

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4372 - APPLICANTS/OWNERS: RONALD & CHRISTINE REYNOLDS AND MATTHEW CALLISTER - Request for a Site Development Plan Review and a Reduction in the amount of perimeter landscaping and buffering FOR A PROPOSED 40,000 SQUARE-FOOT PROFESSIONAL OFFICE BUILDING on 0.32 acres located at 823 South Las Vegas Boulevard (APN: 139-34-410-249 & 172), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

SEAN COULTER, Wells Pugsley Architects, 2480 East Tompkins Avenue, Suite 222, appeared on behalf of the applicant and explained it is a proposed forty thousand square foot office building with the second and third floors being rentable space and the fourth floor being office space. Some minor modifications were made to the design after submittal such as relocation of the trash enclosure to the alley and the addition of a loading zone. The loading zone addition required the loss of one parking space resulting in a total of 32 spaces. MAYOR GOODMAN confirmed with MR. COULTER that the existing building would be demolished and pointed out that this project will go in on a downtown block that is being completely redeveloped.

COUNCILMAN WEEKLY stated the project would be a great addition to the downtown area and he thanked MR. COULTER for his presentation and for the very nice project rendering his office received.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 116 – SDR-4372

MINUTES Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:42 – 2:46)

4-2590

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 05/12/04, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the provision of a loading zone.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

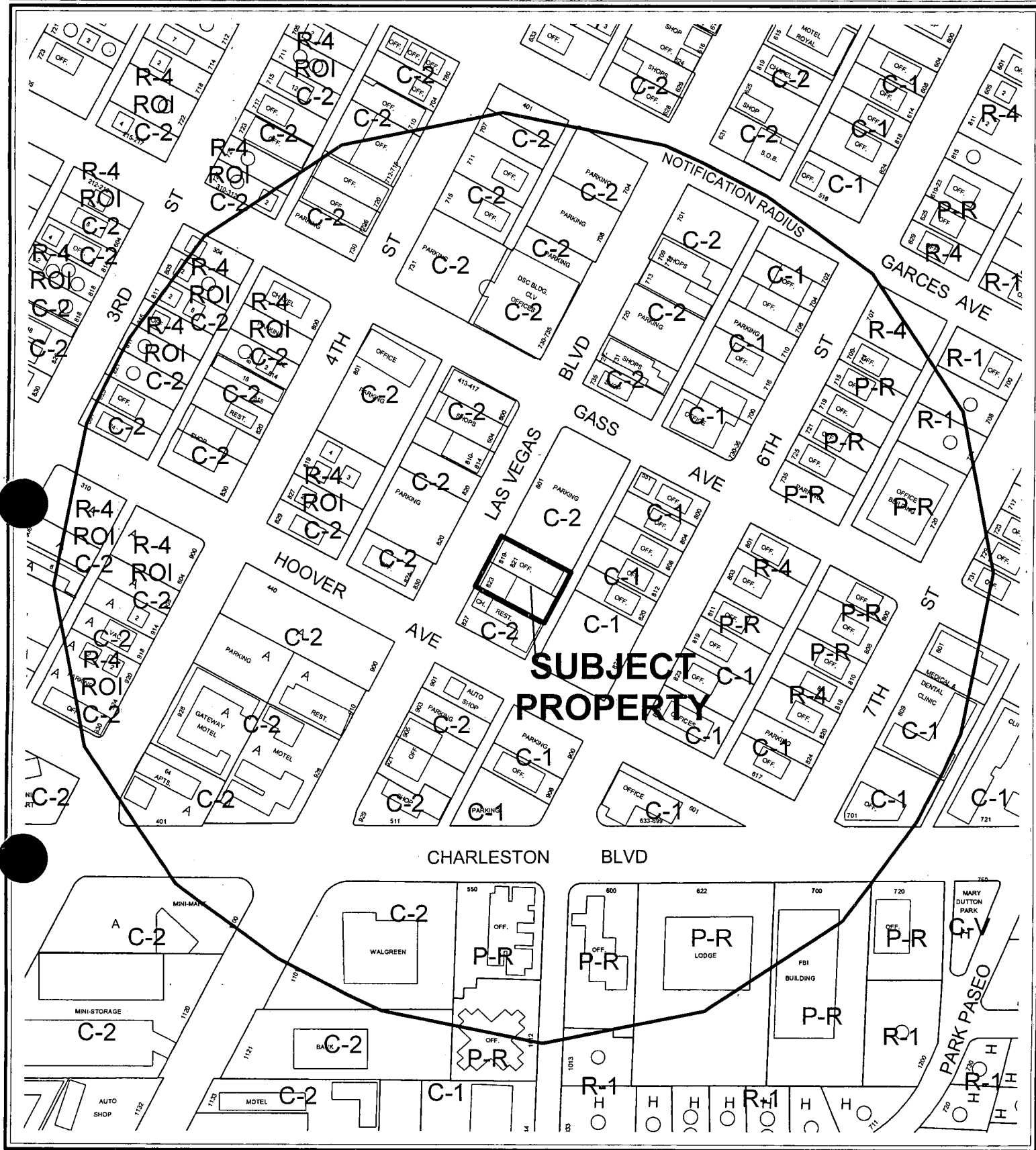
CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 116 – SDR-4372

CONDITIONS Continued:

9. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting 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. 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.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

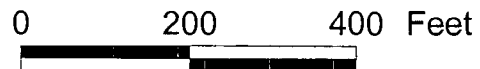
13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.
14. Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard adjacent to this site prior to the issuance of any permits.
15. Remove all substandard public street improvements 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.
16. The access gates and appurtenant hardware in either the opened or closed position shall not intrude into the public right-of-way.
17. 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.
18. Landscape and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.
19. Submit an Encroachment Agreement for all private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.



CASE: SDR-4372

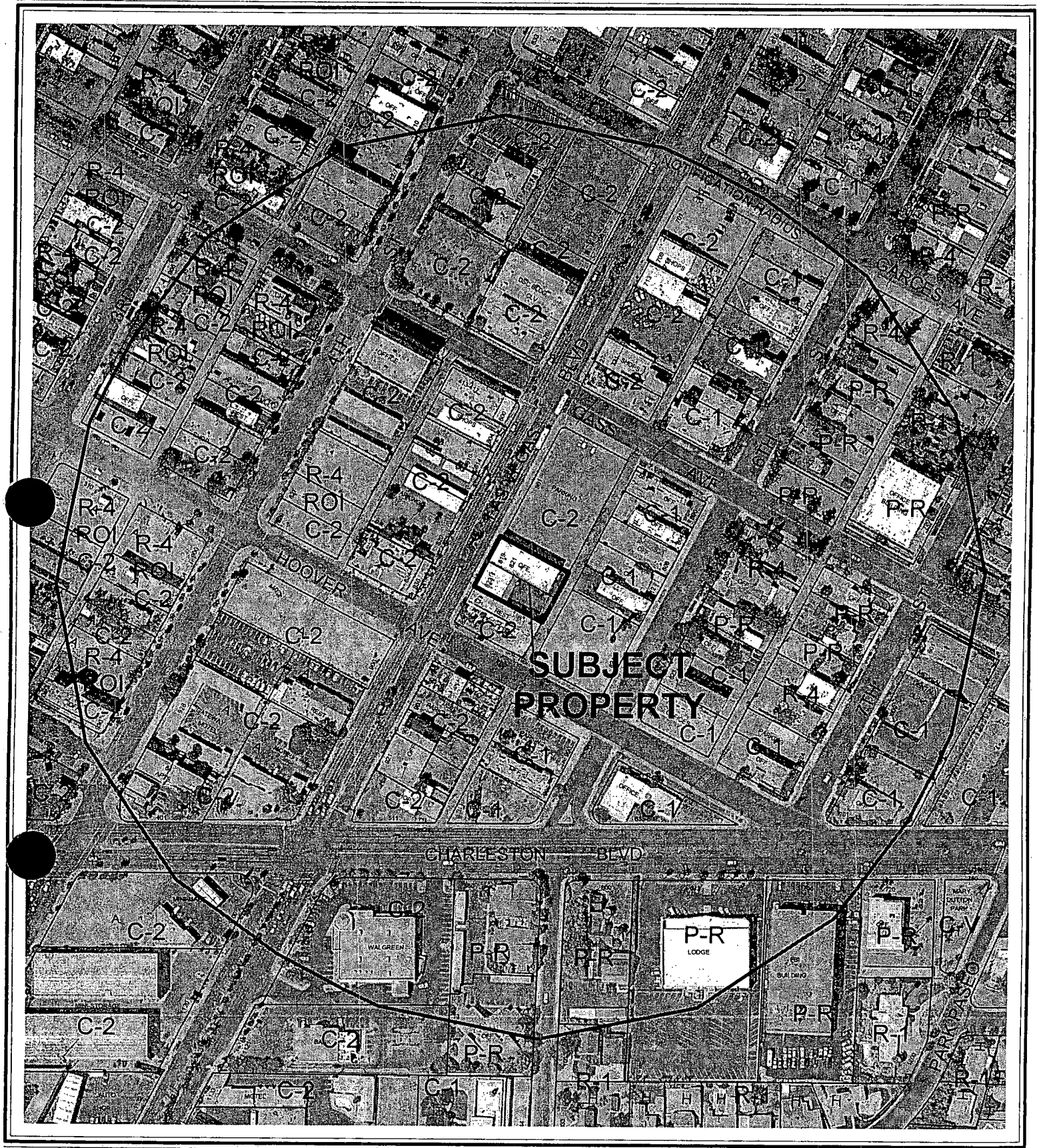
RADIUS: 750 FT

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



116





CASE: **SDR-4372**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4372 - APPLICANTS/OWNERS: RONALD & CHRISTINE REYNOLDS AND MATTHEW CALLISTER

**** CONDITIONS ****

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

Planning and Development

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15. Remove all substandard public street improvements 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.
16. The access gates and appurtenant hardware in either the opened or closed position shall not intrude into the public right-of-way.
17. 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.
18. Landscape and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.
19. Submit an Encroachment Agreement for all private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Site Development Plan Review for a proposed 40,000 square foot, four-story office building with enclosed parking on the main level, on 0.32 acres at 823 South Las Vegas Boulevard.

B) *Applicant's Justification*

The applicant has justified this request by stating that this project, which will replace an existing one-story office building on the site, supports the city's objective for high-density land use in the urban core, and that landscaping in the form of palm trees along Las Vegas Boulevard will meet the city's streetscape plans for this corridor.

BACKGROUND INFORMATION

A) *Previous Actions*

There is no recent case history associated with this site.

06/10/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #52/gl).

B) *Pre-Application Meeting*

04/14/04 At the meeting, the applicant was advised of the need to request waivers of buffering and landscaping requirements, of the need for a parking analysis and to include landscaping and streetscape details on the site plan.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.32

B) Existing Land Use

Subject Property: Office building
 North: Mixed-use residential/commercial project (under construction)
 South: Wedding chapel/restaurant
 East: Office building and undeveloped land
 West: Office building

C) Planned Land Use

Subject Property: MXU (Mixed Use) Las Vegas Redevelopment Plan
 North: MXU (Mixed Use) Las Vegas Redevelopment Plan
 South: MXU (Mixed Use) Las Vegas Redevelopment Plan
 East: MXU (Mixed Use) Las Vegas Redevelopment Plan
 West: MXU (Mixed Use) Las Vegas Redevelopment Plan

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a MXU (Mixed Use) land use designation. The Mixed Use designation allows the following comparable land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial), and PF (Public Facilities). The proposed use is in compliance with the land use designation.

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

The subject parcel is located within the boundaries of the Downtown South Planning District of the Downtown Centennial Plan, as well as within the Downtown Overlay District as noted in Title 19.06.060, and is subject to the design standards listed in the plan. The proposed redevelopment of the site is consistent with "a wide variety of land uses and density of existing utilitarian buildings and multi-family structures ripe for rehabilitation" as described in the Downtown Centennial Plan.

PROJECT DESCRIPTION

The project will consist of a four-story office building with the main floor used for 33 parking spaces, 24 of which are under the building. Each of the three floor plates is 10,000 square feet in area. Parking will be accessed from the alley to the rear of the site, with the principal entrance to the building from Las Vegas Boulevard.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	105 Feet	Y
Min. Setbacks			
• Front	20 Feet	5 Feet	N
• Side	10 Feet	5 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	28.5 Feet	Y
Max. Lot Coverage	50 %	71%	N
Max. Building Height	none	4 stories, 68.3 Feet	N/A
Trash Enclosure	Walled, gated, roofed	Y	Y
Loading Zone	Y	Not indicated	N
Mech. Equipment	Screened from view	Y	Y

The project meets all standards of the Code other than those for which a request was made for a waiver of commercial design standards, except for the provision of a loading zone. The deficiencies in setbacks and lot coverage are addressed in Title 19.08.045, Table 3, note 5, which exempts lands within the Downtown Overlay District from the automatic application of these standards. A condition of approval will address the loading zone issue.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.A.3, Residential Adjacency Standards do not apply to the subject proposal as the site is located within the Downtown Overlay District and the Las Vegas Redevelopment Area.

A3) Parking and Traffic Standards

Pursuant to Title 19.06.060, Parking Standards do not apply to the subject proposal, as the site is located within the Downtown Overlay District. The applicant is proposing 33 parking spaces on-site, however, with two of those being handicap spaces and six being compact spaces.

A4) Landscape and Open Space Standards

Pursuant to Title 19.06.060, standard Landscaping Standards do not apply to the subject proposal, as the site is located within the Downtown Overlay District. The applicant is proposing four 25-foot tall palms along Las Vegas Boulevard in keeping with the approved and established streetscape design along the Boulevard.

A5) Sign Standards

Signage proposed on the site consists of fascia lettering near the roof of the central atrium of the building facing Las Vegas Boulevard and storefront wall signage. This signage meets Code standards for the C-2 (General Commercial) zoning district and is in keeping with the intent of the Downtown Centennial Plan.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-2 (General Commercial). The proposed site plan complies with the requirements of the C-2 (General Commercial) zoning district.

- Site Plan

The proposed site plan is in conformance with standards of the Code, other than those that are allowed to be waived under the provisions of Title 19, as listed below.

There is no on-site landscaping that will be provided as part of this project. The site plan indicate the location of off-site landscaping, which consists of landscaping improvements in the form of 25-foot palm trees along Las Vegas Boulevard that meet the standards of the Downtown Centennial Plan.

- Waivers

The deficiencies in setbacks and lot coverage are addressed in Title 19.08.045, Table 3, note 5, which exempts lands within the Downtown Overlay District from the automatic application of these standards. Title 19.06.060 exempts the application from the parking and landscaping provisions of the Code, other than the landscaping required along Las Vegas Boulevard, and Title 19.08.060.A.3 exempts the site from the Residential Adjacency Standards of the Code.

- Elevation

The elevations depict a four-story building with E.I.F.S. panels and pilasters punctuated by unrated hollow metal windows on the east and west (side) elevations. The facades facing the street and the alley will be dominated by storefront window systems punctuated by E.I.F.S. pilasters on the upper floors, with a painted metal parapet cap and with a curtain wall pop-out in the central face of the structure. The ground floor will have a 65% open metal mesh to the street front, to allow for ventilation to the main-floor parking 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 will represent a replacement of the one-story existing office development with a four-story development of approximately 40,000 square feet. This project is in scale and compatible with the mixed-use project immediately to the north and the two-story office immediately across Las Vegas Boulevard, and is in keeping with the scale of development that can be expected to occur in a General Commercial area within the Downtown Plan.

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

This application is consistent with the General Plan and other City policies and guidelines, given that Title 19 grants relief from parking, landscaping, setback and residential adjacency requirements.

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

The project will have the same access as the current one-story building on the site, which will be demolished to allow for this development, which is from the alley to the rear and east of the site. This alley provides access to Hoover and Gass Streets (60-foot local streets) at each end of the block, which is one-half block from Las Vegas Boulevard, which is designated as a Primary (90-foot) Arterial on the Master Plan of Streets and Highways. This access is sufficient to provide for access to the proposed development.

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

The building materials for the proposed development will be compatible with the area. The only landscaping materials that are proposed as part of this development are 25-foot tall palm trees that will be installed along Las Vegas Boulevard in conjunction with streetscape improvements as part of this application, in accordance with the city's approved landscaping proposals for the Las Vegas Boulevard corridor.

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 four-story office development with ground floor parking is in scale with existing and surrounding development. The building materials will be complementary and harmonious with surrounding development.

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

The proposed use will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 101 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-4372

139-34-410-249

Case Number:

APN:139-34-410-172

Name of Property Owner: Ronald & Christine Reynolds & Matthew Callister

Name of Applicant: Ronald & Christine Reynolds & Matthew Callister

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

_____ Yes

 ~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

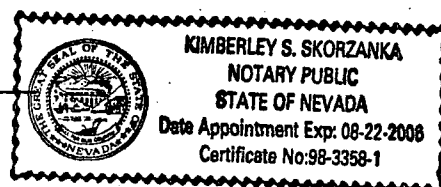
Signature of Property Owner/Authorized Agent:

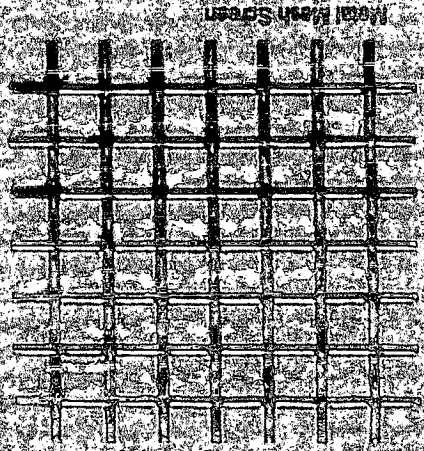
Print Name:

Subscribed and sworn before me

This 20th day of April, 2004

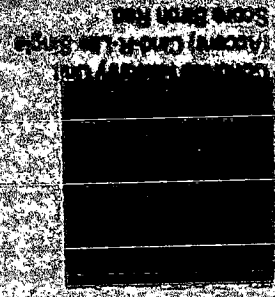
Notary Public in and for said County and State



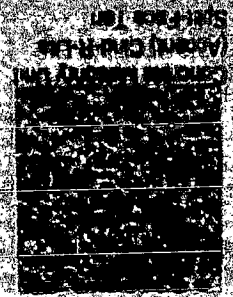


Metal Mesh Screen

Steward-Gilchrist
Lobby Owens Ford
Non-Reflective Blue-Green
Tint Floor Glass



Concrete Honey Comb
(Accent) Concrete Honey Comb
Concrete Honey Comb



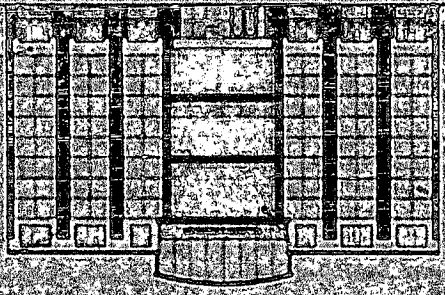
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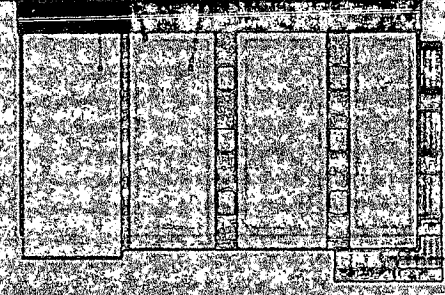
Concrete Honey Comb
(Field) Concrete Honey Comb
Concrete Honey Comb



Stair Tower Panels
Metallic Damask
Silver

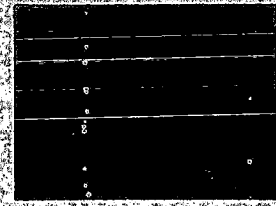


Northwest Elevation

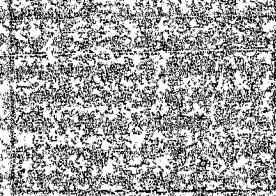


Southwest Elevation

STAFF



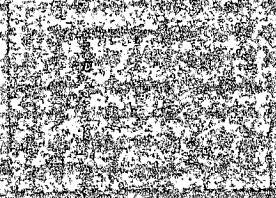
Column Accent Colors
Dunn Edwards Grove Pink DE
918 (A)



GFRG Panels (Field)
Dunn Edwards Barley SP 179



GFRG Panels (Barrel)
Dunn Edwards Honey Comb DE
997



Concrete Natural Finish
Concrete

SDR-4372

6-10-04 PC

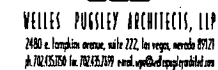
EXTERIOR
FINISHES

GAULSTER AND REYNOLDS
LAW OFFICE
823 SOUTH LAS VEGAS BLVD
LAS VEGAS, NV

[-1]



W.L. & ASSOCIATES
1000 WEST 10TH AVENUE
SUITE 1000 DENVER, CO 80202
303.733.1111



/STAMP:

REVISIONS:

PROJECT NAME:
**CALLISTER AND REYNOLDS
LAW OFFICE**
823 SOUTH LAS VEGAS BLVD.
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0405

SHEET TITLE:
**FLOOR
PLAN**

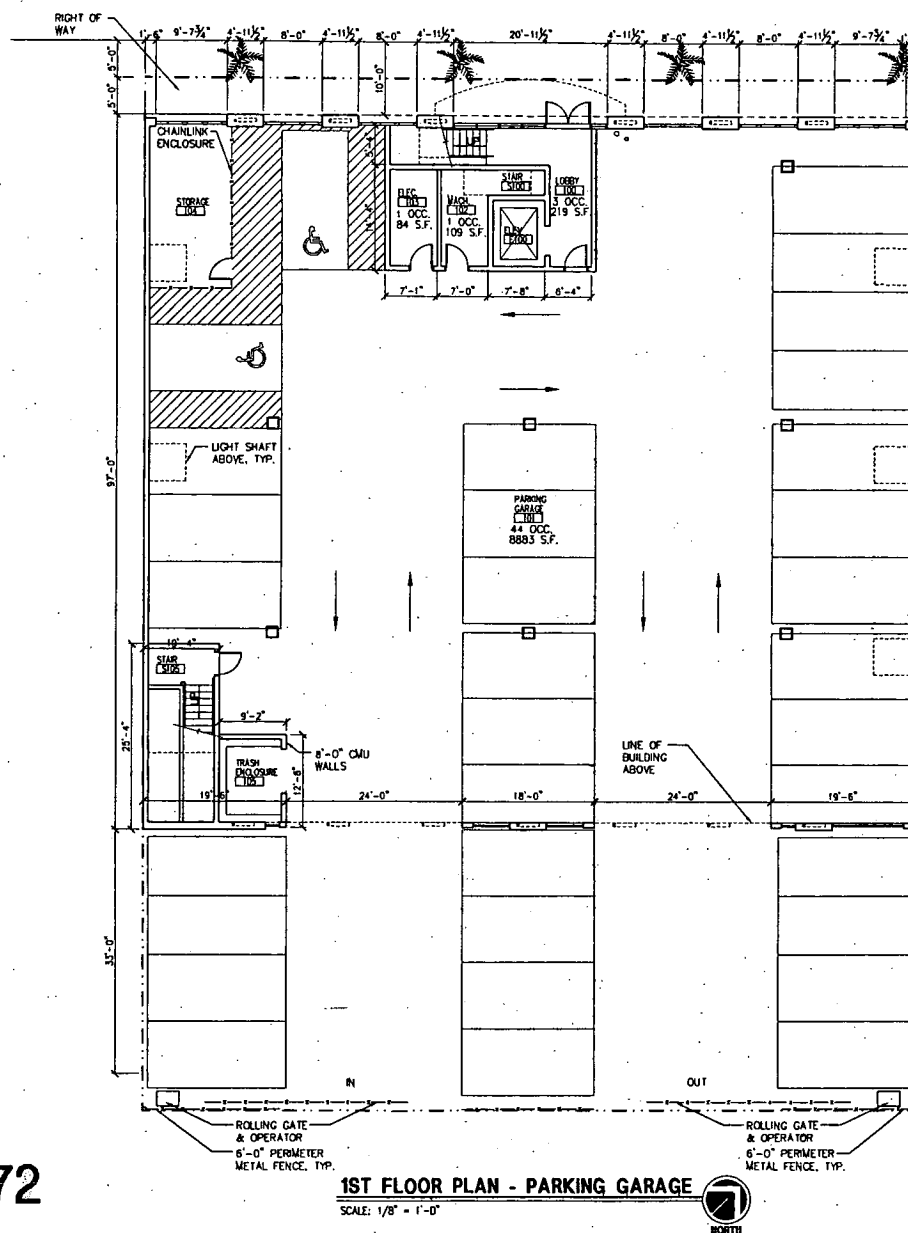
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DATE:
APRIL 21, 2004

SUBMITTAL:
SCHEMATIC
SHEET NUMBER:

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SDR-4372

6-10-04 PC



WELLES PUCKLEY ARCHITECTS, LLP
2400 E. Tropicana Avenue, Suite 222, Las Vegas, Nevada 89119
A PROFESSIONAL CORPORATION

STAMP

REVISIONS

PROJECT NAME

CALLISTER AND REYNOLDS
LAW OFFICE
823 SOUTH LAS VEGAS BLVD.
LAS VEGAS, NEVADA

PROJECT NUMBER:
WFO-105

SHEET TITLE:
FLOOR PLANS

DRAWN BY:
AT

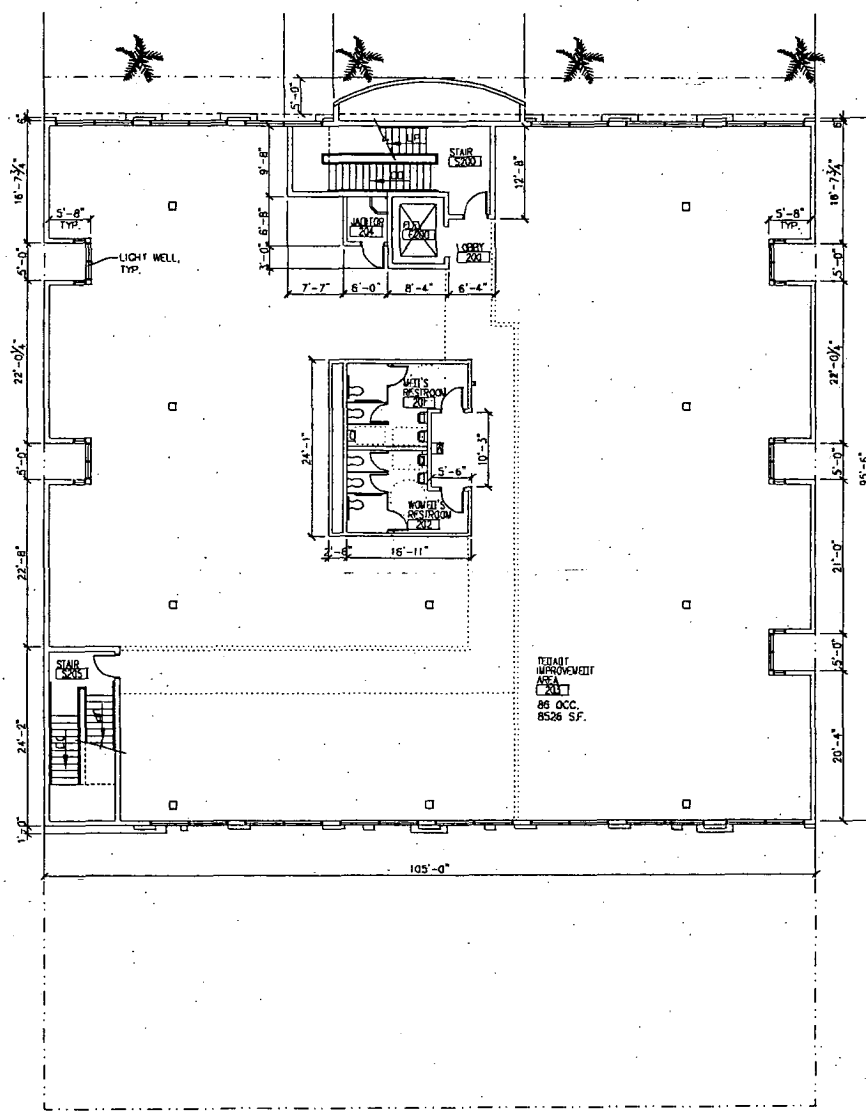
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DATE:
APRIL 27, 2001

SUBMITTAL:
DESIGN REVIEW

SHEET NUMBER:

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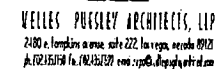
SDR-4372

6-10-04 PC

2nd FLOOR PLAN - OFFICE AREA

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





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REVIEWS

— 1990 OCT 01 AMF.

PROJECT NAME: **CALLISTER AND REYNOLDS**
 OFFICE: **ALL OFFICE**

**LAW OFFICE
823 SOUTH LAS VEGAS BLVD.
LAS VEGAS, NEVADA**

PROJECT NUMBER:
WP-0405

SHEET TITLE:
**FLOOR
PLANS**

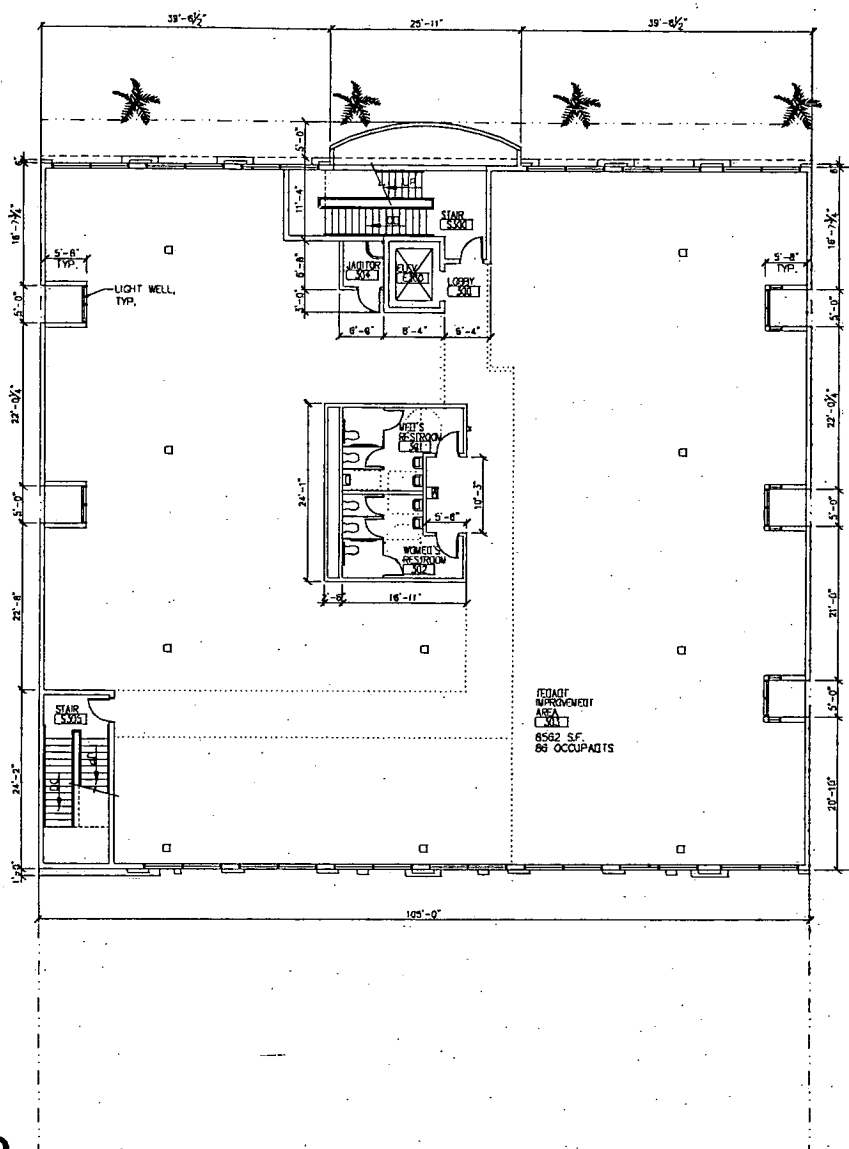
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DATE:
APRIL 27, 2004

SUBMITTAL:
DESIGN REVIEW
SHEET DUMPER

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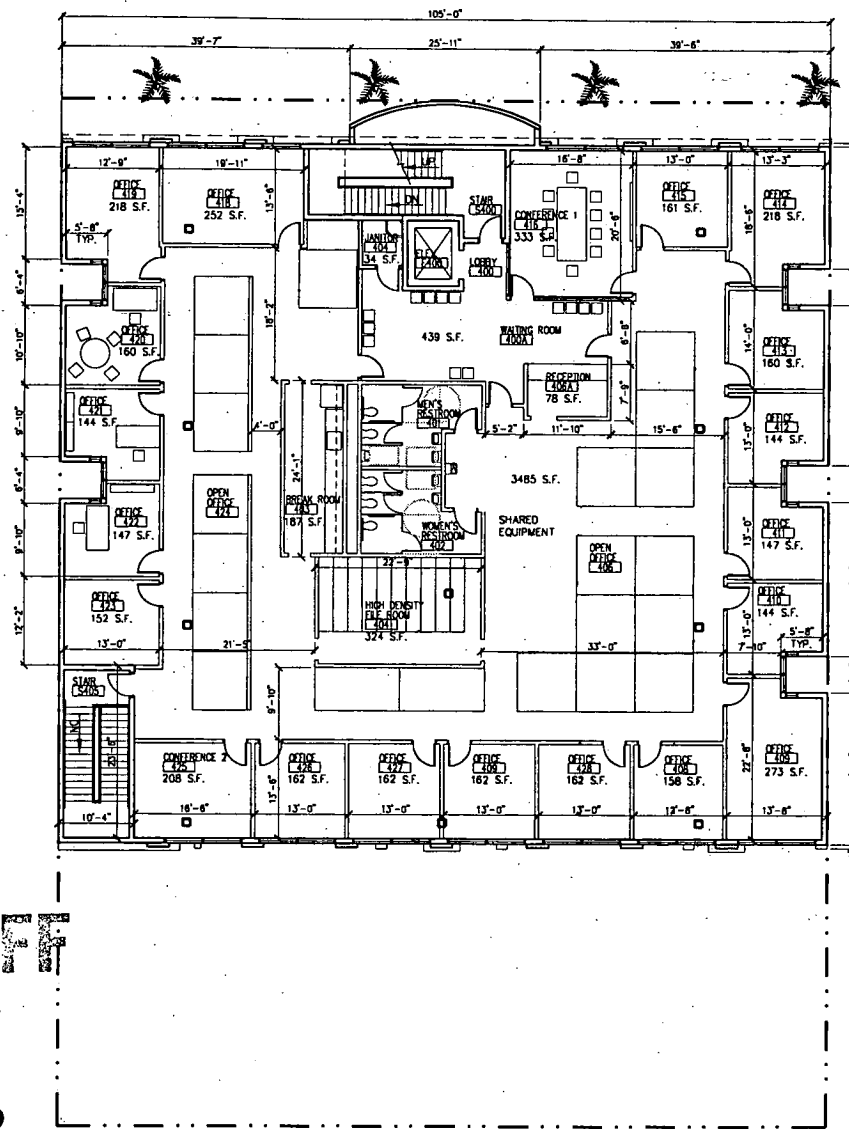
SDR-4372

6-10-04 PC

3RD FLOOR PLAN - OFFICE AREA

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





STAFF

SDR-4372

6-10-04 PC

4TH FLOOR PLAN - OFFICE AREA

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



WELLES PUGSLEY ARCHITECTS, LLP
2400 E. Harmon Avenue, Suite 222, Las Vegas, Nevada 89127
P: 702.651.1828 F: 702.651.1899 E: wellies@welliespugsley.com

STAMP:

REVISIONS:

OCCUPANT LOAD ANALYSIS
8,306 S.F. = TOTAL AREA
84 OCCUPANTS

PROJECT NAME:
**CALLISTER AND REYNOLDS
LAW OFFICE**
823 SOUTH LAS VEGAS BLVD.
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0405

SHEET TITLE:
**FLOOR
PLANS**

DRAWN BY:
AI

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DATE:
APRIL 27, 2004

SUBMITTAL:
DESIGN REVIEW

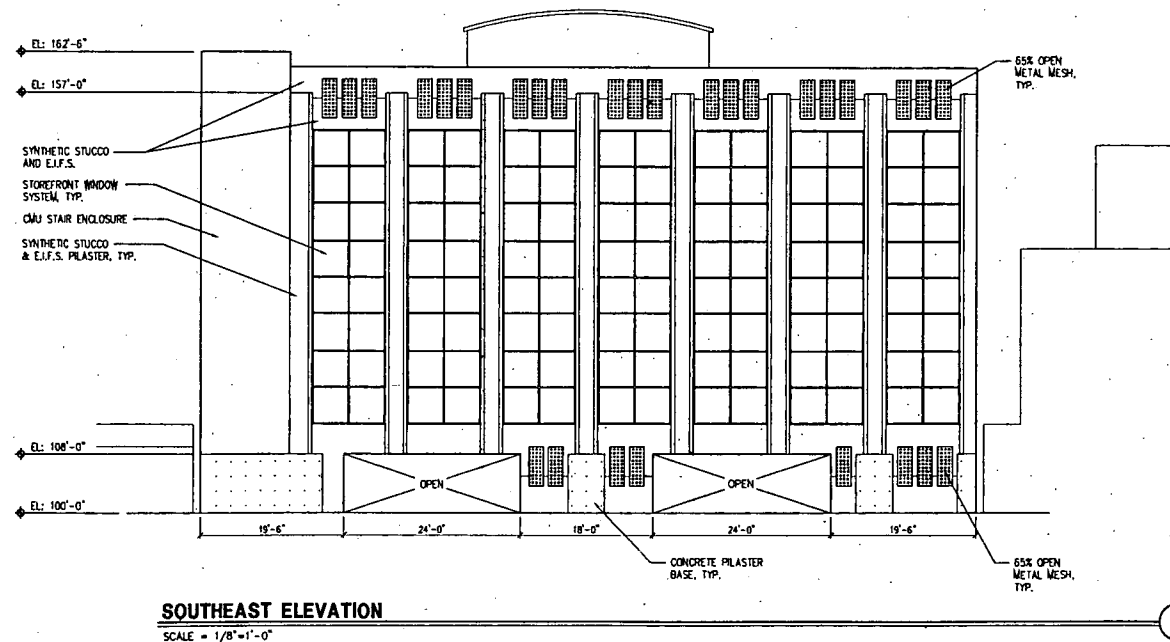
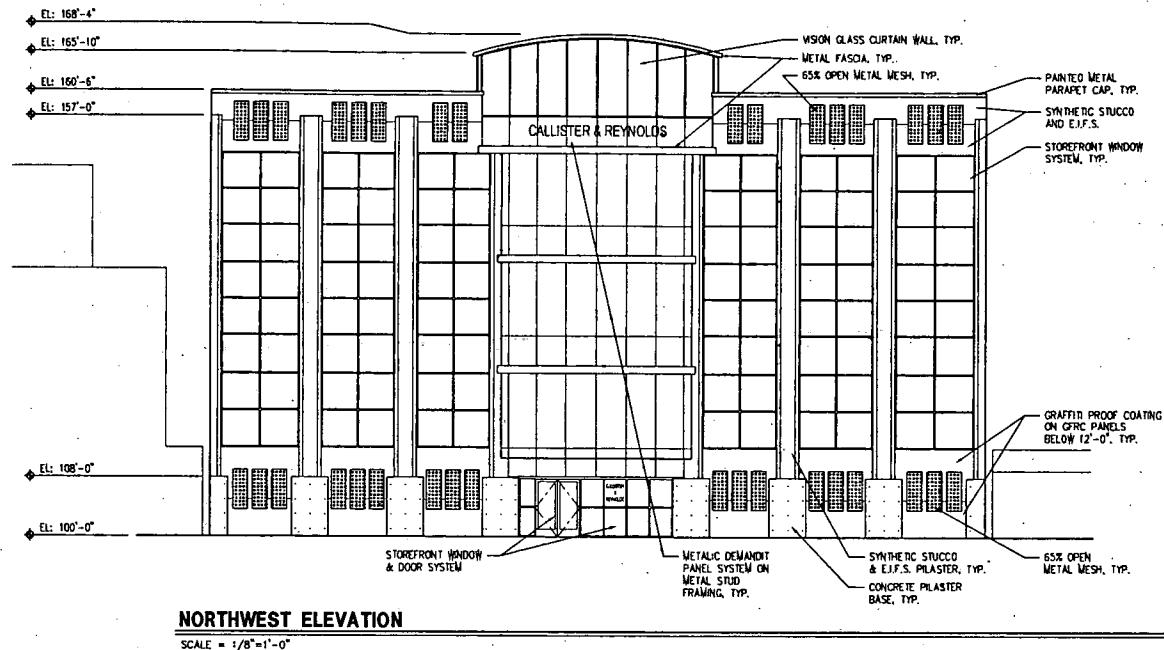
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SDR-4372

6-10-04 PC



WELLES
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STAMP:

REVISIONS

PROJECT NAME:
**CALLISTER AND REYNOLDS
LAW OFFICE**
823 SOUTH LAS VEGAS BLVD.
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0405

SHEET TITLE:
ELEVATIONS

DRAWN BY:
ml

CHECKED BY:
φ

DATE:
APRIL 21, 2004

SUBMITTAL:
SCHEMATIC
SHEET NUMBER:

A6.01



WELLES PUSSLEY ARCHITECTS, LLP
2400 E. Hampton Avenue, Suite 222, Las Vegas, Nevada 89121
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STAMP:

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LAS VEGAS, NEVADA

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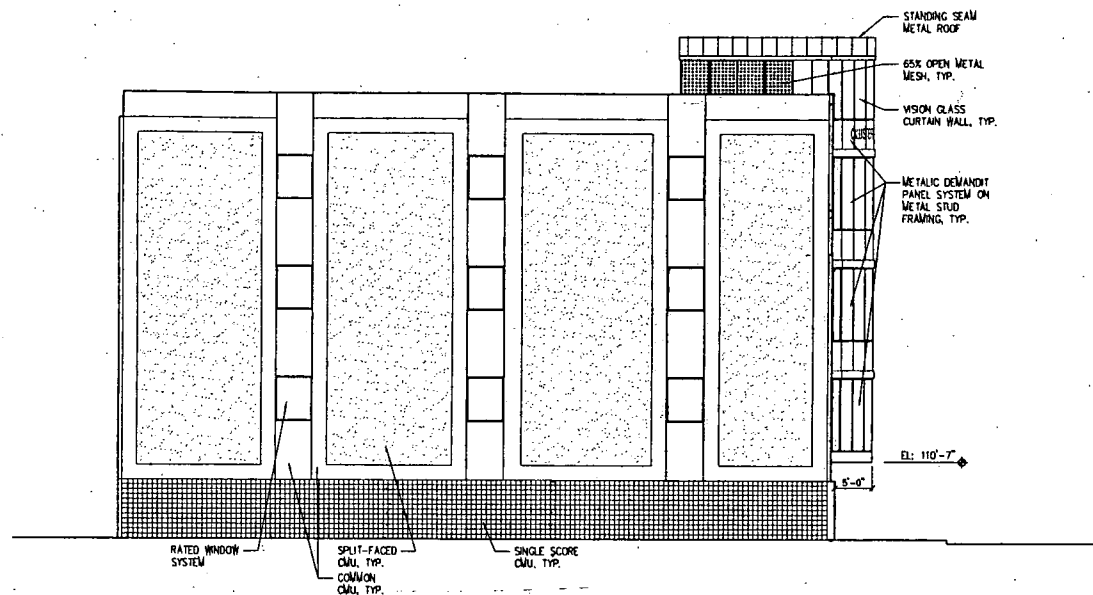
DRAWN BY:
AJ

CHECKED BY:
CP

DATE:
APRIL 21, 2004

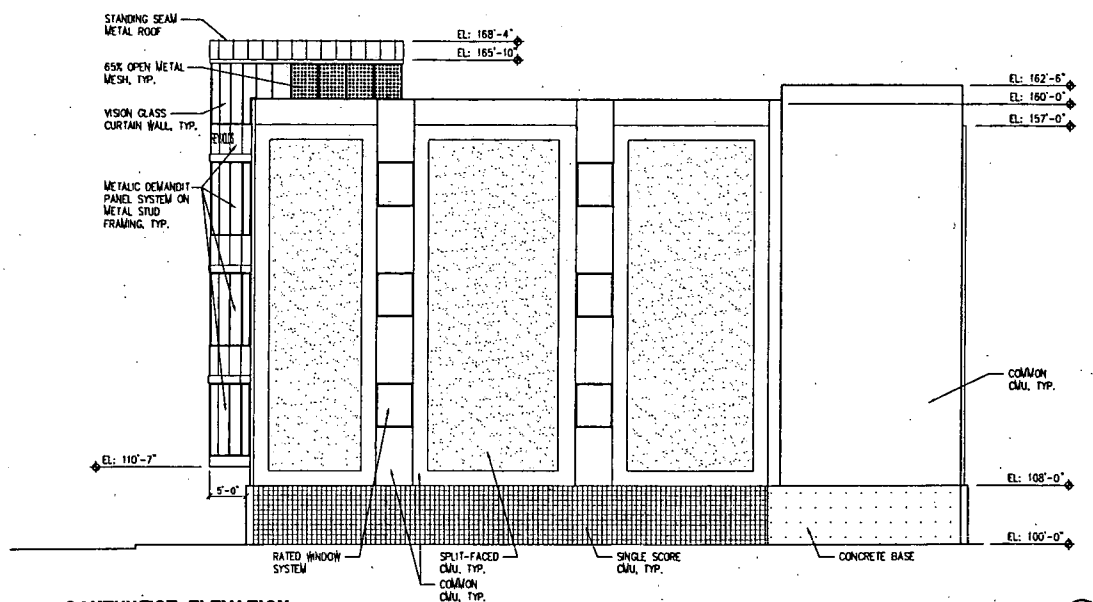
SUBMITTAL:
SCHEMATIC
SHEET NUMBER:

A6.02



NORTHEAST

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



SOUTHWEST ELEVATION

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

STAFF

SDR-4372

6-10-04 PC



SDR-4372 - APPLICANTS/OWNERS: RONALD & CHRISTINE REYNOLDS AND MATTHEW CALLISTER
823 SOUTH LAS VEGAS BOULEVARD
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



SDR-4372 - APPLICANTS/OWNERS: RONALD & CHRISTINE REYNOLDS AND MATTHEW CALLISTER
823 SOUTH LAS VEGAS BOULEVARD
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4567 -
APPLICANT: REDROCK ENGINEERING AND SURVEYING, INC. - OWNER:
RAINBOW PROFESSIONAL OFFICE DEVELOPMENT, LIMITED LIABILITY
COMPANY - Request for a major amendment to an approved Site Development Plan Review
 (SDR-2590) FOR A WAIVER OF TITLE 19.08.045 TO ALLOW A 2.5-FOOT HIGH NON-
 DECORATIVE WALL ALONG THE NORTH PROPERTY LINE WHERE A MINIMUM
 SIX-FOOT HIGH DECORATIVE WALL ALONG ANY PROPERTY LINE BETWEEN
 COMMERCIAL DEVELOPMENT ABUTTING RESIDENTIAL DEVELOPMENT IS
 REQUIRED; AND FOR A WAIVER OF TITLE 19.12 PERIMETER LANDSCAPING
 REQUIREMENTS on 2.67 acres adjacent to the northeast corner of Cheyenne Avenue and
 Campbell Road (APN: 138-08-401-010), U (Undeveloped) Zone [O (Office) General Plan
 Designation] under Resolution of Intent to P-R (Professional Office and Parking), Ward 4
 (Brown). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest Letter from Timothy Litz
5. Submitted at City Council – Protest Petition with 27 signatures

MOTION:

BROWN – DENIED with direction to the applicant to work with staff on specifications and standards for a required block wall and to mitigate lighting issues – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DR. SCOTT BROOKSBY, owner of the Rainbow Professional Office Development, appeared and explained he is in the process of building a dental office and a four building complex on the subject property. In the course of the building process, some problems have surfaced that he

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 117 – SDR-4567

MINUTES Continued:

feels are a direct result of requirements imposed by the City. One problem was caused by a profile plan being submitted in an inverted state. This problem went unnoticed by all parties, including the City Engineers Division, during all three reviews the project required. It was finally discovered the day the paving was to be done on the site.

DR. BROOKSBY indicated that upon review of the plans by the Flood Control Division, a requirement was made that the property be raised almost four feet. Approximately \$30,000 of fill dirt was brought in to satisfy this requirement. As a result, the parking lot is now only two feet below the top of the existing six-foot tall block wall that surrounded the site. DR. BROOKSBY'S property is adjacent to the backyards of a residential neighborhood. In addition, there is a six to seven foot gap between the edge of the parking lot and the block wall. He mentioned that the grading in that gap was not completed, so it is one and a half feet overfilled from the height it should be upon completion of the grading.

DR. BROOKSBY showed photos taken while standing in the parking lot looking down into his neighbor's backyard. He expressed frustration at the City's requirements which have imposed upon his neighbor's privacy; however, the requirements had to be satisfied in order for his project to proceed. He stated the block wall in his neighbor's backyard is approximately ten feet tall; however, because of the elevation change, only two feet of that wall is visible on the dental building side.

Another problem he discussed was related to the two driveways that exit onto Cheyenne and a requirement to place trees every twenty feet, offset five feet from the sidewalk. DR. BROOKSBY felt placement of the trees in that location would block the vision of drivers exiting his property or turning off of Campbell. He proposed that the trees intended for the front of the property be planted in the back, which would provide privacy and an aesthetic barrier for the residents on the other side of the wall. He proposed putting two foot shrubs along Cheyenne which would allow his building to be viewed from the street and would not impede the vision of drivers. He emphasized he wishes to remain in the neighborhood for a very long time and wants to be a good neighbor.

MAYOR GOODMAN asked staff to explain if and how any City action could have resulted in these problems. BART ANDERSON, Engineering Project Manager, Department of Public Works, said City records indicate that when the first submittal of the drainage study was submitted in September of 2003, it reflected three and a half feet of fill. This was not a requirement by the City, it was submitted to the City as such. Because the submittal reflected a change of more than two feet, it required a standard approval, and the requirement of the additional review was noted in the comments that were returned along with other issues to be addressed.

CITY COUNCIL MEETING OF JULY 7, 2004

Planning and Development Department
Item 117 – SDR-4567

MINUTES Continued:

On November 5, 2003 the plans were resubmitted and were approved on November 19, 2003. He explained the City did require the applicant to make certain areas of the parking lot that were not draining to do so. To do this, the building height needed a net change of seven inches. The City did not dictate whether or not the building had to be raised by seven inches or lowered by seven inches in certain locations. The applicant submitted plans proposing to raise the building seven inches, allowing the appropriate drainage, and the plans were approved. MR. ANDERSON disagreed that the City compelled the changes to be made. The increased fill was approved because the property had adequate drainage, and approval of drainage is the function of the Flood Control Division.

STEVE SHAW, 9133 Ballad Avenue, stated his property is north of this site. He showed photos that were taken from the parking lot of the dental building. He explained that the headlights of a normal sized car parked against the now two foot tall wall could shine directly over the wall and into his yard. Because of this, DR. BROOKSBY'S tree proposal could not work in blocking headlights and would not provide adequate safety precautions. The wall could be easily jumped. He said the wall has already been damaged and loosened by the bulldozers hitting it during construction and, as of yet, the applicant has not repaired the wall. MR. SHAW feels a wall could be put up and then the trees could be planted. He reminded Council that per Code a six-foot wall is required in the parking lot.

ROBERT GENZER, Director, Planning and Development Department, confirmed MR. SHAW'S statements and after reading from Title 19, Section 08, stated it is clear in the Code that at minimum, a six-foot wall is required at this location. He added that because the finished elevation on DR. BROOKSBY'S property is higher, the six feet should be on his property.

DR. BROOKSBY interjected that although he did not know how the finished grade is determined, the grade at the property level would be six feet and is ten feet away from the wall before it rises to a higher level.

HEIDI SHAW, 9133 Ballad Avenue, concurred with her husband's statements and added that during construction, she has had workers from the site waving at her while she has her two children out in the backyard. She reiterated her husband's comments that it would be easy for someone to jump the wall from the parking lot to get into their pool. She stated she does not allow her children to play anywhere near the wall shared with DR. BROOKSBY'S property. She fears for her children's safety and wants the wall built to Code.

BILL CHILDS, Redrock Engineering, informed Council his company did the engineering plans for the project. He said that when the grading is finished, adjacent to the existing wall, there will be a six foot wall on the property line measured from the finished grade of the site. He confirmed the parking lot, which is eight feet away from the wall, will be three feet higher. He clarified that when the project was started, he wanted the grade and the set finished floor based on the elevation of Cheyenne. He continued that there is a hump in the side street, and the first

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 117 – SDR-4567

MINUTES Continued:

comments received back on the plans indicated the finished floors had to be set six inches above the high point of that hump, which is approximately four feet above Cheyenne. This requirement did not leave the engineer with many choices of where the finished floor could be set. Finally, he stated the trees would resolve the headlight issue once mature. He pointed out that it is an office park with daytime only hours, that the questionable parking spaces are in the back of the lot, and the possibility of them being used is slim.

RAE ERICKSON, 3225 Sabino Canyon Street, submitted a petition, which represented several people who could not attend the meeting. She concurred with the safety and privacy comments of the SHAWs and added that the intensity of the lights in the parking lot illuminates her entire backyard.

SUSAN NASS, 3229 Sabino Canyon Street, commended the City on having such a thorough Zoning Code. She pointed out that per Code, the trees would not obstruct the vision of drivers if the foliage is high enough and only the tree trunks are at eye level. She asked that the Council does not waive the landscaping because it could affect property values in the surrounding area and set a precedent for future waivers.

ALAN SMITH, 908 Dolente Avenue, stated he lives in a cul-de-sac east of the subject property. He spoke with the developer of this project when it was approved, and was told that the property would be downgraded as much as possible. He was concerned because of the extreme elevation before it was filled up. During construction he watched truck after truck bring dirt to the property. He informed Council that he had driven the length of Cheyenne from the I-95 to the I-215 and counted buildings on the street. Without exception, all of the 37 offices and four public service areas in that section had beautiful perimeter landscaping. He is opposed to the waiver.

MANIJEHMOAYERI MALEKI, 3216 Campbell Road, stated her home is next to the parking lot and she has already lost property value. She worked hard to own her home and has now lost her privacy. She indicated the wall must be built in a way to assure her privacy.

CRAIG MOORE, 4427 Via Torino, stated he was a former Chief Building Inspector for the City of Las Vegas and felt it was important to bring to the Council's attention the fact that MR. SHAW'S ten foot wall photos indicate the bottom four feet of wall is an eight inch thick retaining wall. The top six feet would be regular six-inch wall. The pilaster that can be observed in the photo indicates this. He stated that adding to this wall would cause a very serious problem.

DR. BROOKSBY rebutted that the waiver is not a request to waive all landscaping entirely. The request is to shift from high trees to lower two foot shrub landscaping so the views of drivers in the area would not be obstructed. The landscape waiver is not being requested to save money; it would actually cost more if approved as requested. The doctor agreed to build a six-foot wall if

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 117 – SDR-4567

MINUTES Continued:

Council deemed it necessary; however, he thought densely packed trees would serve the same purpose. If a wall is put in, it would have to be built approximately three to four feet away from the existing wall, and that will use up landscaping space and make it difficult to meet the landscaping requirement.

COUNCILMAN BROWN acknowledged that the applicant was in constant contact with his office and sympathized with the frustration DR. BROOKSBY has encountered during this process. He explained that the subject property was originally within the County and the last action regarding the property while under County jurisdiction was to zone it for an office complex. That complex required City sewer, and the property was subsequently annexed into the City. He pointed out that the area residents have expressed mixed feelings over having a single story office complex there instead of having new homes built, which would have more density than the existing homes in the area. COUNCILMAN BROWN commended DR. BROOKSBY on the beauty of the first building and expressed hope that the other three buildings would be in the same style and fashion.

COUNCILMAN BROWN pointed out that due to the position of Cheyenne Avenue combined with the way Campbell loops the site is complicated. He suggested the developers in the area may not have stepped the grade but, instead, leveled it as low as possible resulting in the difference in grade between the properties. He informed DR. BROOKSBY that building a wall is a necessity. Because the City considers a gap between the existing wall and the proposed new wall a hazard the applicant must assure the new wall is placed as closely as possible to the existing wall. If a gap remains of more than a few inches, the gap must be filled with foam or insulation so children and animals cannot get caught between the walls.

Acknowledging the new wall might have a negative aesthetic impact, COUNCILMAN BROWN emphasized the safety and security issues the new wall would mitigate. He confirmed with MR. GENZER that there was a condition relating to the lights in the parking lot and assured the residents the condition would be enforced. MR. GENZER indicated that the condition had been placed; however, the situation was complicated by the fact that the parking lot is situated much higher than the residences. Staff would work with the applicant on the problem. DR. BROOKSBY explained that the lights in the back parking lot have been disconnected because they will not be necessary until the other three buildings are constructed. COUNCILMAN BROWN pointed out that once those two buildings are constructed, the wall would be mandatory because of their proximity to the residences.

Regarding the landscaping, COUNCILMAN BROWN advised the applicant that the proper trees in appropriate locations would function well with the quality of the building. He indicated that the City has successfully held the standards regarding the landscaping on the north side of Cheyenne Avenue for the last five years and the results are very positive. He would not be supportive of waiving the landscaping requirements on this project.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 117 – SDR-4567

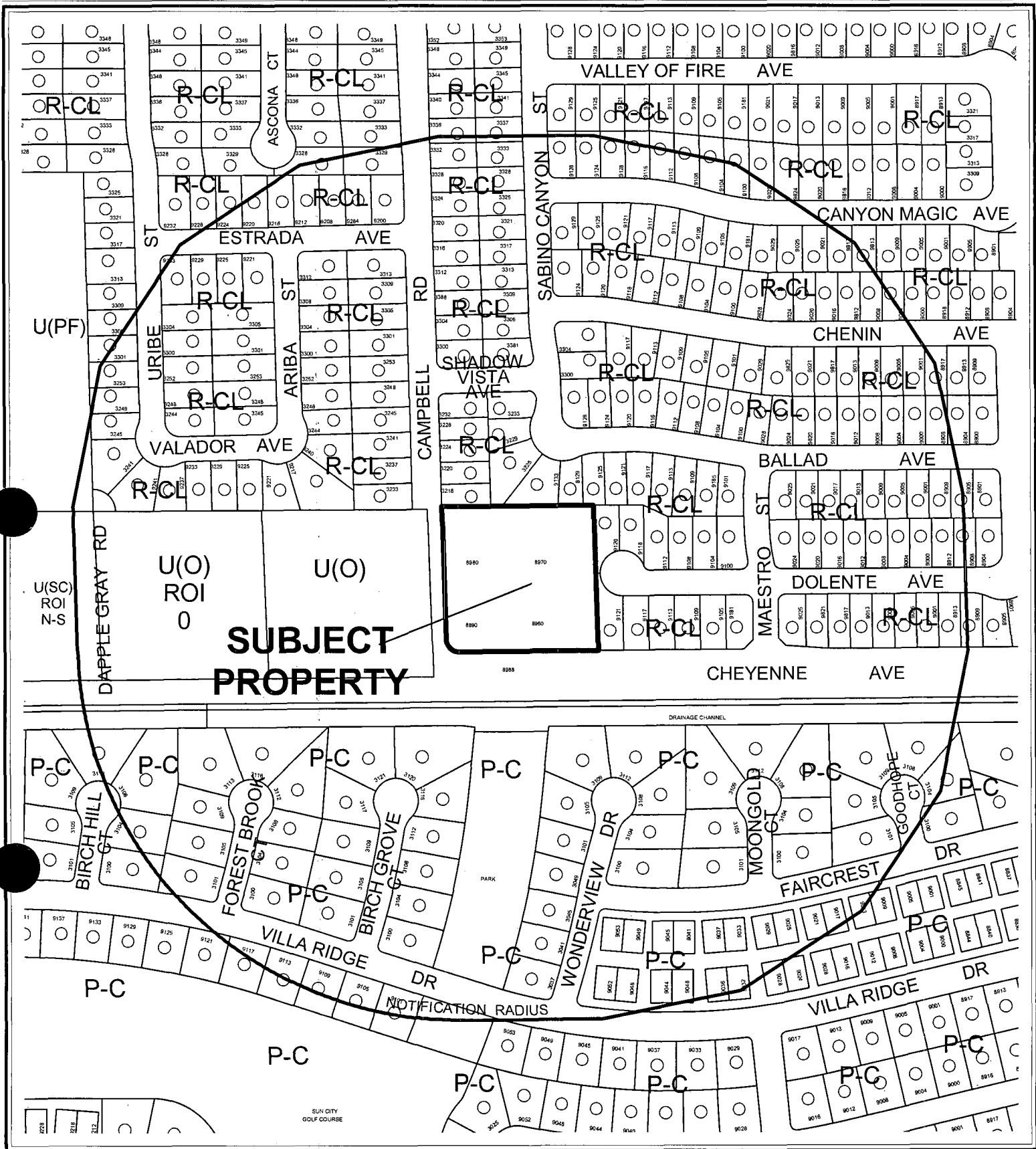
MINUTES Continued:

COUNCILMAN BROWN reiterated his sympathy for the frustrations endured by DR. BROOKSBY during the building process. He wished the doctor well and stated the complex would enhance the neighborhood and that, by using a good neighbor approach, everyone could be satisfied in the long run.

MAYOR GOODMAN declared the Public Hearing closed.

(2:46 – 3:33)

4-2815



CASE: SDR-4567

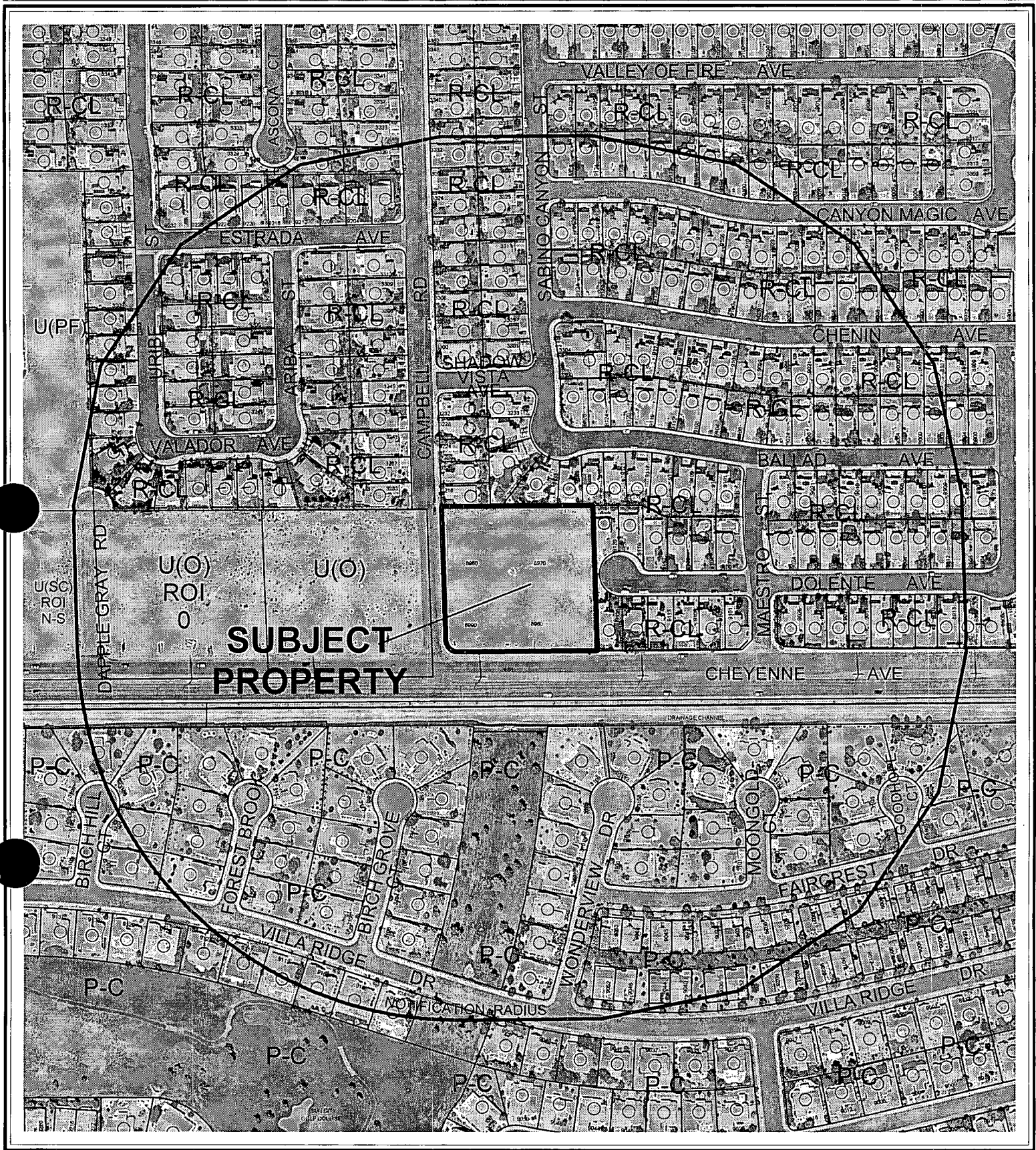
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

117





CASE: SDR-4567

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4567 - APPLICANT: REDROCK ENGINEERING AND SURVEYING, INC. – OWNER: RAINBOW PROFESSIONAL OFFICE DEVELOPMENT, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-2590) as required by the Planning and Development Department, except as amended herein.
2. The landscape plan dated May 27, 2004 shall be revised to depict 24-inch box trees spaced a minimum of 20 feet on center with at least four five-gallon shrubs and groundcover within the required planter along Cheyenne Avenue.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 30 feet for Campbell Road and a 25-foot radius on the northeast corner of Cheyenne Avenue and Campbell Road prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
4. Construct all incomplete half-street improvements on Cheyenne Avenue and Campbell 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. 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
6. 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 City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing

this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Major Amendment to an approved Site Development Plan Review (SDR-2590) for a Waiver of Title 19.08.045 to allow a 2.5-foot high wall along the north property line where a minimum six-foot high wall along any property line between commercial development abutting residential development is required; for a Waiver of Commercial Development Standards requiring such walls to contain a minimum of 20 percent contrasting materials; and for a Waiver of perimeter landscaping requirements on 2.67 acres adjacent to the northeast corner of Cheyenne Avenue and Campbell Road.

B) Applicant's Justification

Site grading for the subject property subsequent to approval revealed that there will be a drop in elevation of approximately nine feet from the proposed parking lot to the finished floor elevation of the existing homes abutting this site to the north. As these residents currently have an existing four- to six-foot retaining wall with a six-foot screen wall in their back yards, the requirement of an additional six-foot wall will create a "hole" effect for these residents. The enhanced landscaping buffer along the north property line will eliminate the need for the wall to be decorative, as any decorative elements would not be visible. The requirement for trees along the south property line will impede sight visibility of Cheyenne Avenue; therefore, the applicant feels justified in removing them from the landscape plan.

BACKGROUND INFORMATION

A) Previous Actions

- 08/21/02 The City Council approved a General Plan Amendment from ML (Medium-Low Density Residential) to O (Office) on the subject site as part of a larger request (GPA-0011-02). The Planning Commission and staff recommended approval on 07/25/02.
- 02/05/03 The City Council approved the Annexation of the subject property as part of a larger request (A-0038-02). The Planning Commission and staff recommended approval on 10/24/02. The effective date was 02/14/03. Upon annexation, the City adopted the P-R (Professional Office and Parking) zoning district for this site, as it was comparable to the district in place in the previous jurisdiction.
- 07/24/03 The Planning Commission approved a request for a Site Development Plan Review (SDR-2590) for a proposed four building, 20,118 square-foot office park development on the subject site. Staff recommended approval.

B) Pre-Application Meeting

05/19/04 The Commercial Development Standards and existing Conditions of Approval applicable to this site were discussed, as well as a new landscaping proposal. Staff gave the applicant the option to increase the height of the wall rather than pursue an amendment to the approved Site Development Plan Review. The applicant opted to increase the density of landscaping across the north property line, rather than raise the height of the existing wall.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.50

B) Existing Land Use

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

C) Planned Land Use

Subject Property: O (Office)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density Residential) and PR (Parks and Recreation)
East: ML (Medium-Low Density Residential)
West: O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North: R-CL (Residential – Compact-Lot)
South: P-C (Planned Community)
East: R-CL (Residential – Compact-Lot)
West: U (Undeveloped) [O (Office) General Plan Designation]

E) General Plan Compliance

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

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

The proposed development is not subject to any Special Area Plans, Overlay Districts, Study Area, or trail requirements.

PROJECT DESCRIPTION

An office complex consisting of four one-story buildings ranging from 4,960 to 5,091 square feet was approved by the Planning Commission in July 2003. A site visit revealed that one of the front buildings had been constructed and the asphalt pavement for the parking lot had been nearly completed.

The landscape plan accompanying the approved site plan showed 24-inch box Chilean Mesquite trees along the south property line (Cheyenne Avenue). A condition of approval required a revision to the plan that depicted additional shrubs in all the planters and maximum tree spacing of 20 feet on center. The new plan submitted with this application removes all trees from the south perimeter planter, leaving only shrubs and groundcover. Additional Aleppo Pine trees are depicted along the north property line in order to decrease visibility of the development from single-family homes to the north. The appropriate landscape waivers are requested as part of this application.

The site plan has not changed; however, the request for Waivers of Commercial Development Standards became necessary when the applicant discovered that the existing six-foot block wall along the north property line would not be tall enough to screen the new development from existing single-family homes, which are as much as nine feet below the finished grade of the adjacent parking lot. Rather than increase the wall height, which would increase the amount of drop between the parking lot and the back yards of the homes, the applicant opted instead to increase the density of trees along the north property line.

ANALYSIS

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

Pursuant to Title 19.12 and 19.08.045, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 Spaces	16 Trees	19 Trees
Buffer:			
• Min. Trees (adj. to ROW)	1 - 24-inch box tree/20 Linear Feet + 1 - 24-inch box tree	22 Trees	9 Trees
• Min. Trees (adj. to north and east property lines)	1 - 24-inch box tree/20 Linear Feet + 1 - 24-inch box tree	30 Trees	44 Trees
• Min. Zone Width (ROW)	15 Feet 8 Feet		15 Feet
• Min. Zone Width (north and east property lines)			8 Feet on east planter, 11 Feet on north planter
• Wall height	6 feet min. on north and east property lines		6 Feet on east property line, 2.5 feet on north property line

The landscape plan has been revised since approval of Site Development Plan Review (SDR-2590) to show an adequate number of trees within the parking lot. Trees that were required along the southern (front) landscape planter have been shifted to the north planter to provide additional buffering from the single-family residences to the north. This has created a deficiency in the number of trees required along Cheyenne Avenue. A Waiver of this requirement has been requested as part of this amendment to the Site Development Plan Review. Although an existing non-decorative six-foot wall separates the proposed office property from residential property, the wall is located at the foot of a berm, so that only about 2.5 feet rises above the elevation of the rear parking lot. A Waiver of the Commercial Development Standard requiring a minimum six-foot high solid wall above finished floor height is requested, along with a Waiver of the standard requiring all perimeter walls to contain a minimum of 20 percent contrasting material.

B) General Analysis and Discussion

- Waivers

The applicant wishes to amend the approved Site Development Plan Review for this general/medical office complex to allow for the following Waivers from the Zoning Code:

According to Commercial Development Standards, perimeter walls abutting residential development must be at least six feet high, as measured from the finished grade of the property enclosed by the wall. In this case, the existing wall on the north property line measures about 2.5 feet above the finished grade of the parking lot. Currently, there is approximately a nine-foot drop in elevation from the finished grade of the parking lot and single-family homes to the north. In lieu of increasing the wall height, and therefore increasing the perception of a "hole" from the

perspective of these homes, the applicant proposes instead to increase the number of Aleppo Pines along the north property line from 17 to 44 and to reduce the spacing from 20 feet to 10 feet in order to create a "natural wall" of trees. These trees would be 10 to 15 feet high when planted, growing to 30 feet at maturity. The trees will have some time to fill in before the two buildings at the rear are constructed. Because the existing wall would remain and be screened by the proposed trees, the applicant requests a Waiver from the requirement to construct a new decorative wall or incorporate at least 20 percent contrasting materials into the existing wall.

The applicant's justification ignores the intention behind the use of solid walls as screening devices. Even though additional trees along the property line will reduce the amount of light and visibility from the single-family homes to the north, they are not as effective at doing so as solid walls. The solid wall should be decorative to decrease the harsh visual effect of a plain block wall. There is no physical site characteristic that prevents the developer from meeting all required standards.

Landscape, Wall, and Buffer Standards and Title 19.12 require the placement of 24-inch box trees spaced 20 feet on center along all perimeter planters adjacent to rights-of-way. The applicant claims that trees planted along the south property line will impede visibility of traffic along Cheyenne Avenue for those vehicles on Campbell Road waiting to turn onto Cheyenne Avenue. The purpose of such landscaping is to contribute to the attractiveness of the City, to conserve water and reduce erosion, to reduce heat and glare, and to filter dust and particulate matter from the air. Trees may be located in limited sight visibility zones without impeding vision, as long as foliage is higher than seven feet above grade. Shrubs are more dense than trees at ground level. Therefore, staff does not recommend approval of this Waiver.

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;"**

If approved, the proposed Waivers would allow for increased screening of the development by means of landscaping. However, the landscaping would not be as effective as solid walls. In addition, the front of the property along Cheyenne Avenue would be devoid of trees, in contrast to other developments along this major arterial.

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

The proposed development will be consistent with all City plans, policies, and standards with the approval of the requested waivers of the Zoning Code and implementation of the recommended conditions of approval.

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

Site access will not be affected by the requested waivers of the Zoning Code

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

As trees would permit more light than would a solid wall, the proposal to add trees to the north perimeter planter is not recommended. In addition, trees should be planted in the south perimeter planter along Cheyenne Avenue in order to contribute to the attractiveness of the City, to conserve water and reduce erosion, to reduce heat and glare, and to filter dust and particulate matter from the air. Trees may be located in limited sight visibility zones without impeding vision as long as foliage is higher than seven feet above grade. Shrubs over three feet tall should not be planted in these zones. It is therefore recommended that trees be planted along Cheyenne Avenue as originally approved.

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;”**

If approved, the perimeter landscaping would not be unsightly. Foliage along the north property line would screen the existing block wall from parking lot views. Shrubs would be planted in place of trees along the south property line.

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

The development will be subject to inspections for permits, and therefore will not compromise the public health, safety, and general welfare.

NOTICES MAILED 283 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR4567 APN: 138-08-401-010

Name of Property Owner: RAINBOW PROF. OFFICE DEVELOPMENT LLC

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

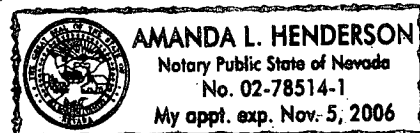
Signature of Property Owner/Authorized Agent: _____

Print Name: L. SCOTT BROOKSBY

Subscribed and sworn before me

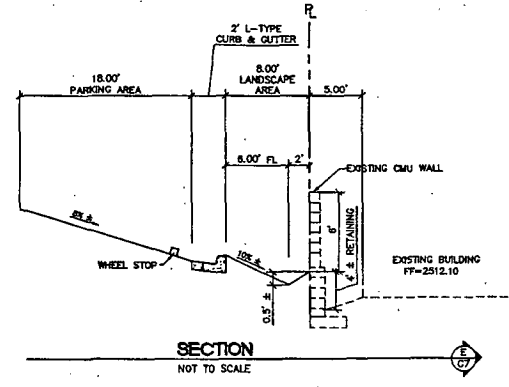
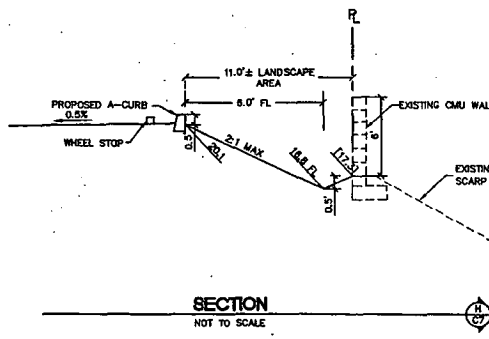
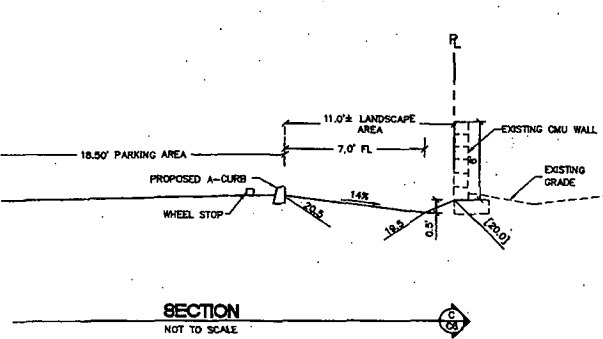
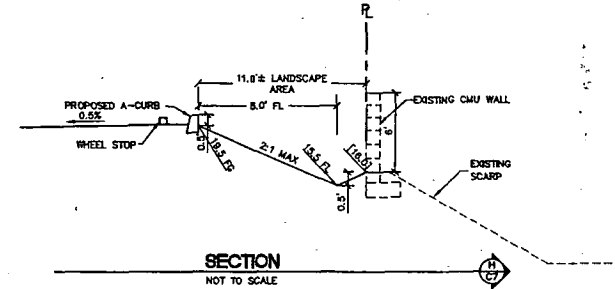
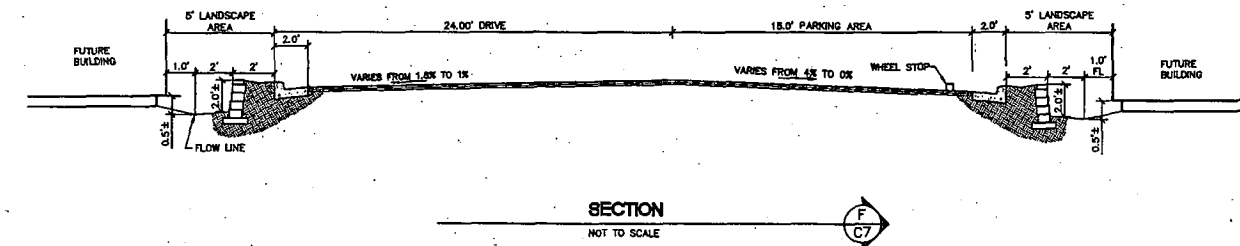
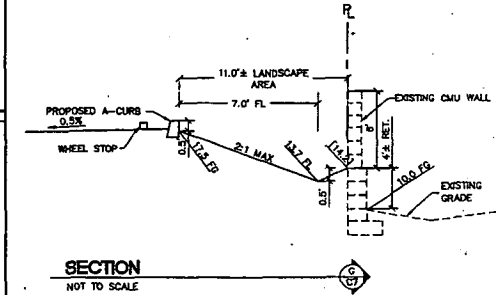
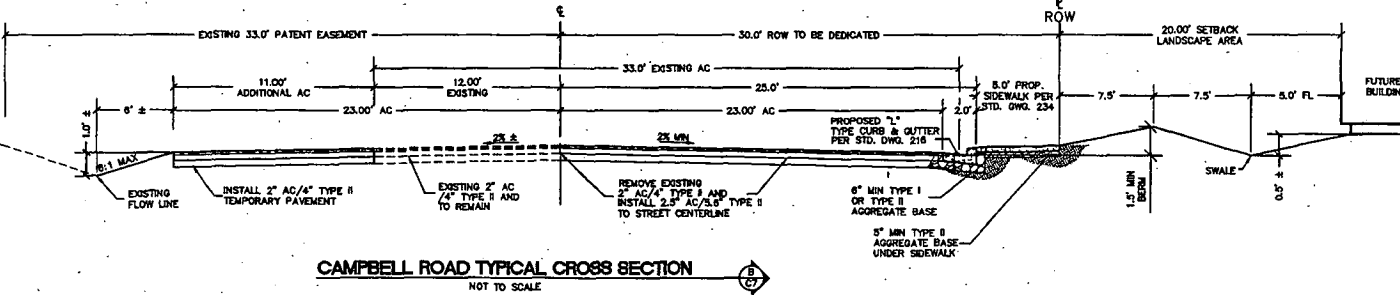
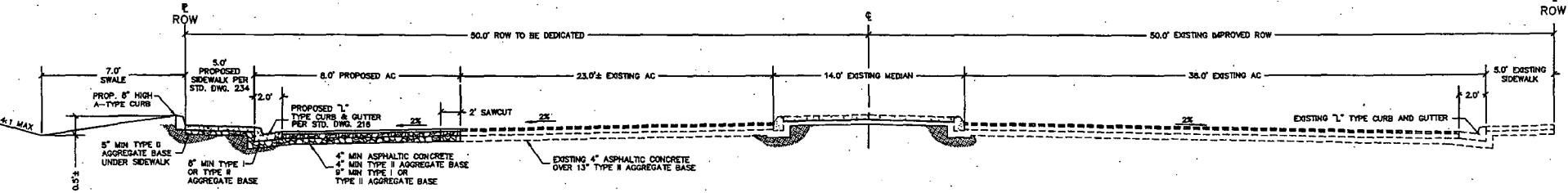
This 25th day of May, 2004

Amanda L. Henderson
Notary Public in and for said County and State



SDR 67
7-7-04 CC

STAFF



DATE	BY	CHKD	APP'D
7-7-04	CC		

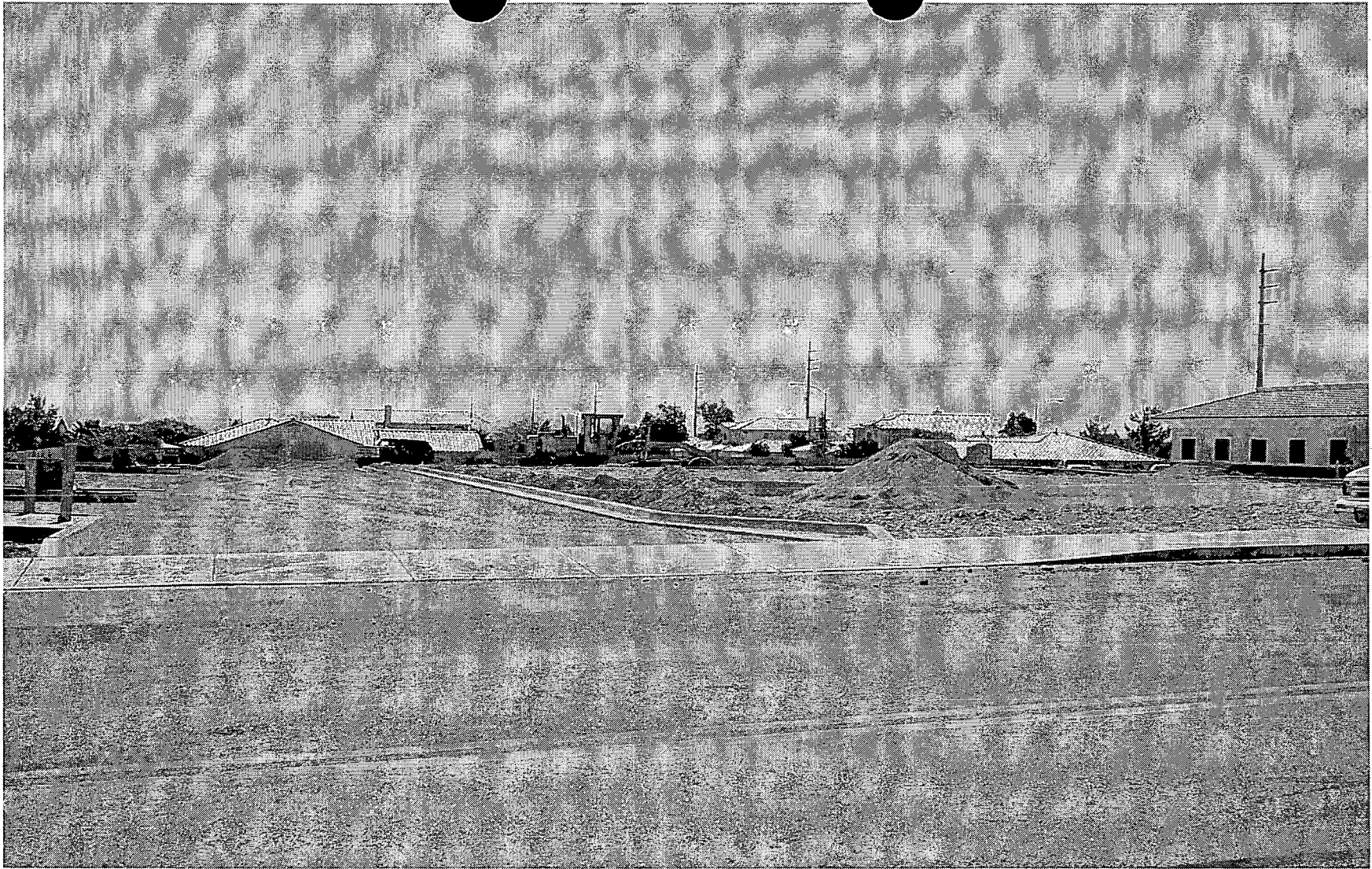
RedRock
ENGINEERING & SURVEYING, INC.
2001 SOUTH RANDOLPH BLVD., STE. K
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112

BROOKSBY OFFICE PLAZA
CROSS SECTIONS AND DETAILS
CHEYENNE AND CAMPBELL

DRAWN BY: PR	DESIGNED BY: PR
CHECKED BY: WOC	DATE: 11/04/03
JOB # 23068	APP'D: 128-08-001-010
SECT 5	SCALE: HORIZ 1" = 30'



SHEET #
C7
7 OF 10



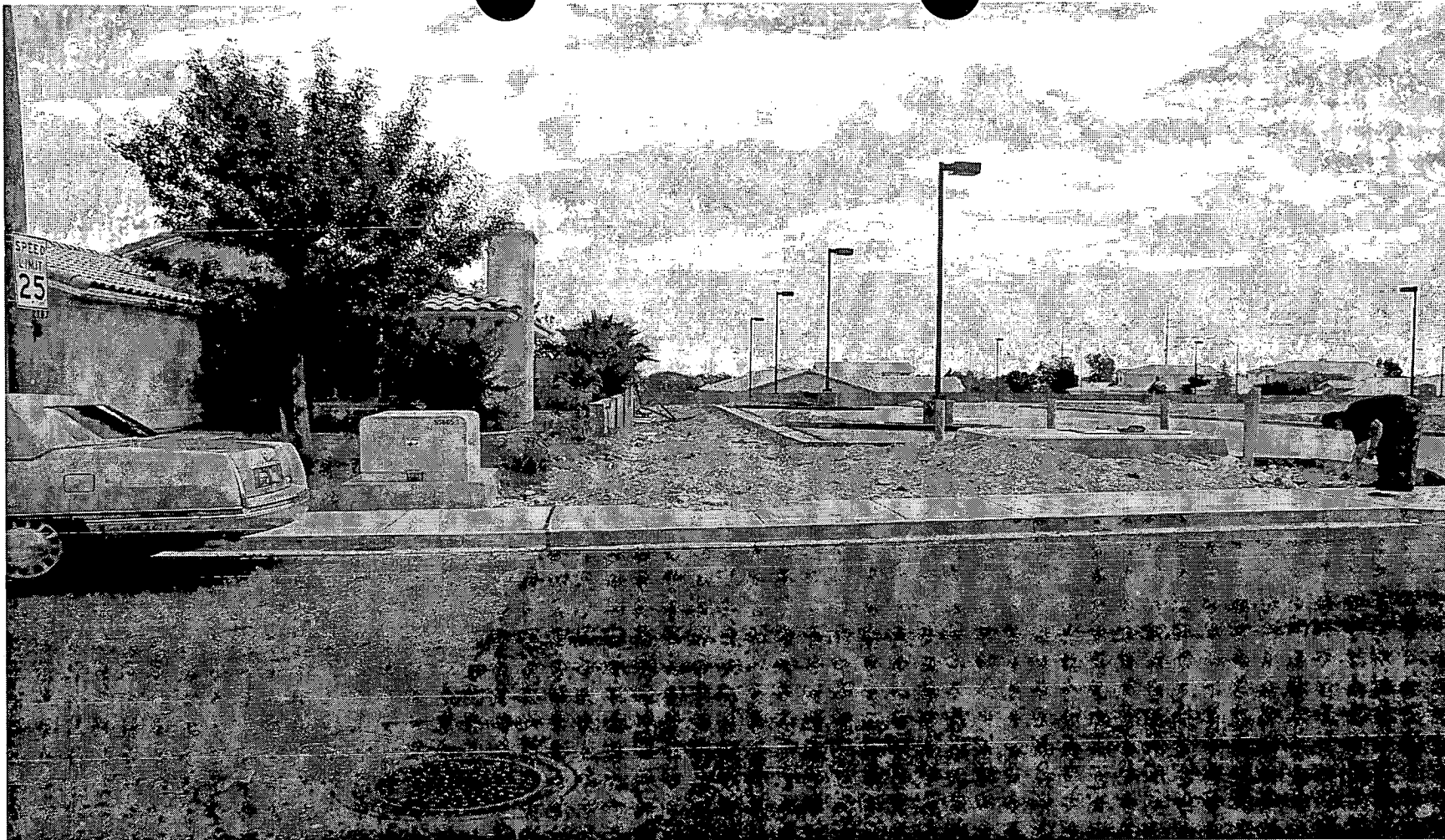
**SDR-4567 - APPLICANT: REDROCK ENGINEERING AND SURVEYING, INC. – OWNER:
RAINBOW PROFESSIONAL OFFICE DEVELOPMENT, LIMITED LIABILITY COMPANY**
Adjacent to the northeast corner of Cheyenne Avenue and Campbell Road
JULY 7, 2004 CITY COUNCIL MEETING

Picture taken 06/11/04



**SDR-4567 - APPLICANT: REDROCK ENGINEERING AND SURVEYING, INC. – OWNER:
RAINBOW PROFESSIONAL OFFICE DEVELOPMENT, LIMITED LIABILITY COMPANY**
Adjacent to the northeast corner of Cheyenne Avenue and Campbell Road
JULY 7, 2004 CITY COUNCIL MEETING

Picture taken 06/11/04



**SDR-4567 - APPLICANT: REDROCK ENGINEERING AND SURVEYING, INC. – OWNER:
RAINBOW PROFESSIONAL OFFICE DEVELOPMENT, LIMITED LIABILITY COMPANY**
Adjacent to the northeast corner of Cheyenne Avenue and Campbell Road
JULY 7, 2004 CITY COUNCIL MEETING

Picture taken 06/17/04

RECEIVED
CITY CLERK

Date: June 27, 2004
To City Clerk: Barbara Jo Ronemus
From: Timothy Litz
Concern: Case SDR-4567
Meeting Date July 7, 2004

2004 JUN 30 A 10: 22

I object to this proposed amendment waiver for several reasons.

First, a six foot wall is what is required. The developer knew this when the building was designed.

Second, a 2.5 foot wall creates a stepping platform to get over the adjacent, less than 6 foot, wall that belongs to the residents bordering to the north. This immediately becomes a security issue for the residential owners to the north. If the proposed 2.5 foot wall is placed farther away from the pre-existing block wall to create a landscaping zone, the landscape zone is backfilled and the height of the pre-existing block wall will again be reduced. This will also create a lower wall that can be crossed easily. This will again create a potential for security issues for the residential neighbors to the north.

Third, if the amendment request is approved, it will set a precedent for the properties in the commercial areas directly west of the subject property. This could cause the same potential security problems for those living on Valador Ave., in the residential area west of Campbell Rd. and north of the undeveloped commercial properties.

Fourth, if the proposed amendment is passed, crime could increase and put residents in serious jeopardy.

Fifth, with an increase in crime, come lower property value and an insecure and angry population.

The solution seems to me to be, reject the proposed amendment. Let them build the 6 foot decorative wall that code requires. If the 2.5 foot non-decorative wall is still needed as a landscape border then they should apply for another building permit to account for their changes.

Security and safety of the residents in the area should not be put in jeopardy to save a few dollars for the property owners or the general contractors.

Thank you
Timothy Litz
9028 Chenin Ave.
Las Vegas, NV 89129
702-254-9369

Protest

Submitted after final agenda

Date 6/30/04 Item #117

Petition

7/1/2004

This petition is AGAINST the proposed waiver of Title 19.08.0453. The request is to allow a 2.5-Foot high non-decorative wall along the north property line where a minimum 6-foot high decorative wall is required.

This is a clear violation of the code and should never have been constructed in the first place. The construct should have started with the plan of the mandatory six foot high decorative wall which is required. This is a matter of safety, privacy, and cost impact on the resale of homes in the area. The lowered wall allows easy access from Cheyenne St. It offers NO protection if a vehicle has difficulty in the parking lot and goes thru the wall into the yards below. Several small children reside in the homes behind the office buildings and will be in danger of vehicles or blocks falling from accidents that may happen.

The privacy issue is obvious, anyone in the parking lot can simply look over or climb over a 2 1/2 foot wall the residence below. It is a safety concern for our children and our property.

We have included those neighbors that are yet to have construction but have the plans in place. If Redrock can receive a waiver for our neighborhoods then they will have no problem receiving the same waiver for the new construction.

STEVE SHAW
ANGELA CAFEONE
THOMAS HEUKEL
Margie Heukel
VIRGINIA MEER
Alan C. Smith
KATHLEEN EHRMAN
Del Q. B.
Ted Haggard
Susan Neer
Lynn Zofelt

9133 BALLAD AVE
9125 BALLAD AVE
9113 BALLAD AVE
9113 Ballad Ave
9100 Dolente Ave
9109 Dolente Ave.
9121 Dolente Ave.
9117 DOLENTE AVE
9113 Dolente Ave
9104 DOLENTE AVE
3229 Sabino Canyon St.
9228 ESTRADA AVE

Submitted at City Council
Date 7/7/04 Item #117

~~1700 Ronyan~~
Mamich smaher
Jay & Lea Tabak
Cliff Holden

~~R. Holt~~
Linda Horton

~~Edgemoor Cr.~~
Steve Pellino

Muri De Sauc
Larry Thw
L. C. Ahm

Lana Desautel
~~Lana~~

~~Corey Johnson~~
Annie Shapiro
Felix Bayz

~~Lynn Carter~~
~~John R.~~

3220 Campbell Rd

~~3216 Campbell~~

3237 N. Campbell Rd.

3233 N. Campbell Rd

3241 N. Campbell Rd

3241 N Campbell Rd

3241 N Campbell Rd.

3312 W Campbell Rd

3233 SABINO CANYON ST.

3301 SABINO CANYON

3305 Sabino Canyon Street

3304 Sabino Canyon St

9120 BALLAD AVE

9117 Ballard Ave

9104 Belled Ave

9100 Ballard Ave

9109 Felled Ave

9112 Felled Ave

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN - PUBLIC HEARING - **MOD-4311 - APPLICANT/OWNER: LAND INVESTMENTS, LIMITED LIABILITY COMPANY** - Request for a Major Modification to the Lone Mountain Master Development Plan FROM: NEIGHBORHOOD COMMERCIAL TO: MEDIUM-LOW RESIDENTIAL on 4.12 acres adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN: 137-12-801-006), U (Undeveloped) Zone [PCD (Planned Community Development General Plan Designation) under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RUSSELL ROWE, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained this application is for a major modification of four acres that would bring the property into conformance with the existing residential properties in the area. The units would not exceed the density cap in the Lone Mountain Master Plan.

COUNCILMAN BROWN indicated his office has received numerous calls regarding this application and he wanted to clarify that the application is only a modification to allow single family detached residential. A Site Development Plan will have to go back through the process and be heard before Council. MR. ROWE concurred.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 118 – MOD-4311

MINUTES Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

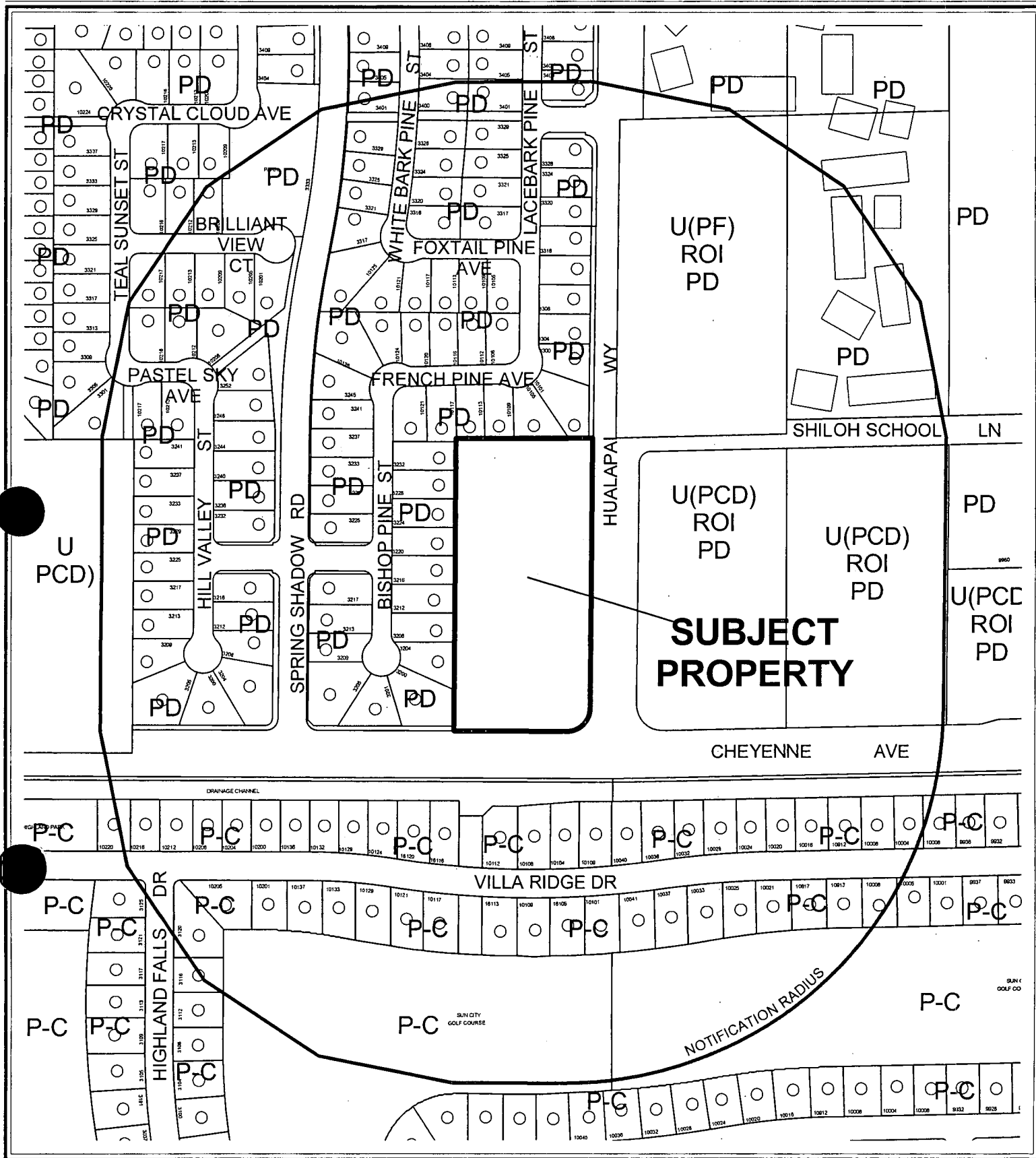
(3:33 – 3:36)

5-1057

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.
2. The revised Table 1, Figures 2 and 2A as contained in the body of this report, replace those in the current Lone Mountain Master Development Plan.



CASE: MOD-4311

RADIUS: 750 FT

CURRENT LONE MOUNTAIN MASTER PLAN DESIGNATION SUBJECT PROPERTY:

NEIGHBORHOOD COMMERCIAL

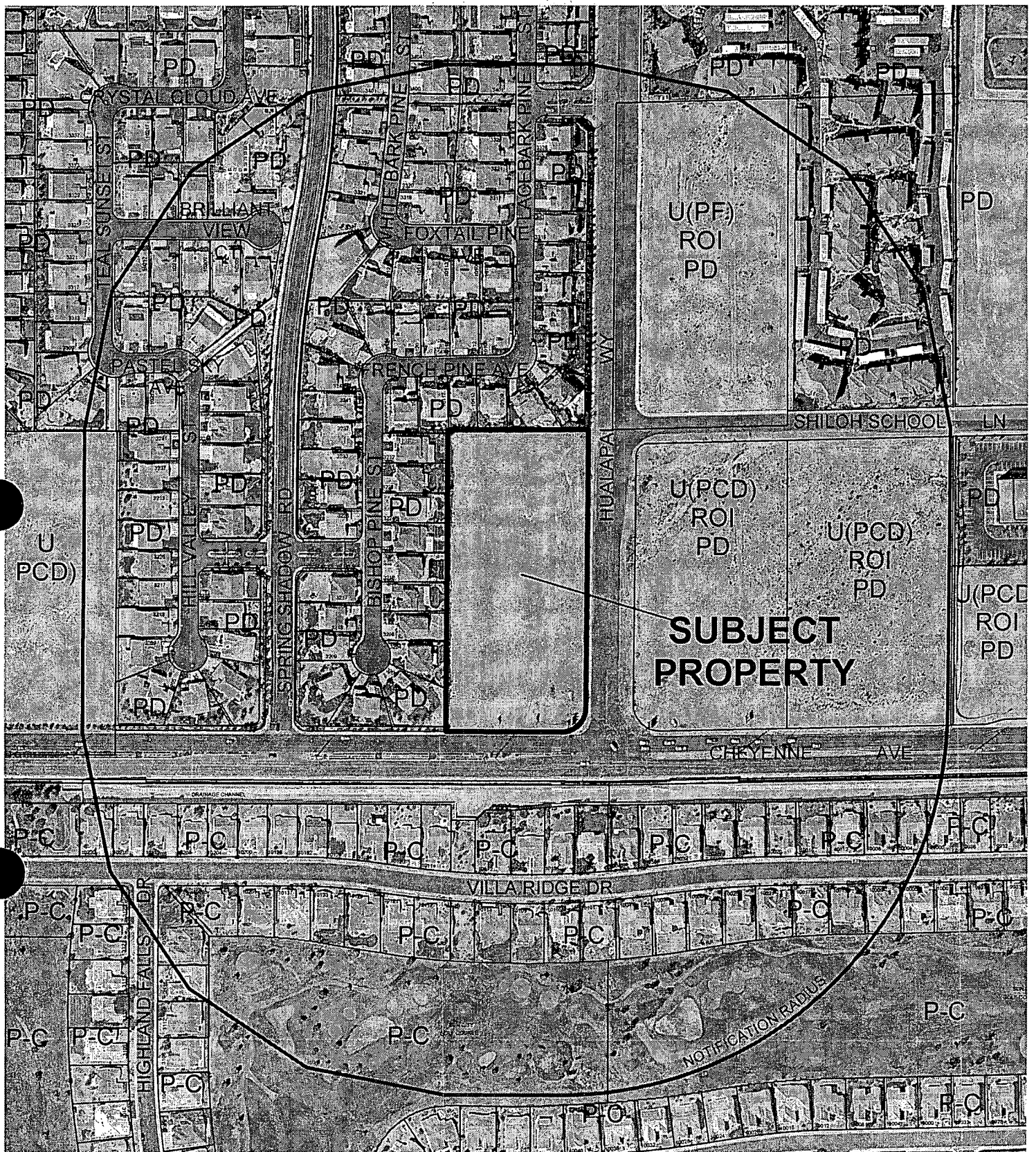
PROPOSED LONE MOUNTAIN MASTER PLAN DESIGNATION SUBJECT PROPERTY:

MEDIUM-LOW RESIDENTIAL

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)



CASE: MOD-4311

RADIUS: 750 FT

0 200 400 Feet



CURRENT LONE MOUNTAIN MASTER PLAN DESIGNATION SUBJECT PROPERTY:

NEIGHBORHOOD COMMERCIAL

PROPOSED LONE MOUNTAIN MASTER PLAN DESIGNATION SUBJECT PROPERTY:

MEDIUM-LOW RESIDENTIAL

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-4311 - APPLICANT/OWNER: LAND INVESTMENTS,
LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.
2. The revised Table 1, Figures 2 and 2A as contained in the body of this report, replace those in the current Lone Mountain Master Development Plan.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Lone Mountain Master Development Plan, to redesignate 4.12 acres, at the northwest corner of Hualapai Way and Cheyenne Avenue, from NC (Neighborhood Commercial) to ML (Medium-Low Attached Density Residential). Approval of this Major Modification request will allow the applicant to develop single-family residential uses at up to eight units per acre. No companion site plan has been submitted at this time.

B) Applicant's Justification

The applicant has justified this request by stating that residential uses represent the best use of the site and that this Major Modification will allow the applicant to begin the approval processes for those uses.

BACKGROUND INFORMATION

A) Previous Actions

- 06/23/97 The City Council approved a Rezoning (Z-0033-97) to PD (Planned Development) on this site as part of a larger request (Lone Mountain Master Plan Area). The Planning Commission and staff recommended approval on 04/24/97.
- 05/14/98 The Planning Commission approved a request for a Site Development Plan Review [Z-0033-97(6)] on property located on the northwest corner of Cheyenne Avenue and Hualapai Way, for a previously approved Temporary Sales Trailer.
- 09/14/00 The Planning Commission approved a request for a Tentative Map (TM-0036-00) for one lot on 4.13 Acres on the northwest corner of Cheyenne Avenue and Hualapai Way. On 08/08/01, an Extension of Time [TM-0036-01(1)] for this application was administratively approved.
- 06/10/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/gl).

B) Pre-Application Meeting

- 04/15/04 The applicant was advised that parks fees would apply if the site were approved for residential development. Also, it was noted that Table 1 would have to be recalculated, as it would otherwise appear that no further residential units could be accommodated within the plan area. The applicant and the city agreed to work jointly on these revisions.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Major Modification, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.12

B) *Existing Land Use*

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

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development) [NC (Neighborhood Commercial) Lone Mountain special land use designation]
North: PCD (Planned Community Development) [L (Low Density Residential) Lone Mountain special land use designation]
South: ML (Medium-Low Density Residential)
East: PCD (Planned Community Development) [MLA (Medium-Low Attached Density Residential) Lone Mountain special land use designation], [NC (Neighborhood Commercial) Lone Mountain special land use designation] and [PR-OS (Parks/Recreation/Open Space) Lone Mountain special land use designation]
West: PCD (Planned Community Development) [L (Low Density Residential) Lone Mountain special land use designation]

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
North: PD (Planned Development)
South: P-C (Planned Community)
East: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West: PD (Planned Development)

E) *General Plan Compliance*

This site is designated PCD (Planned Community Development) on the Centennial Hills Sector Plan Map of the General Plan, which allows residential development with a density of between 5.6 and eight units per acre.

The Lone Mountain Master Development Plan currently designates this site as NC (Neighborhood Commercial). The proposed Major Modification seeks to change this designation to ML (Medium-Low Density Residential). This category allows a density range of 5.6 and 8 units per acre, which would conform to the density range of the General Plan designation for the area.

The existing PD (Planned Development) zoning district for the subject site conforms to the overall density provisions of the proposed "Medium-Low Density Residential" land use designation, if approved. The Lone Mountain Master Development Plan states that within areas designated as Medium-Low Density Residential, the category "...provides for the development of 5.6 to 8 dwelling units per gross acre. This density allows for higher density detached, single-family product types including but not limited to compact lots and zero lot-line, and two-story buildings."

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

Lone Mountain Master Development Plan

The proposed Major Modification is inappropriate in that it will remove a substantial portion of the remaining area available for Neighborhood Commercial development from the Lone Mountain area, and replace it with single-family residential development. The latest tabulation of existing and approved residential development in the Plan area indicates that this project would not exceed the density and residential unit-count guidelines of the Lone Mountain Master Development Plan.

ANALYSIS

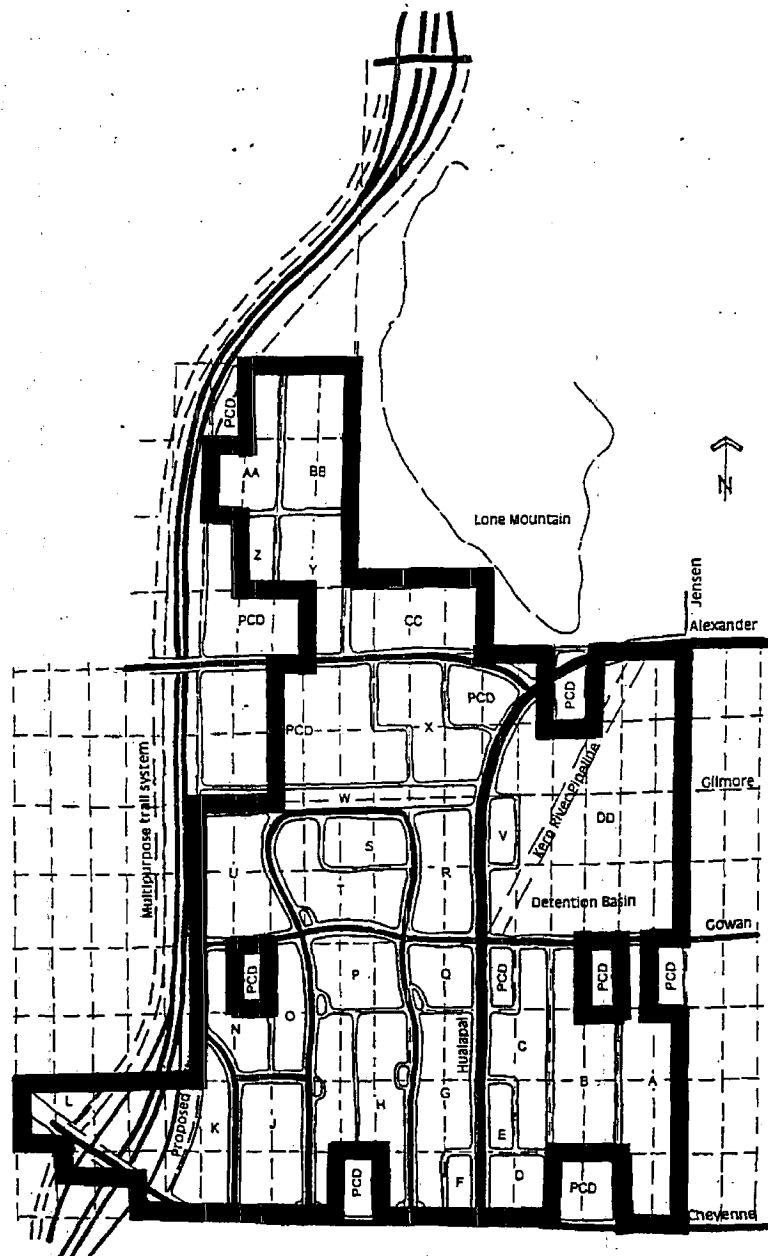
A) Zoning Code Compliance

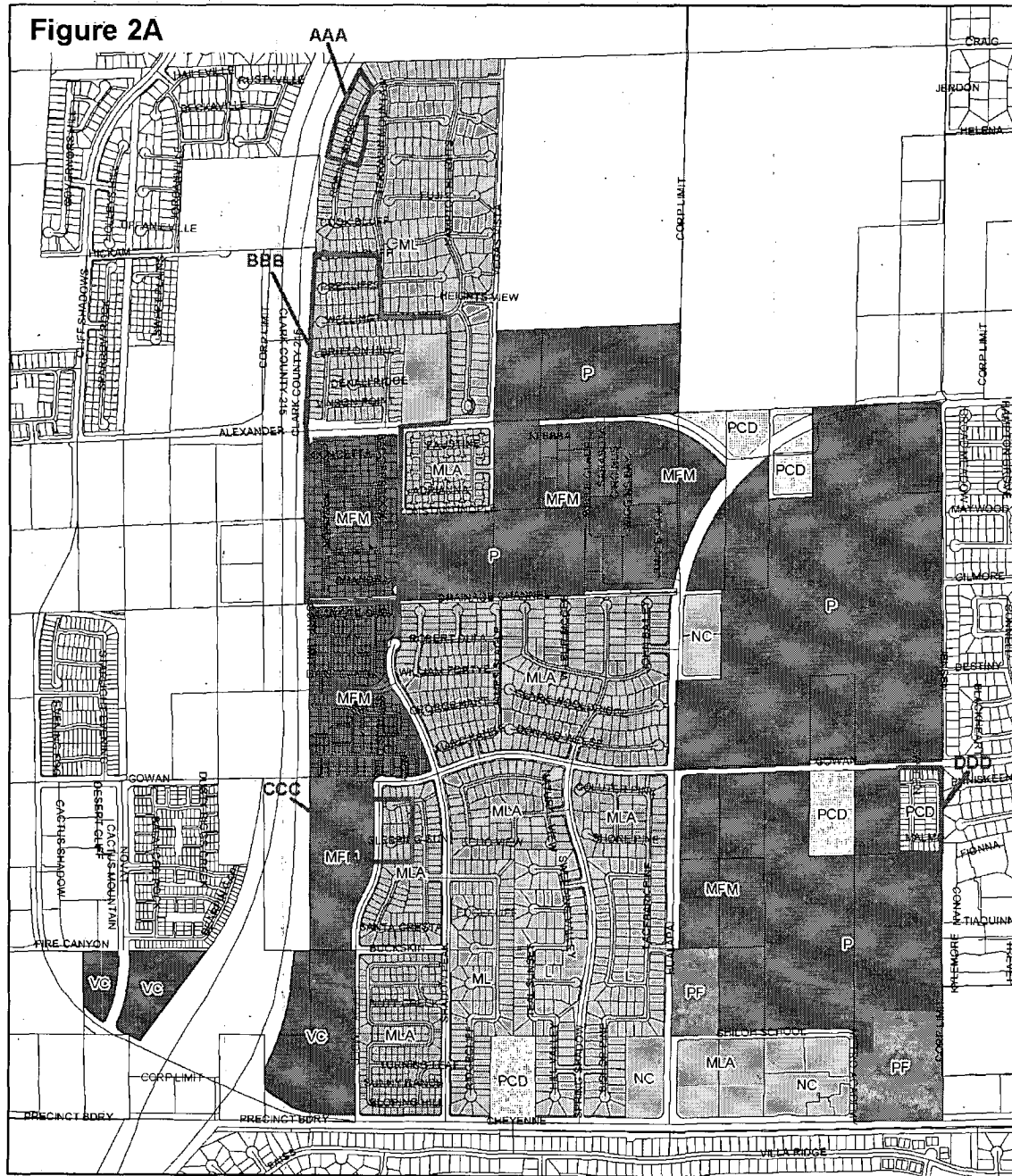
A1) Development Standards

The site is currently zoned PD (Planned Development). This zoning district requires the approval of a master development plan to establish development standards within the district. Development of this site will be subject to the standards outlined in the Lone Mountain Master Development Plan and conditions of approval of a Site Development Plan Review that may be submitted for this site in the future.

Figure 2 - DEVELOPMENT PARCELS

LONE MOUNTAIN
PLANNED COMMUNITY
DEVELOPMENT





Lone Mountain Land Use Planned Land Use

- | | |
|--------------------------------------|--|
| Low (up to 6 DU/AC) | Village Commercial |
| Medium-Low (up to 8 DU/AC) | Neighborhood Commercial |
| Medium-Low Attached (up to 12 DU/AC) | Parks, Schools, Recreation, Open Space |
| Multi-Family Medium (up to 25 DU/AC) | Public Facility |
| | Planned Community Development |

Parcel	Land Use	Total Acres	PCD Acres	Max DU/AC	PCD DU/AC	Total Units From Original Lone Mountain Plan	Total Units Built or Approved
PCD Total	UNDERTERMINED USE BY OTHERS	136.5					261
A	PARK	36.8					
B	SCHOOL/CHURCH	26.3					
C	MEDIUM DENSITY	21.3	21.3	25	18	383	388
D	ASSISTED CARE	10.5	10.5				58
E	LVVWD/FIRE STATION	5.5					
F	NEIGHBORHOOD COMMERCIAL	5.6	5.6				
G	LOW DENSITY	26.2	26.2	5.5	5	131	90
H	LOW DENSITY	21	21	5.5	5	105	68
I	MEDIUM LOW	21	21	5.5	5	147	95
J	MEDIUM LOW ATTACHED	21	21	21	10	210	172
K	VILLAGE COMMERCIAL .30 FADR	38.9	38.9				
L	Village Commercial .30 FAR	10.5	10.5				
M	Village Commercial .30 FAR	10.5	10.5				
N	MEDIUM DENSITY	12.6	12.6	18	18	227	220
O	MEDIUM LOW ATTACHED	10.5	10.5	12	10	105	88
P	MEDIUM LOW ATTACHED	15.75	15.75	12	10	158	85
Q	MEDIUM LOW ATTACHED	10.5	10.5	12	10	105	55
R	MEDIUM DENSITY	20	20	18	18	360	70
S	MEDIUM LOW ATTACHED	12.7	12.7				50
T	MEDIUM LOW ATTACHED	26.2	26.2	12	10	262	138
U	MEDIUM DENSITY	22	22	18	18	396	297
V	NEIGHBORHOOD COMMERCIAL	5.2	5.2				
W	GILMORE OPEN SPACE/TRAILS	18	18				
X	MEDIUM DENSITY	21.5	21.5	18	18	387	277
Y	MEDIUM LOW	17	17	8	6	102	32
Z	MEDIUM LOW	6	6	8	6	36	17
AA	MEDIUM LOW	17	17	8	9	102	80
BB	MEDIUM LOW	22	22	8	6	132	82
CC	LONE MOUNTAIN PARK	21	21				
DD	GOWAN PARK/DENSITY BASIN	105					
	Total of Original Lone Mountain Master Plan Per Figure 2	754.55	444.45			3348	2623
AAA	MEDIUM LOW	3.13	3.13	8	8		18
BBB	MEDIUM LOW	39.7	39.7	8	8		305
CCC	MEDIUM LOW ATTACHED	5	5	12	12		52
DDD	MEDIUM LOW	5	5	8	8		40
	Total Current Lone Mountain Master Plan Area per Figure 2A	807.38	497.28				3038

TABLE 1 – DEVELOPMENT PARCELS

B) General Analysis and Discussion

Approval of this request will substantially reduce the overall amount of land available for Neighborhood Commercial development in the Lone Mountain area, replacing it with single-family development, surrounded on three sides by office or commercial development. Denial is recommended to preserve the opportunity for adequate amounts of commercial development in the future to serve this area.

Table 1 of the Lone Mountain Master Development Plan tracks the density and the number of units within the total Plan area and within the PCD-designated portion of the area, which cannot exceed 8 units per acre. This Table was outdated; as a result, staff researched the Plan area to obtain an accurate tally of built or approved residential units within the current total Plan area, as well as the somewhat smaller Plan area shown on Figure 2 (Development Parcels) of the Plan. These calculations indicated that 725 units can still be built within the portion of the Plan shown on Figure 2. Within the overall Plan area, 310 units could still be built and stay within the total number of units in Table 1. The result is that there is adequate capacity to build the 32 units that would be allowed on the subject site, given the density maximums of both the PCD and ML designations.

It is recommended that, should this application be approved, that the revised Table 1, Figures 2 and 2A, as shown above, replace those in the current Lone Mountain Master Development Plan. A condition of approval will address this recommendation.

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 consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, wall and buffer standards, and other applicable plans, policies, standards and regulations."**

The Major Modification would be consistent with the PCD land use designation of the General Plan, as the density of development would not exceed eight units per acre. As no site plan was submitted with this Major Modification request, it is not possible to determine compliance with other city development standards at this time.

2. **"Compatibility of the proposed development with adjacent and surrounding development."**

The site is currently designated as PCD (Planned Community Development) in the General Plan. This designation allows a maximum overall density of 8 units per acre. The adjacent residential lands immediately to the west and north are developed under PD zoning at approximately 5 units per acre, as is the residential land to the south in Sun City across Cheyenne Avenue. Land recently approved for residential development to the east of the site will develop at approximately 10 units per acre. This site, if developed at eight units per acre or less, will be compatible with these surrounding residential densities.

3. **“Minimization of the development’s impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure.”**

The site is bordered to the east by Hualapai Way and on the south by Cheyenne Avenue, both designated as a Primary (100-foot) Road on the Master Plan of Streets and Highways. These streets contain sufficient capacity to serve future residential development of the site.

4. **“Protection of the public health, safety and general welfare.”**

The site will be subject to inspections for permits and Certificates of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended Conditions as shown.

NOTICES MAILED 154 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-4311** APN: **137-12-801-006**

Name of Property Owner: Land Investments, LLC

Name of Applicant: Land Investments, LLC

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

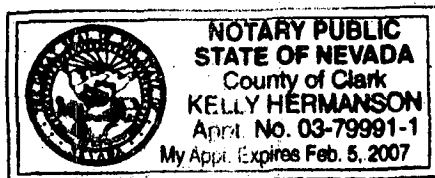
APN: _____

Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

This 7 day of April, 2004

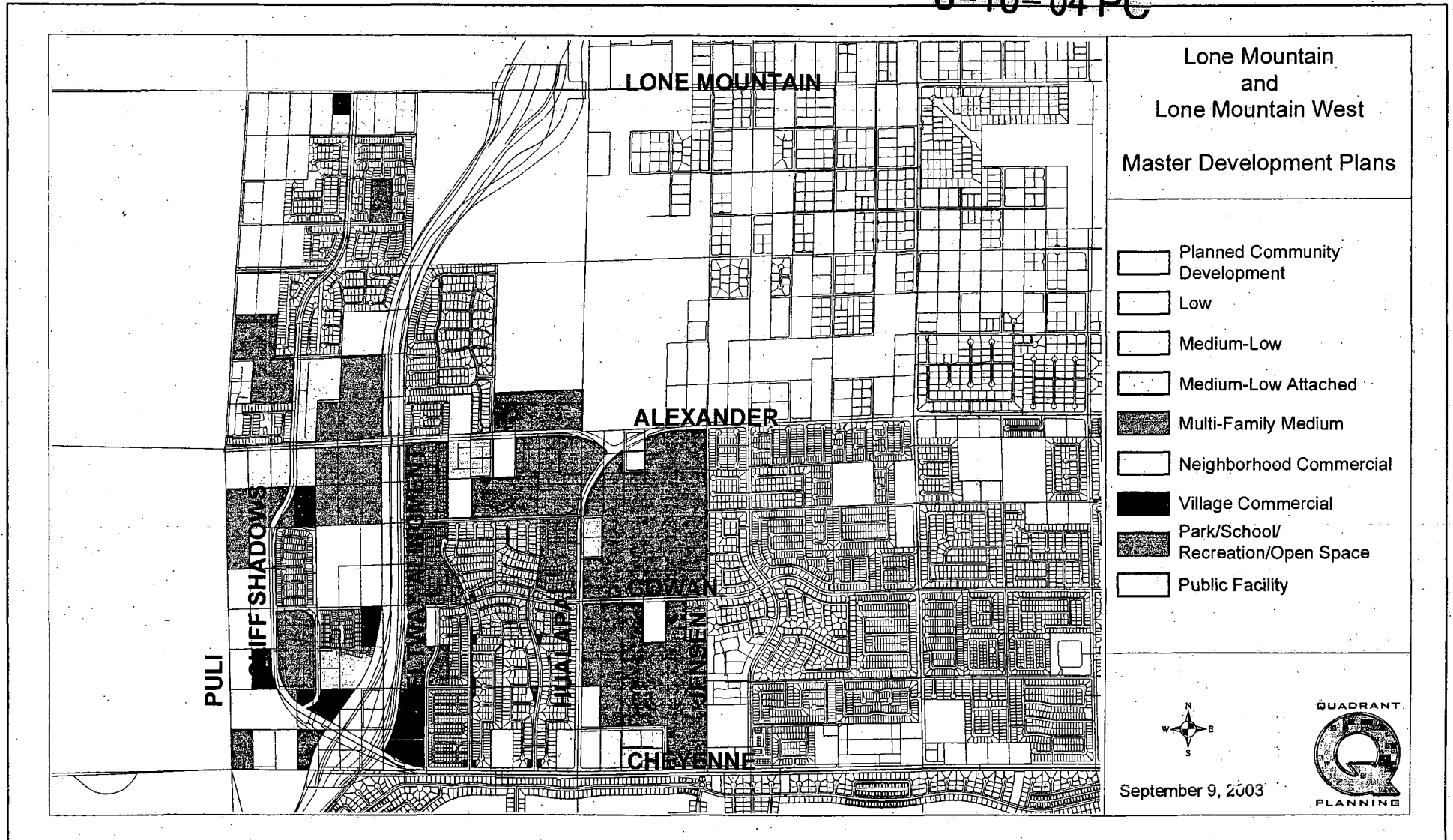
Notary Public in and for said County and State

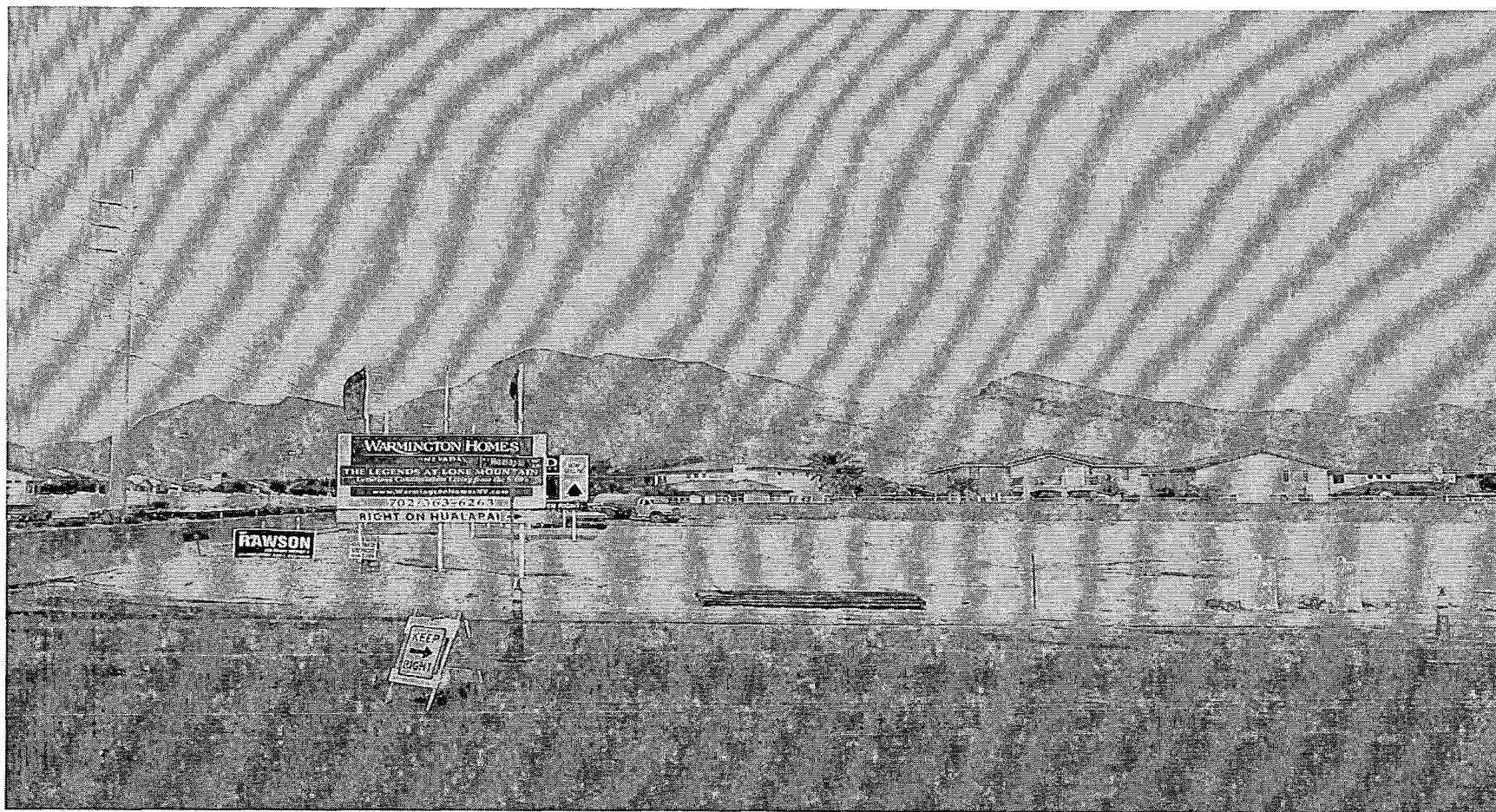


STAFF

MOD-4311

6-10-04 PC





MOD-4311 - APPLICANT/OWNER: LAND INVESTMENTS, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVENUE AND HUALAPAI WAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



MOD-4311 - APPLICANT/OWNER: LAND INVESTMENTS, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CHEYENNE AVENUE AND HUALAPAI WAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: JULY 7, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MASTER SIGN PLAN - PUBLIC HEARING - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC. - Request for a Master Sign Plan FOR AN APPROVED SEXUALLY-ORIENTED BUSINESS (TREASURES GENTLEMEN'S CLUB) adjacent to the northwest corner of Westwood Drive and Red Oak Avenue (APN: 162-08-604-001 and 162-09-102-001 & 003), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter filed by Harold L. Earl
5. Back up referenced from the 6/10/2004 Planning Commission Item 10
6. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw
7. Submitted at City Council – City Attorney's Office Written Opinions for Mayor Goodman and Councilman Mack filed under Items 3 and 101

MOTION:

REESE – Motion to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 135 [ROC-4121] and HOLD IN ABEYANCE Item 104 [709 Jackson Avenue], Item 148 [SUP-3152] to 7/21/2004, Item 119 [MSP-4380] to 8/4/2004 and Item 152 [SUP-4172] to 9/1/2004 – UNANIMOUS

MINUTES:

Under Item 101, COUNCILMAN MACK disclosed that he would be abstaining on Item 119 [MSP-4380] because of his position as an advertising consultant for Treasures. He submitted an opinion memo to CITY CLERK BARBARA JO RONEMUS from the City Attorney, which pertained to Item 52 [Elkhorn/US95 Overpass], Item 119 [MSP-4380], Item 121 [VAC-4348], Item 142 [RQR-4243], Item 153 [SUP-4247] and Item 110 [DIR-4421]. He explained that he would be reading the reasons for his abstentions as the items were heard.

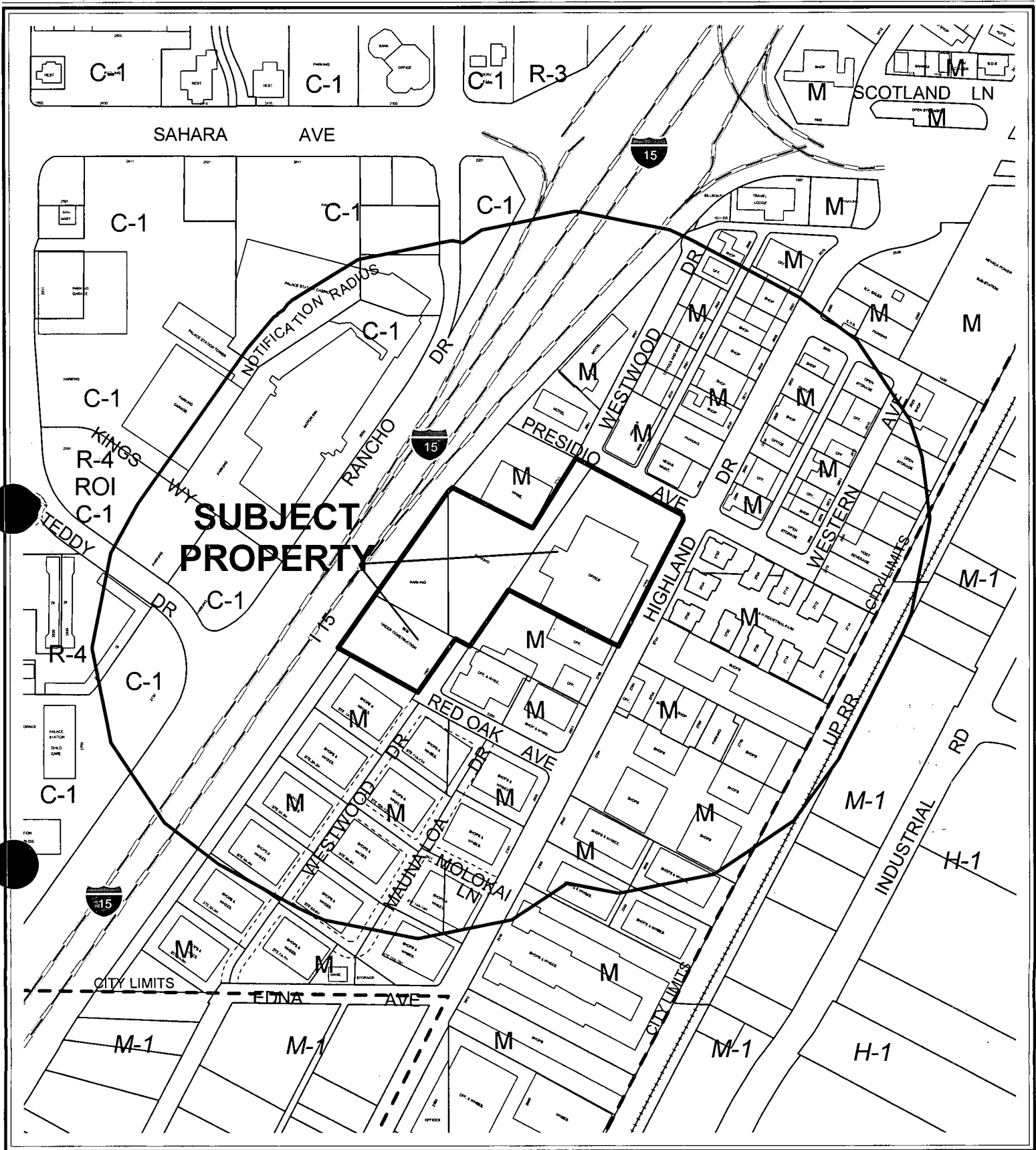
CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
ITEM 119 MSP-4380

MINUTES Continued:

Under Item 101, MAYOR GOODMAN submitted to CITY CLERK RONEMUS an opinion memo from the City Attorney's office regarding Item 110 [DIR-4421], Item 111 [DIR-4573], Item 136 [RQR-3686], Item 137 [RQR-4187], Item 138 [RQR-4238], Item 139 [RQR-4239], Item 140 [RQR-4240], Item 141 [RQR-4242], Item 142 [RQR-4243], Item 143 [RQR-4244], Item 144 [RQR-4268], Item 145 [RQR-4270], Item 146 [RQR-4271], Item 147 [RQR-4282], Item 148 [SUP-3152], Item 149 [SUP-3972], Item 151 [SUP-4169] and Item 152 [SUP-4172] all of which involve billboard signs. He disclosed he would abstain from voting on these items because members of his law office are involved in negotiations with billboard companies. He indicated the opinion memo also covered the abstention he would take on Item 119 [MSP-4380] because his son is an attorney for Treasures.

(1:34 – 1:38)

4-96



CASE: **MSP-4380**

RADIUS: 750 FT

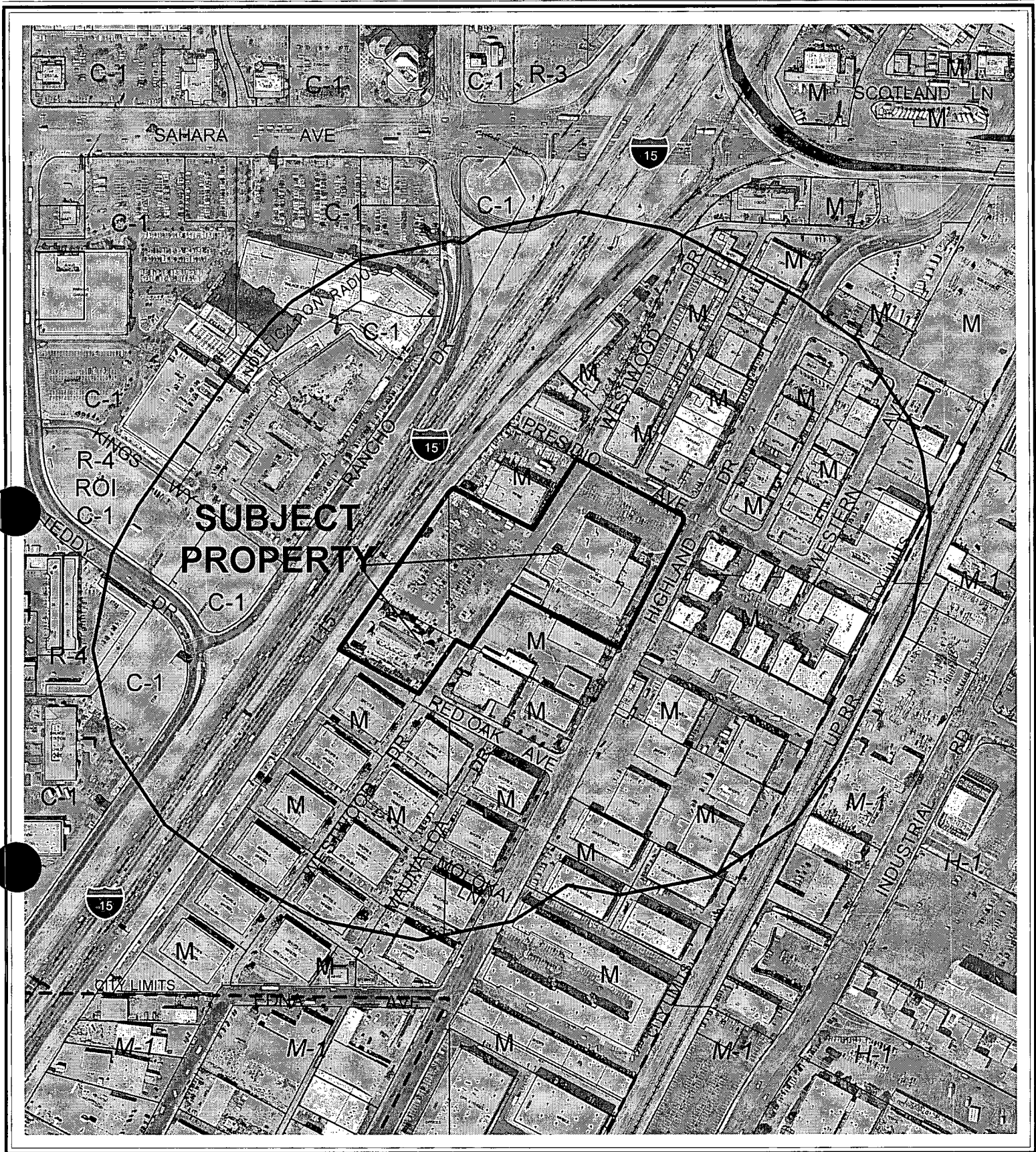
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



119





CASE: **MSP-4380**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D
2801 WESTWOOD, INC.

**** CONDITIONS ****

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

Planning and Development

1. The approvals for MSP-1409 and MSP-2565 shall be expunged.
2. Conformance to the sign elevations and Master Sign Plan Sign Criteria document as submitted in conjunction with this request, except as amended by conditions herein.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. The base of the new freestanding sign at Highland Drive and Presidio Avenue shall be detailed to match the bases of the existing freestanding signs at I-15 and Westwood Drive. The modification shall be reviewed and approved by Planning and Development staff.
5. The Master Sign Plan Sign Criteria document shall be modified to prohibit any additional Consolidated or Freestanding Signs, and shall include specific design guidelines for any future wall signage.
6. The raceway lighting shall not flash.
7. No additional freestanding or monument signs will be permitted along Westwood Drive.
8. No temporary signage shall be allowed on the parcels without the approval of a Temporary Sign Permit from the Planning and Development Department.
9. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Master Sign Plan for an approved Sexually-Oriented Business (Treasures Gentlemen's Club) and office complex adjacent to the northwest corner of Westwood Drive and Red Oak Avenue. This application is intended to replace the two existing Master Sign Plans (MSP-1409 and MSP-2565) that have been approved for the development.

B) Applicant's Justification

The applicant states that despite the presence of freestanding signs on I-15 and Westwood Drive, customers are having a difficult time locating the club from Highland Drive, which serves as the principal access to the business.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 04/05/00 | The City Council approved a Special Use Permit (U-0109-99) for a Tavern on this site. The Planning Commission recommended Denial. |
| 05/16/01 | The City Council approved a one-year Extension of Time [U-0109-99(1)] of a Special Use Permit for a proposed 20,198 square foot Tavern on the subject site. |
| 01/16/02 | The City Council approved a Site Development Plan Review (SD-0063-01) for a proposed 24,093 square foot sexually oriented business on this site. The Planning Commission and staff recommended approval of the request. |
| 08/21/02 | The City Council approved a one-year Extension of Time [U-0109-99(2)] of a Special Use Permit for a proposed 20,198 square foot Tavern on the subject site. |
| 04/16/03 | The City Council approved a Master Sign Plan (MSP-1409) for one freestanding ground sign (50 feet in height) on the site. The Planning Commission and staff recommended approval. |
| 08/06/03 | The City Council approved a one-year Extension of Time (EOT-2333) of a Special Use Permit for a proposed 20,198 square foot Tavern on the subject site. The Planning Commission recommended approval of the request on 06/26/03. |
| 08/20/03 | The City Council approved a Master Sign Plan (MSP-2565), which permitted an additional freestanding sign and wall signage for the proposed building on the site. The Planning Commission recommended approval of the request on 07/24/03. |

04/08/04 The Planning Commission tabled requests for a Special Use Permit (SUP-3907) and Variance (VAR-4032) for an off-premise sign on the property. The City Attorney determined that the requests should be processed as an addition to the previously-approved Master Sign Plan (MSP-2565).

06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #10/ff).

B) Pre-Application Meeting

04/14/04 At the pre-application meeting, issues were discussed relative to the fact that three separate parcels are included as part of the development, the omission of one of the parcels from the previously-approved Master Sign Plan (MSP-2565), and the need for wall sign guidelines for the Highland Office Center which is included as part of the development.

C) Neighborhood Meetings

A neighborhood meeting is not required for Master Sign Plan applications.

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property: Sexually-Oriented Business, Office Use
North: Industrial/Manufacturing
South: Industrial/Warehouse
East: Industrial/Office
West: I-15 Freeway

B) Existing Zoning

Subject Property: M (Industrial)
North: M (Industrial)
South: M (Industrial)
East: M (Industrial)
West: Right-of-Way

C) General Plan Compliance

The LI/R (Light Industrial/Research) category of the Southeast Sector Plan allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. The existing M (Industrial) Zoning is consistent with the LI/R (Light Industrial/Research) general plan designation.

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

The subject parcel is not subject to any Special Area Plans, Overlay District regulations, or Study Areas.

MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE		
THRESHOLD	YES	NO
To establish requirements/limitations for signs in a specific development	X	

A Master Sign Plan was required as a condition of approval of the Site Development Plan Review (SD-0063-01).

ANALYSIS

A) *Zoning Code Compliance*

General project description

The applicant has requested approval of a new Master Sign Plan for the development in order to permit an additional freestanding sign at the intersection of Highland Drive and Presidio Avenue. The proposed sign will be 40 feet tall, with 426 square feet of sign area, and is generally consistent with the configuration and materials of the two existing signs on the Treasures parcel.

As this sign plan is to replace the existing sign plans already in place for the property (MSP-1409 and MSP-2565), the submitted documentation identifies all existing signage on the Treasures parcel, as well as the existing freestanding sign and wall signage of the Highland Office Center. The sign plan also includes a Master Sign Plan Sign Criteria document, which dictates all future signage that may be allowed for the development, subject to the limitations of Title 19.14.

A1) Residential Protection Standards

The parcel is located over 1,200 feet from the nearest single-family residential parcel, and is not subject to the Residential Protection Standards listed in Title 19.14.

A2) Sign Standards

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

**Freestanding Signs:
Standards**

	Allowed	Provided
Maximum Number	1/200' Frontage 1/Westwood 3/Highland Drive 2/Presidio Avenue 6 total	1/Westwood 2/Highland Drive 0/Presidio Avenue 1/I-15 4 total
Maximum Area	2 SF/ft. frontage 400 SF/Westwood 880 SF/Highland 760 SF/Presidio	152 SF/Westwood 696 SF/Highland 0 SF/Presidio 350 SF/I-15
Maximum Height	40 Feet	28'/Westwood 30' & 40'/Highland --/Presidio 50'/I-15
Minimum Setback	5 Feet	5 Feet
Illumination	Internal, External, Animated, Electronic	Internal, External (Neon)

The existing and proposed freestanding signage is generally in conformance with the requirements of Title 19. The existing freestanding sign facing I-15 is not permitted by Title 19, due to the fact that the parcel does not have direct access from the Interstate, but was approved as part of a previously approved sign plan. The other existing freestanding signs conform with the height and area limitations; the proposed freestanding sign will also conform with height and area requirements.

**Wall Signs:
Standards**

	Allowed	Provided
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	Not indicated
Maximum Projection	4 Feet	1 Foot
Illumination	Internal, External, Animated, Electronic	Non-illuminated, External (Neon)

While calculations have not been provided for the existing wall signage, a visual inspection of the properties indicates that it is significantly less than what would be permitted under Title 19.14. The wall signage also conforms with the lighting requirements listed in the Code of Ordinances.

B) General Analysis and Discussion

Three parcels comprise the Treasures development: The parcel at the northwest corner of Red Oak Drive and Westwood Drive, where the Sexually-Oriented Business is located; the

parcel immediately north, which includes the parking area for the business and driveway access from Presidio Avenue; and the Highland Office Center, located at the southwest corner of Highland Drive and Presidio Avenue. The three parcels were identified as part of the development when the Site Development Plan (SD-0063-01) for Treasures was approved.

The previous Master Sign Plans (MSP-1409 and MSP-2565) only included two of the three parcels as part of the plan; the Highland Office Center parcel was omitted from the sign plan. The applicant's request for an additional freestanding sign warrants revisions to the existing sign plans and the inclusion of the Highland parcel.

The new freestanding sign proposed for the intersection of Highland Drive and Presidio Avenue is in conformance with the requirements of Title 19.14, and the proposed location will provide adequate separation between the existing freestanding sign for the Highland Office Center. The base of the proposed sign does not match the detailing of the bases of the existing freestanding Treasures signs, and should be modified so that the three signs are consistent as dictated by the Master Sign Plan requirements. The colors, lighting, and design elements are consistent with the other Treasures signs.

No other freestanding signs are proposed at this time; however, the Master Sign Plan Sign Criteria document would permit additional freestanding signs based on Title 19 requirements. Due to the fact that the development already includes a non-permitted freestanding sign, it is recommended that no other freestanding signs be permitted, and that the Sign Criteria document be modified as such. A condition has been added to include this recommendation.

The existing wall signage conforms with the requirements of Title 19, and the Sign Criteria document limits any additional wall signage to 20% of the each building façade. The Sign Criteria document does not place any restrictions on the type, color, or placement of any future signage; the document should be modified so that any future wall signage is consistent with the existing signage.

As indicated in the applicant's justification letter, this sign plan will replace the existing sign plans that were approved for the property. The applicable conditions of approval of the original sign plans have been incorporated into the conditions for the current request.

PLANNING COMMISSION ACTION

There was one speaker protesting this application at the Planning Commission hearing.

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-4380** APN: _____

Name of Property Owner: D. 2753, LLC

Name of Applicant: _____

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: _____

Partner(s): N/A

APN: _____

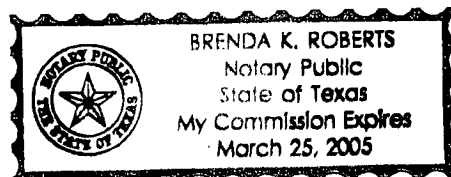
Signature of Property Owner/Authorized Agent: 

Subscribed and sworn before me

This 28th day of April, 2004

Brenda K. Roberts
Notary Public in and for said County and State

Ali Davari
mgr of D. 2753, LLC



AS PER
REQ'D.

14'-0"

9'-0"

3'-0"

2'-0"

1'-2"

7'-0"

28'-0"

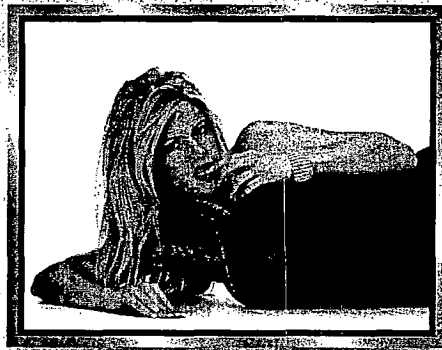
1'-0"

LOGO SHIELD DECOR
PLANT-ONS TO MATCH
BLDG

METAL CAPS SAND FINISH
PTD. TO MATCH BLDG COLOR

TREASURES
GENTLEMEN'S CLUB

OPEN CHANNEL LETTERS
PAINT AZTEC GOLD W/
MAJESTIC GOLD NEON ILLUM.



INTERNALLY ILLUMINATED FLEX
FACE CABINET W/ GPA RETAINER
COMPUTER PRINTED GRAPHICS
ILLUM AS REQ'D

METAL CORNICES SAND FINISH
PTD. TO MATCH BLDG COLOR

FC.O. ALUM DIAMOND PLANT-ON
PAINTED SMOOTH TO MATCH
CORNICES

2801

1/4" FC.O. ALUM ADDRESS NUMBERS
PAINT T.B.D

METAL SAND FINISH PYLON COVER
PTD. TO MATCH BLDG COLOR
REVEALS PTD. SMOOTH.

ALUM BASE SAND FINISH PTD.
TO MATCH BLDG COLOR

FRONT VIEW

SIDE VIEW

S/F 28' PYLON SIGN

3/8" = 1'-0"

COLOR CALL-OUTS TO FOLLOW - NOTE: ALL EMBELLISHMENT TO MATCH ARCHITECTURE OF BLDG

6-1004 PC

MSP-4380

STAFF

PROJ NO	7375
DATE	10-08-2002
DESIGNER	DERRICK
INSTALL	SHOCK
FILE NAME	TG07375.CDR
USER	

TREASURES
GENTLEMEN'S CLUB

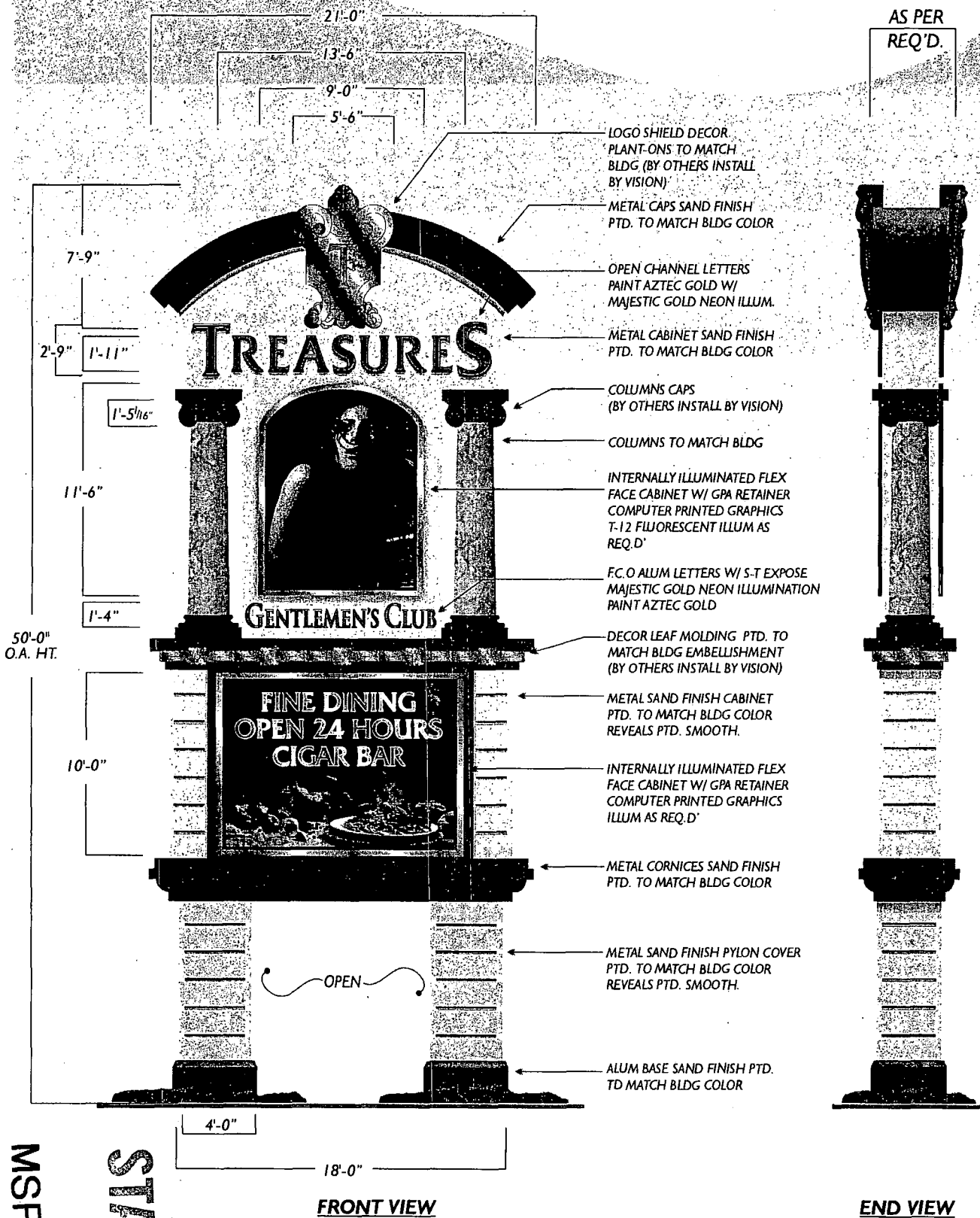
VISION SIGN
5535 S. Pikes Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 433.230 for work under contract from an agency authorized under NRS 424. NY CONTRACTOR LICENSE #42776

DATE	08-22-02
BY	DN
CHECKED	
APPROVED	

THIS WORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN INC. ANY INFRINGEMENT OF THE SAME IN ANY MANNER SHALL BE CAUSE FOR IMMEDIATE LITIGATION.

AS PER
REQ'D.



6-10-04 PC

MSP-4380

STAFF

D/F 50' PYLON SIGN

3/16" = 1'-0"

COLOR CALL-OUTS TO FOLLOW - NOTE: ALL EMBELLISHMENT TO MATCH ARCHITECTURE OF BLDG

JOB NO	6806b
DATE	10-08-2002
CRWNN	DERRICK
INFE	SHOCK
FILE NAME	LaRouge6806b.CDR
FILE LOCATED IN TREASURES FOLDER	

TREASURES

GENTLEMEN'S CLUB

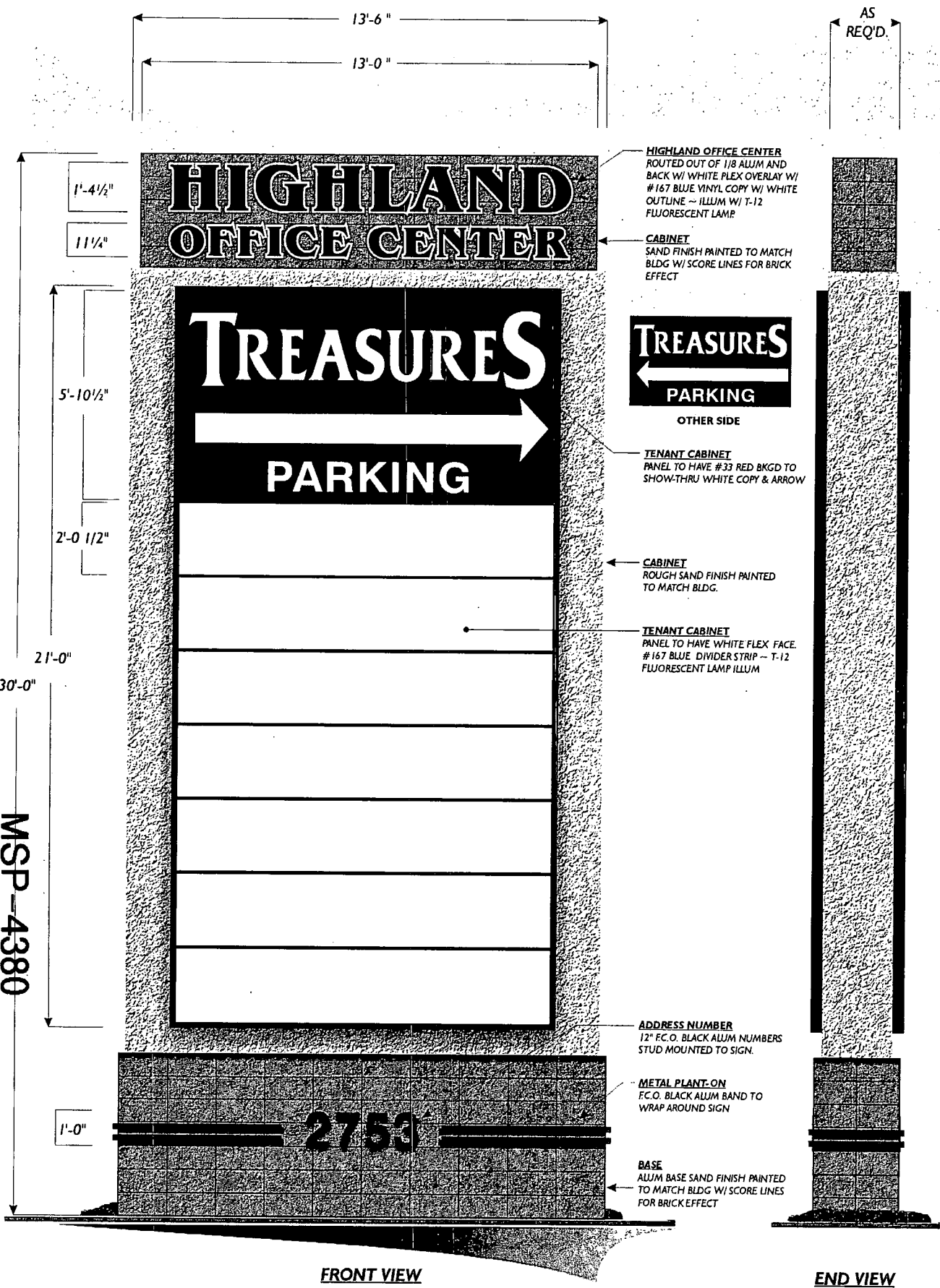
VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contract or license category authorized under NRS 624.

NY CONTRACTOR LICENSE #12776

DATE	BY
12-09-02	DN
01-22-03	DN
03-18-03	DN
03-27-03	DN
04-14-03	DN
04-21-03	DN

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME IN WHOLE OR PART IS PROHIBITED.



FRONT VIEW

END VIEW

D/F 30' PYLON SIGN

3/8" = 1'-0"

6-10-04 PC

STRT

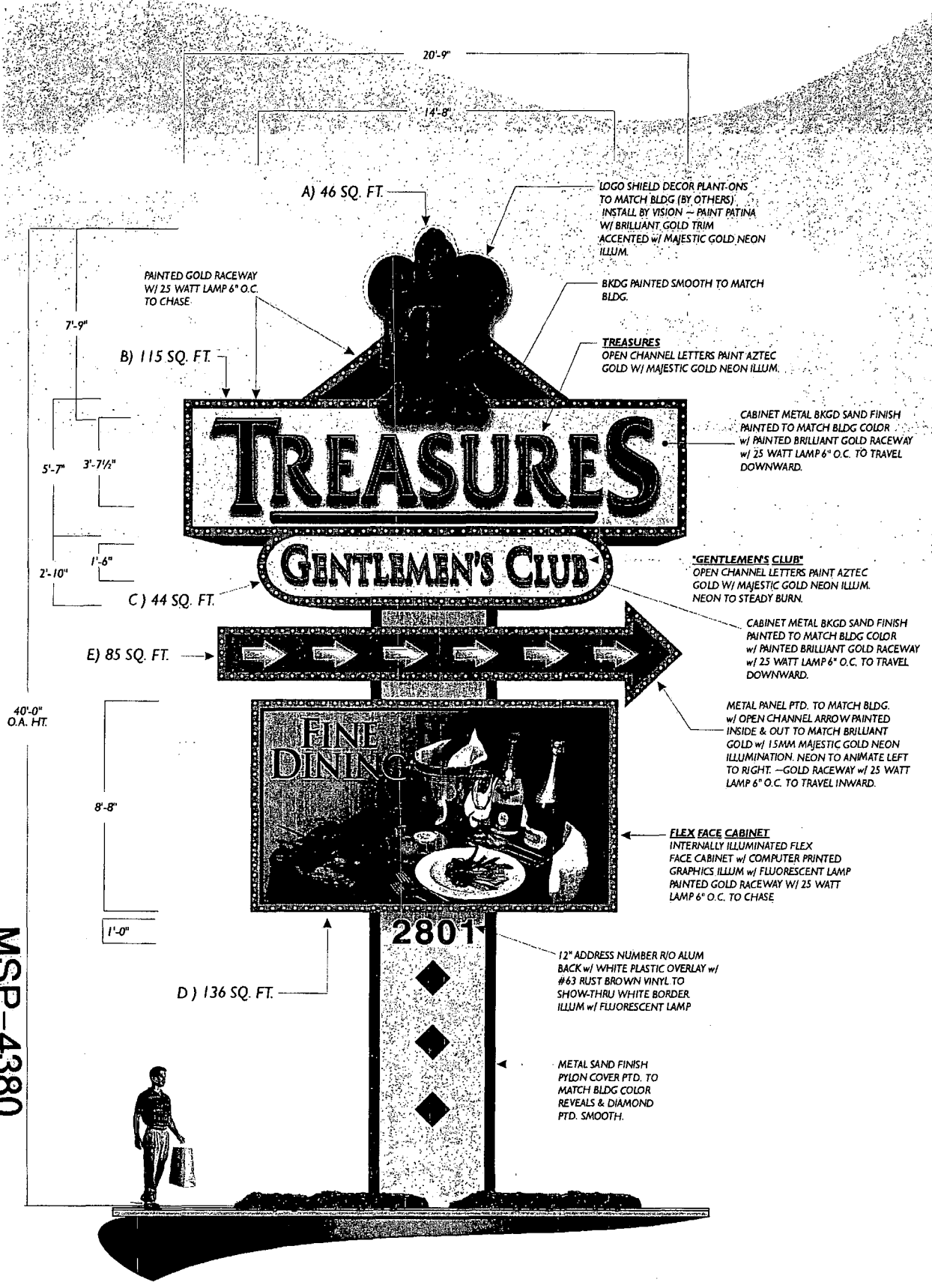
JOB NO.	6806C
DATE	10-08-2002
DRAWN	DERRICK
CHECK	SHOCK
BY NAME	L. A. G. 6806C CDR
DATE	

**HIGHLAND
OFFICE CENTER**
2753 HIGHLAND



These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category submitted under NRS 624.
NY CONTRACTOR LICENSE #41776

REVISION	DATE	BY
1	12-09-02	DW
2	02-29-03	DW
3	07-31-03	CH
4	09-15-03	DW



MFG. & INSTALL NEW 40' PYLON SIGN

1/4" = 1'-0"

PLAN NO.	8029a
DATE	11-18-2003
DRAWN BY	DERICK
CHECKED BY	SHOCK
PROJECT	TGC30199A.CDR

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
303 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an application to NRS 623.230 for work under contractor license category authorized under NRS 624. NY CONTRACTOR LICENSE #12776

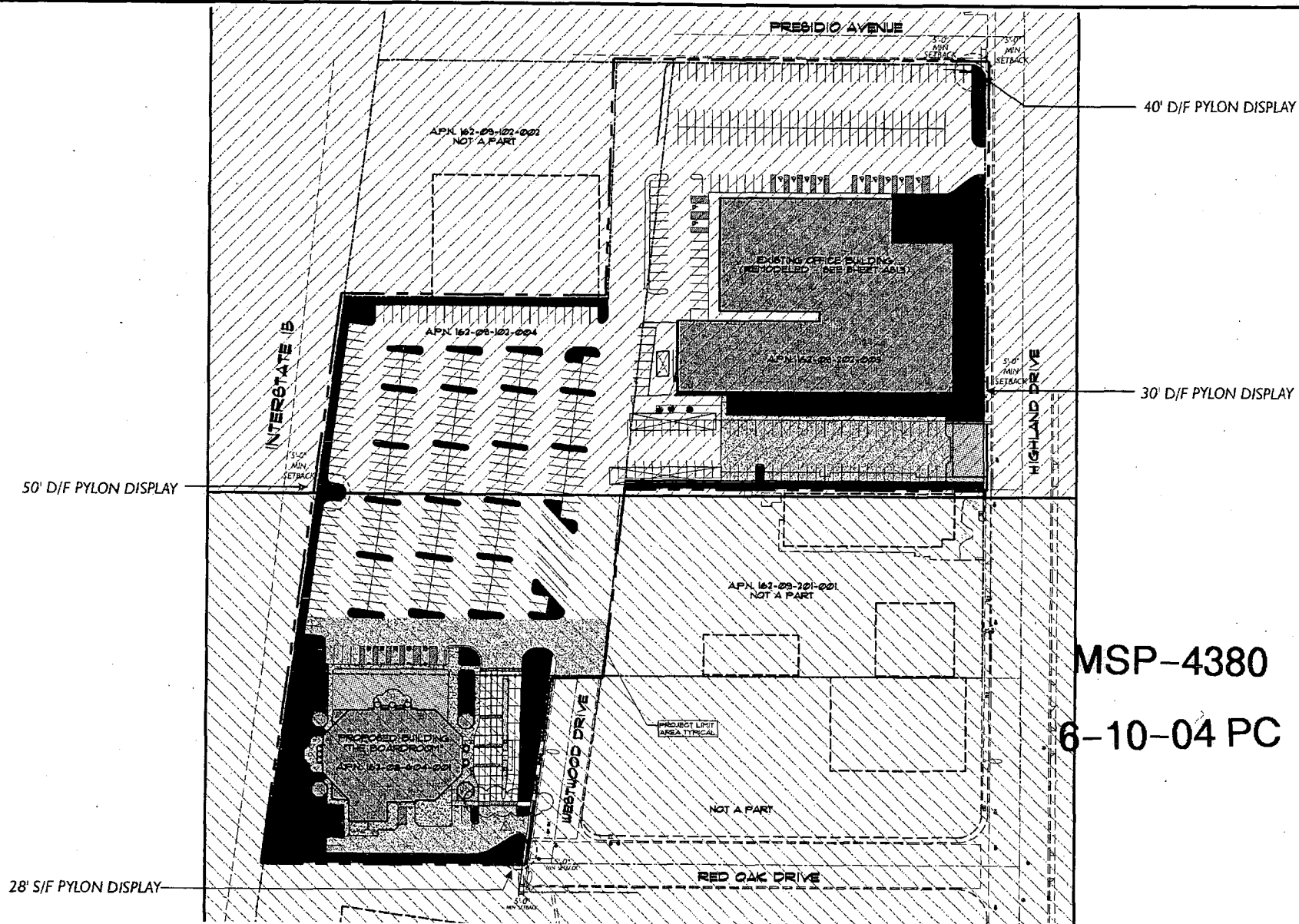
DATE	01-10-04	BY	ADD SQ. FOOTAGE
DATE	02-27-04	BY	NEW AREA

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY REPRODUCTION OR USE OF THIS ARTWORK WITHOUT THE WRITTEN PERMISSION OF VISION SIGN, INC. IS PROHIBITED.

6-10-04 PC

STAFF

MSP-4380



OVERALL SITE PLAN

SCALE: 1"=100'

FOR NO.	TGC SitePlan
DATE	04-05-2004
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	TGC O.A SitePlan.CDR
FOLDER	TREASURES

TREASURES
GENTLEMEN'S CLUB

VISION SIGN

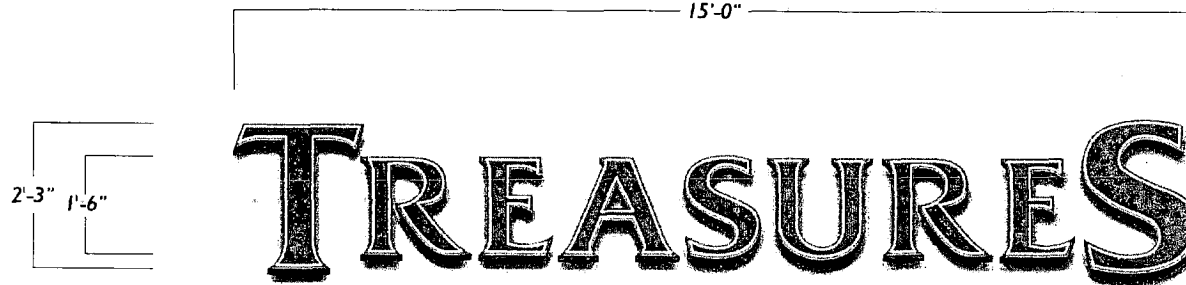
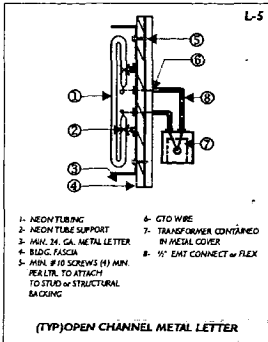
3525 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

REVISIONS	BY

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

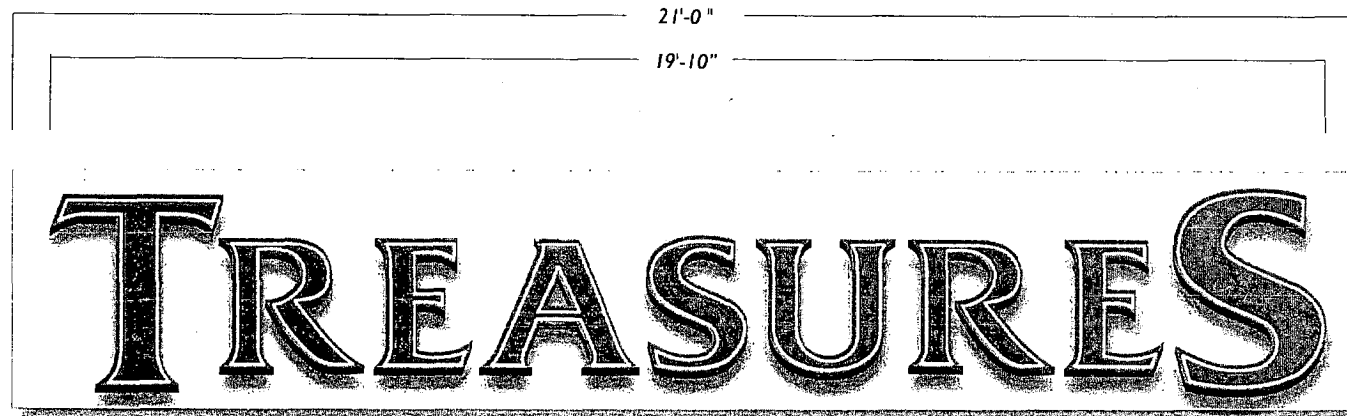
STAFF



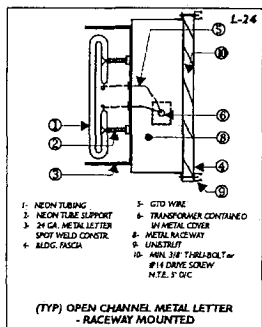
(A) OPEN CHANNEL LETTERS DETAIL $1/2" = 1'-0"$

(3) REQ'D. ~ EAST, NORTH & SOUTH ELEVATION

OPEN PAN CHANNEL LETTERS PAINTED AZTEC GOLD #46-401 INSIDE & OUT ~ ILLUM. W/ MAJESTIC GOLD NEON.



STAFF



(B) OPEN CHANNEL LETTERS DETAIL $1/2" = 1'-0"$

(1) REQ'D. ~ WEST ELEVATION

OPEN PAN CHANNEL LETTERS PAINTED AZTEC GOLD #46-401 INSIDE & OUT ~ ILLUM. W/ MAJESTIC GOLD NEON.
LETTERS MOUNTED TO METAL RACEWAY TEX-COTE PAINTED TO MATCH BLDG.

MSP-4380

6-10-04 PC

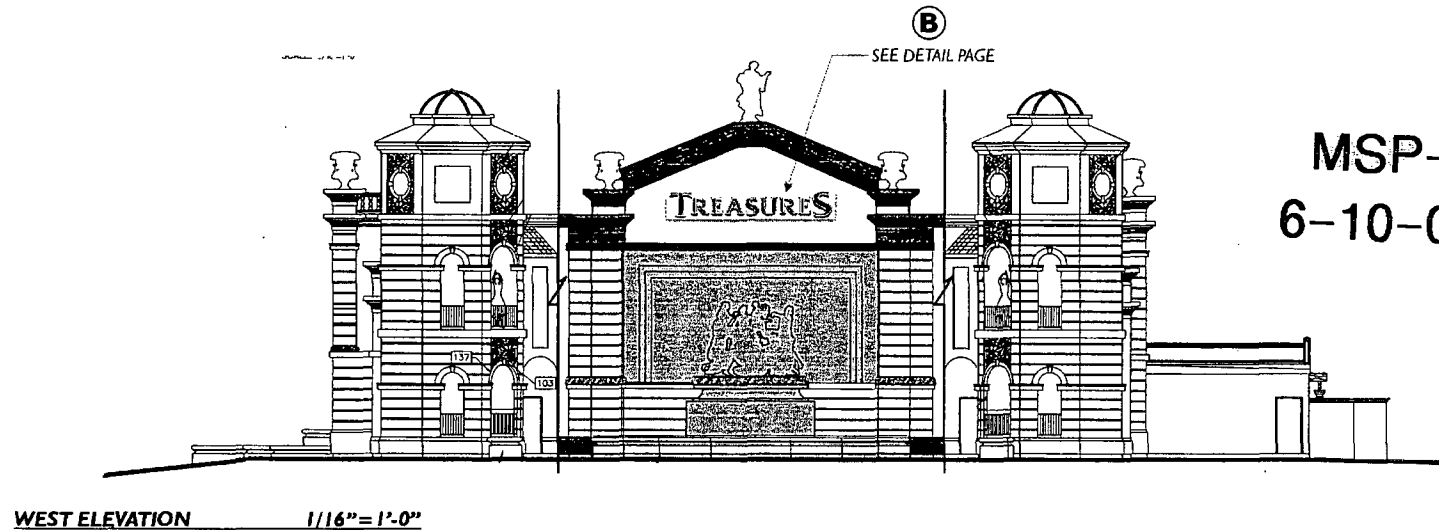
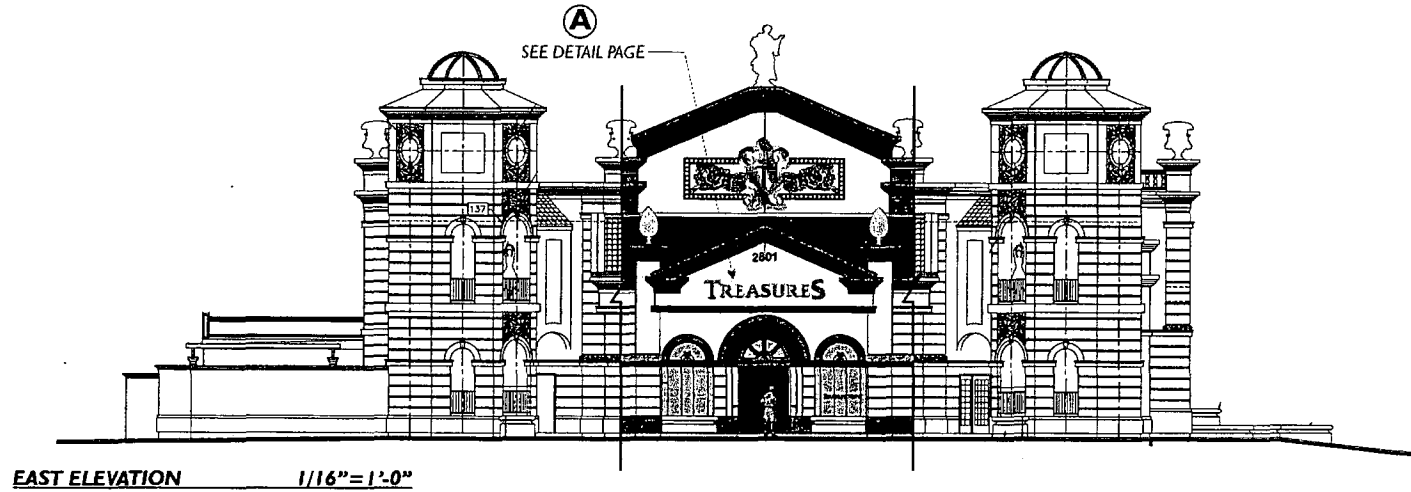
FOR NO.	7246
DATE	02-26-2003
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	7246.CDR
SHEET	

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

REVISIONS	BY
04-21-03	DN



MSP-4380
6-10-04 PC

STAFF

JOB NO. 7246
DATE 02-26-2003
DRAWN DERRICK
SALES SHOCK
FILE NAME 7246.CDR
SHEET

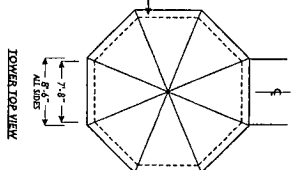
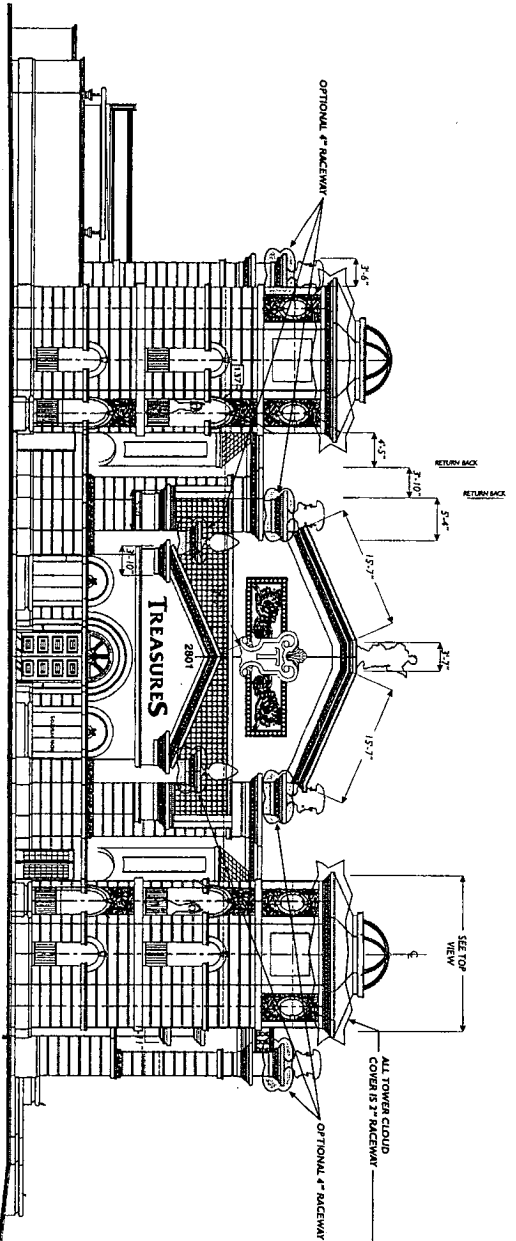
TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

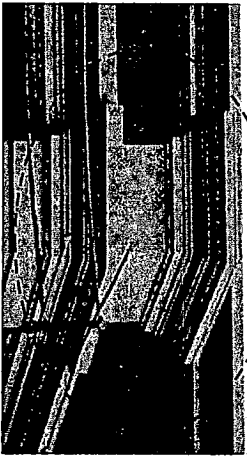
REVISIONS	BY
04-21-03	DN

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.



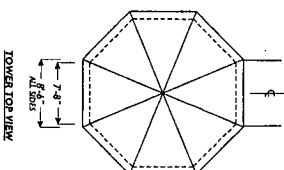
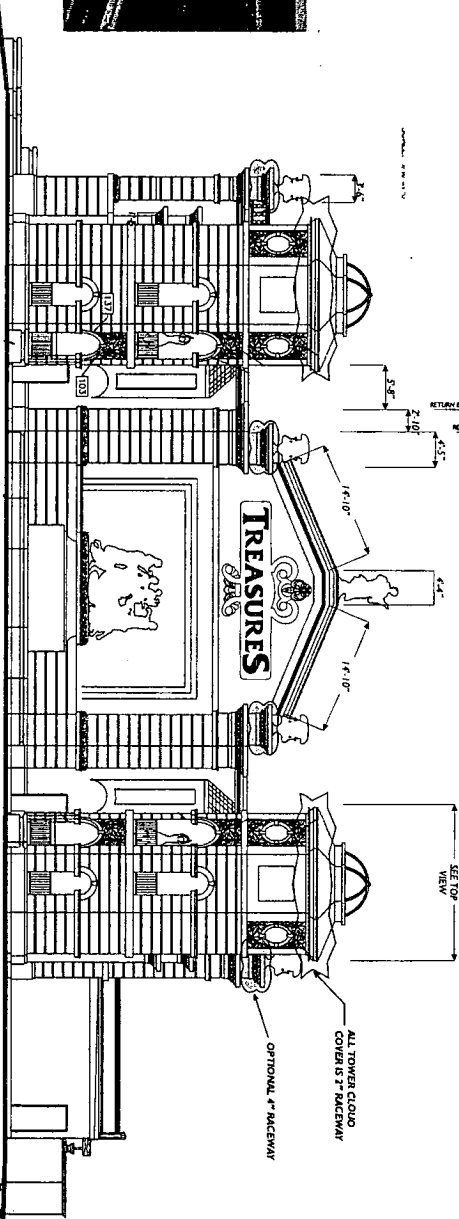
EAST ELEVATION 1/8" = 1'-0"

MFG. & INSTALL 4" ILLUMINATED PAINTED RACEWAY
COLOR T.B.D. W/ 11 WATT CLEAR LAMPS 6" ON CENTER



WEST ELEVATION 1/8" = 1'-0"

MFG. & INSTALL 4" ILLUMINATED PAINTED RACEWAY
COLOR T.B.D. W/ 11 WATT CLEAR LAMPS 6" ON CENTER



STAFF

MSP-4380
6-10-04 PC

ALL SIZES ARE PLUS OR MINUS (FIELD CHECK REQ'D)

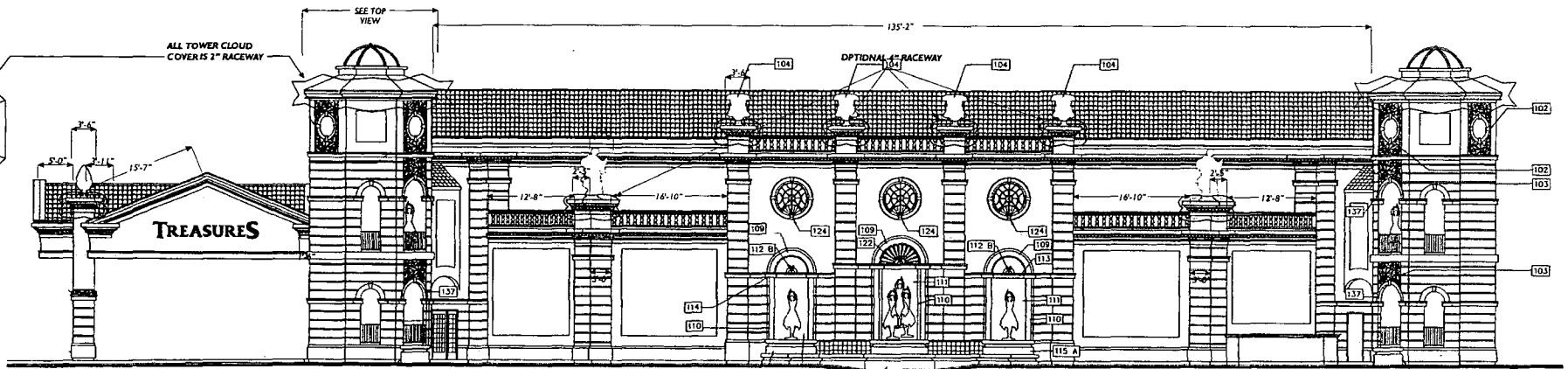
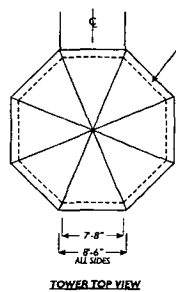
DATE	04-23-2003
DRAWN	DERICK
CHECK	SHOCK
TITLE	TSG27397.CDR
SCALE	AS SHOWN

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3025 S. Federal Ave. Las Vegas, Nevada 89102

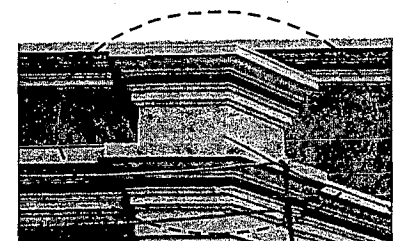
These plans are prepared and submitted by the contractor as an exception to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42716

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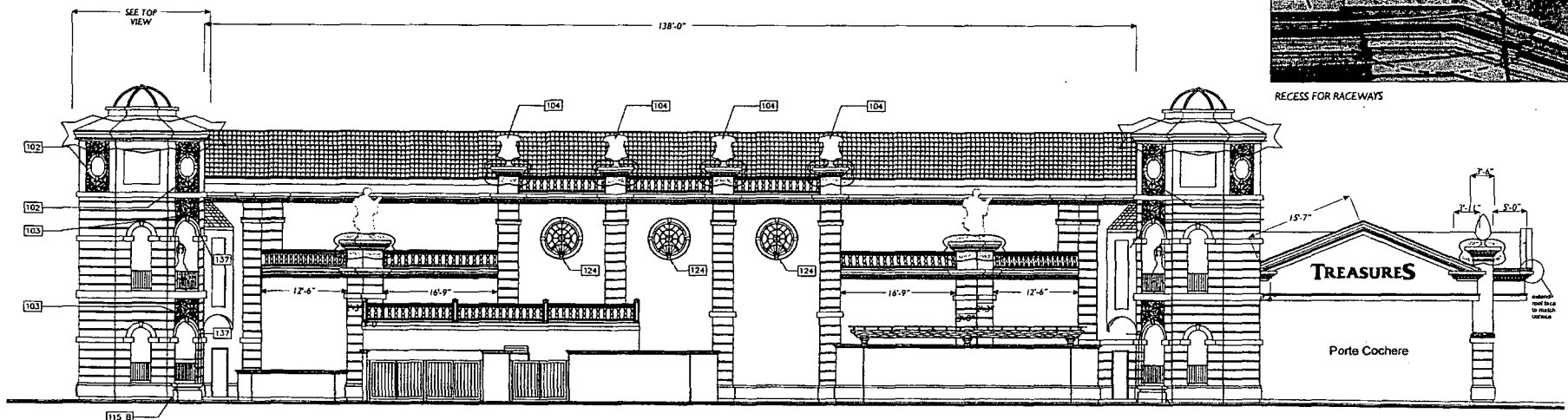
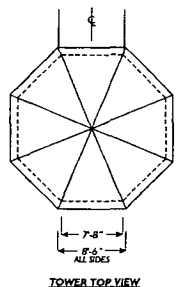


NORTH ELEVATION 1/8" = 1'-0"

MFG. & INSTALL 4" ILLUMINATED PAINTED RACEWAY
COLOR T.B.D. W/ 11 WATT CLEAR LAMPS 6" ON CENTER



RECESS FOR RACEWAYS



SOUTH ELEVATION 1/8" = 1'-0"

MFG. & INSTALL 4" ILLUMINATED PAINTED RACEWAY
COLOR T.B.D. W/ 11 WATT CLEAR LAMPS 6" ON CENTER

JOB NO.	7397
DATE	04-23-2003
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	TGC7397.CDR
SHEET	OF

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3625 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

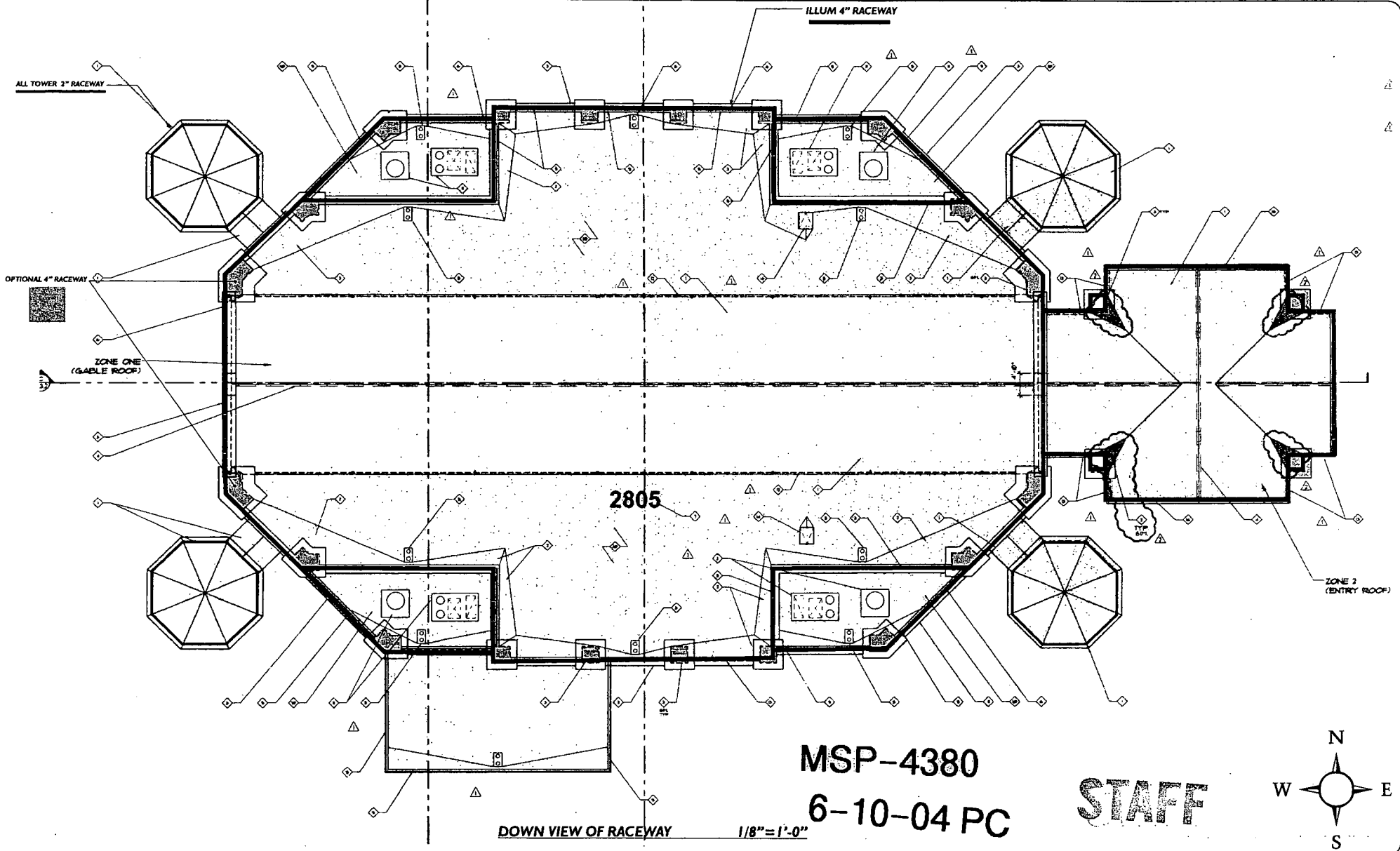
REVISION	BY

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MSP-4380
6-10-04 PC

STAFF

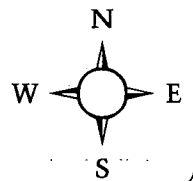
I-15



DOWN VIEW OF RACEWAY 1/8"=1'-0"

MSP-4380
6-10-04 PC

STAFF



JOB NO.	7397
DATE	04-23-2003
DRAWN	DERRICK
SALES	SHOCK
FILE NAME	TGC7397.CDR
SHEET	OF

TREASURES
GENTLEMEN'S CLUB



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NV CONTRACTOR LICENSE #42776

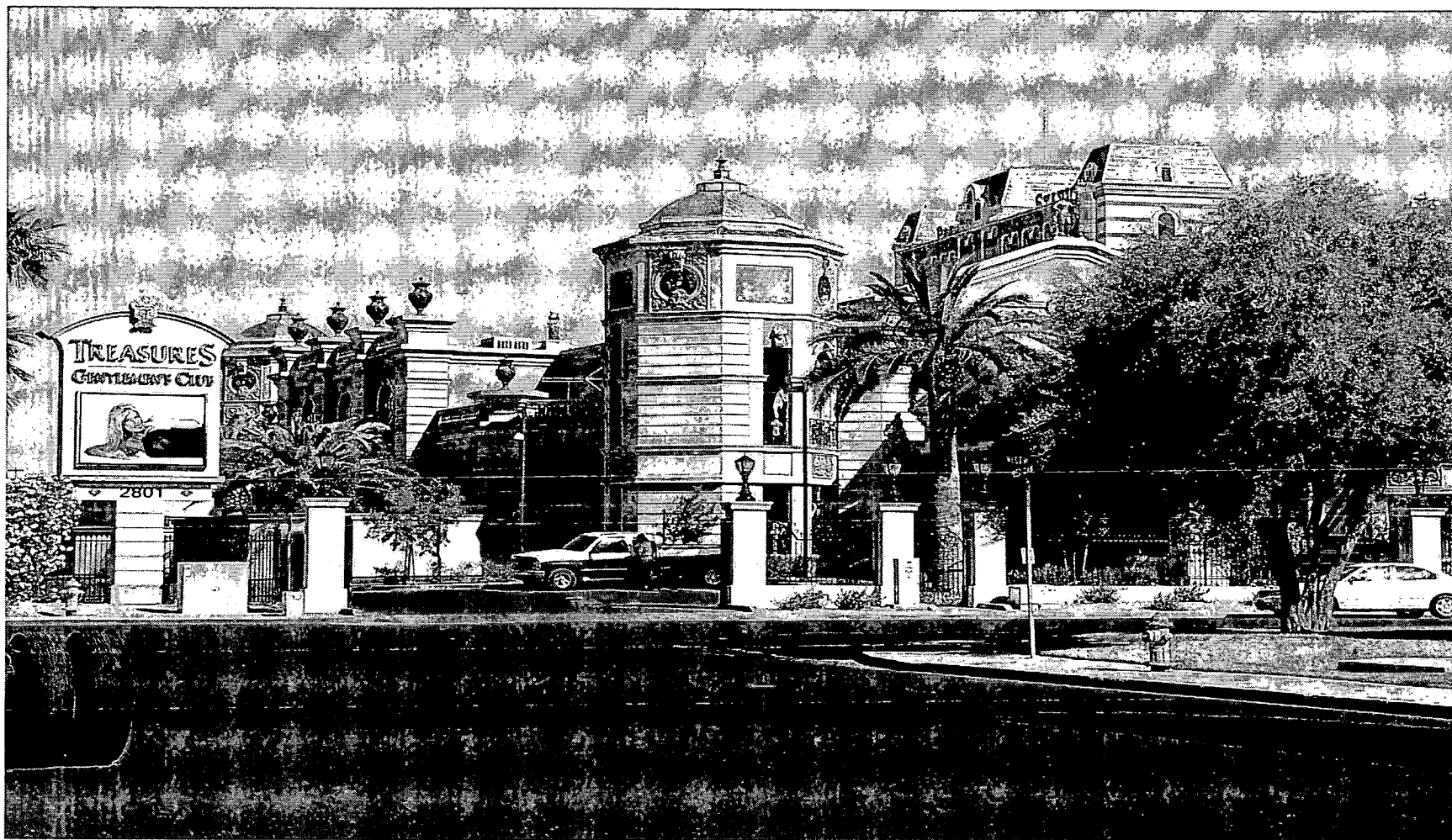
REVISION	BY

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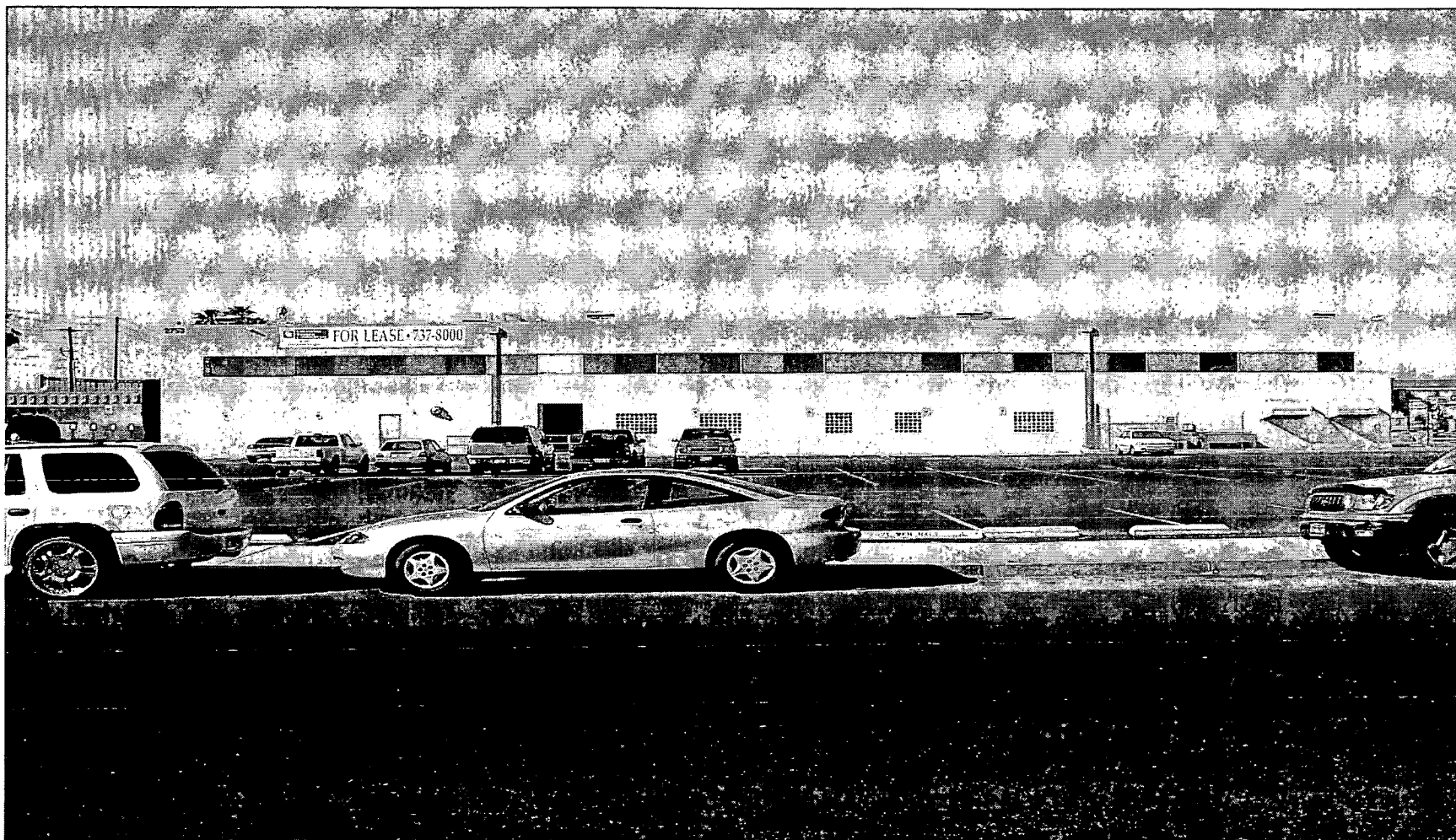
MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



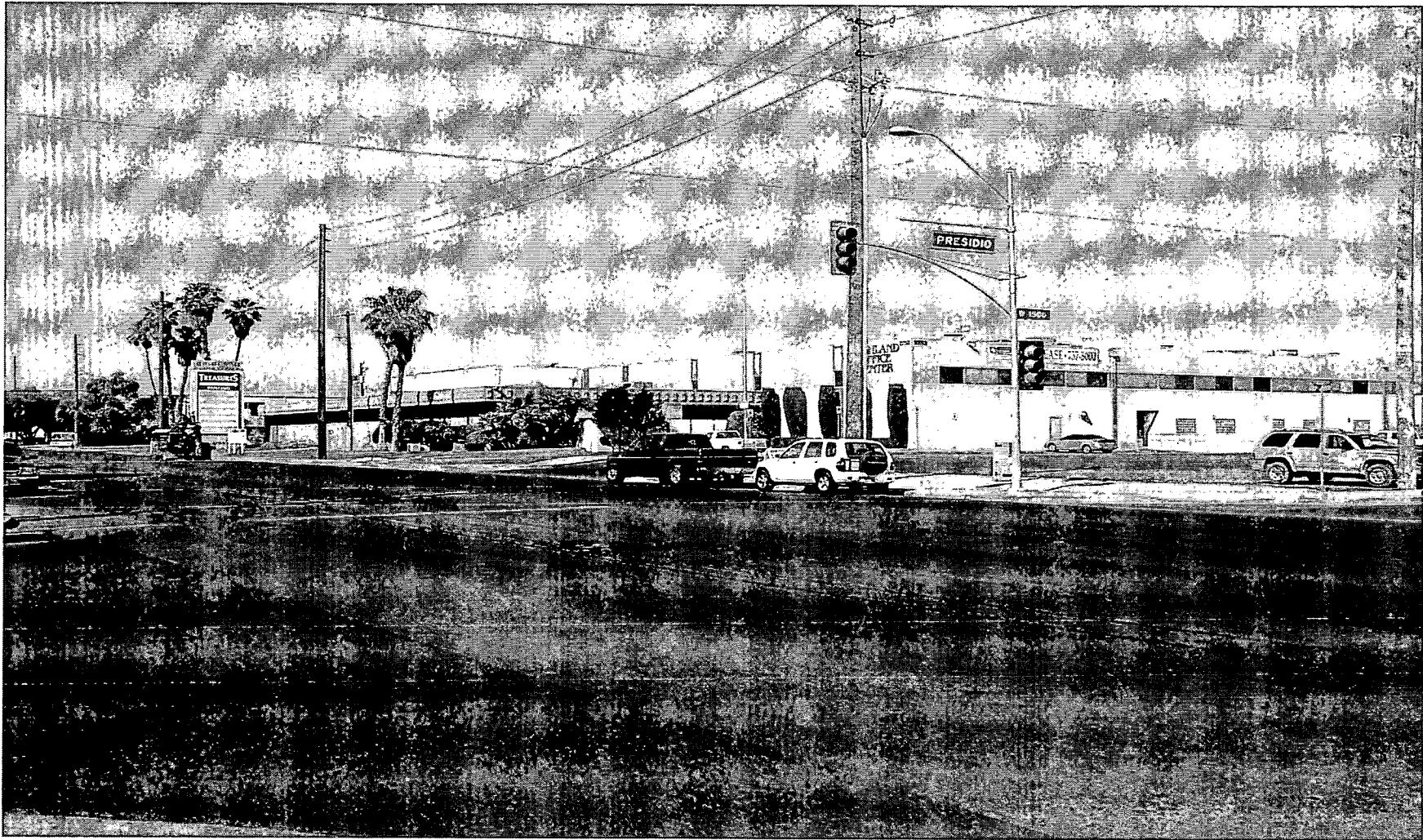
MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04

RECEIVED
CITY CLERK

June 9, 2004

2004 JUN 17 P 3: 52

City Council of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Protest

To all council members:

I called in my protest to MSP-4380. I understand that the Planning Commission approved it.

It now comes before the City Council.

My name is Harold L. Earl. I was born in 1920 in Las Vegas, Nevada. I have lived all 84 years of my life in Las Vegas.

It saddens me to know what a wonderful town it has been and now realize how badly it has changed for the worse.

What are we trying to do? Turn Las Vegas into the world's largest and worst warehouse in the world.

Please stop this trend by not approving MSP-4380.

Hopely yours
Harold L. Earl
1403 5th Place
Las Vegas, Nevada 89104

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

RUSSELL M. ROWE

rrowe@kkbr.com

July 2, 2004

VIA FACSIMILE
385-7268

Ms. Margo Wheeler
City of Las Vegas
Planning & Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: MSP 4380
Treasures Highland Sign

Dear Margo:

This office represents the above-referenced matter. Pursuant to a request by Councilwoman Janet Moncrief, we respectfully request that this matter be abeyed from the July 7, 2004, Las Vegas City Council hearing to the August 4, 2004, Las Vegas City Council hearing.

Thank you for your kind consideration with this request. Please contact me should you have any questions or need additional information.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW



Russell M. Rowe

RMR/rmo

cc: Tracy Hurless, liaison to Councilwoman Moncrief (via facsimile)

RECEIVED
CITY CLERK
2004 JUL -6 A 9:46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4347 - APPLICANT: CANYON RIDGE CHRISTIAN CHURCH - Petition to Vacate a portion of Maverick Street, generally located between La Madre Way and Lone Mountain Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

THOMAS HELLUMS, Dwyer Engineering, 7310 Smoke Ranch Road, appearing on behalf of the applicant, agreed to all conditions and requested approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:36 – 3:36)

5-1140

CONDITIONS:

1. All property owners must agree to this vacation request that proposes an offset 47-foot right-of-way and acceptable documentation must be provided to the City Engineer prior to recordation of an Order of Vacation. If such documentation cannot be provided, the 47-foot right-of-way width shall be centered about the centerline of Maverick Street.
2. Retain a 20-foot public sewer easement centered over the existing sewer line as required by the Department of Public Works. This condition shall not be enforced if an alternative

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 120 – VAC-4347

CONDITIONS Continued:

- sanitary sewer relocation plan is submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. The relocation must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3213 may be used to satisfy this requirement provided that it addresses the area to be vacated.
 4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
 5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
 6. All development shall be in conformance with code requirements and design standards of all City departments.
 7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
 8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4347 - APPLICANT: CANYON RIDGE CHRISTIAN CHURCH

**** CONDITIONS ****

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

1. All property owners must agree to this vacation request that proposes an offset 47-foot right-of-way and acceptable documentation must be provided to the City Engineer prior to recordation of an Order of Vacation. If such documentation cannot be provided, the 47-foot right-of-way width shall be centered about the centerline of Maverick Street.
2. Retain a 20-foot public sewer easement centered over the existing sewer line as required by the Department of Public Works. This condition shall not be enforced if an alternative sanitary sewer relocation plan is submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. The relocation must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3213 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire

hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Petition to Vacate portions of Maverick Street, generally located between La Madre Way and Lone Mountain Road.

B) Applicant's Justification

The vacation is necessary to develop the optimum area for the planned civic site. The applicant has meet with the neighbors and has received no objections to the proposal.

BACKGROUND INFORMATION

A) Previous Actions

- 12/17/03 The City Council approved a request for a Site Development Plan Review (SDR-3213) for two proposed classroom buildings, an expansion of an existing church, and a waiver of parking lot landscaping requirements. The Planning Commission and staff recommended approval on 11/20/03.
- 02/18/04 The City Council approved a request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan (GPA-3469) from R (Rural Density Residential) to PF (Public Facility). The Planning Commission and staff recommended approval on 1/22/04.
- 02/18/04 The City Council approved a Rezoning (ZON-3471) from R-E (Residence Estates) to C-V (Civic). The Planning Commission and staff recommended approval on 1/22/04.
- 06/10/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/fs).

DETAILS OF APPLICATION REQUEST

The property is legally described as the east thirteen feet (13') of Maverick Street, sixty feet wide (60') from the south Right-of-Way line of La Madre Way extending south approximately six-hundred eighty-four feet (684'), including spandrel areas, and the east thirty feet (30') of Maverick Street, sixty feet wide (60'), commencing approximately three-hundred sixty-five feet north (365') of the centerline of Lone Mountain Road, extending northerly approximately one-hundred thirty-seven feet (137') to a proposed cul-de-sac bulb said property being a portion of the southeast quarter (SE ¼) of the southeast quarter (SE ¼) of Section 35, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The applicant intends to reduce the width of the west portion of Maverick Street from 60 feet to 47 feet for a planned civic development on the adjacent parcel to the east. 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. The majority of the west half of Maverick Street is improved with curb and gutter, and the applicant is following that alignment with this vacation request.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform width for Maverick Street of 47 feet.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, this portion of Maverick Street has very little traffic.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is a proposal to vacate Maverick Street to a narrower street with the excess rights-of-way being incorporated into the future expansion of Canyon Ridge Christian Church.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the proposed future expansion of the Canyon Ridge Christian Church campus.*
- 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 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAC-4347

Case Number: _____ APN: 125-35-802-007

Name of Property Owner: Canyon Ridge Christian Church

Name of Applicant: Canyon Ridge Christian Church

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): _____

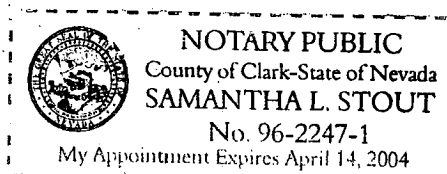
APN: _____

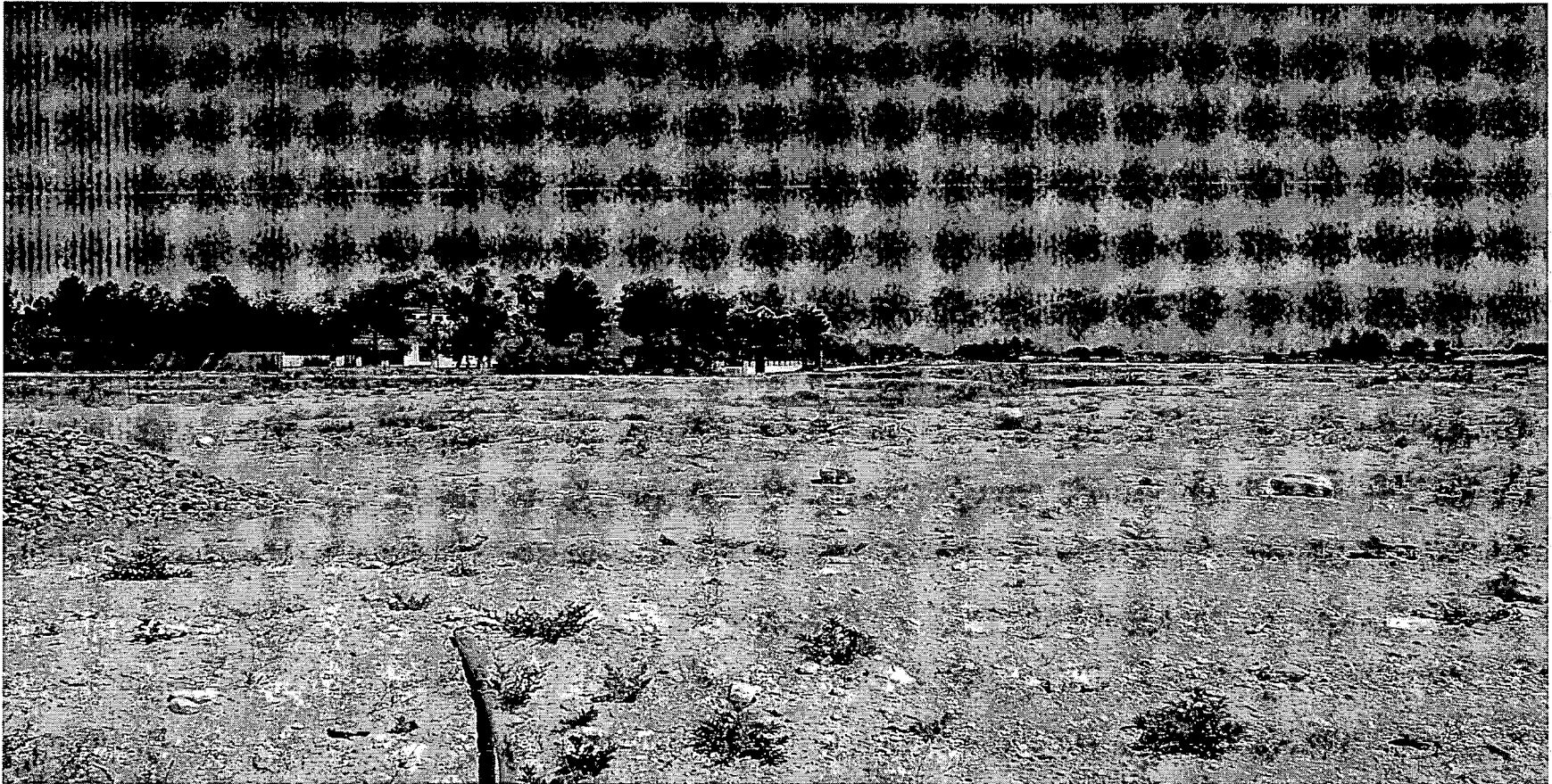
Signature of Property Owner/Authorized Agent: M. HARTER

Print Name: M. HARTEL

Subscribed and sworn before me

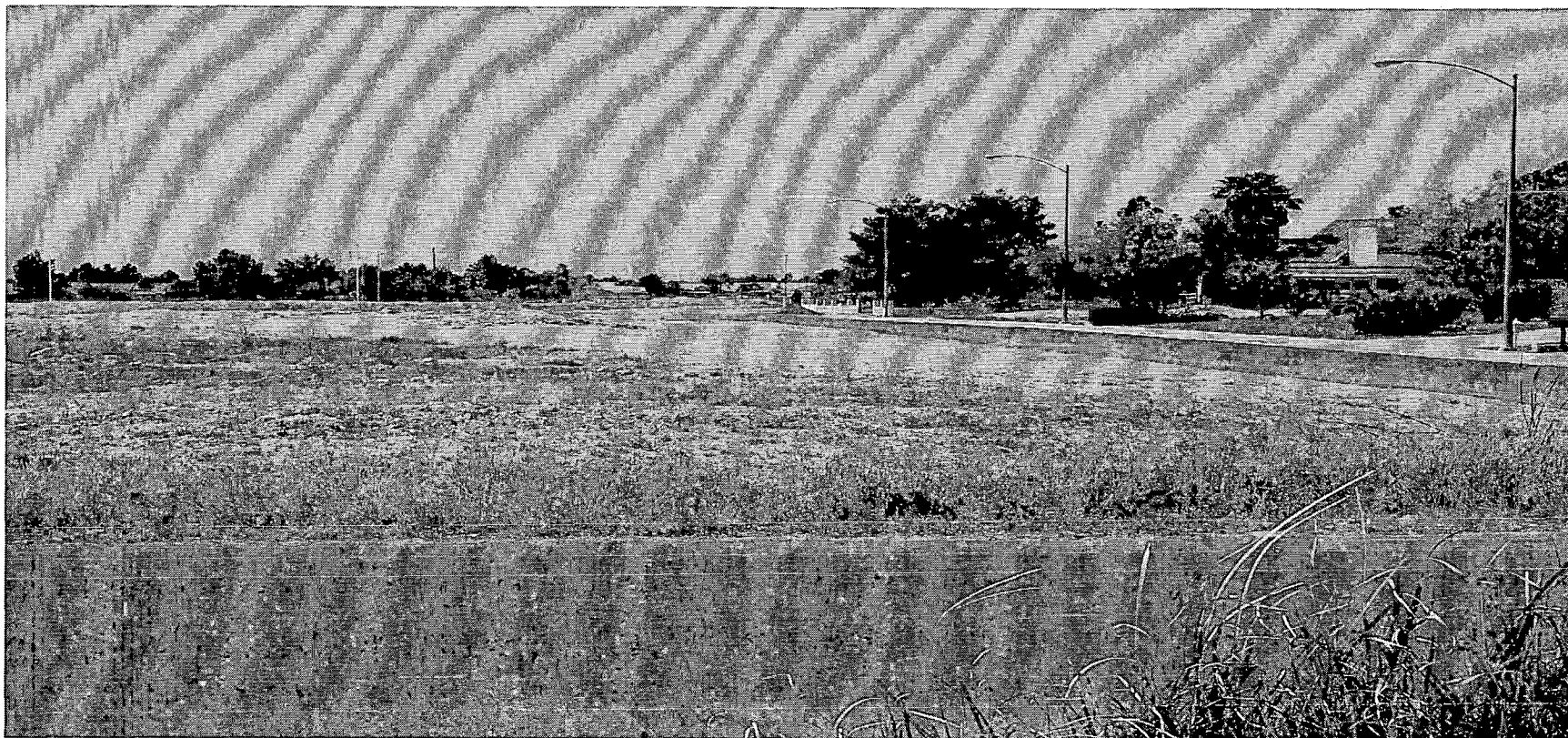
This 31 day of March, 2004
Samantha L. Stout Clark, NV
Notary Public in and for said County and State





VAC-4347 - APPLICANT: CANYON RIDGE CHRISTIAN
GENERALLY LOCATED BETWEEN LA MADRE WAY AND LONE MOUNTAIN ROAD
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



VAC-4347 - APPLICANT: CANYON RIDGE CHRISTIAN
GENERALLY LOCATED BETWEEN LA MADRE WAY AND LONE MOUNTAIN ROAD
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4348 - APPLICANT MTC 118, INC. -
Petition to Vacate U.S. Government Patent Easements generally located north of Dorrell Lane,
west of Durango Drive, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff
recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – City Attorney's Office Written Opinion filed under Items 3 and 101

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because his brother STEVEN MACK owns Camco, Inc., a company which has filed an application to have a store located on this property

MINUTES:

Under Item 101, COUNCILMAN MACK disclosed that he would be abstaining on Item 119 [MSP-4380] because of his position as an advertising consultant for Treasures. He submitted an opinion memo to CITY CLERK BARBARA JO RONEMUS from the City Attorney, which pertained to Item 52 [Elkhorn/US95 Overpass], Item 119 [MSP-4380], Item 121 [VAC-4348], Item 142 [RQR-4243], Item 153 [SUP-4247] and Item 110 [DIR-4421]. He explained that he would be reading the reasons for his abstentions as the items were heard.

COUNCILMAN MACK disclosed that his brother STEVEN MACK owns Camco, Inc., which is a company that has filed an application to have a store located on this property. Because of this conflict, he would be abstaining from this item. He referenced the written opinion previously submitted to the City Clerk.

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 121 – VAC-4348

MINUTES Continued:

AUGUSTINE SALCEDO, Tetra Tech Inc., 401 North Buffalo Drive, Suite 100, appeared on behalf of applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:36 – 3:37)

5-1172

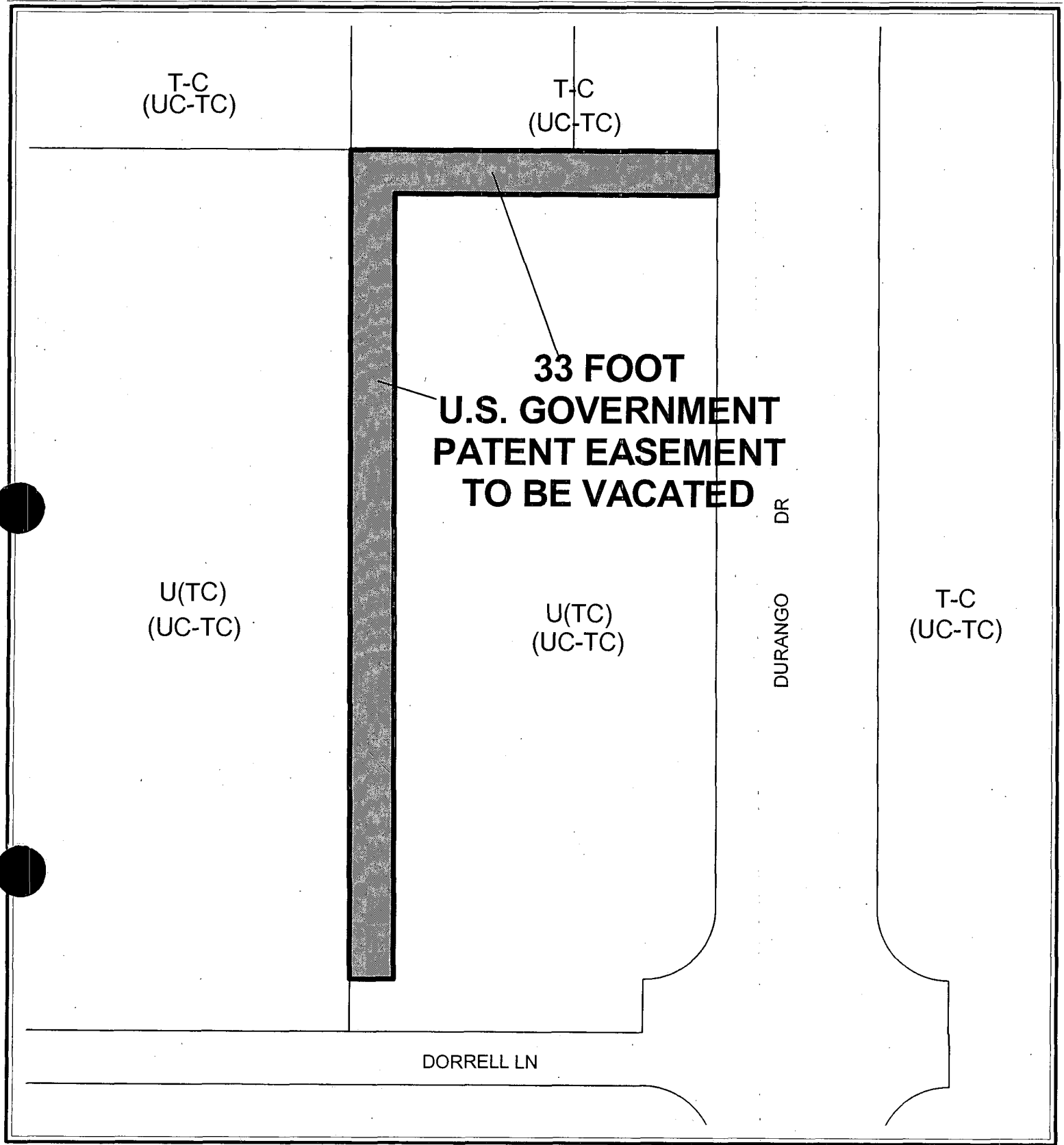
CONDITIONS:

1. 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 for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-3840 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3840, the Durango/Dorrell commercial subdivision and all other applicable site-related actions.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met; provided, however, conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. Easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided, if required.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 121 – VAC-4348

CONDITIONS Continued:

6. All development shall be in conformance with requirements and design standards of all City codes.
7. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

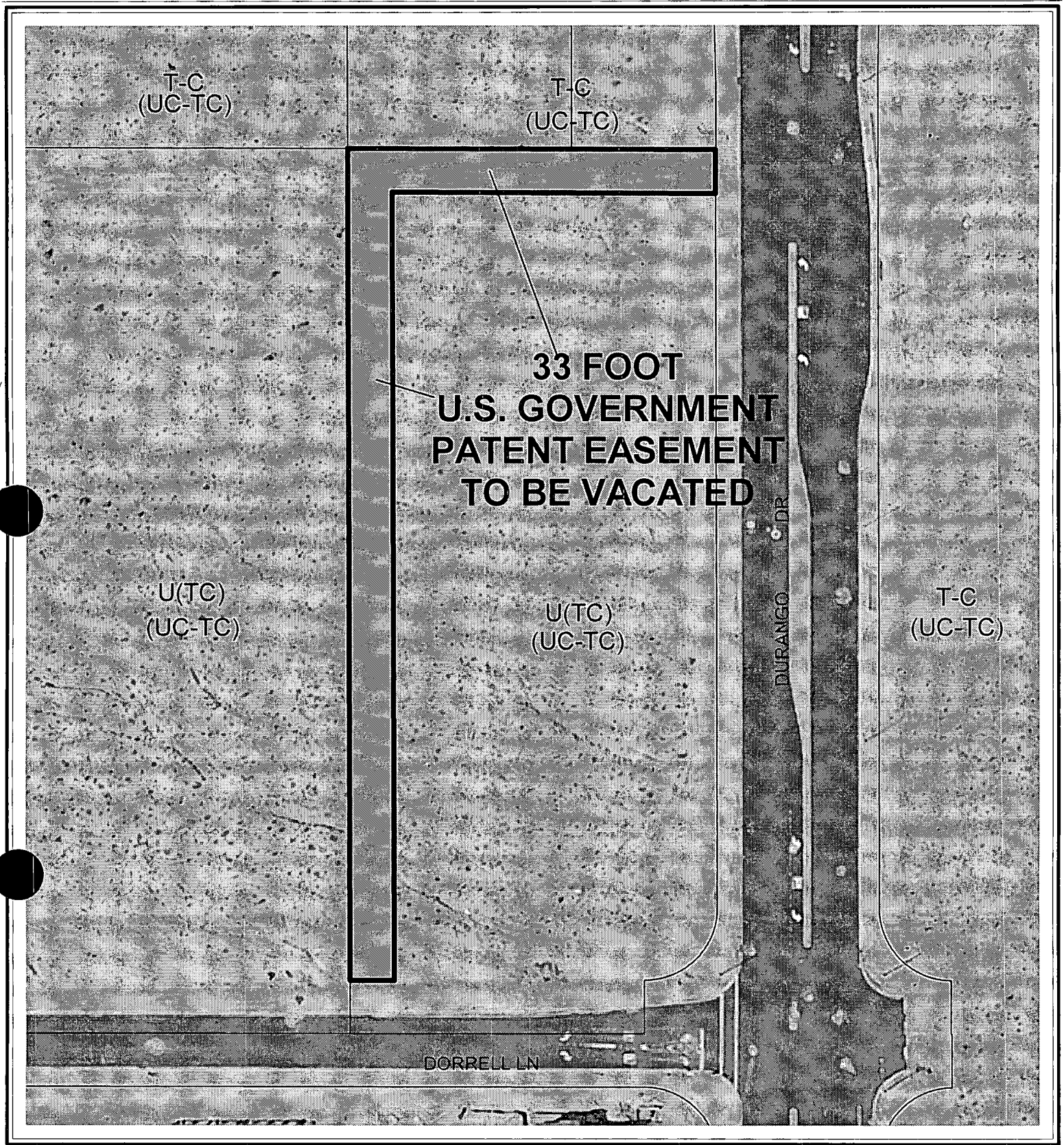


CASE: VAC-4348



121





CASE: VAC-4348

0 80 160 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4348 - APPLICANT: MTC 118, INC.

**** CONDITIONS ****

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

1. 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 for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-3840 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3840, the Durango/Dorrell commercial subdivision and all other applicable site-related actions.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met; provided, however, conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. Easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided, if required.
6. All development shall be in conformance with requirements and design standards of all City codes.
7. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval to Vacate a U. S. Government Patent Easement generally located north of Dorrell Lane and west of Durango Drive.

B) Applicant's Justification

The applicant's justification letter states that vacation of the patent easement will allow unencumbered development of this proposed site.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Petition to Annex property (A-0003-99) generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 619 acres, including a portion of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval on 03/25/99.
- 04/07/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement to add 5.00 acres to the overall plan under the "Montecito Town Center Mixed Use Commercial" special land use designation and to modify Section 4.1 to increase commercial square footages and residential units accordingly, at the northwest corner of Durango Drive and Dorrell Lane. The Planning Commission and staff recommended approval on 03/11/04.
- 04/07/04 The City Council approved a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on 5.00 acres at the northwest corner of Durango Drive and Dorrell Lane. The Planning Commission and staff recommended approval on 03/11/04.
- 04/07/04 The City Council approved a SDR (SDR-3764) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, at the southeast corner of Elkhorn Road and Durango Drive. The Planning Commission and staff recommended approval of the application on 03/11/04.
- 05/13/2004 The Planning Commission approved a Tentative Map (TMP-4150) for a one-lot commercial subdivision at the northwest corner of Durango Drive and Dorrell Lane, containing 4.09 acres. The effective date was 05/14/04. Staff recommended approval.

06/10/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/dds).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate a U. S. Government Patent Easement located in the East Half (E½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 20, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Easement because it is 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.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to vacate a U.S. Government Patent Easement generally located north of Dorrell Lane and west of Durango Drive.

NOTICES MAILED: 6 by City Clerk

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAC-4348

Case Number: _____ APN: 125-20-101-017

Name of Property Owner: M T C 118 INC.

Name of Applicant: M T C 118 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

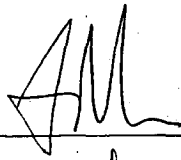
X No

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: _____

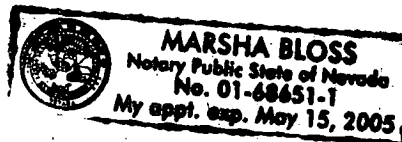
Signature of Property Owner/Authorized Agent: 

Print Name: Frank Nielsen

Subscribed and sworn before me

This 4 day of March, 2004

Marsha Bloss
Notary Public in and for said County and State





VAC-4348 - APPLICANT MTC 118, INC
GENERALLY LOCATED NORTH OF DORRELL LANE, WEST OF DURANGO DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



VAC-4348 - APPLICANT MTC 118, INC
GENERALLY LOCATED NORTH OF DORRELL LANE, WEST OF DURANGO DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED SIX MONTH REVIEW - VARIANCE - PUBLIC HEARING - **RQR-4118 - APPLICANT/OWNER: RAMON PARDO** - Required Six Month Review for an approved Variance (V-0044-02) WHICH ALLOWED 9 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A 3,880 SQUARE FOOT RETAIL BUILDING at 1650 East Sahara Avenue (APN: 162-02-411-032), R-2 (Medium Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Laura Atias on behalf of Esther Strissel

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RAMON PARDO, 4426 Arno Court, appeared and concurred with staff's recommendation of approval. COUNCILMAN REESE asked if any of the buildings were leased and if there were any problems related to parking. MR. PARDO informed him that they have been fully leased since July of 2003 and there have not been any parking related problems.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:37 – 3:38)

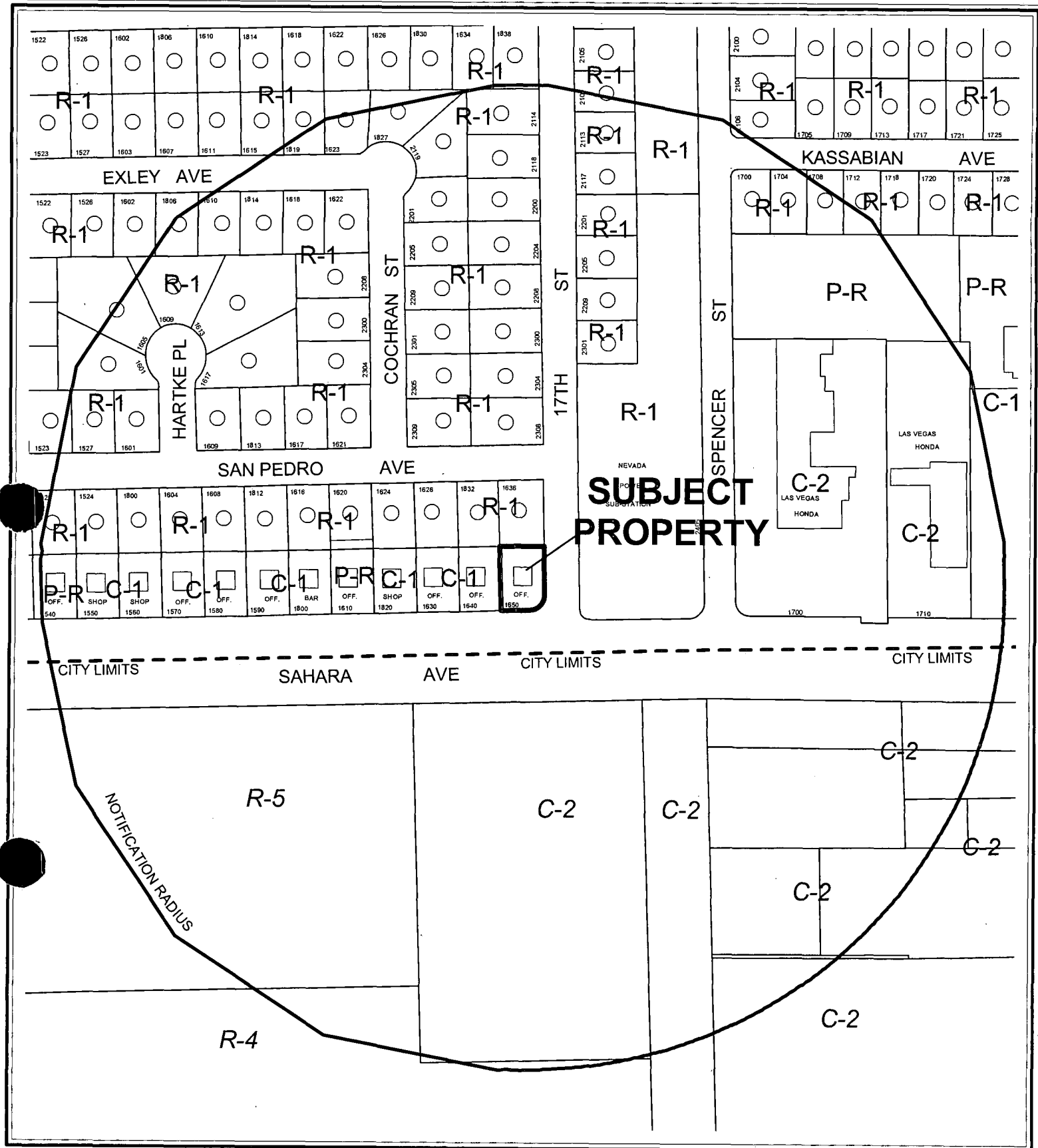
5-1219

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 122 – RQR-4118

CONDITIONS Continued:

Planning and Development

1. This Variance shall be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.
2. Conformance to the Conditions of Approval for Variance (V-0044-02).



CASE: RQR-4118

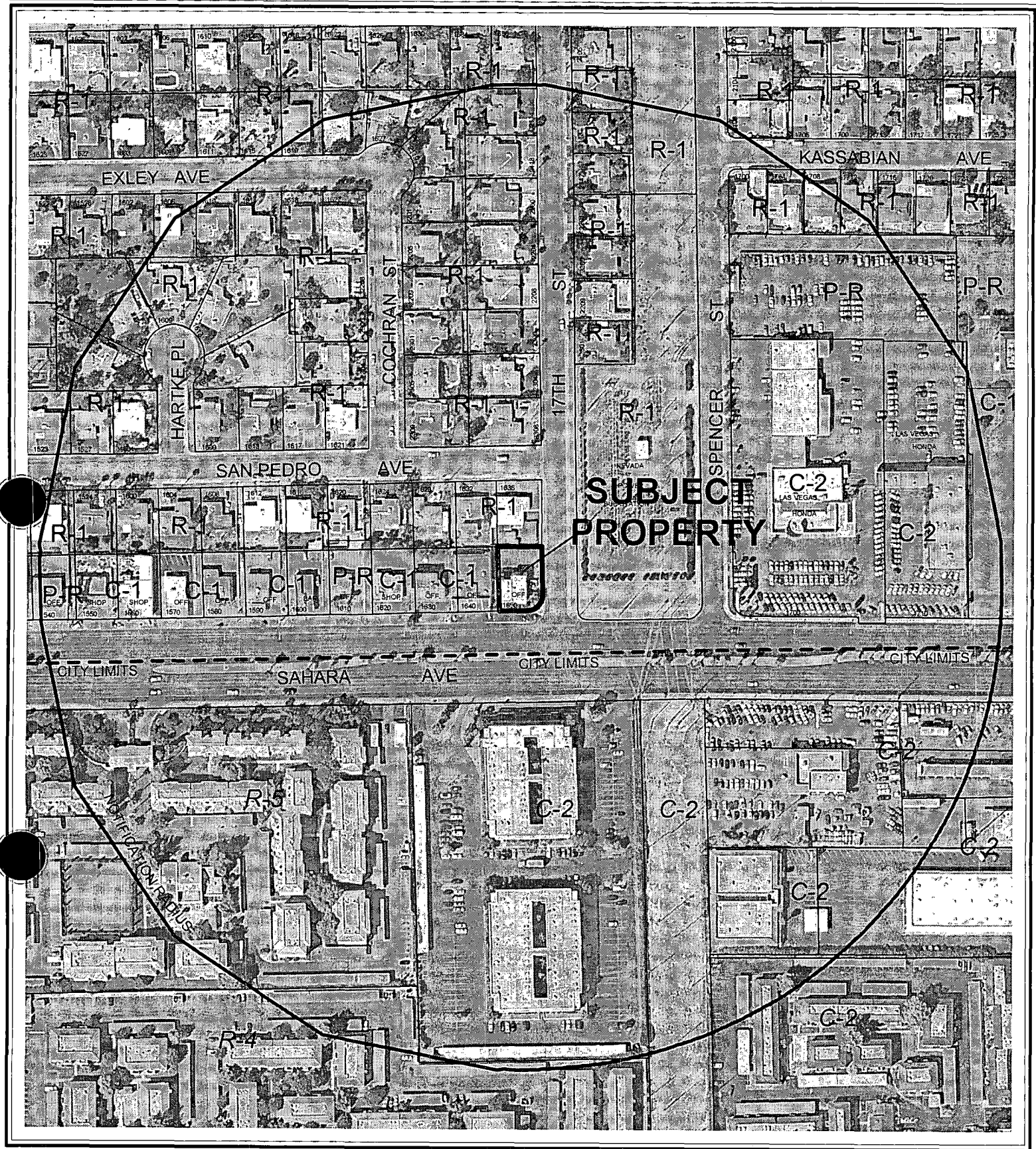
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet





CASE: RQR-4118

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-4118 - APPLICANT/OWNER: RAMON PARDO

**** CONDITIONS ****

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

Planning and Development

1. This Variance shall be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.
2. Conformance to the Conditions of Approval for Variance (V-0044-02).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02 The City Council approved a Rezoning (Z-0053-02) to C-1 (Limited Commercial) and a Variance (V-0044-02) to allow 9 parking spaces where 23 spaces are required for a 3,880 square foot retail building on this site. The Planning Commission recommended approval on July 25, 2002. The Planning and Development Department recommended approval for the Rezoning and denial for the Variance.

10/30/03 A Non-Work Certificate of Occupancy was issued for an office use in this building.

05/27/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #5/mp).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

B) General Analysis and Discussion

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

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

Additionally, Title 19.18.070L states:

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

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

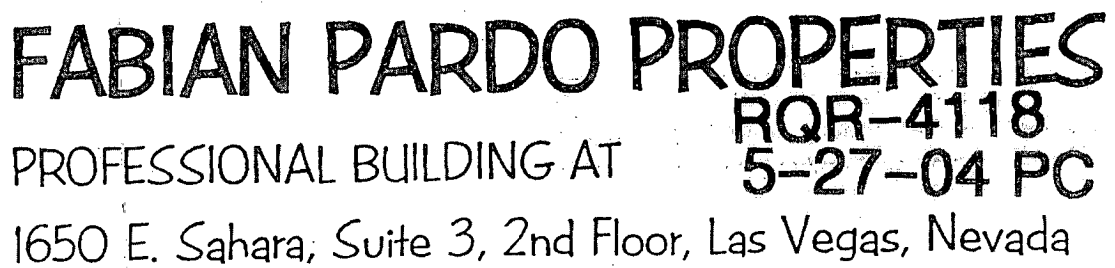
NOTICES MAILED 94 by City Clerk

APPROVALS 0

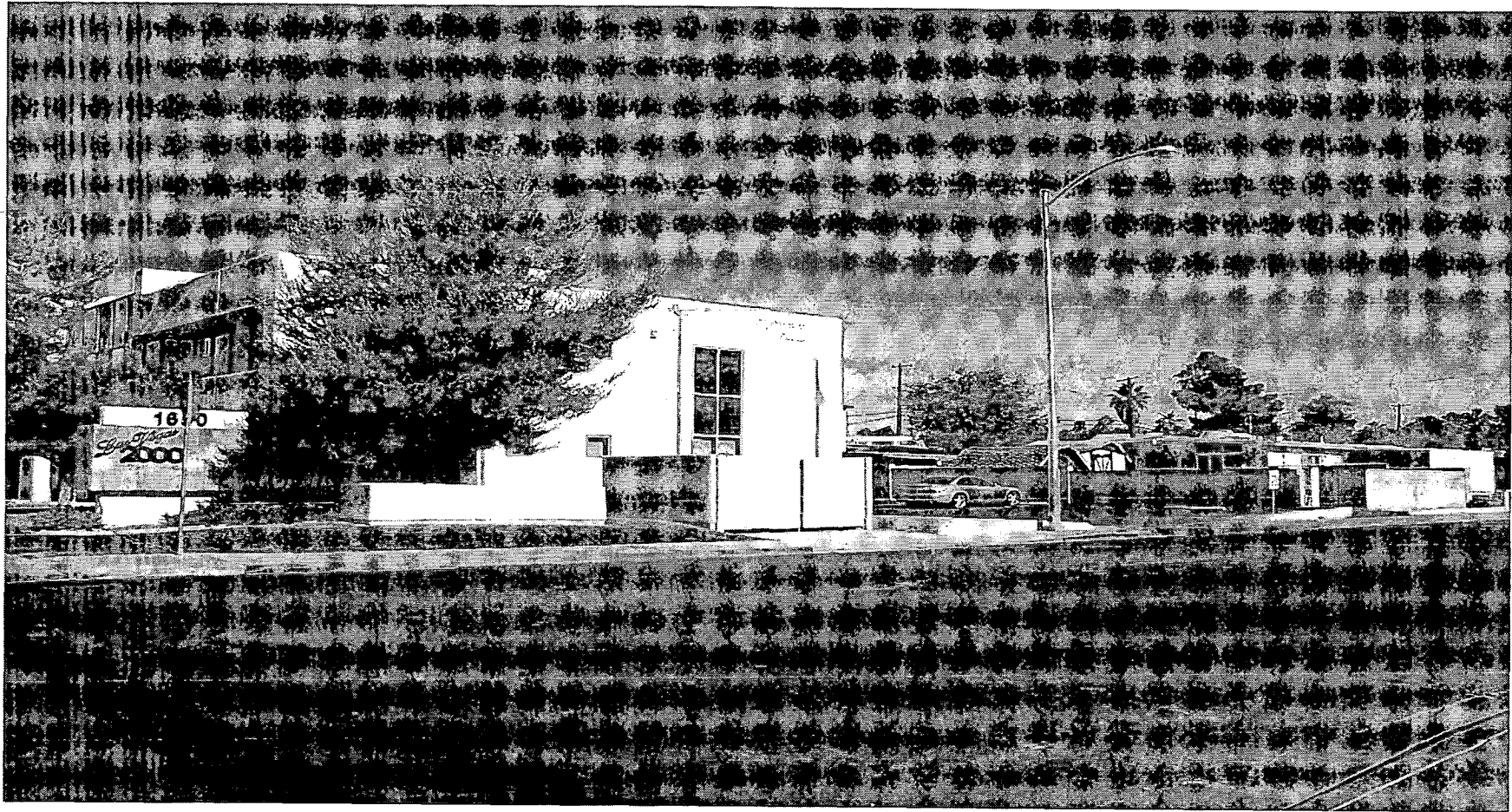
PROTESTS 0



COMMISSION DOES
NOT EXPIRE

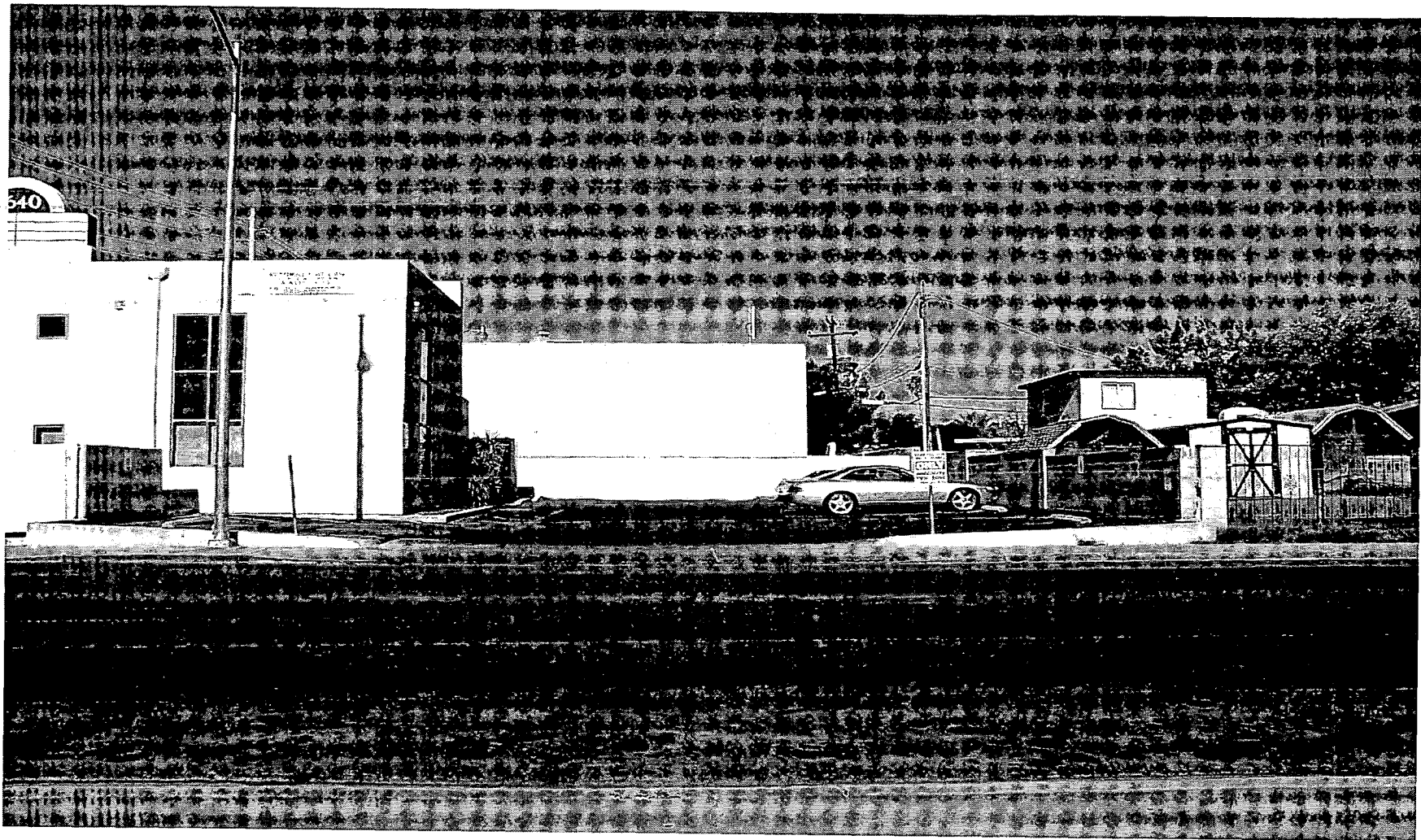


5-27-04 PC



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

5/3/04



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

5/3/04

ATTENTION: BARBARA JO RONEMUS
IN REGARDS TO: RQR-4118

2004 JUL -6 P 1:20

RECEIVED
CITY CLERK

I Laura Atias am the owner of the residence at 1636 San Pedro Ave. Las Vegas, NV. 89104. Alberta Hart my grandmother is deceased and Richard Hart my grandfather died July 1st 2004 and his funeral is July 7th at 1:00 p.m. the time of the hearing.

My mother Esther Strissel is the resident of 1636 San Pedro Ave. and she is disabled she needs access to both entrances of the residence on the 17th Street side and the San Pedro side. The E.O.B. bus has had problems picking her up in an accessible spot due to the cars parking in front of the door of the 17th Street side. We ask for no parking and a no parking sign to be posted.

Sincerely,

Protest

Laura Atias

702-255-5712

Submitted after final agenda

Date 7/6/04 Item #122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Request for a Variance TO ALLOW A REDUCTION OF THE AMOUNT IN REQUIRED PARKING at 1401 North Decatur Boulevard, Suite #34 (APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. (NOTE: Application should properly indicate the amount of parking spaces being requested, which is 267 where 534 is required)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – City Attorney’s Office Written Opinion for Councilman Brown filed under Item 123 [VAR-4340]

MOTION:

MONCRIEF – APPROVED subject to conditions – **UNANIMOUS** with **BROWN** abstaining because he was recently appointed to the Board of Trustees of Catholic Charities of Nevada and Catholic Charities will be impacted

NOTE: COUNCILMAN MACK disclosed that a SuperPawn owned by his brother, STEVEN MACK, is located near this site. Even though he is a consultant for SuperPawn, COUNCILMAN MACK did not believe this matter would have any impact on SuperPawn; therefore, he felt comfortable voting on Item 123 [VAR-4340] and Item 124 [SUP-4168].

NOTE: COUNCILMAN BROWN requested an opinion from the City Attorney’s Office regarding his possible abstention on Item 123 [VAR-4340 and Item 124 [SUP-4168]. COUNCILMAN BROWN was recently appointed to the Board of Trustees of Catholic Charities of Nevada and because the vote could have an impact on Catholic Charities he would abstain. He submitted the Opinion Memo to CITY CLERK BARBARA JO RONEMUS.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 123 – VAR-4340

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 123 [VAR-4340] and Item 124 [SUP-4168].

BERT BLOOM, 12997 Blairwood Drive, Studio City, California, owner of the Decatur Shopping Center, appeared and concurred with the conditions. He pointed out that the variance is required because staff recommended 534 parking spaces and the property can only accommodate 267 parking spaces. JOE GENERI, 1501 North Las Vegas Boulevard, appeared on behalf of the applicant and offered to answer any questions Council may have.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 123 [VAR-4340] and Item 124 [SUP-4168].

NOTE: All discussion for Item 123 [VAR-4340] and Item 124 [SUP-4168] was held under Item 123 [VAR-4340].

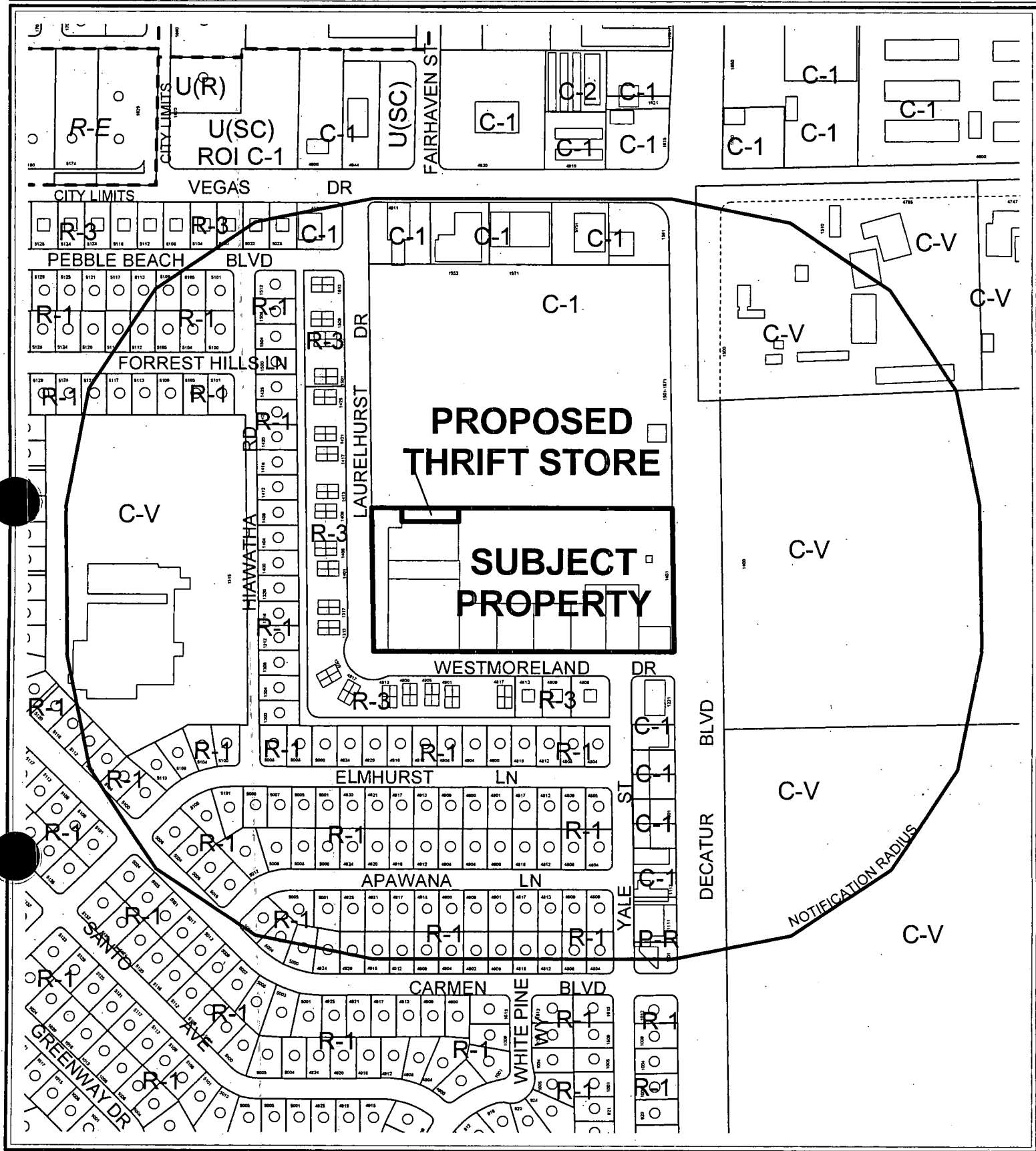
(3:39 – 3:41)

5-1257

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval Special Use Permit (SUP-4168)
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-4340**

RADIUS: 750 FT

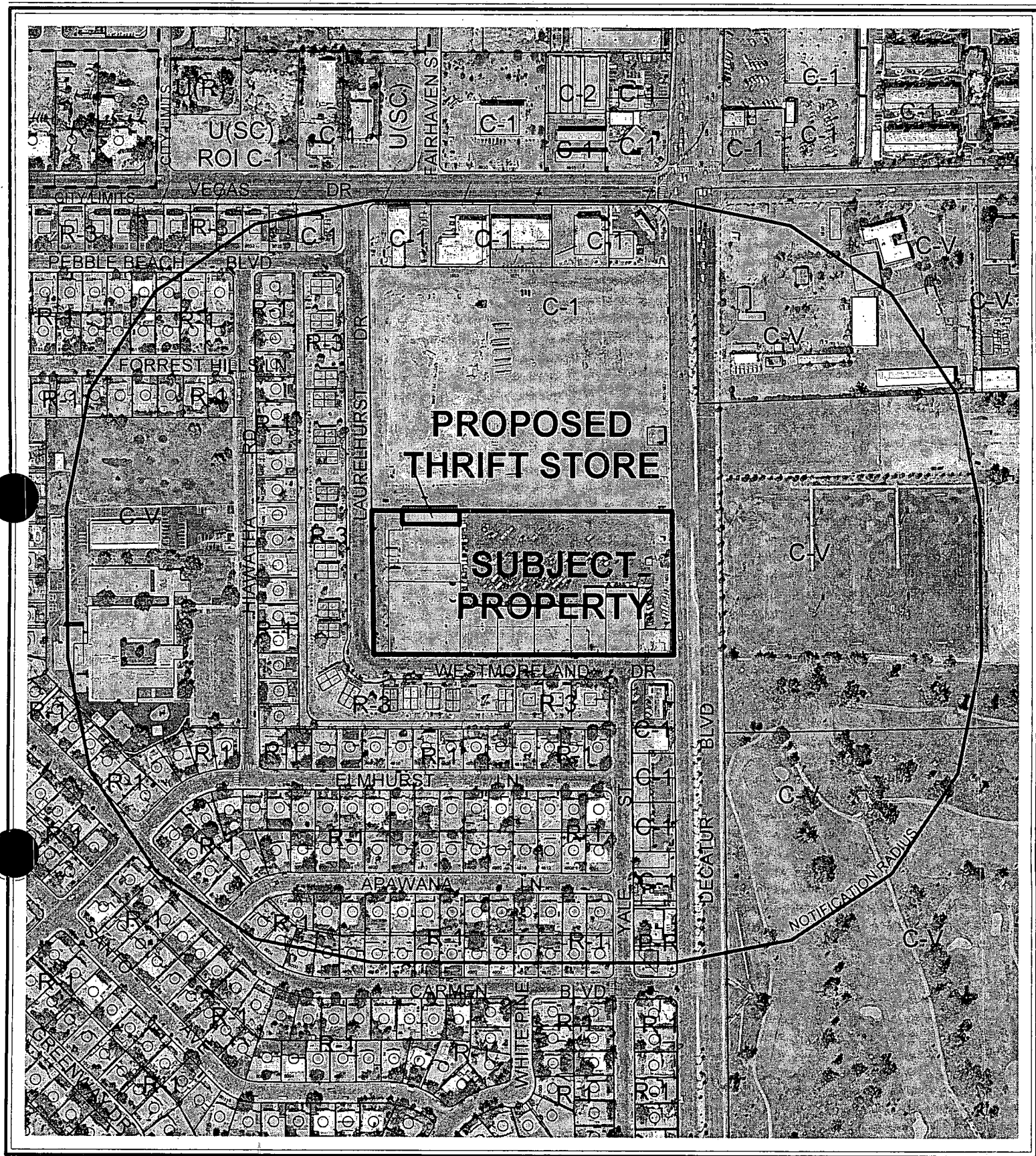
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



123





CASE: **VAR-4340**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4340 - APPLICANT: CATHOLIC CHARITIES OF
SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES

THIS ITEM WAS STRICKEN AT THE JUNE 16, 2004 CITY COUNCIL MEETING SO THAT A NEW NOTIFICATION MAY BE DONE TO PROPERLY INDICATE THE AMOUNT OF PARKING SPACES BEING REQUESTED WHICH IS 267 WHERE 534 IS REQUIRED.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval Special Use Permit (SUP-4168)
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

No justification was provided.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 05/24/61 | The Board of City Commissioners approved a Reclassification of Property (Z-0018-61) from R-1 (Single Family Residence) to R-4 (High Density Residential) and C-1 (Limited Commercial) for this site as a part of a larger request. The Planning Commission recommended approval on 05/11/61. |
| 12/16/81 | The Board of City Commissioners approved a Special Use Permit (U-0066-81) to allow a Class III Secondhand Dealership for the sale of used jewelry. The Board of Zoning Adjustment recommended approval on 11/23/81. |
| 05/17/89 | The City Council approved a Special Use Permit (U-52-89) to allow a Class III Secondhand Dealership for the sale of used books. The Board of Zoning Adjustment recommended approval on 04/27/89. |
| 12/06/95 | The City Council denied a request for a Special Use Permit (U-127-95) for the sale of beer and wine in conjunction with a proposed billiard parlor. The Board of Zoning Adjustment recommended approval on 10/24/95. |
| 10/02/02 | The City Council approved a request for a Special Use Permit (U-86-02) for a Banquet Facility. The Planning Commission and staff recommended approval on 08/08/02. |
| 05/13/04 | The Planning Commission recommended approval of a companion Special Use Permit (SUP-4168) for a proposed Non-profit Thrift Shop. |
| 05/13/04 | The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #48). |

B) Pre-Application Meeting

A pre-application meeting was not held.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.86

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

B) General Analysis and Discussion

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

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

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR - 4340 APN: _____Name of Property Owner: Deer Run Shopping Center Associates

Name of Applicant: _____

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

____ Yes

____ ☒ No

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

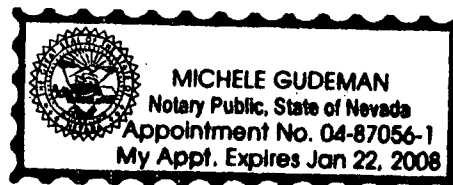
City Official: _____

Partner(s): _____

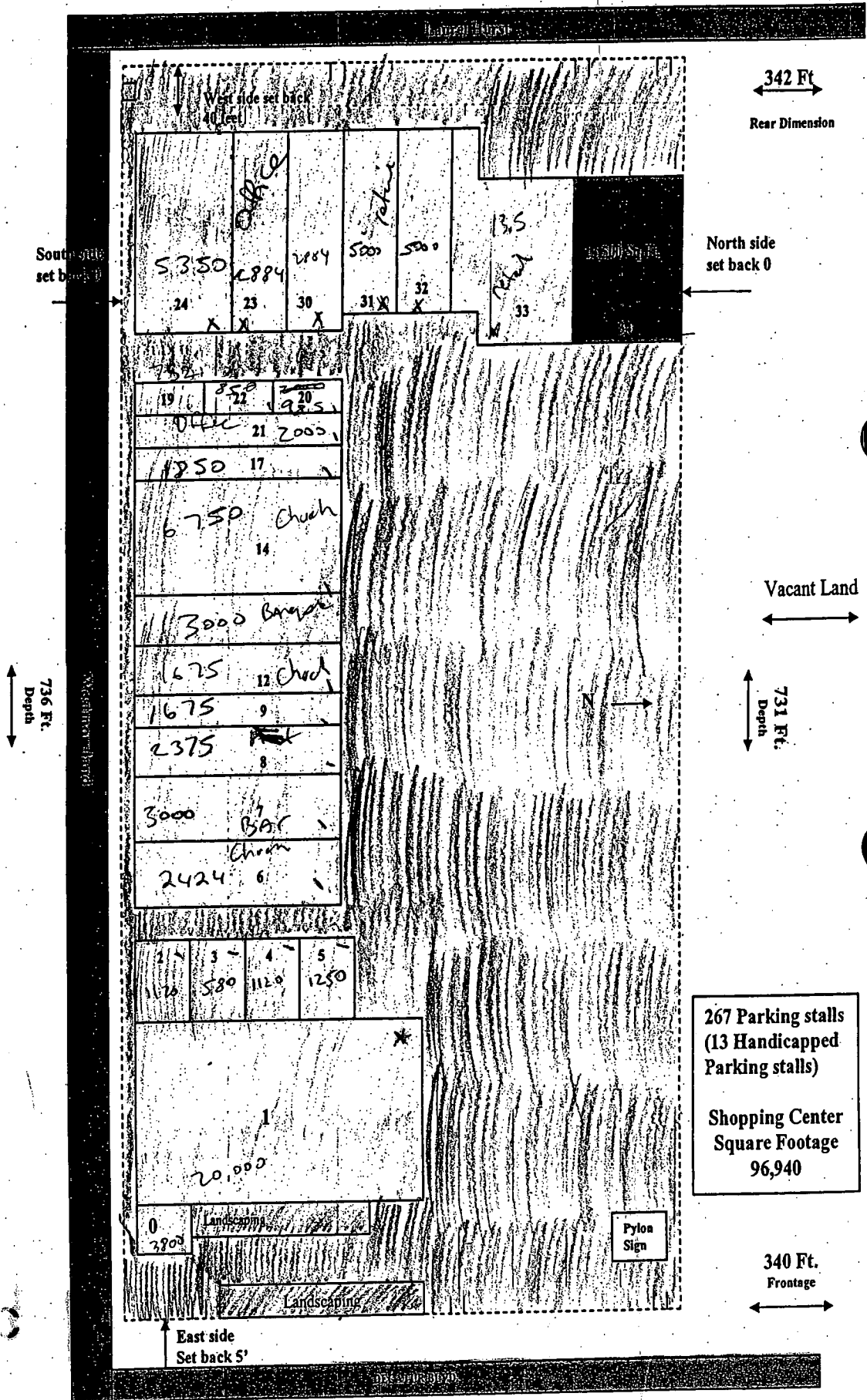
APN: _____

Signature of Property Owner/Authorized Agent: Print Name: Gregory B. Picu

Subscribed and sworn before me

This 22 day of April, 2004Michele Gudeman
Notary Public in and for said County and State

VAR-4340
 SUP-4168
 5-13-04 PC



267 Parking stalls
 (13 Handicapped
 Parking stalls)
 Shopping Center
 Square Footage
 96,940

Memorandum

City of Las Vegas Office of the City Attorney

To: Councilman Larry Brown

From: Bryan K. Scott
Deputy City Attorney 

CC: Bradford R. Jerbic
City Attorney

Date: July 6, 2004

Re: Request for Opinion on Abstentions for 7/7/04 City Council Meeting

This memorandum is written in response to your request for an opinion from the City Attorney's Office regarding whether you are required to abstain on items 123 and 124 which are scheduled to be considered by the City Council at its July 7, 2004 meeting.

Items 123 and 124 involve a request for a Variance to allow a reduction in the amount of parking required and a Special Use Permit for a proposed thriftshop at 1401 N. Decatur Boulevard, Suite #34. The applicant for the Variance and Special Use Permit is Catholic Charities of Southern Nevada. You have informed me that you are on the Board of Directors for Catholic Charities in your personal capacity and not in your capacity as a Las Vegas City Councilman. The approval of the requested Variance and Special Use Permit by the City Council will benefit Catholic Charities. The denial of these requests could negatively impact Catholic Charities.

NRS 281.501(2) provides:

In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of . . . a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (b) His pecuniary interests; or (c) His commitment in a private capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (e) any other commitment or relationship that is substantially similar to commitment or relationship described in this subsection.

In light of the above, it is the conclusion of the City Attorney that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussions and votes on the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the July 7, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item since abeyance, withdrawal or tabling motions are not

City Council

Date 7/7/04 Item 123 & 124

substantive motions.

If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflict and abstain from the discussion and vote.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 -
APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER:
DECATUR SHOPPING CENTER ASSOCIATES - Request for a Special Use Permit FOR
A PROPOSED THRIFTSHOP, NON-PROFIT at 1401 North Decatur Boulevard, Suite 34
(APN: 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning
Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – City Attorney’s Office Written Opinion for Councilman Brown
filed under Item 123 [VAR-4340]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with BROWN
abstaining because he was recently appointed to the Board of Trustees of Catholic
Charities of Nevada and Catholic Charities will be impacted

NOTE: COUNCILMAN MACK disclosed that a SuperPawn owned by his brother, STEVEN
MACK, is located near this site. Even though he is a consultant for SuperPawn, COUNCILMAN
MACK did not believe this matter would have any impact on SuperPawn; therefore, he felt
comfortable voting on Item 123 [VAR-4340] and Item 124 [SUP-4168].

NOTE: COUNCILMAN BROWN requested an opinion from the City Attorney’s Office
regarding his possible abstention on Item 123 [VAR-4340 and Item 124 [SUP-4168].
COUNCILMAN BROWN was recently appointed to the Board of Trustees of Catholic Charities
of Nevada and because the vote could have an impact on Catholic Charities he would abstain.
He submitted the Opinion Memo to CITY CLERK BARBARA JO RONEMUS.

MINUTES:

NOTE: See Item 123 [VAR-4340] for all related discussion.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 124 – SUP-4168

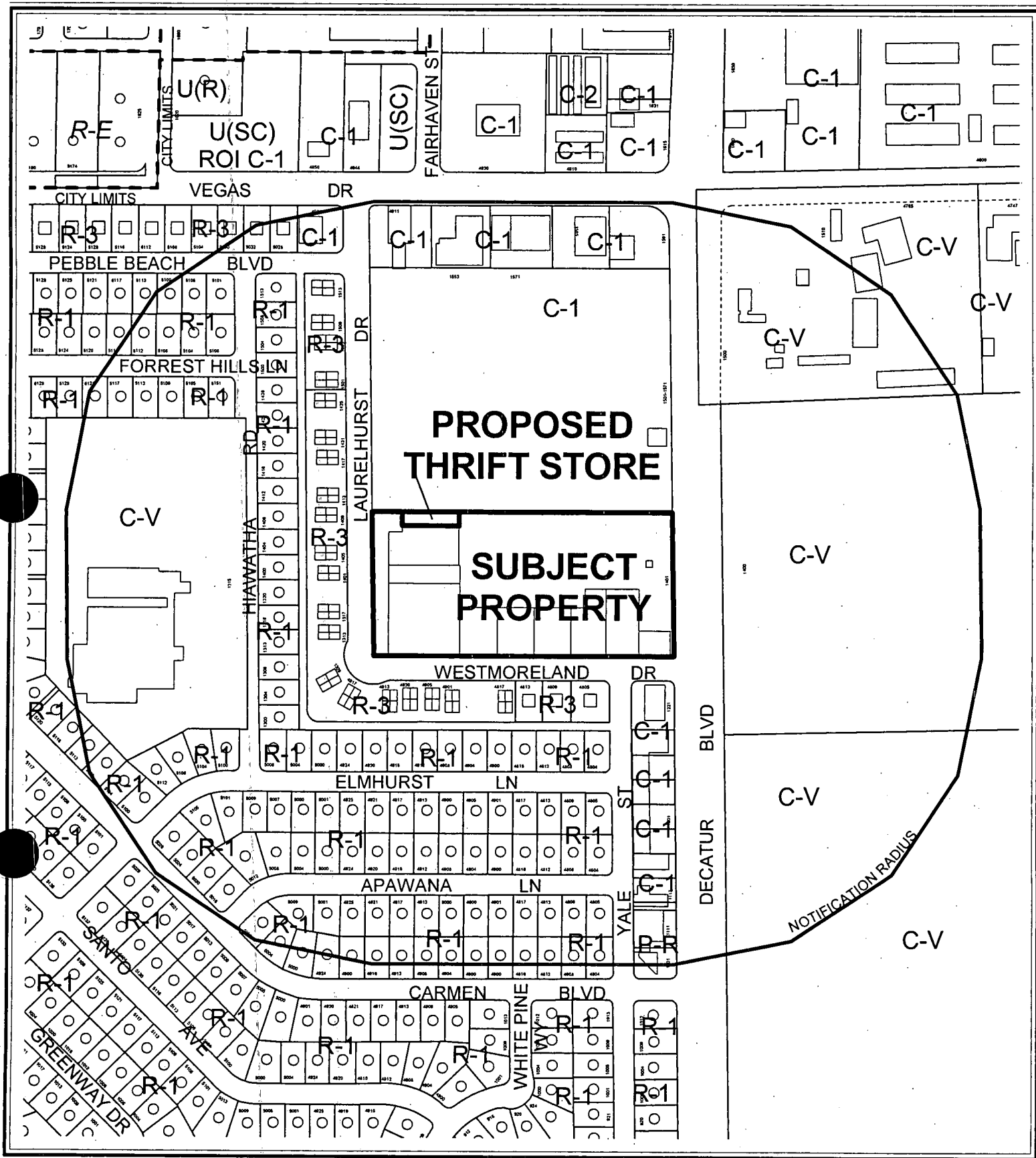
MINUTES Continued:

(3:41 – 3:42)
5-1369

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Non-profit Thrift Shop use.
2. Approval of and conformance to the Conditions of Approval for VAR-4340.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. The applicant shall remove all barbed wire from the fence surrounding the staging area to the rear of the building.
5. The staging area shall be screened in a manner to block it from public view.
6. The applicant shall ensure that the drop-off box is maintained and emptied daily in a manner to prevent unsightly materials from being left in view on or around the drop off box.
7. This Special Use Permit shall be subject to a one year review at a public hearing.
8. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-4168

RADIUS: 750 FT

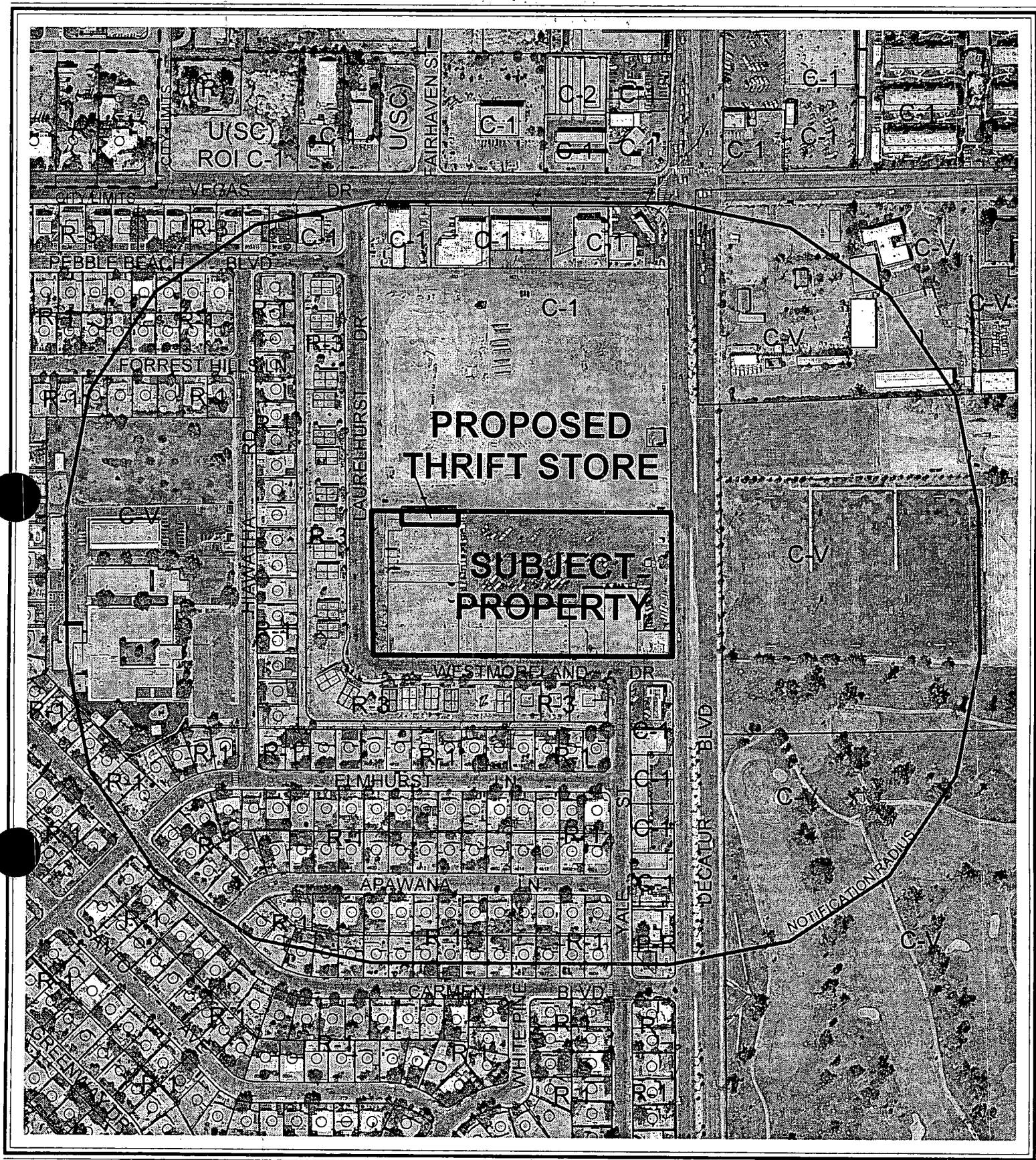
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



124





CASE: SUP-4168

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4168 - APPLICANT: CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES

THIS ITEM WAS STRICKEN AT THE JUNE 16, 2004 CITY COUNCIL MEETING SO THAT IT MAY BE HEARD WITH THE COMPANION ITEM (VAR-4340).

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Non-profit Thrift Shop use.
2. Approval of and conformance to the Conditions of Approval for VAR-4340.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. The applicant shall remove all barbed wire from the fence surrounding the staging area to the rear of the building.
5. The staging area shall be screened in a manner to block it from public view.
6. The applicant shall ensure that the drop-off box is maintained and emptied daily in a manner to prevent unsightly materials from being left in view on or around the drop off box.
7. This Special Use Permit shall be subject to a one year review at a public hearing.
8. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 05/24/61 | The Board of City Commissioners approved a Reclassification of Property (Z-0018-61) from R-1 (Single Family Residence) to R-4 (High Density Residential) and C-1 (Limited Commercial) for this site as a part of a larger request. The Planning Commission recommended approval on 05/11/61. |
| 12/16/81 | The Board of City Commissioners approved a Special Use Permit (U-0066-81) to allow a Class III Secondhand Dealership for the sale of used jewelry. The Board of Zoning Adjustment recommended approval on 11/23/81. |
| 05/17/89 | The City Council approved a Special Use Permit (U-52-89) to allow a Class III Secondhand Dealership for the sale of used books. The Board of Zoning Adjustment recommended approval on 04/27/89. |
| 12/06/95 | The City Council denied a request for a Special Use Permit (U-127-95) for the sale of beer and wine in conjunction with a proposed billiard parlor. The Board of Zoning Adjustment recommended approval on 10/24/95. |
| 10/02/02 | The City Council approved a request for a Special Use Permit (U-86-02) for a Banquet Facility. The Planning Commission and staff recommended approval on 08/08/02. |
| 05/13/04 | The Planning Commission recommended approval of a companion Variance (VAR-4340) to allow 276 parking spaces where 534 parking spaces are required. Staff recommends approval. |

05/13/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #49).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.86

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission added Conditions #4-7 as shown.

NOTICES MAILED 156 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Deeater Shopping Center Associates.

Name of Applicant: Catholic Charities

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

Yes

No

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

City Official: _____

Partner(s): _____

APN:

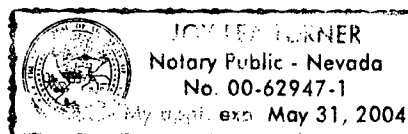
Signature of Property Owner/Authorized Agent:

Print Name: Gregory B. Fico

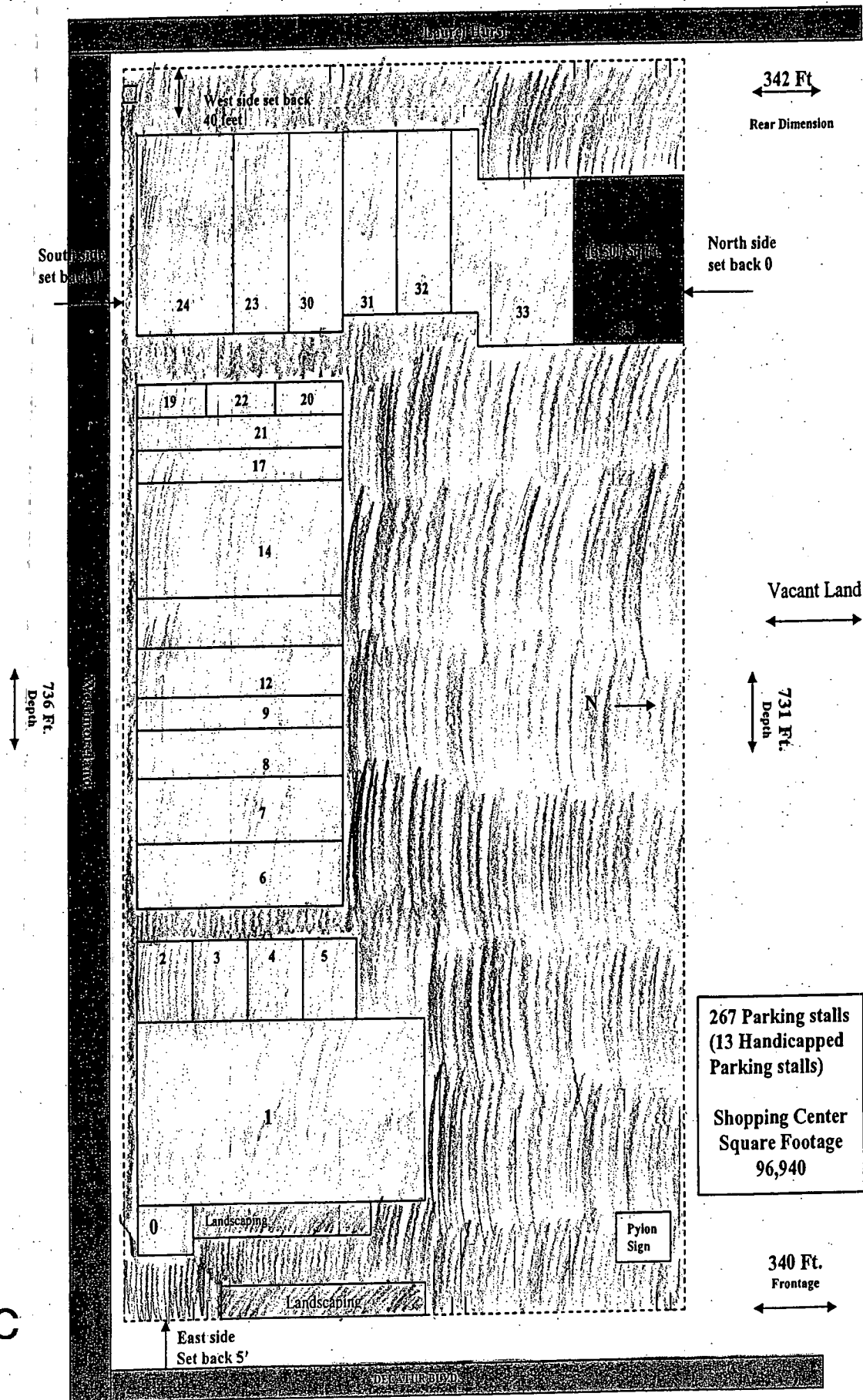
Subscribed and sworn before me

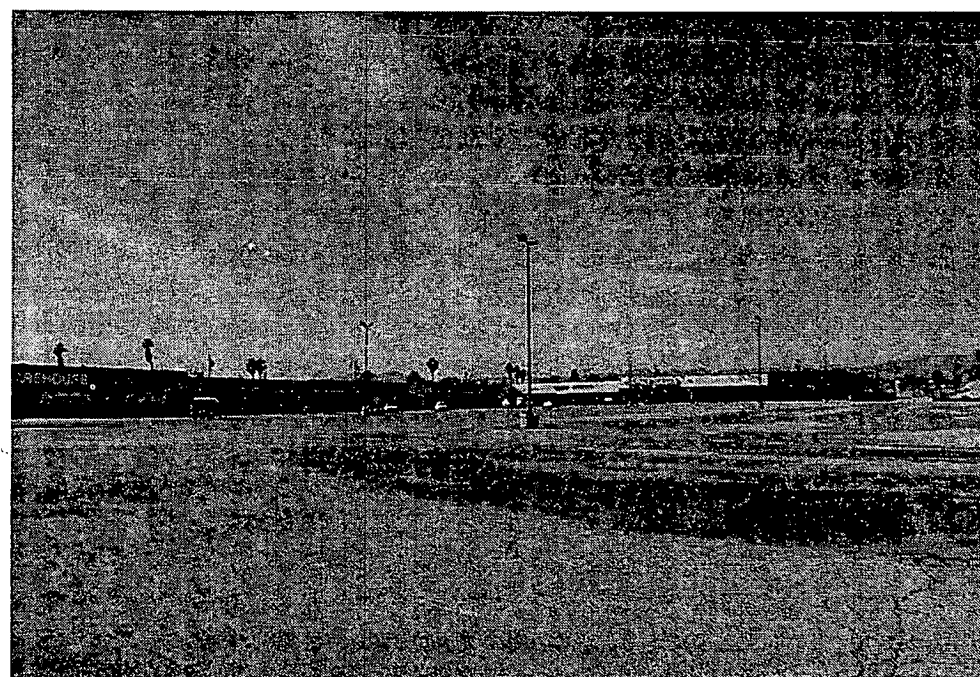
This 29th day of March, 2004

Lea Turner
Notary Public in and for said County and State



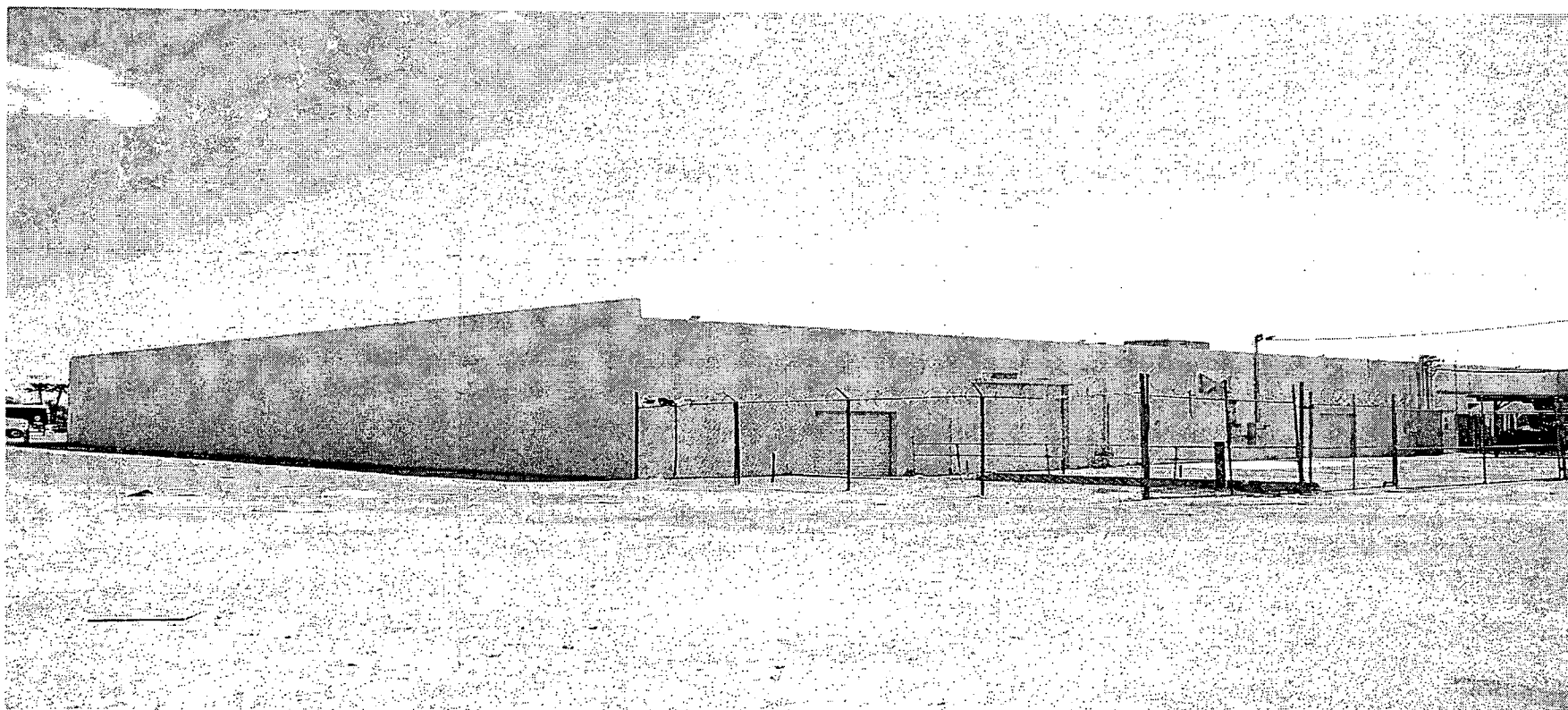
SUP-4168
05-13-04 PC





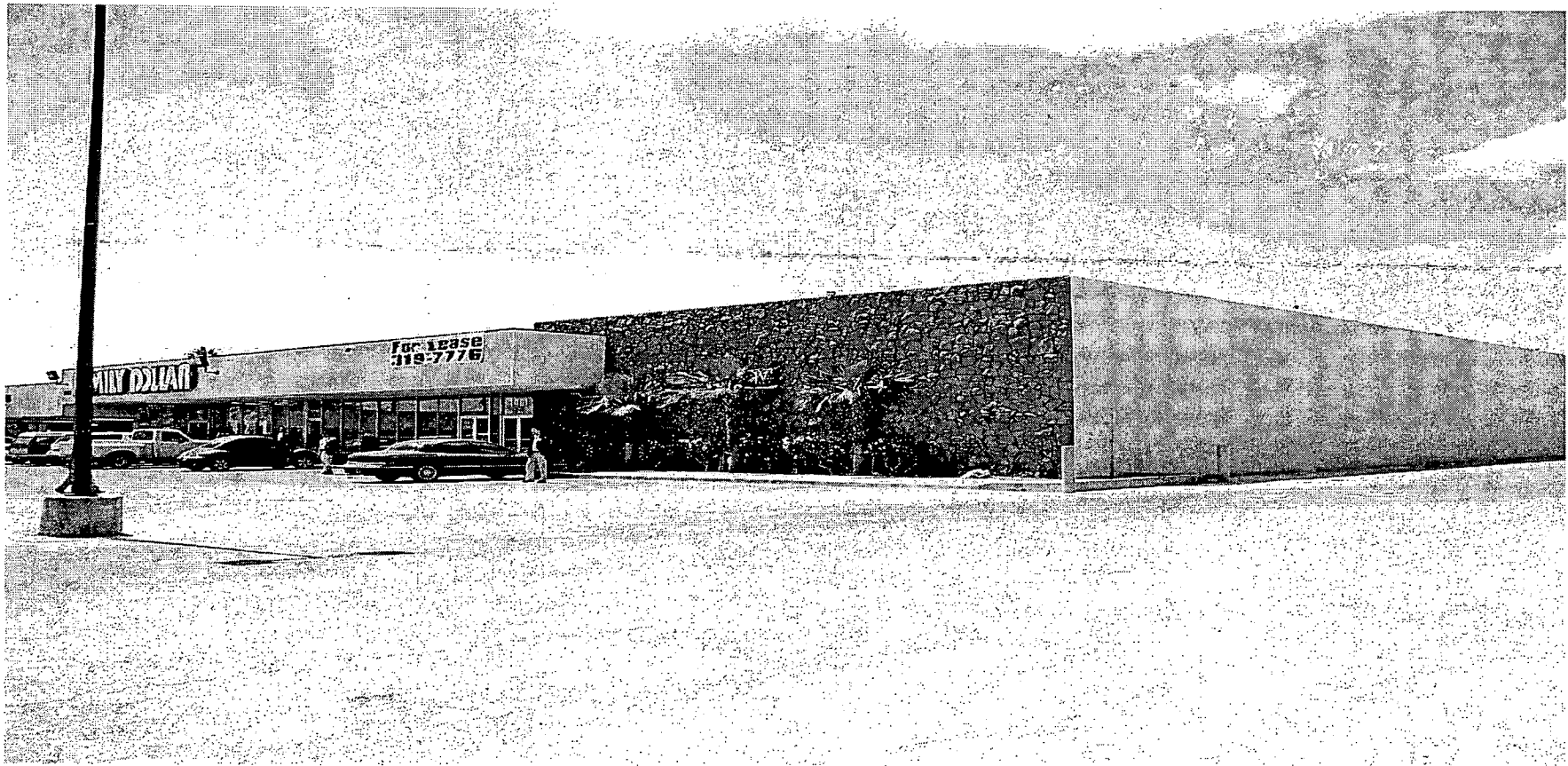
SUP-4168

05-13-04 PC



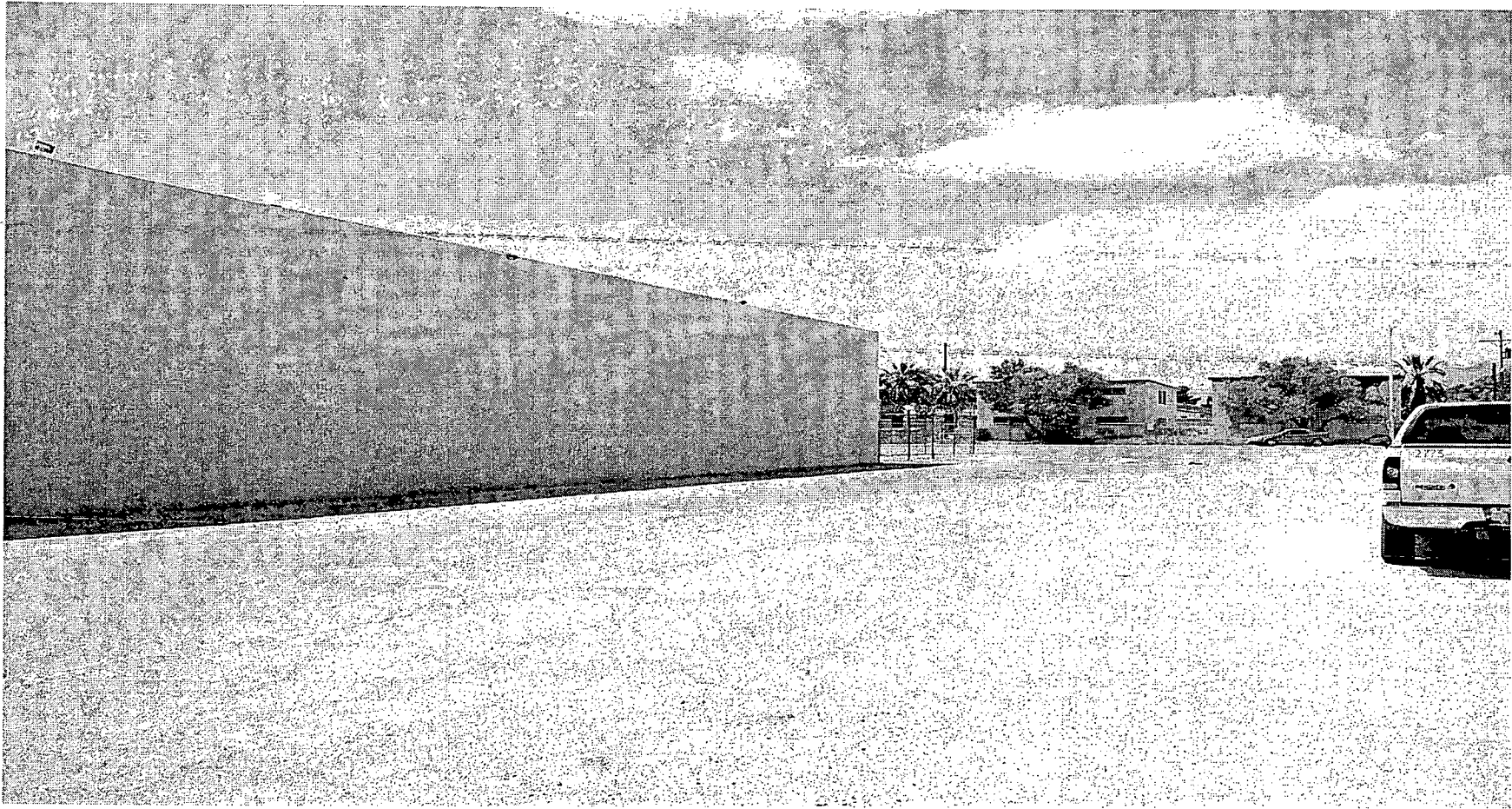
SPECIAL USE PERMIT RELATED TO VAR-4340 - PUBLIC HEARING - SUP-4168 - APPLICANT:
CATHOLIC CHARITIES OF SOUTHERN NEVADA - OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 NORTH DECATUR BOULEVARD, SUITE 34
MAY 13, 2003 PLANNING COMMISSION

4/19/04



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

4/19/04



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

4/19/04



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

4/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION - Request for a Variance TO ALLOW 1.94 ACRES OF OPEN SPACE WHERE 2.41 ACRES ARE REQUIRED FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Council Meeting – Brochure for the Centennial Springs development

MOTION:

MACK – APPROVED subject to condition – UNANIMOUS with MONCRIEF not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 125 [VAR-4300], Item 126 [SUP-4299], and Item 127 [SDR-4290].

REBECCA RALSTON, 28814 Business Park Court, appeared on behalf of the applicant and stated concurrence with staff recommendation and conditions.

COUNCILMAN MACK stated he was initially opposed to granting this variance; however, the quality and planning of the open space of this development has changed his mind. He asked MS. RALSTON to elaborate on the open space component of the project. She explained the project proposes a park, which would be a public amenity while being privately maintained. The park includes an outdoor amphitheatre, club house, rose garden, tot lot play area and multiple barbeque and gazebo areas. In addition to the park component, the developer is proposing detached sidewalks and tree lined streets with pockets of open space suitable for dog walking etc., which are areas that do not count towards the open space requirement.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 125 – VAR-4300

MINUTES Continued:

COUNCILMAN MACK indicated this project is innovative and thinks it could be a model for the future of Centennial Hills.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 125 [VAR-4300], Item 126 [SUP-4299], and Item 127 [SDR-4290].

NOTE: All discussion for Item 125 [VAR-4300], Item 126 [SUP-4299] and Item 127 [SDR-4290] was held under Item 125 [VAR-4300].

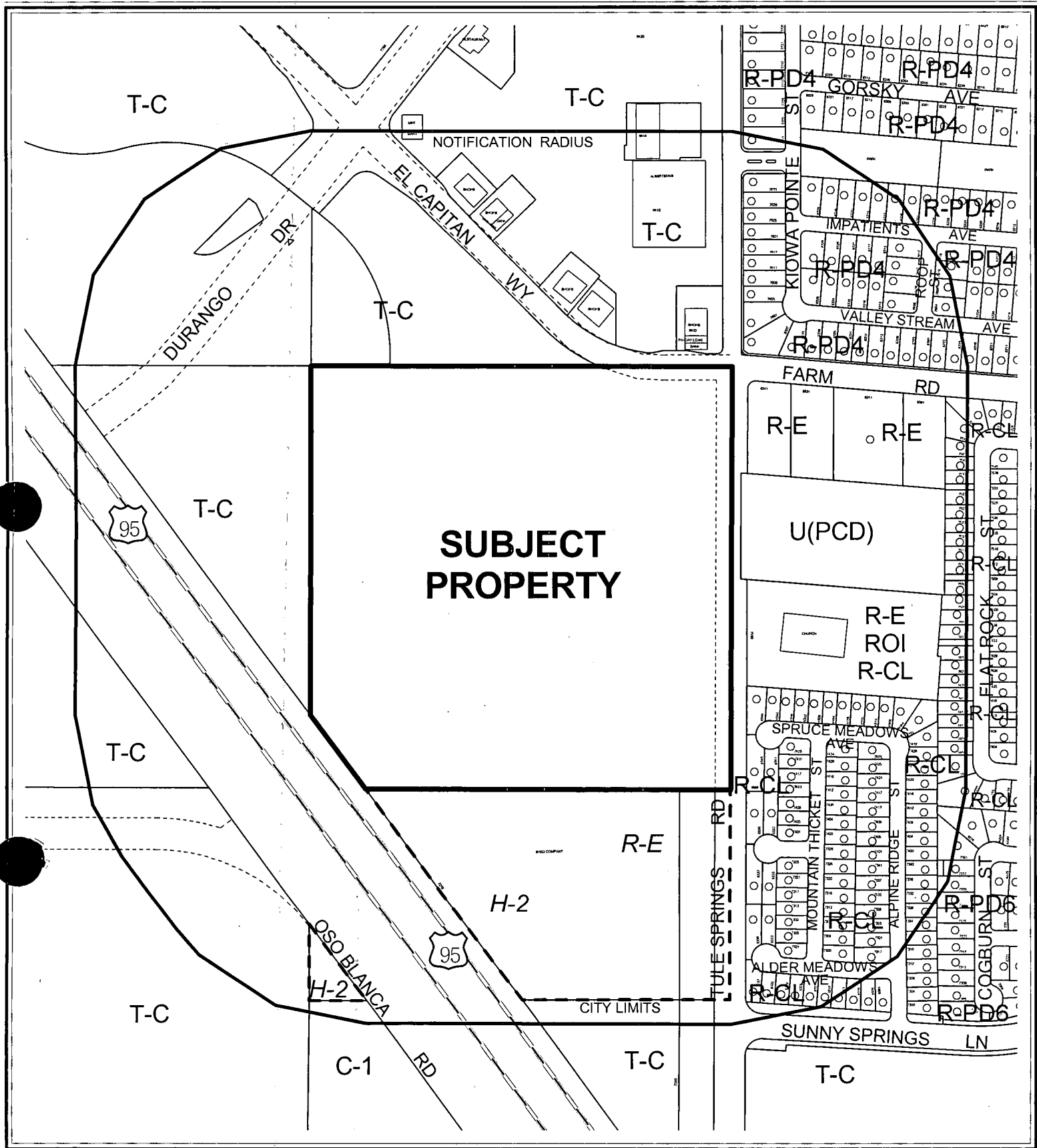
(3:42 – 3:46)

5-1383

CONDITION:

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-4300**

RADIUS: 750 FT

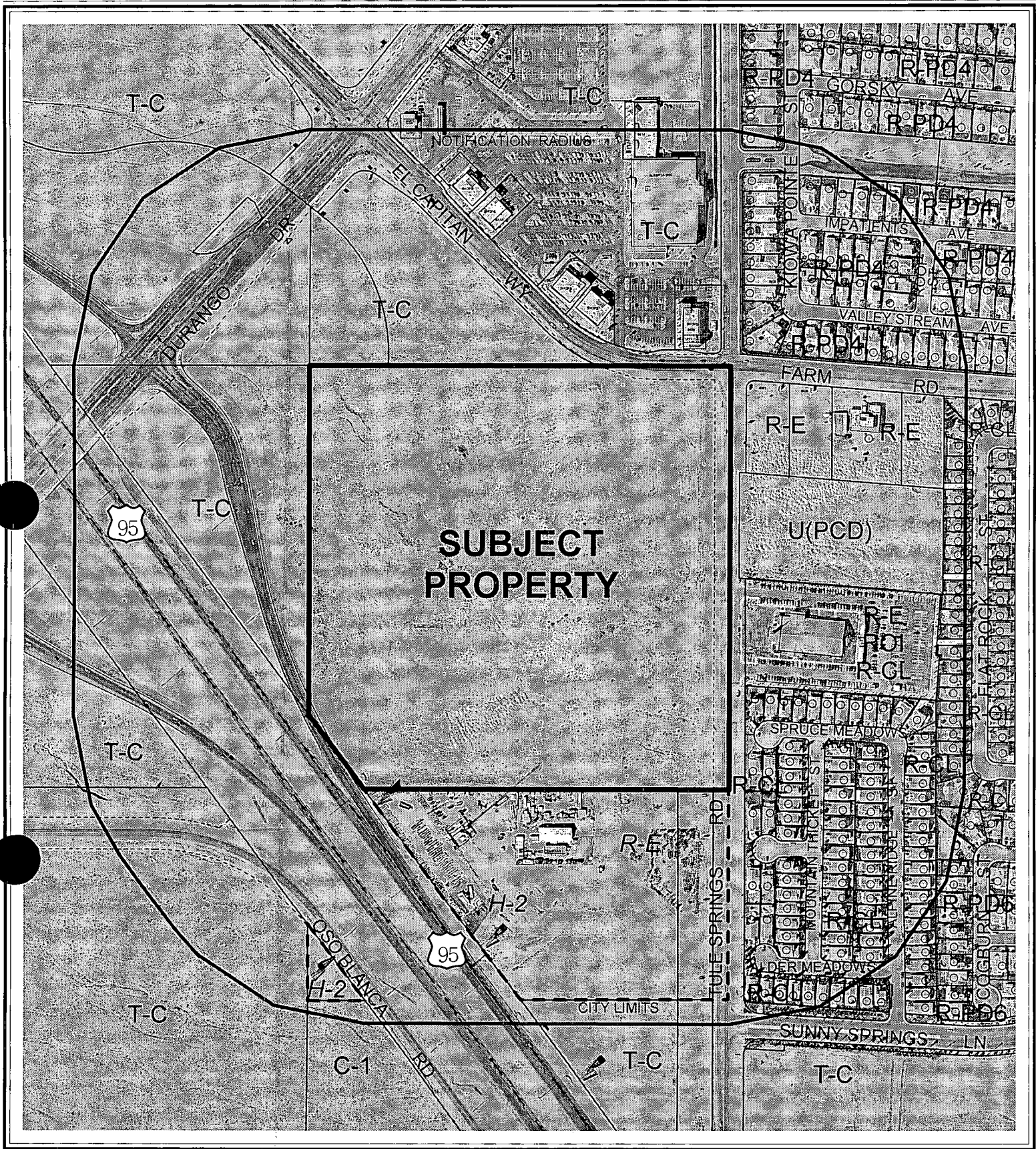
ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



125





CASE: **VAR-4300**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION

**** CONDITIONS ****

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow 2.46 acres of open space where 3.5 acres are required on 41.02 acres located adjacent to the southwest corner of Farm Road and Tule Springs Road.

Two other applications, a Site Development Plan Review (SDR-4290) for a mixed-use development and a Special Use Permit (SUP-4299) for private streets, were submitted as companion applications.

B) Applicant's Justification

The applicant states that although the proposed open space does not meet the minimum standards, the project will include a large community park that will include a clubhouse, pool, and gazebo. Additional landscaping with meandering sidewalks along the three main streets of the development will be included.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. |
| 01/02/02 | The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. |
| 02/18/04 | The City Council approved a General Plan Amendment in SC-TC to SX-TC on this site the Planning Commission approval. Staff recommends DENIAL. |
| 05/27/04 | The Planning Commission recommended approval of related applications for a Special Use Permit for a gated community and private streets (SUP-4290) and a Site Development Plan Review (SDR-4290) for this site. |
| 05/27/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #46/kcw). |

B) Pre-Application Meeting

04/01/04 The following was discussed:

- Tule Springs is a Town Center Collector street
- Farm is a 80 foot Town Center Arterial
- Open space will be according to sections E and F of the TCDS
- Fences and walls will be according to the TCDS
- Traffic calming measures and circles may be used
- The gates requirement may be waived

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 41.02

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped, Commercial
South: Undeveloped
East: Undeveloped, a Church, Residential
West: Undeveloped

C) Planned Land Use

Subject Property: SX-TC (Suburban Mixed- Town Center)
North: SC-TC (Service Commercial- Town Center)
South: SC-TC (Service Commercial- Town Center)
East: PCD (Planned Community Development)
West: SC-TC (Service Commercial- Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: R-E (Residence Estates)
U (PCD) Undeveloped (Planned Community Development)
R-E (Residence Estates) ROI to R-CL (Residential Compact Lot)
R-CL (Residential Compact Lot)
West: T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC (Suburban Mixed Use - Town Center) designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principle employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails

Map 6 of the Recreational Trails Element, "Town Center Multi-use Trail Alignments" shows a multi-use Trail along the west side of Tule Springs Road and the south side of Farm Road.

A) Zoning Code Compliance

- Open Space Standards

Section E(G) of the Town Center Development Standards Manual outlines requirements for communities with private streets. Because private streets are less wide and do not include the amenity zones that are requisite for Town Center Streets, development that utilizes private streets are expected to meet a higher open space standard based on the R-PD (Residential Planned Development) open space standards. The calculation used to determine the required amount of open space is as follows:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
24.1 acres of Residential	8.77	1.65	14.5 %	3.5 acres	10.2 %	2.46 acres

The proposal is deficient by 1.04 acres in the required amount of open space.

B) General Analysis and Discussion

The project consists of 211 single-family lots on 24.1 acres of land for a proposed density of 8.77 dwelling units per acre. The smallest lot size is 34 feet by 63 feet (2,142 square feet). The development standards proposed by the applicant for this development include 2,142, 2,646 and 2,898 square foot lots and private streets. Vehicular access to the site is from Tule Springs Road and Farm Road. The Tule Springs Road access is the primary entrance to the subdivision. The interior streets will be 37 feet in width and privately maintained. The exteriors are the typical single/ two-story design with tile roofs and stuccoed exterior walls.

FINDINGS

This open space variance can be supported since the 24 acre of single family residential is part of a true residential/commercial mixed use product that is strongly encouraged in Town Center. Also, this single family portion of the project is only deficient by one acre of open space; additional open space will be incorporated into the multi-family portion of the project.

PLANNING COMMISSION ACTION

The Planning Commission voted to delete a proposed Condition regarding an in-lieu contribution.

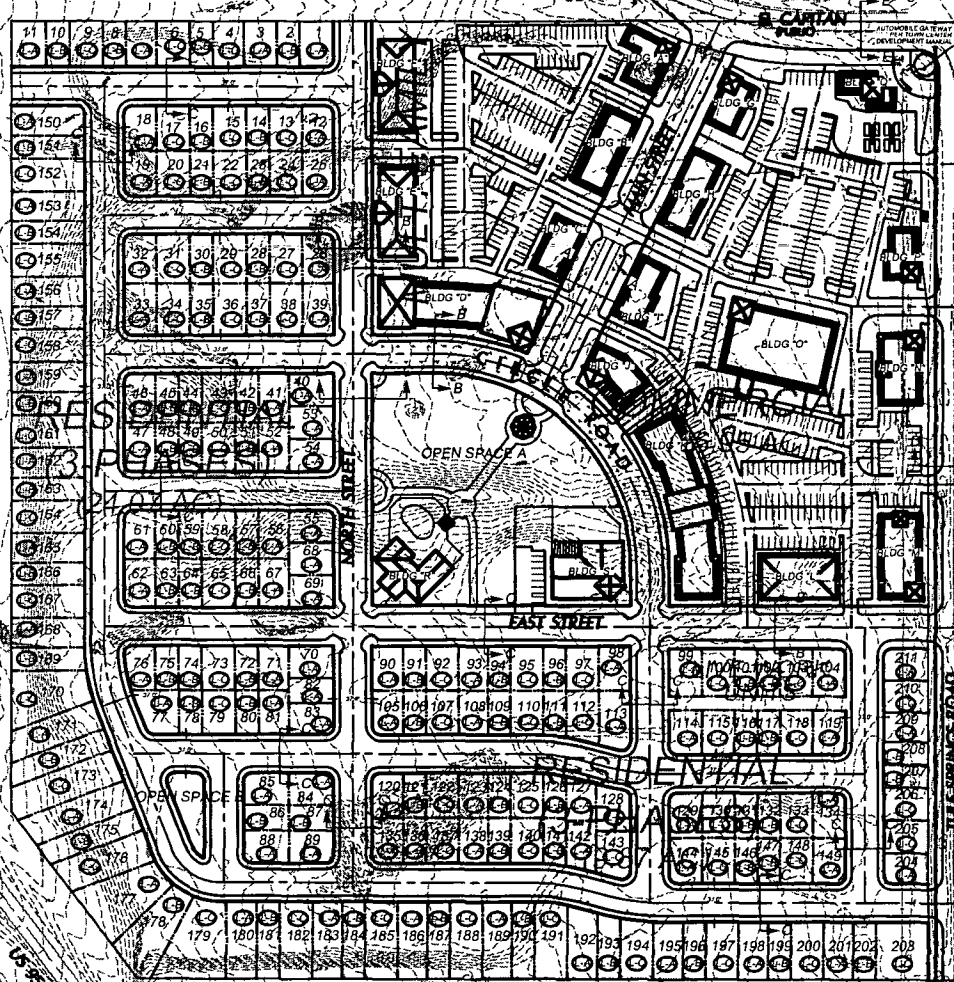
NOTICES MAILED 186 by City Clerk

APPROVALS 0

PROTESTS 0



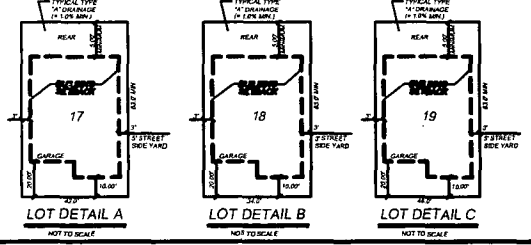
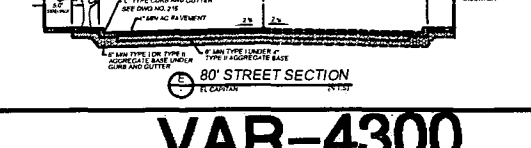
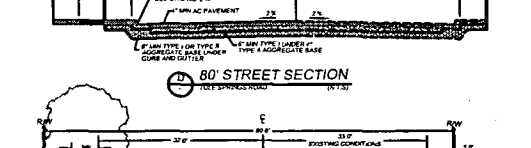
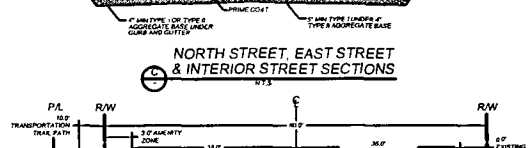
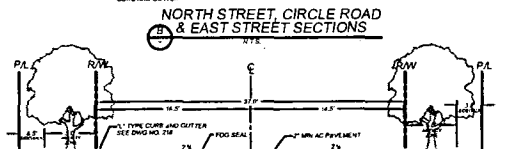
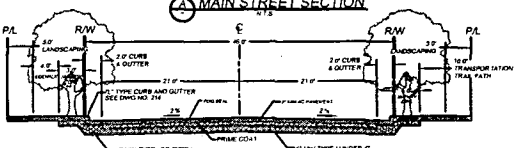
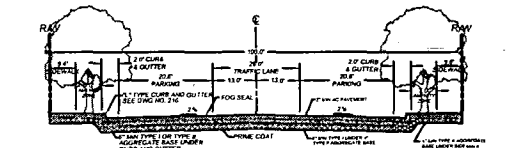
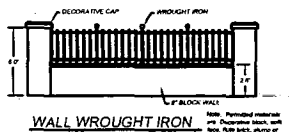
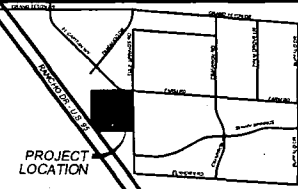
THE VILLAGE OF
CENTENNIAL SPRINGS
CARINA HOMES
APN 125-17-702-002



BUILDING No.	SQ. FT.
A	4400
B	3600
C	4000
D	3700
E	4000
F	4000
G	3400
H	3200
I	4200
J	4000
K	3000
L	4000
M	7100
N	6000
O	10,000
P	3000
Q	2810
R	COMMUNITY CENTER
S	DAYCARE



- LEGEND**
- PROPERTY LINE
 - STREET CENTERLINE
 - EXISTING CONTOUR
 - PROPOSED BUILDING
 - EXISTING BUILDING
 - PROPOSED CURB & GUTTER
 - PROPOSED CURB
 - EX. CURB & GUTTER
 - EX. CURB
 - LOT DETAIL NO.



ACCESSIBILITY NOTES:

NOTE: ALL ADA ACCESSIBLE ROUTES SHALL CONFORM TO ADA STANDARDS IN BOTH THE COMMERCIAL AND RESIDENTIAL AREAS.

1. MAXIMUM SLOPE ON THE ACCESSIBLE ROUTE IS 1:12 IN THE DIRECTION OF TRAVEL. 2% CROSS SLOPE. MAXIMUM SLOPE IN ACCESSIBLE PARKING STALLS LONGER THAN 8' IS 1:12 IN ANY DIRECTION.

2. PROVIDE ACCESSIBLE PARKING STALLS SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE. STALLS PER 100 AND 400 ARE.

3. HANDICAP STALLS SHALL BE 8'-0" WIDE x 10'-0" LONG (18'-0" WITH PERMITTED OVERLAP).

4. HANDICAP STALLS LONGER THAN 8'-0" WIDE, THE ENTIRE LENGTH OF THE PARKING STALL (8'-0" WIDE FOR VAN ACCESSIBLE SPACES).

PROJECT DATA	
GROSS ACRES	41.88 ACRES
NET ACRES	21.07 ACRES
TOTAL NO. OF UNITS	211
MODEL A	78
MODEL B	71
MODEL C	83
DENSITY	8.77 UNITS/ACRE
MINIMUM LOT SIZE	2,142 SF
MAXIMUM LOT SIZE	8,406 SF
AVERAGE LOT SIZE	3,085 SF
PARKING	2 PER UNIT + 1 GUEST/6 UNITS
	247
MULTI-FAMILY PARKING	30
COMMERCIAL PARKING PROVIDED	494
OPEN SPACE REQUIREMENT:	
10% RESIDENTIAL AREA	4.11 ACRES
OPEN SPACE PROVIDED:	
OPEN SPACE - A	1.80 ACRES
OPEN SPACE - B	0.09 ACRES
ALLEYWAY ZONES	0.25 ACRES
TOTAL	1.94 ACRES

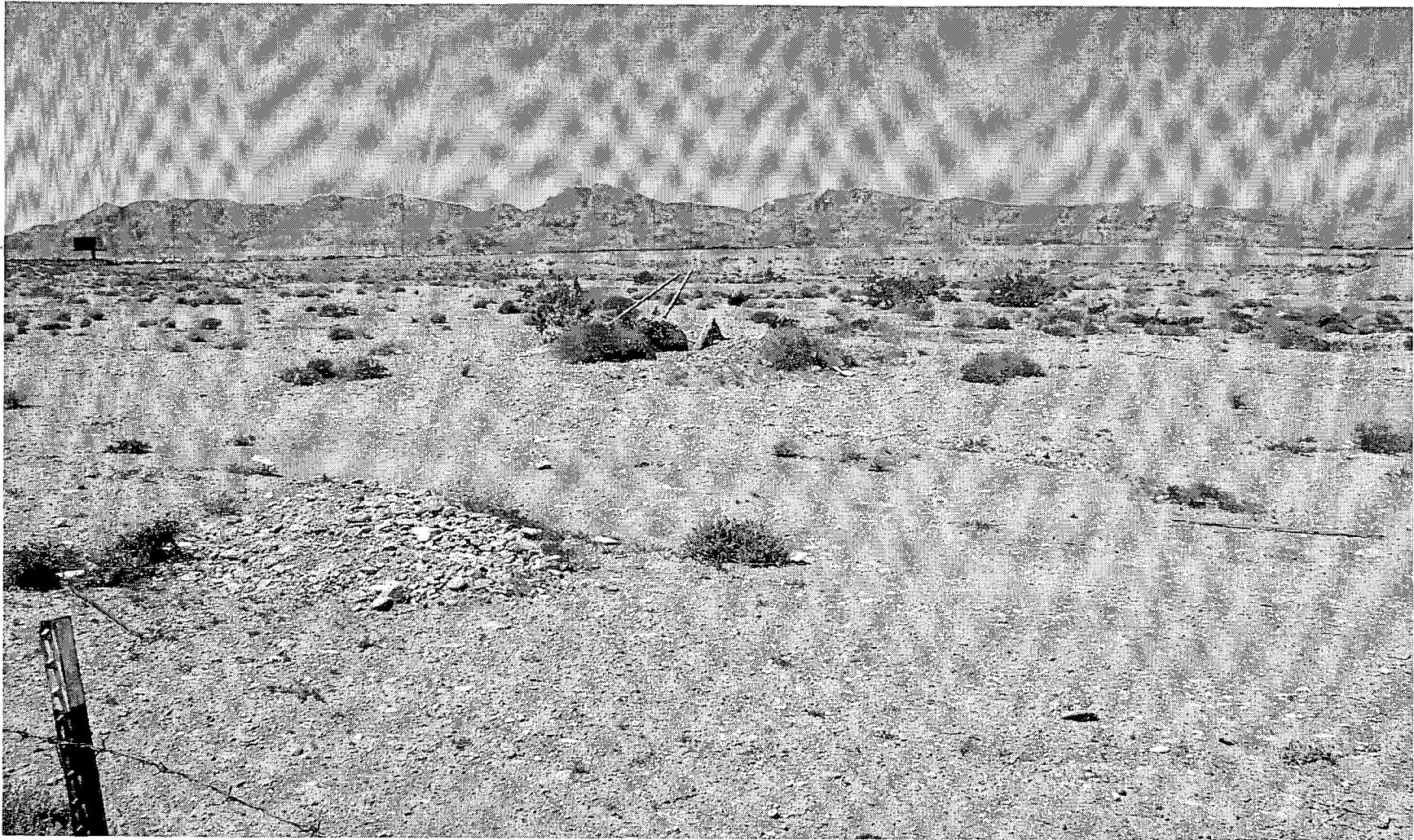
TKC
The Keith Corporation

CARINA CORPORATION
THE VILLAGE OF CENTENNIAL SPRINGS

SITE PLAN

JOB #
SHEET NO.:
SP-1
1 OF 1 SHEETS

VAR-4300
5-27-04 PC



VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION
SOUTHWEST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
MAY 27, 2004 PLANNING COMMISSION

4/30/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4300 - PUBLIC HEARING - SUP-4299 -
APPLICANT/OWNER: CARINA CORPORATION - Request for a Special Use Permit
FOR PRIVATE STREETS FOR A PROPOSED MIXED USE DEVELOPMENT AND A
WAIVER TO ALLOW THE PRIVATE STREETS TO NOT BE GATED adjacent to the
southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town
Center) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Council Meeting – Brochure for the Centennial Springs development filed under Item 125 [VAR-4300]

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

MINUTES:

NOTE: See Item 125 [VAR-4300] for all related discussion.

(3:42 – 3:46)

5-1383

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4300) and Site Development Plan Review (SDR-4290).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

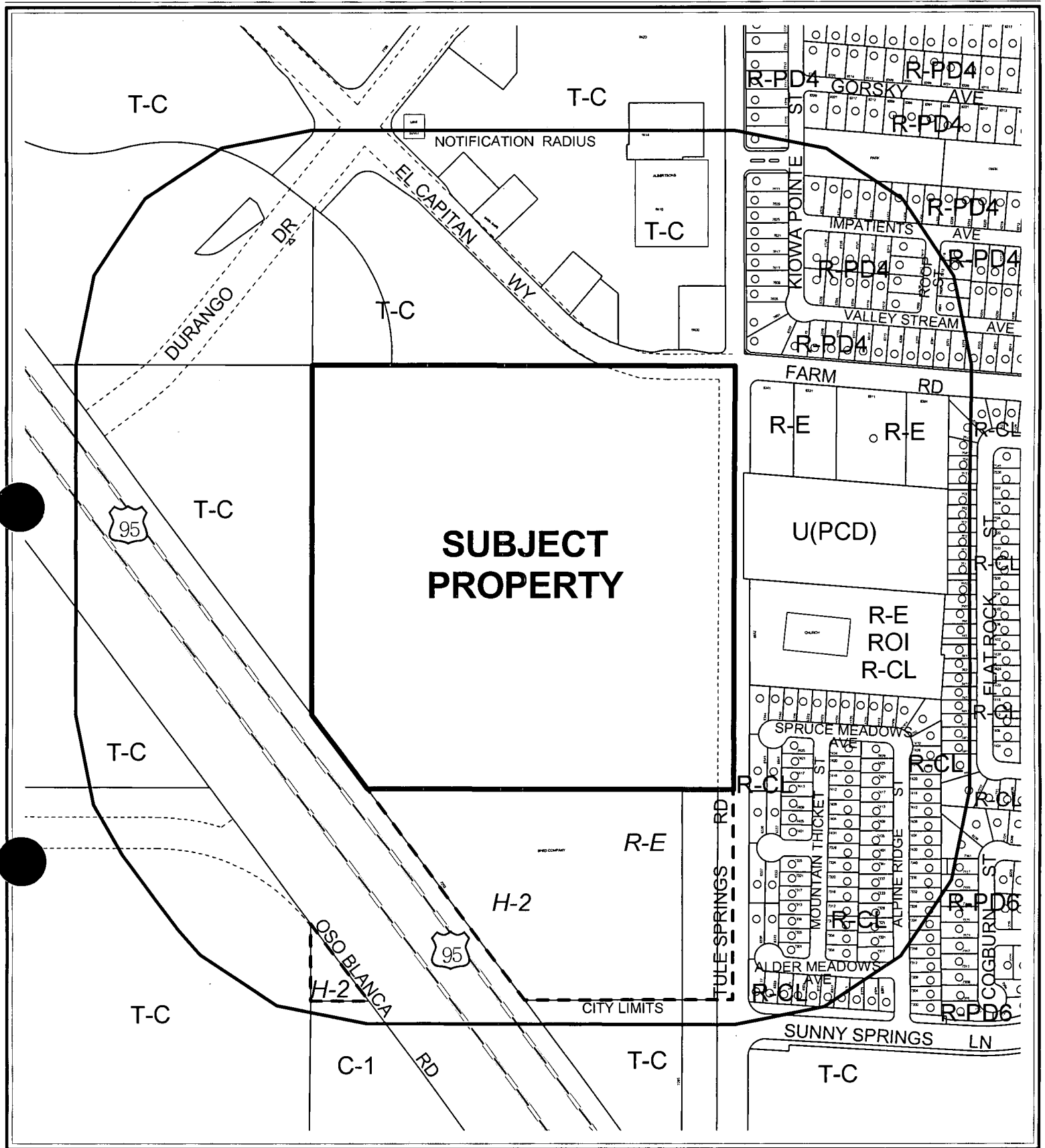
CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 126 – SUP-4299

CONDITIONS Continued:

3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
7. A Private Maintenance 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.
8. Site development to comply with all applicable conditions of approval for Site Development Review SDR-4290 and all other subsequent site-related actions.



CASE: SUP-4299

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



126



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-4299 - APPLICANT/OWNER: CARINA CORPORATION

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4300) and Site Development Plan Review (SDR-4290).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.

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8. Site development to comply with all applicable conditions of approval for Site Development Review SDR-4290 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a gated subdivision with private streets in conjunction with a proposed mixed-use development located adjacent to the southwest corner of Tule Springs Road and Farm Road. The applicant requests that the requirement for a gated community as a part of this Special Use Permit for private streets be waived.

A Variance (VAR-4300) to allow for a reduction of open space and a Site Development Plan Review (SDR-4290) were submitted as companion applications.

B) Applicant's Justification

The project will include a large community park that will include a clubhouse, pool, and gazebo. Additional landscaping with meandering sidewalks along the three main streets of the development will be included.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and Staff recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval. |
| 01/02/02 | The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval. |
| 02/18/04 | The City Council approved a General Plan application for SC-TC to SX-TC. The Planning Commission recommended DENIAL. |
| 05/27/04 | The Planning Commission recommended approval of related applications for a Variance from the open space standards of the Code (VAR-4300) and a Site Development Plan Review (SDR-4290). |

05/27/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #47/kcw).

B) Pre-Application Meeting

04/01/04 The following was discussed:

- Tule Springs is a Town Center Collector street
- Farm is a 80 foot Town Center Arterial
- Open space will be according to sections E and F of the TCDS
- Fences and walls will be according to the TCDS
- Traffic calming measures and circles may be used
- The gates requirement may be waived

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 41.02

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped, Commercial
South: Undeveloped
East: Undeveloped, a Church, Residential
West: Undeveloped

C) Planned Land Use

Subject Property: SX-TC (Suburban Mixed - Town Center)
North: SC-TC (Service Commercial - Town Center)
South: SC-TC (Service Commercial - Town Center)
East: PCD (Planned Community Development)
West: SC-TC (Service Commercial - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: R-E (Residence Estates)
U (PCD) Undeveloped (Planned Community Development)
R-E ROI to R-CL (Residence Estates) ROI to Residential Compact Lot
RCL (Residential Compact Lot)
West: T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC (Suburban Mixed Use - Town Center), designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails

Map 6 of the Recreational Trails Element, "Town Center Multi-use Trail Alignments" shows a multi-use Trail along the west side of Tule Springs Road and the south side of Farm Road.

ANALYSIS

A) Zoning Code Compliance

The Town Center Development Standards Manual calls for parking to comply with the requirements of Title 19.10 (as listed below):

Uses	Required	Provided
Single Family Dwelling	2 per dwelling unit	2 per dwelling unit

The proposed development conforms to standards.

The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in Title 19 that apply to the proposed residential development with private streets.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a SX-TC (Suburban Center Mixed Use – Town Center) General Plan designation.

The proposed single-family residential development is the 24 acres of a single-family detached portion of a true residential/ commercial mixed development. The remaining acreage is a multi-family/ commercial area.

- Use and Conditions

Subsection E (G) of the Town Center Development Standards Manual provides the following conditions of approval for a Special Use Permit for a gated subdivision with private streets:

- 1. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.**

The subject site is bordered on the east by Tule Springs Road, designated as Town Center (90 foot) Collector and on the north by Farm Road, a Town Center (80-foot) Arterial in the Town Center Design Standards Manual. There are no pre-existing, stubbed streets that will need to be ended by a cul-de-sac or extended through the development.

- 2. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.**

This ungated community will have three entrances off of Tule Springs Road and one from Farm Road. The applicant requests that the requirement for gates be waived but the streets will be privately maintained.

3. **Consideration must be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments.**

There are no previously approved plans that pertain to this location.

FINDINGS

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

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

The single family detached portion of the development is compatible with the existing residential development to the east. The commercial section is compatible with the commercial to the north and the planned commercial to the northwest.

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

There are no physical constraints to the site that make the proposed development impractical.

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

The site is bordered by Tule Springs to the east, which is designated as a Town Center (80-foot) Collector on Map 4A of the Town Center Development Standards Manual and Farm Road to the north, a Town Center 80 foot Arterial. Primary access will be from Tule Springs Road. When completed, these roadways will provide adequate access to the subject site.

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

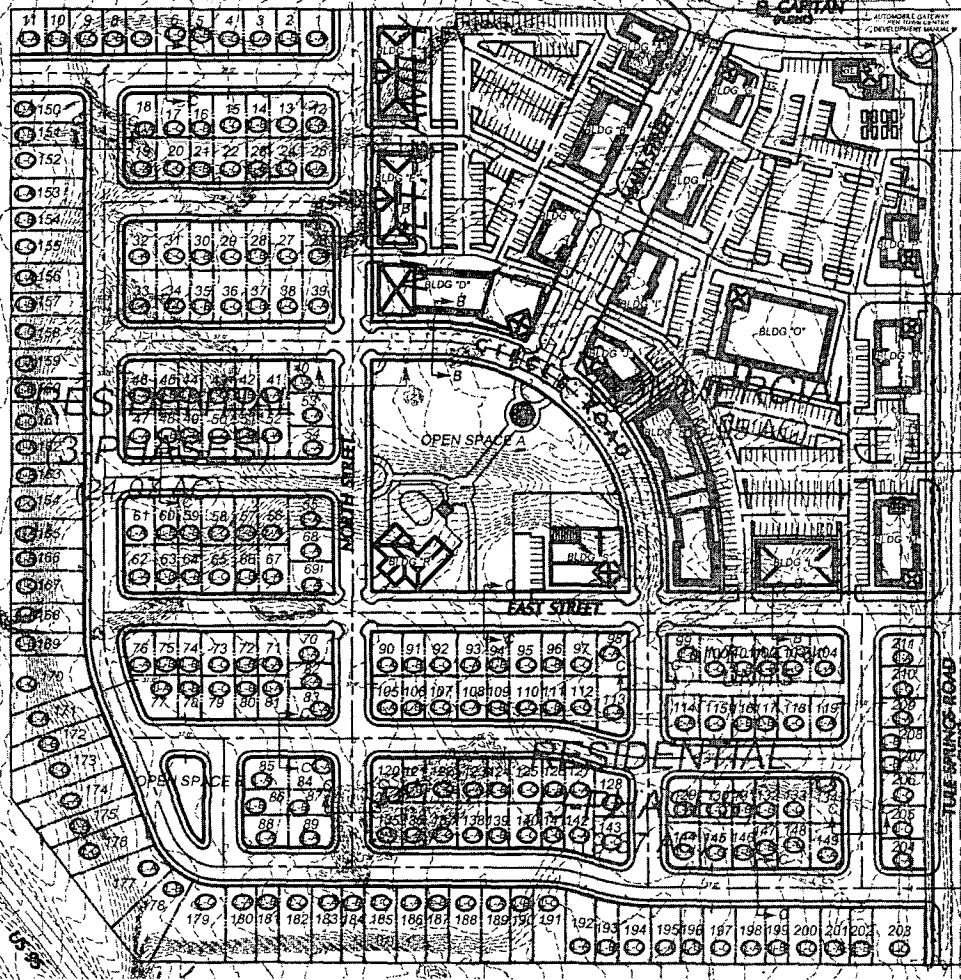
The proposed use on this site will be subject to the provisions of the Uniform Building Code, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 186 by City Clerk

APPROVALS 0

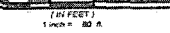
PROTESTS 0

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CARINA HOMES
APN 125-17-702-002

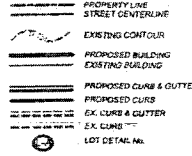


BUILDING NO.	SQ. FT.
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GRAPHIC SCALE

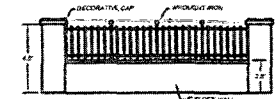


LEGEND

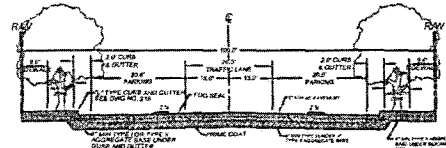


PROJECT LOCATION

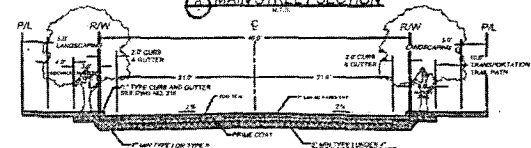
VICINITY MAP



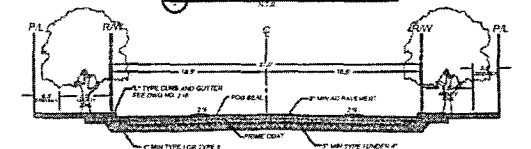
WALL WROUGHT IRON



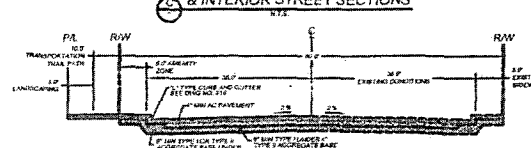
MAIN STREET SECTION



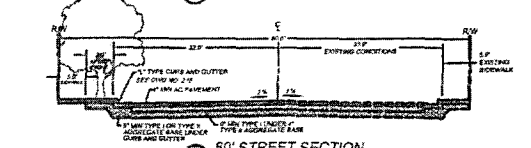
NORTH STREET, CIRCLE ROAD & EAST STREET SECTIONS



NORTH STREET, EAST STREET & INTERIOR STREET SECTIONS



80' STREET SECTION



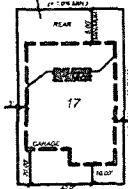
60' STREET SECTION

PROJECT DATA

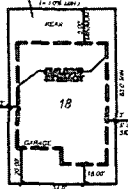
RESIDENTIAL	2,411 ACRES
TOTAL NO. OF UNITS	71
MODEL A	71
MODEL B	71
MODEL C	71
DENSITY	8.77 UNITS/ACRE
MINIMUM LOT SIZE	2,142 SF
MAXIMUM LOT SIZE	8,400 SF
AVERAGE LOT SIZE	3,583 SF
PARKING	2 PER UNIT = 142 SPACES
MULTI-FAMILY PARKING	30
OPEN SPACE PROVIDED	18.30 ACRES
OPEN SPACE REQUIRED	17.4
OPEN SPACE REQUIREMENT	2.41 ACRES
OPEN SPACE PROVIDED:	
OPEN SPACE - A	1.80 ACRES
OPEN SPACE - B	0.90 ACRES
AMENITY ZONES	0.25 ACRES
TOTAL	11.4 ACRES

ACCESSIBILITY NOTES:

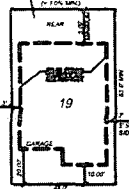
1. MAXIMUM SLOPE ON THE ACCESSIBLE ROUTE IS 2.5% IN THE DIRECTION OF TRAVEL. 2.5% SHALL BE MAXIMUM SLOPE IN ANY DIRECTION.
2. PREVIOUS ACCESSIBLE PARKING SHALL BE MAINTAINED FOR HANDICAPPED AND UNIMPAIRED. STALLS PER UNIT ARE AS FOLLOWS:
3. HANDICAPPED STALLS SHALL BE 8'0" WIDE X 12'0" LONG (11'0" WITH PERMITTED OVERHANG).
4. HANDICAPPED STALLS SHALL BE 8'0" WIDE X 12'0" LONG (11'0" WITH PERMITTED OVERHANG).



LOT DETAIL A



LOT DETAIL B



LOT DETAIL C

TKC

The Keith Corporation

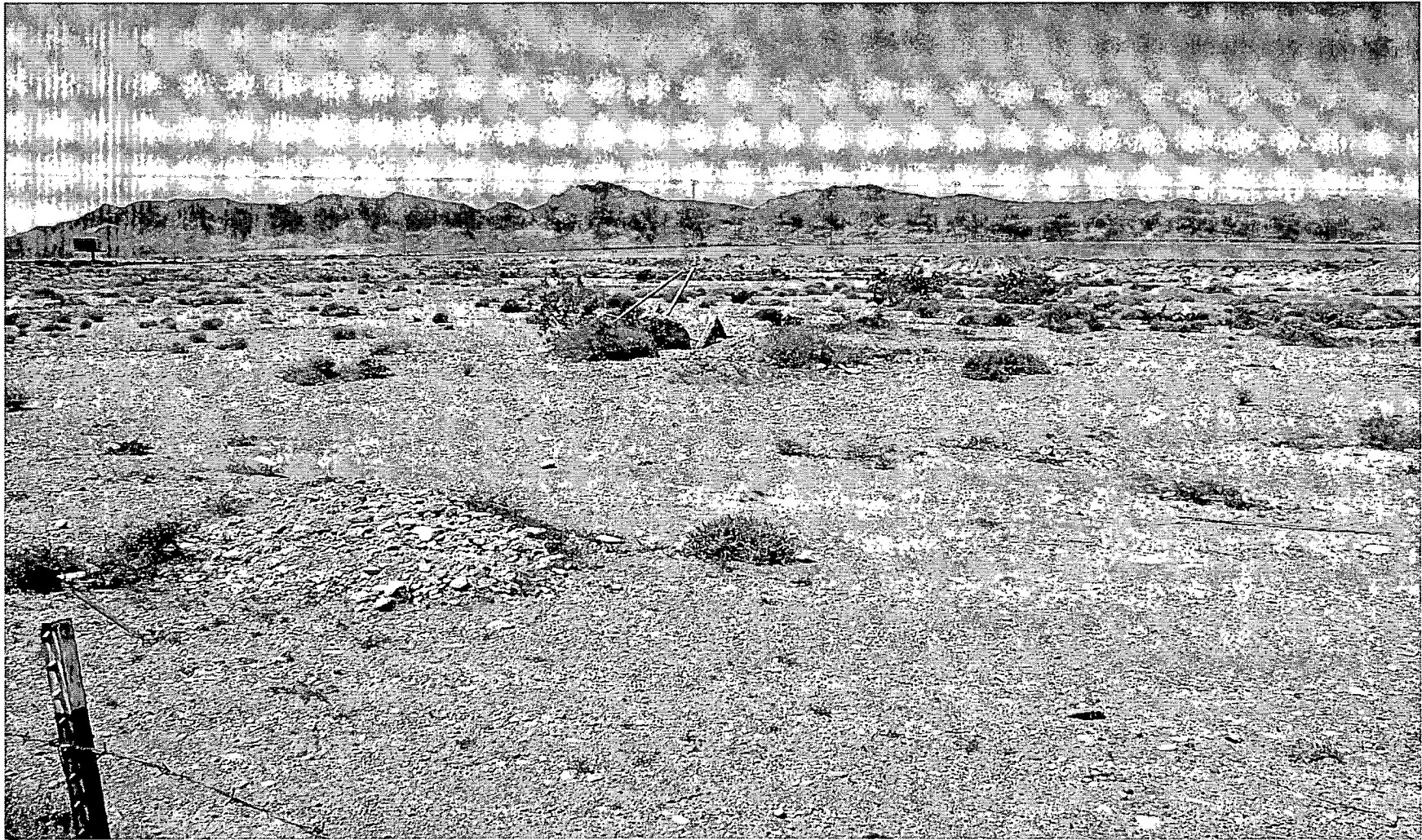
CARINA CORPORATION
THE VILLAGE OF CENTENNIAL SPRINGS

SHEET NO.

SP-1

1 OF 1 SHEETS

SUP-4299
5-27-04 PC



SUP-4299 - APPLICANT/OWNER: CARINA CORPORATION
SOUTHWEST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
MAY 27, 2004 PLANNING COMMISSION

4/30/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4300 AND SUP-4299 -
 PUBLIC HEARING - **SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION** -
 Request for a Site Development Plan Review and a Waiver of the Landscaping Standards FOR A
 PROPOSED MIXED USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of
 Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6
 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
5. 4. Submitted at Council Meeting – Brochure for the Centennial Springs development filed under Item 125 [VAR-4300]

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

MINUTES:

NOTE: See Item 125 [VAR-4300] for all related discussion.

(3:42 – 3:46)

5-1383

CONDITIONS:

Planning and Development

1. A Town Center Automobile Gateway designed according to the specifications of Figure 8 of the Town Center Development Standards (TCDS) shall be incorporated in the development of the corner of the development at the intersection of Farm and Tule Springs Roads.
2. Multi-Use Transportation Trail shall be included in the improvements of the west side of Tule Springs Road.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 127 – SDR-4290

CONDITIONS Continued:

3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. The applicant shall meet with staff of the Planning and Development Department to develop an address plain prior to the issue of permits.
5. A Variance application for open space (VAR-4300) and a Special Use Permit (SUP-4299) approved by the City Council.
6. 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.
7. 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, 5 feet on the corner side, and 3 feet in the rear.
8. As part of a future Tentative Map submittal for this project, the applicant shall submit a lot fit analysis to the Planning and Development Department to ensure the proposed product fits onto the proposed lots.
9. All development shall be in conformance with the site plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
10. Tandem garages shall not be utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf and the correct number of trees along Farm and Tule Springs.
12. 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.
13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
14. Air conditioning units shall not be mounted on rooftops.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 127 – SDR-4290

CONDITIONS Continued:

15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
17. All City Code requirements and design standards of all City departments must be satisfied.
18. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.

Public Works

19. Dedicate 40 feet of right-of-way adjacent to this site for Tule Springs Road, 40 feet for Farm Road, and a 30-foot radius at the southwest corner of Tule Springs Road and Farm Road. Also, grant a Traffic Signal Chord easement at the southwest corner of Tule Springs Road and Farm Road. Additional right-of-way dedications for exclusive right turn lanes, dual left turn lanes, and bus stops shall be dedicated in accordance with the approved Traffic Impact Analysis for this site.
20. Construct half-street improvements on Farm Road and Tule Springs Road 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).
21. Provide a public sewer stub to the west of this site at a depth and location acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 127 – SDR-4290

CONDITIONS Continued:

- 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. 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.
23. 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 the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.
 24. Provide documentation to the City of Las Vegas showing that the Nevada Department of Transportation (N.D.O.T.) easement that crosses this site has been abandoned prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.
 25. Landscape and maintain all unimproved rights-of-way on Farm Road and Tule Springs Road adjacent to this site.
 26. Submit an Encroachment Agreement for all landscaping and private improvements located in the Farm Road and Tule Springs Road public rights-of-way adjacent to this site prior to occupancy of this site.
 27. 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. We note that a deviation for non-standard knuckles at street bends is required.
 28. Site development to comply with all applicable conditions of approval for Z-76-98 and all other subsequent site-related actions.



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION

**** CONDITIONS ****

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

Planning and Development

1. A Town Center Automobile Gateway designed according to the specifications of Figure 8 of the Town Center Development Standards (TCDS) shall be incorporated in the development of the corner of the development at the intersection of Farm and Tule Springs Roads.
2. Multi-Use Transportation Trail shall be included in the improvements of the west side of Tule Springs Road.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. The applicant shall meet with staff of the Planning and Development Department to develop an address plain prior to the issue of permits.
5. A Variance application for open space (VAR-4300) and a Special Use Permit (SUP-4299) approved by the City Council.
6. 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.
7. 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, 5 feet on the corner side, and 3 feet in the rear.
8. As part of a future Tentative Map submittal for this project, the applicant shall submit a lot fit analysis to the Planning and Development Department to ensure the proposed product fits onto the proposed lots.
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11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf and the correct number of trees along Farm and Tule Springs.

12. 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.
13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
14. Air conditioning units shall not be mounted on rooftops.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
17. All City Code requirements and design standards of all City departments must be satisfied.
18. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.

Public Works

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21. Provide a public sewer stub to the west of this site at a depth and location acceptable to the City Engineer. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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. 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.

23. 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 the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.
24. Provide documentation to the City of Las Vegas showing that the Nevada Department of Transportation (N.D.O.T.) easement that crosses this site has been abandoned prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.
25. Landscape and maintain all unimproved rights-of-way on Farm Road and Tule Springs Road adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping and private improvements located in the Farm Road and Tule Springs Road public rights-of-way adjacent to this site prior to occupancy of this site.
27. 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. We note that a deviation for non-standard knuckles at street bends is required.
28. Site development to comply with all applicable conditions of approval for Z-76-98 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a mixed-use development proposed at the southwest corner of Farm Road and Tule Springs Road.

A Variance (VAR-4300) to allow for a reduction of open space and a Special Use Permit (SUP-4299) for private streets were submitted as companion applications.

B) Applicant's Justification

The project will include a large community park, which includes a clubhouse, pool, and gazebo. Additional landscaping with meandering sidewalks along the three main streets of the development will be included.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and Staff recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. The Planning Commission and Staff recommended approval. |
| 01/02/02 | The City Council approved an update to the Town Center Development Standards Manual that included standards for residential development through Bill No. 2001-139. The Planning Commission and Staff recommended approval. |
| 02/18/04 | The City Council approved a General Plan Amendment from SC-TC to SX-TC. |
| 05/27/04 | The Planning Commission recommended approval of a related Variance (VAR-4300) and Special Use Permit (SUP-4299) as a part of this agenda. |
| 05/27/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #48/kcw). |

B) Pre-Application Meeting

04/01/04 The following was discussed:

- Tule Springs is a Town Center Collector street
- Farm is a 80 foot Town Center Arterial
- Open space will be according to sections E and F of the TCDS
- Fences and walls will be according to the TCDS
- Traffic calming measures and circles may be used
- The gates requirement may be waived

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 41.02

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped, Commercial
South: Undeveloped
East: Undeveloped, a Church, Residential
West: Undeveloped

C) Planned Land Use

Subject Property:	SX-TC	Suburban Mixed - Town Center
North:	SC-TC	Service Commercial - Town Center
South:	SC-TC	Service Commercial - Town Center
East:	PCD	Planned Community Development
West:	SC-TC	Service Commercial - Town Center

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: R-E (Residence Estates)
U (Undeveloped) PCD (Planned Community Development)
R-E (Residence Estates) ROI to R-CL (Residential Compact Lot)
West: T-C (Town Center)

E) General Plan Compliance

The existing T-C (Town Center) zoning is in conformance with the General Plan, which designates the area as SX-TC (Suburban Mixed Use - Town Center), as part of the Town Center Master Plan. The intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district.

The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The object of this district is to provide amenities that are conducive to attracting pedestrian activity rather than automotive access. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district.

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

Special Area Plan – Town Center

The Centennial Hills Town Center category of the Centennial Hills General Plan is intended to be the principle employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses.

Trails

Map 6 of the Recreational Trails Element, “Town Center Multi-use Trail Alignments” shows a multi-use Trail along the west side of Tule Springs Road and the south side of Farm Road.

PROJECT DESCRIPTION

The project consists of 211 residential units on 24.07 acres of land for a proposed density of 8.8 dwelling units per acre. The commercial portion will be 16.95 acres in size including 17 buildings varying in size between 2,910 to 29,480 square feet in size.

Vehicular access to the site is from Farm Road and Tule Springs Road. The Tule Springs accesses will be the primary entrance to the residential portion of the development. The commercial portion will be accessed from Farm and Tule Springs with the primary access from Farm Road. The interior streets of the residential portion will be 37 feet in width and privately maintained. The primary street in the commercial is to be 100 feet in width.

The exteriors are the typical single, two, and three-story design with tile roofs and stuccoed exterior walls.

The smallest typical house lot size is 34 feet by 63 feet (2,142 square feet).

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Town Center Development Standards Manual calls for parking to comply with the requirements of Title 19.10 (as listed below):

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2,142 sq ft	Y
Min. Lot Width	N/A	34 ft	Y
Min. Setbacks			
• Front	N/A	10 ft	Y
• Side	N/A	3 ft	Y
• Corner side	N/A	5 ft	Y
• Rear	N/A	5 ft	Y
Max. Building Height	N/A	3 Stories	Y
Trash Enclosure		Not Shown	
Loading Zone		Not Shown	
Mech. Equipment		Not Shown	

The proposal meets requirements except for the location of trash enclosure and loading zones. A condition will be added to discuss these discrepancies.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single family	211 units	2 per unit	422	N/A	422	N/A
Multi-family		2 per unit + 1 guest/ 6 units			28	2
Commercial	105,850 SF	1/250	415	9	472	22

The proposal meets requirements for parking except for the instance of the homes with tandem parking garages. Typically, two car garages satisfy the residential parking requirements, given that the garage is designed so that no parking space is located so as to require the moving of any vehicle on the premises in order to enter or leave any other space [Title 19.10.010(E)]. The applicant has submitted one product-type that contains a garage configured in a tandem style. This garage will not provide unimpeded access to both parking spaces and is not allowed per Title 19.10. A condition has been included to ensure this type of tandem garage is not utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.

Public Works Comment:

A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn-outs, 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. 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.

A4) *Landscape and Open Space Standards*

Landscaping

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area Trees	1 Tree/ 6 Spaces	71 Trees	155
• Street Trees- Farm Road and Tule Springs Road	1 Trees/ 30 Linear Feet	49 Trees	0
• Street buffer	1 Trees/ 30 Linear Feet	49 Trees	37

The proposal meets the requirement for parking lot trees. The number of trees provided for the street buffer is inadequate. The trees for the amenity zones are not shown. A condition for a revised landscaping plan showing the correct number of trees along Farm Road and Tule Springs has been added to address the issue.

Open Space

Section E (G) of the Town Center Development Standards Manual outlines requirements for communities with private streets. Because private streets are less wide and do not include the amenity zones that are requisite for Town Center Streets, development that utilizes private streets are expected to meet a higher open space standard based on the R-PD open space standards. The calculation used to determine the required amount of open space is as follows:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
24.1 acres of Residential	8.77	1.65	14.5 %	3.5 acres	10.2 %	2.46 acres

The proposal is deficient by 1.04 acres in the required amount of open space. A related Variance application was attended this issue.

A5) Sign Standards

All signage will be reviewed by a separate application by the Centennial Hills Architectural Review Committee.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a SX-TC (Suburban Center Mixed Use – Town Center) General Plan designation.

The proposed single-family residential development is the 24 acres of single-family detached portion of a true residential/ commercial mixed development. The remaining acreage is a multi-family/ commercial area.

- Site Plan

The project consists of 211 residential units on 24.07 acres of land for a proposed density of 8.8 dwelling units per acre. The commercial portion will be 16.95 acres in size including 17 buildings varying in size between 2,910 to 29,480 square feet in size.

Vehicular access to the site is from Farm Road and Tule Springs Road. The Tule Springs accesses will be the primary entrance to the residential portion of the development. The commercial portion will be accessed from Farm and Tule Springs with the primary access from Farm Road. The interior streets of the residential portion will be 37 feet in width and privately maintained. The primary street in the commercial is to be 100 feet in width.

The smallest typical house lot size is 34 feet by 63 feet (2,142 square feet).

- Waivers

There are no waivers requested by the applicant.

- Landscape Plan

The landscaping proposed is in conformance with the standards for parking lots. The number of trees shown along the streets is not in conformance. The landscaping plan also does not show the trees required in the amenity zones along Farm Road and Tule Springs Road. A condition has been added to address these issues.

- Elevation

The exteriors are the typical single, two, and three-story design with tile roofs and stuccoed exterior walls.

- Floor Plan

The proposed floor plans are typical of development around the 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 single family detached portion of the development is compatible with the existing residential development to the east of the site. The commercial section is compatible with the commercial to the north and the planned commercial to the northwest.

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 intent of the SX-TC designation is to create a neighborhood that generates a sense of place, a feeling of being in a unique business district. The designation also calls for an intensive pedestrian orientation, a minimum height of two stories, and a cohesive mix of interdependent uses, including leisure shopping and offices on the main floor and similar uses and/or medium to high density residential on the upper floors. The proposed plan is conformance with this philosophy.

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

The site is bordered by Tule Springs to the east, which is designated as a Town Center (80-foot) Collector on Map 4A of the Town Center Development Standards Manual and Farm Road to the north, a Town Center 80 foot Arterial. Primary access will be from Tule Springs Road. When completed, these roadways will provide adequate access to the subject site.

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

The building materials proposed meet the design guidelines. The landscaping as proposed does not meet the landscaping standards required as part of the street cross-sections and the street buffers

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 project as proposed is aesthetically pleasing and represents an attractive development. The proposed project is consistent with the objectives of the SX-TC designation.

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

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

NOTICES MAILED 184 by Planning Department

APPROVALS 0

PROTESTS 0

SDR-4290

APN:

Carina Corporation

Carina Corporation

Yes

X

No

City Official: _____

Partner(s): _____

APN: _____

Rt Hon Cdr

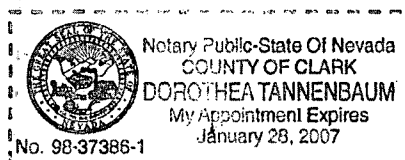
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RH McCarty

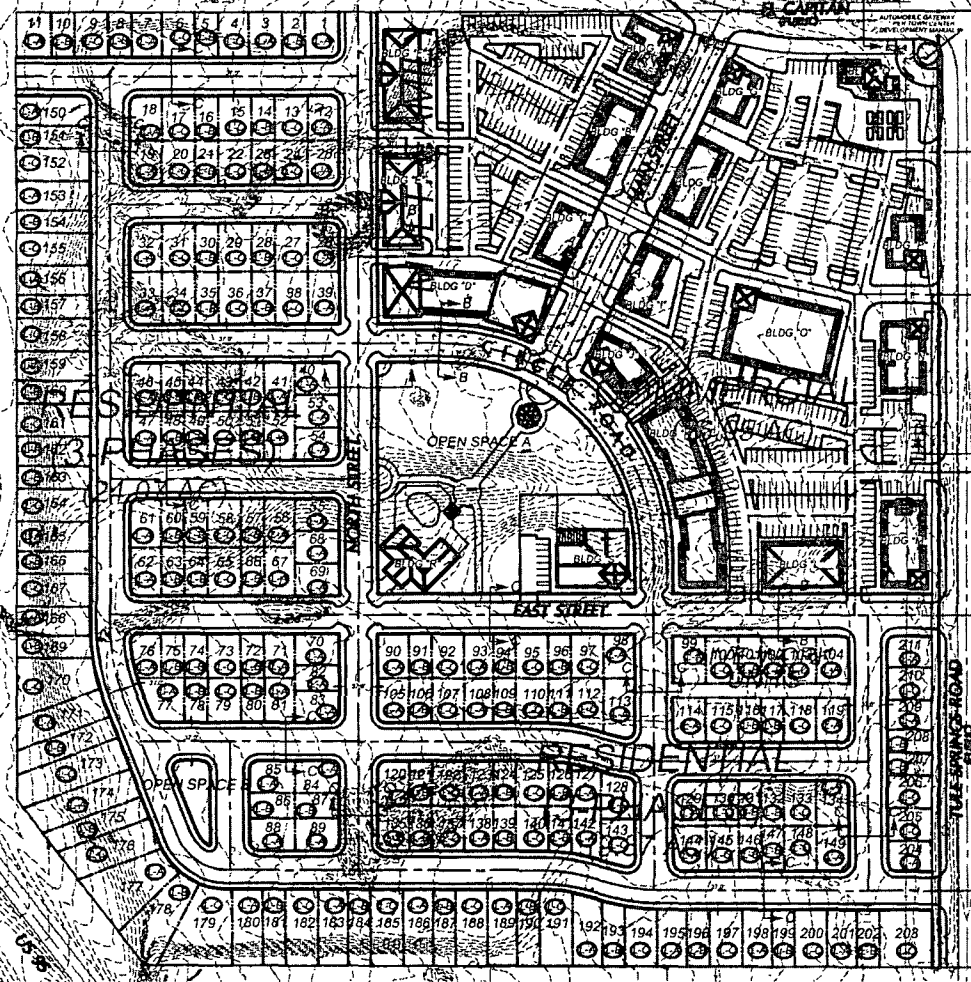
This 1st day of APRIL, 2004

Donker) Tanssenbaum

Revised 2/12/02



THE VILLAGE OF
CENTENNIAL SPRINGS
CARINA HOMES
APN 125-17-702-002

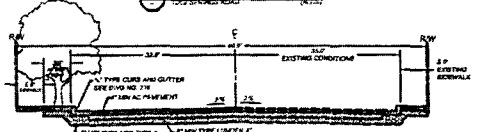
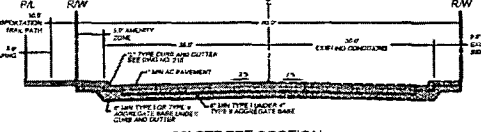
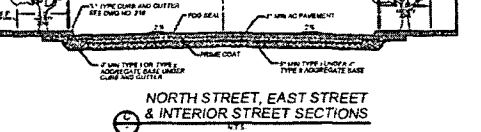
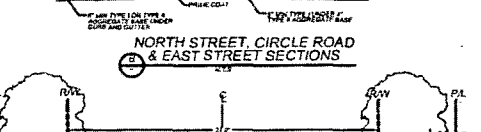
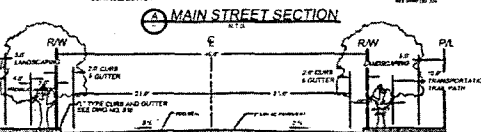
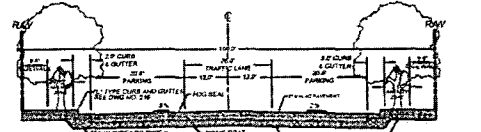
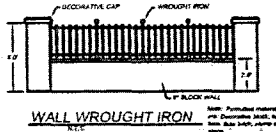
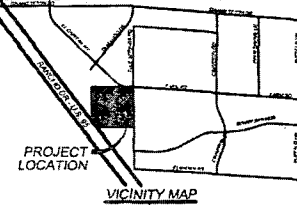


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208	400



LEGEND

- PROPERTY LINE
- STREET CENTERLINE
- EXISTING CONTOUR
- PROPOSED BUILDING
- EXISTING BUILDING
- PROPOSED CURB & GUTTER
- PROPOSED CURB
- EX. CURB & GUTTER
- EX. CURB
- LOT DETAIL NO.

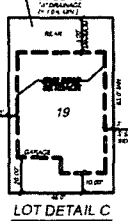
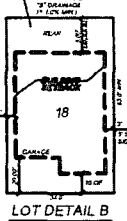
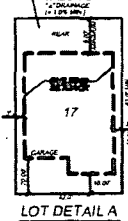


ACCESSIBILITY NOTES:

1. MAXIMUM SLOPE ON THE ACCESSIBLE ROUTE IS 8.3% IN THE DIRECTION OF TRAVEL. 2.5% CROSS SLOPE. MAXIMUM SLOPE IN ACCESSIBLE PARKING STALL LOADING AISLES IS 2.5% IN ANY DIRECTION.
2. PROVIDE ACCESSIBLE PARKING STALLS LOCATED FOR HANDICAP AND VEH. ACCESSIBLE. 8' WIDE PER ADA 408.
3. HANDICAP STALLS SHALL BE 8' WIDE W/ 5' WIDE LOADING AISLE PERMITTED UNDERPASS.
4. HANDICAP STALL LOADING AISLES ARE 6' WIDE. THE ENTIRE LENGTH OF THE PARKING STALL (W/IN) FOR VEH. ACCESSIBLE SPACES.

PROJECT DATA

APPROX. ACREAGE	11.62 ACRES
RESIDENTIAL	2,427 ACRES
TOTAL NO. OF UNITS	211
MODEL A	78
MODEL B	11
MODEL C	62
DENSITY	0.77 UNITS/ACRE
MINIMUM LOT SIZE	2,140 SF
MAXIMUM LOT SIZE	8,400 SF
AVERAGE LOT SIZE	3,086 SF
PARKING	2 PER UNIT + 1 GUEST/1 UNITS
TOTAL	247
MULTI-FAMILY PARKING	30
COMMERCIAL	18.83 ACRES
PLANNED PROPOSED	174
OPEN SPACE REQUIREMENT	174
10% RESIDENTIAL AREA	2.41 ACRES
OPEN SPACE PROVIDED:	
OPEN SPACE - A	1.80 ACRES
OPEN SPACE - B	0.09 ACRES
AMENITY ZONES	0.25 ACRES
TOTAL	1.94 ACRES



TKC

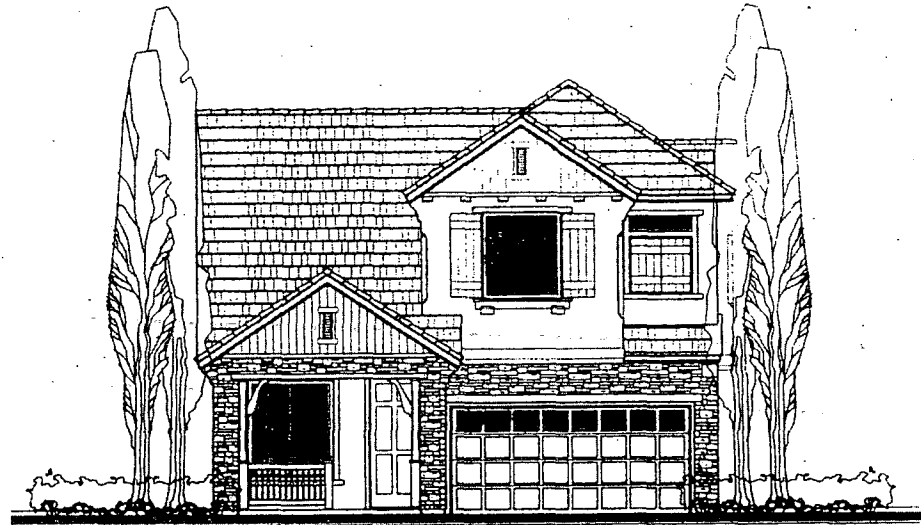
The Keith Corporation

CARINA CORPORATION
THE VILLAGE OF CENTENNIAL SPRINGS

SITE PLAN

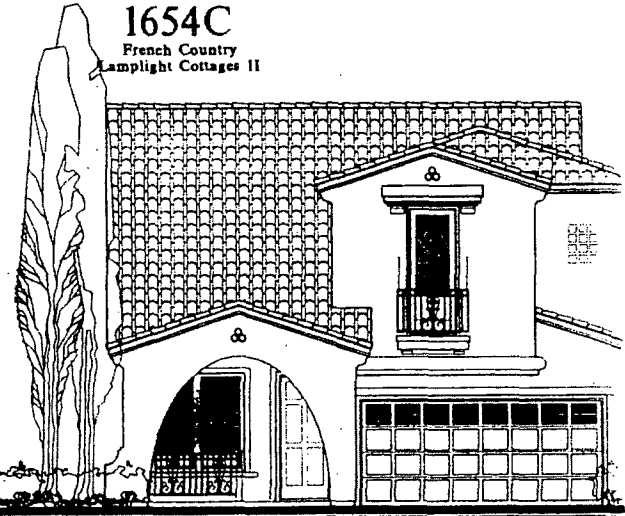
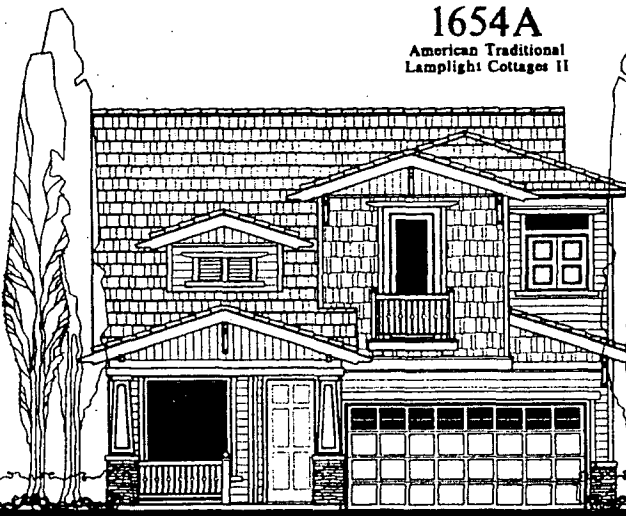
SP-1

SDR-4290
5-27-04 PC



1654A
American Traditional
Lamplight Cottages II

1654C
French Country
Lamplight Cottages II



1654D
Craftsmen
Lamplight Cottages II

1654E
Key West
Lamplight Cottages II

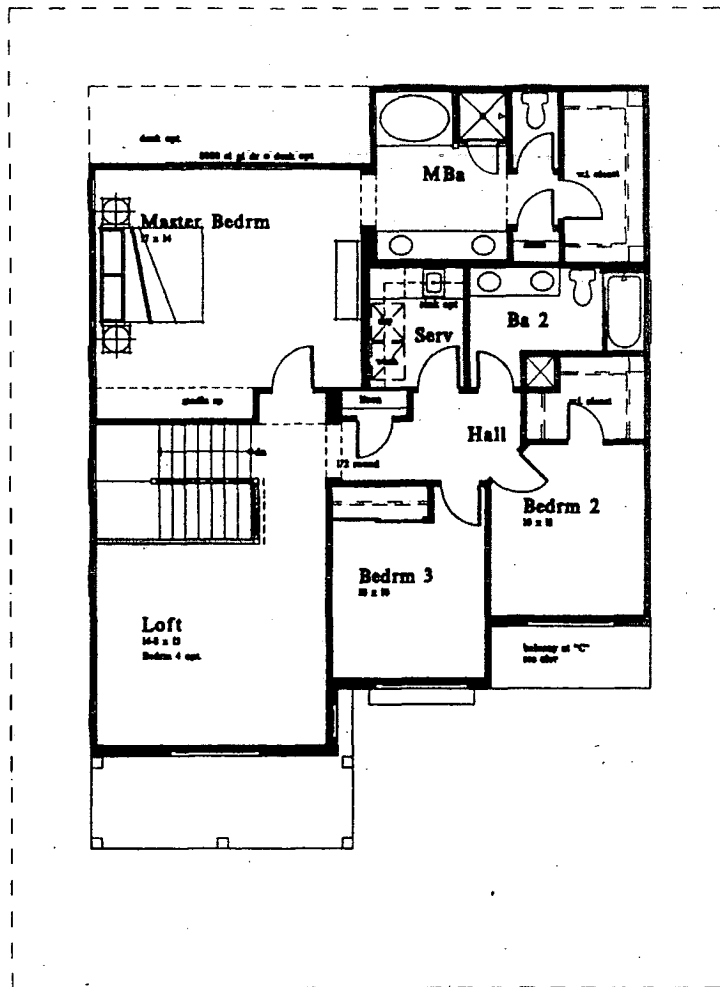
1654F
Spanish Colonial
Lamplight Cottages II

Conceptual Front Elevations
Lamplight Cottages II
Las Vegas, Nevada

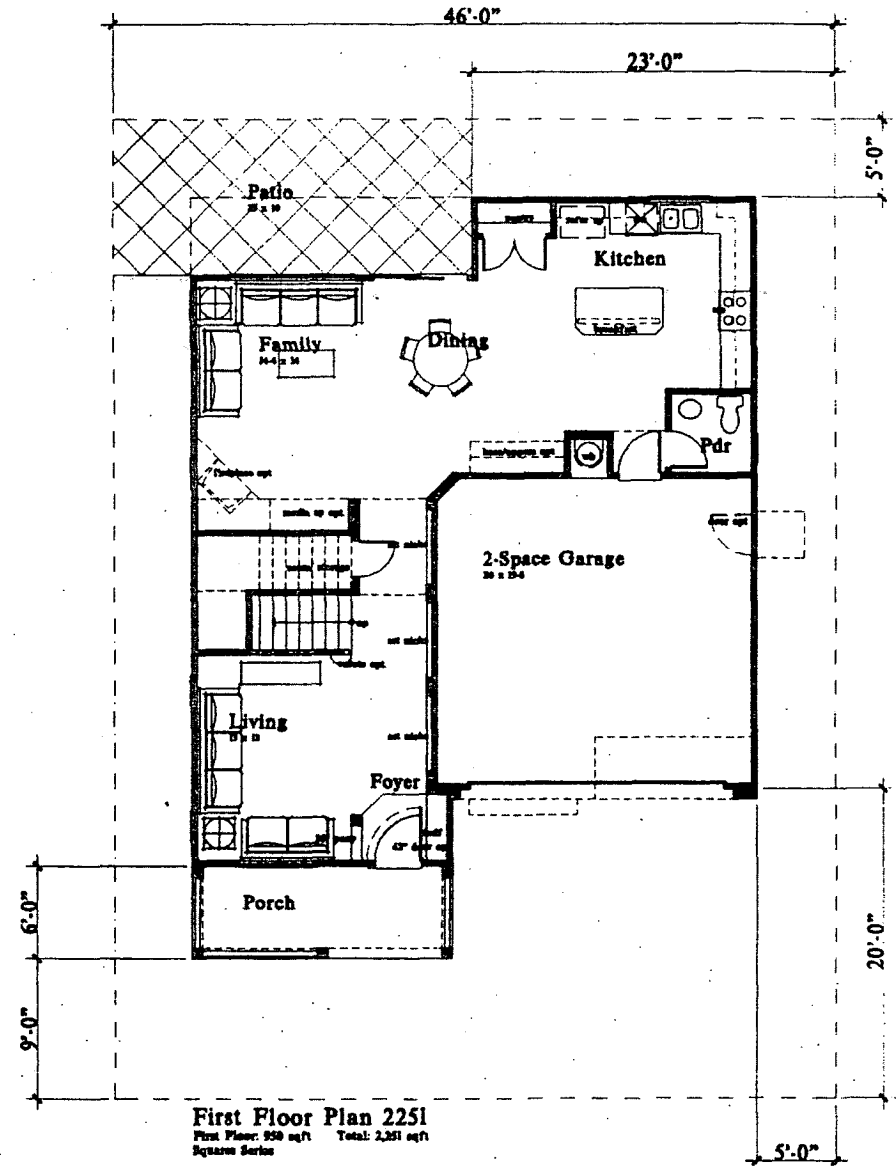
Carina Corporation
KTGY JOB #2003-818

KTGY GROUP
ARCHITECTURE
17998 MITCHELL
IRVINE, CALIFORNIA 92614
(949) 851-2125 FAX (949) 851-2126
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SDR-4290
5-27-04 PC



Second Floor Plan 2251
 Second Floor: 1,361 sqft Total: 2,251 sqft
 Squares Series



First Floor Plan 2251
 First Floor: 950 sqft Total: 2,251 sqft
 Squares Series

Conceptual Floor Plan 2251 - 2,251 sqft
Lamplight Square II
 Las Vegas, Nevada

Carina Corporation

KTOY JOB #2003-817



SDR-4290
5-27-04 PC



Elevation A
American Traditional



Elevation B
Western Contemporary



Elevation C
French Country



Elevation D

Lamplight
Cottages
AT CORONADO RANCH

SDR-4290 *Craftsman*
5-27-04 PC



SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION
SOUTHWEST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
MAY 27, 2004 PLANNING COMMISSION

4/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-4377 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 78 PERCENT OF THE TOTAL FLOOR AREA OF A LIVE/WORK UNIT TO BE USED FOR RESIDENTIAL PURPOSES WHERE 50 PERCENT IS THE MAXIMUM ALLOWED in conjunction with a proposed 30-unit multi-family Live/Work development on 1.66 acres adjacent to the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 128 [VAR-4377], Item 129 [SUP-4376], Item 130 [VAC-4419], and Item 131 [SDR-4373].

CHAD VALLINGA, 3311 South Rainbow, concurred with staff recommendation and conditions. He presented a scale model of the proposed development. He explained the project is for loft homes that provide both live and work space and that the product has been built in other locations around the country and has been well received.

FRANK ROBERTSON, 4512 Montrose appeared representing the applicant and indicated the town homes are built out of sheet metal. He indicated that sheet metal is an innovative product and has become a medium of architectural use around the world. It has been used in places such as the Guggenheim Museum and the Disney Hall and is currently being used by Frank Gary in Spain.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 128 – VAR-4377

MINUTES Continued:

MR. ROBERTSON explained that after meeting with staff from the MAYOR'S office and the Office of Business Development, the developer chose the proposed site. The properties will attract urban dwellers. Currently, the developer has 50 architects who live in this type of product they have built in Atlanta, Dallas and Houston. Feasibility studies have already been done, and research has been done to ensure the project can be built in accordance to Code.

MAYOR GOODMAN commented that after seeing the brochures, he was impressed with the quality of the interior designs although he did have reservations about the sheet metal exterior and how it would handle the extreme summer heat. MR. ROBERTSON described the tin as a reflective barrier and stated the only material that could reflect more heat would be mirrors. The homes stay approximately 8 degrees cooler than the outside temperature when not air-conditioned. MAYOR GOODMAN asked when the oldest development of this nature was constructed and if the quality of the neighborhood has been maintained. MR. ROBERTSON replied the first homes were built ten years ago in a Houston neighborhood where the land was sold for five dollars per foot. It was considered a bad part of town, and there were drug issues, etc. The homes, which originally sold for \$150,000 are now selling for \$280,000 and have their original tin. MR. ROBERTSON described Houston temperatures as 105 to 108 degrees and stated the homes in Dallas could see temperatures as high as 113 degrees on a hot summer day.

COUNCILMAN WEEKLY concurred with the MAYOR'S comments regarding living in this type of home in Las Vegas. He complimented the interior décor but added that he had concerns regarding the outside color scheme and asked if that was negotiable. MR. ROBERTSON acknowledged his concerns and reminded him that building structures of this nature is a very complicated and expensive process and would bring development dollars to the neighborhood. He indicated that there are already interested parties and that he is unable to discuss the project with them because the land has not been purchased yet. MR. ROBERTSON said the colors could be negotiated as there is a large color palette to choose from. COUNCILMAN WEEKLY asked if there were fencing options or if the only option was sheet metal. MR. ROBERTSON said there were a few options regarding fencing including chain link. He stated that the Planning Department and developer would work together to find a suitable option.

MAYOR GOODMAN stated that after hearing the presentation and seeing that the developer is committed to completing this project without any financial assistance or benefits from the City, he could be supportive of the item.

COUNCILMAN WEEKLY confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that a condition could be added on the Site Development Review Plan to have staff and COUNCILMAN WEEKLY'S office involved in deciding the color scheme and fencing options for the project.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 128 – VAR-4377

MINUTES Continued:

COUNCILMAN WEEKLY reminded COUNCILMAN REESE that due to possible redistricting, this project could eventually be contained within his Ward. MR. ROBERTSON added that there is a project soon to be underway that is already within COUNCILMAN REESE'S Ward at 1980 Fremont Street.

COUNCILWOMAN MONCRIEF said the project appealed to her contemporary flair, that she thought Las Vegas is lacking this type of component and that she would consider purchasing one.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 128 [VAR-4377], Item 129 [SUP-4376], Item 130 [VAC-4419], and Item 131 [SDR-4373].

NOTE: All discussion for Item 128 [VAR-4377], Item 129 [SUP-4376], Item 130 [VAC-4419], and Item 131 [SDR-4373] was held under Item 128 [VAR-4377].

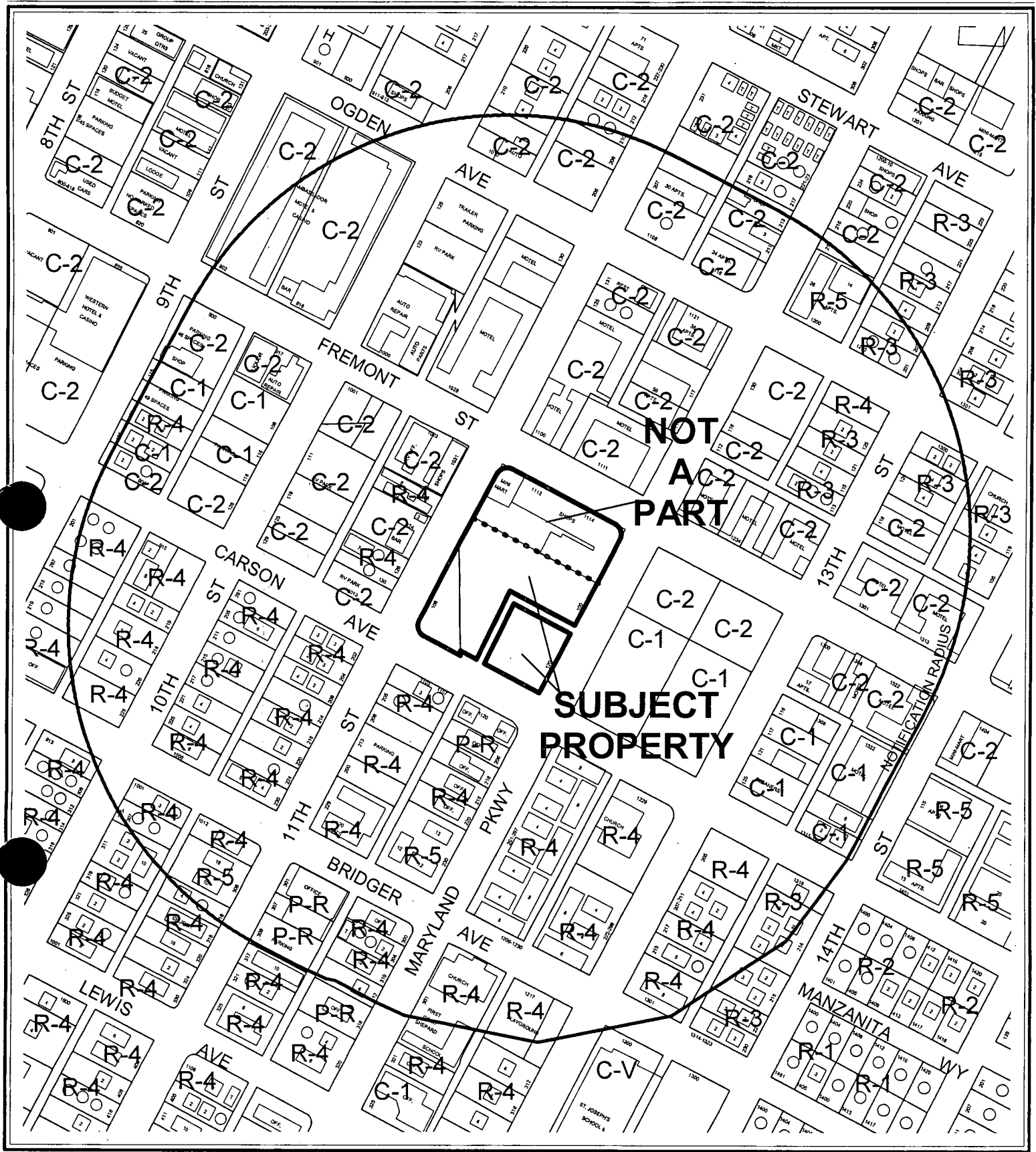
(3:46 – 4:02)

5-1543

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4376) and Site Development Plan Review (SDR-4373).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-4377

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4377 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4376) and Site Development Plan Review (SDR-4373).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Variance to allow a Live/Work Town Home Development with 78 percent of the gross floor area dedicated to residential uses where 50 percent is the maximum allowed on 1.66 acres at the northwest corner of Carson Avenue and Maryland Parkway. A companion Street Vacation (VAC-4419), Site Development Plan Review (SDR-4373), and Special Use Permit (SUP-4376) will be considered concurrently with this request.

B) Applicant's Justification

The development will provide convenient Live/Work space in the downtown area, and conforms to the recently adopted Live/Work overlay district.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 01/19/94 | The City Council approved a Special Use Permit (U-0263-93) to allow off-premise sale of beer and wine in conjunction with a grocery/ deli. The Zoning Board of Adjustment and staff recommended approval on 12/28/93. |
| 03/01/00 | The City Council approved a Special Use Permit (U-0161-99) for a Thrift Shop. The Planning Commission and staff recommended approval on 1/27/00. |
| 06/06/01 | The City Council approved a Special Use Permit (U-0035-01) for a 60-foot wireless communication tower. The Planning Commission recommended approval on 4/26/01. Staff recommended denial. |
| 06/10/04 | The Planning Commission recommended approval of a related Street Vacation (VAC-4419) to vacate a portion of 11th Street between Carson Avenue and Fremont Street. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4373) for a proposed 30-unit Work/Live development in the Downtown Centennial Plan. Staff recommends approval. |
| 06/10/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/fs). |

B) Pre-Application Meeting

04/01/04 Issues discussed included the need for a Right-of-Way Vacation, Variance, Special Use Permit, and a Site Plan Review. It was acknowledged that the site would have to be remapped, and a Waiver from the 220-foot intersection-offset requirement may be needed.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.66
Net Acres: 1.03

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial / Retail
South: Office / Single Family Residential
East: Undeveloped
West: Tavern / RV Park / Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-1 (Limited Commercial) / R-4 (High Density Residential)
East: C-1 (Limited Commercial)
West: C-2 (General Commercial) / R-4 (High Density Residential)

E) General Plan Compliance

The subject site is located within the Downtown Centennial Plan area of the General Plan with a DTR (Downtown Redevelopment Zone) land use designation. The C-1 (Limited Commercial) zoning district is in compliance with the General Plan and the proposed Live/Work Town Homes are a permitted use with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Downtown Centennial Plan Area, which establishes planning, development, land use concepts, especially urban design standards to guide the redevelopment of the original core of the Las Vegas Valley.

The subject site is also located within the Downtown Redevelopment Plan Area with a C (Commercial) land use designation, which allows for uses normally allowed in the O (Office), C-1 (Limited Commercial), and C-2 (General Commercial) zoning districts. The proposed Work / Live development is permitted with the approval of a Special Use Permit.

Special Overlay Districts

The subject site is located within the East Fremont section of the Downtown Overlay District, which is intended to present future opportunities for new commercial ventures and the integration of medium density mixed-income residential neighborhoods in area east of the Fremont Street Experience. Properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

The subject site is also located within the Live/Work Overlay District, which is intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live / Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

B) General Analysis and Discussion

The Variance request is to allow a Live/Work Development with 78 percent of the gross floor area dedicated to residential uses where 50 percent is the maximum allowed on 1.66 acres at the northwest corner of Carson Avenue and Maryland Parkway. The floor plans depict units approximately 1,900 square feet in size with approximately 400 feet being devoted to work space. Staff recommends the Variance as the unique design of the three story structures allows for adequate separation of the residential and commercial uses within the unit.

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."

This request meets the standards of the Code for granting a Variance request, as the unique design of the proposed Live/Work units allows for adequate separation of the live/work environments while providing a larger livable area for its inhabitants. The work area will be limited to the first floor of the unit, with the living areas on the second and third floors. The 78 percent gross floor area dedicated to residential use is justifiable as the three-story design allows for additional amounts of living space while maintaining the intent of the recently adopted Live/Work Ordinance.

NOTICES MAILED 122 by City Clerk

APPROVALS 0

PROTESTS 0



DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
UN	1	2'-0" X 6'-0" FLUSH HOOD
UN	1	2'-0" X 6'-0" FLUSH HOOD
UN	1	2'-0" X 6'-0" POCKET HOOD
UN	1	2'-0" X 6'-0" POCKET HOOD
UN	1	2'-0" SHOWER DOOR TEMPERED GLASS

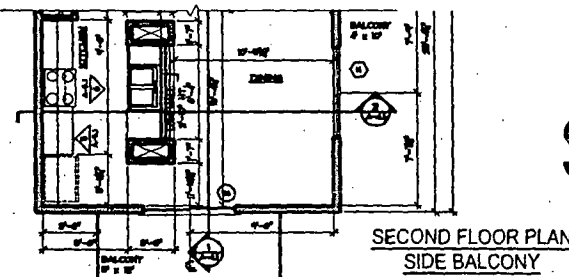
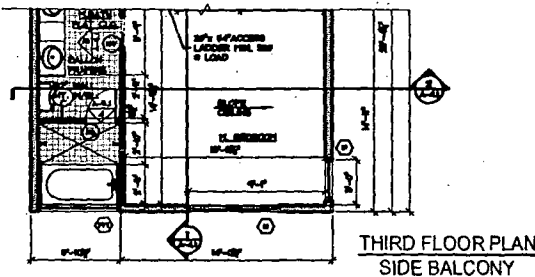
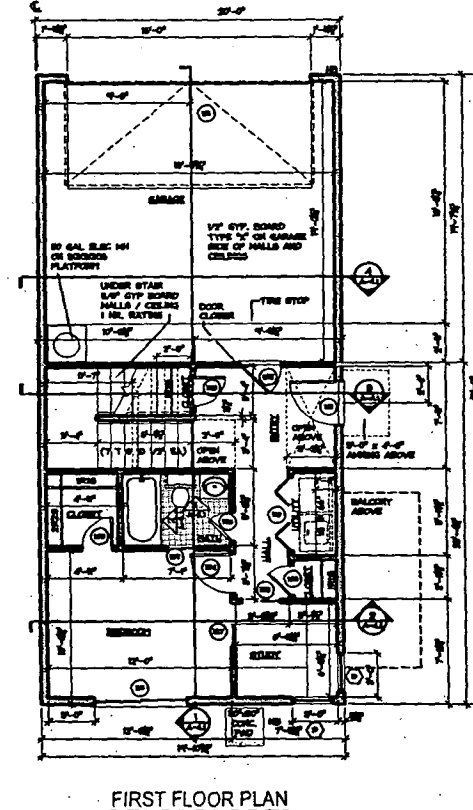
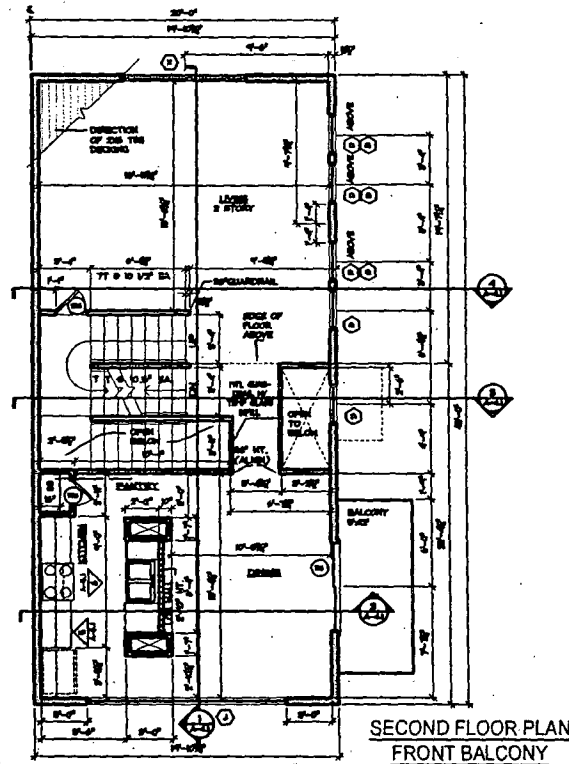
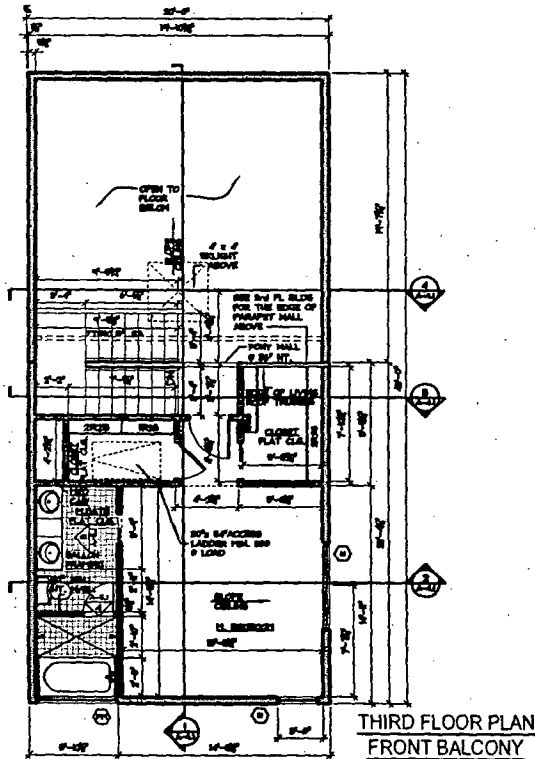
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
W	1	FLUSH WALLS X 1'-0" FIXED GLASS METAL
H	1	6'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
UN	1	2'-0" X 6'-0" FLUSH HOOD
UN	1	6'-0" X 8'-0" SLIDING GLASS DOOR TEMPERED GLASS
UN	1	2'-0" X 6'-0" JIB BUILT DOOR

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	0	2'-0" X 2'-0" FIXED GLASS METAL
J	1	15'-0" X 2'-0" FIXED GLASS METAL
X	1	8'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
UN	1	9'-0" X 6'-0" FLUSH METAL
UN	1	2'-0" X 6'-0" ONE HOUR FLUSH HOOD
UN	4	2'-0" X 6'-0" FLUSH HOOD
UN	1	2'-0" X 6'-0" FLUSH HOOD
UN	1	2'-0" X 6'-0" POCKET HOOD
UN	1	2'-0" X 6'-0" POCKET HOOD
UN	1	6'-0" X 6'-0" BIPOLD
UN	1	18'-0" X 7'-0" OVERHEAD DOOR
UN	1	6'-0" X 8'-0" SLIDING GLASS DOOR TEMPERED GLASS
UN	1	9'-0" X 8'-0" POCKET HOOD

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL



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1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

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MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006 TEL 713.572.4241 FAX 713.572.4242

MARYLAND PARKWAY TOWNHOMES	
TOWER UNIT	
PROJECT NUMBER	2004.01 LAS VEGAS
PRINTED	04-28-04
DRAWN BY	AN
CHECKED BY	
FILE NAME	
A-1.1	
FLOOR PLANS	

SUP-4376 VAR-4377 SDR-4373

6-10-04 PC

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH WOOD
11	1	2'-0" X 6'-0" POCKET WOOD
12	1	2'-0" X 6'-0" POCKET WOOD
13	1	2'-0" BACKER DOOR TEMPERED GLASS
14	1	7

WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TEMP GLASS METAL
FV	2	FLUSH M/MALLS 1'-0" FIXED GLASS WOOD
H	1	6'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH WOOD
11	1	7'-0" X 6'-0" FLUSH WOOD

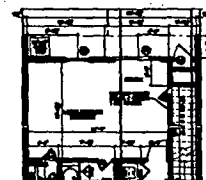
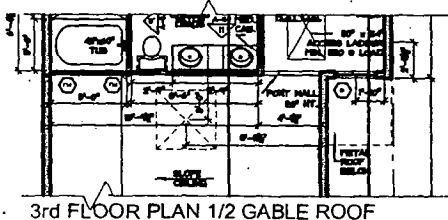
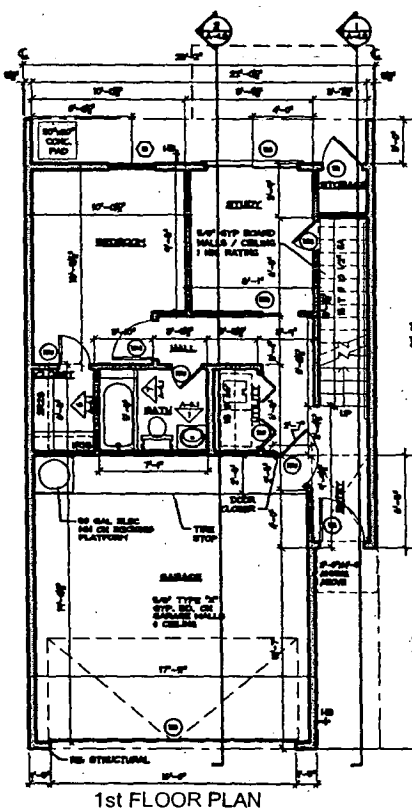
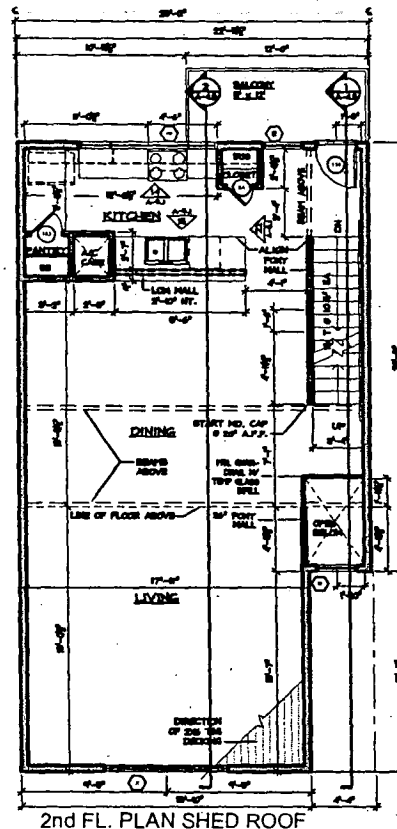
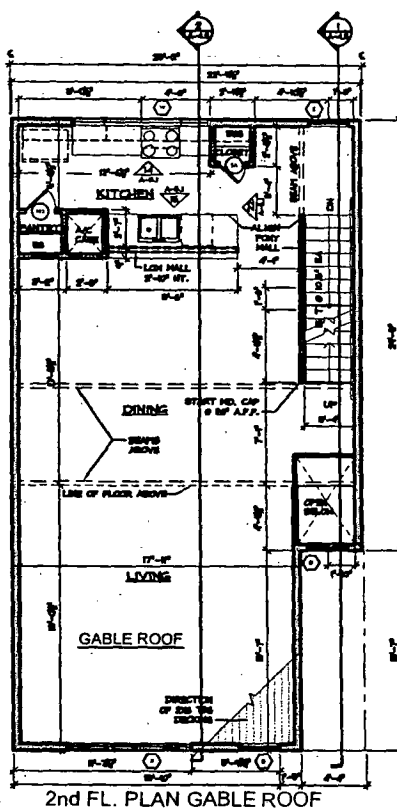
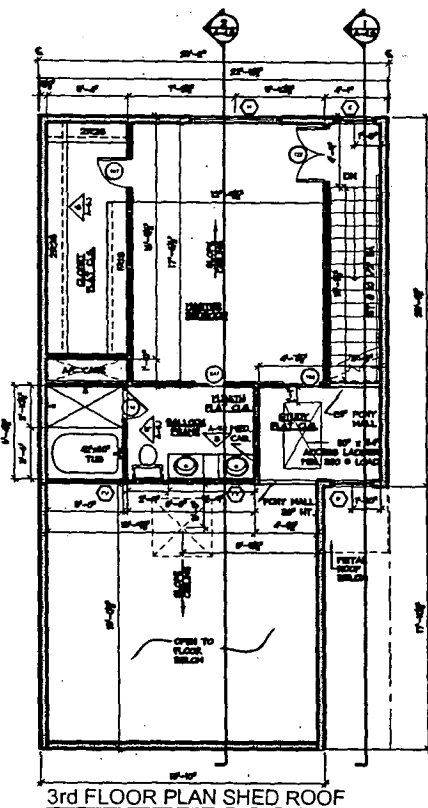
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TEMP GLASS METAL
H	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
M	1	2'-0" X 6'-0" METAL DOOR W/ FULL LITE TEMP G

WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
H	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	2	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	3'-0" X 6'-0" FLUSH METAL
11	1	2'-0" X 6'-0" ONE HOUR FLUSH WOOD
12	2	2'-0" X 6'-0" FLUSH WOOD
13	1	2'-0" X 6'-0" FLUSH WOOD
14	1	2'-0" X 6'-0" POCKET WOOD
15	1	6'-0" X 6'-0" SWFOLD
16	1	16'-0" X 7'-0" OVERHEAD DOOR
17	1	6'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
18	1	2'-0" X 6'-0" FLUSH METAL

WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
B	1	9'-0" X 6'-0" SINGLE HUNG METAL



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1st FL. PLAN LARGE BEDROOM "OPTIONAL"

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

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URBAN LOFTS TOWNHOMES
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4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-4441, FAX 713-522-3174

MARYLAND PARKWAY TOWNHOMES	
LESTER F	
PROJECT NUMBER	2004.01 LAS VEGAS
DATE	04-28-04
DRAWN BY	AN
CHECKED BY	
APPROVED BY	
A-1.2	
FLOOR PLANS	

SUP-4376 VAR-4377 SDR-4373
6-10-04 PC

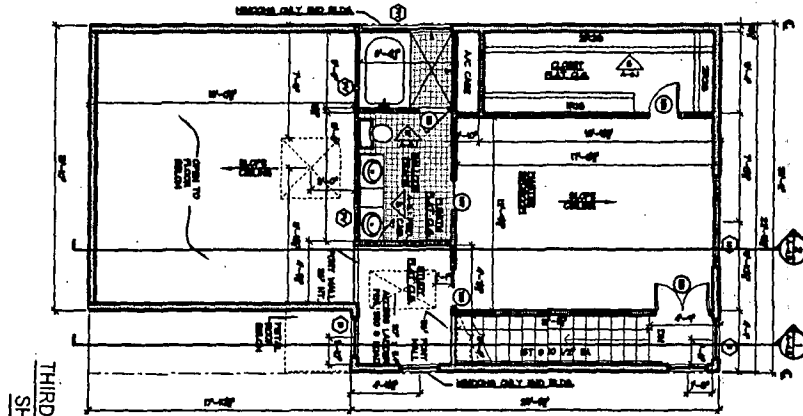
MACHIN SCHEDULE "B"ESTER UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	1-2" x 1-2" PIPED GLASS RETAIL
S	1	1-2" x 1-2" PIPED TYPE GLASS RETAIL
M	1	FLAME PROTECTIVE 1-2" PIPED GLASS RETAIL
N	2	FLAME PROTECTIVE 1-2" PIPED GLASS RETAIL
B	1	1-2" x 1-2" SMALL GLASS RETAIL
		1-2" x 1-2" SMALL GLASS RETAIL

DOOR BOARDS & PARTS B UNIT	
TYPE	DESCRIPTION
1	2'-0" X 6'-0" FLUSH WOOD
2	1'-0" X 6'-0" FLUSH WOOD
3	6'-0" X 2'-0" SLIDING GLASS DOOR

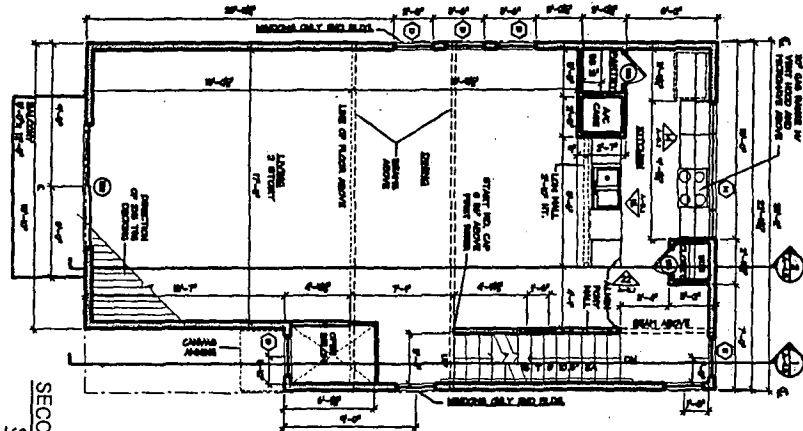
RANDOM SCHEDULE "LETTER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	4	4-D X 4-D PINK GLASS BOTTLE
B	1	4-D X 4-D PINK TYP. GLASS BOTTLE
M	1	4-D X 4-D CLAYTON HORIZONTAL SLAB

TYPE	DOOR QUANTITY	DOOR DESCRIPTION
1	1	8'-0" X 6'-0" FLUSH METAL
2	1	7'-0" X 6'-0" OIL KNOB FLUSH WOOD
3	2	7'-0" X 6'-0" FLUSH WOOD
4	1	7'-0" X 6'-0" FLUSH WOOD
5	1	7'-0" X 6'-0" POCKET WOOD
6	1	8'-0" X 6'-0" BROAD
7	1	14'-0" X 7'-0" OVERHEAD DOOR
8	1	8'-0" X 6'-0" SLIDING GLASS DOOR

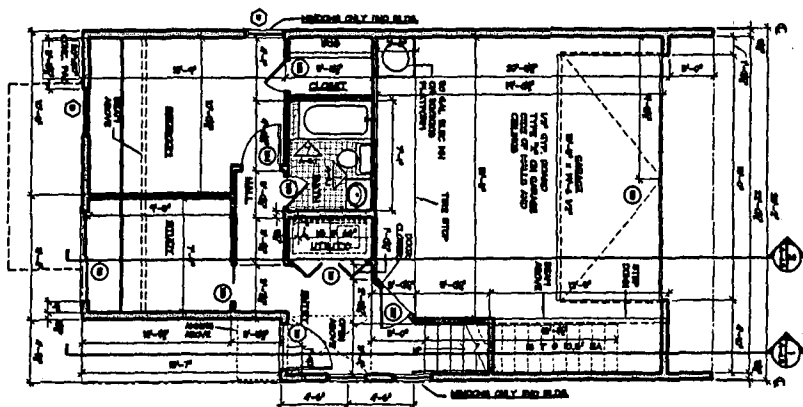
MACHO SCHEDULE - "LESTER B UNIT"		
TYPE	QUANTITY	DESCRIPTION
B	1	8'-0" X 8'-0" SQUARE PLATE METAL
B	1	4'-0" X 2'-0" PIPED GLASS METAL



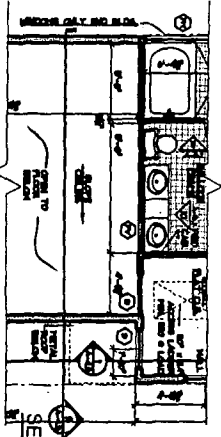
THIRD FLOOR PLAN
SHED ROOF



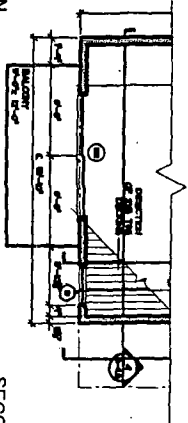
SECOND FLOOR PLAN
SHED ROOF



FIRST FLOOR PLAN



SECOND FLOOR PLAN
GABLE ROOF



SECOND FLOOR PLAN
GABRIEL ROOF

STRENGTH

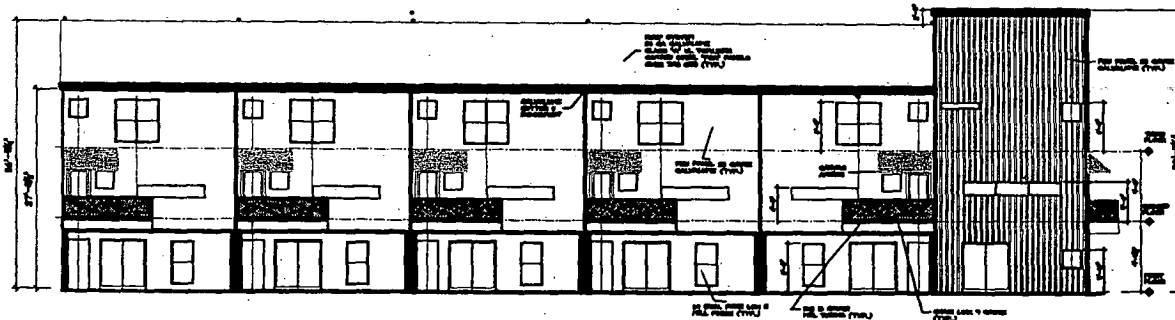
1 FLOOR PLANS LESTER B UNIT
1/4" = 1'-0"

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

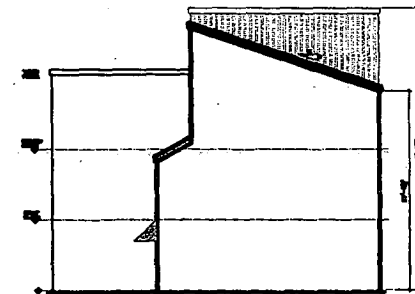
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-7176

DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

MARYLAND PARKWAY	PROJECT NUMBER	2004.01 LAS VEGAS
TOMMONOWES	DATE	04-28-04
LESTER B	DRAWN BY	AM
	CHECKED BY	
	DATE	



④ BACK ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



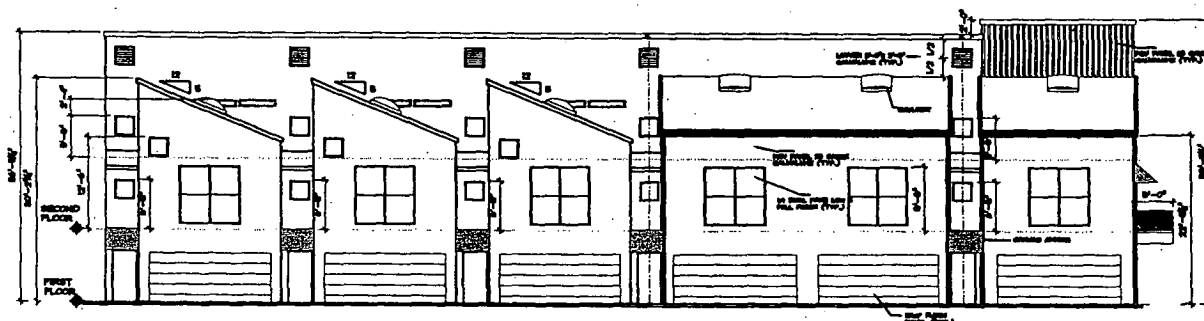
② LEFT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

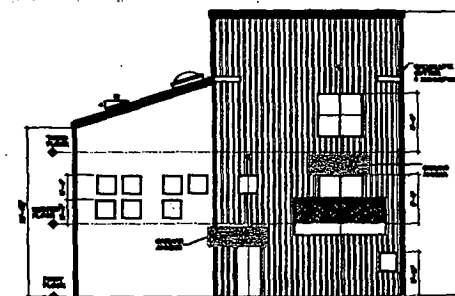
6-10-04 PC

NOTE:
FENCE USED IN BALCONY GUARDS
SHALL NOT BE SIZED TO PERMIT
A CHILD TO CLIMB IT LIKE A
LADDER.

STAFF



③ FRONT ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



① RIGHT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

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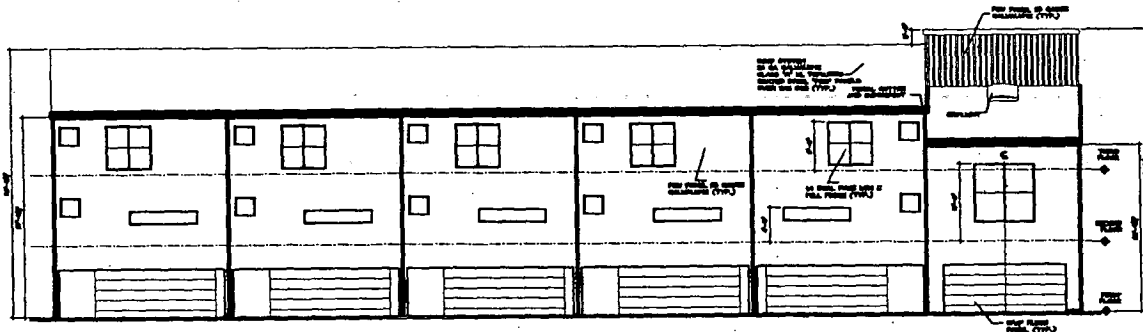
DATE: 04-27-04
DESIGNER: LARRY S. DAVIS & ASSOC.
FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTEROSE, HOUSTON, TEXAS 77006, TEL. 713-522-6441, FAX 713-529-2126

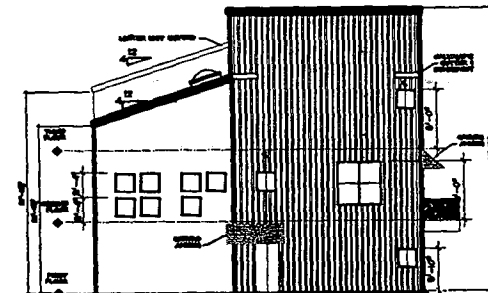
MARYLAND PARKWAY
TOWNHOMES
BUILDING 1 THRU 4
PROJECT NUMBER:
2004.01 LAS VEGAS
PRINTED:
04-27-04
DRAWN BY:
AN
CHECKED BY:
ALFNAME

A-3.1

EXT. ELEVATIONS



4 BACK ELEVATION BUILDING 5
1/8" = 1'-0"



2 LEFT SIDE ELEVATION BUILDING 5
1/8" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

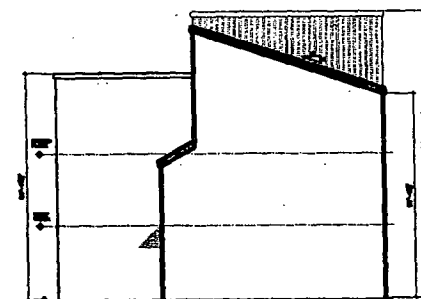
6-10-04 PC

NOTES:
FENCES USED IN BALCONY GUARDS
SHALL NOT BE SIZED TO MAKE
A CHILD COULD CLIMB IT LIKE A
LADDER.

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3 FRONT ELEVATION BUILDING 5
1/8" = 1'-0"



1 RIGHT SIDE ELEVATION BUILDING 5
1/8" = 1'-0"

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DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4312 MONTEROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

MARYLAND PARKWAY TOWNHOMES BUILDING 5
PROJECT NUMBER 2004.01 LAS VEGAS
PRINTED 04-27-04
DRAWN BY AN
CHECKED BY
FILENAME
A-3.5
EXT. ELEVATIONS

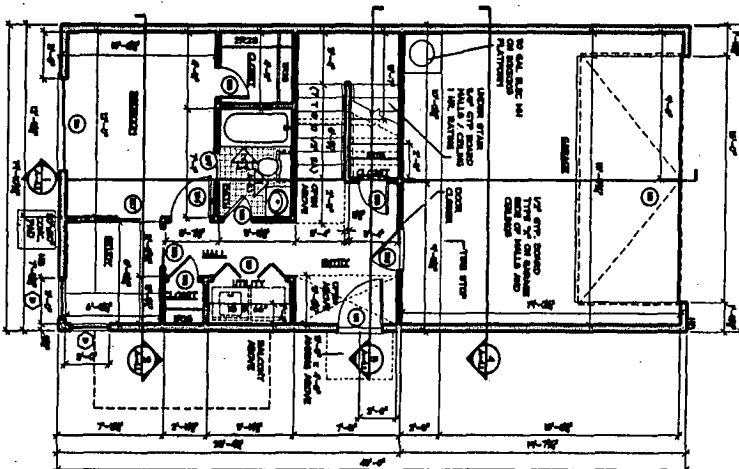
HATCH SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	1	7'-0" X 2'-0" RIBED GLASS METAL
RM	1	RUSH WALLS R 7'-0" RIBED GLASS METAL
N	1	6'-0" X 8'-0" SQUARE HANG METAL

DOOR SCHEDULE "TOWER UNIT"	
TYPE	QUANTITY
200	1
1'-0" X 6'-0" FLUSH WOOD	
200	1
6'-0" X 6'-0" SLIDING GLASS DOOR THERMOID GLASS	
200	1
7'-0" X 3'-0" 100 BLU. T DOOR	

PERIOD SCHEDULE TOWER UNIT	
TYPE	DESCRIPTION
D	2-0 X 2-0 FOOD GLASS METAL
J	3-0 X 2-0 FOOD GLASS METAL
X	0-0 X 0-0 SINGLE HAND METAL

TYPE	QUANTITY	DOOR SCHEDULE	OTHER UNIT	DESCRIPTION
1	1	3'-0" X 6'-0"	FLUSH	PETAL
2	1	3'-0" X 6'-0"	ONE HOUR	FLUSH WOOD
3	1	3'-0" X 6'-0"	FLUSH	WOOD
4	1	3'-0" X 6'-0"	FLUSH	WOOD
5	1	3'-0" X 6'-0"	FLUSH	WOOD
6	1	3'-0" X 6'-0"	FLUSH	WOOD
7	1	3'-0" X 6'-0"	FLUSH	WOOD
8	1	3'-0" X 6'-0"	FLUSH	WOOD
9	1	3'-0" X 6'-0"	FLUSH	WOOD
10	1	3'-0" X 6'-0"	FLUSH	WOOD
11	1	3'-0" X 6'-0"	FLUSH	WOOD
12	1	3'-0" X 6'-0"	FLUSH	WOOD
13	1	3'-0" X 6'-0"	FLUSH	WOOD
14	1	3'-0" X 6'-0"	FLUSH	WOOD
15	1	3'-0" X 6'-0"	FLUSH	WOOD
16	1	3'-0" X 6'-0"	FLUSH	WOOD
17	1	3'-0" X 6'-0"	FLUSH	WOOD
18	1	3'-0" X 6'-0"	FLUSH	WOOD
19	1	3'-0" X 6'-0"	FLUSH	WOOD
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21	1	3'-0" X 6'-0"	FLUSH	WOOD
22	1	3'-0" X 6'-0"	FLUSH	WOOD
23	1	3'-0" X 6'-0"	FLUSH	WOOD
24	1	3'-0" X 6'-0"	FLUSH	WOOD
25	1	3'-0" X 6'-0"	FLUSH	WOOD
26	1	3'-0" X 6'-0"	FLUSH	WOOD
27	1	3'-0" X 6'-0"	FLUSH	WOOD
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29	1	3'-0" X 6'-0"	FLUSH	WOOD
30	1	3'-0" X 6'-0"	FLUSH	WOOD
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34	1	3'-0" X 6'-0"	FLUSH	WOOD
35	1	3'-0" X 6'-0"	FLUSH	WOOD
36	1	3'-0" X 6'-0"	FLUSH	WOOD
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64	1	3'-0" X 6'-0"	FLUSH	WOOD
65	1	3'-0" X 6'-0"	FLUSH	WOOD
66	1	3'-0" X 6'-0"	FLUSH	WOOD
67	1	3'-0" X 6'-0"	FLUSH	WOOD
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69	1	3'-0" X 6'-0"	FLUSH	WOOD
70	1	3'-0" X 6'-0"	FLUSH	WOOD
71	1	3'-0" X 6'-0"	FLUSH	WOOD
72	1	3'-0" X 6'-0"	FLUSH	WOOD
73	1	3'-0" X 6'-0"	FLUSH	WOOD
74	1	3'-0" X 6'-0"	FLUSH	WOOD
75	1	3'-0" X 6'-0"	FLUSH	WOOD
76	1	3'-0" X 6'-0"	FLUSH	WOOD
77	1	3'-0" X 6'-0"	FLUSH	WOOD
78	1	3'-0" X 6'-0"	FLUSH	WOOD
79	1	3'-0" X 6'-0"	FLUSH	WOOD
80	1	3'-0" X 6'-0"	FLUSH	WOOD
81	1	3'-0" X 6'-0"	FLUSH	WOOD
82	1	3'-0" X 6'-0"	FLUSH	WOOD
83	1	3'-0" X 6'-0"	FLUSH	WOOD
84	1	3'-0" X 6'-0"	FLUSH	WOOD
85	1	3'-0" X 6'-0"	FLUSH	WOOD
86	1	3'-0" X 6'-0"	FLUSH	WOOD
87	1	3'-0" X 6'-0"	FLUSH	WOOD
88	1	3'-0" X 6'-0"	FLUSH	WOOD

RANDOM SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	3	2'-0" X 2'-0" FROD GLASS PETAL



1 FLOOR PLANS TOWER UNIT

SUP-4376 **VAP-4377** **SDR-4373**

[illegible]

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

4512 MONTROSE HOUSTON TEXAS 77006 TEL 713.577.6441 FAX 713.570.9175

MARYLAND PARKWAY
TOWNHOMES
TOWER UNIT
PROJECT NUMBER
2004-01 LAS VEGAS
DRAWN
04-28-04
SHEET NO.
AN
CHECKED BY:
DATE:
FLOOR PLANS
A-1.1

DOOR SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
08	1	7'-0" X 6'-0" FLUSH WOOD
07	1	7'-0" X 6'-0" POCKET WOOD
06	1	7'-0" X 6'-0" POCKET WOOD
05	1	7'-0" SLOTTED DOOR TEMPERED GLASS
04	1	7'-0" SLOTTED DOOR TEMPERED GLASS

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED T&P GLASS METAL
FV	2	FLUSH HALLS X 1'-0" FIXED GLASS WOOD
H	1	0'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
08	1	7'-0" X 6'-0" FLUSH WOOD
07	1	7'-0" X 6'-0" FLUSH WOOD

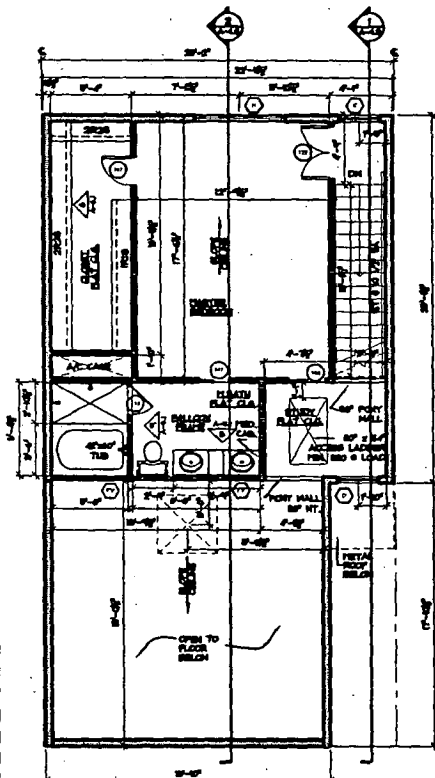
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED T&P GLASS METAL
H	1	9'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	1	2 X 400 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
04	1	2'-0" X 2'-0" METAL DOOR W/ FULL LITE T&P G

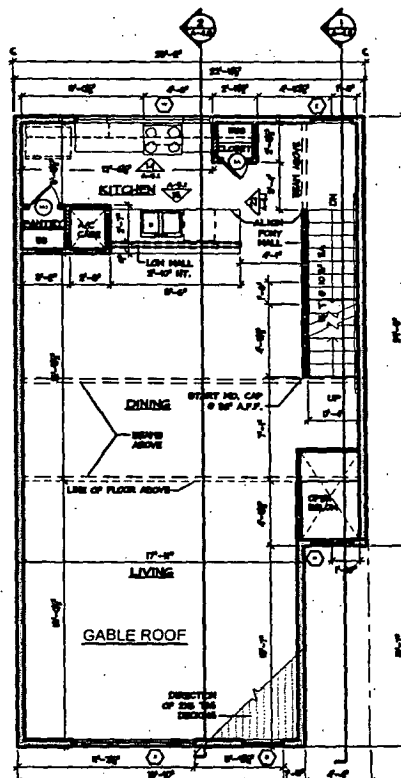
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
H	1	9'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	2	2 X 400 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
08	1	5'-0" X 6'-0" FLUSH METAL
07	1	2'-0" X 6'-0" ONE HOUR FLUSH WOOD
06	1	2'-0" X 6'-0" FLUSH WOOD
05	1	2'-0" X 6'-0" FLUSH WOOD
04	1	2'-0" X 6'-0" POCKET WOOD
03	1	5'-0" X 6'-0" R/WOLD
02	1	15'-0" X 7'-0" OVERHEAD DOOR
01	1	0'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
00	1	2'-0" X 6'-0" FLUSH METAL

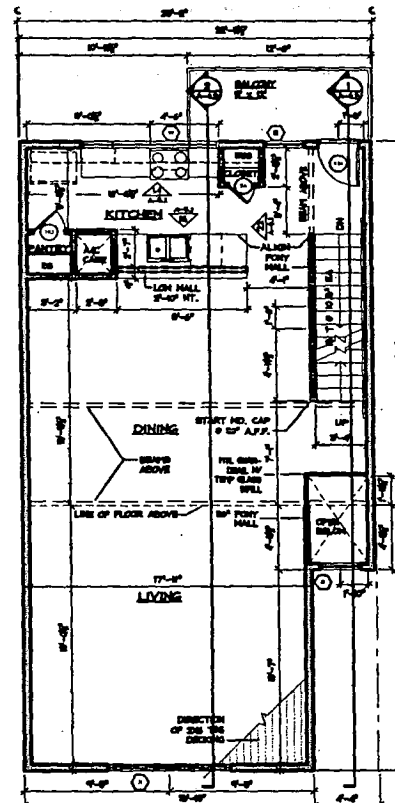
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	0'-0" X 6'-0" SINGLE HUNG METAL



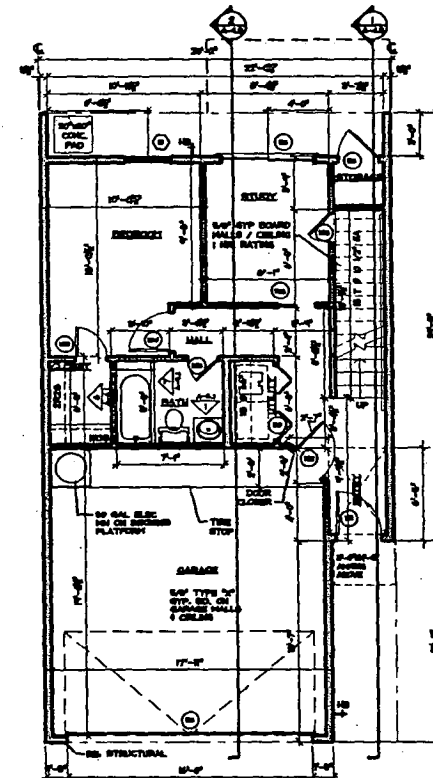
3rd FLOOR PLAN SHED ROOF



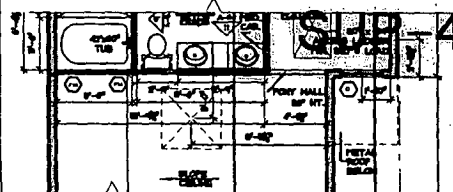
2nd FL. PLAN GABLE ROOF



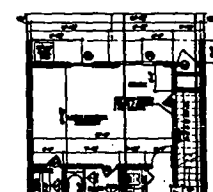
2nd FL. PLAN SHED ROOF



1st FLOOR PLAN



3rd FLOOR PLAN 1/2 GABLE ROOF



1st FL. PLAN LARGE BEDROOM "OPTIONAL"

4376 VAR-4377 SDR-4373

6-10-04 PC

STAFF

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

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MARYLAND PARKWAY TOWNHOMES
LESTER F
PROJECT NUMBER: 2004.01 LAS VEGAS
PRINTED: 04-26-04
DRAWN BY: AN
CHECKED BY:
SCALE: A-12
FLOOR PLANS

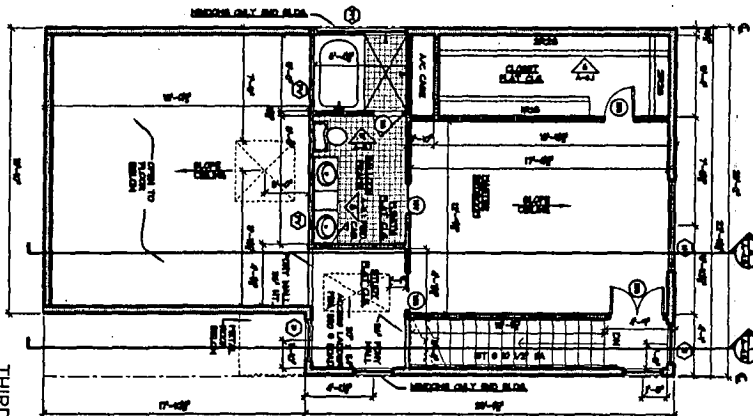
WIDOW SADDLE 1/25TH UNIT	
TYPE	QUANTITY
D	1
E	1
F	1
G	1
H	1

DOOR SCHEDULE 1, ENTRY B UNIT	
TYPE	DESCRIPTION
NO	2'-0" X 6'-0" FLUSH WOOD
NO	1'-0" X 6'-0" FLUSH WOOD
NO	0'-0" X 0'-0" SLIPING GLASS DOOR

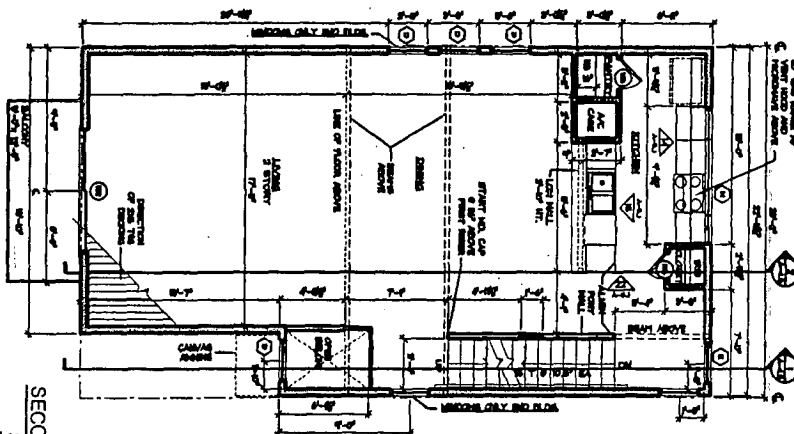
RANDOM SCHEDULE TESTER UNIT	
TYPE	DESCRIPTION
D	4
E	1
M	1

DOOR SCHEDULE "A" SETTER B UNIT	
TYPE	DESCRIPTION
01	1/2" X 6'-0" FLUSH METAL
02	1/2" X 6'-0" ONE HOUR FLUSH WOOD
03	1/2" X 6'-0" FLUSH WOOD
04	1/2" X 6'-0" FLUSH WOOD
05	1/2" X 6'-0" POCKET WOOD
06	1/2" X 6'-0" BROAD
07	1/2" X 7'-0" OVERHEAD DOOR
08	1/2" X 6'-0" SLIDING GLASS DOOR

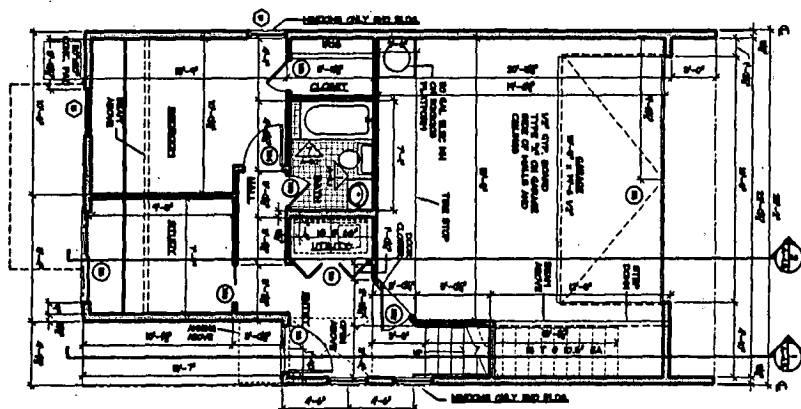
RANDOM SCHEDULE - "LESTER B UNIT"		
TYPE	QUANTITY	DESCRIPTION
B	1	B-O' X 6-O' SUEDE HANG METAL
B	1	2-O' X 2-O' PILED GLASS METAL



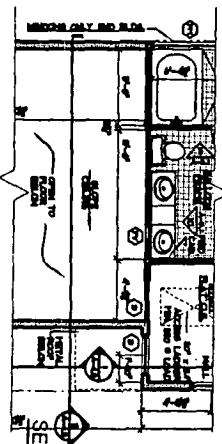
THIRD FLOOR PLAN
SHED ROOF



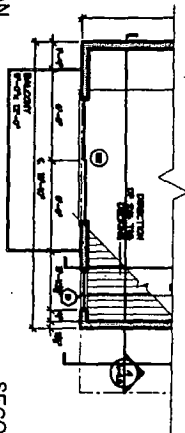
SECOND FLOOR PLAN
SHED ROOF



FIRST FLOOR PLAN



SECOND FLOOR PLAN
GABLE ROOF



SECOND FLOOR PLAN
GABLE ROOF

STEF

1 FLOOR PLANS LESTER B UNIT
1/4" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

6-10-04PC

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[illegible]

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4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

MARYLAND PARKWAY
TOWNHOMES
LESTER B

PROJECT NAME:
2004 01 LBS VEGAS

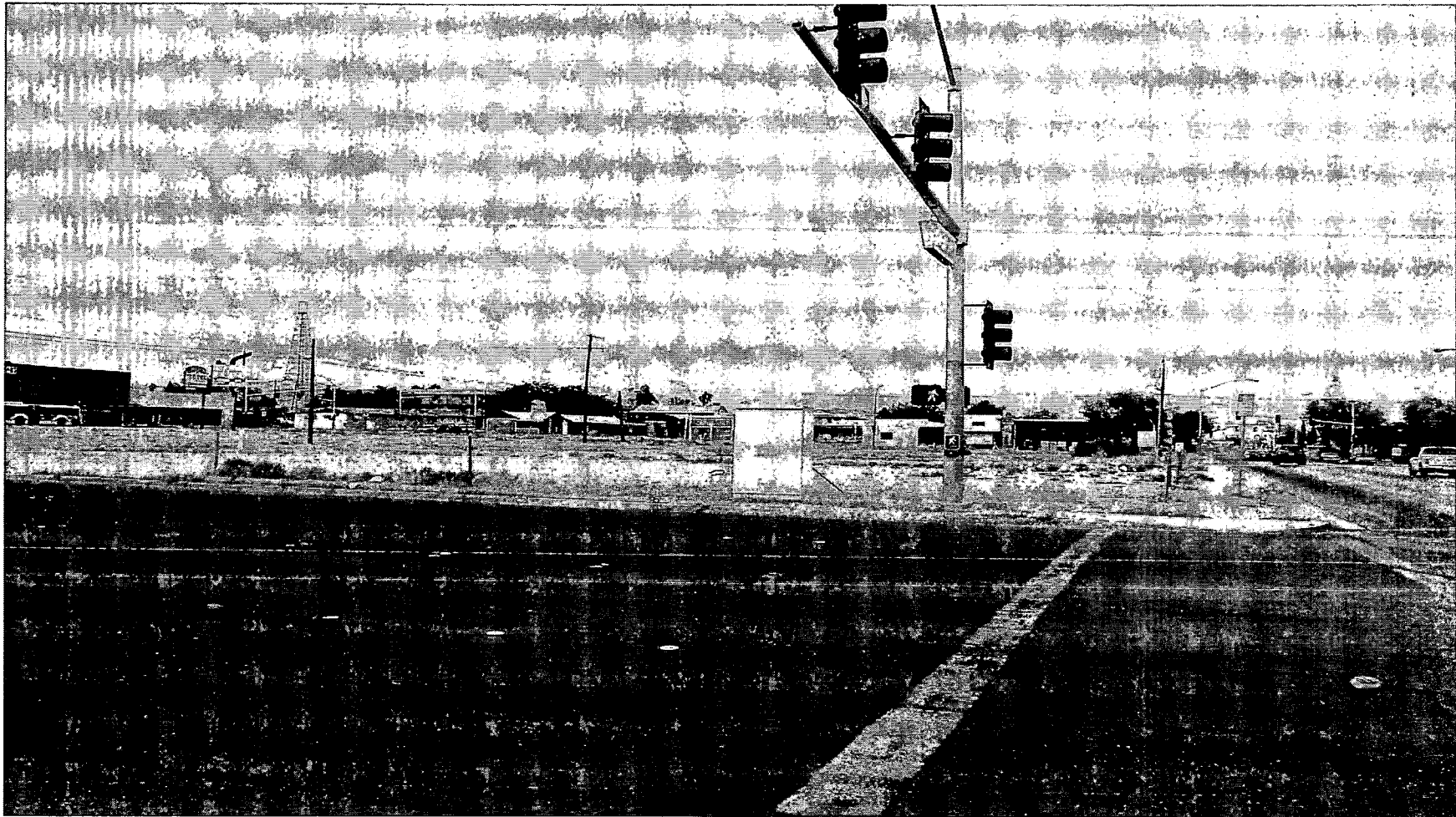
UNITED
04-26-04

DESIGN BY:
AN

DRAWN BY:
LJH/ML

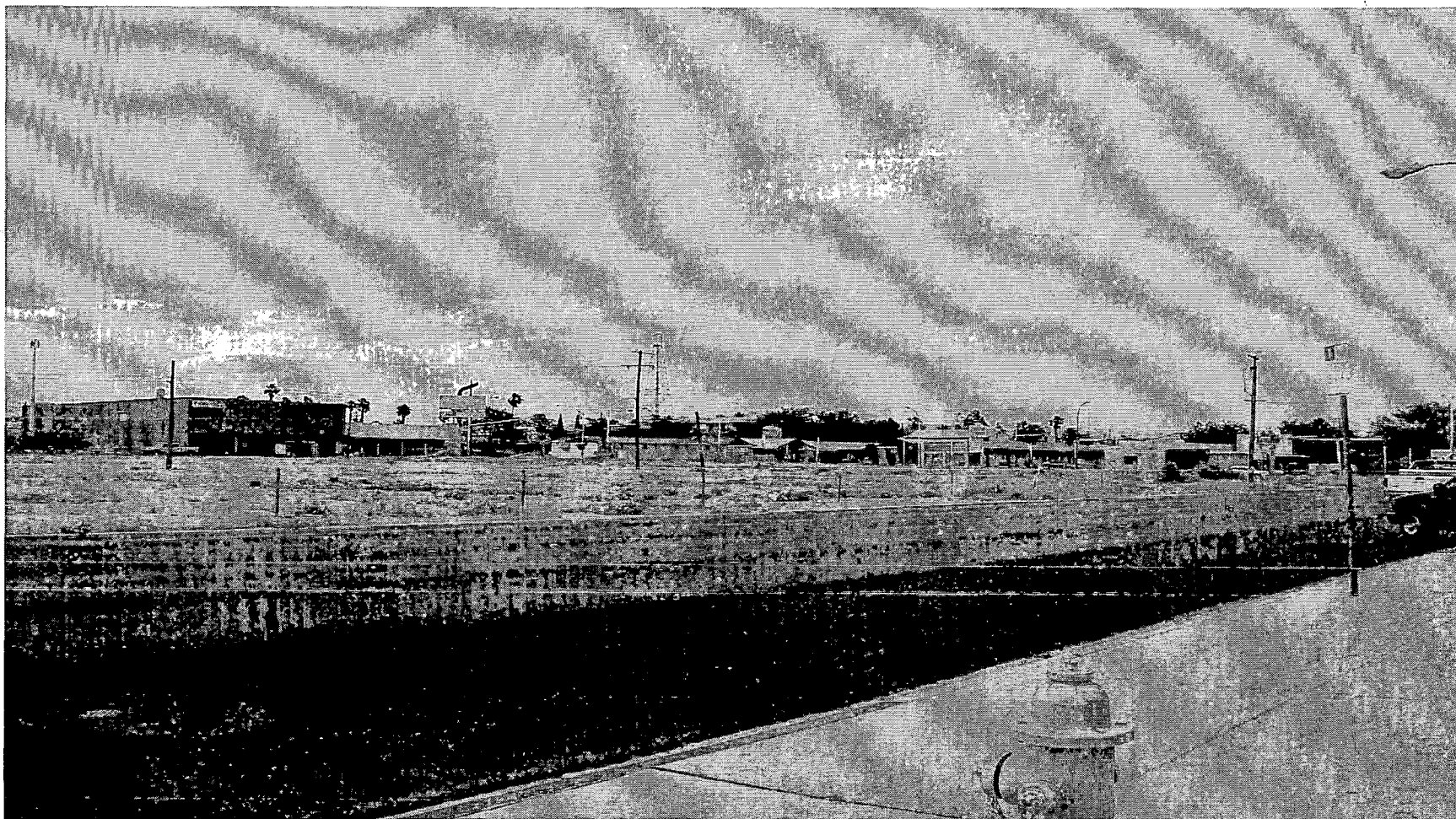
FLOOR PLANS

A-1.3



VAR-4377 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



VAR-4377 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4377 - PUBLIC HEARING - SUP-4376 -
APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit
FOR A PROPOSED 30-UNIT MULTI-FAMILY LIVE/WORK DEVELOPMENT adjacent to
the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-
310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).
The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 128 [VAR-4377] for all related discussion.

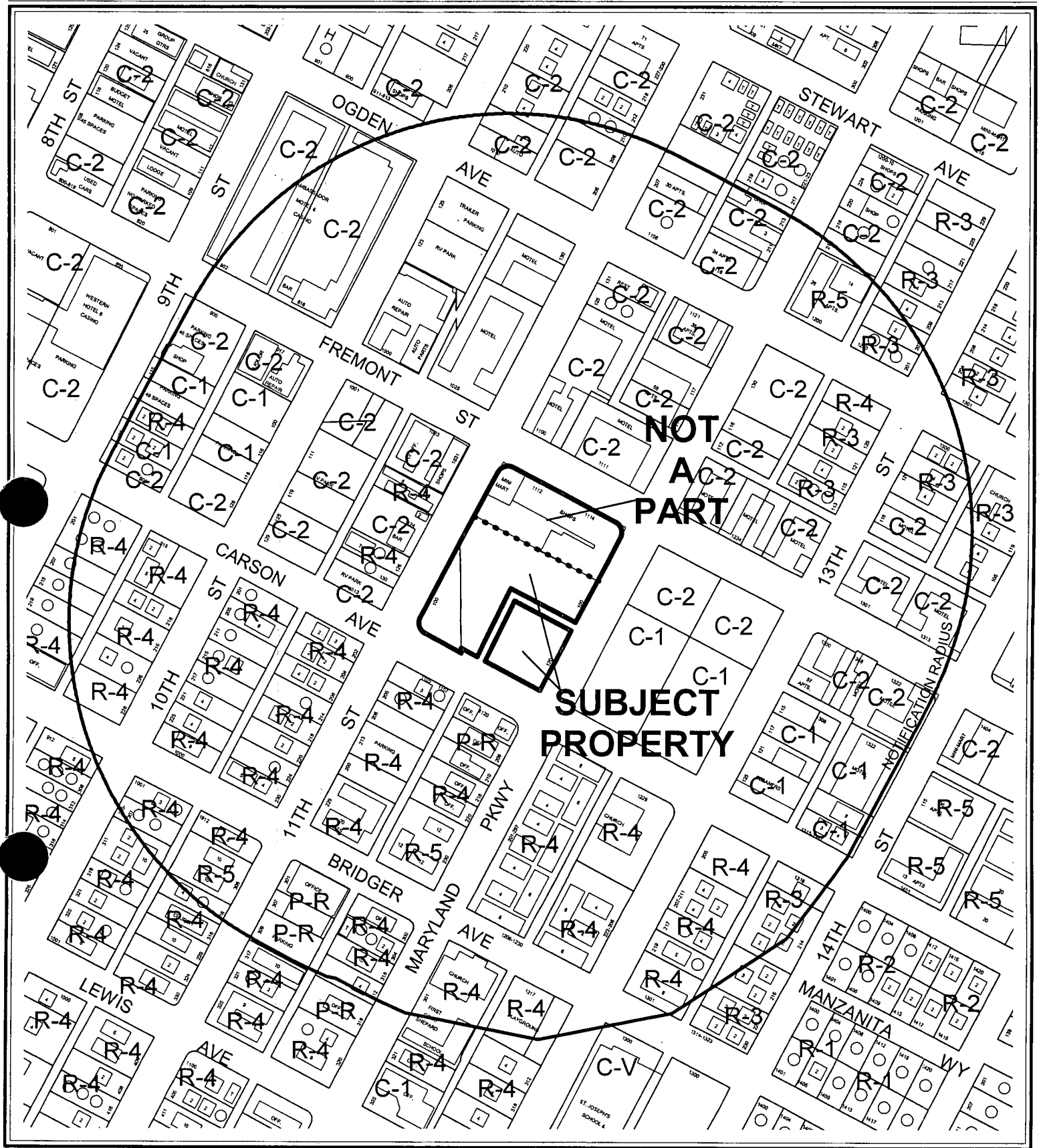
(3:46 – 4:02)

5-1543

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-4373.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

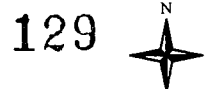


CASE: SUP-4376

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4376 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-4373.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit to allow a Live/Work Town Home Development outside of the Arts District, located at the northwest corner of Carson Avenue and Maryland Parkway. A companion Street Vacation (VAC-4419), Variance (VAR-4377), and Site Development Plan Review (SDR-4373) will be considered concurrently with this request.

B) Applicant's Justification

The development will provide convenient Live/Work space in the downtown area, and conforms to the recently adopted Live/Work overlay district.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 01/19/94 | The City Council approved a Special Use Permit (U-0263-93) to allow off-premise sale of beer and wine in conjunction with a grocery/ deli. The Board of Zoning Adjustment and staff recommended approval on 12/28/93. |
| 03/01/00 | The City Council approved a Special Use Permit (U-0161-99) for a Thrift Shop. The Planning Commission and staff recommended approval on 1/27/00. |
| 06/06/01 | The City Council approved a Special Use Permit (U-0035-01) for a 60-foot wireless communication tower. The Planning Commission recommended approval on 4/26/01. Staff recommended denial. |
| 06/10/04 | The Planning Commission recommended approval of a related Street Vacation (VAC-4419) to vacate a portion of 11th Street between Carson Avenue and Fremont Street. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Variance (VAR-4377) to allow more than 50 percent of the total floor area as being designated for residential purposes. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4373) for a proposed 30-unit Work/Live development. Staff recommends approval. |
| 06/10/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #42/fs). |

B) Pre-Application Meeting

04/01/04 Issues discussed included the need for a Right-of-Way Vacation, Variance, Special Use Permit, and a Site Plan Review. It was acknowledged that the site would have to be remapped, and a Waiver from the 220-foot intersection-offset requirement may be needed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.66
Net Acres: 1.03

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial / Retail
South: Office / Single Family Residential
East: Undeveloped
West: Tavern / RV Park / Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-1 (Limited Commercial) / R-4 (High Density Residential)
East: C-1 (Limited Commercial)
West: C-2 (General Commercial) / R-4 (High Density Residential)

E) General Plan Compliance

The subject site is located within the Downtown Centennial Plan area of the General Plan with a DTR (Downtown Redevelopment Zone) land use designation. The C-1 (Limited Commercial) zoning district is in compliance with the General Plan and the proposed Live/Work Town Homes are a permitted use with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Downtown Centennial Plan Area, which establishes planning, development, land use concepts, and urban design standards to guide the redevelopment of the original core of the Las Vegas Valley.

The subject site is also located within the Downtown Redevelopment Plan Area with a C (Commercial) land use designation, which allows for uses normally allowed in the O (Office), C-1 (Limited Commercial), and C-2 (General Commercial) zoning districts. The proposed Work / Live development is permitted with the approval of a Special Use Permit.

Special Overlay Districts

The subject site is located within the East Fremont section of the Downtown Overlay District, which is intended to present future opportunities for new commercial ventures and the integration of medium density mixed-income residential neighborhoods in area east of the Fremont Street Experience. Properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Overlay District are evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

The subject site is also located within the Live/Work Overlay District, which is intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live / Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Live / Work Units	30 Units	2 per Unit + 1 guest space per 6 units	65	0	60	0

The site plan depicts 60 parking spaces internal to the site, and 8 on-street spaces. The on-street parking spaces cannot be counted towards Title 19 parking requirements, resulting in a deficiency of five parking spaces. The site, however, is located within the Downtown Overlay District, which allows deviations from Title 19 requirements on a case-by-case basis. Given the nature of the proposal, the proposed parking should be adequate for the development

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Live/Work Unit use. There are no similar approved uses within the 750-foot notification distance.

B) *General Analysis and Discussion*

- Zoning

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

- Use

Live/Work units are intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live / Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City. The Live/Work ordinance requires all proposed Live/Work units located outside the Arts District of the Downtown Centennial Plan to obtain approval by means of a Special Use Permit.

- Conditions

1. Live/Work units may be located in the C-1, C-2, C-M, and M Zoning Districts only.
2. Permissible Non-residential uses:
 - Office uses (excluding medical office)
 - Desktop Publishing
 - Arts activities, excluding any activity that involves welding or open flame work; Art sales are permitted as an ancillary use.
3. The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than 50 percent of the total floor area shall be used for residential purposes.
4. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential uses occurring within.
5. Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

The proposal is in conformance with these base conditions of approval.

FINDINGS

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

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

The proposed Live/Work units are compatible with the commercial and residential nature of development in the area, and 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.

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

The subject site is physically suitable for the type and intensity of the proposed Live/Work development.

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

The site will receive access from Carson Avenue, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways, which is adequate in size to meet the requirements of the proposed use.

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

The site will be subject to ongoing inspection that will protect the public health, safety, and general welfare.

NOTICES MAILED 122 by City Clerk

APPROVALS 0

PROTESTS 0



DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 8'-0" FLUSH WOOD
11	1	2'-0" X 8'-0" FLUSH WOOD
12	1	2'-0" X 8'-0" POCKET WOOD
13	1	2'-0" X 8'-0" POCKET WOOD
14	1	2'-0" SINKER DOOR TEMPERED GLASS

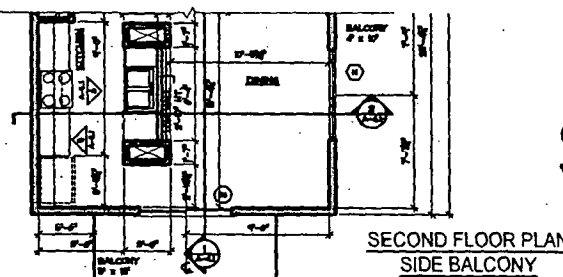
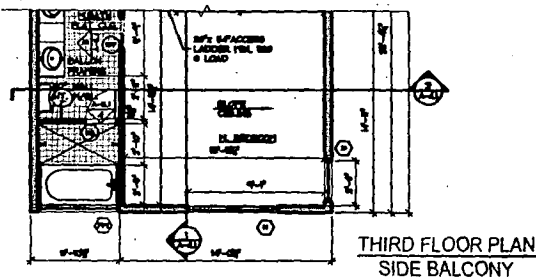
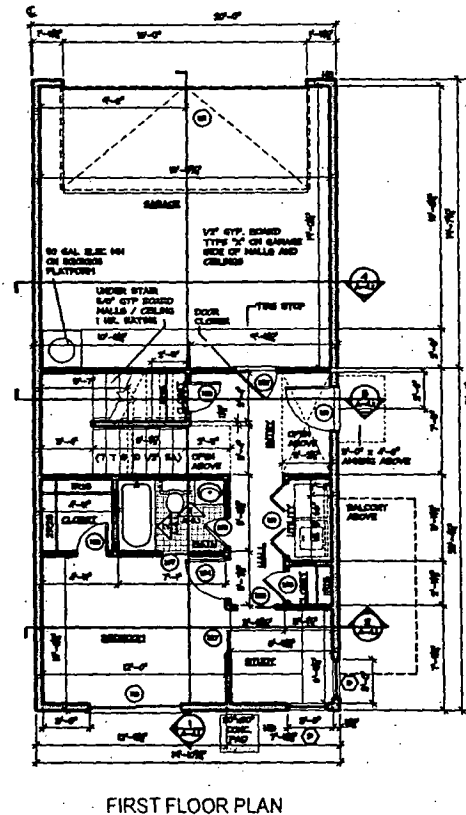
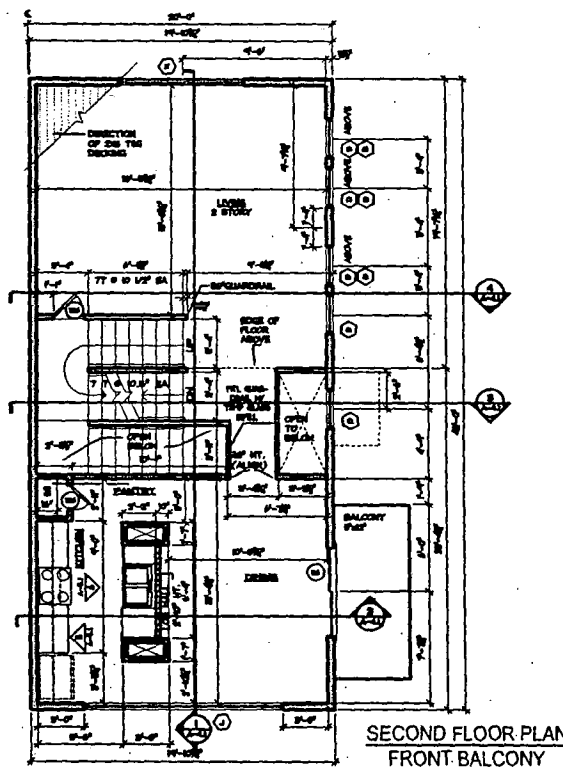
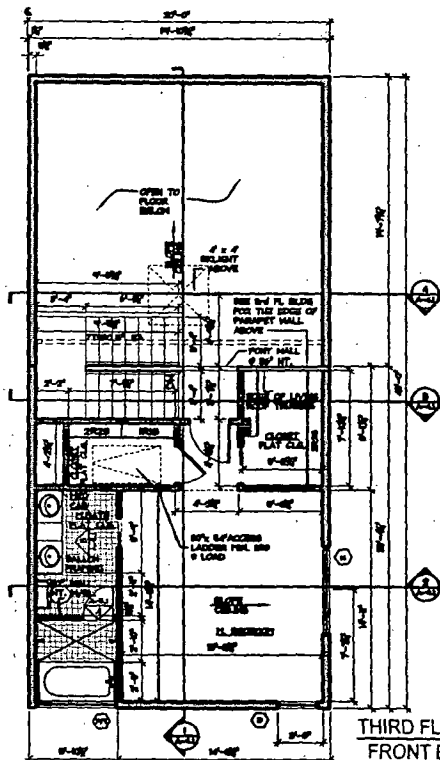
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
W	1	FLUSH HINGEDS X 7'-0" FIXED GLASS METAL
E	1	8'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
10	1	1'-0" X 8'-0" FLUSH WOOD
11	1	8'-0" X 8'-0" SLIDING GLASS DOOR TEMPERED GLASS
12	1	2'-0" X 8'-0" JIB BUILT DOOR

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
W	1	8'-0" X 8'-0" FIXED GLASS METAL
E	1	8'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
10	1	8'-0" X 8'-0" FLUSH METAL
11	1	2'-0" X 8'-0" ONE HOUR FLUSH WOOD
12	4	2'-0" X 8'-0" FLUSH WOOD
13	1	2'-0" X 8'-0" FLUSH WOOD
14	1	2'-0" X 8'-0" POCKET WOOD
15	1	2'-0" X 8'-0" POCKET WOOD
16	1	8'-0" X 8'-0" SWING
17	1	8'-0" X 7'-0" OVERHEAD DOOR
18	1	8'-0" X 8'-0" SLIDING GLASS DOOR TEMPERED GLASS
19	1	8'-0" X 8'-0" POCKET WOOD

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL



STAFF

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

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SUP-4376 VAR-4377 SDR-4373

6-10-04 PC

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MARYLAND PARKWAY
TOWNHOMES
TOWER UNIT
PROJECT NUMBER:
2004.01 LAS VEGAS
PRINTED:
04-26-04
DRAWN BY:
AN
CHECKED BY:
FILE NAME:
A-1.1
FLOOR PLANS

DOOR SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH MOOD
11	1	2'-0" X 6'-0" POCKET MOOD
12	1	2'-0" X 6'-0" POCKET MOOD
13	1	2'-0" SLICKER DOOR TEMPERED GLASS
14	1	7

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TEMP GLASS METAL
FV	2	FLUSH WALLS 1'-0" FIXED GLASS MOOD
G	1	6'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH MOOD
11	1	7'-0" X 6'-0" FLUSH MOOD

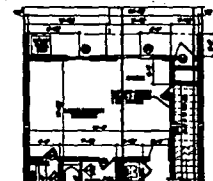
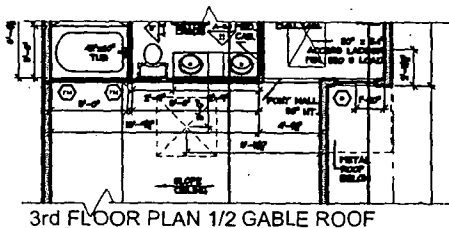
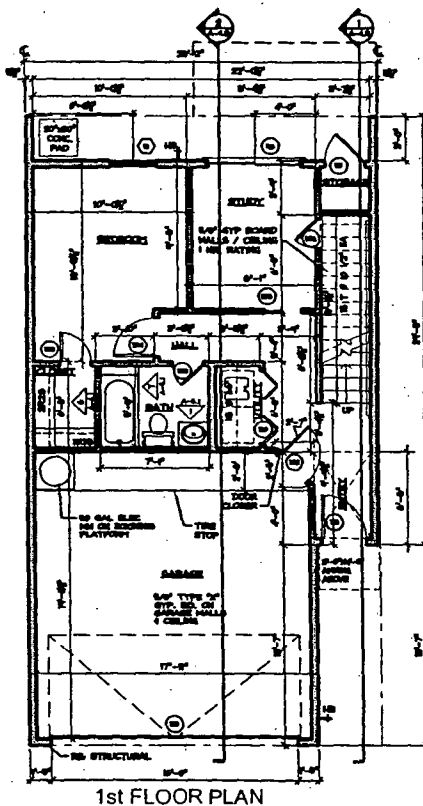
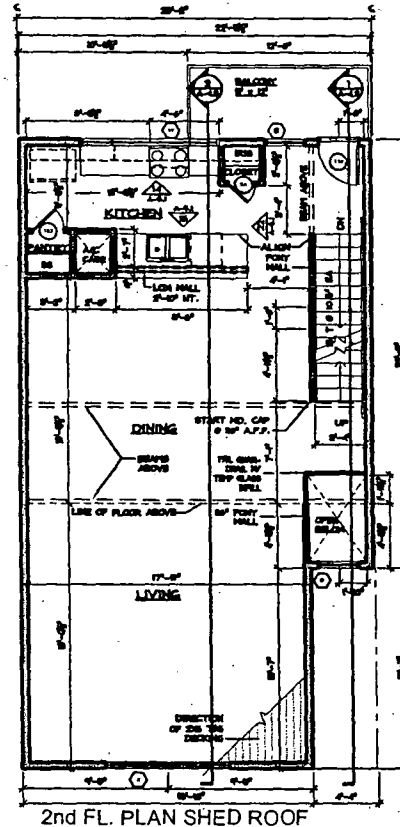
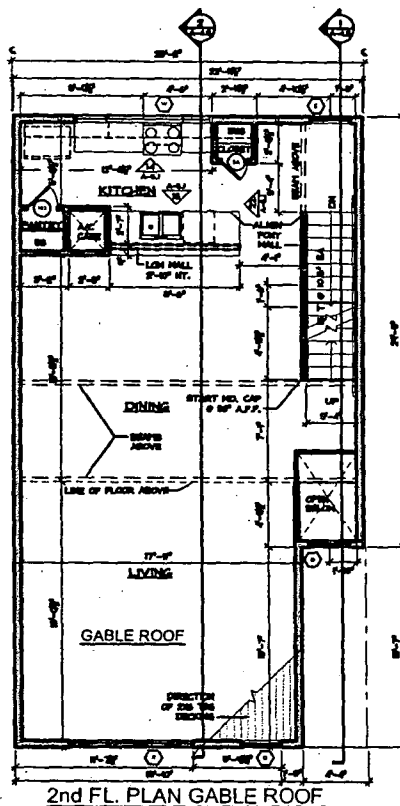
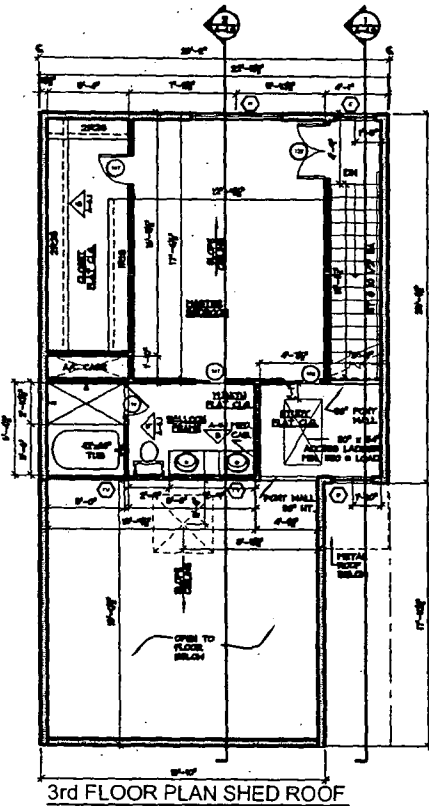
WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TEMP GLASS METAL
H	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
14	1	2'-0" X 6'-0" METAL DOOR W/ FULL LITE TEMP G

WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
H	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	2	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
10	1	3'-0" X 6'-0" FLUSH METAL
11	1	2'-0" X 6'-0" ONE HOUR FLUSH MOOD
12	2	2'-0" X 6'-0" FLUSH MOOD
13	1	2'-0" X 6'-0" FLUSH MOOD
14	1	2'-0" X 6'-0" POCKET MOOD
15	1	6'-0" X 6'-0" EMPLOY
16	1	10'-0" X 7'-0" OVERHEAD DOOR
17	1	6'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
18	1	2'-0" X 6'-0" FLUSH METAL

WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
D	1	6'-0" X 6'-0" SINGLE HUNG METAL



STAFF

1st FL. PLAN LARGE BEDROOM "OPTIONAL"

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

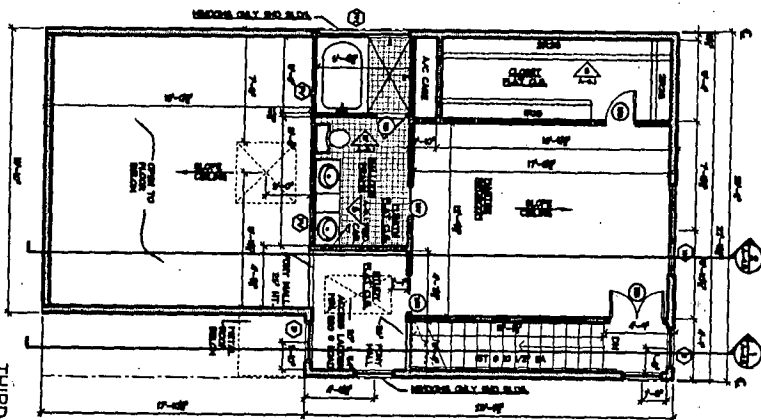
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URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4312 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-4441, FAX 713-522-3176

MARYLAND PARKWAY
TOWNHOMES
LESTER F
PROJECT NUMBER:
2004.01 LAS VEGAS
PRINTED:
04-28-04
DRAWN BY:
ANI
CHECKED BY:
PL/NAME:
A-1.2
FLOOR PLANS

SUP-4376 VAR-4377 SDR-4373
6-10-04 PC

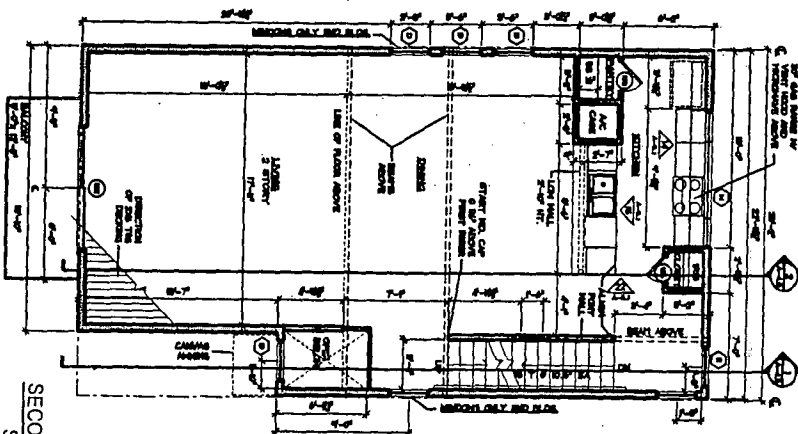
MILCOM SURVIVAL TESTER UNIT		
TYPE	QUANTITY	DESCRIPTION
G	1	G-2 X G-2 FIXED CLASS PTH.
B	1	B-2 X G-2 FIXED TYPE CLASS PTH.
FM	1	FLAME INHIBITS X G-2 FIXED CLASS PTH.
FM	2	FLAME INHIBITS X G-2 FIXED CLASS PTH.
N	1	G-2 X G-2 SIGNAL NAME PTH.



THIRD FLOOR PLAN
SHED ROOF

DOOR SCHEDULE - SECTION B UNIT	
TYPE	DESCRIPTION
MB	7'-0" X 6'-0" FLUSH WOOD
MB	1'-0" X 6'-0" FLUSH WOOD
MB	6'-0" X 6'-0" SLIDING GLASS DOOR

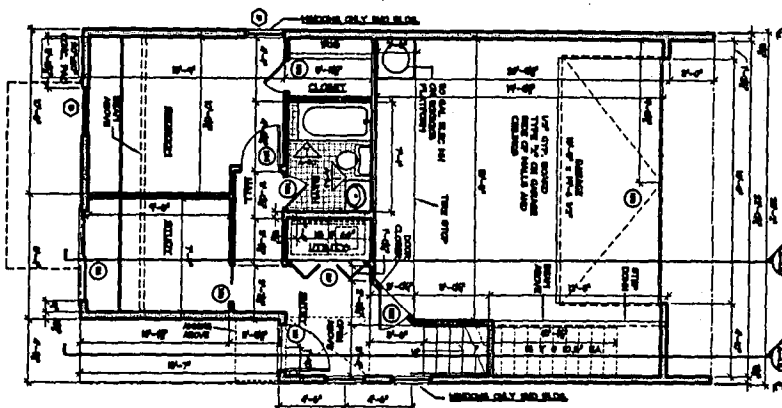
TYPE	QUANTITY	DESCRIPTION
D	4	2-P-1 2-P-2 FOOD GLASS PERLS
E	1	2-P-1 2-P-2 FOOD TRAP GLASS PERLS
M	1	2-P-1 2-P-2 QUANTITY INDETERMINATE GLASS



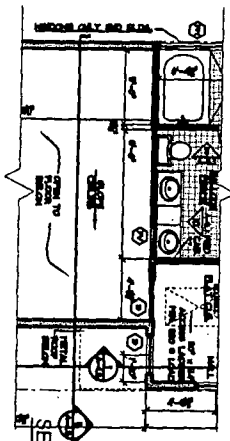
SECOND FLOOR PLAN
SHED ROOF

TYPE	QUANTITY	DOOR DESCRIPTION
1	1	8'-0" X 6'-0" FLUSH PETAL
2	1	7'-0" X 6'-0" ONE LEAF FLUSH WOOD
3	2	7'-0" X 6'-0" FLUSH WOOD
4	1	7'-0" X 6'-0" FLUSH WOOD
5	1	7'-0" X 6'-0" POCKET WOOD
6	1	8'-0" X 4'-0" BROAD
7	1	8'-0" X 7'-0" OVERHEAD DOOR
8	1	6'-0" X 6'-0" SLIDING GLASS DOOR

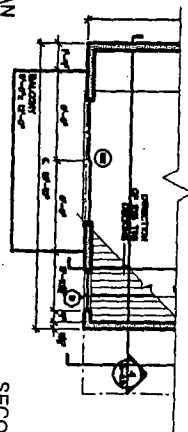
MASON SQUARE - 1/4" X 6" X 1/4"		
TYPE	QUANTITY	DESCRIPTION
D	1	8" X 6" X 1/4" SQUARE PLATE METAL
D	1	2" X 2" X 1/4" FIXED GLASS METAL



FIRST FLOOR PLAN



SECOND FLOOR PLAN
GABLE ROOF



SECOND FLOOR PLAN
GABLE ROOF

5

1 FLOOR PLANS LESTER B UNIT
1/4" = 1'-0"

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

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[illegible]

MARYLAND PARKWAY
TOWN-HOMES
LESTER B

PROJECT NUMBER:
2004.01 LAST RECORDS

APPROVED: 04-28-04

DESIGNED BY: AM

DATE:

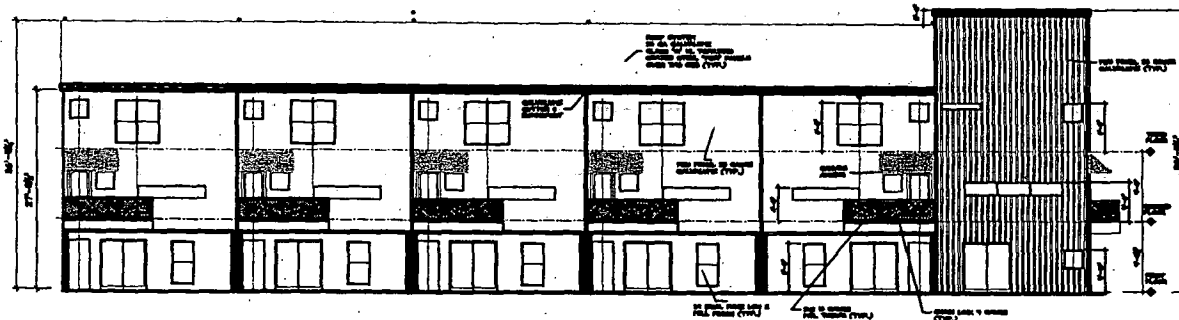
PLANS:

A-1.3

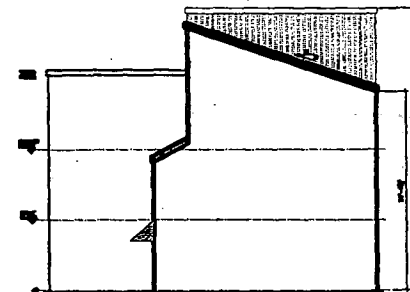
FLOOR PLANS

~~SUP=4376 VAR=4377 SDB=4373~~

6-10-04 PC



④ BACK ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



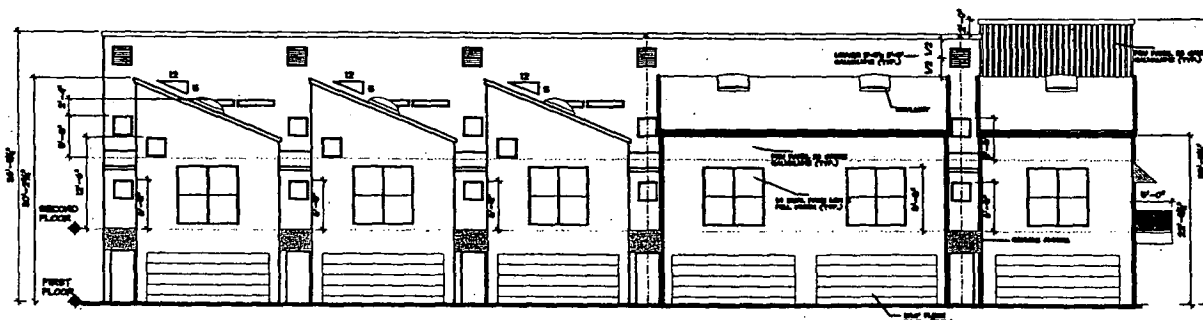
② LEFT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

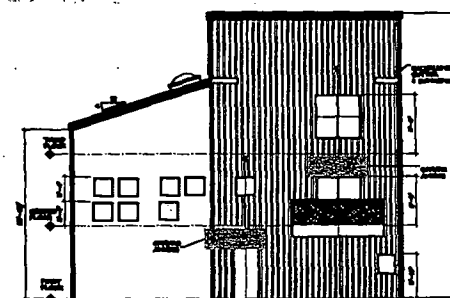
6-10-04 PC

NOTE:
FURNITURE USED IN BALCONY GUARDS
SHALL NOT BE SIZED TO HARBOR
A CHILD COULD CLIMB IT LIKE A
LADDER.

STAFF



③ FRONT ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



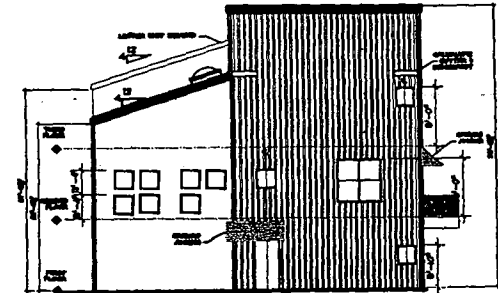
① RIGHT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

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MARYLAND PARKWAY TOWNHOMES	
BUILDING 1 THRU 4	
PROJECT NUMBER 2004.01 LAS VEGAS	
PRINTED	04-27-04
DRAWN BY	AN
CHECKED BY	
FILE NAME	
A-3.1	
EXT. ELEVATIONS	

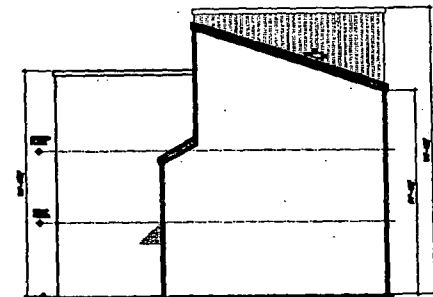
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2 LEFT SIDE ELEVATION BUILDING 5
1/8" = 1'-0"

NOTE:
MEN USED IN BALCONY GUARD
SHALL NOT BE SIZED TO MATCH
A CHILD COULD CLIMB IT LIKE A
LADDER.

STAFF



1 RIGHT SIDE ELEVATION BUILDING 5
1/8" = 1'-0" COPYRIGHT © 2002 LARRY S. DAVIS

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A-3.3

A-3.5

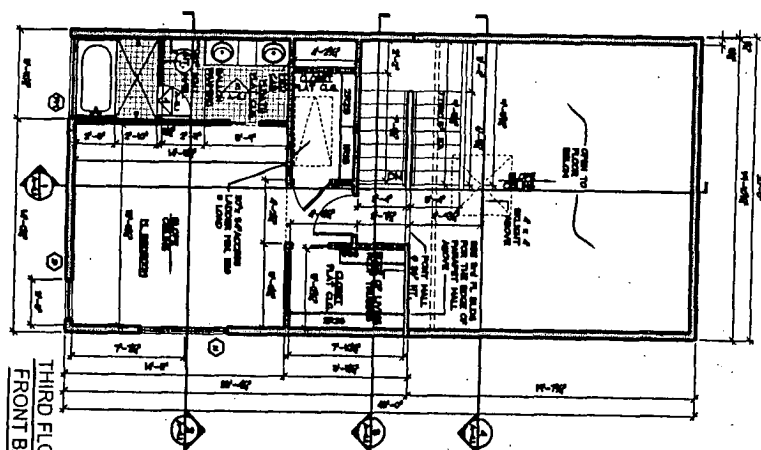
ITEM		QUANTITY	DESCRIPTION	UNIT
D	1	2'-0" X 2'-0"	FIXED GLASS METAL	
M	1	FLUSH MOUNTS	X 2'-0" FIXED GLASS METAL	
N	1	6'-0" X 6'-0"	SMALL PLATE METAL	

DOOR SCHEDULE TOWER UNIT		
TYPE	QUANTITY	DESCRIPTION
DO	1	1'-0" X 6'-0" FLUSH WOOD
MS	1	6'-0" X 6'-0" SLIDING GLASS DOOR THERMAID GLASS
MS	1	3'-0" X 3'-0" JIB BUILT DOOR

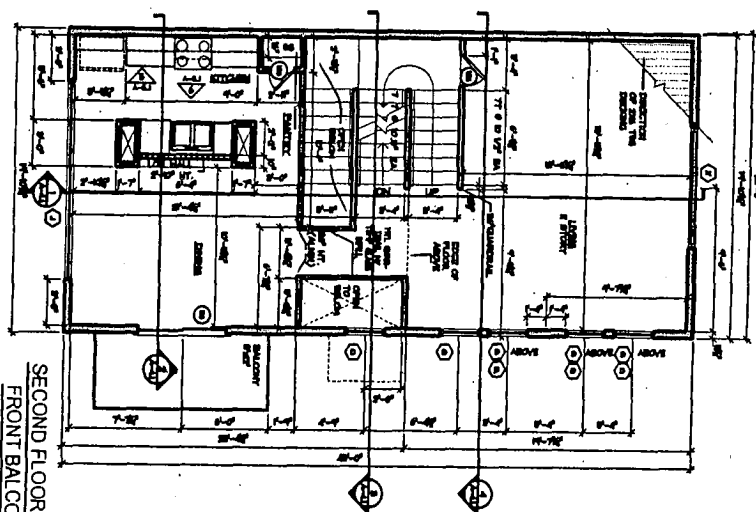
PERMANENT SOLIDULE TOWER UNIT	
TYPE	DESCRIPTION
D	2'-0" X 2'-0" FIXED GLASS METAL
J	1'-0" X 2'-0" FIXED GLASS METAL
X	1'-0" X 1'-0" SINGLE PLANE METAL

ITEM	QUANTITY	BOOK	SCHEDULE	TOOL	UNIT	DESCRIPTION
01	1	10-2	1	6-2	1	FLUSH NUT
02	1	2-2	1	6-2	1	FLUSH NUT
03	4	2-2	1	6-2	1	FLUSH NUT
04	1	2-2	1	6-2	1	FLUSH NUT
05	1	2-2	1	6-2	1	POCKET NUT
06	1	2-2	1	6-2	1	POCKET NUT
07	1	2-2	1	6-2	1	POCKET NUT
08	1	2-2	1	6-2	1	POCKET NUT
09	1	2-2	1	6-2	1	POCKET NUT
10	1	2-2	1	6-2	1	POCKET NUT
11	1	2-2	1	6-2	1	POCKET NUT
12	1	2-2	1	6-2	1	POCKET NUT
13	1	2-2	1	6-2	1	POCKET NUT
14	1	2-2	1	6-2	1	POCKET NUT
15	1	2-2	1	6-2	1	POCKET NUT
16	1	2-2	1	6-2	1	POCKET NUT
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18	1	2-2	1	6-2	1	POCKET NUT
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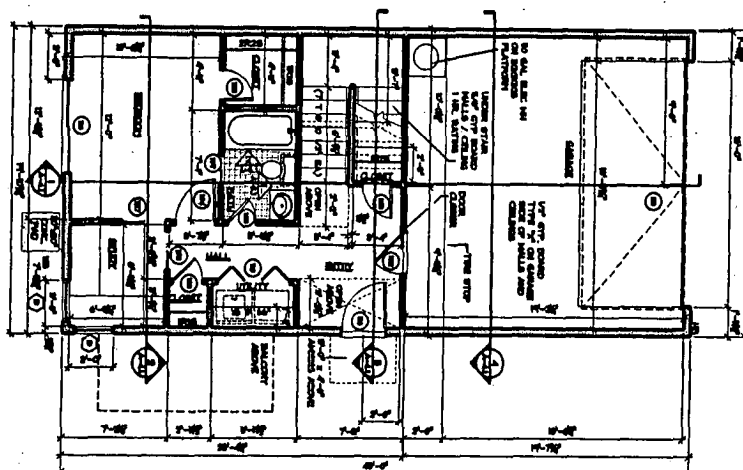
HARDON SCHEDULE TOWER UNIT		
TYPE	QUANTITY	DESCRIPTION
D	3	2'-0" X 2'-0" FIXED GLASS PANEL



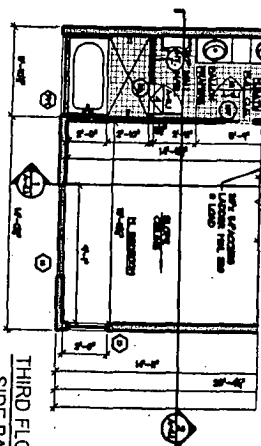
THIRD FLOOR PLAN
FRONT BALCONY



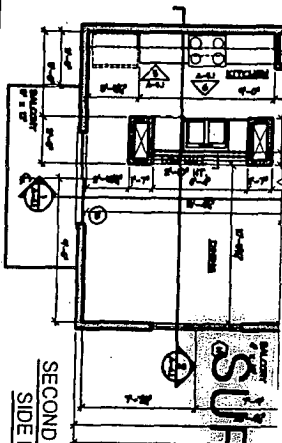
SECOND FLOOR PLAN
FRONT BALCONY



FIRST FLOOR PLAN



THIRD FLOOR PLAN
SIDE BALCONY



SECOND FLOOR PLAN
SIDE BALCONY

VAR-4377 SDR-4873
6-10-04 PC

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

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MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

4512 MONTROSE HOUSTON TEXAS 77006 TEL 713.433.4441 FAX 713.430.313

[illegible]

MARYLAND PARK
TOWNHOMES
TOWEN UNIT
PLOT NUMBER:
3004-01 LAS VEGAS
DATED: 04-28-04
DRAWN BY: AN
CHECKED BY:
IN POUND:
A-1.1
FLOOR PLANS

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
DR	1	2'-0" X 6'-0" FLUSH WOOD
DR	1	2'-0" X 6'-0" POCKET WOOD
DR	1	2'-0" X 6'-0" POCKET WOOD
DR	1	2'-0" SICKER DOOR TYPED GLASS
T	1	7

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TYP GLASS METAL
PV	2	FLUSH H/HALLS 1'-0" FIXED GLASS WOOD
H	1	6'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
DR	1	2'-0" X 6'-0" FLUSH WOOD
DR	1	7'-0" X 8'-0" FLUSH WOOD

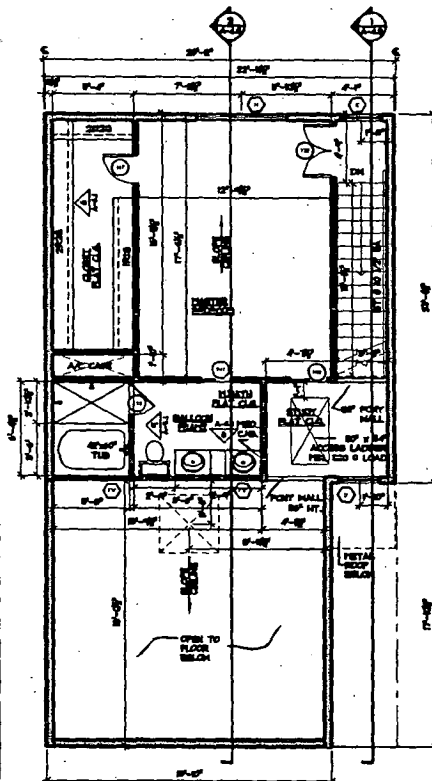
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TYP GLASS METAL
H	1	4'-0" X 7'-0" CUSTOM HORIZONTAL SLIDER
X	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
DR	1	2'-0" X 6'-0" METAL DOOR W/ FULL LITE TYP G

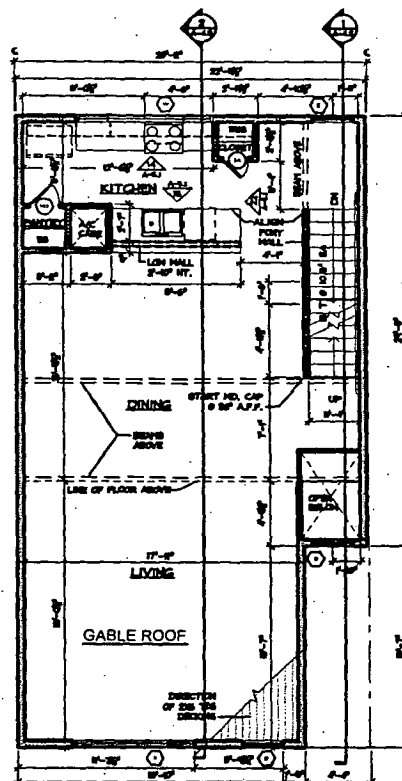
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
H	1	4'-0" X 7'-0" CUSTOM HORIZONTAL SLIDER
X	2	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
DR	1	5'-0" X 6'-0" FLUSH METAL
DR	1	2'-0" X 6'-0" ONE HOUR FLUSH WOOD
DR	1	2'-0" X 6'-0" FLUSH WOOD
DR	1	2'-0" X 6'-0" FLUSH WOOD
DR	1	2'-0" X 6'-0" POCKET WOOD
DR	1	5'-0" X 7'-0" BIFOLD
DR	1	15'-0" X 7'-0" OVERHEAD DOOR
DR	1	15'-0" X 7'-0" SLIDING GLASS DOOR TYPED GLASS
DR	1	2'-0" X 6'-0" FLUSH METAL

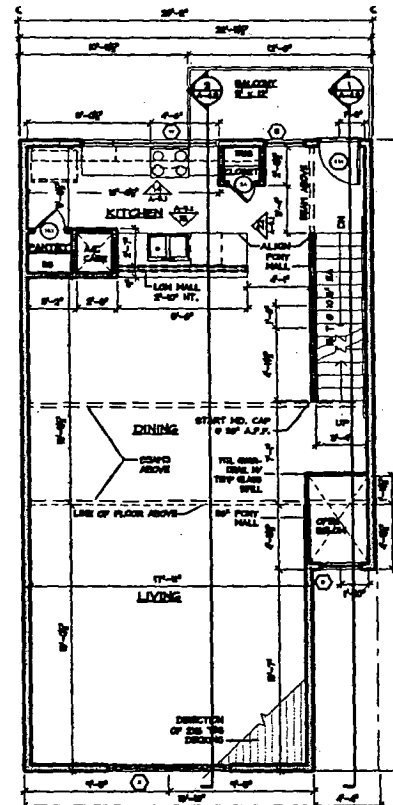
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
H	1	15'-0" X 6'-0" SINGLE HUNG METAL



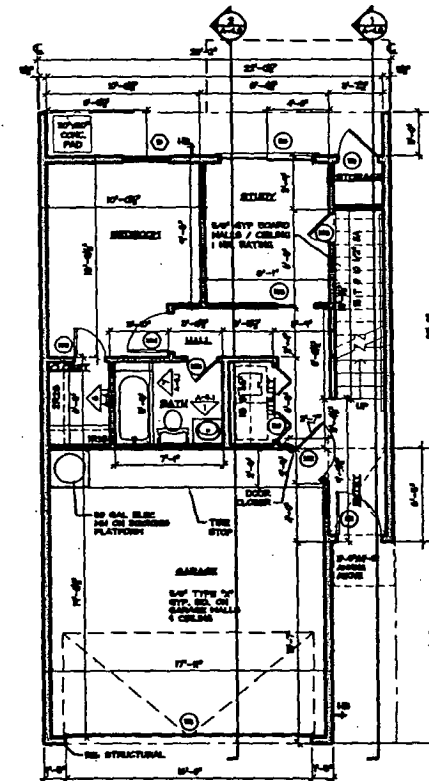
3rd FLOOR PLAN SHED ROOF



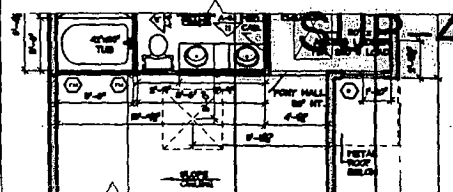
2nd FL. PLAN GABLE ROOF



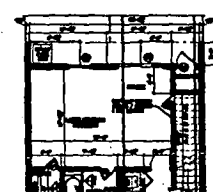
2nd FL. PLAN SHED ROOF



1st FLOOR PLAN



3rd FLOOR PLAN 1/2 GABLE ROOF



1st FL. PLAN LARGE BEDROOM *OPTIONAL*

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

STAFF

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

MARYLAND PARKWAY
TOWNHOMES
LESTER F
PROJECT NUMBER
2004.01 LAS VEGAS
PRINTED
04-28-04
DRAWN BY
AY
CHECKED BY
ALPHABET
A-1.2
FLOOR PLANS

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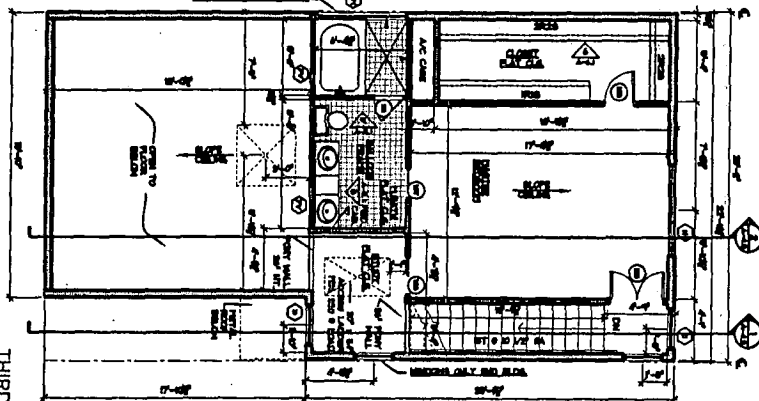
[illegible]

DOOR SCHEDULE 7, ENTRY 2 UNIT	
TYPE	DESCRIPTION
no	2'-0" X 6'-0" FLUSH WOOD
no	7'-0" X 6'-0" FLUSH WOOD
no	6'-0"-0" SLIPING GLASS DOOR

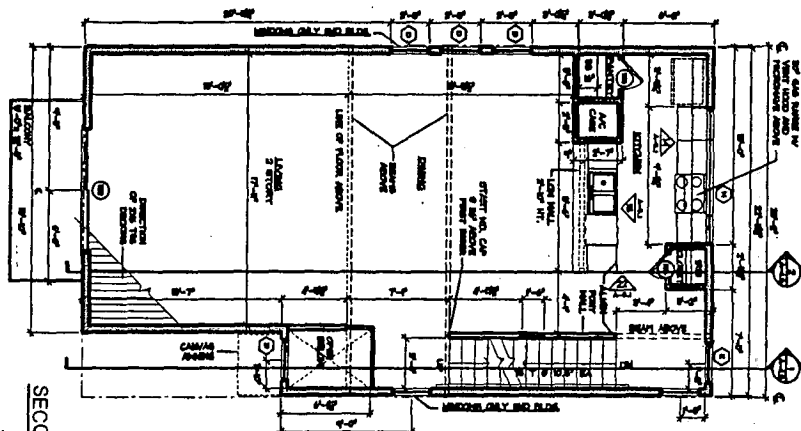
NEEDON SOLUBLE TESTER UNIT	
TYPE	QUANTITY
D	4
E	1
F	1
G	1
H	1

[illegible]

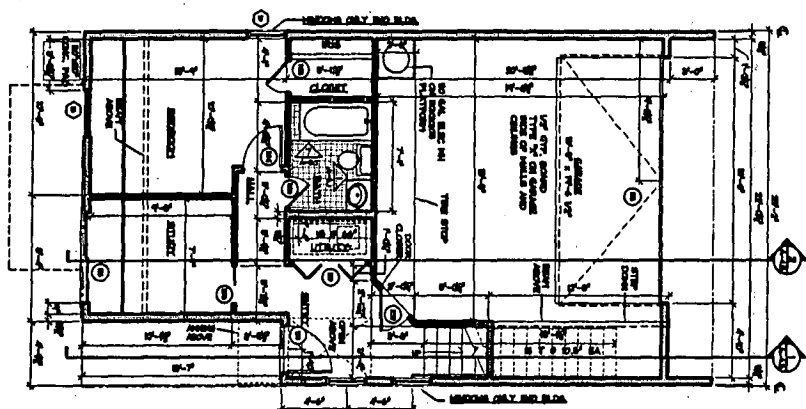
RANDOM SCHEDULE - "LESTER B UNIT"	
TYPE	QUANTITY DESCRIPTION
B	1 5'-0" X 6'-0" SQUARE HUNG METAL
D	1 2'-0" X 2'-0" FIXED GLASS METAL



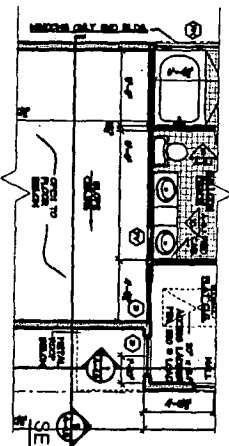
THIRD FLOOR PLAN
SHED ROOF



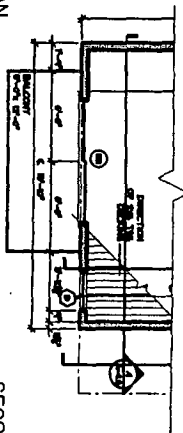
SECOND FLOOR PLAN
SHED ROOF



FIRST FLOOR PLAN



SECOND FLOOR PLAN
GABLE ROOF



SECOND FLOOR PLAN
GABLE ROOF

STREET

1 FLOOR PLANS LESTER B UNIT
1/4" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

6-10-04 PC

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[illegible]

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MARYLAND PARKWAY TOWNHOMES

LARRY S. DAVIS & ASSOCIATES

4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

MARYLAND PARKWAY
TOWNHOMES
LESTER B

TOTAL SQUARES:
27,000
2004, 01 LAS VEGAS
ZONING
04-20-04
OWNER: AN
DEVELOPER: AN
FLOOR PLANS

A-1.3



SUP-4376 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



SUP-4376 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION RELATED TO VAR-4377 AND SUP-4376 - PUBLIC HEARING - VAC-4419
- **APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY** - Petition to Vacate a portion of 11th Street between Carson Avenue and Fremont Street, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 128 [VAR-4377] for all related discussion.

(3:46 – 4:02)

5-1543

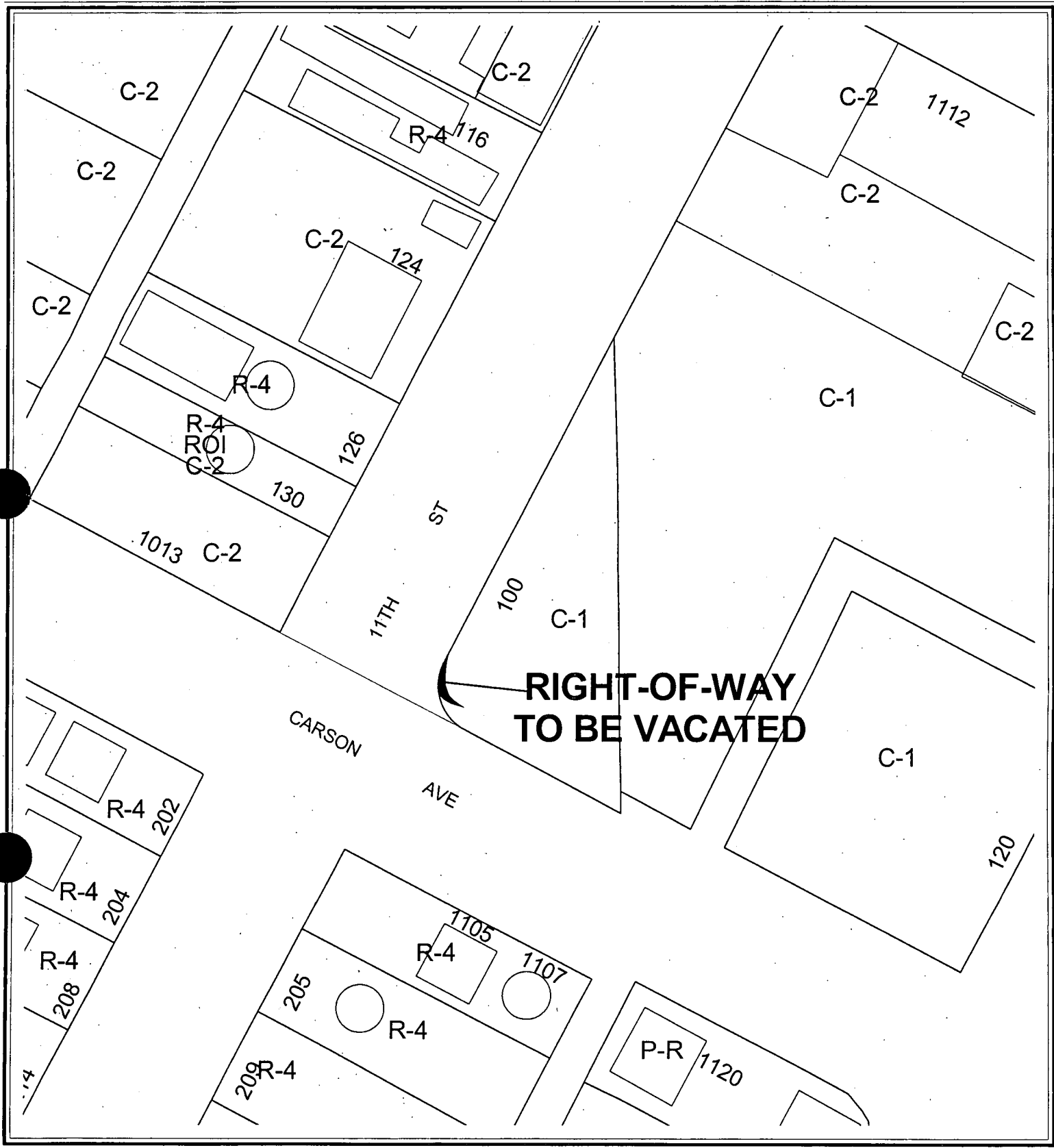
CONDITIONS:

1. This application shall be amended to vacate only 13-feet of the existing 25-foot radius corner, leaving a right-of-way radius of 12-feet, at the northeast corner of 11th Street and Carson Avenue. This vacation application must receive approval from the City Engineer to allow the reduced radius corner prior to the submittal of construction drawings for development overlying or abutting the area requested for vacation.
2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 130-VAC-4419

CONDITIONS Continued:

- application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for Site Development Plan Review SDR-4373 may be used to satisfy this condition, provided that the area requested for vacation is addressed within that study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
 4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
 5. All development shall be in conformance with code requirements and design standards of all City departments.
 6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
 7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

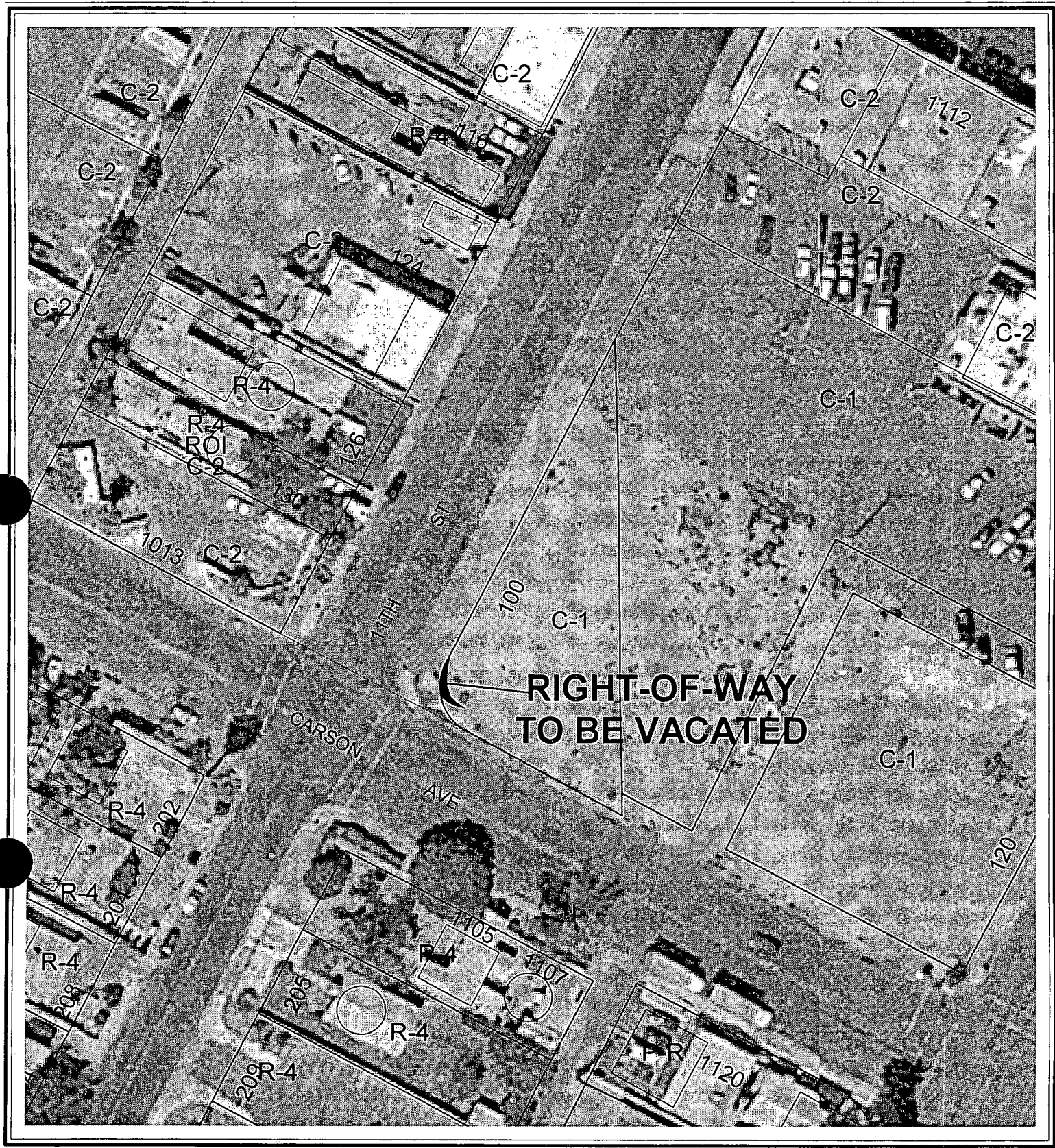


0 50 100 Feet

CASE: VAC-4419

130





CASE: VAC-4419

0 50 100 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-4419 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES – OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

1. This application shall be amended to vacate only 13-feet of the existing 25-foot radius corner, leaving a right-of-way radius of 12-feet, at the northeast corner of 11th Street and Carson Avenue. This vacation application must receive approval from the City Engineer to allow the reduced radius corner prior to the submittal of construction drawings for development overlying or abutting the area requested for vacation.
2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for Site Development Plan Review SDR-4373 may be used to satisfy this condition, provided that the area requested for vacation is addressed within that study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is a Petition to vacate a portion of 11th Street between Carson Avenue and Fremont Street.

B) Applicant's Justification

The Right-of-Way to be vacated is not required for future street widening, and it will improve the respective corner and proposed development.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/19/94 | The City Council approved a Special Use Permit (U-0263-93) to allow off-premise sale of beer and wine in conjunction with a grocery/ deli. The Board of Zoning Adjustment recommended approval on 12/28/93. |
| 03/01/00 | The City Council approved a Special Use Permit (U-0161-99) for a Thrift Shop. The Planning Commission and staff recommended approval on 1/27/00. |
| 06/06/01 | The City Council approved a Special Use Permit (U-0035-01) for a 60-foot wireless communication tower. The Planning Commission recommended approval on 4/26/01. Staff recommended denial |
| 06/10/04 | The Planning Commission recommended approval of a related Special Use Permit (SUP-4376) to vacate to allow a Live/Work Town Home Development outside of the Arts District. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Variance (VAR-4377) to allow more than 50 percent of the total floor area as being designated for residential purposes. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4373) for a proposed 30-unit Work/Live development. Staff recommends approval. |
| 06/10/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/fs). |

DETAILS OF APPLICATION REQUEST

A request has been received from Larry S. Davis and associates to vacate a portion of Eleventh Street between Carson Avenue and Fremont Street.

The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 34, Township 20 South, range 61 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The vacation request has been amended to vacate only 13-feet of the existing 25-foot radius corner, leaving a right-of-way radius of 12-feet, at the northeast corner of 11th Street and Carson Avenue. Traffic-handling capability for these streets will not be compromised as a result of the proposed vacation. The request would not eliminate public street access to any abutting parcels or adversely affect any abutting properties.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
N/A, this is a vacation for a portion of a radius corner only.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the vacation is for a radius corner reduction only.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
Yes, SDR-4373, on this same meeting.
- 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, however approval from the City Engineer to deviate from Standards is required prior to recordation.

NOTICES MAILED 4 by City Clerk

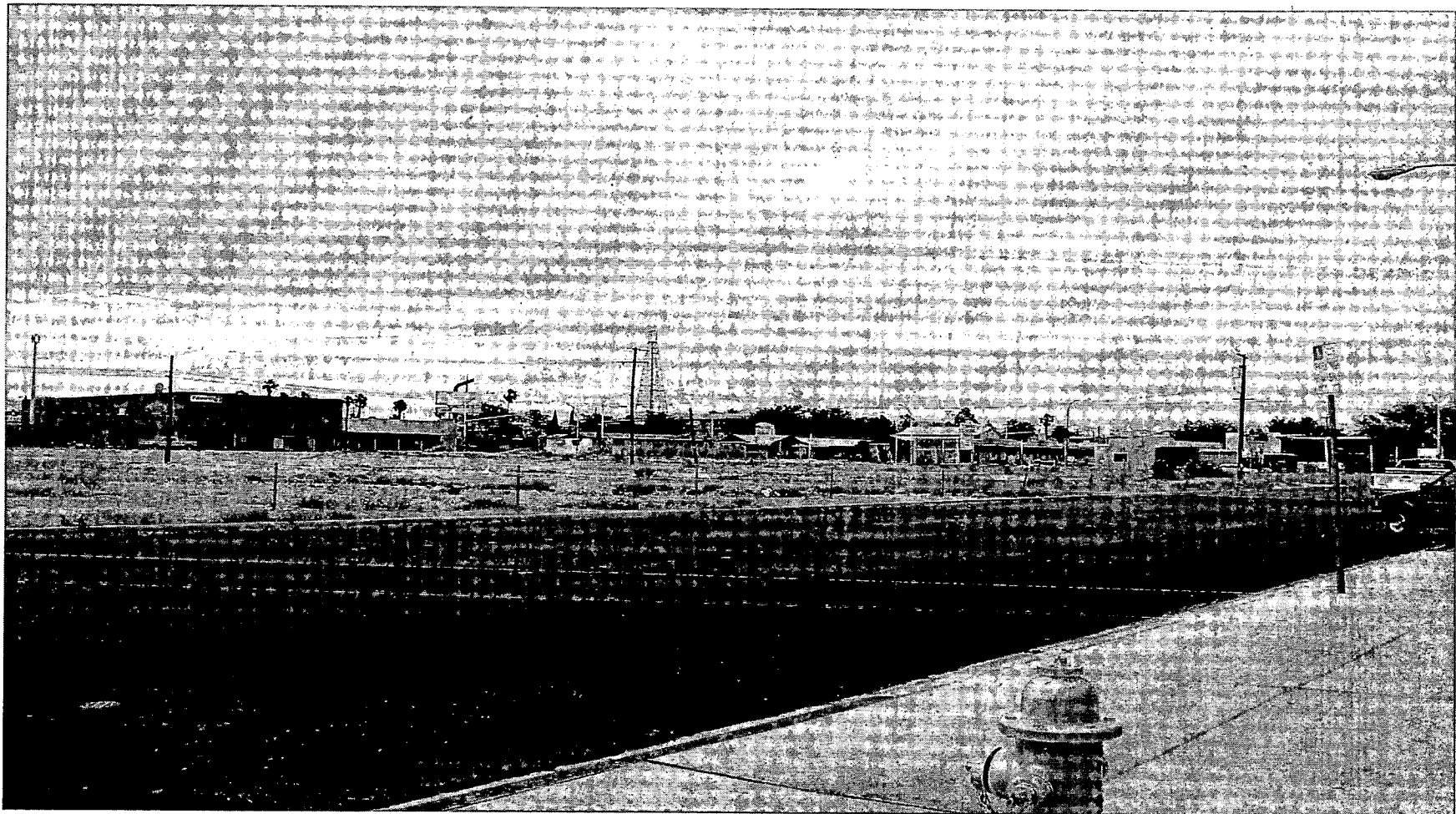
APPROVALS 0

PROTESTS 0



VAC-4419 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



VAC-4419 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4377, SUP-4376 AND VAC-4419 - PUBLIC HEARING - **SDR-4373** - **APPLICANT: LARRY S. DAVIS AND ASSOCIATES** - **OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 30-UNIT MULTI-FAMILY LIVE/WORK DEVELOPMENT on 1.66 acres adjacent to the northwest corner of Carson Avenue and Maryland Parkway (APN: 139-34-712-111; 139-35-310-006 and a portion of 139-35-310-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions, deleting Condition 7 and amending conditions as follows:

2. All development shall be in conformance with the site plan and building elevations, submitted and dated *July 7, 2004*, and *final colors and fencing materials to be approved by Planning and Development staff prior to issuance of building permit.*
3. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit to reflect a decorative six-foot masonry wall *between buildings.*

– UNANIMOUS

MINUTES:

NOTE: See Item 128 [VAR-4377] for all related discussion.

(3:46 – 4:02)

5-1543

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 131 – SDR-4373

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit to reflect a decorative six-foot masonry wall along the north property line.
4. 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.
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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. The elevations shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 131 – SDR-4373

CONDITIONS Continued:

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

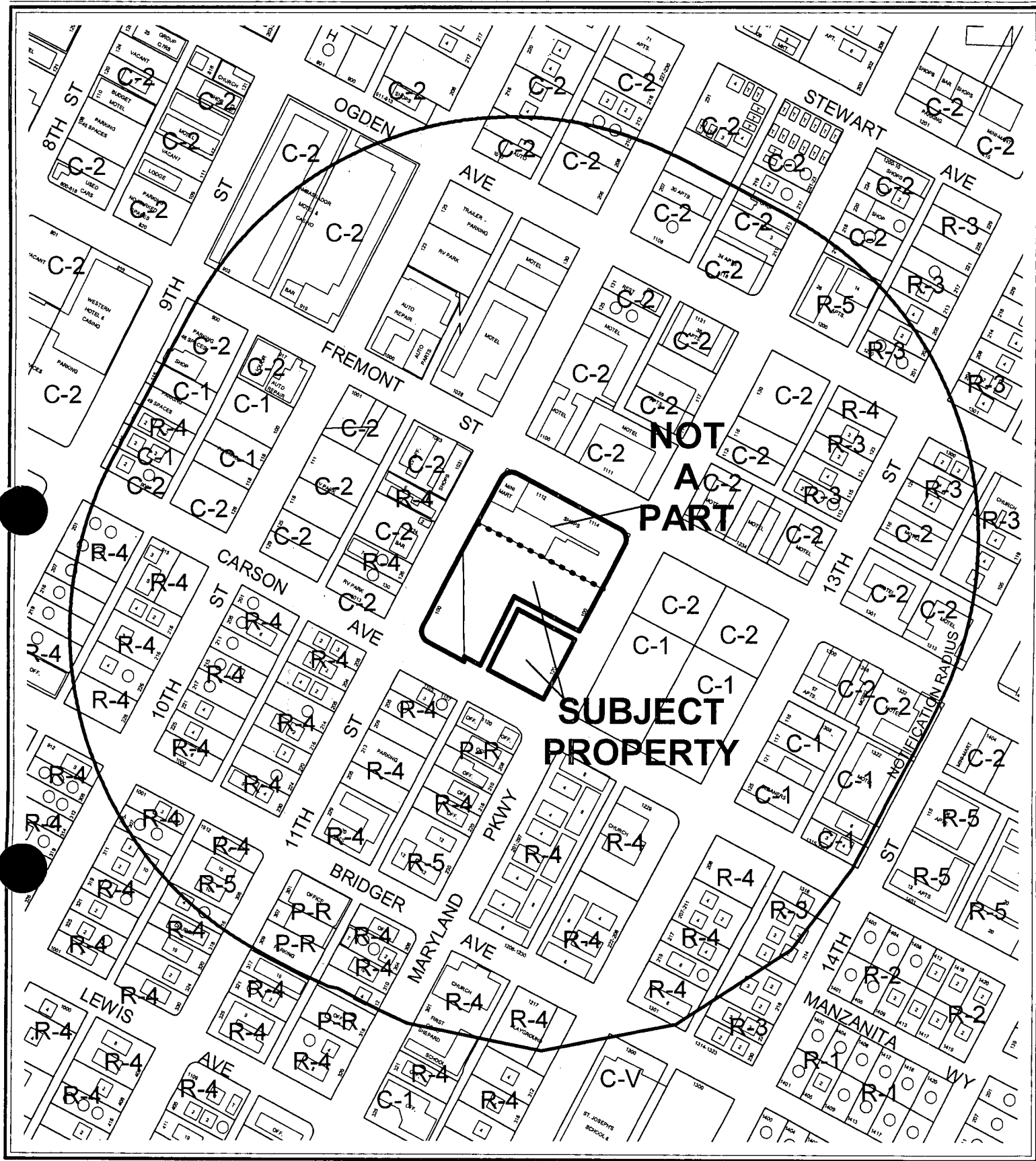
16. Dedicate a 25-foot radius on the northwest corner of Carson Avenue and Maryland Parkway prior to the issuance of any permits.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards. Construct all incomplete half-street improvements (sidewalk) on Carson Avenue, 11th Street and Maryland Parkway adjacent to this site concurrent with development of this site.
18. A Petition of Vacation, such as VAC-4104 or other Vacation Action to vacate conflicting rights-of-way, must record prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Carson Avenue, 11th Street, and Maryland Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits,

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 131 – SDR-4373

CONDITIONS Continued:

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.

21. 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 submittal of a Tentative Map or construction drawings, whichever may occur first.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



CASE: SDR-4373

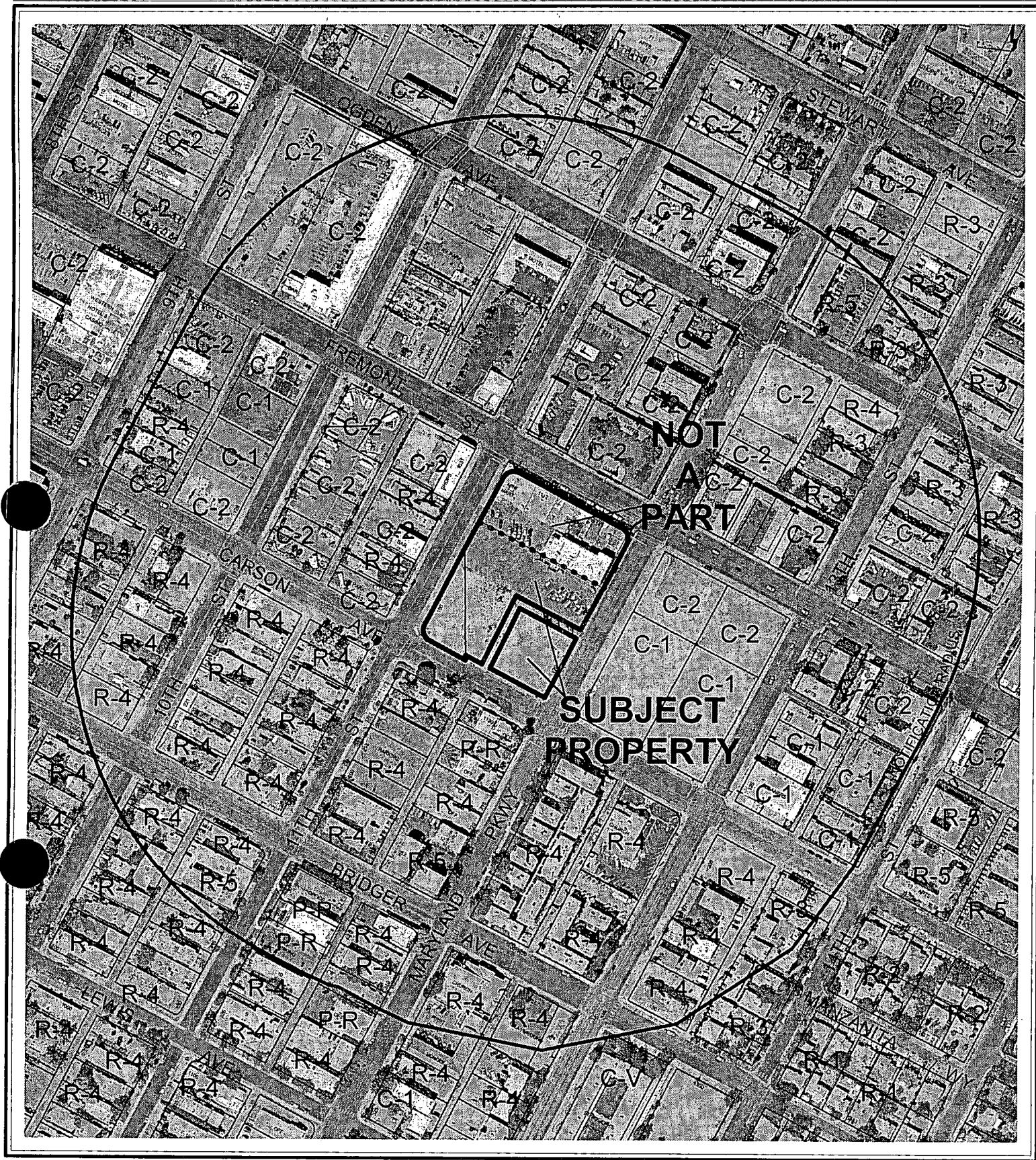
RADIUS: 750 FT

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

0 200 400 Feet

131





CASE: **SDR-4373**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4373 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS PROPERTIES, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit to reflect a decorative six-foot masonry wall along the north property line.
4. 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.
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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. The elevations shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Dedicate a 25-foot radius on the northwest corner of Carson Avenue and Maryland Parkway prior to the issuance of any permits.
17. 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. Construct all incomplete half-street improvements (sidewalk) on Carson Avenue, 11th Street and Maryland Parkway adjacent to this site concurrent with development of this site.
18. A Petition of Vacation, such as VAC-4104 or other Vacation Action to vacate conflicting rights-of-way, must record prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Carson Avenue, 11th Street, and Maryland Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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.

21. 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 submittal of a Tentative Map or construction drawings, whichever may occur first.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a 30-unit Work/Live Town Home development on 1.66 acres located at the northwest corner of Carson Avenue and Maryland Parkway. A companion Street Vacation (VAC-4419), Variance (VAR-4377), and Special Use Permit (SUP-4376) will be considered concurrently with this request.

B) Applicant's Justification

The development will provide convenient Live/Work space in the downtown area, and conforms to the recently adopted Live/Work overlay district.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 01/19/94 | The City Council approved a Special Use Permit (U-0263-93) to allow off-premise sale of beer and wine in conjunction with a grocery/ deli. The Board of Zoning Adjustment and staff recommended approval on 12/28/93. |
| 03/01/00 | The City Council approved a Special Use Permit (U-0161-99) for a Thrift Shop. The Planning Commission and staff recommended approval on 1/27/00. |
| 06/06/01 | The City Council approved a Special Use Permit (U-0035-01) for a 60-foot wireless communication tower. The Planning Commission recommended approval on 4/26/01. Staff recommended denial. |
| 06/10/04 | The Planning Commission recommended approval of a related Street Vacation (VAC-4419) to vacate a portion of 11th Street between Carson Avenue and Fremont Street. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Variance (VAR-4377) to allow more than 50 percent of the total floor area as being designated for residential purposes. Staff recommends approval. |
| 06/10/04 | The Planning Commission recommended approval of a related Special Use Permit (SUP-4376) to allow a Live / Work Town Home development outside of the Arts District of the Downtown Centennial Plan. Staff recommends approval. |
| 06/10/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/fs). |

B) Pre-Application Meeting

04/01/04 Issues discussed included the need for a Right-of-Way Vacation, Variance, Special Use Permit, and a Site Plan Review. It was acknowledged that the site would have to be remapped, and a Waiver from the 220-foot intersection-offset requirement may be needed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.66
Net Acres: 1.03

B) Existing Land Use

Subject Property: Undeveloped
North: Commercial / Retail
South: Office / Single Family Residential
East: Undeveloped
West: Tavern / RV Park / Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-1 (Limited Commercial) / R-4 (High Density Residential)
East: C-1 (Limited Commercial)
West: C-2 (General Commercial) / R-4 (High Density Residential)

E) General Plan Compliance

The subject site is located within the Downtown Centennial Plan area of the General Plan with a DTR (Downtown Redevelopment Zone) land use designation. The C-1 zoning district is in compliance with the General Plan and the proposed Live/Work Town Homes are a permitted use with the approval of a Special Use Permit.

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

Special Plan Area

The subject site is located within the Downtown Centennial Plan Area, which establishes planning, development, land use concepts, and urban design standards to guide the redevelopment of the original core of the Las Vegas Valley.

The subject site is also located within the Downtown Redevelopment Plan Area with a C (Commercial) land use designation, which allows for uses normally allowed in the O (Office), C-1 (Limited Commercial), and C-2 (General Commercial) zoning districts. The proposed Work/Live development is permitted with the approval of a Special Use Permit.

Special Overlay Districts

The subject site is located within the East Fremont section of the Downtown Overlay District, which is intended to present future opportunities for new commercial ventures and the integration of medium density mixed-income residential neighborhoods in area east of the Fremont Street Experience. Properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

The subject site is also located within the Live/Work Overlay District, which is intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

PROJECT DESCRIPTION

The request is for a Site Development Plan Review for a 30-unit Work/Live Town Home development on 1.66 acres located at the northwest corner of Carson Avenue and Maryland Parkway. The site is zoned C-1 (Limited Commercial) and is located within a C (Commercial) designated parcel of the Downtown Redevelopment Area, the East Fremont Sector of the Downtown Overlay District, and the Live/Work Overlay District.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	72,230 SF	Y
Min. Setbacks			
• Front	0 Feet (for a minimum of 70% of lot width)	0 Feet	Y
• Side	N/A	0 Feet	Y
• Corner	N/A	6.5 Feet	Y
• Rear	N/A	7.5 Feet	Y
Max. Building Height	N/A	39 Feet	Y

The project meets the development standards as outlined in the Downtown Centennial Plan Area.

A2) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Live / Work Units	30 Units	2 per Unit + 1 guest space per 6 units	65	0	60	0

The site plan depicts 60 parking spaces internal to the site, and 8 on-street spaces. The on-street parking spaces cannot be counted towards Title 19 parking requirements, resulting in a deficiency of five parking spaces. The site, however, is located within the Downtown Overlay District, which allows deviations from Title 19 requirements on a case-by-case basis. Given the nature of this project, the proposed parking should be adequate for the development.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees (Street)	1 Trees/ 35 Linear Feet	23 Trees	27 Trees
• Min. Trees (Along C-2 parcel)	1 Tree / 30 Linear Feet	11 Trees	0 Trees
• Min. Amenity Zone Width	5 Feet		5 Feet
• Wall height	6 Feet		6 Feet

The proposal does not meet Title 19 landscape requirements along the north property line, but it is within the Downtown Overlay District, which allows for deviations from Title 19 requirements on a case-by-case basis. The proposed landscaping is appropriate for the site and for the area.

B) *General Analysis and Discussion*

- Zoning

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

- Site Plan

The request is for a 30-unit Live/Work development on 1.66 acres located at the northwest corner of Carson Avenue and Maryland Parkway. The intent of a Live/Work development is to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. The subject site is located within a C (Commercial) designated parcel of the Downtown Redevelopment Area, the East Fremont Sector of the Downtown Overlay District, and the Live/Work Overlay District. A Companion

Special Use Permit has been requested to allow a Live/Work development outside of the Arts District, and a companion Variance has been requested to allow a Live/Work development with more than 50 percent of the total floor area devoted to a residential use.

The Live/Work units are located adjacent to each other in four north-south rows. The plan depicts zero side and front setbacks, 7.5-foot rear yard setbacks, and 6.5-foot corner yard setbacks. The depicted setbacks are consistent with the Downtown Centennial Plan area development standards.

The site receives access via two drives from Carson Avenue, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways, and 60 parking spaces are depicted where 65 spaces are required. The site plan calls out eight additional on-street parking spaces, which cannot be counted towards Title 19 parking requirements. Because of the site's location within the Downtown Overlay, staff believes that the deviation is acceptable, as the types of businesses allowed by the Live/Work ordinance will not generate a large parking demand within the proposed development.

- Landscape Plan

The Landscape Plan depicts five-foot landscape buffers along the east, west and south property lines, which is consistent with the Downtown Centennial Plan Streetscape requirements. The buffer areas are planted with 36-inch box trees varying between 15 and 25 feet on-center where a tree every 35 feet on-center is required. No landscape buffer is provided along the north property line, which is acceptable given the site's proposed use and its location within the Downtown Overlay District.

The plan also depicts a proposed six-foot welded metal fence along the perimeter of the site. Title 19 normally requires a decorative eight-foot perimeter wall constructed of any solid masonry material, including concrete block, stucco, brick or stone. The welded metal fence along the south, east, and west property lines in this case are acceptable, as it is consistent with the architectural character of the units, and will enhance the overall appearance of the development. Along the north property line, a masonry wall is appropriate in order to provide a buffer between the development and the adjacent parking area and its associated vehicular traffic. A Condition of Approval has been included to ensure compliance with this requirement.

- Elevation

The elevations depict three-story, 39-foot Live/Work units with pitched roofs and exteriors constructed of Galvalume steel panels and dual-pane windows.

- Floor Plan

The floor plans depict three-story structures with a garage and work area on the first floor, and living areas on the second and third floors. The site exceeds the maximum of 50 percent of floor area dedicated to living space, and a Variance has been requested to provide relief from this requirement.

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 Live/Work development is compatible with the adjacent development and development in the area.

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

With the approval of the related Variance and Special Use Permit applications, the proposed Live/Work development will meet the design standards and intent of the Downtown Centennial Plan, the Downtown Overlay District, and the recently adopted Live/Work Unit Ordinance.

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

The site will receive access from Carson Avenue, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways, and will not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed building and landscape materials 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 building elevations and design characteristics depict architectural and aesthetic features that are unique for the area, and are harmonious and compatible with development in the vicinity.

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

The site will be subject to ongoing inspection that will protect the public health, safety, and general welfare.

PLANNING COMMISSION ACTION

The applicant requested that Conditions 3, 4 & 7 be removed. The Planning Commission did not do so. The applicant has been contacted to work with staff.

NOTICES MAILED 116 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4373 APN: 139.34.712.111
139.35.310.006, 1'-002

Name of Property Owner: MISSION SPRINGS PROPERTIES

Name of Applicant: LARRY S. DAVIS & ASSOCIATES

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: _____

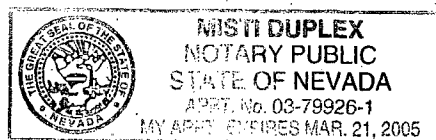
Signature of Property Owner/Authorized Agent: Eric Ranes

Print Name: Evan Ranes

Subscribed and sworn before me

This 26 day of April, 2004

Notary Public in and for said County and State



DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
104	1	2'-0" X 6'-0" FLUSH HOOD
105	1	2'-0" X 6'-0" FLUSH HOOD
106	1	2'-0" X 6'-0" POCKET HOOD
107	1	2'-0" X 6'-0" POCKET HOOD
108	1	2'-0" SHOWER DOOR TEMPERED GLASS

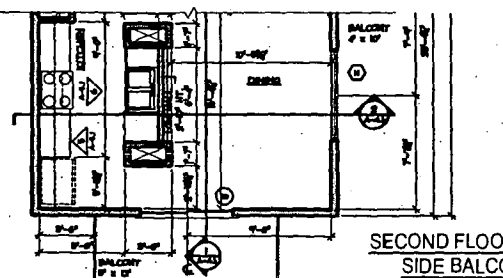
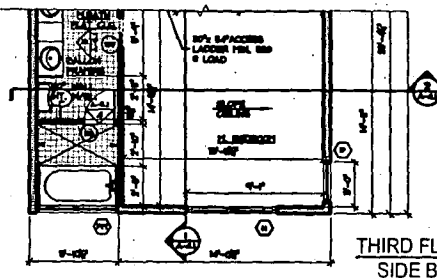
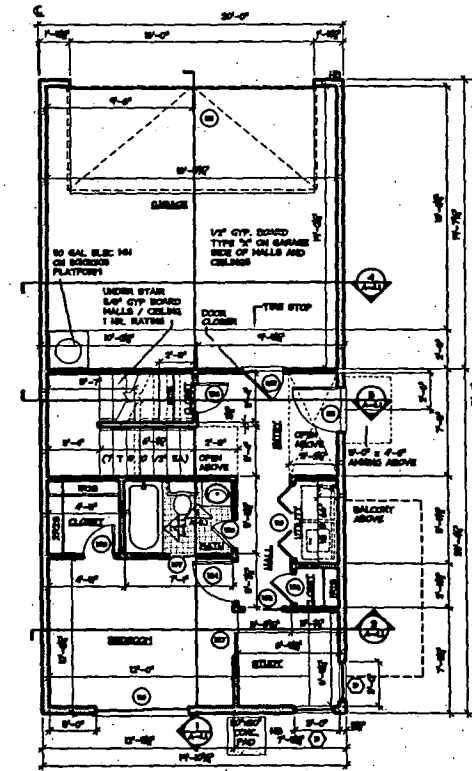
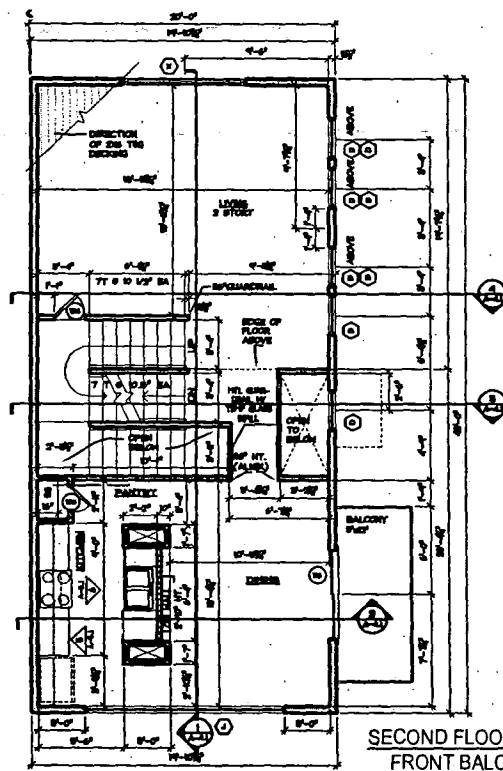
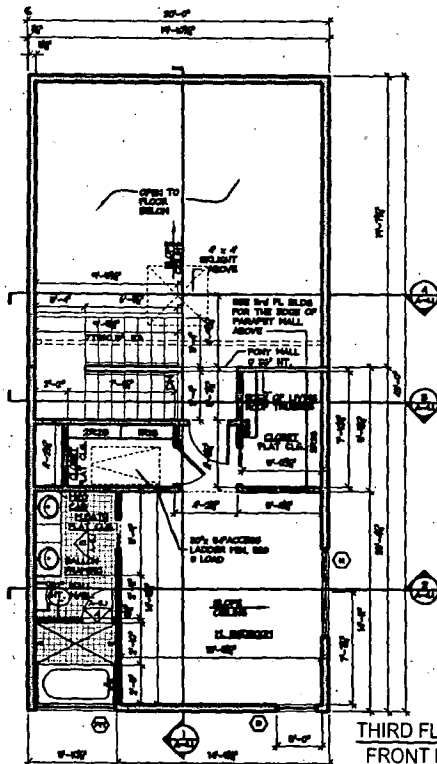
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
W	1	2'-0" X 2'-0" FIXED GLASS METAL
W1	1	FLUSH MANILLA 1'-0" FIXED GLASS METAL
W2	1	0'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
104	1	2'-0" X 6'-0" FLUSH HOOD
105	1	0'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
106	1	2'-0" X 6'-0" JOB BUILT DOOR

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	0	2'-0" X 2'-0" FIXED GLASS METAL
J	1	15'-0" X 2'-0" FIXED GLASS METAL
H	1	0'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
104	1	0'-0" X 6'-0" FLUSH METAL
105	1	2'-0" X 6'-0" ONE LEAF FLUSH HOOD
106	1	2'-0" X 6'-0" FLUSH HOOD
107	1	2'-0" X 6'-0" POCKET HOOD
108	1	2'-0" X 6'-0" POCKET HOOD
109	1	0'-0" X 6'-0" BIFOLD
110	1	10'-0" X 7'-0" OVERHEAD DOOR
111	1	0'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
112	1	0'-0" X 6'-0" POCKET HOOD

WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	0	2'-0" X 2'-0" FIXED GLASS METAL



STAFF

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

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SUP-4376 VAR-4377 SDR-4373

6-10-04 PC

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL: 713-675-4441 FAX: 713-675-4442

MARYLAND PARKWAY
TOWNHOMES
TOWER UNIT

PROJECT NUMBER
2004.01 LAS VEGAS
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04-28-04
DRAWN BY:
AN
CHECKED BY:

FILE NAME:
A-1.1
FLOOR PLANS

DOOR SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 8'-0" FLUSH WOOD
2	1	2'-0" X 8'-0" POCKET WOOD
3	1	2'-0" X 8'-0" POCKET WOOD
4	1	2'-0" SLIDER DOOR TYPED GLASS

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 2'-0" FIXED GLASS METAL
2	1	2'-0" X 2'-0" FIXED TYPED GLASS METAL
3	1	FLUSH WOODS 1'-0" FIXED GLASS WOOD
4	1	8'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 8'-0" FLUSH WOOD
2	1	2'-0" X 8'-0" FLUSH WOOD

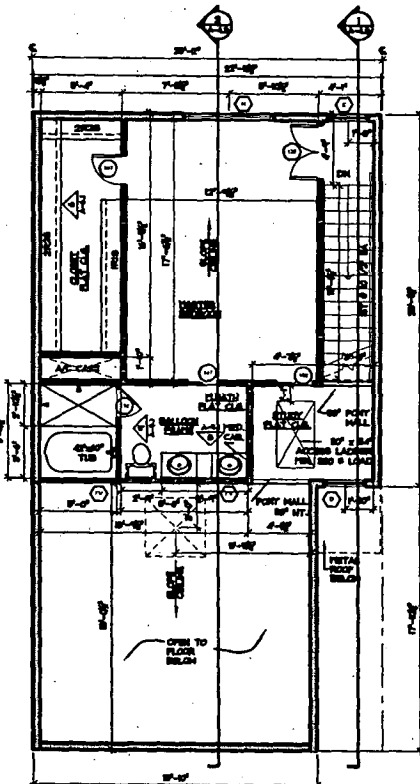
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 2'-0" FIXED GLASS METAL
2	1	2'-0" X 2'-0" FIXED TYPED GLASS METAL
3	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
4	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 8'-0" METAL DOOR W/ FULL LITE TYPED G

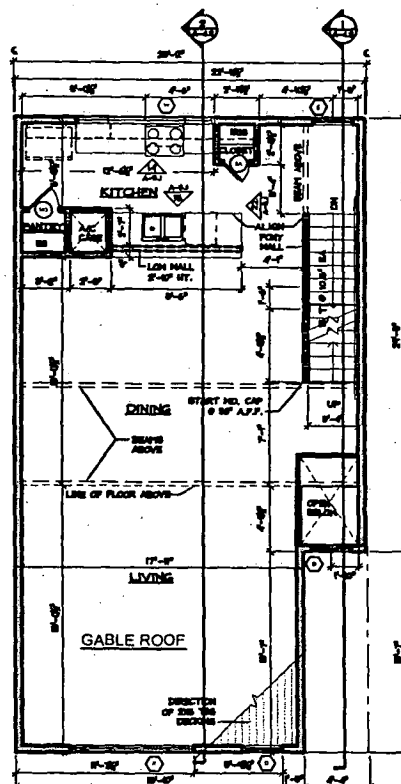
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	2'-0" X 2'-0" FIXED GLASS METAL
2	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
3	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	8'-0" X 6'-0" FLUSH METAL
2	1	2'-0" X 8'-0" ONE HOUR FLUSH WOOD
3	1	2'-0" X 8'-0" FLUSH WOOD
4	1	2'-0" X 8'-0" POCKET WOOD
5	1	8'-0" X 6'-0" SWOLD
6	1	18'-0" X 7'-0" OVERHEAD DOOR
7	1	8'-0" X 6'-0" SLIDING GLASS DOOR TYPED GLASS
8	1	2'-0" X 8'-0" FLUSH METAL

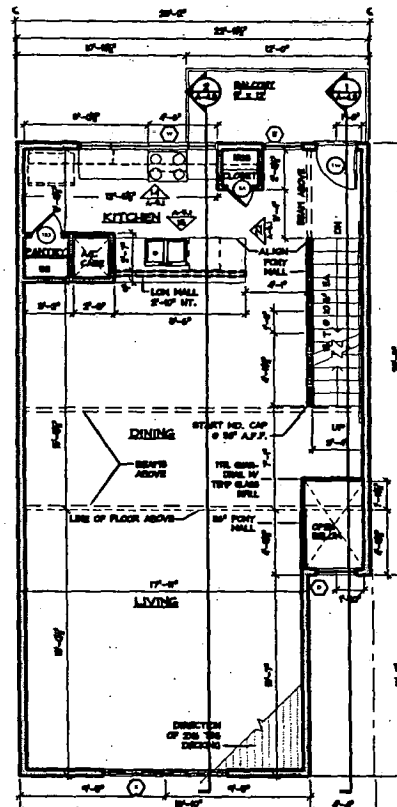
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
1	1	18'-0" X 6'-0" SINGLE HUNG METAL



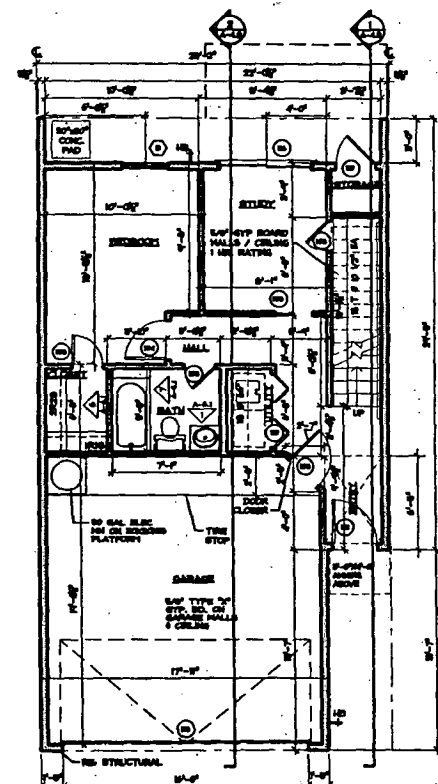
3rd FLOOR PLAN SHED ROOF



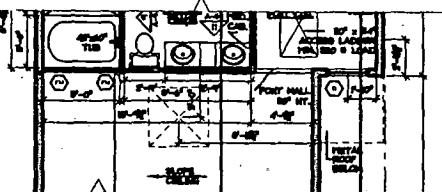
2nd FL. PLAN GABLE ROOF



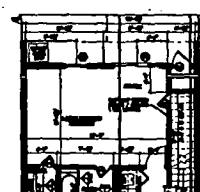
2nd FL. PLAN SHED ROOF



1st FLOOR PLAN



3rd FLOOR PLAN 1/2 GABLE ROOF



1st FL. PLAN LARGE BEOROOM "OPTIONAL"

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

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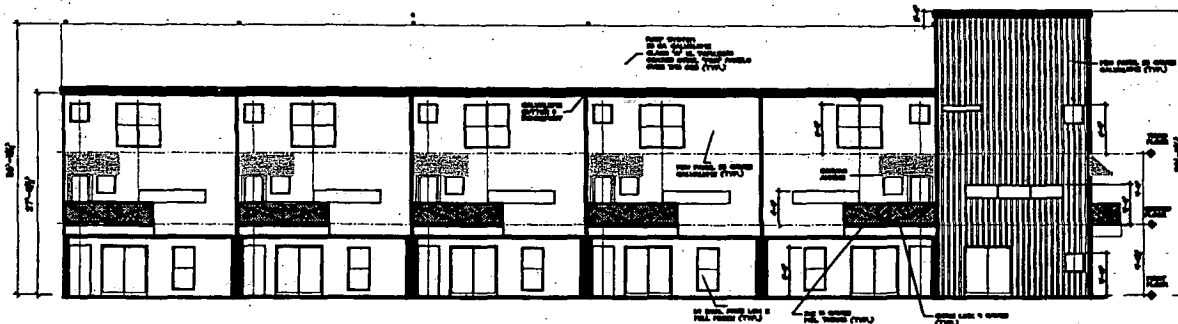
URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTEROSE, HOUSTON, TEXAS 77006, TEL 713-522-4441, FAX 713-529-3174

MARYLAND PARKWAY
TOWNHOMES
LESTER F

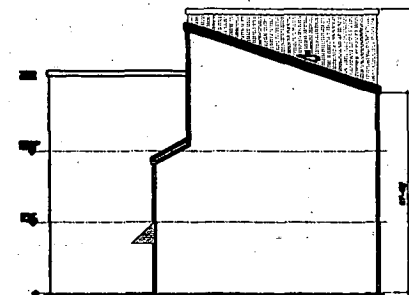
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FLOOR PLANS

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④ BACK ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



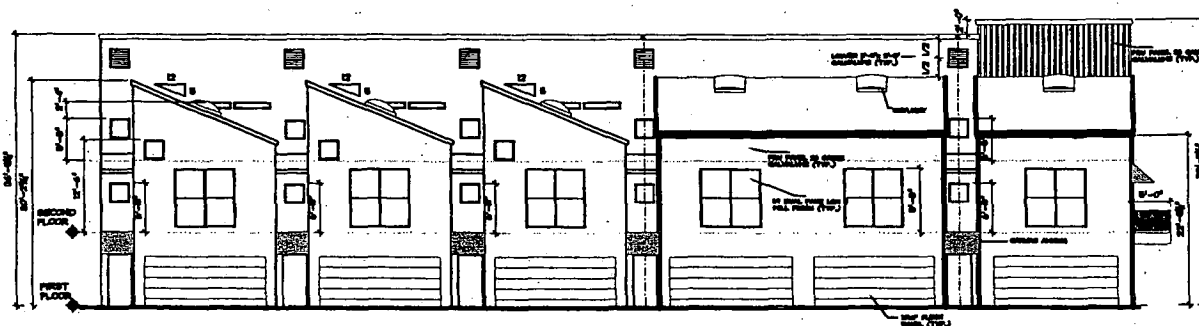
② LEFT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

- SUP-4376 VAR-4377 SDR-4373

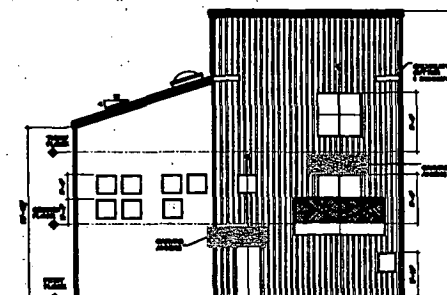
6-10-04 PC

NOTES:
RAILINGS USED IN BALCONY GUARDS
SHALL NOT BE SIZED TO MAKE
A CHILD COULD CLIMB IT LIKE A
LADDER.

STAFF



③ FRONT ELEVATION BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"



① RIGHT SIDE ELEV. BLDGS 1, 3 & 2, 4 OP.HD.
1/8" = 1'-0"

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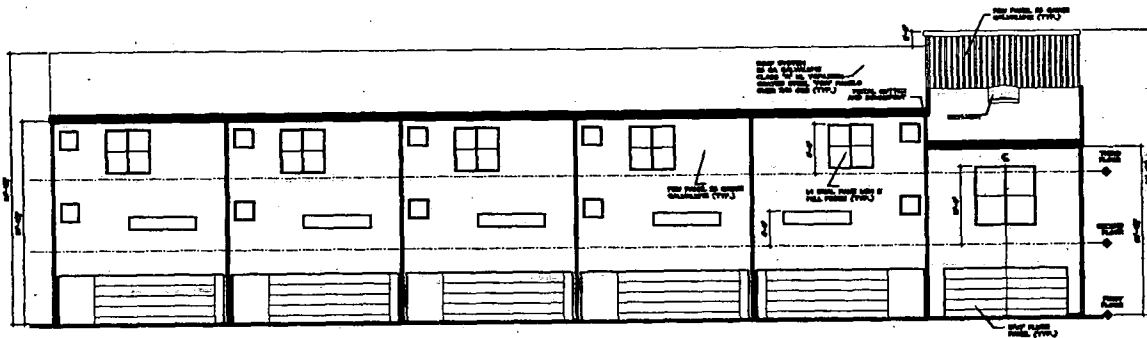
URBAN LOFTS TOWNHOMES
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LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-332-4441, FAX 713-259-2126

MARYLAND PARKWAY
TOWNHOMES
BUILDING 1 THRU 4

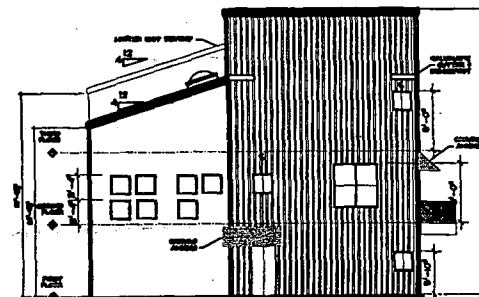
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FILENAME:

A-3.1

EXT. ELEVATIONS



④ BACK ELEVATION BUILDING 5
1/8" = 1'-0"



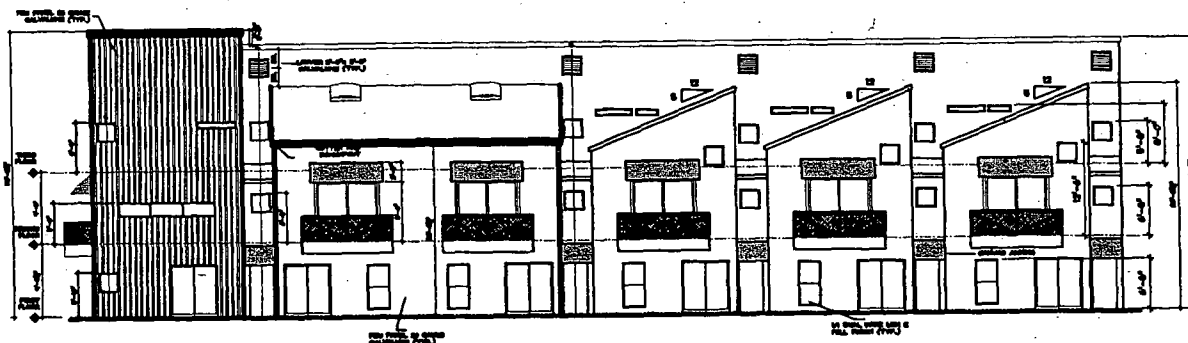
② LEFT SIDE ELEVATION BUILDING 5
1/8" = 1'-0"

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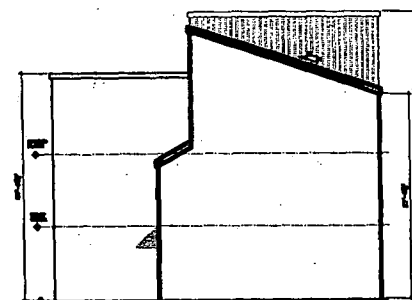
6-10-04 PC

NOTE:
FENCE USED IN BALCONY GUARDS
SHALL NOT BE BUILT TO HINDER
A CHILD COULD CLIMB IT LIKE A
LADDER.

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③ FRONT ELEVATION BUILDING 5
1/8" = 1'-0"



① RIGHT SIDE ELEVATION BUILDING 5
1/8" = 1'-0"

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DATE	DESCRIPTION
	FOR YOUR RECORD

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MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-532-4441, FAX 713-539-2126

MARYLAND PARKWAY
TOWNHOMES
BUILDING 5

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FILENAME:
A-3.5
EXT. ELEVATIONS

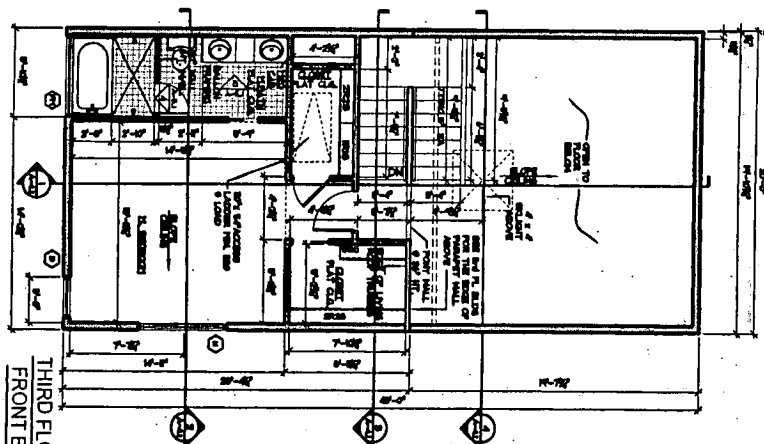
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TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" x 2'-0" FIXED GLASS METAL
RM	1	RUSH MATERIALS - 1'-0" FIXED GLASS METAL
N	1	0'-0" x 0'-0" SINGLE HINGE METAL

DOOR SCHEDULE TOILER UNIT	
TYPE	QUANTITY
000	1
000	1
000	1
000	1

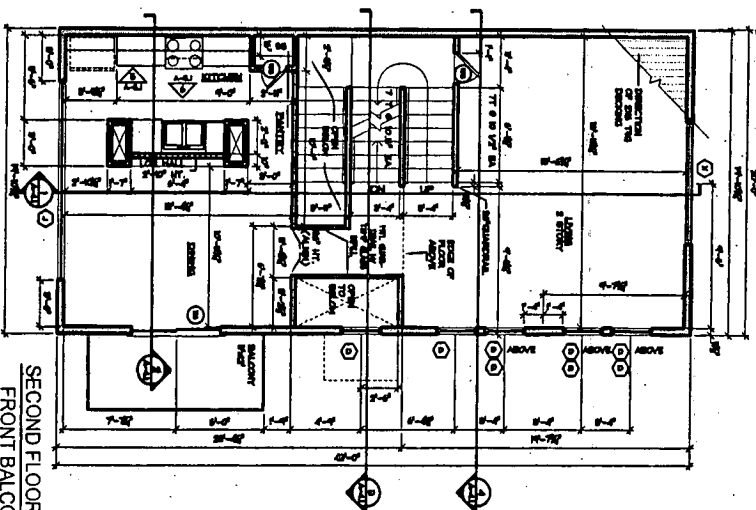
PERSON SCHEDULE - TOWER UNIT		
TYPE	QUANTITY	DESCRIPTION
D	8	2-2" X 2-2" FIXED GLASS METAL.
J	1	12-2" X 2-2" FIXED GLASS METAL
X	1	8-2" X 8-2" SINGLE HUNG METAL

[illegible]

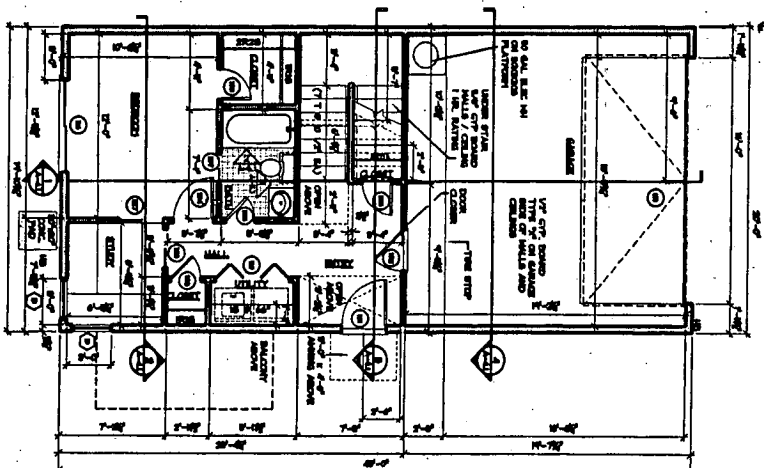
NBDOM SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	5	2'-0" X 2'-0" FIXED GLASS PANEL



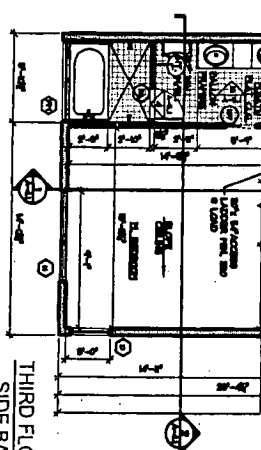
THIRD FLOOR PLAN
FRONT BALCONY



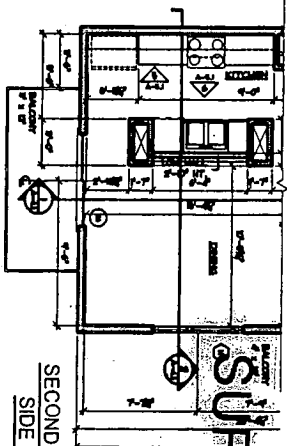
SECOND FLOOR PLAN
FRONT BALCONY



FIRST-FLOOR PLAN



THIRD FLOOR PLAN
SIDE BALCONY



SECOND FLOOR PLAN
SIDE BALCONY

SDR-4376 VAR-4377 SDR-4373
6-10-04 PC

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

CONFIDENTIAL
JAMES L. DAVIS & ASSOCIATES

[illegible]

URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

4512 MONTROSE HOUSTON TEXAS 77006 TEL 713.523.6441 FAX 713.420.2134

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TOWNHOMES
TOWER UNIT
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DOOR SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH HOOD
11	1	2'-0" X 6'-0" POCKET HOOD
12	1	2'-0" X 6'-0" POCKET HOOD
13	1	2'-0" INCHER DOOR TYPED GLASS
7	1	7

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TYP GLASS METAL
FV	2	FLUSH WALLS X 1'-0" FIXED GLASS HOOD
M	1	6'-0" X 8'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH HOOD
12	1	2'-0" X 6'-0" FLUSH HOOD

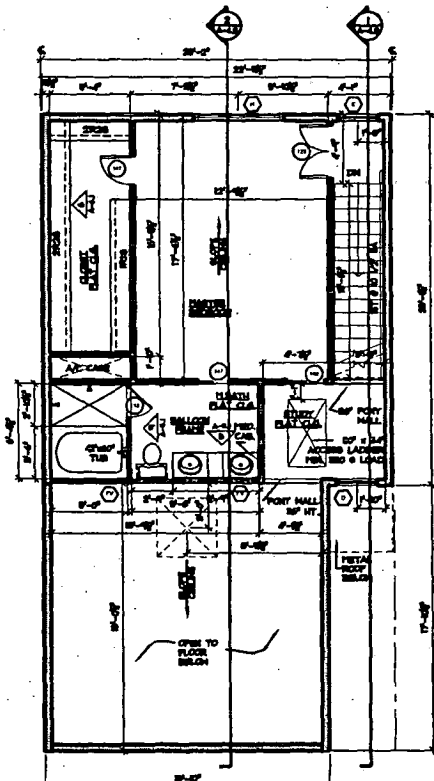
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TYP GLASS METAL
M	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	1	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" METAL DOOR W/ FULL LITE TYP GL

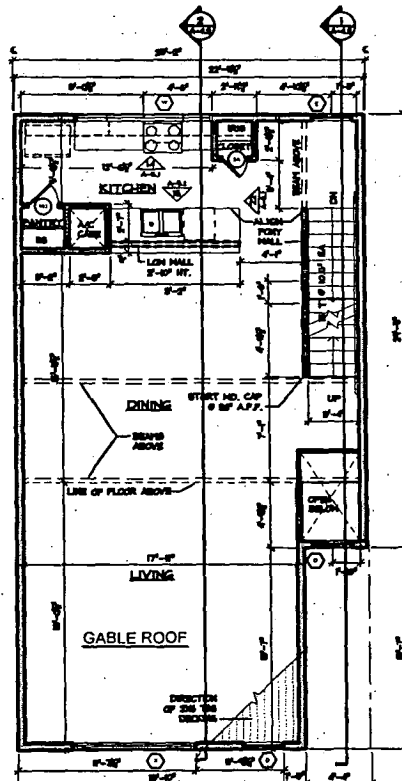
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" FIXED GLASS METAL
M	1	4'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
X	2	2 X 4000 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
10	1	2'-0" X 6'-0" FLUSH METAL
11	1	2'-0" X 6'-0" ONE HOUR FLUSH HOOD
12	1	2'-0" X 6'-0" FLUSH HOOD
13	1	2'-0" X 6'-0" FLUSH HOOD
14	1	2'-0" X 6'-0" POCKET HOOD
15	1	2'-0" X 6'-0" POCKET HOOD
16	1	2'-0" X 6'-0" POCKET HOOD
17	1	2'-0" X 6'-0" POCKET HOOD
18	1	2'-0" X 6'-0" POCKET HOOD
19	1	2'-0" X 6'-0" POCKET HOOD
20	1	2'-0" X 6'-0" POCKET HOOD
21	1	2'-0" X 6'-0" POCKET HOOD
22	1	2'-0" X 6'-0" POCKET HOOD
23	1	2'-0" X 6'-0" POCKET HOOD
24	1	2'-0" X 6'-0" POCKET HOOD
25	1	2'-0" X 6'-0" POCKET HOOD
26	1	2'-0" X 6'-0" POCKET HOOD
27	1	2'-0" X 6'-0" POCKET HOOD
28	1	2'-0" X 6'-0" POCKET HOOD
29	1	2'-0" X 6'-0" POCKET HOOD
30	1	2'-0" X 6'-0" POCKET HOOD
31	1	2'-0" X 6'-0" POCKET HOOD
32	1	2'-0" X 6'-0" POCKET HOOD
33	1	2'-0" X 6'-0" POCKET HOOD
34	1	2'-0" X 6'-0" POCKET HOOD
35	1	2'-0" X 6'-0" POCKET HOOD
36	1	2'-0" X 6'-0" POCKET HOOD
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100	1	2'-0" X 6'-0" POCKET HOOD

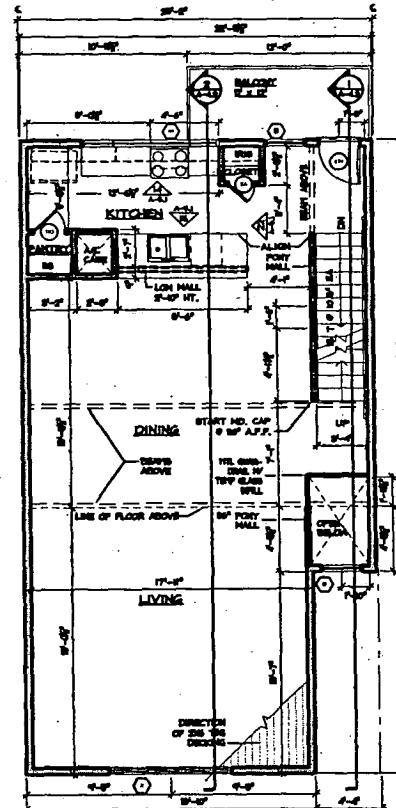
WINDOW SCHEDULE - LESTER F UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-0" X 2'-0" SINGLE HUNG METAL



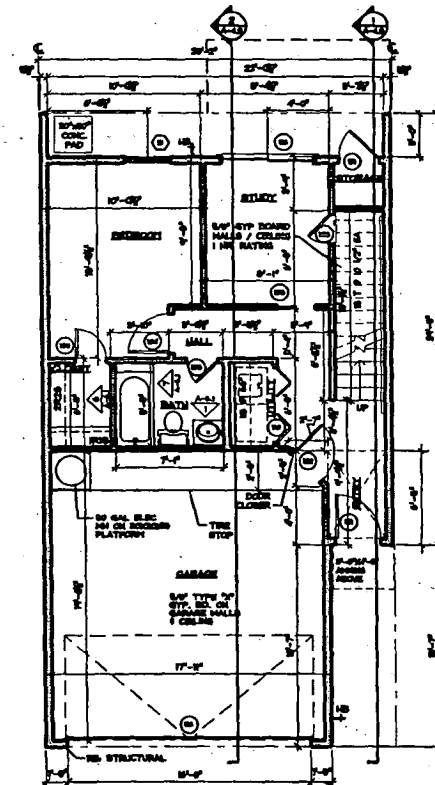
3rd FLOOR PLAN SHED ROOF



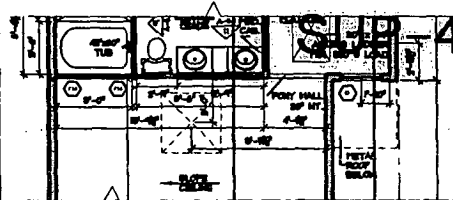
2nd FL. PLAN GABLE ROOF



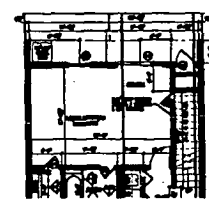
2nd FL. PLAN SHED ROOF



1st FLOOR PLAN



3rd FLOOR PLAN 1/2 GABLE ROOF



1st FL. PLAN LARGE BEDROOM "OPTIONAL"

4376 VAR-4377 SDR-4373

6-10-04 PC

STAFF

1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

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URBAN LOFTS TOWNHOMES
MARYLAND PARKWAY TOWNHOMES
LARRY S. DAVIS & ASSOCIATES

MARYLAND PARKWAY
TOWNHOMES
LESTER F

PROJECT NUMBER

2004 01 LAS VEGAS

PRINTED

04-26-04

DRAWN BY

AN

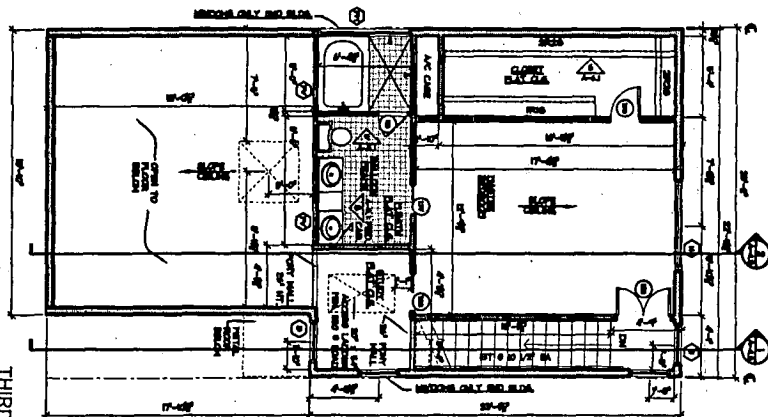
CHECKED BY

NAME

A-1.2

FLOOR PLANS

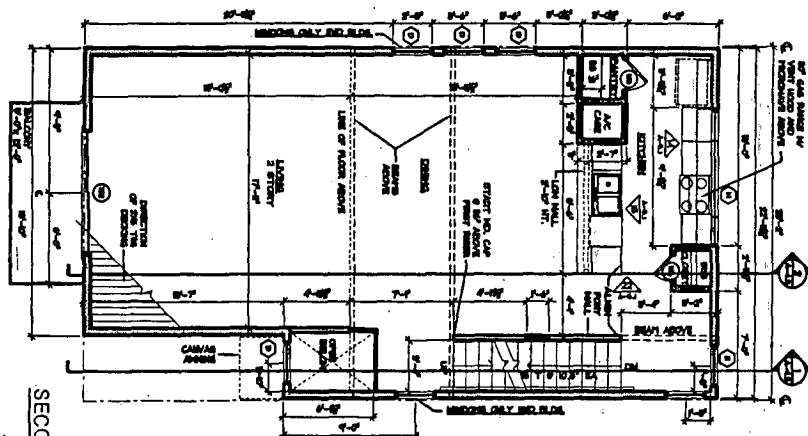
MRCOQ SCHEDULE 1, ESTER UNIT		
TYPE	QUANTITY	DESCRIPTION
D	1	R-2 X R-2 FROD GLASS PITH.
E	1	R-2 X R-2 FROD TOP GLASS PITH.
F	1	FLUSH WALLS 1 R-2 FROD GLASS PTH.
PV	2	FLUSH WALLS 1 R-2 FROD GLASS FROD
N	1	R-2 X R-2 BRUSH HORN PITH.



THIRD FLOOR PLAN
SHED ROOF

DOOR SCHEDULE "A" ENTRY B UNIT	
TYPE	QUANTITY
000	1
000	1
000	1
000	1

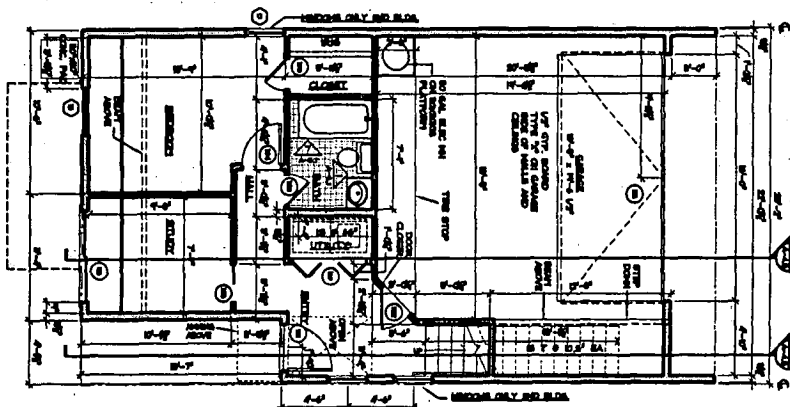
RANDOM SCHEDULE "LESTER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	4	2-2" X 2-2" FIBER GLASS RETA.
E	1	2-2" X 2-2" FIBER TIE-GLASS RETA.
M	1	4-2" X 1-2" QUARTZ FIBERGLASS GLASS



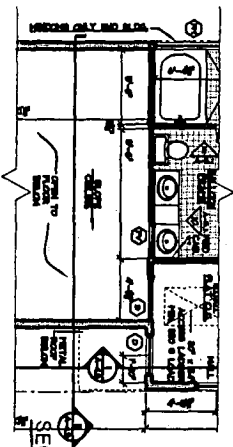
SECOND FLOOR PLAN
SHED ROOF

TYPE	DOOR	SCHEDULE	SECTOR	UNIT
QUANTITY	DESCRIPTION			
01	1	2'-0" X 6'-0"	FLUSH METAL	
02	1	2'-0" X 6'-0"	ONE LEAF FLUSH WOOD	
03	2	2'-0" X 6'-0"	FLUSH WOOD	
04	1	2'-0" X 6'-0"	FLUSH WOOD	
05	1	2'-0" X 6'-0"	POCKET WOOD	
06	1	6'-0" X 6'-0"	OVERHEAD	
07	1	10'-0" X 7'-0"	OVERHEAD DOOR	
08	1	6'-0" X 6'-0"	SLIDING GLASS DOOR	

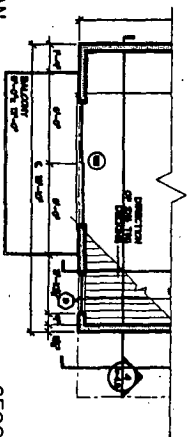
MACHON SCHEDULE - LASTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
B	1	3'-0" X 6'-0" SINGLE LUNG METAL
D	1	2'-0" X 2'-0" FIXED GLASS METAL



FIRST FLOOR PLAN



SECOND FLOOR PLAN
GABLE ROOF



SECOND FLOOR PLAN
GABLE ROOF

SEVEN

1 FLOOR PLANS LESTER B UNIT
1/4" = 1'-0"

SUP-4376 VAR-4377 SDR-4373

6-10-04PC

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URBAN LOFTS TOWNHOMES

MARYLAND PARKWAY TOWNHOMES

LARRY S. DAVIS & ASSOCIATES

4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

[illegible]

MARRYLAND PARKWAY	
TOWNHOMES	
LESTER B	
PLOT # NUMBER:	
FLOOR:	2024 01 LAS VEGAS
TOWN BR.	04-28-04
DE CAD BR.	AN
TENURE:	
A-1.3	
FLOOR PLANS	



SDR-4373 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



SDR-4373 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: MISSION SPRINGS
PROPERTIES, LIMITED LIABILITY COMPANY
NORTHWEST CORNER OF CARSON AVENUE AND MARYLAND PARKWAY
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4386 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS - Request for a Variance TO ALLOW REAR SETBACKS OF ZERO FEET AND 10 FEET WHERE 15 FEET IS REQUIRED, AND TO ALLOW LOT COVERAGE OF 55 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED for a proposed office building and detached parking structure on 1.12 acres at 706, 710, 712, and 714 South Tonopah Drive (APN: 139-32-803-005 through 008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 132 [VAR-4386] and Item 133 [SDR-4385].

JEFF ALBREX, 1701 West Charleston Boulevard, Suite 550, appeared on behalf of the applicant and concurred with staff recommendation and conditions. He stated that he had met with COUNCILMAN WEEKLY'S staff the week prior and hoped the meeting addressed all of the Councilman's concerns. He noted that their usage of legal hardship was defined as not negatively impacting any surrounding properties. He clarified that it is the property to the west of University Medical Center. There are two or three dilapidated houses that will be removed before the proposed structure can be built.

COUNCILMAN WEEKLY thanked the applicant for working with his office and added that the project will be an enhancement to the area.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 132 – VAR-4386

MINUTES Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 132 [VAR-4386], and Item 133 [SDR-4385].

NOTE: All discussion for Item 132 [VAR-4386] and Item 133 [SDR-4385] was held under Item 132 [VAR-4386].

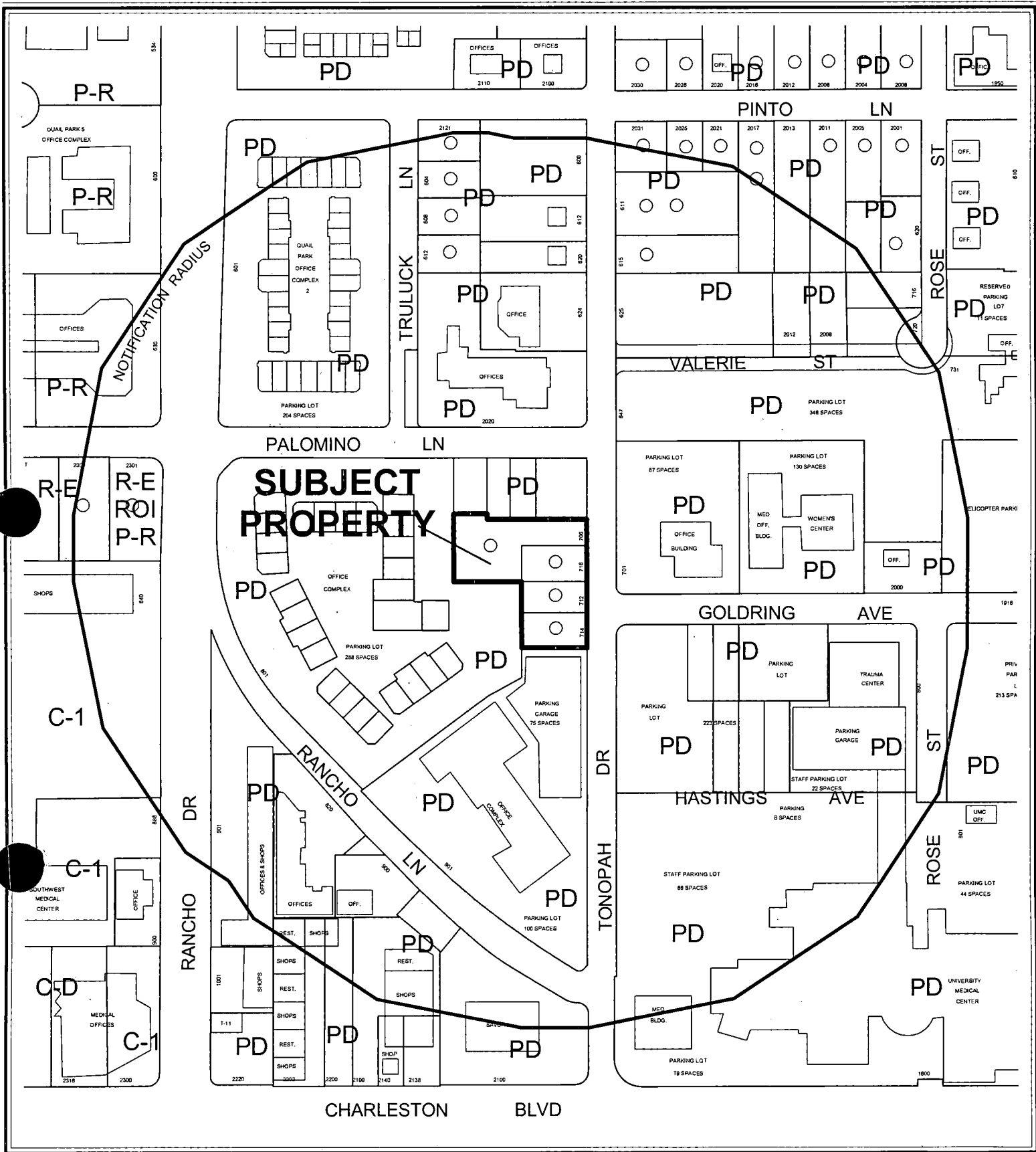
(4:02 – 4:05)

5-2215

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-4385.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



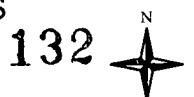
CASE: VAR-4386

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [P-O (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4386 - APPLICANT: TOWER REALTY AND
DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-4385.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow side and rear yard setbacks of zero feet and 10 feet where 10 feet and 15 feet are required and to allow a lot coverage of 55 percent where 50 percent is the maximum allowed for a proposed office building and detached parking structure on 1.12 acres located at 706, 710, 712 and 714 South Tonopah Drive. This application is submitted in conjunction with a Site Development Plan Review (SDR-4385).

B) Applicant's Justification

A letter of justification was submitted with the application; however, the only stated justification for the variance is to mention that the property adjoining these parcels to the south (901 Rancho Lane) is owned and managed by this company and that the proposed building would make a great addition to the already established Medical District.

BACKGROUND INFORMATION

A) Previous and Present Actions

- | | |
|----------|---|
| 04/27/93 | The Board of Zoning Adjustment approved a Special Use Permit (U-0074-93) for a group childcare home on one of the parcels that comprise the subject site. |
| 03/25/97 | The City Council approved a Special Use Permit (U-0008-97) for a group childcare home on one of the parcels that comprise the subject site. |
| 05/27/97 | The City Council approved the Rezoning (Z-0020-97) of 171 acres of properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive to various districts. The subject properties were part of the 171 acres and were rezoned to a PD (Planned Development) district. The Planning Commission and staff recommended approval on 04/24/97. |
| 05/26/98 | The City Council approved an extension of time for the Special Use Permit (U-0008-97) for the group childcare home. The Planning Commission and staff recommended approval of the extension on 04/23/98. |
| 06/19/02 | The City Council approved a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan to update and revise the plan document as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on 04/11/02. |

- 08/06/03 The City Council approved a Variance (VAR-2370) to allow 84 parking spaces, where 135 parking spaces are required, for a proposed mixed-use commercial/residential structure. The Planning Commission and staff recommended approval on 06/26/03.
- 08/06/03 The City Council approved a Variance (VAR-2371) to allow a four-story, 50-foot high building where two stories and 35 feet is the maximum permitted height for a proposed mixed-use development. The applicant had also originally requested a variance from setback requirements, but a subsequent redesign of the project resulted in conformance to setback requirements. The Planning Commission and staff recommended approval on 06/26/03.
- 08/06/03 The City Council approved a Site Development Plan Review (SDR-2372) for a proposed mixed-use building with 10,120 square feet of commercial space and 51 residential units. The Planning Commission and staff recommended approval on 06/26/03.
- 06/10/04 The Planning Commission recommended approval of an item in conjunction with this application a Site Development Plan Review (SDR-4385) for a proposed 19,540 square foot, two-story office building and a proposed 54,161 square foot, three-level detached parking structure. The staff is recommending approval of the Site Development Plan Review.
- 06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #39/dds).

B) Pre-Application Meeting

- 04/15/04 At the pre-application conference, issues were discussed relative to the proposed setback variances and impacts to abutting properties, the streetscape requirements specified by the Medical District Plan, and the waivers that would be required from perimeter landscape buffer requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a variance application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.12

B) Existing Land Use

Subject Property: Single family residences
North: Parking lot
South: Office development (parking lot directly abutting)
East: Office development and hospital (parking lot directly abutting)
West: Office development (parking lot directly abutting)

C) Planned Land Use

Subject Property: P-O (Professional Office)
North: P-O (Professional Office)
South: P-O (Professional Office)
East: MD-2 (Major Medical)
West: P-O (Professional Office)

D) Existing Zoning

Subject Property: PD (Planned Development District)
North: PD (Planned Development District)
South: PD (Planned Development District)
East: PD (Planned Development District)
West: PD (Planned Development District)

E) General Plan Compliance

The proposed use is located in the Medical District and is zoned PD (Planned Development District). The Medical District Plan serves as the general plan for properties within this district and dictates land use, development standards, and establishes specific streetscape standards.

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

Except for the setback requirements and the percent building coverage of the lot, the proposed use conforms to the requirements of the P-O (Professional Office) land use designation specified in the Medical District Plan. The project will require a variance from the setback requirements and the lot coverage ratio and a waiver of the landscape buffer requirements. The landscape buffer requirements will be addressed in the staff report for the accompanying Site Development Plan Review.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Las Vegas Medical District Plan, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.2 acres	Y
Min. Lot Width	Existing	250'	Y
Min. Setbacks			
• Front	5'-15'	10'	Y
• Side	10'	10' and 0'	Y and N
• Corner	N/A	N/A	NA
• Rear	15'	10'	N
Max. Lot Coverage	50 %	55%	N
Max. Building Height	2 Stories / 35' Feet	26'	Y

The proposed office building meets the required front and side yard requirement of 10 feet. However, the parking garage is provided with a 10-foot rear yard setback along the rear (west) lot line and no setback along the side lot lines (north and south property lines). This application requests a variance in these deficiencies.

B) General Analysis and Discussion

The applicant proposes to construct a two-story office building with a detached garage on the subject property. The parking garage is not provided with any side yard setbacks and a 10-foot rear yard setback. This request is for a Variance to allow a rear yard setback of 10 feet where 15 feet are required, zero side yard setbacks where 10 feet are required, and to allow a lot coverage of 55 percent where 50 percent is the maximum allowed. This application is submitted in conjunction with a Site Development Plan Review (SDR-4385).

The land use classifications in the Medical District have restrictive setback and land coverage requirements, as compared to commercial districts generally. The limitations imposed are to protect residential uses still remaining within the district and to soften the intensity of land uses at the outside perimeter of the district. The subject property does not abut any residential use nor is it located at the edge of the district. Parking areas for existing office developments abut the property on three sides and across the street.

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 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.”

While there is no evidence of unique or extraordinary circumstances, the setbacks and lot coverage of the proposed building and parking structure will have no impact on abutting properties. Consequently, the request may be granted without detriment to the public good and without impairing the intent and purpose of any ordinance or resolution.

NOTICES MAILED 67 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4386 APN: 139-32-803-005/006/007/008

Name of Property Owner: _____

Name of Applicant: Tower Realty and Development

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: _____

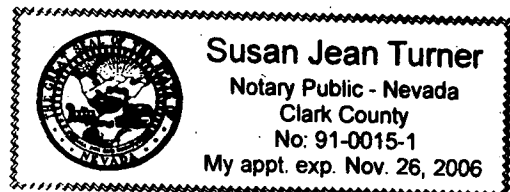
Signature of Property Owner/Authorized Agent: *Milton I. Schwartz*

Print Name: Milton I. Schwartz

Subscribed and sworn before me

This 22 day of April, 2004

Susan Jean Turner
Notary Public in and for said County and State

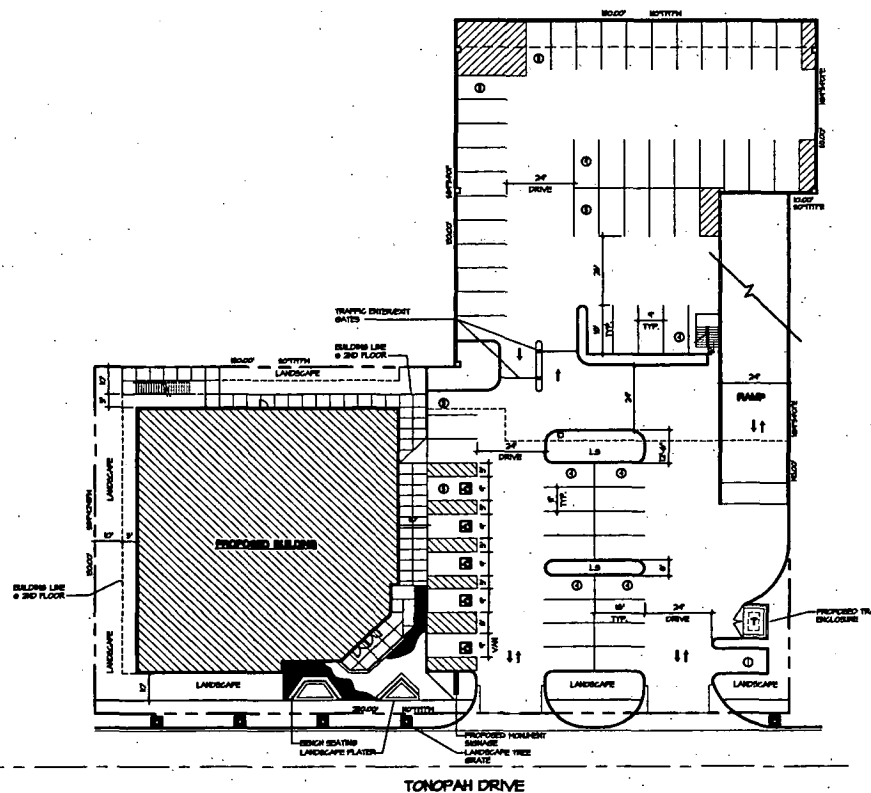


TONOPAH TOWER OFFICE BUILDING

710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL SITE PLANS



SITE PARKING

GRADE LEVEL	STANDARD - 30
FINISHED FLOOR	STANDARD - 30
FINISHED FLOOR	STANDARD - 30
FINISHED FLOOR	STANDARD - 30
FINISHED FLOOR	STANDARD - 30

CONCEPTUAL SITE PLAN
9,500 S.F.

GRADE LEVEL

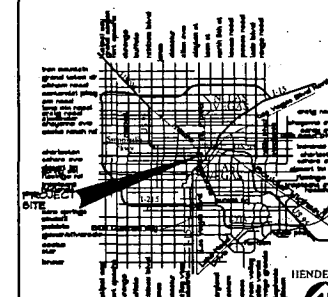


SDR-4385 VAR-4386

6-10-04 PC

STAFF

VICINITY MAP



SITE DATA

OWNER:	TONOPAH REALTY & DEVELOPMENT INC.
CONTACT:	101 BRIDGER ROAD LAS VEGAS, NEVADA JANE C. EVANS, PMSA
APR:	REALTOR PROPERTY MANAGER PH: 702-588-0444 FAX: 702-588-1888 DR-03-808-008 DR-03-808-008 DR-03-808-007 DR-03-808-008 P.O. PLANNED DEVELOPMENT
ZONING:	0 & S-3
OCCUPANCY:	0 & S-3
TYPE OF CONSTRUCTION:	0 & S-3 W/ SPRINKLERS & II-S
BUILDING AREA:	9,500 SQ. FT.
FIRST LEVEL:	10,450 SQ. FT.
TOTAL:	10,450 SQ. FT.
PARKING STRUCTURE:	1,791 SQ. FT.
GRADE LEVEL:	1,791 SQ. FT.
SECOND LEVEL:	1,791 SQ. FT.
TOTAL:	3,582 SQ. FT.
LOT SIZE:	48,350 SQ. FT. (1.12 ACRES)
OFFICE BUILDING:	8 SPACES PER 500 SQ. FT. OF GROSS FLOOR AREA 16 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA 16 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA 16 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA
REQUIRED:	164 SPACES
PROVIDED:	164 SPACES
SITE LIMITS:	ALL ON-SITE LIMITS OF BUILDING AND PARKING AREAS SHALL BE CONTAINED SO THAT LIMITS NOT SHOWN DIRECTLY ONTO ADJACENT PROPERTIES. ALL LIMITS SHALL BE SHOWN AND DIRECTED DOWNWARD AT ALL TIMES SO AS TO AVOID ADVERSELY IMPACT ADJACENT PROPERTY.

TONOPAH TOWER OFFICE BUILDING

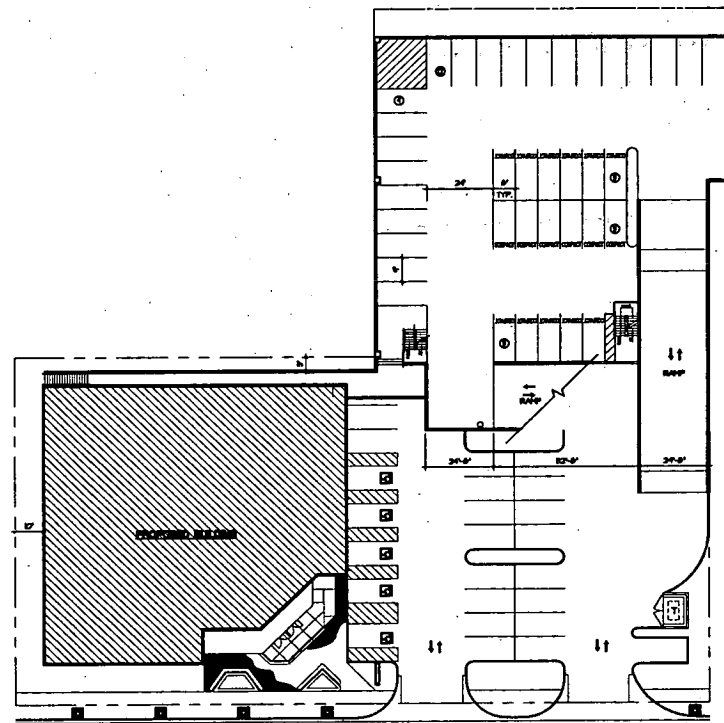
WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 270 LAS VEGAS, NEVADA 89111
TELEPHONE: (702) 878-0000 FAX: (702) 878-84
www.westarchitects.com

DATE: 04/12/04 PROJECT NUMBER: 0404

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL SITE PLANS



TONOPAH DRIVE

CONCEPTUAL SITE PLAN
11,550 S.F.

SECOND LEVEL



SDR-4385 VAR-4386

STAFF

6-10-04 PC

TONOPAH TOWER OFFICE BUILDING

WESTAR ARCHITECTS
ARCHITECTURE+PLANNING+INTERIOR DESIGN
3900 MEADOWS LANE SUITE 228 LAS VEGAS, NEVADA 891
TELEPHONE: (702) 878-0000 FAX: (702) 878-84
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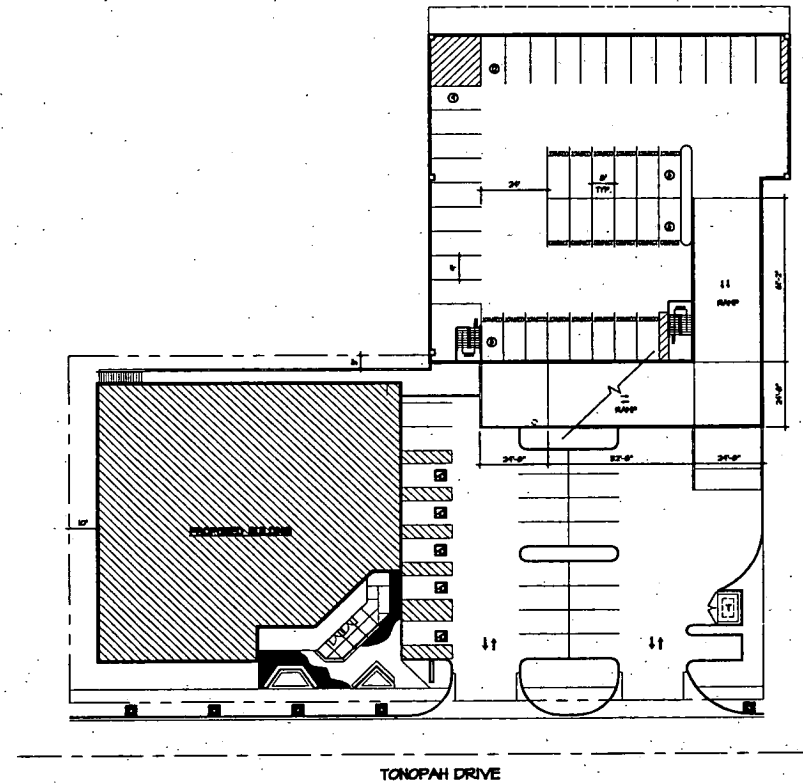
DESIGNED BY WESTAR ARCHITECTS
DATE: 04/23/04 PROJECT NUMBER: 04044

TONOPAH TOWER OFFICE BUILDING

710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89106



CONCEPTUAL SITE PLANS



CONCEPTUAL SITE PLAN

THIRD LEVEL



STAFF

SDR-4385 VAR-4386

6-10-04 PC

TONOPAH TOWER OFFICE BUILDING



**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL LANDSCAPE PLAN

LANDSCAPE LEGEND

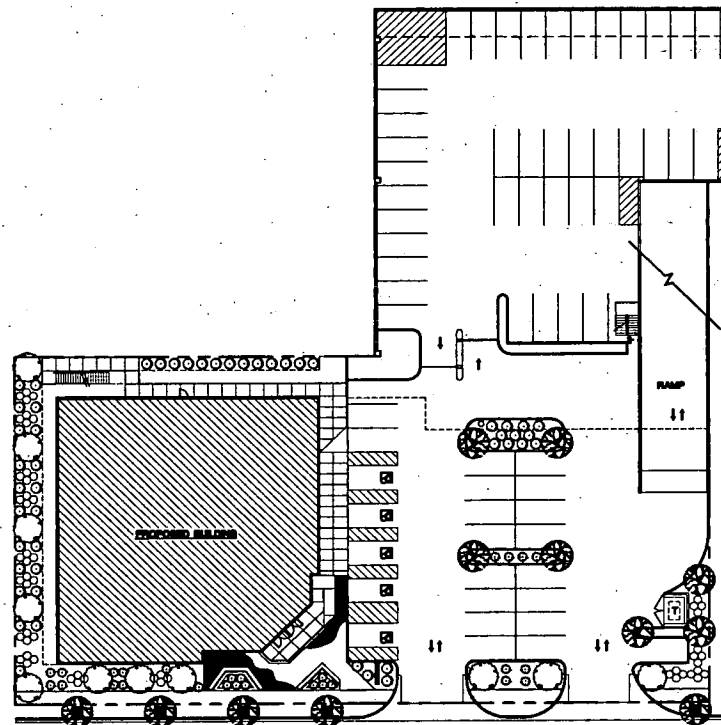
TREES	QTY
SHAVE HILL OLIVE - 34\"/>	1
ACACIA - 34\"/>	12
SHRUBS	
GREEN GLEDITSIA - 8\"/>	41
SILVER LEAF CANNA - 8\"/>	37
GROUND COVER	
BUSHY MORNING GLORY - 1\"/>	50

LANDSCAPE NOTES

ALL PLANTS SHALL HAVE A GROWTH HABIT NORMAL TO THE SPECIES AND SHALL BE SOUND, HEALTHY, VIGOROUS, AND FREE FROM INSECT PEST, PLANT DISEASES, SUN SCALDS, FRESH BARK, OR EXCESSIVE FERTILIZATION. OTHER COLLECTIONS OR DISPLACEMENTS. TREE TRUNKS SHALL BE STUMPED AND WELL MAINTAINED. ALL PLANTS SHALL HAVE NORMAL, WELL-DEVELOPED BRANCH SYSTEMS, AND VIGOROUS AND PERCUSSIVE ROOT SYSTEMS WHICH ARE NEITHER ROOT NOR POT-BOUND AND FREE OF KNIFE SPLITTING ROOTS. ALL TREES SHALL BE PLANTED WITH REASONABLE DIRECT WITHIN SUPPORTS.

TREES SHALL NOT BE PLANTED WITHIN THREE (3) FEET OF A DEDICATED DRIVEWAY. ANY TREES WITHIN 5' OF A SIDEWALK OR SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. ANY PLANT OR TREE THAT DOES NOT SURVIVE OR SUSTAIN SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.

SHRUBS SHALL BE PLANTED TO COVER MORE THAN FIFTY (50) PERCENT OF THE LANDSCAPED AREA. TREES SHALL BE PROVIDED WITH A 1\"/>



TONOPAH DRIVE

CONCEPTUAL LANDSCAPE PLAN



STAFF

SDR-4385 VAR-4386

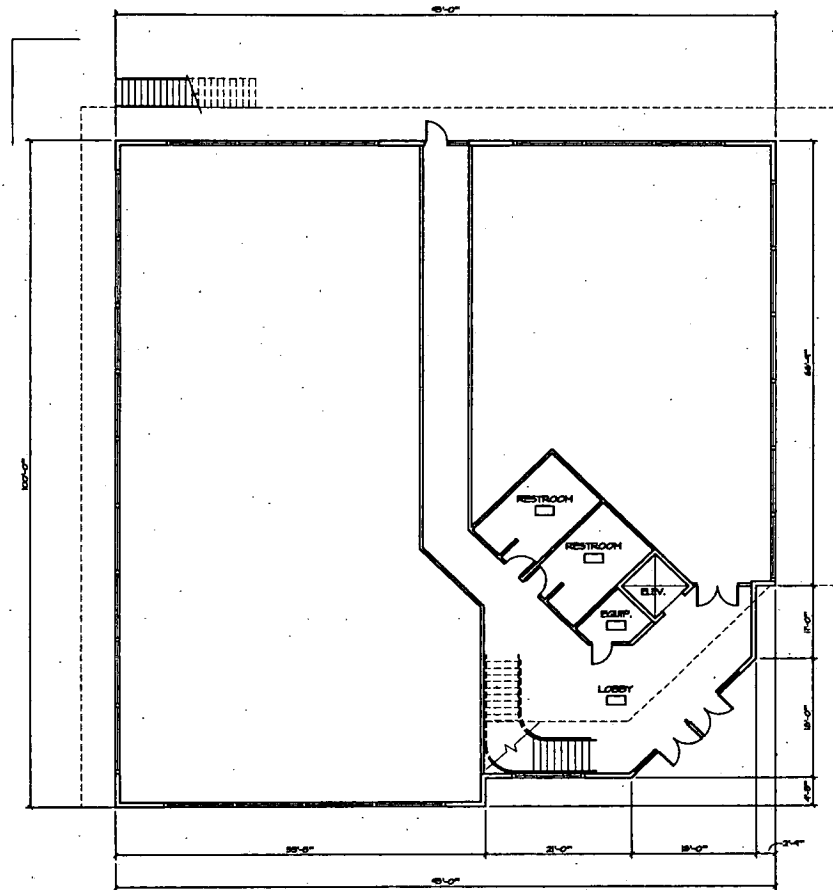
6-10-04 PC

TONOPAH TOWER OFFICE BUILDING

WESTAR ARCHITECTS
ARCHITECTURE+PLANNING+INTERIOR DESIGN
3700 MEADOWS LANE, SUITE 220, LAS VEGAS, NEVADA 89119
TELEPHONE: (702) 878-0000 FAX: (702) 878-8444
www.westarchitects.com

DATE: 04/23/04 PROJECT NUMBER: 00044

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89106



CONCEPTUAL FLOOR PLAN
9,500 S.F.



STAFF

SDR-4385 VAR-4386

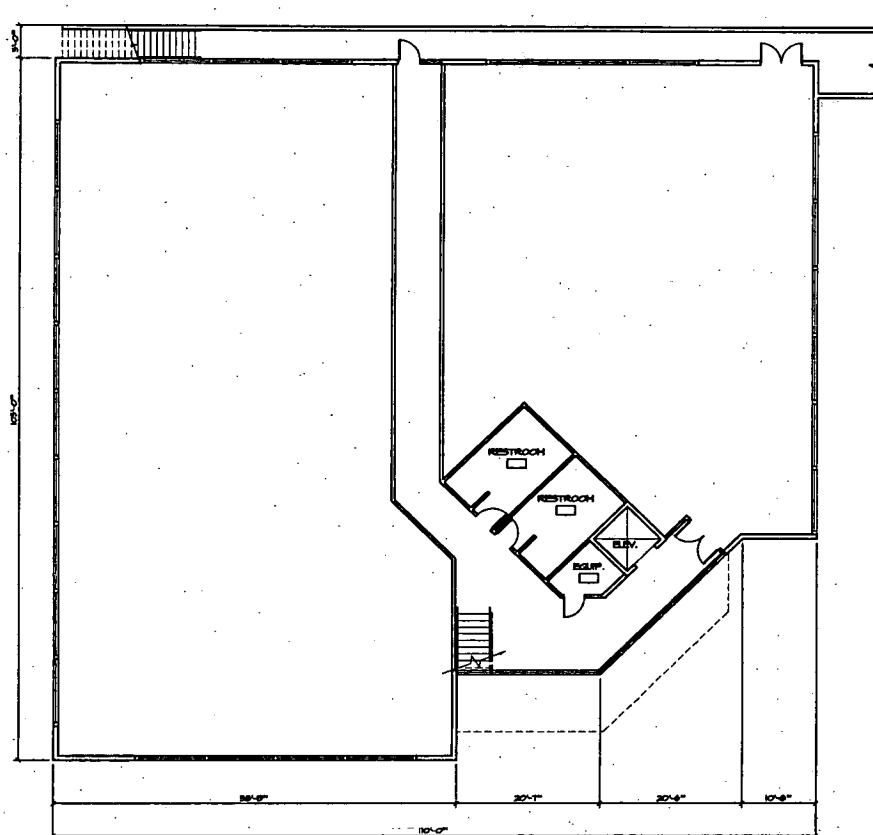
6-10-04 PC

TONOPAH TOWER OFFICE BUILDING

WAGNER ARCHITECT
ARCHITECTURE+PLANNING+INTERIOR DESIGN
3700 HAWTHORNE LANE, SUITE 220 LAS VEGAS, NEVADA 89103
TELEPHONE: (702) 878-0000 FAX: (702) 878-8000
www.wagnerarchitects.com

DATE: 04/22/04 PROJECT NUMBER: 04044

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL FLOOR PLAN
11,550 S.F.

SECOND LEVEL



STAFF

SDR-4385 VAR-4386

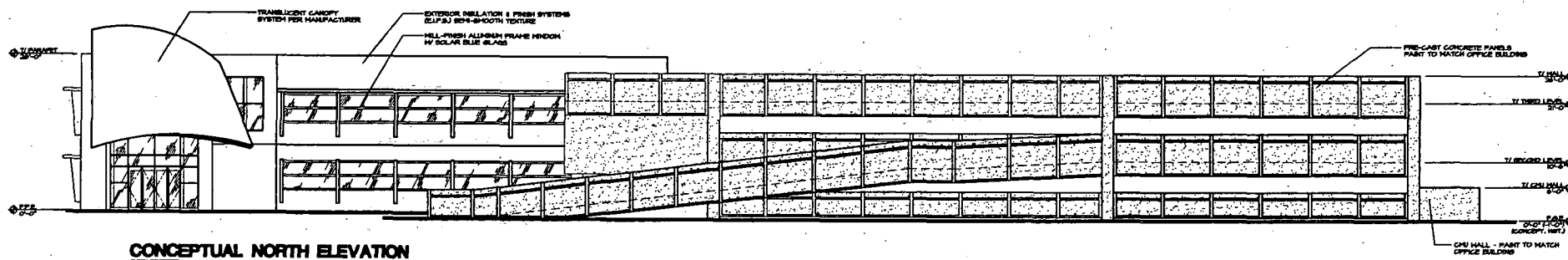
6-10-04 PC

TONOPAH TOWER OFFICE BUILDING

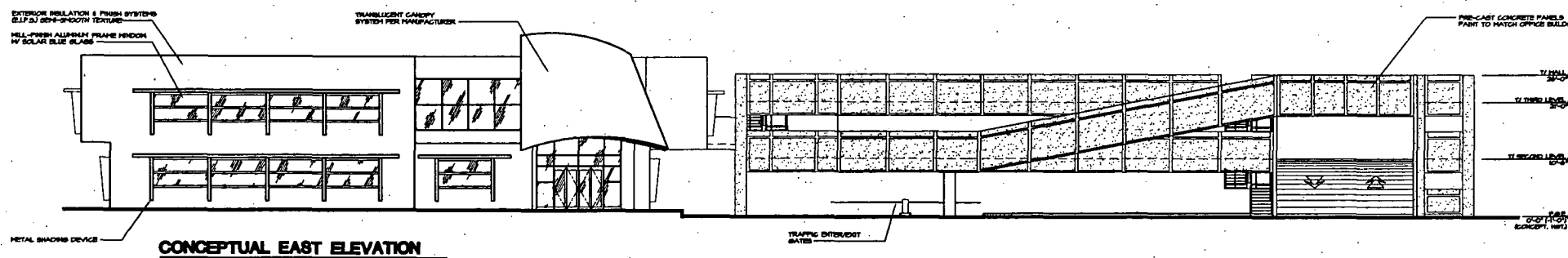
WAGNER ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3700 MEADOWS LANE, SUITE 200 LAS VEGAS, NEVADA 891
TELEPHONE: (702) 878-0000 FAX: (702) 878-84
www.wagnerarchitects.com

DATE: 04/23/04 PROJECT NUMBER: 0004

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89106



CONCEPTUAL NORTH ELEVATION



CONCEPTUAL EAST ELEVATION

STAFF

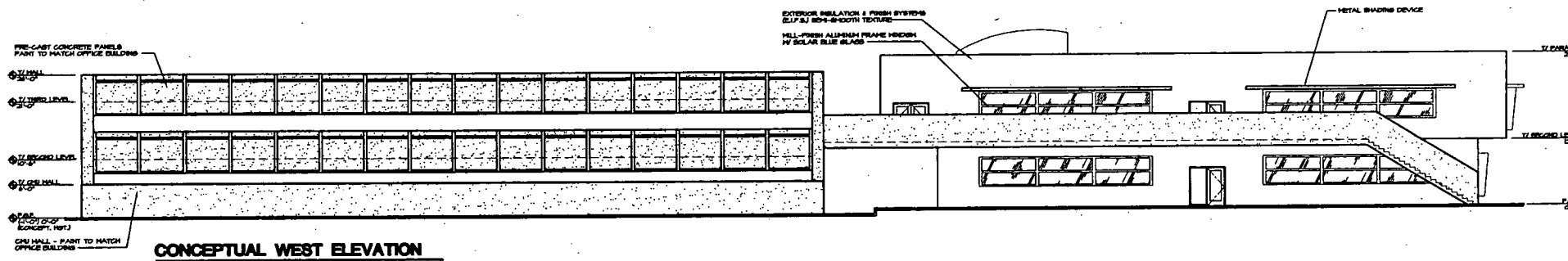
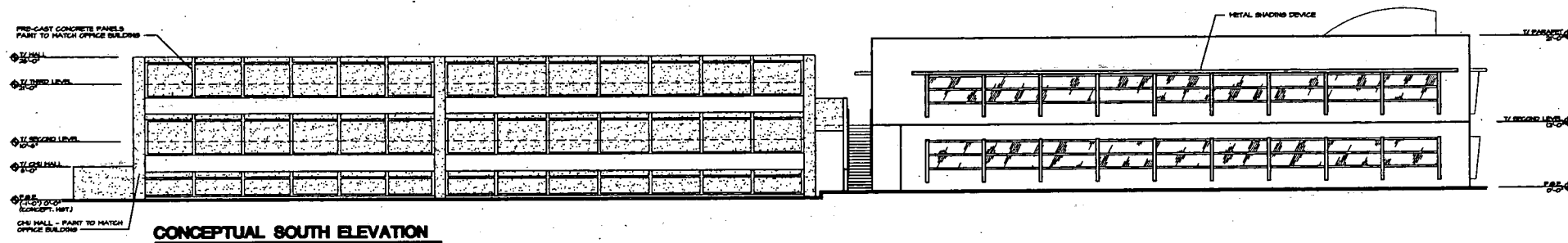
SDR-4385 VAR-4386

6-10-04 PC

TONOPAH TOWER OFFICE BUIL

WAGNO ARCHITECT.
ARCHITECTURE • PLANNING • INTERIOR DESH
3900 MEADOWS LANE, SUITE 218 LAS VEGAS, NEVADA 89
TELEPHONE: (702) 878-0000 FAX: (702) 878-8
www.wagnoarchitects.com
DATE: 04/24/04 PROJECT NUMBER: 0404

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



STAFF

SDR-4385 VAR-4386

6-10-04 PC

TONOPAH TOWER OFFICE BUIL

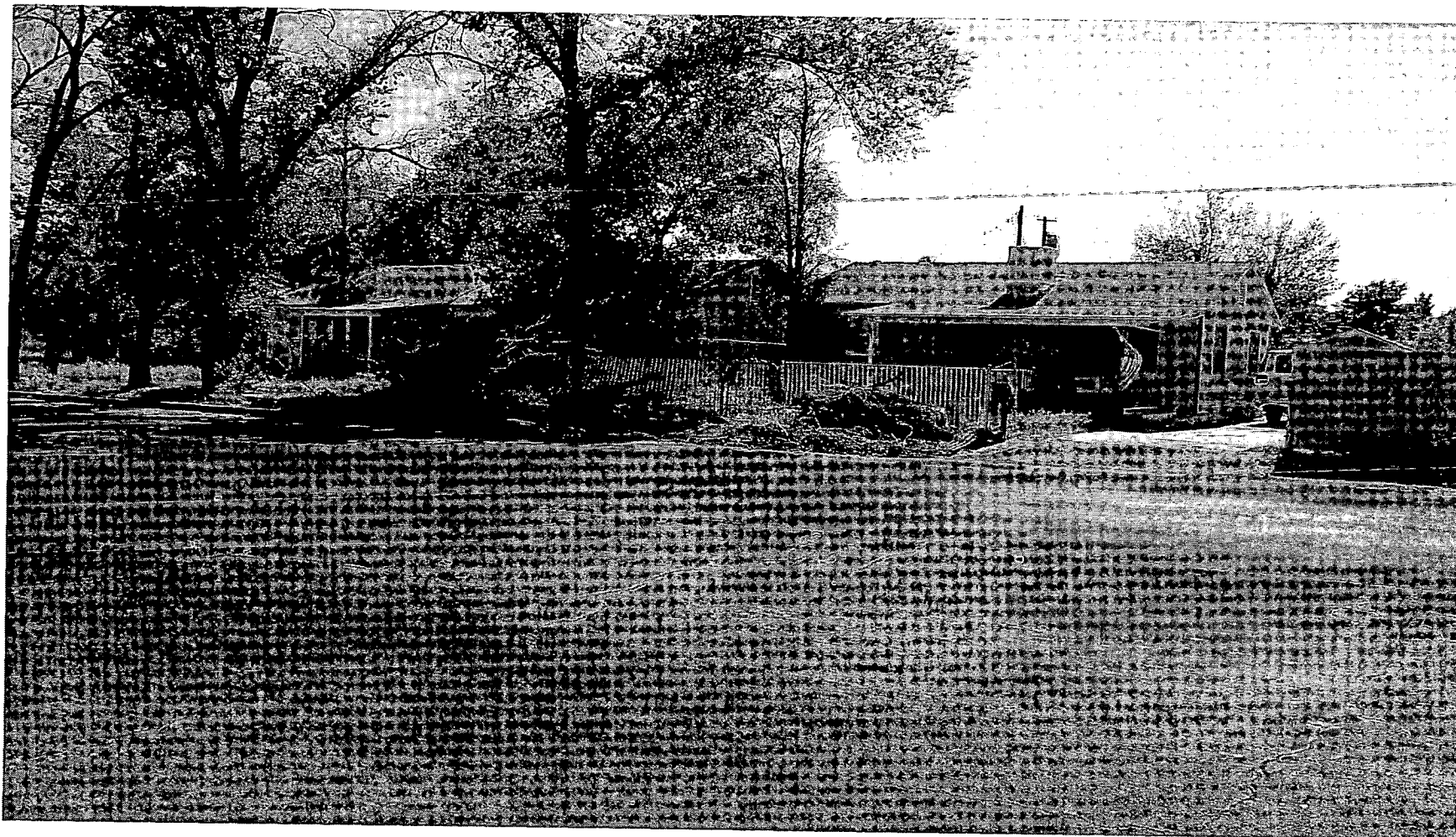
WESTAR ARCHITECT.
ARCHITECTURE+PLANNING+INTERIOR DESIGN
3900 MEADOWS LANE SUITE 220 LAS VEGAS, NEVADA 89119
TELEPHONE: (702) 878-0000 FAX: (702) 878-8-
www.westarchitects.com

DATE: 04/21/04 PROJECT NUMBER: 0404



VAR-4386 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP
CONSTRUCTORS
706, 710, 712 AND 714 SOUTH TONOPAH DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



VAR-4386 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP
CONSTRUCTORS
706, 710, 712 AND 714 SOUTH TONOPAH DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4386 - PUBLIC HEARING - SDR-4385 - **APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS** - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 19,540 SQUARE-FOOT, TWO-STORY OFFICE BUILDING AND A PROPOSED 54,161 SQUARE-FOOT, THREE-LEVEL DETACHED PARKING STRUCTURE on 1.12 acres at 706, 710, 712, and 714 South Tonopah Drive (APN: 139-32-803-005 through 008), PD (Planned Development) Zone [P-O (Professional Office) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 132 [VAR-4386] for all related discussion.

(4:02 – 4:05)

5-2215

CONDITIONS:

Planning and Development

1. The request for a Variance (VAR-4386) shall be approved by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as approved by a variance, waiver, or as amended by conditions herein.
3. The site plan shall be revised to reflect details of the development to show compliance with the Medical District and Zoning Code design standards. The plan shall be approved

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 133 – SDR-4385

CONDITIONS Continued:

by the Planning and Development Department staff prior to the time application is made for a building permit.

4. The landscape plan shall be revised to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center. A minimum of four five-gallon shrubs for each tree shall be planted within planter areas. The streetscape treatment shall conform with the minimum requirements specified in the Medical District Plan. The landscape plan shall be approved by the Planning and Development Department staff, prior to the time application is made for a building permit.
5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners, and trash areas shall be fully screened from view of Tonopah Drive.
7. 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.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. The 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. 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.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. All City Code requirements and design standards, except otherwise provided by the Planning Commission and City Council, shall be met.

Public Works

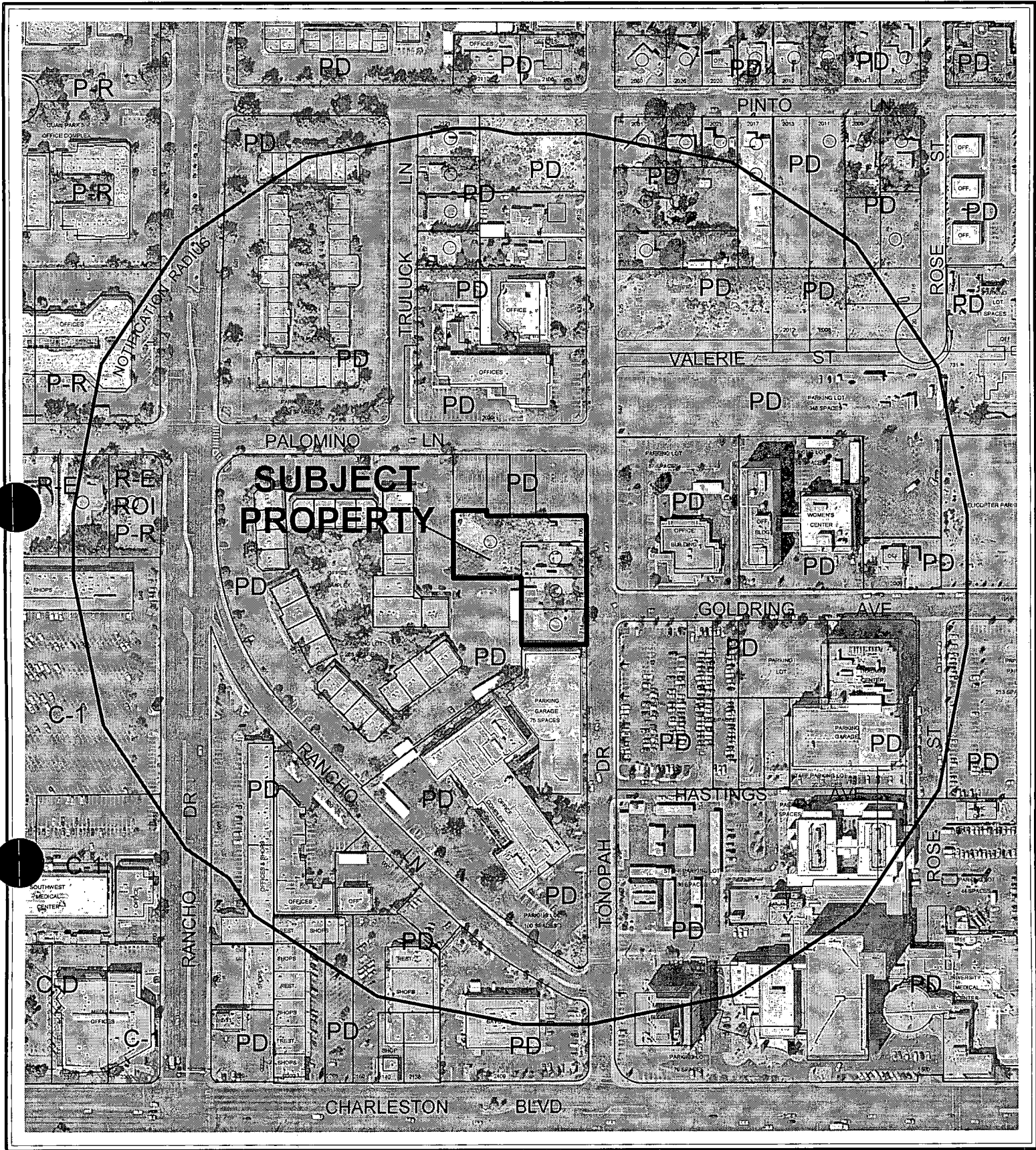
13. Coordinate with the City Surveyor to determine whether a Reversionary Map or Merger and Resubdivision Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 133 – SDR-4385

CONDITIONS Continued:

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City and Las Vegas Medical District Design Standards concurrent with development of this site.
15. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
16. Structures shall not be located within existing or proposed public sewer or drainage easements.
17. Submit a plan for approval by the City Engineer depicting the relocation of the existing public sewer line crossing this site prior to the submittal of any construction drawings; new easements for the relocated sewer line must be granted prior to the approval of construction drawings.
18. Landscape and maintain all unimproved right-of-way on Tonopah Drive adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tonopah Drive public right-of-way adjacent to this site prior to occupancy of this site.
20. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
21. 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.
22. Site development to comply with all applicable conditions of approval for Z-20-97 and all other subsequent site-related actions.





CASE: SDR-4385

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [P-O (PROFESSIONAL OFFICE) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4385 - APPLICANT: TOWER REALTY AND
DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS

**** CONDITIONS ****

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

Planning and Development

1. The request for a Variance (VAR-4386) shall be approved by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as approved by a variance, waiver, or as amended by conditions herein.
3. The site plan shall be revised to reflect details of the development to show compliance with the Medical District and Zoning Code design standards. The plan shall be approved by the Planning and Development Department staff prior to the time application is made for a building permit.
4. The landscape plan shall be revised to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center. A minimum of four five-gallon shrubs for each tree shall be planted within planter areas. The streetscape treatment shall conform with the minimum requirements specified in the Medical District Plan. The landscape plan shall be approved by the Planning and Development Department staff, prior to the time application is made for a building permit.
5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners, and trash areas shall be fully screened from view of Tonopah Drive.
7. 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.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. The 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. 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.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. All City Code requirements and design standards, except otherwise provided by the Planning Commission and City Council, shall be met.

Public Works

13. Coordinate with the City Surveyor to determine whether a Reversionary Map or Merger and Resubdivision Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City and Las Vegas Medical District Design Standards concurrent with development of this site.
15. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
16. Structures shall not be located within existing or proposed public sewer or drainage easements.
17. Submit a plan for approval by the City Engineer depicting the relocation of the existing public sewer line crossing this site prior to the submittal of any construction drawings; new easements for the relocated sewer line must be granted prior to the approval of construction drawings.
18. Landscape and maintain all unimproved right-of-way on Tonopah Drive adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tonopah Drive public right-of-way adjacent to this site prior to occupancy of this site.
20. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
21. 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.

22. Site development to comply with all applicable conditions of approval for Z-20-97 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping for a proposed 19,540 square foot, two-story office building and a proposed 54,161 square foot, three-level detached parking structure on 1.12 acres at 706, 712, and 714 South Tonopah Drive. An application for a Variance (VAR-4386) has been submitted in conjunction with this application.

B) Applicant's Justification

A letter of justification was submitted with the application; however, the only justification presented in the letter is to mention that the property adjoining these parcels to the south (901 Rancho Lane) is owned and managed by this company and that the proposed building would make a great addition to the already established Medical District.

BACKGROUND INFORMATION

A) Previous and Present Actions

- | | |
|----------|---|
| 04/27/93 | The Board of Zoning Adjustment approved a Special Use Permit (U-0074-93) for a group childcare home on one of the parcels that comprise the subject site. |
| 03/25/97 | The City Council approved a Special Use Permit (U-0008-97) for a group childcare home on one of the parcels that comprise the subject site. |
| 05/27/97 | The City Council approved the Rezoning (Z-0020-97) of 171 acres of properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive to various districts. The subject properties were part of the 171 acres and were rezoned to a PD (Planned Development) district. The Planning Commission and staff recommended approval on 04/24/97. |
| 05/26/98 | The City Council approved an extension of time for the Special Use Permit (U-0008-97) for the group childcare home. The Planning Commission and staff recommended approval of the extension on 04/23/98. |
| 06/19/02 | The City Council approved a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan to update and revise the plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission recommended approval on 04/11/02 and the staff recommended approval on 02/14/02. |

- 08/06/03 The City Council approved a Variance (VAR-2370) to allow 84 parking spaces where 135 parking spaces are required for a proposed mixed-use commercial/residential development. The Planning Commission and staff recommended approval on 06/26/03.
- 08/06/03 The City Council approved a Variance (VAR-2371) to allow a four-story, 50-foot high building where two stories and 35 feet is the maximum permitted height for a proposed mixed-use development. The applicant had also originally requested a variance from setback requirements, but a subsequent redesign of the project resulted in conformance to setback requirements. The Planning Commission and staff recommended approval on 06/26/03.
- 08/06/03 The City Council approved a Site Development Plan Review (SDR-2372) for a proposed mixed-use building with 10,120 square feet of commercial space and 51 residential units. The project will require a waiver from landscape buffer requirements, in addition to the following actions: The Planning Commission and staff recommended approval on 06/26/03.
- 06/10/04 The Planning Commission recommended approval of a related application for a Variance (VAR-4386) to allow rear yard setbacks of zero feet and 10 feet where 15 feet is required and to allow lot coverage of 55 percent where 50 percent is the maximum allowed for a proposed office building and detached parking structure. The staff is recommending approval of the Variance.
- 06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #40/dds).

B) Pre-Application Meeting

- 04/15/04 At the pre-application conference, issues were discussed relative to the proposed setback variances and impacts to abutting properties, the streetscape requirements specified by the Medical District Plan, and the waivers that would be required from perimeter landscape buffer requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.12

B) Existing Land Use

Subject Property: Single family residences
North: Parking lot
South: Office development (parking lot directly abutting)
East: Office development and hospital (parking lot directly abutting)
West: Office development (parking lot directly abutting)

C) Planned Land Use

Subject Property: P-O (Professional Office)
North: P-O (Professional Office)
South: P-O (Professional Office)
East: MD-2 (Major Medical)
West: P-O (Professional Office)

D) Existing Zoning

Subject Property: PD (Planned Development District)
North: PD (Planned Development District)
South: PD (Planned Development District)
East: PD (Planned Development District)
West: PD (Planned Development District)

E) General Plan Compliance

The proposed use is located in the Medical District and is zoned PD (Planned Development District). The Medical District Plan serves as the general plan for properties within this district and dictates land use, development standards, and establishes specific streetscape standards.

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

Except for the setback requirements and the percent building coverage of the lot, the proposed use conforms to the requirements of the P-O (Professional Office) land use designation specified in the Medical District Plan. The project will require a variance from the setback requirements and the lot coverage ratio and a waiver of the landscape buffer requirements. The landscape buffer requirements will be addressed in the staff report for the accompanying Site Development Plan Review.

PROJECT DESCRIPTION

The applicant proposes to construct a 19,540 square-foot, two-story office building with a proposed 54,161 square foot, three-level detached garage on the subject properties. The building as proposed does not comply with the rear yard setback requirement at the second story level, and the parking garage is not provided with any setbacks. The project will require a waiver from the landscape buffer requirements in addition to a Variance to allow side and rear yard setbacks of zero feet and 10 feet where 10 feet and 15 feet are required and to allow lot coverage of 55 percent where 50 percent is the maximum allowed. An application for a Variance (VAR-4386) in these requirements has been submitted in conjunction with this application.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Las Vegas Medical District Plan, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.2 acres	Y
Min. Lot Width	Existing	250'	Y
Min. Setbacks			
• Front	5'-15'	10'	Y
• Side	10'	10' and 0'	N and Y
• Corner	N/A	N/A	N/A
• Rear	15'	10' and 0'	N
Max. Lot Coverage	50 %	55%	N
Max. Building Height	2 Stories / 35' Feet	26'	Y
Trash Enclosure	Screened & covered	Not indicated	Unknown
Loading Zone	Located to rear or side	Not indicated	Unknown
Mech. Equipment	Screened from abutting streets and properties	Not indicated	Unknown

The proposed office building meets the required front, side, and rear yard requirements at the first floor level. However, it has only a 10-foot setback in lieu of a 15-foot setback for a rear yard at the second story level. The parking garage is not provided with any side yard or rear yard. A request for a Variance (VAR-4386) has been submitted in conjunction with this application to rectify these deficiencies.

Details concerning the trash enclosure, loading zone and mechanical equipment has not been provided. Reference to these details is included as a Condition of Approval.

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
Office	19,540	1/300 GFA	65	3	144	5
Office, Medical or Dental	Not indicated	1/200 GFA (first 2,000 SF; 1/175 thereafter)				

The applicant does not indicate that any of the office space will be used for medical or dental purposes. The parking space requirement for these uses is more restrictive. However, a total of 144 spaces is being provided with the project, which provides more than enough spaces for general office space. Consequently, the office space may be used for medical and dental purposes up to the maximum number of parking spaces provided. A Condition of Approval to this effect is stipulated for the project.

The Public Works Department has noted that the proposed driveways will need to conform to code requirements, and minor adjustments to the on-site circulation system may be necessary. Any existing unused driveway cuts will need to be removed and replaced with standard curb and gutter.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12 and the Las Vegas Medical Plan, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 uncovered spaces	4 Trees	6 Trees
Buffer • Min. Zone Width • Wall height	10' (front) and 8' (side & rear); 4' (front yard) and 6' (side & rear)		10' (front) and None indicated

Title 19 requires an eight-foot deep landscape buffer at the side and rear of the property; in some areas, a five-foot deep buffer is provided, and in other areas, no landscape buffer is provided. The applicant has requested a waiver from the buffer requirements, due to the unusual configuration of the site. A perimeter wall will be provided at the side and rear property lines in order to screen the parking area from adjoining properties; it should be noted that the perimeter wall will need to conform to the height and construction requirements listed on page 29 of the Medical District Plan.

Deciduous or evergreen trees are required along the front, side and rear of the property. They are to be spaces no less than 20 feet on center. The plan shows Acacia trees planted every 30 feet along the street and south property line. The number of trees will have to be increased to meet the Zoning Code requirement. A Condition of Approval is included to address this deficiency.

B) General Analysis and Discussion

- Zoning

The subject site is zoned PD (Planned Development) in accordance with the plan for the Medical District.

- Site Plan

The site plan illustrates the location of the office building toward the front of the site along Tonopah Drive. A majority of the parking is located to the rear of the site in a parking structure. This conforms to the goals of the Medical District Plan, by reinforcing the pedestrian element of the district.

- Waivers

An eight-foot landscape buffer is required along the side and rear property lines. No buffer would be provided where the parking structure has no setback. Therefore, a waiver of the standard is necessary to permit the development as proposed.

- Landscape Plan

The landscape plan for the property includes a 10-foot deep landscape and amenity zone at the front sidewalk as required by the Medical District Plan, and will feature Acacia shade trees. Tree grates, street lighting, and street furniture shall be required in accordance with the Medical District Plan. Landscaping will be provided between the building and the south and west property lines, and limited landscaping will be provided in the parking area. The proposed landscaping is in conformance with code requirements where provided, except that perimeter trees are required to be placed 20 feet on center.

- Elevation

The office building will utilize a synthetic stucco finish on the exterior, with projecting aluminum shade structures above the windows. A large translucent canopy will be utilized over the principal building entrance at the northeast corner of the building, which assists in providing shade and identifying the entrance from the public sidewalk. While the building façade does not include much articulation, the additive canopy and shading elements assist in giving variety and scale to the building.

The parking structure will feature pre-cast concrete panels on the exterior of the structure, which will be scored to add detail and reduce the apparent massing of the structure. The parking structure will be painted the same color as the office building in order to provide an architectural continuity of the two structures.

- Floor Plan

The office building has direct access to the public sidewalk on Tonopah Drive, parking area, and the enclosed parking structure. An outdoor amenity area is provided at the front of the building in a landscaped area at the entrance to the building.

FINDINGS

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

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

Abutting and across the street from the subject properties are several existing office developments of similar characteristics to the development proposed. Although the applicant proposes to construct a parking structure at the back of the property with no setbacks, parking lots completely surround the property. Therefore, the proposed development appears to be compatible with adjacent development.

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

The proposed development conforms to most development standards and is consistent with the goals and objectives for the Medical District. The applicant has filed an application for a variance to the setback requirements, and the project will require a waiver from landscape buffering requirements where no side and rear yard setbacks would be provided.

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

The project will add minimal traffic to the commercial neighborhood and will reduce the number of curb cuts on Tonopah Drive.

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

The exterior materials of the structure and the proposed landscaping are appropriate for the Medical District.

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 building elevations are appropriate for an office development, and provide a sufficient level of detail and variety. While the parking structure is fairly generic, an attempt has been made to provide design elements on the exterior and to provide continuity in the design of the two structures.

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

Approval of the development will not compromise the public health, safety or welfare.

NOTICES MAILED 65 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-4385

Case Number: _____

APN: _____

139-32-803-005/006/007/008

Name of Property Owner: Valley Group ConstructorsName of Applicant: Tower Realty and Development

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: _____

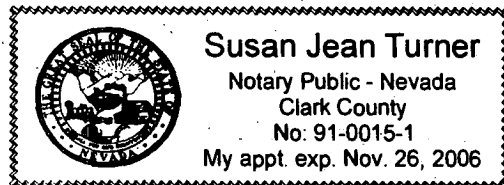
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Milton I Schwartz

Subscribed and sworn before me

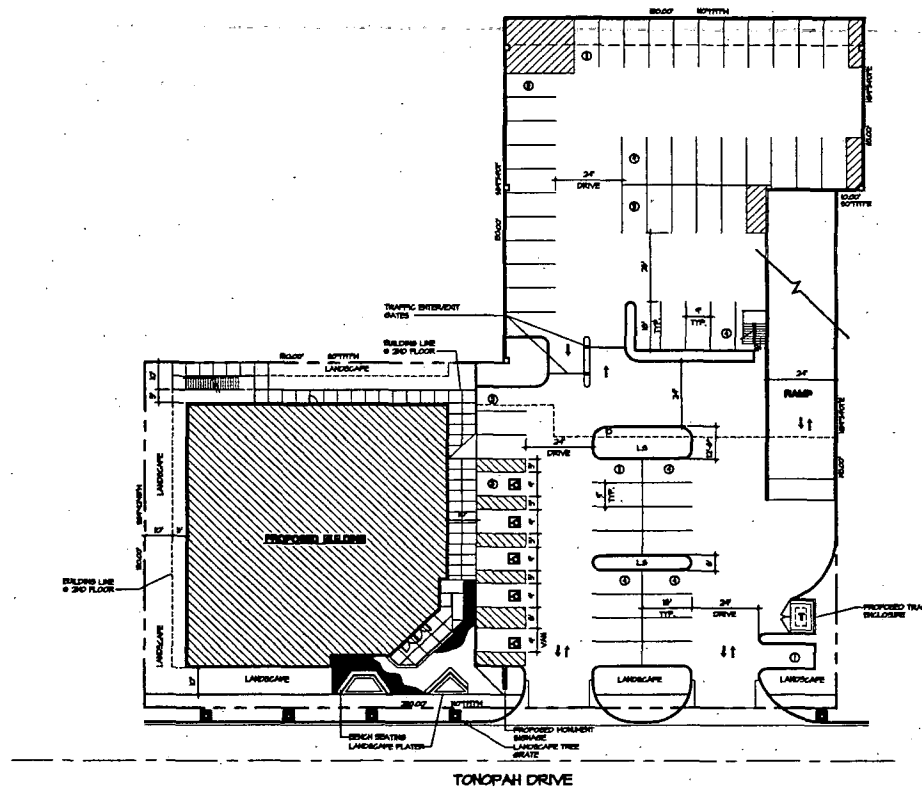
This 22nd day of April, 2004Susan Jean Turner
Notary Public in and for said County and State

TONOPAH TOWER OFFICE BUILDING

710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL SITE PLANS



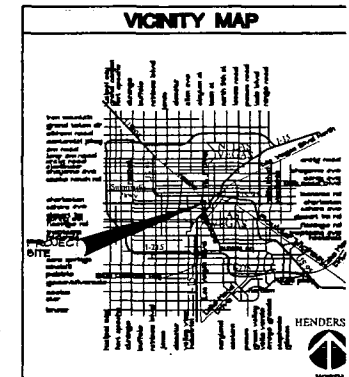
CONCEPTUAL SITE PLAN
9,500 S.F.



STAFF

SDR-4385 VAR-4386

6-10-04 PC



SITE DATA

OWNER	TONER REALTY & DEVELOPMENT INC. 101 BROWDER ROAD LAS VEGAS, NEVADA AND C. EVANS, PBA
CONTACT	REALTOR PROPERTY MANAGER PH: 702-566-0444 FAX: 702-566-1886
APR	BR-83-808-008 BR-83-808-008 BR-83-808-007 BR-83-808-008
ZONING	P-O (PLANNED DEVELOPMENT)
OCCUPANCY	8 x 5-2
TYPE OF CONSTRUCTION	2-3 IN SPACED LINES x 1-2
BUILDING AREA	
FIRST LEVEL	4,000 SQ. FT.
SECOND LEVEL	4,000 SQ. FT.
TOTAL	8,000 SQ. FT.
PARKING STRUCTURE	
GRADE LEVEL	1,000 SQ. FT.
SECOND LEVEL	1,000 SQ. FT.
TOTAL	2,000 SQ. FT.
LOT SIZE	48,700 SQ. FT. (1.12 ACRES)
PARKING	8 SPACES FOR 500 SQ. FT. OF GROSS FLOOR AREA HC PARKING - 3 MIN. VEH ACCESSIBLE SP. 1/4 8'x12' HERE ACCESSIBLE VEH FOR BUILDING = 65 SPACES PROVIDED = 144 SPACES
SITE LIGHTING	ALL ON-SITE LIGHTING OF BUILDINGS AND PARKING AREAS SHALL BE DESIGNED SO THAT LIGHT IS NOT SHINE DIRECTLY ONTO ADJACENT PROPERTY. ALL LIGHT SOURCES SHALL BE SHIELDED AND DIRECTED DOWNWARD AT ALL TIMES SO AS NOT TO ADVERSELY IMPACT ADJACENT PROPERTY.

TONOPAH TOWER OFFICE BUILDING

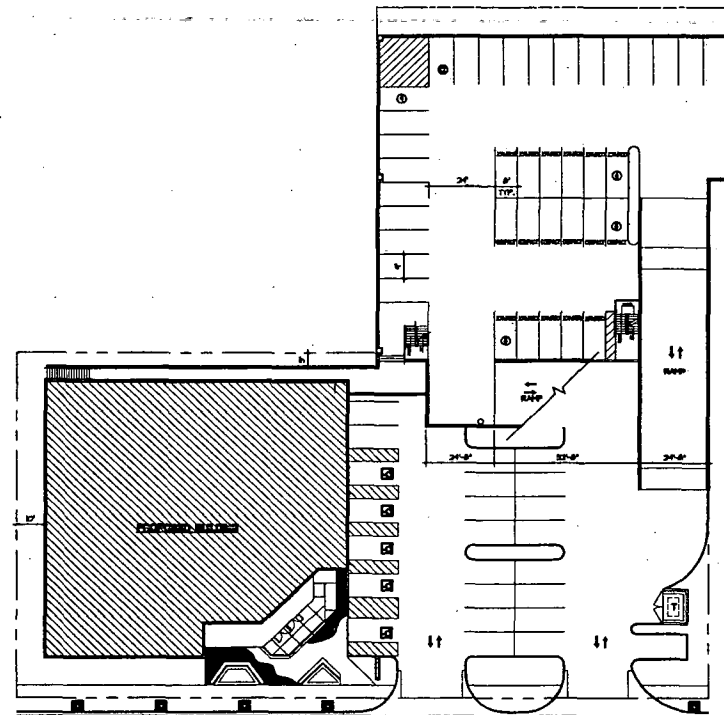
WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 700 LAS VEGAS, NEVADA 89119
TELEPHONE: (702) 878-0000 FAX: (702) 878-8444
www.westarchitects.com

DATE: 04/20/04 PROJECT NUMBER: 0404

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89100



CONCEPTUAL SITE PLANS



TONOPAH DRIVE

CONCEPTUAL SITE PLAN
11,550 S.F.

SECOND LEVEL



SDR-4385 VAR-4386

STAFF

6-10-04 PC

TONOPAH TOWER OFFICE BUILDING



ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 200 LAS VEGAS, NEVADA 891
TELEPHONE: (702) 878-0000 FAX: (702) 878-84
www.wognarchitects.com

DATE: 04/23/04 PROJECT NUMBER: 0004

710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89109



THIRD LEMMA



6-10-04 PC



WAGN ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE, SUITE 220 LAS VEGAS, NEVADA 891
TELEPHONE: (702) 878-0000 FAX: (702) 878-84
www.wagnarchitects.com

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DATE 04/23/04 PROJECT NUMBER 04004

TONOPAH TOWER OFFICE BUILDING

730 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL LANDSCAPE PLAN

LANDSCAPE LEGEND

TREES	QUANTITY
OLIVE - 24' DBH	8
ACACIA - 24' DBH	12
SHRUBS	
GREEN CANE - 8' BALLON	48
SILVER LEAF - 8' BALLON	24
GROUND COVER	
BUSH GROUND COVER - 1' BALLON	36

LANDSCAPE NOTES

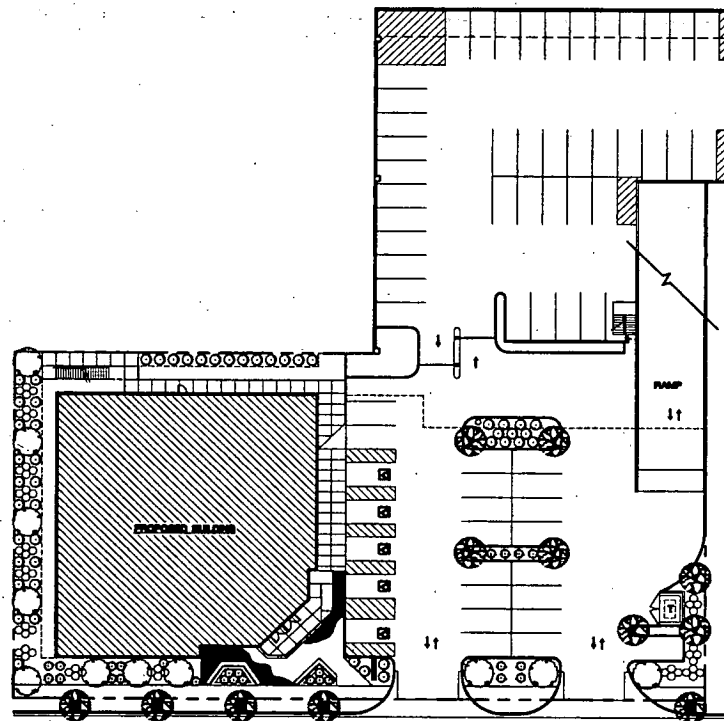
ALL PLANTS SHALL HAVE A GROWTH HABIT NORMAL TO THE SPECIES AND SHALL BE SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECT PEST, PLANT DISEASES, SUN SCALDS, FRESH BARK, ABNORMALS, EXCESSIVE PRUNING, OTHER COLLECTIONABLE DISAPPEARANCES. TREE TRUNKS SHALL BE STUMP AND WELL NARROWED OFF. ALL PLANTS SHALL HAVE NORMAL, WELL-DEVELOPED BRANCH SYSTEMS, AND VIGOROUS AND PROPER ROOT SYSTEMS WHICH ARE NEITHER ROOT NOR ROT-SCAND AND FREE OF KINKS, SWELLING ROOTS. ALL TREES SHALL STAND REASONABLE DIRECT WITHIN SUPPORTS.

TREES SHALL NOT BE PLANTED WITHIN THREE (3) FEET OF A DESIGNATED EXISTING OR FUTURE. ANY TREES WITHIN 5' OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT BARRIER DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. ANY PLANT OR TREE THAT DOES NOT SURVIVE OR SUSTAIN SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.

SHRUBS SHALL BE PLANTED TO COVER MORE THAN FIFTY (50) PERCENT OF THE LANDSCAPED AREA. TREES SHALL BE PROVIDED WITH A 1' HIGH HILB BARRIER OR HELL 12' HIGH AROUND ROOT BALL. SHRUBS SHALL BE PROVIDED WITH A 1' HIGH HILB BARRIER OR HELL 12' HIGH AROUND ROOT BALL.

PLANTING HOLES FOR TREES SHOULD BE AT LEAST TWO TO THREE TIMES THE WIDTH OF THE ROOTBALL AND SHOULD BE NO DEEPER THAN THE CORNER. SHRUBS SHOULD HAVE A HOLE THREE TO FIVE TIMES THE WIDTH OF THE ROOTBALL AND SHOULD NOT BE DEEPER THAN THE ROOTBALL ITSELF.

MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER PLANTING PLANTING ARE SHALL CONTINUE ON A PERMANENT BASIS. REQUIRED MAINTENANCE INCLUDES:



TONOPAH DRIVE

CONCEPTUAL LANDSCAPE PLAN



SDR-4385 VAR-4386

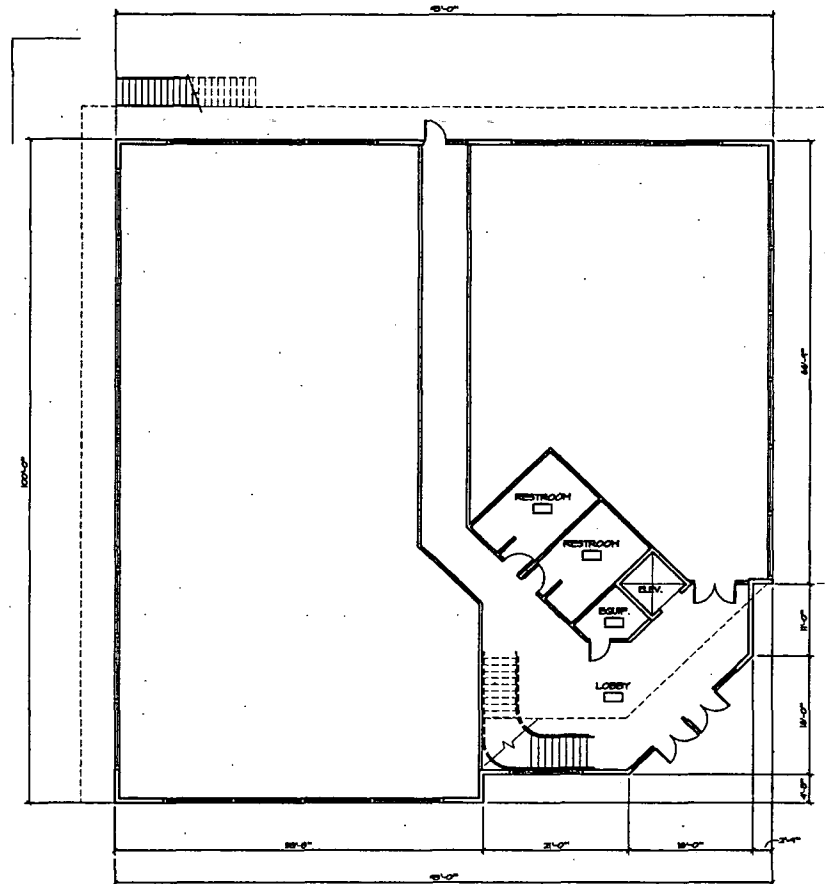
6-10-04 PC

STAFF

TONOPAH TOWER OFFICE BUILDING

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www.westarchitects.com

710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89106



OPEN LEVEL



STAFF

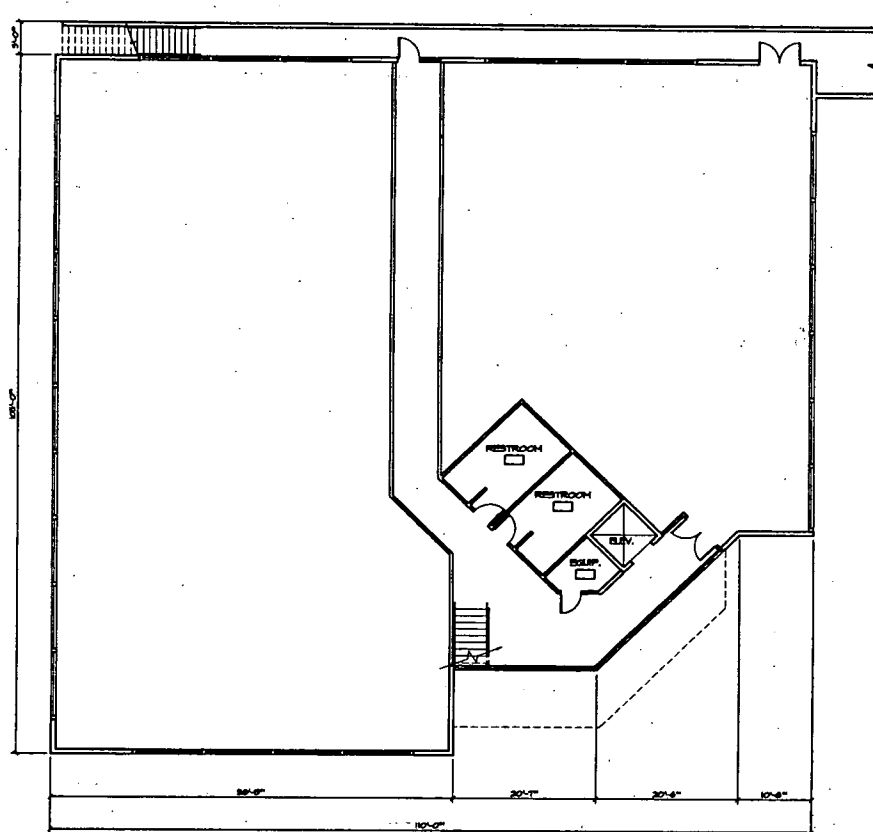
6-10-04 PC



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3900 MEADOWS LANE, SUITE 220 LAS VEGAS, NEVADA 89169
TELEPHONE: (702) 878-0000 FAX: (702) 878-8788
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DATE: 04/23/04 PROJECT NUMBER: 04044

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



CONCEPTUAL FLOOR PLAN
11,550 S.F. SECOND LEVEL



STAFF

SDR-4385 VAR-4386

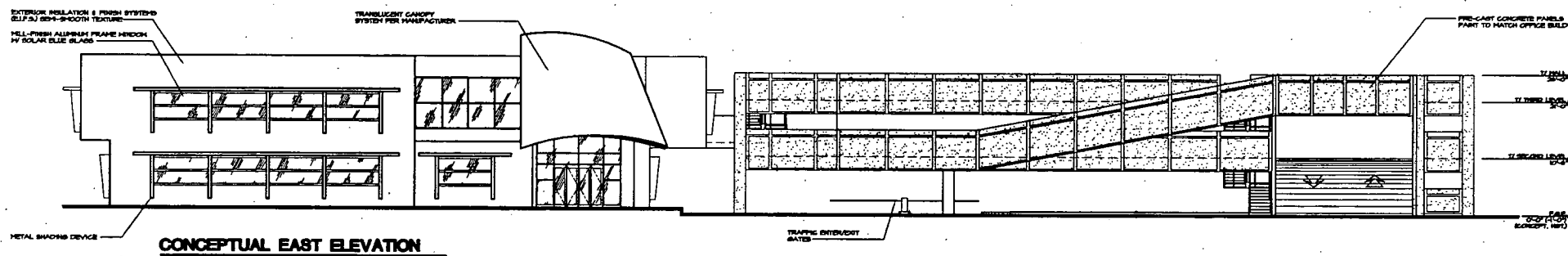
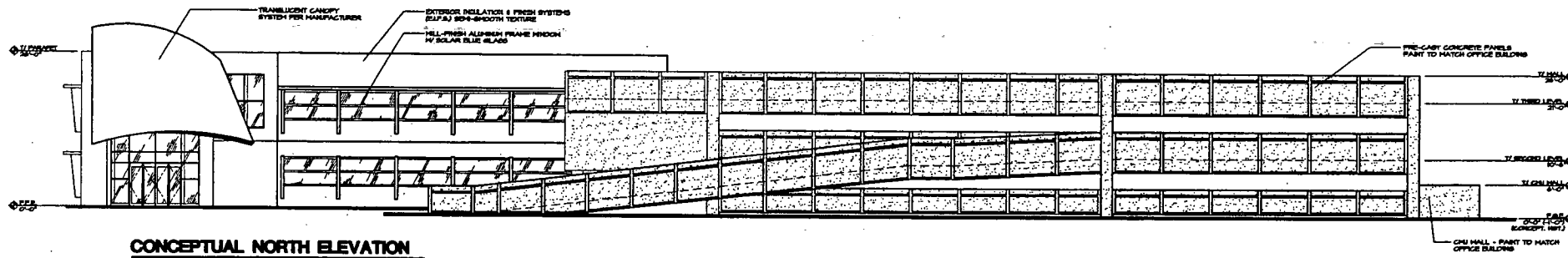
6-10-04 PC

TONOPAH TOWER OFFICE BUILDING

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3900 MEADOWS LANE SUITE 220 LAS VEGAS, NEVADA 891
TELEPHONE: (702) 878-0000 FAX: (702) 878-8444
www.westarchitects.com

DATE: 04/12/04 PROJECT NUMBER: 04044

**TONOPAH TOWER
OFFICE BUILDING**
770 SOUTH TONOPAH
LAS VEGAS, NEVADA 89108



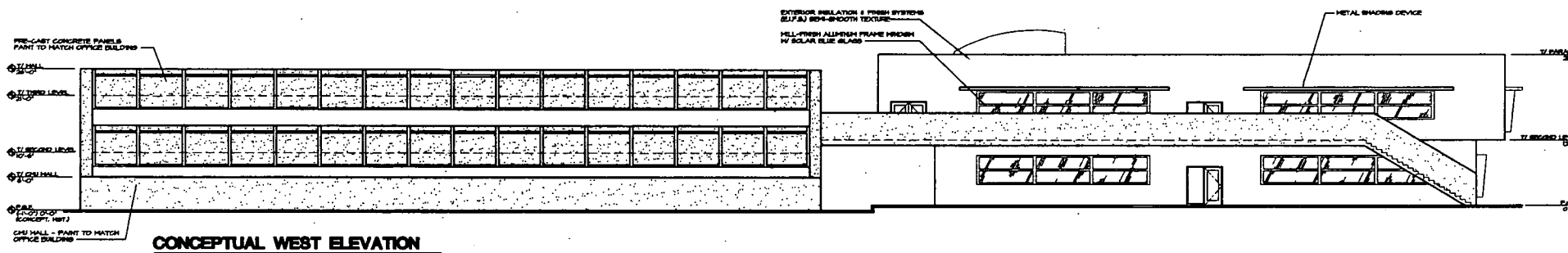
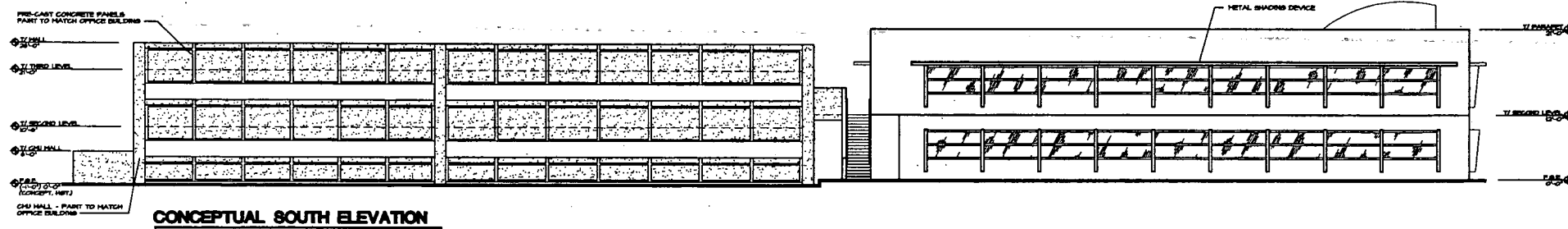
STAFF

SDR-4385 VAR-4386

6-10-04 PC

TONOPAH TOWER OFFICE BLDG
WESTAR ARCHITECT.
ARCHITECTURE • PLANNING • INTERIOR DESIGN
3900 MEADOWS LANE SUITE 220 LAS VEGAS, NEVADA 89119
TELEPHONE: (702) 878-0000 FAX: (702) 878-8100
www.westarchitect.com
DATE: 04/24/04 PROJECT NUMBER: 0404

**TONOPAH TOWER
OFFICE BUILDING**
710 SOUTH TONOPAH
LAS VEGAS, NEVADA 89109



STAFF

SDR-4385 VAR-4386

6-10-04 PC



SDR-4385 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP
CONSTRUCTORS
706, 710, 712 AND 714 SOUTH TONOPAH DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



SDR-4385 - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP
CONSTRUCTORS
706, 710, 712 AND 714 SOUTH TONOPAH DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions and with an additional six-month review – **UNANIMOUS** with GOODMAN abstaining as ATTORNEY JAY BROWN is a partner of his regarding property on West Charleston

NOTE: COUNCILMAN MACK disclosed that his brother in law, ANDREW DONNER, has a contract with the nearby Lady Luck Casino in relation to their non-restrictive gaming license. As he has not spoken with MR. DONNER about this item and does not believe it could have any impact, he would be voting.

MINUTES:

MAYOR PRO-TEM REESE declared the Public Hearing open.

ATTORNEY JAY BROWN, 520 South 4th Street, appeared on behalf of the applicant and stated there have not been any problems regarding liquor sales. The liquor is packaged as miniatures in gift baskets and the applicant requests permission to continue these sales.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 134 – RQR-3930

MINUTES Continued:

COUNCILMAN WEEKLY stated he met with MR. BROWN and has decided to give another six-month review to the project. He understands the applicant has another project in the works and looks forward to working with the applicant on that future project.

No one appeared in opposition.

MAYOR PRO-TEM REESE declared the Public Hearing closed.

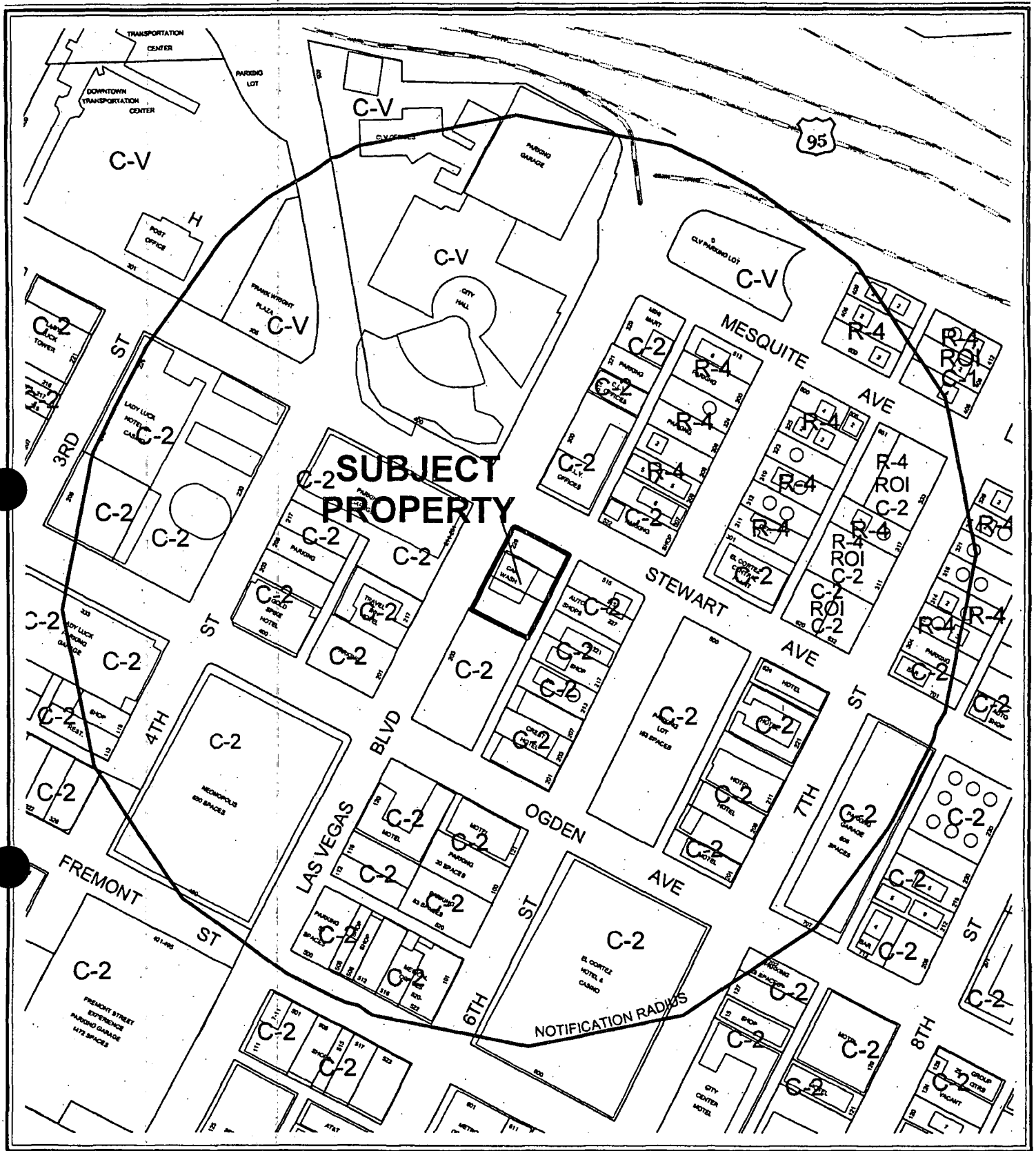
(4:06 – 4:07)

5-2367

CONDITION:

Planning and Development

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



CASE: **RQR-3930**

RADIUS: 750 FT

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



CASE: **RQR-3930**

RADIUS: 750 FT

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

0 100 200 Feet





RQR-3930

Protected Landuses



Business Licenses



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - RQR-3930 - APPLICANT: NEISSAN
KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 19, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

Zoning Code Compliance

Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 43 By City Clerk

APPROVALS 0

PROTESTS 0

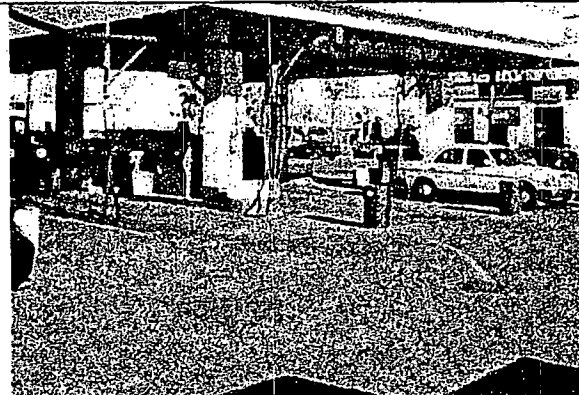


Photo #1 Car Wash Drop-off, Vacuums...

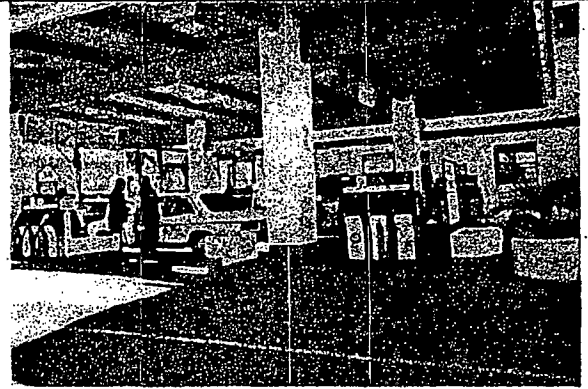


Photo #2 Car Wash Drop-off, Gas Pumps



Photo #3 Signage, Car Wash Exit

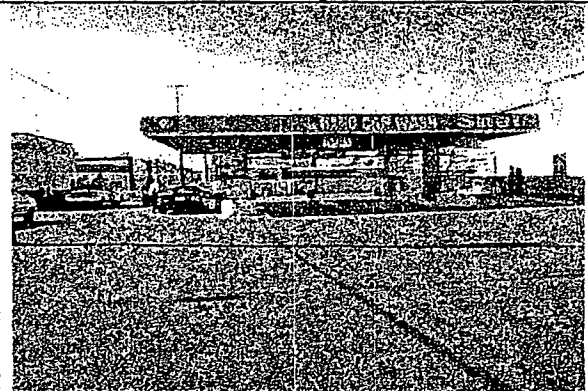


Photo #4 Car Wash Drop-off, Gas Pumps



Photo #5 Car Wash Exit

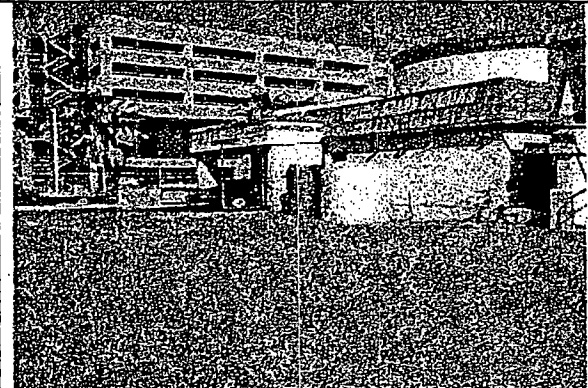


Photo # 6 Car Wash Entrance

RQR-3930
3-25-04 PC

[illegible]

RQR-3930
3-25-04 PC



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

3/4/04



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

3/4/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Request for withdrawal without prejudice by Singer & Brown

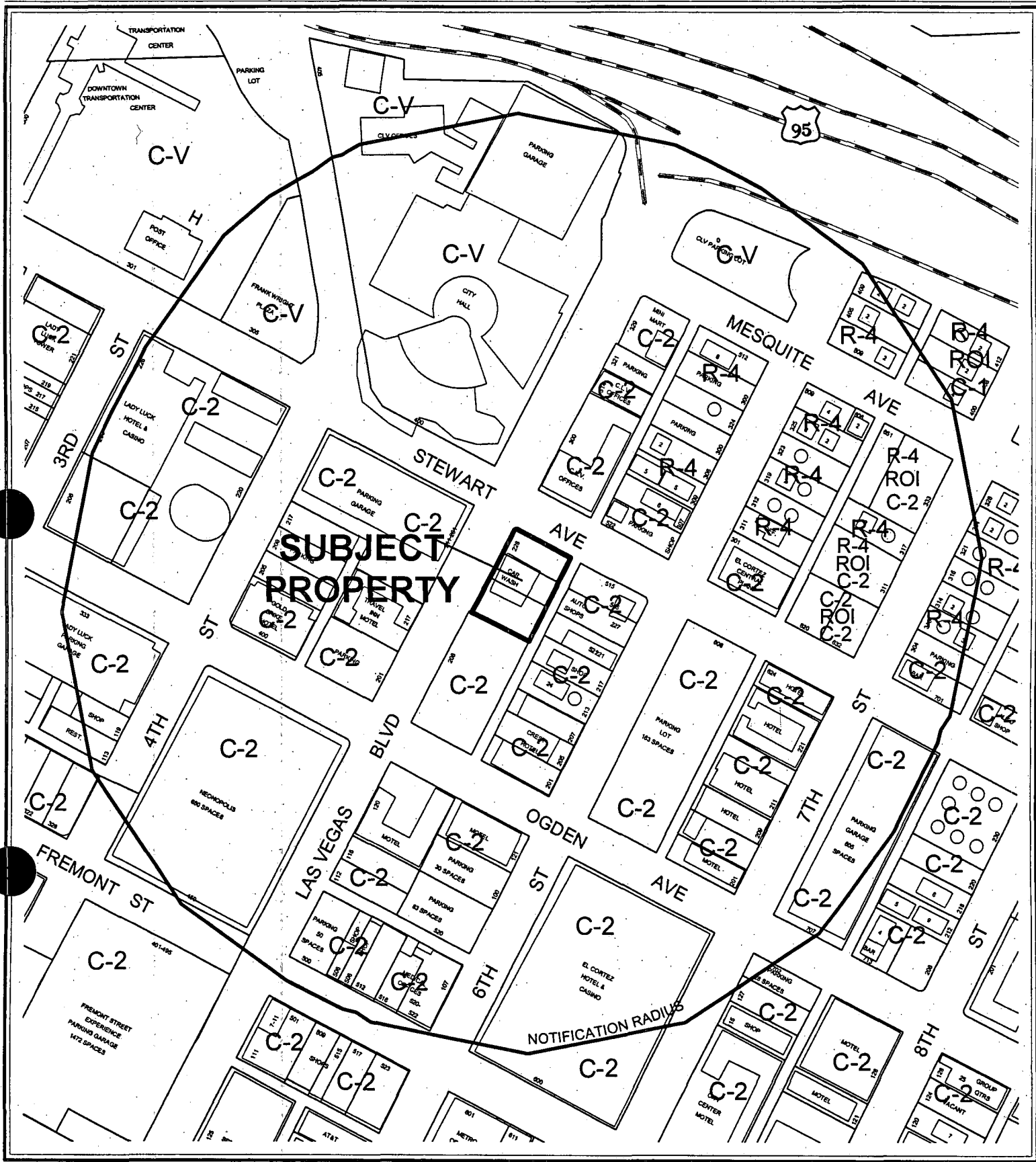
MOTION:

REESE – Motion to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 135 [ROC-4121] and **HOLD IN ABEYANCE** Item 104 [709 Jackson Avenue], Item 148 [SUP-3152] to 7/21/2004, Item 119 [MSP-4380] to 8/4/2004 and Item 152 [SUP-4172] to 9/1/2004 – **UNANIMOUS**

MINUTES:

There was no discussion

(1:34 – 1:38)



CASE: **ROC-4121**

RADIUS: 750 FT

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

0 100 200 Feet



135





CASE: ROC-4121

RADIUS: 750 FT

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ROC-4121 - APPLICANT: NEISSAN
KOROGHLI – OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 19, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. This use shall be subject to review by the City Council one year from the final approval of this Review of Condition at which time the Special Use Permit may be revoked.
2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND DATA

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

DETAILS OF APPLICATION REQUEST

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

1. The sale of alcoholic beverages shall be restricted to the sale of a minimum of four miniature liquor bottles in multi-product gift-wrapped baskets.
2. The minimum price for each basket will be \$35.00.
3. Large single bottles of alcohol may only be displayed for delivery to offices located within the downtown area.
4. A list of all downtown deliveries shall be maintained on site.

ZONING AND EXISTING LAND USE OF ADJACENT PROPERTIES

Existing Zoning

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

Existing Land Use

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

ANALYSIS & FINDINGS

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 43 By Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ROC-4121

Case Number: ROR 3930 APN: 139-34-511,02,03

Name of Property Owner: NEISSAN KOROGHLE

Name of Applicant: NEISSAN KOROGHLE

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

☒ 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: _____

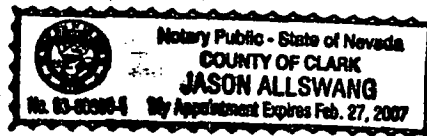
Signature of Property Owner/Authorized Agent: Wen Sh

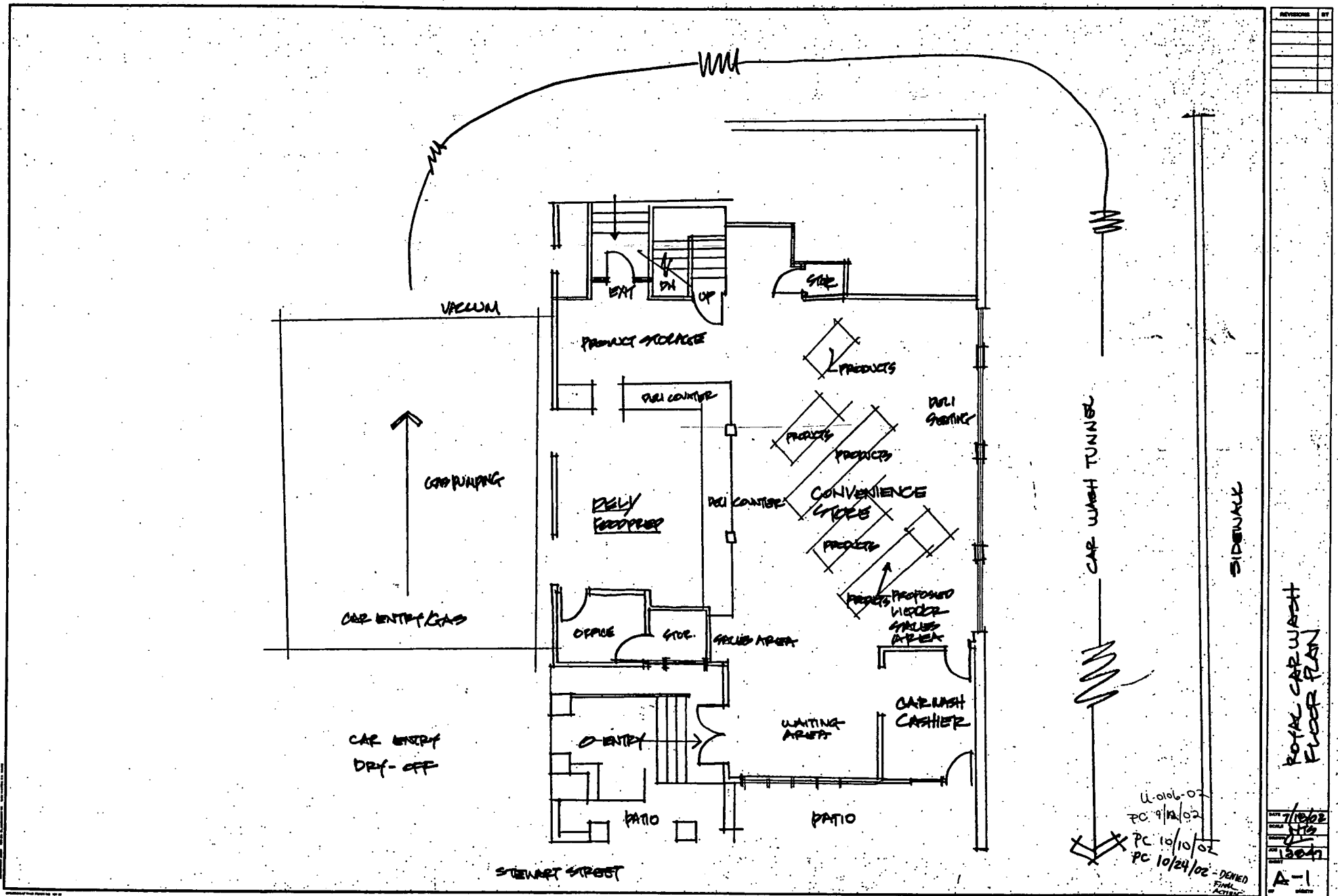
Print Name: NEISSAN KOKOGLI

Subscribed and sworn before me

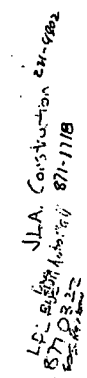
This 15th day of March, 2004

Notary Public in and for said County and State





ROC-4121
4-21-04 CC

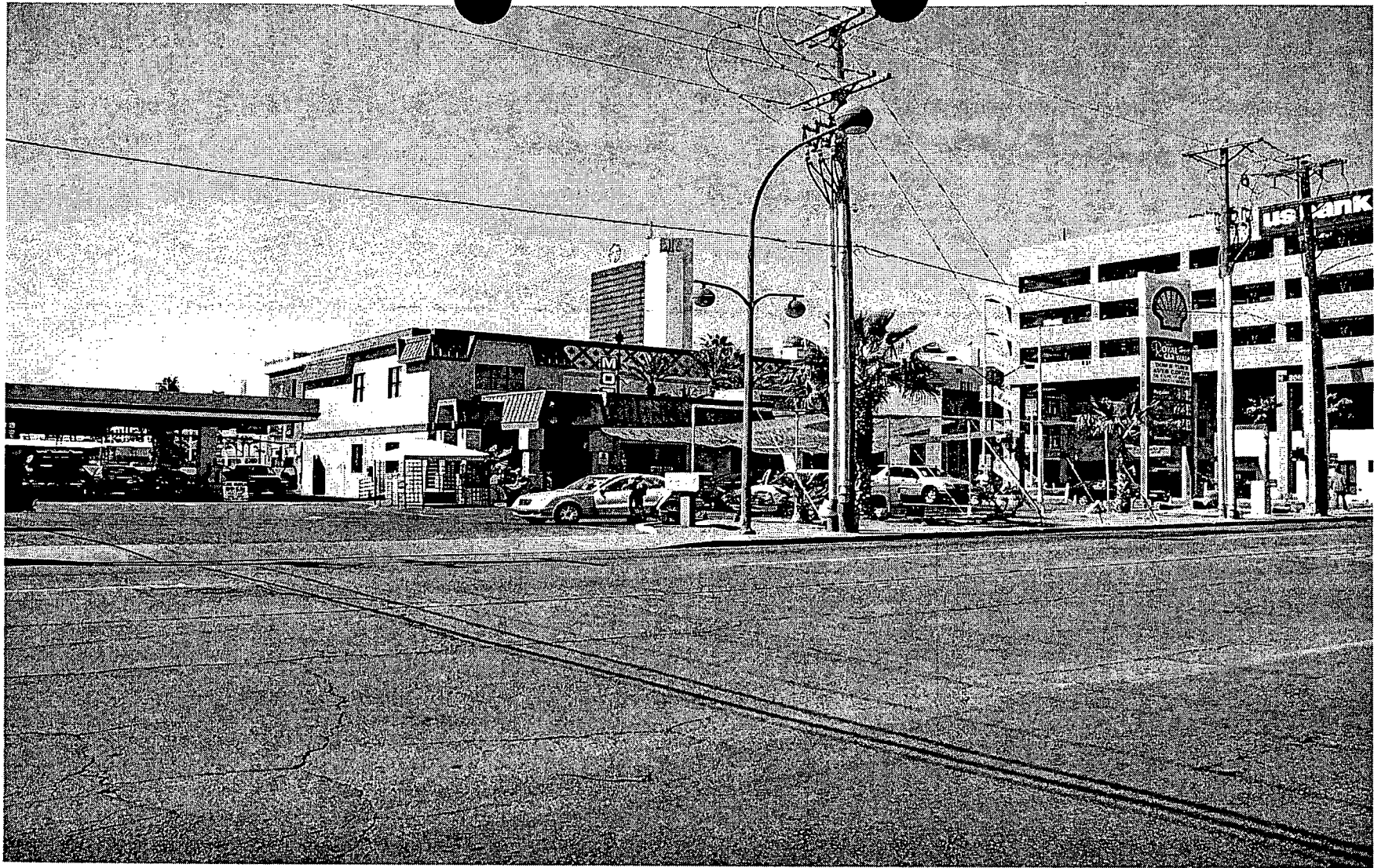


ROC-4121
4-21-04 CC



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

Picture taken 04/05/04



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

Picture taken 04/05/04

LAW OFFICES

Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN
STEVEN G. BARRINGER *
CHRISTOPHER L. BIRKIN
*LICENSED IN WASHINGTON, D.C.
AND COLORADO ONLY

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023

May 24, 2004

FAX: 382-4803

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

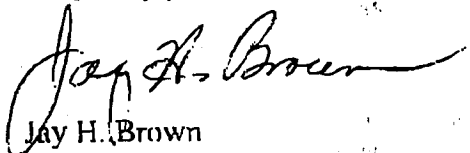
Re: July 7, 2004 City Council Agenda
ROC-4121 - Neissan Koroghli

Dear Ms. Ronemus:

Please be advised that I represent the applicant, Neissan Koroghli, in connection with his request for review of conditions of a Special Use Permit (U-0106-02) that is on the July 7, 2004 City Council agenda.

My client is requesting that the above referenced application be withdrawn without prejudice at this time.

Very truly yours,


Jay H. Brown

JHIB:cc

2004 MAY 26 A 11:02

RECEIVED
CITY CLERK

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION** - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2 (Vacant). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – City Attorney’s Office Written Opinions for Mayor Goodman and Councilman Mack filed under Items 3 and 101
5. Submitted at City Council – City Attorney’s Office Written Opinion for Councilman Mack

MOTION:

WOLFSON – APPROVED subject to conditions – **UNANIMOUS** with **GOODMAN** abstaining because members of his law firm are involved in negotiations with billboard companies and **MACK** abstaining because of a conflict of interest created by his more active role at Mack Consulting

MINUTES:

Under Item 101, MAYOR GOODMAN submitted to CITY CLERK RONEUS an opinion memo from the City Attorney’s office regarding Item 110 [DIR-4421], Item 111 [DIR-4573], Item 136 [RQR-3686], Item 137 [RQR-4187], Item 138 [RQR-4238], Item 139 [RQR-4239], Item 140 [RQR-4240], Item 141 [RQR-4242], Item 142 [RQR-4243], Item 143 [RQR-4244], Item 144 [RQR-4268], Item 145 [RQR-4270], Item 146 [RQR-4271], Item 147 [RQR-4282], Item 148 [SUP-3152], Item 149 [SUP-3972], Item 151 [SUP-4169] and Item 152 [SUP-4172] all of which involve billboard signs. He disclosed he would abstain from voting on these items because members of his law office are involved in negotiations with billboard companies. He indicated the opinion memo also covered the abstention he would take on Item 119 [MSP-4380] because his son is an attorney for Treasures.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 136 – RQR-3686

MINUTES Continued:

COUNCILMAN MACK submitted an opinion memo to CITY CLERK BARBARA JO RONEMUS from the City Attorney, which pertained to Item 136 [RQR-3686], Item 138 [RQR-4238], Item 139 [RQR-4239], Item 140 [RQR-4240], Item 141 [RQR-4242], Item 142 [RQR-4243], Item 143 [RQR-4244], Item 144 [RQR-4268], Item 145 [RQR-4270], Item 146 [RQR-4271] and Item 147 [RQR-4282]. He disclosed the basis of his abstention for Item 136 [RQR-3686] is that Mack Consulting is taking a more active role in the procuring of advertising to its clients, thereby creating a conflict of interest with Lamar Advertising. He referenced his abstention on the remaining items for similar reasons.

MAYOR PRO-TEM REESE declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of applicant and concurred with staff recommendation.

No one appeared in opposition.

MAYOR PRO-TEM REESE declared the Public Hearing closed.

(4:09 – 4:10)

5-2517

CONDITIONS:

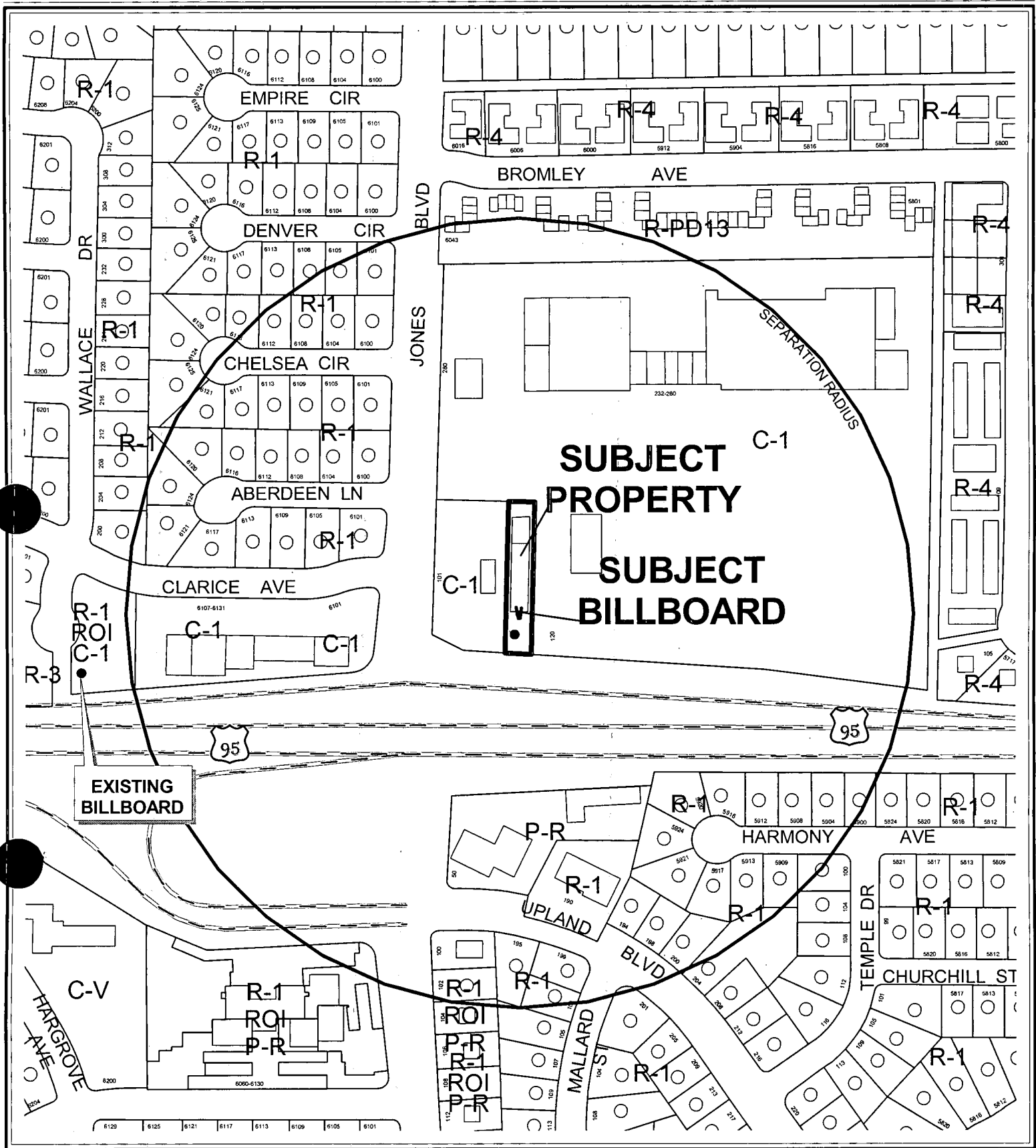
Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. Only one advertising sign is permitted per sign face.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 136 – RQR-3686

CONDITIONS Continued:

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



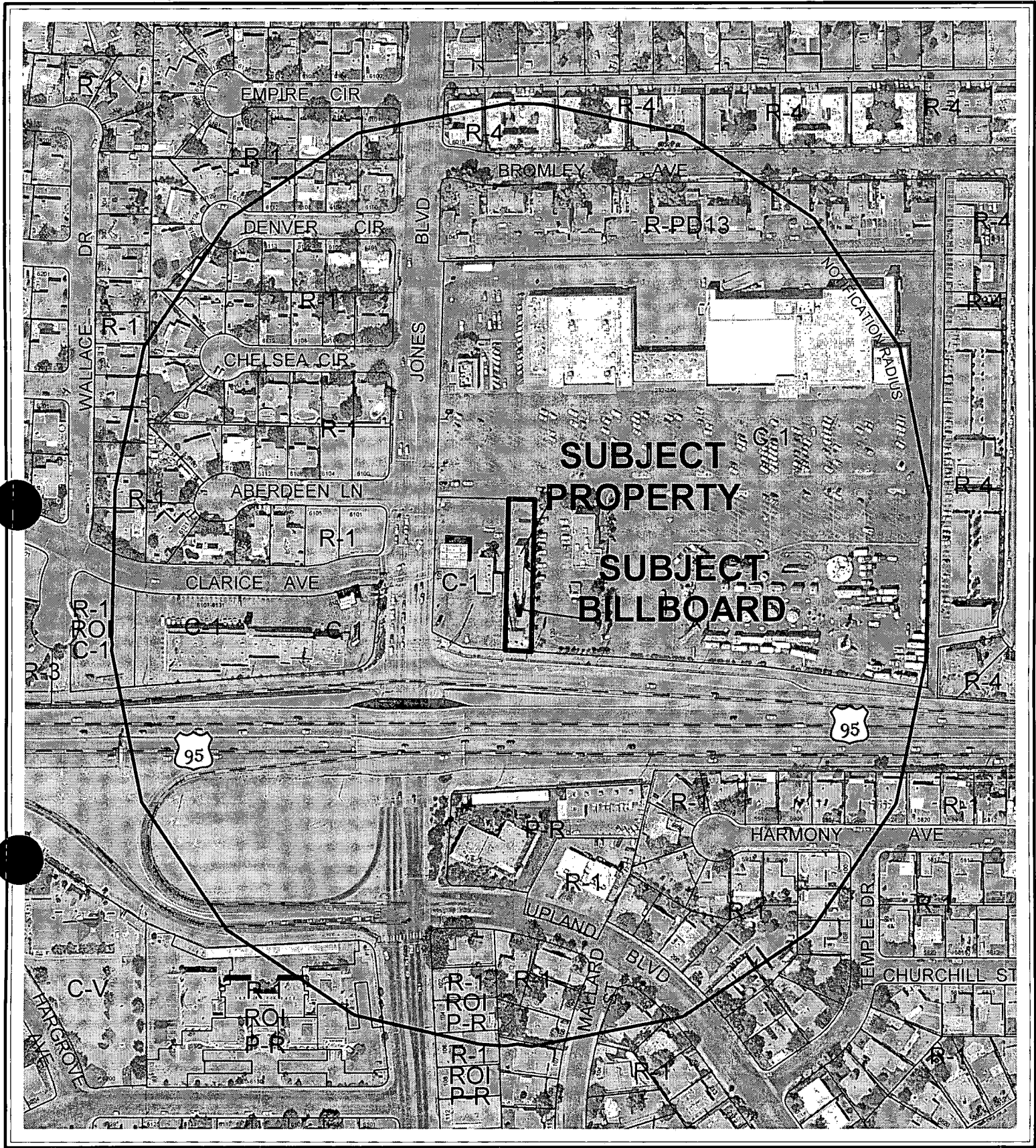
CASE: RQR-3686

SEPARATION RADIUS: 750 FT

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

0 100 200 Feet





CASE: RQR-3686

RADIUS: 750 FT

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-3686 - APPLICANT: LAMAR OUTDOOR
ADVERTISING; OWNER: STATE OF NEVADA TRANSPORTATION

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. Only one advertising sign is permitted per sign face.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

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

B) Applicant's Justification

A justification letter is not required for this review.

BACKGROUND INFORMATION

A) Previous Actions

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

05/27/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #4/pl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.33

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

Title 19.14.010 allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the off-premises advertising (billboard) sign no longer meets the standards for approval. There have been no changes to the conditions in the surrounding area. The off-premise advertising (billboard) sign under review continues to be an allowable use for the next two years or until the widening of the Oran K. Gragson Expressway (U.S. 95). A condition has been added requiring a review again in two years. On February 9, 2004, staff visited the site and determined that the sign is well kept; the pole has retained its brown coloring and has not been vandalized.

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 139 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: State of Nevada Transportation

Name of Applicant: Lamar Outdoor Advertising

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

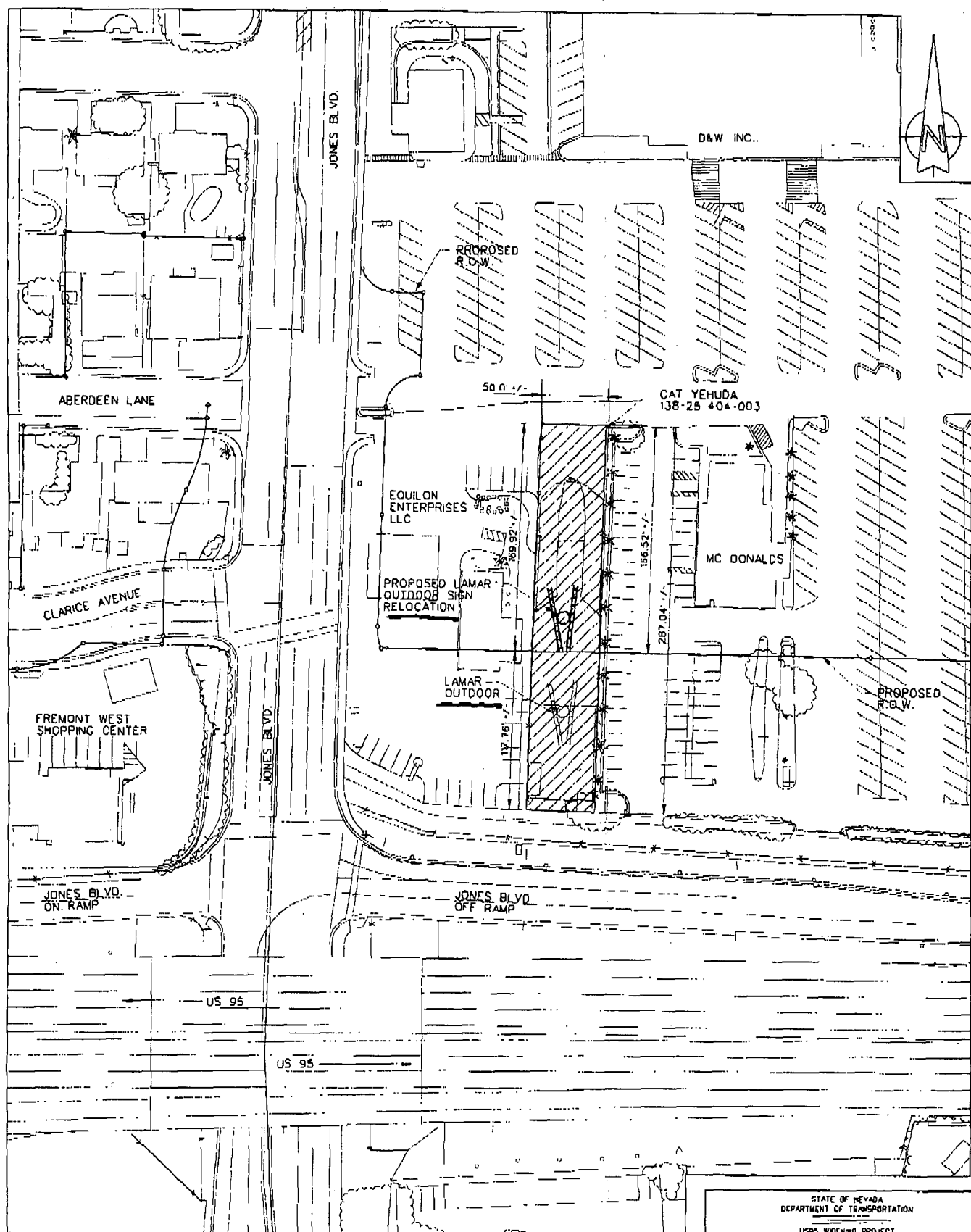
Print Name: Scott Nattzer

Subscribed and sworn before me

This 9th day of January, 2004

Stephanie B. Durso
Notary Public in and for said County and State





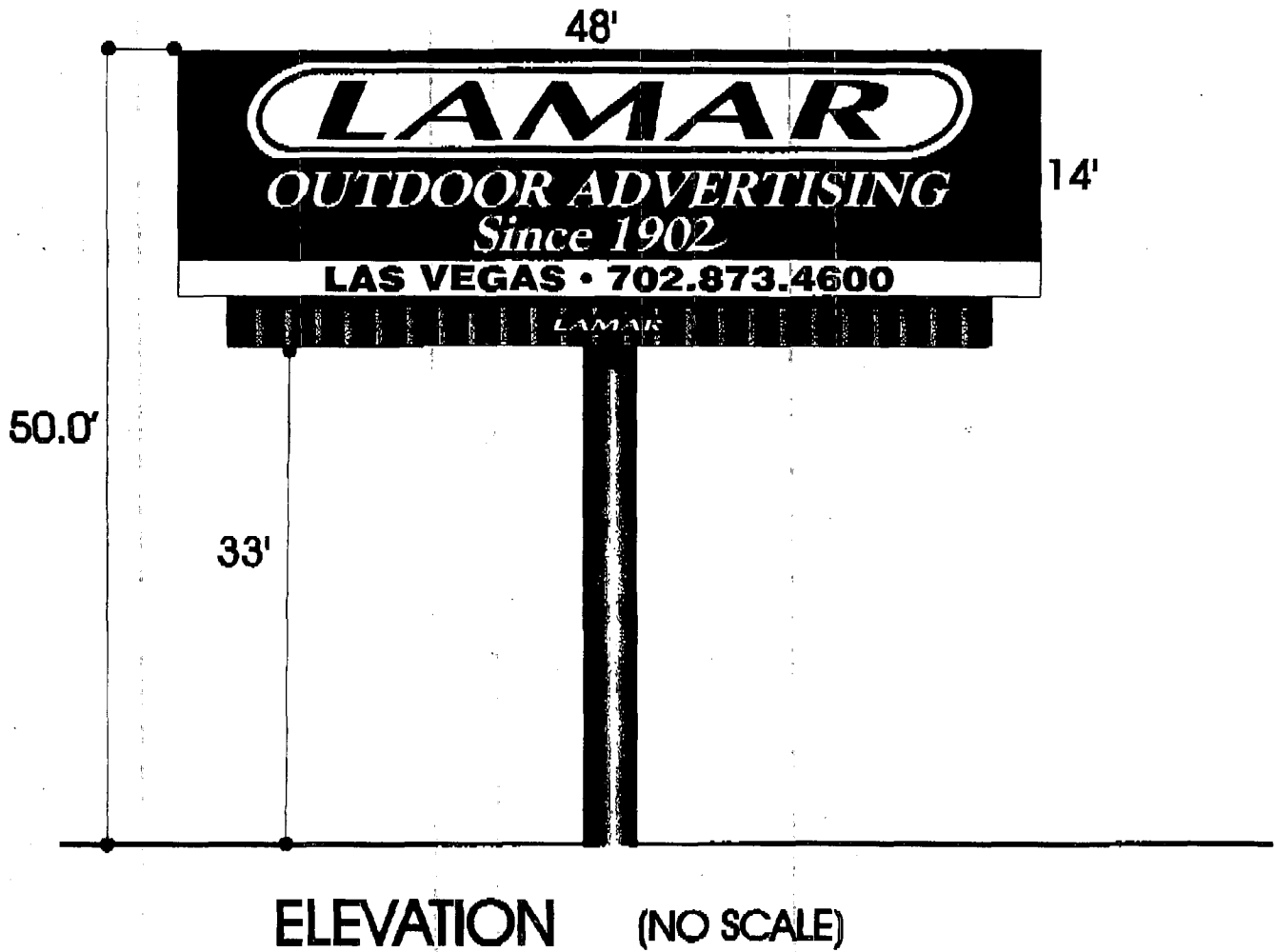
PRELIMINARY

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
US95 WIDENING PROJECT
YEHUDA GAT
CARWASH - 110 N. JONES BLVD

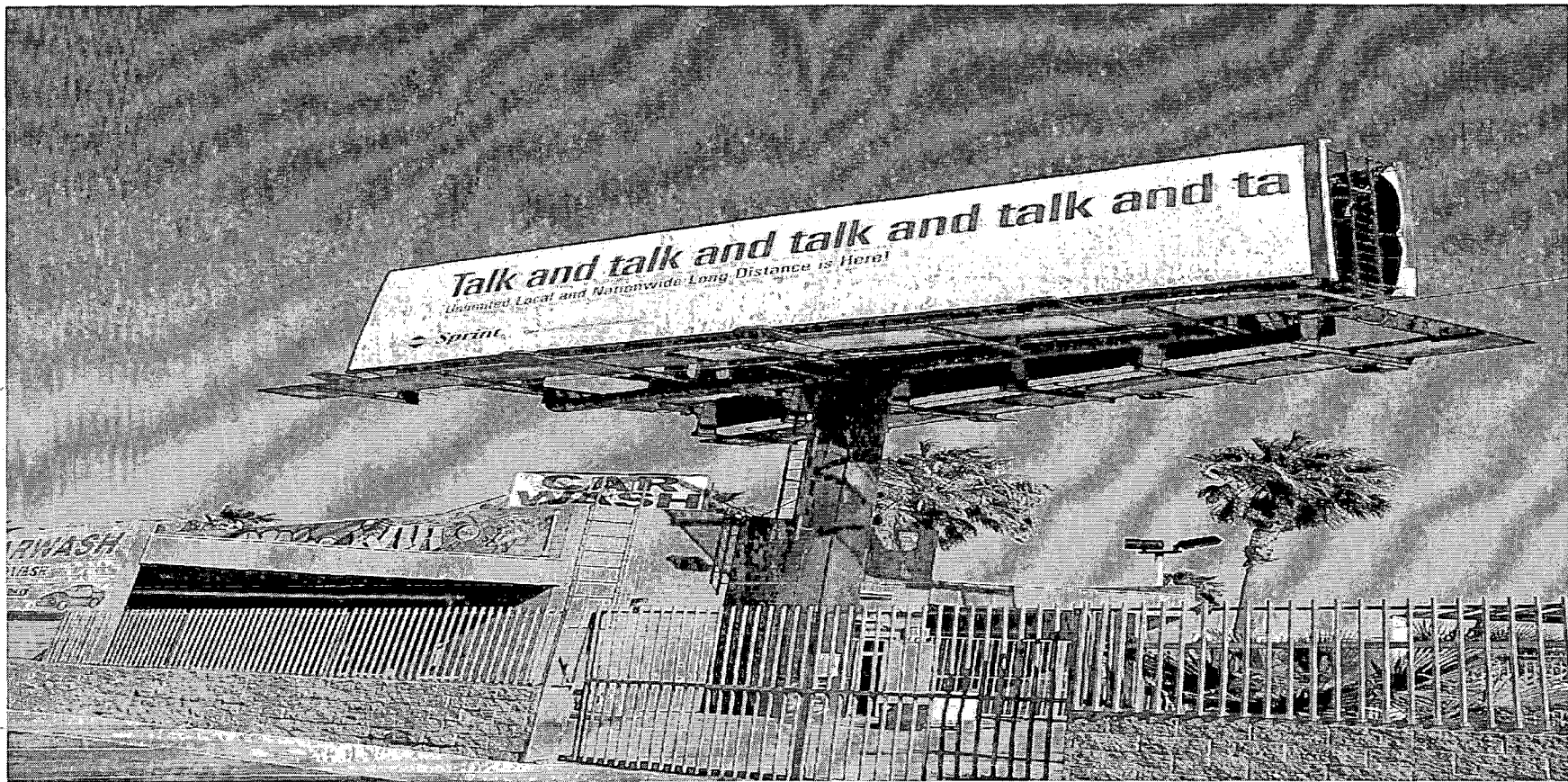
PBSJ

301 N. Green Valley Road
Las Vegas, NV 89102
702.735.1100
702.735.1101

NEVADA



RQR-3686
6-24-04 PC



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

2/9/04



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

2/9/04

Memorandum

City of Las Vegas Office of the City Attorney

To: Councilman Michael Mack

From: Bryan K. Scott
Deputy City Attorney 

CC: Bradford R. Jerbic
City Attorney

Date: July 7, 2004

Re: Request for Opinion on Abstentions for 7/07/04 City Council Meeting (Supplement)

This supplementary memorandum is written in response to your request for an opinion from the City Attorney's Office regarding whether you are required to abstain on items 136, 138, 139, 140, 141, 142, 143, 144, 145, 146 and 147 which are scheduled to be heard by the Las Vegas City Council on July 7, 2004.

Items 136, 138, 139, 140, 141, 142, 143 and 147 involve required two-year reviews of previously approved off-premise advertising signs (billboards) at various locations within the City's jurisdiction. The applicant on all of the applications is Lamar Outdoor Advertising. You have informed me that your company, Mack Consulting, recently began negotiations for contracts for the leasing of billboard advertising space with Lamar Outdoor Advertising for existing and future clients of Mack Consulting. The approval or disapproval of the reviews for these billboards could affect Mack Consulting's clients' business and possibly your business and financial relationship with those clients.

Items 144, 145 and 146 involve required two-year reviews of previously approved off-premise advertising signs (billboards) at various locations within the City's jurisdiction. The applicant on all of the applications is Clear Channel Outdoor. You have informed me that your Company, Mack Consulting, recently began negotiations for future contracts for the leasing of billboard advertising space with Clear Channel Outdoor for existing and future clients of Mack Consulting. The approval or disapproval of the reviews for these billboards could affect Mack Consulting's clients' business and possibly your business and financial relationship with those clients.

NRS 281.501(2) provides:

In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of . . . a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (c) his commitment in a private capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (c) who employs him . . . or (d) with whom he has a substantial and continuing business relationship, or (e) any other commitment or relationship that is substantially similar to commitment or relationship described in this subsection.

Submitted at City Council

Date 7/7/04 item #136 & other related items as indicated

It is the conclusion of the City Attorney that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussions and votes on all of the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the July 7, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item since abeyance, withdrawal or tabling motions are not substantive motions. If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflicts and abstain from the discussion and vote.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b