City of Las Vegas

Agenda Item No. 111

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-4011 - APPLICANT/OWNER: SOUTHWEST HOMES, LIMITED LIABILITY COMPANY** - Request for a Petition to vacate U. S. Government Patent Reservations generally located north of Elkhorn Road, west of Campbell Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of applicant and agreed with staff's recommendation.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:46 – 1:46)

3-1529

CONDITIONS:
1. Development of these sites shall comply with all applicable conditions of approval for Site Development Plan Review SDR-2663 and all other applicable site-related actions.

2. 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 Relinquishment of Interest.

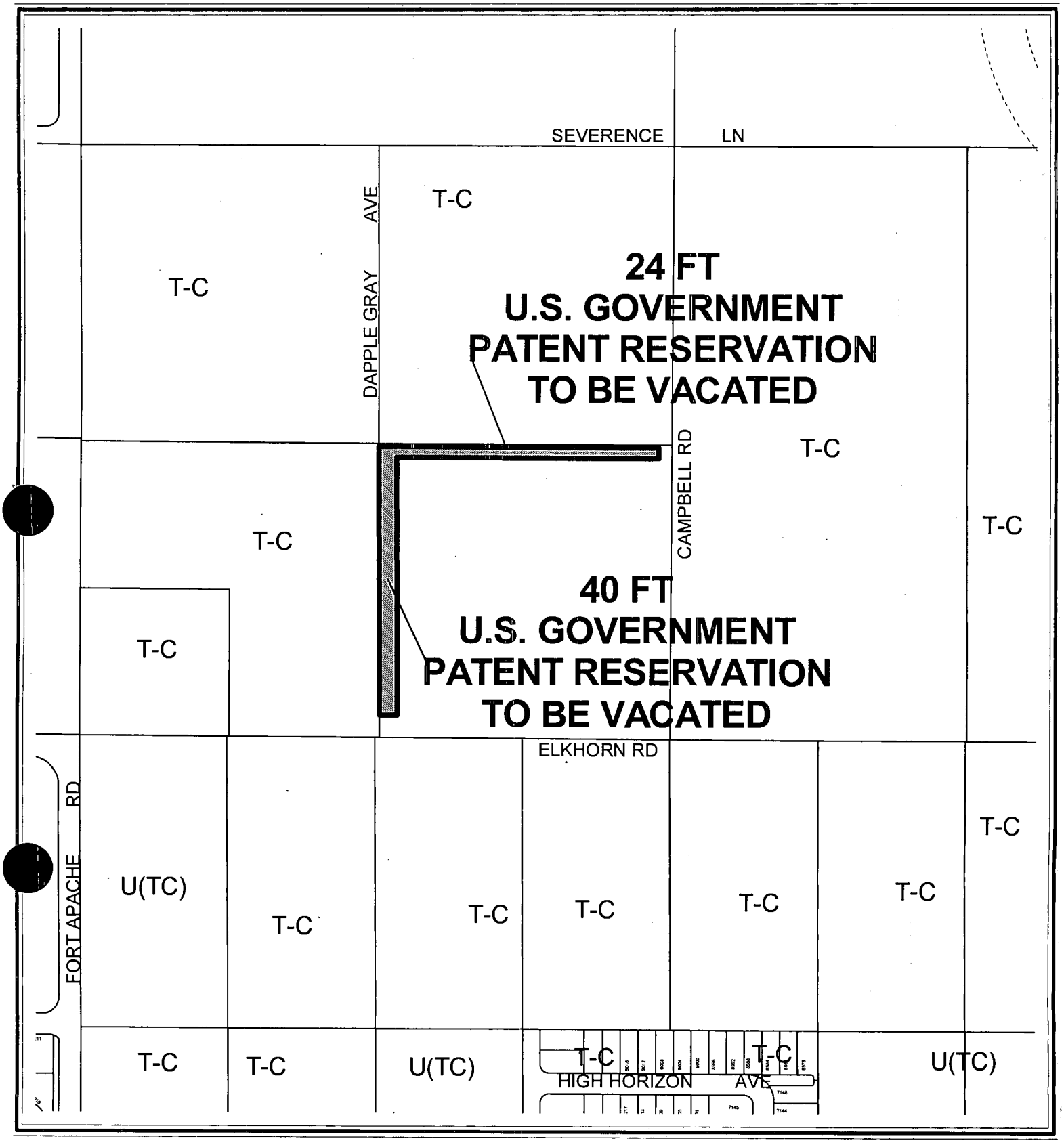
CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 111 – VAC-4011

CONDITIONS - Continued:

3. All development shall be in conformance with code requirements and design standards of all City departments.

4. The Order of Relinquishment of Interest 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.

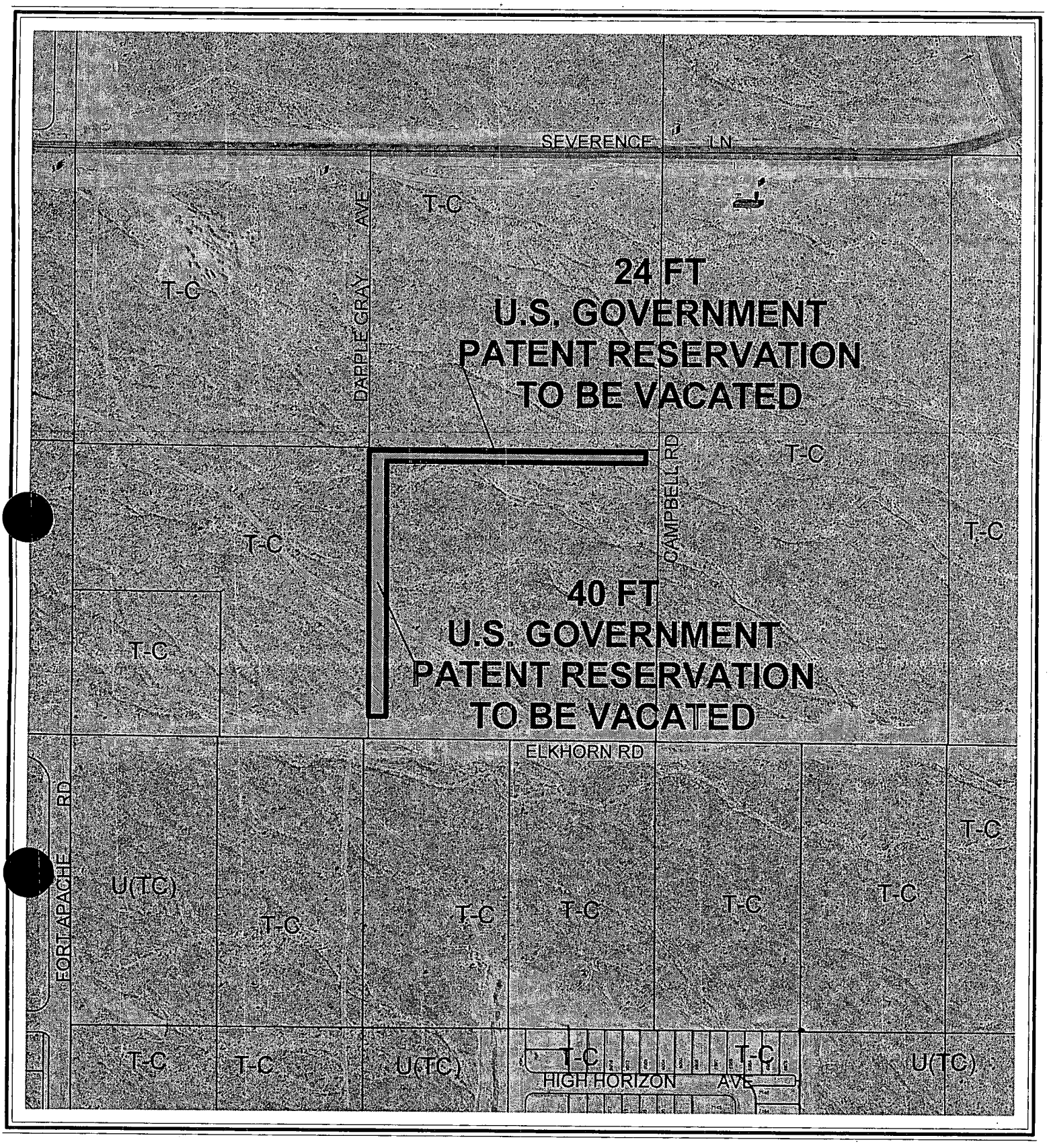
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



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CASE: VAC-4011

N



0 200 400 Feet

CASE: VAC-4011

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4011 - APPLICANT/OWNER: SOUTHWEST HOMES, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

1. Development of these sites shall comply with all applicable conditions of approval for Site Development Plan Review SDR-2663 and all other applicable site-related actions.

2. 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 Relinquishment of Interest.

3. All development shall be in conformance with code requirements and design standards of all City departments.

4. The Order of Relinquishment of Interest 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 Relinquishment of Interest 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 request is for a Petition to Vacate U. S. Government Patent Reservations generally located north of Elkhorn Road, west of Campbell Road.

B) Applicant's Justification

The applicant's justification letter indicates the U. S. Government Patent Reservations are not necessary and this Vacation will allow for development of the single-family subdivision on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on this site as part of a larger request. The Planning Commission and staff recommended approval on November 5, 1998.

09/17/03 The City Council approved a Site Development Plan Review (SDR-2663) for a 100 lot single-family development, a Variance (VAR-2665) to allow 0.76 acres of open space where 1.65 acres are required and a Special Use Permit (SUP-2666) for private streets on this site. The Planning Commission recommended approval on August 14, 2003. The Planning Development Department recommendation was for denial.

12/17/03 The City Council approved a Waiver (WVR-3222) to allow a 40-foot street right-of-way width for Solar Avenue along the north side of this site. The Planning Commission and staff recommended approval on November 20, 2003.

04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #17/mp)

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 17, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S Government Patent Reservations because they are no longer needed in their current configuration and it will allow for development of the single-family subdivision on this site. This request is appropriate, as the subject reservations are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works Discussion

The Department of Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located north of Elkhorn Road, west of Campbell Road. An approved Drainage Study is on file with the Flood Control Section of the Department of Public Works that addresses subject vacation application.

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4011 APN: 125-17-401-004

Name of Property Owner: SOUTHWEST HOMES L L C

Name of Applicant: Southwest Engineering / Sally Pelham

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: Todd Slusher

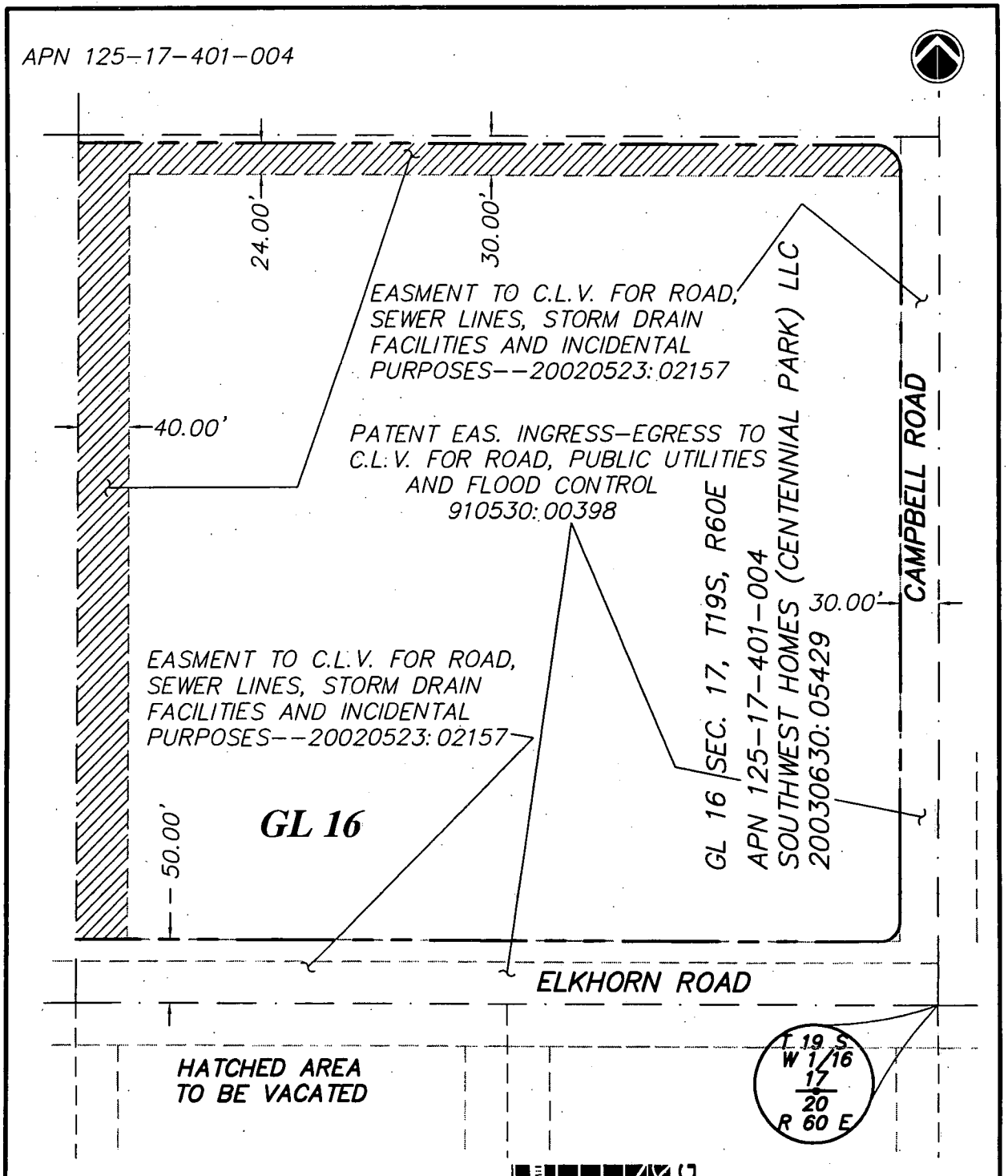
Subscribed and sworn before me

This 20 day of Feb, 2004

Melonie M. Cook

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MELONIE M. COOK
My Appointment Expires
March 21, 2005
No: 01-67700-1



PATENT EASEMENT VACATION EXHIBIT

N.T.S.

CENTENNIAL PARK

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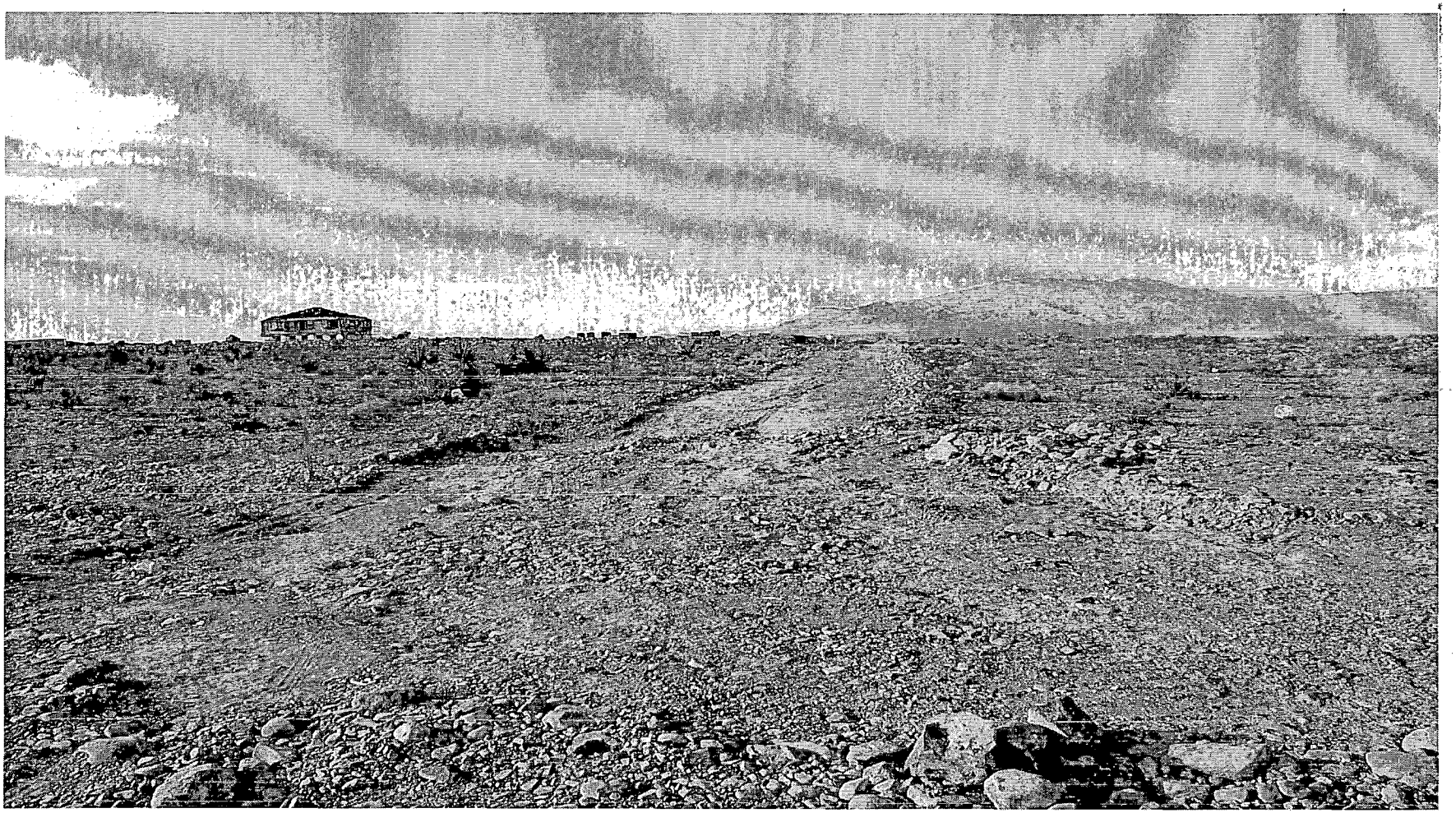
PAGE OF

SOUTHWEST ENGINEERING
LAND PLANNING • MAPPING • DEVELOPMENT

3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone: (702) 648-9700
fax: (702) 648-4143

STAFF

VAC-4011
4-22-04 PC



VAC-4011 - APPLICANT/OWNER: SOUTHWEST HOMES, LIMITED LIABILITY COMPANY
NORTH OF ELKHORN ROAD, WEST OF CAMPBELL ROAD
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 112

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-4012 - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY** - Request for a Petition to vacate a public sewer and drainage easement generally located west of Decatur Boulevard, north of Tropical Parkway, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK explained that this vacation allows the Unified Commercial Center to be built at the site.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:46 – 1:47)

3-1558

CONDITIONS:
1. Prior to the recordation of an Order of Vacation, an alternate Public Drainage Easement and City of Las Vegas Sewer Easement shall be recorded at a location and design acceptable to the Department of Public Works.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 112 – VAC-4012

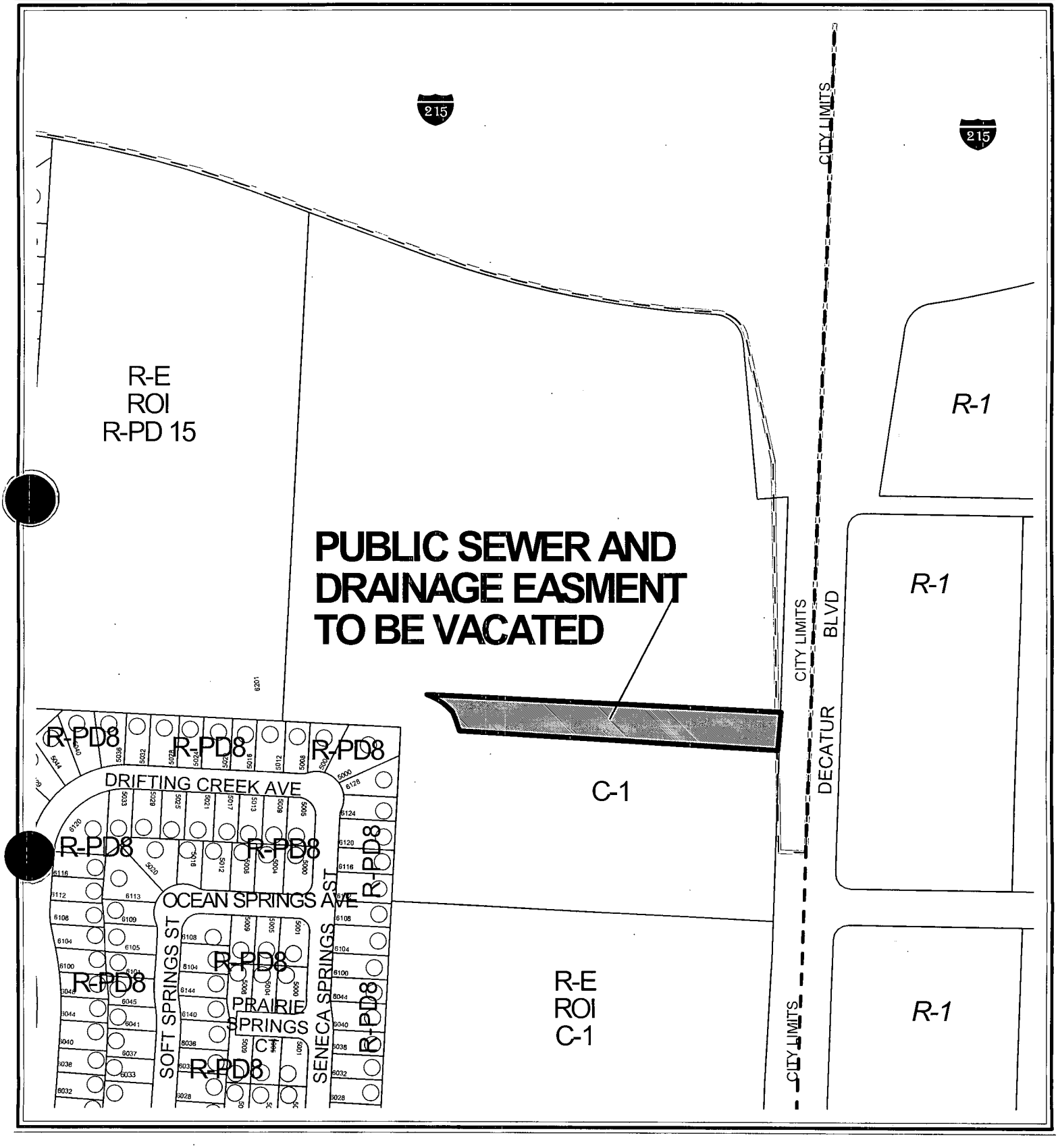
CONDITIONS - Continued:

2. 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.

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, 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.

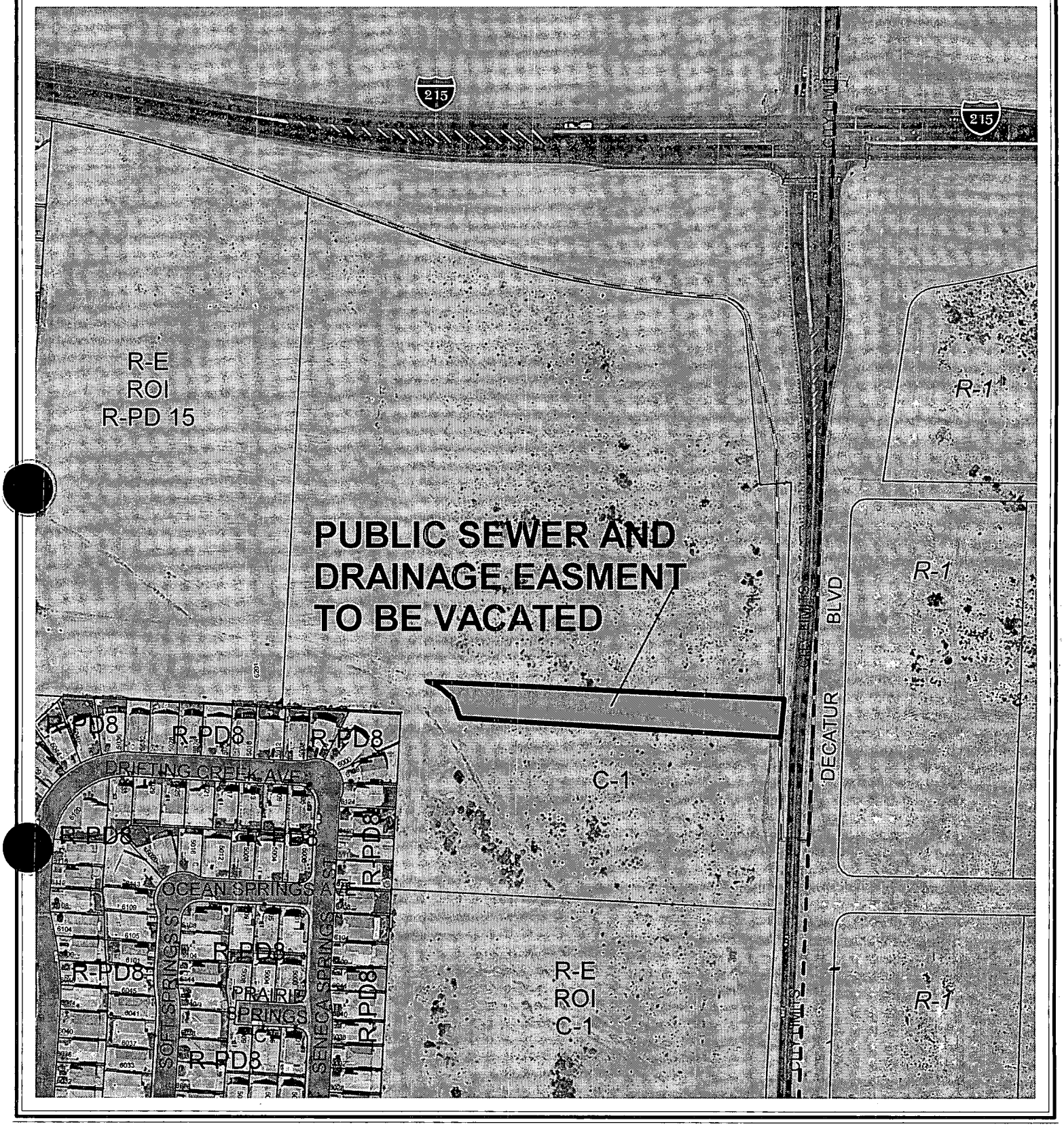
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-4012

N



CASE: VAC-4012

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4012 - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

1. Prior to the recordation of an Order of Vacation, an alternate Public Drainage Easement and City of Las Vegas Sewer Easement shall be recorded at a location and design acceptable to the Department of Public Works.

2. 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.

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, 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.

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 request is for a Petition to Vacate a public sewer and drainage easement generally located west of Decatur Boulevard, north of Tropical Parkway.

B) Applicant's Justification

The applicant's justification letter indicates the public sewer and drainage easement is not necessary in its current configuration and this Vacation will allow for development of the retail commercial center on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/08/97 The City Council approved a Rezoning (Z-0109-97) to C-1 (Limited Commercial), on this site. The Planning Commission recommended approval on November 20, 1997. The Planning and Development recommendation was for denial.

07/05/01 The City Council approved a Site Development Plan Review [Z-0109-97(1), Z-0110-97(2) and Z-0018-01(1)] for a proposed retail commercial development on this site. The Planning Commission and staff recommended approval on May 24 2001.

08/20/23 The City Council approved an Extension of Time (EOT-2502) for the approved Site Development Review [Z-0018-01(1), Z-0109-97(1) & Z-0110-97(2)] for the overall retail commercial development on this site. The Planning Commission and staff recommended approval on July 24, 2003.

04/08/04 The Planning Commission approved a Tentative Map for Decatur III (TMP-3624) for a 2 lot commercial subdivision on this site. Staff recommended approval.

04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #18/mp)

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate a public sewer and drainage easement located in the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 25, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing public sewer and drainage easement because it is no longer needed in their current configuration and it will allow for development of the retail commercial center on this site. This request is appropriate, as the subject easement is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to only vacate a City of Las Vegas 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 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.

NOTICES MAILED 1 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4012 APN: 125-25-601-022

Name of Property Owner: DECATUR III

Name of Applicant: R & S Investment Group

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: R. PHILLIP NOURAFCHAN

Subscribed and sworn before me

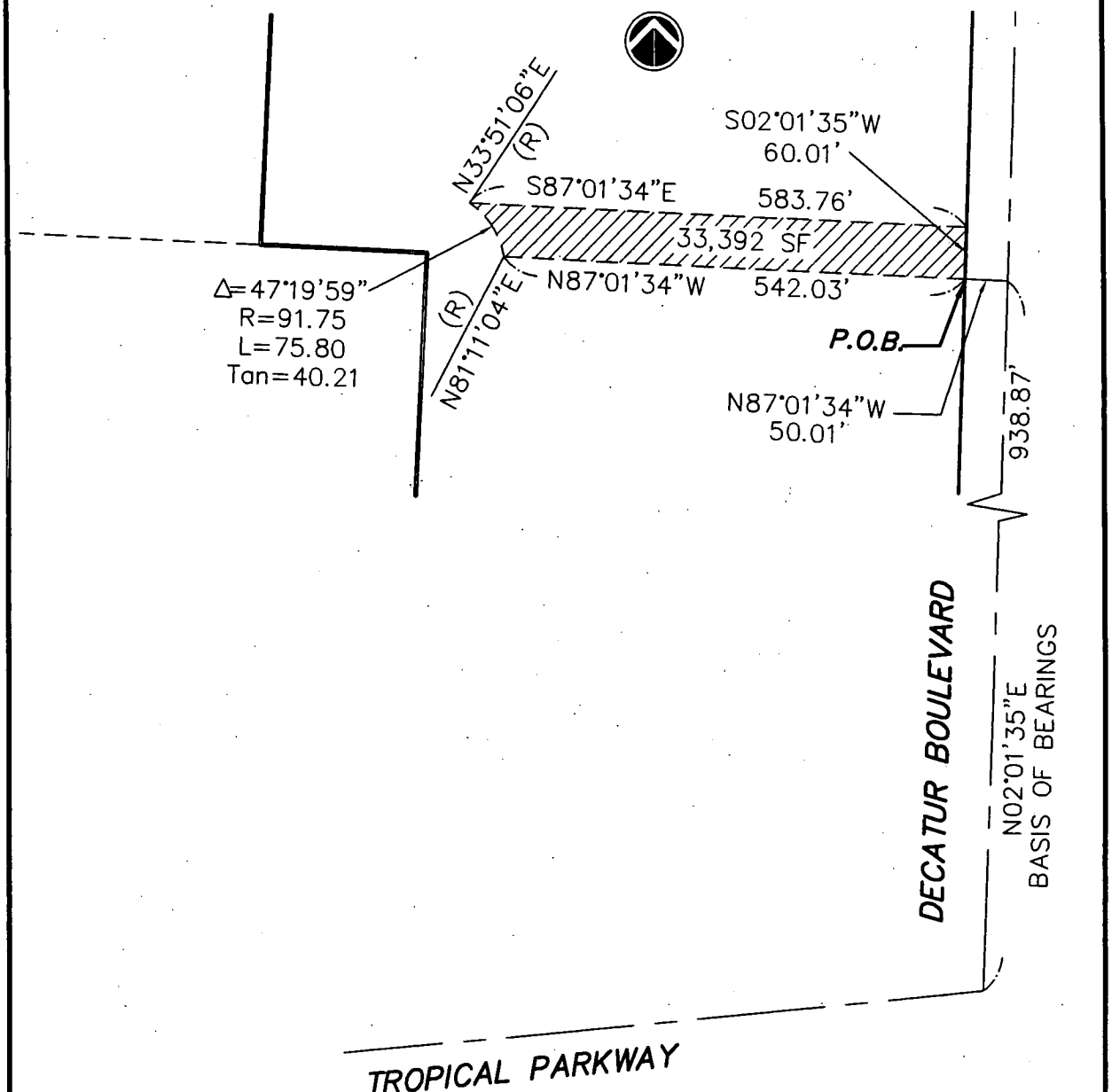
This 19th day of February, 2004

[signature]

Notary Public in and for said County and State

NICOLE GREENE
Notary Public, State of Nevada
Appointment No. 00651341
My Appt. Expires Aug. 17, 2004

APN 125-25-601-022



EASEMENT VACATION EXHIBIT

1"=200'

DECATUR & TROPICAL

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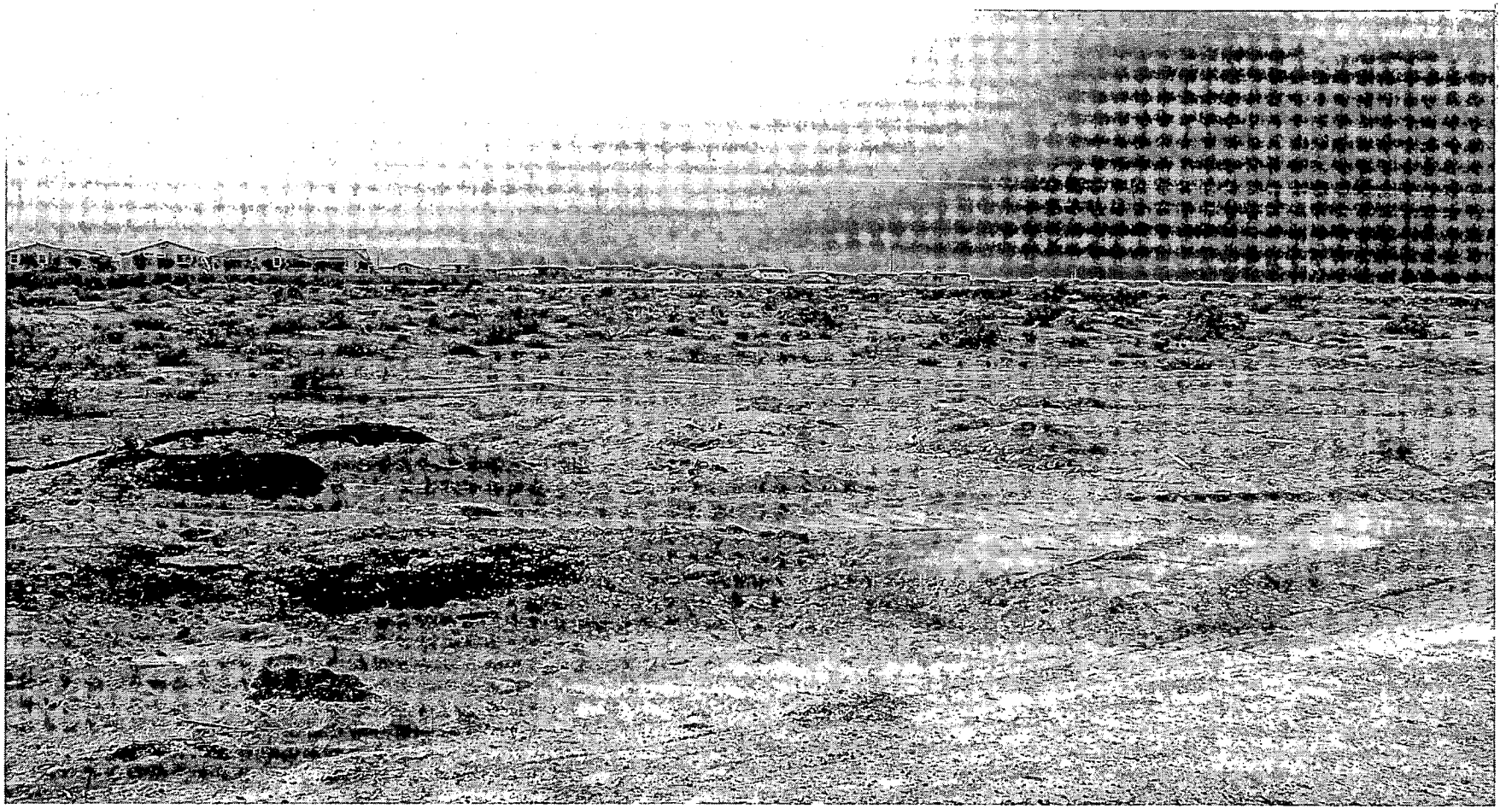
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SOUTHWEST ENGINEERING

LAND PLANNING • MAPPING • DEVELOPMENT

3610 North Rancho Drive
Las Vegas, Nevada 89130
Telephone: (702) 648-9700
fax: (702) 648-4143

VAC-4012
4-22-04 PC



VAC-4012 - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY
WEST OF DECATUR BOULEVARD, NORTH OF TROPICAL PARKWAY
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 113

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
VACATION - PUBLIC HEARING - **VAC-4041 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES** - Request for a Petition to vacate a Bureau of Land Management Right-of-Way Grant generally located east of Cliff Shadows Parkway, south of Gowan Road, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and agreed with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:47 – 1:48)

3-1596

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 Relinquishment of Interest.

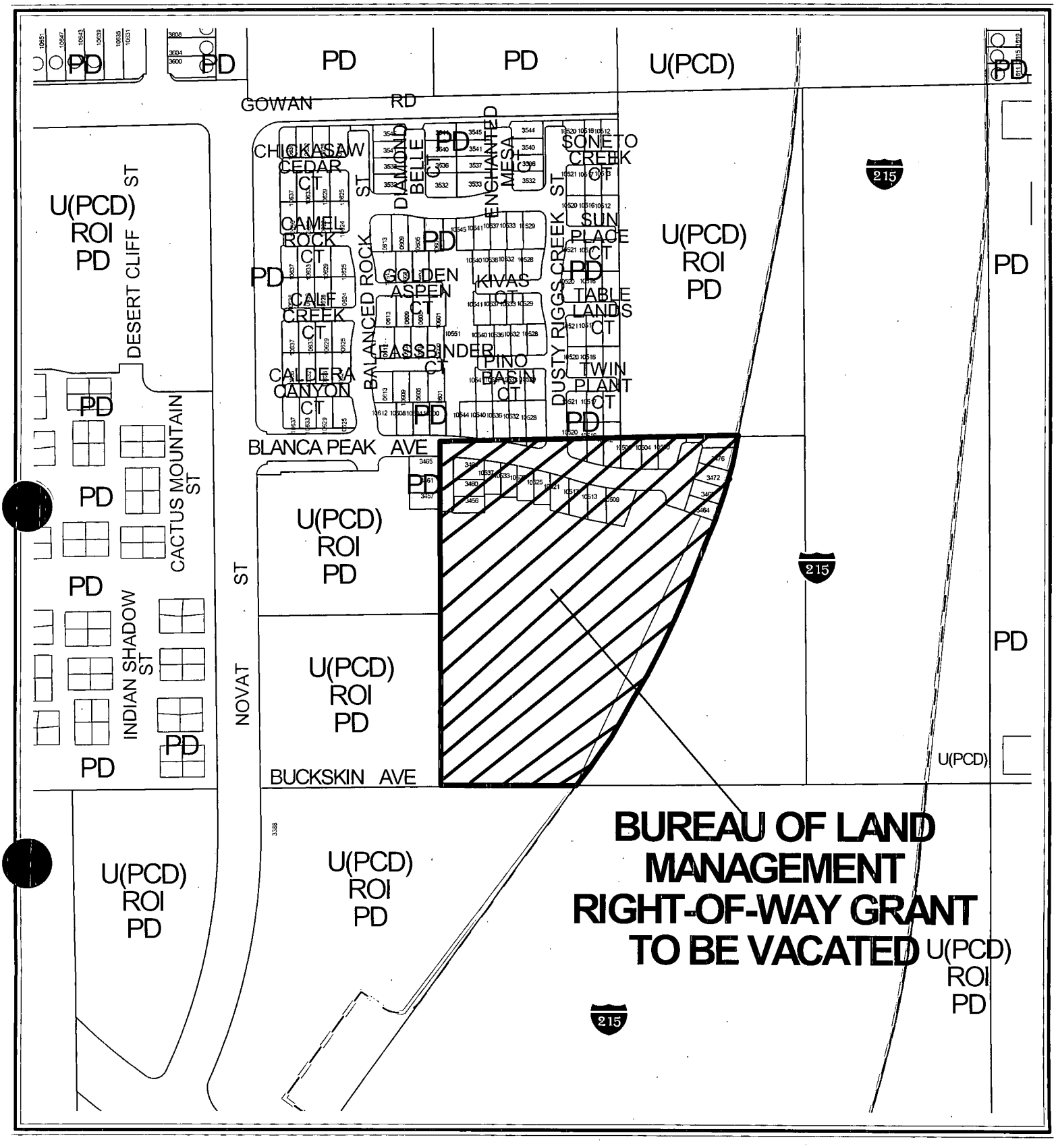
2. All development shall be in conformance with code requirements and design standards of all City departments.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 113 – VAC-4041

CONDITIONS - Continued:

3. The Order of Relinquishment of Interest 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.

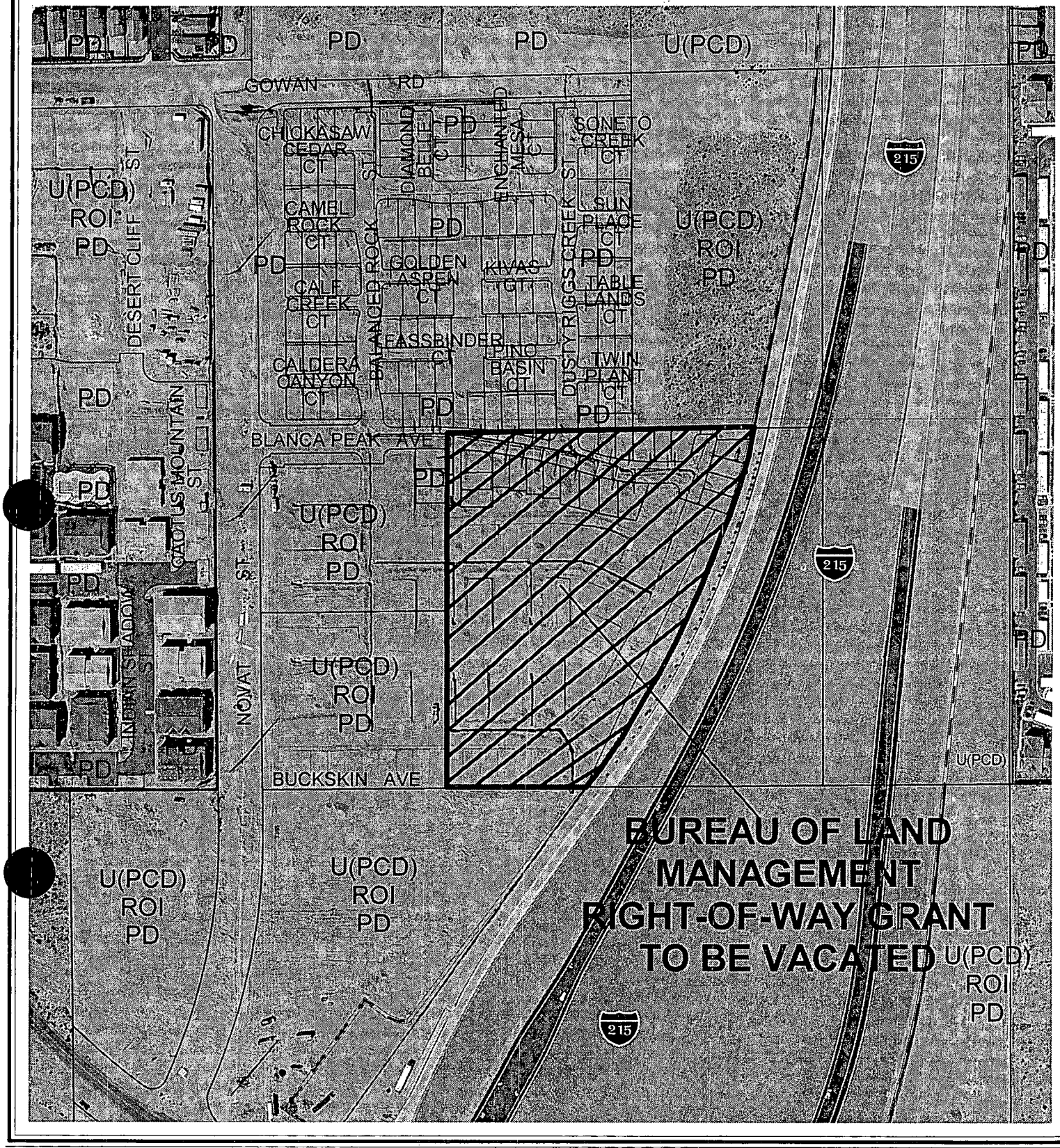
4. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-4041

N



0 100 200 Feet

CASE: VAC-4041

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4041 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend 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 Relinquishment of Interest.

2. All development shall be in conformance with code requirements and design standards of all City departments.

3. The Order of Relinquishment of Interest 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.

4. If the Order of Relinquishment of Interest 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 request is for a Petition to Vacate a Bureau of Land Management Right-of-Way Grant generally located east of Cliff Shadows Parkway, south of Gowan Road.

B) Applicant's Justification

The applicant's justification letter indicates the Bureau of Land Management Right-of-Way Grant is not necessary and this Vacation will allow for development of the single-family subdivision on this site.

BACKGROUND INFORMATION

A) Previous Actions

05/01/02 The City Council approved a Major Modification to the Lone Mountain West Master Plan [Z-0024-99(37)] to ML (Medium-Low Density Residential) and to add approximately 20 acres to the overall plan area. The Planning Commission and staff recommended approval on March 28, 2002.

11/20/02 The City Council approved a Rezoning (Z-0073-02) to PD (Planned Development) on this site. The Planning Commission and staff recommended approval on October 24, 2002.

12/18/02 The City Council approved a Site Development Plan Review [Z-0073-02(1)] for a 261 lot single family development on this site on this site. The Planning Commission recommended approval on November 7, 2002.

12/19/02 The Planning Commission approved the Tentative Map for Sierra II (TMP-1263) for a 261 lot single family subdivision on this site on this site. Staff recommended approval.

05/22/03 The Planning and Development Department administratively approved the Final Maps for Sierra II Unit 1 (FMP-2271) and Sierra II Unit 2 (FMP-2272) for the single family subdivision on this site on this site, which both have subsequently recorded.

04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #19/mp)

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate a Bureau of Land Management Right-of-Way Grant located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 12, Township 20 South, Range 59 East, M. D. M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing Bureau of Land Management Right-of-Way Grant because it is no longer needed in its current configuration. This will allow the development of the single-family subdivision on this site. This request is appropriate, as the subject grant is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

The Department of Public Works has no objection to the Vacation application. An approved Drainage Study is on file with the Flood Control Section of the Department of Public Works for the area requested with this vacation application.

NOTICES MAILED 1 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4041 APN: 137-12-301-021

Name of Property Owner: RICHMOND AMERICAN HOMES

Name of Applicant: RICHMOND AMERICAN HOMES

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

_____ Yes ___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]

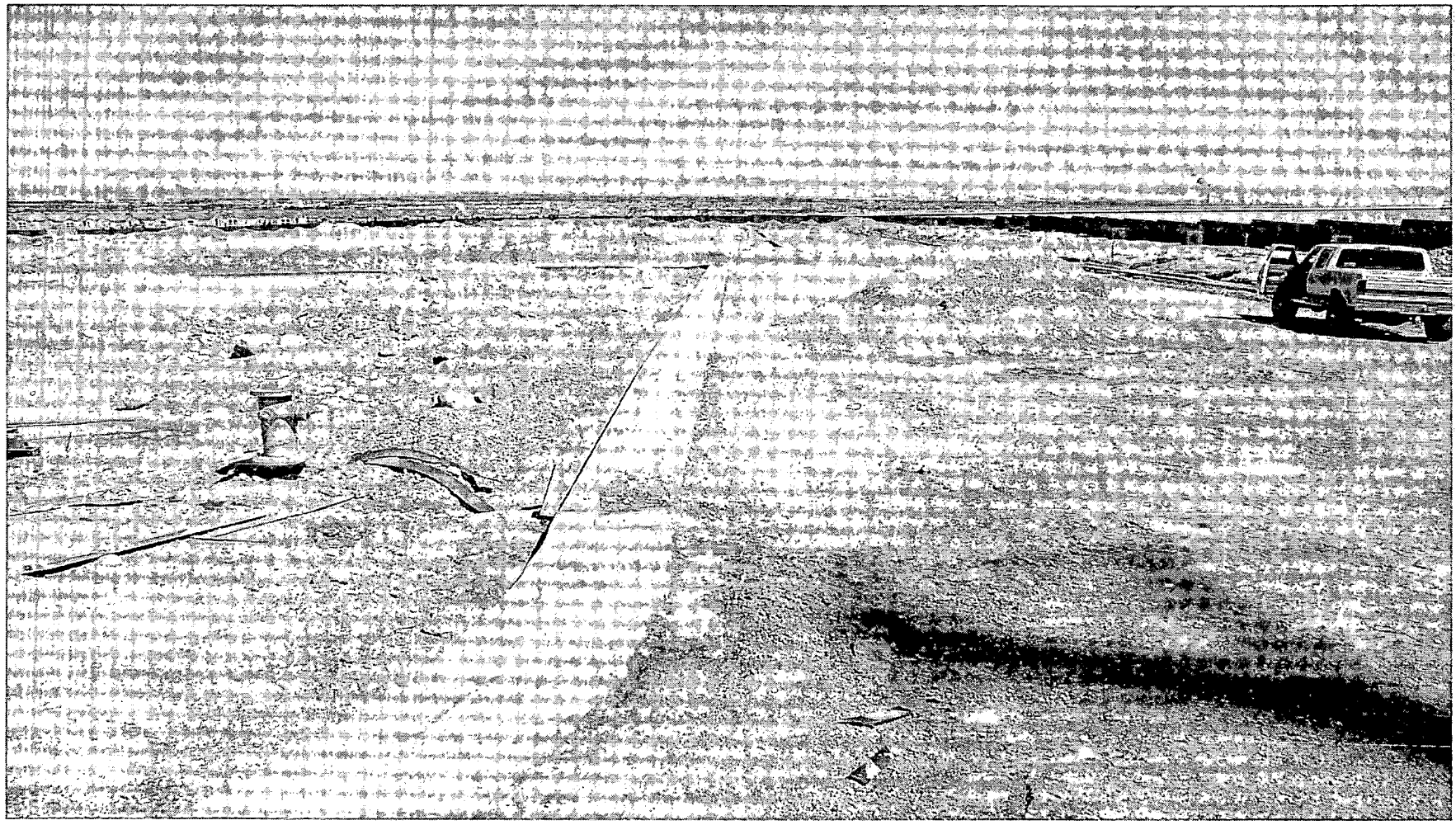
Print Name: Dustin Mannina

Subscribed and sworn before me

This 4th day of MARCH, 2004

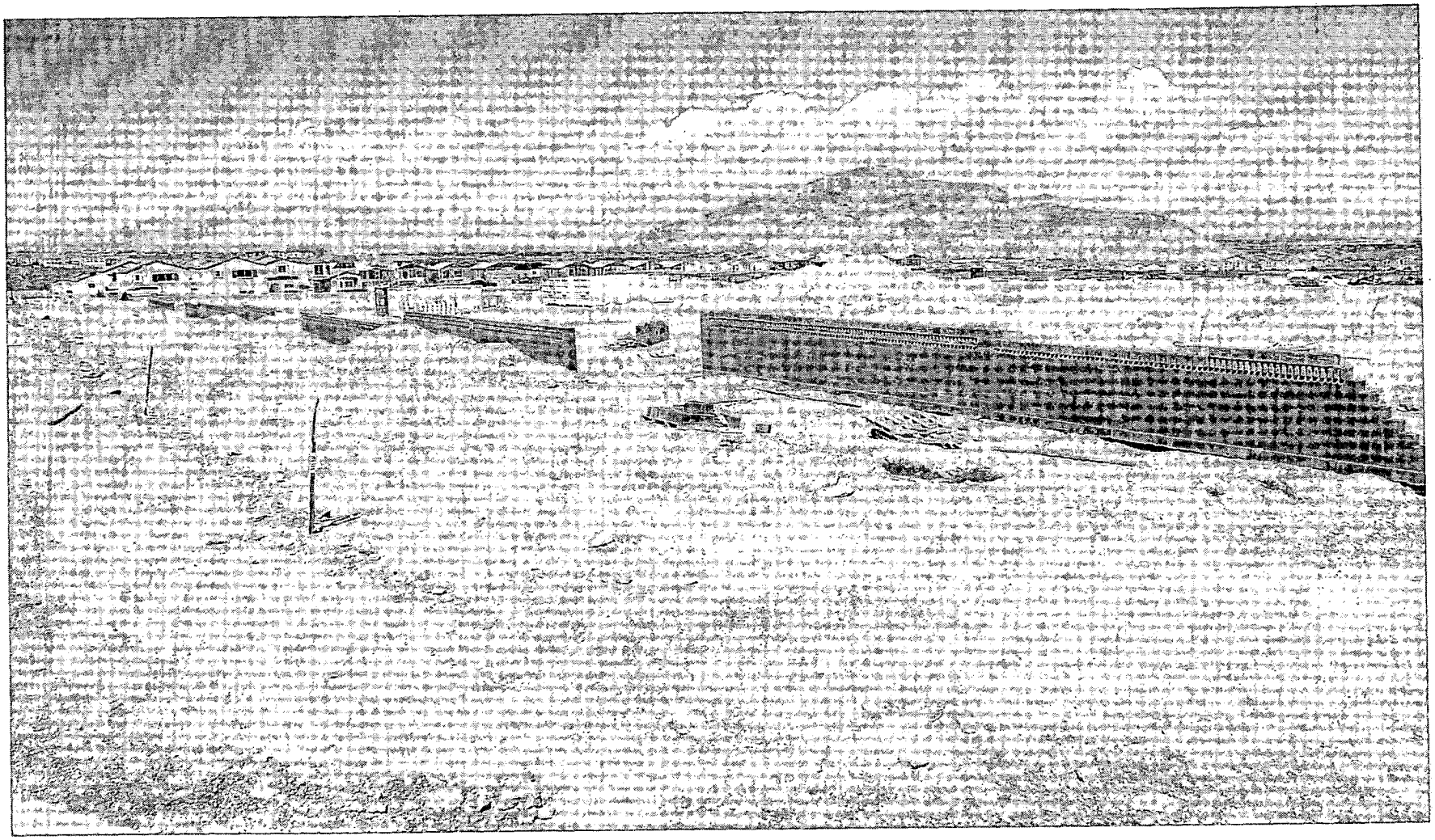
[signature]
Notary Public in and for said County and State

TERESA JOY PASTORELL
Notary Public State of Nevada
No. 95-0016-1
My appt. exp. Aug. 30, 2007



VAC-4041 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES
EAST OF CLIFF SHADOWS PARKWAY, SOUTH OF GOWAN ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



VAC-4041 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES
EAST OF CLIFF SHADOWS PARKWAY, SOUTH OF GOWAN ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

City of Las Vegas

Agenda Item No. 114

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

VARIANCE - PUBLIC HEARING - **VAR-3902 - APPLICANT/OWNER: RICHARD AND JILL BURNS** - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 25 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street (APN: 125-09-501-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	12
City Council Meeting		City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed on Behalf of Applicant

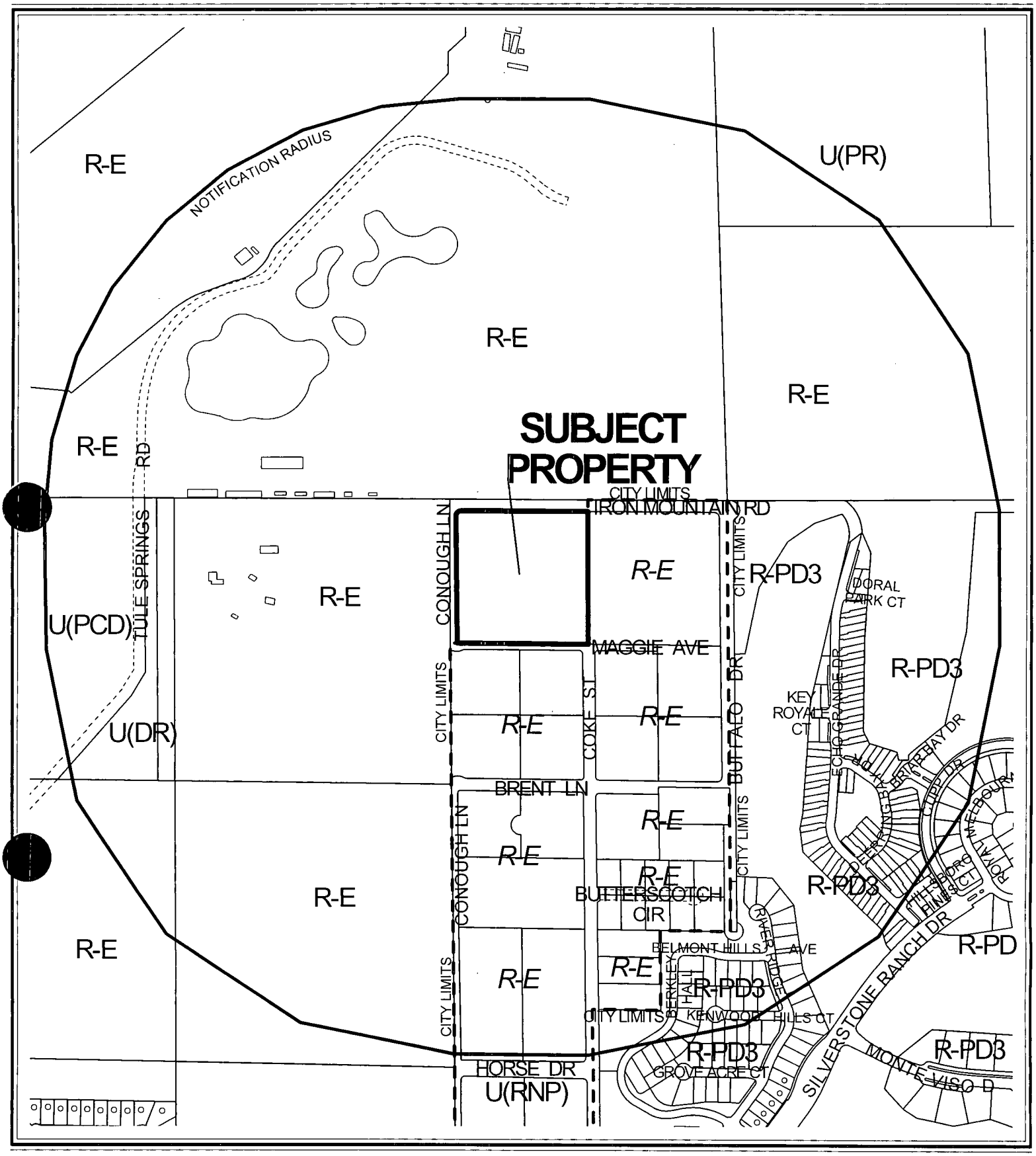
MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

COUNCILMAN MACK asked that Item 114 [VAR-3902] be abeyed to allow the applicant time to meet again with his staff as well as adjacent neighbors. ATTORNEY ANDRAS F. BABERO, appeared on behalf of the applicant and concurred with COUNCILMAN MACK.

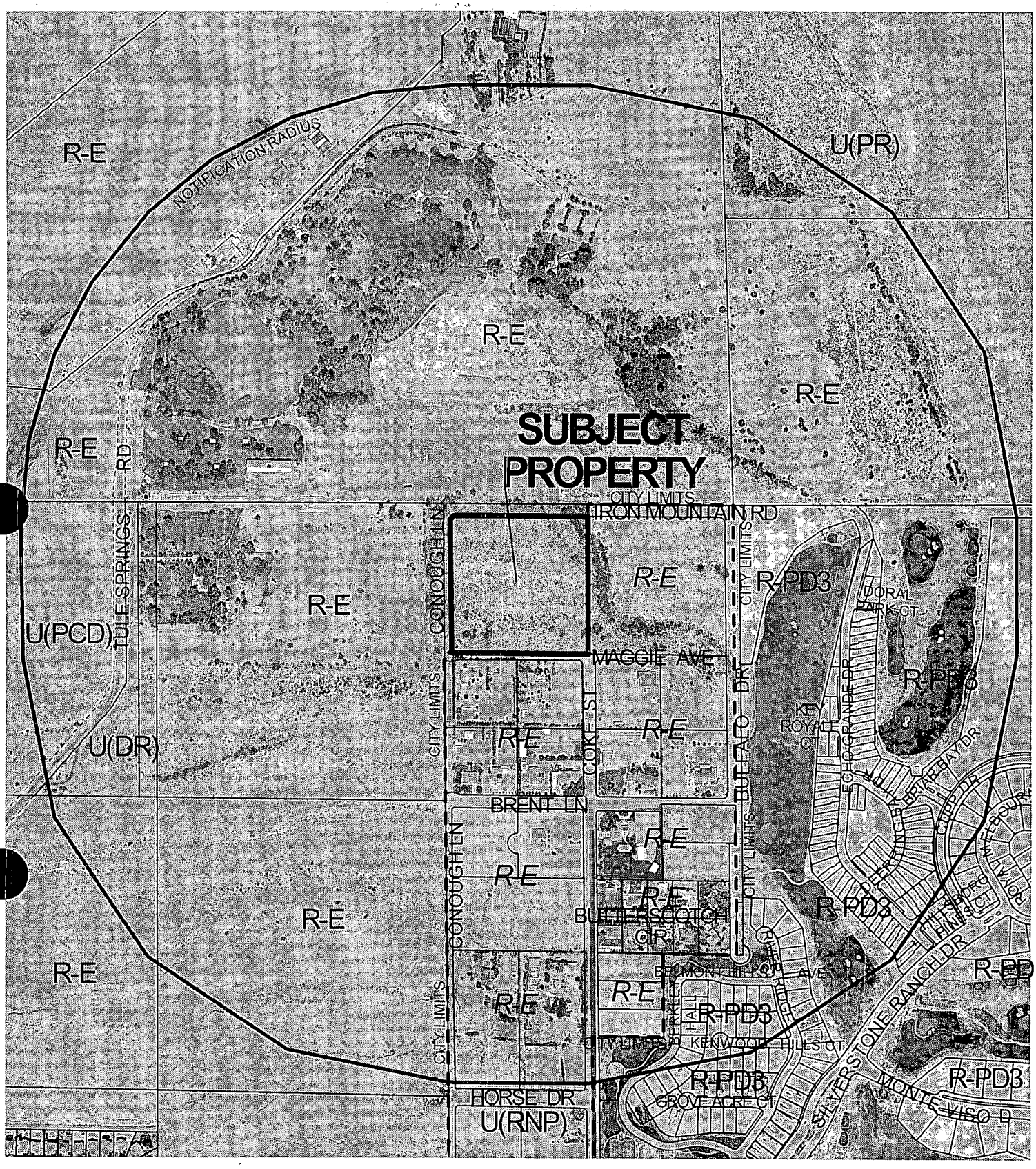
(1:04 – 1:06)



CASE: **VAR-3902**

RADIUS: 2000 FT

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



CASE: **VAR-3902**

RADIUS: 2000 FT

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

0 400 800 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VARIANCE - PUBLIC HEARING - VAR-3902 -
APPLICANT/OWNER: RICHARD AND JILL BURNS

** CONDITIONS **

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

Planning and Development

1. Conformance to the Conditions of Approval for Tentative Map (TMP-1179).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance to allow 25-foot front setbacks and 25-foot rear setbacks where 30 feet and 35 feet are required respectively for a residential subdivision titled Coke and Conough consisting of 19 single-family lots on 10.72 acres adjacent to the southeast corner of Iron Mountain Road and Conough Lane.

B) Applicant's Justification

The applicant's justification letter states that due to the design of the lots wider than they are deep, the proposed home models will not fit on the lots.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved a Vacation (VAC-1177) and a Special Use Permit (SUP-1178) for private streets on the subject site.

02/27/03 The Planning Commission approved a Tentative Map (TMP-1179) for Coke and Conough, a 19-lot single-family residential subdivision on the subject site. Staff recommended approval.

12/26/03 Planning and Development Staff administratively approved a Final Map Technical Review (FMP-3349) for Coke and Conough, a 19-lot single-family residential subdivision on the subject site.

04/22/04 The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item # 22/pb)

B) Pre-Application Meeting

01/22/04 The applicant was advised to request a setback standard for all lots that would provide enough relief for the worst possible condition. The applicant explained that 25-foot fronts and 25-foot rears would accommodate all floor plans on all lots.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.72
Net Acres: 9.04

B) Existing Land Use

Subject Property: Undeveloped
North: Floyd Lamb State Park
South: Single Family Dwellings
East: Undeveloped
West: Floyd Lamb State Park

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: Clark County
East: Clark County
West: R-E (Residence Estates)

E) General Plan Compliance

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

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

A portion of the subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels are located within Clark County, south of the subject site. Senate Bill 391 limits residential development within this 330-foot

buffer zone to an average density of three residential dwelling units per acre. Because the current land use designation of DR (Desert Rural Density Residential) limits density to no more than 2 dwelling units per acre, the proposed development will comply with Senate Bill 391.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	20,000 SF	20,009 SF	Y
Min. Lot Width	100 Feet[1]	100 Feet[1]	Y
Min. Setbacks			
• Front	30 Feet[2]	25 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	35 Feet	25 Feet	N
Number of Lots	1	19	
Max. Density	2.0	1.8	Y
Private/Public Street	N/A	Private	Y
Min. Street Width	37 feet	37 feet	Y

[1] 30-foot lot width allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.
[2] 25-foot setback allowed on cul-de-sac bulbs and knuckles per Title 19.08.040.

The approved Tentative Map (TMP-1179) met all of the development standards of Title 19.08, however the applicant is now requesting to deviate from the setback standards with this Variance application.

B) General Analysis and Discussion

The applicant is proposing to reduce the front setback from 30 feet to 25 feet, a reduction of 17%; and to reduce the rear setback from 35 feet to 25 feet, a reduction of 29%. Relief for lots on the circular portion of cul-de-sacs or knuckles are already allowed in the form of a front setback reduction to 25 feet. Overall, the increase of buildable area for typical lots would be a minimum of 1,500 square feet, although lot coverage is still limited to 50% for each lot.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

PLANNING COMMISSION ACTION

There were 5 speakers protesting this application at the Planning Commission hearing.

NOTICES MAILED 46 by City Clerk

APPROVALS 12

PROTESTS 5

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-3902 APN: 125-09-501-002

Name of Property Owner: COKE MAGGIE LLC

Name of Applicant: COKE MAGGIE 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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Paul Hummer

Print Name: PAUL HUMMER

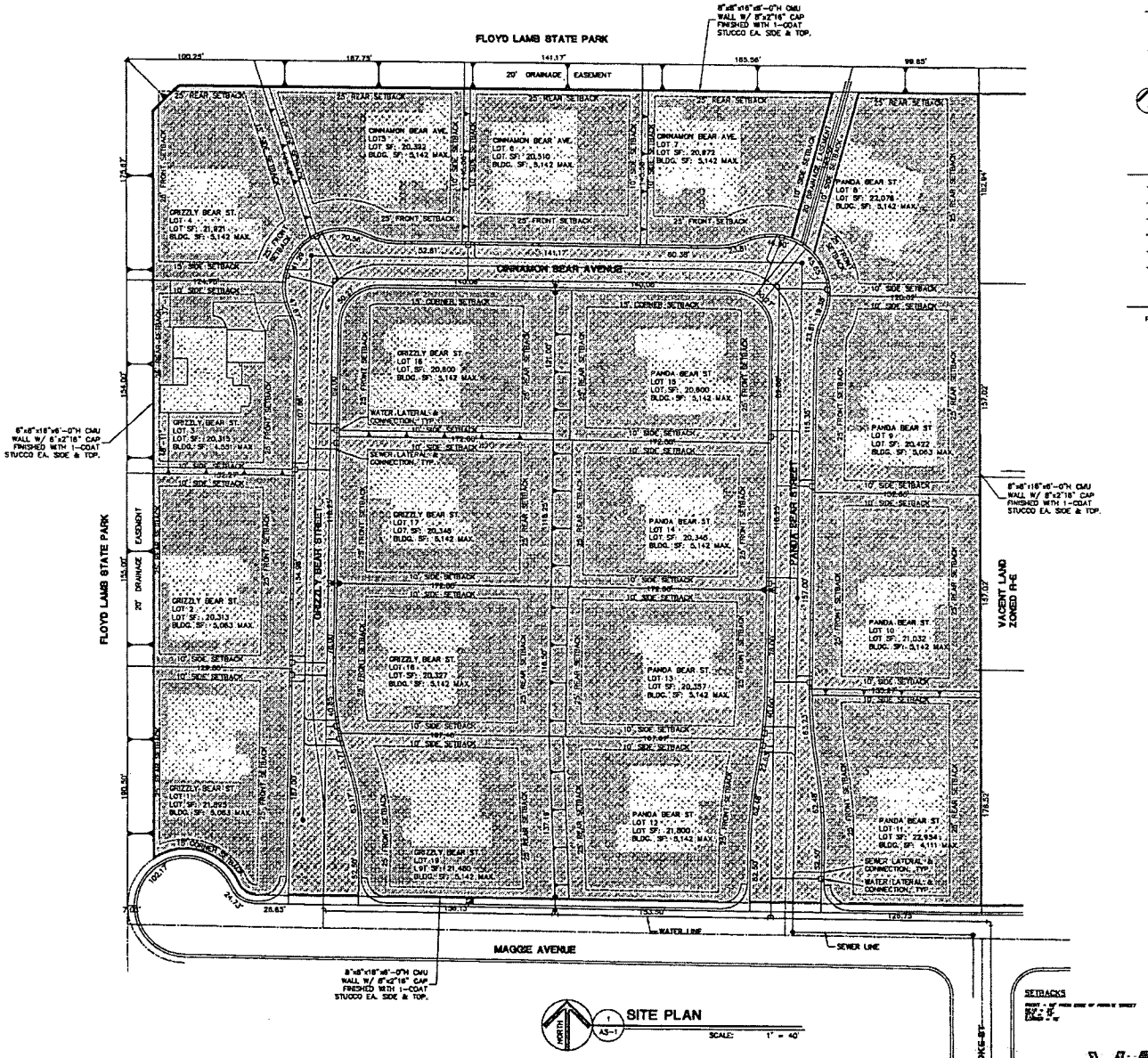
Subscribed and sworn before me

This 9th day of February, 2004

Linda Moore

Notary Public in and for said County and State

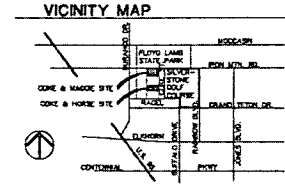
Linda Moore
Notary Public
State Of Nevada
Date Appointment Exp: 9-16-2007
Certificate No: 90-0322-1



SITE PLAN

SCALE: 1" = 40'

VICINITY MAP



LEGEND

- PROPERTY LINE
- BUILDING SETBACK
- DWELLING
- BLOCK WALL
- SEWER LINE
- WATER LINE

LEGEND

PROPERTY SIZE 466,753.73 SF (10.72 ACRE)
F.A.R. .205
DENSITY 1 DWELLING PER 24,566 SF (.564 ACRE)

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VAR-3902

4-22-04 PC

REV.	DATE	BY:	REVISION:

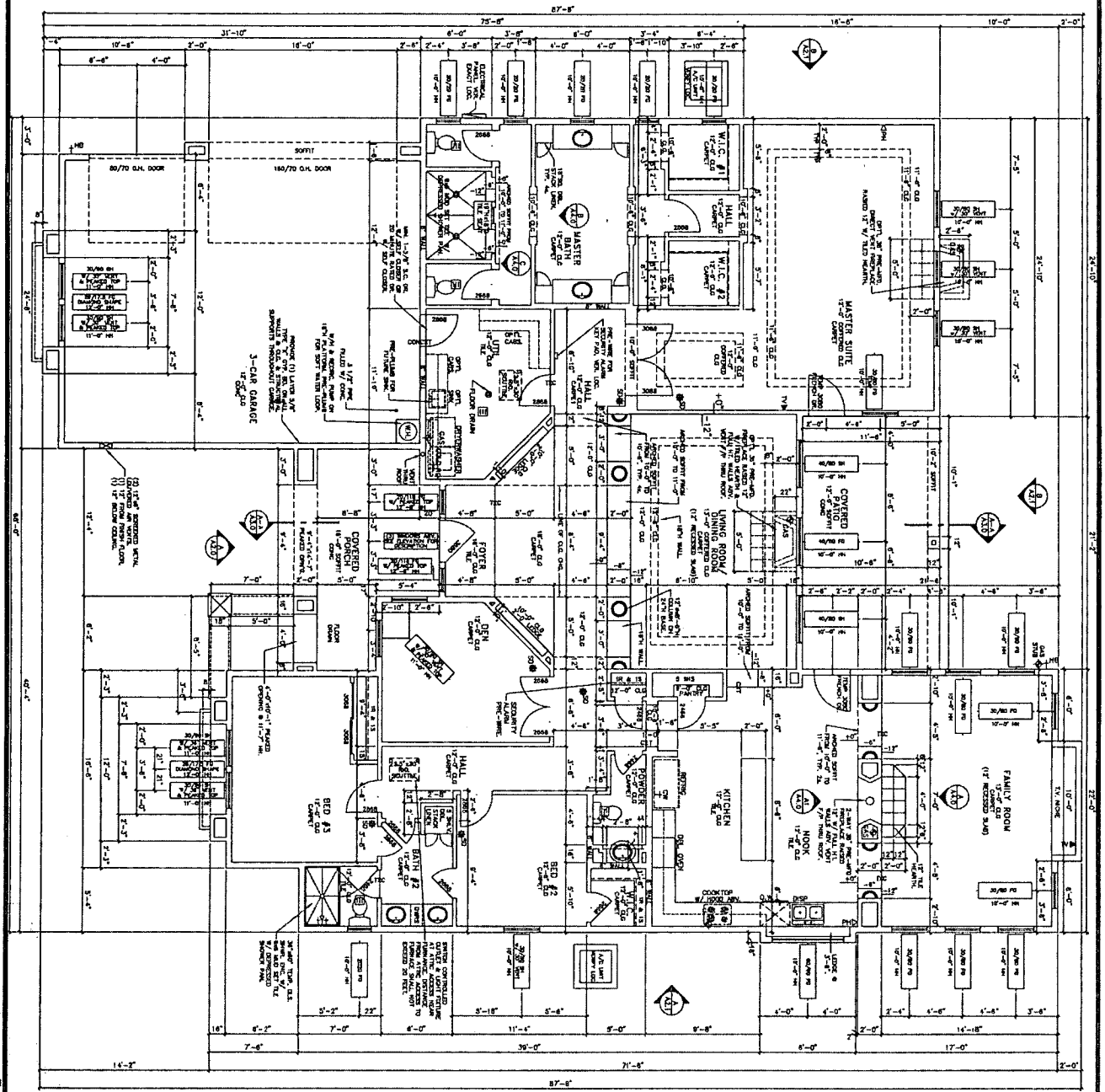
Building the American Dream
Steve Dusterwald, P.E.
7550 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129
(702) 277-2290 - (702) 870-4818 (FAX)

DESIGNED BY: E. B. LOVETT
DRAWN BY: E. B. LOVETT
CHECKED BY: E. B. LOVETT
DATE ISSUED: 02/05/04
JOB NUMBER: 2003-1001
SCALE: 1" = 40'

SITE PLAN

COKE STREET HOMES
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL WEST OF BUFFALO
LAS VEGAS, NEVADA

SHEET # AS-1



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

SQUARE FOOTAGES	
LIVING AREA	3,294 S.F.
GARAGE/LIVING AREA	3,294 S.F.
COVERED PORCH	74 S.F.
COVERED PATIO	345 S.F.
GARAGE AREA	765 S.F.
FRAMING	4,839 S.F.
SLAB AREA	4,110 S.F.
OVERALL WIDTH	87'-8"
OVERALL DEPTH	87'-8"

VAR-3902
4-22-04 PC

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SHEET # A1.0
PLAN 3294

DESIGNED BY:	E. B. LOVETT
DRAWN BY:	E. B. LOVETT
CHECKED BY:	E. B. LOVETT
DATE ISSUED:	02/05/04
JOB NUMBER:	2003-1001
SCALE:	1/4" = 1'-0"

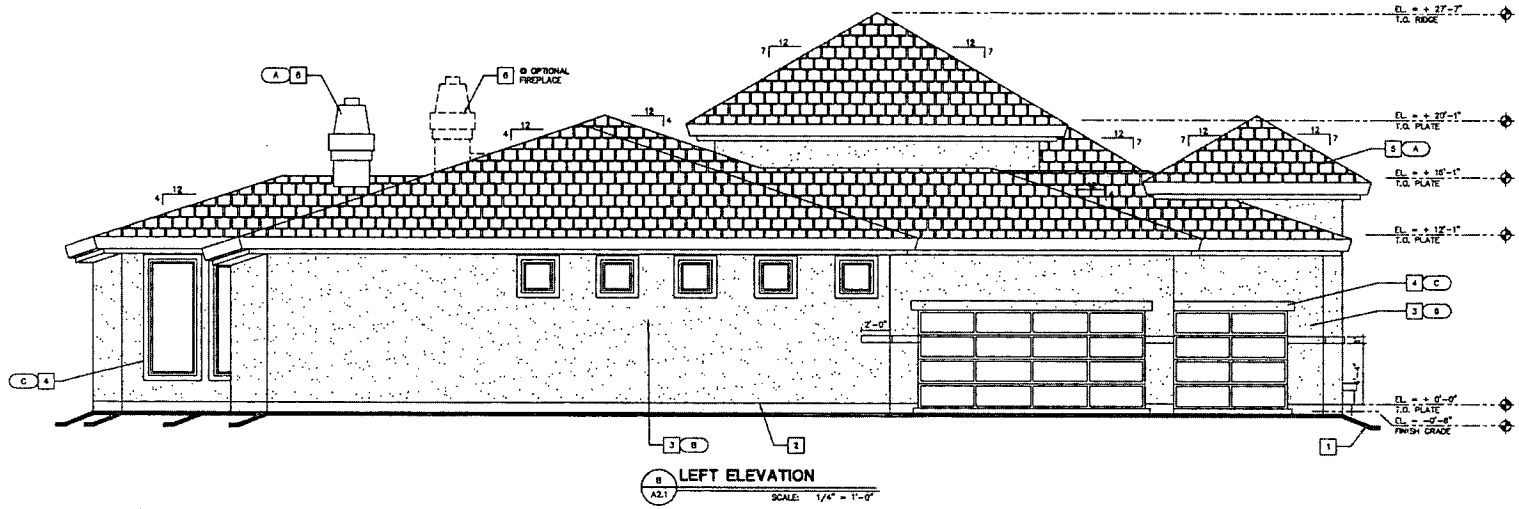
FLOOR PLAN

COKE STREET HOMES - PLAN 3294
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL, WEST OF BUFFALO
LAS VEGAS, NEVADA

Building the American Dream
Steve Dusterwald, P.E.
7550 W. ALEXANDER ROAD
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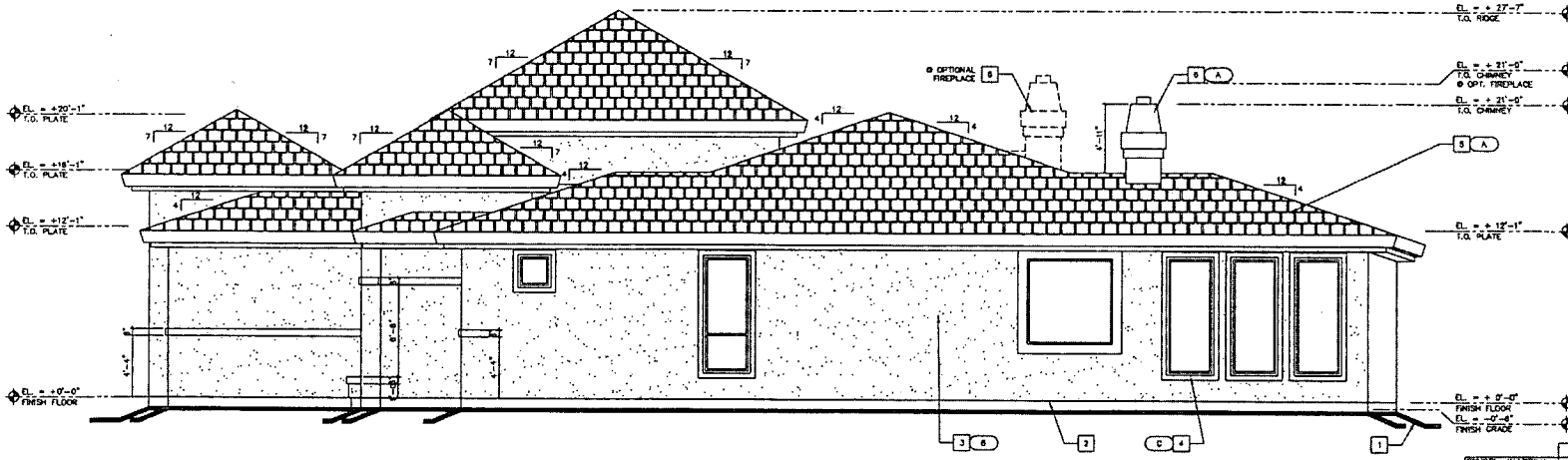
REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND PLYMOUTH ALL ERRORS TO BTAD PRIOR TO COMMENCING WORK. FACIE DRAWINGS ARE NOT TO BE SCALED. ALL DRAWINGS, SPECIFICATIONS AND CODES THEREOF FURNISHED BY BTAD ARE AND SHALL REMAIN BTAD SOLE PROPERTY, UNTIL SIGNED BY THE PREPARING ENTITY. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND VOID AT TIME. THE OWNER/DEVELOPER/CONTRACTORS AND, THESE DOCUMENTS ARE TO BE RETURNED OR SUITABLY ACCEPTED FOR TO BTAD ON REQUEST ANY USE OF THIS DRAWING IN WHOLE OR IN PART BY ANY LEGAL MEANS WITHOUT CIVIL IS STRICTLY PROHIBITED EXCEPT IN WRITTEN CONSENT OF BTAD. BTAD HEREBY EXPRESSLY RESERVES THEIR COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE CONSTRUCTION DOCUMENTS.



B A2.1 LEFT ELEVATION

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



A A2.1 RIGHT ELEVATION

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

GENERAL NOTES

A. A DOOR STOOP IS REQUIRED AT ALL EXTERIOR DOORS. STOOP MUST BE EQUAL TO THE WIDTH OF THE DOOR OPENING AND 36 INCHES IN THE DIRECTION OF TRAVEL.

B. EXTERIOR DOORS SHALL BE PROVIDED WITH A SWITCHED LIGHT TO ILLUMINATE THE EXTERIOR EXIT LANDING.

C. ALL GUARDRAILS TO BE A MIN. OF 36" HIGH W/ INTERMEDIATE RAILS SUCH THAT A 4" SPHERE WILL NOT PASS THROUGH.

D. TWO LAYERS OF GRADE "D" PAPER ARE REQUIRED OVER OSB OR PLYWOOD AT ALL EXTERIOR WALLS PRIOR TO APPLICATION OF METAL LATH OR EPS BOARD. THIS APPLIES TO ANY WOOD BASED PRODUCT.

E. THE INTERIOR OF THE BUILDING SHALL BE SEPARATED FROM FOAM PLASTIC INSULATION BY USING A MINIMUM OF 1 1/2" FIBER BATT INSULATION, 1/4" PLYWOOD, 1/2" GYPSUM BOARD OR OTHER APPROVED MATERIAL (THIS INCLUDES, BUT IS NOT LIMITED TO LIVABLE SPACE, GARAGE/STORAGE AND ATTIC SPACE.

F. AT EXPOSED ATTIC SPACE (GABLED ENDS) PROVIDE 3/4" COMPOSITION BOARD SHEATING FOR 1-COAT STUCCO SYSTEM.

G. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.2.

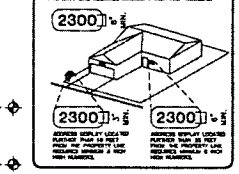
H. ESCAPE OR RESCUE WINDOWS SHALL HAVE A MIN. NET CLR. OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLR. OPENABLE DIM. SHALL BE 24" IN HT. AND 20" IN WIDTH. WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE OR RESCUE, THEY SHALL HAVE A FINISHED SILL HT. NOT MORE THAN 44" ABV. THE FLOOR.

J. NO. 29 GA. GALVANIZED SHEET METAL WEEP SCREED WITH A MINIMUM 3.5" VERTICAL ATTACHMENT FLANGE SHALL BE PLACED AT LEAST 2" ABOVE PAVED SURFACES OR AT LEAST 4" ABOVE THE EARTH. WEEP SCREED SHALL BE OF A TYPE THAT WILL ALLOW WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING.

K. ALL EXTERIOR LIGHTS SHALL HAVE GFCI PROTECTION AND ALL EXTERIOR OUTLETS SHALL HAVE GFCI PROTECTION AND SHALL BE PROTECTED FROM WEATHER.

L. ADDRESS DISPLAY REQUIREMENTS: SINGLE FAMILY RESIDENTIAL ADDRESS MUST BE DISPLAYED AT LEAST ONCE ON THE RESIDENCE, AND ON BOTH SIDE OF THE MAILBOX IF ONE EXISTS ON THE LOT. PLACE ADDRESS SO IT IS VISIBLE FROM THE STREET IN BOTH DIRECTIONS. CONTRAST COLOR OF ADDRESS NUMBERS WITH THE COLOR OF THE BACKGROUND. ILLUMINATE THE ADDRESS DIRECTLY OR INDIRECTLY SO IT IS VISIBLE AT NIGHT. THE ADDRESS MUST BE DISPLAYED ON AT LEAST ONE LOCATION ON THE BUILDING AND AT EACH DRIVEWAY. PLACE ADDRESS CLEAR OF LANDSCAPING.

ADDRESS DISPLAY LOCATED FURTHER THAN 25 FEET FROM THE PROPERTY LINE REQUIRES NUMERALS 4 INCH HIGH NUMERALS.



ADDRESS DISPLAY LOCATED FURTHER THAN 25 FEET FROM THE PROPERTY LINE REQUIRES NUMERALS 4 INCH HIGH NUMERALS.

ADDRESS DISPLAY LOCATED FURTHER THAN 25 FEET FROM THE PROPERTY LINE REQUIRES NUMERALS 4 INCH HIGH NUMERALS.

Elevation Key Notes

1. FINISHED GRADE.
2. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.2.
3. EXTERIOR WALL COVERING: WESTERN 1-COAT STUCCO SYSTEM (C.E.S.S. #3886 (OR APPROVED EQUAL) O/ METAL LATH O/ FOAM BOARD O/ 2 LAYERS GRADE 'D' BUILDING PAPER. FINISH TO BE ELASTOMERIC PAINT.
4. STUCCO O/ FOAM TRIM.
5. ROOF TILE: CONC. ROOF TILE PER CONTRACT, O/ 1 LAYER 30# FELT O/ 1/2" OSB BOARD ROOF SHEATHING - OR APPROVED EQUAL.
6. CHIMNEY @ CAP @ FIREPLACE WHERE OCCURS. SEE DETAIL 5/A2.0. TOP OF CAP TO BE 2'-0" ABOVE ANY PORTION OF THE BUILDING WITHIN A 10'-0" RADIUS PER IRC R1001.8.
7. ADDRESS LIGHT - SEE GENERAL NOTES FOR REQUIREMENTS.

SYMBOL	MATERIAL	COLOR SCHEME 1	COLOR SCHEME 2
A	ROOF TILE	MFG. EAGLE ROOFING PROD. SPEC: MALIBU #413	MFG. EAGLE ROOFING PROD. SPEC: MALIBU #448
B	PAINT BODY	MFG. GLIDDEN SPEC: SW4 BLUE #7080 40/050	MFG. GLIDDEN SPEC: IVORY SAMPLER 30YY 30/178
C	PAINT ACCENT	MFG. GLIDDEN SPEC: LIGHT NAVAJO 40YY 76/112	MFG. GLIDDEN SPEC: LIGHT NAVAJO 40YY 76/112

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REV.	DATE	BY:	REVISION:

ALL CONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. THESE PLANS ARE NOT TO BE SCALED. ALL DIMENSIONS, DETAILS, ETC. SHALL BE VERIFIED BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ARCHITECT. THE CONTRACTOR IS REQUIRED TO MAINTAIN INSURANCE AS SPECIFIED IN THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION DURING THE LIFE OF THE PROJECT TO PROTECT HIMSELF AND THE OWNER FROM CLAIMS SET FORTH ABOVE. THE CONTRACTOR SHALL FURNISH CERTIFICATES OF INSURANCE TO THE OWNER PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL REQUIRE SIMILAR INSURANCE OF ALL SUBCONTRACTORS.

Building the American Dream
Steve Dusterwald, P.E.
7550 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129
(702) 277-2290 - (702) 870-1818 (FAX)

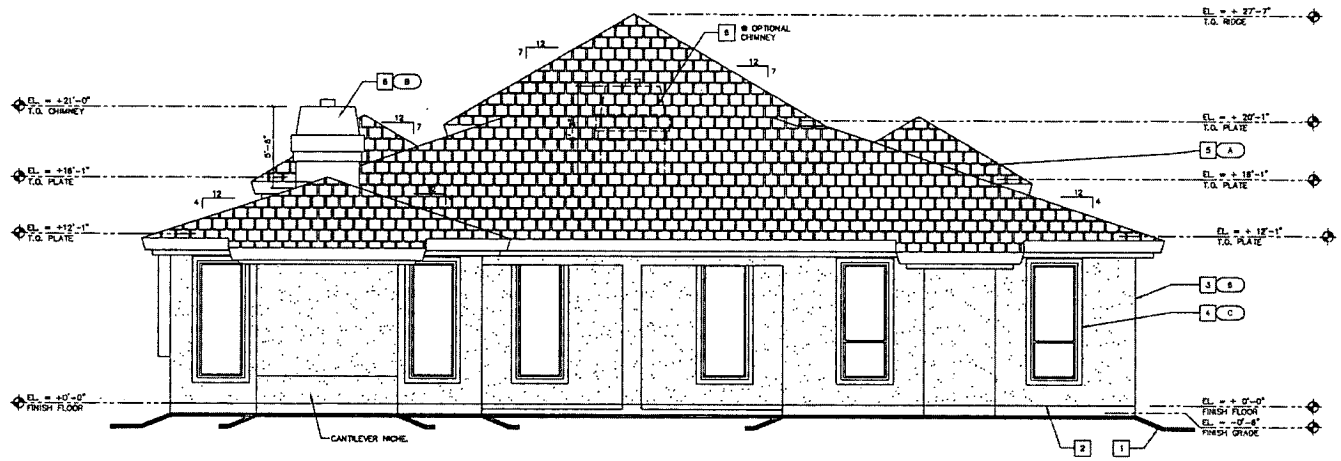
EXTERIOR ELEVATIONS

COKE STREET HOMES - PLAN 3294
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL, WEST OF BUFFALO
LAS VEGAS, NEVADA

DESIGNED BY: E. B. LOVETT
DRAWN BY: E. B. LOVETT
CHECKED BY: E. B. LOVETT
DATE ISSUED: 02/05/04
JOB NUMBER: 2003-1001
SCALE: 1/4" = 1'-0"

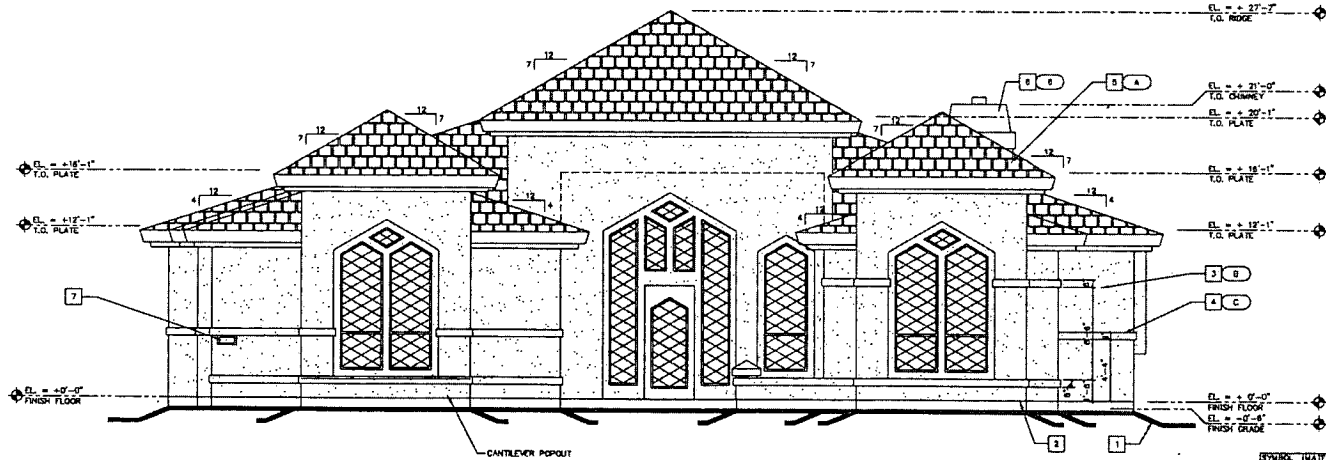
SHEET # A2.1
PLAN 3294

VAR-3902
4-22-04 PC



B A2.0 **REAR ELEVATION**

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



A A2.0 **FRONT ELEVATION**

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

GENERAL NOTES

A. A DOOR STOOP IS REQUIRED AT ALL EXTERIOR DOORS. STOOP MUST BE EQUAL TO THE WIDTH OF THE DOOR OPENING AND 36 INCHES IN THE DIRECTION OF TRAVEL.

B. EXTERIOR DOORS SHALL BE PROVIDED WITH A SWITCHED LIGHT TO ILLUMINATE THE EXTERIOR EXIT LANDING.

C. ALL GUARDRAILS TO BE A MIN. OF 36" HIGH W/ INTERMEDIATE RAILS SUCH THAT A 4" SPHERE WILL NOT PASS THROUGH.

D. TWO LAYERS OF GRADE "D" PAPER ARE REQUIRED OVER OSB OR PLYWOOD AT ALL EXTERIOR WALLS PRIOR TO APPLICATION OF METAL LATH OR FOIL BOARD. THIS APPLIES TO ANY WOOD BASED PRODUCT.

E. THE INTERIOR OF THE BUILDING SHALL BE SEPARATED FROM FOAM PLASTIC INSULATION BY USING A MINIMUM OF 1 1/2" FIBER BATT INSULATION, 1/4" PLYWOOD, 1/2" GYPSUM BOARD OR OTHER APPROVED MATERIAL. THIS INCLUDES, BUT IS NOT LIMITED TO LIVABLE SPACE, GARAGE/STORAGE AND ATTIC SPACE.

F. AT EXPOSED ATTIC SPACE (GABLED ENDS) PROVIDE 3/4" COMPOSITION BOARD SHEATING FOR 1-COAT STUCCO SYSTEM.

G. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.3.

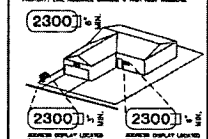
H. ESCAPE OR RESCUE WINDOWS SHALL HAVE A MIN. NET CLR. OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLR. OPENABLE DIM. SHALL BE 24" IN HT. AND 20" IN WIDTH. WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE OR RESCUE, THEY SHALL HAVE A FINISHED SILL HT. NOT MORE THAN 44" ABV. THE FLOOR.

J. NO. 26 GA. GALVANIZED SHEET METAL WEEP SCREED WITH A MINIMUM 3.5" VERTICAL ATTACHMENT FLANGE SHALL BE PLACED AT LEAST 2" ABOVE PAVED SURFACES OR AT LEAST 4" ABOVE THE EARTH. WEEP SCREED SHALL BE OF A TYPE THAT WILL ALLOW WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING.

K. ALL EXTERIOR LIGHTS SHALL HAVE GFCI PROTECTION AND ALL EXTERIOR OUTLETS SHALL HAVE GFCI PROTECTION AND SHALL BE PROTECTED FROM WEATHER.

L. ADDRESS DISPLAY REQUIREMENTS: SINGLE FAMILY RESIDENTIAL ADDRESS MUST BE DISPLAYED AT LEAST ONCE ON THE RESIDENCE, AND ON BOTH SIDE OF THE MAILBOX, IF ONE EXISTS OR THE LOT. PLACE ADDRESS SO IT IS VISIBLE FROM THE STREET IN BOTH DIRECTIONS. CONTRAST COLOR OF ADDRESS NUMBERS WITH THE COLOR OF THE BACKGROUND, ILLUMINATE THE ADDRESS DIRECTLY OR INDIRECTLY SO IT IS VISIBLE AT NIGHT. THE ADDRESS MUST BE DISPLAYED ON AT LEAST ONE LOCATION ON THE BUILDING AND AT EACH ENTRANCE. PLACE ADDRESS CLEAR OF LANDSCAPING.

ADDRESS DISPLAY LOCATED FURTHER THAN 30 FEET FROM THE PROPERTY LINE, REQUIRES MINIMUM 6 INCH HIGH NUMBERS.



Elevation Key Notes

1. FINISHED GRADE.
2. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.3.
3. EXTERIOR WALL COVERING: WESTERN 1-COAT STUCCO SYSTEM LC.B.O. #3888 (OR APPROVED EQUAL) O/ METAL LATH O/ FOAM BOARD O/ 2 LAYERS GRADE 'D' BUILDING PAPER. FINISH TO BE ELASTOMERIC PAINT.
4. STUCCO O/ FOAM TRIM.
5. ROOF TILE: CONC. ROOF TILE PER CONTRACT, O/ 1 LAYER #15 FELT O/ 1/2" OSB BOARD ROOF SHEATHING - OR APPROVED EQUAL.
6. CHIMNEY & CAP @ FIREPLACE WHERE OCCURS. SEE DETAIL A/A2.0. TOP OF CAP TO BE 2'-0" ABOVE ANY PORTION OF THE BUILDING WITHIN A 10'-0" RADIUS PER IRC R1003.9.
7. ADDRESS LIGHT - SEE GENERAL NOTES FOR REQUIREMENTS.

BLOCK FENCES VISIBLE FROM STREET TO BE PAINTED THE SAME COLOR AS HOUSE.

SYMBOL	MATERIAL	COLOR SCHEME 1	COLOR SCHEME 2
A	ROOF TILE	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #413	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #448
B	PAINT BODY	MFG: GLIDDEN SPEC: SPA BLUE #7090 40/090	MFG: GLIDDEN SPEC: IVORY SAMPLER 30YY 58/178
C	PAINT ACCENT	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 78/112	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 78/112

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REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE DRAWINGS. ALL DRAWINGS, DESIGNS, PLANS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY THE ARCHITECT ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE USED IN WHOLE OR IN PART BY ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER EXCEPT WITH THE EXPRESS WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, NOR FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, NOR FOR ANY FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S SCHEDULES OR FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY OBLIGATIONS OF THE CONTRACTOR. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR'S AGENTS OR EMPLOYEES OR ANY OTHER PERSONS PERFORMING PORTIONS OF THE WORK. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION COMMENCED WITHOUT THE ARCHITECT'S WRITTEN APPROVAL. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE PLANS WITHOUT THE ARCHITECT'S WRITTEN APPROVAL. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION COMMENCED WITHOUT THE ARCHITECT'S WRITTEN APPROVAL. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION COMMENCED WITHOUT THE ARCHITECT'S WRITTEN APPROVAL.

Building the American Dream
Steve Dusterwald, P.E.
7550 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129
(702) 277-3290 - (702) 870-4818 (FAX)

EXTERIOR ELEVATIONS

COKE STREET HOMES - PLAN 3294
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL, WEST OF BUFFALO
LAS VEGAS, NEVADA

DESIGNED BY: E. B. LOVETT
DRAWN BY: E. B. LOVETT
CHECKED BY: E. B. LOVETT
DATE ISSUED: 02/05/04
JOB NUMBER: 2003-1001
SCALE: 1/4" = 1'-0"

SHEET # A2.0
PLAN 3294

VAR-3902
4-22-04 PC



VAR-3902 - APPLICANT/OWNER: RICHARD AND JILL BURNS
NORTHWEST CORNER OF MAGGIE AVENUE AND COKE STREET
APRIL 22, 2004 PLANNING COMMISSION

3/4/04

April 25, 2004

Barbara Jo Ronemus
Office if the City Clerk
City of Las Vegas
Department of Planning and Development
731 S. 4th Street
Las Vegas, Nevada 89101

Re: APN 125-09-501-002/ VAR-3902

Dear Ms. Ronemus:

This letter is written to formally request an appeal of the Planning Commission's denial of the above-entitled agenda item. I request this appeal be heard at the May 19, 2004 City Council meeting.

Very truly yours,

Andras F. Babero

RECEIVED
CITY CLERK
2004 APR 27 P 2:20

City of Las Vegas

Agenda Item No. 115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

ABEYANCE ITEM - REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - **RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY** - Required Six Month Review of an approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN: 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – City Attorney's Office opinion filed under Item 99

MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

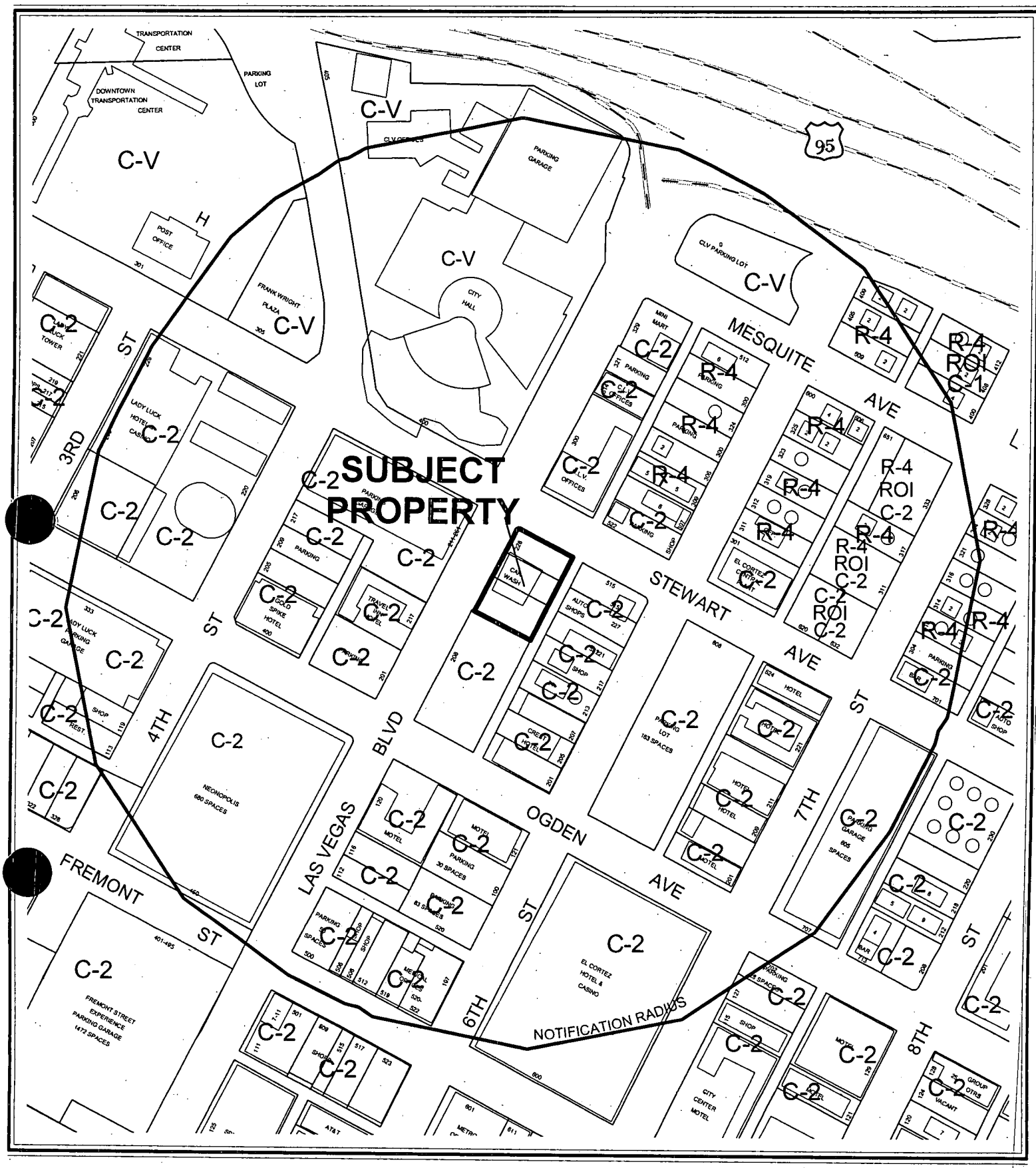
ROBERT GENZER, Director, Planning and Development Department, questioned whether Item 115 [RQR-3930] should be abeyed since it is related to Item 116 [ROC-4121], which is scheduled for abeyance to 7/7/2004. COUNCILMAN WEEKLY asked if the applicant of Item 115 [RQR-3930] requested abeyance. ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant, stated that an abeyance was not requested. However, if staff felt an abeyance was necessary, the applicant would concur with that decision. MR. GENZER explained it was not necessary. COUNCILMAN WEEKLY requested both items be held in abeyance until 7/7/2004.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 115 – RQR-3930

MINUTES Continued :

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that although he had indicated in the past that he would be abstaining on Item 118 [SUP-3394] and Item 119 [SUP-3972], he could vote on the motion to abey those items because it was not substantive. MAYOR GOODMAN disclosed that he would be abstaining on Item 115 [RQR-3930] and Item 116 [ROC-4121] because of a business relationship with ATTORNEY JAY BROWN and on Item 117 [RQR-4021], Item 118 [SUP-3394] and Item 119 [SUP-3972] due to the content of the opinion from the City Attorney's office dated May 17, 2004, a copy of which has been filed with the Clerk. MAYOR GOODMAN stated he would be voting on the motion to abey these items.

(1:04 – 1:06)



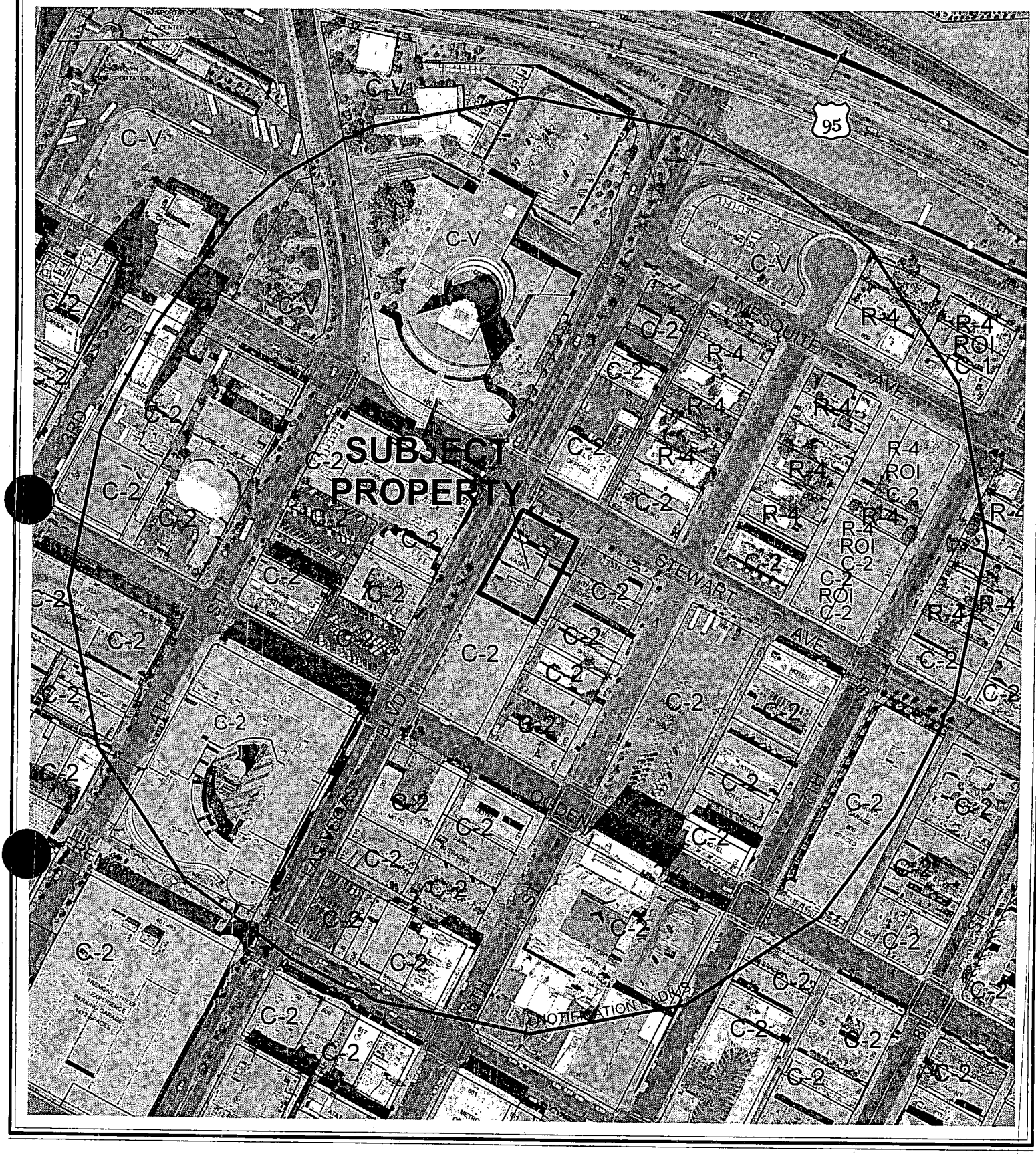
CASE: **RQR-3930**

RADIUS: 750 FT

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

0 100 200 Feet

N



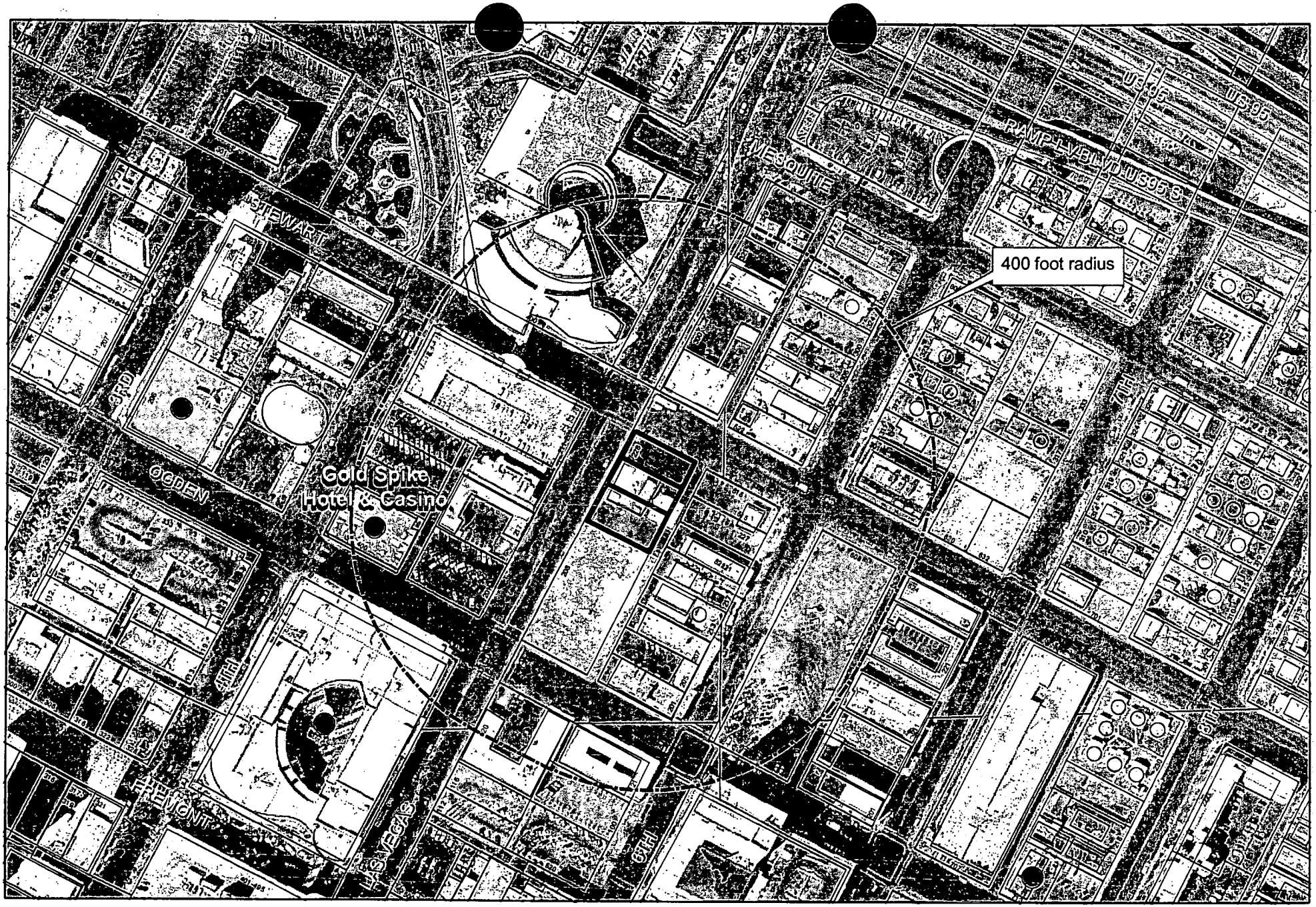
CASE: **RQR-3930**

RADIUS: 750 FT

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

0 100 200 Feet

N



RQR-3930

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3930 - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 21, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

Zoning Code Compliance

Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

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

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

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

FINDINGS

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

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

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

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

   There are no physical constraints to the continuation of the liquor establishment (off-premise consumption) use on this site.

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

   The abutting street network will be adequate to meet the access requirements of the approved use in that Las Vegas Boulevard and Stewart Avenue are all fully developed Secondary Arterial roadways.

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

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

NOTICES MAILED 43 By City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-3930 APN: 139-34-511-001, 002 AND 003

Name of Property Owner: NEISSAN KOROGHLI-FREMONT PLACE LLC

Name of Applicant: NEISSAN KOROGHLI

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

_____ Yes ___ ✓ ___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: NEISSAN KOROGHLI

Subscribed and sworn before me

This 13th day of February, 2004

Lisa M Wood

Notary Public in and for said County and State

LISA M. WOOD
Notary Public, State of Nevada
Appointment No. 02-75639-1
My Appt. Expires Feb 15, 2006

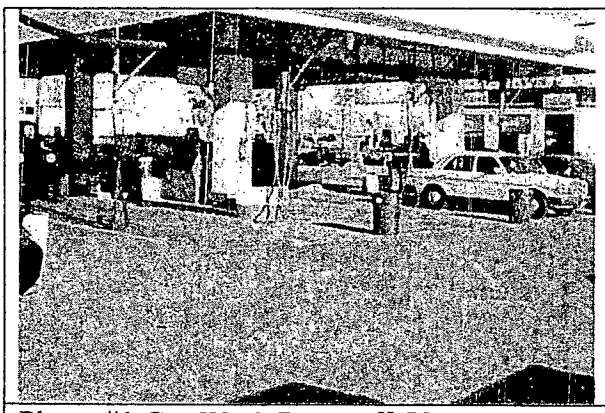


Photo #1 Car Wash Drop-off, Vacuums...



Photo #2 Car Wash Drop-off, Gas Pumps



Photo #3 Signage, Car Wash Exit

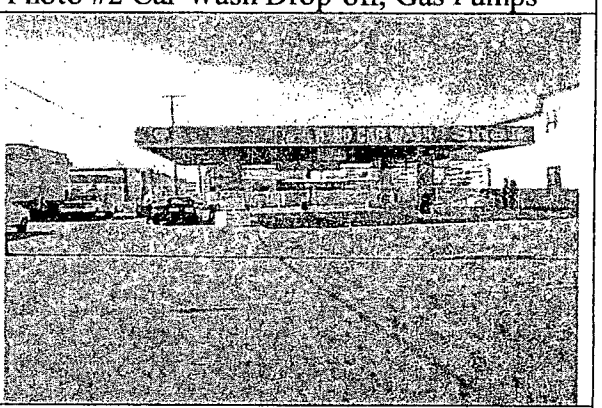


Photo #4 Car Wash Drop-off, Gas Pumps



Photo #5 Car Wash Exit

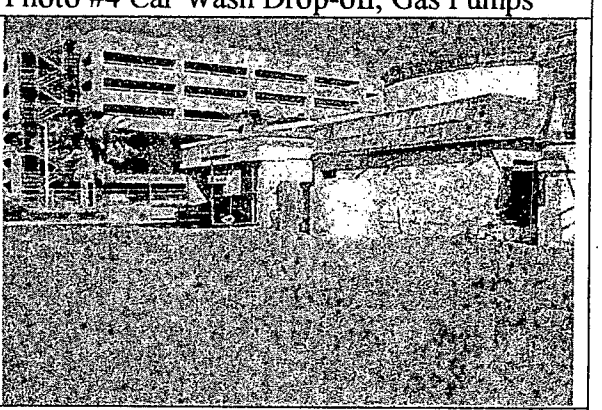
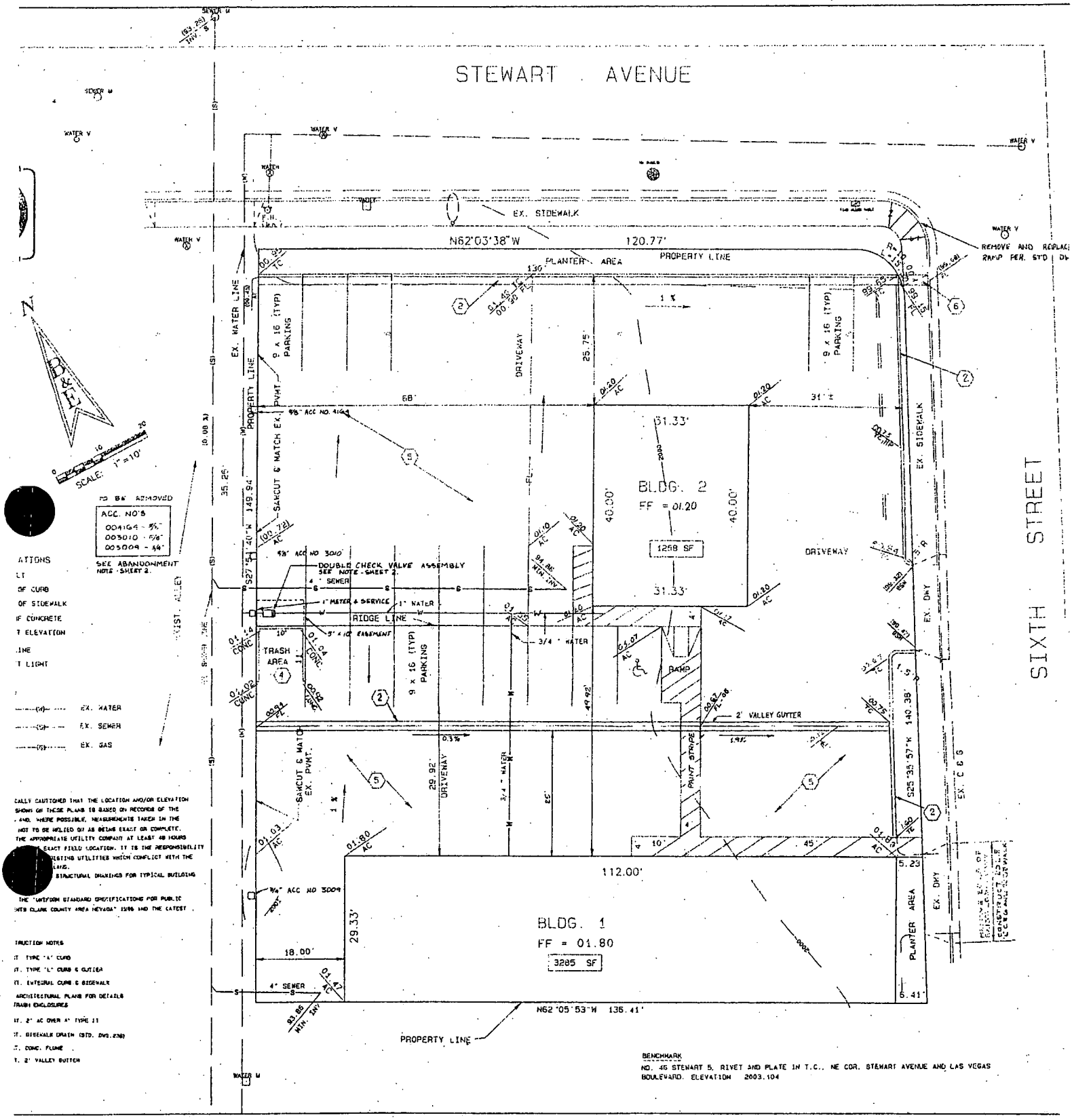


Photo # 6 Car Wash Entrance

RQR-3930
3-25-04 PC

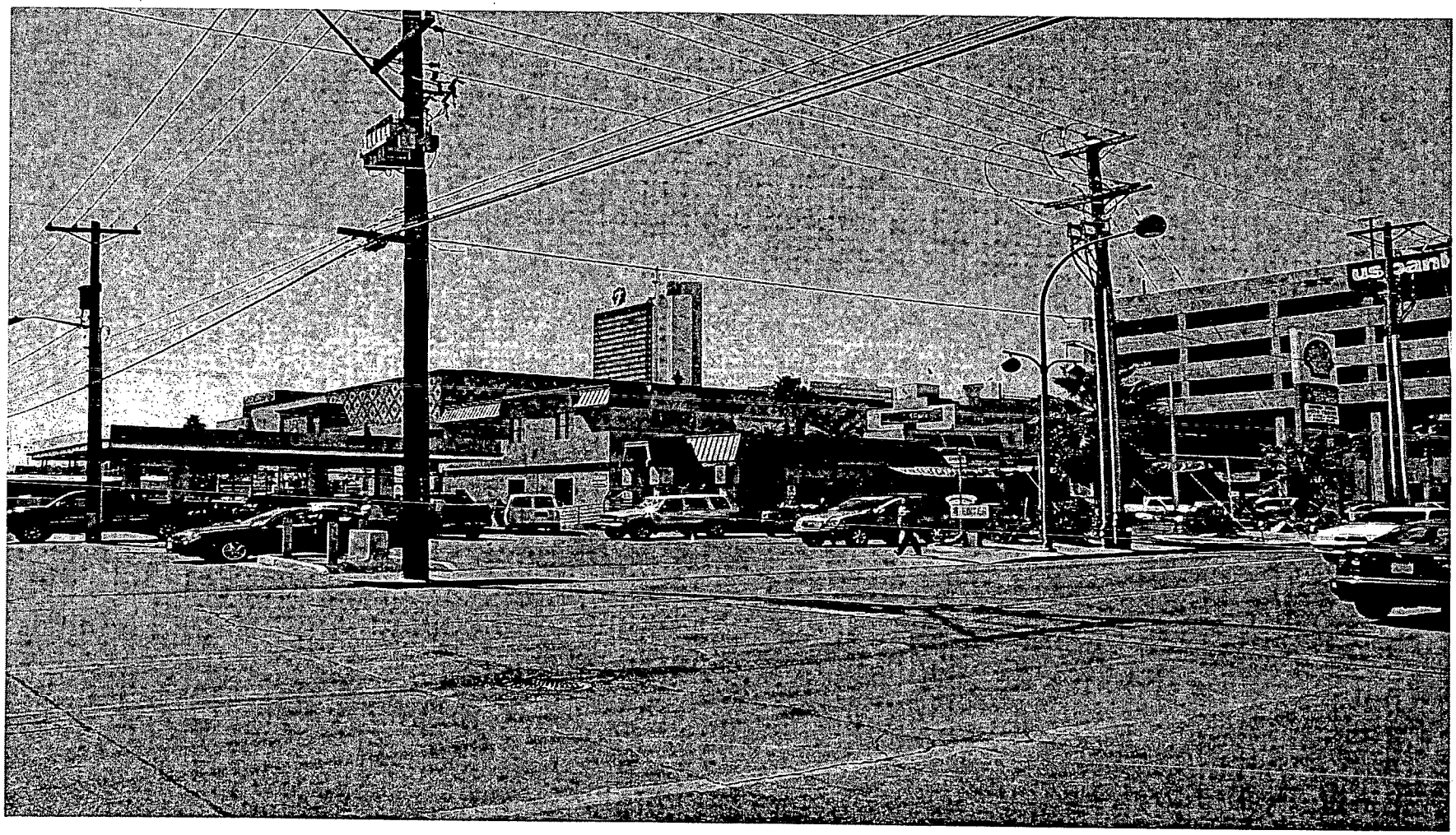


RQR-3930
3-25-04 PC



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

3/4/04



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

3/4/04

City of Las Vegas

Agenda Item No. 116

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

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

PROTESTS RECEIVED BEFORE:		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
4. Submitted after final agenda – Abeyance request by Singer & Brown
5. Submitted at City Council – City Attorney's Office opinion filed under Item 99

MOTION:
REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

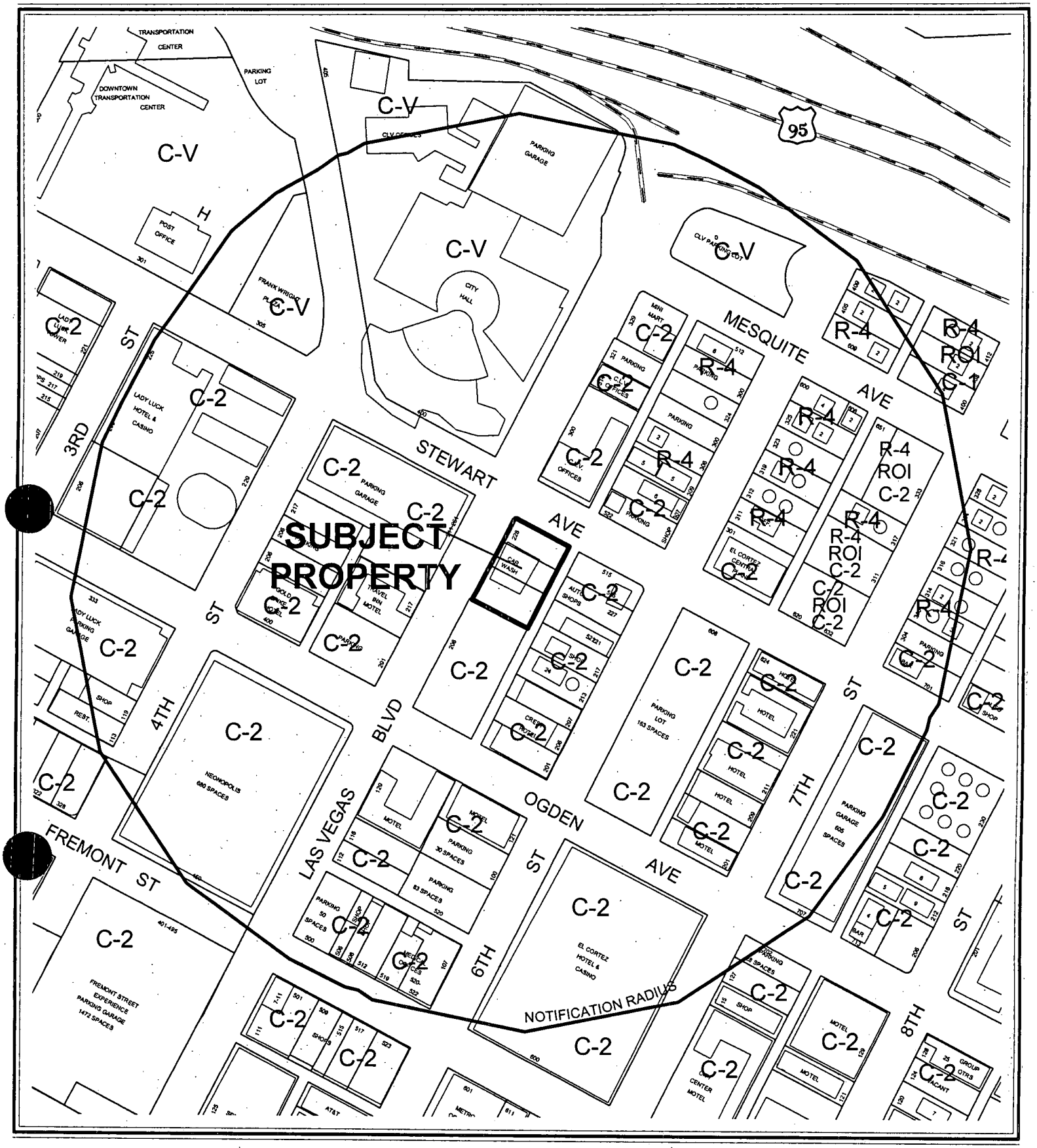
MINUTES:
ROBERT GENZER, Director, Planning and Development Department, questioned whether Item 115 [RQR-3930] should be abeyed since it is related to Item 116 [ROC-4121], which is scheduled for abeyance to 7/7/2004. COUNCILMAN WEEKLY asked if the applicant of Item 115 [RQR-3930] requested abeyance. ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant, stated that an abeyance was not requested. However, if staff felt an abeyance was necessary, the applicant would concur with that decision. MR. GENZER explained it was not necessary. COUNCILMAN WEEKLY requested both items be held in abeyance until 7/7/2004.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 116 – ROC-4121

MINUTES Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that although he had indicated in the past that he would be abstaining on Item 118 [SUP-3394] and Item 119 [SUP-3972], he could vote on the motion to abey those items because it was not substantive. MAYOR GOODMAN disclosed that he would be abstaining on Item 115 [RQR-3930] and Item 116 [ROC-4121] because of a business relationship with ATTORNEY JAY BROWN and on Item 117 [RQR-4021], Item 118 [SUP-3394] and Item 119 [SUP-3972] due to the content of the opinion from the City Attorney's office dated May 17, 2004, a copy of which has been filed with the Clerk. MAYOR GOODMAN stated he would be voting on the motion to abey these items.

(1:04 – 1:06)

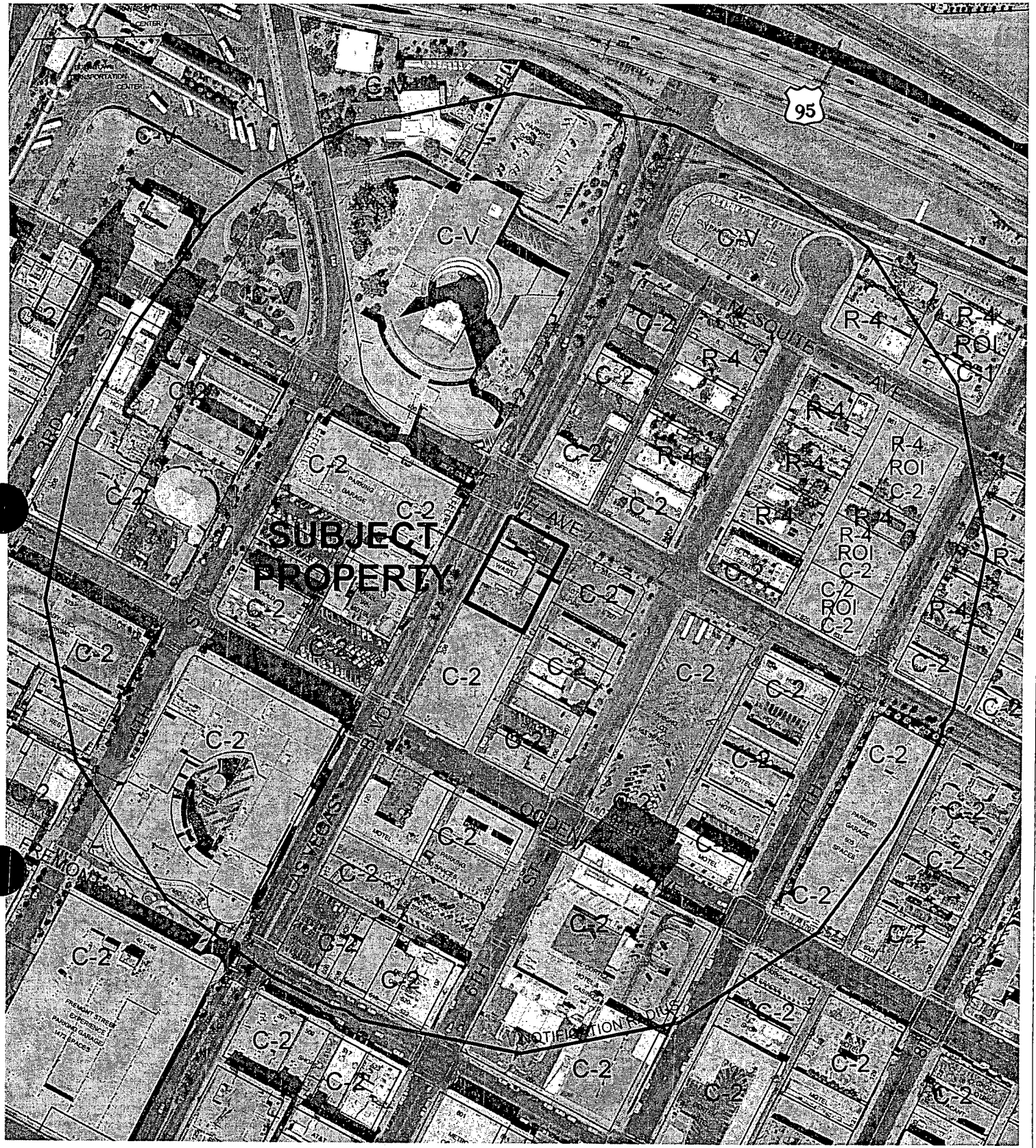


CASE: **ROC-4121**

RADIUS: 750 FT

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

0 100 200 Feet



CASE: **ROC-4121**

RADIUS: 750 FT

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

0 100 200 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-4121 - APPLICANT: NEISSAN KOROGHLI – OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 21, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. This use shall be subject to review by the City Council one year from the final approval of this Review of Condition at which time the Special Use Permit may be revoked.

2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND DATA

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

DETAILS OF APPLICATION REQUEST

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

1. The sale of alcoholic beverages shall be restricted to the sale of a minimum of four miniature liquor bottles in multi-product gift-wrapped baskets.

2. The minimum price for each basket will be $35.00.

3. Large single bottles of alcohol may only be displayed for delivery to offices located within the downtown area.

4. A list of all downtown deliveries shall be maintained on site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

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

Existing Land Use

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

ANALYSIS & FINDINGS

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

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

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

FINDINGS

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

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

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

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

   There are no physical constraints to the liquor establishment (off-premise consumption) use on this site.

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

   The abutting street network will be adequate to meet the access requirements of the approved use in that Las Vegas Boulevard and Stewart Avenue are all fully developed Secondary Arterial roadways.

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

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

NOTICES MAILED 43 By Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ~~ROR3930~~ ROC-4121 APN: 139-34-511,02,03

Name of Property Owner: NEISSAN KOROGHLI

Name of Applicant: NEISSAN KOROGHLI

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: NEISSAN KOROGHLI

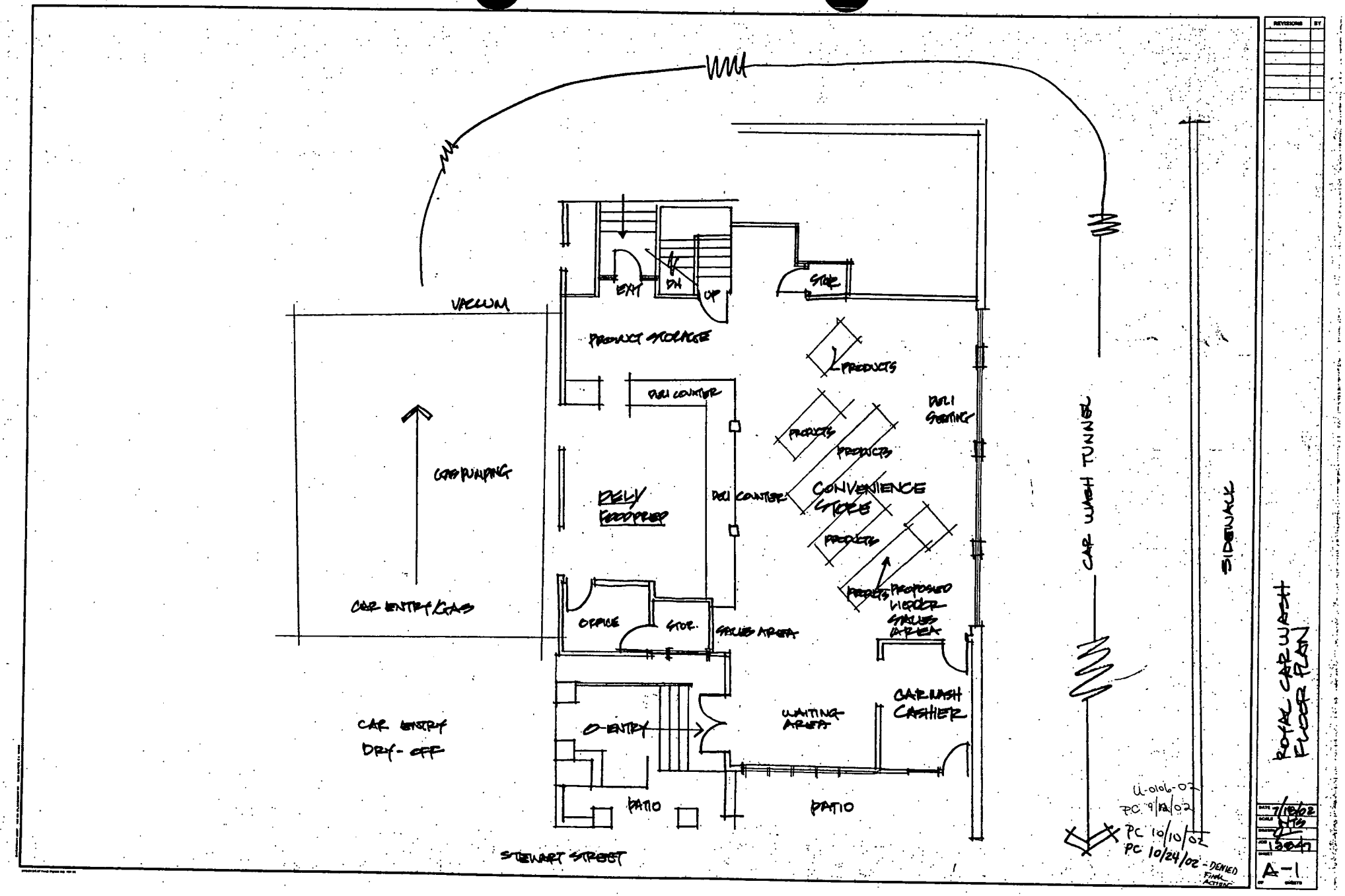
Subscribed and sworn before me

This 15th day of March, 2004

[signature]

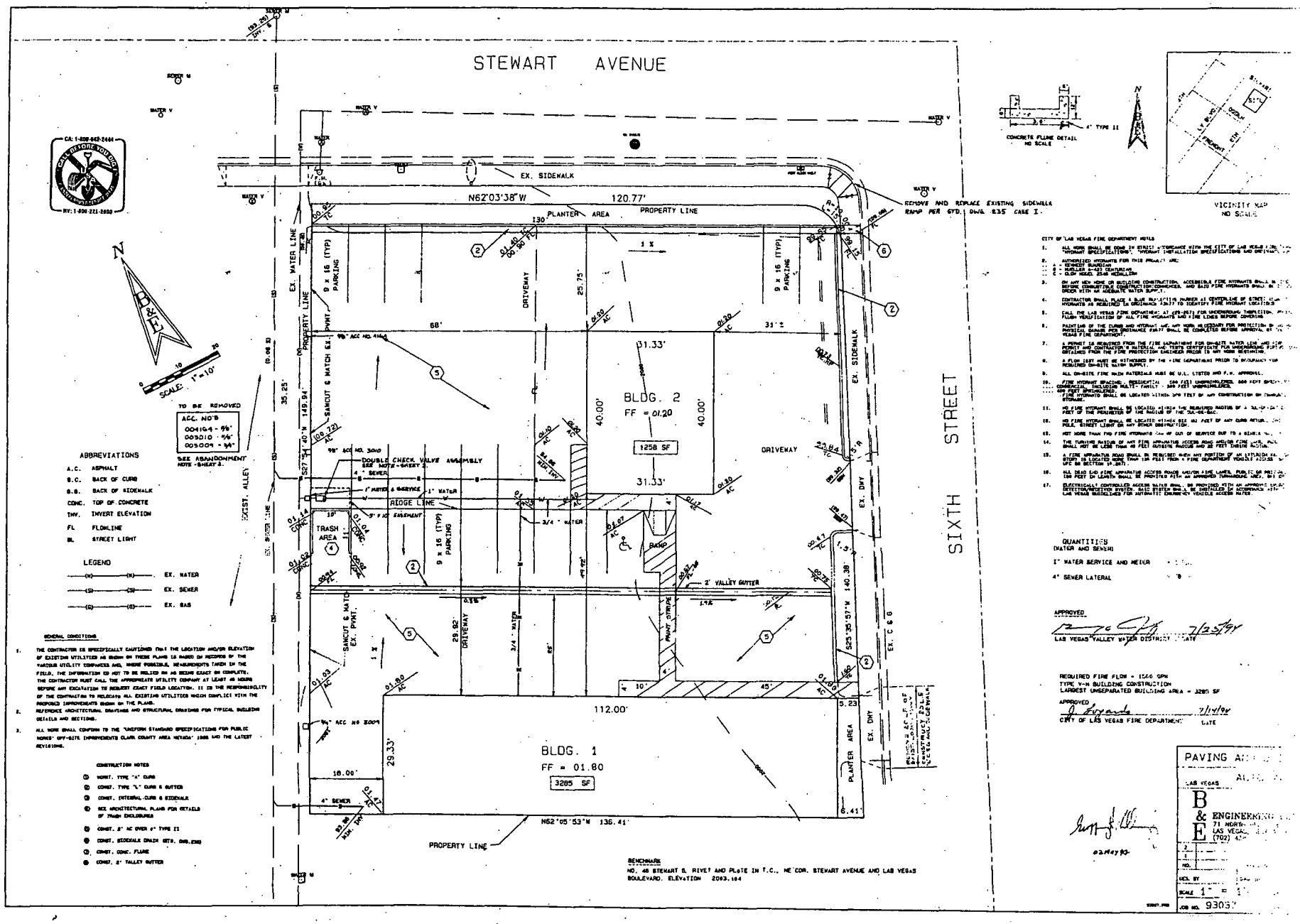
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JASON ALLSWANG
No. 03-83664-1 My Appointment Expires Feb. 27, 2007



ROC-4121

4-21-04 CC



ABBREVIATIONS

A.C.	ASPHALT
B.C.	BACK OF CURB
B.S.	BACK OF SIDEWALK
CONC.	TOP OF CONCRETE
INV.	INVERT ELEVATION
FL	FLOWLINE
SL	STREET LIGHT

LEGEND

(W)——(W)—— EX. WATER
(S)——(S)—— EX. SEWER
(G)——(G)—— EX. GAS

GENERAL CONDITIONS

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED that THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. REFERENCE ARCHITECTURAL DRAWINGS AND STRUCTURAL DRAWINGS FOR TYPICAL BUILDING DETAILS AND SECTIONS.
3. ALL WORK SHALL CONFORM TO THE "UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS' OFF-SITE IMPROVEMENTS CLARK COUNTY AREA NEVADA" 1986 AND THE LATEST REVISIONS.

CONSTRUCTION NOTES

1. MONT. TYPE "A" CURB
2. CONST. TYPE "L" CURB & GUTTER
3. CONST. INTEGRAL CURB & SIDEWALK
4. SEE ARCHITECTURAL PLANS FOR DETAILS OF TRASH ENCLOSURES
5. CONST. 2" AC OVER 4" TYPE II
6. CONST. SIDEWALK DRAIN RTD. DWG.236
7. CONST. CONC. FLUME
8. CONST. 2' VALLEY GUTTER

BENCHMARK
NO. 48 STEWART & RIVET AND PLATE IN T.C., NE'COR. STEWART AVENUE AND LAS VEGAS BOULEVARD. ELEVATION 2093.104

CITY OF LAS VEGAS FIRE DEPARTMENT NOTES

1. ALL WORK SHALL BE DONE IN STRICT CONFORMANCE WITH THE CITY OF LAS VEGAS FIRE "HYDRANT SPECIFICATIONS", "HYDRANT INSTALLATION SPECIFICATIONS AND ORDINANCE
2. AUTHORIZED HYDRANTS FOR THIS PROJECT ARE:
   a - MUELLER A-423 STANDARD
   b - MUELLER A-423 FEATURING
   c - CLOW MODEL 2545 MEDALLION
3. ON ANY MEDIUM OR BUILDING CONSTRUCTION, ACCESSIBLE FIRE HYDRANTS SHALL BE IN SERVICE BEFORE COMBUSTIBLE CONSTRUCTION COMMENCES, AND SAID FIRE HYDRANTS SHALL BE IN ORDER WITH AN ADEQUATE WATER SUPPLY.
4. CONTRACTOR SHALL PLACE A BLUE REFLECTIVE MARKER AT CENTERLINE OF STREET TO HYDRANTS AS REQUIRED BY ORDINANCE 1917 TO IDENTIFY FIRE HYDRANT LOCATIONS.
5. CALL THE LAS VEGAS FIRE DEPARTMENT AT 474-6911 FOR WITNESSED INSPECTION OF FLUSH VERIFICATION OF ALL FIRE HYDRANTS AND LINES BEFORE COVERING.
6. PAINTING OF THE CURBS AND HYDRANT AND ANY WORK NECESSARY FOR PROTECTION OF PHYSICAL DAMAGE PER ORDINANCE 1917 SHALL BE COMPLETED BEFORE APPROVAL BY THE VEGAS FIRE DEPARTMENT.
7. A PERMIT IS REQUIRED FROM THE FIRE DEPARTMENT FOR ON-SITE WATER LINES AND FOR PRIVATE AND CONTRACTOR'S MATERIAL YARDS. PERMITS CERTIFICATES MAY BE OBTAINED FROM THE FIRE PROTECTION ENGINEER PRIOR TO ANY WORK BEGINNING.
8. A FLOW TEST MUST BE WITNESSED BY THE FIRE DEPARTMENT PRIOR TO OCCUPANCY FOR REQUIRED ON-SITE WATER SUPPLY.
9. ALL ON-SITE FIRE MAIN MATERIALS MUST BE U.L. LISTED AND F.M. APPROVED.
10. FIRE HYDRANT SPACING, RESIDENTIAL - 500 FEET UNOBSTRUCTED, 600 FEET SPACING. COMMERCIAL - MULTI-FAMILY - 300 FEET UNOBSTRUCTED, 330 FEET SPACING. FIRE HYDRANTS SHALL BE LOCATED WITHIN 300 FEET OF ANY CONSTRUCTION ON COMMERCIAL STRUCTURE.
11. NO FIRE HYDRANT SHALL BE LOCATED WITHIN THE REQUIRED RADIUS OF A DEAD-END STREET OF THE TERMINUS OF THE RADIUS OF THE CUL-DE-SAC.
12. NO FIRE HYDRANT SHALL BE LOCATED WITHIN 800 FEET OF ANY CURB RETURN, TRAFFIC POLE, STREET LIGHT OR ANY OTHER OBSTRUCTION.
13. NOT MORE THAN TWO FIRE HYDRANTS SHALL BE OUT OF SERVICE DUE TO A SINGLE VALVE.
14. THE TURNING RADIUS OF ANY FIRE APPARATUS ACCESS ROAD AROUND FIRE APPARATUS SHALL NOT BE LESS THAN 45 FEET OUTSIDE RADIUS AND 32 FEET INSIDE RADIUS.
15. A FIRE APPARATUS ROAD SHALL BE REQUIRED WHEN ANY PORTION OF AN INTERIOR FLOOR OF STORY IS LOCATED MORE THAN 150 FEET FROM A FIRE DEPARTMENT VEHICLE ACCESS AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING OR FACILITY.
16. ALL DEAD END FIRE APPARATUS ACCESS ROADS AND/OR AERIAL LADDER PADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED TURNAROUND AREA, SUCH AS A CUL-DE-SAC OR HAMMERHEAD.
17. ELECTRICALLY CONTROLLED ACCESS GATES SHALL BE PROVIDED WITH AN APPROVED EMERGENCY VEHICLE DETECTION/ACTIVATION SYSTEM. GATE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH LAS VEGAS BUILDING CODE FOR AUTOMATIC EMERGENCY VEHICLE ACCESS GATES.

QUANTITIES
(WATER AND SEWER)

1" WATER SERVICE AND METER
4" SEWER LATERAL

APPROVED
LAS VEGAS VALLEY WATER DISTRICT — DATE 7/25/94

REQUIRED FIRE FLOW = 1500 GPM
TYPE V-N BUILDING CONSTRUCTION
LARGEST UNSEPARATED BUILDING AREA = 3285 SF

APPROVED
CITY OF LAS VEGAS FIRE DEPARTMENT — DATE 7/14/94

02.14.95

PAVING AS
LAS VEGAS
B & E ENGINEERING
71 NORTH
LAS VEGAS
(702) 4
NO.
DES. BY
SCALE 1" = 1
JOB NO. 9303

L.A. Building & Safety 871-1118
871-0822

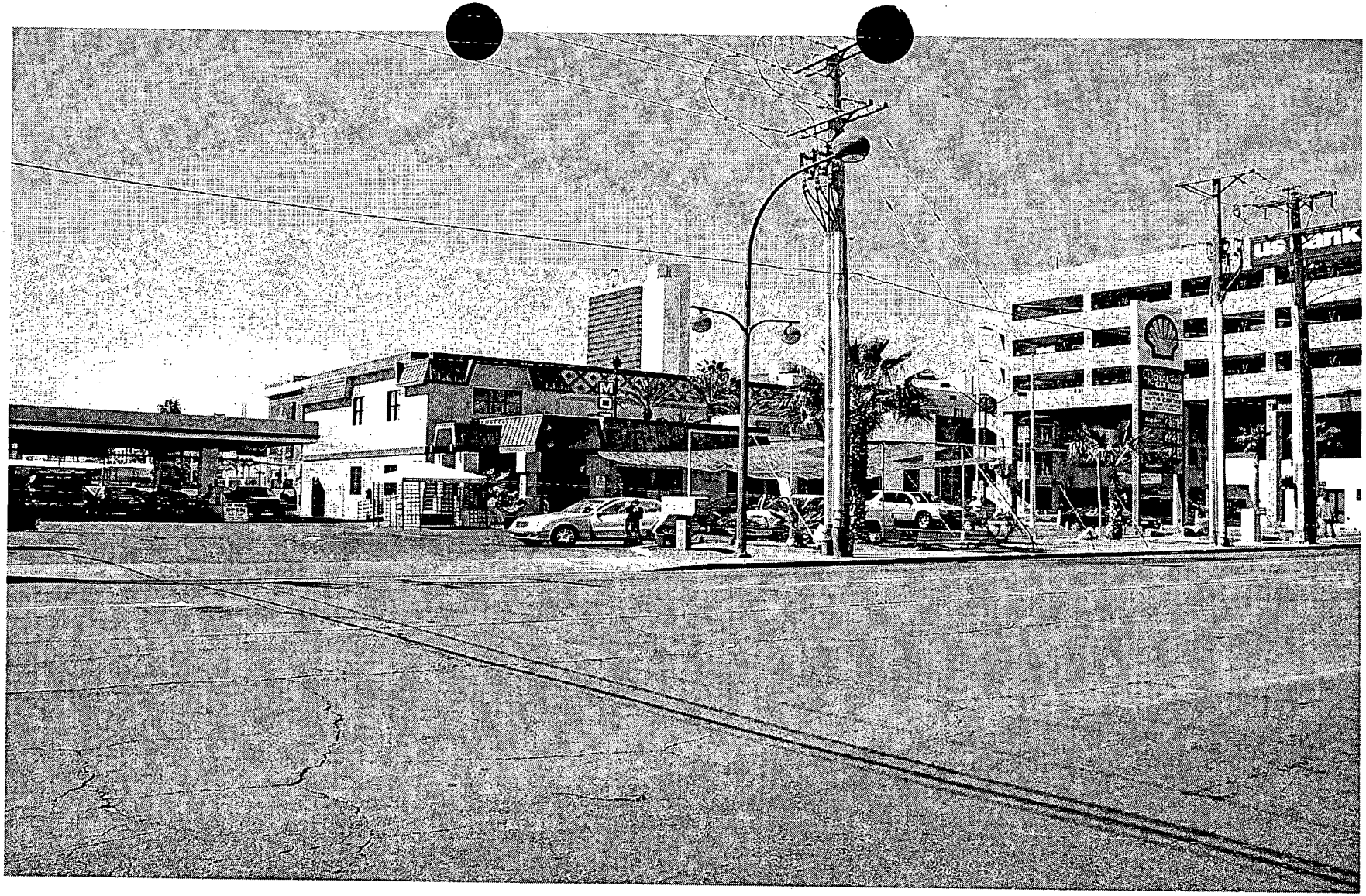
ROC-4121

4-21-04 CC



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

Picture taken 04/05/04



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

Picture taken 04/05/04

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

May 14, 2004

2004 MAY 17 A 11:57
RECEIVED
CITY CLERK

FAX: 382-4803

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

Re: Item No. 116 City Council Agenda of May 19, 2004
Review of Condition Related to RQR-3930 and Public Hearing on ROC-4121
Neissan Koroghli

Dear Ms. Ronemus:

Please be advised that I represent the applicant in connection with the above referenced matter.

On behalf of our client, we respectfully request that this item be removed from the City Council agenda of May 19, 2004, and be tabled until the July 7, 2004 City Council meeting.

Very truly yours,

Jay H. Brown

JHB:cc

Submitted after final agenda

Date 5/17/04 Item #116

City of Las Vegas

Agenda Item No. 117

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - **RQR-4021 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: JEANNE LEVY FAMILY TRUST** - Appeal filed by the applicant from the Denial by Planning Commission of a required One Year Review of an approved Special Use Permit (U-0107-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2921 West Sahara Avenue (APN: 162-08-501-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) and staff recommend DENIAL

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed by Clear Channel Outdoor
5. Submitted at City Council – City Attorney's Office opinion filed under Item 99

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining due to common properties owned with the Levy Family Trust and because his law firm is involved with negotiations concerning advertising billboard sites and Ward 2 seat vacant

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

RON MOYER, Clear Channel Outdoor, told the Council the applicant strongly disagreed with the staff recommendation of denial and requested approval. He explained the billboard has been in its current, primarily commercial location since 1991 and that no substantial changes have occurred in the area since that time. He emphasized that the owner keeps the property well maintained, landscaped and the area clean of graffiti.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 117 – RQR-4021

MINUTES - Continued:

ROBERT GENZER, Director, Planning and Development Department, confirmed that the billboard has been in this location since 1991. However, the Planning Department has consistently recommended denial since the first application because of its proximity to a residential zone. Code states a billboard shall not be within 300 feet of residentially-zoned property and this billboard is within 70 feet. MR. GENZER agreed that there have been no significant changes in this area or in the Planning Department's position.

ANDREW LEVY appeared on behalf of the owner and explained the property is maintained and is in a commercial area. The owner acknowledged an issue with graffiti and indicated he paints over the walls at least once a month to keep the property clean. He reminded Council that no responses were received when the notification letters were mailed out. MR. LEVY indicated it would be a penalty to the owner to remove the sign and that the sign does not hurt the neighborhood.

COUNCILWOMAN MONCRIEF appreciated staff's explanation of the denial recommendation. She explained that she has driven past the sign numerous times and that the sign does seem to fit into the neighborhood. It has been there for 14 years, the area is highly commercial, and she has not received calls or complaints about the sign. She took the opportunity to thank Clear Channel for removing a billboard of questionable content from Charleston and Rancho.

COUNCILMAN BROWN asked DEPUTY CITY ATTORNEY BRYAN SCOTT if the Council was compromising the City's authority by continuing to approve one-year reviews when nothing in the area has changed significantly. DEPUTY CITY ATTORNEY SCOTT replied that it does put the City in a difficult position should the Council decide to have the sign removed. It would be difficult to justify why the billboard should change if nothing around it has changed. However, in this instance, the sign is nonconforming at this time, and it is a Special Use Permit, which is discretionary. COUNCILMAN BROWN acknowledged the efforts of the billboard industry in working with the City to insure billboard content is appropriate to the location of the billboard.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:48 – 1:57)

3-1669

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 117 – RQR-4021

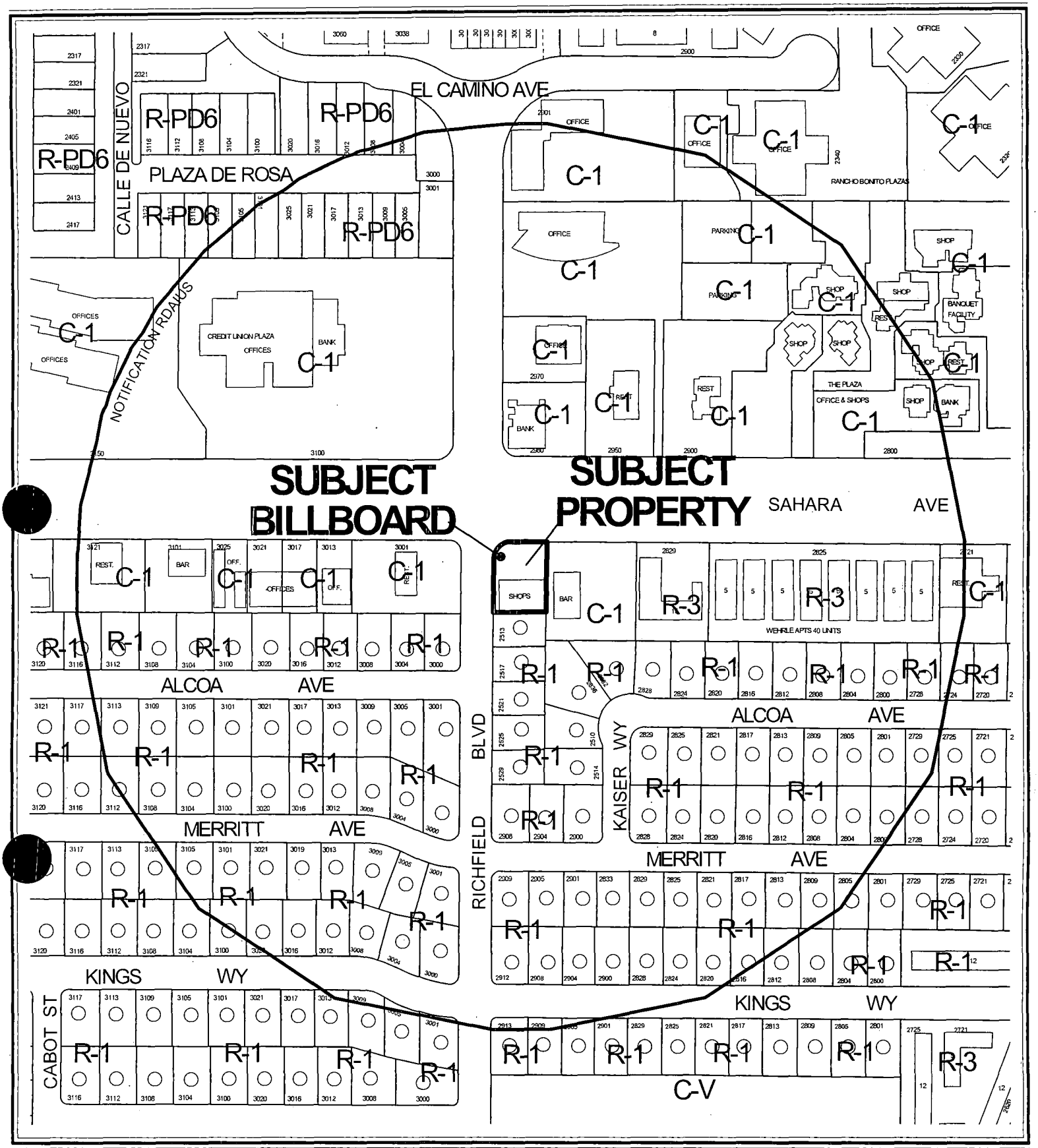
CONDITIONS - Continued:

2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

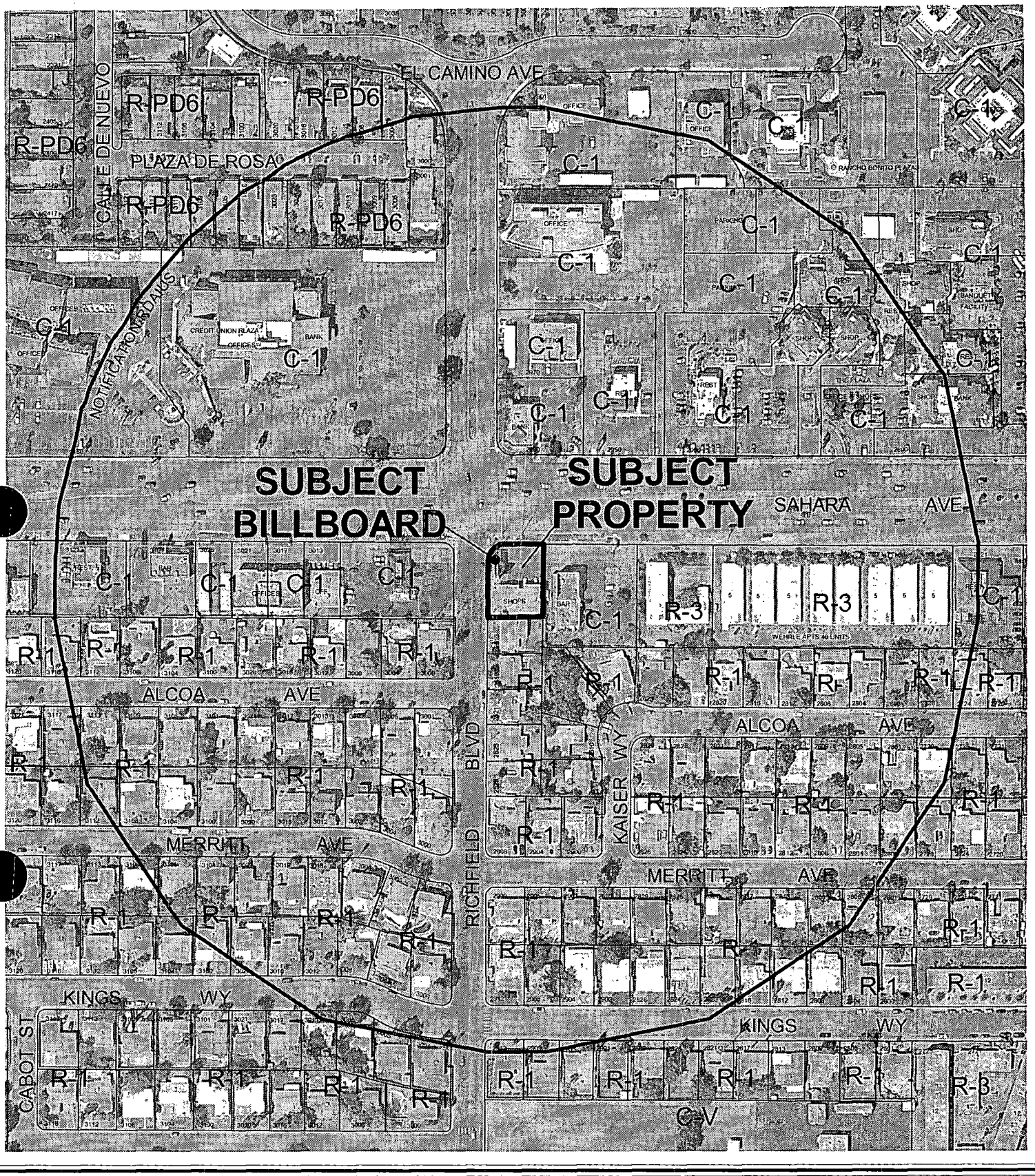
5. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: **RQR-4021**

RADIUS: 750 FT

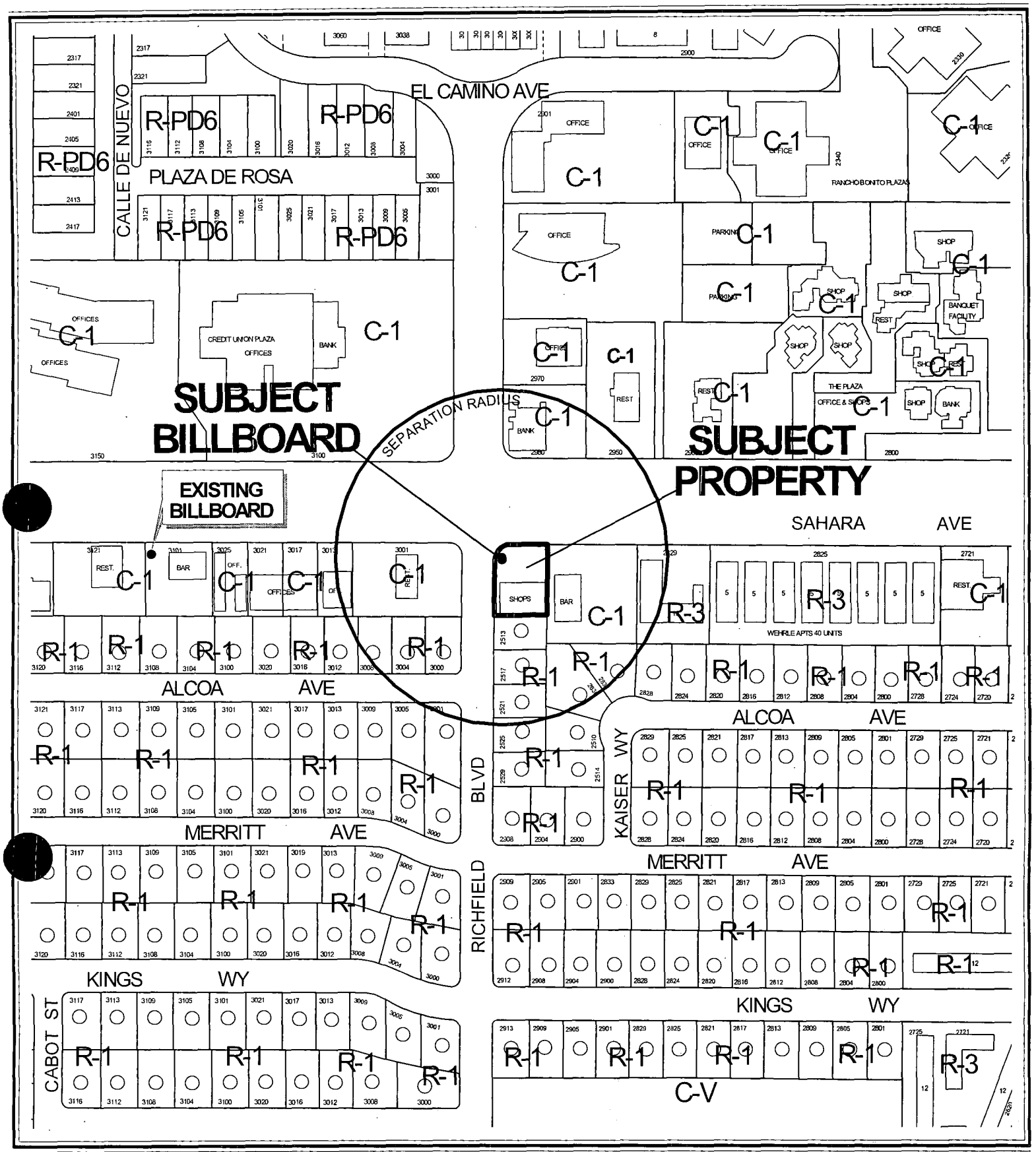
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **RQR-4021**

RADIUS: 750 FT

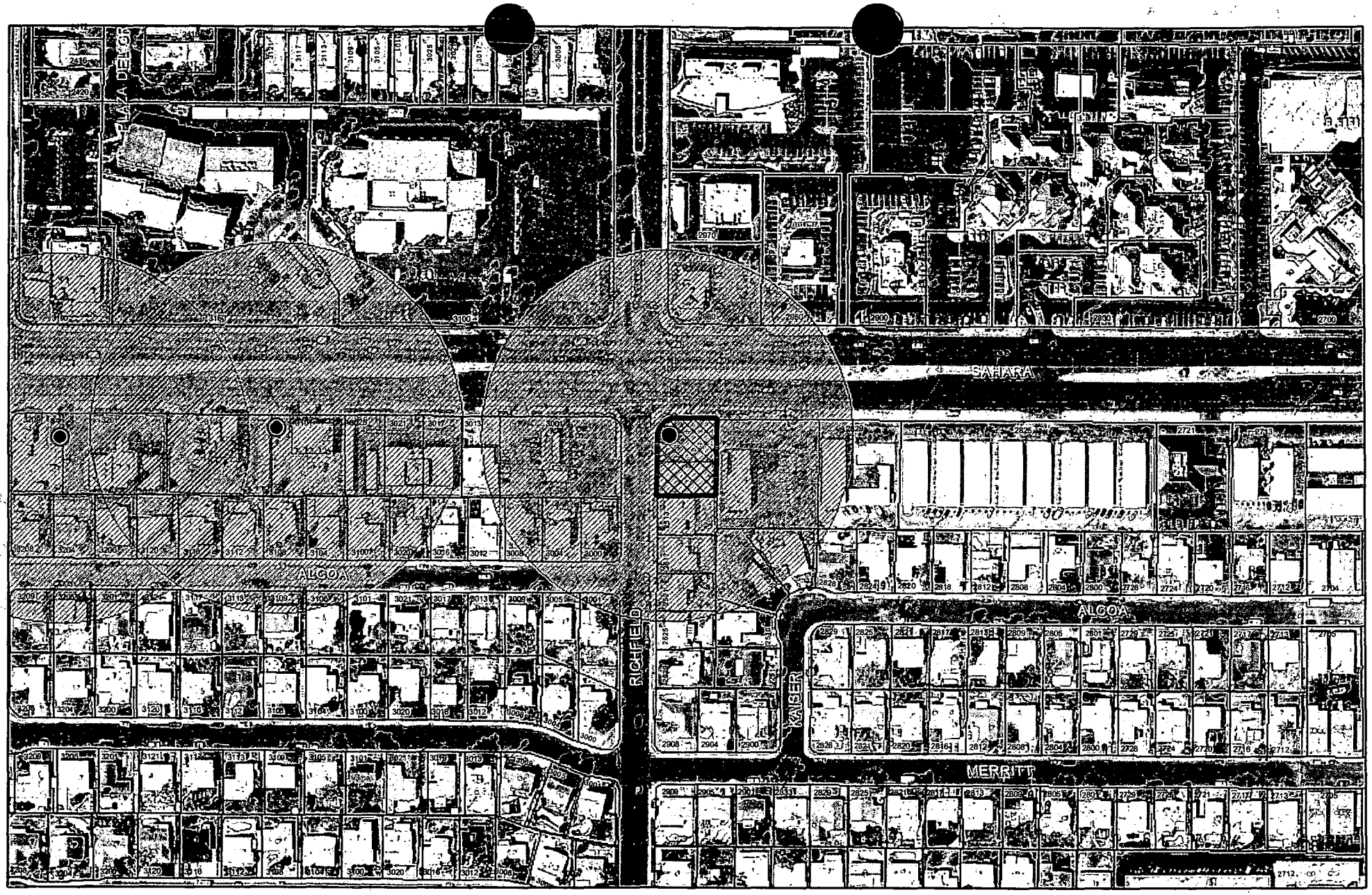
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **RQR-4021**

SEPARATION RADIUS: 300 FT

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



RQR-4021

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas 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

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4021 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: JEANNE LEVY FAMILY TRUST

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a required one (1) year review of an approved Special Use Permit [U-0107-90], which allowed a 55 foot high, 672 square foot (14 foot X 48 foot) off-premise advertising (Billboard) sign oriented towards eastward and westward traffic on West Sahara Avenue, at 2921 West Sahara Avenue.

B) Applicant's Justification

A justification lettered is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

08/15/90	The City Council approved the Special Use Permit (U-0107-90) for the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Board of Zoning Adjustment denied this application. Staff recommended denial.
10/03/95	The City Council approved a Required Five-Year Review for the Special Use Permit [U-0107-90(1)], which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Board of Zoning Adjustment denied this application. Staff recommended denial.
12/06/00	The City Council approved a Required Five-Year Review for the Special Use Permit [U-0107-90(2)], which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Planning Commission recommended approval of the request. Staff recommended denial.
02/06/02	The City Council approved a Required One Year Review for the Special Use Permit [U-0107-90(3)], which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Planning Commission and staff both recommended denial of the request.
04/17/03	The City Council approved a Required One Year Review for the Special Use Permit [RQR-1701], which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site subject to a five-year review. The Planning Commission and staff both recommended denial of the request.

04/22/04 The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item #13/pl)

B) Pre-Application Meeting

No pre-application meeting was required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.27

B) Existing Land Use

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

C) Planned Land Use

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

E) Existing Zoning

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

F) General Plan Compliance

Southeast General Plan

This site is designated as SC (Service Commercial) on the Southeast Sector of 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**

Inter-local Agreement Joint Land Use Planning Area		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

There are no special area plans or overlay districts affecting this site.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14, off-premise advertising (billboards) signs shall not be allowed within 300 feet from the nearest property line of a lot in any "U" zoning district or any "R" (Residential) zoning district. The subject off-premise advertising (billboard) sign is located approximately 70 feet from single-family residential uses to the south.

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district	NO

B) General Analysis and Discussion

- Zoning

The existing off-premise advertising (billboard) sign is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards established in Section 19.18.060(L). The continued use of the off-premise advertising (billboard) sign on the subject site is not appropriate, in that the off-premise advertising (billboard) sign is located approximately 70 feet from existing residential property where 300 feet is the minimum separation distance required. For this reason, it is recommended this review be denied at this time. If this review is approved, it is recommended this off-premise advertising (billboard) sign be reviewed again in five years.

- Conditions

Upon site inspection, some graffiti was found on the supporting structure of the off-premise advertising (billboard) sign. A condition has been added requiring all of the supporting structure to be 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. Additionally, the site inspection revealed there are two separate advertisements on one sign face. A condition has been added limiting one advertising sign per sign face.

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 continued off-premise advertising (billboard) sign use is inappropriate adjacent to the existing single-family residential uses to the south. For this reason, denial of this review is recommended. If the request is approved, it is recommended the Special Use Permit be subject to a five year review.

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

   There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect Sahara Avenue, a fully developed street adjacent to this request.

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

   The off-premise advertising (billboard) sign will be subject to regular inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 154 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4021 APN: 162-08-501-001

Name of Property Owner: Jeanne Levy Family Trust

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?

X Yes _____ No

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

City Official: Oscar Goodman

Partner(s): Andrew Levy Jeanne Levy Family Trust

APN: Apex Industrial Park

Signature of Property Owner/Authorized Agent: Andrew S. Levy, Trustee

Print Name: Andrew S. Levy, trustee

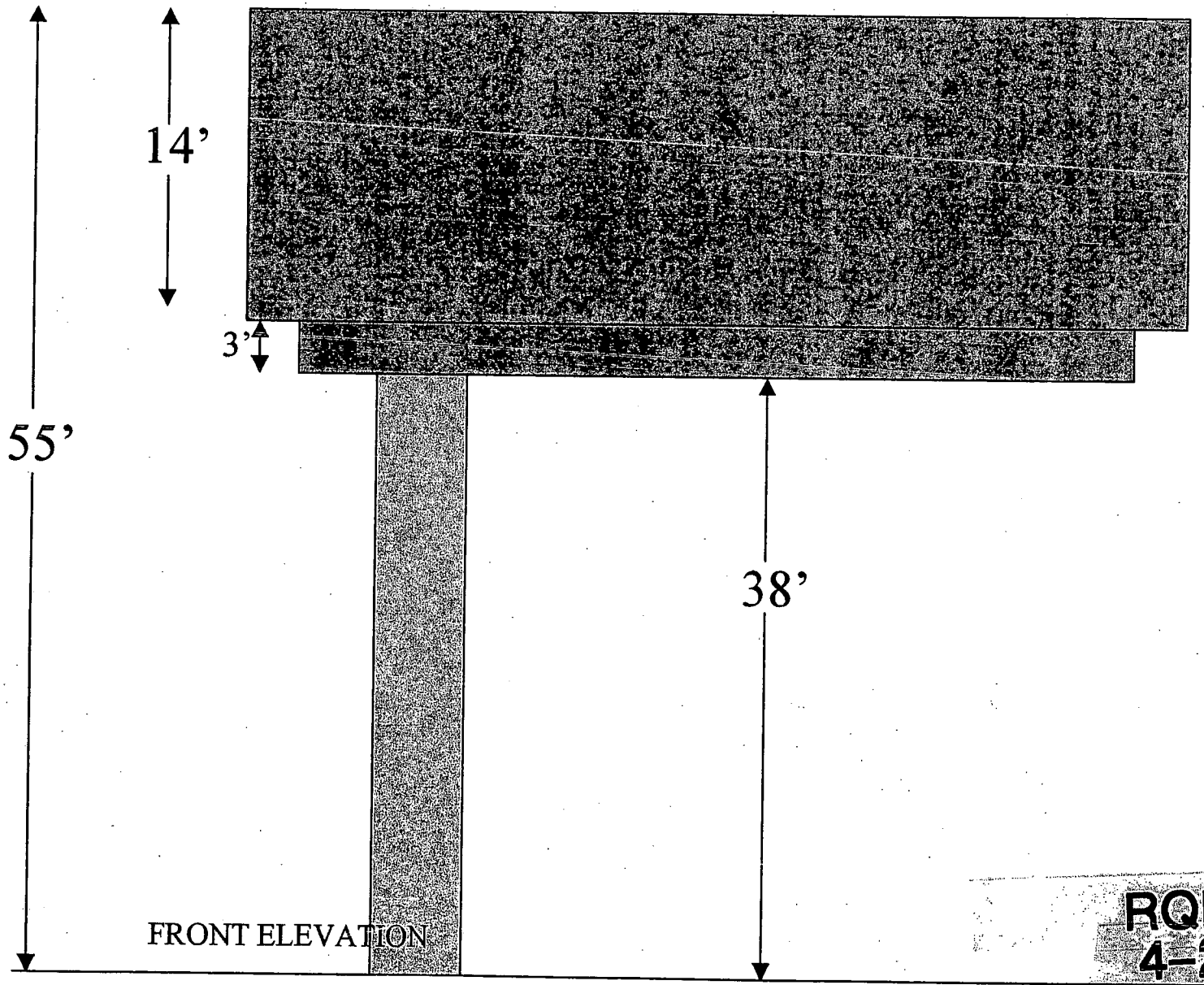
Subscribed and sworn before me

This 26th day of February, 2004

Sheila Harris

Notary Public in and for said County and State

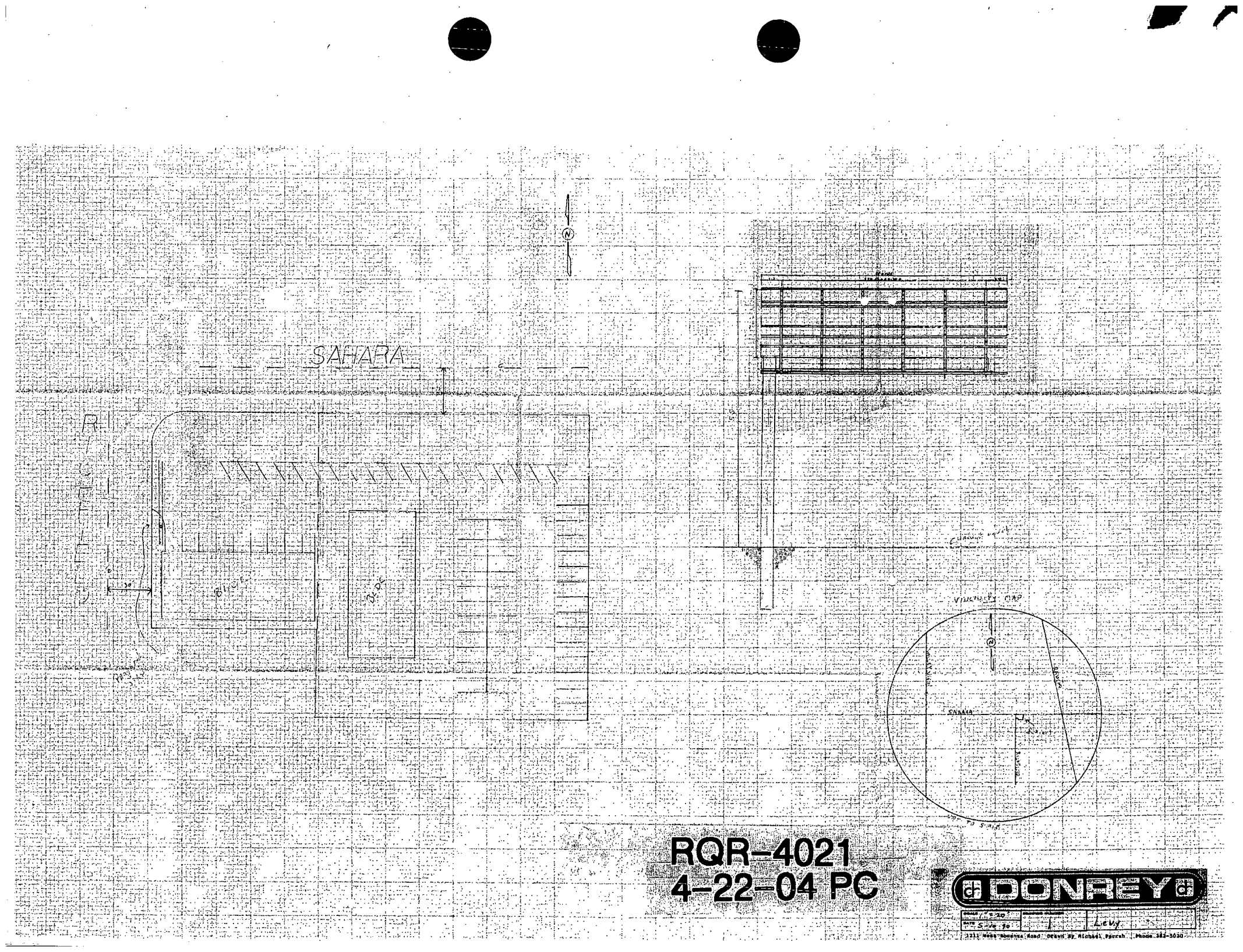
Notary Public - State of Nevada
County of Clark
SHEILA HARRIS
My Appointment Expires
November 20, 2005
No. 93-2047-1



FRONT ELEVATION

RQR-4021
4-22-04 PC

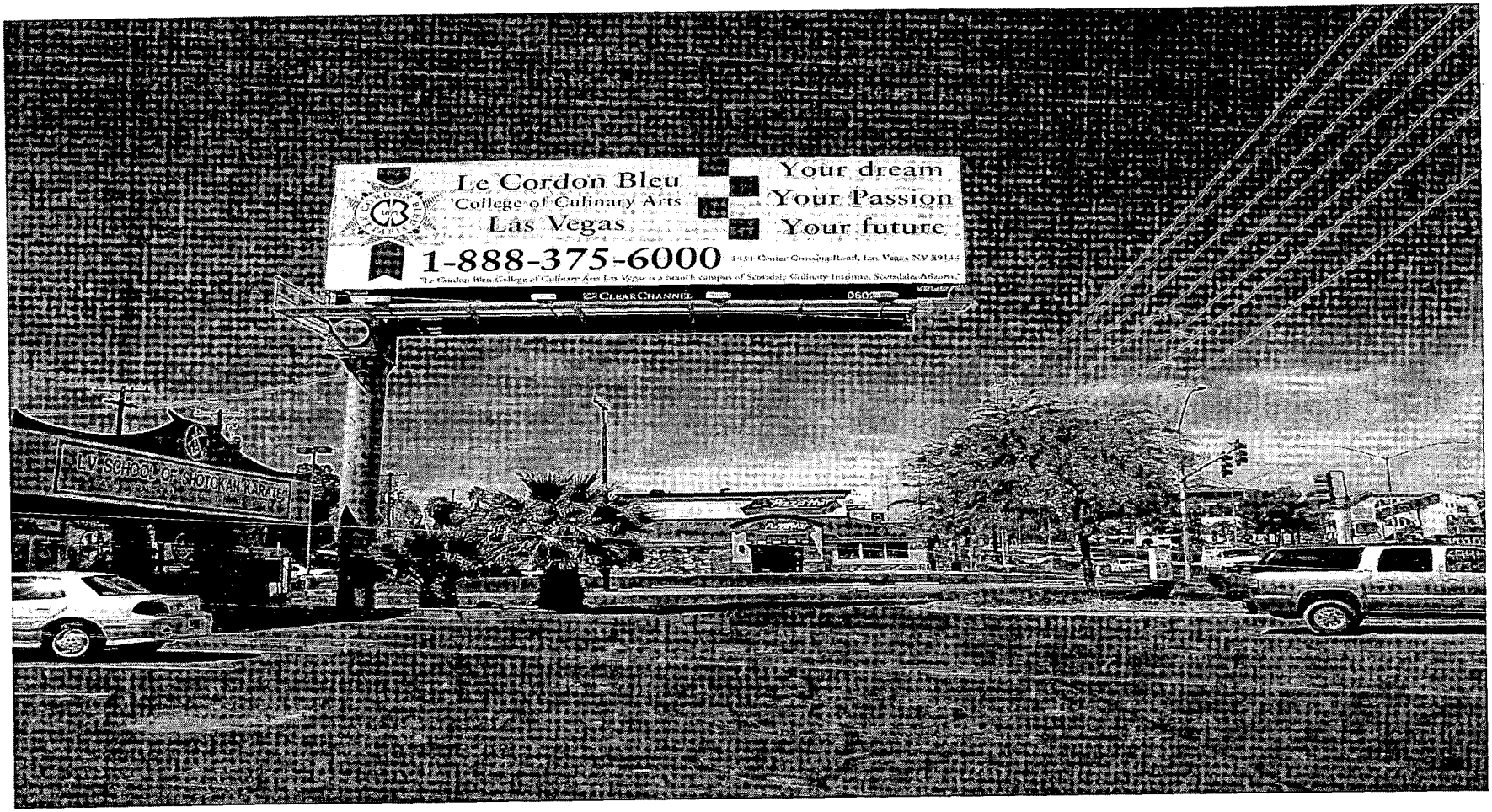
NOT TO SCALE



RQR-4021
4-22-04 PC

DONREY

Scale 1" = 20'
Date 5-16-90
Levy



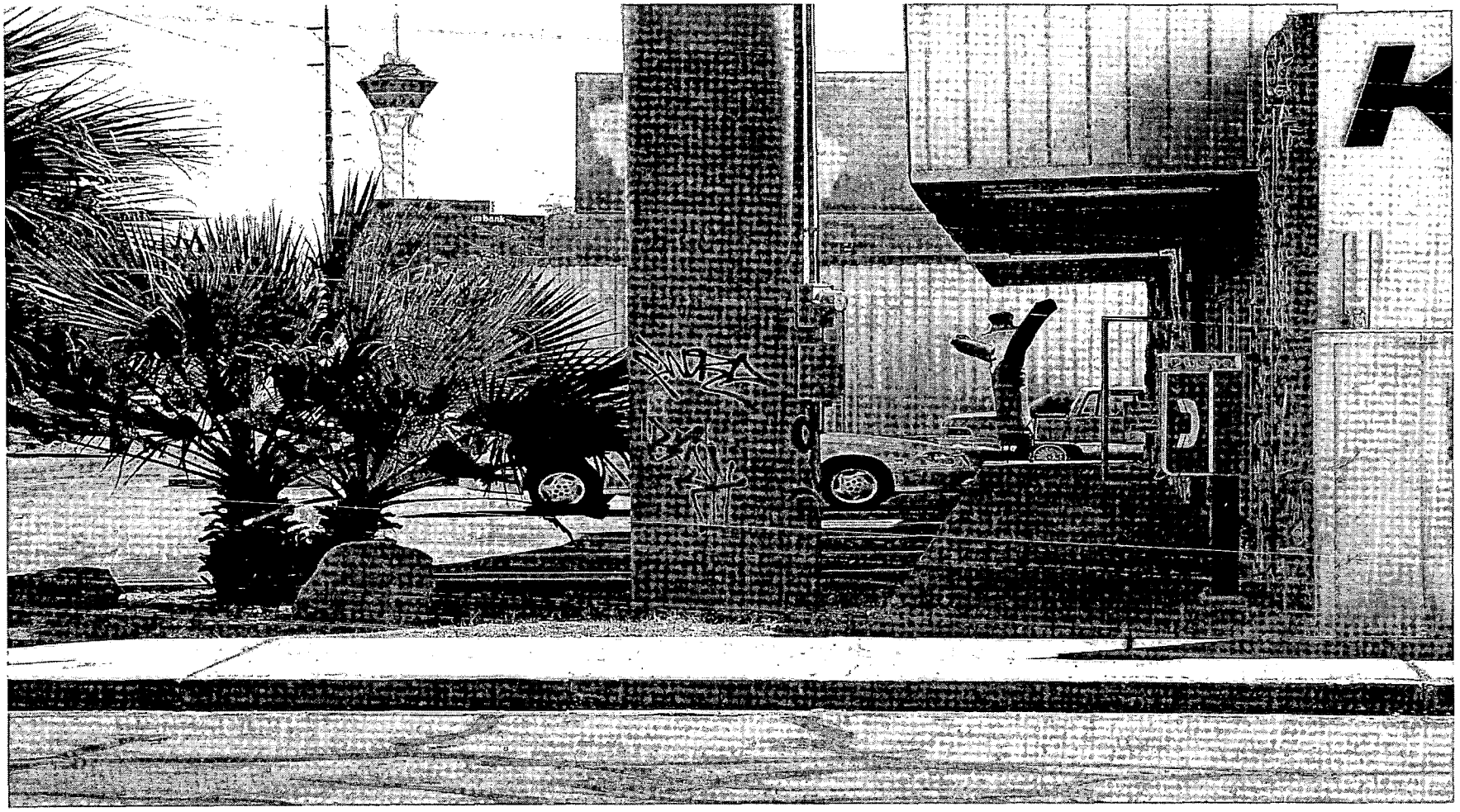
RQR-4021 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: JEANNE LEVY FAMILY TRUST
2921 WEST SAHARA AVENUE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



RQR-4021 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: JEANNE LEVY FAMILY TRUST
2921 WEST SAHARA AVENUE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



RQR-4021 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: JEANNE LEVY FAMILY TRUST
2921 WEST SAHARA AVENUE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

CLEAR CHANNEL
OUTDOOR

April 26, 2004

RECEIVED
CITY CLERK
2004 APR 27 P 12:31

City of Las Vegas
Clerks Office
400 Stewart
Las Vegas, NV 89101

RE: Appeal Letter - RQR-4021

To Whom It May Concern:

At its regular meeting April 22, 2004, Clear Channel Outdoor went before Planning Commission for a Required One Year Review of an approved Special Use Permit (U-0107-90) which allowed a 14 foot X 48 foot Off-Premise Advertising (Billboard) Sign at 2921 West Sahara Ave (APN: 162-08-801-001).

Planning Commission voted unanimously for the discontinuation of our use permit.

Clear Channel Outdoor at this time would like to appeal this decision and have it be heard at City Council on a later date.

Should you have any questions or concerns please do not hesitate in contacting me at 238-7209.

Sincerely,

Rod Carter
Senior Real Estate Rep.
Clear Channel Outdoor-Las Vegas

City of Las Vegas

Agenda Item No. 118

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

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

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted at City Council – City Attorney's Office opinion filed under Item 99

MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that although he had indicated in the past that he would be abstaining on Item 118 [SUP-3394] and Item 119 [SUP-3972], he could vote on the motion to abey those items because it was not substantive. MAYOR GOODMAN disclosed that he would be abstaining on Item 115 [RQR-3930] and Item 116 [ROC-4121] because of a business relationship with ATTORNEY JAY BROWN and on Item 117 [RQR-4021], Item 118 [SUP-3394] and Item 119 [SUP-3972] due to the content of the

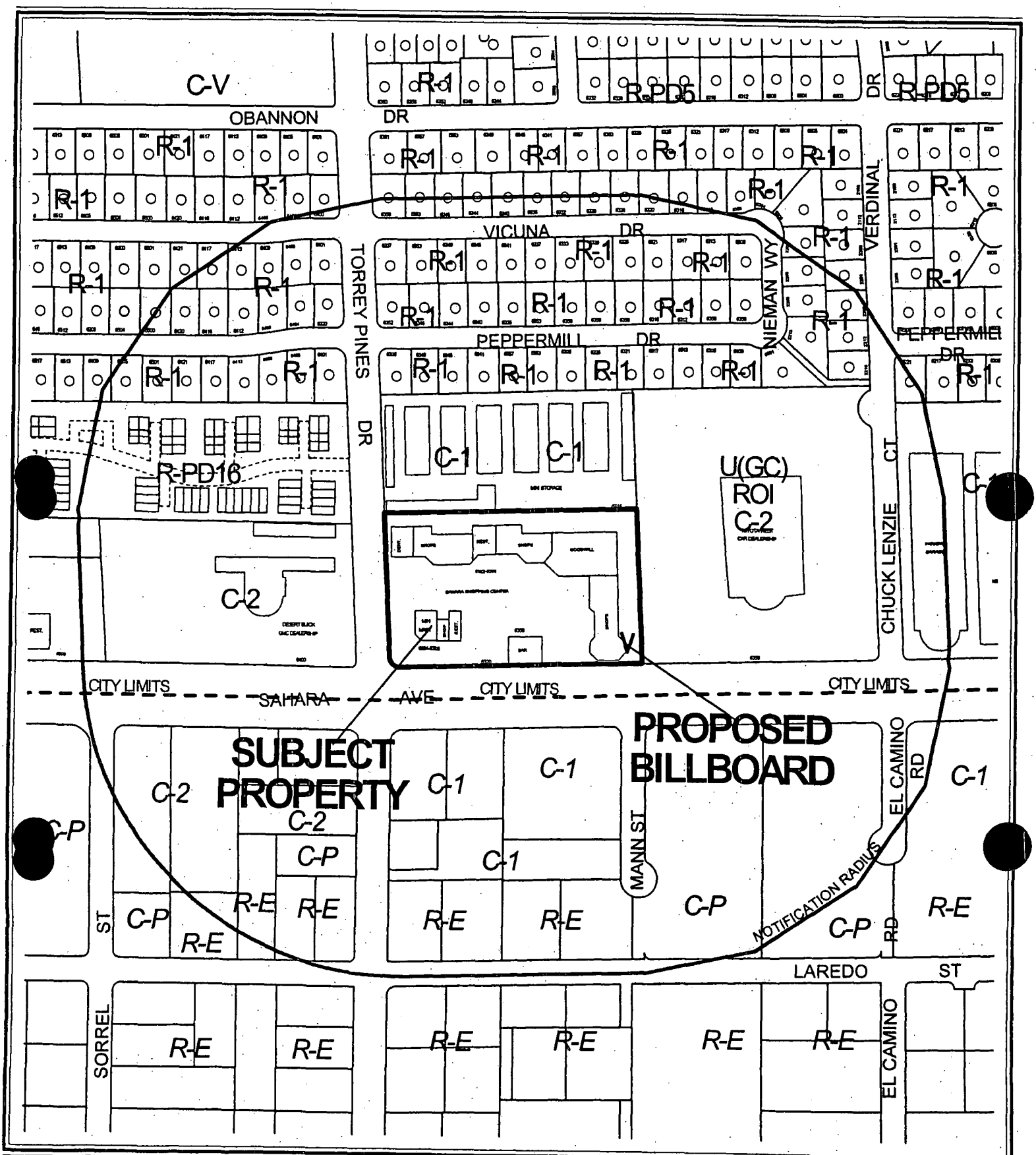
CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 118 – SUP-3394

MINUTES - Continued:

opinion from the City Attorney's office dated May 17, 2004, a copy of which has been filed with the Clerk. MAYOR GOODMAN stated he would be voting on the motion to abey these items.

(1:04 – 1:06)

3-1



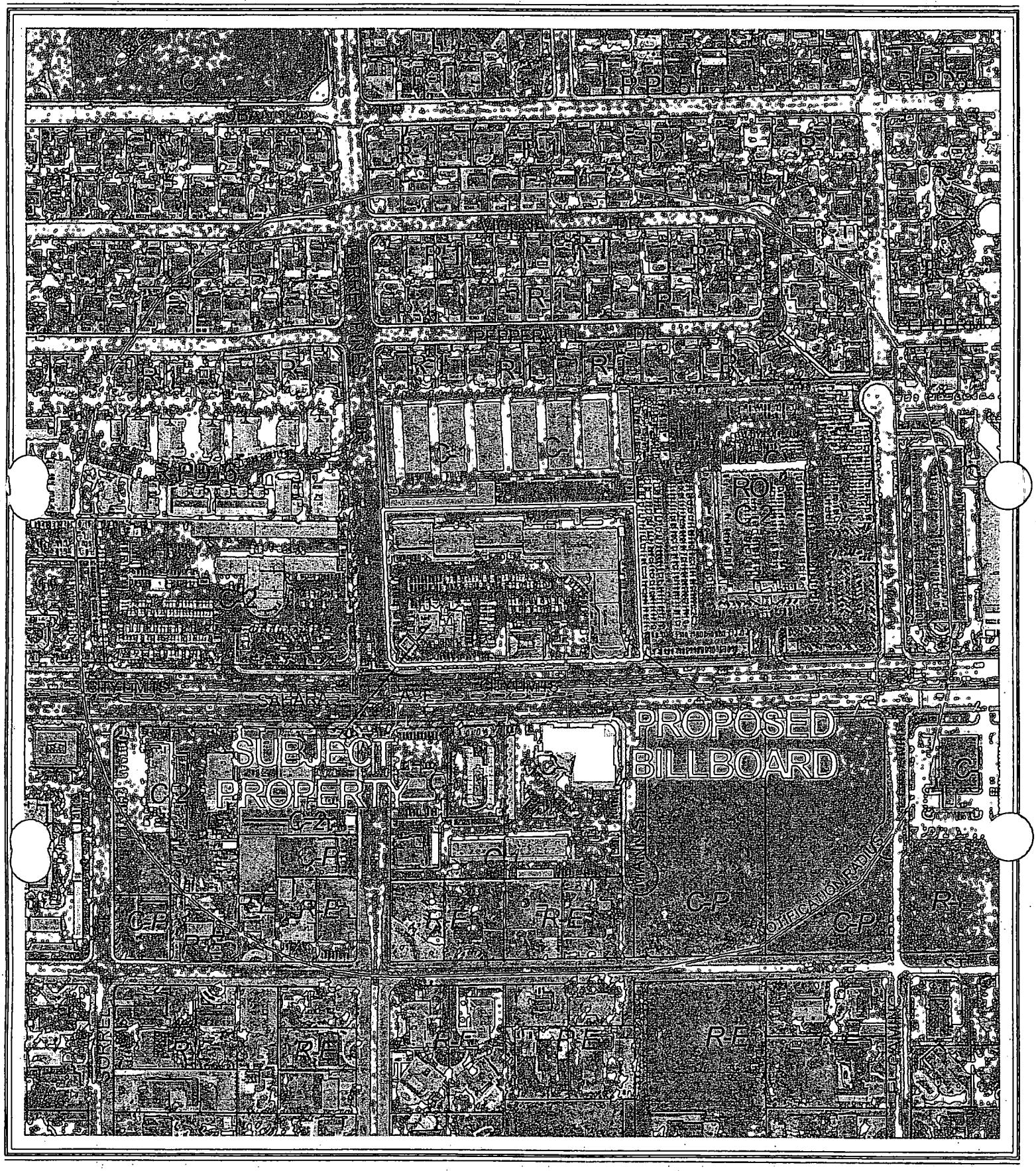
CASE: SUP-3394

RADIUS: 750 FT

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

0 200 400 Feet

N



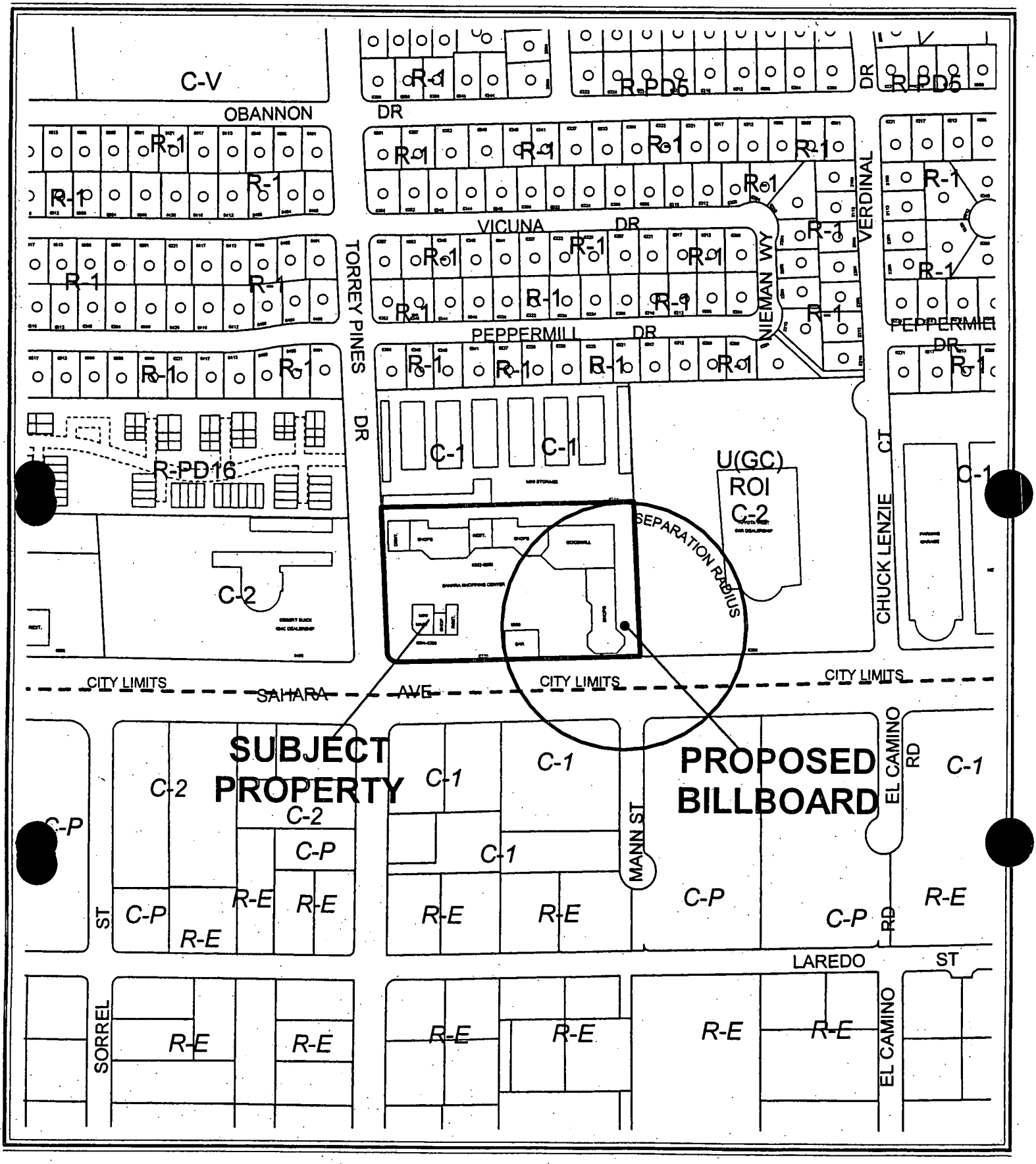
CASE: SUP-3394

RADIUS: 750 FT

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

0 200 400 Feet

N



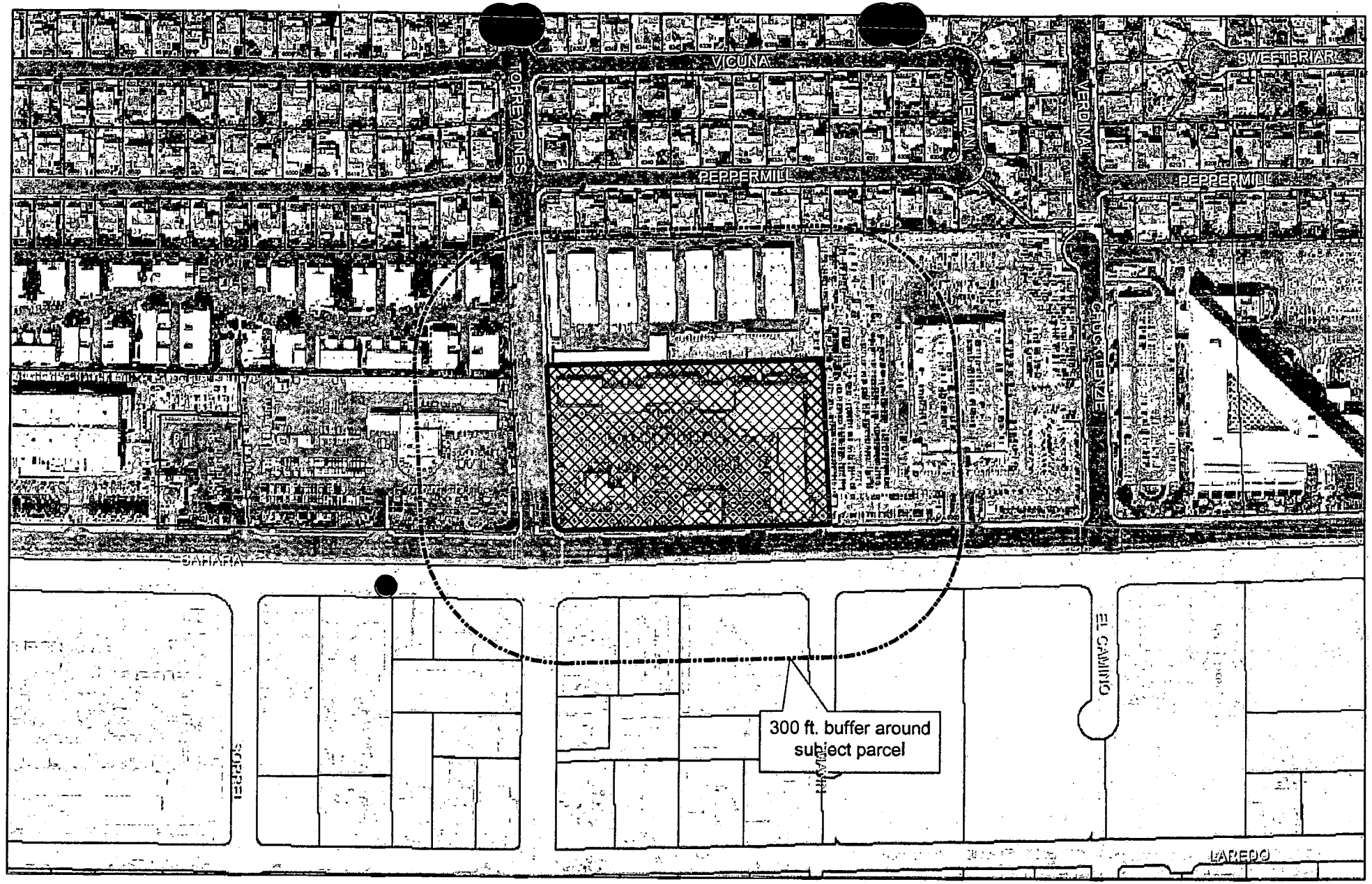
CASE: **SUP-3394**

0 200 400 Feet

SEPARATION RADIUS: 300 FT

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

N



SUP-3394

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 21, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

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

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

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

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

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

6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.34

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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	

COUNTY NOTIFICATION

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

INTERAGENCY ISSUES

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

  1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

  2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

  3. For any Off-Premise Signs that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

  4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

     a. An accurate site plan of the lot, at the scale the Director requires;
     b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
     c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and

d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

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

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 3

702-837-7821

5665 S. Valley View Ste 4 89119

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-02-501-001

Name of Property Owner: West Sahara Associates

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

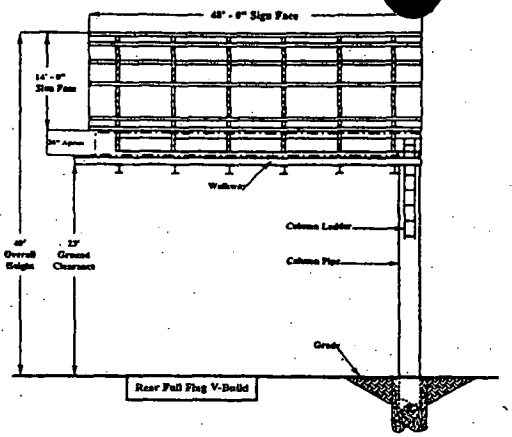
Print Name: Granville Harper

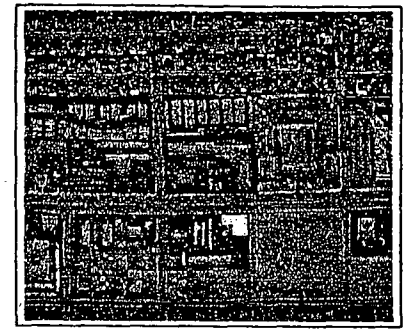
Subscribed and sworn before me

This 31 day of October, 2003

Notary Public in and for said County and State

BRIDGET M. PEREZ
MY COMMISSION EXPIRES
May 9, 2004





PROPERTY OWNER: WEST SAHARA ASSOCIATES
C/O GRANVILLE HARPER
1324 STATE ST. #3-128
SANTA BARBARA, CA 93101-2620

PROPERTY ADDRESS: 6390 W. SAHARA AVE.
LAS VEGAS, NV 89146

CONTACT: STEVE RANNEY @
LAS VEGAS BILLBOARDS
5665 S. VALLEY VIEW BLVD.
LAS VEGAS, NV 89118
837-7822

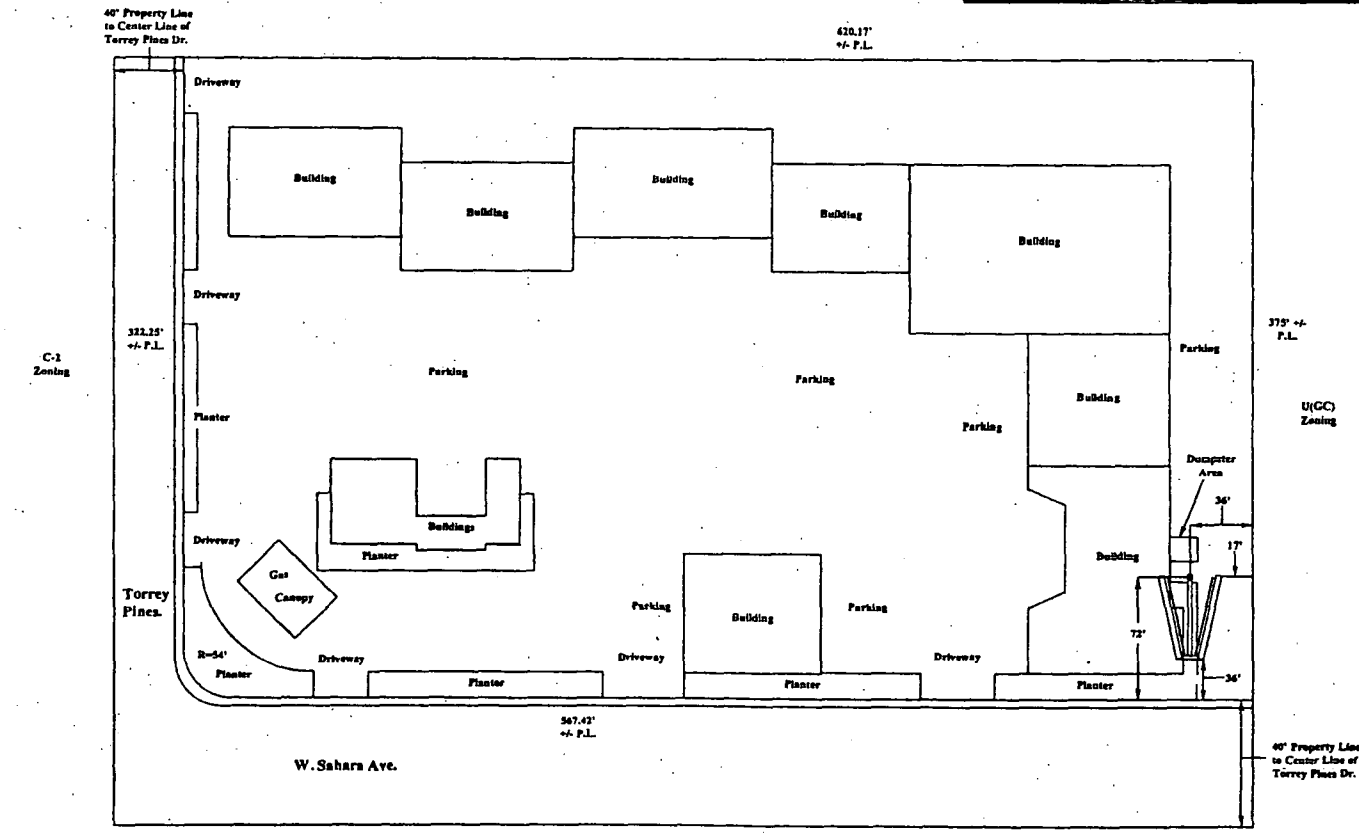
APN: 163-02-816-001
ZONED: C-1
14' x 48' FULL FLAG V-BUILD
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R - ZONE WITHIN 300'
SCALE 1" = 40'

NORTH

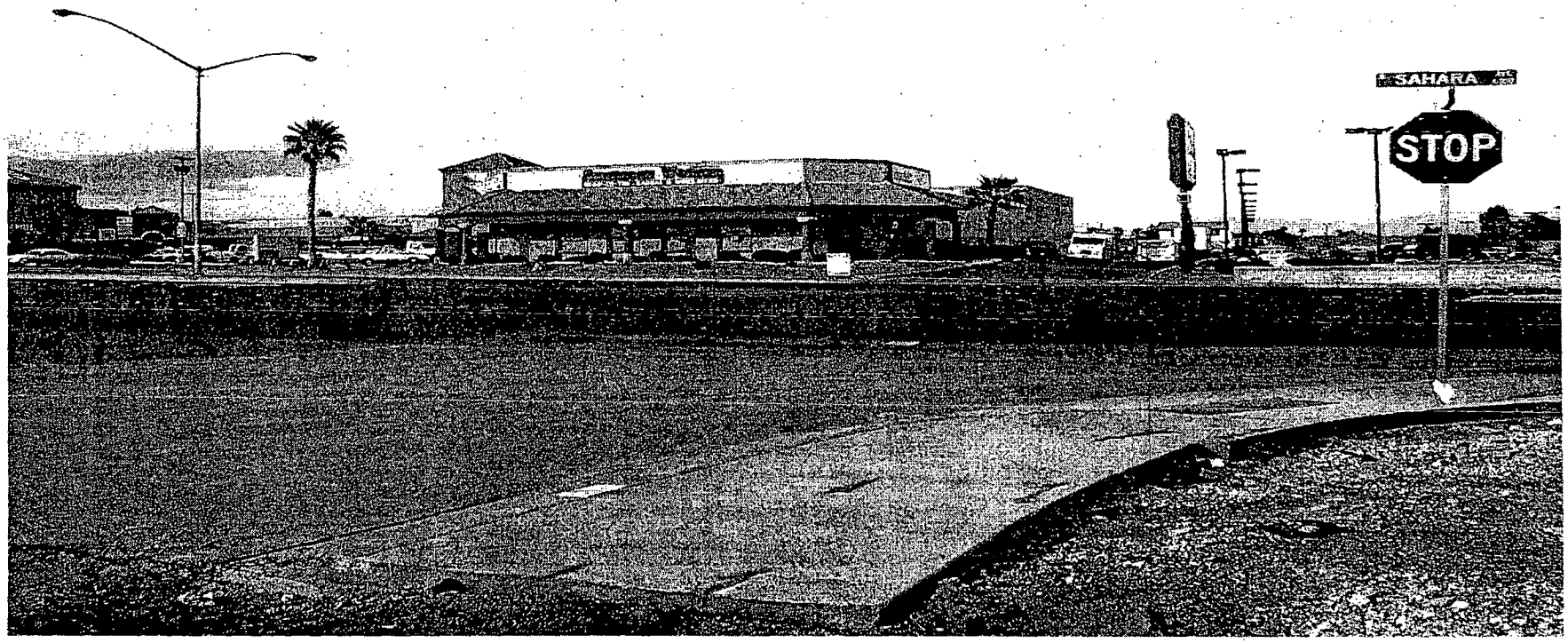
SIGN ANALYSIS TABLE

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:
25' FRONT SETBACK FROM WESTERN AVE. TO LEADING EDGE OF SIGN.
71' FRONT SETBACK FROM WESTERN AVE. TO CENTER OF COLUMN.
17' SIDE SETBACK FROM NORTH PROPERTY LINE TO LEADING EDGE OF COLUMN.
36' SIDE SETBACK FROM NORTH PROPERTY LINE TO CENTER OF COLUMN.

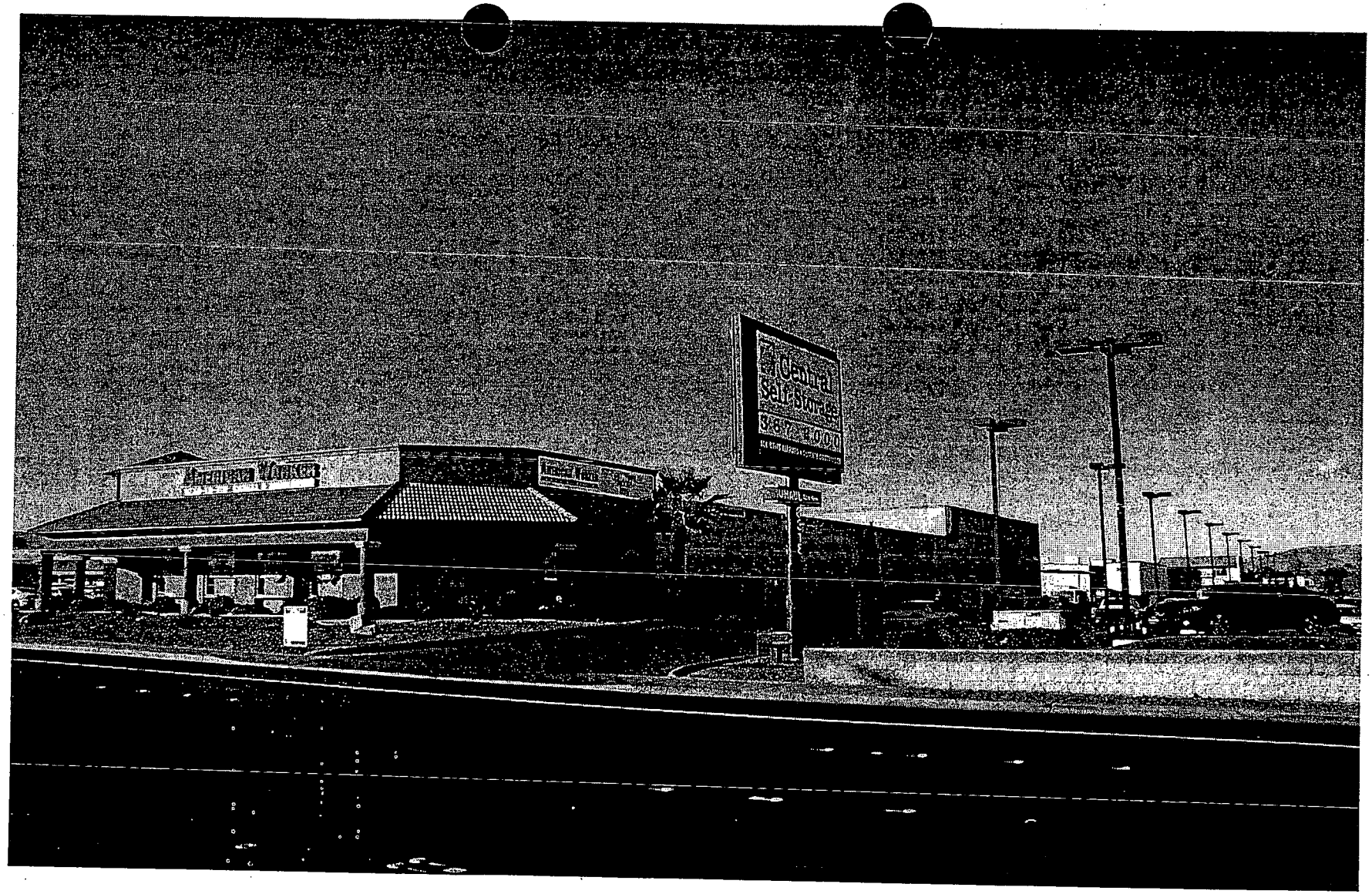


SUP-3394 01-0[redacted]04 PC



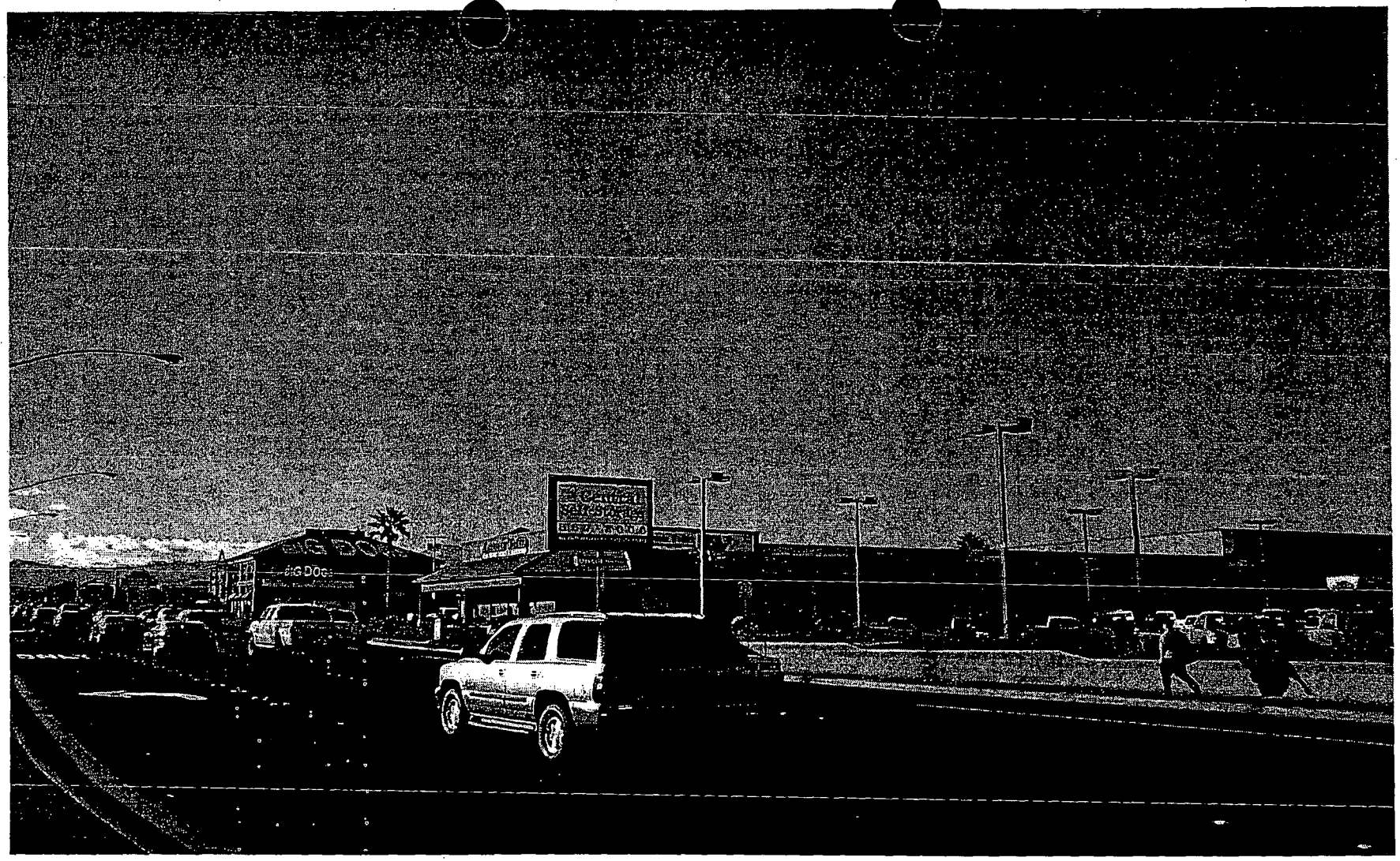
SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATED, LIMITED PARTNERSHIP
NORTHEAST CORNER OF TORREY PINES DRIVE AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



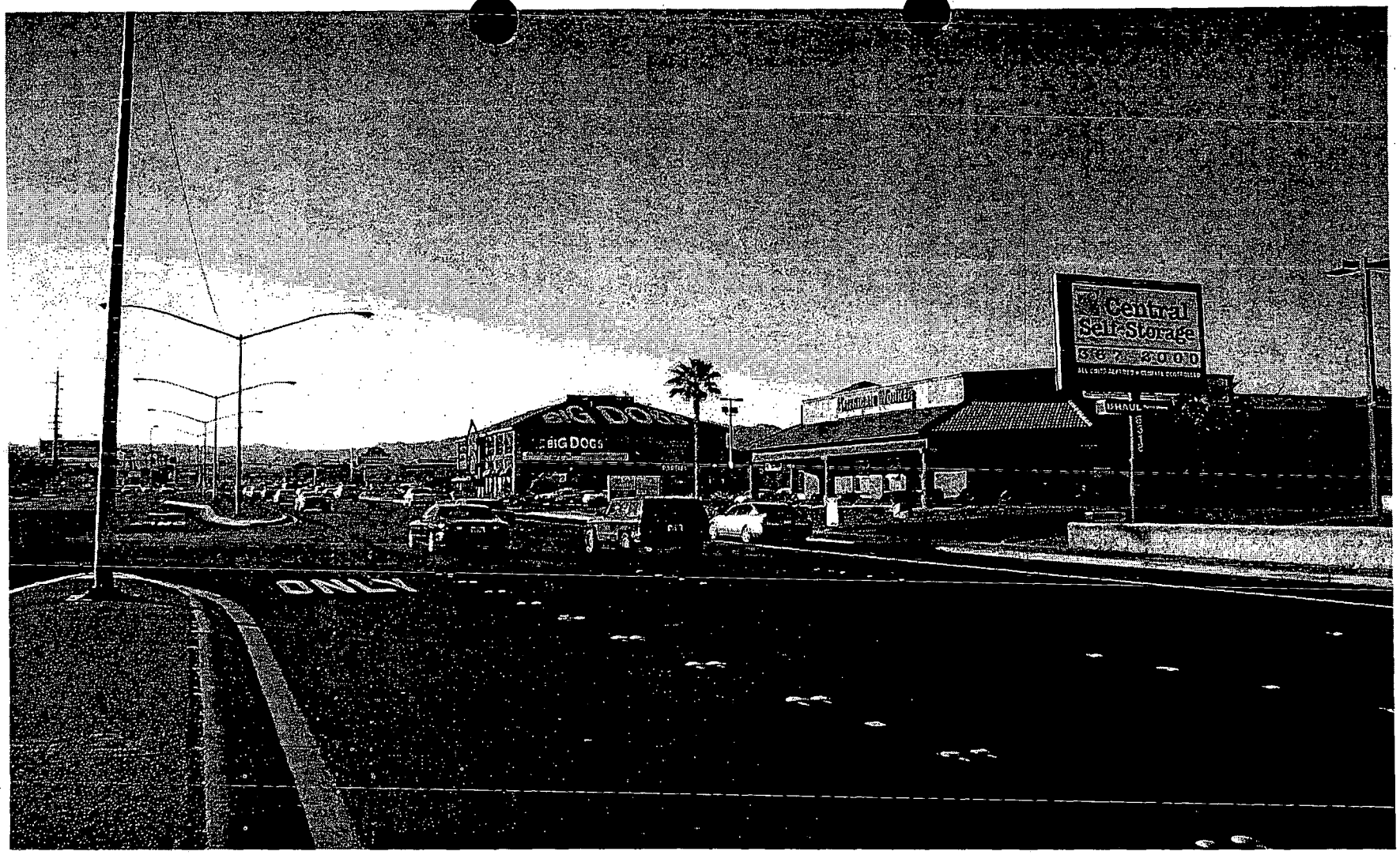
SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP
Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



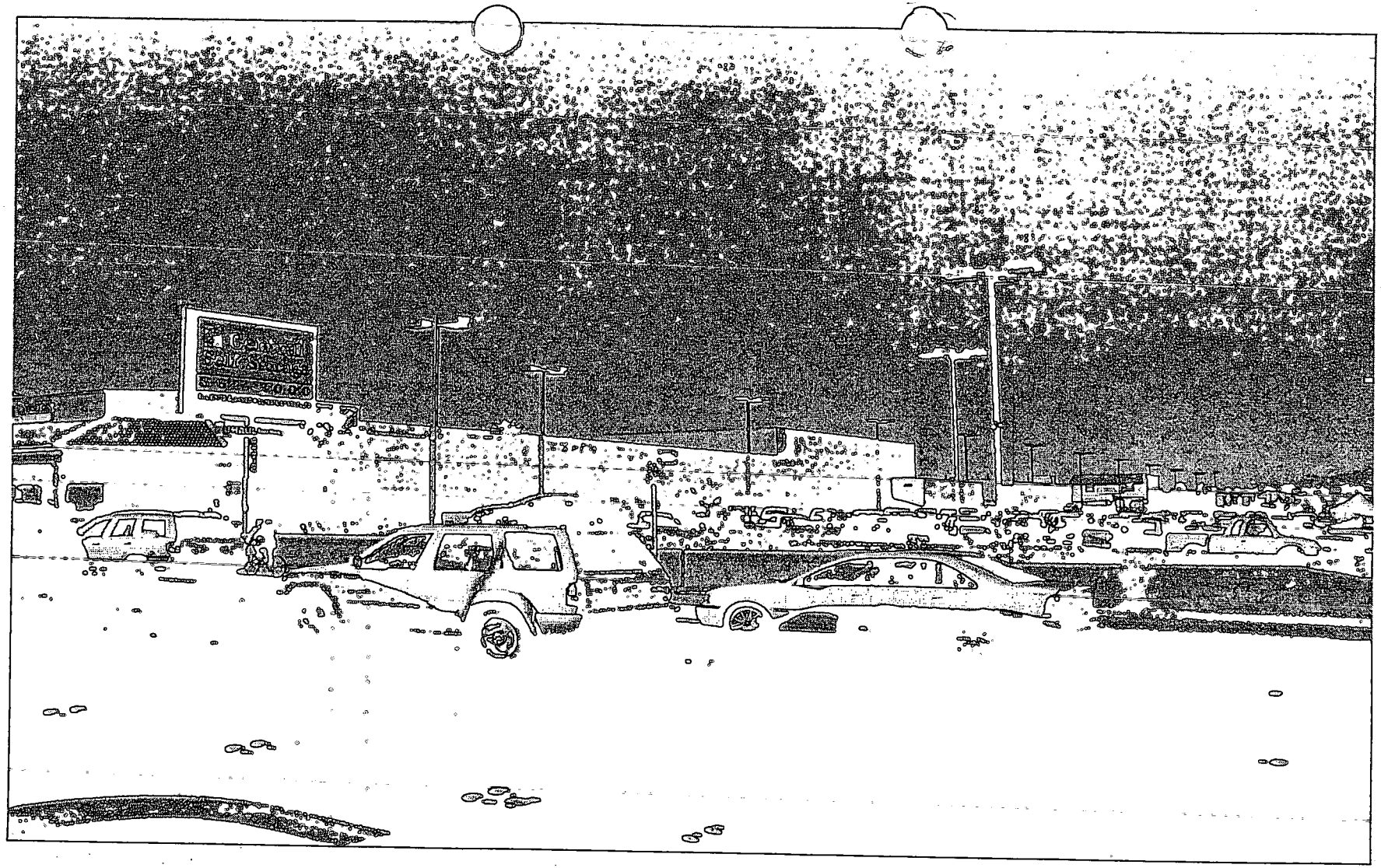
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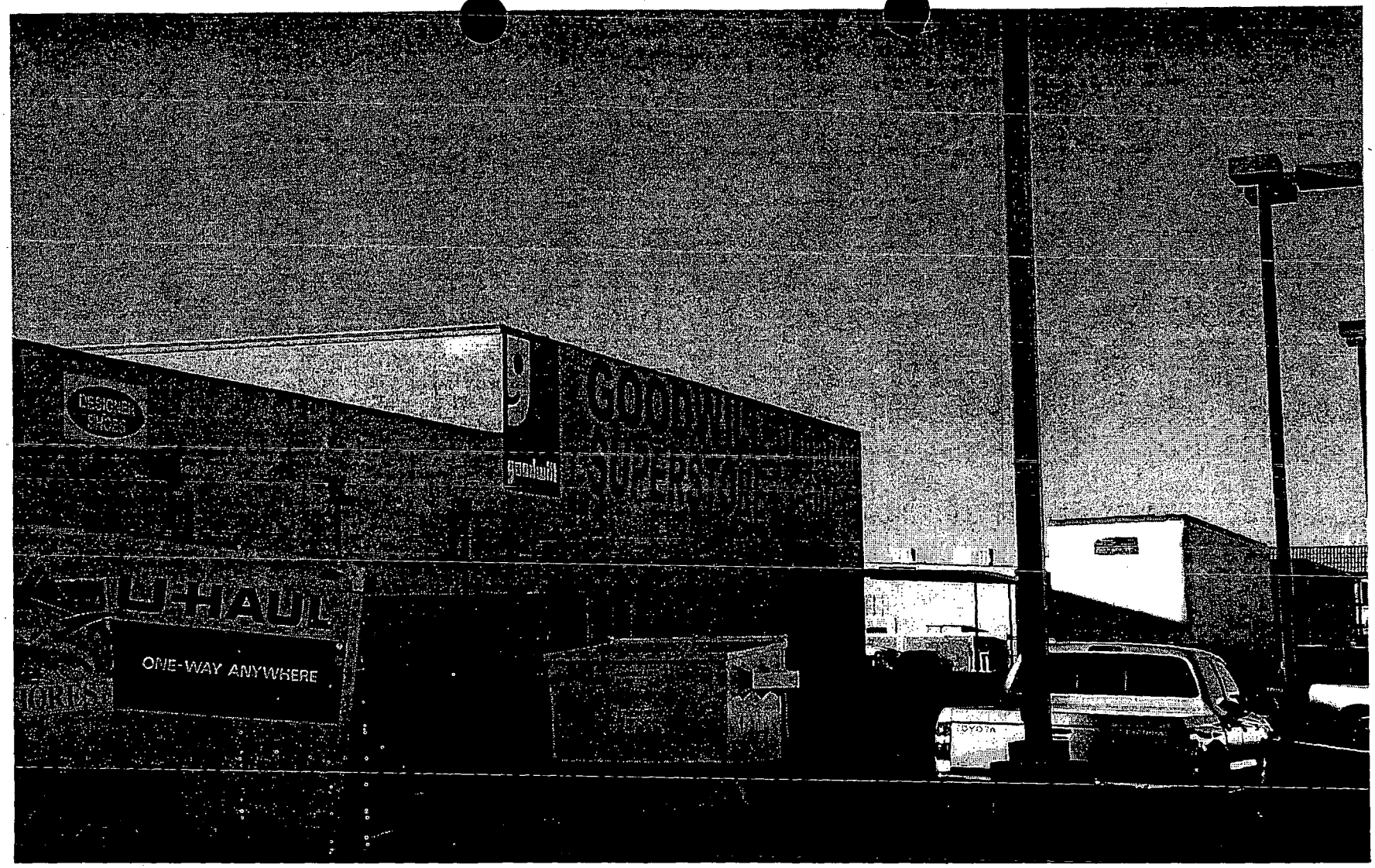


SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP

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

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



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Picture taken 01/21/04



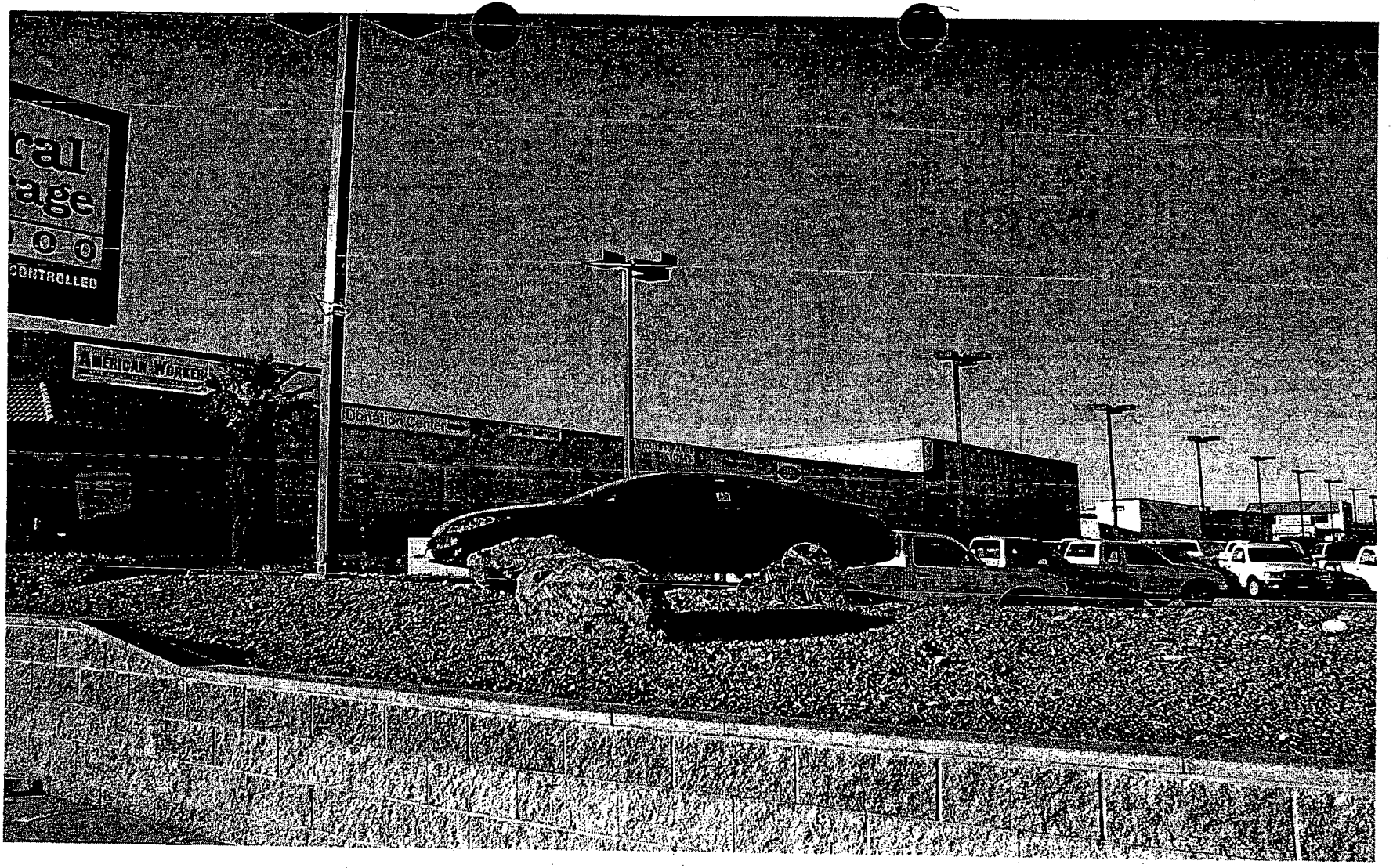
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Picture taken 01/21/04



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FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



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

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

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04

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

RECEIVED
CITY CLERK

2004 JAN 14 P 3:41

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

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

Dear Sir or Madam:

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

Yours truly,

Lucy Stewart

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownlld@earthlink.net

May 14, 2004

FAX: 382-4803

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

2004 MAY 14 P 12:57
RECEIVED
CITY CLERK

Re: Item No. 118 City Council Agenda of May 19, 2004
SUP-3394 – Special Use Permit –Las Vegas Billboards
on behalf of West Sahara Associates, Limited Partnership

Dear Ms. Ronemus:

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

On behalf of our client, we respectfully request that this item be removed from the City Council agenda of May 19, 2004, and be tabled for two (2) weeks, until the June 2, 2004 City Council meeting.

Very truly yours,

Jay H. Brown

JHB:cc

Submitted after final agenda
Date 5/14/04 Item #118

City of Las Vegas

Agenda Item No. 119

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3972 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST** - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	01	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed by Singer & Brown
1. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted after final agenda – Protest letter from Rainbow Sahara Center #2, Inc.
7. Submitted at City Council – City Attorney's Office opinion filed under Item 99

MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that although he had indicated in the past that he would be abstaining on Item 118 [SUP-3394] and Item 119 [SUP-3972], he could vote on the motion to abey those items because it was not substantive. MAYOR GOODMAN disclosed that he would be abstaining on Item 115 [RQR-3930] and Item 116 [ROC-4121] because of a business relationship with ATTORNEY JAY BROWN and on Item 117 [RQR-4021], Item 118 [SUP-3394] and Item 119 [SUP-3972] due to the content of the opinion from the City Attorney's office dated May 17, 2004, a copy of which has been filed with

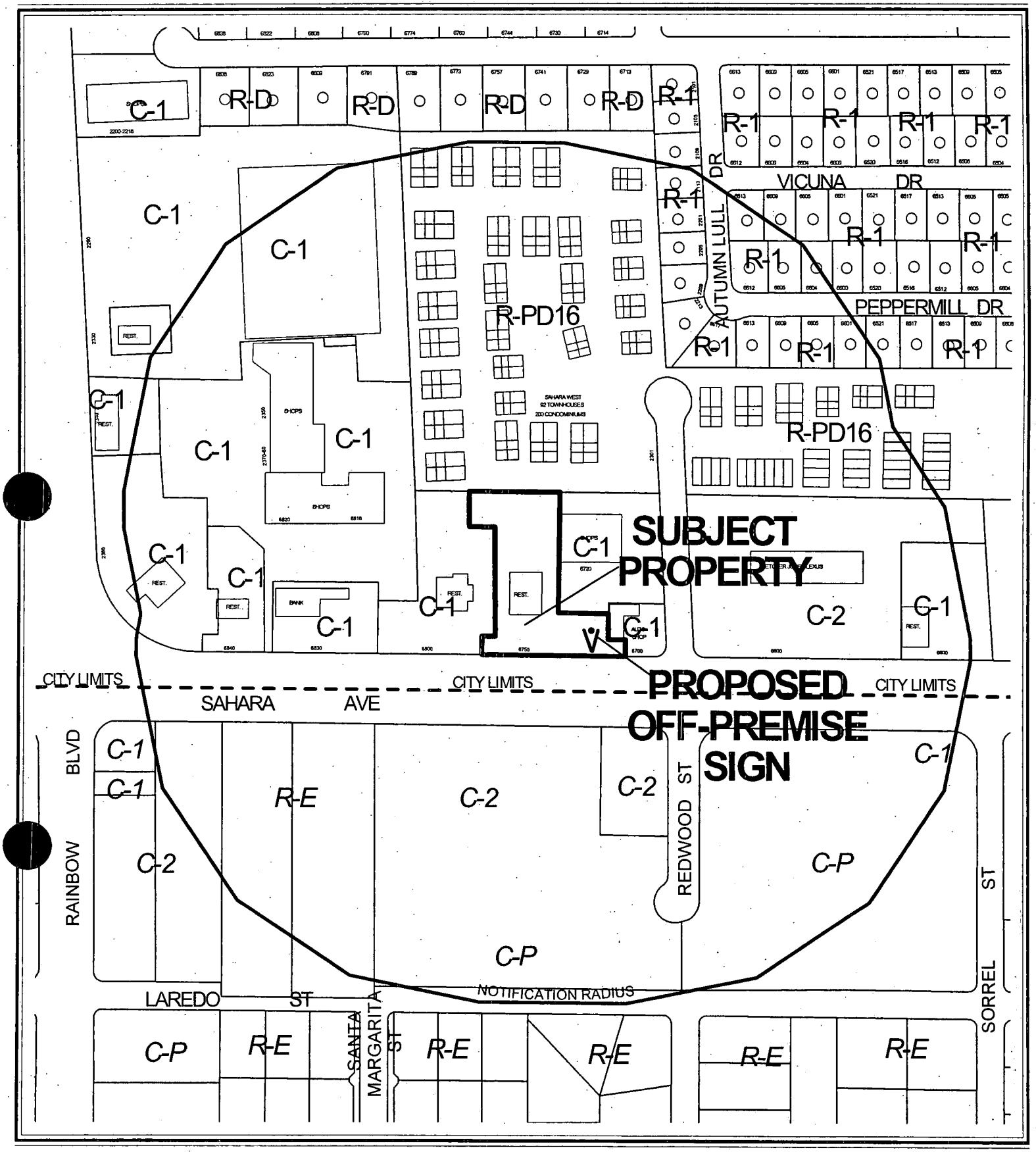
CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 119 – SUP-3972

MINUTES - Continued:

the Clerk. MAYOR GOODMAN stated he would be voting on the motion to abey these items.

(1:04 – 1:06)

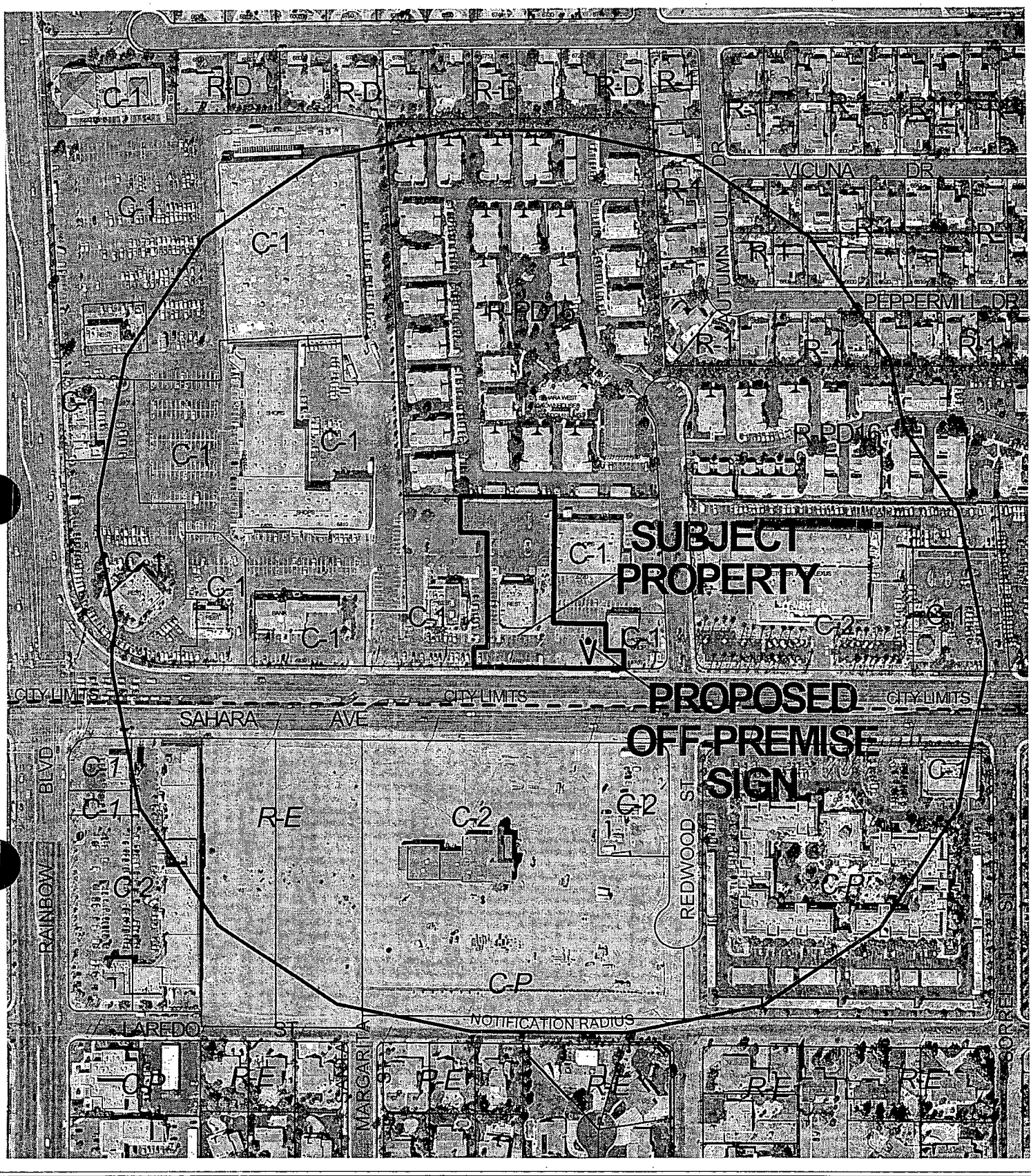
3-1



CASE: **SUP-3972**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-3972**

RADIUS: 750 FT

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

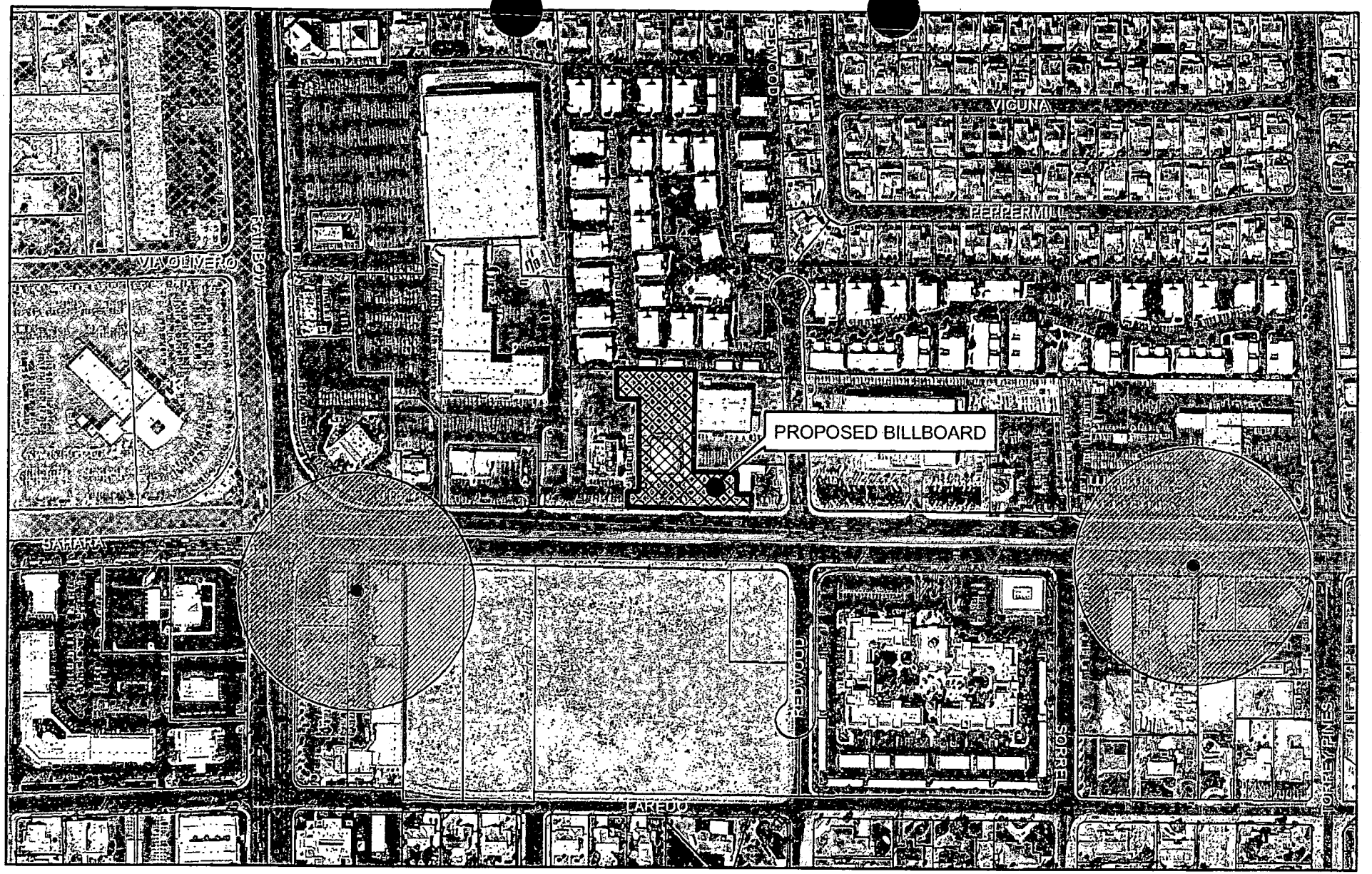
N



CASE: **SUP-3972**

SEPARATION RADIUS: 300 FT

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



SUP-3972

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

0 240 480 960 Feet

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3972 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 5, 2004 CITY COUNCIL MEETING AT THE REQEUST OF THE APPLICANT.

** CONDITIONS **

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommend APPROVAL, subject to:

Planning and Development

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

2. 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 sign.]

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

7. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Public Works

9. The proposed sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit for an Off-Premise (Billboard) Sign located at 6750 West Sahara Avenue.

B) Applicant's Justification

Sahara Avenue is a highly traveled road used by many local people going to and from numerous businesses in the area. Many local businesses will be able to utilize this sign as a cost effective advertising medium.

BACKGROUND INFORMATION

A) Previous Actions

07/06/88	The City Council approved a Zoning Reclassification (Z-0045-88) for this site as a part of a larger request. Staff had recommended approval and the Planning Commission recommended approval on 06/8/88.
04/13/95	The Planning Commission approved a Plot Plan Review [Z-0045-88(16)] for the existing structure on the subject site.
05/17/95	The City Council approved a Special Use Permit (U-0045-95) for a Supper Club. The Zoning Board of Adjustment and staff recommended approval on 4/25/95.
04/08/04	The Planning Commission APPROVED an unrelated Special Use Permit (SUP-3986) for a proposed Supper Club.
04/08/04	The Planning Commission voted 5-2 to DENY (PC Agenda Item #50/fs)

B) Pre-Application Meeting

02/02/04	Issues discussed included the location of the sign and the acknowledgement that the project is considered a Project of Regional Significance because of its proximity to Clark County.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.50

B) Existing Land Use

Subject Property:	Vacant Building
North:	Condominiums
South:	Automobile Dealership
East:	Auto Repair / Church
West:	Supper Club

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD16 (Residential Planned Development-16 Units per Acre)
South:	C-2 (General Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject site designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed Off-Premise 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	

Special Notification

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

INTERAGENCY ISSUES

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

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

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and no significant issues have been identified.

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Standards	Code Requirement	Provided
Off-Premise Advertising (Billboard) Sign	300 feet from any other billboard or residentially zoned property	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal

The distance of the nearest residentially zoned property is approximately 323 feet to the north, which is in conformance with Title 19 requirements. There are no off-premise signs in the immediate vicinity of the site.

B) General Analysis and Discussion

- Zoning

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

- Use

  Title 19 defines an Off-Premise Advertising (Billboard) Sign as any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed. The proposed sign will be located on the eastern portion of the site and will not reduce the amount of existing parking.

- Conditions

  There are no waivable conditions of the Special Use Permit for an Off-Premise Advertising (Billboard) Sign. No off-premise sign certificate of any kind can be issued for an existing or proposed sign unless the sign is consistent with all requirements of Title 19.14.100.

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 sign is located in a predominantly commercial area along Sahara Avenue, and it can be conducted in a manner that is harmonious and compatible with both existing and future land uses.

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

   The sign is proposed in a location that is outside of the minimum distance separation requirements between other off-premise signs and residential zones. In addition, minimum setback requirements from the right-of-way and street intersection are also maintained. The subject site is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign.

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 Off-Premise Advertising (Billboard) Sign will not generate additional vehicular trips or have an impact on traffic in the area.

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

PLANNING COMMISSION ACTION

The Planning Commission voted against this item believing the billboard was not compatible with retail development on Sahara Avenue.

NOTICES MAILED 42 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3972 APN: 163-02-415-012

Name of Property Owner: Rita Quam

Name of Applicant: Reagan National Advertising of Nevada

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: Andrew D Bilanzich

Print Name: Andrew D. Bilanzich

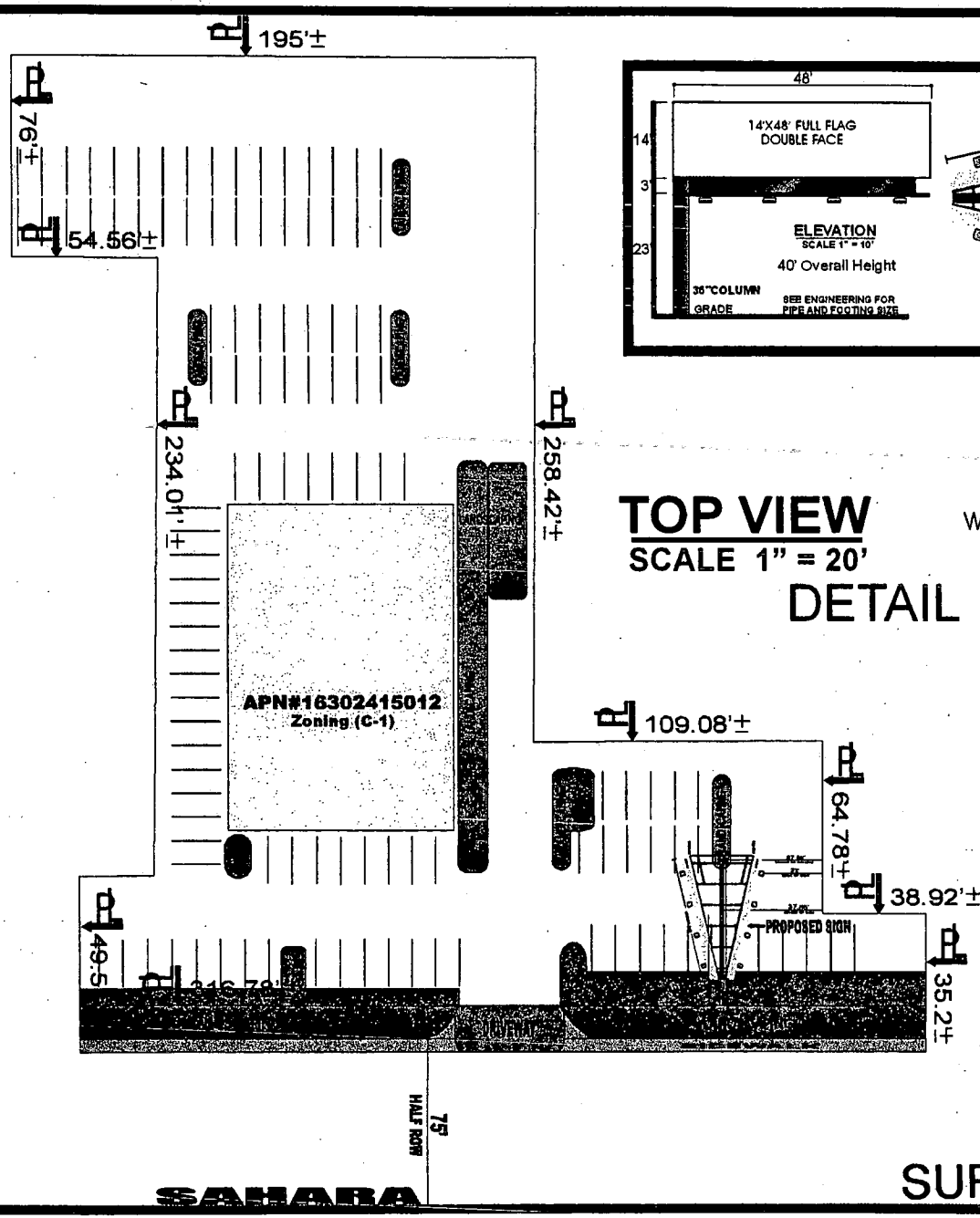
Subscribed and sworn before me

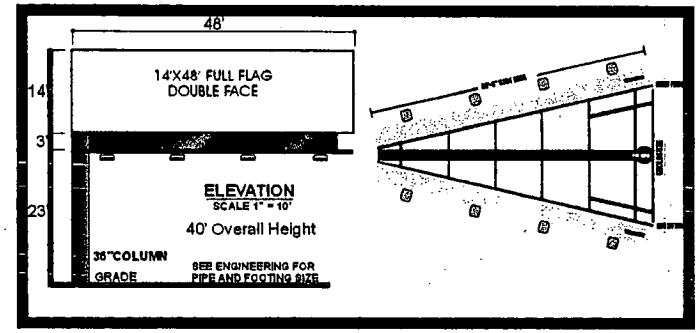
This 12th day of February 2004

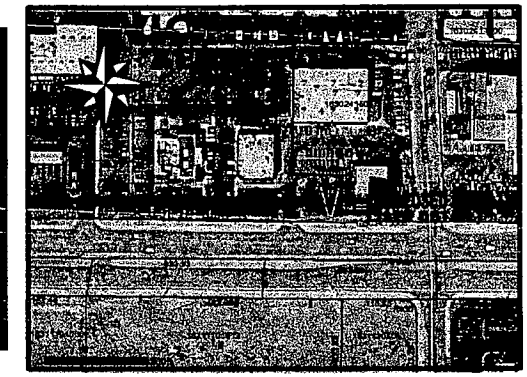
Kimberly L. Kock

Notary Public in and for said County and State

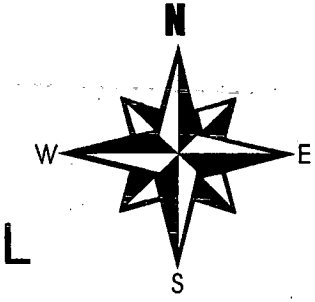
OFFICIAL SEAL
KIMBERLY L. KOCK
Notary Public - State of Arizona
MOHAVE COUNTY
My Comm. Expires March 5, 2004







TOP VIEW
SCALE 1" = 20'
DETAIL



GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JONES
4144 W. TECO AVE / LAS VEGAS, NV 89118 / 702-645-0022

OWNER: RITA QUAM FAMILY TRUST
SCALE: NOTED | APPROVED BY: | DRAWN BY: TOM JONES
DATE: 2-2-04 | REVISED:
LOCATION: 6750 W SAHARA AVE
APN# 16302415012 | DRAWING NUMBER: 311

SUP-3972
04-08-04 PC



SUP-3972 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST
6750 WEST SAHARA AVENUE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385 1023
Brownltd@earthlink.net

April 14, 2004

VIA FACSIMILE TO: 382-4803

Ms. Barbara Jo Roncmus
Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101

Rc: SUP-3972 Reagan National Advertising on bchalf of Rita Quam

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising on bchalf of Rita Quam. The City Planning Commission denied the above referenced application on April 8, 2004.

The purpose of this letter is to notify you that my client wishes to appeal the denial of the above referenced application.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2004 APR 16 A 8:57

RECEIVED
CITY CLERK
2004 MAY 18 A 11:45

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

May 18, 2004

FAX: 382-4803

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

Re: Item No. 119 SUP-3972 – Special Use Permit -Reagan National Advertising on behalf of Rita Quam Family Trust
City Council Agenda of May 19, 2004

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be held in abeyance from the City Council agenda of May 19, 2004 and reset for the July 7, 2004 City Council meeting.

Very truly yours,

Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

Submitted after final agenda
Date 5/18/04 Item #119

A & J Investment Properties & Management Corporation

RECEIVED
CITY CLERK

2004 MAY 17 P 2:28

May 14, 2004

City of Las Vegas
Planning & Development
731 South 4th Street
Las Vegas, NV 89101

To Whom It May Concern:

I am writing this letter in response to the notice of a "Special Use Permit" #SUP-3972, dated May 5th, 2004, that we received for the property located at Rainbow Blvd and Sahara Blvd. We own part of this property, which is a large power center. We are declining this "Special Use Permit" for various reasons. Billboards take away from the beauty of the center and may lower property values. Also, many other cities have put moratoriums on the installation of billboards because of citizen complaints.

There are CC&R's on this piece of land that require the multiple owners to agree on any changes to the center. One of these owners wants to put up a billboard sign, which would be located very close to our property. We have been approached about the sign and have declined to give our consent. We feel very strongly about this matter have not agreed to this change.

We hope you look into this matter and stop this billboard from being installed.

Sincerely,
RAINBOW SAHARA CENTER #2, INC.

Michael J. Natter
President

Protest

MJN:lbc

✓ Cc: Las Vegas City Clerk
City Hall 1st Floor
400 Steward Avenue, Las Vegas, NV 89101

Submitted after final agenda

Date 5/19/04 Item # 119

2615 Pacific Coast Highway Suite 328 • Hermosa Beach, CA 90254
Phone (310) 376-5790 • Fax (310) 376-1634 • aj@rettan.com

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

RAINBOW SAHARA CENTER #2
2615 PACIFIC COAST HWY #328
HERMOSA BEACH CA 90254-2227

MEETING: CITY COUNCIL
DATE: MAY 5, 2004
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-3972

APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: RITA QUAM FAMILY TRUST - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT 6750 WEST SAHARA AVENUE (APN: 163-02-415-012), C-1 (LIMITED COMMERCIAL) ZONE, WARD 1 (MONCRIEF).

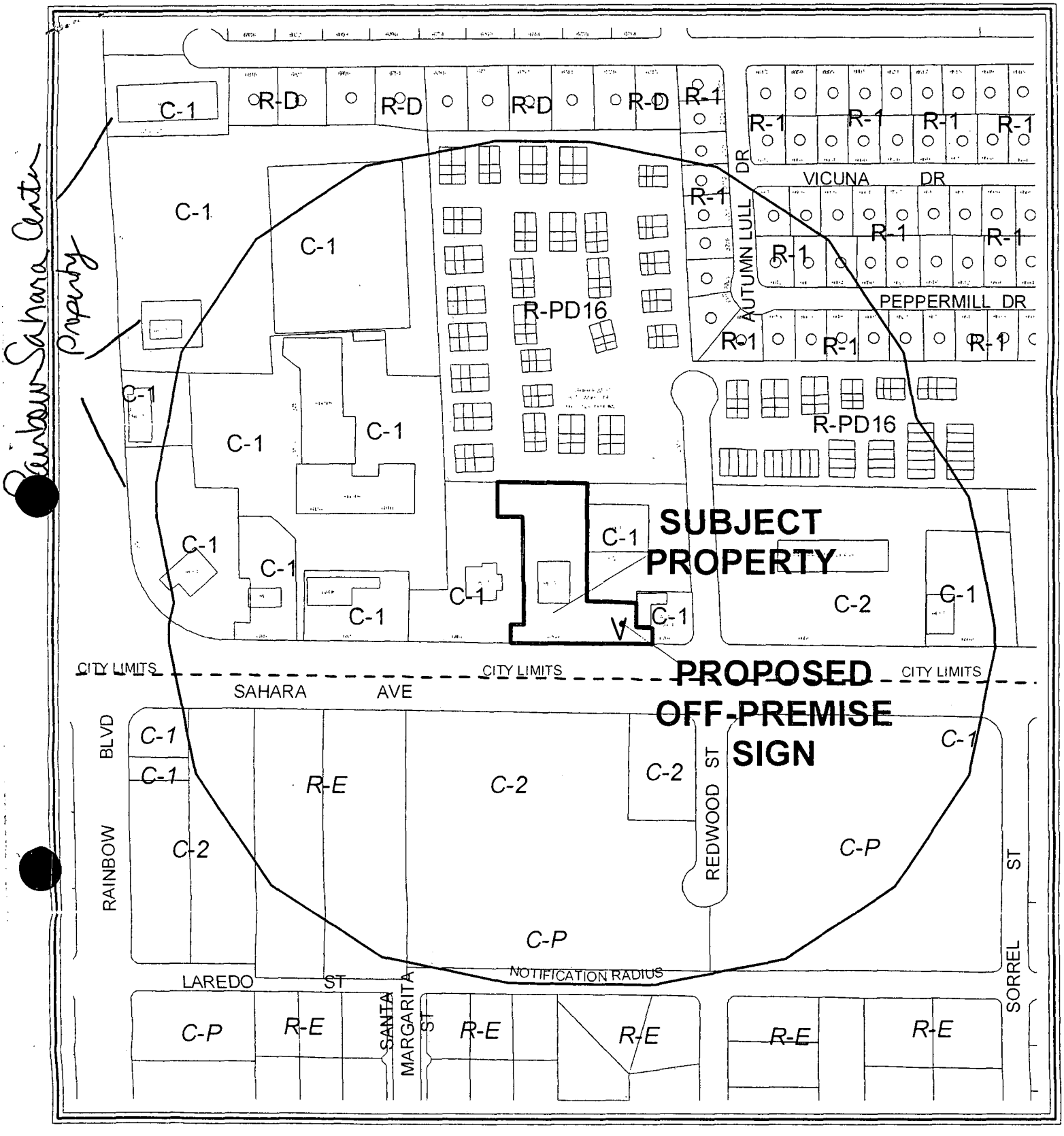
THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

CITY OF LAS VEGAS NEVADA

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE



CASE: **SUP-3972**

RADIUS: 750 FT

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

0 200 400 Feet

City of Las Vegas

Agenda Item No. 120

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3986 - APPLICANT: MUSTAFA KAVRUKLAR - OWNER: RITA QUAM FAMILY TRUST** - Request for a Special Use Permit and a Waiver from the 400-foot distance separation requirement from an existing church FOR A SUPPER CLUB located at 6750 West Sahara Avenue (APN: 163-02-415-012), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

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

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RITA QUAM, 8621 Robinson Ridge Drive, requested approval for a supper club. MUSTAFA KAVRUKLAR, applicant, informed Council that regardless of disagreements with MS. QUAM, he was requesting approval of the Special Use Permit.

Confused by comments from the owner and the applicant, MAYOR GOODMAN asked for clarification. COUNCILWOMAN MONCRIEF explained that the item is a land use issue and although there are potential problems between the owner and the applicant, as far as who will occupy the proposed supper club, they do not affect the use of the land and that is what the Council would be voting upon. DEPUTY CITY ATTORNEY BRYAN SCOTT and MAYOR GOODMAN made sure the applicant was aware that the Council's vote related to the land use as a supper club and that the vote goes with the land, not the applicant. MR. KAVRUKLAR explained that he understood and would appreciate approval.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 120 – SUP-3986

MINUTES – Continued:
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:57 – 2:00)
3-1988

CONDITIONS:
Planning and Development

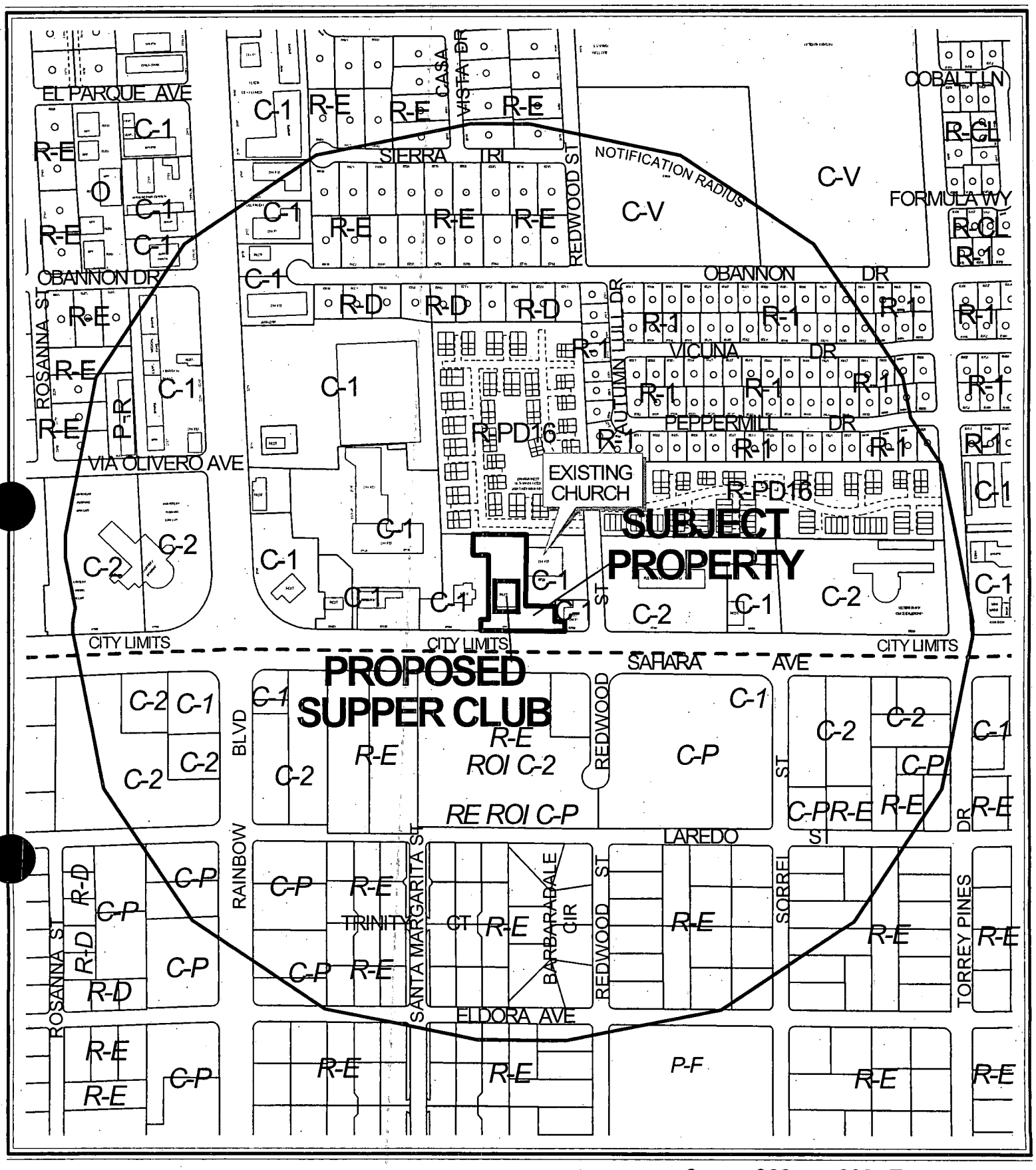
1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0045-88).

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.

5. A Waiver to the 400-foot separation distance from a church is approved.



0 300 600 Feet

CASE: **SUP-3986**

RADIUS: 1500 FT

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



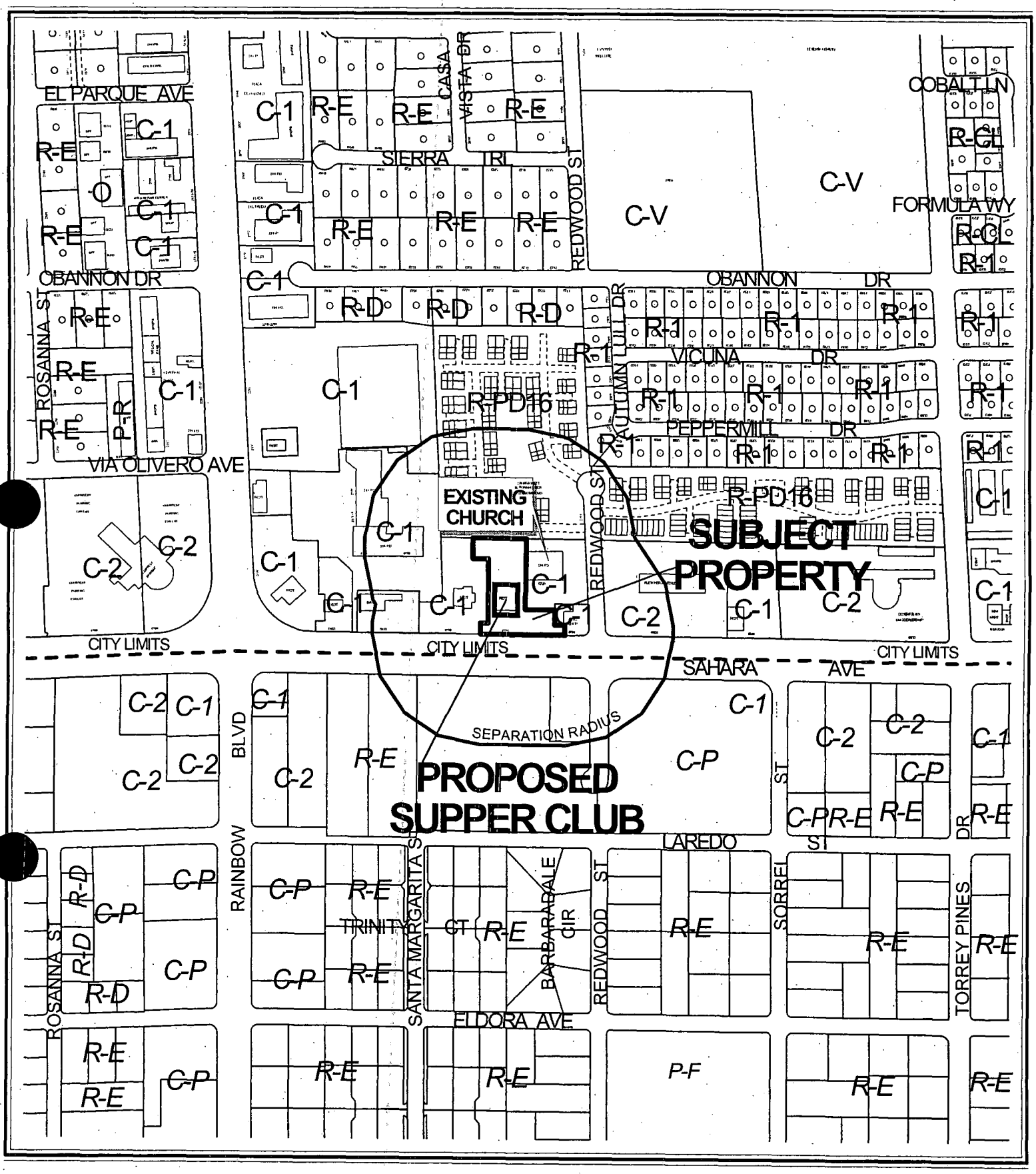
CASE: SUP-3986

RADIUS: 1500 FT

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

0 300 600 Feet

N



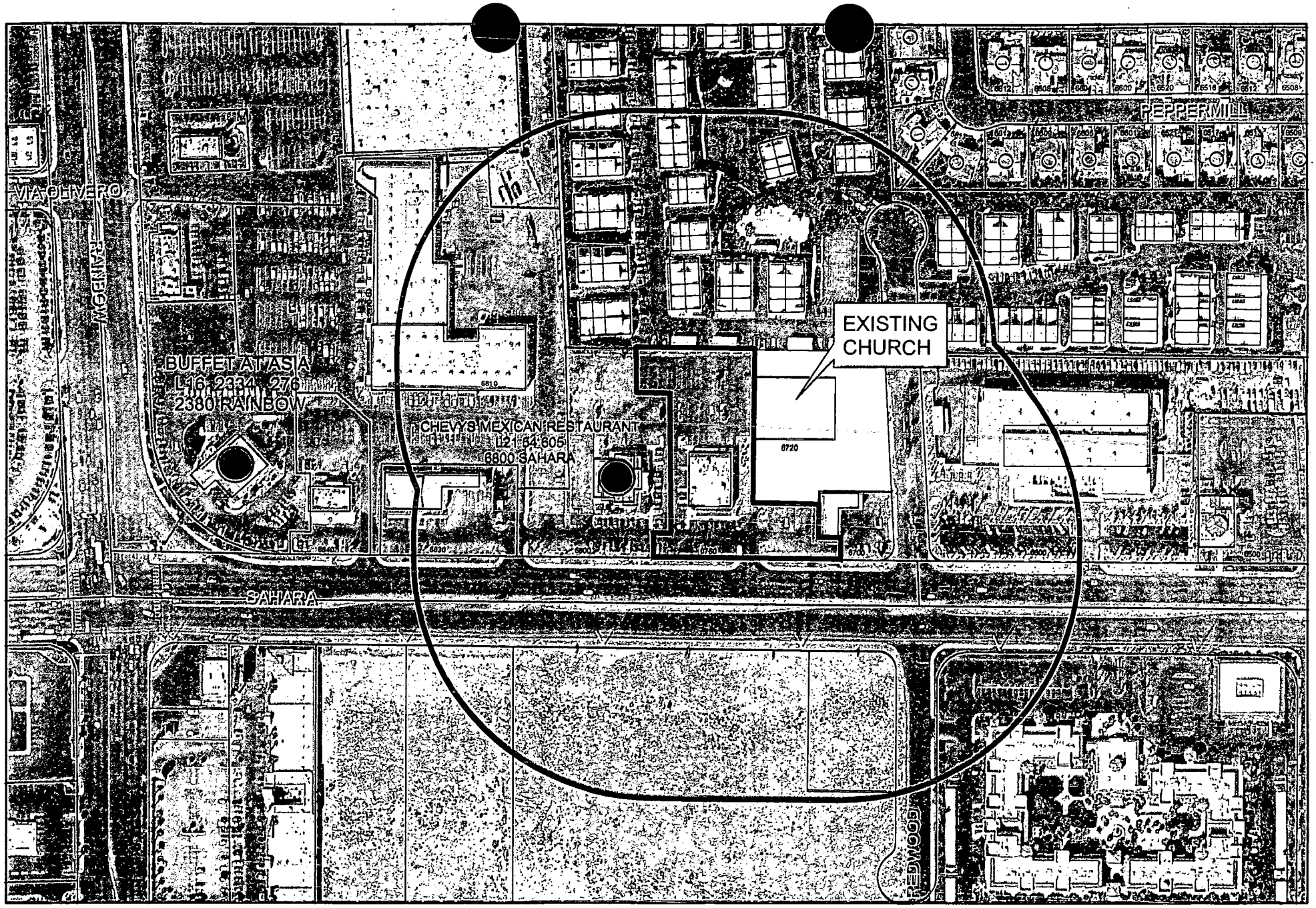
CASE: **SUP-3986**

SEPARATION RADIUS: 400 FT

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

0 300 600 Feet

N



SUP-3986

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3986 - APPLICANT: MUSTAFA KAVRUKLAR - OWNER: RITA QUAM FAMILY TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 5, 2004 CITY COUNCIL MEETING AT THE REQEUST OF THE APPLICANT.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0045-88).
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.
5. A Waiver to the 400-foot separation distance from a church is approved.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Supper Club and a Waiver from the 400-foot distance separation requirement from an existing church located at 6750 West Sahara Avenue.

B) Applicant's Justification

The building was previously a Supper Club and the existing building façade and interior décor are well suited for the use. The establishment will attract customers not only to the establishment, but also to other businesses within the shopping center.

BACKGROUND INFORMATION

A) Previous Actions

07/06/88	The City Council approved a Zoning Reclassification (Z-0045-88) to C-1 (Limited Commercial) for this site as a part of a larger request. The Planning Commission and staff recommended approval on 6/08/88.
04/13/95	The Planning Commission approved a Plot Plan Review [Z-0045-88(16)] for the building on the subject site.
05/17/95	The City Council approved a Special Use Permit (U-0045-95) for a Supper Club. The Zoning Board of Adjustment and staff recommended approval on 4/25/95.
04/08/04	The Planning Commission DENIED an unrelated Special Use Permit (SUP-3972) for an Off-Premise (Billboard) Sign. Staff recommended approval.
04/08/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #15/fs)

B) Pre-Application Meeting

02/11/04	Issues discussed included the requirements for the Supper Club use, as well as the acknowledgement that a distance separation waiver would be required due to the location of the adjacent church.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.50

B) Existing Land Use

Subject Property:	Vacant Building
North:	Condominiums
South:	Automobile Dealership
East:	Auto Repair / Church
West:	Supper Club

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD16 (Residential Planned Development-16 Units per Acre)
South:	C-2 (General 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 Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed Supper Club 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	

Special Notification

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

INTERAGENCY ISSUES

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

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

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and no significant issues were identified.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal. Staff received no comments pertaining to this request.

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
Supper Club / Seating Area	3,879	1 space / 50 GFA	78	4	78	5
Other Areas	2,446	1 space / 200 GFA	13	0	20	0

The proposal exceeds Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Supper Club	400 feet from any Church, School, Daycare, or City Park	Adjacent to Church

The proposed Supper Club is adjacent to an existing church, and a Waiver has been requested for relief of the distance separation requirement. The Waiver request is appropriate given the commercial nature of the area and the prior use of the site as a Supper Club.

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-l District is consistent with the Service Commercial category of the General Plan.

- Use

Title 19 defines a Supper Club as a restaurant and bar operation with alcoholic beverage sales in which the bar area is separated from the restaurant area by a buffer sufficient to prevent access by minors. Alcohol can only be served within the seating area in conjunction with food, and the restaurant operation shall be the principal portion of the business. The seating accommodates at least one hundred twenty-five persons, and full-course meals are available during all hours the bar area is open to the public. A cook and food server, other than a bartender, shall be available at all times the bar area is open to the public.

- Conditions

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

1. No Supper Club use shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children or City Park.

2. When considering a Special Use Permit application for a supper club which also requires a waiver of the distance limitation, 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.

3. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 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 proposed Supper Club will be located within an existing building, which had previously been occupied with two Supper Clubs (East Side Mario's and Bennigan's) prior to this request. While there is a church adjacent to the subject parcel, the commercial nature of the area and its location within an established shopping center allows this use to be conducted manner that is harmonious and compatible with existing surrounding land uses, and with future uses as projected by the General Plan.

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

   Two Supper Clubs previously occupied the subject site and it is an ideal location for the proposed use. With the approval of the requested distance separation waiver, the site will be physically suitable for the type of land use proposed.

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

   Access is provided via a drive from West Sahara Avenue, 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 Supper Club use will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 238 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3986 APN: 163-02-415-012

Name of Property Owner: RITA QUAM

Name of Applicant: MUSTAFA KAVRUKLAR.

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Rita Quam

Subscribed and sworn before me

This 27 day of January, 2004

Laura A. Salter

Notary Public in and for said County and State

State of Nevada

County of Clark

LAURA A. SALTER
Notary Public, State of Nevada
Appointment No. 01-69891-1
My Appt. Expires Aug.1, 2005

EXCEPTIONS PER FIRST AMERICAN TITLE INSURANCE COMPANY
PRELIMINARY REPORT NO. NCS-49630-PHX1
DATED 10/20/03 THAT AFFECT THIS SURVEY

ITEM NO. PER ABOVE POLICY

4. PATENT FROM THE UNITED STATES OF AMERICA.
BOOK 136, INST. 111555, RECORDED 7/29/57
NO EASEMENTS.

5. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
BOOK 911231, INST. 00650, RECORDED 12/31/91
MODIFICATIONS IF ANY AS SHOWN IN FOLLOWING:
BOOK 911231, INST. 00652, RECORDED 12/31/91
BOOK 911231, INST. 00653, RECORDED 12/31/91
BOOK 930504, INST. 00958, RECORDED 4/05/93
RE-RECORDED BOOK 940519, INST. 01756, RECORDED 9/19/9
BOOK 930709, INST. 01154, RECORDED 7/09/93
BOOK 951129, INST. 01228, RECORDED 11/29/95

6. EASEMENTS PER FINAL MAP OF RAINBOW/SAHARA
(A COMMERCIAL SUBDIVISION) ON FILE IN BOOK
56 OF PLATS, PAGE 14 OF OFFICIAL RECORDS.
BLANKET EASEMENTS FOR UTILITIES.

7. PARTY WALL AGREEMENT
BOOK 930709, INST. 01152, RECORDED 7/09/93

8. FILE 79, PAGE 64 OF SURVEYS,
NO APPARENT EASEMENTS SHOWN ON THIS MAP.

9. NON-STANDARD SERVICE AGREEMENT WITH
LAS VEGAS VALLEY WATER DISTRICT.
BOOK 960318; INST. 01387, RECORDED 3/18/96
NO SURFACE EVIDENCE OF WATER SERVICE LINES.

LEGAL DESCRIPTION PER FIRST AMERICAN TITLE INSURANCE
COMPANY PRELIMINARY REPORT NO. NCS-49630-PHX1
DATED 10/20/03

PARCEL I:

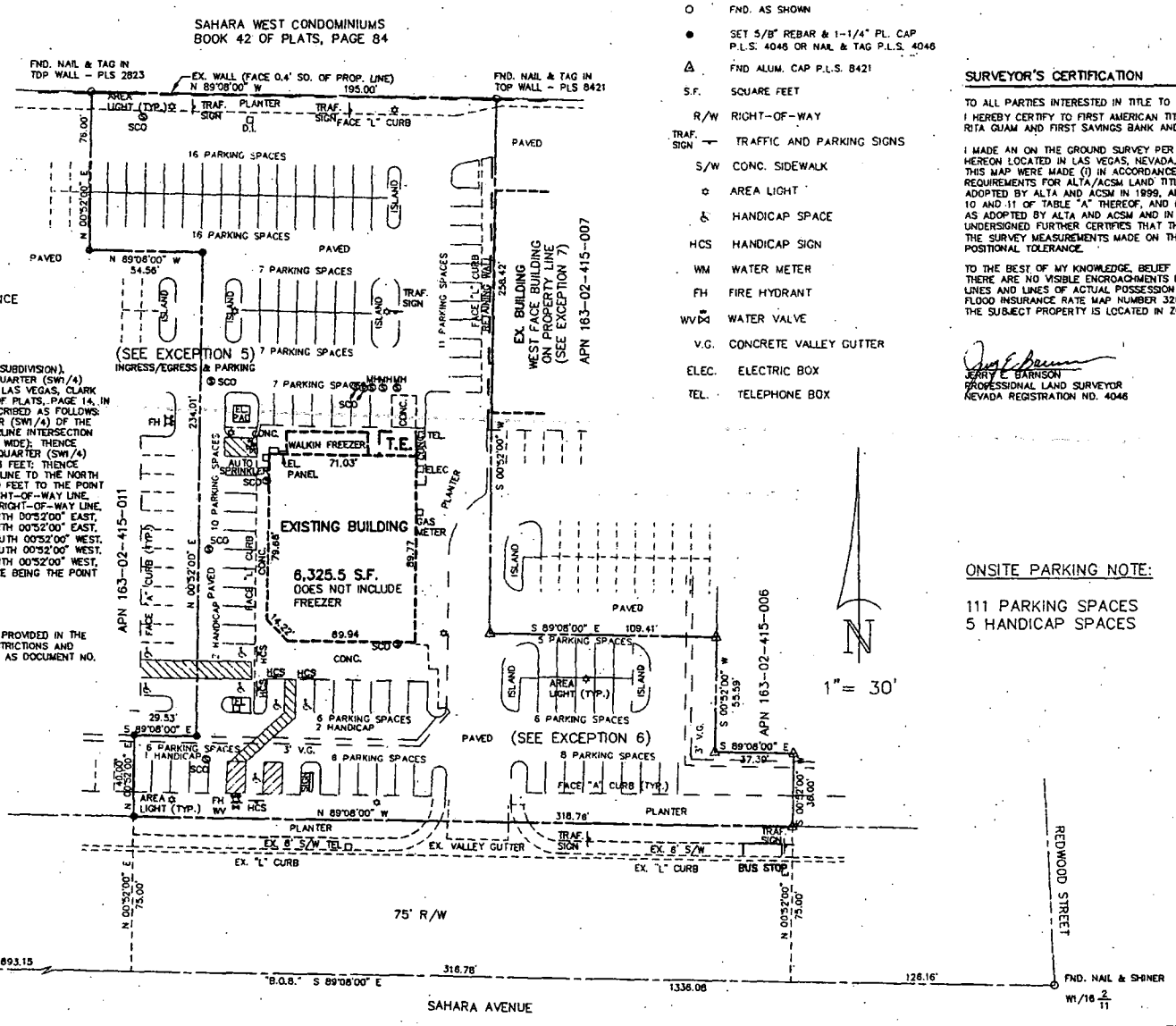
THAT PORTION OF LOT ONE (1) OF RAINBOW/SAHARA (A COMMERCIAL SUBDIVISION), LOCATED AT THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 2, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 58 OF PLATS, PAGE 14, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 2, ALSO BEING THE CENTERLINE INTERSECTION OF SAHARA AVENUE (150 FEET WIDE) AND REDWOOD STREET (60 FEET WIDE); THENCE NORTH 89°08'00" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW1/4) COINCIDENT OF WITH THE CENTERLINE OF SAID SAHARA AVENUE, 126.16 FEET; THENCE NORTH 00°52'00" EAST DEPARTING SAID SOUTH LINE AND SAID CENTERLINE TO THE NORTH RIGHT-OF-WAY LINE OF SAID SAHARA AVENUE (150 FEET WIDE), 75.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°08'00" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 318.78 FEET; THENCE NORTH 00°52'00" EAST DEPARTING SAID NORTH RIGHT-OF-WAY LINE, 40.00 FEET; THENCE SOUTH 89°08'00" EAST, 29.53 FEET; THENCE NORTH 00°52'00" EAST, 234.01 FEET; THENCE NORTH 89°08'00"WEST, 54.55 FEET; THENCE NORTH 00°52'00" EAST, 78.00 FEET; THENCE SOUTH 89°08'00" EAST, 195.00 FEET; THENCE SOUTH 00°52'00" WEST, 258.42 FEET; THENCE SOUTH 89°08'00"EAST, 109.41 FEET; THENCE SOUTH 00°52'00" WEST, 55.59 FEET; THENCE SOUTH 89°08'00" EAST, 37.39 FEET; THENCE SOUTH 00°52'00" WEST, 36.00 FEET TO THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE SAME BEING THE POINT OF BEGINNING.

PARCEL II:

A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PARKING AS PROVIDED IN THE DECLARATION OF CONSTRUCTION AND OPERATION COVENANTS AND RESTRICTIONS AND GRANT OF EASEMENTS RECORDED DECEMBER 31, 1991 IN BOOK 911231 AS DOCUMENT NO. 00650, CLARK COUNTY, RECORDS.

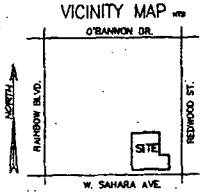
NOTE:

PER THE ABOVE DESCRIPTION AND THIS SURVEY THIS PROPERTY CONTAINS 65,850.58 SQUARE FEET OR 1.5117 ACRES MORE OR LESS.



LEGEND

	LINE
	ADJACENT PROPERTY LINE
	CENTER LINE
	CONTROL LINE
O	FND. AS SHOWN
●	SET 5/8" REBAR & 1-1/4" PL. CAP P.L.S. 4046 OR NAIL & TAG P.L.S. 4046
Δ	FND ALUM. CAP P.L.S. 8421
S.F.	SQUARE FEET
R/W	RIGHT-OF-WAY
TRAF. SIGN	TRAFFIC AND PARKING SIGNS
S/W	CONC. SIDEWALK
☼	AREA LIGHT
♿	HANDICAP SPACE
HCS	HANDICAP SIGN
WM	WATER METER
FH	FIRE HYDRANT
WV	WATER VALVE
V.G.	CONCRETE VALLEY GUTTER
ELEC.	ELECTRIC BOX
TEL.	TELEPHONE BOX

VICINITY MAP


SURVEYOR'S CERTIFICATION

TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED:

I HEREBY CERTIFY TO FIRST AMERICAN TITLE INSURANCE COMPANY, RITA GUAM AND FIRST SAVINGS BANK AND THEIR SUCCESSORS AND ASSIGNS, THAT:

I MADE AN ON THE GROUND SURVEY PER RECORD DESCRIPTION OF THE LAND SHOWN HEREON LOCATED IN LAS VEGAS, NEVADA, ON DECEMBER 10, 2003; AND THAT IT AND THIS MAP WERE MADE (I) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1999, AND INCLUDES ITEMS 1 THRU 4, 7 a & b, 8, 9, 10 AND 11 OF TABLE "A" THEREOF, AND (II) PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, EXCEPT AS SHOWN HEREON: THERE ARE NO VISIBLE ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES; TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME; AND ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 32003C2185 D, DATED AUGUST 16, 1995 THE SUBJECT PROPERTY IS LOCATED IN ZONE X.

JERRY E. BARNSON
PROFESSIONAL LAND SURVEYOR
NEVADA REGISTRATION NO. 4046

PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA - JERRY E. BARNSON - 4046

EXPIRES 12/31/04
12/16/03

ONSITE PARKING NOTE:

111 PARKING SPACES
5 HANDICAP SPACES

BASIS OF BEARING

S89°08'00"E, BEING THE CENTERLINE OF SAHARA AVENUE AS SHOWN ON FILE 79, PAGE 64 OF SURVEYS, CLARK COUNTY, NEVADA OFFICIAL RECORDS.

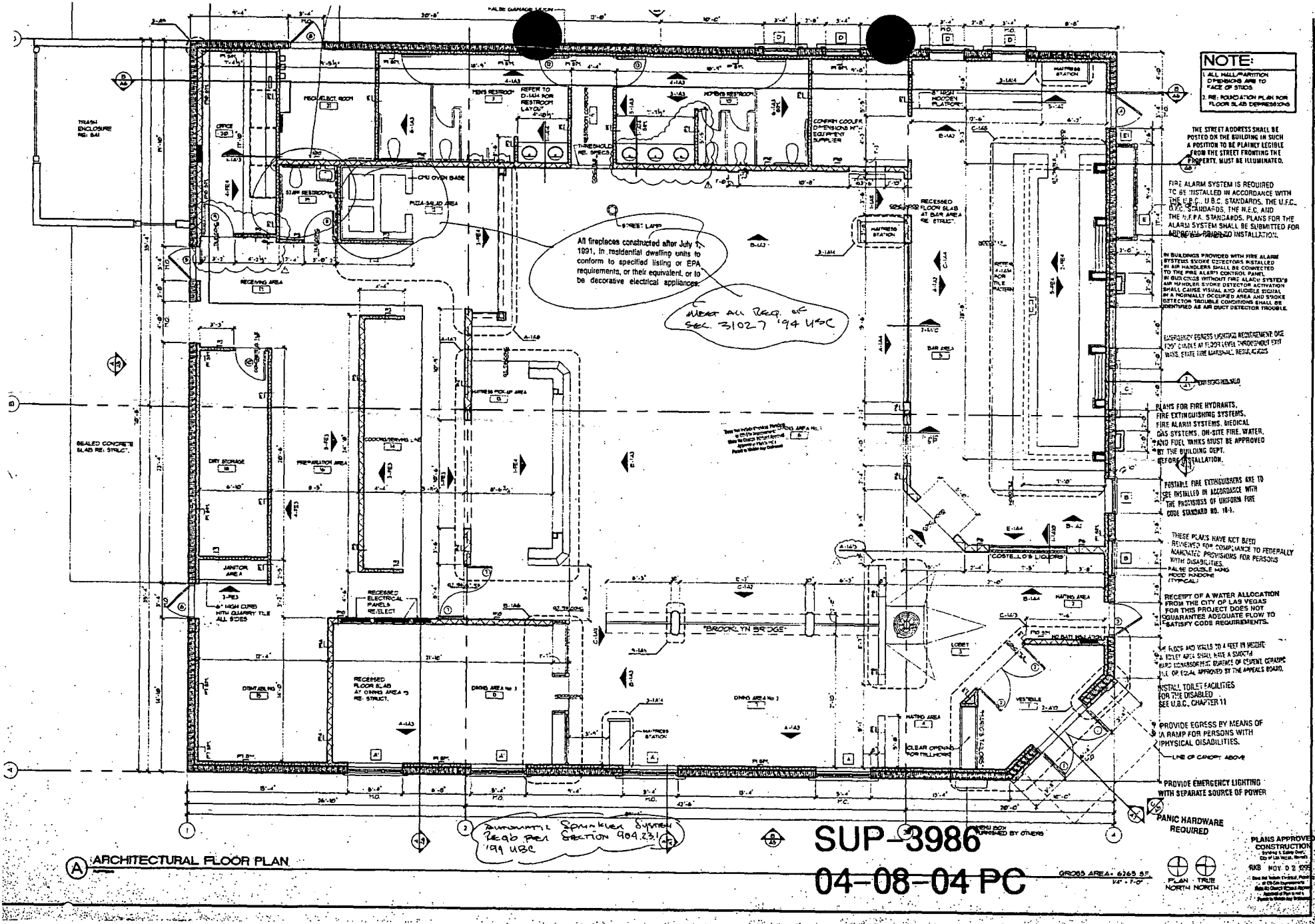
SHEET 1 OF 1

ALTA SURVEY
FOR
FIRST AMERICAN TITLE INSURANCE COMPANY, RITA GUAM AND FIRST SAVINGS BANK
A PORTION OF THE
SW1/4 SW1/4, SECTION 02, T.21S., R.60E., M.D.M.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

BARNSON SURVEYING, INC.
5160 SO. EASTERN AVE., STE. F
LAS VEGAS, NV. 89119
(702) 597-0041

DATE: 12/10/03
SCALE: AS SHOWN
DRAWN BY: E.E.B.
JOB # 4662-03

SUP-3986
04-08-04 PC



SUP-3986

04-08-04 PC

A ARCHITECTURAL FLOOR PLAN

GROSS AREA: 6265 SF

1/4" = 1'-0"

PLAN NORTH

TRUE NORTH

EAST SIDE MARIO'S

EAST SIDE MARIO'S RESTAURANT, INC.

W. SAHARA AND RAINBOW BLVD.

LAS VEGAS, NEVADA

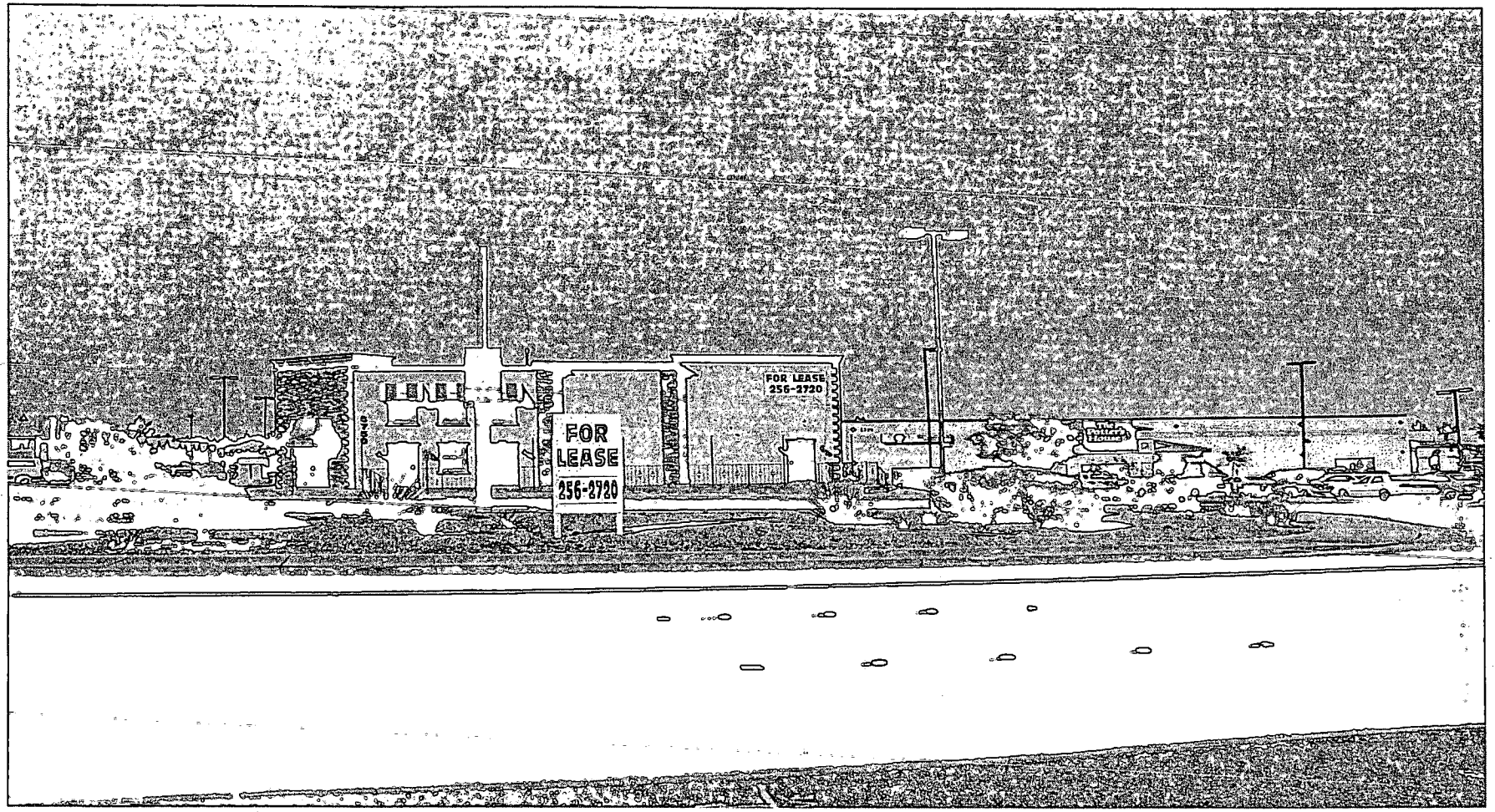
KENNETH HEIDELBERG REGISTERED ARCHITECT 7263 STATE OF NEVADA

NOTICE:

FLOOR PLAN

DATE	BY
09-07-99	
REVISED	BY
10-13-99	

A-1



SUP-3986 - APPLICANT: MUSTAFA KAVRUKLAR - OWNER: RITA QUAM FAMILY TRUST
6750 WEST SAHARA AVENUE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No. 121

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, OFF-PREMISE CONSUMPTION in conjunction with a proposed 39,960 square-foot Grocery Store adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

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

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 121 [SUP-3653] and Item 122 [SDR-3651].

ATTORNEY JENNIFER LAZOVICH, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations. She informed Council that after meeting with members of the neighborhood, some additional conditions had been agreed upon and that she wanted to read them into the record.

She explained that one of the main concerns was regarding the traffic impact that the proposed development would have on Shady Timber Street. A new site development plan was given to staff, which changed the truck delivery route from Shady Timber Street to Cheyenne Avenue. MAYOR GOODMAN had ATTORNEY LAZOVICH read the conditions into the record.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 121 – SUP-3653

MINUTES Continued:

HAROLD MANN, 10123 Donald Weese Court, opposed the application primarily due to a traffic concern. He explained that the stoplights required to support the traffic increase of the proposed development would cause traffic backup onto the I215 freeway. He also expressed concern over the affect the development would have on wildlife.

COUNCILMAN MACK questioned if Cheyenne Avenue was designated as a super arterial and planned to have a width that could accommodate large capacity traffic. BART ANDERSON, Project Engineer, Public Works Department, answered that Cheyenne Avenue is currently designed as a 100-foot arterial, and, in a recent charette, it was identified as a potential super arterial. MR. ANDERSON explained that because the interchange at the I215 freeway is not fully constructed, there are challenges to traffic that can not be resolved until development occurs and signalization can continue.

MICHAEL GITTINGS, 3455 Erva Street, stated he was against approval because as a representative of the United Food and Commercial Workers 711, he could not support a Walmart. MR. GITTINGS explained that because of Wal-Mart's pay scale and lack of benefits, Nevada taxpayers would end up paying for Wal-Mart employee's healthcare.

SUSAN HILO, resident of Shadow Hills, appeared in support indicating that if a Wal-Mart went into the plaza, it would most likely result in a bus stop being built closer to her home and she would not have to walk so far to get home.

JOHNNY VENTURA, 601 Raintree Lane, spoke in favor explaining a Wal-Mart would bring jobs to the area and jobs mean income.

COUNCILMAN BROWN had ATTORNEY LAZOVICH read the additional conditions again and asked staff if there were any conflicts to existing conditions. DAVID CLAPSADDLE, Planning Supervisor, Planning and Development Department, replied that staff would suggest changing the six-month review to be based on the certificate of occupancy for the grocery store, not the date of opening. ATTORNEY LAZOVICH agreed. DEPUTY CITY ATTORNEY BRYAN SCOTT wanted to clarify the word access. It was agreed that the condition would be amended to say enter and exit instead of access. It was also agreed that the monument signage would be restricted to an eight-foot height.

COUNCILMAN BROWN explained that the Council was approving a 39,000 square foot grocery store usage only. The Council's vote would not determine which type of company would occupy the store. He acknowledged the traffic concerns and explained that the City would monitor traffic closely, especially with Conner Elementary opening this fall. Regarding truck traffic on Cheyenne, COUNCILMAN BROWN explained the I215 is the designated truck route. However, delivery trucks may use the Cheyenne corridor to get to a construction site or for store delivery. He stated that the City is comfortable with the traffic study and the double light

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 121 – SUP-3653

MINUTES Continued:
situation should function well in handling traffic and that the signal lights will be monitored as well. He thanked the applicant and staff for working on this project.

Regarding the comments of MR. GITTINGS, MAYOR GOODMAN stated that he understands the argument pertaining to the working conditions, salary and lack of benefits of Wal-Mart and he suggested the Nevada Development Authority examine the issue. He requested that MR. GITTINGS keep the Council informed on the topic.

MAYOR GOODMAN declared the Public Hearing closed on Item 121 [SUP-3653] and Item 122 [SDR-3651].

NOTE: All discussion for Item 121 [SUP-3653] and Item 122 [SDR-3651] was held under Item 121 [SUP-3653].

(2:00 – 2:26)
3-2150

CONDITIONS:
Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0033-97) and Site Development Plan Review SDR-3651.

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

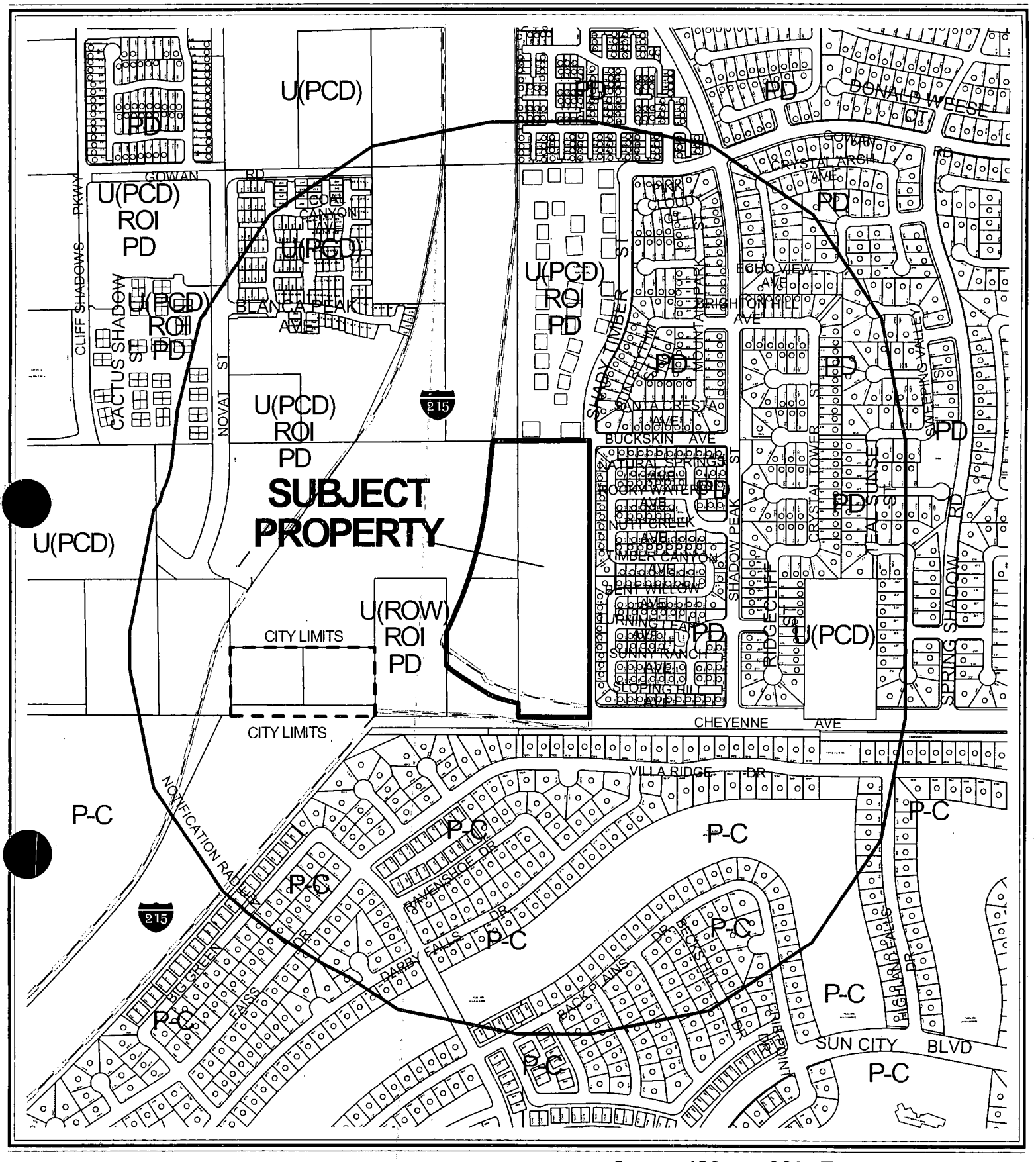
4. All City Code requirements and design standards of all City departments must be satisfied.

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

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



0 400 800 Feet

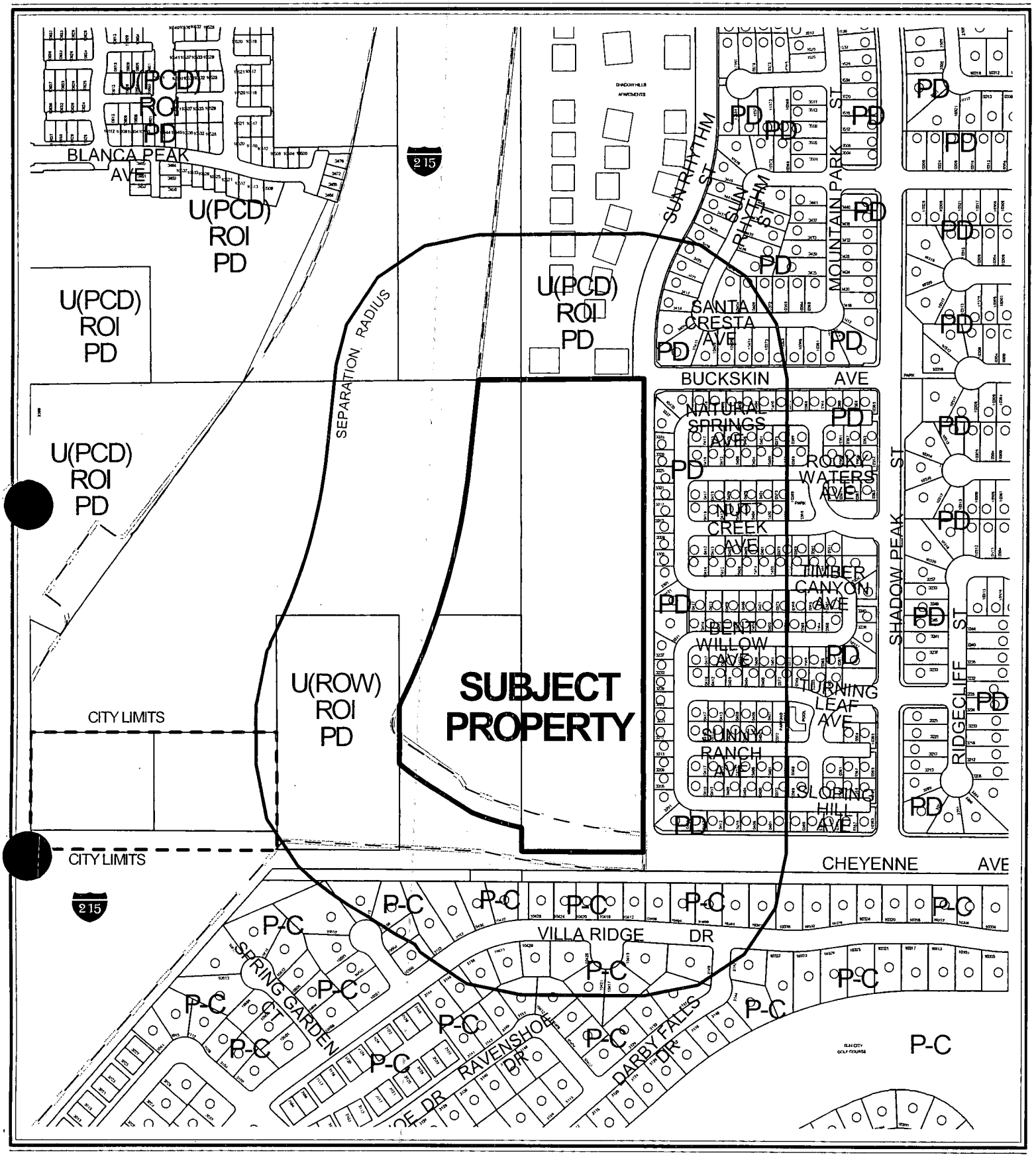
N

CASE: **SUP-3653**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) LONE MOUNTAIN SPECIAL LAND USE DESIGNATION]



CASE: **SUP-3653**

SEPARATION RADIUS: 400 FT

0 200 400 Feet

N

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PDC (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) LONE MOUNTAIN SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY

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

** CONDITIONS **

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

Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0033-97) and Site Development Plan Review SDR-3651.

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

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

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

6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

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

8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store located adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street. The Planning Commission will hear a related Site Development Plan Review (SDR-3651) concurrently with this item.

B) Applicant's Justification

The neighboring uses are compatible with the proposed use, and the site meets all distance separation requirements.

BACKGROUND INFORMATION

A) Previous Actions

06/23/97	City Council approved a rezoning request (Z-0033-97) for to PD (Planned Development) as a part of a larger request. The Planning Commission and staff recommended approval on 6/12/97.
02/12/04	The Planning Commission recommended approval of a related Site Development Plan Review request (SDR-3651) for an 87,790 square-foot shopping center.
02/12/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9/fs).

B) Pre-Application Meeting

12/05/03	General Special Use Permit requirements were discussed and no significant issues were identified.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 11.78

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multi-Family Residential
South:	Single-Family Residential
East:	Single-Family Residential
West:	Proposed I-215 Beltway

C) Planned Land Use

Subject Property:	PCD (Planned Community Development – Village Commercial)
North:	PCD (Planned Community Development – Medium Density Residential)
South:	ML (Medium Low Density Residential)
East:	PCD (Planned Community Development – Medium Low Attached Density Residential)
West:	Proposed I-215 Beltway

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
North:	U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
South:	P-C (Planned Community)
East:	PD (Planned Development)
West:	Proposed I-215 Beltway

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation, and the proposed Liquor Establishment (Off-Premise Consumption) is a permitted use within the PD zoning district with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Lone Mountain Master Plan area with a Village Commercial land use designation. The Village Commercial category address parcels of not more than 20 acres and a Floor Area Ratio of less than 30% gross coverage. Village Commercial allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to the intersections of major arterials and major freeways.

The proposed Liquor Establishment (Off-Premise Consumption) is a permitted use within a Village Commercial designated parcel of the Lone Mountain Master Plan with the approval of a Special Use Permit.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store (Greater than 25,000 Feet)	39,690 SF.	1 space per 250 square feet	153	6	193	6

The proposed project exceeds Title 19 parking requirements.

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)	400 feet from any Church, synagogue, school, child care facility licensed for more than twelve children, or City park.	400 feet from any Church, synagogue, school, child care facility licensed for more than twelve children, or City park.

The proposed project meets Title 19 distance separation requirements for the Liquor Establishment (Off-Premise Consumption) use.

B) General Analysis and Discussion

- Zoning

  The PD District is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD District may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD District is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative sitting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas.

- Use

  The proposed Liquor Establishment (Off-Premise Consumption) is a permitted use within a Village Commercial designated parcel of the Lone Mountain Master Plan with the approval of a Special Use Permit.

- Conditions

  1. No Liquor Establishment (on-sale/off-sale/on-off-sale) use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

  2. Conformance to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

  The proposal conforms to these standards.

FINDINGS

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

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

   The Liquor Establishment (Off-Premise Consumption) use is requested in conjunction with a grocery store located within a proposed shopping center. The use can be conducted in a manor that is harmonious with existing and future land uses as projected by the General Plan.

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

   The proposed Liquor Establishment (Off-Premise Consumption) will be located within a shopping center, which is physically suitable for the requested use.

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

   Access is provided via three drives from Shady Timber Road, a 60-foot Local Street, and a drive from Cheyenne Avenue, 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 subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 876 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

137-12-401-022
137-12-801-001

Case Number: SUP-3653 APN: 137-12-401-030

Name of Property Owner: Shadow Hills Plaza, L.L.C.

Name of Applicant: Shadow Hills Plaza, 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: _____

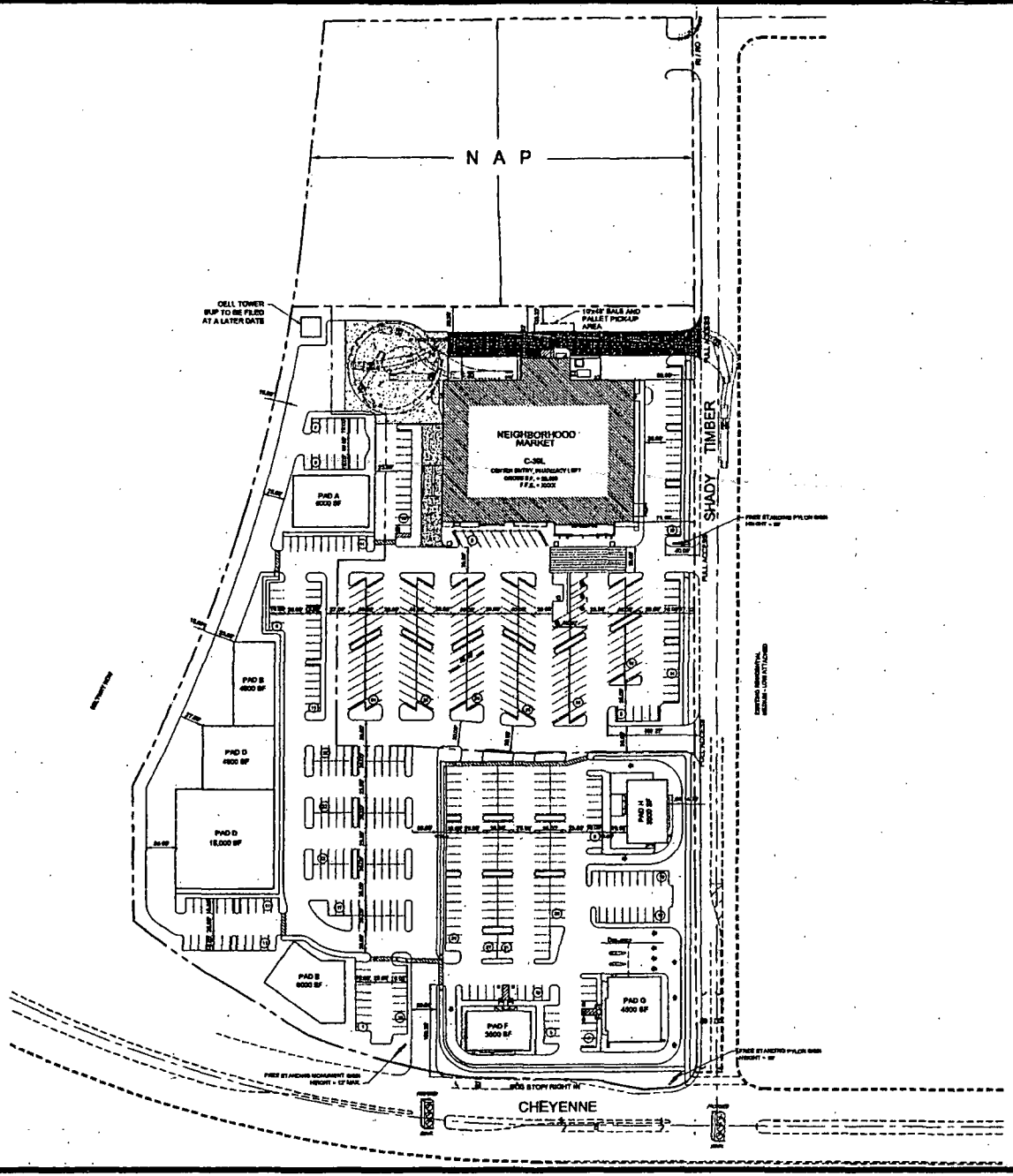
Print Name: Phil Davis

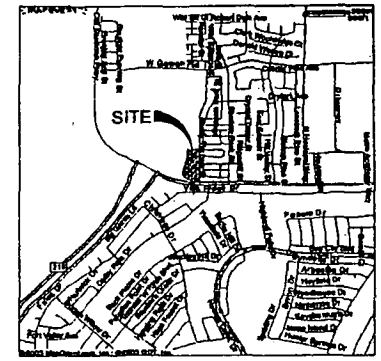
Subscribed and sworn before me

This 17th day of December, 2003

_____
Notary Public in and for said County and State

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





VICINITY MAP
NOT TO SCALE

SITE DATA

ACREAGE:

NEIGHBORHOOD MARKET SITE:	4.87 AC±
PADS A-H	6.91 AC±
TOTAL	11.78 AC±
	(513,137) SF

BUILDING AREA:

NEIGHBORHOOD MARKET:	39,000 S.F.
PAD A-D RETAIL/RETAIL	30,000 S.F.
PAD E,F,H RESTAURANTS	13,000 S.F.
PAD G BANK	4,000 S.F.
TOTAL:	86,000 S.F.
FLOOR AREA RATIO:	17.19%

PARKING REQUIRED:

NEIGHBORHOOD MARKET:	195 / 5.0
PAD A-D RETAIL/RETAIL	153 / 5.0
PAD E,F,H RESTAURANTS	130 / 10.0
PAD G BANK	23 / 5.0
TOTAL PKING REQ'D (DEVELOPER)	509 / 6.74

PARKING PROVIDED:

NEIGHBORHOOD MARKET:	309 / 8.84
PAD A-D RETAIL/RETAIL	153 / 5.00
PAD E,F,H RESTAURANTS	146 / 11.35
PAD G BANK	23 / 5.0
TOTAL PARKING PROVIDED	634 / 8.86

SUP-3653
SDR-3651
02-12-04 PC

GRAPHIC SCALE
60 0 30 60 120
(IN FEET)
1 inch = 60 ft.

APN # 13712601001 , 13712401022 , 13712401030

REVISIONS ◇ △
NO. DESCRIPTION DATE BY

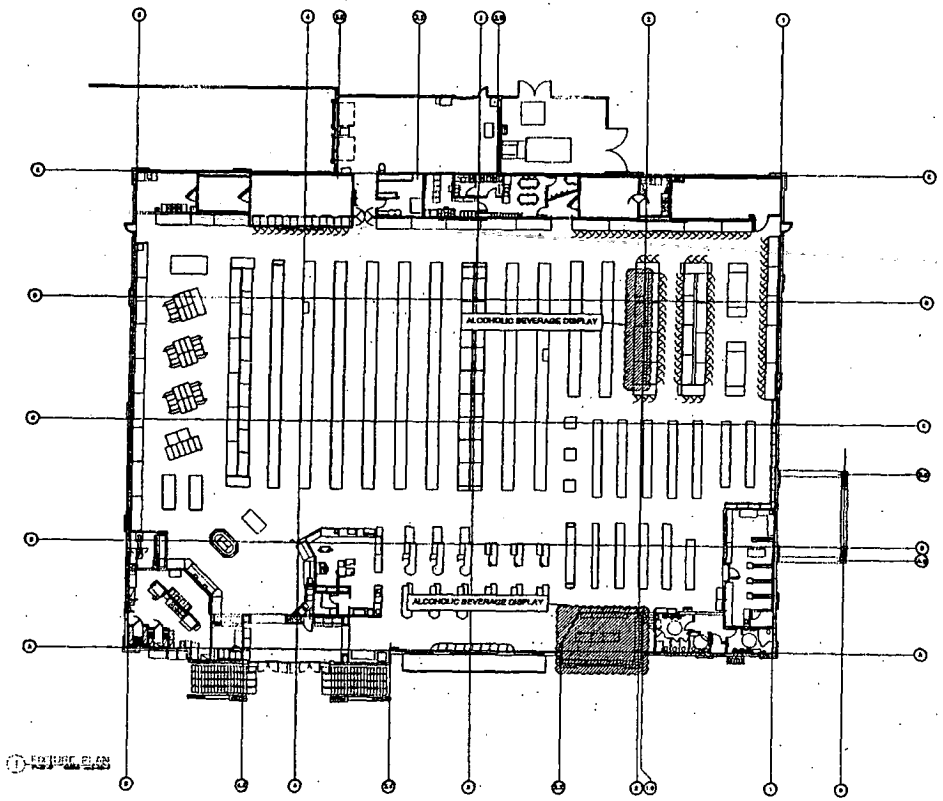
Planning/Civil Engineering/Surveying
EN ENGINEERING

SITE DEVELOPMENT
FEASIBILITY PLANS
ENTITLEMENT
SITE PLAN

PHD
SHADOW HILLS PLAZA, LLC
LAS VEGAS (CHEYENNE), NV
PHD PROPERTIES
LAS VEGAS, NV

DRAWN
VC
CHECKED
JOB
EN JOB NO.
01-539
REAL ESTATE
APPROVAL DATE: TBD
ORIGINAL
ISSUE DATE: 12/04/03
PERMIT SET
ISSUE DATE: TBD
CONSTRUCTION SET
ISSUE DATE: TBD
SHEET
E-1
1 OF 1 SHEETS

NEIGHBORHOOD MARKET FLOOR PLAN
ALCOHOLIC BEVERAGE DISPLAY



SUP-3653
SDR-3651
02-12-04 PC

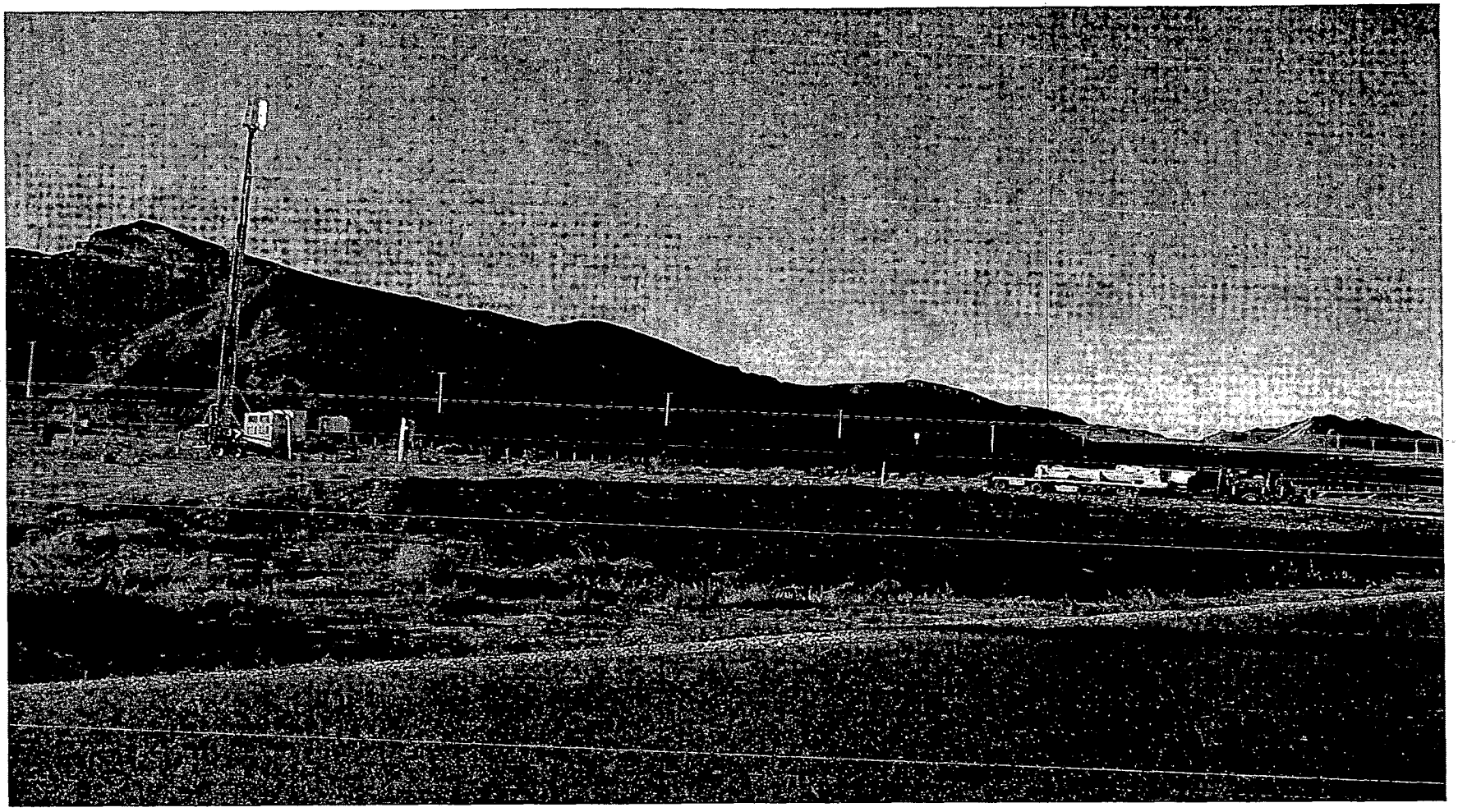
REVISIONS

Planning/ Civil Engineering/ Surveying
EN ENGINEERING

SITE DEVELOPMENT
FEASIBILITY PLANS
FLOOR PLAN
PACKAGE LIQUOR

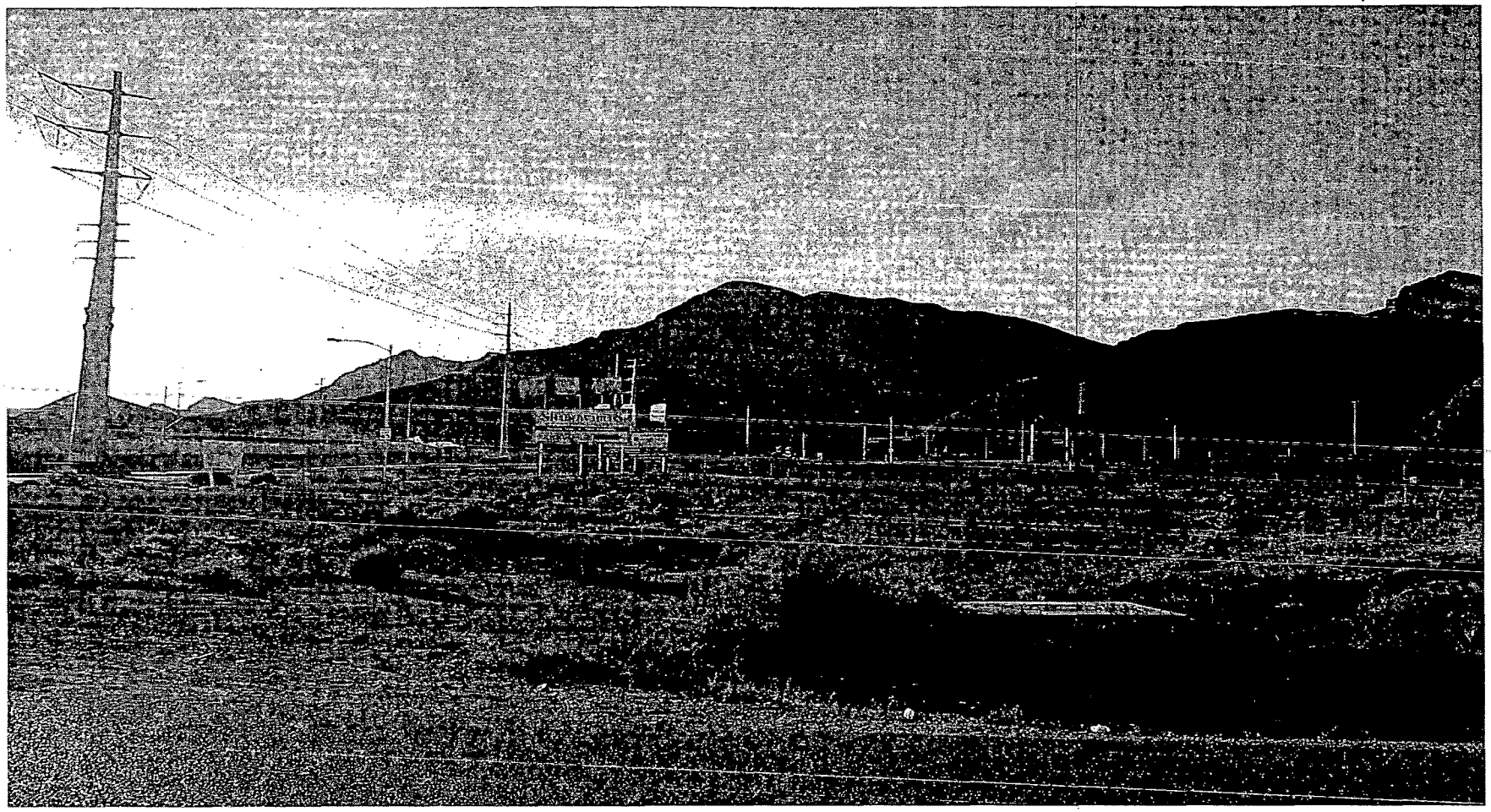
PHD
SHADOW HILLS PLAZA, LLC
LAS VEGAS (CHEYENNE), NV
PHD PROPERTIES
LAS VEGAS, NV

DRAWN
VO
CHECKED
EN JOB No.
01-520
REAL ESTATE
APPROVAL DATE: TBD
ORIGINAL
ISSUE DATE: 12/04/03
PERMIT SET
ISSUE DATE: TBD
CONSTRUCTION SET
ISSUE DATE: TBD
SHEET
E-2
1 OF 1 SHEETS



PUBLIC HEARING - SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVNEUE AND SHADY TIMBER STREET
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04



PUBLIC HEARING - SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVNEUE AND SHADY TIMBER STREET
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

City of Las Vegas

Agenda Item No. 122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3653 - PUBLIC HEARING - **SDR-3651 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the foundation landscaping buffer FOR A PROPOSED 87,790 SQUARE-FOOT RETAIL CENTER on 11.73 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-201-001), U (Undeveloped) Zone [PCD (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain special land use designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions and added conditions to read:

- *No signage on the east side of the Neighborhood Market.*
- *Monument signage shall be permitted to a maximum height of eight feet and only on Shady Timber Street.*
- *All truck traffic shall enter and exit the commercial site via Cheyenne Avenue.*
- *There shall be no truck delivery traffic on Shady Timber Street.*
- *A cart containment system shall be used to insure that shopping carts do not leave the commercial center.*
- *There shall be 36-inch box evergreen trees planted within the landscape buffer area between the northern property line and the northern most property driveway on Shady Timber Street.*
- *There shall be a six-month review from the issuance of Certificate of Occupancy for the grocery store to review the truck delivery operation.*
- *Compliance with site plan revised on 5/19/2004.*

– UNANIMOUS with Ward 2 seat vacant

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 122 – SDR-3651

MINUTES:

NOTE: See Item 121 [SUP-3653] for related discussion.

(2:00 – 2:26)

3-2150

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. Separate site plan review is required for Pad Sites "A" thru "H". Each individually submitted site plan application must independently comply with all applicable Title 19 and Lone Mountain Master Plan standards prior to approval.

4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the addition of an outdoor Employee Patio Area as outlined in Section 5.3.5 of the Lone Mountain Master Plan, a revised parking analysis and building area total.

5. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to show a minimum 20 foot wide landscape planter along Shady Timber Street and the east 200 feet of frontage along Cheyenne Avenue, to the first driveway with planting material in accordance to Code standards and parking lot landscaping planters placed every sixth space within a parking row and an eight foot high perimeter screen wall as required by Title 19.12.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

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

CONDITIONS - Continued:

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

10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

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

14. 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.

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

Public Works

16. Dedicate 30 feet of right-of-way adjacent to this site for Shady Timber Street and an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of Cheyenne Avenue and Shady Timber Street. In addition, grant a traffic chord easement on the northwest corner of Cheyenne Avenue and Shady Timber Street. Additional right-of-way dedications per Standard Drawing #201.1 and #234 shall be shown, unless specifically not required by the update to the Traffic Impact Analysis.

17. Construct half-street improvements including appropriate overpaving on Shady Timber Street adjacent to this site concurrent with the first phase of development anywhere on this site. Construct all incomplete half-street improvements on Cheyenne Avenue adjacent to this site concurrent with development of this site. Extend all required

CONDITIONS - Continued:

underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Coordinate with Clark County Public Works for all improvements within the Cheyenne Avenue/I-215 Beltway interchange right-of-way.

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. 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. All proposed driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. A Master Streetlight Plan must be submitted and approved prior to the submittal of any construction drawings for this site.

20. The site shall be designed to prohibit heavy delivery trucks from using Shady Timber Street. The applicant shall ensure that this restriction is observed by heavy delivery vehicles.

21. Landscape and maintain all unimproved rights-of-way on Shady Timber Street and Cheyenne Avenue adjacent to this site.

22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Shady Timber Street and Cheyenne Avenue public rights-of-way adjacent to this site prior to occupancy of this site.

23. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

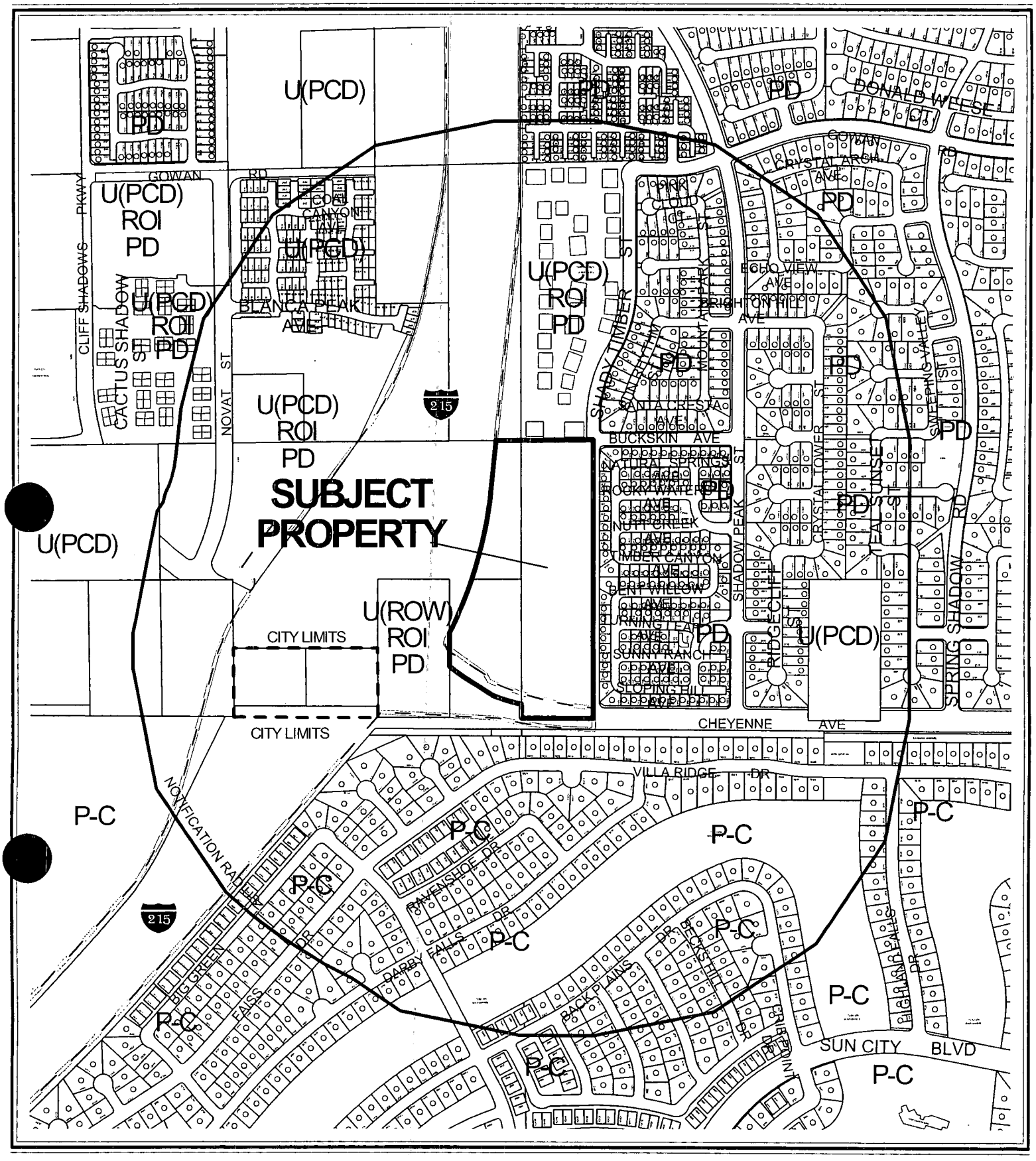
24. An update to the previously approved Lone Mountain Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site

CONDITIONS - Continued:

development activities unless specifically noted as not required in the approved Traffic Impact Analysis. We note that new traffic signals are proposed at Shady Timber Street and the southern driveway access to this site. The Public Works Department may support the proposed traffic signals provided that the intersections meet warrants. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

26. Site development to comply with all applicable conditions of approval for rezoning application Z-33-97, the Lone Mountain Development Master Plan, and all other applicable site-related actions.



CASE: **SDR-3651**

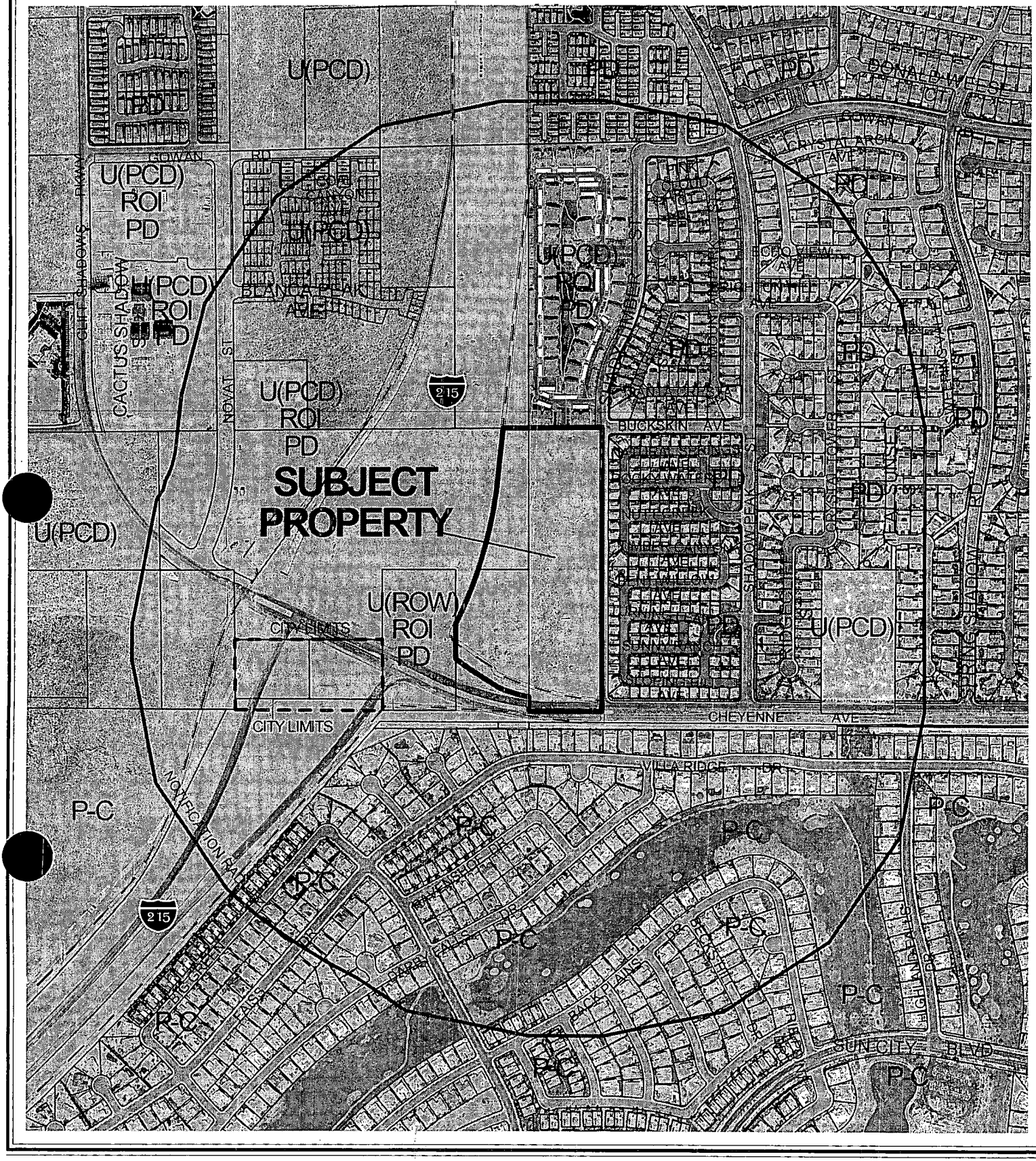
RADIUS: 1500 FT

0 400 800 Feet

N

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) LONE MOUNTAIN SPECIAL LAND USE DESIGNATION]



0 400 800 Feet

N

CASE: **SDR-3651**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) LONE MOUNTAIN SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3651 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY

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

** CONDITIONS **

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

Planning and Development

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

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17. Construct half-street improvements including appropriate overpaving on Shady Timber Street adjacent to this site concurrent with the first phase of development anywhere on this site. Construct all incomplete half-street improvements on Cheyenne Avenue adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Coordinate with Clark County Public Works for all improvements within the Cheyenne Avenue/I-215 Beltway interchange right-of-way.

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. 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. All proposed driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

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neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

26. Site development to comply with all applicable conditions of approval for rezoning application Z-33-97, the Lone Mountain Development Master Plan, and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a proposed 87,790 square-foot Retail Center and a Waiver of required six-foot foundation buffers on 11.78 acres located adjacent to the northwest corner of Shady Timber Street and Cheyenne Avenue.

A related Special Use Permit (SUP-3653) to allow a Liquor Establishment (Off Premise Consumption) in conjunction with a Wal-Mart Neighborhood Market will be considered concurrently with this application.

B) Applicant's Justification

The neighboring uses are compatible with the proposed retail center, and the design complies with all Residential Adjacency Standards.

BACKGROUND INFORMATION

A) Previous Actions

06/23/97	The City Council approved a rezoning request (Z-0033-97) for the subject site to PD (Planned Development) as a part of a larger request. The Planning Commission recommended and staff approval on 6/12/97.
02/12/04	The Planning Commission recommended approval of a related Special Use Permit request (SUP-3653) to allow a Liquor Establishment (Off Premise Consumption) in conjunction with a Wal-Mart Neighborhood Market. Staff recommends approval.
02/12/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/fs).

B) Pre-Application Meeting

12/05/03	Issues discussed included the need for building elevations and a waiver of the required six-foot foundation buffers.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 11.78

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multi-Family Residential
South:	Single-Family Residential
East:	Single-Family Residential
West:	Proposed I-215 Beltway

C) Planned Land Use

Subject Property:	PCD (Planned Community Development – Village Commercial)
North:	PCD (Planned Community Development – Medium Density Residential)
South:	ML (Medium Low Density Residential)
East:	PCD (Planned Community Development – Medium Low Attached Density Residential)
West:	Proposed I-215 Beltway

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
North:	U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
South:	P-C (Planned Community)
East:	PD (Planned Development)
West:	Proposed I-215 Beltway

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses with a maximum of 8 units per acre. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation, and the proposed Retail Center is a permitted use within the PD zoning district.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Lone Mountain	X	
Special Overlay District		X
Trails		X
Study Area		X

Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Special Plan Area

The subject site is located within the Lone Mountain Master Plan area with a Village Commercial land use designation. The Village Commercial category address parcels of not more than 20 acres and a Floor Area Ratio of less than 30% gross coverage. Village Commercial allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and do not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to the intersections of major arterials and major freeways.

PROJECT DESCRIPTION

The proposed Retail Center consists of a Wal-Mart Neighborhood Market and eight pad sites totaling 87,790 square feet.

USE	SQ. FT	PROPOSED USE
Wal-Mart Neighborhood Market	39,690 SF	Retail
Pad Site "A"	6,000 SF	Retail
Pad Site "B"	4,800 SF	Retail
Pad Site "C"	4,800 SF	Retail
Pad Site "D"	15,000 SF	Retail
Pad Site "E"	6,000 SF	Restaurant
Pad Site "F"	3,500 SF	Restaurant
Pad Site "G"	4,500 SF	Restaurant
Pad Site "H"	3,500 SF	Financial Institution

Because the site is in a conceptual stage and plans have been finalized only for the Wal-Mart, a Condition of Approval has been included as part of this application to require individual Site Plan reviews for Pad Sites "A" thru "H". Future site plan applications will be required to individually comply with all applicable Title 19 and Lone Mountain Master Plan requirements prior to approval.

The proposed 39,690 square-foot Wal-Mart Neighborhood Market is located on the north portion of the site and access is provided via three drives from Shady Timber Street and one drive from Cheyenne Avenue. On site parking for the Wal-Mart exceeds Title 19 requirements, and the building elevations depict a 24-foot structure with a generally flat roof. The Landscape Plan shows adequate perimeter landscaping, but a deficiency in parking lot landscaping. The parking lot landscaping deficiency results from landscaping planters not being placed every sixth parking space. A Condition of Approval has been included to ensure compliance with Title 19 parking lot landscaping requirements.

The Lone Mountain Master Plan (Sec. 5.3.5) requires an Employee Patio Area for projects over 20,000 square feet of building area. Elements of the outdoor patio shall include landscaping, shade structures, seating, low walls, and enhanced specialty paving. It shall be removed from building entryways and parking area. The patio shall be accessible to all onsite users, and must be centrally located for multi-tenant sites. A Condition of Approval has been included to ensure compliance with this requirement.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08 and the Lone Mountain Master Plan, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Setbacks			
• Front	37 Feet	37 Feet	Y
• Side	38 Feet	38 Feet	Y
• Corner	31 Feet	31 Feet	Y
• Rear	51 Feet	51 Feet	Y
Max. Lot Coverage	30 %	17.15%	Y
Max. Building Height	2 Stories / 35 Feet	24 Feet	Y
Trash Enclosure	Screened w / 6-foot masonry wall and roofed	Screened w / 10-foot wall and roofed	Y
Mech. Equipment	Screened	Screened	Y
Loading Area	Screened and located away from public view	Screened w/ 10-foot wall at rear of building	Y

The project meets applicable Title 19 and Lone Mountain Master Plan requirements.

A2) Residential Adjacency Standards

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

a) Proximity slope.

The proposed one-story, 24-foot Wal-Mart Neighborhood Market is setback approximately 131 feet from the west property line of the residentially zoned tract on the east side of Shady Timbers Street. At this distance a 3:1 slope would intersect a building at a height of 43.6 feet. The proposed 24-foot building falls below the proximity slope, and therefore meets Residential Adjacency Standards.

b) Building setback

The proposed Wal-Mart Neighborhood Market is setback approximately 131 feet from the west property line of the residentially zoned tract on the east side of Shady Timbers Street.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Retail (Wal-Mart)	39,690 SF	1/250 GFA	153	6	193	6
Retail (Pads A thru D)	30,600 SF	1/175 GFA	To Be Determined	TBD	151	2
Restaurant (Pads E, F, H)	13,000 SF	1 per 50 SF of public seating + 1 space for each 200 SF of the total remaining GFA	To Be Determined	TBD	148	0
Financial Institution (Pad "G")	4,500 SF	1 per 200 SF + 1 lane per drive up window or ATM with stacking for 6	To Be Determined	TBD	23	0

The project exceeds Title 19 parking standards for the Wal-Mart Neighborhood Market use. A total of 524 parking spaces are proposed for the overall site, and parking requirements for the remaining uses will be determined at the time of Site Plan review for each individual pad site.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area (Wal-Mart)	1 Trees/ 6 Spaces	33 Trees	58 Trees
Buffer: (Overall Site) • Min. Trees (Street)	1 Tree / 20 Linear Feet + 1	89	92
• Buffer (Commercial)	1 Tree / 30 Linear Feet	14	19
• Min. Zone Width	8 Feet		15 Feet
• Wall height	8 Feet		Not Provided

The proposal exceeds the number of trees required for this project, however parking lot landscape planters are not provided for every sixth parking space. In addition, an 8-foot screen wall is not depicted on the landscape plan. Conditions of Approval have been included as a part of this application to ensure compliance with Title 19.12.

A5) Sign Standards

A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

B) General Analysis and Discussion

- Zoning

The PD District is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD District may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD District is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative sitting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas.

- Site Plan

The proposed Retail Center consists of a Wal-Mart Neighborhood Market and eight pad sites totaling 87,790 square feet.

Because the site is in a conceptual stage and plans are final only for the Wal-Mart, a condition has been included as part of this application to require individual Site Plan reviews for Pad Sites "A" thru "H". Future Site Plan applications will be required to individually comply with all applicable Title 19 and Lone Mountain Master Plan requirements prior to approval.

The site plan depicts 524 parking spaces for the overall site, and parking requirements for Pad Sites "A" thru "H" will be determined when individual Site Plans are submitted.

The proposed 39,690 square-foot Wal-Mart Neighborhood Market is located on the north portion of the site and access is provided via three drives from Shady Timber Street and one drive from Cheyenne Avenue. A drive-thru Pharmacy is planned adjacent to the west side of the building, and on site parking exceeds Title 19 requirements.

The Lone Mountain Master Plan (Sec. 5.3.5) requires an Employee Patio Area for projects over 20,000 square feet of building area. Elements of the outdoor patio shall include landscaping, shade structures, seating, low walls, and enhanced specialty paving. It shall also be removed from building entryways and parking areas. The Patio shall be accessible to all onsite users, and must be centrally located for multi-tenant sites. A Condition of Approval has been included to ensure compliance with this requirement.

- Waivers

A Waiver is requested for relief from the six-foot foundation buffer requirement.

- Landscape Plan

The Landscape Plan shows adequate perimeter landscaping, but a deficiency in parking lot landscaping. The landscape plan depicts a 15-foot wide planter along the perimeter of the site planted with various 24 and 36-inch box trees. The parking lot landscaping deficiency results from landscaping fingers not being located between every six parking spaces. A Condition of Approval has been included to ensure compliance with this requirement.

- Elevation

The elevations for the Wal-Mart Neighborhood Market depict a 24-foot high structure with an exterior consisting of Split Face CMU and a generally flat roof. The color palette used consists of earth tones and is appropriate for the area.

Elevations were not provided for Pad Sites "A" thru "H".

- Floor Plan

The floor plan depicts a general retail store configuration with parallel aisles for merchandise, two alcoholic beverage display areas, a number of checkout counters, and various offices and storage areas.

Floor Plans were not provided for Pad Sites "A" thru "H".

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 Retail Center is within the range of allowable uses in a Village Commercial designated parcel of the Lone Mountain Master Plan. The proposed development and uses can be operated in a manner that is compatible with the existing land uses in the vicinity of this site.

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

   With the inclusion of the proposed Conditions of Approval and Waiver request, the development will be consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and the Lone Mountain Master Plan.

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

   Access is provided via three drives from Shady Timber Road, a 60-foot Local Street, and a drive from Cheyenne Avenue, 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 and will not negatively impact neighborhood traffic.

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

   The proposed building is an aesthetically appropriate structure for a Wal-Mart Neighborhood Market and landscape materials as proposed are appropriate for this project

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

   The building elevations and design characteristics of the proposed Wal-Mart Neighborhood Market are well suited for a Retail building. The proposal exceeds residential adjacency standards, and all trash enclosures and mechanical equipment will be screened from view.

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #20 as shown.

NOTICES MAILED 841 by Planning Department

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

137-12-401-022
137-12-801-001

Case Number: SDR-3651 APN: 137-12-401-030

Name of Property Owner: Shadow Hills Plaza, L.L.C.

Name of Applicant: Shadow Hills Plaza, 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: [signature]

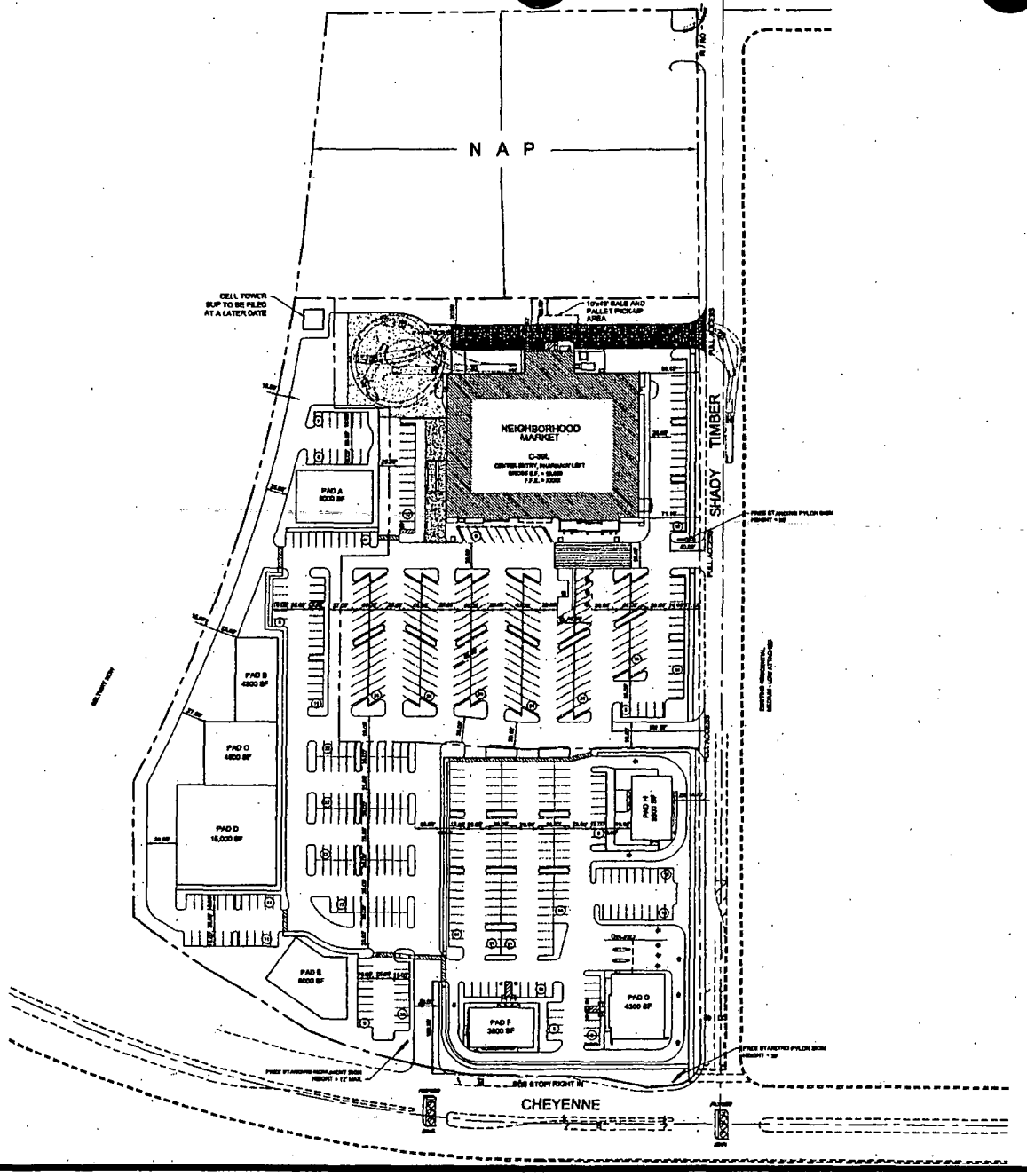
Print Name: Philip H. Davis

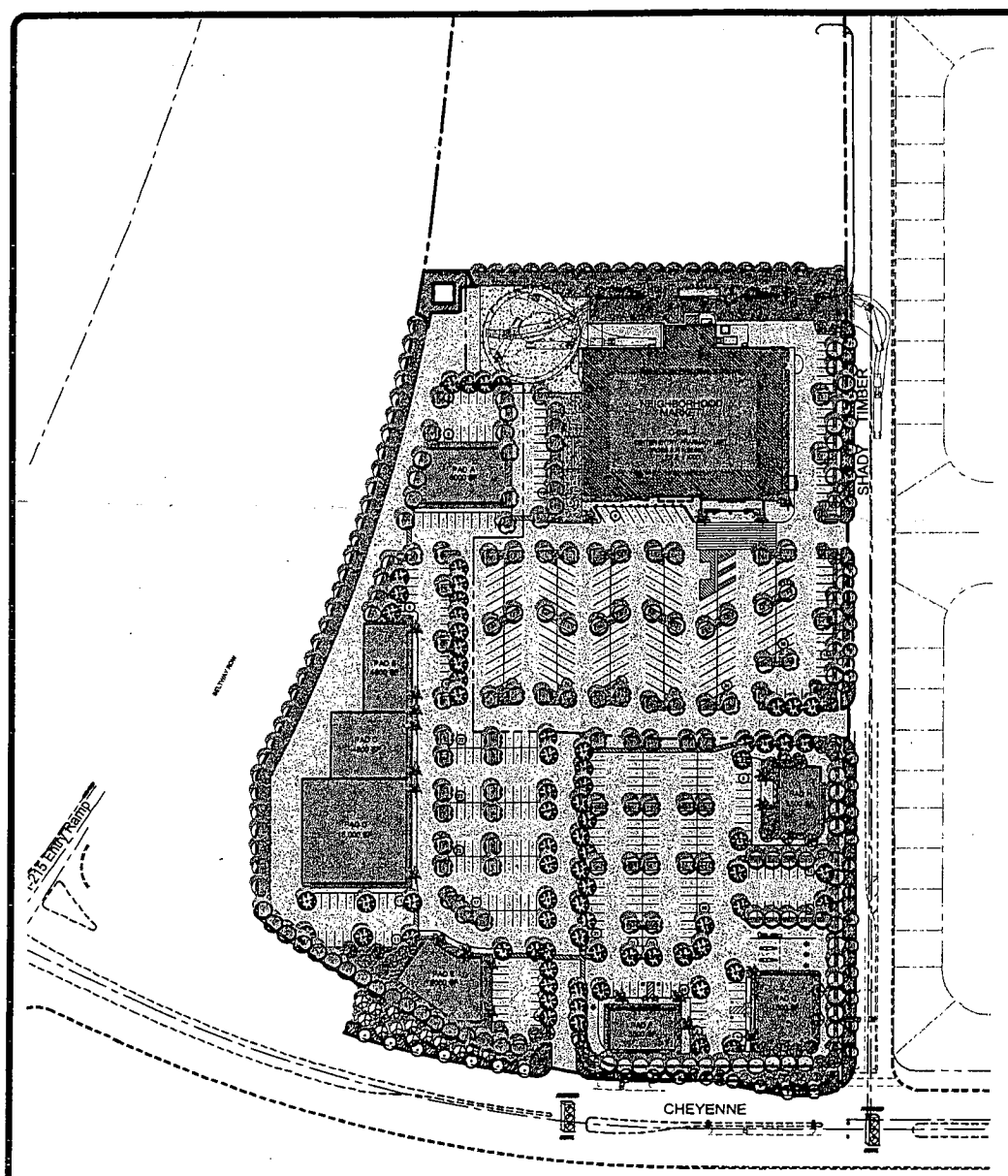
Subscribed and sworn before me

This 4th day of December, 2003

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

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


N A P
CELL TOWER SUP TO BE FILED AT A LATER DATE
10'x40' BALE AND PALLET PICKUP AREA
NEIGHBORHOOD MARKET
C-2(S)
CENTER ENTRY, PHARMACY LEFT
GROSS S.F. = 55,000
F.F.E. = 53000
PAD A 6000 SF
PAD B 4000 SF
PAD C 4000 SF
PAD D 16,000 SF
PAD E 6000 SF
PAD F 3800 SF
PAD G 4000 SF
PAD H 3000 SF
SHADY TIMBER
ALLOWED
RIGHT IN
RIGHT OUT
FREE STANDING PYLON SIGN HEIGHT = 50'
FREE STANDING PYLON SIGN HEIGHT = 50'
FREE STANDING MONUMENT SIGN HEIGHT = 12' MAX.
SIGNALIZED INTERSECTION
SIGNALIZED INTERSECTION
SIGNALIZED INTERSECTION



PLANT PALETTE

TREES: 24" AND 36" BOX

SHRUBS: (5 GALLON)

VINES: (1 GALLON)

GROUND COVERS: (1 GALLON AND FLATS)

LANDSCAPE NOTES

- IRRIGATION SYSTEM:
- LANDSCAPE CONCEPT:

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

SUP-3653
SDR-3651
02-12-04 PC

Studio Five

REVISIONS

DESCRIPTION	DATE	BY

Planning/ Civil Engineering/ Surveying

LDN ENGINEERING

SITE DEVELOPMENT
FEASIBILITY PLANS
ENTITLEMENT
LANDSCAPE PLAN

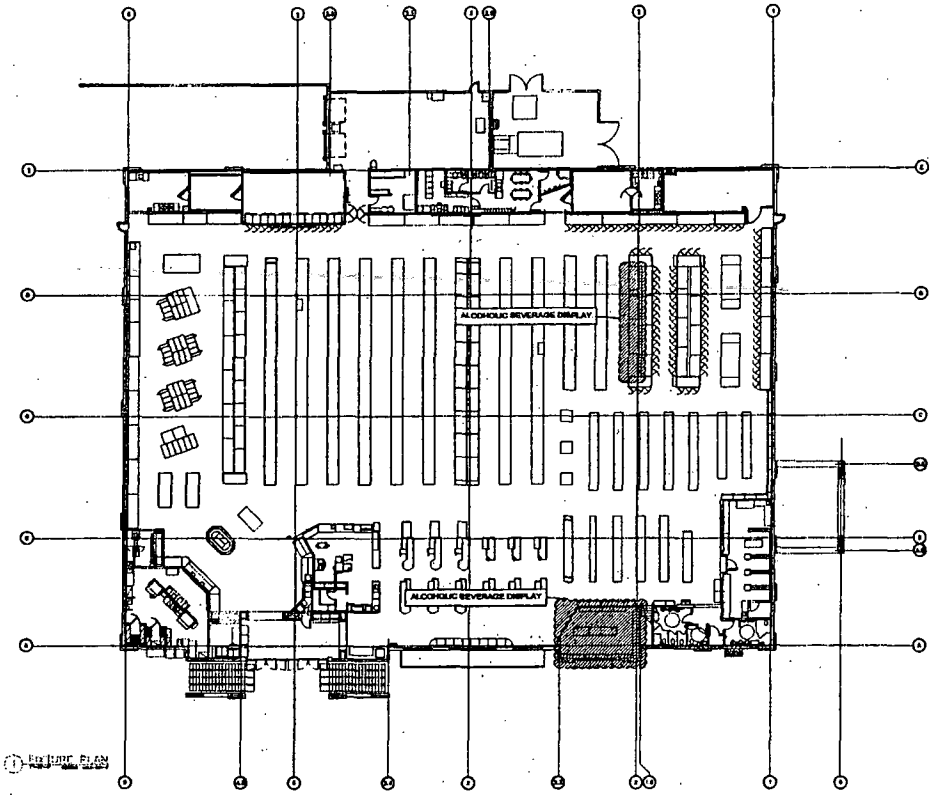
PHD

SHADOW HILLS PLAZA, LLC
LAS VEGAS (CHEYENNE), NV

PHD PROPERTIES
LAS VEGAS, NV

DRAWN
ST-S
CHECKED
EN JOB No.
01-439
REAL ESTATE APPROVAL DATE: TBD
ORIGINAL ISSUE DATE: 12/04/03
PERMIT SET ISSUE DATE: TBD
CONSTRUCTION SET ISSUE DATE: TBD
SHEET
E-3
3 OF 3 SHEETS

NEIGHBORHOOD MARKET FLOOR PLAN
ALCOHOLIC BEVERAGE DISPLAY



SUP-3653
SDR-3651
02-12-04 PC

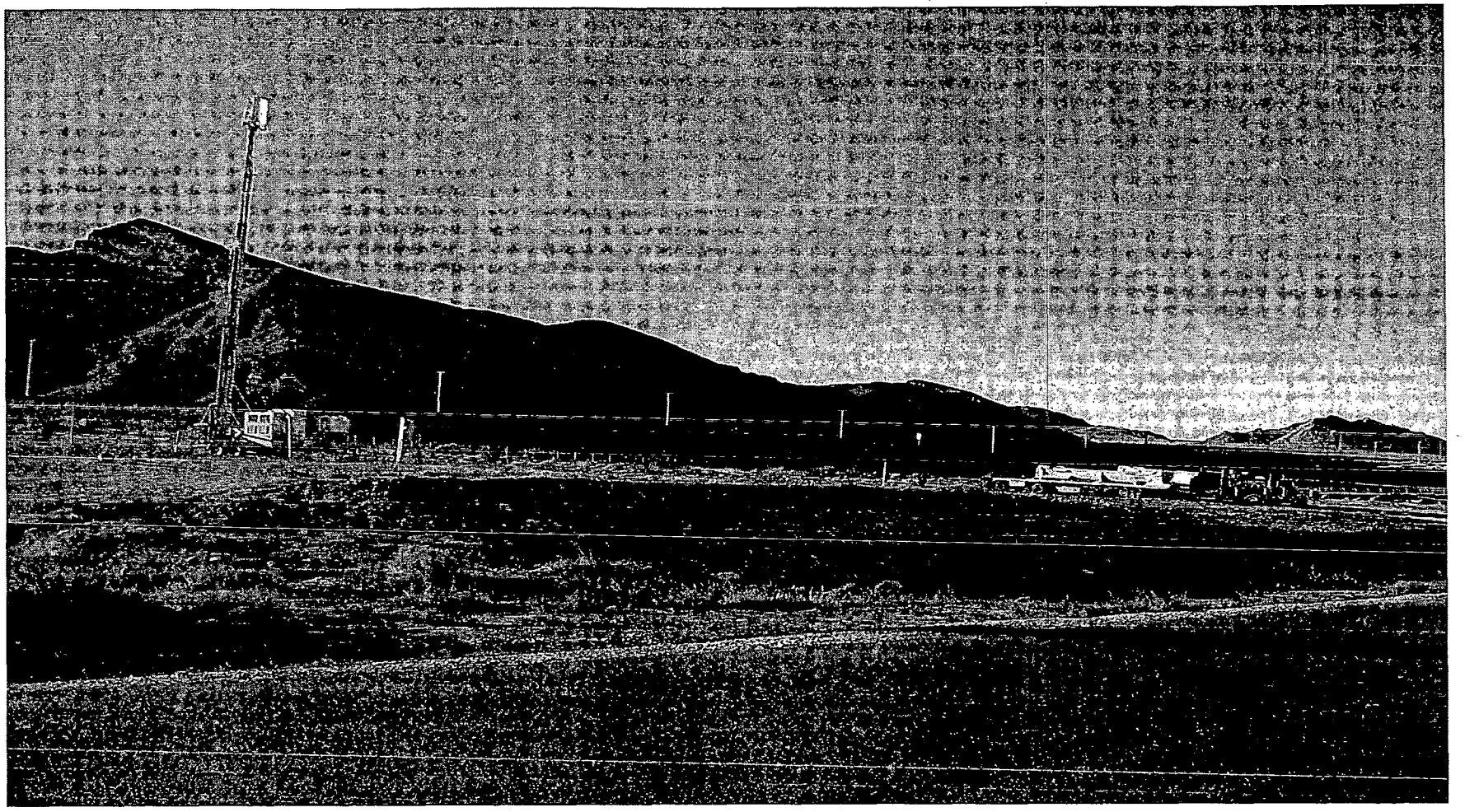
REVISIONS

Planning/ Civil Engineering/ Surveying
LDN ENGINEERING

SITE DEVELOPMENT
FEASIBILITY PLANS
FLOOR PLAN
PACKAGE LIQUOR

PHD
SHADOW HILLS PLAZA, LLC
LAS VEGAS (CHEYENNE), NV
PHD PROPERTIES
LAS VEGAS, NV

DRAWN
CHECKED
REAL ESTATE
APPROVAL DATE: TBD
ORIGINAL
ISSUE DATE: 12/04/03
PERMIT SET
ISSUE DATE: TBD
CONSTRUCTION SET
ISSUE DATE: TBD
SHEET
E-2
1 OF 1 SHEETS



PUBLIC HEARING - SDR-3651 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVNEUE AND SHADY TIMBER STREET
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04



PUBLIC HEARING - SDR-3651 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVNEUE AND SHADY TIMBER STREET
FEBRUARY 12, 2004 PLANNING COMMISSION

01/23/04

City of Las Vegas

Agenda Item No. 123

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-4046 - APPLICANT: GARY AND GINA SHANKS - OWNERS: MACK SMITH, JR. AND BOOKER T. BURNEY** - Request for a Special Use Permit FOR OPEN AIR VENDING at 1000 North Martin L King Boulevard (APN: 139-28-604-006), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

NOTE: COUNCILMAN REESE disclosed that he knows MACK SMITH, JR. and BOOKER T. BURNEY. He has not spoken with them about this item, it would not affect or influence him and he would be voting on the matter.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:26 – 2:28)

3-3440

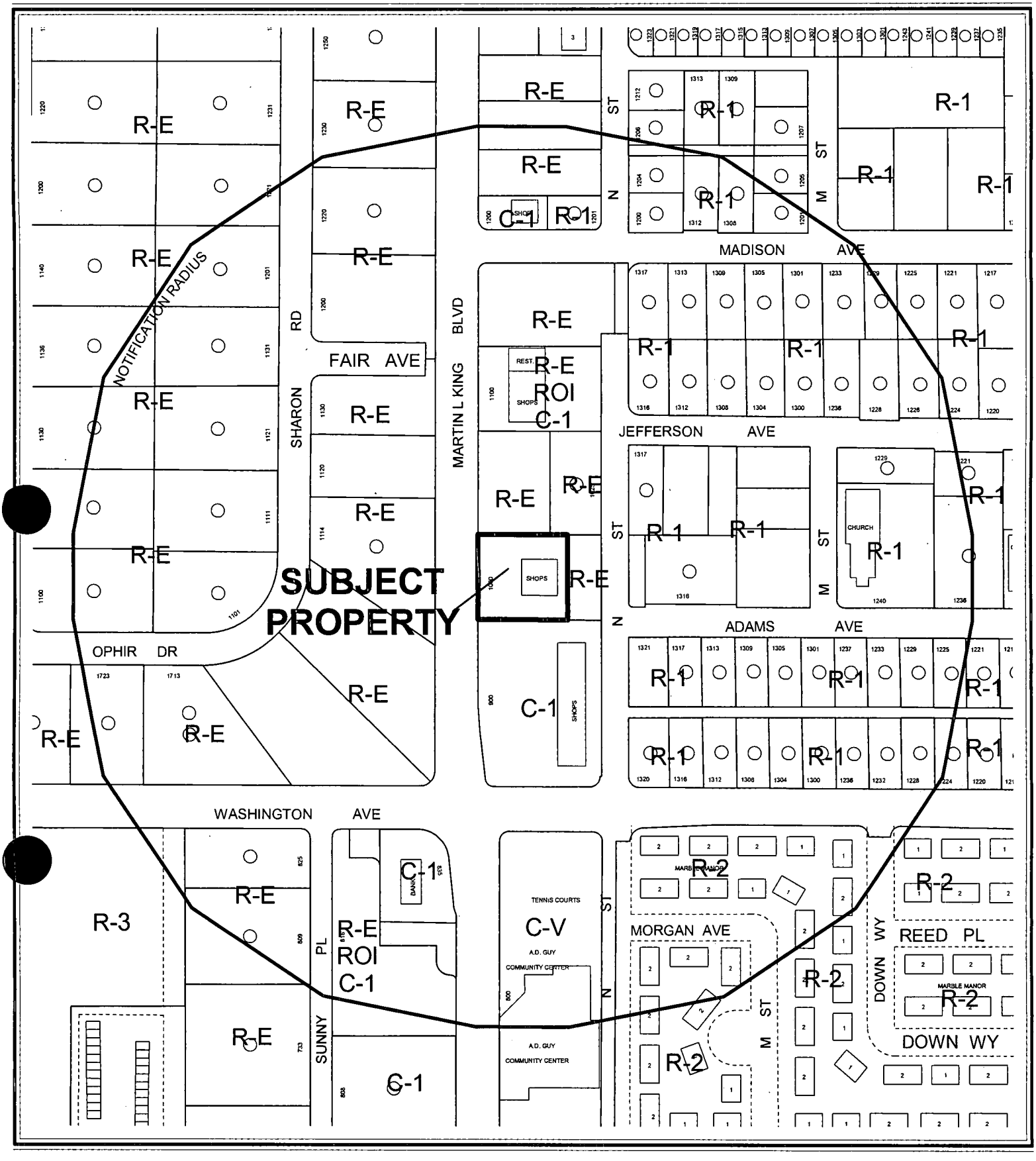
CONDITIONS:
Planning and Development
1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 123 – SUP-4046

CONDITIONS - Continued:

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

3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



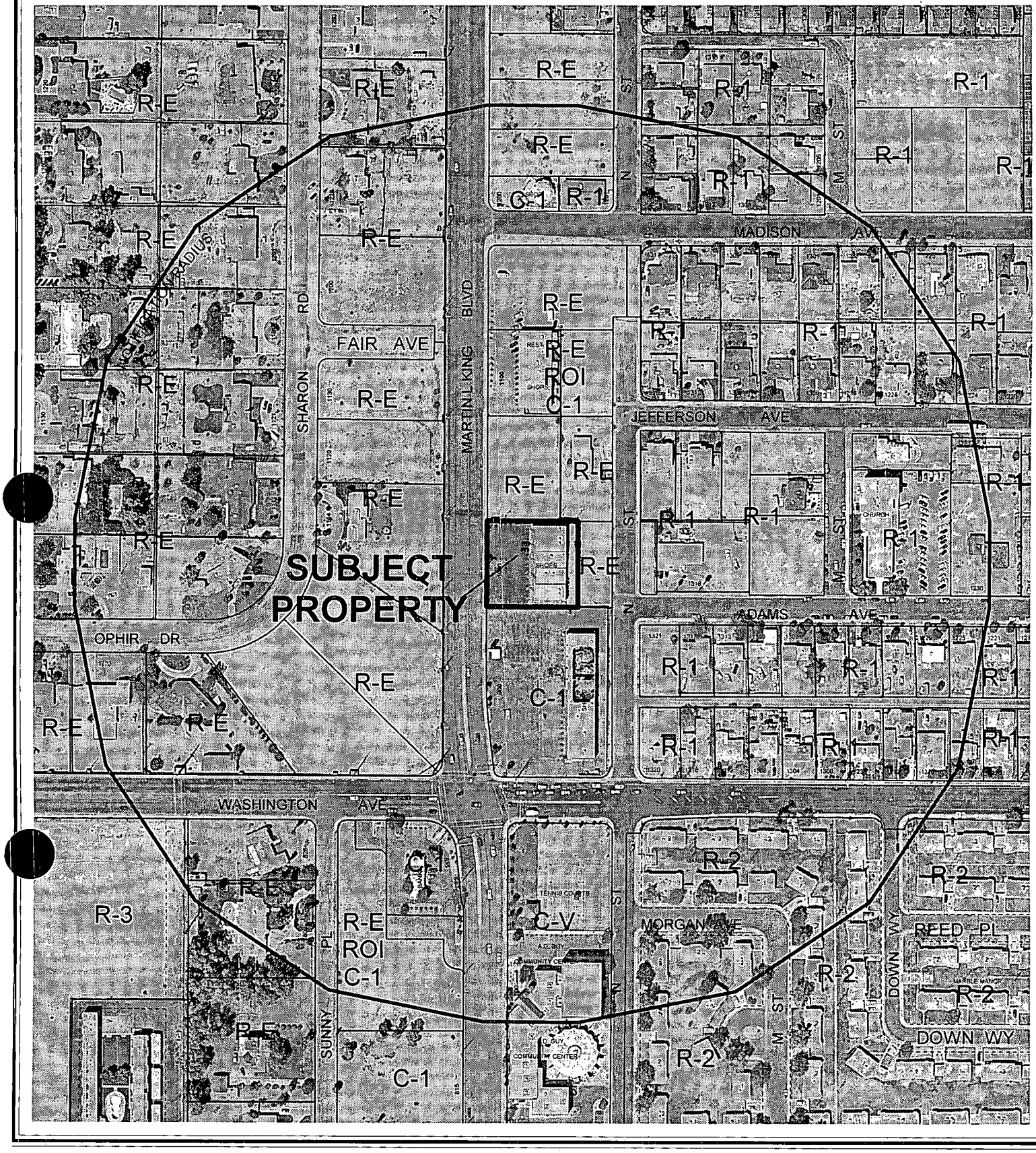
CASE: **SUP-4046**

RADIUS: 750 FT

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

0 100 200 Feet

N



0 100 200 Feet

CASE: **SUP-4046**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4046 - APPLICANT: GARY AND GINA SHANKS - OWNERS: MACK SMITH, JR. AND BOOKER T. BURNEY

** CONDITIONS **

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

Planning and Development

1. 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.

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

3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for the approval of a Special Use Permit for Open Air Vending on property located at 1000 North Martin L. King Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates they will be selling shaved ice from a mobile food vending trailer that will be placed on the site.

BACKGROUND INFORMATION

A) Previous Actions

There is no zoning case history available for this site.

B) Pre-Application Meeting

02/23/04 The applicant was advised of the requirements for a Special Use Permit application.

04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #14/mp)

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.59

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment)	C (Commercial)
North:	DTR (Downtown Redevelopment)	C (Commercial)
South:	DTR (Downtown Redevelopment)	C (Commercial)
East:	DTR (Downtown Redevelopment)	L (Low Density Residential)
West:	DTR (Downtown Redevelopment)	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-E (Residence Estates)
South:	C-1 (Limited Commercial)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

This site is designated C (Commercial) on the City of Las Vegas Redevelopment Plan. The C-1 (Limited Commercial) zoning on this site is compatible with the C (Commercial) designation. The proposed use complies with both the land use designation and the existing zoning for the site

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

This site is located within Las Vegas Redevelopment Plan Area and is designated as C (Commercial). At this time, no special requirements will affect this application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The proposed Open Air Vending, which consists of a mobile concession trailer, will be located on the west portion of the site near Martin L. King Boulevard. The trailer will be placed between existing rows of parking spaces on the property. The placement of the trailer should not impair required parking for the existing commercial development.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed open air vending use, however, there are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

- Zoning

The proposed open air vending is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

The proposed Open Air Vending, which consists of a mobile concession trailer, will be located on the west portion of the site near Martin L. King Boulevard. The trailer will be placed between existing rows of parking space on the property allowing the use to be conducted in a manner that is harmonious and compatible with the surrounding commercial uses

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 Open Air Vending will be an accessory use to the existing commercial retail center. The proposed use will not adversely affect the current or future surrounding uses.

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

   The proposal will be located in the existing parking lot of the commercial shopping center. Therefore, the subject site is physically suitable for the type and intensity of land use proposed.

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

The abutting street network will be adequate for the traffic generated by the use since it is an accessory use to the commercial shopping center. Access to the site is via access driveways from Martin L. King Boulevard, an 80 foot wide Secondary Collector on the Master Plan of Streets and Highways

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

It is an accessory use to the existing commercial shopping center 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, or the overall objectives of the General Plan

NOTICES MAILED 95 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4046** APN: 139 28 604 006

Name of Property Owner: MACK Smith JR & Booker T. Burney

Name of Applicant: Gina & GARY Shanks

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: Mack Smith Jr

Print Name: MACK SMITH JR

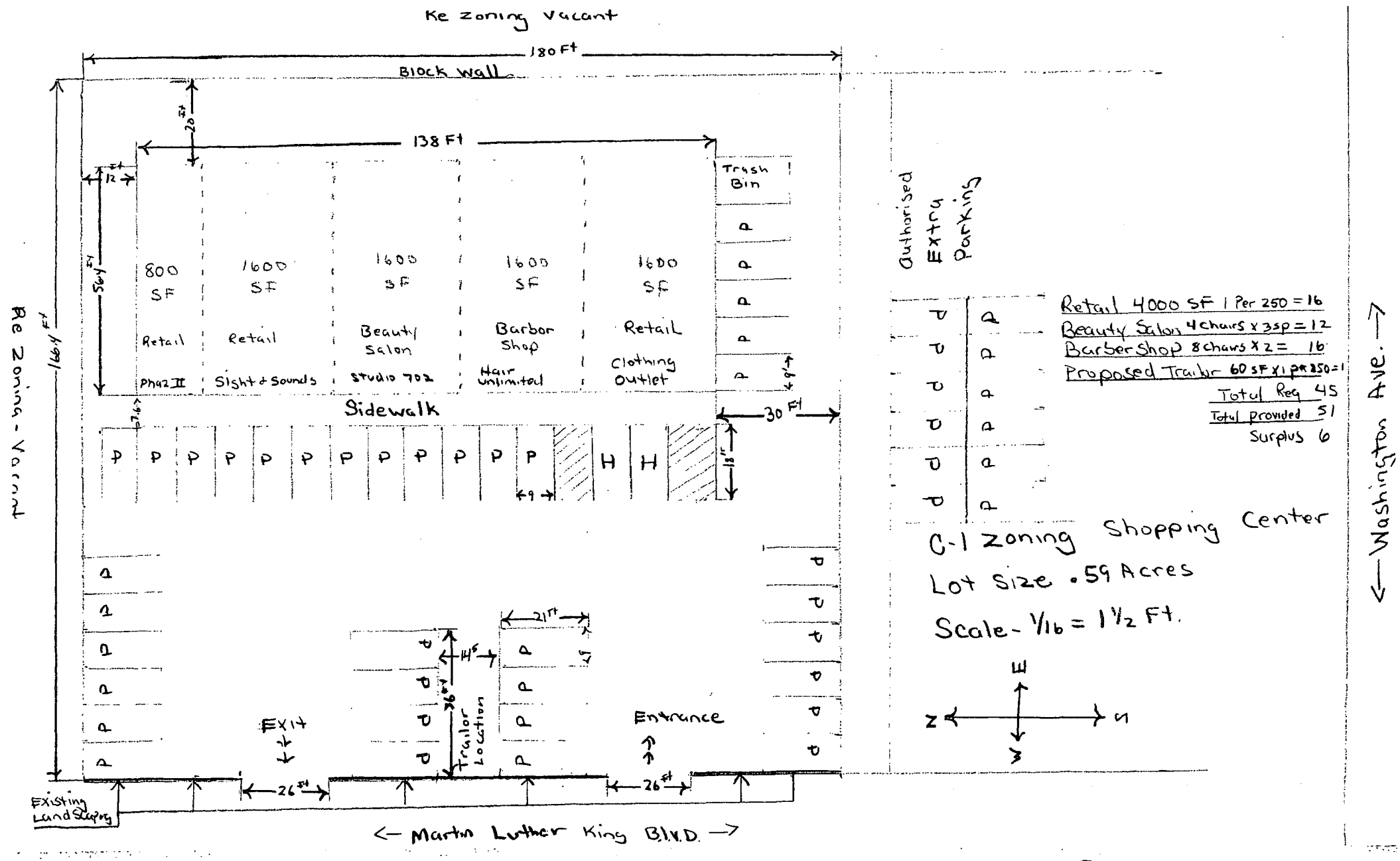
Subscribed and sworn before me

This 4th day of March, 2004

Deidra Houston

Notary Public in and for said County and State

OFFICIAL SEAL
DEIDRA R HOUSTON
NOTARY PUBLIC - STATE OF NEVADA
My Appt Expires August 20, 2006
98-49068-1 CLARK COUNTY



SUP-4046
4-22-04 PC



SUP-4046 - APPLICANT: GARY AND GINA SHANKS - OWNERS: MACK SMITH, JR. AND BOOKER T. BURNEY
1000 NORTH MARTIN L KING BOULEVARD
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



SUP-4046 - APPLICANT: GARY AND GINA SHANKS - OWNERS: MACK SMITH, JR. AND BOOKER T. BURNEY
1000 NORTH MARTIN L KING BOULEVARD
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 124

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

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

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request for Withdrawal without prejudice by Vornsand Consulting

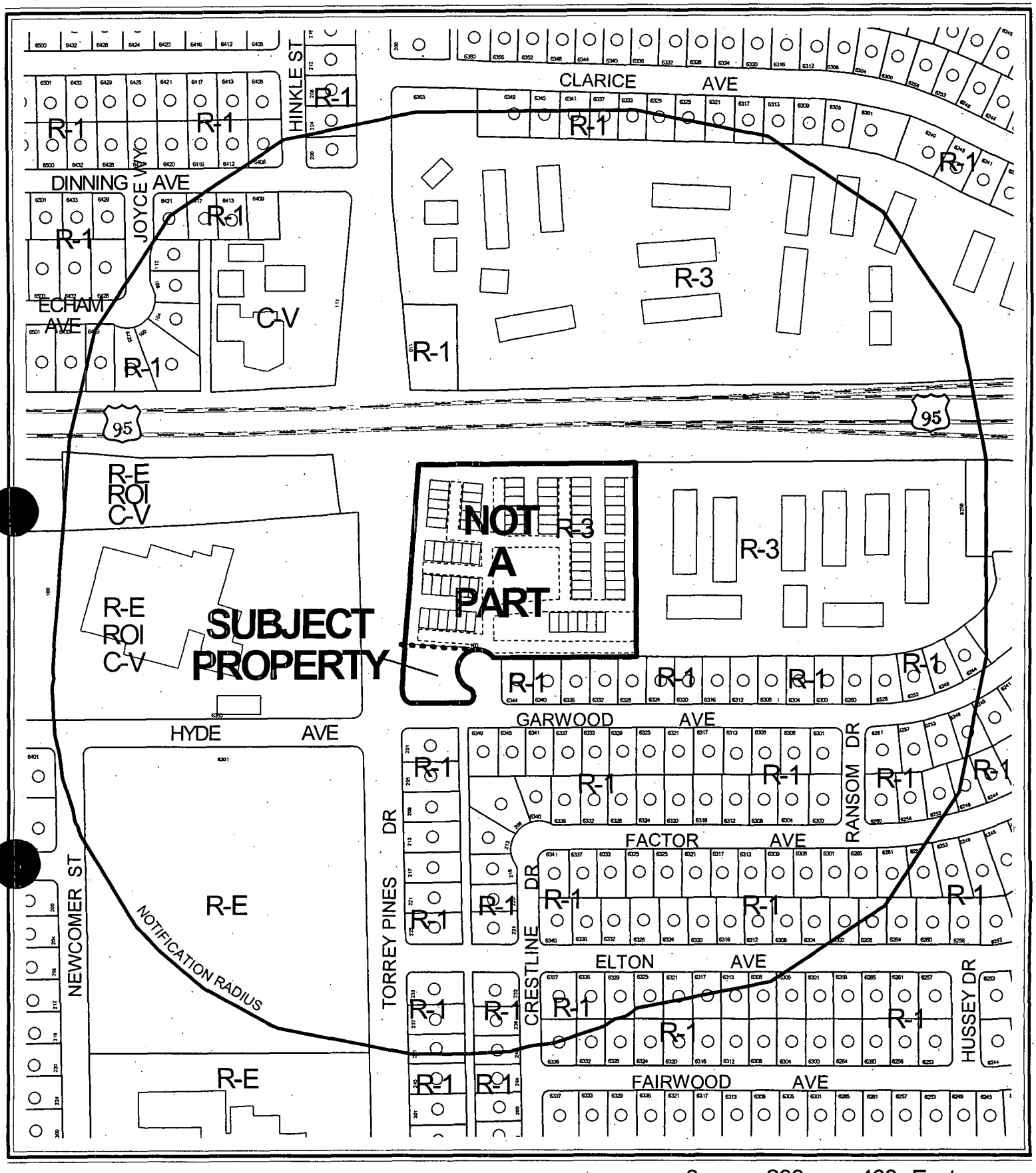
MOTION:

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 124 [ZON-3708], to TABLE Item 149 [GPA-4078] and Item 150 [ZON-4080] and to HOLD IN ABEYANCE Item 114 [VAR-3902] and Item 118 [SUP-3394] to 6/2/2004 and Item 115 [RQR-3930], Item 116 [ROC-4121] and Item 119 [SUP-3972] to 7/7/2004 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(1:04 – 1:06)



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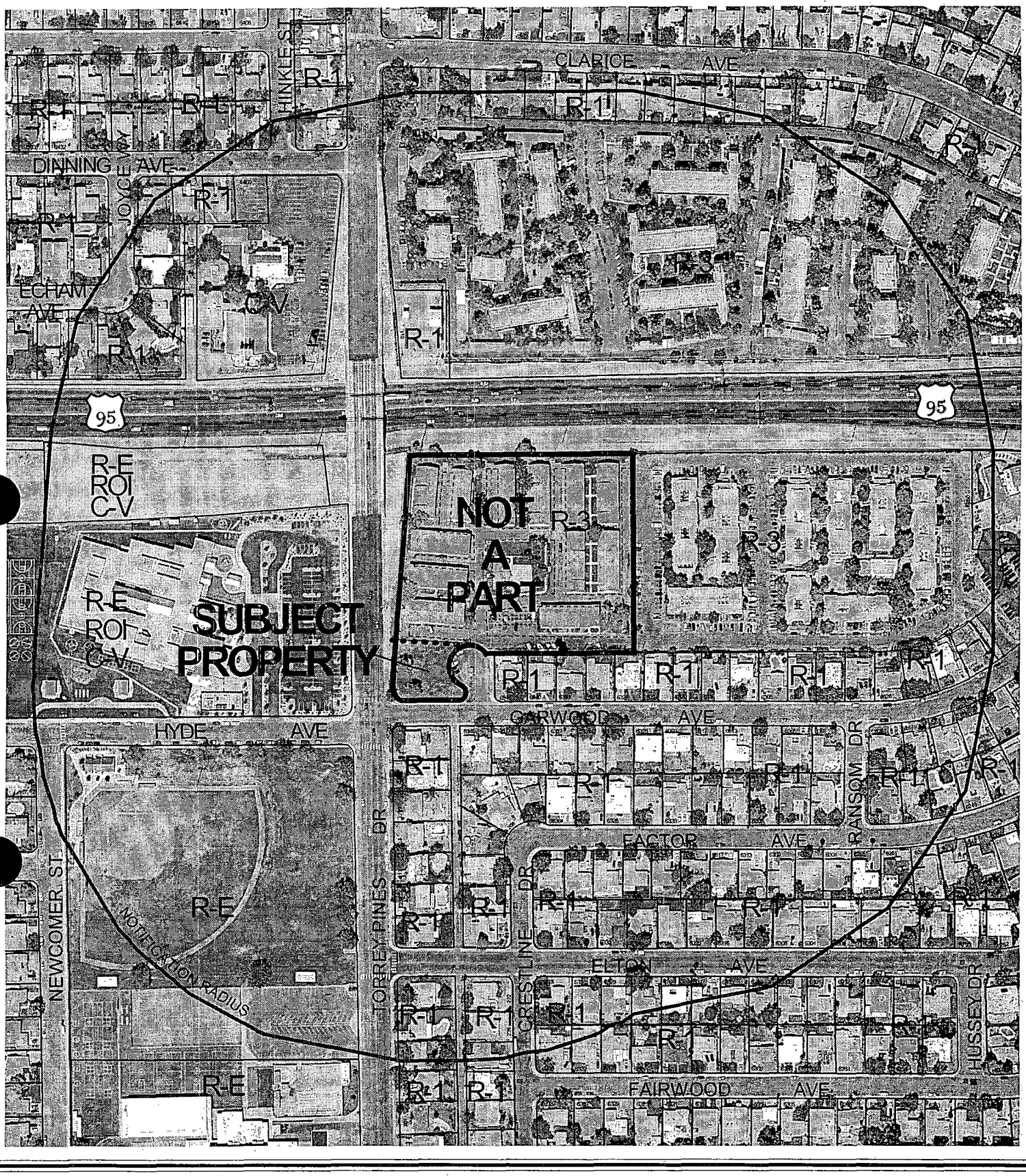
CASE: **ZON-3708**

RADIUS: 750 FT

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

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

N



0 200 400 Feet

CASE: **ZON-3708**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-3708 - APPLICANT/OWNER: EMERALD CREST HOLDINGS, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 5, 2004 CITY COUNCIL MEETING AT THE REQEUST OF THE APPLICANT.

** CONDITIONS **

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. Approval of a Site Development Plan Review by the Planning Commission and City Council prior to any future development.

Public Works

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.29

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

A) General Analysis and Discussion

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

NOTICES MAILED 144 by Planning Department

APPROVALS 0

PROTESTS 8

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3708 APN: 138-35-517-001

Name of Property Owner: Emerald Crest Holdings, LLC

Name of Applicant: Emerald Crest Holdings, 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: Emerald Crest Holdings LLC by: One Mortgage Ltd Manager

Print Name: by: Val E. Southwick President

Emerald Crest Holdings LLC
One Mortgage Ltd Manager
Val E. Southwick

Subscribed and sworn before me

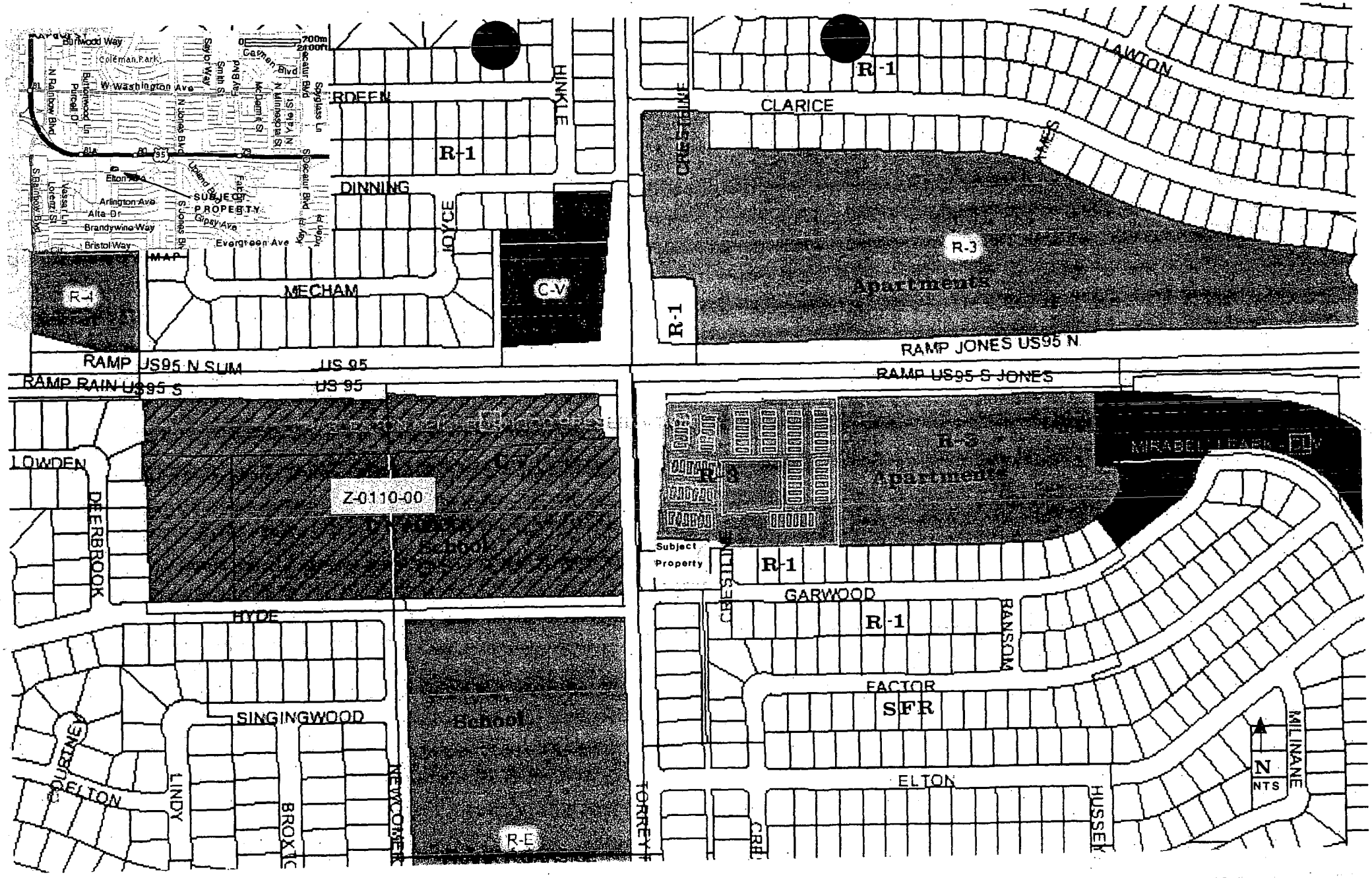
This 22 day of December, 2003

Lanna W. Stanbridge

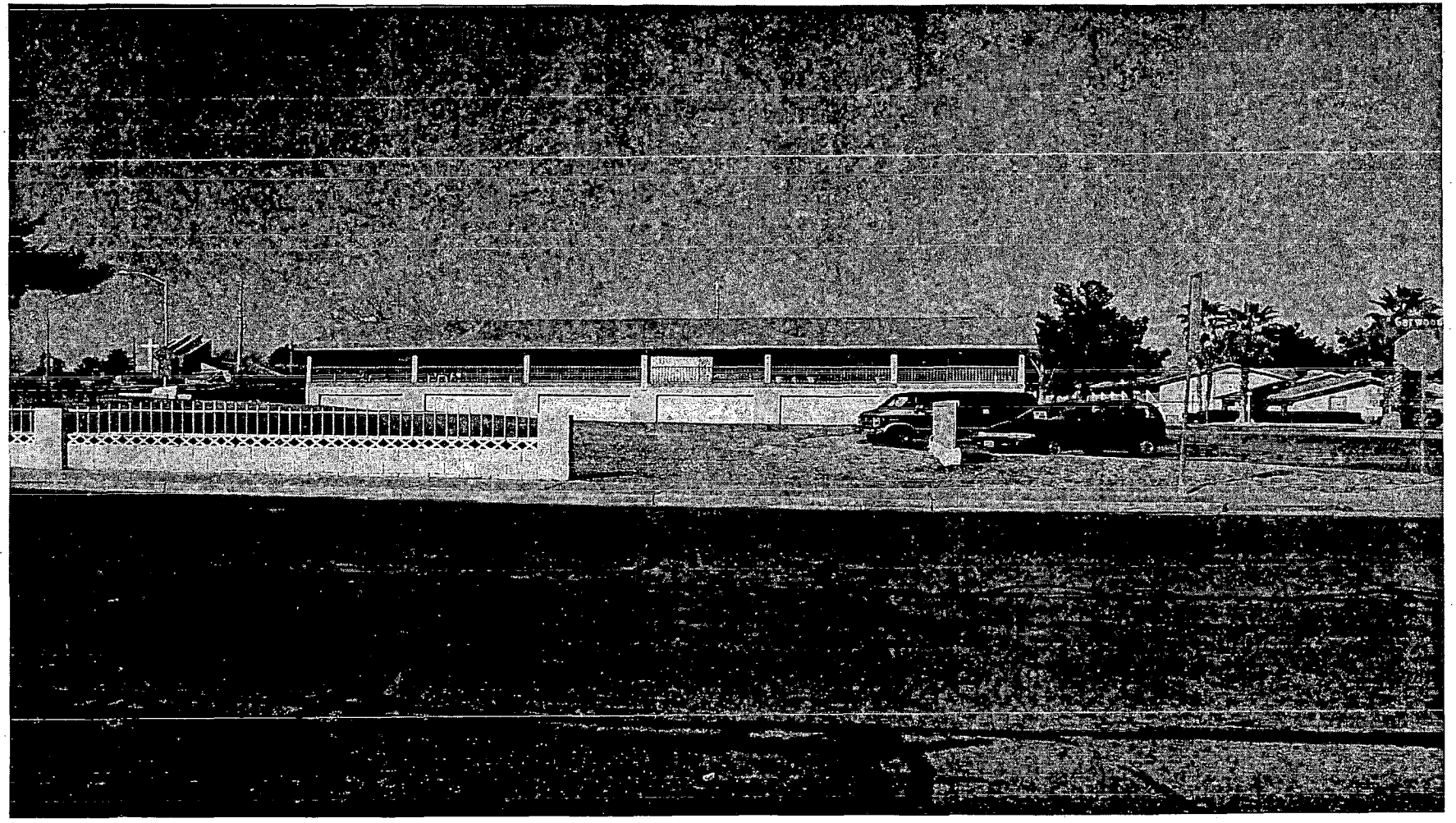
Notary Public in and for said County and State

LANNA W. STANBRIDGE
NOTARY PUBLIC • STATE of UTAH
4590 HARRISON BLVD #200
OGDEN UT 84403
COMM. EXP. 10-19-2005

Revised 2/12/02



ZON-3708
03-11-04 PC



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

01/23/04

VORNSAND CONSULTING
Planning & Zoning Services

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

RECEIVED
CITY CLERK

2004 MAY 18 A 10:40

May 17, 2004

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

RE: Request for Withdrawal without prejudice ZON-3708 Emerald Crest Holdings

The applicant is hereby requesting that the above referenced zone change application for Emerald Crest Holdings, presently scheduled to be heard at the May 19 City Council meeting, be withdrawn without prejudice. The applicant is requesting that the application be withdrawn primarily because of the fact that on May 7, 2004, the Nevada Department of Transportation (hereinafter "Department") obtained a court order that would vest into the Department all rights of possession, management and control of the property. Given that order, the applicant is not in a position to proceed any further unless the State should abandon its acquisition of the portion of the property that will not be sought for expansion of the freeway. That appears very unlikely at this time. Accordingly, we respectfully request that the application be withdrawn without prejudice.

The applicant would like to thank Councilwoman Moncrief and the City Council for their indulgence in holding our request in abeyance at your last meeting to resolve these issues. We would also like to thank the City Planning staff for their assistance throughout these proceedings. A representative will be present at the meeting to answer any questions you may have.

SINCERELY

John Vornsand, AICP

cc: Councilwoman Moncrief
Planning & Development Department
Douglas R. Malan, Esq.

Submitted after final agenda

Date 5/18/04 Item #124

City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4013 - APPLICANT/OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 2.5 acres located adjacent to the northeast corner of Bath Drive and Michelli Crest Way (APN: 126-24-701-003), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer, Kaempfer, Bonner & Renshaw, and CALVIN CHAMPLIN, appeared on behalf of the applicant and concurred with recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:28 – 2:29)

3-3551

CONDITIONS:
Planning and Development
1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 125 – ZON-4013

CONDITIONS - Continued:

2. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

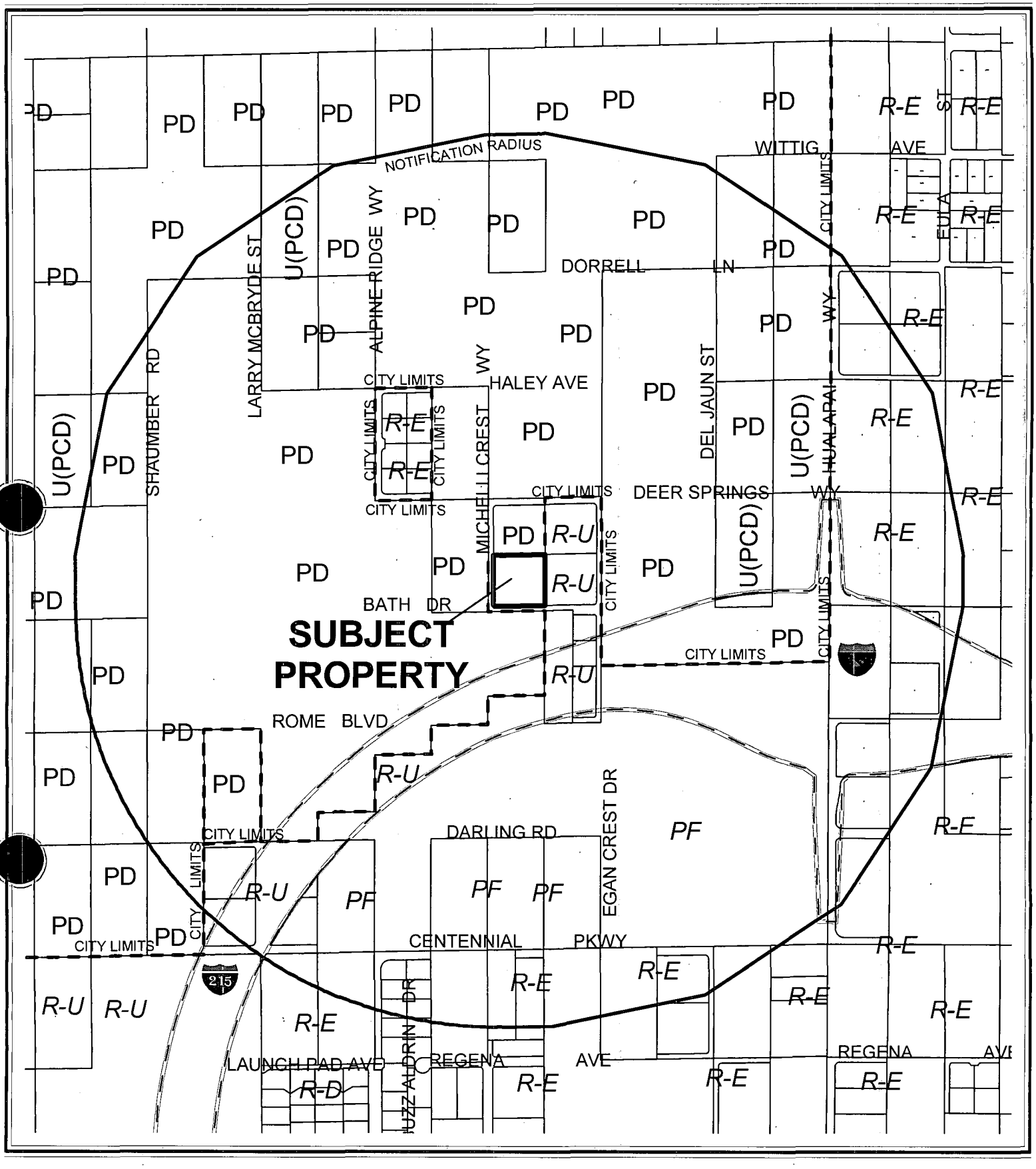
Public Works

3. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.

4. Requirements for construction of street improvements on Bath Drive and Michelli Crest Way adjacent to this site shall be determined at the time of development of this site.

5. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.

6. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.



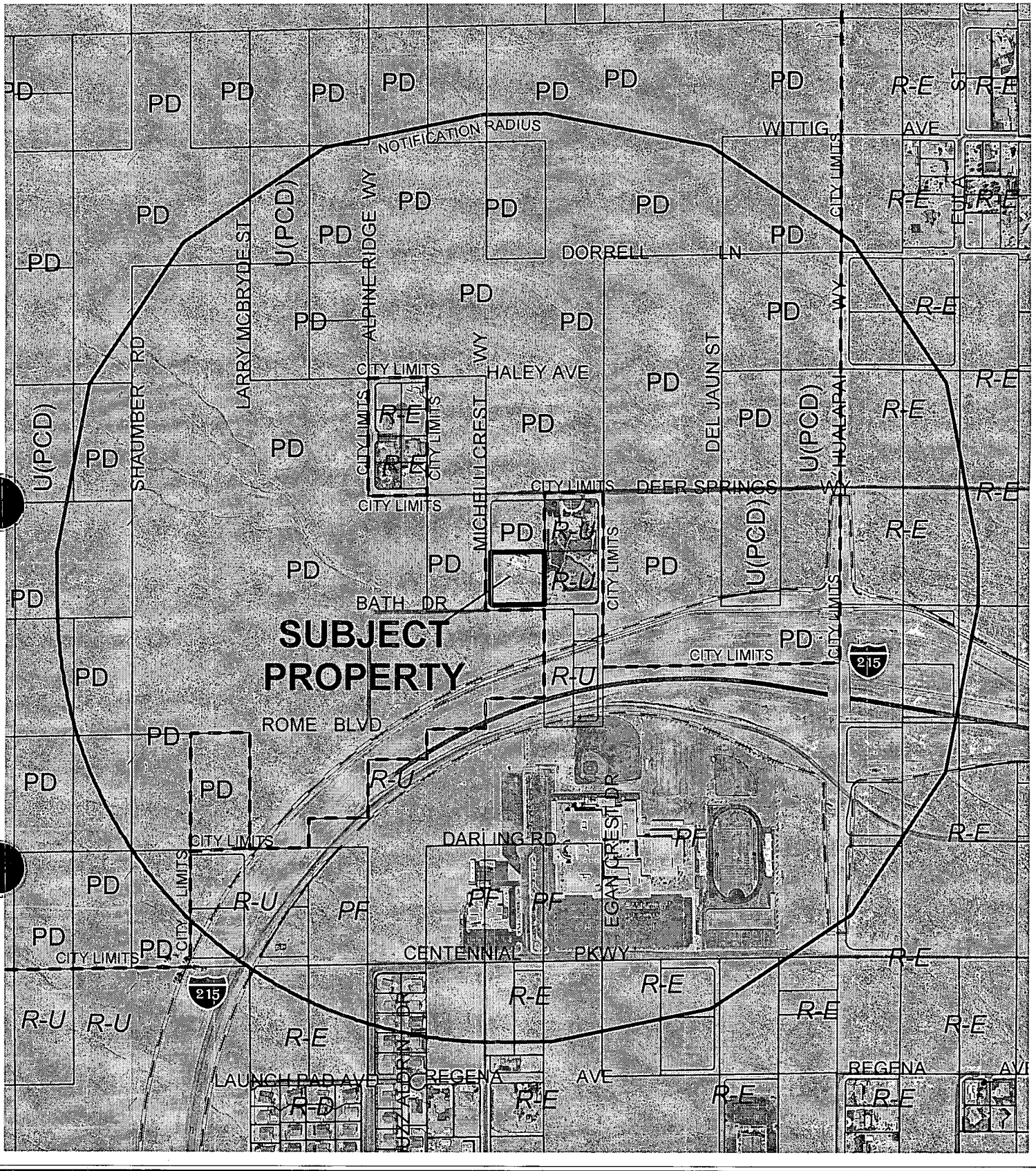
0 400 800 Feet

CASE: **ZON-4013**

RADIUS: 2500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE (PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



0 400 800 Feet

CASE: **ZON-4013**

RADIUS: 2500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE (PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4013 - APPLICANT/OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

2. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

3. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.

4. Requirements for construction of street improvements on Bath Drive and Michelli Crest Way adjacent to this site shall be determined at the time of development of this site.

5. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.

6. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 2.5 acres located adjacent to the northeast corner of Bath Drive and Michelli Crest Way, within the area regulated through the Cliff's Edge Master Development Plan.

B) Applicant's Justification

The applicant's intent in submitting this request for rezoning for the subject site is to provide a framework for the orderly, mixed-use development of the Cliff's Edge Plan. The Plan's design guidelines will ensure quality, visual continuity, and consistency of design.

BACKGROUND INFORMATION

A) Previous Actions

03/19/03 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 within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.

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 within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.

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 within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.

02/27/04 The last 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.

04/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item# 10/kcw)

B) Pre-Application Meeting

02/26/04 The elements of a rezoning application were addressed.

C) Neighborhood Meetings

A neighborhood meeting is not required, however, the master developer has had ongoing dialogue with residents and property owners within the Master Development Plan area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.14

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	PCD (Planned Community Development)

D) Existing Zoning

Subject Property:	U (Undeveloped) PCD (Planned Community Development)
North:	PUD (Planned Unit Development)
South:	PUD (Planned Unit Development)
East:	Clark County
West:	PUD (Planned Unit Development)

E) General Plan Compliance: Centennial Hills Sector Plan

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density range for lands so designated is between two and eight units per acre. The proposed zoning change to the PD (Planned Development) zoning district is intended to average 7.95 units per acre, which is in conformance with the overall density provisions of the PCD (Planned Community Development) land use designation.

The Centennial Hills Sector Plan states that within areas designated as PCD (Planned Community Development)"...commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development)." The proposed rezoning to PD (Planned Development) is in conformance with the PCD (Planned Community Development) land use designation for the subject parcels.

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

Special Area Plan

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD areas that exceed 80 acres in size. The applicant has prepared a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines", which was approved by City Council on March 19, 2003 and further amended on July 16, 2003. This document will provide policy direction and standards for the subject site and future development within the overall Master Development Plan area.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) District are established by the Master Development Plan. The development standards for the Cliff's Edge area are now established through the approved "Cliff's Edge Master Development Plan and Design Guidelines". These standards will provide a blueprint for future development of the area and all development with Cliff's Edge will be subject to them.

B) General Analysis and Discussion

The proposed Rezoning is in conformance with Cliff's Edge Master Development Plan and Design Guidelines.

FINDINGS

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

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

   The size of the Cliff's edge master development is consistent with the plan and the proposed development density conforms to the density range of the PCD land use classification.

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

   The single-family development permitted under the PD (Planned Development) zoning is compatible with the existing and planned residential development around the site.

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

   The land planning done through the development of the Centennial Hills Sector Plan anticipated the proposed density and type of development. The proposal is therefore appropriate.

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

   The planned expansion of the 215 Beltway and the planned circulation system around the development will be of sufficient capacity handle the amount of traffic that will be generated by the future residents in the development.

NOTICES MAILED 50 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4013 APN: 126-24-701-003

Name of Property Owner: Cliffs Edge, LLC

Name of Applicant: Cliffs Edge, LLC

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

_____Yes _✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

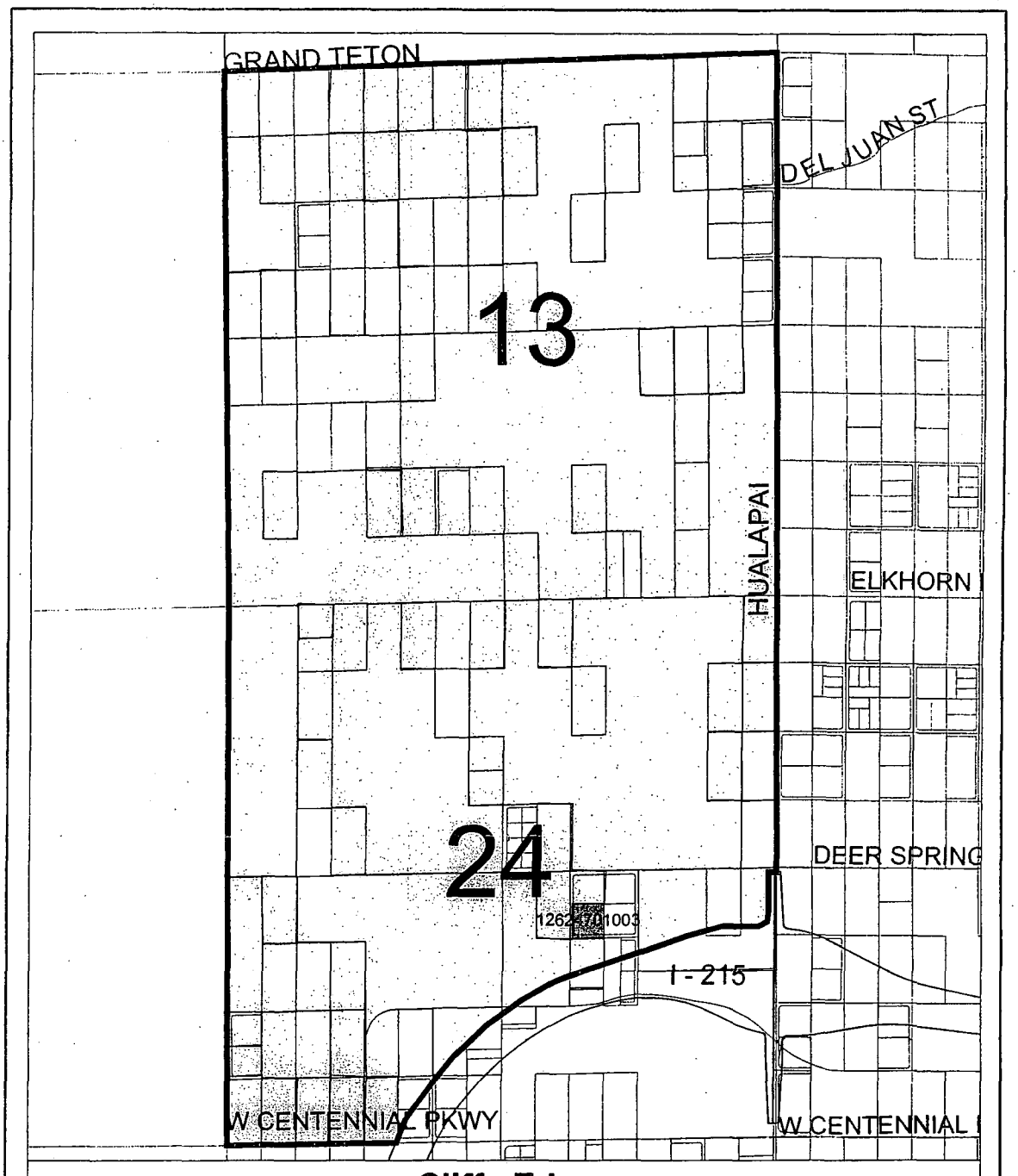
Subscribed and sworn before me

This 25th day of February, 2004

Saleemah B. Mannsur-Johnston

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
Saleemah B. Mannsur-Johnston
Appt. No. 03-79909-1
My Appt. Expires Feb. 6, 2007



Cliffs Edge
Fourth P-D Zoning Request

N
W E
S

Project Boundary

Lands Zoned by ZON 1520, ZON 2184,and ZON-3241

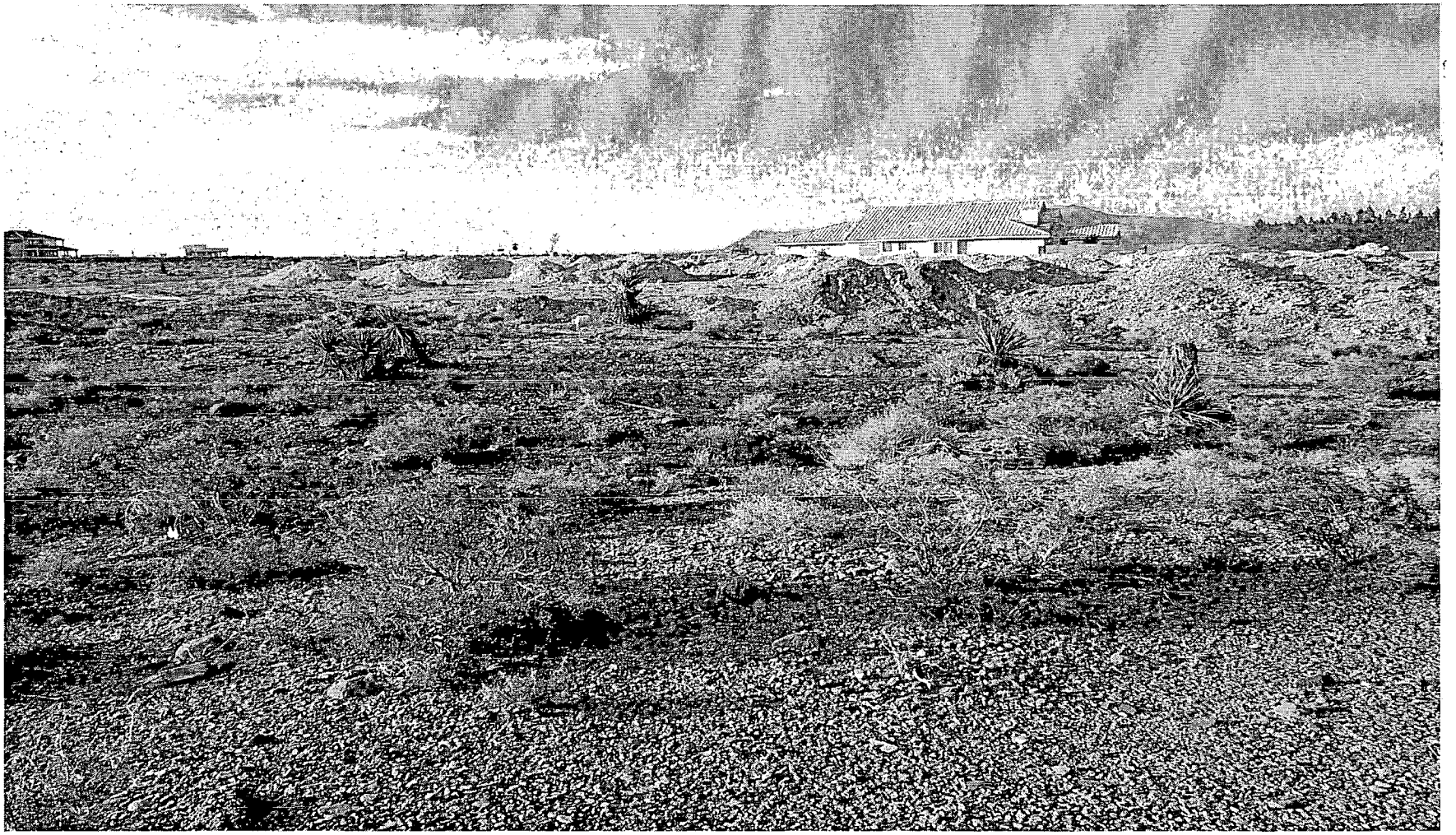
Current P-D Zoning Request

Private Land (owned by others)

QUADRANT PLANNING

STAFF February 2004

ZON-4013
4-22-04 PC



ZON-4013 - APPLICANT/OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF BATH DRIVE AND MICHELLI CREST WAY
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4014 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION** - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.7 acres at 1915 West Bonanza Road (APN: 139-28-401-024), Ward 5 (Weekly). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
WEEKLY – APPROVED subject to conditions, deleting Condition 3 and deleting the final paragraph of Condition 4 in its entirety – UNANIMOUS with Ward 2 seat vacant

NOTE: COUNCILMAN REESE disclosed that he is financing a tractor purchased at Ahern in St. George through a company called Kubota. It was verified with MR. BILYEU that Kubota is not a subsidiary of Ahern. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that as long as there was not a contractual relationship between COUNCILMAN REESE and Ahern directly, the COUNCILMAN would be able to vote on this matter.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 126 [ZON-4014] and Item 127 [SDR-4015].

BRUCE BILYEU, 1611 West Bonanza, appeared on behalf of applicant. He questioned conditions regarding flood control that were discussed at the Planning Commission. BART ANDERSON, Engineering Project Manager, Department of Public Works, explained that there were meetings held subsequent to the Planning Commission and flood control conditions were discussed and revised. As a result, Public Works recommended the deletion of Condition 3 and of the last paragraph of Condition 4 on Item 126 [ZON-4014].

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 126 – ZON-4014

MINUTES – Continued:

MR. BILYEU requested a waiver on the conditions requiring the installation of a block wall along the rear property line, and the installation of a block wall and landscaping along the east side of the property line. He asked if a block wall was required to be installed in an area he referenced on the overhead. ROBERT GENZER, Director, Planning and Development Department, explained the applicant might have been confused by Condition 10 of Item 127 [SDR-4015], which pertained to decorative property line walls. MR. GENZER clarified that the condition does not require new walls to be installed at this time. However, should new walls be built, they must conform to Condition 10. MR. BILYEU stated that he was sure a condition was discussed during the Planning Commission meeting that required the installation of a new block wall on the property line. To eliminate the confusion, MR. GENZER suggested Condition 10 of Item 127 [SDR-4015] be amended to include verbiage clarifying that the condition only applied if a new wall was built. MR. BILYEU confirmed with staff that all existing walls could remain and that there were no conditions requiring the applicant to build new walls.

COUNCILMAN WEEKLY commented that he was familiar with the project and the uncertainty involved with the development of the expansion project near it. Therefore, he did not have a problem in waiving the landscape requirement along the freeway, if staff concurred. MR. GENZER stated the only landscaping requirement he noted in the conditions was on Bonanza Road. COUNCILMAN WEEKLY thanked the applicant for working with staff and said they were a great addition to the neighborhood.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 126 [ZON-4014] and Item 127 [SDR-4015].

NOTE: All discussion for Item 126 [ZON-4014] and Item 127 [SDR-4015] was held under Item 126 [ZON-4014].

(2:29 – 2:37)

3-3613/4-1

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review (SDR-4015) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

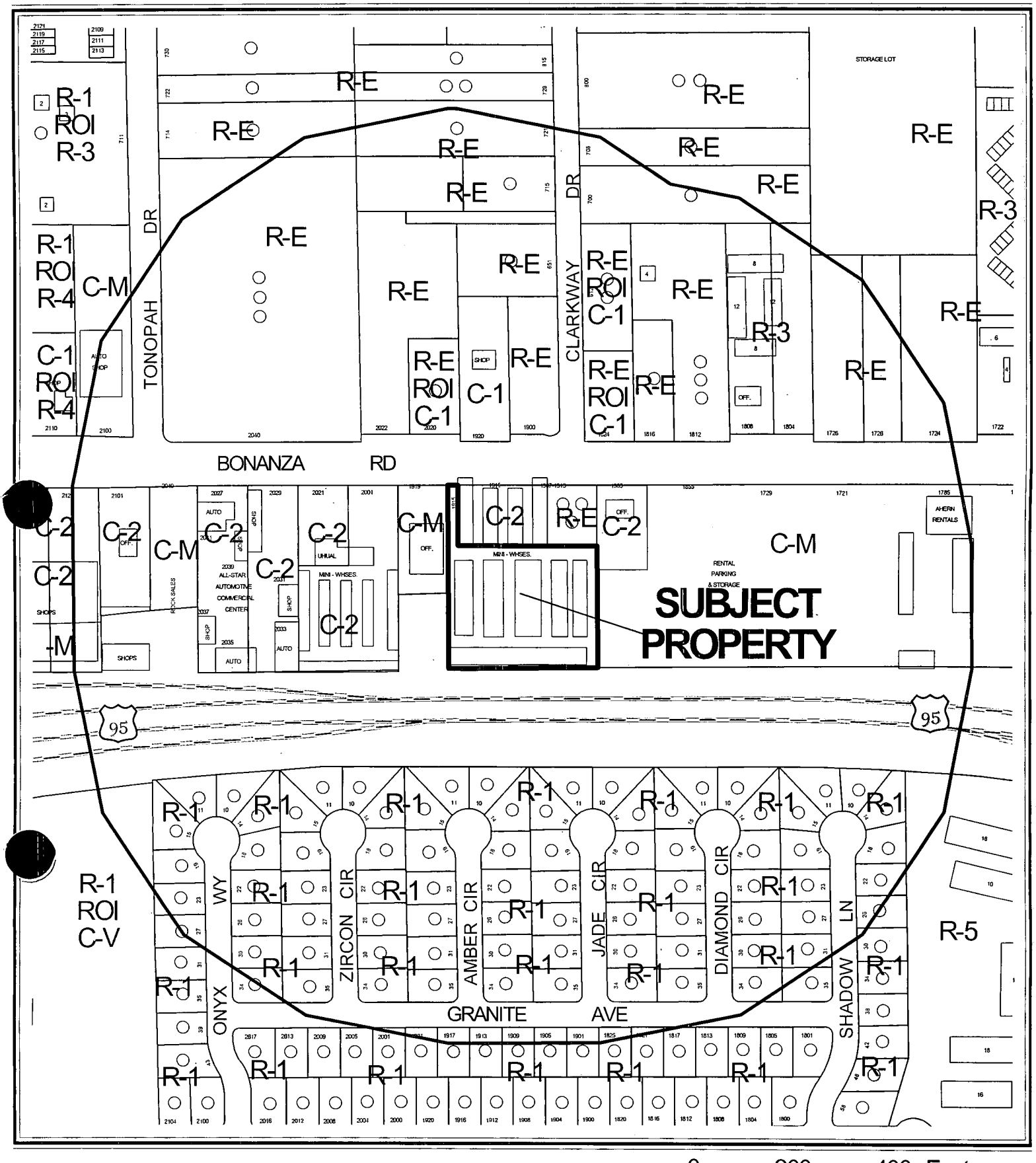
Public Works

CONDITIONS - Continued:

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

   We note that the property on which this development is located is within a Federal Emergency Management Act (FEMA) Flood Zone. A Conditional Letter of Map Revision (CLOMR) is required to be filed with FEMA prior to obtaining permits. In addition, a Letter of Map Revision (LOMR) must be filed with FEMA once the project is constructed. Prior to obtaining permits, a bond of $25,000 must be posted with the City of Las Vegas for the LOMR. The approved LOMR must be submitted to the City of Las Vegas prior to the release of the bond.



CASE: **ZON-4014**

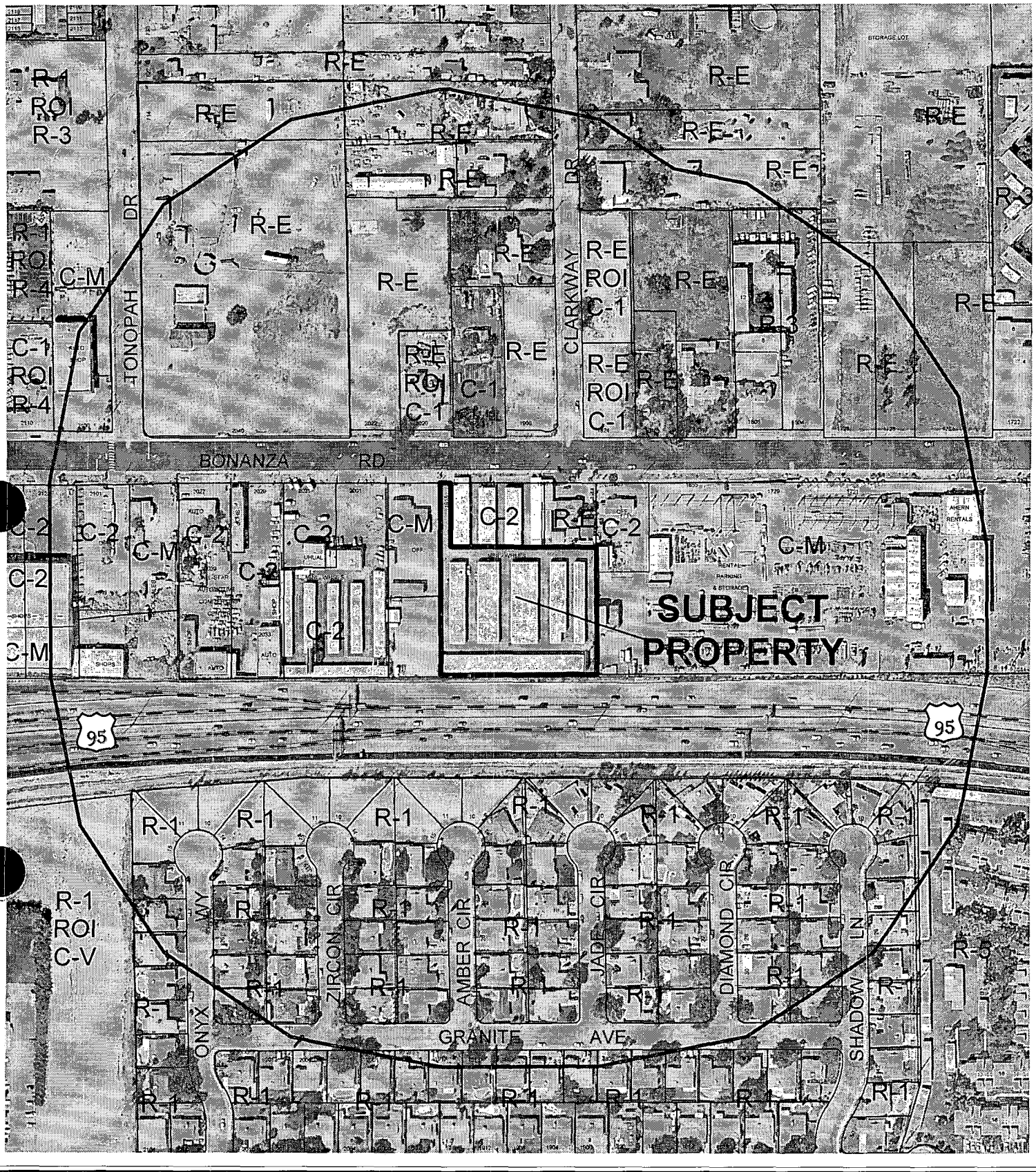
RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 200 400 Feet

N



CASE: **ZON-4014**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

CITYCOUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4014 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review (SDR-4015) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

   We note that the property on which this development is located is within a Federal Emergency Management Act (FEMA) Flood Zone. A Conditional Letter of Map Revision (CLOMR) is required to be filed with FEMA prior to obtaining permits. In addition, a Letter of Map Revision (LOMR) must be filed with FEMA once the project is constructed. Prior to obtaining permits, a bond of $25,000 must be posted with the City of Las Vegas for the LOMR. The approved LOMR must be submitted to the City of Las Vegas prior to the release of the bond.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from C-2 (General Commercial) to C-M (Commercial/Industrial) on 1.7 acres located at 1915 West Bonanza Road. A companion Site Development Plan Review application (SDR-4015) was filed with this rezoning request.

B) Applicant's Justification

The proposal conforms to the General Plan and is harmonious with the existing adjacent Ahern Rental properties to the east.

BACKGROUND INFORMATION

A) Previous Actions

09/06/00 The City Council approved the Southeast Sector Map (GPA-0010-00) in which southside of Bonanza Road, between Rancho Drive and Martin L King Boulevard, was redesignated LI/R (Light Industrial / Research.

04/22/04 The Planning Commission recommended approval of a related Site Development Plan Review request (SDR-4015) for a proposed auto paint and body repair shop and a waiver of landscape standards.

04/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #49/kcw)

B) Pre-Application Meeting

02/17/04 The following was discussed:

- The application will be a request to rezone from C-2 (General Commercial) to C-M (Commercial/ Industrial) to allow a paint booth operation.
- The General Plan supports the C-M (Commercial/ Industrial) zoning.
- Parking to be calculated for entire site.
- Use to be relocated to a different portion of the site.
- Waiver of the 10-foot sideyard setback and landscape planters to be in the justification letter.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.7

B) Existing Land Use

Subject Property:	Commercial/ Industrial
North:	Vacant/ Commercial
South:	US-95
East:	Residential/ Commercial/ Industrial
West:	Commercial/ Industrial

C) Planned Land Use

Subject Property:	LI/R	Light Industrial/ Research
North:	SC	Service Commercial
South:	ROW	Right-of-way
East:	LI/R	Light Industrial/ Research
West:	LI/R	Light Industrial/ Research

D) Existing Zoning

Subject Property:	C-2	General Commercial
North:	C-1, R-E	Limited Commercial and Residence Estates
South:	US-95	
East:	C-M	Commercial/ Industrial
West:	C-M	Commercial/ Industrial

E) General Plan Compliance: **Southwest Sector of the General Plan**

The subject site is currently designated LI/R (Light Industrial/Research) on the West Las Vegas Plan of Southwest Sector Plan of the General Plan. The requested C-M (Commercial/Industrial) zoning of the companion rezoning ZON-4014 is consistent with the LI/R General Plan designation. The proposed C-M (Commercial/Industrial) zone will allow commercial and industrial development, consistent with applicable standards of the City of Las Vegas General Plan, to occur on the site.

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

The requested C-M (Commercial/Industrial) zoning is consistent with the goals and policies of the West Las Vegas Plan. The proposed site design is harmonious with typical development of LI/R designated areas of the City.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	199.65 feet	Y
Min. Setbacks			
• Front	10 Feet	N/A	N/A
• Side	10 Feet	3 feet	N
• Corner	N/A	N/A	N/A
• Rear	20 Feet	20 feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	NONE	20.66 feet	Y
Trash Enclosure		YES	Y
Loading Zone	N/A		
Mech. Equipment	Screened	Condition	Conditioned
Other …			

The majority of the buildings currently exist. The request pertains to the removal of six buildings that will be replaced with the paint booth and canopies; the front setback is not an issue with this request.

The location of the new features of the plan is an issue. The plan shows that two con-xes positioned three feet from the east property line. A condition has been added the requirement that the site plan be revised to show the con-exes to be 10 feet from the property line as required by Title 19.

B) General Analysis and Discussion

The requested C-M (Commercial/Industrial) zoning will be consistent with the existing LI-R (Light Industrial/Research) General Plan designation. The proposed C-M (Commercial/Industrial) zone will allow commercial and industrial development, consistent with applicable standards of the City of Las Vegas General Plan, to occur on the site.

FINDINGS

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

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

   The subject site is currently designated LI/R (Light Industrial/Research) West Las Vegas Plan of the Southwest Sector Map of the General Plan. The requested C-M (Commercial/Industrial) zoning is consistent with the LI/R General Plan designation.

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

   The land uses allowable with the requested C-M (Commercial/Industrial) zoning are compatible with the existing commercial and industrial development along Bonanza Road.

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

   The designation of the south side of Bonanza Road, between Rancho Drive and Martin L King Boulevard, to the land use designation of LI/R was the result of the evolution of the southside of Bonanza Road to more intensive uses.

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

   The existing streets surrounding the site adequate for the proposed landscape supply business. Bonanza Road is a 100-foot wide primary arterial roadway improved to a width of 80 feet as described in the Master Plan of Streets and Highways.

NOTICES MAILED 111 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4014** APN: 139-28-401-024

Name of Property Owner: NEVADA DOT

Name of Applicant: ALTERN RENTALS (BRUCE BLUTH) 858 2025

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 Rudy Malfabon

Print Name: Nevada Dept. of Transportation by Rudy Malfabon, Deputy Asst. Director.

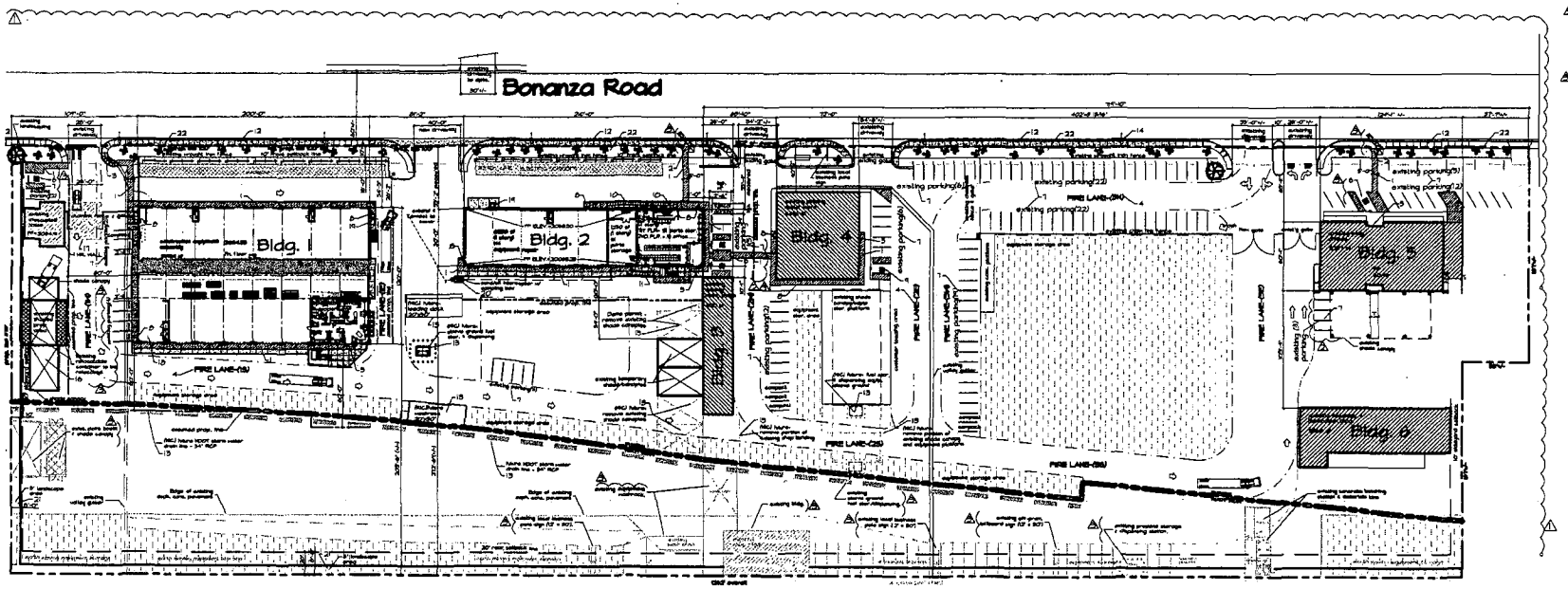
Subscribed and sworn before me

This 24th day of February, 2004

W L Snyder

Notary Public in and for said County and State

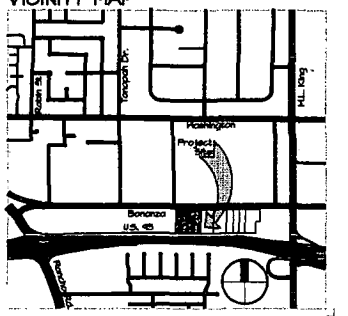
Notary Public - State of Nevada
County of Clark
W. L. SNYDER
My Appointment Expires
No: 01-71591-1 October 10, 2005



NOTES

1. THE SITE ACCESSIBLE ROUTES ARE TO BE STRIPPED AT CROSSWALKS AND HAVE ALL SLOPES IN THE DIRECTION OF TRAVEL OF 5% MAXIMUM WITH CROSS SLOPES OF 2% MAXIMUM AND ALL APPURTANCES SHALL COMPLY WITH THE FHA A.D.A. AND OTHER APPLICABLE AGENCY'S REQUIREMENTS.
2. NEW ACCESSIBLE ROUTE. NEW FIVE (5) FOOT WIDE SIDEWALK FLARED EACH SIDE WITH FIVE (5) FOOT RADIUS TO EXISTING SIDEWALK PER CLARK COUNTY UNIFORM STANDARD DRAWINGS. SIDEWALK TO EXTEND FROM EXISTING SIDEWALK AND END AT RIGHT-OF-WAY LINE WHICH IS FIFTEEN FEET FROM BACK OF SIDEWALK AND FLUSH WITH NEW OR EXISTING ASPHALT PAVING. ALL BEGINNING AND ENDING SURFACES SHALL BE FLUSH, TYPICAL AND ALL SLOPES IN THE DIRECTION OF TRAVEL SHALL BE (5%) FIVE PERCENT MAXIMUM WITH ALL CROSS SLOPES (2%) TWO PERCENT MAXIMUM.
3. NEW EXTENSION OF EXISTING SIDEWALK. RETURN AS SHOWN AND SEE NOTE 'A' ABOVE FOR DESIGN INFORMATION AND PER CLARK COUNTY UNIFORM STANDARD DRAWINGS.
4. THIS SITE IS PROVIDED WITH THREE FIRE LANE LOOPS FOR FIRE DEPT. ACCESS TO ALL BUILDINGS ON THIS SITE. THE WIDTH OF FIRE LANE LOOPS ARE A MINIMUM OF THIRTY-FOUR FEET AND THE TURNING RADII PROVIDED ARE THIRTY-EIGHT AND FIFTY-TWO FEET AS NORMALLY REQUIRED BY THE FIRE MARSHALL.
5. MAIN ENTRANCE TO BUILDING.
6. HANDICAP SPACES) VAN ACCESSIBLE. SEE DETAIL 4/S1 FOR PARKING SPACE LAYOUT AND DETAIL 2/S1 FOR REQUIRED HANDICAP SIGNAGE. 5 PARKING SPACES PROVIDED. SEE DETAIL 1/S1 FOR REGULAR AND COMPACT PARKING SPACES OR SIMILAR AS CASE REQUIRES. TYPICAL.
7. BUILDING EXIT ON ACCESSIBLE ROUTE.
8. HANDICAP SPACE, NORMAL. SEE DETAIL 4/S1 AND 2/S1.
9. RAMP ON ACCESSIBLE ROUTE WITH SLOPE IN DIRECTION OF TRAVEL OF 5% MAXIMUM AND CROSS SLOPE OF 2%. RAMP 1:12 WITH HANDRAILING. SEE ARCHITECTURAL FOR DETAILS. TYP.
10. PUBLIC SIDEWALK USED AS MAIN ACCESSIBLE ROUTE TO MAIN BUILDING/SITE ACCESSIBLE ROUTES.
11. (N.I.C.) "NOT IN CONTRACT, FUTURE, THIS IS NOT IN CURRENT SCOPE OF WORK.
12. CLASS STOP SAT CITIZENS AREA TRANSIT 20 ETC.
13. ASBESTOS SURVEY, DUST PERMIT, AND DEMOLITION PERMIT REQUIRED THROUGH THE CLARK COUNTY DEPARTMENT OF AIR QUALITY MANAGEMENT.
14. IF NOT ON STREET FIXED LOCATION TO HIGH BUILDING NEARED PROPERTYLINE, THIS RELOCATABLE STRUCTURE SHALL BE RELOCATED SUCH THAT SEPARATION DOES NOT REQUIRE FIRE-RESISTIVE CONSTRUCTION AND VICE-VERSA. ABOVE DOES NOT APPLY.
15. PART OF THE EXISTING HOUSE IS TO BE DEMOLISHED, SEE NOTE IS ABOVE. THE SOLID LINE AROUND A PORTION OF THE HATCHED AREA INDICATES PORTION TO REMAIN, AND THE REMAINING HATCHED AREA IS TO BE DEMOLISHED.
16. EXISTING METAL BUILDING AND SLAB, ETC., TO BE DEMOLISHED FOR CONSTRUCTION OF NEW BUILDING. SEE NOTE 13.
17. BUILDING SPRINKLER SYSTEM AND RISER LOCATION. DRY TYPE AUTOMATIC SYSTEM OR EQUAL WITH EXTERIOR INDICATOR POST ON FIRE RISER TO BE EXPOSED.
18. SEE APPROVED PLUMBING AND CIVIL PLANS.
19. SEE FOR SIZE OF SAND/OIL INTERCEPTOR, SEE APPROVED PLUMBING AND CIVIL PLANS.
20. FLUSH EIGHT (8) FOOT WIDE LANDSCAPE PLANTER AT WEST AND SOUTH PROPERTYLINES, SEE LANDSCAPE PLAN 2/L.
21. EXISTING LANDSCAPING ALONG BONANZA ROAD, TYPICAL.

VICINITY MAP



Parking Table

Gross Area	Parking Provided Min/1000	Bldg. Use/1000	Min. Use/1000	Min. Use/1000	Min. Use/1000	Spaces
Bldg. 1	28,408	28,408	1.22	34,658	1.66	-	-	-	-	58
Bldg. 2	5,850	1600	1.22	1,952	1.66	2,650	4	-	-	6
Bldg. 3	3,071	-	-	760	1.66	-	-	2.91	5	5
Bldg. 4	5,760	-	-	2,250	1.66	-	-	-	-	4
Bldg. 5	6,271	-	-	6,271	1.66	-	-	-	-	10
Bldg. 6	2,160	2,160	4	-	-	-	-	-	-	4

* NOTE BLDG 2 HAS 1600 S.F. OF M-H OCCUPANCY.

REQUIRED PARKING
Regular Spaces 84
Handicap Spaces 6
Total 90

PROVIDED PARKING
Regular Spaces 68
Compact Spaces 16
Handicap Spaces (5 Van) 5
Total 89

Site Data

Site Area (after ROOT UDOT widening) — Approx. 5.20 acres / Approx. 5.30 acres

GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
1 inch = 30 ft.

N

Ahern Rentals
Purchasing/Warehouse

BLDG 2

1825 West Bonanza Rd. - Las Vegas NV 89106

John Paul Ahern · Architect
6122 West Monte Lindo Lane Peoria, Arizona 85383
Tel: (623) 572-5828 Fax (623) 572-5827

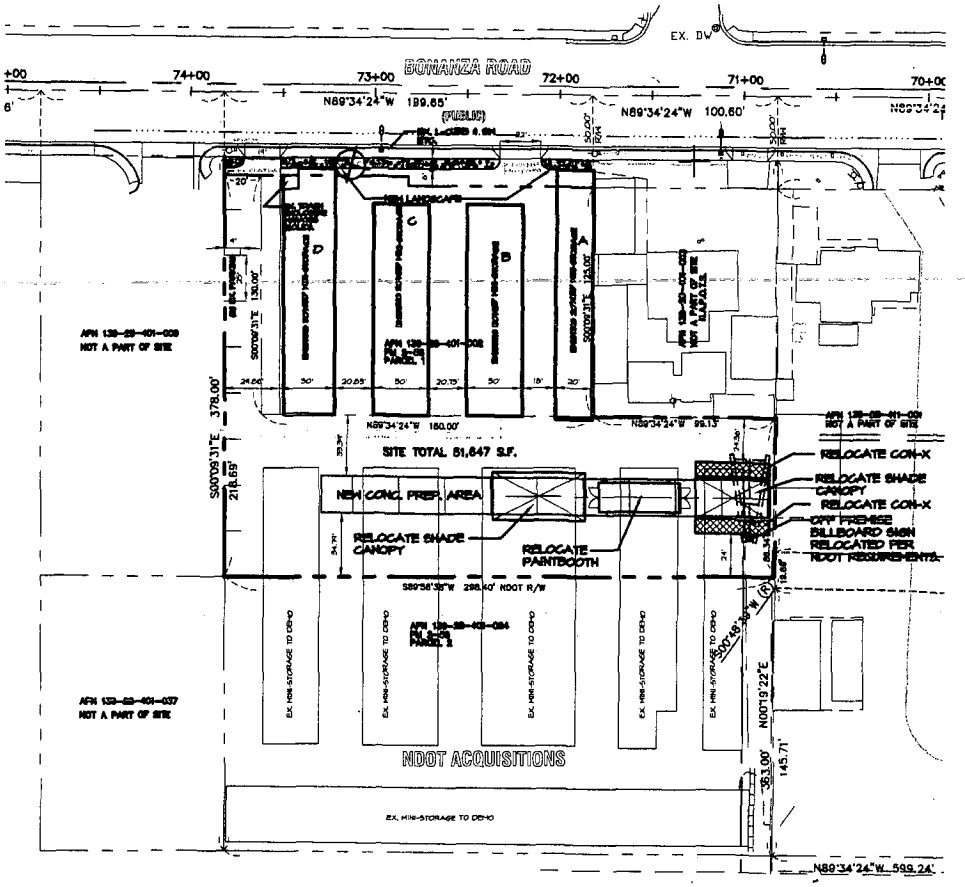
JOB NO. 2002-04
DRAWN RA
CHECKED RA
PRINTED 8/09/03 8:xx
REVISED 1 07/21/03 Site Accessibility, Handicap & Adjacent Parking, Dimension Assumed Propertylines, Fire Riser Room, Revise Parking Table, changed scale and Revised Keyno Note, see sheet 1/2 for Enlarged Site Plan
REVISED 2 10/22/03 ADD ADDITIONAL PARKING AND VAN/HANDICAP SPACE
REVISED 3 12/05/03 REVISED PARKING, SITE NOTES, & NOTES.

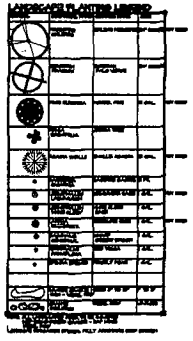
OVERVIEW
SITE REFERENCE PLAN

002
SHEET OF

ZON-4014
4-22-04 PC

STAFF





PROJECT DATA:

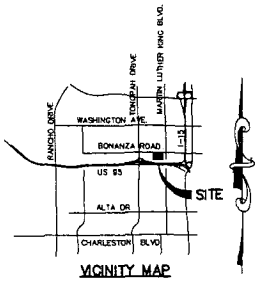
EXISTING MINI-STORAGE

BUILDING(S) EXISTING:
(A).....2,630 S.F.
(B).....3,493 S.F.
(C).....3,441 S.F.
(D).....3,952 S.F.
13,516 S.F.

PARKING REQUIREMENTS:
INDUSTRIAL/WAREHOUSE
1/1000.....14 SPACES

PARKING PROVIDED:
PROVIDED & EX.....8 SPACES
REQUIRED.....(6)

SITE AREA:
TOTAL S.F.....51,647
ACRES 1.1857
F.A.R. 13,516/51647.....0.262



VICINITY MAP
N.T.S.

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

Ahern Rentals
1915-Paint Booth Relocation
Site Plan Review & Rezoning
1915 West Bonanza Rd. - Las Vegas NV 89106

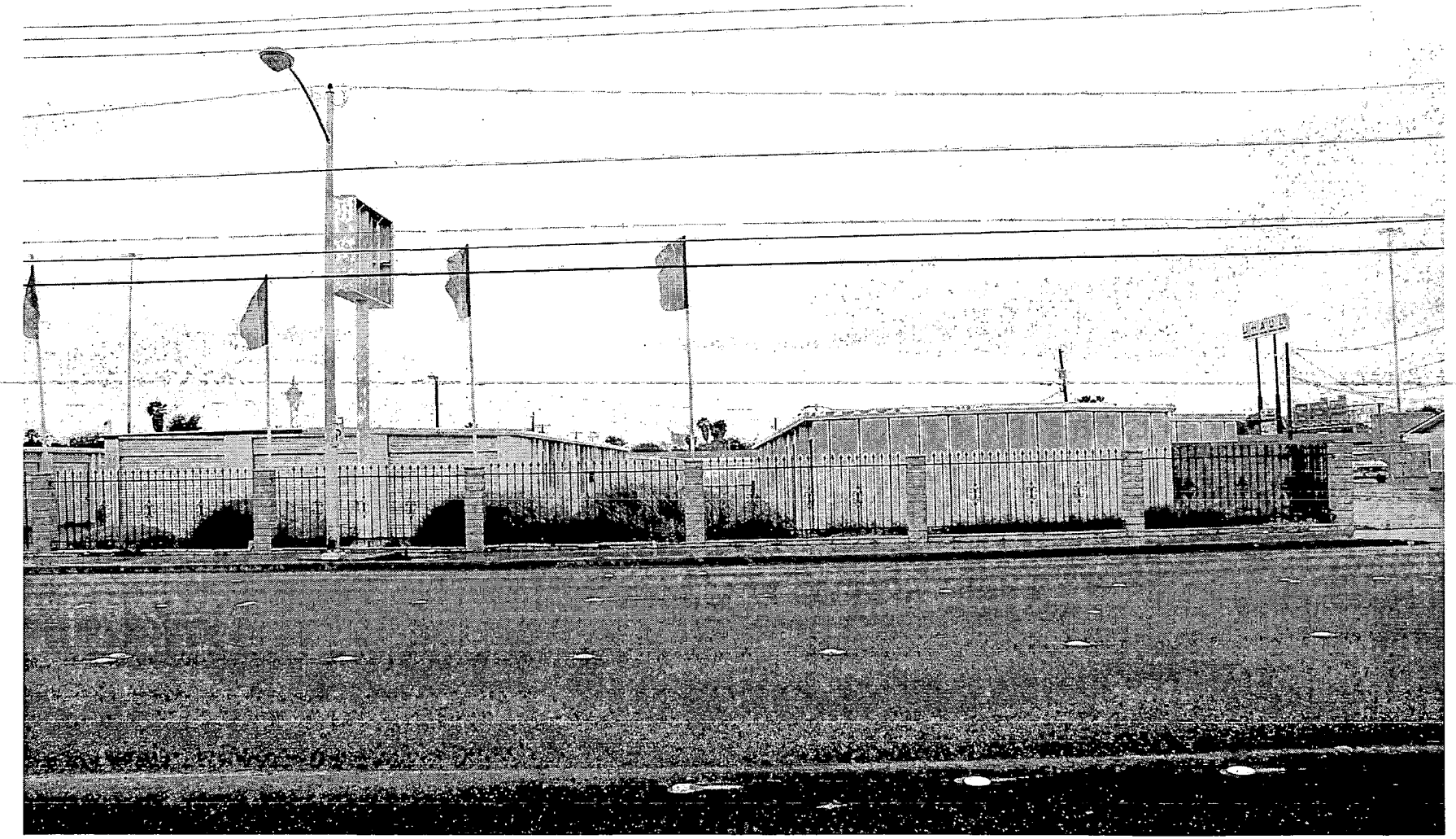
John Paul Ahern · Architect
8122 West Monte Lindo Lane Peoria, Arizona 85383
Tel. (623) 572-5828 Fax (623) 572-5827

JOB NO.	2004-01
DRAWN	CH
CHECKED	PA
PRINTED	2/26/04

SITE/LANDSCAPE PLAN

SHEET OF

ZON-4014
4-22-04 PC



ZON-4014 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION
1915 WEST BONANZA ROAD
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4014 - PUBLIC HEARING - **SDR-4015 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION** - Request for a Site Development Plan Review FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP AND A WAIVER OF LANDSCAPE STANDARDS on 1.7 acres at 1915 West Bonanza Road (APN: 139-28-401-024), C-2 (General Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Weekly). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
WEEKLY – APPROVED subject to conditions and amending Condition 10 as follows:

10. *If a wall is constructed along* any property line *it* 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.

– UNANIMOUS with Ward 2 seat vacant

MINUTES:
NOTE: See Item 126 [ZON-4014] for all related discussion.

(2:29 – 2:37)

3-3613/4-1

CONDITIONS:
Planning and Development

1. A revised site plan that shows setbacks and parking that are in conformance with Title 19 shall be submitted to the Planning and Development Department prior to issue of building permits.

CONDITIONS - Continued:

2. A Rezoning (ZON-4014) to a C-M (Commercial/Industrial) Zoning District approved by the City Council.

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

4. All development shall be in conformance with the site plan and building elevations, date stamped 05/19/04, except as amended by conditions herein.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of 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 in the landscape along Bonanza Road.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]

7. 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 30 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. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

10. 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.

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

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 127 – SDR-4015

CONDITIONS - Continued:

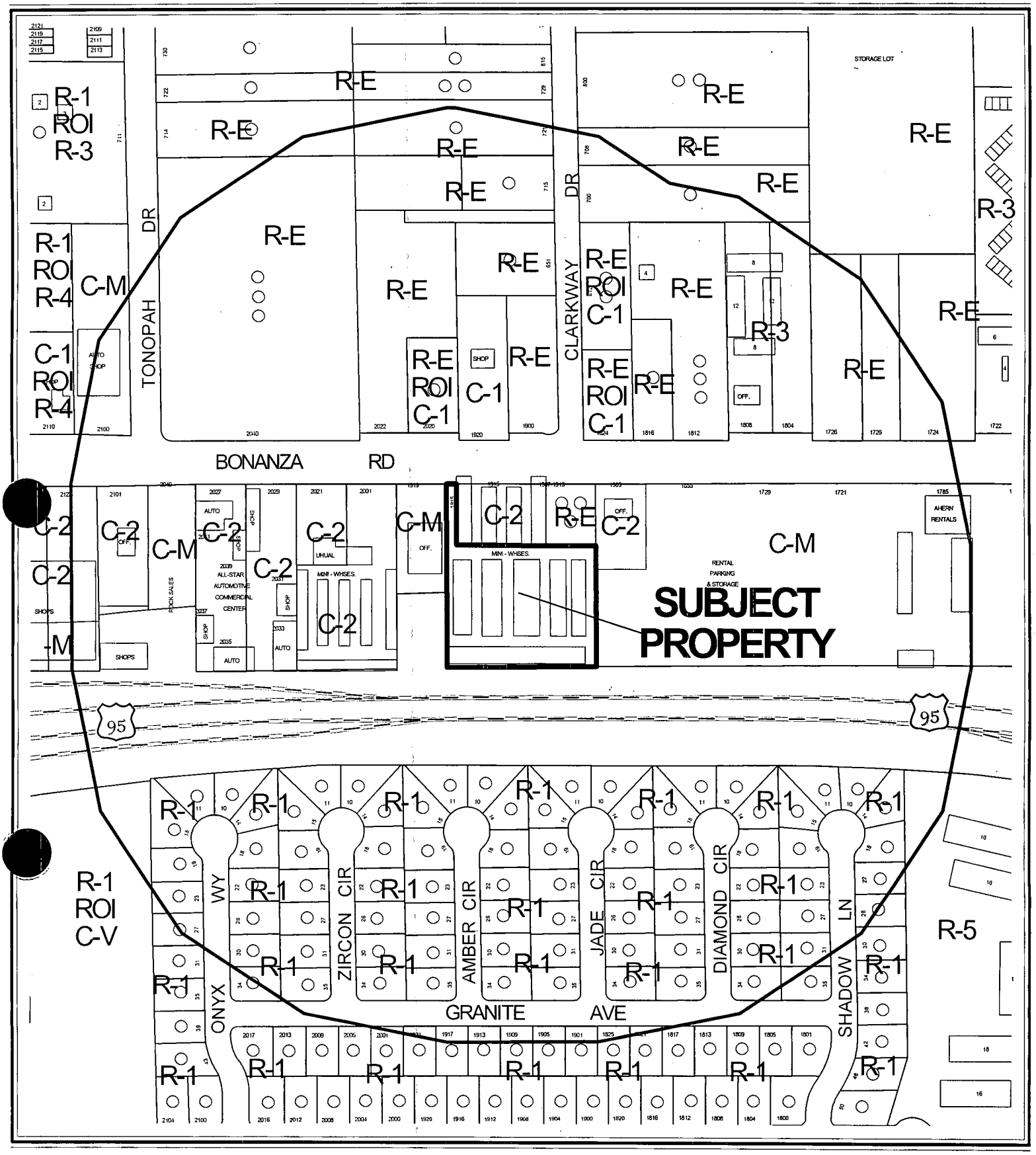
12. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

13. Landscape and maintain all unimproved rights-of-way on Bonanza Road adjacent to this site.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Bonanza Road public right-of-way adjacent to this site prior to occupancy of this site.

15. Site development to comply with all applicable conditions of approval for ZON-4014 and all other subsequent site-related actions.



0 200 400 Feet

CASE: **SDR-4015**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUCNIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4015 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A revised site plan that shows setbacks and parking that are in conformance with Title 19 shall be submitted to the Planning and Development Department prior to issue of building permits.

2. A Rezoning (ZON-4014) to a C-M (Commercial/Industrial) Zoning District approved by the City Council.

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15. Site development to comply with all applicable conditions of approval for ZON-4014 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting to relocate existing paint booth and associated buildings at 1915 West Bonanza Road. The applicant has also requested a Rezoning (ZON-4014) to C-M (Commercial/Industrial) zoning.

The applicant also requests a waiver of the rear and side perimeter landscaping buffer requirement.

B) Applicant's Justification

The proposal conforms to the General Plan and is harmonious with the existing adjacent Ahern rental properties to the east.

BACKGROUND INFORMATION

A) Previous Actions

09/06/00 The City Council approved the Southeast Sector Map (GPA-0010-00) in which south side of Bonanza Road was redesignated LI/R (Light Industrial/ Research.

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04/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #50/kcw)

B) Pre-Application Meeting

02/17/04 The following was discussed:

- Will be a request to rezone from C-2 (General Commercial) to C-M (Commercial/Industrial) to allow a paint booth operation.
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- Parking to be calculated for entire site.
- Use to be relocated to a different portion of the site.
- Waiver of the 10-foot sideyard setback and landscape planters to be in the justification letter.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.7

B) Existing Land Use

Subject Property:	Commercial/ Industrial
North:	Vacant/ Commercial
South:	US-95
East:	Residential/ Commercial/ Industrial
West:	Commercial/ Industrial

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Subject Property:	LI/R	Light Industrial/ Research
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E) General Plan Compliance: **Southwest Sector of the General Plan**

The subject site is currently designated LI/R (Light Industrial/Research) on the West Las Vegas Plan of Southwest Sector Plan of the General Plan. The requested C-M (Commercial/Industrial) zoning of the companion rezoning ZON-4014 is consistent with the LI/R General Plan designation. The proposed C-M (Commercial/Industrial) zone will allow commercial and industrial development, consistent with applicable standards of the City of Las Vegas General Plan, to occur on the site.

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

The requested C-M (Commercial/Industrial) zoning is consistent with the goals and policies of the West Las Vegas Plan. The proposed site design is harmonious with typical development of LI/R designated areas of the City.

PROJECT DESCRIPTION

Access to the site is from two driveways from Bonanza Road. The site plan shows six of the ten storage unit buildings located on the subject site will be replaced with a paint booth and shade canopies. The most of the area that was the location of the removed storage buildings not used by the paint booth and canopies will be used by Nevada Department of Transportation as part of the US95 expansion.

The submitted landscape plan indicates a minimum six-foot wide planter along the Bonanza Road frontage. There are no landscape islands provided in the parking area and no landscaping along the north, west and east property lines.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	199.65 feet	Y
Min. Setbacks			
• Front	10 Feet	N/A	N/A
• Side	10 Feet	3 feet	N
• Corner	N/A	N/A	N/A
• Rear	20 Feet	20 feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	NONE	20.66 feet	Y
Trash Enclosure		YES	Y
Loading Zone	N/A		
Mech. Equipment	Screened	Condition	Conditioned

The majority of the buildings currently exist. This request pertains to the removal of six buildings that will be replaced with the paint booth and canopies; the front setback is not an issue with this request.

The location of the new features of the plan is an issue. The plan shows that two con-xes positioned three feet from the east property line. A condition has been added the requirement that the site plan be revised to show the con-exes to be 10 feet from the property line as required by Title 19.

The proposal does not meet the requirements for side setbacks. A condition has been added to address the issue.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Industrial/ Warehousing	13,516 SF.	1/1000 GFA	13	1	8	0

The proposal does not meet the requirements for parking. A condition has been added to require that the site plan will need to be revised to add the extra parking spaces along the south property line.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	6 Trees/Space	3 Trees	0
Buffer:			
• Min. Trees	1 Trees/ 30Linear Feet	40 Trees	0
• Min. Zone Width	8 Feet		6
• Wall height	8 Feet		0

Part of this proposal is to waive the requirements for landscape buffers.

A5) Sign Standards

A review of the on premises signage is not part of this review.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-2 (General Commercial) and an application for a Rezoning (ZON-4014) to C-M (Commercial/Industrial) is a companion application to this site development plan review. A pain booth is a permitted as a conditional use within the C-M (Commercial/Industrial) zoning district.

- Site Plan

The site plan depicts an acceptable layout of access and buildings. The site plan will have to be revised prior to the issuance of building permits or certificate of occupancy to ensure that the required parking is provided along the south property line, and that acceptable handicapped parking is provided on site. Only one handicapped parking space is required for this site, and with the proposed layout the requisite number of parking spaces can be easily incorporated in the layout.

- Waivers

The applicant requests that the requirement for landscaped buffers and parking fingers be waived.

- Landscape Plan

The submitted landscape plan indicates only a six-foot wide planter along the Bonanza Road frontage. There are also no landscape islands provided throughout the parking areas. The required perimeter landscaping for this site would be 15-foot wide landscape planter along the Bonanza Road frontage, and 8-foot wide landscape planters on all other property lines. The proposed omission of landscaping along the east and west property lines is acceptable, as the space should be used for the necessary parking. It is recommended that the required 24-inch box trees, located 20 feet on center, should be provided along the Bonanza Road frontage.

- Elevation

The elevations submitted depicting the proposed paint booth structure is appropriate for the area and the proposed 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 proposed site plan is appropriate at this location because it is consistent with other development along this portion of Bonanza Road.

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

   The proposed project is consistent with the General Plan. With implementation of the conditions regarding the landscaping plan and addition of the omitted parking spaces, this proposal will be consistent with 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 subject site is adjacent to Bonanza Road, a 60-foot wide local street, and in close proximity to Rancho Drive, a 120-foot wide primary arterial. These roadways are adequate in capacity to accommodate the demand of the proposed uses at this location.

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

The proposed building and landscape materials will provide an aesthetically appropriate building and site plan; with implementation of the recommended condition regarding landscaping plan changes.

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;"**

With implementation of the recommended condition regarding landscaping plan changes the site landscaping, building elevations, and design characteristics will be compatible with the adjacent development in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission asked the applicant to work with staff to ensure compatibility and quality of perimeter walls.

NOTICES MAILED 111 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4015 APN: 139-28-401-024

Name of Property Owner: _____

Name of Applicant: BRUCE E BILYEU 858-2025

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 Rudy Malfabon

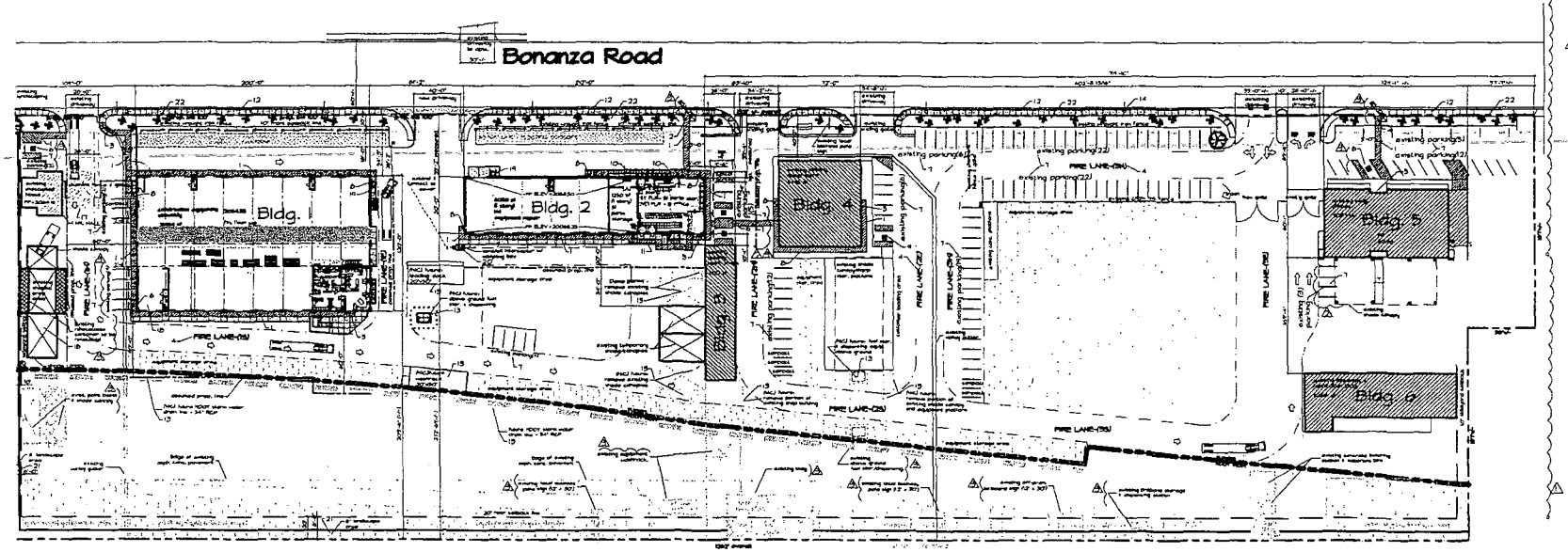
Print Name: RUDY MALFABON, Deputy Director-So. Nevada

X Subscribed and sworn before me

This 24th day of February, 2004

_____
Notary Public in and for said County and State

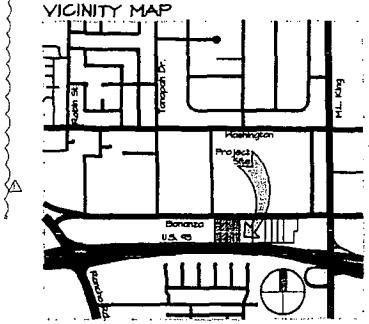
Notary Public - State of Nevada
County of Clark
W. L. SNYDER
My Appointment Expires
No: 01-71591-1 October 10, 2005



NOTES

1. THE SITE ACCESSIBLE ROUTES ARE TO BE STRIPPED AT CROSSINGS AND HAVE ALL SLOPES IN THE DIRECTION OF TRAVEL OF 5% MAXIMUM WITH CROSS SLOPES OF 2% MAXIMUM AND ALL APPURTANCES SHALL COMPLY WITH THE FHA A.D.A. AND OTHER APPLICABLE AGENCY'S REQUIREMENTS.
2. WHEN ACCESSIBLE ROUTE WITH FIVE (5) FOOT WIDE SIDEWALK FLARED EACH SIDE WITH FIVE (5) FOOT RADIUS TO EXISTING SIDEWALK PER CLARK COUNTY UNIFORM STANDARD DRAWINGS. SIDEWALK TO EXTEND FROM EXISTING SIDEWALK AND END AT RIGHT-OF-WAY LINE WHICH IS FIFTEEN FEET FROM BACK OF SIDEWALK AND FLUSH WITH NEW OR EXISTING ASPHALT PAVING. ALL BEGINNING AND ENDING SURFACES SHALL BE FLUSH, TYPICAL AND ALL SLOPES IN THE DIRECTION OF TRAVEL SHALL BE (5%) FIVE PERCENT MAXIMUM WITH ALL CROSS SLOPES (2%) TWO PERCENT MAXIMUM.
3. WHEN EXTENSION OF EXISTING SIDEWALK RETURN AS SHOWN AND SEE NOTE 1A ABOVE FOR DESIGN INFORMATION AND PER CLARK COUNTY UNIFORM STANDARD DRAWINGS.
4. THIS SITE IS PROVIDED WITH THREE FIRE LANE LOOPS FOR FIRE DEPT. ACCESS TO ALL BUILDINGS ON THIS SITE. THE WIDTH OF FIRE LANE LOOPS ARE A MINIMUM OF THIRTY-FOUR FEET AND THE TURNING RAD PROVIDED ARE THIRTY-EIGHT AND FIFTY-TWO FEET AS NORMALLY REQUIRED BY THE FIRE MARSHALL.
5. MAIN ENTRANCE TO BUILDING.
6. HANDICAP SPACE(S) VAN ACCESSIBLE, SEE DETAIL 4/A5 FOR PARKING SPACE LAYOUT AND DETAIL 2/A5 FOR REQUIRED HANDICAP SIGNAGE.
7. PARKING SPACES PROVIDED, SEE DETAIL 10/A5 FOR REGULAR AND COMPACT PARKING SPACES, OR SIMILAR AS CASE REQUIRES, TYPICAL.
8. BUILDING EXIT OR ACCESSIBLE ROUTE.
9. HANDICAP SPACE, NORMAL, SEE DETAIL 4/A5 AND 2/A5.
10. RAMP ON ACCESSIBLE ROUTE WITH SLOPE IN DIRECTION OF TRAVEL OF 5% MAXIMUM AND CROSS SLOPE OF 2%.
11. RAMP 1:12 WITH HANDRAILING, SEE ARCHITECTURAL FOR DETAILS, TYP.
12. PUBLIC SIDEWALK USED AS MAIN ACCESSIBLE ROUTE TO MAIN BUILDING/SITE ACCESSIBLE ROUTES.
13. (N.I.C.) NOT IN CONTRACT, FUTURE, THIS IS NOT IN CURRENT SCOPE OF WORK.
14. BUS STOP, CAT CITIZENS AREA TRANSIT 219 RTC.
15. ASBESTOS SURVEY, DUST PERMIT AND DEMOLITION PERMIT REQUIRED THROUGH THE CLARK COUNTY DEPARTMENT OF AIR QUALITY MANAGEMENT.
16. BASED ON STRUCTURES LOCATION TO NEW BUILDING'S ASSUMED PROPERTY LINE, THIS RELOCATABLE STRUCTURE SHALL BE RELOCATED SUCH THAT SEPARATION DOES NOT REQUIRE FIRE-RESISTIVE CONSTRUCTION AND NOTE 13 ABOVE DOES NOT APPLY.
17. PART OF THE EXISTING HOUSE IS TO BE DEMOLISHED, SEE NOTE 13 ABOVE. THE SOLID LINE AROUND A PORTION OF THE HATCHED AREA INDICATES THE PORTION TO REMAIN, AND THE REMAINING HATCHED AREA IS TO BE DEMOLISHED.
18. EXISTING METAL BUILDING AND SLAB, ETC., TO BE DEMOLISHED FOR CONSTRUCTION OF NEW BUILDING, SEE NOTE 13.
19. BUILDING SPRINKLER SYSTEM AND RISER LOCATION. DRY TYPE AUTOMATIC SYSTEM OR EQUAL WITH EXTERIOR INDICATOR POST OR FIRE RISER TO BE EXPOSED.
20. SEE APPROVED PLUMBING AND CIVIL PLANS.
21. FOR SIZE OF SAND/OIL INTERCEPTOR, SEE APPROVED PLUMBING AND CIVIL PLANS.
22. (N) SIX (6) FOOT WIDE LANDSCAPE PLANTER AT WEST AND SOUTH PROPERTYLINES, SEE LANDSCAPE PLAN L2.1.
23. EXISTING LANDSCAPING ALONG BONANZA ROAD, TYPICAL.

VICINITY MAP



Parking Table

	Gross Area	Parking Ratio/1000	Required	Bldg 1/1000	Bldg 2/1000	Bldg 3/1000	Bldg 4/1000	Bldg 5/1250	Provided
Bldg. 1	28,011	2/1,000 - 22/1,000	44 - 22	44	-	-	-	-	38
Bldg. 2	15,500	1/600 - 22/1,000	26 - 22	26	0	-	-	-	38
Bldg. 3	2021		0	0	0	-	-	-	0
Bldg. 4	4,998	-	0	0	0	-	-	-	0
Bldg. 5	4,297	1/1,000	5	0	0	-	-	5	5
Bldg. 6	2,448		0	0	0	-	-	-	0

* NOTE BLDG 2 HAS 1600 S.F. OF MF OCCUPANCY.

REQUIRED PARKING: Regular Spaces 69, Handicap Spaces 3, Total 72

PROVIDED PARKING: Regular Spaces 69, Compact Spaces 0, Handicap Spaces (5 Van) 5, Total 74

Site Data

Site Gross Area (after RIGHT OF WAY widening): approx. 3.30 acres, approx. 3.30 acres

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

N

Ahern Rentals
Purchasing/Warehouse
1825 West Bonanza Rd. - Las Vegas NV 89106

BLDG 2

John Paul Ahern · Architect
8122 West Monte Lindo Lane Peoria, Arizona 85383
Tel. (623) 572-5828 Fax (623) 572-5827

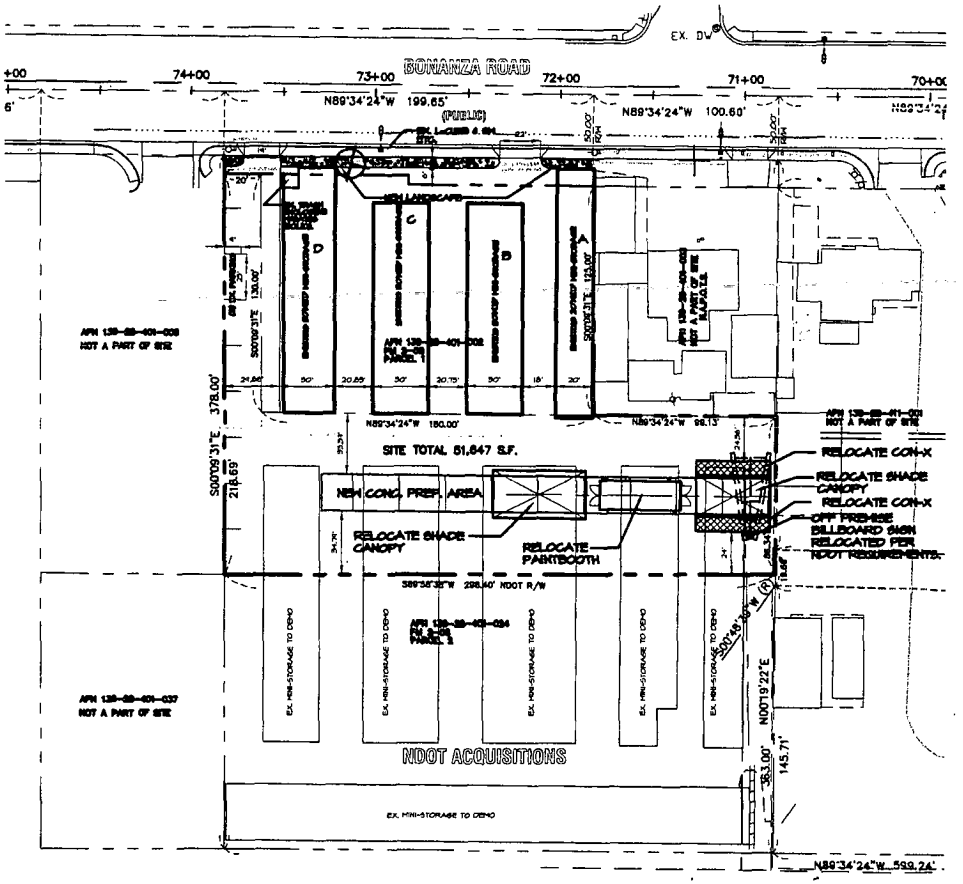
JOB NO.	2002-04
DRAWN	RA
CHECKED	RA
PRINTED	8/25/03XX
REVISED 1	10/21/03 Site Accessibility, Handicap & Adjacent Parking, Dimension Assumed Property lines, Fire Riser Room, Revise Parking Table, changed scale and Revised Keyric Note, See Sheet L01 for Enlarged Site Plan.
REVISED 2	10/23/03 ADD ADDITIONAL PARKING AND VAN/HANDICAP SPACE
REVISED 3	12/03/03 REVISED PARKING, SITE NOTES, & NOTES.

OVERVIEW
SITE REFERENCE PLAN

002
SHEET OF

SDR-4015
4-22-04 PC

STAFF



PROJECT DATA:

EXISTING MINI-STORAGE

BUILDING(S) EXISTING:

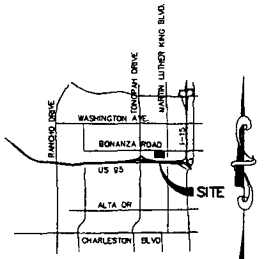
(A)	2,630 S.F.
(B)	3,493 S.F.
(C)	3,441 S.F.
(D)	3,952 S.F.
	13,516 S.F.

PARKING REQUIREMENTS:
INDUSTRIAL/WAREHOUSE
1/1000 ..... 14 SPACES

PARKING PROVIDED:
PROVIDED & EX. ..... 8 SPACES

REQUIRED ..... (6)

SITE AREA:
TOTAL S.F. 51,647
ACRES 1.1857
F.A.R. 13,516/51647 ..... 0.262



VICINITY MAP
N.T.S.

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

Ahern Rentals
1915-Paint Booth Relocation

Site Plan Review & Rezoning

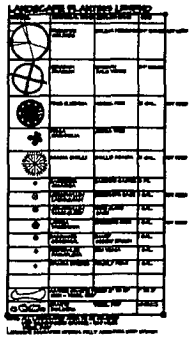
1915 West Bonanza Rd. - Las Vegas NV 89106

John Paul Ahern · Architect
8122 West Monte Lindo Lane Peoria, Arizona 85383
Tel. (623) 572-5828 Fax (623) 572-5821

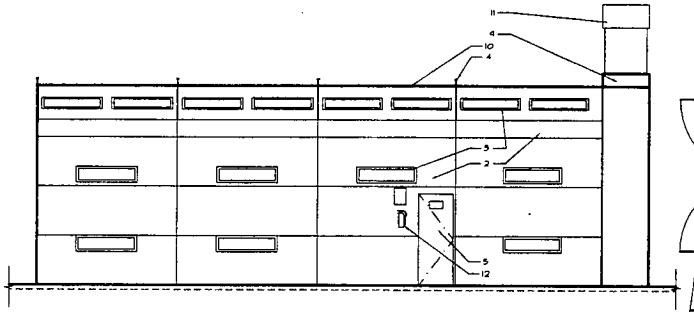
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SITE/LANDSCAPE PLAN

SHEET OF

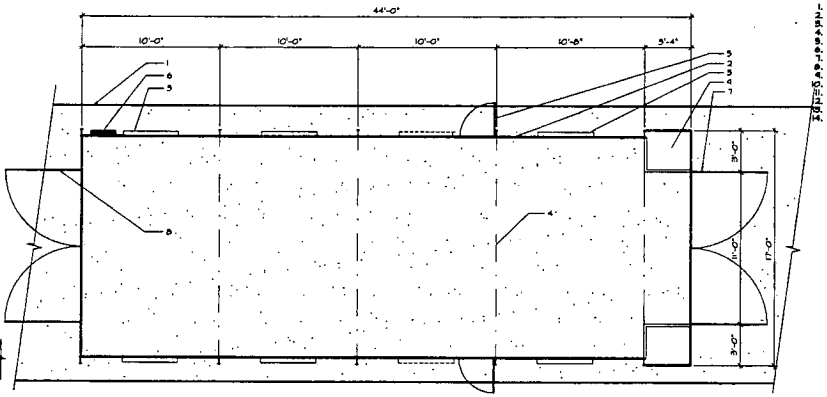


SDR-4015
4-22-04 PC



EXTERIOR ELEV - SOUTH SIDE

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

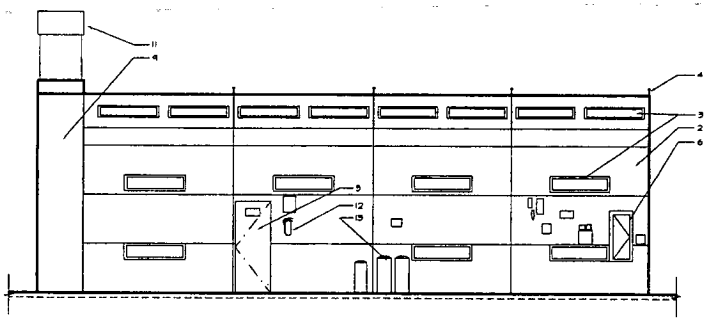


PAINT BOOTH PLAN

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

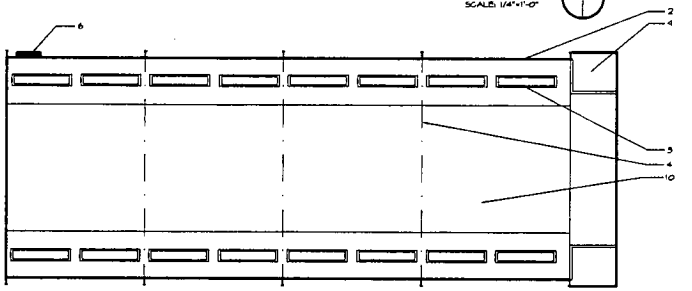
NOTES

1. CONCRETE SLAB ON GRADE
2. PAINT BOOTH METAL WALL PANEL - GALVANIZED
3. FLUORESCENT LIGHT FIXTURE - THRU-WALL MOUNT
4. STEEL PAINT BOOTH SUPPORT BEAMS
5. MAN DOOR - GALVANIZED METAL
6. ELECTRICAL PANEL
7. DRIVE-THRU DOORS - GALVANIZED METAL
8. DRIVE THRU DOORS W/ FILTER PANELS - GALVANIZED
9. EXHAUST AIR PLENUM - GALVANIZED METAL
10. ROOF PANEL - GALVANIZED METAL
11. EXHAUST FAN & DUCT - PAINTED LIGHT BROWN
12. FIRE EXTINGUISHER - WALL MOUNTED ON HOOK
13. AUTOMATIC FIRE SUPPRESSION SYSTEM - DRY CHEMICAL
14. TASK LIGHTS - ROOF MOUNTED INCANDESCENT TYPE



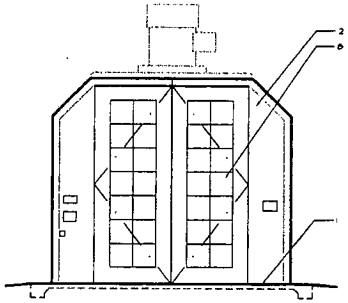
EXTERIOR ELEV - NORTH SIDE

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



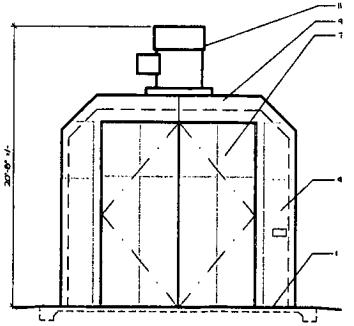
REFLECTED CEILING PLAN

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



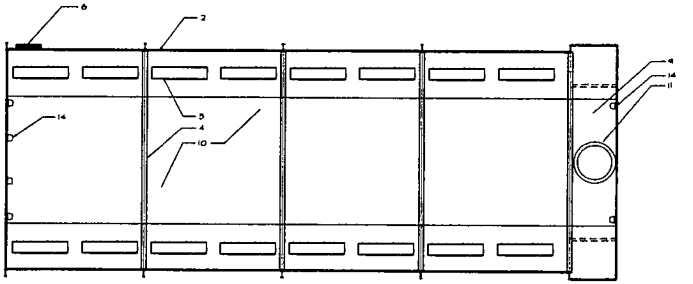
EXTERIOR ELEV - WEST END

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



EXTERIOR ELEV - EAST END

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



TOP VIEW

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

Ahern Rentals

1915-Paint Booth Relocation

Site Plan Review & Rezoning

1915 West Bonanza Rd. - Las Vegas NV 89106

John Paul Ahern · Architect

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Tel. (623) 512-5826 Fax (623) 512-5827

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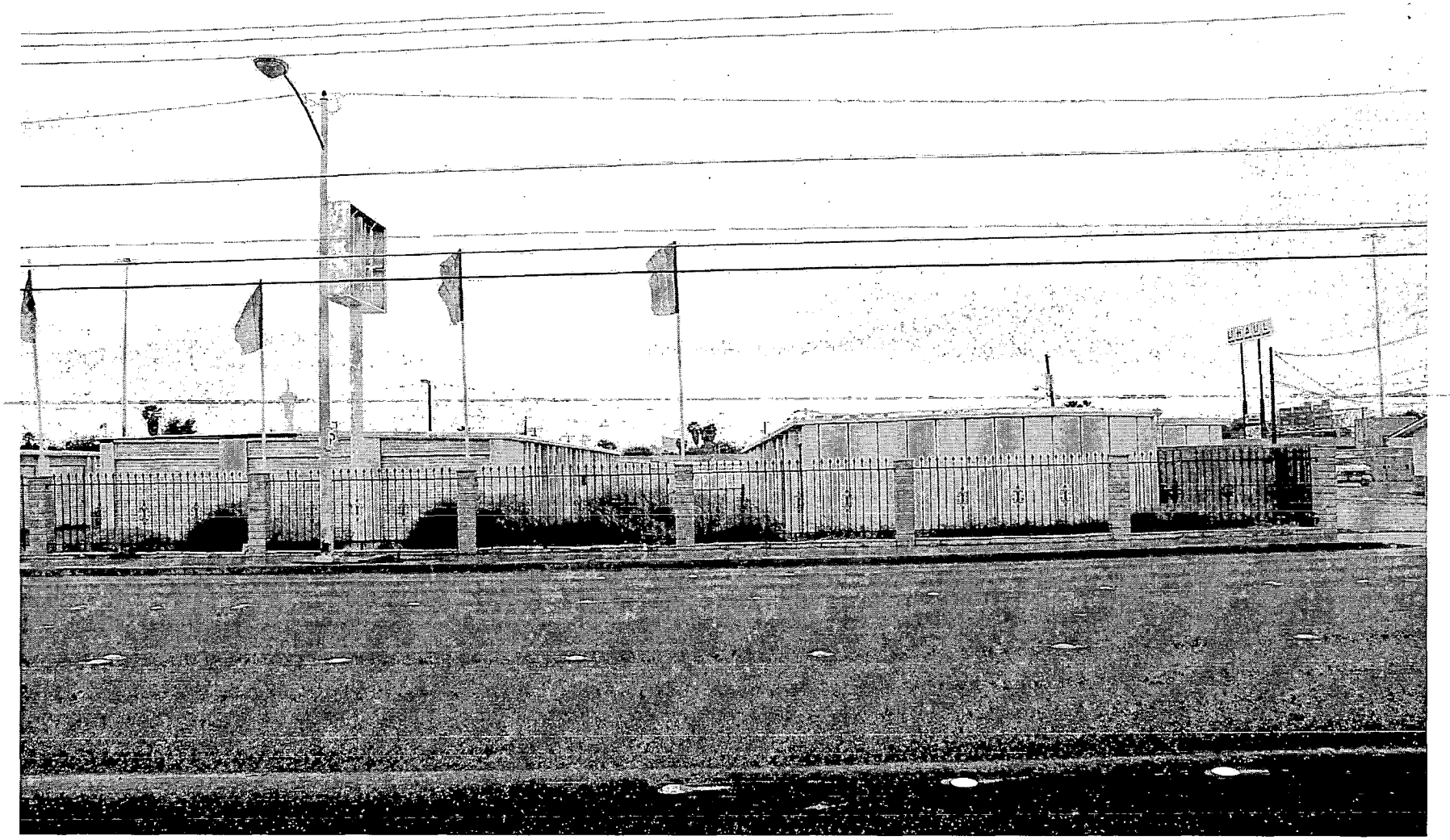
PAINTBOOTH PLAN & EXTERIOR ELEVATIONS

201

SHEET OF

SDR-4015

4-22-04 PC



SDR-4015 - APPLICANT: AHERN RENTALS - OWNER: NEVADA DEPARTMENT OF TRANSPORTATION
1915 WEST BONANZA ROAD
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4059 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS** - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) and R-4 (HIGH DENSITY RESIDENTIAL) TO: C-V (CIVIC) on 2.69 acres at 220 North 14th Street (APN: 139-35-212-022, 053 and 054, 139-35-310-057,058, 059, 060, 067, 068, 069, 071 and 072), Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with BROWN abstaining because he recently was appointed to the Board of Trustees of Catholic Charities of Southern Nevada and Ward 2 seat vacant

NOTE: MAYOR GOODMAN disclosed that BISHOP PEPE is a personal friend; however, it would not affect his ability to vote on these matters.

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 128 [ZON-4059] and Item 129 [SDR-4107].

ERNIE FREGGIARO, Integrity Engineering, 2480 East Tompkins, appeared on behalf of applicant, thanked staff members and COUNCILMAN WEEKLY and requested approval. COUNCILMAN WEEKLY commended the Bishop on his vision for this project. MR. FREGGIARO congratulated COUNCILMAN BROWN on his appointment and stated he did not think the Councilman was required to abstain.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 128 – ZON-4059

MINUTES – Continued:
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 128 [ZON-4059] and Item 129 [SDR-4107].

NOTE: All discussion on Item 128 [ZON-4059] and Item 129 [SDR-4107] was held under Item 128 [ZON-4059].

(1:34 – 1:38)
4-235

CONDITIONS:
Planning and Development

1. Site development to comply with all applicable conditions of approval for SDR-4107 and all other site-related actions.

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate 20-foot radius corners at the southeast corner of Stewart Avenue & 14th Street and the southwest corner of Stewart Avenue & 15th Street. Dedicate 15-foot radius corners at the northeast corner of Ogden Avenue & 14th Street and the northwest corner of Ogden Avenue & 15th Street. Dedicate radii prior to issuance of any permits.

4. Construct all incomplete half-street improvements adjacent to this site concurrent with development of this site.

5. 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.

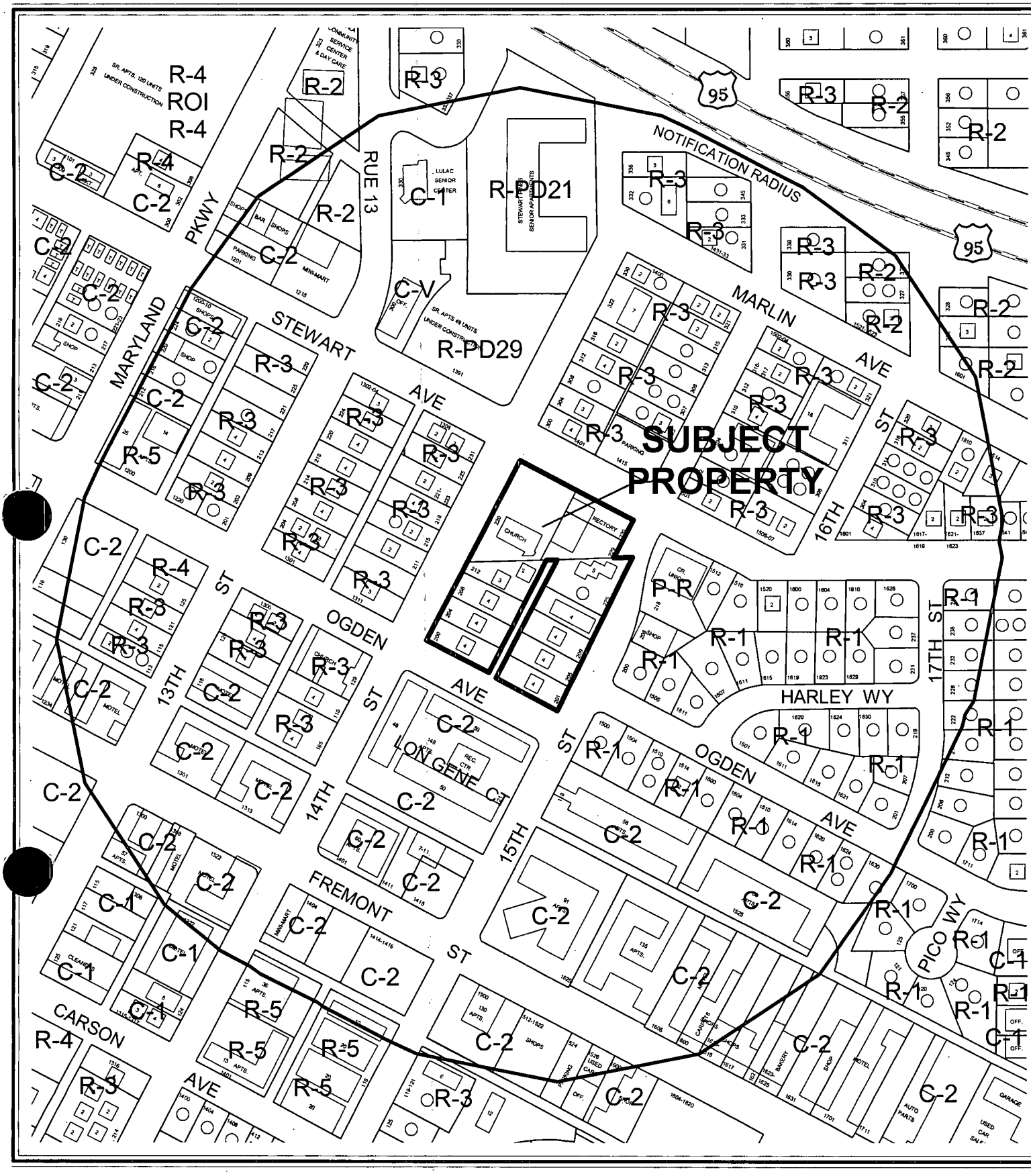
6. A Petition of Vacation for the purpose of vacating the public alley in a manner acceptable to the Department of Public Works, such as VAC-2337, must be approved and shall record prior to the issuance of any permits overlying or abutting the area to be vacated. If the Order of Vacation is not recorded a new Site Development Plan shall be submitted acknowledging the public alley within the boundaries of this site.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any

CONDITIONS - Continued:

permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

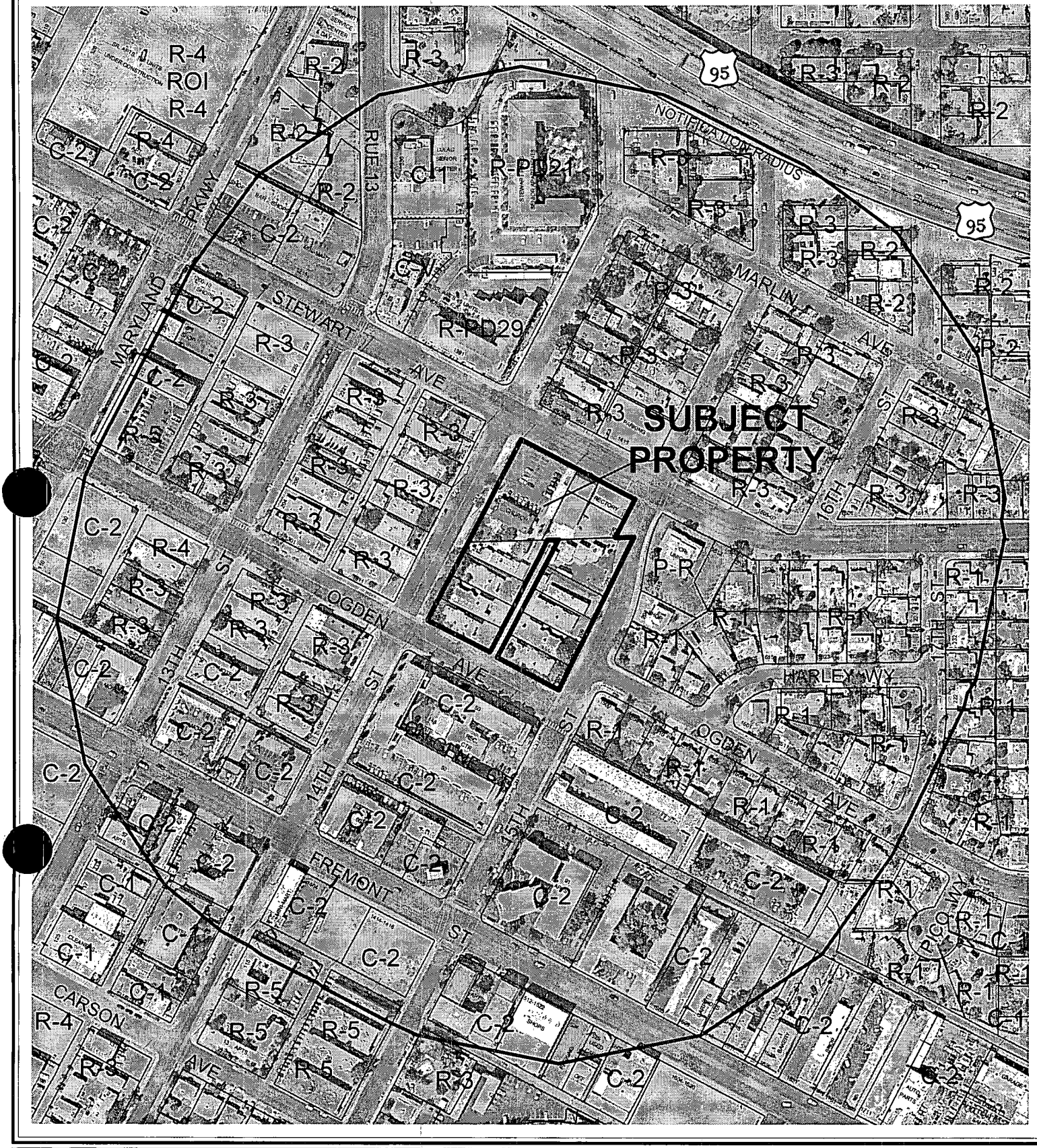


CASE: **ZON-4059**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



0 200 400 Feet

CASE: **ZON-4059**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4059 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. Site development to comply with all applicable conditions of approval for SDR-4107 and all other site-related actions.

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate 20-foot radius corners at the southeast corner of Stewart Avenue & 14th Street and the southwest corner of Stewart Avenue & 15th Street. Dedicate 15-foot radius corners at the northeast corner of Ogden Avenue & 14th Street and the northwest corner of Ogden Avenue & 15th Street. Dedicate radii prior to issuance of any permits.

4. Construct all incomplete half-street improvements adjacent to this site concurrent with development of this site.

5. 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.

6. A Petition of Vacation for the purpose of vacating the public alley in a manner acceptable to the Department of Public Works, such as VAC-2337, must be approved and shall record prior to the issuance of any permits overlying or abutting the area to be vacated. If the Order of Vacation is not recorded a new Site Development Plan shall be submitted acknowledging the public alley within the boundaries of this site.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-3 (Medium Density Residential) to C-V (Civic) on 2.69 acres at 220 North 14th Street for a proposed church. A companion item, SDR-4107, was filed along with this request for rezoning.

B) Applicant's Justification

According to the applicant this zone change and the accompanying site development plan review is required in order to demolish the existing sanctuary, church hall and church offices, in order to construct a new sanctuary, multi-purpose building and church offices. The old sanctuary and offices are functionally obsolete and the new structure will be a centerpiece for the redevelopment of the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

08/06/03 The City Council approved a Special Use Permit (SUP-2282) to allow a church at 202 North 14th Street. The Planning Commission and staff recommended approval.

08/06/03 The City Council approved a Variance (VAR-2283) to allow 130 parking spaces where 197 were required. The Planning Commission recommended approval. Staff recommended denial.

08/06/03 The City Council approved a Site plan Review (SDR-2280) for a church at 220 North 14th Street. The Planning Commission recommended approval. Staff recommended denial.

04/22/04 The Planning Commission recommended approval of a related Site Development Plan Review request (SDR-4107) for a church.

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #51/kcw)

B) Pre-Application Meeting

02/27/04 The following topics were discussed:

- A reversionary map is requested to consolidate all of the parcels into one.
- All dimensions to be called out on the site plan.
- Trash enclosure to be moved away from street and covered.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.69

B) Existing Land Use

Subject Property:	Multi-family/ Church
North:	Multi-family
South:	Multi-family
East:	Single-family/ Commercial
West:	Multi-family

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-3/ R-4	Medium Density/ High Density Residential
North:	R-3	Medium Density Residential
South:	C-2	General Commercial
East:	P-R/ R-1	Professional Office/ Parking/ Single Family Residential
West:	R-3	Medium Density Residential

E) General Plan Compliance

This site is designated DTR-MXU (Downtown Redevelopment Plan- Mixed Use) on the Downtown Redevelopment Plan. The C-V (Civic) zoning permits uses that are within the scope of the DTR-MXU land use classification. The proposed zoning is therefore consistent with the proposed rezoning.

F) General Analysis and Discussion

Approval of this request will result in one zoning district C-V (Civic) for the entire block that is owned by the St. Bridget Catholic Church. It will result in an appropriate expansion for the church.

FINDINGS

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

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

   The request is consistent with the proposed DTR-MXU (Downtown Redevelopment Plan-Mixed Use) on the Downtown Redevelopment Plan It also conforms to all Plan objectives and policies related to churches within the DTR Plan Area.

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

   The existing church has demonstrated that it can operate in a manner that is harmonious and compatible with the surrounding area.

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

   Approval of this request will result in one consistent zoning designation for the entire block owned by the St. Bridget Catholic Church.

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

   The site has direct access to 14th Street, Ogden Avenue, and 15th Street, all of which have adequate capacity to accommodate this request.

NOTICES MAILED 164 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4059 APN: 139-35-310-057, 058, 059, 060
139-35-310-067, 068, 069, 071
139-35-310-072, 139-35-212-022,,52,53,54

Name of Property Owner: Roman Catholic Bishop of Las Vegas

Name of Applicant: Roman Catholic Bishop of Las Vegas

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: + Joseph A. Pepe

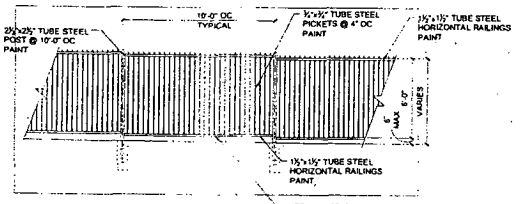
Print Name: Joseph A. Pepe

Subscribed and sworn before me

This 25th day of February, 2004

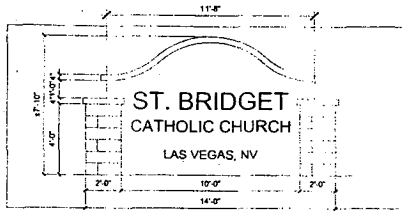
Mary L. Aldrich Carroll
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY L. ALDRICH-CARROLL
No: 01-66354-1
My Appointment Expires Oct. 3, 2004



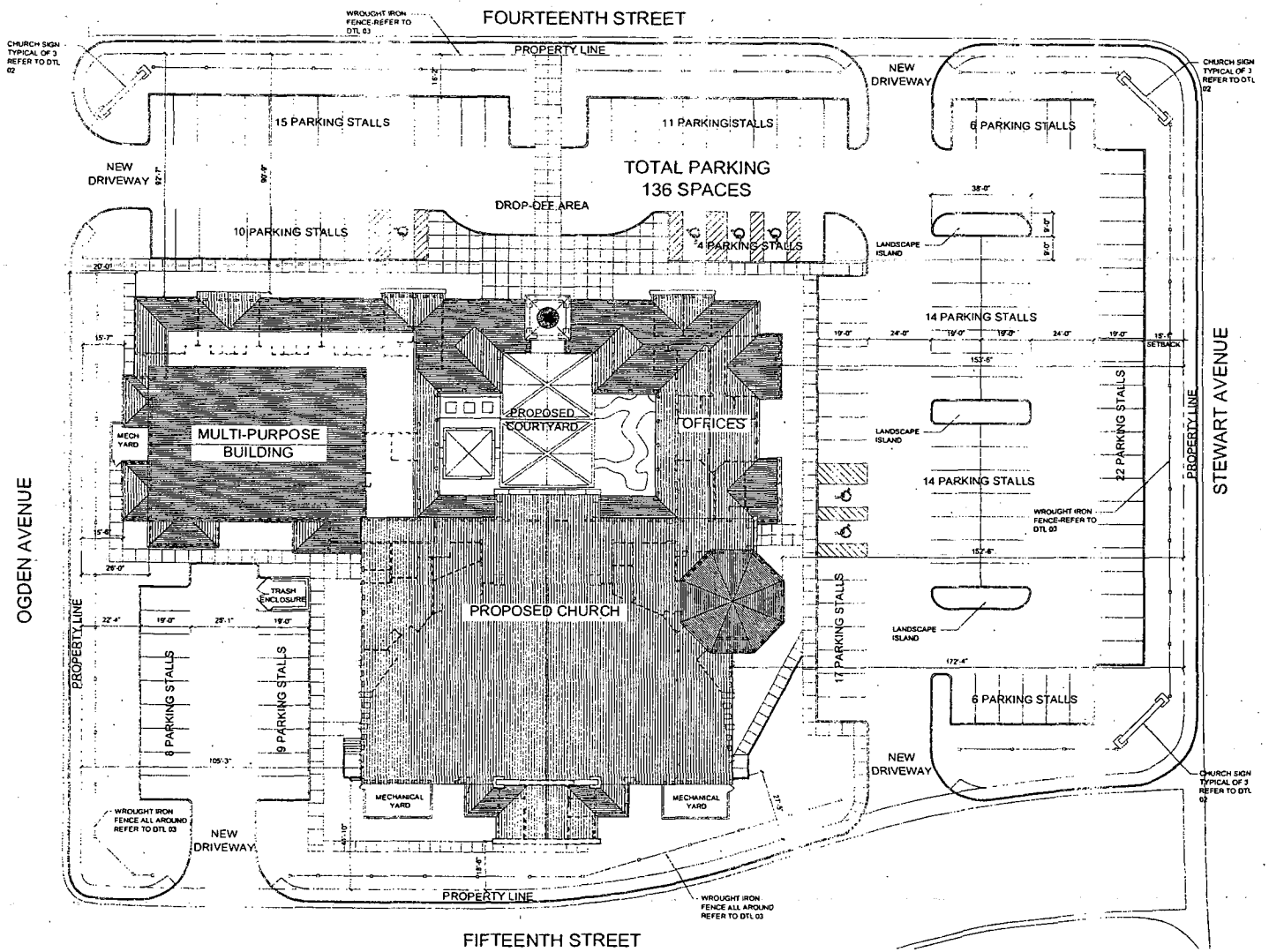
=03= PERIMETER FENCE

NOT TO SCALE



=02= SIGN ELEVATION

NOT TO SCALE



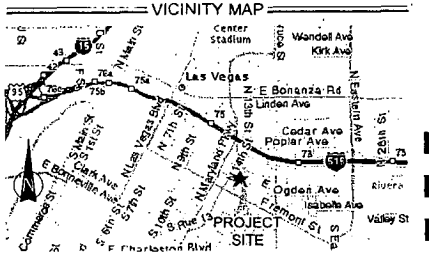
=01= SITE PLAN

SCALE: 1" = 20'-0" TRUE SHEET

PROJECT ANALYSIS

OWNER:	THE ROMAN CATHOLIC BISHOP OF LAS VEGAS AND HIS SUCCESSORS, A CORPORATION SOLE 336 CATHEDRAL WAY LAS VEGAS, NV 89109	
ARCHITECT:	JVC ARCHITECTS CAMERON ST. SUITE 2 LAS VEGAS, NEVADA 89103 (702) 871-3416 FAX: 871-2630 JIM VAN COMPERNOLLE, ARCHITECT	
PROJECT LOCATION:	220 N. 14TH STREET LAS VEGAS, NV 89101	
SQUARE FOOTAGE:	BUILDING AREA COVERED WALKWAYS TOTAL AREA:	29,849 S.F. 3,357 S.F. 33,206 S.F.
FAR: (FLOOR AREA RATIO)	BUILDING FOOT PRINT/LOT AREA 33,206 SF / 126,901 SF X (100) = 26%	
PARKING REQ:		
SANCTUARY:	625 SEATS @ 4 PER CAR = 625 / 4 TOTAL PARKING REQUIRED = 157 SPACES (VARIANCE VAR - 2283 APPROVED ALLOWING 130 SPACES)	
PARKING PROVIDED:	TOTAL PARKING PROVIDED = 136 SPACES	

VICINITY MAP



JVC ARCHITECTS
atelier
4290 cameron ste. 2
las vegas, nv 89103
ph 702 871 3418
fax 702 871 2630
web jvcassociates.com
at-el-ier (ăt' l-yā') n. [Fr.] a workshop; a studio

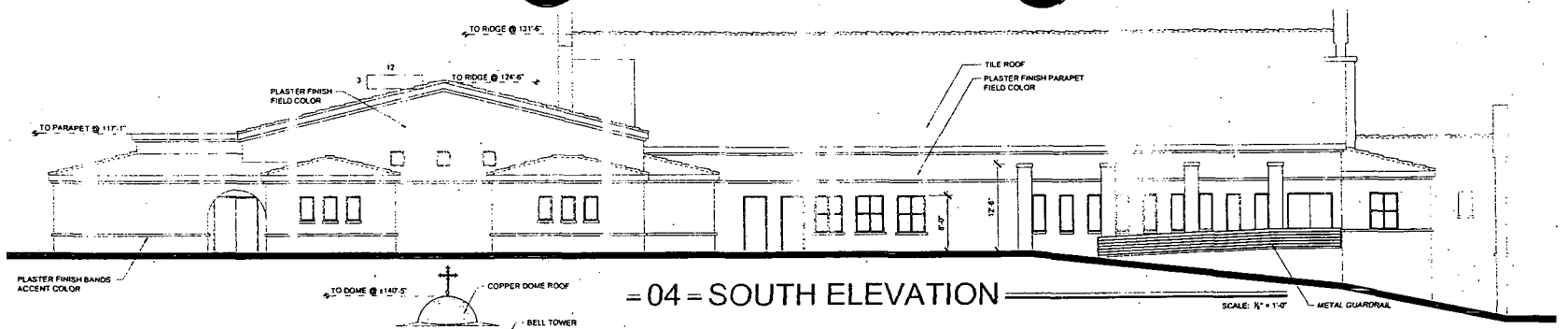
ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

0304-SB
03-08-04

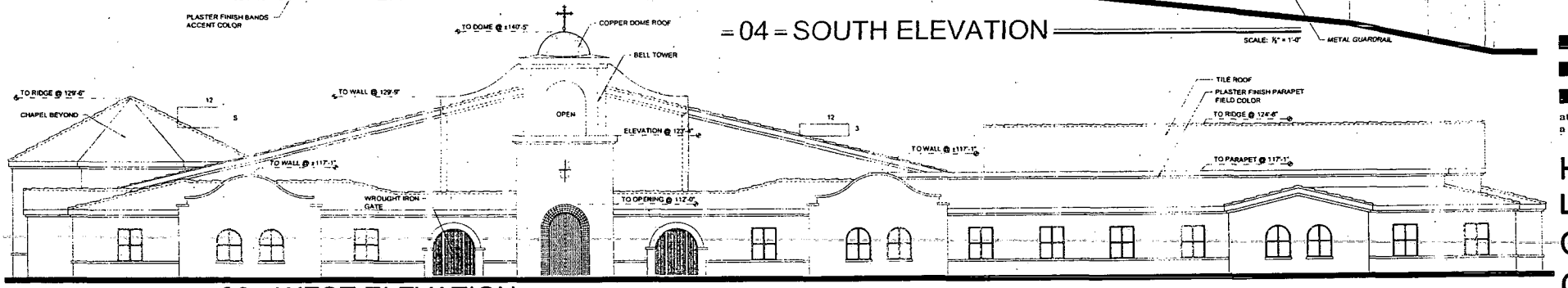
PROPOSED SITE PLAN
AS
SUBMITTAL

ZON-4059 4-22-04 PC



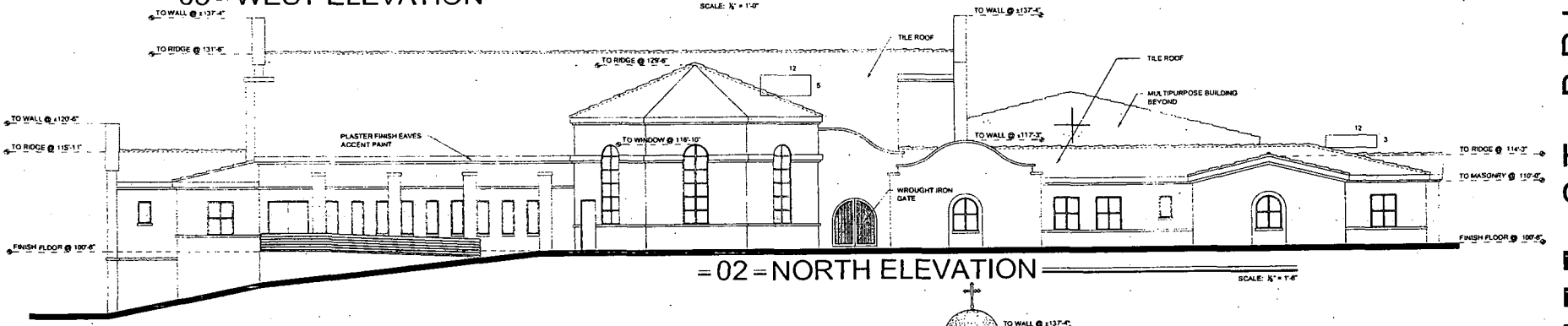
= 04 = SOUTH ELEVATION

SCALE: ⅛" = 1'-0"



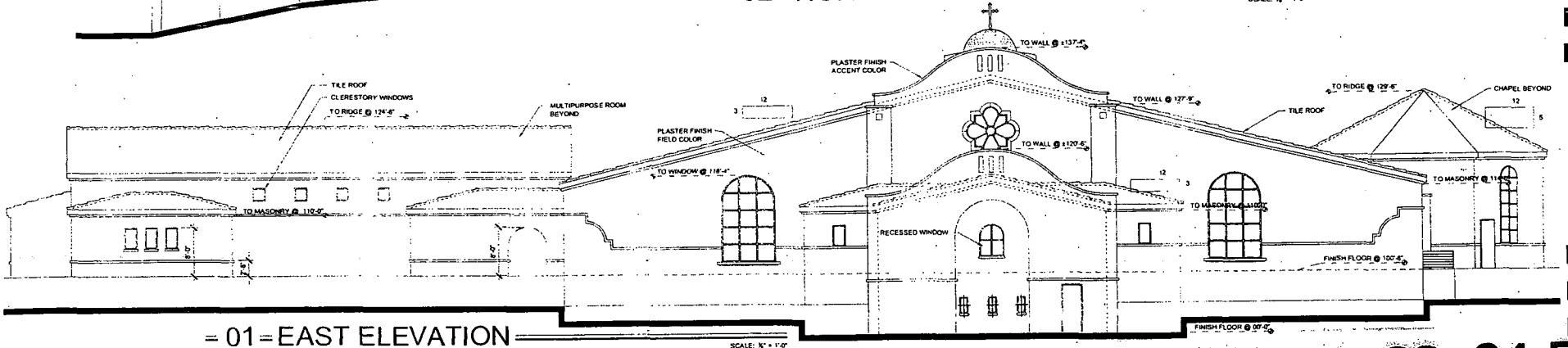
= 03 = WEST ELEVATION

SCALE: ⅛" = 1'-0"



= 02 = NORTH ELEVATION

SCALE: ⅛" = 1'-0"



= 01 = EAST ELEVATION

SCALE: ⅛" = 1'-0"

JVC ARCHITECTS
atelier
4290 cameron ste. 2
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at-el-ier (ăt' l-yā') n. [Fr.] a workshop; a studio

ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

0304-SB

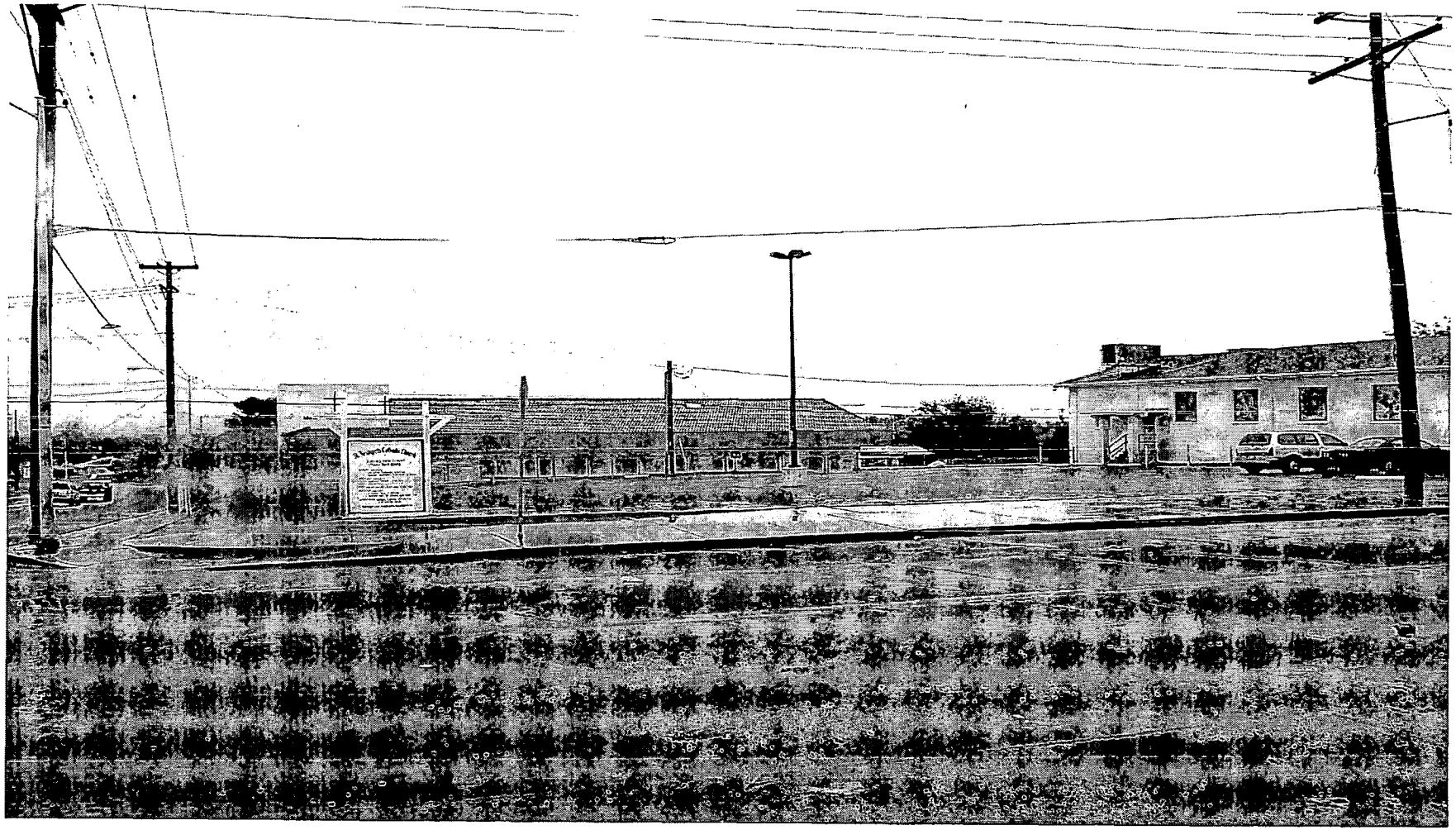
03-08-04

PROPOSED ELEVATIONS

A2

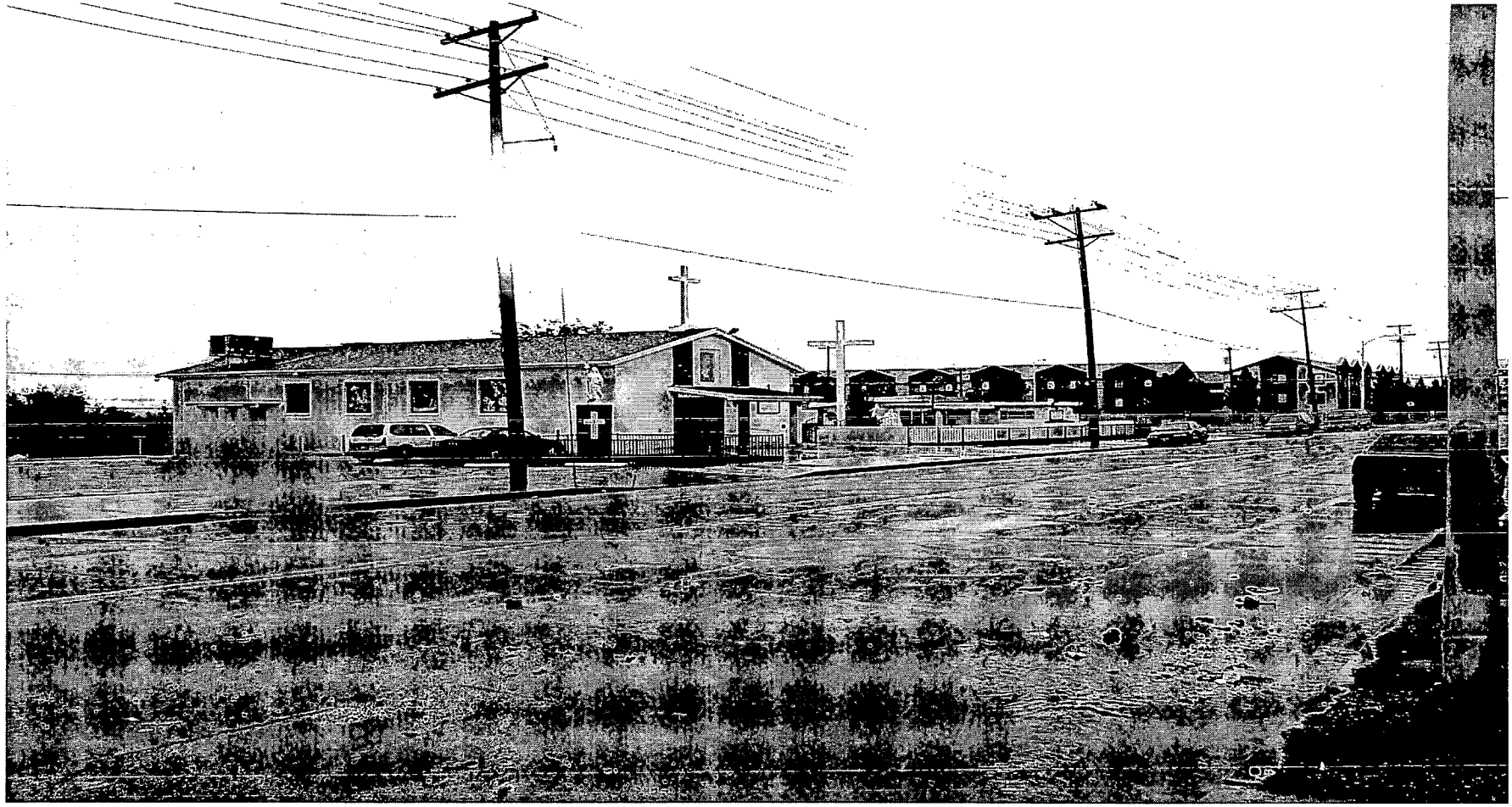
SUBMITTAL

ZON-4059 4-22-04 PC



ZON-4059 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS
220 NORTH 14TH STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



ZON-4059 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS
220 NORTH 14TH STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4059 - PUBLIC HEARING - **SDR-4107 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS** - Request for a Site Development Plan Review FOR A CHURCH on 2.69 acres at 220 North 14th Street (APN: 139-35-212-022, 053 and 054, 139-35-310-057,058, 059, 060, 067, 068, 069, 071 and 072), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones [PROPOSED: C-V (Civic)], Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with BROWN abstaining because he recently was appointed to the Board of Trustees of Catholic Charities of Southern Nevada and Ward 2 seat vacant

NOTE: MAYOR GOODMAN disclosed that BISHOP PEPE is a personal friend; however, it will not affect his ability to vote on these matters.

MINUTES:

NOTE: See Item 128 [ZON-4059] for related discussion.

(1:34 – 1:38)

4-235

CONDITIONS:

Planning and Development

1. The landscape plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect one landscaped finger per six parking spaces, one 24 inch box tree per finger with 4 – one gallon and 4- five gallon shrubs per finger and a maximum of 12.5% of the total landscaped area of the site as turf.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 129 – SDR-4107

CONDITIONS - Continued:

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

3. All development shall be in conformance with the site plan and building elevations, date stamped 5/19/04, except as amended by conditions herein.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

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

6. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

Public Works

9. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.

10. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the southern driveways do not meet 222A criteria and must be approved as a deviation or redesigned to meet current standards.

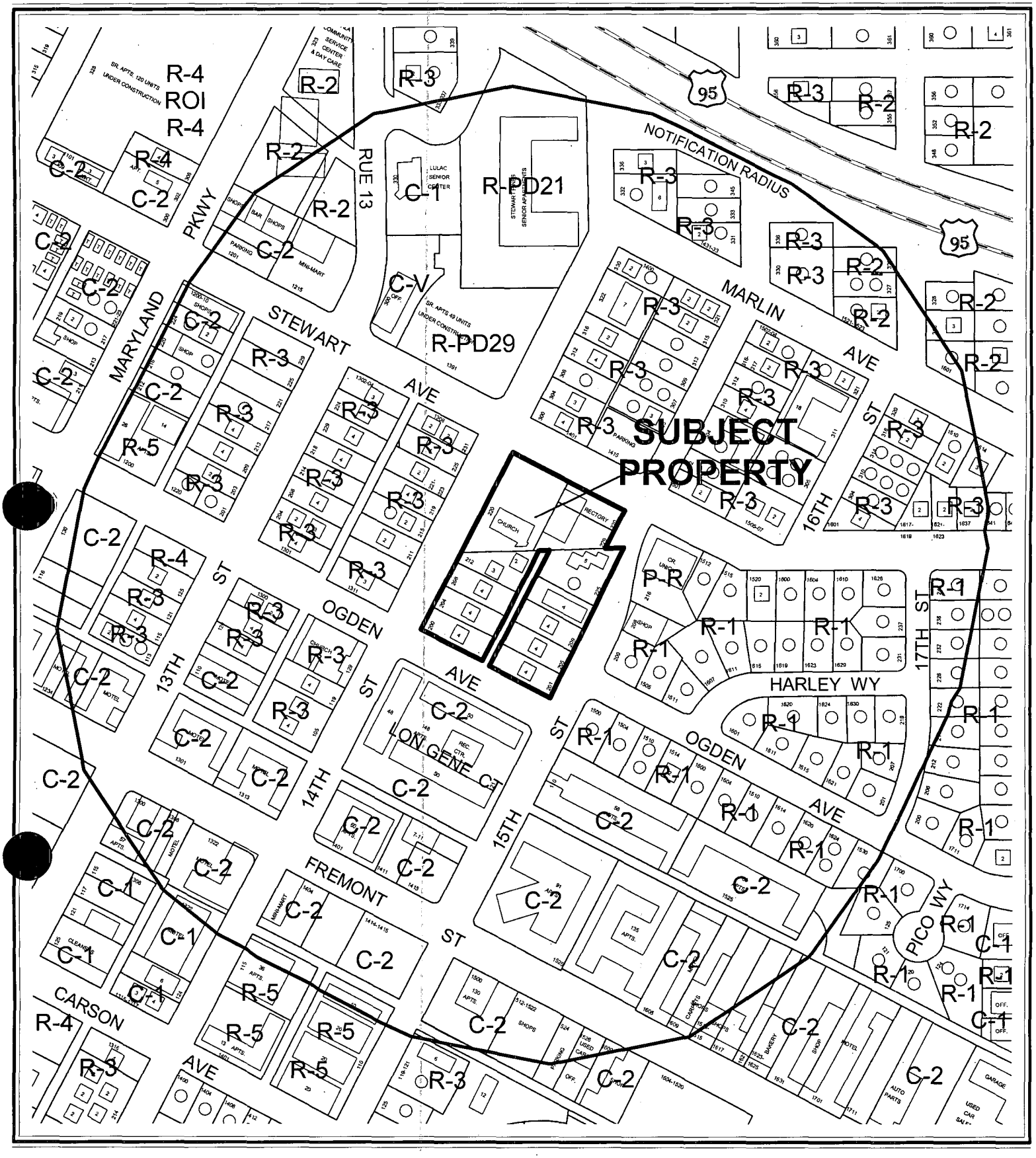
11. Landscape and maintain all unimproved right(s)-of-way, if any, on Stewart Avenue, Ogden Avenue 14th Street and 15th Street adjacent to this site.

12. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Stewart Avenue, Ogden Avenue 14th Street and 15th Street public right-of-way adjacent to this site prior to occupancy of this site.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 129 – SDR-4107

CONDITIONS - Continued:

13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4059 and all other subsequent site-related actions.



CASE: **SDR-4107**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4107 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. The landscape plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect one landscaped finger per six parking spaces, one 24 inch box tree per finger with 4 – one gallon and 4- five gallon shrubs per finger and a maximum of 12.5% of the total landscaped area of the site as turf.

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

3. All development shall be in conformance with the site plan and building elevations, date stamped 5/19/04, except as amended by conditions herein.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

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

6. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

Public Works

9. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.

10. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the southern driveways do not meet 222A criteria and must be approved as a deviation or redesigned to meet current standards.

11. Landscape and maintain all unimproved right(s)-of-way, if any, on Stewart Avenue, Ogden Avenue 14th Street and 15th Street adjacent to this site.

12. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Stewart Avenue, Ogden Avenue 14th Street and 15th Street public right-of-way adjacent to this site prior to occupancy of this site.

13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4059 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a church on 2.69 gross acres at 220 North 14th Street.

B) Applicant's Justification

Saint Bridget's has been an asset to the community since 1948. It has one of the most stable congregations in the Diocese. The old sanctuary and offices are functionally obsolete and now structure will be a centerpiece for the redevelopment of the neighborhood.

No waivers of landscaping requirements, parking requirements or development standards are required under the C-V (Civic) zoning designation.

BACKGROUND INFORMATION

A) Previous Actions

08/06/03 The City Council approved a Special Use Permit (SUP-2282) for a church at 202 North 14th Street. The Planning Commission and staff recommended approval.

08/06/03 The City Council approved a Variance (VAR-2283) to allow 130 parking spaces where 197 were required. The Planning Commission recommended approval, staff recommended denial.

08/06/03 The City Council approved a Site plan Review (SDR-2280) for a church at 220 North 14th Street. The Planning Commission recommended approval, staff recommended denial.

04/22/04 The Planning Commission recommended approval of a related Rezoning request (ZON-4049) from R-3 (Medium Density Residential) and R-4 (High Density Residential) to C-V (Civic).

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #52/kcw)

B) Pre-Application Meeting

02/27/04 The following topics were discussed:

- A reversionary map is requested to consolidate all of the parcels into one.
- All dimensions to be called out on the site plan.
- Trash enclosure to be moved away from street and covered.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.69

B) Existing Land Use

Subject Property:	Multi-family/ Church
North:	Multi-family
South:	Multi-family
East:	Single-family/ Commercial
West:	Multi-family

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-3/ R-4	Medium Density/ High Density Residential
North:	R-3	Medium Density Residential
South:	C-2	General Commercial
East:	P-R/ R-1	Professional Office/ Parking/ Single Family Residential
West:	R-3	Medium Density Residential

E) General Plan Compliance

This site is designated DTR-MXU (Downtown Redevelopment Plan- Mixed Use) on the Downtown Redevelopment Plan. The C-V (Civic) zoning permits uses that are within the scope of the DTR-MXU land use classification. The proposed zoning is therefore consistent with the proposed rezoning.

PROJECT DESCRIPTION

The applicant proposes to demolish the existing sanctuary, church hall and offices in order to construct a new sanctuary, multi-purpose building and church offices. The new site plan includes the acquisition of eight apartment buildings south of the existing buildings and all of the properties on the block.

It is proposed that all new improvements will be within the confines of the existing perimeter curbing and gutters along the adjacent streets. There will be a new five foot wide sidewalk constructed. New access is proposed from Ogden, 15th Street, and 14th Street. Most of the parking will be along the west and north sides of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.020, the Development Standards that apply to the subject proposal are established by this Site development Plan Review application.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

Uses	Conditions	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
church / House of Worship	685 fixed seats	1 space for each 4 fixed seats or 1 space for each 100 sq ft of non-fixed seating area in gathering room, whichever is greater	171		131	5
Gathering Room	4620 SF.		46			
Sub-Totals			217			
Totals			210	7	131	5

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

The proposal does not meet the requirement of Title 19 for parking. A variance (VAR-2283) was approved by the City Council 08/6/03 that allowed 130 parking spaces at this location.

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 Trees/6 Spaces	22 Trees	13
Buffer: • Min. Trees	1 Trees/30 Linear Feet	49 Trees	20
• Min. Zone Width	8 Feet		15
• Wall height	8 Feet		6.5

The proposal does not meet the minimum requirements for tree in the buffers and in the parking lot. The following will be added as conditions of approval:

- Additional fingers should be added to the parking lot to provide the minimum of one finger per six spaces.
- Additional 24-inch box trees shall be included in the fingers to increase the tree to the standard of one tree per six parking spaces.

A5) Sign Standards

Monument Signs: 19.14.060.C.4

Standards	**Allowed**	**Provided**
Maximum Number	1 / Street frontage 4 total	3 total
Maximum Area	75 SF /sign	65.5 sq ft
Maximum Height	10 Feet	7.75 approx.
Minimum Setback	5 Feet	5 feet
Illumination	Direct/Internal	Not Shown

The proposed signs for the use conform to the standards of title 19.14.

B) General Analysis and Discussion

- Zoning

A church/house of worship is permitted in the C-V (Civic) zoning. A companion rezoning application (ZON-4059) was filed with this application for a site plan review.

- Site Plan

The site plan depicts a reasonable expansion for this church, which can be harmonious and compatible with the surrounding properties.

- Waivers

There are no waivers associated with this request.

- Landscape Plan

As indicated earlier, the landscaping depicted on the plan is spread throughout the site and is deficient in many respects. The perimeter landscaping is not evenly distributed throughout the planters. Additionally, the parking area does not incorporate the required amount of parking lot landscaping. Conditions have been included to require all portions of the site that are currently shown with limited trees to comply with the perimeter landscaping requirements and for the applicant to conform to the parking lot landscaping standard of one 24-inch box tree for every six parking spaces.

- Elevation

The use of both stucco, a variety of rooflines, box outs, and a harmonious color palette, results in a development that is both visually pleasing and appropriate to its context. The cross height should be limited to 35 feet, the maximum height of two story buildings in a residential area.

- Floor Plan

The floor plan shows a design that is typical of this type of 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 low profile of the building is very similar to the single story development around the site. The cross height should be limited to 35 feet, the maximum height of two story buildings in a residential 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 implementation of the proposed conditions the proposed development will be consistent with all development standards and city policies.

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

   The traffic analysis required by the Department of Public Works will ensure that the surrounding area will not negatively impact adjacent roadways or traffic.

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

   The proposed materials are well suited to both the area and the development that currently exists on the site.

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

   The single story, rambler/ ranch architectural style of the building is compatible with the surrounding development.

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

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

PLANNING COMMISSION ACTION

The Planning Commission removed staff's recommended condition #2.

NOTICES MAILED 164 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4107 APN: 139-35-310-057, 058, 059, 060
139-35-310-067, 068, 069, 071
139-35-310-072, 139-35-212-022,,52,53,54

Name of Property Owner: Roman Catholic Bishop of Las Vegas

Name of Applicant: Roman Catholic Bishop of Las Vegas

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: + Joseph A. Pepe

Print Name: Joseph A. Pepe

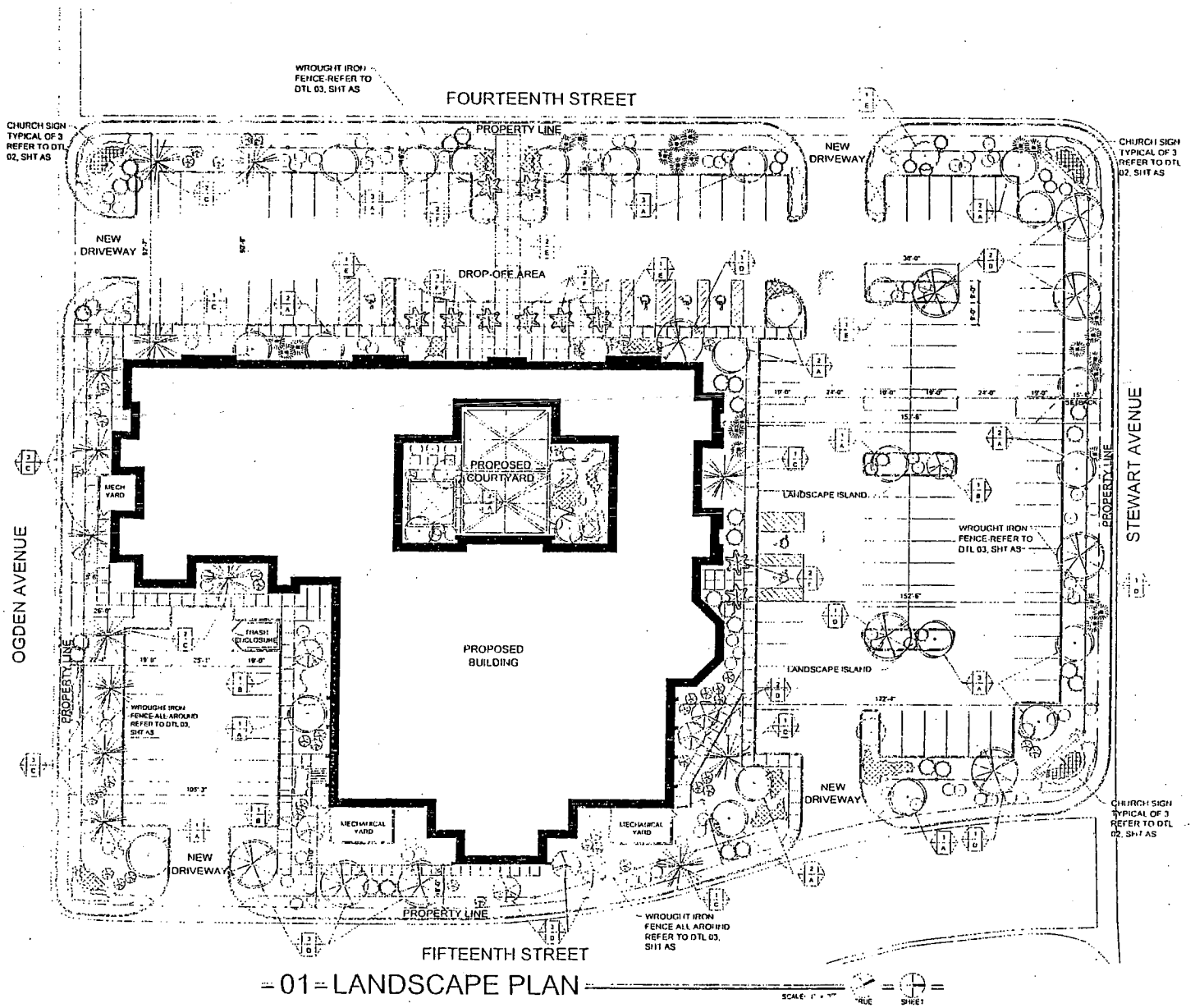
Subscribed and sworn before me

This 25th day of February, 2004

Mary L. Aldrich Carroll

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY L. ALDRICH-CARROLL
No: 01-66354-1
My Appointment Expires Oct. 3, 2004



01 LANDSCAPE PLAN

SCALE: 1" = 30'-0"

SHEET NOTES

1. ALL PLANTING AREAS TO RECEIVE 3" MIRIS DECOMPOSED GRANITE DRIPRID COVER.
2. ALL LANDSCAPING TO BE ON AUTOMATIC IRRIGATION SYSTEM. ALL PLANTS TO BE ON DRIP SYSTEM.
3. LANDSCAPED AREAS TO BE 6'-0" MINIMUM AVERAGE ALONG ROW.
4. REFER TO CIVIL DRAWINGS FOR GRADING INFORMATION.
5. REFER TO CIVIL DRAWINGS FOR HORIZONTAL AND VERTICAL CONTROL. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN ARCHITECTURAL AND CIVIL CONTROL DIMENSIONS.
6. FFE = 100'-0"
7. GC TO PROVIDE ALL SLEEVES FOR IRRIGATION SYSTEM

HARDSCAPE SCHEDULE

ITEM	DESCRIPTION
	DECOMPOSED GRANITE - "SIERRA MOJAVE GOLD

PLANTING LEGEND

TREE

ITEM	QUANTITY	BOTANICAL NAME	COMMON	SIZE
A	27	CERCIDIUM HYBRID 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	15 GAL
B	9	PITTOSPORUM PHILLYRAEOIDES	WILLOW PITTOSPORUM	24" BOX
C	14	PINUS ELDARICA	MONDEL PINE	24" BOX
D	10	PROSOPIS CHILENSIS	CHILEAN MESQUITE	24" BOX
E	7	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL	15 GAL
F	16	PRITCHARDIA ROBUSTA	WASHINGTONIA ROBUSTA	25' TALL MIN

SHRUBS

ITEM	QUANTITY	BOTANICAL NAME	COMMON	SIZE
	107	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	GREEN TEXAS RANGER	5 GALLON
	42	MYRTUS COMMUNIS 'COMPACTA'	COMPACT MYRTLE	5 GALLON
	48	SALVIA GREGGII 'SIERRA LAVA'	SIERRA LAVA SAGE	5 GALLON
	75	MUHLENBERGIA RIGENS	DEER GRASS	5 GALLON

GROUND COVER

ITEM	SPACING	BOTANICAL NAME	COMMON	SIZE
	12" OC	DYMONDIA MARGARETAE 'SIERRA GOLD'	SIERRA GOLD DYMONDIA	5 GALLON
	12" OC	LANTANA MONTEVIDENSIS	TRAILING LANTANA	1 GALLON

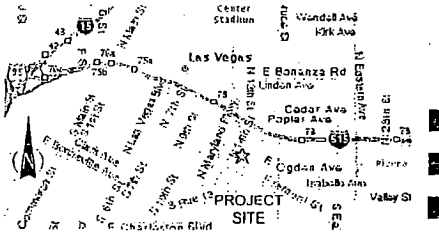
PLANTING NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
2. DO NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER/ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
4. ALL PLANT MATERIAL SHALL BE APPROVED FOR QUALITY BY THE OWNER AND LANDSCAPE ARCHITECT/ARCHITECT PRIOR TO INSTALLATION.
5. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE. LOCATION SHALL BE APPROVED PRIOR TO EXCAVATION.

PLANTING TAG LEGEND

25' TALL | 24" BOX | 15 GAL | INDICATES QUANTITY | INDICATES SPECIES

VICINITY MAP



SDR-4107
4-22-04 PC

JVC ARCHITECTS
4290 cameron ste. 2
las vegas, nv 89103
ph 702 871 3416
fax 702 871 2630
web jvcassociates.com

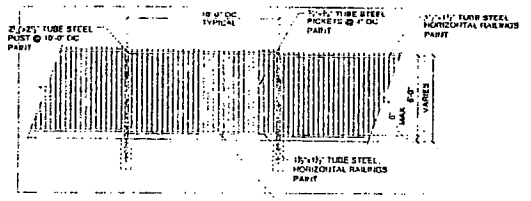
at chier (ät l-yā') n. [Fr.,
a workshop; a studio

ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

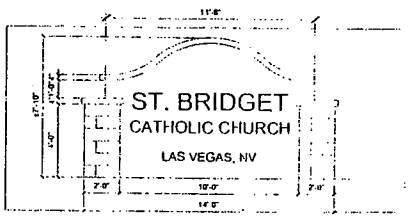
0304-SB
03-08-04

PROPOSED LANDSCAPE PLAN
LS
SUBMITTAL



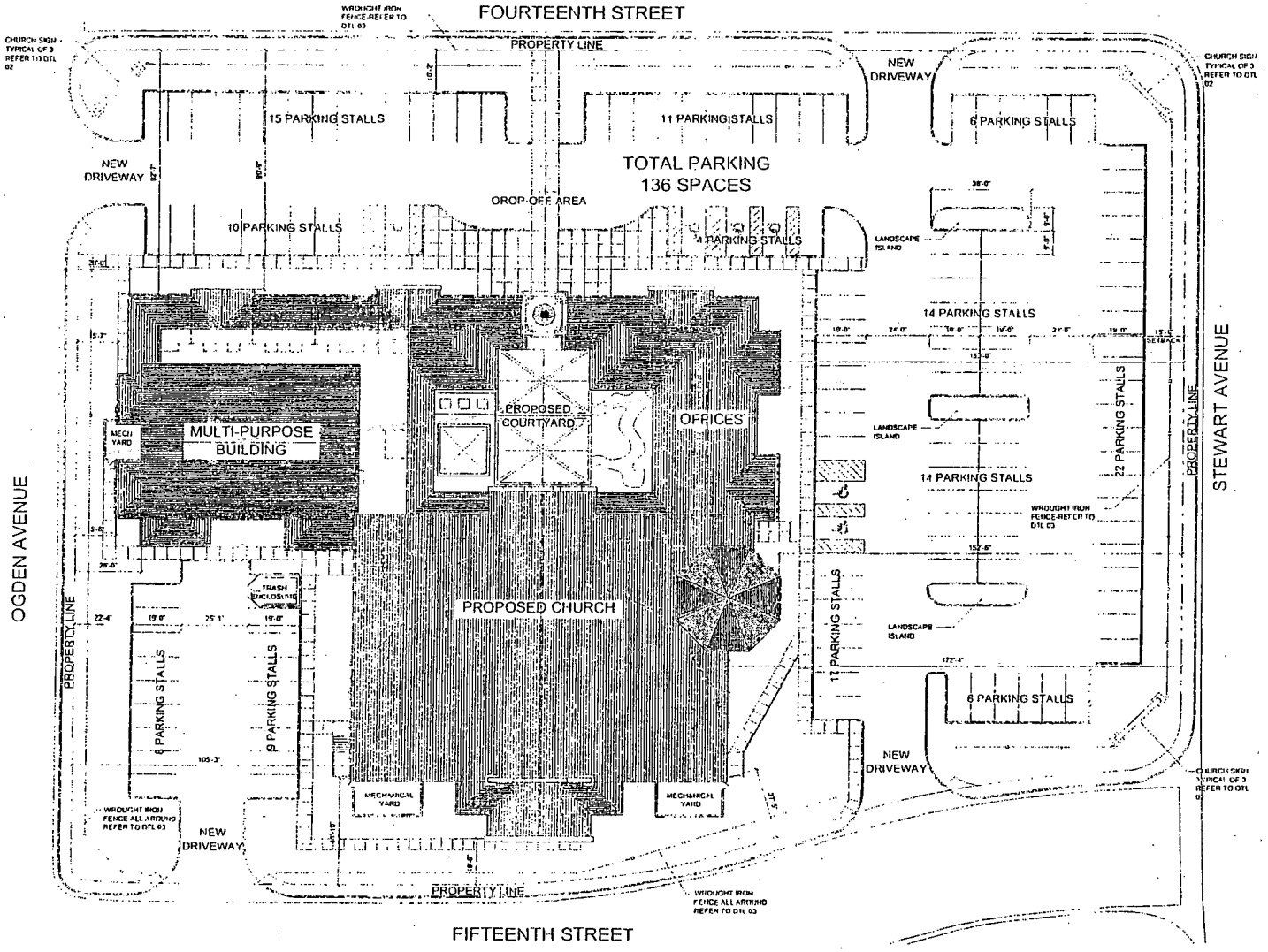
=03= PERIMETER FENCE

NOT TO SCALE



=02= SIGN ELEVATION

NOT TO SCALE



=01= SITE PLAN

SCALE: 1" = 30'-0"

TRUE

SHEET

PROJECT ANALYSIS

OWNER:	THE ROMAN CATHOLIC BISHOP OF LAS VEGAS AND HIS SUCCESSORS, A CORPORATION SOLE 336 CATHEDRAL WAY LAS VEGAS, NV 89109	
ARCHITECT:	JVC ARCHITECTS CAMERON ST. SUITE 2 LAS VEGAS, NEVADA 89103 (702) 871-3416 FAX: 871-2630 JIM VAN COMPERNOLLE, ARCHITECT	
PROJECT LOCATION:	220 N. 14TH STREET LAS VEGAS, NV 89101	
SQUARE FOOTAGE:	BUILDING AREA COVERED WALKWAYS TOTAL AREA:	29,849 S.F. 3,357 S.F. 33,206 S.F.
FAR: (FLOOR AREA RATIO)	BUILDING FOOT PRINT/LOT AREA 33,206 SF / 126,901 SF X (100) = 26%	
PARKING REQ:		
SANCTUARY:	825 SEATS @ 4 PER CAR = 625 / 4 TOTAL PARKING REQUIRED = 157 SPACES (VARIANCE VAR - 2283 APPROVED ALLOWING 130 SPACES)	
PARKING PROVIDED:	TOTAL PARKING PROVIDED = 136 SPACES	

JVC ARCHITECTS

4290 cameron ste. 2
las vegas, nv 89103
ph 702 871 3416
fax 702 871 2630
web jvcassociates.com

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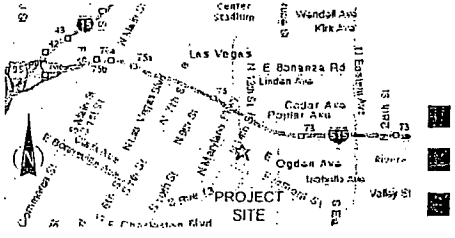
ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

0304-SB

03-08-04

VICINITY MAP

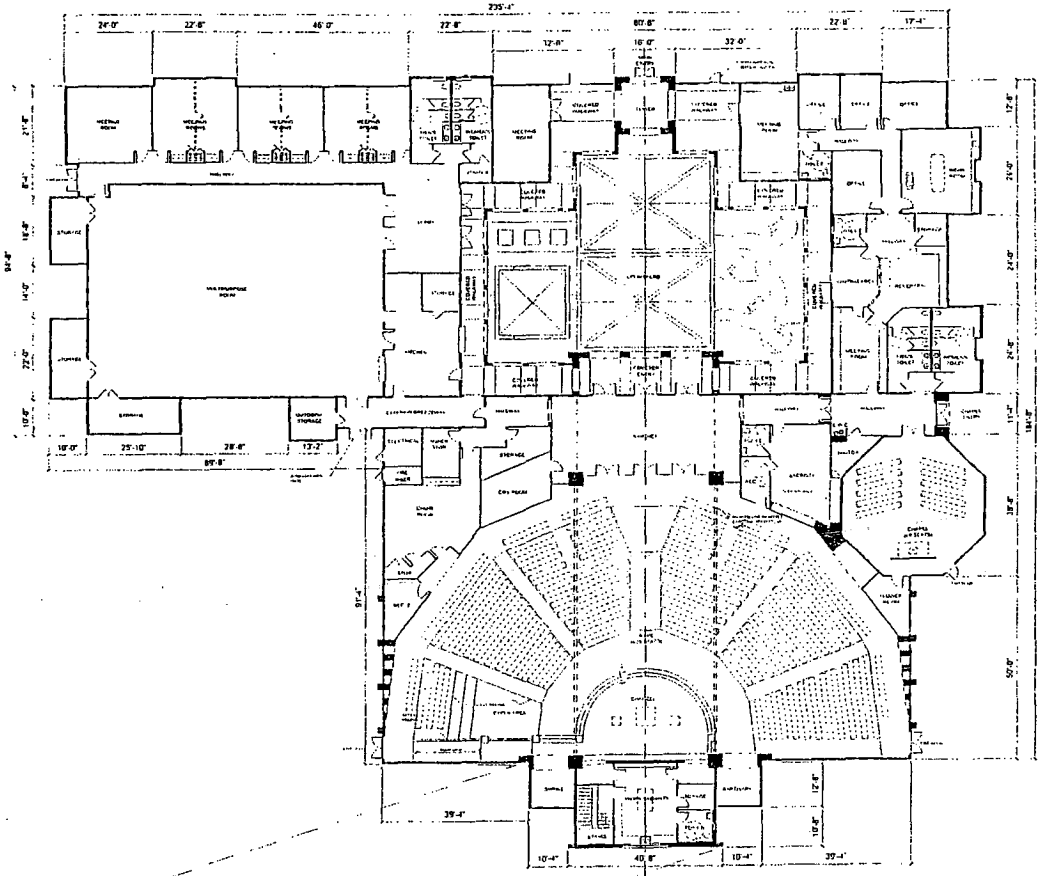


PROPOSED SITE PLAN

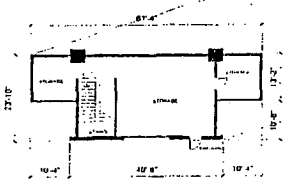
AS

SUBMITTAL

SDR-4107
4-22-04 PC



= 01 = FLOOR PLAN



= 02 = FLOOR PLAN - LOWER LEVEL

JVC ARCHITECTS
atelier
4290 cameron ste. 2
las vegas, nv 89103
ph 702 871 3116
fax 702 871 2630
web jvcassociates.com

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a workshop; a studio

ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

0304-SB

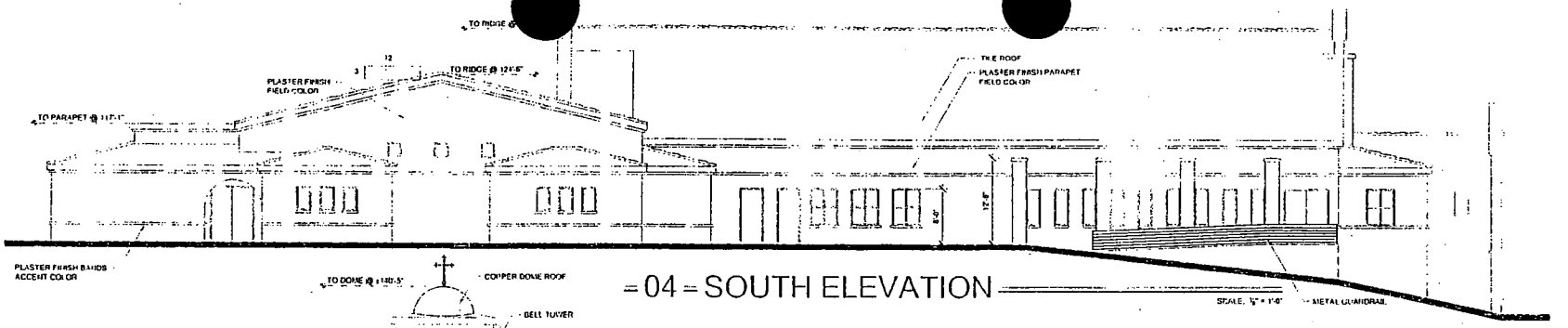
03-08-04

PROPOSED FLOOR PLAN

A1

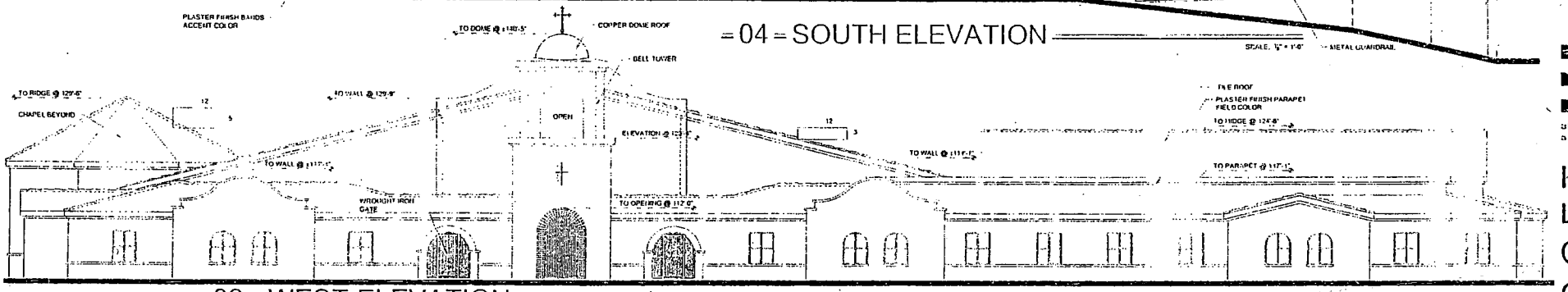
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SDR-4107
4-22-04 PC



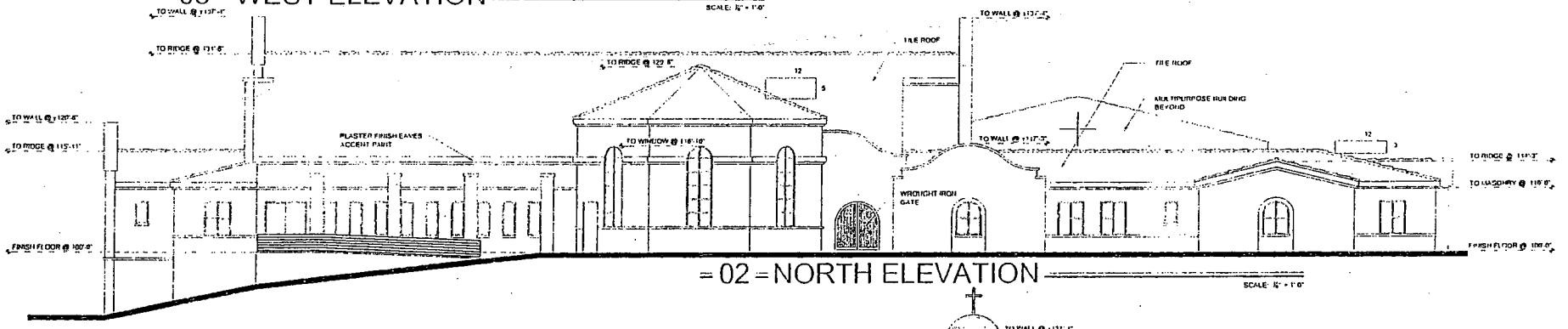
= 04 = SOUTH ELEVATION

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



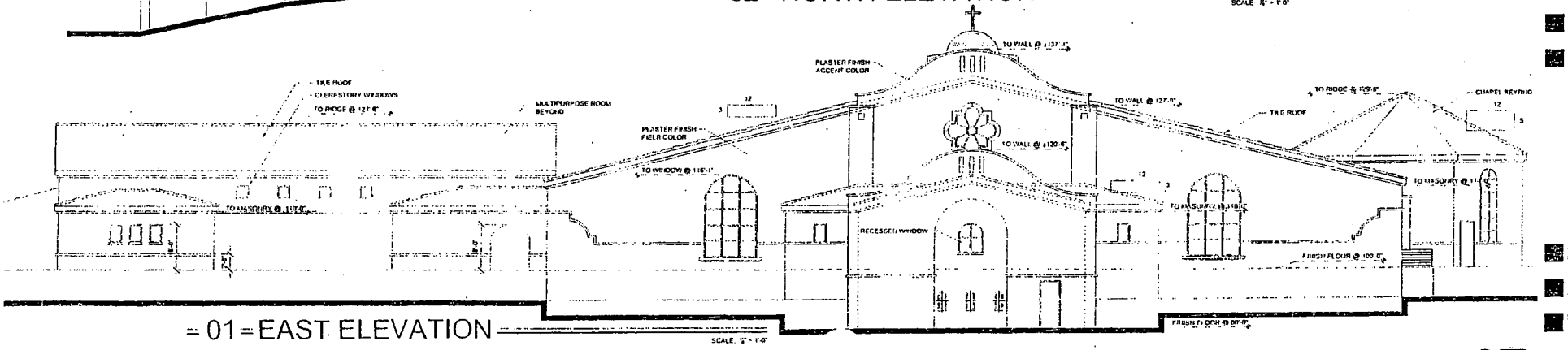
= 03 = WEST ELEVATION

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



= 02 = NORTH ELEVATION

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



= 01 = EAST ELEVATION

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

JVC ARCHITECTS

4220 cameron ste. 2
las vegas, nv 89103
ph 702 871 3416
fax 702 871 2630
web jvcassociates.com

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ST. BRIDGET CATHOLIC CHURCH

220 NORTH 14TH STREET
LAS VEGAS, NV 89101

0304-SB

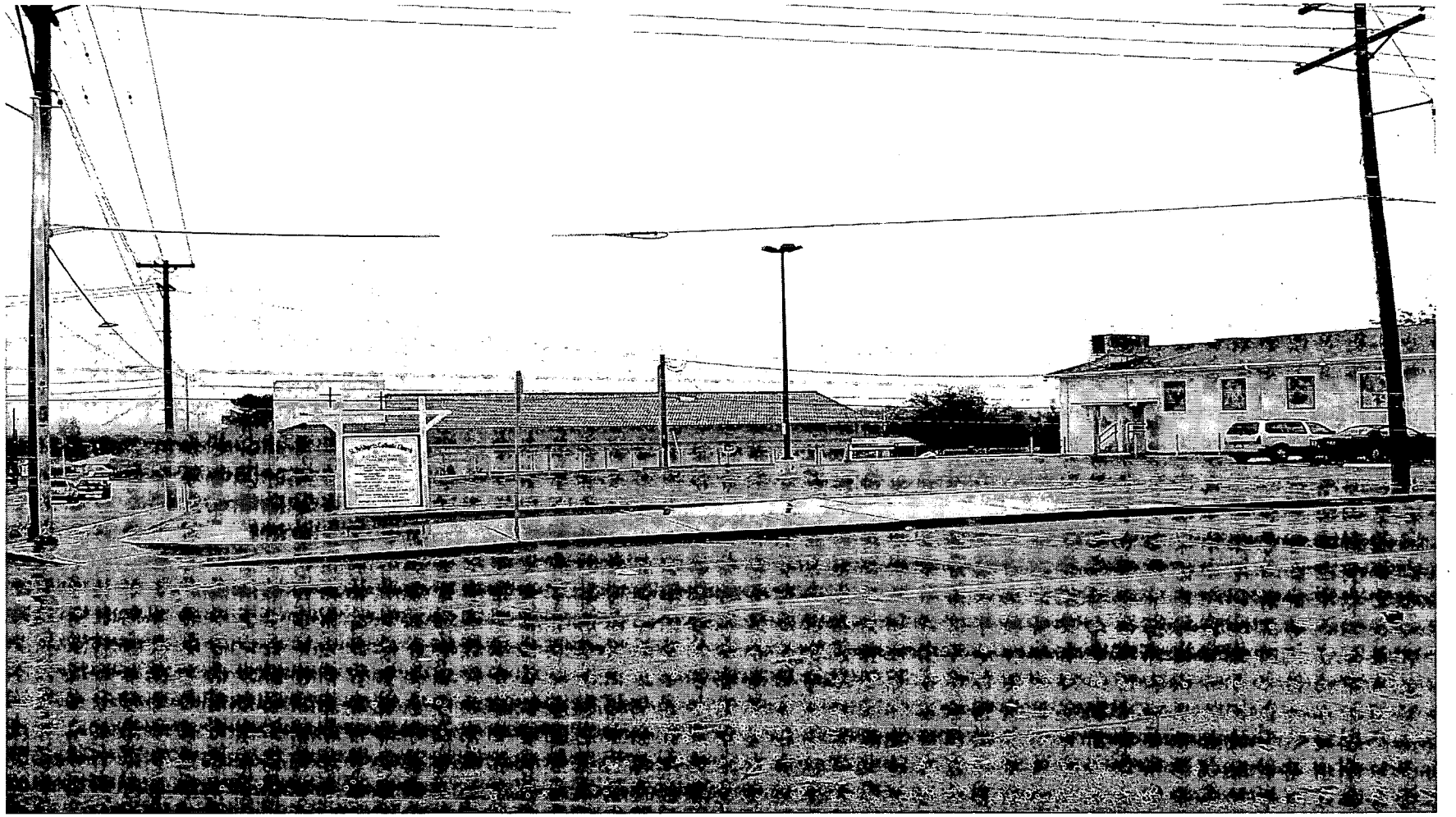
03-08-04

PROPOSED ELEVATIONS

A2

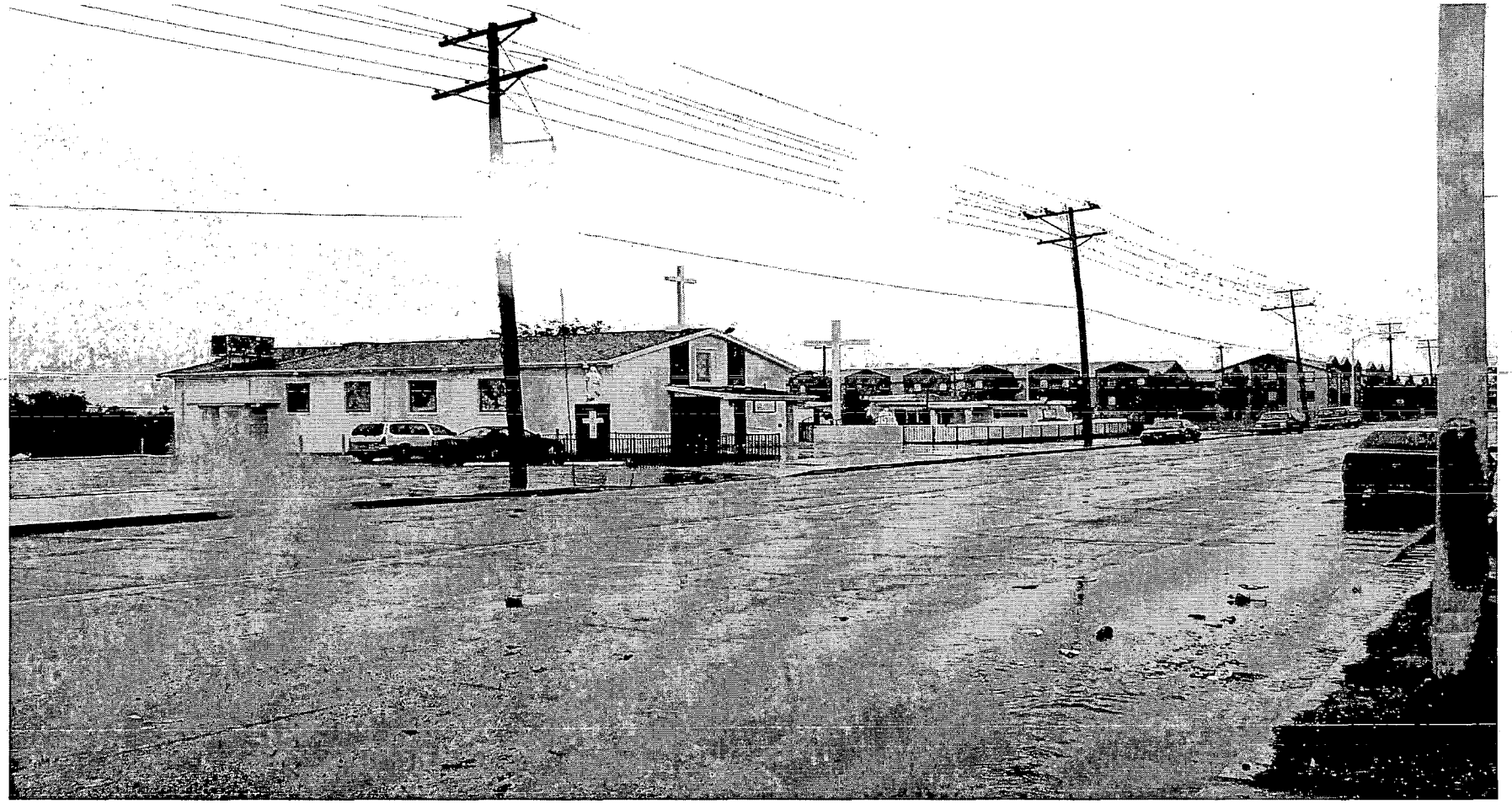
SUBMITTAL

SDR-4107
4-22-04 PC



SDR-4107 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS
220 NORTH 14TH STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



SDR-4107 - APPLICANT/OWNER: ROMAN CATHOLIC BISHOP OF LAS VEGAS
220 NORTH 14TH STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4066 – APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-D (SINGLE FAMILY RESIDENTIAL - RESTRICTED) on 2.93 acres adjacent to the southeast corner of Washburn Road and Maverick Street (APN: 125-35-701-001, 002 and 003), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 130 [ZON-4066], Item 131 [SUP-4128] and Item 132 [VAC-4068].

PAULETTE CAROLIN, Aztec Engineering, 3320 Buffalo Drive, Suite 106, appeared on behalf of the applicant, concurred with staff recommendations and requested approval.

DEE DAVIS, 5078 North Maverick, and the owner of the property at 5130 North Maverick, appeared in support and stated the use is compatible. MAYOR GOODMAN said that he is glad when the applicant, the neighbors, the City staff and Council can work together and be happy with a project.

COUNCILMAN MACK appreciated the applicant and neighbors working together for the benefit of all.

No one appeared in opposition.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 130 – ZON-4066

MINUTES – Continued:
MAYOR GOODMAN declared the Public Hearing closed on Item 130 [ZON-4066], Item 131 [SUP-4128] and Item 132 [VAC-4068].

NOTE: All discussion on Item 130 [ZON-4066], Item 131 [SUP-4128] and Item 132 [VAC-4068] was held under Item 130 [ZON-4066].

(2:40 – 2:44)

4-335

CONDITIONS:
Planning and Development

1. A resolution of intent with a two-year time limit.

2. The developer shall record a deed restriction on all lots limiting the height of any structures to one-story.

3. This property shall be limited to a total of six developable residential lots, as shown on the site plans submitted with this rezoning request.

4 All lots shall have a minimum net lot size of 18,500 square feet.

5. The keeping of horses shall be permitted as allowed by City Codes currently in effect and any subsequent amendments.

Public Works

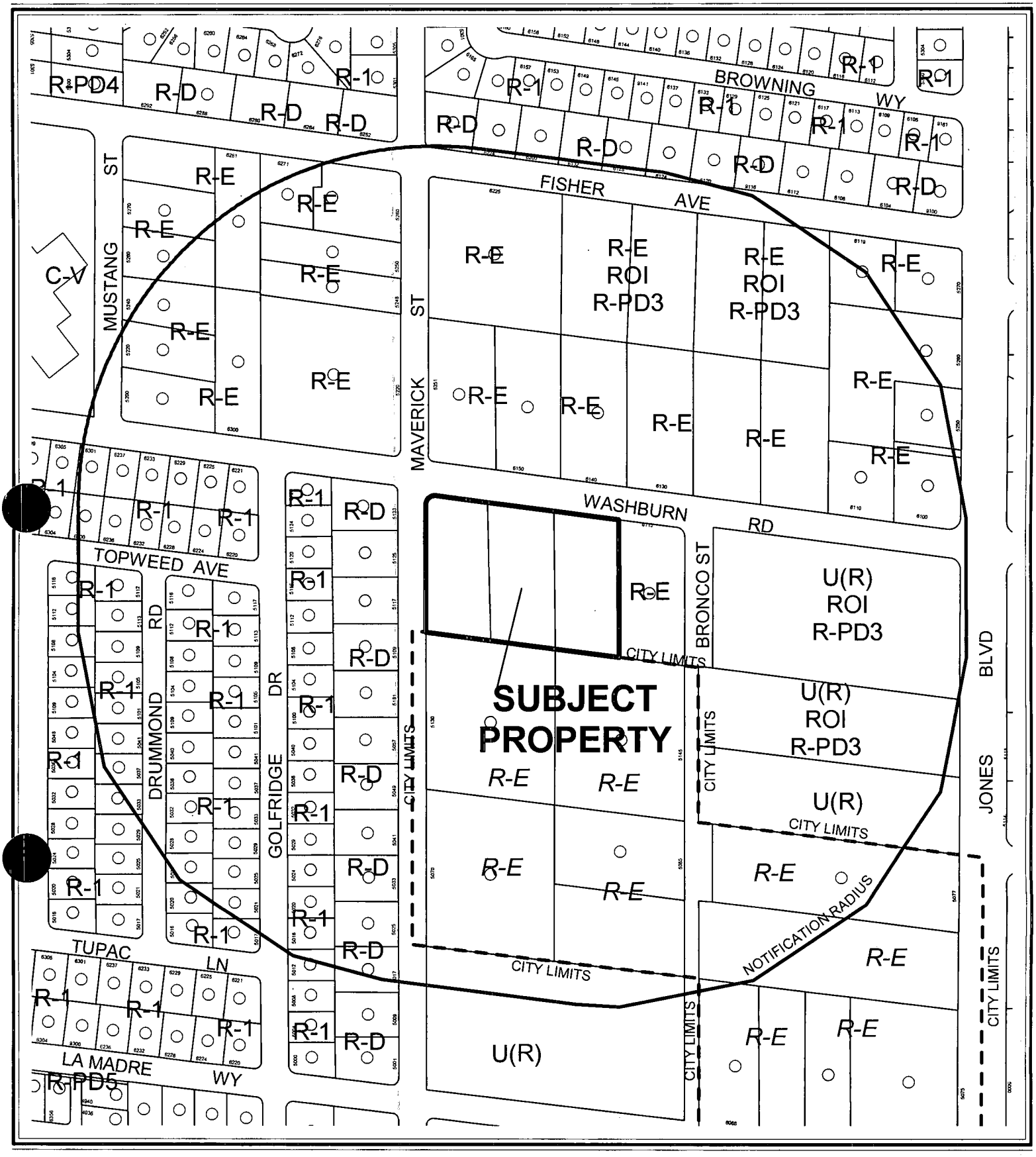
6. Petition of Vacation, VAC-4068, that includes the southern most 10 feet of Washburn Road must record prior to the recordation of a Final Map for this site.

7. Construct half-street improvements including appropriate overpaving on Washburn Road and Maverick Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CONDITIONS - Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **ZON-4066**

RADIUS: 750 FT

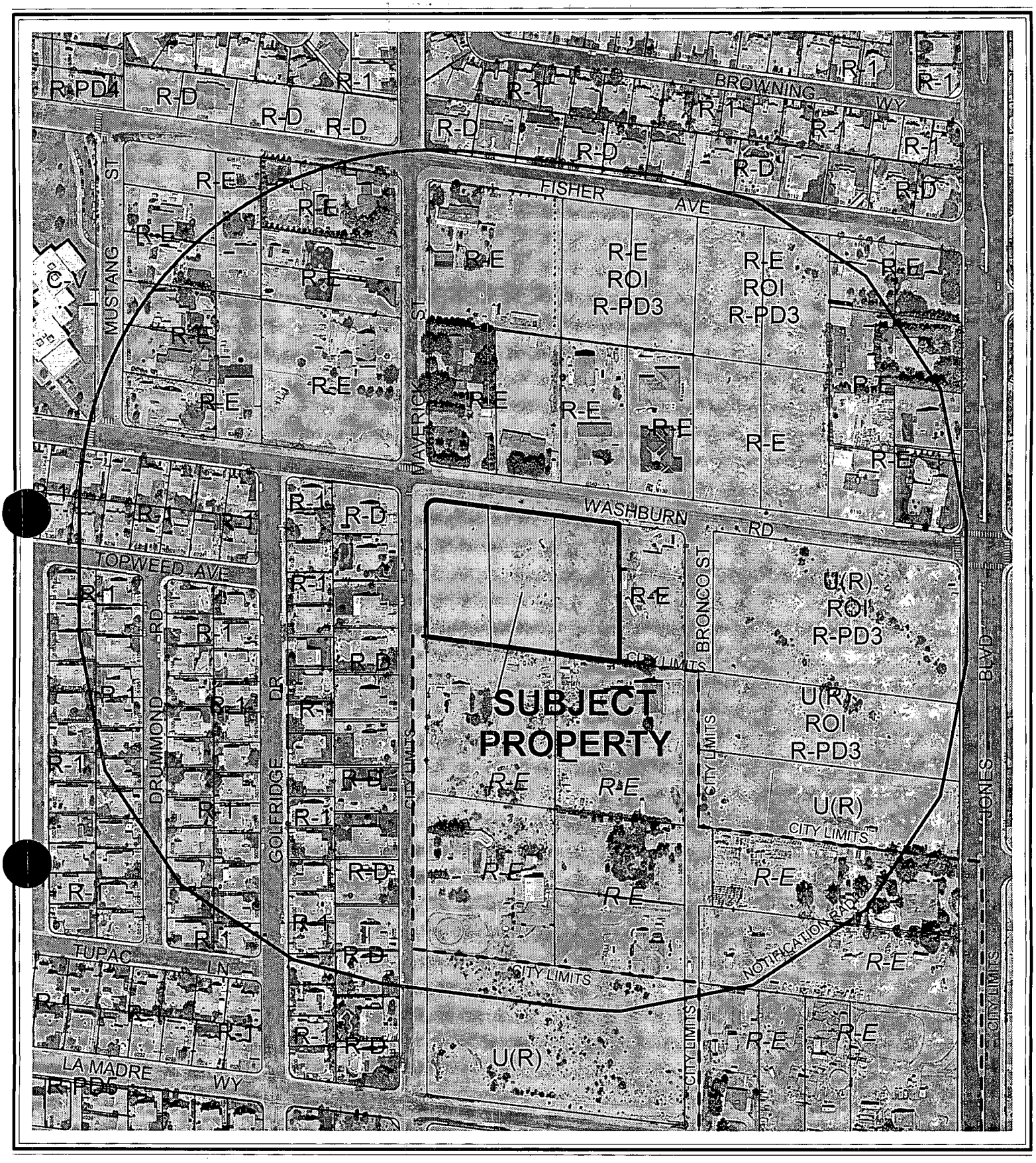
0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-D (SINGLE FAMILY RESIDENTIAL - RESTRICTED)



CASE: **ZON-4066**

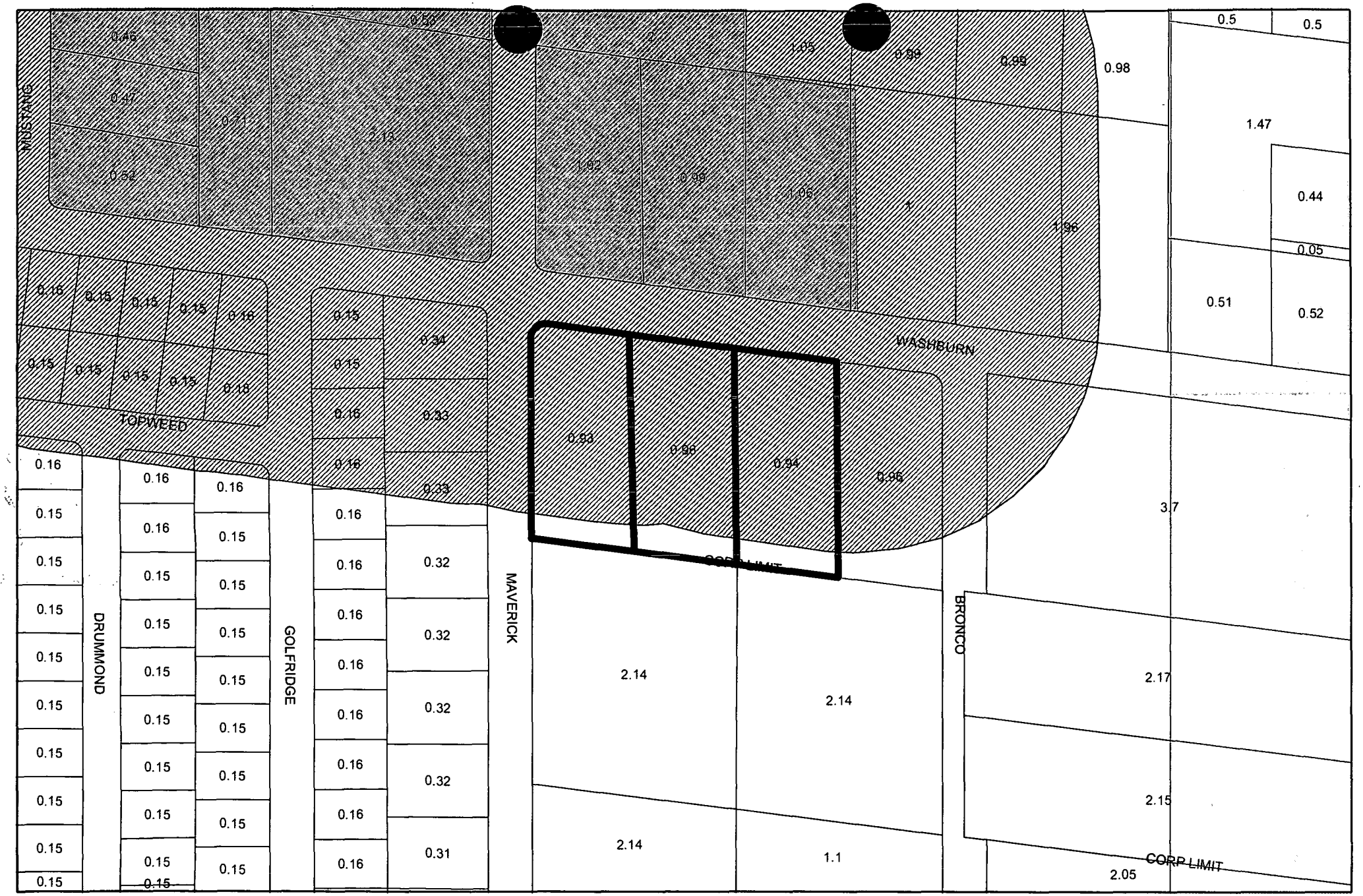
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-D (SINGLE FAMILY RESIDENTIAL - RESTRICTED)



Case: ZON-4066

Rural Preservation Site Map

City of L.V. RPN Buffer

City of L.V. RPN Parcel

Clark County RPN Buffer

Clark County RPN Parcel

330 Buffer from Major Street

Subject Area

0.48 Parcel Size in Net Acres

2.83 Total Subject Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4066 – APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. A resolution of intent with a two-year time limit.

2. The developer shall record a deed restriction on all lots limiting the height of any structures to one-story.

3. This property shall be limited to a total of six developable residential lots, as shown on the site plans submitted with this rezoning request.

4. All lots shall have a minimum net lot size of 18,500 square feet.

5. The keeping of horses shall be permitted as allowed by City Codes currently in effect and any subsequent amendments.

Public Works

6. Petition of Vacation, VAC-4068, that includes the southern most 10 feet of Washburn Road must record prior to the recordation of a Final Map for this site.

7. Construct half-street improvements including appropriate overpaving on Washburn Road and Maverick Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning (ZON-4066) to R-D (Single Family Residential – Restricted). A Special Use Permit (SUP-4128) for private streets and a Petition to vacate (VAC-4068) the south 10 feet of Washburn Road, between Maverick Street and Bronco Lane were filed as companion items.

B) Applicant's Justification

The applicant's justification letter states that the requested rezoning is consistent with the surrounding existing development, and future development previously approved in the area.

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council accepted a request to Withdraw Without Prejudice a Rezoning (ZON-2918) to R-D (Single Family Residential – Restricted) and a Vacation (VAC-2920) of the south 10 feet of Washburn Road. The Planning Commission and staff recommended approval on October 9, 2003.

04/22/04 The Planning Commission recommended approval of a related Special Use Permit (SUP-4128) for private streets.

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #53/pb)

B) Pre-Application Meeting

02/18/04 The pre-application meeting addressed concerns over the density levels and the developer's best attempts to do R-E (Residence Estates) on the subject property due to the previous action withdrawn at City Council.

C) Neighborhood Meetings

A neighborhood meeting is not required by this rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.93

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation]
North:	R-E (Residence Estates)
South:	Clark County
East:	R-E (Residence Estates)
West:	R-D (Single Family Residential – Restricted)

E) General Plan Compliance

The Centennial Hills General Plan designates this site as R (Rural Density Residential). The R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre.

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
Minimum Lot Size	11,000 Feet	18,500	Y
Minimum Lot Width	90 Feet	90 Feet	Y
Minimum Setbacks			
• Front	25 Feet	25 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	30 Feet	30 Feet	Y
Max. Lot Coverage	50 %	50%	Y
Maximum Building Height	Two Stories / 35 Feet	Two Stories / 35 Feet	Y

The proposed development will meet all of the development standards for R-D (Single Family Residential – Restricted) as listed in Title 19.08.

B) General Analysis and Discussion

The proposed R-D (Single Family Residential – Restricted) zoning district will allow the development of single family residential dwellings at a maximum of 3.0 dwelling units per gross acre. The site plan submitted by the applicant depicts 6 lots, or approximately 2.08 dwelling units per gross acre. The layout will meet all of the development standards for the corresponding zoning district and will be compatible with the surrounding area.

FINDINGS

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

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

   The Centennial Hills General Plan designates this site as R (Rural Density Residential). The R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. The proposed R-D (Single Family Residential – Restricted) zoning district would allow 3.0 dwelling units per acre and as such is in conformance with the general plan.

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

The surrounding properties are all developed with single-family residential dwellings ranging from R-D (Single Family Residential – Restricted) to R-E (Residence Estates). The proposed R-D (Single Family Residential – Restricted) zoning district will allow similar density levels and uses.

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

This property has remained undeveloped in the midst of tremendous growth in the area. It has already been determined that the site is appropriate residential development along the lines of that allowed with the R-D (Single Family Residential – Restricted) zoning district.

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

Washburn Avenue adequately serves the site to the north and Maverick Street to the west.

PLANNING COMMISSION ACTION

The Planning Commission amended condition #5 as shown.

NOTICES MAILED 124 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4066 APN: 125-35-701-001, 002, 003

Name of Property Owner: Treasure Land Dev. Co., LLC

Name of Applicant: Treasure Land Dev. Co., 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: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner/Authorized Agent: [signature] 03/4

Print Name: NABIL SAHLANI (CEM)

Subscribed and sworn before me

This 5 day of March, 2004

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

SHARON CALLOWAY, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires Oct. 17, 2005

SITE PLAN

OF

TREASURE LAND DEVELOPMENT

SEC WASHBURN RD. & MAVERICK ST.

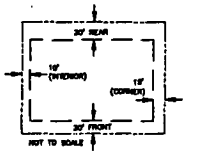
A RESIDENTIAL SUBDIVISION

PROFESSIONAL ENGINEER - STATE OF NEVADA
KHOSROW ALIGHCHI
CIVIL
No. 12904

3-17-04

12-31-04

LOT DATA	
LOT INFORMATION	
CURRENT ZONING	U(V) UNDEVELOPED/RURAL
PROPOSED ZONING	R-D SINGLE FAMILY RESIDENTIAL-RESTRICTED
GROSS ACREAGE	2.63 ACRES
NET ACREAGE	2.39 ACRES
PROPOSED NUMBER OF LOTS	9 LOTS
MINIMUM SQUARE FOOTAGE PER LOT (NET)	10,500 SF
MAXIMUM SQUARE FOOTAGE PER LOT (NET)	21,863 SF
AVERAGE SQUARE FOOTAGE PER LOT (NET)	15,170 SF
DENSITY REQUIREMENTS	
PROPOSED DENSITY (NET)	3.68 DU/ACRE (NET)
PROPOSED DENSITY (GROSS)	3.88 DU/ACRE (GROSS)
MAXIMUM ALLOWABLE DENSITY (R-D)	3.5 DU/ACRE
PARKING REQUIREMENTS	
PARKING PROVIDED PER LOT	2 SPACES
MINIMUM YARD SETBACK REQUIREMENTS	
FRONT	20'
SIDE (INTERIOR)	10'
SIDE (CORNER)	15'
REAR	20'

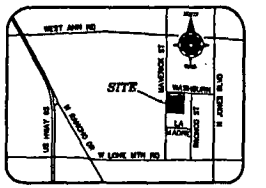


ABBREVIATIONS			
CE	COMMON ENTITY	PROP	PROPOSED
LCE	LIMITED COMMON ENTITY	P.L.	PROPERTY LINE
TE	TRASH ENCLOSURE	ROW	RIGHT-OF-WAY
HC	HANDICAPPED	R/W	RIGHT-OF-WAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
EX	EXISTING	STLT	STREET LIGHT
NTS	NOT TO SCALE	EOP	EDGE OF PAVEMENT
WA	WATER	SW	SIDEWALK
SS	SANITARY SEWER	R	RADIUS
BOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRE

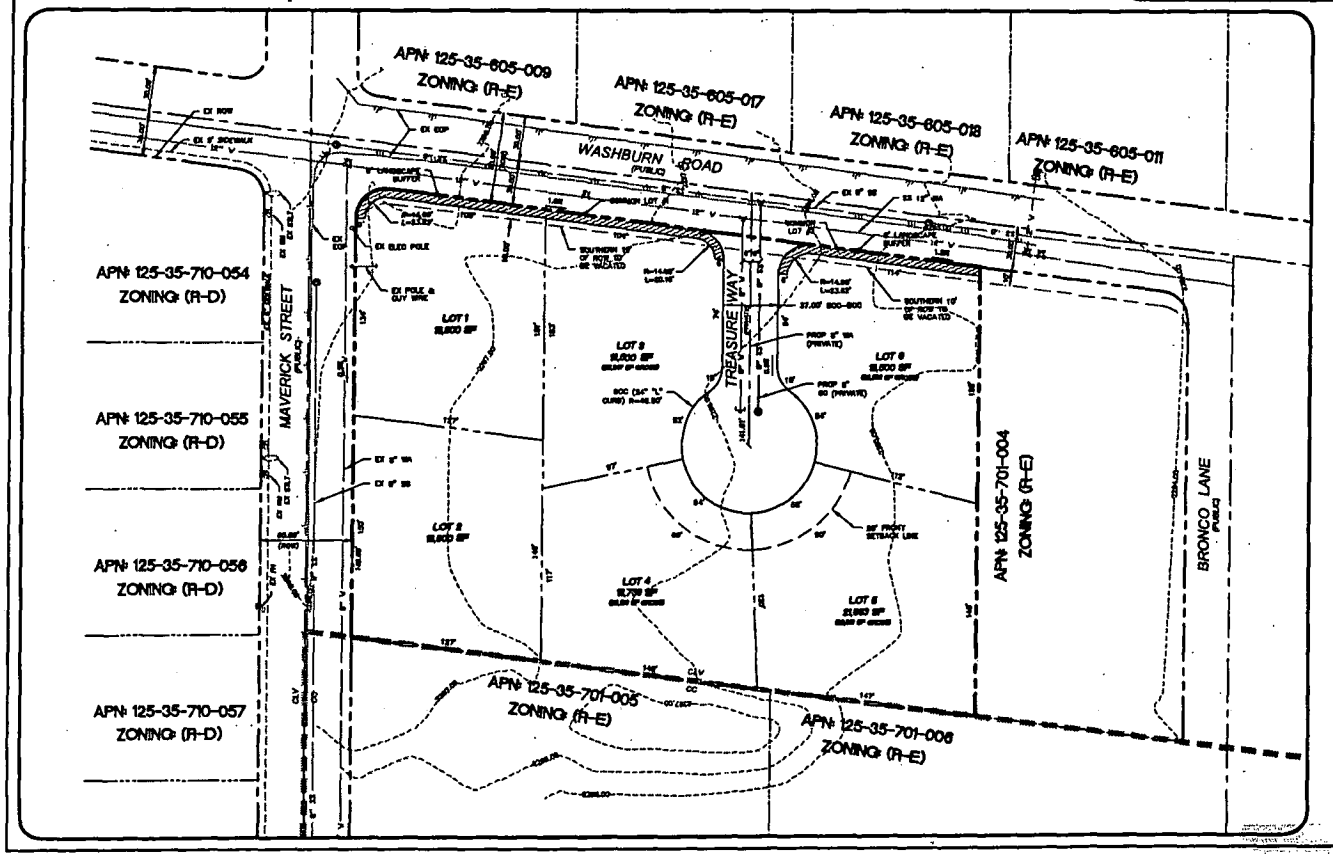
NORTH

1"=40'

SCALE: 40 0 40 80 FEET



VICINITY MAP
N.T.S.



OWNER/DEVELOPER
MARK SAHLAS, CHIEF EXECUTIVE MANAGER TREASURE LAND DEVELOPMENT COMPANY, LLC 2717 HAMPSHIRE RD. #6 CLEVELAND HEIGHTS, OHIO 44106-2308 PHONE (216) 932-9930

FLOOD ZONES
THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C0755 E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

ASSESSOR'S PARCEL NUMBER
125-35-701-001 125-35-701-002 125-35-701-003

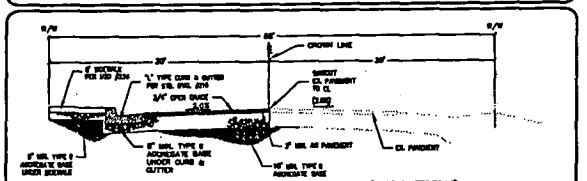
LEGAL DESCRIPTION
THE NORTH EAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF OF THE SECTION 35, TOWNSHIP 19 SOUTH, RANGE 60 EAST M.D.B.M., AS PER PARCEL MAP FILE 33, PAGE 3, CLARK COUNTY RECORDS, NEVADA. 2.63 GROSS ACREAS

ENGINEER'S NOTES

1. THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C0755 E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.
2. POINT OF CONNECTION FOR WATER SERVICE IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 12" WATER MAIN LINE AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
3. POINT OF CONNECTION FOR SANITARY SEWER IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 8" SEWER MAIN AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
4. THERE ARE NO PROTECTIVE COVENANTS OR DEED RESTRICTIONS ON THIS PROPERTY.
5. THERE ARE NO KNOWN FAULTS OR FISSURES, OR ANY SETBACKS TO ANY FAULTS AT OR ABOUT THE LOCATION OF THIS TENTATIVE MAP.
6. ALL GROUNDWATER IS OF A DEPTH OF 20' OR MORE.
7. ALL IMPROVEMENTS SHALL CONFORM TO CITY OF LAS VEGAS STANDARDS.
8. UTILITY EASEMENTS TO BE DEDICATED TO THEIR RESPECTIVE AGENCIES.
9. UTILITY SERVICES TO BE PROVIDED BY:
   CITY OF LAS VEGAS
   CCSD (COMPLIANCE)/LAS VEGAS VALLEY WATER DISTRICT
   NEVADA POWER COMPANY
   SOUTH STATE DISPOSAL
   SOUTHWEST GAS
10. LANDSCAPE AREAS SHALL BE MAINTAINED BY A LANDSCAPE MAINTENANCE ASSOCIATION (LMA).

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY
- SITE BOUNDARY
- BOUNDARY LINE (ADJACENT)
- CC/CLV BOUNDARY
- LANDSCAPE BUFFER BOUNDARY
- VACATION EASEMENT BOUNDARY
- EDGE OF PAVEMENT (EOP)
- SAWCUT PAVEMENT
- (1701) EXISTING 5' EX GRADE CONTOUR
- EXISTING 1' EX GRADE CONTOUR
- 1.0% GRADE & DIRECTION (PROP)
- 1.0% GRADE & DIRECTION (EX)
- PROPOSED SEWER MAIN
- PROPOSED WATER MAIN
- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- PROPOSED BLOCK WALL
- HANDICAPPED PARKING
- SIGHT VISIBILITY ZONE
- NO CHEVRON/ADDERS
- COMMON LOT
- VACATION EASEMENT
- WATER METER (PROP)
- WATER METER (EX)
- WATER METER (EX)
- WATER VALVE (PROP)
- WATER VALVE (EX)
- WATER VALVE (EX)
- BLOWOFF VALVE (PROP)
- BLOWOFF VALVE (EX)
- SEWER MANHOLE (PROP)
- SEWER MANHOLE (EX)
- FIRE HYDRANT (PROP)
- STREET LIGHT (EX)



TYPICAL 60' STREET SECTION (WASHBURN)
NOT TO SCALE

REVISED
3.17.04

ZON-4066
4-22-04 PC

REZONING/VACATION SUBMITTAL #2 03/17/04

PROJ NO A2003276
DESIGN AJH
DATE 03/09/04
SCALE AS SHOWN
CAD FILE SP 3276

KHOSROW ALIGHCHI Exp 12/31/04 CIVIL

STAMP DATE
CITY DATE 12/31/04

3300 S. Jones Blvd.
Suite 102
Las Vegas, NV 89146-7490
Phone: 702.396.7494
Fax: 702.396.7496
Web: aztecla.com

AZTEC

TREASURE LAND DEVELOPMENT
SEC WASHBURN RD. & MAVERICK ST.
SITE PLAN

SHEET
SP
1 of 1 Sheet



ZON-4066 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF WASHBURN ROAD AND MAVERICK STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO ZON-4066 - PUBLIC HEARING - **SUP-4128 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR PRIVATE STREETS on 2.93 acres adjacent to the southeast corner of Washburn Road and Maverick Street (APN: 125-35-701-001, 002 and 003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation [PROPOSED: R-D (Single Family Residential-Restricted)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:
NOTE: See Item 130 [ZON-4066] for related discussion.

(2:40 – 2:44)

4-335

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4066).

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

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

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 131 – SUP-4128

CONDITIONS - Continued:

Public Works

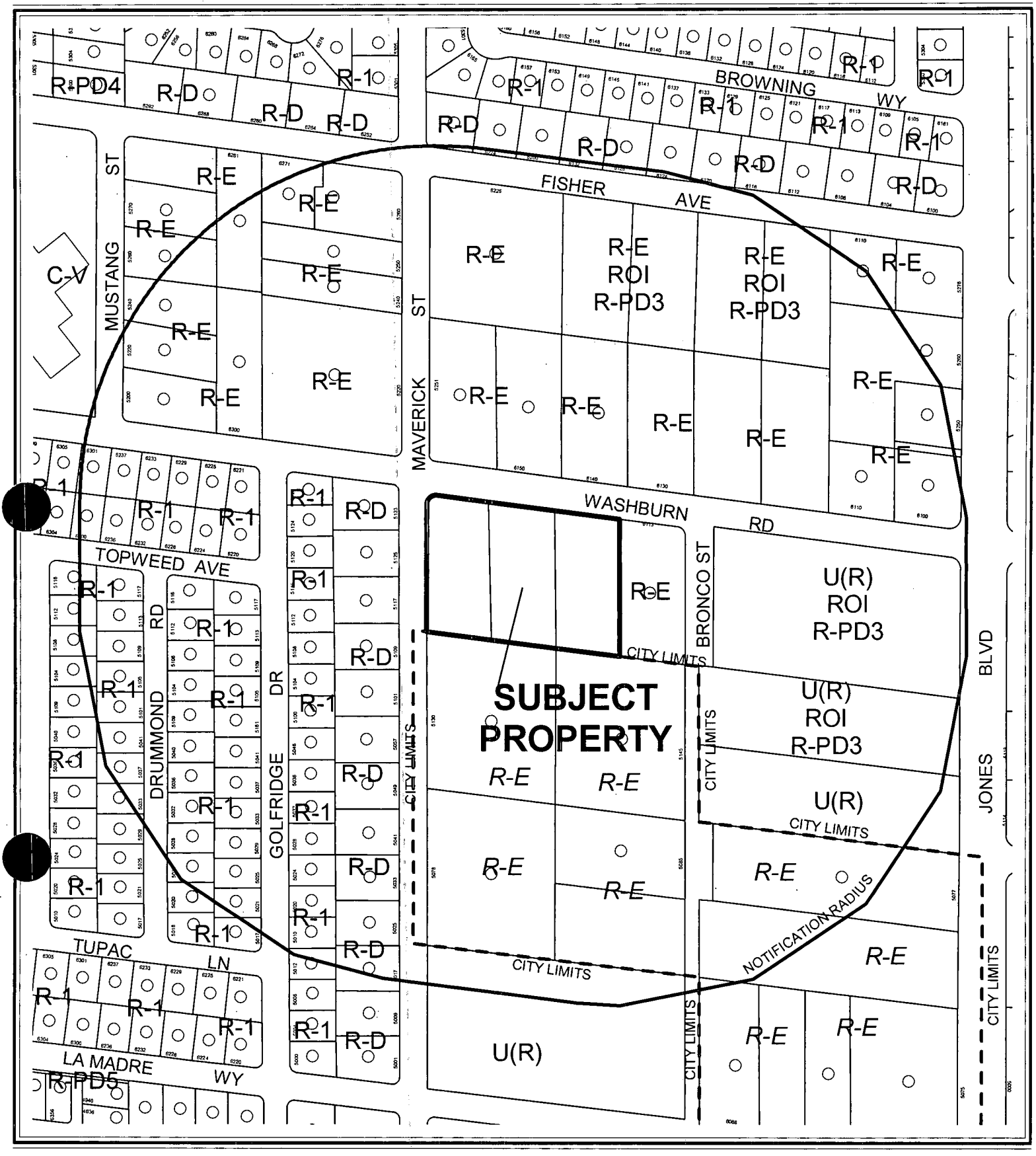
5. Private streets shall be common lots that are offered as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowner's Association.

6. 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.

7. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

8. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4066 and all other subsequent site-related actions.



CASE: **SUP-4128**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-D (SINGLE FAMILY RESIDENTIAL - RESTRICTED)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4128 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4066).

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

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

Public Works

5. Private streets shall be common lots that are offered as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowner's Association.

6. 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.

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9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4066 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit (SUP-4128) for private streets. A Rezoning (ZON-4066) to R-D (Single Family Residential – Restricted) and a Petition to vacate (VAC-4068) the south 10 feet of Washburn Road, between Maverick Street and Bronco Lane were filed as companion items.

B) Applicant's Justification

The applicant's justification letter states that the private streets will allow for an increase in lot sizes to get them as close to the 20,000 square foot minimum that is required by the R-E (Residence Estates) zoning districts adjacent to the east and north.

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council accepted a request to Withdraw Without Prejudice a Rezoning (ZON-2918) to R-D (Single Family Residential – Restricted) and a Vacation (VAC-2920) of the south 10 feet of Washburn Road. The Planning Commission and staff recommended approval on October 9, 2003.

04/22/04 The Planning Commission recommended approval of a related Rezoning request (ZON-4066) from U (Undeveloped) to R-D (Single Family Residential – Restricted)

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #54/pb)

B) Pre-Application Meeting

02/18/04 The pre-application meeting addressed concerns over the density levels and the developer's best attempts to do R-E (Residence Estates) on the subject property due to the previous action withdrawn at City Council.

C) Neighborhood Meetings

A neighborhood meeting is not required by this rezoning application.

DETAILS OF APPLICATION REQUEST

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) [R (Rural Density Residential) General Plan Designation]
North:	R-E (Residence Estates)
South:	Clark County
East:	R-E (Residence Estates)
West:	R-D (Single Family Residential – Restricted)

E) General Plan Compliance

The Centennial Hills General Plan designates this site as R (Rural Density Residential). The R (Rural Density Residential) category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The proposed 6-lot residential development with private streets is a permitted use in the proposed R-D (Single Family Residential - Restricted) zoning district with the approval of a Special Use Permit.

- Use

The proposed 37-foot wide private streets are intended to serve four of the lots within a 6-lot residential community.

- Conditions

Title 19.04.050 lists several base conditions, which are required for the approval of a Special Use Permit for Private Streets. The following is a list of the base conditions; requirements indicated by an asterisk may not be waived:

1. Unless otherwise approved, every private street shall conform to the same design and construction standards required for public streets.

2. The Planning Commission may deny the creation of any other private street if, in the Commission's judgment, the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets;
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parks and libraries; or
   d. Delay the response time of emergency vehicles.

*3. A property owners' association is mandatory for subdivisions developed with private streets. The association is responsible for the maintenance of private streets.

*4. Private streets shall be constructed on property separately owned by a property owners' association.

5. The entrances to all private streets must be marked with a sign stating that it is a private street. The subdivision must ensure access to the subdivision by the City or emergency services.

6. All restricted access entrances must be designed with sufficient turn-around space.

*7. All legal subdivision documentation shall note that certain City services will not be provided on private streets.

The proposal meets these base conditions of approval.

FINDINGS

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

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

   The proposed private streets will not negatively affect the public streets or access to the subdivision. In addition, the private streets will not impair access to or from public facilities, nor delay the response time of emergency vehicles.

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

The subject site is suitable for a proposed thirty-seven foot (37') wide private street within the proposed 6-lot residential subdivision.

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 applicant is proposing thirty-seven foot (37') wide private streets. Ingress and egress of the proposed private street will be via Washburn Avenue, a 60-foot wide local collector street, which provides adequate access to the site.

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

The proposed private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 126 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4128 APN: 125-35-701-001, 002, 003

Name of Property Owner: Treasure Land Dev. Co., LLC

Name of Applicant: Treasure Land Dev. Co., 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: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Nabil Sahlani (CEM)

Subscribed and sworn before me

This 5 day of March, 2004

[signature]

Notary Public in and for said County and State

SHARON CALLOWAY, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires Oct. 17, 2005

SITE PLAN

OF

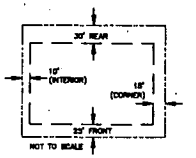
TREASURE LAND DEVELOPMENT

SEC WASHBURN RD. & MAVERICK ST.

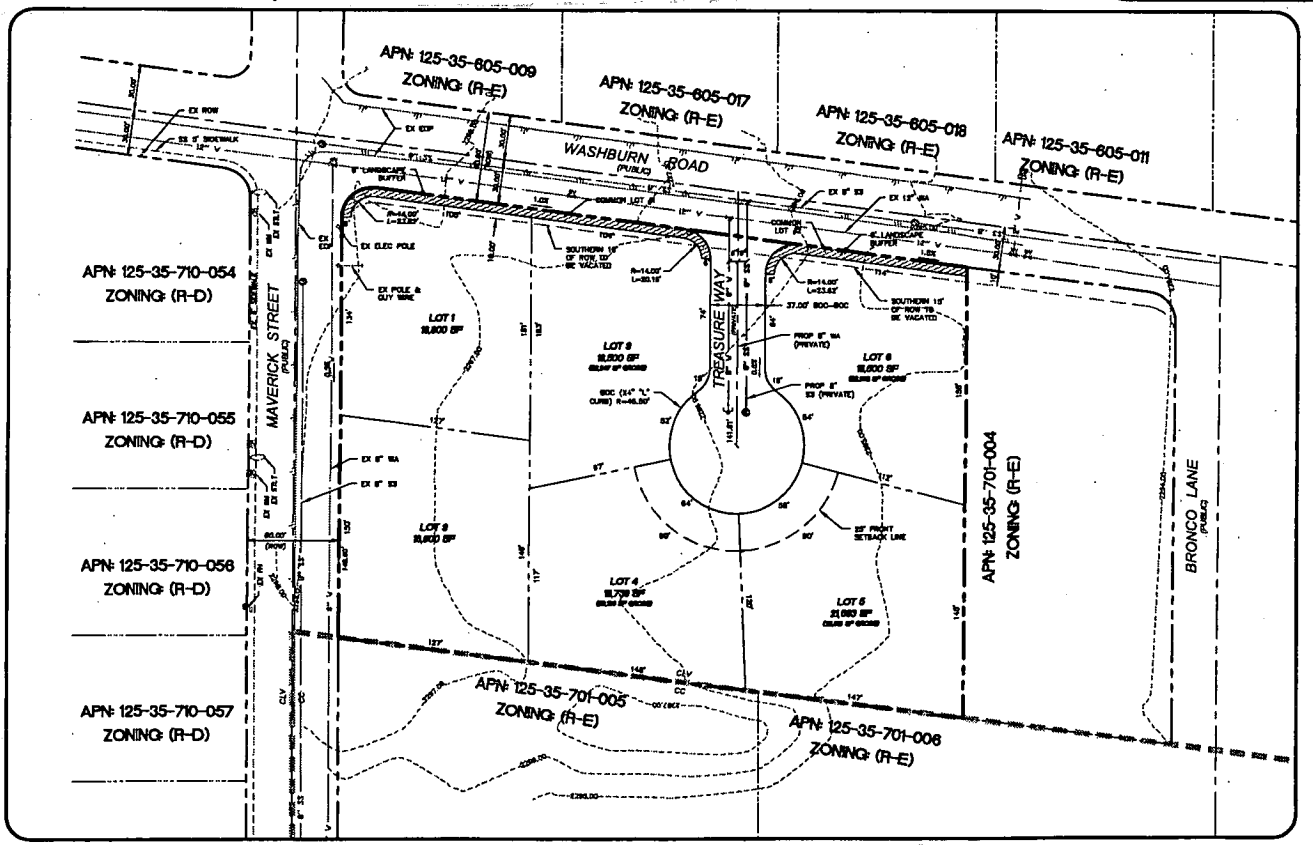
A RESIDENTIAL SUBDIVISION

PROFESSIONAL ENGINEER - STATE OF NEVADA
KHOSROW ALIGHCHI
CIVIL
No. 12804
3-17-04
12-31-04 exp.

LOT DATA	
LOT INFORMATION	
CURRENT ZONING	U(V) UNDEVELOPED/RURAL
PROPOSED ZONING	R-D SINGLE FAMILY RESIDENTIAL-RESTRICTED
GROSS ACREAGE	2.83 ACRES
NET ACREAGE	2.88 ACRES
PROPOSED NUMBER OF LOTS	6 LOTS
MINIMUM SQUARE FOOTAGE PER LOT (NET)	18,500 SF
MAXIMUM SQUARE FOOTAGE PER LOT (NET)	21,863 SF
AVERAGE SQUARE FOOTAGE PER LOT (NET)	19,170 SF
DENSITY REQUIREMENTS	
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PROPOSED DENSITY (GROSS)	2.05 DU/ACRE (GROSS)
MAXIMUM ALLOWABLE DENSITY (R-D)	3.5 DU/ACRE
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PARKING PROVIDED PER LOT	2 SPACES
MINIMUM YARD SETBACK REQUIREMENTS	
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SIDE (INTERIOR):	10'
SIDE (CORNER):	15'
REAR:	30'



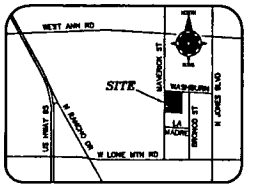
ABBREVIATIONS			
CE	COMMON ENTITY	PROP	PROPOSED
LCE	LIMITED COMMON ENTITY	P.L.	PROPERTY LINE
TE	TRASH ENCLOSURE	ROW	RIGHT-OF-WAY
HC	HANDICAPPED	R/W	RIGHT-OF-WAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
EX	EXISTING	STLT	STREET LIGHT
NTS	NOT TO SCALE	EOP	EDGE OF PAVEMENT
WA	WATER	SW	SIDEWALK
SS	SANITARY SEWER	R	RADIUS
BOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRE



NORTH

1"=40'

SCALE FEET



VICINITY MAP
N.T.S.

OWNER/DEVELOPER
MARK BAHLMAN, CHIEF EXECUTIVE MANAGER TREASURE LAND DEVELOPMENT COMPANY, LLC 2717 HAMPSHIRE RD. #B CLEVELAND HEIGHTS, OHIO 44106-2369 PHONE: (216) 932-9930

ASSESSOR'S PARCEL NUMBER
125-35-701-001 125-35-701-002 125-35-701-003

FLOOD ZONES
THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C1765 E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

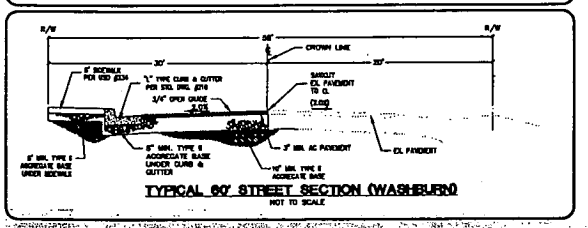
LEGAL DESCRIPTION
THE NORTH EAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF OF THE SECTION 35, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M., AS PER PARCEL MAP FILE 36, PAGE 3, CLARK COUNTY RECORDS, NEVADA. 2.83 GROSS ACRES±

ENGINEER'S NOTES

1. THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C1765 E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.
2. POINT OF CONNECTION FOR WATER SERVICE IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 12" WATER MAIN LINE AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
3. POINT OF CONNECTION FOR SANITARY SEWER IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 8" SEWER MAIN AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
4. THERE ARE NO PROTECTIVE COVENANTS OR DEED RESTRICTIONS ON THIS PROPERTY.
5. THERE ARE NO KNOW FAULTS OR FISSURES, OR ANY SETBACKS TO ANY FAULTS AT OR ABOUT THE LOCATION OF THIS TENTATIVE MAP.
6. ALL GROUNDWATER IS OF A DEPTH OF 20' OR MORE.
7. ALL IMPROVEMENTS SHALL CONFORM TO CITY OF LAS VEGAS STANDARDS.
8. UTILITY EASEMENTS TO BE DEDICATED TO THEIR RESPECTIVE AGENCIES.
9. UTILITY SERVICES TO BE PROVIDED BY:
   CITY OF LAS VEGAS
   COX COMMUNICATIONS/LAS VEGAS VALLEY WATER DISTRICT
   NEVADA POWER COMPANY
   SILVER STATE DISPOSAL
   SOUTHWEST GAS
10. LANDSCAPE AREAS SHALL BE MAINTAINED BY A LANDSCAPE MAINTENANCE ASSOCIATION (LMA).

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY
- SITE BOUNDARY
- BOUNDARY LINE (ADJACENT)
- CC/CLV BOUNDARY
- LANDSCAPE BUFFER BOUNDARY
- VACATION EASEMENT BOUNDARY
- EDGE OF PAVEMENT (EX)
- SAWCUT PAVEMENT
- EXISTING 5' EX GRADE CONTOUR
- EXISTING 1' EX GRADE CONTOUR
- GRADE & DIRECTION (PROP)
- GRADE & DIRECTION (EX)
- PROPOSED SEWER MAIN
- PROPOSED WATER MAIN
- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- PROPOSED BLOCK WALL
- HANDICAPPED PARKING
- SIGHT VISABILITY ZONE
- HC CHEVRON/ACCESS
- COMMON LOT
- VACATION EASEMENT
- WATER METER (PROP)
- WATER METER (EX)
- WATER METER (EX)
- WATER VALVE (PROP)
- WATER VALVE (EX)
- WATER VALVE (EX)
- BLOWOFF VALVE (PROP)
- BLOWOFF VALVE (EX)
- SEWER MANHOLE (PROP)
- SEWER MANHOLE (EX)
- FIRE HYDRANT (PROP)
- STREET LIGHT (EX)



TYPICAL 60' STREET SECTION (WASHBURN)
NOT TO SCALE

REZONING/VACATION SUBMITTAL #2 03/17/04

PROJ NO A203078
DESIGN ABH
DATE 03/08/04
SCALE AS SHOWN
CAD FILE SP 3078

KHOZROW ALIGHCHI
Exp. 12/31/04
CIVIL
No. 12804
STATE OF NEVADA

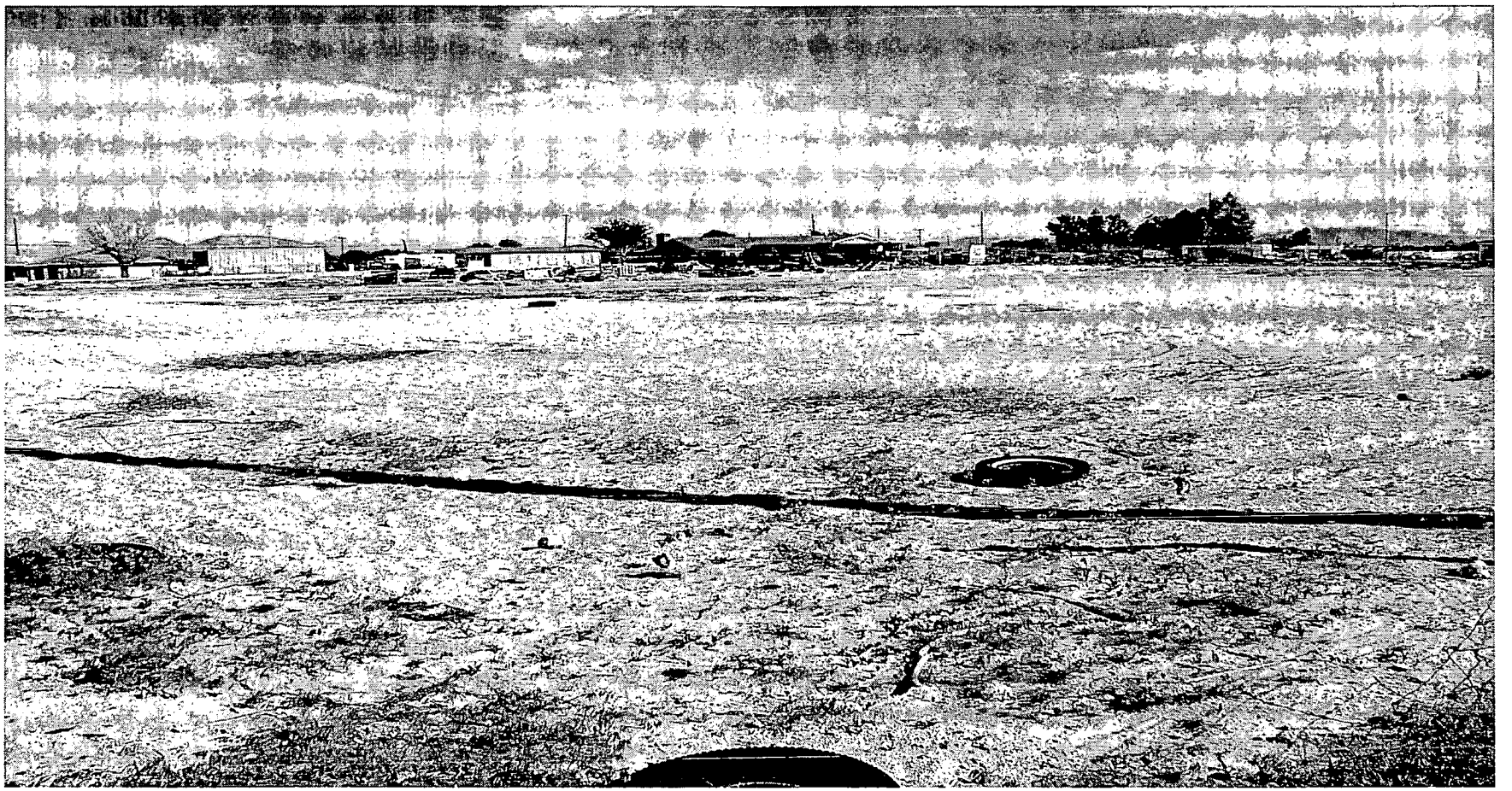
STAMP DATE
DPW DATE 12/31/04

3330 N. Buffalo Drive
Suite 108
Las Vegas, NV 89129-7410
702-838-1155
702-838-3272 fax
Web: aztecla.com
AZTEC

TREASURE LAND DEVELOPMENT
SEC WASHBURN RD. & MAVERICK ST.
SITE PLAN

SHEET
SP
1 of 1 Sheet

SUP-4128
4-22-04 PC



SUP-4128 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF WASHBURN ROAD AND MAVERICK STREET
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
VACATION RELATED TO ZON-4066 AND SUP-4128 - PUBLIC HEARING - **VAC-4068 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY** - Request for a Petition to vacate the south 10 feet of Washburn Road between Maverick Street and Bronco Lane, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
MACK – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

(2:40 – 2:44)
4-335

CONDITIONS:
1. This Vacation shall include the southern most 10 feet of Washburn Road between Maverick Street and Bronco Lane and shall be modified to retain 15 foot radius corners on the southeast corner of Maverick Street and Washburn Road and the southwest corner of Bronco Lane and Washburn Road.

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for Rezoning Application ZON-4066 may be used to satisfy this condition, provided that the area requested for vacation is addressed within that study.

CONDITIONS - Continued:

3. Development of this site shall comply with all applicable conditions of approval of Rezoning application ZON-4066, Special Use Permit SUP-4128 and all other applicable site related actions.

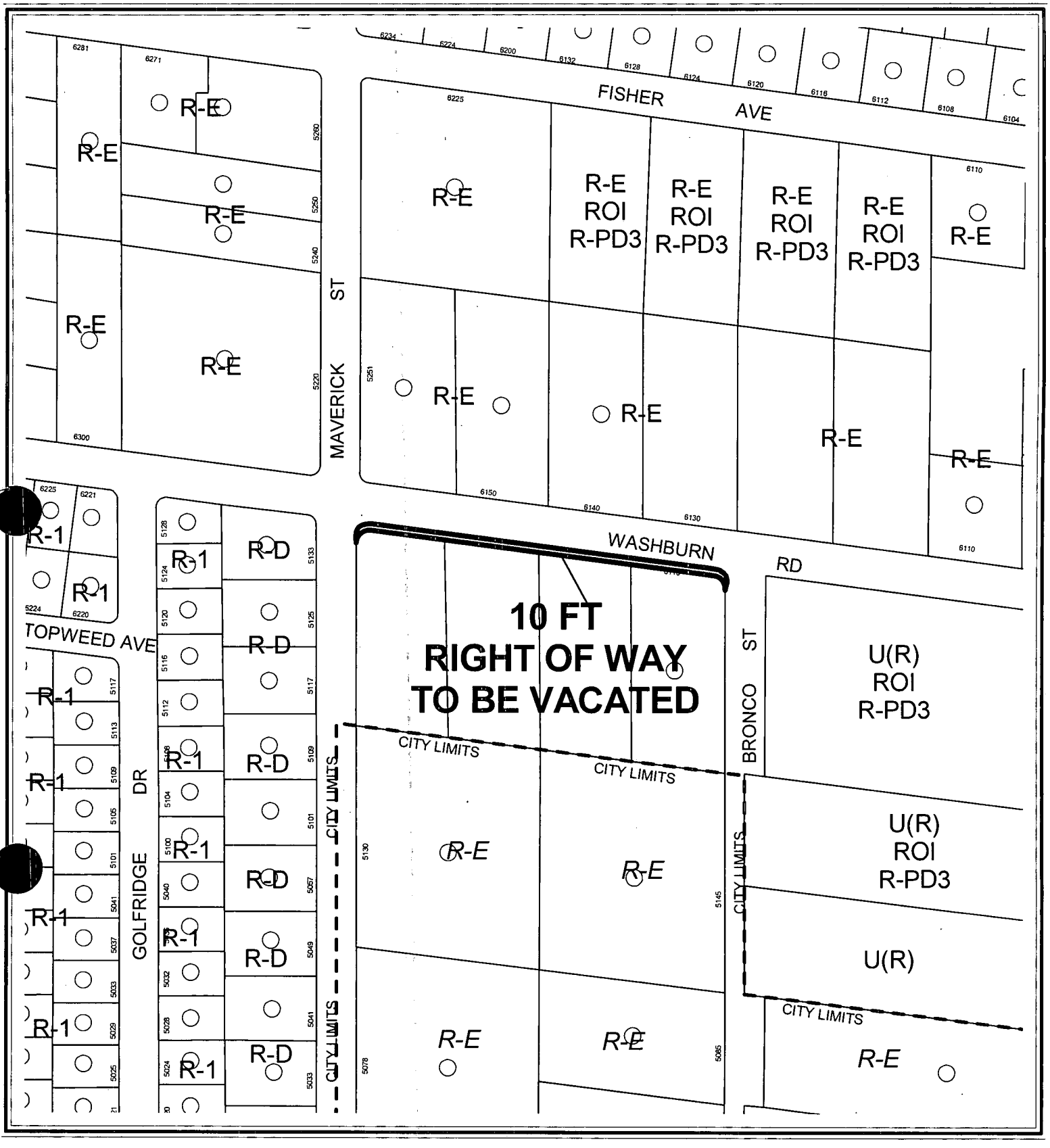
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

6. All development shall be in conformance with code requirements and design standards of all City departments.

7. 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.

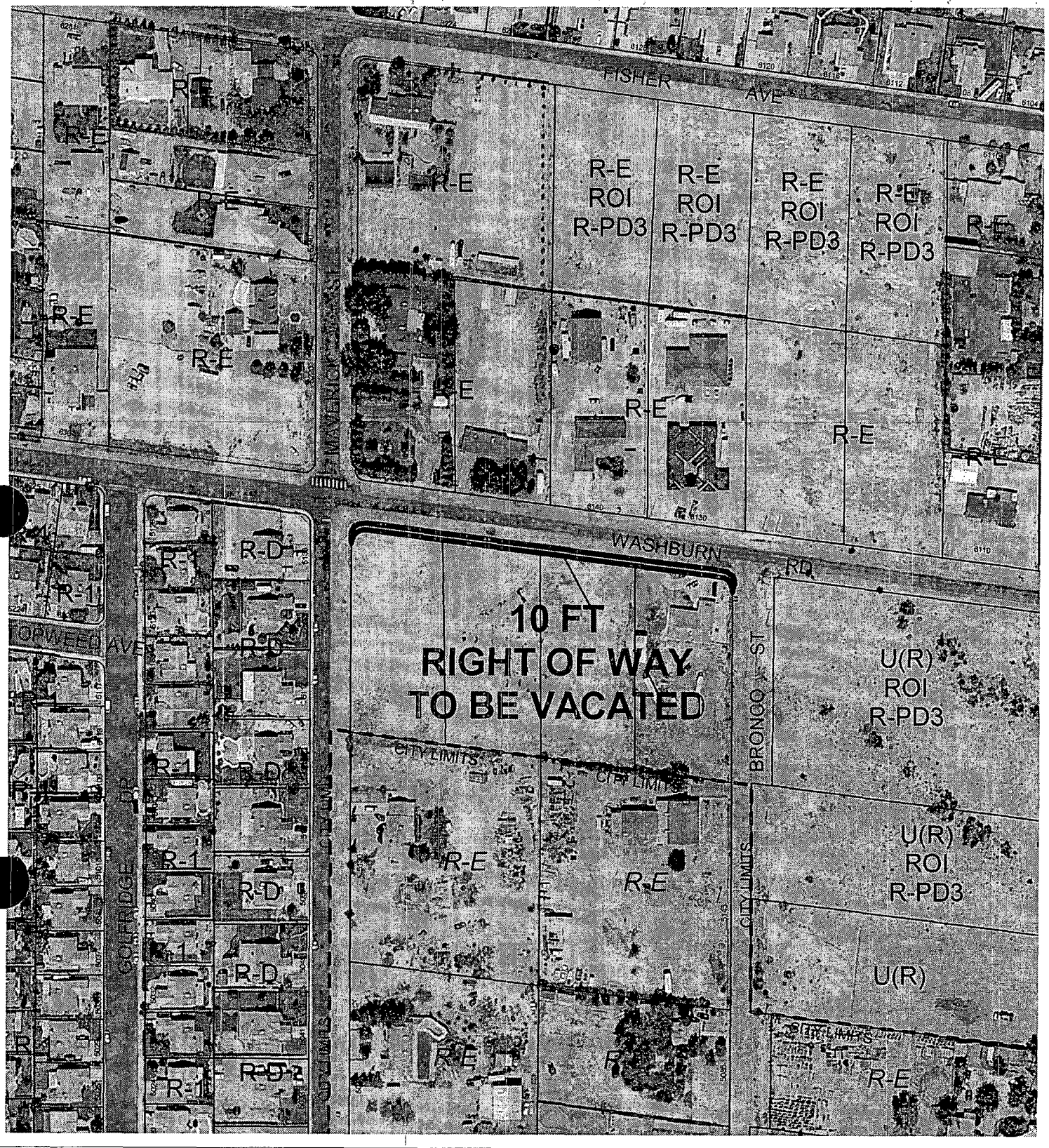
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-4068

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]



0 100 200 Feet

CASE: VAC-4068

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITYCOUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4068 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

1. This Vacation shall include the southern most 10 feet of Washburn Road between Maverick Street and Bronco Lane and shall be modified to retain 15 foot radius corners on the southeast corner of Maverick Street and Washburn Road and the southwest corner of Bronco Lane and Washburn Road.

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for Rezoning Application ZON-4066 may be used to satisfy this condition, provided that the area requested for vacation is addressed within that study.

3. Development of this site shall comply with all applicable conditions of approval of Rezoning application ZON-4066, Special Use Permit SUP-4128 and all other applicable site related actions.

4. 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.

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

6. All development shall be in conformance with code requirements and design standards of all City departments.

7. 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.

8. 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.

MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate the south 10 feet of Washburn Road, between Maverick Street and Bronco Lane. A Rezoning (ZON-4066) to R-D (Single Family Residential – Restricted) and a Special Use Permit (SUP-4128) for private streets were filed as companion items.

B) Applicant's Justification

The applicant's justification letter indicates this vacation will create a consistent dedication along Washburn Road in this area.

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council accepted a request to Withdraw Without Prejudice a Rezoning (ZON-2918) to R-D (Single Family Residential – Restricted) and a Vacation (VAC-2920) of the south 10 feet of Washburn Road. The Planning Commission and staff recommended approval on October 9, 2003.

04/22/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #55/mp)

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public right-of-way located in the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 35, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the south 10 feet of Washburn Road because it is no longer needed in its current configuration and it will allow for development of the single-family subdivision on this site. This will also result in a uniform right-of-way width for this segment of Washburn Road. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right-of-ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will make Washburn Road a uniform right-of-way width of 60-feet in this area.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the adjacent properties are also at 30 foot half street widths.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes, as it is a 40 foot half street width at this location.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Rezoning application ZON-4066 and Special Use Permit (SUP-4128).*

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 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF CLEVELAND

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4068 APN: 125-35-701-001, 002, 003

Name of Property Owner: Treasure Land Dev. Co., LLC

Name of Applicant: Treasure Land Dev. Co., 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: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner/Authorized ~~Agent~~: [signature] CEM

Print Name: NABIL SAHHAR (CEM)

Subscribed and sworn before me

This 5 day of March, 2004

Sharon Calloway

Notary Public in and for said County and State

SHARON CALLOWAY, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires Oct. 17, 2005

VACATION EXHIBIT

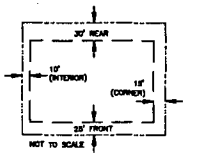
OF

TREASURE LAND DEVELOPMENT
SEC WASHBURN RD. & MAVERICK ST.

A RESIDENTIAL SUBDIVISION

PROFESSIONAL ENGINEER STATE OF NEVADA
KHOSROW ALIGHCHI
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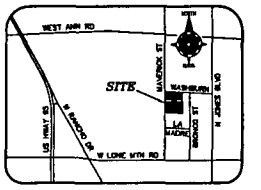


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BOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRE

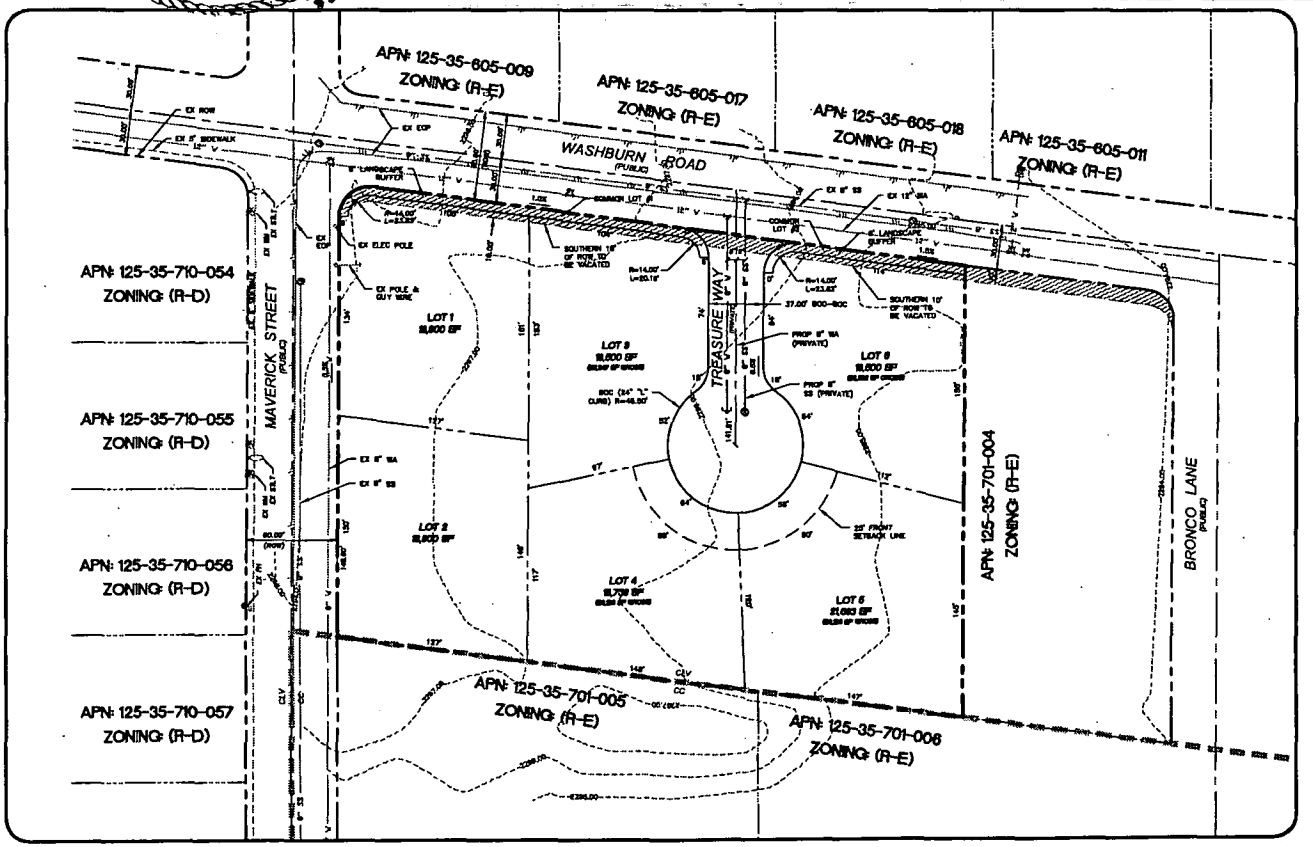
NORTH

1"=40'

SCALE: 40 0 40 80 FEET



VICINITY MAP
N.T.S.



OWNER/DEVELOPER
NABIL SAHLAN, CHIEF EXECUTIVE MANAGER TREASURE LAND DEVELOPMENT COMPANY, LLC 2717 HAMPSHIRE RD. #8 CLEVELAND HEIGHTS, OHIO 44106-3368 PHONE: (216) 932-8936

ASSESSOR'S PARCEL NUMBER
125-35-701-001 125-35-701-002 125-35-701-003

FLOOD ZONES
THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C0178B E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

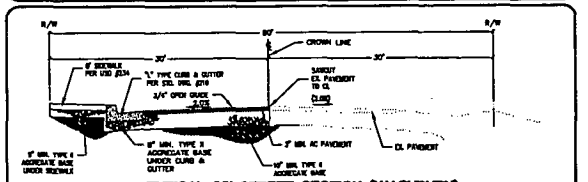
LEGAL DESCRIPTION
THE NORTH EAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF OF THE SECTION 35, TOWNSHIP 19 SOUTH, RANGE 60 EAST M.D.B.&M., AS PER PARCEL MAP FILE 30, PAGE 3, CLARK COUNTY RECORDS, NEVADA. 2.93 GROSS ACRES±

ENGINEER'S NOTES

1. THIS SITE IS LOCATED IN ZONE X PER FEMA MAP #32003C0178S E EFFECTIVE SEPTEMBER 27, 2002. ZONE X IS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.
2. POINT OF CONNECTION FOR WATER SERVICE IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 12" WATER MAIN LINE AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
3. POINT OF CONNECTION FOR SANITARY SEWER IS LOCATED ALONG WASHBURN ROAD BY TAPPING THE EXISTING 8" SEWER MAIN AT THE NORTH SIDE OF THE PROJECT BOUNDARY.
4. THERE ARE NO PROTECTIVE COVENANTS OR DEED RESTRICTIONS ON THIS PROPERTY.
5. THERE ARE NO KNOW FAULTS OR FISSURES, OR ANY SETBACKS TO ANY FAULTS AT OR ABOUT THE LOCATION OF THIS TENTATIVE MAP.
6. ALL GROUNDWATER IS OF A DEPTH OF 20' OR MORE.
7. ALL IMPROVEMENTS SHALL CONFORM TO CITY OF LAS VEGAS STANDARDS.
8. UTILITY EASEMENTS TO BE DEDICATED TO THEIR RESPECTIVE AGENCIES.
9. UTILITY SERVICES TO BE PROVIDED BY:
   CITY OF LAS VEGAS
   COX COMMUNICATIONS/LAS VEGAS VALLEY WATER DISTRICT
   NEVADA POWER COMPANY
   SILVER STATE DISPOSAL
   SOUTHWEST GAS
10. LANDSCAPE AREAS SHALL BE MAINTAINED BY A LANDSCAPE MAINTENANCE ASSOCIATION (LMA).

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY
- SITE BOUNDARY
- BOUNDARY LINE (ADJACENT)
- CC/CLV BOUNDARY
- LANDSCAPE BUFFER BOUNDARY
- VACATION EASEMENT BOUNDARY
- EDGE OF PAVEMENT (EX)
- SAWCUT PAVEMENT
- (1702) EXISTING 1' EX GRADE CONTOUR
- EXISTING 1' EX GRADE CONTOUR
- 1.0% GRADE & DIRECTION (PROP)
- 1.0% GRADE & DIRECTION (EX)
- NEW 8" WTR
- NEW 8" SS
- PROPOSED SEWER MAIN
- PROPOSED WATER MAIN
- EXISTING WATER MAIN
- EXISTING SEWER MAIN
- PROPOSED BLOCK WALL
- HANDICAPPED PARKING
- SIGHT VISIBILITY ZONE
- HC CHEVRON/ACCESS
- COMMON LOT
- VACATION EASEMENT
- WM WATER METER (PROP)
- WM WATER METER (EX)
- WV WATER VALVE (PROP)
- WV WATER VALVE (EX)
- WV WATER VALVE (EX)
- BLOWOFF VALVE (PROP)
- BLOWOFF VALVE (EX)
- SEWER MANHOLE (PROP)
- SEWER MANHOLE (EX)
- FH FIRE HYDRANT (PROP)
- STREET LIGHT (EX)



TYPICAL 60' STREET SECTION (WASHBURN)
NOT TO SCALE

REZONING/VACATION SUBMITTAL #2 03/17/04

PROJ NO A2003078
DESIGN ABM
DATE 03/08/04
SCALE AS SHOWN
CAD FILE VAC 2078

KHOSROW ALIGHCHI
Exp: 12/31/04
CIVIL
STATE OF NEVADA

STAMP DATE 3/17/04
DPR DATE 12/21/04

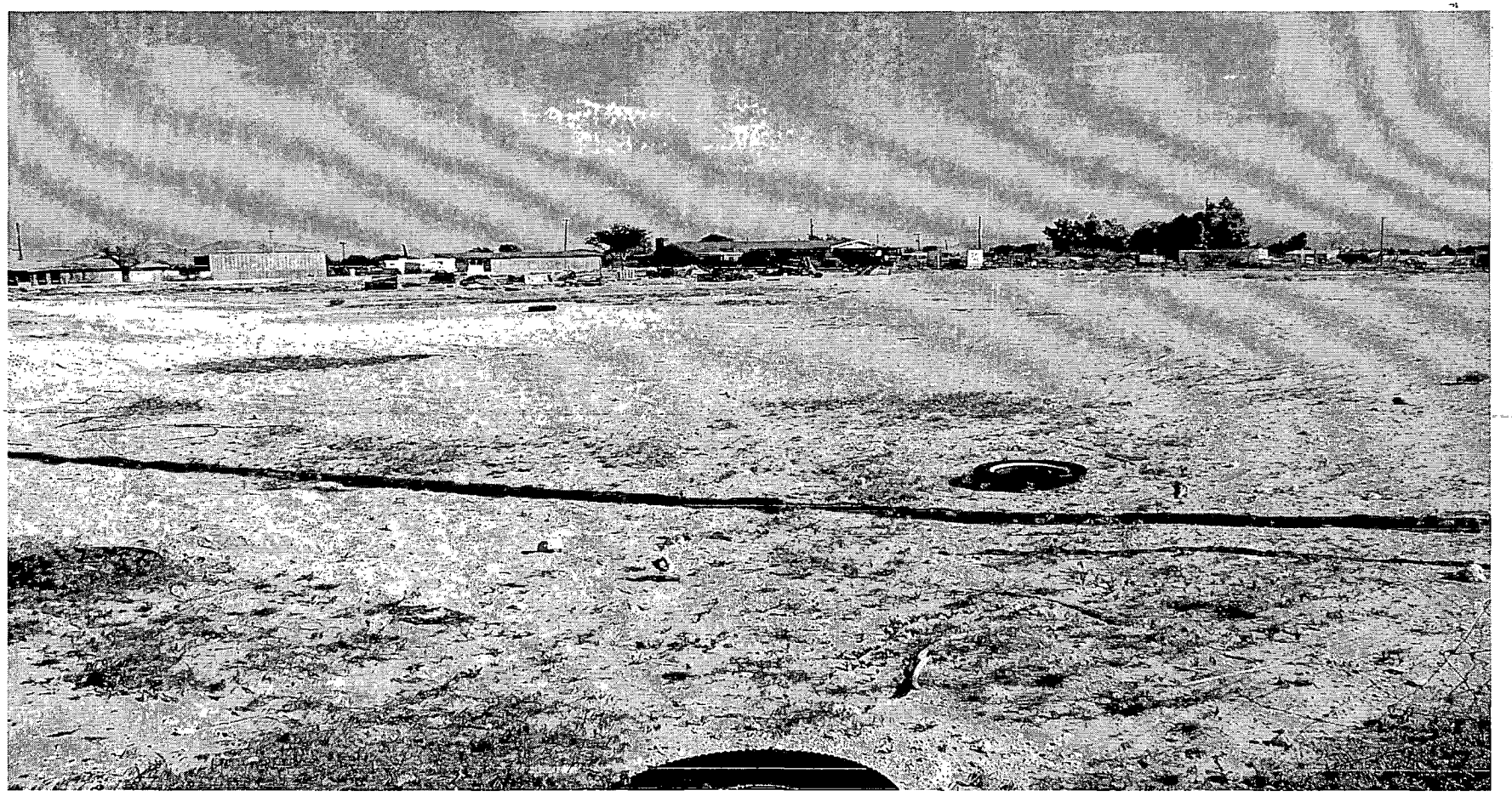
AZTEC
3300 S. Rainbow Drive
Suite 105
Las Vegas, NV 89125-7410
702-396-3425
Fax 702-396-2729
Web aztecnet

TREASURE LAND DEVELOPMENT
SEC WASHBURN RD. & MAVERICK ST.
VACATION EXHIBIT

SHEET
VAC
1 of 1 Sheet

REVISED
3-18-04

VAC-4068
4-22-04 PC



VAC-4068 - APPLICANT/OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY
WASHBURN ROAD BETWEEN MAVERICK STREET AND BRONCO LANE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

City of Las Vegas

Agenda Item No. 133

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 19, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4082 – APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL), P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 15.33 acres adjacent to the northeast corner of Sahara Avenue and Rancho Drive (APN: 162-04-401-007), Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION.:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – 33 Protest letters for Item 133 [ZON-4082], Item 135 [SDR-4086], Item 136 [SUP-4089] and Item 137 [SUP-4090] filed under Item 133 [ZON-4082]
5. Submitted after final agenda – Letter from Thomas & Mack Company filed under Item 133 [ZON-4082]

MOTION:
MONCRIEF – ABEYANCE of Item 133 [ZON-4082], Item 134 [VAR-4251], Item 135 [SDR-4086], Item 136 [SUP-4089] and Item 137 [SUP-4090] to 6/2/2004 NOT TO BE HEARD BEFORE 1:00 P.M. – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 133 [ZON-4082], Item 134 [VAR-4251], Item 135 [SDR-4086], Item 136 [SUP-4089] and Item 137 [SUP-4090].

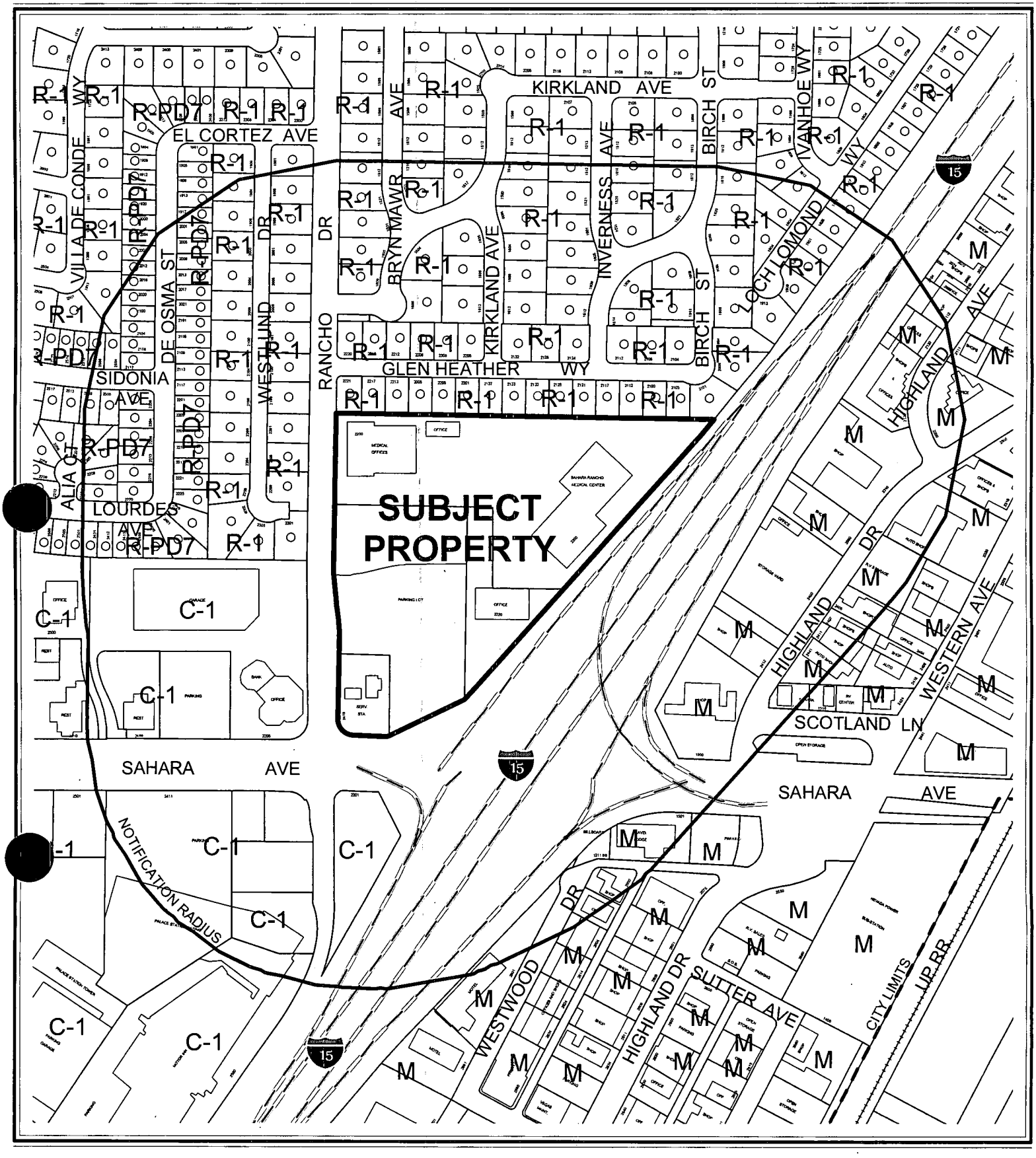
MAYOR GOODMAN explained that COUNCILWOMAN MONCRIEF intended to abey this item for two weeks allowing her time to review the traffic study in detail and to meet with the applicant and staff. COUNCILWOMAN MONCRIEF invited citizens to contact her office if they also wanted to review the traffic study. KATHERINE MARTIN of the Ridgefield Neighborhood Association thanked COUNCILWOMAN MONCRIEF for her assistance with problems of trees and neighborhood upkeep.

CITY COUNCIL MEETING OF MAY 19, 2004
Planning and Development Department
Item 133 – ZON-4082

CONDITIONS - Continued:

MAYOR GOODMAN declared the Public Hearing closed on Item 133 [ZON-4082], Item 134 [VAR-4251], Item 135 [SDR-4086], Item 136 [SUP-4089] and Item 137 [SUP-4090].

(1:34 – 1:38)



CASE: **ZON-4082**

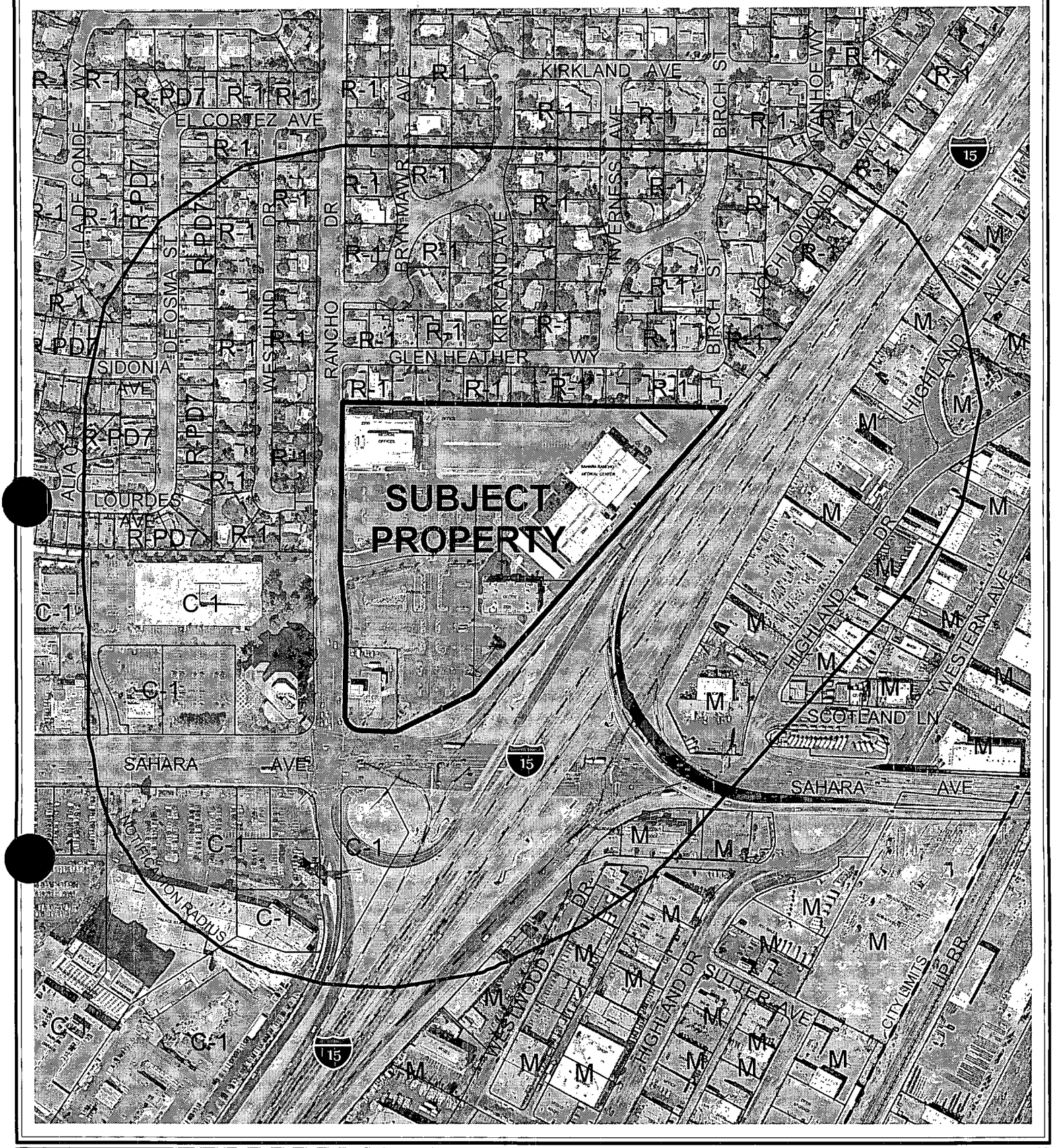
RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) , P-R (PROFESSIONAL OFFICE AND PARKING) AND C-1 (LIMITED COMMERCIAL)

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

N



0 200 400 Feet

CASE: **ZON-4082**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) , P-R (PROFESSIONAL OFFICE AND PARKING) AND C-1 (LIMITED COMMERCIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITYCOUNCIL MEETING DATE: MAY 19, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4082 – APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from R-3 (Medium Density Residential), P-R (Professional Offices and Parking) to C-1 (Limited Commercial) on 15.33 acres on the northeast corner of Sahara Avenue and Rancho Drive.

The Planning Commission will also consider companion items; Variance (VAR-4251) the residential adjacency standards, a Site Development Plan Review (SDR-4086) for an office and restaurant development, and two Special Use Permits (SUP-4089 and SUP-4090) for two Restaurant Service Bars.

B) Applicant's Justification

The applicant justifies their request by stating; "This project is located in a commercial area and will be an attractive addition to the neighborhood."

BACKGROUND INFORMATION

A) Previous Actions

05/23/62 The Board of City Commissioners approved a Rezoning (Z-0031-62) application for the reclassification of property generally located at the northeast corner of Rancho Drive and San Francisco Avenue (now Sahara Avenue) from R-1 (Single Family Residential) and C-C (Neighborhood Commercial Center) to R-3 (Medium Density Residential). Planning Commission and staff both recommended approval.

07/01/64 The Board of City Commissioners approved a Rezoning (Z-0053-64) application the reclassification of property generally located on the east side of Rancho Drive between Sahara Avenue and Glen Heather Estates, from R-3 (Medium Density Residential) to P-R (Professional Offices and Parking). Planning Commission and staff both recommended approval.

06/15/66 The Board of City Commissioners approved a rezoning (Z-0035-66) application for the reclassification of property from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on property generally located on the northeast corner of Sahara Avenue and Rancho Drive. Planning Commission and staff both recommended approval.

07/29/66 The Board of Zoning Adjustment approved a Special Use Permit (U-0023-66) to allow a service station on property generally located at the corner of Sahara Avenue and Rancho Drive. Staff recommended approval subject to conditions.

08/03/66 The Board of City Commissioners approved a Rezoning (Z-0046-66) application for the reclassification an additional 46.42 feet of property generally located on the northeast corner of Rancho Drive and Sahara Avenue, from R-3 (Medium Density Residential) to C-1 (Limited Commercial). Planning Commission and staff both recommended approval.

08/25/66 The Board Zoning Adjustments approved a Special Use Permit (U-0027-66) to allow a service station addition on property located on the northeast corner of Sahara Avenue and Rancho Drive. Staff recommended approval.

04/25/73 The Board of City Commissioners approved a Rezoning (Z-0030-73) application for the reclassification of property generally located on the east side of Rancho Drive between Sahara Avenue and Glen Heather Way from R-1 (Single Family Residential), R-3 (Medium Density Residential), and P-R (Professional Offices and Parking) to C-1 (Limited Commercial). Planning Commission and staff recommended approval.

04/18/79 The Board of City Commissioners approved a Site Development Plan Review (Z-0053-64) application to allow a two-story professional office building on property located at 2300 Ranch Drive. Planning Commission and staff both recommended approval.

06/19/91 The City Council approved a Special Use Permit (U-0092-91) to allow an existing 1,000 gallon propane tank (existing since 1964) in conjuncture with an existing service station on property located on the northeast corner of Sahara Avenue and Rancho Drive. The Board of Zoning Adjustment and staff both recommended approval.

09/16/92 The City Council Withdrew a Special Use Permit (U-0204-92) to allow three (3) coin operated gaming machines in conjunction with an existing service station. The applicant could not obtain a gaming license from the state at that time. The Board of Zoning Adjustment and staff both recommended approval.

07/05/95 The City Council accepted a request to Withdraw Without Prejudice a Rezoning (Z-0036-95) application for the reclassification of property from R-3 (Medium Density Residential), P-R (Professional Offices and Parking) to C-1 (Limited Commercial) for the proposed development of 1.2 million square feet of office space including 15, 20 and 30 story office buildings located at the northeast corner of Sahara Avenue and Rancho Drive. Planning Commission recommended denial. Staff recommended approval.

03/20/96 The City Council denied a Rezoning (Z-0095-95) application for the reclassification of property located on the northeast corner of Sahara Avenue and Rancho Drive, from R-3 (Medium Density Residential), P-R (Professional Offices and Parking) to C-1 (Limited Commercial), for a proposed development of one 180,000 square foot twelve story office tower, 132,000 square feet of office space and a one story parking garage. Planning Commission recommended denial. Staff recommended approval.

01/05/00 The City Council accepted the Withdrawal with Prejudice of a Variance (V-0083-99) application on property located at 2200 and 2300 Rancho Drive to allow two parking structures to be three and one-half stories where two stories is the maximum height allowed, and to allow two office buildings to be five stories tall where two stories is the maximum height allowed. The Board of Zoning Adjustment and staff both recommended approval.

02/02/00 The City Council accepted the Withdrawal Without Prejudice for Rezoning (Z-0041-99) application for the reclassification of property located on the north side of Sahara Avenue, east of Rancho Drive, from R-3 (Medium Density Residential), P-R (Professional Offices and Parking) to C-1 (Limited Commercial); for the proposed development of a 357,342 square foot office complex. Planning Commission and staff both recommended approval of the rezoning to O (Office) instead of C-1 (Limited Commercial).

04/11/02 The Planning Commission approved a Site Development Plan Review [Z-0053-64(9) and Z-0030-73(2)] to allow a 70,000 square foot office building on property located adjacent to the east side of Rancho Drive, approximately 850 feet north of Sahara Avenue. Staff recommended approval. This action was final.

11/21/02 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-1068) to allow a proposed wireless communication facility, non-stealth design at 2320 South Rancho Drive. Staff recommended this item to be withdrawn without prejudice.

04/22/04 The Planning Commission recommended approval of related requests for a Variance (VAR-4251) to allow building heights to exceed the residential adjacency standards; a Site Development Plan Review (SDR-4086) for two office buildings with attached parking garages and two restaurant buildings within an existing office complex and a waiver of the Commercial Development Standards; and Special Use Permits (SUP-4089) and (SUP-4090) for restaurant service bars.

04/22/04 The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda item #56/pl)

B) Pre-Application Meeting

02/20/04 At the pre-application meeting issues concerning the Site Development Plan Review were discussed. Primarily, parking and landscaping requirements, as well as the need for a cross access agreement. The proposed uses on the site were also discussed.

C) Neighborhood Meetings

04/07/04 A neighborhood meeting was held at 2300 South Rancho Drive per the applicant's request, in association with a and Site Development Plan Review (SDR-4086), Variance (VAR-4251, and Special Use Permits (SUP-4089 and SUP-4090).

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 15.33

B) Existing Land Use

Subject Property:	Professional Offices, Medical Offices, Service Station, and an Off-premise Advertising (Billboard) Sign
North:	Single Family Residential Dwellings
South:	Right of way (Sahara Avenue) and a Casino (Palace Station)
East:	Right of way (Interstate Route No. 15) and Warehouse, Industrial.
West:	Single Family Residential Dwellings and a garage, bank, and offices

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	L (Low Density Residential)
South:	ROW (Right of Way), SC (Service Commercial), GTC (Gaming Tourist Commercial)
East:	ROW (Right of Way) and LI/R (Light Industrial / Research)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	R-3 (Medium Density Residential), P-R (Professional Offices and Parking), and C-1 (Limited Commercial)
North:	R-1 (Single Family Residential)
South:	ROW (Right of Way) and C-1 (Limited Commercial)
East:	ROW (Right of Way and M (Industrial)
West:	R-1 (Single Family Residential) and C-1 (Limited Commercial)

E) General Plan Compliance

The designation of this site is SC (Service Commercial) on the Southeast Sector Map of the General Plan. The General Plan states that this land use category allows office uses that serve primarily local patrons and also offices grouped as office centers with professional and business services. The proposed C-1 (Limited Commercial) district requested for the entire site is consistent with the SC (Service Commercial) general plan designation, per Las Vegas Municipal Code (LVMC) Section 19.02.040(B).

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 development consists of retail, professional offices, and restaurants, which are all allowable uses within a C-1 (Limited Commercial) district. A Connector Trail is planned to follow the entire western property line of the subject parcel. Incorporation of the trail in the site plan will be pursuant to the standards set forth by GPA- 3933 (to be heard on 04/22/04). A Connector Trial calls for a five-foot wide transition strip / utility corridor placed between the trail path and street curb. The trail path consists of a standard five-foot wide sidewalk next to the transition strip.

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	15.33 Acres	YES
Min. Lot Width	100 Feet	950 + Feet	YES
Max. Lot Coverage	50 %	32%	YES

The subject parcel has more than adequate lot width so as to meet the minimum lot width requirement for the development of a C-1 (Limited Commercial) zoning district. The proposed site plan indicates a 32% lot coverage consisting of both existing and future developments, therefore complying with the C-1 (Limited Commercial) zoning district's 50% maximum lot coverage requirement.

B) General Analysis and Discussion

Currently the site is composed of R-3 (Medium Density Residential), P-R (Professional Offices and Parking), and C-1 (Limited Commercial) zoning districts; on which, exists a service station, three office buildings located at 2200 South Rancho Drive, 2300 South Rancho Drive, and 2320 South Rancho Drive. A new office building is under construction located at 2250 South Rancho Drive. The proposed development will be carried out in two phases.

Phase I of the project will consist of the demolition of a two-story office building located at 2300 South Rancho Drive, as well as the service station located on the northeast corner of Rancho Drive and Sahara Avenue. After which, the construction will consist of the development of a new office building composed of a 5 floors of office space above a 5 level parking garage, and of two proposed restaurant pads. Phase II will consist of new construction of a proposed 12 story office / retail tower above a 10 level parking garage.

The scale of the proposal is consistent with the other commercial developments along Sahara Avenue, including the existence of a 12-story tower located on the northwest corner of Rancho Drive and Sahara Avenue. With substantive buffering, landscaping and mitigation of the traffic impacts associated with a project of this size the request will not have any long term detrimental impacts to the residential areas to the north and northwest of the site.

FINDINGS

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

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

   The proposed C-1 (Limited Commercial) district requested for the entire site is consistent with the SC (Service Commercial) general plan designation, per Las Vegas Municipal Code (LVMC) Section 19.02.040(B).

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

   The scale of the proposed project is consistent with existing office and commercial development surrounding the intersection of Sahara Avenue and Rancho Drive. To some extent, the proposed office use will provide a transition between the intensive commercial and resort development adjacent to the Rancho Boulevard / Sahara Avenue intersection and the residential neighborhoods to the north of this site.

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

   The proposed rezoning supports the goals and objectives of the SC (Service Commercial) designation of the Southeast Sector Map of the General Plan, which encourages low to medium intensity retail, office uses that serve primarily local patrons and also offices grouped as office centers with professional and business services.

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

Rancho Drive, a secondary collector (80 ft), is fully developed and will provide adequate access to the site.

NOTICES MAILED 192 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4082 APN: 162-04-401-003, 004, 005, 006 and 007

Name of Property Owner: Sahara Rancho Office Center, LLC

Name of Applicant: Sahara Rancho Office Center, LLC
Dr. Leon Steinberg

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: Leon H. Steinberg

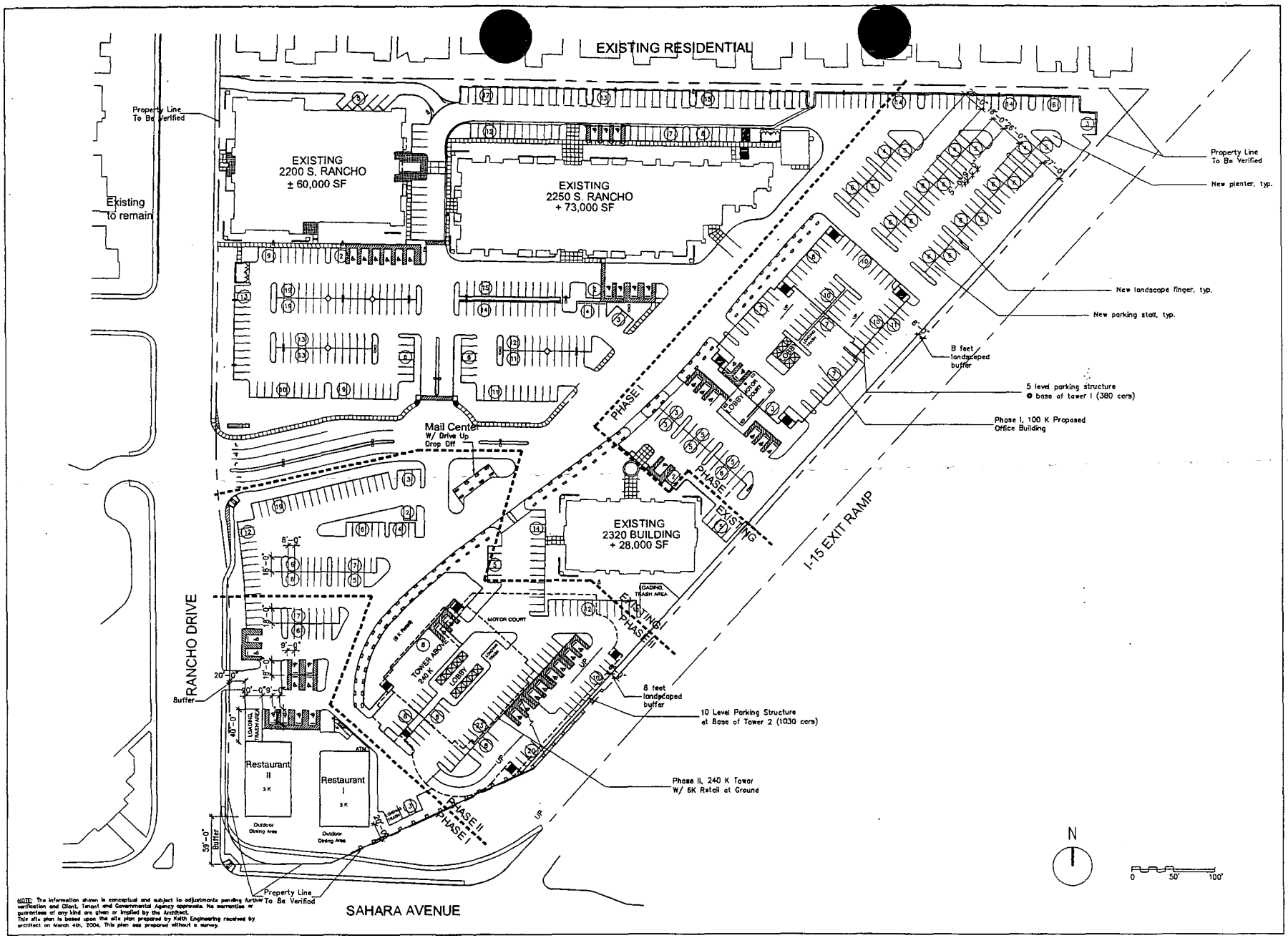
Print Name: LEON H. STEINBERG

Subscribed and sworn before me

This 10th day of March, 2004

Sheryl K. 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-[illegible]-1
My Appt. Expires Mar [illegible] 2005



NOTE: The information shown is conceptual and subject to adjustments pending further verification and Client, Tenant and Governmental Agency approvals. No warranties or guarantees of any kind are given or implied by the Architect.
This site plan is based upon the site plan prepared by Keith Engineering received by architect on March 4th, 2004. This plan was prepared without a survey.

Architect:

WESTAR ARCHITECTS

A project for:
SAHARA RANCHO OFFICE CENTER, LLC
2300 S. RANCHO DRIVE, SUITE 300
LAS VEGAS, NEVADA 89102

SITE DATA

Zone:	C-1
PHASE: I	
Proposed Office Tower	100 K
Existing Office:	60 K
Existing Office:	73 K
Existing Office:	28 K
Total Office:	261 K
Office parking required(1space/ 300 s.f.)	870
Proposed Restaurant:	10 K
Restaurant parking:	
Public, 7000 s.f./50 s.f.	140 spaces
Kitchen, 3000 s.f./200 s.f./ space	15 spaces
Outdoor dining, 2000 s.f./50 s.f.	40 spaces
Total parking required:	1065 spaces
Parking Provided:	
Existing to remain	661 spaces
Phase 1 on grade	220 spaces
Phase 1 garage	380 spaces
Total Provided	1261 spaces
PHASE: II	
Proposed Office Tower	240 K
Phase I Office Tower	100 K
Existing Office:	60 K
Existing Office:	73 K
Existing Office:	28 K
Total Office:	501 K
Office parking required(1space/ 300 s.f.)	1670 spaces
Retail:	6 K
Retail parking	35 spaces
Phase I Restaurants:	10 K
Restaurant parking:	
Public, 7000 s.f./50 s.f.	140 spaces
Kitchen, 3000 s.f./200 s.f./ space	15 spaces
Outdoor dining, 2000 s.f./50 s.f.	40 spaces
Total parking required:	1900 spaces
Parking Provided:	
Existing to remain	349 spaces
Phase 1 on grade	220 spaces
Phase 1 garage	380 spaces
Phase 2 on grade	144 spaces
Phase 2 garage	1030 spaces
Total parking provided	2123 spaces

Sheet Title:

SITE PLAN
PROPOSED

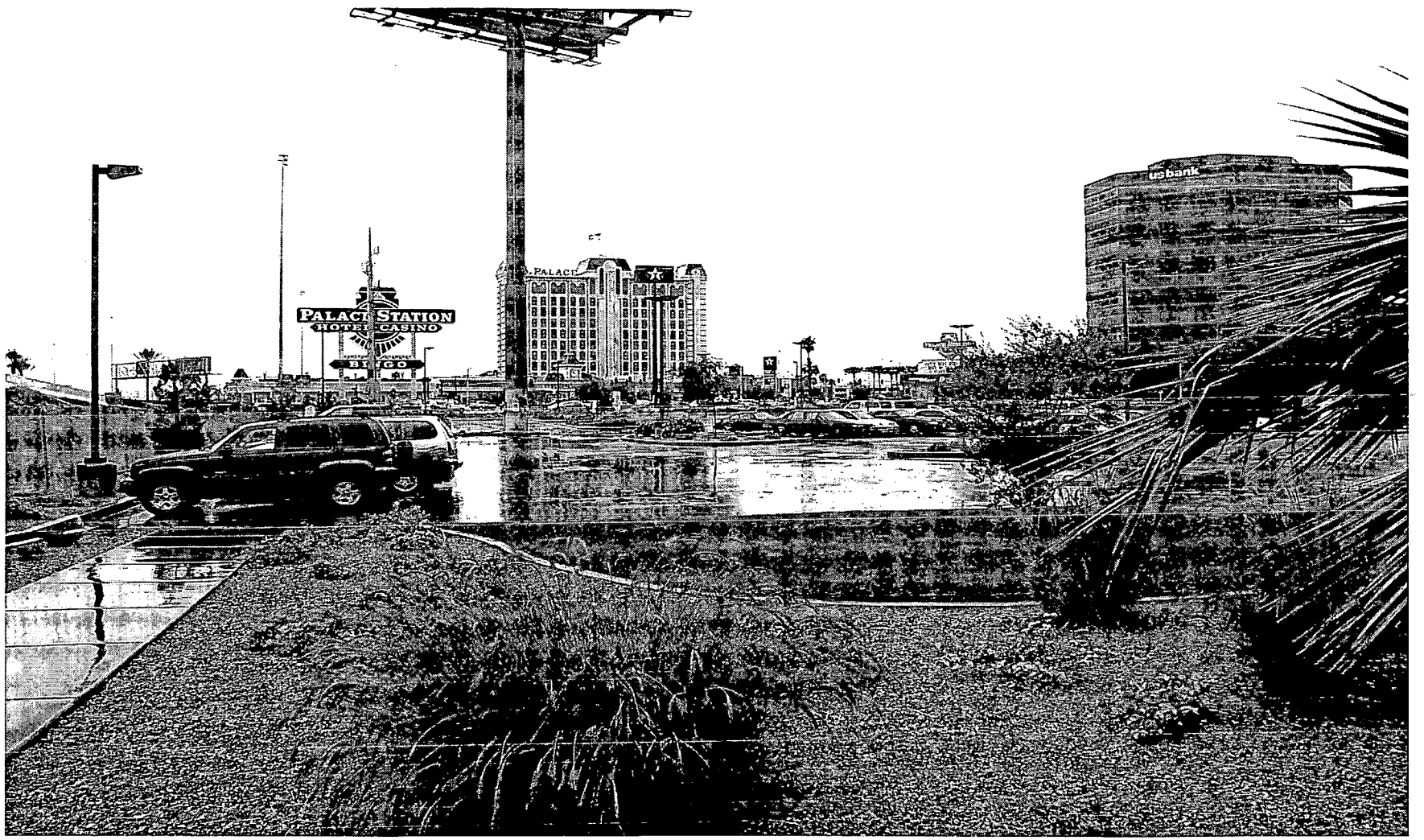
Project No.:	03.147
Drawn By:	RN
Checked By:	MT
Date:	04.01.04
Scale:	1/50" = 1'-0"
File Name:	A100-a.dwg

Sheet Number:

A100-a

REVISED 4.13.04

ZON-4082
4-22-04 PC



ZON-4082 - APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SAHARA AVENUE AND RANCHO DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04



ZON-4082 - APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SAHARA AVENUE AND RANCHO DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/12/04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

Such a change would devalue my property, jeopardize the neighborhood safety, restrict my rights in a family oriented neighborhood, and threaten my general well being as an resident of an established neighborhood in this area.

I encourage the Las Vegas City Council to deny this requested zone change and reject the present construction proposal for two office structures, retail stores, restaurants and parking facilities for nearly 1,900 vehicles, and the lack of adequate associated proposals for further restricting traffic in my neighborhood.

Protest

Name: Tom & Denise Patterson

Address: 2117 Glen Heather Way Las Vegas Nv. 89102

Submitted after final agenda
Date 5/14/04 Item 133 135 136 137

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/12/4

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

Such a change would devalue my property, jeopardize the neighborhood safety, restrict my rights in a family oriented neighborhood, and threaten my general well being as an resident of an established neighborhood in this area.

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Name: Patricia Davey

Address: 1400 Bayview House Ave

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/12/4

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Name: Harold E Dewey

Address: 1400 Bruyn Manor LV NV

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5-7-04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Joe Walters

Address: 2112 Kirkland Ave

Las Vegas Planning Department
Bob Genzer, Director
731 S. 4th Street
Las Vegas, NV 89101

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas Council

RE: Opposition to proposed Re-zoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waiver of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Department Current Planning Division documents noted above.

DATE: May 12, 2004

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the re-zoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northwest corner Sahara Avenue and Rancho Drive.

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NAME: Roderick E. Garrison Virginia M. Garrison
Mr. Roderick E. & Virginia M. Garrison

ADDRESS: 1904 Birch Street, Las Vegas, NV 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5-6-04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Frank A. Bill AK

Address: 1325 Bernard 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 05 6 04

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Name: [illegible]

Address: 1318 Barnard Dr

ATTN: Vicky Darling
please include in official record
Thank you!

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/17/04

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Name: Marilyn Sumner

Address: 2004 Birch St.
LV, NV. 89102

RECEIVED
CITY CLERK
2004 MAY 18 A 11:45

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/15/04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Peter Yarema D.R.

Address: 1520 Kirkwood Ave 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/10/04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Ellen M Yparraguirre

Address: 1520 Kirkland Ave 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Peter Yanovich

Address: 1519 Stevenson Ave 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5·16·04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Kim Duxbury

Name: KIM DUXBURY

Address: 1609 INVERNESS AVE
LAS VEGAS, NV 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: JACK & BOONYUEN SANDRIDGE

Address: 1413 BRYN MAWR AVE. 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5-17-04

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Name: Sandra F. Ingram

Address: 1600 Kirkland Avenue
Las Vegas, NV 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/14/04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Mark And Deborah Alexander

Address: 1613 Kirkland Ave.

Mark E Alexander

Deborah K. Alexander

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 4-28-04

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Shelly O. Watters

Address: 2112 Kirkland Ave.

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in thc Planning and Development Depart Current Planning Division documents noted above.

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Name: Gary Guyer

Address: 1909 Bloch

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

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Name: Lawn Carlton

Address: 1709 Brady

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Eyvonne Vaughan

Address: 2108 Glen Heather Way

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5-16-04

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Name: Joan Crutchfield

Address: 2105 Bonnie Brae

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/17/04

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Name: Jack & Margie Davis

Address: 1813 Birch Street

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: BOB & BETTY / GUNNY

Address: 2720 LAURIE DR.

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090, VAR-4251

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Jacqueline Lyons

Address: 2125 Glen Heather Way

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5·13·04

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Such a change would devalue my property, jeopardize the neighborhood safety, restrict my rights in a family oriented neighborhood, and threaten my general well being as an resident of an established neighborhood in this area.

I encourage the Las Vegas City Council to deny this requested zone change and reject the present construction proposal for two office structures, retail stores, restaurants and parking facilities for nearly 1,900 vehicles, and the lack of adequate associated proposals for further restricting traffic in my neighborhood.

Name: Teresa Erickson

Address: 1809 Birch St. LV 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 5/14/04

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Name: Betty Jo Ortwein

Address: 2112 Bonnie Brae Ave.

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Sherry Brown

Address: 1304 Bryn Mawr Ave
LV, NV 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: John D Crockett

Address: 2412 Karli Dr.

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Phyllis Crockett

Address: 2412 Karli Dr.

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive prop : by from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrict : is to exceed residential adjacency standards as outlined in the Planning and Deve : - ment Depart Current Planning Division documents noted above.

DATE: 5/14/04

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Name: Lori M Mau

Address: 1504 Bryn Mawr Ave

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Stephen Harsin, Manager
Neighborhood Planning and Support Division

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, and waiver of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Department Current Planning Division documents noted above.

Date: May 18, 2004

As a neighbor, property owner, taxpayer, voter, and citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and or associated parking proposed for the Northeast corner of Sahara Avenue and Rancho Drive.

Such a change would devalue my property, jeopardize neighborhood safety, restrict my rights in a family oriented neighborhood, and threaten my general well being as a resident of an established neighborhood in this area. With only two exits from the Richfield Neighborhood, access onto Sahara during drive-time, especially on Mondays and Fridays, is already almost impossible, with traffic backed up to the west and east from Rancho Drive to Rye Street or Valley View.

I encourage the Las Vegas City Council to deny this requested zone change and reject the present construction proposal for two office structures, retail stores, restaurants and parking facilities for nearly 1,900 vehicles, and the lack of adequate associated proposals for further restricting traffic in my neighborhood.

NAME: Katherine Martin; Richfield Neighborhood Association

ADDRESS: 2801 Aloa Ave.
Las Vegas, Nv. 89102

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

DATE: 17 May 2004

As a neighbor, property owner, taxpayer, voter, and/or citizen of the community who works and lives in this area, I oppose the rezoning of the property or construction of any multiple story office buildings, related commercial sites and/or associated parking proposed for the Northeast corner Sahara Avenue and Rancho Drive.

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Name: Gladys L Engleton

Address: 1512 Tenderness Ave.

PS. I'm really Mad about this. we have told you befor NO. So what Part of No Don't you understand.

GE

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Derek E. Engstrom

Address: 1512 Inverness Ave.
Las Vegas, Nev. 89102

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CITY CLERK

2004 MAY 19 A 9:00

NOTICE OF CITIZEN CONCERN
ZON-4082, SDR-4086, SUP-4089, SUP-4090

Protest

TO: Mayor Oscar Goodman and the Members of the Las Vegas City Council

RE: Opposition to proposed Rezoning of Sahara Avenue and Rancho Drive property from PR and R to Commercial for the purposes of constructing a high rise office complex, AND waivier of commercial development standards and height restrictions to exceed residential adjacency standards as outlined in the Planning and Development Depart Current Planning Division documents noted above.

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Name: Cynthia A. Provence

Address: 1609 Kirkland Av. 89102

Cynthia A. Provence

Submitted after final agenda

Date 5/19/04 Item ~~#~~133
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#133-137

THOMAS & MACK CO.
A NEVADA LIMITED LIABILITY COMPANY

NEVADA FINANCIAL CENTER
2300 WEST SAHARA AVENUE, BOX ONE
LAS VEGAS, NEVADA 89102
TELEPHONE (702) 920-2800
FACSIMILE (702) 920-2826

May 18, 2004

Councilman Larry Brown
City of Las Vegas
Via Fax: 702.383-5131

Dear Councilman Brown:

If reference to the proposed development of the NE corner of Rancho Road and Sahara Avenue, we understand that the hearing of this item has been postponed for at least two weeks. We support this postponement as we hope to obtain information regarding the traffic impact this development would have on the surrounding area.

Sincerely,

Thomas A. Thomas
Managing Partner

Peter M. Thomas
Managing Partner

Submitted after final agenda

Date 5/19/04 Item #133-137