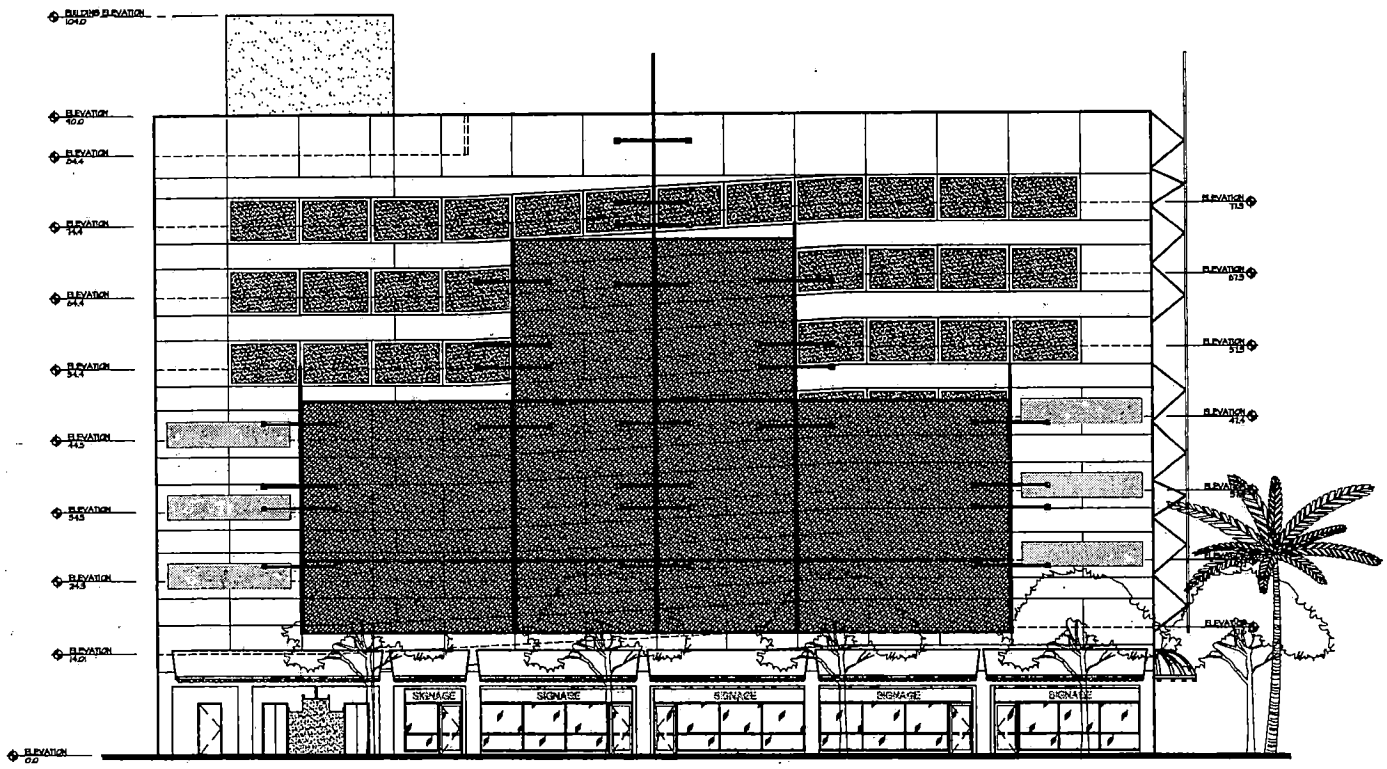
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

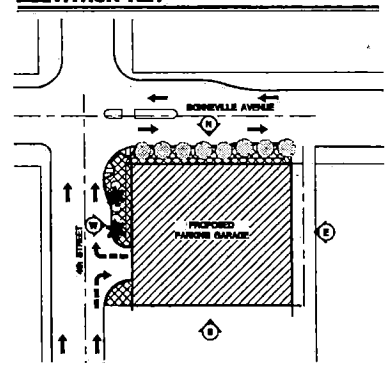
CONCEPTUAL ELEVATIONS



NORTH ELEVATION @ BONNEVILLE AVENUE

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

ELEVATION KEY



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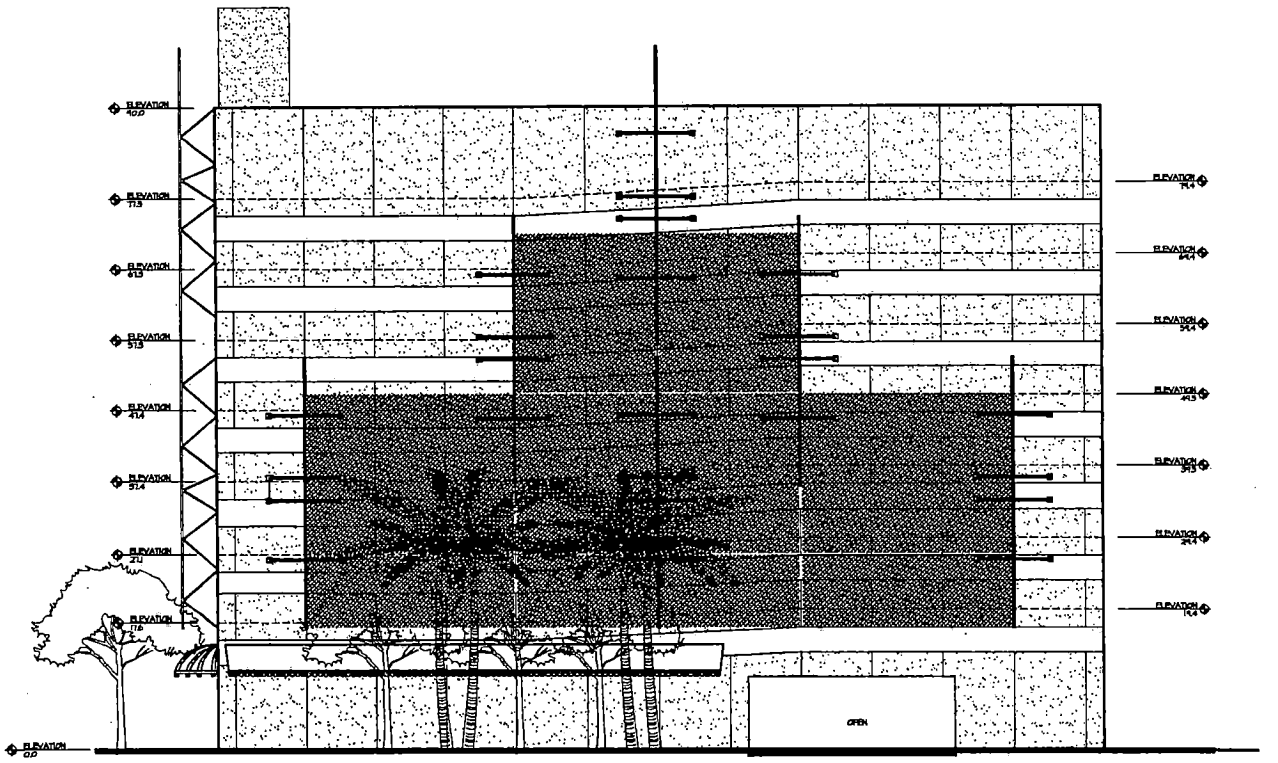
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

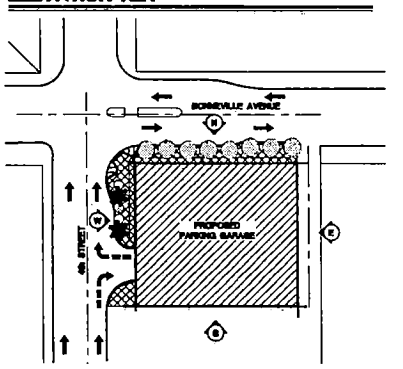
CONCEPTUAL ELEVATIONS



WEST ELEVATION @ FOURTH STREET

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

ELEVATION KEY



FOURTH & BONNEVILLE PARKING STRUCTURE

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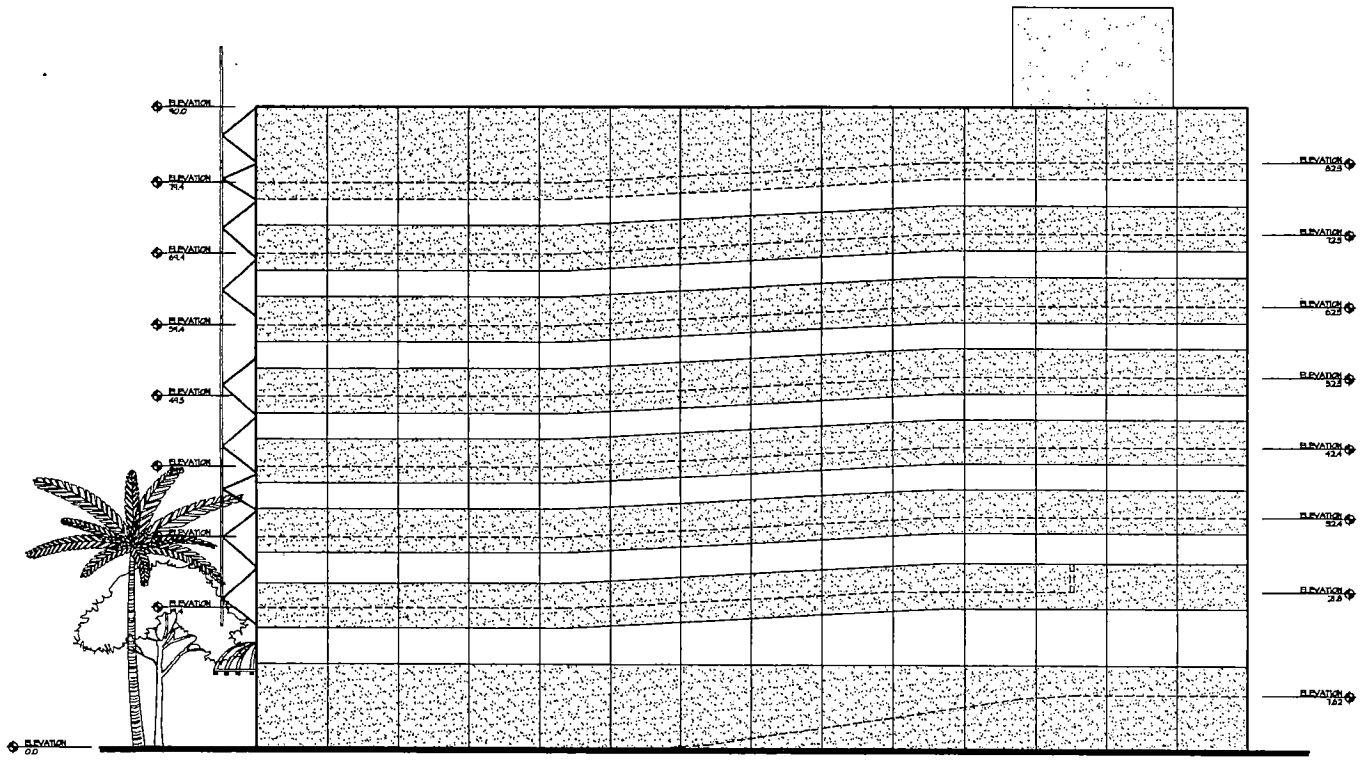
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

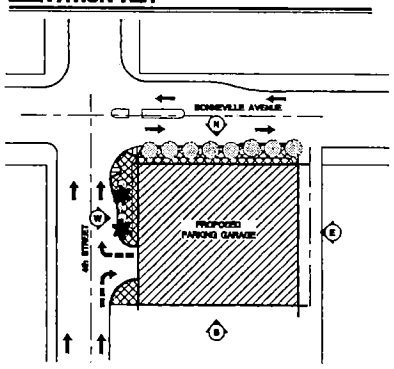
CONCEPTUAL ELEVATIONS



SOUTH ELEVATION

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

ELEVATION KEY



SDR-4163
05-13-04 PC

FOURTH & BONNEVILLE PARKING STRUCTURE

WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 220 LAS VEGAS, NEVADA 89107
TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
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DATE: 03/24/04 PROJECT NUMBER: 04022 FILE NAME: a:\04022_Elv_S.dwg

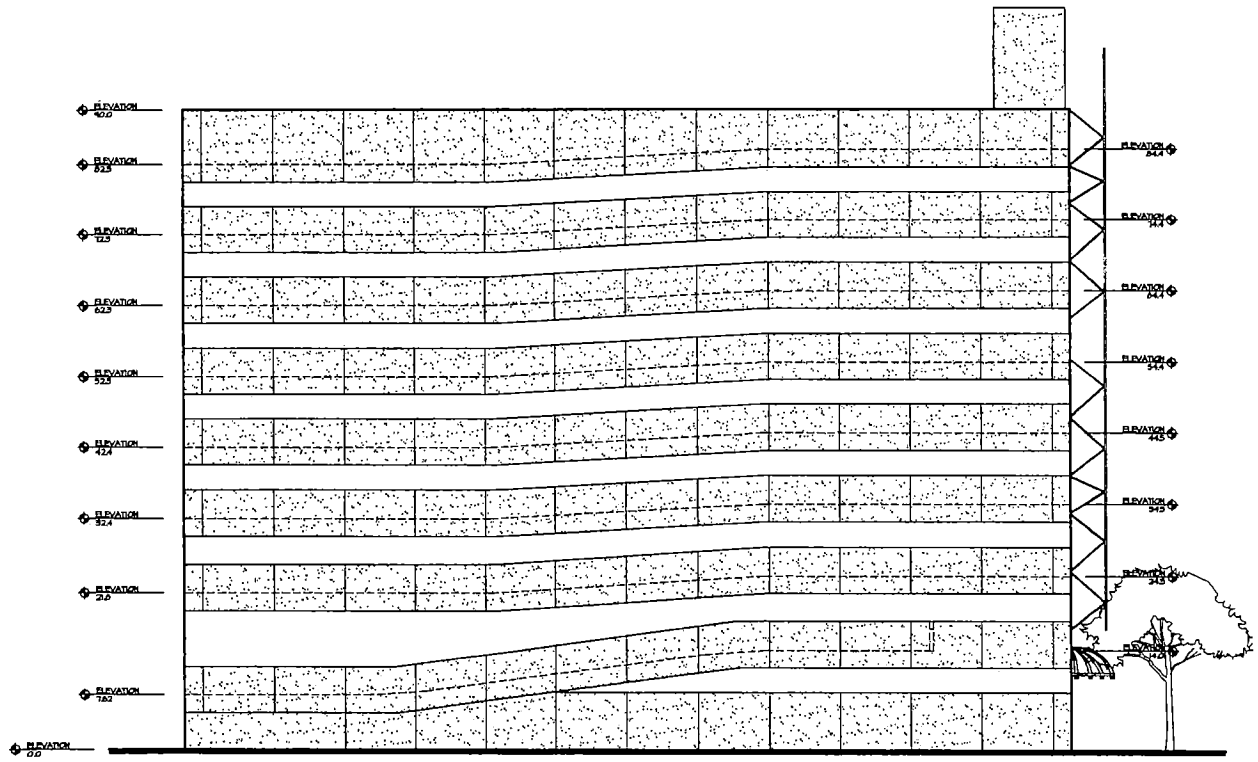
FOURTH & BONNEVILLE PARKING STRUCTURE

FOURTH STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

NORTH

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

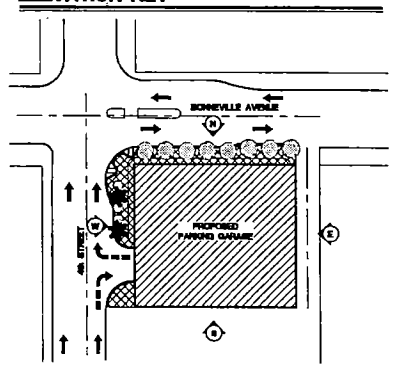
CONCEPTUAL ELEVATIONS



EAST ELEVATION

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

ELEVATION KEY



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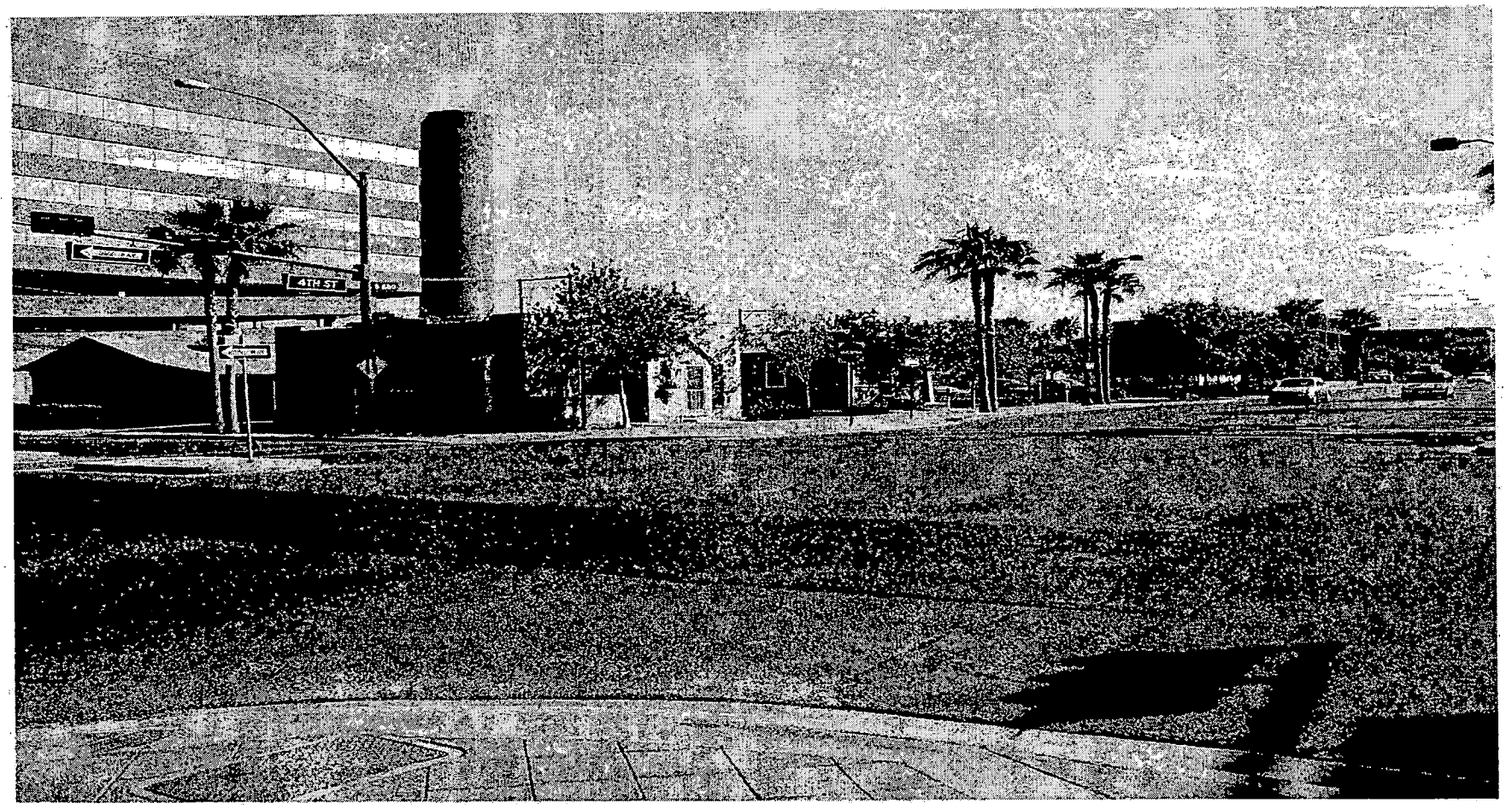
DATE: 03/24/04 PROJECT NUMBER: 04022 FILE NAME: e:\04022_Dr_E.dwg

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER: FOURTH & BONNEVILLE, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF FOURTH STREET AND BONNEVILLE AVENUE
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER:
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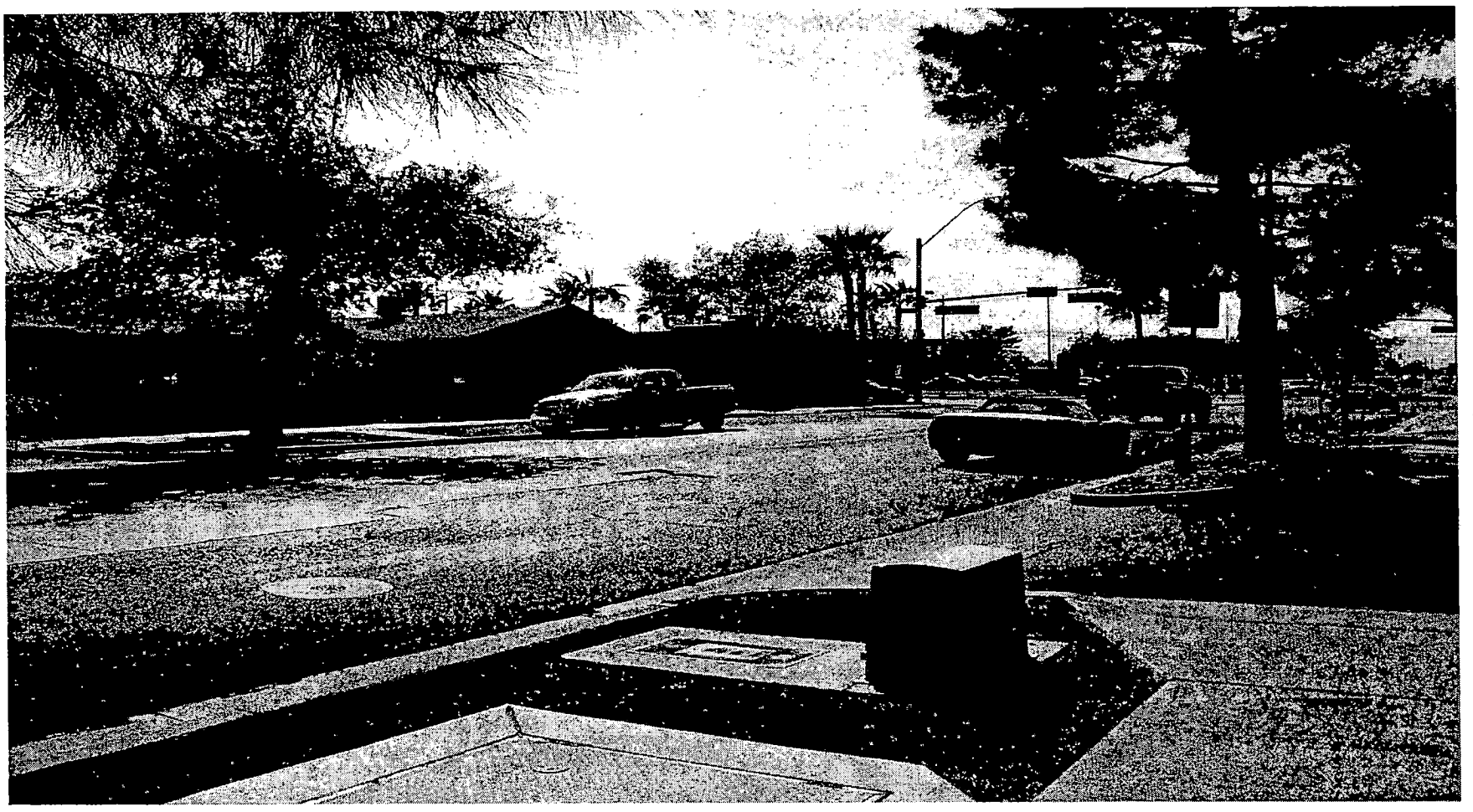

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4163 - APPLICANT/OWNER:
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MAY 13, 2003 PLANNING COMMISSION

4/19/04

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL - Request for a Site Development Plan Review and for a Waiver of the Las Vegas Medical District Streetscape Design Guidelines and Landscape Buffer Requirements FOR A PROPOSED 1,469 SQUARE FOOT OFFICE CONVERSION on 0.23 acres at 500 Rose Street (APN: 139-33-301-008), PD (Planned Development) Zone [MD-1 (Medical Support) Medical District Special Land Use Designation], Ward 5 (Weekly).

C.C.: 06/16/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	1
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining as he owns a property within the notification boundary on the corner of Alta and Shadow

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 55 [SDR-4186].

DAVID CLAPSADDLE, Planning and Development Department, stated that the Draft Staff Report had the incorrect Site Plan. The correct Site Plan was provided at this Planning Commission meeting. The original site plan should have access points to Alta, which would have been terrible. The Department of Public Works met with the applicant, and the site was revised to reflect an entrance only to Alta Drive and Rose Street would be the exit point. The handicap parking space reflects the correct aisle width. The existing

MINUTES - Continued:

house will not be enlarged. It is difficult for this site to meet all the landscaping standards of the Code. However, staff is requiring the Type B streetscape standards along Rose Street. The Waivers are appropriate and recommendation is for approval.

BONNIE ADAR-BURLA, 2951 Pinto Lane, concurred with staff recommendations and asked for approval.

COMMISSIONER EVANS asked about the trees on the property. MS. ADAR-BURLA replied that some are Cypress trees. They intend to remove the ones on the corner, but would like to only trim the beautiful pine tree and apricot tree in the front. COMMISSIONER EVANS stated that he appreciates the applicant maintaining the healthier trees. Although he understands why many have chosen to go with Xeriscape to conserve water, he is disappointed to see many older areas that have gotten rid of these trees that require no irrigation, as trees provide oxygen and help clean the air.

CHAIRMAN TRUESDELL asked if a vehicle comes off of Alta Drive and makes a right turn into the site, does it enter right into the two handicap spaces or can a quick turn be made to swing around to the side of the building. GARY LEOBOLD, Planning and Development Department, replied that vehicles can enter and go into the new concrete area going east, circling around the front of the building, and then exit onto Rose Street. It is a one-way circulation. The limitation is the handicap spaces, as vehicles will back out and go the direction to exit onto Rose Street.

CHAIRMAN TRUESDELL expressed concern about the circulation and whether the three-point turn is possible. If not, the handicap parking users will be backing out onto Alta Drive. MR. LEOBOLD indicated that the driveway meets the minimum standard for one-way flow through this area. Because of the size of the site and retaining the existing house, it makes it somewhat orthodox and not the best parking arrangement. MR. CLAPSADDLE added that staff did meet with the Departments of Public Works and Building and Safety to ensure the handicap standards were met and to have adequate on-site traffic circulation given the limited situation. CHAIRMAN TRUESDELL appreciated the fact that the applicant is trying to utilize the existing site, maintaining some of the existing trees and trying to improve this area, even with the site limitations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 55 [SDR-4186].

(9:31 – 9:38)

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 55 – SDR-4186

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped 5/5/04, except as amended by conditions herein.

3. No new turf areas shall be permitted. 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.

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 "Type B" streetscape treatment on Rose Street as required by the Las Vegas Medical District Plan.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

7. Any new 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.

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

Public Works

9. Dedicate a 20-foot radius on the southwest corner of Alta Drive and Rose Street prior to the issuance of any permits.

10. Construct all incomplete half-street improvements including sidewalk and streetlights. Remove and replace all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 55 – SDR-4186

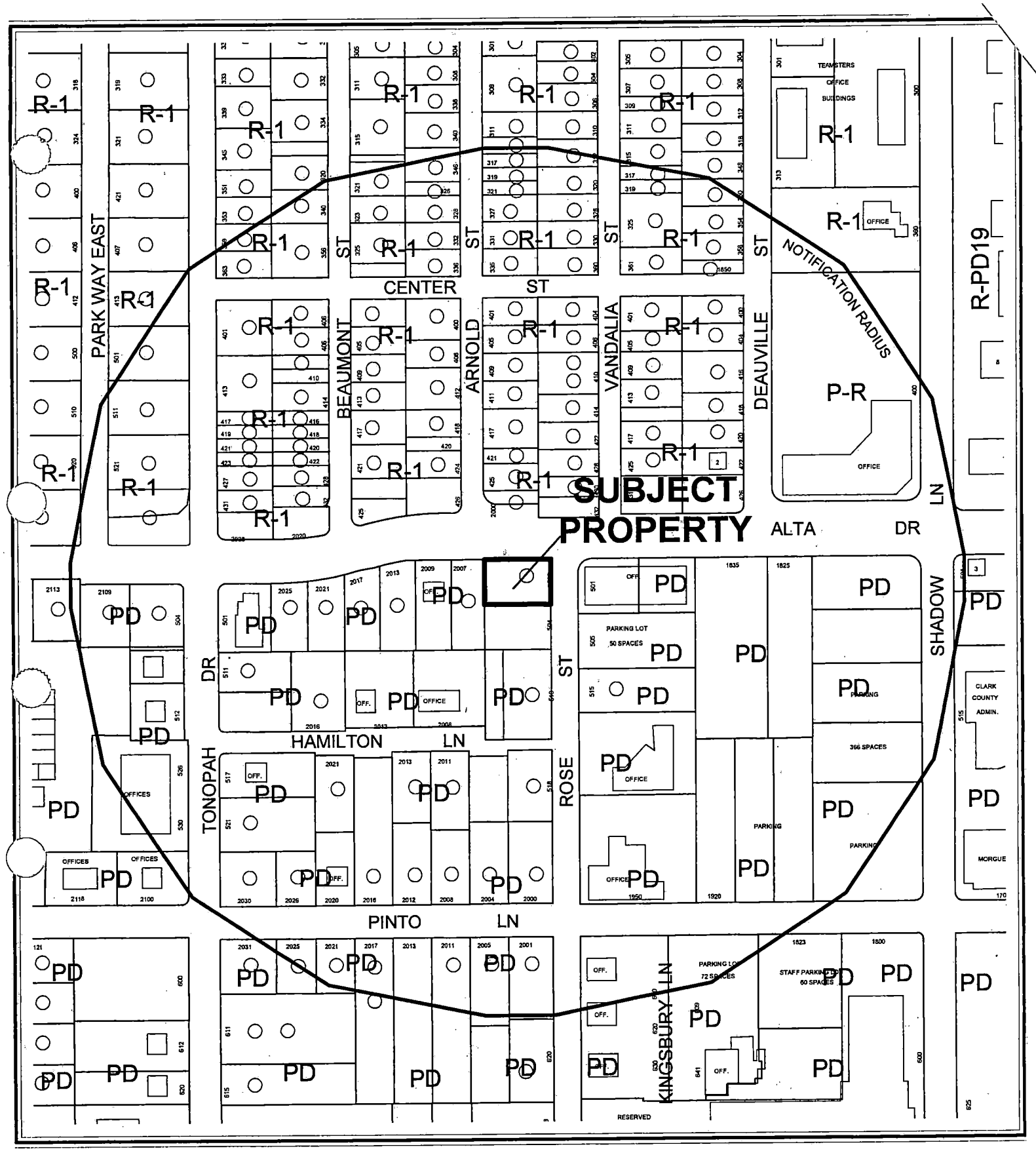
CONDITIONS - Continued:

11. All new driveways or modifications to existing driveways on Alta Drive shall be designed, located and constructed to meet the intent of Standard Drawing #222A.

12. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0020-97 and all other subsequent site-related actions.



0 100 200 Feet

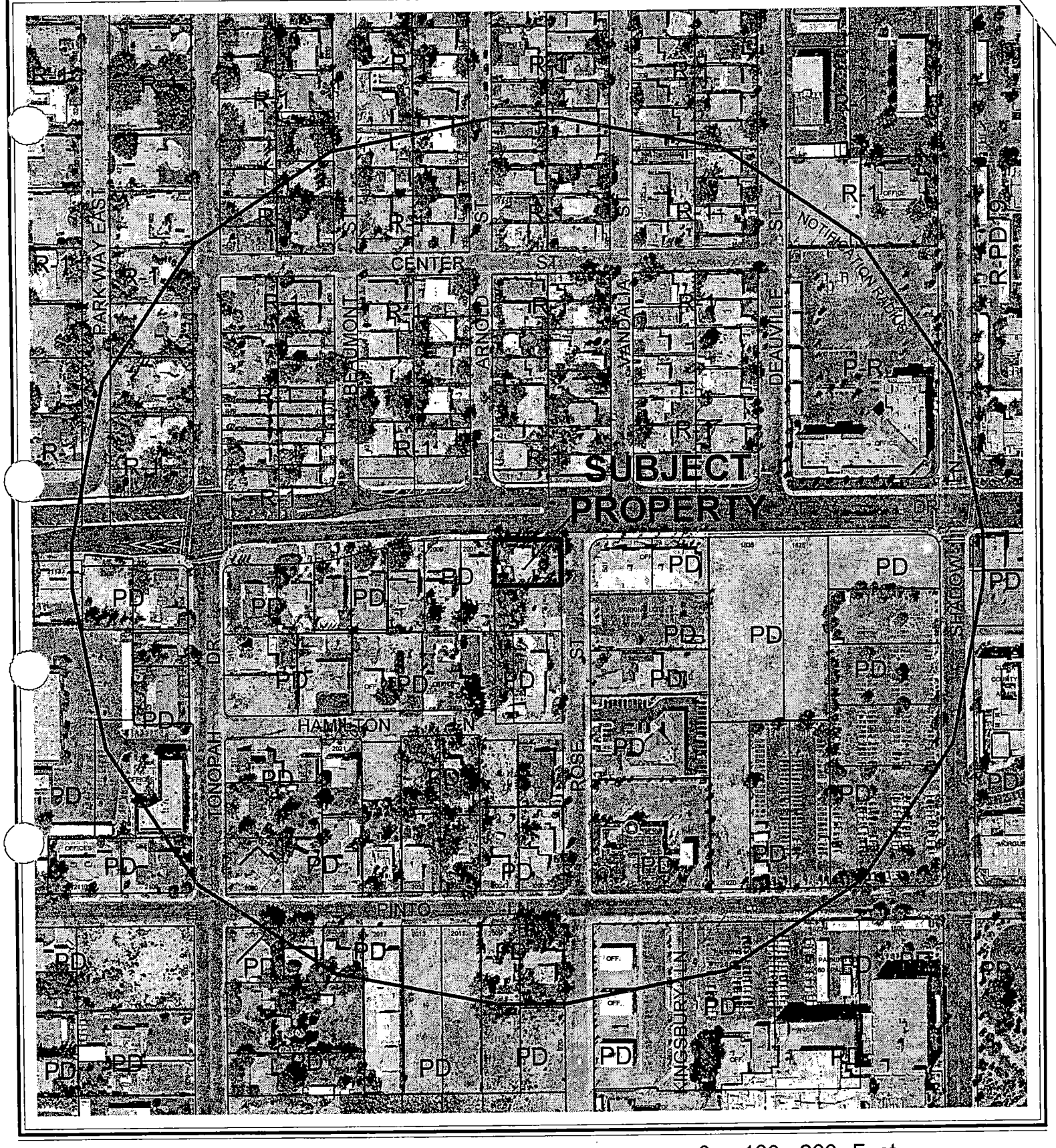
CASE: **SDR-4186**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) LAS VEGAS MEDICAL DISTRICT LAND USE DESIGNATION]

N



CASE: **SDR-4186**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) LAS VEGAS MEDICAL DISTRICT LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4186 - PUBLIC HEARING - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped 5/5/04, except as amended by conditions herein.

3. No new turf areas shall be permitted. 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.

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 "Type B" streetscape treatment on Rose Street as required by the Las Vegas Medical District Plan.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

7. Any new 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.

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

Public Works

9. Dedicate a 20-foot radius on the southwest corner of Alta Drive and Rose Street prior to the issuance of any permits.

10. Construct all incomplete half-street improvements including sidewalk and streetlights. Remove and replace all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

11. All new driveways or modifications to existing driveways on Alta Drive shall be designed, located and constructed to meet the intent of Standard Drawing #222A.

12. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

14. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0020-97 and all other subsequent site-related actions.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of Site Development Plan Review in order to convert an existing single-family residence to a professional office and for a waiver of the Las Vegas Medical District streetscape design guidelines and landscape buffer requirements on 0.23 acres at 500 Rose Street.

B) Applicant's Justification

The applicant states that the proposed conversion is in conformance with the Las Vegas Medical District plan. In addition, the applicant states that the waiver from the streetscape treatment should be granted due to the fact that the sidewalk would require the removal of existing mature trees, very few sidewalks in the District meet the 10-foot sidewalk width, and that the small size of the lot impedes the development of the full sidewalk width.

BACKGROUND INFORMATION

A) Previous Actions

05/27/97	The City Council approved a Rezoning (Z-0020-97) to P-D (Planned Development) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
06/19/02	The City Council approved a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin Luther King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval of the request.

B) Pre-Application Meeting

03/11/04	At the pre-application meeting, it was noted that five parking spaces would be required on the site, and that one van-accessible handicap parking space would be required. Public Works raised concerns about on-

site circulation, and requested that the design be reconfigured. In addition, it was noted that the sidewalk would need to conform to the standards established in the Las Vegas Medical District Plan.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	MD-1 (Medical Support)
North:	ML (Medium Low Density Residential)
South:	MD-1 (Medical Support)
East:	MD-1 (Medical Support)
West:	MD-1 (Medical Support)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	R-1 (Single-Family Residential)
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

This site is located within the Las Vegas Medical District Plan Area and is designated as MD-1 (Medical Support). The office use is permitted by right within the MD-1 (Medical Support) land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Las Vegas Medical District	**X**	
Special Overlay District		**X**
Trails		**X**

Study Area		**X**
Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

The parcel is located within the Las Vegas Medical District, which is intended to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

PROJECT DESCRIPTION

The project entails the conversion of the existing residential structure to a professional office. A new entrance driveway will be provided on Alta Drive, with an exit driveway on Rose Street. Two parking spaces will be added to the rear yard area of the lot and three parking spaces will be provided in the front yard area. The exterior of the structure will be repainted; no other exterior improvements are proposed. Minor changes are proposed for the interior in order to accommodate the commercial use.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Las Vegas Medical District Plan and Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	.23 acres	N/A
Min. Lot Width	N/A	82.5 Feet	N/A
Min. Setbacks			
• Front	5-15 Feet	55 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	14 Feet	N
• Rear	15 Feet	29 Feet	Y
Max. Lot Coverage	50 %	16%	Y
Max. Building Height	3 Stories/45 Feet	1 Story/14 Feet	Y
Trash Enclosure	Walled/roofed	Not indicated	N/A

The existing structure conforms with all setback requirements, with the exception of the required 15-foot setback along Alta Drive.

A2) Residential Adjacency Standards

The subject property directly abuts a parcel that is occupied by a single-family residence; however, the existing structure conforms with the proximity slope and setback requirements.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office	1,470 SF	1/300 GFA	4	1	4	1

The total amount of parking provided on site conforms with the requirements of Title 19.10.

The Department of Public Works expressed concerns about access and the initial layout of the site. The site plan has since been configured to provide an entrance driveway on Alta Drive and an exit driveway on Rose Street. Public Works has reviewed and approved the reconfigured plan.

A4) Landscape and Open Space Standards

Pursuant to the Las Vegas Medical District Plan and Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Tree/6 Spaces	1 Tree	5 Trees
Buffer: • Min. Trees	1 Trees/20 Linear Feet	10 Trees	16 Trees
• Min. Zone Width (adj. to R.O.W.)	15 Feet		0 Feet; 30 Feet
• Min. Zone Width (side & rear)	8 Feet		2 Feet; 10 Feet

The buffer at the west property line does not conform to the minimum width requirement, and no buffer is provided between the driveway on the north side of the structure and the property line.

A5) Sign Standards

On-premise signage within the Medical District shall conform to the standards set forth in Title 19.14B (Signs permitted in the P-R, N-S and O Zoning District). The Planning and Development Department will review all sign permits for compliance with sign standards.

B) General Analysis and Discussion

- Zoning

The proposed office use is consistent with the PD (Planned Development) zoning district and the MD-1 (Medical Support) land use designation.

- Site Plan

The existing residential structure will be retained, and parking will be added to the front and the rear of the property. No additional square footage will be added to the structure. Due to the existing layout of the site and the applicant's desire to retain the existing mature trees, the parking area is configured with the entrance on Alta Drive, and the exit on Rose Street. While the layout is rather circuitous, it has been reviewed and approved by Public Works and is a better layout than previous versions that have been submitted.

- Waivers

The applicant has requested a waiver from the Medical District streetscape standards, which requires a 10-foot wide public sidewalk and street trees at 30 feet on center along Rose Street (Type B Streetscape per the Las Vegas Medical District Plan). The applicant's justification for the waiver is based on the fact that the 10-foot sidewalk is not yet the prevalent standard in the Medical District and the desire to preserve the existing mature trees in the front yard setback area. The intent of the Medical District Plan is to require the sidewalk and streetscape treatment as properties redevelop, with the understanding that the completion of the streetscape will occur of over a period of years. In addition, waivers are required for inadequate buffer depth for the landscape buffer at the west property line and the lack of a buffer between the on-site driveway and the property line at Alta Drive.

- Landscape Plan

The applicant is retaining most of the mature landscaping on the site, which will provide adequate buffering and meets minimum code requirements. The existing trees will be trimmed, and additional shrubs and groundcover materials will be added to enhance the landscaping.

- Elevation

No significant changes are proposed to the exterior elevations of the residence. The applicant will be painting the structure, and adding minor decorative improvements.

- Floor Plan

Only minor changes will be made to the interior of the structure in order to accommodate the office use.

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 and redevelopment of the site will be compatible with adjacent development and the development permitted under the Las Vegas Medical District Plan.

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 conversion of the existing single-family residence to a professional office is consistent with the Las Vegas Medical District Plan. The proposed sidewalk on Rose Street does not conform with the streetscape requirements of the Medical District Plan; the landscape buffer along the west property line does not meet the required width, nor is a landscape buffer provided between the driveway on the north side of the structure and the property line as required by Title 19. The existing structure is located 14 feet from the property line at Alta Drive; a 15-foot setback is currently required. Other development standards are in conformance with Title 19 and the General Plan.

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

   The one-way circulation plan for the site will not negatively impact traffic on adjacent roadways.

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

   Most of the mature trees on the site will be preserved and incorporated as part of the required landscape buffers. The residential character of the existing structure will be retained.

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 cosmetic improvements proposed for the structure will improve the appearance of the property and will be compatible with development in the area.

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

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

NOTICES MAILED 144

APPROVALS 1

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4186 APN: 139-33-301-008

Name of Property Owner: Mabel Enright

Name of Applicant: Bonnie Adar-Burla

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: Bonnie Adar-Burla

Print Name: Bonnie Adar-Burla

Subscribed and sworn before me

This 22 day of March, 2004

Erin Frost

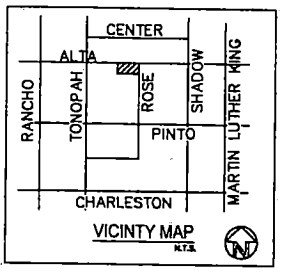
Notary Public in and for said County and State

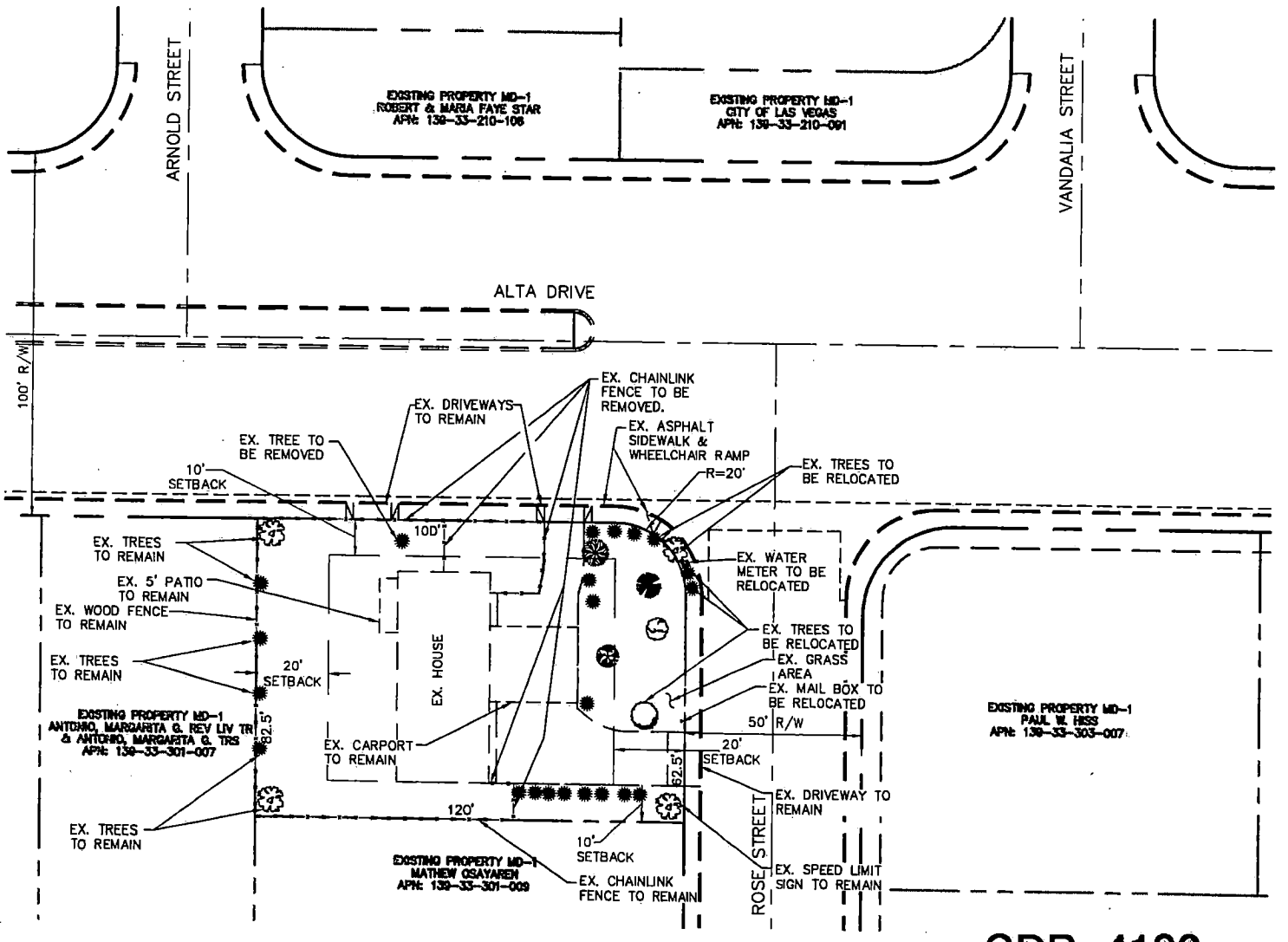
Erin Frost
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp July 31, 2007
Certificate No: 04-86216-1

GRAPHIC SCALE

0 15 30 60

(IN FEET)
1 inch = 30 ft.



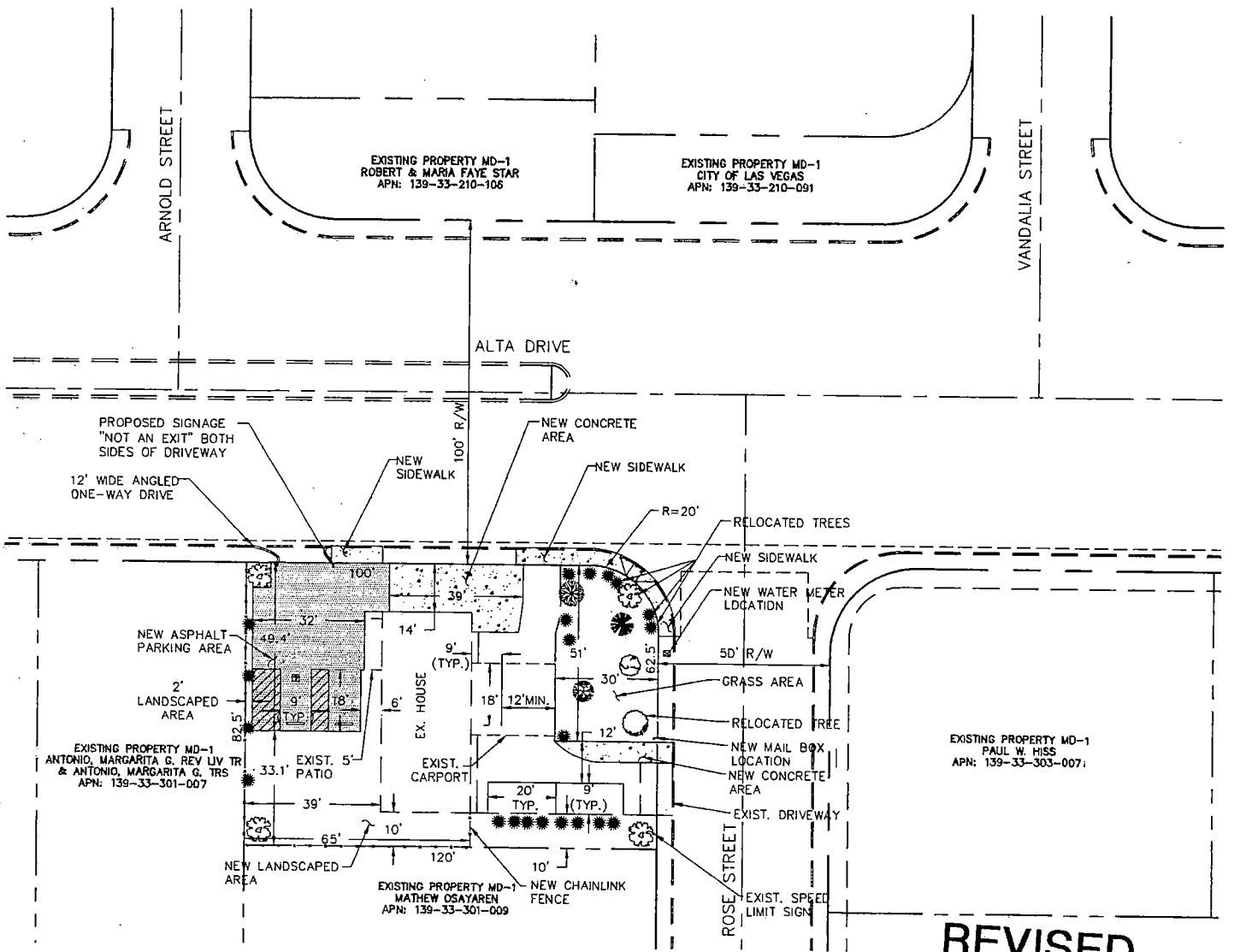


SDR-4186
05-13-04 PC

EXISTING SITE PLAN

500 ROSE STREET
CITY OF LAS VEGAS

RESIDENTIAL TO COMMERCIAL
PROPERTY CONVERSION



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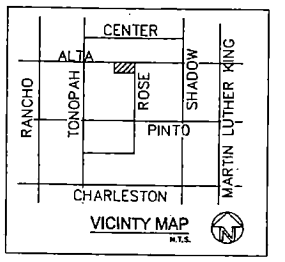
(IN FEET)

1 inch = 30 ft.



PARCEL:

LOT SIZE:	0.23 AC±
BUILDING SF:	1,496 SF
SETBACKS:	
SIDE:	10'
REAR:	20'
FRONT:	20'

PARKING REQUIRED/PROVIDED :

STANDARD:	4
ACCESSIBLE:	1
TOTAL REQD:	5
RATIO:	1:300 SF

LANDSCAPE LEGEND:

	NECTARINE	1 – 6" DIA.
	APRICOT	1 – 6" DIA.
	PECAN	1 – 6" DIA.
	PINE	1 – 18" DIA.
	OLIVE	2 – 24" DIA.
	CEDAR	15 – 6" DIA. 2 – 8" DIA.

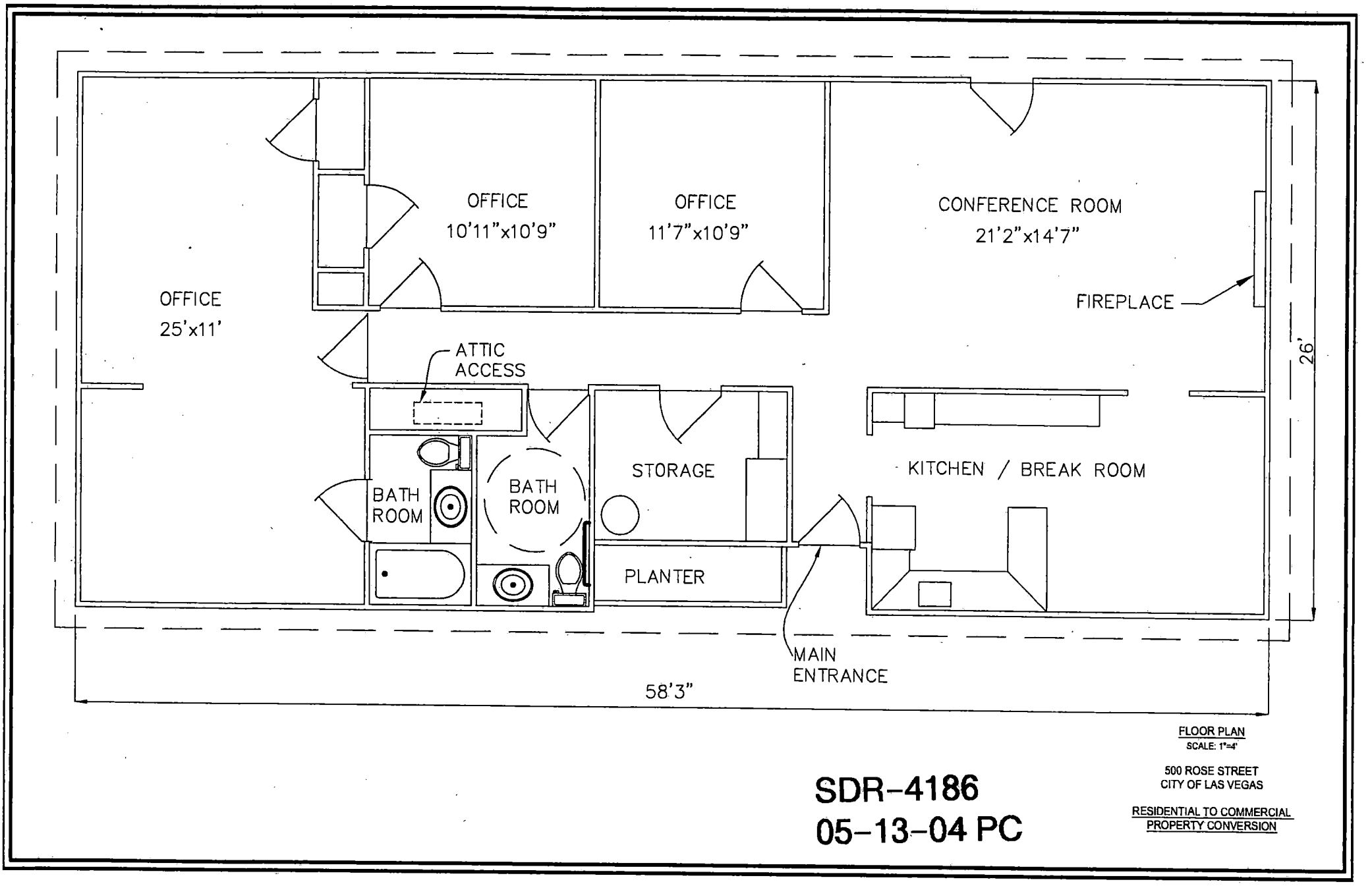
PROPOSED SITE PLAN

500 ROSE STREET
CITY OF LAS VEGAS

RESIDENTIAL TO COMMERCIAL PROPERTY CONVERSION

REVISED
SDR-4186

5-13-04 PC

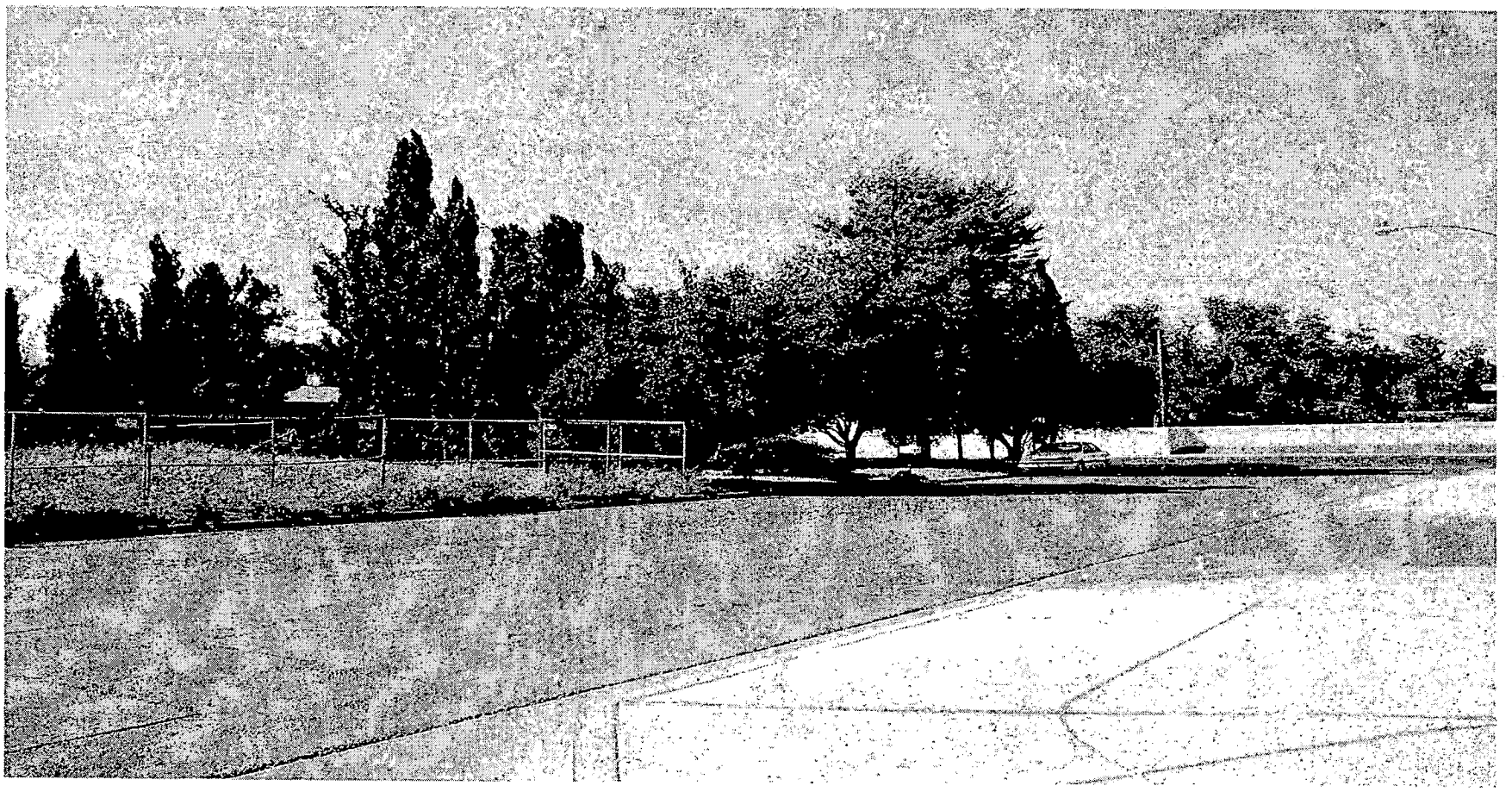


FLOOR PLAN
SCALE: 1"=4'

500 ROSE STREET
CITY OF LAS VEGAS

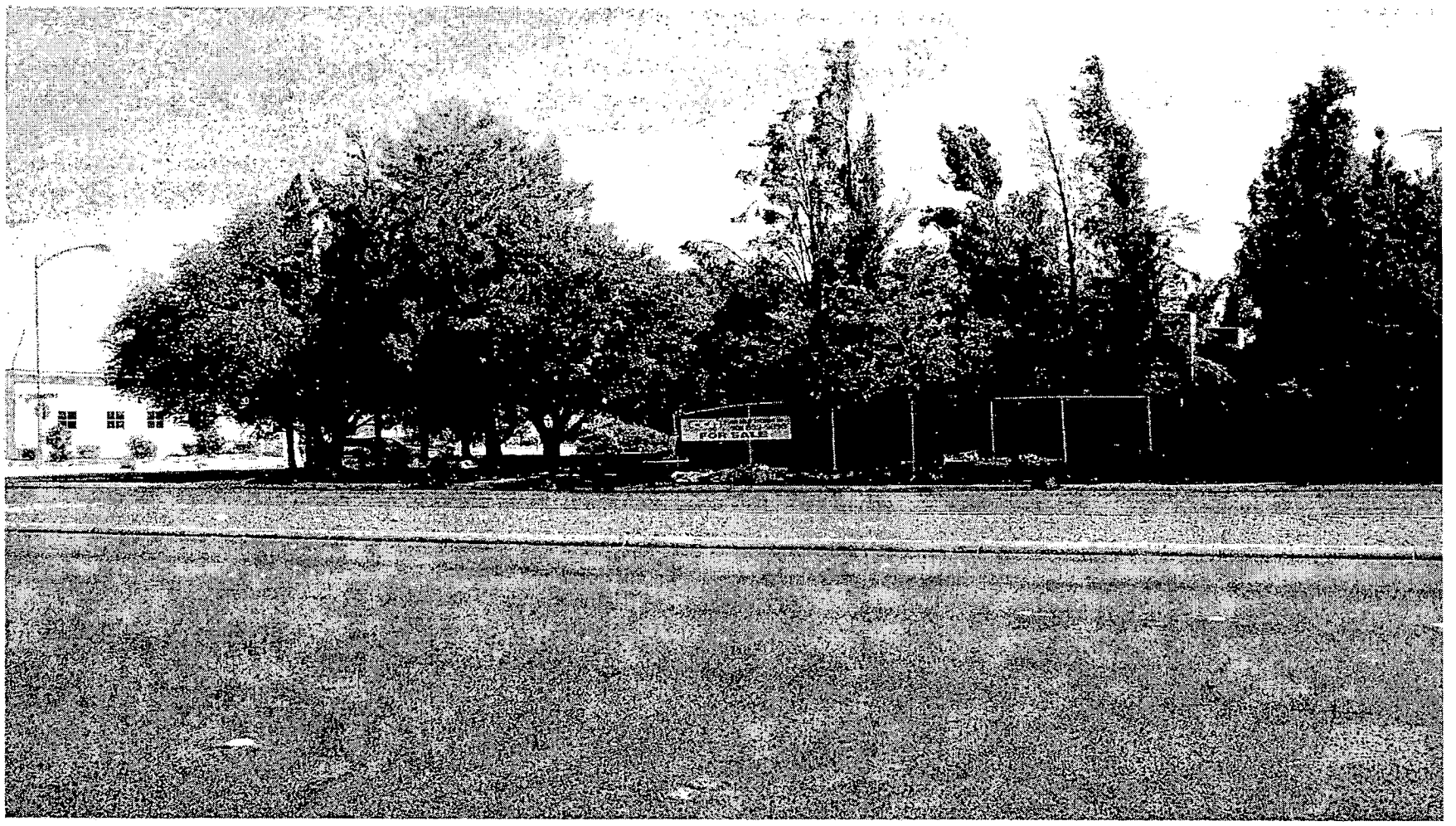
RESIDENTIAL TO COMMERCIAL
PROPERTY CONVERSION

SDR-4186
05-13-04 PC



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL
500 ROSE STREET
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL
500 ROSE STREET
MAY 13, 2003 PLANNING COMMISSION

4/19/04

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING SDR-4186 - APPLICANT: BONNIE ADAR-BURLA - OWNER: MABEL I ENRIGHT, ET AL
500 ROSE STREET
MAY 13, 2003 PLANNING COMMISSION

4/19/04

Telephone Protest/ Approval Log

Meeting Date: MAY 13, '04 **Case Number:** SDR-4186

Date: 5-3-04
Name: FRANK HAWKINS
Address: 2009 ALTA DR.

Phone: 873-8882
☐ **PROTEST** ☒ **APPROVE**
"IT'LL MAKE THE CORNER LOOK BETTER"

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a reduction of the Required Perimeter Buffering FOR A PROPOSED MINI-WAREHOUSE AND RECREATIONAL VEHICLE STORAGE FACILITY on 2.85 acres adjacent to the west side of Rancho Drive between Lake Mead Boulevard and Coran Lane (APN: 139-19-611-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/16/2004

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining as he has a business relationship with the applicant

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the project consists of 97,500 square feet of mini warehouse, 1,200 square foot of manager's residence, 34 RV spaces, and 21 regular spaces. The application meets residential adjacency standards. The only Waiver is the landscape planter width along the street, where 15 feet is required, but the applicant is providing 10 feet. Staff feels this is reasonable as they are also enhancing the landscaping with the buffer zone, which will exceed the Planning material. Staff recommended approval.

MINUTES - Continued:
GREG BORGEL, 300 S. 4th Street, appeared on behalf of Storage One and concurred with staff conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 56 [SDR-4196].

(9:38 – 9:41)

3-1384

CONDITIONS:
Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a roofed trash enclosure.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CONDITIONS - Continued:

9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

15. Construct all incomplete half-street improvements, including the full-width driveway access on Rancho Drive adjacent to this site concurrent with the first phase of 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.

16. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

17. 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.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 56 – SDR-4196

MINUTES - Continued:

18. The proposed driveway accessing Rancho Drive shall be designed located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation.

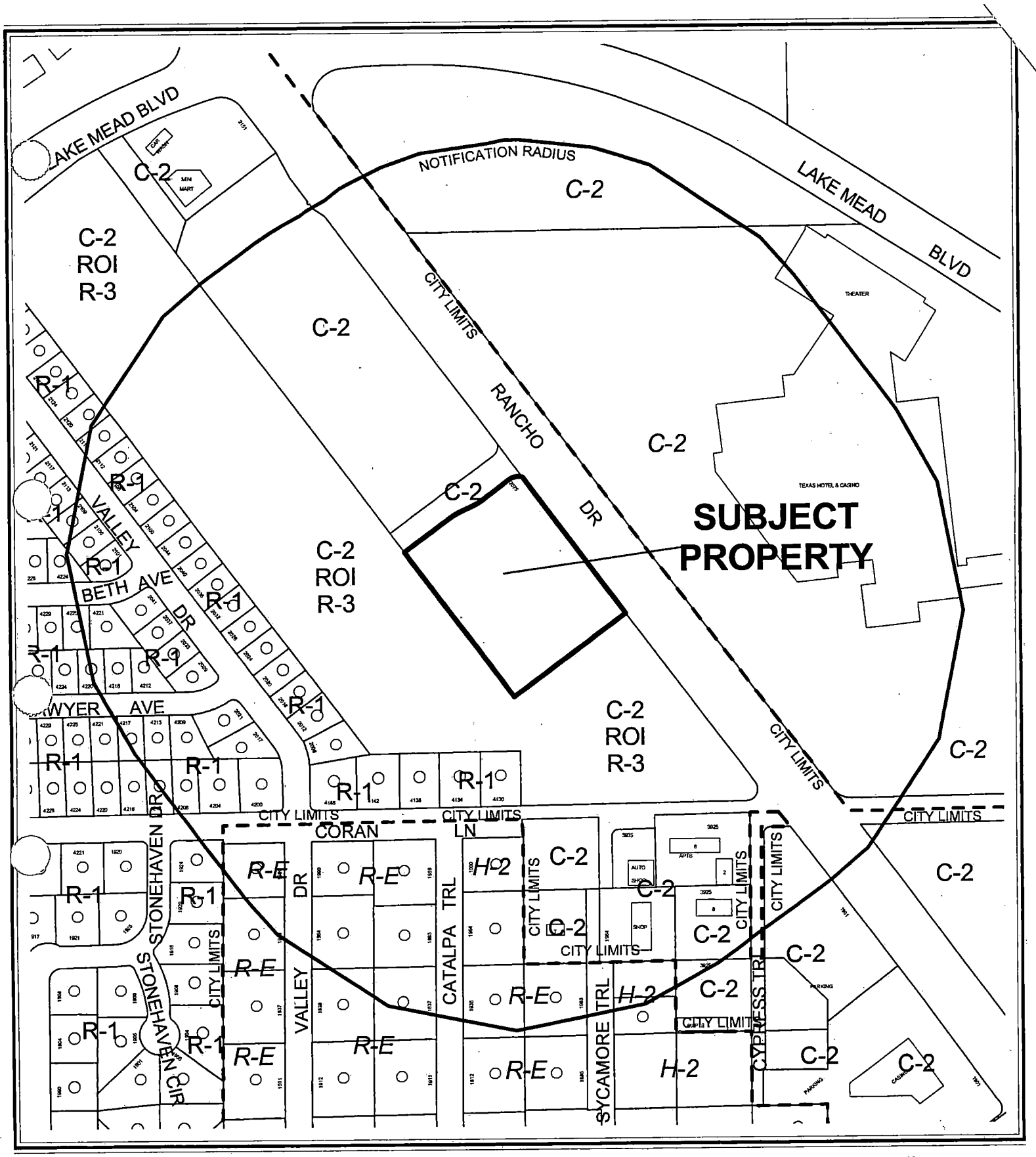
19. The driveway serving this site aligns with the existing 3 leg signalized intersection serving the Texas Station Casino driveway on Rancho Drive. This intersection and the signal system must be modified to convert the existing 3 leg intersection into a 4 leg intersection and the signal be operating prior to any traffic, including construction traffic, utilizing this intersection for access to or from Rancho. The developer is responsible for all costs associated with this modification. These costs are separate from the area traffic mitigation contributions. The design of this intersection modification must be coordinated with the Nevada Department of Transportation (NDOT), LVACTS, the City of North Las Vegas and the City of Las Vegas Traffic Engineering Operations Section.

20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

21. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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 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, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer. This site is within a Fema Flood Zone "A".

22. Obtain an Occupancy Permit for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site.

23. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site.

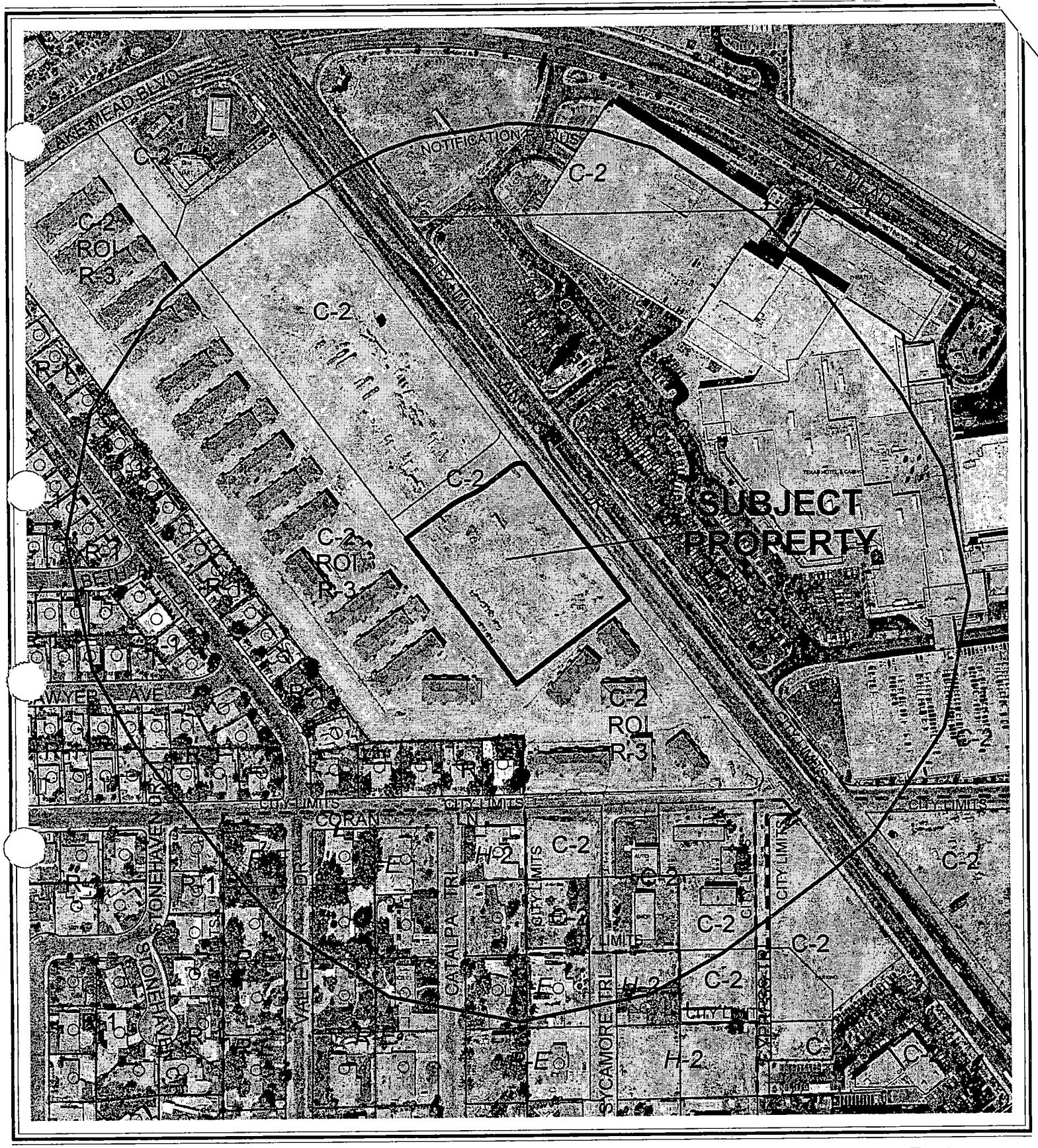


CASE: **SDR-4196**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **SDR-4196**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, subject to:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a roofed trash enclosure.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

15. Construct all incomplete half-street improvements, including the full-width driveway access on Rancho Drive adjacent to this site concurrent with the first phase of 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.

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20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

21. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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 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, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer. This site is within a Fema Flood Zone "A".

22. Obtain an Occupancy Permit for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site.

23. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a Mini-warehouse Facility on 2.85 acres adjacent to the west side of Rancho Drive between Lake Mead Boulevard and Coran Lane.

B) Applicant's Justification

The plan abides by City of Las Vegas guidelines, and the unique color scheme blends the mini-storage in with the adjacent residential and commercial structures.

BACKGROUND INFORMATION

A) Previous Actions

07/18/01 The City Council approved a General Plan Amendment (GPA-0030-00) to amended a portion of the Southeast Sector of the General Plan from GC (General Commercial) to: M (Medium Density Residential). The Planning Commission and staff recommended denial on 4/26/01.

B) Pre-Application Meeting

03/11/04 Issues discussed included the general scope of the project, Residential Adjacency standards, and other minor issues.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.84

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Multi-family Development
East:	Texas Station Casino
West:	Multi-family Development

FS

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	GC (General Commercial)
South:	M (Medium Density Residential)
East:	Resort Commercial (North Las Vegas)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial) Under Resolution of Intent to R-3 (Medium Density Residential)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial) Under Resolution of Intent to R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a GC (General Commercial) land use designation, which allows for retail, service, wholesale, office and other general business uses of a more intense commercial character. The existing C-2 (General Commercial) zoning district is consistent with the General Plan, and the proposed Mini-warehouse Facility is a permitted use in the C-2 district.

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

The site is not located within any special districts or zones.

PROJECT DESCRIPTION

The site consists of a 97,250 square-foot Mini-warehouse Facility, a 900 square-foot office, a 1,200 square-foot manager's apartment, 34 RV parking spaces, and 21 regular parking spaces on 2.85 acres. Landscaping is adequate except for a planter adjacent to the north property line in which the buffer width is 10 feet where 15 is required. A waiver has been requested to provide relief from this requirement. The elevations depict a two-story structure with a flat roof and a tan exterior with red metal doors. The north portion of the building consists of the facility office and manager's apartment, which is also tan with black glazed windows.

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	310 Feet	Y
Min. Setbacks			
• Front	20 Feet	45 Feet	Y
• Side	10 Feet	72 Feet	Y
• Corner	15 Feet	53 Feet	Y
• Rear	20 Feet	72 Feet	Y
Max. Lot Coverage	50 %	39%	Y
Trash Enclosure	Screened / Roofed	Screened	N

The site plan does not indicate a roofed trash enclosure. A condition of approval has been included to ensure compliance with this requirement. The proposal meets all other applicable Title 19 Development Standards.

A2) Residential Adjacency Standards

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

a) Proximity slope. The west and south portions of the site adjacent to the multi-family development are affected by proximity slope requirements. Structures along these property lines are 24 feet in height, and would need to be setback 72 feet from the property line to meet the 3:1 proximity slope. The site is compliant with this requirement.

b) Building setback. The setbacks along the west and south property lines are 72 feet, which is in compliance with Title 19 Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	97,250 SF.	1 per 50 units and 5 for customers outside the secured area	20	1	20	1

The proposal meets all applicable Title 19 parking requirements.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet	67 Trees	73 Trees
• Min. Zone Width	8 Feet		8 Feet
• Zone along Streets	15 Feet		10 Feet
• Wall height	8 Feet		8 Feet

The proposed site is deficient in the amount of buffer area located adjacent to a portion of the north property line. The proposed planter width is 10 feet where 15 feet is required, and a waiver has been requested to provide relief from this requirement.

A5) Sign Standards

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

Freestanding Signs: Storage One

Standards	Allowed	Provided
Maximum Number	1 / 200 Feet of Street Frontage	1 Total
Maximum Area	2 SF for every Foot of Street Frontage	80 feet
Maximum Height	40 Feet	30 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	Internal	Internal

The proposal meets Title 19 Sign Standards.

B) General Analysis and Discussion

- Zoning

  The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

- Site Plan

  The site consists of a 97,250 square-foot Mini-warehouse Facility, a 900 square-foot office, a 1,200 square foot manager's apartment, 34 RV parking spaces, and 21 regular parking spaces on 2.85 acres. Access will be provided via a drive from a yet to be constructed street to the north. Internal circulation is provided by a 24-foot circular drive, and there are five parking spaces outside the secured area, and 16 within.

- Waivers

  A waiver has been requested to allow a 10-foot planter along a portion the north property line where 15 feet is required. Within this area of reduced buffering, the landscape plan depicts street trees at one per every ten liner feet of planter where only one per every twenty feet is required. Although the planter width does not meet Title 19 requirements, the reduction is not a detriment to the site or the area, and the inclusion of additional street trees adequately compensates for this deficiency.

- Landscape Plan

  The landscape plan depicts eight, ten, and fifteen foot perimeter buffer areas planted with 36-inch box Mondel Pines, nine-gallon Desert Cassias, and five gallon Fraser Phtinias and Chaparral Sages. Adjacent to a portion of the north property line, there is a 10-foot planter where 15 feet is minimum allowed, and a waiver has been requested for relief from this requirement. In the area of deficiency, the landscape plan depicts street trees at one per every ten liner feet instead of the required one per every twenty feet. The reduction is not a detriment to the site, and the inclusion of additional street trees compensates for the deficiency. An eight-foot screening wall is located along the perimeter of the site, and parking lot landscaping is not required.

- Elevation

  The elevations depict a two-story mini-warehouse facility with a flat roof and a tan exterior with red metal roll up doors. The north portion of the building consists of the facility office and manager's apartment, which is also tan with black glazed windows and frames. Along the perimeter of the site there are 14-foot covered parking areas for recreational vehicles. The plans depict an aesthetically pleasing facility that blends in well with the residential and commercial nature of the area.

- Floor Plan

  The office/manager's apartment consists of a 900 square-foot lower level office and a 1,200 square-foot apartment on the second floor. The remainder of the facility consists of storage units of varying sizes on both the first and second floors.

FINDINGS

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

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

   The proposed development is located in a commercial area along Rancho Drive, a heavily traveled corridor. The site, which is adjacent to a multi-family development, meets all Residential Adjacency Standards and provides adequate screening and landscape buffering. The proposed development is compatible with both the commercial and multi-family residential development in the area.

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

   With the inclusion of a minor landscape waiver, the proposed development is consistent with 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;"**

   The proposed Mini-warehouse will generate minimal traffic, and will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials are typical of commercial development in the vicinity, and are appropriate and compatible for the area and 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 depict an aesthetically pleasing structure that is not unsightly or obnoxious in appearance, and is harmonious and compatible with both the commercial and residential nature of the area.

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

   The proposed Mini-warehouse Facility will be subject to regular inspections and will therefore not compromise the public health, safety and general welfare.

NOTICES MAILED 126

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4196 APN: 139-19-611-003

Name of Property Owner: WWJD LLC

Name of Applicant: JERRY DYE

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: JERRY DYE, MEMBER

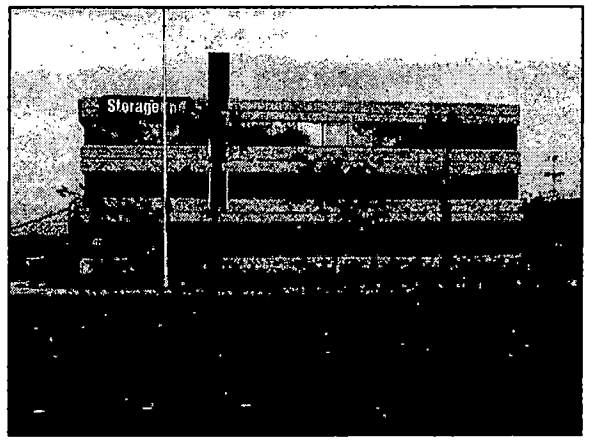
Subscribed and sworn before me

This 11th day of March, 2004

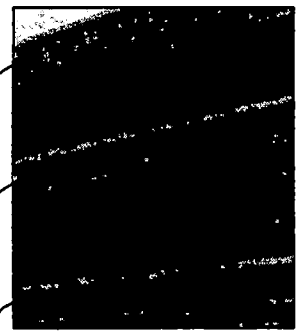
Myra Amigo Clark Nevada
Notary Public in and for said County and State

MYRA AMIGO
Notary Public State of Nevada
No. 03-82156-1
My appt. exp. May 22, 2007

RANCHO / LAKE MEAD MINI STORAGE



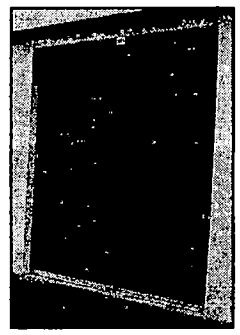
OVERALL COLOR THEME



STUCCO

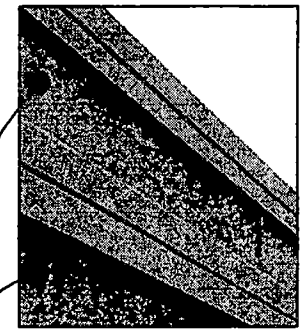
METAL BANDS

BASF 122T798
(BUCK TAN)
TYPICAL



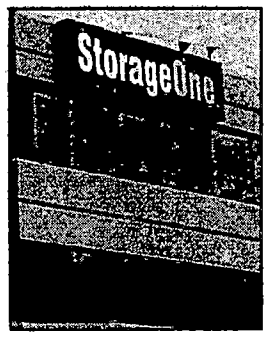
METAL ROLL-UP DOOR

U.S. DOOR
GARNET RED
(TYPICAL)



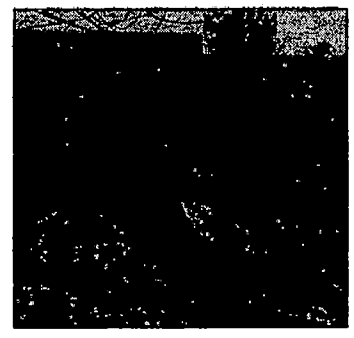
RIBBED METAL PANEL

BASF 122T798
(BUCK TAN)
TYPICAL



WINDOW GLAZING

PPG BLACK 1" INSULATED
GLAZING WITH BLACK
WINDOW FRAMING



PERIMETER BLOCK WALL

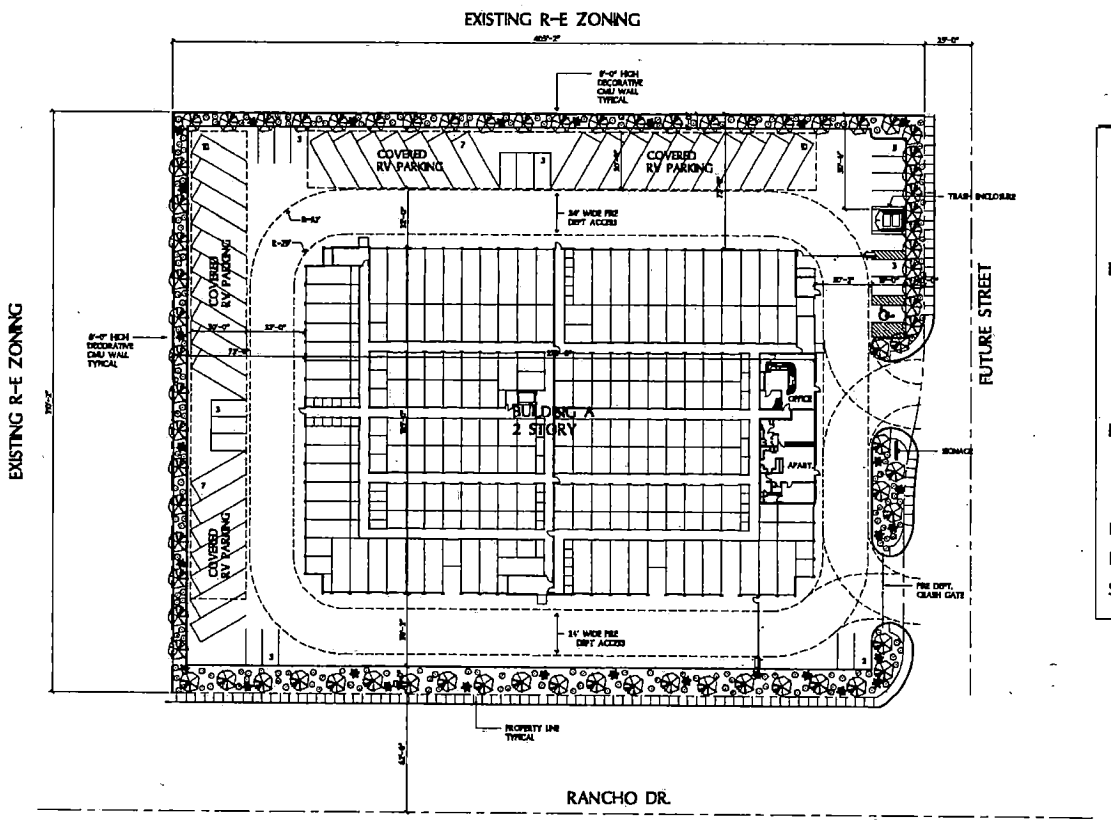
(TAN)

SCOTT L. BAKER,
ARCHITECT, INC.

7225 SOUTH BERMUDA ROAD, SUITE D, LAS VEGAS, NEVADA 89119 702.837.4221

SDR-4196

05-13-04 PC



SITE DATA

SITE AREA		124,057 S.F. 2.85 ACRES
BUILDING A		
1st FLOOR	48,625 S.F.	
OFFICE 900 S.F. APART. 1,200 S.F.		
2nd FLOOR	48,625 S.F.	
TOTAL	97,250 S.F.	
PARKING REQUIRED		
STORAGE - 704 UNITS/50		14.1 SPACES
TOTAL		15 SPACES
PARKING PROVIDED		21 SPACES
RV PARKING (OPEN)		34 SPACES
SITE COVERAGE		39.2%

SDR--4196

05-13-04 PC

SCOTT L. BAKER,
ARCHITECT, INC.

RANCHO / LAKE MEAD MINI STORAGE

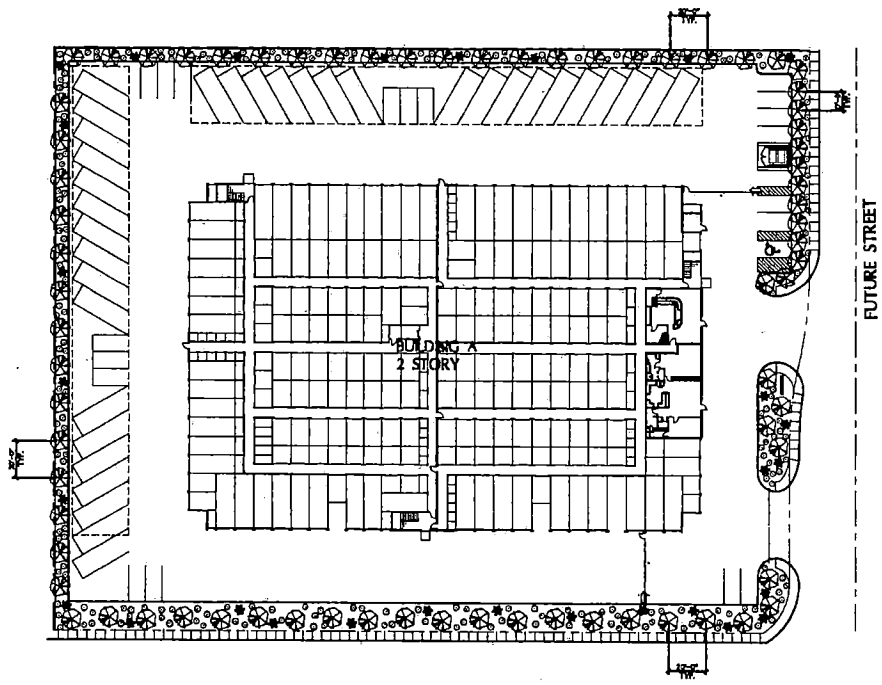
SITE PLAN

N

SCALE = 1" = 30'-0" PROJECT NO. 03-189 3. 30. 04.

0' 15' 30' 60' 120' SITE PLAN

EXISTING R-E ZONING



EXISTING R-E ZONING

RANCHO DR.

LANDSCAPE S.F. 13,493 S.F.
10.9%

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREE			
	PINUS ELDARICA	MONDEL PINE	36" BOX
SHRUBS			
⊙	CASSIA NEMOPHILA	DESERT CASSIA	9 GAL
⊙	PHOTINIA FRASERI	FRASER PHTINIA	5 GAL
✱	SALVIA CLEVELAND	CHAPARRAL SAGE	5 GAL
GROUNDCOVERS			
▭	DG GROUNDCOVER - 'ADOBE RED' OR 'MOHAVE GOLD' DECOMPOSED GRANITE IN ALL PLANTING AREA'S, 2" DEPTH TYPICAL SIZE TO BE 3/4" SCREENED		

SDR-4196
05-13-04 PC

SCOTT L. BAKER,
ARCHITECT, INC.

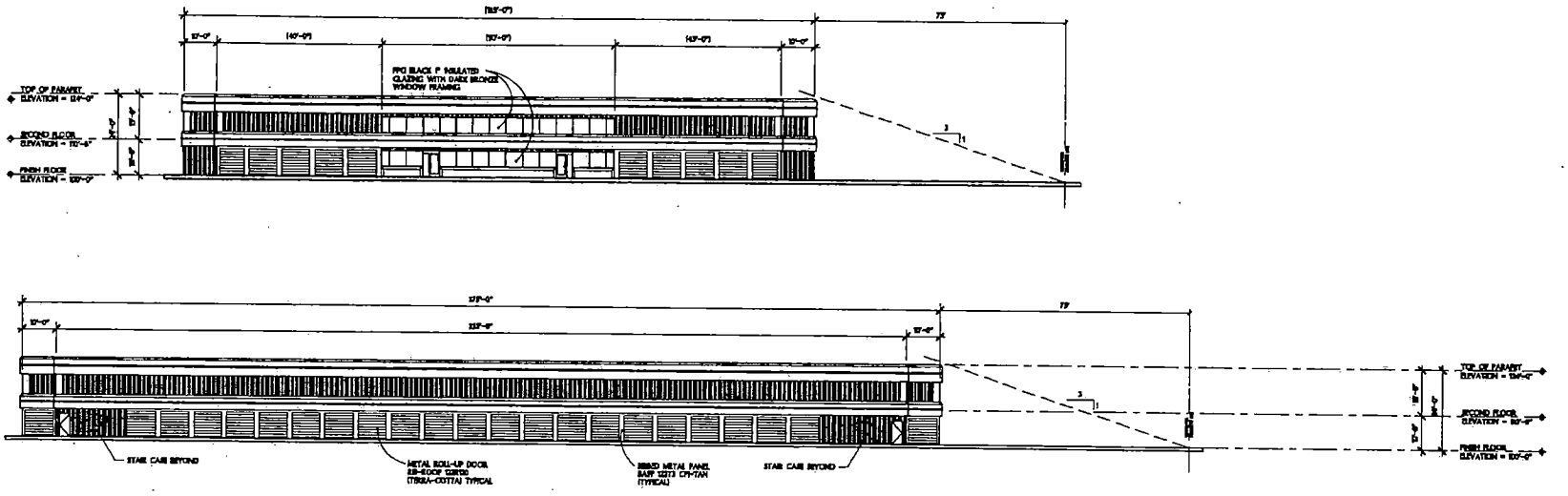
RANCHO / LAKE MEAD MINI STORAGE
LANDSCAPE PLAN

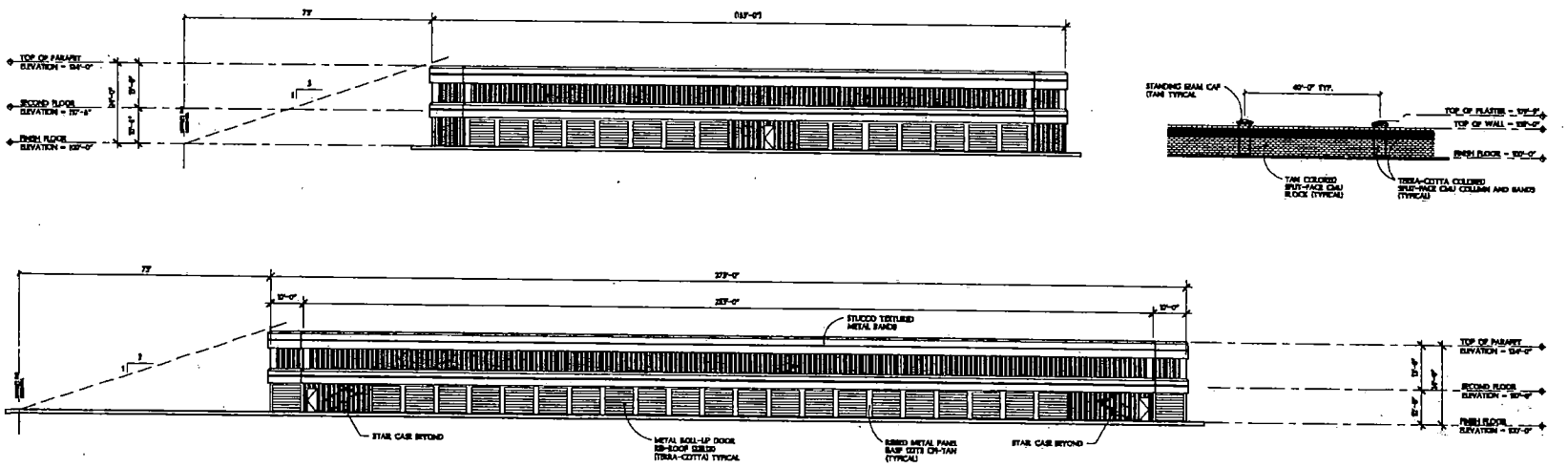
N

SCALE = 1" = 30'-0" PROJECT NO. 03-189 3. 30. 04.

0' 15' 30' 60' 120'

LANDSCAPE PLAN





SCOTT L. BAKER,
ARCHITECT, INC.

RANCHO / LAKE MEAD MINI STORAGE

BUILDING "A"

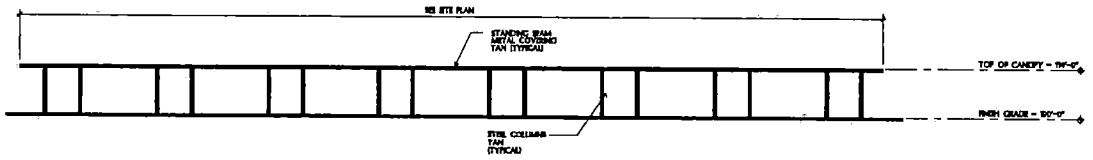
SCALE = 1/16" = 1'-0" PROJECT NO. 03-189 3. 30. 04.

0' 8' 16' 32' 64'

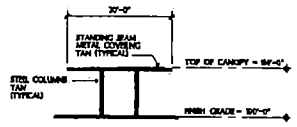
BUILDING A
ELEVATIONS

SDR-4196

05-13-04 PC



TYPICAL FRONT ELEVATION



TYPICAL SIDE ELEVATION

SDR-4196

05-13-04 PC

SCOTT L. BAKER,
ARCHITECT, INC.

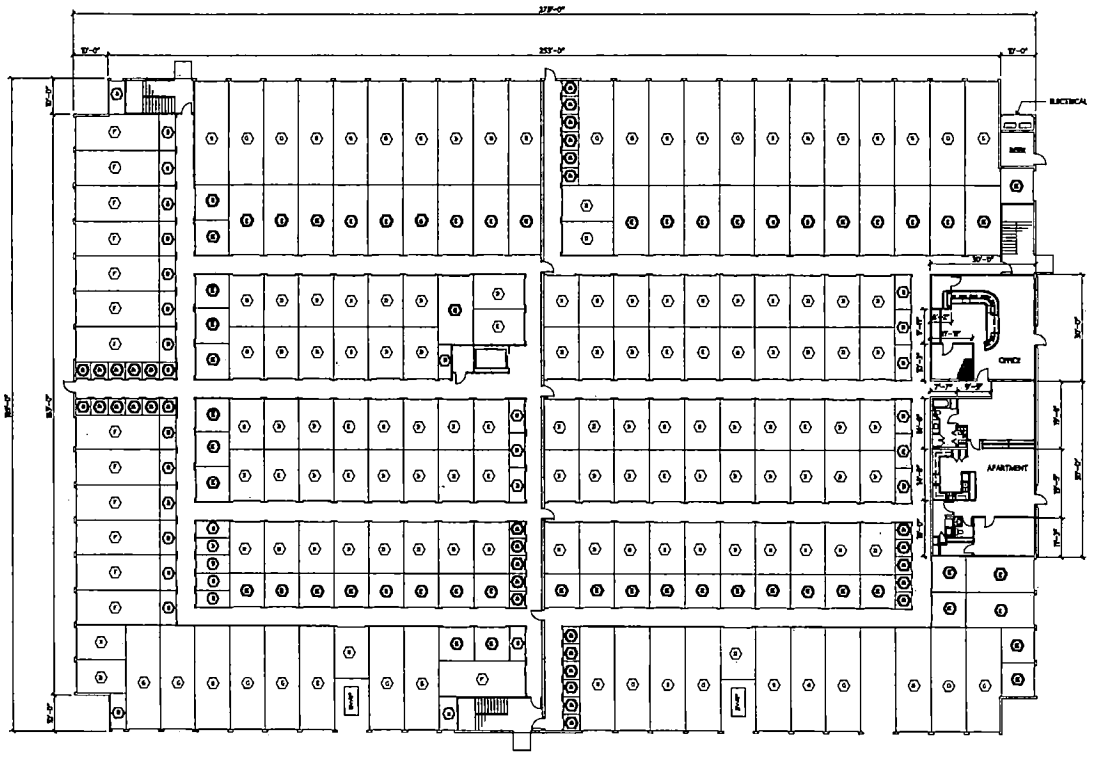
RANCHO / LAKE MEAD MINI STORAGE

CANOPY ELEVATIONS

SCALE = 1/16" = 1'-0" PROJECT NO. 03-129 3. 30. 04.

0' 8' 16' 32' 64'

CANOPY ELEVATIONS



UNIT TABULATION

BUILDING A						
TYPE	SIZE (FEET)	TOTAL	1 ST FLR. (SF.)	1 ST FLR. (UNIT)	2 ND FLR.	UNIT TOTALS (SQ.FT.)
A	5 x 5	64	14		848	3,392
B	5 x 10	91	29	3	85	4,830
C	10 x 10	366	100	3	513	49,468
D	10 x 15	168	150	5	66	31,908
E	10 x 20	32	81	3		6,400
F	10 x 25	16	1	0		3,800
G	10 x 30	28		48		8,880
TOTAL UNIT		784	201	63	654	98,888
FIRST FLOOR GARAGE SQ.FT.			(1000 SQ.FT. APARTMENT) (2400 SQ.FT. OFFICE)			48,878
SECOND FLOOR GARAGE SQ.FT.						48,878
TOTAL GARAGE SQ.FT.						97,756
1/2 BATH PER UNIT						

OCCUPANT LOAD		TOTAL OCCUPANT LOAD	EXITS REQUIRED (PER TABLES 1004.1 & 1015.1)	EXITS PROVIDED
OFFICE	2400 sf (1 : 100) = 24		1 EXIT	1 EXIT
APARTMENT	1000 sf (1 : 200) = 15	~ 8	1 EXIT	1 EXIT
1ST FLOOR STORAGE BUILDING	48,878 sf (1 : 300) = 162	~ 163	2 EXIT	5 EXITS
2ND FLOOR STORAGE BUILDING	48,878 sf (1 : 300) = 162	~ 163	2 EXIT	3 EXITS
Total Building Storage	193,756 sf	= 332 T ~ 335	4 EXITS	12 EXITS

SDR-4196

05-13-04 PC

SCOTT L. BAKER,
ARCHITECT, INC.

RANCHO / LAKE MEAD MINI STORAGE

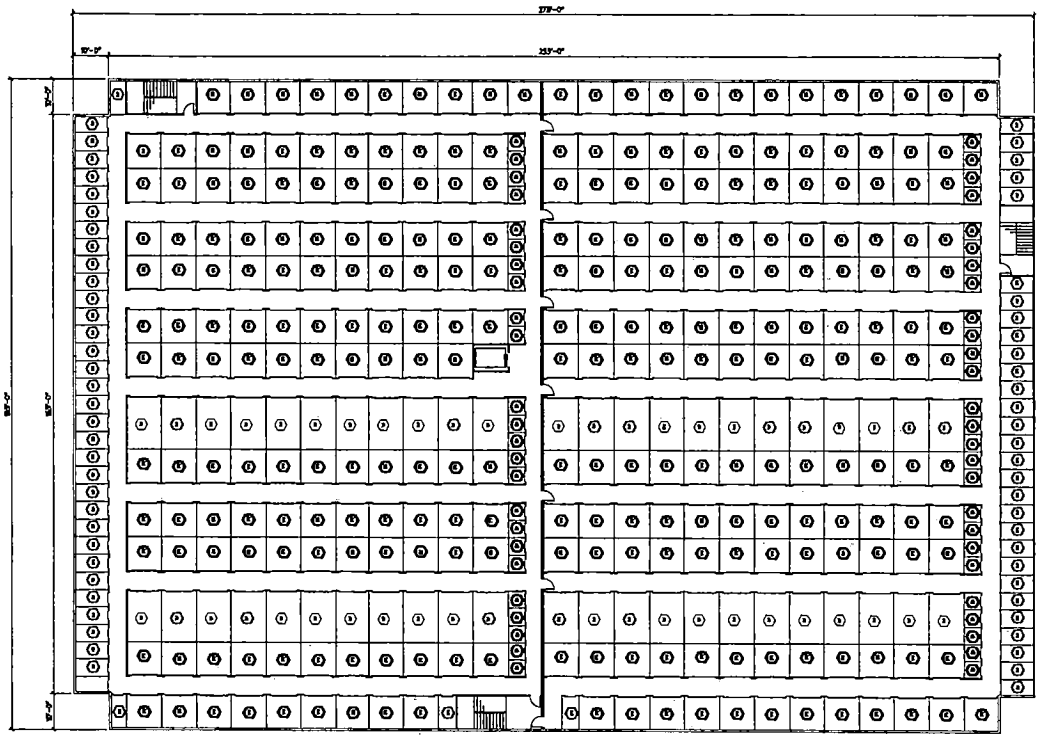
FIRST FLOOR PLAN

N

SCALE = 1/16" = 1'-0" PROJECT NO. 03-189 3. 30. 04.

0' 8' 16' 32' 64'

FIRST FLOOR PLAN



SDR-4196

05-13-04 PC

SCOTT L. BAKER,
ARCHITECT, INC.

RANCHO / LAKE MEAD MINI STORAGE

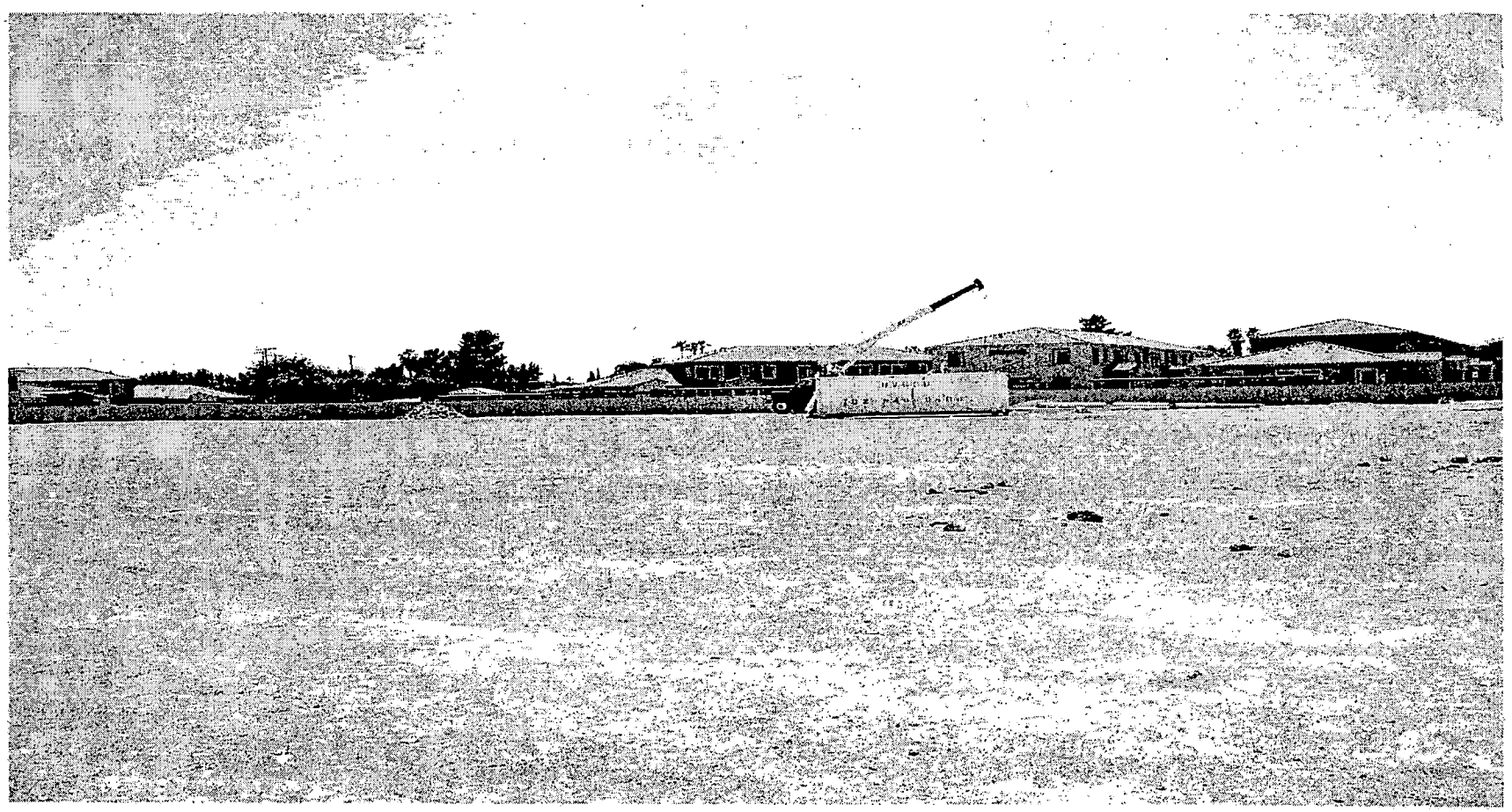
SECOND FLOOR PLAN

N

SCALE = 1/16" = 1'-0" PROJECT NO. 03-189 3. 30. 04.

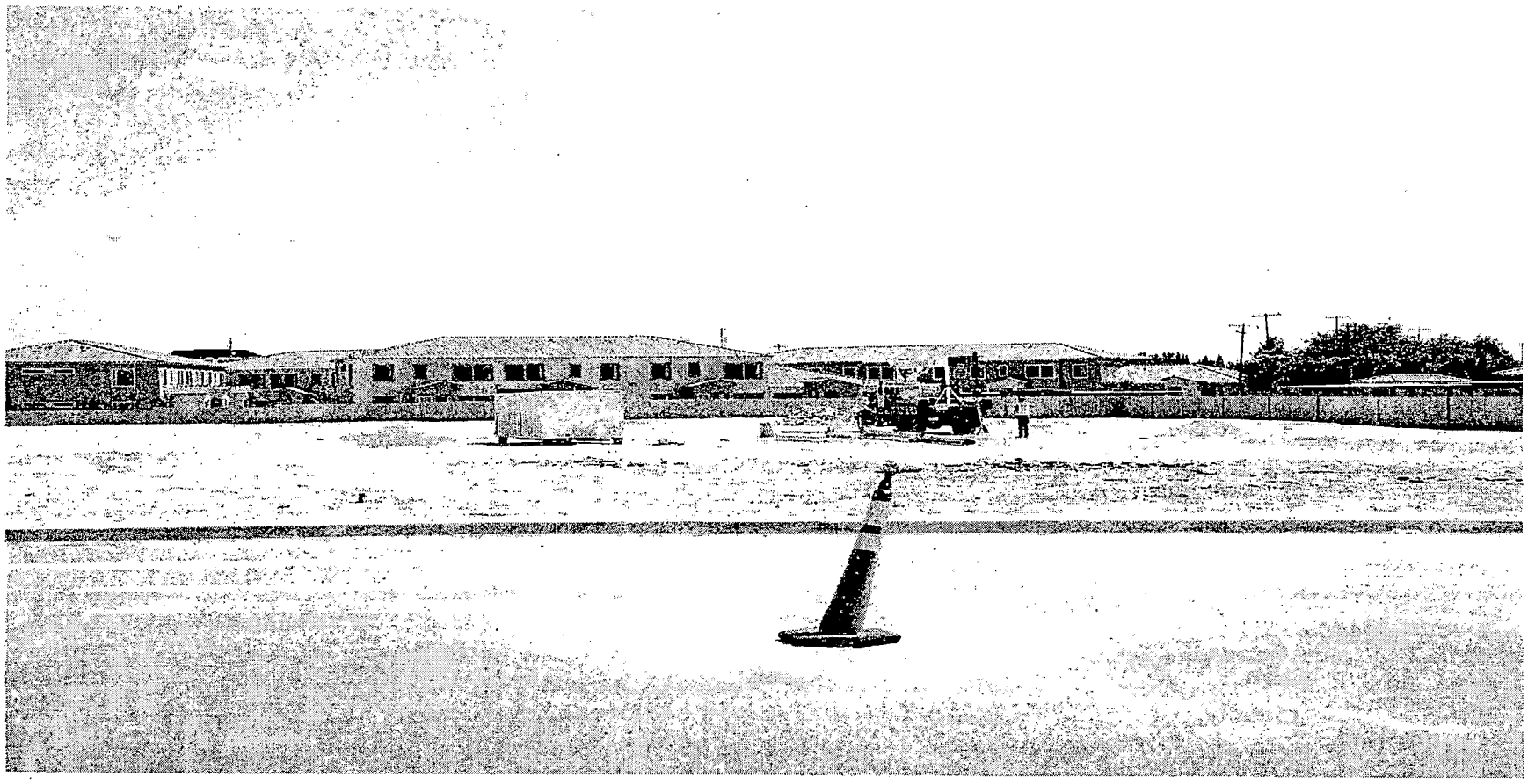
0' 8' 16' 32' 64'

SECOND FLOOR PLAN



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY
ADJACENT TO THE WEST SIDE OF RANCHO DRIVE BETWEEN LAKE MEAD BOULEVARD AND CORAN LANE
MAY 13, 2003 PLANNING COMMISSION

4/19/04



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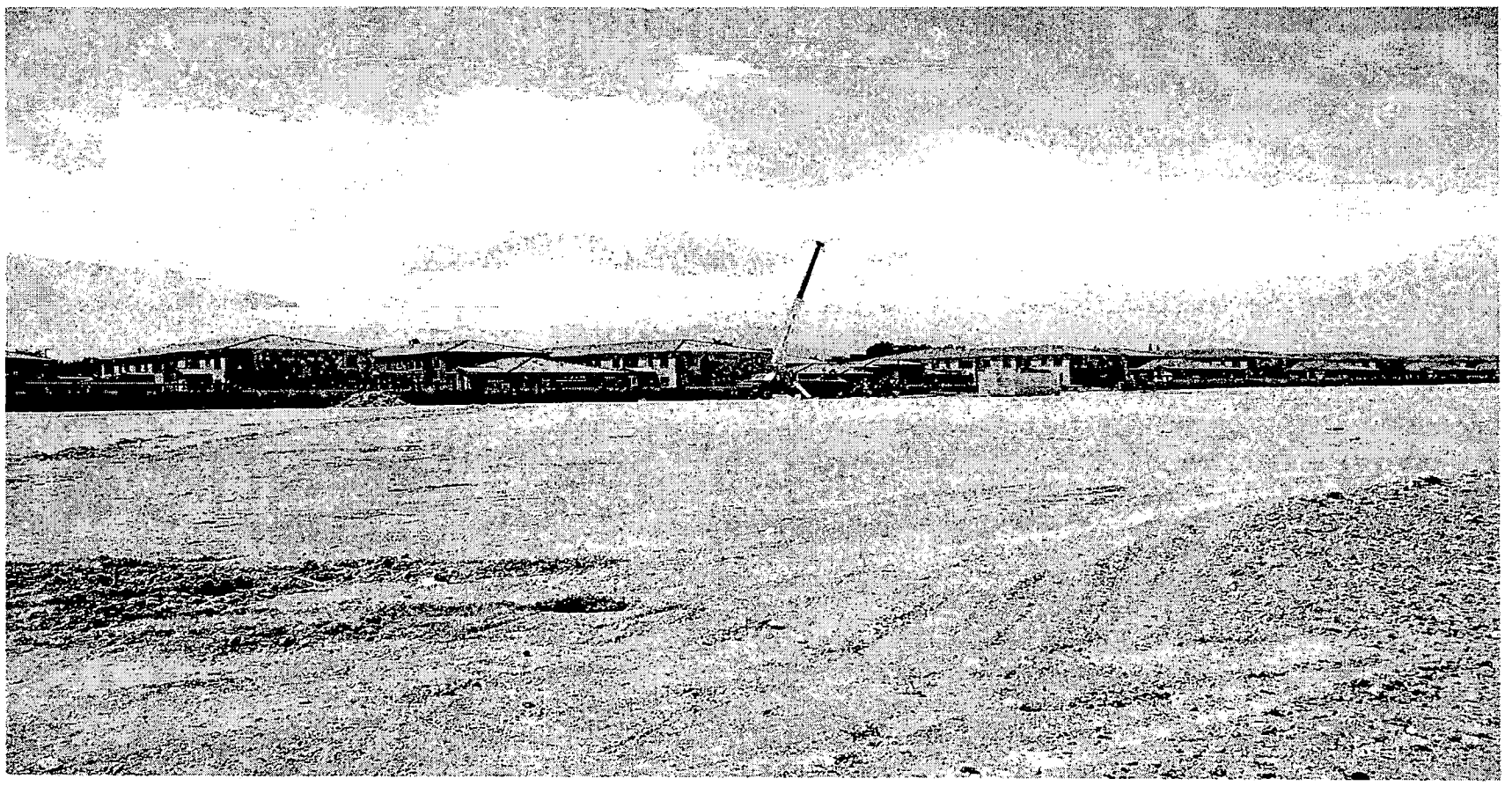
MAY 13, 2003 PLANNING COMMISSION

4/19/04



SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4196 - APPLICANT: STORAGE ONE - OWNER: W J D, LIMITED LIABILITY COMPANY
ADJACENT TO THE WEST SIDE OF RANCHO DRIVE BETWEEN LAKE MEAD BOULEVARD AND CORAN LANE
MAY 13, 2003 PLANNING COMMISSION

4/19/04

Telephone Protest/ Approval Log

Meeting Date: 5-13-04 **Case Number:** SDR-4196

Date: 5/10/04
Name: MR. Anthony DATACAS
Address: 2120 Valley Dr.

Phone: 648-7041
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

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☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
MASTER PLAN OF STREETS AND HIGHWAYS AMENDMENT - PUBLIC HEARING - MSH-4197 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request to Amend the Master Plan of Streets and Highways FOR THE ADDITION OF MAJOR ROADS WITHIN THE CLIFF'S EDGE MASTER PLAN generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way, Ward 6 (Mack).

C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions and amending Condition 1 to read "Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements will be required if determined to be needed by the City of Las Vegas Traffic Engineer" – UNANIMOUS with McSWAIN abstaining as her firm is doing work that benefits Focus' property

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this application will bring the Master Plan of Streets and Highways in line with the approved tentative map of the street alignment for the major roads recently approved for the Cliffs Edge area. The specific

MINUTES - Continued:

amendment change is adding Centennial Parkway between Puli Road and Hualapai Way as a 100-foot primary arterial. The secondary collectors will be an 80-foot section, with Puli Road between Farm and Centennial, Elkhorn between Hualapai and Eagle Crest, and Shaumber Road between Dorrell Lane and Centennial Parkway. The following will be the 80-foot collectors with special design standards, such as a 70-foot back of curb to back of curb distance with off set sidewalks, which will include Shaumber Road from Dorrell to Grand Teton, Eagle Crest Way from Dorrell to Grand Teton, and Dorrell Lane from Puli to Hualapai. Finally, it will change the following segment from a full secondary 80-foot collector to a secondary with 70-foot special design standards, which is Farm Road from Puli to Hualapai. Staff recommended approval.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He concurred with staff recommendations. He asked Public Works to consider revising the language on the first condition.

MARY SANDERS, 9945 Wittig, requested that the portions on Elkhorn between Eagle Crest and Hualapai, and the part on Dorrell between Eagle Crest and Hualapai, be kept as they are. To the east of these two areas is a rural neighborhood with children and homes. If this is widened to a 100-foot corridor and a 80-foot corridor, there will be a lot of construction coming over from Grand Canyon, as they are already experiencing construction east of Grand Canyon. The neighbors are concerned that it will cause the widening at the other end of the road and would set a precedent.

RON and BEVERLY HOLMAN, 9665 Elkhorn Road, stated that his road is not considered as a county road, yet there are buses and gravel trucks that come through there with a lot of construction and this is a concern for the residents. It creates dust, which make allergies flare up.

ATTORNEY FIORENTINO stated there might have been some confusion as to the street design. The applicant is not requesting to change any of the street designs or roadway widths east of Hualapai. These changes are west of Hualapai to accommodate the traffic and to bring the street widths into conformance with the approved traffic study. It is true that Hualapai has been the demarcation line in this part of the northwest. The east side is rural neighborhood preservation, and the west side is planned for the higher densities. Therefore, it is essential to get circulation in the Master Plan that streets are added and not deleted, including no changes on the east side of Hualapai to either Elkhorn or Dorrell. COMMISSIONER TRUESDELL asked if Centennial will go over the beltway at some point. MR. LEOBOLD replied that the intent is to go over at some point. In addition, he clarified that it may have been previously identified as a 100-foot arterial but it is 80 feet and connects to Hualapai, which is also a 80-foot arterial.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 57– MSH-4197

MINUTES – Continued:
DAVID GUERRA, Public Works, commented that staff agreed with the applicant to revise Condition No. 1 as noted.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

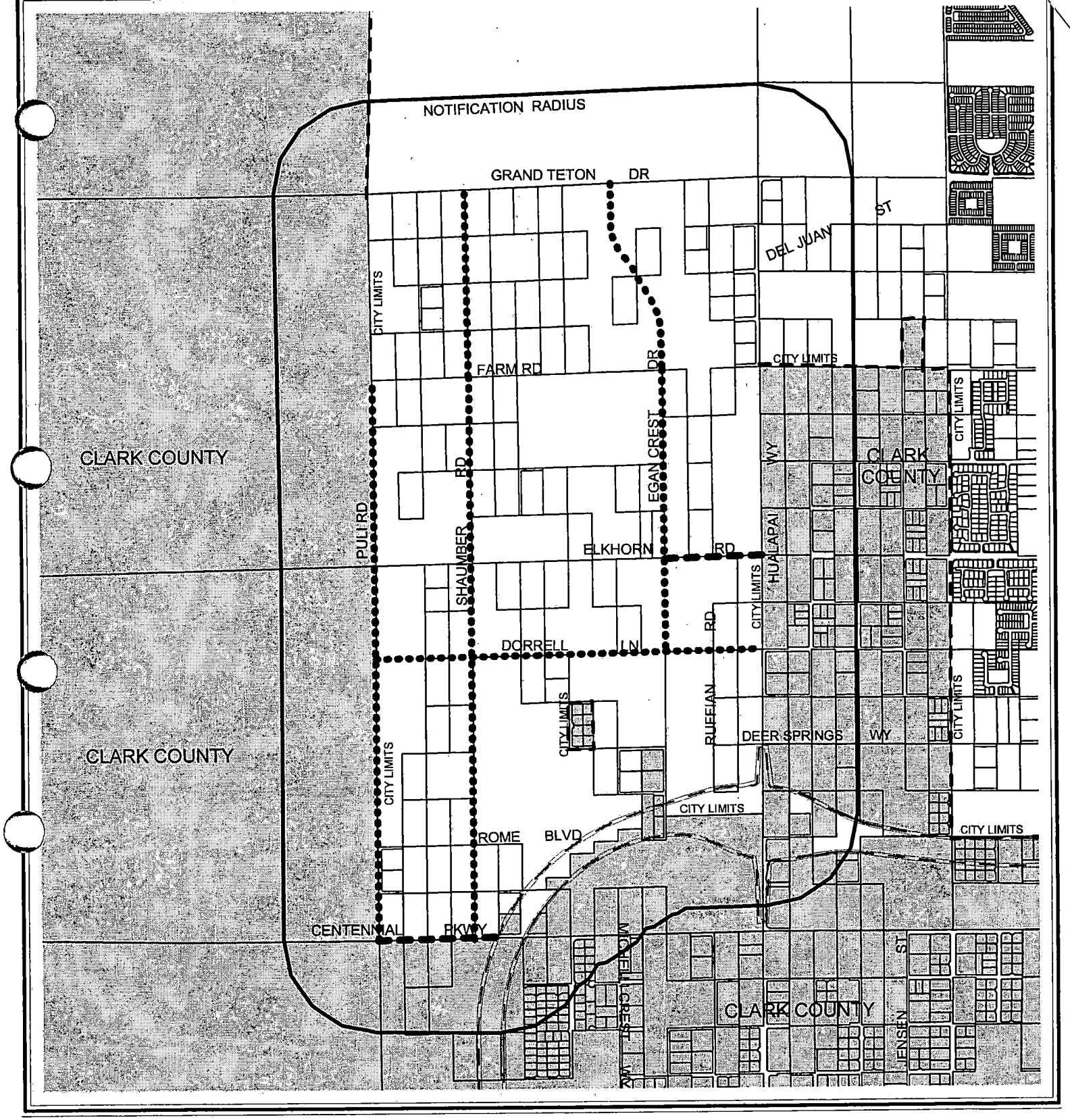
(9:41 – 9:56)

3-1470

CONDITIONS:

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the City of Las Vegas Traffic Engineer.

2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.



CASE: MSH-4197

NOTIFICATION RADIUS: Special

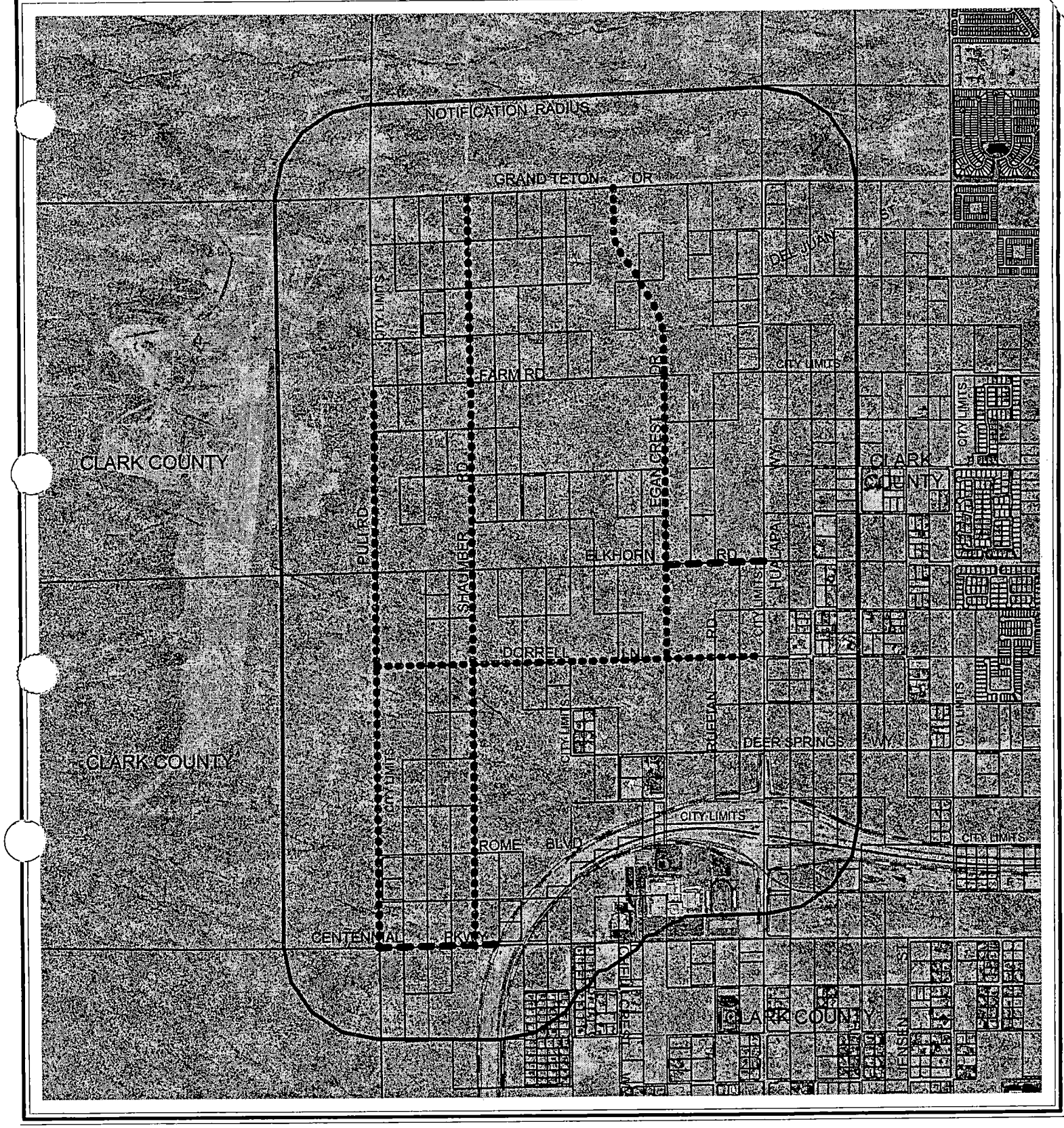
CLARK COUNTY

PROPOSED 100-F00T RIGHT-OF-WAY CORRIDOR

PROPOSED 80-F00T RIGHT-OF-WAY CORRIDOR

N

0 1000 2000 Feet



CASE: MSH-4197

NOTIFICATION RADIUS: Special

CLARK COUNTY

PROPOSED 100-F00T RIGHT-OF-WAY CORRIDOR

PROPOSED 80-F00T RIGHT-OF-WAY CORRIDOR

N

0 1000 2000 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSH-4197 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the City of Las Vegas Traffic Engineer.

2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

MSH-4197 - Staff Report One
May 13, 2004 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of an amendment to the Master Plan of Streets and Highways to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on March 11, 2004.

B) Applicant's Justification

The applicant has justified this request by stating that the amendment will ensure that the design of public roadways in the area is consistent with the roadway design contained in the approved Cliff's Edge Master Development Plan and the related parent Tentative Map.

BACKGROUND INFORMATION

A) Previous Actions

02/06/02 The City Council approved an Annexation (A-0026-01) of 95 acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The Planning Commission and staff recommended approval on 05/10/01. The effective date of this annexation was 02/15/02.

02/06/02 The City Council approved an Annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission and staff recommended approval on 05/10/01. The effective date of this annexation was 02/15/02.

06/19/02 The City Council approved an Annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission and staff recommended approval on 05/10/01. The effective date of this annexation was 06/28/02.

GL

01/08/03 The City Council approved an Annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission and staff recommended approval on 10/10/02. The effective date of this annexation was 01/17/03.

02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.

04/16/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.

07/16/03 The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on 06/12/03.

12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.

12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on 10/23/03. The effective date of this annexation was 12/26/03.

02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission and staff recommended approval on 01/08/04.

GL

02/18/04 The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission and staff recommended approval on 01/08/04.

03/11/04 The Planning Commission approved a request for a parent Tentative Map (TMP-3798) for approximately 922 acres within the Cliff's Edge Master Development plan area. Staff recommended approval of this application.

04/08/04 The Planning Commission recommended approval of a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from Village Commercial to Medium Low Density Residential and Medium Residential; from Medium Residential to Residential Small Lot; and from Medium Low Density Residential to Public Facilities; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 total acres within the Cliff's Edge Master Development Plan area. Staff recommended approval of this application. The City Council will consider this request on 05/05/04.

04/21/04 The City Council approved a request to Annex (ANX-3693) approximately 2.14 acres of land within the Cliff's Edge Master Development Plan area. The effective date was 04/30/04. The Planning Commission and staff recommended approval on 02/26/04.

DETAILS OF APPLICATION REQUEST

The amendment proposes the following roadway changes:

- Add the following segment as a Primary (100-foot) Arterial:
  - Centennial Parkway from Puli Road to Hualapai Way.
- Add the following segments as full Secondary (80-foot) Collectors:
  - Puli Road between Farm Road and Centennial Parkway;
  - Elkhorn Road between Hualapai Way and Egan Crest Way; and
  - Shaumber Road between Dorrell Lane and Centennial Parkway.
- Add the following segments as Secondary (80-foot) Collectors with special design standards (i.e. a 70-foot back-of-curb to back-of-curb distance with offset sidewalk);
  - Shaumber Road from Dorrell Lane to Grand Teton Drive;
  - Egan Crest Way from Dorrell Lane to Grand Teton Drive; and
  - Dorrell Lane from Puli Road to Hualapai Way.
- Change the following segment from a full Secondary (80-foot) Collector to a Secondary (80-foot) Collector with special design standards (i.e. a 70-foot back-of-curb to back-of-curb distance with offset sidewalk):
  - Farm Road from Puli Road to Hualapai Way.

ANALYSIS

A) Planning discussion

The proposed amendments will add a number of minor arterials to the public road network proposed for the Cliff's Edge community. These amendments are consistent with the previously approved Cliff's Edge Master Development Plan and Design Guidelines, originally approved in March 2003 and amended several times since then. The proposed network is also consistent with the major roadway network identified in the recently approved parent Tentative Map (TMP-3798) for the Cliff's Edge community.

B) Public Works discussion

The developer of the Cliff's Edge planned development requests to update the current Master Plan of Streets and Highways to identify necessary arterial roadways to service the northwest area of the City of Las Vegas. This Amendment will serve to provide public notice to interested property owners of such necessary roadways, and establish the alignments and right-of-way widths thereof.

NOTICES MAILED 134

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

W.O.#5969

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MSH-4197 APN: See Attached

Name of Property Owner: Cliff's Edge L.L.C.

Name of Applicant: Cliff's Edge L.L.C.

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: LARRY BROSS

Subscribed and sworn before me

This 30TH day of MARCH, 2004

Shauna L. Moore

Notary Public in and for said County and State

SHAUNA L. MOORE
Notary Public State of Nevada
No.97-2638-1
My appt. exp. June 19, 2005

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements in Antibes Street, south of Monte Viso Drive, Ward 6 (Mack).

SET DATE: 06/02/2004
C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235], Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] – UNANIMOUS with McSWAIN abstaining on Item 12 [SDR-4192] as her company is currently working with Greystone and abstaining on Item 58 [VAC-4098] and Item 60 [VAC-4158] as her company is presently involved in litigation with Del Webb, which is owned by Pulte Homes

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 58 – VAC-4098

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

COMMISSIONER McSWAIN requested that Item 10 [SUP-4203] be removed from One Motion/One Vote.

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 58 [vac-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] be moved up to One Motion/One Vote. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

(6:06 – 6:16)

CONDITIONS:

1. A sanitary sewer relocation/abandonment plan must be submitted and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Alternate public sewer easements shall be recorded prior to or concurrent with the recordation of the Order of Vacation.

2. Alternate drainage easements in accordance with approved Drainage Study shall be recorded prior to or concurrent with the recordation of the Order of Vacation.

3. Prior to the recordation of an Order of Vacation, all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

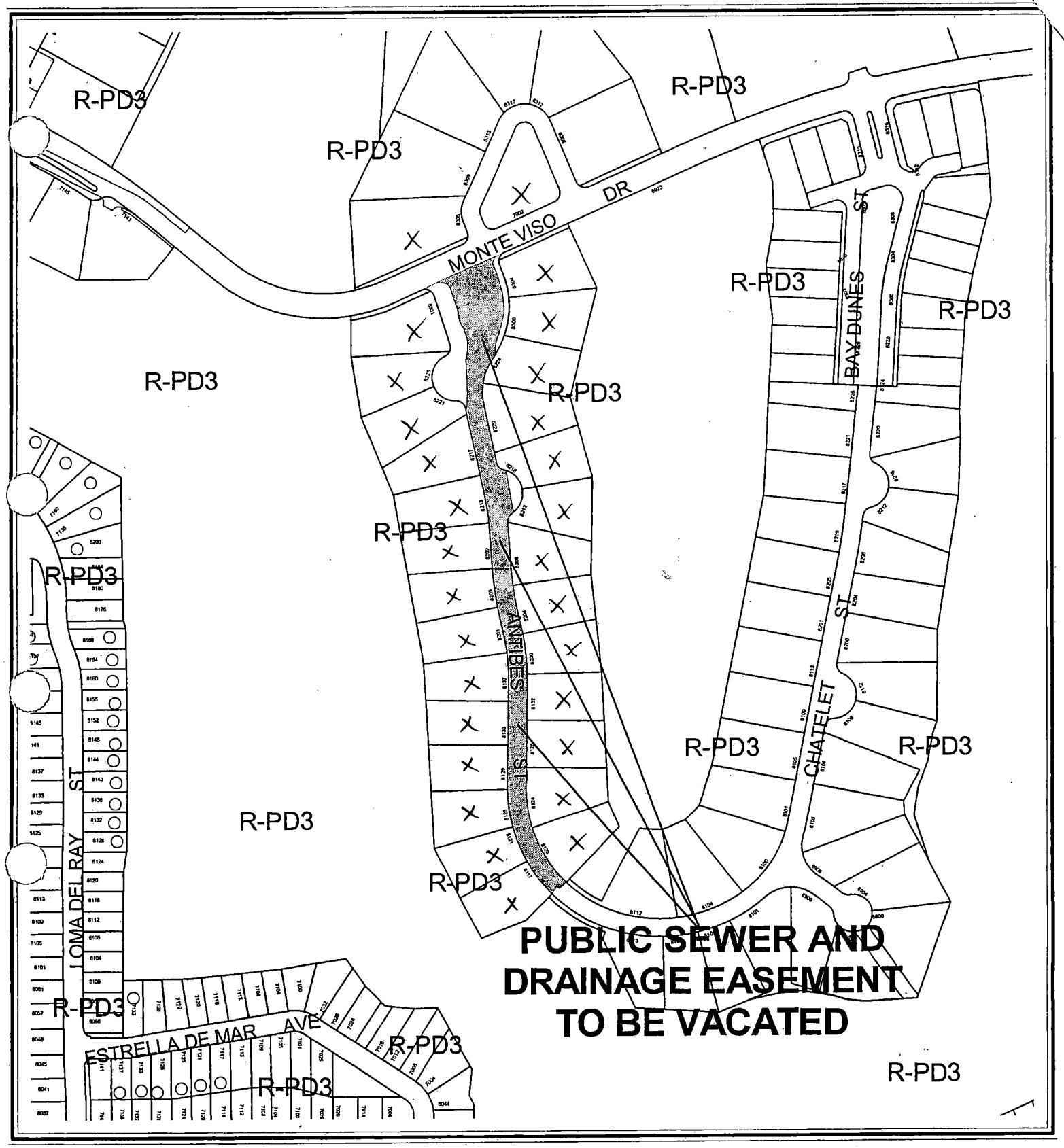
4. All development shall be in conformance with code requirements and design standards of all City Departments.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 58 – VAC-4098

CONDITIONS – Continued:

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



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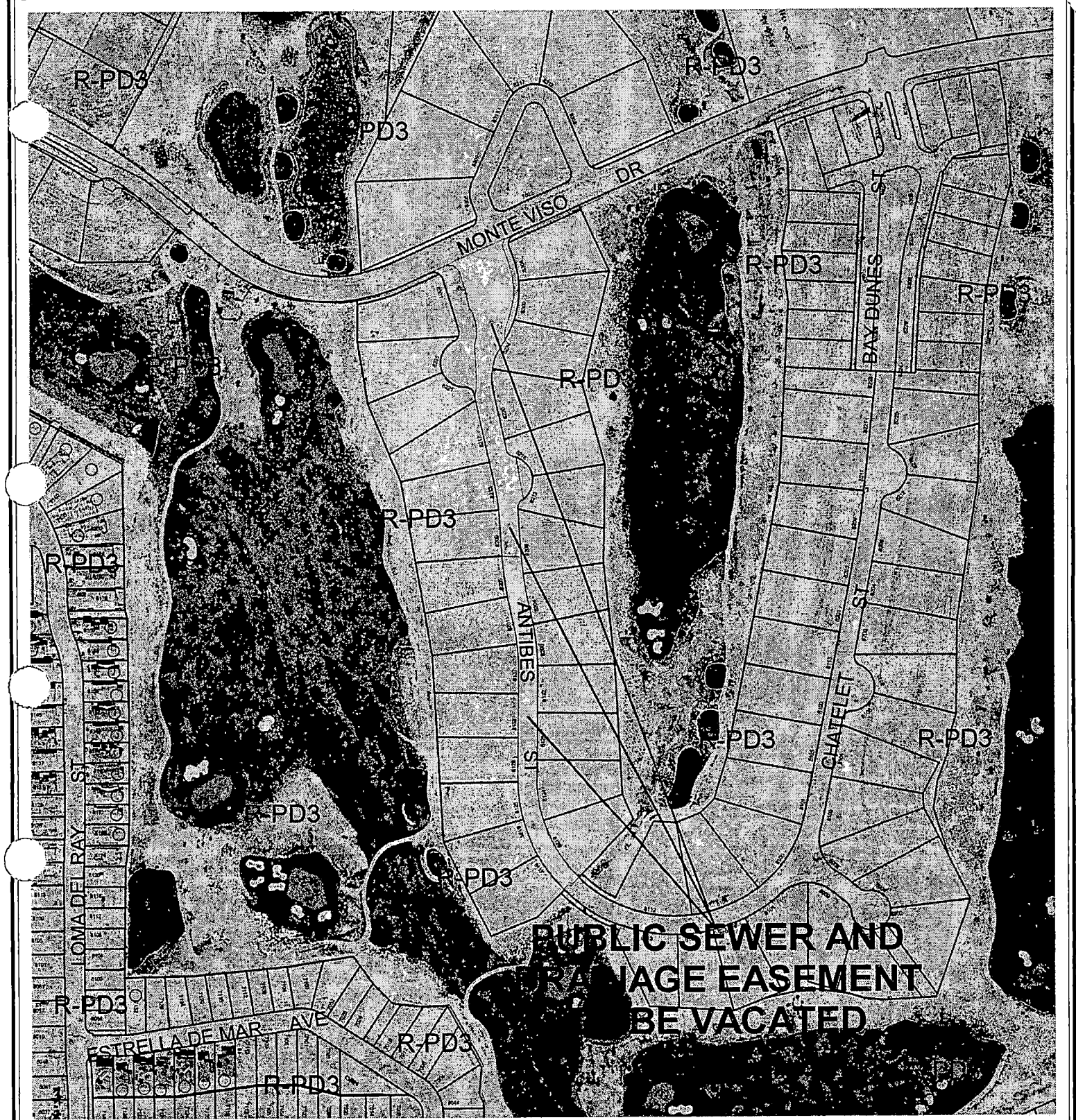
CASE: VAC-4098

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N



0 200 400 Feet

CASE: VAC-4098

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4098 - APPLICANT/OWNER: PULTE HOMES

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. A sanitary sewer relocation/abandonment plan must be submitted and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Alternate public sewer easements shall be recorded prior to or concurrent with the recordation of the Order of Vacation.

2. Alternate drainage easements in accordance with approved Drainage Study shall be recorded prior to or concurrent with the recordation of the Order of Vacation.

3. Prior to the recordation of an Order of Vacation, all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate public sewer and drainage easements in Antibes Street south of Monte Viso Drive.

B) Applicant's Justification

The applicant justifies this application by stating that the easements are no longer necessary in their current configurations. A new final subdivision map will reestablish the easements as necessary.

BACKGROUND INFORMATION

A) Previous Actions

10/02/91 The City Council approved a request for a Rezoning to R-PD3 (Residential Planned Development - 3 Units Per Acre) on this site as part of a larger request (Z-0075-91). The Planning Commission recommended approval on 09/12/91. Staff recommended approval.

12/03/98 The Planning Commission approved the Final Map for Mountain Spa - Parcel 7 (FM-0095-98), which was subsequently recorded. This Final Map created the public sewer and drainage easements in Antibes Street and Nige Street. Staff recommended approval.

10/29/03 The City Council approved a Petition to Vacate (VAC-2836) public sewer and drainage easements in Antibes Street and Nige Street, north and south of Monte Viso Drive; and south of Monte Viso Drive, west of Rainbow Boulevard. The Planning Commission and staff recommended approval on 09/11/03.

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public sewer and drainage easements located in the West Half (W ½) of the Southeast Quarter (SE ¼) of Section 10, Township 19 South, Range 60 East, M.D.M.

SS

ANALYSIS

A) Planning discussion

The applicant intends to incorporate the public sewer and drainage easements into the adjacent parcels for development. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

Public utility easements in the remaining portions of Antibes Street were previously vacated as part of another request (VAC-2836).

B) Public Works discussion

This Vacation application proposes to only vacate a City of Las Vegas public sewer and drainage easement, as it is no longer required at this location. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

A Drainage Plan/Study has been submitted to the Flood Control Section of the Department of Public Works; it addresses new drainage easements within the area requested for vacation.

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4098 APN: 125-10-710-001-022, 027-031

Name of Property Owner: PN II, Inc d/b/a Pulte Homes

Name of Applicant: Pulte Homes

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

_____Yes __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: Jeremy Fritz

Print Name: Jeremy Fritz

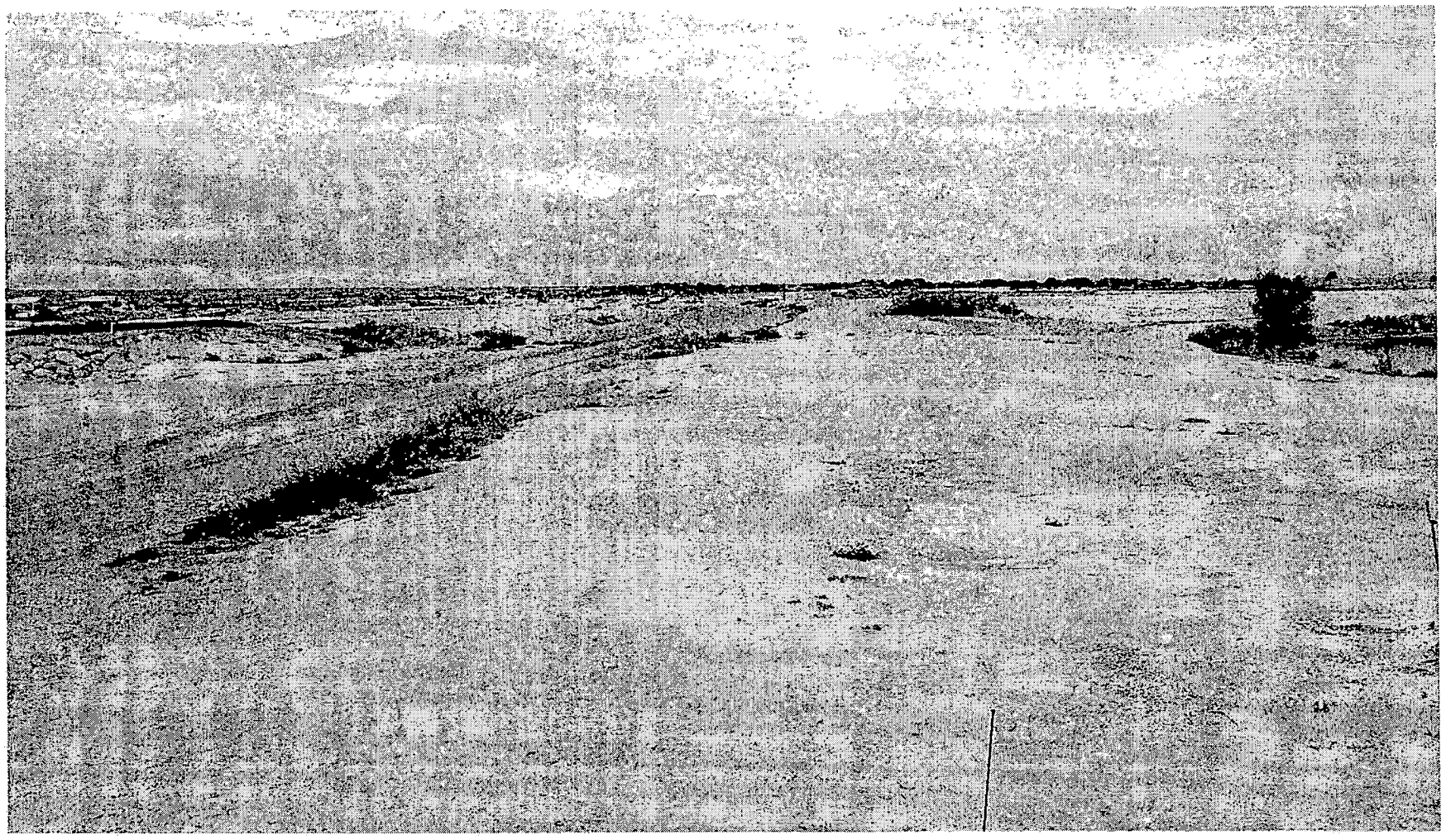
Subscribed and sworn before me

This 1st day of March, 2004

Annette M. Watkins

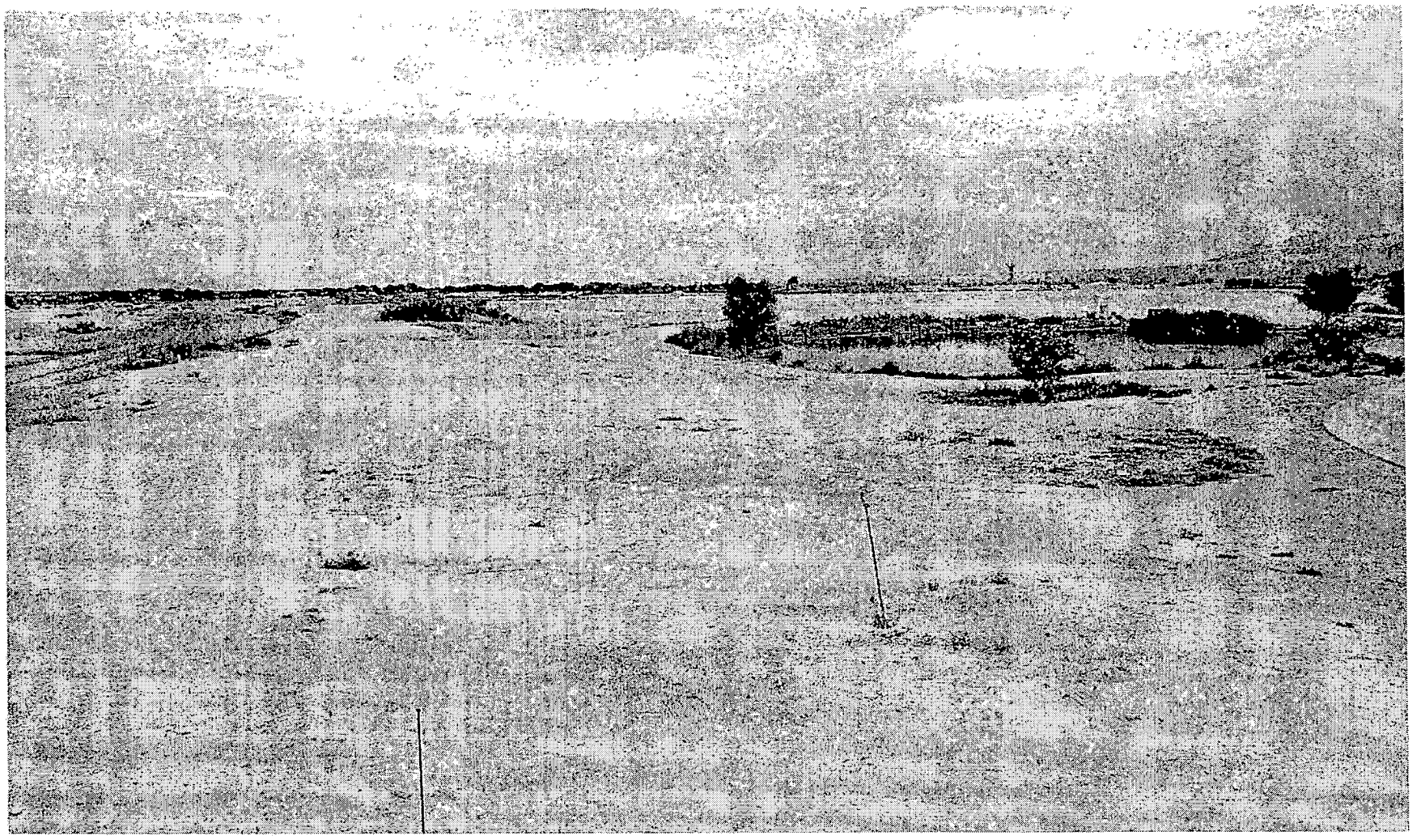
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNETTE M. WATKINS
Appt. No. 03-80701-1
My Appt. Expires March 19, 2007



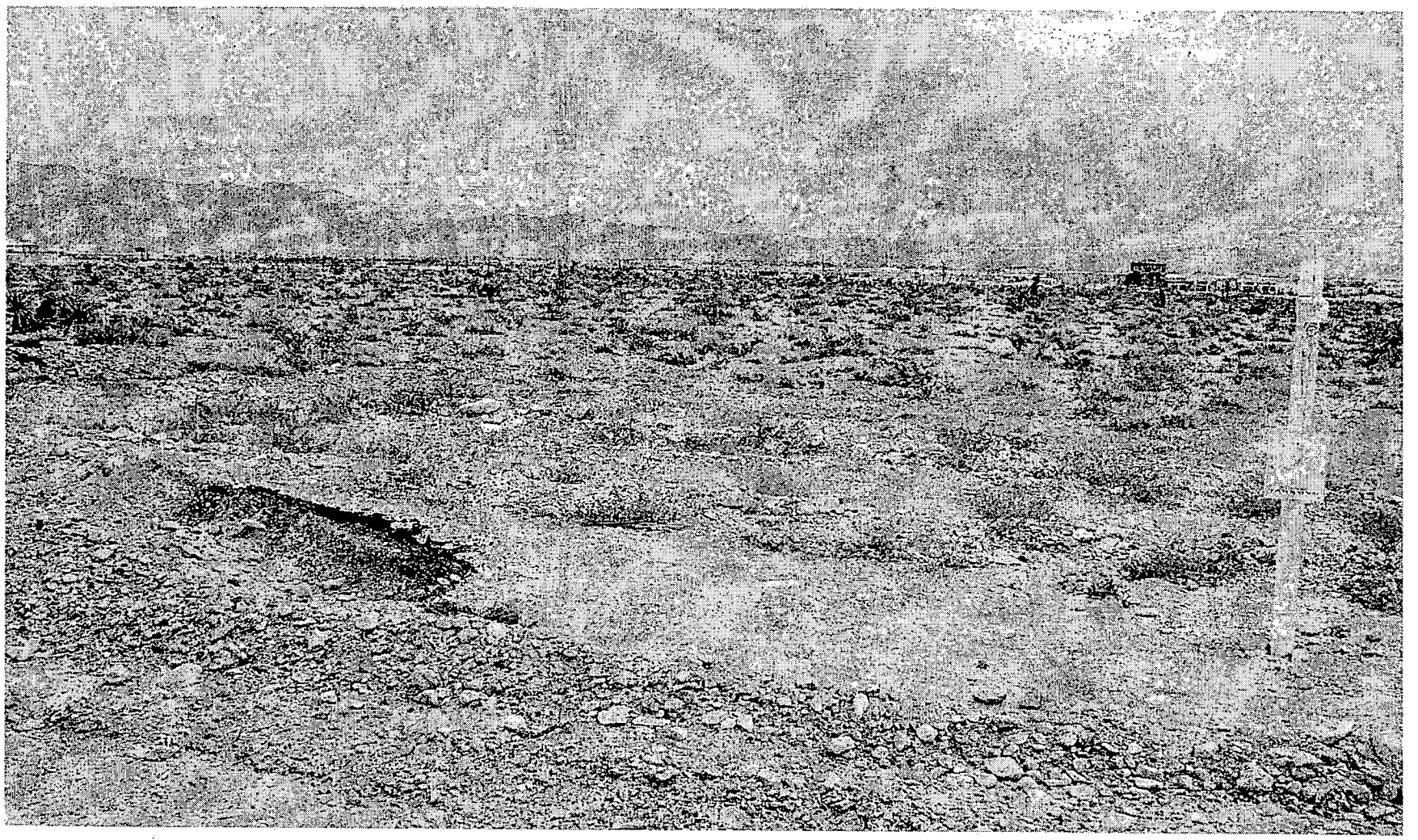
VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES
ANTIBES STREET, SOUTH OF MONTE VISO DRIVE
MAY 13, 2003 PLANNING COMMISSION

4/29/04



VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES
ANTIBES STREET, SOUTH OF MONTE VISO DRIVE
MAY 13, 2003 PLANNING COMMISSION

4/29/04



VACATION - PUBLIC HEARING - VAC-4098 - APPLICANT/OWNER: PULTE HOMES
ANTIBES STREET, SOUTH OF MONTE VISO DRIVE
MAY 13, 2003 PLANNING COMMISSION

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VACATION - PUBLIC HEARING - VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Petition to Vacate a twenty-foot (20') wide public alley generally located west of Maryland Parkway and north of Carson Avenue, Ward 5 (Weekly).

SET DATE: 06/02/2004
C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235], Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] – UNANIMOUS with McSWAIN abstaining on Item 12 [SDR-4192] as her company is currently working with Greystone and abstaining on Item 58 [VAC-4098] and Item 60 [VAC-4158] as her company is presently involved in litigation with Del Webb, which is owned by Pulte Homes

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 59 – VAC-4104

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

COMMISSIONER McSWAIN requested that Item 10 [SUP-4203] be removed from One Motion/One Vote.

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 58 [vac-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] be moved up to One Motion/One Vote. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

(6:06 – 6:16)

CONDITIONS:

1. A sanitary sewer relocation/abandonment plan must be submitted to and approved by the Department of Public Works and the relocation and/or abandonment must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan. Alternatively, appropriate public sewer easements shall be retained within the alley.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. Alternatively, a drainage easement shall be retained over the full width of the alley.

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

CONDITIONS – Continued:

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

5. All development shall be in conformance with code requirements and design standards of all City Departments.

6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. A sanitary sewer relocation/abandonment plan must be submitted to and approved by the Department of Public Works and the relocation and/or abandonment must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan. Alternatively, appropriate public sewer easements shall be retained within the alley.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. Alternatively, a drainage easement shall be retained over the full width of the alley.

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

5. All development shall be in conformance with code requirements and design standards of all City Departments.

6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate a 20-foot wide public alley generally located north of Carson Avenue and west of Maryland Parkway.

B) Applicant's Justification

The applicant justifies this request by stating that the public alley separates two parcels that will be developed for high-density residential and commercial uses. This portion of the site is needed to create an integrated development.

BACKGROUND INFORMATION

A) Previous Actions

03/05/80 The City Council adopted the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area. The subject site is within the boundaries of the Redevelopment Area.

06/06/01 The City Council approved a Special Use Permit (U-0035-01) for a 60-foot tall slim-line wireless communication monopole at 100 South Maryland Parkway. The Planning Commission and staff recommended approval on 04/26/01. A permit was issued for the monopole; however, no final inspection was conducted and the permit expired 06/22/02.

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as a Public Alley, twenty feet (20') wide, commencing at the west right-of-way line of Maryland Parkway, extending westerly approximately one hundred sixty feet (160'), then southerly approximately one hundred seventy feet (170') to the north right-of-way line of Carson Avenue; said property being a portion of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 35, Township 20 South, Range 61 East, M.D.M.

SS

ANALYSIS

A) Planning discussion

The proposed vacation of public right-of-way will allow for the development of a proposed live/work complex on the C-1 (Limited Commercial) zoned portion of the site. The proposed alley vacation will not eliminate access to any abutting parcels or adversely affect any abutting properties.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street rights-of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Not applicable, as it will eliminate an existing public alley.*

B. From a traffic handling viewpoint, will this vacation request result in a reduced traffic handling capability? *No, since the alley is only used by the adjacent properties.*

C. Does it appear that the vacation request involves only excess right-of-way? *Not applicable, as it will eliminate an existing public alley.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4104 APN: 139-35-310-002 139-35-310-006

Name of Property Owner: MISSION SPRING PROPERTIES

Name of Applicant: EVAN RANES

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: Evan Ranes

Print Name: Evan Ranes

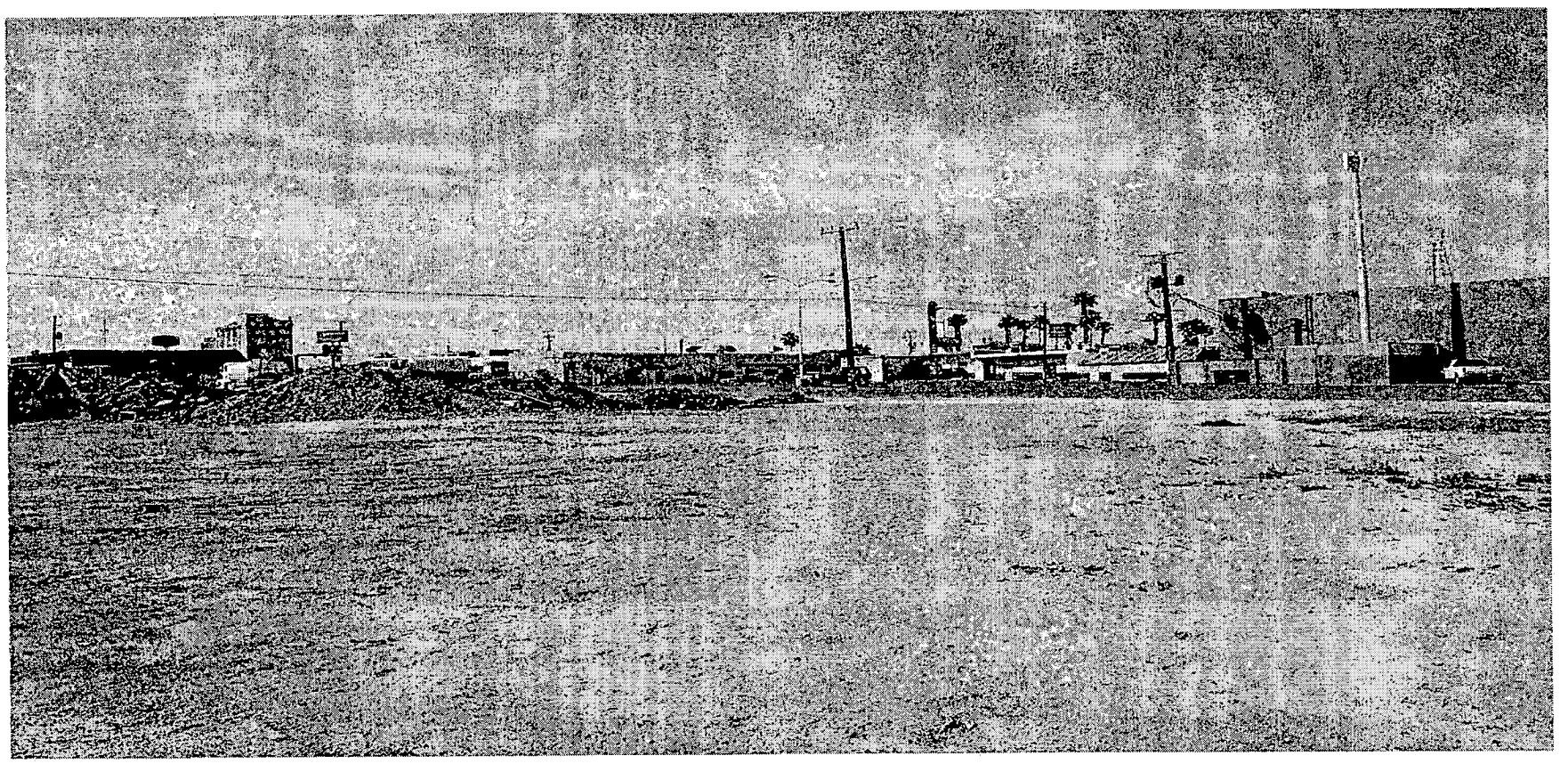
Subscribed and sworn before me

This 8 day of March, 2004

Alida Delponte

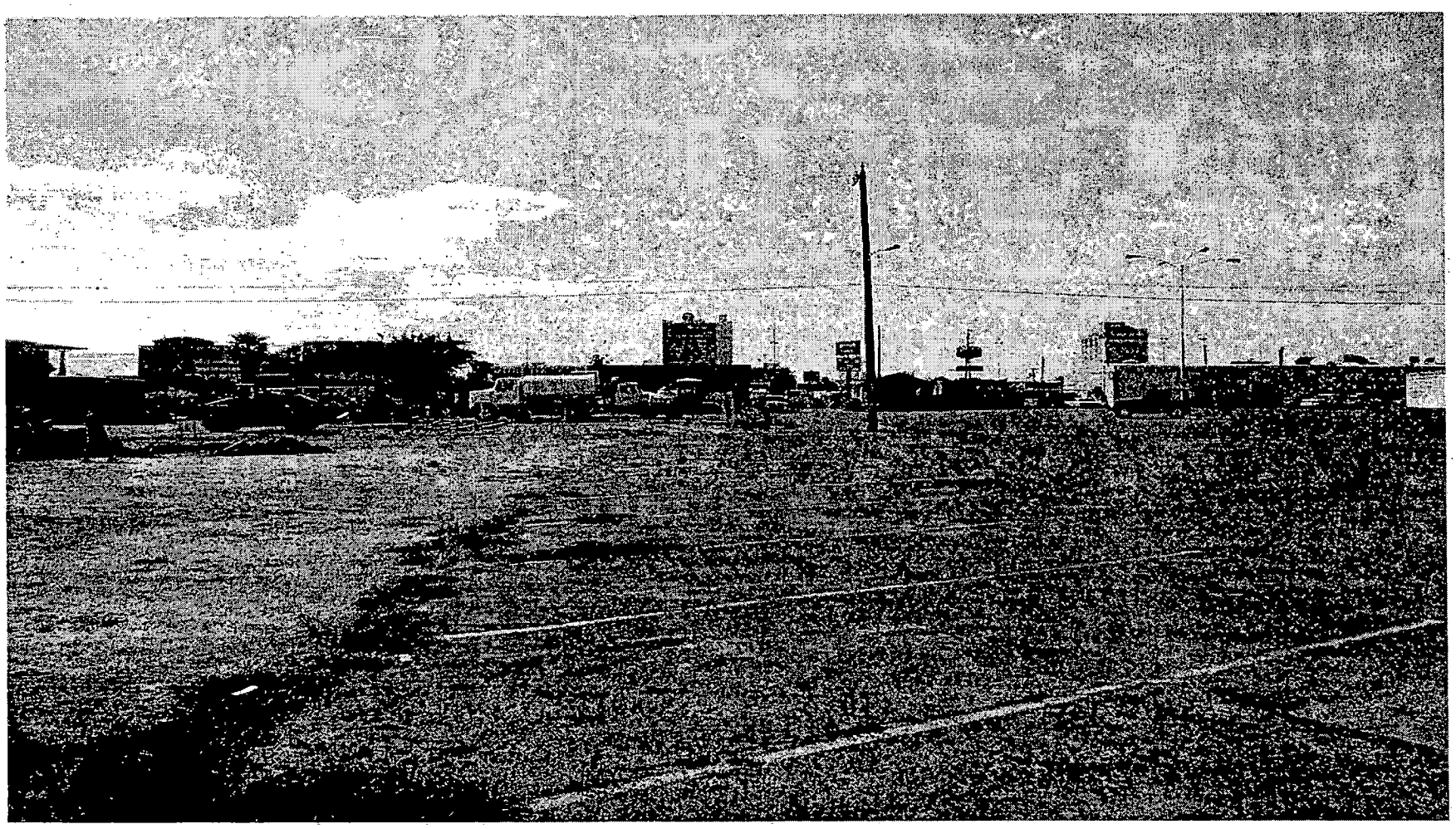
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ALIDA J. DELPONTE
No: 02-73806-1
My Appointment Expires March 8, 2006



VACATION - PUBLIC HEARING - VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY
GENERALLY LOCATED WEST OF MARYLAND PARKWAY AND NORTH OF CARSON AVENUE
MAY 13, 2003 PLANNING COMMISSION

4/19/04



VACATION - PUBLIC HEARING - VAC-4104 - APPLICANT: EVAN RANES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY
GENERALLY LOCATED WEST OF MARYLAND PARKWAY AND NORTH OF CARSON AVENUE
MAY 13, 2003 PLANNING COMMISSION

4/19/04

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 13, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VACATION - PUBLIC HEARING - VAC-4158 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate spandrel portions of Monte Viso Drive west of Rainbow Boulevard, Ward 6 (Mack).

SET DATE: 06/02/2004
C.C.: 06/16/2004

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235], Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] – UNANIMOUS with McSWAIN abstaining on Item 12 [SDR-4192] as her company is currently working with Greystone and abstaining on Item 58 [VAC-4098] and Item 60 [VAC-4158] as her company is presently involved in litigation with Del Webb, which is owned by Pulte Homes

To be heard by the City Council on 6/16/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 13, 2004
Planning and Development Department
Item 60 – VAC-4158

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

COMMISSIONER McSWAIN requested that Item 10 [SUP-4203] be removed from One Motion/One Vote.

DAVID CLAPSADDLE, Planning and Development Department, requested that Item 58 [vac-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158] be moved up to One Motion/One Vote. He indicated that letters have been received from each applicant agreeing to all of the conditions for all other items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [SUP-4140], Item 7 [SUP-4180], Item 8 [SUP-4189], Item 9 [SUP-4201], Item 11 [SUP-4233], Item 12 [SDR-4192], Item 13 [SDR-4235] Item 58 [VAC-4098], Item 59 [VAC-4104] and Item 60 [VAC-4158].

(6:06 – 6:16)

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

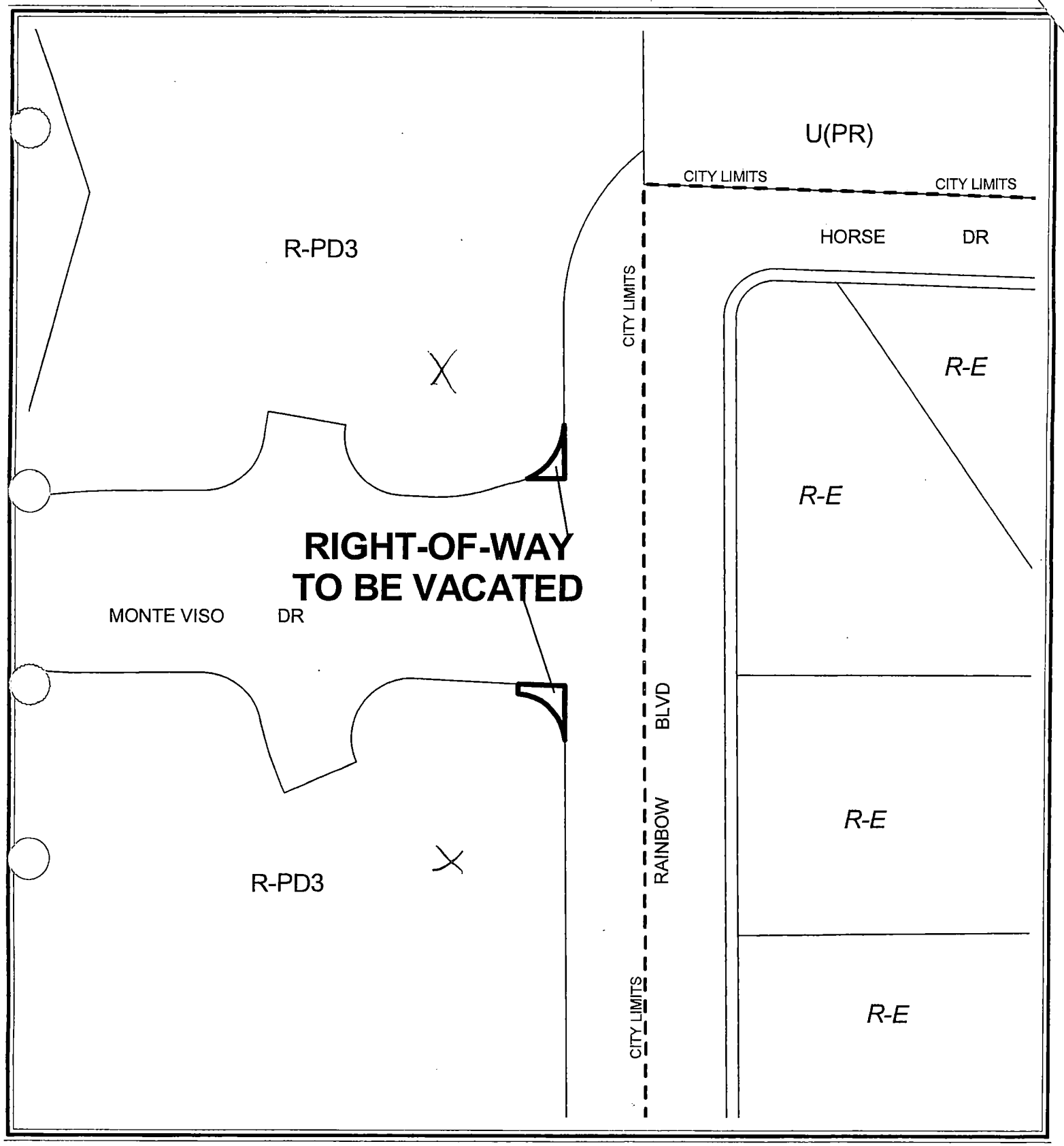
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

3. All development shall be in conformance with code requirements and design standards of all City Departments.

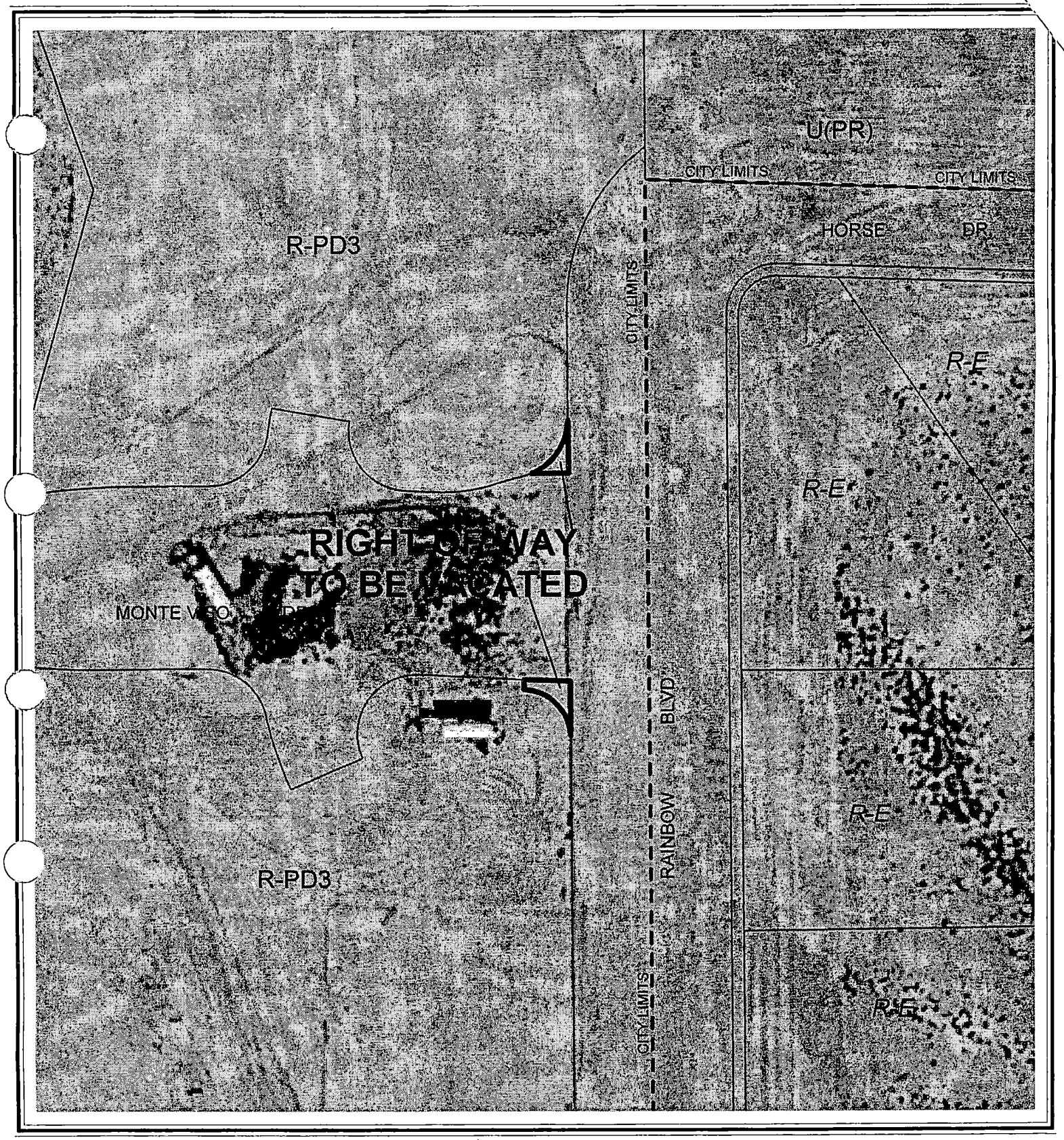
CONDITIONS – Continued:

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-4158



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CASE: VAC-4158

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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 13, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4158 - APPLICANT/OWNER: PULTE HOMES

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate spandrel portions of Monte Viso Drive, west of Rainbow Boulevard.

B) Applicant's Justification

The applicant justifies this request by stating that the right-of-way area proposed to be vacated is no longer necessary and will be incorporated into the adjacent parcels for development. Related drainage studies and civil plans for the proposed developments have already been approved.

BACKGROUND INFORMATION

A) Previous Actions

10/02/91	The City Council approved a request for a Rezoning to R-PD3 (Residential Planned Development - 3 Units Per Acre) on this site as part of a larger request (Z-0075-91). The Planning Commission and staff recommended approval on 09/12/91.
09/04/02	The City Council approved a request for a Site Development Plan Review [Z-0075-91(13)] for the revised Silverstone Ranch Master Development Plan, which includes the subject areas. The Planning Commission and staff recommended approval on 08/08/02.
11/06/03	The Planning Commission approved Tentative Maps for Silverstone Ranch Parcel 5 (TMP-3141) and Silverstone Ranch Parcel 6N and 6S (TMP-3142) that include the spandrel areas proposed for vacation. Staff recommended approval.
03/18/04	Planning and Development Department Staff administratively approved the Final Map Technical Review (FMP-3869) for Silverstone Ranch Parcel 5. This map has not yet been recorded.
04/14/04	The Final Map for Silverstone Ranch Parcel 6S (FMP-4301) was submitted to the Planning and Development Department for Technical Review.

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DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public right-of-way located in a portion of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 10, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the public spandrel areas of Monte Viso Drive where they intersect the west side of Rainbow Boulevard. These rights-of-way will be incorporated into the adjacent parcels for development of two Silverstone Ranch subdivisions. The area is currently undeveloped. This request is appropriate, as the subject right-of-way is not needed for roadway purposes. Therefore, it will not result in reduced traffic handling capability for the area.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street rights-of-way:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It would eliminate 2 spandrel areas no longer required with a private street.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, the street will remain the same dimensions, but be privately maintained.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes, leftover portions of spandrel areas.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Silverstone Ranch Parcel 5 and Parcel 6S Subdivisions.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

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NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4158 APN: 125-10-611-005 & 125-10-712-008

Name of Property Owner: PN II, Inc. d/b/a Pulte Homes

Name of Applicant: Pulte Homes

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

_____Yes 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: Jeremy Fritz

Subscribed and sworn before me

This 23rd day of March, 2004

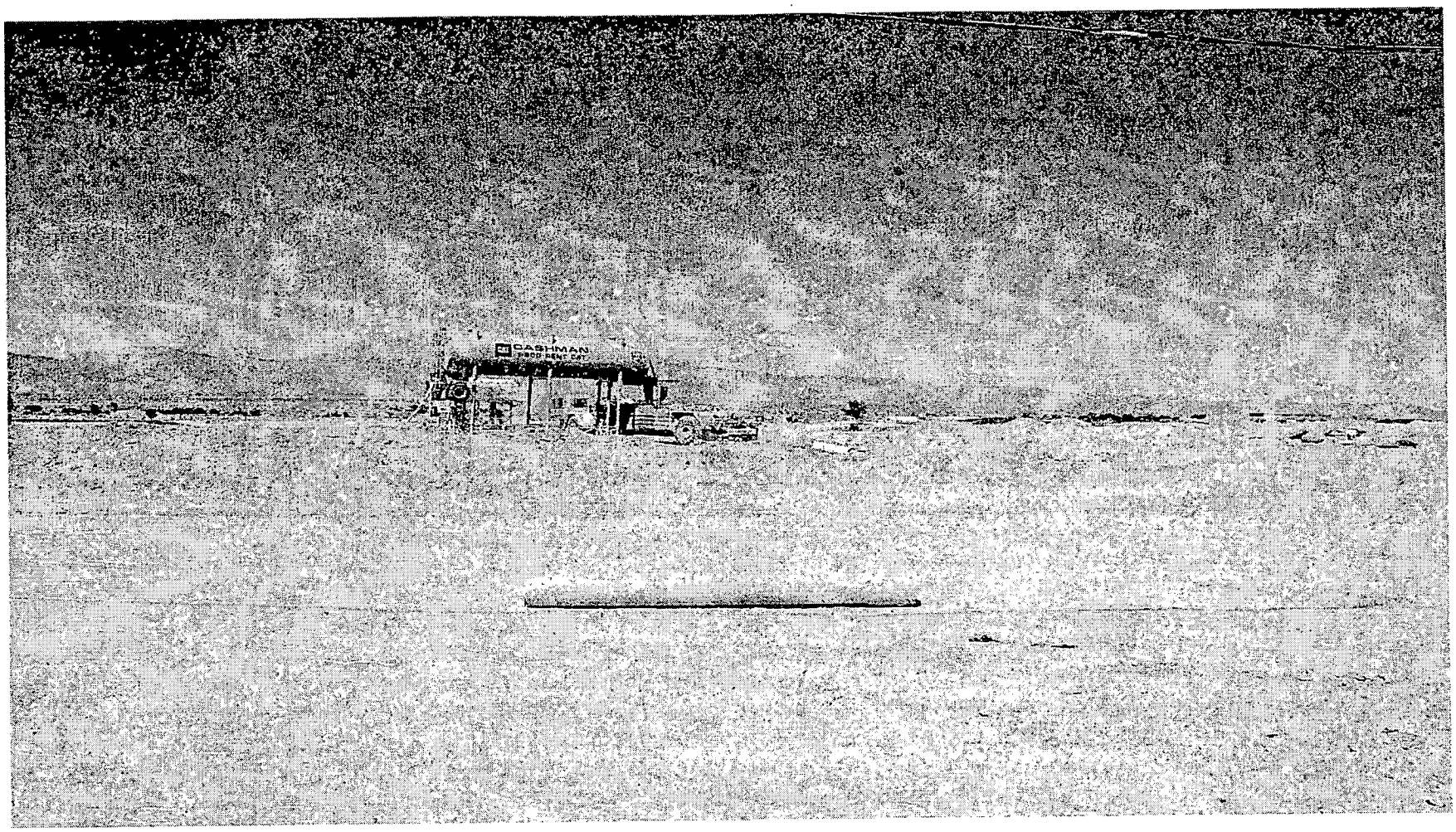
Annette M. Watkins

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNETTE M. WATKINS
Appt. No. 03-80701-1
My Appt. Expires March 19, 2007

VACATION - PUBLIC HEARING - VAC-4158 - APPLICANT/OWNER: PULTE HOMES
MONTE VISO DRIVE WEST OF RAINBOW BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/29/04



VACATION - PUBLIC HEARING - VAC-4158 - APPLICANT/OWNER: PULTE HOMES
MONTE VISO DRIVE WEST OF RAINBOW BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/29/04

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: MAY 13, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 N. 19th Street, announced that he would not longer be attending the Plannig Commission meetings. He thanked the previous and present Planning Commission for being been conscientious and dedicated to their responsibilities. He wished the Commission well.

(9:56 – 9:57)
3-2093

CHAIRMAN TRUESDELL thanked Staff, Business Development Department and ROBERT GENZER, Director, Planning and Development Department, for putting on an Open House event for the downtown area last week. The Mayor, Councilman Weekly and all those involved reflected a great change in just how people perceive Downtown Las Vegas. Approximately 400 individuals attended from various parts of the community, which says a lot about what is happening in the Downtown area. A job well done!

COMMISSIONER McSWAIN stated she would miss TODD FARLOW. COMMISSIONER STEINMAN stated that COMMISSIONER DAVENPORT'S report regarding financial institutions would be presented tonight on Channel 8 at 11:00 pm.

(9:57 – 9:58)
3-2140

MEETING ADJOURNED AT 9:58 P.M.

Respectfully submitted:

Angela Crolli
ANGELA CROLLI, DEPUTY CITY CLERK

Arlene Coleman
ARLENE COLEMAN, DEPUTY CITY CLERK