City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – Motion carried with EVANS voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:46– 7:06)

1-1462

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 26 – ZON-3672

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3670) to an M (Medium Density Residential) 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-3958) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

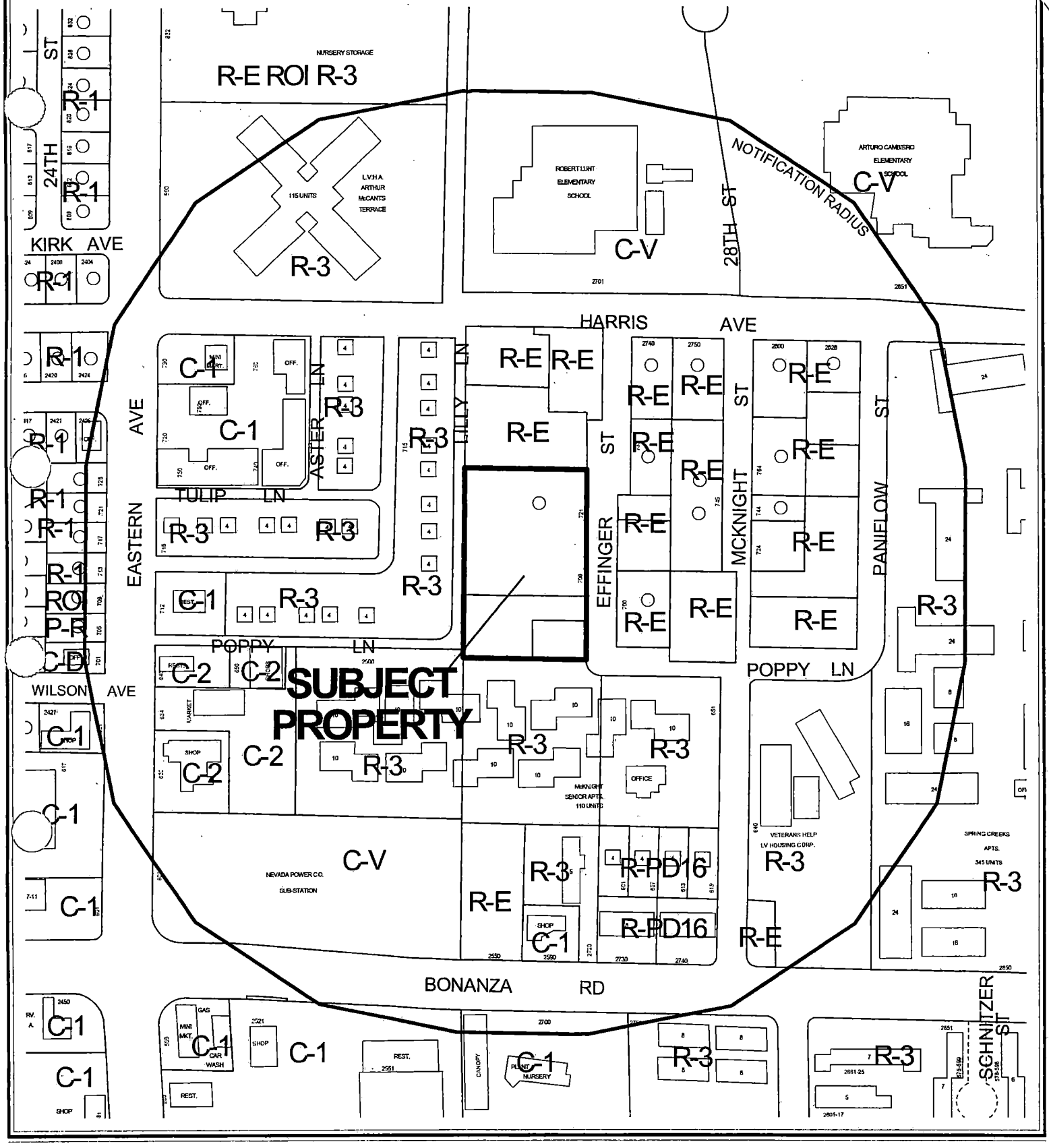
Public Works

4. Construct all incomplete half-street improvements on Effinger Lane and Lilly Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width.

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

6. Extend sanitary sewer past the northern boundary of this site in Effinger Lane to a location and depth acceptable to the City Engineer concurrent with development of this site.

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

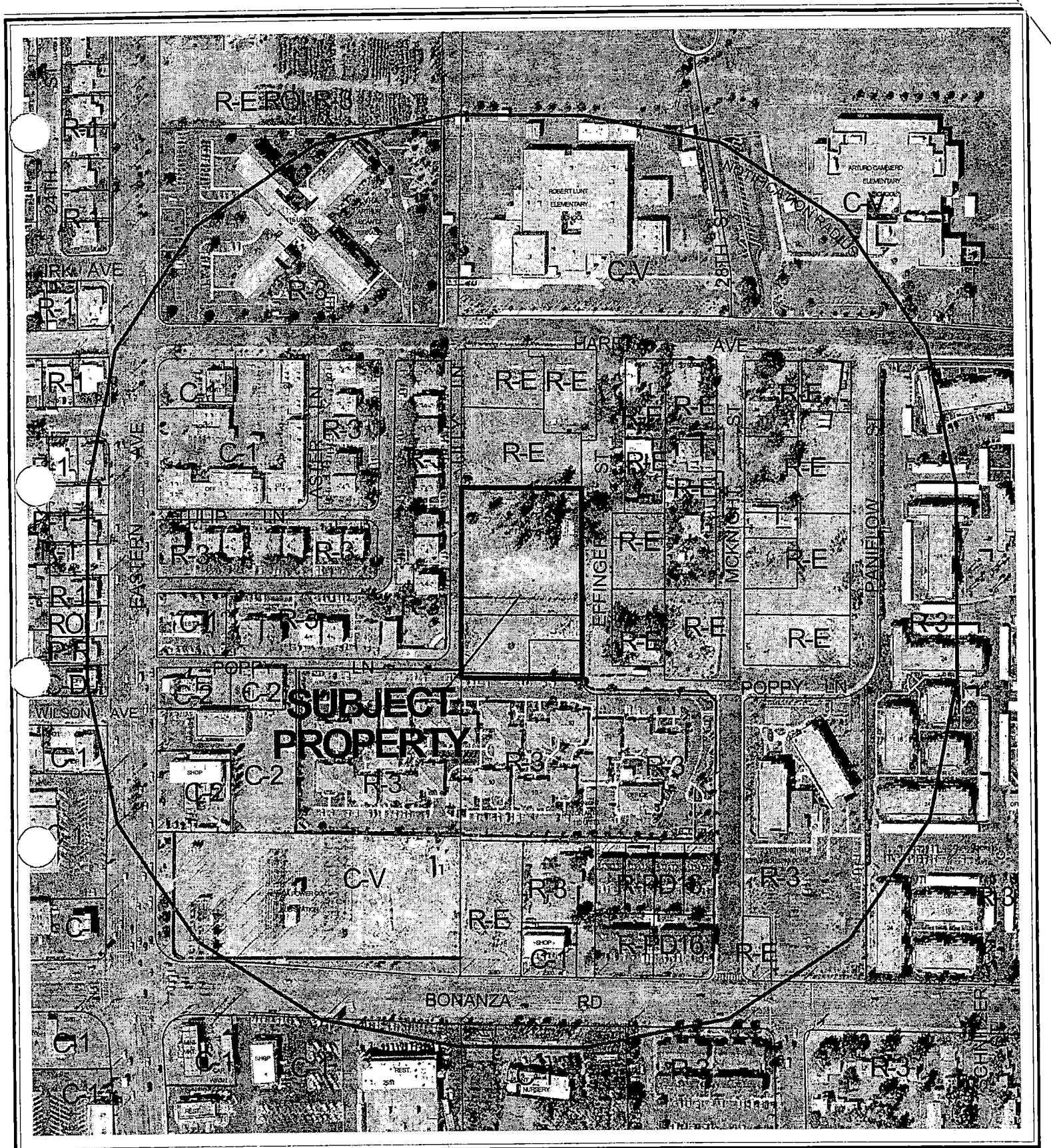


CASE: **ZON-3672**

RADIUS: 750 FT

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

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



0 200 400 Feet

CASE: **ZON-3672**

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: JUNE 24, 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

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3670) to an M (Medium Density Residential) 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-3958) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Effinger Lane and Lilly Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width.

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concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane.

Companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Site Development Review (SDR-3958) and a reduction in the amount of required perimeter landscaping for a proposed 50-unit multi-family residential development will be considered concurrently.

B) Applicant's Justification

In a letter submitted with the application, the applicant has justified the request by stating that this land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service, and that the General Plan designations surrounding this site is M (Medium Density Residential) except for a PF (Public Facilities) designation to the north. No justification was provided for the requested waiver of development standards.

BACKGROUND INFORMATION

A) Previous Actions

04/08/04 The Planning Commission voted to hold this item (ZON-3672) in abeyance to give the applicant time to meet with staff and address density and design issues related to the overall project. Staff met with the applicant to address these issues on May 11, 2004; no revised plans have been submitted.

05/27/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff. Staff met with the applicant on May 11, 2004 and with their designer on June 2, 2004 to discuss these issues; revised plans depicting a decrease in the number of units have been submitted.

B) Pre-Application Meeting

05/11/04 Staff met with the applicant to review the Residential Adjacency requirements, setbacks, parking requirements and location of the trash enclosures. The applicant was informed that new plans and a revised justification letter would be required. In addition, staff met with the applicant's designer on June 2, 2004, and again reviewed the issues of concern and requested revised plans and documentation.

01/16/04 At the meeting, the applicant was advised of the following issues:

- For parking standards, 0.75 parking spaces per unit or 38 spaces are required.
- Add 10 feet of landscape buffer along Lilly Lane and remove parking.
- Justification letter should reference the desire for senior housing and any waiver request to the Code.
- Verify that 15 feet of landscape buffer is required along Effinger Lane.
- Need alley access to accommodate parking.

C) Neighborhood Meetings

03/04/04 A neighborhood meeting sponsored by the applicant was held at the Las Vegas Library. Four people attended the meeting. Two of the four represented the owner of a senior complex to the south, and the other two were not residents but were relatives of a nearby property owner. Concerns included the following:

- Whether there would be a resident manager on site.
- What trees and landscaping would be provided

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.09

B) Existing Land Use

Subject Property:	Single-Family Dwellings and Undeveloped
North:	Single-Family Dwellings
South:	Multi-Family Apartments
East:	Across Effinger Lane, Single-Family Dwellings
West:	Across Lily Lane, Duplex Dwellings

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	L (Low Density Residential)
South:	M (Medium Density Residential)
East:	Across Effinger Lane, L (Low Density Residential)
West:	Across Lily Lane, M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-3 (Medium Density Residential)
East:	Across Effinger Lane, R-E (Residence Estates)
West:	Across Lily Lane, R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as L (Low density Residential). This category permits single-family detached homes, mobile homes on individual lots, gardening; home occupations and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The proposed development would not conform to this land use designation, but would conform if the companion request for an amendment to the M (Medium Density Residential) designation were approved.

Part of the subject property is located within a Rural Preservation Neighborhood. The Nevada Revised Statutes 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." Consequently, for this part, the property may not be redesignated to another classification.

Part of the subject property is also located within the Rural Preservation Neighborhood (RPN) buffer. This 330-foot transitional buffer exists because of the RPN. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**.

Unlike the RPN, the RPN Buffer area may be reclassified when it can be demonstrated that there is good cause for doing so. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The applicant submitted a letter with the application, stating: "The land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service." To the contrary, the land use application is inconsistent with the General Plan and the provisions for

Rural Preservation Neighborhoods (RPNs). The General Plan allows only 5.5 dwelling units per acre and the more restrictive standards of the RPN permit no more than two dwelling units per acre and three dwelling units per acre in RPN Buffers, respectively. A land use classification of M that permits up to 25 dwelling units per acre is not a desirable transition to existing single-family dwellings. The applicant has not provided satisfactory "good cause" for varying from the provisions of this law.

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

FINDINGS

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 L (Low Density Residential), which allows a density 3.6 to 5.5 units/gross acre; however, the applicant is requesting to amend this land use designation to M (Medium Density Residential), which allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-3 (Residential Density Residential), which allows up to 25 units per acre, is consistent with the proposed General Plan designation. Staff is recommending denial of the General Plan Amendment request.

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."**

   By approving the subject request, a density of residential development of up to 25 residential dwelling units per acre would be permitted. As discussed in the analysis section above, this is a very high density of development in an area where there do exist large lot single-family residences. For the RPN area, the density may not exceed two dwelling units per acre.

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 R-3 for an apartment complex on this site. In addition, there are other locations with the appropriate zoning within Las Vegas that would allow a development such as this. The land uses to the north and east are all single-family residential.

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 property does not have direct access to a major street. Effinger Lane, a local street, would provide the best access, but it would be shared with single-family dwellings. Traffic from this development could create localized congestion problems on the local streets.

NOTICES MAILED 57 (Mailed with GPA-3670 and SDR-3958)

APPROVALS 0

PROTESTS 0

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

DEVELOPMENT SERVICES CENTER

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: [signature]

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

[signature]

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: 139-25-410-007

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, 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 17 day of Feb., 2004.

Signature

CERTIFICATE OF NOTARY
State of Nevada)
)
County of Clark) ss

On this 17 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
No: 03-80063-1 January 13, 2007

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.

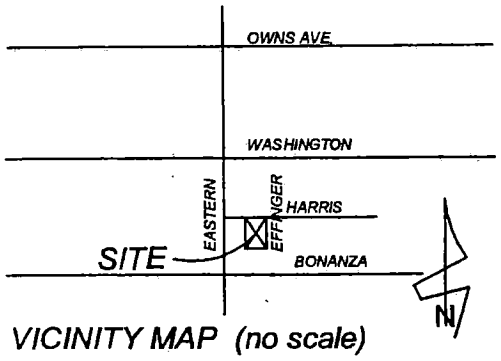
This instrument may not be changed orally.

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 .

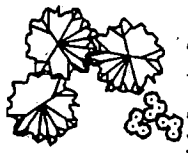
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Kaye Hymas
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KAYE HYMAS
My Appointment Expires
January 13, 2007
No: 03-80063-1



VICINITY MAP (no scale)

LANDSCAPE SCHEDULE



PALO VERDE / CHILEAN MESQUITE, 24" BOX

TEXAS RANGERS, CASIAS, RED BIRDS, 5 GAL

CRUSHED RED SAND STONE AND FINES WITH OVERCASTINGS OF STONES TO 6" GROUND COVER
SMALL SHRUBS, FIVE GAL. (PENSTEMMINS, POWIS CASTLE, GERMANDER, VARIOUS SAGE, ETC. 1 GAL

PARKING ANALYSIS

TOTAL 1BR UNITS = 24 @ 1.25 SPS. / DU. = 30 SPS
TOTAL 2 BR UNITS = 16 @ 1.75 SPS. / DU. = 24 SPS.
VISITOR PARKING / 1 BR = 5
VISITOR PARKING / 2 BR = 4 TOTAL REQ'D. = 63
TOTAL NUMBER OF SPACES SHOWN = 63
TOTAL NUMBER COVERED 40 REQ'D, 40 SHOWN

ASSESSOR'S PARCEL NUMBER

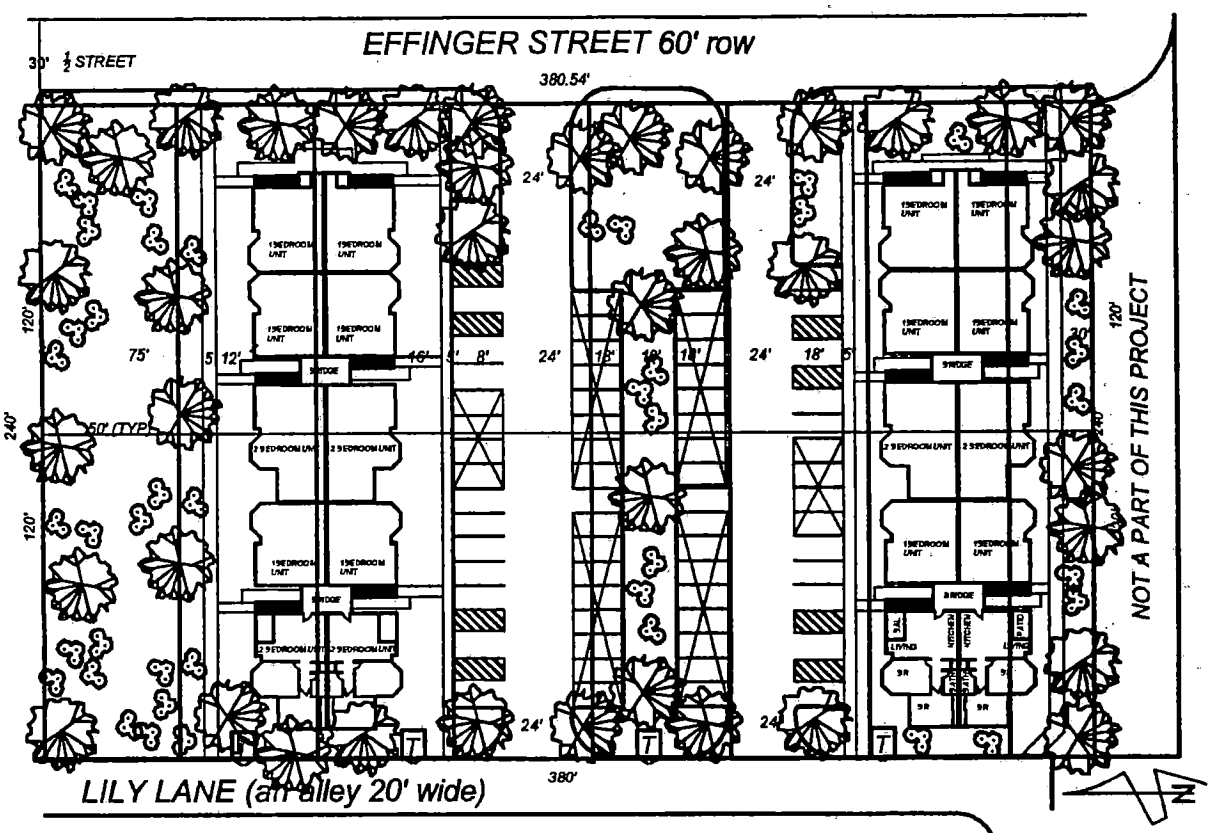
139 25 410 043; 042; &007

DENSITY ANALYSIS

40 dus. on 2.094 ac. = 19.1 dus./ac. NET
40 dus. on 2.356 ac. = 16.2 dus./ac. GROSS

BUILDING SIZE

TWO BUILDINGS EACH 204' X 55' OVERALL



SITE PLAN AND CONCEPT ARCHITECTURAL ELEVATIONS,
and
CONCEPT LANDSCAPING PLAN in SUPPORT OF ZONE CHANGE REQUEST FROM RE to R1, ON EFFINGER OFF HARRIS AND EASTERN in the CITY OF LAS VEGAS

REVISED 6.16.04

ZON-3672
6-24-04 PC

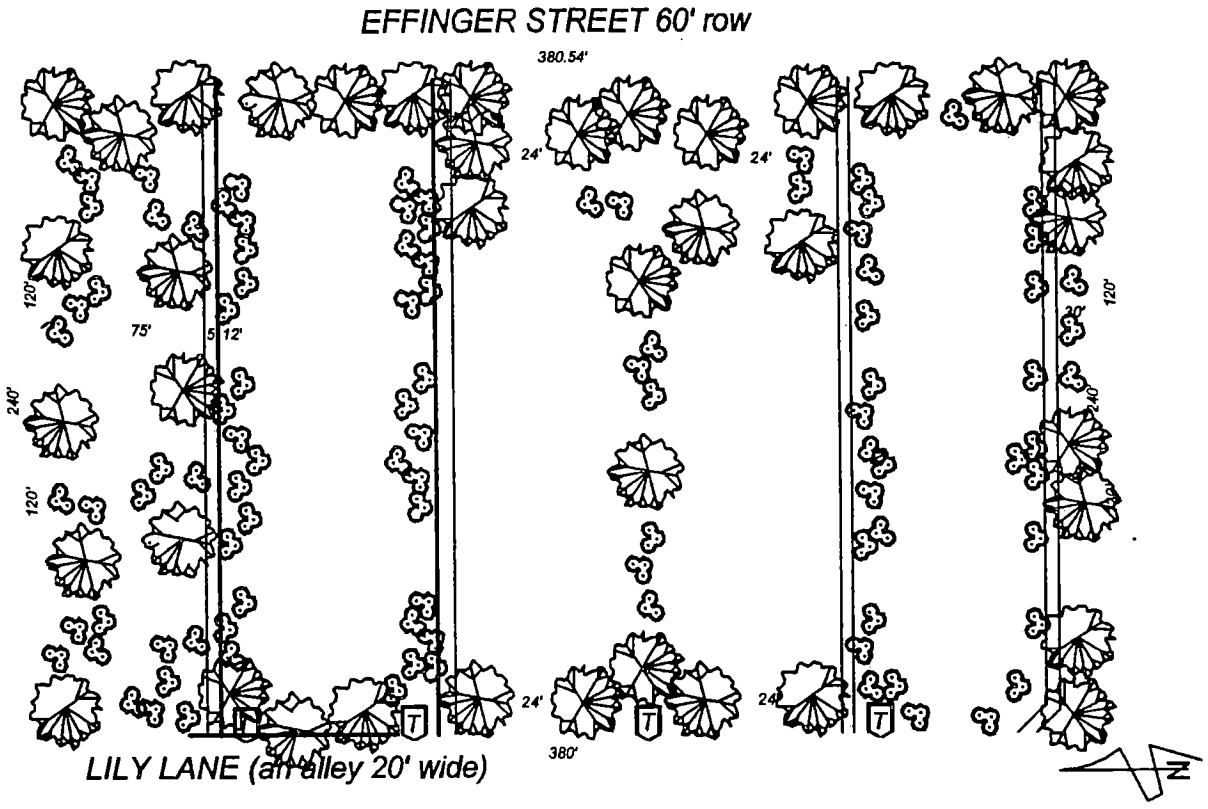
LANDSCAPE SCHEDULE



PALO VERDE / CHILEAN MESQUITE, 24" BOX
TEXAS RANGERS, CASIAS, RED BIRDS, 5 GAL
SMALL SHRUBS, FIVE GAL (PENSTEMMINS, POWIS CASTLE, GERMANDER, VARIOUS SAGE, ETC. 1 GAL

NO AREAS OF TURF ARE PLANNED

GOUND COVER:
CRUSHED RED SAND STONE AND FINES OVER CAST WITH MINUS 6" ROCK IN RANDOM PATTERN



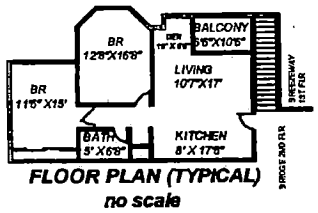
ASSESSOR'S PARCEL NUMBER

139 25 410 043; 042; &007

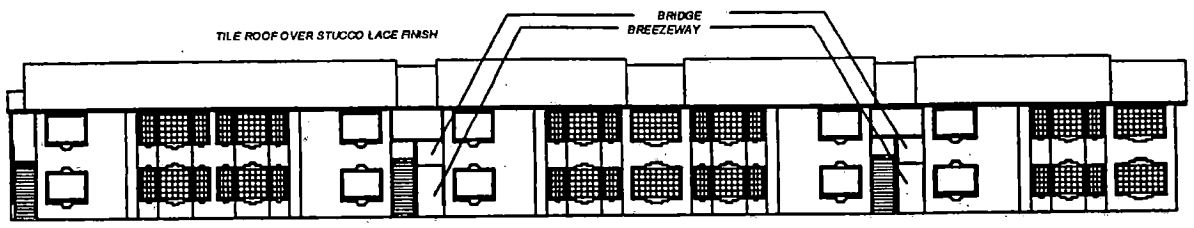
LANDSCAPE PLAN to accompany ZONE CHANGE REQUEST
EFFINGER STREET off HARRIS

REVISED 6.16.04

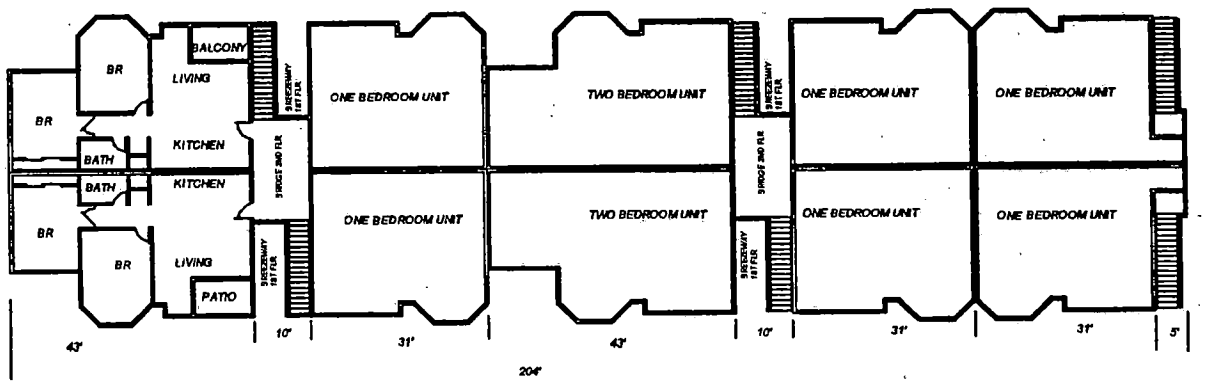
ZON-3672
6-24-04 PC



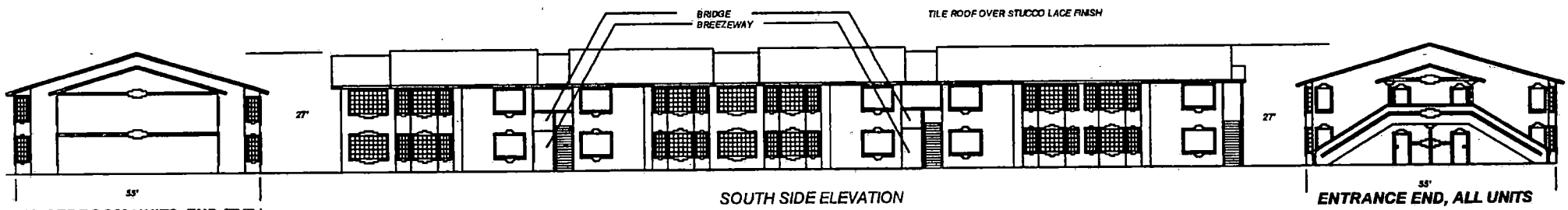
FLOOR PLAN (TYPICAL)
no scale



NORTH SIDE ELEVATION



FLOOR PLAN & UNIT OUTLINES



TWO BEDROOM UNITS, END (TYP.)

SOUTH SIDE ELEVATION

ENTRANCE END, ALL UNITS

CONCEPT ARCHITECTURAL ELEVATIONS, FLOOR PLANS AND BUILDING-UNIT OUTLINES

REVISED
6.16.04

ZON-3672
6-24-04 PC

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.

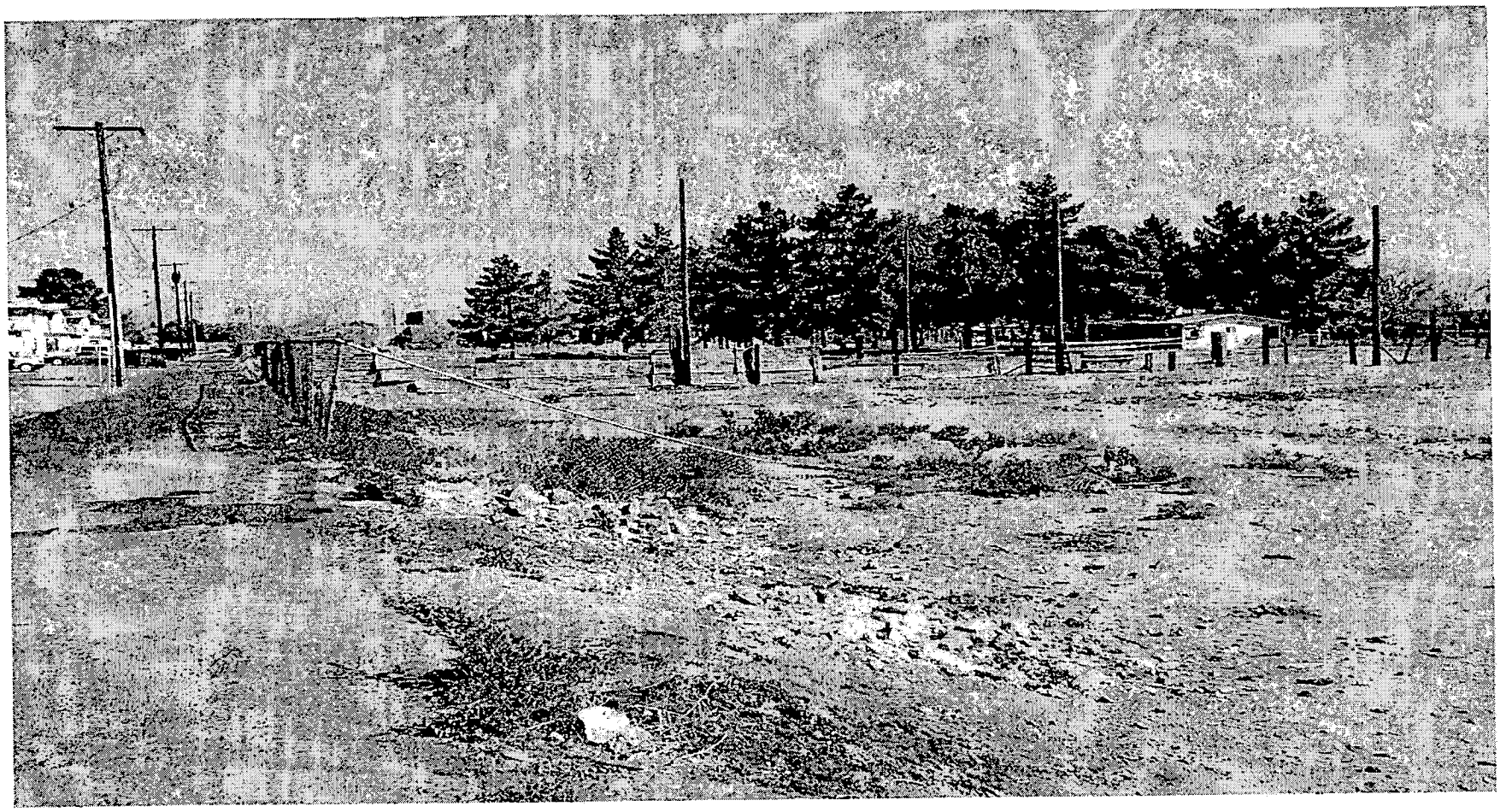
Specifically, we agree to the following (included, but not limited to these specifications):

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
JUNE 24, 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
JUNE 24, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – APPROVED subject to conditions and revising Condition 3 as follows:

- ***All development shall be in conformance with the site plan, date stamped June 16, 2004, for 40 units and revised to meet parking set-back, and landscape standards or approval of a Variance thereon, except as amended by conditions herein.***

– Motion carried with EVANS voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:46– 7:06)

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 27 – SDR-3958

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3670) to an M (Medium Density Residential) land use designation and a Rezoning [ZON-3672] to a R-3 (Medium Density Residential) Zoning District approved by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect front setbacks and trash enclosure that meet Code requirements and to meet Residential Adjacency Standards of the Code. This will require that the site plan be amended move the buildings on-site to meet Residential Adjacency setbacks, or that the applicant seek and receive approval of a Variance from these requirements of the Code.

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

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

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

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

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

CONDITIONS – Continued:

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

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

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

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

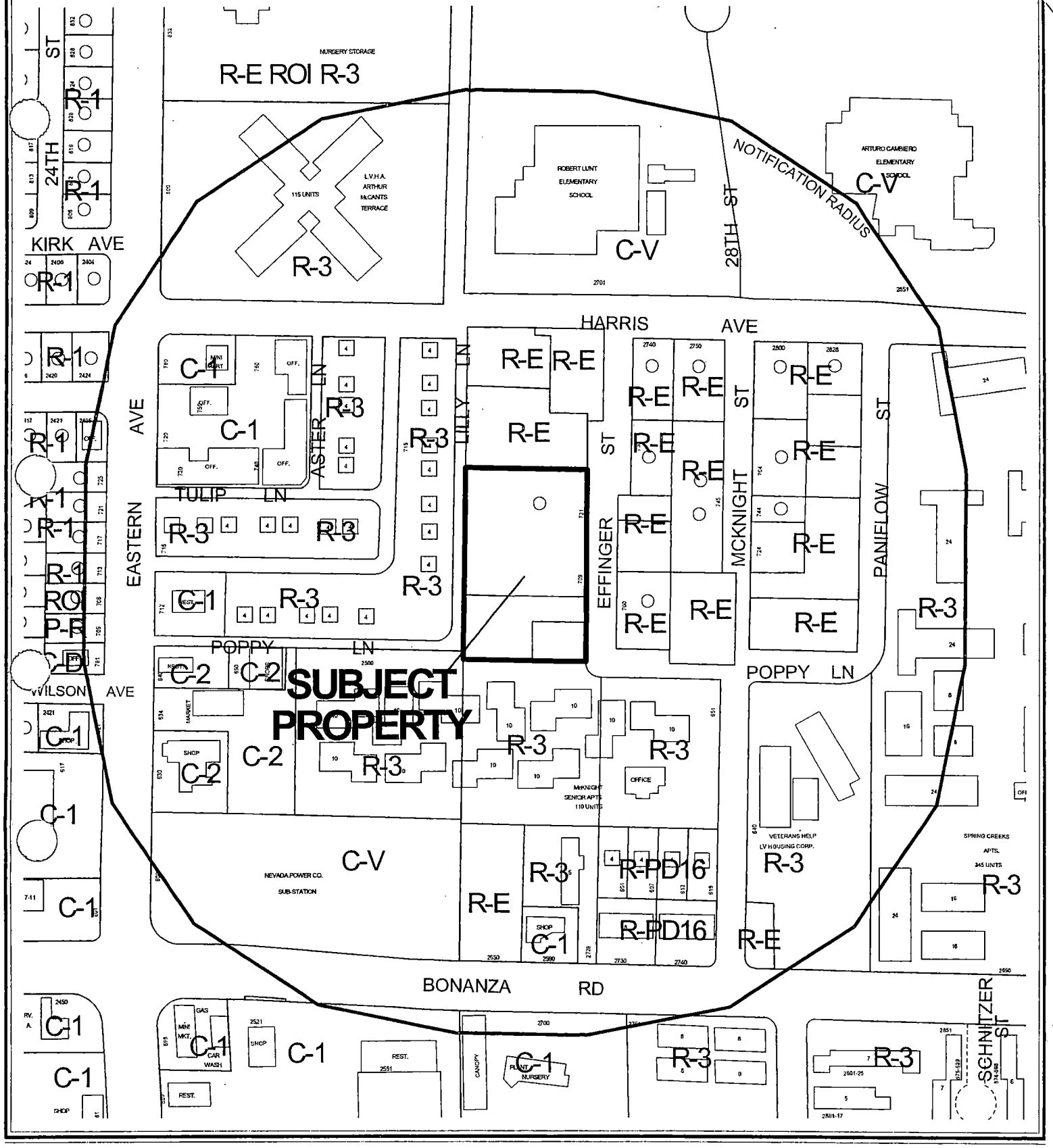
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine if mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

16. Parking spaces accessed from Lily Lane shall be set back a minimum of four feet from the property line to provide a minimum of 24 feet clearance for vehicle maneuvering.

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3672 and all other site-related actions.



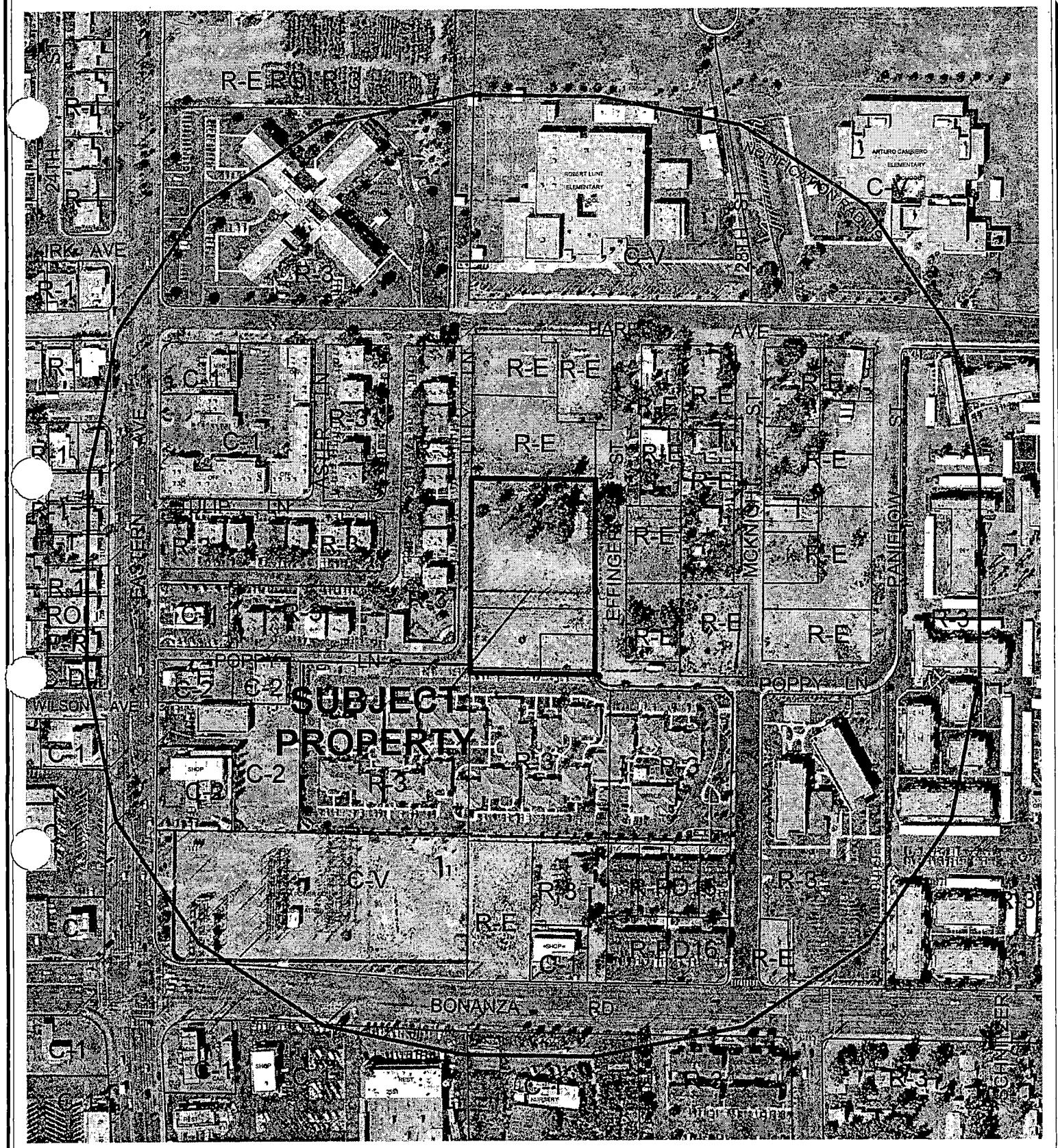
CASE: **SDR-3958**

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: JUNE 24, 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

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3670) to an M (Medium Density Residential) land use designation and a Rezoning [ZON-3672] to a R-3 (Medium Density Residential) Zoning District approved by the City Council.

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

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

4. A total of 65 conforming parking spaces shall be provided on the site in conformance with Code requirements.

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect rear yard setbacks that meet Code requirements. This will require that the site plan be amended to provide conforming setbacks, or that the applicant seek and receive approval of a Variance from these requirements of the Code.

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

7. A revised landscape plan must be submitted prior to application is made for a building permit, with additional trees provided in the perimeter buffer area in accordance with Code requirements.

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

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

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

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

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

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

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

16. Coordinate with the City Surveyor to determine if mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

17. Parking spaces accessed from Lily Lane shall be set back a minimum of four feet from the property line to provide a minimum of 24 feet clearance for vehicle maneuvering.

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3672 and all other site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Site Development Review and a reduction in the amount of required perimeter landscaping for a proposed 40-unit multi-family residential development on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane. Companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Rezoning (ZON-3672) from R-E (Residence Estates) to R-3 (Medium Density Residential) will be considered concurrently.

B) Applicant's Justification

In a letter submitted with the application, the applicant has justified the request by stating that this land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service, and that the General Plan designations surrounding this site is M (Medium Density Residential) except for a PF (Public Facilities) designation to the north. No justification was provided for the requested waiver of development standards.

BACKGROUND INFORMATION

A) Previous Actions

04/08/04 The Planning Commission voted to hold this item (SDR-3958) in abeyance to give the applicant time to meet with staff and address density and design issues related to the overall project.

05/27/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff. Staff met with the applicant on May 11, 2004 and with their designer on June 2, 2004 to discuss these issues; revised plans depicting a decrease in the number of units have been submitted.

B) Pre-Application Meeting

05/11/04 Staff met with the applicant to review the Residential Adjacency requirements, setbacks, parking requirements and location of the trash enclosures. The applicant was informed that new plans and a revised justification letter would be

required. In addition, staff met with the applicant's designer on June 2, 2004, and again reviewed the issues of concern and requested revised plans and documentation.

01/16/04 At the meeting, the applicant was advised of the following issues:

- For parking standards, 0.75 parking spaces per unit or 38 spaces are required.
- Add 10 feet of landscape buffer along Lilly Lane and remove parking.
- Justification letter should reference the desire for senior housing and any waiver request to the Code.
- Verify that 15 feet of landscape buffer is required along Effinger Lane.
- Need alley access to accommodate parking.

C) Neighborhood Meetings

03/04/04 A neighborhood meeting sponsored by the applicant was held at the Las Vegas Library. Four people attended the meeting. Two of the four represented the owner of a senior complex to the south, and the other two were not residents but were relatives of a nearby property owner. Concerns included the following:

- Whether there would be a resident manager on site.
- What trees and landscaping would be provided

A letter dated March 24, 2004 was also received from the representatives of the adjacent McKnight Senior Village complex to the south, requesting that the applicants include an eight-foot block wall on the southern perimeter of the site, limit building height to 25 feet and provide a 25-foot landscape buffer on the south end of the property.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.09

B) Existing Land Use

Subject Property:	Single-Family Dwellings and Undeveloped
North:	Single-Family Dwellings
South:	Multi-Family Apartments
East:	Across Effinger Lane, Single-Family Dwellings
West:	Across Lily Lane, Duplex Dwellings

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	L (Low Density Residential)
South:	M (Medium Density Residential)
East:	Across Effinger Lane, L (Low Density Residential)
West:	Across Lily Lane, M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-3 (Medium Density Residential)
East:	Across Effinger Lane, R-E (Residence Estates)
West:	Across Lily Lane, R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as L (Low density Residential). This category permits single-family detached homes, mobile homes on individual lots, gardening; home occupations and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The proposed development would not conform to this land use designation, but would conform if the companion request for an amendment to the M (Medium Density Residential) designation were approved.

Part of the subject property is located within a Rural Preservation Neighborhood. The Nevada Revised Statutes 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." Consequently, for this part, the property may not be redesignated to another classification.

Part of the subject property is also located within the Rural Preservation Neighborhood (RPN) buffer. This 330-foot transitional buffer exists because of the RPN. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**.

Unlike the RPN, the RPN Buffer area may be reclassified when it can be demonstrated that there is good cause for doing so. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The applicant submitted a letter with the application, stating: "The land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service." To

the contrary, the land use application is inconsistent with the General Plan and the provisions for Rural Preservation Neighborhoods (RPNs). The General Plan allows only 5.5 dwelling units per acre and the more restrictive standards of the RPN permit no more than two dwelling units per acre and three dwelling units per acre in RPN Buffers, respectively. A land use classification of M that permits up to 25 dwelling units per acre is not a desirable transition to existing single-family dwellings. The applicant has not provided satisfactory "good cause" for varying from the provisions of this law.

PROJECT DESCRIPTION

The request is for a proposed 40-unit multi-family residential development on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane. The development would consist of 24 one-bedroom and 16 two-bedroom units, distributed among eight two-story buildings on the site. The buildings are arranged in two groups of three, in which bridges or walkways join the grouped buildings. A total of 63 surface parking spaces are to be provided, of which four will be handicap spaces and 40 spaces will be covered. Open space is provided on the north side of the site and on the east-central portion of the property, and access to the site is available from both Lily Lane and from Effinger Lane.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards R-3 District	**Required**	**Provided**	**Compliance**
Min. Lot Size	6500 Square Feet	91,040 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	5 Feet	21 Feet	Y
• Corner	5 Feet	N/A	Y
• Rear	20 Feet	10 Feet	N
Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/27 Feet	Y
Trash Enclosure	Walled, Gated, Roofed	Not fully indicated	N/A

The project meets all development criteria of the R-3 zoning district, with the exception of the minimum rear yard setback. The trash enclosures will need to be walled and roofed in accordance with code requirements.

A2) Residential Adjacency Standards

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

a) Proximity slope. The property immediately to the north of the subject site is designated as L (Low Density Residential). Title 19.08.060.A.1.b. requires that residential adjacency standards be observed for multi-residential projects adjacent to land so designated. Based on the required 3:1 proximity slope and the proposed building height of 27 feet, a separation distance of 81 feet would typically be required. However, the 27 foot height is measured to the peak of the roof, and the proposed 75 foot setback will be adequate for the structure to fit within the 3:1 proximity slope.

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

A3) Parking and Traffic Standards

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

Uses	Number of Units	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Apartments 1-bdrm 2-bdrm	24 units 16 units	1.25 spaces/unit 1.75 spaces/unit 1 guest space/6 units	30 spaces 28 spaces 7 spaces			
Totals	40 units		65 spaces	None	63 spaces	4 spaces

The project is lacks two parking spaces; the site plan will need to be adjusted to include the required parking spaces. A condition has been included to address this issue.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	4 Trees	10 Trees
Buffer: • Min. Trees	1 Tree/30 Linear Feet (1,000 Feet)	34 Trees	30 Trees
• Min. Zone Width	15 Feet on external perimeters, 6 Feet on internal perimeters		Y
• Wall height	6 Feet		

The proposed landscaping generally meets Code requirements, with the exception of the number of trees in the perimeter buffer areas. A condition has been included to address this requirement.

B) General Analysis and Discussion

- Zoning

There is a proposed companion Rezoning request to the R-3 (Medium Density Residential) District for the site. The purpose of the R-3 (Medium Density Residential) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. At 40 units, the proposed development will result in a density of 19.13 units per acre, which is in conformance with the R-3 (Medium Density Residential) District. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan, which is the subject of a companion General Plan Amendment application.

- Site Plan

The site plan conforms to most aspects of the Code, with the exception of the rear yard setback and the number of parking spaces provided on site. The site plan can be easily modified to include the additional parking spaces; conformance with the rear yard setback requirement will require a modification to building footprint or the submittal of a variance application.

- Waivers

The applicant had originally requested a waiver from the perimeter landscape buffer requirements; the subsequent revisions to the site plan show buffer areas that conform to the minimum depth requirements. Consequently, no waiver will be required.

- Elevation

The elevations depict two-story stucco apartments buildings with low-angle pitched tile roofs and external stairwells to access upper-floor units. Foam pop-out details are employed over windows and doorways to add visual interest.

FINDINGS

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

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

   The density of the proposed development is not compatible with the existing land use designation and zoning. Although there are other apartment projects to the west and south of the subject site, there are low-density residential lands to the north and east of the site as well. Also, the site is affected with density restrictions as a result of applicable state law with respect to Rural Preservation Neighborhoods and buffer areas. A density of up to 25 dwelling units per acre is extreme compared to densities of two and three dwelling units per acre permitted within these adjacent areas.

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

   The development would be consistent with the General Plan and with the Zoning Code if companion requests for General Plan Amendment and Rezoning are approved, with the exception of the rear yard setback and the number of parking spaces provided.

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

   The property does not have direct access to a major street. Effinger Lane, a local street, would provide the best access, but it would be shared with single-family dwellings.

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

   The building materials of the existing buildings are appropriate for the area and for 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 existing buildings are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

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

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

NOTICES MAILED 57 (Mailed with GPA-3670 and ZON-3672)

APPROVALS 0

PROTESTS 0

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, 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: 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: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

_____
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: 139-25-410-043

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: Tony Diltz

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 17 day of Feb., 2004.

Signature

CERTIFICATE OF NOTARY
State of Nevada)
)
County of Clark) ss

On this 17 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
No: 03-80063-1 January 13, 2007

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.

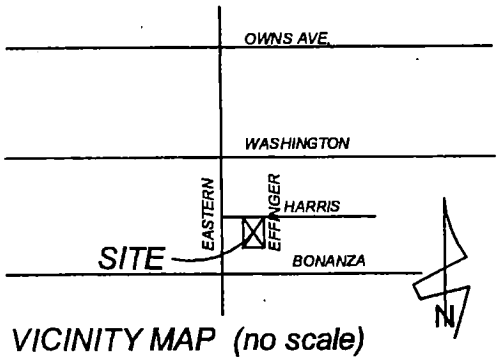
This Instrument may not be changed orally.

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: 03-80063-1



VICINITY MAP (no scale)

LANDSCAPE SCHEDULE



PALO VERDE / CHILEAN MESQUITE, 24" BOX

TEXAS RANGERS, CASIAS, RED BIRDS, 5 GAL.

CRUSHED RED SAND STONE AND FINES WITH OVERCASTINGS OF STONES TO 6" GROUND COVER
SMALL SHRUBS, FIVE GAL. (PENSTEMMINS, POWIS CASTLE, GERMANDER, VARIOUS SAGE, ETC. 1 GAL.

PARKING ANALYSIS

TOTAL 1BR UNITS = 24 @ 1.25 SPS. / DU. = 30 SPS
TOTAL 2 BR UNITS = 16 @ 1.75 SPS. / DU. = 24 SPS.
VISITOR PARKING / 1 BR = 5
VISITOR PARKING / 2 BR = 4 TOTAL REQ'D. = 63
TOTAL NUMBER OF SPACES SHOWN = 63
TOTAL NUMBER COVERED 40 REQ'D, 40 SHOWN

ASSESSOR'S PARCEL NUMBER

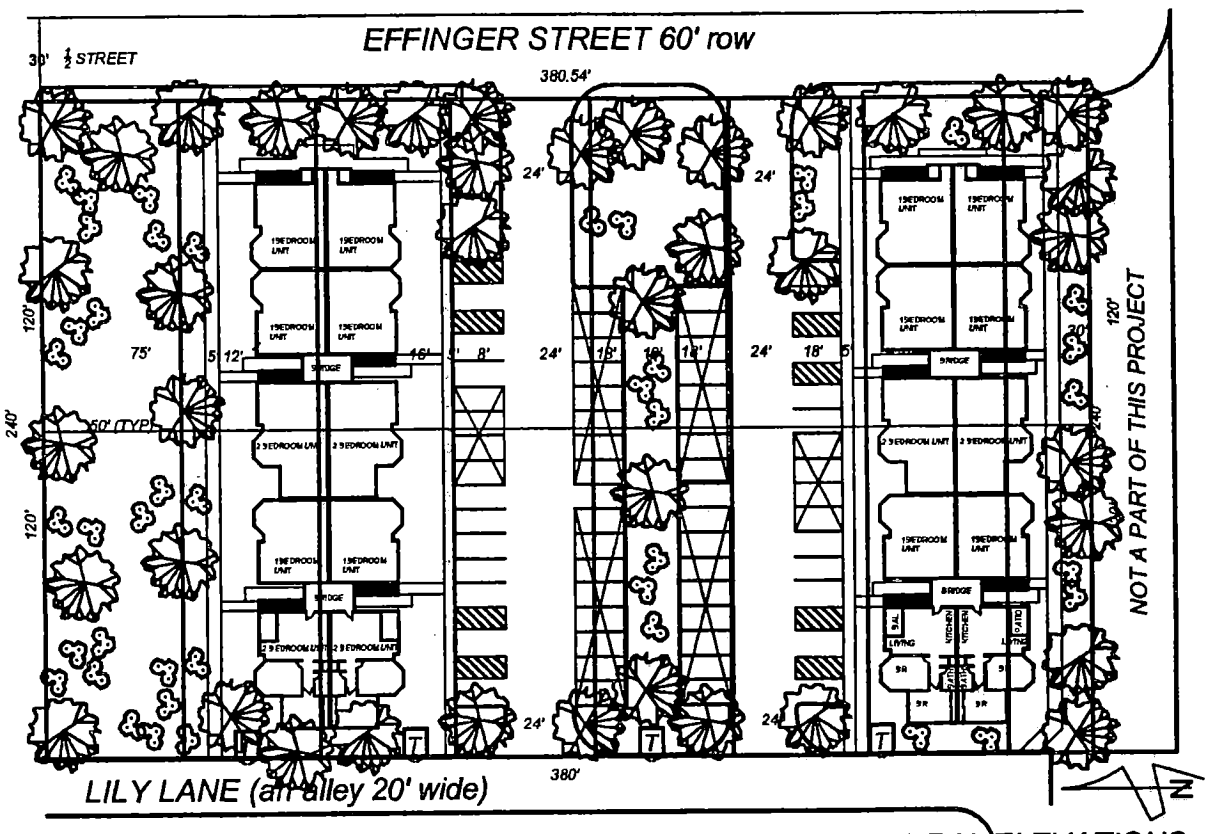
139 25 410 043; 042; &007

DENSITY ANALYSIS

40 dus. on 2.094 ac. = 19.1 dus./ac. NET
40 dus. on 2.356 ac. = 16.2 dus./ac. GROSS

BUILDING SIZE

TWO BUILDINGS EACH 204' X 55' OVERALL

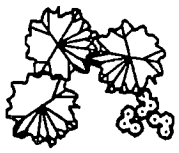


SITE PLAN AND CONCEPT ARCHITECTURAL ELEVATIONS,
and
CONCEPT LANDSCAPING PLAN in SUPPORT OF ZONE CHANGE REQUEST FROM RE to R1, ON EFFINGER OFF HARRIS AND EASTERN in the CITY OF LAS VEGAS

REVISED
6-16-04

SDR-3958
6-24-04 PC

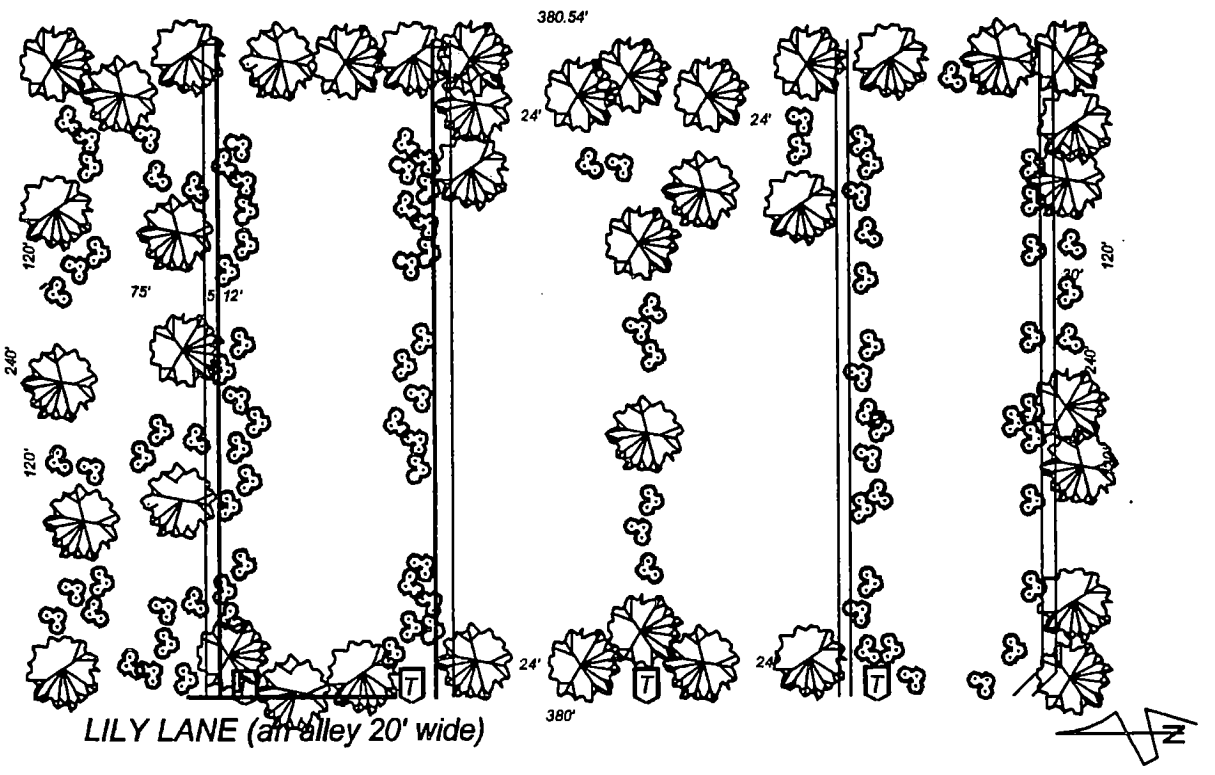
LANDSCAPE SCHEDULE



PALO VERDE / CHILEAN MESQUITE, 24" BOX
TEXAS RANGERS, CASIAS, RED BIRDS, 5 GAL.
SMALL SHRUBS, FIVE GAL. (PENSTEMMINS. POWIS CASTLE, GERMANDER, VARIOUS SAGE, ETC. 1 GAL.

NO AREAS OF TURF ARE PLANNED

GOUND COVER:
CRUSHED RED SAND STONE AND FINES OVER CAST WITH MINUS 6" ROCK IN RANDOM PATTERN

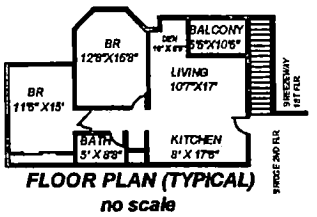


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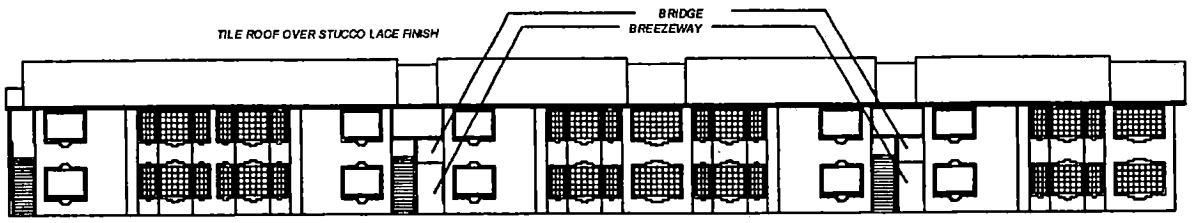
139 25 410 043; 042; &007

LANDSCAPE PLAN to accompany ZONE CHANGE REQUEST
EFFINGER STREET off HARRIS

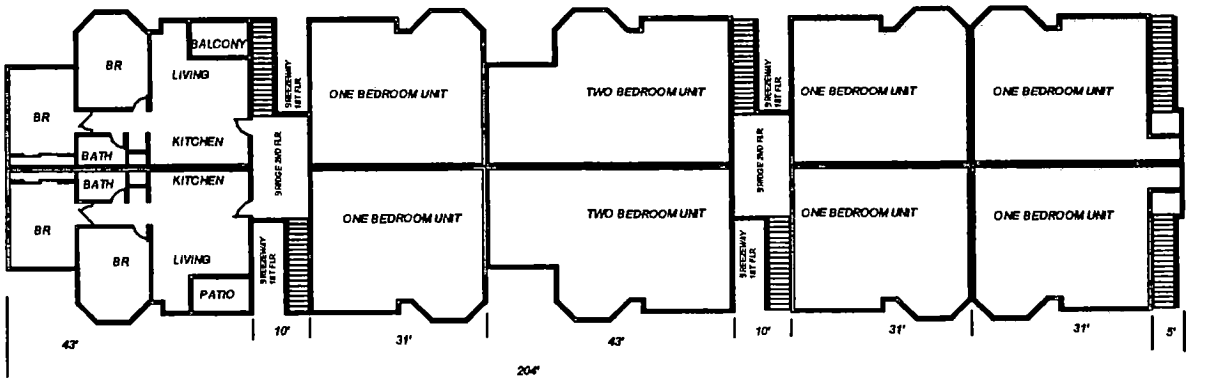
REVISED 6.16.04
SDR-3958
6-24-04 PC



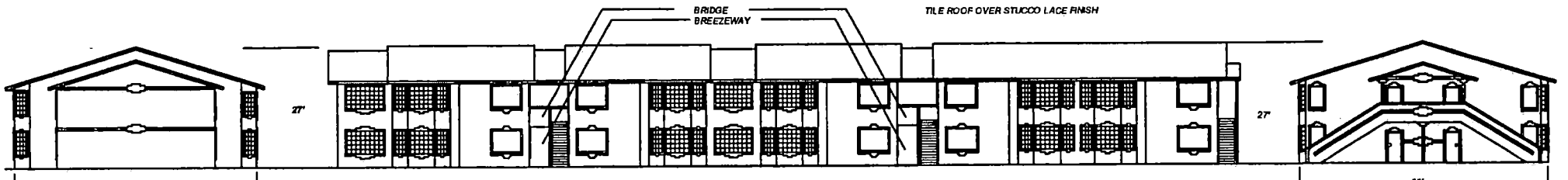
FLOOR PLAN (TYPICAL)
no scale



NORTH SIDE ELEVATION



FLOOR PLAN & UNIT OUTLINES



TWO BEDROOM UNITS, END (TYP.)

SOUTH SIDE ELEVATION

ENTRANCE END, ALL UNITS

CONCEPT ARCHITECTURAL ELEVATIONS, FLOOR PLANS AND BUILDING-UNIT OUTLINES

REVISED
6.16.04

SDR-3958
6-24-04 PC

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' separation of buildings within the site
10'

Thank you very much for your help.

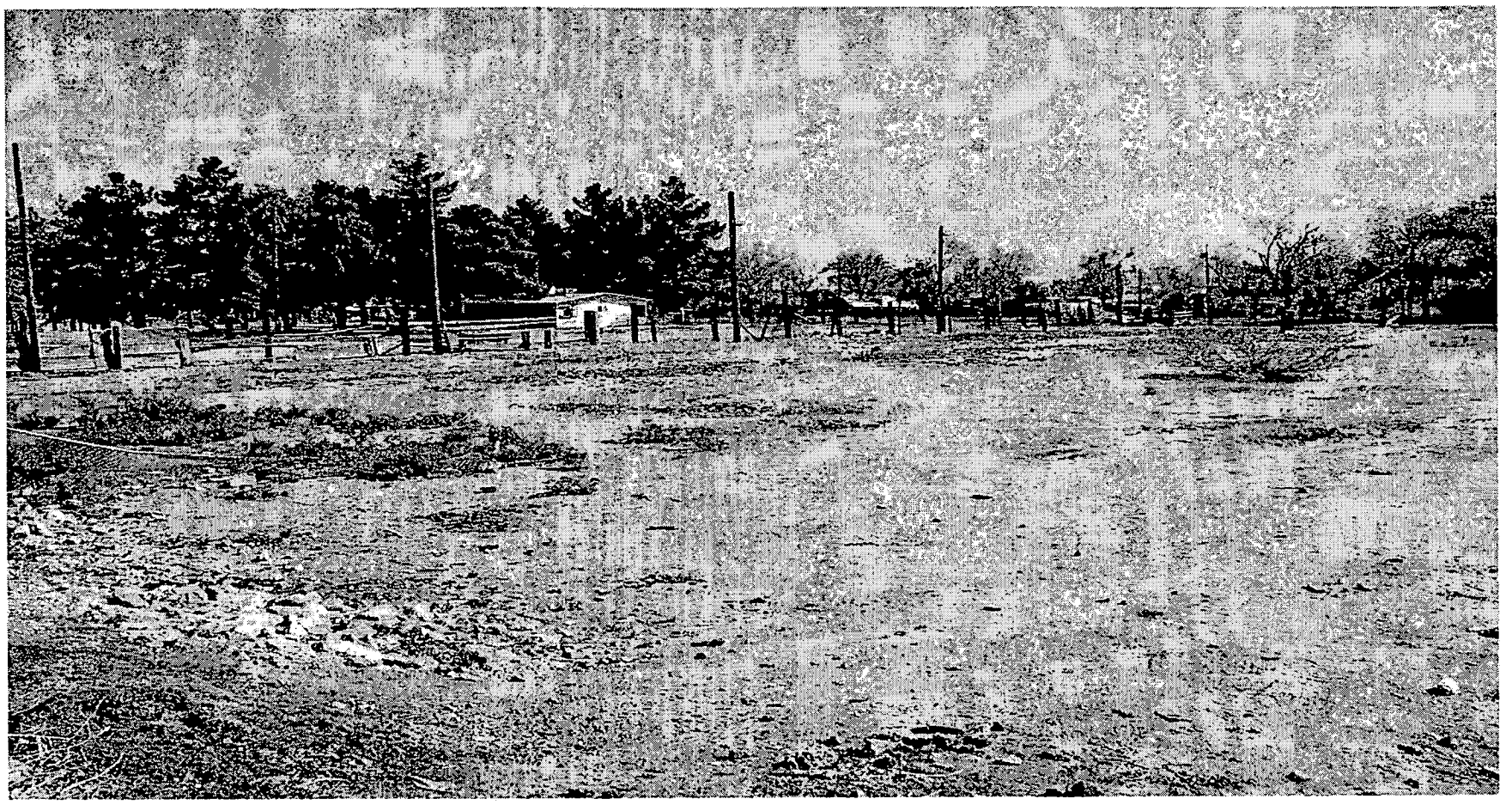
Sharon

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
JUNE 24, 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
JUNE 24, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - RENOTIFICATION - 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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
STEINMAN – APPROVED subject to conditions – Motion carried with DAVENPORT, GOYNES and EVANS voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 28 [ZON-4219], Item 29 [SDR-4222], Item 30 [VAR-4590] and Item 31 [WVR-4596].

KYLE WALTON, Planning and Development, stated that the proposed R-PD2 development is compatible, in regards to density, with the other residences in the area. However, the size of the lots are significantly smaller than the adjacent parcel. In addition, no open space is provided other than what is included in a residential yard per lot. The applicant felt that the nearby park would suffice the open space requirement; however, this is contrary to Title 19 regarding open

MINUTES – Continued:

space provision for RPD developments. Staff felt that the hardship is self-imposed by the applicant overbuilding the site. Considering the access to the subdivision from the outside on Pioneer, it is closer to the 220 feet required by Title 18. As a result, the applicant is asking for a Waiver of the spacing distance between the intersection of the street and the entrance to their subdivision.

Because staff is recommending denial on the Site Plan Review and the Variance, the Waiver request has to be denied.

DAVID YANCY, 8395 W. Sunset Road, Suite 190, appeared on behalf of the applicant. MR. YANCY stated he attended a recent neighborhood meeting and five families were present, along with COMMISSIONER STEINMAN, COUNCILMAN BROWN'S liaison, Darcy and Doug, and one of the developers. One of the homeowners could not be present, so a letter was sent on her behalf. MR. YANCY pointed out that the residents are not opposed to development in this area; however, there are some concerns with making sure the development is consistent with the Rural Preservation Neighborhood.

MR. YANCY stated that in the first neighborhood meeting, the applicant offered Lots 3, 9 and 13 as single story homes. The residents wanted more lots as single story homes. The applicant then offered seven lots as single story homes. It was also decided that Lot 1 would be a two-story home. COMMISSIONER STEINMAN, COUNCILMAN BROWN'S office, and the residents were all notified of this change. In the end, lots 4, 5, 7, 8, 9 and 13 would be single story. The applicant felt that these particular proposed single story lots would alleviate the residents concern with intrusion of their privacy. Using the overhead, he presented photos of other developments that are R-PD5 through R-PD8, as well as, some with higher density zoning.

MR. YANCY continued by stating that the applicant is willing to place obscure glass on the windows of the two-story homes. The applicant is also willing to place an 8-foot wall along the properties that border the development, and there will not be streetlights on Tioga Way and Helena Avenue. The residents do not want access provided onto Helena Avenue. Because of the proximity of Craig, having access onto Tiogo Way would require the applicant filing for another Waiver. As a result, the applicant would have two Waivers for the intersection distance, and this would not be safe as it would create traffic concerns.

Regarding the open space requirement, MR. YANCY stated that the proposed site measured approximately 2,000 feet, which is .38 miles to the park, as this does not meet the open space requirement. However, the applicant felt that the nearby 21-acre facility, Wayne Bunker Family Park, would be sufficient for the residents, and it is within walking distance.

MINUTES – Continued:

The applicant felt that they have worked diligently with the residents to satisfy their concerns.

JO ELLEN SMITH, 4330 North Tioga Way, stated that her property would be adjacent to lots 7,8 and 9. She clarified, for the record, that the residents on Tioga Way want the streetlights and the 8-foot wall, but the residents on Helena Avenue do not want the streetlights or the 8-foot wall. MS. SMITH stated that she would support the application, provided that there are single story homes backing up to her home.

DIANE ZURKO, 7415 W. Craig Road, pointed out, on the overhead, where her property is located, which is an end unit. Due to a storm last year, three large trees were destroyed. However, the view is that of gorgeous mountains, and she prefers not to lose that view, as two-story homes would affect this view. She stated that the proposed two-story stucco Spanish style homes would not be compatible with the neighborhood. In addition, she has livestock (two pigs). Her property is an acre and she has the freedom to bring in more livestock. MS. ZURKO questioned what the applicant's plans were regarding the expensive wall that was just placed around their property. She would support single story homes on this project but strongly opposes two story homes.

ANN CASEY, 7460 West Helena Avenue, stated that the developer did not represent the residents concerns accurately. For the record, she pointed out the applicant has misinformed the residents regarding which lots would be one story versus two-story; the square footage has been changed several times; very few residents were notified when a change was made; the residents were misinformed on information from the Council's office; and she advised them she would not be able to attend a meeting but it was held anyways. MS. CASEY felt that the neighborhood was not in fill, as it is just now being developed. She referred to the Southern Nevada Refill Planning Coalition's Plan for Infill for the City of Las Vegas and stated the areas designated for Infill and Residential development.

MS. CASEY continued to state that she was informed by the Fire Department that they would not grant a Waiver for the dead end road on this project, as the Fire Code No. 27 states that no dead end road can be longer than 600 feet. The road on the proposed project is approximately 900 feet. In addition, this project does not meet the requirements for a R-PD2 development, with regards to flexibility. The residents have made suggestions and/or changes to this particular development, only to have them rejected. She felt that the property is not homogeneous, as it would split a well established neighborhood in half. The proposed project is not compatible with the rural environment. She, too, has livestock such as horses and chicken. In addition, having the proposed homes next to her property would place her in violation of the City Code. The City Code mandates that horses must be at least 50 feet away from a residence; her horses would be

MINUTES – Continued:

15 feet away from one of the proposed homes. Horses 15 feet away from residential homes would create a fly problem and may cause neighbor disputes. She also stated that she does not want the 8-foot wall, as it would create a prison environment as opposed to the existing rural environment they currently enjoy.

MR. YANCY gave a rebuttal and showed photos of other two-story homes that are facing into some of the residents homes, such as MS. ZURKO and MS. CASEY. He pointed out that these homes do not have obscure glass, yet the applicant is willing to install this type of glass in the proposed homes. In order to keep the aesthetics of the community and keep it compatible, the applicant felt that they could not mandate every lot a single story home. Responding to MS. ZURKO, he stated that the distance from their home to the lot number one is approximately 180 feet. For the record, he stated that, initially, the residents were informed that there was no single story plan available. The applicant is willing to provide access on the side of lot one or onto Helena Avenue. MR. YANCY also showed a zoning map with R-PD2 development that backs up to County, and he pointed out the Conditions of Approvals did not mandate any single story homes, just a set back condition.

COMMISSIONER STEINMAN concurred that he went to a neighborhood meeting on June 8th, and it was unfortunate that MS. CASEY was not in attendance. Attempts were made to work on this site, which would ultimately be developed into something. The developer decided to do six lots as single story, but COMMISSIONER STEINMAN advised the developer that seven lots should be done as single story. He also informed them that lot number six should not be single story because it did not touch MS. CASEY'S property in any way. He felt that the meeting was positive; however, after hearing MS. CASEY'S comments at this meeting, he pointed out that there are obviously mixed feelings about this proposed project. He felt that the project could work if the development consisted of only single story homes, as that would decrease the objection and alleviate the concern with the residents' views.

MR. YANCY responded that the applicant was not responsible for contacting the residents regarding the last meeting. The meeting was scheduled so she would be in attendance, but there was some miscommunication about the date.

COMMISSIONER McSWAIN stated that since everyone is not in agreement on this project, her inclination would be to go back to the rules, which the applicant has not met. The applicant wants the RPD instead of R1 but does not want to deal with the open space requirement. This is a rural area, and the applicant is trying to place something on this parcel that is not in conformance with the neighborhood. She is not inclined to support this application because of the impact the project would already have on several existing properties.

MINUTES – Continued:

COMMISSIONER DAVENPORT concurred with COMMISSIONER McSWAIN. He added that the proposed dead end street would be a nightmare for emergency vehicles with residents' vehicles parked there. He also added that he stated at the previous meeting, he would not support this application if the road is not opened up in two different areas, and it has not, so he would not support this project.

CHAIRMAN TRUESDELL stated that the residents made it clear that they did not want access off of certain streets. Based on what the Fire Department's stipulations are, the access would be desired. Although this parcel is a City island that is surrounded by County, it is an in fill parcel. These parcels need to be developed; otherwise, development will take place farther out and that would not assist with traffic. Although some residents would be impacted with some of the two-story proposed homes, he felt that this development would go a long way regarding in fill. The parcel is .2 acres and is not a lot of open space that a developer can do much with. CHAIRMAN TRUESDELL stated that he may not necessarily agree with COMMISSIONER DAVENPORT'S comment on having a through street because it would overall impact the neighbors. He is inclined to support this application.

COMMISSIONER McSWAIN commented that she would change her opinion and support this application if the applicant is willing to place single-story homes on all of the adjoining parcels, as long as there are no other issues with the neighbors. She suggested trailing the item to allow time for the applicant and the residents to come up with a solution. CHAIRMAN TRUESDELL concurred and added that the goal is not to hear the item again but to have a solution to move this item forward. COMMISSIONER EVANS concurred and added that the spirit of the RPD does not exist in this application. He reiterated COMMISSIONER McSWAIN'S point that the applicant wants the density but does not want to do what the RPD calls for.

When the item was brought back for discussion, MR. YANCY informed the Commission that an agreement could not be made between the residents and the applicant. The developers agreed to every lot that abuts the impacted properties, with the exception of lot 3, would be single story homes, which would be lots 1, 4-9 and 13. The residents were in opposition of this.

MS. CASEY responded that she suggested moving the lot line to the west, so it would not abut her property. She requested that the Commission deny the application. MR. YANCY responded that only MS. CASEY requested moving the lot line; the other residents were in favor of the proposed single story homes.

COMMISSIONER McSWAIN verified with MR. YANCY that lot 3 would not be single story.

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 28 – ZON-4219

MINUTES – Continued:

COMMISSIONER STEINMAN was unsure of what exactly the Fire Department's standard is relative to the distance of a road and questioned the comment made about the Fire Department and what they would or would not grant as a Waiver. Although, his opinion is that the applicant should contribute to some type of equipment in the nearby park, he felt that progress has been made and would support the application.

COMMISSIONER McSWAIN verified with MARGO WHEELER, Planning and Development, that this complies with the General Plan.

MS. WHEELER verified for COMMISSIONER DAVENPORT that Condition 2 of Item 30 [VAR-4590] references a dollar figure for the open space Variance.

CHAIRMAN TRUESDELL pointed out that the applicant and the residents should continue working together to resolve their issues prior to the July 21st Council meeting.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 28 [ZON-4219], Item 29 [SDR-4222], Item 30 [VAR-4590] and Item 31 [WVR-4596].

(7:06– 7:40/8:13 – 8:24)

1-2298/2-1831

CONDITIONS:

Planning and Development

A Resolution of Intent with a two-year time limit.

A Site Development Plan Review application (SDR-4222) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

1. Dedicate a 15-foot radius on the northwest corner of Pioneer Way and Helena Avenue.

2. Construct all incomplete half-street improvements on Tioga Avenue, Pioneer Way and Helena Avenue adjacent to this site concurrent with development of this site. Required improvements on Tioga Avenue and Helena Avenue shall also be coordinated with Clark County Public Works.

CONDITIONS – Continued:

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. 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).

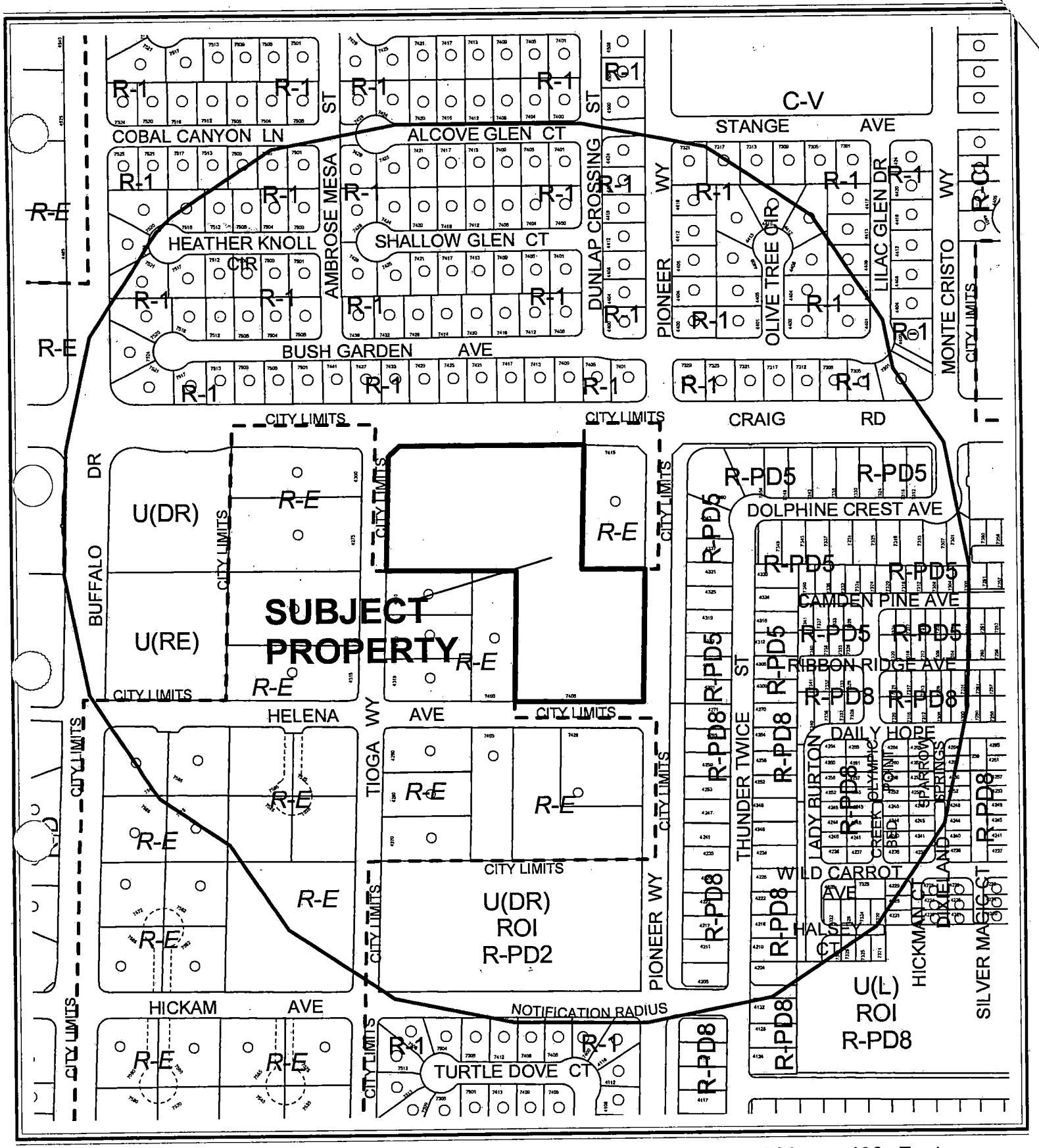
5. Extend public sewer in Helena Avenue to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted 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.

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

7. Extend public sewer in Helena Avenue to the western edge of this site to a location and depth acceptable to the City Engineer. 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.

CONDITIONS – Continued:

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

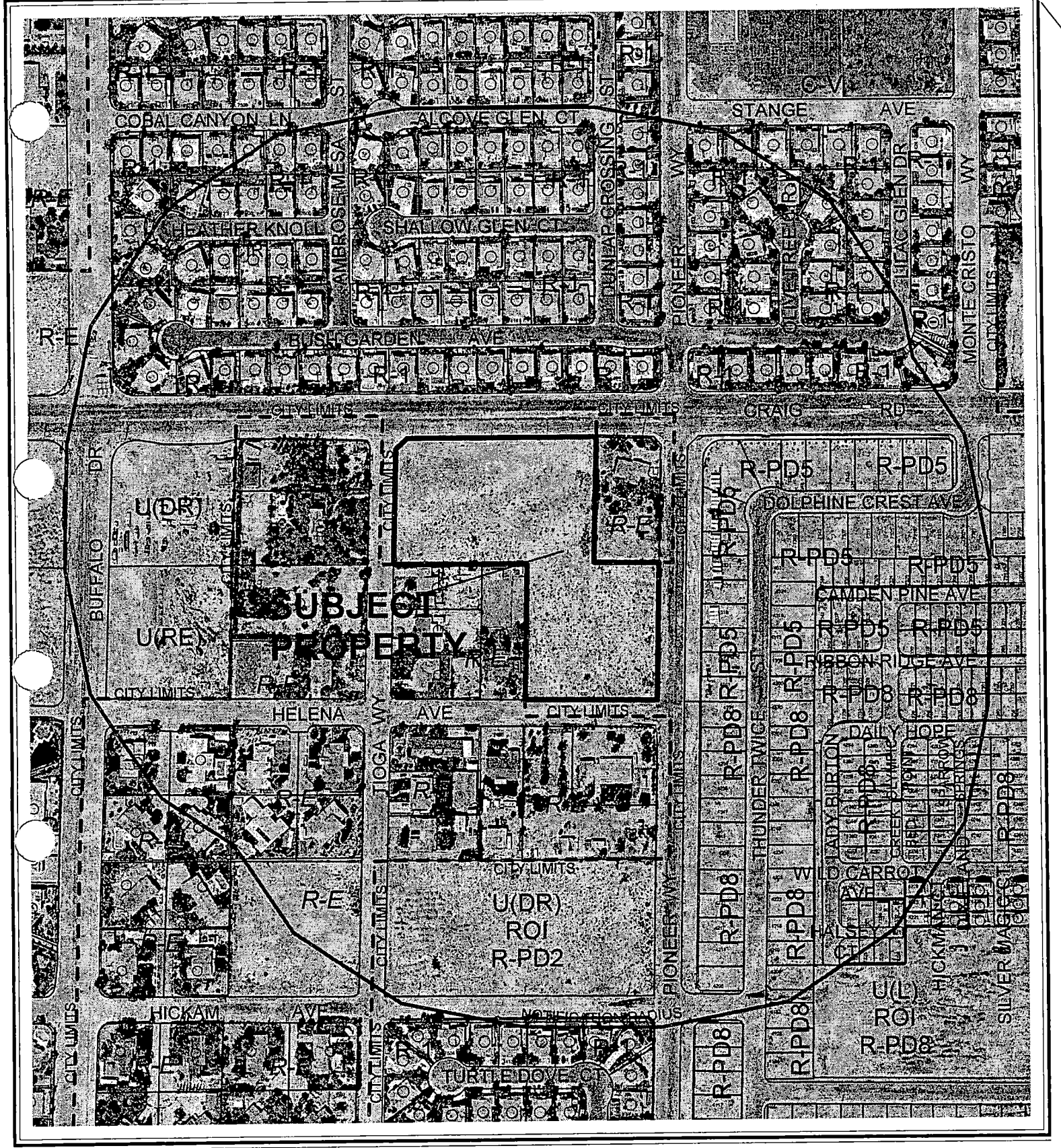


CASE: **ZON-4219**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRES)



CASE: **ZON-4219**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRES)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - REZONING - PUBLIC HEARING - ZON-4219 -
APPLICANT/OWNER: HORIZON HOMES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Variance (VAR-4590), Waiver (WVR-4596) and a Site Development Plan Review application (SDR-4222) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate a 15-foot radius on the northwest corner of Pioneer Way and Helena Avenue.

4. Construct all incomplete half-street improvements on Tioga Avenue, Pioneer Way and Helena Avenue adjacent to this site concurrent with development of this site. Required improvements on Tioga Avenue and Helena Avenue shall also be coordinated with Clark County Public Works.

5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. 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).

7. Extend public sewer in Helena Avenue to the western edge of this site to a location and depth acceptable to the City Engineer. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from 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.

A Variance (VAR-4590), Waiver (WVR-4596), and a Site Development Plan Review (SDR-4222) will be considered concurrently with this application.

B) Applicant's Justification

The project is compatible with surrounding uses and will provide much needed single-family housing in the area.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The City Council approved an Annexation (A-0024-95) of the subject property into the City of Las Vegas. The effective date was March 15, 1996.
09/12/02	The Planning Commission denied a request for a Special Use Permit (U-0107-02) for a commercial childcare center. Staff recommended denial.
05/13/04	The Planning Commission voted to hold this item in abeyance at the request of the applicant in order to schedule and hold a meeting with the area residents to discuss the project.
5/27/04	The Planning Commission abeyed a related Site Development Plan Review application (SDR-4222) to allow the applicant an opportunity to work with City staff.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR	Desert Rural Density Residential
North:	L	Low Density Residential
South:	R-E	Rural Estates Residential
East:	R-E	Rural Estates Residential
West:	L	Low Density Residential

D) Existing Zoning

Subject Property:	U (DR)	Undeveloped (Desert Rural Density Residential) General Plan Designation].
North:	R-1	Single Family Residential District
South:	R-E	Rural Estates Residential
East:	R-PD5	Residential Planned Development – 5 Units Per Acre)
West:	R-E	Rural Estates Residential

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for single family homes on large lots, many including equestrian facilities. This rural environment allows up to two units per acre, as well as some noncommercial raising of domestic animals. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) is technically consistent with the DR (Desert Rural Density Residential) General Plan designation, as the proposed density is 2.49 Units Per Acre. However the small lots do not advance policies to preserve the integrity of the established residential neighborhoods.

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

Rural Preservation Neighborhood

The southern portion of the site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. The development's proposed density of 2.49 dwelling units per acre is within the parameters of the rural preservation neighborhood legislation.

County Notification

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

A) General Analysis and Discussion

The R-PD2 district is intended to permit imaginative and innovative residential design and to utilize land for the development of residential communities, which are planned and developed with appropriate amenities to establish a clear sense of community. It is also intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, and a separation of pedestrian and vehicular traffic. The proposed zoning district is not appropriate for several reasons.

First, the proposed site plan depicts 13 lots with an average lot size of 13,220 square feet, which is significantly smaller than the adjacent parcels. The smallest adjacent lot is approximately 20,463 square feet. Second, the site is deficient in the amount of open space provided, and the open space that is available is not centralized or convenient to the residents of the proposed community. There are no innovative or imaginative residential designs as required by the R-PD

(Residential Planned Development) zoning district, nor are there are any amenities that establish a clear sense of community. Finally, the proposed plan does not keep with the rural intent of the DR (Desert Rural Density Residential) General Plan land use designation. The DR (Desert Rural Density Residential) General Plan land use designation is intended for single-family homes on large lots with densities of up to two units per acre.

FINDINGS

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

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

   The proposed R-PD2 (Residential Planned Development – 2 Units per Acre) district is consistent with the DR (Desert Rural Density Residential) General Plan land use designation

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

   The uses allowed by the proposed R-PD2 (Residential Planned Development – 2 Units per Acre) district are residential in nature, but are not compatible with the adjacent large lot developments.

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

   While there has been residential growth in the area, the proposed development is not appropriate as the adjacent lots are larger in size and keep the rural intent of the DR (Desert Rural Density Residential) General Plan land use designation. In addition, the proposed development requires an open space variance and does not provide innovative design features as required by an R-PD (Residential Planned Development) zoning district.

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

   Access is provided via a drive from Pioneer Way, a 60-foot collector, and is adequate in size to meet the requirements of the zoning district.

NOTICES MAILED 167 [Mailed with SDR-4222, VAR-4590 & WVR-4596 at 6/24/04 PC]
167 [Mailed with SDR-4222 at 5/13/04 PC]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4219 APN: 138-03-302-001

Name of Property Owner: HORIZON HOMES, INC.

Name of Applicant: HORIZON HOMES, INC.

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

____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

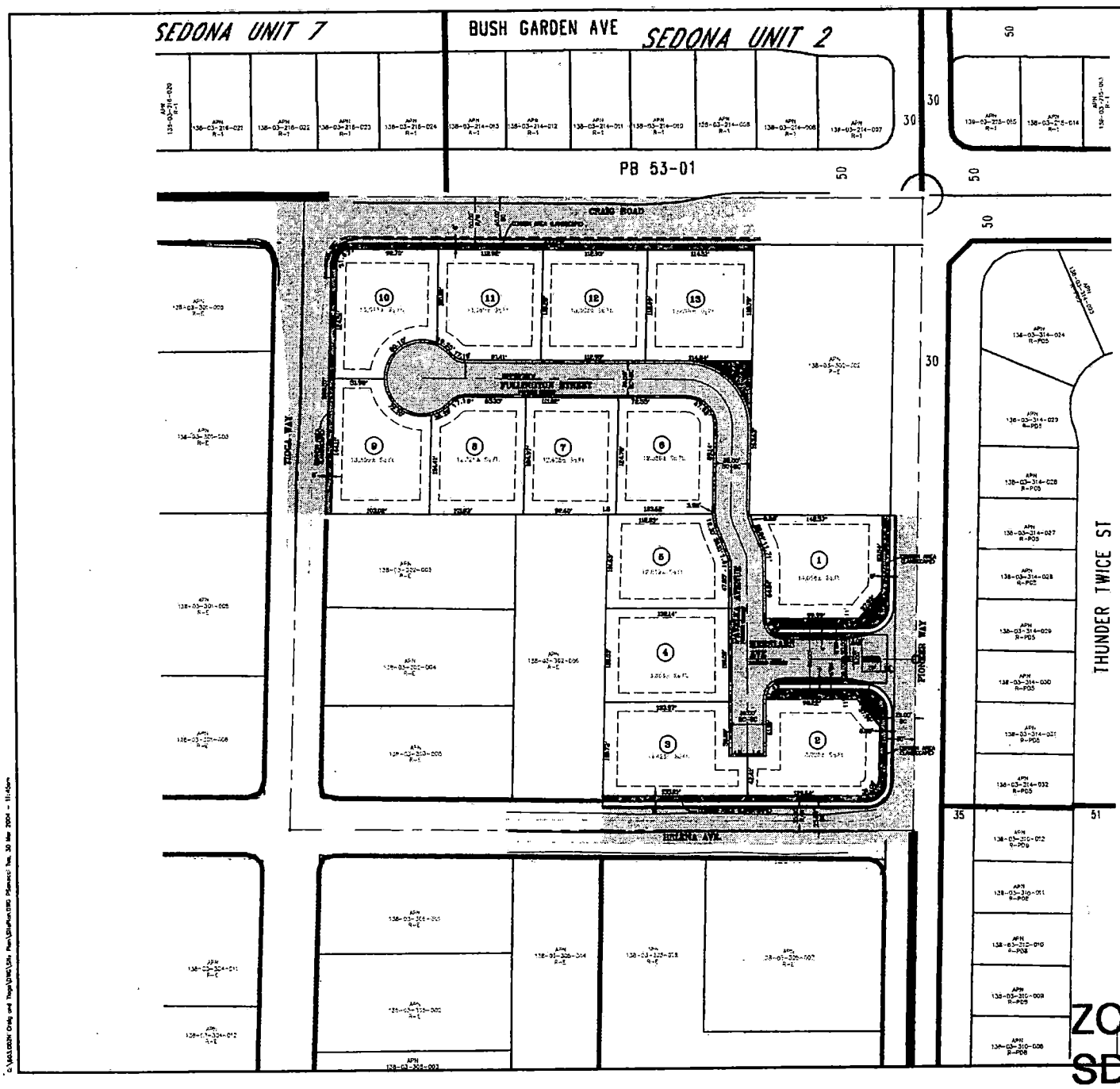
Print Name: LAWRENCE H. POWERS

Subscribed and sworn before me

This 10TH day of MARCH, 2004

Marie E. Borkowski
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARIE E. BORKOWSKI
My Appointment Expires
February 17, 2005
No: 97-0442-1



SITE DATA

PROPOSED USE :	RPD-2 (UP TO 2.49 UPA)
AREA :	5.23 GROSS ACRES
CURRENT GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
PROPOSED GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
PROPOSED UNITS:	13
PROPOSED DENSITY:	2.49 UNITS/ACRE
MINIMUM LOT AREA:	12,331 SF
AVERAGE LOT AREA:	13,220 SF
MIN LOT WIDTH :	100'
MIN FRONT SETBACK :	20'
MIN SIDE YARD SETBACK :	5'
MIN CORNER SIDEYARD SETBACK:	5'
MIN REAR YARD SETBACK	15'
MAX BUILDING HEIGHT :	2 STORIES OR 35' (WHICHEVER IS LESS)
BUILDING SIZE	4430 sf – 4484 sf SINGLE STORY 4428 sf – 5236 sf 2 STORY
F.A.R.	32.5% – 38.5%
PARKING	2 PARKING SPACES PER UNIT

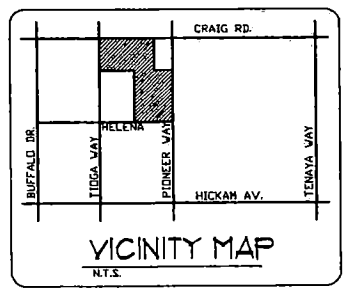
APN NUMBERS

APN: 138-03-302-001

LEGEND

- SINGLE FAMILY RESIDENTIAL
- LANDSCAPING
- PAVEMENT

CLARK COUNTY APN
CITY OF LAS VEGAS APN



VICINITY MAP
N.T.S.

NORTH

1"=50'
GRAPHIC SCALE

ZON-4219
SDR-4222
6-24-04 PC

TRC
Community-Focused Solutions
BV Engineering Nevada
1050 E. FLAMINGO ROAD
Suite #130 NV 89119
Las Vegas, Nevada
Tel: 702-650-0272
Fax: 702-650-0517
Web: trcsolutions.com

CRAIG AND TIOGA
CNC PROPERTIES - KEITH CLEGG
SITE PLAN

SHEET 1
1 OF 1 SHTS
PROJECT ID XX-XX

PROJ NO: 803.0016
DESIGN: LB
DATE: 06/07/04
SCALE: AS SHOWN
CADFILE:

STAMP DATE:
EXP. DATE:

G:\ACAD\ON Craig and Tioga\DWG\SPA Plan\SitePlan.DWG Plotted: Tue, 30 Mar 2004 - 11:42am

PB 53-01

CRAIG ROAD

PRIVATE STREET

PRIVATE STREET

PIONEER WAY

TIOGA WAY

HELENA AVE.

COMMON AREA LANDSCAPED

VICINITY MAP

N.T.S.

CRAIG RD.

BUFFALO DR.

TIOGA WAY

HELENA

PIONEER WAY

HICKAM AV.

TENAYA WAY

LEDGEND

SYM.	TYPE	QTY
:	24" Box Modesto Ash	26
⊙	24" Box Mondel Pine	27
•	5 gallon Texas Ranger	74
*	5 gallon Autumn Sage	74
✿	5 gallon Dear Grass	72

CLARK COUNTY APN

CITY OF LAS VEGAS APN

NORTH

1"=40'

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.

PROJ NO. 802.001N

DESIGN LG

DATE: 03/17/04

SCALE: AS SHOWN

CAD FILE:

TRC

Customer-Focused Solutions

BV Engineering Nevada

1000 E. FLAMINGO ROAD
Suite #139 NV 89119
Las Vegas, NV 89119
Tel: 702-650-0272
Fax: 702-650-0317
Web: trcsolutions.com

STAMP DATE:

EXP. DATE:

CRAIG AND TIOGA

CNC PROPERTIES - KEITH CLEGG

LANDSCAPING PLAN

SHEET 1

1 OF 1 SHTS

PROJECT ID XX-XX

ZON-4219

SDR-4222

6-24-04 PC

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - RENOTIFICATION - 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).

C.C.: 07/21/04

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

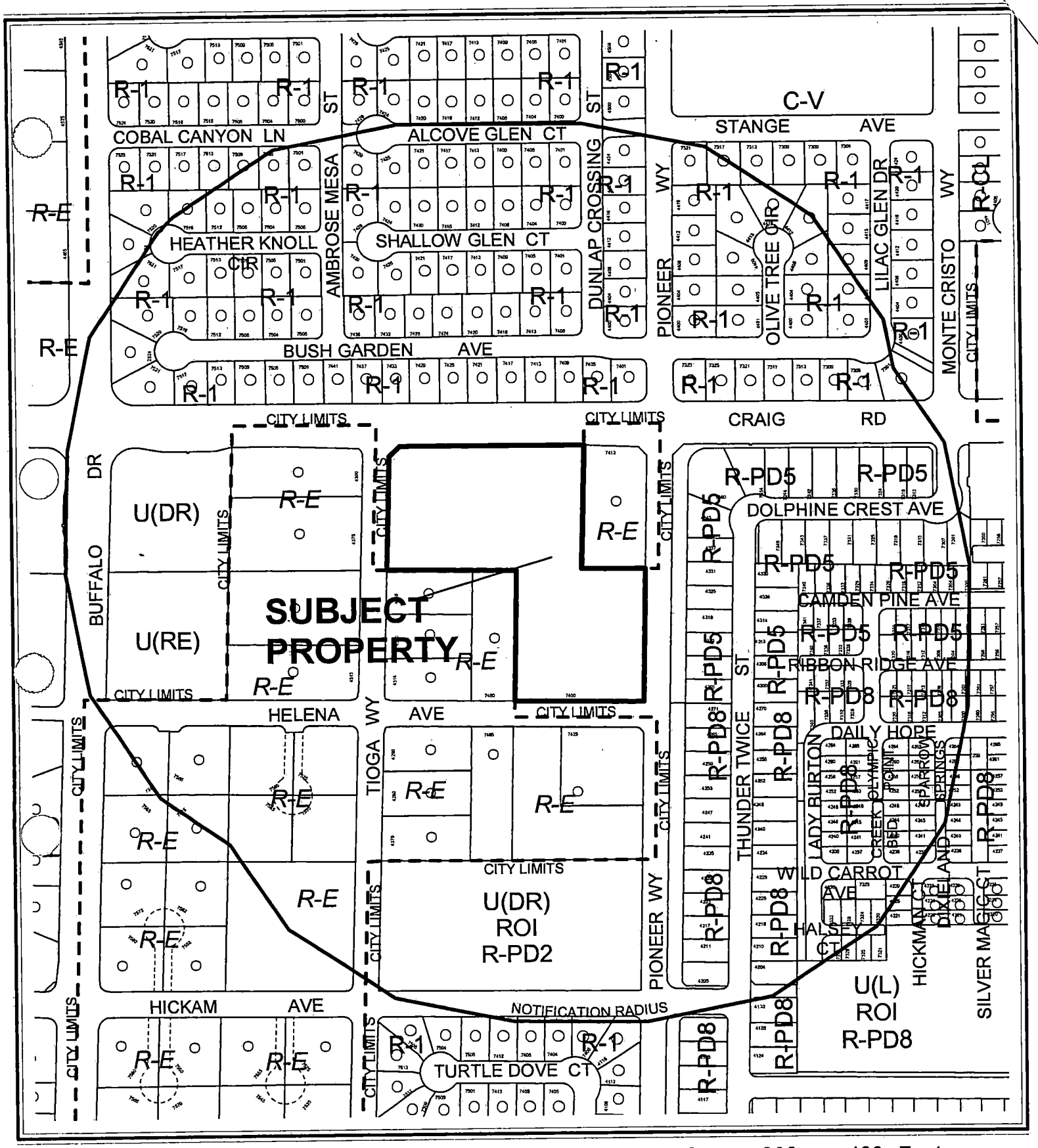
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
STEINMAN – Motion for APPROVAL failed – Subsequent motion by DAVENPORT – DENIAL – Motion carried with TRUESDELL, NIGRO and STEINMAN voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 28 [ZON-4219] for all related discussion.
(7:06– 7:40/8:13 – 8:24)
1-2298/2-1831



0 200 400 Feet

CASE: **SDR-4222**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRES)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-4222 - APPLICANT/OWNER: HORIZON HOMES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-4219), Variance (VAR-4590), and Waiver (WVR-4596) approved by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped 07/21/04, except as amended by conditions herein.

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

4. 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.

5. The standards for this development shall include the following: minimum lot size of 12,321 square feet, minimum distance between buildings of 6 feet, lot coverage shall not exceed 38.5%, and 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, 3 feet on the side, 3 feet on the corner side, and 15 feet in the rear.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum of four five-gallon and four 1-gallon shrubs for each tree within provided planters.

8. Air conditioning units shall not be mounted on rooftops.

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.

Public Works

12. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

13. 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.

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4219 and all other subsequent site-related actions.

16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

17. 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 Pavelka Avenue is shown without a knuckle, therefore does not meet City Standards.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is 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.

A companion Rezoning (ZON-4219), a Waiver (WVR-4596), and a Variance (VAR-4590) will be considered concurrently with this application.

B) Applicant's Justification

The applicant will work with staff and surrounding neighbors to create a neighborhood that would be beneficial for the area.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The City Council approved an Annexation (A-0024-95) of the subject property into the City of Las Vegas. The effective date was March 15, 1996.
09/12/02	The Planning Commission denied a request for a Special Use Permit (U-0107-02) for a commercial childcare center. Staff recommended denial.
05/13/04	The Planning Commission voted to hold this item in abeyance at the request of the applicant in order to schedule and hold a meeting with the area residents to discuss the project.
05/27/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with City staff.

B) Pre-Application Meeting

03/08/04	Elements of a Site Development Plan Review application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	L (Low Density Residential)
South:	R-E (Rural Estates Residential)
East:	R-E (Rural Estates Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation]
North:	R-1 (Single Family Residential District)
South:	R-E (Rural Estates Residential)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for single family homes on large lots, many including equestrian facilities. This rural environment allows up to two units per acre, as well as some noncommercial raising of domestic animals. The proposed zoning district is R-PD2 (Residential Planned Development – 2 Units Per Acre). The submitted site plan does not keep with the rural intent of the DR designation and is therefore not consistent with the General Plan.

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

Rural Preservation Neighborhood

The southern portion of the site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. The development's proposed density of 2.49 dwelling units per acre is within the parameters of the rural preservation neighborhood legislation.

PROJECT DESCRIPTION

The proposed development is located at the southwest corner of Pioneer Way and Craig Road, a 100 foot wide Arterial on the Master Plan of Streets and Highways. A single entrance on Pioneer Way will access the subdivision. It is proposed to be a gated 13 lot single-family subdivision with the lots ranging in size from 12,321 square feet up to 14,058 square feet. The single street in the subdivision is proposed to be private.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the proposed Site Development Plan Review, the following Development Standards apply to the subject proposal:

Standards	Provided
Min. Lot Size	12,321 sq. ft.
Min. Lot Width	100 ft
Min. Setbacks • Front • Side • Corner • Rear	 20 ft 3 ft 3 ft 15 ft
Max. Lot Coverage	38.5%
Max. Building Height	2 stories or 35 ft, which ever is less
Trash Enclosure	N/A
Loading Zone	N/A
Mech. Equipment	Screened
Other …	

The application and proposed development conforms to the Title 19 standards of R-PD development. If approved, these standards will be attached as conditions of this project.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	N/A
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	40 Trees	42 Trees
• Min. Zone Width	6 Feet		6 feet
• Wall height	6 Feet		Not Shown
• Shrubs	4- 1 gallon, 4-5 gallon per tree or 320 shrubs		220 shrubs

The proposal meets the requirements for landscaping except for the number of shrubs required per individual tree. The applicant proposes 100 less shrubs. A condition has been added to require a new landscaping plan that will show the addition shrubs.

Pursuant to Title 19.06, the following Open Space Standards, "Density (Units per Acre to the nearest 10th, x 1.65= the percentage of land that will be open space", apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
5.23 acres	2.49	1.65	4.1%	9,341 SF	0 %	0 SF

The proposal does not meet the requirement for open space. A companion Variance application (VAR-4590) has been filed, as a companion application to this site plan review, to address the issues.

B) General Analysis and Discussion

- Zoning

The proposed density of 2.49 dwelling units per acre (DUA) is consistent with the Desert Rural Density Residential General Plan designation.

- Site Plan

The site plan shows lots that are similar in with to those to the west. The lots are larger than those in subdivisions to north and east of the site. The lot sizes proposed are mid-range between the development to east and north and large lots to the southwest.

The applicant does not show the open space required for an R-PD development. A condition has been added to require a redesign of the subdivision to provide the proper amount of open space.

- Waivers

The applicant is not requesting waivers with their application.

- Landscape Plan

The landscape plan shows the proper location and number of buffer trees along the streets. The plan does not show the one gallon shrubs that are required in the buffer strips. A condition has been added requiring a redesign of the landscaping plan that shows all of the trees and shrubs that are required by Title 19.

- Elevation

The elevations show home designs that are typical in the Las Vegas valley.

- Floor Plan

The proposed floor plans reflect the typical designs that are common around the city.

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 12,000 lots, compared to those to the northeast and those to the southwest, do not represent a proper transition from between the two established areas to the northeast and southwest. The proposal therefore is not compatible to the neighboring development, particularly the large lot development to the southwest. Lots with a minimum lot size of 15,000 square feet minimum would be more appropriate on this site as a transition between the development to the northeast and southwest.

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

   The proposed development is consistent with current standards, plans and policies of the City except for the open space standards of Title 19. The applicant proposes that no open space be provided within the subdivision. This is inconsistent with the concept of giving the flexibility of design that is possible with the R-PD zoning district.

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

   This development will not have a negative impact on the adjacent streets and neighborhood traffic.

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

   The materials proposed for the development is typical for area, therefore they are appropriate for 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 exteriors proposed for the development are typical for area; therefore they are harmonious and compatible for the area.

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

   The building and site will be subject to inspection prior to obtaining a Certificate of Occupancy and therefore the public health, safety, and general welfare will be safeguarded.

NOTICES MAILED 167 [Mailed with ZON-4219, VAR-4590 & WVR-4596 at 6/24/04 PC]
167 [Mailed with ZON-4219 at 5/13/04 PC]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4222 APN: 138-03-302-001

Name of Property Owner: HORIZON HOMES, INC.

Name of Applicant: HORIZON HOMES, INC.

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: LAWRENCE H. POWERS

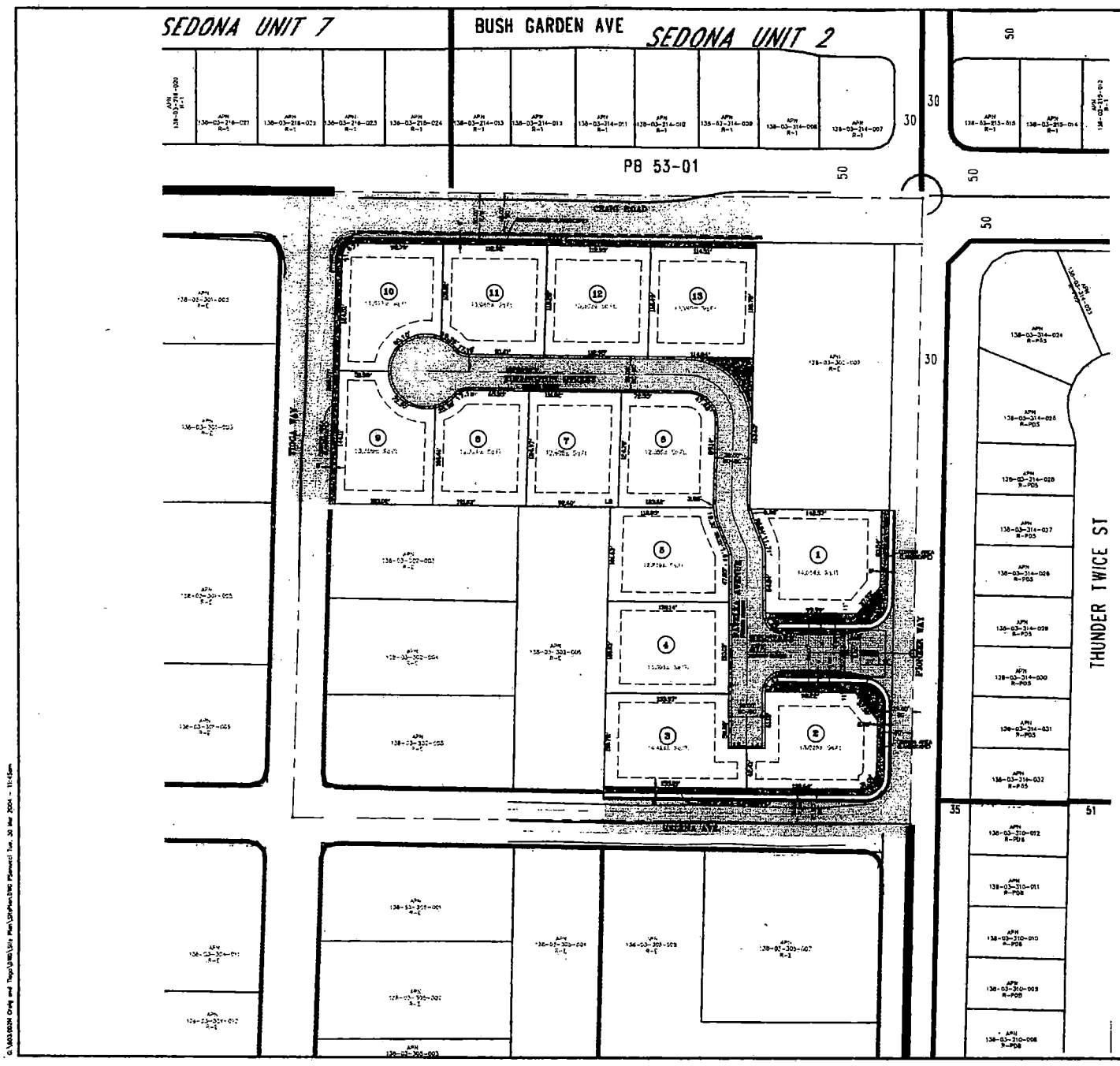
Subscribed and sworn before me

This 10TH day of MARCH, 2004

Marie E. Borkowski

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARIE E. BORKOWSKI
My Appointment Expires
February 17, 2005
No: 97-0442-1



SITE DATA

PROPOSED USE :	RPD-2 (UP TO 2.49 UPA)
AREA :	5.23 GROSS ACRES
CURRENT GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
PROPOSED GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
PROPOSED UNITS:	13
PROPOSED DENSITY:	2.49 UNITS/ACRE
MINIMUM LOT AREA:	12,321 SF
AVERAGE LOT AREA:	13,220 SF
MIN LOT WIDTH :	100'
MIN FRONT SETBACK :	20'
MIN SIDE YARD SETBACK :	5'
MIN CORNER SIDEYARD SETBACK:	5'
MIN REAR YARD SETBACK	15'
MAX BUILDING HEIGHT :	2 STORIES OR 35' (WHICHEVER IS LESS)
BUILDING SIZE	4430 sf – 4484 sf SINGLE STORY 4426 sf – 5238 sf 2 STORY
F.A.R.	32.5% – 38.5%
PARKING	2 PARKING SPACES PER UNIT

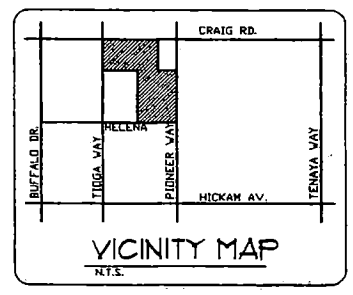
APN NUMBERS

APN: 138-03-302-001

LEGEND

- SINGLE FAMILY RESIDENTIAL
- LANDSCAPING
- PAVEMENT

CLARK COUNTY APN
CITY OF LAS VEGAS APN



VICINITY MAP
N.T.S.

ZON-4219
SDR-4222
6-24-04 PC

NORTH
1"=50'
GRAPHIC SCALE

PROJ NO. 2003.0076
DESIGN: LB
DATE: 02/17/04
SCALE: AS SHOWN
CADFILE:

ZONE MAP:
ENV. DOC:

TRC
Consumer-Focused Solutions
BV Engineering Nevada
1520 E. FLAMINGO ROAD
Suite N136
Las Vegas, NV 89119
Tel: 702-836-0127
Fax: 702-836-0117
Web: trcsolutions.com

CRAIG AND TIOGA
CNC PROPERTIES - KEITH CLEGG
SITE PLAN

SHEET
1
1 OF 1 SHTS
PROJECT ID
XX-XX

PB 53-01

CRAIG ROAD

PRIVATE STREET

TIOGA WAY

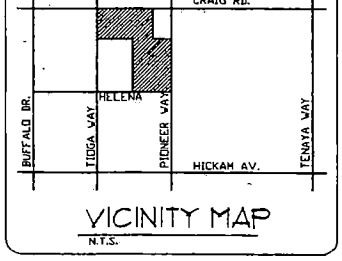
PRIVATE STREET

PIONEER WAY

HELENA AVE.

COMMON AREA (LANDSCAPE)

VICINITY MAP



N.T.S.

LEDGEND

SYM.	TYPE	QTY
	24" Box Modesto Ash	26
	24" Box Mondel Pine	27
	5 gallon Texas Ranger	74
	5 gallon Autumn Sage	74
	5 gallon Deer Grass	72
	CLARK COUNTY APN	
	CITY OF LAS VEGAS APN	

NORTH

1"=40'

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

CRAIG AND TIOGA

CNC PROPERTIES - KEITH CLEGG

LANDSCAPING PLAN

SHEET 1

1 OF 1 SHTS

PROJECT ID XX-XX

TRC
Customer-Focused Solutions
BV Engineering Nevada

1050 E. FLAMINGO ROAD
Suite #130
Las Vegas, NV 89119
Tel: 702-735-0012
Fax: 702-735-0013
Web: trcsolutions.com

ZON-4219
SDR-4222
6-24-04 PC

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VARIANCE RELATED TO ZON-4219 & SDR-4222 - PUBLIC HEARING - VAR-4590 - APPLICANT/OWNER: HORIZON HOMES, INC. - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 0.21 ACRES ARE REQUIRED FOR A SINGLE FAMILY DEVELOPMENT 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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

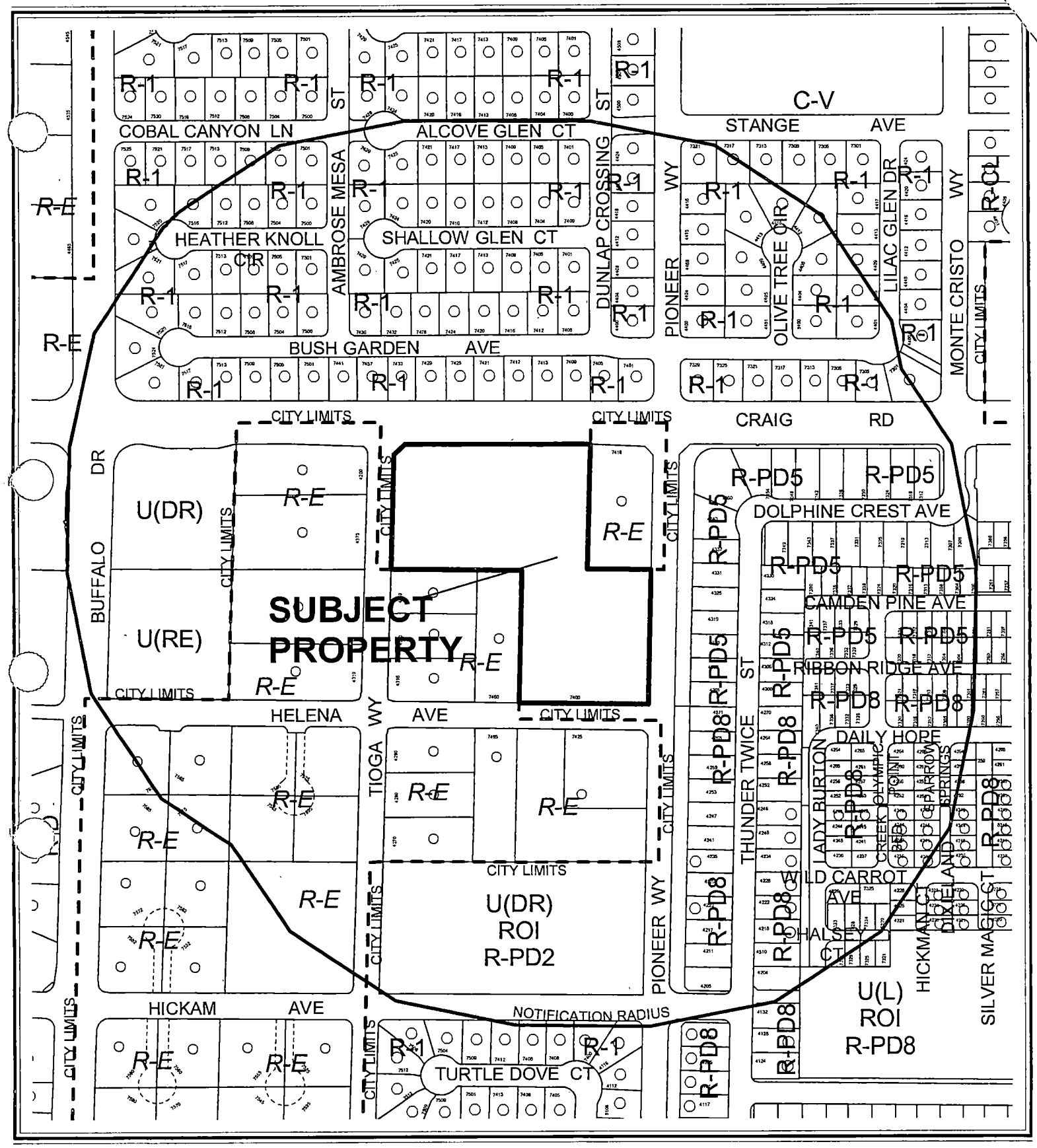
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
STEINMAN – Motion for APPROVAL failed – Subsequent motion by DAVENPORT – DENIAL – Motion carried with TRUESDELL, NIGRO and STEINMAN voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 28 [ZON-4219] for all related discussion.
(7:06– 7:40/8:13 – 8:24)
1-2298/2-1831

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



CASE: **VAR-4590**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRES)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE RELATED TO ZON-4219 & SDR-4222 - PUBLIC HEARING - VAR-4590 - APPLICANT/OWNER: HORIZON HOMES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

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

2. 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 $36,580.00 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.

3. Approval and conformance to the conditions of approval for rezoning ZON-4219.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow zero open space where 0.21 acres are required on 5.23 acres located adjacent to the southeast corner of Craig Road and Tioga Way.

Three other applications, a Rezoning (ZON-4219), a Site Development Plan Review (SDR-4222), and a Waiver of Title 18 (WVR-4596), were submitted as companion applications.

B) Applicant's Justification

It is the applicant's position that open space would be better placed in the back yards of the proposed homes instead of in a centrally located park.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The City Council approved an Annexation (A-0024-95) of the subject property into the City of Las Vegas. The effective date was March 15, 1996.
09/12/02	The Planning Commission denied a request for a Special Use Permit (U-0107-02) for a commercial childcare center. Staff recommended denial.
05/13/04	The Planning Commission voted to hold this item in abeyance at the request of the applicant in order to schedule and hold a meeting with the area residents to discuss the project.
5/27/04	The Planning Commission abeyed a related Rezoning (ZON-4219) and Site Development Plan Review (SDR-4222) applications to allow the applicant an opportunity to work with City staff.

B) Pre-Application Meeting

A pre-application conference was not held for this application.

KW

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	L (Low Density Residential)
South:	R-E (Rural Estates Residential)
East:	R-E (Rural Estates Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation].
North:	R-1 (Single Family Residential)
South:	R-E (Rural Estates Residential)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for single family homes on large lots, many including equestrian facilities. This rural environment allows up to two units per acre, as well as some noncommercial raising of domestic animals. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) is technically consistent with the DR (Desert Rural Density Residential) General Plan designation, as the proposed density is 2.49 Units Per Acre. However, the small lots do not advance policies to preserve the integrity of the established residential neighborhoods.

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

Rural Preservation Neighborhood

The southern portion of the site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. The development's proposed density of 2.49 dwelling units per acre is within the parameters of the rural preservation neighborhood legislation.

County Notification

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

A) Zoning Code Compliance:

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
5.23 acres	2.49	1.65	4.11%	9363 SF	0%	0 SF

The proposed subdivision will have zero open space instead of the 9363 square feet required by Title 19.06.

B) General Analysis and Discussion

The subdivision will have zero open space instead of the 9363 square feet required. The applicant proposes that the each of the building lots supply separate open space. The excess land on each lot not covered by building is to be considered as open space.

KW

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 over building the site. An alternative design of the subdivision, such as using one of the building lots as a private park, would allow conformance to the R-PD open space requirements of Title 19. 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 167 [Mailed with ZON-4219, SDR-4222, & WVR-4596]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4590 APN: 138-03-302-001

Name of Property Owner: HORIZON HOMES, INC.

Name of Applicant: HORIZON HOMES, INC.

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

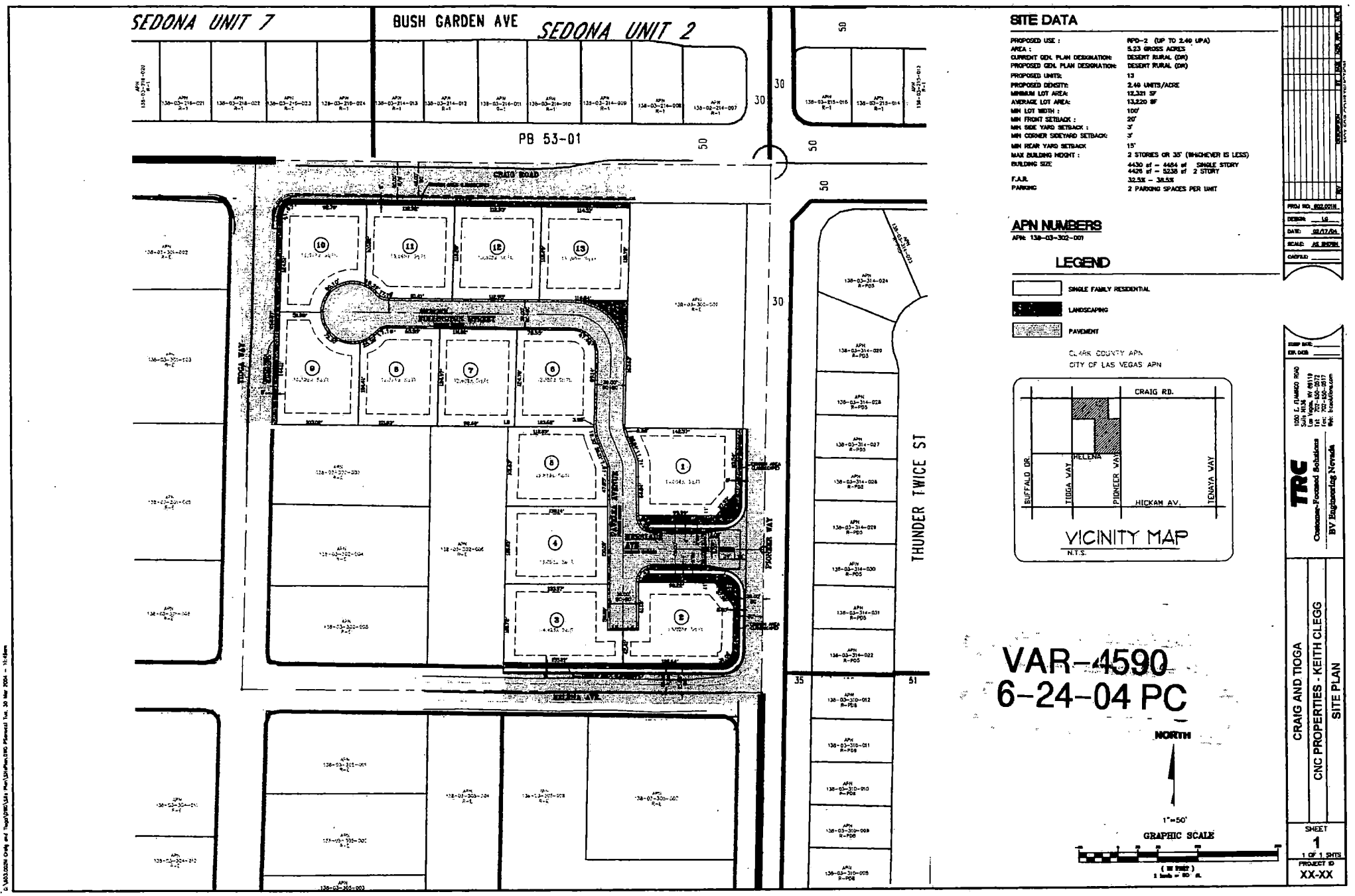
Print Name: LAWRENCE H. POWERS

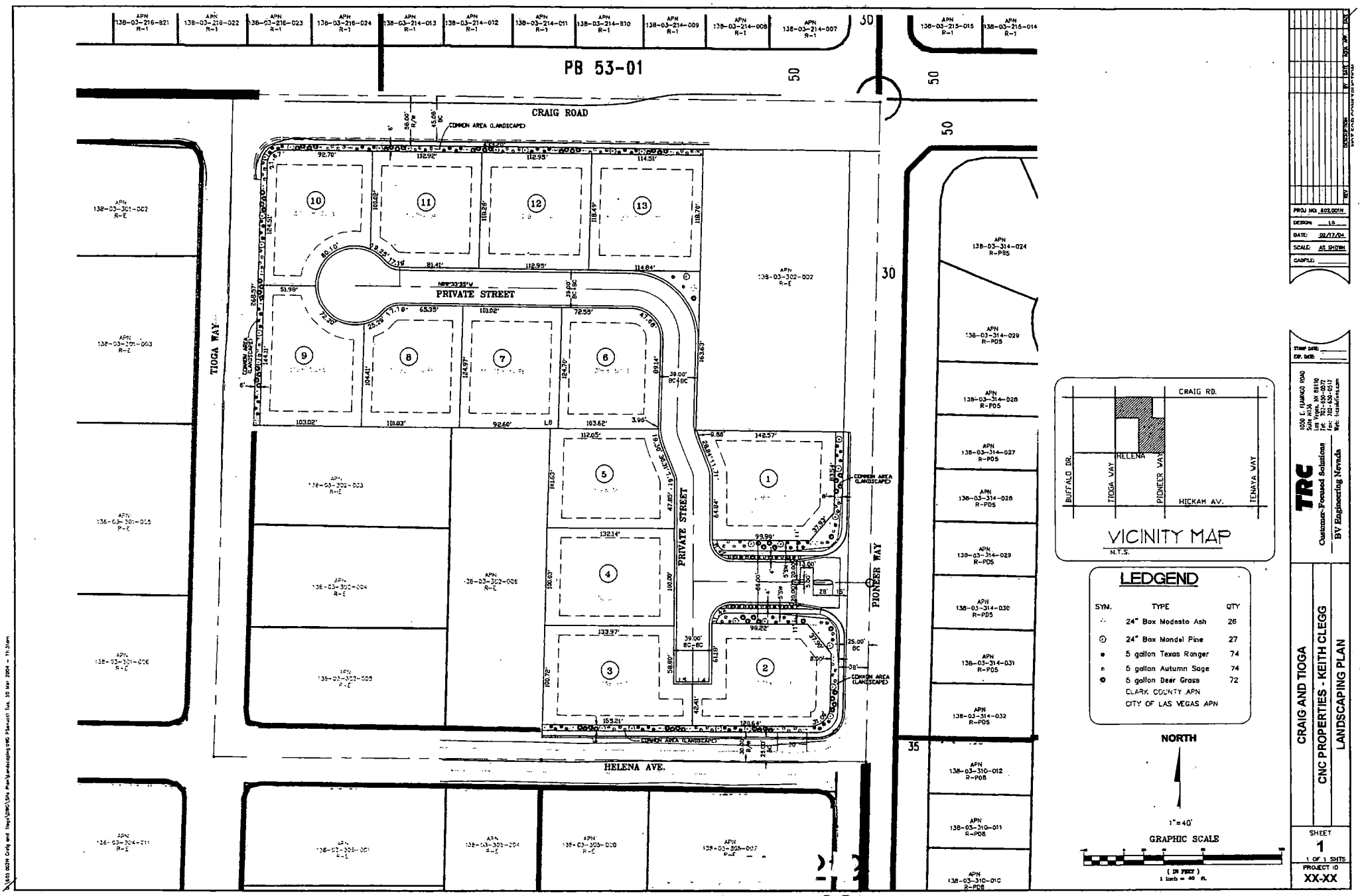
Subscribed and sworn before me

This 10TH day of MARCH, 2004

Marie E. Borkowski
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARIE E. BORKOWSKI
My Appointment Expires
February 17, 2005
No: 97-0442-1


SEDONA UNIT 7
BUSH GARDEN AVE
SEDONA UNIT 2
PB 53-01
CRAIG ROAD
TIOGA WAY
PIONEER WAY
THUNDER TWICE ST
30
50
35
51
SITE DATA
PROPOSED USE : RPD-2 (UP TO 2.49 UPA)
AREA : 5.23 GROSS ACRES
CURRENT GEN. PLAN DESIGNATION: DESERT RURAL (DR)
PROPOSED GEN. PLAN DESIGNATION: DESERT RURAL (DR)
PROPOSED UNITS: 13
PROPOSED DENSITY: 2.49 UNITS/ACRE
MINIMUM LOT AREA: 12,321 SF
AVERAGE LOT AREA: 13,220 SF
MIN LOT WIDTH : 100'
MIN FRONT SETBACK : 20'
MIN SIDE YARD SETBACK : 5'
MIN CORNER SIDEYARD SETBACK: 5'
MIN REAR YARD SETBACK 15'
MAX BUILDING HEIGHT : 2 STORIES OR 35' (WHICHEVER IS LESS)
BUILDING SIZE: 4430 sf – 4684 sf SINGLE STORY
4426 sf – 5238 sf 2 STORY
F.A.R. 32.5% – 38.5%
PARKING 2 PARKING SPACES PER UNIT
APN NUMBERS
APN: 138-03-302-001
LEGEND
SINGLE FAMILY RESIDENTIAL
LANDSCAPING
PAVEMENT
CLARK COUNTY APN
CITY OF LAS VEGAS APN
CRAIG RD.
HELENA
BUFFALO DR.
TIOGA WAY
PIONEER WAY
HICKAM AV.
TENAYA WAY
VICINITY MAP
N.T.S.
VAR-4590
6-24-04 PC
NORTH
1"=50'
GRAPHIC SCALE
CRAIG AND TIOGA
CNC PROPERTIES - KEITH CLEGG
SITE PLAN
SHEET
1
1 OF 1 SHTS
PROJECT ID
XX-XX
TRC
Customer-Focused Solutions
BV Engineering Nevada



VAR-4590
6-24-04 PC

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
WAIVER RELATED TO ZON-4219, SDR-4222 & VAR-4590 - PUBLIC HEARING - WVR-4596 - APPLICANT/ OWNER: HORIZON HOMES, INC. - Request for a waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED 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).

C.C.: 07/21/04

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

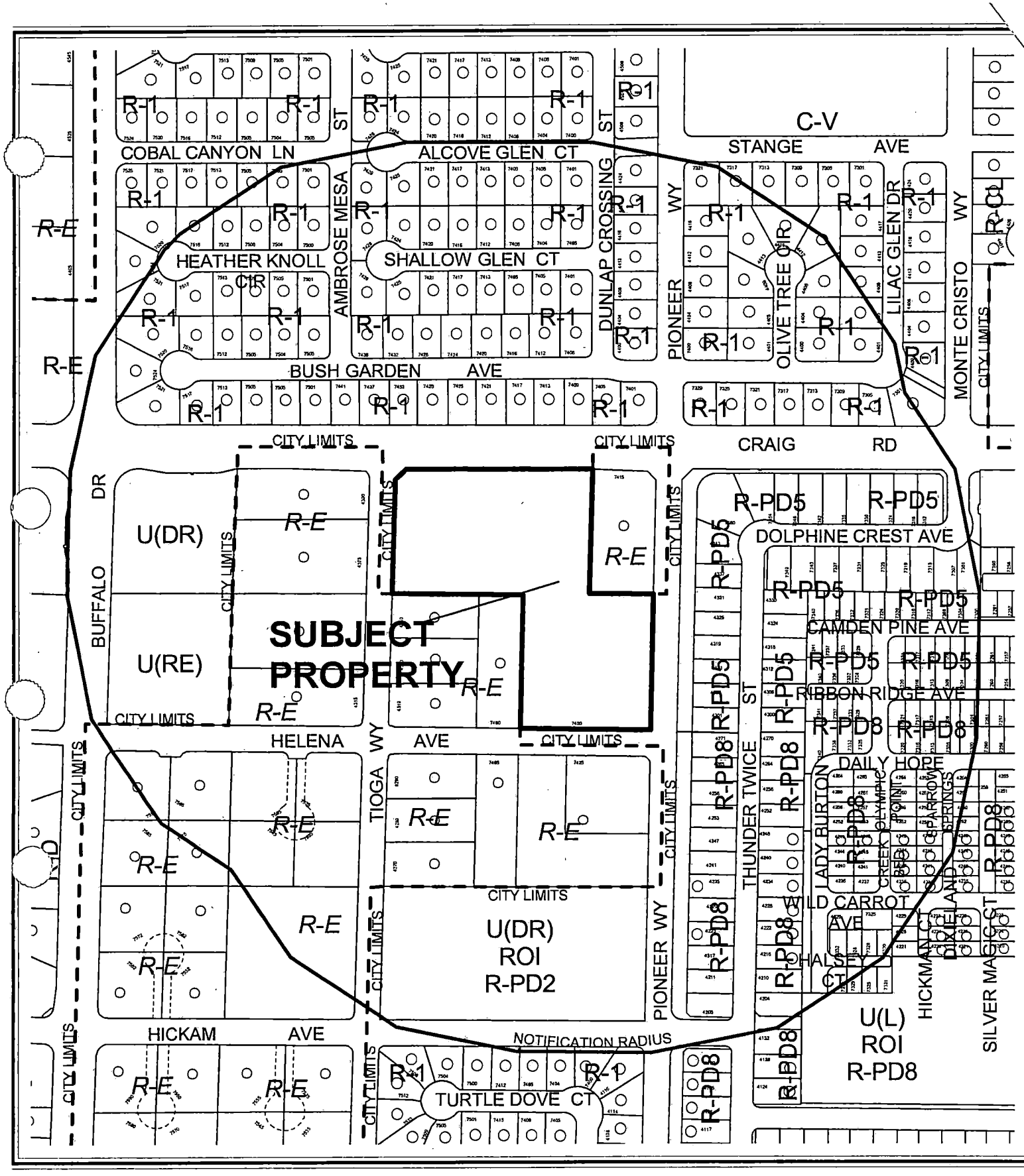
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
STEINMAN – Motion for APPROVAL failed – Subsequent motion by DAVENPORT – DENIAL – Motion carried with TRUESDELL, NIGRO and STEINMAN voting No

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 28 [ZON-4219] for all related discussion.
(7:06– 7:40/8:13 – 8:24)
1-2298/2-1831



CASE: **WVR-4596**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRES)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 22, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WAIVER RELATED TO ZON-4219, SDR-4222 & VAR-4590 - PUBLIC HEARING - WVR-4596 - APPLICANT/ OWNER: HORIZON HOMES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4219), Variance (VAR-4590), and Site Development Plan Review (SDR-4222).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 140-foot separation between intersections, where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more.

Companion applications for a Rezoning (ZON-4226), an open space Variance (VAR-4226), and a Site Development Plan Review for a 13-lot single-family development (SDR-4227) will be heard in conjuction with this waiver request.

B) Applicant's Justification

It is the applicant's position that after working with city staff and the neighbors this design was agreed on by all. Many weeks of planning and neighborhood meetings and sound engineering design went into the placement of the lots, roads, and other offsite improvements.

The applicant also indicates that reconfiguration of the access is not possible without substantially compromising the concept and design of the project.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The City Council approved an Annexation (A-0024-95) of the subject property into the City of Las Vegas. The effective date was March 15, 1996.
09/12/02	The Planning Commission denied a request for a Special Use Permit (U-0107-02) for a commercial childcare center. Staff recommended denial.
5/27/04	The Planning Commission abeyed a related Site Development Plan Review application (SDR-4222) so the applicant could work with City staff.

B) Pre-Application Meeting

A pre-application conference was not conducted for this request.

KW

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	L (Low Density Residential)
South:	R-E (Rural Estates Residential)
East:	R-E (Rural Estates Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation]
North:	R-1 (Single Family Residential)
South:	R-E (Rural Estates Residential)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for single family homes on large lots, many including equestrian facilities. This rural environment allows up to two units per acre, as well as some noncommercial raising of domestic animals. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) is technically consistent with the DR (Desert Rural Density Residential) General Plan designation, as the proposed density is 2.49 Units Per Acre. However, the small lots do not advance policies to preserve the integrity of the established residential neighborhoods.

PROJECT DESCRIPTION

The entrance to the proposed subdivision is planned to be approximately 180 feet north of the intersection of Helena Avenue, the southernmost boundary of the subdivision, and Pioneer Way, the easternmost boundary of the subdivision.

ANALYSIS

A) Code Compliance

A1) Development Standards

This report seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

> "Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet."

The applicant will demonstrate that the design will still allow adequate stacking and turning movements between the entrances and the Pioneer Way/ Helena Avenue intersection. The requested separation represents a 19% reduction in the minimum standard.

FINDINGS

The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. But since the Site Development Plan Review is not being supported the recommendation for this Waiver request will have to be also a denial.

NOTICES MAILED 167 [Mailed with ZON-4219, SDR-4222 & VAR-4590]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-4596 APN: 138-03-302-001

Name of Property Owner: HORIZON HOMES, INC.

Name of Applicant: HORIZON HOMES, 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: [signature]

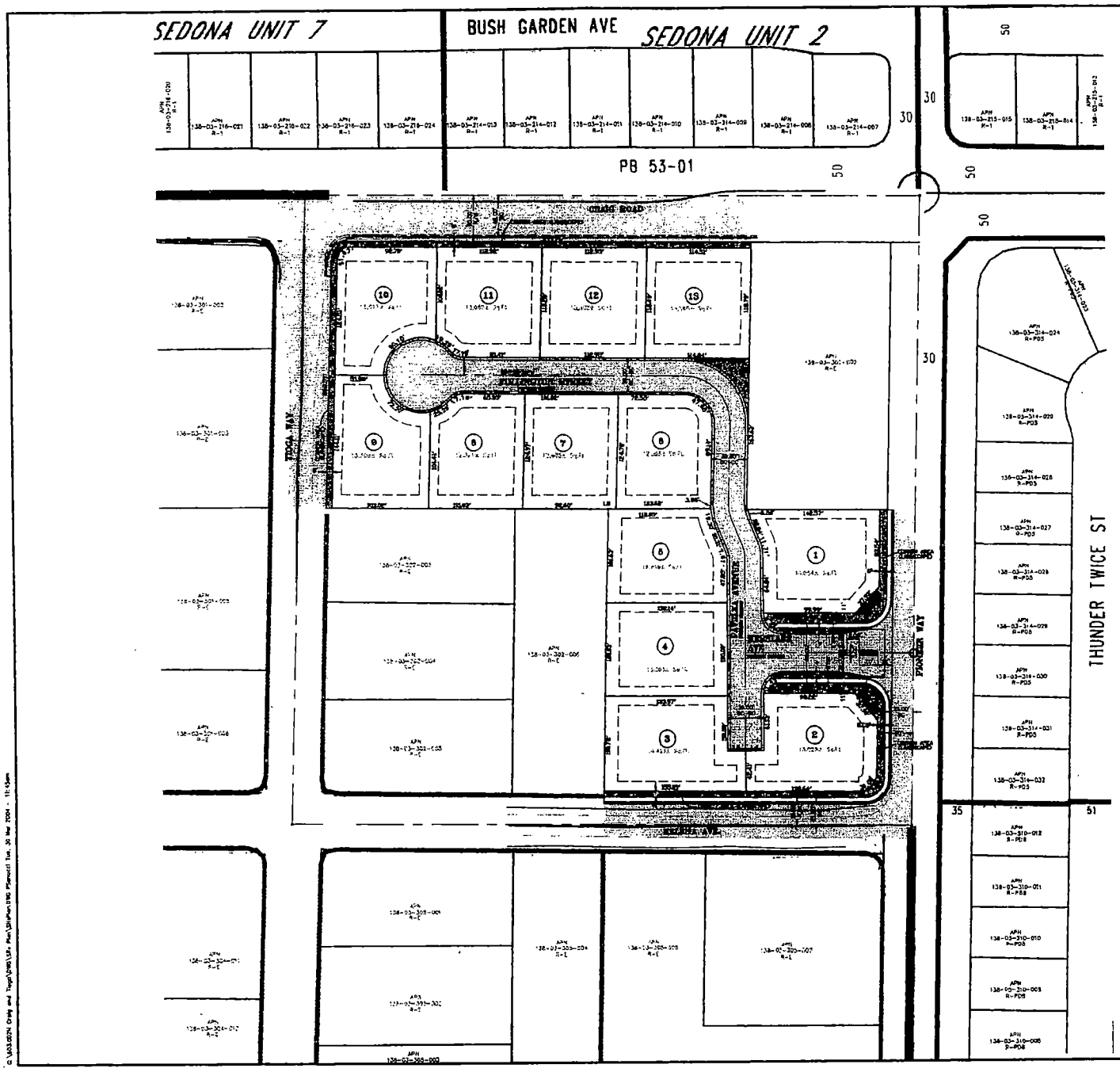
Print Name: LAWRENCE H. POWERS

Subscribed and sworn before me

This 10TH day of MARCH, 2004

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

Notary Public - State of Nevada
County of Clark
MARIE E. BORKOWSKI
My Appointment Expires
February 17, 2005
No: 97-0442-1



SITE DATA

PROPOSED USE :	RPD-2 (UP TO 2.49 UPA)
AREA :	5.23 GROSS ACRES
CURRENT GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
PROPOSED GEN. PLAN DESIGNATION:	DESERT RURAL (DR)
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MINIMUM LOT AREA:	12,321 SF
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MIN SIDE YARD SETBACK :	5'
MIN CORNER SIDEYARD SETBACK:	5'
MIN REAR YARD SETBACK	15'
MAX BUILDING HEIGHT :	2 STORIES OR 35' (WHICHEVER IS LESS)
BUILDING SIZE	4430 sf - 4464 sf SINGLE STORY 4426 sf - 5238 sf 2 STORY
F.A.R.	32.5% - 38.5%
PARKING	2 PARKING SPACES PER UNIT

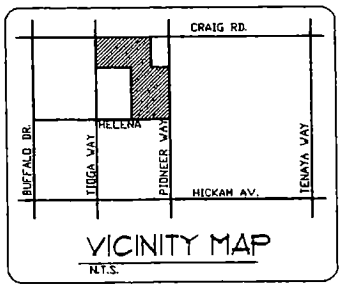
APN NUMBERS

APN: 138-03-302-001

LEGEND

- SINGLE FAMILY RESIDENTIAL
- LANDSCAPING
- PAVEMENT

CLARK COUNTY APN
CITY OF LAS VEGAS APN



VICINITY MAP
N.T.S.

WVR-4596
6-24-04 PC

NORTH
1"=50'
GRAPHIC SCALE
(IN FEET)

PROJ NO. 602.07(H)
DESIGN: LG
DATE: 10/27/04
SCALE: AS SHOWN
CADFILE:

TRC
Customer-Focused Solutions
BV Engineering Nevada
1050 E. FLAMINGO ROAD
Suite #130 W Nv 89119
Las Vegas, Nevada
Tel: 702-320-7572
Fax: 702-320-7617
Web: trcsolutions.com

CRAIG AND TIOGA
CNC PROPERTIES - KEITH CLEGG
SITE PLAN

SHEET 1
1 OF 1 SHTS
PROJECT ID XX-XX

G:\AS\2004 Craig and Tioga\DWG\Site Plan\SitePlan.DWG Plotted: Tue, 26 Mar 2004 - 11:43am

PB 53-01

CRAIG ROAD

TIOGA WAY

PRIVATE STREET

PIONEER WAY

HELENA AVE.

COMMON AREA LANDSCAPED

APN 138-03-216-021 R-1
APN 138-03-216-022 R-1
APN 138-03-216-023 R-1
APN 138-03-216-024 R-1
APN 138-03-214-013 R-1
APN 138-03-214-012 R-1
APN 138-03-214-011 R-1
APN 138-03-214-010 R-1
APN 138-03-214-009 R-1
APN 138-03-214-008 R-1
APN 138-03-214-007 R-1
APN 138-03-215-015 R-1
APN 138-03-215-014 R-1
APN 138-03-301-002 R-E
APN 138-03-301-003 R-E
APN 138-03-301-005 R-E
APN 138-03-301-006 R-E
APN 138-03-302-002 R-E
APN 138-03-302-003 R-E
APN 138-03-302-004 R-E
APN 138-03-302-005 R-E
APN 138-03-302-006 R-E
APN 138-03-304-001 R-E
APN 138-03-305-001 R-E
APN 138-03-305-004 R-E
APN 138-03-305-008 R-E
APN 138-03-305-007
APN 138-03-314-024 R-PD5
APN 138-03-314-029 R-PD5
APN 138-03-314-028 R-PD5
APN 138-03-314-027 R-PD5
APN 138-03-314-026 R-PD5
APN 138-03-314-029 R-PD5
APN 138-03-314-030 R-PD5
APN 138-03-314-031 R-PD5
APN 138-03-314-032 R-PD5
APN 138-03-310-012 R-PD8
APN 138-03-310-011 R-PD8
APN 138-03-310-010 R-PD8

CRAIG RD.
HELENA
BUFFALO DR.
TIOGA WAY
PIONEER WAY
HICKAM AV.
TENAYA WAY

VICINITY MAP
N.T.S.

LEDGEND

SYM.	TYPE	QTY
	24" Box Modesto Ash	26
	24" Box Mondel Pine	27
	5 gallon Texas Ranger	74
	5 gallon Autumn Sage	74
	5 gallon Deer Grass	72
	CLARK COUNTY APN	
	CITY OF LAS VEGAS APN	

NORTH

1"=40'

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

PROJ NO: 602.06XN
DESIGN: LG
DATE: 02/27/06
SCALE: AS SHOWN
CADFILE:

STAMP DATE:
EXP. DATE:

1050 E. FLAMINGO ROAD
Suite #136
Las Vegas, NV 89119
Phone: 702-430-6611
Fax: 702-430-6617
Web: trcsolutions.com

TRC
Customer-Focused Solutions
BV Engineering Nevada

CRAIG AND TIOGA
CNC PROPERTIES - KEITH CLEGG
LANDSCAPING PLAN

SHEET
1
1 OF 1 SHTS
PROJECT ID
XX-XX

WVR-4596
6-24-04 PC

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - 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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittal at the Meeting – Letter (Francisco and Irene Rodriguez) supporting the proposed project

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/21/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 32 [ZON-4288], Item 33 [SUP-4289] and Item 34 [SDR-4291].

KYLE WALTON, Planning and Development,stated that the C-1 (Limited Commercial) zoning is in conformance with the SC (Service Commercial) of the General Plan; however, the site is located in a residential area that is very low density. This type of commercial use would have a detrimental effect on the area. The proposed site is not suitable for the type of intensity of the land use proposed as evidenced by the number of Waivers the applicant is requesting. The proposed RV and boat storage would be inconsistent with the overall plan, as this development would have a negative impact on the quality of life for the adjacent residential neighborhood.

MINUTES – Continued:

The applicant is proposing 13-foot walls around the perimeter of this site; however, there is an existing wall between the proposed site and the home to the east. As a result, staff felt the 13-foot wall would be an inappropriate intrusion to the life of this existing home. The new landscaping plan now consists of 15 feet of landscaping along Jones Boulevard.

JENNIFER LAZOVICH, Attorney, 3800 Howard Hughes Parkway, used the overhead to point out other sites within the area that is vacant and some ROI and C1 zoning. The only home is to the east of the proposed site, and across Jones is a church, and to the north is vacant land. ATTORNEY LAZOVICH pointed out that this piece of property is Master Planned for Service Commercial, which consists of multiple commercial type uses. The applicant felt that this application is the least intrusive type of commercial use for this area. The RV and boat storage facility would access off of Jones Boulevard. There is an emergency crash gate on Verde Way, so there is no impact on the residential streets.

ATTORNEY LAZOVICH continued by stating that a Waiver is no longer required for landscaping, as they are now doing 15 feet of landscaping along Jones Boulevard. However, the applicant would not do any landscaping along the eastern portion of the proposed project. She stated that the applicant had spoken with the neighbor at 6099 W. Verde Way and was informed they do not oppose to the increased wall height, reduced set backs and waiver of landscaping. She pointed out that the client had communicated with this neighbor prior to submitting this application as a means to inform them and work with them to ensure they were protected.

ATTORNEY LAZOVICH also informed CHAIRMAN TRUESDELL that the proposed height of the wall is 13 feet, which includes Verde Way and Jones Boulevard.

COMMISSIONER McSWAIN initially disliked the project. Although she was appreciative of the additional landscaping; she felt that the project would look like a fortress along Jones Boulevard. She also expressed her concern regarding the height of the walls.

COMMISSIONER STEINMAN felt that a 13-foot wall would be necessary along Jones but would be appropriate on the other sides. He was in agreement with the commercial use along Jones. He suggested reducing the wall height to approximately 8-10 feet, as it would alleviate some of the fortress look.

ATTORNEY LAZOVICH responded that the reason for the 13-foot wall along Jones Boulevard because it is consistent with the wall height on the property south of this proposed site. In addition, there is an existing flood wall. Without the taller wall, the existing flood wall would

MINUTES – Continued:

actually reduce the applicant's proposed wall to six feet, so the goal was to compensate for the reduction. GUY MARTIN also appeared on behalf of the applicant. He stated that the 13-foot wall elevation is the elevation from the grade inside of the RV and boat storage. The actual exposed section along Jones would be approximately 8-1/2 feet. However, the neighbor at the rear would have a view of a 13-foot wall, and COMMISSIONER STEINMAN was satisfied with that. The floodwall is a split face and decorative color block.

VICE CHAIRMAN NIGRO stated that given the current zoning for this site, there could be worse uses other than RV parking that would have a greater impact to the immediate neighbor, as well as, the neighborhood. He is satisfied with the height of the wall.

COMMISSIONER McSWAIN retracted her comment regarding the height of the walls, since the wall height along Jones Boulevard would only be eight feet.

ATTORNEY LAZOVICH expressed her appreciation for CHAIRMAN TRUESDELL and the work he has done to make this Valley a better place to live in. She also stated that is has been a pleasure working with CHAIRMAN TRUESDELL and has appreciated his comments on the projects she has been involved in.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 32 [ZON-4288], Item 33 [SUP-4289] and Item 34 [SDR-4291].

(8:00– 8:12)

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. Approval of a Site Development Plan Review (SDR-4291) and Special Use Permit (SUP-4289) by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

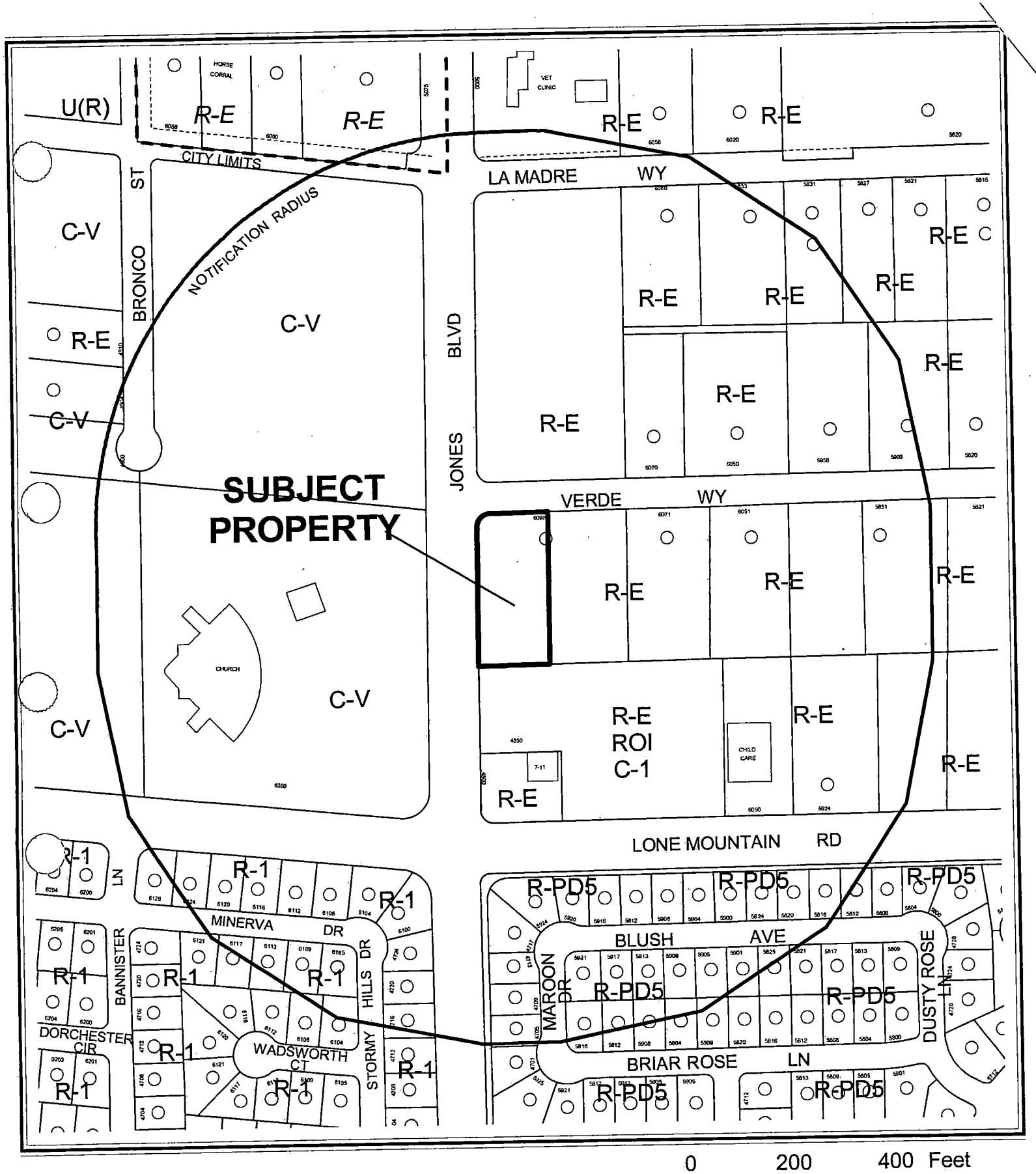
3. Construct half-street improvements including appropriate over-paving on Verde Way adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. 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).

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 32 – ZON-4288

CONDITIONS – Continued:

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

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.



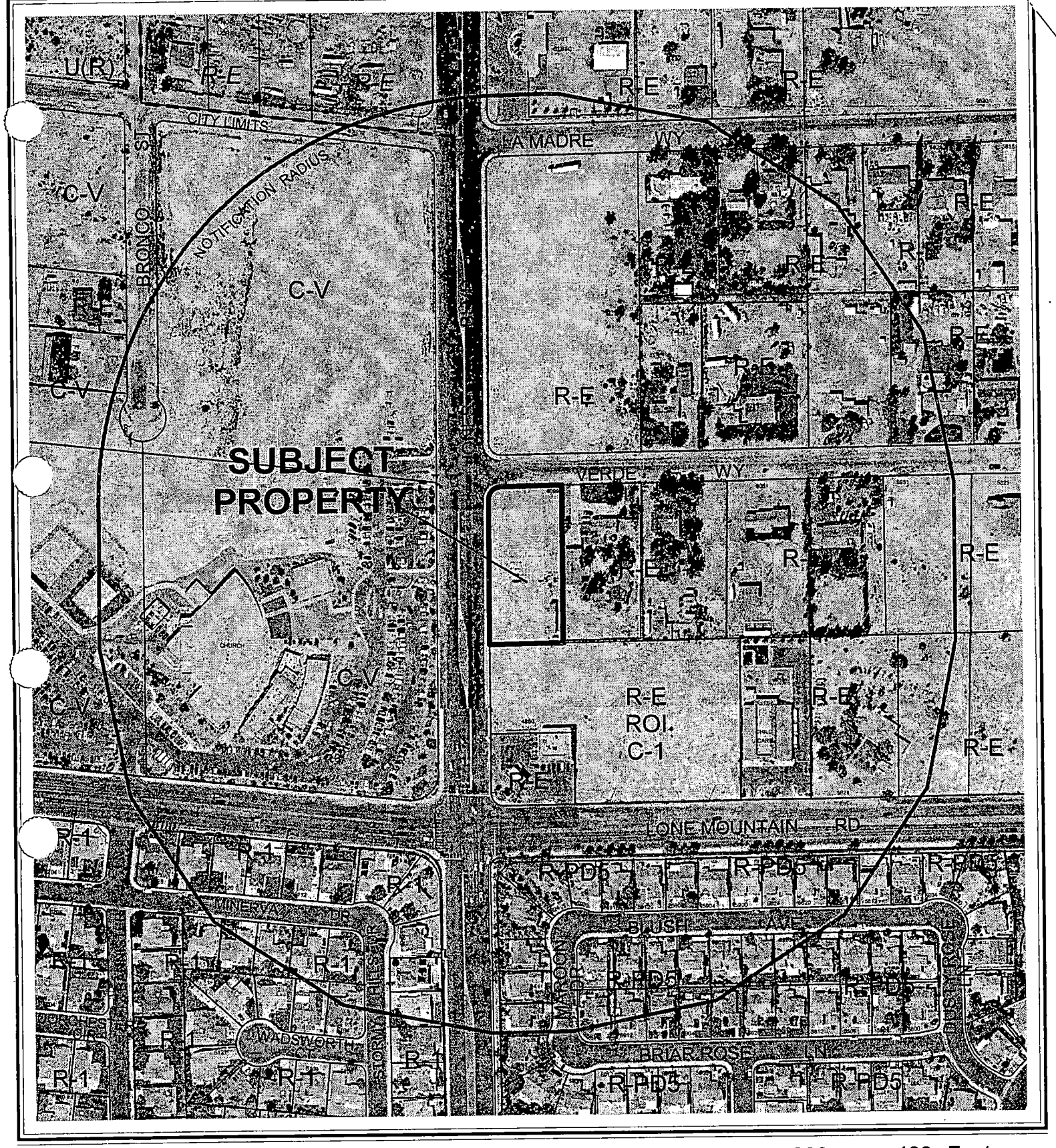
CASE: **ZON-4288**

RADIUS: 750 FT

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

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

N



0 200 400 Feet

CASE: **ZON-4288**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. Approval of a Site Development Plan Review (SDR-4291) and Special Use Permit (SUP-4289) by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements including appropriate over-paving on Verde Way adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. 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).

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

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a rezoning of the subject parcel from R-E (Residence Estates) to C-1 (Limited Commercial). This Rezoning application is being heard concurrently with a Special Use Permit (SUP-4289) and Site Development Plan Review (SDR-4291), to allow Recreational Vehicle & Boat Storage on 0.97 acres located at the southeast corner of the intersection of Jones Boulevard and Verde Way.

B) Applicant's Justification

The applicant's justification for the Rezoning (ZON-4288) is that the requested reclassification of the parcel to C-1 (Limited Commercial) is compatible with the city's General Plan designation of SC (Service Commercial).

BACKGROUND INFORMATION

A) Previous Actions

1964	This property was annexed into the City of Las Vegas (A-63-64).
05/24/99	The City Council approved a Rezoning to C-1 (Limited Commercial) for a mini-storage facility on the property directly to the south (Z-0010-99).
05/27/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff.
06/14/04	The applicant has as of yet not contacted Staff in order to address any issues with the site.

B) Pre-Application Meeting

03/25/04	During the pre-application conference all three applications (ZON-4288, SUP-4289, and SDR-4291) were discussed. Notes specifically concerning the rezoning application state, that the General Plan designation is SC (Service Commercial), and that the request is compliant with the General Plan.

PL

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.97

B) Existing Land Use

Subject Property:	Vacant Residential Lot
North:	Vacant Residential Lot
South:	Proposed Mini-warehouse Facility
East:	Single Family Residence
West:	Church (Christian Canyon Ridge)

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	R (Rural Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates) ROI to C-1 (Limited Commercial)
East:	R-E (Residence Estates)
West:	C-V (Civic)

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan Map as part of the City of Las Vegas General Plan. The requested 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

PL

Rural Preservation Neighborhood:

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone, as well as within a 330-foot buffer zone of an existing boulevard that is more than 99 feet wide (Jones Boulevard, a 100 Primary Arterial). The Rural Preservation Neighborhood designated parcels are approximately 150 feet to the east of the subject site and are located within the City of Las Vegas and Clark County. NRS 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, the Nevada Revised Statute 278 is set to terminate before this application will be heard by the City Council.

FINDINGS

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

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

   The proposed rezoning to C-1 (Limited Commercial) conforms to the General Plan designation SC (Service Commercial), however the site is located within an established rural neighborhood and would have a detrimental effect on the quality of life of the residences. Also, there are other permitted uses, such as office, that would have lesser impacts to the integrity of this area of the City.

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 recreational vehicle & boat storage use on this site would not be compatible with the surrounding rural neighborhood. Even though there exists an approved mini-warehouse facility to the south of this parcel, the extension of such a use into the adjacent rural neighborhood would have a negative effect.

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

   The surrounding area is composed of primarily developed single-family residences, the remainder of development in the area is that of the Canyon Ridge Church and the two parcels used for general retail and services. The reclassification of the subject parcel to C-1 (Limited Commercial) would not be 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."**

Access to the site will be accomplished via an existing drive way located on the southern adjacent parcel that leads traffic onto Jones Boulevard, a 100-foot Primary Arterial. The parcel consists of only one other proposed access point, which is actually an emergency fire crash gate onto Verde Way, a 60-foot right-of-way. The access to the site will be adequate to meet the proposed zoning district requirements.

NOTICES MAILED 70 [Mailed SUP-4289 & SDR-4291]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4288 APN: 125-36-402-011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan, The 1981 Martin Family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Frank Martin

Print Name: Frank Martin

Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4288 APN: 125-36-402-011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan THE 1981 Martin Family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Dennis Nelson

Print Name: Dennis Nelson

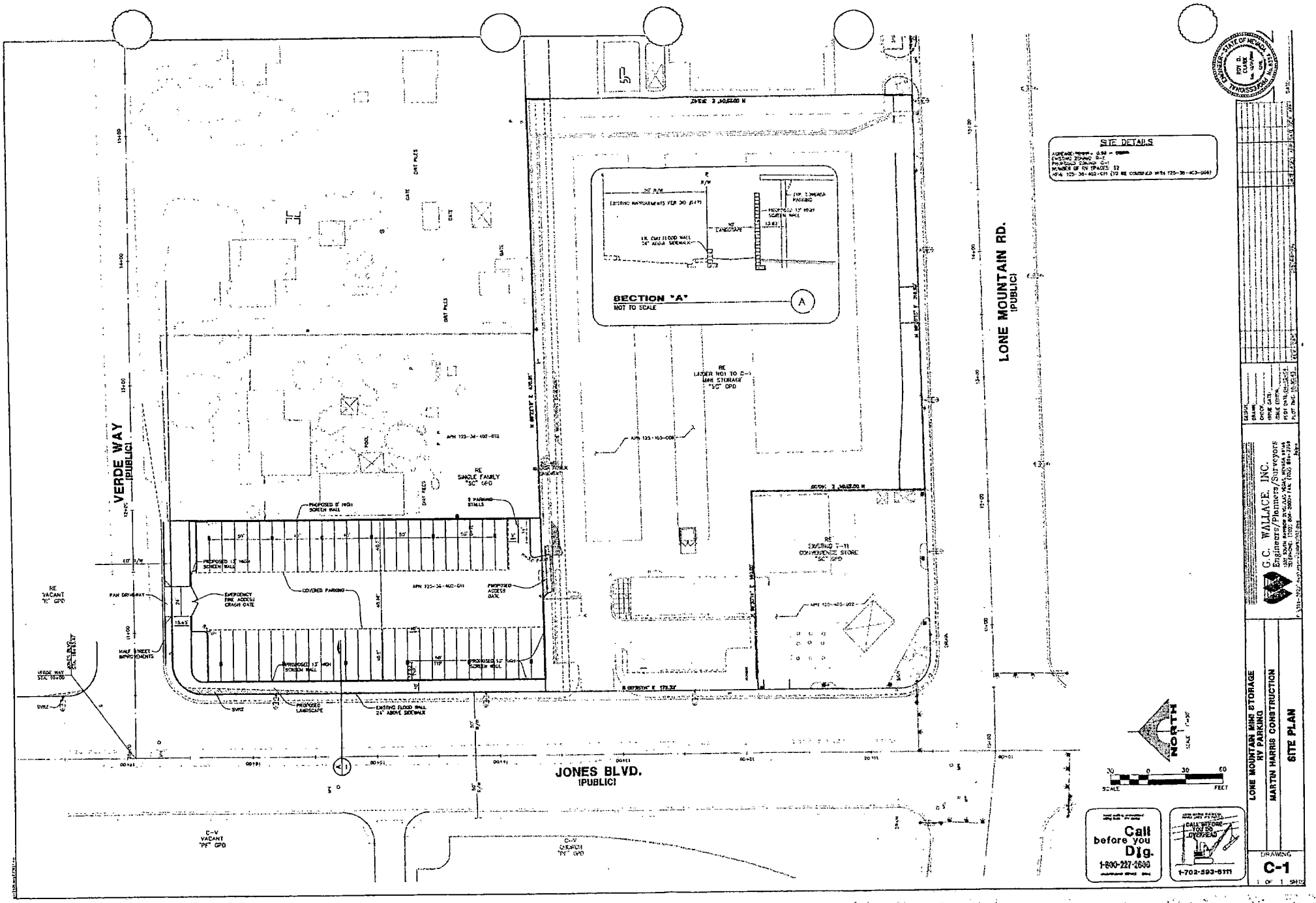
Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004



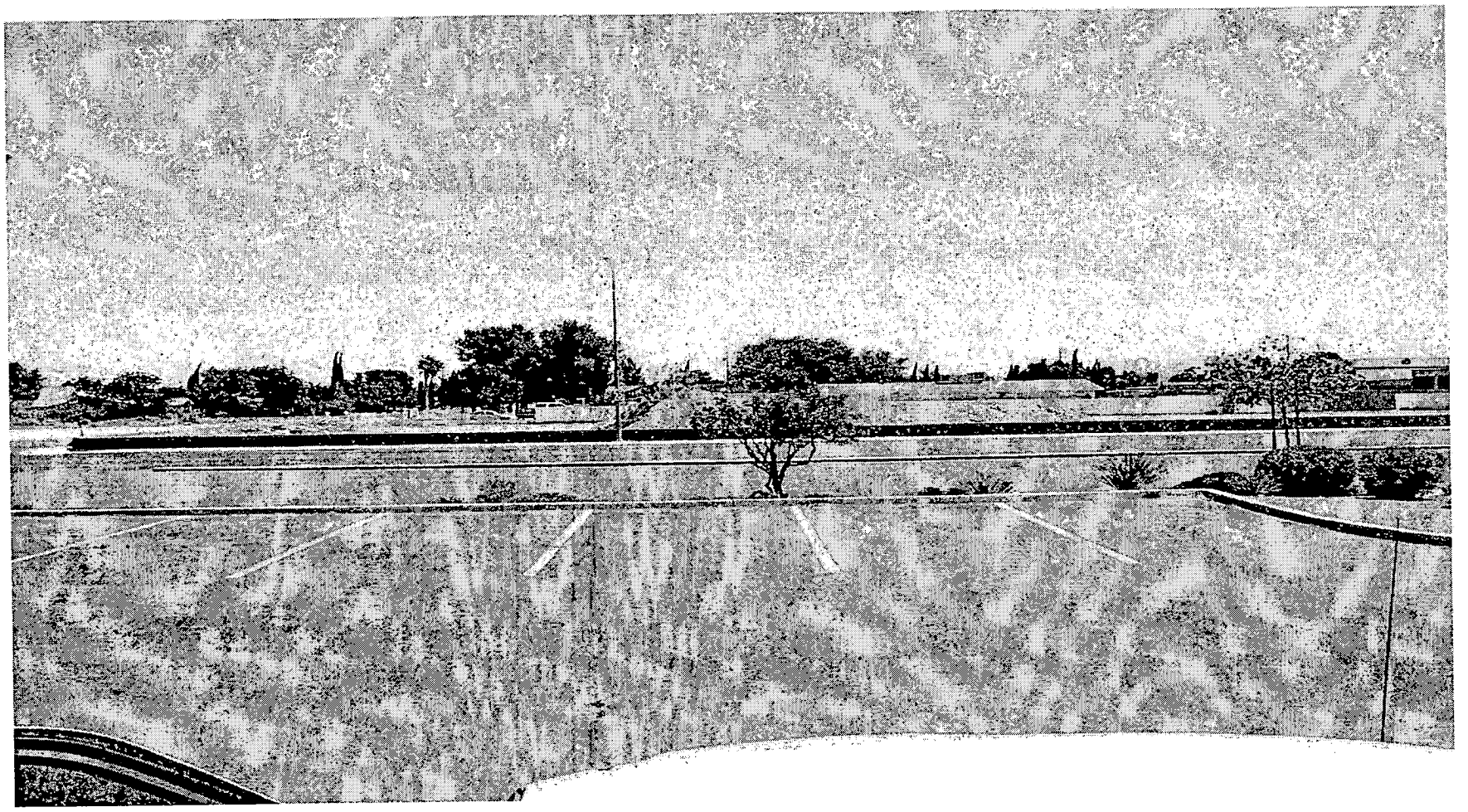
G.C. WALLACE, INC.
Engineers/Planners/Surveyors

LONE MOUNTAIN MINI STORAGE
RV PARKING
MARTIN HARRIS CONSTRUCTION

SITE PLAN

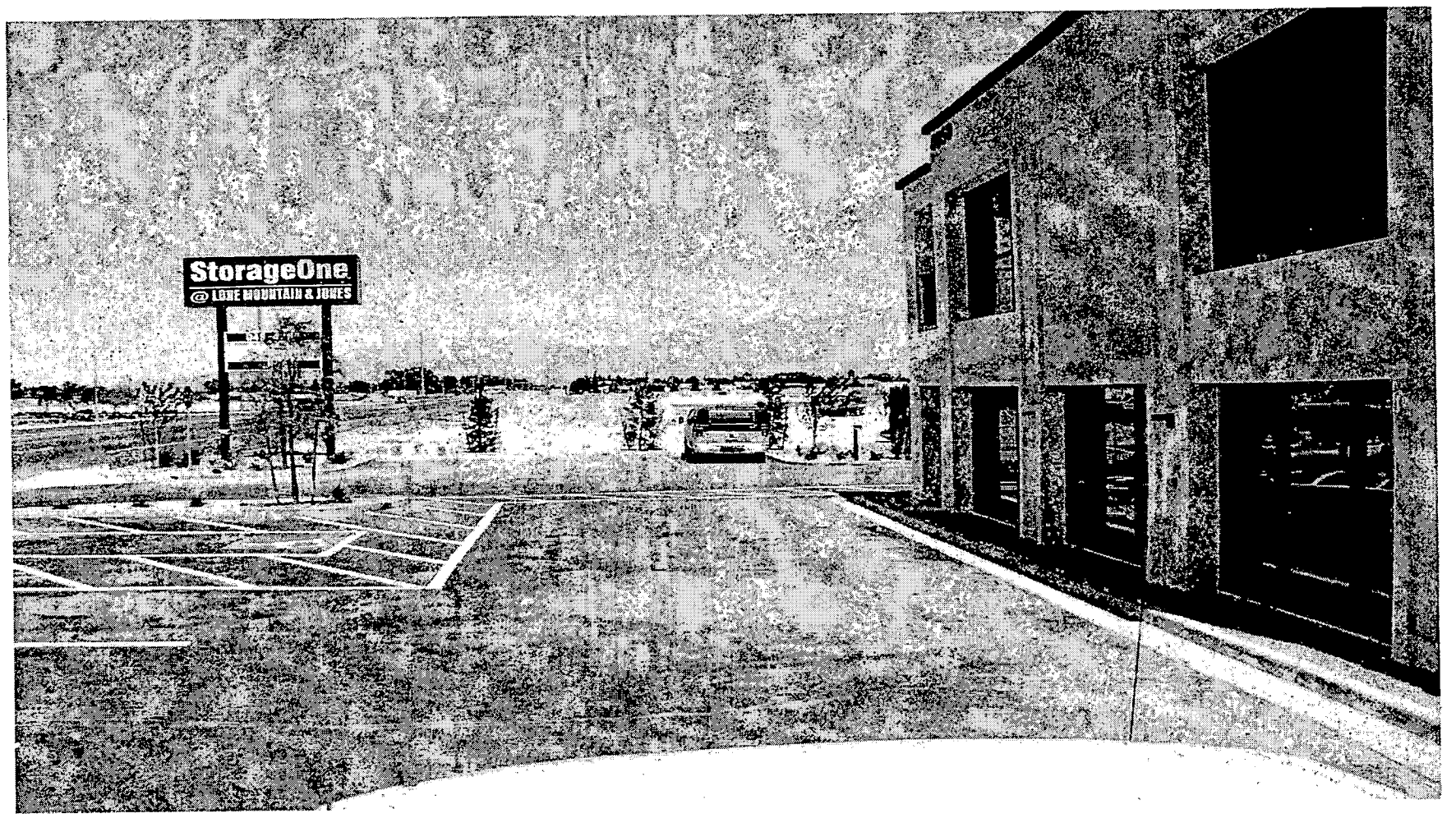
DRAWING
C-1
1 OF 1 SHTS

ZON-4288
6-24-04 PC



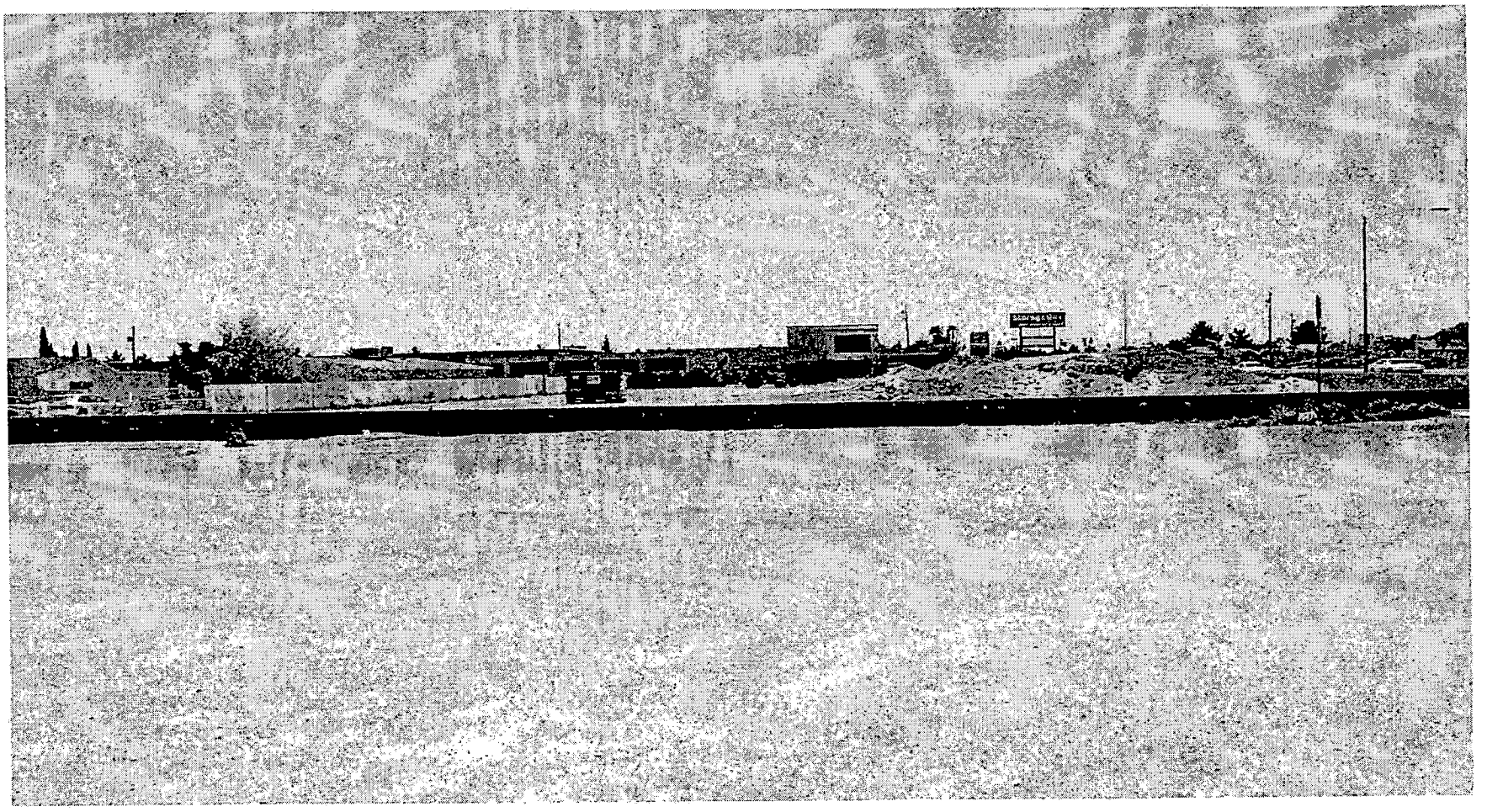
ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04



ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04



ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04

April 8, 2004

City of Las Vegas
Planning Commission & City Council
400 E. Stewart Street
Las Vegas, Nevada

Subject: Proposed Lone Mountain Mini Storage & RV Parking Project located on the Southeast corner of Jones Blvd. and Verde Way

Dear Commissioners & Council members:

We are the property owners presently residing at 6099 W. Verde Way, Las Vegas, Nevada 89130, also described as Assessor's Parcel Number 125-36-402-012. We have met with the proposed project's representative, Mr. Guy Martin. Mr. Martin has explained the need to increase the wall height to between 10 to 13 feet, reduce the setback, and waive the landscaping on the property line common to our respective properties.

We have no objection to the granting of the request for increased wall height, reduced setbacks and waiver of landscaping.

Very truly yours,

Francisco Rodriguez

Francisco Rodriguez

Irene Rodriguez
6099 W. Verde Way
Las Vegas, Nevada 89130-2166

Submitted at Planning Commission

Date 6/24/04 Item 32 + 33

dlc

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - 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).

IF APPROVED: C.C.: 07/21/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittal at the Meeting – Letter (Francisco and Irene Rodriguez) supporting the proposed project

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 32 [ZON-4288] for all related discussion.

(8:00– 8:12)

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 33 – SUP-4289

CONDITIONS:

Planning and Development

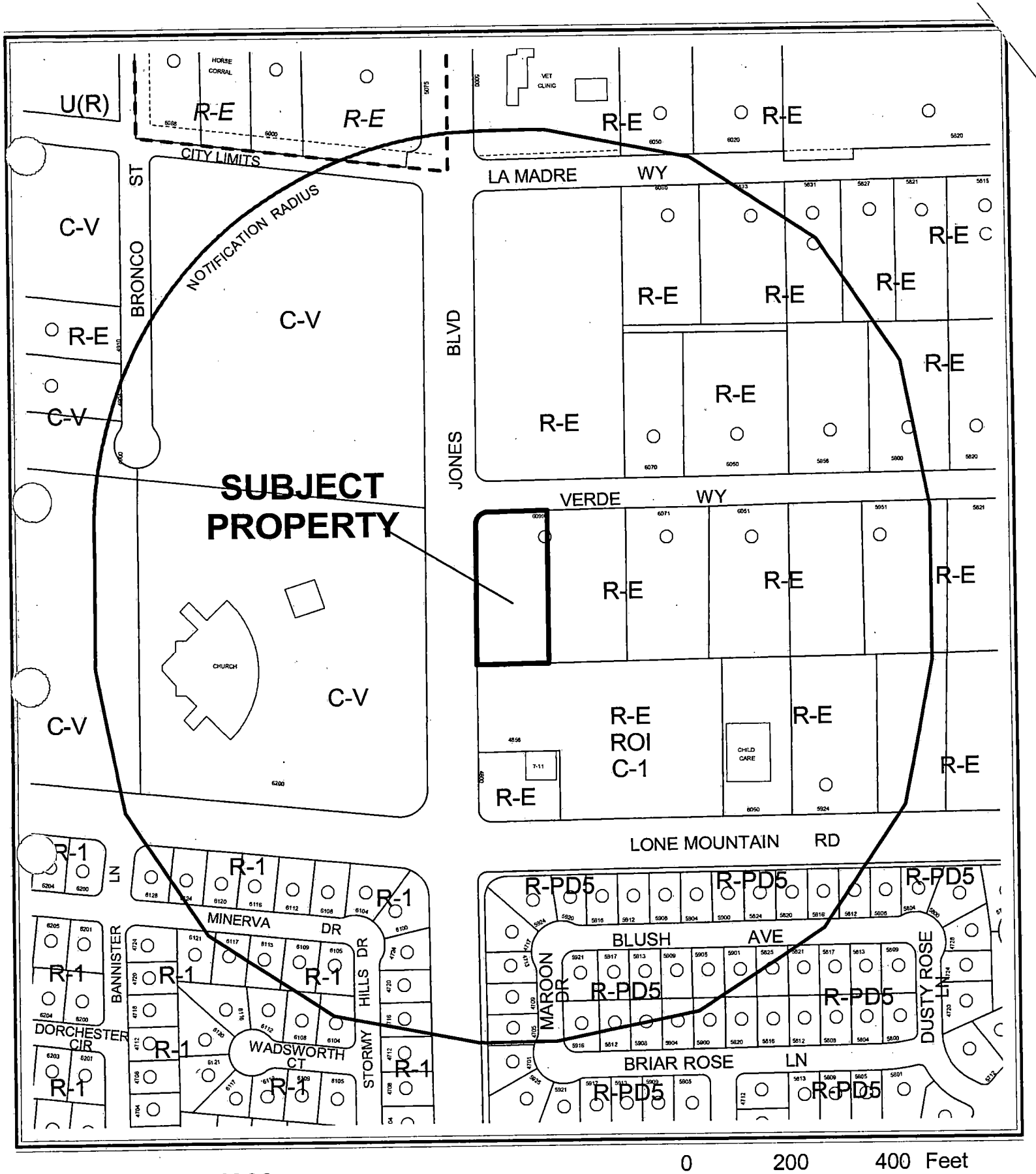
1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.

2. 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, except along the property line of any adjoining property that is zoned C-M or M.

3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

4. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4288) and Site Development Plan Review (SDR-4291).

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



CASE: **SUP-4289**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.

2. 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, except along the property line of any adjoining property that is zoned C-M or M.

3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

4. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4288) and Site Development Plan Review (SDR-4291).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Special Use Permit for Recreational Vehicle & Boat Storage on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way. The applicant is also requesting a waiver of condition #1 of the Recreational Vehicle and Boat Storage permissible use requirements. The Special Use Permit (SUP-4289) is being heard concurrently with a Rezoning (ZON-4288) and Site Development Plan Review (SDR-4291).

B) Applicant's Justification

The applicant's justification for the Special Use Permit (SUP-4289) is that in order for the proposed use to operate within the proposed C-1 (Limited Commercial) zoning district it will require a Special Use Permit. The applicant also states that to use the site most efficiently it will require the construction of the canopies and storage of the vehicles within the required setbacks. The applicant further states that there will be no boat or RV repair allowed at the facility.

BACKGROUND INFORMATION

A) Previous Actions

1964	This property was annexed into the City of Las Vegas (A-63-64).
05/24/99	The City Council approved a Rezoning to C-1 (Limited Commercial) for a mini-storage facility on the property directly to the south (Z-0010-99).
05/27/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff.
06/14/04	The applicant has not contacted staff yet to address issues with the site.

B) Pre-Application Meeting

03/25/04	During the pre-application conference all three applications (ZON-4288, SUP-4289, and SDR-4291) were discussed. Notes specifically concerning the special use permit include the overview of the conditions of approval of a recreational vehicle & boat storage facility. In addition the applicant was advised that they would have to request a waiver of condition #1 based upon the proposed site plan.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.97

B) Existing Land Use

Subject Property:	Vacant Residential Lot
North:	Vacant Residential Lot
South:	Proposed Mini-warehouse Facility
East:	Single Family Residence
West:	Church (Christian Canyon Ridge)

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	R (Rural Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	PF (Public Facility)

D) Existing Zoning

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

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan Map as part of the City of Las Vegas General Plan. The requested C-1 (Limited Commercial) zoning is in conformance with the General Plan. Recreational vehicle and Boat Storage is permitted with a Special Use Permit.

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

Rural Preservation Neighborhood:

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone, as well as the 330-foot buffer zone of an existing boulevard that is more than 99 feet wide (Jones Boulevard, a 100 Primary Arterial). The Rural Preservation Neighborhood designated parcels are approximately 150 feet to the east of the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, the Nevada Revised Statute 278 is set to terminate before this application will be heard by the City Council.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Recreation Vehicle and Boat Storage	52 RV Spaces	One space for every fifty storage spaces, spread throughout the development. In addition, a minimum of five spaces shall be provided for customers on the exterior side of the security fence.	6	1	2	0

Parking standards and deficiencies will be discussed as part of the Site Development Plan Review (SDR-4291).

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed recreational vehicle and boat storage use; however, this use will be an extension of and accessed through an approved mini-warehouse facility located to the immediate south of the property.

B) General Analysis and Discussion

- Zoning

Recreational Vehicle and Boat Storage is permitted in the C-1 (Limited Commercial) zoning district by means of a Special Use Permit. There are a number of requirements set forth in Title 19.08.050, Special Use Permits, for this type of use. The following requirements must be met for this use:

1. Storage of recreational vehicles is not permitted within required setbacks and buffer areas.

2. 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, except along the property line of any adjoining property that is zoned C-M (Commercial/Industrial) or M (Industrial).

3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

The applicant is requesting relief from Condition #1, so as to maximize the available space on the site.

- Use

The proposed Recreational Vehicle and Boat Storage is within the range of uses allowed with the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

FINDINGS

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

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

   The proposed Recreational Vehicle and Boat Storage cannot be conducted in a manner that is harmonious or compatible with the surrounding residential land uses as it has been determined that the zoning is not appropriate for the site.

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

   The subject site is not physically suitable for the type and intensity of the land use proposed as evidenced by the requested waivers to encroach into the setbacks and landscaping requirements.

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

Jones Boulevard is a 100-foot wide primary arterial roadway. The parcel consists of only one other proposed access point, which is actually an emergency fire crash gate onto Verde Way, a 60-foot right-of-way. The roadway will be of adequate capacity to accommodate the expected needs of the proposed recreational vehicle and boat storage use in conjunction with a proposed mini-warehouse facility. However, the zoning is not compatible with the surrounding area.

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

   The proposed recreational vehicle and boat storage will be inconsistent with the overall objectives of the General Plan in that it will have a negative impact on the quality of life of the surrounding rural neighborhood. Therefore, we find the proposed use to be inappropriate for the site.

NOTICES MAILED 70 [Mailed with SUP-4289 & SDR-4291]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4289 APN: 125-36-402-011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan THE 1981 Martin Family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Frank Mart

Print Name: Frank Martin

Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4289 APN: 125.36.402.011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan THE 1981 Martin Family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Dennis Nelson

Print Name: Dennis Nelson

Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004

VERDE WAY
(PUBLIC)

LONE MOUNTAIN RD.
(PUBLIC)

JONES BLVD.
(PUBLIC)

SECTION "A"
NOT TO SCALE

SITE DETAILS

RE
UNDER NOT TO C-1
LONE STORAGE
"SC" GFD

RE
SINGLE FAMILY
"SC" GFD

RE
EXISTING 7-11
CONVENIENCE STORE
"C-1" GFD

RE
VACANT
"R" GFD

C-V
VACANT
"PF" GFD

C-V
CHURCH
"PF" GFD

PROPOSED 8' HIGH SCREEN WALL
PROPOSED 12' HIGH SCREEN WALL
COVERED PARKING
EMERGENCY FIRE ACCESS CRASH GATE
PROPOSED ACCESS GATE
FAN DRIVEWAY
HALF STREET IMPROVEMENTS
PROPOSED LANDSCAPE
EXISTING FLOOD WALL 24" ABOVE SIDEWALK
APN 125-36-402-001
APN 125-36-402-002
APN 125-36-402-006

NORTH
SCALE 1"=30'
30 0 30 60
SCALE FEET

Call before you Dig.
1-800-227-2600

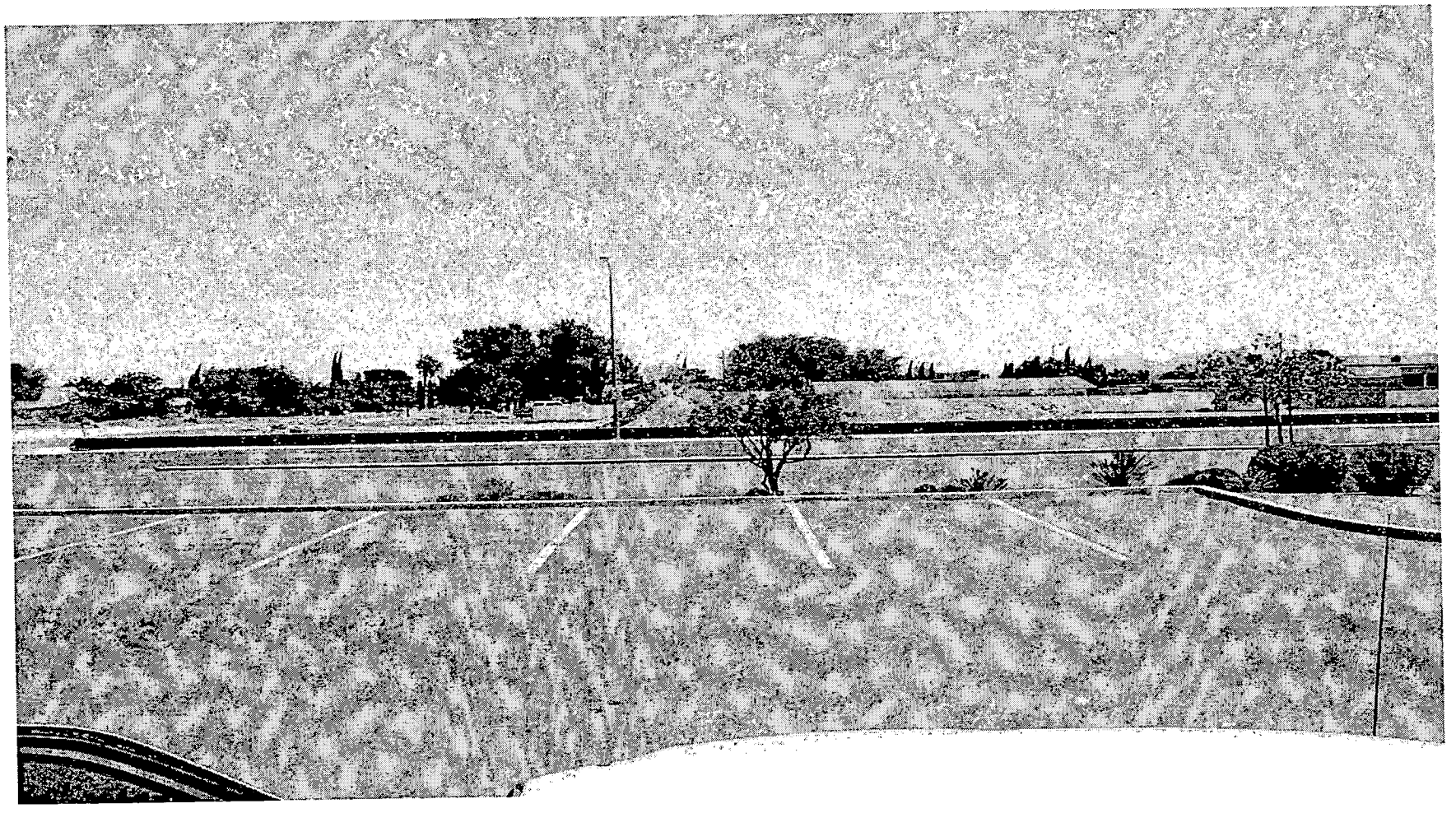
CALL BEFORE YOU DIG
1-702-593-6111

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

LONE MOUNTAIN MINI STORAGE
RV PARKING
MARTEN HARRIS CONSTRUCTION
SITE PLAN

DRAWING
C-1
1 OF 1 SHTS

SUP-4289
6-24-04 PC



SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04



SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - 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).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 32 [ZON-4288] for all related discussion
(8:00– 8:12)
2-921

CONDITIONS:
Planning and Development
1. A Rezoning (ZON-4288) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-4289) approved by the City Council.

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

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 34 – SDR-4291

CONDITIONS – Continued:

3. The landscape planter along Jones Boulevard shall consist of 24-inch box trees a minimum of 20 feet on center and the landscape planter along Verde Way shall consist of 24-inch box trees a minimum of 20 feet on center both with a minimum of four five-gallon and four one-gallon shrubs for each tree within the provided planters as required by the Commercial Design Standards.

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. 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.]

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

7. 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.

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

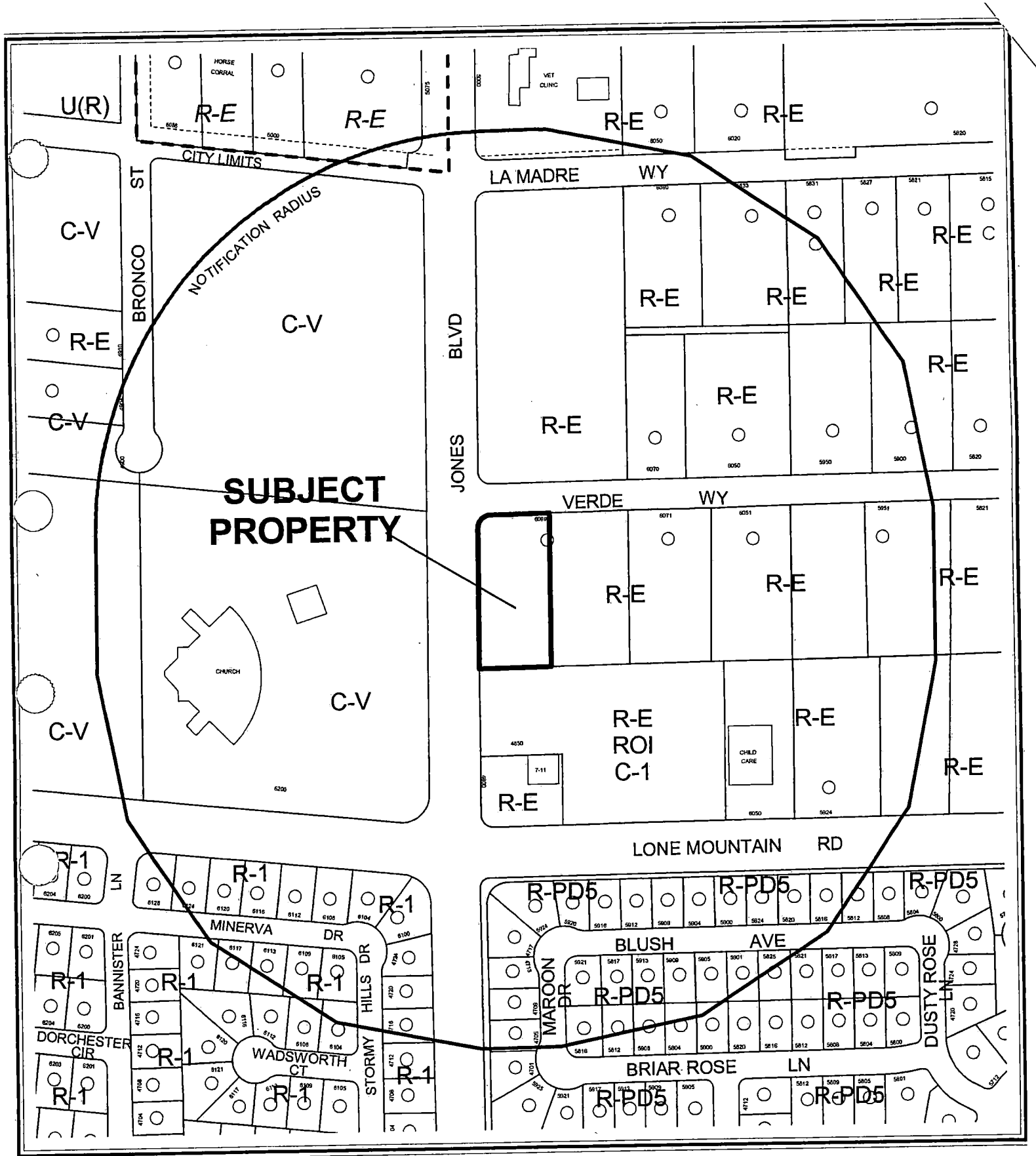
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

Public Works

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

12. Site development to comply with all applicable conditions of approval for ZON-4288 and all other subsequent site-related actions.



CASE: **SDR-4291**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-4288) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-4289) approved by the City Council.

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

3. The landscape planter along Jones Boulevard shall consist of 24-inch box trees a minimum of 20 feet on center and the landscape planter along Verde Way shall consist of 24-inch box trees a minimum of 20 feet on center both with a minimum of four five-gallon and four one-gallon shrubs for each tree within the provided planters as required by the Commercial Design Standards.

4. All development shall be in conformance with the site plan and building elevations, date stamped July 7, 2004, except as amended by conditions herein.

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

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

7. 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.

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

9. 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.

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

Public Works

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

12. Site development to comply with all applicable conditions of approval for ZON-4288 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Site Development Plan Review for a proposed 52-space Recreational Vehicle and Boat Storage facility on 0.97 acres located at the southeast corner of Jones Boulevard and Verde Way. The request includes several waivers of Title 19.08.045 Commercial District Development Standards. They are as follows:

1. Reduce landscaping to zero feet where 8' is required along the eastern property line.
2. Allow the canopies to encroach into the setback along the east property line.
3. Reduce landscaping to 10' where15' is required along Jones Boulevard.

Companion Rezoning (ZON-4288) and Special Use Permit (SUP-4289) applications were filed with this Site Development Plan review request.

B) Applicant's Justification

The applicant states that the proposed use will be an extension of the recently constructed mini-warehouse facility located to the south of the subject site. Additionally, the applicant claims the in order to promote a secure and efficient, the developer is requesting waiver of the Commercial District Development Standards. The applicant reports he has worked with and gained the support of the adjacent property owner.

BACKGROUND INFORMATION

A) Previous Actions

1964	This property was annexed into the City of Las Vegas (A-63-64).
05/24/99	The City Council approved a Rezoning to C-1 (Limited Commercial) for a mini-storage facility on the property directly to the south (Z-0010-99).
05/27/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff.
06/14/04	The applicant has not yet contacted staff.

PL

B) Pre-Application Meeting

03/25/04 During the pre-application conference all three applications (ZON-4288, SUP-4289, and SDR-4291) were discussed. Notes specifically concerning the Site Development Plan Review focused on the need for a waiver of the required landscaping buffers along Jones Boulevard and Verde Way, as well as along the eastern property line. Parking standards for the proposed use and proper details to be illustrated on the site plan were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application, but the applicant was advised to conduct one as if it were required on April 28, 2004.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.97

B) Existing Land Use

Subject Property:	Vacant Residential Lot
North:	Vacant Residential Lot
South:	Proposed Mini-warehouse Facility
East:	Single Family Residence
West:	Church (Christian Canyon Ridge)

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	R (Rural Density Residential)
South:	SC (Service Commercial)
East:	SC (Service Commercial)
West:	PF (Public Facility)

D) Existing Zoning

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

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan Map as part of the City of Las Vegas General Plan. The requested 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

Rural Preservation Neighborhood:

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone, as well as within a 330-foot buffer zone of an existing roadway that is more than 99 feet wide (Jones Boulevard, a 100 Primary Arterial). The Rural Preservation Neighborhood designated parcels are approximately 150 feet to the east of the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre, however a waiver is appropriate due to its location along Jones Boulevard.

PROJECT DESCRIPTION

The proposed project is that of a Recreational Vehicle and Boat Storage facility, which will eventually be incorporated into the existing Lone Mountain Mini Storage facility to the south. The site will consist of 52 covered storage spaces. Access to the site is from the existing driveway on Jones Boulevard, approximately 150 feet from the intersection of Jones Boulevard and Lone Mountain Road, through the Lone Mountain Mini Warehouse facility. An emergency crash gate will be located on the northern portion of the site accessing Verde Way. Two parking spaces will be provide onsite, the additional five parking spaces will be shared with the existing mini-warehouse facility to the south. An 8-foot perimeter screen wall will be constructed along the eastern property line and a 13-foot screen wall will be built along the southern, western, and northern property lines. The canopy posts will be setback 13.8 feet from the east and west block walls. The canopy overhang will end at the block wall.

A 10-foot landscape buffer is proposed along Jones Boulevard and Verde Way; a zero foot landscape buffer is proposed along the eastern property line. Trees are planted one per every 30 feet along Jones Boulevard and one per 20 feet along Verde Way. Around each tree are four 5-gallon shrubs and additional accents and shrubs. Abutting the sidewalk and the landscape buffer is a 2-foot floodwall that runs the exterior perimeter of the parcel.

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	.97 acres	Y
Min. Lot Width	100 Feet	±140 Feet	Y
Min. Setbacks			
• Front	20 Feet	±38 Feet	Y
• Side	10 Feet	13.5 Feet	Y
• Corner	15 Feet	23.5 Feet	Y
• Rear	20 Feet	±10 Feet	N
Max. Lot Coverage	50 %	48 %	Y
Max. Building Height	None	13 + Feet	N/A

The distance measurements have been taken from the supporting post for the covered RV parking structure. In doing so it has become evident that the applicant requires a waiver of the Commercial District Development Standards for the encroachment into the rear setback.

A2) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Recreation Vehicle and Boat Storage	52 RV Spaces	One space for every fifty storage spaces, spread throughout the development. In addition, a minimum of five spaces shall be provided for customers on the exterior side of the security fence.	6	1	2	0

The applicant has supplied two parking spaces located within the interior of the site therefore, meeting the first part of the parking requirement. The latter part of the requirement calls for at least 5 spaces to be made available on the exterior side of the security fence, which the applicant plans to accomplish via a joint access agreement and a shared parking agreement with the existing mini-warehouse facility to the south. A condition will be recommended requiring a joint access and shared parking agreement.

A3) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/ 6 Spaces	1 Trees	0
Buffer:	1 Trees/ 20 Linear Feet	6 Trees	10
• Min. Trees	1 Trees/ 30 Linear Feet	8 Trees	8
• Min. Zone Width			
Jones Boulevard	15 Feet		10 Feet*
Verde Way	15 Feet		15.65 Feet
East & South Borders	8 Feet		0 Feet*
• Wall height			
East & South Borders	8 Feet		8 Feet**
All other property lines	8 Feet		13 Feet**

* The applicant has requested a waiver of the Commercial District Development Standards to allow 10 feet of landscape buffer along Jones boulevard where 15 feet is required, as well as, to provide 0 feet of landscape buffer along the eastern (side) and southern (rear) property lines where 8 feet is required.

** Per condition #2 of the Recreation Vehicle and Boat Storage standard conditions the applicant is required to have proper screening of at least 8 feet in height. The eastern property line has an existing block wall separating the adjacent residential property and the subject site. The remaining walls are proposed at 13 feet in height, with the canopy of the RV ports taller than the wall.

B) General Analysis and Discussion

- Zoning

The proposed Recreational Vehicle and Boat Storage is within the range of uses allowed with the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit, however the site is located within an established rural neighborhood and would have a detrimental effect on the quality of life of the neighbors.

- Site Plan

The site plan depicts a 52 space Recreational Vehicle and Boat Storage expansion of an existing mini-warehouse facility. Access to the site will be via a shared drive approximately 150 feet north of Jones Boulevard and Lone Mountain Road. An emergency crash gate is proposed as being located on the northern portion of the site and will access Verde Way. The site plan calls out two internal parking spaces and five external parking spaces to be shared with the existing mini-warehouse facility.

Title 19.04 requires a minimum of 8 feet of screening in association with the proposed Recreational Vehicle and Boat Storage facility. The applicant is proposing a 13' screening wall on the north, west, and south portions of the site and 8 feet along the eastern property line. Therefore, satisfying the requirement, however no elevations were submitted pertaining to the height of the parking canopy, so a conclusion as to the suitability of the walls cannot be determined.

The proposed parking structures encroach into the required rear yard setbacks. The parking canopies encroaches into the south and east setback substantially. In both cases the resulting separation between the wall and the canopy overhang is 0 feet.

PL

- Waivers

1. Reduce landscaping to 0' where 8' is required along the east and south property lines.
2. Reduce landscaping to 10' where15' is required along Jones Boulevard.
3. To allow the canopies to encroach in to the required setback along the east and south property line.

None of these waivers are appropriate; landscaping should be provided in conformance to Code standards.

- Landscape Plan

The spacing of the 24-inch box perimeter trees along Jones Boulevard should be 20 feet on center and along Verde Way should be 20 feet on center as well as conform to the Landscape, Wall and Buffer Standards. The number of trees along these streets is sufficient, and the proper number has been provided. However, the applicant has provided 10 feet of landscaping buffer along Jones Boulevard where 15 feet is required, as well as, provided 0 feet of landscaping buffer along the eastern and southern property lines where 8 feet is required, Therefore, the landscaping fails to meet the minimum standards set forth by Title 19.

- Elevation

No Elevations of the proposed canopies were submitted. The colors and materials are proposed as matching that of the existing mini-warehouse facility.

- Floor Plan

No floor plans are required for this type of use.

FINDINGS

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

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

   The proposed Recreational Vehicle and Boat Storage facility is too large for the site, with an excessive number of waivers to setback and landscaping standards of the Code. This over-building of the site makes it incompatible with the development pattern of the surrounding area.

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

   The proposed Recreational Vehicle and Boat Storage will be inconsistent with the overall objectives of the General Plan in that it will have a negative impact on the quality of life of the surrounding rural neighborhood. Therefore, the proposed use is inappropriate for the site. The subject site is not physically suitable for the type and intensity of land use proposed as evidenced by the requested waivers to encroach into the setbacks and landscaping requirements.

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

   Access to the site will be accomplished via an existing drive way located on the adjacent southern parcel that leads traffic onto Jones Boulevard, a 100-foot Primary Arterial. The parcel consists of only one other proposed access point, which is actually an emergency fire crash gate onto Verde Way, a 60-foot right-of-way. The access to the site will be adequate to meet the proposed zoning district requirements.

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

   The building materials are to match an existing mini-warehouse facility to the south of the subject site. For that reason there is no objection to the building materials and colors. The proposed landscaping materials are adequate.

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;"**

   Due to the deficiency of elevations submitted with this application no clear determination can be made as to the aesthetics of the development. The subject site is not physically suitable for the type and intensity of land use proposed as evidenced by the requested waivers to encroach into the setbacks and landscaping requirements.

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

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

NOTICES MAILED 70 [Mailed with ZON-4288 & SDR-4291]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4291 APN: 125.36.402.011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan, THE 1981 Martin family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Dennis Nelson

Print Name: Dennis Nelson

Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga
Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4291 APN: 125-36-402-011

Name of Property Owner: West Edna Assoc. LTD Profit Sharing Plan The Lori Martin family Trust, Frank & Bonnie Martin, Trustees

Name of Applicant: Same as Owners

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: Frank Martin

Print Name: Frank Martin

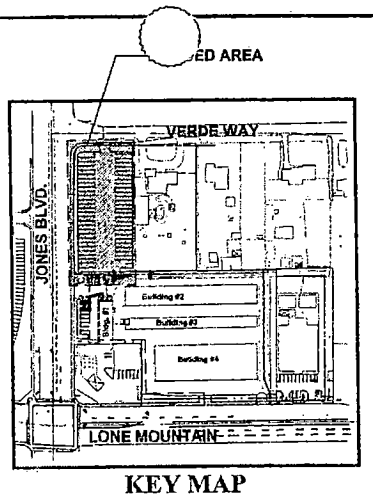
Subscribed and sworn before me

This 8 day of April, 2004

Tanya Zuniga

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
TANYA DANIELLE ZUNIGA
No. 00-62541-1
My Appointment Expires May 2, 2004



KEY MAP

Plant Legend

SYM	NAME	PLANT SIZE	QUANTITY
		24 Box	4
		24 Box	8
		5 Gallon	8
		5 Gallon	4
		1 Gallon	42
		5 Gallon	33
		1 Gallon	28

SYM	NAME	PLANT SIZE	QUANTITY
		5 Gallon	4
		5 Gallon	9

Note:
All U.S. Copyright laws apply. Copyright 2003.
RESERVES THE RIGHT TO ALTER ARRANGEMENT AND SPECIES OF PLANT MATERIAL TO FIT PLANS. SEE LANDSCAPE MAINTENANCE AND FIELD CONDITIONS

VERDE WAY (PUBLIC)

JONES BLVD. (PUBLIC)

LIMIT OF WORK

SCOPE OF ADDITION

MATCHLINE; SEE SHEET 1

BLDG #2

DATE

DATE

ITEM	DATE	REVISIONS REMARKS
A.	3/13/03	Plan set for approval
B.	5/15/03	Comments made per client request
C.	5/19/03	Please change pool set to Desert
D.	6/13/04	ADD'D LANDSCAPE TO MAIN PARCEL OF SITE ALONG CORNER OF JONES & VERDE PER CLIENT REQUEST

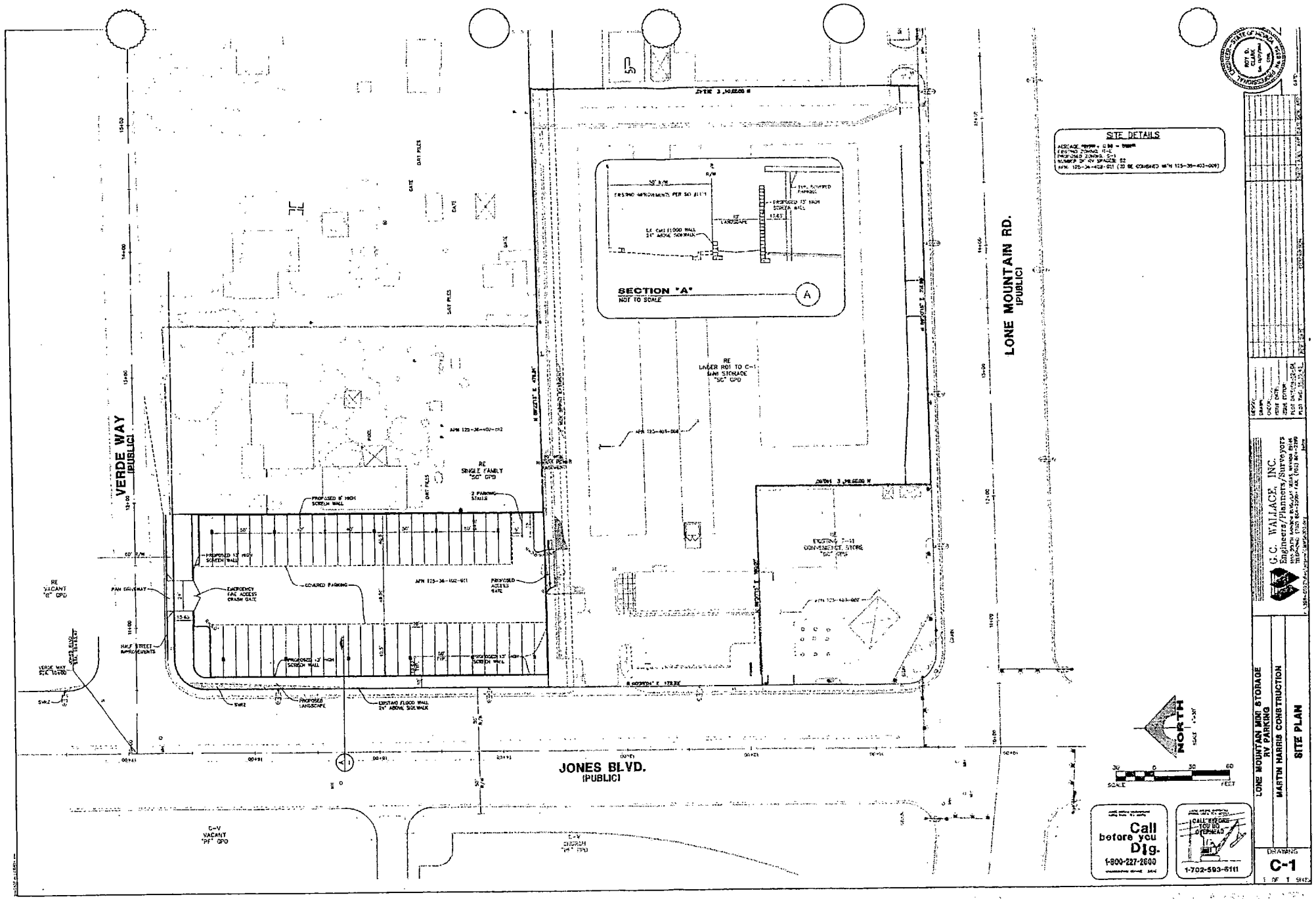
LANDSCAPE SERVICES, INC.
35 W. Mayflower Ave. (702) 456-6477
N. Las Vegas, Nevada 89030 NCL#34432

Lone Mountain Mini Storage-RV Parking
Lone Mountain and Jones

Landscape Plan

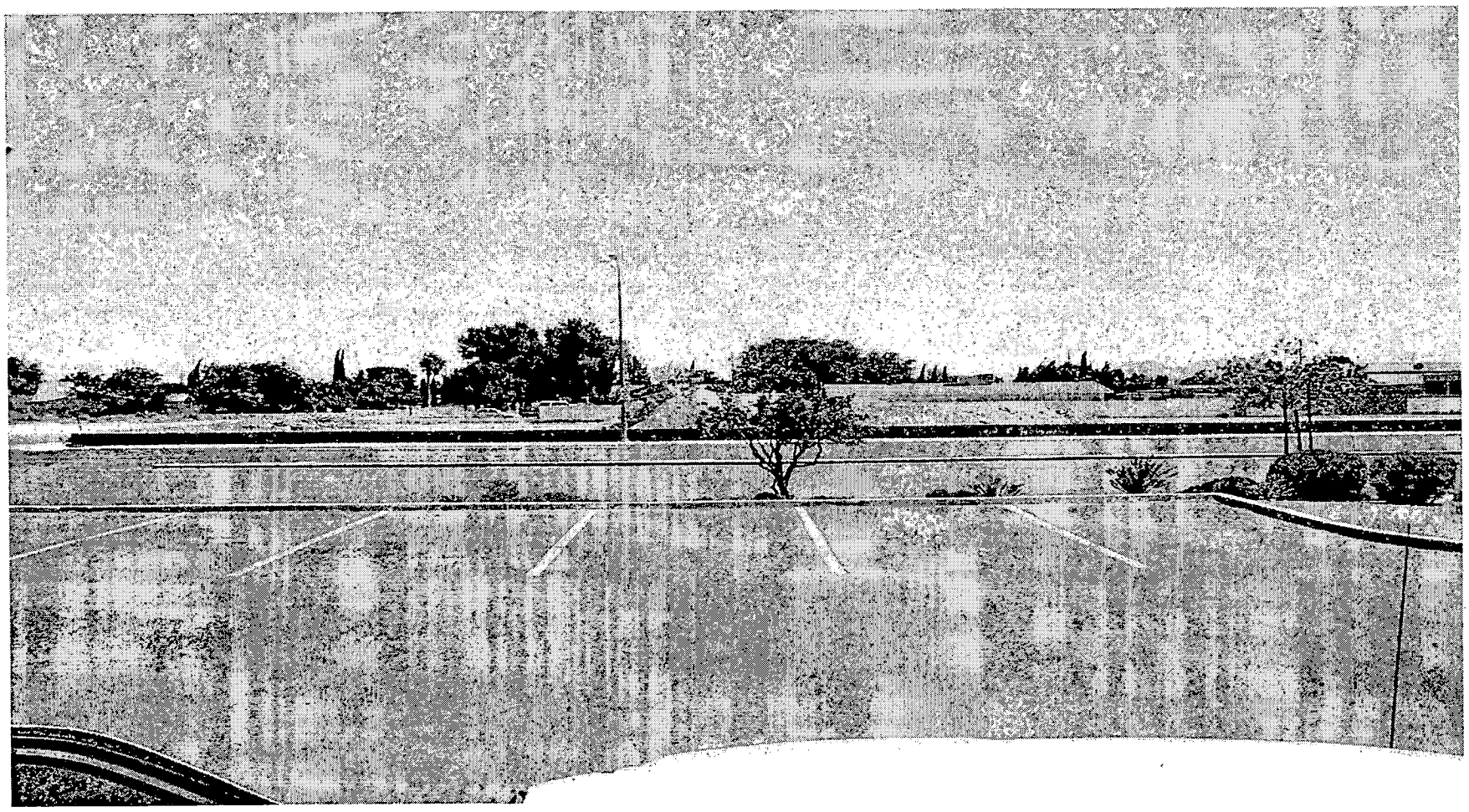
SCALE: 1" = 20'-0"
APPROVED BY:
DRAWN BY: SMC
DRAWING #: 4988
SHEET #: 2 of 2
DATE: 6/13/03
REV: D

SDR-4291
6-24-04 PC



SDR-4291

6-24-04 PC



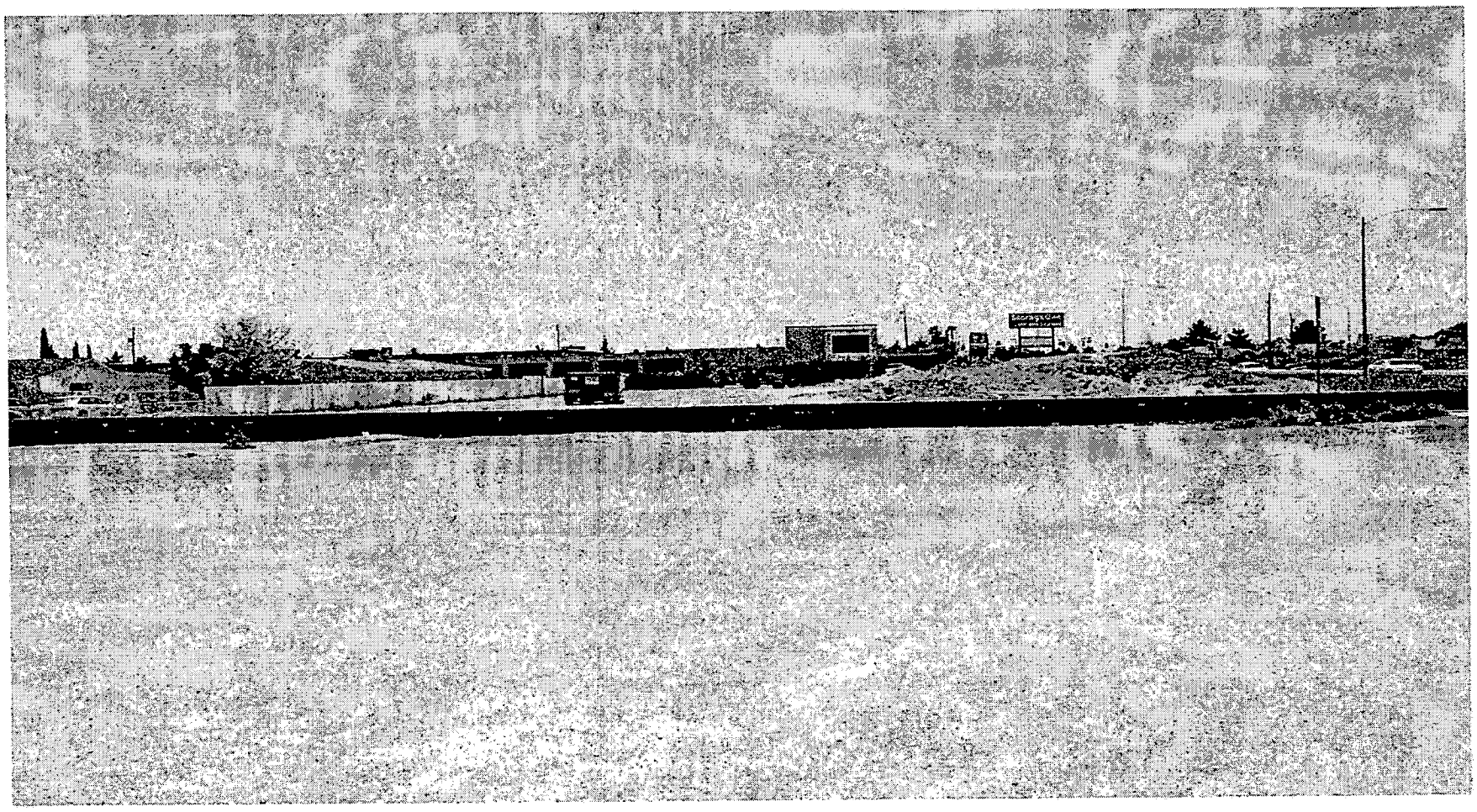
SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04



SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04



SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST
SOUTHEAST CORNER OF JONES BOULEVARD AND VERDE WAY
JUNE 24, 2004 PLANNING COMMISSION

4/30/04

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - 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), Ward 6 (Mack).

C.C.: 07/21/04

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 July 8, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

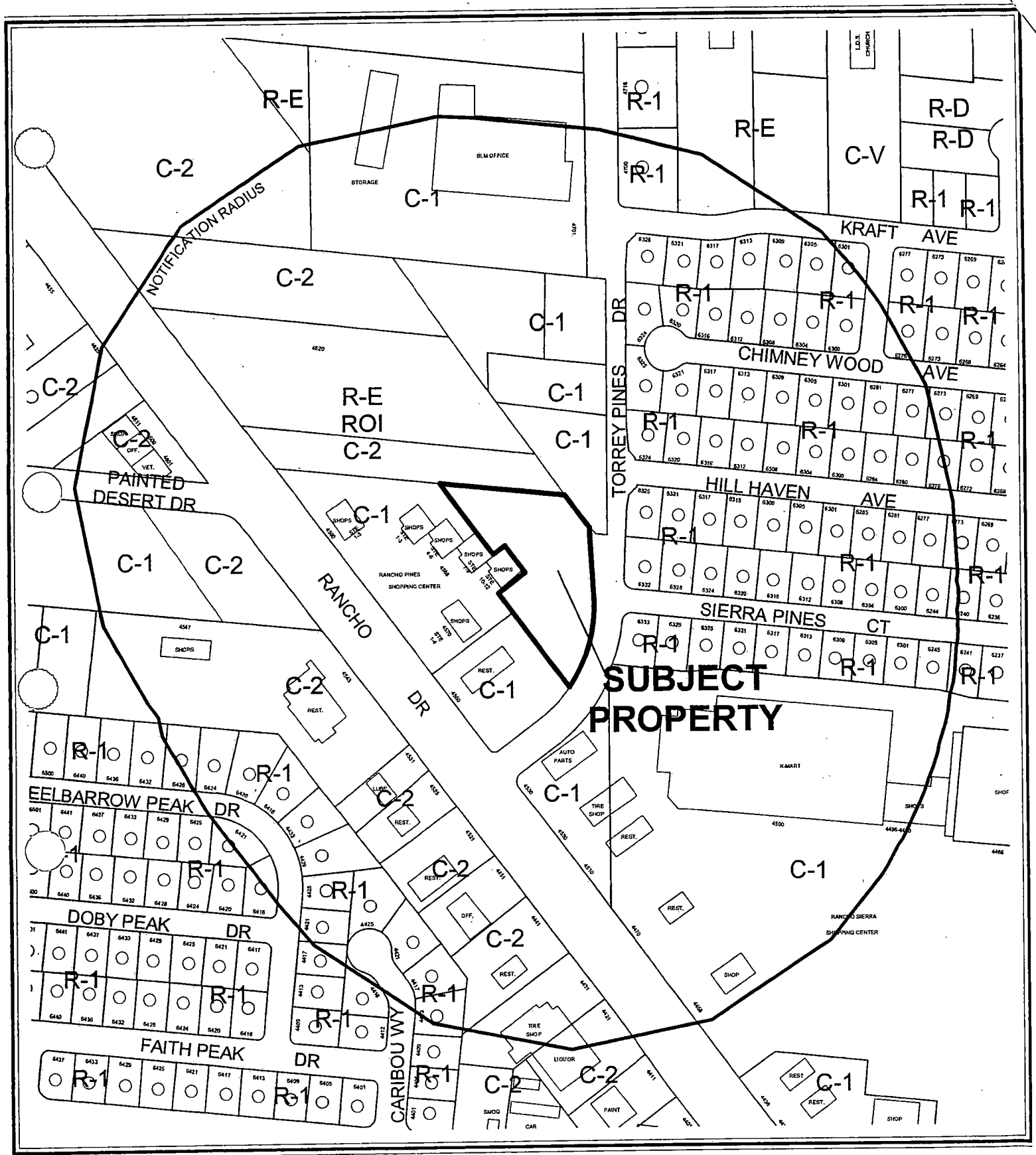
MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)

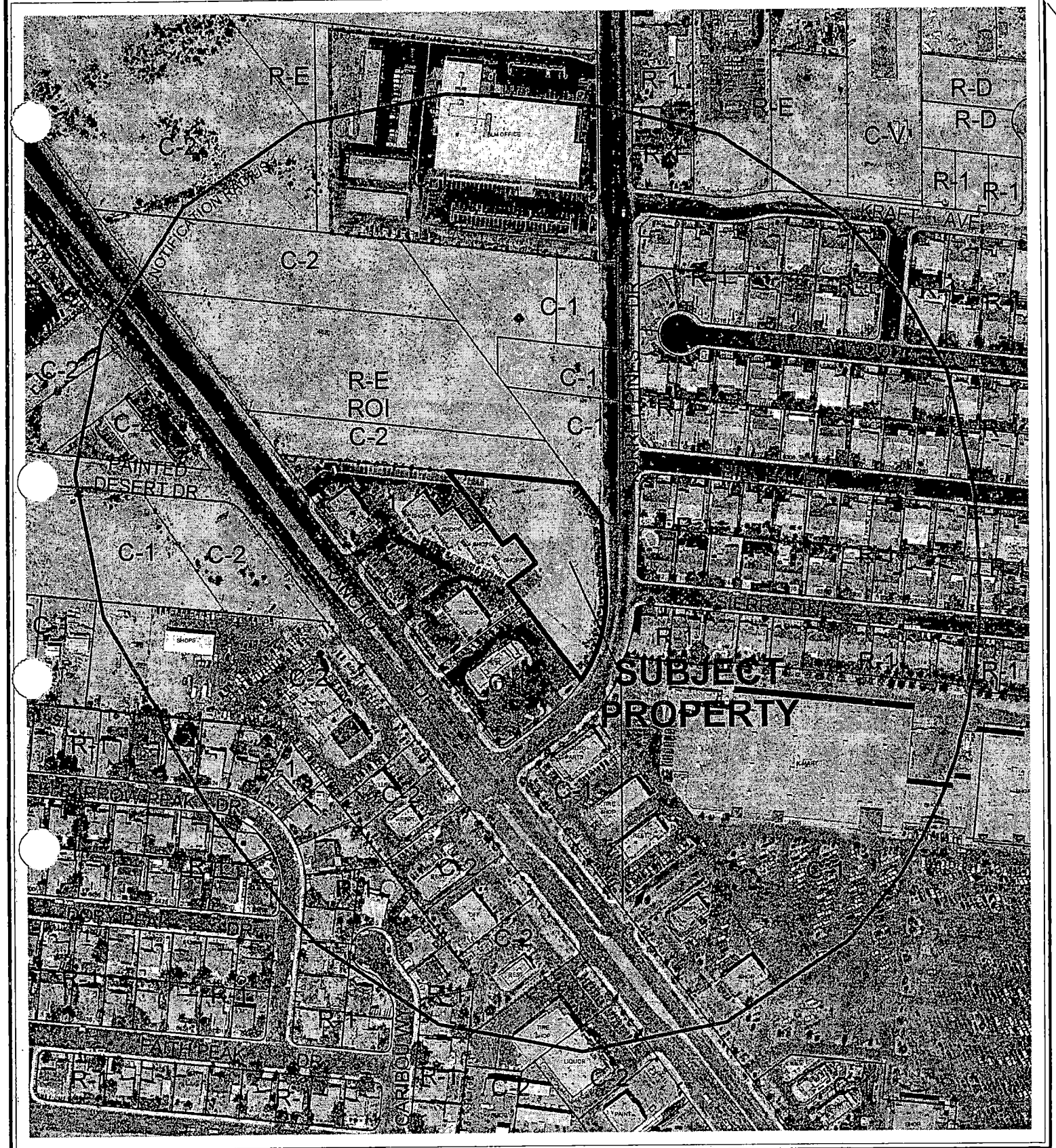


CASE: **SDR-4182**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



0 200 400 Feet

N

CASE: **SDR-4182**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II

ON JUNE 21, 2004 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JULY 8, 2004 PLANNING COMMISSION MEETING

pacific concepts

Commercial Real Estate • Development • Civil Engineering • Property Management

VIA FACSIMILE
(702) 385.7268

June 21, 2004

Flinn Fagg
CLV Development Services Center
731 South 4th Street
Las Vegas, NV 89101

Dear Flinn:

Re: RANCHO PINES OFFICE PARK
Site development plan review (APN: 138-02-214-003)

Please put the referenced application on hold until the next scheduled meeting date, July 8, 2004.

Please do not hesitate to contact me at (702) 363-9266 if you have any further questions or concerns.

Sincerely,
PACIFIC CONCEPTS

Jaimee Yoshizawa

10120 S. Eastern Ave, Suite 245 • Henderson, NV 89052 • 702.363.9266 • FAX 702.492.1215

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4182 APN: 138-02-214-003

Name of Property Owner: KANCIC PINES II

Name of Applicant: TESA PARTNERS I

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: _____, MANAGING MEMBER of General partner of Owner

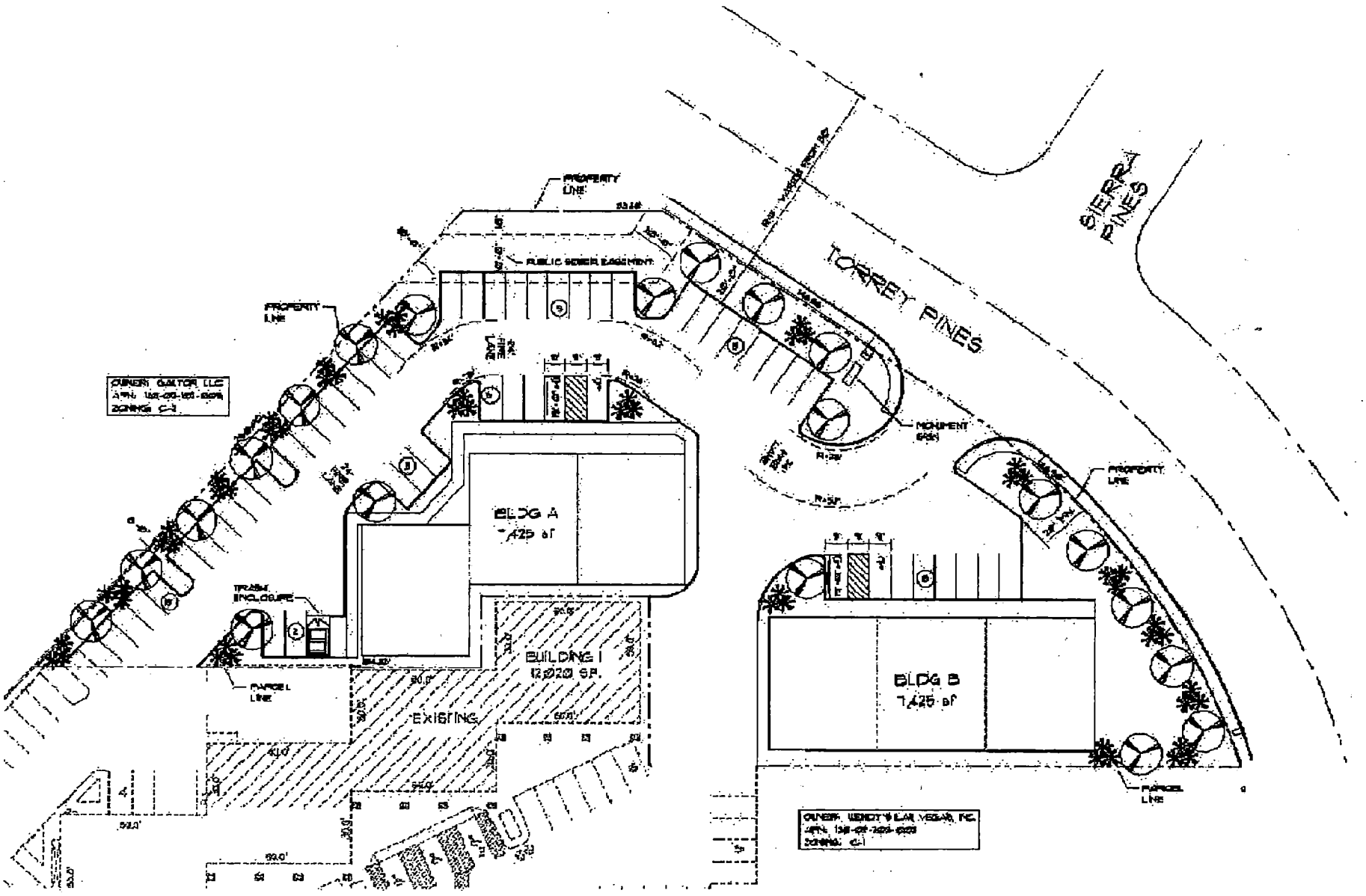
Subscribed and sworn before me

This 2nd day of March, 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KAREN L. JACKSON
No: 01-72151-1
My Appointment Expires Dec. 7, 2005

17029758065 From: Jaimee Yoshizawa
2004-06-13 07:57:34 (GMT)
To: Flinn Fagg Page 2 of 3



REVISED 6.16.04

SDR-4182
6-24-04 PC

PROPOSED DEVELOPMENT		EXISTING DEVELOPMENT	
BLDG A	4000 S.F.	BLDG 1	12020 S.F.
BLDG B	4000 S.F.	BLDG 2	3,355 S.F.
BLDG C	4000 S.F.	BLDG 3	4000 S.F.
BLDG D	4000 S.F.		
TOTAL FLR. AREA	16000 S.F.	TOTAL FLR. AREA	19,375 S.F.
7,429 S.F. OFFICE (1/300 S.F.)	25 SPACES	9365 S.F. RETAIL (1/175 S.F.)	54 SPACES
2000 S.F. MEDICAL (1/200 S.F. 1ST 2000 S.F.)	10 SPACES	8010 S.F. OFFICE (1/300 S.F.)	27 SPACES
5,425 S.F. MEDICAL (1/175 S.F.)	31 SPACES	2000 S.F. MEDICAL (1/200 S.F.)	10 SPACES
TOTAL PARKING REQ'D	66 SPACES	TOTAL PARKING REQ'D	91 SPACES

TOTAL PARKING REQUIRED (EXISITNG + PROPOSED)	157 SPACES
TOTAL PARKING PROVIDED (EXISITNG + PROPOSED)	181 SPACES
TOTAL HANDICAP PARKING REQUIRED (EXISITNG + PROPOSED)	6 SPACES
TOTAL HANDICAP PARKING PROVIDED (EXISITNG + PROPOSED)	11 SPACES

REVISED 6.16.04

SDR-4182
6-24-04 PC



BLDG A & B - WEST ELEVATION
BLDG C & D - NORTH ELEVATION



BLDG A & B - NORTH ELEVATION
BLDG C & D - WEST ELEVATION



BLDG A & B - EAST ELEVATION
BLDG C & D - SOUTH ELEVATION



BLDG A & B - SOUTH ELEVATION
BLDG C & D - EAST ELEVATION

ELEVATIONS

DEVELOPMENT • PROPERTY MANAGEMENT
CIVIL ENGINEERING COMMERCIAL REAL ESTATE
18128 S. Eastern Ave. • Suite 245 • Henderson • Nevada 89052
Phone: (702) 363-9266 • Fax: (702) 492-1218

Rancho Pines Office Park
(APN: 138-02-214-003)

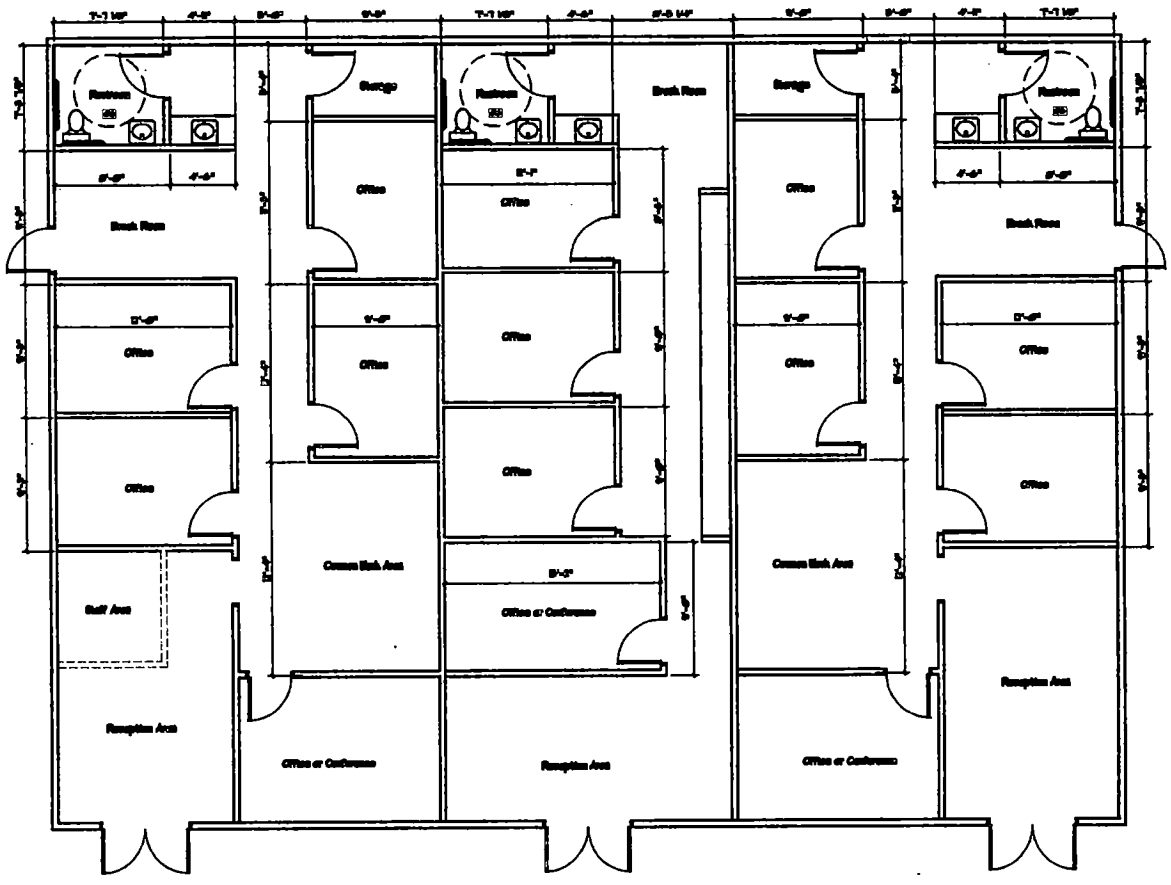
ELEVATIONS

city of las vegas nevada

Job No. 20200DV
DESIGNED BY JV
DRAWN BY JV
CHECKED BY JD
DATE 3/29/04

Sheet
A3

6-24-04 PC
SDR-4182



BLDGS A, B, C & D - FLOOR PLAN (TYP.)

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

Item	No.	Revised

pacific
DEVELOPMENT & PROPERTY MANAGEMENT
commercial
CIVIL ENGINEERING • COMMERCIAL REAL ESTATE
10120 S. Eastern Ave. • Suite 245 • Henderson • Nevada • 89052
Phone: (702) 363-9266 • Fax: (702) 492-1218

Rancho Pines Office Park
(APN: 138-02-214-003)

FLOOR PLAN

city of las vegas nevada

PROJECT	2020DV
DESIGNED	JV
DRAWN	JV
CHECKED	JD
DATE	3/29/04

Sheet A4

6-24-04 PC
SDR-4182

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
REZONING - PUBLIC HEARING - ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT – 3 UNITS PER ACRE) on 8.79 acres adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN: 125-24-201-002), Ward 6 (Mack).

C.C.: 07/21/04

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

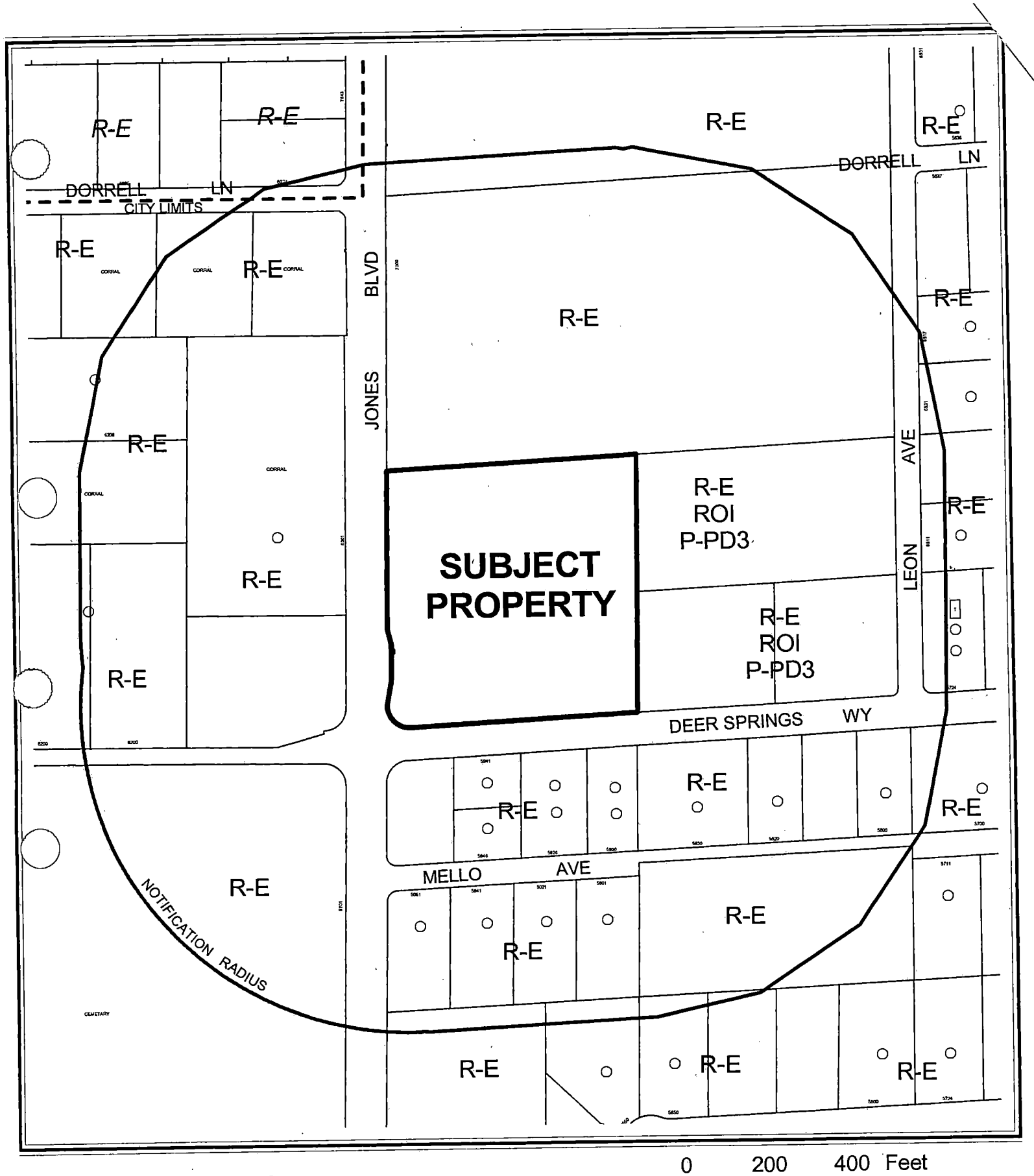
RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after Final Agenda – Abeyance request letter from Attorney Paul E. Larsen

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)



CASE: **ZON-4452**

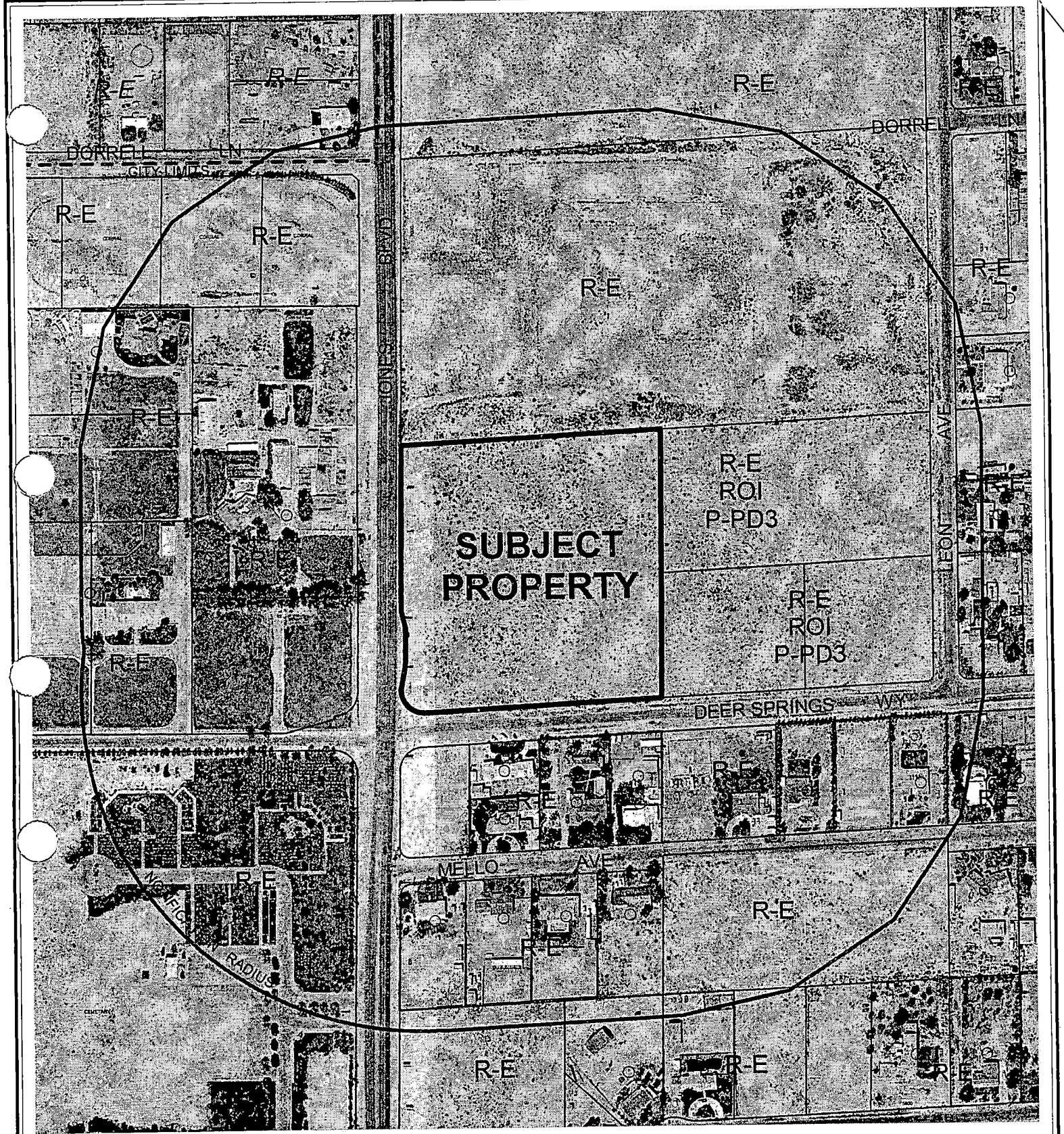
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



0 200 400 Feet

CASE: **ZON-4452**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application (SDR-4455) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. The site plan shall be revised and approved by the Planning and Development Department; prior to the time application is made for a tentative map to reflect a minimum lot size of 11,000 square feet.

Public Works

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Deer Springs Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. If not already constructed, extend public sewer from Bradley Road to this site to a location and depth acceptable to the City Engineer. 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.

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

City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 8.79 acres located adjacent to the northeast corner of Deer Springs Way and Jones Boulevard.

B) Applicant's Justification

The proposed subdivision will be as a site for upscale homes with CC&Rs established to promote harmony with existing developments in the area and to be aesthetically pleasing.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous zoning actions for this parcel.

B) Pre-Application Meeting

4/20/04 Elements of a complete rezoning application were discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.0
Net Acres: 8.79

KW

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates) under Resolution of Intent to R-PD3 Residential Planned Development - 3 Units Per Acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

KW

ANALYSIS

A) Zoning Code Compliance

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. Development standards are established through the consideration of the Site Development Plan Review (SDR-4455), a related item.

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
8.79 acres	3.2	1.65	5.28 %	20,037.6 SF	7.5%	28,749.6 SF

The proposed development meets the amount of open space required for a R-PD (Residential Planned Development) zoning district.

B) General Analysis and Discussion

This rezoning application is consistent with the proposed R (Rural Density Residential) General Plan designation for the site. The proposed development will result in the construction of 28 lots on 8.79 acres, for a density of 3.2 dwelling units per acre. A 37-foot wide, private street will be provided. Open space, in the form of a centrally located park is provided in accordance with R-PD (Residential Planned Development) requirements. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the south and west of the subject site are rural, equestrian estates developed at a density of approximately one-acre in size. The land to the north is zoned for 20,000 minimum square foot development lots.

FINDINGS

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

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

   The proposed rezoning to R-PD3 (Residential Planned Development – 3 Units Per Acre) is consistent with the existing R (Rural Density Residential) General Plan designation.

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

   The proposed development shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the lot sizes of the proposed development is not compatible with the rural atmosphere of the surrounding area where the lots are developed in excess of 20,000 square feet. Lots to the south and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request, with lots as small as 8,942 square feet, would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

   The rapid growth of the Centennial Hills area has not extended into this neighborhood, as only one rezoning exists in the area roughly bounded by Elkhorn Road to the north, the 215 beltway to the south, Maverick Street to the west and Bradley Road to the east.

   While a few large tracts of land remain undeveloped, the majority of the land within the area contains one-acre home sites, thus creating a rural environment. This fact minimizes the potential for future large-scale, single-family development in the area, as the acquisition of land becomes more difficult. A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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

   The subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 36 [Mailed with SDR-4455]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4452 APN: _____

Name of Property Owner: KEVIN GOLSHAN

Name of Applicant: GARETT LLC

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: KEVIN GOLSHAN

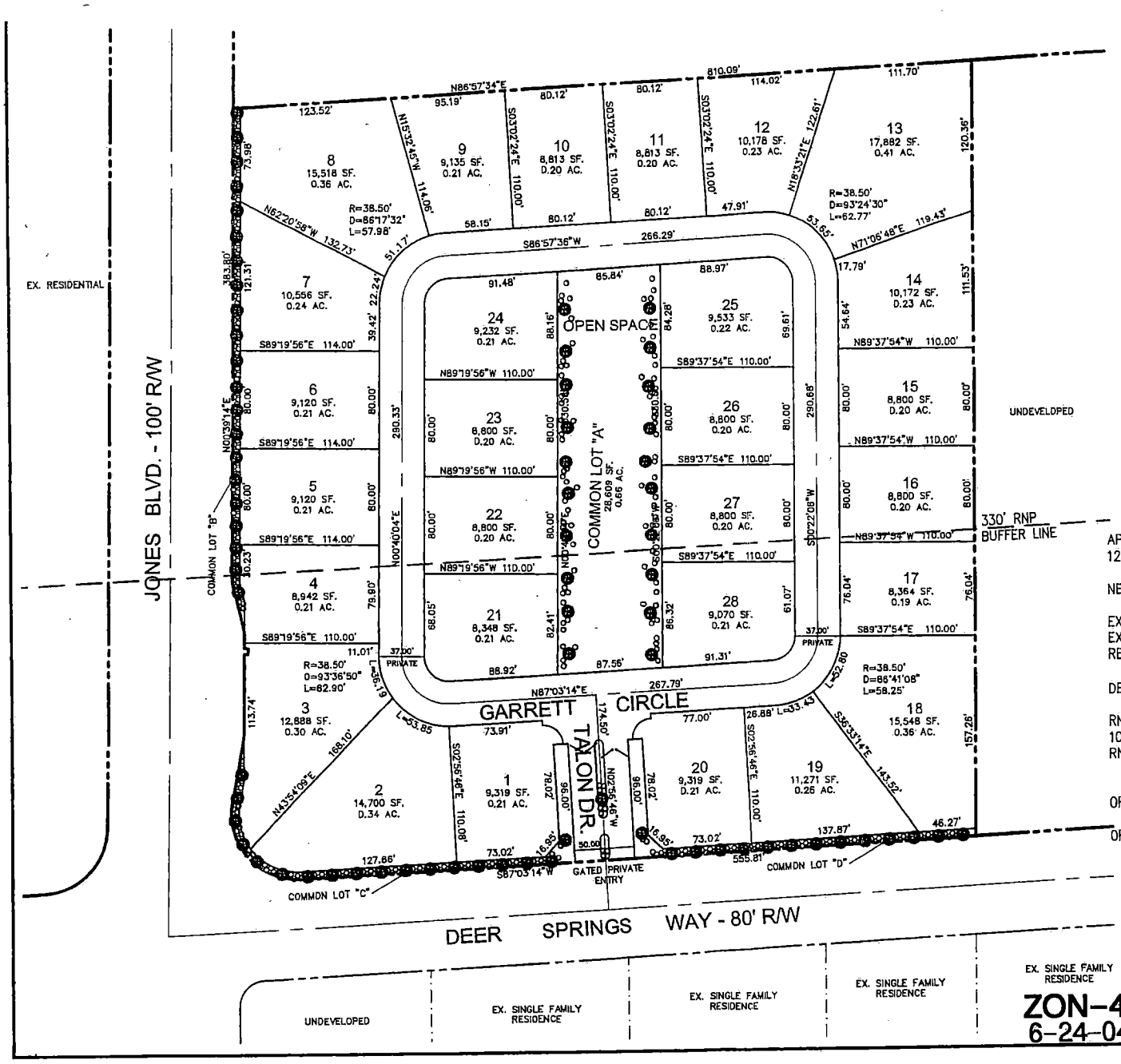
Subscribed and sworn before me

This 7 day of May, 2004

_____

Notary Public in and for said County and State

PIROUZ M. ADELI
Commission # 1476432
Notary Public - California
Los Angeles County
My Comm. Expires Mar 14, 2008



APN:
125-24-201-002

NET ACREAGE: 8.79 AC

EXISTING LAND USE: R
EXISTING ZONING: R-E
REQUESTED ZONING: RPD-3

DENSITY: 3.2 UNITS/ACRE NET

RNP BUFFER ZONE: 3.5 ACRES
10 LOTS IN BUFFER ZONE
RNP BUFFER ZONE DENSITY: 2.9

OPEN SPACE REQ. = 3.2*1.65=5.28%
.0528*8.79 AC = .46 AC
OPEN SPACE GIVEN = .66 AC

LEGEND

TREE - 24" BOX (20' O.C.)
ULMUS PARVIFOLIA (TRUE GREEN ELM)

5 GALLON SHRUB
LEUCOPHYLLUM LANGMANAIE
(LYNN'S LEGACY)

DEVELOPER
BRAMBLE HOMES
2590 LINDELL ROAD
LAS VEGAS, NV. 89146
PHONE PHONE (702) 362-8606
FAX: FAX (702) 362-8612

DESIGNED: K.P.A.
CHECKED:
SCALE: HOR. 1"=80' VER. N/A
DATED: 6/10/04
FILE No.:

LANDSCAPE PLAN
JONES AND DEER SPRINGS NEC
GARRETT SPRINGS BY BRAMBLE HOMES
CLARK COUNTY NEVADA

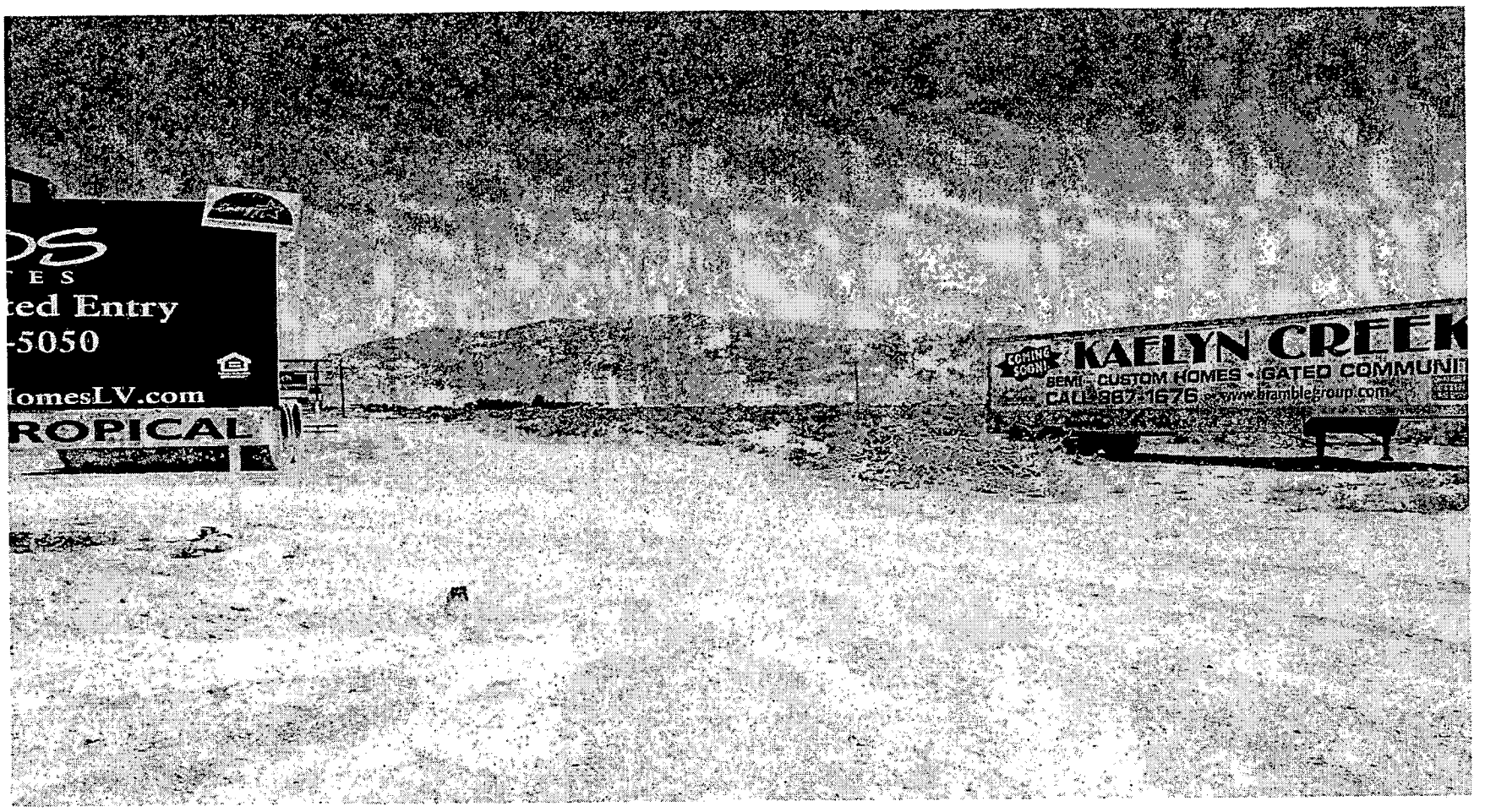
REV. DATE DESCRIPTION BY APP'D

SHEET C1
1 OF 1 SHEETS



ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888

FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
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JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
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MARK A. SOLOMON
RODNEY M. JEAN
HARVEY WHITTEMORE
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ANTHONY N. CABOT
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
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HOWARD E. COLE
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SHAWN M. ELICEGUI
HECTOR J. CARBAJAL II
EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. McKEAN
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. DWIGGINS
ELIZABETH R. BRENNAN
MEGAN BARKER BOWEN
DOREEN SPEARS HARTWELL
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SARAH E. HARMON
CRISTINA L. JOHNSON
MICHAEL D. KNOX
ROSA SOLIS-RAINEY
ROBERT EDELMAN
ERIC C. BOUGHMAN
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE R. KRAMCK*
BRENT HEBERLEE

*ADMITTED IN CALIFORNIA ONLY

OF COUNSEL
BRIAN McKAY
ELLEN WHITTEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

June 23, 2004

WRITER'S DIRECT DIAL NUMBER:

(702) 383-8819

RECEIVED
CITY CLERK
2004 JUN 24 P 2:16

Via U.S. Mail and Facsimile
Kyle Walton, Senior Planner
Planning & Development Department
Current Planning Division
500 Grand Central Parkway
Las Vegas, Nevada 89101

Re: ZON-4452 and SDR-4455
(Las Vegas Planning Commission 6/24 Agenda)

Dear Mr. Walton:

On behalf of my client, the applicant in the above referenced applications, I respectfully request that the applications be held four weeks, until the Las Vegas Planning Commission's July 22nd meeting. I respectfully request this hold to allow me time to review the application and staff's recommendations, as I was retained on this matter only very recently, in order to facilitate possible solutions to the various issues raised in the draft staff report. Although my initial hold request was for two weeks, we now request a four week hold at the request and suggestion of the Current Planning Division.

Please call me if you have any questions.

Very truly yours,

Paul E. Larsen

PEL:kap
cc: Jo Ronemus, City Clerk
Patrick Ward

Submitted after final agenda
Date 06-24-04 Item 36/37

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OF COUNSEL
BRIAN McKAY
ELLEN WHITTEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

June 23, 2004

WRITER'S DIRECT DIAL NUMBER:

(702) 383-8819

RECEIVED
CITY CLERK
2004 JUN 23 P 4:2

Via U.S. Mail and Facsimile
Kyle Walton, Senior Planner
Planning & Development Department
Current Planning Division
500 Grand Central Parkway
Las Vegas, Nevada 89101

Re: ZON-4452
(Las Vegas Planning Commission 6/24 Agenda)

Dear Mr. Walton:

On behalf of my client, the applicant in the above referenced application, I respectfully request that the application be held two weeks, until the Las Vegas Planning Commission's July 8th meeting. I respectfully request this hold to allow me time to review the application and staff's recommendations, as I was retained on this matter only very recently, in order to facilitate possible solutions to the various issues raised in the draft staff report.

Please call me if you have any questions.

Very truly yours,

Paul E. Larsen

Submitted after final agenda

Date 06-23-04 Item 36

PEL:kap
cc: Jo Ronemus, City Clerk
Patrick Ward

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4452 - PUBLIC HEARING – SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN - Request for a Site Development Plan Review FOR A 29 LOT SINGLE FAMILY DEVELOPMENT on 8.79 acres located adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN: 125-24-201-002), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack).

C.C.: 07/21/04

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

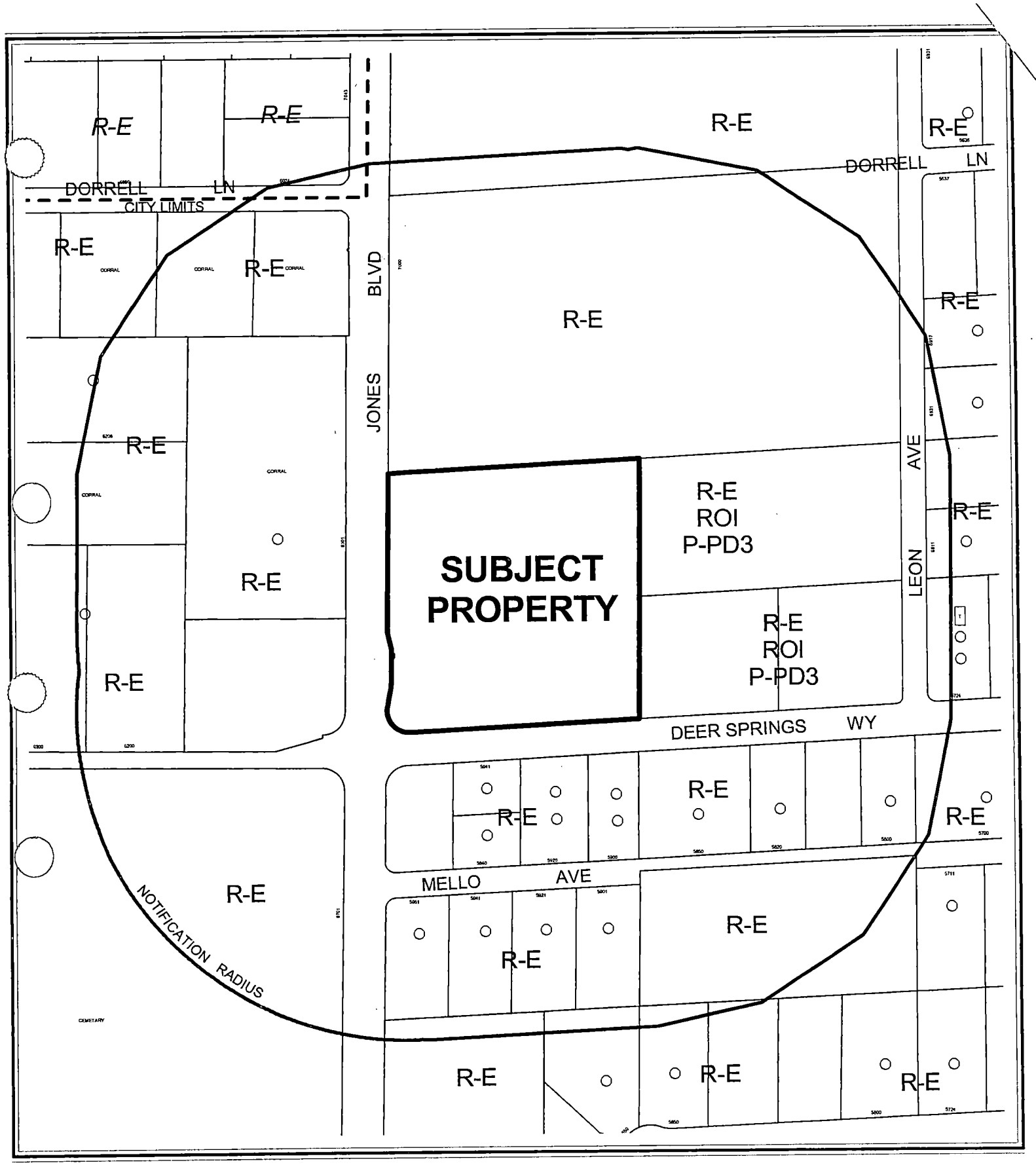
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)



0 200 400 Feet

CASE: **SDR-4455**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4452 - PUBLIC HEARING – SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN

** 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 Rezoning (ZON-4452) to a R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning District approved by the City Council.

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

4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of 11,000 square feet.

5. All development shall be in conformance with the site plan and building elevations, date stamped 7/21/04, except as amended by conditions herein.

6. Building height shall not exceed two stories or 35 feet, whichever is less.

7. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear for interior lots, 20 feet in the rear for lots adjacent to Deer Springs Way and Leon Avenue.

8. The landscape plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within a six foot planter along Jones Boulevard and Deer Springs Way.

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 Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. No perimeter or retaining wall shall exceed a height of eight feet without step backs in accordance with the Code.

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

Public Works

13. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

14. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

15. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

16. 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.

17. 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).

18. Site development to comply with all applicable conditions of approval for ZON-4452 and all other site-related actions.

19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

20. 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 public 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 approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a 28 lot single-family subdivision on 8.79 acres located adjacent to the northeast corner of Deer Springs Way and Jones Boulevard.

B) Applicant's Justification

The proposed subdivision will be as a site for upscale homes with CC&Rs established to promote harmony with existing developments in the area and to be aesthetically pleasing.

BACKGROUND INFORMATION

A) Previous Actions

02/24/04 The Planning Commission will hear a related item ZON-4452 as a part of this agenda.

B) Pre-Application Meeting

4/20/04 Elements of a complete site development plan review application were discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.00
Net Acres: 8.79

B) Existing Land Use

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

KW

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates) ROI R-PD3 (Residential Planned Development - 3 Units Per Acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

PROJECT DESCRIPTION

A total of 28 lots will be developed on the subject site. The lots will be on a 37-foot wide private street with access to Deer Springs Way. Lots range in size from 8,800 square feet to 17,882 square feet. The proposed density of 3.2 units per acre is in conformance with the R (Rural Density Residential) General Plan designation and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district.

Six-foot wide landscape planters are not depicted adjacent to all rights-of-way as required by Title 19.12. A condition has been added to address the issue.

KW

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	8,800 Sq Feet	Y
Min. Lot Width	N/A	76.04 Feet	Y
Min. Setbacks			
• Front	N/A	18 Feet	Y
• Side	N/A	5 Feet	Y
• Corner	N/A	10 Feet	Y
• Rear	N/A	15 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y
Trash Enclosure		N/A	N/A
Loading Zone		N/A	N/A
Mech. Equipment		Screened	Not Shown
Other …			

The proposal meets the requirements of development standards of Title 19.

A2) Residential Adjacency Standards

The proposal meets the Residential Adjacency Standards of Title 19.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
SFD	Varies.	2 Spaces per Residence	2 Spaces per Residence	N/A	2 Spaces per Residence	N/A

The proposal meets the Parking Standards of Title 19.

KW

B) General Analysis and Discussion

- Zoning

The existing General Plan designation of the subject site is R (Rural Density Residential). The proposed rezoning to R-PD3 (Residential Planned Development - 3 Units per Acre) is consistent with the current General Plan designation.

The proposed lot sizes are also allowed in the R-PD (Residential Planned Development) zoning district. However, the lot sizes are not compatible with the existing half acre development to the south and the planned development area to the north of this development site.

- Site Plan

The proposed development will result in the construction of 28 lots on 8.79 acres, for a density of 3.2 dwelling units per acre. The lots will be on 37-foot wide, private streets. Lot sizes range in size from 8,800 square feet to 17,882 square feet.

The most of the proposed lot sizes are not compatible with the existing half-acre development to the south and the planned development to the north.

Open space, in the form of a centrally located park, is provided in accordance with R-PD (Residential Planned Development) requirements. Landscape planters adjacent to Deer Springs Way and Jones Boulevard are shown but not labeled. A condition has been added to address the issue.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

The landscape plan depicts perimeter landscape buffers adjacent to right-of-way and a centrally located park. The proposed plant materials are consistent with the area. A condition has been included to require a revised landscape plan that depicts the 6-foot perimeter landscaped planter, along Deer Springs Way and Jones Boulevard, as the submitted plan does not indicate the size of the planter.

- Elevation

The applicant has indicated that custom homes will be built upon the lots. The homes will be subject to the development standards set forth by this site development plan review. The Planning and Development Department will review all building permits to ensure the custom homes incorporate building materials appropriate for the area.

The submitted plans show the typical one and two story single-family designs that are common in the area.

- Floor Plan

The submitted plans show the typical one and two story single-family designs that are common in the area.

FINDINGS

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

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

   The proposed development shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the lot sizes of the proposed development is not compatible with the rural atmosphere of the surrounding area where the lots are developed in excess of 20,000 square feet. Lots to the south and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request, with lots as small as 8,942 square feet, would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

   The proposed subdivision is not consistent with city policy that requires developments to be compatible with current and planned development. The typical lot size planned is not compatible with the existing development to the south and planned development to the north.

A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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

The subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

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

Landscape materials are appropriate for the area. Building materials were not reviewed, as the proposed development will offer a custom product. The Planning and Development Department will evaluate every building permit to ensure the materials are appropriate for the area and the City.

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

Design characteristics inherent with this type of single-family product are not harmonious and compatible with the existing rural environment of the surrounding neighborhood. The immediate area is developed with large home sites that utilize the existing street network. The proposed design rotates the dwellings to face interior, private streets. Existing development to the west and south and planned to the north do not incorporate private streets.

The lot size proposed in the subdivision is significantly smaller than what is in the typical development in the immediate area.

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

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

KW

NOTICES MAILED 36 [Mailed with ZON-4452]

APPROVALS 0

PROTESTS 0

KW

Circulation and Traffic Issues

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 public 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 approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.

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	N/A	N/A	N/A
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	32 Trees	1 Tree / 20 Linear Feet 53 Trees
• Planter Width • Wall height	6 Feet 6 Feet		Not Shown Not Shown

The proposal does not meet the requirements for a 6-foot perimeter landscape planter. A condition has been added to require a revised landscaping plan to show the width of the landscape planter.

- R-PD ONLY

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
8.79 acres	3.2	1.65	5.28 %	20,037.6 SF	7.5%	28,749.6 SF

The proposed development meets the amount of open space required for a R-PD (Residential Planned Development) zoning district.

KW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4455 APN: _____

X Name of Property Owner: KEVIN GOLSHAN

Name of Applicant: GARETT LLC

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

X Signature of Property Owner/Authorized Agent: _____

X Print Name: KEVIN GOLSHAN

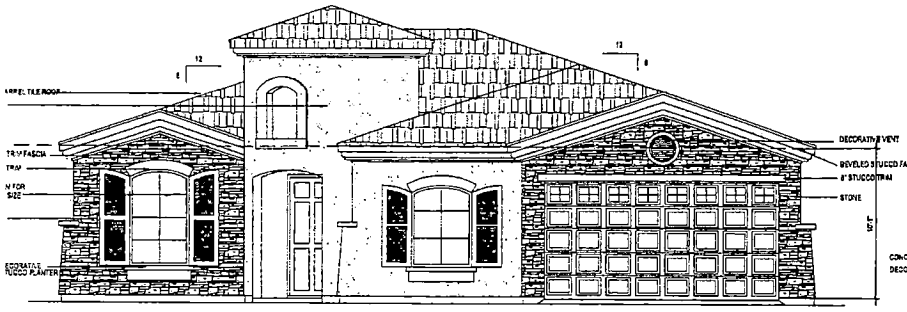
Subscribed and sworn before me

This 7 day of May, 2004

_____

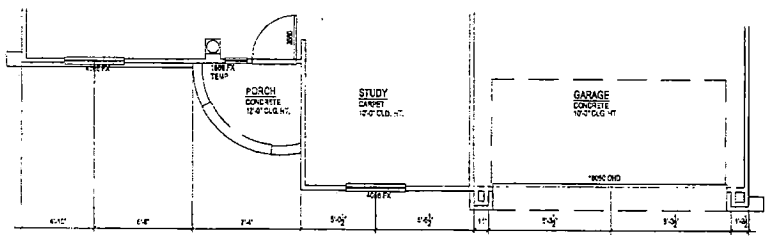
Notary Public in and for said County and State

PIROUZ M. ADELI
Commission # 1476432
Notary Public - California
Los Angeles County
My Comm. Expires Mar 14, 2006



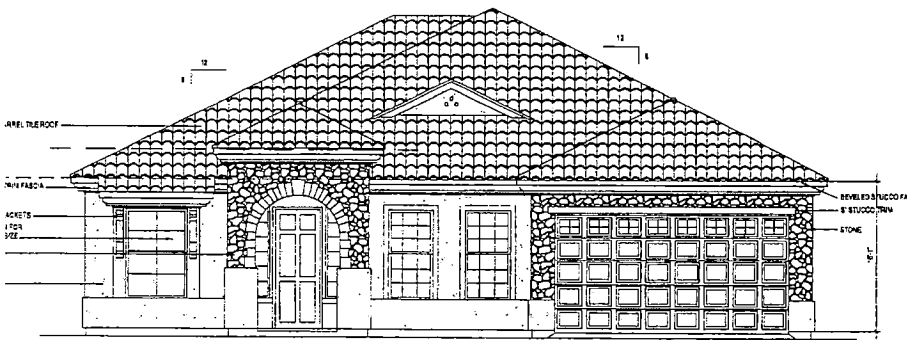
OPT. FRONT ELEVATION B

SCALE 1/4" = 1'-0"



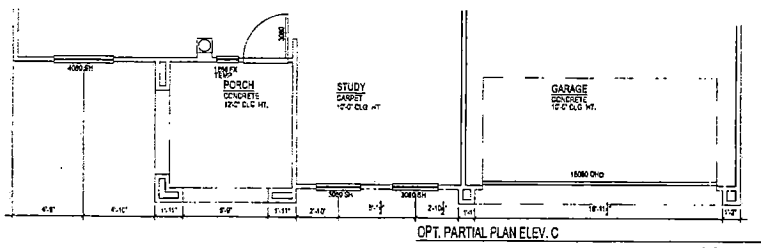
OPT. PARTIAL PLAN ELEV. B

SCALE 1/4" = 1'-0"



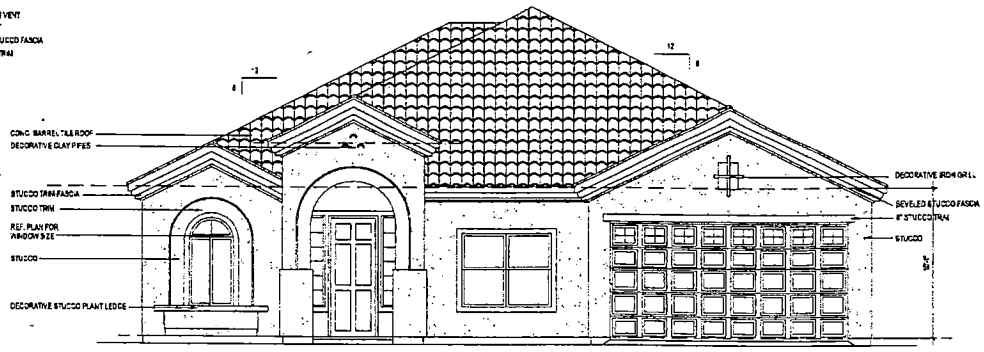
OPT. FRONT ELEVATION C

SCALE 1/4" = 1'-0"



OPT. PARTIAL PLAN ELEV. C

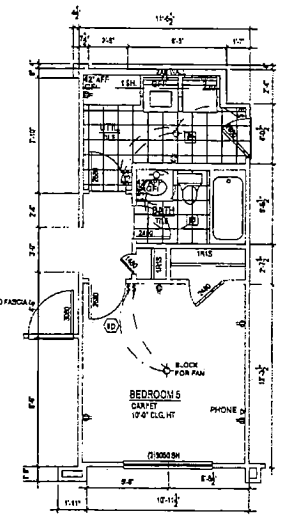
SCALE 1/4" = 1'-0"



OPT. FRONT ELEVATION A

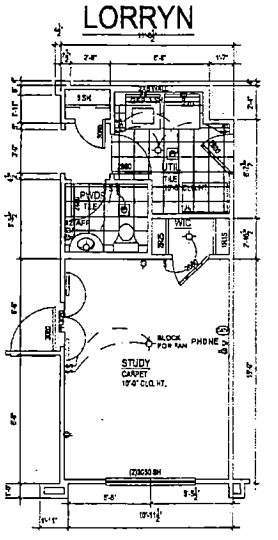
SCALE 1/4" = 1'-0"

LORRYN



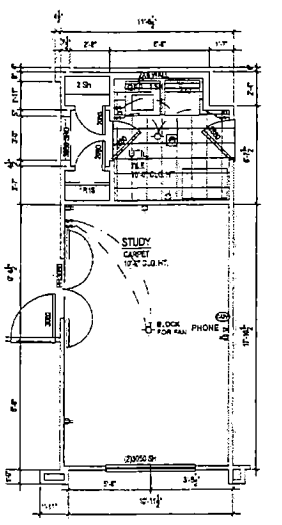
OPT. BEDROOM 5

SCALE 1/8" = 1'-0"



OPT. STUDY W/ PWDR

SCALE 1/4" = 1'-0"



OPT. STUDY

SCALE 1/4" = 1'-0"

SQUARE FOOTAGE	
A/C W/ OPT. STUDY/BEDRM	2484
GARAGE W/ OPT. STUDY/BEDRM	454
PORCH	47
PATIO	209
TOTAL UNDER ROOF	3227

6-24-04 PC SDR-4455

LORRYN PLAN

Drawn By: YLH
Checked By:
Date Plotted: 04/19/04
Date: 9-12-03

Issue for Pricing/ Bidding
Issue for Permit Application
Issue for Construction

Revisions:

#	DATE	COMMENTS

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LAS VEGAS, NEVADA

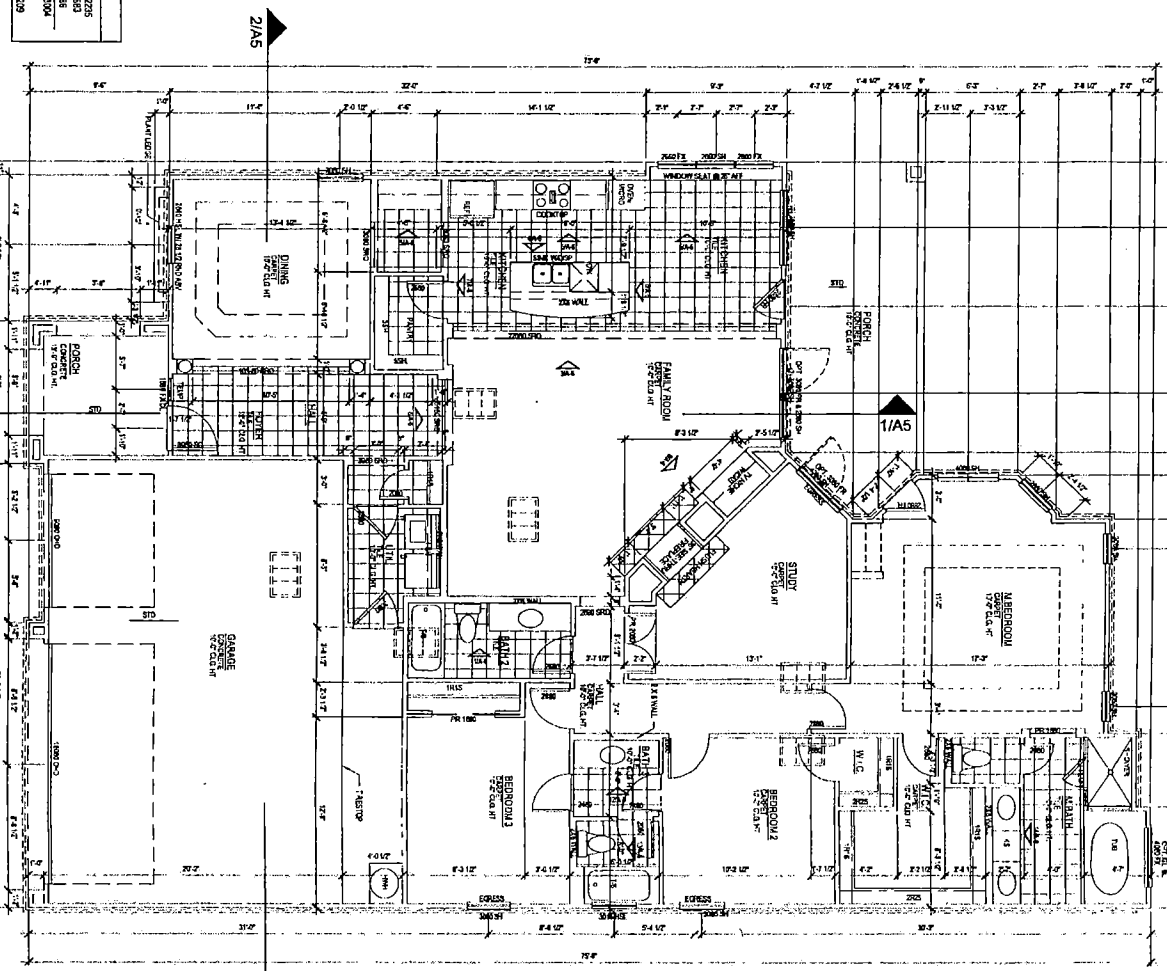
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ARCHITECT
5330 ALPHA ROAD · DAL
(972) 701 9636 · (972
DALLAS · LAS VEGAS
CHARLOTTE · LOS

SHEET CONTENTS:
STUDY OPTION

SHEET NO.
A-1.1

03146

SQUARE FOOTAGE	
AC	2235
GARAGE	683
PORCH	86
TOTAL UNDER ROOF	3004
PATIO	239



SDR-4455
6-24-04 PC

LORRYN PLAN

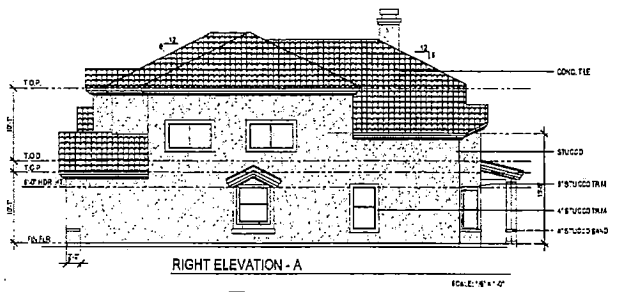
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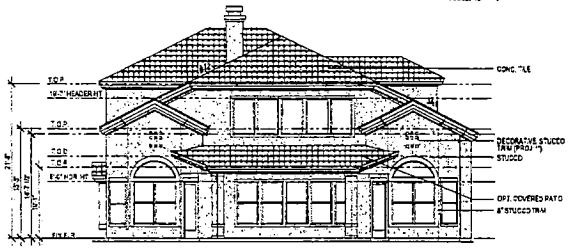
SHEET CONTENTS: FLOOR PLAN
SHEET NO. A-1
03146

#	DATE	COMMENTS
		Issue for Permit Application
		Issue for Permit Revisions
		Issue for Construction

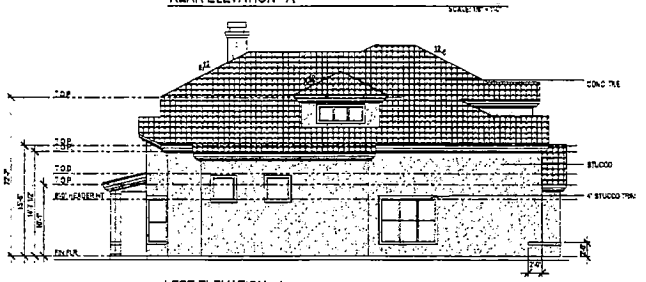
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Checked By: RHOSA
Date Printed: 5/18/04
Date: 5/18/04



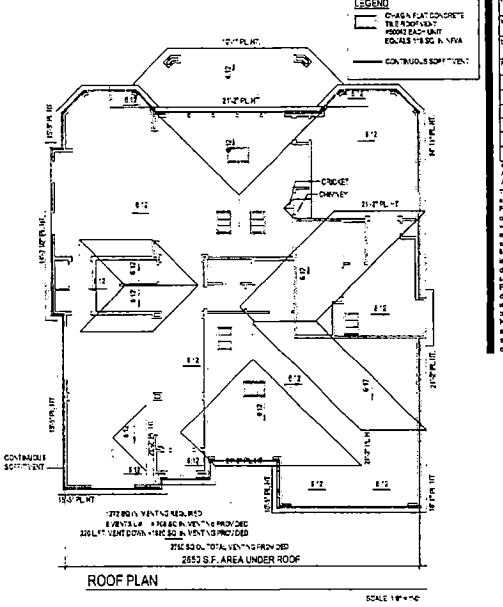
RIGHT ELEVATION - A



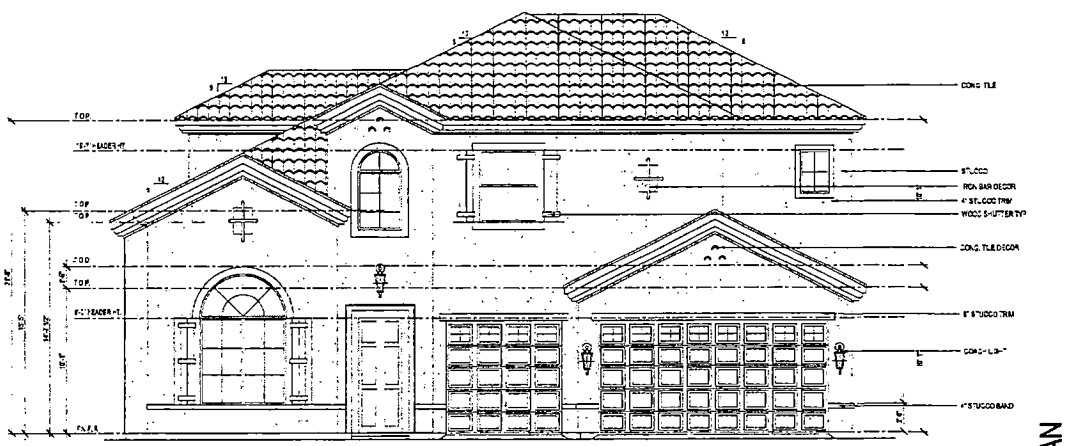
REAR ELEVATION - A



LEFT ELEVATION - A



ROOF PLAN



FRONT ELEVATION A

SDR-4455
6-24-04 PC

Drawn By: SG
Checked By:
Date Plotted: 06/18/04
Date: 5/25/04

Issue for Pricing / Bidding
Issue for Permit Application
Issue for Construction
Revisions

#	DATE	COMMENTS

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LAS VEGAS, NEVADA

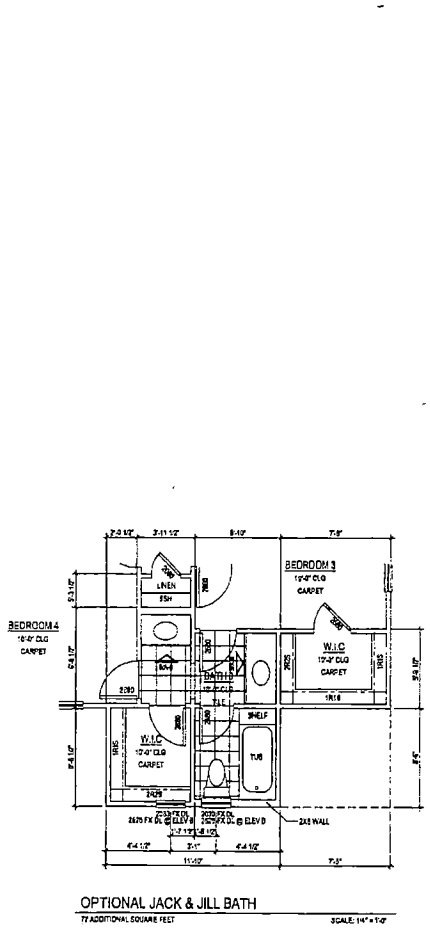
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MORGYN PLAN

SHEET CONTENTS:
ELEVATION A

SHEET NO
A-2

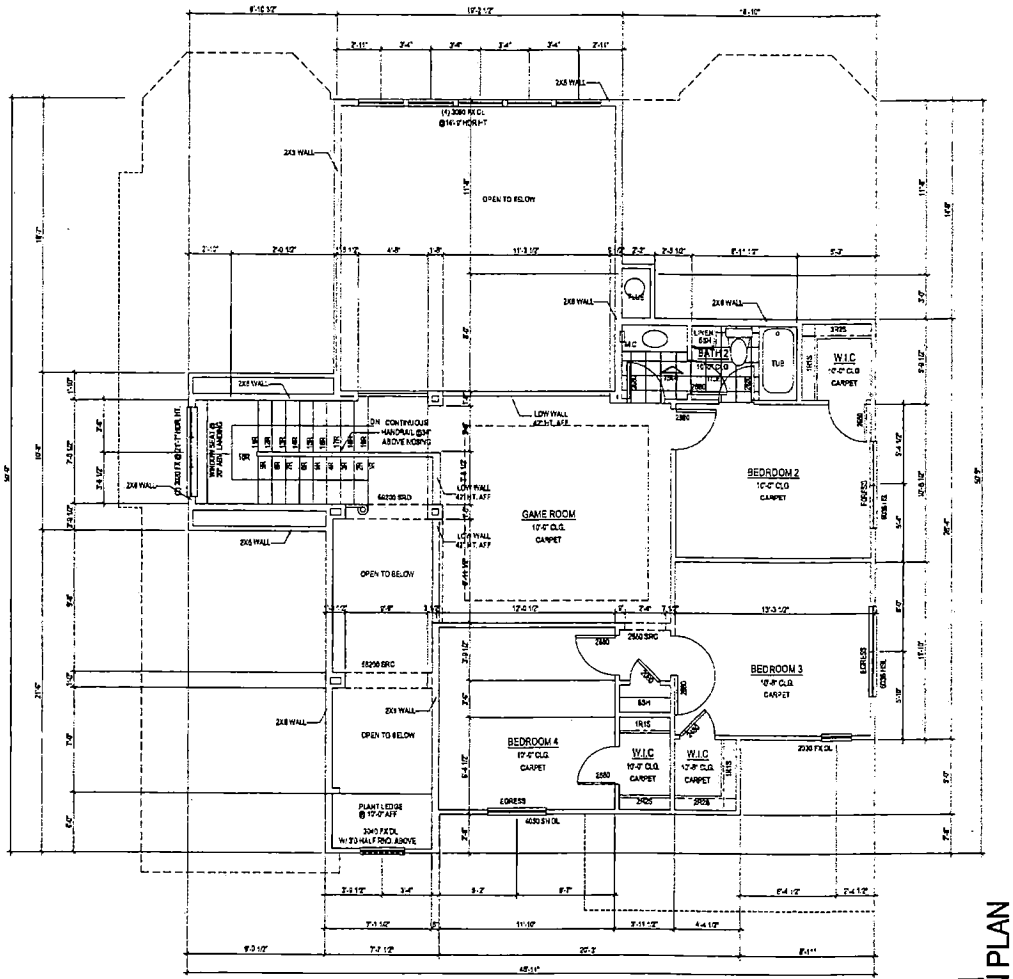
03146



OPTIONAL JACK & JILL BATH

77 ADDITIONAL SQUARE FEET

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



SECOND FLOOR PLAN

PLAN RELATES TO ELEVATION A

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

SDR-4455
6-24-04 PC

MORGYN PLAN

Drawn By: SG
Checked By:
Date Plotted: 04/19/04
Date: 3/1/04

Issue for Pricing / Bidding

Issue for Permit Application:

Issue for Construction

Revisions:

#	DATE	COMMENTS

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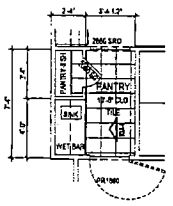
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CHARLOTTE ·

SHEET CONTENTS: SECOND FLOOR PLAN

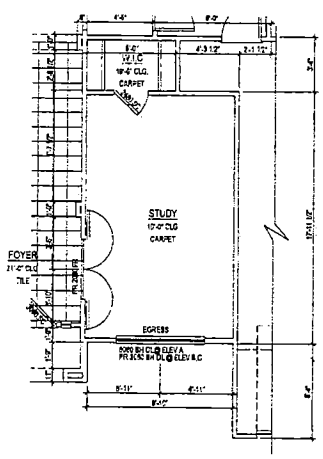
SHEET NO. A-1.1

03146



OPTIONAL WET BAR

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



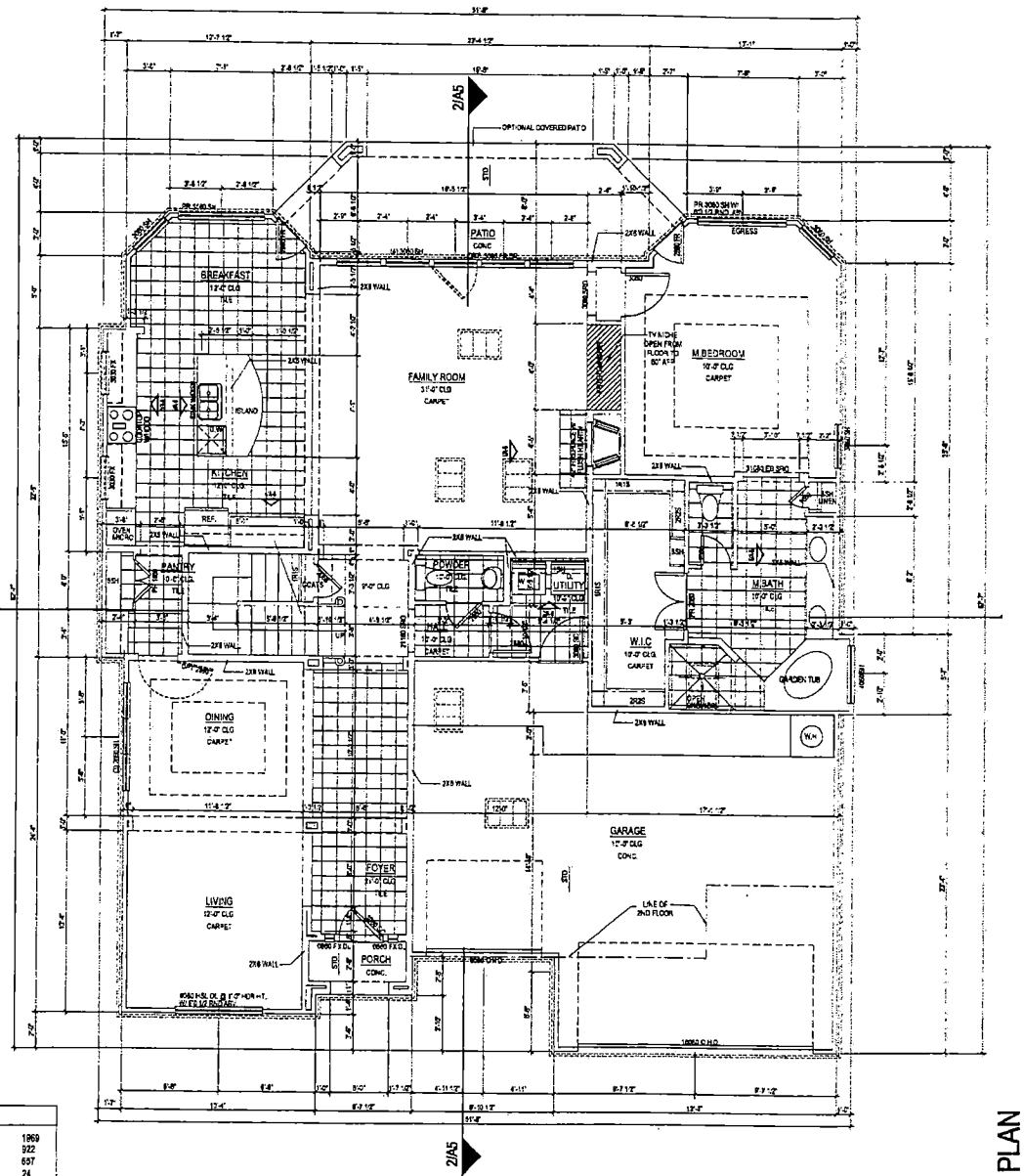
OPTIONAL STUDY/BEDROOM

REFER TO SHEET A3-2 FOR ELEVATIONS

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

SQUARE FOOTAGE W/OPT. STUDY	
A/C-1ST FLR	2179
A/C-2ND FLR.	922
GARAGE	447
PORCH	24
TOTAL UNDER ROOF	3572
OPT. COVD PATIO	195
TOTAL UNDER ROOF	3767

SQUARE FOOTAGE	
A/C-1ST FLR.	1969
A/C-2ND FLR.	922
GARAGE	657
PORCH	24
TOTAL UNDER ROOF	3572
OPT. COVD PATIO	195
TOTAL UNDER ROOF	3767



FIRST FLOOR PLAN

PLAN RELATES TO ELEVATIONS

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

Drawn By: SG
Checked By:
Date Plotted: 06/15/04
Desc:

Issue for Pricing / Bidding:
Issue for Permit Application:
Issue for Construction

Revisions:

#	DATE	COMMENTS

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LAS VEGAS, NEVADA

MORGYN PLAN

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SHEET CONTENTS:
FIRST FLOOR PLAN

SHEET NO.
A-1

03146

SDR-4455
6-24-04 PC



SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN: 125-24-401-001, 002, 010, 011, and 125-24-302-014), Ward 6 (Mack).

C.C.: 07/21/04

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

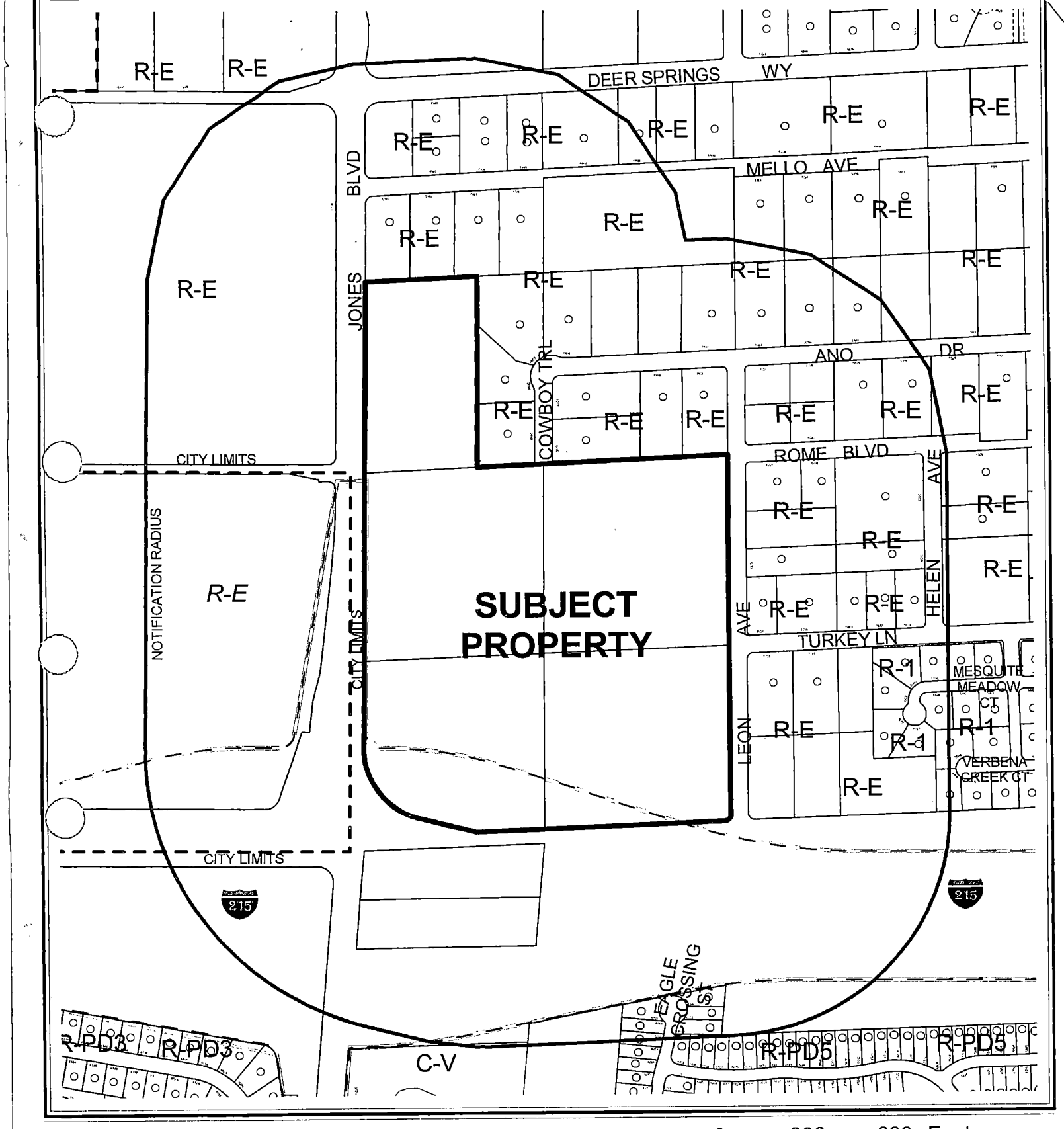
MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)

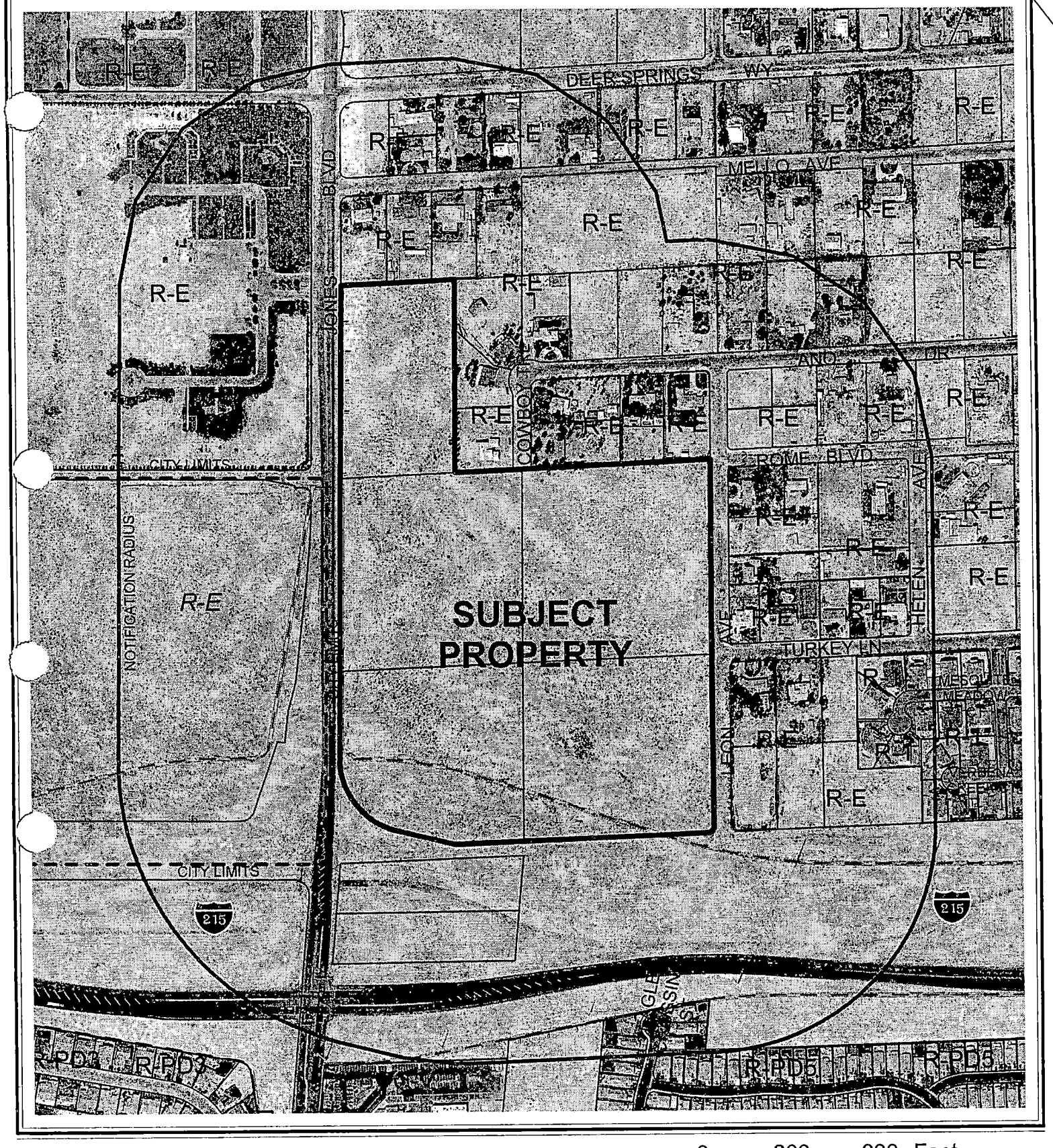


CASE: **ZON-4459**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



0 300 600 Feet

CASE: **ZON-4459**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for any remaining portion of Cowboy Trail and the appropriate cul-de-sac radius. Dedicate appropriate right-of-way necessary for a knuckle acceptable to the Department of Public Works at the intersection of Leon Avenue and Centennial Parkway, unless otherwise allowed by the City Engineer.

4. Construct half-street improvements on Jones Boulevard and Cowboy Trail adjacent to this site concurrent with development. Also construct half-street improvements on Leon Avenue including appropriate overpaving and a knuckle acceptable to the Department of Public Works at the Centennial Boulevard intersection, unless otherwise allowed by the City Engineer, concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

5. 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.

6. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

7. Extend public sewer in Leon Avenue to the northern border of this site at a location and to a depth acceptable to the City Engineer. 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.

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a rezoning from R-E (Residence Estates) to R-PD3 (residential Planned development – 3 Units per Acre) on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

A companion Site Development Plan Review (SDR-4461) and Variance (VAR-4462) will be considered concurrently with this application.

B) Applicant's Justification

The applicant's justification is that the zone change is conforming and consistent with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case history associated with the subject parcels.

B) Pre-Application Meeting

04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and the Site Development Plan Review (SDR-4461) were discussed. The issues are as follows:

1. The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
2. The checking of the beltway alignment so as not to have a portion of the subdivision built within it.
3. The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.
4. Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
5. Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	ROW [215 Beltway]
East:	Single Family Dwellings, Undeveloped
West:	Undeveloped, Palm Mortuary

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	ROW (215 Beltway Right of Way)
East:	L (Low Density Residential)
West:	R (Rural Density) DR (Desert Rural Density)

D) Existing Zoning

Subject Property:	R-E (Residential Estates)
North:	R-E (Residential Estates)
South:	215 Beltway
East:	R-E (Residential Estates)
West:	Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

Multi-Use Transportation Trail
A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood
The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state stature is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-4461), a related item.

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
47.46 acres	3.44	1.65	5.7 %	2.7 Acres	5.2%	2.44 Acres

The proposed development does not meet the amount of open space required for a R-PD (Residential Planned Development) zoning district. A variance (VAR-4462) has been requested to allow for a reduction in the required open space and will be discussed in the before mentioned case file.

B) General Analysis and Discussion

This rezoning application is consistent with the R (Rural Density Residential) General Plan designation for the site. The proposed development will result in the construction of 163 lots on 47.46 acres, for a density of 3.44 dwelling units per acre. The applicant has calculated the gross acreage to include the half of the dedicated right-of way along Jones Boulevard and Centennial Parkway, therefore increasing their acreage with unusable space. The gross acreage calculated from the parcels themselves is 42.36 acres. The density of the site then would change from 3.44 dwelling units per acre to 3.85 dwelling units per acre. Such a density would be prohibited within the proposed R-PD3 (Residential Planned Development 3 Units Per Acre) zoning district and would not be in compliance with the R (Rural) designation of the general plan.

A 51-foot wide, private entry road will be provided with access off Jones Boulevard and Leon Avenue. Open space, in the form of a park located along the northern property line, is provided but fails to be in accordance with R-PD (Residential Planned Development) requirements. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7 to 8 thousand square feet in size, the smallest being 7,080 square feet. The proposed development is incompatible with the surrounding area, which contains single-family rural-residential lots ranging from half an acres to more than an acre lots.

FINDINGS

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

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

   The proposed rezoning to R-PD3 (Residential Planned Development – 3 Units Per Acre) is consistent with the existing R (Rural Density Residential) General Plan designation.

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

The proposed development shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the north and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The immediate area surrounding the subject site has been static in regards to development, with the exception of the 40-acre County parcel to the west. The County parcel to the west will become a 130 lot single family, detached planned unit development with an overall density of 3.25 units per acre (TM-0523-03). The proposed development would contain a smaller average lot size than the County parcels and an increased number of dwelling units per acre. Combined with the surrounding rural, equestrian estates approximately one-acre in size, the proposed development is not compatible with the surrounding area.

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

The proposed site will have access off of Jones Boulevard, a 100-foot Primary Arterial on the Master Plan of Streets and Highways, and off of Leon Avenue, a residential street, both of which are adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 80 [Mailed with VAR-4462 & SDR-4461]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4459 APN: 125-24-401-001, 002, 010, 011

Name of Property Owner: Boyd Family Partnership, LP

Name of Applicant: Ruth L. Boyd, G.P.

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

_____Yes __X__No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Ruth L. Boyd

Print Name: Ruth L. Boyd

Subscribed and sworn before me

This 4TH day of MAY, 2004

Melissa G. Henegan

Notary Public in and for said County and State

MELISSA G. HENEGAN
Notary Public State of Nevada
No. 01-67489-1
My appt. exp. Dec. 7, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4459 APN: 125-24-302-014

Name of Property Owner: Jones Beltway, LLC

Name of Applicant: Dean A. Katris

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: _____

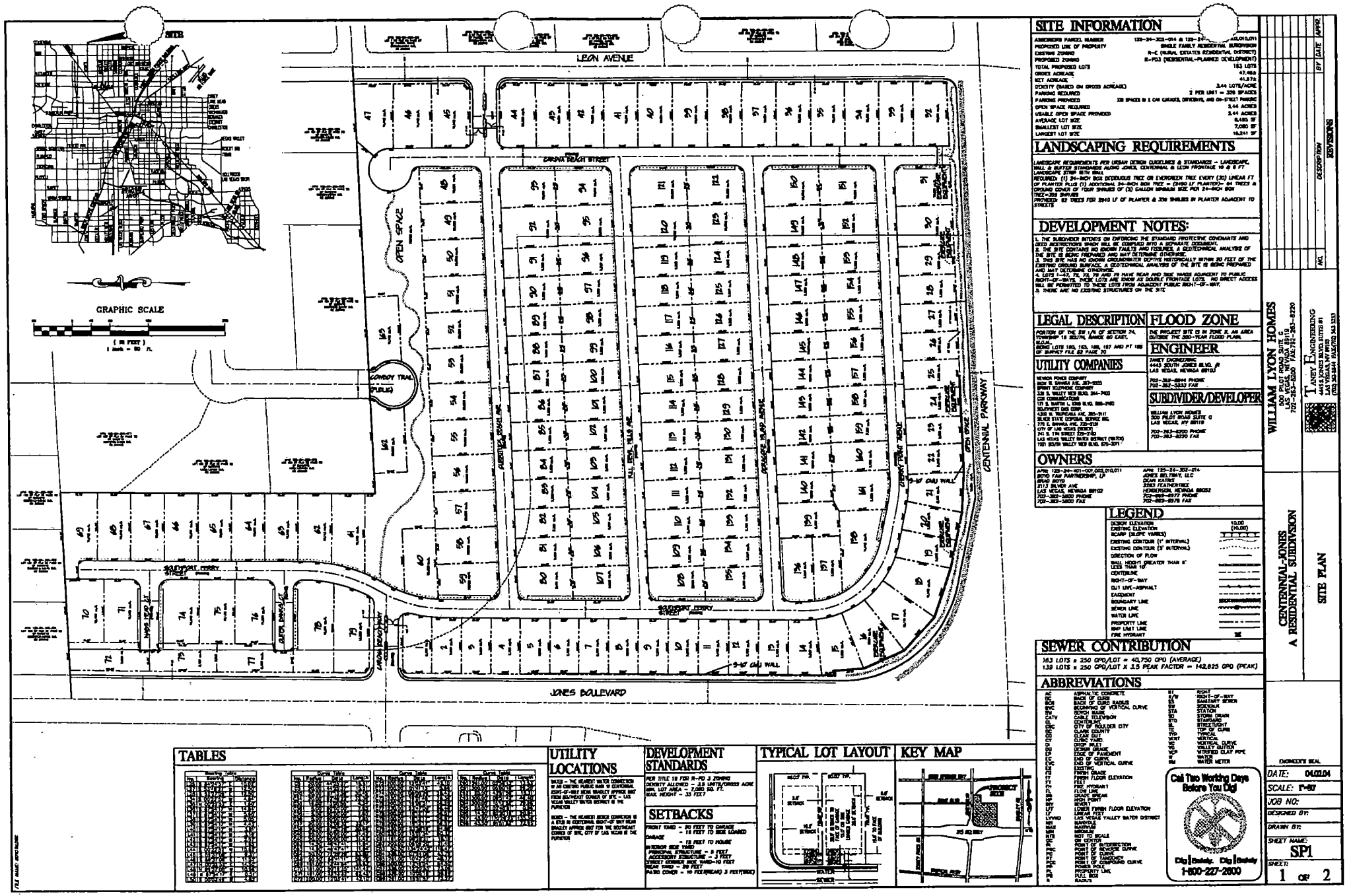
Print Name: Dean A. Katris

Subscribed and sworn before me

This 11 day of May, 2004

_____
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
GLENN MOFFITT
My Appointment Expires
September 9, 2007
No: 03-85773-1



SITE INFORMATION

ASSESSORS PARCEL NUMBER	125-24-302-014 & 125-24-[illegible] 402,010,011
PROPOSED USE OF PROPERTY	SINGLE FAMILY RESIDENTIAL SUBDIVISION
EXISTING ZONING	R-E (RURAL ESTATES RESIDENTIAL DISTRICT)
PROPOSED ZONING	R-PD3 (RESIDENTIAL-PLANNED DEVELOPMENT)
TOTAL PROPOSED LOTS	153 LOTS
GROSS ACREAGE	47.46±
NET ACREAGE	41.57±
DENSITY (BASED ON GROSS ACREAGE)	3.44 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 306 SPACES
PARKING PROVIDED	2 SPACES in 1 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
OPEN SPACE REQUIRED	3.44 ACRES
USABLE OPEN SPACE PROVIDED	3.44 ACRES
AVERAGE LOT SIZE	8,185 SF
SMALLEST LOT SIZE	7,080 SF
LARGEST LOT SIZE	16,241 SF

LANDSCAPING REQUIREMENTS

LANDSCAPE REQUIREMENTS PER URBAN DESIGN GUIDELINES & STANDARDS – LANDSCAPE, WALL & BUFFER STANDARDS ALONG JONES, CENTENNIAL & LEON FRONTAGE 10 @ 8 FT LANDSCAPE STRIP WITH WALL
REQUIRED: (1) 24-INCH BOX DECIDUOUS TREE OR EVERGREEN TREE EVERY (30) LINEAR FT OF PLANTER PLUS (1) ADDITIONAL 24-INCH BOX TREE = (1410 LF PLANTER)÷ 84 TREES & GROUND COVER OF FOUR SHRUBS OF (3) GALLON MINIMUM SIZE PER 24-INCH BOX TREE=336 SHRUBS
PROVIDED: 92 TREES FOR 2940 LF OF PLANTER & 336 SHRUBS IN PLANTER ADJACENT TO STREETS

DEVELOPMENT NOTES:

1. THE SUBDIVIDER INTENDS ON ENFORCING THE STANDARD PROTECTIVE CONDIANTS AND DEED RESTRICTIONS WHICH WILL BE COMPILED INTO A SEPARATE DOCUMENT.
2. THE SITE CONTAINS NO KNOWN FAULTS AND FISSURES. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
3. THIS SITE HAS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 20 FEET OF THE EXISTING GROUND SURFACE. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
4. LOTS 1–42, 72, 73, 76 AND 77 HAVE REAR AND SIDE YARDS ADJACENT TO PUBLIC RIGHT-OF-WAYS. THESE LOTS ARE KNOW AS DOUBLE FRONTAGE LOTS. NO DIRECT ACCESS WILL BE PERMITTED TO THESE LOTS FROM ADJACENT PUBLIC RIGHT-OF-WAY.
5. THERE ARE NO EXISTING STRUCTURES ON THE SITE.

LEGAL DESCRIPTION

PORTION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.
BEING LOTS 160, 163, 166, 167 AND PT 168 OF SURVEY FILE 83 PAGE 70

FLOOD ZONE

THE PROJECT SITE IS IN ZONE X, AN AREA OUTSIDE THE 500-YEAR FLOOD PLAIN.

ENGINEER

TANEY ENGINEERING
4445 SOUTH JONES BLVD. #1
LAS VEGAS, NEVADA 89103
702-362-8844 PHONE
702-362-0330 FAX

UTILITY COMPANIES

NEVADA POWER COMPANY
6226 W. SAHARA AVE., 3RD FLOOR
SPRINT TELEPHONE COMPANY
330 N. VALLEY VIEW BLVD. 344-7402
COX COMMUNICATIONS
1110 S. MARTIN L. KING BLVD. 888-2900
SOUTHWEST GAS CORP.
4300 W. TROPICANA AVE. 365-2111
NEVADA STATE DEPARTMENT OF TRANSPORTATION
1263 S. STATE STREET, RM. 302
CITY OF LAS VEGAS DEPARTMENT OF PUBLIC WORKS
731 S. 1ST STREET 229-6251
LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 SOUTH VALLEY VIEW BLVD. 870-3011

SUBDIVIDER/DEVELOPER

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NV 89119
702-312-5200 PHONE
702-312-5330 FAX

OWNERS

APN: 125-24-401-001,002,010,011
2970 FAM PARTNERSHIP, LP
BRAD BOYD
2172 SILVER AVE
LAS VEGAS, NEVADA 89102
702-382-3400 PHONE
702-382-3600 FAX

APN: 125-24-302-014
JONES BOLTWAY, LLC
DEAN KAISER
2383 FEATHERTREE
HENDERSON, NEVADA 89052
702-883-2272 PHONE
702-883-8976 FAX

LEGEND

DESIGN ELEVATION	10.00
EXISTING ELEVATION	(10.00)
SCARP (SLOPE YMARDS)	
EXISTING CONTOUR (1' INTERVAL)	
EXISTING CONTOUR (5' INTERVAL)	
DIRECTION OF FLOW	
WALL HEIGHT (GREATER THAN 6' LESS THAN 10'	
CENTERLINE	
RIGHT-OF-WAY	
CUT LINE-ASPHALT	
EASEMENT	
BOUNDARY LINE	
SEWER LINE	
WATER LINE	
PROPERTY LINE	
RAY LINE LINE	
FIRE HYDRANT	

SEWER CONTRIBUTION

163 LOTS x 250 GPD/LOT = 40,750 GPD (AVERAGE)
139 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 142,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	R	RADIUS
BOC	BACK OF CURB	ROW	RIGHT-OF-WAY
CR	BACK OF CURB RADIUS	SS	SANITARY SEWER
BVC	BEGINNING OF VERTICAL CURVE	SW	SIDEWALK
BW	BENCH MARK	STA	STATION
CATV	CABLE TELEVISION	SD	STORM DRAIN
CO	CLEAN OUT	STD	STANDARD
CB	CITY OF BOULDER CITY	SL	STREETLIGHT
CC	CLARK COUNTY	TC	TOP OF CURB
CL	CLASS (UT)	TYP	TYPICAL
CY	CUBIC YARD	VERT	VERTICAL
DI	DROP INLET	VC	VERTICAL CURVE
DW	DRIVE WAY	VP	VALLEY GUTTER
DG	DESIGN GRADE	VCP	VITRIFIED CLAY PIPE
EP	EDGE OF PAVEMENT	W	WATER
EC	END OF CURVE	WM	WATER METER
EVC	END OF VERTICAL CURVE		
EX	EXISTING		
FG	FINISH GRADE		
FFE	FINISH FLOOR ELEVATION		
FT	FEET		
FH	FIRE HYDRANT		
FL	FLOW LINE		
GB	GRADE BREAK		
HP	HIGH POINT		
INV	INVERT		
LFFE	LOWER FINISH FLOOR ELEVATION		
LF	LINEAR FEET		
LVWD	LAS VEGAS VALLEY WATER DISTRICT		
MH	MANHOLE		
MAS	MASONRY		
MIN	MINIMUM		
NTS	NOT TO SCALE		
OC	ON CENTER		
POI	POINT OF INTERSECTION		
POC	POINT OF CURVATURE		
POR	POINT OF REVERSE CURVE		
POT	POINT OF TANGENCY		
PCC	POINT OF COMPOUND CURVE		
PP	POWER POLE		
PUE	PUBLIC UTILITY EASEMENT		

TABLES

Bearing Table			Curve Table				Curve Table				Curve Table			
No.	Bearing	Distance	No.	Radius	Delta	Length	No.	Radius	Delta	Length	No.	Radius	Delta	Length

UTILITY LOCATIONS

WATER – THE NEAREST WATER CONNECTION IS AN EXISTING PUBLIC MAIN IN CENTENNIAL CENT-OF-WAY NEAR SAGECLIFF APPROX 660' FROM SOUTHEAST CORNER OF SITE – LAS VEGAS VALLEY WATER DISTRICT IS THE PURVEYOR

SEWER – THE NEAREST SEWER CONNECTION IS A STUB IN CENTENNIAL RIGHT-OF WAY NEAR SAGECLIFF APPROX 660' FOR THE SOUTHEAST CORNER OF SITE, CITY OF LAS VEGAS IS THE PURVEYOR

DEVELOPMENT STANDARDS

PER TITLE 19 FOR R-PD 3 ZONING
DENSITY ALLOWED – 3.5 UNITS/GROSS ACRE
MIN. LOT AREA – 7,000 SQ. FT.
MAX. HEIGHT – 35 FEET

SETBACKS

FRONT YARD – 20 FEET TO GARAGE
– 10 FEET TO SIDE LOADED
GARAGE – 18 FEET TO HOUSE
MINIMUM SIDE YARD
PRINCIPAL STRUCTURE – 5 FEET
ACCESSORY STRUCTURE – 3 FEET
STREET CORNER SIDE YARD – 10 FEET
REAR YARD – 20 FEET
PATIO COVER – 10 FEET(REAR) 3 FEET(SIDE)

TYPICAL LOT LAYOUT

KEY MAP

Call Two Working Days Before You Dig!
Dig Safely. Dig Safely.
1-800-227-2600

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NEVADA 89119
702-312-5200 FAX: 702-312-5330

TANEY ENGINEERING
4445 JONES BLVD, SUITE #1
LAS VEGAS, NV 89103
(702) 362-8844 FAX:(702) 362-3330

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

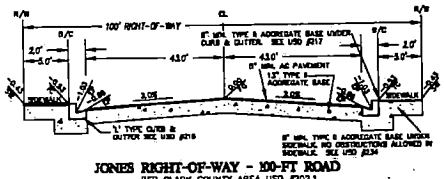
SITE PLAN

DESIGNER'S SEAL

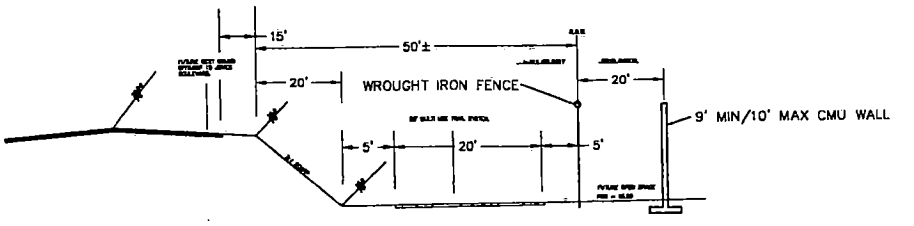
DATE: 04.03.04
SCALE: 1"=80'
JOB NO:
DESIGNED BY:
DRAWN BY:
SHEET NAME: SP1
SHEET: 1 OF 2

REVISED 6.2.04

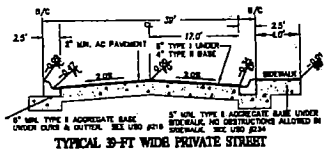
ZON-4459
6-24-04 PC



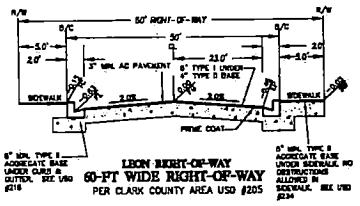
JONES RIGHT-OF-WAY - 100-FT ROAD
PER CLARK COUNTY AREA USD #202.1



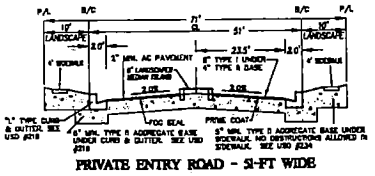
SOUTH PROPERTY LINE ADJOINING BELTWAY



TYPICAL 39-FT WIDE PRIVATE STREET



LEON RIGHT-OF-WAY
60-FT WIDE RIGHT-OF-WAY
PER CLARK COUNTY AREA USD #205



PRIVATE ENTRY ROAD - 51-FT WIDE

LEGEND

DESIGN ELEVATION	10.00
EXISTING ELEVATION	(10.00)
SCARP (SLOPE MARKS)	
EXISTING CONTOUR (1' INTERVAL)	
EXISTING CONTOUR (5' INTERVAL)	
DIRECTION OF FLOW	
WALL HEIGHT GREATER THAN 8' LESS THAN 10'	
CENTERLINE	
RIGHT-OF-WAY	
CUT LINE-ASPHALT	
EASEMENT	
BOUNDARY LINE	
SEWER LINE	
WATER LINE	
PROPERTY LINE	
100-YEAR LIMIT LINE	
FIRE HYDRANT	

SEWER CONTRIBUTION

139 LOTS x 250 GPD/LOT = 34,750 GPD (AVERAGE)
139 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 121,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	RT	RIGHT
B/C	BACK OF CURB	R/W	RIGHT-OF-WAY
BCR	BACK OF CURB RADIUS	SS	SANITARY SEWER
BVC	BEGINNING OF VERTICAL CURVE	SW	SIDEWALK
BW	BOTTOM WALL	STA	STATION
CATV	CABLE TELEVISION	SD	STORM DRAIN
CL	CENTERLINE	STD	STANDARD
COB	CITY OF BOULDER CITY	SL	STREETLIGHT
CC	CLARK COUNTY	TC	TOP OF CURB
CO	CLEAN OUT	TYP	TYPICAL
CY	CUBIC YARD	VERT	VERTICAL
DB	DEEP BELT	VC	VERTICAL CURVE
DW	DRIVE WAY	VG	VALLEY GUTTER
EC	EDGE OF PAVEMENT	VCP	VITRIFIED CLAY PIPE
EOC	END OF CURVE	W	WATER
EVC	END OF VERTICAL CURVE	WM	WATER METER
EX	EXISTING		
FG	FINISH GRADE		
FFE	FINISH FLOOR ELEVATION		
FEET	FEET		
FH	FIRE HYDRANT		
FL	FLOW LINE		
GB	GRADE BREAK		
HP	HIGH POINT		
INV	INVERT		
FFE	FINISH FLOOR ELEVATION		
LF	LINEAR FEET		
LVVWD	LAS VEGAS VALLEY WATER DISTRICT		
MH	MANHOLE		
MON	MONUMENT		
MIN	MINIMUM		
NTS	NOT TO SCALE		
OC	ON CENTER		
PI	POINT OF INTERSECTION		
PRC	POINT OF REVERSE CURVE		
POC	POINT OF CURVE		
PT	POINT OF TANGENCY		
PCC	POINT OF COMPOUND CURVE		
PP	POWER POLE		
PL	PROPERTY LINE		
FD	PULL BOX		
R	RADIUS		

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Dig | Safely. Dig | Safely
1-800-227-2600

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NEVADA 89119
702-263-8200 FAX 702-263-8220

TANEY ENGINEERING
8816 SPANISH RIDGE AVENUE, SUITE #1
LAS VEGAS, NV 89148
(702) 360-8644 FAX (702) 360-2220

NO.	DATE	APPR.	DESCRIPTION
			REVISIONS

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

SITE PLAN

ENGINEER'S SEAL

DATE: 04.02.04
SCALE: 1"=60'
JOB NO:
DESIGNED BY:
DRAWN BY:
SHEET NAME: DT1
SHEET: 2 OF 2

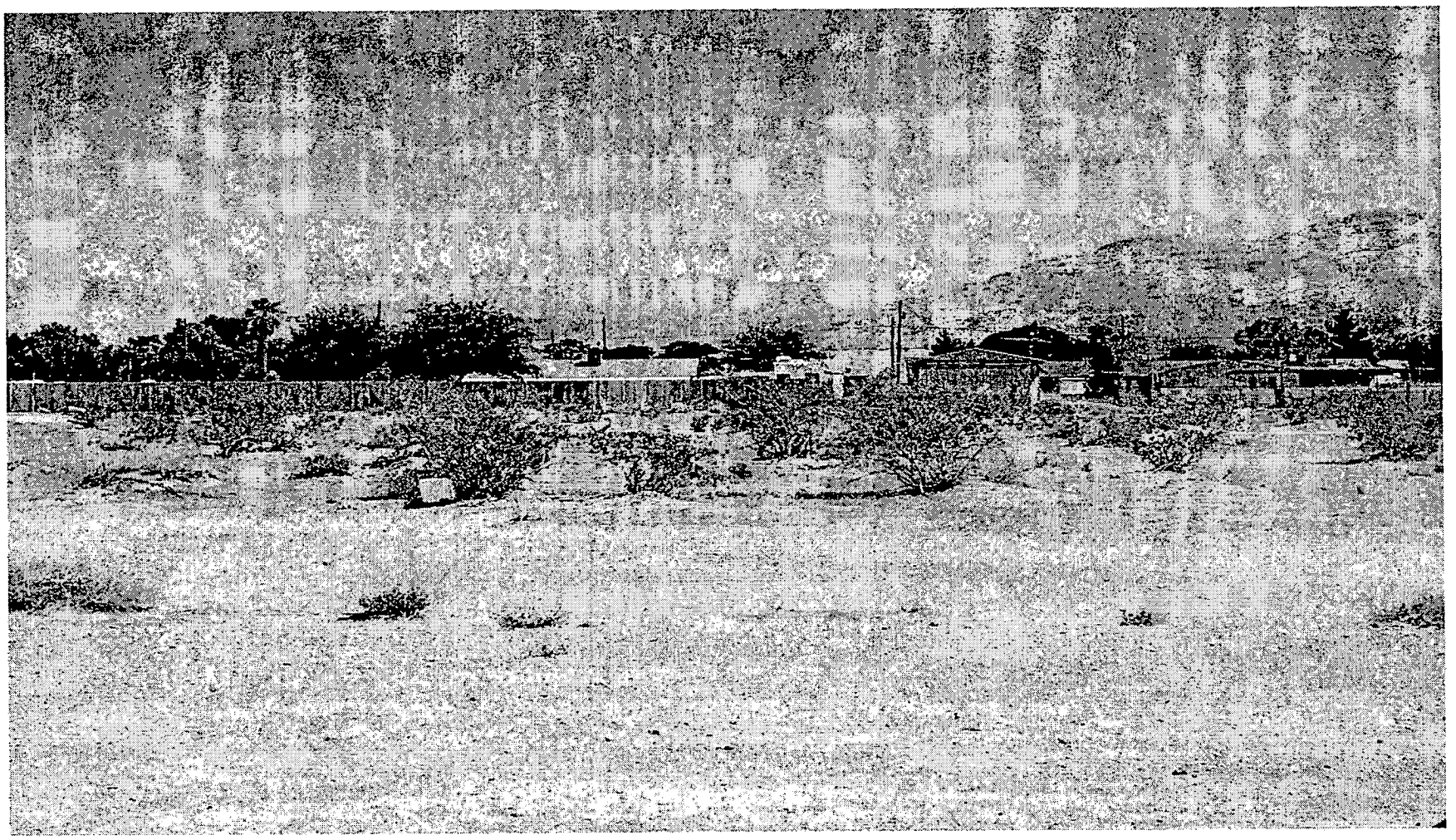
REVISED 6.2.04

ZON-4459
6-24-04 PC



ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VARIANCE RELATED TO ZON-4459 - PUBLIC HEARING - VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 2.35 ACRES OF OPEN SPACE WHERE 2.44 IS REQUIRED; AND TO ALLOW A 10 FOOT WALL HEIGHT WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED RESIDENTIAL SUBDIVISION on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN: 125-24-401-001, 002, 010, 011, and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

C.C.: 07/21/04

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

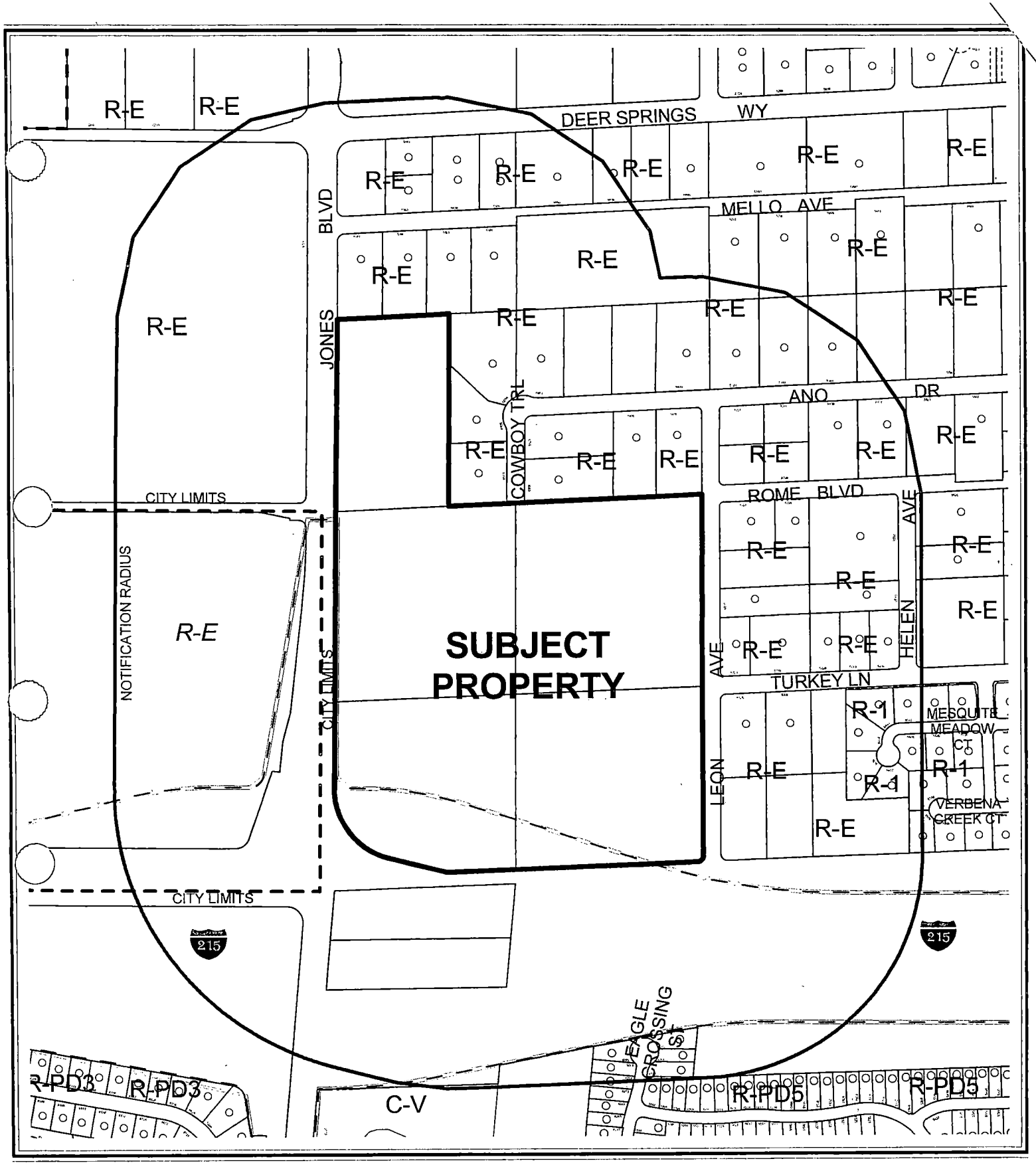
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)



CASE: **VAR-4462**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE RELATED TO ZON-4459 - PUBLIC HEARING - VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. 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 $44,568.00 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.

2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4459) and Site Development Plan Review (SDR-4461).

3. 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.

Public Works

4. Grading information and cross sections must be provided with the Tentative Map submittal for this site and shall comply with the City of Las Vegas Title 18 Subdivision Ordinance; if compliance cannot be met Waivers may be required.

5. Site development to comply with all applicable conditions of approval for Rezoning Application ZON-4459, Site Development Plan Review SDR-4461 and all other site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Variance to allow 2.44 acres of open space where 2.7 acres is required and to allow an increase in block wall heights in excess of ten feet where eight feet is the maximum allowed for a residential subdivision on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

A companion Site Development Plan Review (SDR-4461) and Rezoning (ZON-4459) will be considered concurrently with this application.

B) Applicant's Justification

The applicant justifies the variance for wall heights on the basis that noise pollution from motor vehicle traffic along Jones and I-215 will negatively impact the adjacent residential lots. The applicant has supplied no real justification for the requested variance of open space except to state that the landscape buffer along Jones Boulevard has not been calculated into the open space area. Additionally the applicant states the fact that there will be connectivity between the trail along Centennial Boulevard, the landscaping provided on Jones Boulevard, and the proposed park.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 Companion items ZON-4459 and SDR-4461 will be heard as a part of this agenda.

B) Pre-Application Meeting

04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and the Site Development Plan Review (SDR-4461) were discussed. The issues are as follows:

1. The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
2. The checking of the beltway alignment so as not to have a portion of the subdivision built within it.

3. The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.
4. Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
5. Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	ROW [215 Beltway]
East:	Single Family Dwellings, Undeveloped
West:	Palm Mortuary, Undeveloped

C) Planned Land Use

Subject Property:	R	Rural Density Residential
North:	R	Rural Density Residential
South:	ROW	215 Beltway
East:	L	Low Density Residential
West:	R, DR	Rural Density and Desert Rural Density Residential

D) Existing Zoning

Subject Property:	R-E	Residential Estates
North:	R-E	Residential Estates
South:	ROW	215 Beltway
East:	R-E	Residential Estates
West:	Clark County	

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

Multi-Use Transportation Trail

A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state stature is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-4461), a related item.

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

Standards	Required	Requested	Compliance
Wall Height	8 Foot Max	10+ Feet	NO

The proposed site plan illustrates a 9-foot 10-inch block wall to be located along Centennial Parkway and partially along the southern portion of Jones Boulevard. The maximum allowable wall height within any residential development area is 8 feet therefore this variance is warranted.

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
47.46 acres	3.44	1.65	5.7 %	2.7 Acres	5.2%	2.44 Acres

The proposed development does not meet the amount of open space required for a R-PD (Residential Planned Development) zoning district. The applicant has provided 30,471 square feet of open space in the form of a 20-foot wide exercise trail along Centennial Parkway, as well as 75,730 square feet of open space in the form of a common park located on the northern portion of the site. Even though functional, the open space is inadequate and isolated from a fair portion of the development.

B) General Analysis and Discussion

The request for increased wall height is reasonable because that development on the west side of Jones Boulevard has been approved by the County (TM-0523-03) for increased wall heights under the same justification presented for this application. The County parcel to the west, however, will become a 130 lot single family, detached planned unit development with an overall density of 3.25 units per acre (TM-0523-03). The proposed development would contain a smaller average lot size than County parcel and an increased number of dwelling units per acre.

The lack of required open space is a direct result from the number of lots proposed on the subject property. Removal of one lot of 10,000 square feet or greater would eliminate the need for this variance.

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 regarding the lack of open space on site. Alternative site design or the reduction in the number of lots would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 80 [Mailed with ZON-4459 & SDR-4461]

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4462 APN: 125-24-302-014

Name of Property Owner: Jones Beltway, LLC

Name of Applicant: Dean A. Katris

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: Dean A. Katris

Subscribed and sworn before me

This 11 day of May, 2004

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

Notary Public - State of Nevada
County of Clark
GLENN MOFFITT
My Appointment Expires
No: 03-85773-1 September 9, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4462 APN: 125-24-401-001, 002, 010, 011

Name of Property Owner: Boyd Family Partnership LP

Name of Applicant: Ruth L. Boyd, G.P.

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

_____Yes __X__No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Ruth L. Boyd

Print Name: Ruth L. Boyd

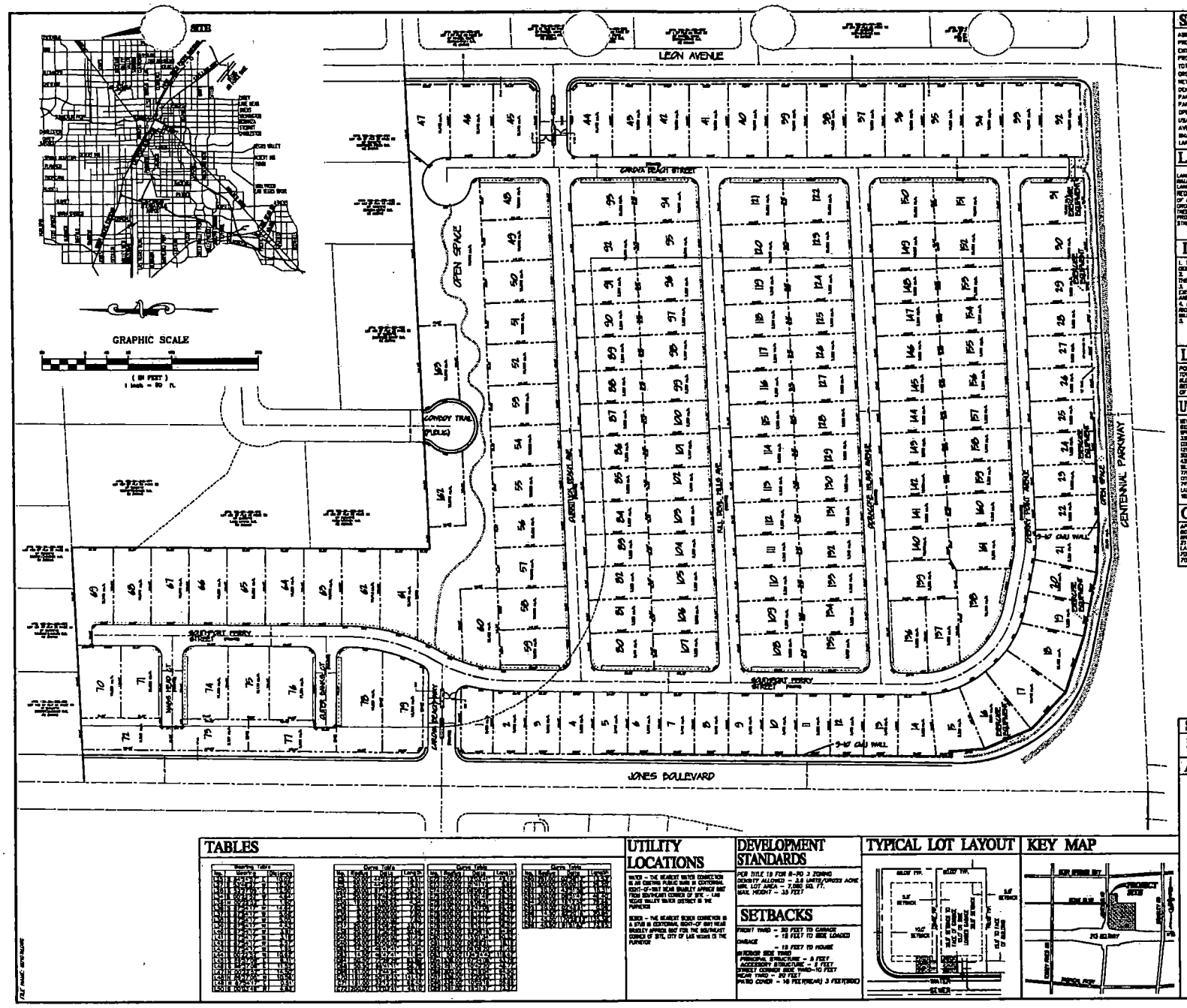
Subscribed and sworn before me

This 4TH day of MAY, 2004

Melissa G. Henegan

Notary Public in and for said County and State

MELISSA G. HENEGAN
Notary Public State of Nevada
No. 01-67489-1
My appt. exp. Dec. 7, 2004



SITE INFORMATION

ASSESSORS PARCEL NUMBER	125-34-302-014 & 125-[illegible]-011
PROPOSED USE OF PROPERTY	SINGLE FAMILY RESIDENTIAL SUBDIVISION
EXISTING ZONING	R-E (RURAL ESTATES RESIDENTIAL DISTRICT)
PROPOSED ZONING	R-PD3 (RESIDENTIAL-PLANNED DEVELOPMENT)
TOTAL PROPOSED LOTS	153 LOTS
GROSS ACREAGE	47.49±
NET ACREAGE	41.97±
DENSITY (BASED ON GROSS ACREAGE)	3.44 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 306 SPACES
PARKING PROVIDED	336 SPACES IN 2 OR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
OPEN SPACE REQUIRED	2.44 ACRES
USABLE OPEN SPACE PROVIDED	2.44 ACRES
AVERAGE LOT SIZE	8,965 SF
SMALLEST LOT SIZE	7,000 SF
LARGEST LOT SIZE	16,241 SF

LANDSCAPING REQUIREMENTS

LANDSCAPE REQUIREMENTS PER URBAN DESIGN GUIDELINES & STANDARDS – LANDSCAPE, WALL & BUFFER STANDARDS ALONG JONES, CENTENNIAL & LEON FRONTAGE TO A 6 FT LANDSCAPE STRIP WITH WALL
REQUIRED: (1) 24-INCH BOX DECIDUOUS TREE OR EVERGREEN TREE EVERY (30) LINEAR FT OF PLANTER PLUS (1) ADDITIONAL 24-INCH BOX TREE = (3418 LF PLANTER= 84 TREES + GROUND COVER OF FOUR SHRUBS OF (5) GALLON SHRUBS SIZE PER 24-INCH BOX TREE=336 SHRUBS
PROVIDED: 82 TREES FOR 2846 LF OF PLANTER & 328 SHRUBS IN PLANTER ADJACENT TO STREETS

DEVELOPMENT NOTES:

1. THE SUBDIVIDER INTENDS ON ENFORCING THE STANDARD PROTECTIVE COVENANTS AND DEED RESTRICTIONS WHICH WILL BE COMPLIED INTO A SEPARATE DOCUMENT.
2. THE SITE CONTAINS NO KNOWN FAULTS AND FEATURES. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
3. THIS SITE HAS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 20 FEET OF THE EXISTING GROUND SURFACE. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
4. LOTS 1-47, 72, 73, 75 AND 76 HAVE REAR AND SIDE YARDS ADJACENT TO PUBLIC RIGHT-OF-WAYS. THESE LOTS ARE KNOWN AS DOUBLE FRONTAGE LOTS. NO DIRECT ACCESS WILL BE PERMITTED TO THESE LOTS FROM ADJACENT PUBLIC RIGHT-OF-WAY.
5. THERE ARE NO EXISTING STRUCTURES ON THE SITE.

LEGAL DESCRIPTION

PORTION OF THE SW 1/4 OF SECTION 34, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.
BEING LOTS 180, 183, 186, 187 AND PT 163 OF SURVEY FILE 32 PAGE 70

FLOOD ZONE

THE PROJECT SITE IS IN ZONE A, AN AREA OUTSIDE THE 500-YEAR FLOOD PLAIN.

UTILITY COMPANIES

NEVADA POWER COMPANY
6226 W. SAHARA AVE. 367-5225
SPRINT TELEPHONE COMPANY
330 S. VALLEY VIEW BLVD. 544-7922
COX COMMUNICATIONS
121 S. MARTIN L. KING BLVD. 366-1429
SOUTHWEST GAS CORP.
4300 W. TROPICANA AVE. 876-7111
NEVADA STATE EMERGENCY SERVICES INC.
775 E. SAHARA AVE. 735-7119
CITY OF LAS VEGAS ENGINEERING
731 S. 4TH STREET 229-6251
LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 SOUTH VALLEY VIEW BLVD. 870-3011

ENGINEER

TANEY ENGINEERING
4445 SOUTH JONES BLVD. #
LAS VEGAS, NEVADA 89103
702-362-8844 PHONE
702-362-0330 FAX

SUBDIVIDER/DEVELOPER

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NV 89119
702-263-8200 PHONE
702-263-8220 FAX

OWNERS

APN: 125-34-401-001,002,012,011
BOYD FAM PARTNERSHIP, LP
BRAD BOYD
2113 SILVER AVE
LAS VEGAS, NEVADA 89102
702-382-1662 PHONE
702-382-3600 FAX

APN: 125-34-302-014
JONES BOULEVARD, LLC
DEAN MARES
RENE FEATHERSTONE
HENDERSON, NEVADA 89052
702-897-2277 PHONE
702-897-8878 FAX

LEGEND

DESIGN ELEVATION	10.00
EXISTING ELEVATION	(10.00)
RAMP (SLOPE VARIES)	
EXISTING CONTOUR (1' INTERVAL)	
EXISTING CONTOUR (5' INTERVAL)	
DIRECTION OF FLOW	
WALL HEIGHT GREATER THAN 6' LESS THAN 12'	
CENTERLINE	
RIGHT-OF-WAY	
CUT LINE-ASPHALT	
EASEMENT	
BOUNDARY LINE	
SEWER LINE	
WATER LINE	
PROPERTY LINE	
RAM LIMIT LINE	
FIRE HYDRANT	

SEWER CONTRIBUTION

153 LOTS x 250 GPD/LOT = 40,750 GPD (AVERAGE)
139 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 142,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	RT	RIGHT
BOC	BACK OF CURB	R/W	RIGHT-OF-WAY
BCR	BACK OF CURB RADIUS	SS	SANITARY SEWER
BVC	BEGINNING OF VERTICAL CURVE	SW	SIDEWALK
BM	BENCH MARK	STA	STATION
CATV	CABLE TELEVISION	SD	STORM DRAIN
CL	CENTERLINE	STD	STANDARD
COB	CITY OF BOULDER CITY	ST	STREETLIGHT
CC	CLARK COUNTY	TC	TOP OF CURB
CO	CLEAN OUT	TYP	TYPICAL
DY	DRIVE YARD	VERT	VERTICAL
DW	DRIVE WAY	VC	VERTICAL CURVE
EVC	END OF VERTICAL CURVE	VG	VALLEY GUTTER
EX	EXISTING	WCP	WRAPPED CLAY PIPE
FG	FINISH GRADE	W	WATER
FFE	FINISH FLOOR ELEVATION	WM	WATER METER
FT	FEET		
FH	FIRE HYDRANT		
FL	FLOW LINE		
GB	GRADE BREAK		
HP	HIGH POINT		
INV	INVERT		
LFFE	LOWER FINISH FLOOR ELEVATION		
LF	LINEAR FEET		
LVWD	LAS VEGAS VALLEY WATER DISTRICT		
MH	MANHOLE		
MAS	MASONRY		
MIN	MINIMUM		
NTS	NOT TO SCALE		
OC	ON CENTER		
PI	POINT OF INTERSECTION		
PVC	POINT OF VERTICAL CURVE		
PVI	POINT OF VERTICAL INTERSECTION		
PCC	POINT OF COMPOUND CURVE		
PRC	POINT OF REVERSE CURVE		
PL	PROPERTY LINE		
PUE	PUBLIC UTILITY EASEMENT		
R	RADIUS		

TABLES

Bearing Table | Distance Table | Curve Table | Curve Table | Curve Table

UTILITY LOCATIONS

WATER – THE NEAREST WATER CONNECTION IS AN EXISTING PUBLIC MAIN IN CENTENNIAL RIGHT-OF-WAY FROM SOUTHEAST CORNER OF SITE. – LAS VEGAS VALLEY WATER DISTRICT IS THE PURVEYOR

SEWER – THE NEAREST SEWER CONNECTION IS A STUB IN CENTENNIAL RIGHT-OF-WAY NEAR SOUTHEAST CORNER OF SITE, CITY OF LAS VEGAS IS THE PURVEYOR

DEVELOPMENT STANDARDS

PER TITLE 19 FOR R-PD 3 ZONING
DENSITY ALLOWED - 3.5 UNITS/GROSS ACRE
MIN. LOT AREA - 7,000 SQ. FT.
MAX. HEIGHT - 35 FEET

SETBACKS

FRONT YARD - 20 FEET TO GARAGE
- 15 FEET TO SIDE LOADED GARAGE
- 10 FEET TO HOUSE
INTERIOR SIDE YARD
PRINCIPAL STRUCTURE - 5 FEET
ACCESSORY STRUCTURE - 3 FEET
STREET CORNER SIDE YARD - 10 FEET
REAR YARD - 20 FEET
PERIMETER - 10 FEET(REAR) 3 FEET(SIDE)

TYPICAL LOT LAYOUT

KEY MAP

Call Two Working Days Before You Dig!
Dig Safely. Dig Safely
1-800-227-2600

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NEVADA 89119
702-263-8200 FAX 702-263-8220

TANEY ENGINEERING
4445 SOUTH JONES BLVD. #1
LAS VEGAS, NV 89103
(702) 362-8844 FAX (702) 362-0330

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

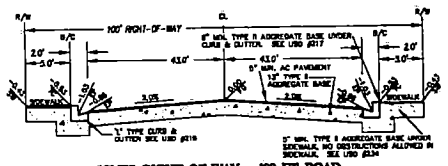
SITE PLAN

ENGINEER'S SEAL

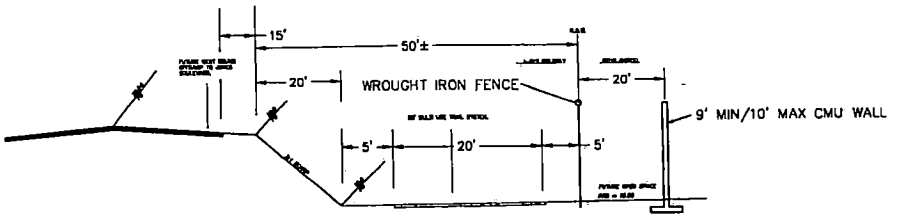
DATE: 04.02.04
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SHEET NAME: SP1
SHEET: 1 OF 2

REVISED 6.2.04

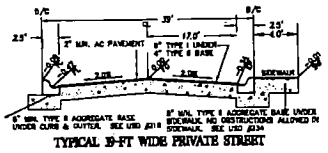
VAR-4462
6-24-04 PC



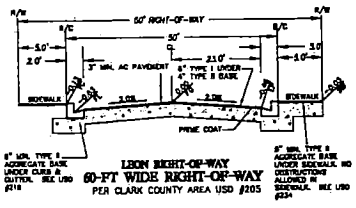
JONES RIGHT-OF-WAY - 100-FT ROAD
PER CLARK COUNTY AREA USD #202.1

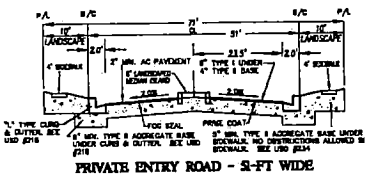


SOUTH PROPERTY LINE ADJOINING BELTWAY



TYPICAL 25-FT WIDE PRIVATE STREET





PRIVATE ENTRY ROAD - 51-FT WIDE

LEGEND

DESIGN ELEVATION 10.00
EXISTING ELEVATION (10.00)
SCARP (SLOPE VARIES)
EXISTING CONTOUR (1' INTERVAL)
EXISTING CONTOUR (5' INTERVAL)
DIRECTION OF FLOW
WALL HEIGHT GREATER THAN 6' LESS THAN 10'
CENTERLINE
RIGHT-OF-WAY
CUT LINE-ASPHALT
EASEMENT
BOUNDARY LINE
SEWER LINE
WATER LINE
PROPERTY LINE
RAMP LIMIT LINE
FIRE HYDRANT

SEWER CONTRIBUTION

139 LOTS x 250 GPD/LOT = 34,750 GPD (AVERAGE)
139 LOTS x 250 GPD/LOT x 3.5 PEAK FACTOR = 121,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	R/	RIGHT
BC	BACK OF CURB	R/W	RIGHT-OF-WAY
BCR	BACK OF CURB RADIUS	SS	SANITARY SEWER
BVC	BEGINNING OF VERTICAL CURVE	SW	SIDEWALK
CW	CROWN BLACK	STA	STATION
CATV	CABLE TELEVISION	SD	STORM DRAIN
CL	CENTERLINE	STD	STANDARD
COLV	CITY OF BOULDER CITY	TAN	TANGENT/RIGHT
CC	CLARK COUNTY	TOC	TOP OF CURB
CO	CLEAN OUT	TYP	TYPICAL
CY	CURB YARD	VERT	VERTICAL
DI	DROP INLET	VC	VERTICAL CURVE
DW	DRIVE WAY	VG	VALLEY GUTTER
EP	EDGE OF PAVEMENT	VCP	VITRIFIED CLAY PIPE
EC	END OF CURVE	W	WATER
EVC	END OF VERTICAL CURVE	WM	WATER METER
EX	EXISTING		
FG	FINISH GRADE		
FF	FINISH FLOOR ELEVATION		
FLT	FLAT		
FH	FIRE HYDRANT		
FL	FLOW LINE		
GB	GRADE BREAK		
HP	HIGH POINT		
INV	INVERT		
LFF	LOWER FINISH FLOOR ELEVATION		
LF	LINEAR FEET		
LVWD	LAS VEGAS VALLEY WATER DISTRICT		
MH	MANHOLE		
MAX	MAXIMUM		
MIN	MINIMUM		
NTS	NOT TO SCALE		
OG	ORIGINAL GROUND		
PI	POINT OF INTERSECTION		
PRC	POINT OF REVERSE CURVE		
POC	POINT OF CURVE		
PT	POINT OF TANGENCY		
PCC	POINT OF COMPOUND CURVE		
PP	POWER POLE		
P/L	PROPERTY LINE		
R	RADIUS		

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WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NEVADA 89119
702-263-8200 FAX 702-263-9220

LANEY ENGINEERING
4415 S. JONES BLVD. SUITE #1
LAS VEGAS, NV 89103
(702) 362-3444 FAX (702) 362-3553

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

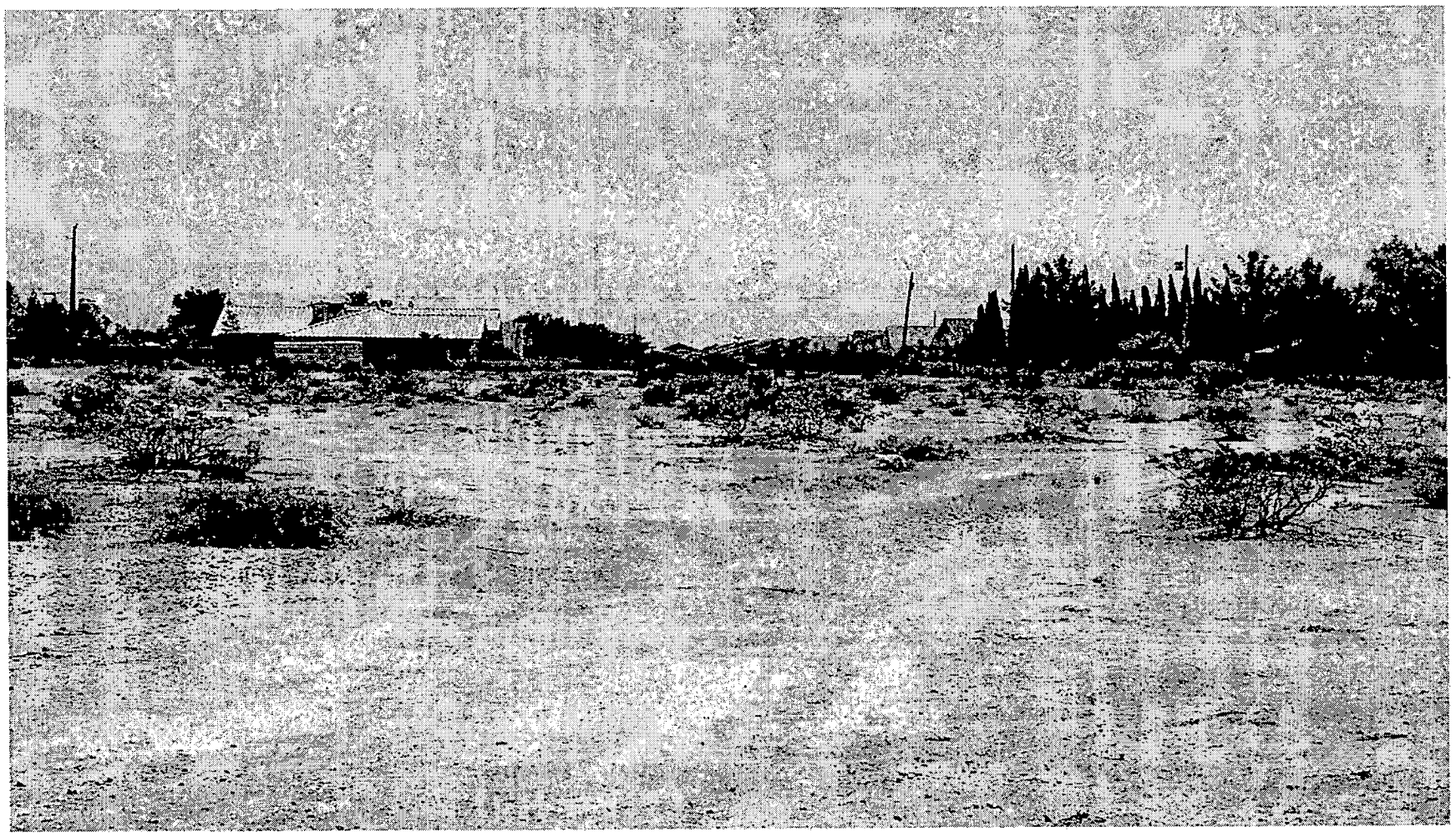
SITE PLAN

ENGINEER'S SEAL

DATE: 04.07.04
SCALE: 1"=60'
JOB NO:
DESIGNED BY:
DRAWN BY:
SHEET NAME: DT1
SHEET: 2 OF 2

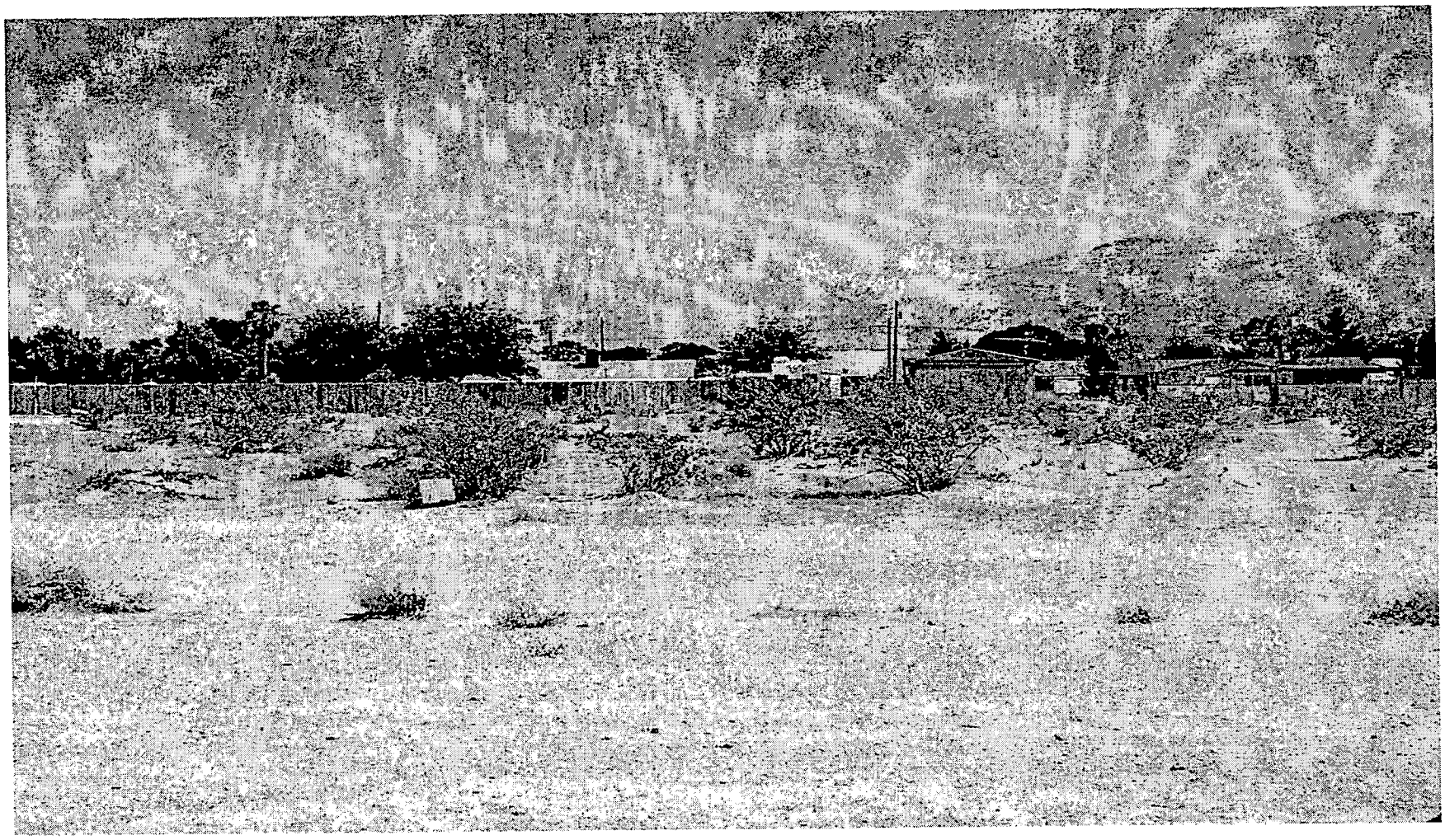
REVISED 6.2.04

VAR-4462
6-24-04 PC



VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4459 & VAR-4462 - PUBLIC HEARING - SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 163 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 47.46 acres located on the northeast corner of Jones Boulevard and the 215 Beltway (APN: 125-24-401-001, 002, 010, 011, and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

C.C.: 07/21/04

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

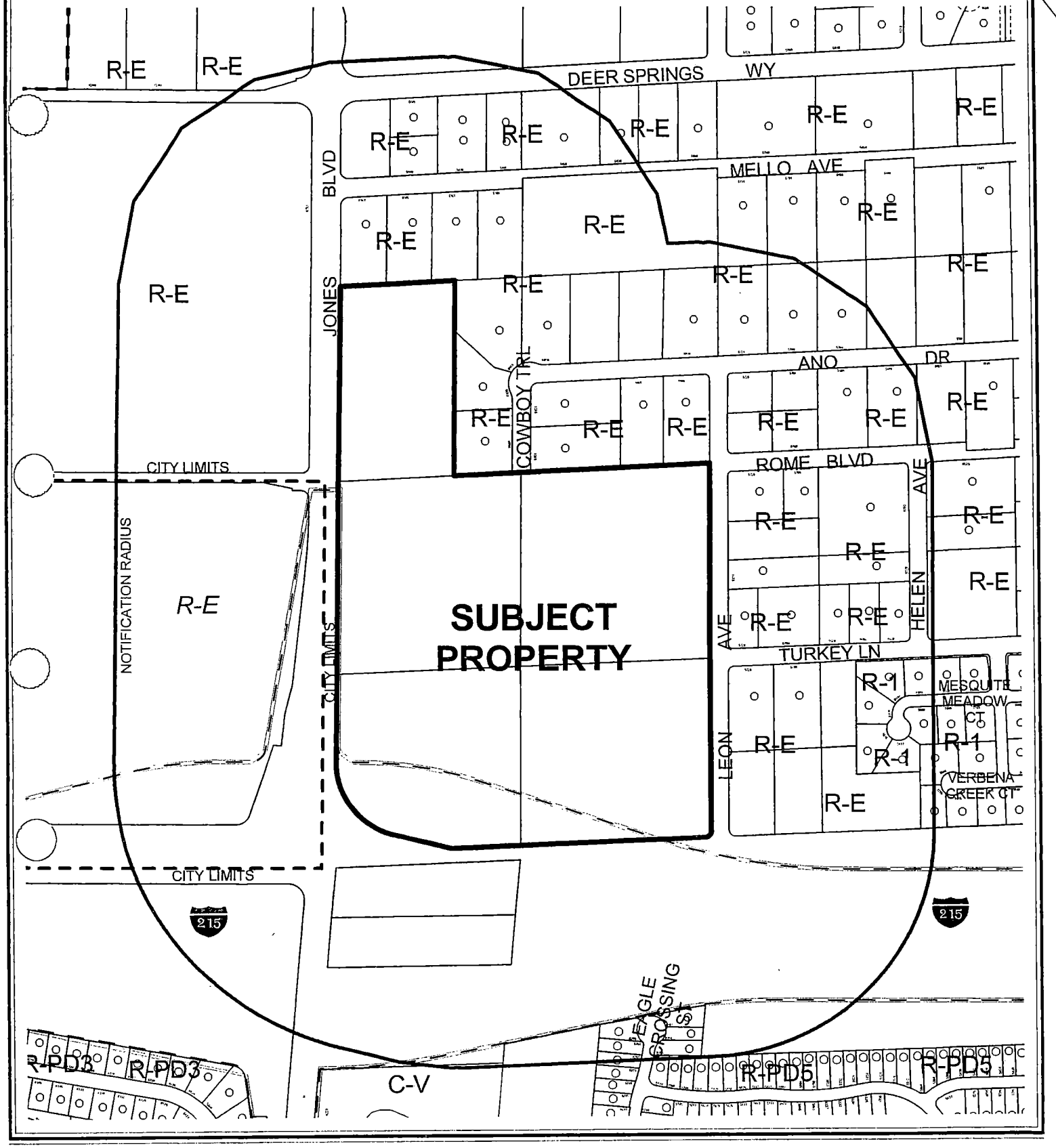
RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)



0 300 600 Feet

CASE: **SDR-4461**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4459 & VAR-4462 - PUBLIC HEARING - SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY

** 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 Rezoning (ZON-4459) to a Residential Planned Development 3 Units Per Acre Zoning District and Variance (VAR-4462) approved by the City Council.

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

4. All development shall be in conformance with the site plan and building elevations, date stamped 7/21/04, except as amended by conditions herein.

5. The standards for this development shall include the following: building height shall not exceed two stories or 35 feet, whichever is less.

6. The setbacks for this development shall be a minimum of 15 feet to the side loaded garage and the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the multi-use transportation trail to be consistent with design guidelines.

8. Air conditioning units shall not be mounted on rooftops.

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

Public Works

12. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary and comply with recommendations.

13. Provide written verification from Clark County that all rights-of-way for the beltway have been provided prior to the submittal of a Tentative Map for this site.

14. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a. The Jones Boulevard entry drive shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.

15. 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.

16. 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.

17. Site development to comply with all applicable conditions of approval for ZON-4459 and all other subsequent site-related actions.

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Site Development Plan Review for a proposed 163 lot residential planned development on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

B) Applicant's Justification

The applicant supplies no specific justification for the Site Development Plan Review.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 Companion items ZON-4559, VAR-4462 will be heard as a part of this agenda.

B) Pre-Application Meeting

04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and this Site Development Plan Review were discussed. The issues are as follows:

1. The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
2. The checking of the beltway alignment so as not to have a portion of the subdivision built within it.
3. The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.
4. Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
5. Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	ROW [215 Beltway]
East:	Single Family Dwellings
West:	Palm Mortuary, Undeveloped

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	R (Rural Density Residential)
South:	ROW (Right of Way)
East:	L (Low Density Residential)
West:	R (Rural Density) and DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residential Estates)
North:	R-E (Residential Estates)
South:	R-E (Residential Estates) and Public Right of Way
East:	R-E (Residential Estates)
West:	Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

Multi-Use Transportation Trail

A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state stature is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

PROJECT DESCRIPTION

The project will consist of 163 residential lots located on an area of 47.46 acres. The applicant has calculated the gross acreage to include the half of the dedicated right-of way along Jones Boulevard and Centennial Parkway, therefore increasing their acreage with unusable space. The density of the site then calculated to be 3.44 dwelling units per acre. Such a density would be permitted within the proposed R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district and would be in compliance with the R (Rural) designation of the general plan.

The proposed development is to be composed of both single and two-story residential dwellings, with multiple elevation options. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7,000 to 8,000 thousand square feet in size, the smallest being 7,080 square feet.

The applicant has provided 30,471 square feet of open space in the form of a 20-foot wide exercise trail along Centennial Parkway, as well as 75,730 square feet of open space in the form of a common park located on the northern portion of the site. Totaling 5.2% (2.4 acres) open space where 5.7% (2.7 acres) is required by the R-PD (Residential Planned Development) Development Standards.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for an R-PD (Residential Planned Development) zoning district are established at the time of Site Development Plan Review. The applicant is proposing the following development standards:

Standards	Proposed	Acceptable
Min. Setbacks		
• Front to garage	20 Foot	Y
• Front to House/Side Load Garage	15 Foot	Y
• Side	5 Foot	Y
• Corner	10 Foot	Y
• Rear	20 Foot	Y
Building Height	2 Stories/ 35-Feet	

The proposed setback standards and building heights are in conformance with the intent of the Zoning Code to some regard. The proposed setbacks are slightly less than what is found in the R-D (Single Family Residential – Restricted) zoning district and are more inclined towards the development standards of an R-1 (Single-Family Residential) zoning district, which is not a permitted zone for the properties within the R (Rural Density Residential) General Plan designation.

A4) Landscape Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	92 Trees	92
• Min. Zone Width	6 Feet		10 Feet
• Wall height	8 Foot Max		9 Feet, 10 Inches *

* Wall heights are restricted to a maximum of 8 feet within residential development. Variance (VAR-4462) will address this issue.

The site plan illustrates a 10-foot landscape planter that runs the length of Leon Avenue and the majority of Jones Boulevard. Within the 10-foot landscape buffer resides the proper number of 24-inch box Mondell Pines, 30 feet on center.

The revised plan shows conformance to the Open Space standards.

B) General Analysis and Discussion

- Zoning

The proposed R-PD3 (Residential Planned Development 3 Units Per Acre) is in conformance with the R (Rural) General Plan designation. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

- Site Plan

The proposed development will result in the construction of 163 lots on 47.46 acres, for a density of 3.44 dwelling units per acre. A 51-foot wide, private entry road will be provided with access off Jones Boulevard and Leon Avenue. Open space, in the form of a park located along the northern property line and a meandering 20-foot recreation trail located on adjacent to the Centennial Parkway right-of way, is provided, but fails to be in accordance with R-PD (Residential Planned Development) requirements. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7 to 8 thousand square feet in size, the smallest being 7,080 square feet. The proposed development is incompatible with the surrounding area, which contains single-family rural-residential lots ranging from half an acres to more than an acre lots.

- Waivers

The applicant has not requested waivers to standards. The applicant has submitted a variance request to allow for 5.2% open space where 5.7% open space is required and to allow for wall heights along portions of Centennial Parkway and Jones Boulevard to exceed the 8-foot maximum height development standard. Companion item (VAR-4462) will address these issues.

- Landscape Plan

The landscape plan indicates the use of 24-inch box Mondell pines, 30 feet on center, and 1 - 5 gallon Desert Broom shrubs to be placed along a portion of Jones Boulevard and all along Leon Avenue. Along Centennial Parkway the applicant proposes a 20-foot meandering trail with exercise equipment. The proposed multi-use transportation trail has not been illustrated in regards to landscaping therefore, it is recommended that a condition be add so as to have the trail landscaping meet the multi-use transportation trail design guidelines.

- Elevation

Four elevations were provided illustrating three single story models and one two-story model. Each building elevation is composed of a stucco facade with a tile roof and stone veneer accents along the front of the home. The proposed elevations are architecturally similar to each other.

- Floor Plan

The supplied floor plans indicate a range of floor area from 2,400 square feet to 4,200 square feet. All of the building floor plans illustrate at least a two-car garage. Casitas, as well as, other options have not been made available and are therefore not part of this review.

FINDINGS

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

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

   The proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the north and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

   The proposed development is not compatible with the intent of the General Plan. The proposed development standards are more in line with that of an R-1 (Single-Family Residential) zoning district's than that of an R-PD3 (Residential Planned Development - 3 Units per Acre) or R-D (Single-Family Residential-Restricted) zoning district. In addition, it fails to meet the development standards set forth for R-PN's (Residential Planned Developments) for open space, as is illustrated in Variance (VAR-4462).

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

   Site access will be made available from Jones Boulevard, a 100-foot primary arterial, and Leon Avenue and Cowboy Trail, both of which are public streets. Access off of Jones Boulevard and Leon Avenue shall have limited impact upon neighborhood traffic. However, there is concern regarding Cowboy Trail's accessibility by pedestrians via the allotted open space impacting the adjacent neighborhood.

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

   The proposed building and landscaping materials are appropriate for the area. It has been noted that the landscaping of the multi-use transportation trail on the southern portion of the site has not been called out. Therefore, it is recommended that the trail conform to the multi-use transportation trail design guidelines.

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

   The proposed elevations are adequate and comply with the intent of the Title 19's design standards.

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

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

NOTICES MAILED 80 [Mailed with ZON-4459 & VAR-4462]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4461 APN: 125-24-302-014

Name of Property Owner: Jones Beltway LLC

Name of Applicant: ~~Brad Boyd~~ Dean A. Katris

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: Dean A Katris

Print Name: Dean A Katris

Subscribed and sworn before me

This 6 day of May, 2004

Kristie K. Burt

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
KRISTIE K. BURT
My Appointment Expires
October 24, 2004
No. 96-4621-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4461 APN: 125-24-401-001, 002, 010, 011

Name of Property Owner: Boyd Family Partnership LP

Name of Applicant: Ruth L. Boyd, G.P.

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

____ Yes ____ X No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner/Authorized Agent: Ruth L Boyd

Print Name: Ruth L. Boyd

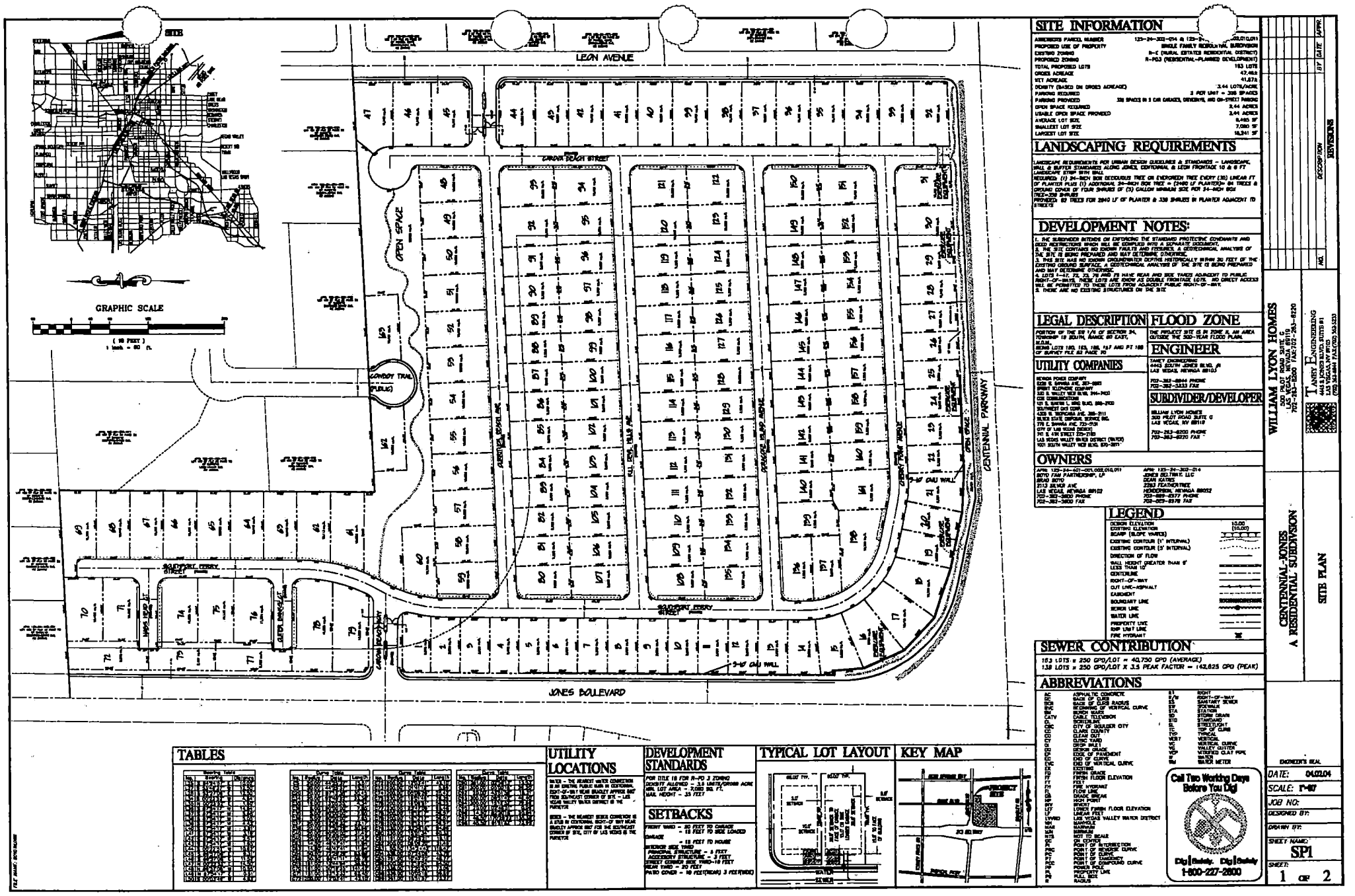
Subscribed and sworn before me

This 4TH day of MAY, 2004

Melissa G. Henegan

Notary Public in and for said County and State

MELISSA G. HENEGAN
Notary Public State of Nevada
No. 01-67489-1
My appt. exp. Dec. 7, 2004



SITE INFORMATION

ASSESSOR'S PARCEL NUMBER	123-24-302-014 & 123-24-[illegible] (LOT/LOTS)
PROPOSED USE OF PROPERTY	SINGLE FAMILY RESIDENTIAL SUBDIVISION
EXISTING ZONING	R-C (RURAL ESTATES RESIDENTIAL DISTRICT)
PROPOSED ZONING	R-PD3 (RESIDENTIAL-PLANNED DEVELOPMENT)
TOTAL PROPOSED LOTS	163 LOTS
GROSS ACREAGE	47.464
NET ACREAGE	41.874
DENSITY (BASED ON GROSS ACREAGE)	3.44 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 326 SPACES
PARKING PROVIDED	326 SPACES IN 2 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
OPEN SPACE REQUIRED	3.44 ACRES
USABLE OPEN SPACE PROVIDED	3.91 ACRES
AVERAGE LOT SIZE	9,450 SF
SMALLEST LOT SIZE	7,080 SF
LARGEST LOT SIZE	16,341 SF

LANDSCAPING REQUIREMENTS

LANDSCAPE REQUIREMENTS PER URBAN DESIGN GUIDELINES & STANDARDS – LANDSCAPE, WALL & BUFFER STANDARDS ALONG JONES, CENTENNIAL & LEON FRONTAGE 10 & 6 FT LANDSCAPE STRIP WITH WALL
REQUIRED: (1) 24-INCH BOX DECIDUOUS TREE OR EVERGREEN TREE EVERY (30) LINEAR FT OF PLANTER PLUS (1) ADDITIONAL 24-INCH BOX TREE = (2480 LF PLANTER)÷ 84 TREES & GROUND COVER OF FOUR SHRUBS OF (5) GALLON MINIMUM SIZE PER 24-INCH BOX TREE=336 SHRUBS
PROVIDED: 82 TREES FOR 2840 LF OF PLANTER @ 336 SHRUBS IN PLANTER ADJACENT TO STREETS

DEVELOPMENT NOTES:

1. SHE SURRENDER INTENDS ON ENFORCING THE STANDARD PROTECTIVE COVENANTS AND DEED RESTRICTIONS WHICH WILL BE COMPILED INTO A SEPARATE DOCUMENT.
2. THE SITE CONTAINS NO KNOWN FAULTS AND REQUIRES A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
3. THIS SITE HAS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 30 FEET OF THE EXISTING GROUND SURFACE. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.
4. LOTS 1–17, 73, 75, 76 AND 78 HAVE REAR AND SIDE YARDS ADJACENT TO PUBLIC RIGHT-OF-WAYS. THESE LOTS ARE SHOWN AS DOUBLE FRONTAGE LOTS. NO DIRECT ACCESS WILL BE PERMITTED TO THOSE LOTS FROM ADJACENT PUBLIC RIGHT-OF-WAY.
5. THERE ARE NO EXISTING STRUCTURES ON THE SITE

LEGAL DESCRIPTION

PORTION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.
BEING LOTS 180, 183, 186, 187 AND PT 188 OF SURVEY FILE 82 PAGE 20

FLOOD ZONE

THE PROJECT SITE IS IN ZONE X, AN AREA OUTSIDE THE 500-YEAR FLOOD PLAIN.

UTILITY COMPANIES

NEVADA POWER COMPANY
6226 W. SAHARA AVE. 367-5600
SPRINT ELECTRIC EQUIPMENT
321 S. VALLEY VIEW BLVD. 944-7400
COX COMMUNICATIONS
1210 S. VALLEY VIEW BLVD. 598-7000
SOUTHWEST GAS CORP.
4226 S. DURANGO AVE. 368-7111
NEVADA BELL TELEPHONE COMPANY
778 E. SAHARA AVE. 733-2538
CITY OF LAS VEGAS (SEWER)
731 S. 4TH STREET 229-6310
LAS VEGAS VALLEY WATER DISTRICT (WATER)
1001 SOUTH VALLEY VIEW BLVD. 870-3011

ENGINEER

TANEY ENGINEERING
6445 SOUTH JONES BLVD. #
LAS VEGAS, NEVADA 89118
702-362-8844 PHONE
702-362-3343 FAX

SUBDIVIDER/DEVELOPER

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NV 89119
702-263-6200 PHONE
702-263-6270 FAX

OWNERS

APN: 123-24-401-001,002,010,011
BOYD FAM PARTNERSHIP, LP
BILL BOYD
2113 SILVER AVE
LAS VEGAS, NEVADA 89102
702-382-3600 PHONE
702-382-3600 FAX

APN: 123-24-302-014
JONES BOULEVARD, LLC
DEAN KATRIS
2283 FEATHERTREE
HENDERSON, NEVADA 89052
702-869-6177 PHONE
702-869-6178 FAX

LEGEND

DESIGN ELEVATION (10.00)
EXISTING ELEVATION
SCARP (SLOPE MARKS)
EXISTING CONTOUR (1' INTERVAL)
EXISTING CONTOUR (5' INTERVAL)
DIRECTION OF FLOW
WALL HEIGHT GREATER THAN 6' LESS THAN 10'
CENTERLINE
RIGHT-OF-WAY
CUT LINE-ASPHALT
EASEMENT
BOUNDARY LINE
SEWER LINE
WATER LINE
PROPERTY LINE
FIRE HYDRANT

SEWER CONTRIBUTION

163 LOTS x 250 GPD/LOT = 40,750 GPD (AVERAGE)
138 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 142,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BOC	BACK OF CURB
BCR	BACK OF CURB RADIUS
BVC	BEGINNING OF VERTICAL CURVE
BW	BOTTOM OF WALL
CATV	CABLE TELEVISION
CL	CENTERLINE
COLV	CITY OF SOULDER CITY
CC	CLARK COUNTY
CONC	CONCRETE
CG	CURB GUTTER
CY	CUBIC YARD
DI	DROP INLET
EG	EXISTING GRADE
EP	EDGE OF PAVEMENT
EC	END OF CURVE
EVC	END OF VERTICAL CURVE
EX	EXISTING
FG	FINISH GRADE
FFE	FINISH FLOOR ELEVATION
FH	FIRE HYDRANT
FL	FLOW LINE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
LFFE	LOWEST FINISH FLOOR ELEVATION
LF	LINEAR FEET
LVWD	LAS VEGAS VALLEY WATER DISTRICT
MH	MANHOLE
MON	MONUMENT
NTS	NOT TO SCALE
OC	ON CENTER
POI	POINT OF INTERSECTION
POC	POINT OF REVERSE CURVE
POVC	POINT OF VERTICAL CURVE
PT	POINT OF TANGENCY
PCC	POINT OF COMPOUND CURVE
PVI	POWER POLE
PL	PROPERTY LINE
R	RADIUS
R/W	RIGHT-OF-WAY
SS	SANITARY SEWER
SW	SIDEWALK
STA	STATION
SD	STORM DRAIN
STD	STANDARD
SL	STREETLIGHT
TC	TOP OF CURB
TYP	TYPICAL
VERT	VERTICAL
VC	VERTICAL CURVE
VG	VALLEY GUTTER
VCP	VITRIFIED CLAY PIPE
W	WATER
WM	WATER METER

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TABLES

UTILITY LOCATIONS

WATER – THE NEAREST WATER CONNECTION IS AN EXISTING PUBLIC MAIN IN CENTENNIAL RIGHT-OF-WAY NEAR SHARLEY APPROX 660' FROM SOUTHEAST CORNER OF SITE – LAS VEGAS VALLEY WATER DISTRICT IS THE PURVEYOR

SEWER – THE NEAREST SEWER CONNECTION IS A STUB IN CENTENNIAL RIGHT-OF WAY NEAR SHARLEY APPROX 660' FOR S-E SOUTHEAST CORNER OF SITE, CITY OF LAS VEGAS IS THE PURVEYOR

DEVELOPMENT STANDARDS

PER TITLE 19.10.09 R-PD 3 ZONING
DENSITY ALLOWED – 3.5 UNITS/GROSS ACRE
MIN. LOT AREA – 7,000 SQ. FT.
MAX. HEIGHT – 35 FEET

SETBACKS

FRONT YARD – 20 FEET TO GARAGE
– 10 FEET TO SIDE LOADED GARAGE
– 10 FEET TO HOUSE
INTERIOR SIDE YARD
PRINCIPAL STRUCTURE – 5 FEET
ACCESSORY STRUCTURE – 3 FEET
STREET CORNER SIDE YARD–10 FEET
REAR YARD – 20 FEET
PATIO COVER – 10 FEET(REAR) 3 FEET(SIDE)

TYPICAL LOT LAYOUT

KEY MAP

WILLIAM LYON HOMES
300 PILOT ROAD SUITE G
LAS VEGAS, NEVADA 89119
702-263-6200 FAX:702-263-6220

TANEY ENGINEERING
6445 SOUTH JONES BLVD. #1
LAS VEGAS, NEVADA 89118
(702) 362-8844 FAX:(702) 362-3343

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

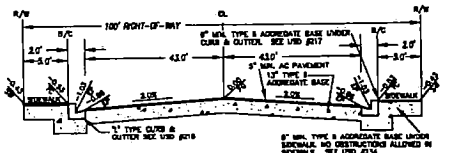
SITE PLAN

ENGINEER'S SEAL

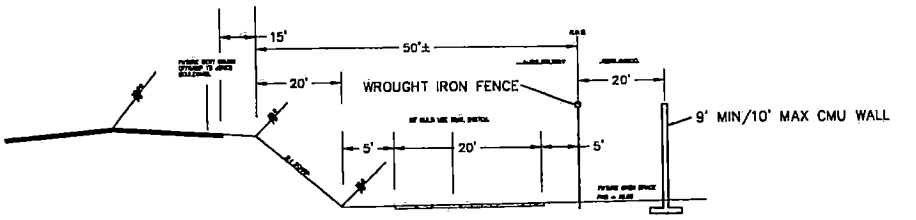
DATE: 04.02.04
SCALE: 1"=80'
JOB NO:
DESIGNED BY:
DRAWN BY:
SHEET NAME: SP1
SHEET: 1 OF 2

REVISED 6.2.04

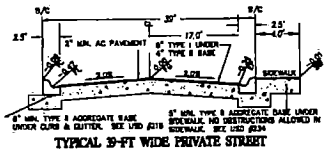
SDR-4461
6-24-04 PC



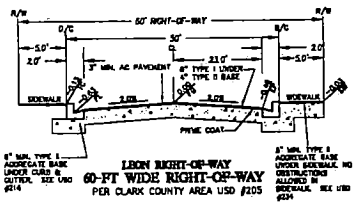
JONES RIGHT-OF-WAY - 100-FT ROAD
PER CLARK COUNTY AREA USD #202.1



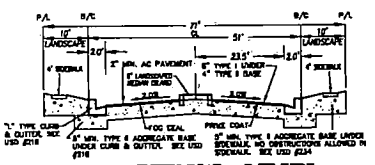
SOUTH PROPERTY LINE ADJOINING BELTWAY



TYPICAL 29-FT WIDE PRIVATE STREET



LEON RIGHT-OF-WAY
60-FT WIDE RIGHT-OF-WAY
PER CLARK COUNTY AREA USD #205



PRIVATE ENTRY ROAD - 51-FT WIDE

LEGEND

EXISTING ELEVATION	15.00
EXISTING ELEVATION	(16.00)
SCARP (SLOPE VARIES)	
EXISTING CONTOUR (1' INTERVAL)	
EXISTING CONTOUR (5' INTERVAL)	
DIRECTION OF FLOW	
WALL HEIGHT GREATER THAN 6' LESS THAN 10'	
CENTERLINE	
RIGHT-OF-WAY	
CUT LINE-ASPHALT	
EASEMENT	
BOUNDARY LINE	
SEWER LINE	
WATER LINE	
PROPERTY LINE	
SHP UNIT LINE	
FIRE HYDRANT	

SEWER CONTRIBUTION

139 LOTS x 250 GPD/LOT = 34,750 GPD (AVERAGE)
139 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 121,625 GPD (PEAK)

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	RT	RIGHT
BOC	BACK OF CURB	R/W	RIGHT-OF-WAY
BCR	BACK OF CURB RADIUS	SS	SANITARY SEWER
BVC	BEGINNING OF VERTICAL CURVE	SW	SIDEWALK
BM	BENCH MARK	STA	STATION
CATV	CABLE TELEVISION	SD	STORM DRAIN
CL	CENTER LINE	STD	STANDARD
CO	CITY OF BOULDER CITY	SL	STREETLIGHT
CC	CLARK COUNTY	TC	TOP OF CURB
CE	CLEAN OUT	TYP	TYPICAL
CV	CURB VALVE	VERT	VERTICAL
DI	DROP INLET	VC	VERTICAL CURVE
DW	DRIVE WAY	VG	VALLEY GUTTER
EP	EDGE OF PAVEMENT	VCP	VITRIFIED CLAY PIPE
EC	END OF CURVE	W	WATER
EVC	END OF VERTICAL CURVE	WM	WATER METER
EX	EXISTING		
FG	FINISH GRADE		
FFE	FINISH FLOOR ELEVATION		
FH	FIRE HYDRANT		
FL	FLOW LINE		
GB	GRADE BREAK		
INV	INVERT		
LFFE	LOWEST FINISH FLOOR ELEVATION		
LVMD	LINEAR FEET		
MH	MANHOLE		
MAX	MAXIMUM		
MIN	MINIMUM		
MTS	MEET TO SCRIBE		
OC	ON CENTER		
PI	POINT OF INTERSECTION		
PRC	POINT OF REVERSE CURVE		
PC	POINT OF CURVE		
PT	POINT OF TANGENCY		
PCC	POINT OF COMPOUND CURVE		
PP	POWER POLE		
PL	PROPERTY LINE		
FS	FULL SIZE		
R	RADIUS		

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WILLIAM LYON HOMES
3900 PLOT ROAD SUITE C
LAS VEGAS, NEVADA 89110
702-233-8200 FAX 702-263-8720

TANEY ENGINEERING
8465 JONES RANCH DRIVE, SUITE #1
LAS VEGAS, NEVADA 89143
(702) 363-8864 FAX (702) 363-3283

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

CENTENNIAL-JONES
A RESIDENTIAL SUBDIVISION

SITE PLAN

ENGINEER'S SEAL

DATE: 04.02.04
SCALE: 1"=60'
JOB NO:
DESIGNED BY:
DRAWN BY:
SHEET NAME: DT1
SHEET: 2 OF 2

FILE NAME: SITEPLAN

REVISED
6.2.04

SDR-4461
6-24-04 PC



SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN: 126-13-601-004, 006, 008 and 009), Ward 6 (Mack).

C.C.: 07/21/04

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

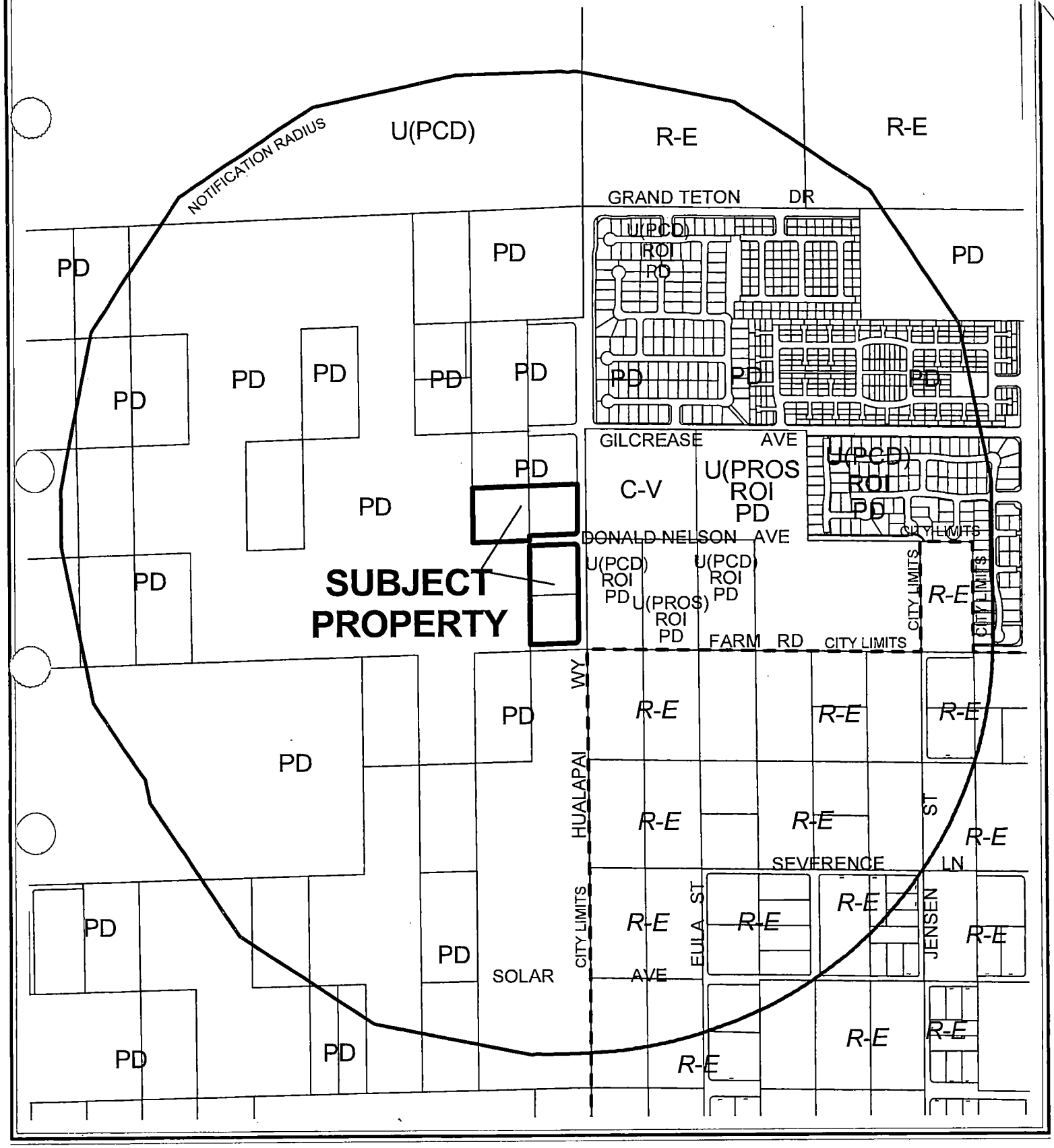
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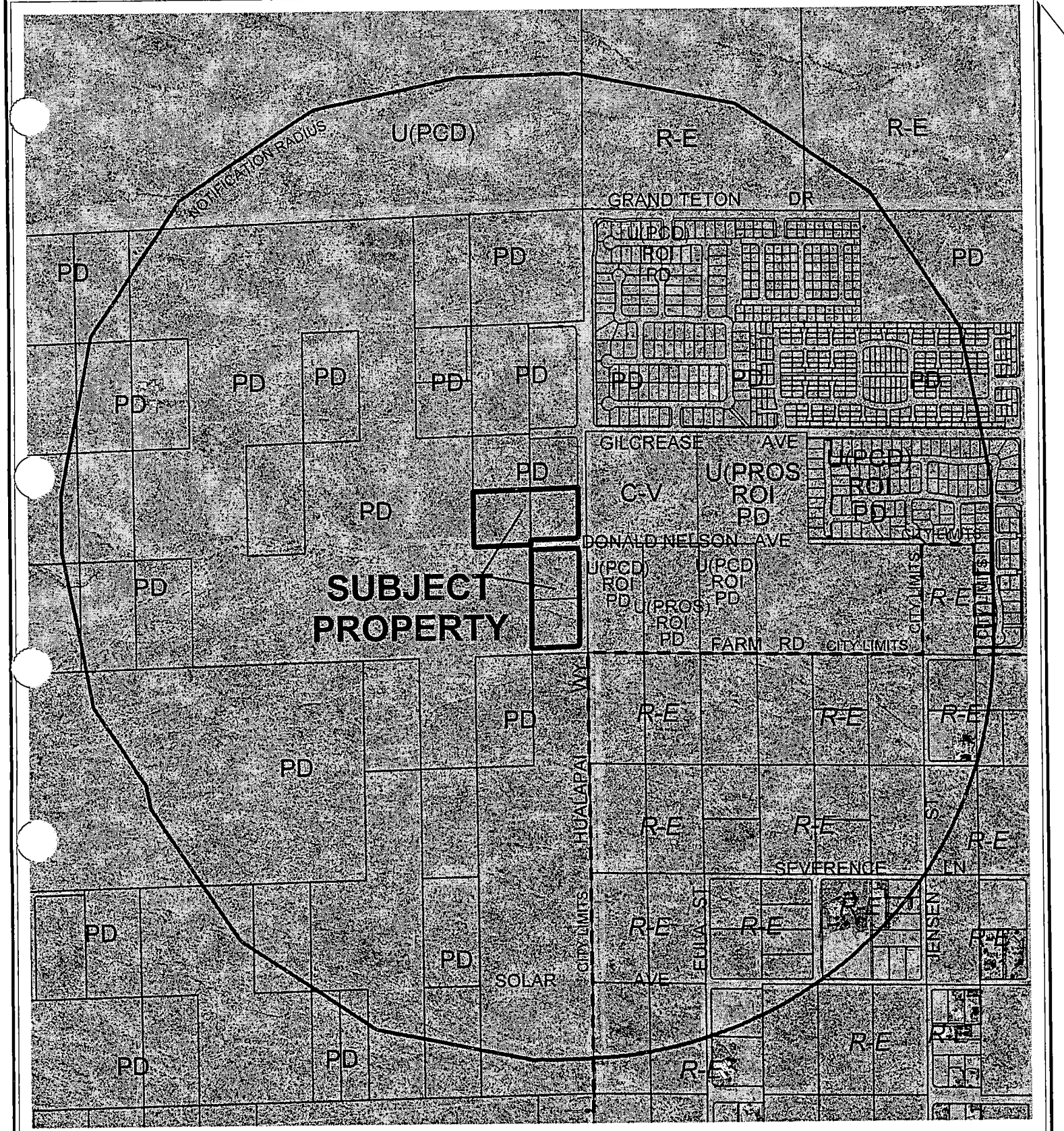
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)


NOTIFICATION RADIUS
U(PCD)
R-E
R-E
GRAND TETON DR
U(PCD) ROI PD
PD
PD



0 600 1200 Feet

CASE: **ZON-4368**

RADIUS: 2500 FT

CURRENT ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: REZONING - PUBLIC HEARING - ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L

** CONDITIONS **

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application (SDR-4370) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 80 feet on Farm Road adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Farm Road and Hualapai Way. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis.

4. Construct half-street improvements including appropriate overpaving on Farm Road and Hualapai Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

5. If not already in place at the time of development, construct a 12-inch sewer main in Hualapai Road from Severance Lane to Farm Road, an 8-inch sewer main in Hualapai Road from Farm Road to the north property line and a 10-inch sewer extension in Farm Road to the west property line at a location and depth acceptable to the City Engineer concurrent with development of this site. Provide a plan for such work to the Department of Public Works for approval prior to submittal of a Final Map for this site.

6. If not already constructed at the time of development provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

7. Submit a Petition of Vacation for Donald Nelson Avenue; said Order of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to vacated, and the Final Map must show the Recorder's number for the Vacation.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone on approximately 10.52 acres adjacent to the northwest corner of Hualapai Way and Farm Road. Revised site plans from the applicant revises this request from R-PD6 (Residential Planned Development – 6 Units Per Acre) to R-PD7 (Residential Planned Development – 7 Units Per Acre).

Companion applications VAC-4420 and SDR-4370 were filed with this application.

B) Applicant's Justification

This development will provide an environment of stable and desirable character, consistent with the existing City policies and regulations.

BACKGROUND INFORMATION

A) Previous Actions

02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council February 5, 2002. The Planning Commission and the staff recommended approval.

06/24/04 The Planning Commission will hear a related item VAC-4420 and SDR-4370 as a part of this agenda.

B) Pre-Application Meeting

4/15/04 At the pre-application conference the following was discussed.

- The proposed is a 69-lot subdivision on 10 acres adjacent to the Cliff's Edge development.
- The site will need to be rezoned to R-PD7.
- Waivers of longer private drives will be needed.
- The trail along Hualapai can count towards the required Open Space.
- No access will be to Cliff's Edge to the west.

C) Neighborhood Meetings

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

KW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.52

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development) PF (Public Facility)
East:	PCD (Planned Community Development) PROS (Public Recreation Open Space)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North:	PD (Planned Development)
South:	PD (Planned Development)
East:	C-V (Civic) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

Centennial Hills General Plan

This site is located on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density is up to 8 units per acre. The proposed zoning change to R-PD7 (Residential Planned Development - 7 Units per Acre), which allows up to 7.49 units per acre, is in conformance with the PCD (Planned Community Development) land use designation.

KW

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

A Multi-use Transportation trail is planned for the west side of Hualapai Way. The trail shall be incorporated in the improvements of the west side of Hualapai Way and the proposed development.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	**Required**	**Provided**	**Compliance**
Min. Lot Size	N/A	2,898 sq. ft.	Y
Min. Lot Width	N/A	46 feet	Y
Min. Setbacks			
• Front	N/A	10 feet	Y
• Side	N/A	3 feet	Y
• Corner	N/A	10 feet	Y
• Rear	N/A	15 feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35Feet	2 Stories / 35Feet	Y

The proposal meets the requirements of the Development Standards of Title 19.

A2) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Perimeter Landscaping	1 - 24" box tree/30 linear feet of gross perimeter frontage (1,190 lineal feet of frontage)	41 Trees	41 Trees

KW

The perimeter landscaping meets the minimum perimeter-landscaping requirement of Title 12.

The following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
10.52 acres	6.56 units/acre	1.65	10.82 %	1.14 acres or 49,658.4 sf	11.5 %	1.21 acres or 52,614 sf

The proposal exceeds the requirement for Open Space in the Zoning Code.

B) General Analysis and Discussion

This rezoning application is consistent with the parameters of the existing PCD (Planned Community Development) General Plan designation for the site.

i. The proposed rezoning is consistent with the approved General Plan designation that applies to the area; and

ii. The proposed rezoning represents a reasonable match with the zoning or land use on adjacent residential parcels to the east, south and west of the sites, which are between 8.0 and 5.5 units per acre, and with the future public facility site directly to the north.

From the standpoint of the proposal as an R-PD development, the project provides a sufficient amount of open space, based on the requirements of the Zoning Code, and appears to provide a reasonable development solution for the subject parcels. The various aspects of the site plan are addressed in greater detail in the companion case report on SDR-4370.

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 PCD (Planned Community Development), which allows a density of up to 8 units per acre. The rezoning request to R-PD7 (Residential Planned Development - 7 Units Per Acre), which allows up to 7.49 units per acre, is consistent with the current General Plan designation.

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

   The proposed development that is shown on the companion Site Development Plan to this rezoning application (SDR-4370) is intended to comply with both the PCD (Planned Community Development) land use designation and the proposed R-PD7 (Residential Planned Development – 7 Units Per Acre) zoning. Lands to the southwest, and north of this project are zoned PD (Planned Development) with a density up to 8 dwelling units per acre. Lands to the east, across Hualapai Way, are zoned for C-V (Civic) for an school/ park and PD (Planned Development). The PD (Planned Development) zoned parcel is designated in the Grand Teton Village Master Plan with density maximum of 3.0 units per acre.

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

   The subject site consists of four parcels that are between the Cliffs Edge Plan Area and the Grand Teton Village Plan area. Both of these plans are being implemented and because of this urban development of the site is now appropriate. Development of this site for single-family residential development at a density of about seven units per acre means that the project will be in scale and compatible with future low-density residential development on surrounding sites.

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

   The subject site is bordered by Hualapai Way (a Secondary [80-foot] Collector) to the east. On the companion Site Development Plan (SDR-4370) to this application, access to the site is indicated solely from Hualapai Way. When developed, this access will be adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 44 [Mailed with SDR-4370]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4368 APN: 126-13-601-004,006,008,009

Name of Property Owner: Ron and Carolyn Mich'l, C22 LP

Name of Applicant: Carina Homes

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Amber L Dolce on behalf of: Carolyn Mich'l

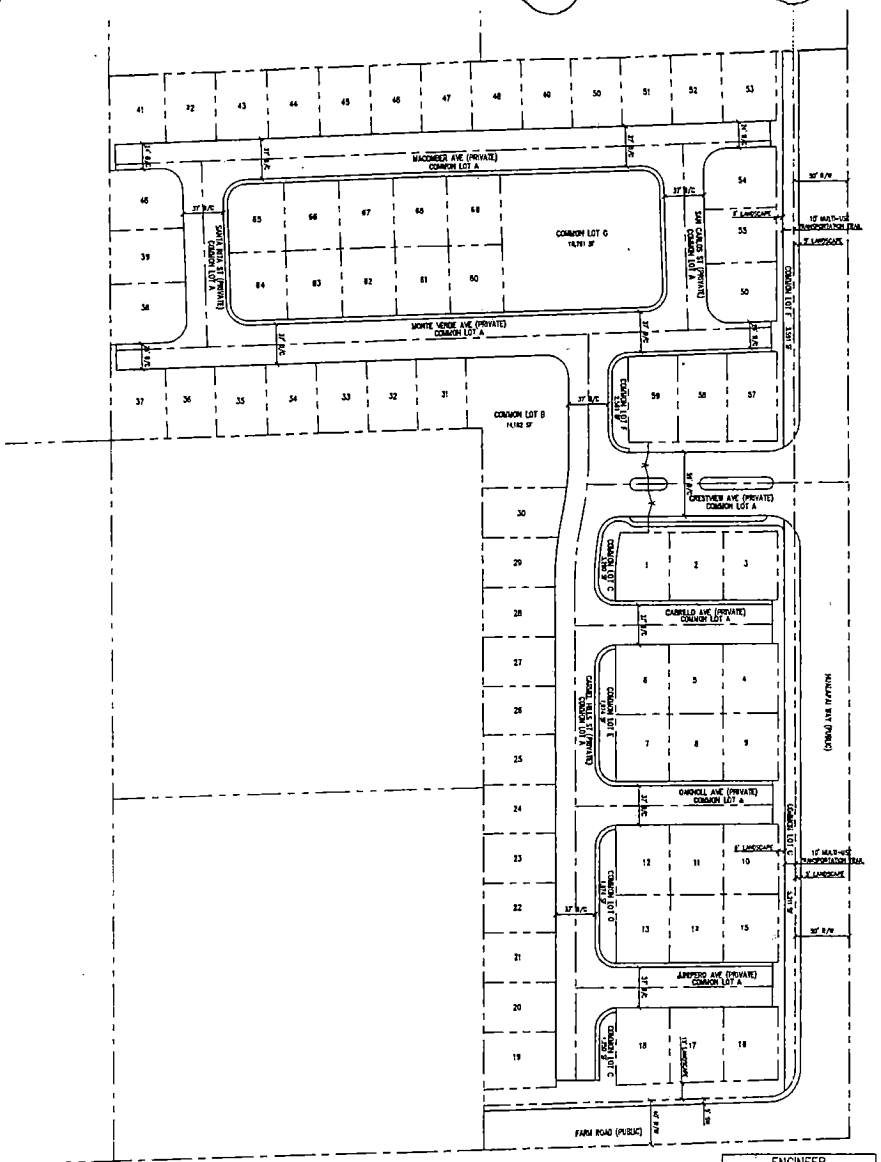
Print Name: Amber L Dolce

Subscribed and sworn before me

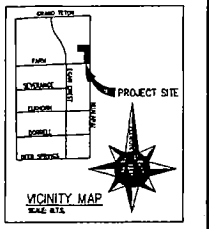
This 27th day of April, 2004

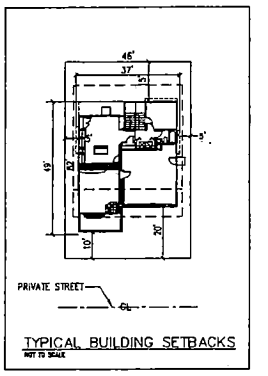
Notary Public in and for said County and State

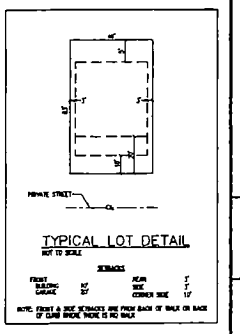
ROGER FRIEND
Notary Public State of Nevada
No. 97-0821-1
My appt. exp.July 16, 2007

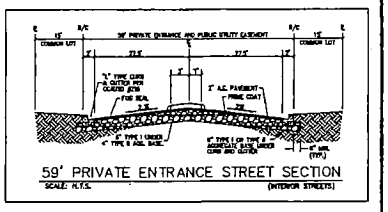


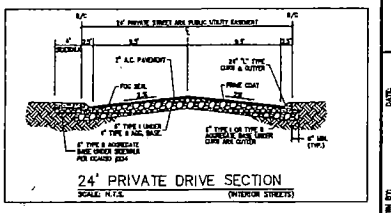


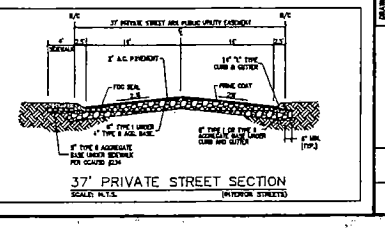












SITE DATA	
ASSESSORS PARCEL NUMBER	126-13-601-004, 006, 008 &009
CURRENT ZONING	U(PCD)
PROPOSED ZONING	R0-7
GROSS ACRES	10.52
NUMBER OF LOTS	69
COMMON LOTS	7
DU/AC	6.56
MINIMUM LOT SIZE	2,898 SF
MAXIMUM LOT SIZE	3,822 SF

ENGINEER
WRIGHT ENGINEERS
7425 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 933-7000 FAX (702) 933-7001
STRUCTURAL CIVIL MEP SURVEYING

OWNER INFORMATION
APN #126-13-601-004 & 008
MICHAEL ANN & CAROLYN ETAL
c/o CARINA CORPORATION
2881 BUSINESS PARK CT. #216
LAS VEGAS, NV 89128-8650

APN #126-13-601-006 & 009
CCS L.P and BOYL ROLAND C
c/o CARINA CORPORATION
2881 BUSINESS PARK CT. #216
LAS VEGAS, NV 89128-8650

DEVELOPER
CARINA CORPORATION
2881 BUSINESS PARK CT. #216
LAS VEGAS, NV 89128-8650
(702) 256-6278

REVISION	DATE	BY

WRIGHT ENGINEERS
7425 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 933-7000
FAX (702) 933-7001
STRUCTURAL CIVIL MEP SURVEYING

CARINA CORPORATION
FARM & HUALAPAI

SITE PLAN

DRAWN BY: JMP
DATE: 5/18/04
DESIGNED BY: JMP
DATE: 5/18/04
CHECKED BY:
DATE:
PROJECT NO: 0214.4
SCALE: 1"=50'

SHEET
1 OF 1 SHEETS
DRAWING NO.

REVISED
6.10.04

ZON-4368
SDR-4370
6-24-04 PC

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

WAIVER RELATED TO ZON-4368 - PUBLIC HEARING - WVR-4371 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICH'L - Request for a Waiver of Title 18.12.110 TO ALLOW DEAD-END STREET STUBS AND TITLE 18.12.100 TO ALLOW 33-FOOT PRIVATE STREETS WHERE A MINIMUM OF 37 FEET IS REQUIRED FOR A PROPOSED RESIDENTIAL (SINGLE-FAMILY) SUBDIVISION adjacent to the northwest corner of Farm Road and Hualapai Way (APN: 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack).

C.C.: 07/21/04

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 STRICKEN from the agenda.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

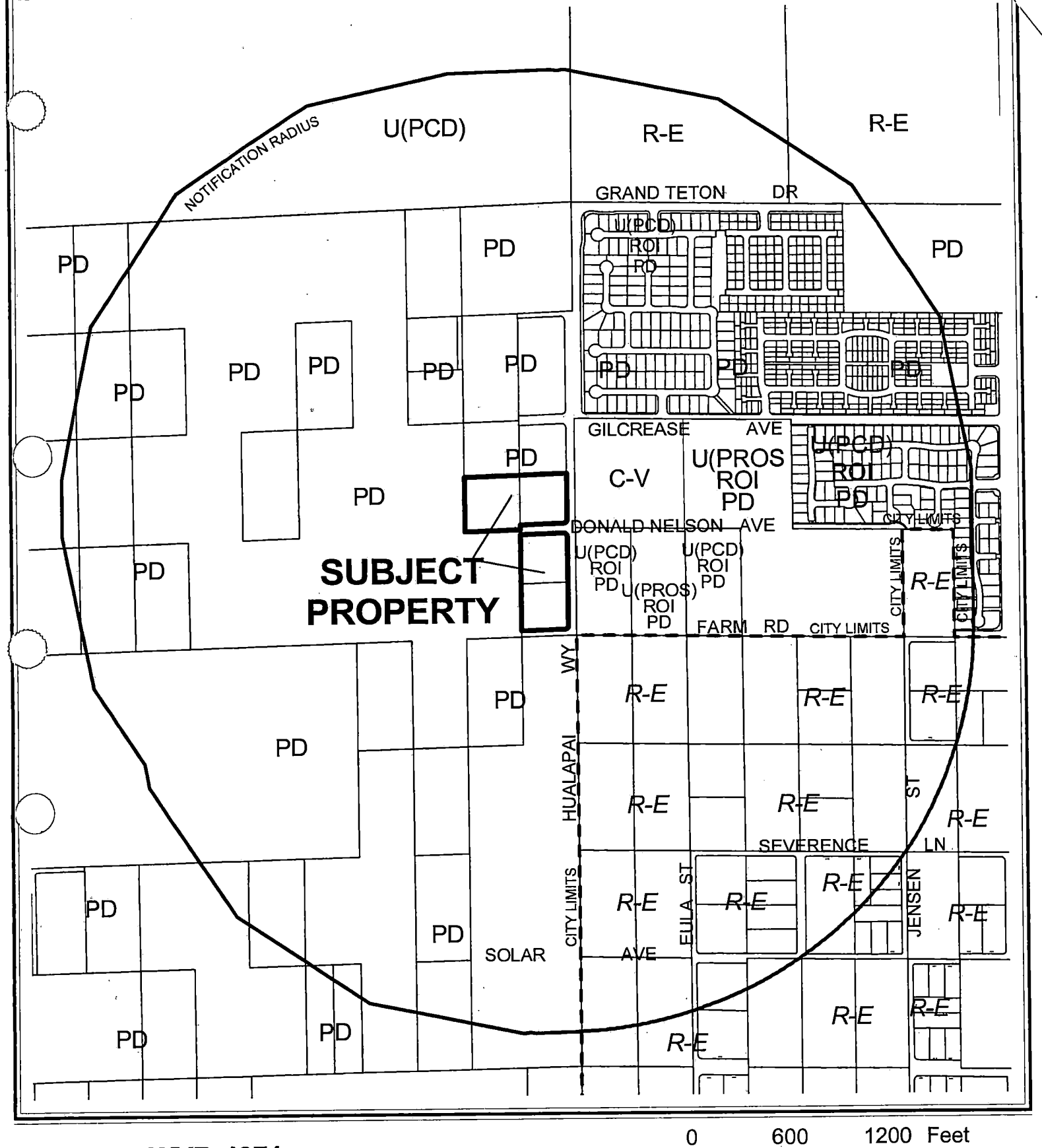
MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)


NOTIFICATION RADIUS
U(PCD)
R-E
R-E
GRAND TETON DR
U(PCD) ROI PD
PD
PD

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WAIVER RELATED TO ZON-4368 - PUBLIC HEARING - WVR-4371 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICH'L

STAFF REQUESTS THIS ITEM BE STRICKEN AS IT HAS BEEN DETERMINED THAT THE REQUEST IS NOT NEEDED

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-4371 APN: 126-13-601-004, 006, 008, 009

Name of Property Owner: Ron and Carolyn Mich'l, C22 LP

Name of Applicant: Carina Homes

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Amber L Dolce on behalf of: Carolyn Michl

Print Name: Amber L Dolce

Subscribed and sworn before me

This 27th day of APRIL, 2004

Notary Public in and for said County and State

ROGER FRIEND
Notary Public State of Nevada
No. 97-0821-1
My appt. exp. July 16, 2007

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VACATION RELATED TO ZON-4368 & WVR-4371 - VAC-4420 - APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL - Request for a Petition to vacate U. S. Governmddent Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack).

C.C.: 07/21/04

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

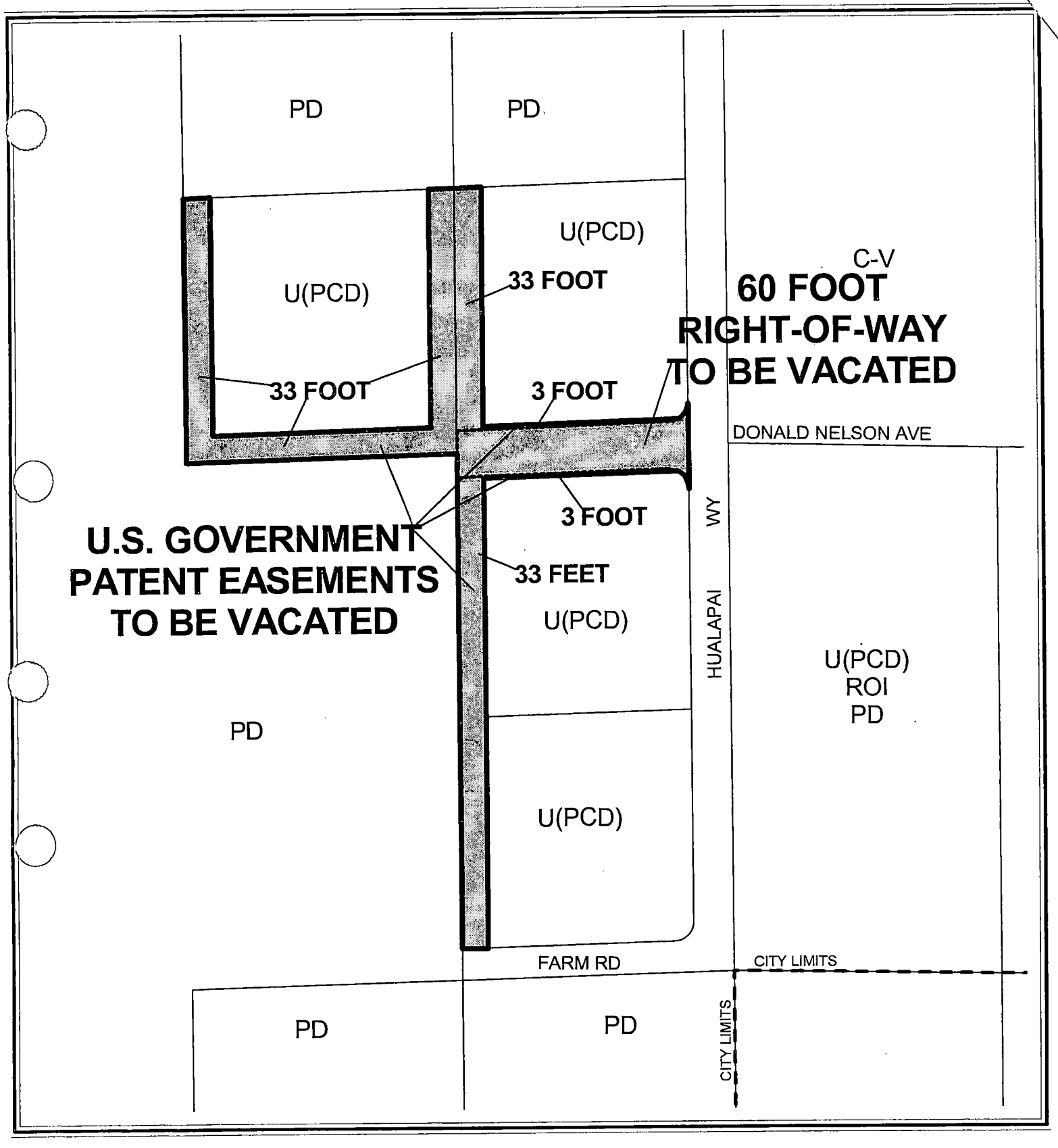
RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)



CASE: VAC-4420

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VACATION RELATED TO ZON-4368, WVR-4371 AND SDR-4370 - VAC-4420 - APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL

** CONDITIONS **

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

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

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

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

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-4368 may be used to satisfy this requirement provided that it addresses the area to be vacated.

5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest or the Order of Vacation.

6. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval to Vacate U. S. Government Patent Easements located generally at the northwest corner of Farm Road and Hualapai Way. This request is also for a Petition to Vacate a portion of Donald Nelson Avenue, generally located between Farm Road and Grand Teton Drive, along the west side of Hualapai Way.

B) Applicant's Justification

The alignment of Donald Nelson Avenue will not be necessary for utilities, an alignment for a through street, or drainage for the Master Plan Community of Cliff's Edge, which surrounds the development site on three sides.

The vacation of the patent easements is necessary to allow the subdivision layout being proposed. The easements will not be needed, as there are no street alignments along the perimeter of the property that are planned with the adjoining master plan.

BACKGROUND INFORMATION

A) Previous Actions

02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council February 5, 2002. The Planning Commission and the Department of Planning and Development recommended approval.

DETAILS OF APPLICATION REQUEST

Patent Easements
The subject Vacation proposes to vacate a U. S. Government Patent Easement located in the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 13, Township 19 South, Range 59 East, M.D.M.

KW

Right-of-Way

The south 30 feet excepting the east 50 feet of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 13, Township 19 South, Range 59 East, M.D.M.

The north 30 feet excepting the east 50 feet of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 13, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Easements because they are no longer needed in its current configuration. This will allow the unencumbered development of this site. This request is appropriate, as the subject grant is not needed and will not result in reduced access traffic handling capability for the area.

The applicant intends to remove a portion of Donald Nelson Avenue from Hualapai Way west 290 feet for a planned residential development on the adjacent parcels to the north and south of the right-of-way. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as it will completely eliminate Donald Nelson Avenue west of Hualapai Way*

B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is an undeveloped road.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to eliminate right-of-way that will never be utilized.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, ZON-4368 and SDR-4370.*

KW

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 4

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4420 APN: 126-13-601-004,006

Name of Property Owner: Mich'l, Ron & Carolyn ETAL

Name of Applicant: Carina Homes

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Carolyn Mich'l

Print Name: CAROLYN MICH'L

Subscribed and sworn before me

This 5th day of May ,2004

Amber L Dolce

Amber L Dolce

Notary Public in and for said County and State

AMBER L. DOLCE
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 02-74632-1 - Expires March 15, 2008

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4420 C22LP81.6 APN: 126-13-601-008,009

Name of Property Owner: Mich'l, Ron & Carolyn ETAL

Name of Applicant: Carina Homes

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Carolyn Mich'l

Print Name: CAROLYN MICH'L

Subscribed and sworn before me

This 5th day of May ,2004

Amber L Dolce

Notary Public in and for said County and State

AMBER L. DOLCE
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 02-74632-1 - Expires March 15, 2006

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368, WVR-4371 & VAC-4420 - PUBLIC HEARING - SDR-4370 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICH'L - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN: 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack).

C.C.: 07/21/04

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

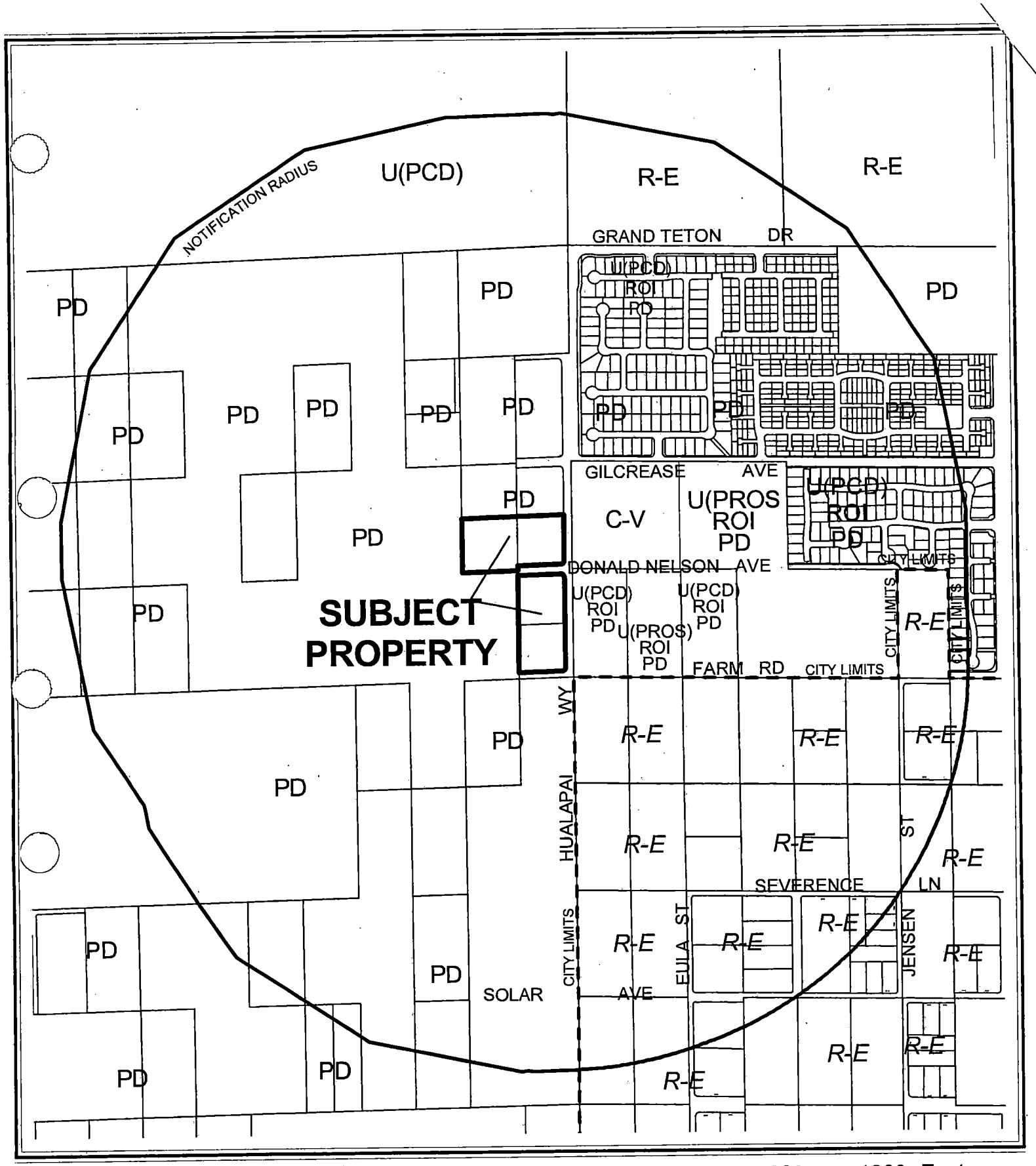
RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:
DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:05– 6:19)


NOTIFICATION RADIUS
U(PCD)
R-E
R-E
GRAND TETON DR
U(PCD) ROI PD
PD
PD

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 - PUBLIC HEARING - SDR-4370 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICH'L

** CONDITIONS **

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

Planning and Development

1. A Rezoning [ZON-4368] to an R-PD7 (Residential Planned Development - 7 Units Per Acre) Zoning District approved by the City Council.

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

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 July 21, 2004, except as amended by conditions herein.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 10 feet to the building, 10 feet on the corner side, and 15 feet in the rear.

6. Air conditioning units shall not be mounted on rooftops.

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

8. 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.

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

Public Works

10. A petition of vacation for all right-of-way in conflict with the proposed site plan (Donald Nelson Avenue), such as VAC-4420, shall record prior to the recordation of a Final Map abutting or overlying the area to be vacated, and the Final Map must show the Recorder's numbers of the Vacations.

11. 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.

12. Grant pedestrian access easements and public utility easements for all sidewalks located outside of the public street right-of-way. The sidewalk shall be within a separate common lot.

13. Landscape and maintain all unimproved rights-of-way on Hualapai Way and Farm Road adjacent to this site.

14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.

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 ZON-4368 and all other subsequent site-related actions.

17. 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 private drive/private street intersections are proposed within in this development.

KW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review on approximately 10.52 acres adjacent to the northwest corner of Hualapai Way and Farm Road. Approval of this request will allow the applicant to develop a 69-lot residential subdivision on the site.

Companion applications, ZON-4368 and VAC-4420, were filed with this application.

B) Applicant's Justification

This development will provide an environment of stable and desirable character, consistent with the existing City policies and regulations.

BACKGROUND INFORMATION

A) Previous Actions

02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council 02/05/02. The Planning Commission and the Department of Planning and Development recommended approval.

06/24/04 The Planning Commission will hear related items ZON-4368 and VAC-4420 as a part of this agenda.

B) Pre-Application Meeting

4/15/04 At the pre-application conference the following was discussed.

- The proposed is a 69-lot subdivision on 10 acres adjacent to the Cliff's Edge development.
- The site will need to be rezoned to R-PD7.
- Waivers of longer private drives will be needed.
- The trail along Hualapai can count towards the required Open Space.
- No access will be to Cliff's Edge to the west.

C) Neighborhood Meetings

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

KW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.52

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development) PF (Public Facility)
East:	PCD (Planned Community Development) PROS (Public Recreation Open Space)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North:	PD (Planned Development)
South:	PD (Planned Development)
East:	C-V (Civic) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

Centennial Hills General Plan

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density is up to 8 units per acre. The proposed zoning change to R-PD7 (Residential Planned Development - 7 Units per Acre), which allows up to 7.49 units per acre, is in conformance with the PCD (Planned Community Development) land use designation.

KW

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

A Multi-use Transportation Trail is planned for the west side of Hualapai Way. The trail shall be incorporated in the improvements of the west side of Hualapai Way and the proposed development.

PROJECT DESCRIPTION

The proposed site plan illustrates a development that consists of 69 single-family lots on the 10.52-acre site. The project will be served by 33-foot wide private roads, and will be accessed through a gated entry from Hualapai Way. The site will contain a total of 52,614 square feet of open space, including 32,973 square feet of park areas, 8,802 square feet of trails and 10,839 square feet of landscaped sidewalks which in total exceeds the minimum open space requirement of the Zoning Code. The average proposed lot size is 2,898 square feet in area.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2,898 sq. ft.	Y
Min. Lot Width	N/A	46 feet	Y
Min. Setbacks			
• Front	N/A	10 feet	Y
• Side	N/A	3 feet	Y
• Corner	N/A	10 feet	Y
• Rear	N/A	15 feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35Feet	2 Stories / 35Feet	Y

The proposal meets the requirements of the Development Standards of Title 19.

KW

A2) Residential Adjacency Standards

The Residential Adjacency Standards, pursuant to Title 19.08, are met by this application.

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
Single Family Detached	N/A	2 Spaces/ Single Dwelling	138	N/A	138	N/A

The proposal meets the parking requirements of Title 19.

A2) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Perimeter Landscaping	1 - 24" box tree/30 linear feet of gross perimeter frontage (1,190 lineal feet of frontage)	41 Trees	41 Trees

The perimeter landscaping meets the minimum perimeter-landscaping requirement of Title 12.

The following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required** Ratio	**Required** Percent	**Required** Area	**Provided** Percent	**Provided** Area
10.52 acres	6.56 units/acre	1.65	10.82 %	1.14 acres or 49,658.4 sf	11.48 %	1.21 acres or 52,614 sf

The proposal exceeds the requirement for Open Space in the Zoning Code.

KW

B) General Analysis and Discussion

- Zoning

This site is the subject of a companion Rezoning request (ZON-4368), to change the zoning on the site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone. The proposed Site Development Plan will conform to the proposed zoning of the site.

- Site Plan

The proposed site plan illustrates a development that consists of 69 single-family lots on the 10.52-acre site. The project will be served by 37-foot wide private roads and will be accessed through a gated entry from Hualapai Way. The site will contain a total of 52,614 square feet of open space, including 32,973 square feet of park areas, 8,802 square feet of trails and 10,839 square feet of landscaped sidewalks which in total exceeds the minimum open space requirement of the Zoning Code. The average proposed lot size is 2,898 square feet in area.

- Waivers

The applicant has not requested waivers of standards.

- Landscape Plan

The landscape plan depicts perimeter landscape buffers adjacent to right-of-way and two parks. The proposed plant materials are consistent with the area.

- Elevation

The homes will be subject to the development standards set forth by this site development plan review. The Planning and Development Department will review all building permits to ensure the homes incorporate building materials appropriate for the area.

The submitted plans show the typical one and two story single-family designs that are common in the area.

- Floor Plan

The submitted plans show the typical one and two story single-family designs that are common in the area.

FINDINGS

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

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

   The proposed development is within the range of allowable uses in the proposed R-PD7 (Residential Planned Development - 7 Units Per Acre) zoning district and can be developed in a manner that is compatible with future single-family development land uses in the vicinity of this site.

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

   The proposed development is consistent with the General Plan, Title 19, and the Landscape, Wall and Buffer Standards.

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

   The subject site is bordered by Hualapai Way in east and Farm Road to the south. Both of the streets are both Secondary [80-foot] Collectors. The proposed site plan indicates that access to the site will be solely from Hualapai Way, by a gated private entry. When developed, this access will be adequate to meet the requirements of the proposed development.

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

   The landscaping and building materials proposed for this development would be the same as those commonly used for residential development. Therefore it will be appropriate for the single-family residential character of 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 proposed residential development as designed will be appropriate for the area and the adjacent single-family residential uses that are likely to be developed in the future.

KW

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

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

NOTICES MAILED 44 [Mailed with ZON-4368 & WVR-4371]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4370 APN: 126-13-601-004,006,008,009

Name of Property Owner: Ron and Carolyn Michl, C22 LP

Name of Applicant: Carina Homes

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Amber L Dolce on behalf of: Carolyn Michl

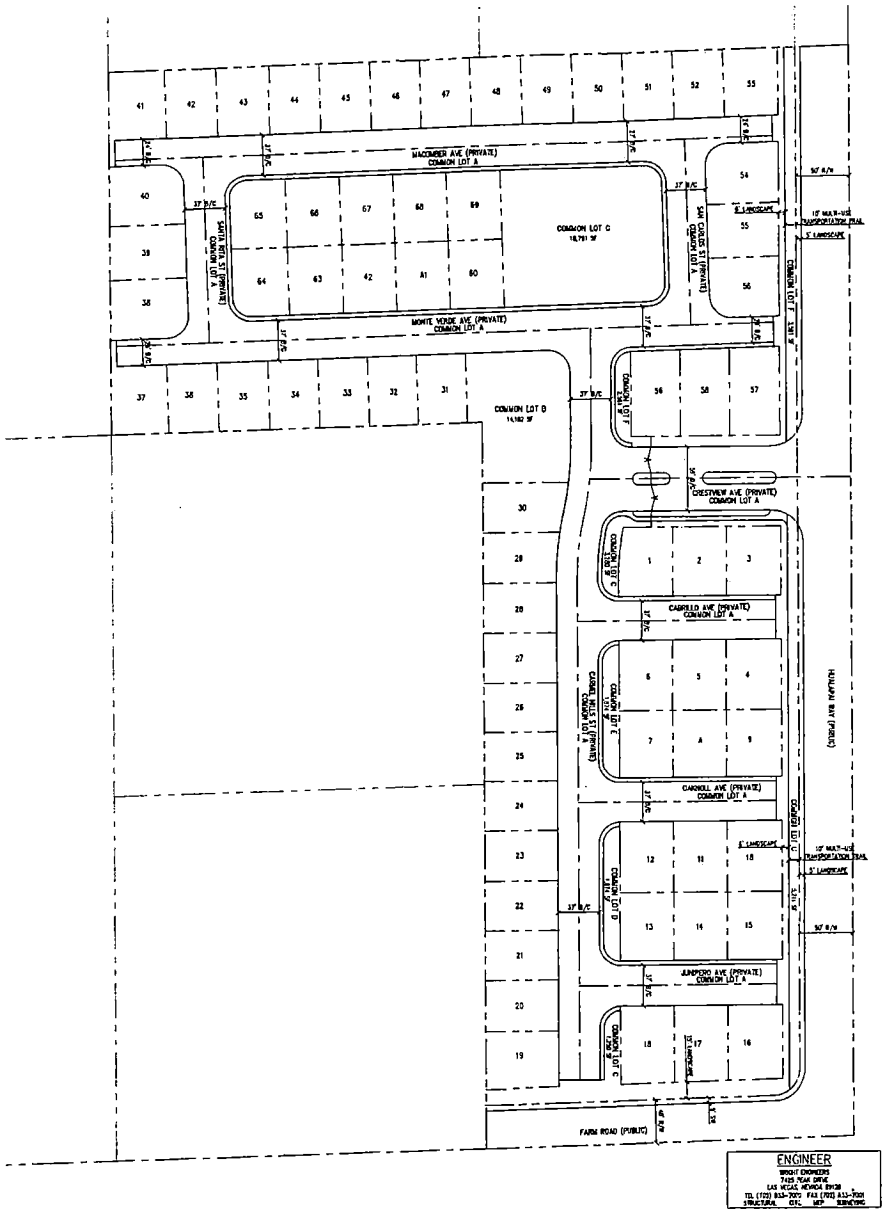
Print Name: Amber L Dolce

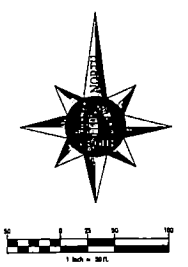
Subscribed and sworn before me

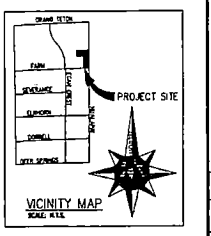
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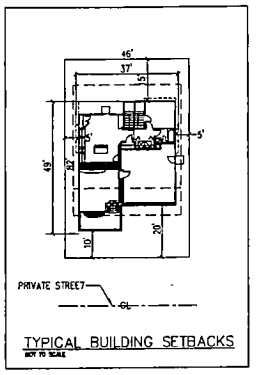
Notary Public in and for said County and State

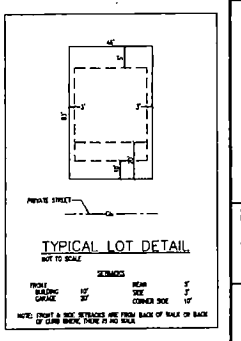
ROGER FRIEND
Notary Public State of Nevada
No. 97-0821-1
My appt. exp.July 16, 2007

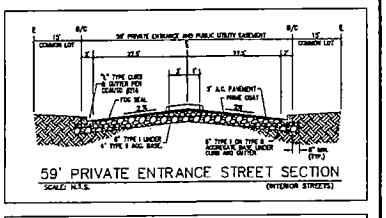


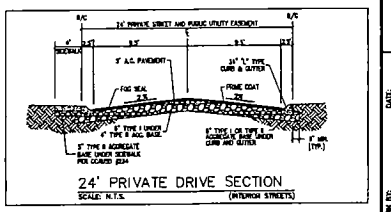


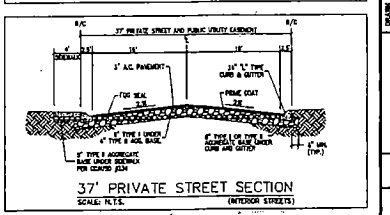












SITE DATA

ASSESSORS PARCEL NUMBER	126-13-601-004, 006, 006 &009
CURRENT ZONING	U(PCD)
PROPOSED ZONING	RPD-7
GROSS ACRES	18.52
NUMBER OF LOTS	66
COMMON LOTS	7
DU/AC	8.56
MINIMUM LOT SIZE	2,995 SF
MAXIMUM LOT SIZE	3,822 SF

ENGINEER
WRIGHT ENGINEERS
7425 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 838-7000 FAX (702) 838-7001
STRUCTURAL CIVIL MEP SURVEYING

OWNER INFORMATION
APN #126-13-601-004 & 006
MARY, ROB & CAROLYN ETAL
c/o CARINA CORPORATION
2381 BUSINESS PARK CT. #210
LAS VEGAS, NV 89128-8520

APN #126-13-601-009 & 005
C22 L.P. and MARY, RONALD C
c/o CARINA CORPORATION
2381 BUSINESS PARK CT. #210
LAS VEGAS, NV 89128-8520

DEVELOPER
CARINA CORPORATION
2381 BUSINESS PARK CT. #210
LAS VEGAS, NV 89128-8520
(702) 228-4278

WRIGHT ENGINEERS
7425 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 838-7000
FAX (702) 838-7001
STRUCTURAL CIVIL MEP SURVEYING

REVISION	DATE	BY

CARINA CORPORATION

FARM & HUALAPAI

SITE PLAN

DRAWN BY: JSP — DATE: 04/28/04
DESIGNED BY: JSP — DATE: 04/28/04
CHECKED BY: — DATE:
PROJECT NO.: 0424134 — SCALE: 1"=50'

SHEET 1 OF 1 SHEETS
DRAWING NO.

REVISED 6.10.04

ZON-4368
SDR-4370
6-24-04 PC

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SPECIAL USE PERMIT RELATED TO VAR-4424 - PUBLIC HEARING - SUP-4423 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Special Use Permit FOR AN ELECTRIC SUB-STATION approximately 270 feet north of Elkhorn Road and 200 feet east of Fort Apache Road (a portion of APN: 125-17-401-007 and 008), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 07/21/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVAL subject to conditions – UNANIMOUS with McSWAIN abstaining as her company does work for Nevada Power.

To be heard by the City Council on 7/21/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 45 [SUP-4423], Item 46 [VAR-4424] and Item 47 [SDR-4422].

KYLE WALTON, Planning and Development, stated with a Special Use Permit, substations can be harmonious with the surrounding areas. The Variance is necessary due to safety concerns. The Code requirement is a 10 foot wall; however, the applicant is requesting a 16 foot wall due to the height difference between the substation and the adjacent residential development to the east of this project. The development would be compatible with the Mixed Use of Town Center.

MINUTES – Continued:

MICHELLE BALTZ, 6226 W. Sahara, appeared on behalf of the applicant. MS. BALTZ thanked CHAIRMAN TRUESDELL, on behalf of Nevada Power Company, for his commitment and service to the community. MS. BALTZ stated that the proposed substation will service the community in the northwest area. The project conforms with the Centennial Hills Sector General Plan, which was approved in May 1999. In addition to the substation, there would also be a fire department located south of the project and a park located west of the project.

ARTHUR FRIDAY stated he intends to purchase a property just north of the proposed site. COMMISSIONER EVANS confirmed with MR. FRIDAY that he opposed the application because it is not at least 230 feet away from a residential area. In addition, he felt that there was some deviation to the Plan and used the overhead to show the Commission where Service Commercial Use should have been north of the proposed project and not Residential Use; there should be a fire station south of the electrical substation; and an open area west of the electrical substation. He pointed out that KB Homes is currently building homes immediately to the north of the proposed substation.

CHAIRMAN TRUESDELL commented that Bureau of Land Management (BLM) owns the site, and this project has been planned for some time now. In response to MR. FRIDAY'S concern where the sign was posted, CHAIRMAN TRUESDELL responded that even though the sign was not placed exactly where the equipment would be situated, it was as close as possible to the proper notice area.

MR. FRIDAY also pointed out that a school is being proposed, which would be located across the street from the proposed project. The electric wiring on the proposed project could create an electric magnetic field and may pose a health hazard to the children.

VICE CHAIRMAN NIGRO stated to MR. FRIDAY that his objection needs to be based upon what the Code mandates and does not feel that his comments have validation. CHAIRMAN TRUESDELL added that the area is Town Center, which allows for a broad scope of mixed uses. This application is for a Special Use Permit; however, it is within the Plan.

MS. BALTZ responded that there has not been a conclusive study that electric magnetic fields are hazardous to humans or animals. She also added that this project has been in the making for some time now and is not something that was recently proposed.

DAVID GUERRA, Public Works, stated that Condition 9 and Condition 11 on Item 47 [SDR-4422] need to be amended and read the changes into record.

MINUTES – Continued:

In response to VICE CHAIRMAN NIGRO, MS. BALTZ responded that the applicant is still working with KB Homes and Southwest Homes regarding the block wall surrounding the site and is adjacent to the residential properties. In addition, an upcoming meeting with staff and the City of Las Vegas will be held regarding this matter. VICE CHAIRMAN NIGRO stated that the preference would be to keep the area open to create some type of corridor that is usable but not a safety hazard. Should the decision be made to have the block wall, then the width may need to increase between the two walls by moving the fence on the BLM property if it does not intrude on where the equipment would be placed.

MS. BALTZ replied that she is aware that KB Homes has begun construction with their walls. Southwest Homes asked Nevada Power for extra footage where the trail would be; however, the land belongs to BLM so they do not have the control to grant this request.

CHAIRMAN TRUESDELL pointed out concern regarding the corridors between walls/fences, which could become areas for mischief. He agrees to the idea of adding more open space between the corridors, which could provide a safety mechanism for Nevada Power and the residents.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 45 [SUP-4423], Item 46 [VAR-4424] and Item 47 [SDR-4422].

(6:05– 6:19)

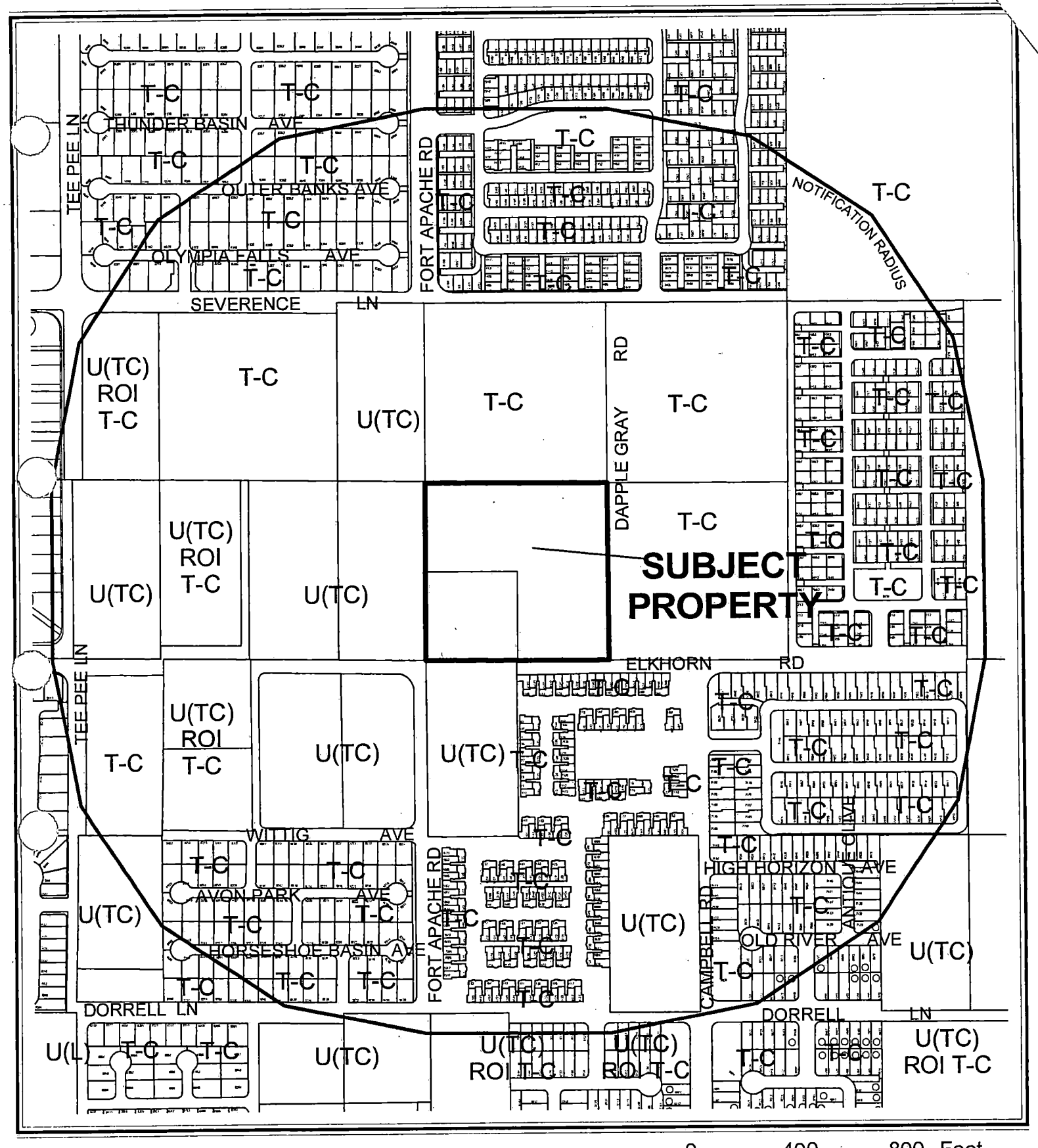
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CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards and Title 19 for an Electrical Substation.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an extension of time is granted.



0 400 800 Feet

CASE: **SUP-4423**

RADIUS: 1400 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT RELATED TO VAR-4424 - PUBLIC HEARING - SUP-4423 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards and Title 19 for an Electrical Substation.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an extension of time is granted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Special Use Permit for an electrical substation to operate on this site.

B) Applicant's Justification

The rapid growth in and around Centennial Hills will overload the existing electrical infrastructure in this area by the summer of 2005; therefore the proposed substation is an important addition to Nevada Power's electrical system.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved the rezoning (Z-0076-98) for this site and the surrounding area and thus established the zoning for Centennial Hills Town Center.

05/24/99 The City Council approved the General Plan Amendment, GPA-0001-99 Hills, that adopted the Centennial Hills Sector Plan and Map 10 of the plan. That map identified the locations of electrical transmission corridors and substations in the Centennial Hills Plan area.

06/24/04 The Planning Commission will consider related items VAR-4424 and SDR-4422 as a part of this agenda.

B) Pre-Application Meeting

06/24/04 The elements of a special use permit application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application. The applicant has participated, though, in neighborhood meetings conducted by Planning Staff during the development of the Centennial Hills Sector Plan and the Electrical Power Distribution chapter of the Plan. The public has had opportunity in those meetings to review and comment on the location of planned substations.

KW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.4

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PF-TC (Public Facility- Town Center)
North:	PF-TC (Public Facility- Town Center)
South:	ML-TC (Medium Low Density Residential –Town Center) MLA-TC (Medium Low Attached Density Residential –Town Center)
East:	M-TC (Medium Density Residential –Town Center)
West:	L-TC (Low Density Residential – Town Center)

D) Existing Zoning

Subject Property:	TC (Town Center)
North:	TC (Town Center)
South:	TC (Town Center)
East:	TC (Town Center)
West:	TC (Town Center)

E) General Plan Compliance

Centennial Hills General Plan

The subject site is designated PF (Public Facility) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan. The T-C zoning complements the PF land use designation and the uses permitted by the PF designation are in harmony with the uses permitted in the T-C (Town Center) zoning.

KW

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Centennial Hills Town Center	X	
Special Overlay District		X
Trails		
Town Center Primary Arterial Trail	X	
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Plan Area

The application site is within the Town Center Land Use Plan area. All projects within Town Center are subject to the Town Center Development Standards, in addition to other codes such as Title 19.

Trails

As required by Map 6 of the City of Las Vegas Master Plan Transportation Element, a Primary Arterial Trail is designated within the right-of-way adjacent to the subject site. The Arterial Trail consists of a 5-foot sidewalk and a 2.5-foot amenity zone between the property line and back of the curb.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Parking Standards pursuant to Title 19.10 do not apply to the subject proposal.

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

The T-C (Town Center) zoning district allows an electrical substation with the approval of a special use permit.

- Use

This use is permitted in all zoning districts with the approval of this Special Use Permit.

- Conditions

Conditions for a special use permit for a substation are set on a case-by-case basis because of the broad spectrum of existing conditions that a new location may see.

The area around the proposed site is undeveloped land with the potential of residential development with a density up to 25 units per acre, a school and a park. The conditions established by the Site Plan Review of this use will ensure the compatibility of this use.

FINDINGS

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

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

   The proposed electrical substation can be harmonious with surrounding uses by the conditions of approval for the associated site development plan review application.

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

   There are no physical limitations of the subject site that will make the site unsuitable for the proposed use.

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

KW

The substation will not cause traffic conditions that will adversely affect the adjacent streets or the traffic handling capacity of those 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 proposed development will be subject to inspections for compliance with City design standards and therefore will not compromise the public health, safety and welfare.

NOTICES MAILED 40 [Mailed with VAR-4424 & SDR-4422]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4423 APN: Ptn of 125-17-401-007

Name of Property Owner: Bureau of Land Management

Name of Applicant: Nevada Power Company / Michelle Baltz

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

_____ Yes XX No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John C Zelling

Print Name: John Zelling

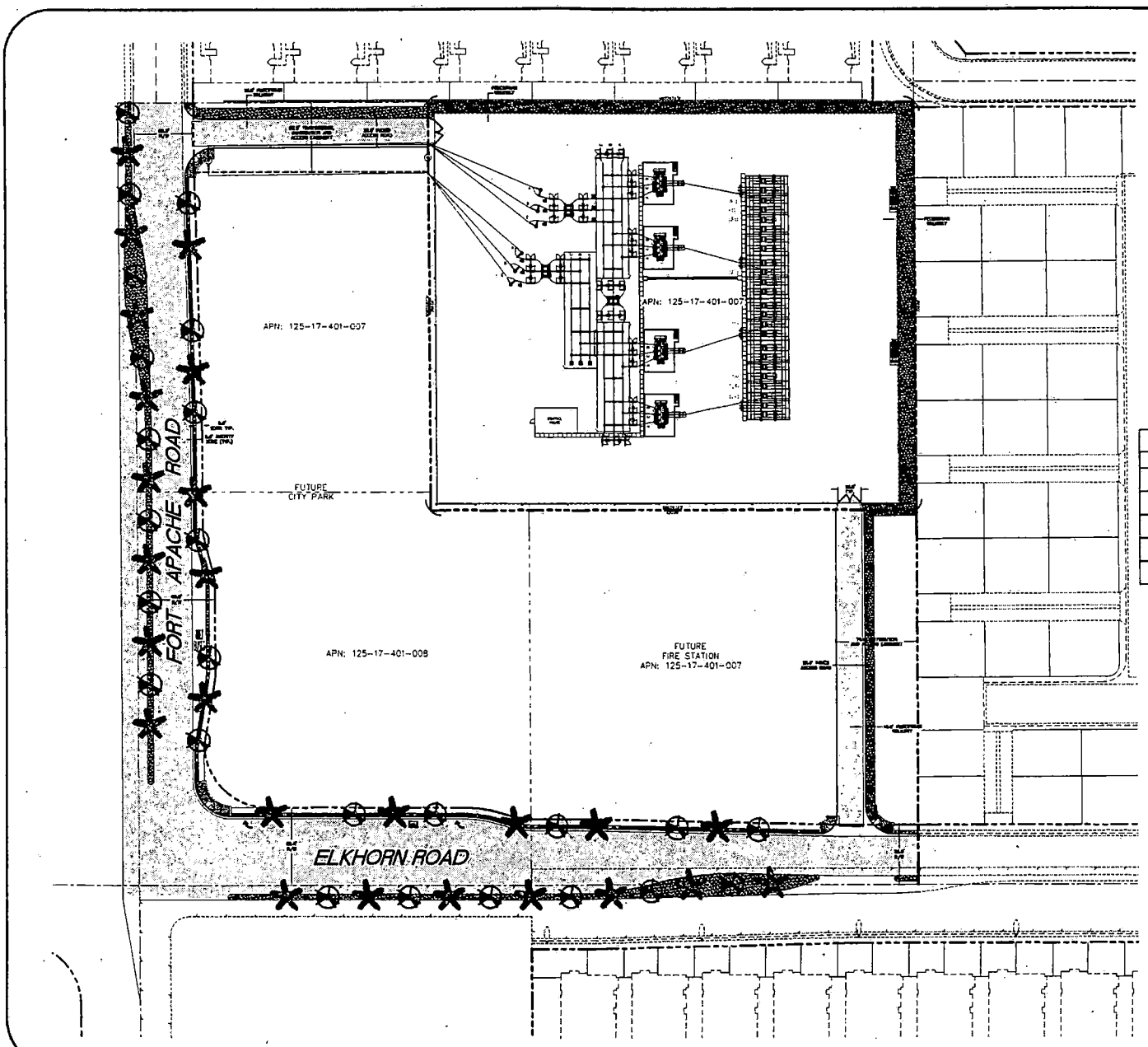
Subscribed and sworn before me

This 3rd day of May, 2004

Michelle Baltz

Notary Public in and for said County and State

MICHELLE BALTZ
Notary Public, State of Nevada
Appointment No. 9843271
My Appt. Expires June 22, 2006

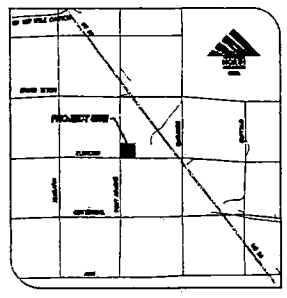


NORTH

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.



VICINITY MAP

LANDSCAPE MATERIAL SCHEDULE

SIZE	DESCRIPTION	BOTANICAL NAME	SYMBOL
1/2"	MOJAVE GOLD GRANITE MULCH	—	
25' BOX	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA HYBRID	
24" BOX	RIO GRANDE ASH	FRAXINUS VELUTINA RIO GRANDE	
1 GAL.	ANGELITA DAISY	HYMENOXYS ACAULIS	
1 GAL.	VERBENA	VERBENA PERUVIANA	

LEGEND

INSTALL STREETLIGHT LUMINAIRE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 32)

ACCENT PATTERNS AT STREET INTERSECTIONS AND CROSSWALKS PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 31)

INSTALL SIDEWALK & SAFETY ZONE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 31)

NOTE:

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REVISIONS

ELKHORN SUBSTATION

USE PERMIT - SITE PLAN

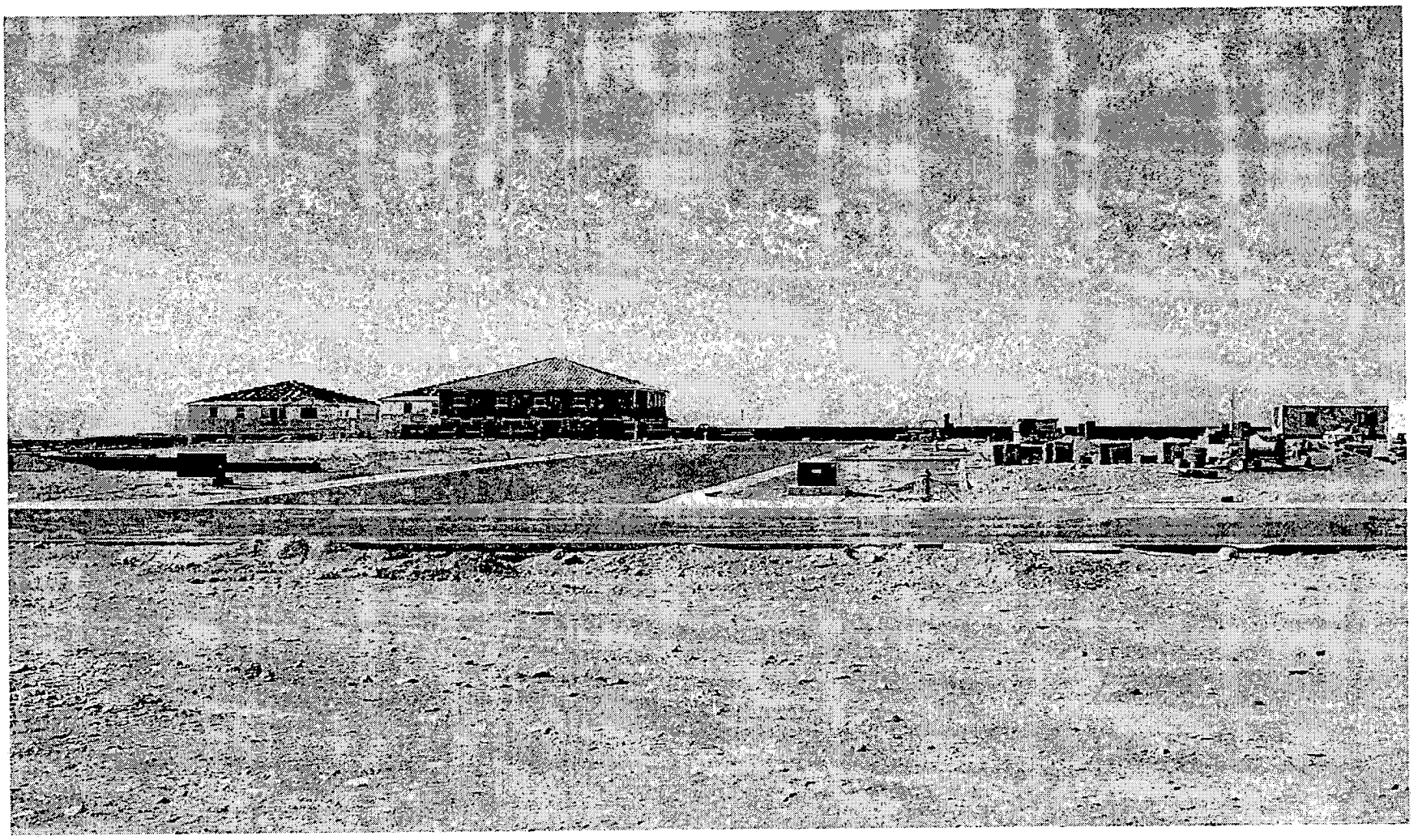
Nevada Power

Fig 1

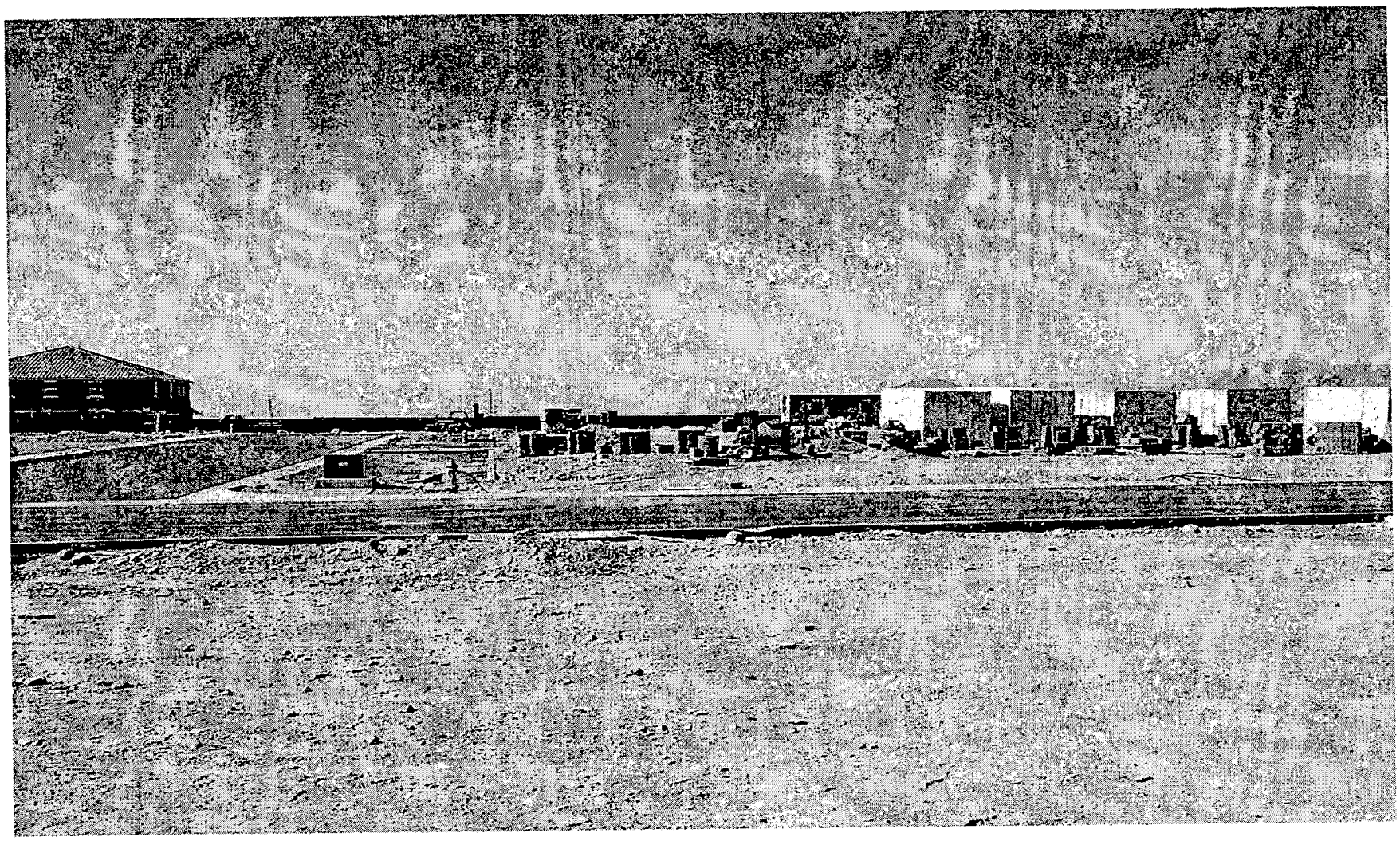
Fig 1

of 2

SUP-4423
6-24-04 PC



SUP-4423 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION



SUP-4423 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4424 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Variance TO ALLOW A 16 FOOT TALL BLOCK WALL WHERE EIGHT FEET IS ALLOWED FOR A PROPOSED ELECTRIC SUB-STATION, approximately 270 feet north of Elkhorn Road and 200 feet east of Fort Apache Road (a portion of APN: 125-17-401-007 and 008), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 07/21/04

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 – APPROVAL subject to conditions – UNANIMOUS with McSWAIN abstaining as her company does work for Nevada Power.

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 45 [SUP-4423] for all related discussion.

(6:05– 6:19)

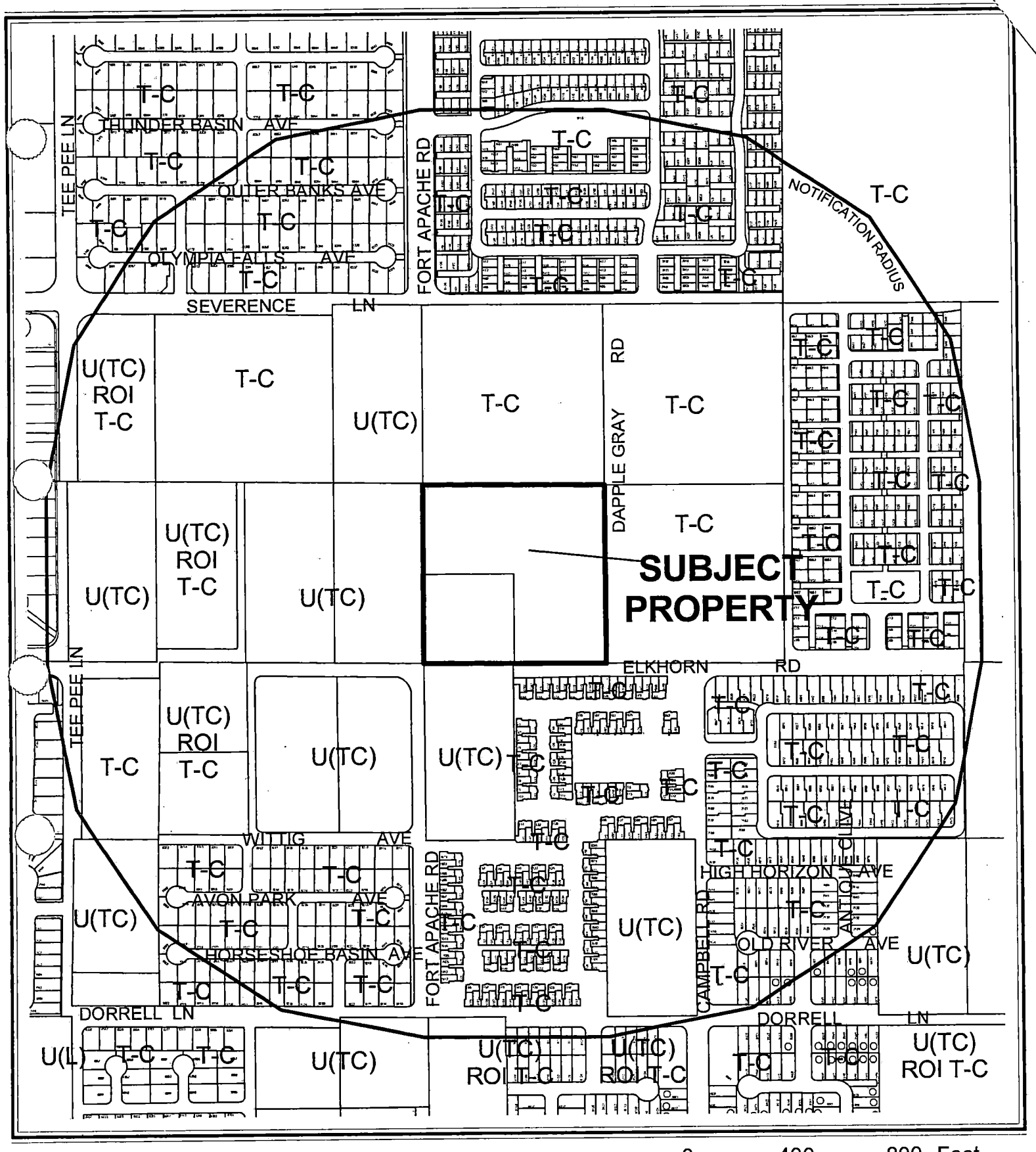
PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 46 – VAR-4424

CONDITIONS:
Planning and Development

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

2. All new property line walls shall be constructed of decorative block, 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.

3. 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.

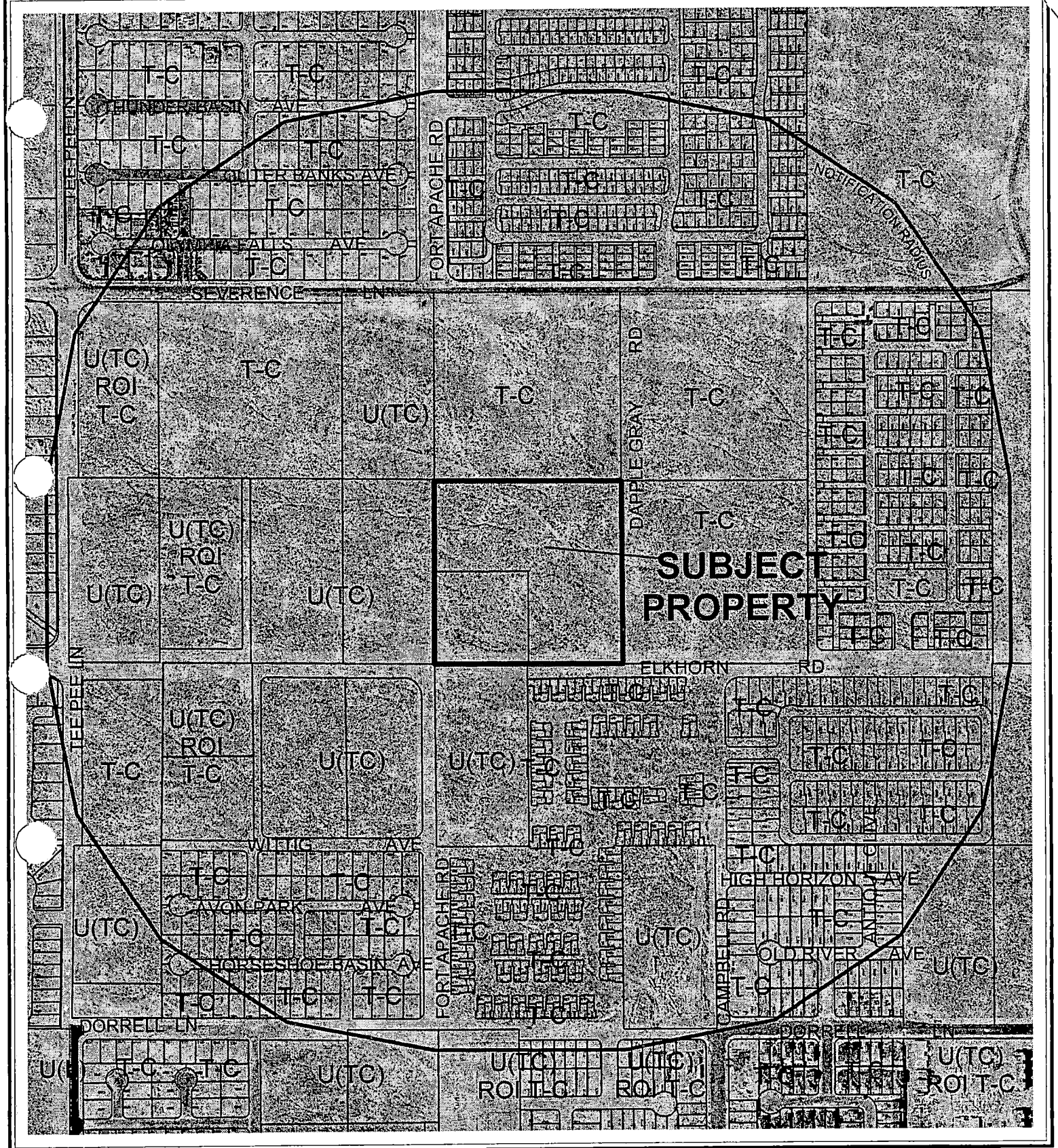


CASE: **VAR-4424**

RADIUS: 1400 FT

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

N



0 400 800 Feet

CASE: **VAR-4424**

RADIUS: 1400 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE - PUBLIC HEARING - VAR-4424 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

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

2. All new property line walls shall be constructed of decorative block, 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.

3. 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow a 16-foot solid wall in the front yard where eight feet is the maximum height allowed on property located at the northeast corner of Elkhorn Road and Fort Apache Road.

B) Applicant's Justification

The request for a 16 foot wall is because of the elevation changes on the property and safety standards require a minimum 10 foot wall around the outside of the substation.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved the rezoning (Z-0076-98) for this site and the surrounding area and thus established the zoning for Centennial Hills Town Center.

05/24/99 The City Council approved the General Plan Amendment, GPA-0001-99 Hills, that adopted the Centennial Hills Sector Plan and Map 10 of the plan. That map identified the locations of electrical transmission corridors and substations in the Centennial Hills Plan area.

B) Pre-Application Meeting

06/24/04 The elements of a variance application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application. The applicant has participated, though, in neighborhood meetings conducted by Planning Staff during the development of the Centennial Hills Sector Plan and the Electrical Power Distribution chapter of the Plan. The public has had opportunity in those meetings to review and comment on the location of planned substations.

KW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.4

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PF-TC (Public Facility - Town Center)
North:	PF-TC (Public Facility - Town Center)
South:	ML-TC (Medium Low Density Residential - Town Center)
	MLA-TC (Medium Low Attached Density Residential – Town Center)
East:	M-TC (Medium Density Residential –Town Center)
West:	L-TC (Low Density Residential –Town Center)

D) Existing Zoning

Subject Property:	TC (Town Center)
North:	TC (Town Center)
South:	TC (Town Center)
East:	TC (Town Center)
West:	TC (Town Center)

E) General Plan Compliance

Centennial Hills General Plan

The subject site is designated PF (Public Facility) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan. The T-C zoning complements the PF land use designation and the uses permitted by the PF designation are in harmony with the uses permitted in the T-C (Town Center) zoning.

KW

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Centennial Hills Town Center	X	
Special Overlay District		X
Trails		
Town Center Primary Arterial Trail	X	
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Plan Area

The application site is within the Town Center Land Use Plan area. All projects within Town Center are subject to the Town Center Development Standards, in addition to other codes such as Title 19.

Trails

As required by Map 6 of the City of Las Vegas Master Plan Transportation Element, a Primary Arterial Trail is designated within the right-of-way of Elkhorn and Fort Apache roads. The Arterial Trail consists of a 5-foot sidewalk and a 2.5-foot amenity zone between the property line and back of the curb.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Max. Wall Height	6 Feet Total	10-Feet (Solid)	N

A maximum eight-foot tall wall is required in non-residential developments. A 16 foot wall is proposed along the east property line of the substation, four more feet in height than the other three walls around the substation, which will be 10-feet in height. The 10-foot walls are necessary because of safety standards that must be followed by the applicant. The 16-foot wall will be because of a grade difference between the substation and the development to the east.

B) General Analysis and Discussion

The two parcels on which substation is to be located is designated as Public Facility –Town Center on the Centennial Hills Town Center Land Use map. The proposed substation is located in the northeast corner of a 10-acre public facility development. The substation will eventually separated from Fort Apache Road by a 2.66-acre park. The remaining area of the two parcels that are the subject of this proposal, between the substation and Elkhorn Road, will be the site a planned fire station.

The substation is to be accessed from Elkhorn Road to the south and from Fort Apache Road to the west by 25 foot paved driveways. The drives will lead to gates at the northwest and southeast corners of the site. The applicant will install the street improvements for Elkhorn and Fort Apache in lieu of installing landscaping around the perimeter of the station.

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."

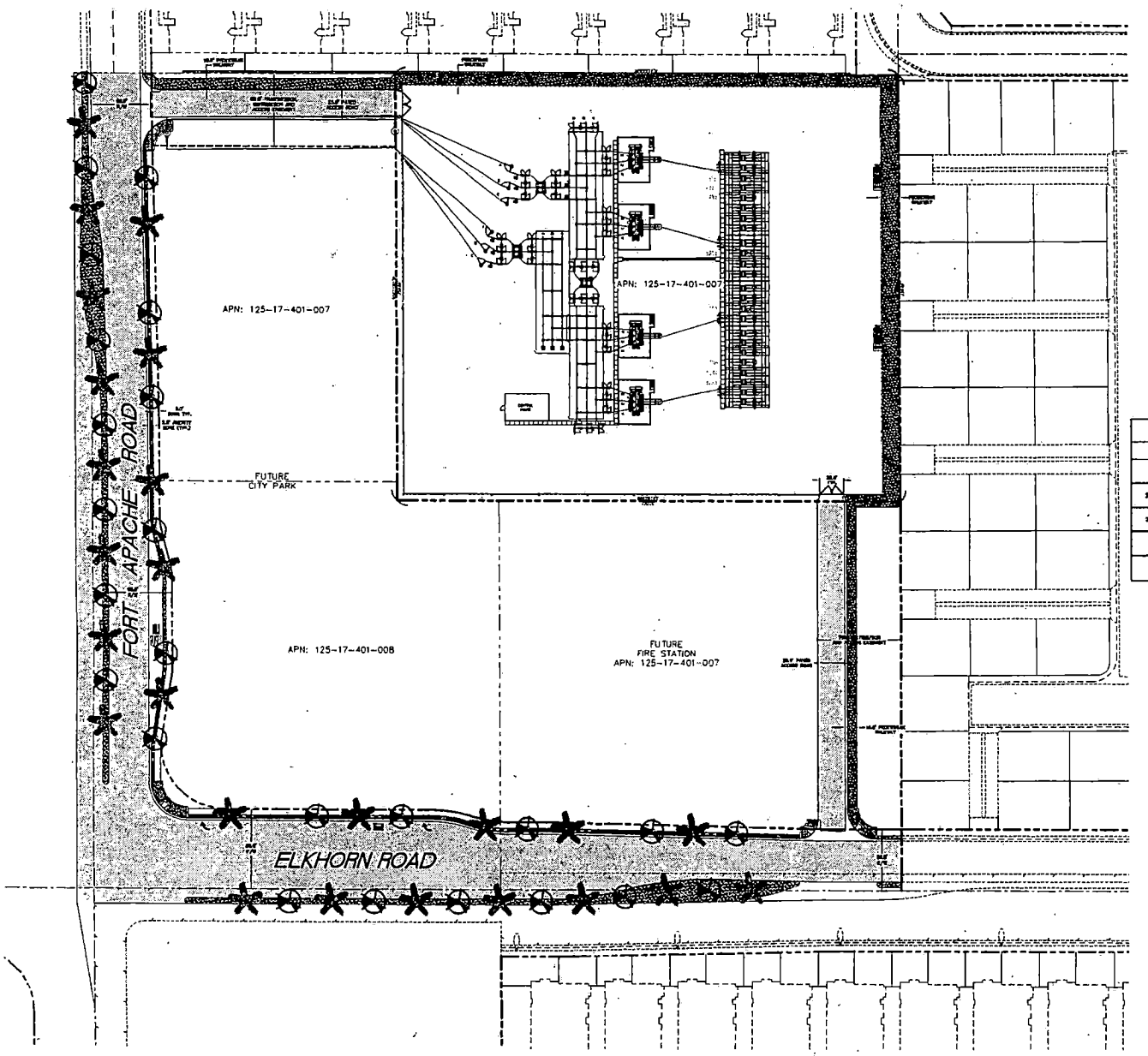
Insomuch that the safety standards the applicant must follow require a ten foot minimum tall perimeter wall around the substation and is because of grade differences between the site and the property to the east not exceeding six feet in height, the height of a stepped wall at a grade difference, the variance can be supported.

NOTICES MAILED 40 [Mailed with SUP-4423 & SDR-4422]

APPROVALS 0

PROTESTS 0

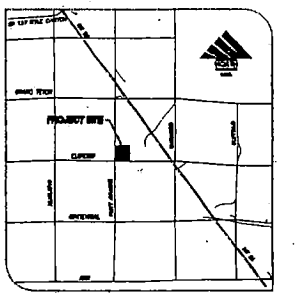
KW



NORTH

GRAPHIC SCALE

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VICINITY MAP

LANDSCAPE MATERIAL SCHEDULE

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1 GAL	ANGELITA DAISY	HYMENOXYS ACAULIS	
1 GAL	VERBENA	VERBENA PERUVIANA	

LEGEND

INSTALL STREETLIGHT LUMINAIRE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 22)

ACCENT PAVERS AT STREET INTERSECTIONS AND DRIVEWAYS PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 21)

INSTALL SIDEWALK & AMENITY ZONE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 21)

NOTE:

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REVISIONS

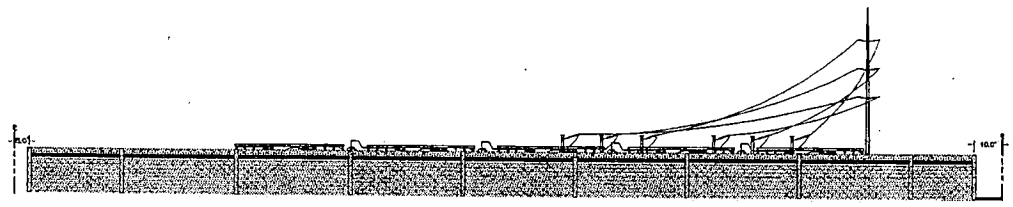
ELKHORN SUBSTATION

USE PERMIT - SITE PLAN

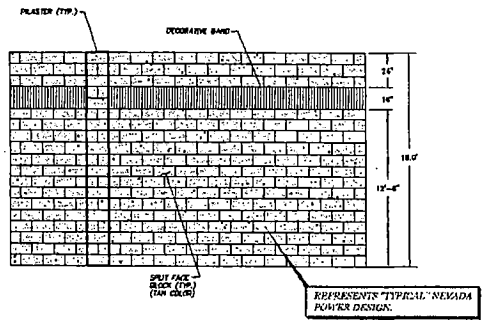
Nevada Power

Fig 1 of 2

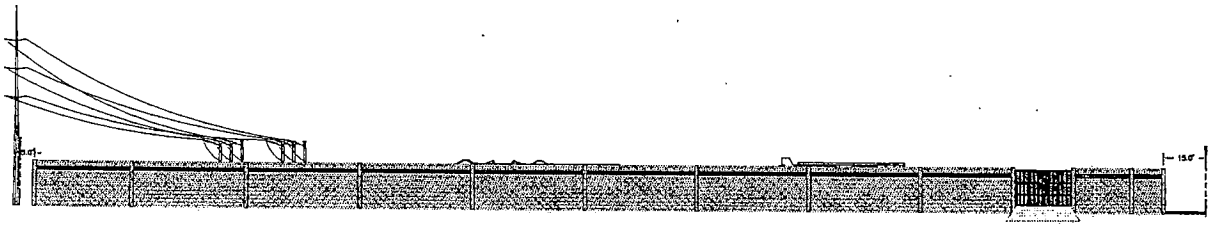
VAR-4424
6-24-04 PC



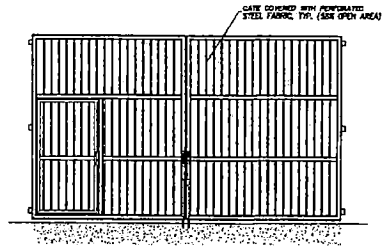
EAST WALL
(View Looking West)



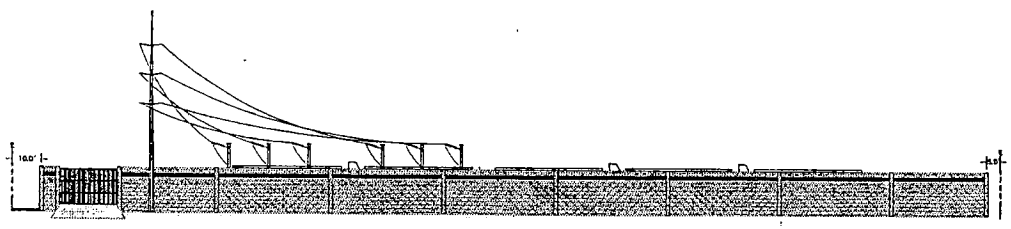
BLOCK WALL DETAIL



SOUTH WALL
(View Looking North)



DOUBLE SWING GATE-ELEVATION



WEST WALL
(View Looking East)

NOTE:

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REVISIONS

ELKHORN SUBSTATION

USE PERMIT - ELEVATIONS

Nevada Power

Fig 2

Fig 2 of 2

VAR-4424
6-24-04 PC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4424** APN: Ptn of 125-17-401-007

Name of Property Owner: Bureau of Land Management

Name of Applicant: Nevada Power Company / Michelle Baltz

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

_____Yes XX_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: John Zelling

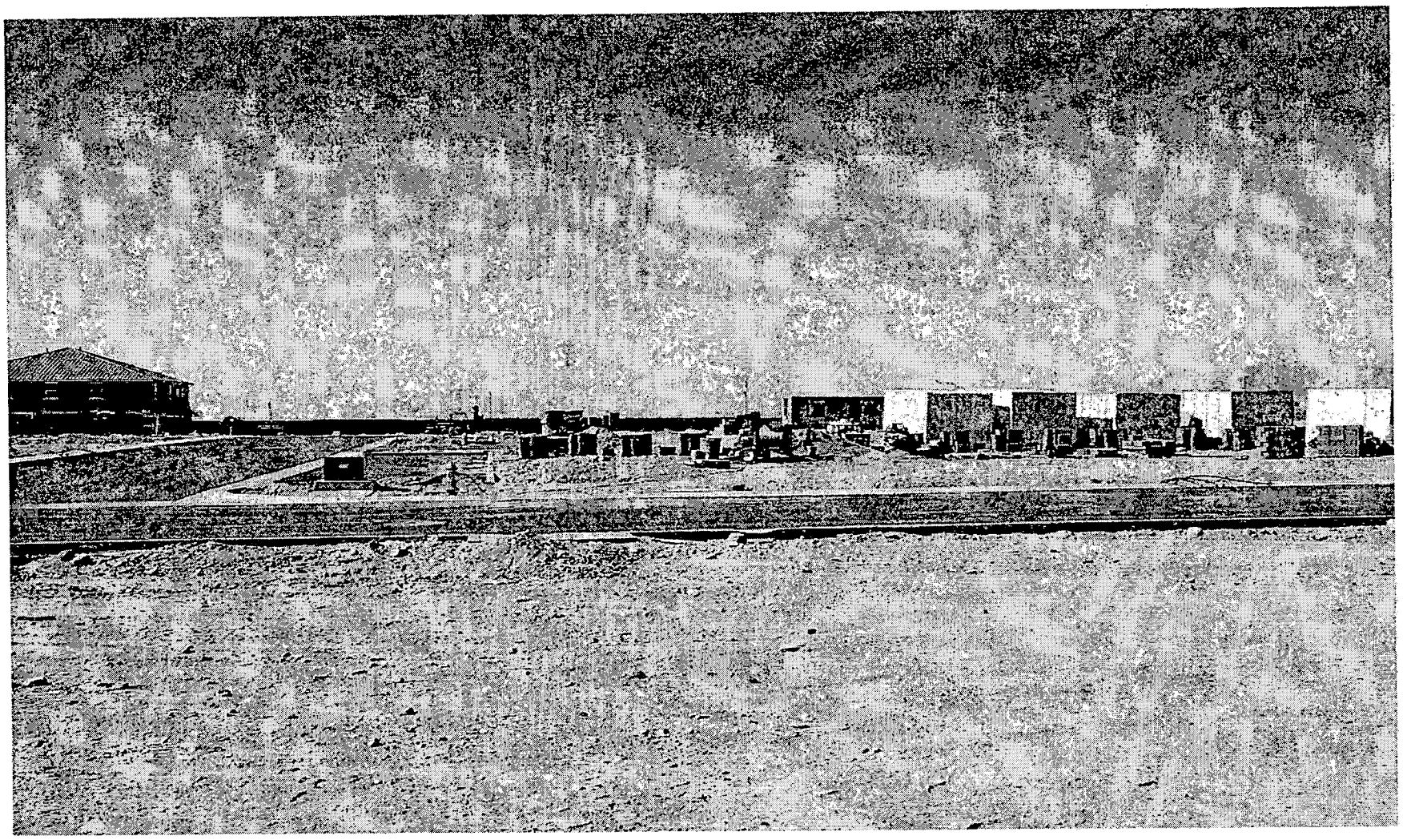
Subscribed and sworn before me

This 3rd day of May, 2004

_____

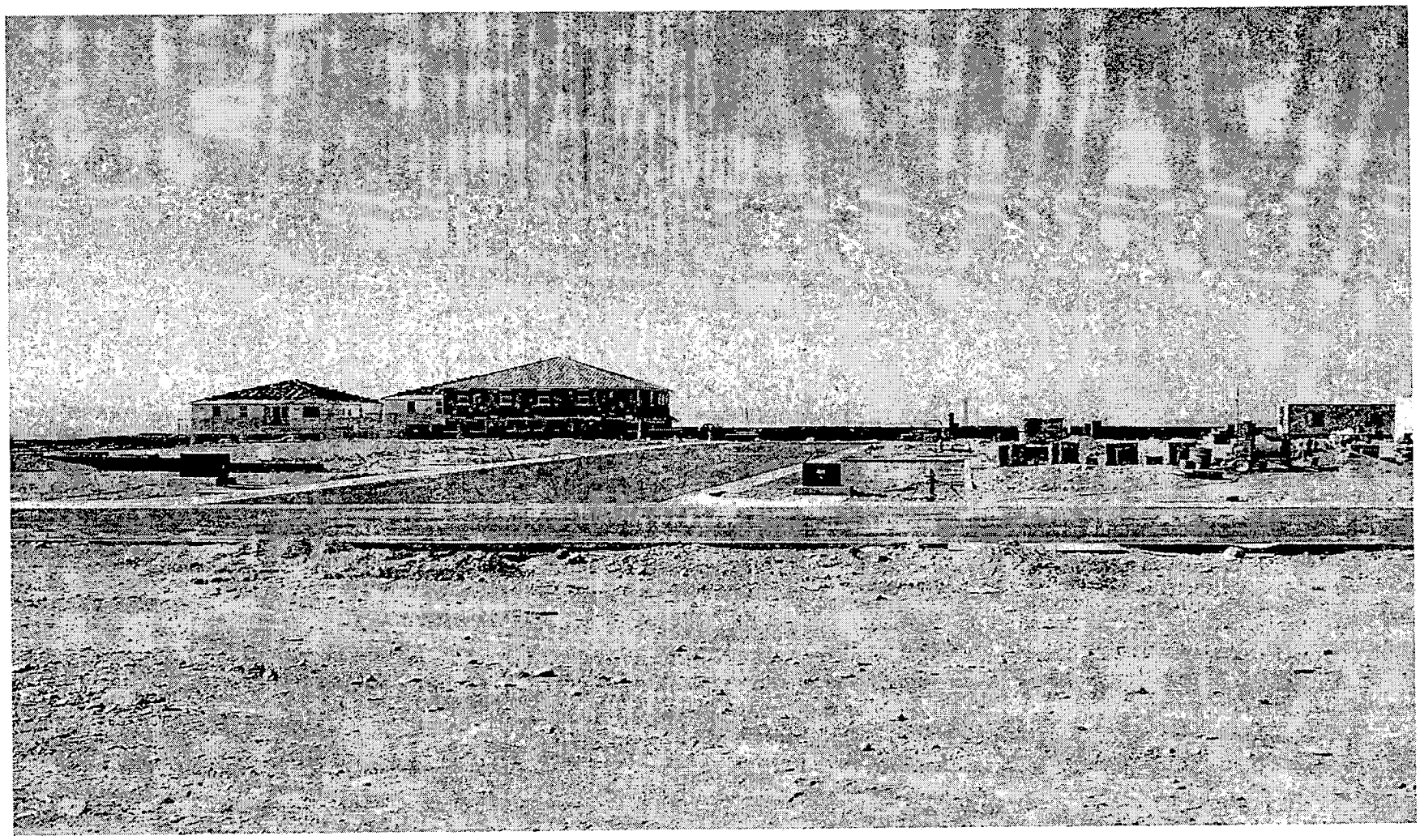
Notary Public in and for said County and State

MICHELLE BALTZ
Notary Public, State of Nevada
Appointment No. 9843271
My Appt. Expires June 22, 2006



VAR-4424 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



VAR-4424 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4424 AND SUP-4423 - PUBLIC HEARING - SDR-4422 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Site Development Plan Review FOR AN ELECTRIC SUB-STATION on 3.4 acres approximately 270 feet north of Elkhorn Road and 200 feet east of Fort Apache Road (a portion of APN: 125-17-401-007 and 008), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 07/21/04

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 – APPROVAL subject to conditions and the following amended conditions:

9. 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).

11. *Nevada Power Company shall install, at its sole cost and expense, stub out connections for public water, electric and telephone utility service to the property. Nevada Power Company further agrees to pay all of the expenses incurred for any utility service to the premises as defined in the memorandum of understanding. City is solely responsible for obtaining connections from the local utility companies for those services it deems necessary for the property excluding the premises as defined in the memorandum of understanding.*

– UNANIMOUS with McSWAIN abstaining as her company does work for Nevada Power.

To be heard by the City Council on 7/21/2004.

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 47 – SDR-4422

MINUTES:

NOTE: See Item 45 [SUP-4423] for all related discussion.

(6:05– 6:19)

1-80

CONDITIONS:

Planning and Development

1. The installation of barbed wire or razor wire shall be prohibited on top of the wall as required by the Planning and Development.

2. All development shall be in conformance with the site plan, date stamped 7/21/04, and building elevations.

3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

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

6. The Traffic Engineer, prior to the issuance of any permits, must approve any parking and driveway plans.

7. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

Public Works

8. Construct half-street improvements including appropriate overpaving on Elkhorn Road and Fort Apache Road 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.

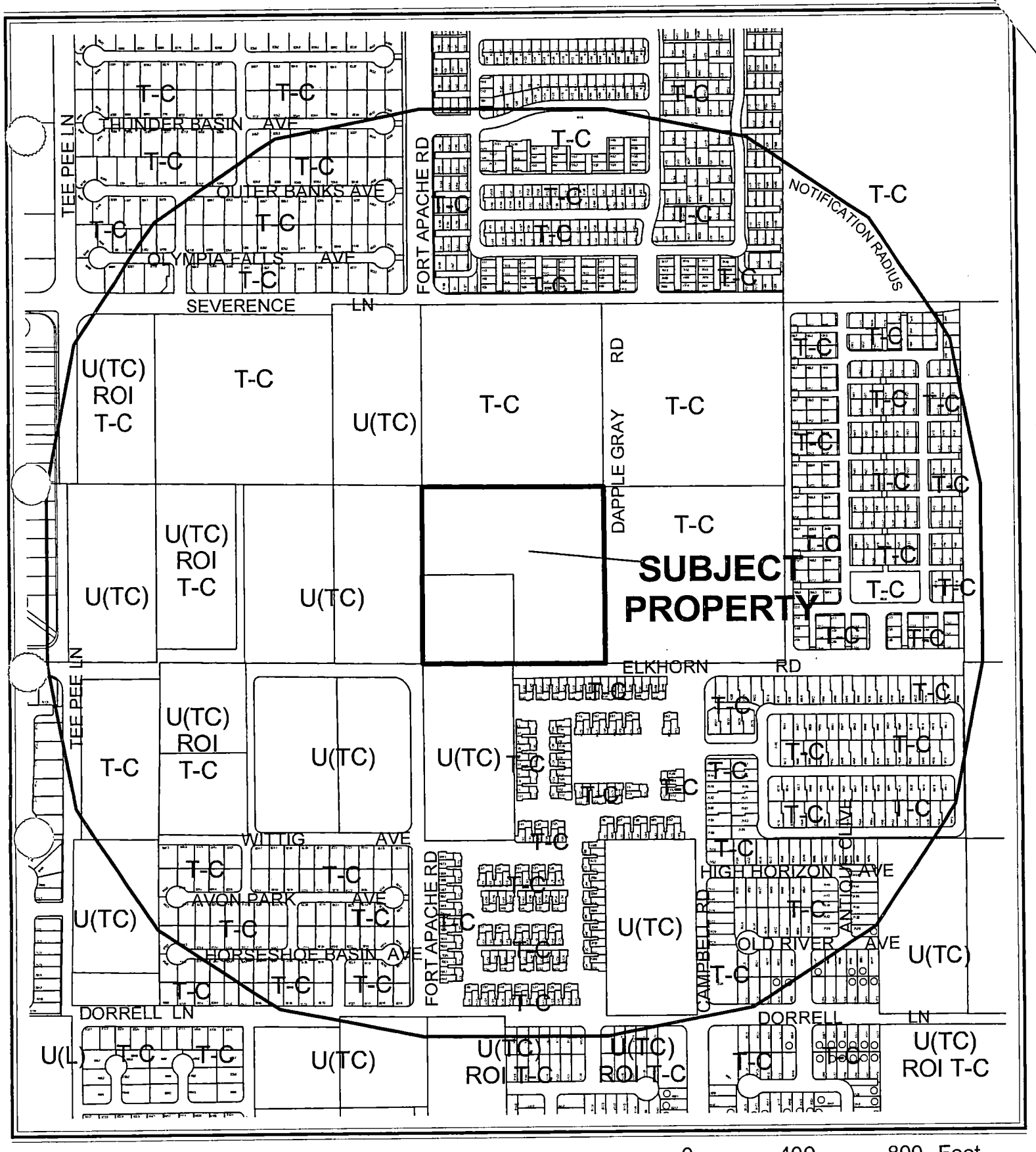
10. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

10. Landscape and maintain all unimproved rights-of-way adjacent to this site.

CONDITIONS – Continued:

11. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

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



CASE: **SDR-4422**

RADIUS: 1400 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4424 AND SUP-4423 - PUBLIC HEARING - SDR-4422 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

1. The installation of barbed wire or razor wire shall be prohibited on top of the wall as required by the Planning and Development.

2. All development shall be in conformance with the site plan, date stamped 7/21/04, and building elevations.

3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

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

6. The Traffic Engineer, prior to the issuance of any permits, must approve any parking and driveway plans.

7. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

Public Works

8. Construct half-street improvements including appropriate overpaving on Elkhorn Road and Fort Apache Road 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.

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

10. Landscape and maintain all unimproved rights-of-way adjacent to this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for Site Development Plan Review of a proposed electrical substation on a 3.4-acre site located approximately 270 feet north of Elkhorn Road and 200 feet east of Fort Apache Road.

B) Applicant's Justification

The rapid growth in and around Centennial Hills will overload the existing electrical infrastructure in this area by the summer of 2005; therefore the proposed substation is an important addition to Nevada Power's electrical system.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved the rezoning (Z-0076-98) for this site and the surrounding area and thus established the zoning for Centennial Hills Town Center.
05/24/99	The City Council approved the General Plan Amendment, GPA-0001-99 , that adopted the Centennial Hills Sector Plan and Map 10 of the plan. That map identified the locations of electrical transmission corridors and substations in the Centennial Hills Plan area.
06/24/04	The Planning Commission will consider companion applications, SUP-4423 and VAR-4424 as a part of this agenda.

B) Pre-Application Meeting

06/24/04	The elements of a special use permit application were discussed.

KW

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application. The applicant has participated, though, in neighborhood meetings conducted by Planning Staff during the development of the Centennial Hills Sector Plan and the Electrical Power Distribution chapter of the Plan. The public has had opportunity in those meetings to review and comment on the location of planned substations.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.4

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PF-TC (Public Facility- Town Center)
North:	PF-TC (Public Facility- Town Center)
South:	ML-TC (Medium Low Density Residential –Town Center)
	MLA-TC (Medium Low Attached Density Residential –Town Center)
East:	M-TC (Medium Density Residential –Town Center)
West:	L-TC (Low Density Residential –Town Center)

D) Existing Zoning

Subject Property:	TC (Town Center)
North:	TC (Town Center)
South:	TC (Town Center)
East:	TC (Town Center)
West:	TC (Town Center)

KW

E) General Plan Compliance

The subject site is designated PF (Public Facility) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan. The T-C (Town Center) zoning complements the PF (Public Facilities) land use designation and the uses permitted by the PF (Public Facilities) designation are in harmony with the uses permitted in the T-C (Town Center) zoning.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Centennial Hills Town Center	**X**	
Special Overlay District		**X**
Trails		
Town Center Primary Arterial Trail	**X**	
Study Area		**X**
Rural Preservation Neighborhood		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

Town Center Plan Area

The application site is within the Town Center Land Use Plan area. All projects within Town Center are subject to the Town Center Development Standards, in addition to other codes such as Title 19.

Trails

As required by Map 6 of the City of Las Vegas Master Plan Transportation Element, a Primary Arterial Trail is designated within the right-of-way of Elkhorn and Fort Apache Roads. The Arterial Trail consists of a 5-foot sidewalk and a 2.5-foot amenity zone between the property line and back of the curb.

PROJECT DESCRIPTION

The substation is to be located in the northeast corner of two parcels designated as Public Facility – Town Center on the Centennial Hills Town Center Land Use map. The site is to be accessed from Elkhorn Road to the south and from Fort Apache Road to the west by 25-foot paved driveways. The drives will lead to gates at the northwest and southeast corners of the site. The applicant will install the street improvements for Elkhorn and Fort Apache in lieu of installing landscaping around the perimeter of the station.

The elevations of the block wall detail depict tan colored fluted split face blocks with a 16" decorative band.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards pursuant to Title 19.08 do not apply to the subject proposal. The structures within electric substations are separated from perimeter property lines according to standards not addressed by Title 19.

A2) Residential Adjacency Standards

The tallest structures of the substation, the electrical transmission line poles, are subject to standards not addressed by Title 19. The Residential Adjacency Standards, pursuant to Title 19.08, do not apply to the subject proposal.

A3) Parking and Traffic Standards

The Parking Standards, pursuant to Title 19.10, do not apply to the subject proposal.

A4) Landscape and Open Space Standards

The proposed substation is located in the northeast corner of a 10-acre public facility development. The substation will eventually separated from Fort Apache Road by a 2.66-acre park. The remaining area of the two parcels that are the subject of this proposal, between the substation and Elkhorn Road, will be the site a planned fire station. With the park to the west and the fire station to the south landscaping around the substation and the provision of open space is not necessary.

The applicant will install the streetscape improvements of Elkhorn Road and Fort Apache Road as required by the standards for Town Center Primary Arterial Streets.

B) General Analysis and Discussion

- Zoning

The substation is a permitted use in areas designated as Public Facility-Town Center with the approval by the City Council of a Special Use Permit.

- Site Plan

The substation is to be accessed from Elkhorn Road to the south and from Fort Apache Road to the west by 25 foot paved driveways. The drives will lead to gates at the northwest and southeast corners of the site.

- Waivers

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

- Landscape Plan

The applicant will install the street improvements for Elkhorn and Fort Apache in lieu of installing landscaping around the perimeter of the station.

- Elevation

The elevations show the 10-foot perimeter wall that screens the electrical structures of the substation from Fort Apache Road and Elkhorn Road. The wall will be built of tan colored split face block. 24 inches from the top of the wall will be a 16-inch wide decorative band.

- Floor Plan

There is not a floor plan that is a part of this application.

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 development will be compatible with the mixed-use development pattern typical of the Centennial Hills Town Center.

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

The electrical substation is a permitted use in the T-C (Town Center) zoning district. This site is designated TC-PF (Public Facilities- Town Center) on the Centennial Hills Town Center Land Use Plan. This land use category allows all of the permitted public utility uses of the T-C (Town Center) zoning district. The design of the substation meets or exceeds the requirements of City of Las Vegas Zoning Ordinance and the City of Las Vegas Urban Design Guidelines and Standards except for wall height.

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

Electrical substations do not generate any traffic that would cause negative impacts to the adjacent roadways.

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

The proposed building and landscape materials are appropriate for this area of the City.

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

Electrical power substations are, by their nature obtrusive and unsightly; however using the taller wall with decorative blocks this request can be harmonious and compatible with the area. It is recommended a condition be imposed prohibiting the use of barbed or razor wire on top of the wall.

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.

KW

NOTICES MAILED 40 [Mailed with VAR-4424 & SUP-4423]

APPROVALS 0

PROTESTS 0

KW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4422** APN: Ptn of 125-17-401-007

Name of Property Owner: Bureau of Land Management

Name of Applicant: Nevada Power Company / Michelle Baltz

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

_____ Yes XX No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John Zelling

Print Name: John Zelling

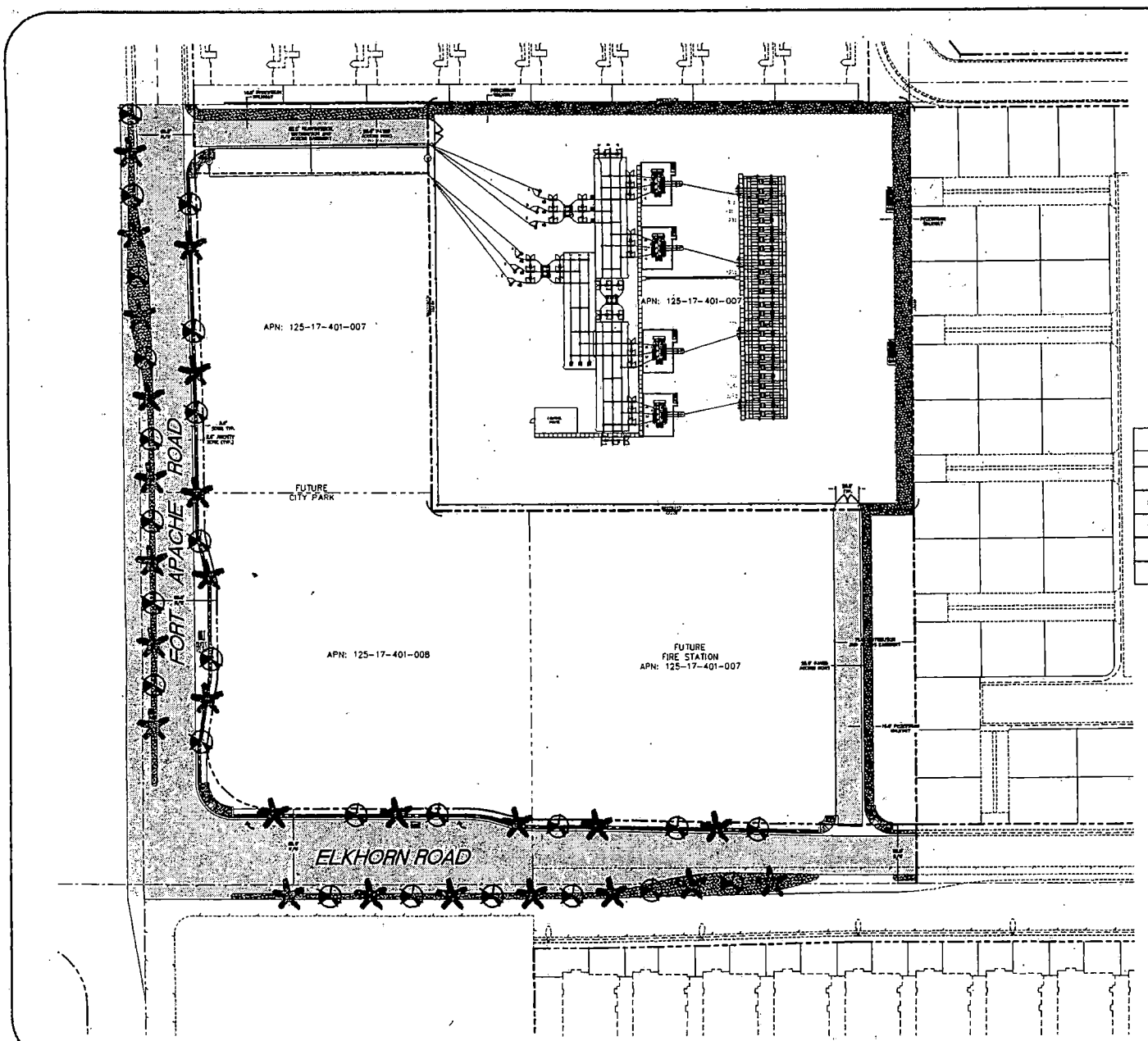
Subscribed and sworn before me

This 3rd day of May, 2004

Michelle Baltz

Notary Public in and for said County and State

MICHELLE BALTZ
Notary Public, State of Nevada
Appointment No. 9843271
My Appt. Expires June 22, 2006

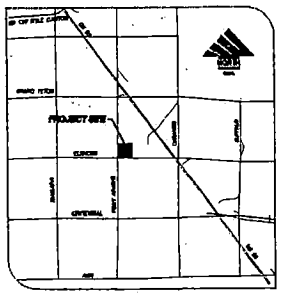


NORTH

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.



VICINITY MAP

LANDSCAPE MATERIAL SCHEDULE

SIZE	DESCRIPTION	BOTANICAL NAME	SYMBOL
1/2"	MOJAVE GOLD GRANITE MULCH	—	
24" BOX	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA HYBRID	
24" BOX	RIO GRANDE ASH	FRAXINUS VELUTINA RIO GRANDE	
1 GAL	ANGELITA DAISY	HYMENOXYS ACAULIS	
1 GAL	VERBENA	VERBENA PERUVIANA	

LEGEND

INSTALL STREETLIGHT LUMINAIRE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 22)

ACCENT PATTERNS AT STREET INTERSECTIONS AND DRIVEWAYS PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 21)

INSTALL SIDEWALK & AMENITY ZONE PER TOWN CENTER DEVELOPMENT STANDARDS (FIG. 21)

NOTE:

1. THESE DRAWINGS ARE CONCEPTUAL IN NATURE AND DEPICT INFORMATION FOR PLANNING AND LAND-USE SUBMITTAL PURPOSES ONLY. FINAL ENGINEERING DESIGN DRAWINGS MAY VARY DUE TO SITE SPECIFIC CONSTRAINTS OR CITY OF LAS VEGAS SPECIFICATIONS.

REVISIONS

ELKHORN SUBSTATION

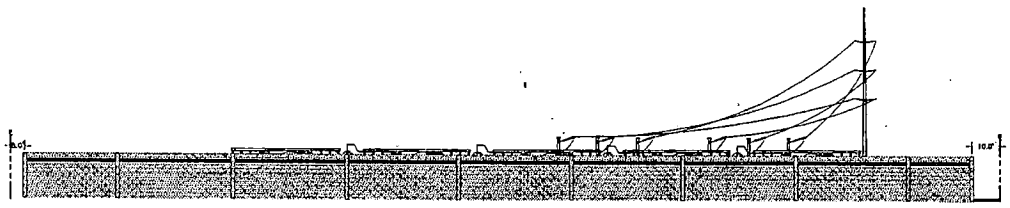
USE PERMIT - SITE PLAN

Nevada Power

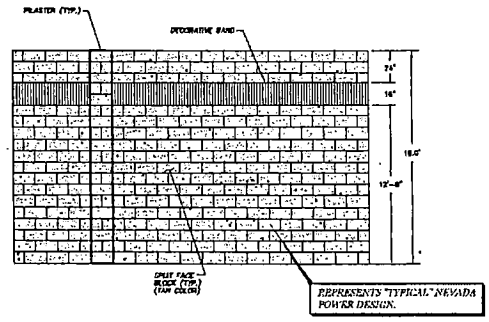
Fig 1 of 2

SDR-4422

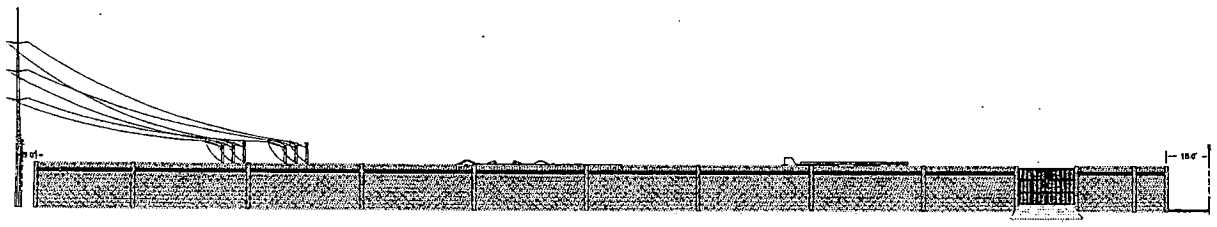
6-24-04 PC



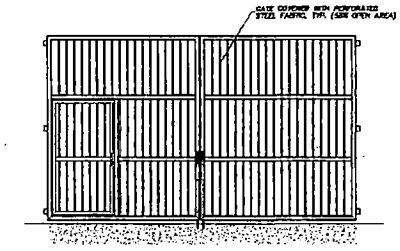
EAST WALL
(View Looking West)



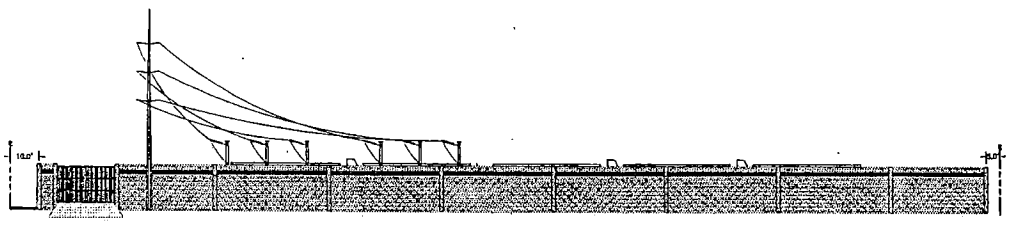
BLOCK WALL DETAIL



SOUTH WALL
(View Looking North)



DOUBLE SWING GATE-ELEVATION



WEST WALL
(View Looking East)

NOTE:

THESE DRAWINGS ARE CONCEPTUAL IN NATURE AND DEPICT INFORMATION FOR PLANNING AND LAND-USE SUBMITTAL PURPOSES ONLY. FINAL ENGINEERING DESIGN DRAWINGS MAY VARY DUE TO SITE SPECIFIC CONSTRAINTS OR CITY OF LAS VEGAS SPECIFICATIONS.

Nevada Power Co.

DWG NO	Fig 2	REC	FEB 2004
PROJ NO	DESCRIPTION	CHECK	FEB 2004
		APP	FEB 2004

Fig 2
OF 2

ELKHORN SUBSTATION

USE PERMIT - ELEVATION

SDR-4422
6-24-04 PC

KB HOMES
10.29 ACRES

CLARK COUNTY
SCHOOL DISTRICT
10.30 ACRES

FORT APACHE RD

6 DISTRIBUTION
FEEDER CONDUITS.

TRANSMISSION POLES
2 – 138KV CIRCUITS.

420'

0.33ac

60'

OVERHEAD TRANSMISSION,
UNDERGROUND DISTRIBUTION
AND SUBSTATION
ACCESS SITE (0.33ac)

PROPOSED NPC
ELKHORN SUBSTATION
138KV 140 MVA
3.37 ACRES

350'

660'

APN: 125-17-401-007

SW HOMES
10.29 ACRES

PROPOSED C.L.V.
PARK SITE
TO BE USED AS SUBSTATION
(TUP) TEMPORARY
CONSTRUCTION AREA

APN: 125-17-401-008

PROPOSED 50' ROW

PROPOSED
CITY OF
LAS VEGAS
FIRE STATION SITE

45'

UNDERGROUND DISTRIBUTION
FEEDER ACCESS SITE
0.32 ACRES

310'

DISTRIBUTION EASEMENT
& EMERGENCY ACCESS.

8 DISTRIBUTION
FEEDER CONDUITS.

PARDEE HOMES

18 | 17
19 | 20

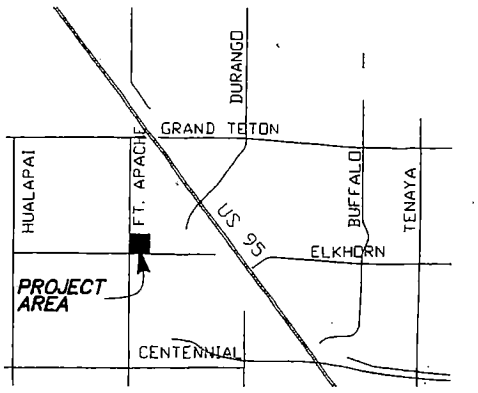
240'

PROPOSED 50' ROW

BECKER FAMILY TRUST
5 ACRES

D R HORTON
5 ACRES

ELKHORN RD



VICINITY MAP

NTS – PROJECT AREA; SW 1/4, SW 1/4, SW 1/4, SECTION 17, TOWNSHIP 19 SOUTH, RANGE 60 EAST

NOTE: THE 10 ACRE PARCEL SHOWN IS UNDER LEASE TO THE CITY OF LAS VEGAS FOR RECREATION & PUBLIC PURPOSES. SERIAL# N-37123

N

NOT TO SCALE

EXHIBIT "A" N-77777

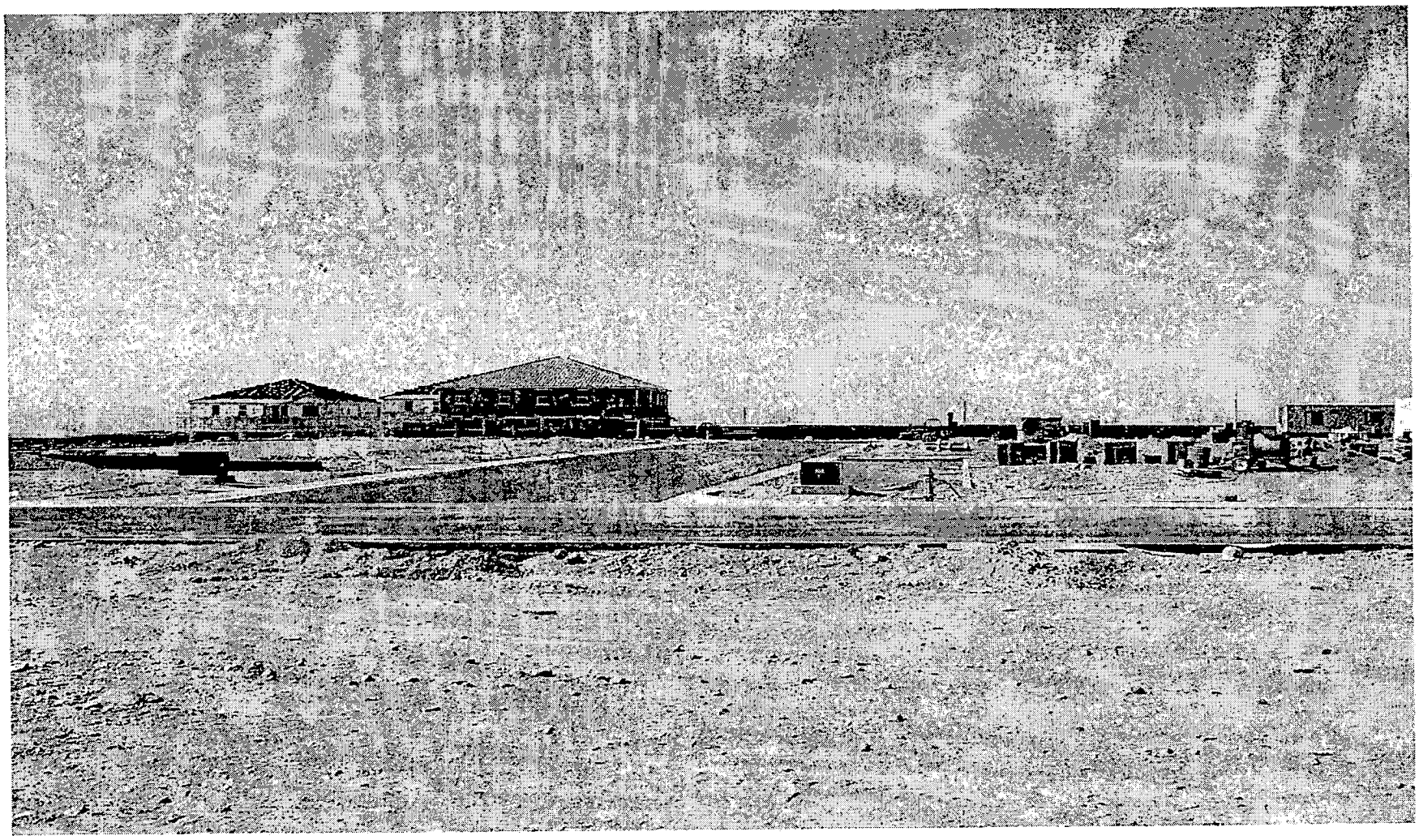
JOB NAME:
ELKHORN SUBSTATION

DESCRIPTION:
LF-103FBLP-1
PL #40-03rit

NEVADA POWER
NEVADA POWER COMPANY
P.O. BOX 98910 LAS VEGAS, NV 89151
6226 WEST SAHARA AVENUE
(702) 367-5263 • (702) 367-5004

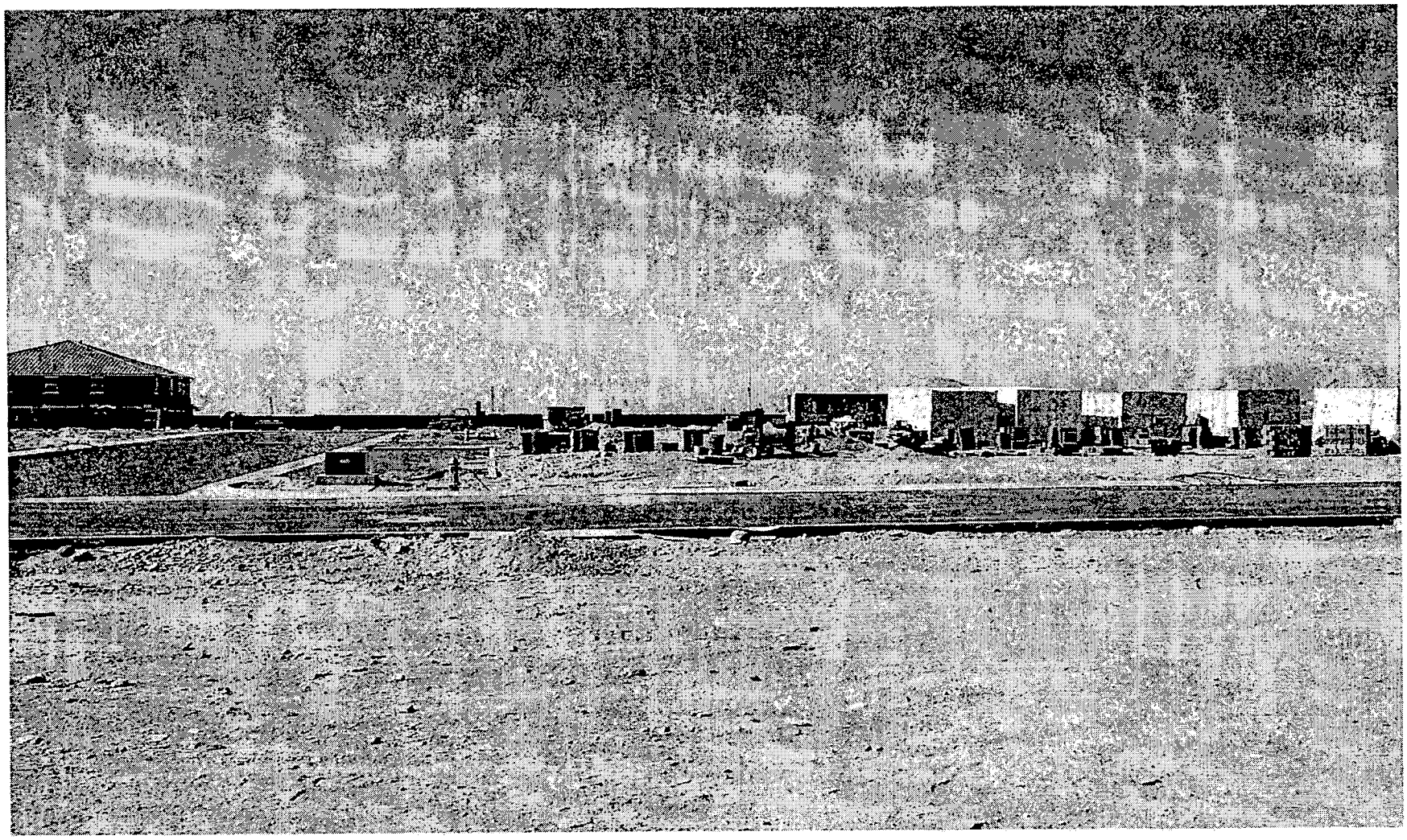
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SDR-4422
6-24-04 PC



SDR-4422 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION

6/7/04



SDR-4422 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT
NORTH OF ELKHORN ROAD AND 200 FEET EAST OF FORT APACHE ROAD
JUNE 24, 2004 PLANNING COMMISSION

6/7/04

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Variance TO ALLOW A ZERO SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND FOR A WAIVER OF THE REQUIRED LANDSCAPING on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese).

C.C.: 07/21/04

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
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

To be heard by the City Council on 7/21/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 48 [VAR-4456] and Item 49 [SDR-4458].

DAVE CLAPSADDLE, Planning and Development, stated that the current use on this site was an outdoor vehicle storage yard. It will be redeveloped into a 3,000 square minor auto repair garage. The area is an established industrial area, and a lot of the surrounding buildings have not set backs. Staff felt that the proposed building will be an improvement to the area and will be compatible with surrounding development. The applicant does not meet the landscaping and parking standards; however, the landscaping is more than what is already in existence with other properties. There are some site constraints with the configuration of this lot.

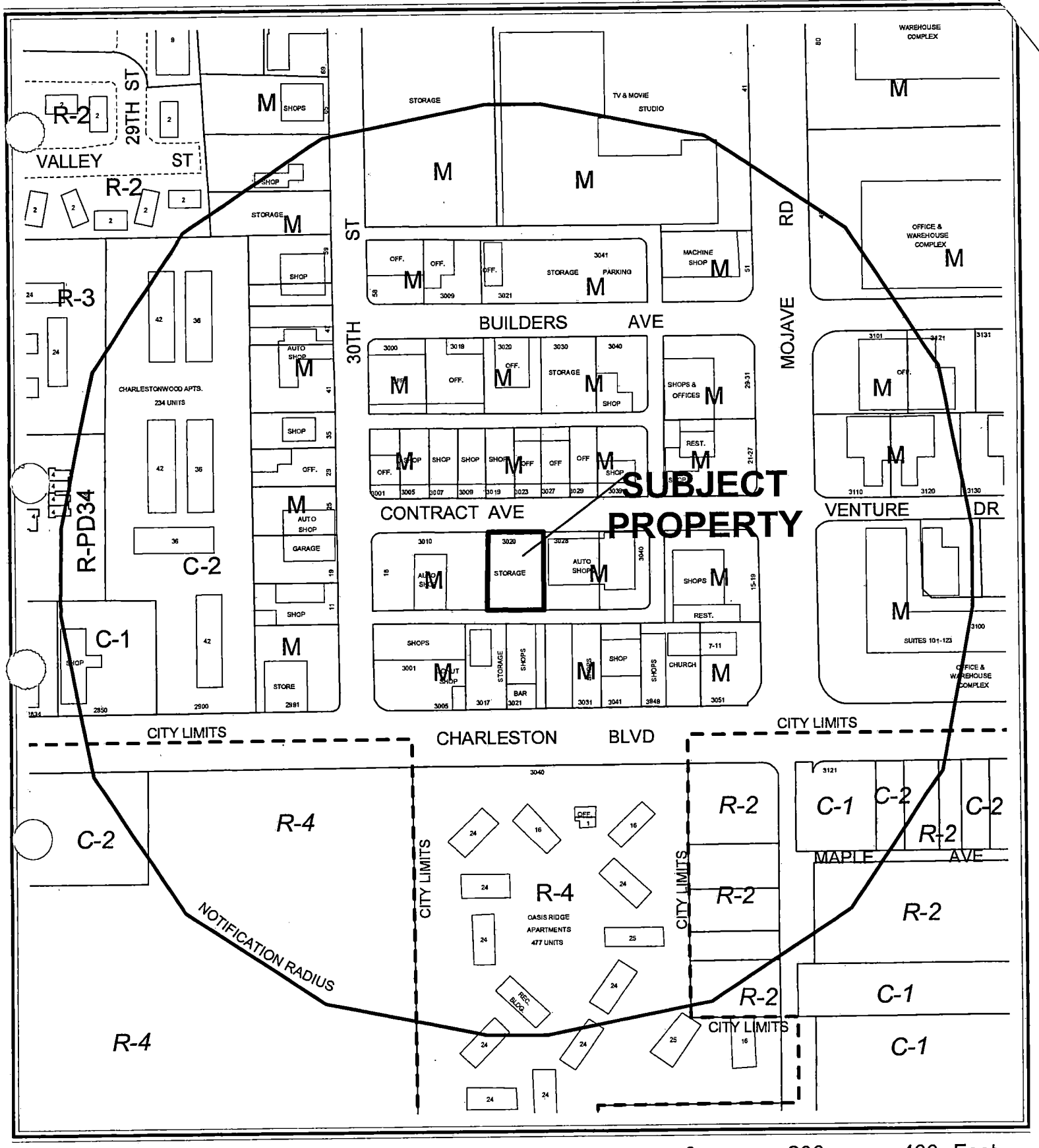
MINUTES – Continued:
Krassimer Teofilou, 1943 Golden Vista Drive, confirmed with CHAIRMAN TRUESDELL that he concurred with staff's conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 48 [VAR-4456] and Item 49 [SDR-4458].

(8:58– 9:00)
2-2812

CONDITIONS:
Planning and Development

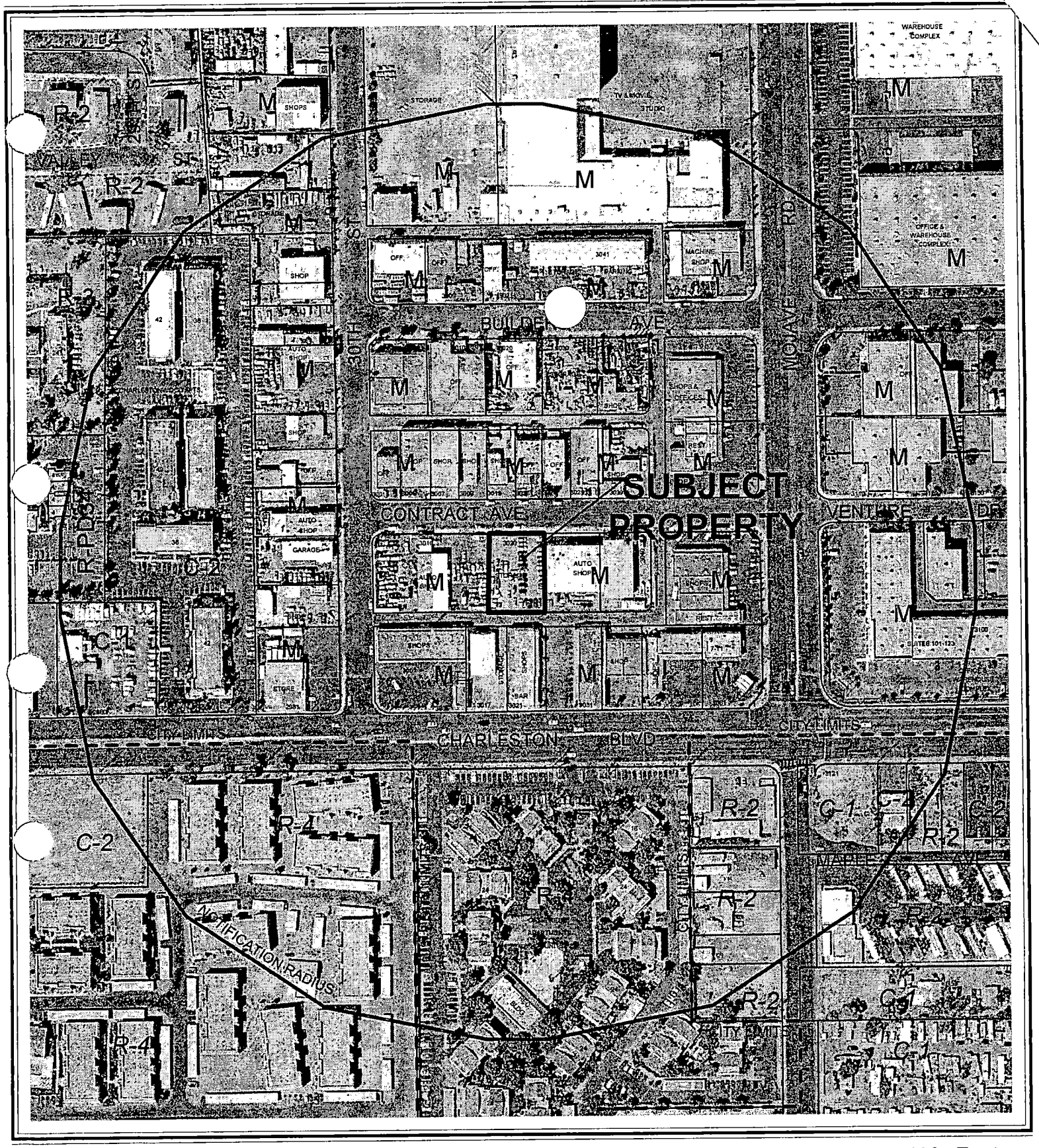
1. Approval of and conformance to the Conditions of Approval Site Development Plan Review (SDR-4458).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-4456**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **VAR-4456**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE - PUBLIC HEARING - VAR-4456 -
APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval Site Development Plan Review (SDR-4458).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a variance to allow 0-foot side yard setbacks where 10 feet is the minimum required, as well as to allow a reduction in required landscaping along the front, side, and rear property lines for a proposed minor auto repair garage.

A site development plan review application (SDR-4458) was filed as a companion item to this variance request.

B) Applicant's Justification

The applicant justifies the request by stating that in order to accommodate the parking requirements due to the small lot size the reduction in setbacks and landscaping is warranted. Additionally, the applicant states that this condition is similar to other lots in the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 The Planning Commission will consider copanion item SDR-4458 as a part of this agenda.

B) Pre-Application Meeting

04/29/04 At the pre-application meeting issues concerning the building setbacks, landscaping requirements, parking standards, and the trash enclosure were discussed. A variance to allow 0-foot side yard setbacks where 10 feet is the minimum, as well as to allow for a reduction of landscaping along the front, side, and rear property lines was discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.3

B) Existing Land Use

Subject Property:	Outdoor Motor Vehicle Storage
North:	Offices, Auto Garage
South:	Tavern, General Commercial, Industrial Warehouse
East:	Auto Garage
West:	Auto Garage

C) Planned Land Use

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

E) General Plan Compliance

The subject site is designated LI/R (Light Industrial / Research) within the Southeast Sector Land Use Map of the General Plan. This industrial category allows for clean, low intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. The M (Industrial) zoning designation is in compliance with the LI/R (Light Industrial / Research) General Plan designation.

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	13,435 Feet	Y
Min. Lot Width	N/A	100 Feet	Y
Min. Setbacks			
• Front	10 Feet	87.5 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	10 Feet	N/A	N/A
• Rear	0 Feet	20 Feet	Y
Max. Lot Coverage	N/A	22.3%	Y
Max. Building Height	N/A	18.6 Feet	Y
Trash Enclosure	YES	YES	Y

The location of the proposed building fails to meet the required 10-foot minimum side yard setback and will require a variance from Title 19.08.050.

A2) 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
Auto Repair Garage	3000 SF.	5 Spaces + 1/200 GFA	19	1	19	1

The proposed development meets the required number of parking space for an auto repair garage of such magnitude.

A3) Landscape and Open Space Standards

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

PL

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/ 6 Space	6 Trees	6 Trees
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	16 Trees	12 Trees
• Min. Zone Width Side & Rear Yard Front Yard	8 Feet 15 Feet		0 Feet* 0 Feet**

*The applicant has provided zero feet of landscaping buffer along the rear property line. However the applicant has provided a series of triangle landscape planters along the side property line on the front portion of the site. Each of the triangular landscape planters contains a 24-inch box Blue Palaverda surrounded by rock ground cover. There are a total of 9 triangular landscape planters totaling 8 trees.

**The front property line consists of triangular landscape planters that emphasize the one-way flow of traffic onsite. The planters contain one 24-inch box Blue Palaverda, several Texas Ranger shrubs, and a rock ground cover. The front landscape buffer that has been provided consists of 5 triangular landscape planters containing 4 trees amongst them.

B) General Analysis and Discussion

The surrounding area consists of abutting buildings that have little to no setbacks. The proposed development exhibits a genuine attempt at meeting the landscaping requirement with limited space available and providing a marked improvement to the neighborhood. Zero setback buildings predominate along Contract Avenue, therefore the site design is appropriate.

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."

The predomination of zero lot line development within this highly industrial neighborhood, in conjunction with narrowness of the parcel and limited site area culminate into sufficient evidence to allow the applicant relief from the zoning regulations in question by recommending approval of this variance request.

NOTICES MAILED 61 [Mailed with SDR-4458]

APPROVALS 2

PROTESTS 0

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4456 APN: _____

Name of Property Owner: DARINA B. STANEVA

Name of Applicant: _____

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____ KRASSIMIR TEOFILOV

Signature of Property Owner/Authorized Agent: Darina Staneva

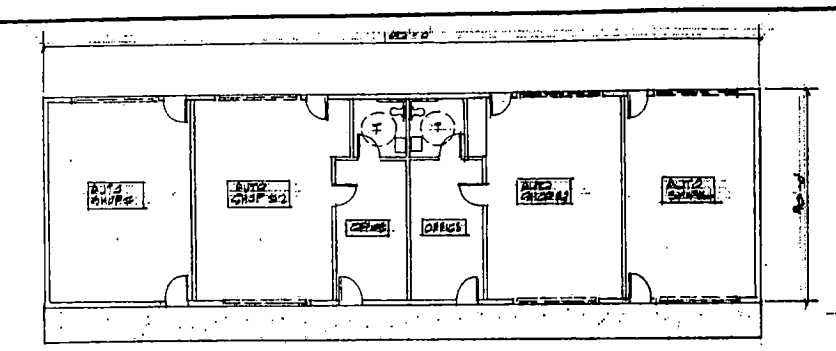
Print Name: DARINA STANEVA & KRASSIMIR TEOFILOV

Subscribed and sworn before me

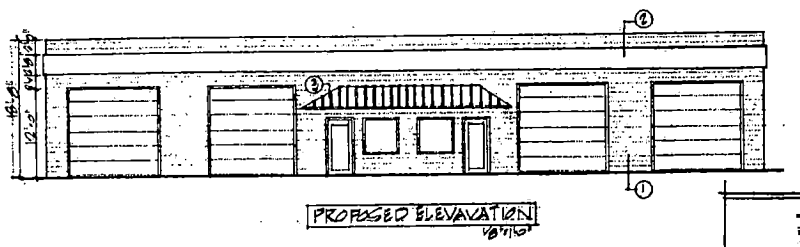
This 11 day of May, 2004

Debbie L. Williams
Notary Public in and for said County and State

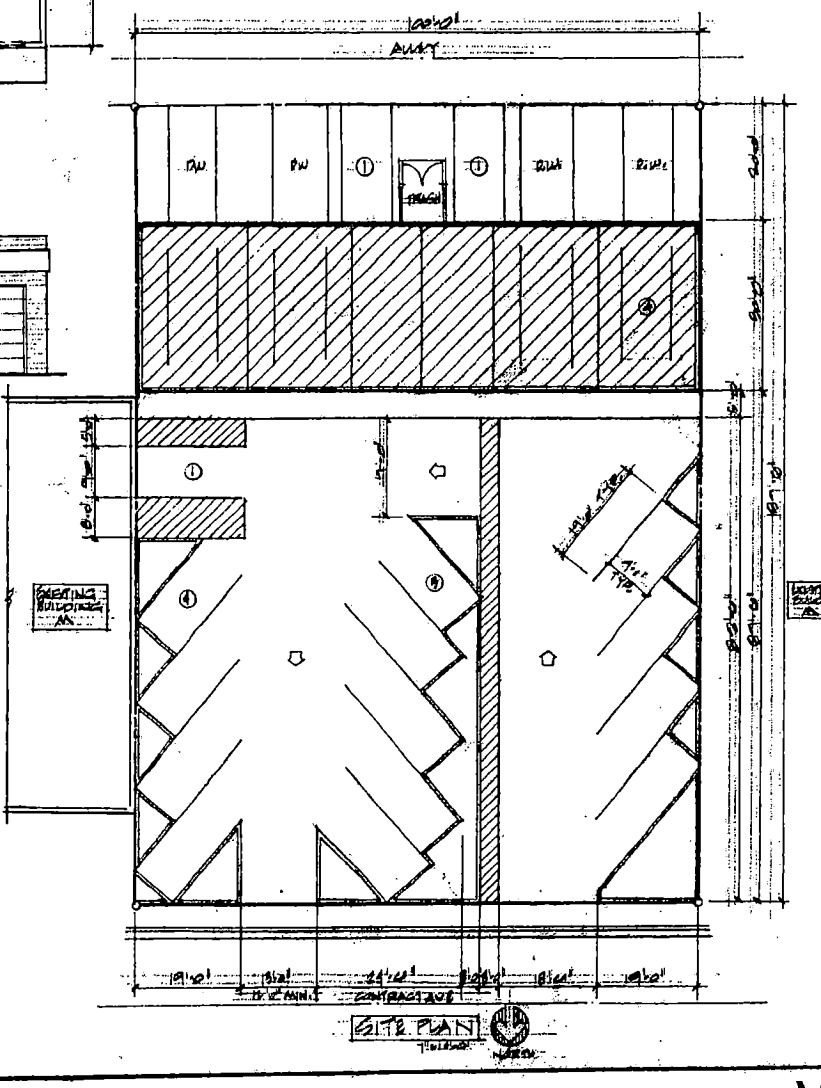
Notary Public - State of Nevada
COUNTY OF CLARK
DEBBIE L. WILLIAMS
No. 02-75585-1 My Appointment Expires April 30, 2006



FLOOR PLAN



PROPOSED ELEVAVATION



SITE PLAN

NOTES:

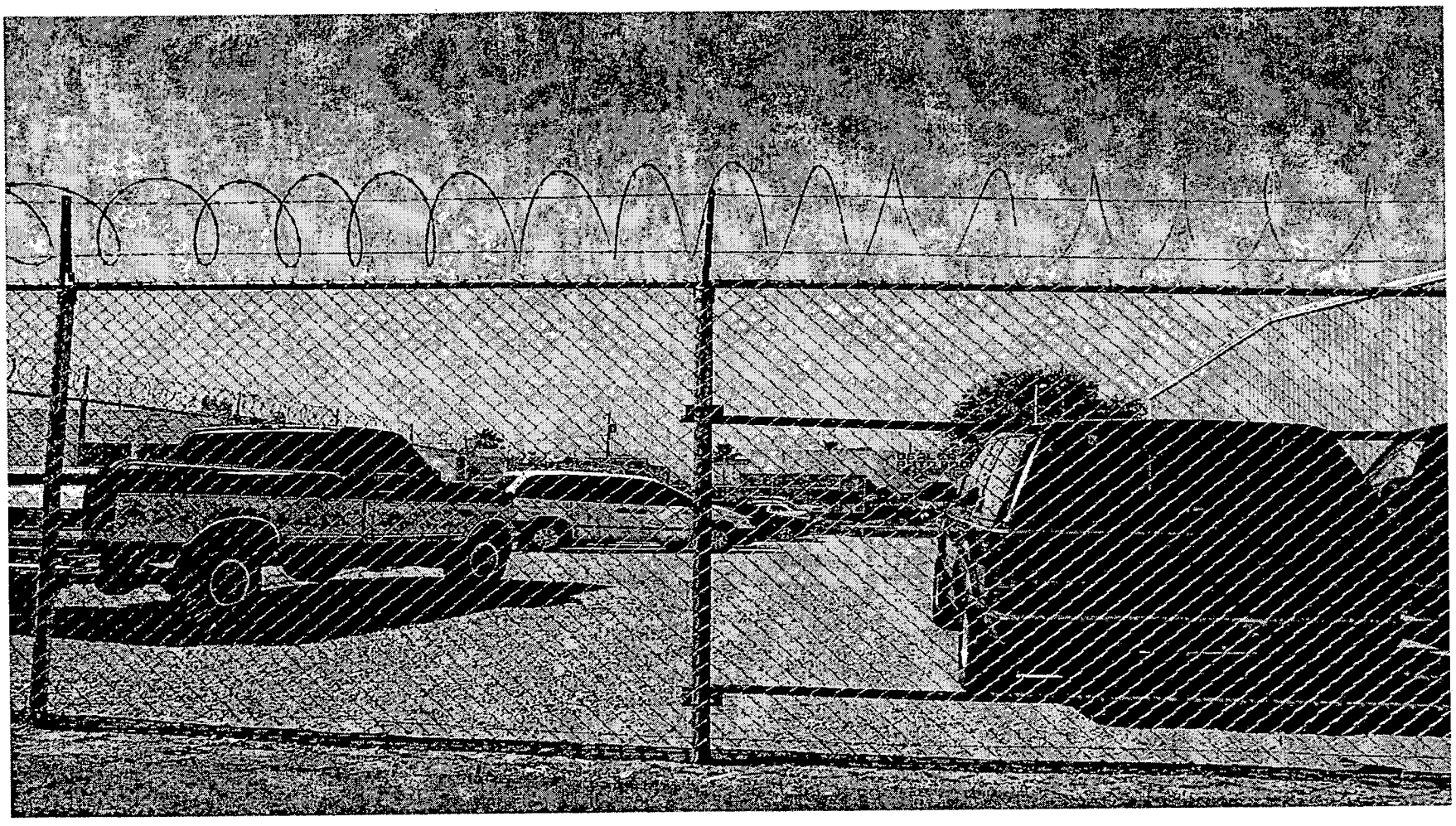
1. SPLIT FACE BLOCK
2. STUCCO BAND
3. METAL ROOF

REVISIONS	BY

CONTRACT AUTO SHOP

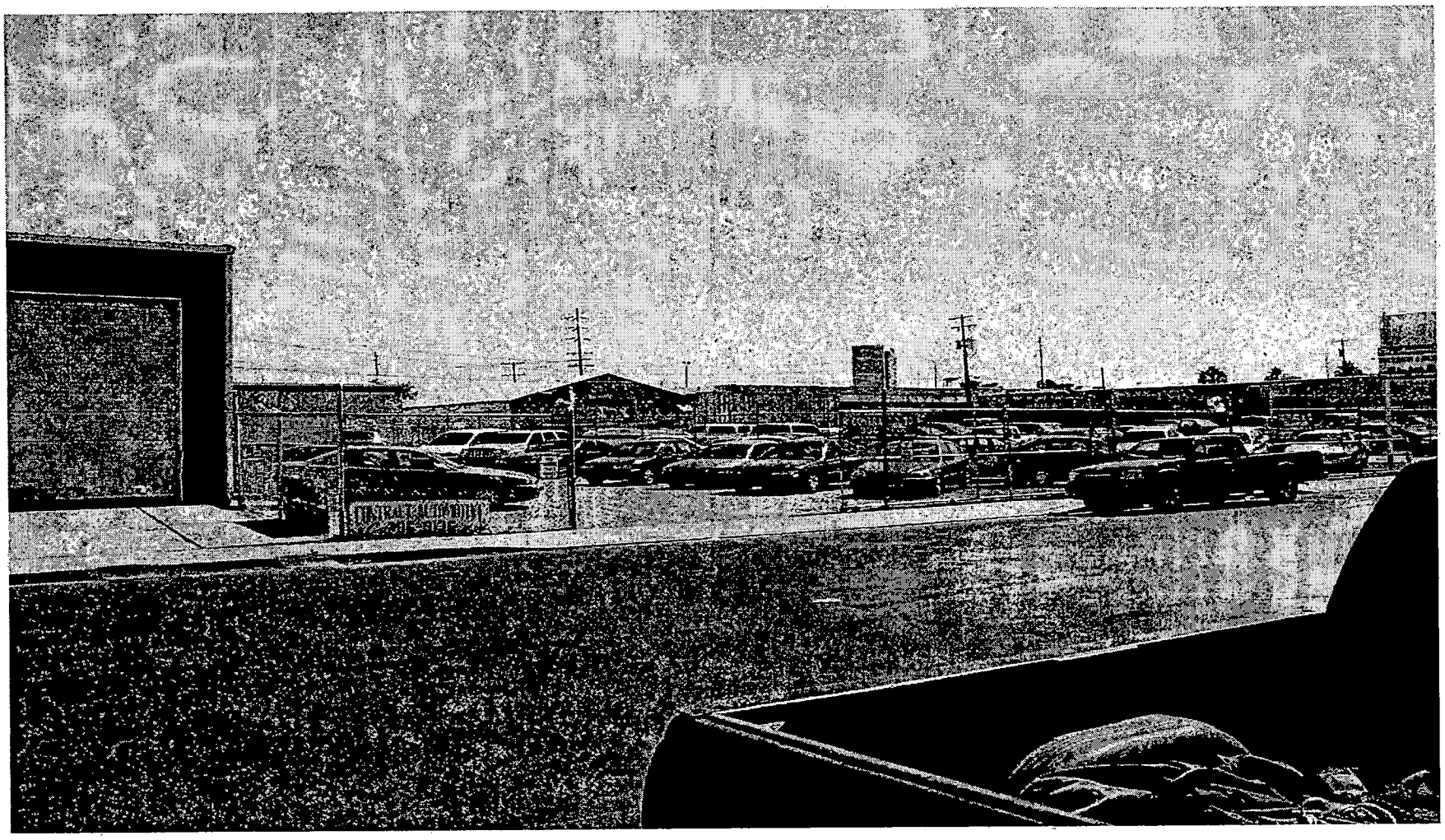
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VAR-4456
6-24-04 PC



VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA
3020 CONTRACT AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04



VAR-4456 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA
3020 CONTRACT AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04

SUBJECT: BDR-4458 ; VAR - 4456

TO

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
DEPT. OR WHO IT MAY CONCERN:

RE:

SUBJECT NAME: CONTRACT AUTO SHOP
LOCATED AT 3020 CONTRACT AVE. LAS VEGAS NV 89101

FROM:

MY NAME IS MARY AN JOB OF 9316 TOURNAMENT
CANYON DR. LAS VEGAS NV 89144, TEL. 702-254-3055

I OWN THE BUILDING ON 3030 AND 3028 CONTRACT AVE
ON THE EAST SIDE OF ABOVE SAID PROPERTY. I DO NOT
OBJECT NEW FOUNDATION STARTING ON PROPERTY
LINE.

Mary Ann Job
June 15, 2004

SDR-4458
VAR-4456

A

SUBJECT: SDR-4458 ; VAR-7706

TO:

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
DEPT. OR WHO IT MAY CONCERN:

RE:

SUBJECT NAME: CONTRACT AUTO SHOP
LOCATED AT 3020 CONTRACT AVE. LAS VEGAS NV 89101

MY NAME IS Jorge Otero

I OWN THE BUILDING ON 3010 CONTRACT AVE ON THE WEST SIDE OF ABOVE SAID PROPERTY. I DO NOT OBJECT NEW FOUNDATION STARTING ON PROPERTY LINE.

6-10-04

RE# 335-9491

SDR-4458
VAR-4457

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4456 - PUBLIC HEARING – SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA - Request for a Site Development Plan Review FOR A PROPOSED 3,000 SQUARE FOOT BUILDING FOR MINOR AUTO REPAIR GARAGE on 0.14 acres at 3020 Contract Avenue (APN: 139-36-812-008), M (Industrial) Zone, Ward 3 (Reese).

C.C.: 07/21/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	2
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

To be heard by the City Council on 7/21/2004.

MINUTES:
NOTE: See Item 48 [VAR-4456] for all related discussion.
(8:58– 9:00)
2-2812

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 49 – SDR-4458

CONDITIONS:

Planning and Development

1. All proposed trash enclosures shall be enclosed and have a roof.

2. Approval of a Variance (VAR-4456) by the City Council.

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

4. All development shall be in conformance with the site plan and building elevations, date stamped July 21, 2004, except as amended by conditions herein.

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

6. 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. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

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

9. 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.

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

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

CONDITIONS Continued:

12. 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.

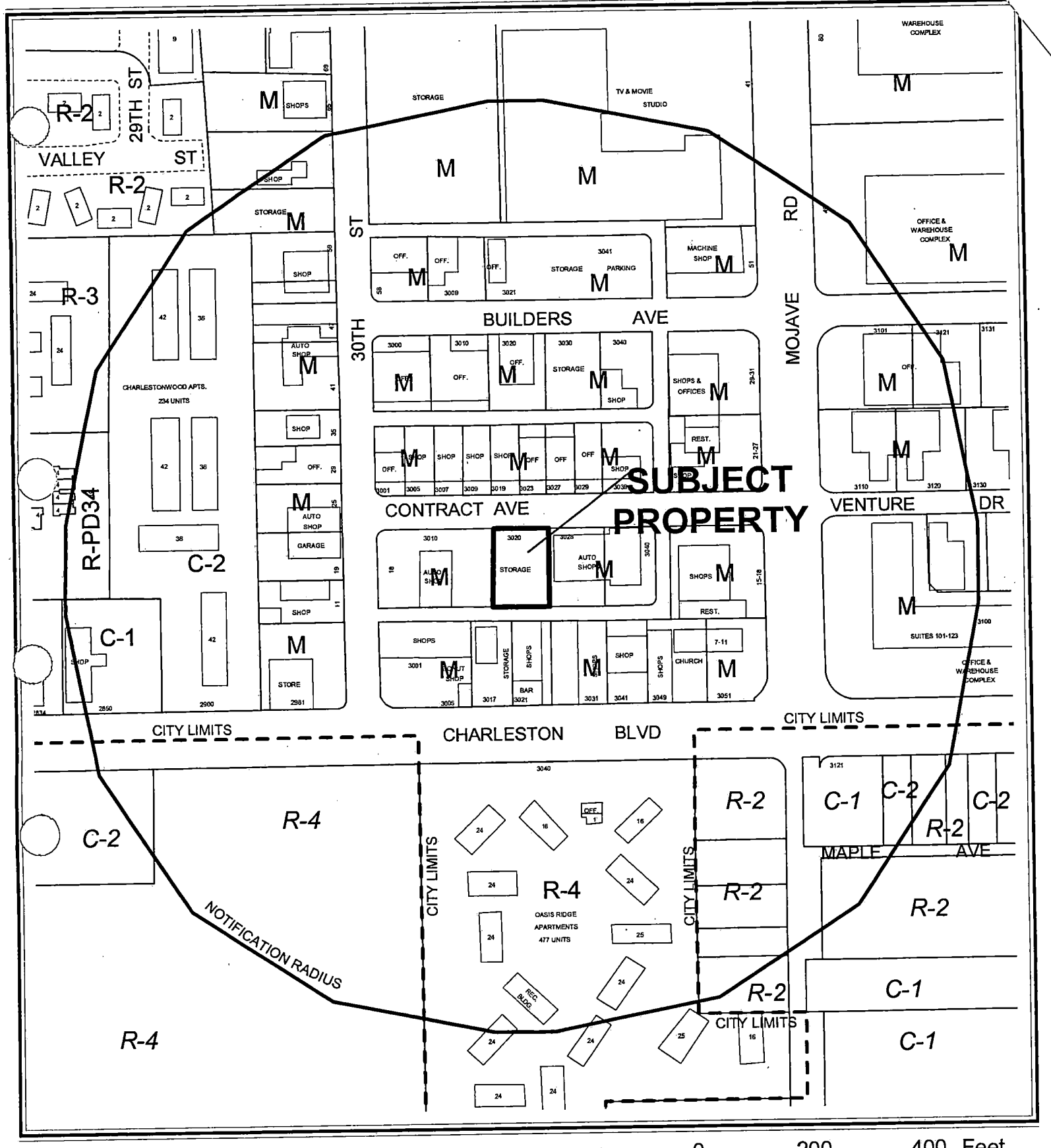
Public Works

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

14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. If security entry gates are proposed for this site they shall remain fully open during the hours of operation, 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.

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



CASE: **SDR-4458**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4456 - PUBLIC HEARING – SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA

** CONDITIONS **

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

Planning and Development

1. All proposed trash enclosures shall be enclosed and have a roof.

2. Approval of a Variance (VAR-4456) 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.

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

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7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

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

9. 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.

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 3,000 square foot Auto Repair Garage, Minor facility, on .3 acres located at 3020 Contract Avenue, with zero sideyard setbacks and a waiver of perimeter landscaping.

B) Applicant's Justification

The applicant justifies the request by stating that in order to accommodate the parking requirements due to the small lot size the reduction in setbacks and landscaping is warranted. Additionally, the applicant states that this condition is similar to other lots in the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 The Planning Commission will consider Variance (VAR-4456) application as a part of this agenda.

B) Pre-Application Meeting

04/29/04 At the pre-application meeting issues concerning the building setbacks, landscaping requirements, parking standards, and the trash enclosure were discussed. A variance to allow 0-foot side yard setbacks where 10 feet is the minimum, as well as to allow for a reduction of landscaping along the front, side, and rear property lines was discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.3

B) Existing Land Use

Subject Property:	Outdoor Motor Vehicle Storage
North:	Offices, Auto Garage
South:	Tavern, General Commercial, Industrial Warehouse
East:	Auto Garage
West:	Auto Garage

C) Planned Land Use

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

E) General Plan Compliance

The subject site is designated LI/R (Light Industrial / Research) within the Southeast Sector Land Use Map of the General Plan. This commercial category allows for clean, low intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. The M (Industrial) zoning designation is in compliance with the LI/R General Plan designation.

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

PROJECT DESCRIPTION

The proposed project consists of the redevelopment of an existing outdoor vehicle storage yard, into a 3,000 square foot Minor Automotive Repair Garage. The building is to be place 20 feet off of the rear property line and consists of 4 work bays. The proposed building will abut both of the side property lines, therefore, requiring a variance from the 10-foot minimum side yard setback standard. The site has access from both Contract Avenue and a public alley running behind the site. Parking will be made available on both the front, through a one-way traffic circulation, and the rear portion via the public alley. The trash enclosure is proposed as being located at the rear of the building and will be accessible from the public alley.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	13,435 Feet	Y
Min. Lot Width	N/A	100 Feet	Y
Min. Setbacks			
• Front	10 Feet	87.5 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	10 Feet	N/A	N/A
• Rear	0 Feet	20 Feet	Y
Max. Lot Coverage	N/A	22.3%	Y
Max. Building Height	N/A	18.6 Feet	Y
Trash Enclosure	YES	YES	Y

The location of the proposed building fails to meet the required 10-foot minimum side yard setback and will require s variance from Title 19.08.050.

A2) 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
Auto Repair Garage	3000 SF.	5 Spaces + 1/200 GFA	19	1	19	1

The proposed development meets the required number of parking space for an auto repair garage of such magnitude.

A3) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Trees/ 6 Space	6 Trees	6 Trees
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	16 Trees	12 Trees
• Min. Zone Width Side & Rear Yard	8 Feet		0 Feet*
Front Yard	15 Feet		0 Feet**

*The applicant has provided zero feet of landscaping buffer along the rear property line. The applicant has provided a series of triangle landscape planters along the side property line on the front portion of the site. Each of the triangular landscape planters contains a 24-inch box Blue Palaverda surrounded by rock ground cover. There are a total of 9 triangular landscape planters totaling 8 trees.

**The front property line consists of triangular landscape planters that emphasize the one-way flow of traffic onsite. The planters contain one 24-inch box Blue Palaverda, several Texas Ranger shrubs, and a rock ground cover. The front landscape buffer that has been provided consists of 5 triangular landscape planters containing 4 trees amongst them.

A4) Sign Standards

The proposed site plan does not call out any signage to be placed on the subject property. Any future sign shall be held to the standards set forth by Title 19.14.060.

B) General Analysis and Discussion

- Zoning

The subject property is located within an M (Industrial) zoning district, which permits an Auto Repair Garage, Minor by right. The surrounding area shares the same zoning district and the uses that predominate in the vicinity are of an automotive repair nature. The proposed use is compatible with the surrounding area.

- Site Plan

The site plan illustrates a 3,000 square foot building that will be placed 20 feet from the rear property line and will abut the side property lines. A variance is required to allow a 0-foot side yard setback where a 10-foot minimum setback is required. Companion item VAR-4456 will address this issue in greater detail. The illustrated parking complies with the requirements set forth by Title 19.10.010 for an Auto Repair Garage. Access to the site is achieved either by means of a one-way drive off of Contract Avenue or by the public alley at the rear of the site.

- Waivers

The applicant is requesting a waiver of perimeter and parking lot landscaping.

- Landscape Plan

The supplied landscape plan depicts a series of triangular shape planters, consisting of 24-inch box Blue Palaverda, 5 gallon Texas Rangers, and rock ground cover. The landscape planters are located along the front property line and the both side property lines, on the front portion of the site. No landscaping has been made available behind the building and the landscaping provided on the rest of the site has no consistent depth as to satisfy the requirement of Title 19.12. A waiver is required to allow for the reduction of perimeter and internal parking landscaping requirements.

- Elevation

The building elevation plan shows an 18.6-foot tall structure with four auto repair bays. The building will be colored gray with a white decorative band close to the roofline around the building, as well as having a blue awning located over the entrances to the office section of the building. The proposed elevation is adequate and complies with the intent of the Title 19's design standards.

- Floor Plan

The floor plan depicts the building as being composed of two separate tenants, each consisting of two auto repair bays and an office. There is no internal access between offices; therefore it is recommended that the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.

FINDINGS

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

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

   The proposed development at the subject property would be compatible with the surrounding industrial area.

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

   The proposed development is consistent with the General Plan designation of LI/R (Light Industrial/Research). It is however not consistent with Title 19 and will require a variance from the Industrial District Development Standards for landscaping and setbacks. Variance VAR-4456 will address the setback issue. The waiver of landscaping can be supported because of the intensity of the use and the attempt of the applicant to provide as much landscaping that is possible considering the confines of the site.

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

   The site is accessible from Contract Avenue, a public street, and from the public alley that runs behind the subject property and will not have a negative impact on adjacent roadways or neighborhood traffic.

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

The landscape materials are appropriate for this type of development. Building materials have not been addressed by the applicant and as so no determination can be made at this point as to the appropriateness.

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

The proposed elevation is adequate and complies with the intent of the Title 19's design standards.

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

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

NOTICES MAILED 61 [Mailed with VAR-4456]

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4458 APN: _____

Name of Property Owner: KRASSIMIR TEOFILOV

Name of Applicant: _____

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

DARINA STANEVA

Signature of Property Owner/Authorized Agent: KRASSIMIR TEOFILOV

Print Name: KRASSIMIR TEOFILOV & DARINA STANEVA

Subscribed and sworn before me

This 11 day of May, 2004

Debbie L. Williams

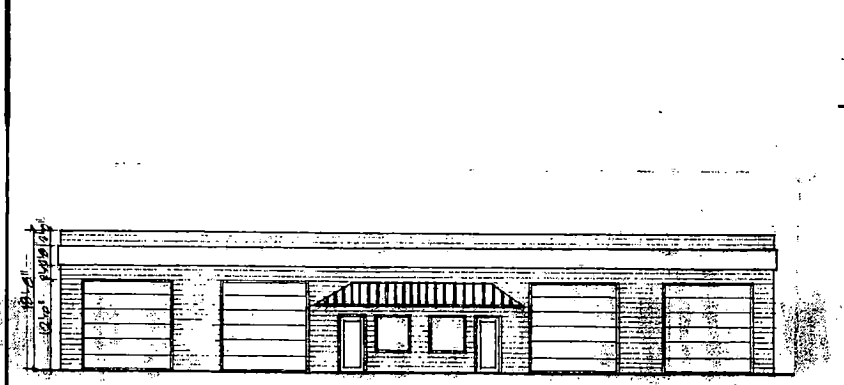
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
DEBBIE L. WILLIAMS
No. 02-75585-1 My Appointment Expires April 30, 2006

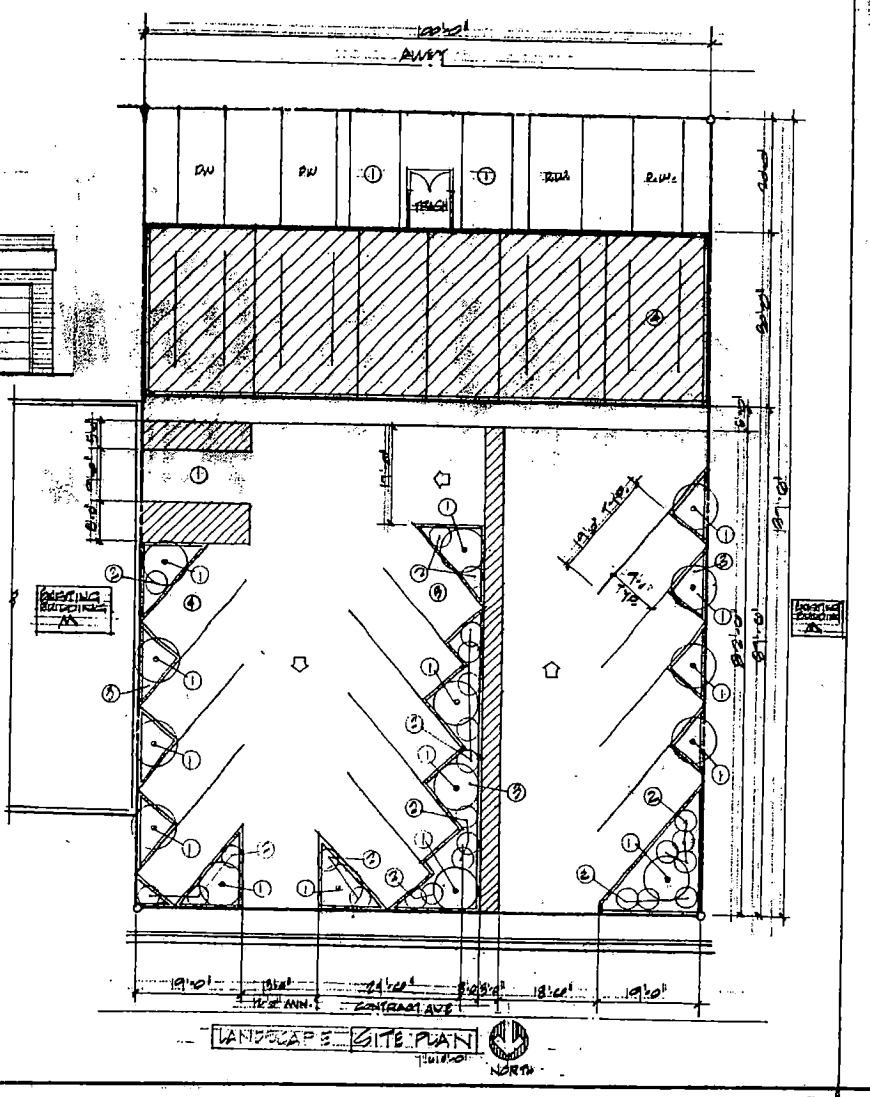
LANDSCAPE NOTES:

1. 24" BOX EVER PALAVERDE
2. TEXAS RANGER
3. [illegible] GROUND COVER (TYP)

REVISIONS	BY



PROPOSED ELEVATION



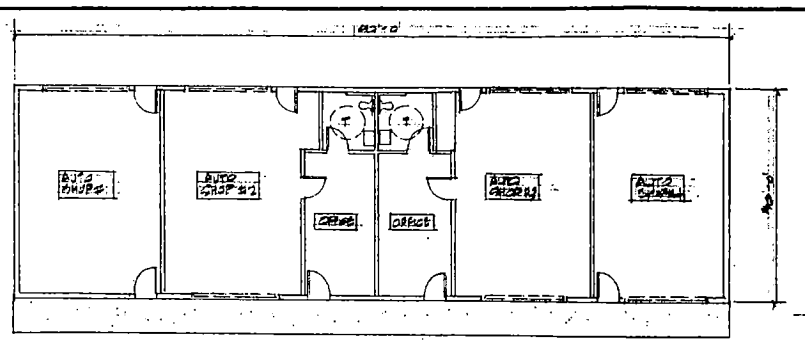
LANDSCAPE SITE PLAN

NORTH

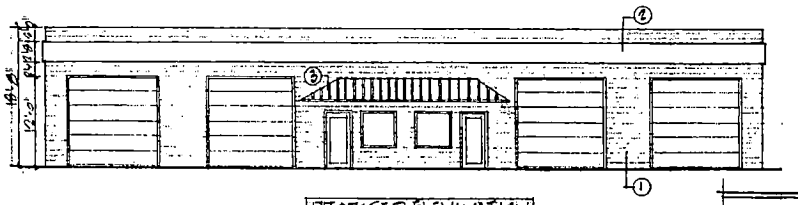
CONTRACT AUTO SHOP
5220 CONTRACT AVE.
LAS VEGAS, NV.

DATE	4-21-04
DRAWN	
CHECKED	R.S.

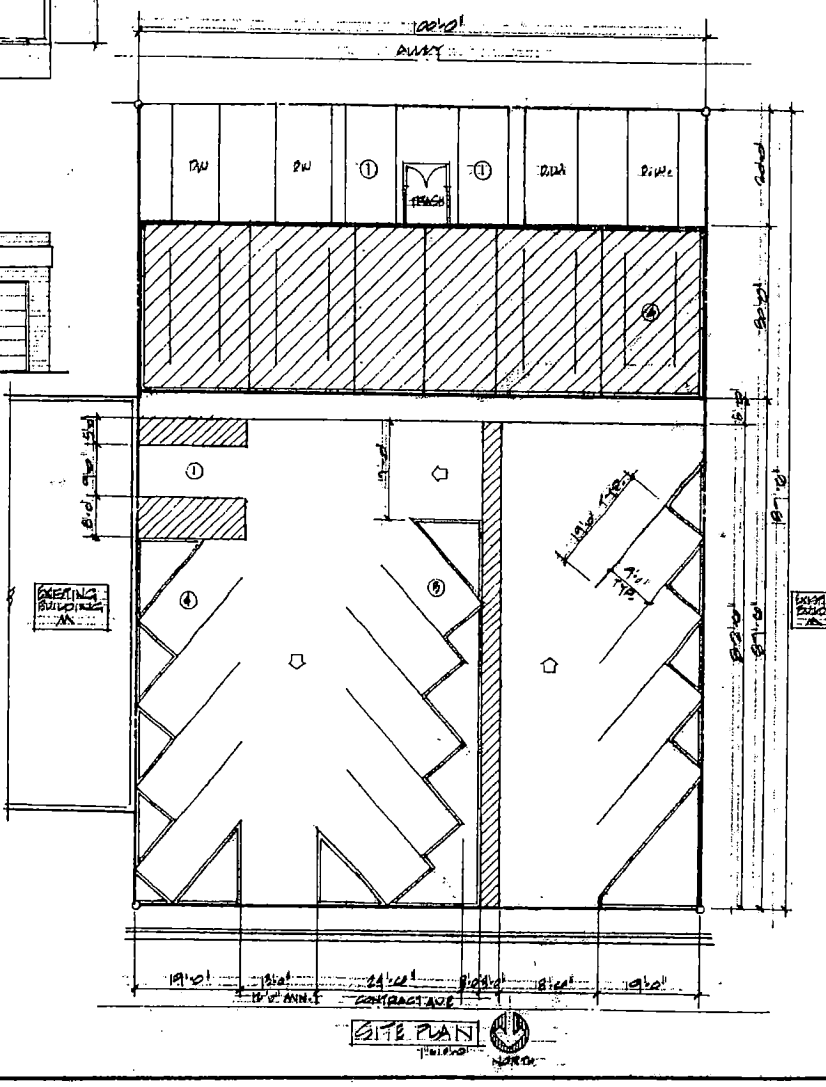
SDR-4458
6-24-04 PC



FLOOR PLAN
1/8"=1'-0"



PROPOSED ELEVAVATION
1/8"=1'-0"



SITE PLAN
1"=10'-0"

NOTES:
1. EXISTING BUILDING
4. STUCCO BAND
5. METAL ROOF

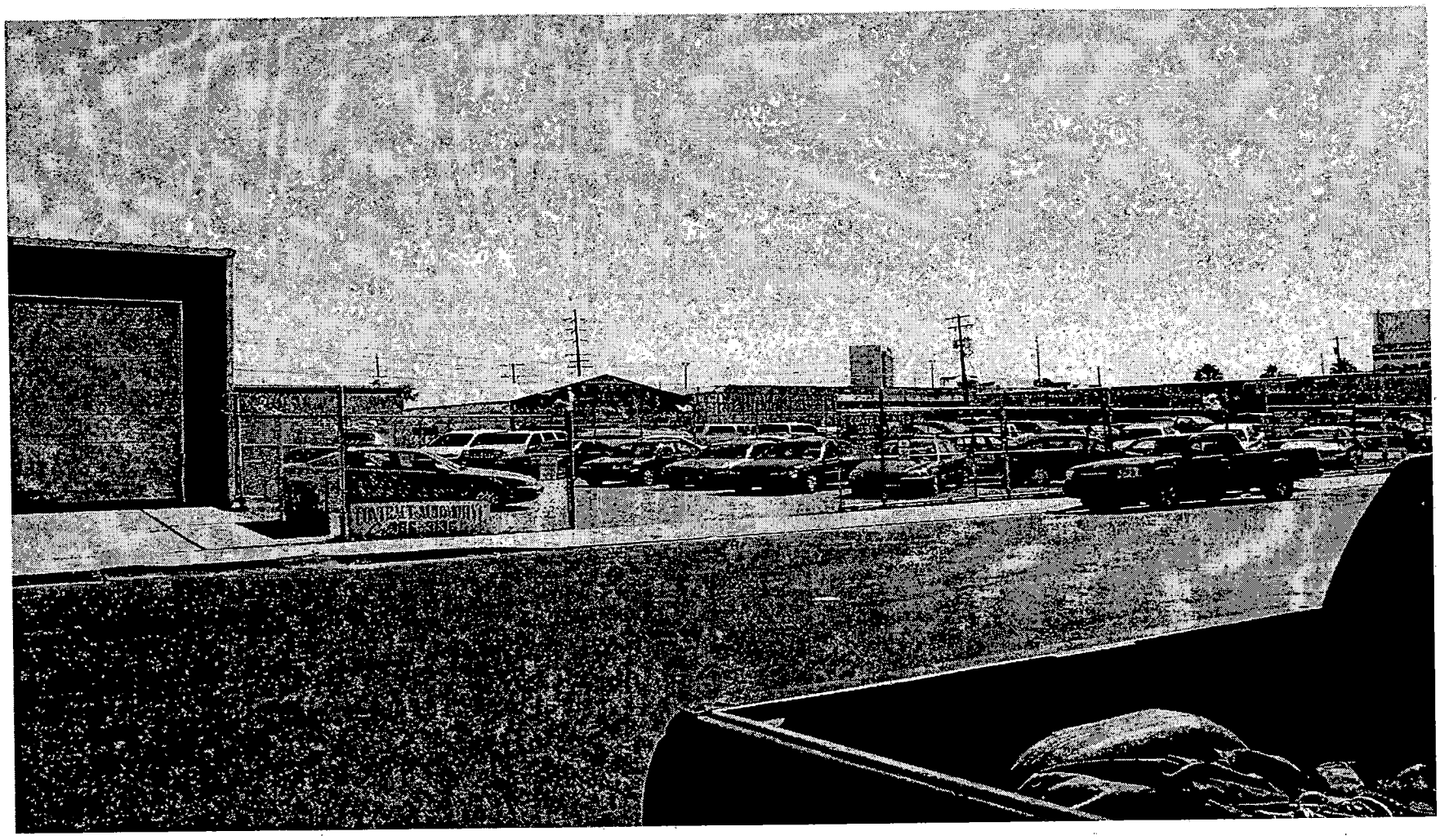
REVISIONS	BY

CONVERSION OF AUTO SHOP

A1

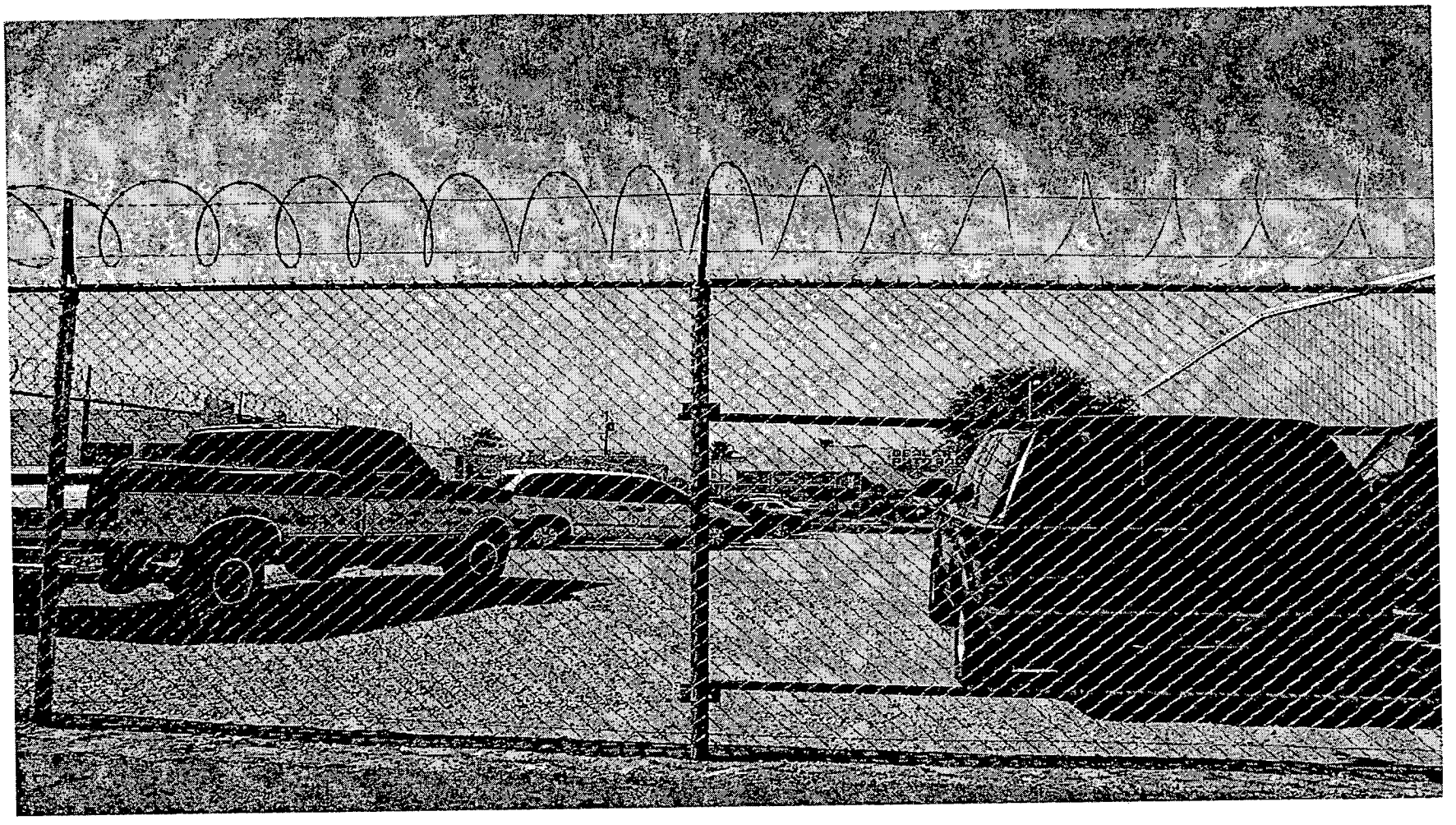
SDR-4458

6-24-04 PC



SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA
3020 CONTRACT AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04



SDR-4458 - APPLICANT/OWNER: KRASSIMIR TEOFILOV AND DARINA STANEVA
3020 CONTRACT AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04

SUBJECT: DR-7750, VAR-7756

TO:

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
DEPT. OR WHO IT MAY CONCERN:

RE:

SUBJECT NAME: CONTRACT AUTO SHOP
LOCATED AT 3020 CONTRACT AVE. LAS VEGAS NV 89101

FROM:

MY NAME IS MARY AN JOB OF 9316 TOURNAMENT
CANYON DR. LAS VEGAS NV 89144, TEL. 702-254-3055

I OWN THE BUILDING ON 3030 AND 3028 CONTRACT AVE
ON THE EAST SIDE OF ABOVE SAID PROPERTY. I DO NOT
OBJECT NEW FOUNDATION STARTING ON PROPERTY
LINE.

June 15, 2004

SDR-4458
VAR-4456

A

SUBJECT: SUR-4458 & VAR-4460

To:

CITY OF LAS VEGAS PLANNING AND DEVELOPMENT
DEPT. OR WHO IT MAY CONCERN:

RE:

SUBJECT NAME: CONTRACT AUTO SHOP
LOCATED AT 3020 CONTRACT AVE. LAS VEGAS NV 89101

MY NAME IS Jorge Otero

I OWN THE BUILDING ON 3010 CONTRACT AVE ON THE WEST SIDE OF ABOVE SAID PROPERTY. I DO NOT OBJECT NEW FOUNDATION STARTING ON PROPERTY LINE.

6-10-04

RE# 335-09491

SDR-4458
VAR-4456

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4467 - APPLICANT/OWNER: RICHARD SHEHANE - Request for a Variance TO ALLOW AN EXISTING 3,600 SQUARE FOOT ACCESSORY STRUCTURE TO EXCEED THE SQUARE FOOTAGE OF THE 2,400 SQUARE FOOT MAIN DWELLING at 6225 Fisher Avenue (APN: 125-35-605-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

C.C.: 07/21/04

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after Final Agenda – Request for Abeyance Letter (Attorney Paul E. Larsen)
5. Submitted at the Meeting – Signed Petition with 18 signatures supporting the proposed project

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/21/2004.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVE CLAPSADDLE, Planning and Development, stated that this is a horse barn that is larger than the principle dwelling. Staff researched the permit, which states that the floor area is 2,304 square feet. There is no Code Enforcement action on it; however, a building inspector may have noticed the square footage being in excess and notified the applicant.

MINUTES – Continued:

The barn is the same height as the home, which is 15 feet. The application does not meet the standards of the Code for granting a Variance.

RICHARD SHEHANE, 6225 Fisher Avenue, stated that during the construction of this barn, there had been some confusion between the contractors and him. The porches were included in the square footage of the barn but not his home. If the porches were included in the measurement of the home, it would be the same size. He presented a signed petition from most of his neighbors that did not oppose to MR. SHEHANE having this barn. The zoning is for 10 horses, which he has on his property. Some of the horses have pink faces and need to be kept from direct sunlight.

COMMISSIONER EVANS pointed out MR. SHEHANE'S compelling argument to have his application approved, as he would support it.

COMMISSIONER McSWAIN questioned why some type of equities of scale was not in place or having a well defined Code, as she has seen barns larger than homes on horse properties. It seems unfair that MR. SHEHANE had to appear before the Commission on a situation that is acceptable. MR. CLAPSADDLE explained that the only standard in the Code is that an accessory structure cannot exceed the square footage of the principal dwelling, which is why this situation was brought before the Commission.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:00– 9:06)

2-2970

CONDITIONS:

Planning and Development

1. The applicant shall obtain all required permits for the accessory structure from the Department of Building and Safety.

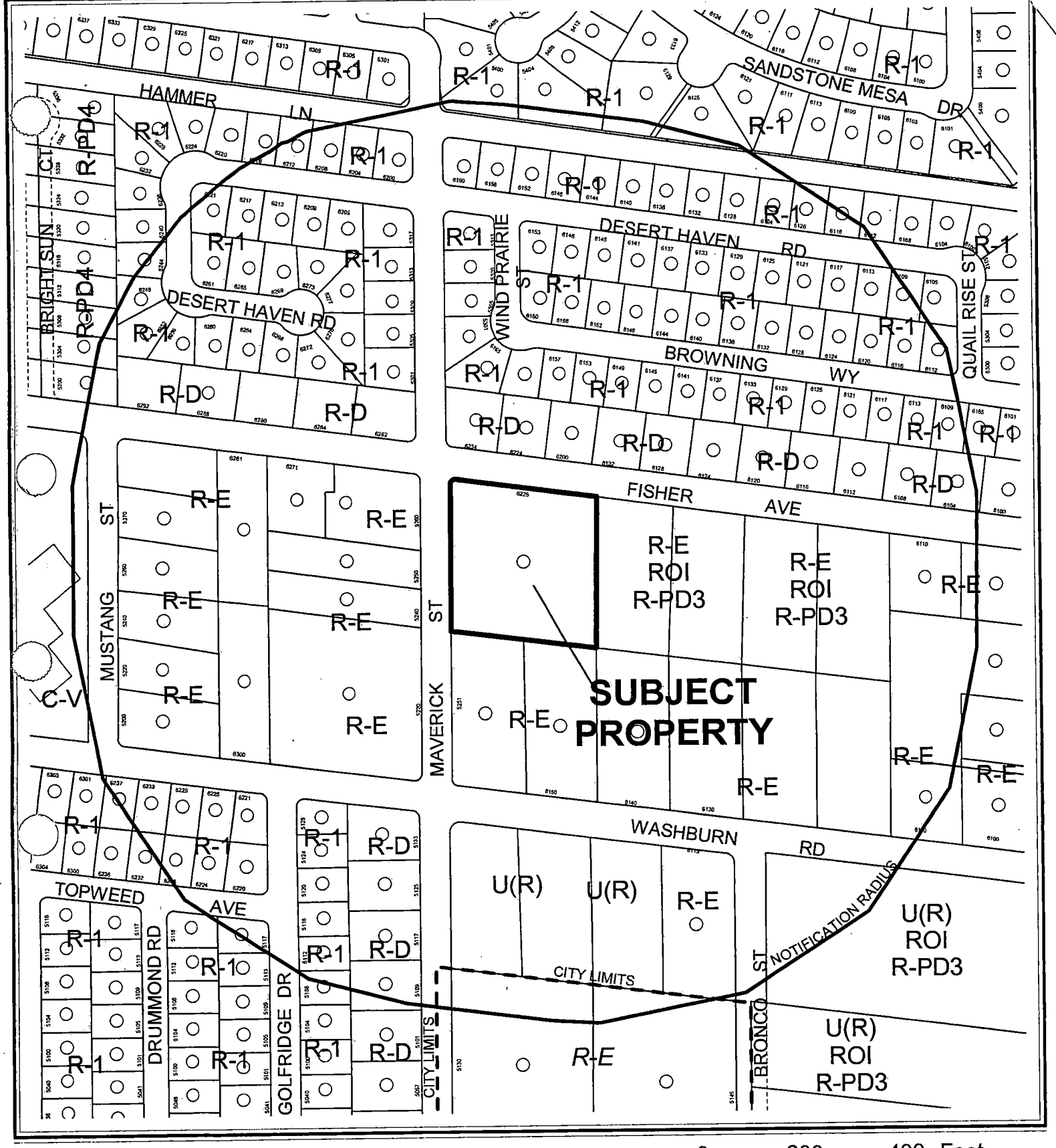
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

3. Construct half-street improvements including appropriate transitional paving on Fisher Avenue and Maverick Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

CONDITIONS – Continued:

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

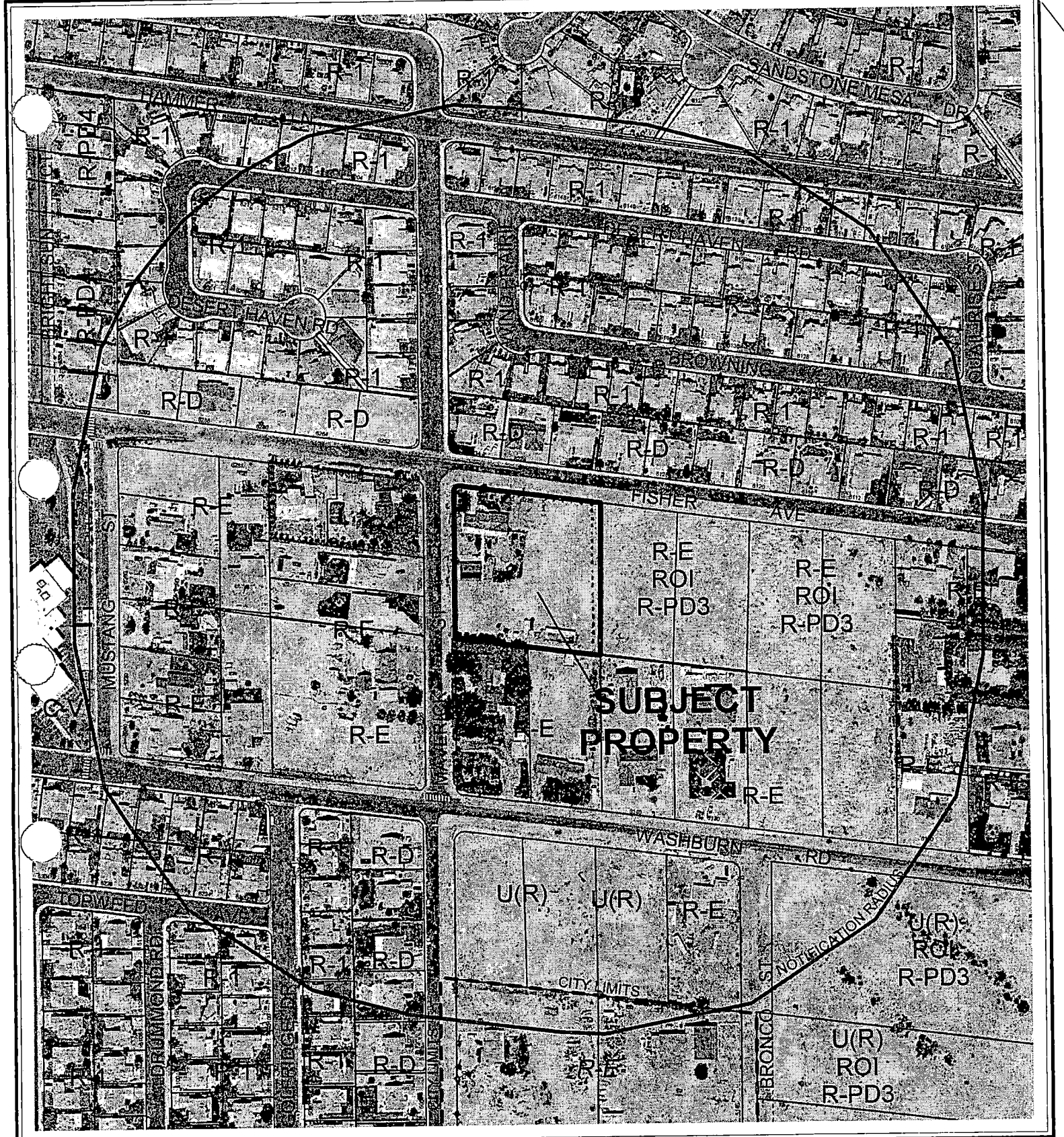


CASE: **VAR-4467**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **VAR-4467**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VARIANCE - PUBLIC HEARING - VAR-4467 -
APPLICANT/OWNER: RICHARD SHEHANE

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. The applicant shall obtain all required permits for the accessory structure from the Department of Building and Safety.

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

Public Works

3. Construct half-street improvements including appropriate transitional paving on Fisher Avenue and Maverick Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow an existing 3,600 square foot accessory structure to exceed the square footage of the 2,400 square foot main dwelling at 6225 Fisher Avenue.

B) Applicant's Justification

The applicant's justification letter indicates the accessory structure, a barn, exceeds the square footage of the main dwelling. There is no justification given to support the Variance request.

BACKGROUND INFORMATION

A) Previous Actions

05/15/96 The City Council approved a Rezoning (Z-33-96) to R-PD3 (Residential Planned Development – 3 Units Per Acre) on the eastern portion of this site as part of a larger request, which has subsequently expired. The Planning Commission recommended denial on April 25, 1996. Staff recommended approval.

B) Pre-Application Meeting

04/25/04 A pre-application meeting was conducted and the applicant was advised of the requirements for a Variance.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.04

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	R (Rural Density Residential)
North:	L (Low Density Residential)
South:	R (Rural Density Residential)
East:	R (Rural Density Residential)
West:	R (Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-D (Single Family Residential – Restricted)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning District is in conformance with R (Rural Density Residential) General Plan designation.

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

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

MP

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Square Feet	2.04 Acres	Y
Min. Lot Width	100 Feet	290 Feet	Y
Min. Setbacks			
• Front	50 Feet	55 Feet	Y
• Side	10 Feet	165 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	35 Feet	210	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 13.5 Feet	Y

The existing dwelling and accessory structure meet the minimum code requirements with regards to setbacks and building heights. The subject Variance addresses the existing accessory structure that exceeds the size of the main dwelling.

B) General Analysis and Discussion

The submitted site plan indicates there is an existing 3,600 square foot, 1 story accessory structure on this site that exceeds the size of the 2,400 square foot main dwelling. The structure is located in the rear yard area in the southwest portion of the lot. It meets the minimum required setbacks for accessory structures of three feet from the side and rear property lines and six feet from the main dwelling.

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 constructing a detached accessory structure larger than the main dwelling on this site. Alternative designs, such as a smaller structure, would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 167

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4467 APN: 125-35-605-001

Name of Property Owner: Richard R. Shehane

Name of Applicant: Richard R Shehane

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: Richard R. Shehane

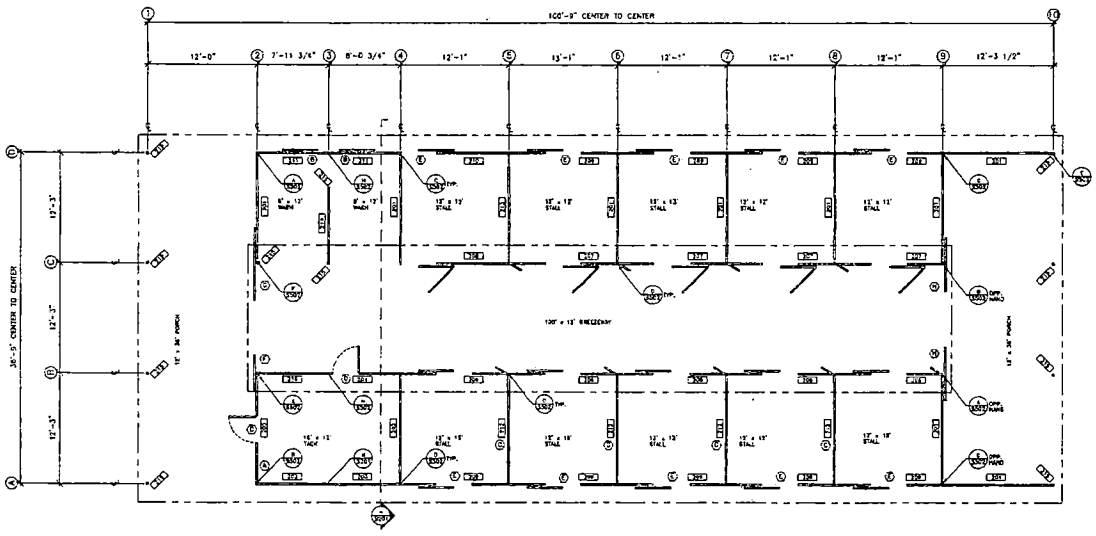
Subscribed and sworn before me

This 30 day of March, 2004

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TINA M. SPRAGUE
Appt. No. 00-63725-1
My Appt. Expires Aug. 15, 2004



01	WALL PANEL (SEE DETAIL A/S503)
02	WALL PANEL (SEE DETAIL B/S503)
03	WALL PANEL (SEE DETAIL C/S503)
04	WALL PANEL (SEE DETAIL D/S503)
05	WALL PANEL (SEE DETAIL E/S503)
06	WALL PANEL (SEE DETAIL F/S503)
07	WALL PANEL (SEE DETAIL G/S503)
08	WALL PANEL (SEE DETAIL H/S503)
09	WALL PANEL (SEE DETAIL J/S503)
10	WALL PANEL (SEE DETAIL K/S503)
11	WALL PANEL (SEE DETAIL L/S503)
12	WALL PANEL (SEE DETAIL M/S503)
13	12' x 8' REMOVABLE PANEL
14	8' x 4' GIRDER PANEL
15	3" x 5" x 15 GA. COLUMN
16	WALL PANEL (SEE DETAIL N/S503)

OPENING SCHEDULE

SYMBOL	OPENING TYPE	GLASS	SAFETY GLASS	TRACK & ROLLER	NOTES	QUANTITY
A	2030 OPENING	YES	YES	NO	2035 HORIZONTAL SLIDING WINDOW	1
B	4040 OPENING	NO	NO	YES	4" SQ. 6' VERTICAL GRILL WINDOW WITH 4" x 4' SHUTTER	2
C	4' TR. 8' OPENING	NO	NO	NO	8' x 6' VERTICAL GRILL WINDOW	4
D	3068 OPENING	NO	NO	NO	3' x 2'-8" MANDOOR	2
E	6' x 8' OPENING	NO	NO	YES	6' x 8' SLIDING DOOR	18
F	12' x 8' OPENING	NO	NO	YES	6' x 8' SWITCHEAT DOOR	1
G	12' x 8' OPENING	NO	NO	YES	6' x 8' SWITCHEAT DOOR	1
H	12 x 8' OPENING	NO	NO	YES	6' x 8' SWITCHEAT DOOR	2

VAR-4467
6-24-04 PC

APR 0 1 2004

NO.	REVISION/ISSUE	DATE
1	PLAN CHECK	03/14/04

FCP

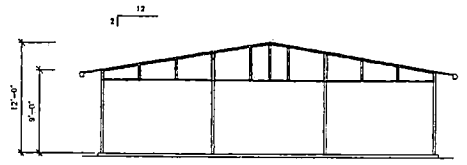
BARNS, BUILDINGS, AND MEZZANINES
FCP, INC.
23100 BAXTER ROAD, WILDOMAR, CALIFORNIA 92595
PH: (909) 678-4571 FAX: (909) 678-7358

FLOOR PLAN
BARBARA WILLIAMS
6225 FISCHER
LAS VEGAS, NV 89130
RCA BARN

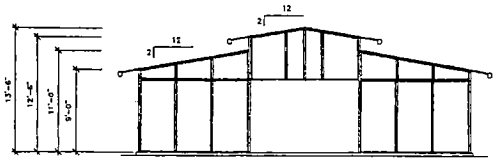
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DRAWN BY: M.V.R
CHECKED BY:
SCALE: 3/16"=1'-0"
DRAWING NUMBER: #25

SHEET NUMBER: S101

SHEET 2 OF 10

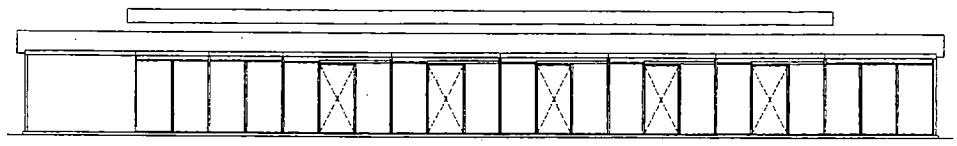


ELEVATION AT LINE 1 & 10

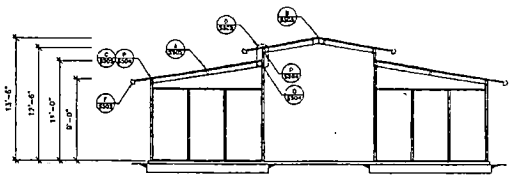


ELEVATION AT LINE 2 & 9

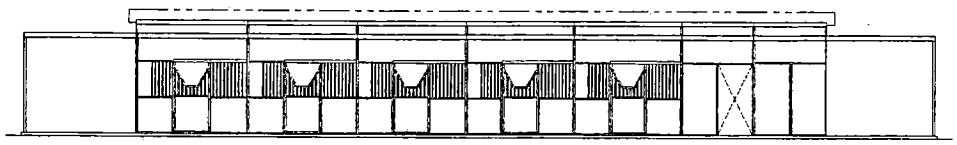
NO.	REVISION/ISSUE	DATE
1	PLAN CHECK SUB.	10/20/04



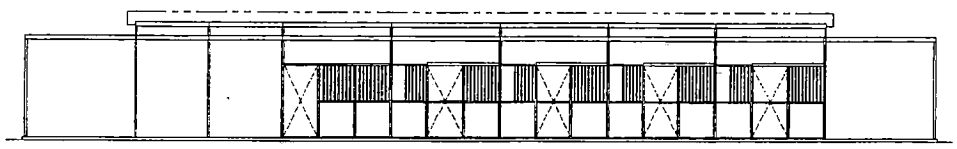
ELEVATION AT LINE A



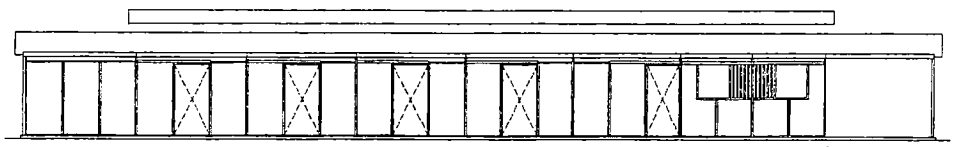
CROSS SECTION



ELEVATION AT LINE B



ELEVATION AT LINE C



ELEVATION AT LINE D

VAR-4467
6-24-04 PC



BARNS, BUILDINGS, AND MEZZANINES
FCP, INC.
23100 BAXTER ROAD, WILDOMAR, CALIFORNIA 92595
PH: (909) 678-4571 FAX: (909) 678-7356

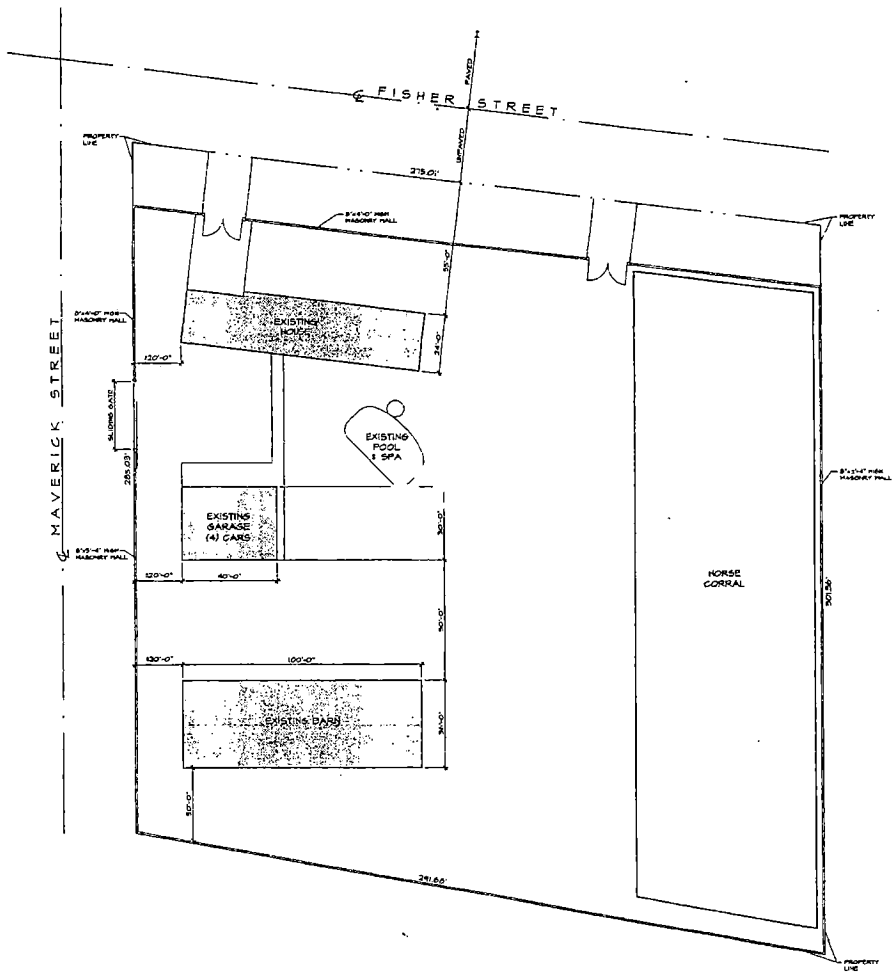
ELEVATION/CROSS SECTION

BARBARA WILLIAMS
6225 FISCHER
LAS VEGAS, NV 89130

RCA BARN

DATE: 11/14/03
DRAWN BY: U.J.R
CHECKED BY:
SCALE: 3/16"=1'-0"
DRAWING NUMBER: 555

SHEET NUMBER: S201



EXISTING SITE PLAN

SCALE: 1" = 30'-0"

NOTE:
THIS IS A ARCHITECTURAL SITE PLAN NOT A CIVIL PLAN AND IS NOT INTENDED TO BE A WORKING DRAWING

VAR-4467
6-24-04 PC

ROULE
THOMAS F. ROULE
ARCHITECT

NCARB

5455 South Cameron
2nd Floor Suite "D"
Las Vegas, NV 89118
PHONE: (702) 263-0007
FAX (702) 365-0011

Revisions

Existing Building Locations
for
Richard R. Shehane
6225 Fischer Ave.
Las Vegas, Nevada 89130

THOMAS F. ROULE REGISTERED No. 2144 ARCHITECT STATE OF NEVADA

These drawings have been prepared under my supervision to the best of my knowledge, information and belief comply with all governing building codes. The Contractor shall bear all costs of any items or changes made by the Building Department or their inspectors with no cost to the Architect, his consultants, or owner. Architect is not responsible for means and methods of construction, or safety of workers.

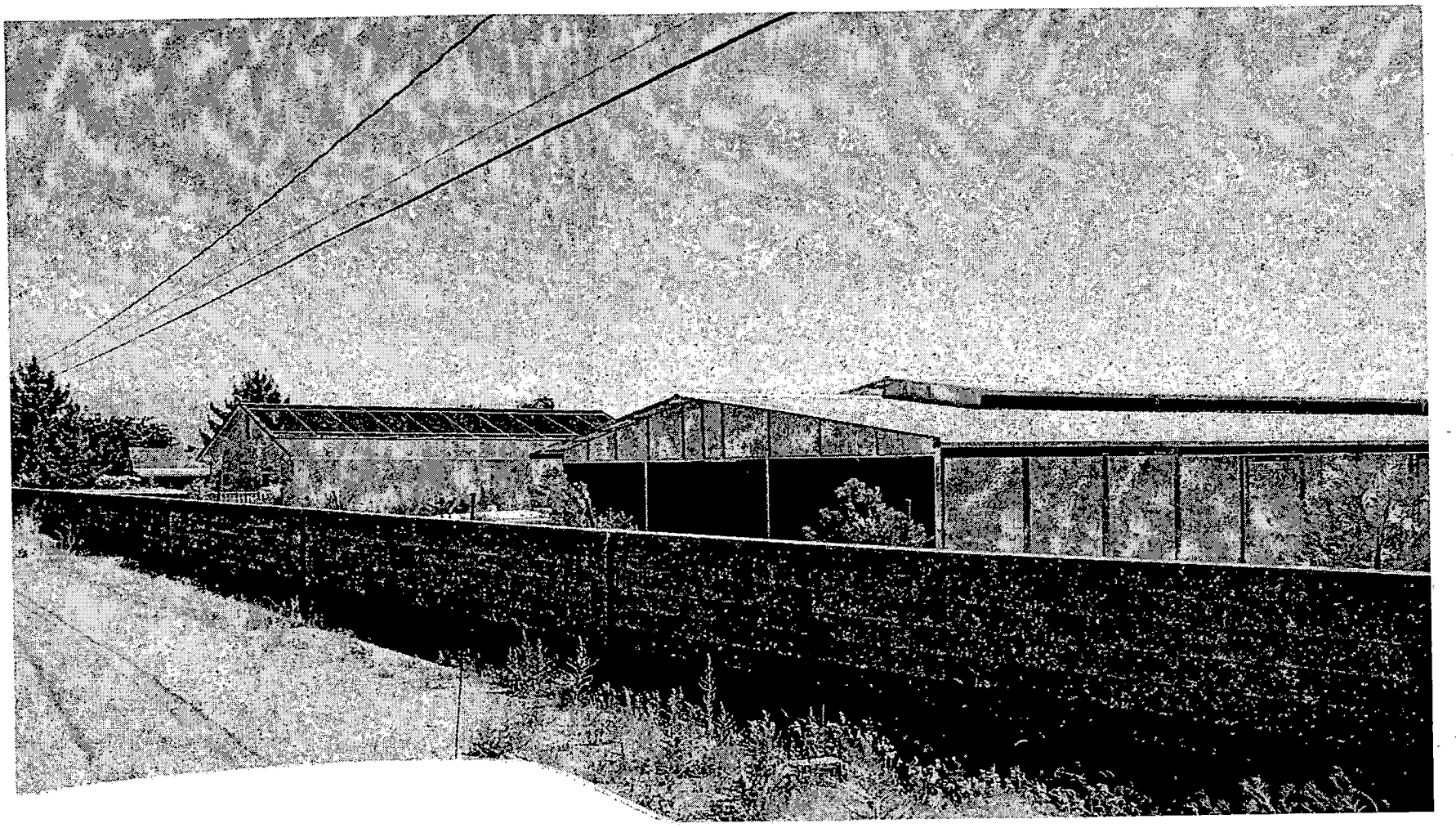
Thomas F. Roule — 12-31-04
Thomas F. Roule — Date
Architect Nevada License Number: 2144
Expires 12-31-2004

DISCLAIMER

The Project Architect or Engineer will not be responsible for any action taken by any person on the project if that person has knowledge of any discrepancy, error or omission or ambiguity in the calculations, drawings and/or specifications until the Project Architect or Engineer has been notified and has corrected, made the omission of has made clearly explained the intent of the drawings, calculations and/or specifications.

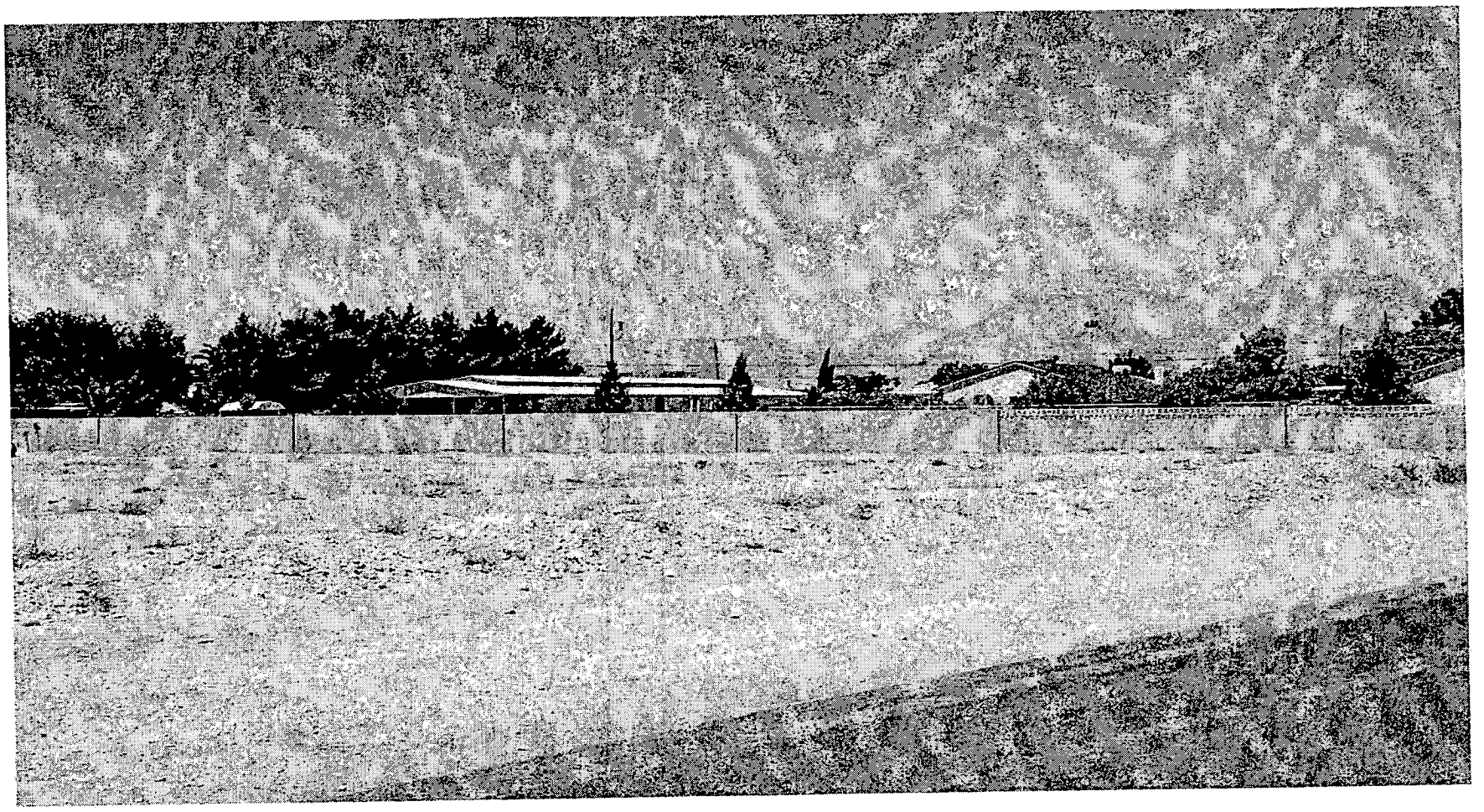
Sheet Title
EXISTING SITE PLAN

Date: 4-19-2004
Checked By: T.F.R.
Drawn By: D.S.O
Project No.: 2004-200
Sheet No.:
A-1.0
of 1 sheets



VAR-4467 - APPLICANT/OWNER: RICHARD SHEHANE
6225 FISHER AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/3/04



VAR-4467 - APPLICANT/OWNER: RICHARD SHEHANE
6225 FISHER AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/3/04

Richard R. Shehane
6225 W Fisher Ave
Las Vegas, Nv 89130
702-355-9267

Petition for Accessory Structure VAR-4467

NAME: Terri & Ray Griffin
ADDRESS: 6234 Fisher Ave LV 89130
SIGNATURE:

NAME: GEORGE & DORINE ADAMCZYK
ADDRESS: 6224 FISHER AVE
SIGNATURE: LV, NV 89130

NAME: JAMES & JULIE CARSON
ADDRESS: 5240 MAVERICK ST LV NV 89130
SIGNATURE:

NAME: ~~Jim Lee~~ JIM LEE
ADDRESS: 5251 Maverick St
SIGNATURE: Jim Lee

NAME: Barbara Williams
ADDRESS: 6413 W. Fisher AVE LV NV 89130
SIGNATURE: Barbara A. Williams

NAME :
ADDRESS:
SIGNATURE:

Submitted at Planning Commission

Date 6/24/04 Item 50

slc

Richard R. Shehane
6225 W Fisher Ave
Las Vegas, Nv 89130
702-355-9267

Petition for Accessory Structure VAR-4467

NAME: Mrs Fay Solomon
ADDRESS: 6124 FISHER
SIGNATURE: Fay Solomon

NAME: Mrs Mary Jane Petrocelly
ADDRESS: 6146 Fisher Ave.
SIGNATURE:

NAME: Virgil S. Richards
ADDRESS: 6116 Fisher ave
SIGNATURE: Las Vegas Nv 89130

NAME: HARRY Solomon
ADDRESS: 6124 Fisher ave 656-8169
SIGNATURE: Harry Solomon

NAME: Charlotte Overmeller
ADDRESS: 6200 Fisher Ave. 396-2139
SIGNATURE:

NAME : GEORGE ADAMCZYK
ADDRESS: 6224 FISHER AVE
SIGNATURE: LV, NV 89130

Submitted at Planning Commission

Date 6/24/04 Item 50 plc

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4439 - APPLICANT: JIM MARCHESE - OWNER: ROSS REVOCABLE LIVING TRUST - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF ZERO FEET WHERE 200 IS REQUIRED FROM A RESIDENTIAL PROPERTY A SEPARATION OF 800 FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE at 9325 West Sahara Avenue (APN: 163-07-501-009), C-1 (Limited Commercial) Zone, Ward 2.

IF APPROVED: C.C.: 07/21/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the July 22, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

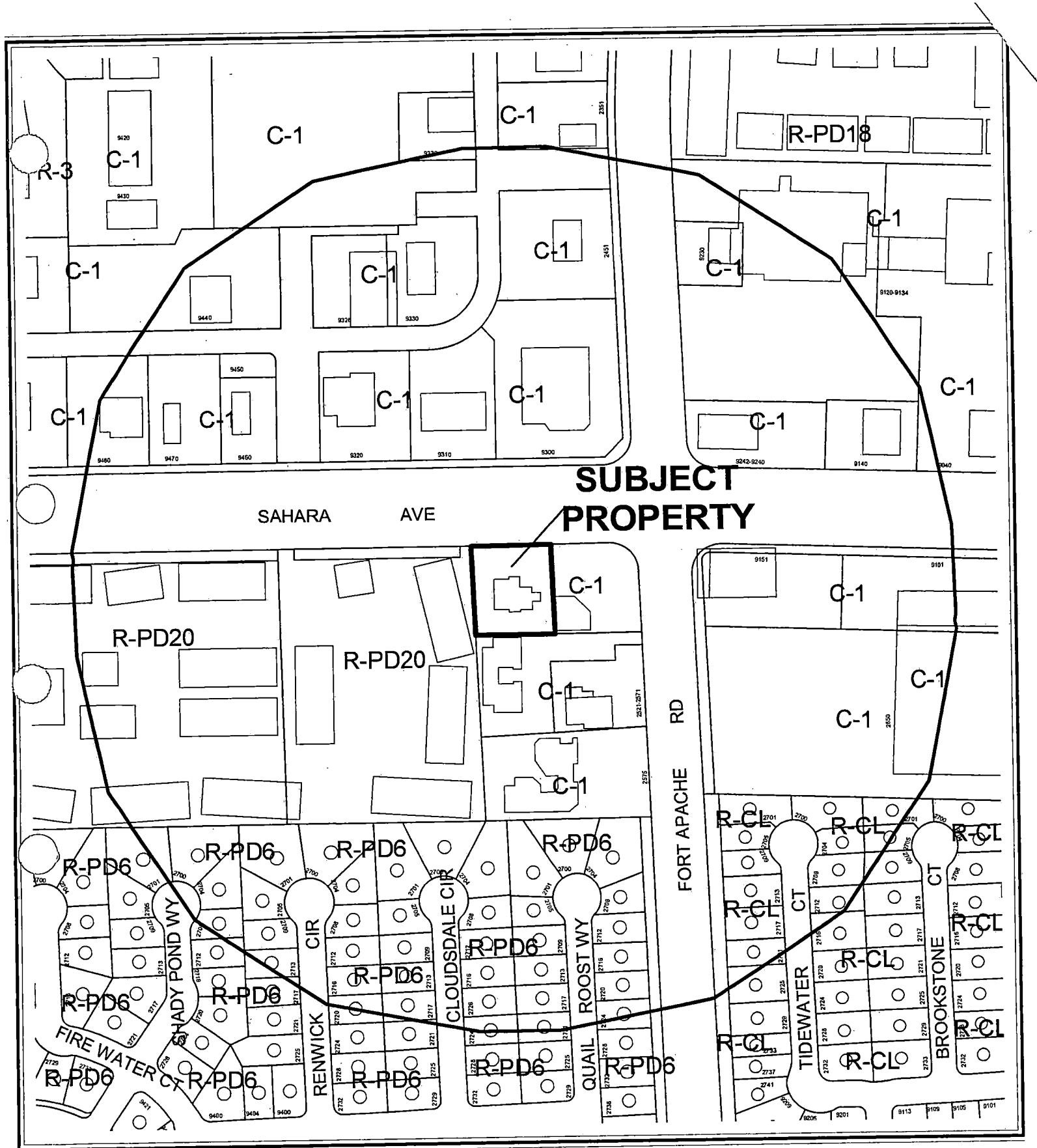
MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 12 [SDR-4447], Item 14 [SNC-4254], Item 35 [SDR-4182], Item 36 [ZON-4452], Item 37 [SDR-4455], Item 38 [ZON-4459], Item 39 [VAR-4462], Item 40 [SDR-4461], Item 41 [ZON-4368], Item 43 [VAC-4420], Item 44 [SDR-4370] and Item 51 [SUP-4439] to 7/22/2004 Planning Commission meeting; TABLE Item 19 [GPA-4091], Item 20 [ZON-4093], Item 21 [VAR-4094] and Item 22 [SDR-4095], and STRIKE Item 42 [WVR-4371] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

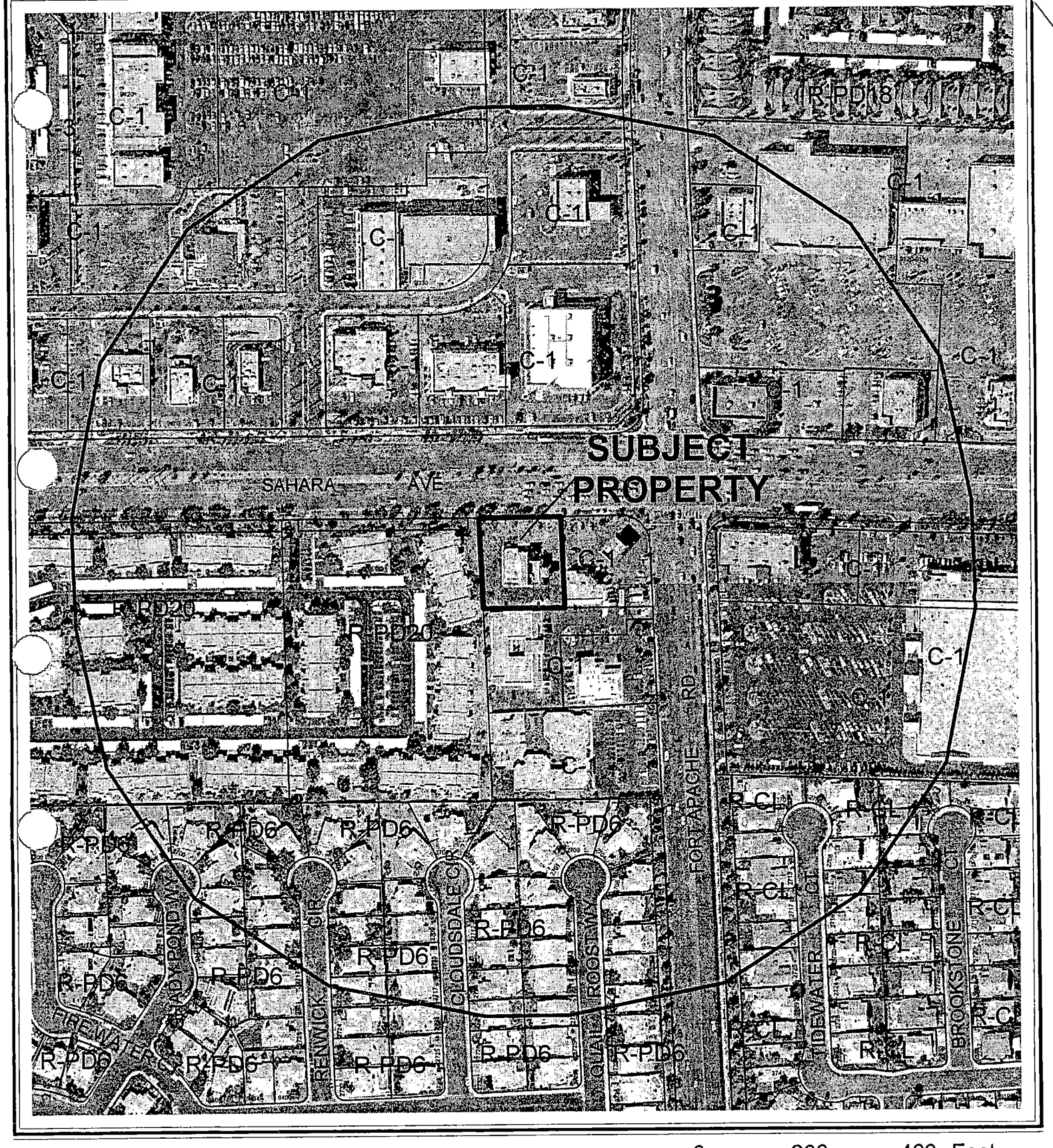
(6:05– 6:19)



CASE: **SUP-4439**

RADIUS: 750 FT

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



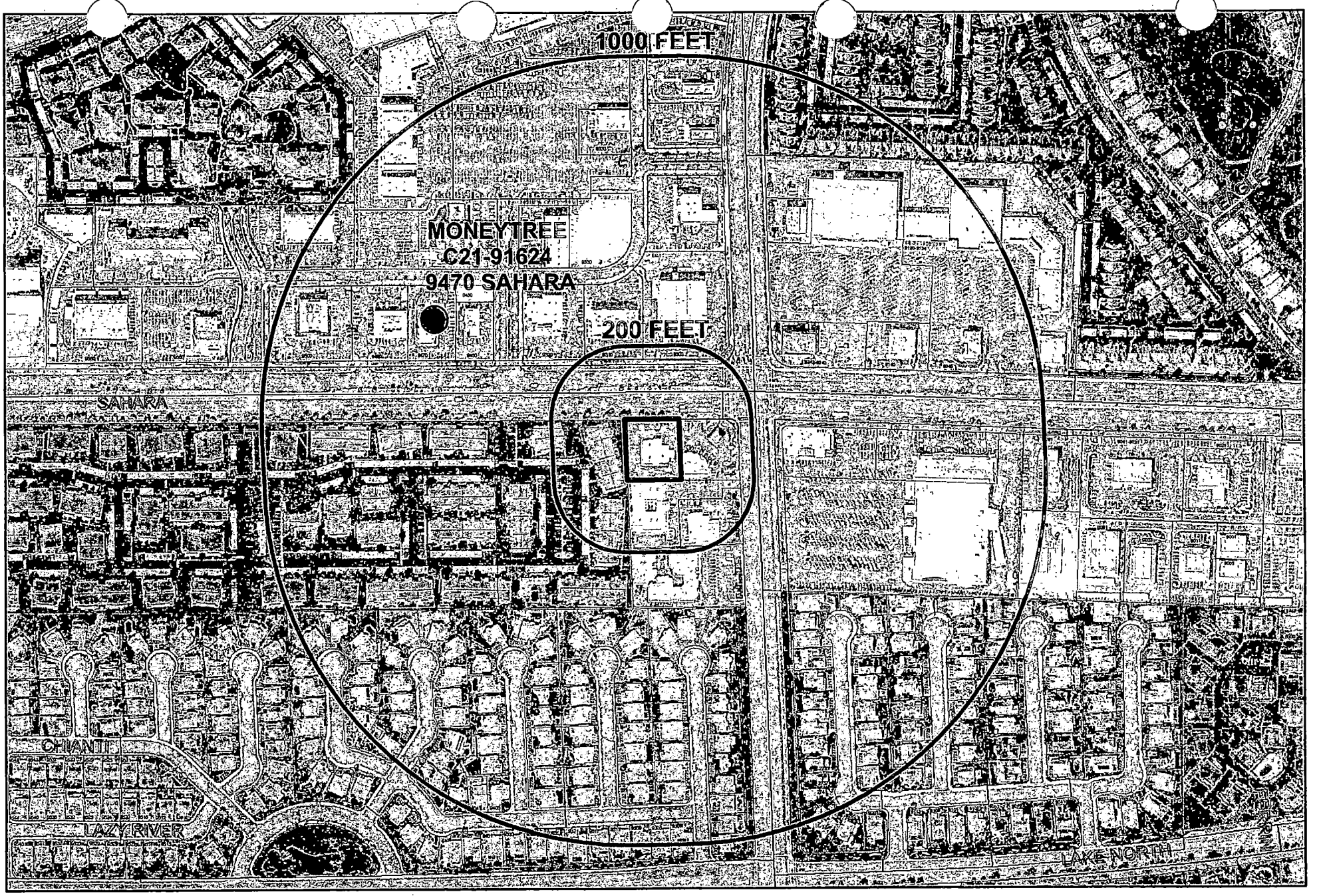
0 200 400 Feet

CASE: **SUP-4439**

RADIUS: 750 FT

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

N



SUP-4439 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4439 -
APPLICANT: JIM MARCHESE - OWNER: ROSS REVOCABLE LIVING TRUST

ON JUNE 18, 2004 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JULY 22, 2004 PLANNING COMMISSION MEETING.

POLITICAL SCIENCE INC.
856 E. Sahara Avenue #A
LAS VEGAS, NV 89104

June 17, 2004

CITY OF LAS VEGAS PLANNING
Attn: Kyle Walton, Senior Planner
via fax 385-7268

RE: SUP 4439
Marchese/Check City

We respectfully request that Staff for the Planning Commission hold the above referenced item in abeyance for 1 MONTH. The item is currently scheduled for their June 24, 2004 meeting.

After reviewing the file, the property owner, who has been out of the county needs to sign the application form that the long term lessee has signed. We will do everything possible to have this completed as soon as he returns to the country.

Therefore can we be rescheduled for the Planning Commission meeting of July 22, 2004?

Your cooperation is always appreciated. If you have any questions please call me at 460-8755 or 650-5117.

Sincerely,
POLITICAL SCIENCE INC.

Trina Fierro, CPM
Principal

Cc: File
Marchese

PLANNING & DEVELOPMENT DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4439 APN: 163-07-501-009

Name of Property Owner: Ross Revocable Living Trust

Name of Applicant: James T. Marchesi

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

_____Yes xx_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: James T. Marchesi

Print Name: JAMES T. MARCHESI

Subscribed and sworn before me

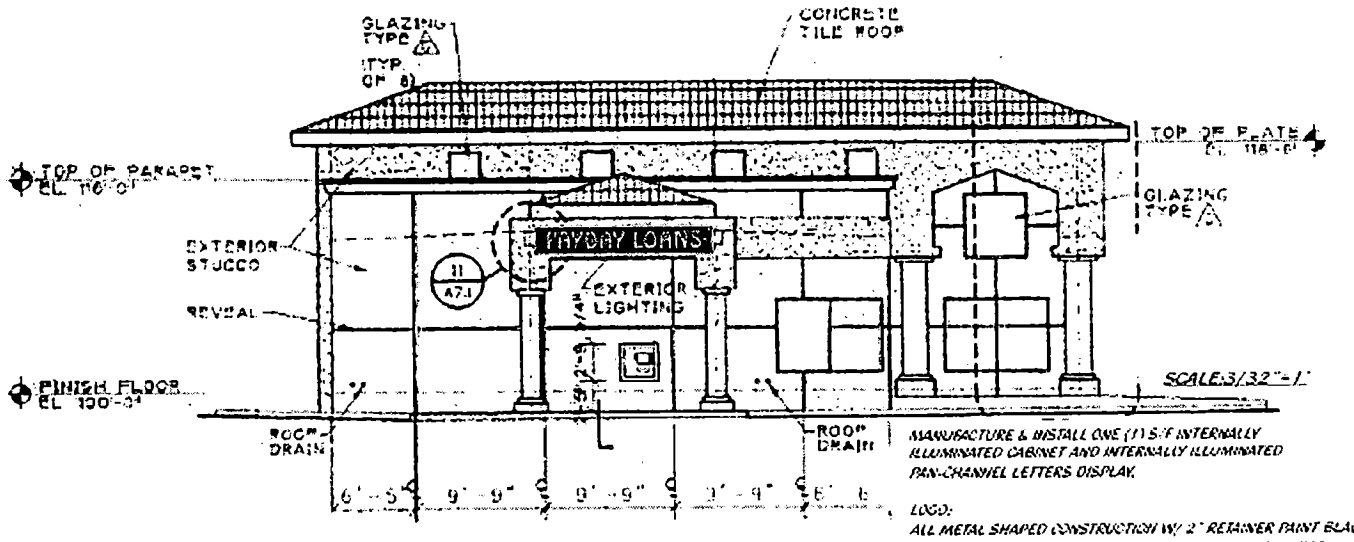
This 2 day of April, 2004

Peter L Creary

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PETER L. CREARY
No: 99-9425-1
My Appointment Expires Nov. 21, 2007

CLIENT IS RESPONSIBLE TO PROVIDE ALL ELECTRICAL TO DISPLAY IF REQUIRED.



MANUFACTURE & INSTALL ONE (1) S.F INTERNALLY ILLUMINATED CABINET AND INTERNALLY ILLUMINATED PAN-CHANNEL LETTERS DISPLAY.

LOGO:
ALL METAL SHAPED CONSTRUCTION W/ 2" RETAINER PAINT BLACK
3/16" WHITE PLEX FACE W/ TRANSLUCENT VINYL GRAPHICS
(as per corporate colors)
INTERNALLY ILLUMINATED W/ 15 mm 6500 WHITE NEON

CABINET:
ALL METAL CONSTRUCTION PAINT TO MATCH HOLLY GREEN VINYL.
3/16" WHITE LEXAN FACE W/ (230-76) HOLLY GREEN TRANSLUCENT VINYL OVERLAY, INTERNALLY ILLUMINATED W/ F-12 H.O. FLUORESCENT LAMPS.
CLEAR RED NEON BORDER TO BE PLACED INTO CHANNEL
PAINTED INSIDE AND OUTSIDE RED.

LETTERS:
5" DEEP RETURNS PAINT RED, YELLOW PLEX FACES W/ 1" RED TRIM-CAP.
INTERNALLY ILLUMINATED W/ 15 mm 6500 WHITE NEON.

INSTALLATION:
MOUNT TO CAN CABINET PAINTED PMS #34360 EMERALD GREEN.
CONNECT TO EXISTING LINES.

12'-5¾"

PAYDAY LOANS

2'

SCALE:¾"=1'

Approved

ALLIED AWNING & SIGN COMPANY

PH: (801) 972-5503 FAX: (801) 972-5670

1920 SOUTH 900 WEST, SALT LAKE CITY, UT 84104

Client: CHECK CITY

Date Last Revised: 5/10/04

Sales Representative: MONICA

Address: ~~866 E. SAHARA AVE~~

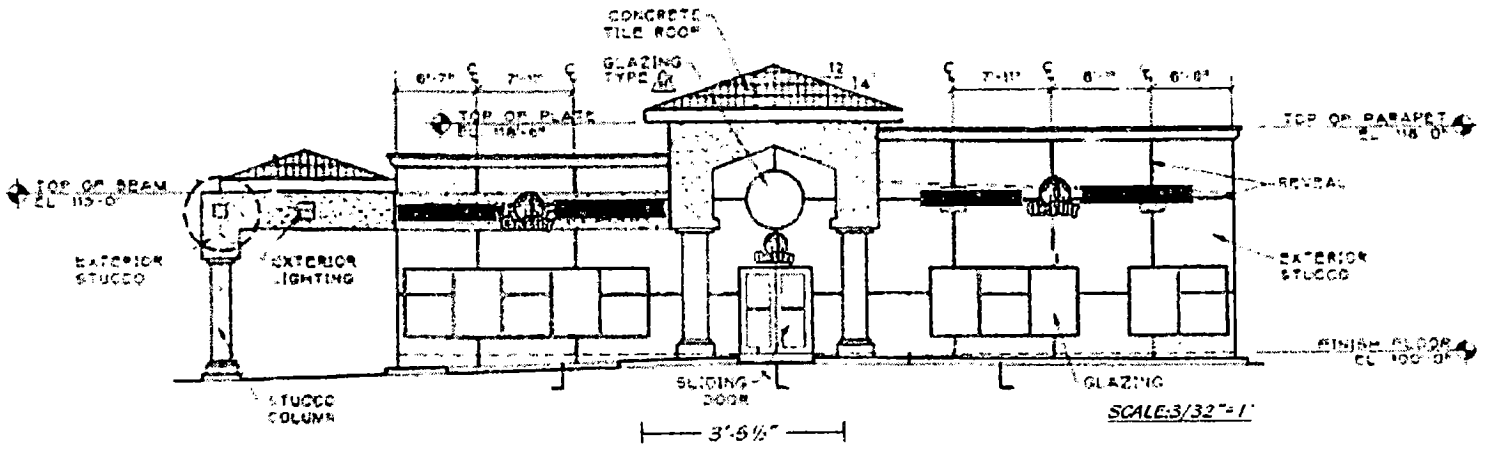
Scale: SEE ABOVE

Designer: JEREMY

*NOTE: COLORS SHOWN DO NOT ALWAYS DEPICT ACTUAL COLORS OF COMPLETED DISPLAY.

SUP-4439
6-24-04 PC

CLIENT IS RESPONSIBLE TO PROVIDE ALL ELECTRICAL TO DISPLAY IF REQUIRED.



SCALE:3/32"=1'



SCALE:3/8"=1'

MANUFACTURE & INSTALL ONE (1) S/F INTERNALLY ILLUMINATED CABINET AND INTERNALLY ILLUMINATED PAN CHANNEL LETTERS DISPLAY.
LOGO:
ALL METAL SHAPED CONSTRUCTION W/ 2" RETAINER PAINT BLACK.
3/16" WHITE PLEX FACE W/ TRANSLUCENT VINYL GRAPHICS (as per corporate colors).
INTERNALLY ILLUMINATED W/ 15 mm 6500 WHITE NEON
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ALL METAL CONSTRUCTION PAINT TO MATCH HOLLY GREEN VINYL
3/16" WHITE LEXAN FACE W/ (230-76) HOLLY GREEN TRANSLUCENT VINYL OVERLAY, INTERNALLY ILLUMINATED W/ T-12 H.O. FLUORESCENT LAMPS.
CLEAR RED NEON BORDER TO BE PLACED INTO CHANNEL
PAINTED INSIDE AND OUTSIDE RED.
LETTERS:
5" DEEP RETURNS PAINT RED, YELLOW PLEX FACES W/ 1" RED TRIM-CAP.
INTERNALLY ILLUMINATED W/ 15 mm 6500 WHITE NEON.
INSTALLATION:
MOUNT TO CAN CABINET PAINTED PMS #3435C EMERALD GREEN. CONNECT TO EXISTING LINES.

Approved

ALLIED AWNING & SIGN COMPANY

PH: (801) 972-5503 FAX: (801) 972-5670

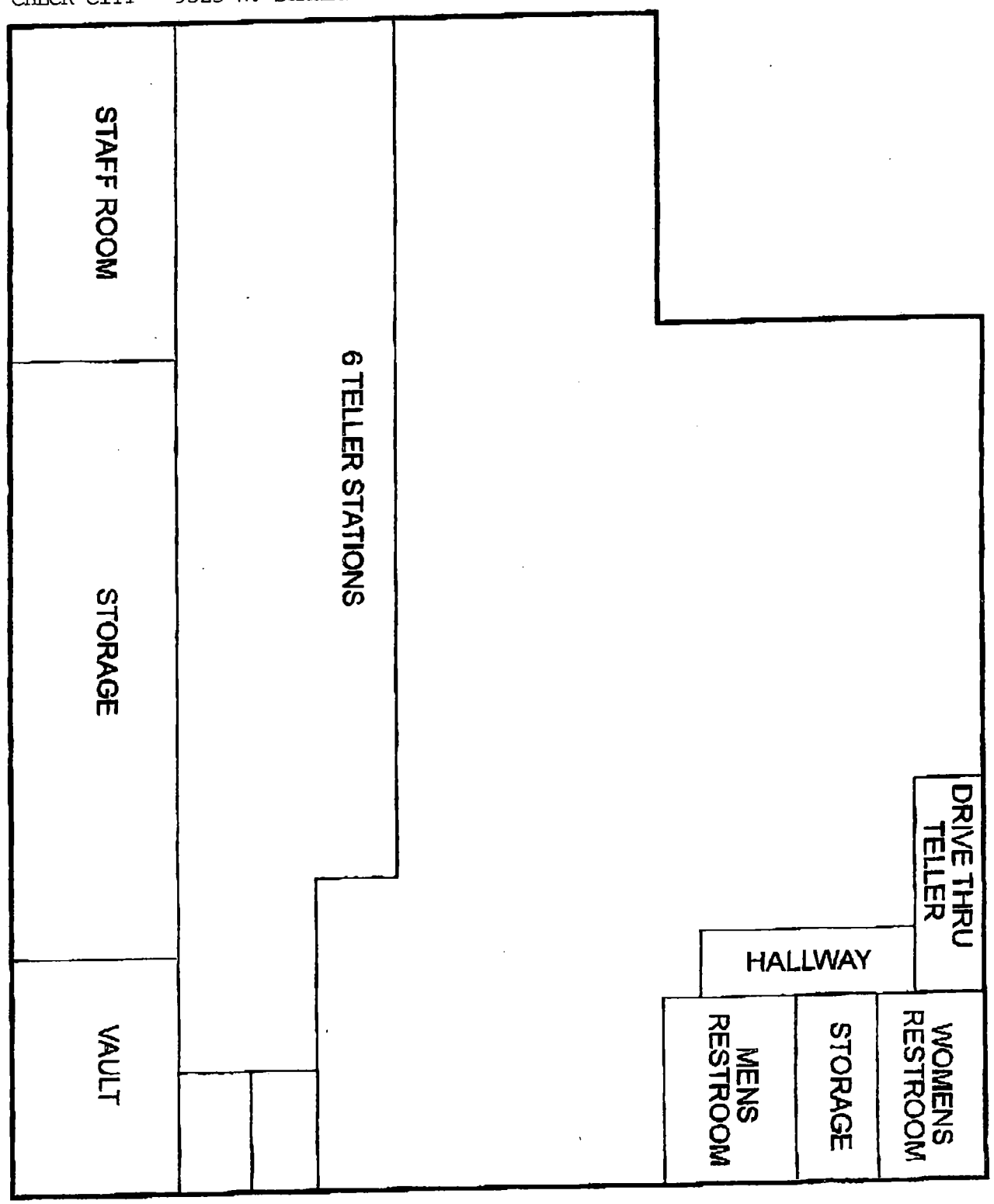
1920 SOUTH 900 WEST, SALT LAKE CITY, UT 84104

Client: CHECK CITY
Address: ~~866 E SOUTH AVE~~
Date Last Revised: 5/10/04
Scale: SEE ABOVE
Sales Representative: MONICA
Designer: JEREMY

*NOTE: COLORS SHOWN DO NOT ALWAYS DEPICT ACTUAL COLORS OF COMPLETED DISPLAY.

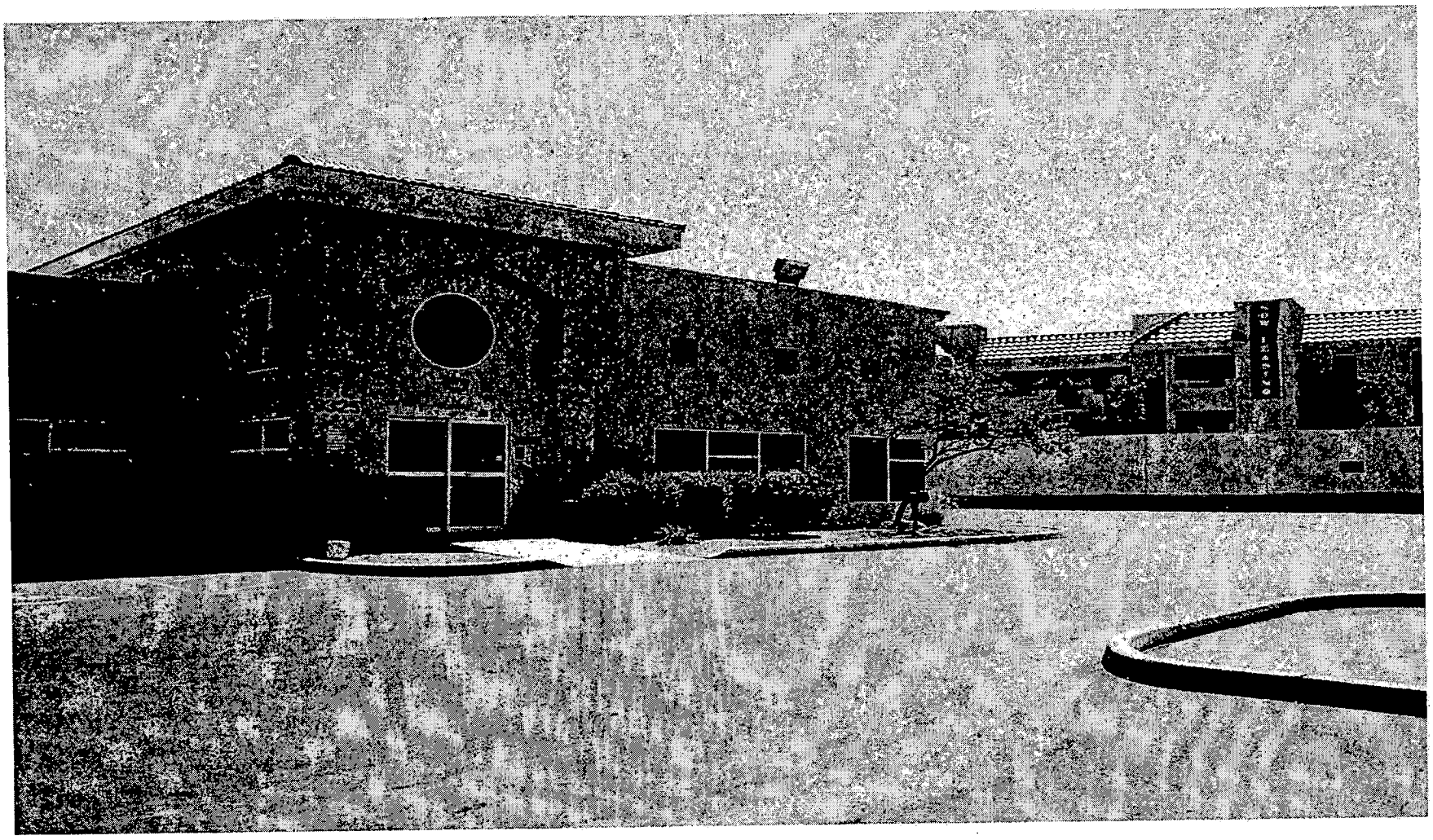
SUP-4439
6-24-04 PC

INTERIOR FLOOR PLAN
CHECK CITY - 9325 W. Sahara Ave.



*THIS DRAWING NOT TO SCALE***

SUP-4439



SUP-4439 - APPLICANT: JIM MARCHESE - OWNER: ROSS REVOCABLE LIVING TRUST
9325 WEST SAHARA AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/3/04

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4442 - APPLICANT: TIM AYALA - OWNER: MARTIN M. PADILLA - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF ZERO FEET WHERE 200 FEET IS REQUIRED FROM A RESIDENTIAL PROPERTY, A SEPARATION OF 700 FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE AND A BUILDING SIZE OF 1,200 SQUARE FEET WHERE 1,500 SQUARE FEET IS THE MINIMUM SIZE at 701 North Eastern Avenue (APN: 139-26-811-070), C-D (Designed Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 07/21/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at the Meeting – Signed Petition with 18 signatures supporting the proposed project

MOTION:
GOYNES – DENIAL – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVE CLAPSADDLE, Planning and Development, stated that the distance separation standards were adopted in April. This application does not conform to three of the standards. Staff felt that these new standards needed to be implemented and enforced. At some point, a review can be done to see what the impacts are long term.

MINUTES – Continued:

TIM AYALA, 4600 Sunset Road, appeared on behalf of the applicant. MR. AYALA stated that this particular business serves most of the Hispanic community in the area, and these residents would like the convenience of cashing their checks at this location. There are individuals who also send monies to Mexico. He presented a petition with signatures from some of the residents who reside on Wilson Avenue and Delta Street who support this application.

MR. AYALA stated that the applicant is requesting approval with a one-year review.

JERRY COBB, 800 N. Eastern, President-of a neighborhood association, which is located across the street from the proposed property. MR. COBB felt that this proposed application is too intense for the area, as it is a small area. It would be more compatible on the corner of Bonanza or in one of the surrounding shopping centers. MR. COBB'S concern is with the traffic on Eastern, as it has already slowed down due to the recently installed flashing signal for the children in school. The traffic backs up from Bonanza to Wilson. He also pointed out that the applicant is not providing sufficient parking spaces; as a result, some of the existing residents would lose some of their parking. In addition, he has noticed when individuals cannot get onto Bonanza Road, they use Wilson Avenue to go around and get back onto Bonanza.

MR. COBB felt that should this application be approved, it might start a precedent, as there are approximately three other small houses in the community that may attempt to do the same.

MR. AYALA informed the Commission that the applicant is providing eleven parking spaces, which exceeds the five that are required by Code.

COMMISSIONER McSWAIN commented that she is aware the applicant has an existing business that is similar to this application but could not understand why the applicant delayed coming forward with this request. The ordinance is designed in such a way to limit a saturation problem, and she felt that this proposed project would be too close to the neighborhood. There was not a justification to waiver the standards of the Code and would not support this application. COMMISSIONER GOYNES concurred and added even if the application was approved with a one-year review, it would contradict a recent ordinance. The project would be too intense and could escalate to other types of businesses, such as check cashing. He offered other means whereby the applicant could accommodate the Hispanic community as well as other individuals within that community with their financial needs.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:06– 9:14)

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 52 – SUP-4442

CONDITIONS:

Planning and Development

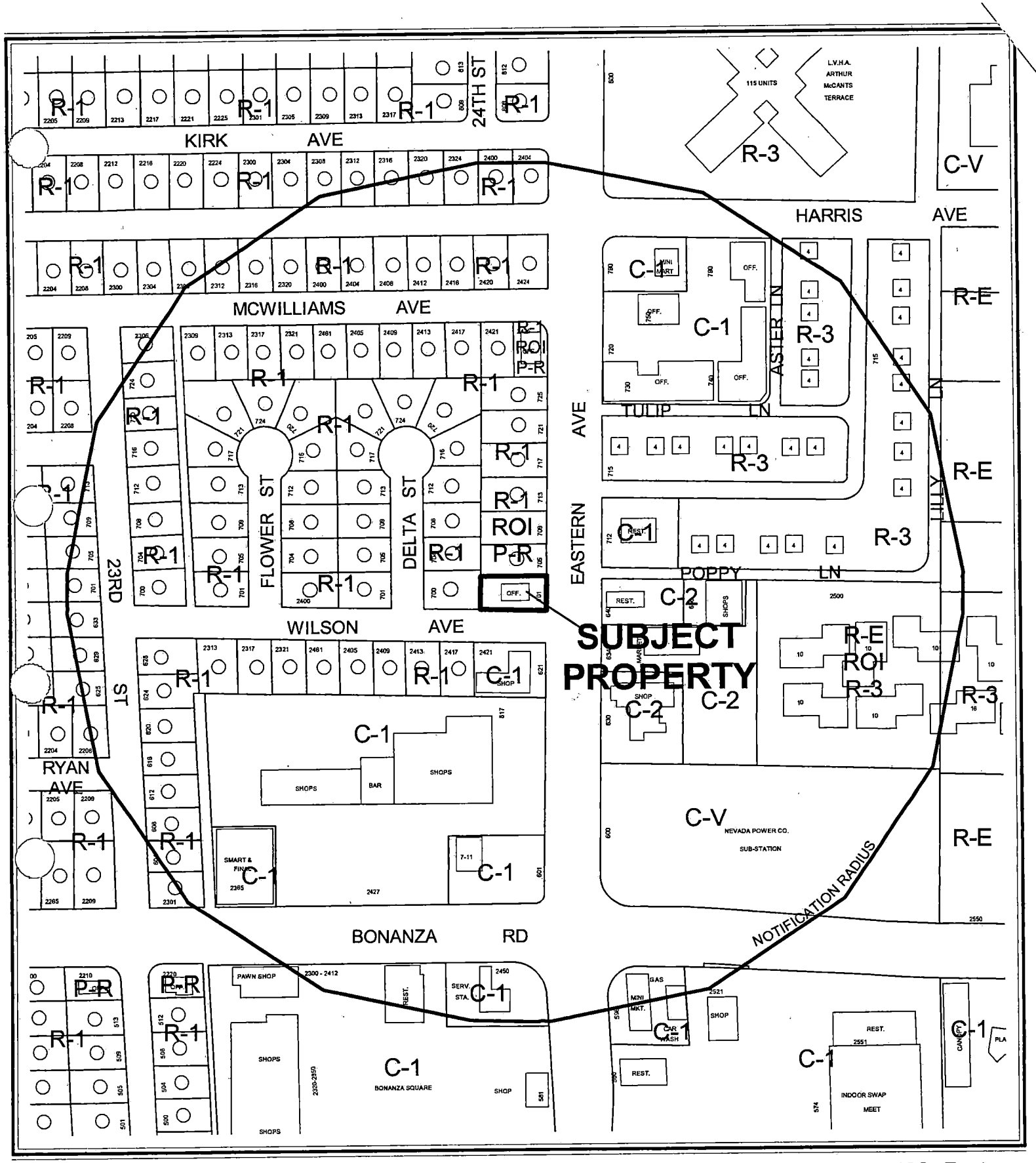
1. The parking lot shall be re-stripped so as to provide one van accessible handicap parking space.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified and Auto Title Loan uses.

3. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

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

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

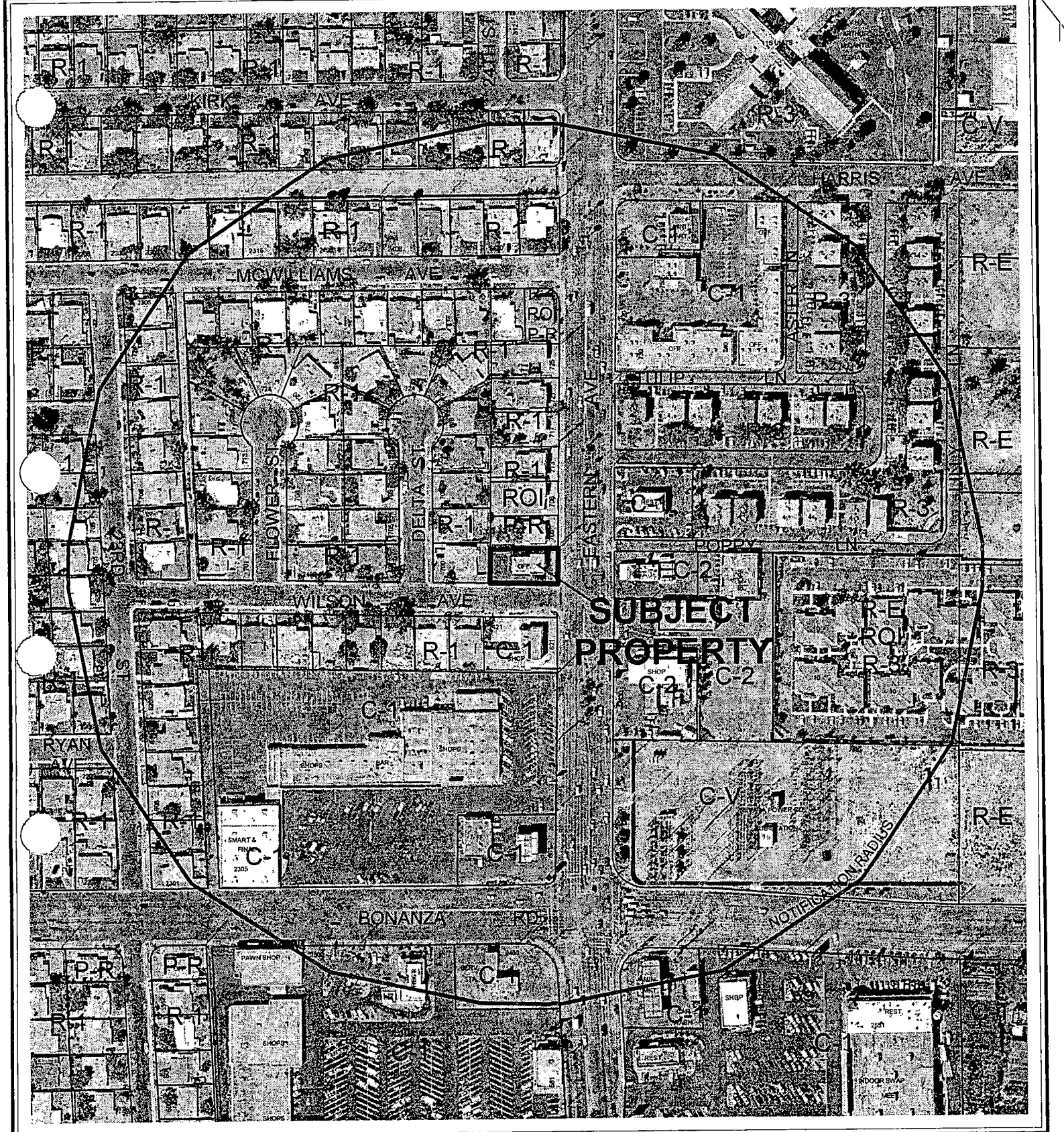


CASE: **SUP-4442**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N



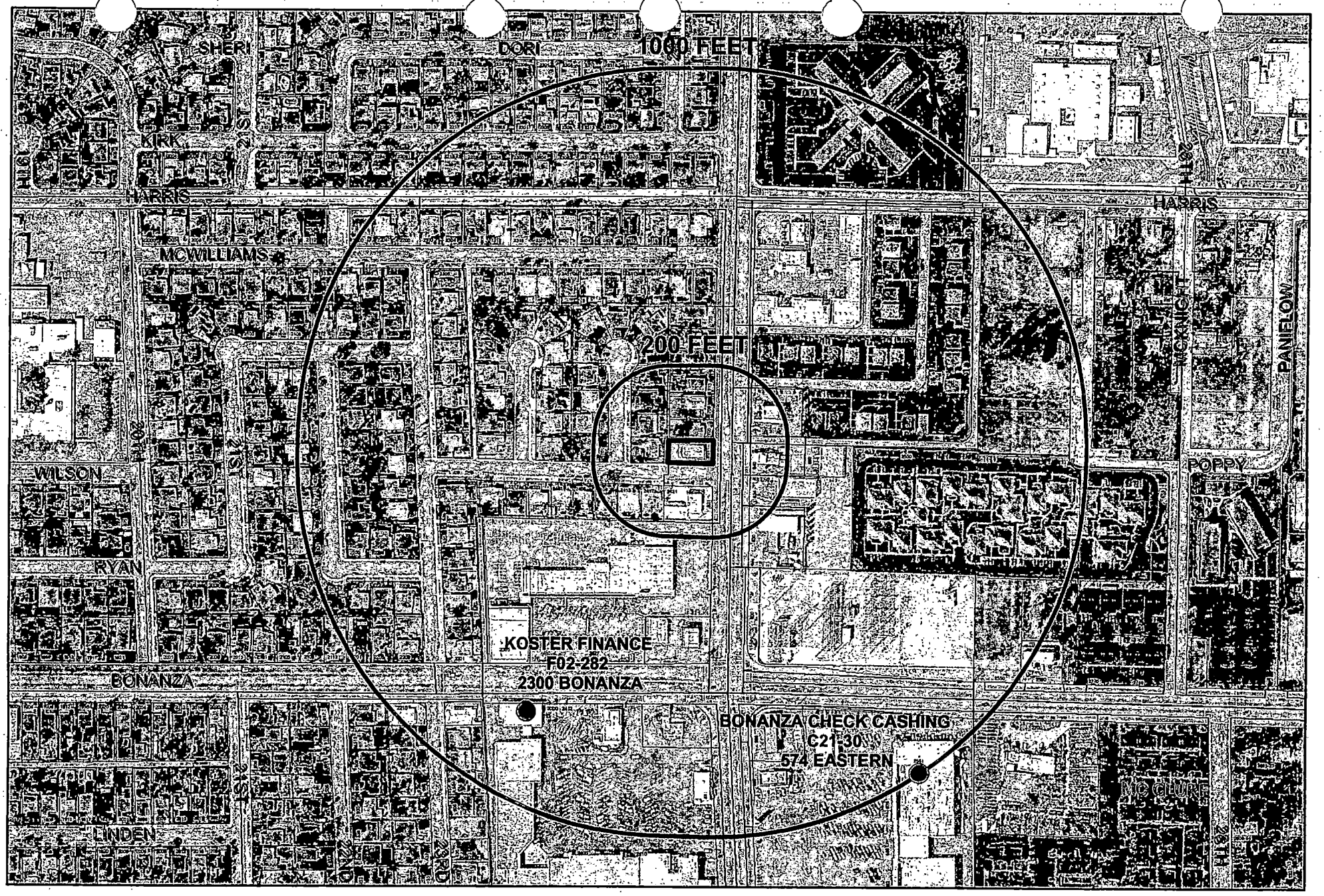
0 200 400 Feet

CASE: **SUP-4442**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N



SUP-4442 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4442 -
APPLICANT: TIM AYALA - OWNER: MARTIN M. PADILLA

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. The parking lot shall be re-stripped so as to provide one van accessible handicap parking space.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified and Auto Title Loan uses.

3. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Special Use Permit for a proposed Financial Institution, Specified on property located 701 North Eastern Avenue. The applicant is also requesting a waiver to allow a 0-foot separation from residential property where 200 feet is required and a waiver to allow a 700-foot separation from similar uses where 1,000 feet is required as well as a waiver to allow a 1,200 square foot of building space where 1,500 square feet is required.

B) Applicant's Justification

The applicant justifies this request by stating that there is an immediate need for such services at the subject location and that it would allow the business expand. The applicant also mentions the ability to conform to the ordinance requirements prior to the newly adopted Financial Institution, Specified ordinance (04/21/04).

BACKGROUND INFORMATION

A) Previous Actions

10/02/85 The City Council approved a Rezoning (Z-0052-85) application for the reclassification of property located at 701 North Eastern Avenue from R-1 (Single Family Residential) to C-D (Designed Commercial). The Planning Commission and Staff both recommended approval.

08/06/86 The City Council approved a Review of Condition (Z-0052-85) application to waive a portion of the required landscaping on property located at 701 North Eastern Avenue. The City Planning Commission recommended approval. Staff recommended denial.

04/21/04 The City Council approved the distance separation standards for this type of use.

B) Pre-Application Meeting

04/21/04 The submittal requirements for a Special Use Permit were discussed, as well as the conditions regarding a Financial Institution, Specified. No other comments were made.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property:	Movie rental store/ Insurance Office
North:	Professional Office
South:	Restaurant
East:	Restaurants/ General Retail
West:	Single Family Residence

C) Planned Land Use

Subject Property:	DTR /L (Downtown Redevelopment/ Low Density Residential)
North:	DTR /O (Downtown Redevelopment/ Office)
South:	DTR /SC (Downtown Redevelopment/ Service Commercial)
East:	DTR /SC (Downtown Redevelopment/ Service Commercial)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-D (Designed Commercial)
North:	R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
South:	C-1 (Limited Commercial)
East:	C-2 (General Commercial)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

This site is designated as DTR (Downtown Redevelopment) on the Southeast Sector Map of the General Plan. The Redevelopment Plan establishes L (Low Density Residential) as the land use designation for this site. The C-D zoning on this site is not compatible with the L (Low Density Residential) designation. The proposed use complies with the existing zoning for the site, but does not comply with the land use designation set forth by the general plan.

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

Redevelopment Plan Area

The subject site is located within the Las Vegas Redevelopment Plan area as adopted by the 1996 extension of the Redevelopment Area Boundaries Plan Maps. As outlined by Section 110, the objectives of the Redevelopment Plan are to eliminate environmental deficiencies and blight which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Financial Institution, Specified	1,200 SF.	1/300 GFA	5	1	11	1

The number of parking spaces onsite exceeds the required number spaces, however the handicap space provided fails to meet the standards Code standards. Therefore, a condition will be recommended regarding the proper striping of the parking lot.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04 Standards adopted by City Council 04/21/04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Specified Financial Institution	200 feet from any parcel used or zoned for residential use	NO
	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	NO

PL

The subject site is located adjacent residential zoned properties along the western edge of the property. Due to the proximity of the parcel to residentially zoned land to the west the applicant requires a waiver of the 200-foot minimum distance requirement.

The subject parcel is located within 1,000 feet of at least three other similar uses. Therefore, the applicant requires a waiver from the minimum 1,000-foot minimum distance requirement.

A3) Financial Institution, Specified Building Size

Pursuant to Title 19.04 Standards adopted April 21, 2004, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Specified Financial Institution	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	NO

The subject use is proposed to be located within an approximately 1,200 square foot portion of an existing building. This does not meet the standards of the Code. The floor plan supplied by the applicant illustrates a lobby, three offices, two restrooms, and a storage room. The subject building contains an existing video movie rental shop, as well as the office of at least two insurance agents. The potential lobby for the check cashing business will double as a display section for the renting and selling of movies. Although the area behind the glass counter is sufficient for the employees the applicant has not demonstrated sufficient interior space to provide for adequate customer waiting areas and customer queuing.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-D (Designed Commercial). A Financial Institution, Specified use is permitted in C-D with the approval of a Special Use Permit.

- Use

The application states they will be occupying the entire 1,200 square-foot existing retail building. However, two other separate uses are being located within the same building. This becomes even more apparent due to one of the uses requires the display of merchandise. All building signage is subject to the base conditions for approval of the Special Use Permit and the requirements set forth by Title 19. Currently, the nearest existing approved Financial Institutions, Specified are to the south approximately on either side of the southern corners of the Eastern Avenue and Bonanza Road intersection.

- Conditions

Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by City Council April 21, 2004.

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

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

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

4. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed check-cashing center fails to comply with conditions #6 and #7 of Title 19.04. The subject site's building footage is approximately 1,200 square feet, where 1,500 square feet is required. The subject site is located within the 200 minimum separation distance from residential zoned properties and within 1,000 feet of similar uses.

PL

FINDINGS

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

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

   The proposed Financial Institution, Specified use will be located within an residential to office conversion building with no external changes to be made except for possible new wall signage. The proposed land use is not in compliance with the General Plan designation of DTR (Downtown Redevelopment)/L (Low Density Residential). The proposed land use cannot 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. This is exemplified through the number of waivers requested by the applicant in order to gain approval.

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

   The subject tenant space is inadequate as set forth by Bill No. 2003-78, adopted 04/21/04, which requires a minimum of 1,500 square feet of interior space, to provide sufficient customer waiting areas, customer queuing, and transaction space for a Financial Institution, Specified. Therefore, a waiver from the minimum interior space requirement is required for approval. The existing parking area is adequate to accommodate the proposed use.

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

   The subject location is accessible from Eastern Avenue, a 100-foot Primary Arterial, and Wilson Avenue, a Residential Street. Eastern Avenue is of adequate in size and capacity to accommodate the proposed Financial Institution, Specified.

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 public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Financial Institution, Specified would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 116

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4442 APN: 139-26-811-070

Name of Property Owner: Martin M. Padilla

Name of Applicant: Martin M. Padilla

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

_____ Yes _____✓_____ No

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

City Official: NA

Partner(s): NA

APN: NA

Signature of Property Owner/Authorized Agent: Martin M Padilla

Subscribed and sworn before me

This 19 day of April, 2004

Maria Cristina Vargas
Notary Public in and for said County and State

MARIA CRISTINA VARGAS
Notary Public, State of Nevada
Appointment No. 02791001
My Appt. Expires Oct. 22, 2006



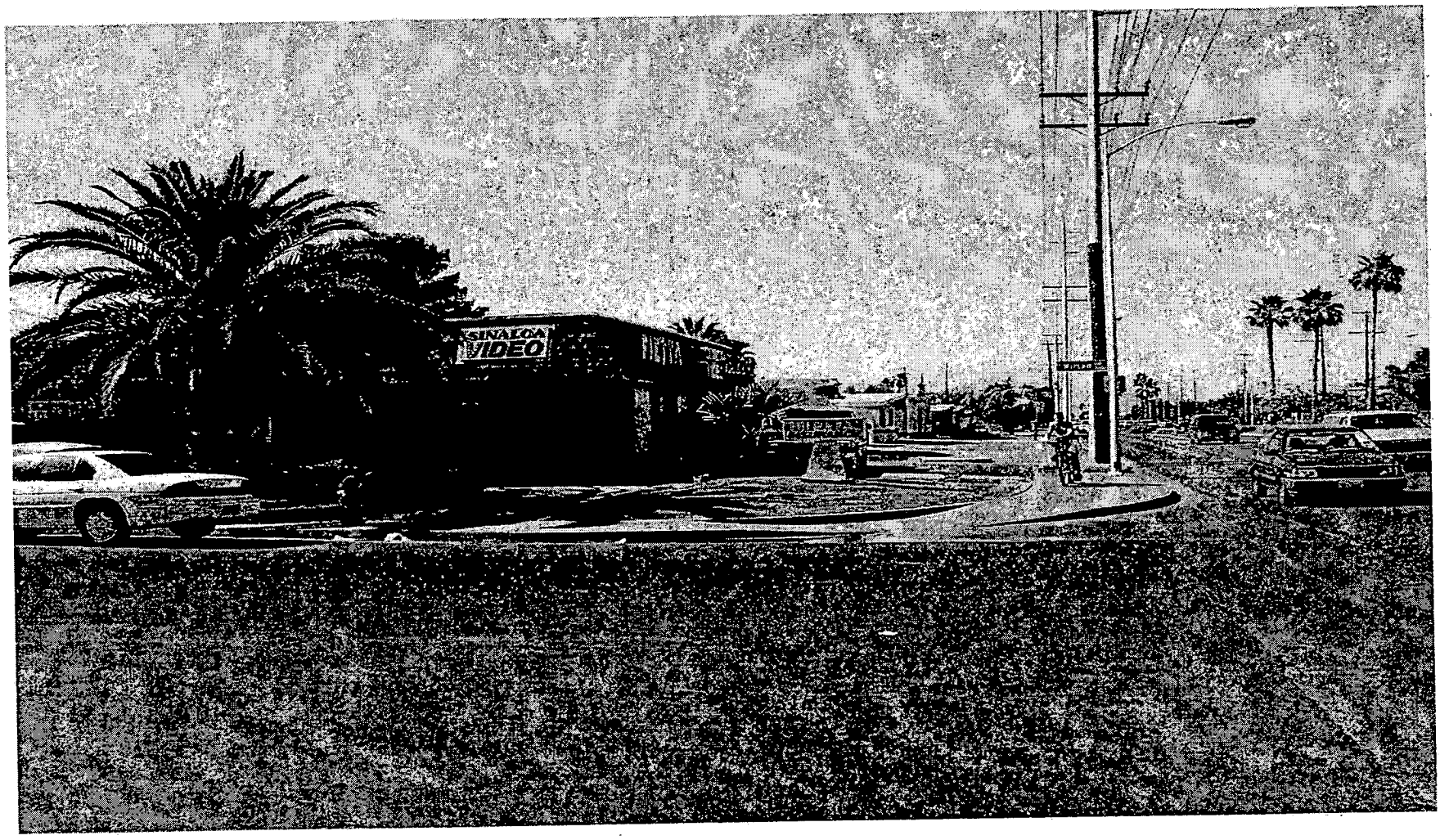
Site Plan
701 Eastern Ave
Las Vegas, Nevada

SUP-4442
6-24-04 PC

LANDSCAPE LEGEND

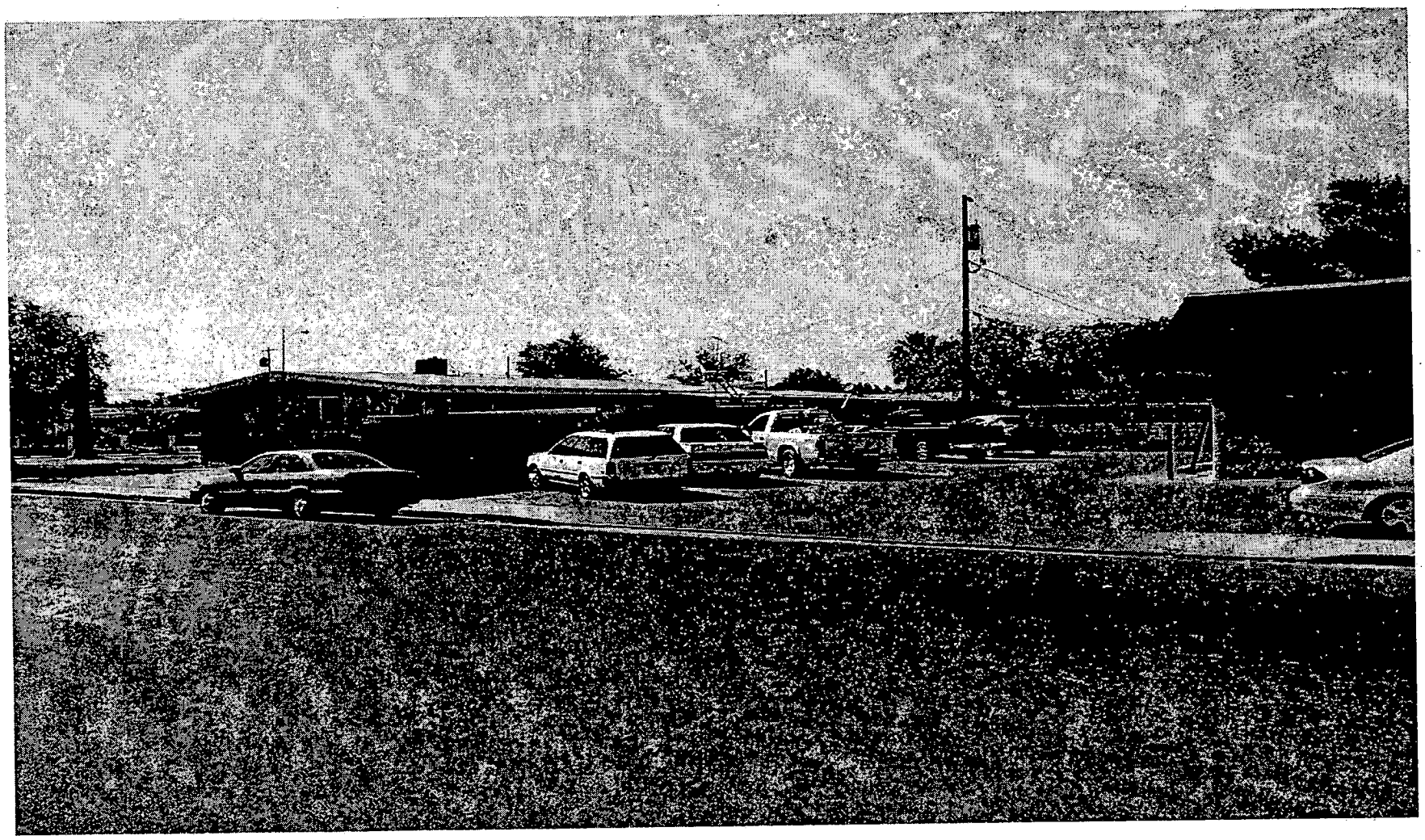
EXAMPLE	NAME	SIZE	UNITS
	MEXICAN PALM TREE	36" BOX AS SHOWN	4 TREES

* ON SIGN - PLANT BED FOR ANNUALS
  SAZONIAS/ ARMENIA MARITIMA/ BAILEYE MULTIRADIATS/AQUILEGIA COLUMBINE
  DIANTHUS SPECIES/ CONVOVULUS ENEORUW DRIS GERMANICA/LANTANOS/LAVANDULE SPECIES
* ALL LANDSCAPE AREAS TO BE PROVIDED WITH AUTOMATIC IRRIGATION SYSTEM
* THE LANDSCAPE AND IRRIGATION SYSTEM WILL BE MAINTENED BY PROPERTY OWNER
* CERTIFICATE OF COMPLIANCE STATING THAT LANDSCAPE MATERIALS HAVE BEEN INSTALLED PER CODE WILL BE SIGNED BY PROPERTY OWNER OR CONTRACTOR AND SUBMITTED TO THE CLARK COUNTY BUILDING DEPARTMENT PRIOR TO RELEASE OF IMPROVEMENT BONDS. HOWEVER, THE REQUIRED LANDSCAPING WILL BE INSTALLED PRIOR TO FINAL CERTIFICATE OF OCCUPANCY.



SUP-4442 - APPLICANT: TIM AYALA - OWNER: MARTIN M. PADILLA
701 NORTH EASTERN AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04



SUP-4442 - APPLICANT: TIM AYALA - OWNER: MARTIN M. PADILLA
701 NORTH EASTERN AVENUE
JUNE 24, 2004 PLANNING COMMISSION

6/1/04

Planning & Development Department
City of Las Vegas
Las Vegas, Nevada

June 21, 2004

701 N. Eastern Ave.
Las Vegas, Nevada

To Whom It May Concern:

We recently received a notice for a use permit for a Financial Institution located on the above property. This property has been a commercial business for more than 20 years, and they have been good neighbors. We live behind this property, and we believe that this type of use should not have a major impact on our community. We would like it to be known that we are in support of this application, and therefore, we ask for your approval of this project.

Thank you.

NAME	SIGNATURE	ADDRESS
Richard ONEAL	Richard ONeal	2409 E. WILSON
Javier Espinoza		701 Flower St.
Victor Loza		628 N. 23rd
Diego Guitron		2313 E Wilson
Nacio Ruiz Q		2317 E. Wilson
Isabel Morillo		2401 E Wilson Apt
JOSE E VAZQUEZ		701 Del Vas ST.
Claudia Forge		2417 E. Wilson

Submitted at Planning Commission

Date 6/24/04 Item 52

Planning & Development Department
City of Las Vegas
Las Vegas, Nevada

June 21, 2004

701 N. Eastern Ave.
Las Vegas, Nevada

To Whom It May Concern:

We recently received a notice for a use permit for a Financial Institution located on the above property. This property has been a commercial business for more than 20 years, and they have been good neighbors. We live behind this property, and we believe that this type of use should not have a major impact on our community. We would like it to be known that we are in support of this application, and therefore, we ask for your approval of this project.

Thank you.

NAME	SIGNATURE	ADDRESS
José Luis Aguirre Calvan		700 Delta st
ISIDRO BALANDRAN		712-DELTA ST
maria Balandran		704-DELTA ST
RIGOBERTO GALLARDO		708 DELTA ST.
		716 DELTA ST 89101
osencio - Galvan		720 Delta St 89101
Rosario Barajas - Rosario Barajas		724 Delta st 89101
Maria Robles - Maria Robles		713 Delta ST 89101
ARCHIVALDO RIVERA		709 DELTA ST 89101
MARTHA Hernandez		705 DELTA st. 89101

Submitted at Planning Commission

Date 6/24/04 Item: 52

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4444 - APPLICANT: CASH BACK PAYDAY LOANS - OWNER: FARLEY M. ANDERSON, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF ZERO FEET WHERE 200 IS REQUIRED FROM A RESIDENTIAL PROPERTY AND A SEPARATION OF 280 FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE on the north side of Lake Mead Boulevard, between James Bilbray Drive and Torrey Pines Drive (APN: 138-23-201-008), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

IF APPROVED: C.C.: 07/21/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – DENIAL – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVE CLAPSADDLE, Planning and Development, stated that the application meets the minimum square footage for this type of use but not the distance separation standards.

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Item 53 – SUP-4444

MINUTES:

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant. Using the overhead, MR. FOSTER gave an overview of the proposed project. The signage will be on the east side of the proposed project. He pointed out two other businesses that have signage within this area, which have signs that are somewhat set back from the front of the building. He also stated that the proposed signage is minimal in terms of the elevations of the buildings. There would be street landscaping along the north side of the property and along the front of the property, as well as, a block wall. The applicant felt that the traffic would not increase much, as there are many check cashing institutions in the City. In addition, there are sufficient parking spaces within the shopping center.

COMMISSIONER GOYNES commented that there are already two existing financial institutions on the next corner, and his concern again is saturation. Referencing the new ordinance, COMMISSIONER GOYNES stated he would not support this application. COMMISSIONER McSWAIN concurred but complimented the applicant on the quality of the proposed signage.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:14– 9:22)
2-3795

CONDITIONS:

Planning and Development

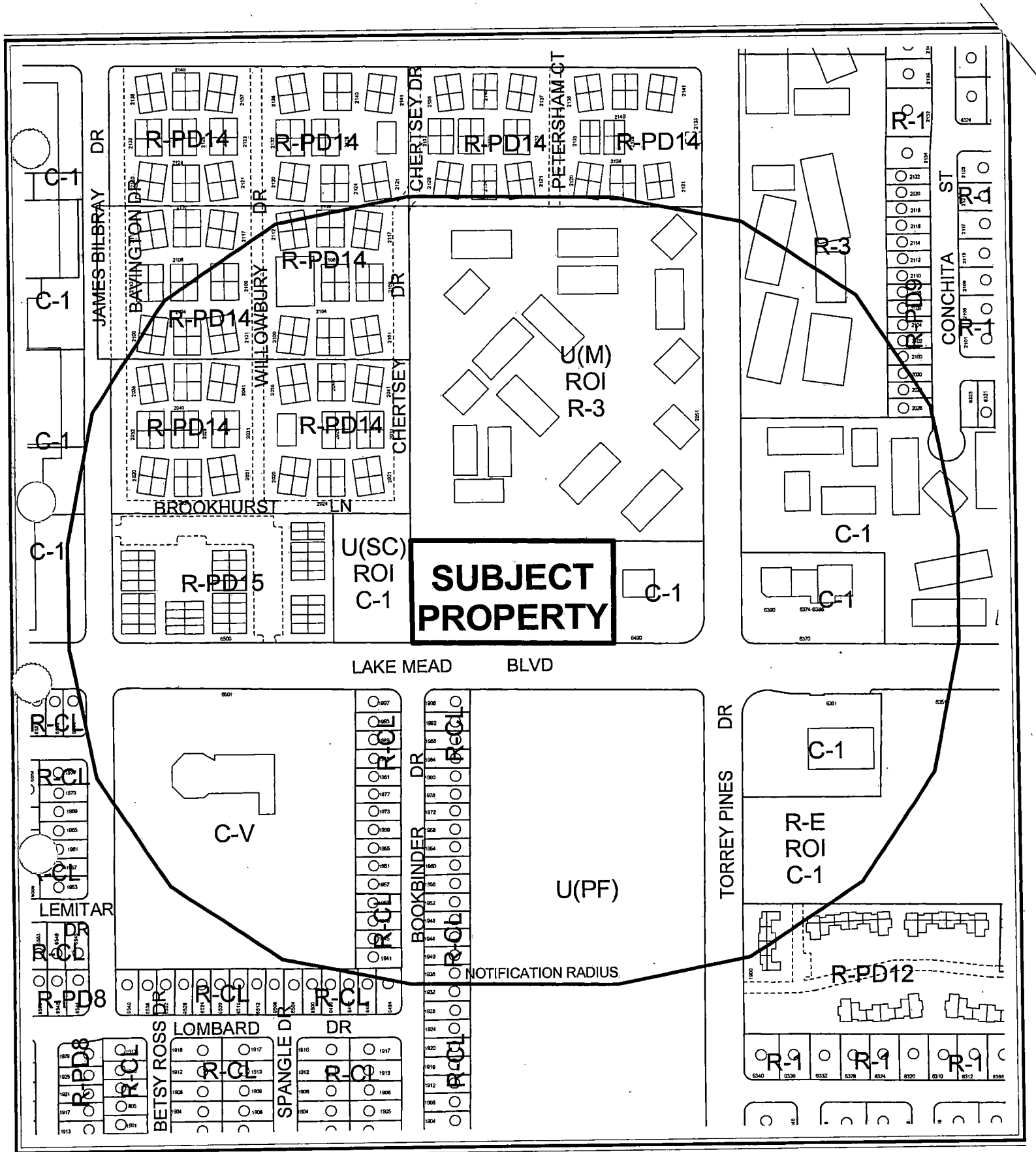
1. Conformance to Rezoning ZON-3060, Site Development Plan Review SDR-3062 and Variance VAR-4193.

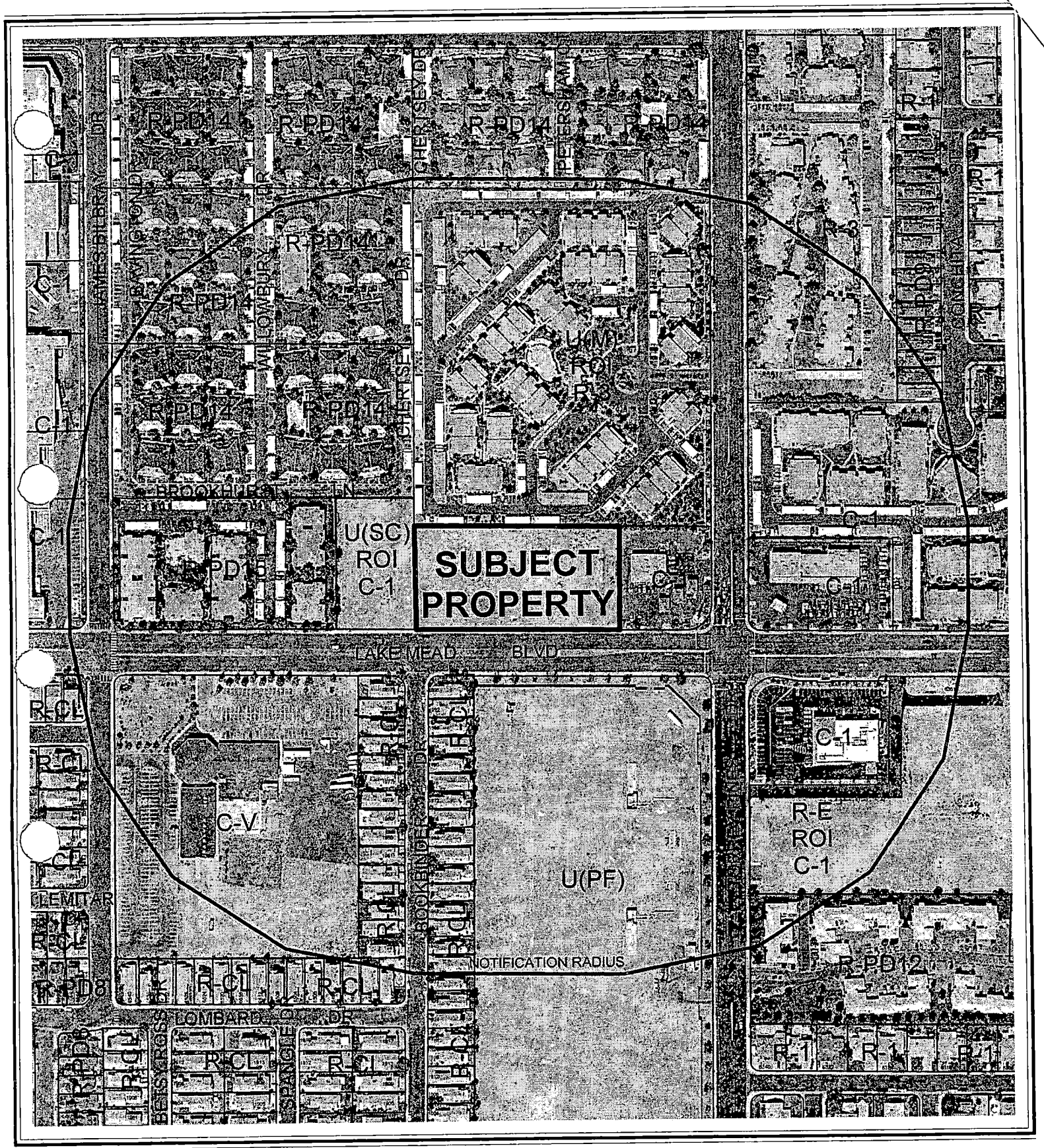
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

4. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3060, Site Development Plan Review SDR-3062, and all other subsequent site-related actions.


R-PD14
R-PD14
R-PD14
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R-PD14
R-PD14
R-PD14
R-PD15
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
C-1
R-1
R-1
R-1
R-3
R-PD9
U(M)
ROI
R-3
U(SC)
ROI
C-1
SUBJECT
PROPERTY
JAMES BILBRAY DR
BAVINGTON DR
WILLOWBURY DR
CHERTSEY DR
PETERSHAM CT
CHERTSEY DR
CONCHITA ST
BROOKHURST LN
LAKE MEAD BLVD
R-CL
R-CL
R-CL



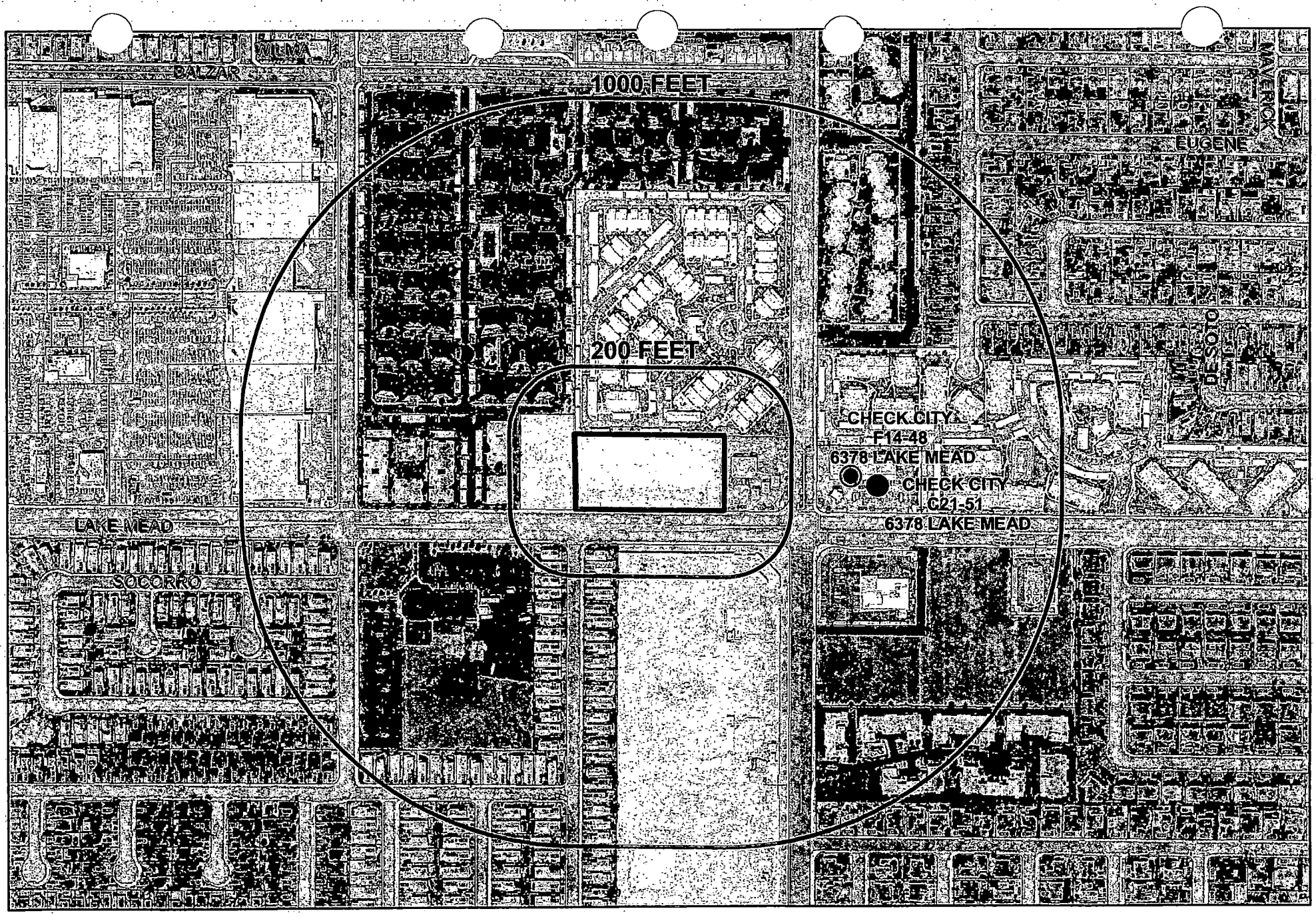
0 200 400 Feet

CASE: **SUP-4444**

RADIUS: 750 FT

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

N



SUP-4444 Financial Business Locations

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4444 - APPLICANT: CASH BACK PAYDAY LOANS - OWNER: FARLEY M. ANDERSON, LIMITED PARTNERSHIP

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to Rezoning ZON-3060, Site Development Plan Review SDR-3062 and Variance VAR-4193.

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

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

Public Works

4. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3060, Site Development Plan Review SDR-3062, and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Financial Institution, Specified and Waivers of the minimum distance separation requirements from residential properties and a similar use on property located adjacent to the north side of Lake Mead Boulevard, between James Bilbray Drive and Torrey Pines Drive.

B) Applicant's Justification

The applicant's justification letter indicates Financial Institution, Specified is located in an approved retail commercial development and will operate in a manner similar to other allowed uses.

BACKGROUND INFORMATION

A) Previous Actions

11/19/03 The City Council approved a Rezoning (ZON-3060) to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-3062) for a proposed 19,100 square foot retail building and 3,600 square foot retail pad and a waiver to the parking lot landscaping requirements on this site. The Planning Commission and staff recommended approval on October 23, 2003.

04/21/04 The City Council approved minimum distance separation standards for this type of use.

06/16/04 The City Council approved a Variance (VAR-4193) to allow 117 parking spaces where 135 spaces are required for the proposed commercial development on this site. The Planning Commission recommended approval on May 13, 2004. The Planning and Development Depart recommendation was for denial.

B) Pre-Application Meeting

04/12/04 A pre-application meeting was conducted and the applicant was advised of the requirements for a Special Use Permit.

MP

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.27

B) Existing Land Use

Subject Property:	Retail Commercial Center (Under Construction)
North:	Apartments
South:	Single Family Residences and Las Vegas Valley Water District Facility
East:	Convenience Store With Fuel Pumps
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector 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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

This use will be located within an approved retail commercial center and will not require additional parking.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Financial Institution, Specified	200 feet from any parcel used or zoned for residential use	Adjacent to multi-family residential to the north; 80 feet from multi family residential to the northwest and 100 feet from single family residential to the south
	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	280 feet from a similar use (auto title loan and check cashing)

The proposed Financial Institution, Specified use does not meet the minimum distance separation requirements from three residential properties and one similar use. A waiver must be approved in order to allow for a reduction in the distance separation requirements.

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,800 square feet

At 1,800 square feet, the proposed Financial Institution, Specified meets the minimum 1,500 square foot space size requirement.

B) General Analysis and Discussion

- Zoning

The Financial Institution, Specified use is permitted in C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements.

MP

- Use

The proposed Financial Institution, Specified will be located in a tenant space located in an approved retail commercial building. The use is subject to operational standards as listed under conditions below.

- Conditions

Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by City Council 04/21/04.

1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6.

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

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

4. Window signs shall not:
   a. Cover more than twenty percent (20%) of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

MP

The proposed Financial Institution, Specified (paycheck-cashing) fails to comply with recently adopted condition No. 7 of Title 19.04 regarding minimum separation distances. The use is located within the 200 minimum separation distance from three separate residential properties and within 1,000 feet of a similar use (auto title loan and check cashing). The applicant has no provided justification as to why these standards should be waived. Approval of these waivers would set a precedent to allow future requests for similar uses to deviate from the newly adopted standards. Since there is no compelling reason to approval the waiver, the recommendation for this request is denial.

FINDINGS

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

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

   The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan due to the waivers of the minimum distance separation requirements. Therefore the recommendation for this request is denial.

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

   The site is physically suitable for the type of land use proposed.

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

   Access is provided via a drive from Lake Mead Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed use.

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

   The proposed Financial Institution, Specified use will be subject to City inspections and will therefore not compromise the public health, safety, and welfare.

MP

NOTICES MAILED 359

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4444 APN: 138-23-201-008

Name of Property Owner: Farley M. Anderson, JR, LP

Name of Applicant: Cash Back Payday Loans

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Farley Anderson

Subscribed and sworn before me

This 7th day of April, 2004

X M. Scott Williams

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

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

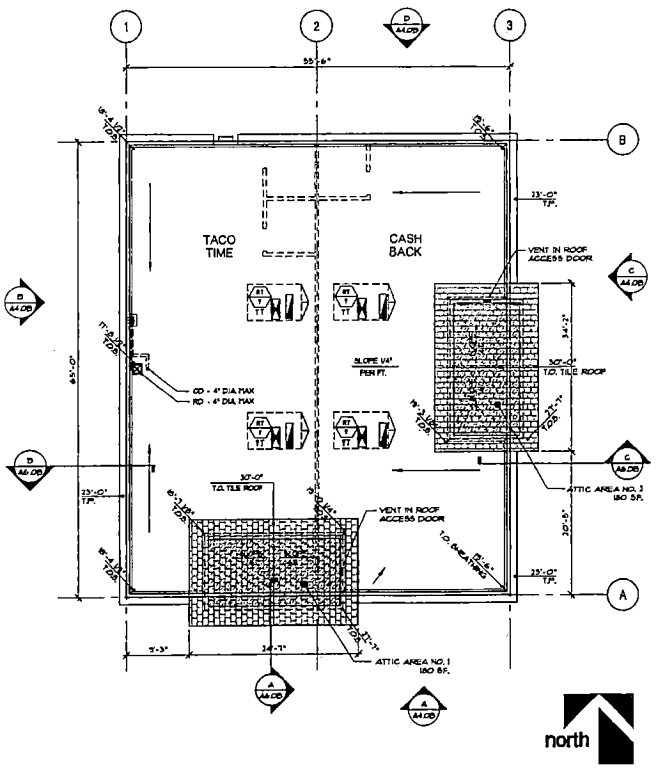
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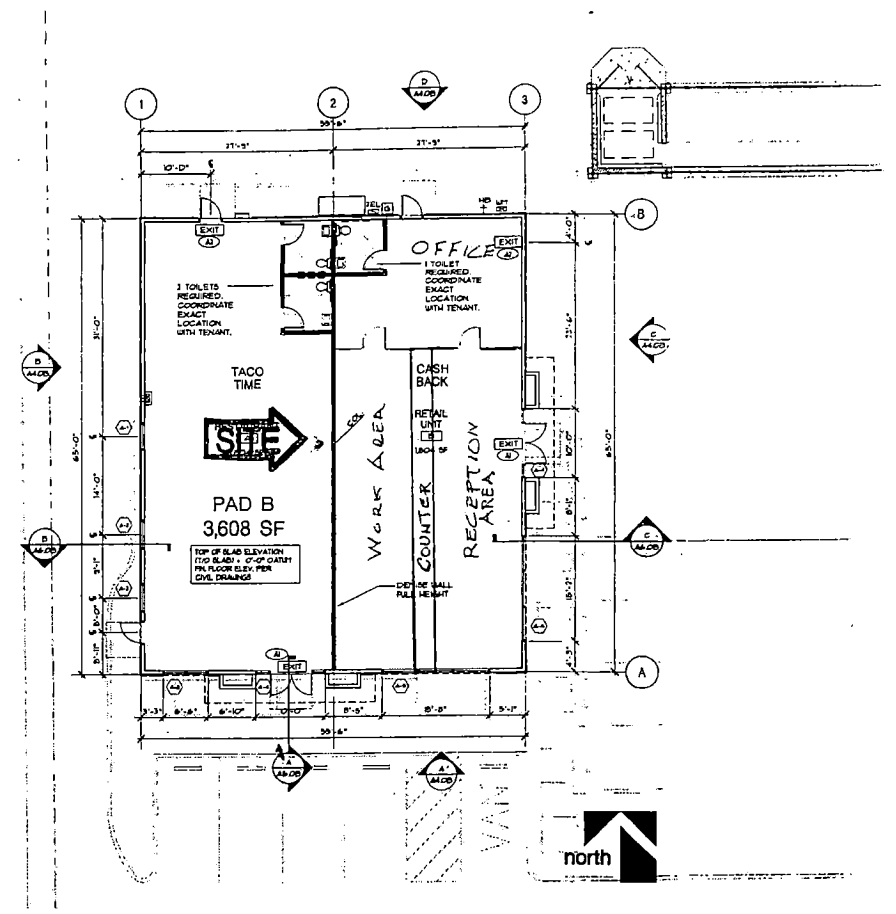
DRAWING DUE	MM/DD/YY	SCALE: X-X/X" = 1'

TITLE

DRAWING DUE	MM/DD/YY	SCALE: X-X/X" = 1'

ATTIC AREA NO. 1 & 2:
FREE AREA REQUIRED:
1/300* (180 SF) = 0.6 S.F. 0.6 S.F. (144) = 86.4 S.I.
FREE AREA PROVIDED:
WALL VENTS = (1 VENT) 101 S.I.
(101 SQ. IN. EA., SEE SPEC.S & DET. 7/A-5.3)
SOFFIT VENTS = NO SOFFIT VENTS PROVIDED FOR THIS AREA.
TOTAL VENT FREE AREA PROVIDED: 101 S.I.





ATTIC VENT CALCULATIONS	19	ROOF PLAN PAD "B"	11	PLAN PAD "B"	3
DRAWING DATE: 04/02/04 · SCALE: X-X/X" = 1'		X:\1222-PAD%B-FL.DWG · 04/05/04 · SCALE: 1/8" = 1'-0"		X:\1222-PAD%B-FL.DWG · 04/05/04 · SCALE: 1/8" = 1'-0"	

FIRE BLOCKING NOTES

PROVIDE FIRE BLOCKING (PER 1997 UBC SECTION 708.2):

1. IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVELS AND AT 10'-0" INTERVALS BOTH VERTICAL AND HORIZONTAL.
2. ALL INTERSECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS AND COVE CEILINGS, IN OPENINGS AROUND VENTS, PIPES, DUCTS AND SIMILAR OPENINGS THAT AFFORD A PASSAGE FOR FIRE AT CEILING AND FLOOR LEVELS, WITH NON-COMBUSTIBLE MATERIALS.
3. OPENINGS BETWEEN ATTIC SPACES.

FIRE BLOCKING CONSTRUCTION (PER 1997 UBC SECTION 708.2):

1. FIREBLOCKING SHALL CONSIST OF 2" NOMINAL LUMBER OR TWO THICKNESS OF 1" NOMINAL LUMBER WITH BROKEN LAP JOINTS OR ONE THICKNESS OF 23/32" WOOD STRUCTURAL PANEL WITH JOINTS BACKED BY 23/32" WOOD PANEL OR ONE THICKNESS OF 3/4" TYPE 2-M PARTICLE BOARD WITH JOINTS BACKED BY 3/4" TYPE 3-M PARTICLE BOARD.
2. FIREBLOCKS MAY ALSO BE OF GYPSUM BOARD, CEMENT FIBER BOARD, BATTS OR BLANKETS OF MINERAL OR GLASS FIBER, OR OTHER APPROVED MATERIALS INSTALLED IN SUCH A MANNER AS TO BE SECURELY RETAINED IN PLACE. LOOSE-FILL INSULATION MATERIAL SHALL NOT BE USED AS A FIRE BLOCK UNLESS SPECIFICALLY TESTED IN THE FORM AND MANNER INTENDED FOR USE TO DEMONSTRATE ITS ABILITY TO REMAIN IN PLACE AND TO RETARD THE SPREAD OF FIRE AND HOT GASSES.

DRAFT STOP CONSTRUCTION

1. DRAFTSTOPPING MATERIALS SHALL NOT BE LESS THAN 1/2" GYPSUM BOARD, 3/8" WOOD STRUCTURAL PANEL, 3/8" TYPE 2-M PARTICLE BOARD OR OTHER APPROVED MATERIALS ADEQUATELY SUPPORTED.
2. OPENINGS IN THE PARTITIONS SHALL BE PROTECTED BY SELF-CLOSING DOORS WITH AUTOMATIC LATCHES CONSTRUCTED AS REQUIRED FOR THE PARTITIONS.

FLOOR PLAN GENERAL NOTES

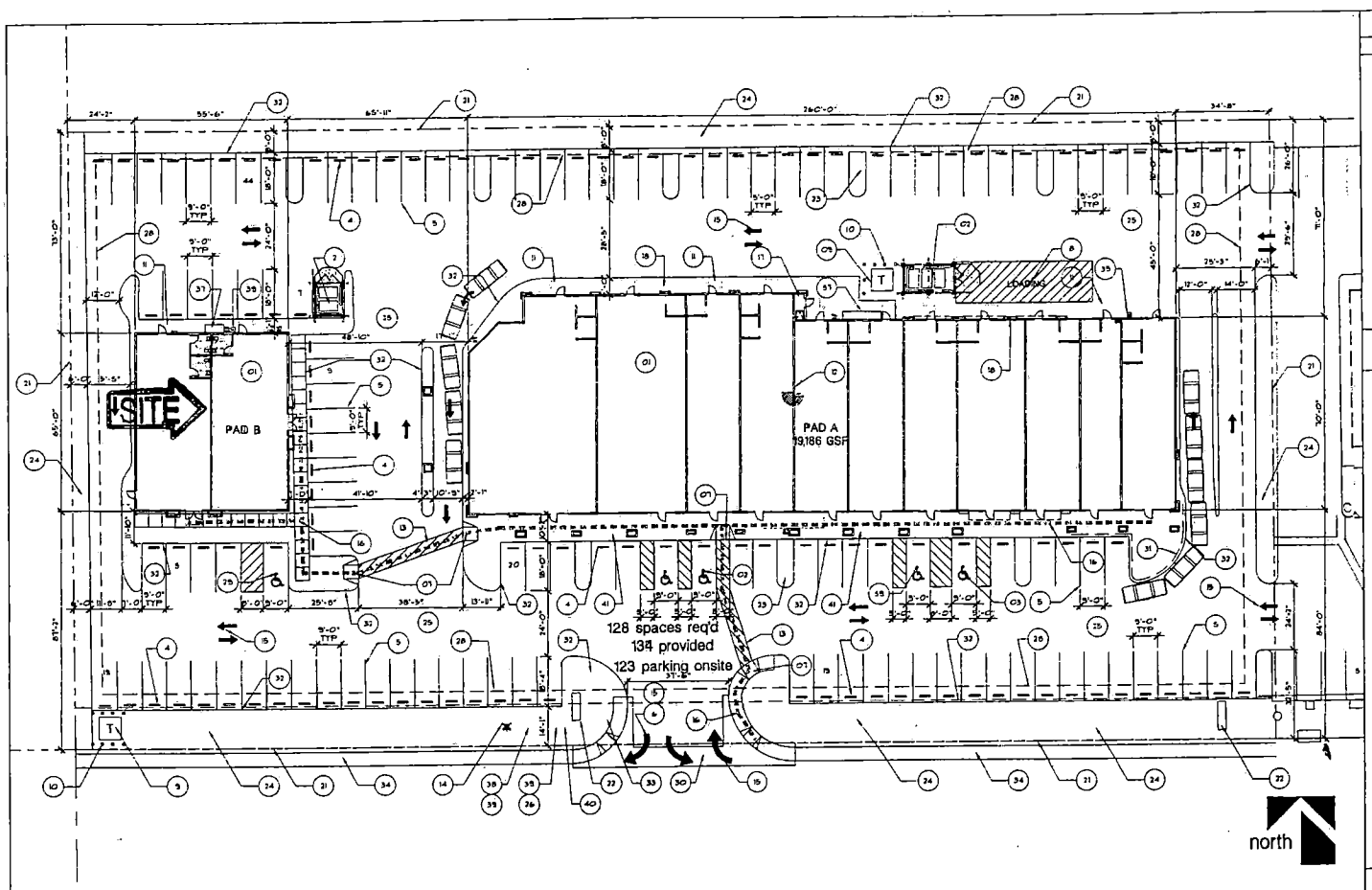
1. ONE SET OF APPROVED PLANS AND SPECIFICATIONS, SET SHALL BE KEPT ON THE SITE OF THE BUILDING OR WORK AT ALL TIMES DURING WHICH THE WORK AUTHORIZED THEREBY IS IN PROGRESS. U.B.C. SECTION 106(4.3)
2. GENERAL CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS AND ADVISE THE ARCHITECT OF ANY DISCREPANCIES IN THE DIMENSIONS OR DRAWINGS PRIOR TO CONSTRUCTION.
3. DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED.
4. ALL PROJECT CONSTRUCTION SHALL CONFORM TO AFFIRMATIVE WITH DISABILITIES ACT GUIDELINES AND CHAPTER 11 UBC.
5. THIS BUILDING SHALL BE FULLY SPRINKLED. REFER TO FIRE SAFETY DRAWINGS.
6. PROVIDE 2x6 STUDS AT INTERIOR PARTITIONS 16" O.C. FOR ALL REST ROOM AND PLUMBING WALLS TO 6" ABOVE CEILING.
7. PROVIDE FURRED WALLS AS REQUIRED FOR ALL UTILITY AND DRAIN LINES THAT EXTEND UP THE INTERIOR WALL SURFACE.
8. PROVIDE ONE (1) 2A-10BC FIRE EXTINGUISHER IN LOCATION APPROVED BY FIRE DEPT.
9. PAINT ALL EXPOSED EXTERIOR METALS TO MATCH ADJACENT SURFACE.
10. REFER TO STRUCTURAL DRAWINGS FOR SHEAR AND FRAMING WALL DESIGN AND LOCATIONS.
11. BUILDING INSULATION MINIMUMS WILL BE AS FOLLOWS: R-19 FOR THE ROOF AND R-11 FOR EXTERIOR WALLS.
12. SHELL BUILDING: NO OCCUPANCY WILL BE ALLOWED UNTIL PROVISIONS FOR SANITARY FACILITIES, HVAC, DISABLED ACCESS REGULATIONS AND MODEL ENERGY CODE REQUIREMENTS ARE MET.

FLOOR PLAN LEGEND

GRID LINE
FACE OF EXTERIOR WALL
FACE OF CMU WALL
CENTERLINE OF COL.
WALL SECTION DETAIL
DETAIL IDENTIFICATION
INTERIOR ELEVATION IDENTIFICATION (SEE INTERIOR FINISH SCHEDULE)
CHANGE IN ELEVATION
HOSE BIBB (HB) - RECESSED HOSE BIBB
DRAIN (D)
PLATE LINE SYMBOL
EXIT SIGN
ROOM NAME
ROOM NUMBER
SALES FLOOR
DOOR SYMBOL (SEE SHEET A-10)
WINDOW/STOREFRONT TYPE (SEE SHEET A-10)
CMU WALL
STUD WALL
INSULATED STUD WALL
STOREFRONT
F.O.S. FACE OF STUD
1 HOUR FIRE RATED WALL SEE UL DET. BW/83

SUP-4444
6-24-04 PC

N:\03-1703\3-2\2121\2222-A1-08.dwg, Plan(24x36), 04/19/2004 03:52:34 PM, Kevin_d_lv



SITE PLAN LEGEND

SYM	DESCRIPTION
	PROPERTY LINE
	CENTERLINE
	EASEMENT
	TRANSFORMER
WM	WATER METER VAULT. REFER TO CIVIL PLANS
GM	GAS METER LOCATION. REFER TO BUILDING PLANS
T	TELEPHONE PULLBOX
BFP	BACKFLOW PREVENTER. REFER TO CIVIL PLANS
FDC	FIRE DEPARTMENT CONNECTION. REFER TO CIVIL PLANS
	STREETLIGHT
	FIRE HYDRANT. REFER TO CIVIL PLANS
PIV	POST INDICATOR VALVE. REFER TO CIVIL PLANS
AC	AUTOMATIC CONTROLLER. REFER TO LANDSCAPING DWGS
S	SEWER MANHOLE
FD	FD ALUM CAP
W	WATER MANHOLE
G	GAS VALVE
SD	STORM DRAIN MANHOLE
W	WATER METER
	PARKING LOT LIGHT. REFER TO ELEC
	STREETLIGHT PULLBOX
T	TELEPHONE MANHOLE
	FIRE DEPARTMENT ACCESS PATH

SITE PLAN GENERAL NOTES

GENERAL NOTES:
HANDICAP PARKING SPACES:

1. SINGLE SPACE - 14'-0" WIDE MINIMUM WITH 9'-0" WIDE PARKING SPACE AND 5'-0" WIDE ACCESS ISLE.
2. DOUBLE SPACE - 23'-0" WIDE MINIMUM WITH TWO 9'-0" WIDE PARKING SPACES AND 5'-0" WITH ACCESS ISLE.
3. VAN SPACE - 17'-0" WIDE MINIMUM, 9'-0" WIDE PARKING SPACE AND 8'-0" WIDE ACCESS ISLE.
4. SLOPE - SLOPE OF SPACE SHALL NOT EXCEED 1:50.
5. PARKING SPACES ARE CONSIDERED PART OF THE ACCESSIBLE ROUTE OF TRAVEL. EACH SPACE SHALL HAVE A SIGN SHOWING THE SYMBOL FOR ACCESSIBILITY LOCATED SO THAT A PARKED VEHICLE DOES NOT OBSCURE IT.
6. AREAS THAT ARE NOT A PART OF THE PRESENT PERMIT SHALL BE SHOWN DESIGNATED AS N.I.P.

ACCESSIBLE ROUTE:

WIDTH - MINIMUM WIDTH OF AN ACCESSIBLE ROUTE SHALL BE 36".

SLOPE - ACCESSIBLE ROUTE SHALL BE A MAXIMUM SLOPE OF 1:20 WITH A MAXIMUM CROSS SLOPE.

NOTE: AN ACCESSIBLE ROUTE WITH A SLOPE GREATER THAN 1:20 IS CONSIDERED A RAMP.

CURB RAMPS

LOCATION - WHENEVER AN ACCESSIBLE PATH OF TRAVEL CROSSES A RAISED CURB.

SLOPE - MAXIMUM SLOPE OF ADJOINING SURFACES IS 1:20 SLOPE OF CURB IS A MAXIMUM OF 1:8

SIDES - WHERE PEDESTRIANS WALK ACROSS RAMP, OR IF NOT PROTECTED BY HANDRAILS OR GUARDRAILS, FLARED SIDES WITH A MAXIMUM SLOPE OF 1:10 ARE NECESSARY. WHERE THERE IS NO PEDESTRIAN CROSS TRAFFIC, RETURNED CURBS MAY BE USED.

WIDTH - 36" MINIMUM WIDE, EXCLUSIVE OF FLARED SIDES.

SITE INFORMATION

ARCHITECTURAL SITE PLAN

DATE: 03/23/04
SCALE: 1" = 20'-0"
A

SITE PLAN NOTES

SYM	DET.	DESCRIPTION
01		CONSTRUCT COMPACTED BUILDING PAD, REFER TO SOILS REPORT AND CIVIL DRAWINGS
02	A/A6.1 B/A6.1	TRASH ENCLOSURE
03	A/A6.1	CONSTRUCT "REGULAR" HANDICAPPED PARKING STALLS
04	A/A6.1	PROVIDE CONCRETE WHEEL STOPS
05	A/A6.1	PAINT PARKING STALL STRIPING, REFER TO CIVIL STRIPING PLAN
06	A/A6.1	PAINT "STOP" SIGN AND DIRECTIONAL ARROW ON PAVING, PROVIDE STOP SIGN POLE AS NECESSARY
07	A/A6.1	CONSTRUCT HANDICAPPED CURB ACCESS RAMP AT SITE CONCRETE WALKWAY, REFER TO CIVIL DRAWINGS
08	A/A6.1	PAINT YELLOW "LOADING" ZONE" SIGNAGE ON PAVING
09	A/A6.1	CONSTRUCT ELECTRICAL TRANSFORMER CONCRETE PAD AND PIPE BOLLARDS, PER UTILITY COMPANY STANDARDS, SEE UTILITY DRAWINGS
10	A/A6.1	PROVIDE CONCRETE FILLED STEEL PIPE GUARDS, PAINT WITH TWO (2) COATS TRAFFIC YELLOW
C	A/A6.1 B/A6.1	PROVIDE 6'x8' LEVEL STOOP
D		STEPPED FOOTING, SEE CIVIL DRAWINGS
E		PAINT 4" WIDE STRIPED CROSS WALK

SYM	DET.	DESCRIPTION
11		PROVIDE FIRE HYDRANT(S) PER CIVIL STANDARDS. PROVIDE CONCRETE FILLED PIPE GUARDS WHEN EXPOSED TO TRAFFIC, REFER TO CIVIL DWGS.
12	A/A6.1 B/A6.1	PAINT DIRECTIONAL ARROW ON PAVING
13		ACCESIBLE ROUTE, SEE GENERAL NOTES AND DETAILS
14		FIRE SPRINKLER RISER ROOM
15	A/A6.1 B/A6.1	ROOF DRAIN THROUGH WALL TO SPLASH BLOCK
16	A/A6.1 B/A6.1	ROOF DRAIN THROUGH CURB FACE
17		PULL BOX, SEE SITE ELECTRICAL DRAWINGS
18		PROPERTY LINE
19		MONUMENT SIGN, BY OTHERS, SEE LANDSCAPE AND ELECTRICAL DRAWINGS
20		RAISED CONCRETE CURB FOR PLANTER, SEE LANDSCAPE DRAWINGS
21		LANDSCAPE AND IRRIGATION PER LANDSCAPE DRAWINGS
22		PROVIDE A.C. PAVING AND BASE REFER TO CIVIL DRAWINGS FOR PAVING SECTIONS, AND SOILS REPORT RECOMMENDATIONS
23		PROVIDE IRRIGATION CONTROLLER PER LANDSCAPE PLANS

SYM	DET.	DESCRIPTION
24		CONSTRUCT DEPRESSED CONCRETE CURB (ZERO CURB FACE) REFER TO CIVIL DRAWINGS
25		BUILDING SET BACK LINE
26	A/A6.1	CONSTRUCT "VAN" HANDICAPPED PARKING STALLS
27		CONSTRUCT CONCRETE APRON AT ACCESS, REFER TO CIVIL AND HARDSCAPE DRAWINGS
28		GUARD RAIL
29		CONSTRUCT CONCRETE CURB, OR CURB AND GUTTER REFER TO CIVIL DRAWINGS FOR EXTENT, AND TYPE
30		INSTALL HANDICAPPED NOTICE SIGN AT SITE ENTRANCE
31		CONCRETE WALKWAY, SEE CIVIL DRAWINGS AND LANDSCAPE FOR PAVING SECTIONS, AND SOILS REPORT RECOMMENDATIONS
32		CONSTRUCT SIDE WALK UNDER DRAIN, SEE CIVIL DRAWINGS
33		CONSTRUCT 2' 18 CONCRETE PLUPE, SEE CIVIL DRAWINGS
34		SWITCHGEAR IN ENT. CABINET, SEE ELEC. DWGS. PROVIDE CONC. PAD AND BOLLARDS, PER UTILITY COMPANY STANDARDS SEE UTILITY DRAWINGS
35		PROVIDE WATER METER AND BACK FLOW PREVENTION PER CIVIL DRAWINGS
36		UTILITY PETERS, VERIFY LOCATION WITH BUILDING CONTRACTOR

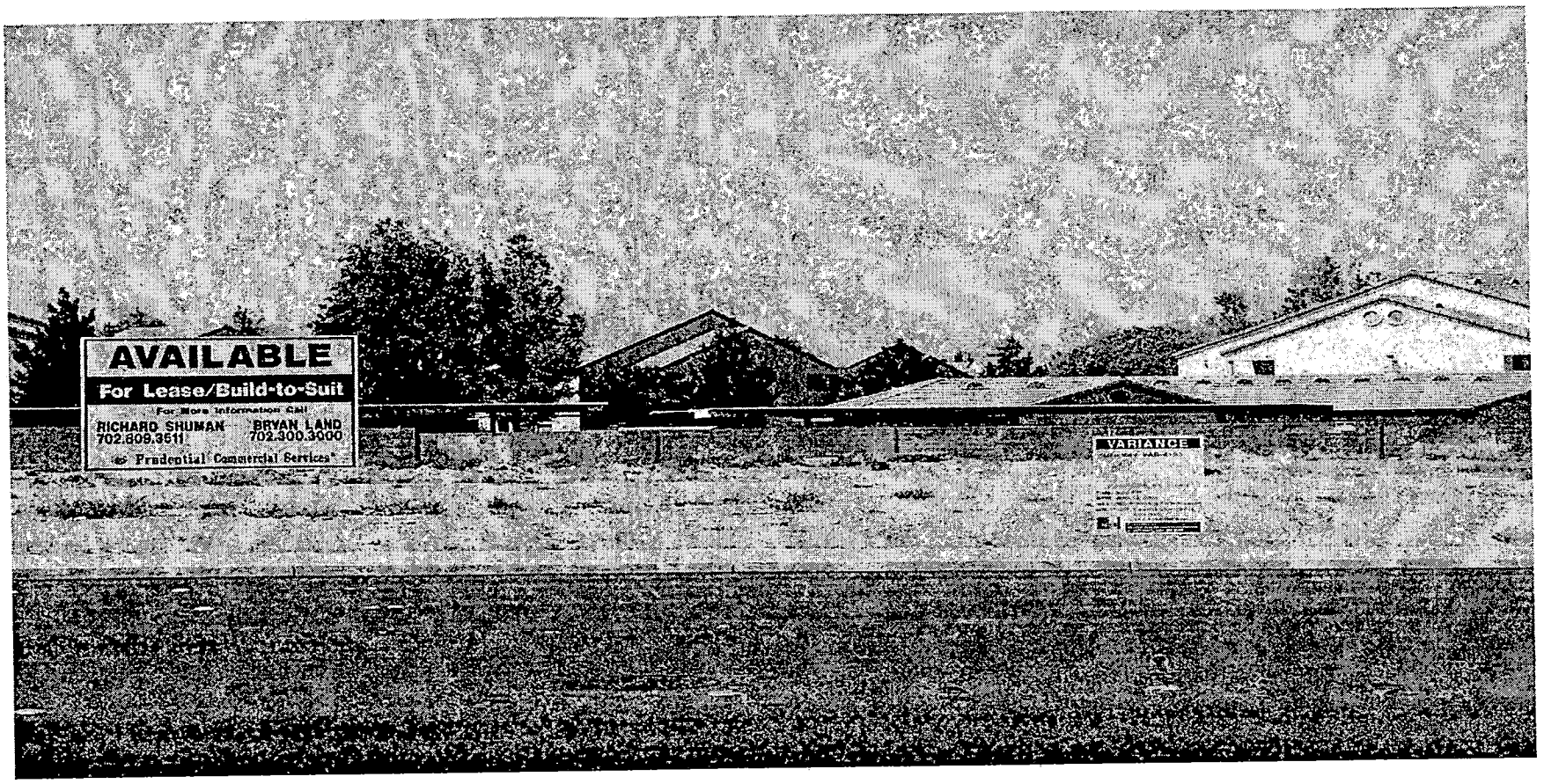
SYM	DET.	DESCRIPTION
37		IRRIGATION WATER METER, SEE CIVIL DRAWINGS
38	A/A6.1	CONSTRUCT WALK AT PARKING CURB PER CIVIL DRAWINGS
39		
40		
41		
42		
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52		

SUP-4444
6-24-04 PC

TITLE

DRAWING DWG	PP/DD/YY	SCALE: X-X/X" = X'

N:\03-Proj\03-27122\27222-SA1.dwg, 24x36, 04/19/2004 #3:51:05 PM, kevin_q_lv



SUP-4444 - APPLICANT: CASH BACK PAYDAY LOANS - OWNER: FARLEY M. ANDERSON, LIMITED PARTNERSHIP
NORTH SIDE OF LAKE MEAD BOULEVARD, BETWEEN JAMES BILBRAY DRIVE AND TORREY PINES DRIVE
JUNE 24, 2004 PLANNING COMMISSION

6/3/04

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW – PUBLIC HEARING - SDR-4390 - APPLICANT: NEVADA LEGAL NEWS - OWNER: EL GRAN PATRON, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a WAIVER OF LANDSCAPING REQUIREMENTS FOR A PARKING LOT EXPANSION on 0.48 acres at 930 South 4th Street (APN: 139-34-410-252), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

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 – APPROVED subject to conditions – UNANIMOUS

This is Final Action

NOTE: Chairman Truesdell disclosed that he owns a piece of property south of the Notification area, and it is not within the Notification area so he will be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the proposed development is consistent with the General Plan, Title 19 and the Downtown Centennial Plan. This proposed project would be an asset to the neighborhood.

MINUTES – Continued:

JASON HUFFER, Minute Managing Member for El Gran Patron, concurred with staff's recommendations and conditions.

MR. WALTON verified for COMMISSIONER McSWAIN that the project is an expansion of the existing parking lot. MR. HUFFER added that the existing lot is a dirt lot, and the applicant is adding additional landscaping and will install appropriate fencing. COMMISSIONER McSWAIN suggested having parking garages and not parking lots, which would give the downtown area more density. MARGO WHEELER, Planning and Development, responded that there is an existing two-story building on the corner of Coolidge Avenue and Casino Center Drive. This proposed project will be an improvement to the dirt lot. In addition, contrary to other applications, this existing dirt lot is already servicing the two-story building, which does not have sufficient parking. MR. HUFFER informed COMMISSIONER McSWAIN that the parking is intended for their office, Nevada Legal News, and not so much for public use.

CHAIRMAN TRUESDELL commented that the applicant spent a significant amount of money in upgrading the lot to a two-story parking lot.

MS. WHEELER informed COMMISSIONER STEINMAN that the total number of trees will exceed what is required by Code; however, the applicant is only providing a four feet buffer and not an eight-foot buffer per Code. Staff felt that this is acceptable because the exchange is the amount of parking spaces the applicant is providing.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:22– 9:28)

3-340

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, dated 07/21/04, except as amended by conditions herein.

3. 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. The use of turf shall be limited to 12.5% of the overall landscape buffer area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

CONDITIONS – Continued:

4. A 42" high decorative screen fence shall be installed at the front yard setback along Fourth Street in accordance with Graphic 5 of the Downtown Centennial Plan.

5. The parking canopy shall comply with the setback requirements for accessory structures.

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

7. The trash enclosure shall have a gated opening and a solid roof in accordance with Title 19.08, and shall be fully screened in views from abutting properties.

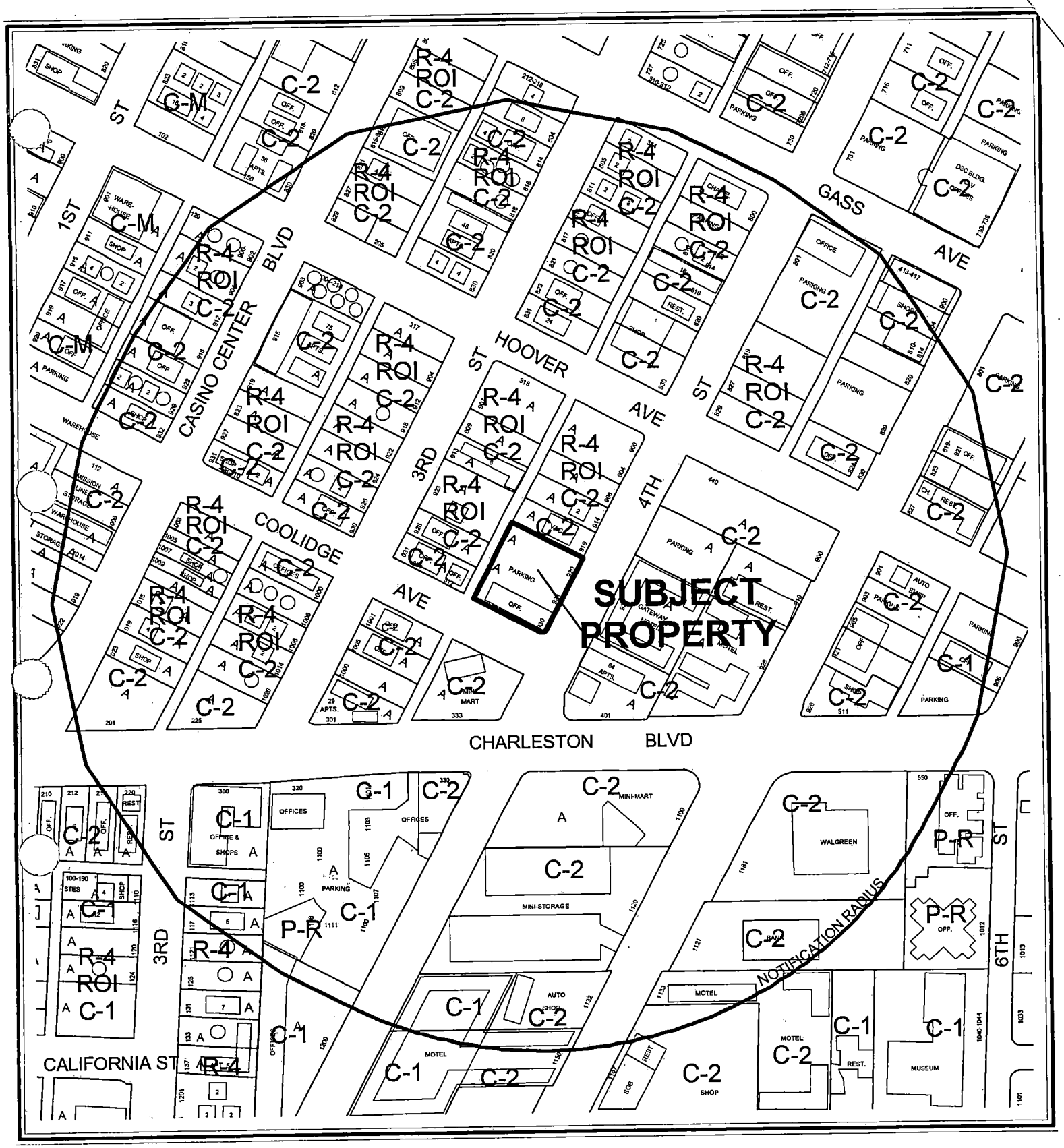
8. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site.

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

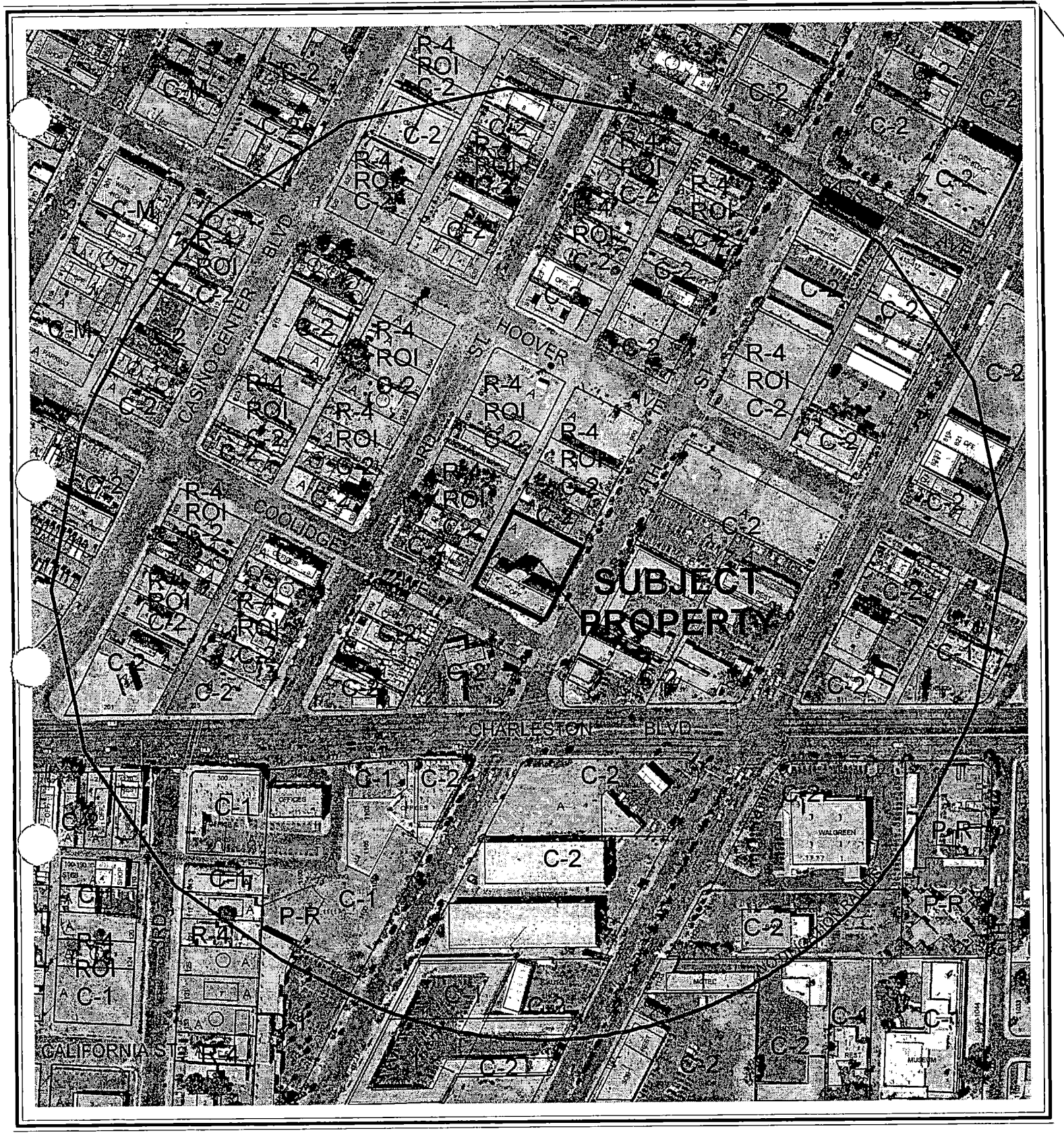


CASE: **SDR-4390**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N



0 200 400 Feet

CASE: **SDR-4390**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) ZONE UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - SDR-4390 - APPLICANT: NEVADA LEGAL NEWS - OWNER: EL GRAN PATRON, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, dated 07/21/04, except as amended by conditions herein.

3. 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. The use of turf shall be limited to 12.5% of the overall landscape buffer area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. A 42" high decorative screen fence shall be installed at the front yard setback along Fourth Street in accordance with Graphic 5 of the Downtown Centennial Plan.

5. The parking canopy shall comply with the setback requirements for accessory structures.

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

7. The trash enclosure shall have a gated opening and a solid roof in accordance with Title 19.08, and shall be fully screened in views from abutting properties.

8. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and a waiver of landscaping requirements for a parking lot expansion on .48 acres at 930 South 4th Street.

B) Applicant's Justification

The applicant states that the proposed site plan will include 1,000 square feet of landscaping on a parcel that currently has none, and that the new parking lot will be an improvement over the existing conditions.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to C-2 (General Commercial) on this property as part of a larger request.

03/02/01 The Planning and Development Department administratively approved a Site Development Plan Review [Z-0100-64 (177)] for a proposed 1,501 square-foot addition and an exterior remodel to the existing office building on this site.

07/10/03 The Planning Commission approved a Variance (VAR-2449) to permit a freestanding sign located one foot from front and side property lines where five feet is required.

B) Pre-Application Meeting

04/20/04 At the pre-application conference, it was noted that eight-foot buffers would be required at the front, side and rear property lines, and that the standard Downtown Centennial Plan screen fence would be required at the front setback line.

C) Neighborhood Meetings

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

FF

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.48

B) Existing Land Use

Subject Property:	Office Use, Undeveloped
North:	Multifamily Use
South:	Convenience Store
East:	Multifamily Use, Motel Use
West:	Multifamily Use, Office Use

C) Planned Land Use

Subject Property:	MXU (Mixed-Use)
North:	MXU (Mixed-Use)
South:	C (Commercial Use)
East:	MXU (Mixed-Use)
West:	MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial), C-2 (General Commercial)

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcel MXU (Mixed Use), which permits low-density residential, medium-low density residential, medium-density residential, high density residential, office, service commercial, general commercial, and public facility uses. The proposed parking lot development is consistent with the MXU (Mixed Use) designation.

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

Downtown Centennial Plan

The parcel is located within the Arts District, which encourages a mixture of arts-related businesses, single- and multifamily residences, and service commercial uses. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional landscape and architectural requirements are applicable. The parking lot is allowed in the Arts District accessory to a permitted use.

PROJECT DESCRIPTION

The proposed development entails the expansion of an existing parking lot onto the abutting parcel to the north, and is intended to serve the tenants and patrons of the existing 10,795 square foot office building located on the site. A parking cover will be provided over 11 spaces along the north property line; the remaining spaces will be uncovered. A four-foot deep landscape buffer will be provided along the front property line on Fourth Street, and no buffer will be provided along the north and west property lines. A six-foot high wall will be constructed along those property lines to screen the lot, and landscape islands will be provided within the parking lot in order to conform to minimum landscaping square footage requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

No new buildings are proposed as part of this request. The proposed parking canopy at the north property line will be required to conform to a minimum three-foot setback for an accessory structure. In addition, the trash enclosure will require a roof and a gated opening.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As no new square footage is being added to the development nor is a more intense use proposed for the property, no additional parking spaces are required. When the building was renovated in 2001, a total of 28 spaces were required; the new expansion will provide a total of 32 spaces on the site.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces 10 SF Landscape/Space	4 Trees 320 SF	7 Trees 1,430 SF
Buffer: • Min. Zone Width	8 Feet		4 Feet, 0 Feet
• Fence Height—front setback	42 inches		(Not indicated)

While the proposed landscape buffers do not meet the minimum depth requirements, the applicant is providing the required square footage of buffer area and the minimum number of trees.

A5) Sign Standards

No new signage is proposed for the subject property.

FF

B) General Analysis and Discussion

- Zoning

The proposed use is permitted as an accessory use in the Arts District, and conforms to the underlying C-2 (General Commercial) zoning. The parking canopy will need to maintain a three-foot setback from the property line, and the trash enclosure will require a roof and gated opening in accordance with Title 19.08. The block wall at the perimeter of the site will need to have 20% contrasting material and detail variations, and shall conform to the architectural materials and detailing of the principal building.

- Site Plan

A single entrance to the parking lot will be provided on Fourth Street, and will utilize the existing driveway location. The expanded parking lot will no longer have access to the abutting alley, but will utilize the Fourth Street driveway for ingress and egress. Four existing parking spaces will remain off the alley at the southwest corner of the site. Landscape islands will be provided at the corners and at the center of the expanded parking lot area.

- Waivers

The proposed parking lot expansion requires a waiver from the minimum eight-foot buffer depth requirement listed in the Downtown Centennial Plan. A four-foot buffer will be provided along Fourth Street, which will directly abut four feet of landscaping that is already located in the public right-of-way. No landscape buffers will be provided along the north and west property lines, but landscape islands will be provided in each corner and in the center of the parking lot. In addition, a six-foot high block wall will be provided along the north and west property lines to screen the lot.

- Landscape Plan

As previously discussed, the proposed buffers do not conform to the minimum depth requirements, but conform to the minimum square footage requirements. The trees provided in the parking area will exceed the number of trees required, and an adequate number of shrubs will be provided in the buffer areas. The Centennial Plan requires a 42-inch high fence to screen the parking lot at the front yard setback line; the fence is required to be painted dark green and conform to the Centennial Plan design as shown in Graphic 5 of the Centennial Plan Standards. A condition has been added to address the requirement for the decorative fence.

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 parking lot expansion is appropriate for the existing use and for development in the area.

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

   The proposed development is consistent with the General Plan, and generally consistent with Title 19 and the Downtown Centennial Plan. A waiver is required from the buffer depth requirements, and a decorative screen fence is required along the front setback line on Fourth Street. The parking canopy will need to be located a minimum of three feet from the property line, and the trash enclosure will require a roof and gated entrance. The block wall at the perimeter of the site will need to conform to the design requirements listed in Title 19.08.

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

   The parking lot will utilize the existing driveway opening, and will not increase the intensity or traffic generated by the existing use.

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

   The landscape materials are appropriate for 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;"**

No new buildings are proposed for the site; the landscape materials and block wall will assist in screening the parking lot from adjacent properties.

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

The proposed development will be subject to review by the Building and Safety Department, and appropriate measures will be taken to secure and protect the public health, safety and general welfare.

NOTICES MAILED 101

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4390 APN: 139-34-410-252

Name of Property Owner: EL GRAN PATRON, LLC

Name of Applicant: NEVADA LEGAL NEWS

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: Scott Sibley

Print Name: SCOTT SIBLEY

Subscribed and sworn before me

This 20th day of April, 2004

Notary Public in and for said County and State

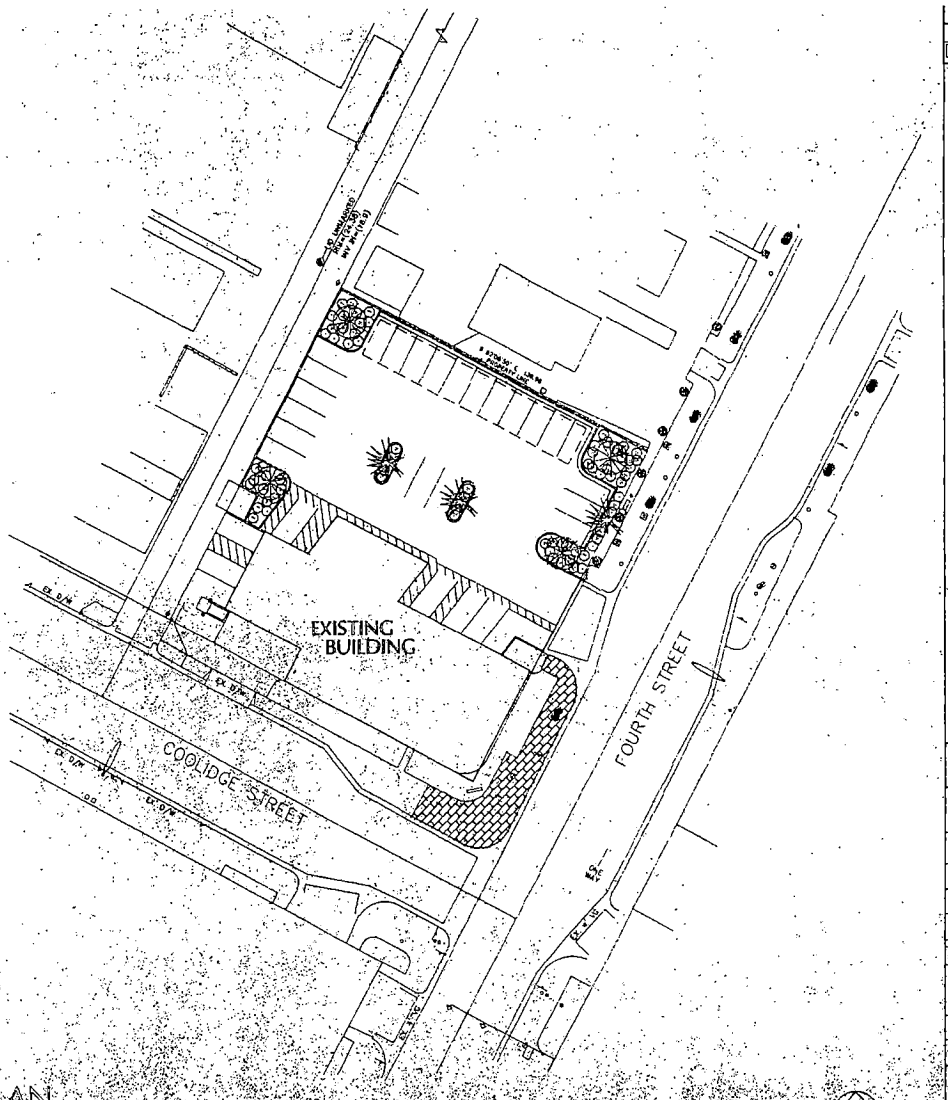
NOTARY PUBLIC
KURT A. REED
STATE OF NEVADA, COUNTY OF CLARK
MY APPOINTMENT EXP. AUG. 15, 2006
No: 94-0416-1

LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE
	DATE PALM *Phoenix dactylifera*	LARGE EVERGREEN	10' HIGH
	CANARY ISLAND PALM *Phoenix canariensis*	LARGE EVERGREEN	10' HIGH
	CALIFORNIA PEPPER TREE *Schinus molle*	LARGE DECIDUOUS	24" BOX
	EUCALYPTUS *Ecalbun*	LARGE DECIDUOUS	24" BOX
	SWEETSTRING ACACIA *Acacia stenophylla*	LARGE DECIDUOUS	24" BOX
	MONDEL PINE *Pinus Eldarica*	LARGE EVERGREEN	24" BOX
	ALEPPO PINE *Pinus halepensis*	LARGE EVERGREEN	24" BOX

SHRUBS and GROUND COVER		
DECORATIVE LANDSCAPE BOULDERS		5 GAL
EVERGREEN EUONYTHUS *Euonymus japonica*		15 GAL
COMMON WINTER CREEPER *Euonymus fortunei*		15 GAL
FEATHERY CASSIAS *Cassia artemisioides*		5 GAL
MEXICAN PRIMROSE *Oenothera berlandieri*		1 GAL
HYBRID GAZANIA *Gazania hybridus*		1 GAL
DWARF COYOTE BRUSH *Baccharis pilularis "Consanti"*		

1. ALL INORGANIC LANDSCAPE GROUND COVER TO BE 3/4" INDIAN RED WASHED GRAVEL.
2. ALL PLANTS ON SITE MUST COMPORT WITH TITLE 19 REQ.

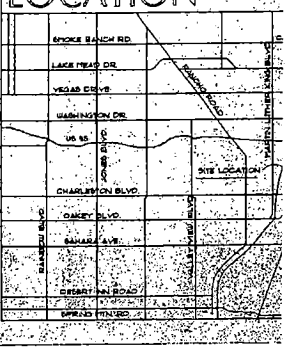


1 LANDSCAPE PLAN
SCALE: 1"=20'-0"

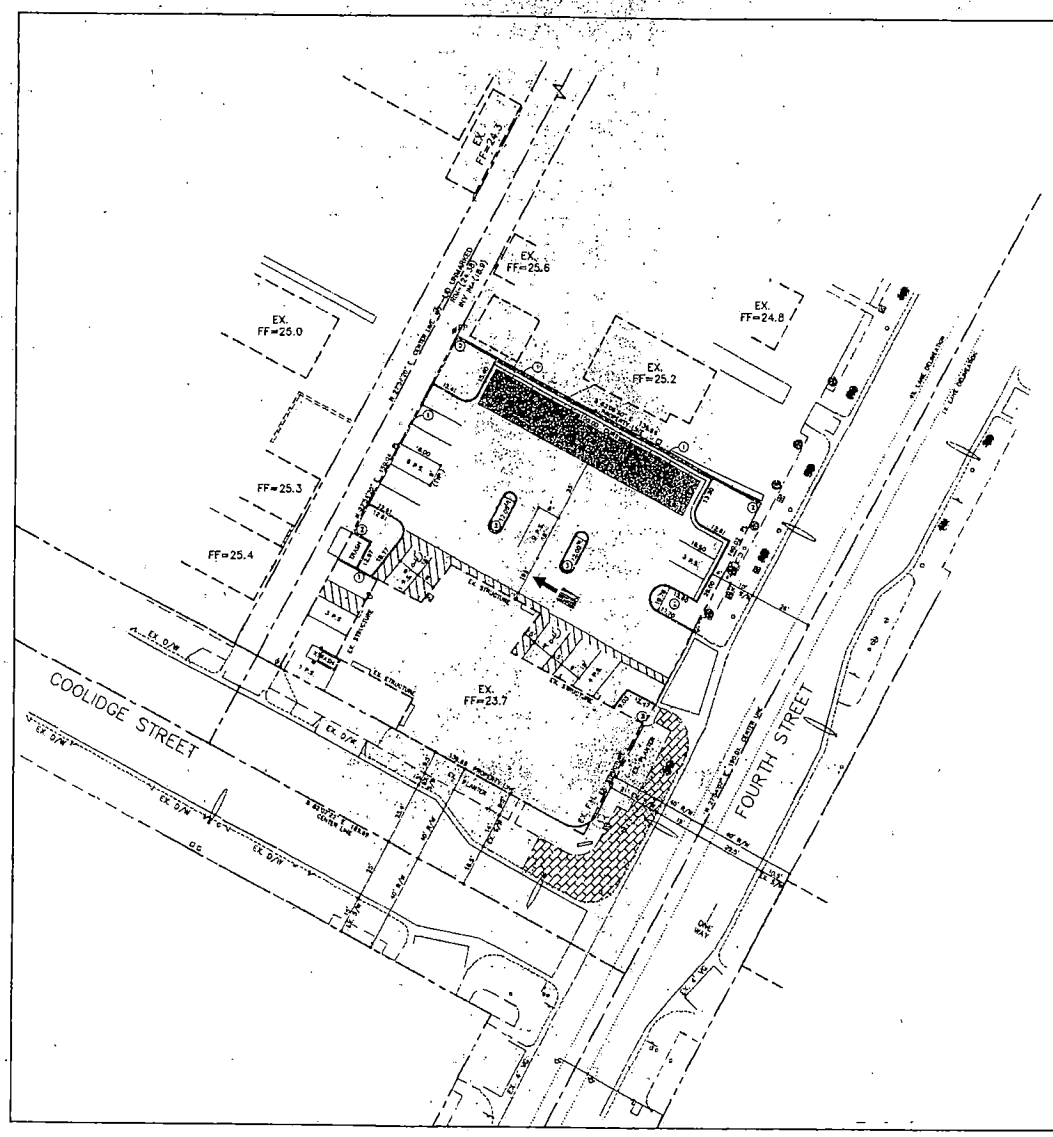
#	DESCRIPTION
1	-

DETAIL NO SCALE.

LOCATION



SDR-4390
6-24-04 PC



NVBD OVERHEAD POWER LINE CONTACT
Call before you OVERHEAD
1-702-329-3228
NVBD CUTTING UNDERGROUND UTILITY LINES IT'S DOUBLY
Call before you Dig
1-800-227-2600

VICINITY MAP
N.T.S.

BASIS OF BEARING
THE CENTER LINE OF 3rd BY BTWN S'LY/A & SW'LY/A SEC. 34, T20S, R61E, BEING N 37° 54'30" E, PER RECORD OF SURVEY FILE 89, PAGE 78

BENCHMARK
CITY OF LAS VEGAS B.M. (BRASS) 74
RIVET & ALUM. PLATE W/ TC & NE CUR. OF CHARLESTON & 3rd STREET
"LB ELEV. (NAD83) = 812.8447M = 2728.06'
TOPOGRAPHIC INFORMATION PROVIDED BY WESCO SURVEYS, DATED 1/7/04

LEGEND
CL — CENTERLINE
R/W — RIGHT-OF-WAY
FG FINISH GRADE
FL FLOW LINE
EXIST'G EXISTING
RCP REINF'D CONC. PIPE
PI POINT OF INTERSECTION
PT POINT OF TANGENCY
INTERNAL BUILDING CONTOUR FINISH FLOOR
SITE VISIBILITY RESTRICTION ZONE (21' MAX. HEIGHT IN ZONE)

REFERENCE
APN 139-34-410-010
Z-100-84 (PH-4 w/ PCD TO C2)

LEGAL DESCRIPTION
PUR. SW1/4 SW1/4 SEC. 34, T.20S., R.61E., M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
LOT 17-21, BLOCK 13, BK. 1, PG 51 OF PLATS

FLOOD ZONE DESIGNATION
UNSHADED FLOOD ZONE "X"
COMMUNITY MAP NUMBER 32003 C 2170 E
SEPTEMBER 27, 2007

SOILS REPORT

CONSTRUCTION NOTES
① 8" BLOCK WALL
② PLANTER
EX. TREE
EX. STREET LIGHT

SCALE in FEET
1 inch = 20 ft.

SDR-4390
6-24-04 PC

DUNHAM CIVIL ENGINEERS
3471 WEST DESERT INN ROAD SUITE 101
LAS VEGAS, NV 89109
(702) 796-9000 (702) 451-6145 FAX

NV. DAILY LEGAL NEWS

SITE PLAN

SAUL C. DUNHAM
No. 7865
CIVIL

FILE NAME: NDLNOTIC.dwg
SCALE: 1" = 20'
SHEET 1 OF ONE
CLV4

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4454 - APPLICANT/OWNER: MAKENZIE CORPORATION - Request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Streetscape Requirements FOR AN 8 UNIT APARTMENT BUILDING on 0.17 acres at 231 West Philadelphia Avenue (APN: 162-04-710-108), R-4 (High Density Residential) Zone, Ward 1 (Moncrief).

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 DENIAL.

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

MOTION:
EVANS – APPROVED subject to conditions and amending Condition 3 as follows:
Two additional parking spaces shall be provided on the property, located in the front yard setback area, and taking direct access from Philadelphia Avenue.
– Motion carried with GOYNES voting No

This is Final Action

NOTE: Chairman Truesdell pointed out that he owns a piece of property located on Sahara and Paradise, which is not within the Notification area, so he will be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that a Waiver is required for the proposed streetscape treatment due to the residential character of the street and the configuration of the existing sidewalk. The number of provided parking spaces is less than the minimum that has been approved for other residential areas in the Downtown Centennial area, so the deficiency

MINUTES – Continued:

may have an adverse impact on the other adjacent properties. Staff would also like to amend Condition 3. MARGO WHEELER, Planning and Development, stated that the applicant is proposing to add two additional parking spaces in the front of the building, and the access would be from Philadelphia. This would provide a total of seven parking spaces. The landscaping buffer to the east of the project will still remain.

LES TRAVIS, Gary Guy Wilson Architects, and MR. WILSON appeared on behalf of the applicant. MR. TRAVIS stated that this development would enhance and benefit the overall area. COMMISSIONER STEINMAN concurred.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:28– 9:31)

3-512

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, dated 06/24/04, except as amended by conditions herein.

3. A minimum of one parking space shall be provided for each unit. Parking spaces shall not be located in the front yard setback area.

4. 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 four five-gallon shrubs for each tree within provided planters.

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

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.

7. A waiver from the Downtown Centennial Plan streetscape requirement is hereby approved in order to allow the existing five-foot sidewalk along the curb, with deciduous street trees located in the front yard setback area as shown on the submitted plan.

CONDITIONS – Continued:

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

9. 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.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

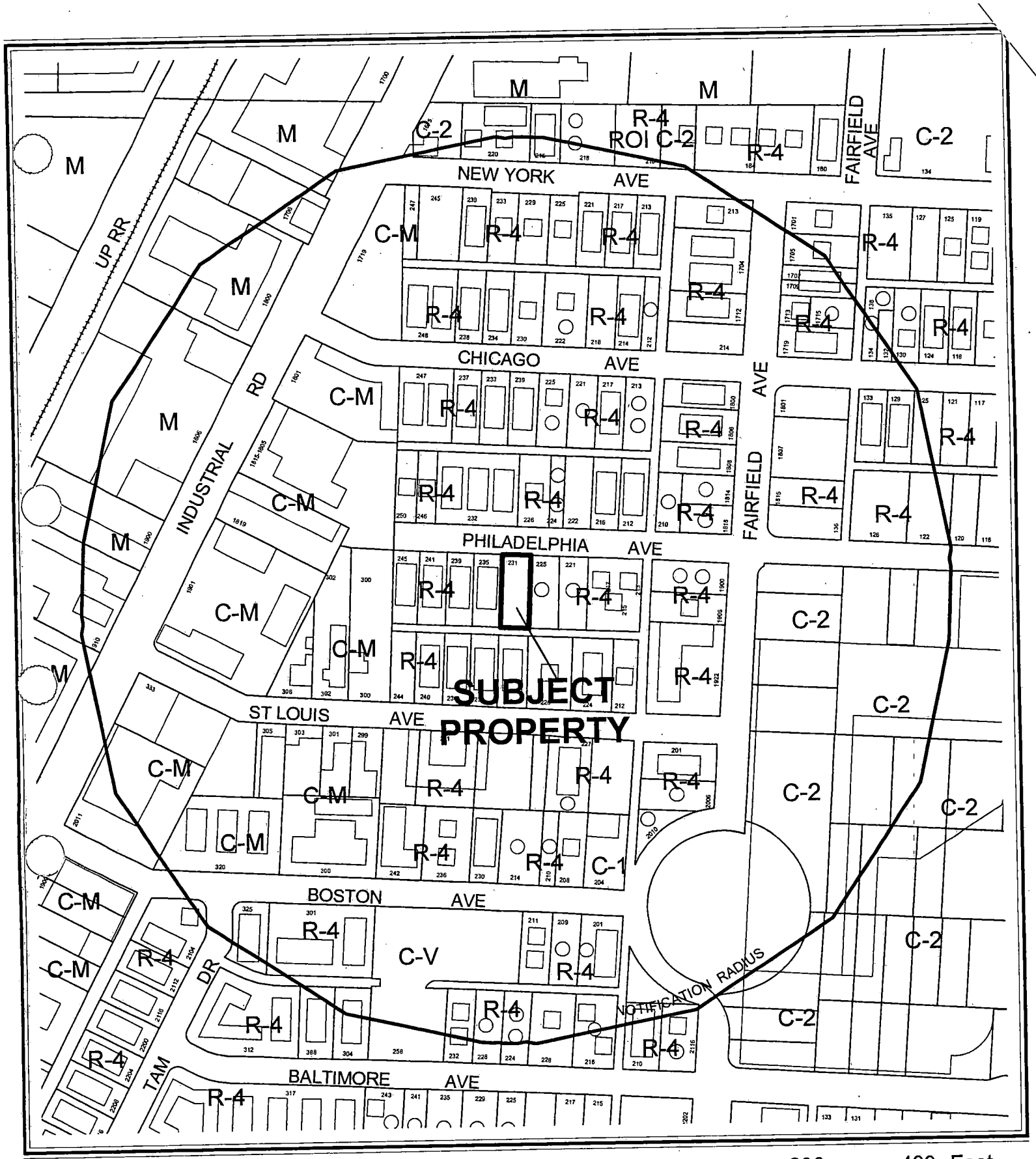
Public Works

12. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

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

14. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

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



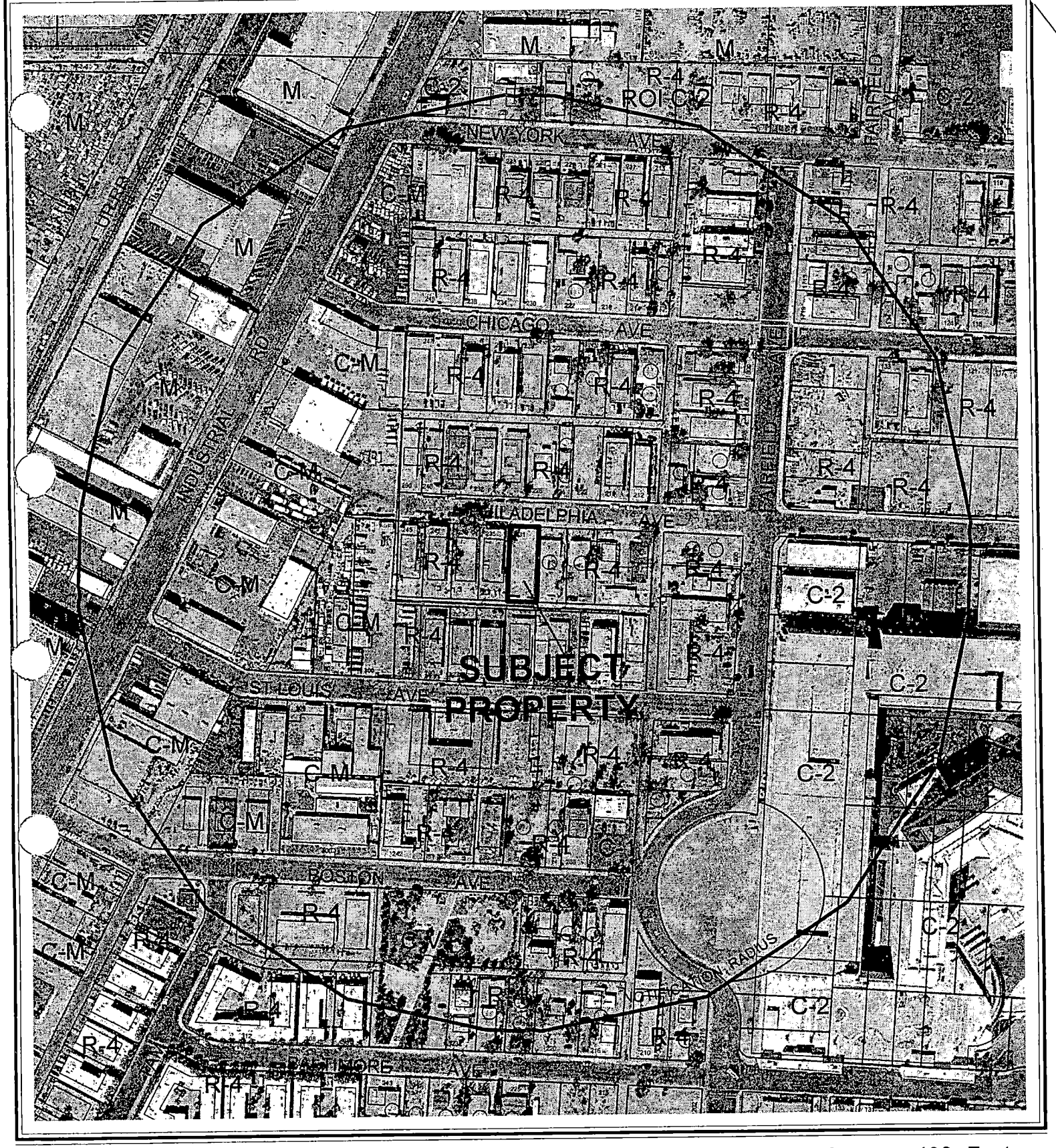
0 200 400 Feet

CASE: **SDR-4454**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **SDR-4454**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4454 - APPLICANT/OWNER: MAKENZIE CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, dated 06/24/04, except as amended by conditions herein.

3. A minimum of one parking space shall be provided for each unit. Parking spaces shall not be located in the front yard setback area.

4. 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 four five-gallon shrubs for each tree within provided planters.

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

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.

7. A waiver from the Downtown Centennial Plan streetscape requirement is hereby approved in order to allow the existing five-foot sidewalk along the curb, with deciduous street trees located in the front yard setback area as shown on the submitted plan.

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

9. 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.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

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

Public Works

12. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

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

14. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and a waiver of the Downtown Centennial Plan streetscape requirements for an eight-unit apartment building on .17 acres at 231 West Philadelphia Avenue.

B) Applicant's Justification

The applicant states that the project is consistent with the existing R-4 residential zoning, and that the project will be an asset to the neighborhood. In addition, the applicant indicates that five parking spaces will be sufficient to serve the project, based on use patterns of the adjacent apartment building and its provision of .5 spaces per unit.

BACKGROUND INFORMATION

A) Previous Actions

No previous applications have been processed for the subject site.

B) Pre-Application Meeting

05/06/04 At the pre-application conference, it was discussed that a minimum of one parking space should be provided for each unit, the need for additional detailing on the façade of the structure, the need for a waiver from the Downtown Centennial Plan Streetscape requirements in order to address the specific conditions of the site, the requirement for screening of mechanical equipment, and the Downtown Centennial Plan requirement for placing utilities underground.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: .18

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multifamily Residential Use
South:	Multifamily Residential Use
East:	Single-Family Residential Use
West:	Multifamily Residential Use

C) Planned Land Use

Subject Property:	MXU (Mixed Use)
North:	MXU (Mixed Use)
South:	MXU (Mixed Use)
East:	MXU (Mixed Use)
West:	MXU (Mixed Use)

D) Existing Zoning

Subject Property:	R-4 (High-Density Residential)
North:	R-4 (High-Density Residential)
South:	R-4 (High-Density Residential)
East:	R-4 (High-Density Residential)
West:	R-4 (High-Density Residential)

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcel MXU (Mixed Use), which permits low-density residential, medium-low density residential, medium-density residential, high density residential, office, service commercial, general commercial, and public facility uses. The proposed residential use is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. The plan indicates that future evaluations will need to be made in order to determine the highest and best land uses for the remainder of the district. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

PROJECT DESCRIPTION

The project entails the development of a two-story apartment building with a total of eight units. All units will have two bedrooms, and range from 650 square feet to 670 square feet. Exterior stairways will be provided at the front and rear of the building, and covered exterior walkways will provide access to each of the units. Five parking spaces will be provided on the site, and will take direct access from the alley behind the property. The front yard area will be landscaped, and will provide open space for the complex. The exterior of the building will surfaced with stucco, with aluminum sliding windows and painted metal railings. The building will have a flat roof with a parapet to conceal roof-mounted mechanical equipment.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	.17 Acres	N/A
Min. Lot Width	N/A	50 Feet	N/A
Min. Setbacks • Front • Side • Rear	 0 Feet N/A N/A	 20 Feet 5 Feet 20 Feet	 Y N/A N/A
Max. Lot Coverage	Up to 100%	54%	Y
Max. Building Height	N/A	21'-6"	N/A
Trash Enclosure	Walled/roofed	(on adjacent property)	N/A

The proposed structure conforms with the setback requirements of the R-4 district, even though setback requirements are not automatically applied in the Downtown Centennial Plan area. The proposed development is consistent with the development standards of the Centennial Plan.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential	8 Units	5	0

The site plan depicts a total of five on-site parking spaces provided behind the building, which results in a ratio of .625 spaces per unit; other comparable projects in the Centennial Plan area have provided a minimum of one space per unit. The applicant has noted that on-street parking is available, that area residents typically rely on public transportation, and that other buildings on the street provide a similar parking ratio.

The Public Works Department has noted that the parking spaces shall have a minimum clearance of 24 feet from the opposite right-of-way line of the public alley in order to allow sufficient area for maneuvering. This may result in the need to relocate the spaces further to the north.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	Required Ratio	Trees	Provided
East/West Street Philadelphia Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	2 Trees	2 Trees
Sidewalk	11' Sidewalk		5' Sidewalk

The Downtown Centennial Plan requires an 11-foot wide sidewalk and five-foot deep amenity zone adjacent to the street; the applicant is proposing to maintain the existing five-foot sidewalk in its existing location adjacent to the street curb, and to locate the required street trees within the front yard setback area in front of the apartment building.

A5) Sign Standards

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

Wall Signs: North Elevation

Standards	Allowed	Provided
Maximum Number	1/Street frontage 1 total	1/Street frontage 1 total
Maximum Area	50 SF/sign	36 SF
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

The square footage of the wall sign proposed for the north elevation of the building conforms with code requirements.

B) General Analysis and Discussion

- Zoning

The property is zoned R-4 (High-Density Residential), which allows the proposed multifamily use. With a total of eight units, the proposed project conforms with the density limitation of 50 units per acre. The project will conform with the setback requirements of the R-4 district and the Downtown Centennial Plan.

- Site Plan

The site plan depicts a landscaped front yard area, with the building located 20 feet behind the front property line, which is consistent with the other apartment buildings located along the street. Stairs and exterior walkways are located along the west side of the building, providing access to the units from the public sidewalk and from the parking area at the rear of the site. Four units are located on each floor; a common laundry area is located in an enclosed room on the ground floor.

Parking is located to the rear of the site, taking direct access from the alley, as do the other multifamily structures. Public Works has noted that the parking area may need to be extended several feet to the north in order to provide sufficient maneuvering room. In addition, the lack of adequate parking for each of the proposed units is an area of concern, and may pose impacts to adjacent properties. While additional spaces could be provided in the front yard setback area, such a provision would be detrimental to the streetscape and would eliminate the only open space provided for the development. While staff is supportive of the project, the provision of less than one space per unit has the potential to impact adjacent properties and may not adequately reflect use patterns of potential residents.

- Waivers

The project will require a waiver from the Downtown Centennial Plan streetscape requirements in order to allow a narrower sidewalk and to locate the street trees in the front yard setback area. The requested waiver is merited, due to the fact that the Centennial Plan streetscape requirement is intended to apply to commercial areas and does not include a separate standard for residential areas, and due to the existing conditions along Philadelphia Avenue. Requiring the applicant to relocate the existing sidewalk would disrupt the pedestrian path and may reduce the on-street parking.

- Landscape Plan

The landscape plan depicts two street trees and shrubs located in the front yard setback area, with shrubs along the west side of the building and at the parking lot area at the rear of the property. A minimum of five shrubs is required for each tree; the landscape plan will need to be revised as such. While additional trees would be preferable at the side and rear of the property, the limited setback and position of the building would not provide sufficient area for the tree canopy. No turf area is proposed for the property.

- Elevation

The exterior of the building will surfaced with stucco, with inset panels at the window locations and channel reveals at the cornice line for relief of the wall plane. The building will be painted a dark beige; a secondary color will be used for the offsets and reveals to further give variety to the appearance of the façade.

- Floor Plan

The apartment building will have four units per level, with access from a covered exterior walkway on the west side of the building. All units will have two bedrooms and one bathroom, and vary between 650 square feet and 670 square feet in area. Adequate light and ventilation will be provided to each unit, as each unit will have exposure on a minimum of two sides.

FINDINGS

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

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

   The proposed structure is consistent with the other apartment buildings and development patterns in the immediate neighborhood.

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

   The proposed development is generally consistent with the General Plan, Title 19, and the Downtown Centennial Plan. A waiver is required to address the proposed streetscape treatment, due to the residential character of the street and configuration of the existing sidewalk. As previously discussed, the number of parking spaces provided is less than the minimum that has been approved for other residential projects in the Downtown Centennial Plan area, and the lack of sufficient parking may impact adjacent properties.

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

The project has been designed with the parking at the rear of the structure, utilizing the existing alley for access as do the adjacent apartment buildings. The density of the project will not significantly impact adjacent roadways or neighborhood traffic.

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

The proposed exterior materials of the building are consistent with other multifamily projects in the area, and the landscape materials are generally considered to be consistent with the desert environment.

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 applicant has provided additional detailing to the façade of the structure in order to accentuate elements of the wall plane and give greater variety to the appearance of the building. The structure will be compatible with other multifamily buildings in the area.

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

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

NOTICES MAILED 98

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4454 APN: 162-04-710-108

Name of Property Owner: Makenzie Corporation

Name of Applicant: Walt A. Walters

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 _____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: Walt A. Walters

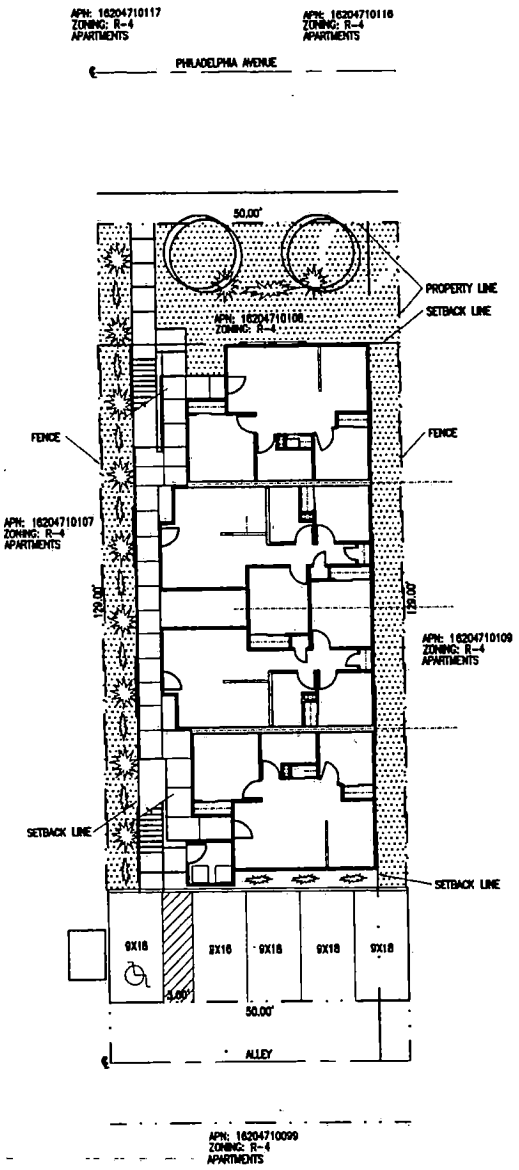
Subscribed and sworn before me

This 7TH day of MAY, 2004

_____

Notary Public in and for said County and State CALIFORNIA

AER1 MICHELLE R. WILLIAMS COMM # 1329006 NOTARY PUBLIC - CALIFORNIA ORANGE COUNTY My Commission Expires Dec. 6, 2005 AER1

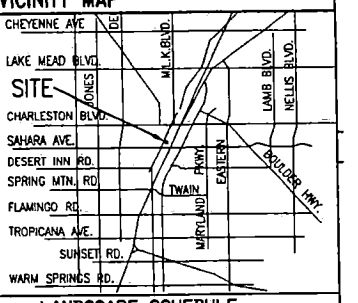


LANDSCAPE AND SCHEMATIC SITE PLAN SC: 1"=10'-0" (5)

KEYNOTES: THIS SHEET ONLY

(00800) ---

VICINITY MAP



LANDSCAPE SCHEDULE

KEY	SYM	COMMON NAME	BOTANICAL NAME	SIZE	NOTES
1		FLOWERING PLUM	PRUNUS CERASIFERA	24" BOX	2
2		PHOTINIA	PHOTINIA FRASER	5 GAL.	11
3		YAM JUNIPER	JUNIPERUS SABINA TAMARISCIFOLIA	5 GAL.	13
4		CRUSHED GRANITE	SEE LANDSCAPE NOTES.		SEE PLAN

LANDSCAPE NOTES

1. ALL PLANTER AREA NOT OTHERWISE NOTED TO HAVE 3" DEEP RUST COLOR GRAVEL OVER BLACK POLYETHYLENE AS GROUND COVER AROUND PLANTS AND SHRUBS. (SIZE 3/4" - 1.1/2" dia.)
2. ALL PLANTING AREAS TO BE PROPERLY PREPARED AND FERTILIZED TO SUSTAIN LIFE AND GROWTH FOR SIX (6) MONTHS AFTER INSTALLATION
3. ALL TREES TO BE STAKED FOR SUPPORT
4. REPAIR OR REPLACE IRRIGATION SYSTEM AS REQUIRED.
5. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMER, WIRING, ETC. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW VIGOROUS PLANT LIFE, HEALTH, AND GROWTH. SUB-CONTRACTOR TO PROVIDE DESIGN LAYOUT FOR ARCHITECTS REVIEW.

PROJECT DATA:

EXISTING ZONING: R-4
REQUIRED ZONING: R-4
SITE:
GROSS AREA: 8191 SF (TO CL OF ALLEY)
NET AREA: 6444 SF

BUILDING AREA:
4 2BR @ 650=2600 SF
4 2BR @ 670=2680 SF
TOTAL = 5280 SF

MAXIMUM OCCUPANCY: (PER IBC)
RESIDENTIAL 200 SF / OCCUPANT
TOTAL = 26 OCCUPANTS

SETBACKS:
FRONT 20'
SIDE 5'
REAR 20'

FLOOR AREA RATIO
8 UNITS @ 5280 SF = 660 SF/UNIT
DENSITY = 42.5 UNITS PER ACRE

BLDG. HT.:
MAX. ALLOWED 2 STORIES/35'
DESIGN 25<35'

PARKING:
8 2 BR. UNITS @1 3/4=14
2 GUEST: 2
PARKING REQUIRED: 16 STALLS
PARKING PROVIDED: 5 STALLS

LANDSCAPE AREA:
1934 SF 30% OF SITE

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architecture/engineering/site planning/interior design
GARY GUY WILSON AIA ARCHITECTS, PC
1520 South Industrial Road, Suite #100
Las Vegas, Nevada 89119
(702)876-0568
professional corp / certified n.c.e.r.s.

CONSULTANTS:
CIVIL: ...
STRUCT'L: ...
ELEC: ...
MECH: ...

PHILADELPHIA APTS.
231 PHILADELPHIA
LAS VEGAS, NEVADA
APN: MAP DELOSSANTOS
FOR: VAST VENTURES, INC.

PROJ.NO.	12490408.00
PROJ.ARCH.	G.G.WILSON,AIA
PROJ.MGR	GGW
JOB CAPT	SSM
TECH'N	SSM
ARCH.CHK	GGW
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PH-4	
PH-5	

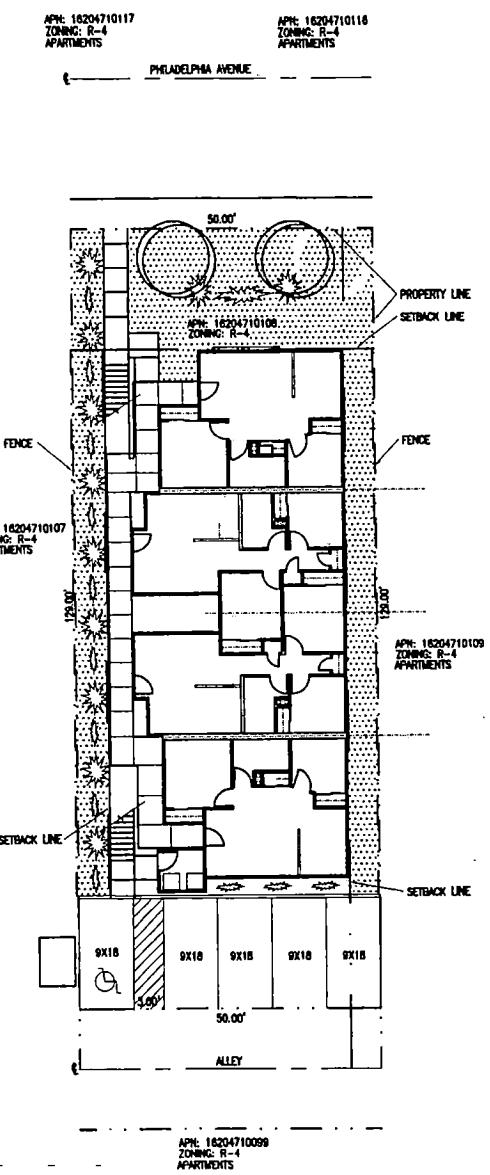
REVISIONS
1

PRINTS REQUIRE ARCHITECT'S SEAL & SIGN FOR PROOF OF VALIDITY

LANDSCAPE AND SCHEMATIC SITE PLAN

SHT.NO. D1.1

SDR-4454
6-24-04 PC

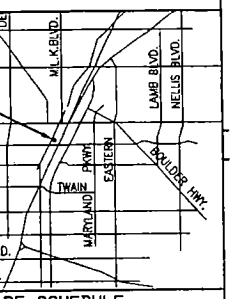


LANDSCAPE AND SCHEMATIC SITE PLAN SC: 1"=10'-0" (5)

KEYNOTES: THIS SHEET ONLY

(00000) ---

VICINITY MAP



LANDSCAPE SCHEDULE

KEY	SYM	COMMON NAME	BOTANICAL NAME	SIZE	NOTES
1	◯	FLOWERING PLUM	PRUNUS CERASIFERA	24" BOX	2
2	✲	PHOTINIA	PHOTINIA FRASER	5 GAL	11
3	⇦⇨	TAN JUNIPER	JUNIPERUS SABINA TAMARISCIFOLIA	5 GAL	13
4	■	CRUSHED GRANITE	SEE LANDSCAPE NOTES		SEE PLAN

LANDSCAPE NOTES

1. ALL PLANTER AREA NOT OTHERWISE NOTED TO HAVE 3" DEEP RUST COLOR GRAVEL OVER BLACK POLYETHYLENE AS GROUND COVER AROUND PLANTS AND SHRUBS. (SIZE 3/4" - 1.1/2" dia.)
2. ALL PLANTING AREAS TO BE PROPERLY PREPARED AND FERTILIZED TO SUSTAIN LIFE AND GROWTH FOR SIX (6) MONTHS AFTER INSTALLATION
3. ALL TREES TO BE STAKED FOR SUPPORT
4. REPAIR OR REPLACE IRRIGATION SYSTEM AS REQUIRED.
5. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMER, WIRING, ETC. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW VIGOROUS PLANT LIFE, HEALTH, AND GROWTH. SUB-CONTRACTOR TO PROVIDE DESIGN LAYOUT FOR ARCHITECTS REVIEW.

PROJECT DATA:

EXISTING ZONING: R-4
REQUIRED ZONING: R-4
SITE:
GROSS AREA: 8191 SF (TO CL OF ALLEY)
NET AREA: 6444 SF
BUILDING AREA:
4 2BR @ 650=2600 SF
4 2BR @ 670=2680 SF
TOTAL = 5280 SF
MAXIMUM OCCUPANCY: (PER IBC)
RESIDENTIAL 200 SF / OCCUPANT
TOTAL = 26 OCCUPANTS
SETBACKS:
FRONT 20'
SIDE 5'
REAR 20'
FLOOR AREA RATIO
8 UNITS @ 5280 SF = 650 SF/UNIT
DENSITY = 42.5 UNITS PER ACRE
BLDG. HT.:
MAX. ALLOWED 2 STORIES/35'
DESIGN 25<35'
PARKING:
8 2 BR. UNITS @1 3/4=14
2 GUEST: 2
PARKING REQUIRED: 16 STALLS
PARKING PROVIDED: 5 STALLS
LANDSCAPE AREA:
1934 SF 30% OF SITE

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architecture/engineering/site planning/interior design
GARY GUY WILSON AIA ARCHITECTS, PC
7925 South Rainbow Blvd. Suite 100
Las Vegas, Nevada 89139
(702)876-0668
(professional corp. / certified arch.)

CONSULTANTS:
CIVIL: ...
STRUCTL: ...
ELEC: ...
MECH: ...

PHILADELPHIA APTS.
@ 231 PHILADELPHIA
MR. MATT DOLOSSANTOS
FOR: VAST VENTURES, INC.
LAS VEGAS, NEVADA

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PH-4	
PH-5	

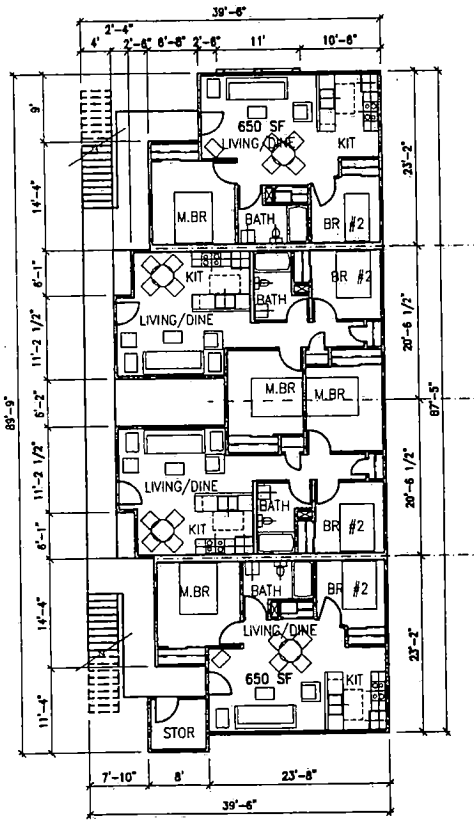
REVISIONS
1

PRINTS REQUIRE ARCHITECT'S SEAL & SIGN FOR PROOF OF VALIDITY

LANDSCAPE AND SCHEMATIC SITE PLAN

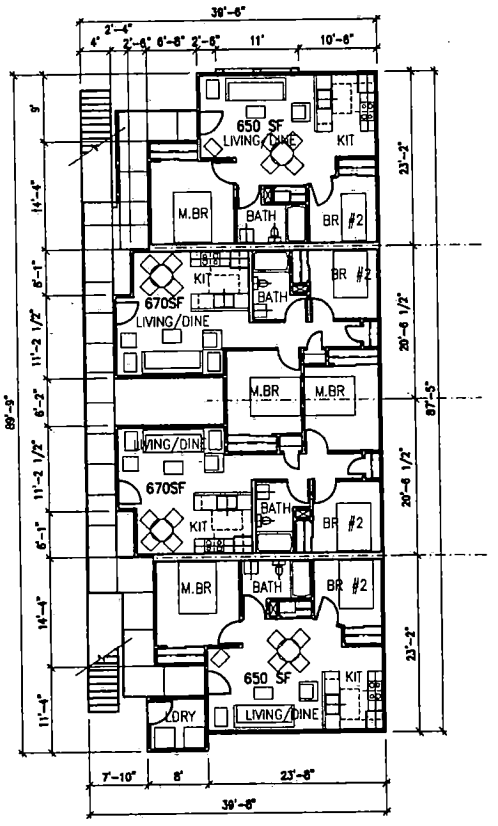
SHT.NO. D1.1

SDR-4454
6-24-04 PC



SEE SITE PLAN FOR MAX. OCCUPANCY

2NO FLOOR PLAN | SC: 1/8"=1'-0" | 13



SEE SITE PLAN FOR MAX. OCCUPANCY

1ST FLOOR PLAN | SC: 1/8"=1'-0" | 5

KEYNOTES: THIS SHEET ONLY

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GARY GUY WILSON AIA ARCHITECTS, PC
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Las Vegas, Nevada 89139
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PH-5	

REVISIONS

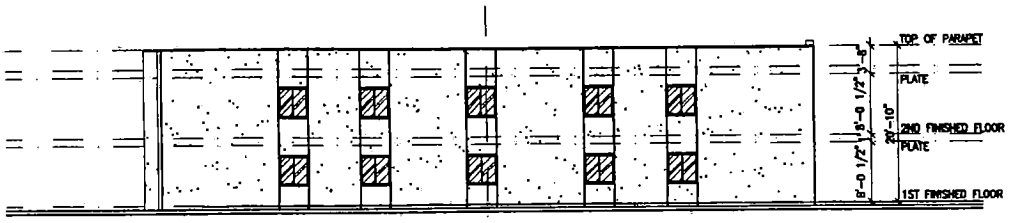
PRINTS REQUIRE ARCHITECT'S SEAL & SIGNATURE FOR PROOF OF VALIDITY

FLOOR PLANS

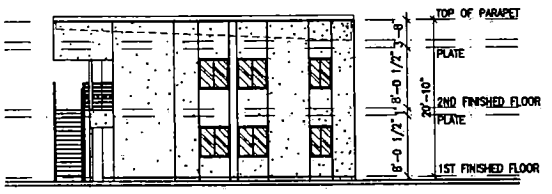
SHT.NO. 02.1

SDR-4454
6-24-04 PC

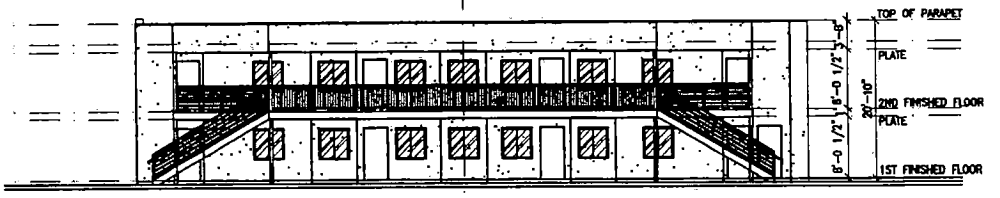
KEYNOTES: THIS SHEET ONLY



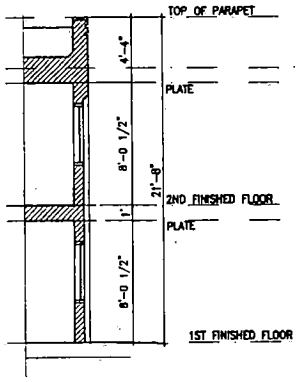
EAST ELEVATION SC: 1/8"=1'-0" (8)



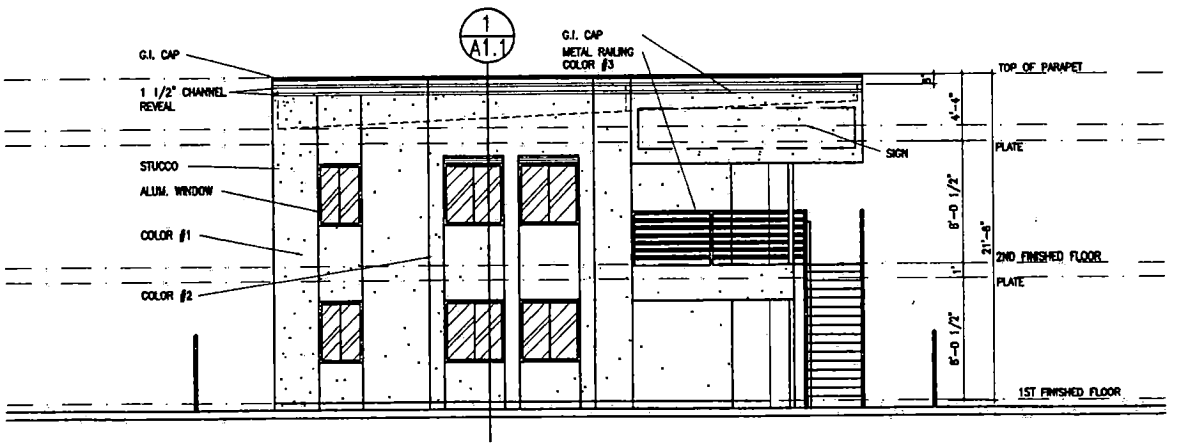
SOUTH ELEVATION SC: 1/8"=1'-0" (15)



WEST ELEVATION SC: 1/8"=1'-0" (3)



SECTION SC: 1/4"=1'-0" (17)



NORTH ELEVATION SC: 1/4"=1'-0" (1)

SDR-4454
6-24-04 PC

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GARY GUY WILSON AIA ARCHITECTS, PC
planning/interior design
architecture/engineering/site
7625 South Industrial Road, Suite #100
Las Vegas, Nevada 89139
(702)876-0688
professional corp / certified a.s.e.i.

CONSULTANTS:
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STRUCTL:
ELEC: ...
MECH:

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@ 231 PHILADELPHIA
MR. MATT DELOSSANTOS
FOR: VAST VENTURES, INC.
LAS VEGAS, NEVADA

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JOB CAPT	SSM
TECH'N	SSM
ARCH.CHK	GGW
PH-2/3	11 MAY 04
PH-4	
PH-5	

REVISIONS

PRINTS REQUIRE ARCHITECT'S SEAL & SIGN FOR PROOF OF VALIDITY

EXTERIOR ELEVATIONS

SHT.NO. D3.1

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - TEXT AMENDMENT - TXT-4429 - PUBLIC HEARING - CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19.04.040 to allow the keeping of two horses on residential lots with a minimum net area of 18,000 square feet.

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 has NO RECOMMENDATION.

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

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

This item will be forwarded to City Council in Ordinance Form.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the Code currently allows horses on lots zoned as RA and RE that have a minimum square footage of 20,000. This application is proposing to allow the keeping of two horses on residential lots with a minimum net area of 18,000 square feet. Staff felt that this application is substantial because there are rural lifestyles that needs to be maintained in this City.

COMMISSIONER EVANS recalled this item was previously held in abeyance and CHAIRMAN TRUESDELL'S concern for what affect this application would have on existing developed areas. MARGO WHEELER, Planning and Development, clarified for COMMISSIONER McSWAIN that staff surveyed areas south of Cheyenne Avenue and found that there were only four RD lots. So, there are very few lots that would be affected by this application.

MINUTES – Continued:

CHAIRMAN TRUESDELL pointed out that the Ordinance included R1 lots, which was an error. This application would only pertain to RD lots.

COMMISSIONER McSWAIN expressed her concern for communities within the same development that have smaller lots on one side and larger lots on the other side and what impact this may have for those residents who would not expect this situation to ever occur in their community. She suggested adding verbiage in the Ordinance that would address other issues, such as the size of the community and the number of lots within a subdivision. MS. WHEELER replied that a majority of the projects staff reviews are RPD, which gives the Commission the opportunity to place any conditions or restrictions on these applications that they may deem necessary. DEPUTY CITY ATTORNEY BRYAN SCOTT added that most of the subdivisions have homeowner's associations, where the keeping of horses would not be allowed.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:31– 9:37)

CONDITIONS:

1. Title 19.04.040 shall be amended as follows:

   HORSE CORRAL OR STABLE (PRIVATE) [U, R-A, R-E, R-D, R-1]

   Add a new base condition number 5 to read as follows:

5. In the R-D and R-1 districts, no more than two horses may be stabled on lots with a minimum net lot size of 18,500 square feet. All setback standards of conditions 1 through 3 shall be met.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - TXT-4429 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **NO RECOMMENDATION.** If Approved, subject to the following conditions:

1. Title 19.04.040 shall be amended as follows:

HORSE CORRAL OR STABLE (PRIVATE) [U, R-A, R-E, R-D

Add a new base condition number 5 to read as follows:

5. In the R-D district, no more than two horses may be stabled on lots with a minimum net lot size of 18,000 square feet. All setback standards of conditions 1 through 3 shall be met.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.04.040 of the Las Vegas Zoning Code. This amendment would permit the establishment of a private horse corral or stable in any residential zoning district as long as the minimum net lot size is 18,000 square feet. This request is to amend Title 19 as follows:

The current Code language allows a private horse corral or stable in the U (Undeveloped), R-A (Ranch Acres) and R-E (Residence Estates) zoning districts as a Conditional Use. There are four conditions applicants must meet:

1. Stables or corrals shall be placed at least 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.

2. Structures shall be placed at least five feet from any side or rear property line abutting a residential zoning district.

3. Barns and other structures shall conform to the standards for accessory buildings.

4. No more than three horses may be stabled for each one-half acre of land included in the building site.

ANALYSIS

All of the zoning districts where private horse corrals or stables are allowed as a conditional use require a minimum net lot size of 20,000 square feet. As more property is converted for residential uses on smaller lots, the opportunities for residents to keep private, non-commercial horse corrals and stables are rapidly diminishing.

Recently, there have been instances where properties were proposed for to R-D (Single-Family Residence-Restricted) on over-sized 18,000 square foot lots. This is ample room to keep two horses on the site and meet the four base conditions of approval. Yet, the Code did not have the flexibility to permit it. Approval of this proposed text amendment would provide this flexibility and maintain the overall health and public welfare of City residents, while providing opportunities to perpetuate a long-standing tradition of rural lifestyles in the Northwest area of the City, in particular.

An important aspect of this amendment is acknowledgement that any R-PD (Residential Planned Development) district rezoning may allow horses as a condition of approval. This is due to the fact that there are no set code standards for R-PD developments; each such rezoning requires a site development plan review, with specific standards and conditions imposed for each individual development.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
TEXT AMENDMENT - PUBLIC HEARING - TXT-4588 - CITY OF LAS VEGAS - Discussion and possible action to amend the Town Center Development Standards to allow Banks/Financial Institutions (With Drive-Through) in the UC-TC [Urban Center Mixed-Use (Town Center)] District and to add Auto Dealer Inventory Storage to the list of permitted uses.

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 - Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:
NIGRO – APPROVED subject to conditions and deleting the "*Auto Dealer Inventory Storage*" heading on Condition 3.2 – Motion carried with EVANS voting No

NOTE: An initial motion by STEINMAN for approval with amended condition failed with TRUESDELL, GOYNES, McSWAIN and EVANS voting No.

This item will be forwarded to City Council in Ordinance Form.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Planning and Development, stated that this application is a request to amend the Town Center Development Standards to allow banks/financial institutions with drive-throughs in the Urban Center Mixed-Use Town Center area to add Auto Dealer Inventory Storage to the list of permitted uses.

MINUTES – Continued:

COMMISSIONER STEINMAN expressed a concern about lighting issues relative to the proposed project and adjoining financial institutions that have drive-through areas. He questioned there may be a potential issue with the financial institutions that have drive-through ATM areas, which are over lit due to security reasons. MS. WHEELER replied that lighting is addressed in Condition 3; however, this particular concern could be addressed in this Condition.

CHAIRMAN TRUESDELL expressed his concern for allowing the Auto Dealer Storage as a permitted use. There have been many issues along Sahara and Decatur, where the property owners do not abide by the standards for these storage lots. He opposed to using Town Center land for vehicle storage. DAVID CLAPSADDLE, Planning and Development, concurred with MS. WHEELER that any applications of such would still require a Special Use Permit, which would be a Public Hearing. In addition, the Commission would still have the discretion to deny the application if it is not compatible. CHAIRMAN TRUESDELL referenced Jean/Sloan, Nevada as an area that has lots with vehicles fenced in and lacking landscaping.

COMMISSIONER McSWAIN commented that the issue here is not so much compatibility, but more so what is being used on these vacant portions. In reviewing Special Use Permits, MR. CLAPSADDLE replied that compatibility is a factor, in addition to, reviewing the project to see if it is a proper land use for that particular site. MR. CLAPSADDLE responded to CHAIRMAN TRUESDELL and stated that without a standard in the Code, it is easier for applications such as this to be approved; however, having standards in the Code would assist in preventing this from happening.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:37– 9:45)

3-830

CONDITIONS:

Planning and Development

1. The Permitted Uses Matrix, as contained in Section B(2) of the Town Center Development Standards Manual, is hereby amended as follows:

CONDITIONS – Continued:

COMMERCIAL USES	General Commercial T-C	Service Commercial T-C	Urban Cntr. Mixed Use T-C	Suburban Mixed Use T-C	Main St. Mixed Use T-C	Employ. Cntr. Mixed Use T-C	Low Density T-C	Med-Low Density	Med-Low Attached	Medium Density T-C	Public Facilities T-C
Auto Dealer Inventory Storage	**S**					**S**					
Auto Title Loan	**S**	**S**									
Financial Institution, Specified	**S**	**S**									
~~Banks~~/Financial Institutions, **General** (without Drive-Through)	P	P	P	P	P	P					
~~Banks~~/Financial Institutions, **General** (with Drive-Through)	P	P	**C**	P		P					

2. Section B(3-B), "Conditions," of the Town Center Development Standards Manual, is hereby amended to include the following:

4) Financial Institution, General with Drive-Through

a. The principal building shall be located at the front setback line in accordance with the applicable setback requirements, with the drive-through facility located to the side or the rear of the principal building.

b. The drive-through facility shall be screened by the principal building or landscaping from the adjacent rights-of-way. Decorative walls, landscaped berms, continuous vegetation or any combination thereof shall be utilized to screen the facility from view. The screening shall have a minimum height of three feet above finished grade at the rear of the setback area.

c. The drive-through facility shall not be located within 330 feet of any single-family detached dwelling.

(All following conditions shall be renumbered accordingly)

3. Section B(4-B), "Minimum Requirements," of the Town Center Development Standards Manual, is hereby amended to include the following:

a. All areas used for the parking or storage of vehicles shall be paved.

CONDITIONS – Continued:

b. The inventory storage area shall be screened from abutting properties and adjacent rights-of-way by a decorative screen wall. The wall shall have a minimum height of six feet, and shall be constructed in accordance with Chapter D, Section 2, subsection A of these standards. In addition to the screen wall, landscape buffers shall be provided at the perimeter of the inventory storage area in accordance with LVMC 19.12.

c. Parking lot landscaping within the inventory storage area shall be provided in accordance with Chapter D, Section 2, subsection B(7) of these standards.

d. Lighting shall be shielded from adjacent properties.

e. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of required parking for other uses. For purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in LVMC 19.10.

f. The use shall not be located within 330 feet of any single-family detached dwelling.

(The requirements that follow shall be renumbered accordingly)

7) Auto Title Loan

a. Auto Title Loan businesses shall comply with the requirements as described in LVMC 19.04.050 and any subsequent amendments.

(The requirements that follow shall be renumbered accordingly)

21) Financial Institution, Specified

a. Financial Institutions, Specified shall comply with the requirements as described in LVMC 19.04.050 and any subsequent amendments.

(The requirements that follow shall be renumbered accordingly)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-4588 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

1. The Permitted Uses Matrix, as contained in Section B(2) of the Town Center Development Standards Manual, is hereby amended as follows:

COMMERCIAL USES	General Commercial T-C	Service Commercial T-C	Urban Cntr. Mixed Use T-C	Suburban Mixed Use T-C	Main St. Mixed Use T-C	Employ Cntr. Mixed Use T-C	Low Density T-C	Med-Low Density	Med-Low Attached	Medium Density T-C	Public Facilities T-C
Auto Dealer Inventory Storage	S					S					
Auto Title Loan	S	S									
Financial Institution, Specified	S	S									
~~Banks~~/Financial Institutions, **General** (without Drive-Through)	P	P	P	P	P	P					
~~Banks~~/Financial Institutions, **General** (with Drive-Through)	P	P	C	P		P					

2. Section B(3-B), "Conditions," of the Town Center Development Standards Manual, is hereby amended to include the following:

4) Financial Institution, General with Drive-Through

a. The principal building shall be located at the front setback line in accordance with the applicable setback requirements, with the drive-through facility located to the side or the rear of the principal building.

b. The drive-through facility shall be screened by the principal building or landscaping from the adjacent rights-of-way. Decorative walls, landscaped berms, continuous vegetation or any combination thereof shall be utilized to screen the facility from view. The screening shall have a minimum height of three feet above finished grade at the rear of the setback area.

c. The drive-through facility shall not be located within 330 feet of any single-family detached dwelling.

(All following conditions shall be renumbered accordingly)

3. Section B(4-B), "Minimum Requirements," of the Town Center Development Standards Manual, is hereby amended to include the following:

2) Auto Dealer Inventory Storage

a. All areas used for the parking or storage of vehicles shall be paved.

b. The inventory storage area shall be screened from abutting properties and adjacent rights-of-way by a decorative screen wall. The wall shall have a minimum height of six feet, and shall be constructed in accordance with Chapter D, Section 2, subsection A of these standards. In addition to the screen wall, landscape buffers shall be provided at the perimeter of the inventory storage area in accordance with LVMC 19.12.

c. Parking lot landscaping within the inventory storage area shall be provided in accordance with Chapter D, Section 2, subsection B(7) of these standards.

d. Lighting shall be shielded from adjacent properties.

e. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of required parking for other uses. For purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in LVMC 19.10.

f. The use shall not be located within 330 feet of any single-family detached dwelling.

(The requirements that follow shall be renumbered accordingly)

7) Auto Title Loan

a. Auto Title Loan businesses shall comply with the requirements as described in LVMC 19.04.050 and any subsequent amendments.

(The requirements that follow shall be renumbered accordingly)

21) Financial Institution, Specified

a. Financial Institutions, Specified shall comply with the requirements as described in LVMC 19.04.050 and any subsequent amendments.

(The requirements that follow shall be renumber accordingly)

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend the following portions of the Town Center Development Standards Manual:

1) The Permitted Uses Matrix, as contained in Section B(2);
2) Section B(3-B), "Conditions;" and
3) Section B(4-B), "Minimum Requirements."

The proposed amendments would allow Financial Institutions, General (With Drive-Through) in the UC-TC [Urban Center Mixed-Use (Town Center)] District; allow Auto Title Loan businesses and Financial Institutions, Specified, in the GC-TC [General Commercial (Town Center)] and SC-TC [Service Commercial (Town Center)] Districts; and allow Auto Dealer Inventory Storage in the GC-TC [General Commercial (Town Center)] District.

BACKGROUND INFORMATION

Banks with drive-through facilities are not currently permitted in the UC-TC [Urban Center Mixed-Use (Town Center)] District; the necessity of allowing drive-through facilities requires that specific standards be added in order to protect the goals and objectives of the Town Center Design Standards. The Town Center Development Standards Manual does not specifically list Financial Institutions, Specified or Auto Title Loan businesses in the list of permitted uses; staff has had to process Special Use Permit applications for such businesses based on comparable zoning requirements listed in Title 19. Finally, Auto Dealer Inventory Storage will be added to the list of permitted uses in order to clarify standards and establish the approval process.

ANALYSIS

Financial Institutions, General
Banks without drive-through facilities are currently a permitted use in the UC-TC [Urban Center Mixed-Use (Town Center)] District; as all recent applications for banks have required drive-through facilities, staff has been requested to amend the Town Center Standards in order to permit drive-throughs in the UC-TC district.

The proposed amendment would allow drive-through facilities in the UC-TC upon Conditional Use Approval. In order to preserve the pedestrian orientation of the UC-TC District, the conditions of approval require that the bank building be located at the front yard setback, with access from the public sidewalk. The drive-through facilities would be required to be located to the side or the rear of the bank building, so that the auto-oriented functions remain at the back of the site. In order to screen the drive through facilities from the public rights-of-way, continuous landscaping, a low wall, or a landscaped berm are required. These additional design standards will only apply to the UC-TC District, and not the other Town Center districts where drive-through facilities are a permitted use.

Financial Institutions, Specified/Auto Title Loan

The proposed amendment would allow Financial Institutions, Specified and Auto Title Loan businesses in the GC-TC and SC-TC Districts upon approval of a Special Use Permit application. Currently, the uses are not specifically listed in the Town Center Development Standards Manual, and staff has had to make administrative determinations relative to locations and requirements for approval. For purposes of consistency, the requirements for Special Use Permit approval will reference Title 19.04.050, utilizing the same standards that are applied elsewhere in the city. This includes the recently-adopted distance separation requirements, which will assist in providing maintaining the goals and objectives of the Town Center Standards.

Auto Dealer Inventory Storage

The Town Center Development Standards Manual does not currently address storage for auto dealerships. In order to prevent confusion in administering regulations, the proposal will formally allow Auto Dealer Inventory Storage in the GC-TC District upon approval of a Special Use Permit. In order to properly screen the use from adjacent properties and rights-of-way, specific buffering standards will be required, such as the provision of a perimeter screen wall and landscape islands within the storage area.

FINDINGS

Please note the following findings:

1) The proposed uses will only be permitted in Town Center districts that are appropriate for the uses;

2) Design and location restrictions will be in place in order to preserve the high standards intended for the Town Center area;

3) The proposed amendments provide for consistency between Title 19 and the Town Center Development Standards Manual; and

4) The proposed amendments will assist City staff, the Planning Commission, and City Council in administering zoning issues in the City of Las Vegas.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

FF

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JUNE 24, 2004

CITIZENS PARTICIPATION:

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

MINUTES:

CHAIRMAN TRUESDELL stated due to recent events, this meeting was his last one as Chairman of the Planning Commission. He thanked staff and members of the Council for all their support over the past several years as he served on this Commission. He introduced his wife (Trish) and his two daughters (Melissa and Stacey), who were present at the meeting. In addition, he thanked BOB GENZER for his long-term friendship and hopes to work with him in the future.

MARGO WHEELER, Planning and Development, thanked CHAIRMAN TRUESDELL for his service on the Commission.

VICE CHAIRMAN NIGRO, along with COMMISSIONERS GOYNES, EVANS, and McSWAIN, thanked CHAIRMAN TRUESDELL for his committed service while on this Commission, as he will be missed.

COMMISSIONER GOYNES was impressed with his family values and genuine friendship. He commended CHAIRMAN TRUESDELL on a job well done.

COMMISSIONER McSWAIN added that the community was able to tap into a resource, such as the Chairman has been for the community and the Commission. She learned much from CHAIRMAN TRUESDELL and admired his diligence and attention to issues.

VICE CHAIRMAN NIGRO stated this City has been a better place because of the time CHAIRMAN TRUESDELL has volunteered in his position as Chairman and then recently running for public office.

(9:45– 9:48)

MEETING ADJOURNED AT 9:48 P.M.

City of Las Vegas

PLANNING COMMISSION MEETING OF JUNE 24, 2004
Planning and Development Department
Citizens Participation

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK