Agenda City of Las Vegas
PLANNING COMMISSION MEETING
May 27, 2004

Council Chambers 400 Stewart Avenue Las Vegas, Nevada
Phone 229-6301 TDD 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilwoman Janet Moncrief, Ward 1
Vacant (Ward 2)
City Manager, Douglas A. Selby

Commissioners

Richard W. Truesdell, Chairman
Todd Nigro, Vice-Chairman
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

COMMISSIONERS BRIEFING: 5:15 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. The Planning Commission may ask applicants and other interested parties for information or presentations. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Satisfaction of Open Meeting Law Requirements

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue

MINUTES: Approval of the minutes of the April 22, 2004 Planning Commission Meeting

ACTIONS: ALL ACTIONS ON TENTATIVE SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst them, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

ABEYANCE/ WITHDRAWN ITEMS:

ITEMS THAT HAVE BEEN REQUESTED TO BE EITHER HELD IN ABEYANCE TO A FUTURE MEETING OR WITHDRAWN WITHOUT PREJUDICE MAY BE CONSIDERED IN ONE MOTION. ANY PERSON WHO DOES NOT AGREE THAT THE ITEM SHOULD BE HELD OR WITHDRAWN SHOULD REQUEST THE ITEM BE HEARD SEPARATELY.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **CONSENT - TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION** - Request for a Tentative Map FOR A 1 LOT SUBDIVISION on 1.67 acres adjacent to the north side of Far Hills Avenue, east and west of Carriage Hill Drive (a portion of APN: 137-22-000-010), P-C (Planned Community) Zone, Ward 2.

2. **CONSENT - TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 1 LOT COMMERCIAL SUBDIVISION on 6.04 acres adjacent to the southeast corner of Rancho Drive and Lone Mountain Road (APN: 138-02-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

3. **CONSENT - ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY** - Petition to Annex property located on the south side of Grand Teton Drive, 660 feet east of Puli Drive, containing approximately 5.0 acres (APN: 126-13-101-003), Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE PUBLIC HEARING AND NON-PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARING ITEMS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION, A MEMBER OF THE PLANNING COMMISSION OR THE PUBLIC NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF SHOULD REQUEST TO HAVE THIS ITEM REMOVED FROM THIS PART OF THE AGENDA.

4. **ABEYANCE - RENOTIFICATION - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION** - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2.

5. **REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4118 - APPLICANT/OWNER: RAMON PARDO** - Required Six Month Review for an approved Variance (V-0044-02) WHICH ALLOWED 9 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A 3,880 SQUARE FOOT RETAIL BUILDING at 1650 East Sahara Avenue (APN: 162-02-411-032), R-2 (Medium Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

6. **REQUIRED TWO YEAR REVIEW - RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY** - Required Two Year Review on an approved Special Use Permit (U-0106-95), WHICH ALLOWED A 440 SQUARE FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 310 South Main Street (APN: 139-34-201-003), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

7. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.** - Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

8. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC.** - Required Two Year Review of an approved Special Use Permit (U-0059-01) FOR FIVE (5) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard (APN: 139-18-410-003), C-M (Commercial/ Industrial) Zone, Ward 5 (Weekly).

9. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.** - Required Two Year Review of an approved Special Use Permit (U-0262-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4820 West Charleston Boulevard (APN: 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

10. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL** - Required Two Year Review of an approved Special Use Permit (U-0314-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1600 North Rancho Drive (APN: 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

11. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA** - Required Two Year Review of an approved Special Use Permit (U-0265-94) WHICH ALLOWED A 55 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2550 Highland Drive (APN: 162-09-110-019), M (Industrial) Zone, Ward 1 (Moncrief).

12. **REQUIRED TWO YEAR REVIEW - RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC.** - Required Two Year Review for an approved Special Use Permit (U-0261-94) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4401 North Rancho Drive (APN: 138-02-602-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

13. **REQUIRED TWO YEAR REVIEW - RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST** - Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN: 139-26-505-004), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

14. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY** - Required Two Year Review of an approved Special Use Permit (U-0010-97) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3901 North Rancho Drive (APN: 138-12-110-004), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

15. **REQUIRED TWO YEAR REQUIRED - PUBLIC HEARING - RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS** - Required Two Year Review of an approved Special Use Permit (U-0171-89) WHICH ALLOWED A 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

16. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4282 - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC.** - Required Two Year Review of an approved Special Use Permit (U-185-89) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1361 South Decatur Boulevard (APN: 162-06-211-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

PUBLIC HEARING ITEMS:

17. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3833 - CITY OF LAS VEGAS** - Request to amend the Master Plan Recreation Trails Element of the General Plan to revise the design standards for equestrian and multi-use equestrian trails, Ward 4 (Brown) and Ward 6 (Mack).

18. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS** - Request to amend the Master Plan Transportation Trails Element of the General Plan to add provisions for "connector trails" and to revise trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan." Wards: All.

19. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

20. **ABEYANCE - REZONING RELATED TO GPA-3670 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

21. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Reese).

22. **ABEYANCE - GENERAL PLAN AMENDEMENT - PUBLIC HEARING - GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

23. **ABEYANCE - REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

24. **ABEYANCE - VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack).

25. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

26. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

27. **ABEYANCE - REZONING RELATED TO GPA-4100 - PUBLIC HEARING - ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

28. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4100 AND ZON-4101 - PUBLIC HEARING - SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO** - Request for a Site Development Plan Review FOR A CONVERSION OF AN EXISTING RESIDENCE TO A LANDSCAPING BUSINESS AND FOR A WAIVER THE LANDSCAPING REQUIREMENTS on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

29. **ABEYANCE - REZONING - PUBLIC HEARING - ZON-4077 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER** - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), Ward 1 (Moncrief).

30. **ABEYANCE - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4077 - PUBLIC HEARING - SDR-4081 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER** - Request for a Site Development Plan Review FOR AN OFFICE AND WAIVER OF LANDSCAPING REQUIREMENTS on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief).

31. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3938 - APPLICANT: NEWAY CHURCH OF GOD IN CHRIST** - Request for a Site Development Plan Review, Waivers of the Commercial Development Standards TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, A REDUCTION IN THE AMOUNT OF REQUIRED FOUNDATION LANDSCAPING, AND WAIVERS OF THE PERIMETER AND PARKING LOT LANDSCAPING STANDARDS FOR A PROPOSED 4,594 SQUARE-FOOT CHURCH/ HOUSE OF WORSHIP on 0.48 acres adjacent to the northeast corner of "D" Street and Monroe Avenue (APN: 139-27-111-061 and 062), C-2 (General Commercial) Zone, Ward 5 (Weekly).

32. **ABEYANCE - REZONING - PUBLIC HEARING - ZON-4219 - APPLICANT/OWNER: HORIZON HOMES, INC.** - Request for a Rezoning FROM: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN: 138-03-302-001), Ward 4 (Brown).

33. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4219 - PUBLIC HEARING - SDR-4222 - APPLICANT/OWNER: HORIZON HOMES, INC**. - Request for a Site Development Plan Review for a 13-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN: 138-03-302-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 4 (Brown).

34. **ABEYANCE - VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC.** - Request for a Petition to vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack).

35. **REZONING - PUBLIC HEARING - ZON-4205 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Rezoning FROM: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) AND U (UNDEVELOPED) [G-TC (General Tourist Commercial) General Plan Designation] TO: PD (PLANNED DEVELOPMENT) on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), Ward 2.

36. **VARIANCE RELATED TO ZON-4205 - PUBLIC HEARING - VAR-4207 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Variance TO ALLOW A BUILDING SETBACK OF 239 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 570 FEET IN CONJUNCTION WITH A PROPOSED CONDOMINIUM COMPLEX on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

37. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4205 AND VAR-4207 - PUBLIC HEARING - SDR-4206 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Site Development Plan Review FOR A 385-UNIT CONDOMINIUM COMPLEX CONSISTING OF TWO 16-STORY AND TWO 18-STORY TOWERS WITH ANCILLARY USES, CLUBHOUSE, AND A 17,400 SQUARE FOOT, SINGLE-STORY OFFICE BUILDING on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

38. **REZONING - PUBLIC HEARING - ZON-4241 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 20.0 acres south of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-301-005, 006; 126-24-101-009; and 126-24-201-005), Ward 6 (Mack).

39. **REZONING - PUBLIC HEARING - ZON-4279 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), Ward 6 (Mack).

40. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4279 - PUBLIC HEARING - SDR-4278 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AN A 50 FOOT ANTENNA on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] [PROPOSED: C-V (Civic)], Ward 6 (Mack).

41. **REZONING - PUBLIC HEARING - ZON-4281 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] AND R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PRE ACRE) TO: C-V (CIVIC) on 0.33 acres adjacent to the north side of Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), Ward 6 (Mack).

42. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4281 - PUBLIC HEARING – SDR-4280 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AND A 50 FOOT ANTENNA on 0.33 acres located adjacent to the north side Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), U (Undeveloped) [PF (Public Facility) General Plan Designation] and R-PD20 (Residential Planned Development - 20 Units Per Acre) Zones [PROPOSED: C-V (Civic)], Ward 6 (Mack).

43. **REZONING - PUBLIC HEARING - ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), Ward 6 (Mack).

44. **SPECIAL USE PERMIT RELATED TO ZON-4288 - PUBLIC HEARING - SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Special Use Permit FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

45. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4288 AND SUP-4289 - PUBLIC HEARING - SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Site Development Plan Review and Waivers of the Landscaping and Commercial Requirements FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

46. **VARIANCE - PUBLIC HEARING - VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Variance TO ALLOW 1.94 ACRES OF OPEN SPACE WHERE 2.41 ACRES ARE REQUIRED FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

47. **SPECIAL USE PERMIT RELATED TO VAR-4300 - PUBLIC HEARING - SUP-4299 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Special Use Permit FOR PRIVATE STREETS FOR A PROPOSED MIXED USE DEVELOPMENT AND A WAIVER TO ALLOW THE PRIVATE STREETS TO NOT BE GATED adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

48. **SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4299 AND VAR-4300 - PUBLIC HEARING - SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Site Development Plan Review and a Waiver of the Landscaping Standards FOR A PROPOSED MIXED USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

49. **SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4287 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC.** - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

50. **SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4287 - PUBLIC HEARING – SDR-4286 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC.** - Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements FOR A RESTAURANT on 8.99 acres adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

51. **REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4264 - APPLICANT: SENSATION SPAS OF NEVADA - OWNER: HOWARD JOHNSON** - Required Six Month Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

52. **SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4247 - APPLICANT: TIM C. AYALA - OWNER: WEINGARTEN NOSTAT, INC.** - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED, A WAIVER TO ALLOW THE SQUARE FOOTAGE TO BE LESS THAN 1,500 SQUARE FEET, AND TO ALLOW THE USE TO BE CLOSER THAN 200 FEET FROM A RESIDENTIALLY ZONED PARCEL at 849 South Rainbow Boulevard (APN: 138-34-717-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

53. **SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4295 - APPLICANT/OWNER: DOUG AND BRENDA ROBINSON** - Request for a Special Use Permit FOR A CASITA at 8401 Bonnie Blue Street (APN: 125-08-717-031), R-PD3 (Residential Planned Development 3 Units Per Acre) Zone, Ward 6 (Mack).

54. **SPECIAL USE PERMIT - SUP-4316 - APPLICANT: MOUNTAIN VEIW ESTATES - OWNER: MOISES, MARIO AND ZARQUIS GARCIA** - Request for a Special Use Permit FOR A 40 FOOT 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1527 West Bonanza Road (APN: 139-28-401-021), C-2 (General Commercial) Zone, Ward 5 (Weekly).

55. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II, LMITED PARTNERSHIP** - Request for a Site Development Plan Review FOR A MEDICAL OFFICE DEVELOPMENT CONSISTING OF FOUR 4,000 SQUARE FOOT SINGLE STORY BUILDINGS on 1.49 acres adjacent to the west side of Torrey Pines Drive, approximately 200 feet north of Rancho Drive (APN: 138-02-214-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

56. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4292 - APPLICANT: La POUR PARTNERS, INC. - OWNER CLASSIC LIGHTING, INC.** - Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements FOR A PROPOSED 6,666 SQUARE FOOT COMMERCIAL BUILDING on 0.27 acres at 219 West Charleston Boulevard (APN: 162-04-504-008), M (Industrial) Zone, Ward 1 (Moncrief).

57. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4294 - APPLICANT: JERIMAN ARCHITECTS - OWNER: P. T. CORPORATION** - Request for a Site Development Plan Review and Waivers of Landscaping, Pad Location and Covered Trash Enclosure Requirements FOR A PROPOSED RETAIL BUILDING on 0.64 acres adjacent to the south side of Craig Road, approximately 370 east of Jones Boulevard (APN: 138-01-312-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

58. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4298 - APPLICANT: STELLA LAKE PARTNERSHIP, LIMITED LIABILITY COMPANY - OWNER: CITY OF LAS VEGAS** - Request for a Site Development Plan Review and Waivers of Landscaping Requirements FOR A PROPOSED OFFICE BUILDING on 5.32 acres adjacent to the southeast corner of Lake Mead Boulevard and Stella Lake Street (a portion of APN: 139-21-313-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

DIRECTOR'S BUSINESS ITEMS:

59. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2826 - APPLICANT/OWNER: CARRIAGE FUNERAL HOLDINGS, INC.** - Request for an Appeal of an approval of a Site Development Plan Review FOR A 1,335 SQUARE-FOOT ADDITION TO AN EXISTING MAUSOLEUM on a portion of 19.10 acres adjacent to the southwest corner of Lone Mountain Road and Tenaya Way (APN: 138-03-101-003), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 4 (Brown).

60. **TEXT AMENDMENT - TXT-4429 - PUBLIC HEARING - CITY OF LAS VEGAS** - Discussion and possible to amend Title 19.04.040 to allow the keeping of one horse on residential lots with a minimum net area of 18,000 square feet.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

AFFIDAVIT OF POSTING

(Posting required under the provision of NRS 241, Sec. 1.3 and 1.5)

State of Nevada)
)
County of Clark)
)
City of Las Vegas)

I John Holliway, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of May 21, 2004, at the hour of 10:50 AM, there were posted copies of the May 27, 2004 Planning Commission Agenda, the attached of which is a true and correct copy, at the following locations:

1. In the Clark County Government Center
   500 South Grand Central Parkway

2. In the Grant Sawyer Building
   555 East Washington Avenue
   (Go in through the main entrance. Straight ahead is the security desk. Ask one of the guards to unlock the bulletin board so that you may post the agenda.)

3. In the Las Vegas Library
   833 Las Vegas Boulevard North
   (Go through the double doors. To the right of the desk is the bulletin board. I am told that they keep it very neat. Take some extra pushpins as they may not have any).

4. On the Special Public Bulletin Board at the Plaza Level of City Hall
   400 Stewart Avenue
   (Near the entrance to the City Council Chambers)

5. On the Public Bulletin Board at the Plaza Level to the City Hall
   400 Stewart Avenue
   (Near the entrance to the Court Clerk's Office)

John P Holliway
(Signature)

Planning and Development Department

Subscribed and sworn to before me

This 21st day of May, 2004.

Kathryn M. McDonald
Notary Public in and for said County and State

KATHRYN M. McDONALD
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 99-56749-1
MY APPT. EXPIRES JUNE 14, 2007

Agenda City of Las Vegas

PLANNING COMMISSION MEETING

May 27, 2004

Council Chambers 400 Stewart Avenue Las Vegas, Nevada
Phone 229-6301 TDD 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilwoman Janet Moncrief, Ward 1
Vacant (Ward 2)
City Manager, Douglas A. Selby

Commissioners

Richard W. Truesdell, Chairman
Todd Nigro, Vice-Chairman
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

COMMISSIONERS BRIEFING: 5:15 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. The Planning Commission may ask applicants and other interested parties for information or presentations. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Satisfaction of Open Meeting Law Requirements

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue

MINUTES: Approval of the minutes of the April 22, 2004 Planning Commission Meeting

ACTIONS: ALL ACTIONS ON TENTATIVE SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

May 27, 2004

Council Chambers — 400 Stewart Avenue Las Vegas, Nevada

Phone 229-6301 TDD 386-9108 — http://www.lasvegasnevada.gov

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst them, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

ABEYANCE/ WITHDRAWN ITEMS:

ITEMS THAT HAVE BEEN REQUESTED TO BE EITHER HELD IN ABEYANCE TO A FUTURE MEETING OR WITHDRAWN WITHOUT PREJUDICE MAY BE CONSIDERED IN ONE MOTION. ANY PERSON WHO DOES NOT AGREE THAT THE ITEM SHOULD BE HELD OR WITHDRAWN SHOULD REQUEST THE ITEM BE HEARD SEPARATELY.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **CONSENT - TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION** - Request for a Tentative Map FOR A 1 LOT SUBDIVISION on 1.67 acres adjacent to the north side of Far Hills Avenue, east and west of Carriage Hill Drive (a portion of APN: 137-22-000-010), P-C (Planned Community) Zone, Ward 2.

2. **CONSENT - TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY** - Request for a Tentative Map FOR A 1 LOT COMMERCIAL SUBDIVISION on 6.04 acres adjacent to the southeast corner of Rancho Drive and Lone Mountain Road (APN: 138-02-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

3. **CONSENT - ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY** - Petition to Annex property located on the south side of Grand Teton Drive, 660 feet east of Puli Drive, containing approximately 5.0 acres (APN: 126-13-101-003), Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE PUBLIC HEARING AND NON-PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARING ITEMS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION, A MEMBER OF THE PLANNING COMMISSION OR THE PUBLIC NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF SHOULD REQUEST TO HAVE THIS ITEM REMOVED FROM THIS PART OF THE AGENDA.

4. **ABEYANCE - RENOTIFICATION - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION** - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2.

5. **REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4118 - APPLICANT/OWNER: RAMON PARDO** - Required Six Month Review for an approved Variance (V-0044-02) WHICH ALLOWED 9 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A 3,880 SQUARE FOOT RETAIL BUILDING at 1650 East Sahara Avenue (APN: 162-02-411-032), R-2 (Medium Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

6. **REQUIRED TWO YEAR REVIEW - RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY** - Required Two Year Review on an approved Special Use Permit (U-0106-95), WHICH ALLOWED A 440 SQUARE FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 310 South Main Street (APN: 139-34-201-003), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

7. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.** - Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

8. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC.** - Required Two Year Review of an approved Special Use Permit (U-0059-01) FOR FIVE (5) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard (APN: 139-18-410-003), C-M (Commercial/ Industrial) Zone, Ward 5 (Weekly).

9. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.** - Required Two Year Review of an approved Special Use Permit (U-0262-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4820 West Charleston Boulevard (APN: 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

10. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL** - Required Two Year Review of an approved Special Use Permit (U-0314-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1600 North Rancho Drive (APN: 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

11. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA** - Required Two Year Review of an approved Special Use Permit (U-0265-94) WHICH ALLOWED A 55 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2550 Highland Drive (APN: 162-09-110-019), M (Industrial) Zone, Ward 1 (Moncrief).

12. **REQUIRED TWO YEAR REVIEW - RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC.** - Required Two Year Review for an approved Special Use Permit (U-0261-94) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4401 North Rancho Drive (APN: 138-02-602-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

13. **REQUIRED TWO YEAR REVIEW - RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST** - Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN: 139-26-505-004), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

14. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY** - Required Two Year Review of an approved Special Use Permit (U-0010-97) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3901 North Rancho Drive (APN: 138-12-110-004), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

15. **REQUIRED TWO YEAR REQUIRED - PUBLIC HEARING - RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS** - Required Two Year Review of an approved Special Use Permit (U-0171-89) WHICH ALLOWED A 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

16. **REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4282 - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC.** - Required Two Year Review of an approved Special Use Permit (U-185-89) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1361 South Decatur Boulevard (APN: 162-06-211-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

PUBLIC HEARING ITEMS:

17. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3833 - CITY OF LAS VEGAS** - Request to amend the Master Plan Recreation Trails Element of the General Plan to revise the design standards for equestrian and multi-use equestrian trails, Ward 4 (Brown) and Ward 6 (Mack).

18. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS** - Request to amend the Master Plan Transportation Trails Element of the General Plan to add provisions for "connector trails" and to revise trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan." Wards: All.

19. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

20. **ABEYANCE - REZONING RELATED TO GPA-3670 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

21. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Reese).

22. **ABEYANCE - GENERAL PLAN AMENDEMENT - PUBLIC HEARING - GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

23. **ABEYANCE - REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

24. **ABEYANCE - VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack).

25. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

26. **ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

27. **ABEYANCE - REZONING RELATED TO GPA-4100 - PUBLIC HEARING - ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

28. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4100 AND ZON-4101 - PUBLIC HEARING - SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO** - Request for a Site Development Plan Review FOR A CONVERSION OF AN EXISTING RESIDENCE TO A LANDSCAPING BUSINESS AND FOR A WAIVER THE LANDSCAPING REQUIREMENTS on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

29. **ABEYANCE - REZONING - PUBLIC HEARING - ZON-4077 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER** - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), Ward 1 (Moncrief).

30. **ABEYANCE - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4077 - PUBLIC HEARING - SDR-4081 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER** - Request for a Site Development Plan Review FOR AN OFFICE AND WAIVER OF LANDSCAPING REQUIREMENTS on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief).

31. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3938 - APPLICANT: NEWAY CHURCH OF GOD IN CHRIST** - Request for a Site Development Plan Review, Waivers of the Commercial Development Standards TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, A REDUCTION IN THE AMOUNT OF REQUIRED FOUNDATION LANDSCAPING, AND WAIVERS OF THE PERIMETER AND PARKING LOT LANDSCAPING STANDARDS FOR A PROPOSED 4,594 SQUARE-FOOT CHURCH/ HOUSE OF WORSHIP on 0.48 acres adjacent to the northeast corner of "D" Street and Monroe Avenue (APN: 139-27-111-061 and 062), C-2 (General Commercial) Zone, Ward 5 (Weekly).

32. **ABEYANCE - REZONING - PUBLIC HEARING - ZON-4219 - APPLICANT/OWNER: HORIZON HOMES, INC.** - Request for a Rezoning FROM: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN: 138-03-302-001), Ward 4 (Brown).

33. **ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4219 - PUBLIC HEARING - SDR-4222 - APPLICANT/OWNER: HORIZON HOMES, INC.** - Request for a Site Development Plan Review for a 13-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN: 138-03-302-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 4 (Brown).

34. **ABEYANCE - VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC.** - Request for a Petition to vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack).

35. **REZONING - PUBLIC HEARING - ZON-4205 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Rezoning FROM: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) AND U (UNDEVELOPED) [G-TC (General Tourist Commercial) General Plan Designation] TO: PD (PLANNED DEVELOPMENT) on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), Ward 2.

36. **VARIANCE RELATED TO ZON-4205 - PUBLIC HEARING - VAR-4207 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Variance TO ALLOW A BUILDING SETBACK OF 239 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 570 FEET IN CONJUNCTION WITH A PROPOSED CONDOMINIUM COMPLEX on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

37. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4205 AND VAR-4207 - PUBLIC HEARING - SDR-4206 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL** - Request for a Site Development Plan Review FOR A 385-UNIT CONDOMINIUM COMPLEX CONSISTING OF TWO 16-STORY AND TWO 18-STORY TOWERS WITH ANCILLARY USES, CLUBHOUSE, AND A 17,400 SQUARE FOOT, SINGLE-STORY OFFICE BUILDING on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

38. **REZONING - PUBLIC HEARING - ZON-4241 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 20.0 acres south of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-301-005, 006; 126-24-101-009; and 126-24-201-005), Ward 6 (Mack).

39. **REZONING - PUBLIC HEARING - ZON-4279 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), Ward 6 (Mack).

40. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4279 - PUBLIC HEARING - SDR-4278 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AN A 50 FOOT ANTENNA on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] [PROPOSED: C-V (Civic)], Ward 6 (Mack).

41. **REZONING - PUBLIC HEARING - ZON-4281 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] AND R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PRE ACRE) TO: C-V (CIVIC) on 0.33 acres adjacent to the north side of Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), Ward 6 (Mack).

42. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4281 - PUBLIC HEARING – SDR-4280 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT** - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AND A 50 FOOT ANTENNA on 0.33 acres located adjacent to the north side Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), U (Undeveloped) [PF (Public Facility) General Plan Designation] and R-PD20 (Residential Planned Development - 20 Units Per Acre) Zones [PROPOSED: C-V (Civic)], Ward 6 (Mack).

43. **REZONING - PUBLIC HEARING - ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), Ward 6 (Mack).

44. **SPECIAL USE PERMIT RELATED TO ZON-4288 - PUBLIC HEARING - SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Special Use Permit FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

45. **SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4288 AND SUP-4289 - PUBLIC HEARING - SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST** - Request for a Site Development Plan Review and Waivers of the Landscaping and Commercial Requirements FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

46. **VARIANCE - PUBLIC HEARING - VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Variance TO ALLOW 1.94 ACRES OF OPEN SPACE WHERE 2.41 ACRES ARE REQUIRED FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

47. **SPECIAL USE PERMIT RELATED TO VAR-4300 - PUBLIC HEARING - SUP-4299 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Special Use Permit FOR PRIVATE STREETS FOR A PROPOSED MIXED USE DEVELOPMENT AND A WAIVER TO ALLOW THE PRIVATE STREETS TO NOT BE GATED adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

48. **SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4299 AND VAR-4300 - PUBLIC HEARING - SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION** - Request for a Site Development Plan Review and a Waiver of the Landscaping Standards FOR A PROPOSED MIXED USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

49. **SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4287 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC.** - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

50. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4287 - PUBLIC HEARING – SDR-4286 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements FOR A RESTAURANT on 8.99 acres adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

51. REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4264 - APPLICANT: SENSATION SPAS OF NEVADA - OWNER: HOWARD JOHNSON - Required Six Month Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

52. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4247 - APPLICANT: TIM C. AYALA - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED, A WAIVER TO ALLOW THE SQUARE FOOTAGE TO BE LESS THAN 1,500 SQUARE FEET, AND TO ALLOW THE USE TO BE CLOSER THAN 200 FEET FROM A RESIDENTIALLY ZONED PARCEL at 849 South Rainbow Boulevard (APN: 138-34-717-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

53. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4295 - APPLICANT/OWNER: DOUG AND BRENDA ROBINSON - Request for a Special Use Permit FOR A CASITA at 8401 Bonnie Blue Street (APN: 125-08-717-031), R-PD3 (Residential Planned Development 3 Units Per Acre) Zone, Ward 6 (Mack).

54. SPECIAL USE PERMIT - SUP-4316 - APPLICANT: MOUNTAIN VEIW ESTATES - OWNER: MOISES, MARIO AND ZARQUIS GARCIA - Request for a Special Use Permit FOR A 40 FOOT 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1527 West Bonanza Road (APN: 139-28-401-021), C-2 (General Commercial) Zone, Ward 5 (Weekly).

55. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II, LMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A MEDICAL OFFICE DEVELOPMENT CONSISTING OF FOUR 4,000 SQUARE FOOT SINGLE STORY BUILDINGS on 1.49 acres adjacent to the west side of Torrey Pines Drive, approximately 200 feet north of Rancho Drive (APN: 138-02-214-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

56. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4292 - APPLICANT: La POUR PARTNERS, INC. - OWNER CLASSIC LIGHTING, INC.** - Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements FOR A PROPOSED 6,666 SQUARE FOOT COMMERCIAL BUILDING on 0.27 acres at 219 West Charleston Boulevard (APN: 162-04-504-008), M (Industrial) Zone, Ward 1 (Moncrief).

57. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4294 - APPLICANT: JERIMAN ARCHITECTS - OWNER: P. T. CORPORATION** - Request for a Site Development Plan Review and Waivers of Landscaping, Pad Location and Covered Trash Enclosure Requirements FOR A PROPOSED RETAIL BUILDING on 0.64 acres adjacent to the south side of Craig Road, approximately 370 east of Jones Boulevard (APN: 138-01-312-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

58. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4298 - APPLICANT: STELLA LAKE PARTNERSHIP, LIMITED LIABILITY COMPANY - OWNER: CITY OF LAS VEGAS** - Request for a Site Development Plan Review and Waivers of Landscaping Requirements FOR A PROPOSED OFFICE BUILDING on 5.32 acres adjacent to the southeast corner of Lake Mead Boulevard and Stella Lake Street (a portion of APN: 139-21-313-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

DIRECTOR'S BUSINESS ITEMS:

59. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2826 - APPLICANT/OWNER: CARRIAGE FUNERAL HOLDINGS, INC.** - Request for an Appeal of an approval of a Site Development Plan Review FOR A 1,335 SQUARE-FOOT ADDITION TO AN EXISTING MAUSOLEUM on a portion of 19.10 acres adjacent to the southwest corner of Lone Mountain Road and Tenaya Way (APN: 138-03-101-003), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 4 (Brown).

60. **TEXT AMENDMENT - TXT-4429 - PUBLIC HEARING - CITY OF LAS VEGAS** - Discussion and possible to amend Title 19.04.040 to allow the keeping of one horse on residential lots with a minimum net area of 18,000 square feet.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

I **Carman Livingston Burney**, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of **May 14, 2004**, a copy of the **May 27, 2004 Planning Commission Agenda**, the attached of which is a true-and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Department of Planning and Development, Current Planning Division.

Carman L Burney

SIGNATURE

Planning and Development Department

Subscribed and sworn to before me this

14th day of May, 2004

James G Rickett

NOTARY PUBLIC in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JAMES G. RICKETT
No. 98-25111-1 My Appointment Expires Sept. 6, 2007

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:26 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES (Arrived at 5:41 p.m.), STEVEN EVANS (Arrived at 6:26 p.m.), LEO DAVENPORT, DAVID STEINMAN and LAURA McSWAIN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development, discussed issues regarding small lot ordinances. In addition, FLYNN FAGG, Planning and Development Department, submitted a Powerpoint presentation, entitled Revised Residential Planned Development Standards, which dealt with concerns within existing R-PD ordinance and retaining flexibility of residential product.

MR. CLAPSADDLE, Planning and Development Department, referenced the following items to be tabled or held in abeyance:

Item 17 [GPA-3833]	Request to Table
Item 18 [GPA-3933]	Request to Table
Item 19 [GPA-3670]	Abeyance to 06-24-04 Planning Commission meeting
Item 20 [ZON-3672]	Abeyance to 06-24-04 Planning Commission meeting
Item 21 [SDR-3958]	Abeyance to 06-24-04 Planning Commission meeting
Item 22 [GPA-4091]	Abeyance to 06-10-04 Planning Commission meeting
Item 23 [ZON-4093]	Abeyance to 06-10-04 Planning Commission meeting
Item 24 [VAR-4094]	Abeyance to 06-10-04 Planning Commission meeting
Item 25 [SDR-4095]	Abeyance to 06-10-04 Planning Commission meeting
Item 31 [SDR-3938]	Abeyance to 07-22-04 Planning Commission meeting
Item 34 [VAC-4071]	Abeyance to 06-10-04 Planning Commission meeting
Item 43 [ZON-4288]	Abeyance to 06-24-04 Planning Commission meeting
Item 44 [SUP-4289]	Abeyance to 06-24-04 Planning Commission meeting
Item 45 [SDR-4291]	Abeyance to 06-24-04 Planning Commission meeting
Item 51 [RQR-4264]	Abeyance to 06-10-04 Planning Commission meeting
Item 52 [SUP-4247]	Abeyance to 06-10-04 Planning Commission meeting
Item 60 [TXT-4429]	Abeyance to 06-10-04 Planning Commission meeting

MR. CLAPSADDLE stated that letters with signatures accepting all conditions were received for all of the tabled and abeyance items.

ELENA ARELLANO, 1555 S. Rainbow, stated that a letter of request was submitted prior to the meeting today requesting to abey Items 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291] until the June 24, 2004 Planning Meeting. MR. CLAPSADDLE replied that if the applicant would like to hold these items, they do not object to it.

COMMISSIONER DAVENPORT inquired about Item 51 [RQR-4264] and the reason for the abeyance. He recalled at a prior meeting, the Commission was very reluctant in giving an extension for six months because the applicant had not done anything to improve the lot. In his opinion, to date, the applicant still has not done anything; yet, an extension is recommended for another 30 days, which is too long. In addition, no one was present to speak on this item. COMMISSIONER DAVENPORT then stated that if the applicant does not care enough to improve the property nor attend the meeting, then the item should be denied. MR. CLAPSADDLE replied that the reason for the extension is due to the representative being out of town and unable to attend this meeting so the item cannot be discussed. CHAIRMAN TRUESDELL stated that he does not disagree with COMMISSIONER DAVENPORT'S comments. DEPUTY CITY ATTORNEY BRYAN SCOTT reiterated that the Code does allow holding the item in abeyance once it has been noticed if CHAIRMAN TRUESDELL deemed it appropriate due to the applicant being out of town. CHAIRMAN TRUESDELL replied that he is committed to having items heard and not take extended delays; however, in this case, a two-week abeyance is sufficient. In addition, Staff needs to inform the applicant that if they do not appear at that time, the Commission will decide on this item for the applicant Staff concurred.

On the Consent items, COMMISSIONER McSWAIN abstained on Item 3 [ANX-4245], as her company is working on a project that benefits Focus, who is involved with this item.

DAVID GUERRA, Public Works, stated that on Item 1 [TMP-4277] Condition 6 should read as follows: "Dedicate 44 feet of right-of-way for Carriage Hill Drive. Additional rights-of-way may be required or allowed as determined by Public Works upon development of this site." Condition 8 should read as follows: "The Final Map for this site shall annotate that Common Lots A & B are to be privately maintained by a Summerlin maintenance organization." MR. CLAPSADDLE confirmed that the applicant is aware of these conditions. BURT HUGHES, G.C. Wallace, appeared on behalf of the Howard Hughes Corporation, stated that they agree with the conditions.

Regarding the One Motion/One Vote items, the following changes were requested:

On Item 5 [RQR-4118], the applicant has requested that the item be removed to discuss a condition. On Item 11 [RQR-4243], Staff is recommending that the item be discussed. Item 16 [RQR-4282], the applicant has requested that the item be removed to discuss a condition.

COMMISSIONER McSWAIN requested that Items 4, 7, 9, 13, and 15 be pulled from the One Motion/One Vote.

The remaining One Motion/One Vote items noted below were motioned for approval by VICE CHAIRMAN NIGRO, approved unanimously, and will go to the City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

MR. CLAPSADDLE stated that staff has received signed letters from these applicants agreeing to the conditions.

COMMISSIONER DAVENPORT stated that he will be voting on Item 4 [RQR-3686], Item 7 [RQR-4238], Item 8 [RQR-4239], Item 9 [RQR-4240], Item 10 [RQR-4242], Item 11 [RQR-4243], Item 12 [RQR-4244] and Item 13 [RQR-4268]. He has had an advertising contract with Lamar Outdoor Advertising in the past. Although the signs are still up, the contract has expired.

MEETING ADJOURNED AT 5:55 P.M.

Revised Residential Planned Development Standards

Intent:

- Address concerns within existing R-PD ordinance
- Retain flexibility of residential product

Submitted at Planning Commission
Date 05-27-04 Item: Briefing

Revised Residential Planned Development Standards

Revisions to Title 19.06.040:

- **Development Standards**
  - ***Parking Requirements***
  - ***Private Yard Space***
  - ***Garages and Driveways***
  - ***Streets, Sidewalks & Streetscape Requirements***
  - ***Residential Design Standards***
  - ***Cluster Housing Development Standards***
- **Open Space & Common Recreational Facilities**
- **Variance Process**

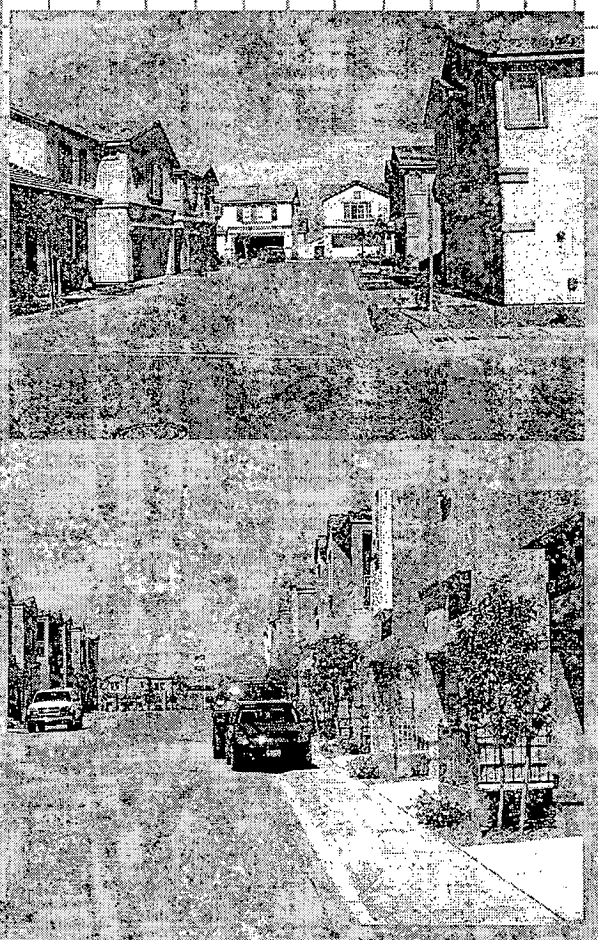
Revised Residential Planned Development Standards

Parking Requirements:

- 2 spaces per residence
- 1 guest space per 6 residences

Revised Residential Planned Development Standards

Parking Requirements



- Many new developments cannot provide adequate on-street parking

- Intended to prevent vehicles parked on sidewalks

Revised Residential Planned Development Standards

Parking Requirements

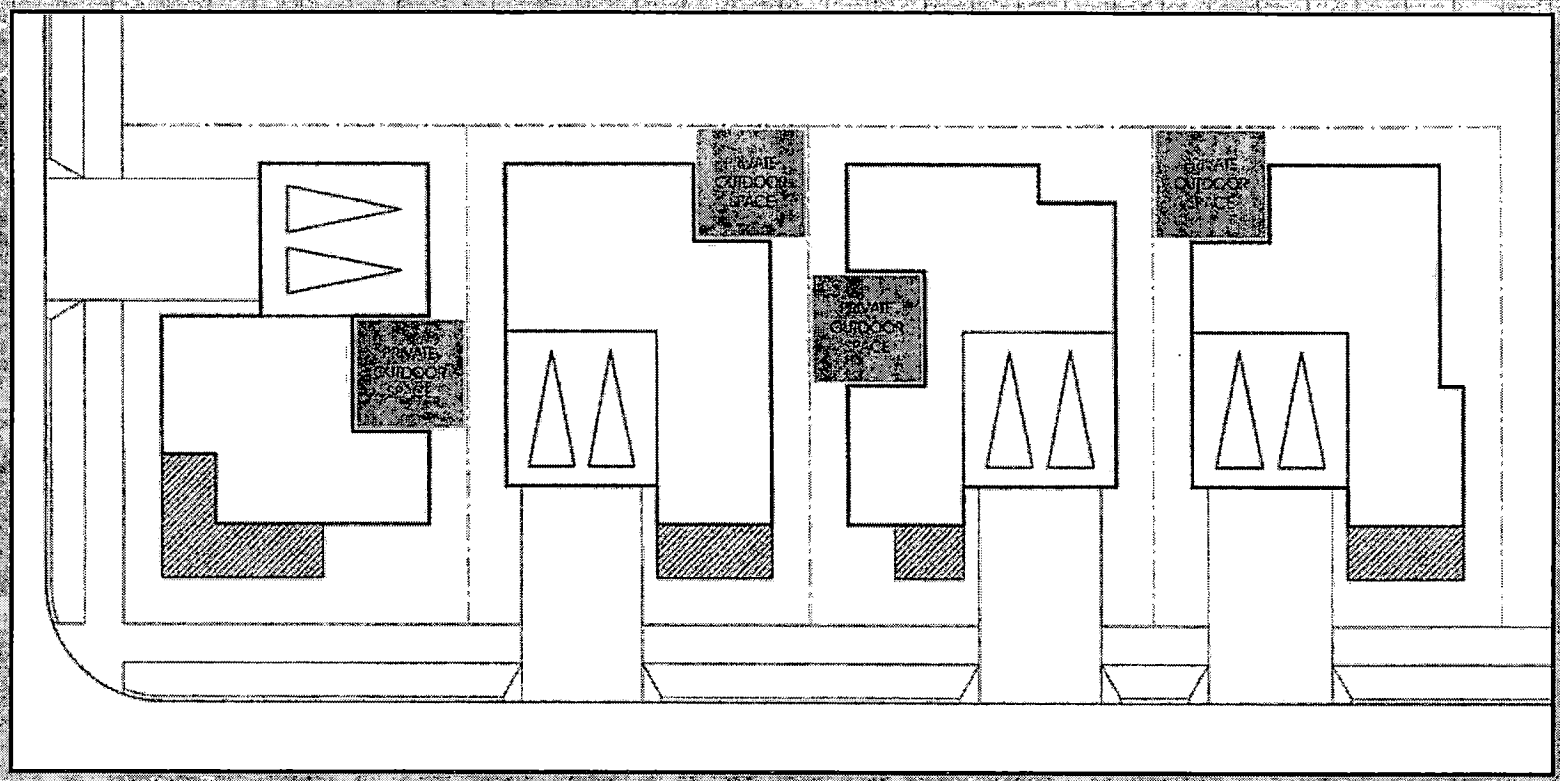


- Guest spaces will assist in reducing parking issues

Revised Residential Planned Development Standards

Private Yard Space:

- Requires a 15'x15' area in side or rear yard



Revised Residential Planned Development Standards

Private Yard Space

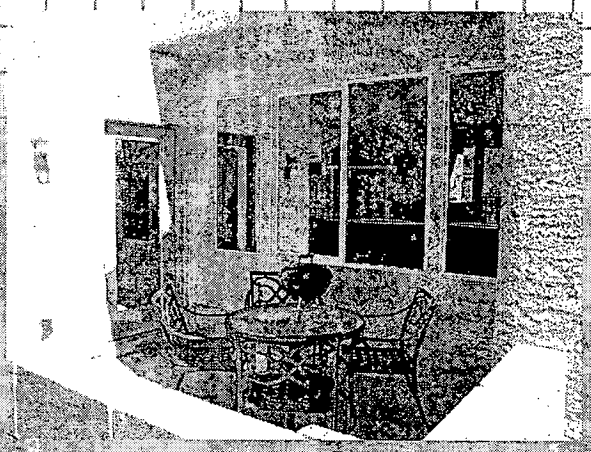


- 5'foot rear yards do not provide sufficient outdoor space for residents

- Terraces ("Courtyards") in the front do not offer privacy

Revised Residential Planned Development Standards

Private Yard Space



- Private yard space allows for outdoor dining, barbecuing, play area

Revised Residential Planned Development Standards

Garages & Driveways:

- Recess garage 5 feet behind front of house
- Minimum 18-foot depth for driveways

Revised Residential Planned Development Standards

Garages & Driveways





- Garages at the front yard setback overwhelm and dominate the streetscape

- Recessing the garage makes the front door & porch prominent and provides variety of massing

Revised Residential Planned Development Standards

Garages & Driveways



- Driveways shorter than 18 feet result in vehicles extending into the right-of-way

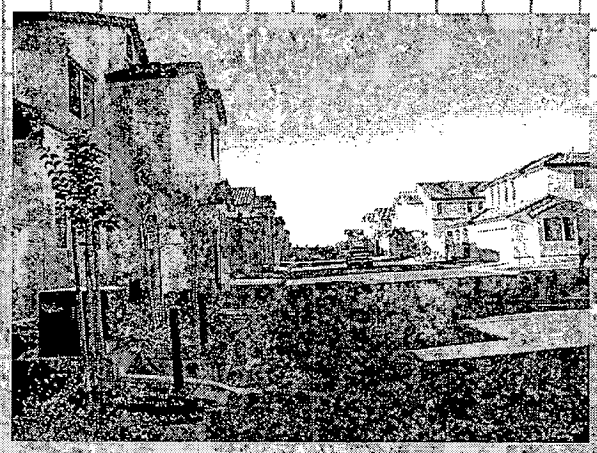
Revised Residential Planned Development Standards

Streets, Sidewalks & Streetscape:

- 5-foot sidewalk required on both sides of street
- 5-foot amenity zone required between sidewalk & street
- Permit reduced street width in order to compensate for sidewalk & amenity zone

Revised Residential Planned Development Standards

Streets, Sidewalks & Streetscape



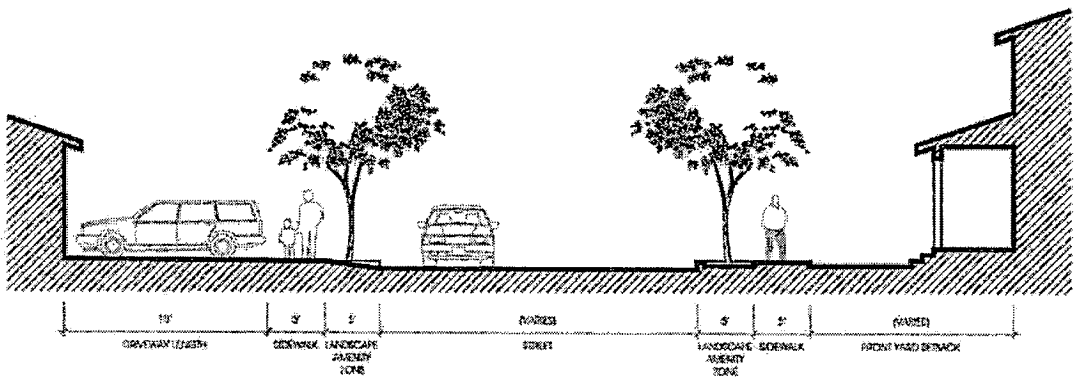
- Lack of sidewalks forces pedestrians into street

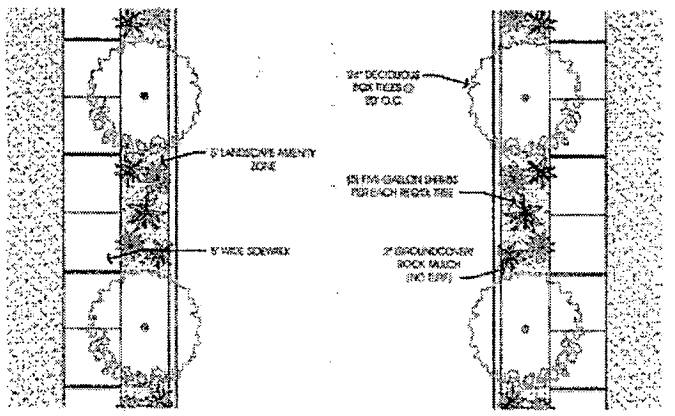


- Lack of amenity zone and use of rolled curb permits parking on sidewalk

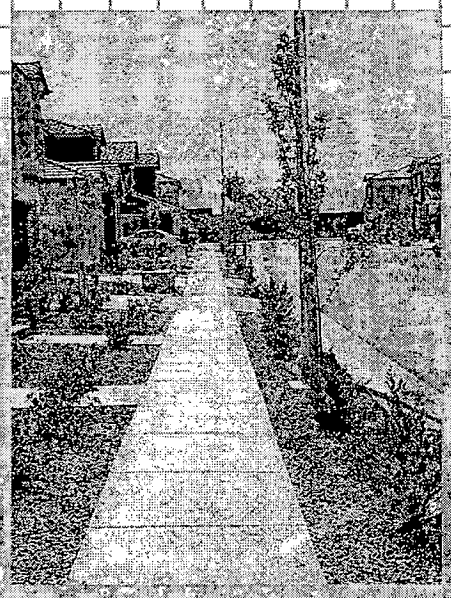
Revised Residential Planned Development Standards

Streets, Sidewalks & Streetscape





Streets, Sidewalks & Streetscape



- The amenity zone separates pedestrians from traffic and beautifies the streetscape

Revised Residential Planned Development Standards

Streets, Sidewalks & Streetscape



- **Reduced street width compensates for streetscape amenity zone, but eliminates on-street parking**

Revised Residential Planned Development Standards

Residential Design Standards:

- Applies to developments with 50 or more lots
- Requires variety of massing, color and materials
- Requires a minimum of three different floor plans
- Requires a minimum of three different color schemes for each model

Residential Design Standards

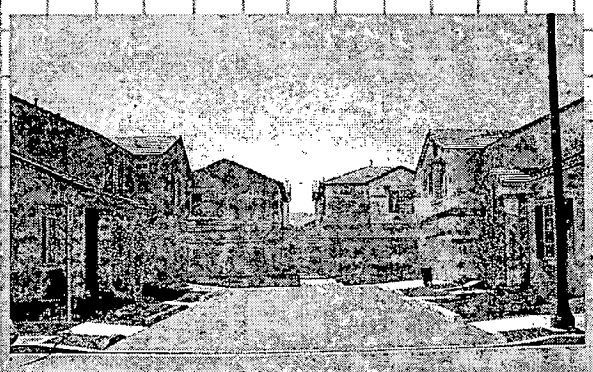


- Lack of variation in massing, color or materials results in a repetitive environment



- Variety of materials, massing and color adds variety and distinction

Cluster Development Standards



- Limiting the number of houses per shared driveway reduces parking and access impacts

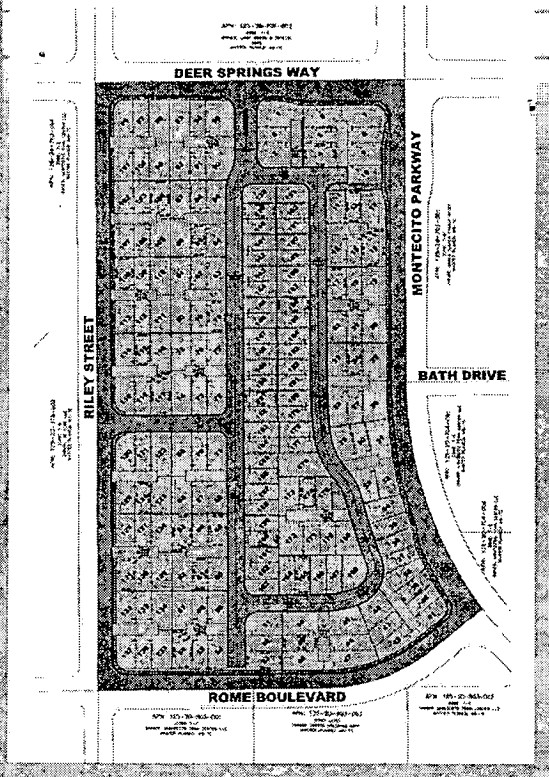
Revised Residential Planned Development Standards

Open Space Revisions:

- **Current requirement: Density x 1.65= % of land required for open space (results in approximately 750 sq. ft. per lot)**
- **Proposed requirement: # of lots x 500 sq. ft. = open space required**
- **Not required when all lots are 6,500 square feet or greater**

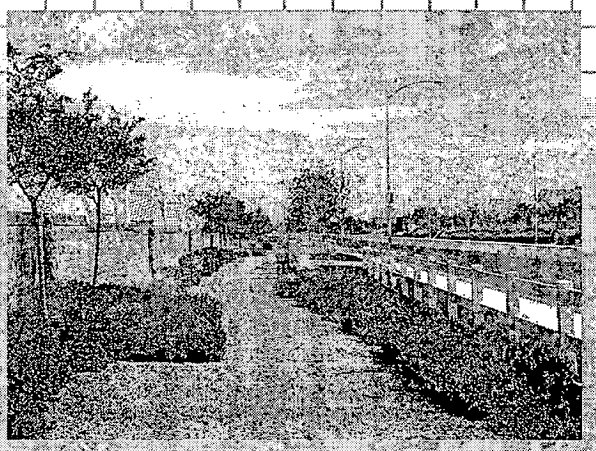
Revised Residential Planned Development Standards

Open Space Revisions



- **Minimum 45’ x 45’ dimension so that open space is usable-- not just leftover space**

Open Space Credits





- Required trails qualify for open space credits

- Required streetscape amenity zone within the development qualifies for open space credits

Revised Residential Planned Development Standards

Density Bonuses:

- Intent: Provide incentives for additional open space, community facilities and increased aesthetic character
- Up to .5 units/acre increase in density (example: 5.49 allowed; 5.99 with density bonuses)
- Cannot be awarded if the development requires variances
- Must provide 1.5 times the minimum open space required
- Additional bonuses for recreational facilities, community facilities, alleys

Revised Residential Planned Development Standards

Variances:

- Specifies that a variance is required for any variation from the R-PD standards

Revised Residential Planned Development Standards

Issues still to be addressed:

- Storage space/use of garage and impacts to parking
- Lack of ability to expand residence as family grows
- HOA documents/deed restrictions

Revised Residential Planned Development Standards

Process:

- Presentation/input from Planning Commission (5/27/04)
- Presentation/input from SNHBA (6/04)
- Refinement of document and return to Planning Commission

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MAY 27, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES, STEVEN EVANS (Arriving at 6:26 p.m.), LEO DAVENPORT DAVID STEINMAN AND LAURA McSWAIN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

SUBJECT:
Approval of the minutes of the April 22, 2004, Planning Commission Meeting

MOTION:
NIGRO – APPROVED – UNANIMOUS

MINUTES:
There was no discussion.

(6:01)
1-40

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:
ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

City of Las Vegas

Agenda Item No.:

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

City of Las Vegas

Agenda Item No.: 1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
CONSENT - TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Request for a Tentative Map FOR A 1 LOT SUBDIVISION on 1.67 acres adjacent to the north side of Far Hills Avenue, east and west of Carriage Hill Drive (a portion of APN: 137-22-000-010), P-C (Planned Community) Zone, Ward 2.

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)

1-341

CONDITIONS:
Planning and Development
1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezoning Z-0119-96 and to the Summerlin Development and Improvement Standards.

3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting all required setbacks shall be approved by the Planning and Development Department and Public Works Department staff.

4. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate setbacks.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Dedicate appropriate right-of-way for Carriage Hill Drive. Coordinate with the Department of Public Works to determine the final right-of-way width prior to submittal of a Final Map for this site.

7. Construct half-street improvements including appropriate overpaving 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 boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

8. The Final Map for this site shall not include Common Lots A & B.

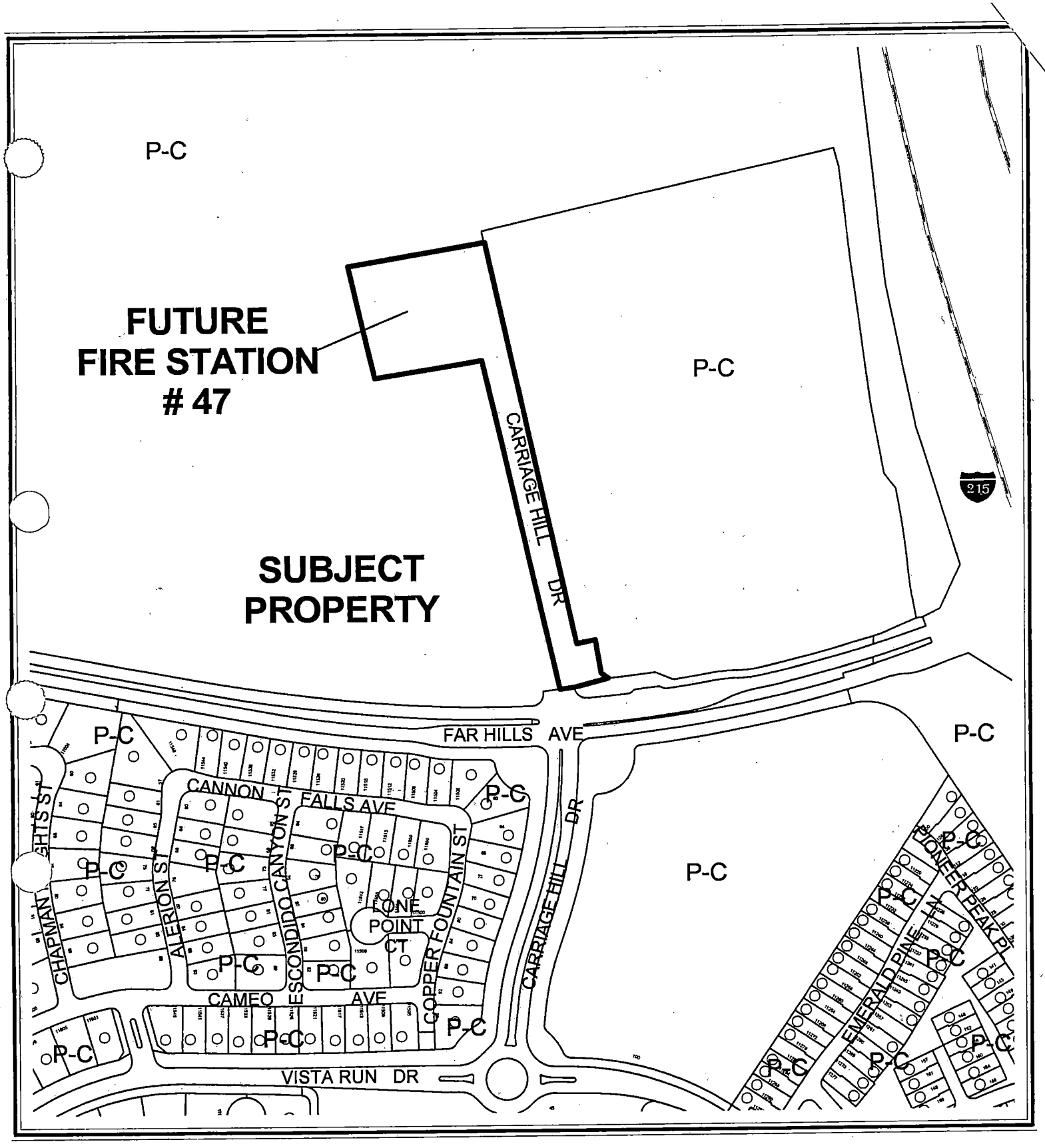
9. If not already constructed by the Master Developer construct two lanes of access paving to this site prior to occupancy of this site.

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

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.

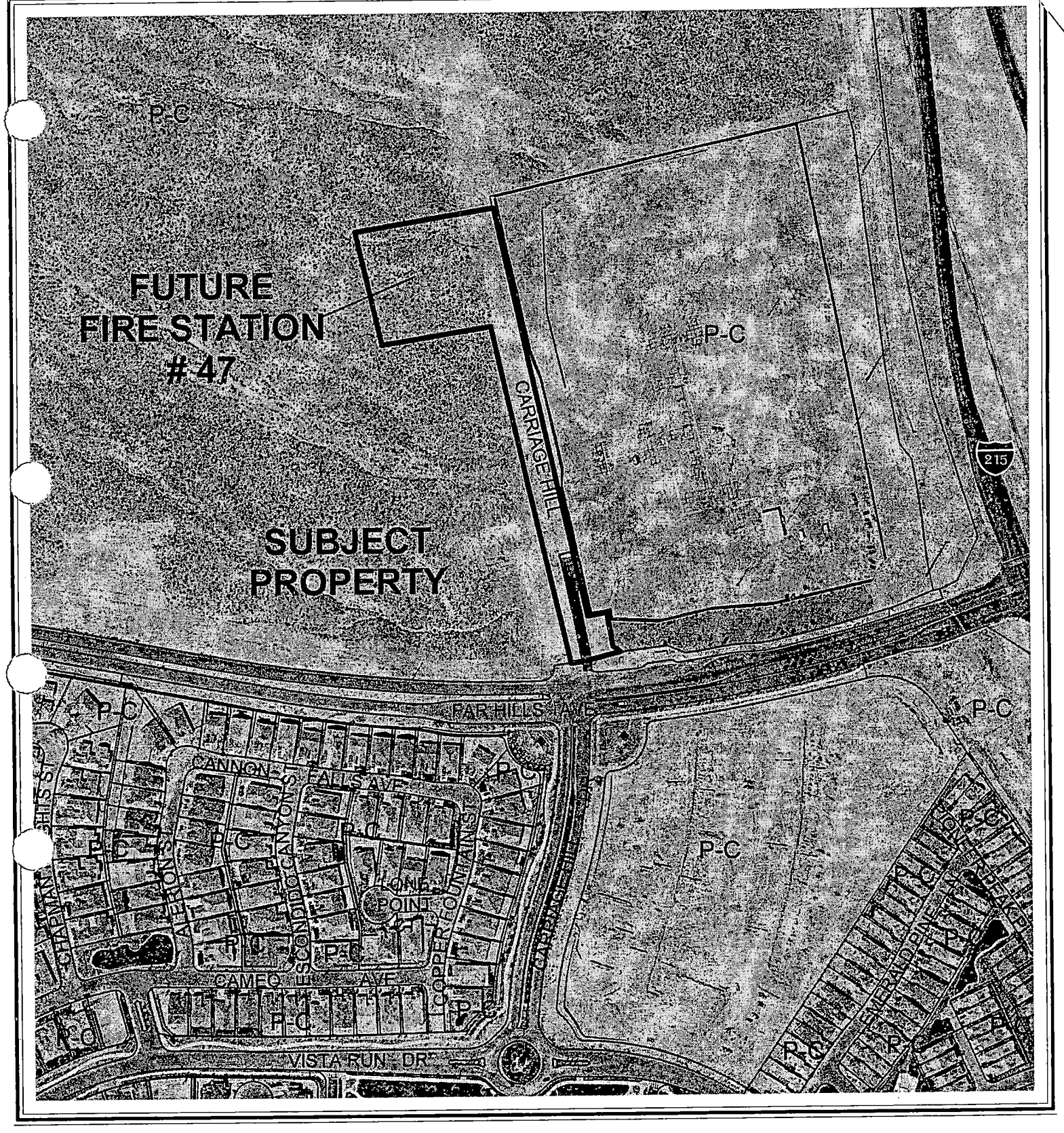
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: TMP-4277

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N



0 200 400 Feet

CASE: TMP-4277

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: CONSENT - TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

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MP

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 boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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

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MP

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Tentative Map for a one-lot subdivision on 1.67 acres adjacent to the north side of Far Hills Avenue, east and west of Carriage Hill Drive.

B) Applicant's Justification

A justification letter is not required for a Tentative Map application.

BACKGROUND INFORMATION

A) Previous Actions

01/27/97 The City Council approved a Rezoning (Z-119-96) to P-C (Planned Community) on this site as part of a larger request. The Planning Commission and staff recommended approval on January 9, 1997.

B) Pre-Application Meeting

04/09/04 The applicant was advised of the requirements for a Tentative Map application. Issues regarding the best way to create this lot for transfer to the City were also discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.67

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Nevada Power Substation
West:	Undeveloped

MP

C) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	P-C (Planned Community)
East:	P-C (Planned Community)
West:	P-C (Planned Community)

D) General Plan Compliance

The site is designated MXU (Mixed Use) on the Southwest Sector Land Use Plan Map of the General Plan. The existing P-C (Planned Community) Zoning designation is in conformance with the General Plan.

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

This site is located within the Summerlin Master plan area. There are no specific standards applicable to this project.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The purpose of the map is to create a lot so that ownership can be transferred to the City of Las Vegas for development of a fire station. The design of the site will be determined through the Summerlin City Referral Group process.

B) General Analysis Discussion

- General information

The intent of the proposed Tentative Map is to create one lot for transfer to the City of Las Vegas for the development of a fire station on this site. The map also dedicates the right-of-way for Carriage Hill Drive to provide access to the lot.

- Cross Section

Cross-sections have been provided and depict maximum natural grade of more than 4% across this site. Per Table A Subdivision Code 18.08.110 a development with nature slope of more than 4%, such as this development, is allowed a maximum 6-foot retaining wall. Retaining walls do not appear to be greater than 4-feet in height.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-4277 APN: 137-22-000-010

Name of Property Owner: The Howard Hughes Corporation

Name of Applicant: -same-

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: 137-22-000-010

Signature of Property Owner/Authorized Agent: _____

Print Name: LAURENCE BROCATO, EVP KN

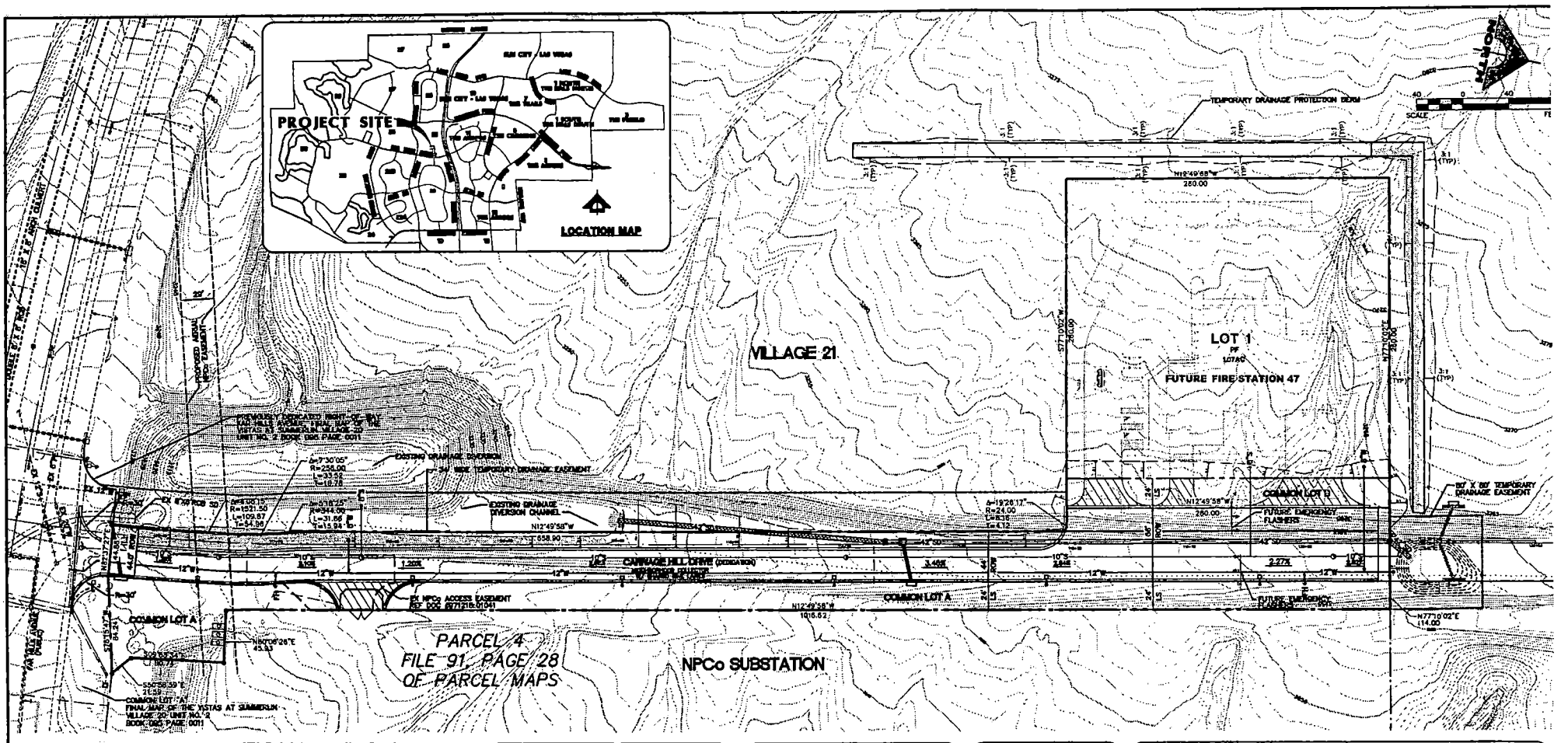
Subscribed and sworn before me

This 9 day of APRIL, 2004

Angela K. Henderson

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
ANGELA K. HENDERSON
No. 00-62470-1 My Appointment Expires May 1, 2004



NOTES

1. CURRENTLY, THE HOWARD HUGHES CORPORATION HAS NO DEVELOPMENT PLAN OR CONCEPTUAL SITE PLAN FOR THE AREA REFERRED TO AS VILLAGE 21. THIS TENTATIVE MAP IS PROPOSED AT THIS TIME TO FACILITATE THE CONSTRUCTION OF FIRE STATION 47 FOR THE CITY OF LAS VEGAS. THIS IS IN ACCORDANCE WITH THE SUMMERLIN WEST FIRE STATION SITE DEDICATION AND DEVELOPMENT AGREEMENT EXECUTED OCTOBER 1, 2003 BETWEEN THE HOWARD HUGHES CORPORATION AND THE CITY OF LAS VEGAS.
2. FINAL ROAD CLASSIFICATION FOR CARRIAGE HILL DRIVE IS UNKNOWN AT THIS TIME. CURRENTLY WE ARE PROPOSING A 44 FOOT WIDE ROAD DEDICATION, AS A SUMMERLIN NEIGHBORHOOD COLLECTOR LEVEL 1, PER SLVS. DWG NO S-6 (PAGE 1 OF 4). SUFFICIENT SETBACK HAS BEEN ALLOWED TO THE FIRE STATION PROPERTY (LOT 1) TO ACCOMODATE A 68 FOOT WIDE ROAD AS A SUMMERLIN NEIGHBORHOOD COLLECTOR LEVEL 2, PER SLVS. DWG NO S-6 (PAGE 4 OF 4), SHOULD A LARGER ROADWAY BE REQUIRED.
3. WE REQUEST TO DEFER CONSTRUCTION OF THE TYPICAL FULL WIDTH ROADWAY UNTIL FURTHER PLANNING OF VILLAGE 21 HAS BEEN COMPLETED.
4. ALL COMMON LOTS SHALL BE OWNED AND MAINTAINED BY THE HOWARD HUGHES CORPORATION. NO LANDSCAPE IMPROVEMENTS ARE PROPOSED WITHIN THE COMMON LOTS ASSOCIATED WITH THIS TENTATIVE MAP. THE LANDSCAPE IMPROVEMENTS WILL BE ESTABLISHED BY THE HOWARD HUGHES CORPORATION WITH THE DEVELOPMENT OF THE FUTURE SUMMERLIN VILLAGE 21 AND SUBSEQUENTLY MAINTAINED BY THE APPROPRIATE HOME OWNERS ASSOCIATION(S).
5. ALL UTILITY SERVICES (STUBS) AND PARCEL DRIVEWAYS SHOWN ARE SCHEMATIC ONLY. EXACT LOCATIONS ARE TO BE DETERMINED DURING FINAL DESIGN.

IMPROVEMENTS

1. EXISTING PAVED ACCESS AND ACCESS EASEMENT IS IN PLACE FOR THE NEVADA POWER COMPANY SERVING THE NPCo SUBSTATION. THESE ITEMS EXIST WITHIN THE PROPOSED CARRIAGE HILL DRIVE DEDICATION AND PROPOSED SUMMERLIN HOA COMMON LOT A.
2. EXISTING PROPERTY LINE BLOCK WALL AND ACCESS GATE EXIST ALONG THE MAJORITY OF COMMON LOT A EASTERLY PROPERTY LINE.
3. NO STRUCTURES EXIST ON THE PROPOSED LOT 1.
4. EXISTING DRAINAGE DIVERSION CHANNEL IS IN PLACE FOLLOWING APPROXIMATE ALIGNMENT OF CARRIAGE HILL DRIVE. DRAINAGE INLET AT EXISTING 6 FOOT BY 6 FOOT REINFORCED CONCRETE BOX (RCB) IS TO REMAIN AND WILL BE PROTECTED IN PLACE. CURRENTLY NO PUBLIC DRAINAGE EASEMENTS EXIST AND CHANNEL IS PRIVATELY MAINTAINED BY THE HOWARD HUGHES CORPORATION.

LAND USE PLANNING

PARCEL DESIGNATION	LAND USE	ACRES (GROSS)
LOT 1	PF	2.02 AC

UTILITY SERVICES BY:

LAS VEGAS VALLEY WATER DISTRICT

SEWER BY THE CITY OF LAS VEGAS

SILVER STATE DISPOSAL SERVICE, INC.

NEVADA POWER COMPANY

SPRINT TELEPHONE

SOUTHWEST GAS CORPORATION

CABLE TELEVISION

LEGAL DESCRIPTION

A PORTION OF SECTION 20, TOWNSHIP 20 SOUTH, RANGE 60 EAST, MDM, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

LEGEND

- PROPOSED PROPERTY LINES
- EXISTING PROPERTY LINES
- MAP BOUNDARY
- PROPOSED ACCESS EASEMENT FOR NPCo AND CLV FIRE STATION

DEVELOPER

The Howard Hughes Corporation
An Affiliate of THE ROUSE COMPANY

THE HOWARD HUGHES CORPORATION
a Delaware Corporation
10000 W. CHARLESTON, SUITE 300
LAS VEGAS, NEVADA 89135
OFFICE PHONE NO. (702) 791-4300
OFFICE FAX NO. (702) 791-4480

ENGINEER

G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1556 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146
OFFICE: (702) 804-2000, FAX: (702) 804-2299
SUMMERLIN OFFICE 10000 CHARLESTON BLVD., STE. 130
OFFICE: (702) 804-2100, FAX: (702) 804-2285

SUMMERLIN

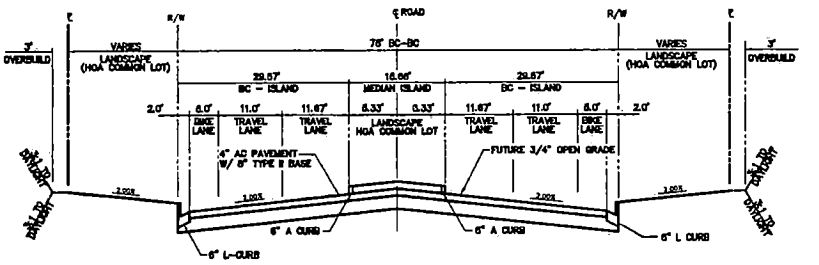
VILLAGE 21
FIRE STATION 47
TENTATIVE MAP

APRIL 7, 2004

SHEET 1 OF 2

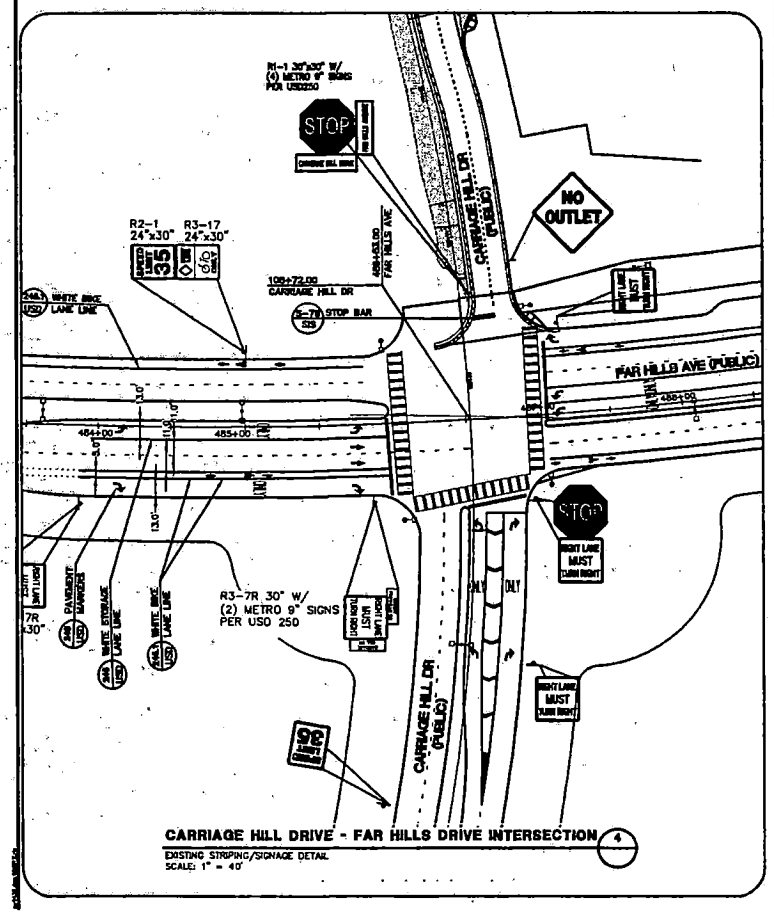
F:\v21\Fire Station\Tentative Map\MPS\V21-FS47-tm01.dwg 04-08-04 13:27:48 mbarnette

TMP-4277
5-27-04 PC



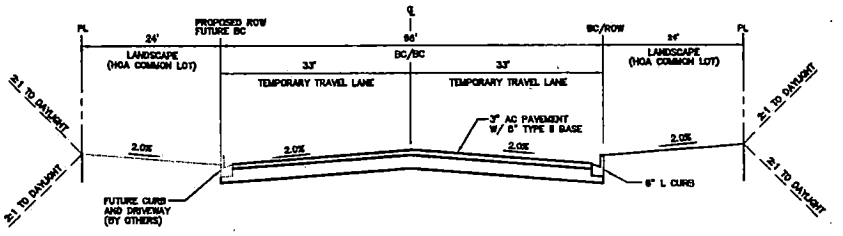
FAR HILLS AVENUE (PUBLIC) - TYPICAL SECTION 3

(NEIGHBORHOOD ARTERIAL WITH BIKE LANES)
(PER S.I.S. DWG NO S-5A)
SCALE: HORZ: 1"=10'
VERT: 1"=5'



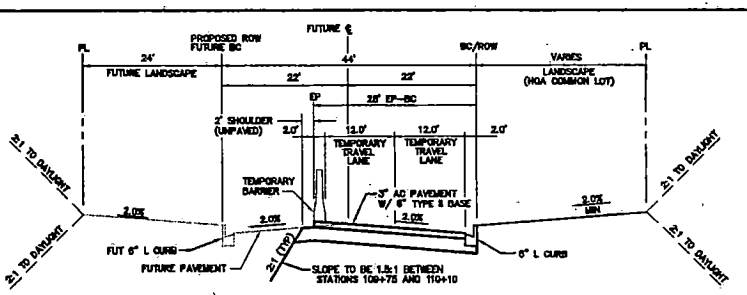
CARRIAGE HILL DRIVE - FAR HILLS DRIVE INTERSECTION 4

EXISTING STRIPING/SIGNAGE DETAIL
SCALE: 1" = 40'



CARRIAGE HILL DRIVE (PUBLIC) (AT FIRE STATION ONLY) 2

(PUBLIC NEIGHBORHOOD COLLECTOR - LEVEL 2 WITH SHARED BIKE LANES)
(PER S.I.S. DWG NO S-5, PAGE NO 4 OF 4)
SCALE: HORZ: 1"=10'
VERT: 1"=5'



CARRIAGE HILL DRIVE (PUBLIC) 1

(PUBLIC NEIGHBORHOOD COLLECTOR - LEVEL 1 WITH SHARED BIKE LANES)
(PER S.I.S. DWG NO S-5, PAGE NO 1 OF 4)
SCALE: HORZ: 1"=10'
VERT: 1"=5'

TMP-4277

5-27-04 PC

G.C. WALLACE, INC.
Engineers/Planners/Surveyors

SUMMERLIN
VILLAGE 21 - FIRE STATION 47
TYPICAL SECTIONS AND DETAILS

SHEET 2 OF 2 SHT



TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION
NORTH SIDE OF FAR HILLS AVENUE, EAST AND WEST OF CARRIAGE HILL DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/29/04

City of Las Vegas

Agenda Item No.: 2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
CONSENT - TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 1 LOT COMMERCIAL SUBDIVISION on 6.04 acres adjacent to the southeast corner of Rancho Drive and Lone Mountain Road (APN: 138-02-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)

1-341

CONDITIONS:
Planning and Development
1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2402).

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

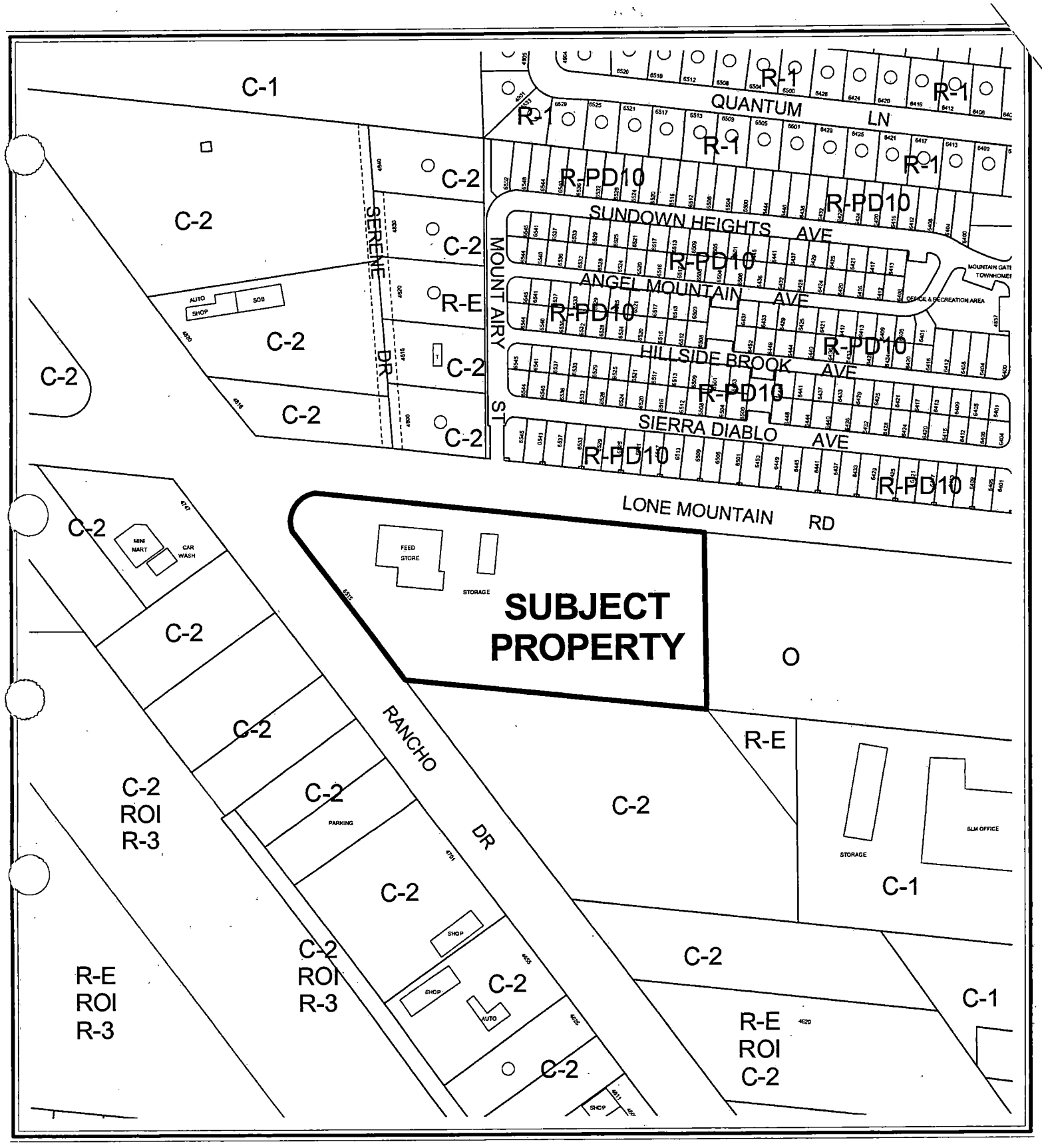
Public Works

5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

6. Unless incompatible uses can be demonstrated to the satisfaction of the City Engineer, in accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site as required by the Department of Public Works. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site, which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

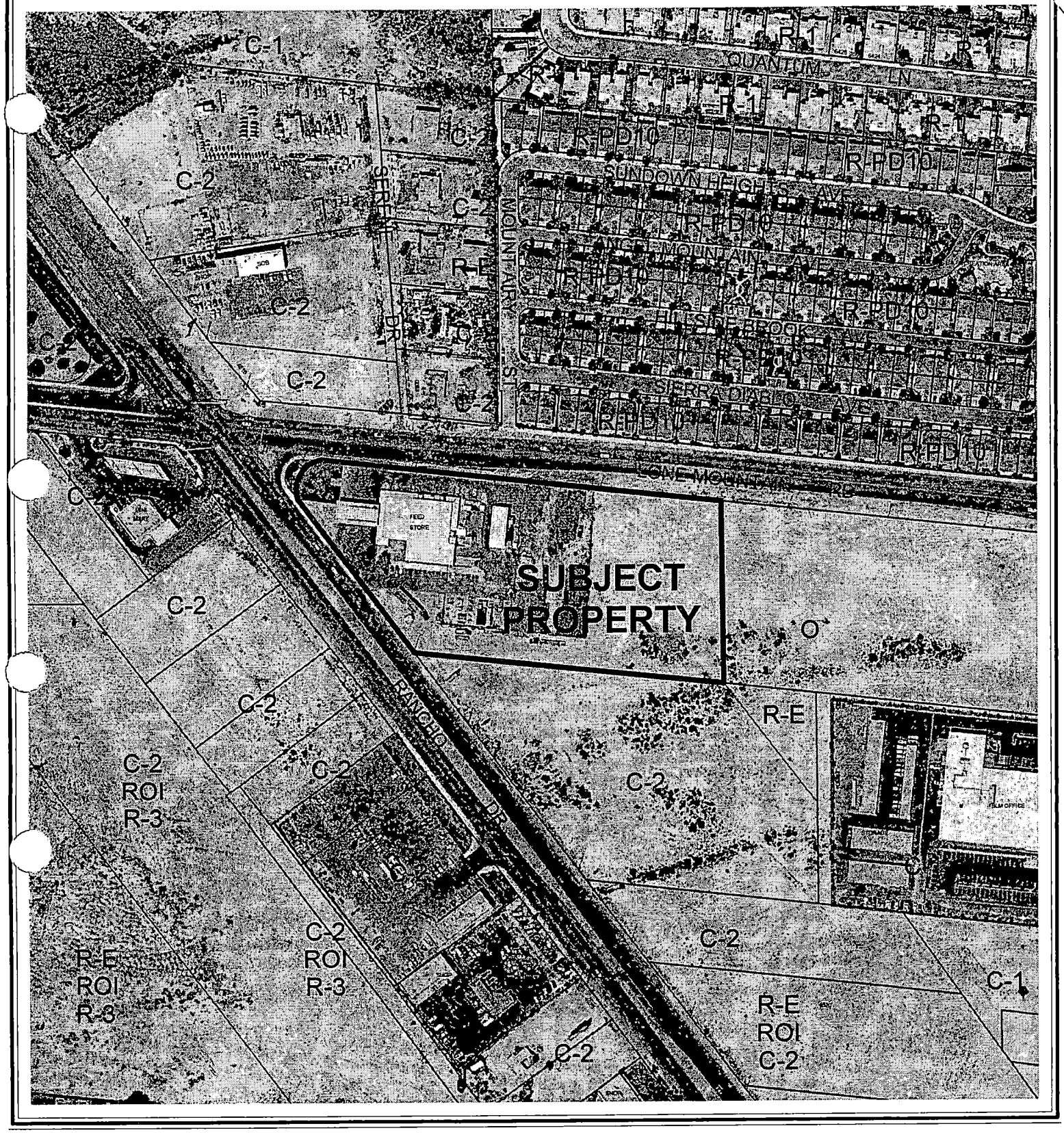
7. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-2402 and all other subsequent site-related actions.

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



CASE: TMP-4296

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



0 200 400 Feet

CASE: TMP-4296

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: CONSENT - TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2402).

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

6. Unless incompatible uses can be demonstrated to the satisfaction of the City Engineer, in accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site as required by the Department of Public Works. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site, which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

7. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-2402 and all other subsequent site-related actions.

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PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for the approval of a Tentative Map for a single lot commercial subdivision on 6.04 acres adjacent to the southeast corner of Rancho Drive and Lone Mountain Road.

B) Applicant's Justification

The applicant's justification for this application is "to allow for the flexibility to provide a Record of Survey in the future to divide off future development on the undeveloped portion of this site from the existing site improvements."

BACKGROUND INFORMATION

A) Previous Actions

01/06/88 The City Council approved a Rezoning (Z-0120-87) application for the reclassification of land from R-E (Residence Estates), to C-2 (General Commercial). The Planning Commission and staff recommended approval.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) on the subject site as part of a larger request. The application was a result of the Rancho Corridor Study. The Planning Commission and staff recommended approval.

08/06/03 The City Council approved a Site Development Plan Review (SDR-2402) application for a 77,120 square foot mini-warehouse development with recreational vehicle and boat storage and to allow a zero foot side yard setback where 20 feet is required, and to allow a reduction in the amount of perimeter and parking lot landscaping. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

03/25/04 General submittal requirements were discussed. In addition, items missing from the tentative map were brought to light and the need for detailed cross sections was identified.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres (total parcel): approx. 6.0

B) Existing Land Use

Subject Property:	Feed Store and Undeveloped
North:	Undeveloped and Single Family Dwellings
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped and Gas Station

C) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial) and R-PD10 (Residential Planned Development – 10 Units Per Acre)
South:	C-2 (General Commercial)
East:	O (Office)
West:	C-2 (General Commercial)

D) General Plan Compliance

The GC (General Commercial) category of the Southeast Sector of the General Plan allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. It also allows service commercial uses, which generally are of a less intense nature.

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

Study Area

The Rancho Corridor study, an effort to remedy conflicts between zoning districts and general plan designations along the Rancho Corridor, was recently completed with City Council approval of a General Plan Amendment and a Rezoning request.

Trails

A multi-use transportation trail is required along the east side of Rancho Drive per Map Number Two, the Interlocal Joint Use Planning Area Trails Map, of the Las Vegas Master 2020 Plan. The alignment is located on the portion of the site that is already developed with a Feed Store. Pending the adoption of GPA-3933, the multi-use transportation trail will become a Connector Trail. The Connector Trail is planned to run the entire western property line of the subject parcel and be consistent with amended standards approved through GPA-3933. The trail will consist of 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	N/A	N/A
Min. Lot Width	100 Feet	>100 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 20 Feet 0 Feet N/A 0 Feet	 Y N* N/A N
Max. Lot Coverage	50 %	35%	Y
Max. Building Height	None	30 Feet	Y
Trash Enclosure	> 50 Feet from residential	> 50 Feet from residential	Y

* The proposed development does not meet the minimum side and rear yard setbacks. These standards were waived as part of a previous application, SDR-2402.

B) General Analysis Discussion

- General information

The proposed Tentative Map depicts a single lot commercial subdivision, which covers 35% of the 6.04 net acres of the proposed area. Building sizes range from 4,400 square feet to 25,870 square feet in size, and access to the development is from Rancho Drive and Lone Mountain Road. Both are 100-foot right of ways.

- Cross Section

The submitted cross-sections indicate that the proposed grades will largely match existing topographical conditions across this site. The cross-sections appear to depict a maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with a natural slope between 0% to 2%, such as this development, is allowed a maximum 4-foot retaining wall. The submitted cross sections do not indicate any retaining walls and none are anticipated.

- Trails

A Multi-Use Transportation Trail exists along the western boundary of the subject parcel. The trail in question is subject to change into a Connector Trail pending the adoption of GPA-3933. A Connector Trail 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.

- Special Conditions of Approval (from SDR-2402)

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. Any recreational vehicle and boat storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height.

3. Conformance to all Minimum Requirements under Title 19.04.040 for Mini-Warehouse and Recreational Vehicle and Boat Storage use.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a landscape planter along the west property line a minimum 8-foot in width. The planter shall include 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

Public Works

14. Construct half-street improvements on Lone Mountain Road and Rancho Drive adjacent to this parcel 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.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-4296 APN: 138-02-102-001

Name of Property Owner: ANTONETTE CROARO

Name of Applicant: KJE CONSULTING ENGINEERS, INC.

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Antonette Croaro

Print Name: Antonette Croaro

Subscribed and sworn before me

This 24th day of MARCH, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RONALD E. SINGER
Appt. No. 96-3207-1
My Appt. Expires March 7, 2008

Revised 2/12/02

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

CALL before you DIG 1-800-227-2600

CALL before you Overhead 1-702-593-6111

VICINITY MAP
N.T.S.

CHECKLIST ITEMS THAT DO NOT EXIST

1	PROPOSED RESERVATIONS OR DEDICATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC USES.	NONE EXISTING WITHIN PROPERTY LIMITS
2	EXISTING AND PROPOSED UTILITY RIGHTS-OF-WAY AND EASEMENT WIDTHS	NONE EXISTING WITHIN PROPERTY LIMITS
3	EXISTING AND PROPOSED IRRIGATION OR DRAINAGE CHANNEL RIGHTS-OF-WAY AND EASEMENT WIDTHS	NONE EXISTING WITHIN PROPERTY LIMITS

PUBLIC UTILITY SOURCE

CITY OF LAS VEGAS	SANITARY SEWER
LAS VEGAS VALLEY WATER DISTRICT	WATER
NEVADA POWER	POWER
SOUTHWEST GAS	GAS

OWNER/SUBDIVIDER

MR. AND MRS. LEE CROARO
8215 WEST LONE MOUNTAIN ROAD
LAS VEGAS, NEVADA 89117
V - (702) 645-1582

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

N
1"=40'

LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED GRADE
- EXISTING GRADE
- PROPOSED SANITARY SEWER LINE
- EXISTING SANITARY SEWER LINE
- PROPOSED WATER LINE
- EXISTING WATER LINE
- PROPOSED FIRE SPRINKLER LINE
- EXISTING GAS LINE
- EXIST./PROP. EDGE OF ASPHALT
- PROPERTY/RIGHT-OF-WAY LINE
- CENTERLINE
- EXIST./PROP. BLOCK WALL
- EX. OVERHEAD POWER/TELEPHONE
- SAWCUT LINE
- EXIST./PROP SANITARY SEWER MANHOLE
- EXIST./PROP. 100W HPS STREETLIGHT
- EXIST./PROP. 250W HPS STREETLIGHT
- HANDICAPPED SYMBOL
- EXIST./PROP. FIRE HYDRANT
- EXIST./PROP. GATE VALVE
- EXIST./PROP. REDUCING VALVE
- EXIST./PROP. CLEANOUT
- PROPOSED ASPHALT
- PROPOSED CONCRETE

ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BOR	BEGINNING OF CURB RETURN
COH	CITY OF HENDERSON
CL	CENTERLINE
CO	SEWER CLEANOUT
CONC	CONCRETE
EAC	EXISTING ASPHALTIC CONCRETE
EOR	END OF CURB RETURN
EP	EDGE OF PAVEMENT
ETC	EXISTING TOP OF CURB
EX	EXISTING
FF	FINISHED FLOOR
FL	FLOWLINE
GB	GRADE BREAK
HP	HIGH POINT
INVERT	INVERT ELEVATION
LVVWD	LAS VEGAS VALLEY WATER DISTRICT
NTS	NOT TO SCALE
OP	EXISTING OVERHEAD POWER
PAD	PAD ELEVATION
PL	PROPERTY LINE
PP	POWER POLE
SD	STORM DRAIN LINE
SF	SQUARE FEET
ST	STREET LIGHT
TBC	SANITARY SEWER MANHOLE
MANH	SANITARY SEWER MANHOLE
STA	STATION
WK	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
WL	WATERLINE
WM	WATER METER

BENCHMARK

RIVET AND SQUARE ALUMINUM PLATE IN TOP OF CURB, SOUTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD NEAR THE PC OF RANCHO DRIVE.

ELEVATION= 708.791 METERS= 2316.864 FEET NAVD88

THE TOPOGRAPHY SHOWN ON THIS MAP WAS DETERMINED FROM MEASUREMENTS TAKEN ON OCTOBER 12, 2003.

BASIS OF BEARINGS

NORTH 83°40'39" EAST, BEING THE NORTH LINE OF PARCEL 1 OF THE PARCEL MAP FILE 63, PAGE 09.

LONE MOUNTAIN RD.

RANCHO DR.

EX. BUILDING
EX FF=2316.58
13,600 SF

EX. CANOPY

EX. GAS PUMPS

EX. COVERED STORAGE

APN 139-02-102-001
PROPOSED CORARO SELF-STORAGE COMPLEX COMMERCIAL SUBDIVISION
LOT 1

PROPOSED CMU BLOCK WALL TO BE 6' ABOVE BACK OF CURB

PROPOSED CMU BLOCK WALL TO BE 6' ABOVE BACK OF CURB

WALL INCLUDE COMBINATION OF SELF-STORAGE FACILITIES LOCATED ALONG SOUTHERN AND EASTERN PROPERTY LINES WITH 6' CMU BLOCK WALLS BETWEEN BUILDINGS.

WALL INCLUDE COMBINATION OF SELF-STORAGE FACILITIES LOCATED ALONG SOUTHERN AND EASTERN PROPERTY LINES WITH 6' CMU BLOCK WALLS BETWEEN BUILDINGS.

PROPOSED 6' SPLIT-FACED CMU BLOCK SCREENING WALL

EX. MULTI-USE TRANSPORTATION TRAIL

PROPOSED MULTI-USE TRANSPORTATION TRAIL

EX. 30" RCP @ 0.28% (CLVD 307-V739)

EX. 18" RCP @ 0.70% (CLVD 307-V740)

EX. 24" RCP @ 0.70% (CLVD 307-V741)

EX. 30" SD @ 0.77% (CLVD 307-V739)

EX. 30" SD @ 0.28% (CLVD 307-V739)

EX. 24" SD @ 0.70% (CLVD 307-V740)

EX. 24" SD @ 0.70% (CLVD 307-V741)

D=132°46'15"
R=55.00'
L=127.45'

50.00

64.77

50.00

60.30

62.50

63.50

S83°40'39"E 763.90'

N83°40'39"W 764.66'

N83°40'39"W 204.66'

S83°40'39"E

S00°19'21"W 300.00'

N00°19'21"E 300.00'

DRAWN BY:	JM/GH/RL
DESIGNED BY:	JM/GH/RL
CHECKED BY:	JM/GH/RL
PROJECT NO:	FILE NAME:
ITEM	MP-TOT-ALT.DWG

DATE PLOTTED: 12/2/2004
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VERTICAL: N/A
SHEET
TM1
1 OF 2 SHEETS

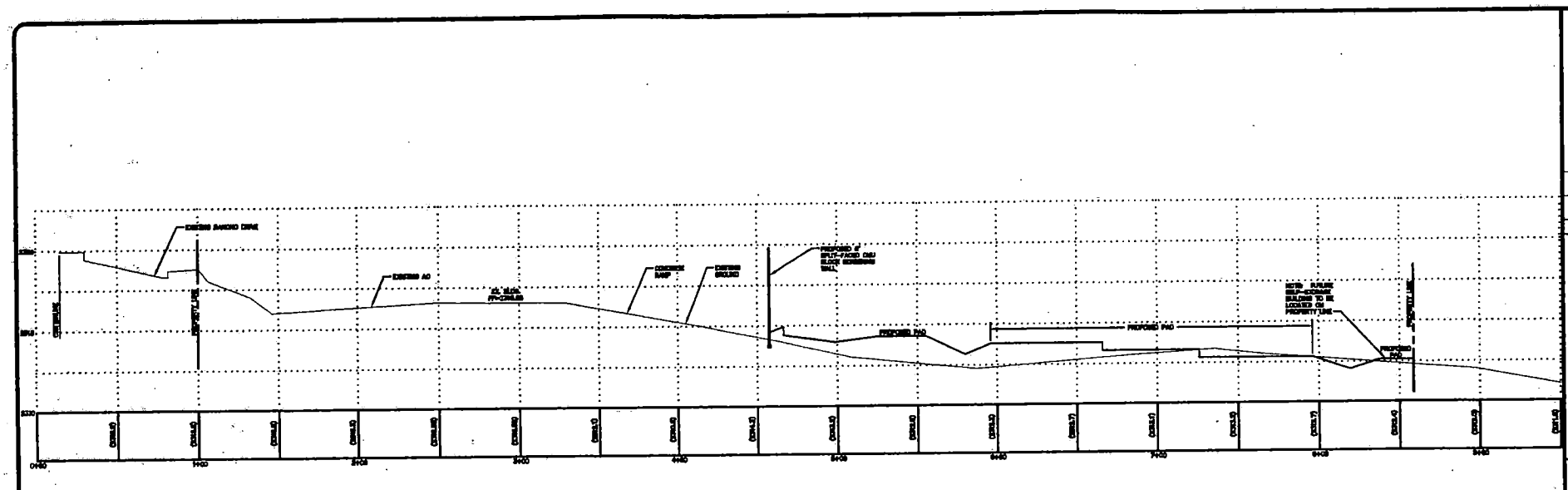
LUCCHESI GALATI ARCHITECTS
4139 S. RANCHO, SUITE A-19
LAS VEGAS, NV. 89103
PH. (702) 367-3311
FAX. (702) 367-3330

LOCHSA ENGINEERING
CIVIL ENGINEERS, INC.

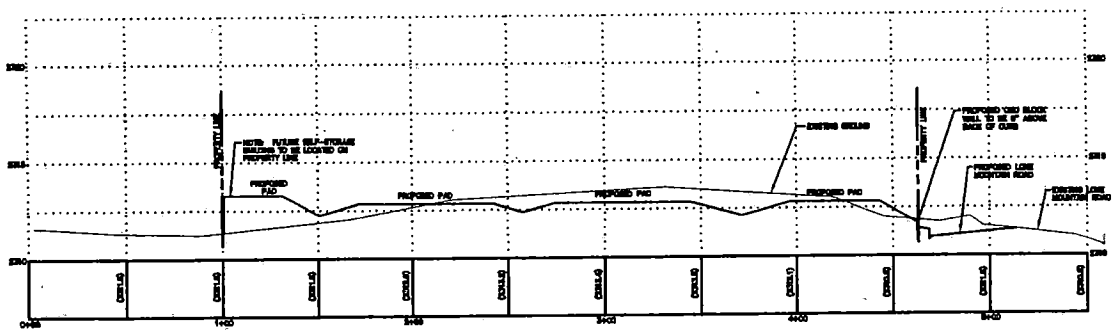
TENTATIVE MAP
APN 139-02-102-001

CRORARO SELF-STORAGE
COMMERCIAL SUBDIVISION

TMP-4296 5-27-04 PC



MID-PROPERTY CROSS-SECTION



EASTERN CROSS-SECTION

LUCCHESI GALATI ARCHITECTS

TRIAD ENGINEERING, INC.

SHEET: CROSS-SECTION APN 139-02-102-001

TITLE: CROARO SELF-STORAGE COMMERCIAL SUBDIVISION

DRAWN BY: JRL — N/A/S/A
DESIGNED BY: JK — N/A/S/A
CHECKED BY: JK — N/A/S/A
PROJECT NO. 1764 — FILE NAME 98-176-XSE

SEAL

DR. DATE 12/21/2004

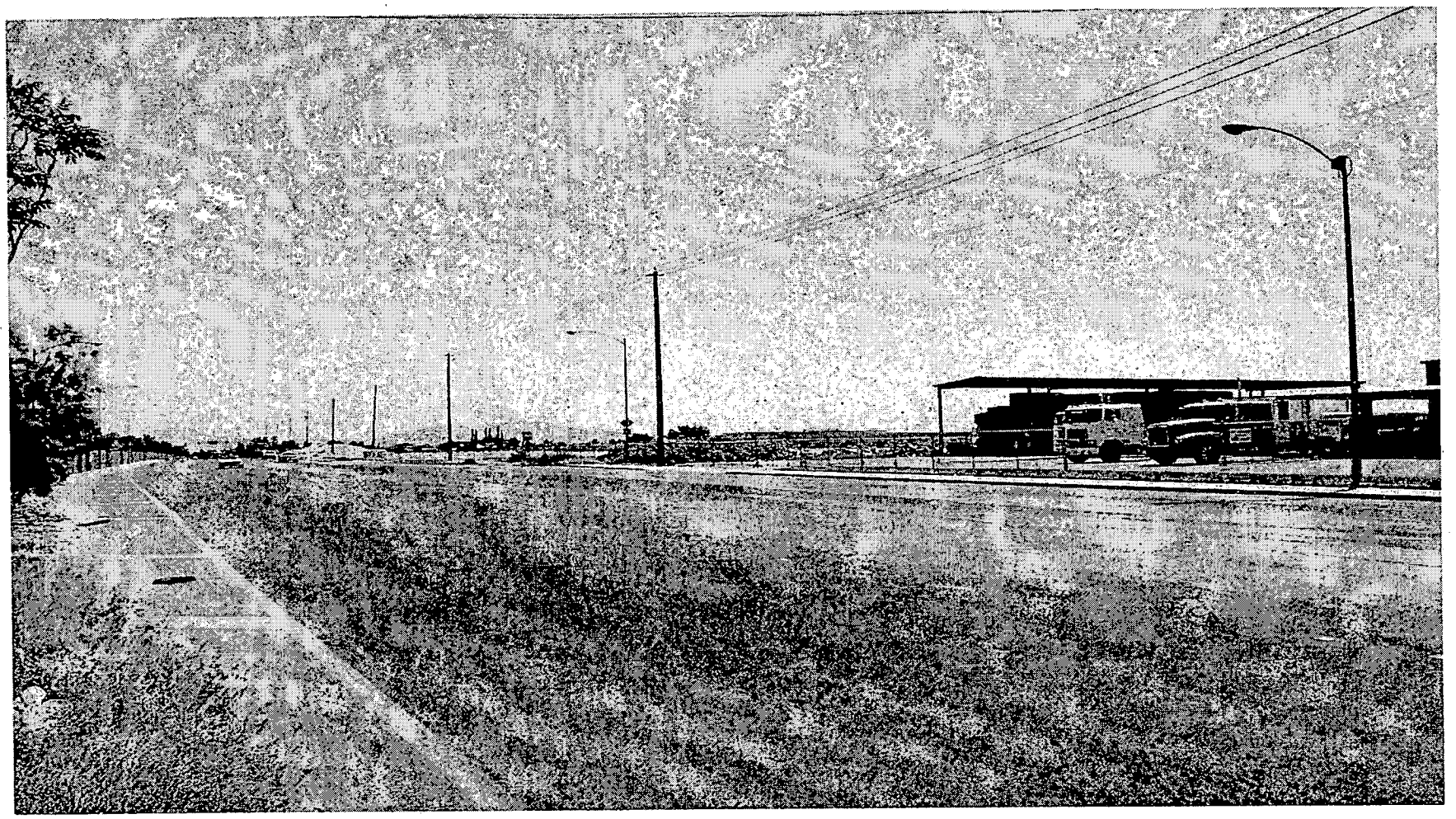
SCALE
HORIZONTAL 1"=30'
VERTICAL 1"=3'

SHEET TM2
2 OF 2 SHEETS

ELEV DWG #

TMP-4296

5-27-04 PC



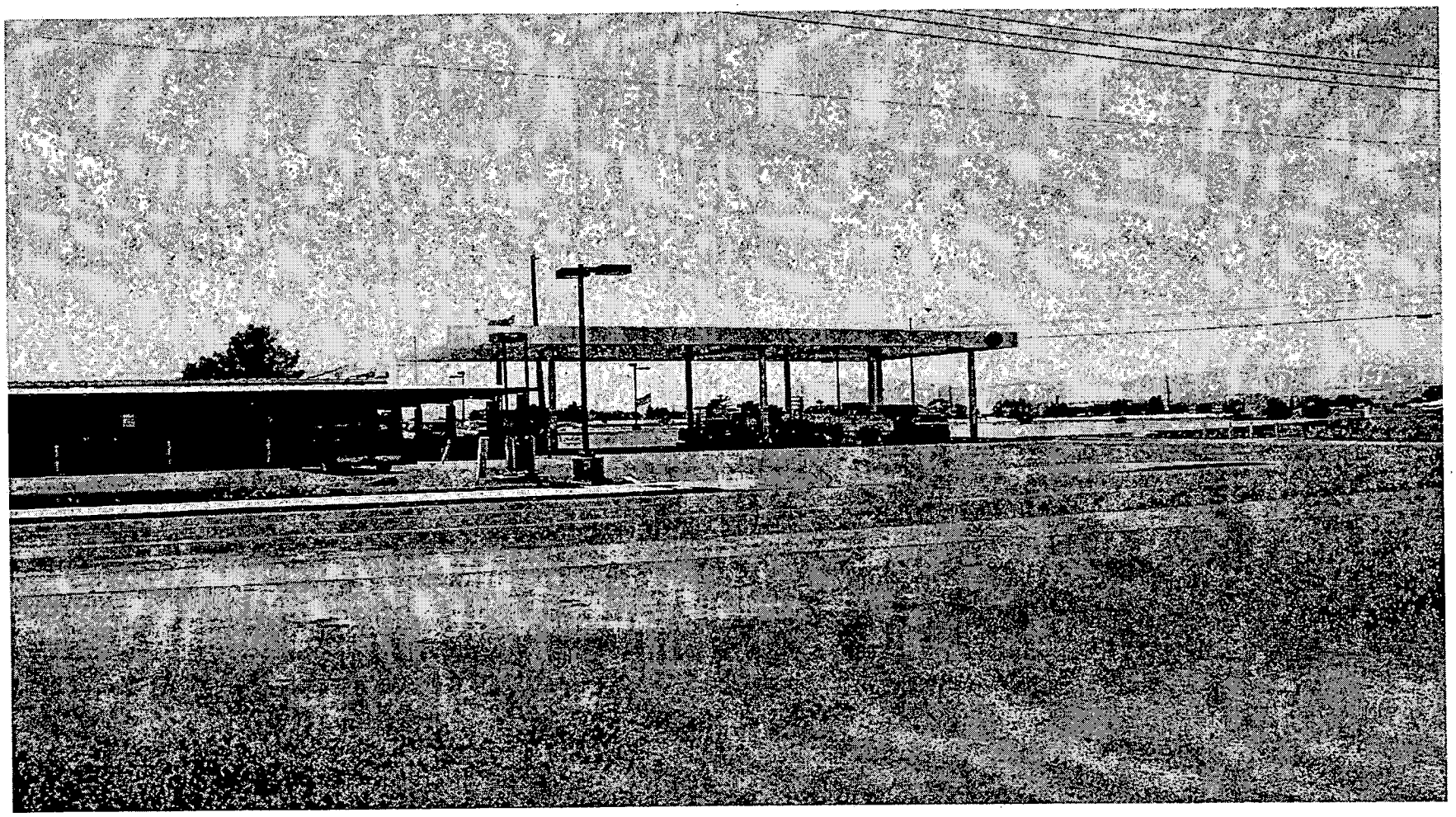
TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
MAY 27, 2004 PLANNING COMMISSION

4/30/04



TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
MAY 27, 2004 PLANNING COMMISSION

4/30/04



TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
MAY 27, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 3

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
CONSENT - ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Petition to Annex property located on the south side of Grand Teton Drive, 660 feet east of Puli Drive, containing approximately 5.0 acres (APN: 126-13-101-003), Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL

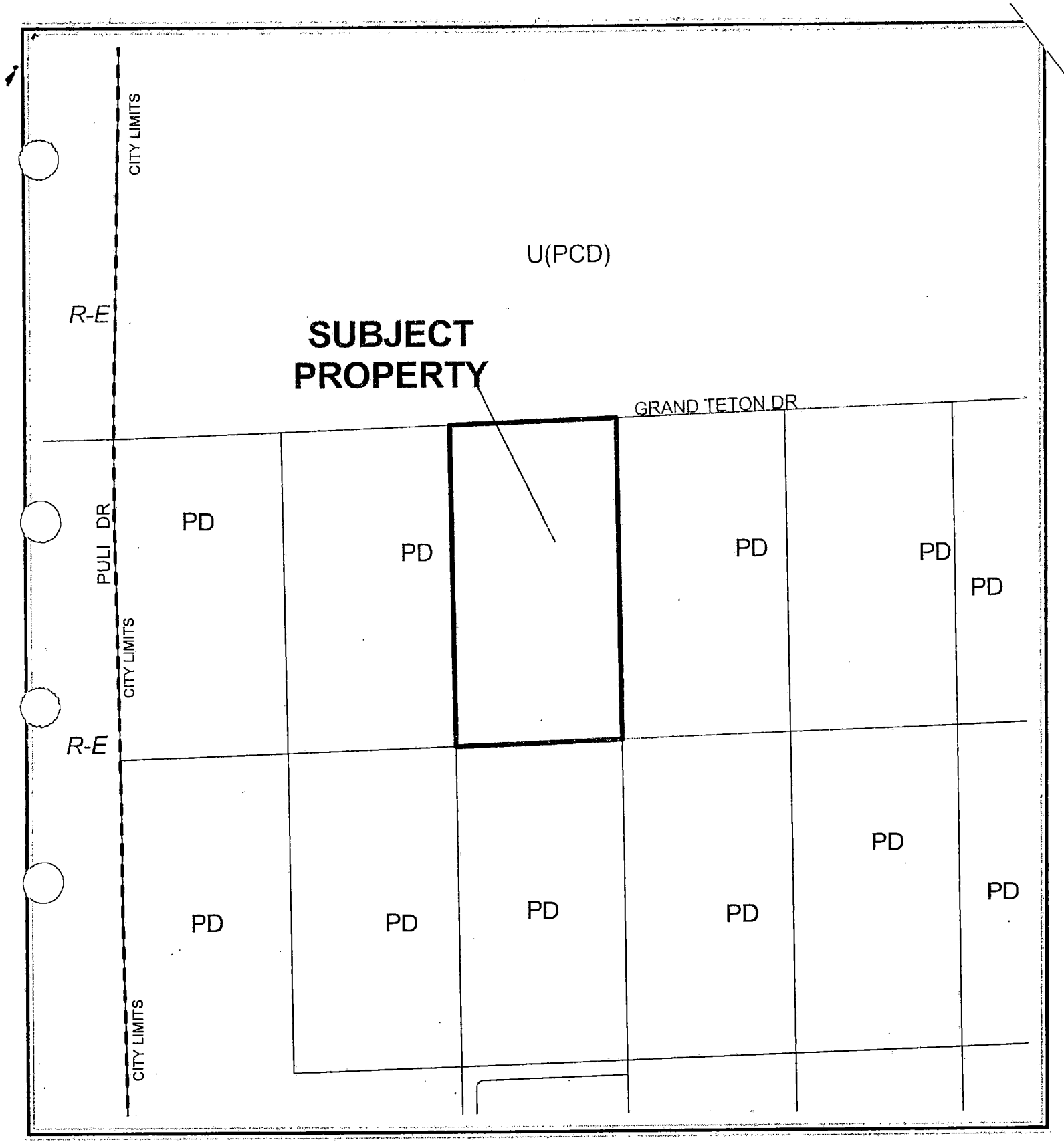
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:
NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

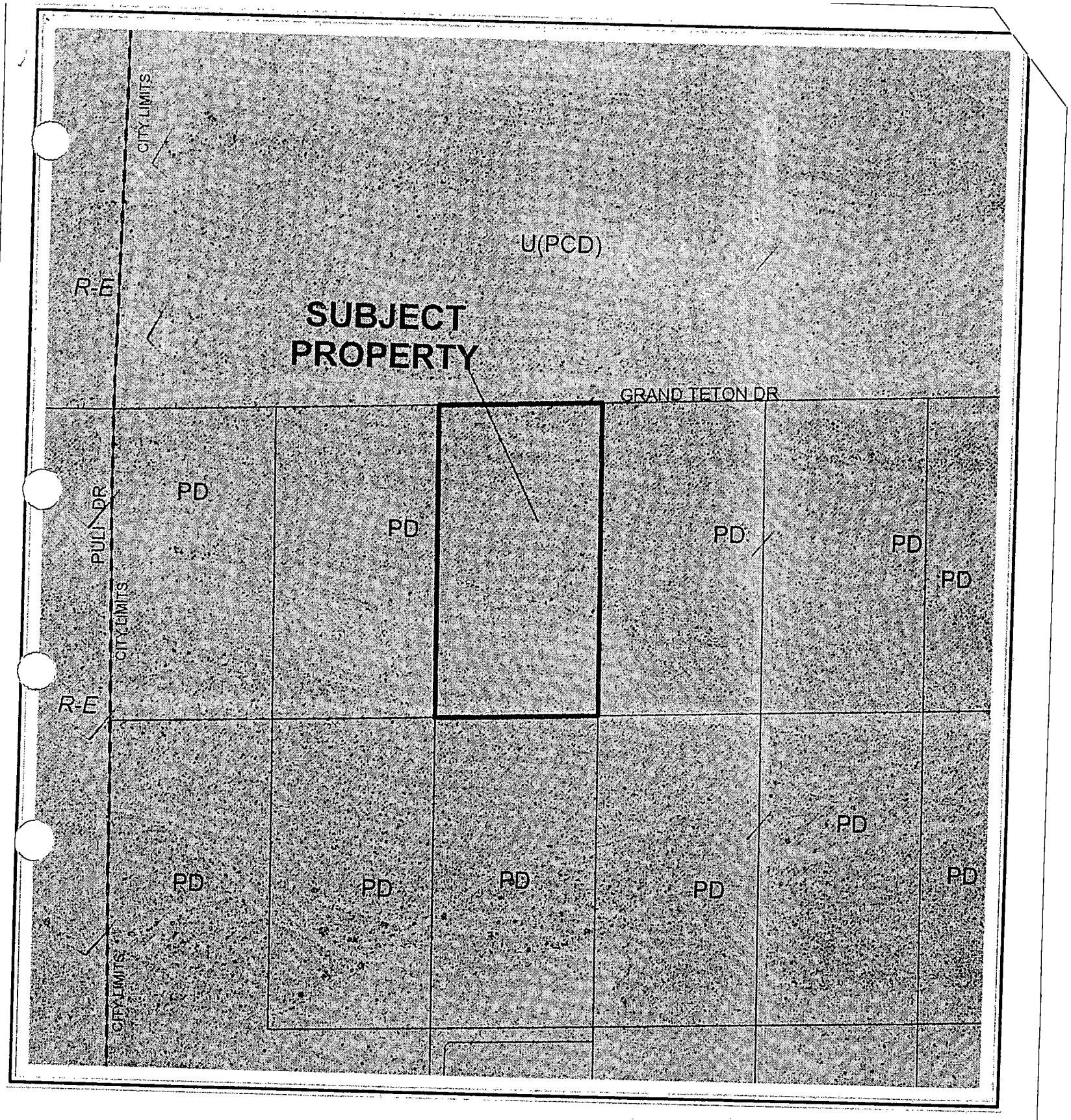
This item will be forwarded to City Council in Ordinance Form

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)



CASE: ANX-4245



CASE: **ANX-4245**

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: CONSENT - ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This request is intended to annex one parcel of land containing approximately five acres. The property is located on the south side of Grand Teton Drive, 660 feet east of Puli Drive.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Existing Zoning

Subject Property:	R-U (Rural Open Land) [Clark County designation]
North:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
South:	PD (Planned Development)
East:	PD (Planned Development)
West:	PD (Planned Development)

D) Special Districts/Zones

This parcel is within the Cliff's Edge Master Development Plan area. This plan designates the site as RSL (Residential Small Lot) with a maximum density of 15 dwelling units per acre.

E) Rural Preservation Neighborhood:

This parcel is not within a Rural Preservation Neighborhood.

F) Excepted Area of Interlocal Agreement:

This parcel is not within the Excepted Area of the Interlocal Agreement between the city of Las Vegas and Clark County approved on January 2, 2002.

ANALYIS &FINDINGS

The subject property is currently undeveloped. The applicant has indicated that the purpose of this annexation is to incorporate the parcel into the Cliff's Edge Master Plan area. Upon annexation, a rezoning to the PD (Planned Development) zoning district will be required.

This parcel is in an area of the city considered to be appropriate for annexation in that it meets the requirements of NRS 268.580 No. 2(b), which state, "Not less than one-eighth of the aggregate external boundaries must be contiguous with the boundaries of the annexing city." The current County zoning on the site is R-U (Rural Open Land). The city's zoning equivalent is U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation].

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

SR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ANX-4245** APN: 126-13-101-013

Name of Property Owner: Southwest Desert Equities, 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: _____

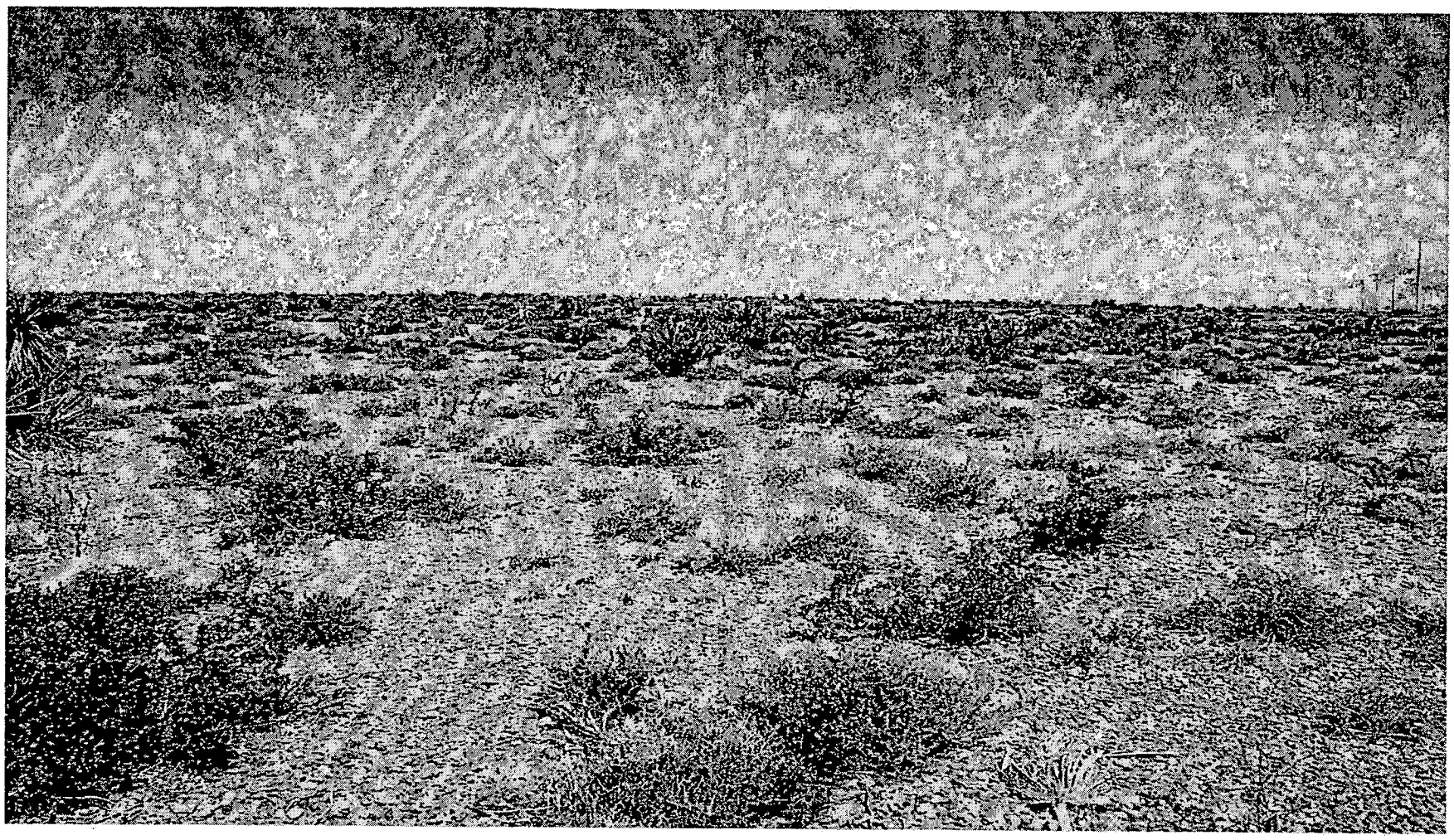
Subscribed and sworn before me

This 23rd day of March, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2008



ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY
SOUTH SIDE OF GRAND TETON DRIVE, 660 FEET EAST OF PULI DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - RENOTIFICATION - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2.

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he is involved with Nevada Department of Transportation on an adjacent parcel.

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the project is located at the northeast corner of Jones and 95 freeway. Staff has reviewed and believes that all of the Standards of the Code have been met. The area has not substantially changes since the last review. Staff has consistently recommended approval of this particular billboard and recommends approval on this application.

MINUTES – Continued:

SCOTT NASKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated that they agree to staff's conditions.

COMMISSIONER McSWAIN commented that she believed this item was presented to the Commission before, and the item was held. MR. NASKER replied that the sign will move back 70 feet from where it is currently and will not be moved to another site. By law, the sign cannot be moved either way laterally; it can only be moved in a straight direction going north. NDOT will be utilizing 75% of this property to widen the freeway. MR. CLAPSADDLE verified that the Use permits only go with this particular piece of property. MARGO WHEELER, Planning and Development, clarified for COMMISSIONER McSWAIN that in cases where the property is taken by another agency, such as NDOT, the applicants are allowed to move the sign, as long as it is on the same property and as close to its original location upon taking the property. MR. CLAPSADDLE mentioned that this item does have a two-year review so staff can follow up to see how the sign is doing in its new location.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:23 – 6:26)

1-601

CONDITIONS:

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 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.

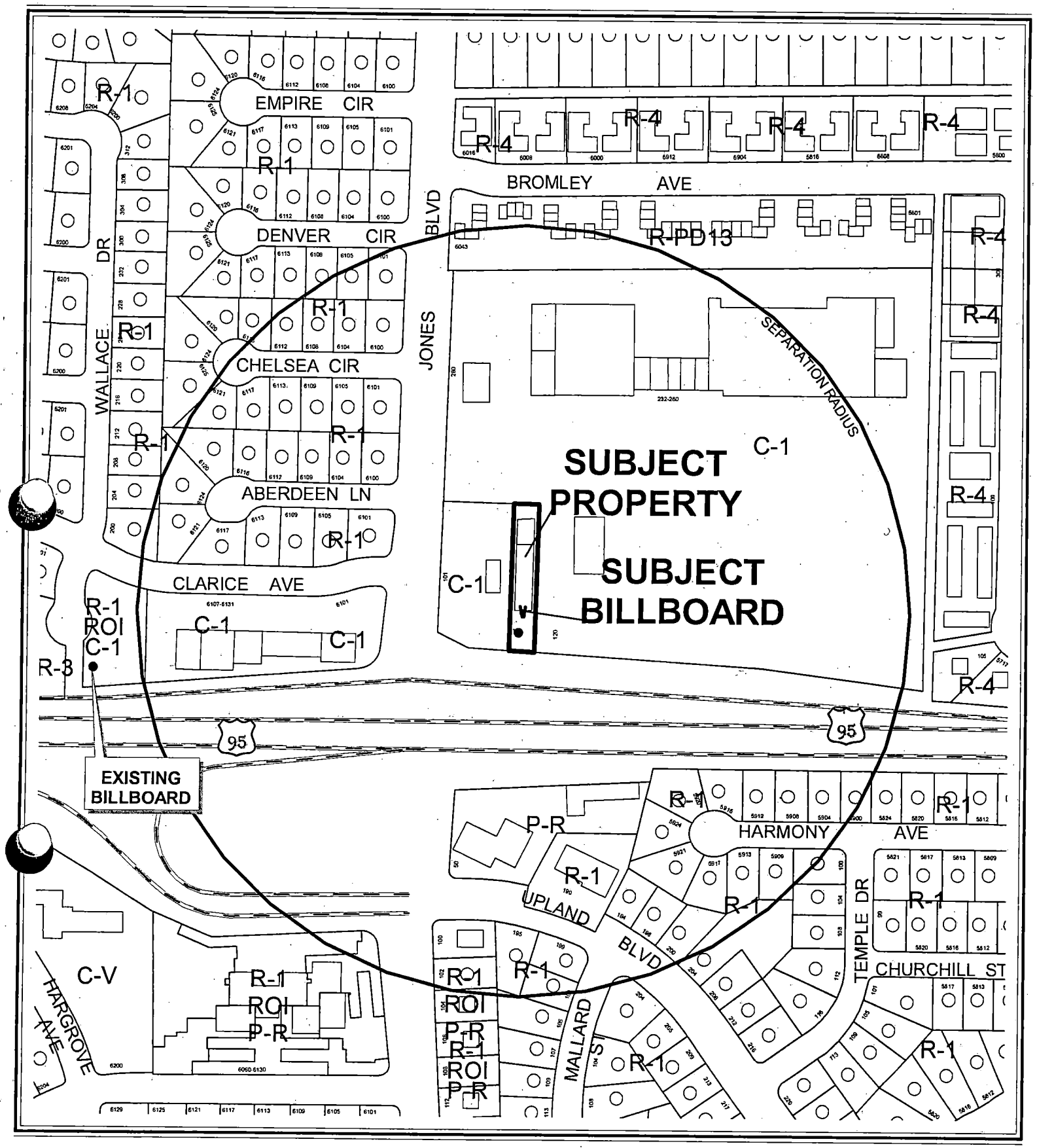
3. Only one advertising sign is permitted per sign face.

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

CONDITIONS – Continued:

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.



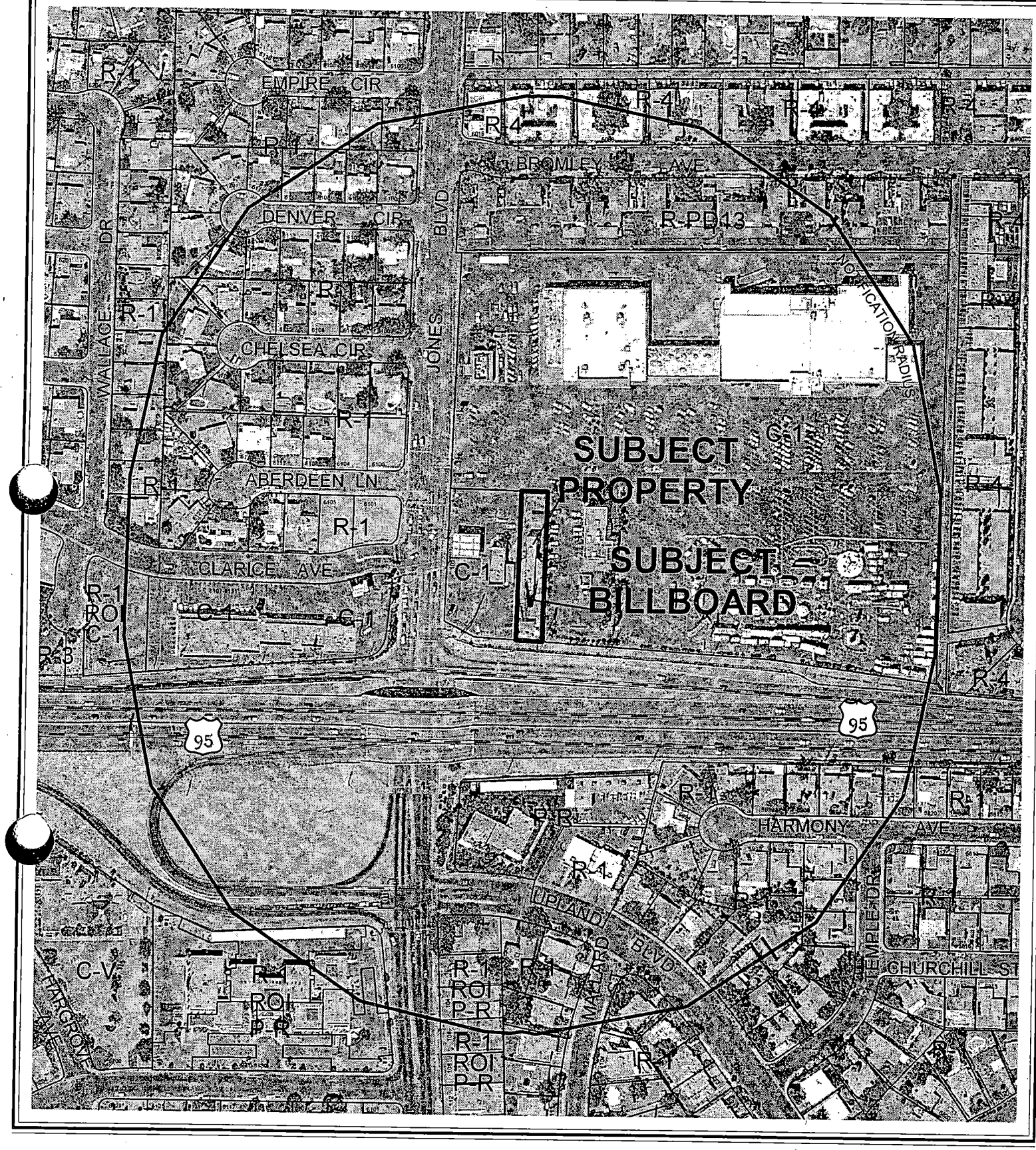
CASE: **RQR-3686**

0 100 200 Feet

SEPARATION RADIUS: 750 FT

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

N



CASE: **RQR-3686**

RADIUS: 750 FT

0 100 200 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING; OWNER: STATE OF NEVADA TRANSPORTATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

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

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Two-Year Review for an approved Special Use Permit [U-0107-96(1)], which allowed an Off-Premise Advertising (Billboard) Sign at 110 North Jones Boulevard.

Pursuant to the February 26, 2004 Planning Commission's motion to table the required 2 year review, the applicant has supplied a revised site plan illustrating the relocation of the off-premise advertising (billboard) sign to staff and is ready to proceed with the review.

B) Applicant's Justification

A justification letter is not required for this review.

BACKGROUND INFORMATION

A) Previous Actions

03/28/62	The Board of City Commissioners approved a rezoning (Z-14-62) from R-1 (Single Family Residential) to C-1 (Limited Commercial). The City Planning Commission recommended approval.
05/19/94	The City Council approved a variance (V-44-94) to allow a 386 square foot on-premise sign where 75 feet is the maximum area allowed; and to allow a height of 60 feet where 24 feet is the maximum height allowed on property located at 110 North Jones Boulevard. The Board of Zoning Adjustment denied this application. Staff recommended denial.
01/22/97	The City Council approved a Special Use Permit (U-0107-96) to allow a 50-foot high, 14-foot by 48-foot (672 square feet each side) Off-Premise Advertising (Billboard) Sign on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.
02/20/02	The City Council approved the Required Five-Year Review [U-0107-96(1)] of an approved Special Use Permit (U-0107-96) for a 14-foot by 48-foot (672 square feet each side) Off-Premise Advertising (Billboard) Sign on this site. The Planning Commission (5-2) and staff recommended approval.
02/26/04	The Planning Commission accepted the applicant's request to TABLE this item.

KCW

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.33

B) Existing Land Use

Subject Property:	Commercial
North:	Commercial
South:	Oran K. Gragson Expressway (U.S. 95)
East:	Commercial
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated SC (Service Commercial) in the Southwest General Plan Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning is in conformance with the General Plan.

KCW

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

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

An off-premise advertising (billboard) sign oriented toward the same highway cannot be closer that 750 feet in any direction to another off premise advertising (billboard) sign. This sign meets this standards.

B) General Analysis and Discussion

- Zoning

The existing zoning is C-1 (Limited Commercial), which permits an Off-Premise Advertising (Billboard) Sign with the approval of a Special Use Permit.

- Use

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

two years or until the widening of the Oran K. Gragson Expressway (U.S. 95). A condition has been added requiring a review again in two years. On February 9, 2004, staff visited the site and determined that the sign is well kept, the pole has retained its brown coloring and has not been vandalized.

FINDINGS

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

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

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

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

   There are no physical constraints to the continuation of the off-premise advertising sign use on this site the present time; however the projected widening of U.S. 95 will necessitate the eventual removal or relocation of the existing 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."**

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

KCW

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

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

NOTICES MAILED 136 [5/27/04 PC]
136 [2/26/04 PC]

APPROVALS 0

PROTESTS 0

KCW

February 27, 2004

State of Nevada Transportation
1263 Stewart Street, Suite #320
Carson City, Nevada 89712

RE: RQR-3686 - REQUIRED TWO YEAR REVIEW

Dear Applicant:

Your Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald), was considered by the Planning Commission on February 26, 2004.

The Planning Commission voted to ***TABLE*** this item.

Sincerely,

Kyle C. Walton, Senior Planner
Planning and Development Department
Current Planning Division

KCW:clb

cc: Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

K
C
W

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-3686 APN: 138-25-404-003

Name of Property Owner: State of Nevada Transportation

Name of Applicant: Lamar Outdoor Advertising

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

_____ Yes _____✓_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

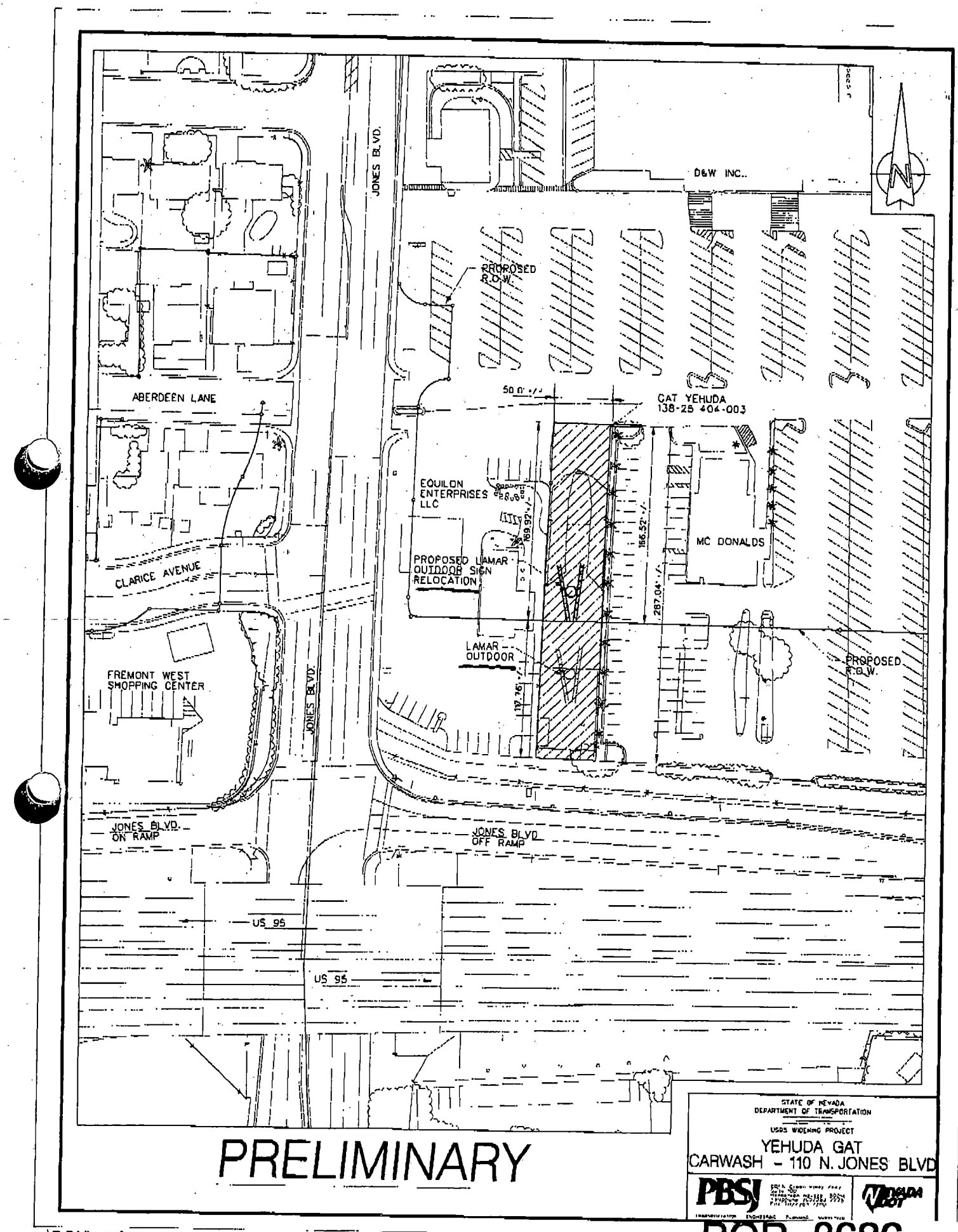
Print Name: Scott Nattzger on behalf of owner

Subscribed and sworn before me

This 9th day of January, 2009

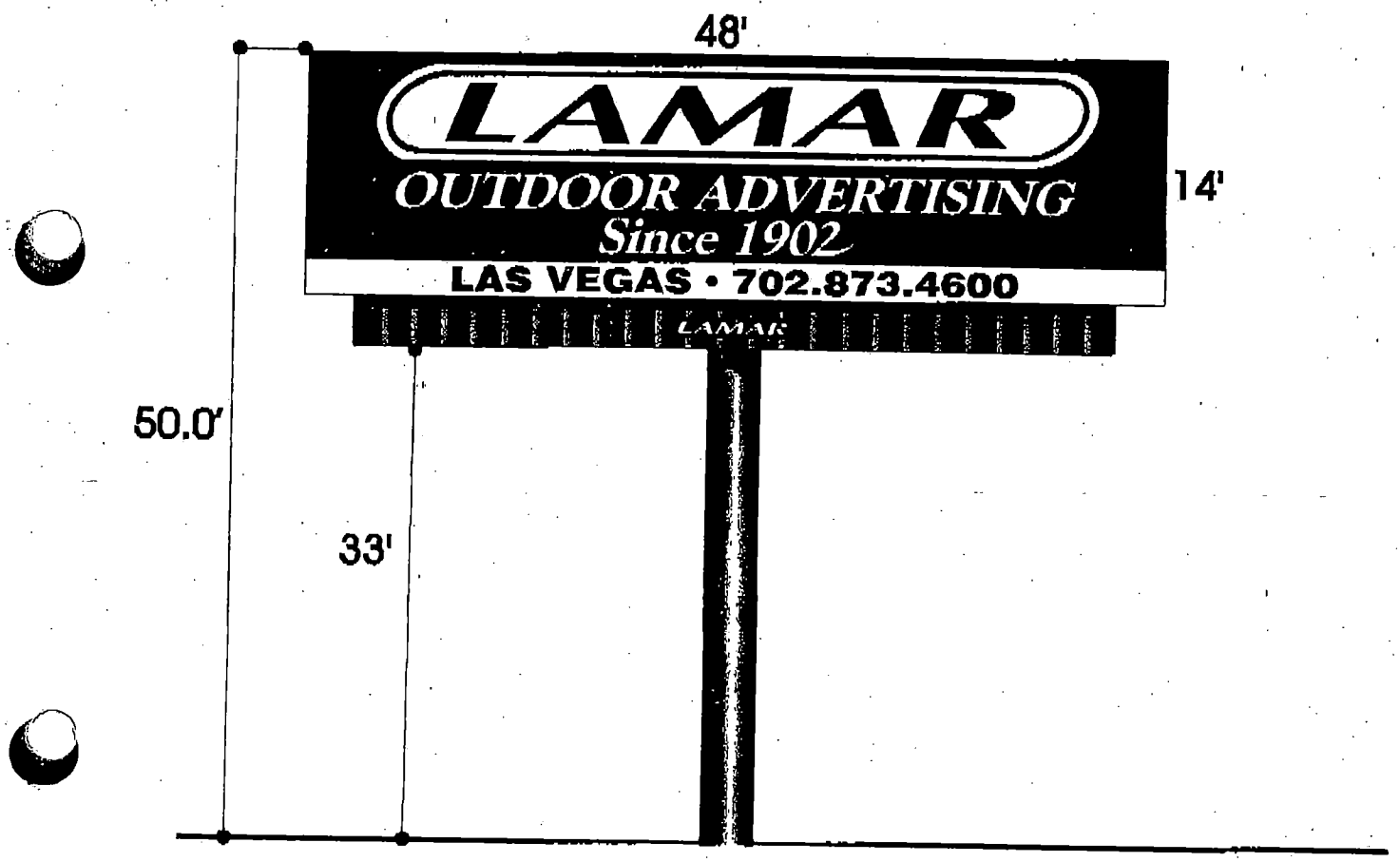
Stephanie B. Barra

Notary Public in and for said County and State



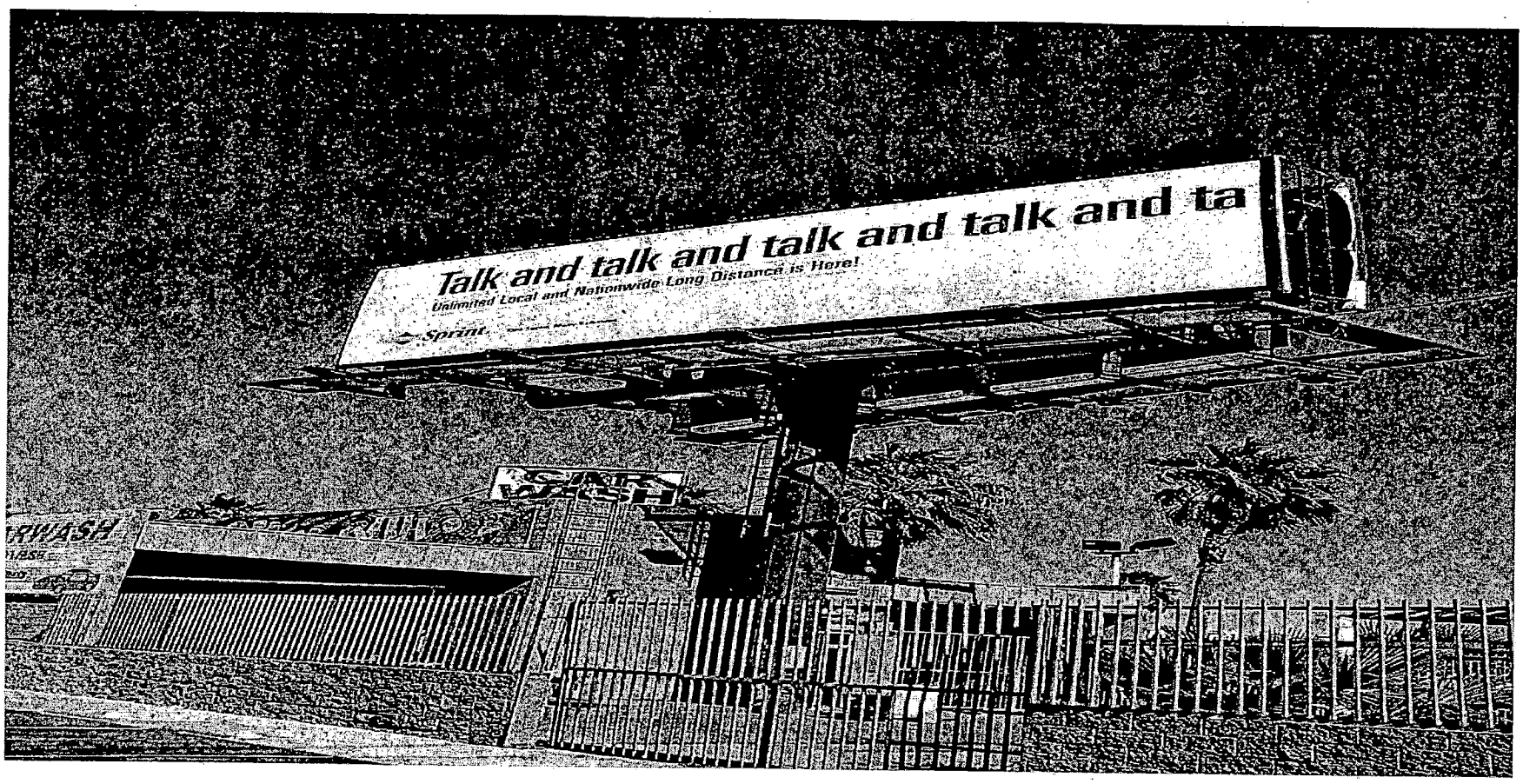
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RQR-3686
6-24-04 PC



ELEVATION (NO SCALE)

RQR-3686
6-24-04 PC



RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION
110 NORTH JONES BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

2/9/04



RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION
110 NORTH JONES BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

2/9/04

City of Las Vegas

Agenda Item No.: 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4118 - APPLICANT/OWNER: RAMON PARDO - Required Six Month Review for an approved Variance (V-0044-02) WHICH ALLOWED 9 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A 3,880 SQUARE FOOT RETAIL BUILDING at 1650 East Sahara Avenue (APN: 162-02-411-032), R-2 (Medium Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated staff is recommending a six-month review from the time a Certificate of Occupancy is issued for a Retail Use. Retail Uses have more intense traffic and parking, so staff would like the opportunity to review this application once there is retail use on the property. Staff has issued Non-Work Certificates of Occupancy for Office Use in the past, and there are times when reviews have been required after six months, a year, or even two years from the date of approval. However, sometimes things do not happen for a year. As a result, staff has started to orient these reviews when the certificates are issued and not when the approval is done. The intent is not to delay the applicant but to allow staff the opportunity to review once retail use is on the property.

MINUTES – Continued:

RAMON PARDO, 4426 Island Court, stated regardless if the zoning was Commercial or Retail, the applicant would still need the Variance for the 23 parking spaces. COMMISSIONER TRUESDELL responded that the concern here is that the Variance was based upon an Office Use. MR. PARDO replied that the application was for Office Use and then was changed to C-1. MR. CLAPSADDLE stated that the zoning allows for Commercial, but there has not been Retail Use on this property. So, the applicant is allowed to have retail on this property. In addition, with this Variance, it would change the parking spaces to 9 where 23 are required, staff would prefer to be able to review once a retail use is on the property. MR. PARDO stated that there would not be anyone there now even if the zoning were Office Use.

COMMISSIONER McSWAIN verified with MR. PARDO that this application is on the same building, where a parking Variance was approved six months ago, with a six-month review.

COMMISSIONER DAVENPORT stated that this property has not been occupied by retail, so it is not known what the parking will be. MR. CLAPSADDLE replied that the Variance has been approved, so the applicant has to provide nine parking spaces for Commercial Use.

DEPUTY CITY ATTORNEY BRIAN SCOTT inquired on the purpose of the Variance. For example, upon review, if the applicant is over parked, what would take place. CHAIRMAN TRUESDELL also stated that there were questions as to if the Variance would inundate street parking yet the immediate solution is not known at this time. MR. SCOTT asked about the possibility of an adjacent parcel for shared parking. MR. CLAPSADDLE replied that a joint parking agreement or an appropriate rezoning that precludes Retail uses could be options for the applicant. COMMISSIONER McSWAIN asked if the lease would be at least three years and how does one reconcile the problem with parking. CHAIRMAN TRUESDELL responded that this would be disclosed in the lease. DEPUTY ATTORNEY SCOTT also stated that this would be a private discussion between the developer and the lessee. VICE CHAIRMAN NIGRO then stated it would impact the next individual with a business license if the tenant left after a three-year lease and there were some restrictions put on the retail use. MR. PARDO commented that the building has been fully occupied with Office use since last July and has not had any problems with the tenants, which include an accountant and an attorney. MR. CLAPSADDLE noted that should one of these business should convert from an office to a shoe store, this would be retail and staff would bring it to the Commission for review. COMMISSIONER McSWAIN confirmed with MR. CLAPSADDLE that the application would be up for review only if the applicant had Retail use within the three years. CHAIRMAN TRUESDELL assured the applicant that the intent is not to delay or limit marketing, but should the use change, the Commission would like to review and see if any problems were created.

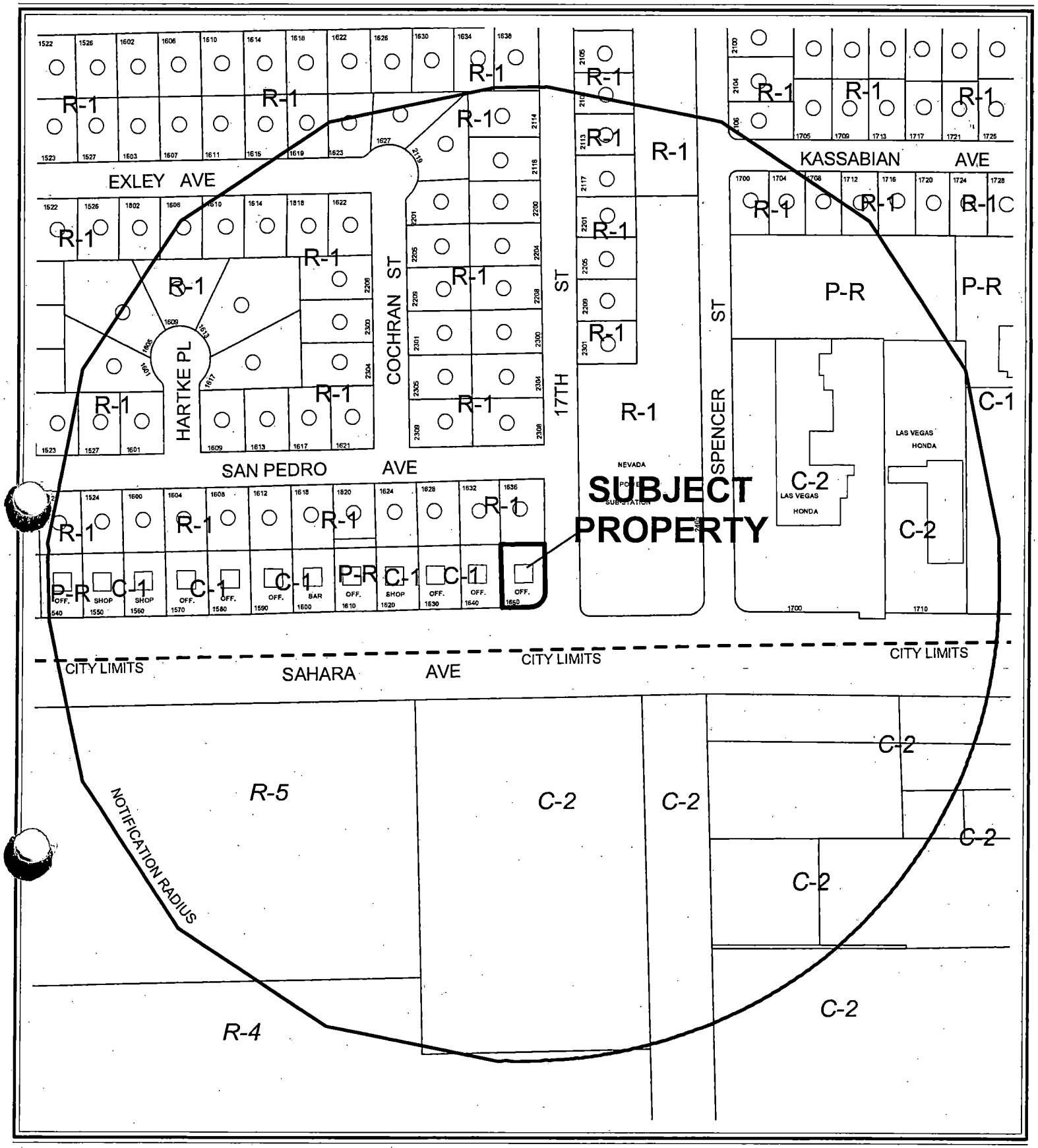
No one appeared in opposition.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 5 – RQR-4118

MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:26 – 6:35)
1-713

CONDITIONS:
Planning and Development
1. This Variance shall be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.

2. Conformance to the Conditions of Approval for Variance (V-0044-02).

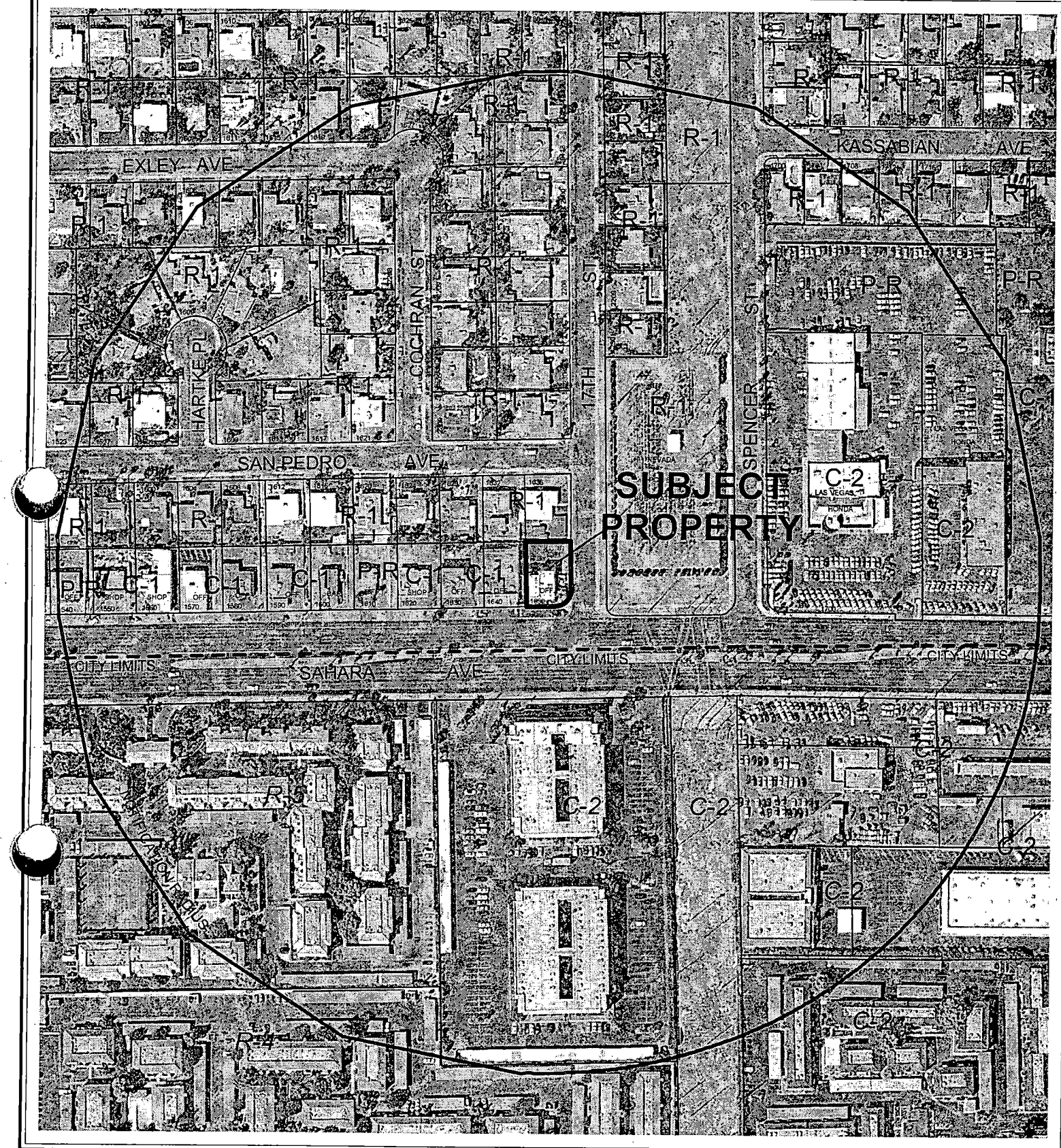


CASE: **RQR-4118**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: **RQR-4118**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4118 - APPLICANT/OWNER: RAMON PARDO

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Variance shall be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.

2. Conformance to the Conditions of Approval for Variance (V-0044-02).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required six-month review for an approved Variance that allowed 9 parking spaces where 23 spaces are required for a 3,880 square foot retail building at 1650 East Sahara Avenue.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02	The City Council approved a Rezoning (Z-0053-02) to C-1 (Limited Commercial) and a Variance (V-0044-02) to allow 9 parking spaces where 23 spaces are required for a 3,880 square foot retail building on this site. The Planning Commission recommended approval on July 25, 2002. The Planning and Development Department recommended approval for the Rezoning and denial for the Variance.
10/30/03	A Non-Work Certificate of Occupancy was issued for an office use in this building.

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.

MP

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property:	Office/Retail/Commercial
North:	Single Family Residence
South:	Office
East:	Nevada Power Substation
West:	Office

C) Planned Land Use

Subject Property:	SC	Service Commercial
North:	L	Low Density Residential
South:	Clark County	
East:	PF	Public Facility
West:	O	Office

D) Existing Zoning

Subject Property:	R-2, ROI to C-1	Medium Low Density Residential under resolution of intent to Limited Commercial
North:	R-1	Single Family Residential
South:	Clark County	
East:	R-1	Single Family Residential
West:	C-1	Limited Commercial

E) General Plan Compliance

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

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

There area no special area plans or overlay districts that affect this site.

MP

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail, other than listed	3,887 SF.	1 Space/175 Square Feet GFA	23	1	9	1

The subject variance allows for a reduction in required parking from 23 spaces to 9 spaces for retail uses to occupy the existing building on this site.

B) General Analysis and Discussion

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."

MP

As of this date, no retail uses occupy the subject building. A Condition of Approval for the Variance required a six-month review from the date a Certificate of Occupancy was issued. As noted earlier, a Certificate of Occupancy was issued for an office use on 10/03/03. Since there are no retail uses that would generate the need for additional parking and the effects of greater parking demand cannot be evaluated at this time, a condition has been added requiring the Variance to be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.

NOTICES MAILED 93

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4118 APN: 162 02 411 032

Name of Property Owner: RAMON PARDO

Name of Applicant: RAMON PARDO

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: RAMON PARDO

Republic of Bolivia
Department of Santa Cruz
City of Santa Cruz
Consular Agency
United States of America

Subscribed and sworn before me

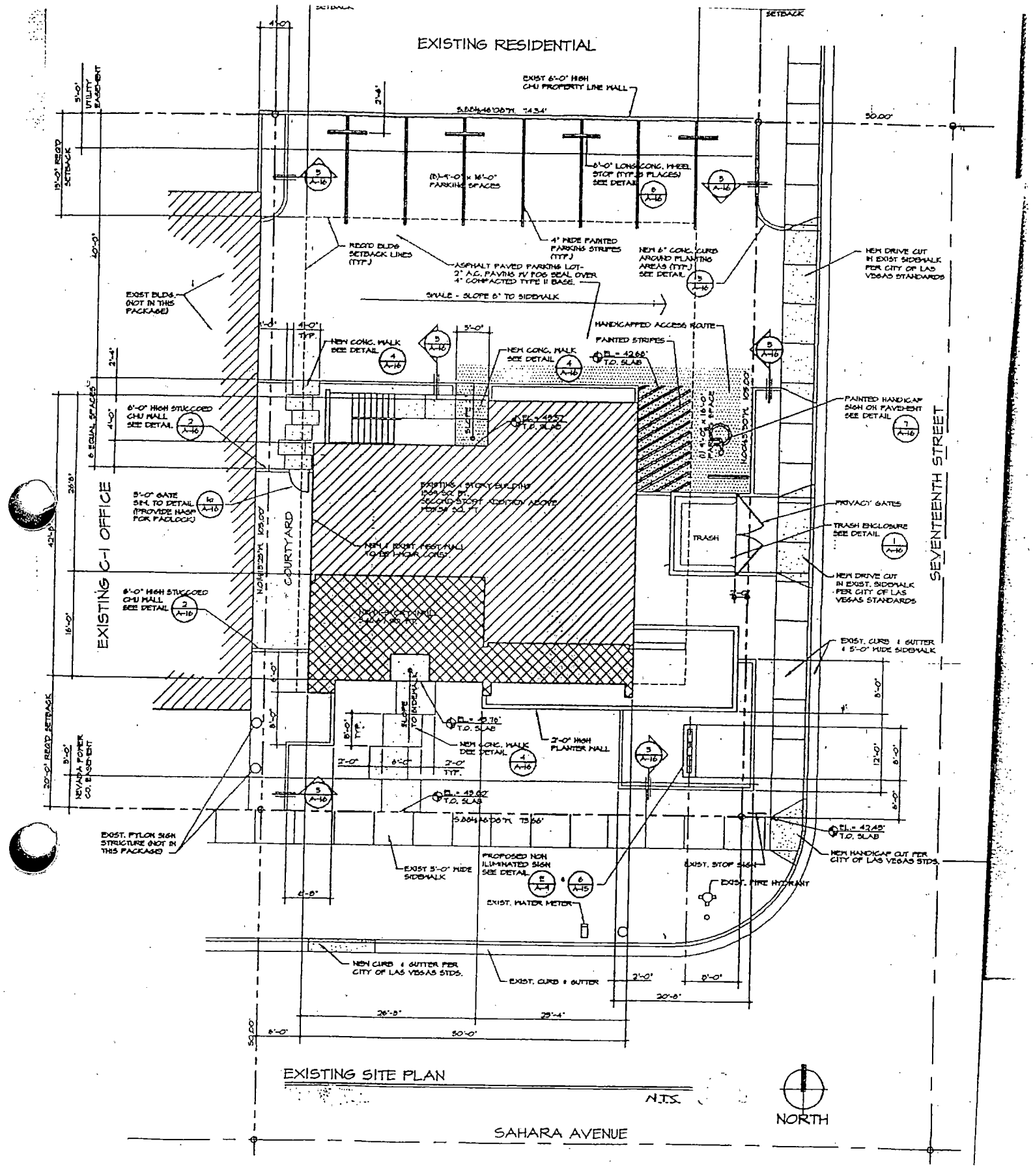
This 8th day of March, 2004

Rhea Borda

Notary Public in and for said County and State

Rhea Borda
U.S. Consular Agent
Santa Cruz - Bolivia

COMMISSION DOES NOT EXPIRE



EXISTING SITE PLAN

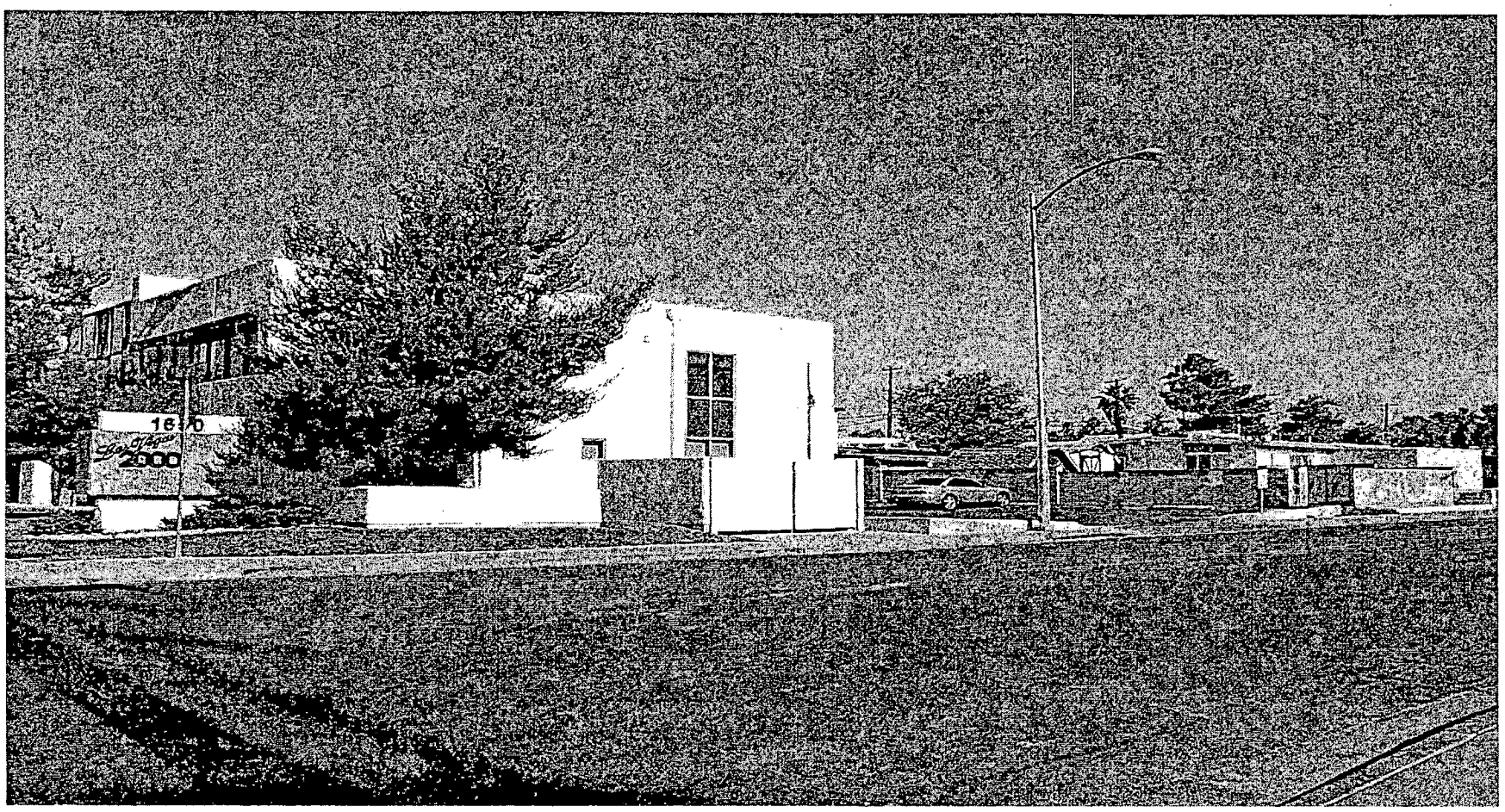
N.T.S.

FABIAN PARDO PROPERTIES

RQR-4118
5-27-04 PC

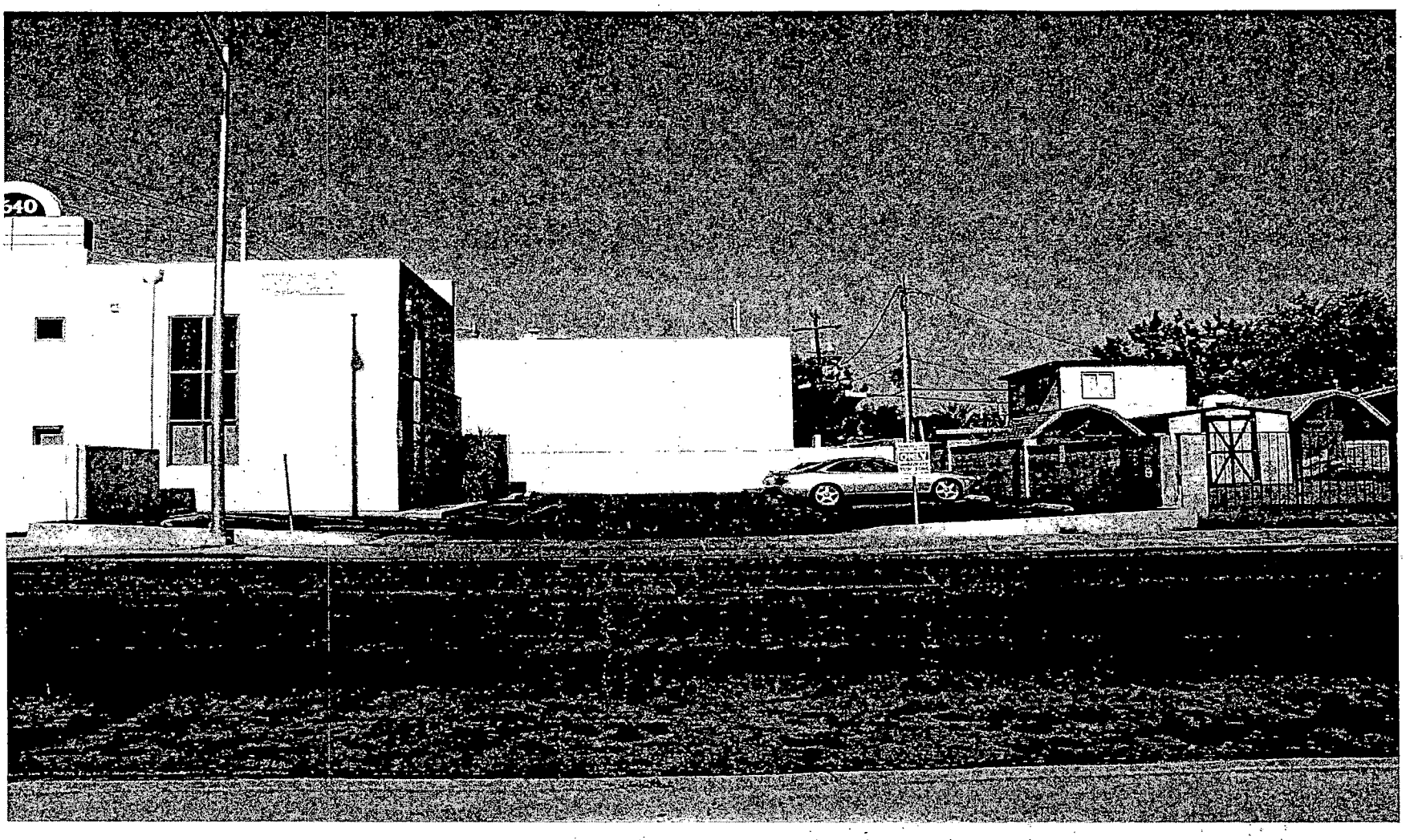
PROFESSIONAL BUILDING AT

1650 E. Sahara, Suite 3, 2nd Floor, Las Vegas, Nevada



RQR-4118 - APPLICANT/OWNER: RAMON PARDO
1650 EAST SAHARA AVENUE
MAY 27, 2004 PLANNING COMMISSION

5/3/04



RQR-4118 - APPLICANT/OWNER: RAMON PARDO
1650 EAST SAHARA AVENUE
MAY 27, 2004 PLANNING COMMISSION

5/3/04

City of Las Vegas

Agenda Item No.: 6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY - Required Two Year Review on an approved Special Use Permit (U-0106-95), WHICH ALLOWED A 440 SQUARE FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 310 South Main Street (APN: 139-34-201-003), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], Item 14 [RQR-4270].

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

(6:18 – 6:23)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two 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.

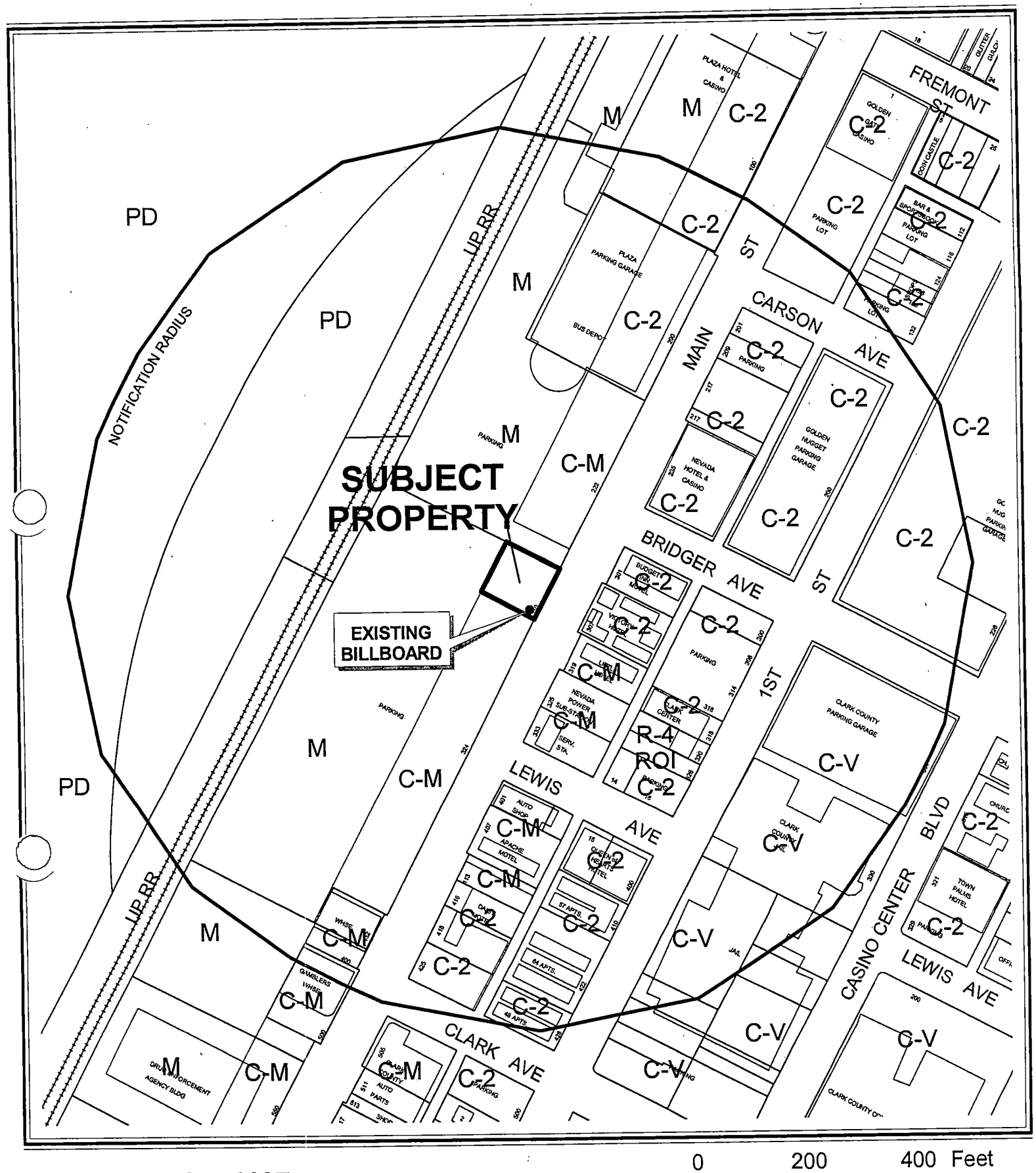
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2)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

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.

CONDITIONS – Continued:

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 advertising sign.

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

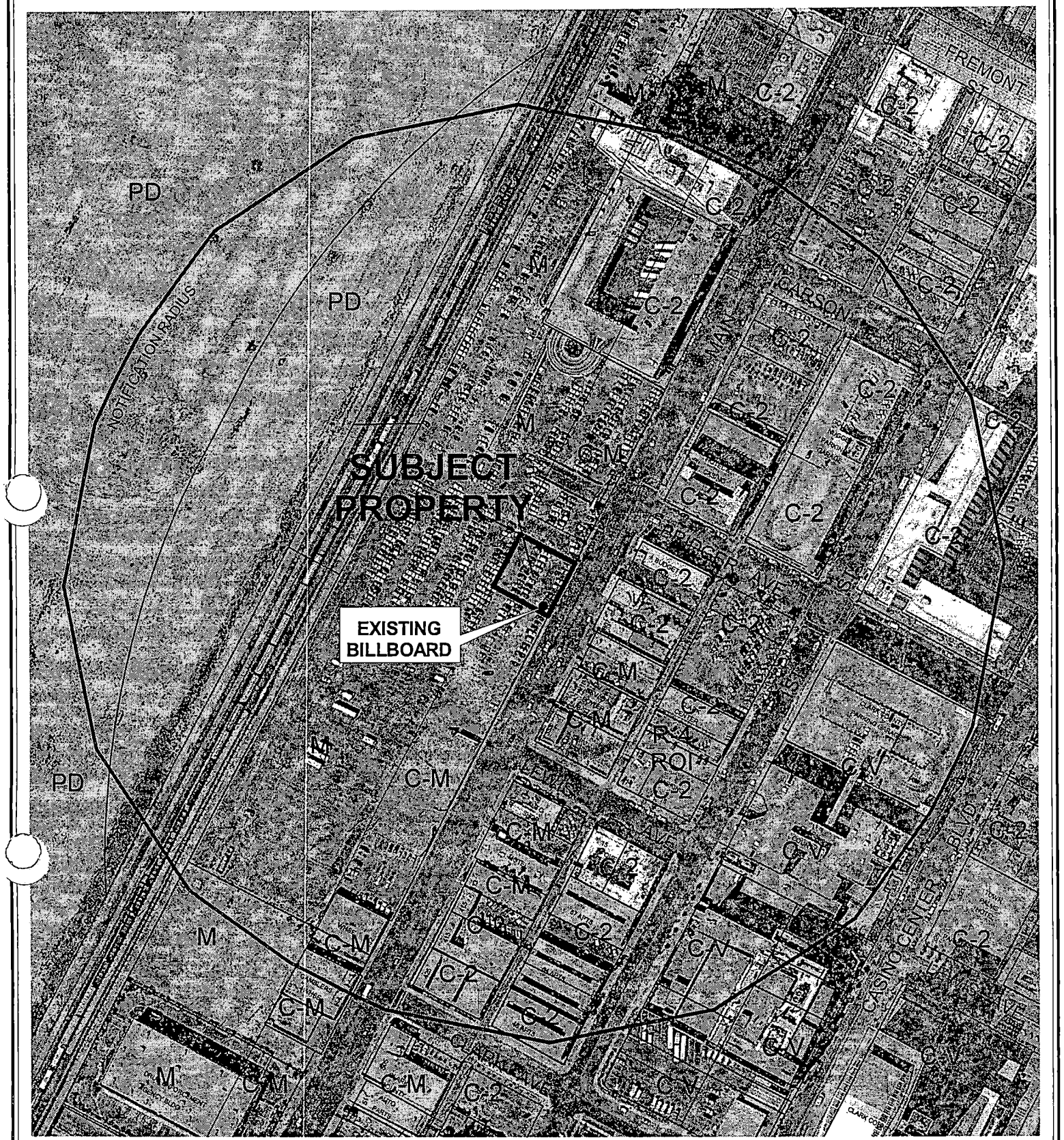


CASE: RQR-4187

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N



CASE: **RQR-4187**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two 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. 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 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.

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 advertising sign.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two-year review on an approved Special Use Permit (U-0106-95), which allowed a 440 square foot off-premise advertising (billboard) sign at 310 South Main Street.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

10/18/95 The City Council approved a Special Use Permit (U-0106-95) for a 440 square foot on-premise sign to be relocated to an off-premise location. The Board of Zoning Adjustment and staff recommended approval.

12/06/00 The City Council approved a required five-year review [U-0106-95 (1)] for a 440 square foot off-premise sign. The Planning Commission and staff recommended approval.

05/01/02 The City Council approved a required one-year review [U-0106-95 (2)] for a 440 square foot off-premise sign. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.25
Net Acres:	0.24

KCW

B) Existing Land Use

Subject Property:	Parking Lot
North:	Parking Lot
South:	Parking Lot
East:	Commercial Retail
West:	Parking Lot

C) Planned Land Use

Subject Property:	DTR-C (Downtown Redevelopment Plan – Commercial)
North:	DTR-C (Downtown Redevelopment Plan – Commercial)
South:	DTR-C (Downtown Redevelopment Plan – Commercial)
East:	DTR-C (Downtown Redevelopment Plan – Commercial)
West:	DTR-C (Downtown Redevelopment Plan – Commercial)

D) Existing Zoning

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

E) General Plan Compliance:

Southeast General Plan

The DTR-C (Downtown Redevelopment -Commercial) category of the Downtown Redevelopment Plan of the Southeast Sector Land Use Plan of the General Plan permits the uses allowed in the O (Office), SC (Service Commercial), and GC (General Commercial) land use designations as described in the General Plan. The current C-M (Commercial/ Industrial) zoning of the site is not consistent with DTR-C land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown 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**

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Main Street similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-M (Commercial/ Industrial). The existing off-premise advertising (billboard) sign is permitted in the C-M (Commercial/ Industrial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not substantially changed since initial approval of this Special Use Permit.

- Conditions

Conditions of approval from the last review of 5/01/02:

1. The Special Use Permit shall be reviewed in two 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.

KCW

2. 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 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.

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.

A site visit of the parcel found the sign in conformance with conditions of U-0106-95.

FINDINGS

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

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

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit.

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 existing public rights-of-way 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."**

This billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

NOTICES MAILED 37

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4187 APN: 139-34-201-003

Name of Property Owner: Barrick-BREO II, LLC

Name of Applicant: Barrick-BREO II, 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 __XXX__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: Phil Flaherty

Subscribed and sworn before me

This 25th day of March, 2004

[signature]

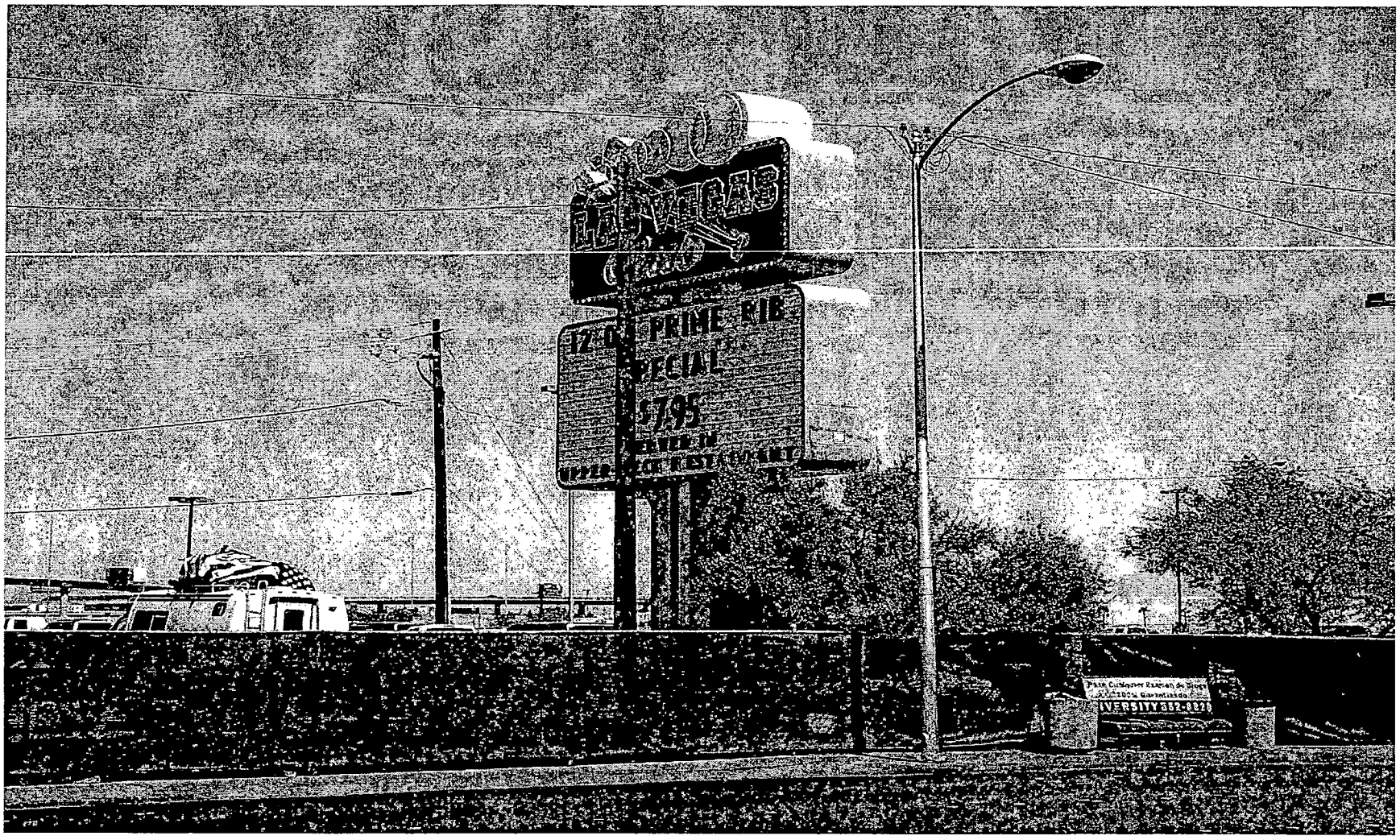
Notary Public in and for said County and State

DAWN M. DUDAS
Notary Public State of Nevada
No. 97-4047-1
My appt. exp. Sept. 28, 2005

Revised 2/12/02

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

DAWN M. DUDAS
Notary Public State of Nevada
No. 97-4047-1
My appt. exp. Sept. 28, 2005



RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY
310 SOUTH MAIN STREET
MAY 27, 2004 PLANNING COMMISSION

5/3/04



RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY
310 SOUTH MAIN STREET
MAY 27, 2004 PLANNING COMMISSION

5/3/04

City of Las Vegas

Agenda Item No.: 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC. - Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN, TRUESDELL and NIGRO voting NO

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this item was originally approved in 1995, with a five-year review in 2000 and a three-year review in 2002. During both reviews, staff has approved the application. The area has not substantially changed and staff recommends approval again.

SCOTT NASQER, Lamar Outdoor Advertising, 1863 Helm Drive, agreed to staff's conditions.

COMMISSIONER DAVENPORT stated, for the record, he has had a previous contract with Lamar Outdoor Advertising and the contract has been fulfilled.

MINUTES – Continued:
COMMISSIONER McSWAIN stated that she has not supported this application before and will not support it at this time.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:35 – 6:38)

1-997

CONDITIONS:
Planning and Development

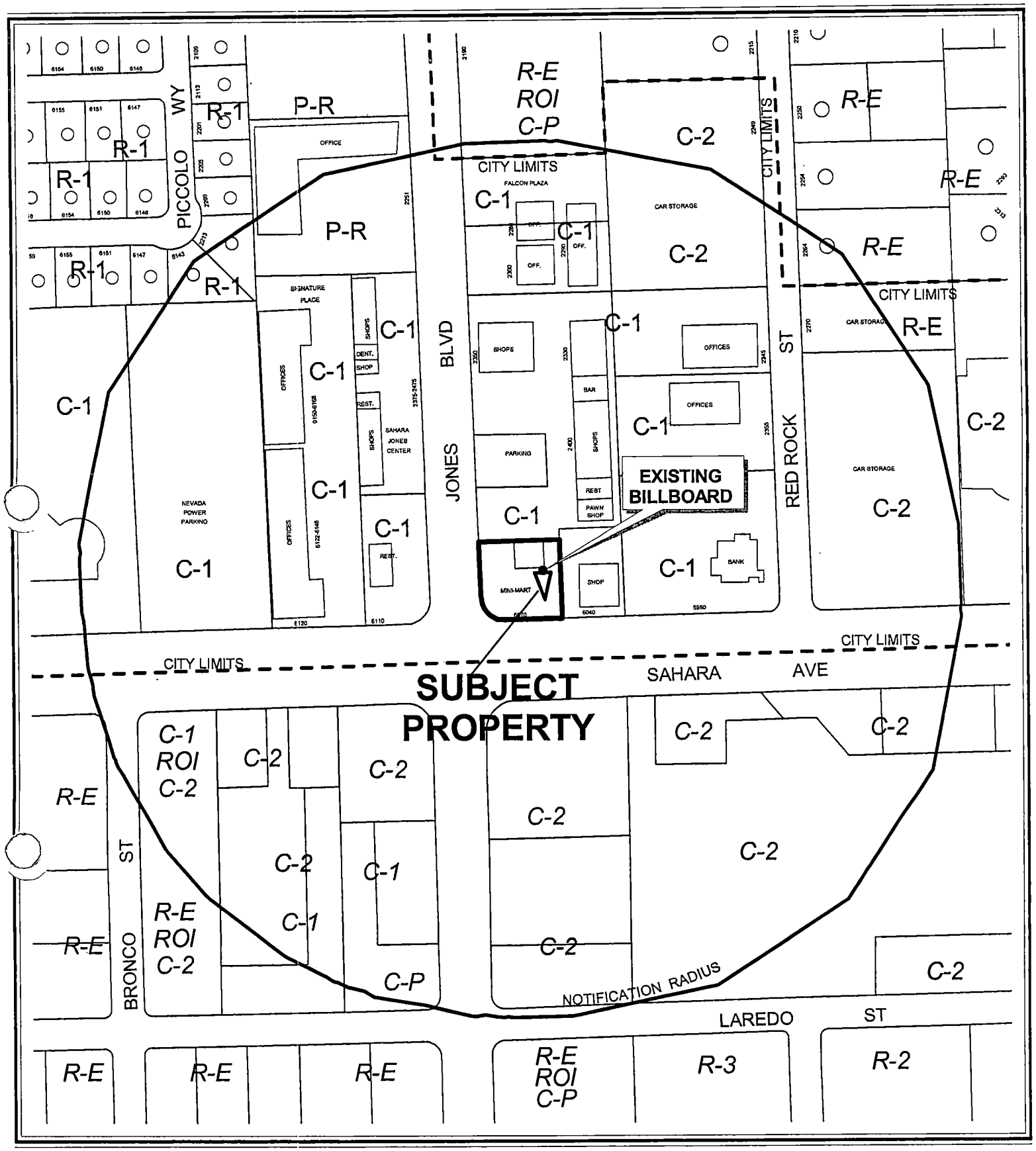
1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. 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 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.

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 advertising sign.

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



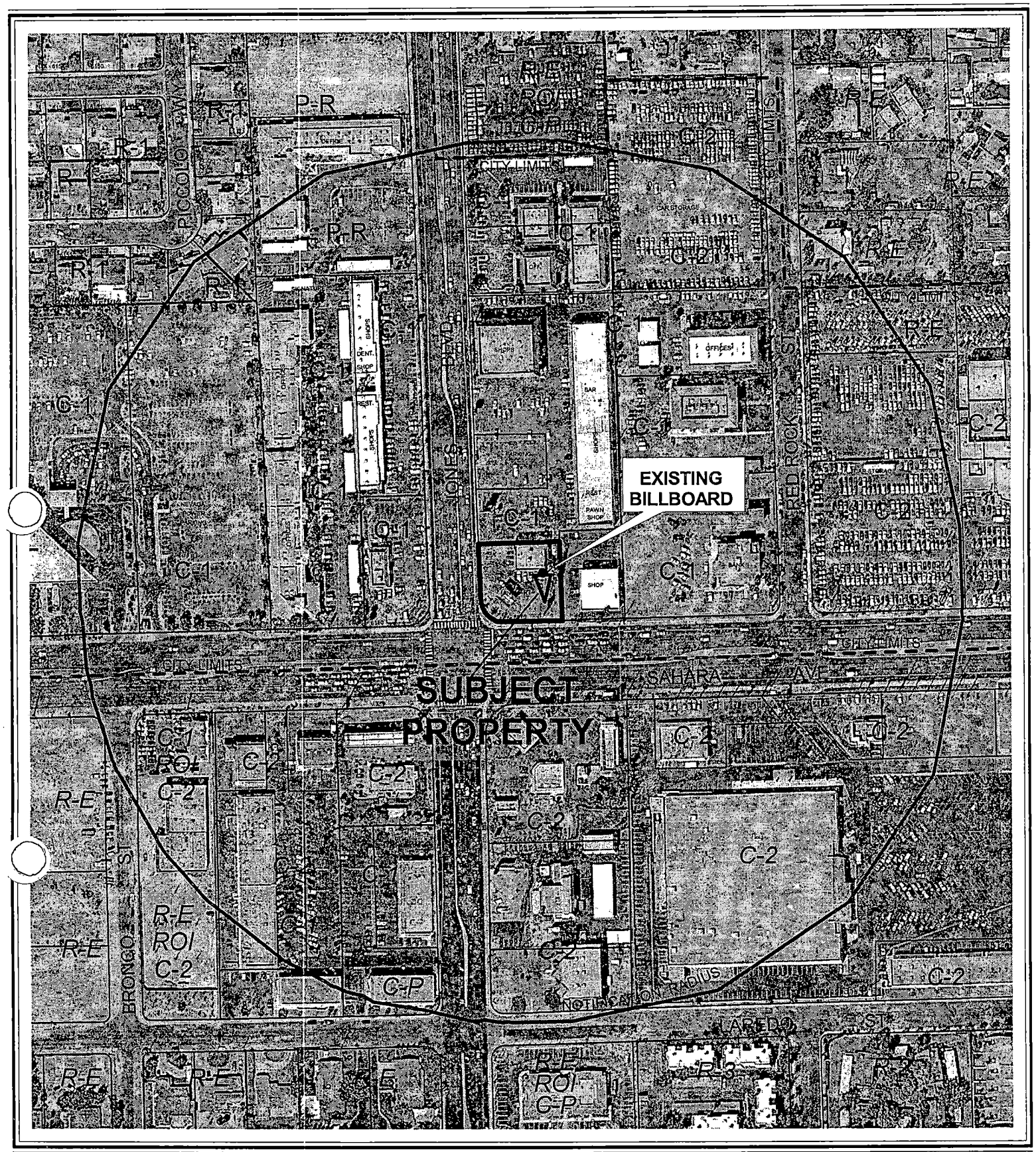
CASE: **RQR-4238**

RADIUS: 750 FT

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

0 200 400 Feet

N



CASE: **RQR-4238**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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. 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 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.

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 advertising sign.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two-year review on an approved Special Use Permit (U-0315-94), which allowed a 14 x 48 foot off-premise advertising (billboard) sign at 6070 West Sahara Avenue.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

01/18/95 The City Council approved a Special Use Permit (U-0315-94) for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise advertising (billboard) sign on the site, subject to a five year review.

03/01/00 The City Council approved a Required Five Year Review [U-0315-94 (1)] for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise advertising (billboard) sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.

05/01/02 The City Council considered the appeal from the denial by the Planning Commission on a required two review of a Special Use Permit [U-0315-94 (2)], which allowed a 40-foot high, 14 x 48 foot off-premise advertising (billboard) sign. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.51
Net Acres:	0.507

B) Existing Land Use

Subject Property:	Commercial
North:	Parking Lot
South:	Sahara Avenue, Commercial
East:	Commercial
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance: Southwest General Plan

The SC (Service Commercial) category of the Southwest Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning is consistent with the SC land use designation.

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

This site is not within any Special Plan Area or Overlay District.

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Sahara Avenue like the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

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

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit.

- Conditions

Conditions from the last review U-0315-94 (2):

1. The Special Use Permit shall be reviewed in two 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.

KCW

2. 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 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.

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

A site visit of the parcel found the sign in conformance with conditions of U-0315-94.

FINDINGS

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

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

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit.

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 existing public rights-of-way 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."**

   This billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

NOTICES MAILED 33

APPROVALS 0

PROTESTS 0

COMMENTS:

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4238 APN: 163-01-401-010

Name of Property Owner: 7-Eleven Inc.

Name of Applicant: Lamar Advertising

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]

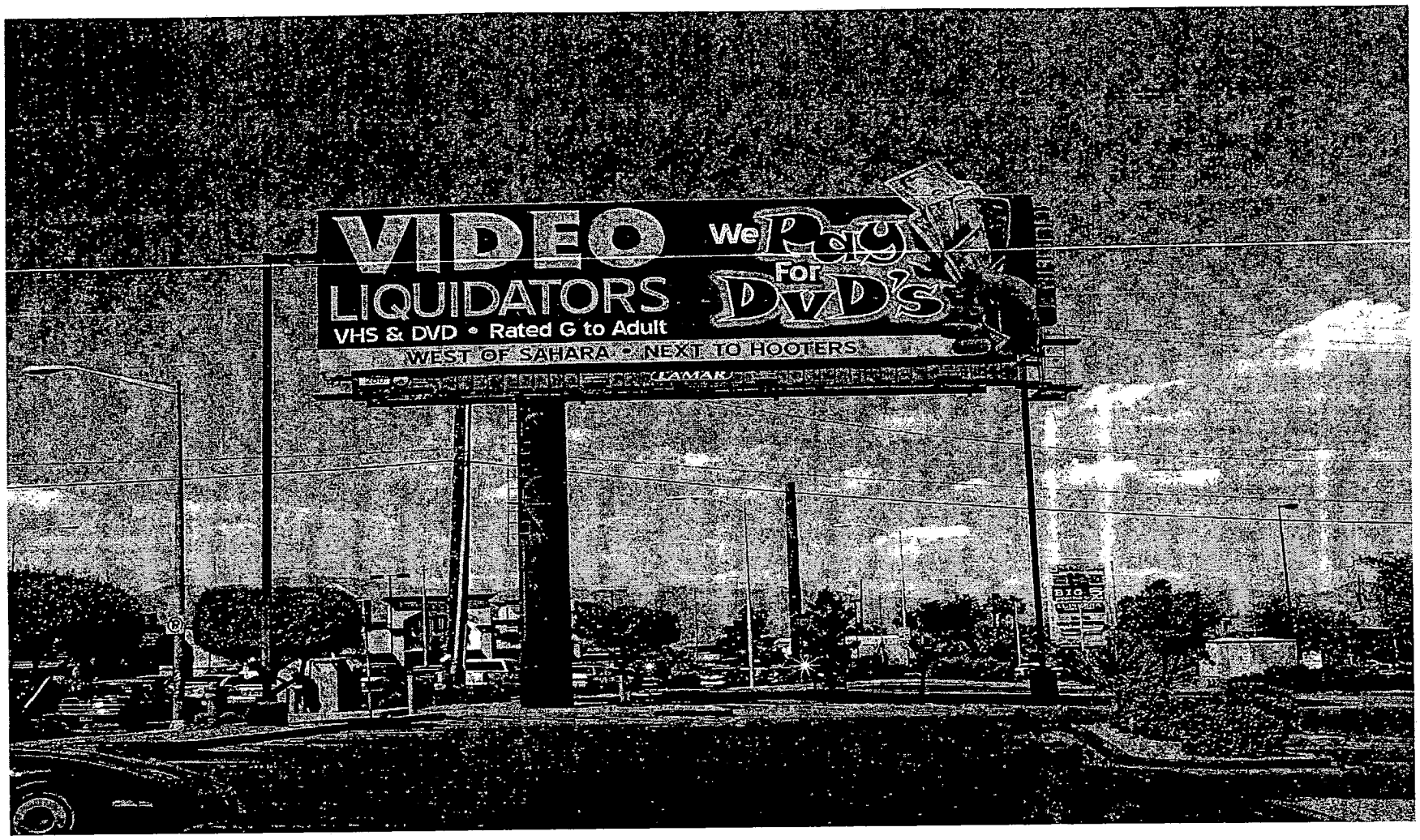
Print Name: Scott Natzger (on behalf of owner)

Subscribed and sworn before me

This 18 day of MARCH, 2004

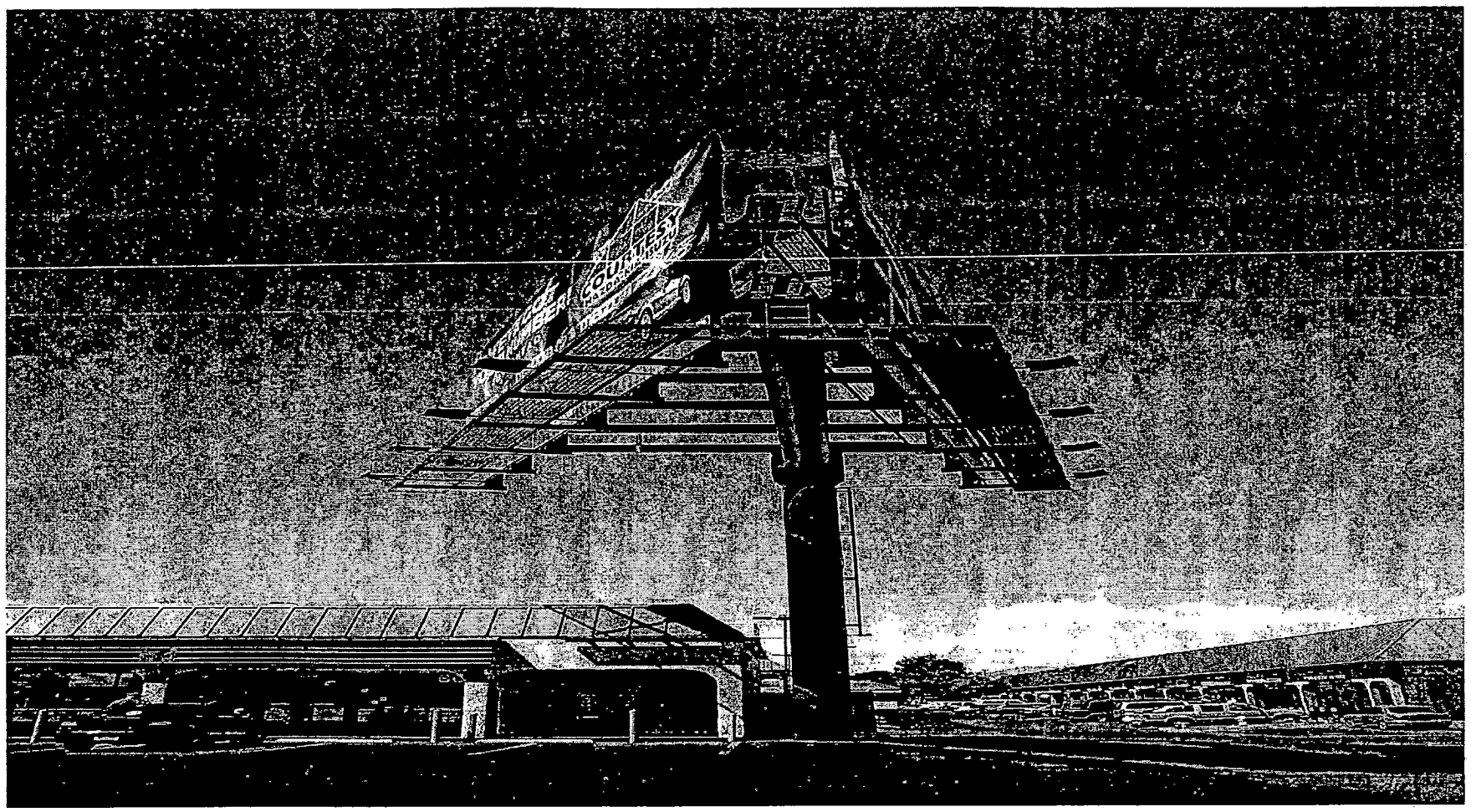
[signature]
Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.
6070 WEST SAHARA AVENUE
MAY 27, 2004 PLANNING COMMISSION

4/29/04



RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.
6070 WEST SAHARA AVENUE
MAY 27, 2004 PLANNING COMMISSION

4/29/04



RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC.
6070 WEST SAHARA AVENUE
MAY 27, 2004 PLANNING COMMISSION

4/29/04

City of Las Vegas

Agenda Item No.: 8

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC. - Required Two Year Review of an approved Special Use Permit (U-0059-01) FOR FIVE (5) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard (APN: 139-18-410-003), C-M (Commercial/ Industrial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

MINUTES – Continued:

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

(6:18 – 6:23)
1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one year 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. Prior to the submittal of a building permit, the applicant shall submit to the Planning and Development Department a site plan that depicts the location of all existing off-premise advertising (billboard) signs with an overlay of the developments approved as part of SDR-1404. The Planning and Development Department will review the site plan to ensure compatibility. If conflicts exist, the Planning and Development Department may impose adequate measures to ensure the billboards do not compromise public health, safety, and welfare.

3. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed as part of the site development plan review for compatibility with the proposed development. Conditions of approval may be imposed that require the removal of some or all of the off-premise advertising (billboard) signs.

CONDITIONS – Continued:

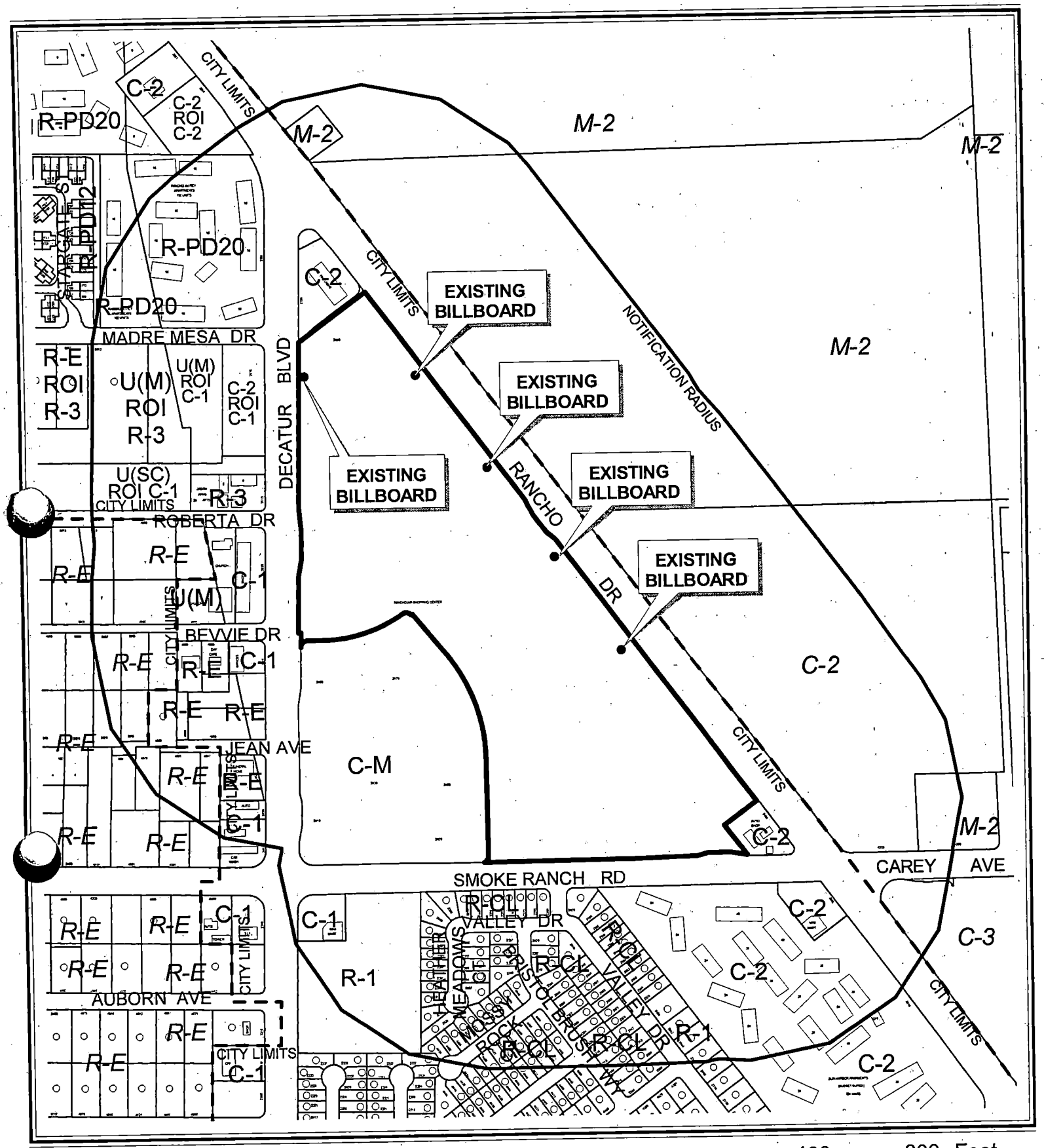
4. If a existing off-premise advertising sign structure is removed, this Special Use Permit will not pertain to the removed sign, a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 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. 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.

6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

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

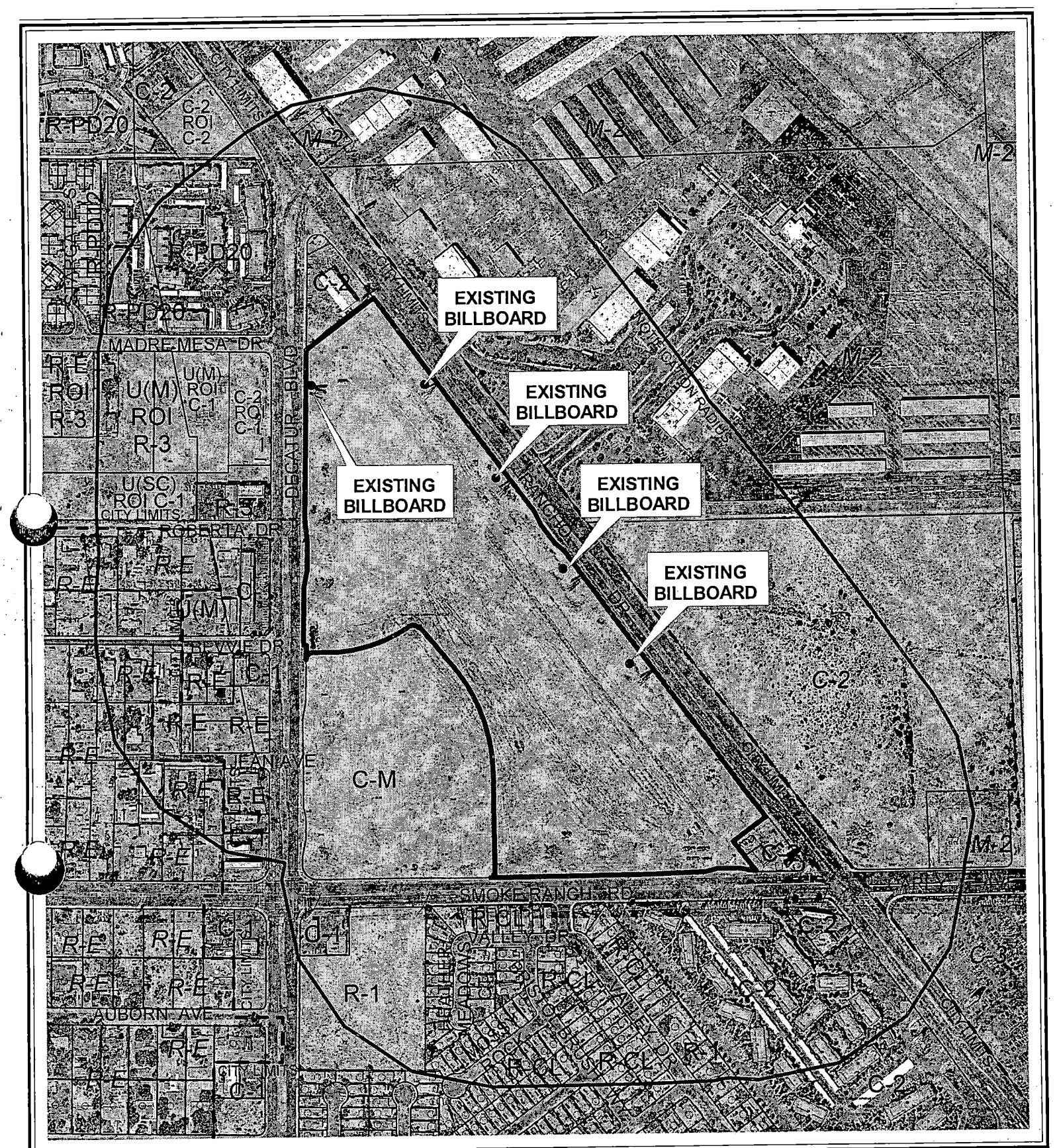
8. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **RQR-4239**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



CASE: **RQR-4239**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one year 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. Prior to the submittal of a building permit, the applicant shall submit to the Planning and Development Department a site plan that depicts the location of all existing off-premise advertising (billboard) signs with an overlay of the developments approved as part of SDR-1404. The Planning and Development Department will review the site plan to ensure compatibility. If conflicts exist, the Planning and Development Department may impose adequate measures to ensure the billboards do not compromise public health, safety, and welfare.

3. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed as part of the site development plan review for compatibility with the proposed development. Conditions of approval may be imposed that require the removal of some or all of the off-premise advertising (billboard) signs.

4. If a existing off-premise advertising sign structure is removed, this Special Use Permit will not pertain to the removed sign, 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 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. 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.

6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

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

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

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two year review on an approved Special Use Permit (U-0059-01) which allowed five 14-foot x 48-foot off-premise advertising (billboard) signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

06/21/89 The City Council approved a Special Use Permit (U-0054-89) to allow an off-premise advertising sign (billboard) on this site. The Board of Zoning Adjustment recommended approval.

08/21/91 The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on this site. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote.

07/20/94 The City Council approved a five-year Review [U-0054-89 (1)] on an approved off-premise advertising sign (billboard) on this site. The Board of Zoning Adjustment and staff recommended approval.

09/20/95 The City Council approved a Special Use Permit (U-0092-95) to allow two (2) off-premise advertising signs (billboards) on this site. The Board of Zoning Adjustment and staff recommended approval.

11/01/00 The City Council accepted the Withdrawal of a Five-year Review [U-0092-95 (1)] for two (2) off-premise advertising signs (billboards) on this site. The Planning Commission and staff recommended approval.

KCW

08/01/01 The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) to allow five (5) off-premise advertising signs (billboards) on this site subject to a two-year review. The Planning Commission denied the request.

12/20/01 The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site. Staff recommended approval.

02/19/03 The City Council approved a General Plan Amendment (GPA-1400), a Rezoning (ZON-1401), and a Site Development Plan Review (SDR-1404) on the subject site. The Planning Commission recommended approval of the Rezoning and Site Development Plan Review, but were unable to obtain a supermajority on the General Plan Amendment. Therefore, the General Plan Amendment went forward with a recommendation of denial from the Planning Commission. Staff recommended denial.

05/21/03 The City Council approved the required two-year review (RQR-1994) of an approved Special Use Permit (U-0059-01) for five 14 X 48 foot off-premise signs. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

Summary of meeting, including staff recommendations and issues discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 48.49

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial Building and Airport
South:	Mini-Mart, Single-Family Dwellings, and Residence Hotel
East:	Undeveloped and Airport
West:	Apartments, Undeveloped land, Churches, Retail shops, Offices, School, Day Care, Single-Family Dwellings, Car Wash, Funeral Home, and Auto Shop

KCW

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/Research)
North:	GC (General Commercial) and North Las Vegas
South:	SC (Service Commercial), ML (Medium Low Density Residential) and M (Medium Density Residential)
East:	North Las Vegas
West:	M (Medium Density Residential), SC (Service Commercial), R (Rural Density Residential)

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial), C-1 (Limited Commercial), R-CL (Residential Compact Lot)
East:	North Las Vegas
West:	R-PD20, R-3 Residential Planned Development – 20 Units Per Acre), C-1 (Limited Commercial), U (Undeveloped) [M (Medium Density Residential) General Plan Designation], and Clark County

F) General Plan Compliance

The Light Industry / Research category of the Southeast General Plan allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

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

Study Area
This site lies within the recently completed Rancho Corridor area. This does not directly affect this required review.

KCW

Rural Preservation Neighborhood

This is not in an area identified as a Rural Preservation Neighborhood. However, a Rural Preservation Neighborhood Buffer comes into contact with the southeast portion of the site. Normally, density is limited to 3.0 units per acre within the buffer unless, as in this case, the property is located within 330 feet of an existing street that is more than 99 feet wide. Therefore, NRS 278.261 does not influence this application.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-premise advertising (Billboard)	Min. 300' from any "U" or "R" zoning district and any other off-premise sign	300' from any "U" or "R" zoning district and any other off-premise sign

The submitted site plan shows all billboards at least 300' from any "U" or "R" zoning district and any other off-premise sign. The site plan depicts a 300-foot radius around the billboard along Decatur Boulevard. The radius comes very close to coming into contact with the R-PD20 (Residential Planned Development – 20 Units Per Acre) property located northwest of this site, however it is not within the required separation distance.

B) General Analysis and Discussion

- Zoning

The C-M (Commercial/Industrial) zoning on the site allows clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories.

- Use

An off-premise advertising (billboard) sign is permitted in a C-M (Commercial/Industrial) zone with approval of a Special Use Permit. At the time the Special Use Permit (U-0059-01), which allowed the billboards, was approved the subject site was zoned C-2 (General Commercial). Billboards are also permitted in a C-2 (General Commercial) zone with approval of a Special Use Permit).

KCW

- Conditions

The original approval on the Special Use Permit (U-0059-01) included the following condition:

> If new development is approved for the subject parcels within two years, the City Council may at its sole discretion impose conditions of approval on such development that require removal of some or all of the off-premise advertising (billboard) signs.

At the Council meeting of February of 2003, the City Council approved three applications on the subject site, including a Site Development Plan Review (SDR-1404) for an 18,500 square foot office building and 166,900 square foot commercial/industrial development. At the time of the Site Development Plan Review, the applicant was uncertain about the future of the billboards. From the documents submitted as part of this application, it is unclear whether any of the billboards are located on property previously approved for development. A comparison of the approved site plan for the 18,500 square foot office and the billboard location map causes some concern that a billboard is located either within or near the entrance from Decatur Boulevard to this site. A condition has been included to require the applicant to submit a site plan that depicts both the location of the existing billboards, as well as the previously approved developments to ensure that the billboards do not impede vehicular or pedestrian traffic and are compatible with the approved developments.

This site is a commercial subdivision; the owners are able to divide the land according to needs of the tenant without formal review. However, the Planning and Development Department will review the design of each new project as a Site Development Plan Review. Due to the large size of the parcel, the billboards may remain appropriate until the time of development of the land on which each individual billboard is located. Additionally, a one-year review is recommended to ensure the billboards remain appropriate for the site even if development does not occur in a timely manner.

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:

This site is a commercial subdivision; therefore, the owners are able to divide the land according to needs of the tenant without Planning and Development Department review. However, the Planning and Development Department will review the design of each new project as a Site Development Plan Review. Due to the large size of the parcel, the billboards may remain appropriate until the time of development of the land on which each individual billboard is located. Additionally, a one-year review is recommended to ensure the billboards remain appropriate for the site even if development does not occur in a timely manner.

KCW

FINDINGS

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

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

   While off-premise advertising (billboard) signs are generally not conducive to economic revitalization, the billboards are an appropriate interim use of this site for the next year until suitable new development proposals are approved. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) will be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal of some or all of the off-premise advertising (billboard) signs.

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

   The site is physically suitable for the proposed off-premise advertising (billboard) sign use.

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

   The off-premise advertising (billboard) sign use does not generate any additional traffic to this site and will not require provisions for additional access.

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 use does not compromise the public health, safety, and welfare, as it is subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 137

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4239 APN: 139-18-410-003

Name of Property Owner: Rancho Arcenter Inc.

Name of Applicant: Lamar Advertising

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: Scott Nattzer

Print Name: Scott Nattzer (on behalf of owner)

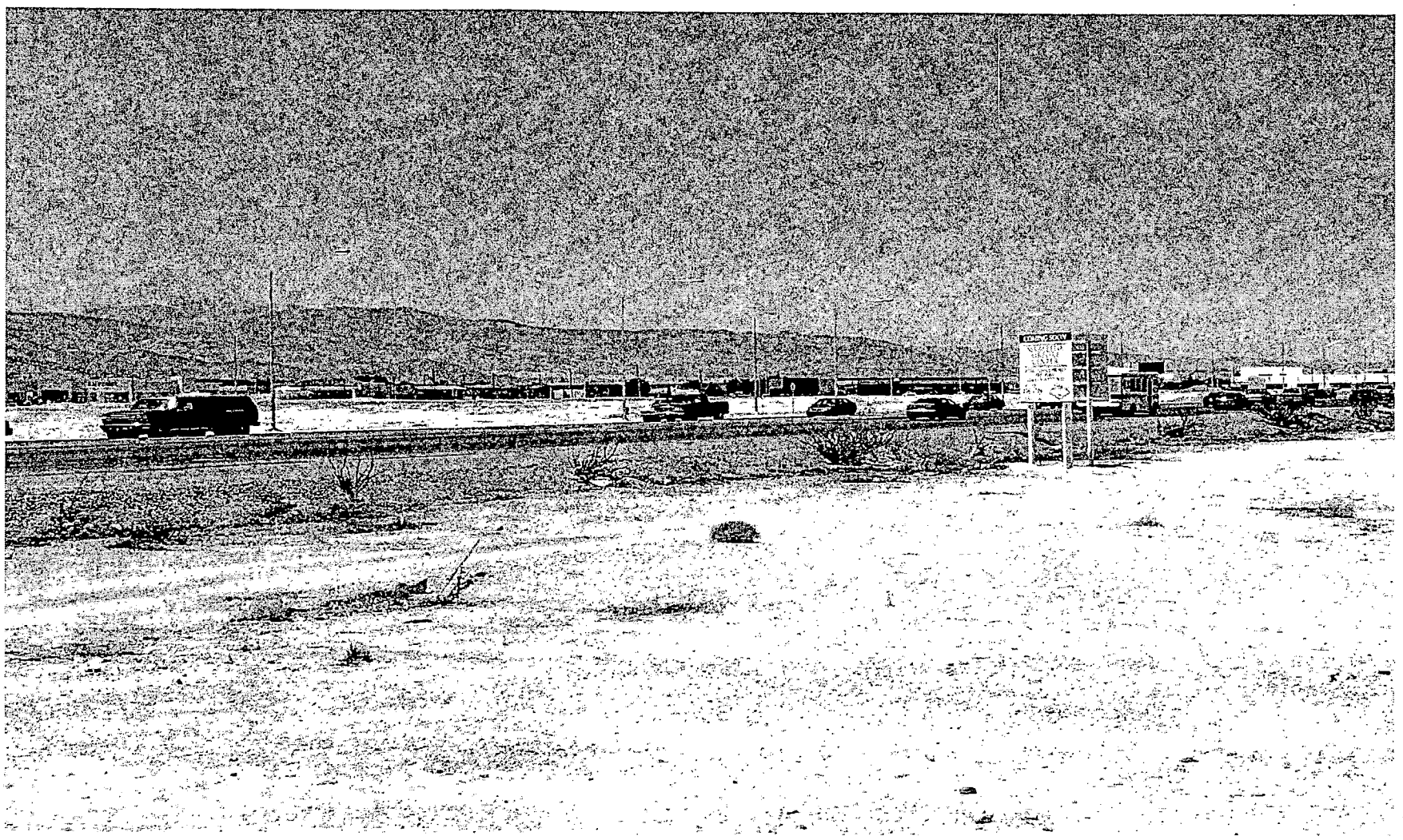
Subscribed and sworn before me

This 18 day of MARCH, 2004

Lynda S Miles

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC.
NORTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/30/04



RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC.
NORTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC. - Required Two Year Review of an approved Special Use Permit (U-0262-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4820 West Charleston Boulevard (APN: 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – Initial motion for DENIAL failed – Subsequent motion by GOYNES – APPROVED subject to conditions– Motion carried with McSWAIN, TRUESDELL AND NIGRO voting NO

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff recommends approval.

COMMISSIONER McSWAIN stated that she would not support this application because of its relationship to Decatur and Charleston and the retail corridor.

MINUTES – Continued:
No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:38 – 6:40)
1-1102

CONDITIONS:
Planning and Development

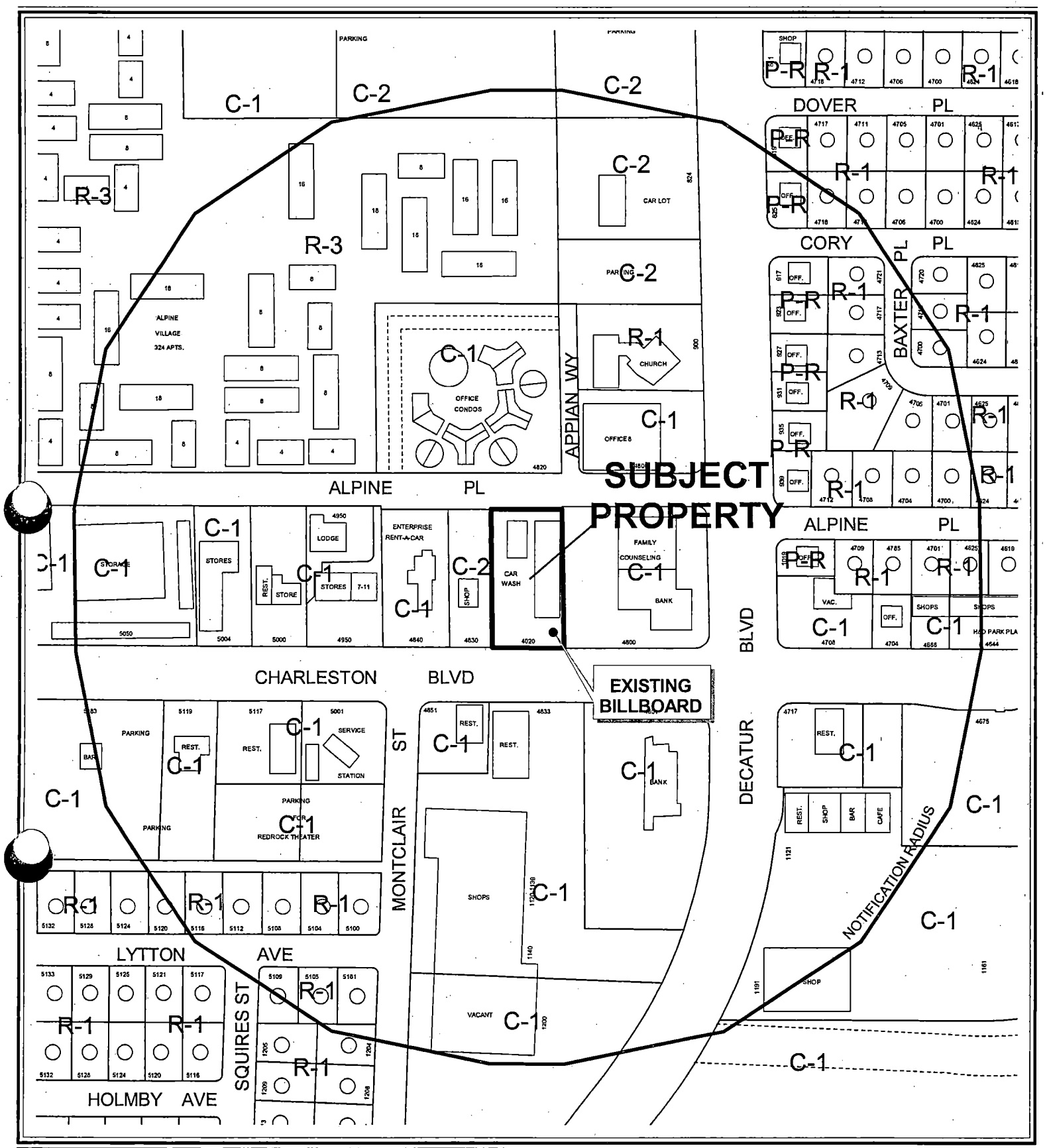
1. The Special Use Permit shall be reviewed in three years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising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

2. 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 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.

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 advertising sign.

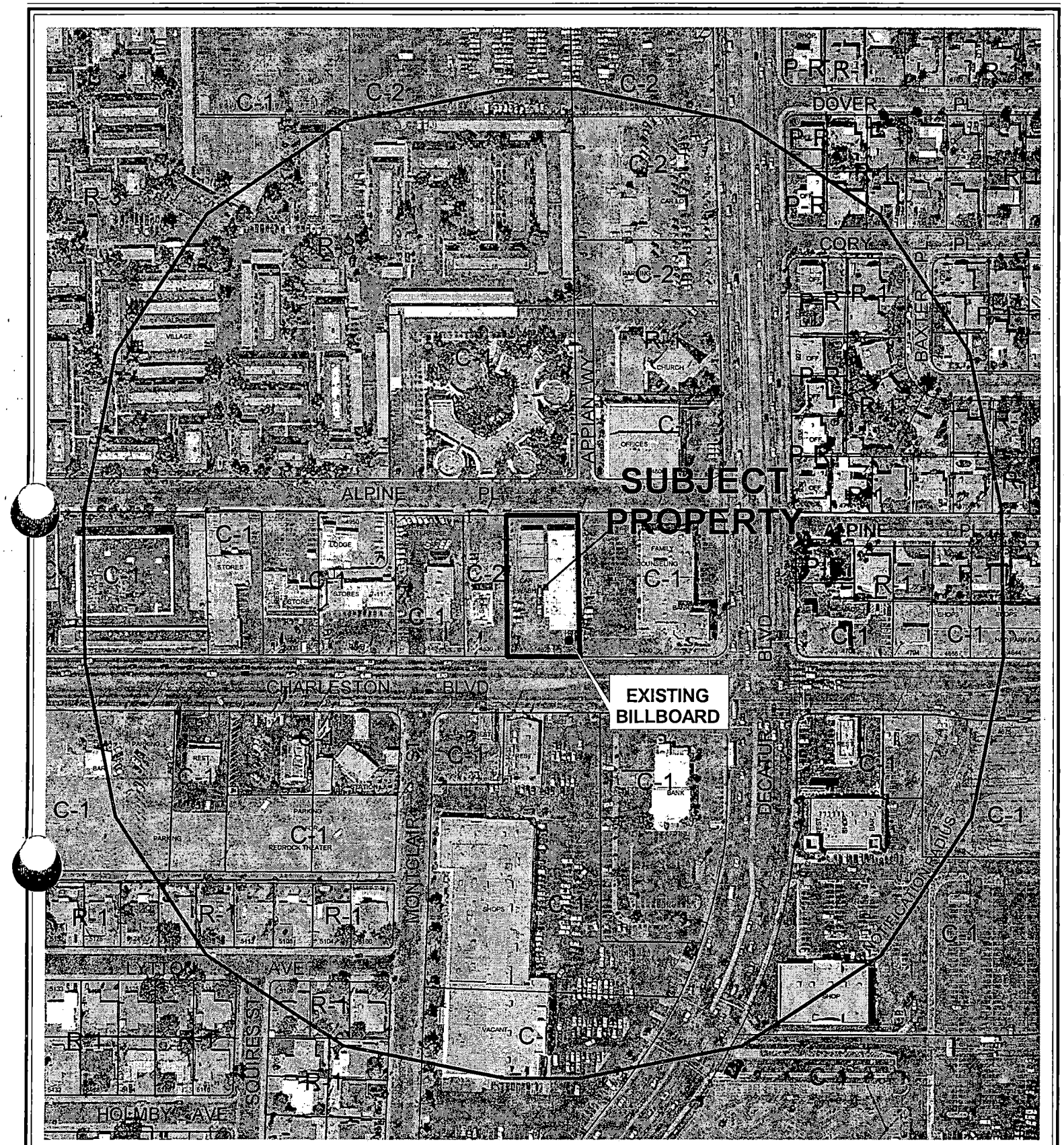
5. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **RQR-4240**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **RQR-4240**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three 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. 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 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.

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 advertising sign.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a two-year review for an approved Special Use Permit (U-0262-94) that allowed a 14 x 48 foot off-premise advertising (billboard) sign at 4820 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

12/21/94	The City Council approved a request for a Special Use Permit (U-0262-94) for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a five-year review.
02/16/00	The City Council approved a request for a Five-Year Review [U-0262-94 (1)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review.
04/03/02	The City Council approved a request for a Two-Year Review [U-0262-94 (2)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.73
Net Acres:	0.72

KCW

B) Existing Land Use

Subject Property:	Commercial
North:	Offices
South:	Commercial
East:	Commercial
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-1 (Limited Commercial)
South:	Clark County
East:	C-1 (Limited Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

a. Southwest General Plan

The GC (General Commercial) category of the Southwest Sector Land Use Plan of the General Plan allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting, or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle oriented uses such as hotels, and similar uses. The C-2 (General Commercial) zoning is consistent with the GC land use designation.

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

This site does not lie within any Special Area Plan or Overlay District.

KCW

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	300 feet

An off premise advertisement (billboard) sign not oriented toward the same highway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-2 (General Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not substantially changed since initial approval of this Special Use Permit.

- Conditions

A site visit of the parcel found the sign in conformance with conditions of U-0262-94(2).

Conditions from the last review U-0262-94 (2):

1. The Special Use Permit shall be reviewed in two 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.

KCW

2. 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 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.

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.

The off-premise sign conforms to these 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."**

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit.

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 existing public rights-of-way adjacent to this request.

KCW

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 billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

NOTICES MAILED 66

APPROVALS 0

PROTESTS 0

KCW



RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.
4820 WEST CHARLESTON BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/29/04



RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.
4820 WEST CHARLESTON BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/29/04



RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.
4820 WEST CHARLESTON BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/29/04

City of Las Vegas

Agenda Item No.: 10

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL - Required Two Year Review of an approved Special Use Permit (U-0314-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1600 North Rancho Drive (APN: 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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.

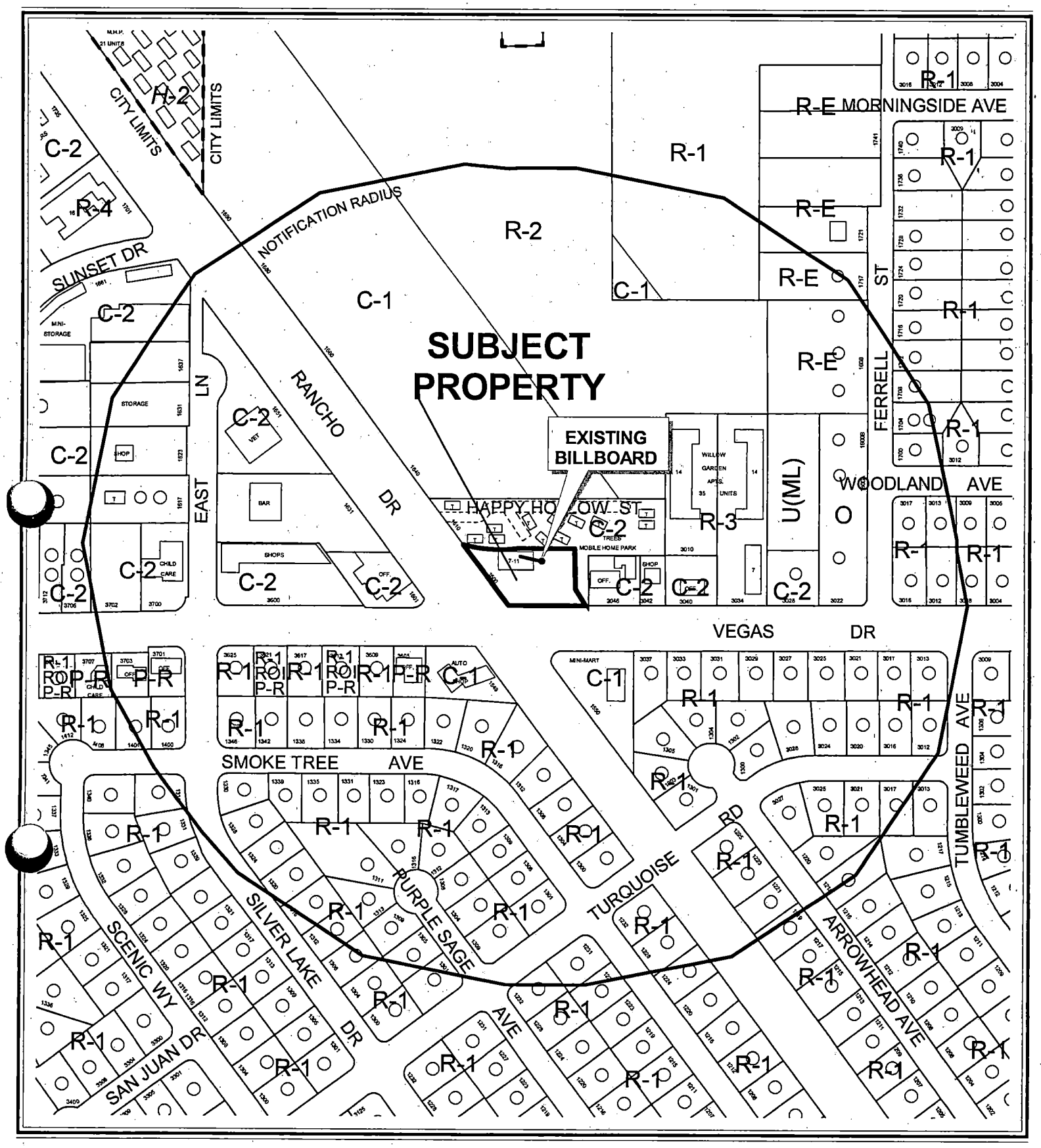
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

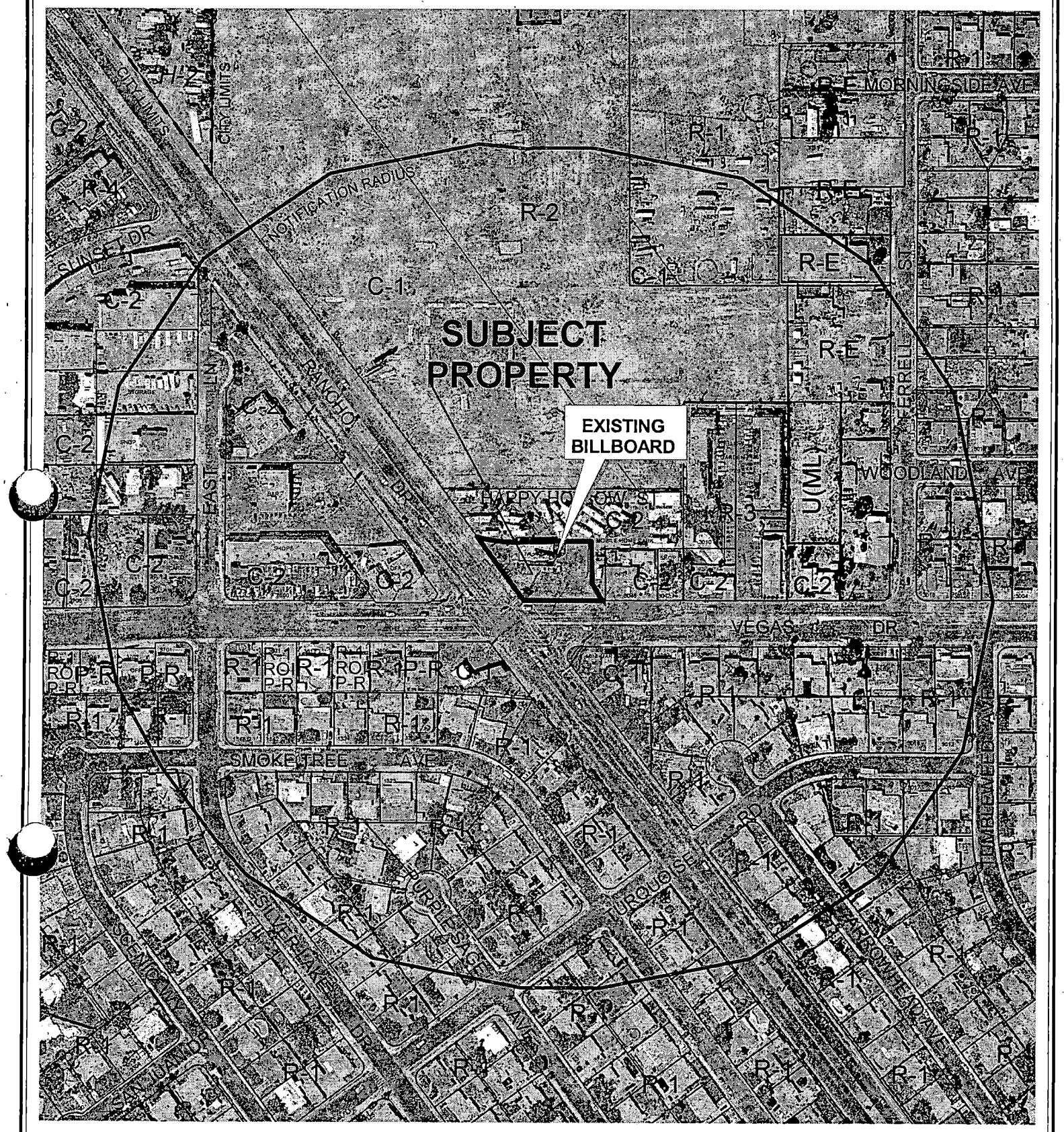
3. Only one advertising sign is permitted per sign face.

CONDITIONS – Continued:

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.


SUBJECT PROPERTY
EXISTING BILLBOARD
NOTIFICATION RADIUS
CITY LIMITS
CITY LIMITS
M.H.P. 21 UNITS
A-2
C-2
R-4
SUNSET DR
C-2
MINI-STORAGE
STORAGE
C-2
IHOP
C-2
C-2
CHILD CARE
C-2
EAST LN
RANCHO DR
C-2
VET
BAR
SHOPS
C-2
C-2
C-1
R-2
C-1
R-E MORNINGSIDE AVE
R-E
R-E
R-E
R-1
R-1
R-1
R-1
ST
FERRELL
R-1
WOODLAND AVE
HAPPY HOLLOW ST
C-2
TREES
MOBILE HOME PARK
R-3
WILLOW GARDEN APTS. 35 UNITS
U(ML)
O
R-1
R-1
C-2
C-2
C-2
C-2
SHOP
OFF.
7-11
VEGAS DR
R-1 R-O P-R
P-R
P-R
R-1
R-1
R-1
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R-1
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R-1
R-1
R-1
R-1
R-1
R-1
SMOKE TREE AVE
C-1
MINI-MART
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1
R-1



CASE: **RQR-4242**

RADIUS: 750 FT

0 200 400 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two-year review for an approved Special Use Permit (U-0314-94) that allowed a 14 foot x 48 foot off-premise advertising (billboard) sign at 1600 North Rancho Drive.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

01/18/95 The City Council approved the Special Use Permit (U-0314-94) 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 and staff recommended approval on 12/27/94.

03/01/00 The City Council approved a request for a Five-Year Review [U-0314-94 (1)] on an approved Special Use Permit for the 14-foot by 48-foot off-premise advertising (billboard) sign on this site, subject to a two-year review. The Planning Commission and staff recommended approval on 01/27/00.

05/01/02 The City Council approved a request for a Two-Year Review [U-0314-94 (2)] on an approved Special Use Permit for the 14-foot by 48-foot off-premise advertising (billboard) sign on this site, subject to a two-year review. The Planning Commission and staff recommended approval on 03/28/02.

B) Pre-Application Meeting

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

MP

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property:	Convenience Store
North:	Mobile Home Park
South:	Convenience Store
East:	Commercial
West:	Office

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2	General Commercial
North:	C-2	General Commercial
South:	C-1	Limited Commercial
East:	C-2	General Commercial
West:	C-2	General Commercial

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Plan Map of the General Plan. The existing C-2 (General Commercial) Zoning designation is not in conformance with the General Plan.

MP

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area	X	
Rancho Corridor	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 in the area covered by the Rancho Corridor Study. The results of this study do not directly affect this application.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to any another Off-Premise Sign	Yes

The location of the sign conforms to the spacing requirements of Title 19.14 for off-premise advertising (billboard) signs.

B) General Analysis and Discussion

- Zoning

The existing off-premise advertising (billboard) sign is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

MP

- Use

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

- Conditions

A site inspection revealed that sign is clear of graffiti and vandalism and is in good repair.

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 125

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4242 APN: 139-20-411-005

Name of Property Owner: 7-Eleven

Name of Applicant: Lamar Advertising

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

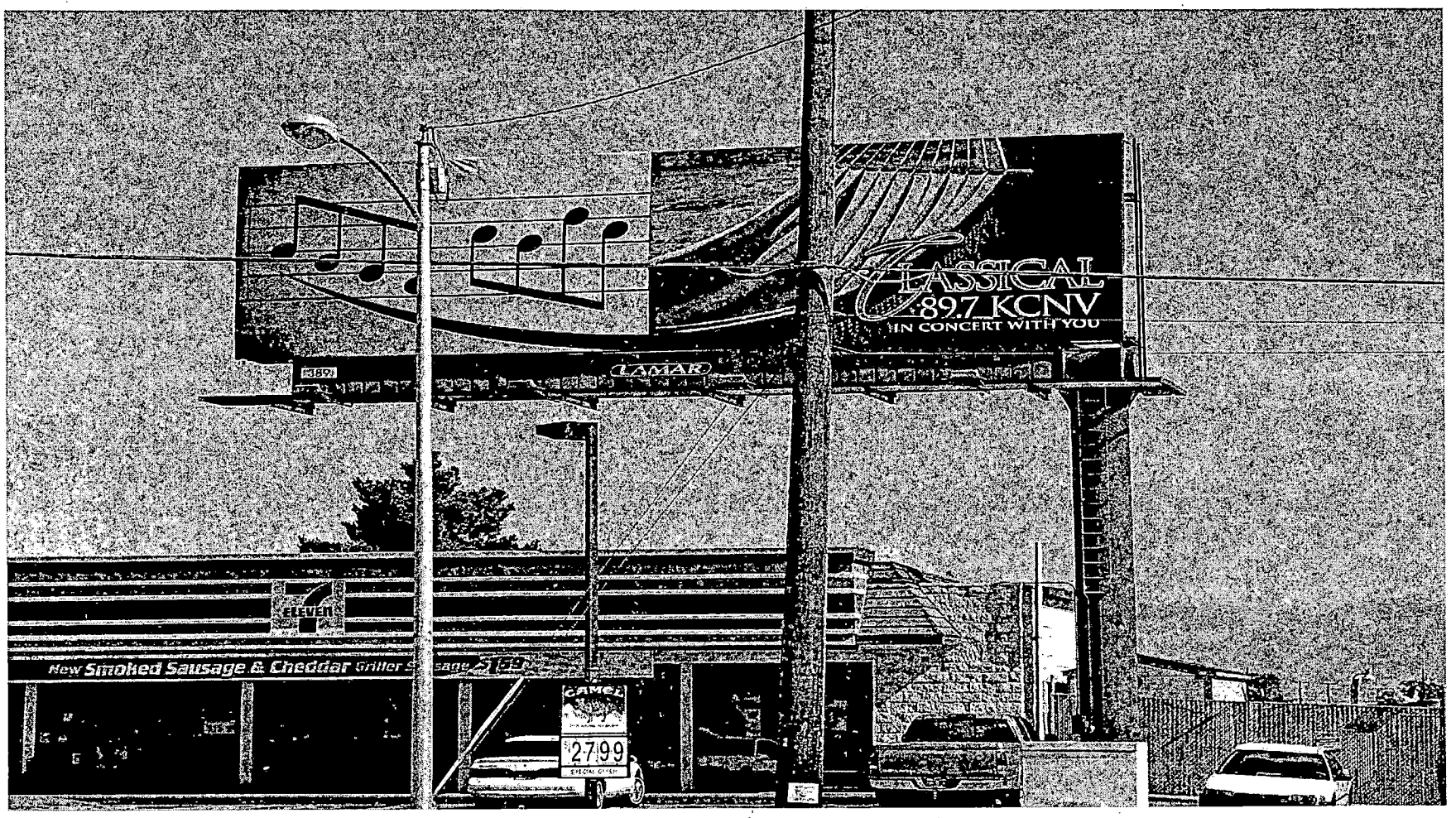
Print Name: Scott Nattzger (on behalf of owner)

Subscribed and sworn before me

This 18 day of MARCH, 2004

_____
Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL
1600 NORTH RANCHO DRIVE
MAY 27, 2004 PLANNING COMMISSION

5/3/04

City of Las Vegas

Agenda Item No.: 11

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA - Required Two Year Review of an approved Special Use Permit (U-0265-94) WHICH ALLOWED A 55 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2550 Highland Drive (APN: 162-09-110-019), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions and adding the following condition:
- **The applicant shall remove the advertising panel attached to the top of the sign that shows a directional arrow."**

– UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff would like to discuss with the applicant the oversized billboard.

SCOTT NAPSKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated although the billboard is oversized, it is allowed by the Code. Using the overhead, he described the billboard, which is 2.65' x 48', and depicts a female lying sideways. CHAIRMAN TRUESDELL asked if the embellishment would be more if there were a design character to it rather than making the face

MINUTES – Continued:

greater. KYLE WALTON, Planning and Development, commented on one of MR. NAPSKER'S presentation slides that shows a hand with a fistful of bills, and the bills were over the top of the sign face. This would be the typical kind of embellishment, which is more of an appendage to the overall sign and not actual advertising space.

COMMISSIONER STEINMAN stated that the sign appears just to be bigger and not embellished. MR. WALTON commented that sign companies tend to add more sign face to what is allowed. When staff takes photographs of these signs, they confirm with the applicants how big these signs really are to ensure they do not exceed the embellishment standard of 128 square feet. COMMISSIONER DAVENPORT asked if there was a lack of definition within the Code regarding embellishment. COMMISSIONER NIGRO replied that it would be based upon one's own opinion. COMMISSIONER DAVENPORT reiterated that the sign is just bigger and not embellished. CITY ATTORNEY BRYAN SCOTT stated that embellishment is defined in the Code as a frame or bracket around the outside of a sign that is used to define the boundaries of decorate and/or hold the sign, not including logos or words. CHAIRMAN TRUESDELL stated that because of the wording "Lamar" at the bottom of the sign, it sends a context to the sign rather than the message that is within the area of the sign. MR. NAPSKER replied that the embellishment is just directional, so it may not make a difference if the wording was deleted. COMMISSIONER STEINMAN stated the wording should be deleted, as there is a reason for the Code and ensuring it is followed accordingly. CITY ATTORNEY BRYAN SCOTT stated, for the record, that the Commission is not discussing the content of the sign but the actual style or design of the sign. CHAIRMAN TRUESDELL commented that he does not have a problem with the location of the sign but there is a concern when these signs are becoming larger and larger. MR. WALTON replied that staff will work with the applicant. VICE CHAIRMAN NIRGRO commented that if changes arise within the Plan, staff will review and present it to City Council.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:40 – 6:48)

1-1185

CONDITIONS:

Planning and Development.

1. The applicant shall remove the advertising panel attached to the top of the sign that shows a directional arrow.

CONDITIONS – Continued:

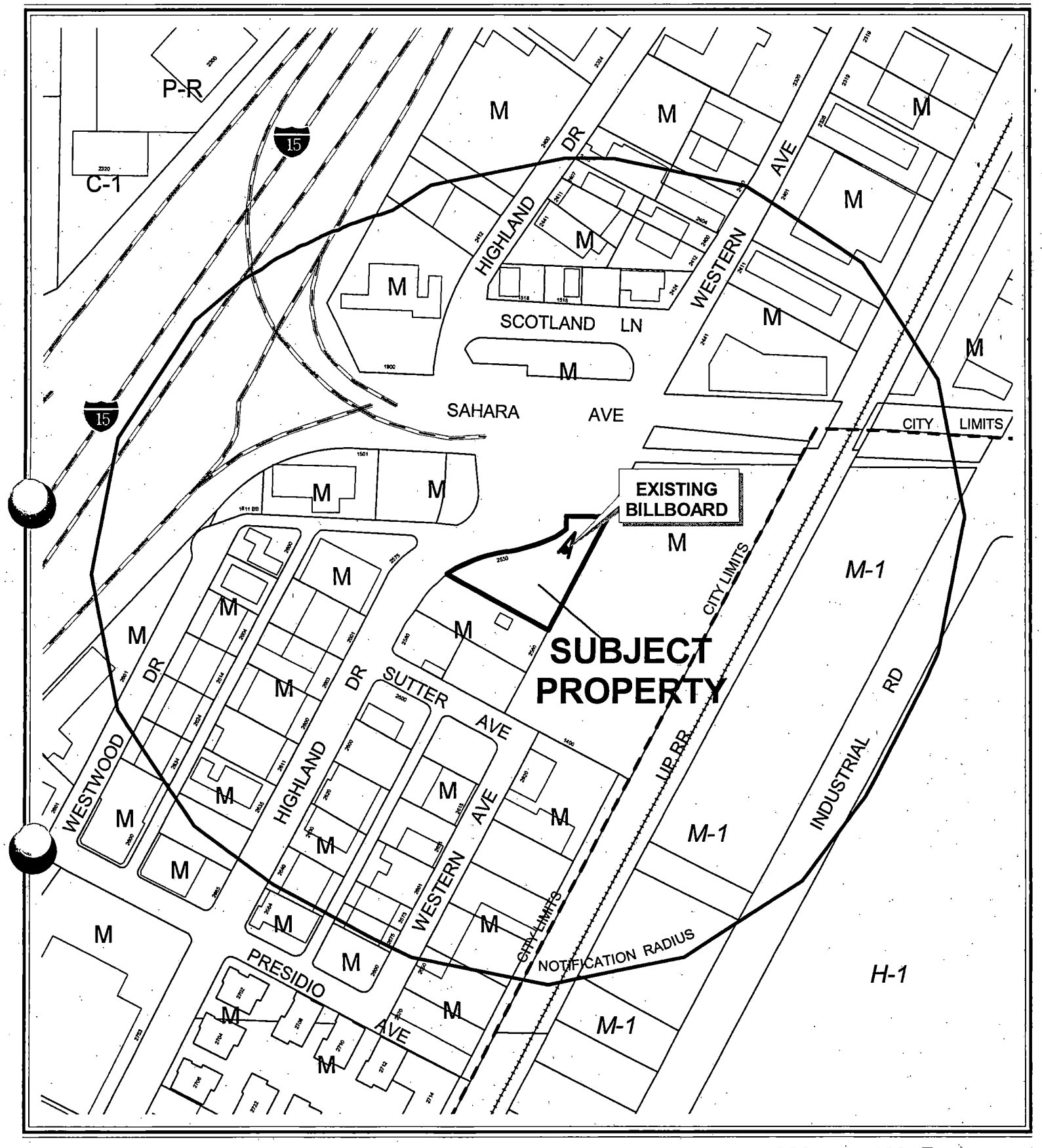
2. Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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. Only one advertising sign is permitted per sign face.

5. 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.

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



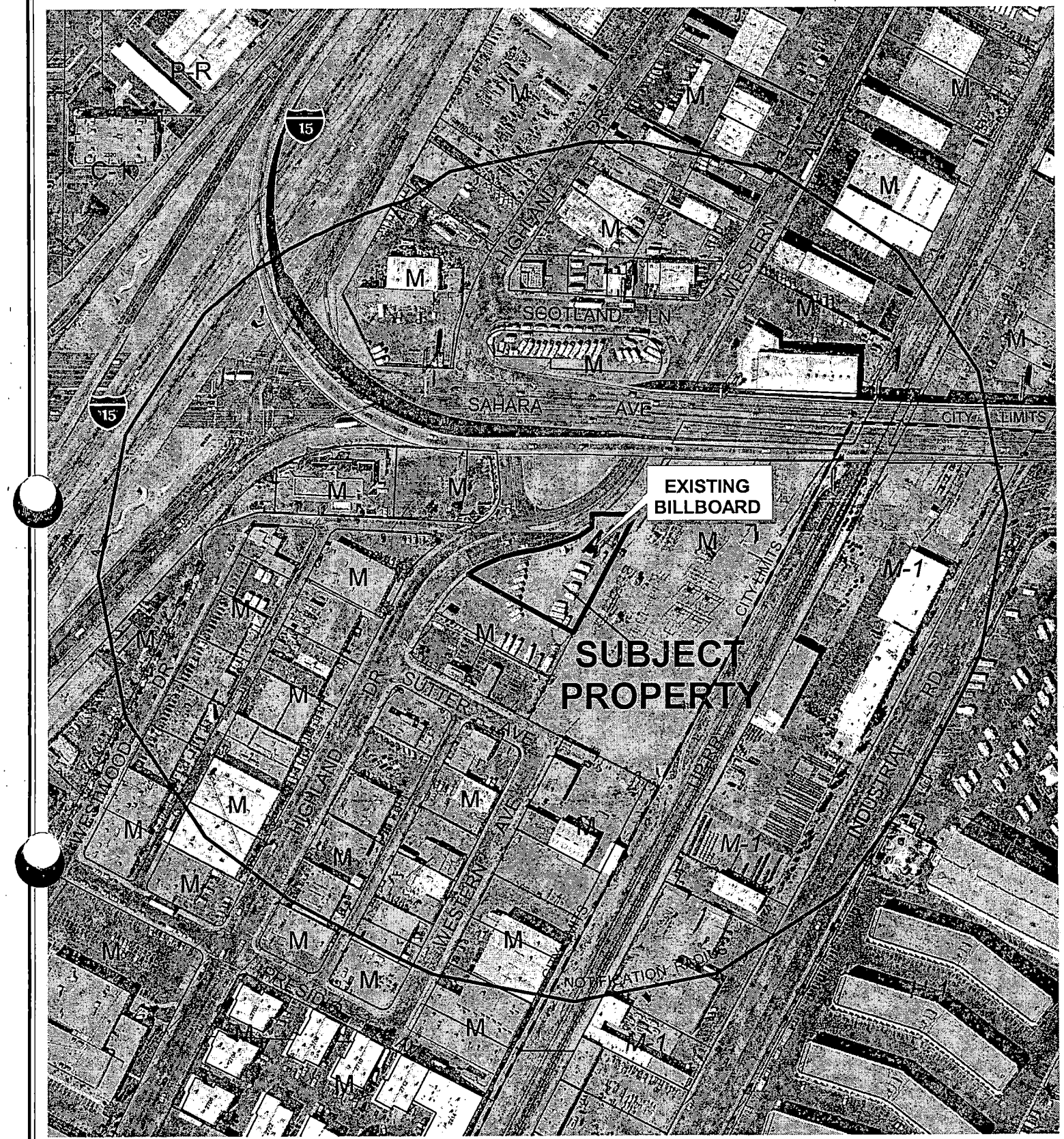
0 200 400 Feet

CASE: **RQR-4243**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 200 400 Feet

CASE: **RQR-4243**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two year review for an approved Special Use Permit (U-0265-94) that allowed a 14 foot x 48 foot off-premises advertising (billboard) sign at 2550 Highland Drive.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

12/21/94 The City Council approved a request for a Special Use Permit (U-0265-94) for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on November 22, 1994.

02/16/00 The City Council approved a Five-Year Review [U-0265-94 (1)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval on January 13, 2000.

04/03/02 The City Council approved a Two-Year Review [U-0265-94 (2)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval on February 28, 2002.

B) Pre-Application Meeting

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

MP

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.81

B) Existing Land Use

Subject Property:	Vacant
North:	Sahara Avenue Right-of-Way
South:	Commercial
East:	Nevada Power Substation
West:	Office

C) Planned Land Use

Subject Property:	LI/R	Light Industrial/Research
North:	ROW	Right-of-Way
South:	LI/R	Light Industrial/Research
East:	LI/R	Light Industrial/Research
West:	LI/R	Light Industrial/Research

D) Existing Zoning

Subject Property:	M	Industrial
North:	Sahara Avenue	Right-of-Way
South:	M	Industrial
East:	M	Industrial
West:	M	Industrial

E) General Plan Compliance

The site is designated LI/R (Light Industrial/Research) on the Southeast Sector Plan Map of the General Plan. The existing M (Industrial) Zoning designation is in conformance with the General Plan.

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

There are no special plan areas or districts that affect this site.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to any another Off-Premise Sign	Yes

The location of the sign conforms to the spacing requirements of Title 19.14 for off-premise advertising (billboard) signs.

B) General Analysis and Discussion

- Zoning

The existing off-premises advertising (billboard) sign is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

- Use

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

- Conditions

A site inspection revealed that the off-premise advertising (billboard) sign is clear of graffiti and vandalism and is in good repair.

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 48

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4243 APN: 162-09-110-019

Name of Property Owner: Urban Land Nevada

Name of Applicant: Lamar Advertising

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: Scott Nattzger

Print Name: Scott Nattzger (on behalf of owner)

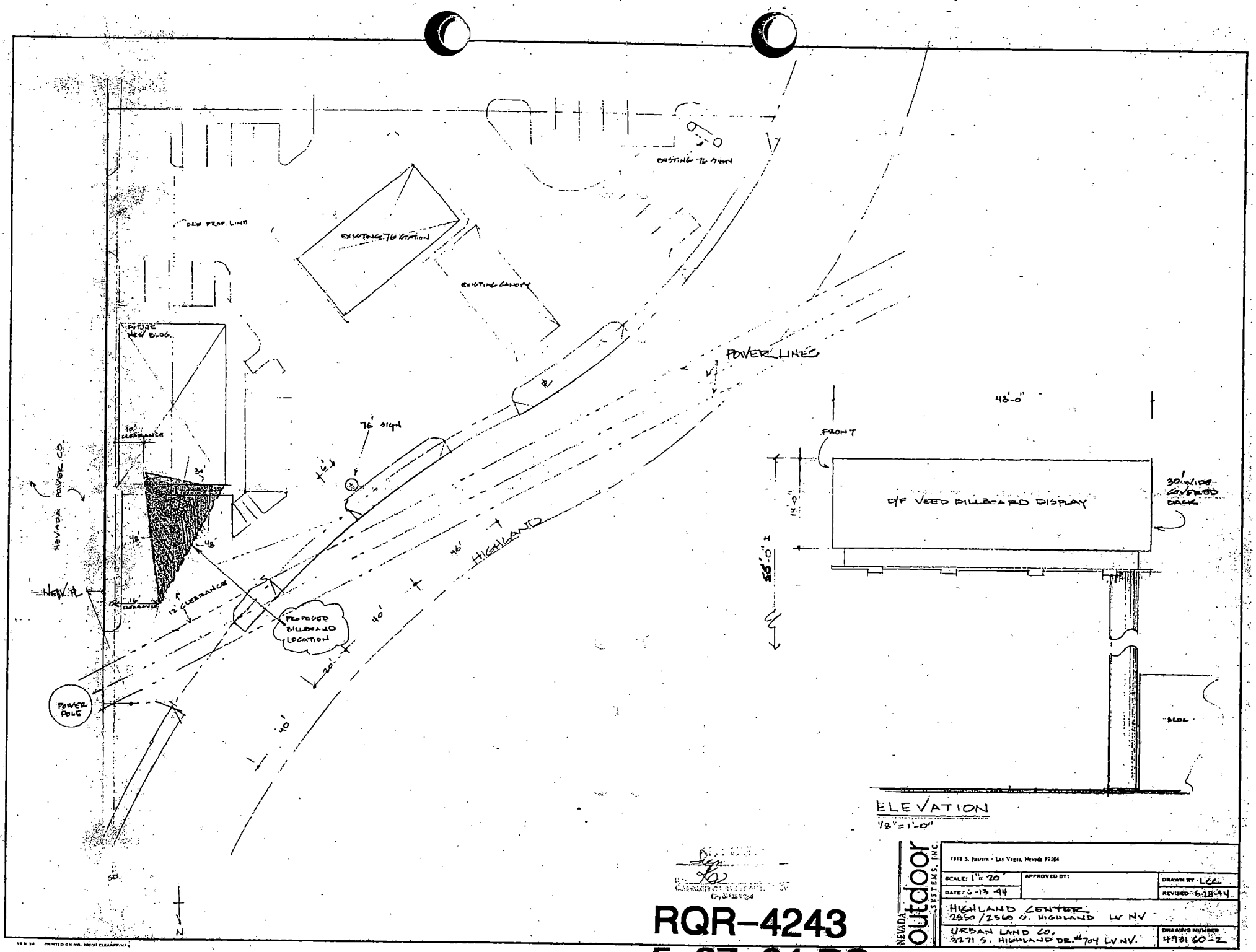
Subscribed and sworn before me

This 18 day of MARCH, 2004

Lynda S Miles

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



1918 S. Eastern · Las Vegas, Nevada 89104

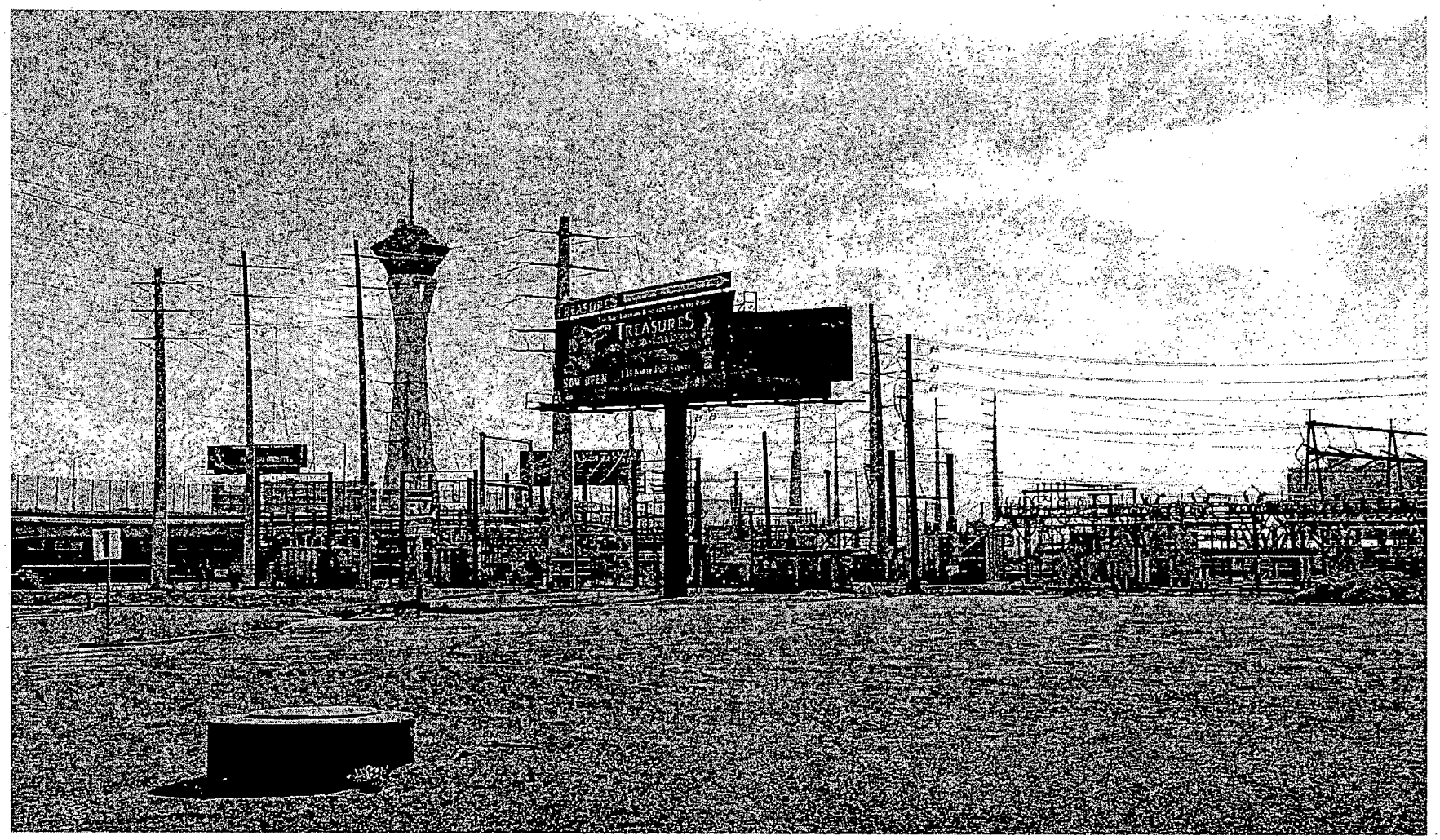
SCALE: 1"= 20'	APPROVED BY:	DRAWN BY: LCC
DATE: 6-13-94		REVISED: 6-28-94

HIGHLAND CENTER
2550/2560 S. HIGHLAND LV NV

URBAN LAND CO.
3271 S. HIGHLAND DR. #704 LV. NV.

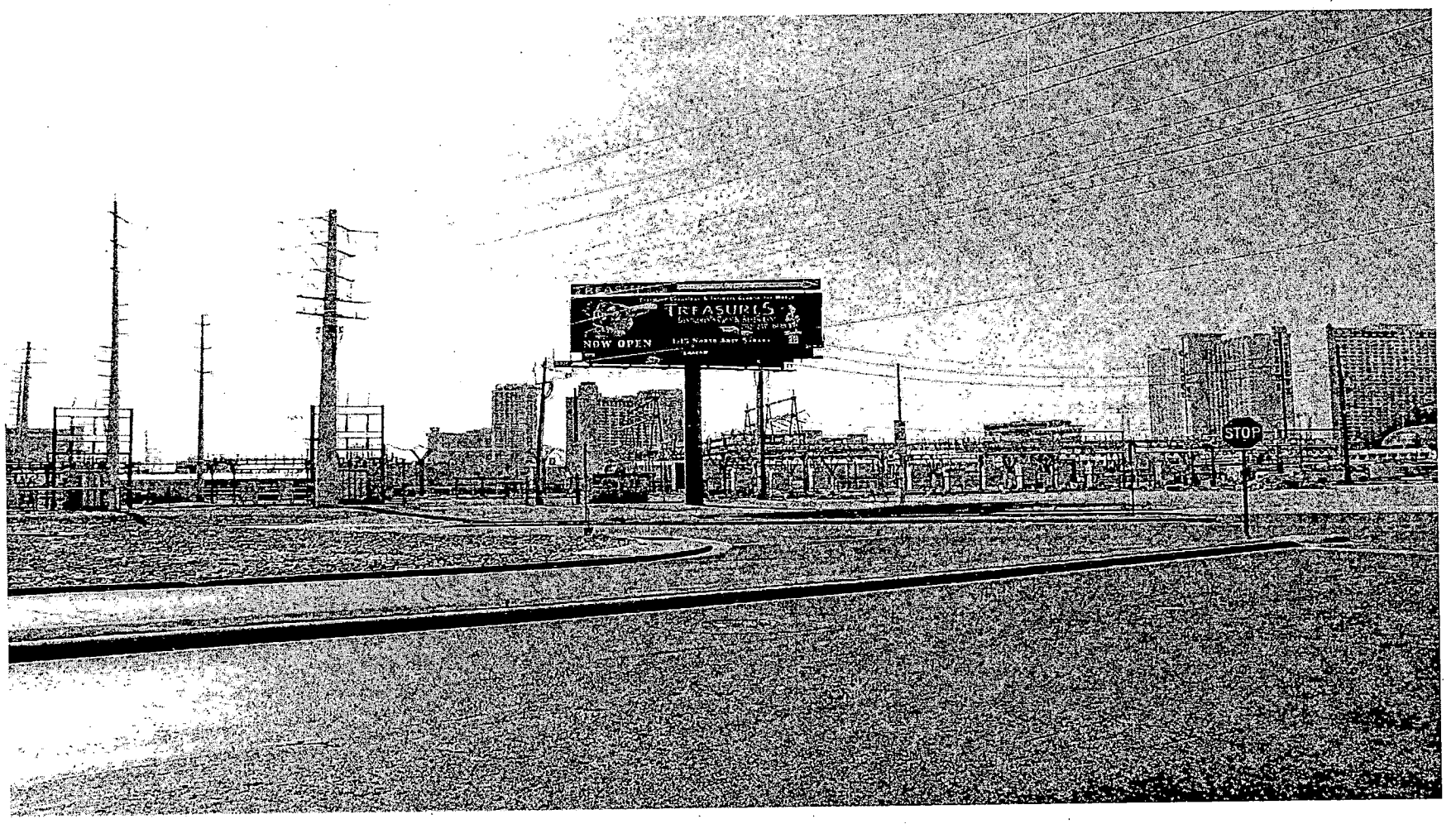
DRAWING NUMBER 4981.60-2

RQR-4243
5-27-04 PC



RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE
MAY 27, 2004 PLANNING COMMISSION

5/3/04



RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE
MAY 27, 2004 PLANNING COMMISSION

5/3/04



RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE
MAY 27, 2004 PLANNING COMMISSION

5/3/04

City of Las Vegas

Agenda Item No.: 12

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC. - Required Two Year Review for an approved Special Use Permit (U-0261-94) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4401 North Rancho Drive (APN: 138-02-602-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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.

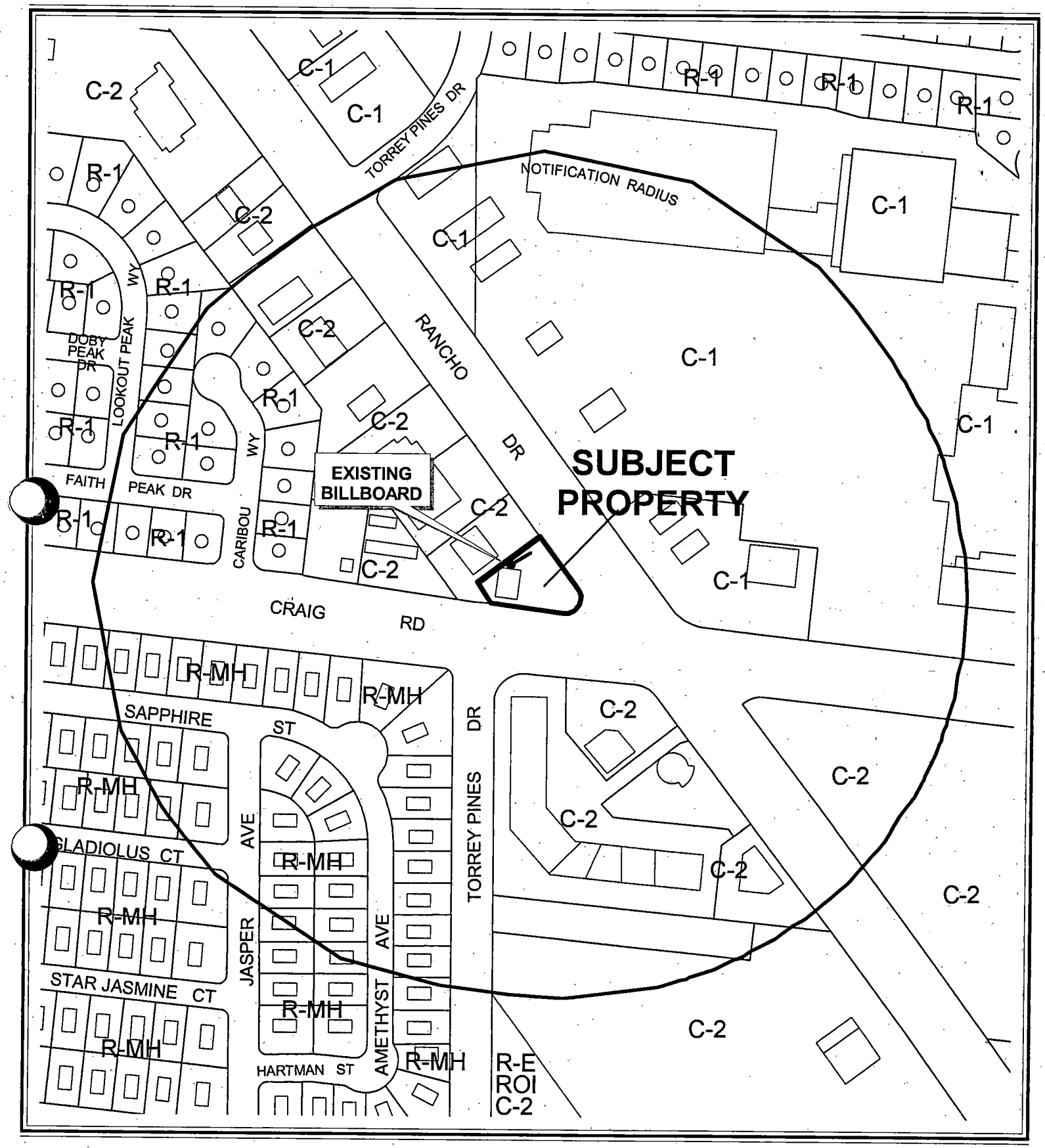
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

CONDITIONS – Continued:

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.



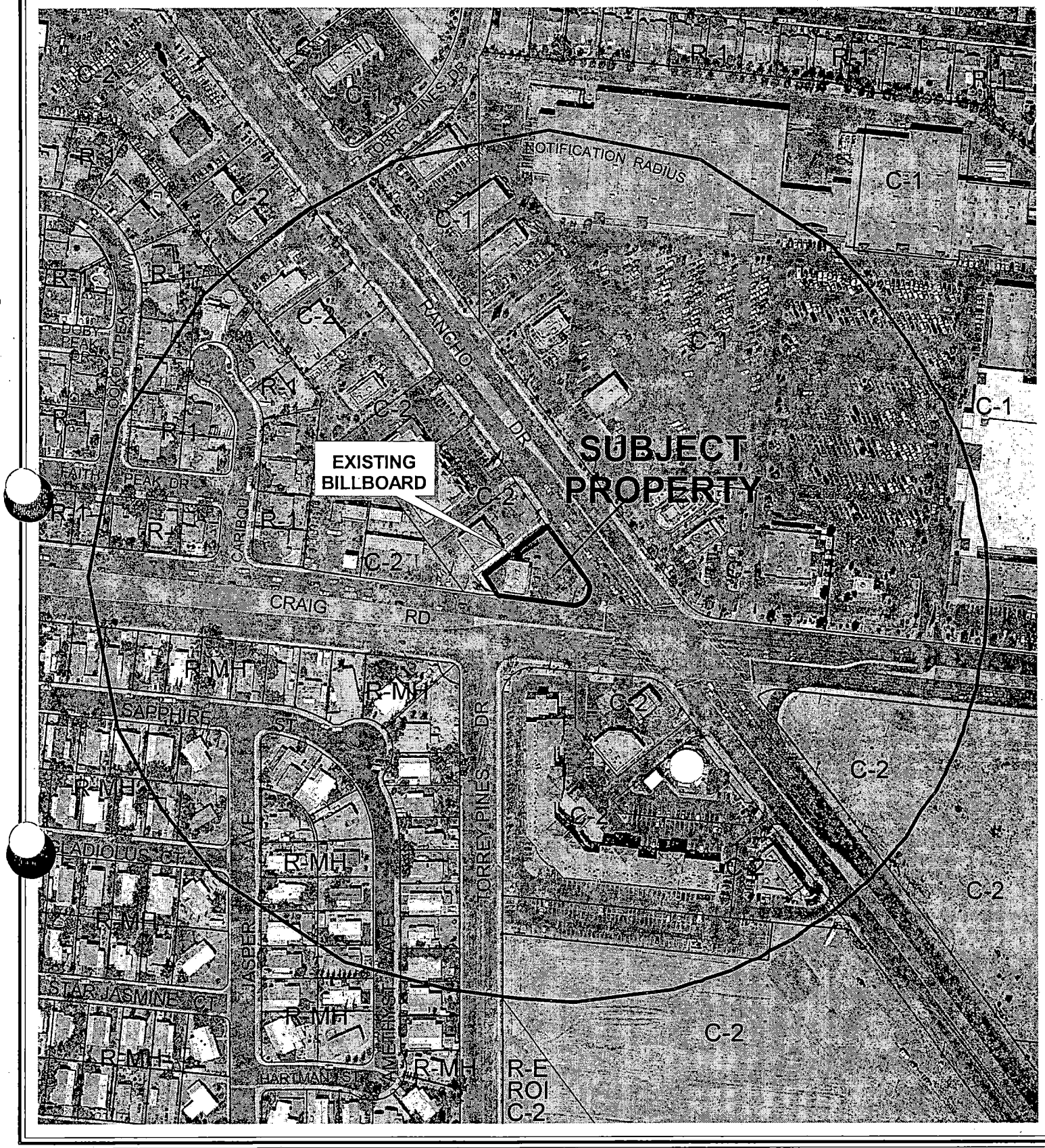
CASE: **RQR-4244**

RADIUS: 750 FT

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

0 200 400 Feet

N



CASE: **RQR-4244**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required two year review for an approved Special Use Permit (U-0261-94) that allowed a 14 foot x 48 foot off-premises advertising (billboard) sign at 4401 North Rancho Drive.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

12/21/94 The City Council approved a request for a Special Use Permit (U-0261-94) for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on November 22, 1994.

02/16/00 The City Council approved a Five-Year Review [U-0261-94 (1)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval on January 13, 2000.

05/01/02 The City Council approved a Two-Year Review [U-0261-94 (2)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval on March 28, 2002.

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: 0.36

B) Existing Land Use

Subject Property:	Convenience Store
North:	Retail Commercial
South:	Convenience Store and Retail Commercial
East:	Retail Commercial
West:	Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2	General Commercial
North:	C-2	General Commercial
South:	C-2	General Commercial
East:	C-1	Limited Commercial
West:	C-2	General Commercial

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southeast Sector Plan Map of the General Plan. The existing C-2 (General Commercial) Zoning designation is not in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		**X**
Special Overlay District		**X**
Trails		**X**
Study Area	**X**	
Rancho Corridor	**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 in the area covered by the Rancho Corridor Study. The results of this study do not directly affect this application.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to any another Off-Premise Sign	Yes

The location of the sign conforms to the spacing requirements of Title 19.14 for off-premise advertising (billboard) signs.

B) General Analysis and Discussion

- Zoning

The existing off-premise advertising (billboard) sign is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

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

- Conditions

A site inspection revealed that the off-premise advertising (billboard) sign is clear of graffiti and vandalism and is in good repair.

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 73

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4244 APN: 138-02-602-001

Name of Property Owner: 7-Eleven

Name of Applicant: Lamar Advertising

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: Scott Naftzger

Print Name: Scott Naftzger (on behalf of owner)

Subscribed and sworn before me

This 18 day of MARCH, 2004

Lynda S Miles

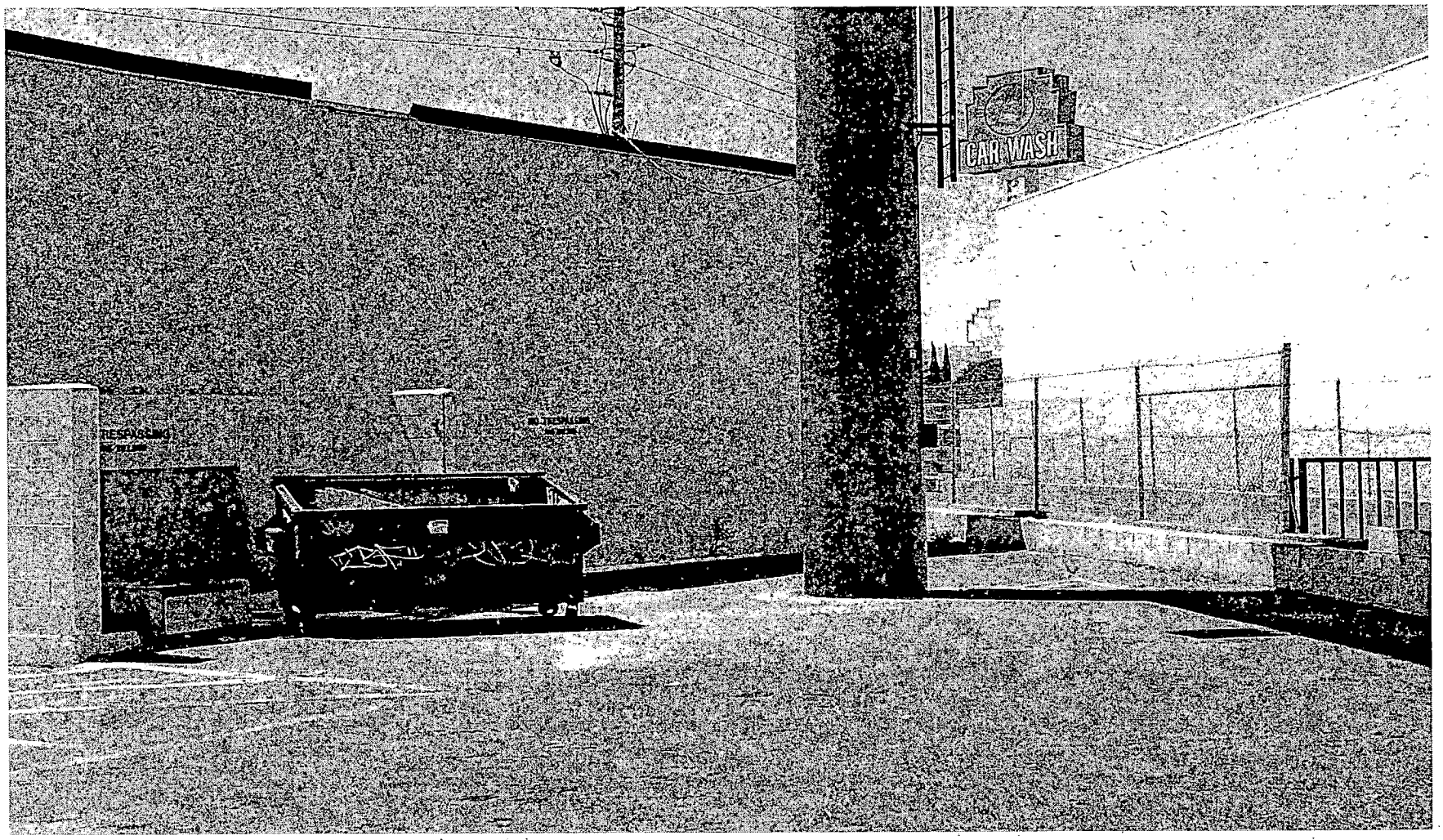
Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC.
4401 NORTH RANCHO DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/30/04



RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC.
4401 NORTH RANCHO DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST - Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN: 139-26-505-004), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

This is Final Action unless appealed within 10 days

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the application meets the standards of the Code. Staff is recommending approval with additional conditions, which includes a two-year review, one advertising sign per face, and any advertising flyers attached to the base of the sign would need to be removed.

ROD CARTER, 2880 Mead Avenue, Clear Channel Outdoor, concurred with staff's conditions.

COMMISSIONER McSWAIN stated that this property is a cluttered nightmare. The property owner does not follow Code on their own signs, which need repairing. This area on Eastern Avenue needs a break and she opposes this application.

MINUTES – Continued:

COMMISSIONER DAVENPORT clarified with staff the number of signs per face area. MR. CLAPSADDLE responded that it is one sign per face area, meaning if you are looking at one face, it cannot be split because it creates more than one message. Even though the Code does not state this condition, staff is working on making it a condition.

COMMISSIONER EVANS asked if the other signs in the area, such as West Star, are smaller and up to Code. MR. CLAPSADDLE replied that it is difficult to confirm based on the photo submitted but staff would look into and ensure that each wall signage conform to the Code.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:48 – 6:52)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) year 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.

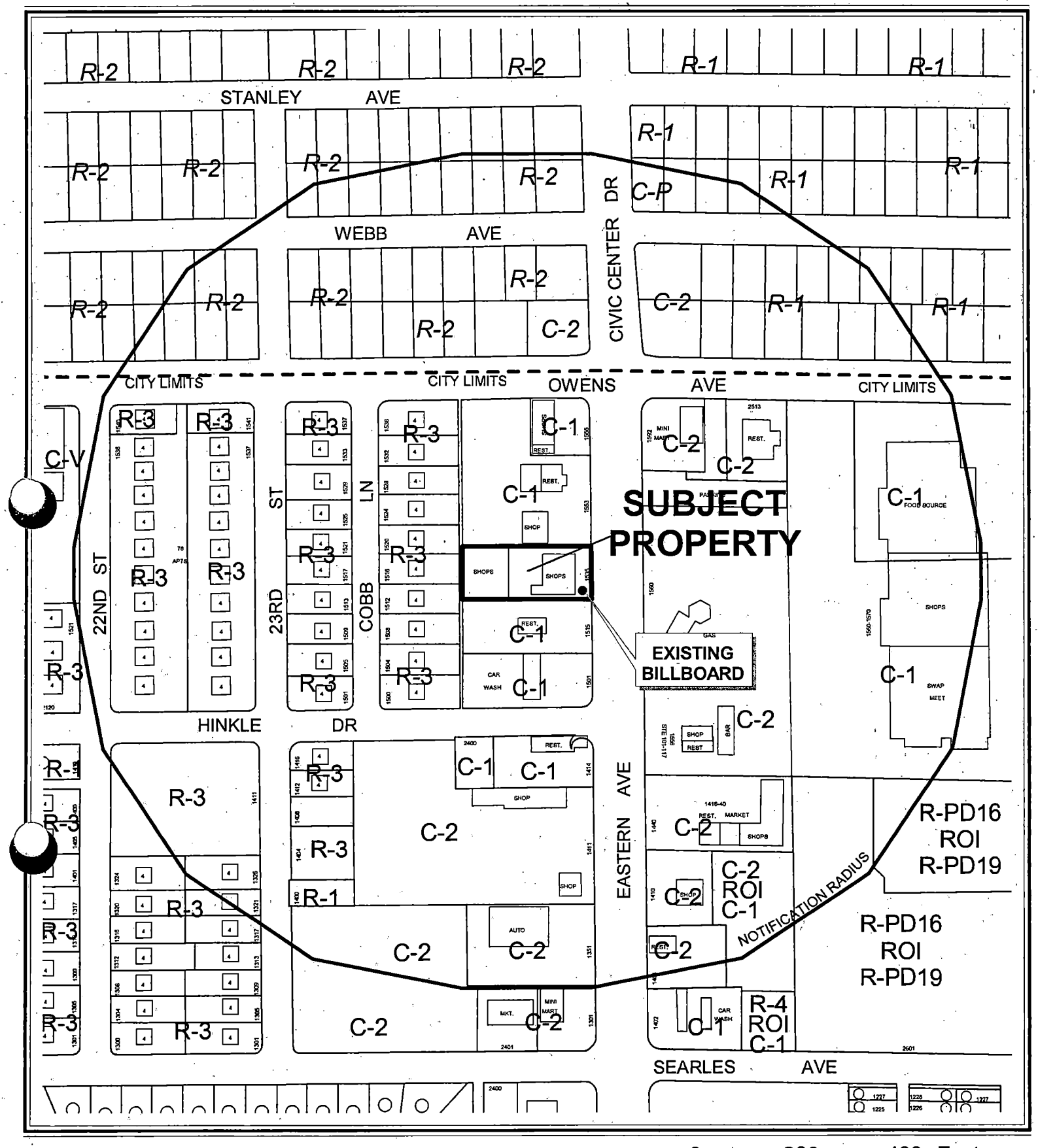
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

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

CONDITIONS – Continued:

5. 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.

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



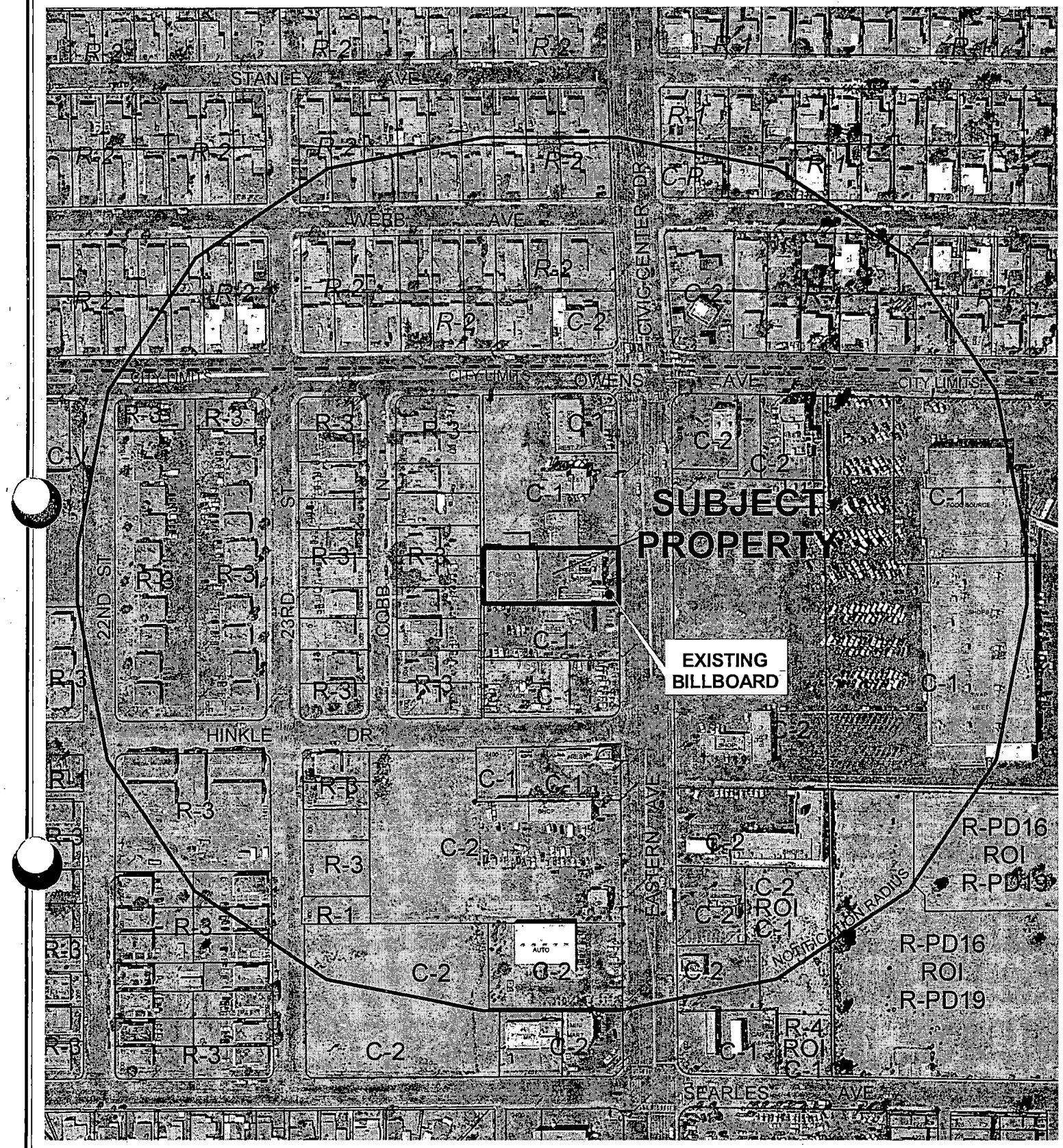
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CASE: **RQR-4268**

RADIUS: 750 FT

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

N



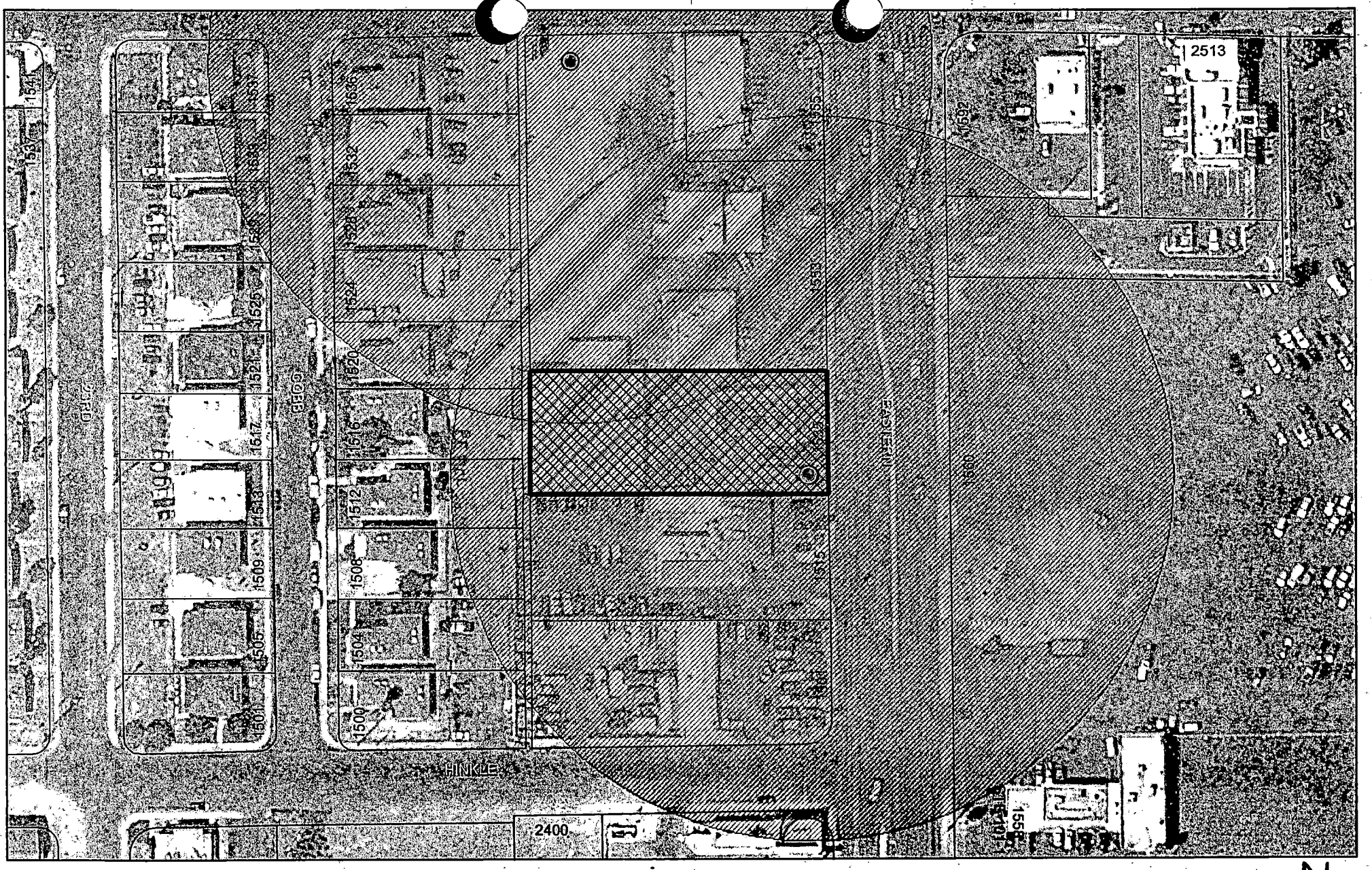
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CASE: **RQR-4268**

RADIUS: 750 FT

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

N



RQR-4268

- 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

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) year 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. 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.

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

5. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Two Year Review of an approved Special Use Permit (U-0006-90) for one 14-foot x 48-foot off-premise advertising (billboard) sign, measuring 40 feet in height, located at 1535 North Eastern Avenue.

BACKGROUND INFORMATION

A) Previous Actions

02/22/90 The City Council approved a Special Use Permit (U-0006-90) for one 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

04/19/95 The City Council approved a Required Five Year Review [U-0006-90(1)] for one 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The Board of Zoning Adjustment and staff recommended approval.

04/28/97 The City Council approved a Required Two Year Review [U-0006-90(2)] for one 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

06/05/02 The City Council approved a Required Five Year Review [U-0006-90(3)] for one 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The Planning Commission and staff both recommended approval.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.58

B) Existing Land Use

Subject Property:	Commercial
North:	Commercial
South:	Commercial
East:	Commercial
West:	Multi-Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	R-3 (Medium Density Residential)

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-1 (Limited Commercial) District is to provide most retail shopping and personal services. The proposed Off-Premise Advertising (Billboard) Sign use is a permitted use within the C-1 (Limited Commercial) zoning district 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**

The site does not lie within a Special Area Plan or Overlay District.

PL

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	400 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	240 Feet	N
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	210 feet	Y

The sign conforms to all separation standards for off premise signs except for the distance from the sign to residential use.

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

The Off-Premise Advertising (Billboard) Sign is located 240 feet from property designated as "R" (Residential), however, the immediately surrounding area has not significantly changed enough since the last two-year review to warrant the removal of the Off-Premise Advertising (Billboard) Sign. Therefore, the off premise sign remains appropriate for this location.

PL

- Site Inspection

05/03/04: Staff conducted a site inspection and determined that the sign was clear of any graffiti. However, advertising flyers were attached to the base of the sign. A condition is recommended to keep the site properly maintained at all times.

FINDINGS

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

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

   Title 19.14.100 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. While the area immediately surrounding the subject site has not changed substantially in the past two years since the previous Special Use Permit review, billboards are not conducive to new development and are not an appropriate use in perpetuity. It is recommended this approval be subject to a two-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 subject site is located adjacent to Eastern Avenue, which is designated as a 100-foot wide Primary Arterial street, on the Master Plan of Streets and Highways. The proposed use will not generate any additional traffic demand.

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 sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 117

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4268 APN: 139265050 04

Name of Property Owner: MR & MRS. Robert McElhose

Name of Applicant: Clear Channel Outdoor

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Bob Carter

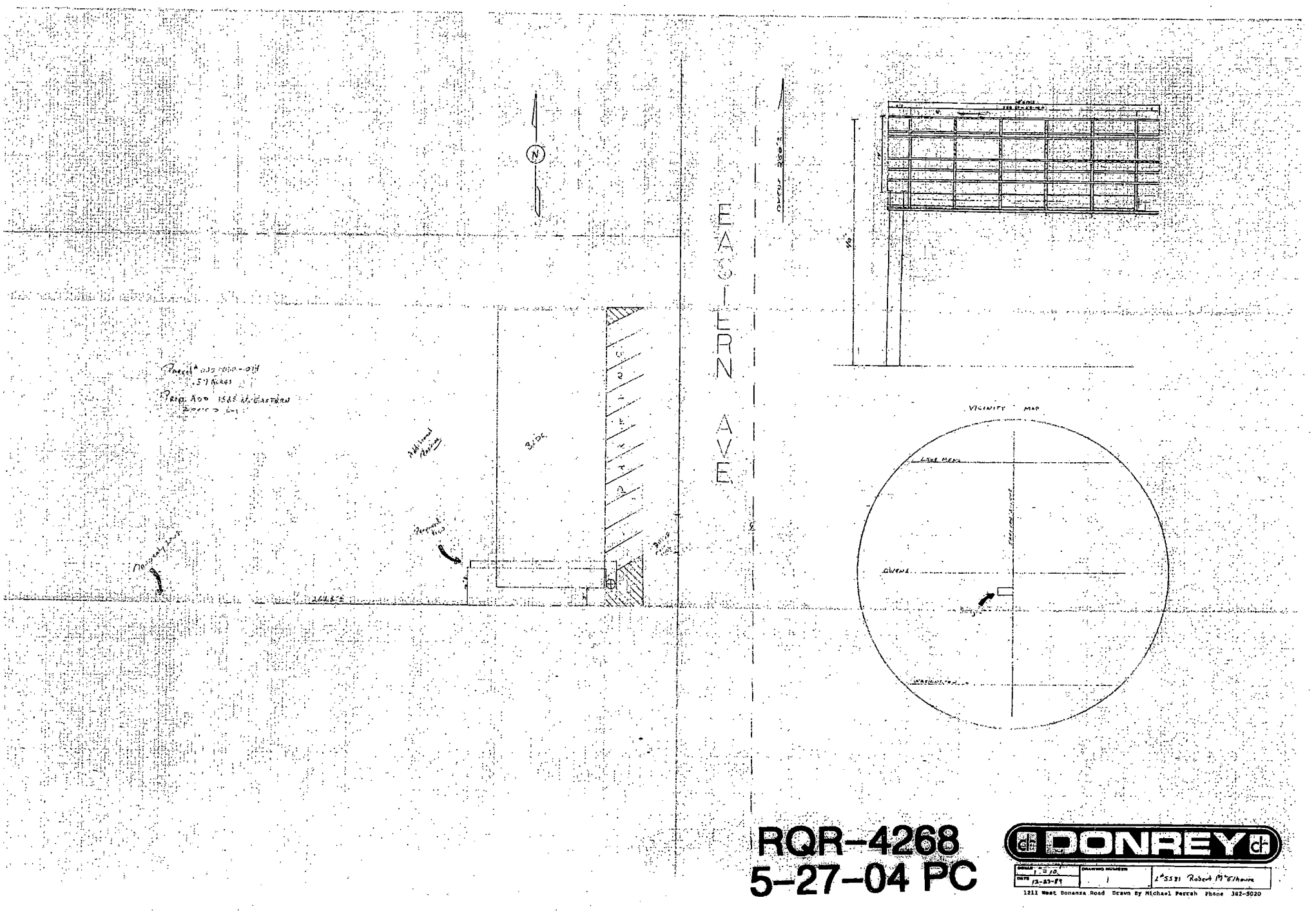
Subscribed and sworn before me

This 7th day of April, 2004

Shirley Harris

Notary Public in and for said County and State

County of Clark
SHEILA HARRIS


N
EASTERN
AVE
Proposed 1585 sq.ft. Eastern Addition
Existing 1585 sq.ft.
Additional Parking
Proposed Trees
Proposed Trees
Existing Trees
Existing Trees
Existing



RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: MCELHOSE TRUST
1535 NORTH EASTERN AVENUE
MAY 27, 2004 PLANNING COMMISSION

5/3/04

City of Las Vegas

Agenda Item No.: 14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY - Required Two Year Review of an approved Special Use Permit (U-0010-97) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3901 North Rancho Drive (APN: 138-12-110-004), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

MINUTES – Continued:
DAVID CLAPSADDLE, Planning and Development, stated that the following items would be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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.

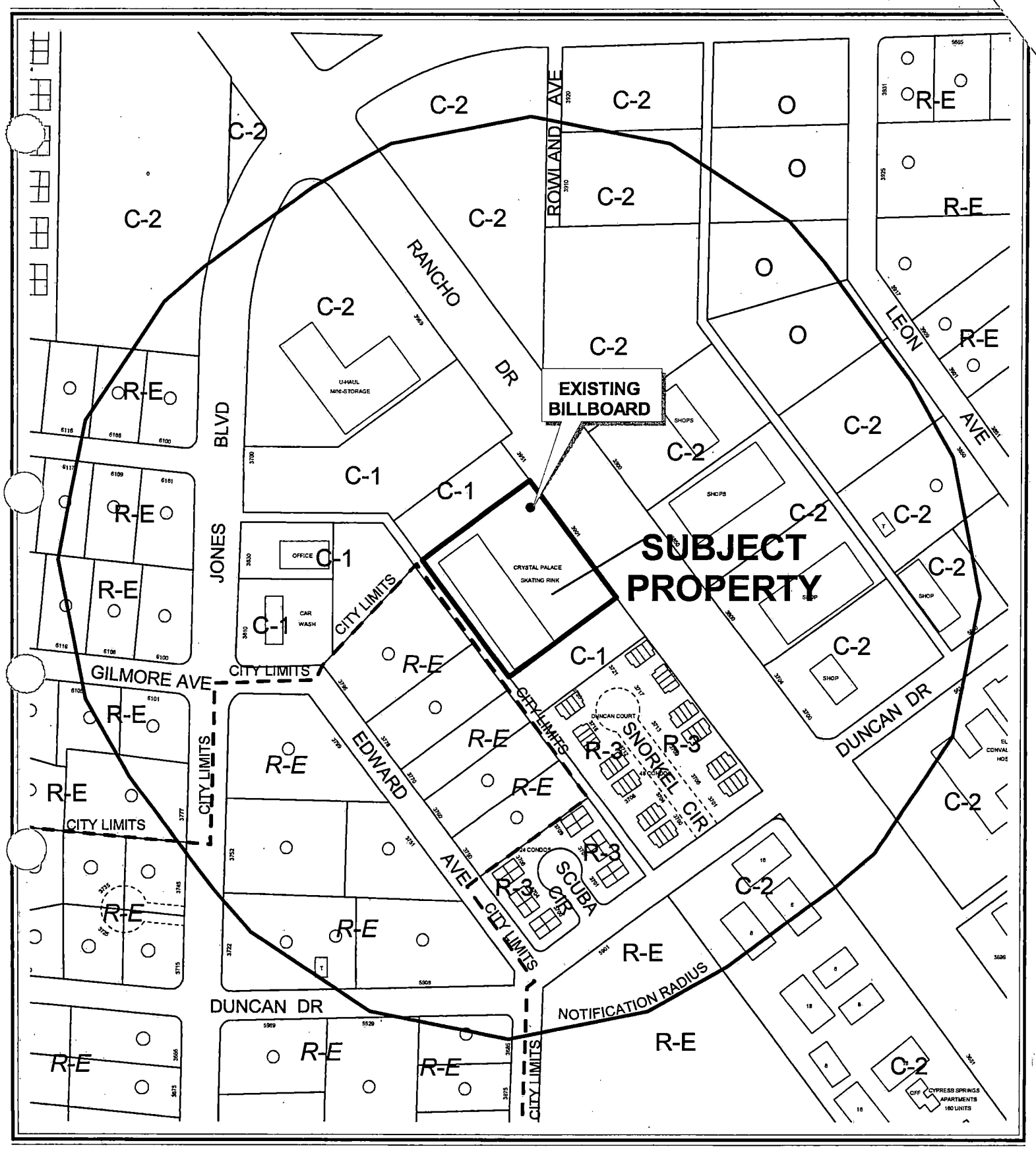
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

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

CONDITIONS – Continued:

5. 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.

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



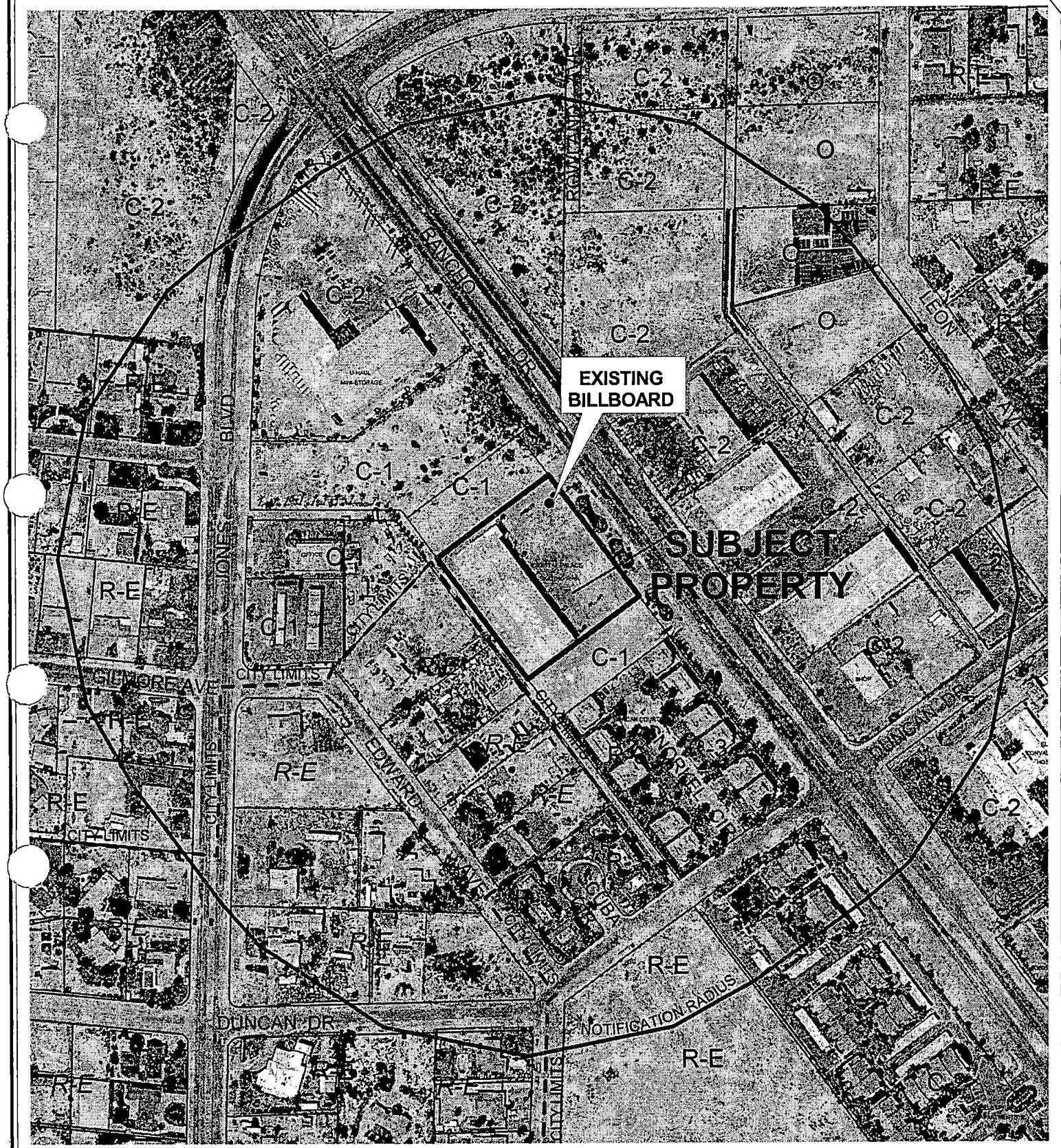
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CASE: **RQR-4270**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **RQR-4270**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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. 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.

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

5. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Three (3) Year Review of an approved Special Use Permit (U-0010-97) for one 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, located at 3901 North Rancho Drive.

BACKGROUND INFORMATION

A) Previous Actions

04/28/97 The City Council approved an appeal for a Special Use Permit (U-0010-97) for this off-premise (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment recommended denial. Staff recommended approval.

06/05/02 The City Council approved a Five (5) Year Required Review [U-0010-97 (1)] of this off-premise sign, subject to a two-year review. The Planning Commission and staff both recommended approval.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.89

B) Existing Land Use

Subject Property:	Crystal Palace Skating Rink
North:	Vacant
South:	Vacant, Multi-Family Residential
East:	General Commercial Warehousing
West:	County Residential Dwellings

C) Planned Land Use

Subject Property:	SC	Service Commercial
North:	SC	Service Commercial
South:	SC	Service Commercial
East:	SC	Service Commercial
West:	Clark County Parcels	

D) Existing Zoning

Subject Property:	C-1	Limited Commercial
North:	C-1	Limited Commercial
South:	C-1, R-3	Limited Commercial, Medium Density Residential
East:	C-2	General Commercial
West:	Clark County	

E) General Plan Compliance

This site is designated SC (Service Commercial) in the Northwest General Plan Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning is in conformance with the General Plan.

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

This site is not within any Special Area Plan or Overlay District.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

PL

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	350 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	305 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	745 feet	Y

The subject sign conforms to all separation standards of Title 19.

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. The subject property is C-1 (Limited Commercial) zoned and is located on the west side of North Rancho Drive, just south of the Jones Boulevard, Alexander Road, and North Rancho Drive intersection. The subject location is located within the Off-Premise Sign Exclusionary Zone.

- Use

Title 19.14.010 allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premises advertising (billboard) sign no longer meets the standards for approval. There have been no significant changes to the surrounding development pattern.

- Site Inspection

On April 30, 2004, a site visit determined that the sign is well kept; the pole has retained its brown coloring and has not been vandalized. The sign contained two advertisements on one face of the billboard, as well as an embellishment protruding off the top of the billboard. The embellishment is permitted as long as it contains an area of no more than 128 square feet and does not exceed five feet above the regular rectangle surface.

FINDINGS

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

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

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

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

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

NOTICES MAILED 94

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4270 APN: 138121100 04

Name of Property Owner: Poole - Stanford, LLC

Name of Applicant: Clear Channel Outdoor

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

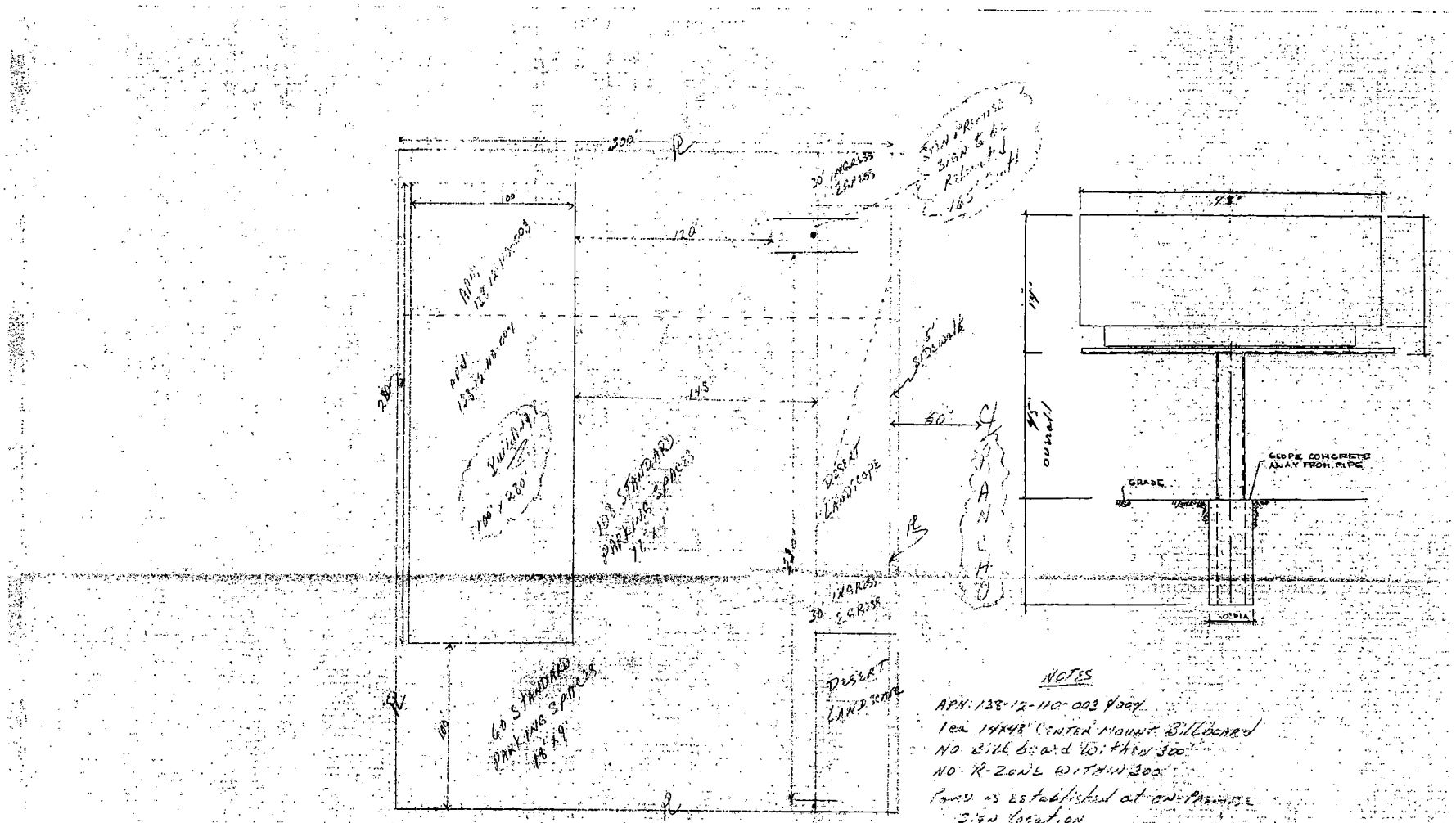
Print Name: Bob Carter

Subscribed and sworn before me

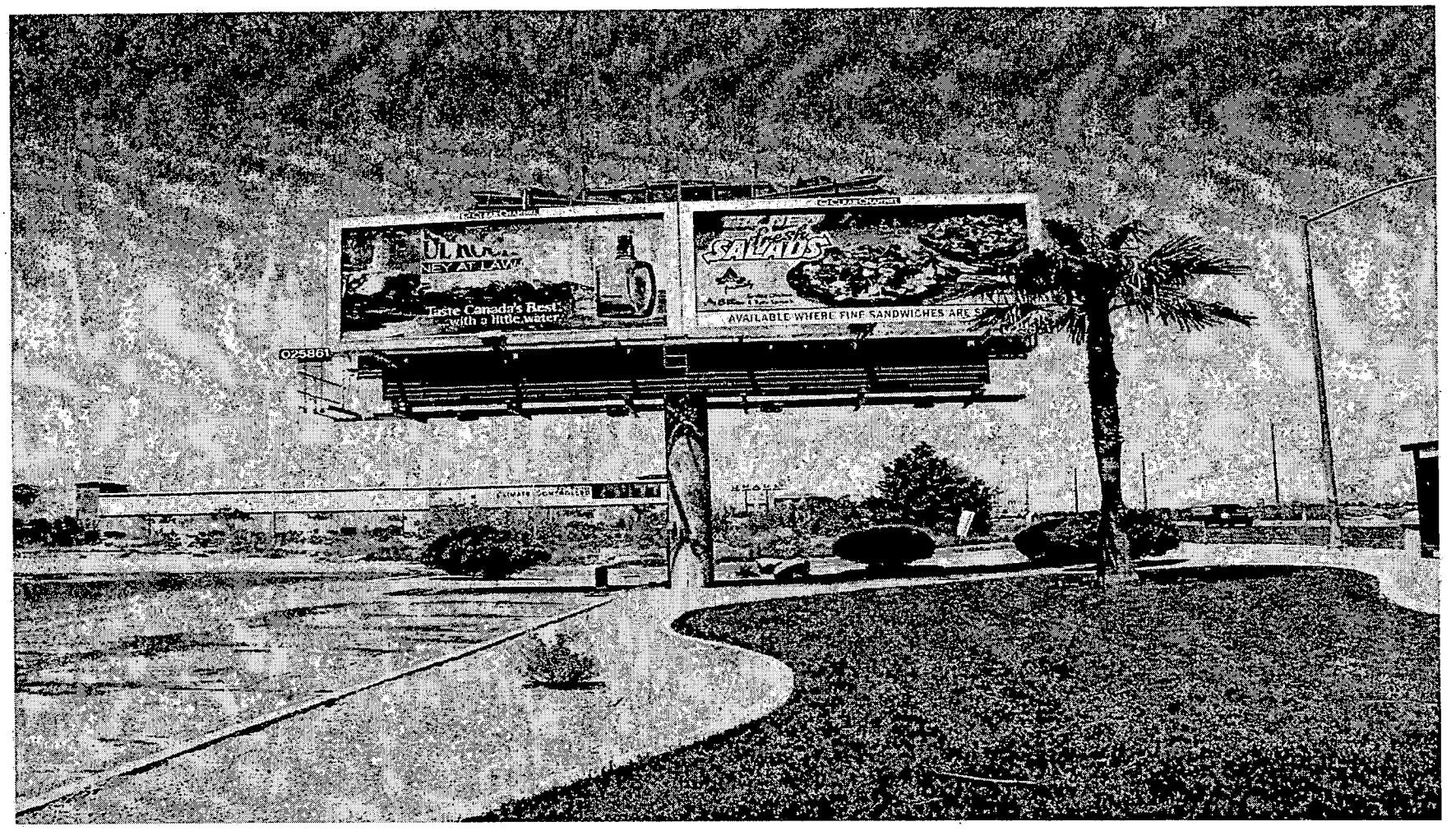
This 7th day of April, 2004

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, 2004



RQR-4270
5-27-04 PC



RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY
3901 NORTH RANCHO DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/30/04



RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY
3901 NORTH RANCHO DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 15

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REQUIRED - PUBLIC HEARING - RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS - Required Two Year Review of an approved Special Use Permit (U-0171-89) WHICH ALLOWED A 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – APPROVED subject to amended condition requiring applicant to redo the sign – UNANIMOUS

To be heard by the City Council on 07/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the recommendation is for approval subject to a two-year review and additional conditions.

ROD CARTER, Clear Channel Outdoor, 2880 Mead Avenue, concurred with staff's recommendations.

COMMISSIONER McSWAIN asked if it is allowable to have an off premise sign advertising on premise services. MR. CLAPSADDLE replied that there are no restrictions regarding this.

MINUTES – Continued:
MARGO WHEELER, Planning and Development, gave an example if one had a billboard for Budweiser and sold Budweiser on site, the billboard is still for additional off premise facilities elsewhere. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that there is a prohibition in the Code for advertising items that are currently sold on the parcel even though it is an off premise site. COMMISSIONER McSWAIN commented that the sign appears to be eroded. MR. CLAPSADDLE stated that a site inspection was done on May 5th and determined that the sign had been cleared of graffiti. COMMISSIONER McSWAIN then stated that the actual image is worn and not something that should be up. She also suggested adding a condition requiring the applicant to redo the face of the sign. MR. CLAPSADDLE replied that a condition could be added that the sign has to be maintained. MR. SCOTT commented that maintenance is a normal condition but a condition can be added requiring the applicant to redo the sign. COMMISSIONER McSWAIN concurred and also confirmed with MR. CLAPSADDLE that the applicant has 30 days to redo the sign. MR. CARTER concurred on the condition but stated that 30 days may not be sufficient in getting production in for the landowner. MR. CLAPSADDLE then confirmed with the Commission that the applicant can advise staff as to when they would like to redo the sign, then advise staff when it is completed, and staff will go out and take a look at it. If the sign is not improved, staff will bring back to the Commission for their review.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:52 – 6:58)
1-1653

CONDITIONS:
Planning and Development

1. The applicant shall repair the sign face within the next sixty (60) days.

2. 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 is removed.

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.

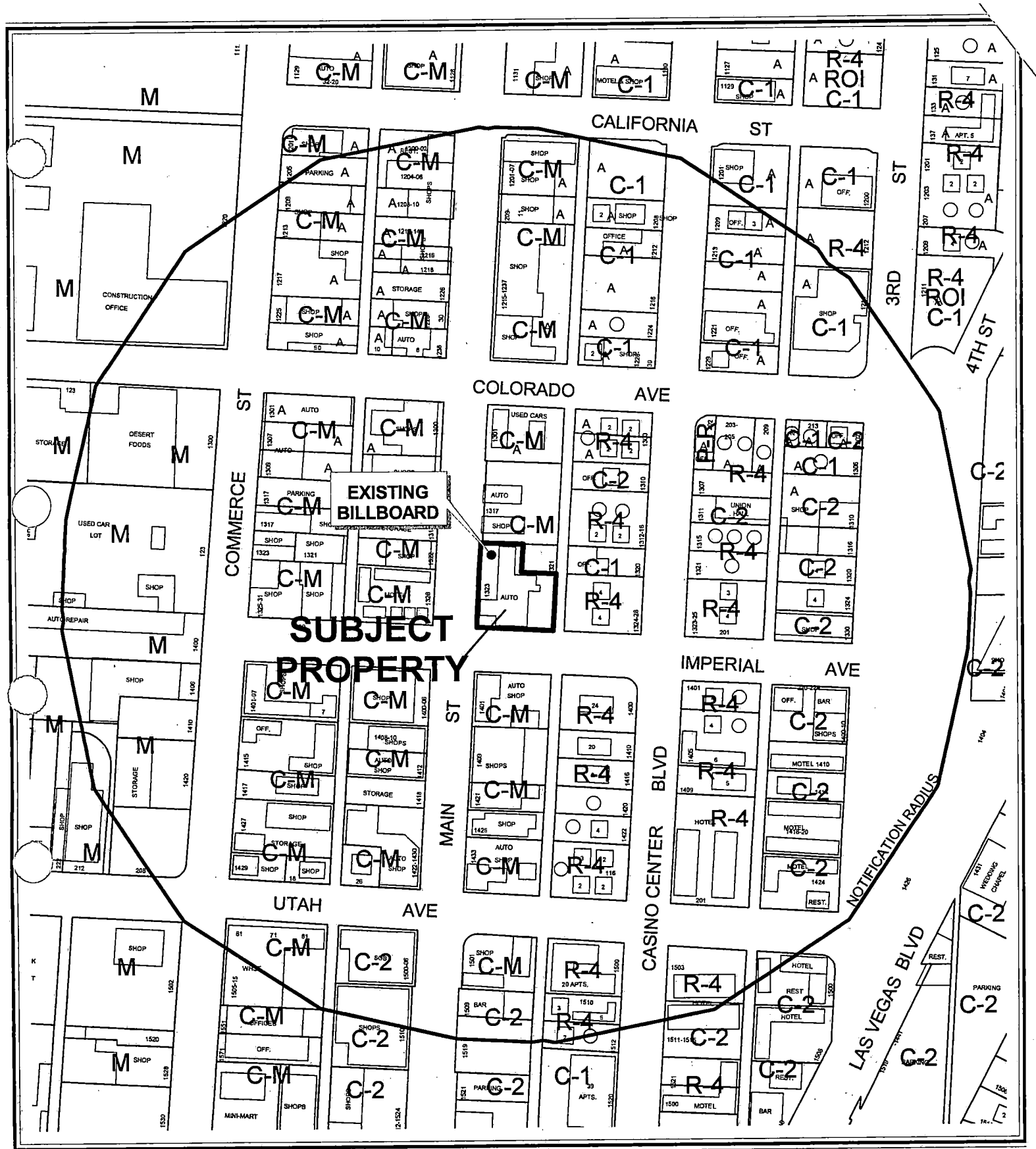
CONDITIONS – Continued:

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 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.



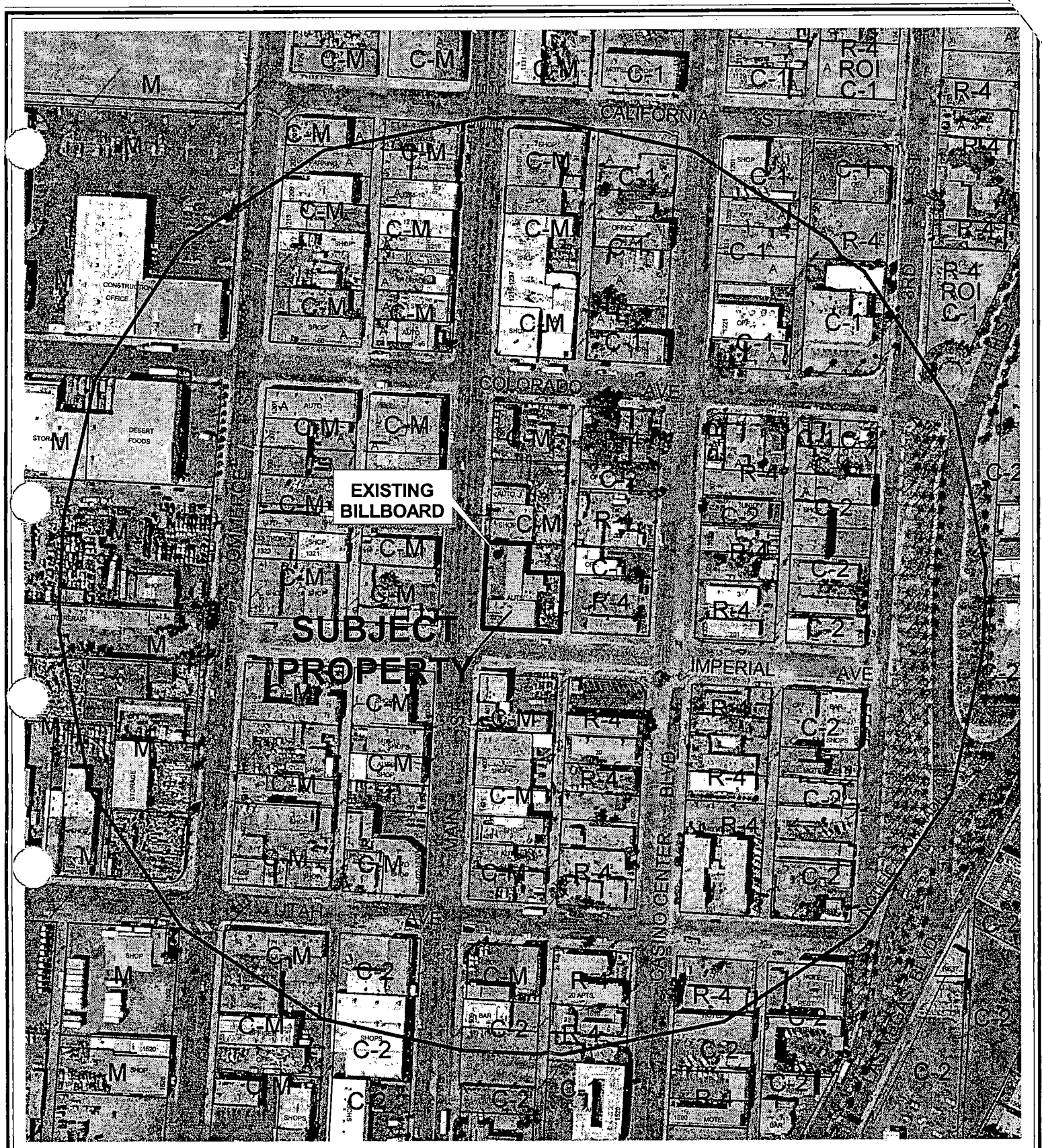
0 200 400 Feet

CASE: **RQR-4271**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N



CASE: **RQR-4271**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise 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. 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.

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

5. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Two Year Review of an approved Special Use Permit (U-0171-89) for one 12-foot x 24-foot off-premise advertising (billboard) sign, measuring 40 feet in height, located at 1323 South Main Street.

BACKGROUND INFORMATION

A) Previous Actions

12/20/89 The City Council approved a Special Use Permit (U-0171-89) for one 12-foot x 24-foot off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

01/18/95 The City Council approved a Required Five Year Review [U-0171-89(1)] for one 12-foot x 24-foot off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

04/05/00 The City Council approved a Required Five Year Review [U-0171-89(2)] for one 12-foot x 24-foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The City Planning Commission and staff recommended denial.

06/05/02 The City Council approved a Required Two Year Review[U-0171-89(3)] for one 12-foot X 24-foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.41

B) Existing Land Use

Subject Property:	Automotive Garage
North:	Industrial / Commercial Uses
South:	Automotive Garage
East:	Multi-Family Residential, Office
West:	Motel, Retail

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/ MXU	Downtown Redevelopment/ Mixed Use
West:	DTR/ C	Downtown Redevelopment/ Commercial

D) Existing Zoning

Subject Property:	C-M	Commercial/Industrial
North:	C-M	Commercial/Industrial
South:	C-M	Commercial/Industrial
East:	R-4, C-1	High Density Residential, Limited Commercial
West:	C-M	Commercial/Industrial

E) General Plan Compliance

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-M (Commercial/Industrial) Zoning designation is not in conformance with the General Plan. The subject off-premise sign is permitted.

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

PL

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 off-premise advertising (billboard) sign use.

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	310 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	150 Feet	N
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	144 feet	Y

The off-premise advertising (billboard) sign is within the 300-foot minimum distance separation from R-4 (High Density Residential) zoned property located to the east.

PL

B) General Analysis and Discussion

- Zoning

The off-premise advertising (billboard) sign is not within the Off-Premise Sign Exclusionary Zone under Las Vegas Municipal Code Title 19.14.100, and is within a C-M (Commercial/Industrial) zone, which allows off-premise advertising (billboard) signs by Special Use Permit.

- Use

There has not been any significant change in the area immediately surrounding this site in the past two years. Also, the Planning Commission and staff have consistently determined that the sign is appropriate.

- Conditions

On May 5, 2004 a site inspection showed that the site has been properly maintained and kept clear of graffiti.

FINDINGS

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

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

   Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise advertising (billboard) sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site has not changed substantially since the last two-year review of the Special Use Permit allowing the off-premise advertising (billboard) sign.

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

   There are no physical constraints to the location of the use on the subject site.

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

   The off-premise advertising (billboard) sign is located in an area served by Main Street and Imperial Street, both existing fully developed streets.

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 sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NOTICES MAILED 103

APPROVALS 0

PROTESTS 1

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4271 APN: 162-03-110-088

Name of Property Owner: KENNETH SIMKINS

Name of Applicant: Clear Channel OUTDOOR

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: Bo Carter

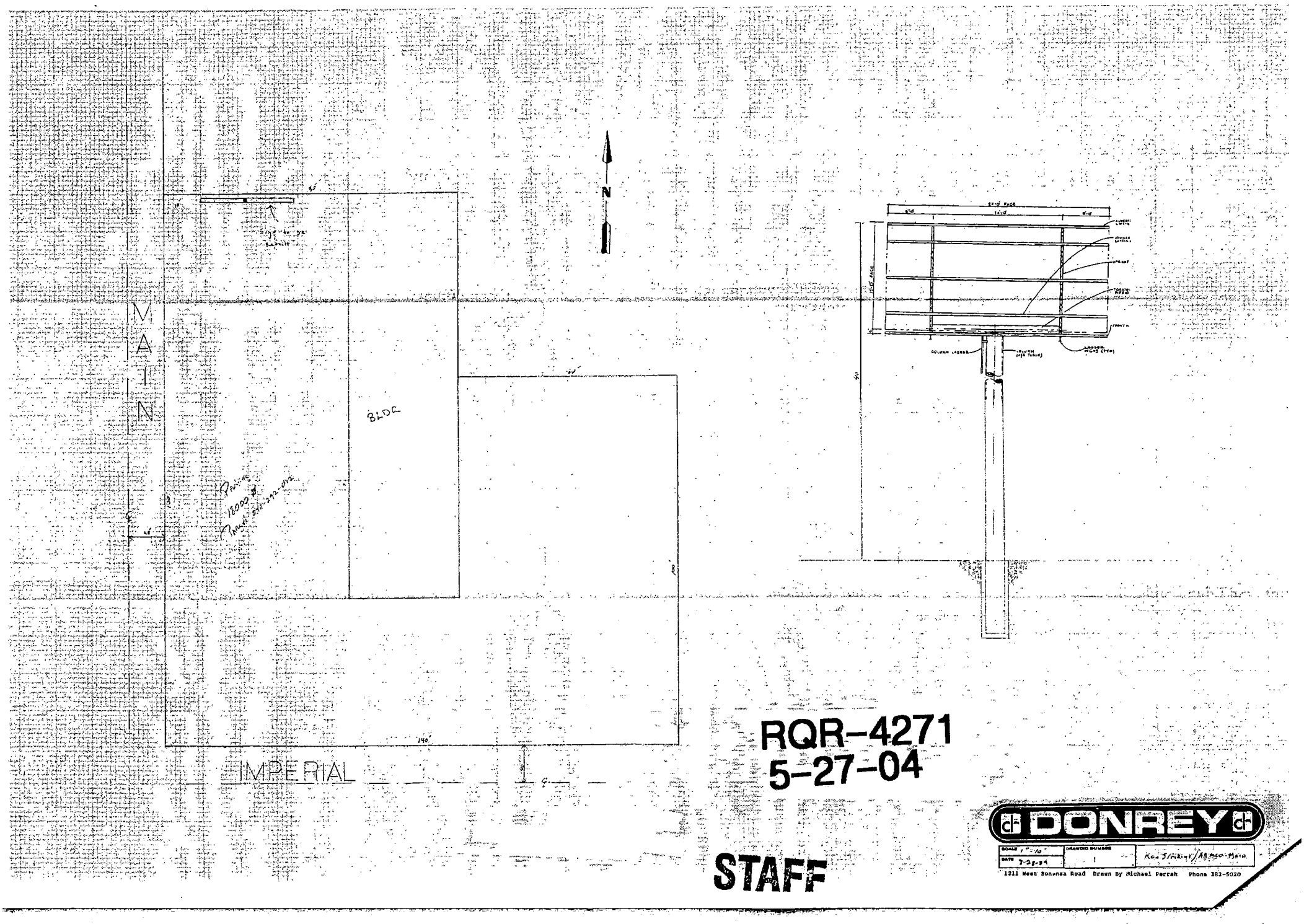
Subscribed and sworn before me

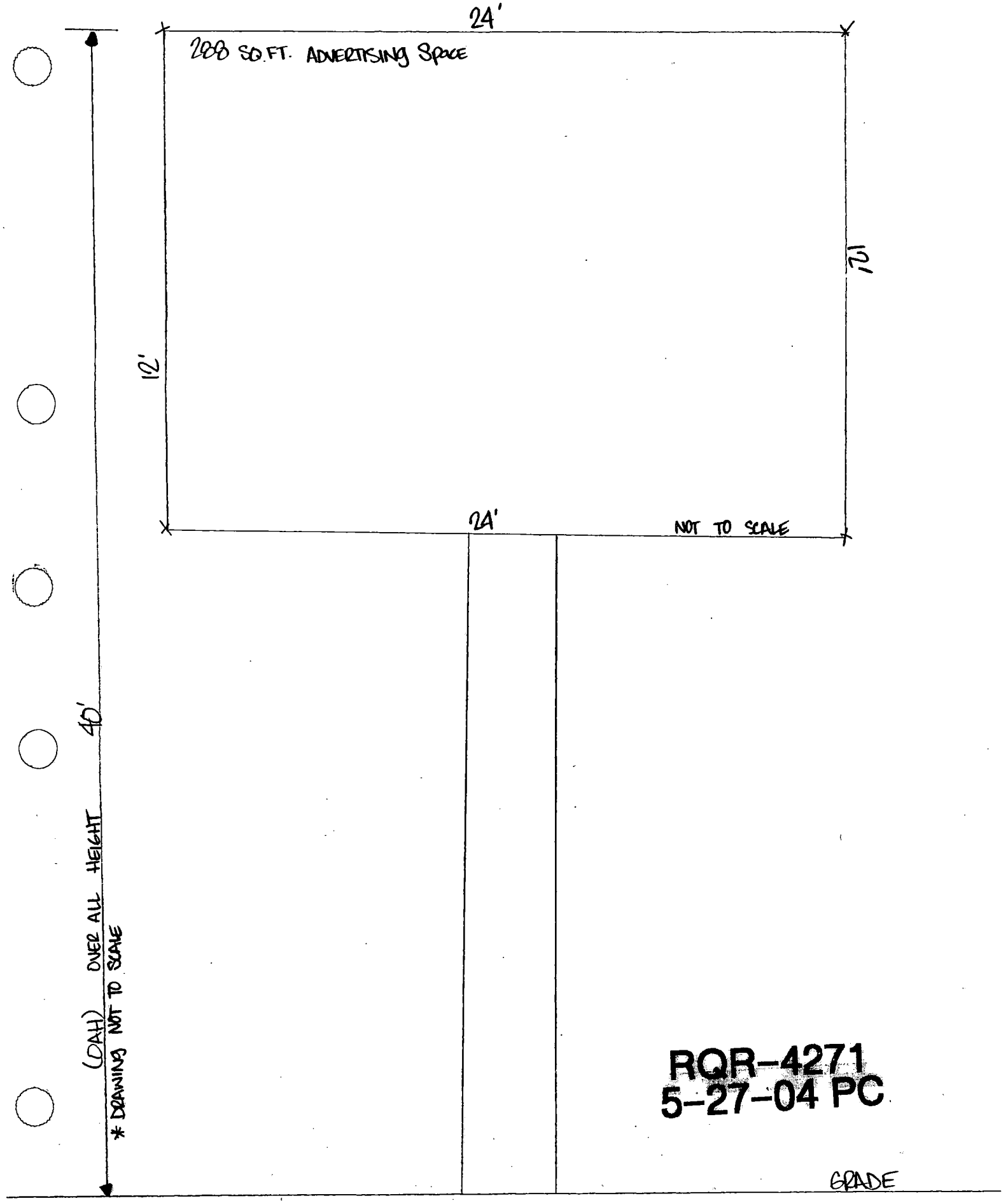
This 7th day of April, 2004

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, 2007


N
MAIN
BLDG
IMPERIAL
140'
Paving
12000 ft²
Permit 04-372-01A
RQR-4271
5-27-04
STAFF
DONREY
1211 West Bonanza Road Drawn By Michael Perrah Phone 382-5020



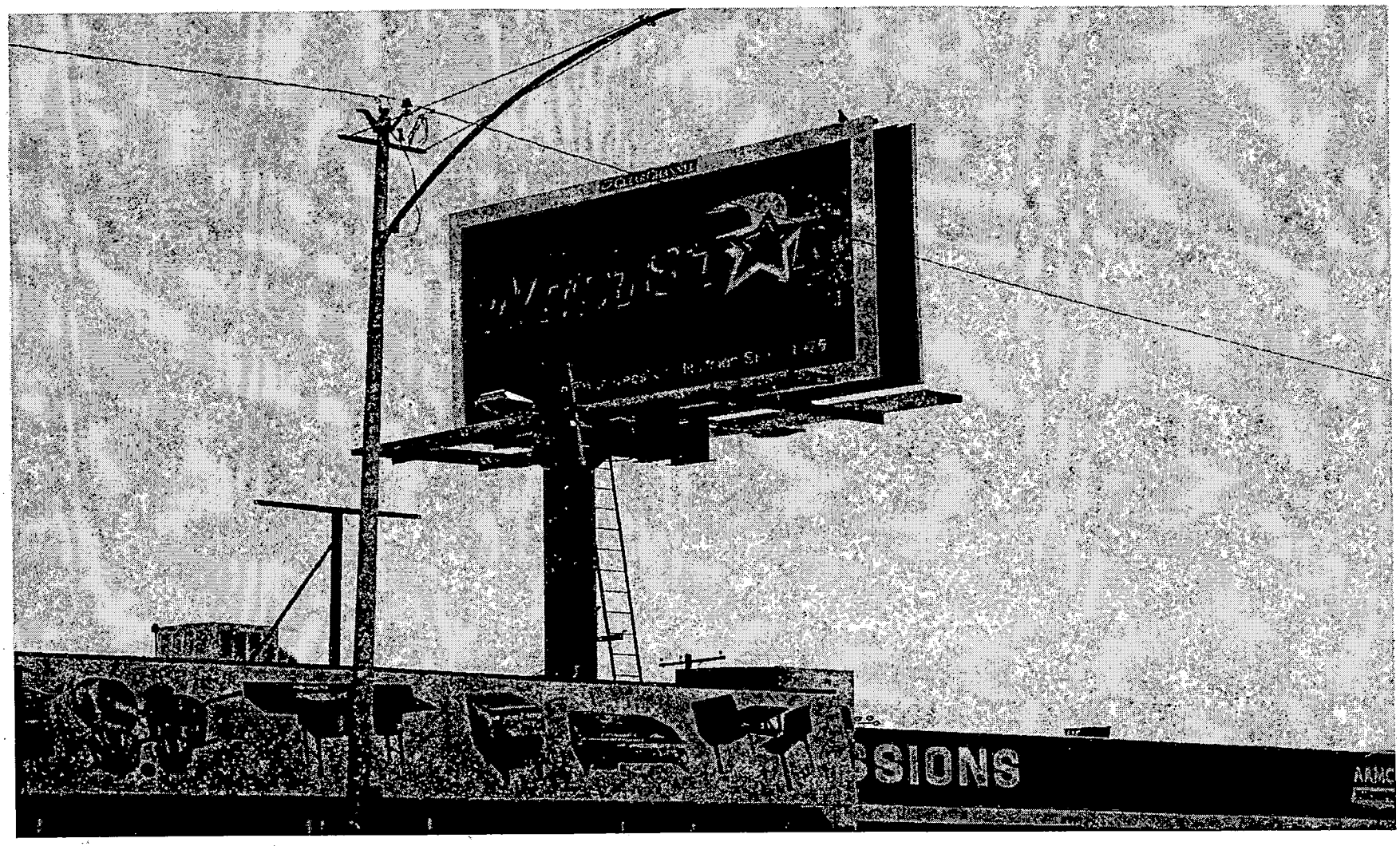
RQR-4271
5-27-04 PC

ELEVATIONS CHART NOT TO SCALE



RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS
1323 SOUTH MAIN STREET
MAY 27, 2004 PLANNING COMMISSION

5/3/04



RQR-4271 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS
1323 SOUTH MAIN STREET
MAY 27, 2004 PLANNING COMMISSION

5/3/04

Telephone Protest/ Approval Log

Meeting Date: 5/27/04 **Case Number:** RQR-4271

Date: 5/19/04
Name: Paul Arganim
Address: 1425 S. Main
LV NV 89101
Phone: 818 609 7751
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

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Name:
Address:

Phone:
☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4282 - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC. - Required Two Year Review of an approved Special Use Permit (U-185-89) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1361 South Decatur Boulevard (APN: 162-06-211-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
DAVENPORT – APPROVED subject to amended Condition 1 to state that the Special Use Permit shall be reviewed in one year, and to delete Condition 4 – with McSWAIN voting NO

To be heard by the City Council on 07/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the applicant would like to discuss Condition no. 4.

SCOTT NAPSKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated that their only concern is with Condition no. 4. The sign has had its design for the past 10 years. Currently, there are long-term contracts and nothing in the Code prohibits the sign. So, MR. NAPSKER requested deletion of Condition no. 4.

MINUTES – Continued:

CHAIRMAN TRUESDELL inquired about the elevation of the sign. He then asked MR. NAPSKER if his existing contracts would allow for an extension beyond this two-year extension. MR. NAPSKER replied that he is aware that the contracts are for 12 months. CHAIRMAN TRUESDELL commented that the main objective is to ensure that there is only one billboard per sign face on each side. If this condition is achieved within the two-year extension, then he can support this application. MR. NAPSKER replied that he does not have the authority to agree to this condition. DEPUTY CITY ATTORNEY BRYAN SCOTT stated, for the record, that even though the applicant has private contracts for the facing of these signs, it does not have to be the determining factor in the Commission's vote and the Commission is not held by the applicant's existing contracts. CHAIRMAN TRUESDELL understood and reiterated the main objective of ensuring one billboard per sign face on each side. COMMISSIONER DAVENPORT reiterated the fact that he previously had contracts with Lamar Outdoor Advertising, and these contracts have been fulfilled. He also suggested the possibility of approving a 12-month contract; once the contract expires, then the sign can be made one face. MR. CLAPSADDLE concurred with that option. CHAIRMAN TRUESDELL commented that he would support this option, and it would give the applicant time to understand and meet the goal of one sign face per side. COMMISSIONER EVANS asked if it would be prudent for the applicant not to sign long-term contracts when there are reviews shorter than the contract timeframe. CHAIRMAN TRUESDELL reiterated that the Commission is not held by the applicant's existing contracts. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed with the Commission that they are giving the applicant 12 months to make the sign a one-sign face. MARGO WHEELER, Planning and Development, stated, for the record, that Condition no. 1 will change to a one-year review and Condition 4 will be deleted, which would allow the applicant to have two-sign faces for the year.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:58 – 7:04)

1-1868

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year 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.

CONDITIONS – Continued:

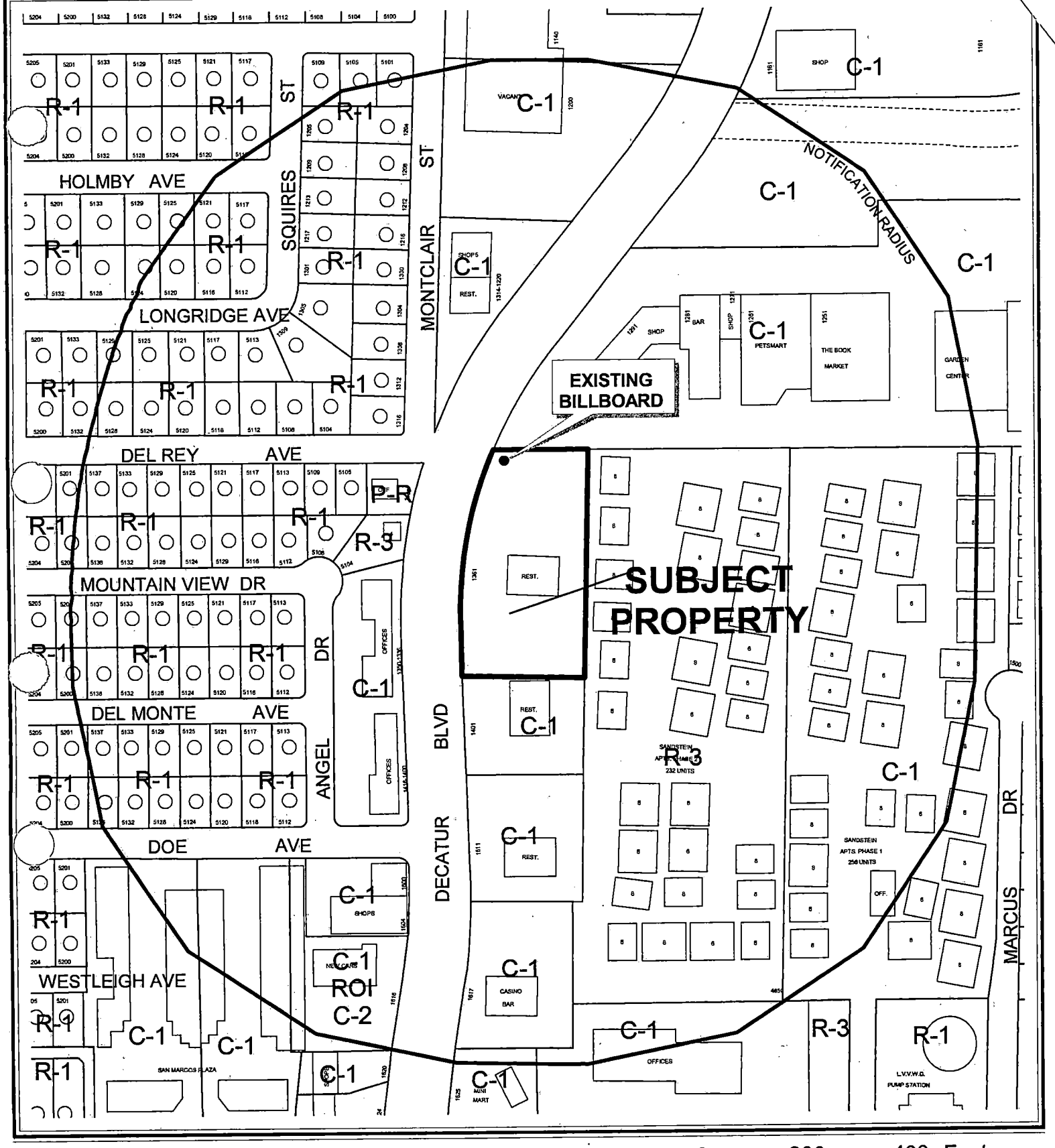
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. 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.

4. The applicant shall change the side of the sign with two advertising panels to a single sign face within the next 12 months.

5. 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.

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

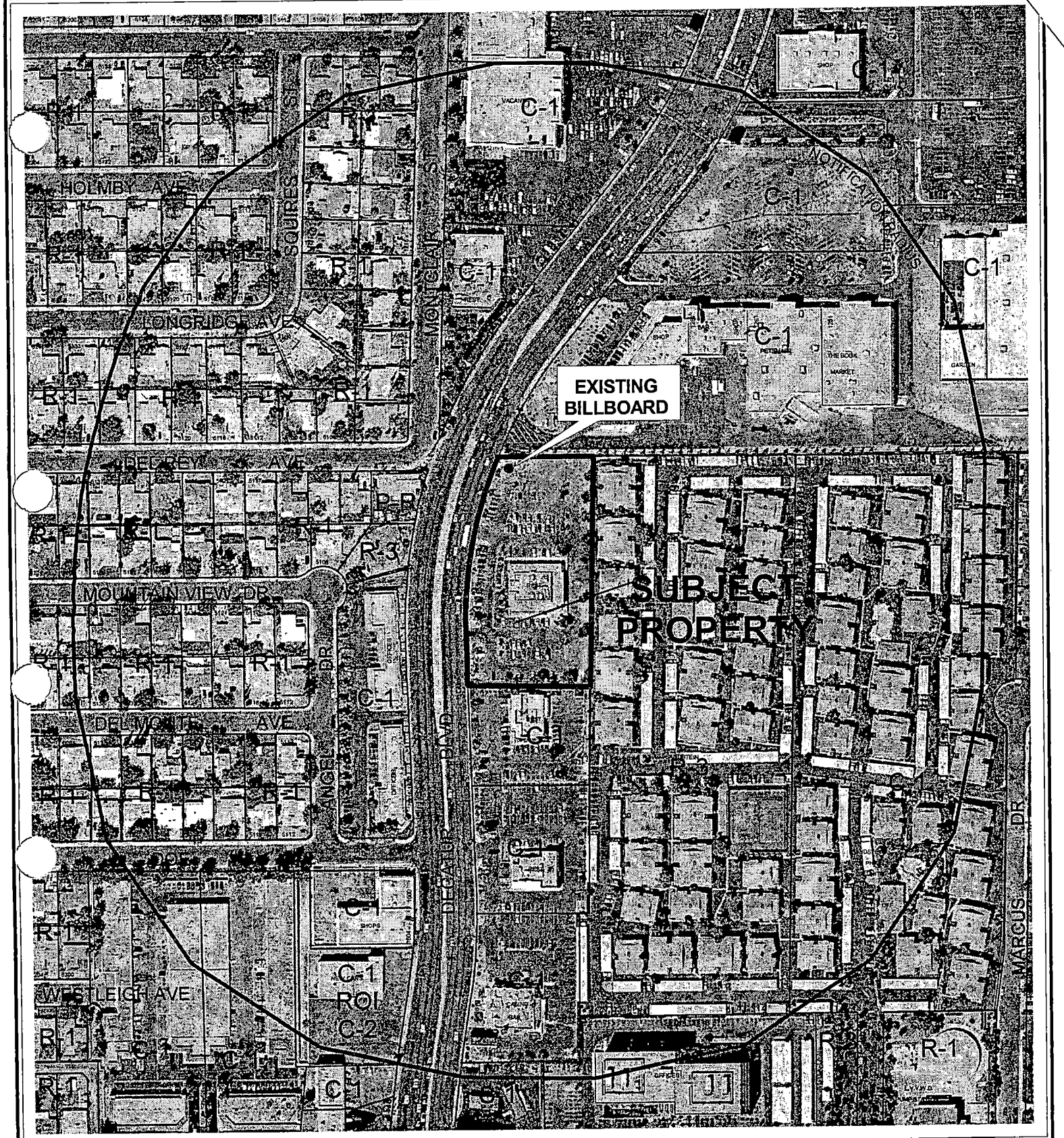


CASE: **RQR-4282**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **RQR-4282**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4282 - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) 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. 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.

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

5. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Two-Year Review of an approved Special Use Permit (U-0185-89) for one 672 square foot (14 foot by 48 foot), 40 foot high off-premise advertising (billboard) sign, located at 1361 South Decatur Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

01/17/90 The City Council approved a Special Use Permit (U-0185-89) for replacement of an existing off-premise sign with one 672 square foot (14 foot x 48 foot), 40 foot high off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

02/15/95 The City Council approved a Required Five-Year Review [U-0185-89(1)] of an approved Special Use Permit (U-0185-89) for the 672 square foot (14 foot x 48 foot), 40-foot high off-premise advertising (billboard) sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.

04/05/00 The City Council approved a Required Five-Year Review [U-0185-89 (2)] of an approved Special Use Permit (U-0185-89), which allowed a 14-foot x 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval.

06/019/02 The City Council approved a Required Two-Year Review [U-0185-89(3)] of an approved Special Use Permit (U-0185-89), which allowed a 14-foot x 48-foot off-premise advertising (billboard) sign, subject to a two-year review. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.28

B) Existing Land Use

Subject Property:	Restaurant (Olive Garden)
North:	Commercial Center (Pet Smart, Lowe's, etc.)
South:	Restaurant (IHOP)
East:	Apartments (Sandstein Apartments, 232 Units)
West:	Office Buildings and Multi Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	R-3 (Medium Density Residential)
West:	C-1 (Limited Commercial), P-R (Professional Office and Parking), R-3 (Medium Density Residential)

E) General Plan Compliance

This site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The existing C-1 (Limited Commercial) Zoning 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
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

PL

There are no Special Area Plans or Overlay Districts associated with this site.

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	630 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	180 Feet	N
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	1,325 feet	Y

The off-premise advertising (billboard) sign is within the 300-foot minimum distance separation from R-3 (Medium Density Residential) zoned property located to the east and to the west.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial), and an off-premise advertising (billboard) sign is a permitted use within the C-1 (Limited Commercial) zone subject to a Special Use Permit.

- Use

The continued off-premise sign use on the subject site is appropriate, in that the surrounding area has not changed substantially in the past two years. Therefore, continuation of the billboard use will be appropriate for the next three years.

- Conditions

On 04/29/04 a site inspection of the subject property found that the off-premise advertising (billboard) sign was properly maintained and kept clear of graffiti. However, the photos taken of the site indicate the existence of two advertisements per sign face. A condition has been placed limiting advertisements to one 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."**

   Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise advertising (billboard) sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site has not changed substantially since the last three-year review of the Special Use Permit allowing the off-premise advertising (billboard) sign.

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

   There are no physical constraints to the location of the use on the subject site.

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

The off-premise advertising (billboard) sign is located in an area served by Main Street and Imperial Street, both existing fully developed streets.

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 sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NOTICES MAILED 107

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4282 APN: 162-06-211-001

Name of Property Owner: General Mills Restaurant

Name of Applicant: Lamar Advertising

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: Scott Naftzger

Print Name: Scott Naftzger on behalf of owner

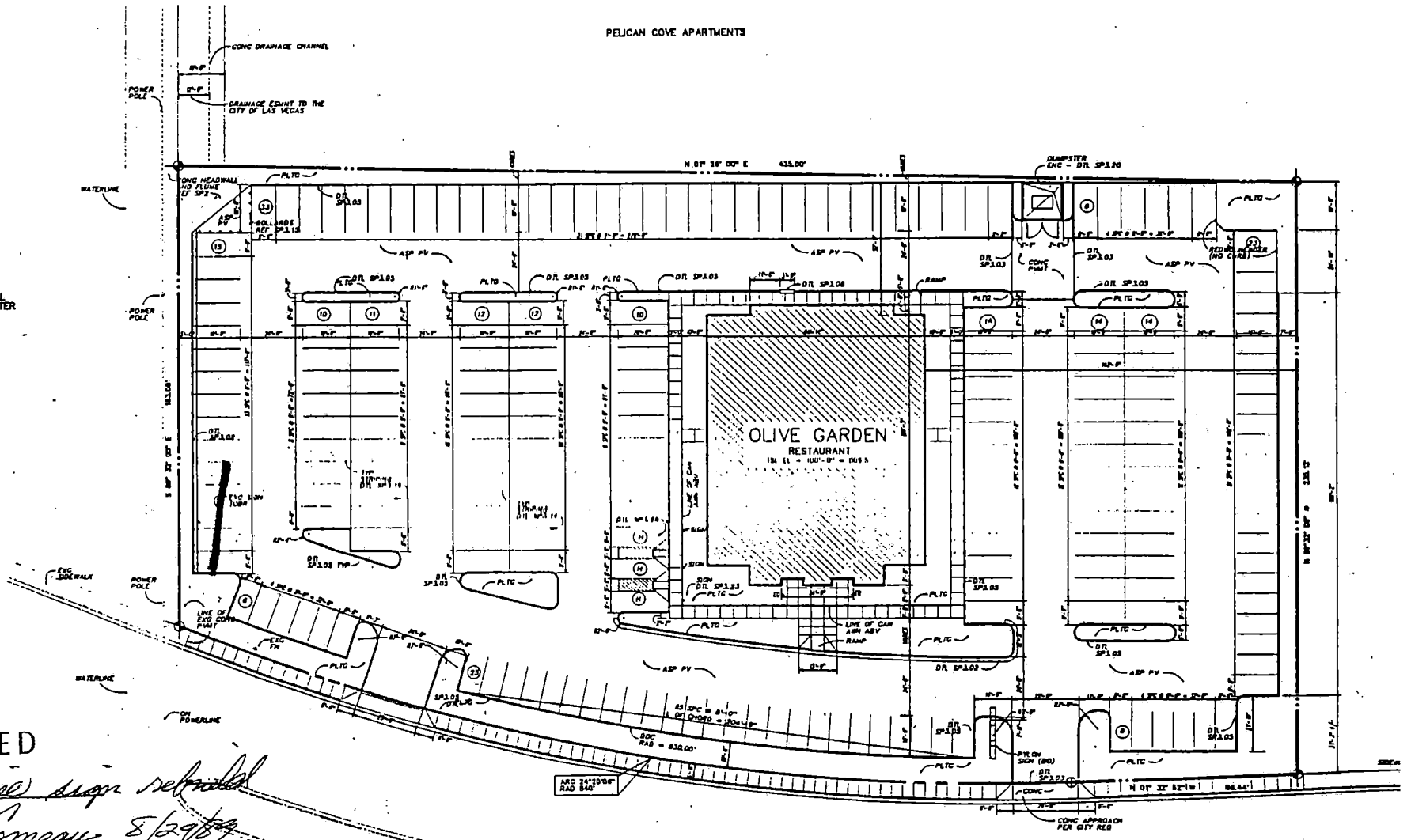
Subscribed and sworn before me

This 8th day of April, 2004

Lynda S Miles

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



APPROVED

Off premise sign relocated

By: Les Comeau 5/29/04

COMMUNITY PLANNING & DEVELOPMENT
City of Las Vegas

RQR-4282
5-27-04 PC



RQR-4282 - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC.
1361 SOUTH DECATUR BOULEVARD
MAY 27, 2004 PLANNING COMMISSION

4/29/04

City of Las Vegas

Agenda Item No.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3833 - CITY OF LAS VEGAS - Request to amend the Master Plan Recreation Trails Element of the General Plan to revise the design standards for equestrian and multi-use equestrian trails, Ward 4 (Brown) and Ward 6 (Mack).

TABLED

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:
NIGRO – TABLED – UNANIMOUS with EVANS excused

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3833 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This application is to amend the *Master Plan Recreation Trails Element* of the General Plan to revise the design standards for equestrian and multi-use equestrian trails.

BACKGROUND DATA:

01/16/2002 The City Council adopted the *Master Plan Recreation Trails Element* of the General Plan

11/20/02 The City Council adopted the *Centennial Hills Interlocal Agreement Joint Parks and Trails Plan.*

04/22/04 The Planning Commission held this application in abeyance to the May 27, 2004 Planning Commission.

DETAILS OF APPLICATION REQUEST

This request is to amend the *Master Plan Recreation Trails Element*, and more specifically Exhibit 2 and Exhibit 3 of the *Trails Element* (see attached exhibits). The trail standards considered for amendment are describe as follows: This amendment would (1) remove all vegetation from an equestrian trail and place it within a common lot adjacent to the trail that would be owned and maintained by a homeowners association / private property owner and (2) narrow the width of an equestrian trail to 10 feet.

DEFINITIONS

Trail: A designated route for persons driving or riding non-motorized vehicles, for pedestrians, and for other trail users. There are two major types of trails: transportation trails and recreation trails.

Trail, Transportation: A trail to be used for transportation purposes. A transportation trail may be characterized as a trail that provides access from one part of the community to another.

Trail, Recreation: A trail to be used for recreation purposes. A recreation trail may be characterized as a path that begins and ends in approximately the same locality, such as in a park or subdivision; it may constitute a path that is incorporated in a cultural or societal experience; or it may provide access to a destination that is generally oriented for recreation purposes. Trails intended for riding horses are considered to be recreation trails.

ROW (Right-of-Way): A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

INTERAGENCY ISSUES

All the equestrian trails in Las Vegas are located within the Centennial Hills Sector area where an *Interlocal Agreement Joint Parks and Trails Plan* has been established between the city of Las Vegas and the County of Clark County. The changes in the trail standards do not affect this agreement, as the *Plan* stipulates that where trails cross-jurisdictional boundaries, the trails are to be constructed according to each agency's standards.

ANALYSIS

The *Master Plan Recreation Trails Element* was developed to present a plan for recreation trails. It is a companion report to the *Master Plan Transportation Trails Element*. A separate plan for recreation trails was made necessary by a bill passed in a previous session of the state legislature. Unlike transportation trails, recreation trails, which for the most part are equestrian trails, must be owned and maintained by the City if the City requires them to be constructed.

Assembly Bill No. 63 was enacted by the 71st Legislature. The Bill stated: "If the governing body requires an owner of land to dedicate a tract of land as a trail identified in the recreation plan of the governing body adopted pursuant to Paragraph (j) of subsection 1 of NRS 278.160, the government body shall: (a) Accept ownership of the tract; and (b) Assume the maintenance of the tract and any other improvement located on the land that is authorized in subsection 1."

The legislation does not provide a definition for a recreation trail. However, the City's General Plan refers to two types of trails: those used for transportation purposes and those used for recreation purposes. Transportation trails, which also are referred to as shared use paths or bicycle paths, provide routes for alternative modes of non-vehicular travel to places of employment and other destinations beyond the immediate neighborhood. All other trails are defined as recreation trails. Equestrian trails are considered to be recreation trails, as they do not provide routes for persons traveling to places of employment.

Prior to the enactment of A.B. 63, the City required a developer to either construct an equestrian trail or to reserve the space for an equestrian trail that would be constructed at a later date. The responsibility for ownership and maintenance of the equestrian trail was placed on homeowners associations or any individual property owners whose property the trail crossed. Since the adoption of A.B. 63, however, the City must own and maintain those recreation trails it requires.

The City does not yet have equestrian trails that it maintains. Consequently, it has no experience in maintaining them. The staff consulted with other communities known to have equestrian trails, including Norco (North Corona), California; Yuma, Tucson, and Scottsdale, Arizona; and Albuquerque, New Mexico. The cost for the maintenance of equestrian trails varies considerably depending on how the trial is improved, but for trails that consist of crushed granite or similar material with no or a minimum amount of drought tolerant landscaping, the expense is "minimal." Norco estimated it cost about $100 per mile per year to maintain its equestrian trails which for the most part consist of nothing more than paths with decomposed granite. The highest cost estimate reported by any community is by Scottsdale at approximately $4752 per mile per year.

According to the *Master Plan Recreation Trails Element*, there are three major equestrian trail segments that account for a total of 11.5 miles of equestrian trails. Of the total, 7.8 miles are to be owned and maintained by the City. If the 7.8 miles of equestrian trails were constructed according to the highest cost estimate, the City would expend an estimated $37,066 per year for maintenance of these trails.

The Staff looked for ways to reduce the City's cost for maintenance of equestrian trails while protecting the integrity and quality of the trail system. Clearly, if landscaping and the necessary irrigation system to support the landscaping were removed from the trail corridor, the expense would be considerably reduced. Landscaping, however, is important for shade to pedestrians using the adjacent sidewalks and for visual acuity. Consequently, the best and least cost alternative is illustrated in the revised exhibits attached to this staff report – Exhibit 2 and Exhibit 3 of the *Master Plan Recreation Trails Element.* These exhibits completely eliminate landscaping from the equestrian trail while leaving an unimpeded equestrian trail path for equestrian use. Landscaping is placed outside the equestrian trail in an amenity zone that is adjacent to the sidewalk and will provide maximum shade protection to pedestrians on the sidewalk / transportation trail path while also providing some shade to equestrians. When necessary, the City will only need to blade out the decomposed granite along the trail path within a corridor wide enough to gain entrance by a small tractor or other vehicle.

The 10-foot wide equestrian trail is both subdivided and conveyed to the City as publicly owned land. The amenity zone with landscaping is to be subdivided and conveyed to a homeowners association or, in the case of a nonresidential development, retained in private ownership for maintenance purposes.

FINDINGS

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

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations.**
   The subject application does not involve changes in density and intensity of existing land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**
   The subject application does not involve changes in land use or conjunctive zoning designations.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.**
   Trail amendments will improve the use of the trail system. If the equestrian trails are not encumbered with landscaping, they are more accessible for equestrian use.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**
   The subject application proposes to improve a regional trails system that is a goal of the city of Las Vegas General Plan. One of the areas of interest specifically referenced is a "multi-use trail system" stating:

   "A multi-use trails system (bicycle, pedestrian and equestrian trails) is another important element of a successful multi-modal circulation system. Such a multi-use trail system will utilize dedicated rights-of-way or easement to connect other exiting trail systems..."

The changes proposed by the subject application will improve a trails system that is an essential component to the recreation trail system included in the General Plan.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Since the proposed amendments to the Master Plan Recreation Trails Element are not site specific, a neighborhood meeting was not held. The amendments were, however, referred to the Southern Nevada Regional Trails Partnership, which is the leading trail organization in the Valley that represents the interest of all trail users. No comments have been received.

NOTICES MAILED: **NEWSPAPER ONLY**

APPROVALS: 0

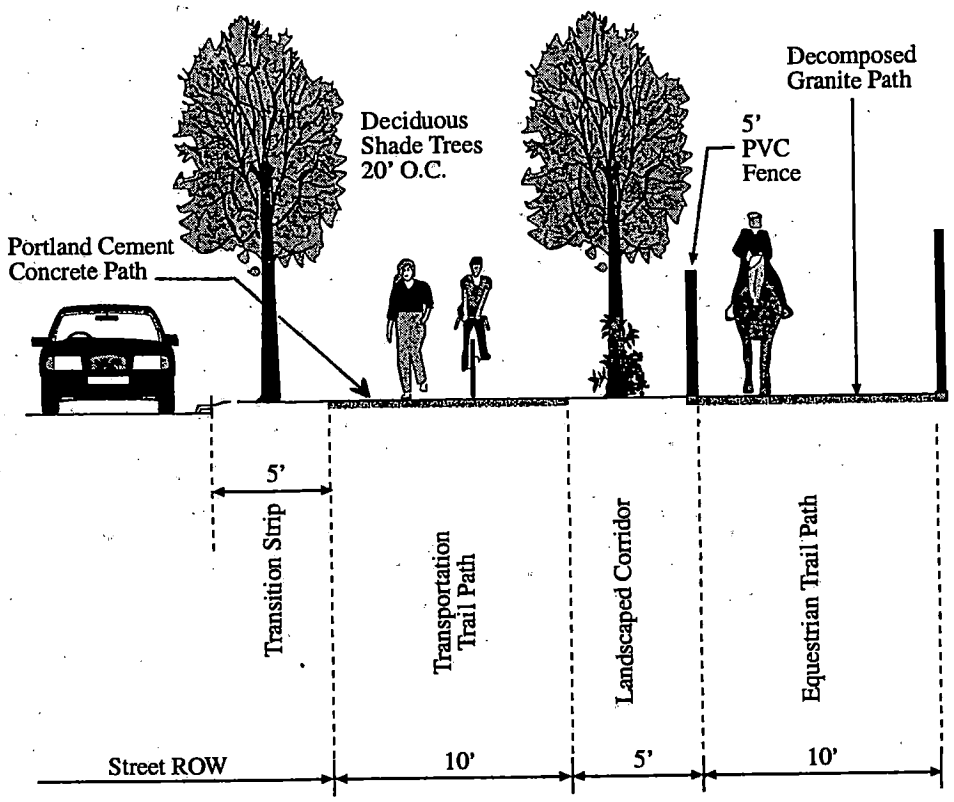
PROTESTS: 0

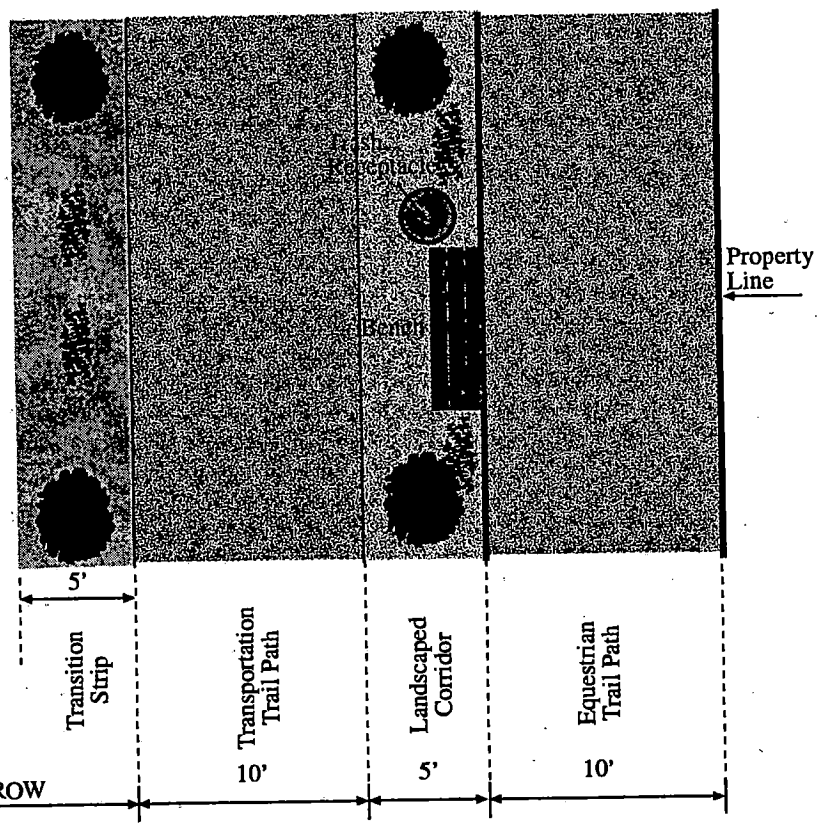
CITY OF LAS VEGAS
Recreation
Trails Element

Proposed

Exhibit 3

Multi-Use Equestrian Trail





Notes:
The transition strip, transportation trail path, landscaped corridor, and equestrian trail path are **constructed** by the developer. The transportation trail path and equestrian trail path are **deeded** to the City. All areas are maintained by a homeowners association/private property owner, except the equestrian trail path which is **maintained** by the City.

exhibit#3\trails-rec\masterplan\fcbmd\rs\01-21-04

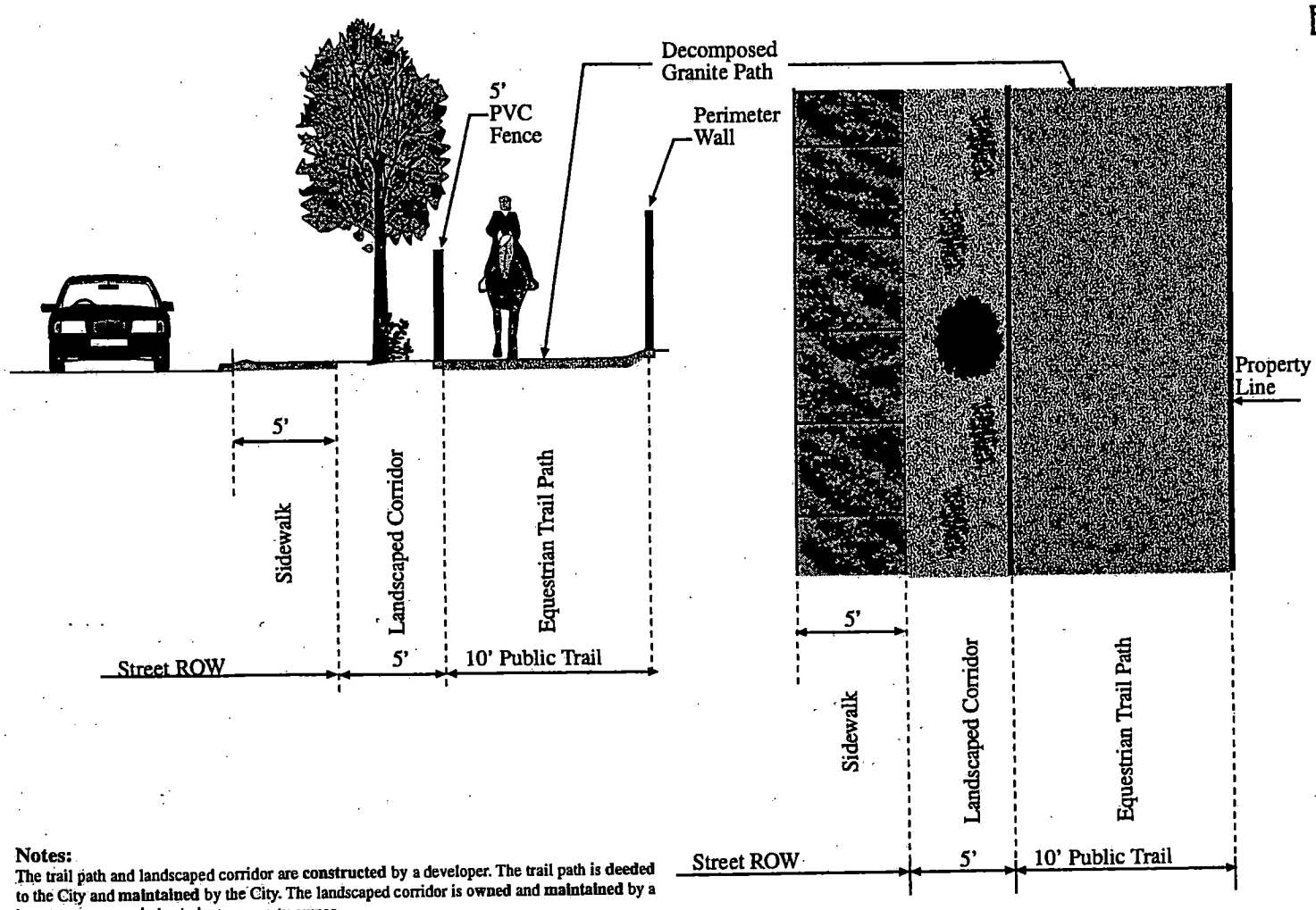
GPA-3833
5-27-04 PC

City of Las Vegas
Recreation
Trails Element

Exhibit I

Equestrian Trail

Proposed



Notes:
The trail path and landscaped corridor are constructed by a developer. The trail path is deeded to the City and maintained by the City. The landscaped corridor is owned and maintained by a homeowners association/private property owner.

exhibit1\trails-rec\masterplan\frfund\re\01-21-04

GPA-3833
5-27-04 PC

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS - Request to amend the Master Plan Transportation Trails Element of the General Plan to add provisions for "connector trails" and to revise trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan." Wards: All.

TABLED

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:
NIGRO – TABLED – UNANIMOUS with EVANS excused

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GENERAL PLAN DESIGNATION - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This application is to amend the City's *Master Plan Transportation Trails Element* of the General Plan to bring it into conformance with the Regional Transportation Commission's (RTC's) *Non-Motorized Alternative Transportation Mode Master Plan.*

BACKGROUND DATA:

01/16/2002 The City Council adopted the *Master Plan Transportation Trails Element* of the General Plan

11/20/02 The City Council adopted the *Centennial Hills Interlocal Agreement Joint Parks and Trails Plan*

04/22/04 The Planning Commission approved the applicant's request to abey this application to the 5/27 Planning Commission.

DETAILS OF APPLICATION REQUEST

This application represents two significant changes to the City's *Master Plan Transportation Trails Element* to bring the *Trails Element* into conformance with the RTC's *Non-Motorized Alternative Transportation Mode Master Plan*. The first is the establishment of provisions for "connector trails" and the second is the addition or deletion of trails to Map No. 2 of the *Trails Element* entitled "Off-Street Multi-Use Transportation Tail Alignments."

DEFINITIONS

Trail: A designated route for persons driving or riding non-motorized vehicles, for pedestrians, and for other trail users. There are two major types of trails: transportation trails and recreation trails.

Trail, Transportation: A trail to be used for transportation purposes. A transportation trail may be characterized as a trail that provides access from one part of the community to another.

Trail, Recreation: A trail to be used for recreation purposes. A recreation trail may be characterized as a path that begins and ends in approximately the same locality, such as in a park or subdivision; it may constitute a path that is incorporated in a cultural or societal experience; or it may provide access to a destination that is generally oriented for recreation purposes. Trails intended for riding horses are considered to be recreation trails.

ROW (Right-of-Way): A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

INTERAGENCY ISSUES

Many of the trails are located within the Centennial Hills Sector area where an *Interlocal Agreement Joint Parks and Trails Plan* has been established between the city of Las Vegas and the County of Clark County. The changes in the trail standards do not affect this agreement, as the *Plan* stipulates that where trails cross-jurisdictional boundaries, the trails are to be constructed according to each agency's standards.

ANALYSIS

The RTC contracted for the services of a consulting firm to prepare a Valley wide regional trails system. After more than two years of preparation, the *Non-Motorized Alternative Transportation Mode Master Plan* is done. The *Plan* is comprehensive in its approach to trail alignments and standards for a transportation trails system. Although the *Plan* does not depart significantly from the City's adopted trail plans, two changes are proposed to bring the City's plans into conformance with the RTC's plan. Following is a discussion of the changes, addressing connector trails first.

In many locations of developed sections of the community, there is insufficient right-of-way to establish a full width 20-foot wide transportation trail. Consequently, a revised section for enhanced sidewalks is proposed that will provide connecting links in the regional trails system. Accordingly, where adequate rights-of-way exist, a connector trail will have a uniform width of five feet that is offset from the street curb by five feet (see attached proposed trail cross-section). This separation will permit light standards, signage, and other infrastructure to be placed in the space between the street curb and sidewalk without encumbering full use of the sidewalk.

Following is proposed text to be inserted in the *Master Plan Transportation Trails Element* as a General Plan Amendment:

TERMS

Connector trail: A trail that provides connectivity to the multi-use trails system and is located within a developed or partially developed area where the construction of a full width trail is prohibitively expensive. Also referred to as an enhanced sidewalk, a connector trail is constructed as a five-foot wide sidewalk and generally placed five feet from the street curb.

Transition strip: The unimproved (unpaved) portion of the public right-of-way, including any vegetation growing thereon, lying between the back of the curb, or in the event there is not a curb, then that portion between the edge of the paved street and the property line of the property abutting the public right-of-way (13.56.020 LVMC).

CONNECTOR TRAILS

The standard width for a multi-use trail (see Exhibit 1) requires a minimum width of 20 feet, including five feet for the transition strip, 10 feet for the trail path, and five feet for the outside amenity zone. It is prohibitively expensive to provide a full width trail in developed or partially developed areas of the community or where there exist utility or infrastructure improvements.

Exhibit 2 shows the design standards for a connector trail. As illustrated, a five-foot wide transition strip / utility corridor is placed between the trail path and street curb. The trail path consists of a standard five-foot wide sidewalk next to the transition strip. Where existing structures prevent the trail path from being located five feet from the street curb, the path shall be located as close to five from the curb as is possible. Where achievable, the trail path shall curve around structures to provide a corridor for utilities to avoid their placement within the trail path. The transition strip serves as a utility corridor for the location of light standards, signage, and other utilities and infrastructure and is located within the street right-of-way. The sidewalk is subdivided as a common lot and conveyed to the City as publicly owned land for trail purposes. The trail is to be maintained by a homeowners association or by a private property owner in a non-residential development.

The locations of connector trails are identified on Map No. 2. Connector trails not identified on the map may also be constructed in lieu of multi-use trails in the following instances:

- Where a multi-use trail extends through an existing subdivision with lots that are separated from the street by a perimeter wall
- Where existing utility structures and roadways prevent construction of the trail in conformance with trail standards

The second major amendment to the *Master Plan Transportation Trails Element* is in the addition and deletion of trails to Map No. 2 of the *Trails Element*. These changes include the following:

- The deletion of proposed trails in the vicinity of the Kyle Canyon Gateway area. The trails for this area will be addressed when the City is presented with a plan for the overall development of the area.
- Amendment of the Trails Element for those trails in the Lone Mountain and Lone Mountain West areas previously revised by resolution

- Illustration of the connector trails being considered by this amendment
- The addition of a trail corridor along a power line easement that extends northwest from Alexander Avenue and Durango Drive
- Realignment of the U.S. 95 transportation trail
- Realignment of the Lone Mountain Trail in the vicinity of Tenaya Way and Cheyenne Avenue
- The addition of a trail along Alta Drive from Durango Drive to Summerlin
- The addition of a trail extending east from the intersection of Iron Mountain Road and Bradley Road to the city limits

FINDINGS

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

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations.**
   The subject application does not involve changes in density and intensity of existing land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**
   The subject application does not involve changes in land use or conjunctive zoning designations.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.**
   The trail amendments will enhance the alternative mode transportation system.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**
   The subject application proposes to improve a regional trails system that is a goal of the city of Las Vegas General Plan. One of the areas of interest specifically referenced, states:

"A multi-use trails system (bicycle, pedestrian and equestrian trails) is another important element of a successful multi-modal circulation system. Such a multi-use trail system will utilize dedicated rights-of-way or easement to connect other exiting trail systems..."

Enhanced connectivity proposed by these changes supports this goal.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Since the proposed amendments to the Master Plan Recreation Trails Element are not site specific, a neighborhood meeting was not held. The amendments were, however, referred to the Southern Nevada Regional Trails Partnership, which is the leading trail organization in the Valley that represents the interest of all trail users. No comments have been received.

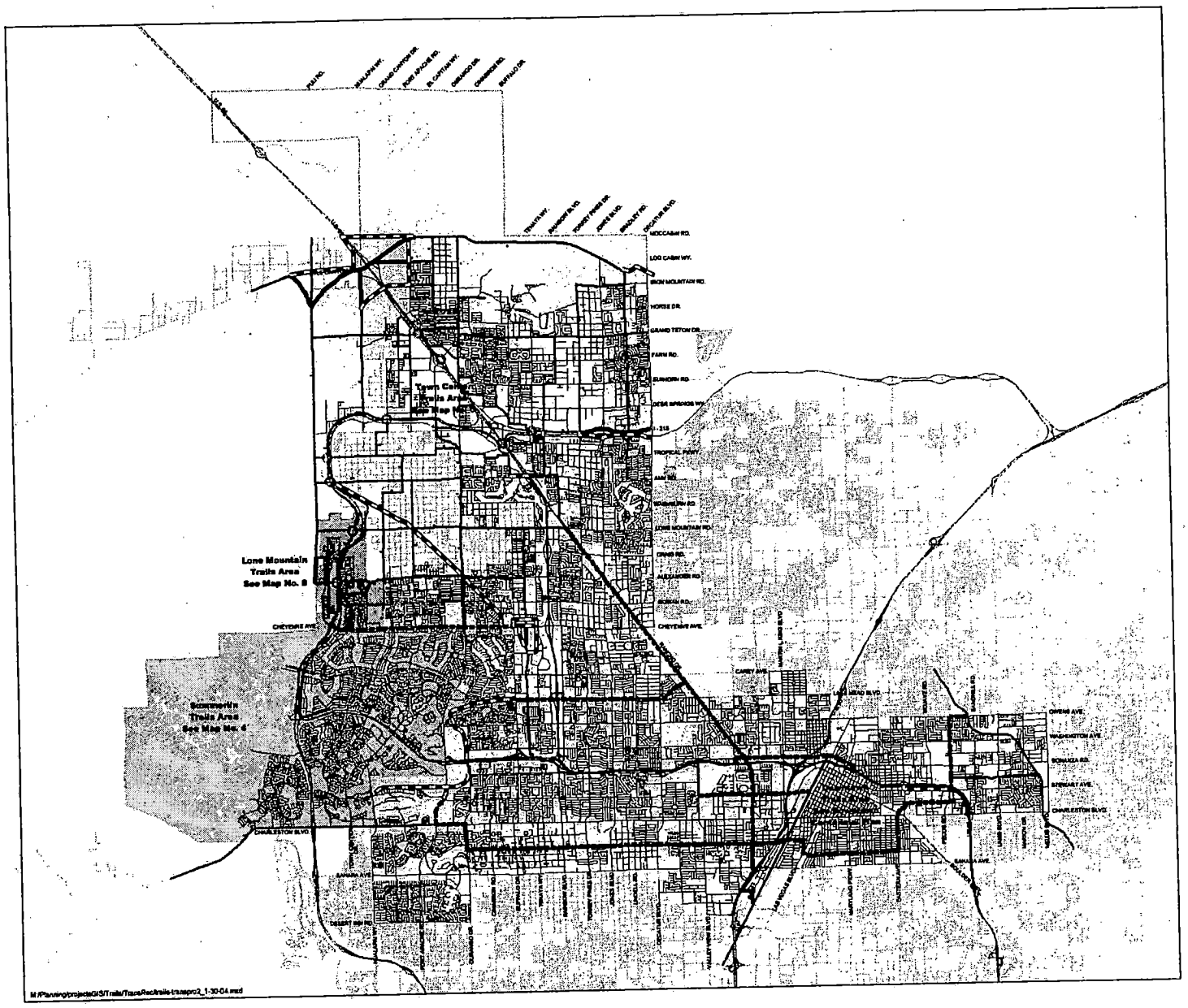
NOTICES MAILED: **NEWSPAPER ONLY**

APPROVALS: 0

PROTESTS: 0

Existing and Proposed Areas

TRAILS



City of Las Vegas

OFF-STREET MULTI-USE TRANSPORTATION TRAIL ALIGNMENTS

Map No. 2
Proposed

- Portion Proposed for Removal
- Portion Proposed for Addition
- Portion Proposed as Connector
- Trail Crossings
- Multi-use Trails
- Freeway
- Street Centerline
- Railroad
- Corporate Limits
- Lone Mountain
- Summerlin
- Town Center

N

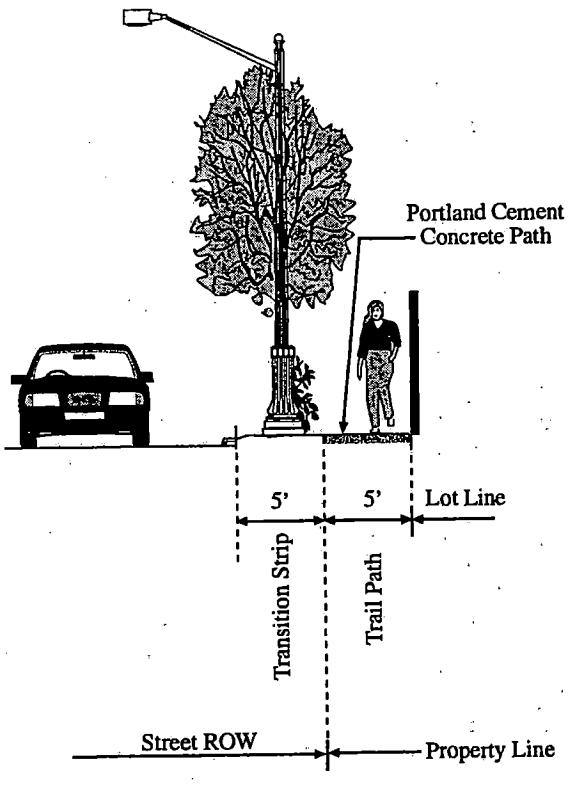
Amended: May 21, 2003 GPA-1983
Adopted: January 16, 2002 Ordinance No. 5417

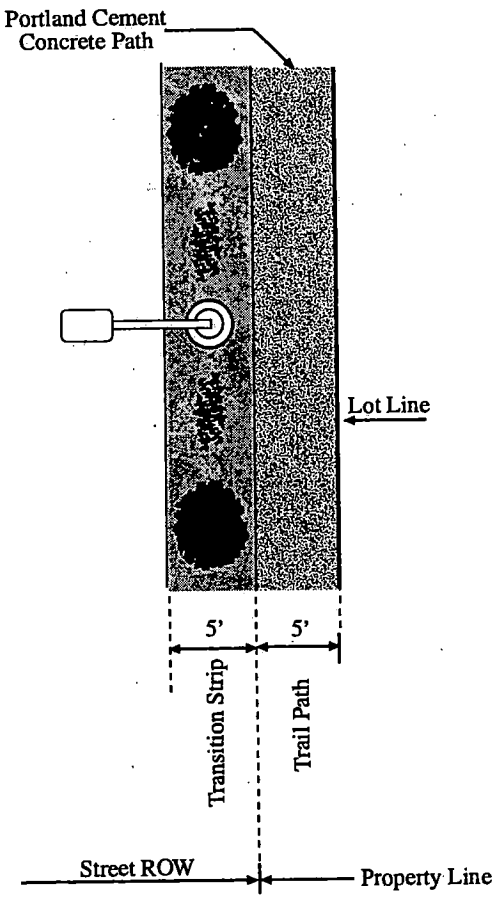
Miles
0 0.5 1 2 3

Map Created: March 9th, 2004

GPA-3933
5-27-04 PC

Proposed





Notes:
The transition strip, transportation trail path, and landscaped corridor are **constructed** by a developer. The trail path is **deeded** to the City. The transition strip and trail path are **maintained** by a homeowners association/private property owner.

CITY OF LAS VEGAS
Transportation
Trails Element

Exhibit 2
Connector Trail

transportation\trails-trans\masterplan\frhnd\rv\02-05-04

GPA-3933
5-27-04 PC

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

ABEY: 06/24/2004

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

RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

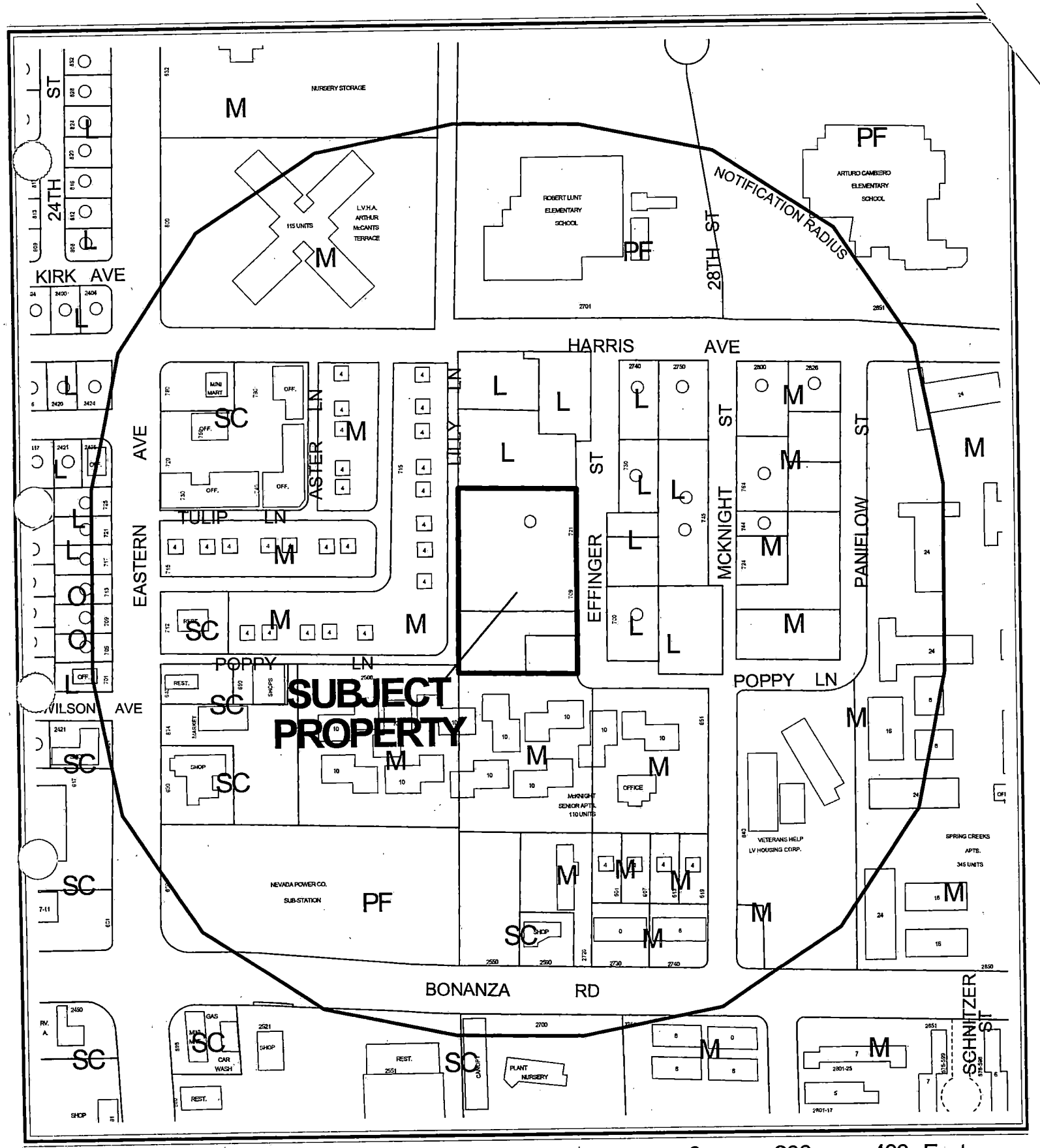
MOTION:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.



CASE: **GPA-3670**

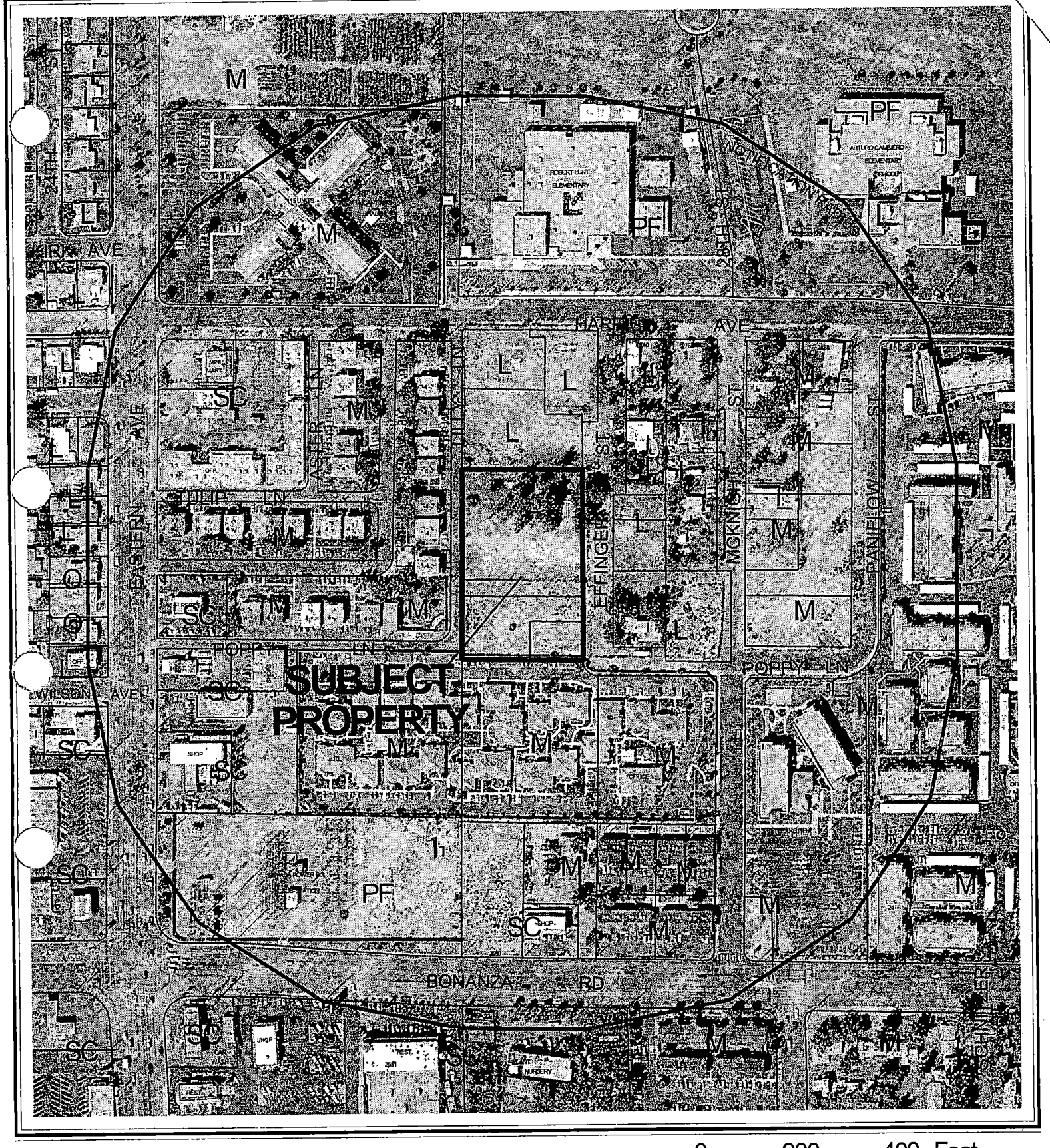
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)



0 200 400 Feet

CASE: **GPA-3670**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GENERAL PLAN AMENDMENT - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

ON MAY 13, 2004 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JUNE 10, 2004 PLANNING COMMISSION MEETING

GREATER NEVADA PLANNING, INC.

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DEVELOPER SERVICES
- Permit Tracking
- Zone Changes
- Use Permits

GPA 3670
ZON 3672
SDR 3958

6/27 PC

MEMO

TO: Mr. Flinn Fagg, AICP
Urban Design Coordinator
Current Planning
Development Services Center
City of Las Vegas
Via fax: 385-7268
Via email: fflagg@lasvegasnevada.gov

Cc: Terry Dietz
Merit Realty
Via fax: 433-3781
Via email: tbca98@aol.com

FROM: Sharon Tyner-Sabraw

DATE: 5/13/04

SUBJECT: APN 139-25-410-043, 042, & 007

Mr. Fagg, thank you very much for your information at our meeting on Tuesday.

We wish to schedule the Planning Commission date June 10, 2004, and City Council Date July 7, 2004 for the above referenced applications.

Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3670 APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3670 APN: 139-25-410-042

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3670 APN: 139-25-410-043

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

POWER OF ATTORNEY

State of Nevada)
) ss
County of Clark)

KNOW YE ALL MEN BY THESE PRESENTS,
That We, Janet D. & Steve G. Wilson
Address: P. O. Box 462-Station M 9th Ave SW
City: Calgary Alberta
County: Calgary Alberta
State: Canada

Do hereby make, constitute and appoint Terry Dietz of:

Address:	2984 E. Russell Rd.
City:	Henderson, NV 89014
County:	Clark
State:	Nevada
Phone No.:	434-4500

As our true and lawful attorney-in-fact, for us and in our name, place and stead to complete whatever actions necessary to fulfill all requirements.

We further give and grant to said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 5 day of Jan, 2004. Steve G Wilson
Signature

Subscribed and sworn before me .

This 5 day of January, 2004
Kaye Hymas
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80053-1

POWER OF ATTORNEY

State of Nevada)
) ss
County of Clark)

KNOW YE ALL MEN BY THESE PRESENTS,
That I, Aaron Wallace, President of: R M Property Holdings LLC
Address: 2984 E. Russell Rd.
City: Las Vegas
County: Clark
State: Nevada
Phone No. 434-4500

Do hereby make, constitute and appoint Terry Dietz of:

Address:	2984 E. Russell Rd.
City:	Henderson, NV 89014
County:	Clark
State:	Nevada
Phone No.:	434-4500

As my true and lawful attorney-in-fact, for me and in my name, place and stead to complete whatever actions necessary to fulfill all requirements.

I further give and grant to my said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 12 day of Feb, 2004.

Signature

CERTIFICATE OF NOTARY
State of Nevada)
)
County of Clark) ss

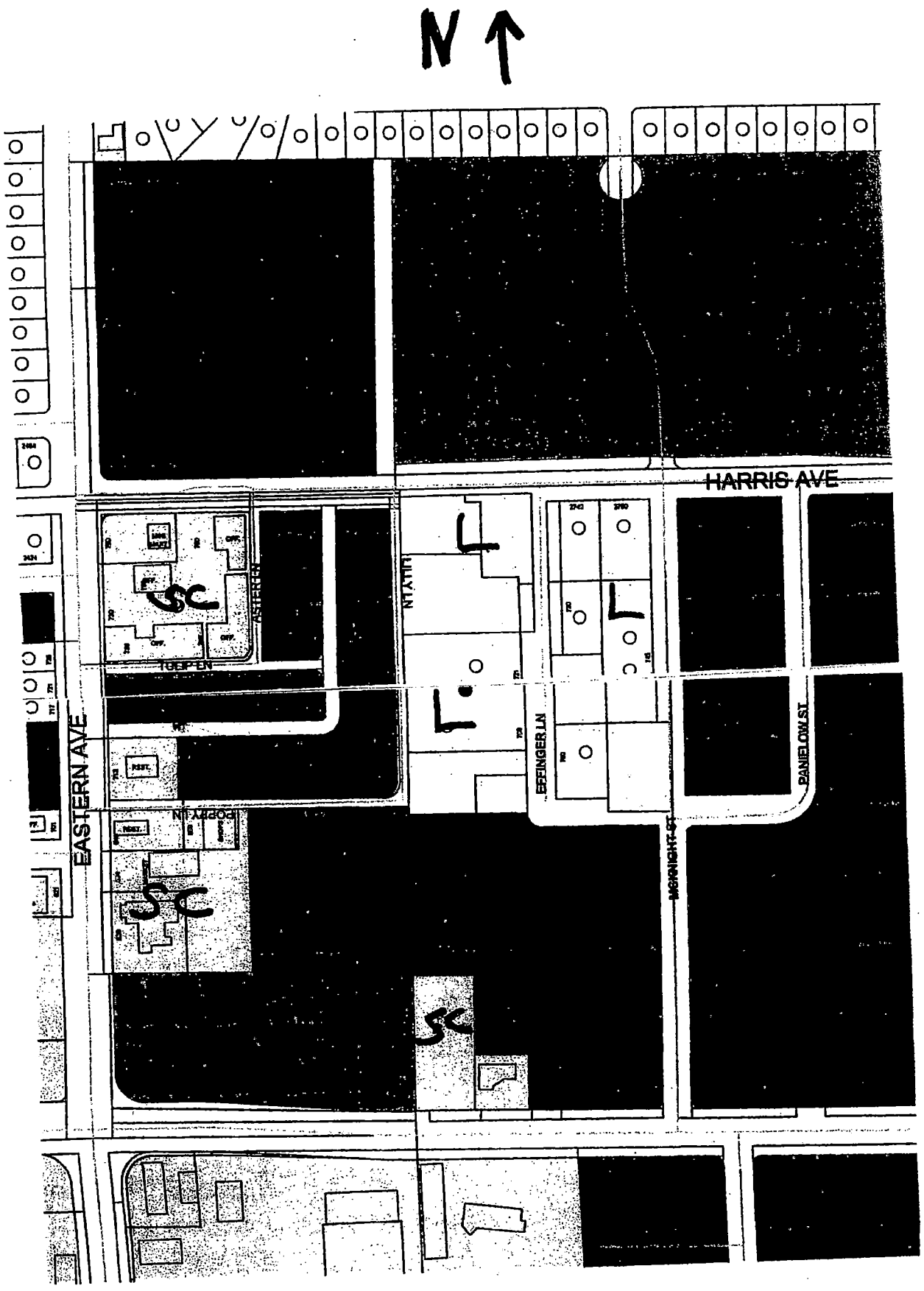
On this 12 day of Feb, in the year 1999, before me personally came and appeared Aaron Wallace, known and known to me, to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed same for the purpose therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My commission expires: 1-13-07

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1



GPA-3670
5-27-04 PC

GREATER NEVADA PLANNING, INC.

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DEVELOPER SERVICES

- *Permit Tracking*
- *Zone Changes*
- *Use Permits*

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain 3" 10' separation of buildings within the site

Thank you very much for your help.

Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com

GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcm.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land – Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.

2. The building height cannot be more than 25 feet.

3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

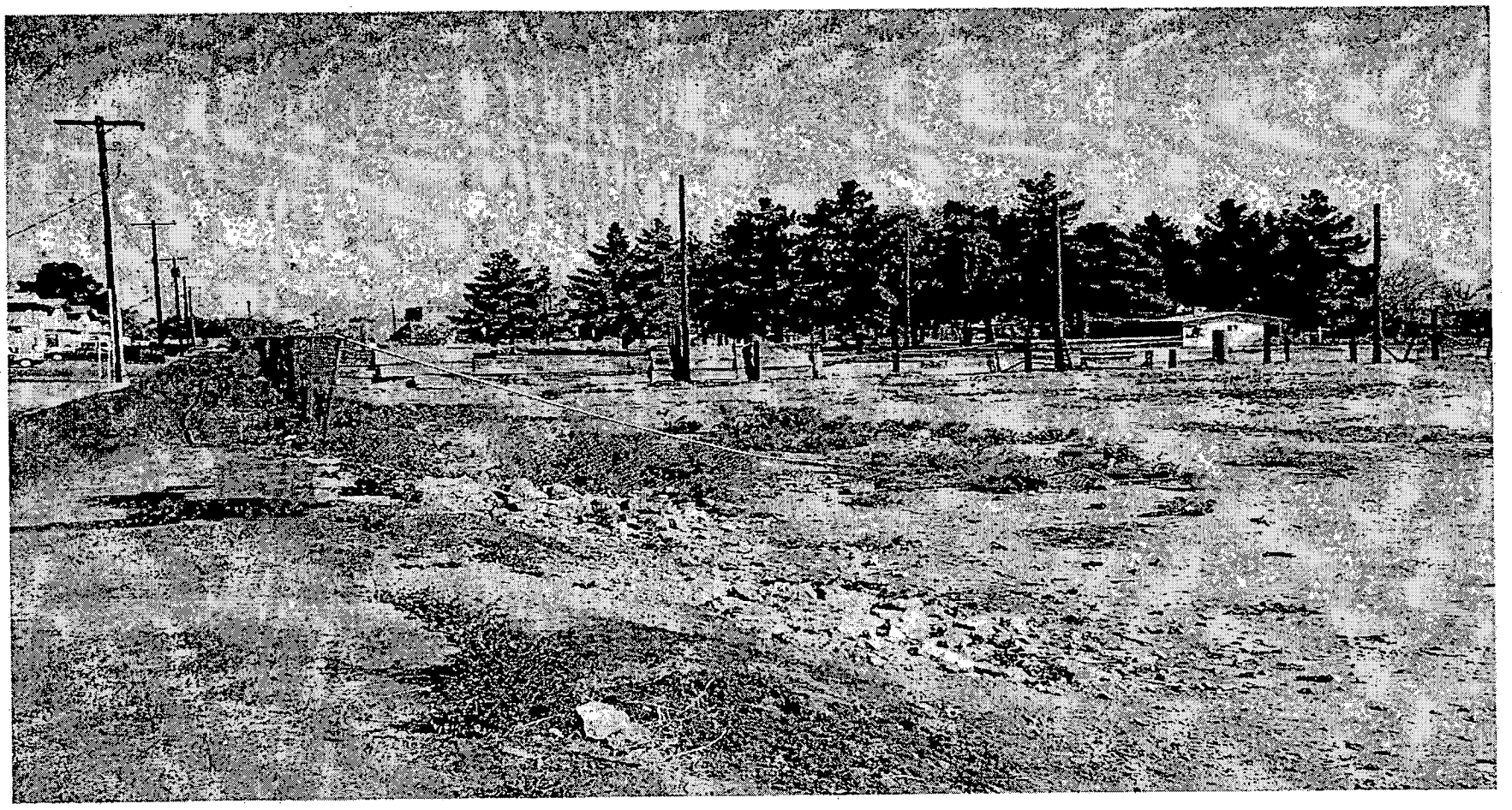
Best regards,

GEORGE GEKAKIS, INC.

George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning



GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04



GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - REZONING RELATED TO GPA-3670 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

ABEY: 06/24/2004

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

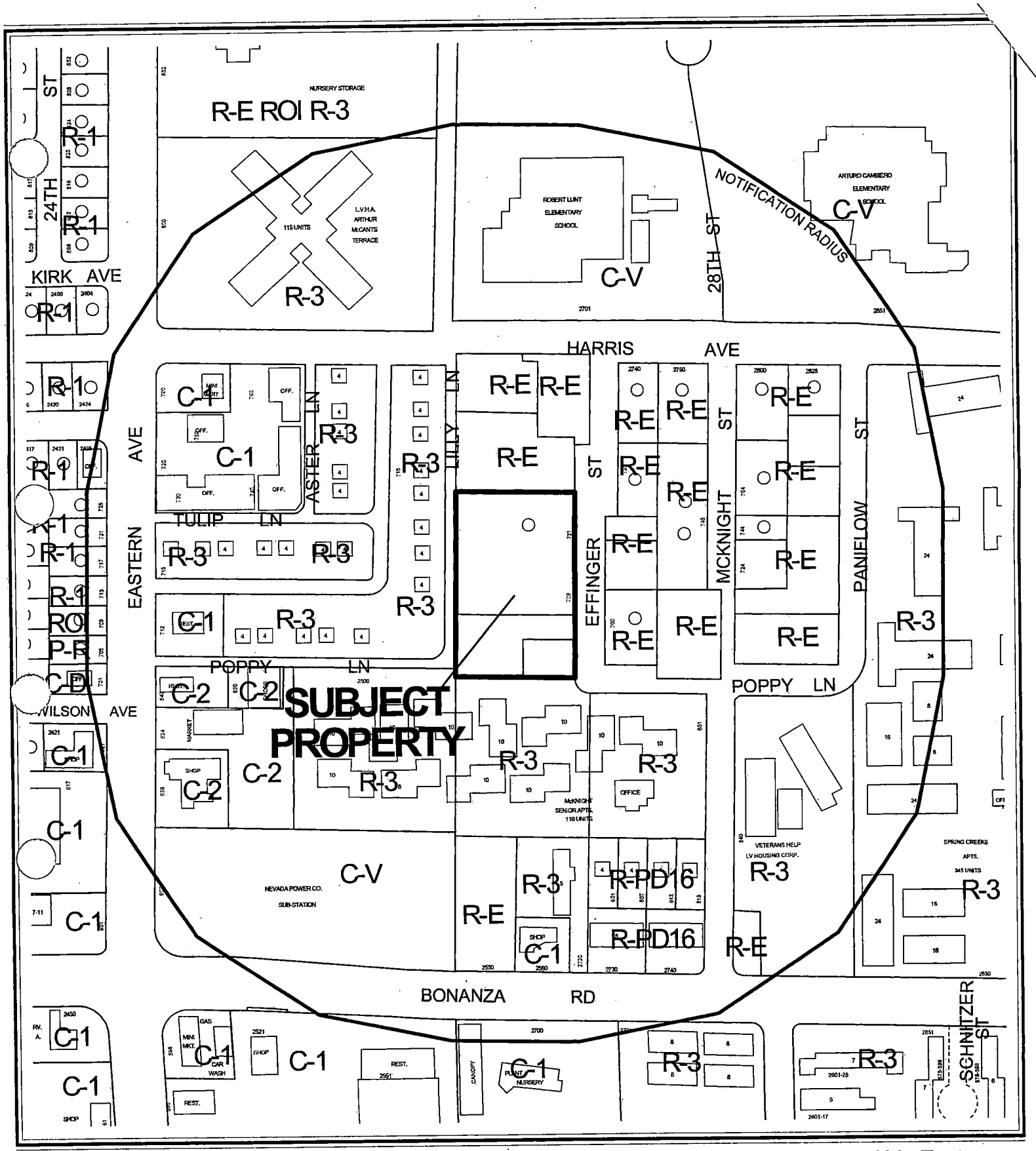
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:
There was no discussion.

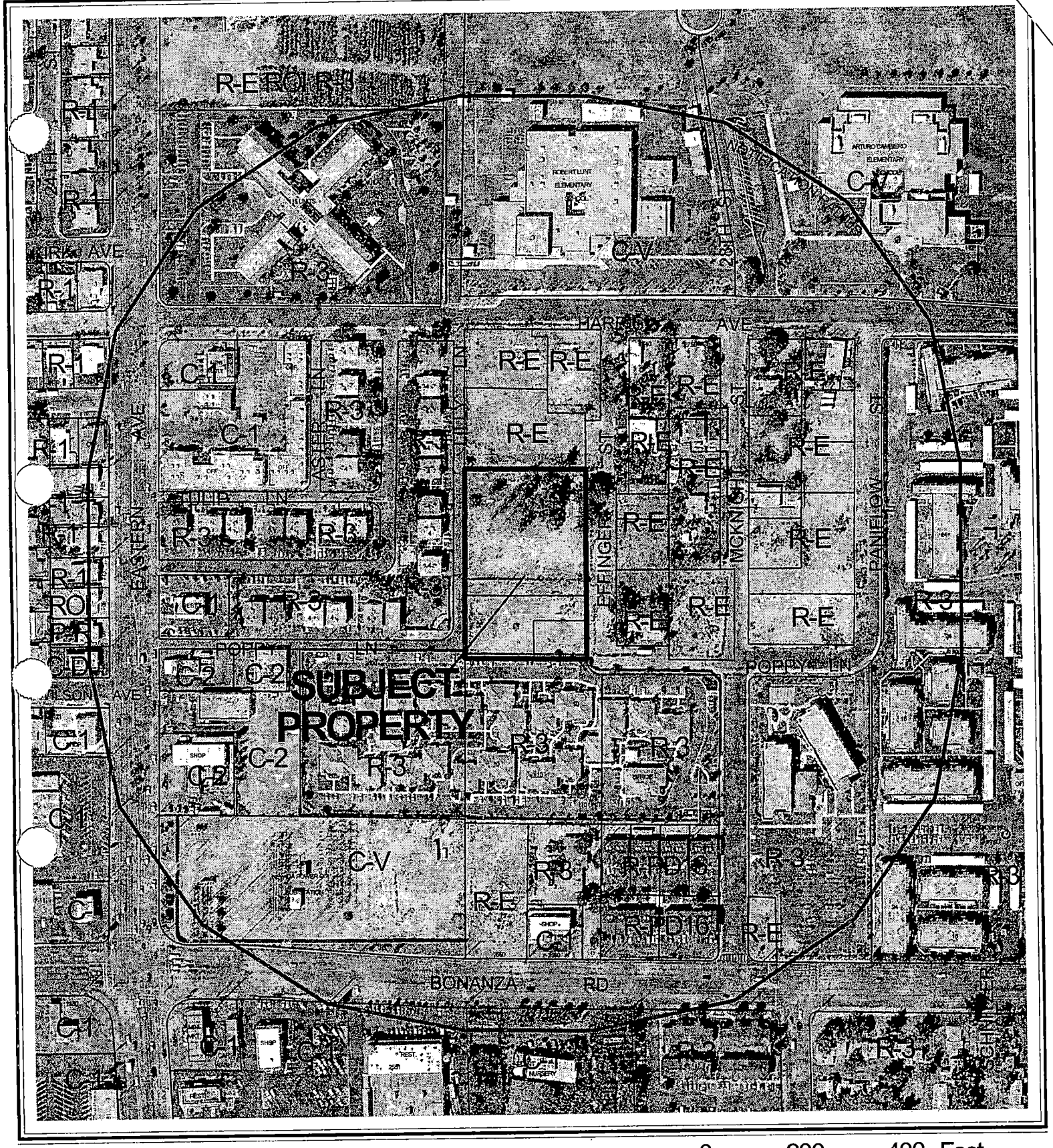


CASE: **ZON-3672**

RADIUS: 750 FT

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

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



CASE: **ZON-3672**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - REZONING RELATED TO GPA-3670 AND SDR-3958 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

ON MAY 13, 2004 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JUNE 10, 2004 PLANNING COMMISSION MEETING

GREATER NEVADA PLANNING, INC.

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DEVELOPER SERVICES
- Permit Tracking
- Zone Changes
- Use Permits

GPA 3670
ZN 3672
SDR 3958

6/27 PC

MEMO

TO: Mr. Flinn Fagg, AICP
Urban Design Coordinator
Current Planning
Development Services Center
City of Las Vegas
Via fax: 385-7268
Via email: fflagg@lasvegasnevada.gov

Cc: Terry Dietz
Merit Realty
Via fax: 433-3781
Via email: tbca98@aol.com

FROM: Sharon Tyner-Sabraw

DATE: 5/13/04

SUBJECT: APN 139-25-410-043, 042, & 007

Mr. Fagg, thank you very much for your information at our meeting on Tuesday.

We wish to schedule the Planning Commission date June 10, 2004, and City Council Date July 7, 2004 for the above referenced applications.

Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3672 APN: 139-25-410-042

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3672 APN: 139-25-410-043

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3672 APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

POWER OF ATTORNEY

State of Nevada)
) ss
County of Clark)

KNOW YE ALL MEN BY THESE PRESENTS,
That I, Aaron Wallace, President of: R M Property Holdings LLC
Address: 2984 E. Russell Rd.
City: Las Vegas
County: Clark
State: Nevada
Phone No. 434-4500

Do hereby make, constitute and appoint Terry Dietz of:

Address:	2984 E. Russell Rd.
City:	Henderson, NV 89014
County:	Clark
State:	Nevada
Phone No.:	434-4500

As my true and lawful attorney-in-fact, for me and in my name, place and stead to complete whatever actions necessary to fulfill all requirements.

I further give and grant to my said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 12 day of Feb., 2004.

Signature

CERTIFICATE OF NOTARY
State of Nevada)
)
County of Clark) ss

On this 12 day of Feb., in the year 1999, before me personally came and appeared Aaron Wallace, known and known to me, to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed same for the purpose therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My commission expires: 1-13-07

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

POWER OF ATTORNEY

State of Nevada)
) ss
County of Clark)

KNOW YE ALL MEN BY THESE PRESENTS,
That We, Janet D. & Steve G. Wilson
Address: P. O. Box 462-Station M 9th Ave SW
City: Calgary Alberta
County: Calgary Alberta
State: Canada

Do hereby make, constitute and appoint Terry Dietz of:

Address:	2984 E. Russell Rd.
City:	Henderson, NV 89014
County:	Clark
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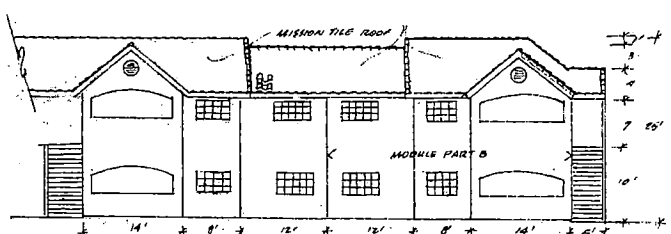
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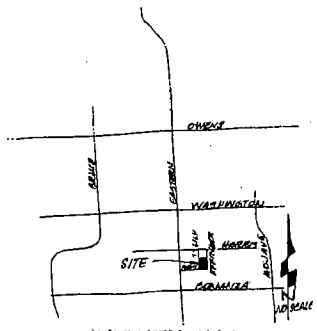
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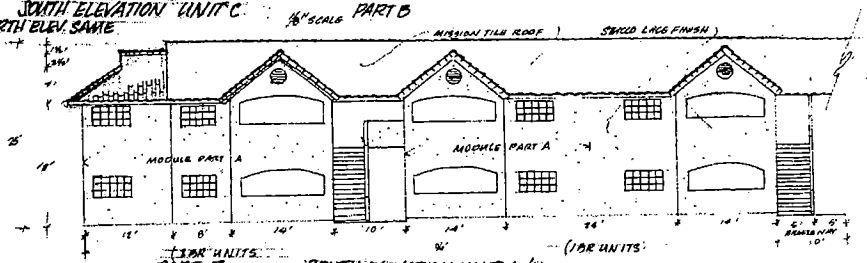
Notary Public - State of Nevada
County of Clark
KAYE HYMAS
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SOUTH ELEVATION UNIT C
NORTH ELEV. SAME
1/8" SCALE PART B

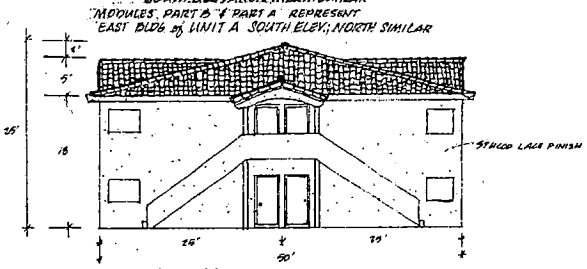


VICINITY MAP

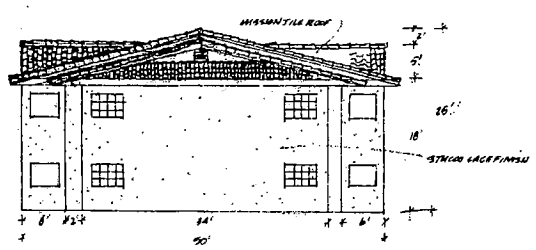


PART B SOUTH ELEVATION UNIT A & C 1/8" SCALE
NORTH ELEV SAME

NOTE: MODULES PART B TOGETHER REPRESENT UNIT B
SOUTH ELEVATION; NORTH SIMILAR
MODULES PART B & PART A REPRESENT
EAST BLDG OF UNIT A SOUTH ELEV; NORTH SIMILAR



EAST ELEVATION ALL 1/8" SCALE



WEST ELEVATION ALL UNITS 1/8" SCALE

CONCEPT LANDSCAPE SCHEDULE
TREES: PALO VERDE; DESERT WILLOW
TREES: DESERT ACACIA, TEXAS LAMBER
SHRUBS: OLEANDER (VAR) TEXAS RANGER (VAR)
LAVENDER (VAR.)
CRIMSON RED SANDSTONE 4"x6"x16"
OVERLAPPING GRAVEL COVER.

DENSITY
50 DWS TOTAL ON 01,200 SF OR 2.026 AC.
= 23.11 dua/ACU (NET)
50 DWS ON 102,607 SF OR 2.355 AC. GROSS
= 21.22 AUS/ACRE (GROSS)

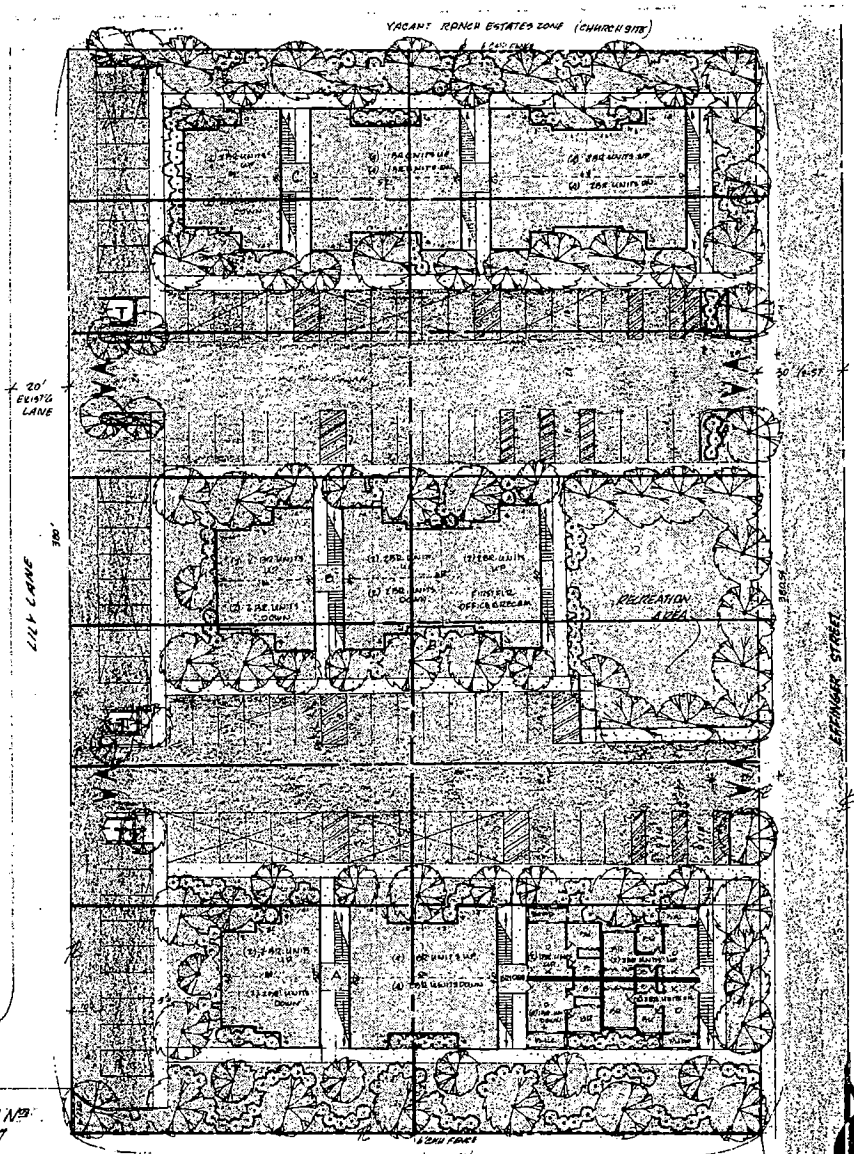
BLDG SIZES
BLDG A = OVERALL FOOTPRINT: 171'x50'
BLDG B = 117'x50'
BLDG C = 179'x50'

POPPY LANE

ASSESSOR'S PARCEL Nos.
139 29 410 003; 002 & 004

PARKING ANALYSIS
No 1 BR. UNITS = 20 @ 1.25/DU + 4 GUEST
No 2 BR UNITS = 30 @ 1.75/DU + 5 GUEST
20 X 1.25 = 25+5 = 29 REQD
30 X 1.75 = 53+5 = 58 = 87 TOTAL NO WORK REQ'D.
SHOWN: HANDICAP 90; REG. & HANDICAP 4 56 COVERED

ZON-3672
SDR-3958
5-27-04 PC



SITE PLAN & TYP. FLOOR PLANS & CONCEPT LANDSCAPING PLAN

LANDSCAPED OPEN AREA
MULTI-FAMILY D.U.S.
PAVED PARKING-TRAVEL LANES

SITE PLAN; LANDSCAPE PLAN & ELEVATIONS & FLOOR PLAN TO ACCOMPANY ZONE CHANGE REQUEST: RE 40 TO R3 ON EFFINGER NEAR HARRIS - CITY OF LAS VEGAS

THESE PLANS AND DESIGNS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT

GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcm.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land – Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.

2. The building height cannot be more than 25 feet.

3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

Best regards,

GEORGE GEKAKIS, INC.

George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning

GREATER NEVADA PLANNING, INC.

Tracking your path to success!

DEVELOPER SERVICES
- Permit Tracking
- Zone Changes
- Use Permits

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain 3' 10' separation of buildings within the site

Thank you very much for your help.

Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com



ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04



ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Reese).

ABEY: 06/24/2004

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

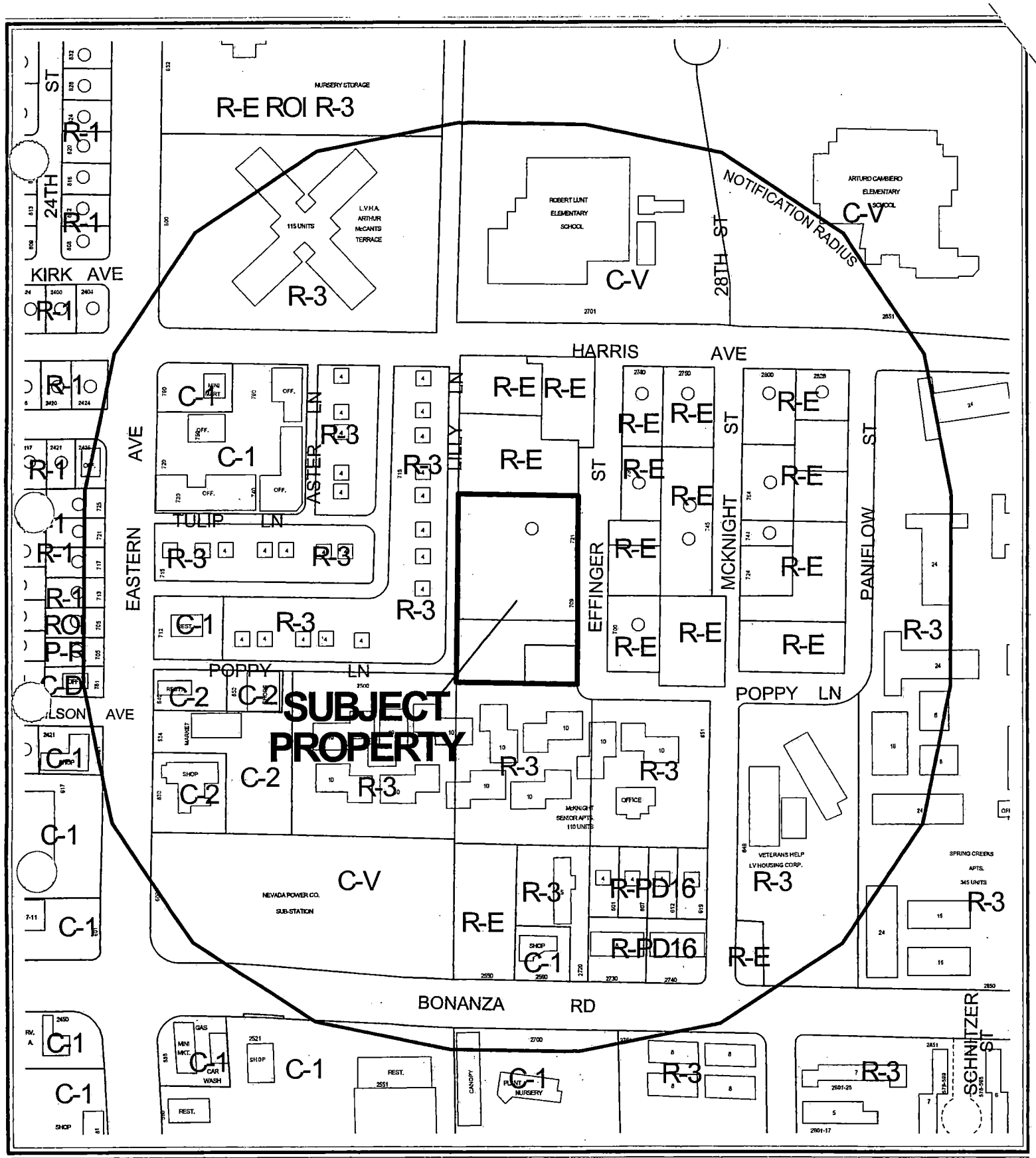
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:
There was no discussion.



0 200 400 Feet

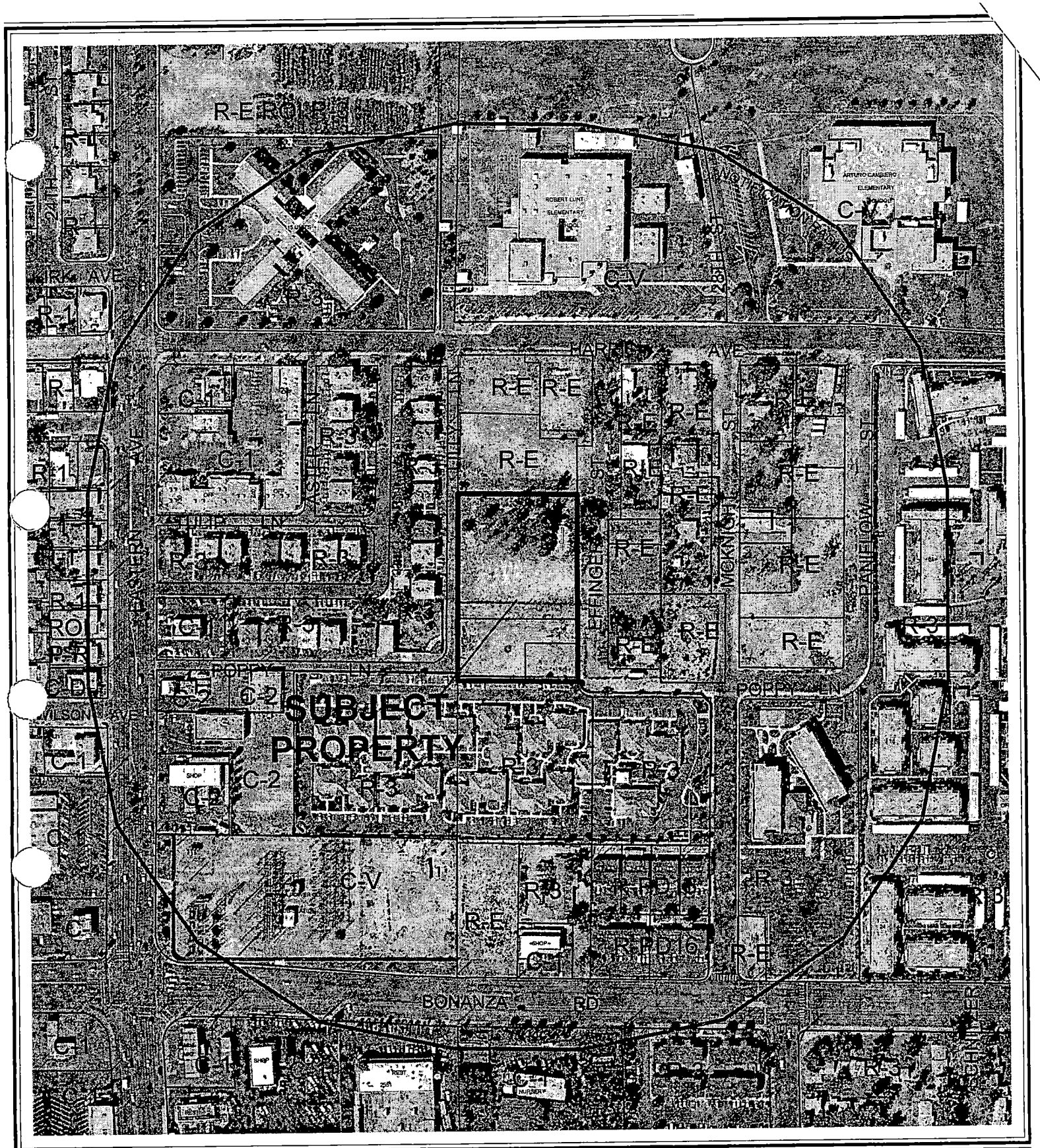
CASE: **SDR-3958**

RADIUS: 750 FT

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

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

N



0 200 400 Feet

CASE: **SDR-3958**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

ON MAY 13, 2004 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JUNE 10, 2004 PLANNING COMMISSION MEETING

GREATER NEVADA PLANNING, INC.

Tracking your path to success!

DEVELOPER SERVICES
- Permit Tracking
- Zone Changes
- Use Permits

GPA 3670
ZON 3672
SDR 3958

6/27 PC

MEMO

TO: Mr. Flinn Fagg, AICP
Urban Design Coordinator
Current Planning
Development Services Center
City of Las Vegas
Via fax: 385-7268
Via email: fflagg@lasvegasnevada.gov

Cc: Terry Dietz
Merit Realty
Via fax: 433-3781
Via email: tbca98@aol.com

FROM: Sharon Tyner-Sabraw

DATE: 5/13/04

SUBJECT: APN 139-25-410-043, 042, & 007

Mr. Fagg, thank you very much for your information at our meeting on Tuesday.

We wish to schedule the Planning Commission date June 10, 2004, and City Council Date July 7, 2004 for the above referenced applications.

Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3958 APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

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: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2024

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3958 APN: 139-25-410-042

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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: _____

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Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

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Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3958 APN: 139-25-410-043

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

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

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City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Tony Dietz

Print Name: Tony Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hymas

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
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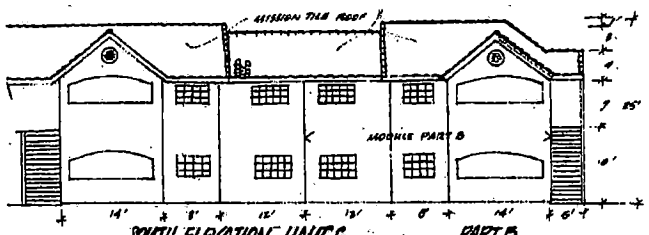
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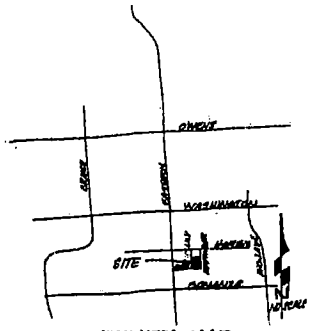
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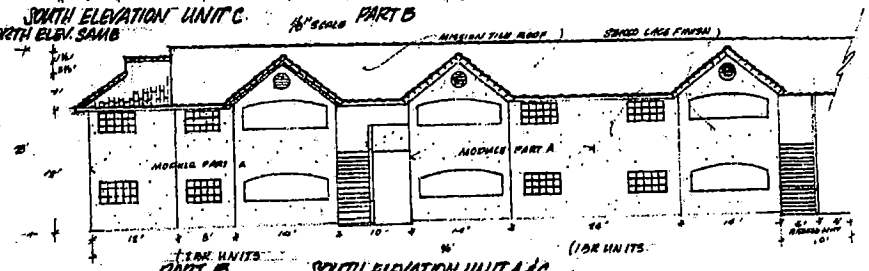
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SOUTH ELEVATION UNIT C. 1/8" SCALE
NORTH ELEV. SAME



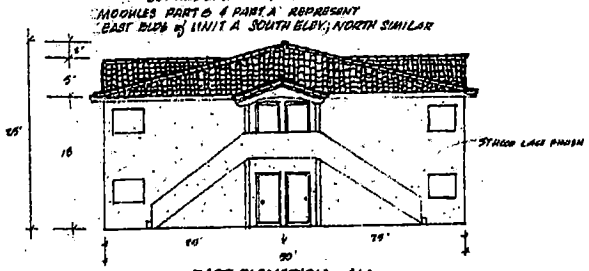
VICINITY MAP



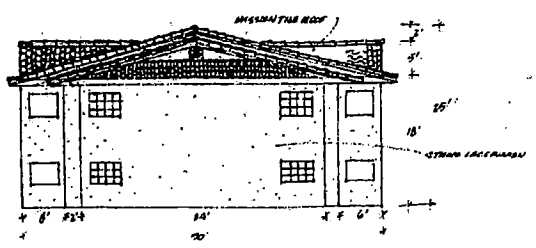
(3 BR UNITS)
PART B

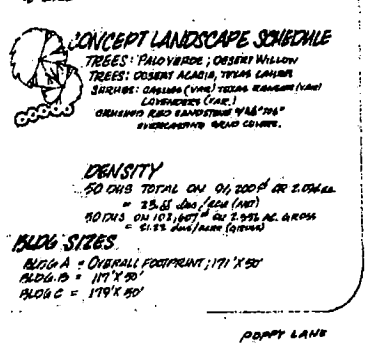
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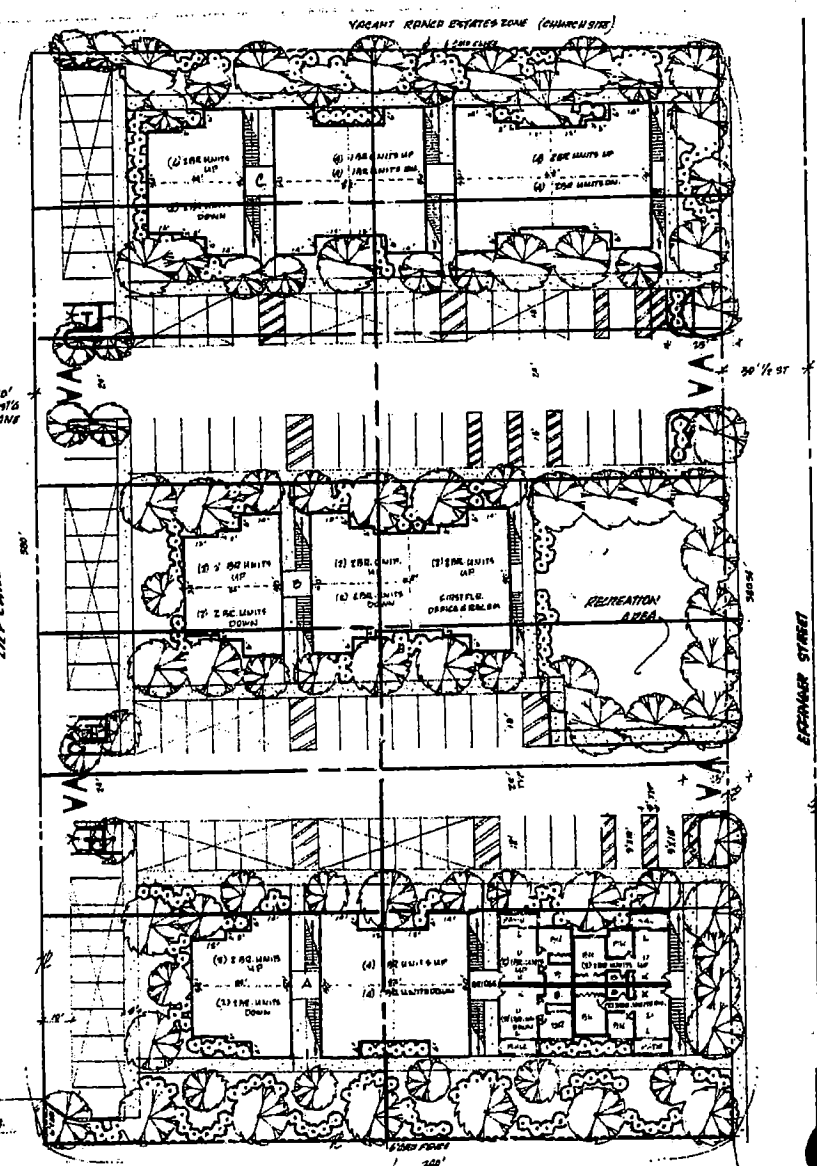


DENSITY
50 DUS TOTAL ON 01,200 SF OR 2.05 AC.
= 25.55 DUs/ACRE (NET)
50 DUS ON 103,607 SF OR 2.38 AC. GROSS
= 21.55 DUs/ACRE (GROSS)

BLDG SIZES
BLDG A = OVERALL FOOTPRINT; 171'X 50'
BLDG B = 117'X 50'
BLDG C = 179'X 50'

ASSESSOR'S PARCEL NO.
159 29 410 083; 082 & 007

PARKING ANALYSIS
NO. 1 BR. UNITS = 20 @ 1.50/DU + 4 GUEST
NO 2BR UNITS = 30 @ 1.70/DU + 5 GUEST
20 X 1.50 = 30 + 4 = 34 REQ'D
30 X 1.70 = 51 + 5 = 56 = 87 TOTAL REQ'D.
SUCCULENT HEDGE 490; INCL. 6 BALDCYP & 98 COVERED

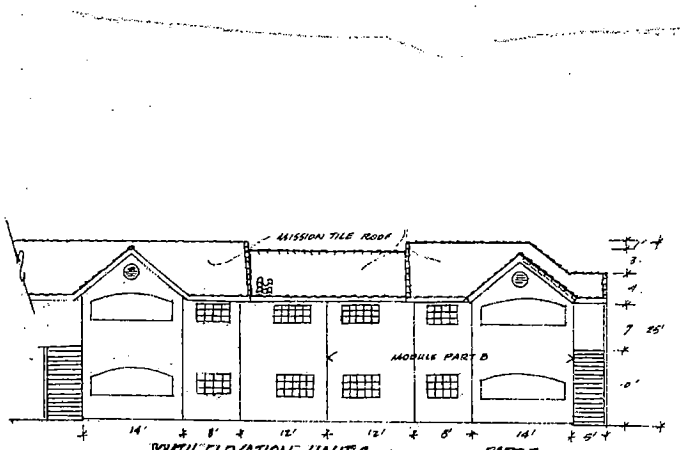


SITE PLAN & TYP. FLOOR PLANS & CONCEPT LANDSCAPING PLAN

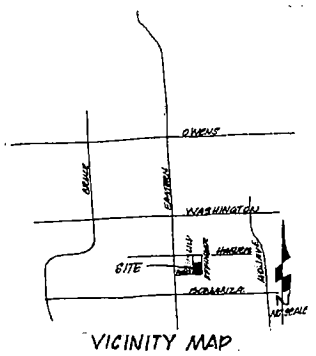
ZON-3672
SDR-3958
5-27-04 PC

SITE PLAN; LANDSCAPE PLAN & ELEVATIONS
& FLOOR PLAN to ACCOMPANY
ZONE CHANGE REQUEST: RE to R3
ON EFFINGER NEAR HARRIS ~ CITY OF LAS VEGAS

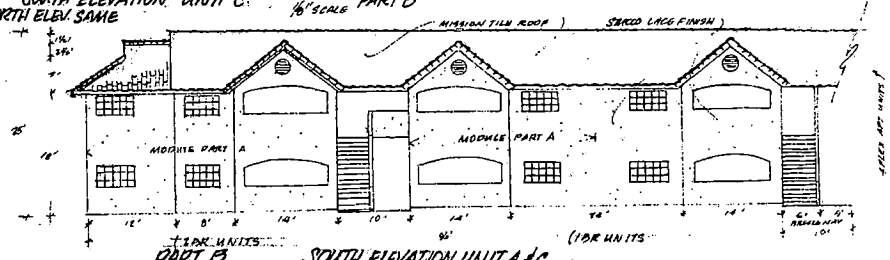
"Alexander Development Company" 1111 Broadway (702) 384-8424 Fax (702) 385-2011



SOUTH ELEVATION UNIT C. 1/8" SCALE
NORTH ELEV. SAME

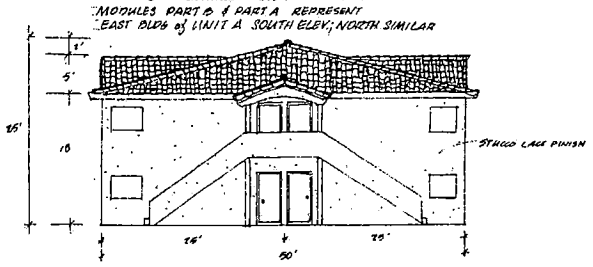


VICINITY MAP

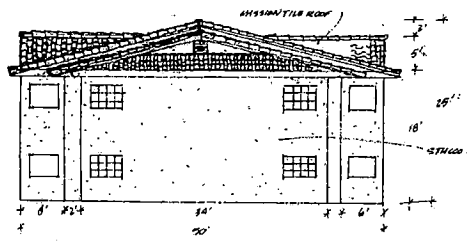


PART B SOUTH ELEVATION UNIT A & C 1/8" SCALE
NORTH ELEV SAME

NOTE: MODULES PART B TOGETHER REPRESENT UNIT B
SOUTH ELEVATION SIMILAR
MODULES PART B & PART A REPRESENT
EAST BLDG of UNIT A SOUTH ELEV.; NORTH SIMILAR



EAST ELEVATION ALL 1/8" SCALE



WEST ELEVATION ALL UNITS 1/8" SCALE

CONCEPT LANDSCAPE SCHEDULE
TREES: PALO VERDE; DESERT WILLOW
TREES: OBSERT ACACIA, TEXAS LOWER
SHRUBS: CASSIA (VAR.) TEXAS RANGER (VAR.)
LAVENDERS (VAR.)
CRUSHED RED SANDSTONE 3/4" & 1/2" DIA.
OVERGROWING GRND COVERS.

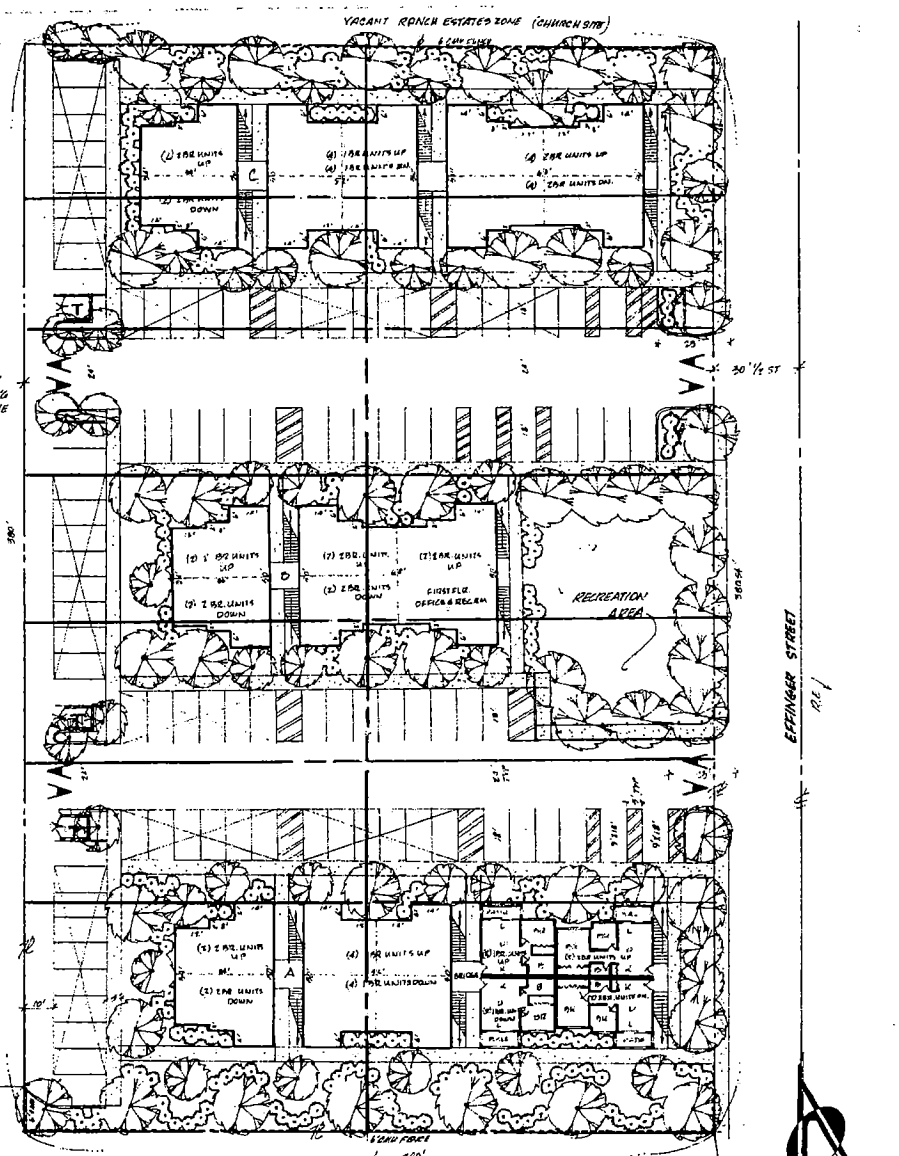
DENSITY
50 DUS TOTAL ON 01; 200 SF OR 2.00 AC.
= 23.38 DUS/ACRE (NET)
50 DUS ON 102,607 SF OR 2.35 AC. GROSS
= 21.28 DUS/ACRE (GROSS)

BLDG SIZES
BLDG A = OVERALL FOOTPRINT; 171' X 50'
BLDG B = 117' X 50'
BLDG C = 179' X 50'

POPPY LANE

ASSESSOR'S PARCEL Nos:
139 29 410 003; 042 & 007

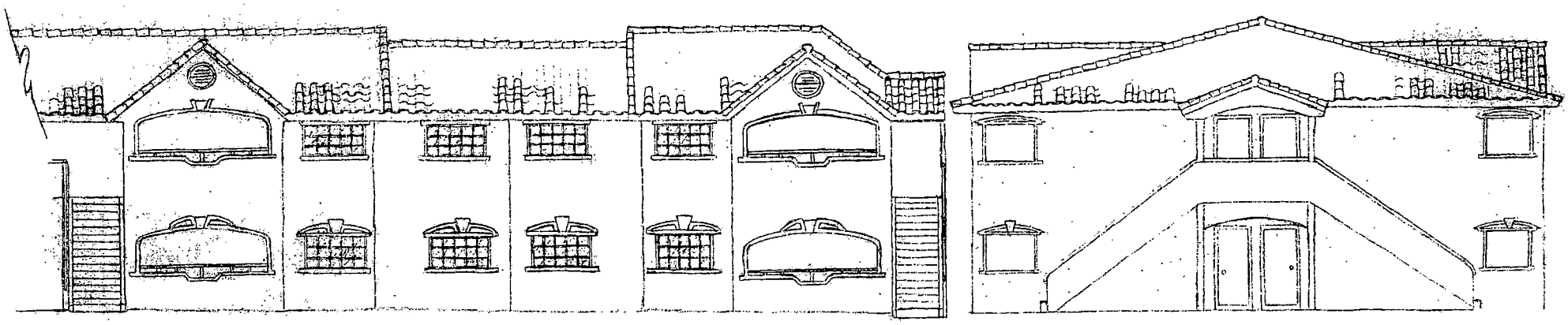
PARKING ANALYSIS
1/2 1 BR. UNITS = 10 @ 1.29/DU + 4 GUEST
Nº 2 BR UNITS = 30 @ 1.79/DU + 5 GUEST
10 X 1.29 = 13 REQ'D
30 X 1.79 = 53 + 5 = 58 = 67 TOTAL Nº SPACES REQ'D.
SHOWN HEREON - 90; INCL. 6 HANDICAP & 26 COVERED



SITE PLAN & TYP. FLOOR PLANS & CONCEPT LANDSCAPING PLAN

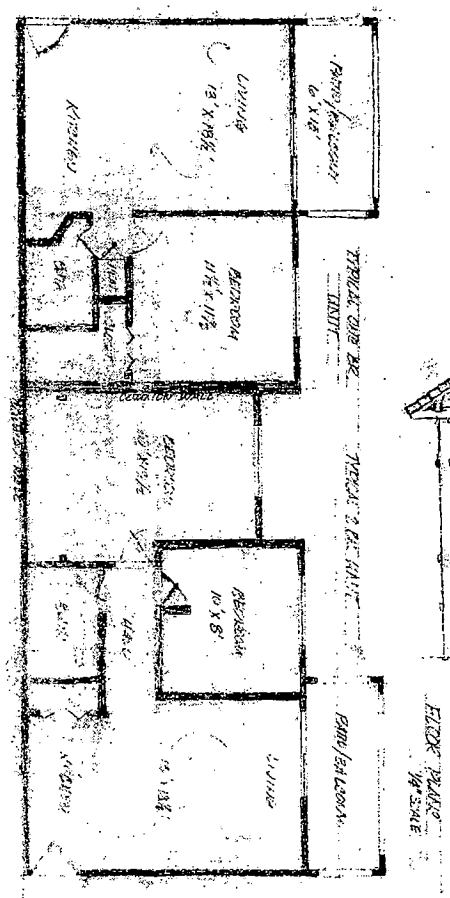
ZON-3672
SDR-3958
04-08-04 PC

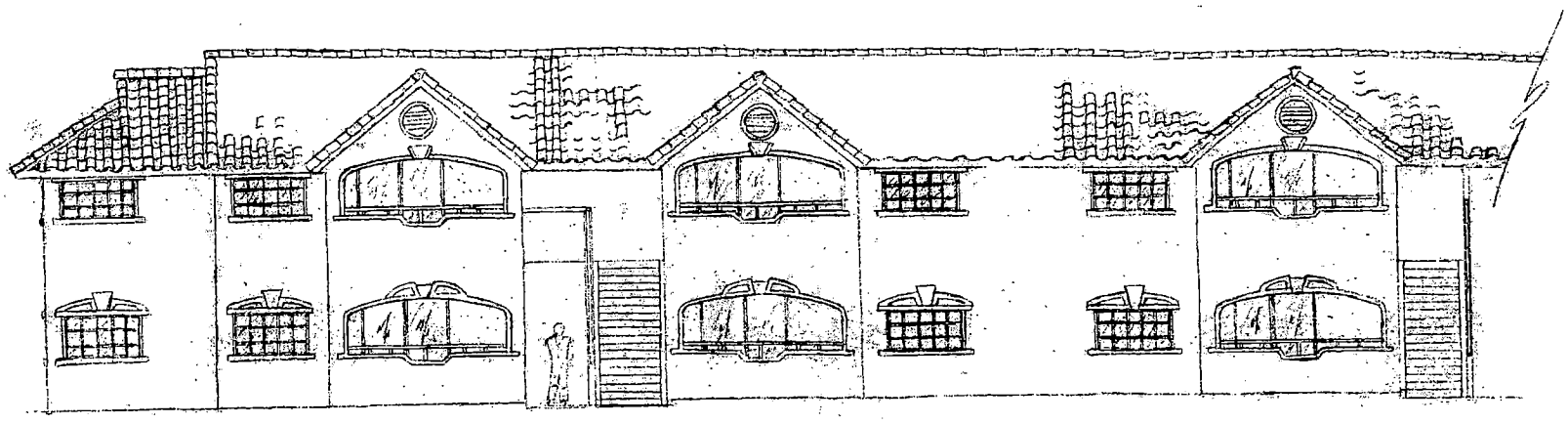
SITE PLAN; LANDSCAPE PLAN & ELEVATIONS & FLOOR PLAN to ACCOMPANY ZONE CHANGE REQUEST: RE to R3 ON EFFINGER NEAR HARRIS ~ CITY of LAS VEGAS



TYPICAL SIDE ELEVATION 2 BR UNITS
1/8" SCALE

TYPICAL END ELEVATION
1/8" SCALE





TYPICAL ELEVATION 2BR & 1 BR UNITS
1/8" SCALE

ZON-3672
SDR-3958
04-08-04 PC

ELEVATIONS to accompany
ZONE CHANGE REQUEST: RE to R3
on EFFINGER near HARRIS & Simi or Las Vi

GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcm.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land – Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.

2. The building height cannot be more than 25 feet.

3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

Best regards,

GEORGE GEKAKIS, INC.

George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning

GREATER NEVADA PLANNING, INC.

Tracking your path to success!

DEVELOPER SERVICES
- Permit Tracking
- Zone Changes
- Use Permits

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain 3' 10' separation of buildings within the site

Thank you very much for your help.

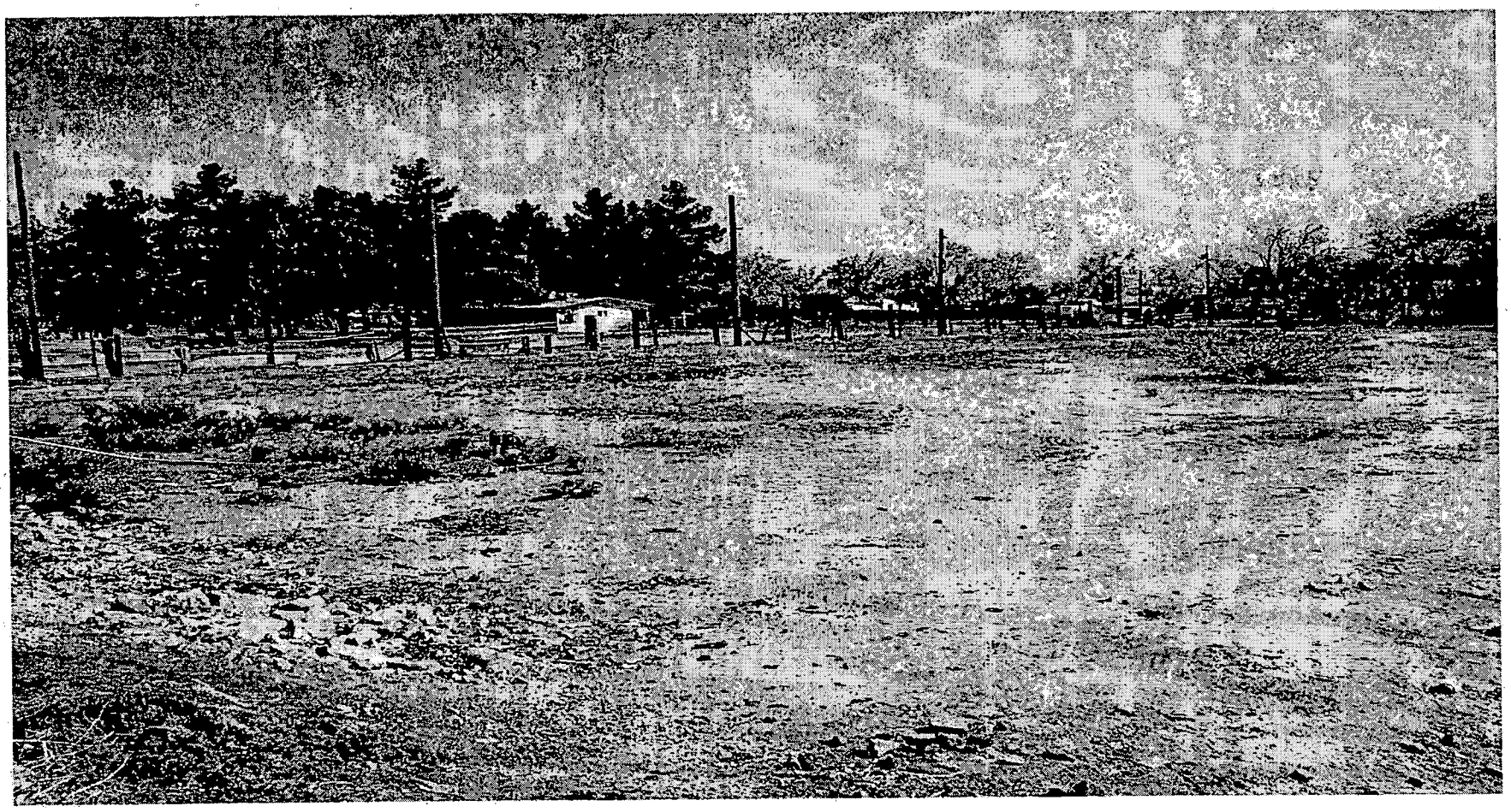
Sharon

2756 N. Green Valley Pkwy, # 177, Henderson, NV 89014-2120 Phone: 702 / 312-2435 Fax: 312-3316
Email: gnpmark@cox.net Web Site: www.greaternevadaplanning.com



SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04



SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
MAY 27, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	7	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

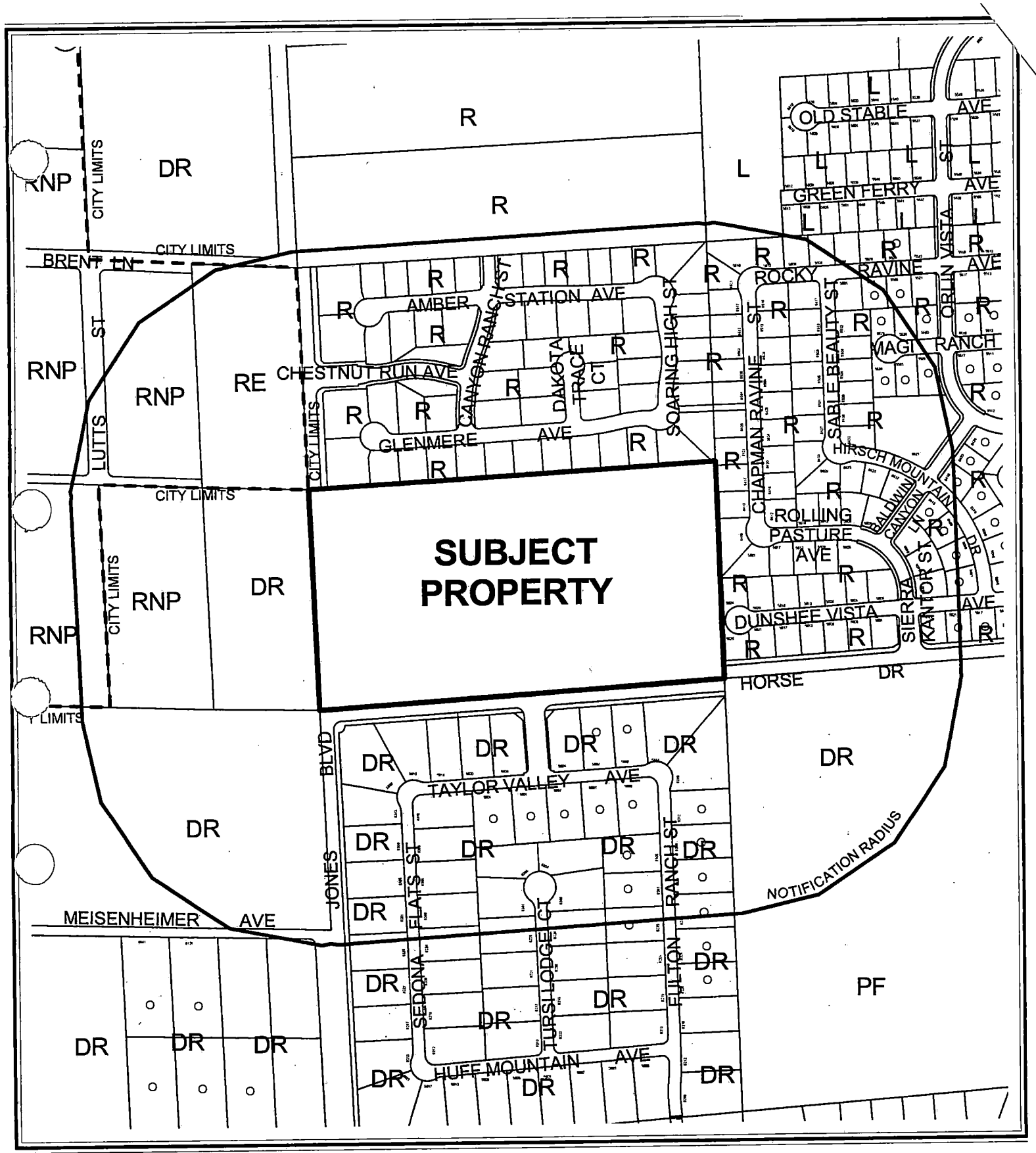
MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.



0 200 400 Feet

CASE: **GPA-4091**

RADIUS: 750 FT

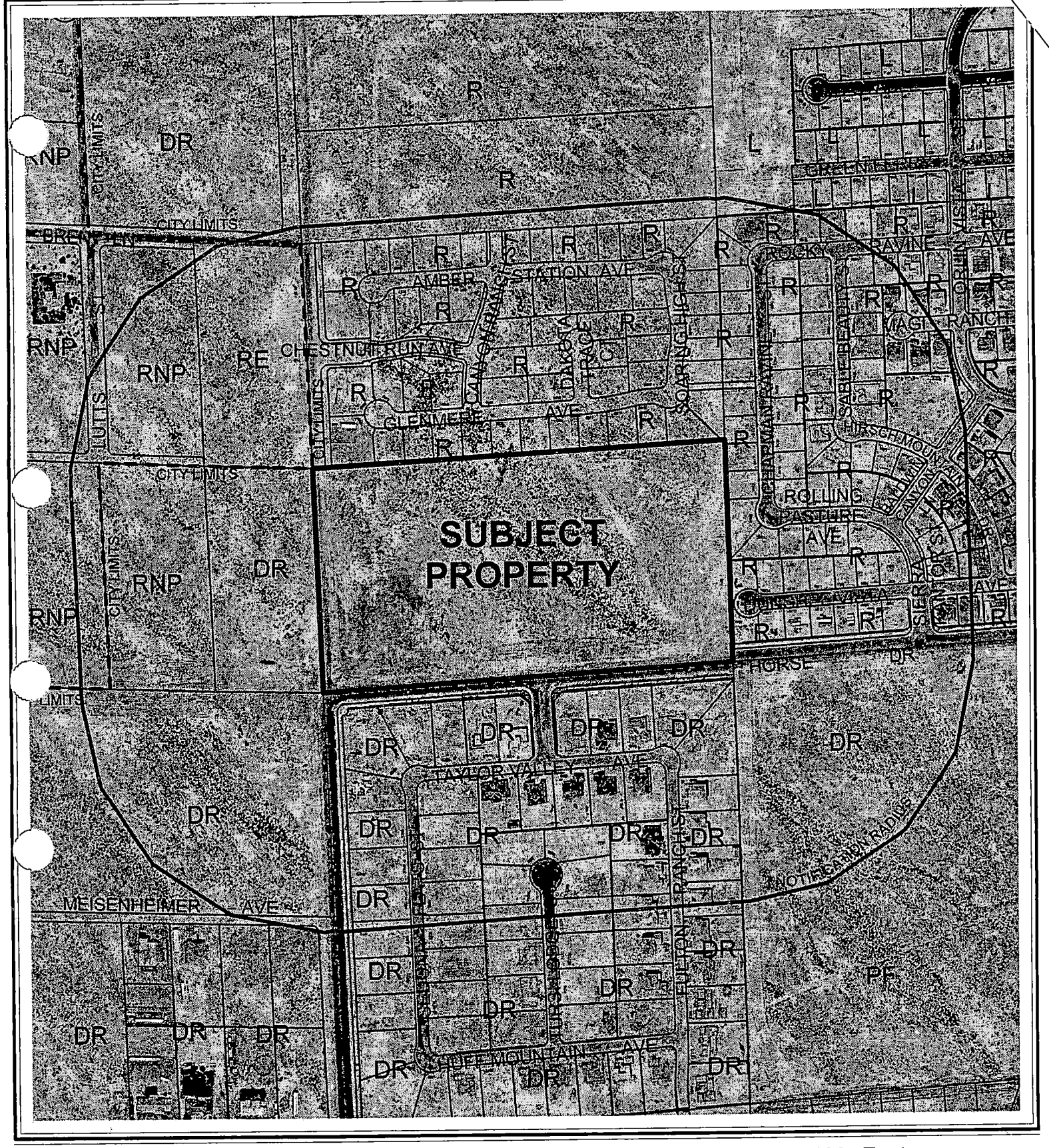
GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L(LOW DENSITY RESIDENTIAL)

N



CASE: **GPA-4091**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L(LOW DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the northeast corner of Horse Drive and Jones Boulevard from DR (Desert Rural) to L (Low Density Residential). A companion rezoning application (ZON-4093), variance (VAR-4094), and site development plan review (SDR-4095) were filed with this proposed amendment.

JUSTIFICATION LETTER

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) Residential land uses (if residential) with a maximum density of three dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
02/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre).
04/22/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.

KCW

DETAILS OF APPLICATION REQUEST

Site Area: 20.35 Acres

EXISTING LAND USE

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

PLANNED LAND USE

Subject Property	DR (Desert Rural)
North	R (Rural)
South	DR (Desert Rural)
East	R (Rural)
West	DR (Desert Rural)

EXISTING ZONING

Subject Property	U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North	U (Undeveloped) DR (Desert Rural) ROI R-PD3 under Resolution of Intent to Residential Planned Development - 3 Units Per Acre)
South	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)

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**

KCW

DEFINITIONS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre.

The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

Low Density Residential (L) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments and planned community developments.

Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

ANALYSIS

The west property line of the subject parcel is along Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. The site is surrounded on all four sides with planned residential. The planned subdivision to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The proposed L (Low Density Residential Density) land use is totally inconsistent with the neighborhood. Jones Boulevard and Horse Drive have, historically, been a boundary between Rural Density Residential and Desert Rural Density development. Rural densities are developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood to the subject parcel is at the southwest corner of Decatur and Horse, a quarter mile to the east of the subject parcel. The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

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

KCW

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations.**

   The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation to L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

   Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**

   The proposed L (Low Density residential) land use designation would allow the R-1 (Single Family Residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. These zoning districts would not be compatible with the existing zoning districts of the neighborhood surrounding the subject site, which are U (DR), R-PD3, U (DR) under resolution of intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning districts.

   In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.**

   The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

   The traffic capacity of Jones and Horse is consistent with the very low-density residential development as planned for the immediate area. The potential traffic generated by proposed density on the subject site will exceed that capacity.

KCW

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

There are no other plans or policies that support the proposed land use amendment.

By introducing a density potential of up to 5.49 dwelling units per acre where the greatest nearby planned density is 3.49 is nearby the application is in fact in conflict with the city policy of preserving the rural areas of the city.

The proposal is in conflict with Program C.1.2 of the General Plan which calls for the use of very low density, equestrian oriented, residential land use designated districts such as the subject parcel's Rural designation as a protection and enhancement of the existing rural development and established life-style.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/23/04 The meeting was held at the Silverstone Golf Club. Fourteen residents were in attendance, with concerns regarding the square footage of the homes, density, setbacks, gated entry, if there will be a home owners association and ground breaking in about 18 months. There was unanimous opposition to lots smaller than a quarter acre.

NOTICES MAILED: 51 [Mailed with ZON-4093, VAR-4095 & SDR-4095]

APPROVALS: 0

PROTESTS: 7

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4091 APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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: Sharon L Marchiol

Print Name: SHARON MARCHIOL

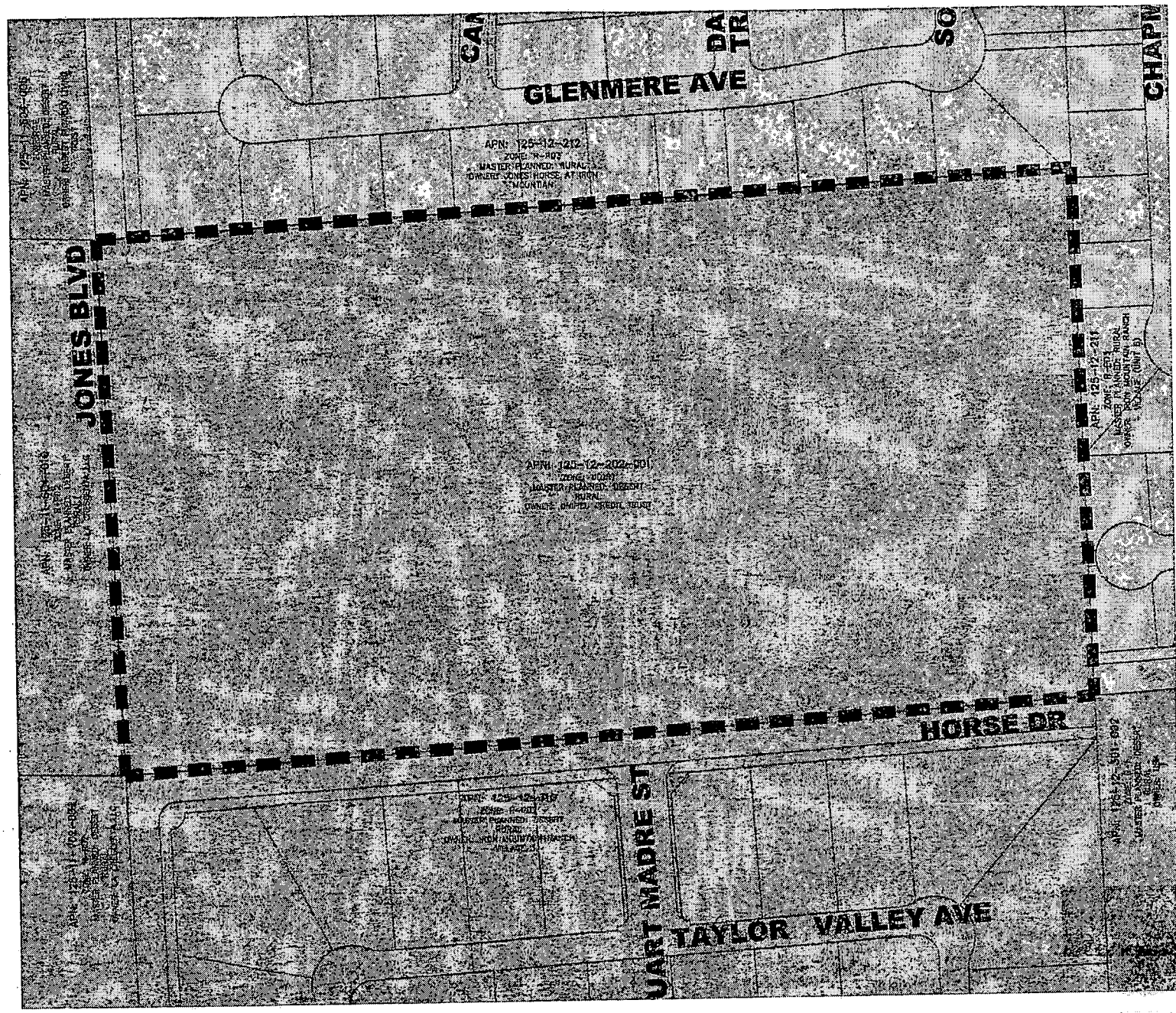
Subscribed and sworn before me

This 9th day of March, 2001

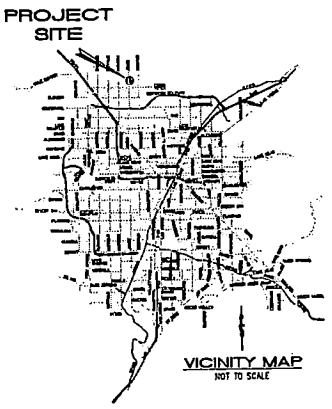
Ralynn K Cooper

Notary Public in and for said County and State

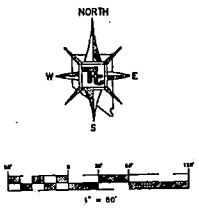
Notary Public - State of Nevada
County of Clark
RALYNN K. COOPER
My Appointment Expires
January 15, 2004
No: 00-6820



PROJECT SITE



VICINITY MAP
NOT TO SCALE



DEVELOPER
UNITED CREDIT TRUST
3952 S. ATCHISON WAY #D
AURORA, CO

OWNERS
UNITED CREDIT TRUST
3952 S. ATCHISON WAY #D
AURORA, CO

ASSESSORS PARCEL NUMBER:
125-12-202-001

TABULATIONS

EXISTING ZONING	U(DR)
EXISTING LAND USE	DESERT RURAL
PROPOSED LAND USE	LOW
GROSS ACREAGE	20.35 ACRES ±

GPA-4091
5-27-04 PC

SHEET: SITE PLAN TO ACCOMPANY GENERAL PLAN AMEMDMENT

SITE: JONES / HORSE
CITY OF LAS VEGAS, NEVADA

DRAWN BY: S. SIVER
CHECKED BY:
DATE: MARCH 8, 2004
QUALITY CONTROL BY:
SCALE:
LAYOUT BY: C. ANDREA
PAGE # 6

UNIFIED CREDIT TRUST
3952 S. ATCHISON WAY #D
AURORA, CO

TETRA TECH, INC.
ENGINEERING • PLANNING • SURVEYING
400 N. ARMAND DR., SUITE 100, LAS VEGAS, NEVADA 89145 (702) 948-1000

REV	DATE	BY	REMARK



GPA-4091 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
MAY 27, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

GPA-4091
VAR-4094
SDR-4095

Meeting Date: 4-22-PC **Case Number:** ZON-4093

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date: 4-12-04
Name: H.WH. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Marion Spence Dennye Spence

Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:47
PLANNING AND DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
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RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

James Marygrow Linda Marygrow

Address: 6280 Brent Lane, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:47
PLANNING AND DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
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Erma L. Davis

Address: 8351 N. Mustang St., Las Vegas, NV 89131

cc: Councilman Michael Mack

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Melanie Alexander

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

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Jim Allen Diane Allen

Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

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PLANNING AND DEVELOPMENT

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:

ABEYANCE - REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	7	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

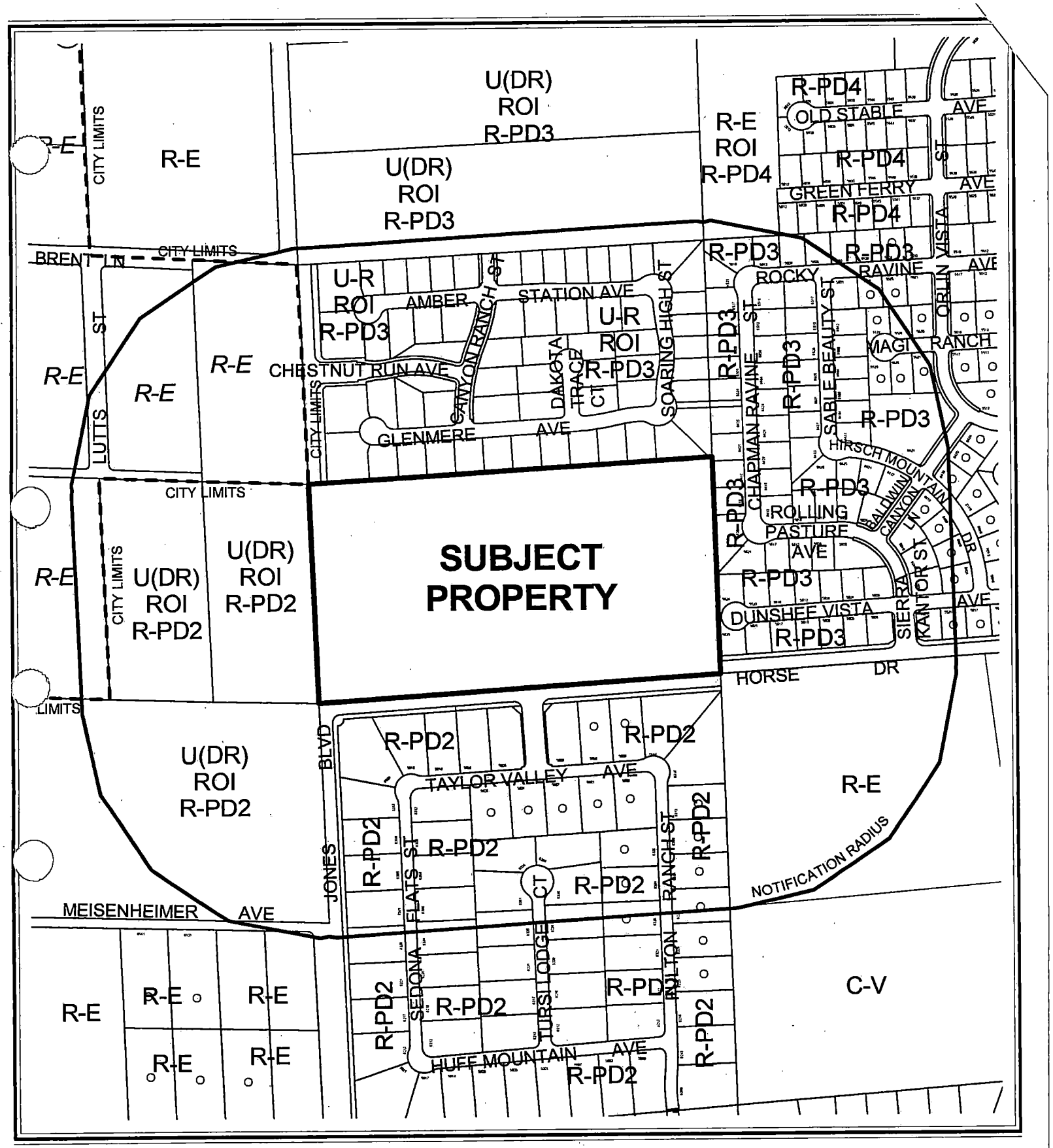
MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

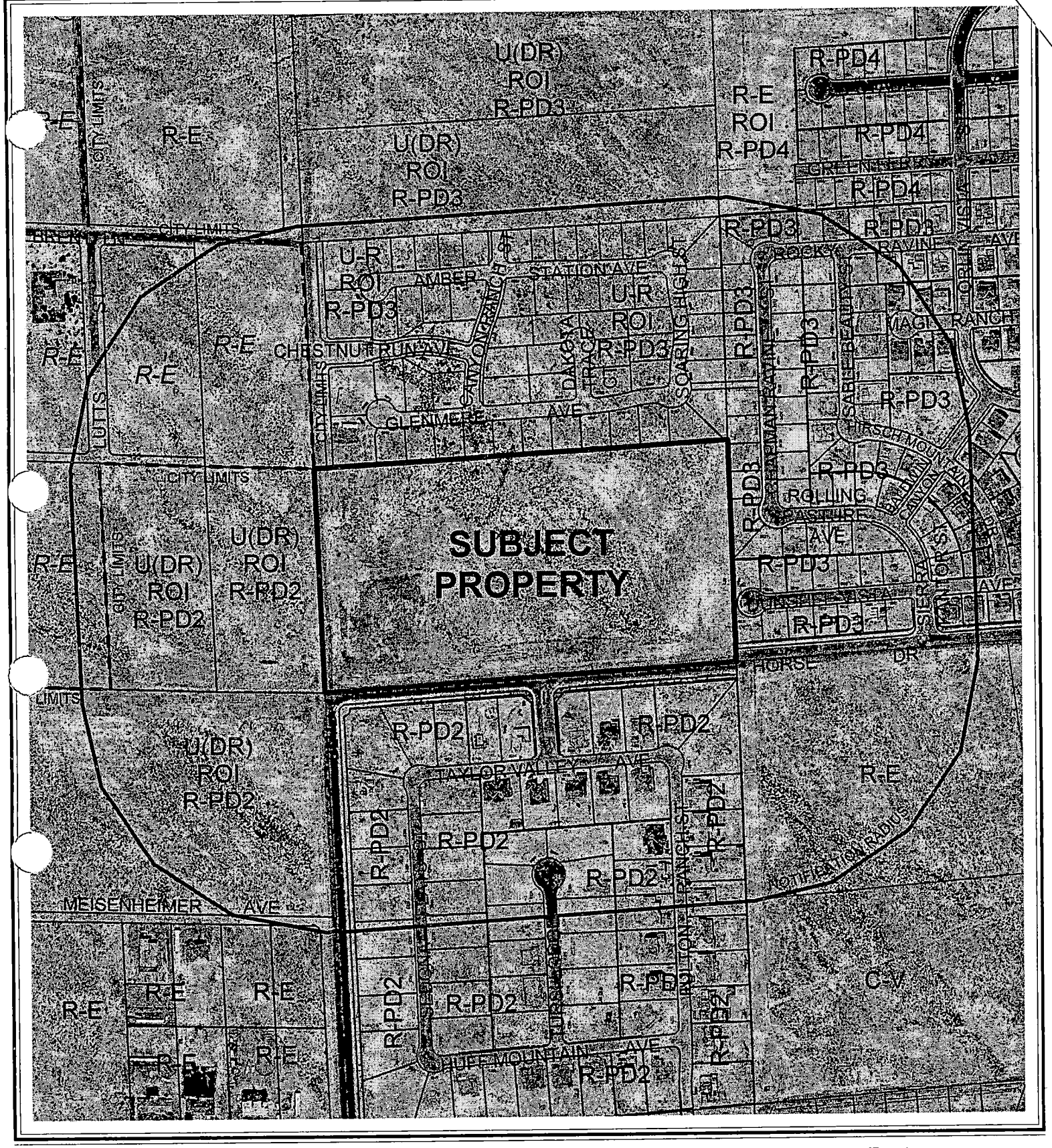


CASE: **ZON-4093**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)



CASE: **ZON-4093**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - REZONING - PUBLIC HEARING - ZON-4093 –
APPLICANT/OWNER: UNIFIED CREDIT TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.

3. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

4. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

5. 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 Final Map for 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 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 Final Map, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A companion General Plan Amendment application (GPA-4091), Variance (VAR-4094), and Site Development Plan Review (SDR-4095) were filed with this proposed amendment.

B) Applicant's Justification

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND INFORMATION

A) Previous Actions

04/22/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.

B) Pre-Application Meeting

02/27/04 At the pre-application conference meeting the following was discussed:

- The lots along the north property line should match those planned in the subdivision to the north.
- R-PD Open Space standards apply.
- Trail on Jones not required.
- Area for the streetscape to be shown as a common lot.
- Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

KCW

C) Neighborhood Meetings

03/23/04 The required General Plan Amendment was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property	DR (Desert Rural)
North	R (Rural)
South	DR (Desert Rural)
East	R (Rural)
West	DR (Desert Rural)

D) Existing Zoning

Subject Property	U (Undeveloped) [DR (Desert Rural) General plan Designation]
North	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development- 3 Units Per Acre)
South	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities.

KCW

This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

B) General Analysis and Discussion

The site is surrounded on all four sides with planned residential. The planned subdivisions to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The proposed R-PD5 residential is totally inconsistent with the neighborhood. Jones and Horse are seen to be a boundary between Rural Density and Desert Rural development. Rural densities are also developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood is at the southwest corner of Decatur and Horse, a quarter mile to the west of the subject parcel.

The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

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

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

   The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

   Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

   The proposed L (Low Density residential) land use designation would allow the R-1 (Single family residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (Undeveloped) [DR (Desert Rural) General Plan Designation], R-PD3 (Residential Planned Development – 3 Units Per Acre), U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning districts.

   In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

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

   The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not 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."**

KCW

The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The potential traffic generated proposed density on the subject site may exceed that capacity.

NOTICES MAILED 51 [Mailed with GPA-4091, VAR-4094 & SDR-4095]

APPROVALS 0

PROTESTS 7

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4093 APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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: S/ SHARON MARCHIO

Print Name: Sharon L Marchio

Subscribed and sworn before me

This 9th day of March, 2004

Ralynn K Cooper

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
RALYNN K. COOPER
My Appointment Expires
December 15, 2004
No: 00-66201-1

Revised 2/12/02

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

TABULATION

APN # _____

EXISTING ZONING _____

PROPOSED ZONING _____ RPD-5

EXISTING LAND USE _____ M

EXISTING LAND USE _____ L

NUMBER OF LOTS _____ 69

ACREAGE _____ 8.165 AC +/-

DUA _____ 4.22 +/-

LOT SIZE

MINIMUM LOT SIZE = 5,775 SQ.FT. GROSS

MAXIMUM LOT SIZE = 6,598 SQ.FT.± GROSS

OWNERS

APN 125-12-209-018
UNIFIED CREDIT TRUST
SHARON RANSOHOFF, TRUST
3930 S. ATCHISON WAY, #3
AURORA, CO. 80014-3303

DEVELOPER

APN 125-12-209-018
UNIFIED CREDIT TRUST
SHARON RANSOHOFF, TRUST
3930 S. ATCHISON WAY, #3
AURORA, CO. 80014-3303

OPEN SPACE TABULATION

PARK AREA _____ 25,818 SQ.FT.

PARK ACCESS _____ 3,150 SQ.FT.

PEDESTRIAN ACCESS _____ 5,372 SQ.FT.

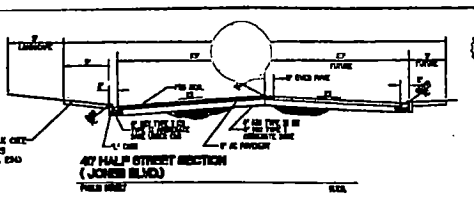
TOTAL _____ 34,340 SQ.FT.

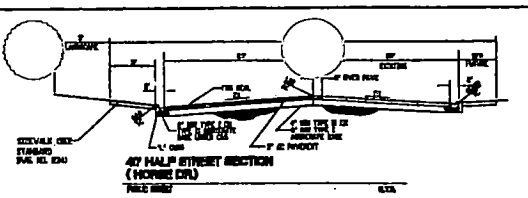
OPEN SPACE PROVIDED _____ 34,340 SQ.FT. (0.79 AC. 233 SF PER/DU)

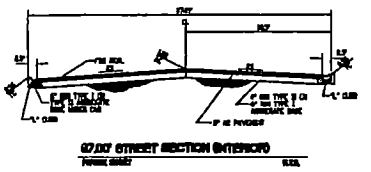
8.165 x 0.10A = ACREAGE = OPEN SPACE ACRES=

OPEN SPACE REQUIRED _____ 43,363 SF (1.00 AC)

8.165 x 4.22 = 28.23 = 1.43 ACRES=

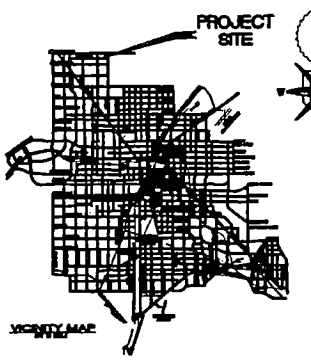


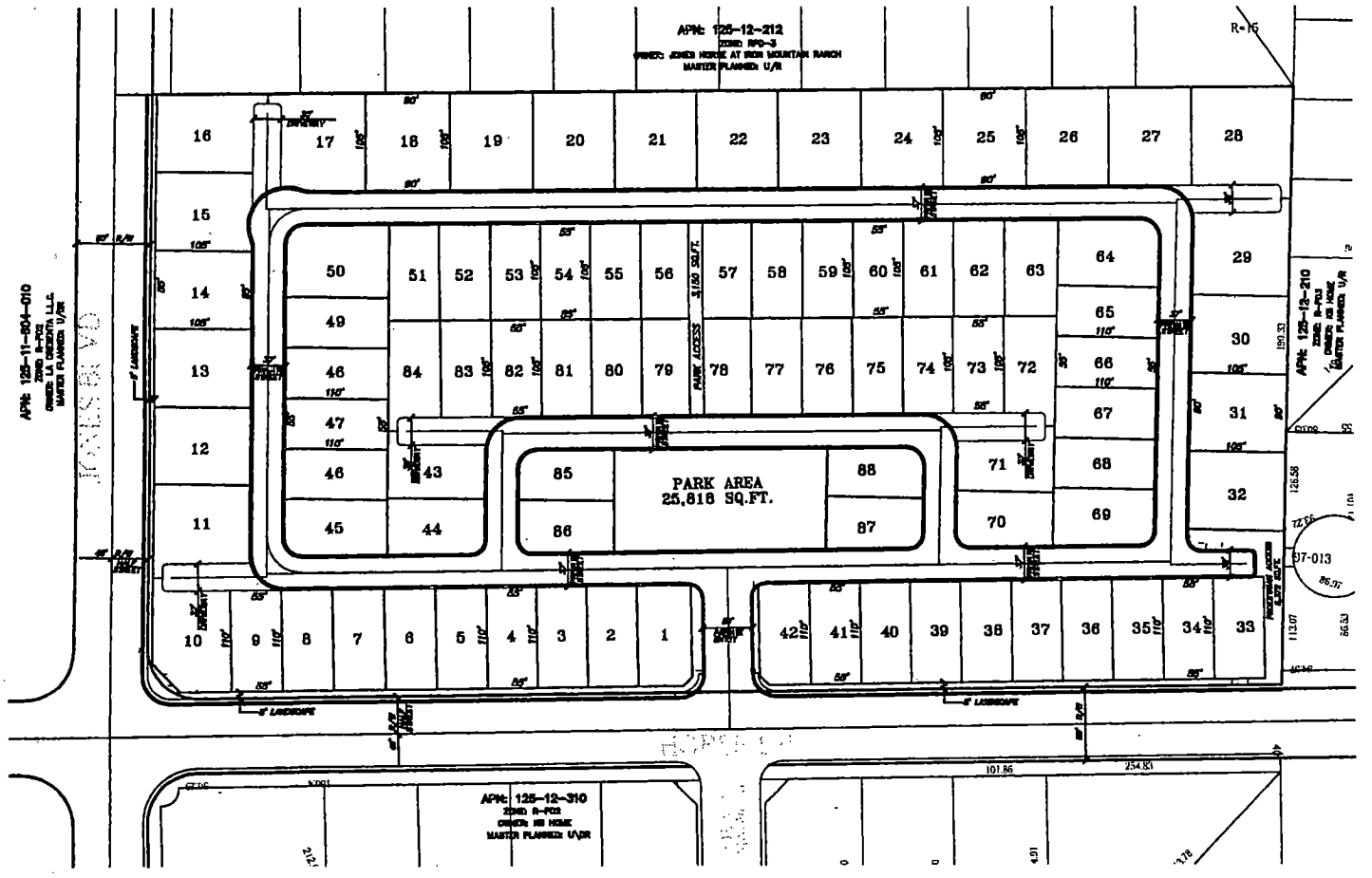


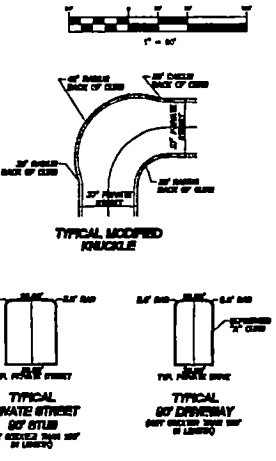


GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37 FOOT STREETS. MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.







UNIFIED CREDIT TRUST
3930 S. ATCHISON WAY #3
AURORA, CO. 80014-3303
(720) 340-1404

TETRA TECH, INC.
234 W. Bannock St., Suite 100, Las Vegas, Nevada 89106 (702) 385-2500

SITE PLAN
ACCOMPANY ZC/SDPR

JONES/HORSE
CITY OF LAS VEGAS

PROJECT NO. P09706-0004

SHEET 1 OF 1

ZON-4093
5-27-04 PC



ZON-4093 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
MAY 27, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

GPA-4091
VAR-4094
SDR-4095

Meeting Date: 4-22-PC **Case Number:** ZON-4093

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date: 4-12-04
Name: H. NH. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

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Marion Pierce Wenyce Spence

Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

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Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta/, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Melanie Alexander

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:46
PLANNING AND DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Jim Allen Diane Allen

Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:46
PLANNING AND DEVELOPMENT

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack).

ABEY: 06/10/2004

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

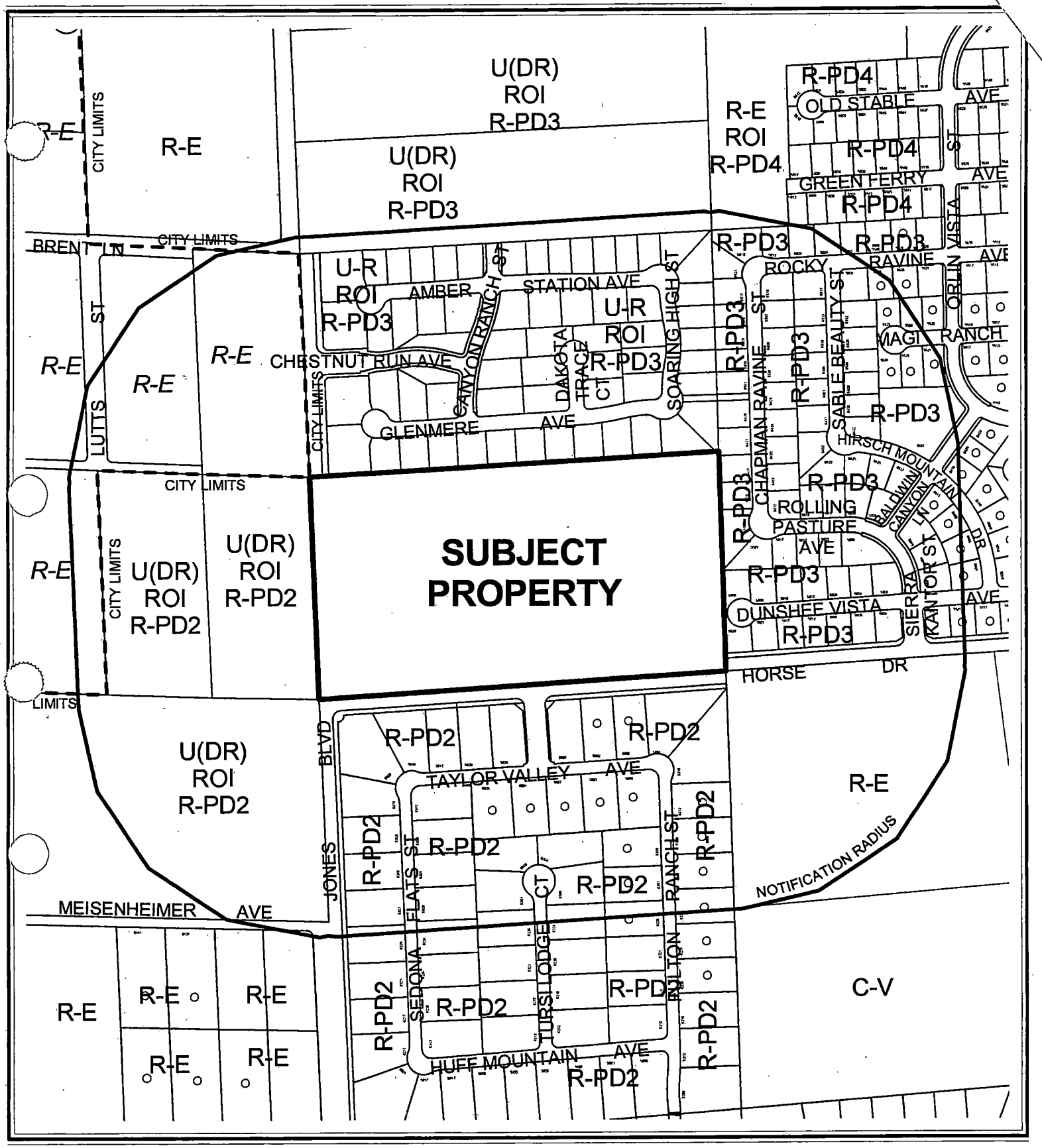
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:
There was no discussion.



CASE: **VAR-4094**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VARIANCE - PUBLIC HEARING - VAR-4094 -
APPLICANT/OWNER: UNIFIED CREDIT TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4093) and Site Development Plan Review (SDR-4095).

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

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $116,092 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow 34,340 square feet of open space where 65,363 square feet of open space is required for a 20.35-acre single-family detached development adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A companion general plan amendment application (GPA-4091), rezoning (ZON-4093), and site development plan review (SDR-4095) were filed with this proposed variance.

B) Applicant's Justification

It is the position of the applicant that providing larger lots for each of the homeowners is preferable to providing increased usable open space.

BACKGROUND INFORMATION

A) Previous Actions

04/22/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.

B) Pre-Application Meeting

02/27/04 At the pre-application conference meeting the following was discussed:

- The lots along the north property line should match those planned in the subdivision to the north.
- R-PD Open Space standards apply.
- Trail on Jones not required.
- Area for the streetscape to be shown as a common lot.
- Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

C) Neighborhood Meetings

03/23/04 A neighborhood meeting was held for the companion General Plan Amendment application. Fourteen residents attended the meeting.

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35 Acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property	DR (Desert Rural)
North	R (Rural)
South	DR (Desert Rural)
East	R (Rural)
West	DR (Desert Rural)

D) Existing Zoning

Subject Property	U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North	U (Undeveloped) [R (Rural) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre)
South	R-PD2 (Residential Planned Development - 2 Units Per Acre)
East	R-PD3 (Residential Planned Development - 3 Units Per Acre)
West	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

E) General Plan Compliance

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR land use designation.

KCW

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

A) Zoning Code Compliance

A1) Landscape and Open Space Standards: R-PD

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
20.35 acres	4.32 DUA	1.65	7.37 %	65,363 SF	3.87	34,340 SF

This application requests relief from this standard. The subject deviation is 31,023 square feet.

B) General Analysis and Discussion

The proposed development does not meet the open space requirement and includes a few areas that together do not qualify as open space. A total of three common lots for open space are shown. The applicant proposes a central park area located just inside of the subdivision. The park is connected to the interior street of the subdivision by a trail corridor. There is a pedestrian access shown that will be at the southeastern corner of the subdivision. The access will connect the interior of the subdivision to Horse Drive. The total area of 34,340 square feet (.79 acres) does not meet the required 65,363 square feet (1.5 acres) required by the Code.

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. The applicant has created a self-imposed hardship by proposing too many lots within the subdivision. An alternative subdivision design that has fewer lots would allow conformance to the Title 19 requirements for open space.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 51 [Mailed with ZON-4093, GPA-4091 & SDR-4095]

APPROVALS 0

PROTESTS 2

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4094 APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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: Sharon L Marchiol

Print Name: SHARON MARCHIOL

Subscribed and sworn before me

This 9th day of March, 2004

Ralynn K Cooper

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
RALYNN K. COOPER
My Appointment Expires
No: 00-68201 15, 2004

Revised 2/12/02

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

TABULATION

APN # _____ 125-12-212
EXISTING ZONING _____ U
PROPOSED ZONING _____ RPD-5
EXISTING LAND USE _____ VA
EXISTING LAND USE _____ L
NUMBER OF LOTS _____ 89
ACREAGE _____ 20.33 AC +/-
R.O.W. _____ 4.32 +/-

LOT SIZE

MINIMUM LOT SIZE = 5,775 SQ.FT. (7200)
MAXIMUM LOT SIZE = 9,899 SQ.FT.A (7200)

OPEN SPACE TABULATION

PARK AREA _____ 25,816 SQ.FT.
PARK ACCESS _____ 3,150 SQ.FT.
PEDESTRIAN ACCESS _____ 5,372 SQ.FT.
TOTAL _____ 34,346 SQ.FT.

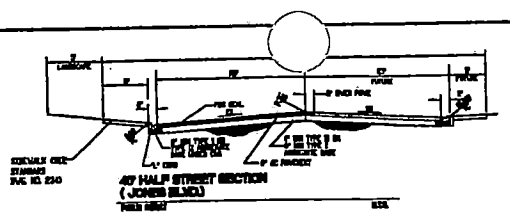
OPEN SPACE PROVIDED _____ 34,346 SQ.FT. (0.79 AC. 5%) OF REQUIRED
0.05 x R.O.W. x ACREAGE = OPEN SPACE ACRES
OPEN SPACE REQUIRED _____ (1,963 SF (0.39 AC.)
0.05 x 4.32 x 20.33 = 1.45 ACRES

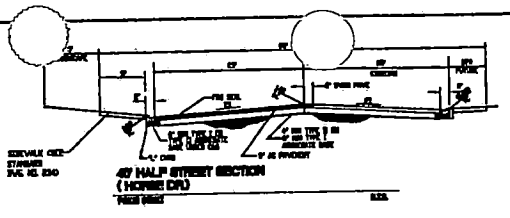
OWNERS

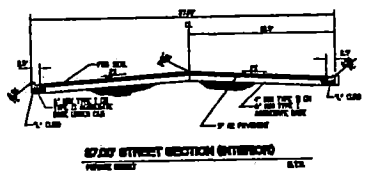
APN 125-12-202-001
UNIFIED CREDIT TRUST
SHARON WARDELL TRUST
2952 E. ATKINSON WAY, 89
AURORA, CO. 80044-3363

DEVELOPER

APN 125-12-202-001
UNIFIED CREDIT TRUST
SHARON WARDELL TRUST
2952 E. ATKINSON WAY, 89
AURORA, CO. 80044-3363

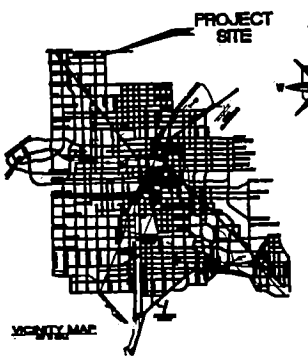


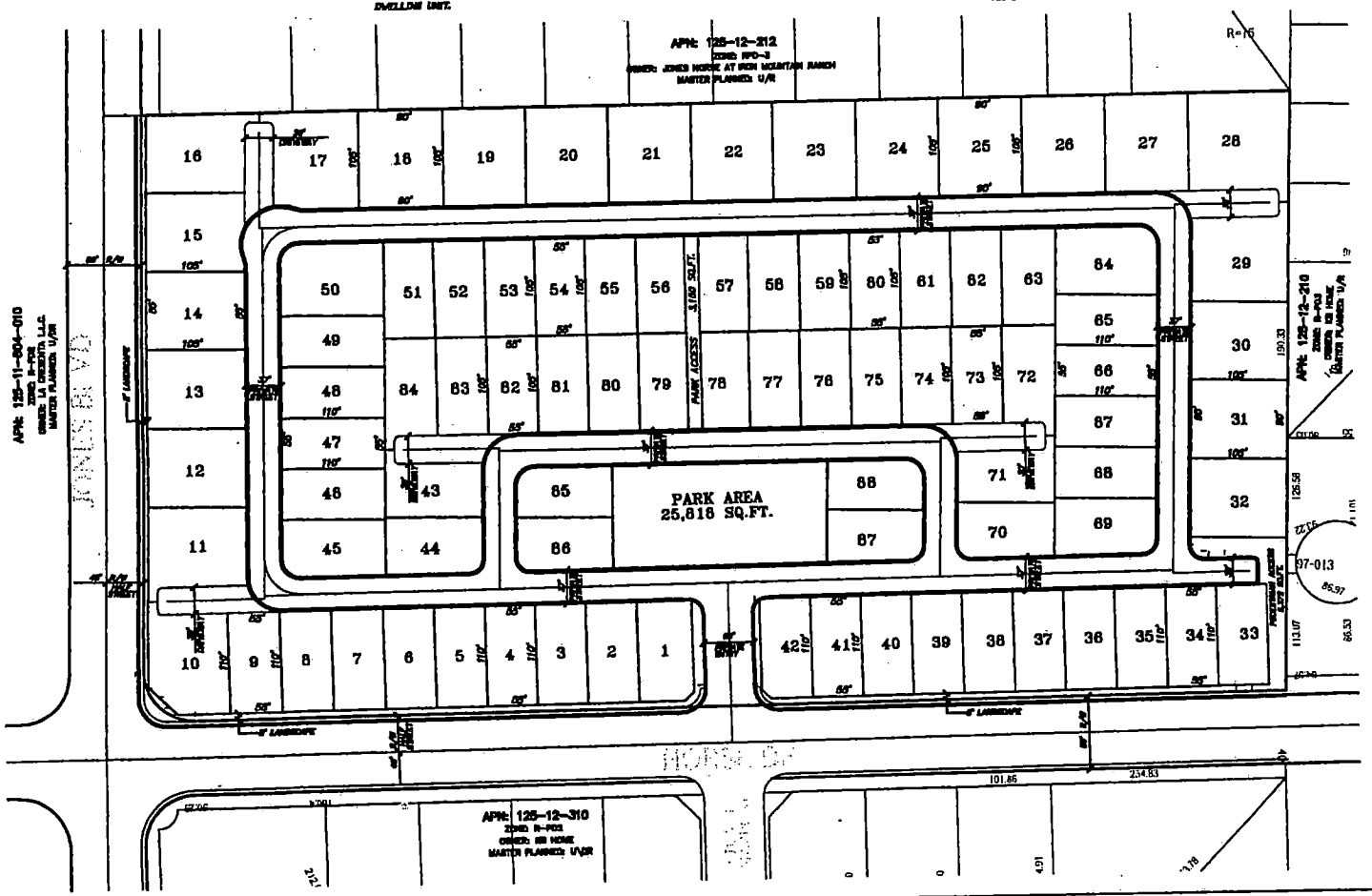


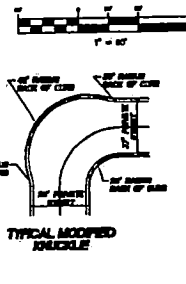


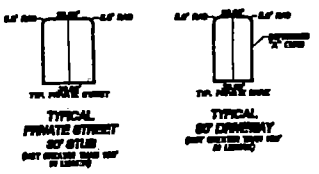
GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37 FOOT STREETS. MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.

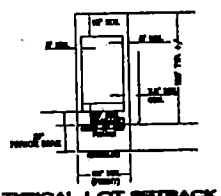












UNIFIED CREDIT TRUST
2952 E. ATKINSON WAY #9
AURORA, CO. 80044-3363

TETRA TECH, INC.

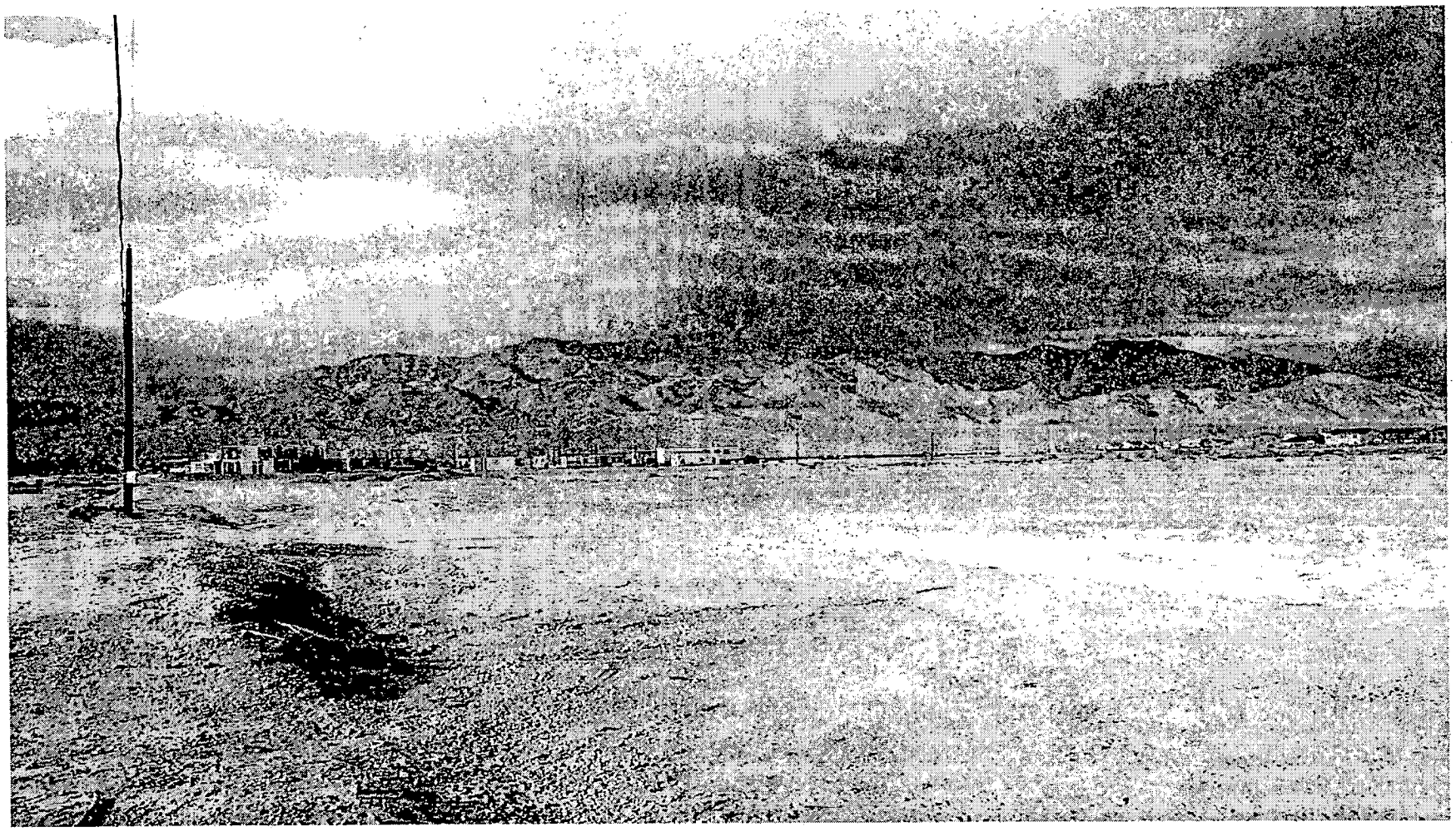
SITE PLAN
ACCOMPANY ZC/SDPR

JONES/HORSE
CITY OF LAS VEGAS

P09106-0004

1 OF 1

VAR-4094
5-27-04 PC



VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
MAY 27, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

GPA-4091
VAR-4094
SDR-4095

Meeting Date: 4-22-PC **Case Number:** ZON-4093

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date: 4-12-04
Name: H.WH. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	7	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

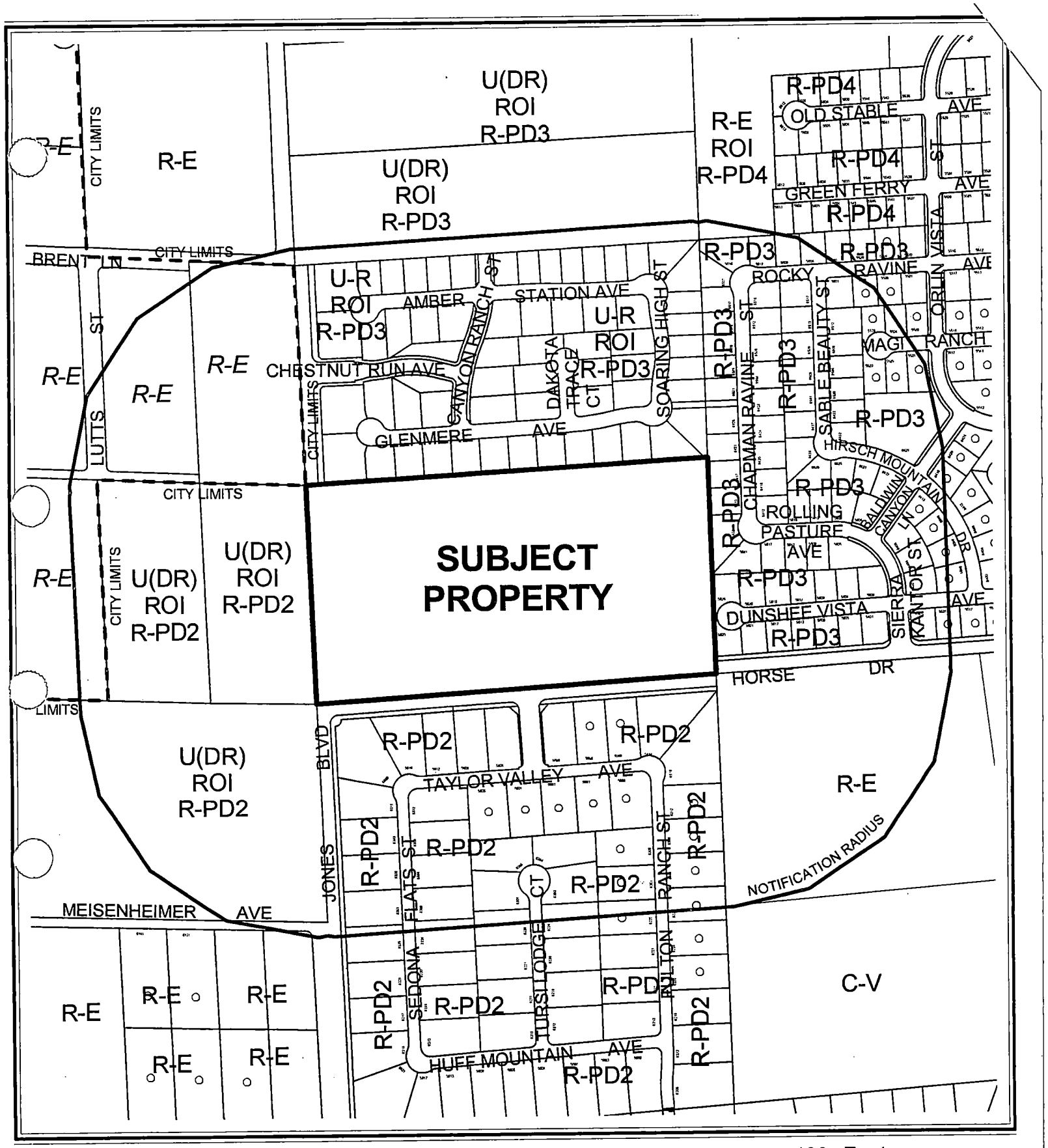
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:
There was no discussion.



0 200 400 Feet

CASE: **SDR-4095**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

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

2. A General Plan Amendment (GPA-4091), Rezoning (ZON-4093), Variance (VAR-4094) 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, except as amended by conditions herein.

5. Maximum building height shall not exceed two stories or 35 feet whichever is less.

6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 7.5 feet on the corner side, and 15 feet in the rear.

7. The landscaping plan shall be amended to show conformance to Code Standards.

8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

9. Air conditioning units shall not be mounted on rooftops.

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

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

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

Public Works

13. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

14. 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.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4093 and all other subsequent site-related actions.

17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for an 88 lot residential subdivision on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A General Plan Amendment (GPA-4091) and a Rezoning (ZON-4093) application were submitted as companion items.

B) Applicant's Justification

According to the applicant, growth within the City of Las Vegas confines is developing at a rapid pace. They believe that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density single family residential development, the increase in the cost of land since the General Plan was adopted plays a mitigating role in the desire for increased density.

The minimum lot size is 5,775 square feet; the largest will be 8,500 square feet. 34,340 square feet of open space, instead of the required 65,363 square feet, is proposed. A companion Variance (VAR-4094) has been filed to address the difference in open space.

BACKGROUND INFORMATION

A) Previous Actions

04/22/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.

B) Pre-Application Meeting

02/27/04 At the pre-application conference meeting the following was discussed:

- The lots along the north property line should match those planned in the subdivision to the north.
- R-PD Open Space standards apply.
- Trail on Jones not required.
- Area for the streetscape to be shown as a common lot.
- Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

KCW

C) Neighborhood Meetings

03/23/04 The required General Plan Amendment meeting was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property	DR (Desert Rural)
North	R (Rural)
South	DR (Desert Rural)
East	R (Rural)
West	DR (Desert Rural)

D) Existing Zoning

Subject Property	U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent R-PD3 (Residential Planned Development – 3 Units Per Acre)
South	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent R-PD2 (Residential Planned Development – 2 Units Per Acre)

E) General Plan Compliance

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant

residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR (Desert Rural) land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for an 88 lot residential subdivision 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive. The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A park area, that comprises approximately 2/3rds of the provided open space, is located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

ANALYSIS

Zoning Code Compliance

A1) Development Standards

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

Standards	Proposed	Compliance
Min. Lot Size	5,775 Sq. Feet	Y
Min. Lot Width	55 Feet	Y
Min. Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	Y
• Corner	7.5 Feet	Y
• Rear	15 Feet	Y
Max. Lot Coverage	60 %	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposal meets the requirements for an R-PD (Residential Planned Development) development.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
SFD	N/A	2 per Unit	2	N/A	2	N/A

The proposal meets the requirements of Title 19.10 for parking.

A4) Landscape Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	N/A	N/A	N/A
Buffer:		1,880/30=	39
• Min. Trees	1 Trees/ 30 Linear Feet	63 Trees	
• Min. Zone Width	6 Feet		5 feet
• Wall height	6 Feet		Not Shown

KCW

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards. A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application.

A5) Open Space Standards:

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
20.35 acres	4.32 DUA	1.65	7.37 %	65,363 SF	3.87	34,340 SF

The proposal has requested relief from this standard. The subject deviation is 31,023 square feet. A companion variance (VAR-4094) has been submitted to address the applicant's proposal.

B) General Analysis and Discussion

- **Zoning**

The proposed L (Low Density residential) land use designation would allow the R-1 (Single family residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (DR), R-PD3, U (DR) under resolution of intent to R-PD2 and R-PD2 zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

- **Site Plan**

The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A park area, that comprises approximately 2/3rds of the provided open space, is located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

KCW

- **Waivers**

A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application. The applicant has not provided sufficient justification for waiving this standard.

- **Landscape Plan**

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards.

- **Elevation**

The building elevations are typical of single-family residential developments and will be compatible with surrounding development

- **Floor Plan**

The floor plans are typical of single-family residential developments and will be compatible with surrounding development

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 site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

   Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

   The proposed development is inconsistent with the General Plan. It is inconsistent with the open space standards of the Code. A companion variance (VAR-4094) has been submitted to address the applicant's proposal. It is inconsistent with the Landscape, Wall and Buffer Standards and a waiver of the perimeter standards is part of this application for a Site Development Plan Review.

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

   The subject site has access to Horse Drive and Jones Boulevard, both of which are designated as Secondary (80-foot) Collectors on the Master Plan of Streets and Highways.

   The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The traffic generated by the proposed density on the subject site will exceed that capacity.

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

   The building and landscape materials are appropriate for this type of development. The issue is, however, that this type of project should not be located in this rural area of the City.

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

   The building elevations are typical of single-family residential developments and will be compatible with surrounding development; it is, however, a development that exceeds the density characteristic of the area that will not be compatible with existing rural development and the aesthetics of that development in the area.

KCW

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

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

NOTICES MAILED 51 [Mailed with ZON-4093, VAR-4094 & GPA-4079]

APPROVALS 0

PROTESTS 7

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4095 APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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: Sharon R. Marchio

Print Name: SHARON MARCHIO

Subscribed and sworn before me

This 9th day of March, 2004

Ralynn K Cooper

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
RALYNN K. COOPER
My Appointment Expires
No: 00-66201-1 December 15, 2004

Revised 2/12/02

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

TABULATION

APN # _____ 125-12-
EXISTING ZONING _____ U
PROPOSED ZONING _____ RPD-3
EXISTING LAND USE _____ 39
EXISTING LAND USE _____ L
NUMBER OF LOTS _____ 69
ACREAGE _____ GROSS AC +/-
R.O.W. _____ 4.32 +/-

LOT SIZE

MINIMUM LOT SIZE = 6,375 SQ.FT. GROSS
MAXIMUM LOT SIZE = 6,699 SQ.FT.± (NET)

OPEN SPACE TABULATION

PARK AREA _____ 25,616 SQ.FT.
PARK ACCESS _____ 3,150 SQ.FT.
PEDESTRIAN ACCESS _____ 5,572 SQ.FT.
TOTAL _____ 34,340 SQ.FT.

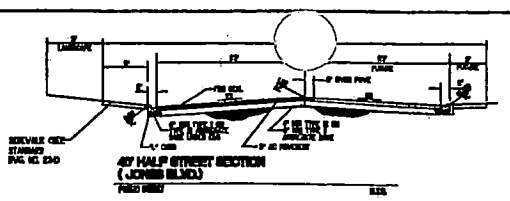
OPEN SPACE PROVIDED _____ 34,340 SQ.FT. (0.78 AC. 552 OF REQUIRED
6,845 x R.O.W. x ACREAGE = OPEN SPACE ACRES
OPEN SPACE REQUIRED _____ 45,383 SF (1.50 AC.)
0.015 x 4.32 x 20.25 = 1.45 ACRES

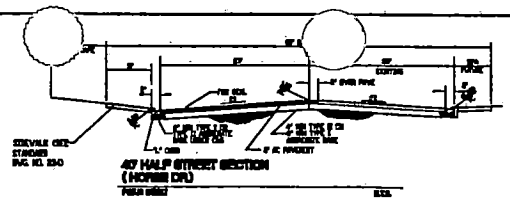
OWNERS

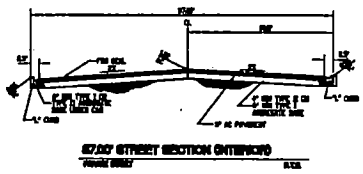
APN 125-12-210-001
UNIFIED CREDIT TRUST
SHARON RAMSCHEL TRUST
3908 S. ATCHISON WAY, 63
AURORA, CO. 80014-5925

DEVELOPER

APN 125-12-210-001
UNIFIED CREDIT TRUST
SHARON RAMSCHEL TRUST
3908 S. ATCHISON WAY, 63
AURORA, CO. 80014-5925

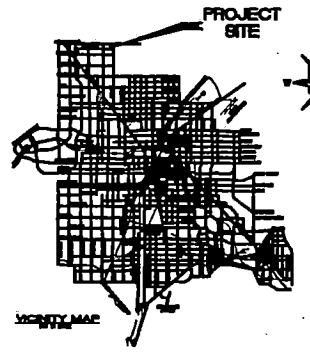


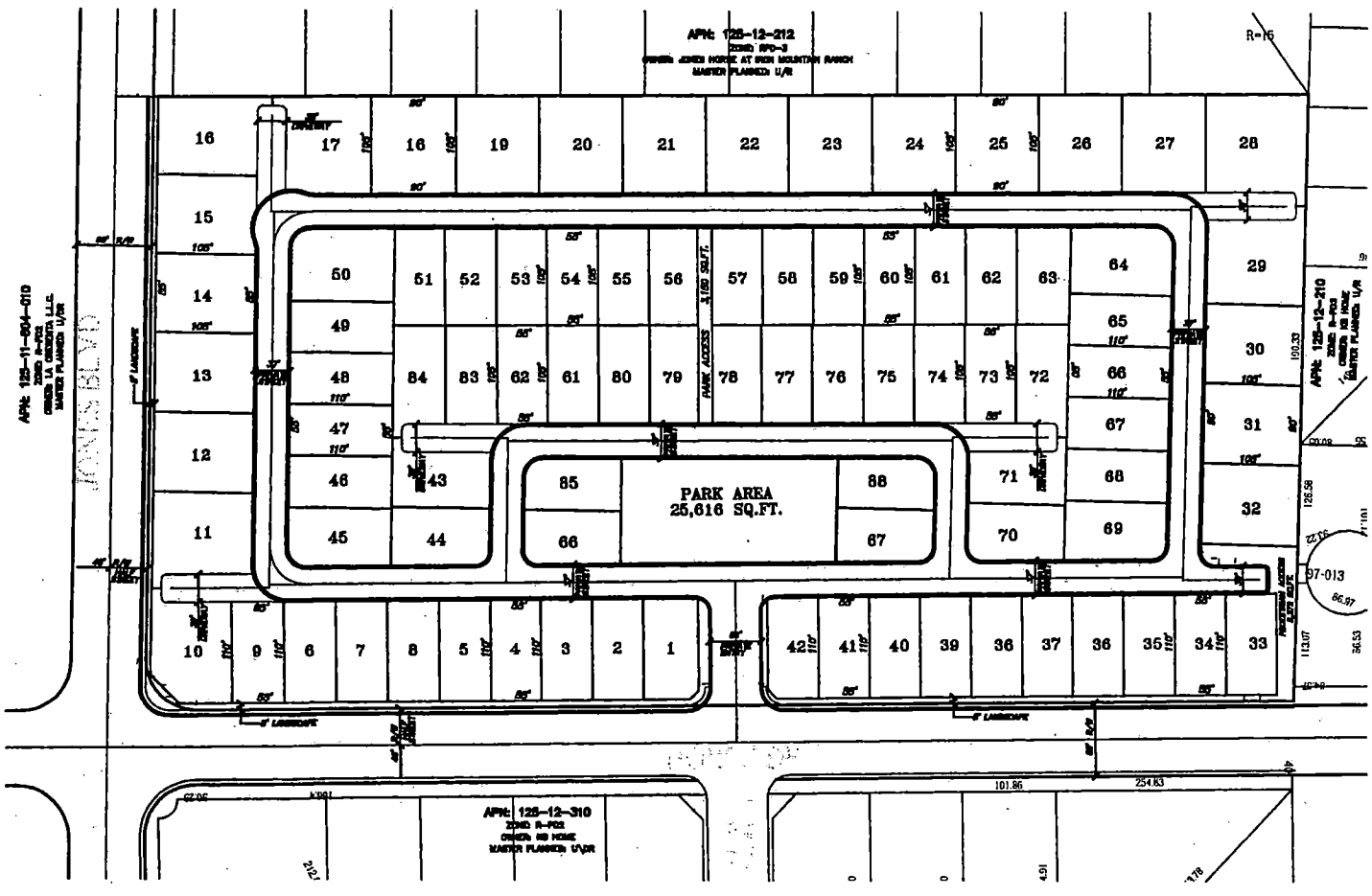


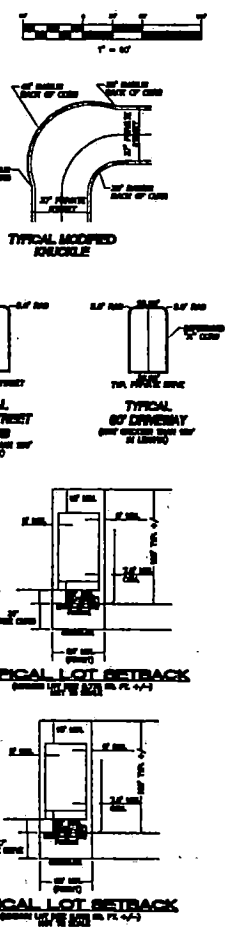


GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 27' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING IN THE DRIVEWAYS AND ON 27 FOOT STREETS. MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.







UNIFIED CREDIT TRUST
3908 S. ATCHISON WAY #3
AURORA, CO. 80014-5925
(720) 436-4382

TETRA TECH, INC.

SITE PLAN
ACCOMPANY ZC/SDPR

JONES/HORSE
CITY OF LAS VEGAS

P09100-0004

1 of 1

SDR-4095
5-27-04 PC

TABULATION

APN # _____ 125-12-212
EXISTING ZONING _____ U
PROPOSED ZONING _____ RPD-7
EXISTING LAND USE _____ SF
EXISTING LAND USE _____ L
NUMBER OF LOTS _____ 89
ACREAGE _____ 69.59 AC +/-
R.O.W. _____ 4.52 +/-

LOT SIZE

MINIMUM LOT SIZE = 6,773 SQ.FT. GROSS
MAXIMUM LOT SIZE = 8,598 SQ.FT.± GROSS

OWNERS

APN 125-12-212
UNIFIED CREDIT TRUST
SHARON RAGOZZINE, TRUST
2328 S. ATCHISON WAY, 69
AURORA, CO. 80014-5125

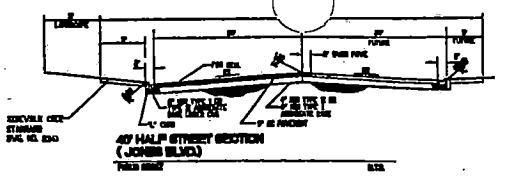
DEVELOPER

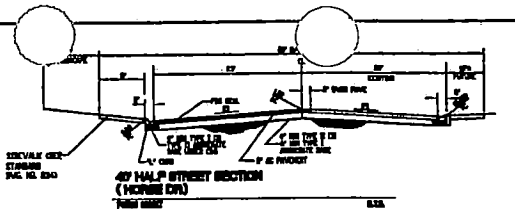
APN 125-12-212
UNIFIED CREDIT TRUST
SHARON RAGOZZINE, TRUST
2328 S. ATCHISON WAY, 69
AURORA, CO. 80014-5125

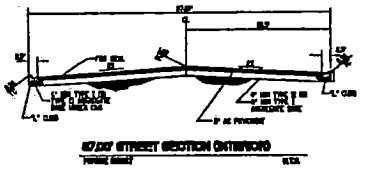
OPEN SPACE TABULATION

PARK AREA _____ 25,818 SQ.FT.
PARK ACCESS _____ 3,159 SQ.FT.
PEDESTRIAN ACCESS _____ 5,372 SQ.FT.
TOTAL _____ 34,349 SQ.FT.

OPEN SPACE PROVIDED _____ 34,349 SQ.FT. 69.78 AC. 552 OF REQUIRED
6.845 x R.O.W. = ACREAGE = OPEN SPACE ACRES
OPEN SPACE REQUIRED _____ (5,363 SF (0.50 AC.)
6.845 x 4.52 = 69.33 = 1.45 ACRES

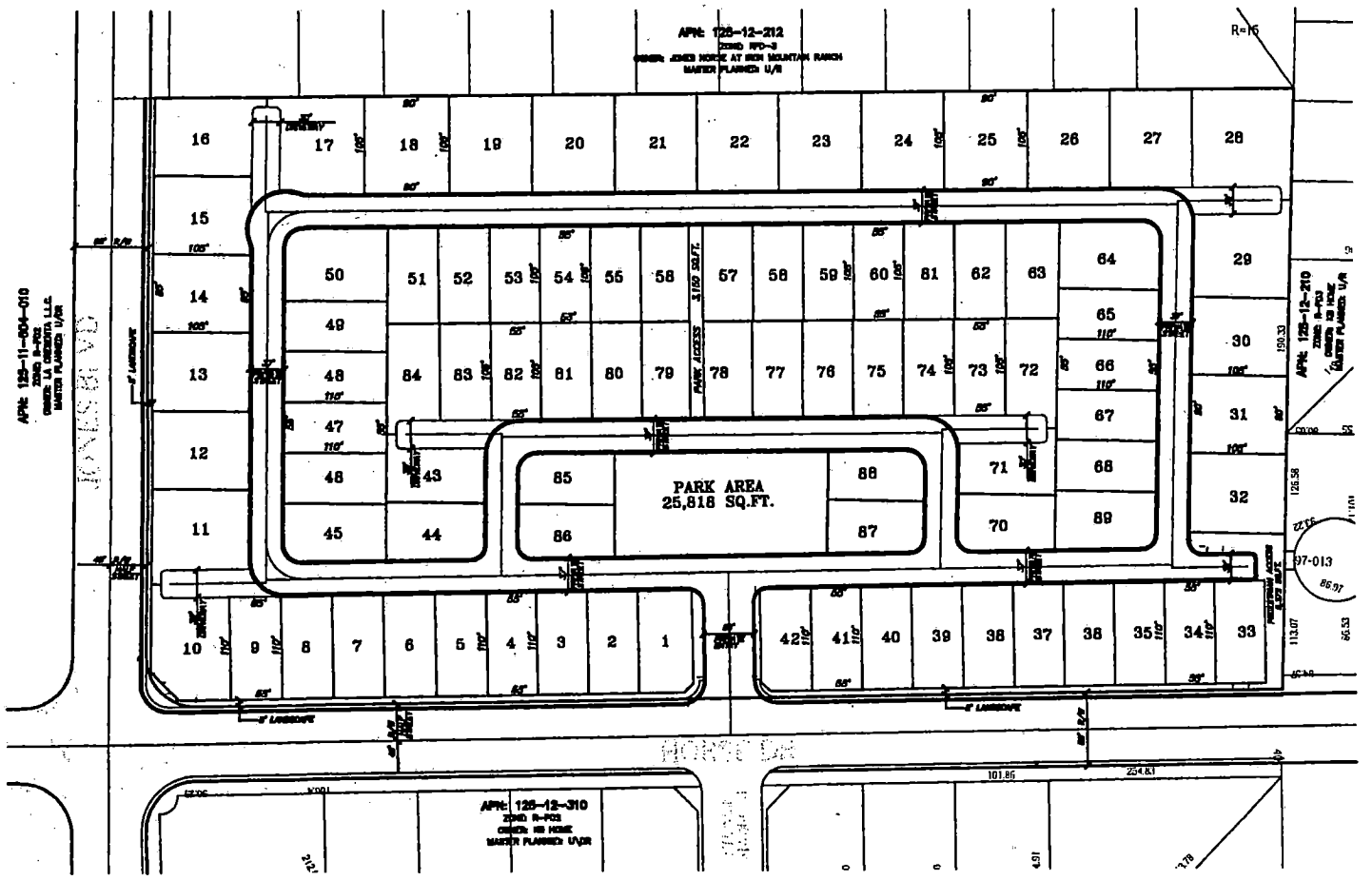


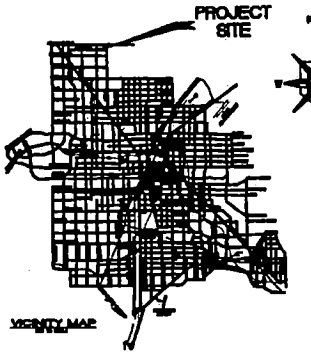


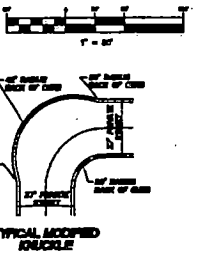


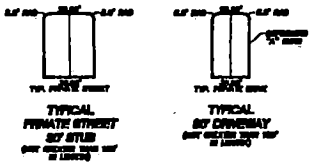
GENERAL NOTES

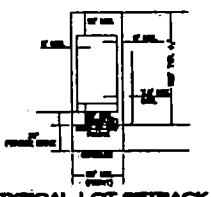
1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
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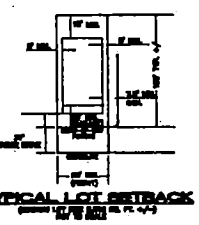












TETRA TECH, INC.

UNIFIED CREDIT TRUST
2328 S. ATCHISON WAY 69
AURORA, CO. 80014-5125
(720) 436-4505

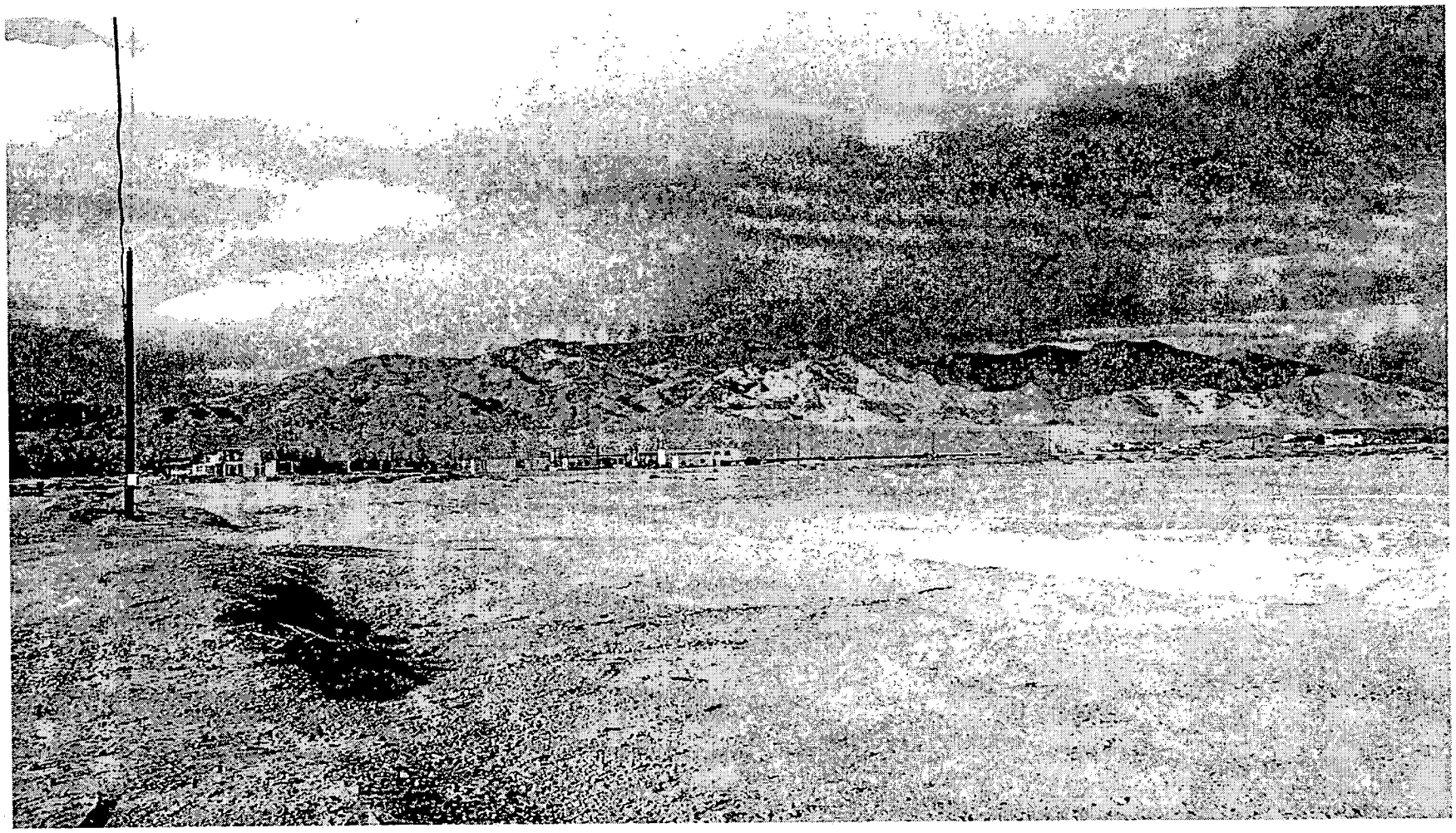
SITE PLAN
ACCOMPANY ZC/BDPR

JONES/HORSE
CITY OF LAS VEGAS

PROJECT NO. P09106-0004

SHEET 1 OF 1

SDR-4095
5-27-04



SDR-4095 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
MAY 27, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

GPA-4091
VAR-4094
SDR-4095

Meeting Date: 4-22-PC **Case Number:** ZON-4093

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date: 4-12-04
Name: H.WH. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Marion Pierce Dennye Spence

Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:47
PLANNING & DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
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South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

James Marynow Linda Marynow

Address: 6280 Brent Lane, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:47
PLANNING AND DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
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Please deny GPA-4091, ZON-4093 and SDR-4095.

Erma L. Davis _____

Address: 8351 N. Mustang St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:46
LAND USE AND DEVELOPMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Melanie Alexander

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

DEVELOPMENT
PLANNING AND
04 APR 19 PM 3:46
RECEIVED

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Jim Allen Diane Allen

Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
04 APR 19 PM 3:46
PLANNING AND DEVELOPMENT

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	78	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

GOYNES – Motion for DENIAL on Item 26 [GPA-4100], Item 27 [ZON-4101], and Item 28 [SDR-4102] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

KYLE WALTON, Planning and Development, stated that changing the land use on this corner parcel to a Commercial Use would put it in conflict with the very low Residential Uses around the site. The layout of the site is inconsistent with City standards, and staff recommends denial. Ninety-eight notices were mailed with no approvals or protests.

JOSEPH BAFANO, Lobbyist, appeared on behalf of PD Landscaping. MR. BAFANO stated that MR. CASTELLANO obtained the property through his former partner and the court system. At that time, MR. CASTELLANO believed that a low maintenance landscaping business in a

MINUTES – Continued:

central location would best fit his needs. MR. CASTELLANO'S business, PD Landscaping, is not an industrial or commercial type landscaping. It is a neighborhood type, where someone would clean your lawn, trim your hedges or bushes. MR. CASTELLANO'S request is that he is allowed to park four pick-up trucks, with trailers that carry supplies, in the yard. Utilizing the overhead, MR. BAFANO presented the property, which is a historical home built in 1945. He continued by stating MR. CASTELLANO would like to preserve the home; however, he would like to convert the inside of his home to accommodate a space where he and his designer can complete drawings for potential customers. At this time, if a client contacts PD Landscaping, MR. CASTELLANO would have to go the client's home to see what is being requested. Thereafter, they design the client's request, which requires a location to design such as an office. To the north of this property, there is an eight-foot fence dividing the patio to the empty backyard. MR. BAFANO continued using the overhead to explain what portion would be asphalt and the parking area. In addition, the applicant is willing to install an eight-foot brick wall where the property line is divided and an additional eight-foot wall to the west of the property.

MR. BAFANO stated that a community meeting was held and seven individuals were in attendance. COUNCILMAN WEEKLY has been kept abreast on what has been happening during this process. MR. BAFANO pointed out that ninety-eight notices were mailed and ninety-eight complaints were received; however, the applicant does not know what these complaints entail. MR. CASTELLANO is not trying to create an industrial area; the desire is to have a central parking area in the back of the property to accommodate these trucks. The trucks would leave by 8 a.m. and return at 3 p.m. The supplies are ordered from the nursery and they deliver to the job site, not at the home. Dumping does not take place at the property. After MR. CASTELLANO took ownership of the property, Public Disposal was hired to clean up the garbage and debris from the previous owner. The neighbors to the north of this property were disgruntled with the previous owner. MR. BAFANO has spoken personally with one neighbor and advised her that the applicant is willing to put the wall in. Some minor landscaping has been done on Mountain Trail. In order for additional landscaping to be done, there are procedures that the City mandates, which MR. CASTELLANO has to and is following.

LINDA WASKOM, 4147 Pleasant Road, thanked the Commission for allowing the residents to express their objections. She stated that the residents were told that the historic home was being torn down. In addition, in her opinion, heavy noise and equipment is in fact what MR. CASTELLANO is bringing into the neighborhood. This neighborhood is not in decline. There has been ten years of restoration. There is one rental property in the neighborhood. There are no meth labs. The last sale, according to the Market of Real Estate, was $489,000. The residents are professionals, such as doctors, lawyers, magicians, lion tamers and scientists. Placing commercial properties in front of this subdivision would devalue the homes. Using the overhead,

MINUTES – Continued:

MS. WASKOM showed various homes within the neighborhood and what PD Landscaping looks like within that neighborhood. There is no commercial home on Vegas Drive frontage of Eastland Heights. Recent denials have occurred for a half way house and the Church of Scientology because they were not appropriate. There is an accounting office and a storage facility across the street from the development. The residents focus their attention on keeping their neighborhood clean. There are old and historical homes, such as the Seigfried and Roy home, that they desire to preserve. MS. WASKOM also stated that the applicant cannot use the front of Vegas Drive as the access because it is too much traffic. So, they are using Mountain Trail, which is within the neighborhood interior. The residents object to tearing down the home, cutting the trees, any curbs, sidewalks, street lights, concrete parking lot, the excessive traffic and noise, and any rezoning on what is a historic neighborhood.

JAN FELLHAUER, 4056 Melody Lane, stated she has lived in the neighborhood for 14 years. She believes that MR. CASTELLANO is making the improvements without discussing it with most of the neighbors. The problem is that the notices have to be sent to approximately ten residents because the majority of residents live on ½ acre. As a result, seven of the ten residents attended the meeting. The applicant did not take into consideration these elderly residents because the meeting was held in North Las Vegas at a library in the evening. Most of the residents are elderly; they do not go out in the evening and are not very mobile. As a result, other residents attended this meeting. MS. FELLHAUER stated that she and a few other residents were able to accomplish in three days speaking to 68 residents and obtaining a signed petition. There are approximately 200 residents in the neighborhood, and they are outraged about the events taking place in the neighborhood. She pointed out that she obtained copies of three permit requests regarding a fence, storage shed and a block wall that were never inspected.

MR. BAFANO replied that the wooden fence and the wall was not put up within the last six months. What the previous owner did was not the responsibility of MR. CASTELLANO. The residents may not be happy with what has been done since, but he believes MR. CASTELLANO has good intentions. MR. BAFANO stated that the applicant obtained a license to do business so he could initially clean the property up. He reiterated that the applicant does not intend to tear down the home; he would like to convert the interior to an office type set up. MR. BAFANO pointed out other properties that have a business within their homes that have clients coming to the properties conducting business.

COMMISSIONER GOYNES stated that MR. CASTELLANO'S first mistake was trying to place a business in a residential neighborhood. Just because businesses have to progress does not mean they have to come into people's neighborhoods. In addition, the applicant had a neighborhood meeting in North Las Vegas, but the property is located by Rancho and Vegas Drive. If the applicant wants to be accommodative and have residents approve the project, then the applicant

MINUTES – Continued:

should attempt to come to the residents and not try to bully the residents. The Service Commercial runs up right abut this neighborhood, but that is the cut-off point. This neighborhood does not warrant any business because it is an old established neighborhood, which has set its precedents. He suggested that if the applicant wants to set up a business, he should go into a business area and not try to change the zoning. In addition, this could start to set a precedent up the street or could even become a deteriorating factor to this neighborhood. COMMISSIONER GOYNES stated that he would not like to see any change in this established neighborhood and will not support this application.

COMMISSIONER McSWAIN concurred with COMMISSIONER GOYNES. She also pointed out the character going east on Vegas Drive compared to the character going forward from that point and how one can see a deterioration of the area going west. She also thanked and complimented the residents who spoke on their presentation. They presented the facts, gave good information and were polite.

COMMISSIONER STEINMAN asked how the applicant could operate a business on a residential property before he is approved.

MR. BAFANO replied that he is a lobbyist and not a lawyer. When MR. CASTELLANO retained him, he inquired with the City and was advised by the City of Las Vegas-Business Licensing Department that a zoning change would be required. In November 2003, they obtained the proper documents for filing a request for a zone change from the Planning and Development department. In addition, a representative from the City of Las Vegas-Business Licensing Department and Code Enforcement stated that the applicant needed to obtain a license to do business within the City of Las Vegas and that was done. COMMISSIONER STEINMAN replied that one could operate a business on a property that is properly zoned for that kind of business and not a residential property. MR. BAFANO responded that the City knew that this was a business operating from the home. Once the Code Enforcement officer advised the applicant to stop parking the trucks at the home, he complied. There is a tenant that lives in the home, who is moving June 1st, who is an employee and he parks his vehicle at this location.

DEPUTY CITY ATTORNEY SCOTT stated that Licensing does not normally issue a license to a business that is improperly zoned. He believes the Licensing department checks with the Planning Department to ensure that the zoning is proper for the particular property. He continued to state that the applicant may have a obtained a home occupation permit through Licensing, which is different than a general business license to operate his business. With a home occupation permit, the applicant can conduct business out of their home and is allowed to have one truck on the premise but cannot see clients at the home. The applicant may be violating some conditions with a home occupation permit. CHAIRMAN TRUESDELL stated that even if there is a misunderstanding on the licensing, it does not give the applicant the right to violate the

MINUTES – Continued:

zoning Code. DEPUTY CITY ATTORNEY SCOTT concurred. MR. CLAPSADDLE added that staff does not look at a home occupation permit as a commercial business.

COMMISSIONER DAVENPORT questioned MR. BAFANO about his statement regarding the current business being in operation since November, yet the paperwork reflects February.

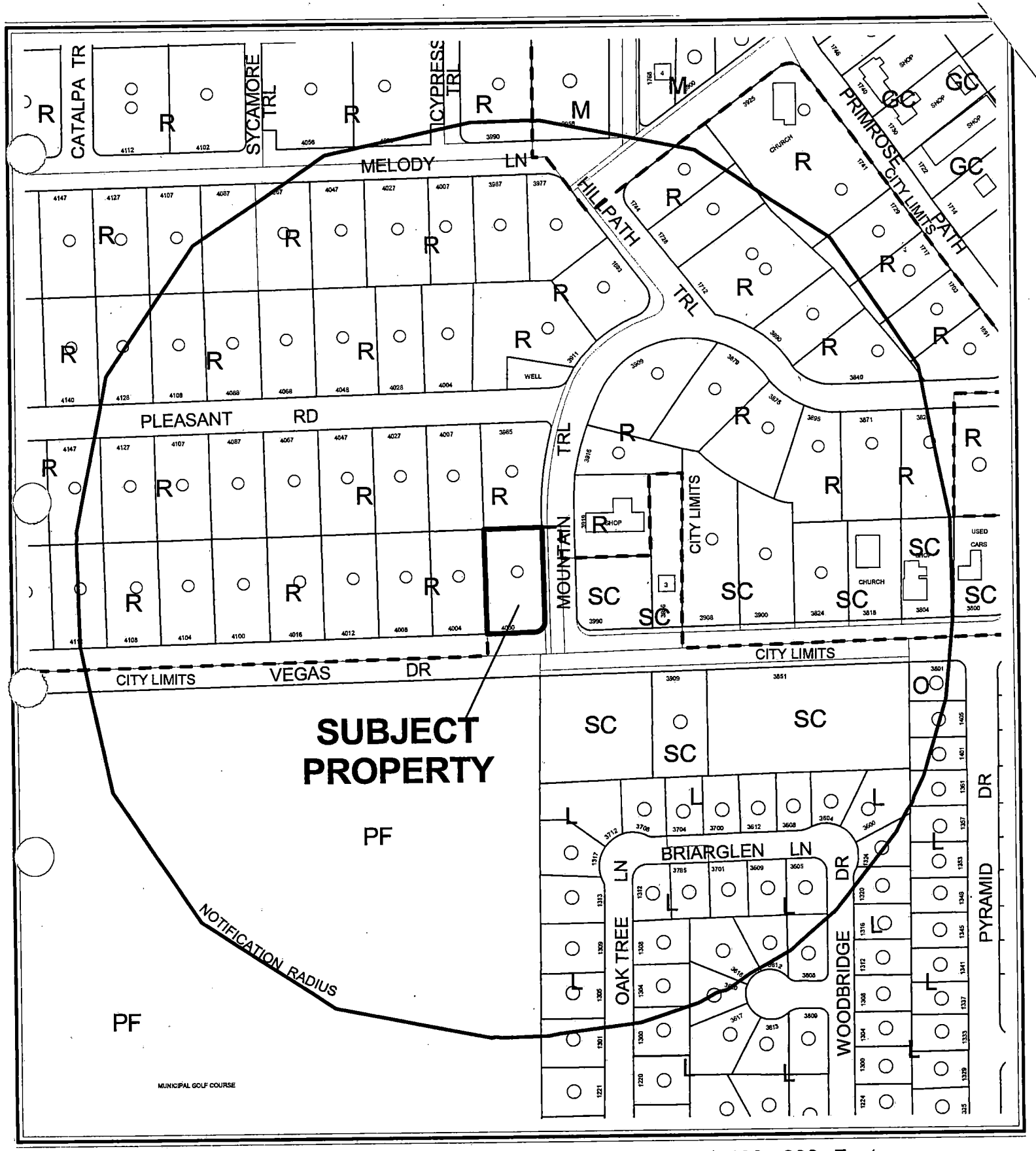
DAVID CLAPSADDLE, Planning and Development, stated that this is a Plan Amendment, a Rezoning and a Site Plan Review. The question is if this is an appropriate location for a commercial land use. COMMISSIONER EVANS stated that the burden is on the applicant to prove that the General Plan Amendment and the zone changes would not adversely affect the area, and this has not been achieved. In addition, NRS 278 still applies, which has certain provisions that this application does not meet. The Commission does not have the discretion to waive this. Even if the Commission had the inclination to approve the application, it would not be legal. COMMISSIONER EVANS concluded by saying that this is a neighborhood with a lot of character and the City needs to protect it. The General Plan Amendment and the zoning is inconsistent and does not meet any of the legal requirements, and he will not support it.

CHAIRMAN TRUESDELL questioned whether the applicant can conduct business out of the home without an approval. ATTORNEY SCOTT replied that if the applicant has a home occupation permit, then they could do whatever is related to that particular home occupancy permit. The provisions are within Title 19, Section 19.18.110, which states what a home occupancy permit is and the operational standards, as ATTORNEY SCOTT offered to submit a copy of this document to the applicant. Should the applicant not have this type of permit, then he cannot conduct business on the property while this application is pending. MR. BAFANO asked the Commission if the applicant is permitted to park his PD Landscaping truck on the property. CHAIRMAN TRUESDELL responded that the applicant can come and go from his own property but he cannot run a business from there without a license.

LINDA WASKOM, 4147 Pleasant Road, spoke on behalf of the residents and thanked the Commission for giving this application the serious attention it required and voting against it.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

(7:05 – 7:37)



CASE: **GPA-4100**

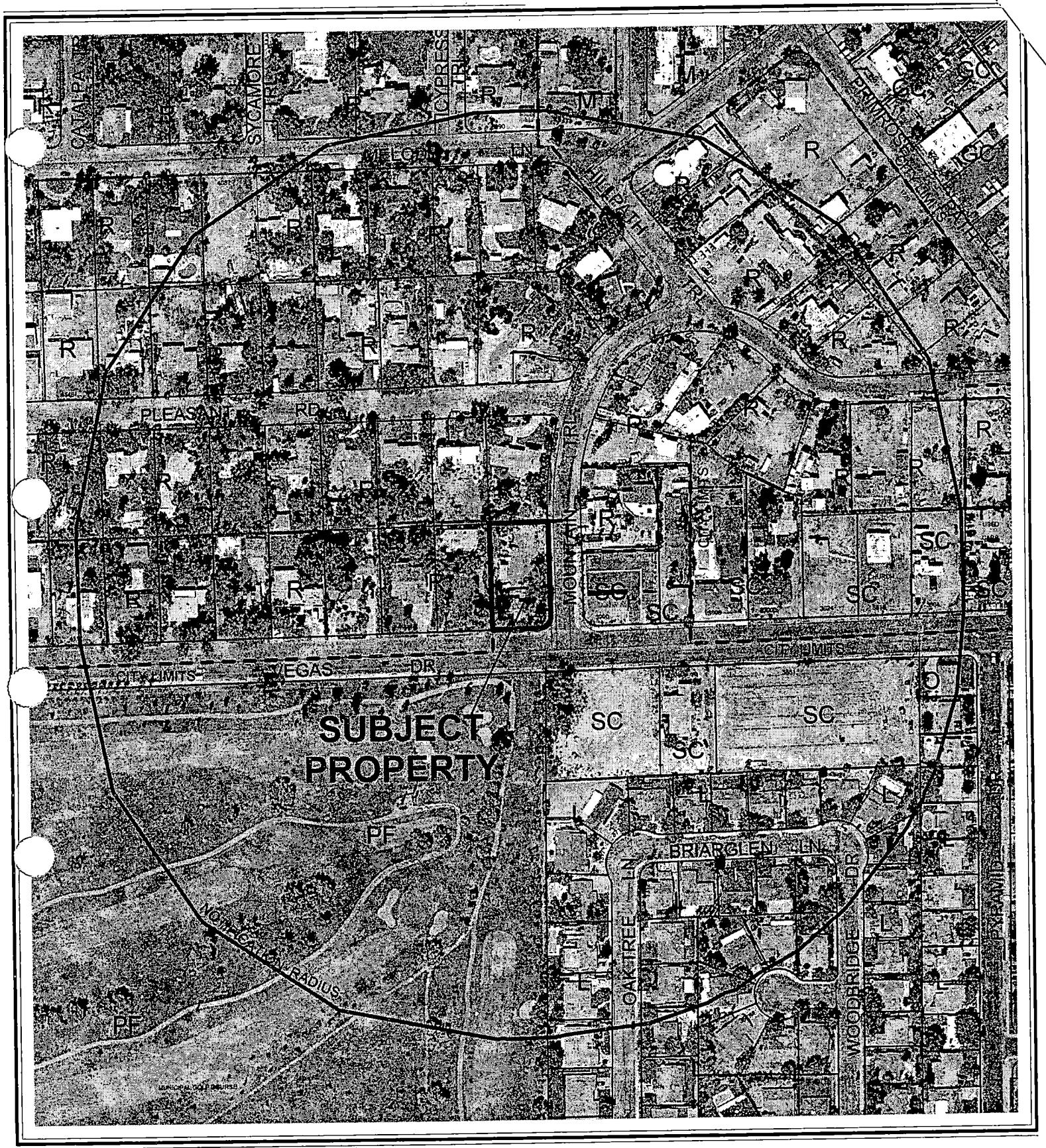
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

LI/R (LIGHT INDUSTRY / RESEARCH)



0 100 200 Feet

CASE: **GPA-4100**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

LI/R (LIGHT INDUSTRY / RESEARCH)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at 4000 Vegas Drive (northwest corner of Vegas Drive and Mountain Trail) from R (Rural Density Residential) to SC (Service Commercial).

This application is submitted in conjunction with a request to rezone the property (ZON-4101) and review of a site development plan (SDR-4102).

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) land uses with a maximum density of three dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
11/05/03	The City Council approved an update of the Southeast Sector Map (GPA-3005) of the City of Las Vegas General Plan. On this map, the subject properties were designated for R (Rural Residential) land uses, with a maximum density of 3.5 dwelling units per acre.
04/22/04	The Planning Commission voted to hold this and related items ZON-4101 and SDR-4102 item in abeyance as the applicant or it's representative was unable to be present.
05/27/04	The Planning Commission will hear a related rezoning request (ZON-4101) and Site Development Plan Review (SDR-4102) as part of this agenda.

DETAILS OF APPLICATION REQUEST

Site Area: 0.47 acres

EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

PLANNED LAND USE

Subject Property	R	Rural Density Residential
North	R	Rural Density Residential
South	PF, SC	Public Facility and Service Commercial
East	R, SC	Rural Density Residential and Service Commercial
West	R	Rural Density Residential

EXISTING ZONING

Subject Property	R-E	Residence Estates
North	Clark County	
South	C-V, R-1 ROI C-1	Civic and Single-Family Residential under Resolution of Intent to Limited Commercial
East	C-1	Limited Commercial
West	Clark County	

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**

This application is not within any Special Area Plan or Overlay District.

DEFINITIONS

R (Rural Density Residential) The Rural Density Residential category allows from 2.5 to 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

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

INTERAGENCY ISSUES

RURAL PRESERVATION NEIGHBORHOOD

The site is within an area identified as a Rural Preservation Neighborhood within the City. Chapter 278 of the Nevada Revised Statutes stipulates the conditions under which lands are identified as Rural Preservation Neighborhoods. Within these Rural Preservation Neighborhoods, residential development density is limited to two dwelling units per acre.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

The site is also within an area identified as a buffer for a Rural Preservation Neighborhood for the unincorporated area. Chapter 278 of the Nevada Revised Statutes (NRS) stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ANALYSIS

The subject site is located within a Rural Preservation Neighborhood. Chapter 278 of the (NRS) specifically states: "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Such action relegates the City to sustain the General Plan designation and zoning in place on the property to preserve its rural character. To do otherwise would contravene the purpose and intent of the state enabling legislation.

FINDINGS

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

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations.**

   Redesignating the property to a commercial classification would permit zoning the property to classifications that would not be compatible with existing rural residential development located in the vicinity.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**

   A commercial classification adjacent to existing large lot single-family dwellings, would result in compatibility issues.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.**

   There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment. Vegas Drive is a secondary arterial street that provides access to Mountain Trail. Parks are located in the immediate neighborhood; a future fire station is to be located within the necessary 1.5 miles at Torrey Pines Drive and Smoke Ranch Road.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

   If approved, the proposed amendment would not conform to state legislation.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- Is an established area where change is not wanted or expected

NOTICES MAILED: 98 [Mailed with ZON-4101 & SDR-4102]

APPROVALS: 0

PROTESTS: 78

#2A

#3 Copy's needed of this.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4100 APN: _____

Name of Property Owner: Peter Castellano

Name of Applicant: Peter and Janet Castellano

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: X Peter Castellano / Janet Castellano

Print Name: PETER AND JANET CASTELLANO

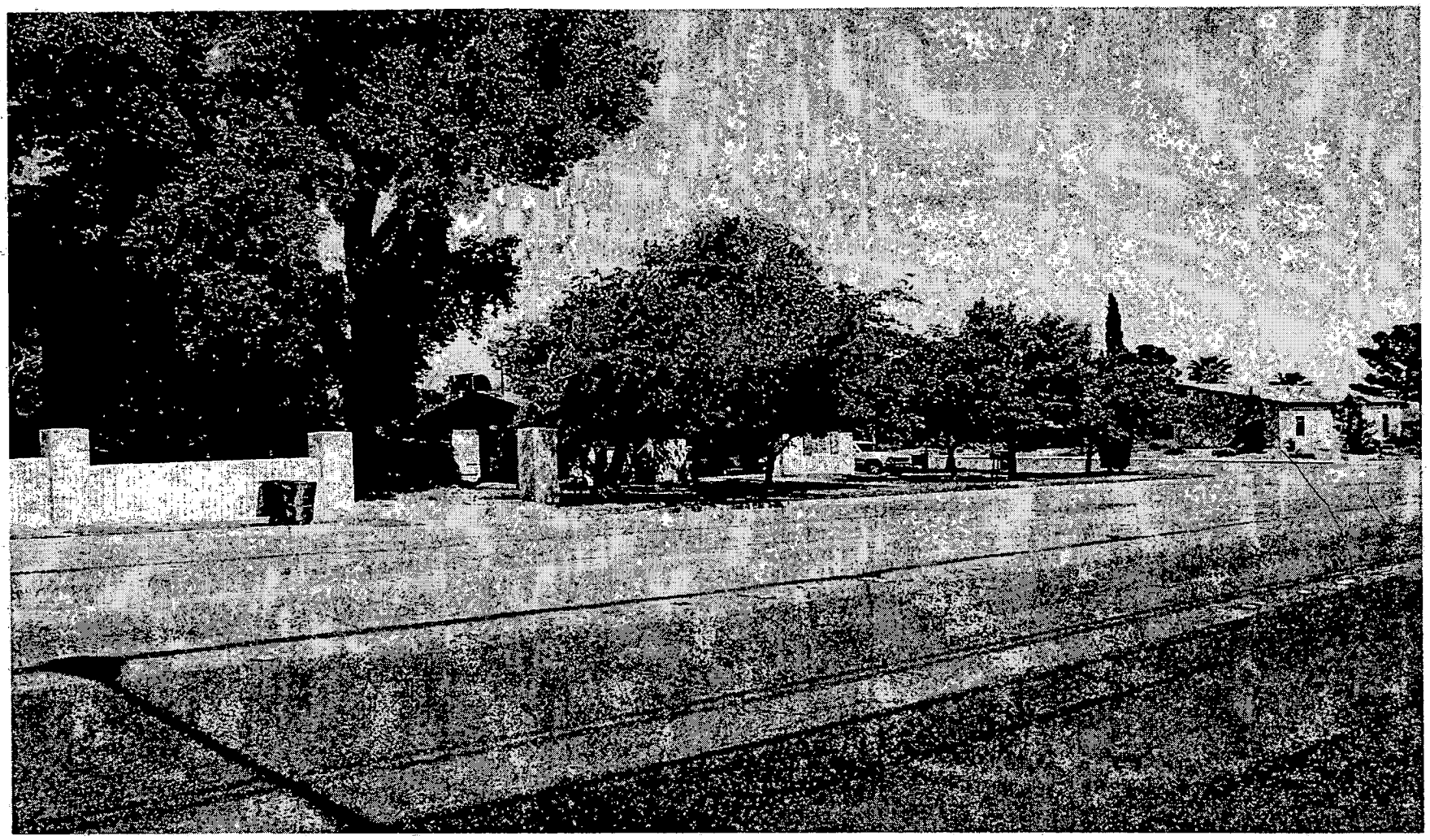
Subscribed and sworn before me

This 27 day of February, 2004

Notary Public in and for said County and State

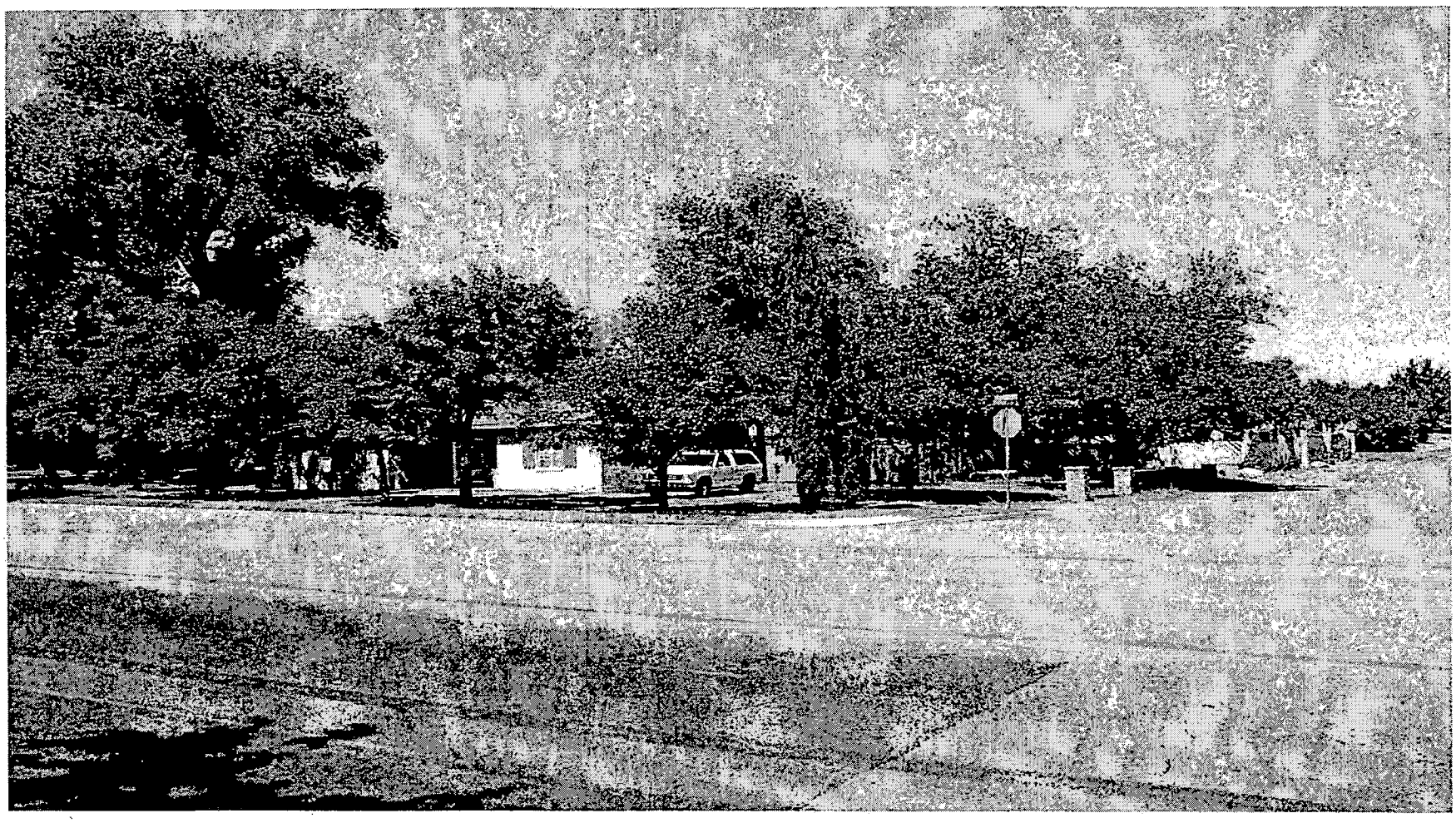
CHERYL R. CARPENTER
Notary Public State of Nevada
No. 99-35632-1
My appt. exp. Feb. 14, 2007


RANCHO DR
US HIGHWAY NO 95
RANCHO DR
MELODY LN
PRIMROSE PATH
MOUNTAIN TRL
PLEASANT RD
VEGAS DR
SMOKETREE AVE
SILVERWAVE DR
BRIARGLEN LN
ROSEGLEN DR
OAK TREE LN
WOODBRIDGE DR
PYRAMID DR
PYRAMID CIR
SCENIC WAY
R
SC
PF
GPA-4100
4-22-04 PC



GPA-4100 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04



GPA-4100 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04

Re: 4100 6PA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for $ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,

Lynda Waskom

Lynda Waskom
631-8565

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned many of the areas available for this type of business, in our City.

READ INTO THE RECORD

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
CARL BURDMAN	4138 PLEASANT RD.	
ALICIA GAIZO	4128 PLEASANT Rd	
Lynda Waskom	4147 Pleasant Rd	
Annette Spear	4188 Pleasant Rd	
CHARLES L. LETT	4188 PLEASANT Rd.	
Paul L. Schneider	4067 Pleasant Rd	
JAMES W NORRIS	4047 PLEASANT RD	
SANDRA DAVIS	4007 PLEASANT Rd	
~~Stev~~ Ronald Davis	4007 Pleasant RD	
Stephen P Jones	4027 Pleasant RD	
Kelly Kelly Jones	4057 Pleasant Rd	
Anthony Smith	4167 Pleasant Rd	
Fern Smith	4167 Pleasant Rd	
Peter Beckett	1701 Valley Dr Las Vegas	
SCOTT HOLLAND	1823 VALLEY DR LAS VEGAS	
Michael Peterson	1800 Valley Dr	
	1800 Valley DR	Justin Peterson
Dennis Mitch	1779 Valley Dr.	
JOHN W WAGNER	4148 PLEASANT Rd	
Sylvia Stapled	3985 Pleasant Rd	Sylvia Staples
BILL STAPLES	3985 Pleasant Rd	Bill Staples
Linda Small Linda Small	4048 Pleasant Rd	Linda Small
Linda G Small	4048 Pleasant Rd	Linda G Small

14

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Kathryn C Wills	4108 Pleasant Rd	Kathryn Wills
Randy L Wills	4108 Pleasant Rd	
SCOTT R RICHARDSON	4107 PLEASANT RD	
ANDREW KECK	4087 PLEASANT ROAD	
Michele R Hamrick	4087 Pleasant Rd	Michele R Hamrick
JEFF DelGRECO	3909 MOUNTAIN TRAIL	
Colleen McDonald	3909 Mountain Trail	Colleen McDonald
Henry Boelter	4067 WESTWAY LN	Henry Boelter
Erlinda Vera	4116 Vegas DR	Erlinda Vera
SHIRLEY Connally	1701 N. Rancho Dr, Apt 16 89106	Shirley Connally
MIKE MCDONALD	1776 SYCAMORE AVE	

READ INTO THE RECORD

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for PD Landscaping @ 4000 Vegas Drive, in its entirety.

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Please Print:

First Name MI Last Name	Street Address	Signature - Please Sign
Joy CARDENAS	4168 PLEASANT Rd	Joy Cardenas
Rudy CARDENAS	4168 PLEASANT Rd	Rudy Cardenas
Mark J GERSTEIN	1989 Catalpa Ln	Mark J Gerstein
RICHARD C. HICKS	1937 CATALPA TRAIL	Richard C. Hicks
[illegible]	4224 Spring Rd	[illegible]
[illegible] Allen	1774 Valley Dr	[illegible]
Kristin M. Allen	1779 Valley Dr	Kristin M. Allen
Chanon Nance	1779 VALLEY DR	Chanon Nance
[illegible] ALLEN	1779 VALLEY DR	[illegible]
Kolona Dixon.	1810 WILLOW TRAIL.	Kolona Dixon.
Faye C. Wheeler	4108 Pleasant Rd	Faye C Wheeler

READ INTO THE RECORD

10

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Rebecca L. VanBlankenstein	4004 : 4008 Vegas Dr	
LARONDA TINSLEY TAYLOR	4108 VEGAS DR.	
BILL DOSA	4112 Vegas DR	
Ronnie Withaeger	4004 Vegas Dr.	
Todd Vanblankenstein	4008 Vegas Dr.	
George Rhodes	4012 Vegas DR.	
Janet M. Fellhauer	4056 Melody Lan	

READ INTO
THE RECORD

6

Petition

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Judith A Ford	4210 Melody Ln.	Judith A Ford
PAUL B FORD	4210 MELODY LN	Paul B Ford
Ronald W. Thaeger	1841 Ridgefield Dr	Ronald W. Thaeger
Christine G. Hicks	1937 Catalpa Tr	Christine C. Hicks
KEVIN J Brophy	1989 Catalpa TR	Kevin J Brophy
JOHN C HAHN	1911 CATALPA TRL	John C. Hahn
Jerry R. White	1888 Catalpa TRL	Jerry R. White
Neita C. White	1888 Catalpa Trail	Neita C. White
Dablene J. McCarty	1841 Willow Tr	Dablene J. McCarty
Ramona D Burke	4102 Melody Ln	Ramona D Burke
MARY McCULLOCH	4107 Melody Lane	Mary McCulloch
Ken McCulloch	4107 MELODY Ln.	Ken McCulloch
[illegible] Carter	4147 Melody Ln.	[illegible]
Ryan M. Creelman	4112 Melody lane	Ryan M. Creelman
Steve S. Baggs	1776 Catalpa trail	Steve Baggs
[illegible] Adams	4180 Melody Lane	[illegible]
Michael J. Carter	4147 Melody Lane	Michael Carter
Susan M Reitz	1819 CATALPA	Susan M Reitz
Louis E. Reitz	1819 CATALPA TR	Louis E. Reitz
Leo J Karnes	1824 CATALPA TR	LEO J. KARNES
Carol Anger	1824 Catalpa Trail	CAROL ANGER
[illegible]	4975 Stacy Rd	[illegible]
JIMMARI PUTT	1347 VALLEY	

READ INTO THE RECORD

18

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

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I feel that this business is not appropriate for our residential neighborhood. It will create problems for neighbors with the increase in traffic, insufficient parking, foot traffic of school children, safety concerns, property devaluation and close proximity of chemicals, pesticides and many other dangerous & hazardous products used in a landscape business, to unsuspecting neighbors. Also these chemicals can possibly contaminate the water sources in the area.
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Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
I feel that there are many other areas already established for a Landscaping Business, or similar business, in our City. There are many properties, just down on Bonanza, that would be appropriate. That is why you have already established various areas throughout our City, just for this reason. There is no need to compromise the integrity of our Residential Area for this business.

Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

John Wagner
4148 Pleasant Rd
Las Vegas, NV 89103

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely.

Peter D. Beckett
1701 Valley Dr. Las Vegas NV. 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Scott Hovland
1823 Valley Dr.
89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

William Fellhauer
4205 Spring Rd.
Las Vegas NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

John G. Adams
4180 Melody Lane

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Ramona D. Burke
4102 Melody Ln
Las Vegas NV 89108

READ INTO
THE RECORD

1

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Dallene McCarty
1841 Willow Trail
Las Vegas, NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Nieta C. White
1888 Catalpa Trail
89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

John C. Fisher
1911 Catalpa Trail
Las Vegas, Nevada 89108-1941

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

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Thank you for your assistance in this matter.
Sincerely,

Ronald M Clark
1938 CATALINA TRAIL

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1841 Ridgefield Dr.
Las Vegas NV 89108

READ INTO
THE RECORD

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Sincerely,

Janet M. Fellhauer
Janet m. Fellhauer
4056 Melody Lane
89108

READ INTO
THE RECORD

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Sincerely,

1976 Sycamore Trail
LV, NV 89108

DUPLICATE

April 14, 2004

RECEIVED
04 APR 20 PM 4:49
PLANNING AND
DEVELOPMENT

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

Case Number GPA – 4100

RE: OBJECTION TO REQUEST

We have lived in this Ranch Estates residential neighborhood for more than 35 years.

In June, 2001, a landscape business moved into the back half of the property at 4000 Vegas Drive, directly behind our property and began using it for a landscape business with 8 to 10 trucks, landscape trailers, and 6 to 10 employees coming in and out of the property at least twice daily with various equipment and landscape materials. At the time, the property was within Clark County until September 2001 (approximately) when it was annexed into the City of Las Vegas. Since that time, we have contacted City Code Enforcement on numerous occasions, but the code violations have not stopped, though efforts seem to have been made by the City.

For 3 years we have had to endure daily commercial activity in our otherwise quiet neighborhood. Commercial properties are available for commercial use in commercial areas! Businesses should not be permitted to move into residential areas, as this one has, and set up business with total disregard for zoning of the neighborhood. As I write this letter at 7:00 P.M. the evening of April 14th, there are 3 trucks, 1 Bobcat, 3 landscape trailers with equipment, piles of landscape rock and various related equipment and abandoned vehicles in the yard at 4000 Vegas Drive. Pounding noises have been ongoing for approximately one hour by 2 employees in the yard attempting to repair a landscape trailer.

Request denial of this amendment to the General Plan.

Respectfully,
William S Staples
Sylvia Staples

Bill and Sylvia Staples
3985 Pleasant Road
Las Vegas NV 89108

cc: Councilman Lawrence Weekly

DUPLICATE

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Thank you for your assistance in this matter.
Sincerely,

[signature]
4128 Pleasant Rd
89108

DUPLICATE

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Sincerely,

Paul J Schmude Jr
4067 Pleasant Rd

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Sincerely,

Claudia L. Stell
4188 Pleasant Rd.
Las Vegas, Nev. 89108

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Annette G. Spear
7188 Pleasant Rd
Las Vegas, NV 89108

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Carl Burk
4128 PLEASANT RD.
LV. NV. 89108

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Evilia Vera
Evilia VERA
4116 Vegas DR 89108

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Sincerely,

Kolana sue Dixon

KOLANA SUE DIXON.

1810 WILLOW TRAIL.
L.V. NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

I would like to voice my **objection and opposition** to the recent application of Peter Castellano owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment for a Rezoning from R-E (Residence Estates) to: C-1 (Limited Commercial) on 0.47 acres.

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Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Faye C Wheeler

FAYE C. WHEELER

4108 PLEASANT RD 89108

— DUPLICATE —

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Shirley Connelly

Shirley Connelly
1701 N. Rancho Dr, Apt 16
89106

— DUPLICATE —

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

Allen

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Don D. Allen (Allen)
1779 Valley
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Dustin Peterson
1800 Valley Dr.
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

TIMMARI PUTTI
1847 VALLEY DR.
LAS VEGAS, NV.
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

[signature]
4224 Spring
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Carol Anzer
1824 Catalpa Trail
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Leo Karnes
1824 Catalpa Tr.
Leo Karnes
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

1819 CATALPA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Steve Baggs

Steve Baggs
1776 Catalpa Dr. 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Ryan M. Creelman
4112 Melody lane 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
I feel that there are many other areas already established for a Landscaping Business, or similar business, in our City. There are many properties, just down on Bonanza, that would be appropriate. That is why you have already established various areas throughout our City, just for this reason. There is no need to compromise the integrity of our Residential Area for this business.

Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

JoAnn Carter
Dan Carter
4147 Melody Ln 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

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Sincerely,

Mary J. McCulloch
4107 Melody Lane
Las Vegas NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Marc J Gerstein
MARC J GERSTEIN
1989 Catalpa trail
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Richard C. Hicks
1937 CATALPA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

Jay Carlson
4168 Pleasant Rd.
Las Vegas, Nv 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Sincerely,

Kevin J Brophy
1989 Catalpa

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

Judith A Ford
4210 Melody Ln.
Las Vegas, NV (89108)

DUPLICATE

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - REZONING RELATED TO GPA-4100 - PUBLIC HEARING - ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	78	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
GOYNES – Motion for DENIAL on Item 26 [GPA-4100], Item 27 [ZON-4101], and Item 28 [SDR-4102] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

Note: See Item 26 [GPA-4100] for all related discussion on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

MINUTES -- Continued

(7:05 – 7:37)
1-2150

CONDITIONS:

Planning and Development

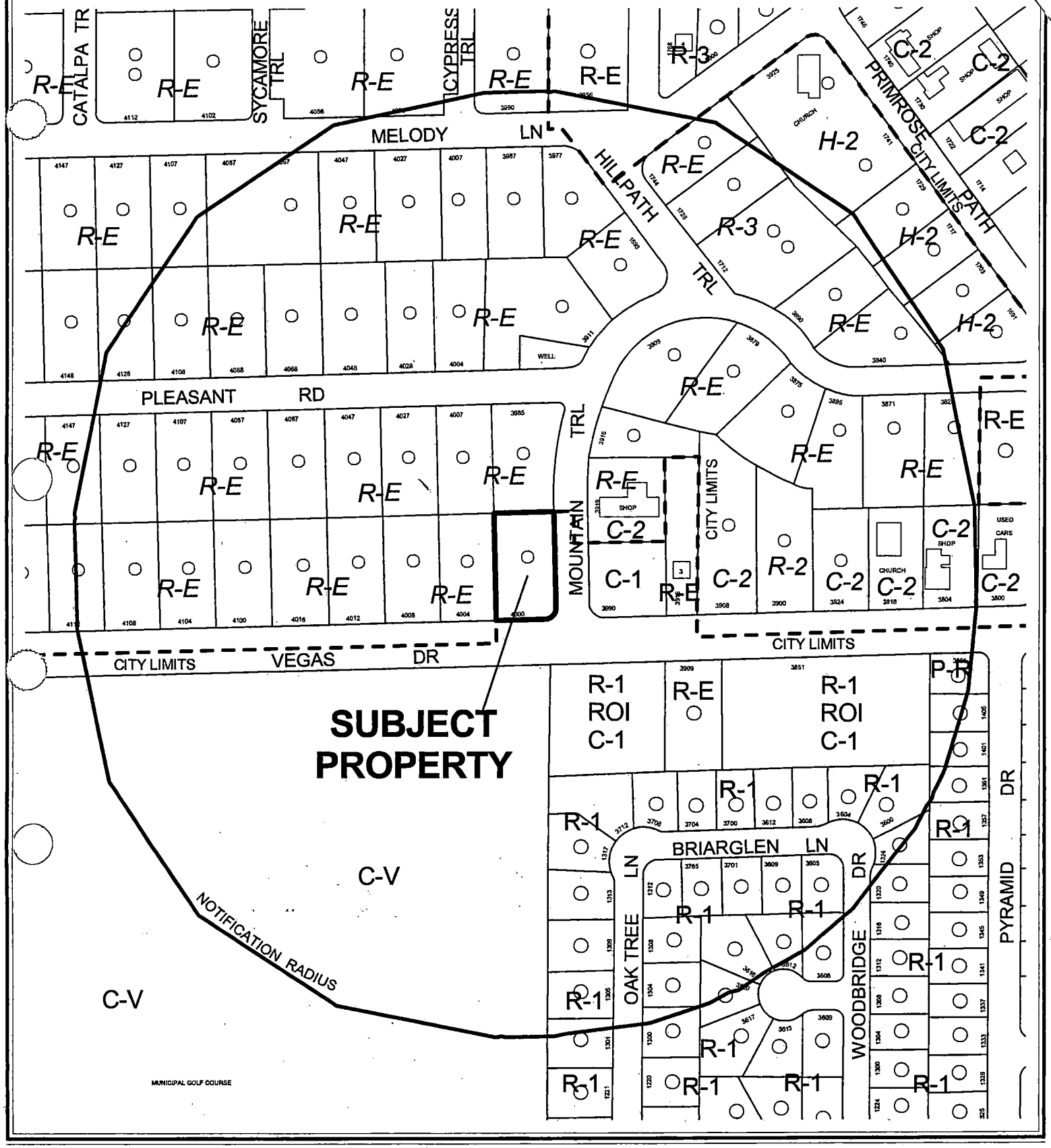
1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review (SDR-4102) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Vegas Drive and Mountain Trail adjacent to this site concurrent with development of this site. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.



0 100 200 Feet

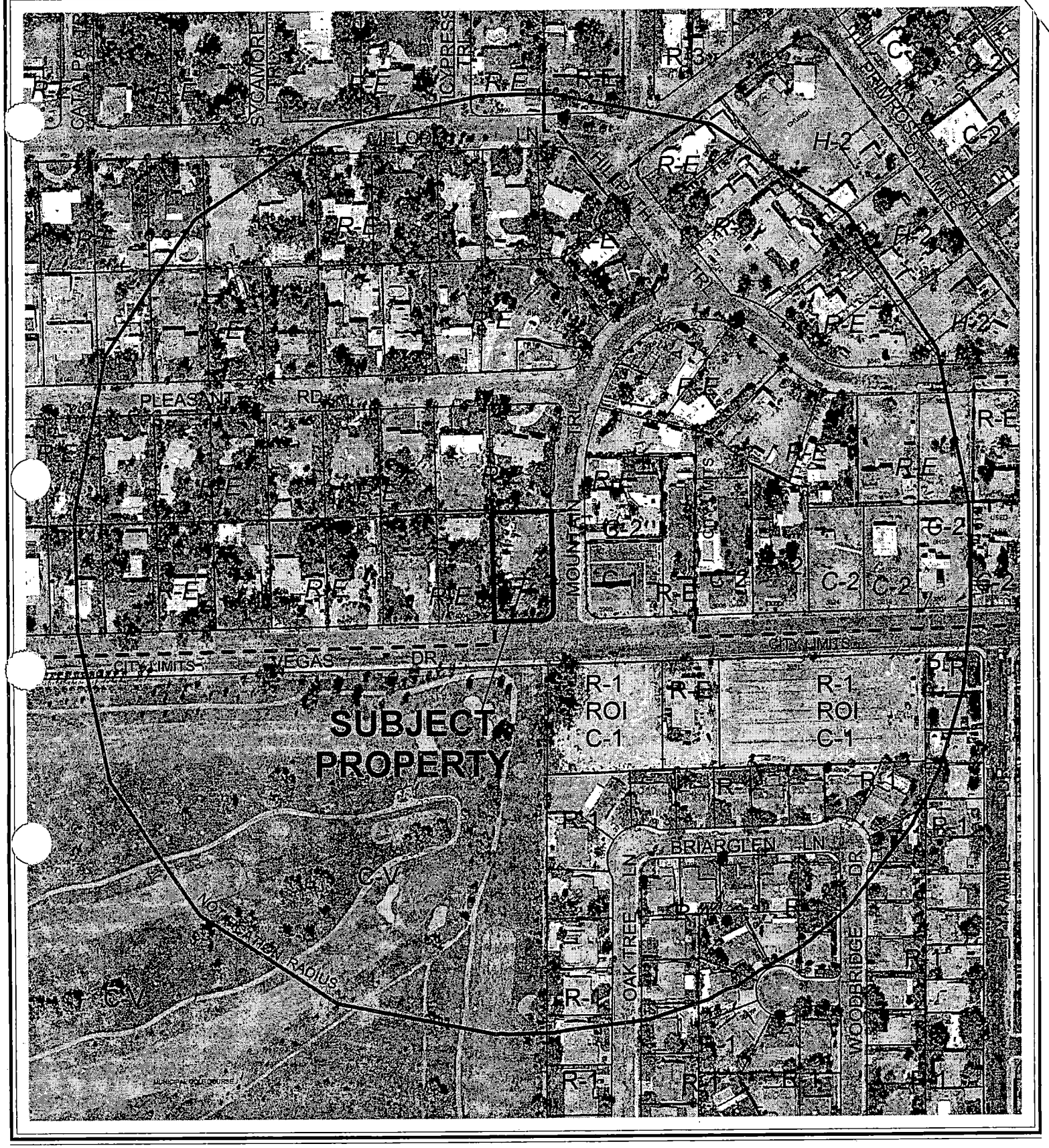
CASE: **ZON-4101**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N



0 100 200 Feet

CASE: **ZON-4101**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - REZONING - PUBLIC HEARING - ZON-4101 –
APPLICANT/OWNER: PETER CASTELLANO

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to rezone from R-E (Residence Estates) to C-1 (Limited commercial) on 0.47 acres at 4000 Vegas Drive (northwest corner of Vegas Drive and Mountain Trail).

A General Plan Amendment (GPA-4100) and a Site Development Plan Review (SDR-4102) were filed as companion applications with this request for rezoning.

B) Applicant's Justification

The applicant states in a letter submitted with the application: "Our goal is to comply with all laws and codes put forth by the City of Las Vegas to do and bring good business to the community."

BACKGROUND INFORMATION

A) Previous Actions

04/12/01	A-0015-01(A) for annexation recommended for approval by the Planning Commission.
04/22/04	The Planning Commission voted to hold this and related items GPA-4100 and SDR-4102 in abeyance as the applicant or it's representative was unable to attend to be present.
05/27/04	The Planning Commission will hear related General Plan Amendment GPA-4100 and Site Development Plan Review SDR-4102 as part of this agenda.

B) Pre-Application Meeting

02/25/04	The elements of a complete application and the necessary neighborhood meeting for the general plan amendment request were discussed.

C) Neighborhood Meetings

03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- The site is in an established area where change is not wanted or expected.

DETAILS OF APPLICATION REQUEST

A) Site Area: 0.47 acres

B) EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

C) PLANNED LAND USE

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	PF (Public Facility) SC (Service Commercial)
East	R (Rural Density Residential) SC (Service Commercial)
West	R (Rural Density Residential)

D) EXISTING ZONING

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

E) General Plan Compliance

The site of this application of rezoning is designated as R (Rural Density Residential) on the Southeast Sector Land Use Plan of the General Plan. This category permits single-family detached homes, mobile homes on individual lots, gardening home occupations and family child care facilities. The existing residential use is in conformance with the Rural land use designation. The proposed commercial zoning is inconsistent with the land use designation of the site and the neighborhood to the north and west.

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

RURAL PRESERVATION NEIGHBORHOOD

The subject site is located within a Rural Preservation Neighborhood. Chapter 278 of the (NRS) specifically states: "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Such action relegates the City to sustain the General Plan designation and zoning in place on the property to preserve its rural character. To do otherwise would contravene the purpose and intent of the state enabling legislation.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

The site is also within an area identified as a buffer for a Rural Preservation Neighborhood for the unincorporated area. Chapter 278 of the Nevada Revised Statutes (NRS) stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ANALYSIS

A) Zoning Code Compliance

The current residential use is in compliance with the current designation of the General Plan and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and the zoning of the adjacent parcels.

B) General Analysis and Discussion

The applicant is proposing a business to park up to six landscape trucks, including trucks with trailers and bobcats on the property. Such a use is not permitted in the R (Rural Density Residential) district. The site has existing residential uses to west and east 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 existing General Plan designation of the subject site is R (Rural Density Residential). The proposed landscaping use is inconsistent with the residential designation of the site. The applicant is requesting to amend this land use designation to SC (Service Commercial).

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

The proposed zoning and General Plan Amendment would permit a broad spectrum of commercial uses. A commercial use proposed in this location causes severe compatibility issues.

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

   The growth and development factors in the community do not indicate a need for the rezoning to C-1 (Limited commercial). In addition, there are other locations with the appropriate zoning within the community that would allow a development such as this.

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

   The capacity of Mountain Trail street is not adequate for the proposed zoning district.

NOTICES MAILED 98 [Mailed with GPA-4100 & SDR-4102]

APPROVALS 0

PROTESTS 78

#2

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4101 APN: _____

Name of Property Owner: PETE CASTELLANO

Name of Applicant: PETE CASTELLANO

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: _____

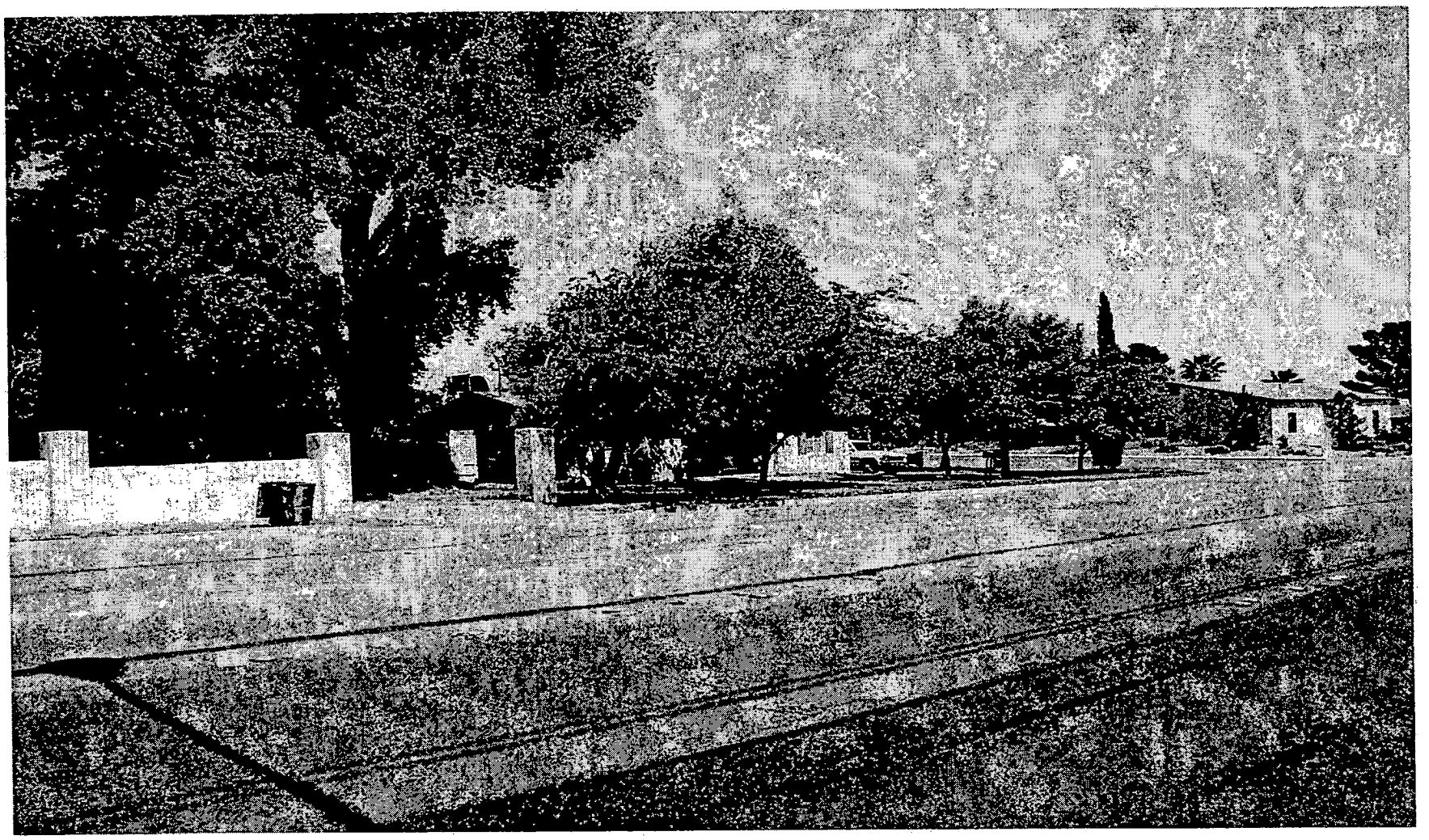
Print Name: PETE CASTELLANO

Subscribed and sworn before me

This 27 day of January, 2004

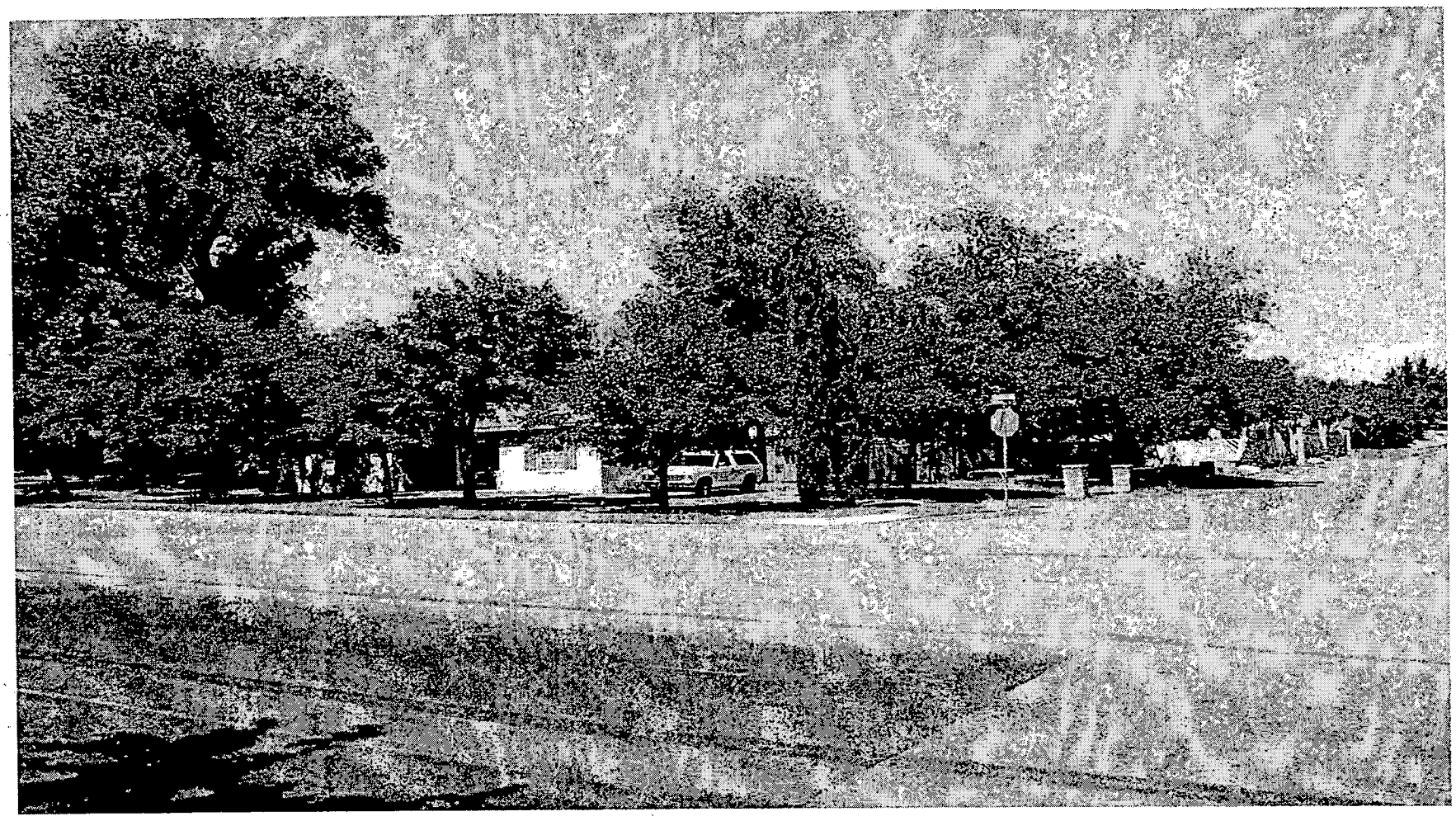
_____
Notary Public in and for said County and State

CHERYL R. CARPENTER
Notary Public State of
No. 99-35
My appt. exp



ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04



ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04

Re: 4100 6PA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for $ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,

Lynda Waskom

Lynda Waskom
631-8565

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned many other areas available for this type of business, in our City.

READ INTO THE RECORD

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
CARL BURDMAN	4138 PLEASANT RD.	
ALICIA GAIZO	4128 PLEASANT Rd	
Lynda Waskom	4147 Pleasant Rd	Lynda Waskom
Annette Spear	4188 Pleasant Rd	
CHARLES L. LETT	4188 PLEASANT Rd.	
Paul L. Schneider	4067 Pheasant Rd	
JAMES W NORRIS	4047 PLEASANT RD	
SANDRA DAVIS	4007 PLEASANT Rd	
~~Stan~~ RONALD DAVIS	4007 PLEASANT RD	
Stephen P. Jones	4027 Pleasant RD	
Kelly Kelly Jones	4027 Pleasant Rd	
Anthony Smith	4167 Pleasant Rd	
Fern Smith	4167 Pleasant Rd	
Peter Beckett	1701 Valley Dr Las Vegas	
Scott Howard	1823 VALLEY DR LAS VEGAS	
Michael Peterson	1800 Valley Dr	
	1800 Valley DR	Kristin Peterson
Dennan Mitch	1779 Valley Dr.	
JOHN W WAGNER	4148 PLEASANT Rd	
Sylvia Stapleton	3985 PleasanD Rd	Sylvia Stapleton
BILL STAPLES	3985 PleasanD, Rd	
Linda Small	4048 Pleasant Rd	
Linda G Small	4048 Pleasant Rd	

1A

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Kathryn C Wills	4108 Pleasant Rd	Kathryn Wills
Randy L. Wills	4108 Pleasant RD	
SCOTT R RICHARDSON	4107 PLEASANT RD	
ANDREW KEE	4087 PLEASANT ROAD	
Michele R Hamrick	4087 Pleasant Rd	Michele R Hamrick
JEFF DelGIUDICE	3909 MOUNTAIN TRAIL	
Colleen McDonald	3909 Mountain Trail	
Penny Bolton	4107 MELODY LN	
Eva Vera	4116 Vegas DR	
SHIRLEY Connally	1701 N. Rancho Dr, Apt 16 89106	
	1776 Sycamore #241	

READ INTO THE RECORD

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for PD Landscaping @ 4000 Vegas Drive, in its entirety.

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Please Print:

First Name MI Last Name	Street Address	Signature / Please Sign
Joy CARDENAS	4168 PLEASANT Rd	Joy Cardenas
Rudy CARDENAS	4168 PLEASANT Rd	Rudy Cardenas
Mark J GERSTEIN	1989 Catalpa Ln	Mark J Gerstein
RICHARD C. HICKS	1937 CATAWBA TRAIL	Richard C. Hicks
[illegible]	4224 Spring Rd	[illegible]
[illegible] Allen	1774 Valley Dr	[illegible]
Kathleen M. Allen	1779 Valley Dr	Kathleen M. Allen
Charmaine Nance	1779 VALLEY DR	Charmaine Nance
[illegible] ALLEN	1779 VALLEY DR	[illegible]
Kalona Dixon	1810 WILLOW TRAIL	Kalona Dixon
Faye C. Wheeler	4108 Pleasant Rd	Faye C Wheeler

READ INTO THE RECORD

10

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Rebecca L. VanBlankenstein	4004 : 4008 Vegas Dr	
LARONDA TINSLEY TAYLOR	4108 VEGAS DR.	
BILL DeSA	4112 Vegas DR	
Ronnie Withaeger	4004 Vegas Dr.	
TODD VanBlankenstein	4008 Vegas Dr.	
George Rhodes	4012 Vegas DR.	
Janet M. Fellhauer	4056 Melody Lan	Janet M. Fell

READ INTO
THE RECORD

Petition

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Judith A Ford	4210 Melody Ln.	Judith A Ford
Paul B Ford	4210 MELODY LN	Paul B Ford
Ronald W. Thaeger	1841 Ridgefield Dr	Ronald W. Thaeger
Christine G. Hicks	1937 Catalpa Tr	Christine C. Hicks
KEVIN T Brophy	1989 Catalpa TR	Kevin T Brophy
JOHN C HAHN	1911 CATALPA TRL	John C. Hahn
Jerry R. White	1888 Catalpa TRL	Jerry R. White
Neita C. White	1888 Catalpa Trail	Neita C. White
Dablene J. McCarty	1841 Willow Tr	Dablene J. McCarty
Ramona D Burke	4102 Melody Ln	Ramona D Burke
MARY McCULLOCH	4107 Melody Lane	Mary McCulloch
Ken McCulloch	4107 MELODY Ln.	Ken McCulloch
JOANN Carter	4147 Melody Ln.	JoAnn Carter
Ryan M. Creelman	4112 Melody lane	Ryan M. Creelman
Steve S. Baggs	1776 Catalpa trail	Steve Baggs
Toby G. Adams	4180 Melody Lane	Toby G. Adams
Michael J. Carter	41147 Melody Lane	Michael Carter
Susan M Reitz	1819 CATALPA	Susan M Reitz
Louis Reitz	1819 CATALPA TR	Louis E. Reitz
Leo J Karnes	1824 CATALPA TR	LEO J. KARNES
Carol Anger	1824 Catalpa Trail	CAROL ANGER
[illegible]	4975 Spring Rb	[illegible]
JIMMARI PUTT	1347 VALLEY [illegible]	[illegible]

READ INTO THE RECORD

18

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

I would like to voice my **objection and opposition** to the recent application of Peter Castellano owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment for a Rezoning from R-E (Residence Estates) to: C-1 (Limited Commercial) on 0.47 acres.

I feel that this business is not appropriate for our residential neighborhood. It will create problems for neighbors with the increase in traffic, insufficient parking, foot traffic of school children, safety concerns, property devaluation and close proximity of chemicals, pesticides and many other dangerous & hazardous products used in a landscape business, to unsuspecting neighbors. Also these chemicals can possibly contaminate the water sources in the area.
Our neighborhood is mature and very quiet. Many of my neighbors have been here for many years, some of them up to 50 years, and we would like to maintain our "Residence Estate" feeling. We do not wish to have this older home, at 4000 Vegas Drive which was built in 1946, with a lot of heritage, turned into a business office and later torn down to make way for a "typical" office structure.
Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
I feel that there are many other areas already established for a Landscaping Business, or similar business, in our City. There are many properties, just down on Bonanza, that would be appropriate. That is why you have already established various areas throughout our City, just for this reason. There is no need to compromise the integrity of our Residential Area for this business.

Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

John Wagner
4148 Pleasant Rd
Las Vegas, NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely.

Peter D. Beckett

1701 Valley Dr. Las Vegas NV. 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Scott Hovland
1823 Valley Dr.
89108

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Judith Fiedler
4205 Spring Rd.
Las Vegas NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

John G. Adras
4180 Melody Lane

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
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Thank you for your assistance in this matter.
Sincerely,

Ramona D. Burke
4102 Melody Ln
Las Vegas NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Dallene Pletcher
1841 Willow Trail
Las Vegas, NV 89108

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Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

Nestor E. White
1888 Catalpa Trail
89108

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Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

John C' Hehn
1911 Estates Trail
Las Vegas, Nev 89108-1941

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

Randy M Cole
1938 CATALINA TRAIL

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

1841 Ridgefield Dr.
Las Vegas NV 89108

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THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Sincerely,

Janet M. Fellhauer
Janet m. Fellhauer
4056 Melody Lane
89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

1976 Sycamore Trail
LV, NV 89108

DUPLICATE

April 14, 2004

RECEIVED
04 APR 20 PM 4:49
PLANNING AND
DEVELOPMENT

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

Case Number GPA – 4100

RE: OBJECTION TO REQUEST

We have lived in this Ranch Estates residential neighborhood for more than 35 years.

In June, 2001, a landscape business moved into the back half of the property at 4000 Vegas Drive, directly behind our property and began using it for a landscape business with 8 to 10 trucks, landscape trailers, and 6 to 10 employees coming in and out of the property at least twice daily with various equipment and landscape materials. At the time, the property was within Clark County until September 2001 (approximately) when it was annexed into the City of Las Vegas. Since that time, we have contacted City Code Enforcement on numerous occasions, but the code violations have not stopped, though efforts seem to have been made by the City.

For 3 years we have had to endure daily commercial activity in our otherwise quiet neighborhood. Commercial properties are available for commercial use in commercial areas! Businesses should not be permitted to move into residential areas, as this one has, and set up business with total disregard for zoning of the neighborhood. As I write this letter at 7:00 P.M. the evening of April 14th, there are 3 trucks, 1 Bobcat, 3 landscape trailers with equipment, piles of landscape rock and various related equipment and abandoned vehicles in the yard at 4000 Vegas Drive. Pounding noises have been ongoing for approximately one hour by 2 employees in the yard attempting to repair a landscape trailer.

Request denial of this amendment to the General Plan.

Respectfully,
William S Staples
Sylvia Staples

Bill and Sylvia Staples
3985 Pleasant Road
Las Vegas NV 89108

cc: Councilman Lawrence Weekly

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Thank you for your assistance in this matter.
Sincerely,

[signature]
4128 Pleasant Rd
89108

DUPLICATE

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Meeting : April 22, 2004
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Sincerely,

Paul J Schmude
4067 Pleasant Rd

DUPLICATE

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Sincerely,

Charles L. Lett
4188 Pleasant Rd.
Las Vegas, Nev. 89108

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April 14, 2004

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I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

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Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Annette G. Spear
7188 Pleasant Rd
Las Vegas, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Carl Burk
4128 PLEASANT RD.
LV. NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Evilia Vera
Evilia Vera
4116 Vegas DR 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Kolana sue Dixon

KOLANA SUE DIXON.

1810 WILLOW TRAIL.
L.V. NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Faye C Wheeler

FAYE C. WHEELER

4108 PLEASANT RD. 89108

— DUPLICATE —

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Shirley Connelly

Shirley Connelly
1701 N. Rancho Dr, Apt 16
89106

— DUPLICATE —

11

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

Allen

April 14, 2004

Dear Planning Commissioners and City Council,

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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Dan Allen (Allen)
1779 Valley
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

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Thank you for your assistance in this matter.
Sincerely,

Dustin Petersen
1800 Valley Dr.
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

TIMMARI PUTTI
1847 VALLEY DR.
LAS VEGAS, NV.
89105

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

[signature]
4224 Spring
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Carol Ginger
1824 Catalpa Trail
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Leo Karnes
1824 Catalpa Tr.
Leo Karnes
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

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Sincerely,

1819 CATALPA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

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Thank you for your assistance in this matter.
Sincerely,

Steve Bagg

Steve Baggs
1776 Catalpa Dr. 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Thank you for your assistance in this matter.
Sincerely,

Ryan M. Creelman
4112 Melody lane 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Thank you for your assistance in this matter.
Sincerely,

JoAnn Carter
David Carter
4147 Melody Ln 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Sincerely,

Mary J. McCulloch
4167 Melody Lane
Las Vegas NV 89108

DUPLICATE

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Meeting : April 22, 2004
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Sincerely,

Marc J Gerstein
MARC J GERSTEIN
1989 Catalpa trail
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Richard C. Hicks
1937 CATALA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
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Sincerely,

Jay Carlson
4168 Pleasant Rd.
Las Vegas, Nv 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Kevin J Brophy
1989 Catalpa

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
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Thank you for your assistance in this matter.
Sincerely,

Judith A Ford
4210 Melody Ln.
Las Vegas, NV (89108)

DUPLICATE

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

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

SUBJECT:
ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4100 AND ZON-4101 - PUBLIC HEARING - SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO - Request for a Site Development Plan Review FOR A CONVERSION OF AN EXISTING RESIDENCE TO A LANDSCAPING BUSINESS AND FOR A WAIVER THE LANDSCAPING REQUIREMENTS on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	78	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
GOYNES – Motion for DENIAL on Item 26 [GPA-4100], Item 27 [ZON-4101], and Item 28 [SDR-4102] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

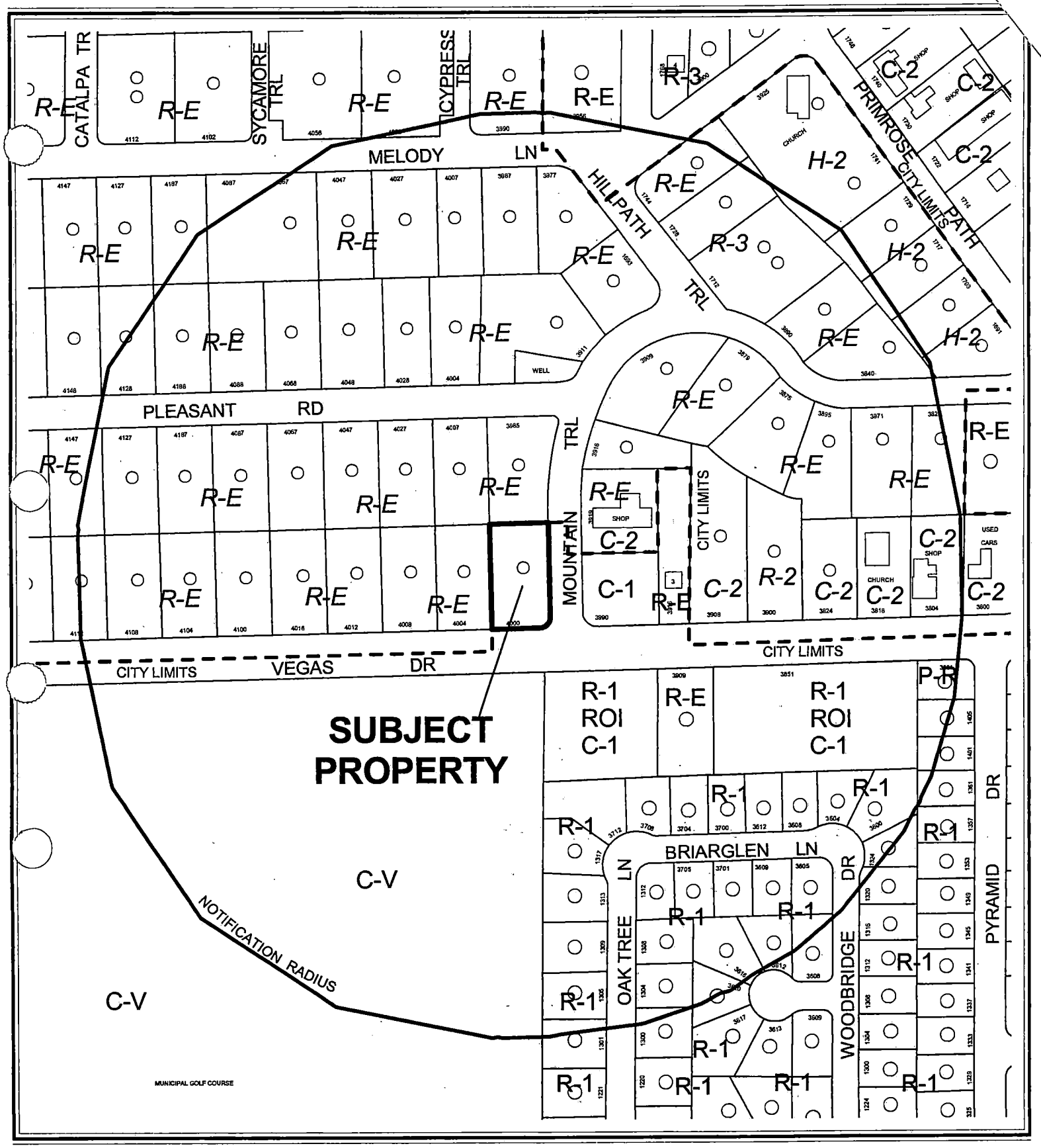
PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 28 – SDR-4102

MINUTES -- Continued

Note: See Item 26 [GPA-4100] for all related discussion on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

(7:05 – 7:37)

1-2150



CASE: **SDR-4102**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) and Rezoning (ZON-4101) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

2. The trash enclosure shall be relocated so it will be a minimum of 50 feet of the residential property lines.

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 07/07/04, 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 and four one-gallon shrubs for each tree provided in the landscape buffers.

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.

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. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

15. Submit an Encroachment Agreement for all landscaping and private improvements in the Vegas Drive public right-of-way adjacent to this site.

16. Landscape and maintain all unimproved right-of-way on Vegas Drive adjacent to this site concurrent with development of this site.

17. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.

18. Site development to comply with all applicable conditions of approval for ZON-4101 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a site development plan review for a proposed landscaping business to be located at the northwest corner of Vegas Drive and Mountain Trail.

A General Plan Amendment (GPA-4100) and a Rezoning (ZON-4101) were filed as companion applications with this request.

B) Applicant's Justification

The applicant's intent for the property is to be allowed to park landscaping pick-up trucks with attached trailers. The trucks are to be parked during non-business hours and parked according to all requirements. The safety of their neighbors and the community is their priority.

BACKGROUND INFORMATION

A) Previous Actions

04/12/01 A-0015-01 (A) for annexation recommended for approval by the Planning Commission.

04/22/04 The Planning Commission voted to hold this and related items GPA-4100 and ZON-4101 in abeyance as the applicant or it's representative was unable to attend to be present.

05/27/04 The Planning Commission will hear a related General Plan Amendment (GPA-4100) and Rezoning (ZON-4101) as part of this agenda.

B) Pre-Application Meeting

02/25/04 The elements of a complete application and the necessary neighborhood meeting for the general plan amendment request were discussed.

C) Neighborhood Meetings

03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- The site is in an established area where change is not wanted or expected.

DETAILS OF APPLICATION REQUEST

A) ***Site Area:*** 0.47 acres

B) EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

C) PLANNED LAND USE

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	PF (Public Facility), SC (Service Commercial)
East	R (Rural Density Residential), SC (Service Commercial)
West	R (Rural Density Residential)

D) EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	Clark County
South	C-V (Civic), R-1 (Single Family Residential) and C-1 (Limited Commercial) under Resolution of Intent to Limited Commercial
East	C-1 (Limited Commercial)
West	Clark County

E) General Plan Compliance

The site of this application of rezoning is designated as R (Rural Density Residential) on the Southeast Sector Land Use Map of the General Plan. This category permits single-family detached homes, mobile homes on individual lots, gardening; home occupations and family child care facilities. The existing residential use is in conformance with the Rural land use designation. The proposed commercial zoning is inconsistent with the land use designation of the site and the neighborhood to the north and west.

PROJECT DESCRIPTION

It is proposed that the subject site be converted from an existing home to a landscaping business. The existing building will become an office for the business and the area behind the building is the parking area. Access will be confined to a single gated entrance from Mountain Trail.

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	20,445	N/A
Min. Lot Width	100 Feet	105	Y
Min. Setbacks			
• Front	20 Feet	25	Y
• Side	10 Feet	20	Y
• Corner	15 Feet	40	Y
• Rear	20 Feet	105	Y
Max. Lot Coverage	50 %	7.4%	Y
Max. Building Height	NONE	Single story	Y
Trash Enclosure	Y	Y	No, needs to be moved
Loading Zone	Y	Y	Y
Mech. Equipment	Y	Not shown	Not shown
Handicap parking	Y	Y	Y

The proposal meets the requirements of Title 19 zoning standards except for the location of the trash enclosure. A condition has been added to address the issue.

A2) Residential Adjacency Standards

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

a) Proximity slope: 3 to 1. As a single story building and it's present location, the proposal meets the proximity slope requirement of Title 19.
b) Building setback: 10 feet. As a single story building and it's present location, the proposal meets the building setback requirements of Title 19.

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
Commercial	1520 SF.	1/250 GFA	6	1	10	2

The proposal meets the requirements of Title 19 parking standards.

The Department of Public Works identified the following issue:

If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	2 Trees	0
Buffer: • Min. Trees	1-24 Inch Box Tree/ 20 Linear Feet of buffer	30Trees	18
• Min. Zone Width	8 Feet		8
• Wall height	8 Feet		8

The proposal does not meet the requirements of Title 19 Landscaping requirements. A condition will be added to require the additional trees should this request is approved.

A5) Sign Standards

Insufficient information was submitted that would have permitted an evaluation of the signs that may be part of the proposal. Signage for the use will have to be reviewed through a separate application.

B) General Analysis and Discussion

- Zoning

The current residential use is in compliance with the current General Plan designation and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and the zoning of the adjacent parcels.

- Site Plan

The site plan shows twelve parking spaces where six would be required. The plan shows a delivery parking space and two handicap spaces. The trash enclosure is shown to be eight feet from the rear property line instead of the 50 feet that is required. A condition has been added to require the location of the enclosure to be 50 feet from the residential property lines to the west and north of the site.

- Waivers

The applicant for this application for a site development plan review requested no waivers of development standards.

- Landscape Plan

The proposal does not meet the requirements of Title 19 Landscaping requirements. A condition will be added to require the additional trees should this request is approved.

- Elevation

The pictures submitted for the application show a typical single story house on a landscaped lot.

- Floor Plan

The floor plan shows a typical layout of a single story home.

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 current residential use is in compliance with the current zoning and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and compatible of the adjacent parcels.

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 layout of the site is not consistent with existing plans and standards. A condition has been added to require, if the site plan is approved, that the trash enclosure be moved away from the west and north property lines. Landscaping will be required around the base of the building, additional trees will be required around the perimeter, and tree will be required with a parking lot finger along the south side of the parking lot.

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

The Mountain Trail Street is the access to the residential subdivision to the north of the site. It is a residential street and will not be able to handle the increase in traffic generated by the proposed use.

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

The current is compatible with the surrounding area. Conversion to a commercial use is not in keeping with the residential nature of the area west of Mountain Trail Street. The proposed landscaping is not harmoniously compatible with the area.

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

The building is compatible with the area.

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

The business within the proposed office will be subject to regular inspections for licensing, and the conversion/construction of the office will be completed in compliance with local building codes.

NOTICES MAILED 98 [Mailed with GPA-4100 & ZON-4101]

APPROVALS 0

PROTESTS 78

#2A

#3 Copy's needed of this.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4102 APN: _____

Name of Property Owner: Peter Castellano

Name of Applicant: Peter and Janet Castellano

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Peter Janet Castellano

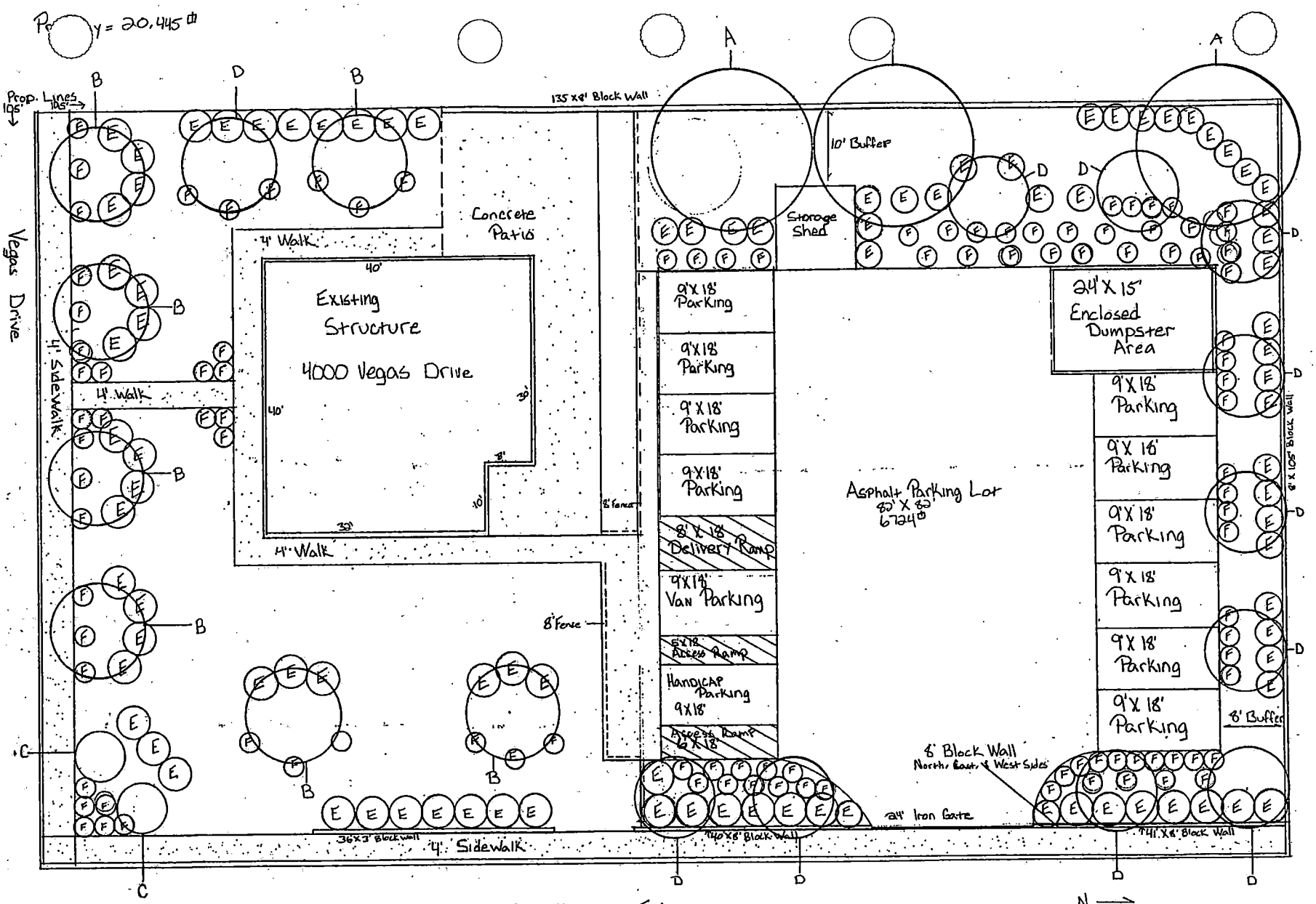
Print Name: PETER AND JANET CASTELLANO

Subscribed and sworn before me

This 27 day of February, 2004

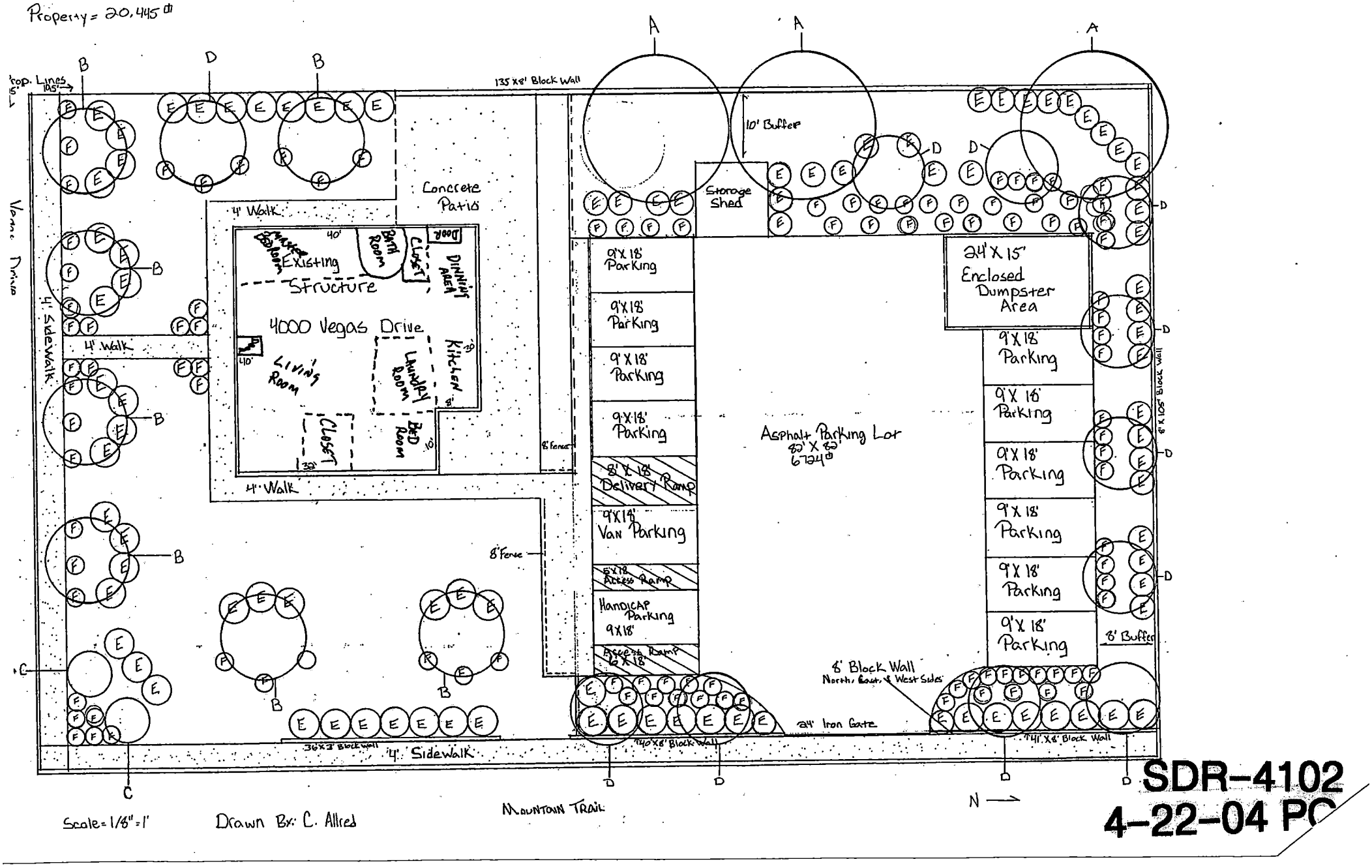
_____
Notary Public in and for said County and State

CHERYL R. CARPENTER
Notary Public State of Nevada
No. 99-35632-1
My appt. exp. Feb. 14, 2007



SDR-4102
4-22-04 PC

Property = 20,445 sq ft



Scale = 1/8" = 1'

Drawn By: C. Allred

SDR-4102
4-22-04 PC

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for $ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,

Lynda Waskom

Lynda Waskom
631-8565

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned many of the areas available for this type of business, in our City.

READ INTO THE RECORD

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
CARL BURDMAN	4138 PLEASANT RD.	
ALICIA GAIZO	4128 PLEASANT Rd	
Lynda Waskom	4147 Pleasant Rd	Lynda Waskom
Annette Spear	4188 Pleasant Rd	
CHARLES L. LETT	4188 PLEASANT Rd.	
Paul L. Schneider	4067 Pleasant Rd	
JAMES W NORRIS	4047 PLEASANT RD	
SANDRA DAVIS	4007 PLEASANT Rd	
~~Stan~~ RONALD DAVIS	4007 PLEASANT RD	
Stephen R Jones	4027 Pleasant RD	
Kelly Kelly Jones	4057 Pleasant Rd	
Anthony Smith	4167 Pleasant Rd	
Fern Smith	4167 Pleasant Rd	
Peter Beckett	1701 Valley Dr Las Vegas	
Scott Hovland	1823 VALLEY DR LAS VEGAS	
Michael Peterson	1800 Valley Dr	
	1800 Valley DR	Justin Peterson
Dorian Allen	1779 Valley Dr.	
JOHN W WAGNER	4148 PLEASANT RD	
Sylvia Stapled	3985 Pleasand Rd	Sylvia Staples
BILL STAPLES	3985 Pleasand Rd	
Linda Small Linda Small	4048 Pleasant Rd	Linda V Small
Linda G Small	4048 Pleasant Rd	Linda G Small

Petition

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Kathryn C Wills	4108 Pleasant Rd	Kathryn Wills
Randy L. Wills	4108 Pleasant Rd	
SCOTT R RICHARDSON	4107 PLEASANT RD	
ANDREW KEE	4087 PLEASANT ROAD	
Michele R Hamrick	4087 Pleasant Rd	Michele R Hamrick
JEFF DelGIUDICE	3909 MOUNTAIN TRAIL	
Colleen McDonald	3909 Mountain Trail	Colleen McDonald
Henry Brother	4107 WESTWAY LN	Henry Brother
Erlinda Vera	4116 Vegas Dr	Erlinda Vera
SHIRLEY Connally	1701 N. Rancho Dr, Apt 16 89106	Shirley Connally
MIKE MCMAHON	1776 SPENCER #201	

READ INTO THE RECORD

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for PD Landscaping @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

First Name MI Last Name	Street Address	Signature - Please Sign
Joe/Joy CARDENAS	4168 PLEASANT Rd	Joy Cardenas
Rudy CARDENAS	4168 PLEASANT Rd	Rudy Cardenas
Mark J GERSTEIN	1989 Catalpa Ln	Mark J Gerstein
RICHARD C. HICKS	1937 CATALPA TRAIL	Richard C. Hicks
[illegible]	4224 Spring Rd	[illegible]
[illegible] Allen	1774 Valley Dr	[illegible]
Kristin M. Allen	1779 Valley Dr	Kristin M. Allen
Charles Nance	1779 VALLEY DR	Charles Nance
[illegible] ALLEN	1779 VALLEY DR	[illegible]
Kalona Dixon.	1810 Willow TRAIL.	Kalona Dixon.
Faye C. Wheeler	4108 Pleasant Rd	Faye C Wheeler

READ INTO THE RECORD

10

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Rebecca L. VanBlan Kerstein	4004 : 4008 Vegas Dr	
LARONDA TINSLEY TAYLOR	4108 VEGAS DR.	
BILL DESA	4112 Vegas DR	
Ronnie Withaeger	4004 Vegas Dr.	
TODD VanBlankenstein	4008 Vegas Dr.	
George Rhodes	4012 Vegas Dr.	
Janet M. Fellhauer	4056 Melody Lane	Janet M. Fell

READ INTO
THE RECORD

6

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

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Please Print:

First Name MI Last Name	Street Address	**Signature** - Please Sign
Judith A Ford	4210 Melody Ln.	Judith A Ford
PAUL B FORD	4210 MELODY LN	Paul B Ford
Ronald W. Thaeger	1841 Ridgefield Dr	Ronald W. Thaeger
Christine G. Hicks	1937 Catalpa Tr	Christine C. Hicks
KEVIN J BRADY	1989 Catalpa TR	Kevin J Brady
JOHN C HAHN	1911 CATALPA TRL	John C. Hahn
Jerry R. White	1888 Catalpa TRL	Jerry R. White
Neita C. White	1888 Catalpa Trail	Neita C. White
Dablene J. McCarty	1841 Willow Tr	Dablene J. McCarty
Ramona D Burke	4102 Melody Ln	Ramona D Burke
MARY McCULLOCH	4107 Melody Lane	Mary McCulloch
Ken McCulloch	4107 MELODY Ln.	Ken McCulloch
JOAN Carter	4147 Melody Ln.	Joan Carter
Ryan M. Creelman	4112 Melody lane	Ryan M. Creelman
Steve S. Baggs	1776 Catalpa trail	Steve Baggs
Toby G. Adams	4180 Melody Lane	Toby G. Adams
Michael J. Carter	4147 Melody Lane	Michael Carter
Susan M Fitz	1819 CATALPA	Susan M Fitz
Louis E. Reitz	1819 Catalpa TR	Louis E. Reitz
Leo J Karnes	1824 CATALPA TR	LEO J. KARNES
Carol Anger	1824 Catalpa Trail	CAROL ANGER
Gabriel Ruggiero	4925 Spring Rb	Gabriel Ruggiero
IMMARI UTT	1847 VALLEY	

READ INTO THE RECORD

18

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council.

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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

John Wagner
4148 Pleasant Rd
Las Vegas, NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely.

Peter D. Beckett

1701 Valley Dr. Las Vegas NV. 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Scott Hovland
1823 Valley Dr.
89108

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Thank you for your assistance in this matter.
Sincerely,

William Lewis
4205 Spring Rd.
Las Vegas NV. 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

John G. Adras
4180 Melody Lane

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Ramona D. Burke
4102 Melody Ln
Las Vegas NV 89108

READ INTO THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

DeAnne Mattarty
1841 Willow Trail
Las Vegas, NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Nieta E. White
1888 Catalpa Trail
89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

John C' Hehir
1911 Catalpa Trail
Las Vegas, Nev 89108-1941

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Randy M Clark
1938 CATALINA TRAIL

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

1841 Ridgefield Dr.
Las Vegas NV 89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Janet M. Fellhauer

Janet M. Fellhauer
4056 Melody Lane
89108

READ INTO
THE RECORD

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

1776 Sycamore Trail
LV, NV 89108

DUPLICATE

April 14, 2004

RECEIVED
04 APR 20 PM 4:49
PLANNING AND
DEVELOPMENT

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

Case Number GPA – 4100

RE: OBJECTION TO REQUEST

We have lived in this Ranch Estates residential neighborhood for more than 35 years.

In June, 2001, a landscape business moved into the back half of the property at 4000 Vegas Drive, directly behind our property and began using it for a landscape business with 8 to 10 trucks, landscape trailers, and 6 to 10 employees coming in and out of the property at least twice daily with various equipment and landscape materials. At the time, the property was within Clark County until September 2001 (approximately) when it was annexed into the City of Las Vegas. Since that time, we have contacted City Code Enforcement on numerous occasions, but the code violations have not stopped, though efforts seem to have been made by the City.

For 3 years we have had to endure daily commercial activity in our otherwise quiet neighborhood. Commercial properties are available for commercial use in commercial areas! Businesses should not be permitted to move into residential areas, as this one has, and set up business with total disregard for zoning of the neighborhood. As I write this letter at 7:00 P.M. the evening of April 14th, there are 3 trucks, 1 Bobcat, 3 landscape trailers with equipment, piles of landscape rock and various related equipment and abandoned vehicles in the yard at 4000 Vegas Drive. Pounding noises have been ongoing for approximately one hour by 2 employees in the yard attempting to repair a landscape trailer.

Request denial of this amendment to the General Plan.

Respectfully,
William S Staples
Sylvia Staples

Bill and Sylvia Staples
3985 Pleasant Road
Las Vegas NV 89108

cc: Councilman Lawrence Weekly

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely.

[signature]
4128 Pleasant Rd
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Sincerely,

Paul J Acimovic
4067 Pleasant Rd

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22. 2004
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Sincerely,

Charles L. Lott
4188 Pleasant Rd.
Las Vegas Nev. 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Sincerely,

Annette G. Spear
7188 Pleasant Rd
Las Vegas, NV 89108

DUPLICATE

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Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Sincerely,

Carl Burk
4128 PLEASANT RD.
LV. NV. 89108

DUPLICATE

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Meeting : April 22, 2004
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Evilia Vera
Evilia VeRA
4116 Vegas DR 89108

DUPLICATE

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Kolana sue Dixon

KOLANA SUE DIXON.
1810 WILLOW TRAIL.
L.V. NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
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Sincerely,

Faye C Wheeler

FAYE C. WHEELER

4108 PLEASANT RD 89108

— DUPLICATE —

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

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Sincerely,

Shirley Connolly

Shirley Connolly
1701 N. Rancho Dr., Apt 16
89106

— DUPLICATE —

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

Allen

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

I would like to voice my **objection and opposition** to the recent application of Peter Castellano owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment for a Rezoning from R-E (Residence Estates) to: C-1 (Limited Commercial) on 0.47 acres.

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Our neighborhood is mature and very quiet. Many of my neighbors have been here for many years, some of them up to 50 years, and we would like to maintain our "Residence Estate" feeling. We do not wish to have this older home, at 4000 Vegas Drive which was built in 1946, with a lot of heritage, turned into a business office and later torn down to make way for a "typical" office structure.
Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
Our neighborhood was established prior to 1950. Many of our trees are the oldest and most established in the City of Las Vegas. With the World Famous Entertainers, Siegfried & Roy on the most westerly corner of our development, on Vegas Drive, we have always taken great pride in our homes & area.
We do not wish to see our neighborhood deteriorate, we have worked hard all of these years to protect it, and to keep it vital and strong.
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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Dan W. Allen (Allen)
1779 Valley
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Dustin Petersen
1800 Valley Dr.
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

TIMMARI PUTTI
1847 VALLEY DR.
LAS VEGAS, NV.
89105

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

[signature]
4224 Spring
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Carol Ginger
1824 Catalpa Trail
LV NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Leo Karnes
1824 Catalpa Tr.
Leo Karnes
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

1819 CATALPA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Steve Baggs
Steve Baggs
1776 Catalpa Dr. 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Ryan M. Creelman
4112 Melody lane 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

JoAnn Carter
Diane Carter
4147 Melody Ln 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Sincerely,

Mary J. McCulloch
4107 Melody Lane
Las Vegas NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Traffic and safety are also 2 more major concerns to all of us. There are many school children walking to and from both Twin Lakes Elementary School and Gibson Jr. High. They walk past this property everyday. By making it a Commercial Property, the traffic entering into and exiting from our neighborhood will increase considerably.
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Please help us to **prevent** this rezoning from being allowed, in our wonderful neighborhood.

Thank you for your assistance in this matter.
Sincerely,

Marc J Gerstein
MARC J GERSTEIN
1989 Catalpa trail
89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

Dear Planning Commissioners and City Council,

I would like to voice my **objection and opposition** to the recent application of Peter Castellano, owner of PD Landscaping, Inc. at the address of 4000 Vegas Drive, to request an amendment of a portion of the Southeast Sector Plan of the General Plan from: R (Rural Density Residential) to: SC (Service Commercial) on 0.47 acres.

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Thank you for your assistance in this matter.
Sincerely,

Richard C. Hicks
1937 CATALA TRAIL
LAS VEGAS, NV 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Joy Castellano
4168 Pleasant Rd.
Las Vegas, Nv 89108

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Kevin J Brophy
1989 Catalpa

DUPLICATE

Re: GPA - 4100, ZON - 4101 & SDR - 4102
Meeting : April 22, 2004
APN: 139-19-811-045 Ward 5 (Weekly)

April 14, 2004

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Thank you for your assistance in this matter.
Sincerely,

Judith A Ford
4210 Melody Ln.
Las Vegas, NV (89108)

DUPLICATE

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

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

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the