City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
REZONING RELATED TO GPA-4549 - PUBLIC HEARING - ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: P-R (Professional Office and Parking) and R-E (Residence Estates) TO: C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

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

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 35 – ZON-4550

CONDITIONS:

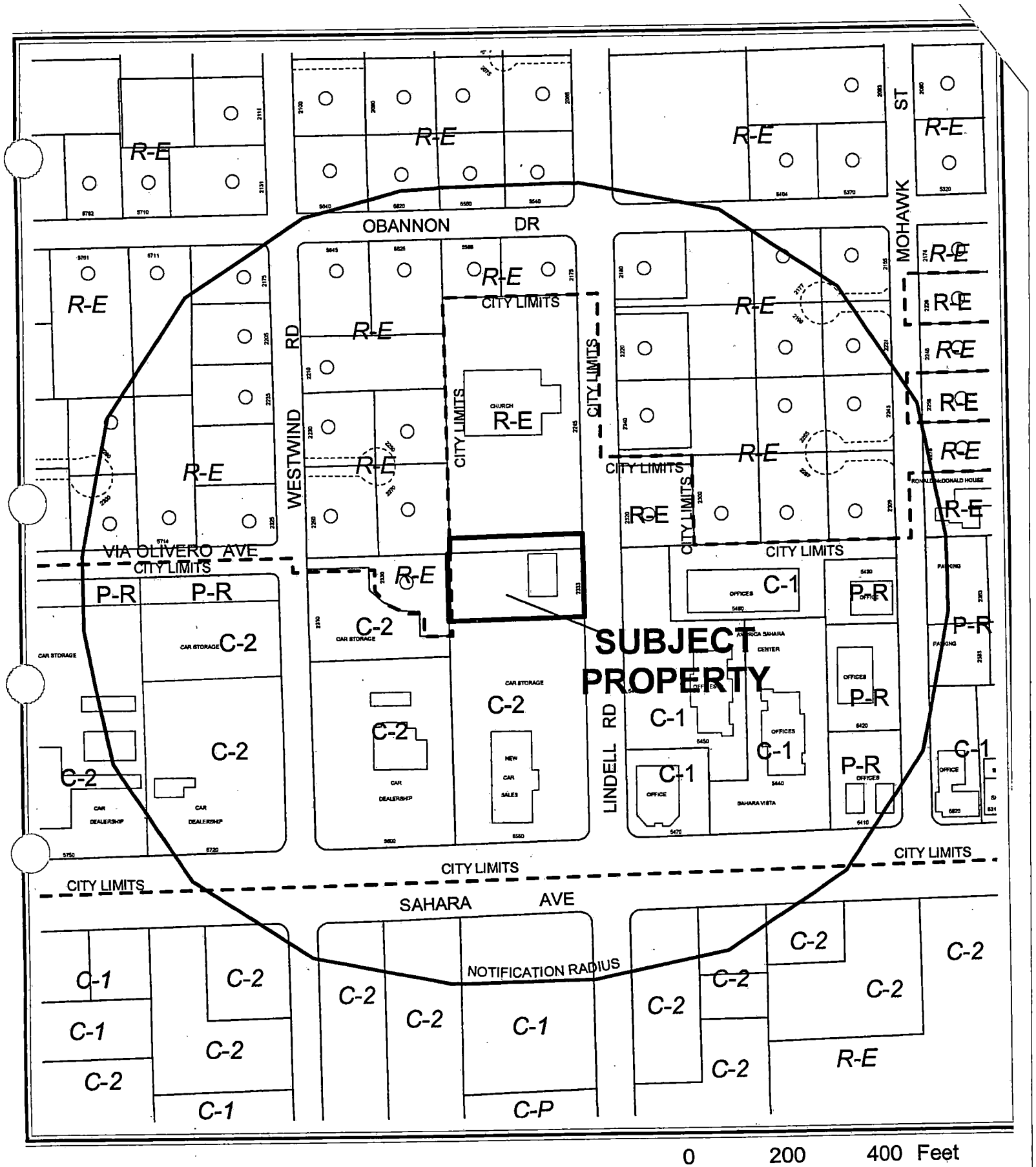
Planning and Development

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

2. A General Plan Amendment (GPA-4549), Site Development Plan Review application (SDR-4551), and Variance (VAR-4553) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

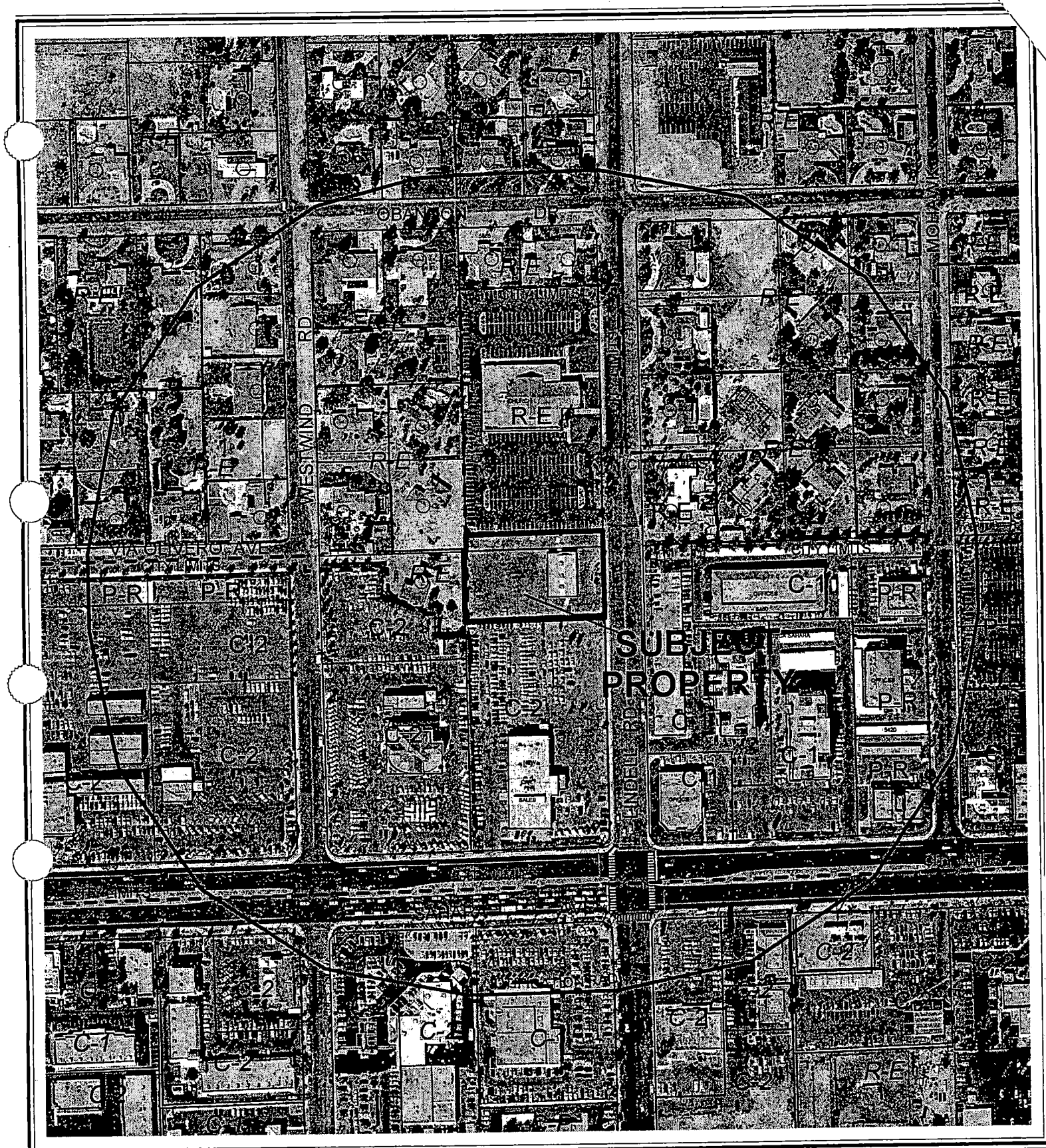


CASE: **ZON-4550**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) AND P-R (PROFESSIONAL OFFICE AND PARKING)

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



CASE: **ZON-4550**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) AND P-R (PROFESSIONAL OFFICE AND PARKING)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

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

2. A General Plan Amendment (GPA-4549), Site Development Plan Review application (SDR-4551), and Variance (VAR-4553) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from R-E (Residence Estates) and P-R (Professional Office) to C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue. A related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Site Development Plan Review (SDR-4551) will be considered concurrently with this application.

B) Applicant's Justification

The rezone to C-2 (General Commercial) will allow for a cohesive project appropriate to accommodate a quality functional project that is in keeping with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

04/24/90	The City Council approved a Reclassification of Property (Z-0038-90) to the P-R (Professional Office) zoning district.
04/24/94	The Zoning Board of Adjustment approved a Variance (V-0061-94) to allow a Beauty Salon.
07/08/04	The Planning Commission will consider a related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Site Development Plan Review (SDR-4551) concurrently with this application. Staff recommends approval.

B) Pre-Application Meeting

05/15/04	Issues discussed included the need for a General Plan Amendment, Variance, Rezoning, and Site Development Plan Review. Other issues included acknowledgement of the required landscape waivers and Signal Impact Fees, and the need to eventually combine the existing parcels into one lot.

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning applications.

FS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.15

B) Existing Land Use

Subject Property:	Office
North:	Church/House of Worship
South:	Auto Dealership
East:	Office / Single Family Residence
West:	Single Family Residence

C) Planned Land Use

Subject Property:	DR (Desert Rural Density), O (Office)
North:	DR (Desert Rural Density)
South:	GC (General Commercial)
East:	SC (Service Commercial), DR (Desert Rural Density)
West:	DR (Desert Rural Density)

D) Existing Zoning

Subject Property:	P-R (Professional Office), R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	C-2 (General Commercial)
East:	C-1 (Limited Commercial), R-E (Residence Estates)
West:	R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with DR (Desert Rural Density) and O (Office) land use designations. The proposed C-2 (General Commercial) zoning district will be in compliance with the General Plan with the approval of a related General Plan Amendment (GPA-4549) to GC (General Commercial). The proposed Auto Dealership is a Conditional Use in the C-2 (General Commercial) zoning district.

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

Special Notification

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

ANALYSIS

B) General Analysis and Discussion

The request is for a Rezoning from R-E (Residence Estates) and P-R (Professional Office) to C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue. The rezoning encompasses two parcels, which will be utilized along with the parcel to the south for a proposed Motor Vehicle (New) Sales Facility (SDR-4551). The parcel to the south is zoned C-2 (General Commercial), and is presently occupied with an existing Motor Vehicle (New) Sales Facility. The north property line of the proposed Rezoning abuts a parking area for a religious facility, and the west property line is adjacent to a Single Family Residence. While it is generally not desirable to have commercial abutting residential, it is justifiable in this case as the area is predominantly commercial in nature, the residence to the west currently abuts a C-2 (General Commercial) zoned parcel on its south property line, and the north and west portions of the proposed site will be screened by an eight-foot wall and landscape buffer.

FINDINGS

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

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

   With the approval of the companion General Plan Amendment (GPA-4549) from DR (Desert Rural Density) and O (Office) to GC (General Commercial), the proposal will conform to the General Plan.

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

   The site plan depicts perimeter screening and landscape buffering which eliminates compatibility issues between the subject parcels and the single-family residence to the west, and religious assembly to the north. The proposed auto dealership will be one of several in the vicinity, and is appropriate for this location.

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

   The Rezoning is appropriate as the subject parcels will be incorporated into a proposed site plan (SDR-4551) for a new auto dealership, which fronts the northwest corner of Sahara Avenue and Lindell Road. The area is commercial in nature, and there are several auto dealerships in the vicinity. In addition, the site will be screened from the adjacent single-family residence to the west, and the religious assembly to the north.

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

   The site receives access via a drive from Sahara Avenue, a Primary (150-foot) Arterial on the Master Plan of Streets and Highways, and two drives from Lindell Road, an Secondary (80-foot) Collector on the Master Plan of Streets and Highways. The street facilities providing access to the property are adequate in size to meet the requirements of the proposed zoning district.

NOTICES MAILED 70 (Mailed with GPA-4549, VAR-4553 and SDR-4551)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4550 APN: _____

Name of Property Owner: Daniel L. Towbin

Name of Applicant: Carl D. Marcello

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: Carl D. Marcello

Subscribed and sworn before me

This 21st day of May, 2004

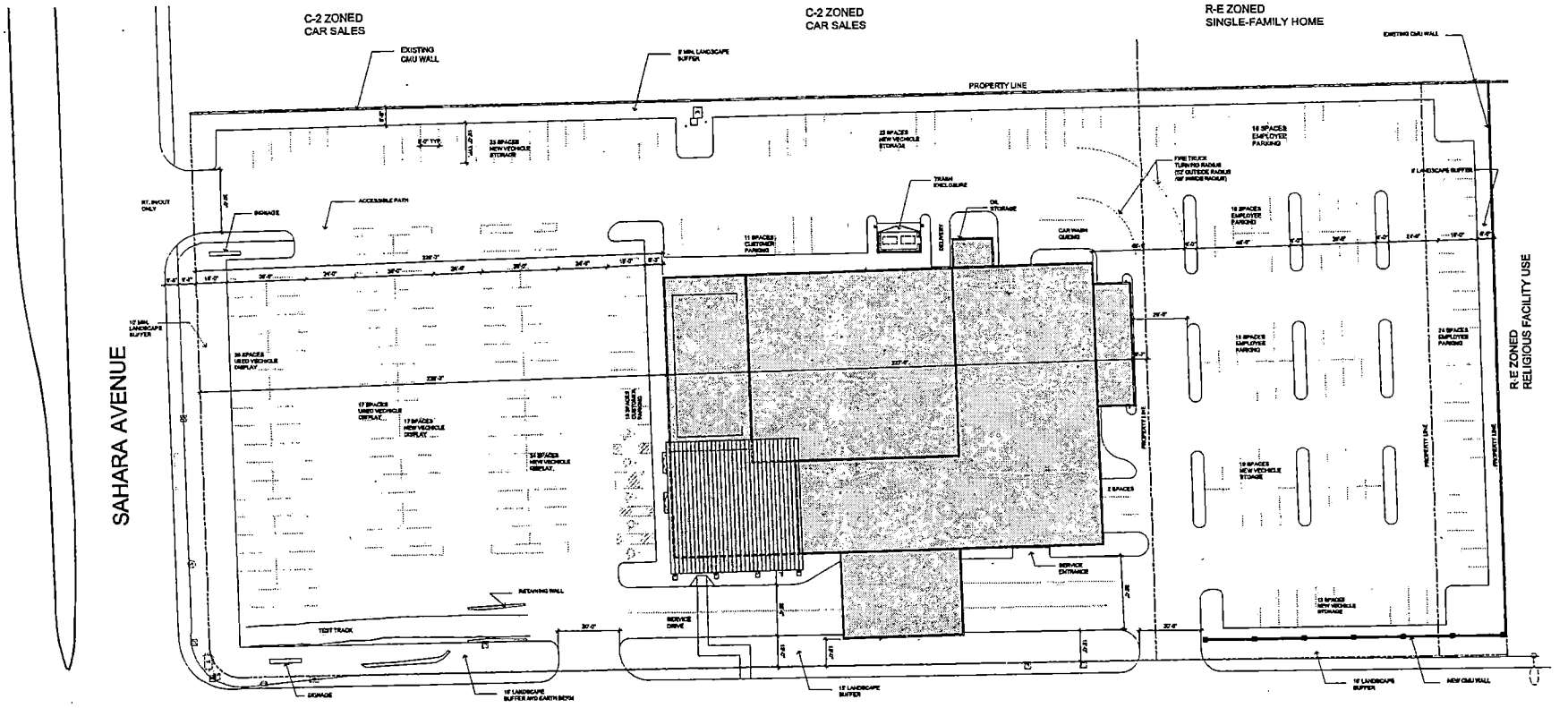
_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MELANIE A. MIKOVITS
My Appointment Expires
No: 02-78565-1 November 5, 2006

Carl D. Marcello
Managing Member/Owner
Office: 702-735-4800
Cell: 702-526-7726
Fax: 702-735-5448
4795 Bay Donegal Dr., Las Vegas, Nevada 89147
E-mail: cdmarcello@yahoo.com

JMA ARCHITECTURE STUDIOS



JURISDICTION:	CLARK COUNTY				
PARCEL #'s:	163-01-404-003; 163-01-404-007; 163-01-404-006				
ADDRESS:	5550 W. SAHARA AVE.				
PARCEL 'A'		PARCEL 'B'		TOTAL SITE	
SITE AREA:	134,800.4 SF 3.04 ACRES	SITE AREA:	37,897.2 SF .87 ACRES	SITE AREA:	182,951 SF 4.15 ACRES
BUILDING AREA:	42,422 SF	PARKING PROVIDED:	106 SPACES	BUILDING AREA:	42,422 SF
COVERAGE: F.A.R.:	31.51 % 1:3.17	PARCEL 'C'		COVERAGE: F.A.R.:	23.18 % 1:4.31
PARKING REQUIRED:	85 SPACES 1/500 SF	SITE AREA:	10,454.4 SF .24 ACRES	PARKING REQUIRED:	85 SPACES 1/500 SF
PARKING PROVIDED:	183 SPACES	PARKING PROVIDED:	106 SPACES	PARKING PROVIDED:	289 SPACES

ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

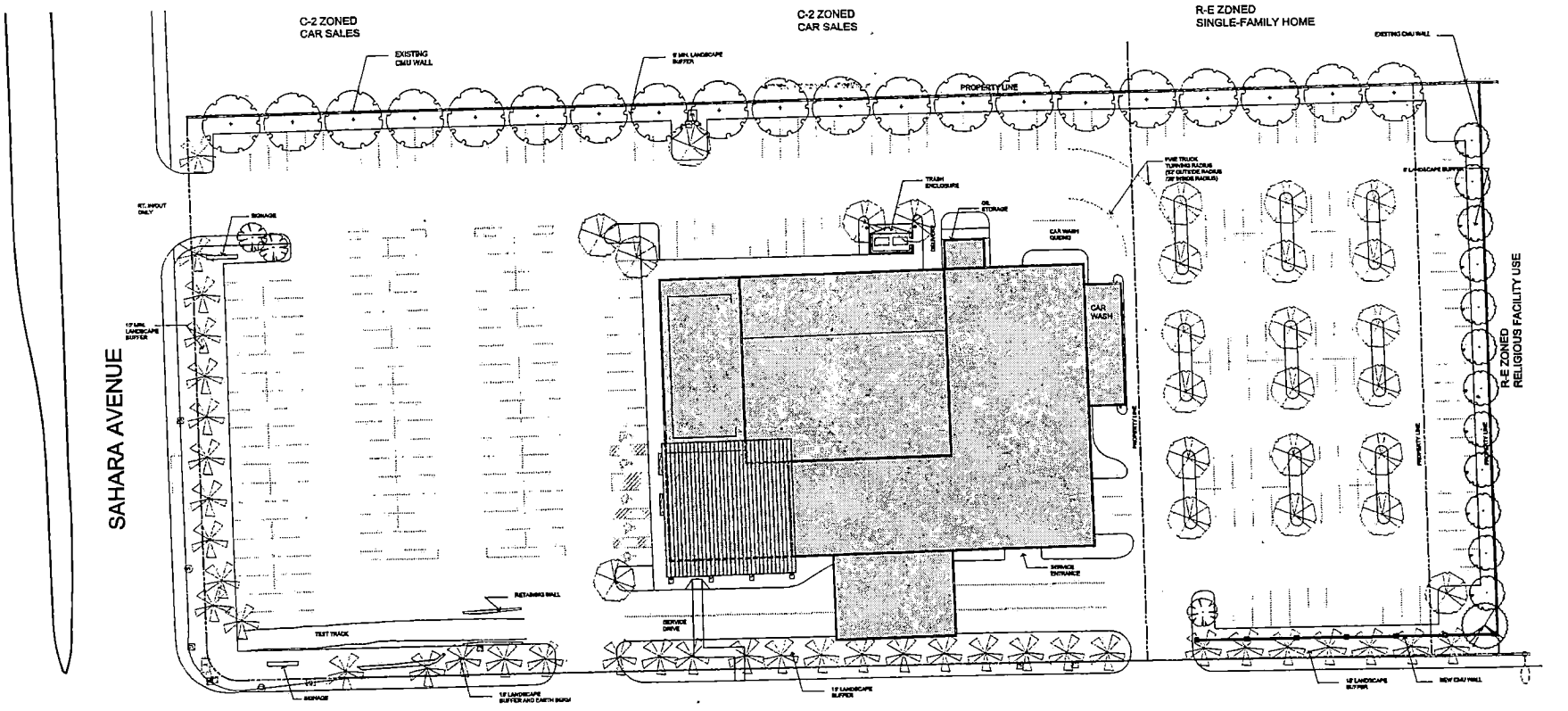
REVISED
07-01-04

10100 CONNECTION CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 791-2000 FAX: (702) 791-2026 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004

Carl D. Marcello
Managing Member/Broker
Office: 702-795-4605
Cell: 702-326-4789
Fax: 702-795-5464
4795 Bo Dunnagin Dr. Las Vegas, Nevada 89147
E-mail: cdmarcello@cox.com

JMA ARCHITECTURE STUDIOS



LINDELL ROAD

TOWBIN HUMMER

TREE LEGEND

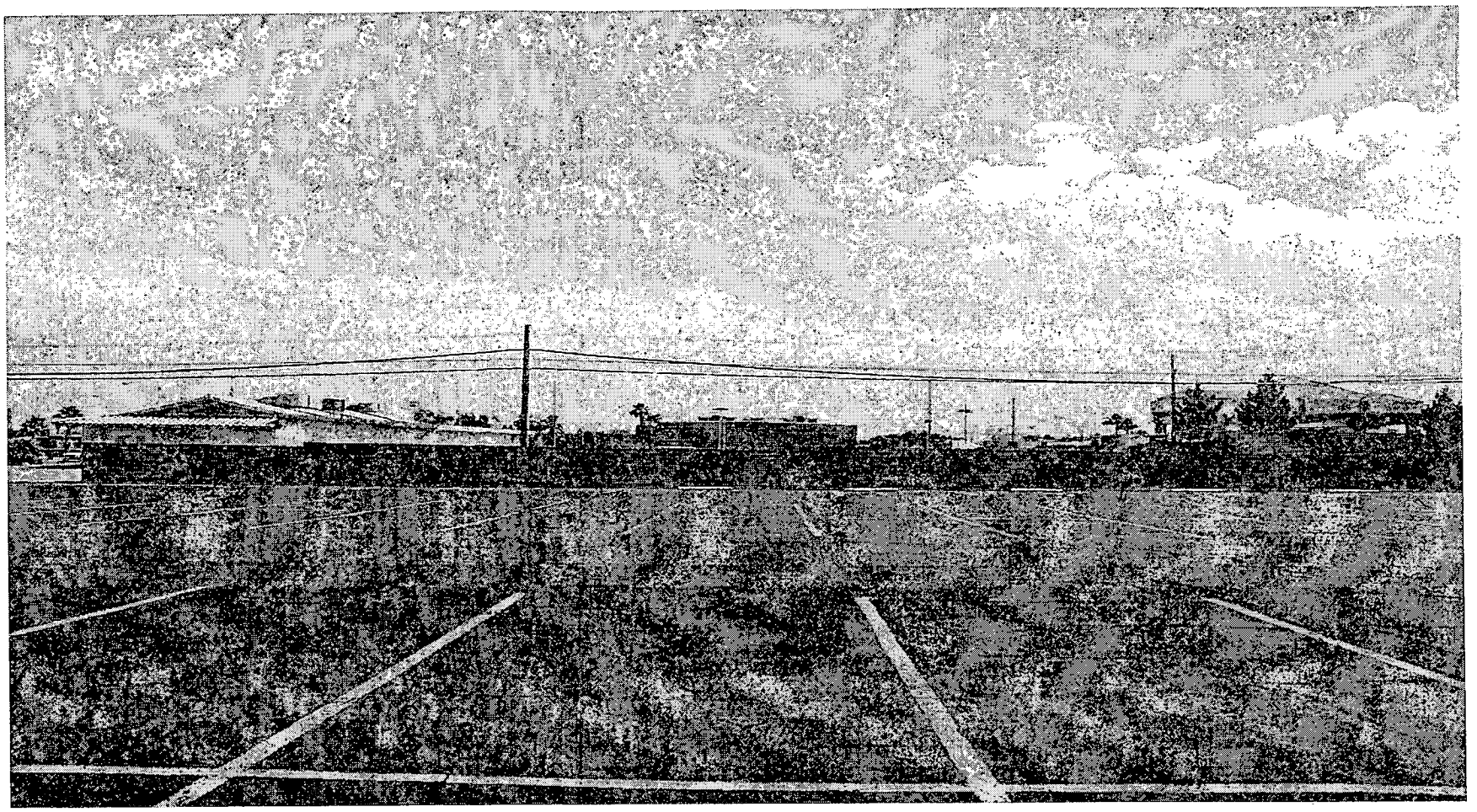
SYMBOL	BOTANICAL/COMMON NAME
	CHITALPA TASHKENTENSIS CHITALPA
	LIGUSTRUM LUCIDUM GLOSSY PRIVET
	PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE
	QUERCUS VIRGINIANA 'HERITAGE' HERITAGE LIVE OAK
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 791-0011 FAX: (702) 791-0030 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004

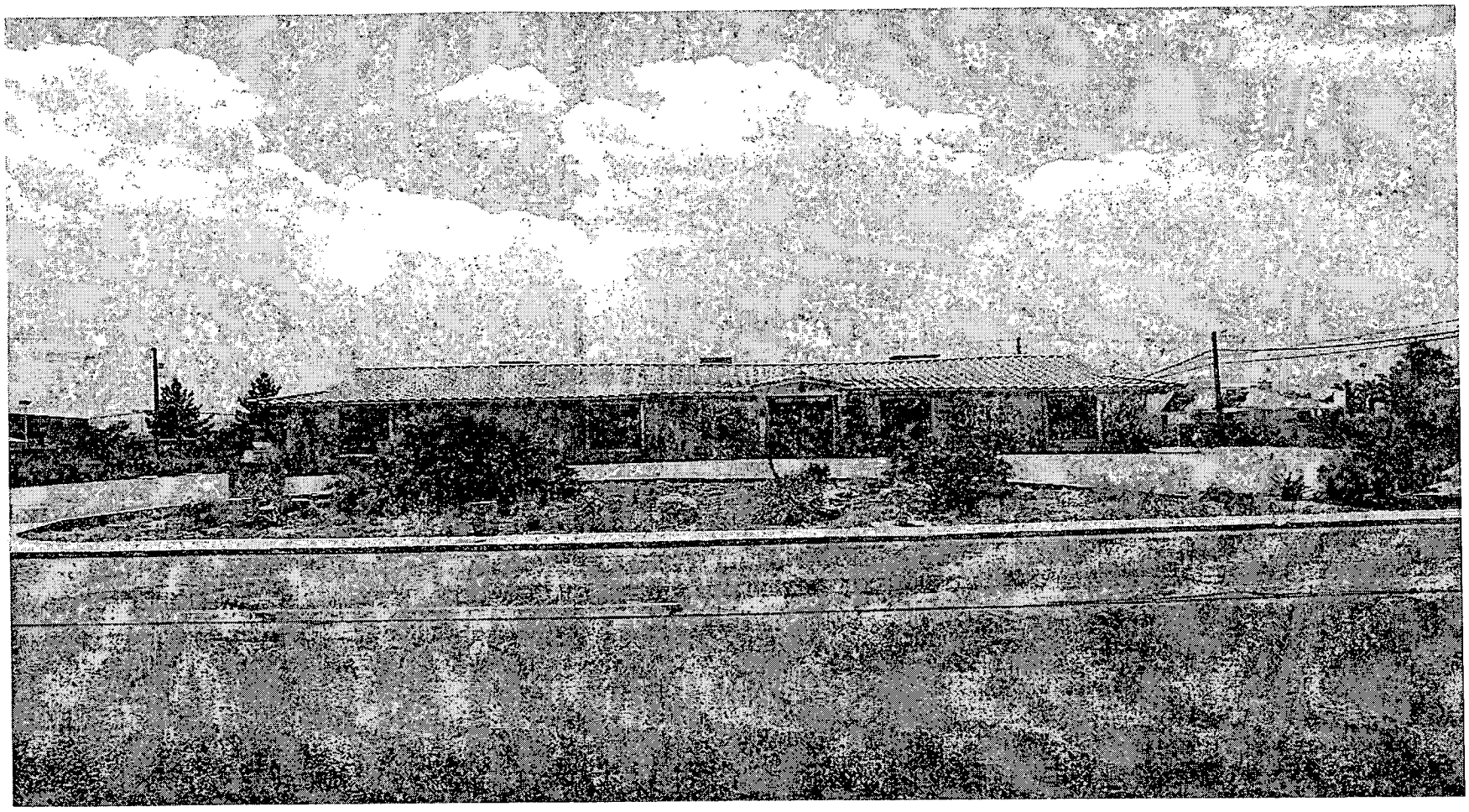
ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

REVISED
07-01-04



ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
VARIANCE RELATED TO GPA-4549 AND ZON-4550 - PUBLIC HEARING - VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 83-FOOT SIDE YARD SET BACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 100 FEET on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones, [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

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

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

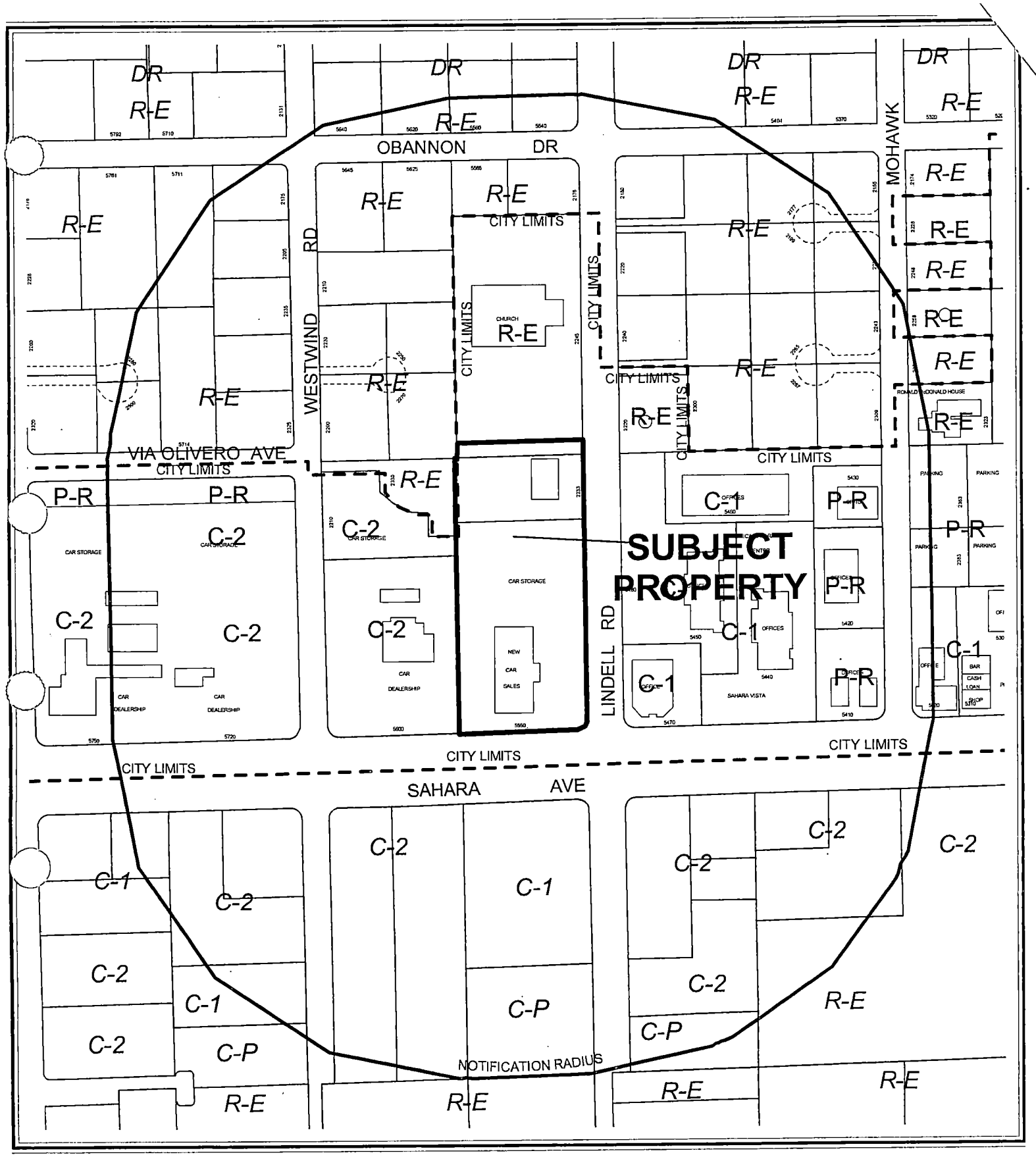
PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 36 – VAR-4553

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review application (SDR-4551) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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.



0 200 400 Feet

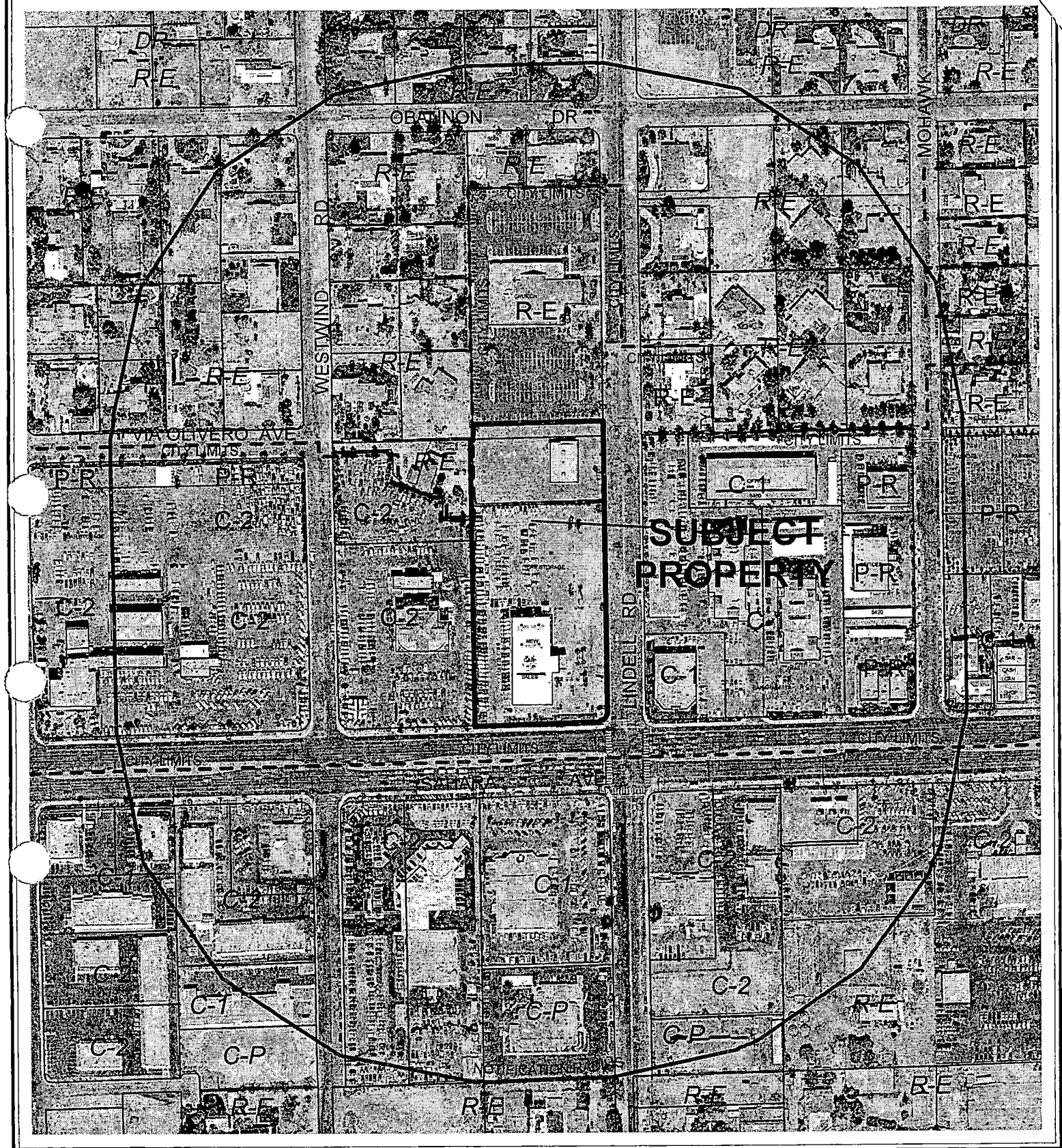
CASE: **VAR-4553**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), P-R (PROFESSIONAL OFFICE AND PARKING) AND C-2 (GENERAL COMMERCIAL)

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

N



0 200 400 Feet

CASE: **VAR-4553**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), P-R (PROFESSIONAL OFFICE AND PARKING) AND C-2 (GENERAL COMMERCIAL)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review application (SDR-4551) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Variance to allow an 83-foot Residential Adjacency set back where 100 feet is required on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road. A related General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551) will be considered concurrently with this application.

B) Applicant's Justification

The proposed building will not have any visual access to the residential property to the west, and the project will not be viable unless a second story is provided for office space.

BACKGROUND INFORMATION

A) Previous Actions

04/24/90	The City Council approved a Reclassification of Property (Z-0038-90) to the P-R (Professional Office) zoning district.
04/24/94	The Board of Zoning Adjustment approved a Variance (V-0061-94) to allow a Beauty Salon.
08/10/00	The Planning Commission approved a Site Development Plan Review (SD-0043-00) for a proposed 7,979 square foot addition to an existing 12,521 square foot auto dealership. Staff recommended approval.
07/08/04	The Planning Commission will consider a related General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551) concurrently with this application. Staff recommends approval.

B) Pre-Application Meeting

05/15/04	Issues discussed included the need for a General Plan Amendment, Variance, Rezoning, and Site Development Plan Review. Other issues included acknowledgement of the required landscape waivers and Signal Impact Fees, and the need to eventually combine the existing parcels into one lot.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.15

B) Existing Land Use

Subject Property:	Auto Dealership
North:	Church/House of Worship
South:	Auto Dealership
East:	Office / Single Family Residence
West:	Auto Dealership / Single Family Residence

C) Planned Land Use

Subject Property:	DR (Desert Rural Density), O (Office), GC (General Commercial)
North:	DR (Desert Rural Density)
South:	SC (Limited Commercial)
East:	SC (Service Commercial), DR (Desert Rural Density)
West:	DR (Desert Rural Density), GC (General Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial), P-R (Professional Office), R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	C-1 (Local Business District)
East:	C-1 (Limited Commercial), R-E (Residence Estates)
West:	C-2 (General Commercial), R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with DR (Desert Rural Density), O (Office), and GC (General Commercial) land use designations. The proposed C-2 (General Commercial) zoning district will be in compliance with the General Plan with the approval of a related General Plan Amendment (GPA-4549) to GC (General Commercial). The proposed Auto Dealership is a Conditional Use in the C-2 (General Commercial) zoning district. The requested Variance is not directly affected by any General Plan policies.

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 subject site is not located within any Special District or Zone.

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) Proximity slope. The west portion of the site adjacent to the single-family development is affected by proximity slope requirements. The structure along this property line is 33 feet, four inches in height, and would need to be setback 100 feet from the property line to meet the 3:1 proximity slope. The building setback is 83 feet from the west property line, and a Variance (VAR-4553) has been requested to provide relief from Residential Adjacency requirements.

b) Building setback. The setback along the west property line is 83 feet where 100 feet is required, and a Variance (VAR-4553) has been requested to provide relief from Residential Adjacency requirements.

B) General Analysis and Discussion

The request is to allow an 83-foot Residential Adjacency set back for a proposed Motor Vehicle (New) Sales Facility where 100 feet is required. The structure along the west property line is 33 feet, four inches in height, and would need to be setback 100 feet from the property line to meet the 3:1 proximity slope. The building will have no windows or any other visual access to the residential property to the west. Staff recommends the Variance.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

It is recommended that Variance be approved, as the proposed two-story building will not have windows or any other visual access to the residential property to the west. This alleviates privacy concerns, and allows compatibility between the adjacent residential property and the proposed automobile sales building.

NOTICES MAILED 70 (Mailed with GPA-4549, ZON-4550 and SDR-4551)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4553 APN: _____

Name of Property Owner: Daniel L. Towbin

Name of Applicant: Carl D. Marcello

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: Carl D Marcello

Print Name: Carl D. Marcello

Subscribed and sworn before me

This 21st day of May, 2004

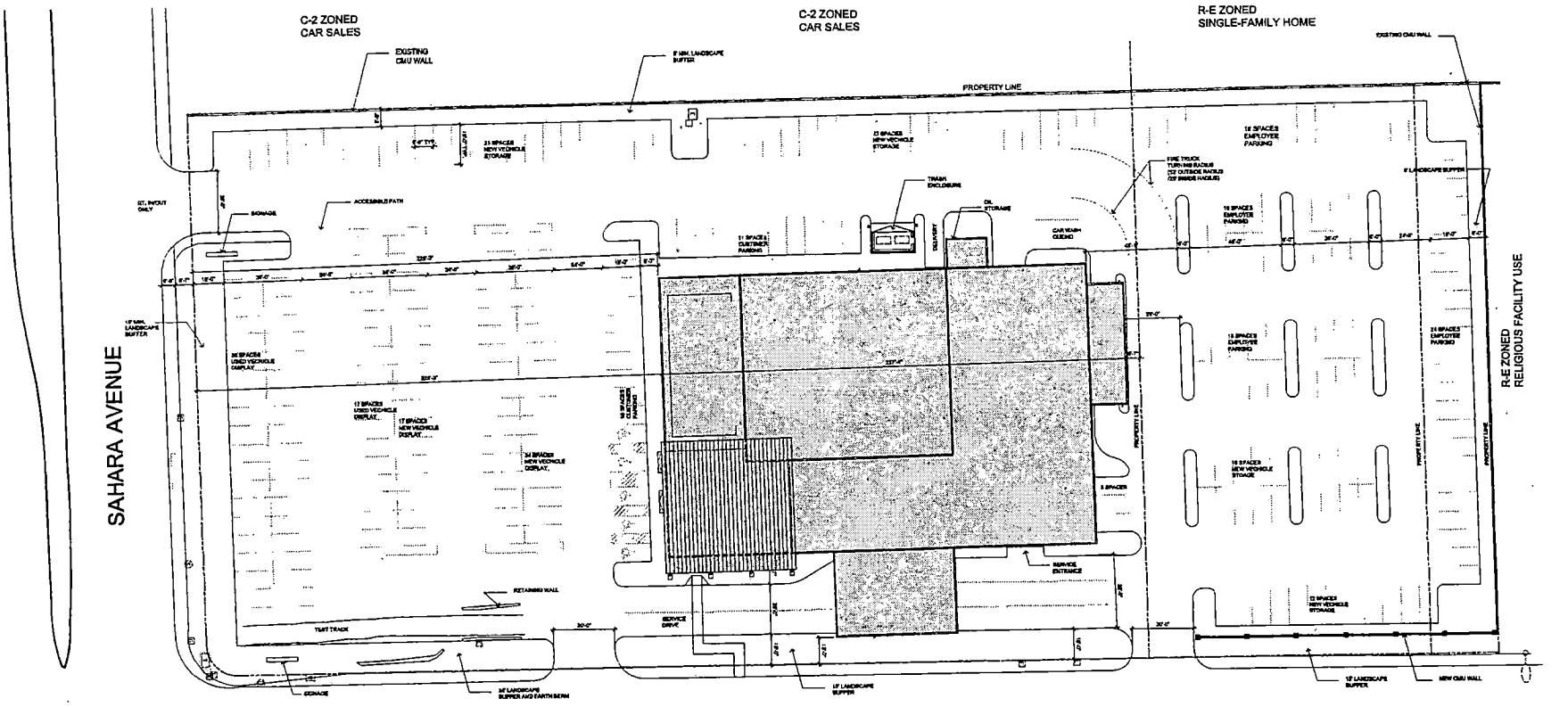
Melanie A Mikovits

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MELANIE A. MIKOVITS
My Appointment Expires
No: 02-78565-1 November 5, 2006

Carl D. Marcello
Managing Member/Broker
Office: 702-795-4600
Cell: 702-526-4708
Fax: 702-795-5441
4795 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: adrmarcello@yahoo.com

JMA ARCHITECTURE STUDIOS



JURISDICTION:	CLARK COUNTY
PARCEL #'s:	163-01-404-008; 163-01-404-007; 163-01-404-006
ADDRESS:	5550 W. SAHARA AVE.

PARCEL 'A'	
SITE AREA:	134,800.4 SF 3.04 ACRES
BUILDING AREA:	42,422 SF
COVERAGE: F.A.R.:	31.51 % 1:3.17
PARKING REQUIRED:	85 SPACES 1/500 SF
PARKING PROVIDED:	163 SPACES

PARCEL 'B'	
SITE AREA:	37,697.2 SF .87 ACRES
PARKING PROVIDED:	108 SPACES

PARCEL 'C'	
SITE AREA:	10,454.4 SF .24 ACRES
PARKING PROVIDED:	108 SPACES

TOTAL SITE	
SITE AREA:	182,951 SF 4.15 ACRES
BUILDING AREA:	42,422 SF
COVERAGE: F.A.R.:	23.18 % 1:4.31
PARKING REQUIRED:	85 SPACES 1/500 SF
PARKING PROVIDED:	289 SPACES

ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

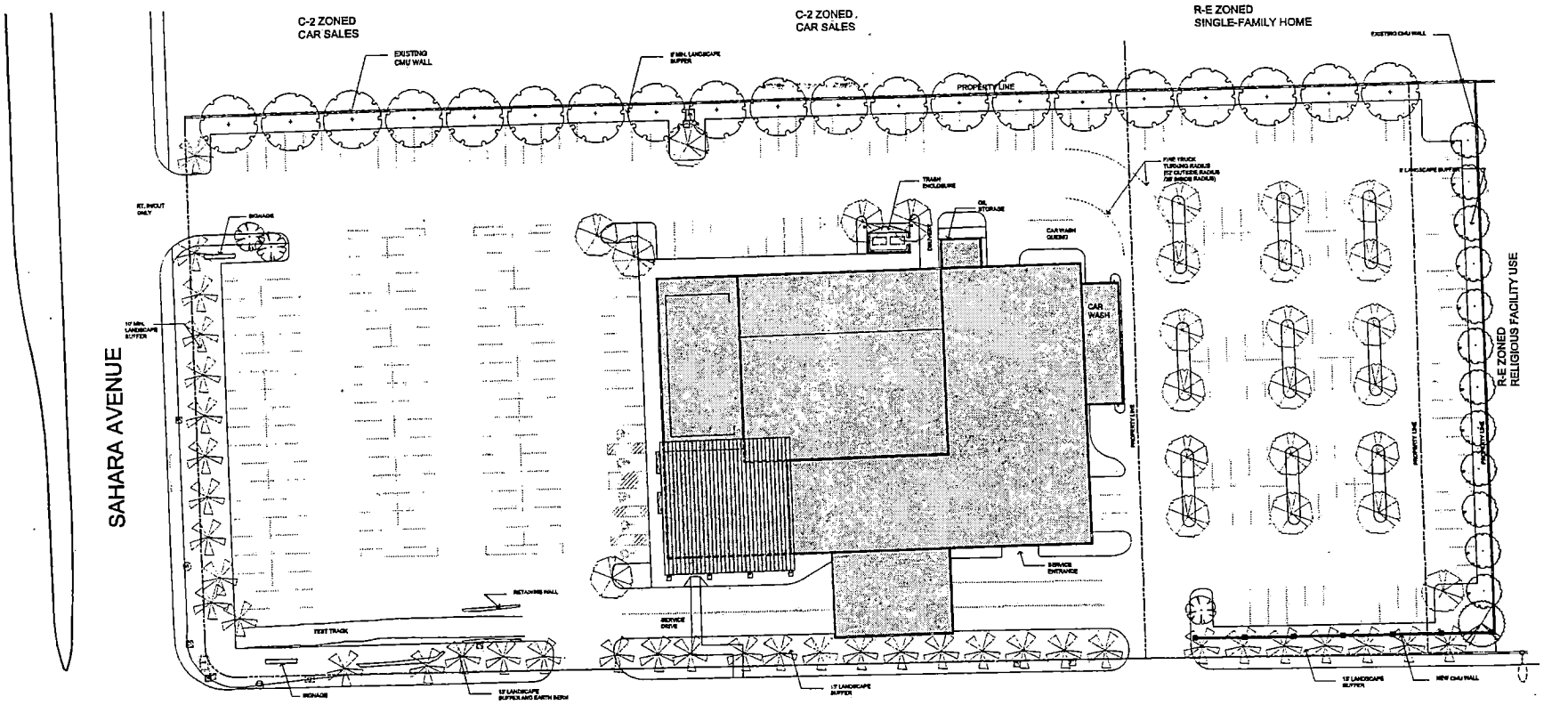
REVISED
07-01-04

10120 CONVENTION CENTER DRIVE, LAS VEGAS, NEVADA 89144
PHONE (702) 791-3333 FAX: (702) 791-3838 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004

Carl D. Marcello
Managing Member/ Broker
Office: 702-765-4600
Cell: 702-338-4709
Fax: 702-765-9444
4795 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: carl.marcello@cox.com

JMA ARCHITECTURE STUDIOS



LINDELL ROAD

TREE LEGEND

SYMBOL	BOTANICAL-COMMON NAME
	CHITALPA TASHKENTENSIS CHITALPA
	LIGUSTRUM LUCIDUM GLOSSY PRIVET
	PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE
	QUERCUS VIRGINIANA 'HERITAGE' HERITAGE LIVE OAK
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM

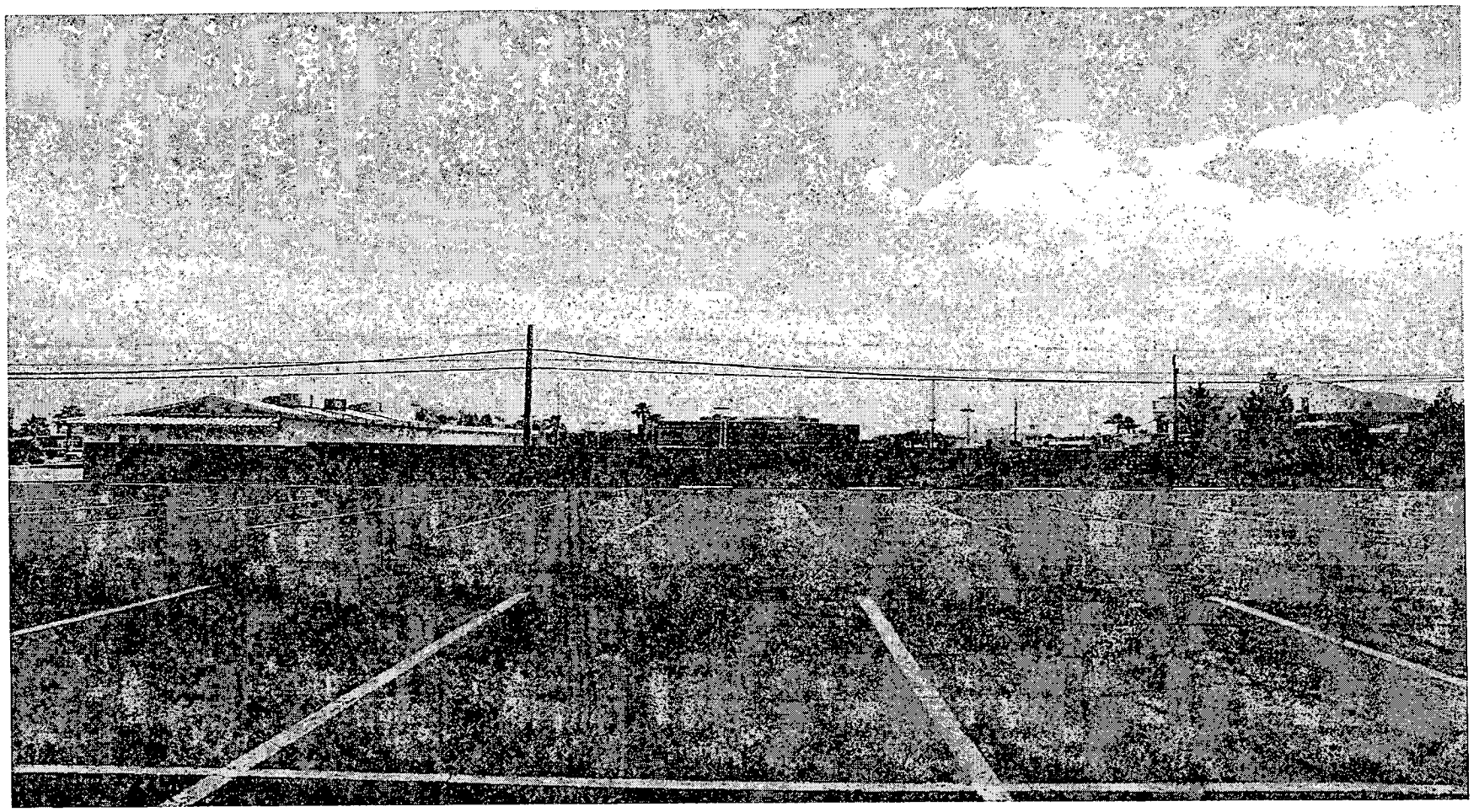
TOWBIN HUMMER

ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

REVISED
07-01-04

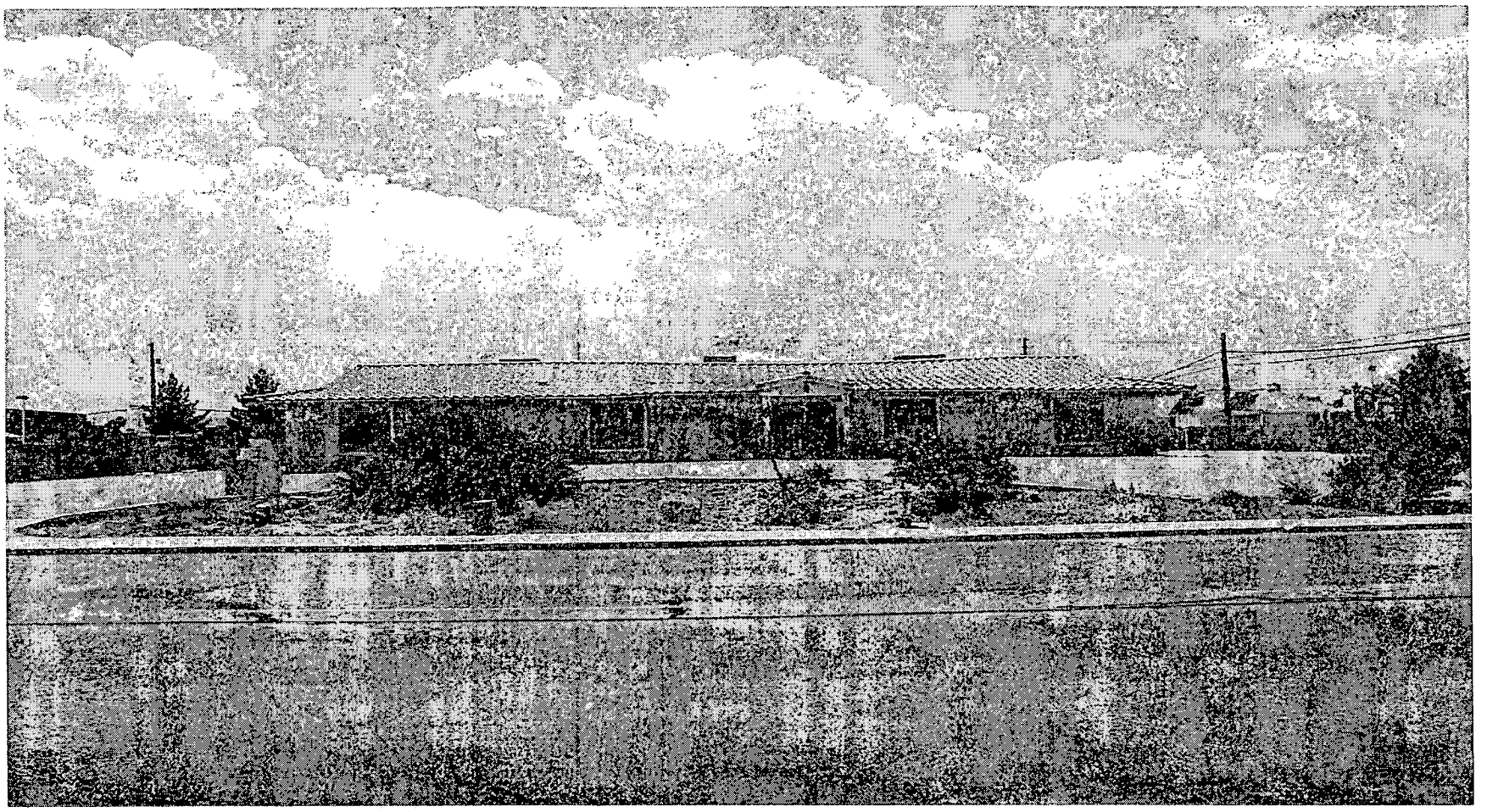
10150 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 791-0223 FAX: (702) 791-0228 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004



VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 ANDVAR-4553 - PUBLIC HEARING - SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers to allow a reduction of perimeter, parking lot and foundation landscaping and to allow palm trees along Sahara Avenue where pine or deciduous trees are required FOR A PROPOSED 37,950 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following conditions:

- ***There will be no parking along Lindell Road.***
- ***There will be no parking in the buffer area.***
- ***The delivery times will be during 7 a.m. to 10 p.m.***
- ***All vehicles shall be offloaded on the west side of the building.***
- ***Left turns will be restricted in a manner acceptable to City Traffic Engineer.***
- ***Landscape and maintain all unimproved right-of-way on Sahara Avenue and Lindell Road adjacent to this site.***

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 37 – SDR-4551

MOTION – Continued:

- ***Submit an Encroachment Agreement for all landscaping and private improvements located in the Lindell Road public right-of-way adjacent to this site prior to occupancy of this site.***
- ***Obtain an occupancy permit from the Nevada Department of Transportation for all landscaping and improvements within the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.***

And amending the following conditions:

4. All development shall be in conformance with the Site Plan and building elevations, except as amended by conditions herein. ***Any building proposed in the area designated as employee parking shall require a Public Hearing.***

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. ***The landscaping plan shall depict a double row of landscape planters along the northwest property line where abutting single family residential.***

12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site. ***Signage along Lindell Road shall be limited to one monument sign.***

– Motion carried with EVANS voting No

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

2-724

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Variance (VAR-4553) approved by the City Council.

2. Conformance to all Minimum Requirements under Title 19.04.050 for Motor Vehicle Sales (New) use.

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

CONDITIONS – Continued:

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. Any building proposed in the area designated as employee parking shall require a Public Hearing.

5. The site shall be remapped to consolidate all three parcels into one lot prior to the time application is made for a building permit.

6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect an eight-foot wall along the perimeter of the site.

7. 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.

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. The landscaping plan shall depict a double row of landscape planters along the northwest property line where abutting single family residential exist.

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. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site. Signage along Lindell Road shall be limited to one monument sign.

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

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 37 – SDR-4551

CONDITIONS – Continued:

14. 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.15. 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.

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

Public Works

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

18. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Lindell Road and Sahara Avenue. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

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

20. Provide a copy of a recorded Joint Access Agreement between all parcels comprising this site prior to the issuance of any permits.

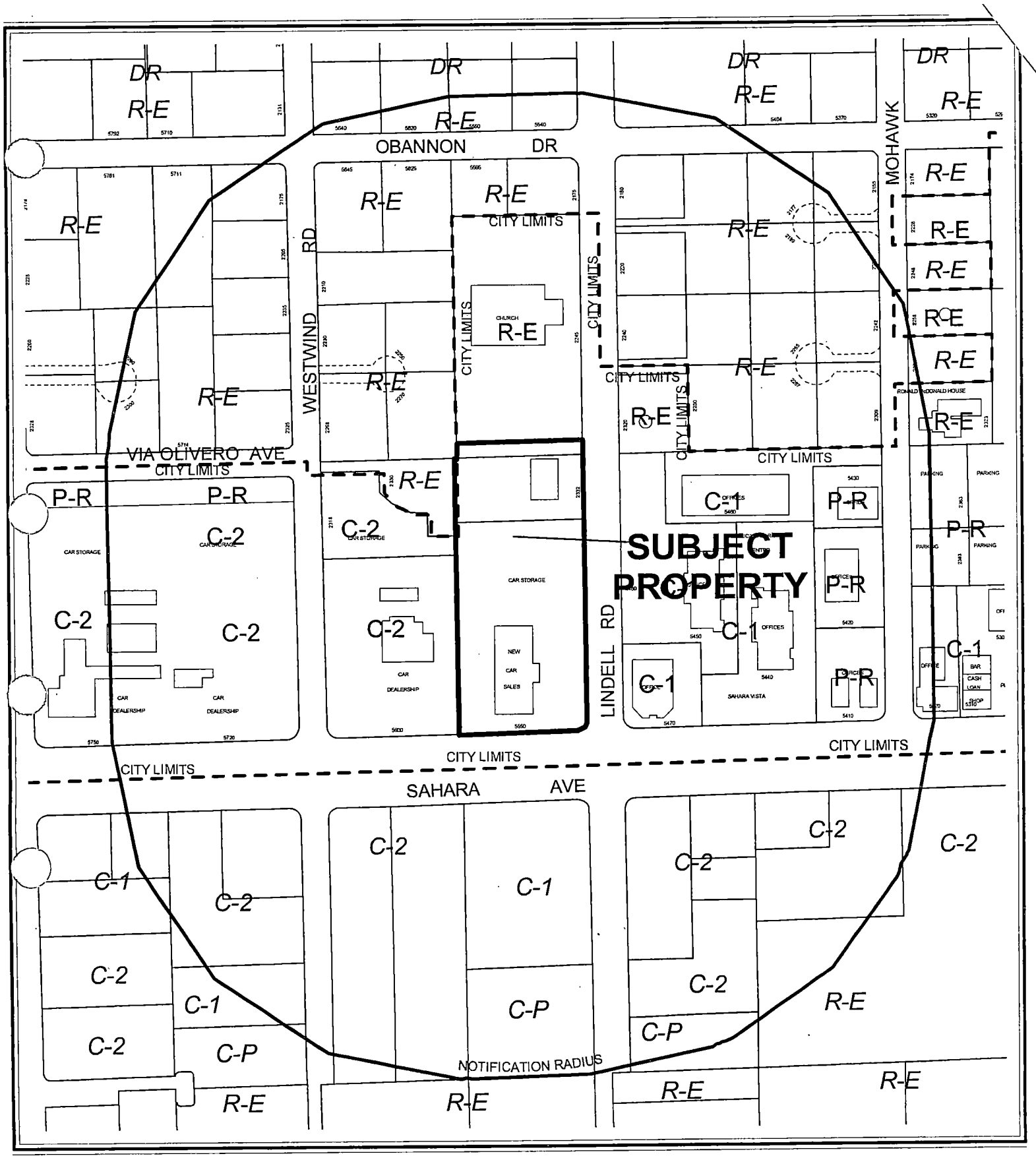
21. A plan shall be submitted to and approved by the City Traffic Engineer to specifically address on-site circulation and delivery of vehicles to this site, including appropriate turning radii; no parking or deliveries to this site shall be permitted in the public right-of-way.

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, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not

CONDITIONS – Continued:

required in the approved Traffic Impact Analysis. 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.

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, 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 City Engineer.



0 200 400 Feet

CASE: **SDR-4551**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), P-R (PROFESSIONAL OFFICE AND PARKING) AND C-2 (GENERAL COMMERCIAL)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Variance (VAR-4553) approved by the City Council.

2. Conformance to all Minimum Requirements under Title 19.04.050 for Motor Vehicle Sales (New) use.

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

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

5. The site shall be remapped to consolidate all three parcels into one lot prior to the time application is made for a building permit.

6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect an eight-foot wall along the perimeter of the site.

7. 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.

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.

FS

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

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

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

14. 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.

15. 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.

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [*Residential or commercial subdivisions*] The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

18. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Lindell Road and Sahara Avenue. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

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

20. Provide a copy of a recorded Joint Access Agreement between all parcels comprising this site prior to the issuance of any permits.

21. A plan shall be submitted to and approved by the City Traffic Engineer to specifically address on-site circulation and delivery of vehicles to this site, including appropriate turning radii; no parking or deliveries to this site shall be permitted in the public right-of-way.

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, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.

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, 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 City Engineer.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a proposed 37,950 square-foot Motor Vehicle Sales (New) Facility and waivers for a reduction of perimeter, parking lot, and foundation landscape buffering, and to allow palm trees along Sahara Avenue where pine or deciduous trees are required on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road. A related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Rezoning (ZON-4550) will be considered concurrently with this application.

B) Applicant's Justification

The proposal is for a high quality facility that adheres to conditions outlined in Title 19, and will be compatible with the surrounding development.

BACKGROUND INFORMATION

A) Previous Actions

04/24/90	The City Council approved a Reclassification of Property (Z-0038-90) to the P-R (Professional Office) zoning district.
04/24/94	The Board of Zoning Adjustment approved a Variance (V-0061-94) to allow a Beauty Salon.
08/10/00	The Planning Commission approved a Site Development Plan Review (SD-0043-00) for a proposed 7,979 square foot addition to an existing 12,521 square foot auto dealership. Staff recommended approval.
07/08/04	The Planning Commission will consider a related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Rezoning (ZON-4550) concurrently with this application. Staff recommends approval.

B) Pre-Application Meeting

05/15/04	Issues discussed included the need for a General Plan Amendment, Variance, Rezoning, and Site Development Plan Review. Other issues included acknowledgement of the required landscape waivers and Signal Impact Fees, and the need to eventually combine the existing parcels into one lot.

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C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.15

B) Existing Land Use

Subject Property:	Auto Dealership
North:	Church/House of Worship
South:	Auto Dealership
East:	Office / Single Family Residence
West:	Auto Dealership / Single Family Residence

C) Planned Land Use

Subject Property:	DR (Desert Rural Density), O (Office), GC (General Commercial)
North:	DR (Desert Rural Density)
South:	SC (Limited Commercial) Clark County
East:	SC (Service Commercial), DR (Desert Rural Density)
West:	DR (Desert Rural Density), GC (General Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial), P-R (Professional Office), R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	C-1 (Local Business District) Clark County
East:	C-1 (Limited Commercial), R-E (Residence Estates)
West:	C-2 (General Commercial), R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with DR (Desert Rural Density), O (Office), and GC (General Commercial) land use designations. The proposed C-2 (General Commercial) zoning district will be in compliance with the General Plan with the approval of a related General Plan Amendment (GPA-4549) to GC (General Commercial). The proposed Auto Dealership is a Conditional Use in the C-2 (General Commercial) zoning district.

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

The subject site is not located within any Special Districts or Zones.

PROJECT DESCRIPTION

The site plan depicts a 37,950 square-foot Motor Vehicle Sales (New) Facility on 4.15 acres. The site receives access via drives from Sahara Avenue and Lindell Road, and 307 parking spaces are provided where 76 are required. The west property line of the site is adjacent to single-family development and a Variance has been requested to allow an 83-foot Residential Adjacency setback where 100 feet is required. Waivers have been requested to allow a reduction of perimeter, parking lot, and foundation landscape buffering. An additional landscape waiver has been requested to allow palm trees along Sahara Avenue where pine or deciduous trees are required. The elevations depict a two-story, 33-foot four-inch structure with both a flat and partially domed roof.

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	278 Feet	Y
Min. Setbacks			
• Front	20 Feet	222 Feet	Y
• Side	10 Feet	83.3 Feet	Y
• Corner	15 Feet	13 Feet	Y
• Rear	20 Feet	176 Feet	Y
Max. Lot Coverage	50 %	20.7 %	Y
Trash Enclosure	Roofed / Enclosed	Roofed / Enclosed	Y

The proposal exceeds Title 19 Development Standards.

A2) Residential Adjacency Standards

a) Proximity slope. The west portion of the site adjacent to the single-family development is affected by proximity slope requirements. The structure along this property line is 33 feet, four inches in height, and would need to be setback 100 feet from the property line to meet the 3:1 proximity slope. The building setback is 83 feet from the west property line, and a Variance (VAR-4553) has been requested to provide relief from Residential Adjacency requirements.

b) Building setback. The setback along the west property line is 83 feet where 100 feet is required, and a Variance (VAR-4553) has been requested to provide relief from Residential Adjacency requirements.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Auto Sales	37,950 SF.	1 per 500 SF of enclosed space	72	4	302	5

The proposal exceeds Title 19 parking requirements.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Trees/ 6 Spaces	51 Trees	24 Trees
Buffer: • Min. Trees	1 Trees / 20 Linear Feet	74 Trees	72 Trees
• Min. Zone Width (Street)	15 Feet		10 Feet
• Min Zone Width (Interior)	8 Feet		8 Feet
• Wall height	8 Feet		Not Depicted

FS

The proposal is deficient in the amount of parking lot and perimeter trees, as well as minimum buffer zone width along Sahara Avenue. Several waivers have been requested to provide relief from Title 19 landscape requirements. The landscape plan does not depict the required 8-foot perimeter wall, and a Condition of Approval has been included to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

The proposed C-2 (General Commercial) District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) District is also appropriate along commercial corridors. The C-2 (General Commercial) District is consistent with the General Commercial category of the General Plan.

- Site Plan

The site plan depicts a 37,950 square-foot Motor Vehicle Sales (New) Facility on 4.15 acres. A related General Plan Amendment (GPA-4549), Variance (VAR-4553) and Rezoning (ZON-4550) request will be considered concurrently with this application. The facility will replace an existing auto dealership, which will be demolished to allow construction of the proposed site. The proposed site will be 1.11 acres larger than the existing dealership, as two parcels to the north will be incorporated into the development. The proposed two-story building will be centrally located on the site, and will consist of a showroom floor, office space, service areas, and a car wash. The site receives access via a drive from Sahara Avenue, and two drives from Lindell Road. 307 parking spaces are provided where 76 are required, and there is a test drive track located at the southeast portion of the site. The west property line of the site is adjacent to the single-family development and is affected by proximity slope requirements. The structure along this property line is 33 feet, four inches in height, and would need to be setback 100 feet from the property line to meet the 3:1 proximity slope. The building setback is 83 feet from the west property line, and a Variance (VAR-4553) has been requested to provide relief from Residential Adjacency requirements.

- Waivers

Waivers have been requested to allow a reduction of perimeter, parking lot, and foundation landscape buffering. An additional landscape waiver has been requested to allow Palm trees along Sahara Avenue where pine or deciduous trees are required.

- Landscape Plan

  The landscape plan is deficient in the amount of perimeter and parking lot trees, landscape buffer widths, and foundation buffering. The plan also depicts the use of Palm trees along Sahara Avenue where Evergreen or Deciduous trees are required. Along Sahara Avenue, the plan depicts a 10-foot landscape buffer where 15 feet is required, and total of 72 perimeter trees are provided where 74 trees are required. Title 19 also requires the planting of a 24-inch box evergreen or deciduous trees within the landscape buffer areas, and a waiver has been requested to allow palm trees along Sahara Avenue in order to enhance site visibility for passing vehicular traffic. No foundation landscape buffering is provided where a six feet is required. Finally, Title 19 requires one 24-inch box tree every six parking spaces, and 24 trees are depicted throughout the parking area where 51 trees are required.

- Elevation

  The elevations depict a two-story, 33-foot four-inch structure with both a flat and partially domed roof. The exterior is comprised of painted and integral CMU, glass, and metal panels.

- Floor Plan

  The floor plans depict two floors with an automobile show room, maintenance service bays, and a car wash on the first floor. The second floor consists primarily of office space used for sales support.

FINDINGS

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

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

   The proposed site is located in a commercial area along Sahara Avenue, with several auto dealerships in the vicinity. The proposed development is compatible with 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 General Plan Amendment (GPA-4549), Variance (VAR-4553), Rezoning (ZON-4550), and the requested landscape waivers, the development will be 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.

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

The site receives access via a drive from Sahara Avenue, a Primary (150-foot) Arterial on the Master Plan of Streets and Highways, and two drives from Lindell Road, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

With the approval of the requested waivers, the building and landscape materials will be 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 depict design characteristics that are not unsightly or obnoxious in appearance, and with the approval of the proposed Variance (VAR-4553), will be harmonious and compatible with development in the area.

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

The proposed Motor Vehicle Sales (New) Facility will be subject to regular inspections and therefore will not compromise the public health, safety, and welfare.

NOTICES MAILED 70 (Mailed with GPA-4549, ZON-4550 and VAR-4553)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4551 APN: _____

Name of Property Owner: Daniel C. Towbin

Name of Applicant: Carl D. Marcello

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: Carl D Marcello

Print Name: Carl D. Marcello

Subscribed and sworn before me

This 21st day of May, 2004

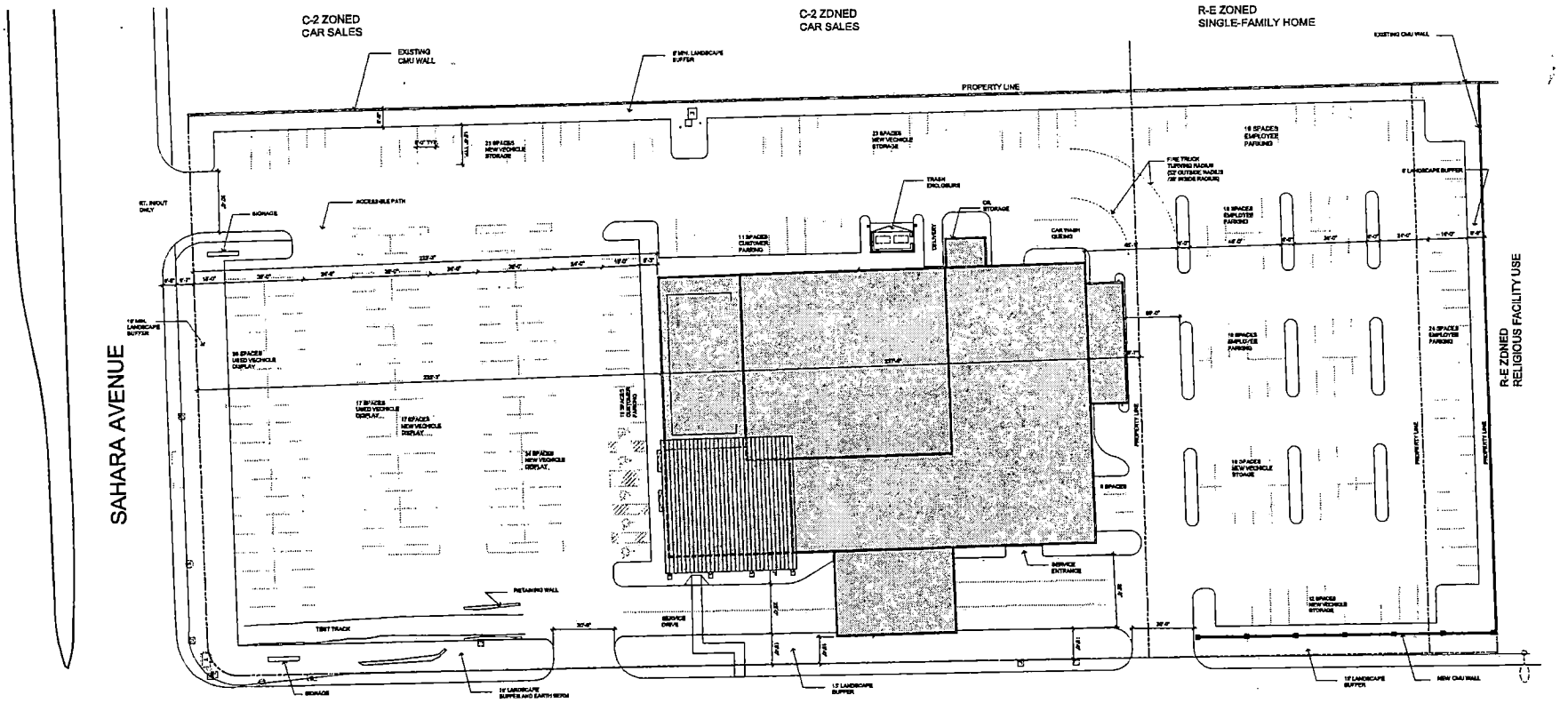
Melanie Mikovits

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MELANIE A. MIKOVITS
My Appointment Expires
No: 02-78565-1 November 5, 2006

Carl D. Marcello
Managing Member/ Broker
Office: 702-798-4800
Cell: 702-428-7709
Fax: 702-798-4444
4795 So. Durango Dr. Las Vegas, Nevada 89147
E-Mail: carlmarcello@cdmarcello.com

JMA ARCHITECTURE STUDIOS



LINDELL ROAD

TOWBIN HUMMER

JURISDICTION:	CLARK COUNTY
PARCEL #'s:	163-01-404-008; 163-01-404-007; 163-01-404-006
ADDRESS:	5550 W. SAHARA AVE.

PARCEL 'A'	
SITE AREA:	134,600.4 SF 3.04 ACRES
BUILDING AREA:	42,422 SF
COVERAGE: F.A.R.:	31.51 % 1:3.17
PARKING REQUIRED:	85 SPACES 1/500 SF
PARKING PROVIDED:	183 SPACES

PARCEL 'B'	
SITE AREA:	37,897.2 SF .87 ACRES
PARKING PROVIDED:	106 SPACES

PARCEL 'C'	
SITE AREA:	10,454.4 SF .24 ACRES
PARKING PROVIDED:	106 SPACES

TOTAL SITE	
SITE AREA:	182,951 SF 4.15 ACRES
BUILDING AREA:	42,422 SF
COVERAGE: F.A.R.:	23.18 % 1:4.31
PARKING REQUIRED:	85 SPACES 1/500 SF
PARKING PROVIDED:	289 SPACES

ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

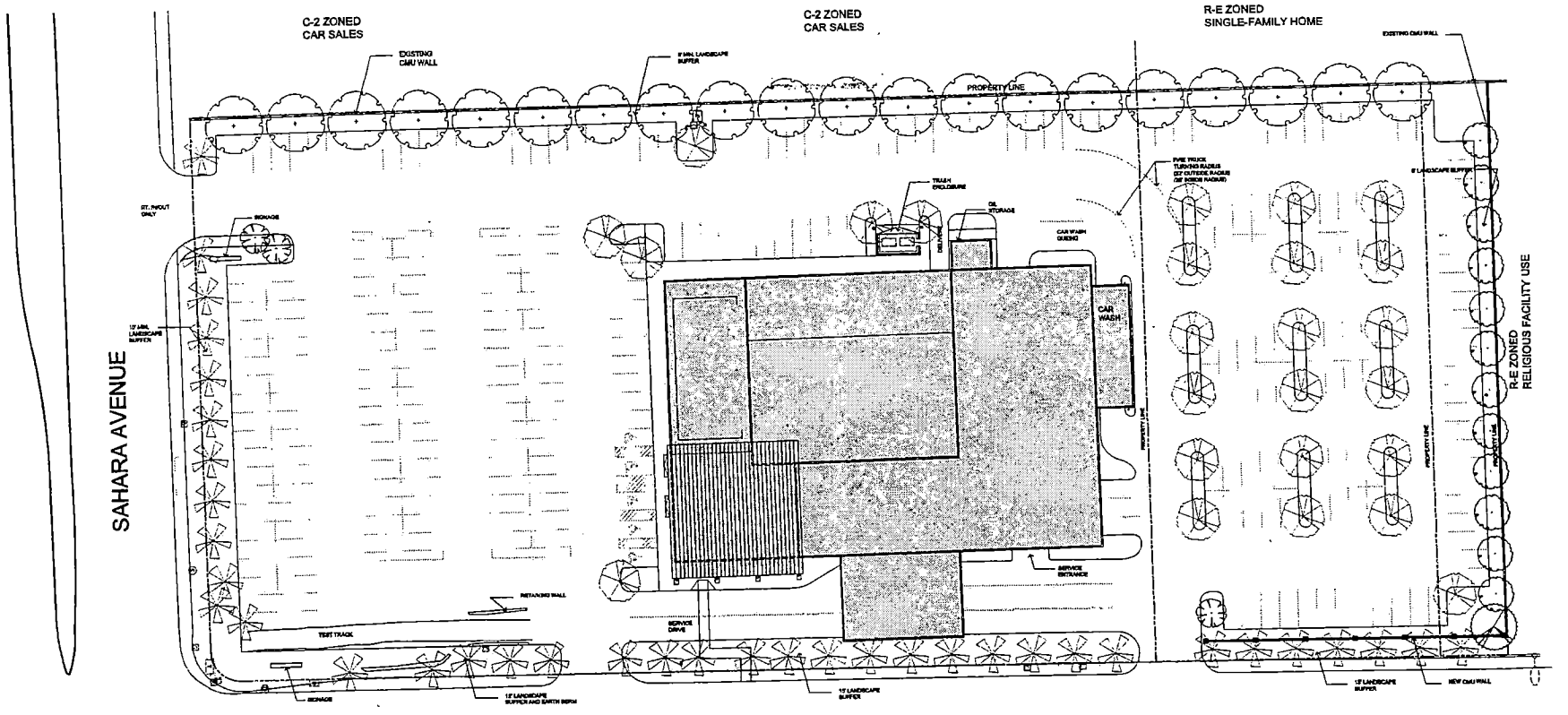
REVISED
07-01-04

10120 CONSTITUTION CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3030 FAX: (702) 731-3039 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004

Carl D. Marcello
Managing Member/Broker
Office: 702-732-1200
Cell: 702-234-4788
Fax: 702-798-4484
4795 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: cdmarcello@cox.net

JMA ARCHITECTURE STUDIOS



LINDELL ROAD

TOWBIN HUMMER

TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME
	CHITALPA TASHKENTENSIS CHITALPA
	LIGUSTRUM LUCIDUM GLOSSY PRIVET
	PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE
	QUERCUS VIRGINIANA 'HERITAGE' HERITAGE LIVE OAK
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM

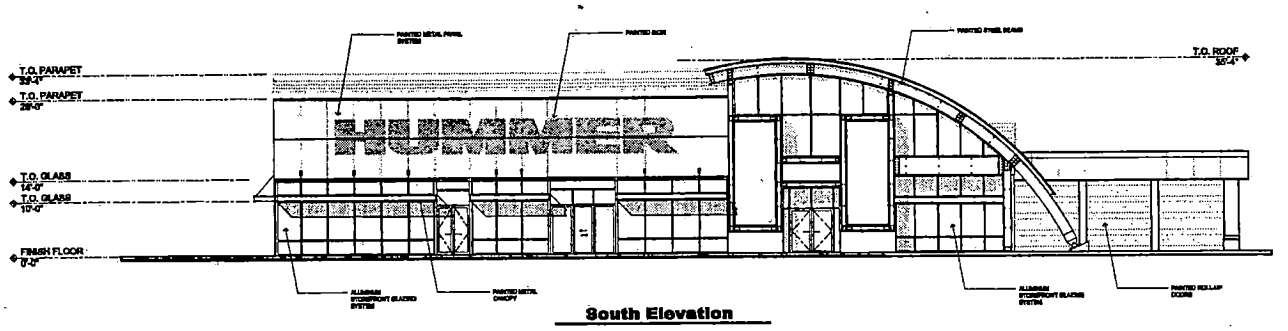
ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

REVISED
07-01-04

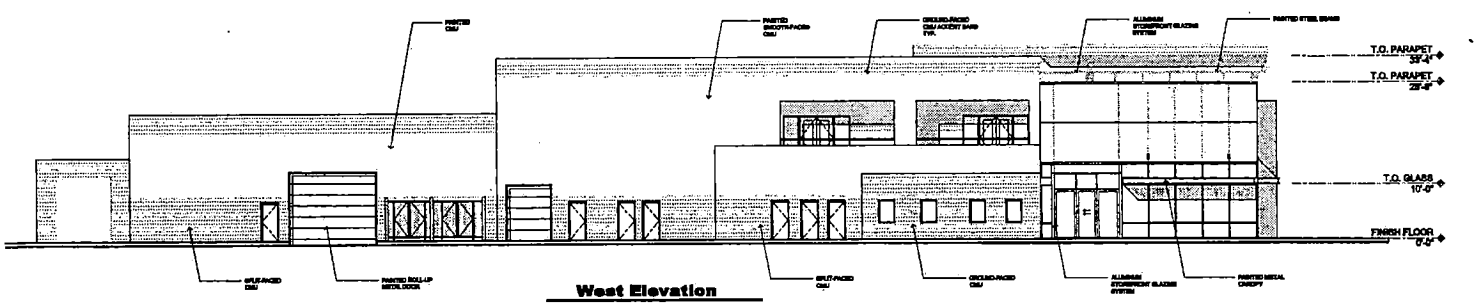
1310 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2800 FAX: (702) 731-2828 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004

JMA ARCHITECTURE STUDIOS



South Elevation



West Elevation

TOWBIN HUMMER

SCHEMATIC ELEVATIONS

ZON-4550
SDR-4551
07-08-04 PC

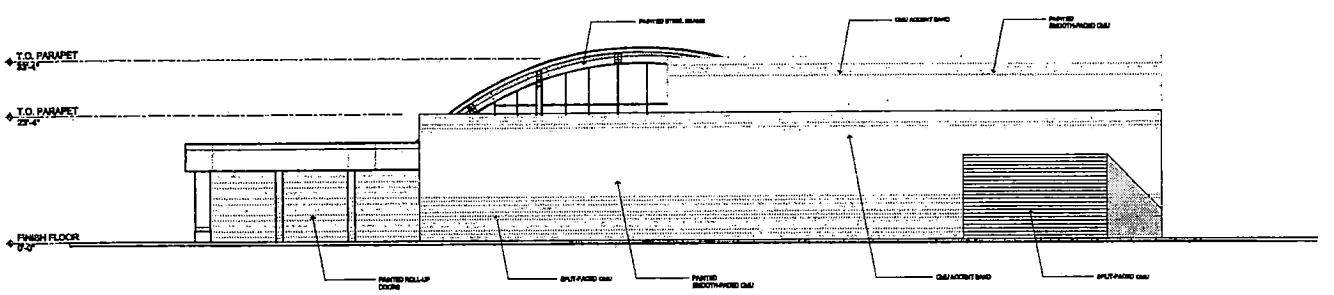
Carl D. Marcello

PROJECT NO. 2003348

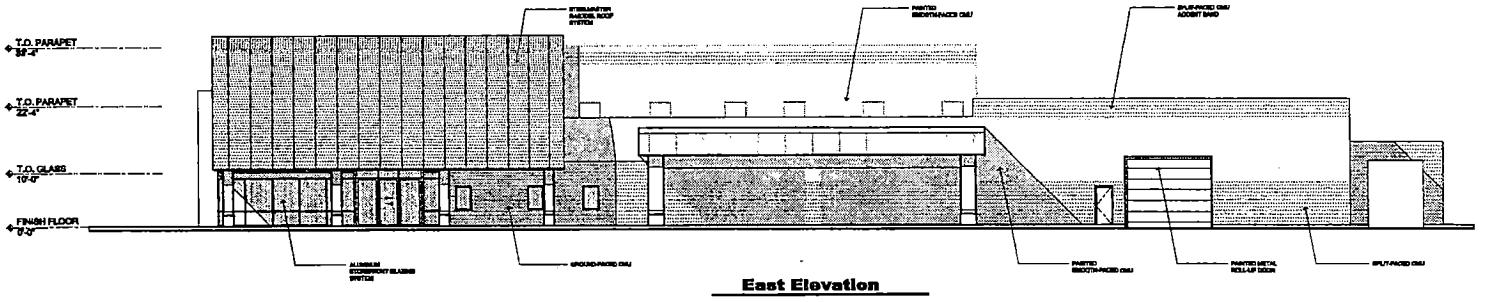
DATE: MAY 25, 2004

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

JMA ARCHITECTURE STUDIOS



North Elevation



East Elevation

TOWBIN HUMMER

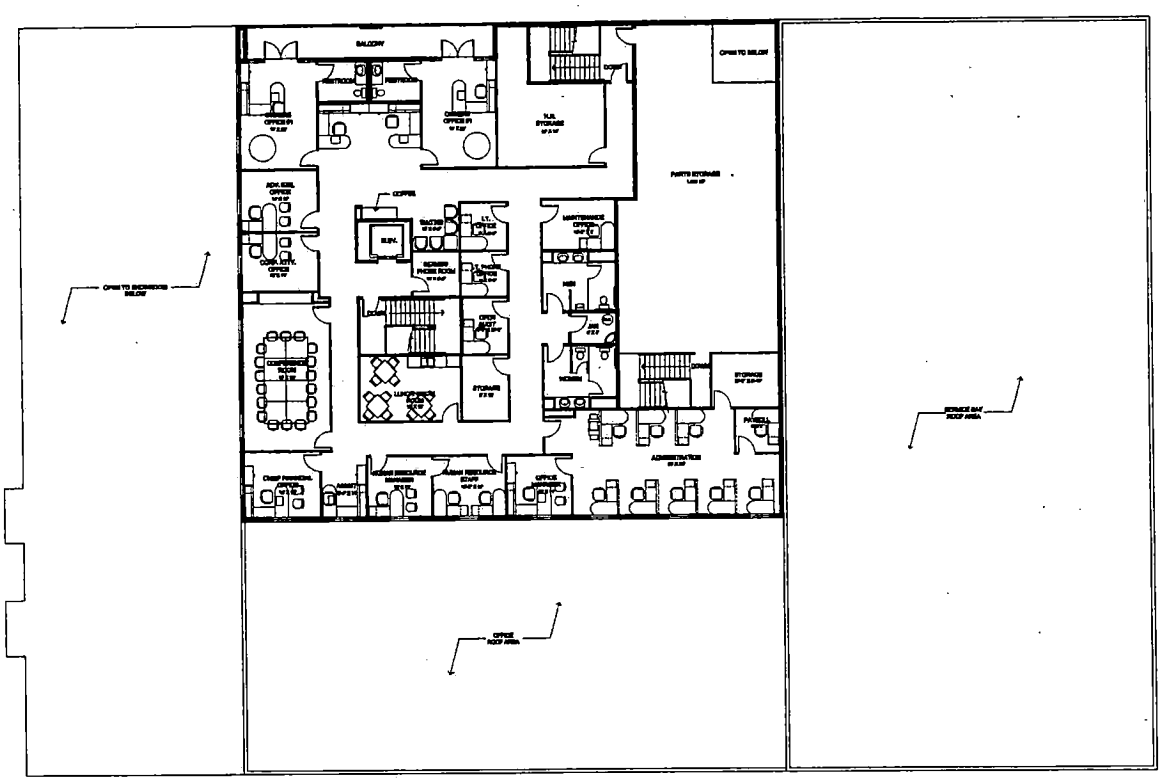
SCHEMATIC ELEVATIONS

ZON-4550
SDR-4551
07-08-04 PC

Carl D. Marcello

PROJECT NO: 2003349
DATE: MAY 9, 2004
SCALE: 1/8" = 1'-0"

JMA ARCHITECTURE STUDIOS



TOWBIN HUMMER

SECOND FLOOR PLAN - OPTION 5

ZON-4550
SDR-4551
07-08-04 PC

Carl D. Marcello

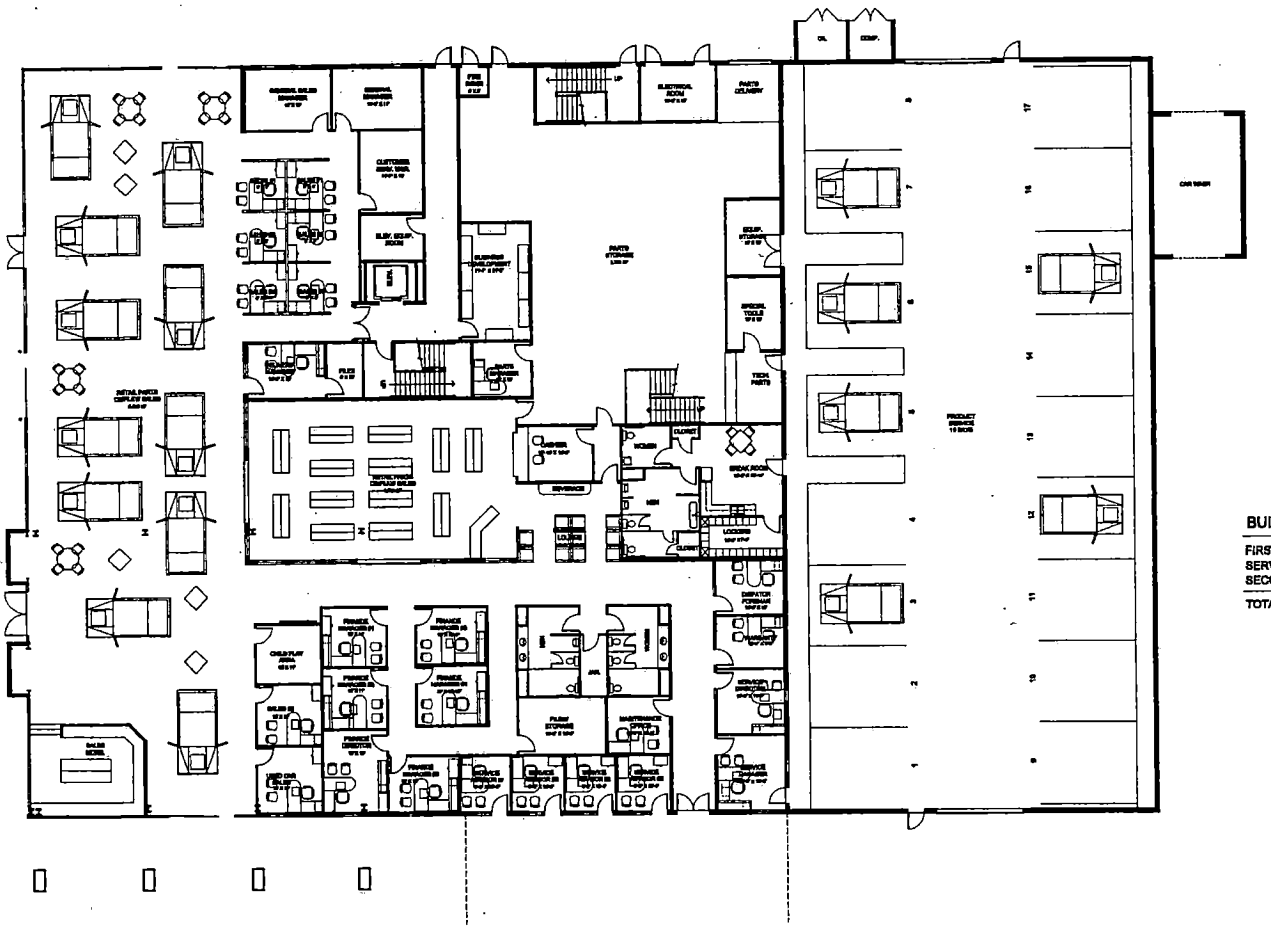
PROJECT NO: 2003349

DATE: APRIL 20, 2004

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

NORTH

JMA ARCHITECTURE STUDIOS



BUILDING DATA

FIRST FLOOR OFFICE/SHOWROOM	19,440 SF
SERVICE AREA:	9,575 SF
SECOND FLOOR OFFICE:	8,935 SF
TOTAL FLOOR GROSS AREA:	37,950 SF

TOWBIN HUMMER

FIRST FLOOR PLAN -

ZON-4550
SDR-4551
07-08-04 PC

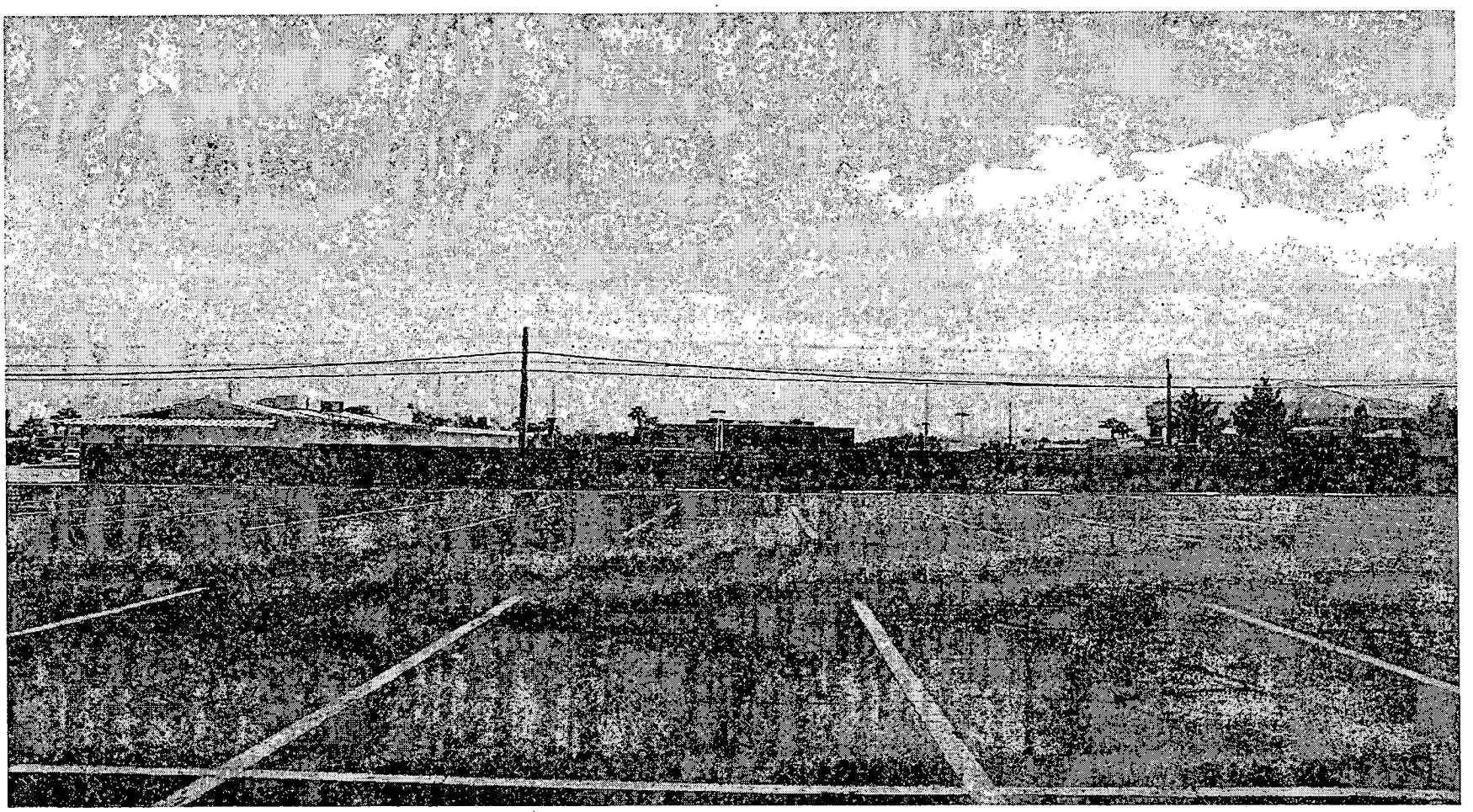
Carl D. Marcello

PROJECT NO. 2003349

DATE MAY 29, 2004

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

NORTH



SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPAPNY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY
WEST SIDE OF LINDELL ROAD, APPROXIMATELY 450 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittals at Planning Commission – Letters of Opposition – Sharon Friend, Thomas and Agnes Pittman, Rose Carvelli

MOTION:
McSWAIN – APPROVED – Motion carried with EVANS voting No

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

GARY LEOBOLD, Planning and Development Department, stated in 2002, the City of Las Vegas approved a land use study of properties located in the Rancho Drive/Charleston Boulevard area in an effort to resolve land use conflicts in this area. The Rancho/Charleston study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the Desert Rural Density

MINUTES – Continued:

neighborhoods south of the subject properties. The proposed amendment would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

The Code requires a 10-foot wide multi-use trail along Rancho Drive. Because the area is already developed and if the Commission approved the General Plan Amendment, staff would not object to the reduced 5-foot trail.

Currently, there is a convenient store/service station that is approximately 1,800 square feet, which required eight parking spaces. The existing development is to be replaced by a 3,325 square-foot convenience store, a 3,540 square-foot canopy with gas pumps, and a 1,200 square-foot automated car wash. Per Title 19, 14 parking spaces are required for the convenient store, and eight parking spaces are required for the car wash. The applicant is proposing 15 parking spaces on the site. Due to the restricted nature of the site, such as its corner location and access points, it is difficult to provide additional parking on this site. However, alternative design using a smaller convenience store or eliminating the proposed car wash use would allow conformance to Title 19 requirements. As a result, staff felt that this is a self-imposed hardship by proposing to overbuild a site that is relatively small for the uses envisioned.

The applicant has met with area residents twice in an attempt to address their concerns through modifications to the design. The expansion to the scope of the existing development on the site is substantial, as the need for parking variance and a number of waivers on the site plan have been requested.

The applicant has made significant improvements to the Site Plan. However, the proposed project is deficient in the amount of landscaped buffering provided around the site and the amount of parking lot landscaping and building foundation landscaping provided.

TABITHA FIDDYMENT, KKBR, 3800 Howard Hughes Parkway and DANIEL LOERA, Breslin Builders, both appeared on behalf of the applicant. MS. FIDDYMENT stated that the applicant purchased this property hoping to bring the existing Chevron up to standards with the existing properties. When the site was approved in 1965, there was residential property to the south of the site. As part of the original approval, a condition was imposed that required a 100 foot landscape buffer between the RE property to the south and the existing service station. Using the overhead, she also reiterated the overview of the proposed application, as MR. LEOBOLD previously stated. The applicant is willing to invest millions of dollars into this 40-year-old property to make it compatible with the existing area.

MINUTES – Continued:

BOB APPLE, 1405 Strong Drive, representative of the Charleston/McNeil Neighborhood Preservation Association, also appeared on behalf of Judge Mosley, John Thorndall, Kevin Efromso. SHARON FRIEND, 221 Baneese Lane, SHELLEY WALTERS, 2112 Kirkland Avenue, WILLIAM F. CURRAN, 2310 Sherman Place, strongly opposed the project. Although it is attractive, it is large. Their concern is with traffic, noise and pollution and would like to know where will the left-hand turn be. They also felt that some of the residents would lose some of their views, and the property value would decrease. A reference was made from a previous City Council meeting where the Mayor expressed his concern regarding waivers and making sure there is a valid reason for the requests. The residents utilize the existing gas station and felt that it is well maintained and fits the character of the neighborhood. They would like to see the existing gas station remain.

MS. FIDDYMENT apologized for implying that this 40-year old property needed replacement. It is a tribute to the neighborhood that an older neighborhood is well maintained and has a positive reputation. She also stated that an additional 100 feet would be added to the site so the driveway would be widened and moved south. The access off of Charleston Boulevard would also be moved down from the corner to assist in traffic concerns. Although the landscaped buffer would be 10 feet in length and 7 feet in width, it is an intense buffer. MR. LOERA added that there is an additional 10 feet of landscaping between the wall and the adjacent office building. He used the overhead to point out additional landscaped areas and added that there would also be a decorative wall. MS. FIDDYMENT pointed out to the Commission that the applicant no longer required a waiver for the perimeter landscaping, just the perimeter buffing.

COMMISSIONER McSWAIN commented that this is a nice project; however, having the car wash would create problems. It would create stacking, as you have two rows of traffic turning east onto Charleston Boulevard from Rancho Drive. By eliminating the car wash, the parking issue would be eliminated and some of the landscaping in the rear would increase and relieve some of the 100 foot setback. She questioned what issues arise when a gas station is converted to an office use so that it is practical and affordable. Although staff did not have the answer, MR. LEOBOLD agreed that COMMISSIONER McSWAIN had a valid question and added that it does vary from site to site. Generally, it is less of a problem converting to office use than converting to residential. VICE CHAIRMAN NIGRO then added that, in the past, some projects on Racho Drive have been approved. COMMISSIONER McSWAIN stated that if done properly and the car wash was eliminated, this project could actually be an enhancement to the area.

MINUTES – Continued:

MR. LOERA clarified for COMMISSIONER McSWAIN that the project includes a traditional convenient store and not a diner/restaurant. In addition, he responded to COMMISSIONER GOYNES by stating there would be an increase of approximately 25 trips during peak hours daily, based upon estimates given by the traffic engineers. So, additional traffic would be generated but not much. He also pointed out that this location is not a destination, it is a convenient store that draws its traffic from existing traffic in the area for other reasons. COMMISSIONER GOYNES agreed and added that he felt the increase in traffic stems from the growth in the Valley. MR. LOERA responded to COMMISSIONER GOYNES and stated that the proposed driveway would face directly across the street from the childcare facility on Rancho Drive. MS. FIDDYMENT stated that the car wash would be located in the rear adjacent to UMC Quick Care. COMMISSIONER GOYNES felt that the car wash is appropriate, as it abuts a parking garage. With economics and market changes in the area, he would support this application. MR. LOERA added that the residents views would still be pleasing, even with the replaced landscaping and would still have the same ambience for years to come. In addition, he used the overhead to show photos of the area in the rear of the property to show how this are could be enhanced and maintained.

COMMISSIONER EVANS commented on the history of the landscaping requirements, particularly the area with vegetation. He pointed out that the Commission could not solve issues with vagrancy, as it is still an ongoing problem within the community. He is concerned for the loss of the vegetation area being replaced with programmable landscaping, especially when concessions were made to create these spaces for vegetation.

COMMISSIONER STEINMAN felt that requiring eight parking spaces for a car wash is somewhat unfair, as this project is not the standard Terrible Hurst type of car wash. He did not see a need for parking for this type of car wash because it would create stacking. He added that he viewed the park, and the area was totally unacceptable. This project, with landscaping and the decorative wall, would be a definite improvement to this property. In addition, it would decrease or eliminate vagrancy in this area. He would support this project.

COMMISSIONER TRUESDELL stated he was present at a meeting in 1986 when this application was reheard. At that time, the park was replanted. A resident who lived next door to the project was outstanding in her speech and views regarding the project. She assisted in succeeding with having Chevron be required to upgrade the park and replant it. He noted, for the record, it is the responsibility of the current operator of the park to keep it maintained because it deserves the attention. This gas station was rebuilt less than 20 years ago. Some significant landscaping requirements were made on the office park located south of this site to ensure the

MINUTES – Continued:

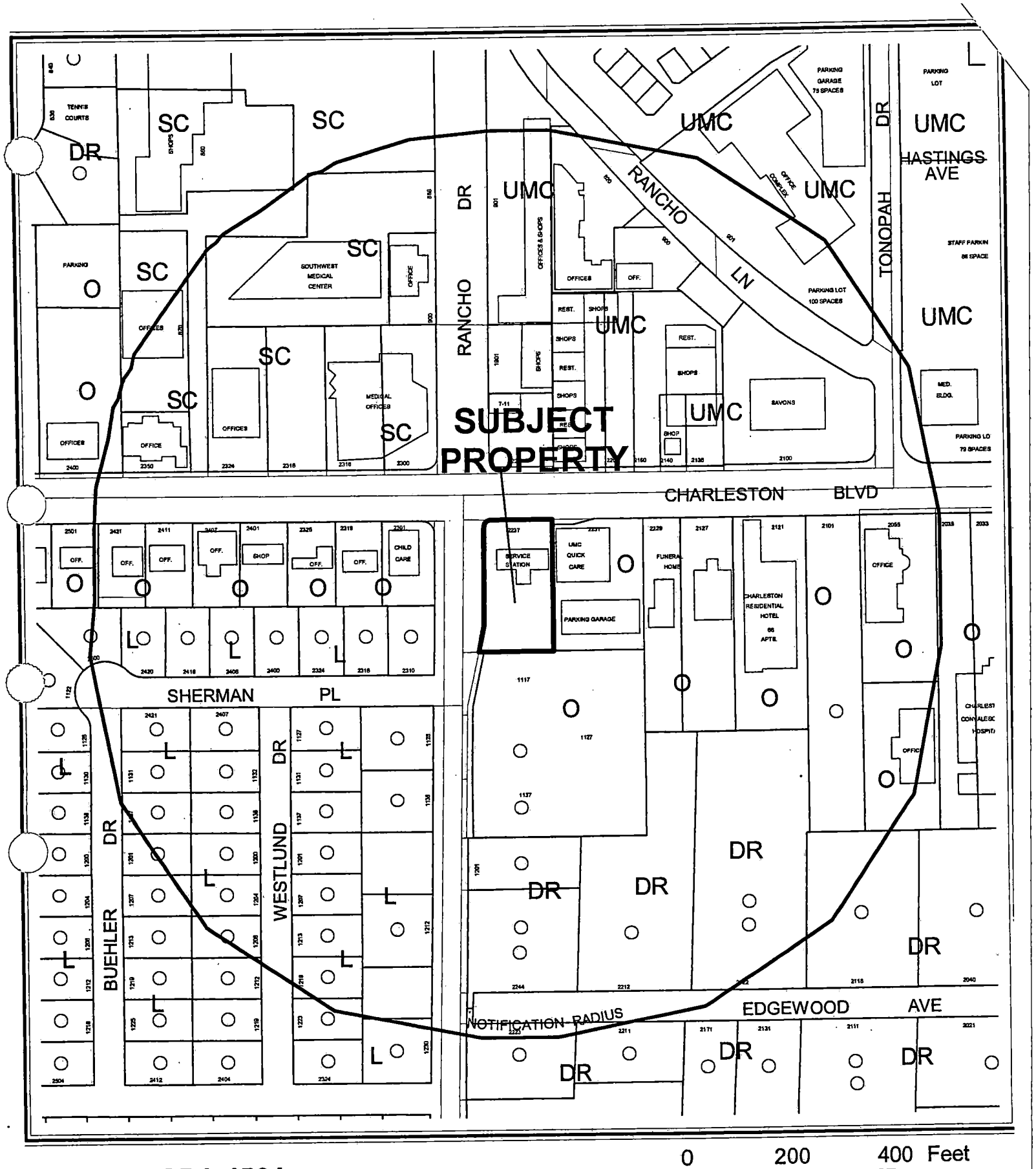
enhancement of the buffer area. He felt that the car wash with the driveway going around to the rear is unacceptable. In addition, the parking requirement allows individuals to park and vacuum their cars and one parking spot would not accommodate the car wash. MS. FIDDYMENT apologized for an error on the application and clarified that the applicant would not be offering parking areas for individuals to vacuum their cars. COMMISSIONER TRUESDELL then stated that these types of facilities typically require vacuum areas. He could support the application if the landscape is not reduced to 7 feet, so some of the original landscaped buffer would exist to soften the edges and then there would not be a need for the parking variance.

VICE CHAIRMAN NIGRO stated he could understand requiring the property owner to maintain valuable property in the past, regardless if it is for residential or commercial use as open space, because residential existed immediately adjacent to the car wash. However, to have this requirement now, in some ways, creates a property rights issue. He felt that the environment has changed, relative to requiring the property owner to still maintain a "park". Charleston Boulevard is a major street. Once Rancho Drive intersects at Charleston Boulevard, it becomes more of a major street at Oakey Boulevard. A commercial project was not approved at the corner of Oakey Boulevard and Rancho Drive. He felt that the proposed convenient store/gas station would not increase the traffic sufficiently, if any, as the existing traffic already exists. In his opinion, the only issue is whether or not the car wash is acceptable. He also felt that the existing gas station has not changed much in the last 20 years and could be upgraded. Should the application be approved, he believed that the homes would not decrease in value nor would it have a major impact on increased traffic. VICE CHAIRMAN concluded that he could not support having parking stalls as an area for individuals to vacuum their vehicles, given the current parking situation.

MR. LEOBOLD clarified for COMMISSIONER McSWAIN that the Variance would have to be approved first to allow the Special Use Permit. Then she noted, for the record, that although she supports the concept of the project, she would vote to deny the Variance because she would vote for denial on the proposed car wash. MR. LEOBOLD also verified for COMMISSIONER TRUESDELL that the applicant exceeds the landscaping requirements because they are providing more than enough landscaping in other areas of the property. Along the eastern edge of the property, there would not be any landscaping because there is no buffer.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

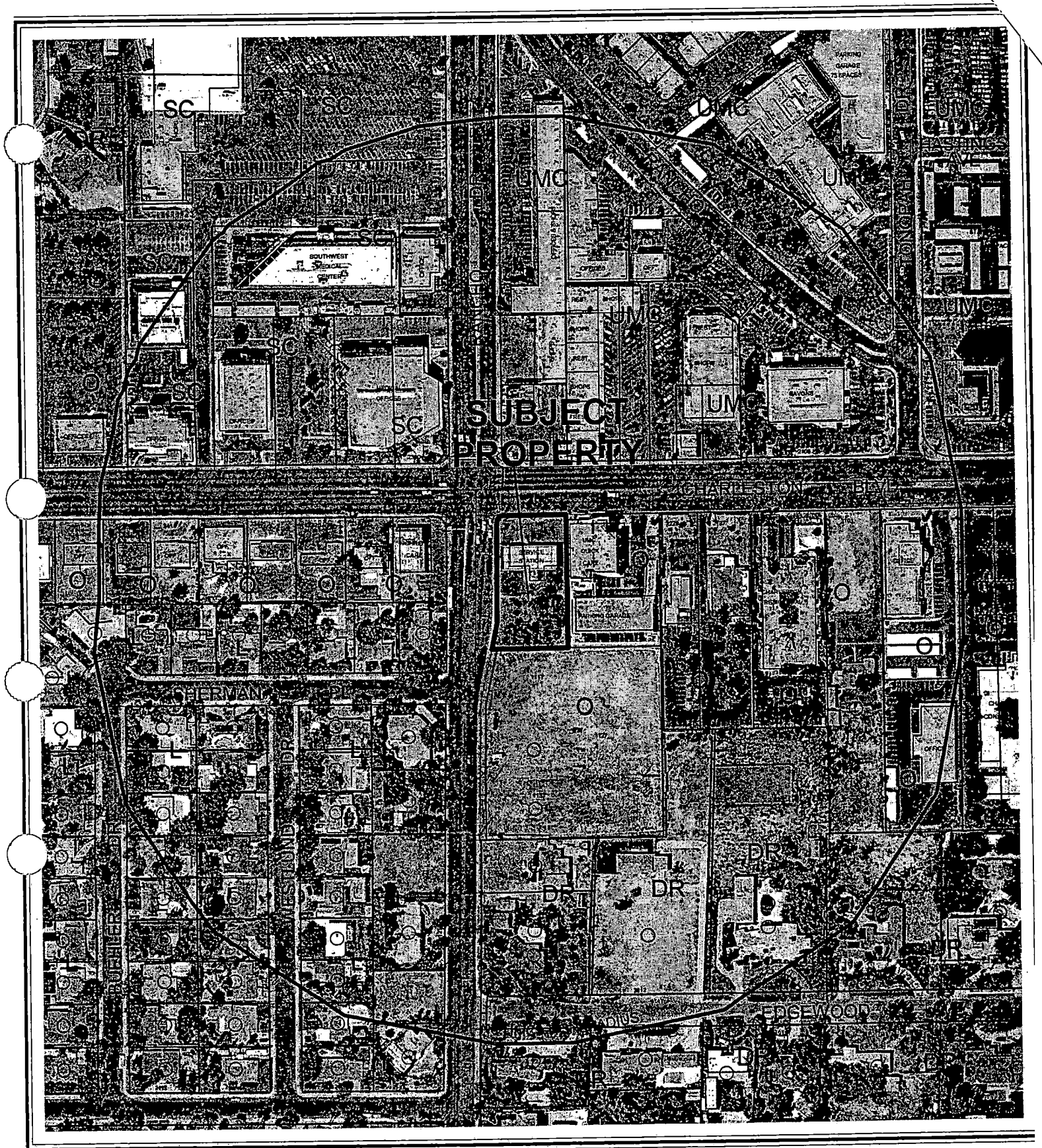


CASE: **GPA-4564**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
O (OFFICE)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)



CASE: **GPA-4564**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
O (OFFICE)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL

AR

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located on the southeast corner of Charleston Boulevard and Rancho Drive from O (Office) to SC (Service Commercial). A related Special Use Permit for a proposed car wash (SUP-4565), a related Variance for a parking deficiency (VAR-4696), and a related Site Development Plan Review (SDR-4563) for a proposed 3,325 square foot convenience store/service station/car wash will also be considered on this agenda.

BACKGROUND DATA:

08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses.

04/02/86 The City Council approved a Site Development Plan Review (Z-0051-64) which allowed an existing service station to be demolished and a convenience store with self-serve gasoline sales to be constructed. A condition of that approval required the south 50 feet of the site to be landscaped.

6/19/02 The City Council adopted the Rancho Charleston Land Use Study and approved General Plan Amendment GPA-47-01. This amendment designated the subject property for O (Office) land uses.

DETAILS OF APPLICATION REQUEST

Site Area: 0.79 Acres

EXISTING LAND USE

Subject Property	Service Station
North	Convenience Store
South	Office Complex (under construction)
East	UMC Quick Care
West	Child Care Center and Single Family Dwelling

AR

PLANNED LAND USE

Subject Property	O (Office)
North	SC (Service Commercial)
South	O (Office)
East	O (Office)
West	O (Office)

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	PD (Planned Development)
South	R-E (Residence Estates) under resolution of intent to P-R (Professional Offices
East	O (Office)
West	C-D (Commercial Designed)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA	X	
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

The subject site is located within the Rancho Charleston Land Use Study and Strategic Plan area. The effect of this Special Plan Area on this application and the area affected by this application is to designate the property for O "Office" land uses.

DEFINITIONS

O (Office)

The Office 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.

SC (Service Commercial)

The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

AR

INTERAGENCY ISSUES

RURAL PRESERVATION NEIGHBORHOOD BUFFER

A portion of the site is within an area identified as a buffer for a Rural Preservation Neighborhood. Chapter 278 of the Nevada Revised Statutes stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown. However, the subject property is disqualified from status as a Rural Preservation Neighborhood Buffer because it is closer than 330 feet to a road greater than 99 feet in width. It should be noted that these buffer provisions in the NRS expired as of 05/31/04.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

In 2002, the City of Las Vegas approved a land use study of properties located in the vicinity of Charleston Boulevard and Rancho Drive in an effort to resolve land use conflicts in the study area. The Charleston/Rancho study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the Desert Rural Density neighborhoods south of the subject properties. The proposed amendment would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

The placement of a Medium Low Attached Density Residential designation at this location presents an unacceptable difference in intensity with the General Commercial uses to the south and west.

The Trails Element of the General Plan recommends that a 10-foot wide multi-use trail be constructed along the west edge of this site, adjacent to Rancho Drive. Because this is a developed area, staff would have no objection to a reduction of the trail width to five feet if this request were approved. A similar reduction was permitted as part of a Site Development Plan Review for the site to the south .

AR

FINDINGS

Title 19.18.030.I requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to "1": The Rancho Charleston Land Use Study adopted by the City Council on June 19, 2002 determined that any redevelopment of this site should for O (Office) land uses which would be compatible with existing residential development in the vicinity. The requested General Plan Amendment is not consistent with the intent of that Land Use Study and is not compatible with adjoining residential development.

In regard to "2": The proposed SC (Service Commercial) land use designation would allow continuation of a C-1 (Limited Commercial) zoning district that is not compatible with the existing R-E (Residence Estates) zoning of the neighborhood to the south and west of the subject site.

In regard to "3": The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

In regard to "4": The proposed SC (Service Commercial) land use designation does not conform to the Rancho Charleston Land Use Study and Strategic Plan. The effect of this Special Plan Area on this application and the area affected by this application is to designate the property for O "Office" land uses.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/07/04 A neighborhood meeting sponsored by the applicant was held at the Palace Station Hotel/Casino. Thirteen people attended and had the following comments:

AR

- Traffic study needed, as car wash will generate considerable additional traffic.
- Transition from residential to Commercial
- Spot zoning
- Vacant portion of the site is being called a "park" and that City Council required that as part of previous projects
- Noise
- Hours of operation of gas station and car wash
- Number of employees
- Architectural design needs to be ranch style
- Building is too close to residential
- Median on both sides are existing
- Traffic will use Sherman and Mason
- It is a historical neighborhood on the east side of Rancho
- Don't want a restaurant
- Question regarding number of cars a day
- "Preservation ordinance" in effect to protect this neighborhood
- Don't want Rancho to be Jones and Maryland Parkway
- Want traffic count with office next door
- Loitering at the existing gas station is a problem
- Office would be preferable to gas station
- Want to know where the owners live
- Want another meeting (representative agreed)

NOTICES MAILED: 74 (Mailed with SUP-4565, VAR-4696 and SDR-4563)

APPROVALS: 0

PROTESTS: 0

AR

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4564 APN: 162-04-101-001

Name of Property Owner: Garrett Group, LLC

Name of Applicant: Rider's Chevron

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: Tom Jones

Print Name: Tom Jones

Subscribed and sworn before me

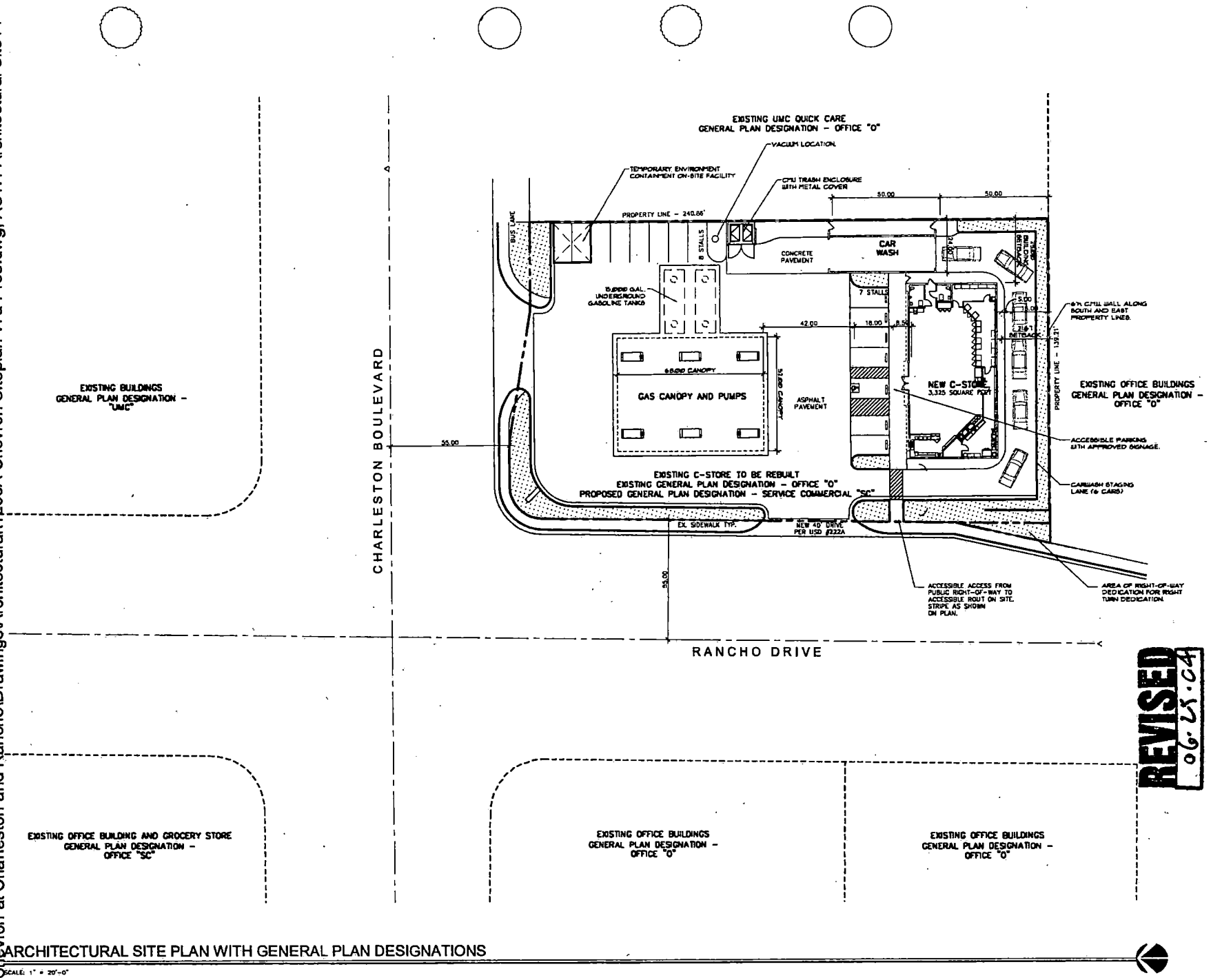
This 24th day of May, 2004

Kathie Reinmiller

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
KATHIE REINMILLER
My Appointment Expires
No. 94-1059-1 October 2, 2005

P:\1203A Chevron at Charleston and Rancho\Drawings\Architectural\1203A Chevron Siteplan v7a Pres.dwg, AS1.1 Architectural Site Pl



REVISED 06-15-04

ARCHITECTURAL SITE PLAN WITH GENERAL PLAN DESIGNATIONS

SCALE: 1" = 20'-0"

GPA-4564
07-08-04 PC

REVISIONS

Mark	Date	Description

CONTRACTOR

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS A CATEGORY APPROPRIATE TO THE WORK.

BRESLIN BUILDERS COMPANY NAME

JACK BRESLIN CONSTRUCTION REPRESENTATIVE OR MASTER OR CLASS OF PLUMBING OR ELECTRICAL LICENSE

Expires/Date

000189 CONTRACTOR'S LICENSE

TODD MCBRAYER PLANS PREPARED BY

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018189
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3808
www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Architectural Site Plan with General Plan Designations

Date: May 24, 2004	Designed By: Todd McBrayer
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/JB

AS1.1g



GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND RANCHO DRIVE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

Director of Planning and Development
731 S Fourth St.
Las Vegas, Nevada 89101

July, 7 2004

Director Genzer;

I am writing this letter as a concerned citizen who is involved with the rancho area. It seems that we are being required to attend your meeting almost every two weeks. I for one am getting really tired of this adventure. What will it take for you to realize this is an old established area that doesn't want commercial, professional, or any other zoning changes. We want the buffer zone that we were able to obtain a few years ago! Just because someone wants a car wash doesn't mean it has to be on Rancho. I am apposed to the proposed remold. **Please don't keep trying to ruin our neighborhood.**

While I am writing, please don't let the Rancho/Oakey corner go to any zoning but what currently exists.

Sharon Friend
702 384-5049

cc.
for: Mayor Oscar Goodman
Councilwoman Janet Montcrief
Councilwoman Lynette Boggs McDonald
Councilman Gary Reese
Councilman Larry Brown
Councilman Michael Mack

Submitted at Planning Commission

Date 07-08-04 Item 38, 39, 40, 41

2300 La Solana Way
Las Vegas, NV 89102
July 8, 2004

Planning Department
Bob Genzer. Director
731 So. 4th Street
Las Vegas, NV 89101

Re: Rancho/Oakey zone change and retain the buffer zone

Dear Mr. Genzer:

This is a plea to you, and the Planning and Zoning Department to maintain our present zone status.

We currently have a good family/residential neighborhood, but if you allow spot zoning or any other type zoning, you destroy this family type neighborhood and invite a neighborhood not conducive to family structured living, and increased traffic and pollution in our residential area.

This is a letter jointly by Rose Carvelli, at 2300 La Solana Way and Thomas & Agnes Pittman who own 2408 La Solana Way.

Enclosed is a copy of a proposal that could include the property into Scotch Eighties.

Sincerely,

Thomas E. Pittman, Jr

Agnes Pittman

Rose Carvelli

Enclosure

Fax: Janet Moncrief

Submitted at Planning Commission

Date 07-08-04 Item 38, 39, 40, 41

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – Motion for DENIAL failed – Subsequent motion by GOYNES for APPROVAL subject to conditions carried with McSWAIN, EVANS and TRUESDELL voting No

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

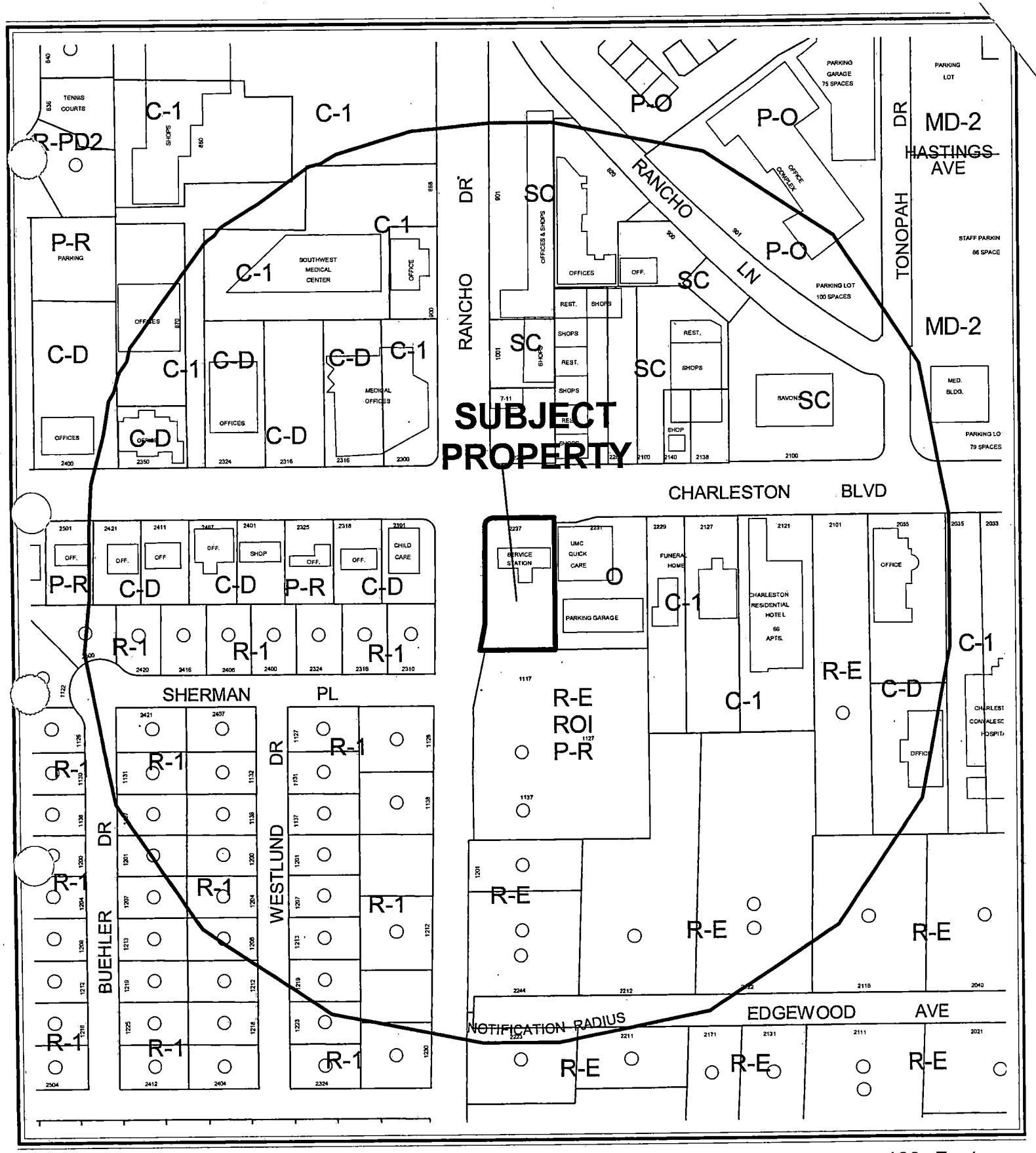
PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 39 – GPA-4696

CONDITIONS:

Planning and Development

1. Approval of General Plan Amendment GPA-4564, and approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4565) and Site Development Plan Review [SDR-4563].

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-4696**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of General Plan Amendment GPA-4564, and approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4565) and Site Development Plan Review [SDR-4563].

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.

GL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Variance (VAR-4696) to allow 15 spaces where 22 spaces are required for a convenience store/service station/car wash that is being redeveloped on a 0.79-acre site at 2237 W. Charleston Boulevard. Companion applications for a General Plan Amendment (GPA-4564) from O (Office) to SC (Service Commercial) and to waive full trail standards for the adjacent trail along Rancho Drive, a Special Use Permit (SUP-4565) to allow a Car Wash/Auto Detail use in conjunction with a Convenience Store/Service Station, and a Site Development Plan Review (SDR-4563) and Waivers of perimeter buffering and landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks and building placement for the project will be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use is a part of an overall redevelopment of the subject site that will continue existing uses on the site and will have minimal additional impact at this busy intersection.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The Board of City Commissioners approved a Rezoning (Z-0051-64) from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial for the subject site. The Planning Commission and staff recommended denial on 08/13/64. This C-1 zoning was adopted by ordinance on 12/07/66.
01/28/65	The Board of Zoning Adjustment approved a request for a Use Permit for the development of a service station on the northern portion of the subject site. A condition of approval at that time required retention of existing vegetation on the southern portion of the site, as a transition to adjacent low-density residential development.
12/12/72	A Special Use Permit (U-0055-64) for a service station was granted administratively by the Planning Department.

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses.

04/02/86 The City Council approved a request for a Plot Plan Review to allow a convenience store with gasoline sales on the subject site. The condition requiring retention of the existing vegetation on the southern portion of the site was modified to require landscaping and hedges along the south and east walls of the site. The Planning Commission had recommended approval on 03/13/86.

06/19/02 The City Council adopted the Rancho Charleston Land Use Study. This study recommended the designation of the subject property for O (Office) land uses, which was accomplished through the approval of General Plan Amendment (GPA-0047-01) the same day.

07/08/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4564) from O (Office) to SC (Service Commercial) and to waive full trail standards for the adjacent trail along Rancho Drive, a Special Use Permit (SUP-4564) to allow a Car Wash/Auto Detail use in conjunction with a Convenience Store/Service Station, and a Site Development Plan Review (SDR-4563) and Waivers of perimeter buffering and landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks and building placement for the project.

B) Pre-Application Meeting

05/07/04 At the meeting, the applicant was advised of the required applications, and of waivers that would be required to accompany the companion site plan request (SDR-4563). A number of Department of Public Works' concerns and design issues (e.g. roofed trash enclosure) were also flagged.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

B) Existing Land Use

Subject Property:	Convenience Store/Service Station
North:	Retail Commercial Center
South:	Office Complex
East:	Medical Clinic and Parking Structure
West:	Child Care Facility and Single Family Dwelling

GL

C) Planned Land Use

Subject Property:	O (Office)
North:	SC (Service Commercial – Las Vegas Medical District land use designation)
South:	O (Office)
East:	O (Office)
West:	O (Office) and L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	PD (Planned Development)
South:	R-E (Residence Estates) under a Resolution of Intent to P-R (Professional Office and Parking)
East:	O (Office)
West:	C-D (Designed Commercial)

E) General Plan Compliance

The General Plan designation of the subject site on the Southeast Sector Plan Map is O (Office). A companion request (GPA-4564) for a General Plan Amendment to change the O land use designation to an SC (Service Commercial) land use designation is being sought concurrently by the applicant. The proposed Variance is not directly referenced at this broad policy level.

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

There are no aspects of the proposed Variance that are affected by the trails requirements or by the Rancho Charleston Land Use Study. The Las Vegas Medical District Plan affects the land to the north of the site across Charleston Boulevard. A major issue that was flagged in the Medical District Plan was the chronic shortage of parking in that area. Approval of a parking Variance on a site across the street from that Plan area will not assist in resolving chronic parking shortages in the area.

GL

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
Convenience Store	3,325 s.f.	1 space/250 s.f. GFA	14 spaces			
Car Wash (Full service)	1,200 s.f.	1 space/150 s.f.	8 spaces			
Totals			22 spaces	1 space	15 spaces	1 space

The project as currently designed is deficient with respect to parking. The subject deviation is 31.8%.

B) General Analysis and Discussion

The site is currently developed with a convenience store/service station that is approximately 1,800 square feet in size. At that size, eight parking spaces are required, and are provided on the site. The redevelopment project will consist of a larger convenience store (3,325 square feet), with an independent 3,540 square-foot gas canopy and a 1,200 square-foot automated car wash.

Based on Title 19.10 requirements, 14 spaces are required for the convenience store and eight spaces are required for the car wash, independent of queuing area, for a total of 22 spaces. The site is a corner location and has vehicular access from two sides. Given the small size of the parcel and the need to provide for adequate access to the gas pump islands and queuing for the car wash, it is not possible to provide additional parking on the site with the project as configured; accordingly, the applicant has requested this Variance to the parking standards of Title 19.10.

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."

GL

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild a site that is relatively small for the uses envisioned. Alternative design using a smaller convenience store or eliminating the proposed car wash use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 74 (Mailed with GPA-4564, SUP-4565 and SDR-4563)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4696 APN: 162-04-101-001

Name of Property Owner: GARRETT GROUP, LLC

Name of Applicant: RIDER'S CHEVRON

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: Tom Jones

Print Name: TOM JONES

Subscribed and sworn before me

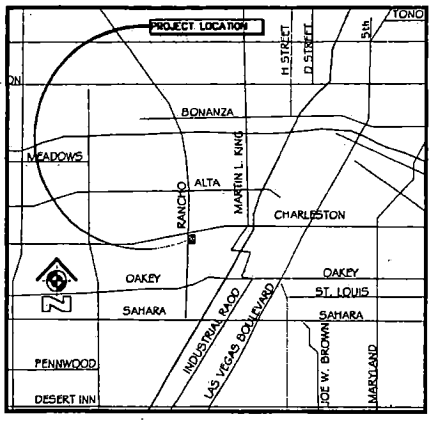
This 21st day of June, 2004

Kathie Reinmiller

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
KATHIE REINMILLER
My Appointment Expires
No. 94-1059-1 October 2, 2005

P:\1203A Chevron at Charleston and Rancho\Drawings\Architectural\1203A Chevron Siteplan v7a Pres.dwg, AS1.1 Architectural Site Pl



DESIGN DATA

LOT AREA	34,550.46 SQUARE FEET or .79 ACRES
BUILDING AREA	3,325 SQUARE FEET (C-STORE ONLY)
LOT COVERAGE	9.62%

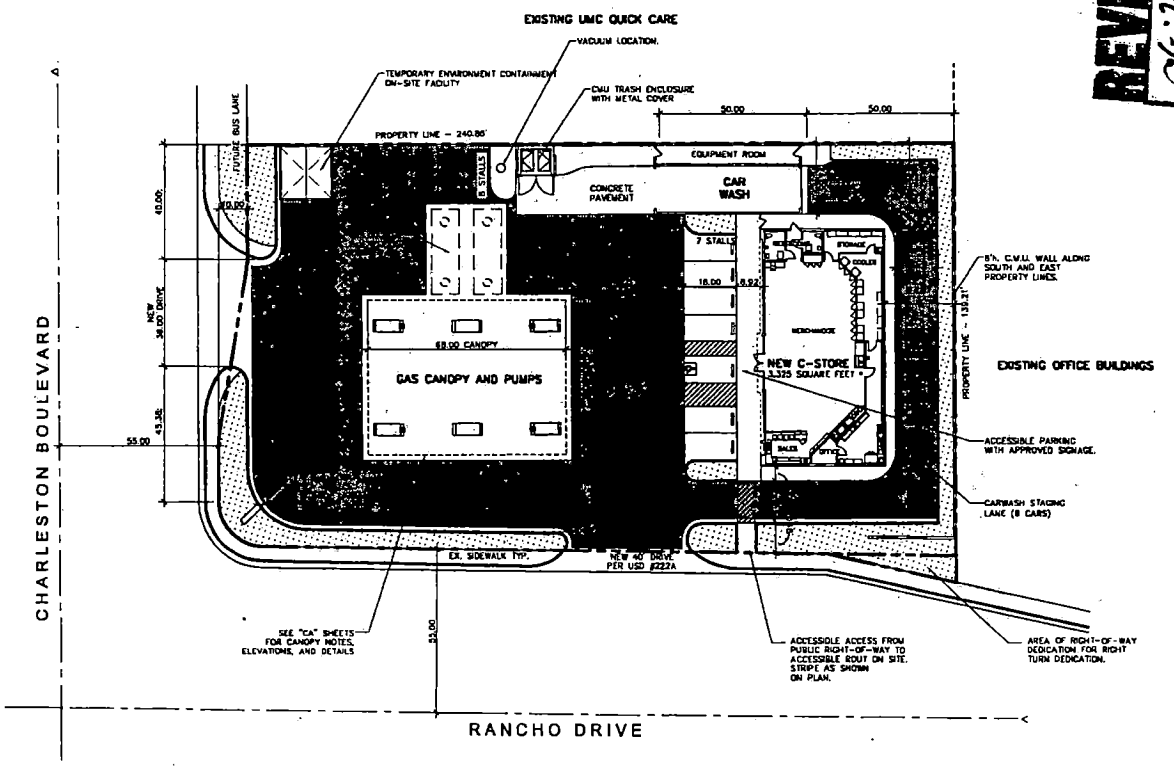
PARKING REQUIRED (CITY OF LAS VEGAS)

3,325 S.F. – 1 PER 250 S.F. = 13.3 or 14 SPACES (C-STORE)

PARKING PROVIDED

REGULAR STALLS	14 STALLS
ACCESSIBLE STALL	1 VAN ACCESSIBLE STALL
TOTAL SPACES	15 STALLS

REVISED 06.25.04



VAR-4696
SUP-4565
SDR-4563
07-08-04 PC

ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"

REVISIONS

Mark	Date	Description

CONTRACTOR

BRESLIN BUILDERS — JACK BRESLIN — CONTRACTOR OF RESPONSIBLE CHARGE
TODD MCBRAYER — ELECTRICAL MASTER

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0019168
9525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3808
www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Architectural Site Plan

062504

Date: May 24, 2004
Designed By: Todd McBrayer
Project No.: 2004A
Drawn By: TMM
Jurisdiction: City of Las Vegas
Checked By: TMM/JB

AS1.1



SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY
2237 WEST CHARLESTON BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends DENIAL

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

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

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 40 – SUP-4565

CONDITIONS:

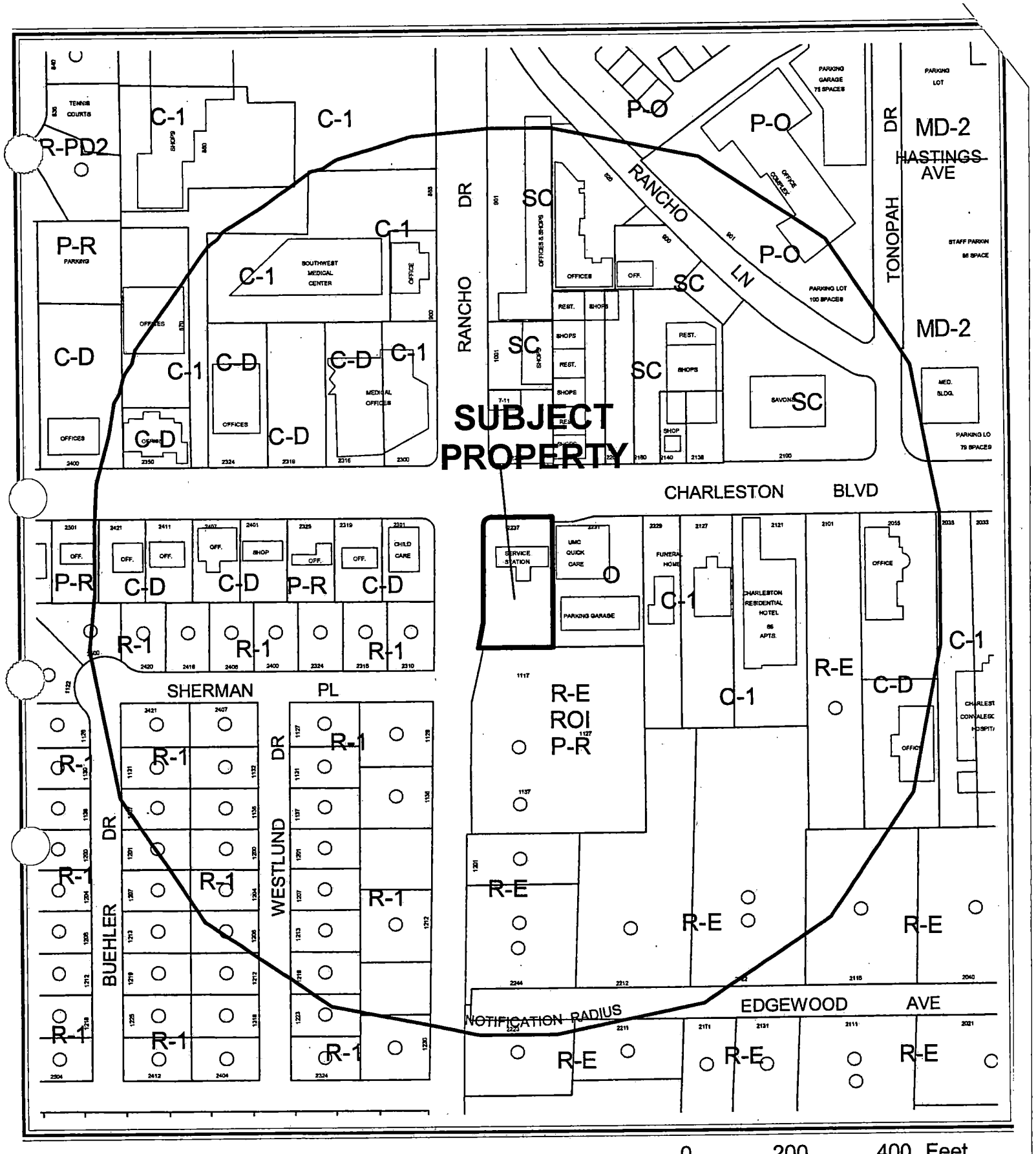
Planning and Development

1. Approval of a General Plan Amendment (GPA-4564) by City Council and approval of and conformance to the Conditions of Approval for Variance (VAR-4696) and Site Development Plan Review [SDR-4563].

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.

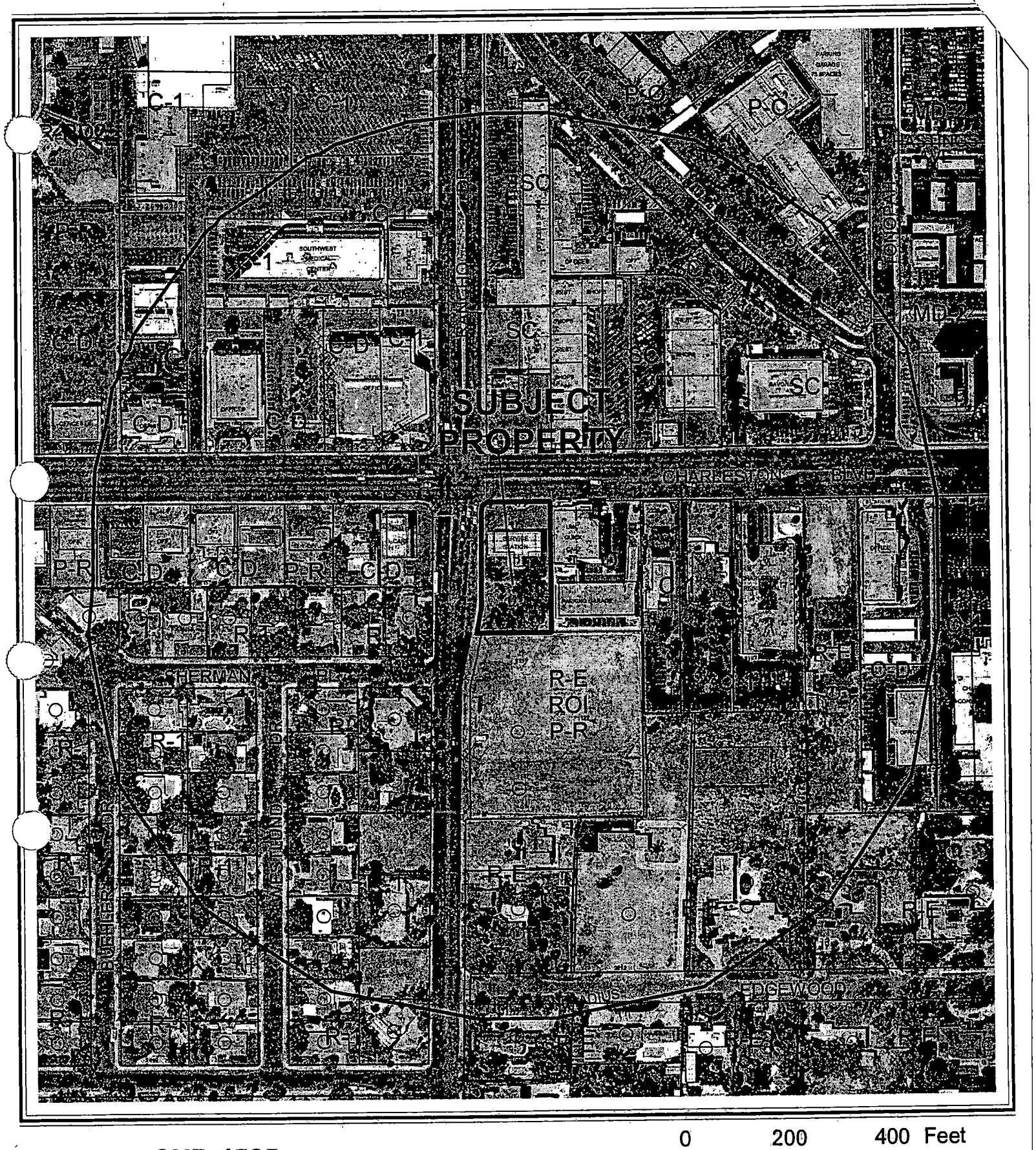
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-4565**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-4565**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of a General Plan Amendment (GPA-4564) by City Council and approval of and conformance to the Conditions of Approval for Variance (VAR-4696) and Site Development Plan Review [SDR-4563].

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.

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

GL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Car Wash/Auto Detail use in conjunction with a Convenience Store/Service Station that is being redeveloped on a 0.79-acre site at 2237 W. Charleston Boulevard. Companion applications for a General Plan Amendment (GPA-4564) from O (Office) to SC (Service Commercial) and to waive full trail standards for the adjacent trail along Rancho Drive, a Variance (VAR-4696) for insufficient parking, and a Site Development Plan Review (SDR-4563) and Waivers of perimeter buffering and landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks and building placement for a convenience store/service station/car wash to replace the existing service station on the site will be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use is a part of an overall redevelopment of the subject site that will continue existing uses on the site and will have minimal additional impact at this busy intersection.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The Board of City Commissioners approved a Rezoning (Z-0051-64) from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial for the subject site. The Planning Commission and staff recommended denial on 08/13/64. This C-1 (Limited Commercial) zoning was adopted by ordinance on 12/07/66.

01/28/65 The Board of Zoning Adjustment approved a request for a Use Permit for the development of a service station on the northern portion of the subject site. A condition of approval at that time required retention of existing vegetation on the southern portion of the site, as a transition to adjacent low-density residential development.

12/12/72 A Special Use Permit (U-0055-64) for a service station was granted administratively by the Planning Department.

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses.

04/02/86 The City Council approved a request for a Plot Plan Review to allow a convenience store with gasoline sales on the subject site. The condition requiring retention of the existing vegetation on the southern portion of the site was modified to require landscaping and hedges along the south and east walls of the site. The Planning Commission had recommended approval on 03/13/86.

06/19/02 The City Council adopted the Rancho Charleston Land Use Study. This study recommended the designation of the subject property for O (Office) land uses, which was accomplished through the approval of General Plan Amendment (GPA-0047-01) the same day.

07/08/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4564) from O (Office) to SC (Service Commercial) and to waive full trail standards for the adjacent trail along Rancho Drive, a Variance (VAR-4696) for insufficient parking, and a Site Development Plan Review (SDR-4563) and Waivers of perimeter buffering and landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks and building placement for a convenience store/service station/car wash to replace the existing service station on the site.

B) Pre-Application Meeting

05/07/04 At the meeting, the applicant was advised of the required applications, and of waivers that would be required to accompany the companion site plan request (SDR-4563). A number of Department of Public Works' concerns and design issues (e.g. roofed trash enclosure) were also flagged.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

GL

B) Existing Land Use

Subject Property:	Convenience Store/Service Station
North:	Retail Commercial Center
South:	Office Complex
East:	Medical Clinic and Parking Structure
West:	Child Care Facility and Single Family Dwelling

C) Planned Land Use

Subject Property:	O (Office)
North:	SC (Service Commercial – Las Vegas Medical District land use designation)
South:	O (Office)
East:	O (Office)
West:	O (Office) and L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	PD (Planned Development)
South:	R-E (Residence Estates) under a Resolution of Intent to P-R (Professional Office and Parking)
East:	O (Office)
West:	C-D (Designed Commercial)

E) General Plan Compliance

The General Plan designation of the subject site on the Southeast Sector Plan Map is O (Office). The proposed use is not directly referenced at this broad policy level. The proposed "Car Wash/Auto Detail" use is allowed by Special Use Permit in the C-1 zoning district, pursuant to Title 19.04. The C-1 zoning district, however, does not conform with the current O (Office) land use designation of the subject site. A companion request (GPA-4564) for a General Plan Amendment to change the O land use designation to an SC (Service Commercial) land use designation is being sought concurrently by the applicant.

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

GL

Trails – There is a Multi-use Transportation Trail required directly adjacent to the site along Rancho Drive, pursuant to the Transportation Trails Element of the Las Vegas 2020 Master Plan. This trail cross-section requires a 10-foot cement trail and a five-foot amenity zone on the subject property, with a five-foot amenity zone within the right-of-way. The plans show a five-foot sidewalk within the right-of-way and a six or seven-foot amenity zone on the subject property. This design does not conform to the approved standard.

A General Plan Amendment (GPA-3933) that was presented to the Planning Commission would have the effect of introducing "connector trail" standards into developed areas such as this; however, the GPA-3933 was tabled at the 05/27/04 Planning Commission meeting. The applicant is requesting, as part of the companion General Plan Amendment, to be allowed to utilize the proposed "connector trail" standard adjacent to this small site. Use of the full Multi-use Transportation Trail standard would significantly impact the ability to develop the site.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant.

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
Convenience Store	3,325 s.f.	1 space/250 s.f. GFA	14 spaces			
Car Wash (Full service)	1,200 s.f.	1 space/150 s.f.	8 spaces			
Totals			22 spaces	1 space	15 spaces	1 space

GL

The project as currently designed is deficient with respect to parking. The applicant has requested a companion Variance to address this issue.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Car Wash/Auto Detail use. There are no similar approved uses within the 750 ft. notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Walled, roofed, gated, 50 ft. from residential	Y

The project as designed meets the trash enclosure design requirements.

B) General Analysis and Discussion

- Zoning

The site is currently zoned C-1 (Limited Commercial). The proposed "Car Wash/Auto Detail" use is allowed by Special Use Permit in the C-1 zoning district, pursuant to Title 19.04.

- Use

The project will replace an existing 1,800 square-foot convenience store with a 3,325 square-foot convenience store and a 1,200 square-foot automated car wash. This represents a substantial intensification of the site, which results in the need for a Variance to current parking standards. Although the applicants have met twice with area residents and have attempted to address their concerns through design modifications, the expansion to the scope of the existing development is substantial, as underlined by the need for the requested companion parking Variance and the number of Waivers requested as part of the companion Site Development Plan Review. As a result, denial is recommended.

- Conditions

Pursuant to Title 19.04, there are no standards that specifically apply to the Car Wash/Auto Detail use; instead, these requests are considered on a case-by-case basis. In considering applicable standards, the Car Wash (Self-Service) use has conditions that are applicable as follows:

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repairing or servicing of vehicles is allowed.
6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.

The requested use meets all standards with the exception of Condition number 2. As this is a corner location, it would not be possible to comply with this condition; also, as this is an automated facility accommodating one vehicle at a time, it does not have the same effect as a row of open self-service wash bays would have. The request is reasonable and should not be an issue if this application is approved.

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 project as proposed is in scale with existing uses to the east along the south side of Charleston Boulevard, but these are medical and office in nature, not auto-related retail. The project is more intense than the office project under development directly to the south. The General Plan, based on the results of the Rancho-Charleston Land Use Study, was modified just two years ago to promote office development, not retail, in this area. As a result, denial of this request is recommended.

GL

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

   The site is relatively small and constrained for the scale of the proposed use. This is underlined by the fact that the site cannot be self-parked based on minimum Code requirements and requires approval of a Variance to develop as proposed, and that the perimeter buffering cannot meet Code requirements, and that there is insufficient space to provide the required Multi-use Transportation Trail along the west edge of the site.

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

   The site currently has, and will continue to have access from Charleston Boulevard, designated as a Primary (100-foot) Arterial, and Rancho Drive, designated as a Secondary (80-foot) Collector, on the Master Plan of Streets and Highways. These access points, even though limited to right-in, right-out turning movements, are adequate to serve the needs of the proposed development.

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 Car Wash/Auto Detail use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded. The project as proposed is inconsistent with the General Plan designation of O (Office) unless the companion General Plan Amendment to change the land use designation to SC (Service Commercial) is approved. Staff has recommended denial of this re-designation.

NOTICES MAILED 74 (Mailed with GPA-4564, VAR-4696 and SDR-4563)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-45205 APN: 162-04-101-001

Name of Property Owner: Garret Group LLC

Name of Applicant: Rider's Chevron

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: tom Jones

Print Name: Tom Jones

Subscribed and sworn before me

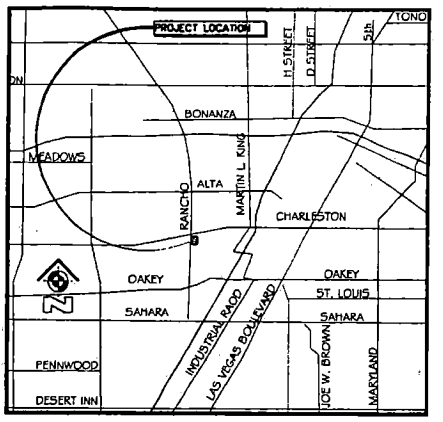
This 24th day of May, 2004

Kathie Reinmiller

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
KATHIE REINMILLER
My Appointment Expires
No. 94-1059-1 October 2, 2005

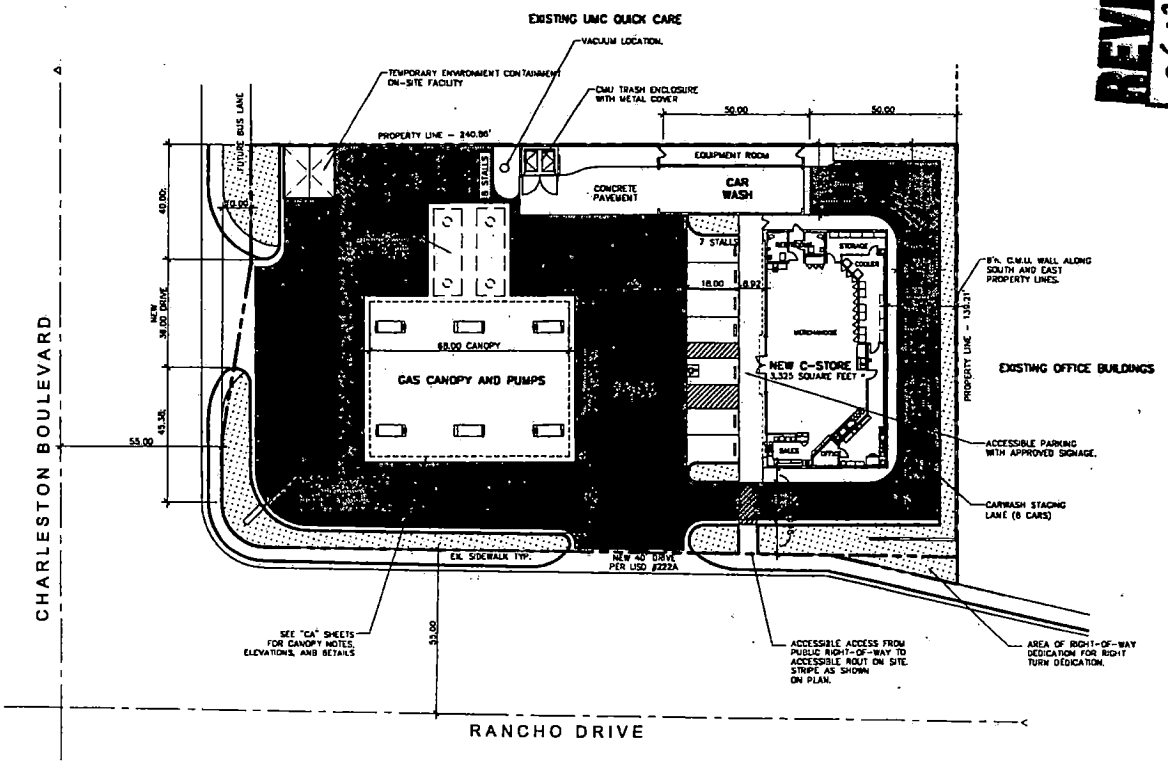
P:\1203A Chevron at Charleston and Rancho\Drawings\Architectural\1203A Chevron Siteplan v7a Pres.dwg, AS1.1 Architectural Site Pl



DESIGN DATA

LOT AREA	34,559.46 SQUARE FEET or .79 ACRES
BUILDING AREA	3,325 SQUARE FEET (C-STORE ONLY)
LOT COVERAGE	9.62%
PARKING REQUIRED (CITY OF LAS VEGAS)	
3,325 S.F. ÷ 1 PER 250 S.F. = 13.3 or 14 SPACES (C-STORE)	
PARKING PROVIDED	
REGULAR STALLS	14 STALLS
ACCESSIBLE STALL	1 VAN ACCESSIBLE STALL
TOTAL SPACES	15 STALLS

REVISED
06.25.04



VAR-4696
SUP-4565
SDR-4563
07-08-04 PC

ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"

REVISIONS

Mark	Date	Description

CONTRACTOR

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0014168
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3877
FAX (702)798-3808
www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Architectural Site Plan

062504

Date: May 24, 2004
Designed By: Todd McBrayer
Project No.: 2004A
Drawn By: TMM
Jurisdiction: City of Las Vegas
Checked By: TMM/JS

AS1.1



SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY
2237 WEST CHARLESTON BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – APPROVED subject to conditions and adding the following conditions:

- ***Staff will take a look at the landscaping on the section that is adjacent to the cueing lane for the car wash to ensure that there is significant screening and not just shrubbery.***
- ***The applicant shall not have, on site, a vacuum area for individuals to vacuum their vehicles.***

– Motion carried with McSWAIN, TRUESDELL and EVANS voting No

To be heard by the City Council on 8/04/2004

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 41 – SDR-4563

MINUTES:

NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

3-370

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4564) approved by City Council and approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-4565) and a Variance (VAR-4696) approved by the City Council.

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

3. All development shall be in conformance with the revised site plan and building elevations date stamped 06/25/04, except as amended by conditions herein. An indication of loading facilities shall be depicted on the site plan.

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 from the view of abutting streets.

CONDITIONS – Continued:

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

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

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

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

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

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

15. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.

16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

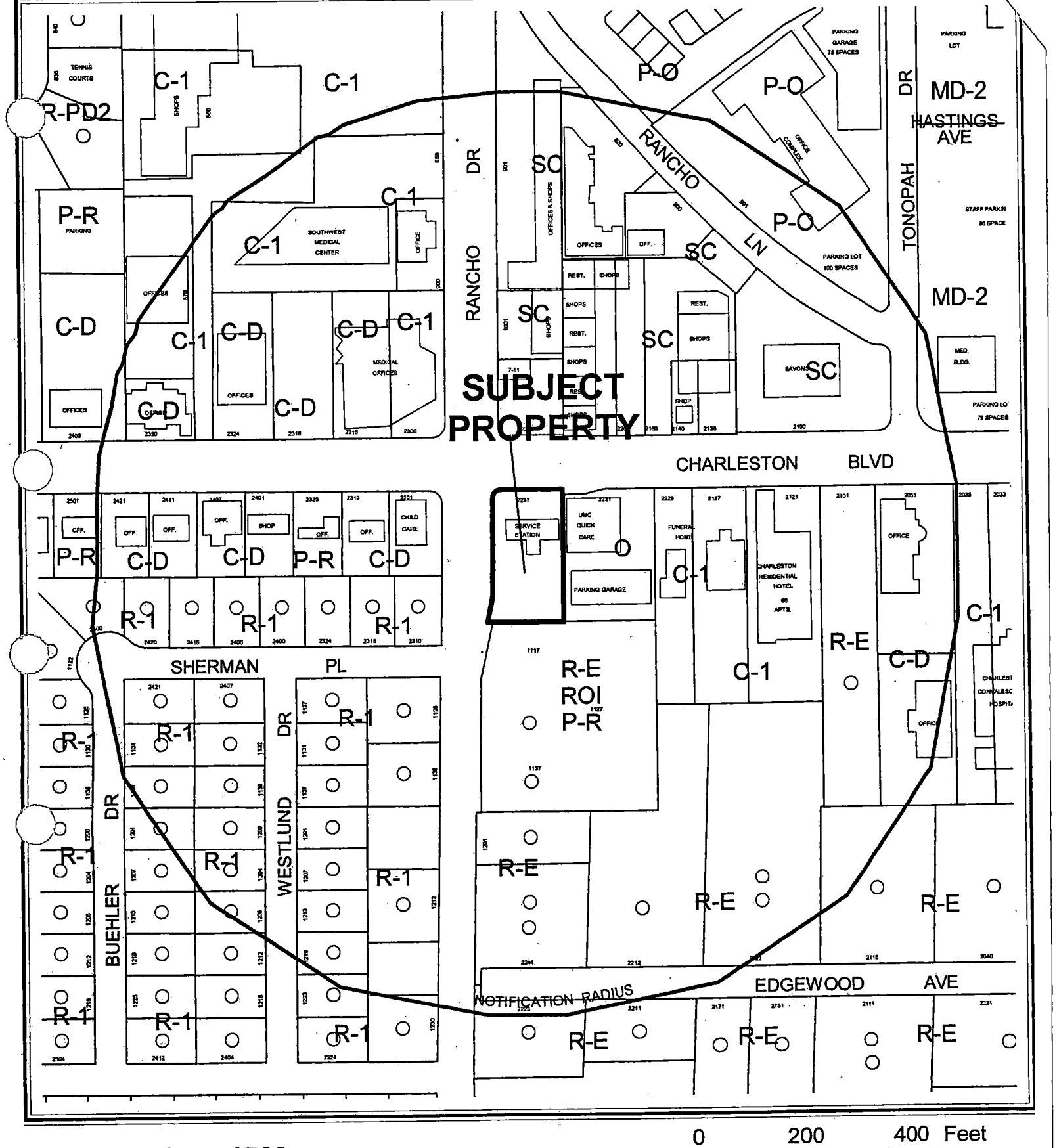
Public Works

17. Dedicate an additional 39 feet of right-of-way for a total radius of 54 feet on the southeast corner of Charleston Boulevard and Rancho Drive prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.

CONDITIONS – Continued:

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

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.



CASE: **SDR-4563**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

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GL

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GL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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The applicant has justified this request by stating that the request is appropriate as the proposed use is a part of an overall redevelopment of the subject site that will continue existing uses on the site and will have minimal additional impact at this busy intersection.

BACKGROUND INFORMATION

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12/12/72 A Special Use Permit (U-0055-64) for a service station was granted administratively by the Planning Department.

GL

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses.

04/02/86 The City Council approved a request for a Plot Plan Review to allow a convenience store with gasoline sales on the subject site. The condition requiring retention of the existing vegetation on the southern portion of the site was modified to require landscaping and hedges along the south and east walls of the site. The Planning Commission had recommended approval on 03/13/86.

06/19/02 The City Council adopted the Rancho Charleston Land Use Study. This study recommended the designation of the subject property for O (Office) land uses, which was accomplished through the approval of General Plan Amendment (GPA-0047-01) the same day.

07/08/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4564) from O (Office) to SC (Service Commercial) and to waive full trail standards for the adjacent trail along Rancho Drive, a Variance (VAR-4696) for insufficient parking, and a Special Use Permit (SUP-4565) for a proposed Car Wash/Auto Detail use on the site.

B) Pre-Application Meeting

05/07/04 At the meeting, the applicant was advised of the required applications, and of waivers that would be required to accompany this site plan request. A number of Department of Public Works' concerns and design issues (e.g. roofed trash enclosure) were also flagged.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

B) Existing Land Use

Subject Property:	Convenience Store/Service Station
North:	Retail Commercial Center
South:	Office Complex
East:	Medical Clinic and Parking Structure
West:	Child Care Facility and Single Family Dwelling

GL

C) Planned Land Use

Subject Property:	O (Office)
North:	SC (Service Commercial – Las Vegas Medical District land use designation)
South:	O (Office)
East:	O (Office)
West:	O (Office) and L (Low Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	PD (Planned Development)
South:	R-E (Residence Estates) under a Resolution of Intent to P-R (Professional Office and Parking)
East:	O (Office)
West:	C-D (Designed Commercial)

E) General Plan Compliance

The General Plan designation of the subject site on the Southeast Sector Plan map is O (Office). The proposed use is not directly referenced at this broad policy level. The proposed "Car Wash/Auto Detail" use is allowed by Special Use Permit in the C-1 zoning district, pursuant to Title 19.04. The C-1 zoning district, however, does not conform with the current O (Office) land use designation of the subject site. A companion request (GPA-4564) for a General Plan Amendment to change the O land use designation to an SC (Service Commercial) land use designation is being sought concurrently by the applicant.

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

Trails – There is a Multi-use Transportation Trail required directly adjacent to the site along Rancho Drive, pursuant to the Transportation Trails Element of the Las Vegas 2020 Master Plan. This trail cross-section requires a 10-foot cement trail and a five-foot amenity zone on the subject property, with a five-foot amenity zone within the right-of-way. The plans show a five-foot sidewalk within the right-of-way and a six or seven-foot amenity zone on the subject property. This design does not conform to the approved standard.

GL

A General Plan Amendment (GPA-3933) that was presented to the Planning Commission would have the effect of introducing "connector trail" standards into developed areas such as this; however, the GPA-3933 was tabled at the 05/27/04 Planning Commission meeting. The applicant is requesting, as part of the companion General Plan Amendment, to be allowed to utilize the proposed "connector trail" standard adjacent to this small site. Use of the full Multi-use Transportation Trail standard would significantly impact the ability to develop the site.

PROJECT DESCRIPTION

The project is the redevelopment of an existing 1,800 square-foot convenience store/service station that has been in continuous operation on this site since 1965. The existing development is to be replaced by a 3,325 square-foot convenience store, a 3,540 square-foot canopy with gas pumps, and a 1,200 square-foot automated car wash. The site will continue to retain two points of access, one to Rancho Drive and the other to Charleston Boulevard. A condition of approval from the original plot plan review (Z-0051-64) required retention of existing vegetation on the south half of the parcel. As there are no longer adjacent residential uses to the site, this condition is no longer significant. The applicant proposes to install new landscaping along the south, west and north perimeters of the site. Based on discussions with area residents and staff, the applicant has submitted a revised site plan and elevations for the project to address some design and landscaping concerns.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards C-1 District	**Required**	**Provided**	**Compliance**
Min. Lot Width	100 Feet	135 Feet	Y
Min. Setbacks			
• Front	20 Feet	40 Feet	Y
• Side	10 Feet	none	N
• Corner	15 Feet	29 Feet	Y
• Rear	20 Feet	22 Feet	Y
Max. Lot Coverage	50 %	• 3.47% for car wash bldg. • 9.62% for convenience store • 10.23% for gas canopy Total: 23.32%	Y

GL

Max. Building Height	none	1 story/ xx feet	Y
Trash Enclosure	Walled, gated, roofed, 50 feet from Residential	Walled, gated, roofed, 50 feet from Residential	Y
Loading Zone	1 space	Not indicated	N
Mech. Equipment	On roof	On roof	Y

The site plan meets the standards of the Code with respect to the above noted development standards, with the exception of the side yard setback on the east side of the property. Waivers of this requirement and a number of buffering and landscaping standards are being requested as part of this site plan application, and are reviewed in detail under the "Waivers" section of the report below. Loading facilities are not indicated on the site plan. A condition of approval will address this issue.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that 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** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,325 s.f.	1 space/250 s.f. GFA	14 spaces			
Car Wash (Full service)	1,200 s.f.	1 space/150 s.f.	8 spaces			
Totals			22 spaces	1 space	15 spaces	1 space

The project as currently designed is deficient with respect to parking. The applicant has requested a companion Variance to address this issue.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	3 Trees	none
Buffer: • Min. Trees	1 Tree/30 Linear Feet (670 Feet)	23 Trees	31 Trees
• Min. Zone Width	15 Feet perimeter, 8 Feet internal		5 Feet perimeter, 6 Feet internal to south, none to the east
• Wall height	6 Feet		not indicated

The project as proposed is deficient in the amount of landscaped buffering provided around the site and the amount of parking lot landscaping and building foundation landscaping provided. The applicant has requested Waivers of these standards as part of this application. These are discussed more fully under the Waivers section of the report below.

A5) Sign Standards

Signage is limited to a 20-foot pylon sign at the northwest corner of the site, which will contain stone veneer design elements from the store elevations, and gas canopy and wall signs. All these signs meet the sign standards of, and conform to, the requirements of Title 19.14.

B) General Analysis and Discussion

- Zoning

  The site is currently zoned C-1 (Limited Commercial). The proposed "Car Wash/Auto Detail" use is allowed by Special Use Permit in the C-1 zoning district, pursuant to Title 19.04.

- Site Plan

  The site plan is in compliance with the requirements of Title 19, with the exception of the requested Waivers as noted below, and with the exception of a parking deficiency, which is the subject of the requested companion Variance (VAR-4696).

- Waivers

  The applicant has requested the following Waivers as part of this site plan review:
  - ***Waiver of perimeter buffering*** - commercial design standards call for 15 feet of perimeter landscaping on the exterior boundaries of the site, and eight feet on internal boundaries. This plan shows as little as six feet of perimeter buffering and as little as no interior buffering.

- ***Waiver of perimeter landscaping*** - the project was initially deficient in both the type and number of trees required for perimeter landscaping; however, a revised landscape plan has addressed this deficiency, and this Waiver is no longer required.
- ***Waiver of parking lot landscaping*** - there is no parking lot landscaping as required by Code. Due to the insufficient number of parking spaces, provision of such landscaping would create an even greater deficiency in the amount of required parking.
- ***Waiver of foundation landscaping area*** - commercial design standards call for a six-foot landscaped area around the base of commercial buildings. The applicant wishes to waive this requirement due to the constrained size of the site.
- ***Waiver of building placement*** - commercial design standards require buildings such as the one proposed to be placed on the site close to adjacent streets, so that there is only landscaping between the building and the right-of-way. In this case, the building is pushed to the rear of the site, with parking and drive aisles to the front of the site.
- ***Waiver of side yard setback*** – in the C-1 zoning district, a 10-foot side yard is required. The applicant is seeking to reduce this to zero feet along the east boundary of the site, as there is an adjacent two-level parking structure in this location.

The applicant is also requesting relief (as part of a companion General Plan Amendment request [GPA-4564]) from the provision of a full Multi-use Transportation Trail along the west boundary of the site in favor of a "connector" trail, utilizing a five-foot sidewalk.

Finally, the applicant is requesting a Variance (VAR-4696) from the parking standards of the Code, to provide only 15 spaces on the site where 22 spaces are required. The number of deficiencies with respect to Code requirements underlines the fact that the site as proposed is overbuilt and unsuitable for this location. As a result, it is recommended that the waivers and the application not be supported as proposed.

- Landscape Plan

The revised landscape plan depicts eight Mexican Fan Palms (height unspecified), 21 24"-box Chilean Mesquites and two 24"-box Sago Palm, along with a variety of five-gallon shrubs, as perimeter plantings on the west and north boundaries of the property, with an added landscape buffer along the south property line and in the southeast corner of the site. The perimeter landscaping as proposed is sufficient to meet Code requirements; however, there is no parking lot landscaping, which requires approval of a landscape waiver as discussed above for the project to proceed.

- Elevation

  The applicant has submitted revised elevations based on input from two neighborhood meetings. The revised elevations depict a one-story, 28.5-foot high convenience store, a car wash building and a 20-foot high gas canopy. The store and car wash exteriors have been modified based on public input to feature stone veneering in columns and along the building base, with a low-angle concrete tile roofing system over the car wash exit and the store entrance. A painted metal decorative awning system has also been added to the store exterior. The gas canopy has been similarly redesigned to reflect these elements featured on the other structures.

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 project as proposed is in scale with existing uses to the east along the south side of Charleston Boulevard, but these are medical and office in nature, not auto-related retail. The project is more intense than the office project under development directly to the south. The General Plan, based on the results of the Rancho-Charleston Land Use Study, was modified just two years ago to promote office development, not retail, in this area. As a result, denial of this request is recommended.

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 project as proposed is inconsistent with the General Plan designation of O (Office) unless the companion General Plan Amendment to change the land use designation to SC (Service Commercial) is approved. The project also cannot meet the trail requirements of the Transportation Trails Element, and relief has been requested from this standard as part of the General Plan Amendment. Staff has recommended denial of this request. The project also does not meet a number of landscape and setback standards prescribed in the commercial design guidelines and in the city's urban design guidelines policies. The project is also deficient with respect to the parking standards of Title 19. For these reasons, denial is recommended.

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

The site currently has, and will continue to have access from Charleston Boulevard, designated as a Primary (100-foot) Arterial, and Rancho Drive, designated as a Secondary (80-foot) Collector, on the Master Plan of Streets and Highways. These access points, even though limited to right-in, right-out turning movements, are adequate to serve the needs of the proposed development.

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

The building and landscape materials are appropriate; however, the amount and size of landscaping is insufficient to meet Code requirements for parking lot landscaping.

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 redesigned structures proposed on the site will contain design elements intended to make this auto-oriented development more compatible with surrounding office development; however, from a land use standpoint (not a design standpoint), office development has been determined to be the type of development appropriate for this area. As a result, the project, which represents a significant intensification of the current use, is not likely to be harmonious and compatible with adjacent and nearby office development.

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

The proposed Car Wash/Auto Detail use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NOTICES MAILED 74 (Mailed with GPA-4564, SUP-4565 and VAR-4696)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4543 APN: 162-04-101-001

Name of Property Owner: Garrett Group, LLC

Name of Applicant: Rider's Chevron

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: Tom Jones

Print Name: Tom Jones

Subscribed and sworn before me

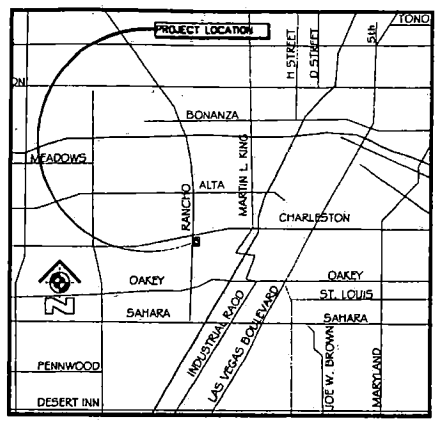
This 24th day of May, 2004

Kathie Reinmiller

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
KATHIE REINMILLER
My Appointment Expires
No. 94-1059-1 October 2, 2005

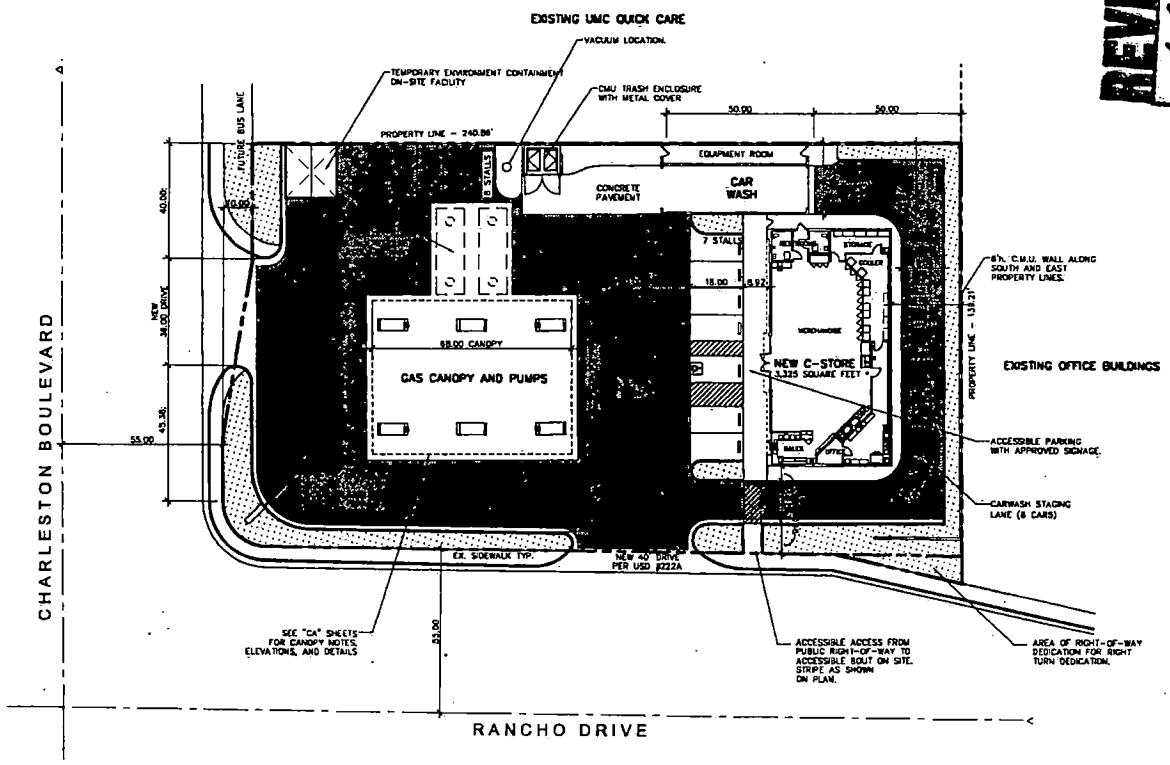
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DESIGN DATA

LOT AREA	34,559.46 SQUARE FEET or .79 ACRES
BUILDING AREA	3,325 SQUARE FEET (C-STORE ONLY)
LOT COVERAGE	9.62%
PARKING REQUIRED (CITY OF LAS VEGAS)	
3,325 S.F. ÷ 1 PER 250 S.F. = 13.3 or 14 SPACES (C-STORE)	
PARKING PROVIDED	
REGULAR STALLS	14 STALLS
ACCESSIBLE STALL	1 VAN ACCESSIBLE STALL
TOTAL SPACES	15 STALLS

REVISED 06.25.04



VAR-4696
SUP-4565
SDR-4563
07-08-04 PC

ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"

REVISIONS

Mark	Date	Description

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CONTRACTOR

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS A CONVENIENCE TO AUTHORIZED LICENSED PERSONS.

EXECUTED/SIGNED: _____ DATE: _____
ACCEPTED BY: _____ DATE: _____
DEPARTMENT OF BUILDING AND SAFETY
BUILDING OFFICIAL OR AUTHORIZED REPRESENTATIVE
TODD MCSHAYNE
PRINT NAME OF SIGNER
LICENSE

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018488
5025 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3808
www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

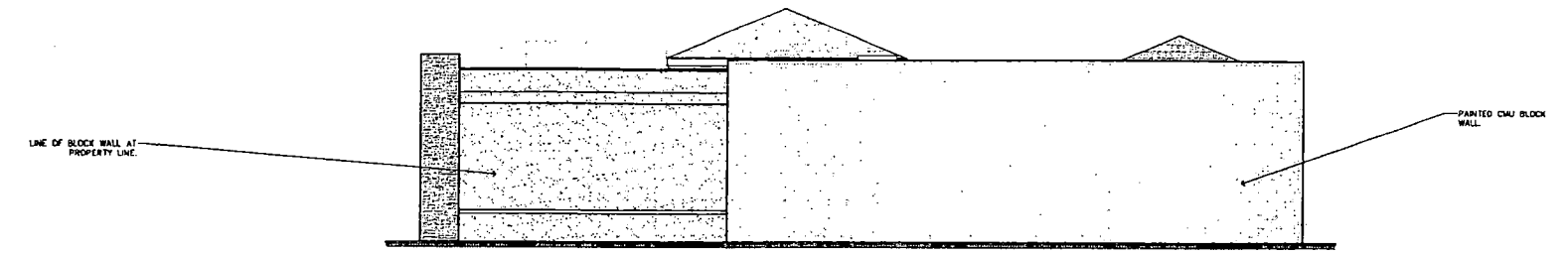
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Architectural Site Plan

062504

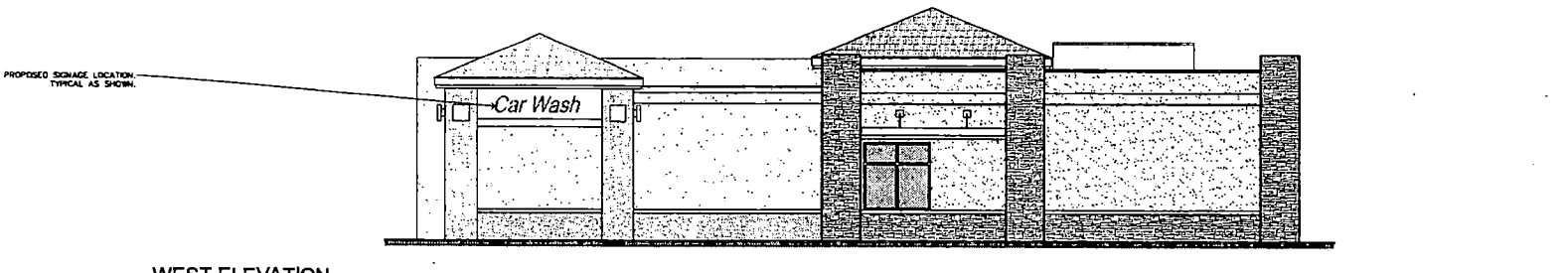
Date: May 24, 2004	Designed By: Todd McShayne
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/B

AS1.1

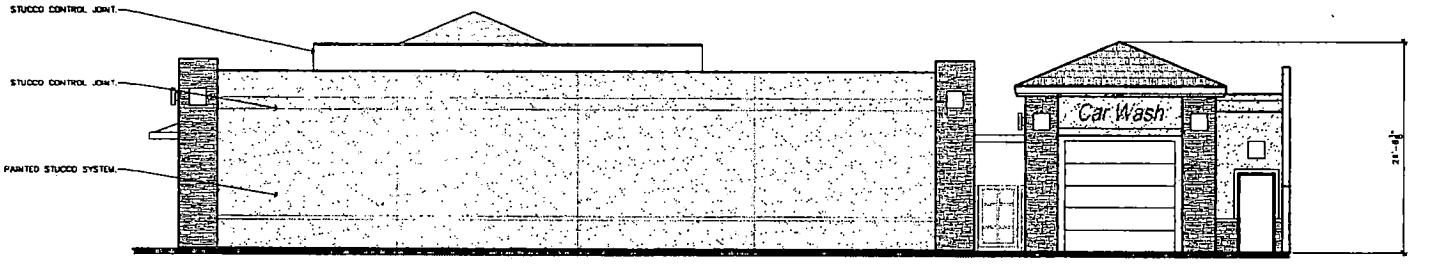
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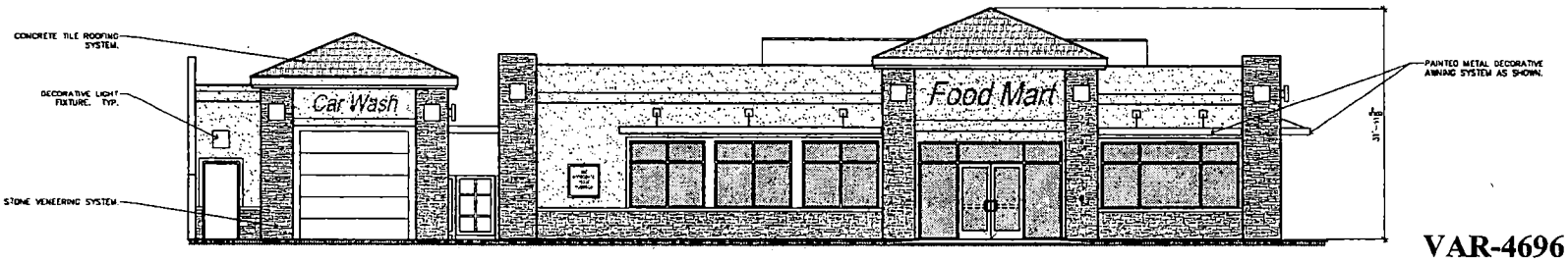
EAST ELEVATION
SCALE: 1/8" = 1'-0"



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



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



NORTH ELEVATION

REVISED 06.25.04

VAR-4696
SUP-4565
SDR-4563
07-08-04 PC

REVISIONS

Mark	Date	Description

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THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR NAMED BELOW

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	CIVIL ENGINEERING & PLANNING	
	ELECTRICAL ENGINEERING	
CITY LIC		
CONSTRUCTION LICENSE		
	TODD McSTAYER	
PLAN PREPARED BY		DESCRIPTION

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018149
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3677
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www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash

Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Exterior Elevations

Date: May 14, 2004	Designed By: Todd McStayer
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/JB

A2.1

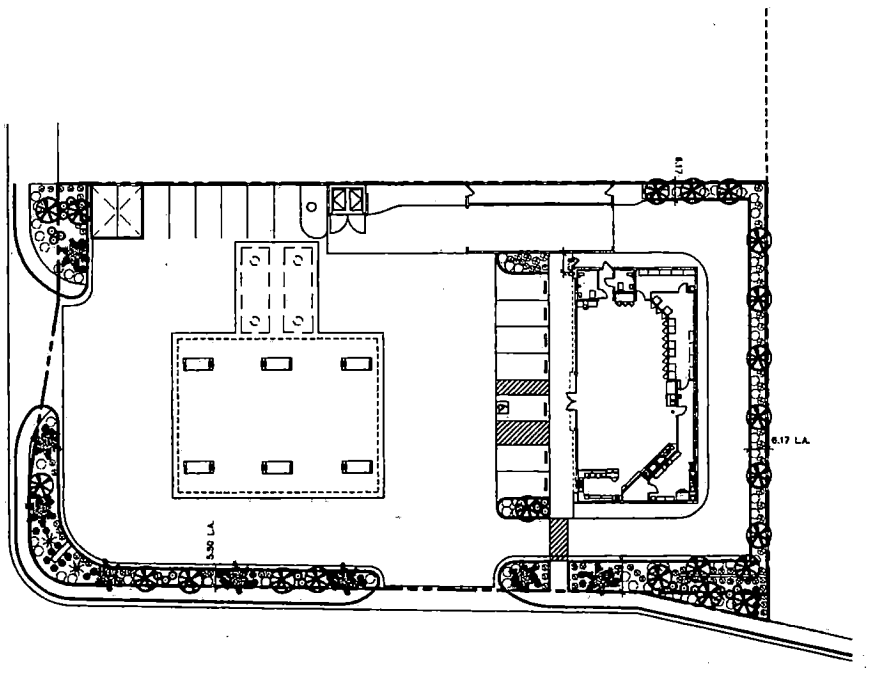
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LANDSCAPING PLANT LIST AND NOTES

KEY	MARK	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
	MFP	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	VARIES	10
	CM	CHILEAN MESQUITE	PROSOPIS CHILENSIS (STANDARD)	24" BOX	5
	SP	SAGO PALM	CYCAS REVOLUTA	24" BOX	1
	FP	FRASER'S PHOTINIA	PHOTINIA FRASERI	5 GAL.	3
	FL	FORTNIGHT LILLY	MORAEA IRIDES	5 GAL.	18
	HB	HEAVENLY BAMBOO	NANDINA DOMESTICA "COMPACTA"	5 GAL.	28
	IH	INDIAN HAWTHORN	RAPHIOLEPIS INDICA	5 GAL.	28
	RM	ROSEMARY	ROSMARINUS OFFICINALIS "PROSTRATUS"	5 GAL.	15

LANDSCAPING NOTES:

1. ALL LANDSCAPING SHALL BE INSTALLED PER CLARK COUNTY TITLE 30 ZONING CODE AND OTHER APPLICABLE CODES.
2. EACH PLANT SHALL BE PROVIDED IT'S OWN DRIP IRRIGATION LINE. MAIN LINES SHALL BE A MINIMUM OF 1" AND ISOLATION VALVES SHALL BE INCORPORATED AT DIFFERENT PLANTING AREAS AND PLANTING TYPES.
3. ALL AREAS SHALL RECEIVE DECOMPOSED GRANITE AS COVERING UNLESS NOTED OTHERWISE
4. ALL LANDSCAPING SHALL BE ON AN AUTOMATIC WATERING SYSTEM WITH AN ELECTRIC TIME CLOCK. THE TIME CLOCK SHALL BE PLACED IN THE OFFICE INSIDE THE BUILDING.
5. THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL SLEEVES REQUIRED UNDER PAVEMENT AND SIDEWALK AREAS. PROVIDE A MINIMUM OF (3) PVC CONDUITS WITH (1) 1\" MINIMUM AND (2) 2" MINIMUM. ALL LANDSCAPE AREAS SHALL BE INTERCONNECTED.
6. ALL TREES PLANTED ALONG RIGHT-OF-WAY SHALL BE PLANTED AT 3'-0" MINIMUM BACK OF SIDEWALK. TREES WITHIN 5' OF SIDEWALKS OR WALLS SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
7. ANY REQUIRED PLANT MATERIAL THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS.
8. ALL EXISTING LANDSCAPE AREAS SHALL BE RE-SEEDED AND SHALL HAVE THE TOP 6" OF SOIL REPLACED WITH CLEAN WEED FREE MATERIAL. ALL EXISTING LANDSCAPING MATERIAL SHALL BE REMOVED AND DISPOSED OF.



REVISED
9-25-04

VAR-4696
SUP-4565
SDR-4563
07-08-04 PC

LANDSCAPING PLAN
SCALE: 1" = 20'-0"

REVISIONS

Mark	Date	Description

CONTRACTOR

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0019188
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LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3906
www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Landscape Plan

Date: May 24, 2004
Designed By: Todd McBrayer
Project No.: 2004A
Drawn By: TMM
Jurisdiction: City of Las Vegas
Checked By: TMM/JB

L1.1



SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY
2237 WEST CHARLESTON BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - ZON-4526 - APPLICANT/OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011), Ward 5 (Weekly).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 42 [ZON-4526] and Item 43 [SDR-4527].

GARY LEOBOLD, Planning and Development Department, stated the overall site comprises of approximately 16.5 acres. The majority of the site is designated as Public Facilities, with an acre in the southwest corner being designated as Medium Low Density Residential, which is not a part of this application. An eastern portion of the site, facing Martin Luther King Boulevard, falls within the Redevelopment Plan boundary, and is designated as Mixed Use. The request for rezoning is appropriate.

MINUTES – Continued:

MR. LEOBOLD gave a brief description of the Site Plan. The project consists of a 10,000 square foot one-story structure, 25 feet in height, and would have two outdoor play and activity areas east side of Martin Luther King Boulevard. There is a two-way driveway onto Carey Avenue. The application meets the standards of the Code. Plans for signage have not been submitted, so they would have to be reviewed at a later date.

DR. ROBERT FIELDING, RAFI Planning, Architect and Urban Design, 2480 E. Tompkins Avenue, Suite 103, Las Vegas, NV 89121 appeared with LISA TSUKIYAMA, Project Director, on behalf of the applicant. VICE CHAIRMAN NIGRO confirmed that DR. FIELDING and MS. TSUKIYAMA agreed to staff's conditions.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 42 [ZON-4526] and Item 43 [SDR-4527].

(10:11 – 10:15)

3-2010

CONDITIONS:

Planning and Development

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

2. A Site Development Plan Review application (SDR-4527) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.

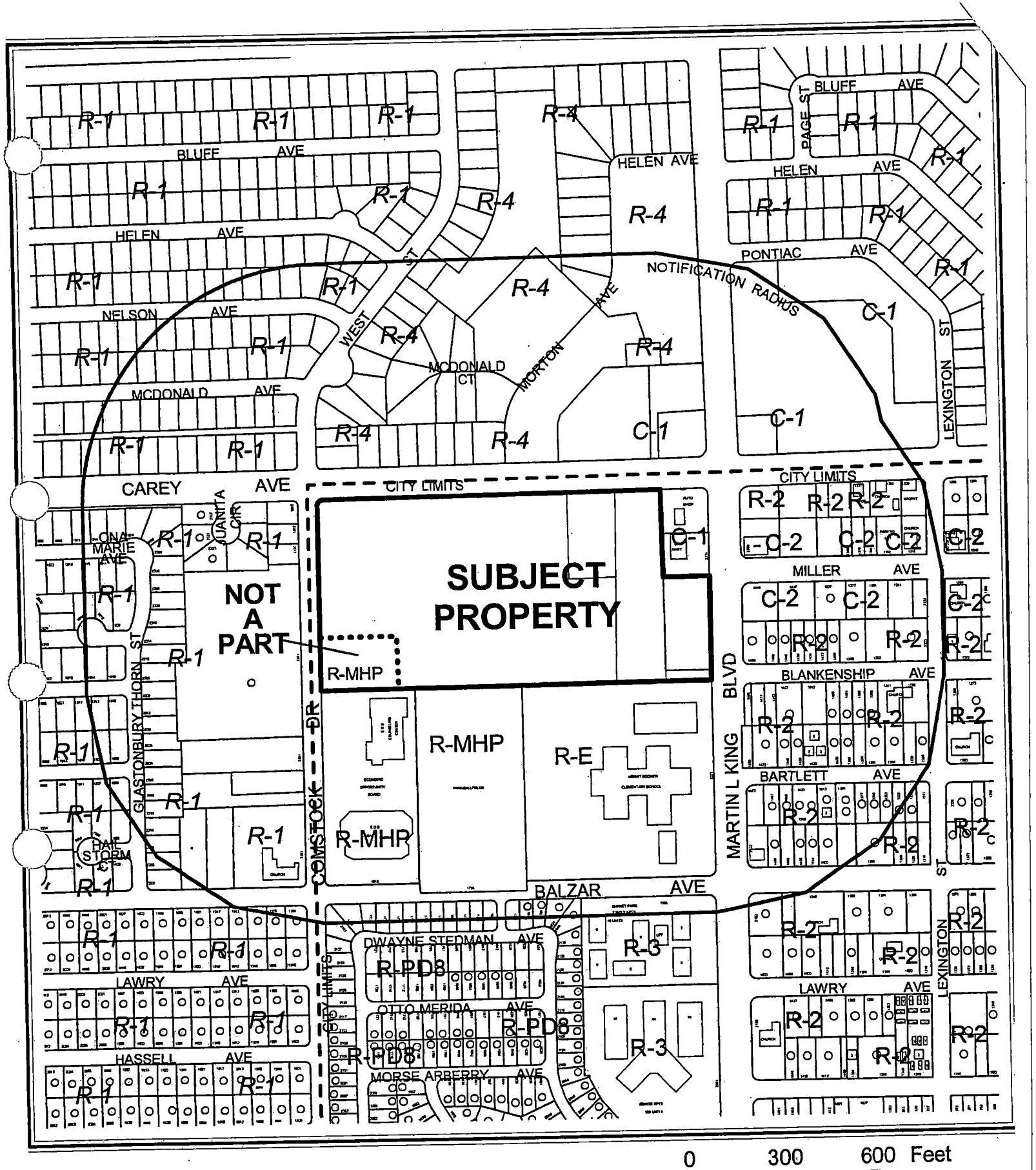
4. Construct all incomplete half-street improvements on Carey Avenue and Comstock Drive adjacent to this site concurrent with development of this site. Improvements on Carey Avenue and Comstock Drive may be phased with development of this site; such phasing shall be addressed with related Site Development Plan Review actions.

CONDITIONS – Continued:

5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site along Martin Luther King Boulevard and replace with new improvements meeting current City Standards concurrent with on-site development activities. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard pubic improvement project.

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

7. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.



0 300 600 Feet

CASE: **ZON-4526**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)

N



0 300 600 Feet

CASE: **ZON-4526**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4526 - APPLICANT/OWNER: CLARK COUNTY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

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

2. A Site Development Plan Review application (SDR-4527) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.

4. Construct all incomplete half-street improvements on Carey Avenue and Comstock Drive adjacent to this site concurrent with development of this site. Improvements on Carey Avenue and Comstock Drive may be phased with development of this site; such phasing shall be addressed with related Site Development Plan Review actions.

5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site along Martin Luther King Boulevard and replace with new improvements meeting current City Standards concurrent with on-site development activities. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard pubic improvement project.

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GL

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

7. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-MHP (Residential Mobile/Manufactured Home Park) Zone, C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone, to C-V (Civic) Zone, on 15.5 acres of a 16.48-acre site located adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue. This Rezoning will apply to a development site that will ultimately contain a day care facility, a community center and a park. A companion application for a Site Development Plan Review (SDR-4527) for a 10,000 square-foot Early Child Development Center on a 2.5-acre portion of the overall site, as the first phase of the overall development, will be considered concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that residents of the community surrounding the site will benefit from the variety of activities that will be provided here, and that the proposed uses will be compatible with the adjacent existing land use and zoning districts.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02	The City Council voted to table a request (GPA-0007-02) to amend a portion of the Southeast Sector Plan from ML (Medium-Low Density Residential) and SC (Service Commercial) to PF (Public Facilities) on approximately 16.62 acres located adjacent to the southwest corner of Martin L. King Boulevard and Carey Avenue. The Planning Commission and staff recommended approval on 04/25/02.
10/01/03	The City Council approved a request (GPA-2497) to Amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use, including a portion of the subject site. The Planning Commission and staff had recommended approval on 07/24/03.
07/08/04	The Planning Commission will consider a companion application for a Site Development Plan Review (SDR-4527) for a 10,000 square-foot Early Child Development Center on a 2.5-acre portion of the overall site, as the first phase of the overall development.

GL

B) Pre-Application Meeting

05/05/04 At the meeting, the applicant explained the phasing of the overall site, and was advised of a number of site development requirements by Public Works staff. A number of site design issues were also raised and discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	16.48
Net Acres:	15.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments
South:	School, Park and Institutional Uses
East:	Service Station, Convenience Store, Bar, Single Family Dwelling, Undeveloped
West:	Undeveloped and Single Family Dwellings

C) Planned Land Use

Subject Property:	PF (Public Facilities) and MXU (Mixed Use – Las Vegas Redevelopment Plan) and ML (Medium-Low Density Residential) – not part of current application area
North:	North Las Vegas
South:	ML (Medium-Low Density Residential)
East:	MXU (Mixed Use – Las Vegas Redevelopment Plan)
West:	North Las Vegas

D) Existing Zoning

Subject Property:	R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates)
North:	North Las Vegas
South:	R-MHP (Residential Mobile/Manufactured Home Park) and R-E (Residence Estates)
East:	C-1 (Limited Commercial), C-2 (General Commercial) and R-2 (Medium-Low Density Residential)
West:	North Las Vegas

GL

E) General Plan Compliance

The site is designated as PF (Public Facilities) and ML (Medium-Low Density Residential) on the Southeast Sector Map of the General Plan. The portion designated as ML does not contain the subject area of this application. A portion is also designated as MXU (Mixed Use – Las Vegas Redevelopment Plan) on Map 9 of the Redevelopment Plan. The PF designation allows large governmental site and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public and semi-public such as libraries and public utility facilities. The MXU designation includes the PF General Plan land use designation. The request for C-V (Civic) zoning conforms to the PF (Public Facilities) land use designation.

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

The West Las Vegas Plan, which is currently under review, does not provide specific future land use or other policy direction for the site other than reflecting the ML land use designation that was in place on the majority of the overall site at the time the Plan was prepared.

The Redevelopment Plan area applies to the easternmost acre of the overall site along Martin L. King Boulevard. This site was part of a comprehensive amendment to the Redevelopment Plan in October 2003, which streamlined the land use approach in the Plan and reduced the number of land use designations in the Plan to four. The MXU (Mixed Use) special land use category was applied to the above-noted portion of the subject site. As the PF land use designation of the General Plan is contemplated within the MXU category, this application conforms to the Redevelopment Plan.

FINDINGS

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

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

   The portion of the site, which is the subject of this application, is designated as PF (Public Facilities) and MXU (Mixed Use – Las Vegas Redevelopment Plan). The request for C-V (Civic) zoning conforms to both the PF (Public Facilities) land use designation and to the MXU (Mixed Use) designation.

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

   Development allowed pursuant to the approval of C-V zoning on the site will enable a range of community-oriented facilities to be developed, which would be of benefit to those residing in the area. The site is surrounded with other community services, including an elementary school, play fields and an Equal Opportunities Board facility. The community uses to be developed on the subject property would enhance and be compatible with these other community-related uses.

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

   The proposed Rezoning will facilitate the development of community-oriented uses within this portion of the West Las Vegas Plan area and the Redevelopment Plan area, which will support residential and community growth in the overall area.

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

   The overall site is bounded by Martin L. King Boulevard to the east and by Carey Avenue to the north, both of which are designated as Primary (100-foot) Arterials on the Master Plan of Streets and Highways, and by Comstock Street, a 60-foot local street, to the west. Primary access to the site will be from Carey Avenue. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed under the proposed C-V (Civic) zoning district.

NOTICES MAILED 181 (Mailed with SDR-4527)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4526 APN: 139-21-102-011 & 139-21-102-012

Name of Property Owner: CLARK COUNTY Nevada

Name of Applicant: CLARK COUNTY REAL Property management

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: Sandra M. Norskog

Print Name: SANDRA M. NORSKOG

State of Nevada County of Clark

X Subscribed and sworn before me

This 22nd day of April, 2004

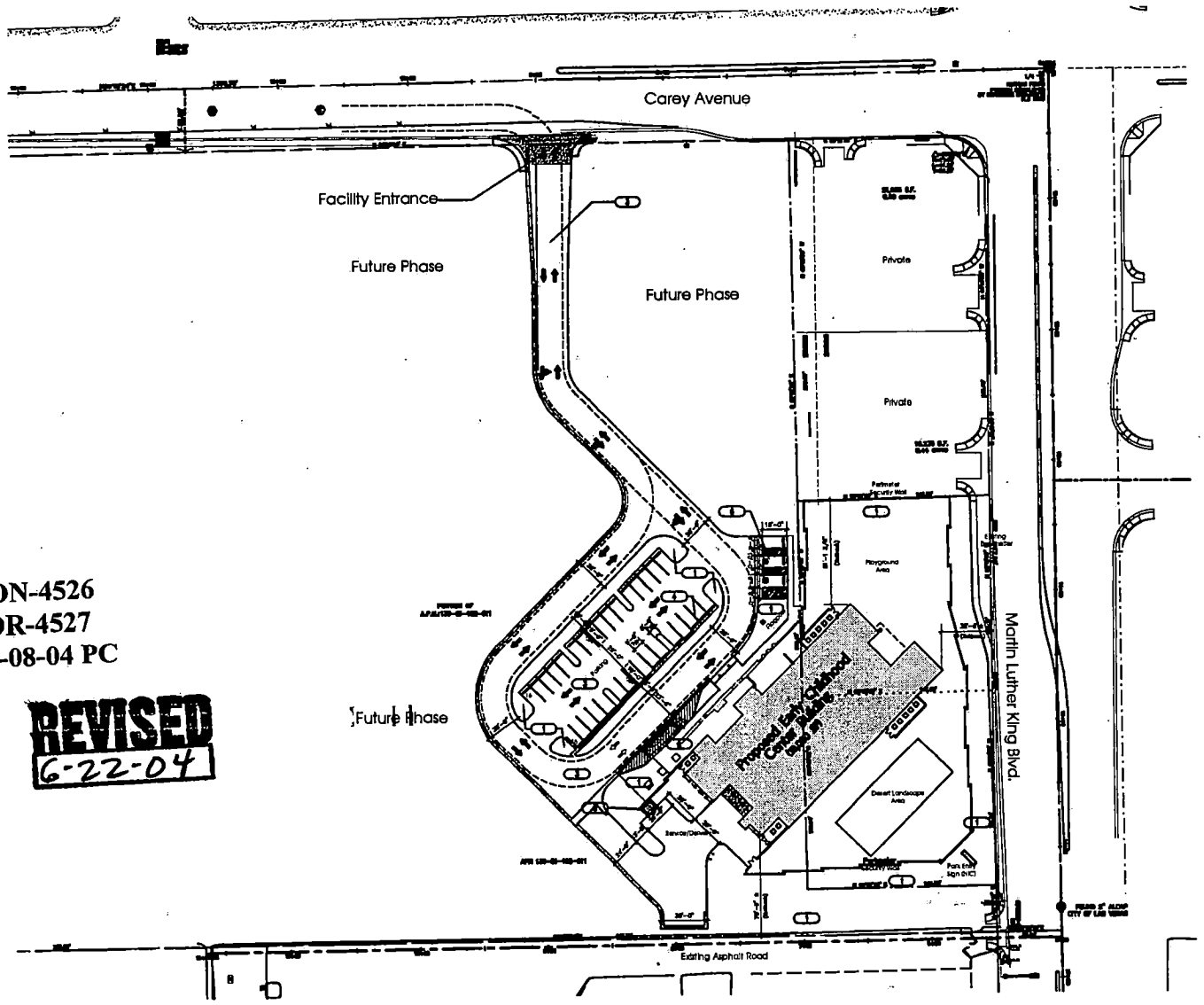
Karen S Mulcahy

Notary Public in and for said County and State

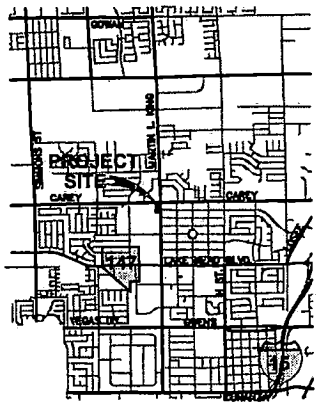
KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-58482-1
My appt. exp. May 10, 2007

ZON-4526
SDR-4527
07-08-04 PC

REVISED
6-22-04



1 Site Plan
SCALE: 1" = 40'-0"



2 Vicinity Map
NOT TO SCALE

NORTH

Site Analysis

LOT AREA	BUILDING AREA
Approx. 108,900 SF (2.5 Acres)	10,000 SF
% of Site Coverage: 9%	% Allowable: 50%

APN:
139-21-103-011 and 139-21-103-012

Zoning:
C-1

PARKING REQUIRED

One Space for each staff member, plus
One space for each ten children.
Childhood Center will have 16 staff and 80 children.
Parking required: 24 stalls

PARKING PROVIDED

32 stalls provided.

MAXIMUM BUILDING HEIGHT

None

OCCUPANCY

Early Childhood Development Center
16 staff members, and 80 children

Site Keynotes

- Landscaping Area
- New Concrete Walk
- Decomposed Granite and/or Concrete Paving
- 9' W x 19' Parking Space (Typ)
- New Trash Enclosure
- Accessible Parking Stalls

MLK/Carey Early Childhood Development Center

Address TBD

City of Las Vegas Site Development Review

Robert A. Perkins Incorporated 2450 East Tropicana Suite 212 Las Vegas, Nevada 89121 (702) 458-7004 Facsimile (702) 433-6409 E-Mail RAPERKINS@Hotmail.com

Planning △ Architecture △ Urban Design

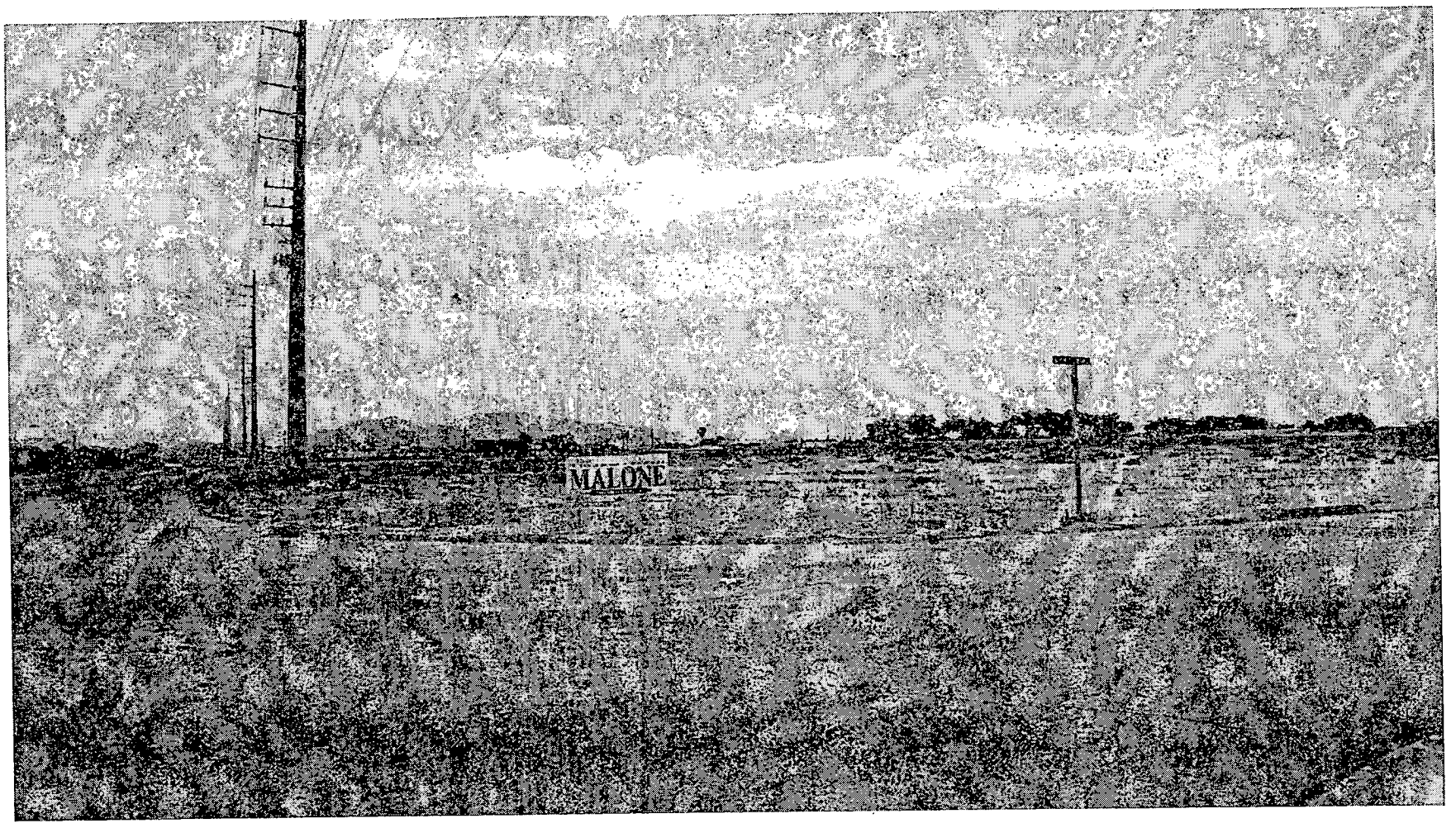
Drawn By: FL | Checked By: BF rev. 06/22/04

SITE PLAN

Project Number

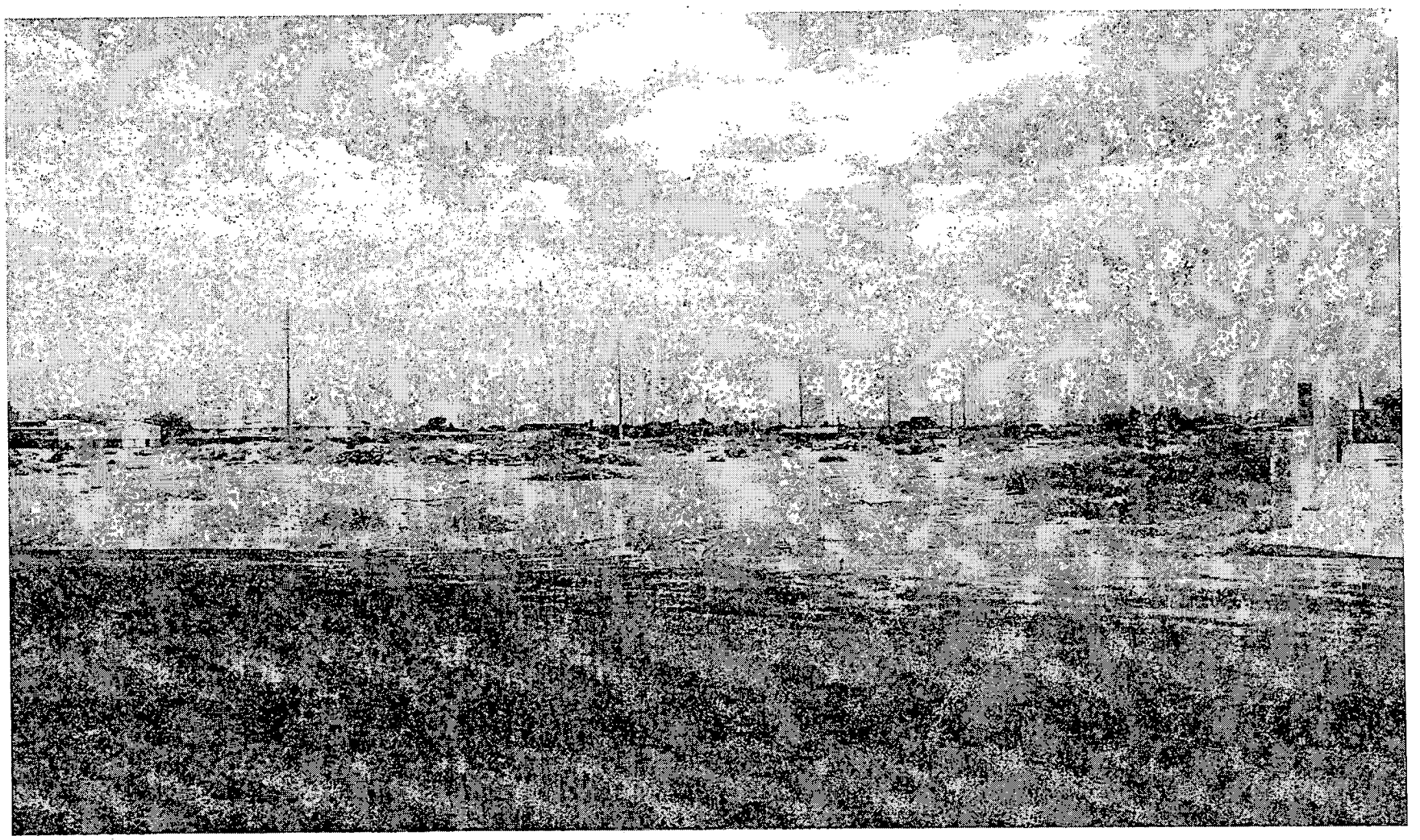
1" = 40'-0" | Sheet Number: AS1.01

Drawings as Instruments of Service are the Property of the Architect and any Use or Reproduction in Whole or in Part Without Written Consent is Strictly Prohibited. Drawings and Specifications Remain the Property of the Design Professional. Copies of the Drawings and Specifications Released by the Client May be Utilized only for the Use and for Occupying the Project for Which they were Prepared and Not for the Construction of any Other Project — ESC 653.703. Do Not Scale Drawings.



ZON-4526 - APPLICANT/OWNER: CLARK COUNTY
MARTIN L. KING BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF CAREY AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



ZON-4526 - APPLICANT/OWNER: CLARK COUNTY
MARTIN L. KING BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF CAREY AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 43

kAGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4526 - PUBLIC HEARING – SDR-4527 - APPLICANT/OWNER: CLARK COUNTY - Request for a Site Development Plan Review for a PROPOSED EARLY CHILD DEVELOPMENT CENTER on 2.5 acres adjacent to Martin L. King Boulevard, approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a portion of 139-21-102-011), R-MHP (Residential Mobile/Manufactured Home Park, C-1 (Limited Commercial) and R-E (Residence Estates) Zones [Proposed: C-V (Civic) Zone], Ward 5 (Weekly).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 42 [ZON-4526] for all related discussion on Item 42 [ZON-4526] and Item 43 [SDR-4527].

(10:11 – 10:15)
3-2010

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 43 – SDR-4527

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4526] to a C-V (Civic) Zoning District approved by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff to reflect any desired wall or monument signage for the project.

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. 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.

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

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

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

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

CONDITIONS – Continued:

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

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

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

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

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

16. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.

17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

18. 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.

19. Construct all incomplete half-street improvements on Carey Avenue from the western edge of the proposed driveway eastward to tie into existing improvements along Martin Luther King Boulevard adjacent to this site concurrent with development of this site. Required improvements west of the proposed driveway on Carey Avenue and along Comstock Drive adjacent to this site shall be deferred until further development of the remainder of this site.

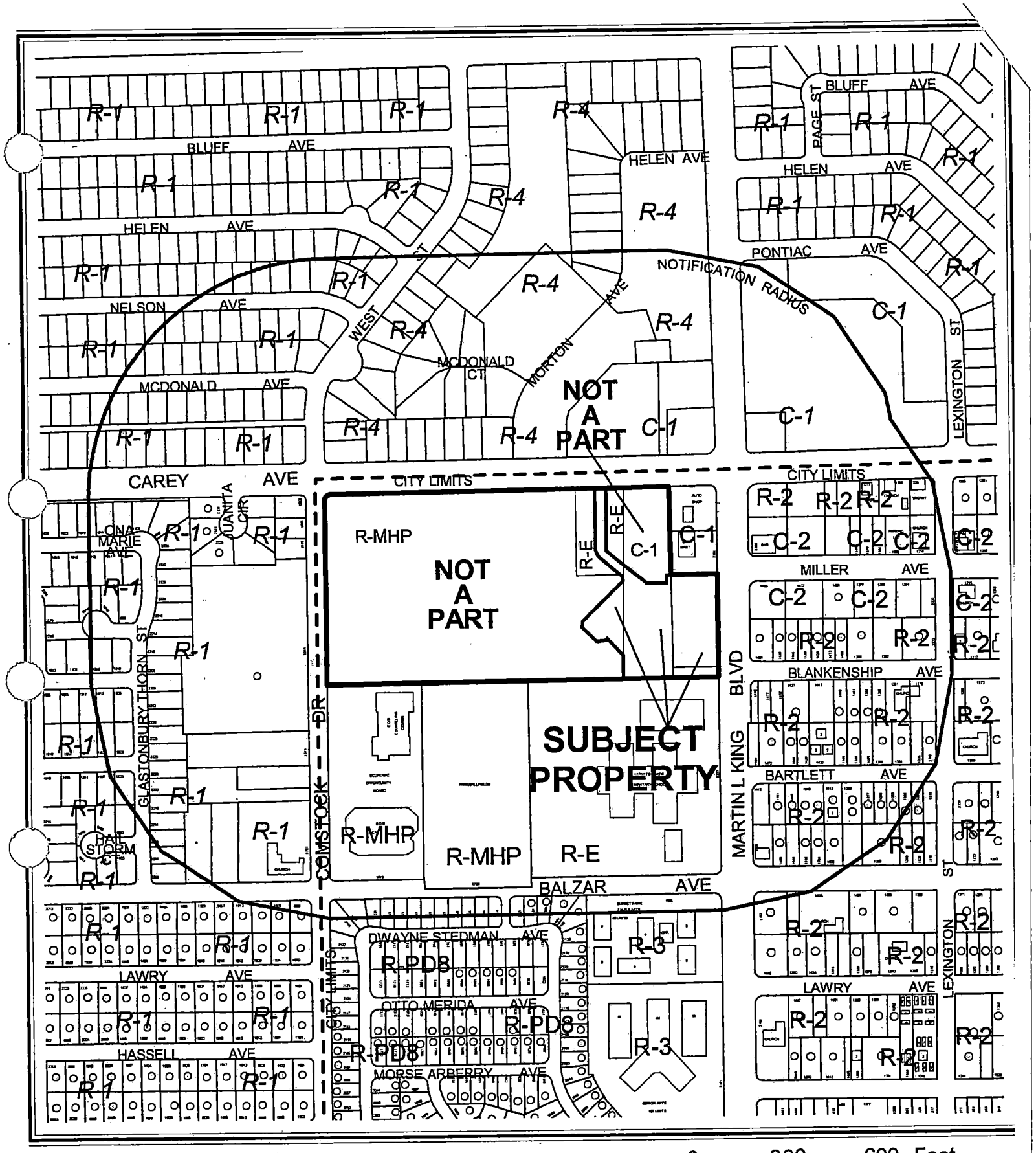
20. Provide a copy of a recorded Joint Access Agreement between this site and the parcel to the south prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 43 – SDR-4527

CONDITIONS:

21. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4526 and all other subsequent site-related actions.

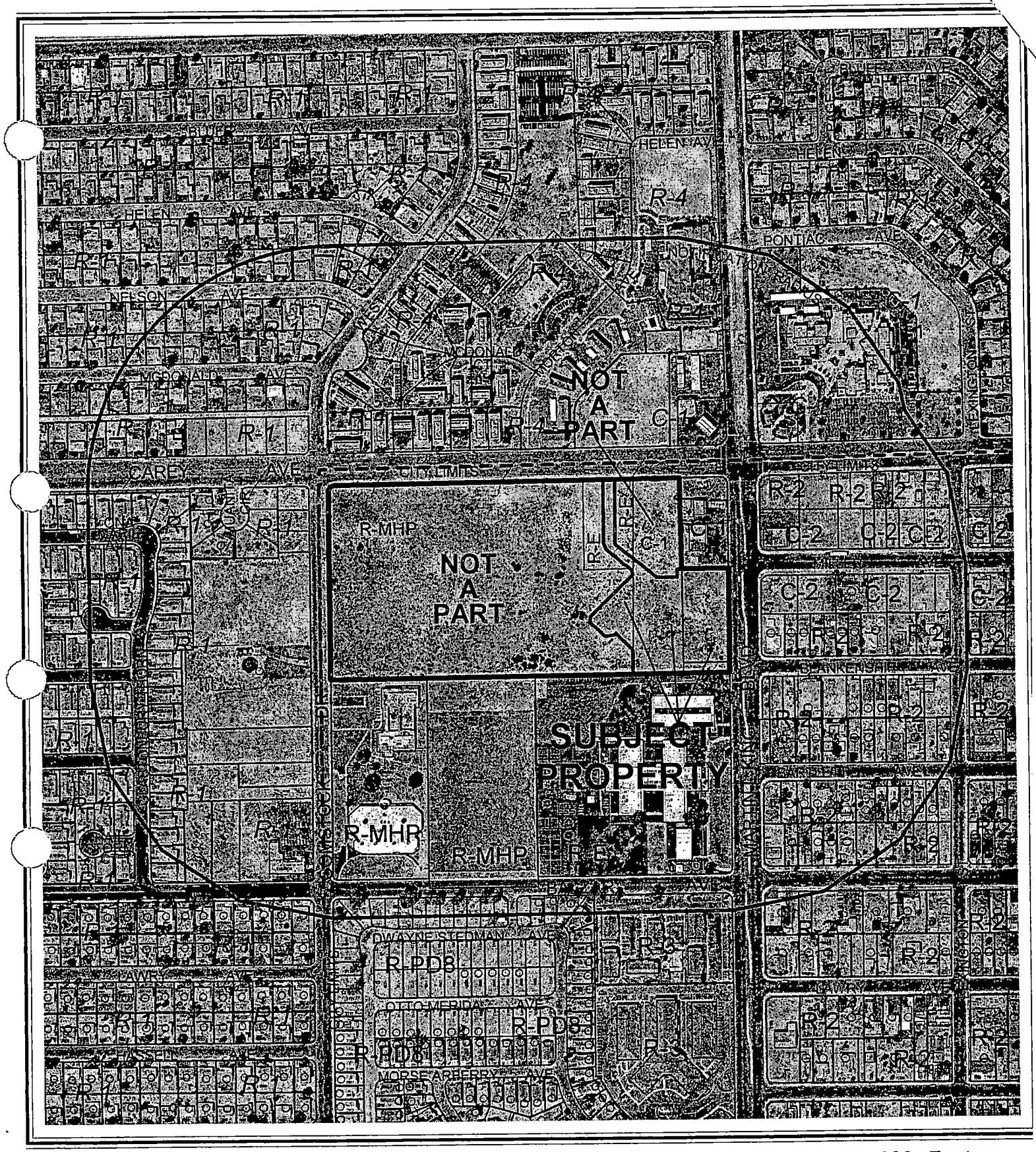


CASE: **SDR-4527**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)



CASE: **SDR-4527**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES), C-1 (LIMITED COMMERCIAL) AND R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4527 - APPLICANT/OWNER: CLARK COUNTY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning [ZON-4526] to a C-V (Civic) Zoning District approved by the City Council.

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

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

4. The site plan shall be revised and approved by Planning and Development Department staff to reflect any desired wall or monument signage for the project.

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. 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.

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

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

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

GL

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

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

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

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

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

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

16. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.

17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

18. 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.

19. Construct all incomplete half-street improvements on Carey Avenue from the western edge of the proposed driveway eastward to tie into existing improvements along Martin Luther King Boulevard adjacent to this site concurrent with development of this site. Required improvements west of the proposed driveway on Carey Avenue and along Comstock Drive adjacent to this site shall be deferred until further development of the remainder of this site.

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

GL

21. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4526 and all other subsequent site-related actions.

GL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 10,000 square-foot Early Child Development Center on a 2.5-acre portion of a 16.48-acre overall site, as the first phase of the overall development, located adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue. A companion application for a Rezoning (ZON-4527) from R-MHP (Residential Mobile/Manufactured Home Park) Zone, C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone, to C-V (Civic) Zone, on 15.5 acres (including the day care facility portion of the overall site) of the 16.48-acre site, will be considered concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that residents of the community surrounding the site will benefit from the variety of activities that will be provided here, and that the proposed uses will be compatible with the adjacent existing land use and zoning districts.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02	The City Council voted to table a request (GPA-0007-02) to amend a portion of the Southeast Sector Plan from ML (Medium-Low Density Residential) and SC (Service Commercial) to PF (Public Facilities) on approximately 16.62 acres located adjacent to the southwest corner of Martin L. King Boulevard and Carey Avenue. The Planning Commission and staff recommended approval on 04/25/02.
10/01/03	The City Council approved a request (GPA-2497) to Amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use, including a portion of the subject site. The Planning Commission and staff had recommended approval on 07/24/03.
07/08/04	The Planning Commission will concurrently consider a companion application for a Rezoning (ZON-4527) from R-MHP (Residential Mobile/Manufactured Home Park) Zone, C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone, to C-V (Civic) Zone, on 15.5 acres (including the day care facility portion of the overall site) of a 16.48-acre site.

GL

B) Pre-Application Meeting

05/05/04 At the meeting, the applicant explained the phasing of the overall site, and was advised of a number of site development requirements by Public Works staff. A number of site design issues were also raised and discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	16.48
Net Acres:	2.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments
South:	School, Park and Institutional Uses
East:	Service Station, Convenience Store, Bar, Single Family Dwelling, Undeveloped
West:	Undeveloped and Single Family Dwellings

C) Planned Land Use

Subject Property:	PF (Public Facilities) and MXU (Mixed Use – Las Vegas Redevelopment Plan) and ML (Medium-Low Density Residential) – not part of current application area
North:	North Las Vegas
South:	ML (Medium-Low Density Residential)
East:	MXU (Mixed Use – Las Vegas Redevelopment Plan)
West:	North Las Vegas

D) Existing Zoning

Subject Property:	R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates)
North:	North Las Vegas
South:	R-MHP (Residential Mobile/Manufactured Home Park) and R-E (Residence Estates)
East:	C-1 (Limited Commercial), C-2 (General Commercial) and R-2 (Medium-Low Density Residential)
West:	North Las Vegas

E) General Plan Compliance

The site is designated as PF (Public Facilities) and ML (Medium-Low Density Residential) on the Southeast Sector Map of the General Plan. The portion designated as ML does not contain the subject area of this application. A portion is also designated as MXU (Mixed Use – Las Vegas Redevelopment Plan) on Map 9 of the Redevelopment Plan. The PF designation allows large governmental site and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public and semi-public such as libraries and public utility facilities. The MXU designation includes the PF General Plan land use designation. The companion request (ZON-4527) for C-V (Civic) zoning conforms to the PF (Public Facilities) land use designation. The site plan as proposed conforms to the requirements of the C-V (Civic) zoning district.

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

The West Las Vegas Plan, which is currently under review, does not provide specific future land use or other policy direction for the site other than reflecting the ML land use designation that was in place on the majority of the overall site at the time the Plan was prepared.

The Redevelopment Plan area applies to the easternmost acre of the overall site along Martin L. King Boulevard. This site was part of a comprehensive amendment to the Redevelopment Plan in October 2003, which streamlined the land use approach in the Plan and reduced the number of land use designations in the Plan to four. The MXU (Mixed Use) special land use category was applied to the above-noted portion of the subject site. As the PF land use designation of the General Plan is contemplated within the MXU category, this application conforms to the Redevelopment Plan.

PROJECT DESCRIPTION

The project consists of a 10,000 square-foot, one-story structure that will function as a childcare facility for the area. The building is oriented at a 45-degree angle on the site to enhance visual interest. The floor plan depicts five classrooms, a multi-purpose room, kitchen and other

ancillary facilities. The rooms are arranged in two banks flanking a central courtyard area. The structure is slightly over 25 feet in height, and is constructed of reinforced concrete masonry with stucco and wire mesh screen used for certain components. Low-angle metal decking is used for a canopy detail that provides architectural detail to the roofline. Two outdoor play and activity areas are provided to the east of the building. A parking area to the northwest of the building contains 35 parking spaces, including two handicap spaces, and a drop-off area. The parking area is accessed by a two-way drive to Carey Avenue to the north.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Las Vegas Zoning Code Section 19.06, Special Purpose and Overlay, the C-V (Civic District) (Title 19.06.020.E) states the minimum development standards for property in a C-V (Civic) District shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. It is therefore the role of this Site Development Plan Review to establish the parameters for the development of this project.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

The site development plan identifies the on-site parking to be provided as follows:

Provided Parking	
Regular	Handicap
33	2

Specific parking standards for Child Care Centers are provided in Title 19.10. Title 19.10 requires one parking space for each staff member and one space for each ten students. Based on projected staffing and enrolment numbers of 15 staff and 90 children, 24 spaces are required. Although projects in C-V zones are not held to the standards of Title 19.10, the site plan indicates a total of 35 spaces; this should be more than adequate to serve the needs of the project.

GL

A4) Landscape and Open Space Standards

Specific landscape standards for C-V district uses are not provided in Title 19.12, Landscape and Buffer Standards or in the Las Vegas Urban Design Guidelines and Standards. These standards are reviewed and established in the site development plans for C-V zoned projects. Listed below are the trees proposed for this development, with type, size and quantity indicated.

	Type	Size	**Provided**
Standards	Desert Museum Palo Verde	24" Box	31
	Allepo Pine	Not indicated	12
	Texas Honey Mesquite	24" Box	19
Total			**62**

Together with a range of understory plantings, shrubs and groundcover as identified on the landscape plan, the landscaping as indicated should be sufficient for the project.

A5) Sign Standards

The elevations as submitted do not indicate any freestanding, pylon or wall signage for the project. A condition of approval will require that the site plan be revised to reflect any desired wall or monument signage of the project.

B) General Analysis and Discussion

- Zoning

The proposed Child Care Center is a permitted use in the C-V (Civic) zoning district. Title 19.06.020 does not stipulate minimum standards for building setbacks or height, parking or landscaping.

- Site Plan

The site plan depicts an orderly arrangement of the project, including the proposed building, recreation areas, parking, loading areas, vehicle driveways and access points. Future phases of development on the site for a community center and a park will require a Site Development Plan Review for each development phase to be submitted and approved by the Planning Commission and City Council.

GL

- Waivers

  Under Section 19.06.020, waivers are not necessary as this is a Child Care center development within the C-V (Civic) zoning district.

- Landscape Plan

  The proposed landscaping, which includes 62 trees and associated shrubs and groundcover planted around the building, the parking area, the play area and along Martin L. King Boulevard, appears to be appropriate for the site.

- Elevation

  The submitted building elevations provide interest and variety as well as a sense of continuity.

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 Child Care center will be an appropriate use adjacent to other community uses and nearby to single-family and multi-family residential uses, with sufficient landscaping and visual buffering incorporated in the design.

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

   The proposed project will be consistent with Title 19 and applicable City plans, policies and standards with implementation of the conditions as contained in this report.

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

   The overall site is bounded by Martin L. King Boulevard to the east and by Carey Avenue to the north, both of which are designated as Primary (100-foot) Arterials on the Master Plan of Streets and Highways, and by Comstock Street, a 60-foot local street, to the west. Primary access to the site will be from Carey Avenue. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed under the proposed first phase of development on this site.

GL

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

   The proposed development will be appropriate for the City, in terms of the facility layout, buildings, and vehicular and pedestrian circulation. The proposed site layout demonstrates an effective arrangement of amenities that will create a harmonious facility.

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 provide interest and variety as well as a sense of continuity.

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

   The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 181 (Mailed with ZON-4526)

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4527 APN: 139-21-102-011 & 139-21-102-012

Name of Property Owner: CLARK COUNTY NEVADA

Name of Applicant: CLARK COUNTY REAL PROPERTY MANAGEMENT

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: Sandra M. Norskog

Print Name: SANDRA M. NORSKOG

State of Nevada County of Clark

Subscribed and sworn before me

This 22nd day of April, 2004

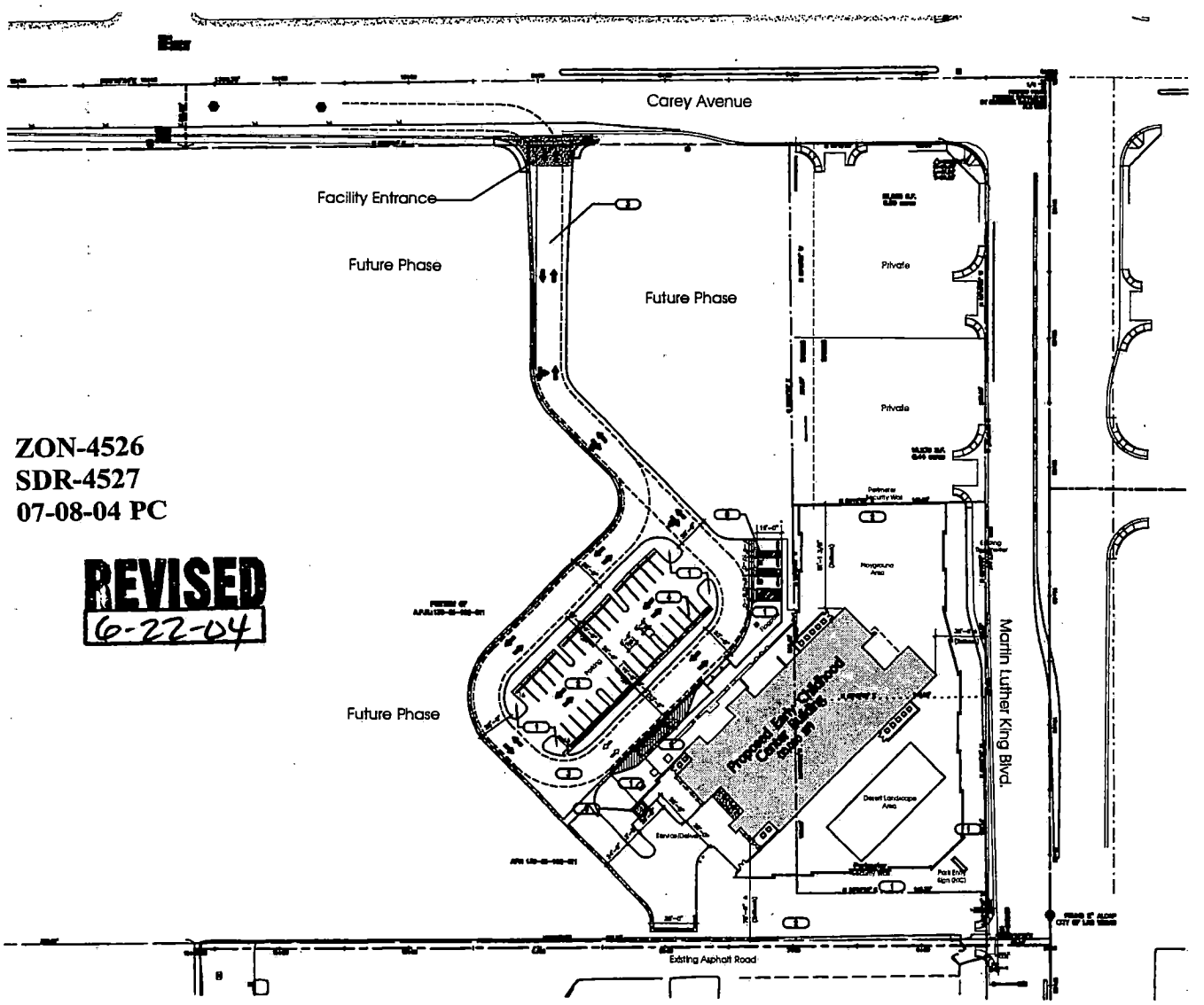
Karen S. Mulcahy

Notary Public in and for said County and State

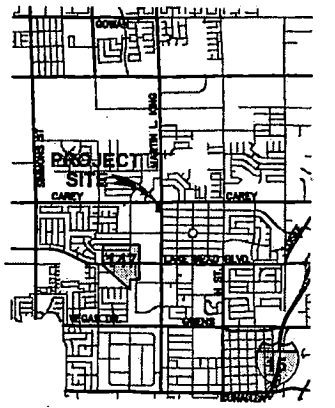
KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-58402-1
My appt. exp. May 10, 2007

ZON-4526
SDR-4527
07-08-04 PC

REVISED
6-22-04



1 **Site Plan**
SCALE: 1" = 40'-0"



2 **Vicinity Map**
NOT TO SCALE

Site Analysis

LOT AREA	BUILDING AREA
Approx. 108,900 SF (2.5 Acres)	10,000 SF

% of Site Coverage: 9%
% Allowable: 90%

APN:
139-21-103-011 and 139-21-102-012

Zoning:
C-1

PARKING REQUIRED
One Space for each staff member, plus
One space for each ten children.
Childhood Center will have 15 staff and 80 children.
Parking required: 24 stalls

PARKING PROVIDED
32 stalls provided.

MAXIMUM BUILDING HEIGHT
None

DENSITY
Early Childhood Development Center
15 staff members, and 80 children

Site Keynotes

- Landscaping Area
- New Concrete Walk
- Decomposed Granite and/or Concrete Paving
- 9' W x 19' Parking Space (Typ)
- New Trash Enclosure
- Accessible Parking Stalls

MLK/Carey Early Childhood Development Center

Address TBD

City of Las Vegas Site Development Review

Fleming & Architecture & Urban Design
Las Vegas, Nevada 702 [illegible]

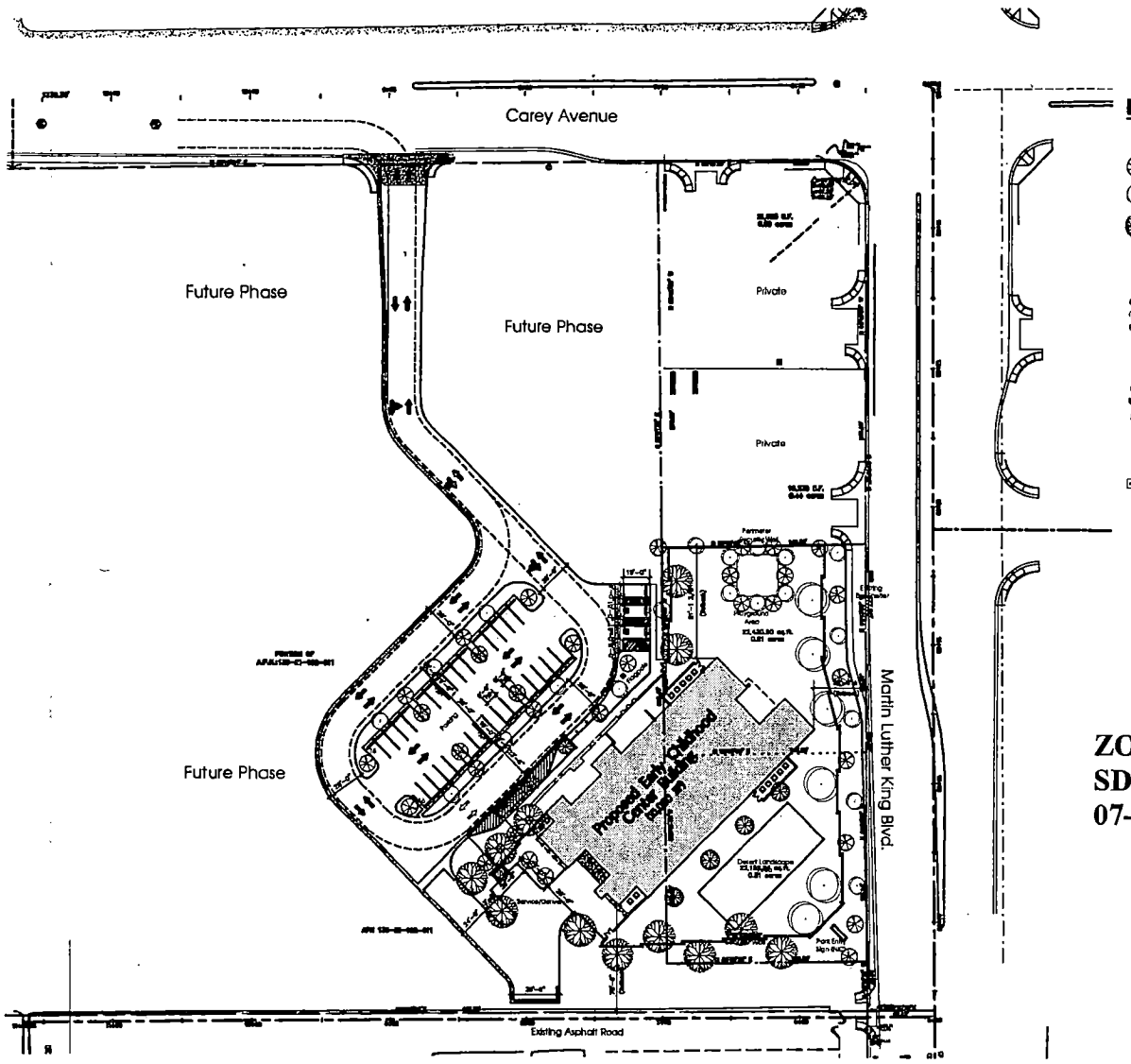
Drawn By: LL	Checked By: BF	Date: rev. 06/22/04

SITE PLAN

1" = 40'-0"

AS1.01

Drawings as Instruments of Service are the Property of the Architect and any Use or Reproduction in Whole or in Part Without Written Consent is Strictly Prohibited. Drawings and Specifications Remain the Property of the Design Professional. Copies of the Drawings and Specifications Released by the Client May be Utilized only for the Use and for Occupying the Project for Which They were Prepared and Not for the Construction of any Other Project – AIA Document B141. Do Not Scale Drawings.



Legend

TREES

24" Box Caradium Fanifera – 'Desert Museum' Blue Palo Verde, Standard

24" Box Prosopis Glandulosa " Maverick"–Texas Honey Mesquite, Standard Filipiera

Aleppo Pine – " Pinus Halepensis"

SHRUBS (5 Gals. Typ.)

Aloalia Grandiflora – Glossy Aloalia

Calamagrostis Congestus – Calamagrostis

Cassia Nemophila – Green Cassia

ACCENTS (5 Gals. Typ.)

Rhaphiolepis Indica – India Hawthorn

Dasylirion wheeleri – Desert Spoon

Nolina Interosperpa – Deer Grass

ROCK

3/8" Minus Decomposed Granite 'Mojave Gold' Overlay
3" Depth Throughout Planter Area, Typ.

ZON-4526
SDR-4527
07-08-04 PC

REVISED
6-22-04

1 **Landscape Plan**
SCALE: 1" = 40'-0"

NORTH

Drawings as Instruments of Service are the Property of the Architect and any Use or Reproduction in Whole or in Part Without Written Consent is Strictly Prohibited. Drawings and Specifications Remain the Property of the Design Professional. Copies of the Drawings and Specifications Delivered by the Client May be Utilized only for His Use and for Occupying the Project for Which they were Prepared and Not for the Construction of any Other Project – MAC #23,780. Do Not Scale Drawings.

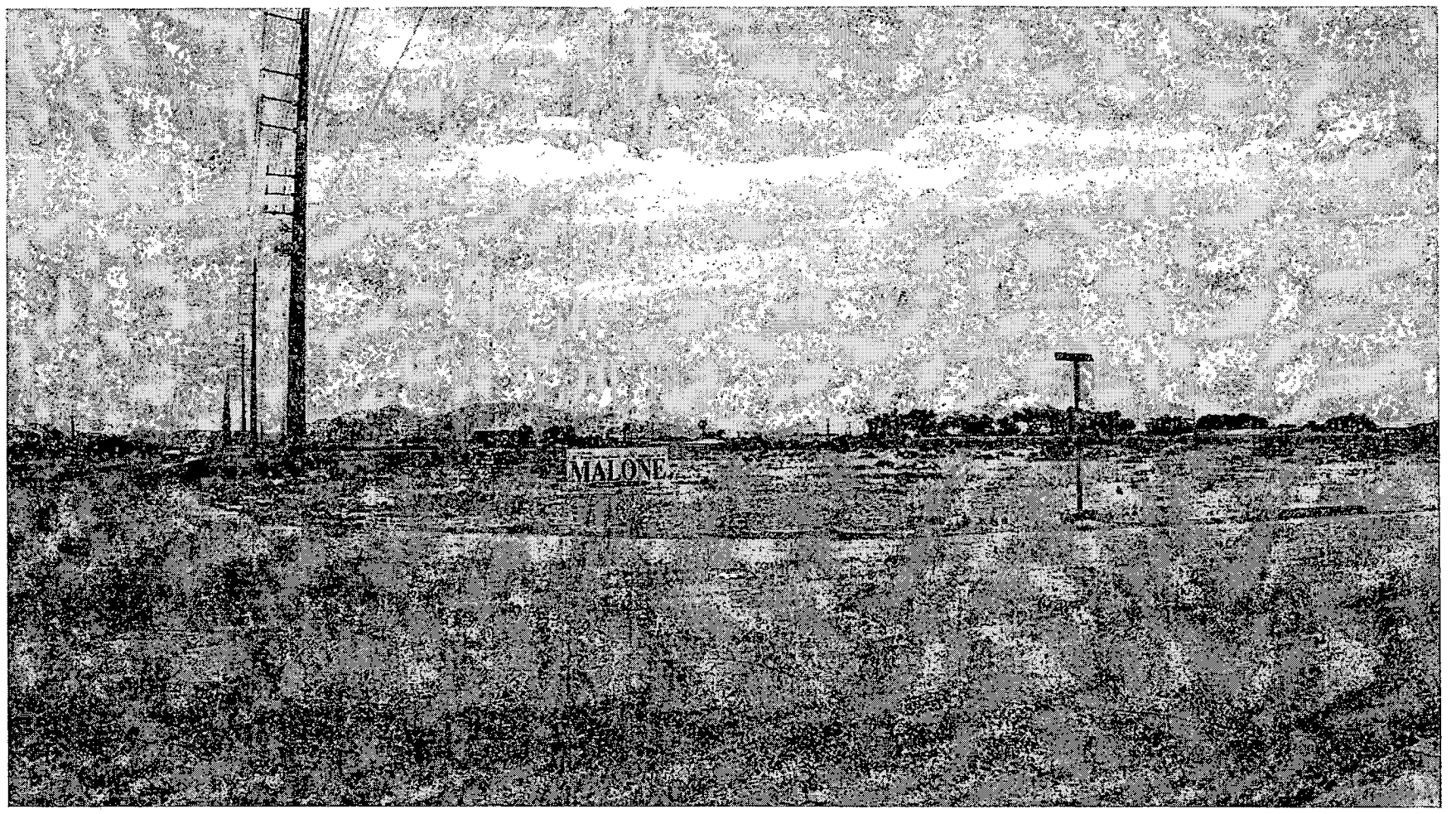
MLK/Carey Early Childhood Development Center
Address: TBD
City of Las Vegas Site Development Review

Robert A. Felder Incorporated 3480 East Tropicana Ave. #3 Las Vegas, Nevada 89121 (702) 435-7234 / Mobile (702) 435-6471 E-Mail RAFELDER@Nevada.com www.RAFELDER-Nevada.com
Planning △ Architecture △ Urban Design

Drawn By	Checked By	Date
LL	BF rev. 06/22/04	

LANDSCAPE PLAN

1" = 40'-0" L1.01



SDR-4527 - APPLICANT/OWNER: CLARK COUNTY
MARTIN L. KING BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF CAREY AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



SDR-4527 - APPLICANT/OWNER: CLARK COUNTY
MARTIN L. KING BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF CAREY AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE A MINIMUM OF 23 SPACES IS REQUIRED on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

GARY LEOBOLD, Planning and Development Department, stated that this application relates to a warehouse that was destroyed by fire in November of 2003. The applicant would like to rebuild the structure and include a central courtyard, which would increase the square footage 22,400. This proposed warehouse would store inventory for a vending machine business, so the amount of parking proposed is adequate for this particular type of use. In addition, the general public would not use the parking area, and the applicant is looking into installing rolling gates along the street

MINUTES – Continued:

frontage. Staff does not feel that the reduction of five required parking spaces would be a detriment to the accessibility of the site and approved of the Variance.

MR. LEOBOLD continued by stating that the proposed warehouse would have zero side-yard setbacks along the north and south property lines. However, staff felt that this additional Variance would not be a detriment to the site or the area, as the adjacent uses are industrial in nature.

Due to the structure being built close to the property lines, there is a Waiver for perimeter buffering and landscaping The applicant is willing provide several trees in the parking area and limited landscaping in the front of the warehouse.

STEVE LIPKIN, 3825 Waynesville Street, Las Vegas, NV 89122, confirmed for VICE CHAIRMAN NIGRO that he concurred with staff's conditions. In addition, MR. LIPKIN thanked the Commission and staff for their approval.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514]

(10:15 – 10:21)

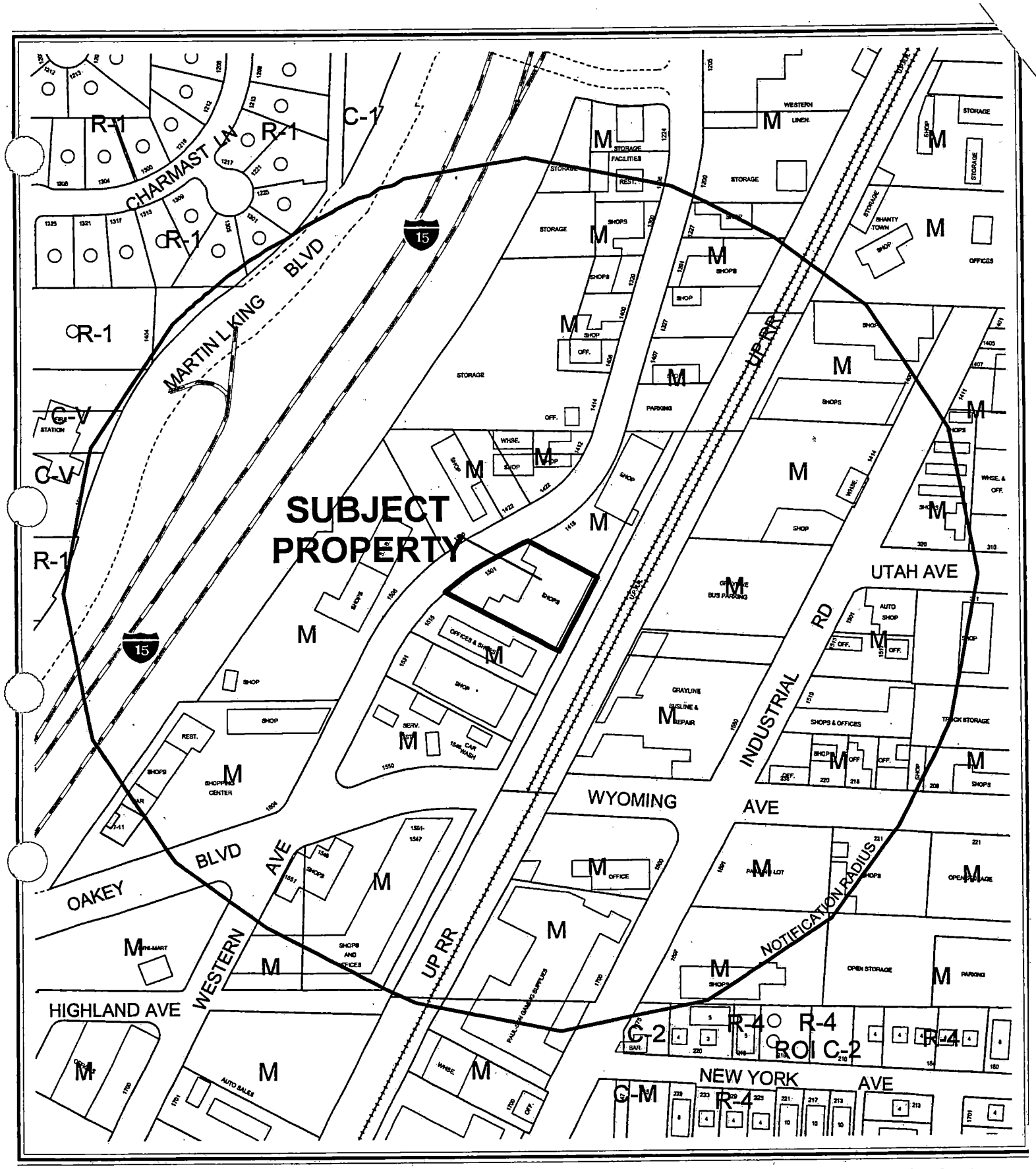
3-2197

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4517) and Site Development Plan Review (SDR-4514).

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.

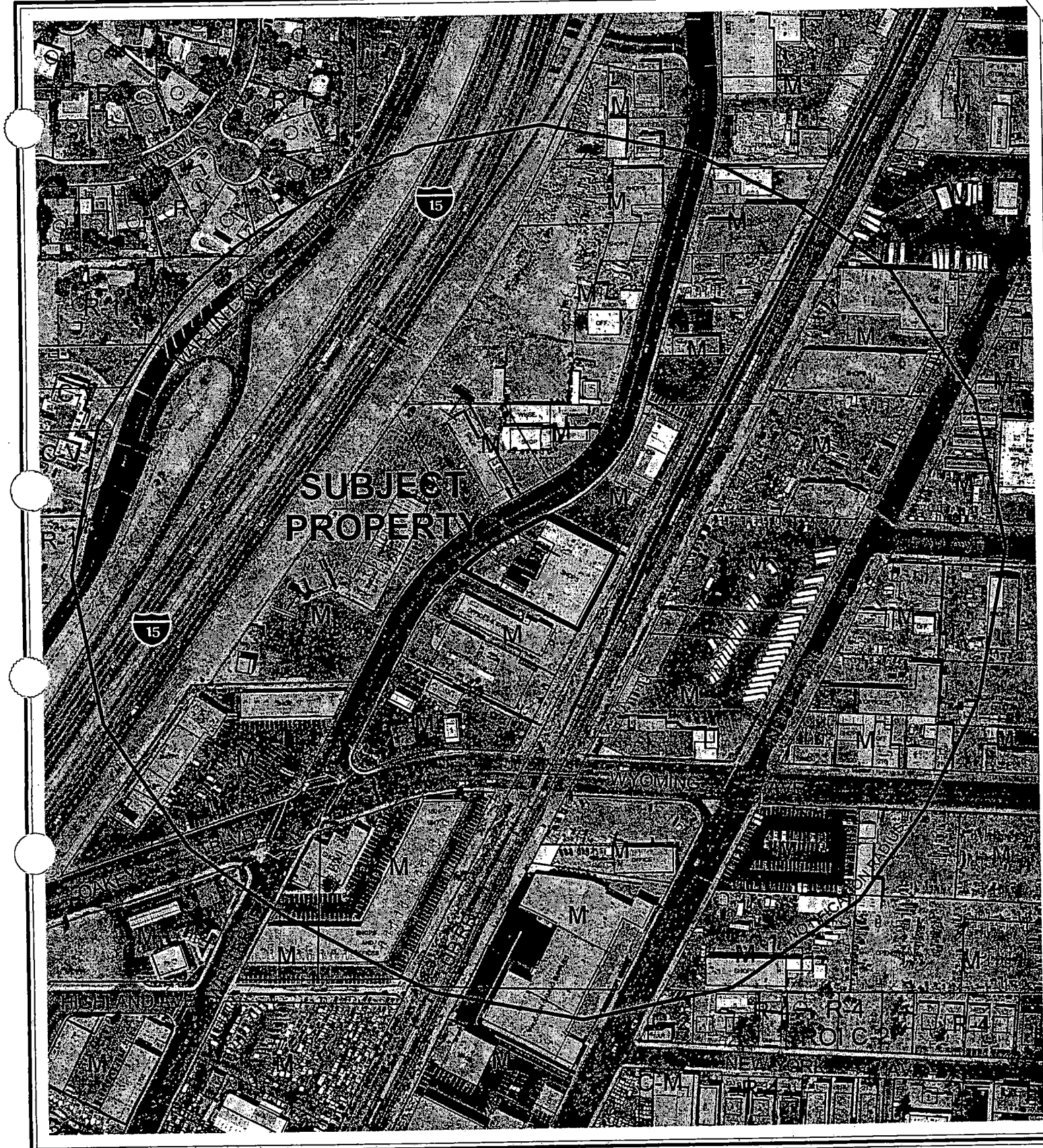


CASE: **VAR-4516**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



CASE: **VAR-4516**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4517) and Site Development Plan Review (SDR-4514).

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.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Variance to allow 18 parking spaces where 23 spaces are required in conjunction with a proposed Warehouse Facility located at 1501 Western Avenue. A related Variance (VAR-4517) and Site Development Plan Review (SDR-4514) will be considered concurrently with this application.

B) Applicant's Justification

The intent is to rebuild a warehouse that was destroyed by fire in November of 2003. The property is in an ideal location to serve customers, and the rebuilding of the site will help enhance the aesthetics of the area.

BACKGROUND INFORMATION

A) Previous Actions

10/16/02	The City Council approved a Special Use Permit (U-0104-02) to allow a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on property located at 1501 Western Avenue. The Planning Commission and staff recommended approval on 9/12/02.
07/08/04	The Planning Commission will consider a related Variance (VAR-4517) and Site Development Plan Review (SDR-4514) concurrently with this application.

B) Pre-Application Meeting

05/07/04	Issues discussed included the history of the site, the need for parking and setback Variances, and Waivers for a reduction of perimeter and parking lot landscaping.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance Application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Warehouse / Light Manufacturing
East:	Union Pacific Railroad
West:	Light Manufacturing / Sexually Orientated Business

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial)
West:	M (Industrial)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry / Research) land use designation, which allows for low-intensity industrial uses, including light manufacturing, warehousing and distribution, and research and testing laboratories. The existing M (Industrial) zoning district is in compliance with the General Plan, and the proposed Warehouse Facility is a permitted use.

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

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

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Warehouse	22,421 SF.	1 / 1000 GFA	22	1	17	1

The proposal is deficient by five regular parking spaces and this 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 18 parking spaces where 23 are required in conjunction with a proposed Warehouse Facility located at 1501 Western Avenue. The new 22,421 square foot building will replace the 16,000 square foot warehouse, which burned down in November of 2003. The owners of the destroyed building have temporarily relocated their business and submitted this application in order to rebuild the site and resume business at this location. This request is appropriate, as there is little demand for customer parking due to the nature of the existing business. In addition, there is space available within the proposed building for additional parking if occasionally necessary.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The proposed warehouse will store inventory for a vending machine business, and the amount of parking proposed is adequate for this particular type of use. The parking area will not be used by the general public, and the reduction of five required parking spaces should not be a detriment to the accessibility of the site.

NOTICES MAILED 47 (Mailed with VAR-4516 and SDR-4514)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4516 APN: 162-04-605-005

Name of Property Owner: LIPKIN 1992 TRUST

Name of Applicant: LIPKIN 1992 TRUST / SKY TOP VENDING, INC.

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

_____ Yes x No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: STEVE LIPKIN

Subscribed and sworn before me

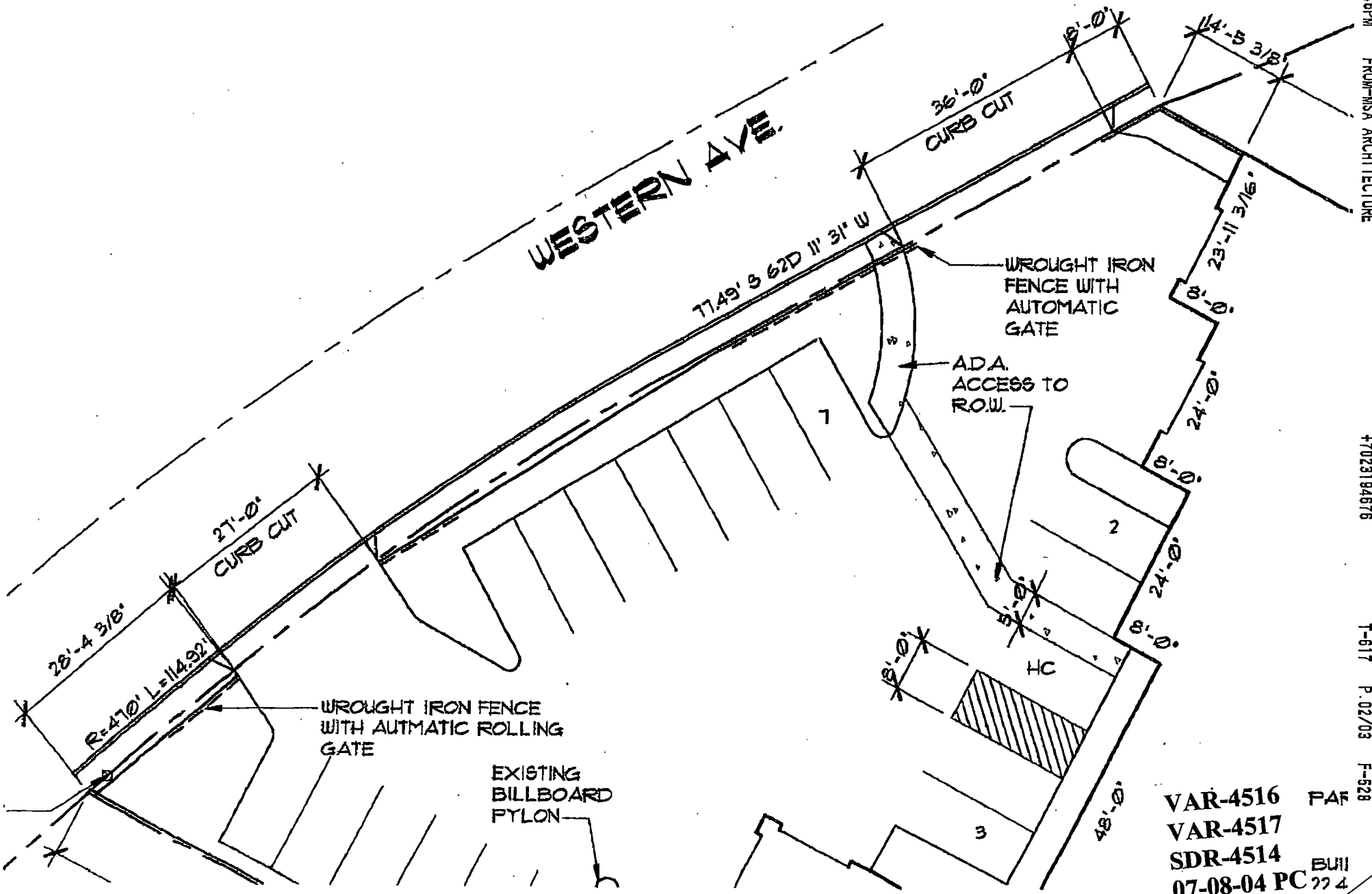
This 24th day of MAY, 2004

[signature]

Notary Public in and for said County and State

ANDREW VASILA
Notary Public State of Nevada
No. 99-58733-1
My appt. exp. Oct. 15, 2007

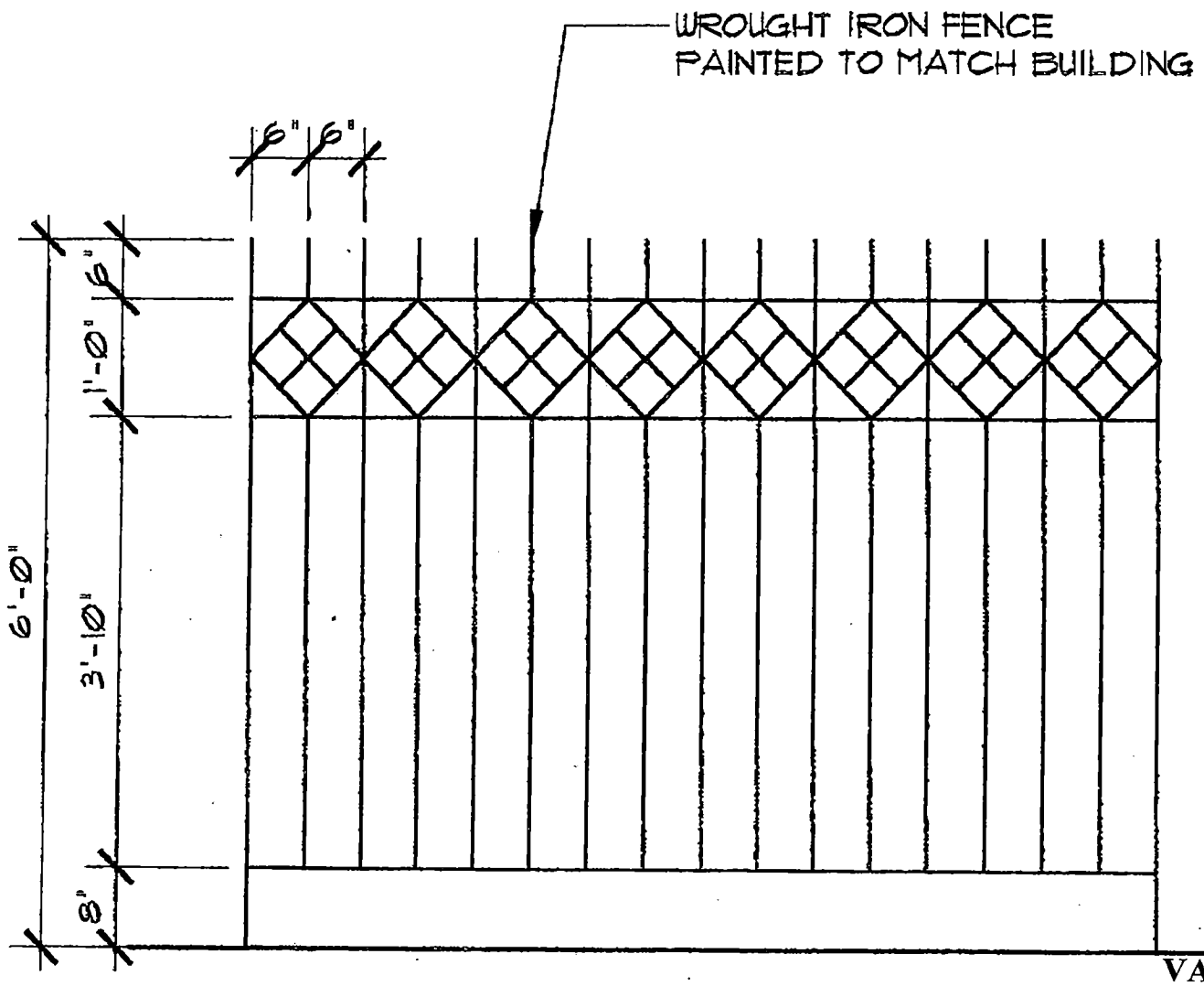
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VAR-4516 PAF
VAR-4517
SDR-4514
07-08-04 PC BUII

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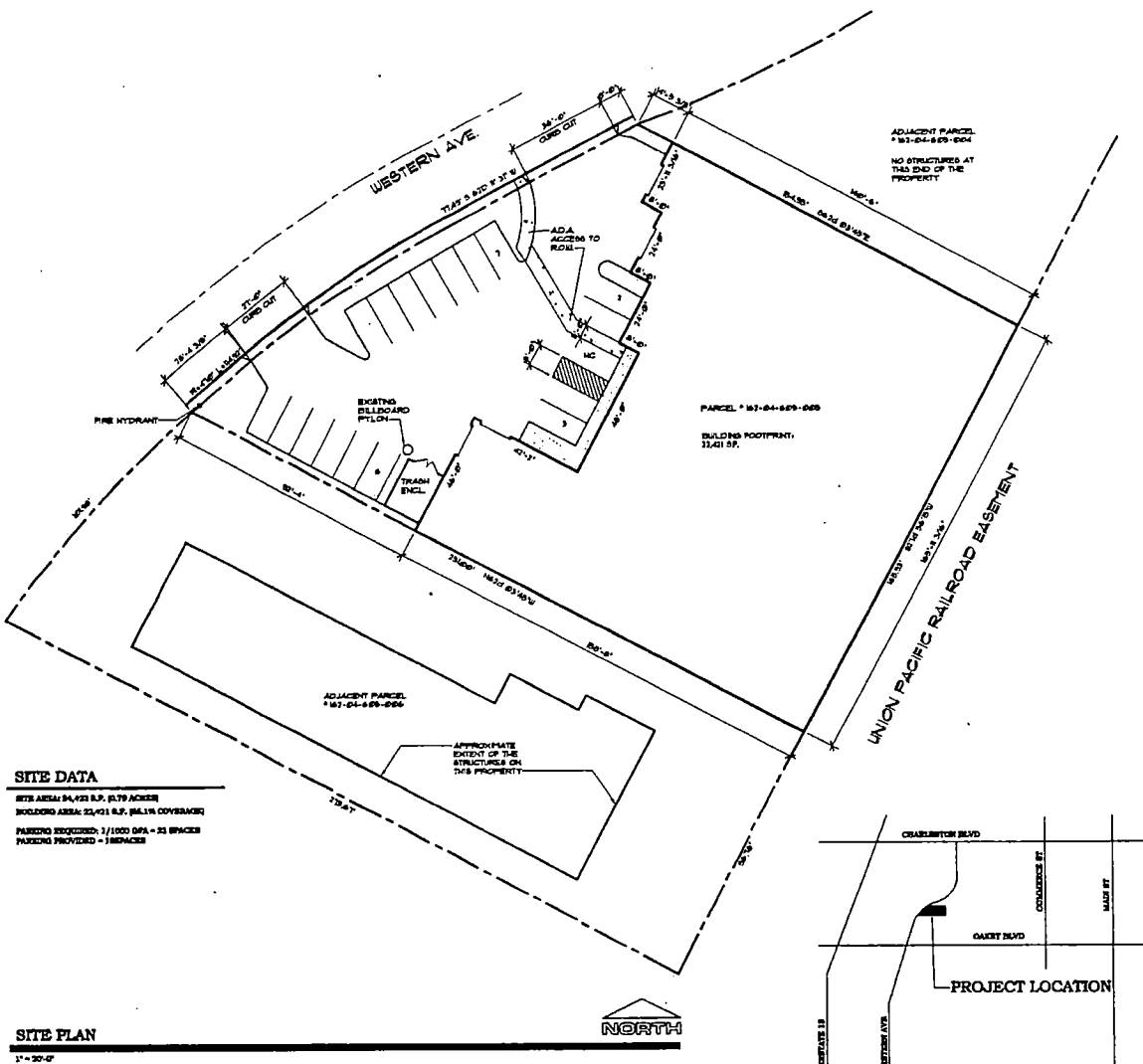
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VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

PROPERTY LINE FENCE ELEVATION

NO SCALE



MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6275 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 898 4676
FAX 702 319 4676

NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

DATE	REVISION

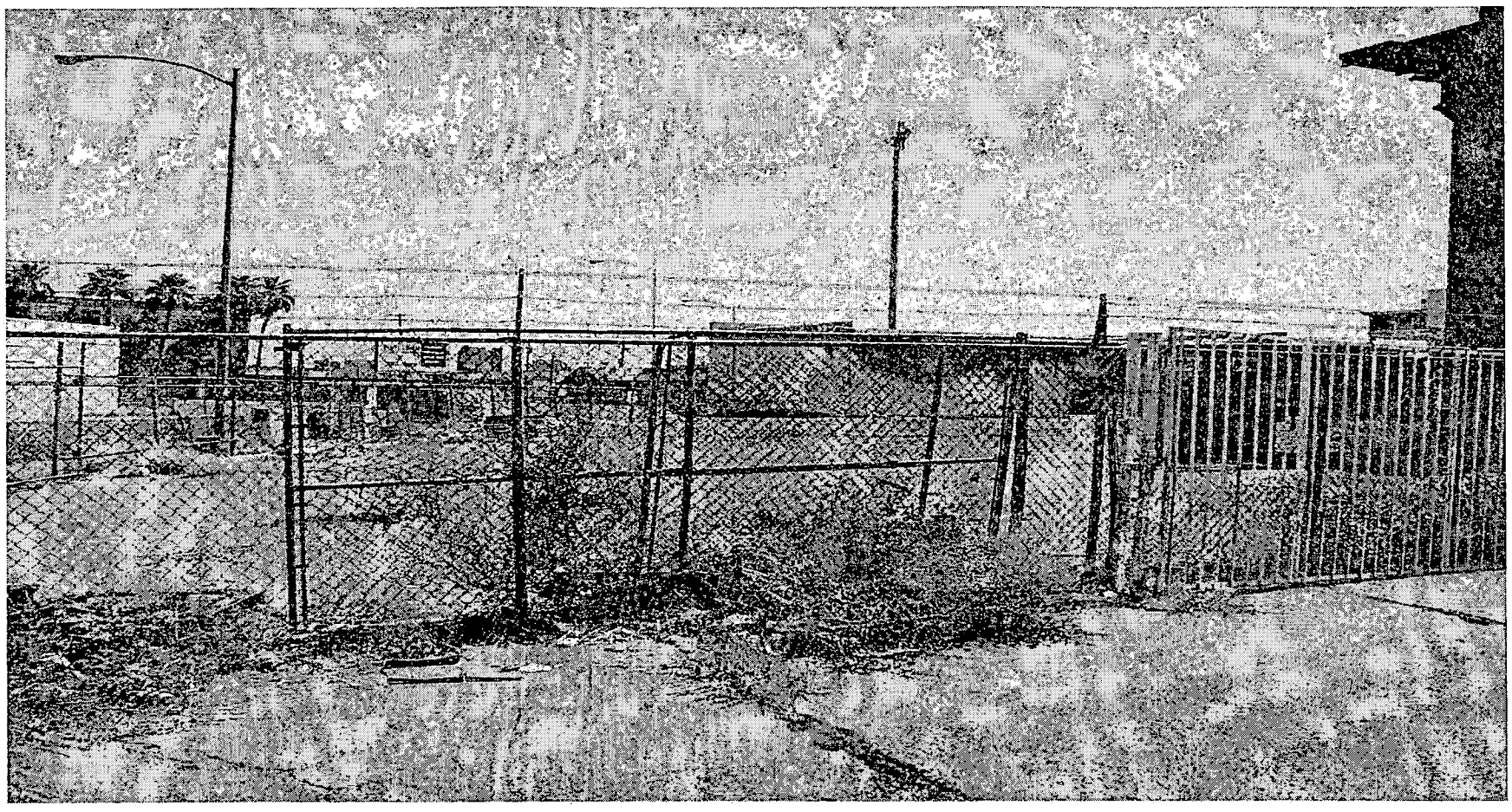
JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
SITE PLAN

DRAWING NUMBER
A-1

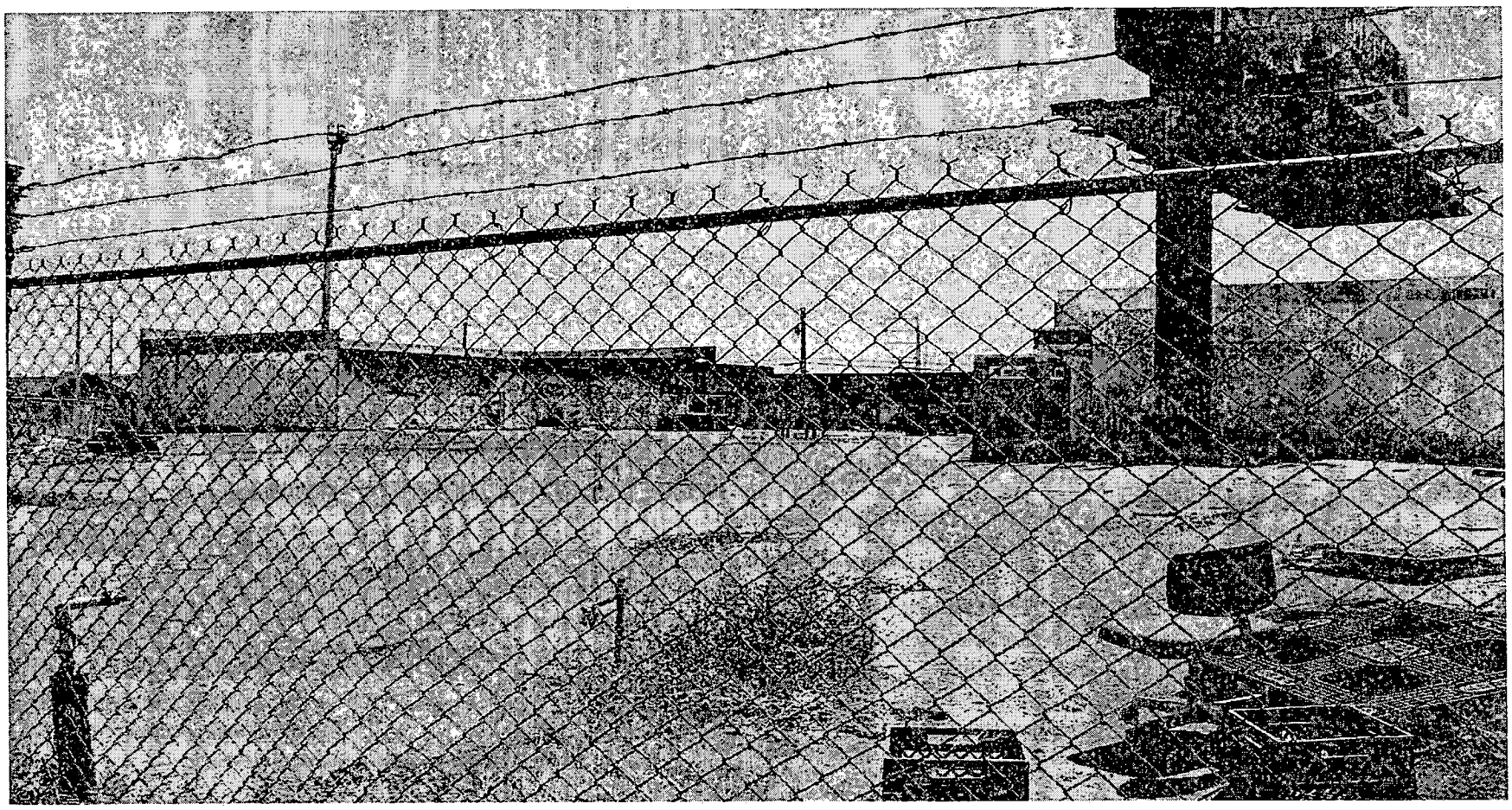
A-1

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC



VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST
1501 WEST AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST
1501 WEST AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW ZERO-FOOT SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED WAREHOUSE FACILITY on 0.79 acres located at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 44 [VAR-4516] for all related discussion on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

(10:15 – 10:21)

3-2197

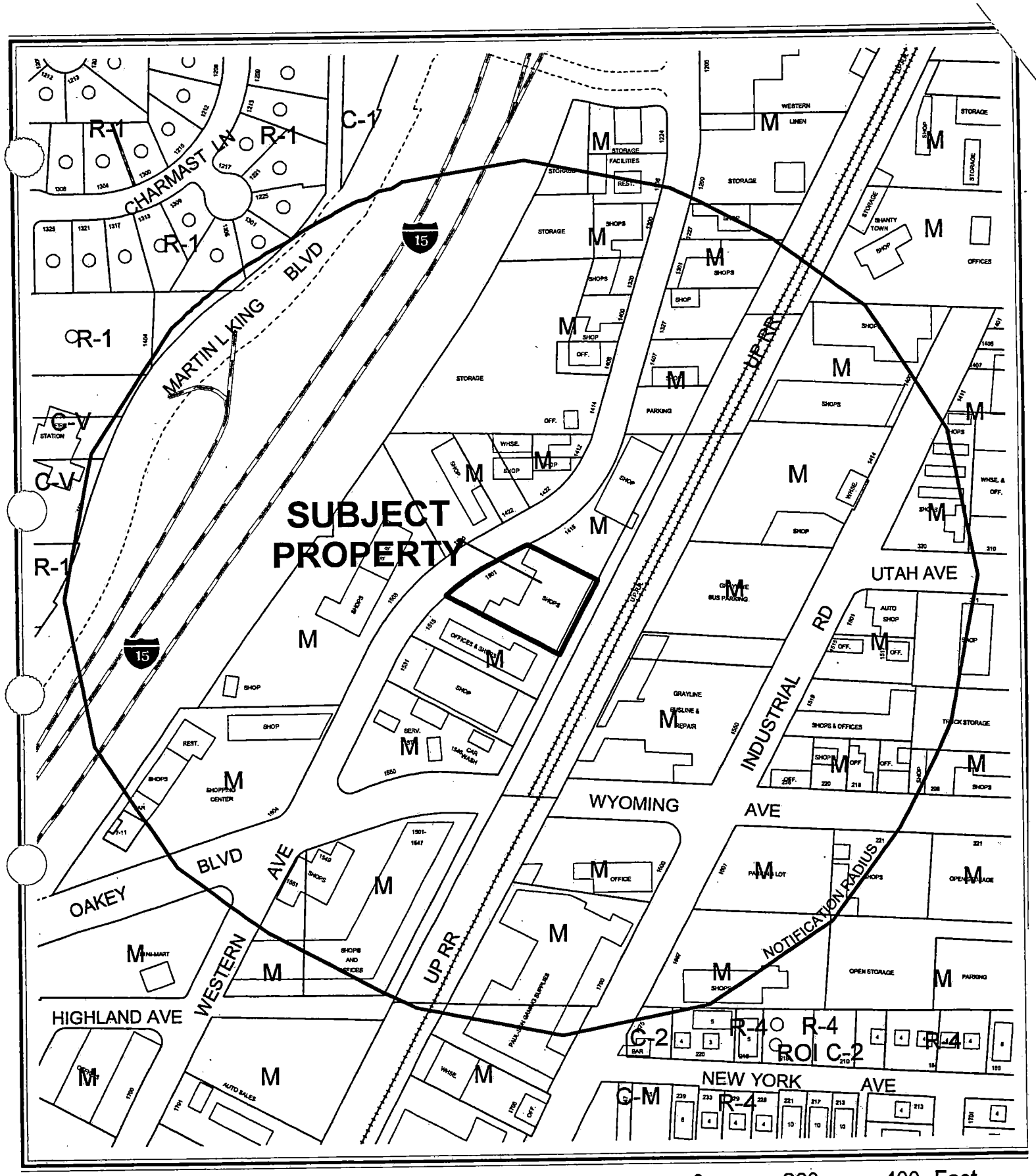
PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 45 – VAR-4517

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4516) and Site Development Plan Review (SDR-4514).

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-4517**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4516) and Site Development Plan Review (SDR-4514).

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.

FS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Variance to allow a zero side-yard setback where ten feet is required in conjunction with a proposed Warehouse Facility located at 1501 Western Avenue. A related Variance (VAR-4516) and Site Development Plan Review (SDR-4514) will be considered concurrently with this application.

B) Applicant's Justification

The intent is to rebuild a warehouse that was destroyed by fire in November of 2003. The property is in an ideal location to serve customers, and the rebuilding of the site will help enhance the aesthetics of the area.

BACKGROUND INFORMATION

A) Previous Actions

10/16/02 The City Council approved a Special Use Permit (U-0104-02) to allow a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on property located at 1501 Western Avenue. The Planning Commission and staff recommended approval on 9/12/02.

07/08/04 The Planning Commission will consider a related Variance (VAR-4516) and Site Development Plan Review (SDR-4514) concurrently with this application.

B) Pre-Application Meeting

05/07/04 Issues discussed included the history of the site, the need for parking and setback Variances, and Waivers for a reduction of perimeter and parking lot landscaping.

C) Neighborhood Meetings

A neighborhood meeting is not required for Variance application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Warehouse / Light Manufacturing
East:	Union Pacific Railroad
West:	Light Manufacturing / Sexually Orientated Business

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial)
West:	M (Industrial)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry / Research) land use designation, which allows for low-intensity industrial uses, including light manufacturing, warehousing and distribution, and research and testing laboratories. The existing M (Industrial) zoning district is in compliance with the General Plan, and the proposed Warehouse Facility is a permitted use.

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

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Setbacks			
• Front	10 Feet	14.5 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	10 Feet	N/A	Y
• Rear	0 Feet	0 Feet	Y

The proposal does not meet Title 19 side-yard setback requirements and this Variance has been requested to provide relief from this requirement.

B) General Analysis and Discussion

The request is for a Variance to allow a zero side-yard setback where ten feet is required in conjunction with a proposed Warehouse Facility located at 1501 Western Avenue. The new 22,000 square foot building will replace a 16,000 square foot warehouse, which burned down in November of 2003. The owners of the destroyed building have temporarily relocated their business and submitted this application in order to rebuild the site and resume business at this location. This variance is appropriate, as the previous building also had zero side-yard setbacks along the north and south property lines.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The site is located within an industrial zone and the elimination of the required 10-foot side setback will not be a detriment to the site or the area. The adjacent uses are industrial in nature and will not be significantly affected by the proposed zero side yard setback along the north and south property lines. In addition, the previous building also had zero side-yard setbacks along the north and south property lines prior to being destroyed by fire.

NOTICES MAILED 47 (Mailed with VAR-4516 and SDR-4514)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4517 APN: 162-04-605-005

Name of Property Owner: LIPKIN 1992 TRUST

Name of Applicant: LIPKIN 1992 TRUST / SKY TOP VENDING, 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: Steve LIPKIN

Subscribed and sworn before me

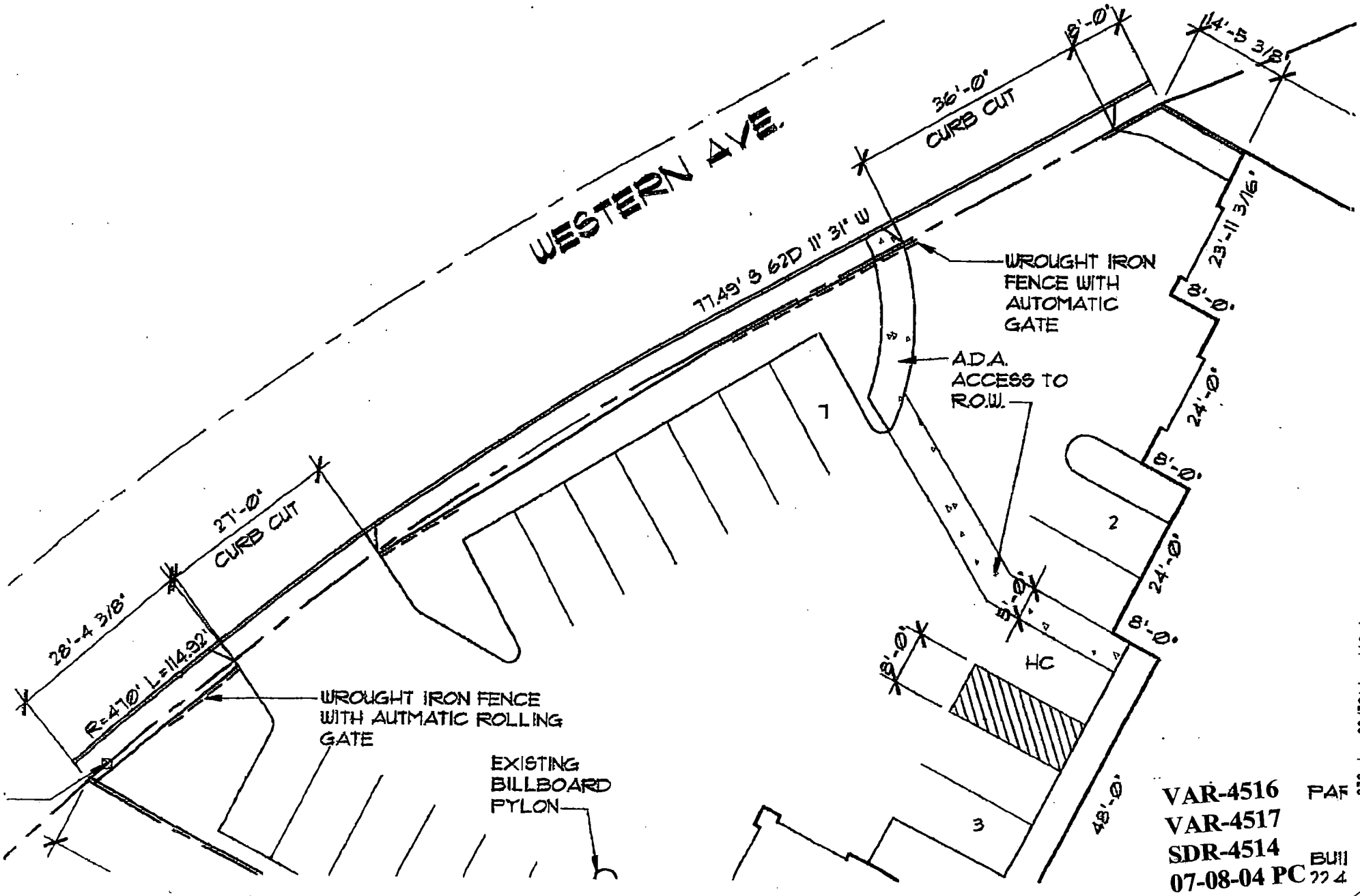
This 24th day of MAY, 2004

Andrew Vasila

Notary Public in and for said County and State

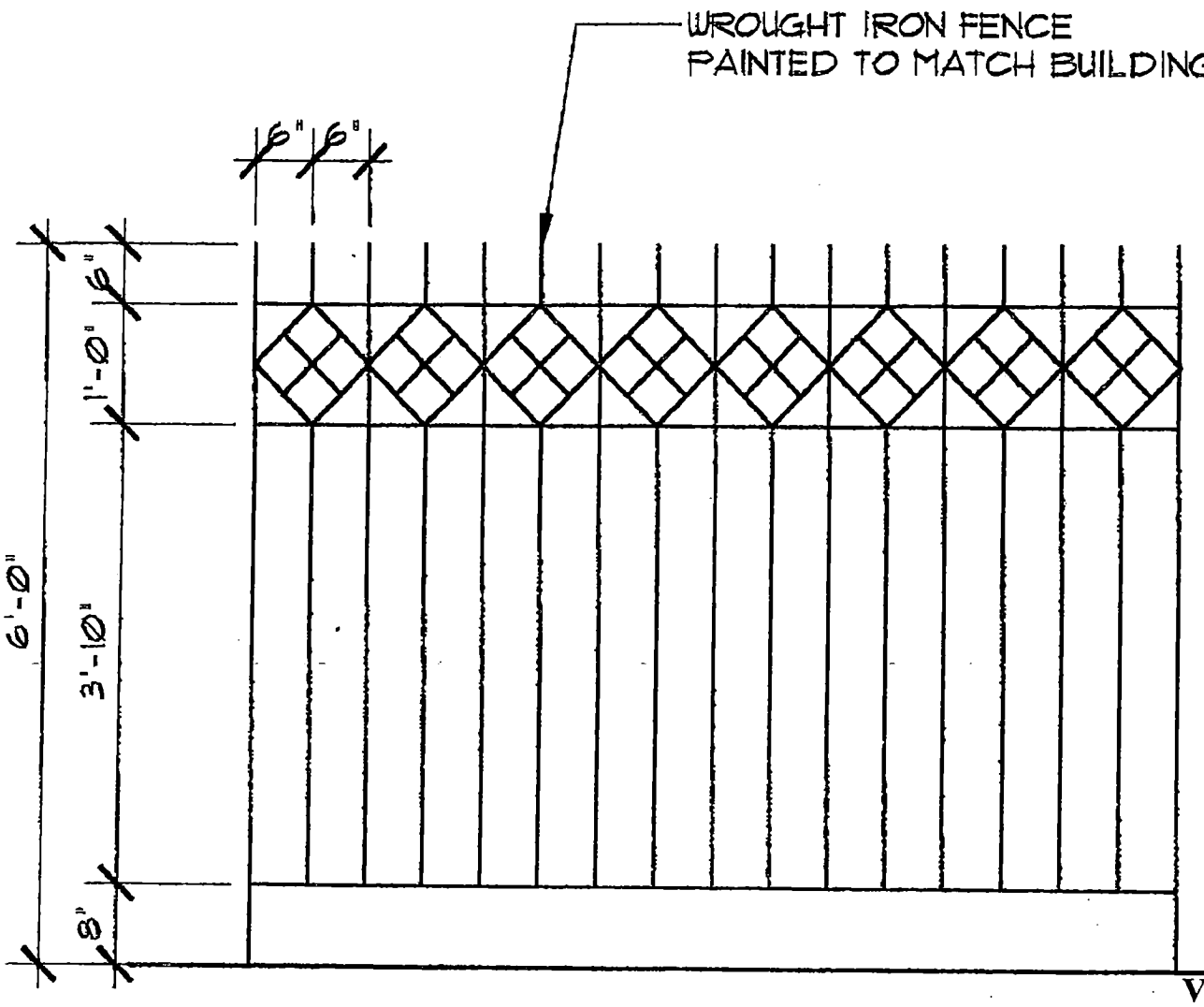
ANDREW VASILA
Notary Public State of Nevada
No. 99-58733-1
My appt. exp. Oct. 15, 2007

SILY TOP VENDING



VAR-4516 PAF
VAR-4517
SDR-4514
07-08-04 PC BUI

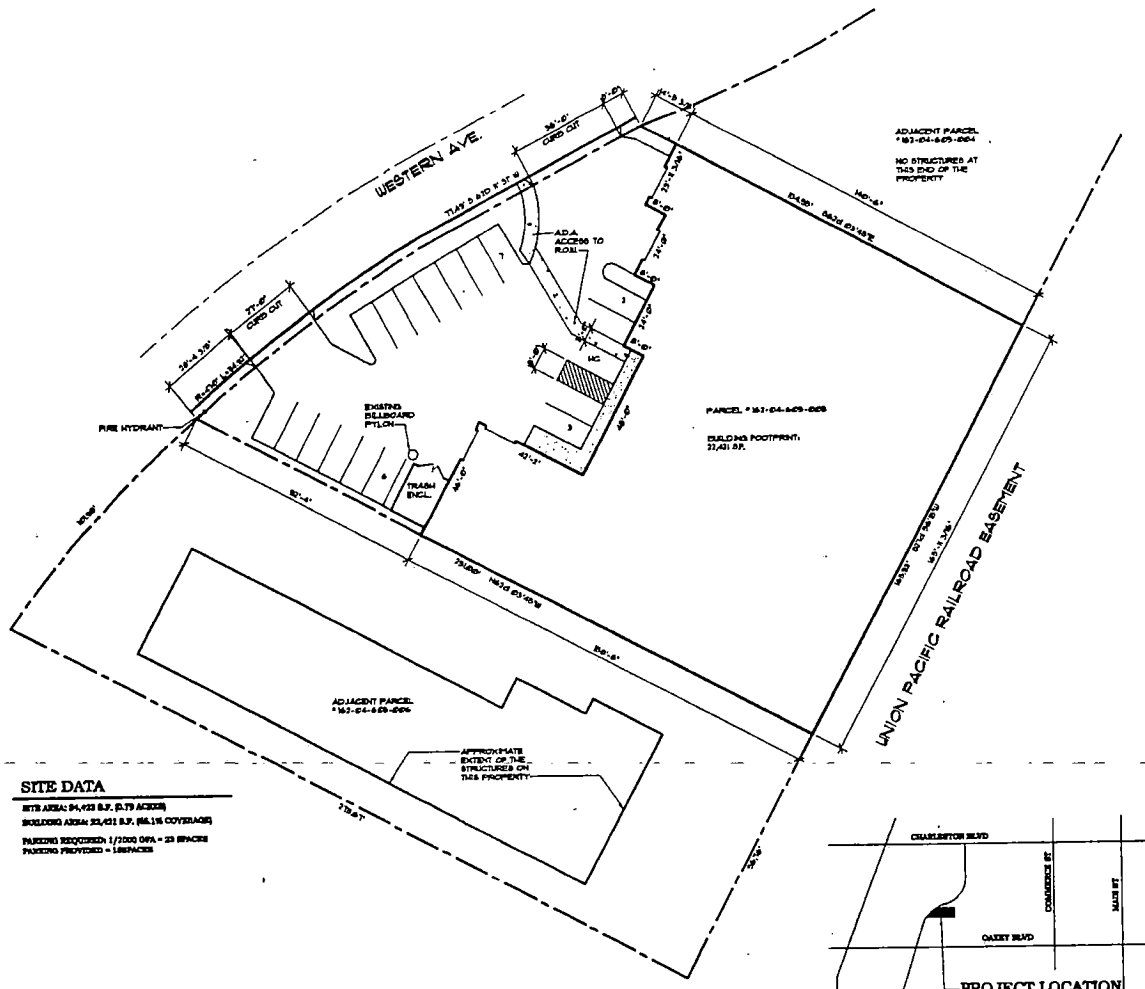
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VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

PROPERTY LINE FENCE ELEVATION

NO SCALE



SITE DATA

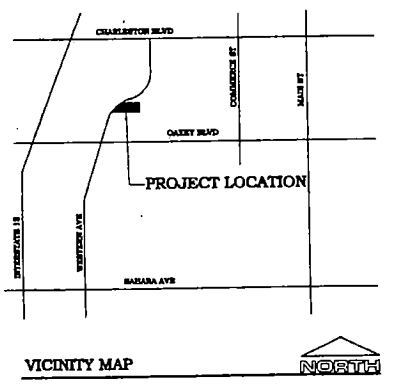
SITE AREA: 94,423 S.F. (2.17 ACRES)
BUILDING AREA: 22,431 S.F. (66.1% COVERAGE)

PARKING REQUIRED: 1/1000 GFA = 23 SPACES
PARKING PROVIDED = 18SPACES

SITE PLAN

1" = 20'-0"

NORTH



VICINITY MAP

NORTH

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA ARCHITECTURE

MSA ARCHITECTURE LLC

6373 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 896 4676
FAX 702 319 4676

NEW FACILITY FOR
SKY TOP VENDING

1501 WESTERN AVE.
LAS VEGAS, NEVADA

JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
SITE PLAN

DRAWING NUMBER
A-1

A-1



VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST
1501 WEST AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4516 AND VAR-4517 - PUBLIC HEARING - SDR-4514 - APPLICANTS: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Site Development Plan Review and Waivers of perimeter buffering, perimeter landscaping and parking lot landscaping standards FOR A PROPOSED WAREHOUSE FACILITY on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 44 [VAR-4516] for all related discussion on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

(10:15 – 10:21)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 46 – SDR-4514

CONDITIONS:

Planning and Development

1. Approval of Variances VAR-4516 and VAR-4517 by the City Council.

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

3. All development shall be in conformance with the site plan presented at the 07/08/04 Planning Commission meeting.

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

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an eight-foot screening wall along the perimeter of the site where the building is not located on the lot line.

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

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

8. 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.

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

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 46 – SDR-4514

CONDITIONS:

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

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

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

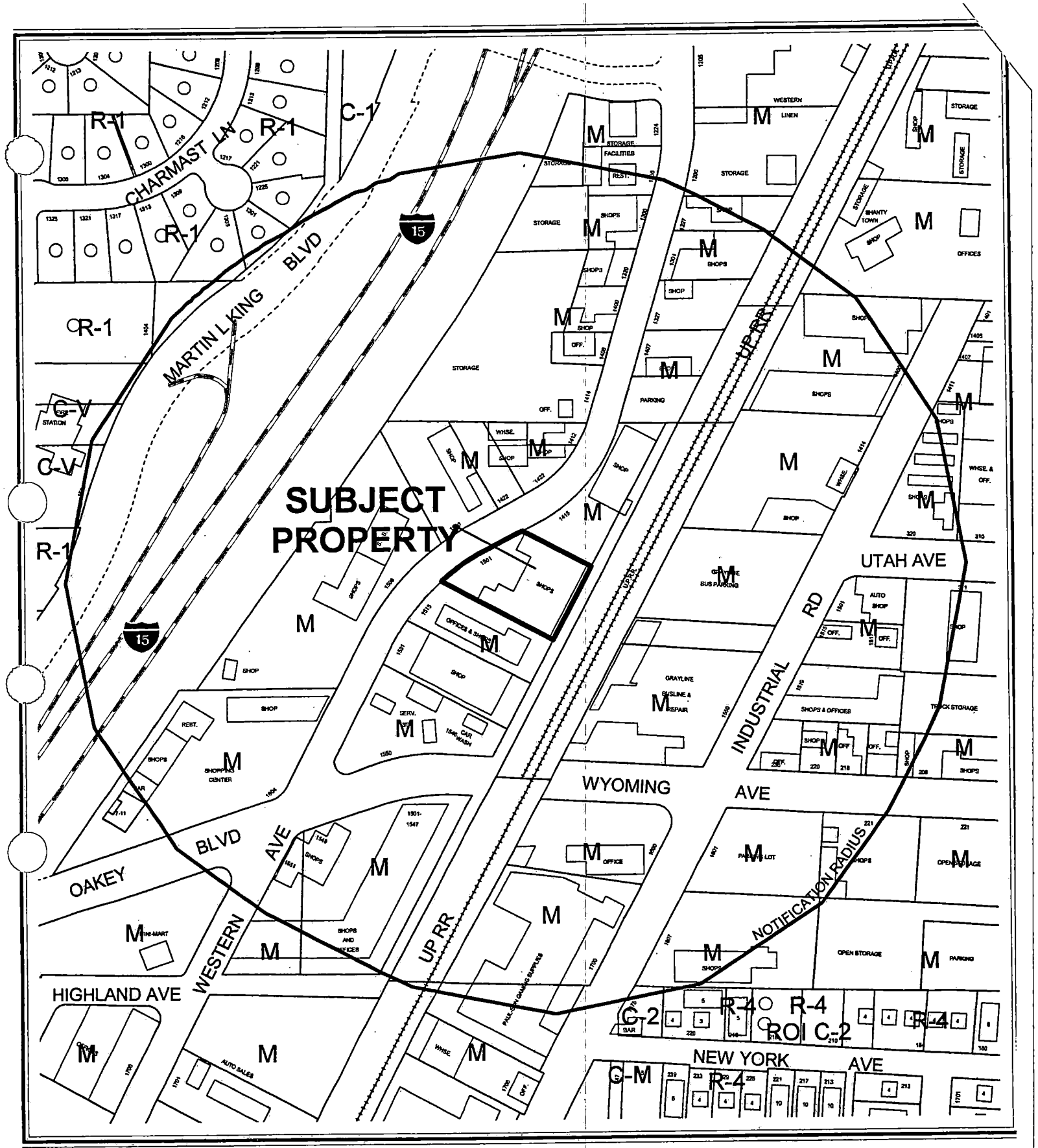
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing off-site improvements damaged or removed by this development shall be restored to their original condition concurrent with development of this site.

16. The proposed automatic rolling access gates shall remain fully open during normal business hours. No part of the proposed gates shall encroach into the public right-of-way, either in the closed or open position.

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.



CASE: **SDR-4514**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4514 - APPLICANTS: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of Variances VAR-4516 and VAR-4517 by the City Council.

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

3. All development shall be in conformance with the site plan presented at the 07/08/04 Planning Commission meeting.

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

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an eight-foot screening wall along the perimeter of the site where the building is not located on the lot line.

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

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

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

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

FS

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

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

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

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

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

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing off-site improvements damaged or removed by this development shall be restored to their original condition concurrent with development of this site.

16. The proposed automatic rolling access gates shall remain fully open during normal business hours. No part of the proposed gates shall encroach into the public right-of-way, either in the closed or open position.

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a proposed 22,421 square-foot Warehouse Facility on 0.79 acres located at 1501 Western Avenue. Two related Variances (VAR-4516 and VAR-4517) will be considered concurrently with this application.

B) Applicant's Justification

The intent is to rebuild a warehouse that was destroyed by fire in November of 2003. The property is in an ideal location to serve customers, and the rebuilding of the site will help enhance the aesthetics of the area.

BACKGROUND INFORMATION

A) Previous Actions

10/16/02 The City Council approved a Special Use Permit (U-0104-02) to allow a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on property located at 1501 Western Avenue. The Planning Commission and staff recommended approval on 9/12/02.

07/08/04 The Planning Commission will consider two related Variances (VAR-4516 and VAR-4517) concurrently with this application. Staff recommends approval.

B) Pre-Application Meeting

05/07/04 Issues discussed included the history of the site, the need for parking and setback Variances, and Waivers for a reduction of perimeter and parking lot landscaping.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Warehouse / Light Manufacturing
East:	Union Pacific Railroad
West:	Light Manufacturing / Sexually Orientated Business

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial)
West:	M (Industrial)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry / Research) land use designation, which allows for low-intensity industrial uses, including light manufacturing, warehousing and distribution, and research and testing laboratories. The existing M (Industrial) zoning district is in compliance with the General Plan, and the proposed Warehouse Facility is a permitted use.

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

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

PROJECT DESCRIPTION

The request is for a Site Development Plan Review for a proposed 22,421 square-foot Warehouse Facility on 0.79 acres. The site receives access from Western Avenue. A total of 18 parking spaces are provided. The building is located on the eastern portion of the site, and will have zero side and rear yard setbacks. Waivers for perimeter, parking lot, and foundation landscape buffering have been requested. The building elevations depict a 27-foot structure with a flat roof and an exterior consisting of concrete tilt-up panels, roll up metal doors, and windows with aluminum framing.

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. Setbacks			
• Front	10 Feet	14.5 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	10 Feet	N/A	Y
• Rear	0 Feet	0 Feet	Y
Loading Zone	2 Loading Docks	2 Loading Docks	Y

The proposal does not meet Title 19 side setback requirements and a Variance (VAR-4517) has been requested to provide relief from this requirement.

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
Warehouse	22,421 SF.	1/1000 GFA	22	1	17	1

The proposal is deficient by five regular parking spaces and a Variance (VAR-4516) has been requested to provide relief from this requirement.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	6 Trees	0 Trees
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	25 Trees	7 Trees
• Min. Zone Width	8 Feet		6 Feet
• Wall height	8 Feet		Not Depicted

The plan depicts a deficiency of perimeter and parking lot landscaping, and waivers have been requested to provide relief from Title 19 landscape requirements. In addition, the required eight-foot perimeter wall is not depicted on the site plan, and a Condition of Approval has been included to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

The M (Industrial) District is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M District is consistent with the Light Industry/Research category of the General Plan.

- Site Plan

The request is for a Site Development Plan Review for a proposed 22,421 square-foot Warehouse Facility on 0.79 acres. The facility will replace the 16,000 square foot warehouse, which burned down in November of 2003. The owners of the destroyed building have temporarily relocated their business and submitted this application in order to rebuild the site and resume business at this location. The building is located on the eastern portion of the site, and will have zero side and rear yard setbacks. Two related Variances (VAR-4516 and VAR-4517) will be considered concurrently with this application for a reduction of the amount of required parking spaces, and relief from side yard setback requirements.

- Waivers

  Waivers for perimeter, parking lot, and foundation landscape buffering have been requested. The landscape plan depicts a six-foot planter along the south property line where eight feet is required, and a 13-foot planter along the west property line where 15 feet is required. No trees are provided along the north and south property lines where one 24-inch box tree is required every 30 feet on center. No parking lot landscaping is depicted where a landscape island is required every six parking spaces, and no foundation buffering is provided where six feet is required around the perimeter of the building. The waivers are recommended, as the site is located within an industrial zone and the reduction of landscaping will not be detrimental to the site or the area. An eight-foot perimeter wall is required along the perimeter of the site but is not depicted on the site plan. A Condition of Approval has been included to ensure compliance with this requirement.

- Landscape Plan

  The landscape plan depicts a six-foot planter along the south property line, a 13-foot planter along the west property line, and a 10-foot planter along the north property line. Along the west property line, the buffer area is planted with 24-inch Chiltalpa and Blue Palo Verde trees 30 feet on center with various one and five gallon shrubs mixed in between. Along the north and south property lines, the buffer area is planted with five-gallon Desert Spoons, Red Yuccas, Mountain Laurels, and Rio Bravo Texas Rangers.

- Elevation

  The building elevations depict a 27-foot structure with a flat roof and an exterior consisting of concrete tilt-up panels, roll up metal doors, and windows with aluminum framing.

- Floor Plan

  The floor plans depict a 22,431 square-foot building with a reception area, offices, break room, and warehouse areas for inventory storage.

FINDINGS

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

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

The proposed warehouse is located within and industrial area and is compatible with 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 Variances (VAR-4516 and VAR-4517) and requested landscape waivers, the development will be 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.

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

The site will receive access via a drive from Western Avenue, a 60-foot collector street, and site access and circulation 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 typical for development in the vicinity, and 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 are not unsightly or obnoxious in appearance, and are harmonious and compatible with development in the area.

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

The proposed warehouse facility will be subject to regular inspections and therefore will not compromise the public health, safety, and welfare.

NOTICES MAILED 47 (Mailed with VAR-4516 and VAR-4517)

APPROVALS 0

PROTESTS 0

FS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4514 APN: 162-04-605-005

Name of Property Owner: LIPKIN 1992 TRUST

Name of Applicant: LIPKIN 1992 TRUST / SKY TOP VENDING, INC.

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

_____Yes ___x___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: STEVE LIPKIN

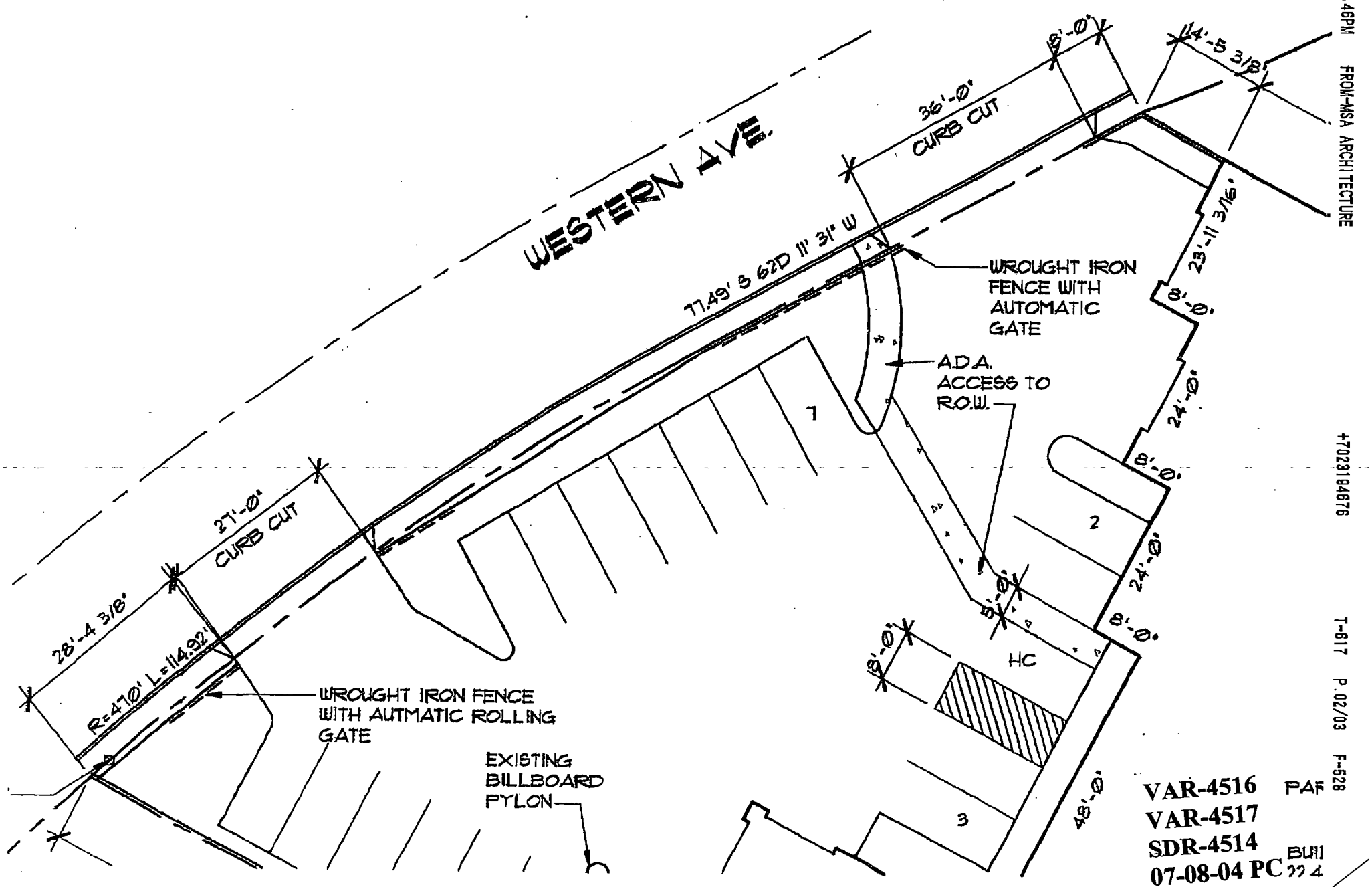
Subscribed and sworn before me

This 24th day of MAY, 2004

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

ANDREW VASILA
Notary Public State of Nevada
No. 99-58733-1
My appt. exp. Oct. 15, 2007

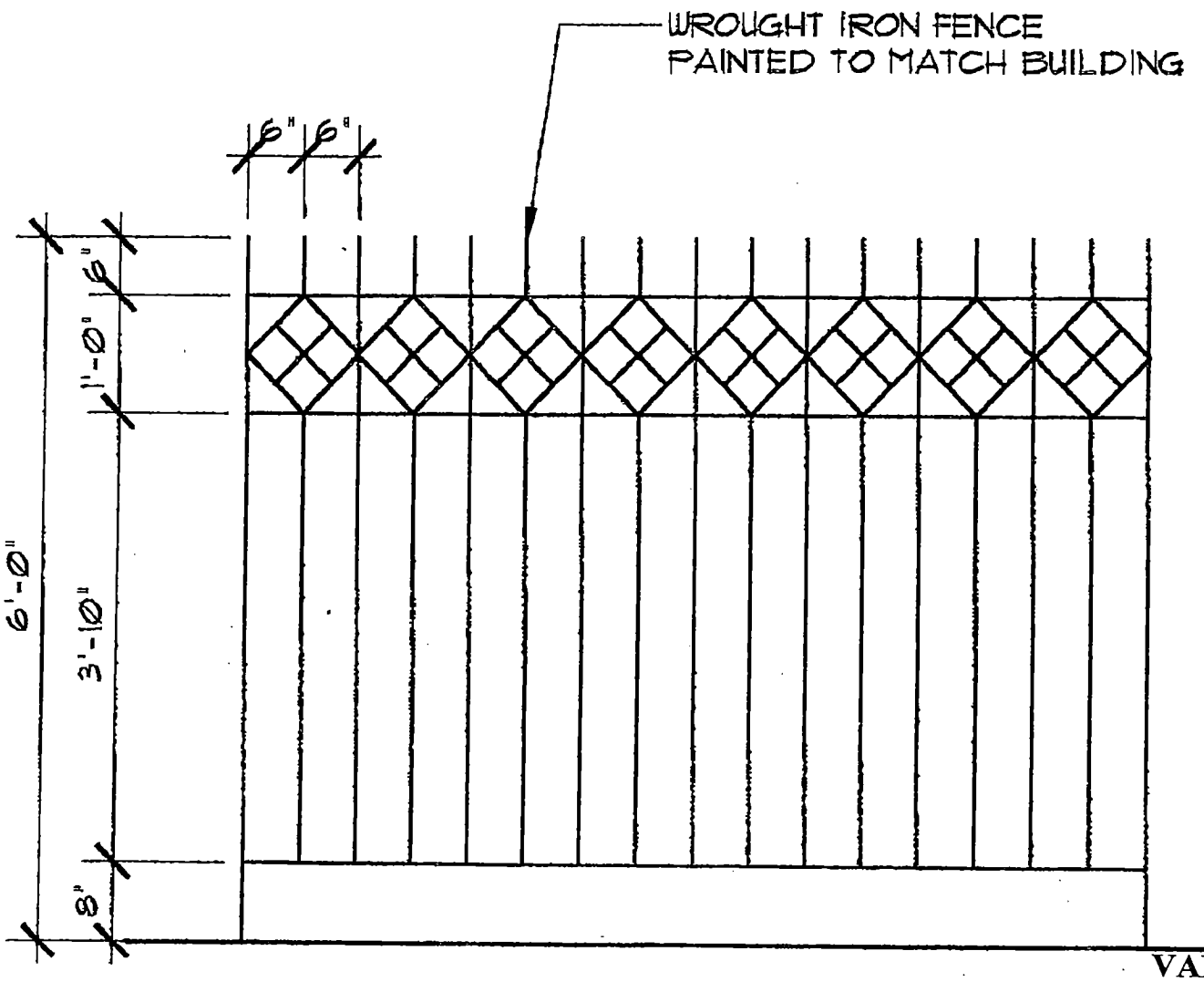
SILY TOP VENDING



VAR-4516 PAF
VAR-4517
SDR-4514
07-08-04 PC BUI

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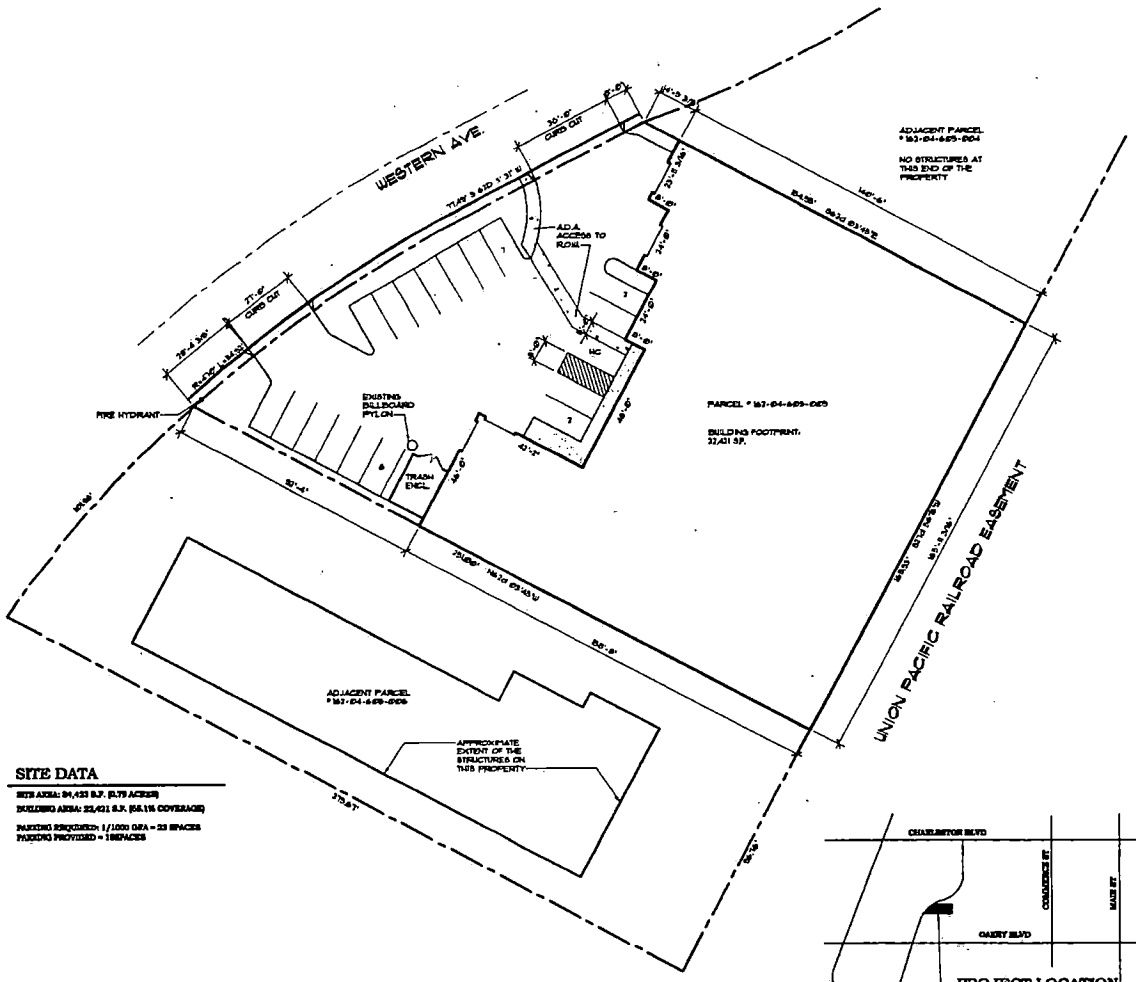
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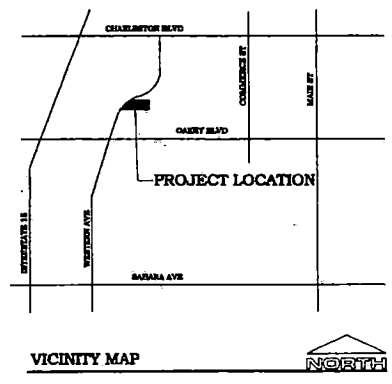


VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

PROPERTY LINE FENCE ELEVATION

NO SCALE





VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6275 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 898 4676
FAX 702 319 4676

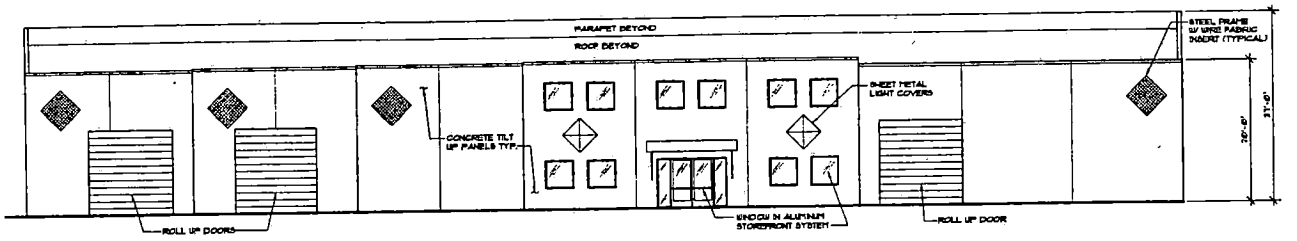
NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
SITE PLAN

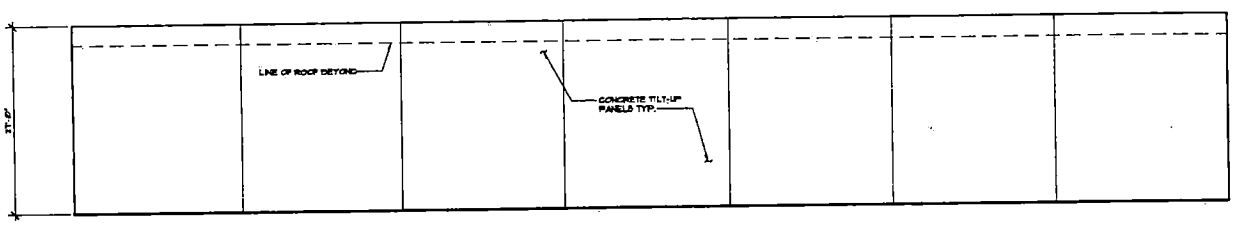
DRAWING NUMBER
A-1

A-1



WEST ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6275 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
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NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

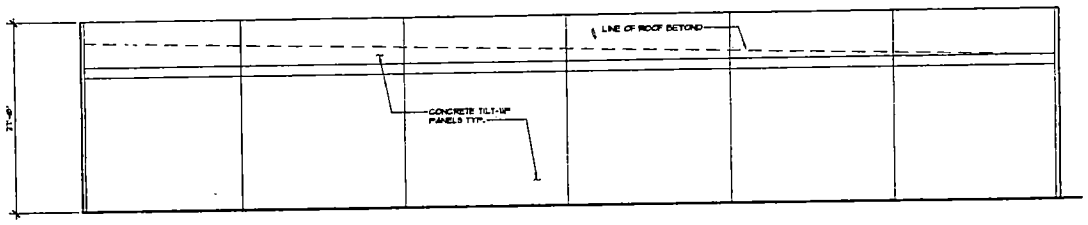
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JOB NUMBER	DRAWN BY
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SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
ELEVATIONS

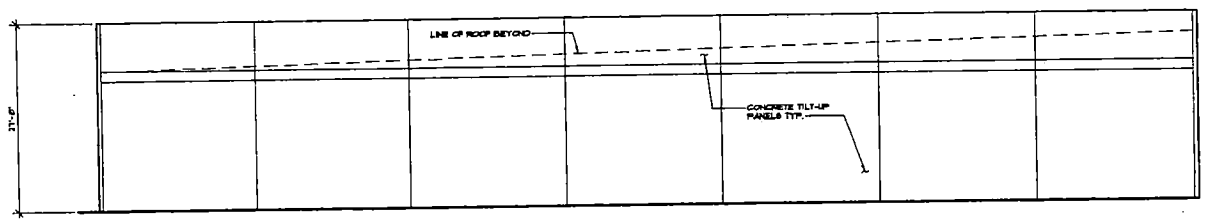
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A-2

A-2



NORTH ELEVATION

1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6273 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 898 4676
FAX 702 319 4676

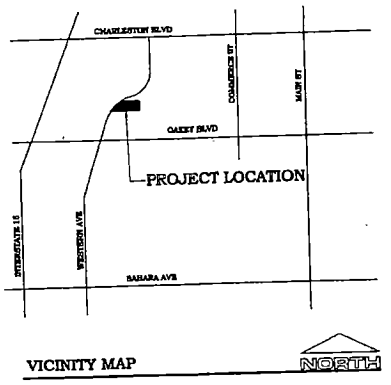
NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

△	DATE:	REVISION:

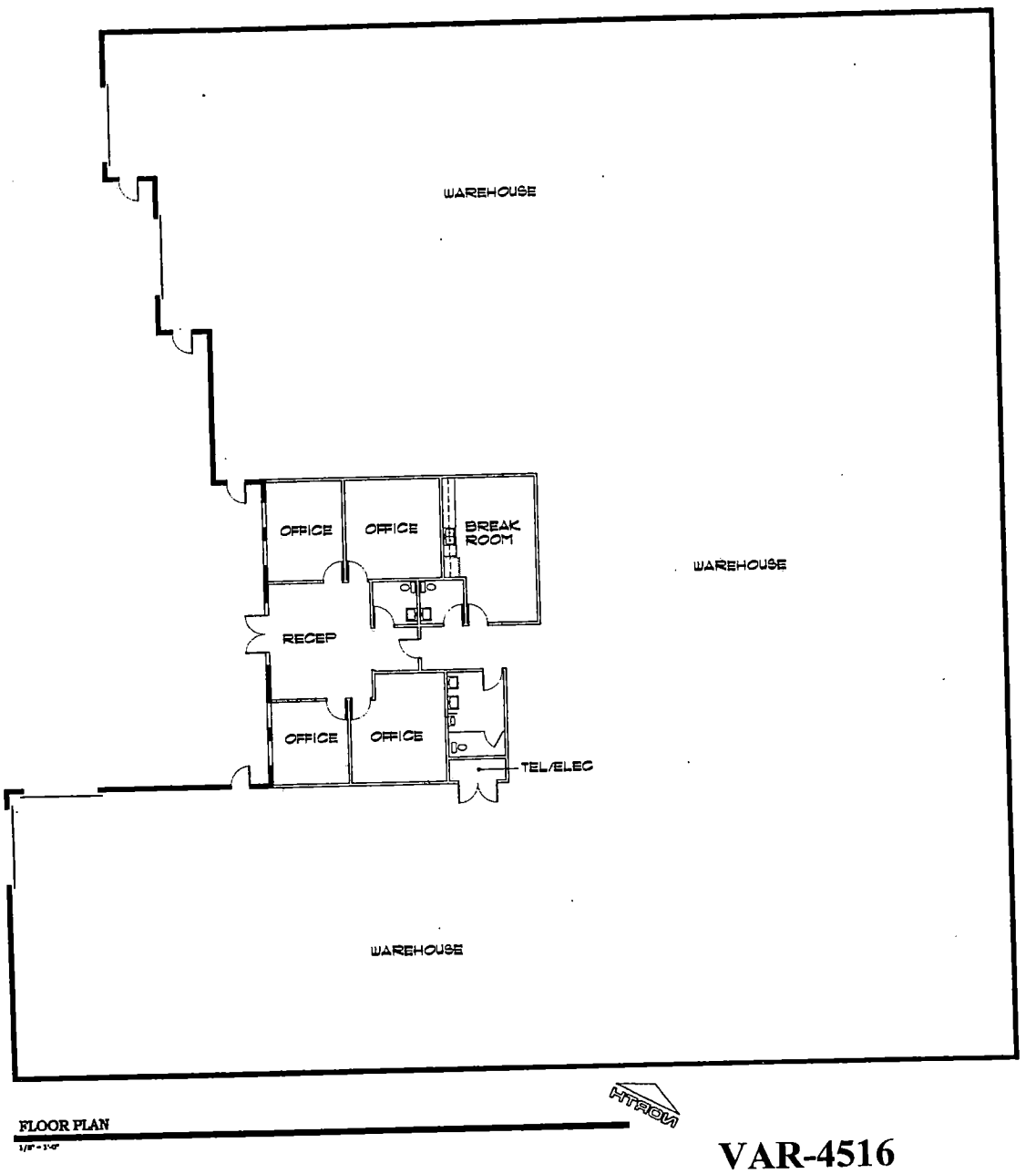
JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
ELEVATIONS

DRAWING NUMBER
A-3
A-3



VICINITY MAP NORTH



FLOOR PLAN
1/8" = 1'-0"

NORTH

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6275 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 896 4676
FAX 702 319 4676

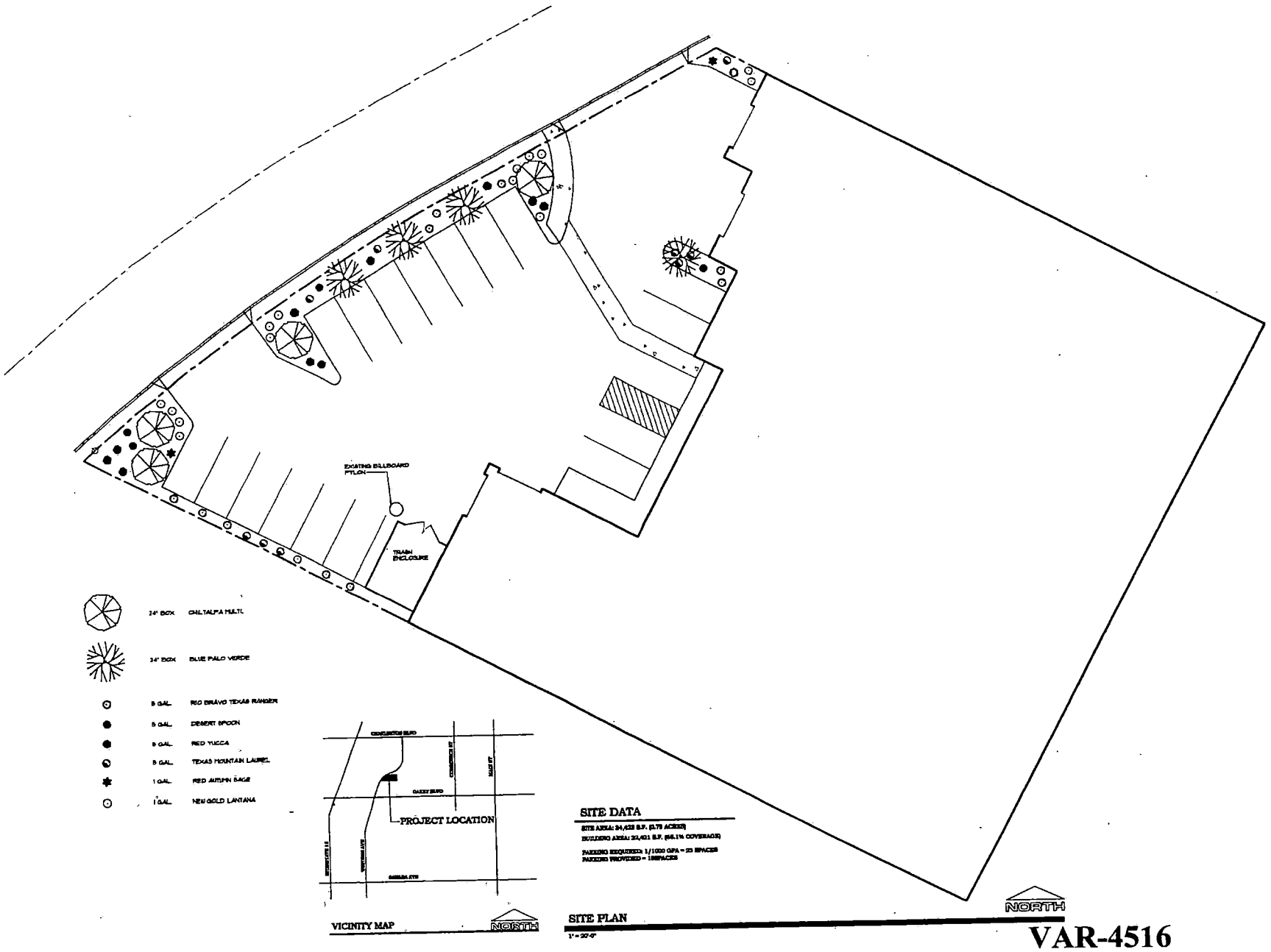
NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

DATE	REVISION

JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

DRAWING TITLE
FLOOR PLAN

DRAWING NUMBER
A-4
A-4



24" BOX	CHILTALPA HULTI.	
24" BOX	BLUE PALO VERDE	
5 GAL.	RIO BRAVO TEXAS RANGER	
5 GAL.	DESERT SPOON	
5 GAL.	RED YUCCA	
5 GAL.	TEXAS MOUNTAIN LAUREL	
1 GAL.	RED AUTUMN SAGE	
1 GAL.	NEW GOLD LANTANA	

VICINITY MAP

SITE DATA

SITE AREA: 24,423 S.F. (0.75 ACRES)
BUILDING AREA: 22,421 S.F. (66.1% COVERAGE)

PARKING REQUIRED: 1/1000 GFA = 23 SPACES
PARKING PROVIDED = 18SPACES

NORTH

SITE PLAN
1" = 20'-0"

VAR-4516
VAR-4517
SDR-4514
07-08-04 PC

MSA
ARCHITECTURE
MSA ARCHITECTURE LLC
6275 INDUSTRIAL ROAD
LAS VEGAS, NEVADA 89118
PHONE 702 895 4675
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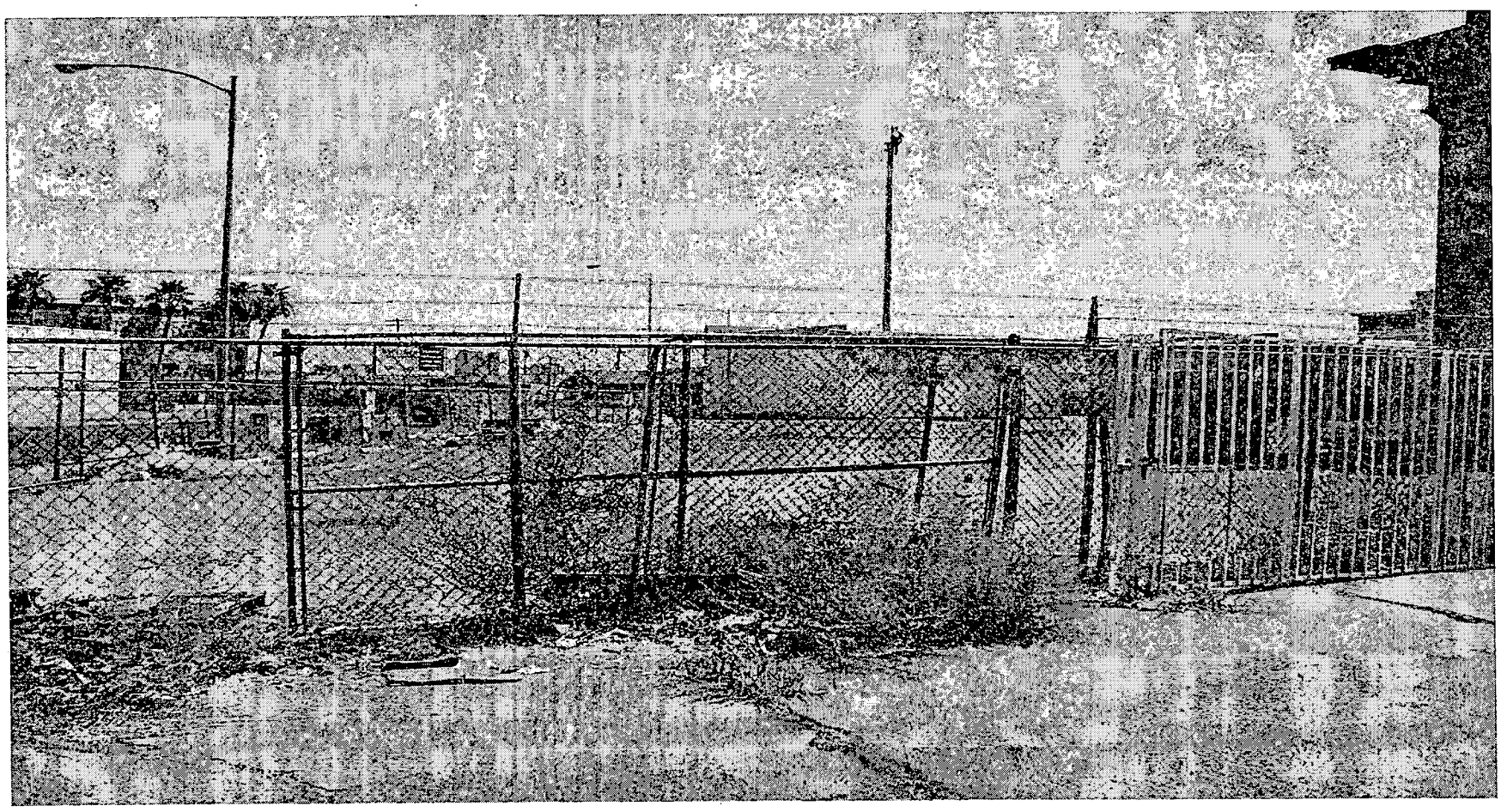
NEW FACILITY FOR
SKY TOP VENDING
1501 WESTERN AVE.
LAS VEGAS, NEVADA

DATE:	REVISION:

JOB NUMBER	DRAWN BY
04010	MJS
SCALE	DATE
AS NOTED	5/25/2004

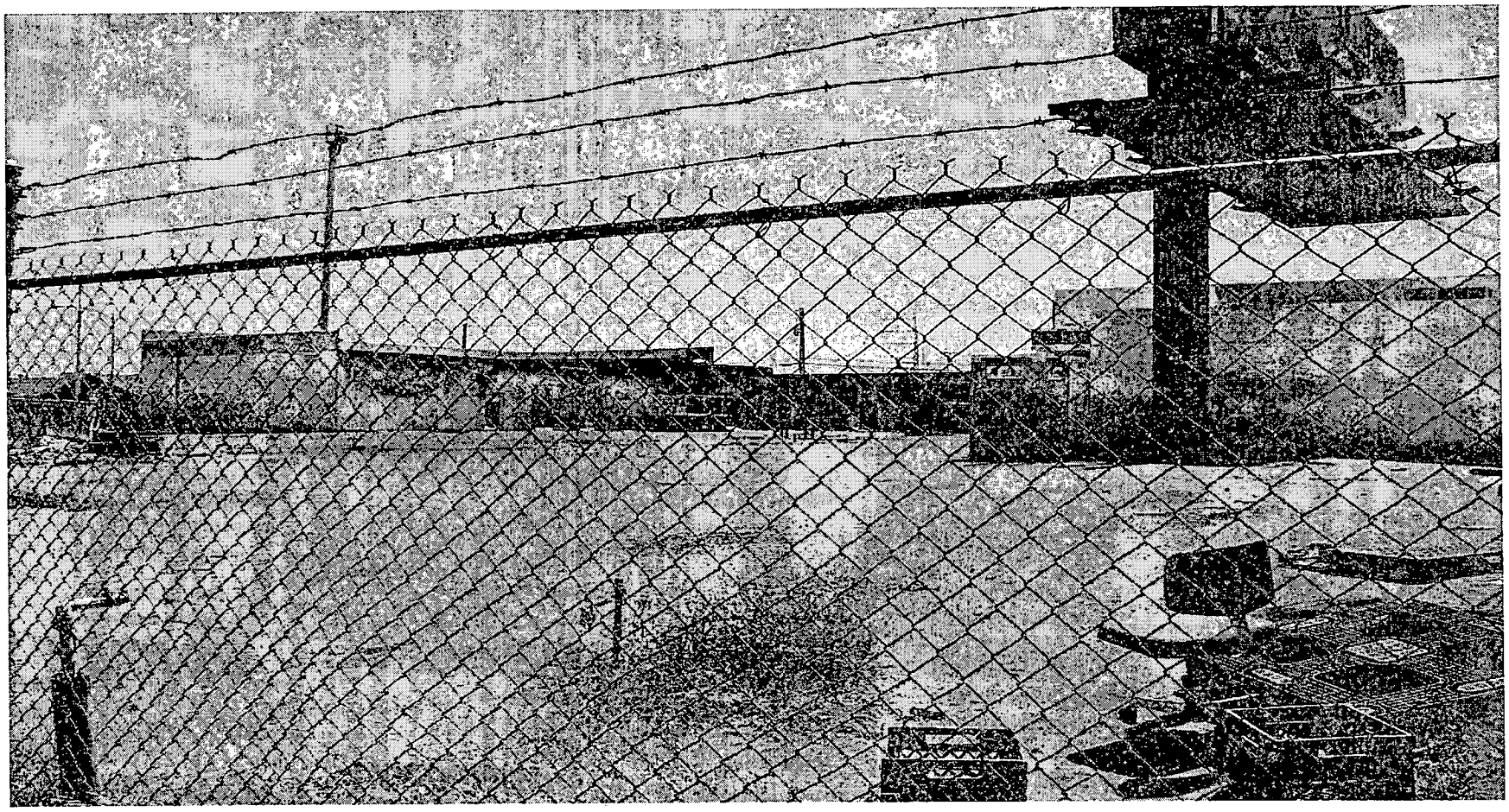
DRAWING TITLE
LANDSCAPE PLAN

DRAWING NUMBER
A-5
A-5



SDR-4514 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST
1501 WEST AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



SDR-4514 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST
1501 WEST AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
VARIANCE - PUBLIC HEARING - VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE - Request for a Variance TO ALLOW AN EXISTING SIX-FOOT SOLID WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED (TOP 50 PERCENT OPEN CONSTRUCTION) on 0.16 acres at 4601 Evergreen Place (APN: 139-31-410-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends DENIAL

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

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

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated this is an existing wall that is in non-compliance with the zoning code. Due to receiving a citation, the applicant has submitted this application. The existing wall is within required sight visibility restriction zones that allow for safe vehicular movements through the driveway. The presence of the wall is potentially dangerous to pedestrians on the sidewalk or to drivers of vehicles in the street from cars backing out into the street from the property. Visibility is also reduced or blocked for those drivers who are exiting adjacent properties. Furthermore, the hardship is self-imposed, as the hardship resulted upon construction of the wall.

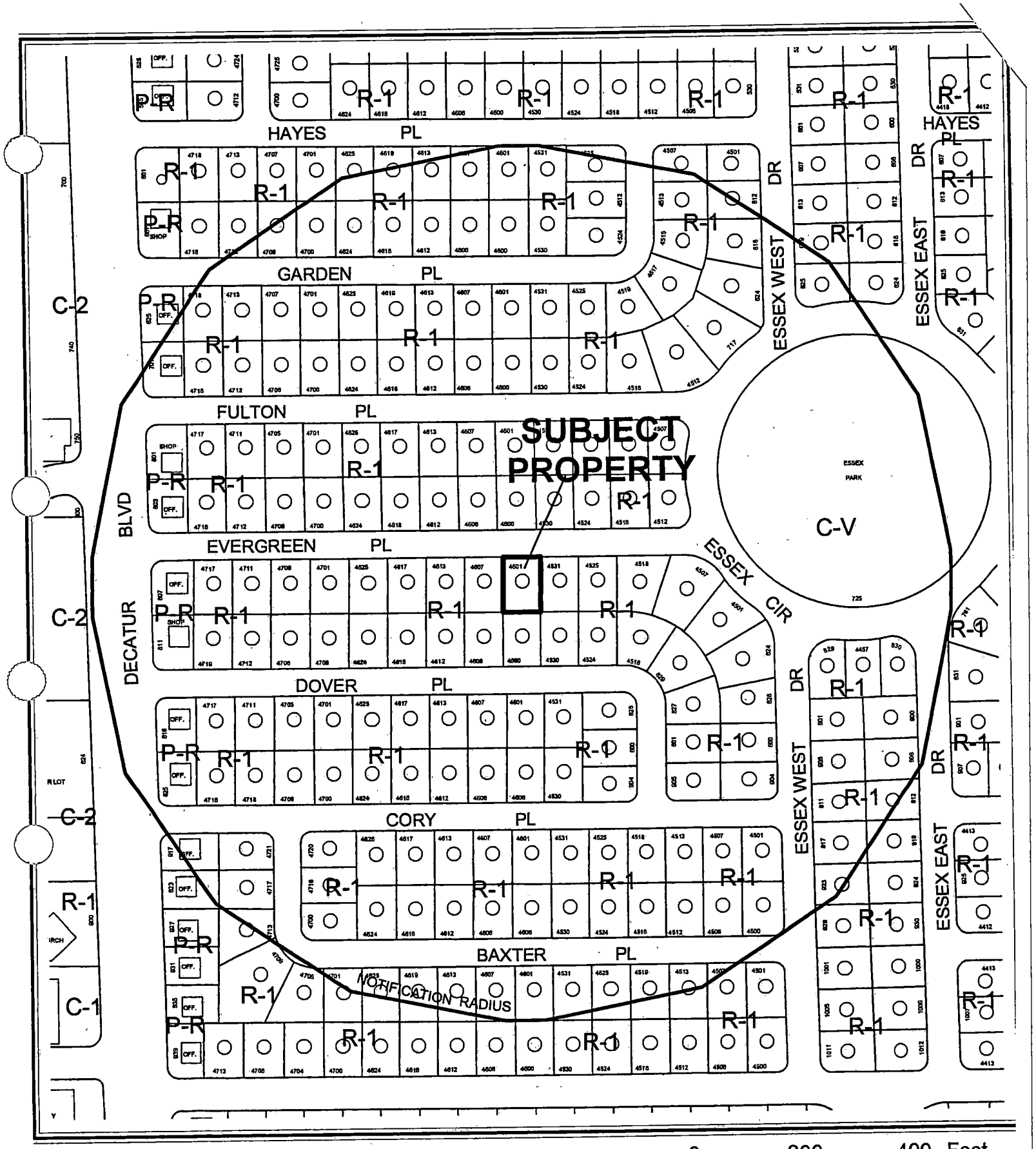
MINUTES – Continued:

SUSAN SCHAFF, 4601 Evergreen Place, stated that her family has lived in this residence for 18 years. Their home is approximately 50 years old, and they have made major upgrades/improvements, which has assisted in beautifying their neighborhood. MRS. SCHAFF continued by stating she obtained a permit in 1999 to build a wall. The wall was two feet high and solid block and then an additional two feet of wrought iron. Over the past eight months, they have experienced changes in their neighborhood, such as shootings, a drunk driver crashed into their front wall, home burglary, vagrants, and an increased population in their neighborhood. They own two dogs that are trained to protect their property, and their concern is that someone could get bitten. On occasions, individuals including children pass by and harass the dogs. As a result, MRS. SCHAFF placed mesh behind the wrought iron fence to avoid individuals from putting their fingers through the fence. Unfortunately, individuals reach over the fence and continue to probe the dogs. MRS. SCHAFF recently removed the wrought iron from the wall and replaced it with two rows of block wall then placed the old wrought iron back on. She used the overhead to show photos of the wall, which was done by a licensed professional. MRS. SCHAFF stated their intent was not to violate any Codes; she felt that there was a serious need to protect her home and her dogs. She continued by stating she obtained nine signed letters by adjacent neighbors that do not oppose this application and support what MRS. SCHAFF has been trying to accomplish. MRS. SCHAFF stated she is in law enforcement and both she and her husband are careful in their actions and how they drive. She appealed to the Commission to approve the application.

SHIELA CHANCE, 4600 Evergreen and MARGARET PRIVOL, original owner who resides across the street from MRS. SCHAFF, both testified to the aforementioned changes that have taken place in their neighborhood, and they both reiterated the problem with the increased foot traffic from the school and the park in which individuals passing by their homes tend to aggravate MRS. SCHAFF'S dogs. MS. CHANCE and MS. PRIVOL both supported MRS. SCHAFF'S application.

MRS. SCHAFF stated she is aware of the individual's name who had a complaint against MRS. SCHAFF. She added that she has not ever had any conversation with him, and the truth is, every house on her block violates the Code at times. She felt that she was being singled out, and this particular individual has issues with law enforcement.

COMMISSIONER GOYNES commended MRS. SCHAFF on presenting an excellent case. He felt that these homes do not obstruct views and is in close proximity of the park. He added that MRS. SCHAFF has a right to protect her property, due to the amount of foot traffic. He concluded by stating that he would support this application.



CASE: **VAR-4520**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE-FAMILY RESIDENTIAL)



0 200 400 Feet

CASE: **VAR-4520**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE-FAMILY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE

** CONDITIONS **

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

Planning and Development

1. This Variance shall expire two years from the date of approval.

2. Acquire all necessary permits from the Department of Building and Safety.

Public Works

3. Meet with the Traffic Engineering Representative in Land Development to ensure the wall does not interfere with Site Visibility Restriction Zones. The applicant shall be responsible to modify the wall as recommended by the Traffic Engineering Representative.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow an existing six-foot high solid wall (top 50% open construction) to remain in the front yard where four feet is the maximum allowed on 0.16 acres locate at 4601 Evergreen Place.

B) Applicant's Justification

The applicant states in a letter included with the application that the requested variance is needed to reduce vandalism, crime, harassment, and fear from others for the safety of her family residing on the property.

BACKGROUND INFORMATION

A) Previous Actions

None

B) Pre-Application Meeting

05/14/04 Discussion centered on the need for a variance for an existing six-foot high wall along the front property line that was constructed in violation of the Zoning Code. It was reported that the property owner was issued a citation on 04/20/04 for a zoning violation (Reference #: 13218).

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: 0.16

B) Existing Land Use

Subject Property:	Single family residential
North:	Single family residential
South:	Single family residential
East:	Single family residential
West:	Single family residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is L (Low Density Residential), which permits up to 4.5 dwelling units per acre, and is zoned R-1 (Single Family Residential).

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 requested Variance is not related to any specific General Plan policies.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

DDS

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 square feet		Y
Min. Lot Width	65 feet		Y
Min. Setbacks • Front • Side • Corner • Rear	 20 feet 5 feet 15 15		 Y Y NA Y
Max. Lot Coverage	50%		Y
Max. Building Height	2 Stories / 35 Feet		Y
Maximum front wall height	4 feet w/ the top 2 feet 50% open	6 feet w/ top 2 feet 50% open	N

The existing dwelling is in compliance with the Zoning Code. The front wall height is not in compliance, which is the purpose for this variance.

B) General Analysis and Discussion

This variance is to allow an existing front wall and gate to remain at a height of six feet where four feet is the maximum height allowed. Title 19 further requires that the top two feet of a four-foot high wall be less than 50% solid. In this case, the applicant has constructed the wall to a height of six feet with the top two feet less than 50% solid. The wall is in noncompliance with the Zoning Code.

The existing wall is within required sight visibility restriction zones that allow for safe vehicular movements through the driveway. The presence of the wall is potentially dangerous to pedestrians on the sidewalk or to drivers of vehicles in the street from cars backing out into the street from the property. Visibility is also reduced or blocked for those drivers of vehicles exiting adjacent properties.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), the 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."

Still, the owner of the subject property, without the proposed addition or a higher wall/fence, realizes beneficial use of the property, as a residence currently exists on the property. Furthermore, the hardship is "self-created or self imposed," as the hardship resulted upon the establishment of the wall. Based upon these findings, no hardship exists, and it is recommended that the variance be denied.

NOTICES MAILED 198

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4520 APN: _____

Name of Property Owner: SUSAN SCHAAF-WHITE

Name of Applicant: SUSAN SCHAAF WHITE

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: Susan Schaaf White

Print Name: SUSAN SCHAAF WHITE

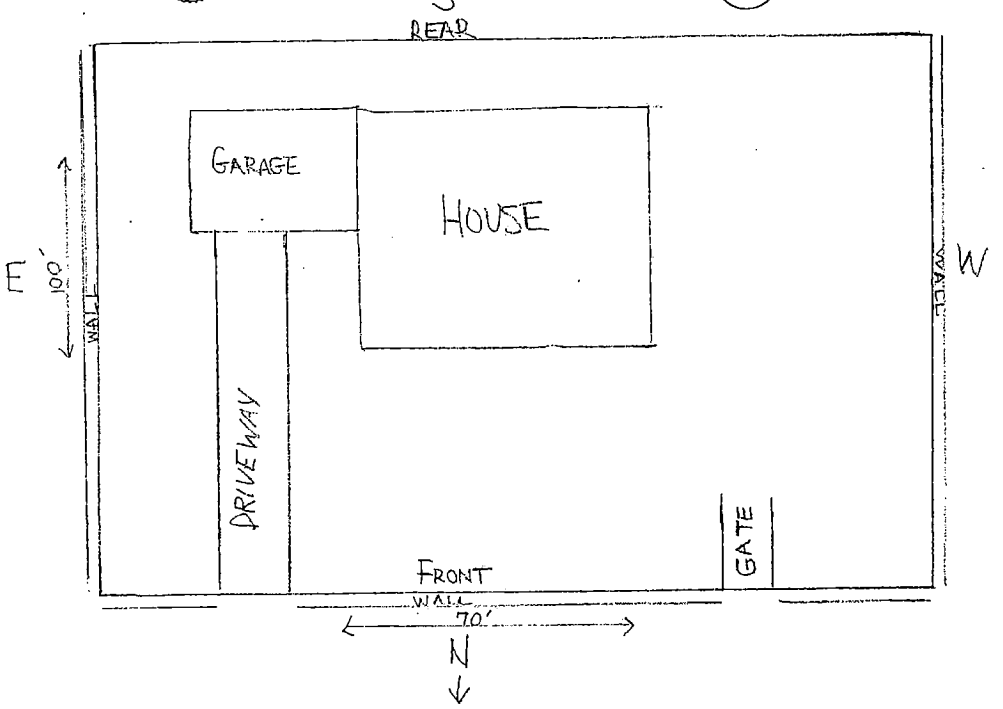
Subscribed and sworn before me

This 18TH day of MAY, 2004

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DOREEN BICKEL
Appt. No. 03-80470-1
My Appt. Expires Dec. 12, 2006

SITE PLAN 4601 EVERGREEN PLACE



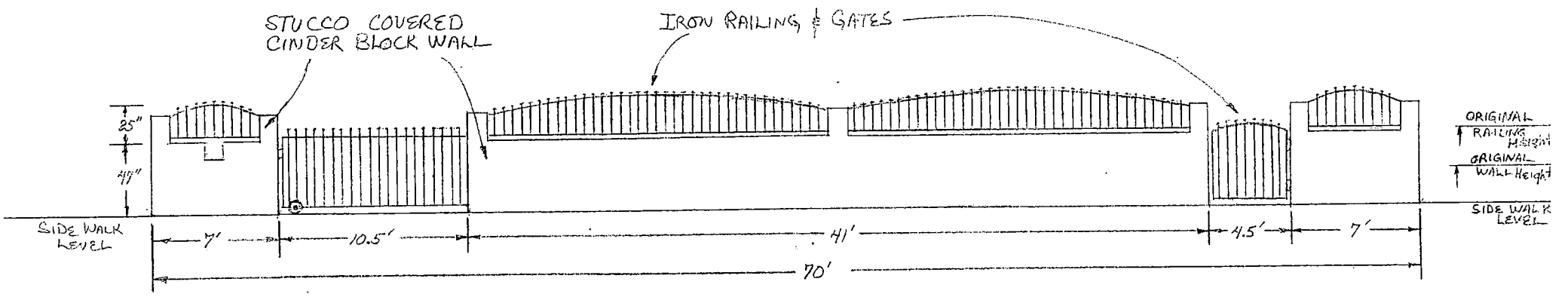
RESIDENTS
SUSAN SCHAAF-WHITE
DENNIS WHITE
4601 EVERGREEN PLACE

FRONT PROPERTY LINE

Lot 501
BLOCK 21
SUB HYDE PARK #3
PARCEL # 139-31-410-010
ZONE R-1

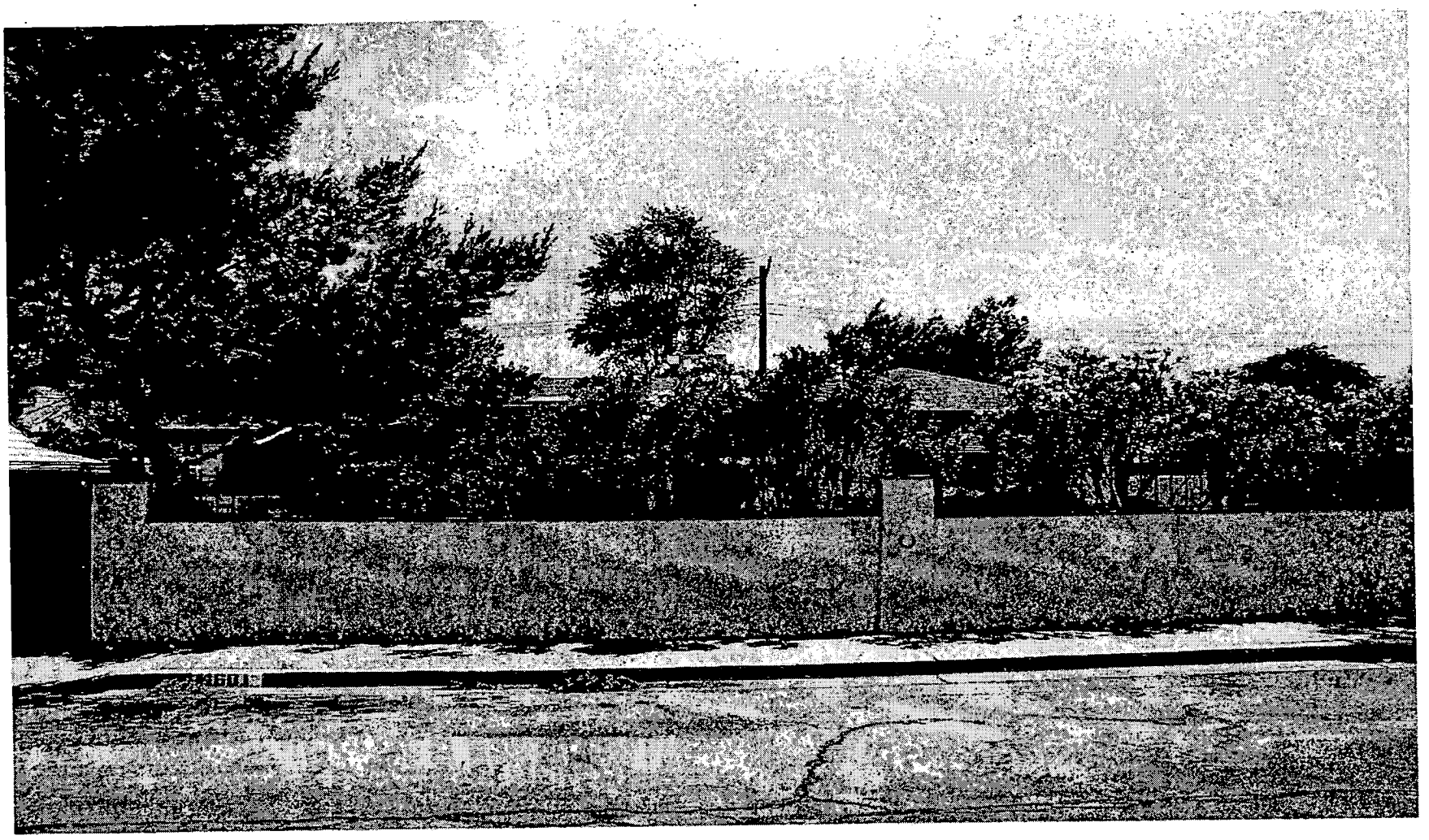
SCALE 1/4" = 1'-0"

NOTE:
ORIGINAL WALL HEIGHT
24" WITH 25" OF RAILING
PER PLAN CHECK # M-1108-99



FRONT ELEVATION

VAR-4520
07-08-04 PC



VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE
4601 EVERGREEN PLACE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittals at Planning Commission – Letters of Support – Randy Black, Jr.

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

DAVID CLAPSADDLE, Planning and Development Department, stated that this project is located within the Montecito Marketplace, and all three uses meet all standards of the Code. The applicant does not meet the recently adopted distance separation standards for financial institutions.

MINUTES – Continued:

CHRIS KEMPFER appeared on behalf of the applicant and accepted staff's conditions on Item 48 [SUP-4506] and Item 50 [SUP-4509]. MR. KEMPFER wanted to clarify, for the record, the limited hours of operation from 9:00 a.m. to 7:00 p.m. only pertain to the proposed Pawn Shop. There are other businesses within the Montecito Marketplace that have extended hours. Regarding Item 49 [SUP-4507], MR. KEMPFER used the overhead to show how the entire parcel is located within 200 feet of a residential neighborhood. In addition, he pointed out how the Pawn Shop itself is actually 600 feet away from the property to the south of the project. As a result, there is no impact to the multi-family residents residing south of Dorrell Lane. Yet, the limitation applies to a parcel, so the applicant would be in violation of the Code. He continued by stating immediately adjacent to their proposed property, a parcel was approved for 13 units per acre. To date, nothing has been built on this parcel, and MR. KEMPFER felt that there would still be no impact on these potential residents on this parcel.

COMMISSIONER McSWAIN commented that the reason why certain conditions are imposed is to alleviate a clustered look or saturation problems, but she felt that this project or its location would not impact the neighborhood in this manner, so she would support the project. MR. KEMPFER confirmed for COMMISSIONER McSWAIN that individuals also use these types of facilities for borrowing against their personal property.

MR. CLAPSADDLE clarified for VICE CHAIRMAN NIGRO that the new distance separation requirement is not measured by a location/address but per parcel, as a means for consistency. MARGO WHEELER, Planning and Development, added that this requirement is explicitly stated in the Ordinance.

MR. KEMPFER verified for COMMISSIONER GOYNES that the proposed financial institution is located within the Super Pawn.

COMMISSIONER STEINMAN agreed with MR. KEMPFER comments regarding the proposed project not having an impact on the residential community to the south of this proposed project, due to the fact that the distance would actually be 600 feet. MR. CLAPSADDLE informed COMMISSIONER STEINMAN that the residential property located west of this proposed property is zero feet from the west property line to this parcel, which is within 200 feet. COMMISSIONER STEINMAN then stated he was not sure if the intent of the Ordinance was for the Commission to judge how Super Pawn affects someone residing in a parking complex in the financial aspect. He would be more concerned with the property to the west and not the one to the south regarding the distance. He added that he would support this application. MR. KEMPFER added that even the existing residents to the west of the proposed property would already be aware of their surroundings because these projects would already be built.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 48 – SUP-4506

MINUTES – Continued:
No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)
4-637

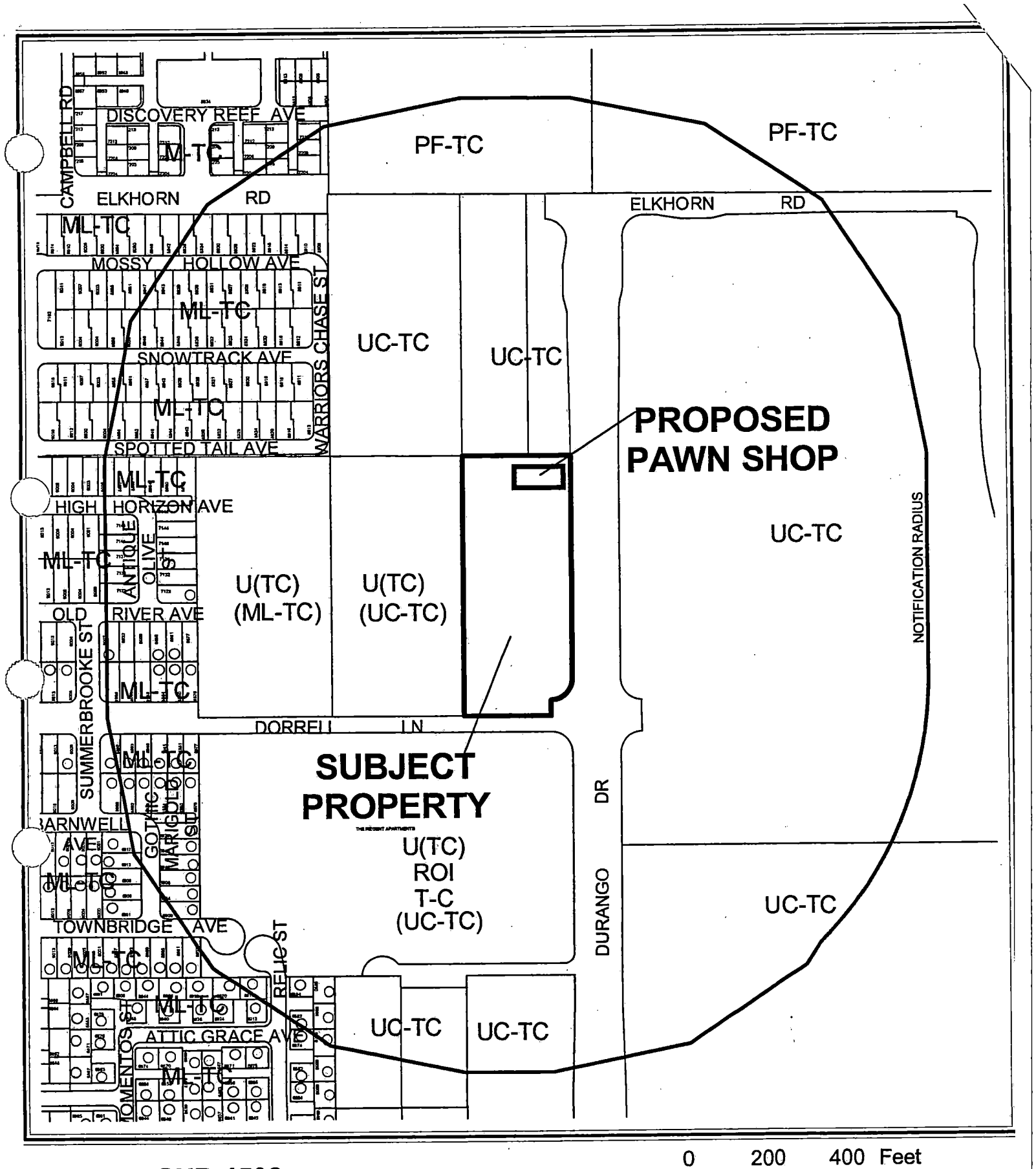
CONDITIONS:
Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

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

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

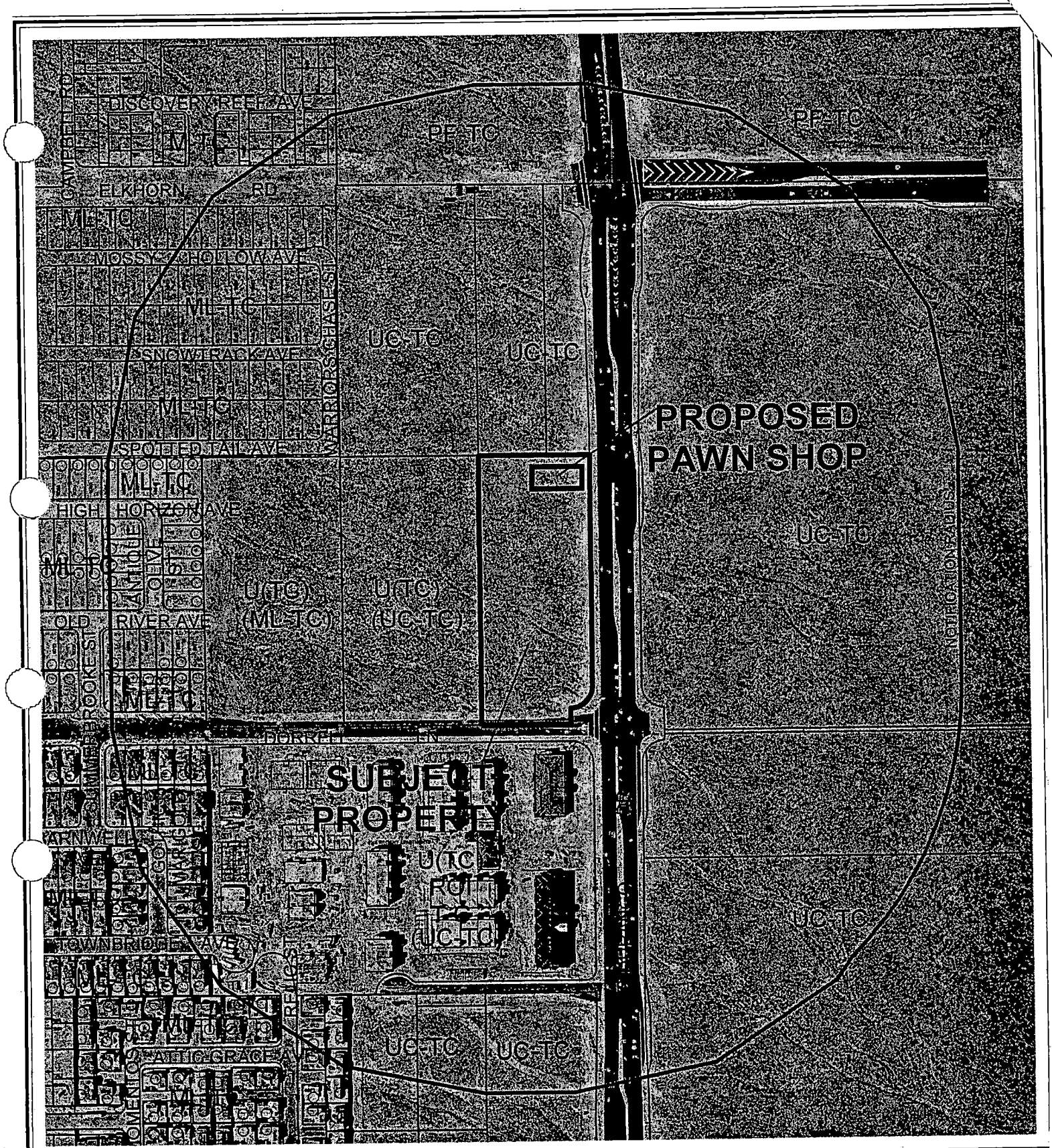


CASE: **SUP-4506**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]

N



CASE: **SUP-4506**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

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

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

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Pawn Shop within the Montecito Marketplace commercial development adjacent to the northwest corner of Durango Drive and Dorrell Lane. Special Use Permits for the Financial Institution, Specified (SUP-4507) and Secondhand Sales (SUP-4509) uses within the same building will be considered concurrently by the Planning Commission.

B) Applicant's Justification

The Pawn Shop use is now permitted in the Montecito Town Center area with approval of a Special Use Permit. The proposed Pawn Shop will abide by all City code standards.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on 03/25/99.

12/30/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Pawn Shop" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

04/07/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

SS

07/08/04 The Planning Commission will consider two related Special Use Permits on the subject site: a Special Use Permit for a proposed Financial Institution Specified with a Waiver of the 200-foot distance separation requirement from residential uses (SUP-4507) and for proposed Secondhand Sales of jewelry, electronics, tools, musical instruments, and similar items (SUP-4509). Staff recommends denial of SUP-4507 and approval of SUP-4509.

B) Pre-Application Meeting

04/07/04 Staff and the applicant discussed the uses requested for the building, which is to include a pawn shop, check cashing and auto title loan center, and a drive-up window. The Pawn Shop, Financial Institution, Specified, and Drive-Through uses have all been administratively approved by the Director of the Planning and Development Department as "Non-Material Modifications" to the Montecito Town Center Development Agreement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Multi-Family Dwellings (Condos) and Retail
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use – Town Center)
North:	UC-TC (Urban Center Mixed Use – Town Center)
South:	UC-TC (Urban Center Mixed Use – Town Center)
East:	UC-TC (Urban Center Mixed Use – Town Center)
West:	UC-TC (Urban Center Mixed Use – Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Pawn Shop" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Montecito Town Center Development Agreement	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

Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Montecito Town Center Development Agreement. These standards differ from the standards of the Town Center Development Standards Manual.

There are no trails adjacent to the site, as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C of the Town Center Development Standards Manual.

Durango Drive will be developed as a Town Center Parkway Arterial (120 feet wide), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which requires a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Pawn Shop use or the other uses proposed for the site. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	2,288 SF	1/200 SF GFA, plus one lane for each drive-up window, with stacking for 6 vehicles	12	---		
Commercial Uses not listed	4,709 SF	1/250 SF GFA	19	---		
TOTAL	6,997 SF	---	29	2	38	2

The subject building (proposed under SDR-3764) was originally planned as a drive-through restaurant, which requires one parking space per 100 square feet of gross floor area, including outdoor seating areas, plus one lane for each drive-up window, with stacking space for six vehicles. Since this was a more restrictive parking requirement than for the Financial Institution and other commercial uses, the site will be able to accommodate the parking requirements of the proposed development. The site will contain one drive-through lane with enough stacking distance for six vehicles. The number of parking spaces provided refers to those on the pawn shop site, not to the number of spaces within the overall development. The site will eventually have the benefit of shared parking across proposed property lines within a recorded commercial subdivision.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Pawn Shop uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual. No other Pawn Shop use exists in the area, as it is not a permitted use in the Town Center Plan area.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) and designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Pawn Shop use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a Pawn Shop use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

The proposed site is identified as Pad DD on the approved site plan for the Montecito Marketplace commercial development. The proposed building is two stories and 6,997 square feet, containing 2,288 square feet of area to be utilized for customer service. The rest of the area will be used for storage and administrative activities.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Pawn Shop use. As the approved Site Development Plan Review (SDR-3764) for Montecito Marketplace depicted the subject site containing a single-story, 3,950 square-foot building rather than the request that is part of this application, it is recommended that approval of this use be subject to the approval of a new Site Development Plan Review for the larger site to be approved administratively by Planning and Development Department staff. The use will also be subject to the proposed.hours of operation.

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 Pawn Shop use will be compatible with other uses planned and approved for Montecito Marketplace and with other commercial development to the north. Because the proposed building is larger than first approved, it is recommended that a new Site Development Plan Review for the subject pad site be approved administratively before permits are issued.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Pawn 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."**

   Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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 Pawn Shop use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 57 (Mailed with SUP-4507 and SUP-4509

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4506 APN: 125-20l-01-017

Name of Property Owner: MTC 118, INC.

Name of Applicant: Cameo, Inc. dba SuperPawn

* Steven Mack is 100% sole owner of Cameo, 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?

X Yes _____ No

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

City Official: Michael Mack

Partner(s): Applicant

APN: Relative

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen.

Subscribed and sworn before me

This 10 day of May, 2004

Marsha Bloss

Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4506 APN: 125-201-01-017

Name of Property Owner: TTR Properties

Name of Applicant: Camco, Inc. dba. Superpawn

* Steven Mack is 100% sole owner of Camco, 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 _____ 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: Michael Mack

Partner(s): Applicant

APN: Relative

Signature of Property Owner/Authorized Agent: _____

Print Name: Steven A. Mack

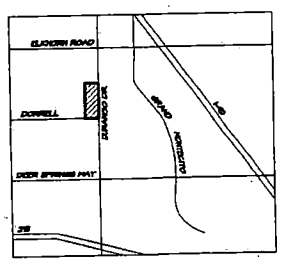
Subscribed and sworn before me

This 19 day of May, 2004

Darlene A. Nepp

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE A. NEPP
No: 96-2068-1
My Appointment Expires Nov. 29, 2004



3 VICINITY PLAN
SCALE : NONE

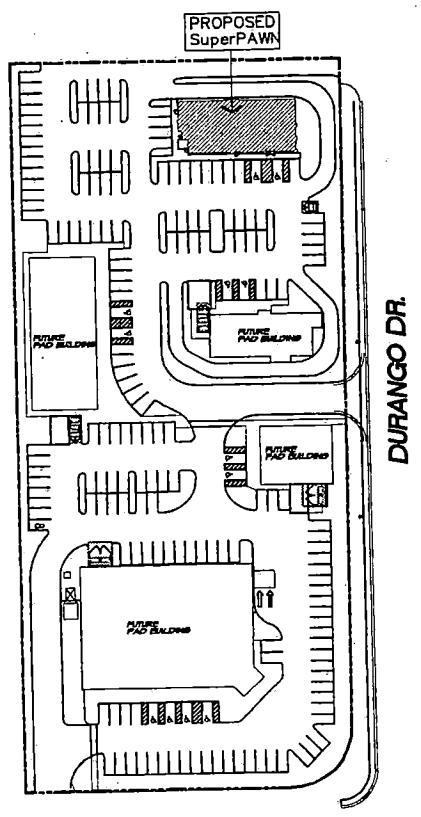
SITE DATA	
LOT AREA GROSS TOTAL:	50,046 S.F. (1.14 ACRES)
EXISTING ZONING:	(U) / TC UNDEVELOPED / TOWN CENTER
APN :	139-30-101-017
DESCRIPTION	AREA
PROPOSED RETAIL PAD BLDG:	4,247 S.F. TOTAL
ALLOWABLE LOT COVERAGE: 60% x 30,046 S.F. =	18,027 S.F.
PROPOSED LOT COVERAGE: LOT COVERAGE (14%) :	4,247 S.F.

PARKING REQUIRED :

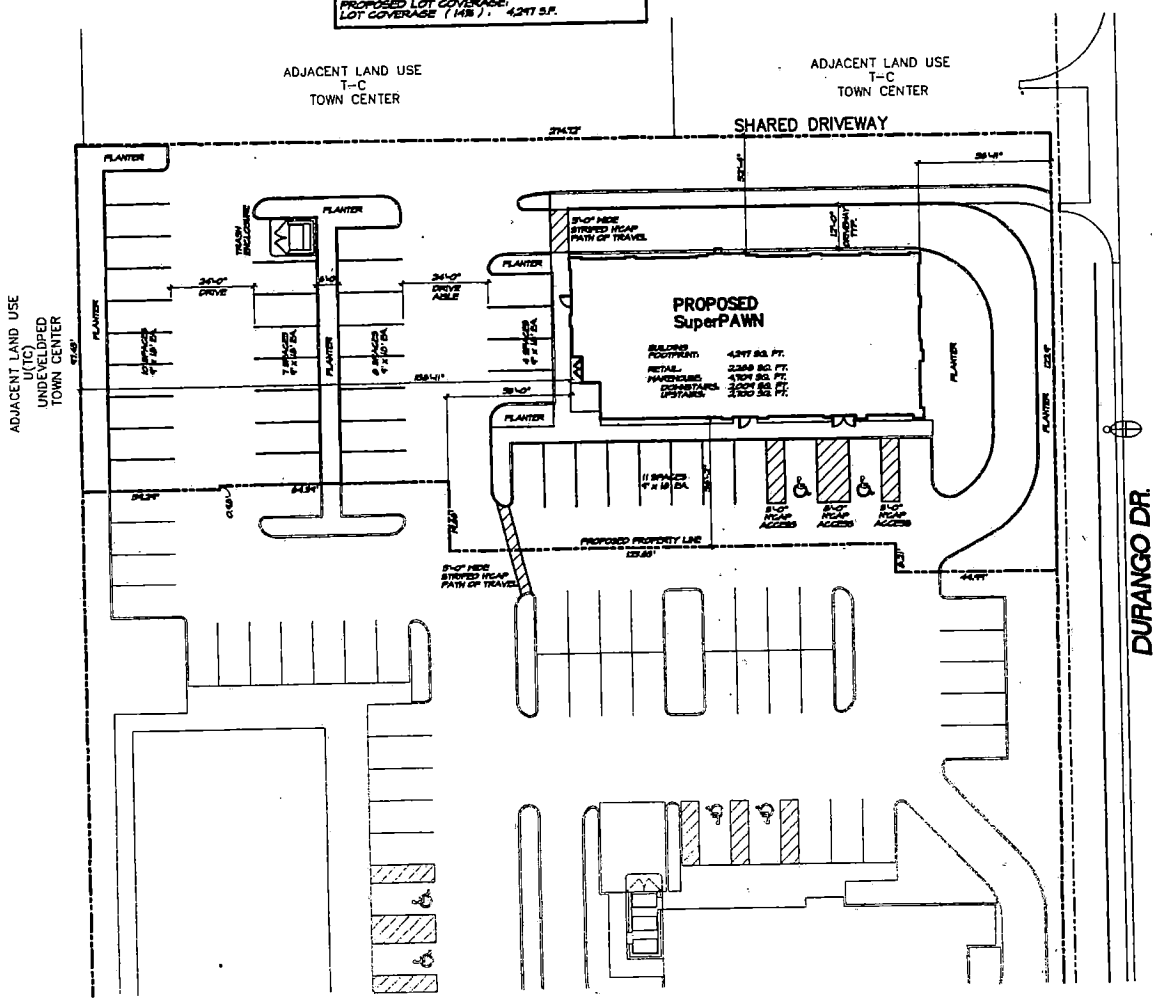
WAREHOUSE PORTION :
6,947 S.F.
1 SPACES PER 175 SQ. FT. = 40 SPACES

TOTAL PARKING REQUIRED :
40 TOTAL SPACES
(2 HANDICAP SPACES)

TOTAL PARKING PROVIDED :
40 TOTAL SPACES
(2 HANDICAP SPACES)



2 LOCATION MAP



1 SITE PLAN
SCALE : 1/16" = 1'-0"

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

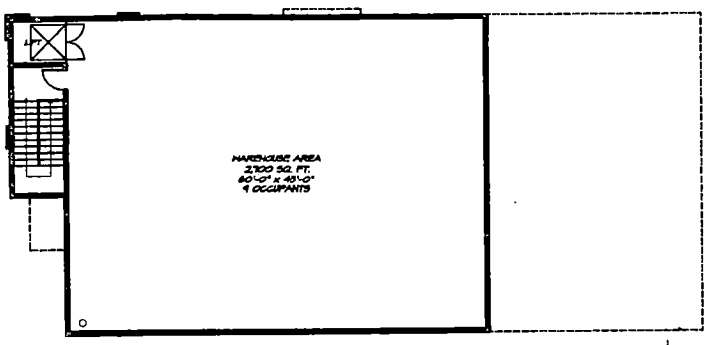
MARK ROSS JOHNSON
ARCHITECT
4790 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3408 FAX: (702) 869-3303

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

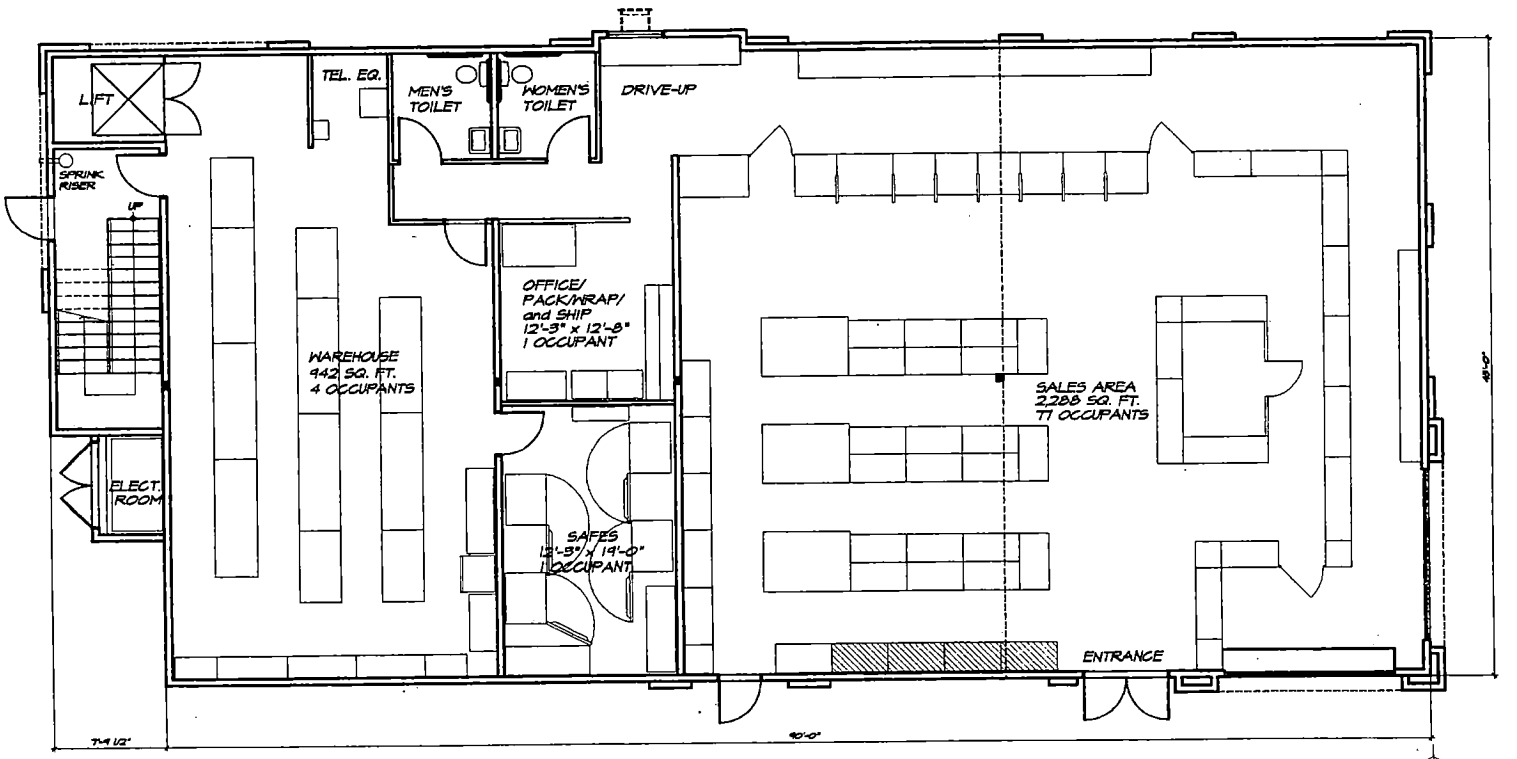
Date: 3/4/04

PROJECT NUMBER
200330

A-1.1



2 LEVEL TWO FLOOR PLAN
SCALE : 1/8" = 1'-0"



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

TOTAL BUILDING: 6,997 SQ. FT.
RETAIL: 2288 SQ. FT.
WAREHOUSE: 4,709 SQ. FT.
DOWNSTAIRS: 2,009 SQ. FT.
UPSTAIRS: 2,700 SQ. FT.

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

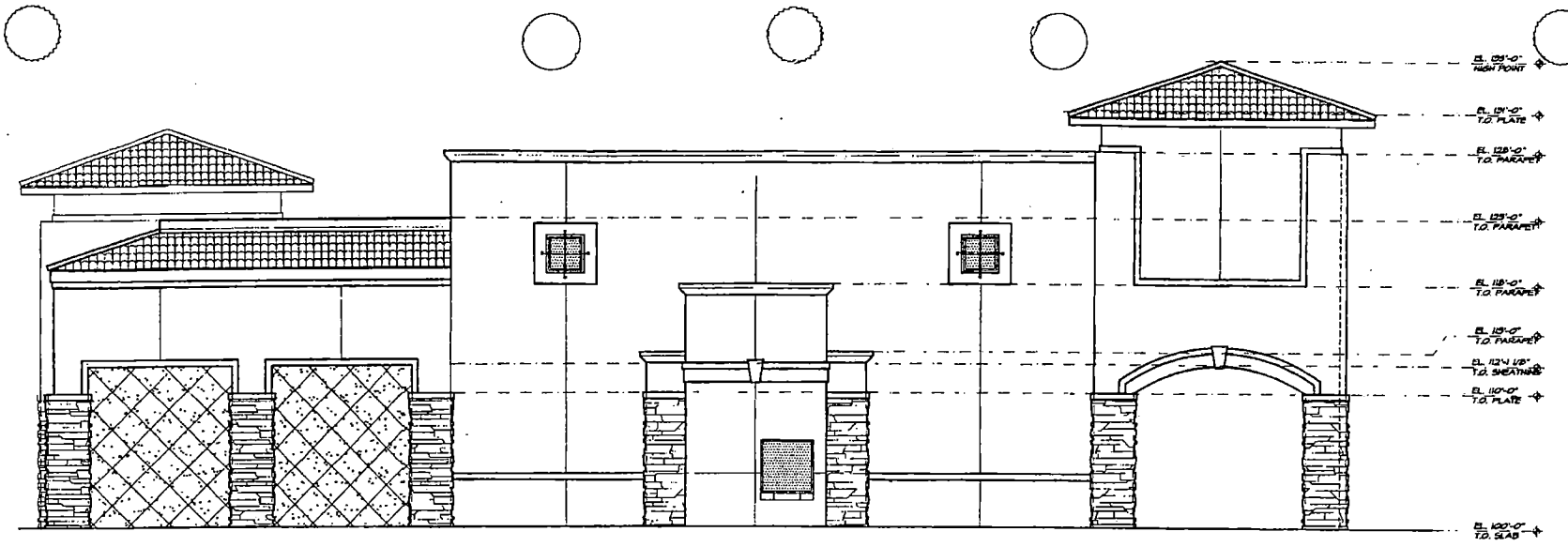
MARK ROSS JOHNSON
ARCHITECT
2710 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89102
(702) 647-4441 FAX: (702) 869-3813

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
LAS VEGAS, NEVADA

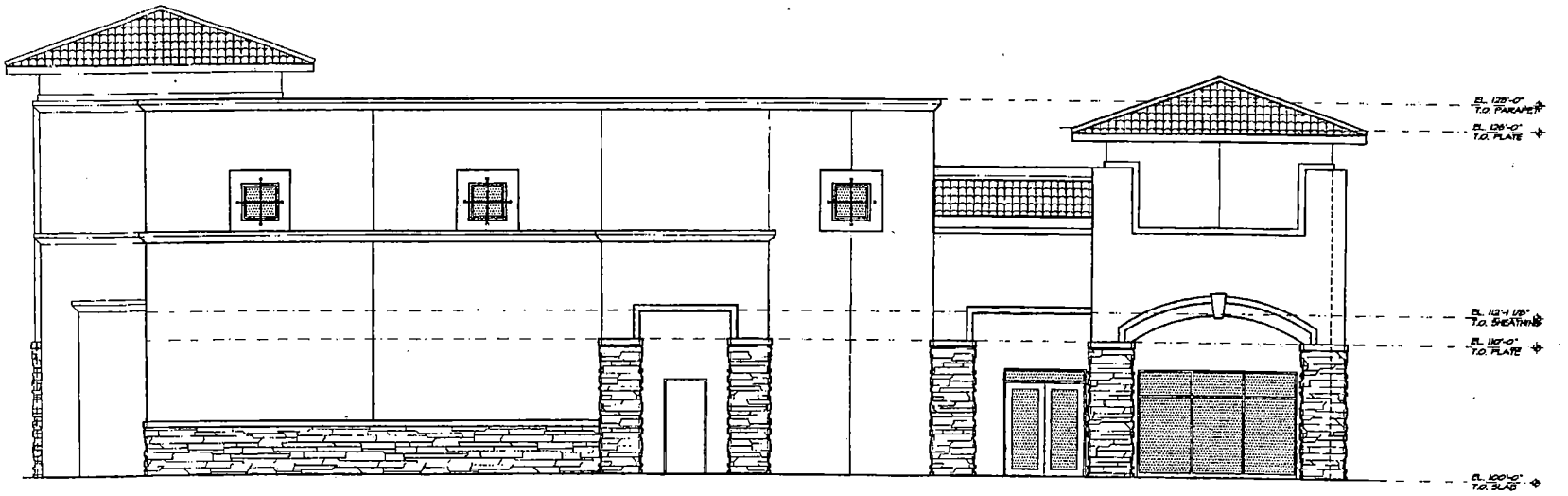
Date: 5/14/04

PROJECT NUMBER
200338

A-3.



2 NORTH ELEVATION
SCALE : 1/4" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT
4760 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 870-1828 FAX: (702) 365-2616

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN
CITY OF LAS VEGAS NV

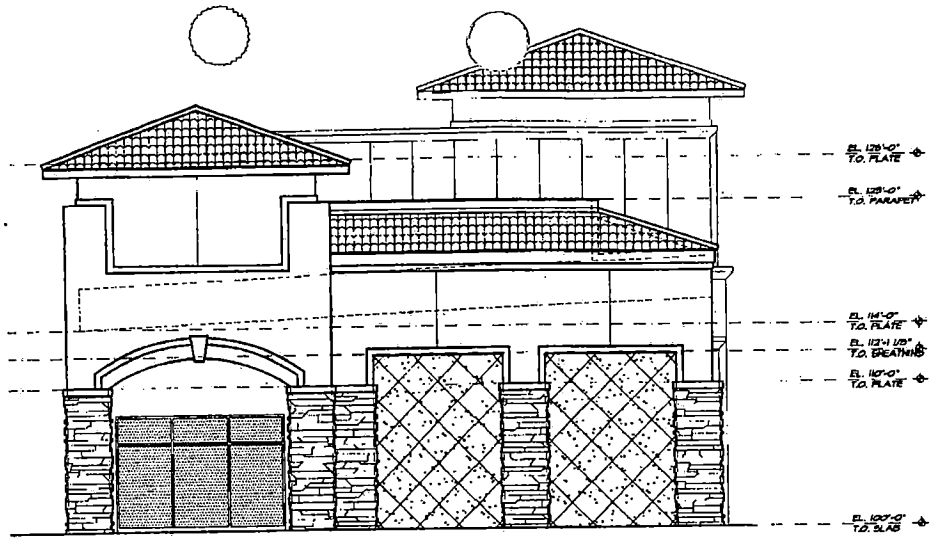
Date: 5/4/04

PROJECT NUMBER
200358

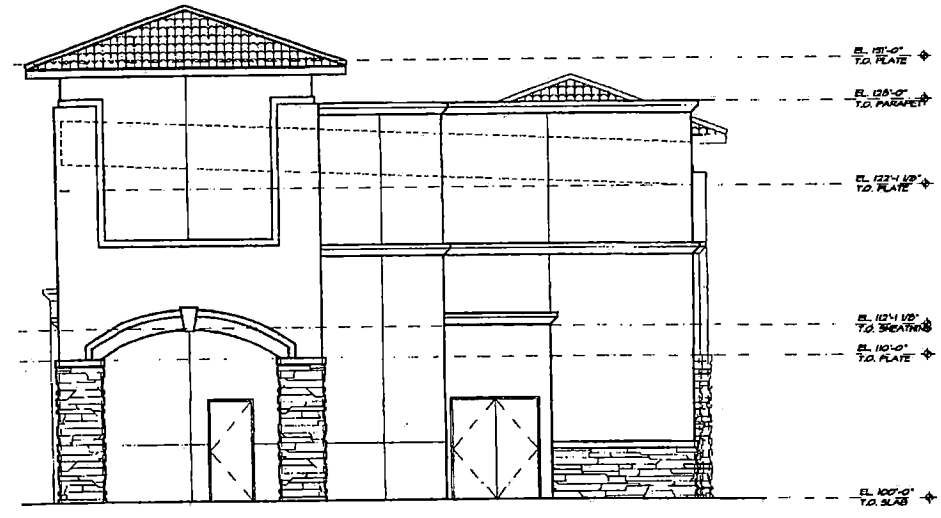
A-6.1

STAFF
SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



2 EAST ELEVATION
SCALE : 1/4" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT
6720 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89101
TEL: (702) 645-3968 FAX: (702) 645-3933

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

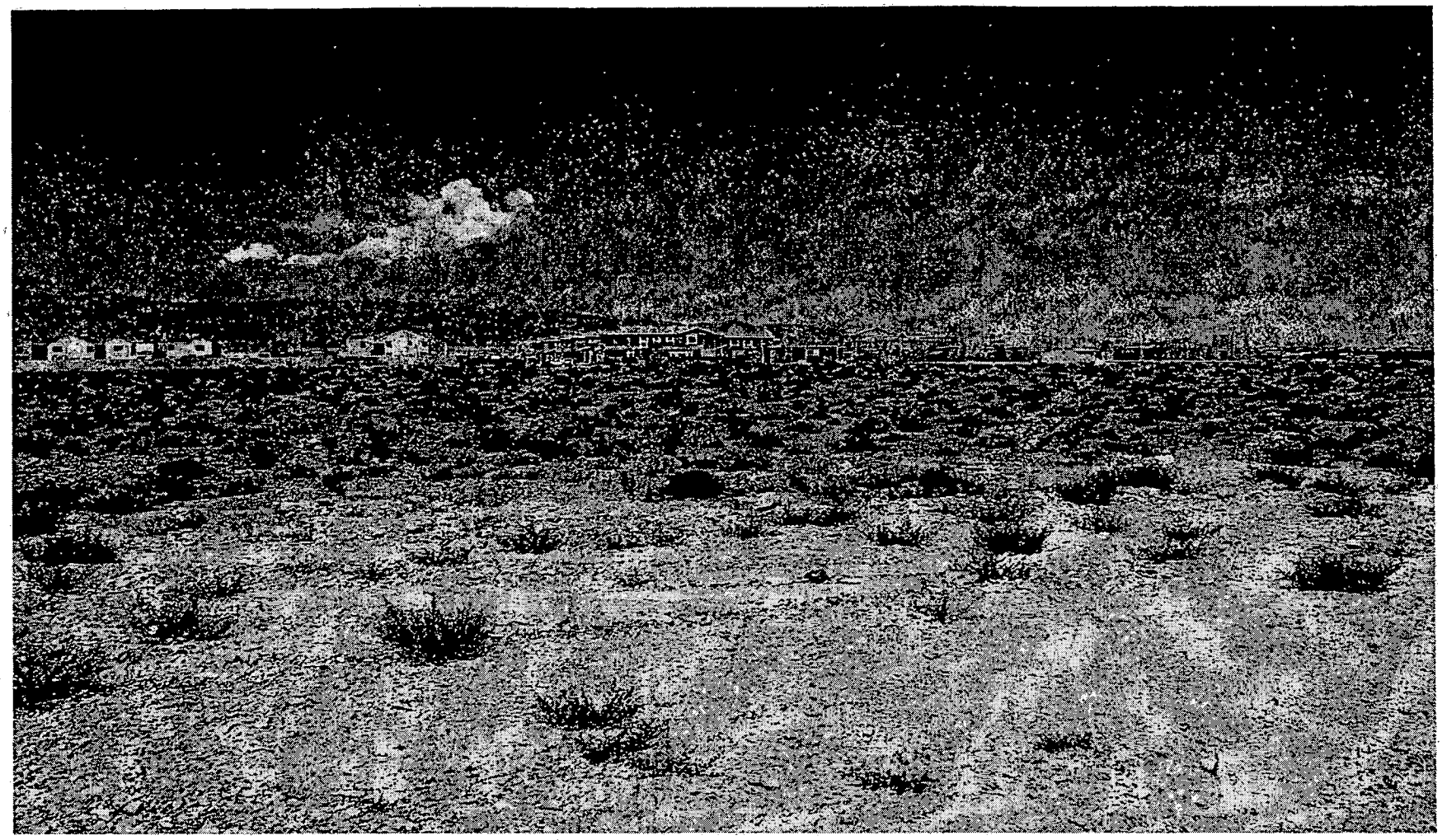
FOR: SUPERPAWN
CITY OF LAS VEGAS, NV

Date: 5/19/04

PROJECT NUMBER
200336

A-6.2

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

8080[A] WEST SAHARA AVENUE
LAS VEGAS, NEVADA 89117

702 | 851-3999 | ph
851-3998 | fx

RECEIVED
CITY CLERK

2004 JUL -7 A 11:34

July 6, 2004

City of Las Vegas
City Clerk
400 East Stewart Avenue
First Floor
Las Vegas, NV 89101

Re: Camco, Inc. – SUP-4506, SUP-4507, SUP-4509

Dear City Council, Planning Commissioners and Staff:

As Manager of Not Our Fault, LLC, one of the adjacent property owners to the North of the subject property, please accept this letter in support of the requested special use permits and hereby request your approval of same. Thank you.

Respectfully,

Randy Black, Jr.

Support

Planning has copies already - fax'd 07-08-04 to Planning.

Submitted after final agenda

Date 7/7/04 Item #48 #49 #50

8080(A) WEST SAHARA AVENUE
LAS VEGAS, NEVADA 89117

702 | 851-3999 | ph
851-3998 | fx

RECEIVED
CITY CLERK

2004 JUL -7 A 11:34

July 6, 2004

City of Las Vegas
City Clerk
400 East Stewart Avenue
First Floor
Las Vegas, NV 89101

Re: Camco, Inc. – SUP-4506, SUP-4507, SUP-4509

Dear City Council, Planning Commissioners and Staff:

As Manager of Amigo Land Company, LLC, one of the adjacent property owners to the North of the subject property, please accept this letter in support of the requested special use permits and hereby request your approval of same. Thank you.

Respectfully,

Randy Black, Jr.

Support

Submitted after final agenda

Date 7/7/04 Item # 48
49
50

8080[A] WEST SAHARA AVENUE
LAS VEGAS, NEVADA 89117

702 | 851-3999 | ph
851-3998 | fx

RECEIVED
CITY CLERK

2004 JUL -7 A 11:34

July 6, 2004

City of Las Vegas
City Clerk
400 East Stewart Avenue
First Floor
Las Vegas, NV 89101

Re: Camco, Inc. – SUP-4506, SUP-4507, SUP-4509

Dear City Council, Planning Commissioners and Staff:

As Manager of $75,000, LLC, one of the adjacent property owners to the North of the subject property, please accept this letter in support of the requested special use permits and hereby request your approval of same. Thank you.

Respectfully,

Randy Black, Jr.

Support

Submitted after final agenda

Date 7/7/04 Item #48
#49
#50

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	0051
RECIPIENT ADDRESS	3857268
DESTINATION ID	
ST. TIME	07/08 09:59
TIME USE	00'20
PAGES SENT	3
RESULT	OK

8050(A) WEST SAHARA AVENUE
LAS VEGAS, NEVADA 89117

702 | 851-3999 | ph
702 | 851-3998 | fx

RECEIVED
CITY CLERK

2004 JUL -7 A 11:34

July 6, 2004

City of Las Vegas
City Clerk
400 East Stewart Avenue
First Floor
Las Vegas, NV 89101

Re: Camco, Inc. – SUP-4506, SUP-4507, SUP-4509

Dear City Council, Planning Commissioners and Staff:

As Manager of Not Our Fault, LLC, one of the adjacent property owners to the North of the subject property, please accept this letter in support of the requested special use permits and hereby request your approval of same. Thank you.

Respectfully,

Randy Black, Jr.

Support

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO SUP-4506 - PUBLIC HEARING - SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 48 [SUP-4506] for all related discussion on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 49 – SUP-4507

CONDITIONS:

Planning and Development

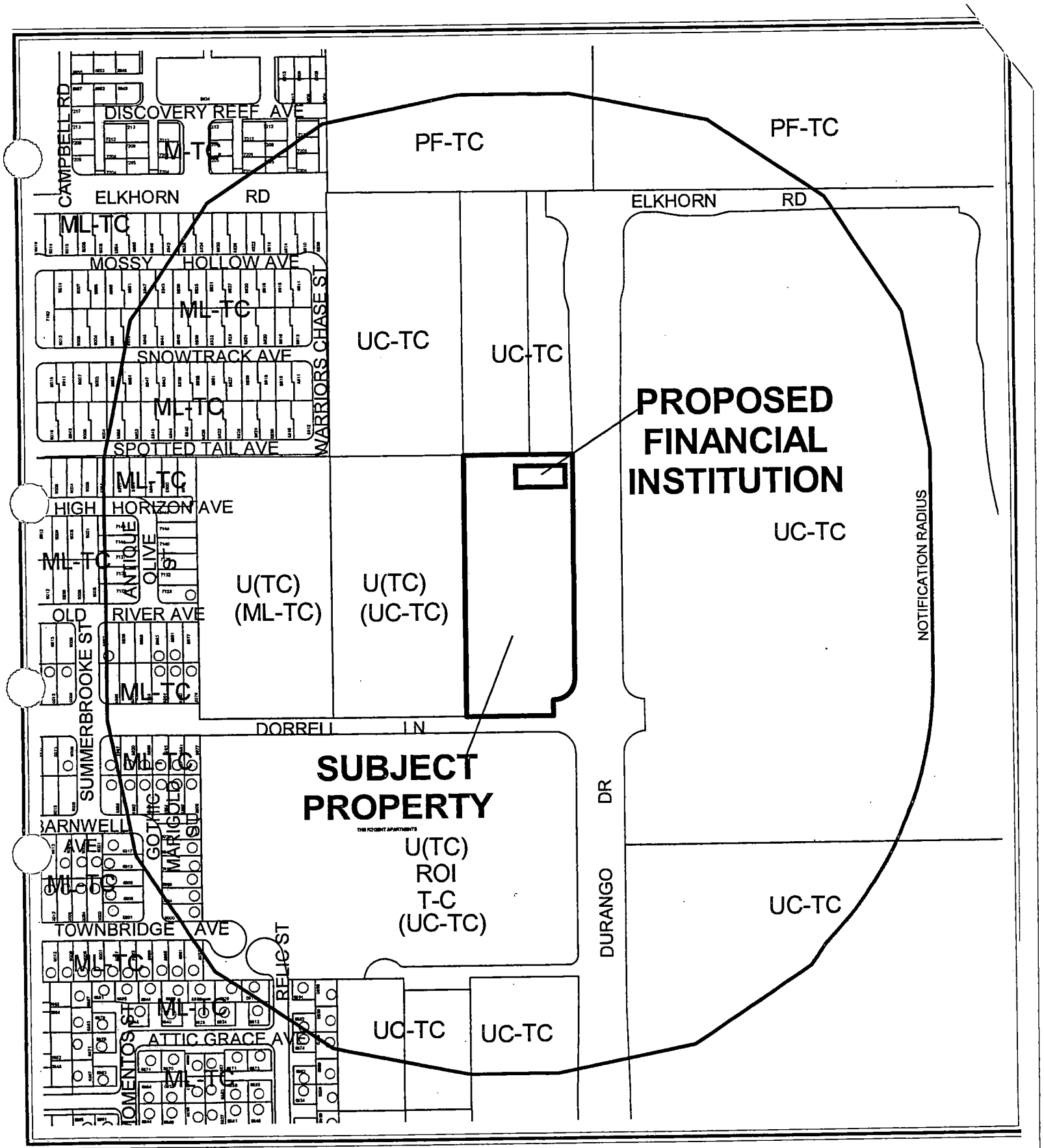
1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property, which is hereby waived.

3. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

4. 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.

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

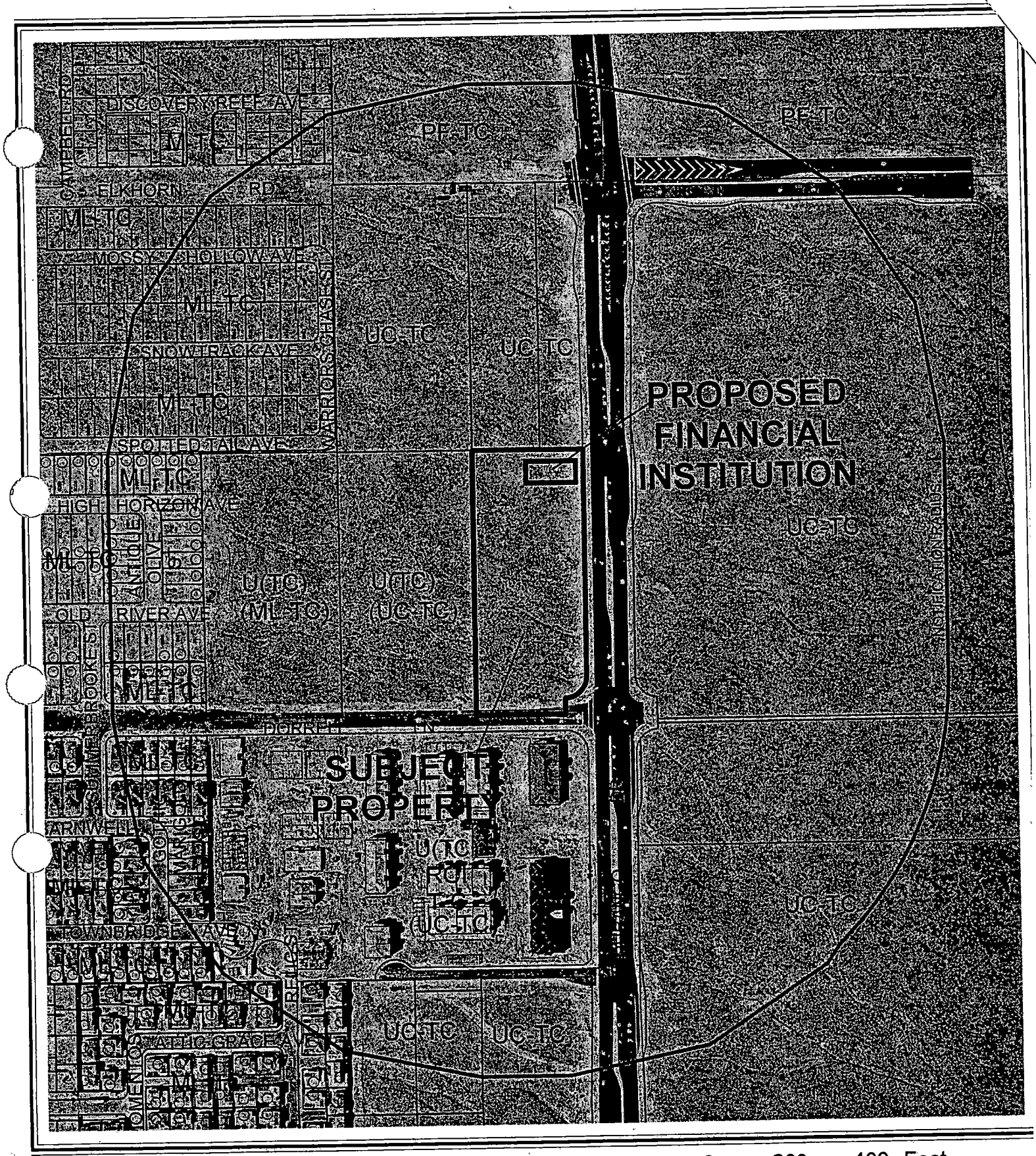


CASE: **SUP-4507**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]

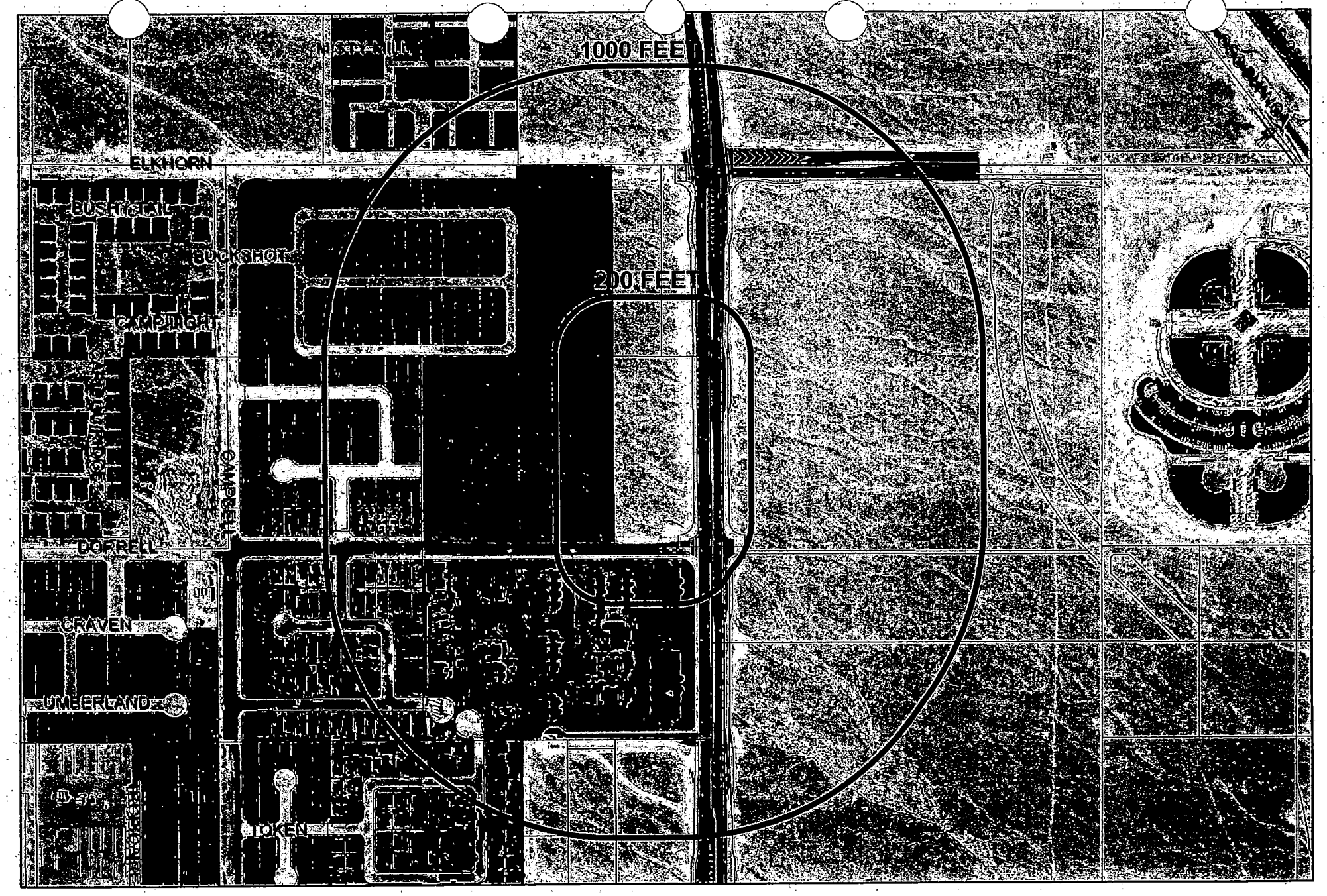
N



CASE: **SUP-4507**

RADIUS: 750 FT

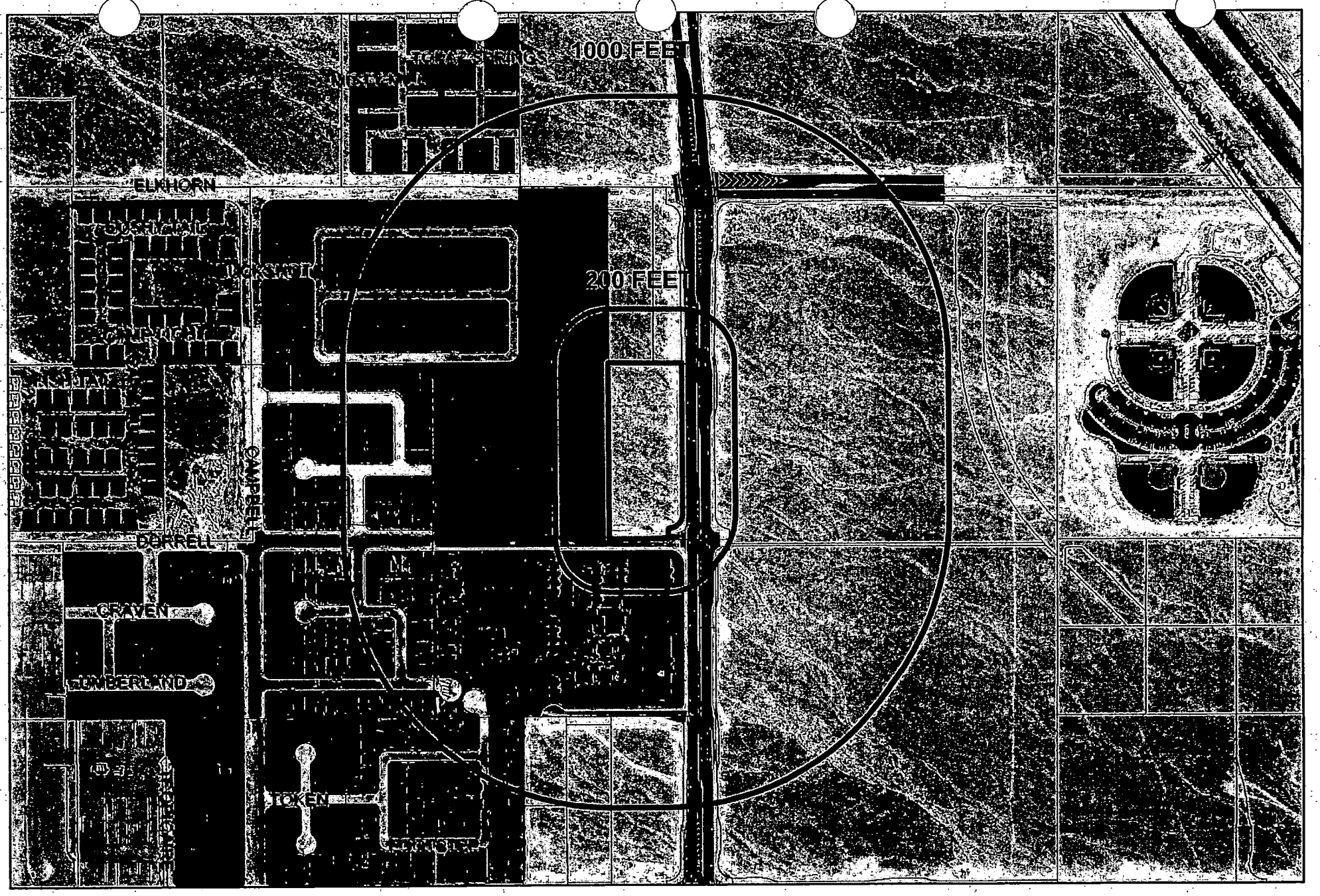
ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]



SUP-4507 Financial Business Locations

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

N



SUP-4507 Financial Business Locations

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property, which is hereby waived.

3. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

4. 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.

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

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Financial Institution, Specified and Auto Title Loan facility within the Montecito Marketplace commercial development adjacent to the northwest corner of Durango Drive and Dorrell Lane. Check cashing, payday loans, and auto title loans are offered as part of the proposed use. Special Use Permits for proposed Pawn Shop (SUP-4506) and Secondhand Sales (SUP-4509) uses within the same building will be considered concurrently by the Planning Commission.

B) Applicant's Justification

The Financial Institution, Specified use is now permitted in the Montecito Town Center area with approval of a Special Use Permit. The proposed use will abide by all City code standards.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. 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 five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

04/21/04 The City Council adopted Bill No. 2003-78, which established locational restrictions and additional development standards for the uses "Auto Pawn," "Auto Title Loan," and "Financial Institution, Specified" as those terms are applied in the Las Vegas Zoning Code (Title 19).

05/07/04 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Financial Institution, Specified" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.

06/16/04 The City Council approved a request to amend the Town Center Land Use Plan of the Centennial Hills Sector Plan (GPA-4079) from ML-TC (Medium-Low Density Residential - Town Center) and UC-TC (Urban Center Mixed Use - Town Center) to M-TC (Medium Density Residential - Town Center); a request to Rezone (ZON-4084) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); and a request for a Site Development Plan Review for a proposed 209-lot single-family residential development on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive. The Planning Commission recommended approval and staff recommended denial on 05/13/04.

07/08/04 The Planning Commission will consider two related Special Use Permits on the subject site: a Special Use Permit for a proposed Pawn Shop (SUP-4506) and for proposed Secondhand Sales of jewelry, electronics, tools, musical instruments, and similar items (SUP-4509). Staff recommends approval of both requests.

B) Pre-Application Meeting

04/07/04 Staff and the applicant discussed the uses requested for the building, which is to include a pawn shop, check cashing and auto title loan center, and a drive-up window. The Pawn Shop, Financial Institution, Specified, and Drive-Through uses have all been administratively approved by the Director of the Planning and Development Department as "Non-Material Modifications" to the Montecito Town Center Development Agreement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

SS

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Multi-Family Dwellings (Condos) and Retail
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use – Town Center)
North:	UC-TC (Urban Center Mixed Use – Town Center)
South:	UC-TC (Urban Center Mixed Use – Town Center)
East:	UC-TC (Urban Center Mixed Use – Town Center)
West:	UC-TC (Urban Center Mixed Use – Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Financial Institution, Specified use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Montecito Town Center Development Agreement	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

SS

Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement. These standards differ from the standards of the Town Center Development Standards Manual.

There are no trails adjacent to the site, as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C of the Town Center Development Standards Manual.

Durango Drive will be developed as a Town Center Parkway Arterial (120 feet wide), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which requires a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Pawn Shop use or the other uses proposed for the site. Since the Agreement has no specific parking standards for these uses, pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	2,288 SF	1/200 SF GFA, plus one lane for each drive-up window, with stacking for 6 vehicles	12	---		
Commercial Uses not listed	4,709 SF	1/250 SF GFA	19	---		
TOTAL	6,997 SF	---	29	2	38	2

SS

The subject building (proposed under SDR-3764) was originally planned as a drive-through restaurant, which requires one parking space per 100 square feet of gross floor area, including outdoor seating areas, plus one lane for each drive-up window, with stacking space for six vehicles. Since this was a more restrictive parking requirement than for the Financial Institution and other commercial uses, the site will be able to accommodate the parking requirements of the proposed development. The site will contain one drive-through lane with enough stacking distance for six vehicles. The number of parking spaces provided refers to those on the pawn shop site, not to the number of spaces within the overall development. The site will eventually have the benefit of shared parking across proposed property lines within a recorded commercial subdivision.

A2) Minimum Distance Separation Requirements

The written approval of the "Non-Material Modification" to the Montecito Town Center Land Use and Design Standards related to permitting Financial Institution, Specified uses with the approval of a Special Use Permit, states, "Any such use will need to conform to any distance separation or other standards adopted by the City Council for these types of uses." Therefore, pursuant to Title 19.04.050, the following distance separation standards apply to the subject proposal:

Standards	Code Requirement	Provided
Financial Institution, Specified/Auto Title Loan	No such use may be located closer than 200 feet from any parcel used or zoned for residential use	0 feet from west property line to property zoned for residential purposes; 40 feet from south property line to property line of parcel used for residential purposes
	No such use may be located closer than 1,000 feet from any other specified financial institution use, auto title loan use, or auto pawn use	Auto Title Loan use offered by applicant in the same building; this has no bearing on the separation requirement

The proposed Financial Institution, Specified does not meet the distance separation requirement from residential property. A Waiver of this requirement has been requested. At the present time, the subject site is a single parcel, separated from property to be used for condominiums by the 40-foot Dorrell Lane right-of-way. It is also adjacent to a proposed single-family development to the west having a land-use designation of M-TC (Medium Density – Town Center). There are no other similar types of businesses within 1,000 feet of any of the subject property lines.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) and designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Financial Institution, Specified use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a Financial Institution use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as permissible with the approval of a Special Use Permit.

The proposed site is identified as Pad DD on the approved site plan for the Montecito Marketplace commercial development. The proposed building is two stories and 6,997 square feet, containing 2,288 square feet of area to be utilized for customer service, including check cashing and the administering of payday loans and auto title loans. The rest of the area will be used for storage and administrative activities.

A Waiver of the 200-foot distance separation requirement is requested. Based on the relative proximity of the proposed use to existing and proposed residential development, staff recommends denial of the Waiver. The eventual recordation of a commercial subdivision map would not remedy this problem, as, per ordinance, distances are measured in a straight line from property line to property line, where "property line" refers to those of fee interest parcels and not those created by a record of survey or legal description.

- Conditions

Under the Montecito Town Center Development Agreement, any Financial Institution, Specified is subject to any distance separation or other standards adopted by the City Council for this type of use. These conditions are found within Title 19.04.050. As the approved Site Development Plan Review (SDR-3764) for Montecito Marketplace depicted the subject site containing a single-story, 3,950 square-foot building rather than the request that is part of this application, it is recommended that approval of this use be subject to the approval of a new Site Development Plan Review for the larger site to be approved administratively by Planning and Development Department staff. If approved, the use will also be subject to the proposed hours of operation.

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 Financial Institution, Specified use cannot meet the required 200-foot distance separation from residential development abutting the property on the west and south, and is therefore not compatible with surrounding land uses. Because the proposed building is larger than first approved, it is recommended that a new Site Development Plan Review for the subject pad site be approved administratively before permits are issued.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Financial Institution, Specified 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."**

   Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

   The proposed Financial Institution, Specified use, if approved, will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 57 (Mailed with SUP-4506 and SUP-4509)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4507 APN: 125-20l-01-017

Name of Property Owner: MTC 118, INC.

Name of Applicant: Camco, Inc. dba SuperPawn
* Steven Mack is 100% sole owner of Camco, 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?

X Yes _____ No

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

City Official: Michael Mack

Partner(s): Applicant

APN: Relative

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen.

Subscribed and sworn before me

This 10 day of May, 2004

Marsha Bloss
Notary Public in and for said County and State

MARSHA BLOSS
Notary Public State of Nevada
No. 01-68651-1
My appt. exp. May 15, 2005

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4507 APN: 125-201-01-017

Name of Property Owner: TTR Properties

Name of Applicant: Camco, Inc.

* Steven Mack is 100% sole owner of Camco, 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 _____ 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: Michael Mack

Partner(s): Applicant

APN: Relative

Signature of Property Owner/Authorized Agent: _____

Print Name: Steven A. Mack

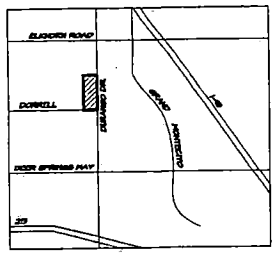
Subscribed and sworn before me

This 19 day of May, 2004

Darlene A. Nepp

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE A. NEPP
No: 96-2068-1
My Appointment Expires Nov. 29, 2004



3 VICINITY PLAN
SCALE : NONE

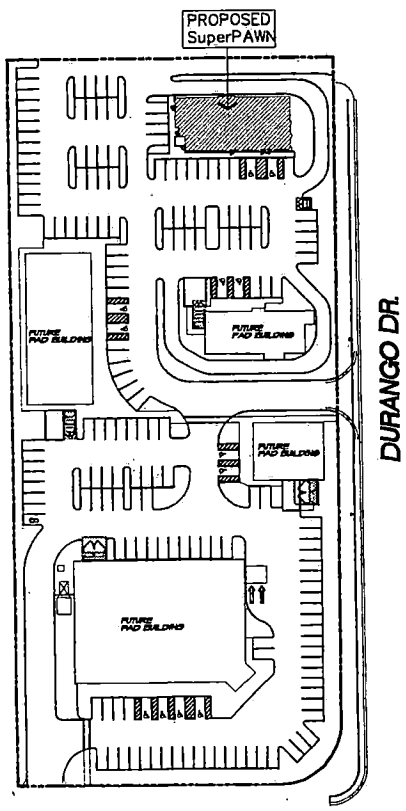
SITE DATA	
LOT AREA GROSS TOTAL:	30,046 S.F. (.69 ACRES)
EXISTING ZONING:	(U) / TC UNDEVELOPED / TOWN CENTER
APN :	125-20-101-017
DESCRIPTION	AREA
PROPOSED RETAIL PAD BLDG:	4,247 S.F. TOTAL
ALLOWABLE LOT COVERAGE: 60% x 30,046 S.F. =	18,027 S.F.
PROPOSED LOT COVERAGE: LOT COVERAGE (14%) :	4,247 S.F.

PARKING REQUIRED :

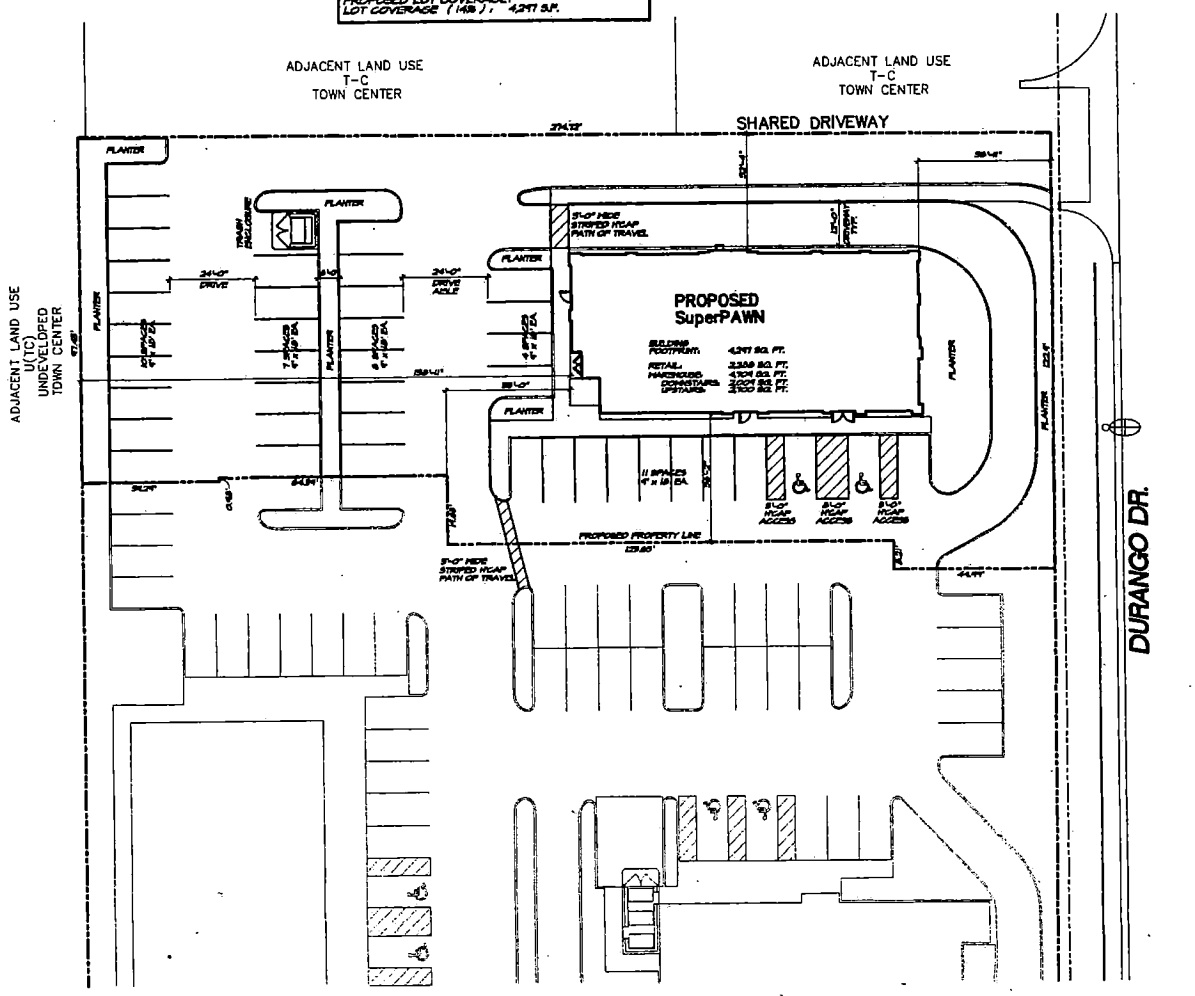
HARDGOODS PORTION :
6,947 S.F.
1 SPACES PER 175 SQ. FT. = 40 SPACES

TOTAL PARKING REQUIRED :
40 TOTAL SPACES
(2 HANDICAP SPACES)

TOTAL PARKING PROVIDED :
40 TOTAL SPACES
(2 HANDICAP SPACES)



2 LOCATION MAP



1 SITE PLAN
SCALE : 1/16" = 1'-0"

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

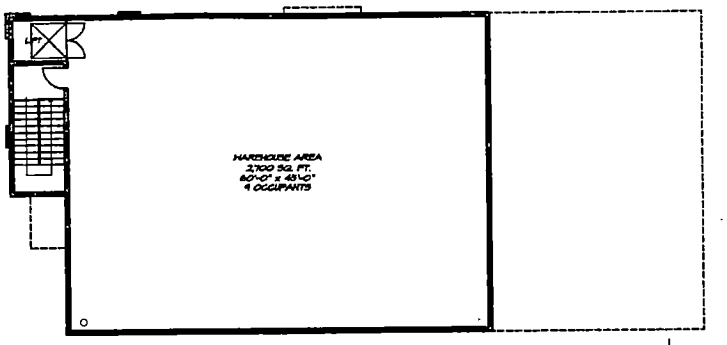
MARK ROSS JOHNSON
ARCHITECT
1720 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3895
FAX: (702) 869-3895

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

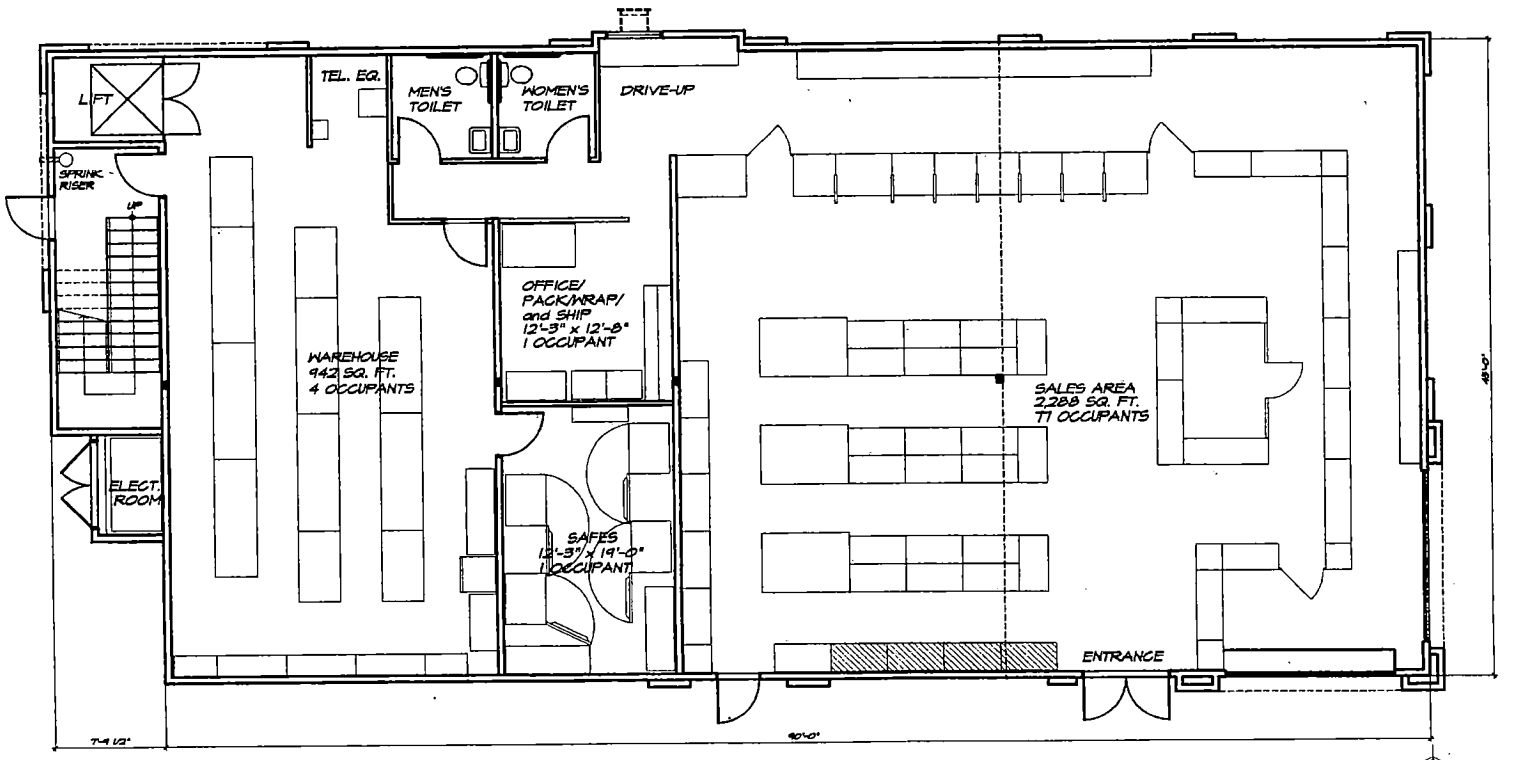
Date: 5/14/04

PROJECT NUMBER
200956

A-1.1



2 LEVEL TWO FLOOR PLAN
SCALE : 1/8" = 1'-0"



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

TOTAL BUILDING: 6,997 SQ. FT.
RETAIL: 2,288 SQ. FT.
WAREHOUSE: 4,709 SQ. FT.
DOWNSTAIRS: 2,009 SQ. FT.
UPSTAIRS: 2,700 SQ. FT.

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

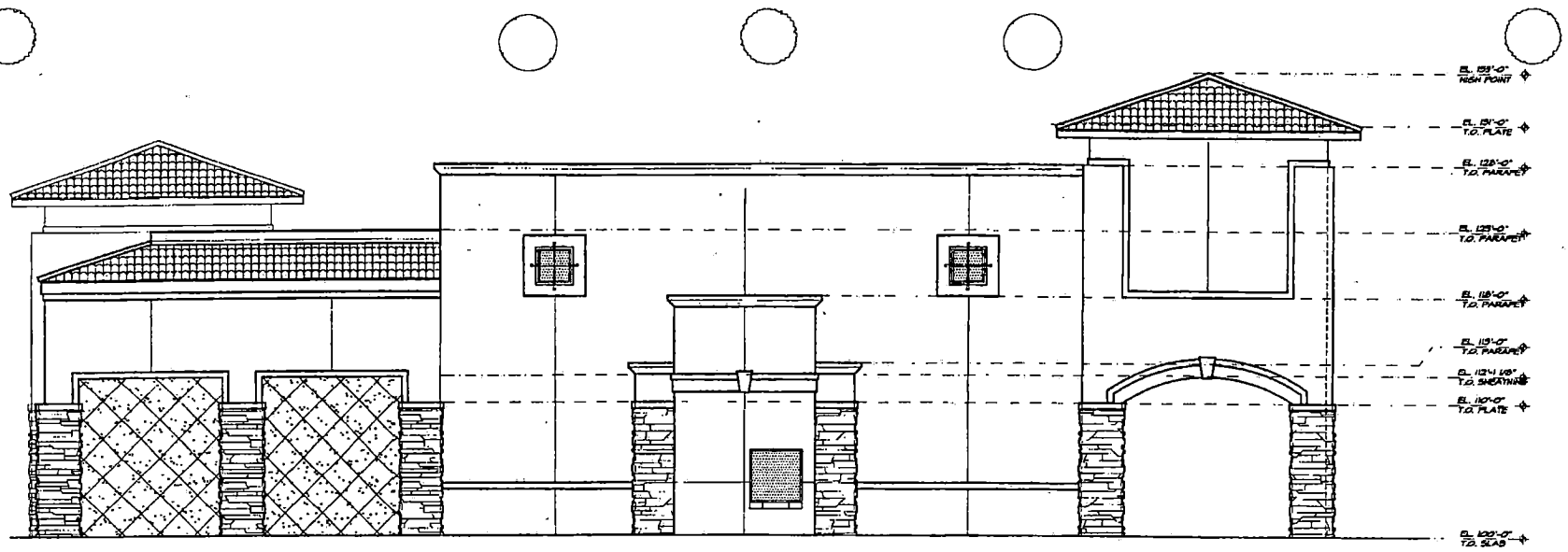
MARK ROSS JOHNSON
ARCHITECT
3780 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3838 FAX: (702) 869-3813

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

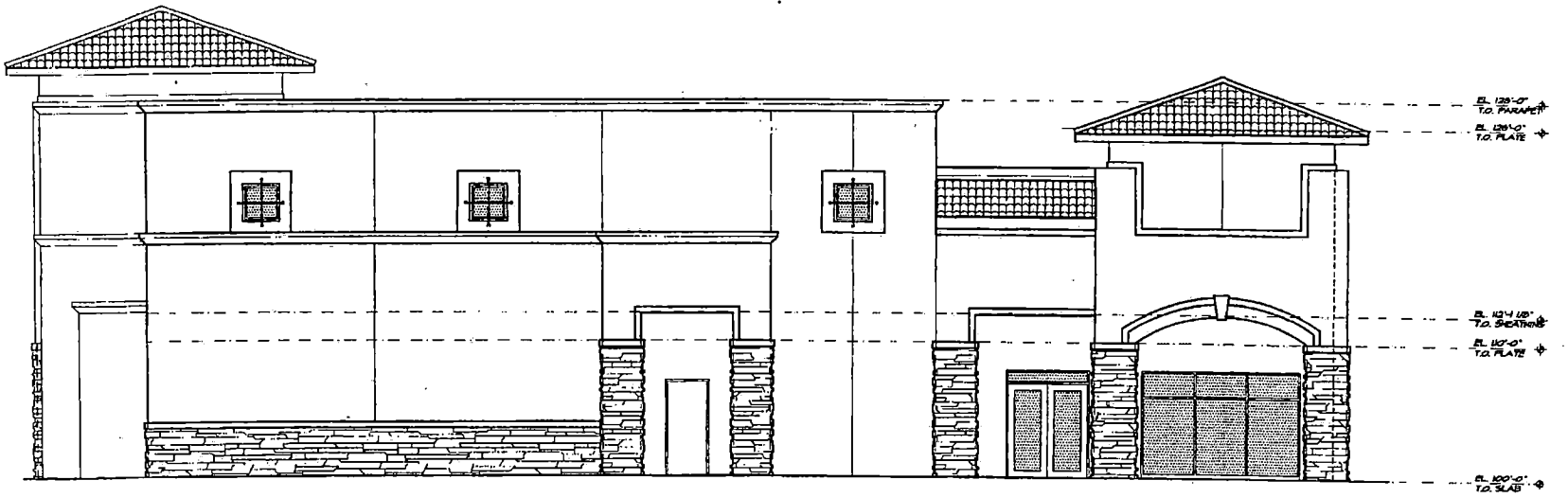
Date: 3/19/04

PROJECT NUMBER
300336

A-3.1



2 NORTH ELEVATION
SCALE : 1/4" = 1'-0"



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

STAFF
SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

MARK ROSS JOHNSON
ARCHITECT
4760 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA 89103
TEL: (702) 869-3808 FAX: (702) 869-3813

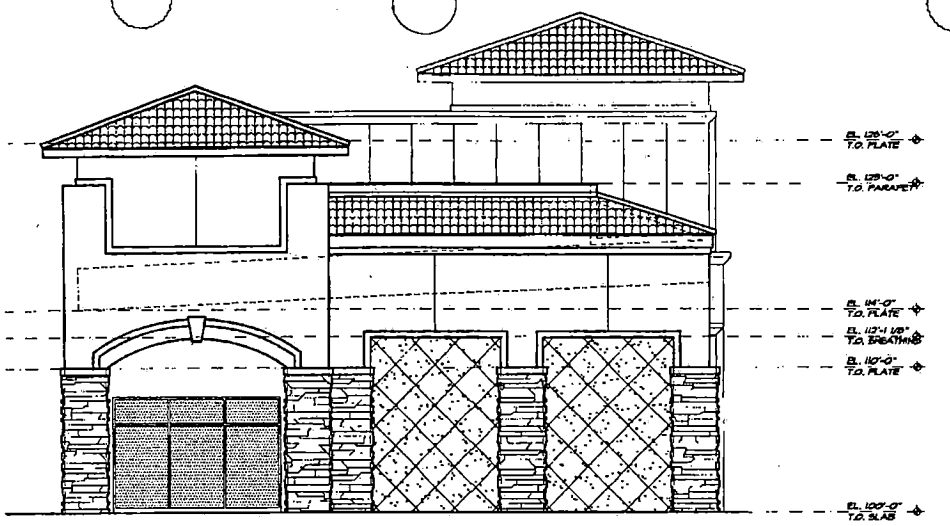
SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN
CITY OF LAS VEGAS, NV

Date: 5/14/04

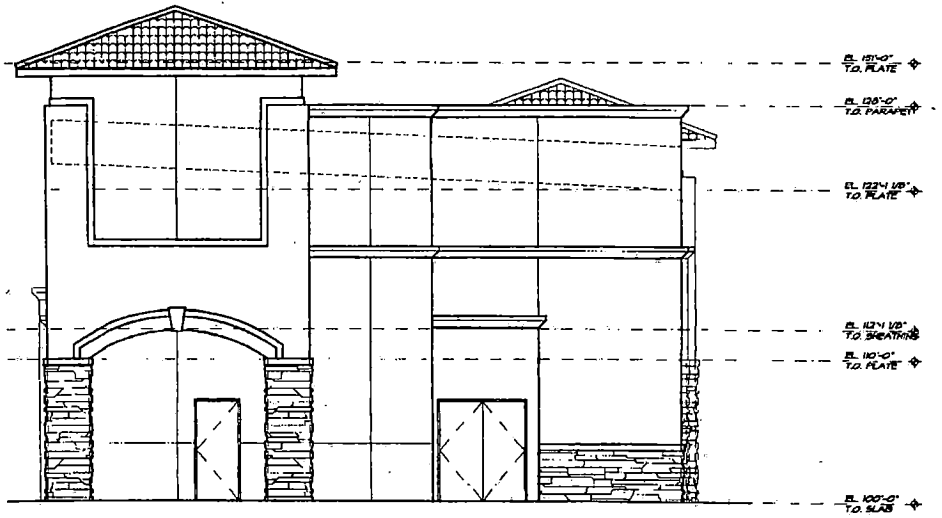
PROJECT NUMBER
200396

A-6.1

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



2 EAST ELEVATION
SCALE : 1/4" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT
6750 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3868 FAX: (702) 869-3869

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

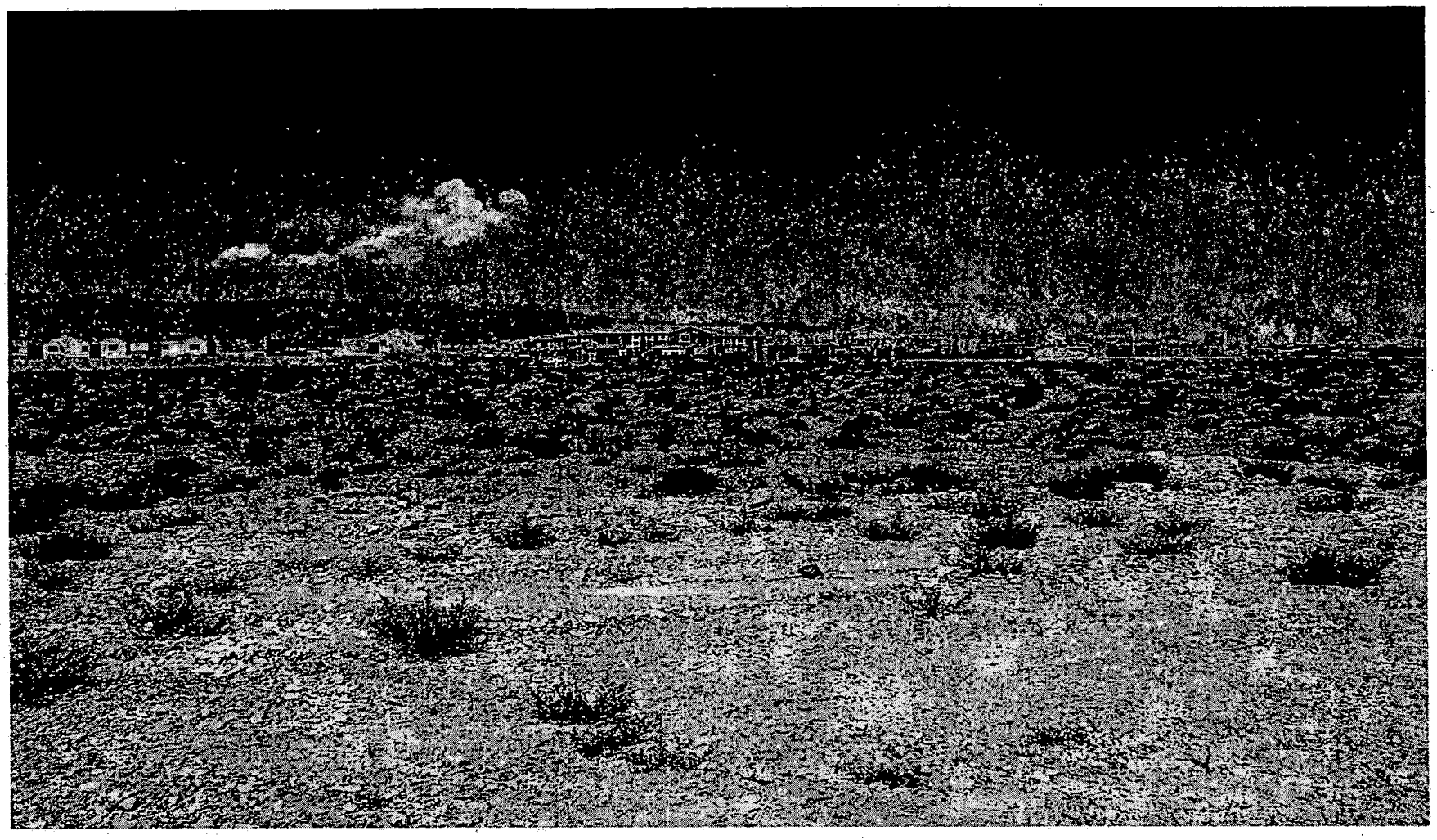
FOR: SUPERPAWN
CITY OF LAS VEGAS, NV

Date: 5/19/04

PROJECT NUMBER
200358

A-6.2

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT RELATED TO SUP-4506 AND SUP-4507 - PUBLIC HEARING - SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR PROPOSED SECOND HAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 48 [SUP-4506] for all related discussion on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 50 – VAR-4520

CONDITIONS:

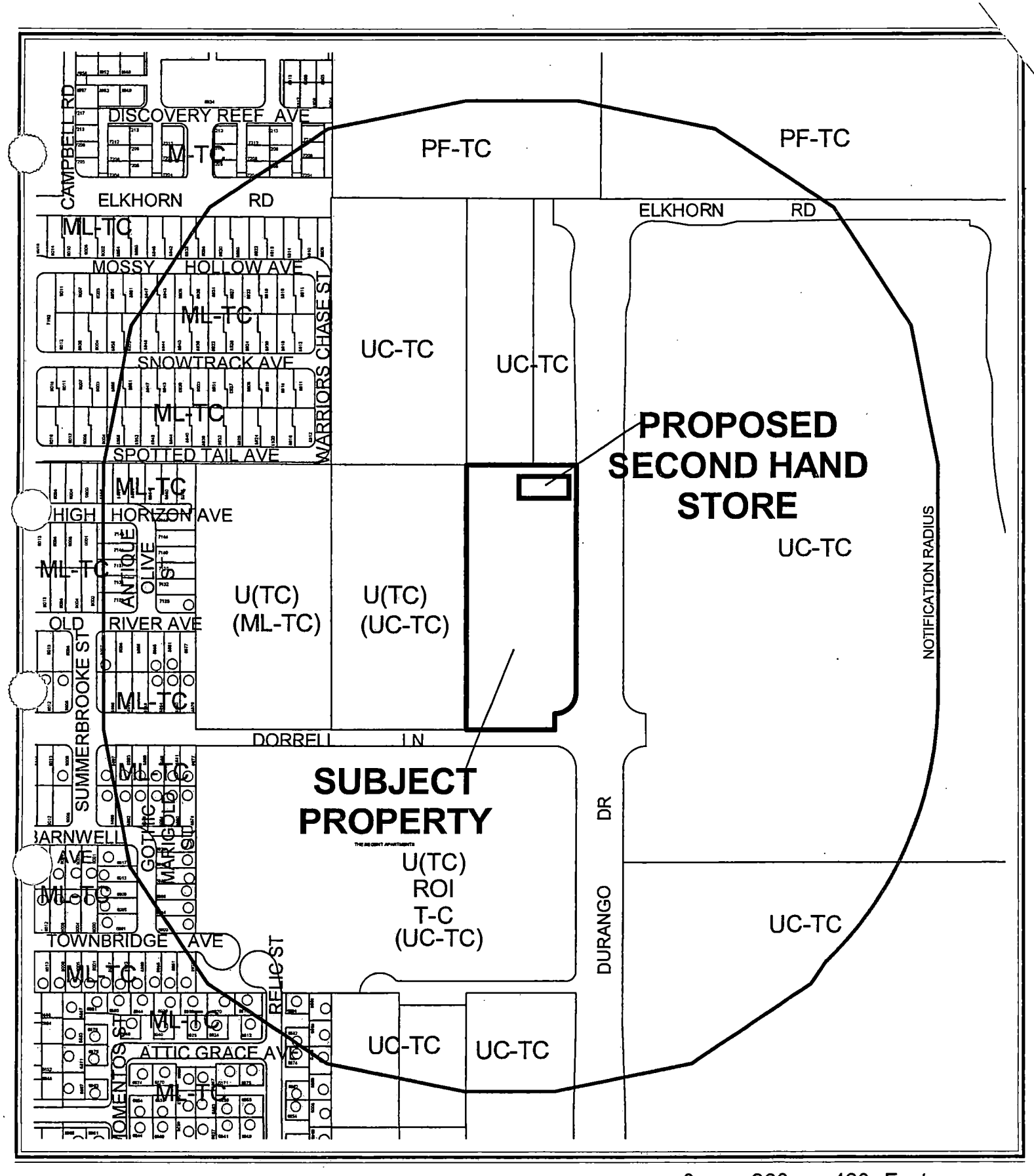
Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

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

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

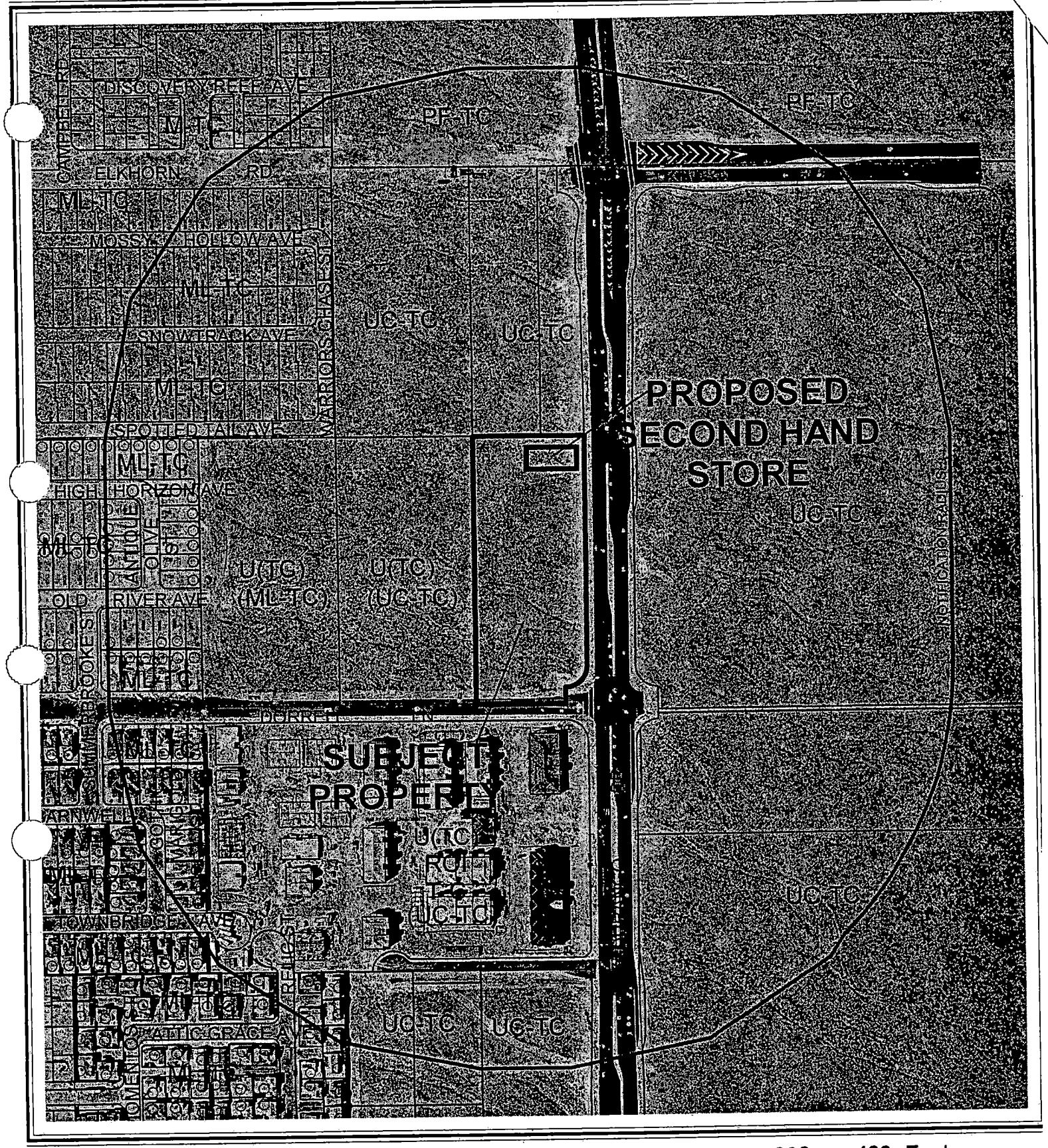


CASE: **SUP-4509**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]

N



CASE: **SUP-4509**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

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

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

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for Secondhand Sales of jewelry, electronics, tools, musical instruments and other similar items within the Montecito Marketplace commercial development adjacent to the northwest corner of Durango Drive and Dorrell Lane. Special Use Permits for proposed Pawn Shop (SUP-4506) and Financial Institution, Specified (SUP-4509) uses within the same building will be considered concurrently by the Planning Commission.

B) Applicant's Justification

Approval of this use will complement the Pawn Shop use on the site. The Secondhand Sales use is permitted in the Montecito Town Center area with approval of a Special Use Permit. The proposed use will abide by all City code standards.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. 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 five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

07/08/04 The Planning Commission will consider two related Special Use Permits on the subject site: a Special Use Permit for a proposed Pawn Shop (SUP-4506) and for a proposed Financial Institution, Specified (SUP-4507). Staff recommends approval of SUP-4506 and recommends denial of SUP-4507.

B) Pre-Application Meeting

04/07/04 Staff and the applicant discussed the uses requested for the building, which is to include a pawn shop, check cashing and auto title loan center, and a drive-up window. The Pawn Shop, Financial Institution, Specified, and Drive-Through uses have all been administratively approved by the Director of the Planning and Development Department as "Non-Material Modifications" to the Montecito Town Center Development Agreement.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Multi-Family Dwellings (Condos) and Retail
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use – Town Center)
North:	UC-TC (Urban Center Mixed Use – Town Center)
South:	UC-TC (Urban Center Mixed Use – Town Center)
East:	UC-TC (Urban Center Mixed Use – Town Center)
West:	UC-TC (Urban Center Mixed Use – Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Secondhand Sales use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	**X**	
Town Center	X	
Montecito Town Center Development Agreement	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**

Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Montecito Town Center Development Agreement. These standards differ from the standards of the Town Center Development Standards Manual.

There are no trails adjacent to the site, as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C of the Town Center Development Standards Manual.

Durango Drive will be developed as a Town Center Parkway Arterial (120 feet wide), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which requires a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

SS

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Secondhand Sales use or the other uses proposed for the site. Since the Agreement has no specific parking standards for these uses, pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	2,288 SF	1/200 SF GFA, plus one lane for each drive-up window, with stacking for 6 vehicles	12	---		
Commercial Uses not listed	4,709 SF	1/250 SF GFA	19	---		
TOTAL	6,997 SF	---	29	2	38	2

The subject building (proposed under SDR-3764) was originally planned as a drive-through restaurant, which requires one parking space per 100 square feet of gross floor area, including outdoor seating areas, plus one lane for each drive-up window, with stacking space for six vehicles. Since this was a more restrictive parking requirement than for the Financial Institution and other commercial uses, the site will be able to accommodate the parking requirements of the proposed development. The site will contain one drive-through lane with enough stacking distance for six vehicles. The number of parking spaces provided refers to those on the pawn shop site, not to the number of spaces within the overall development. The site will eventually have the benefit of shared parking across proposed property lines within a recorded commercial subdivision.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for the Secondhand Sales use in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual. No other Secondhand Sales use exists in the area, as it is not a permitted use in the Town Center Plan area.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) and designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Secondhand Sales use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of Secondhand Sales of jewelry, electronics, tools, musical instruments, and similar items pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as permissible with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

The proposed site is identified as Pad DD on the approved site plan for the Montecito Marketplace commercial development. The proposed building is two stories and 6,997 square feet, containing 2,288 square feet of area to be utilized for customer service. The rest of the area will be used for storage and administrative activities.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Secondhand Sales use. As the approved Site Development Plan Review (SDR-3764) for Montecito Marketplace depicted the subject site containing a single-story, 3,950 square-foot building rather than the request that is part of this application, it is recommended that approval of this use be subject to the approval of a new Site Development Plan Review for the larger site to be approved administratively by Planning and Development Department staff. The use will also be subject to the proposed hours of operation.

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 Secondhand Sales use will be compatible with other uses planned and approved for Montecito Marketplace and with other commercial development to the north. Because the proposed building is larger than first approved, it is recommended that a new Site Development Plan Review for the subject pad site be approved administratively before permits are issued.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Secondhand Sales 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."**

   Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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 Secondhand Sales use, if approved, will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 57 (Mailed with SUP-4506 and SUP-4507)

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4509 APN: 125-20l-01-017

Name of Property Owner: MTC 118, INC.

Name of Applicant: Camco, Inc. dba SuperPawn

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

X Yes _____ No

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

City Official: Michael Mack

Partner(s): Applicant _____

APN: Relative

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Frank Nielsen.

Subscribed and sworn before me

This 10 day of May, 2004

Marsha Bloss

Notary Public in and for said County and State

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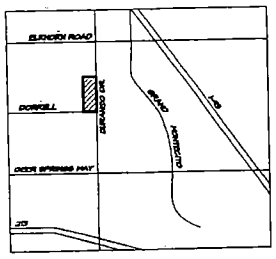
Subscribed and sworn before me

This 19 day of May, 20 04

Darlene A. Nepp

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE A. NEPP
No: 96-2068-1
My Appointment Expires Nov. 29, 2004



3 VICINITY PLAN
SCALE : NONE

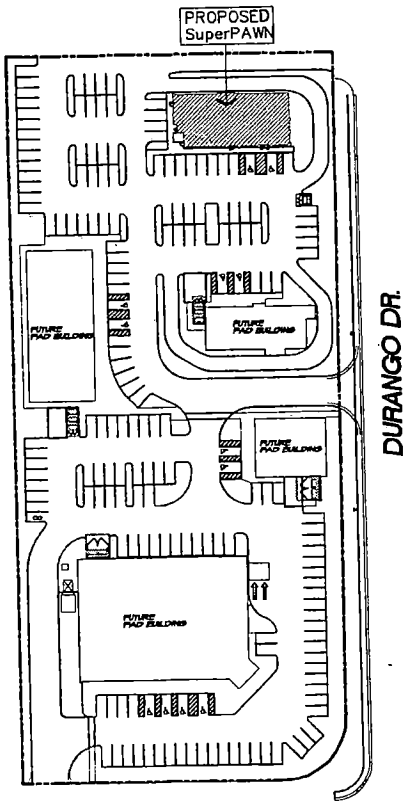
SITE DATA	
LOT AREA GROSS TOTAL:	30,046 S.F. (.69 ACRES)
EXISTING ZONING:	(U) / TC UNDEVELOPED / TOWN CENTER
APN :	125-20-101-017
DESCRIPTION	AREA
PROPOSED RETAIL PAD BLDG:	4,247 S.F. TOTAL
ALLOWABLE LOT COVERAGE: 60% x 30,046 S.F. =	18,027 S.F.
PROPOSED LOT COVERAGE: LOT COVERAGE (14%) :	4,247 S.F.

PARKING REQUIRED :

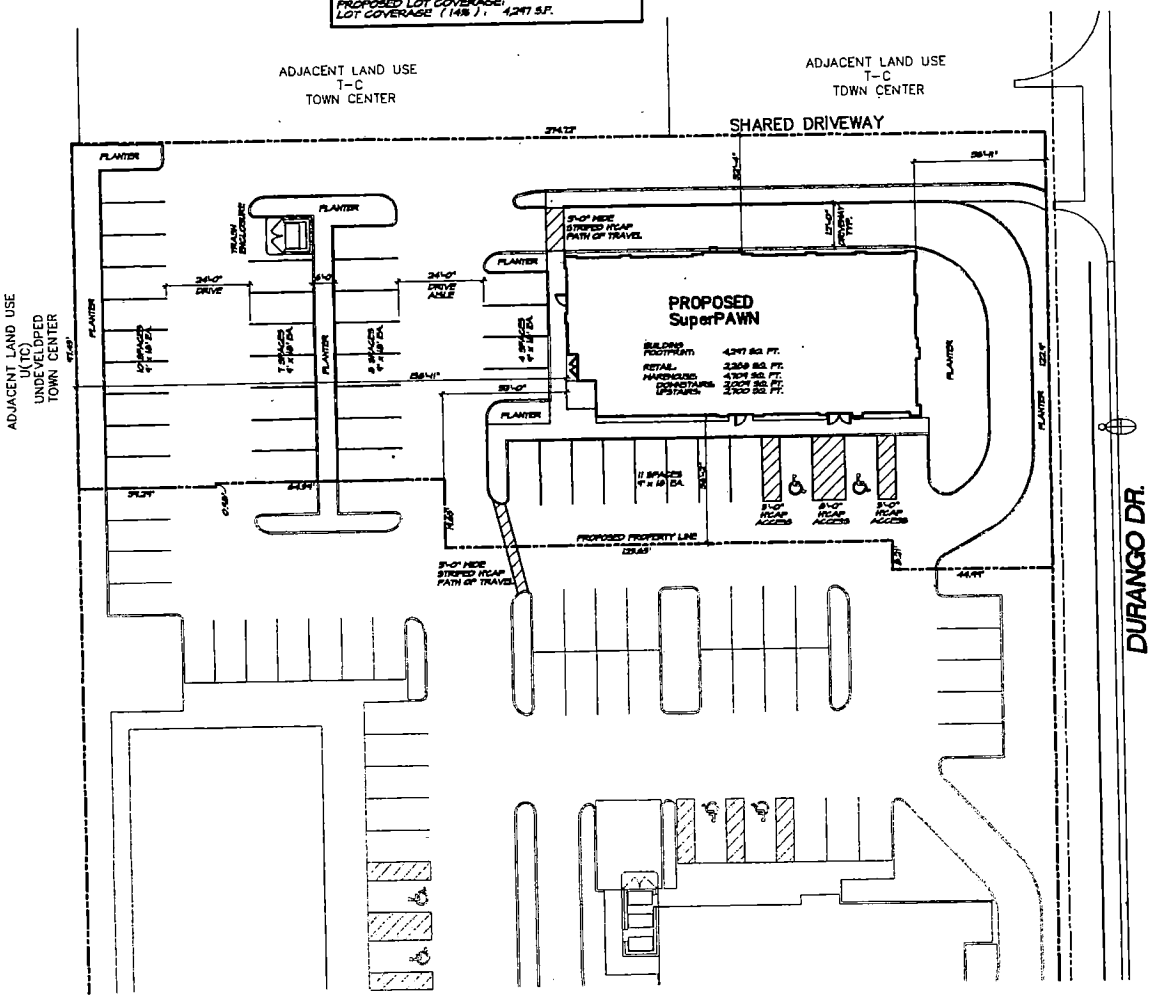
WAREHOUSE PORTION :
6,947 S.F.
1 SPACES PER 175 SQ. FT. = 40 SPACES

TOTAL PARKING REQUIRED :
40 TOTAL SPACES
(2 HANDICAP SPACES)

TOTAL PARKING PROVIDED :
40 TOTAL SPACES
(2 HANDICAP SPACES)



2 LOCATION MAP



1 SITE PLAN
SCALE : 1/16" = 1'-0"

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC

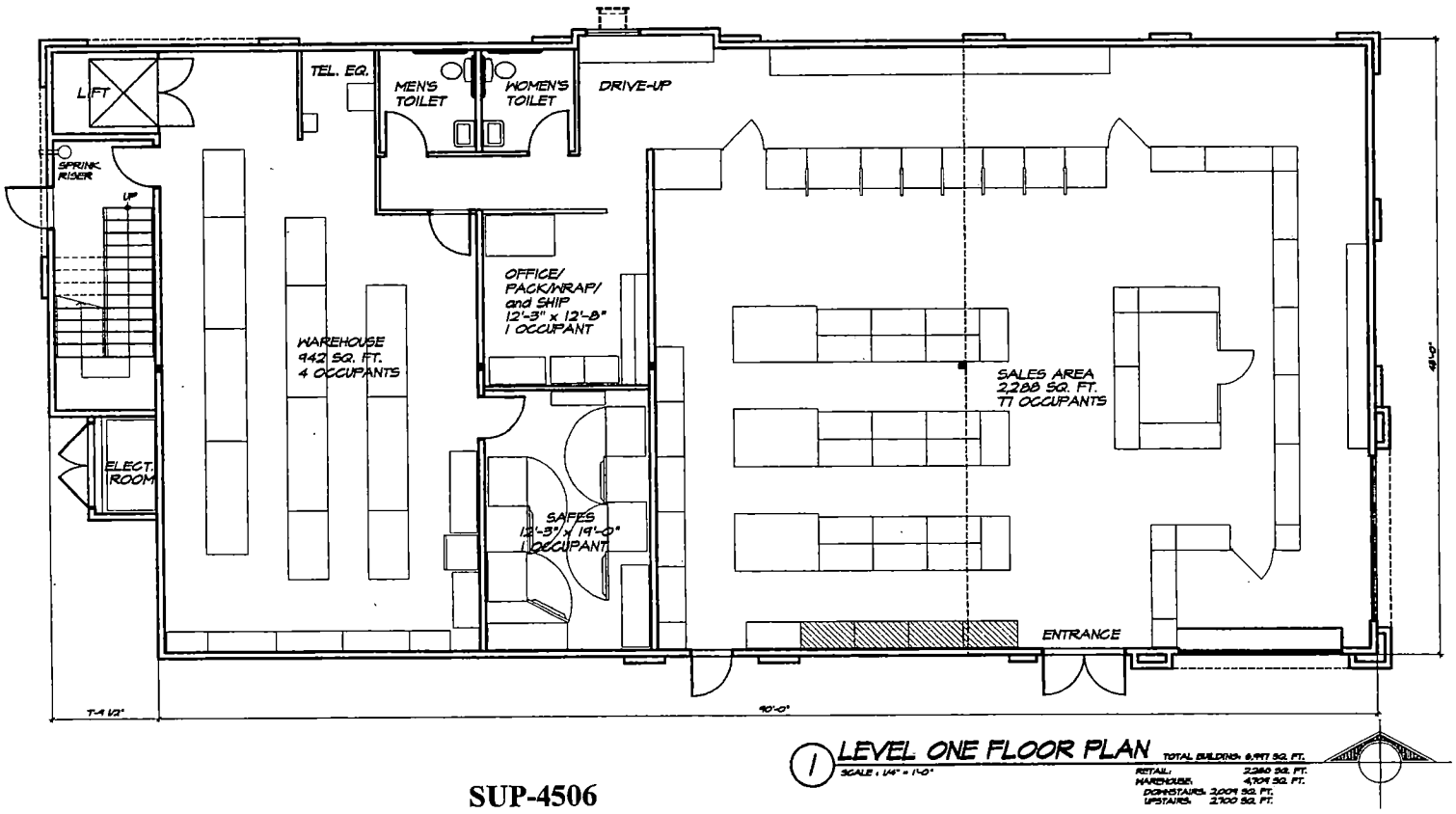
MARK ROSS JOHNSON
ARCHITECT
4790 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TELL (702) 869-3818 FAX (702) 869-3810

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

Date: 3/14/04

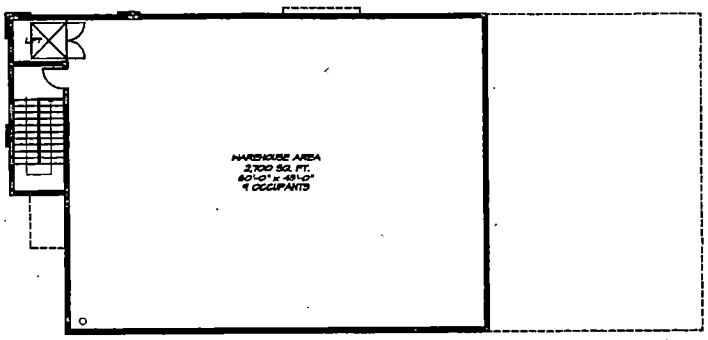
PROJECT NUMBER
200336

A-1.1



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

TOTAL BUILDING: 6,992 SQ. FT.
RETAIL: 2,288 SQ. FT.
WAREHOUSE: 4,704 SQ. FT.
DOWNSTAIRS: 2,004 SQ. FT.
UPSTAIRS: 2,700 SQ. FT.



2 LEVEL TWO FLOOR PLAN
SCALE : 1/8" = 1'-0"

MARK ROSS JOHNSON
ARCHITECT
4790 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3800 FAX: (702) 869-3805

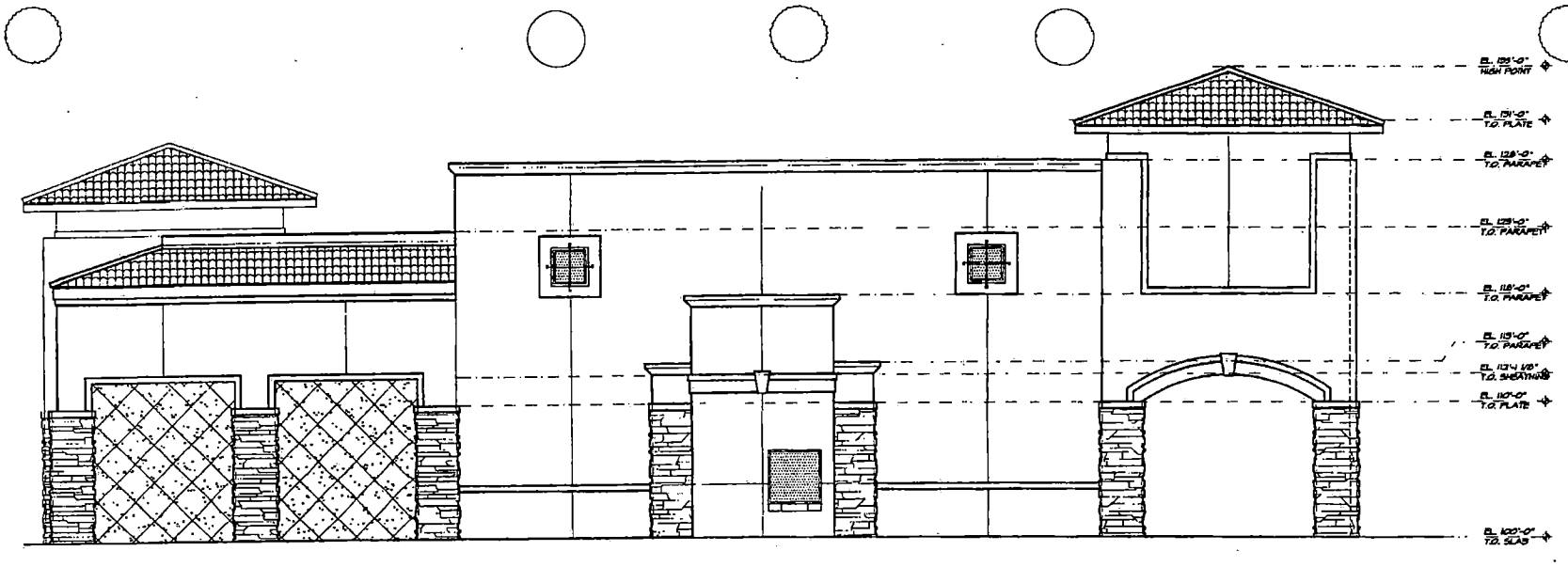
SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

Date: 5/19/04

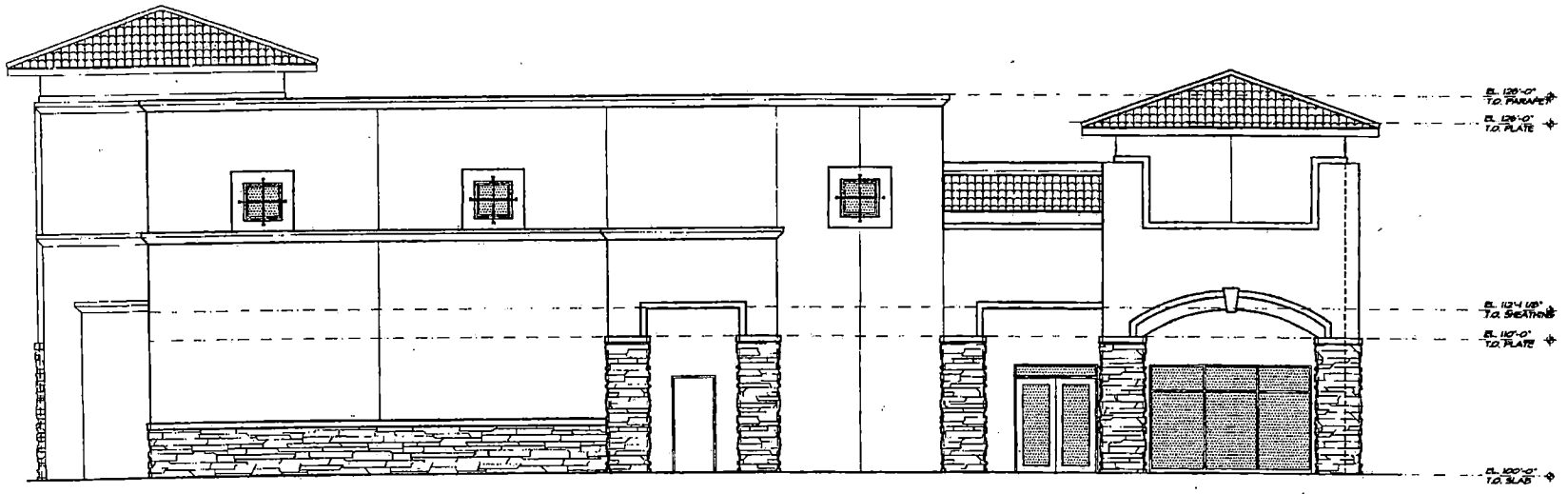
PROJECT NUMBER 200330

A-3.1

SUP-4506
SUP-4507
SUP-4508
SUP-4509
07-08-04 PC



2 NORTH ELEVATION
SCALE : 1/4" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT
4760 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 869-3868 FAX: (702) 869-3835

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

FOR: SUPERPAWN
CITY OF LAS VEGAS, NV

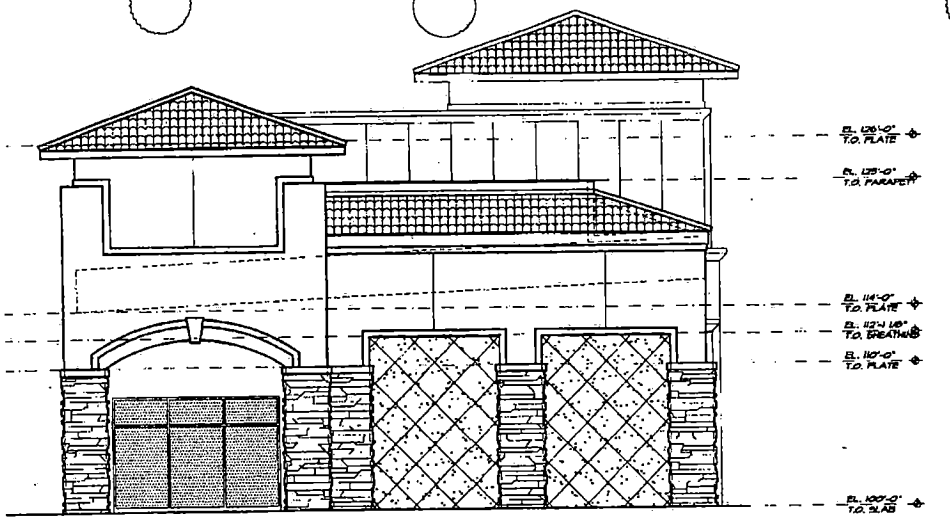
Date: 3/19/04

PROJECT NUMBER
300398

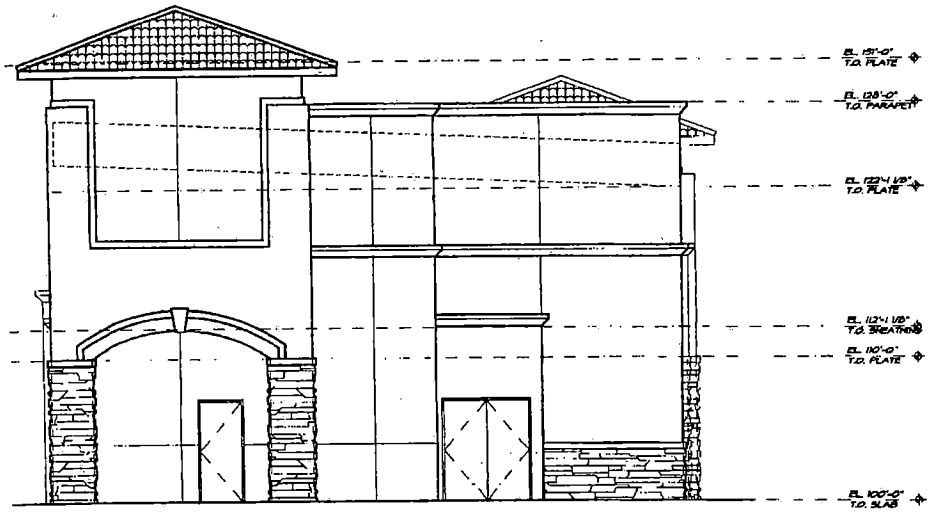
A-6.1

STAFF
SUP-4506
SUP-4507
SUP-4509
07-08-04 PC

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



2 EAST ELEVATION
SCALE : 1/4" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT
4700 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89102
TEL: (702) 869-3808 FAX: (702) 880-3883

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

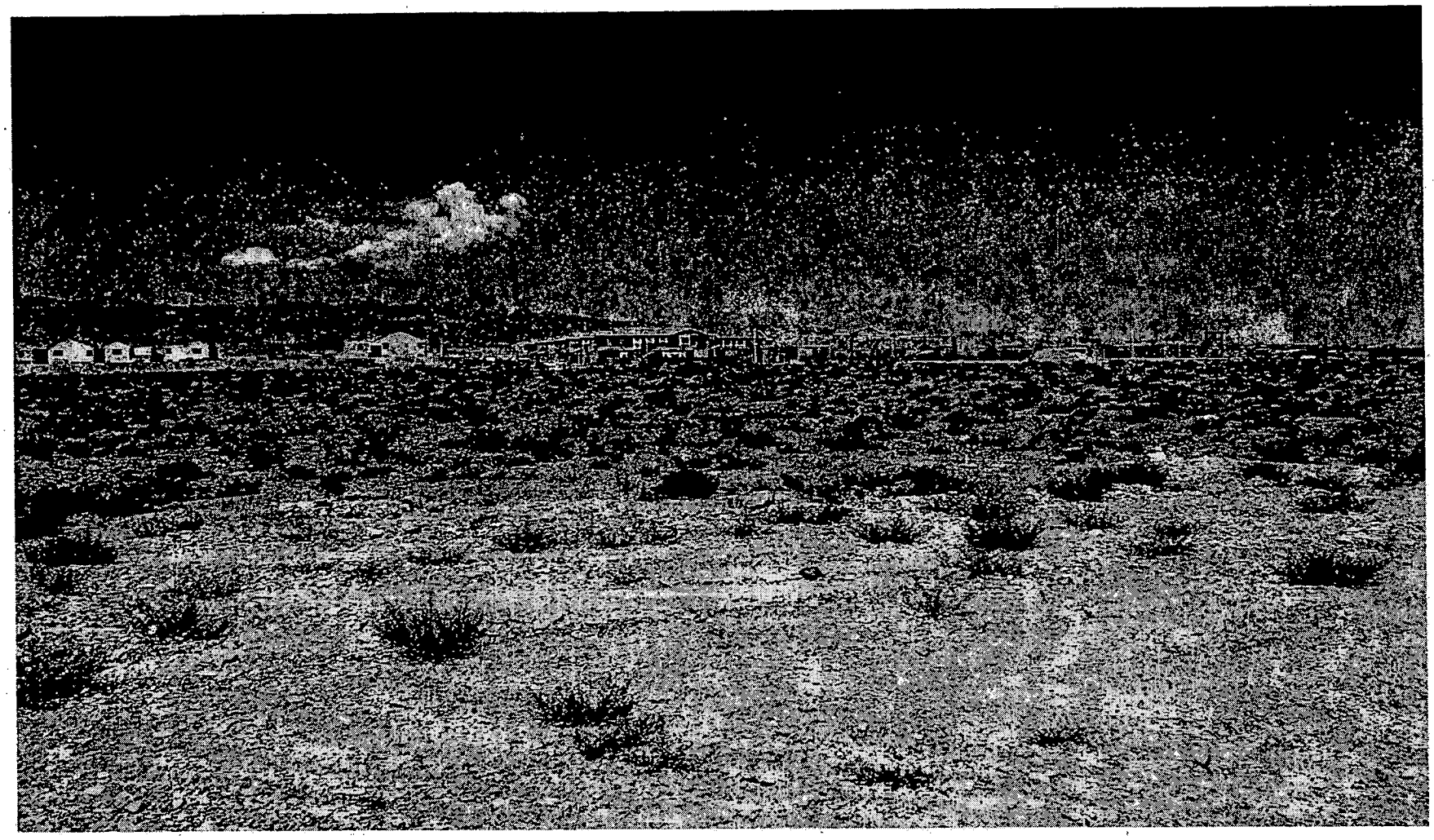
FOR: SUPERPAWN
CITY OF LAS VEGAS, NV

Date: 5/19/04

PROJECT NUMBER
200350

A-6.2

SUP-4506
SUP-4507
SUP-4509
07-08-04 PC



SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC.
NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittal at Planning Commission – Letter of Opposition – Doris and James Willson

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

NOTE: Commissioner Truesdell disclosed that he owns land in the Downtown area north and south of the proposed site and is not located within the Notification Area so he will be voting on this item.

NOTE: Commissioner Davenport disclosed that his office is located at Santa Rita Drive and St. Louis Avenue but is not within the Notification Area so he will be voting on this item.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 51 [SUP-4515] and Item 52 [SDR-4512].

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 51 – SUP-4515

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that this project consists of 134 residential units (116 apartments and 18 condominiums) would be placed on the top 14 floors of a 210 story building. The first floor would be devoted to retail floor space and a café and the second through seventh floors would be used for five levels of parking and one amenity floor.

The waiver for the reduced sidewalk width on Las Vegas Boulevard should be approved, in order to allow a 10-foot wide sidewalk. The waiver from the Downtown Centennial Plan requirement for building step backs at the 4th, 11th and 18th stories should be approved also, given the design and nature of the proposed project. Staff also felt that palm tress should be provided according to the Plan.

Traffic Impact Analysis is required to meet with the Department of Public Works-Flood Control for assistance with establishing drainage patterns for this site prior to the issuance of grading permits.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the developer and felt that a standard would be set in this area of Las Vegas with the proposed project. MR. BORGEL requested that staff reiterate the new conditions, as was agreed upon orally, for the record.

GINA VENGLASS, Public Works, stated the added conditions on Item 52 [SDR-4512] and COMMISSIONER McSWAIN confirmed with MR. BORGEL that the applicant concurred with the added conditions.

BEN CONTINE, President, Beverly Green Neighborhood Association, 553 Barber Way, stated that their neighborhood Circle Park has opened, and the first public concert will be held on Friday. The 89104 Community Crime Initiative has been launched and will meet on Monday to discuss the St. Louis Project, which should turn St. Louis Parkway into a classic parkway. MR. CONTINE felt that this project would be a great asset to this neighborhood and sufficiently utilizes the land. The project also provides access to the monorail and interacts with the neighborhood. MR. CONTINE questioned what type of glass would be used on the project. He is excited about this project, as well as, the residents. They appreciated working with the architects and everyone looks forward to having new neighbors and building a partnership with this community. MR. BORGEL replied that tinted non-reflective glass would be used on the project.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 51 – SUP-4515

MINUTES – Continued:

COMMISSIONER EVANS enthusiastically thanked MR. BORGEL and the architects for having a dialogue with this neighborhood and for creating an excellent project. He believed that this project would have a positive impact on the area and the neighborhood itself. He referred back to when he wrote to the Mayor and COUNCILMAN REESE regarding the older parts in the alley, such as Downtown, that was in dire need of improvements. He felt that if individuals could live there again, it would make all the difference in the world. Then, Downtown would be vibrant and a place where people would want to reside. So, he was excited and proud to see quality projects with architectural integrity coming forward now.

COMMISSIONER TRUESDELL stated that this project is exactly what the Commission has been looking for and to see happen in the Downtown area. In response to COMMISSIONER TRUESDELL'S question, MR. BORGEL replied that the existing motel on this property located at 1801 Las Vegas Boulevard is derelict and fenced in. If the abandoned motel was the Rummell, COMMISSIONER TRUESDELL requested that the applicant consider donating the sign to the Neon Museum as part of the Las Vegas heritage. MR. BORGEL informed COMMISSIONER TRUESDELL that the abandoned motel on this property was the Casa Blanca. COMMISSIONER TRUESDELL complimented MR. BORGEL on a great project and he would support it.

COMMISSIONER STEINMAN stated that this project is the beginning of a renaissance. TOM SCHUMAN, JMA Architecture Studios, and MR. BORGEL confirmed for COMMISSIONER STEINMAN that the condominium project is not based on rentals but ownership. MR. SCHUMAN also stated that all access is from Las Vegas Boulevard. Access off the alley is strictly for service purposes, such as deliveries and trash collection. In addition, the alley could be paved in either direction of the alley, as long as there is continuous paving to connect to the nearest public street.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 51 [SUP-4515] and Item 52 [SDR-4512].

(10:33 – 10:48)

3-3068

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.

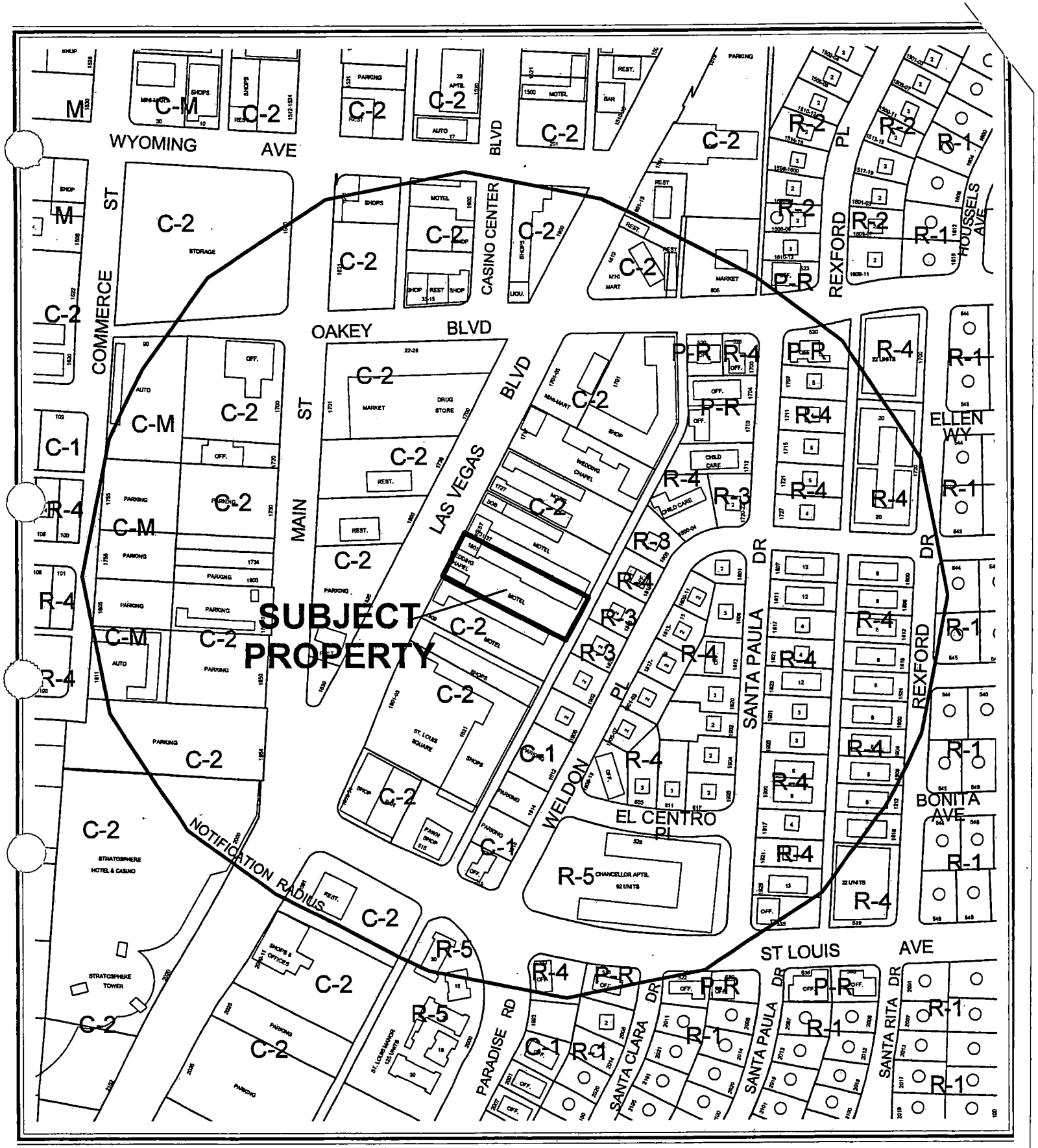
PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 51 – SUP-4515

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4512).

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

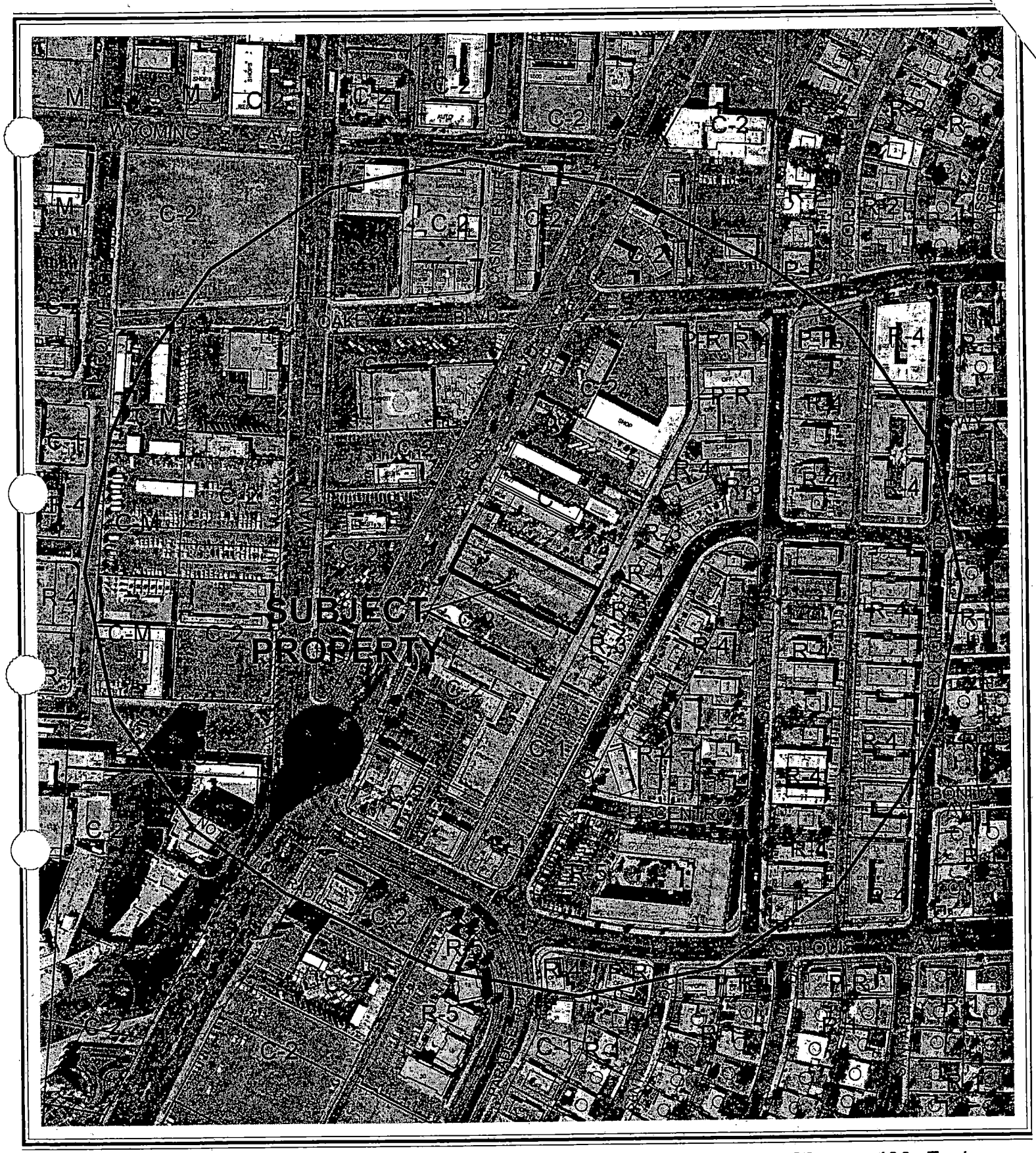
4. All City Code requirements and design standards of all City departments must be satisfied.



CASE: **SUP-4515**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-4515**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to the following conditions:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4512).

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

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

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed Mixed-Use development (Liberty Tower) to be located at 1801 Las Vegas Boulevard South. An application for a Site Development Plan Review (SDR-4512) has been submitted in conjunction with this application. In addition, there are requests for waivers of Development Standards, including building step backs, driveway curb cuts, the sidewalk width, and required parking spaces.

B) Applicant's Justification

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

> "This project is appropriate and will strengthen the existing goals for the development of the Downtown Overlay District. The vernacular of the Architecture will respect the new modern skyline for Las Vegas Boulevard. Public transportation is readily available on Las Vegas Boulevard which will reduce dependence on private transportation. A number of the units will be a second residence for some owners further reducing the parking demand."

BACKGROUND INFORMATION

A) Previous Actions

05/01/96 The City Council accepted the Withdrawal Without Prejudice of a request for a Variance (V-0025-96) to allow 50 parking spaces where 59 spaces are required for a restaurant/tavern. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.

05/01/96 The City Council accepted the Withdrawal Without Prejudice of a request for a Special Use (U-0015-96) for a Tavern and for a Waiver of the 1500-foot separation requirement from similar establishments and from a Child Care Facility. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.

06/07/2000 The City Council approved a Site Development Plan (SD-0020-00) to add a 1,152 square-foot restaurant to a motel. The Planning Commission and staff recommended approval on 04/27/00.

B) Pre-Application Meeting

05/07/04 At the pre-application conference, issues were discussed relative to the streetscape requirements, parking requirements, building stepback requirements, the requirements for mixed-use structures, and the proposed materials for the building. In addition, Public Works identified the need for a right-of-way dedication and the configuration of the proposed driveway.

C) Neighborhood Meetings

06/30/04 Although a neighborhood meeting is not required as part of this request, the applicant held a meeting in order to address any concerns that adjacent property owners may have relative to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.68

B) Existing Land Use

Subject Property:	Tourist commercial (motel and wedding chapel)
North:	Mixed commercial (motel, restaurant and sexually oriented business)
South:	Tourist commercial (motel)
East:	Residential (duplex)
West:	Service Commercial (restaurant and parking area)

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	R-3 (Medium Density Residential)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located in the Downtown-Commercial land use designation. The existing zoning is C-2 (General Commercial).

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	**X**	
Downtown Centennial Plan	X	
Downtown Redevelopment Plan	X	
Special Overlay District	**X**	
Downtown Northern Strip	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 property is also located in several special districts, including the Northern Strip of the Downtown Centennial Plan and in the Redevelopment Plan area. With a Special Use Permit, the proposed mixed use development is allowed within the Downtown-Commercial land use classification, the Northern Strip of the Downtown Centennial Plan, the Redevelopment Plan area, and in the C-2 (General Commercial) Zone.

ANALYSIS

A) Zoning Code Compliance

According to Title 19.04.050, Special Use Permits, a Mixed-Use development is subject to the following provisions:

1. Within the Downtown Las Vegas Redevelopment Area, as established by Ordinance No. 3218 and amended from time to time:
   (A) Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a P-R, N-S, O, C-1 or a C-2 Zoning District; and
   (B) Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of Special Use Permit within an R-3 or R-4 Zoning District.

2. When residential and nonresidential uses are approved for a single parcel:
   (A) The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and
   (B) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

B) General Analysis and Discussion

- Zoning

The subject site is located in the C-2 (General Commercial) Zone. Within the Downtown Las Vegas Redevelopment Area, residential uses permitted by right in the R-3 (Medium Density Residential) Zone or the R-4 (high Density Residential) Zone are permitted in a C-2 district with a Special Use Permit. In the R-3 or R-4 districts, condominiums and multi-family apartments are allowed as permitted uses. In the C-2 district, restaurants and most retail uses are permitted by right.

- Use

The applicant proposes to place residential uses permitted as of right in the R-3 and R-4 Zoning Districts within the C-2 Zoning District. Accordingly, 134 residential units (116 apartments and 18 condominiums) would be placed on the top 14 floors of a 21-story building. The first floor would be devoted to retail floor space and a café and the second through seventh floors would be used for five levels of parking and one "amenity" floor. With the nonresidential uses located at ground level, the proposed use meets the requirements as to the juxtaposition of the uses. The design of the elevations, with the residential tower inset from the parking structure and commercial space, highlights the division of uses as specified in the Mixed-Use requirements.

- Conditions

The design of the structure as submitted conforms with the Mixed-Use requirements, and no additional conditions of use are necessary.

FINDINGS

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

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

   According to the "Las Vegas Downtown Centennial Plan," the subject property is located within the Northern Strip District. The Northern Strip District centers on the Stratosphere Tower Hotel and Casino. This is a transitional area to the Downtown. The Plan states: "Future evaluations will have to determine the highest and best land uses for this area." (p. 33)

The Centennial Plan stresses that creating a broad diversity of land uses in Downtown Las Vegas is key to its future success as an activity center and vital urban regional hub. It states: "The success of downtowns across the country often depends upon integrating a successful residential community in, among, and adjacent to the Downtown area."

The commercial development on the first floor is to consist of a café and other retail uses. The café is proposed to have an external seating area that will integrate with the pedestrian traffic on Las Vegas Boulevard. This proposed mix of high density and intensity of land uses conforms to the goals and objectives of the Centennial Plan.

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

The subject site for the proposed development is small (.68 acres) compared to the high density and intensity of land uses proposed at 197 dwelling units per acre. However, a one-way entrance and exit from Las Vegas Boulevard and access to an alley to the rear will provide good traffic flow to five levels of parking spaces within the building complex. The adequacy of the high-density residential occupancy is supported by the verticality of a 21-story structure. The development appears to be adequately designed for the site.

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

Las Vegas Boulevard, a Primary Arterial (100-foot wide) street, according to the Master Plan of Streets and Highways, provides suitable access to the site by way of a one-way entrance and one-way exit. Access is further enhanced by use of an alley to the rear of the property.

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 and will therefore not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NOTICES MAILED 84 (Mailed with SDR-4512)

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4515 APN: 162-03-310-006

Name of Property Owner: HARVARD SECURITIES INC.

Name of Applicant: IMA ARCHITECTURE STUDIOS.

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: JOSEPH DiMARCO

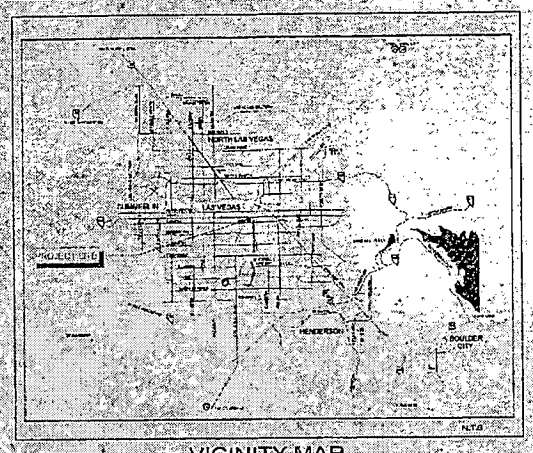
Subscribed and sworn before me

This 10th day of May, 2004

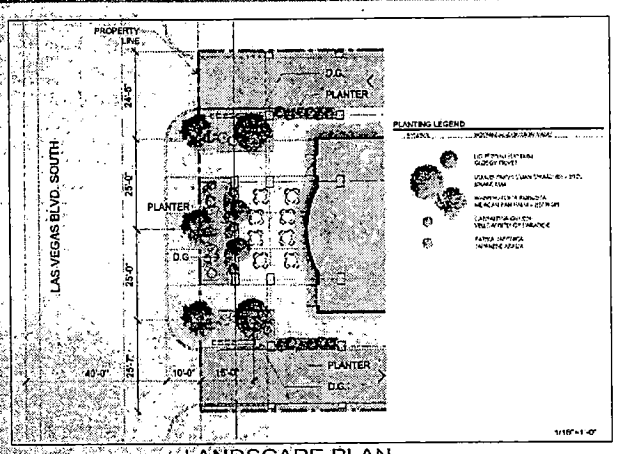
_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
EVA ANAYA
My Appointment Expires
March 29, 2006
No: 02-74357-1



VICINITY MAP



LANDSCAPE PLAN

JMA ARCHITECTURE STUDIOS

Site Data

LUXURY APARTMENTS:

UNIT INFORMATION — 151,780 S.F. saleable
UNIT A - 2 BEDROOM — 3 PER FLOOR (3,426 SF)
1,026 s.f., 76 s.f. Balcony, and 40 s.f. Storage = 1,142 SF
UNIT B - 2 BEDROOM — 3 PER FLOOR (3,426 SF)
1,026 s.f., 76 s.f. Balcony, and 40 s.f. Storage = 1,142 SF
UNIT C - 2 BEDROOM w/ DEN — 4 PER FLOOR (6,324 SF)
1,414 s.f., 127 s.f. Balcony, and 40 s.f. Storage = 1,581 SF
11 LEVELS — 10 UNITS PER FLOOR (12,175 SF)

SIXTH LEVEL
UNIT A - 2 BEDROOM — 3 PER FLOOR (3,156 SF)
1,026 s.f., 76 s.f. Balcony, 40 s.f. Storage = 1,142 SF
UNIT B - 2 BEDROOM — 3 PER FLOOR (3,126 SF)
1,026 s.f., 76 s.f. Balcony, 40 s.f. Storage = 1,142 SF
1 LEVEL — 6 UNITS PER FLOOR (6,852 SF)

TOTAL: 12 LEVELS — 116 TOTAL UNITS (116 KEYS)
UNIT A - 2 BEDROOM = 36 UNITS
UNIT B - 2 BEDROOM = 36 UNITS
UNIT C - 2 BEDROOM w/ DEN = 44 UNITS

SKY HOME PENTHOUSE UNITS:

UNIT INFORMATION — 36,958 S.F.
UNIT D - 3 BEDROOM — 4 PER FLOOR (8,423 SF)
1,807 s.f., 190 s.f. Balcony, 74 s.f. Storage = +/- 2,141 SF
UNIT E - 3 BEDROOM CORNER — 2 PER FLOOR (5,800 SF)
2,250 s.f., 900 s.f. Balcony, 40 s.f. Storage = 2,900 SF
5 UNITS PER FLOOR (12,223 SF)
TOTAL: 3 LEVEL — 15 TOTAL UNITS (15 KEYS)
UNIT D = 4 BEDROOM = 12
UNITS - 3 BEDROOM CORNER = 8 UNITS

BUILDING AREAS:

LUXURY APARTMENTS — 169,920 SF
LEVEL 6 1 LEVEL @ 6,852 SF
LEVEL 7 thru 17 11 LEVELS @ 15,450 SF
SKY HOME PENTHOUSE — 44,640 SF
LEVEL 18 thru 20, 3 LEVELS @ 14,880 SF
FIRST LEVEL — 27,920 SF
PARKING STRUCTURE — 24,800 SF
LOBBY — 900 SF
SERVICE — 170 SF
RETAIL — 2,200 SF
SECOND / THIRD - FOURTH / FIFTH LEVEL — 27,920 SF (each)
PARKING STRUCTURE — 26,270 SF
ELEV. LOBBY — 150 SF
SERVICE / STORRAGE — 1,500 SF
SIXTH LEVEL — 15,120 SF
GYM - EXERCISE ROOM — 900 SF
LOUNGE — 1,100 SF
GAME ROOM — 700 SF
THEATER ROOM — 1,000 SF
CONCIERGE APARTMENT — 1,628 SF
SALES OFFICE — 700 SF
SERVICE / STORAGE — 900 SF
TOTAL BUILDING AREA — 368,710 SF

PARKING STRUCTURE

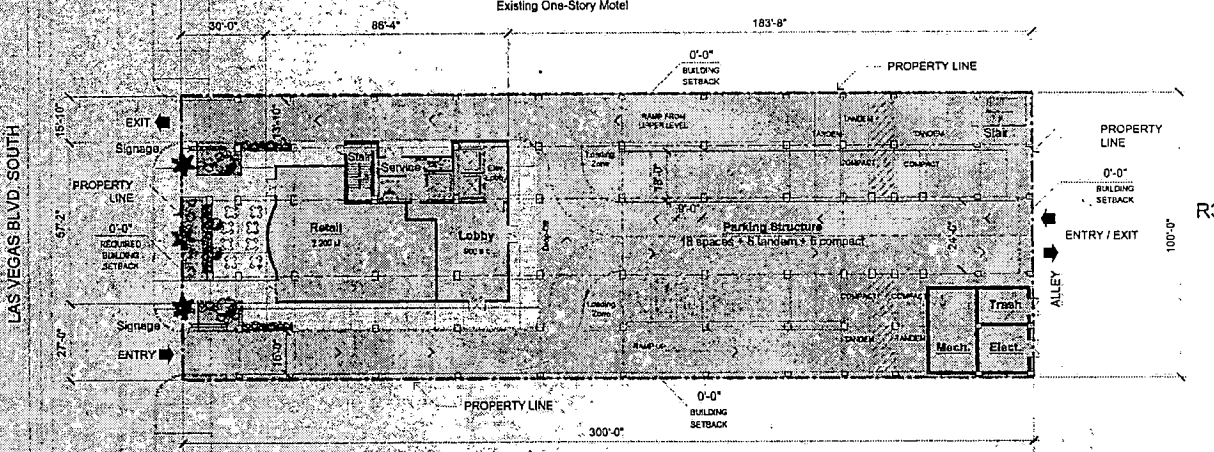
TOTAL 5 LEVEL — 184 SPACES
STANDARD — 133 SPACES
TANDEM — 16 SPACES
COMPACT — 30 SPACES
HANDICAP — 5 SPACES

PARKING REQUIREMENTS:

SEE JUSTIFICATION LETTER (5/24/04)

TOTAL REQUIRED SPACES — 184 SPACES
HANDICAP REQUIRED — 5 SPACES
LOADING ZONE REQUIRED — 2 SPACES

C2
Existing One-Story Motel



C2
Existing One-Story Motel

Site Zoning

SITE AREA: 0.68 Acres (30,000 s.f.)
Parcel Number: 162-03-310-008
Site Address: 1801 S. Las Vegas Blvd.
Jurisdiction: Las Vegas - 89104
City Ward: Gary Reese
Zoning Class:
Existing: General Commercial District (C-2)
Proposed: General Commercial District (C-2)
Special Use Permit: Mixed Use
Downtown Overlay District
Included within the Las Vegas Downtown Centennial Plan
Dwelling Unit Density: 134 units per .68 Acre
Yard Setbacks Waiver:
From: 0 feet
Interior side: 0 feet
Rear: 0 feet
Height: 275 feet

SITE PLAN (LEVEL ONE)

SCALE: 1" = 20'

SDR-4512
SUP-4515
07-08-04 PC

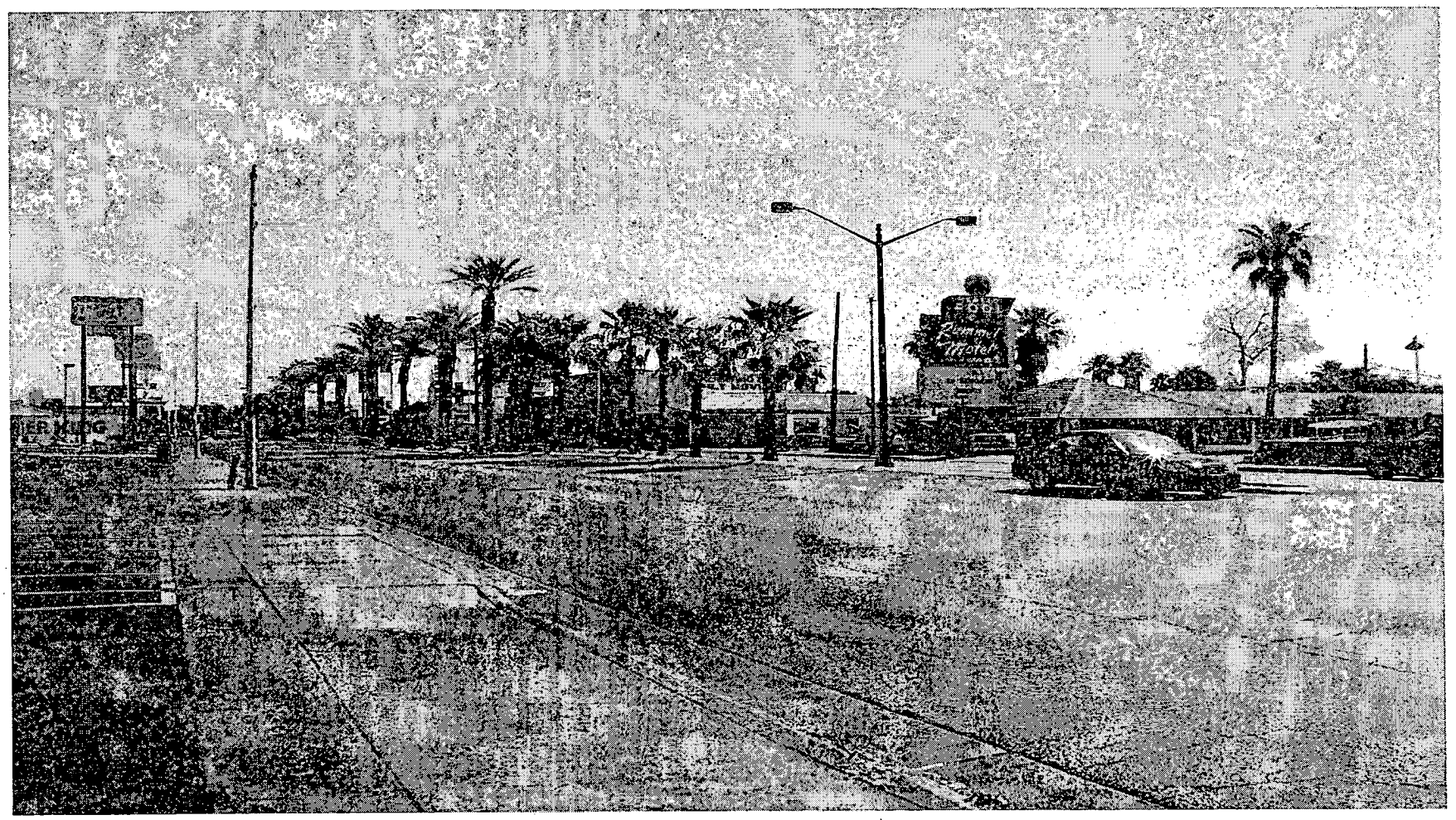
LIBERTY TOWER

DR-01

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas 1801 SOUTH LAS VEGAS BOULEVARD
LAS VEGAS, NEVADA

Date: May 24, 2004



SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC.
1801 LAS VEGAS BOULEVARD SOUTH
JULY 8, 2004 PLANNING COMMISSION

06/17/04

PLANNING COMMISSION *JULY 4, 2004*
SDR-4512
CITY COUNCIL CHAMBERS
400 STEWART AVE.
LAS VEGAS NV. 89104

MR. LEOBOLD,

WE ARE OPPOSED TO A 21 STORY BUILDING BEING BUILD IN BACK OF OUR PROPERTY AT 1814-1816 WELDON PL. THIS WILL TAKE AWAY THE PRIVACY OF OUR BACK YARDS AND OUR QUITE NEIGHBORHOOD. WE HAVE LEARNED TO LIVE WITH THE STRATOSPHERE CARNIVAL RIDES AND WE FEEL BY BUILDING 116 APT'S AND 18 CONDOMINIUMS WILL RUIN OUR PROPERTY AND WOULD NOT BE RESALEABLE AT A LATER DATE, DUE TO THE NOISE AND CONFUSION OF THE X AMOUNT OF PEOPLE LIVING THERE.

WHERE WOULD ALL OF THESE PEOPLE PARK?

Protest

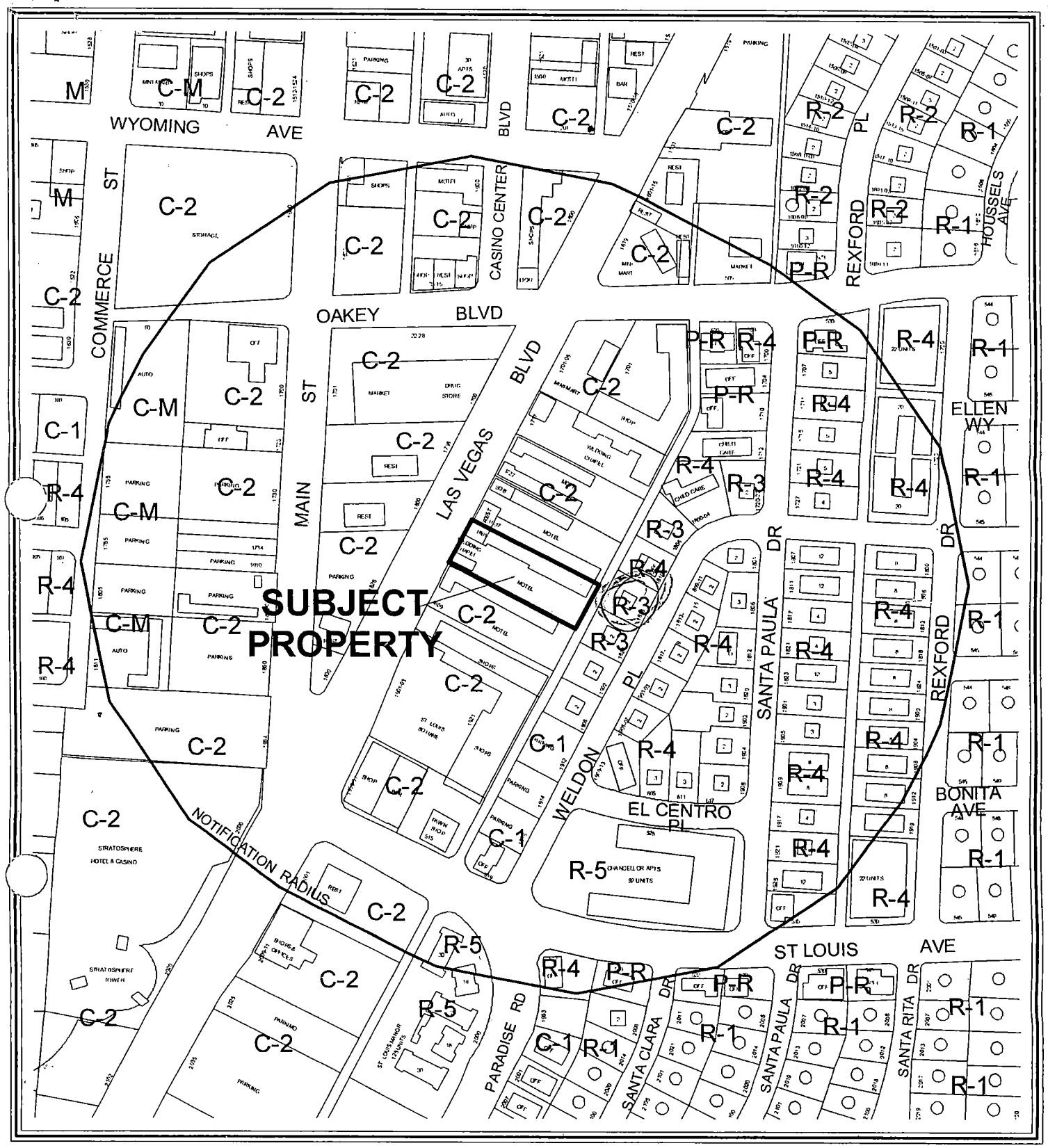
DORIS AND JAMES WILLSON

1761 SO. RAINBOW BLVD. #188 LV.NV 89146
(702) 379-7128

RECEIVED
CITY CLERK
2004 JUL -8 A 9:20

Submitted after final agenda
Date 07-08-04 Item 51 & 52

faxed 07-08-04 to Planning.



0 200 400 Feet

CASE: **SDR-4512**

RADIUS: 750 FT

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

N

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	0050
RECIPIENT ADDRESS	3857268
DESTINATION ID	
ST. TIME	07/08 09:55
TIME USE	00'22
PAGES SENT	2
RESULT	OK

PLANNING COMMISSION *JULY 4, 2004*
SDR-4512
CITY COUNCIL CHAMBERS
400 STEWART AVE.
LAS VEGAS NV. 89104

MR. LEOBOLD,

WE ARE OPPOSED TO A 21 STORY BUILDING BEING BUILD IN BACK OF OUR PROPERTY AT 1814-1816 WELDON PL. THIS WILL TAKE AWAY THE PRIVACY OF OUR BACK YARDS AND OUR QUITE NEIGHBORHOOD. WE HAVE LEARNED TO LIVE WITH THE STRATOSPHERE CARNIVAL RIDES AND WE FEEL BY BUILDING 116 APT'S AND 18 CONDOMINIUMS WILL RUIN OUR PROPERTY AND WOULD NOT BE RESALEABLE AT A LATER DATE, DUE TO THE NOISE AND CONFUSION OF THE X AMOUNT OF PEOPLE LIVING THERE.

WHERE WOULD ALL OF THESE PEOPLE PARK?

Protest

DORIS AND JAMES WILLSON

1725 SO. RAINBOW BLVD. #188 LV.NV 89146
(702) 379-7128

RECEIVED
CITY CLERK
2004 JUL -8

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4515 - PUBLIC HEARING - SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan Standards FOR A PROPOSED 21-STORY MIXED-USE DEVELOPMENT containing 116 apartment units, 18 condominium units, and 2,200 square feet of retail space on 0.68 acres at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions and adding the following conditions:

- ***Coordinate with the City Engineer's Office of the Department of Public Works regarding plans for future alley improvements accessing this site. If alley improvements are not complete at the time of development, such alley improvements (acceptable to the City Engineer) shall be constructed adjacent to this site to tie into the nearest existing improvements.***
- ***Landscape or hardscape (if allowed by the Planning Department) and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.***
- ***Submit an Encroachment Agreement for all landscaping and private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.***
- ***The applicant shall use tinted non-reflective glass on the structure.***

UNANIMOUS

To be heard by the City Council on 8/04/2004

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 52 – SDR-4512

MINUTES:

NOTE: See Item 51 [SUP-4515] for all related discussion on Item 51 [SUP-4515] and Item 52 [SDR-4512].

(10:48 – 11:13)
3-3939

CONDITIONS:

Planning and Development

1. Approval of a Special Use Permit (SUP-4515) to allow a Mixed-Use development on the subject.

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

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

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 waiver for the reduced sidewalk width on Las Vegas Boulevard is approved, in order to allow a 10-foot wide sidewalk. The palm trees shall be located in a five-foot amenity zone with tree grates immediately behind the curb in accordance with the Downtown Centennial Plan.

6. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner for required landscaping. No turf shall be permitted in landscape areas or amenity zones in this development. Failure to properly maintain required landscaping and the underground sprinkler system shall be cause for revocation of a business license.

7. The waiver from the Downtown Centennial Plan requirement for building stepbacks at the 4th, 11th, and 18th stories is approved, based on the level of façade articulation detailed in the submitted elevations.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of Las Vegas Boulevard.

CONDITIONS – Continued:

9. Wall pack lighting on the building shall utilize 'shoe-box' fixtures and downward-directed lights. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent residential 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 signage shall be in conformance with the requirements of Title 19.14 and the Las Vegas Boulevard Scenic Byway Overlay District.

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

14. Landscape or hardscape (if allowed by the Planning Department) and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.

15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

16. The applicant shall use tinted non-reflective glass on the structure.

Public Works

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 Downtown Centennial Development Standards concurrent with development of this site.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not

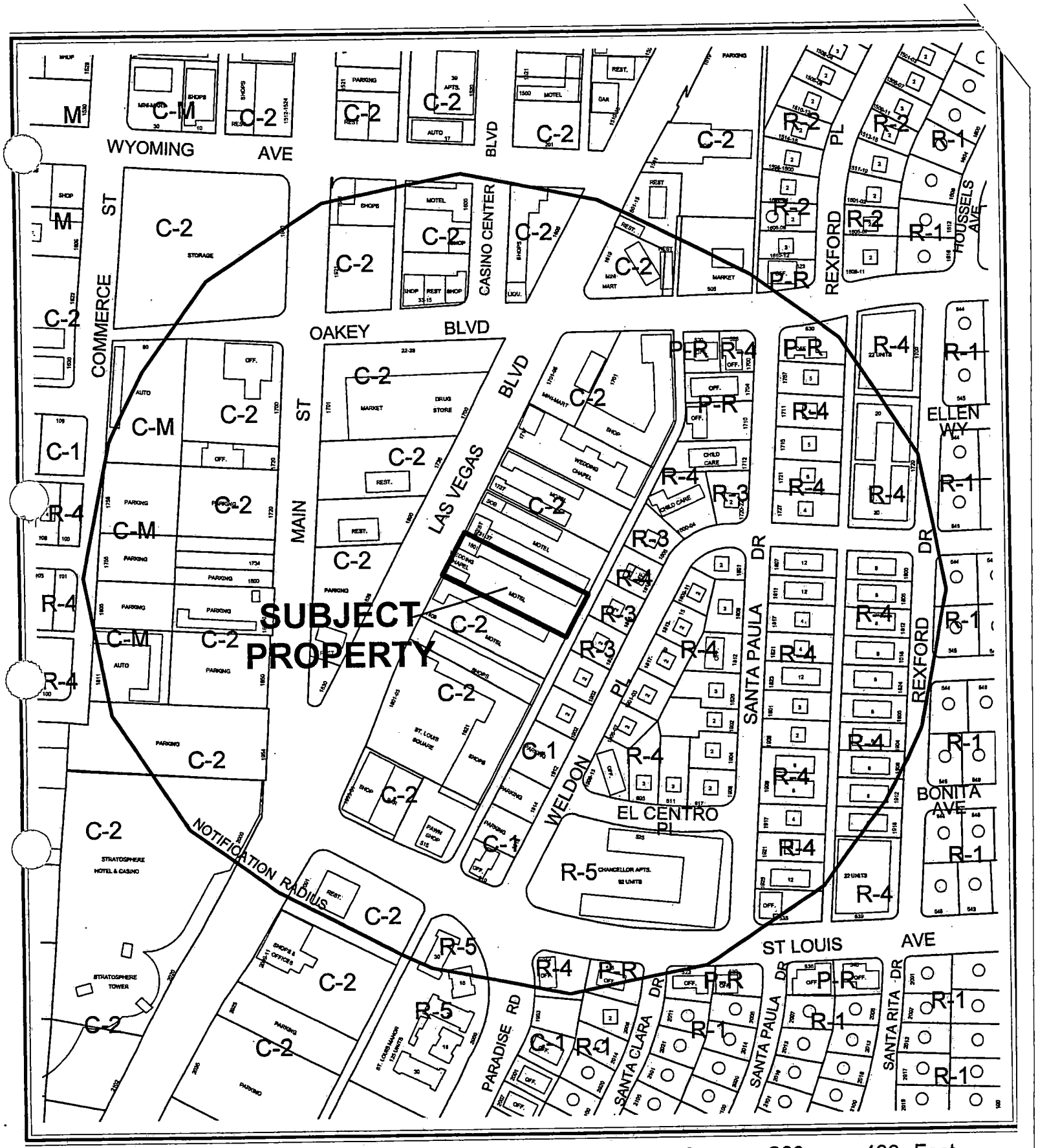
CONDITIONS – Continued:

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.

16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

18. Coordinate with the City Engineer's Office of the Department of Public Works regarding plans for future alley improvements accessing this site. If alley improvements are not complete at the time of development, such alley improvements (acceptable to the City Engineer) shall be constructed adjacent to this site to tie into the nearest existing improvements.



CASE: **SDR-4512**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to the following conditions:

Planning and Development

1. Approval of a Special Use Permit (SUP-4515) to allow a Mixed-Use development on the subject.

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

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

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 waiver for the reduced sidewalk width on Las Vegas Boulevard is approved, in order to allow a 10-foot wide sidewalk. The palm trees shall be located in a five-foot amenity zone with tree grates immediately behind the curb in accordance with the Downtown Centennial Plan.

6. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner for required landscaping. No turf shall be permitted in landscape areas or amenity zones in this development. Failure to properly maintain required landscaping and the underground sprinkler system shall be cause for revocation of a business license.

7. The waiver from the Downtown Centennial Plan requirement for building stepbacks at the 4^{th}, 11^{th}, and 18^{th} stories is approved, based on the level of façade articulation detailed in the submitted elevations.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of Las Vegas Boulevard.

DDS

9. Wall pack lighting on the building shall utilize 'shoe-box' fixtures and downward-directed lights. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent residential 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 signage shall be in conformance with the requirements of Title 19.14 and the Las Vegas Boulevard Scenic Byway Overlay District.

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

Public Works

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16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed Mixed-Use development (Liberty Tower) to be located at 1801 Las Vegas Boulevard South. An application for a Special Use Permit (SUP-4515) has been submitted in conjunction with this application. In addition, there are requests for waivers in Development Standards, including building step backs, driveway curb cuts, and the sidewalk width.

B) Applicant's Justification

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

> "This project is appropriate and will strengthen the existing goals for the development of the Downtown Overlay District. The vernacular of the Architecture will respect the new modern skyline for Las Vegas Boulevard. Public transportation is readily available on Las Vegas Boulevard which will reduce dependence on private transportation. A number of the units will be a second residence for some owners further reducing the parking demand."

BACKGROUND INFORMATION

A) Previous Actions

05/01/96	The City Council accepted the Withdrawal Without Prejudice of a request for a Variance (V-0025-96) to allow 50 parking spaces where 59 spaces are required for a restaurant/tavern. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.
05/01/96	The City Council accepted the Withdrawal Without Prejudice of a request for a Special Use (U-0015-96) for a Tavern and for a Waiver of the 1500-foot separation requirement from similar establishments and from a Child Care Facility. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.
06/07/2000	The City Council approved a Site Development Plan (SD-0020-00) to add a 1,152 square-foot restaurant to a motel. The Planning Commission and staff recommended approval on 04/27/00.

DDS

B) Pre-Application Meeting

05/07/04 At the pre-application conference, issues were discussed relative to the streetscape requirements, parking requirements, building stepback requirements, the requirements for mixed-use structures, and the proposed materials for the building. In addition, Public Works identified the need for a right-of-way dedication and the configuration of the proposed driveway.

C) Neighborhood Meetings

06/30/04 Although a neighborhood meeting is not required as part of this request, the applicant held a meeting in order to address any concerns that adjacent property owners may have relative to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.68

B) Existing Land Use

Subject Property:	Tourist commercial (motel and wedding chapel)
North:	Mixed commercial (motel, restaurant and sexually oriented business)
South:	Tourist commercial (motel)
East:	Residential (duplex)
West:	Service Commercial (restaurant and parking area)

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	R-3 (Medium Density Residential)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located in the Downtown-Commercial land use designation. The Existing zoning is C-2 (General Commercial).

DDS

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Downtown Redevelopment Plan	X	
Special Overlay District	X	
Downtown Northern Strip	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 property is also located in several special districts, including the Northern Strip of the Downtown Centennial Plan and in the Redevelopment Plan area. With a Special Use Permit, the proposed mixed use development is allowed within the Downtown-Commercial land use classification, the Northern Strip of the Downtown Centennial Plan, the Redevelopment Plan area, and in the C-2 (General Commercial) Zone.

PROJECT DESCRIPTION

This project is to construct a 275-foot high Mixed Use development within the Downtown Overlay District. The plans depict a 21-story building with 116 residential apartment units and 18 residential condominium units on the top 14 floors, five levels of parking and one "amenity" floor on the second through seventh floors, and nonresidential uses, including a café, located at ground level. The café is being provided with outside seating at the front of the building to enhance the pedestrian element of the Downtown. Access to the site is provided by a one-way entrance and exit from Las Vegas Boulevard and from an alley to the rear.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, and maximum lot coverage provisions. However, the exemption does not prohibit the imposition of limitations on the approval of a Site Development Plan. The following Development Standards are provided:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.68 acres	N/A
Min. Lot Width	N/A	100 feet	N/A
Min. Setbacks • Front • Side • Rear	 0 Feet N/A N/A	 None None None	 Y N/A N/A
Max. Lot Coverage	Up to 100%	93%	Y
Max. Building Height	N/A	275 feet	N/A
Trash Enclosure	Walled/roofed	Enclosed	Y
Loading Zone	1	2	Y
Mech. Equipment	Screened	Enclosed	Y

The proposed structure will generally comply with the development requirements of the Downtown Centennial Plan. While the first floor commercial space is not located directly at the front property line, a covered outdoor dining area is provided adjacent to the public sidewalk, and appropriately substitutes for the building frontage requirement.

A2) Residential Adjacency Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory Residential Adjacency Standards. However, the exemption does not prohibit limitations on the approval of a Site Development Plan. If the standards were to apply, a setback triangle would project out from the property 825 feet; the nearest single-family residence is located approximately 725 feet to the east.

A3) Parking and Traffic Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory standard parking requirements. However, 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.

Pursuant to Title 19.10, the following Parking Standards would apply to a similar proposal outside the Downtown Overlay District:

Uses	Units/ GFA	Required			Provided	
		Spaces /Unit	Parking		Parking	
			Regular	Guest spaces	Regular	Handicap
Dwelling Units						
• 2 bedroom	116	1.75	202	19		
• 3 bedroom	6	2	12	2		
• 4 bedroom	12	2	24	4		
Retail	2,260 SF	1/175	45			
Total:			283	25	184	6

Title 19 would require 308 parking spaces (283 regular spaces + 25 guest spaces). This includes approximately 2200 square feet of floor space plus 60 square feet of external seating area for a café. The applicant is asking for approval of 184 spaces for this development, which results in a ratio of three spaces per 1,000 square feet for the commercial space, one space for each residential unit, and 43 guest spaces. The applicant states that because of public transportation readily available on Las Vegas Boulevard and because a number of units will be second residences for some owners, the proposed number of parking spaces is adequate.

It is not unusual for developments in downtown areas to be provided with less parking than required in more remote locations. The assumption is that residents tend to walk and/or ride public transit to other locations downtown and elsewhere. Clearly, if less parking is provided, potential residents will take into consideration their need for parking in making decisions on locations to live.

A4) Landscape and Open Space Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory standard landscaping requirements. However, 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.

As there are no surface parking lots proposed for the property, no perimeter landscaping is required. The Downtown Centennial Plan requires property owners to install streetscape treatments in accordance with the Plan; the submitted plan indicates that the public sidewalk will be reconstructed and street trees will be installed. The applicant has requested a waiver from the specific requirements of the Downtown Centennial Plan based on the limited area in the right-of-way for the improvements.

A5) Sign Standards

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

Monument Signs: Standards	**Allowed**	**Provided**
Maximum Number	1/200' Street frontage 1 total	2 total
Maximum Area	75 SF/sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	3 Feet
Illumination	Direct/Internal	Not indicated

Title 19.14 would only allow one monument sign for the property; the site plan shows two monument signs along the Las Vegas Boulevard frontage. The monument sign will need to be located a minimum of five feet from the front property line in accordance with Title 19.14. In addition, the signage will need to comply with the Las Vegas Boulevard Scenic Byway Overlay District, which requires the use of neon illumination or animated features for signage in the Overlay area.

B) General Analysis and Discussion

- Zoning

The subject site is located in the C-2 (General Commercial) Zone. Within the Downtown Las Vegas Redevelopment Area, residential uses permitted by right in the R-3 (Medium Density Residential) Zone or the R-4 (high Density Residential) Zone are permitted in a C-2 district with a Special Use Permit. In the R-3 or R-4 districts, condominiums and multi-family apartments are allowed as permitted uses. In the C-2 district, restaurants and most retail uses are permitted by right.

The applicant has submitted a Special Use Permit (SUP-4515) to place 134 residential units (116 apartments and 18 condominiums) on the top 14 floors of a 21-story building. The first floor would be devoted to retail floor space and a café and the second through seventh floors would be used for five levels of parking and one "amenity" floor. With the nonresidential uses located at ground level, the proposed use meets the requirements for a Special Use Permit.

- Site Plan

The site plan depicts an outdoor dining area and 2,200 square-foot commercial space oriented towards Las Vegas Boulevard, with one-way driveways located adjacent to the north and south property lines. In addition to the access on Las Vegas Boulevard, the development will have access to an alley at the rear of the property. The first six stories of the structure will be built to the property lines, as is allowed by the Downtown Centennial Plan; the residential floors will be set back from the north and south property lines in order to allow windows and balconies on those sides of the building.

- Waivers

A waiver has been requested for reduced sidewalk width along Las Vegas Boulevard; the Downtown Centennial Plan requires an 11-foot wide sidewalk with a five-foot amenity zone, and the applicant is proposing a 10-foot wide sidewalk with the street trees planted behind the sidewalk on private property. Due to the restricted width of the right-of-way, the waiver for the sidewalk width is warranted. However, the palm trees should be located in five-foot tree wells with grates immediately behind the curb, in order to be consistent with approved streetscape treatments for other properties on Las Vegas Boulevard.

Another waiver has been requested from the Centennial Plan requirement for building stepbacks at the 4th, 11th, and 18th stories of the building. The requirement is intended to encourage variation in massing and scale; the proposed building will have adequate articulation and projecting elements, and thereby complies with the goals and objectives of the Downtown Centennial Plan.

- Landscape Plan

As previously noted, no perimeter landscaping is required due to the configuration of the project. Streetscape treatments are required by the Centennial Plan; a waiver has been requested based on the limited right-of-way along Las Vegas Boulevard.

- Elevation

The submitted drawings depict the residential tower surfaced with a stucco treatment, situated over a base of smooth-faced decorative concrete block, which assists in highlighting the transition between the uses. The base of the building contains the commercial space, residential lobby, and parking structure; the front of the parking structure has openings screened with metal louvers that assist in reducing the massing of the façade and add variety to the appearance of the structure. Balconies with tinted glass railings will be provided for the residential units, with the balcony structures providing relief and contrast to the vertical elements of the structure. An arched rooftop element will be provided to cap off the building and screen all rooftop mechanical equipment.

- Floor Plan

The building is organized with the commercial space and residential lobby on the ground floor at the front of the building, with a number of parking spaces at grade and the entrance to the upper levels of the parking structure located towards the rear of the site. The amenities for the apartments and condominiums are located directly atop the parking structure, and serve to separate the residential portion of the tower from the parking and commercial areas.

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;"**

   According to the "Las Vegas Downtown Centennial Plan," the subject property is located within the Northern Strip District. The Northern Strip District centers on the Stratosphere Tower Hotel and Casino. This is a transitional area to the Downtown. The Plan states: "Future evaluations will have to determine the highest and best land uses for this area." (p. 33)

   The Centennial Plan stresses that creating a broad diversity of land uses in Downtown Las Vegas is key to its future success as an activity center and vital urban regional hub. It states: "The success of downtowns across the country often depends upon integrating a successful residential community in, among, and adjacent to the Downtown area."

   The commercial development on the first floor is to consist of a café and other retail uses. The café is proposed to have an external seating area that will integrate with the pedestrian traffic on Las Vegas Boulevard. This proposed mix of high density and intensity of land uses conforms to the goals and objectives of the Centennial 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;"**

   According to the "Las Vegas Downtown Centennial Plan," the subject property is located within the Northern Strip District. The Northern Strip District centers on the Stratosphere Tower Hotel and Casino. This is a transitional area to the Downtown. The Plan states: "Future evaluations will have to determine the highest and best land uses for this area." (p. 33)

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   The commercial development on the first floor is to consist of a café and other retail uses. The café is proposed to have an external seating area that will integrate with the pedestrian traffic on Las Vegas Boulevard. This proposed mix of high density and intensity of land uses conforms to the goals and objectives of the Centennial Plan.

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

   Las Vegas Boulevard, a Primary Arterial (100-foot wide) street, according to the Master Plan of Streets and Highways, provides suitable access to the site by way of a one-way entrance and one-way exit. Access is further enhanced by use of an alley to the rear of the property.

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

   The proposed streetscape materials are generally consistent with the requirements of the Downtown Centennial Plan and are appropriate for the area. The combination of decorative block, stucco, and glass utilized for the exterior of the structure are appropriate for an urban area and are consistent with the adjacent area.

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

   The building has been designed to highlight the different functions in the structure, while maintaining a consistent architectural theme. The parking structure has been detailed with screened openings so as to prevent a blank façade and provide scale to that portion of the structure, while the upper portion of the tower combines the horizontal elements of the balconies against the vertical structural elements.

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

   The site will be subject to ongoing inspection and will therefore not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NOTICES MAILED 84 (Mailed with SUP-4515)

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4512 APN: 162-03-310-006

Name of Property Owner: HARVARD SECURITIES INC.

Name of Applicant: HARVARD SECURITIES 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 _____✓_____ 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: JOSEPH DIMARCO

Subscribed and sworn before me

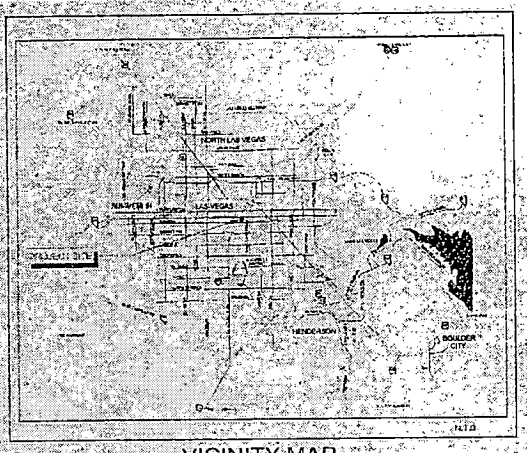
This 5th day of May, 2004

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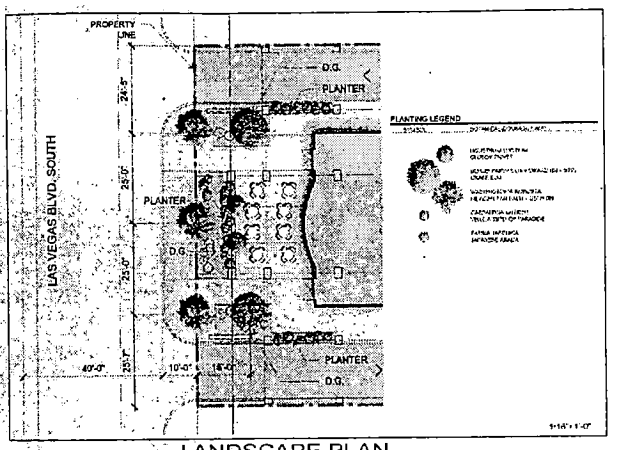
Notary Public in and for said County and State

County of Clark
State of Nevada

MEGAN D. TRUITT
Notary Public State of Nevada
No. 01-70550-1
My appt. exp. Aug. 13, 2005



VICINITY MAP



LANDSCAPE PLAN

JMA ARCHITECTURE STUDIOS

Site Data

LUXURY APARTMENTS:

UNIT INFORMATION — 151 785 S F salable
UNIT A - 2 BEDROOM — 3 PER FLOOR (3,426 SF)
1,026 s.f., 76 s.f. Balcony, and 40 s.f. Storage = 1,142 SF
UNIT B - 2 BEDROOM — 3 PER FLOOR (3,426 SF)
1,026 s.f., 76 s.f. Balcony, and 40 s.f. Storage = 1,142 SF
UNIT C - 2 BEDROOM w/DEN — 4 PER FLOOR (8,324 SF)
1,414 s.f., 127 s.f. Balcony, and 40 s.f. Storage = 1,581 SF
11 LEVELS — 10 UNITS PER FLOOR (83,176 SF)

SIXTH LEVEL
UNIT A - 2 BEDROOM — 3 PER FLOOR (3,198 SF)
1,026 s.f., 76 s.f. Balcony, 40 s.f. Storage = 1,142 SF
UNIT B - 2 BEDROOM — 3 PER FLOOR (3,129 SF)
1,026 s.f., 15 s.f. Balcony, 40 s.f. Storage = 1,142 SF
1 LEVEL — 6 UNITS PER FLOOR (6,852 SF)

TOTAL 12 LEVELS — 116 TOTAL UNITS (116 KEYS)
UNIT A - 2 BEDROOM = 36 UNITS
UNIT B - 2 BEDROOM = 36 UNITS
UNIT C - 2 BEDROOM w/ DEN = 44 UNITS

SKY HOME PENTHOUSE UNITS:

UNIT INFORMATION — 36 669 S F.
UNIT D - 3 BEDROOM — 4 PER FLOOR (8,423 SF)
1,907 s.f., 160 s.f. Balcony 74 s.f. Storage = +/- 2,141 SF
UNIT E - 3 BEDROOM CORNER — 2 PER FLOOR (4,800 SF)
2,253 s.f., 100 s.f. Balcony, 40 s.f. Storage = 2,800 SF
5 UNITS PER FLOOR (12,223 SF)

TOTAL, 3 LEVEL — 15 TOTAL UNITS (15 KEYS)
UNIT D = 4 BEDROOM = 12
UNITE - 3 BEDROOM CORNER = 6 UNITS

BUILDING AREAS:

LUXURY APARTMENTS — 169 960 SF
LEVELS 1 LEVEL @ 6 852 SF
LEVEL 2 thru 17 11 LEVELS @ 13,453 SF
SKY HOME PENTHOUSE — 44 040 SF
LEVEL 18 thru 20 3 LEVELS @ 14 680 SF
FIRST LEVEL — 37 920 SF
PARKING STRUCTURE — 24 650 SF
LOBBY — 900 SF
SERVICE — 170 SF
RETAIL — 2,200 SF
SECOND / THIRD / FOURTH / FIFTH LEVEL — 37,920 SF (each)
PARKING STRUCTURE — 26,370 SF
ELEV LOBBY — 150 SF
SERVICE / STORRAGE — 1 500 SF
SIXTH LEVEL — 18,120 SF
GYM + EXERCISE ROOM — 900 SF
LOUNGE — 1,100 SF
GAME ROOM — 700 SF
THEATER ROOM — 1,000 SF
CONCIERGE APARTMENT — 1,026 SF
SALES OFFICE — 700 SF
SERVICE / STORAGE — 500 SF
TOTAL BUILDING AREA — 349 710 SF

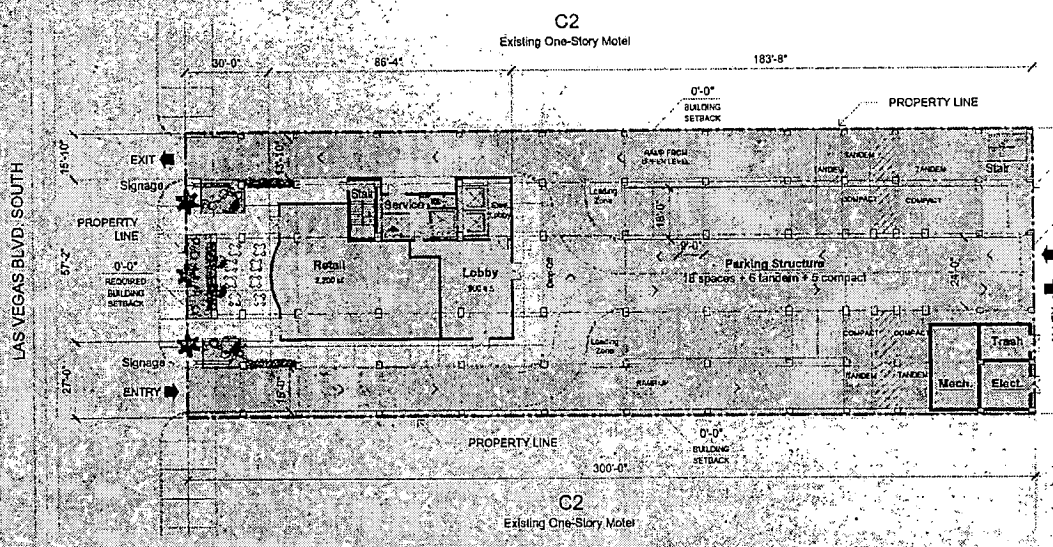
PARKING STRUCTURE

TOTAL 5 LEVEL — 184 SPACES
STANDARD — 132 SPACES
TANDEM — 16 SPACES
COMPACT — 30 SPACES
HANDICAP — 6 SPACES

PARKING REQUIREMENTS:

SEE JUSTIFICATION LETTER (5/24/04)

TOTAL REQUIRED SPACES — 184 SPACES
HANDICAP REQUIRED — 6 SPACES
LOADING ZONE REQUIRED — 2 SPACES



Site Zoning

SITE AREA:	0.58 Acres (30,000 s.f.)
Parcel Number:	162-03-310-006
Site Address:	1801 S. Las Vegas Blvd.
Jurisdiction:	Las Vegas - 89104
City Ward:	Gary Reese
Zoning Class:	
Existing:	General Commercial District (C-2)
Proposed:	General Commercial District (C-2)
Special Use Permit:	Mixed Use
	Downtown Overlay District Included within the Las Vegas Downtown Centennial Plan
Dwelling Unit Density:	134 units per .58 Acre
Yard Setbacks Waiver:	
Front:	0 feet
Interior side:	0 feet
Rear:	0 feet
Height:	275 feet

SITE PLAN (LEVEL ONE)
SCALE: 1" = 20'

SDR-4512
SUP-4515
07-08-04 PC

LIBERTY TOWER

DR-01

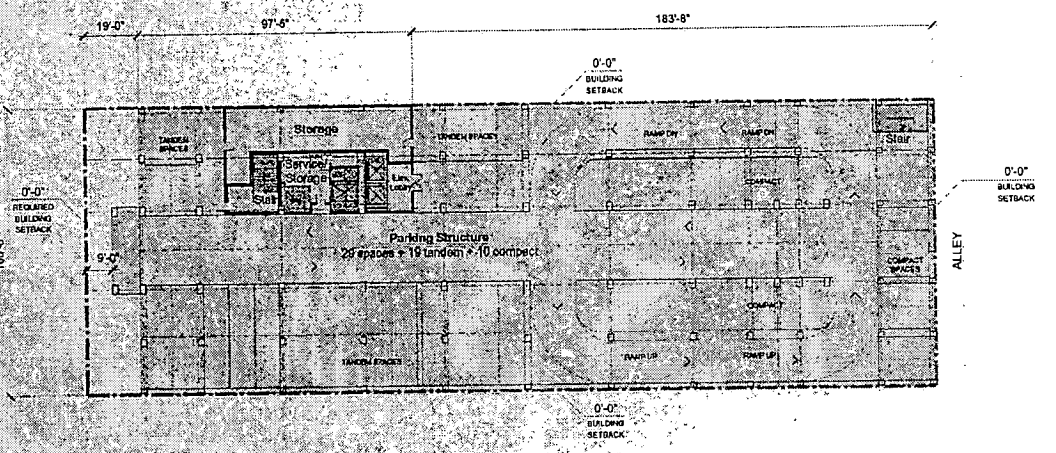
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



SDR-4512
SUP-4515
07-08-04 PC

LEVEL 2nd thru 4th
SCALE: 1" = 20'

LIBERTY TOWER

DR-02

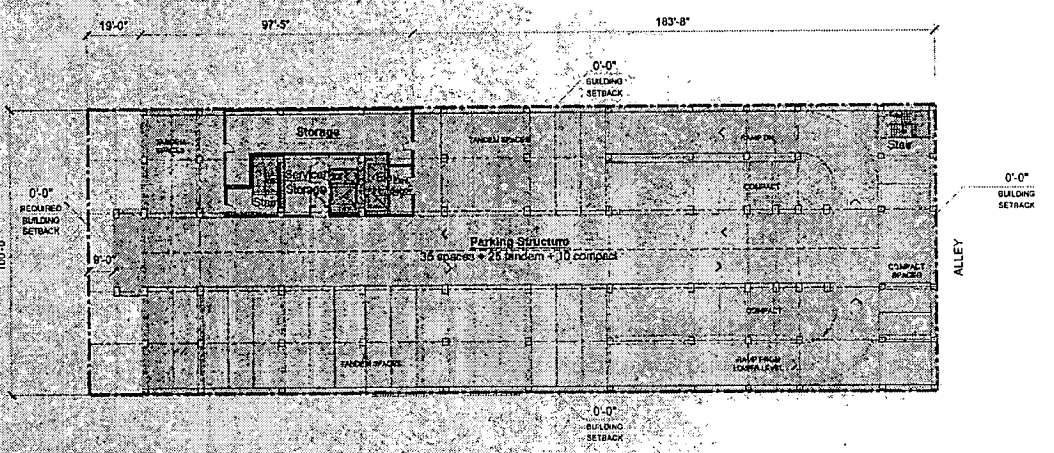
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1301 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



SDR-4512
SUP-4515
07-08-04 PC

LEVEL 5
SCALE: 1" = 20'

LIBERTY TOWER

DR-03

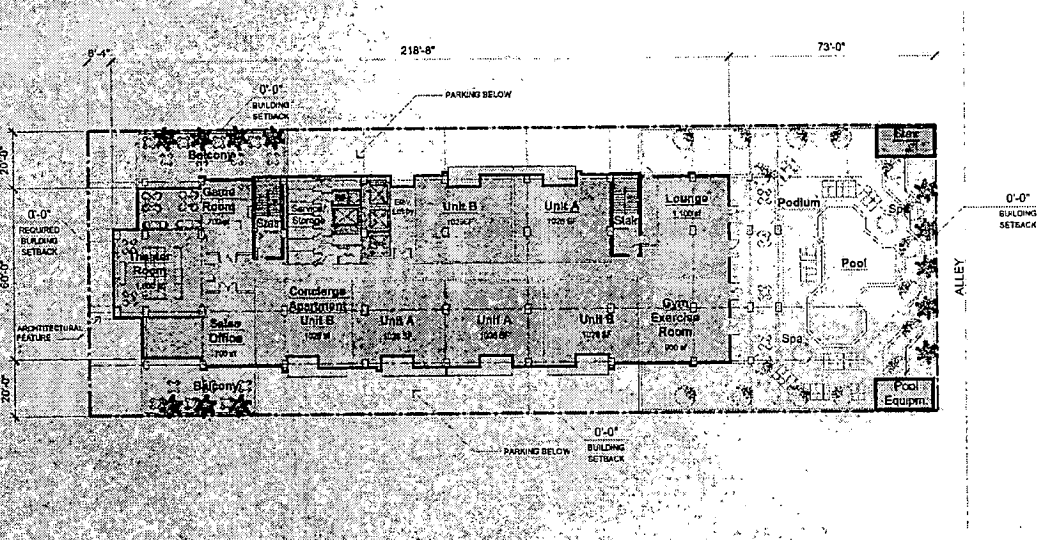
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



SDR-4512
SUP-4515
07-08-04 PC

LEVEL 6

SCALE: 1" = 20'

LIBERTY TOWER

DR-04

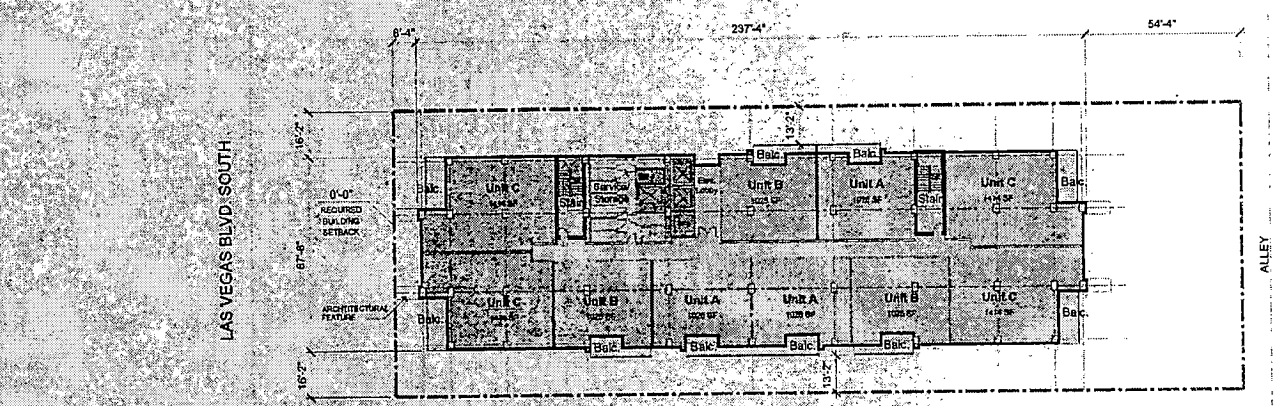
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



SDR-4512
SUP-4515
07-08-04 PC

LEVEL 7th thru 17th
SCALE: 1" = 20'

LIBERTY TOWER

DR-05

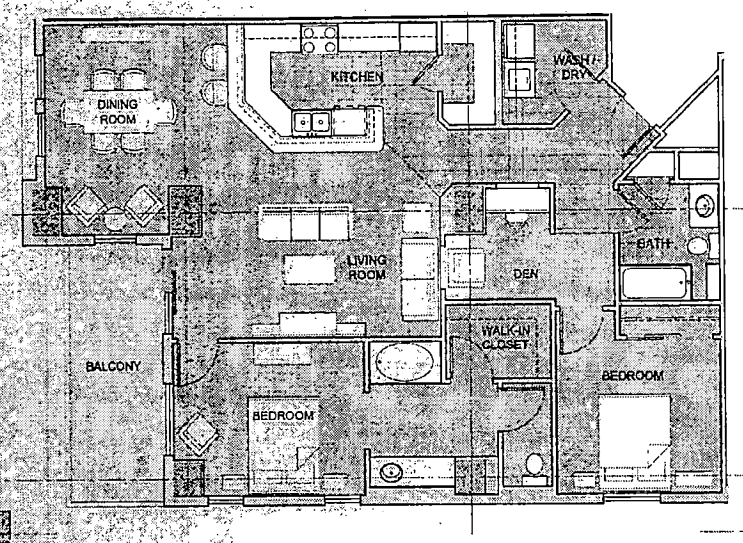
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

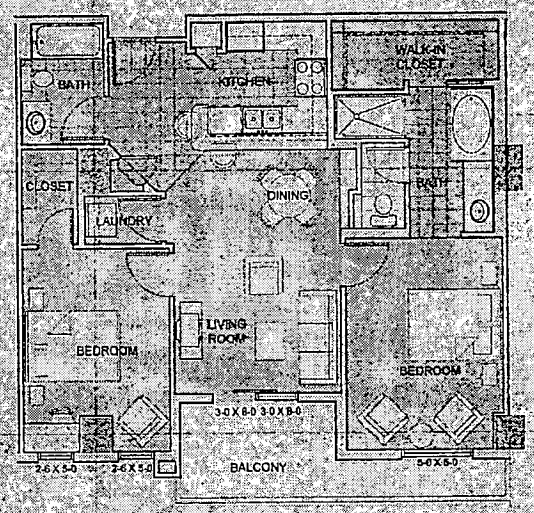
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Date: May 24, 2004

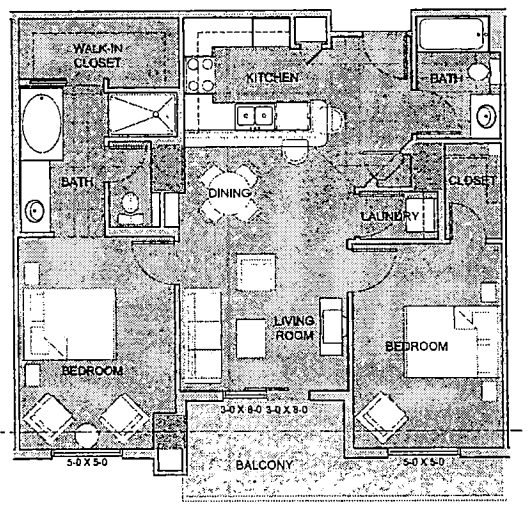
JMA ARCHITECTURE STUDIOS



UNIT C



UNIT A



UNIT B

TYPICAL UNITS FLOOR PLANS - APARTMENTS

SCALE: 1/4" = 1'

SDR-4512
SUP-4515
07-08-04 PC

DR-07

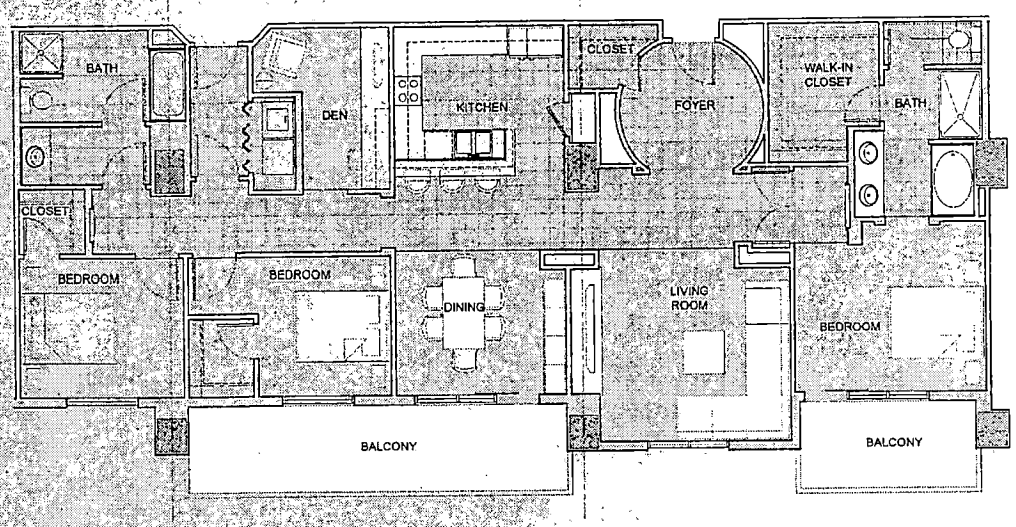
LIBERTY TOWER

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

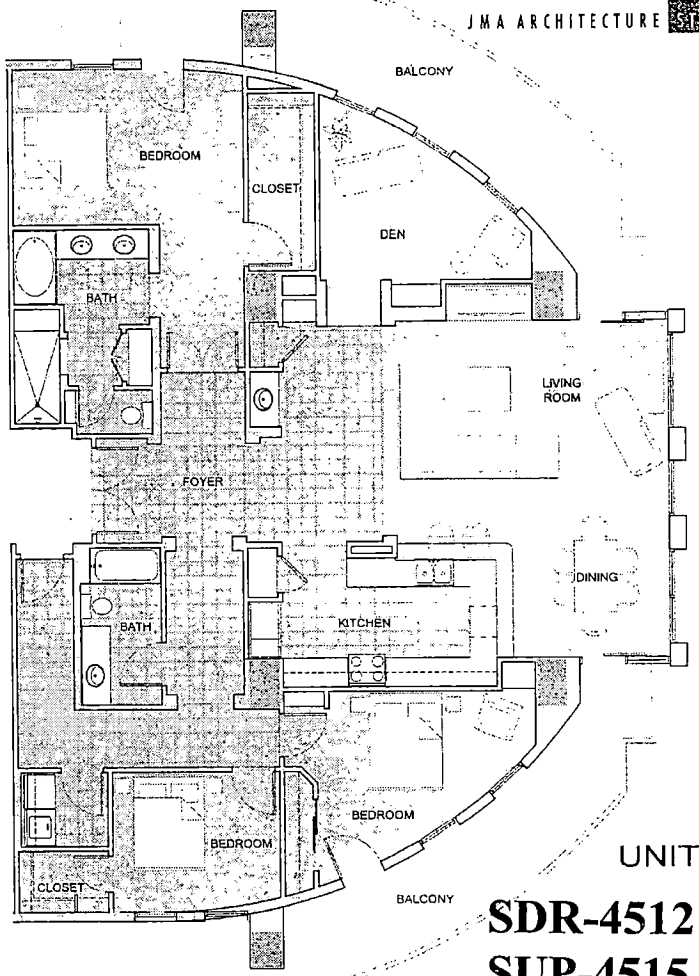
City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004



UNIT D



UNIT E

SDR-4512
SUP-4515
07-08-04 PC

TYPICAL UNITS FLOOR PLANS - LUXURY CONDOMINIUMS

SCALE: 1/4" = 1'

JMA ARCHITECTURE STUDIOS

LIBERTY TOWER

DR-08

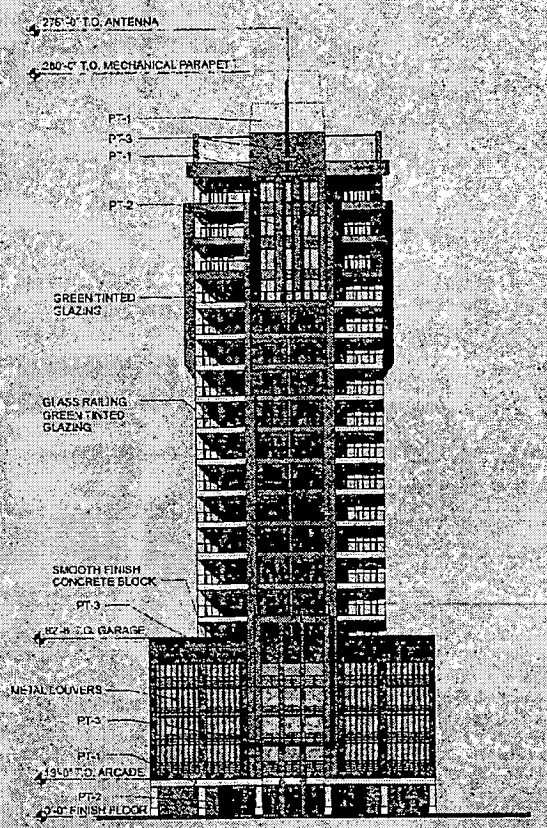
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

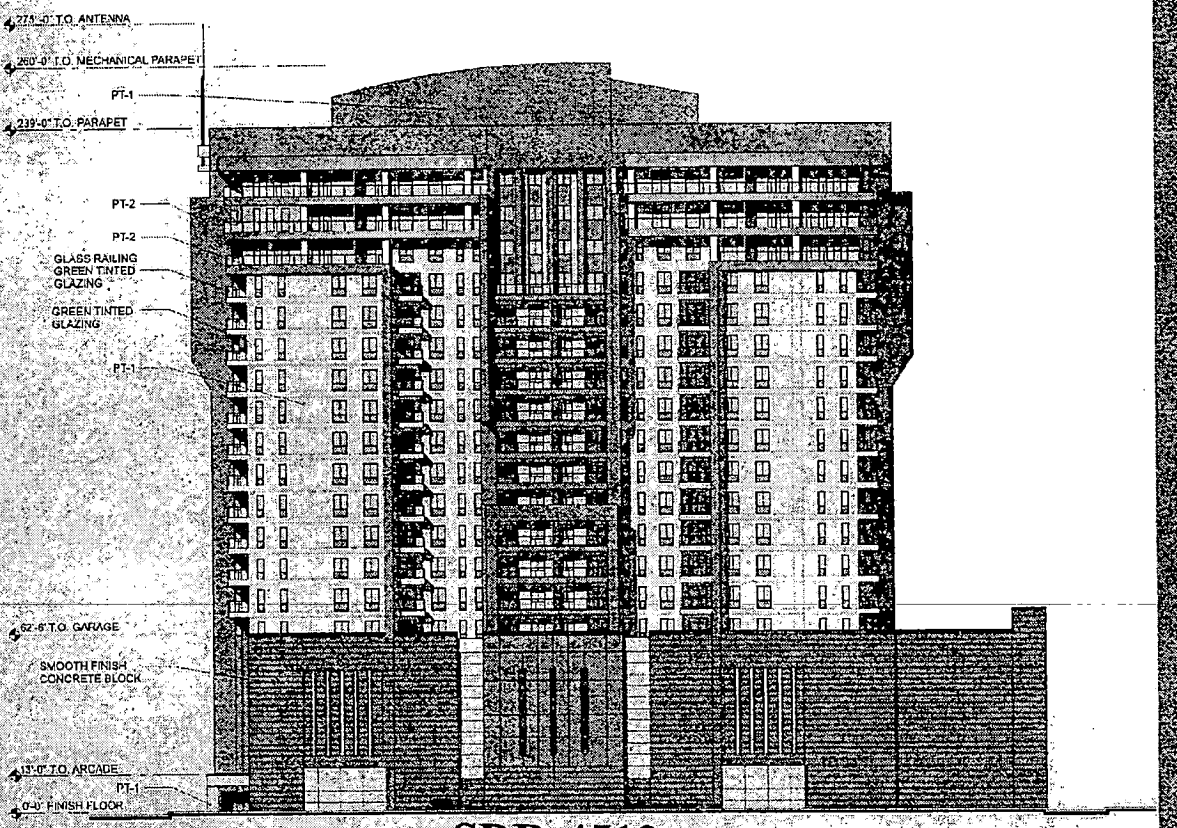
1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



WEST ELEVATION



SOUTH ELEVATION

ELEVATIONS

SCALE: 1" = 20'

SDR-4512
SUP-4515
07-08-04 PC

NORTH TOWER

DR-09

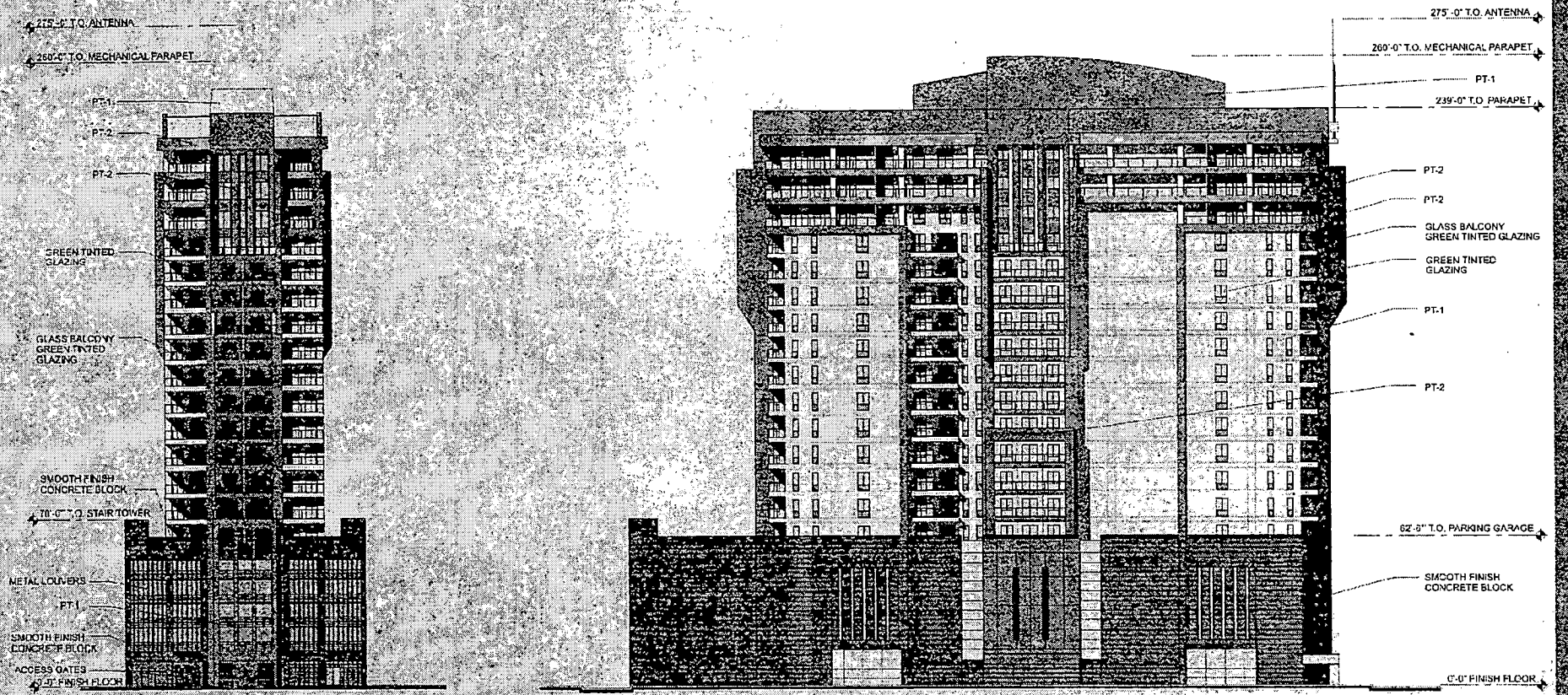
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

JMA ARCHITECTURE STUDIOS



EAST ELEVATION

NORTH ELEVATION

ELEVATIONS

SCALE: 1" = 20'

LIBERTY TOWER

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

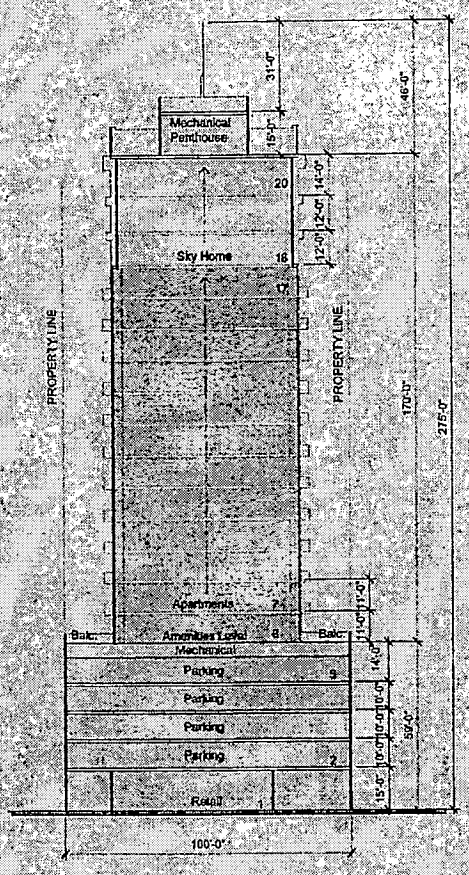
1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

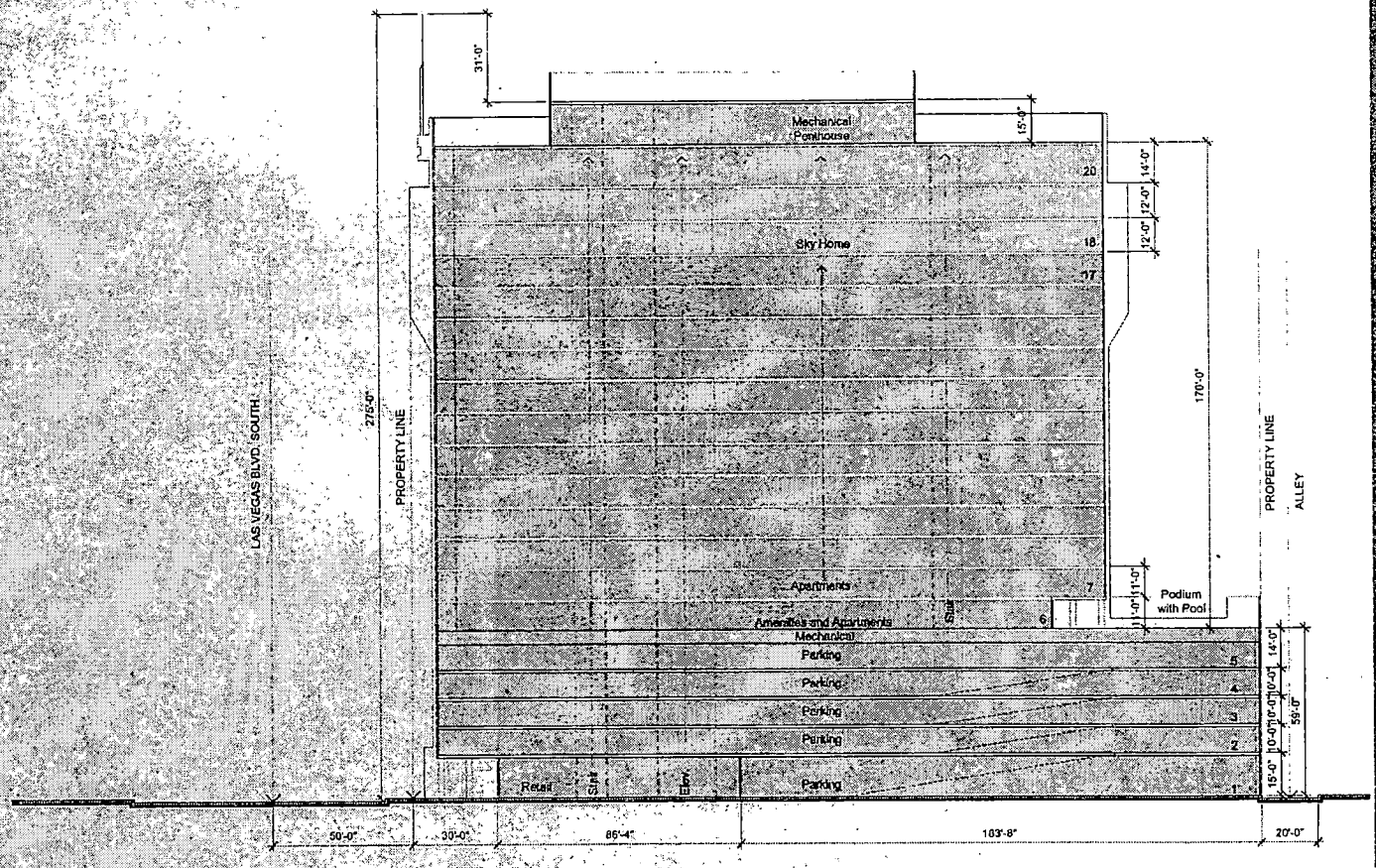
DR-10

SDR-4512
SUP-4515
07-08-04 PC

JMA ARCHITECTURE STUDIOS



SITE SECTION AT SIDE YARDS



SITE SECTION AT LAS VEGAS BLVD AND ALLEY

SITE SECTIONS

SCALE: 1" = 20'

LIBERTY TOWER

DR-11

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

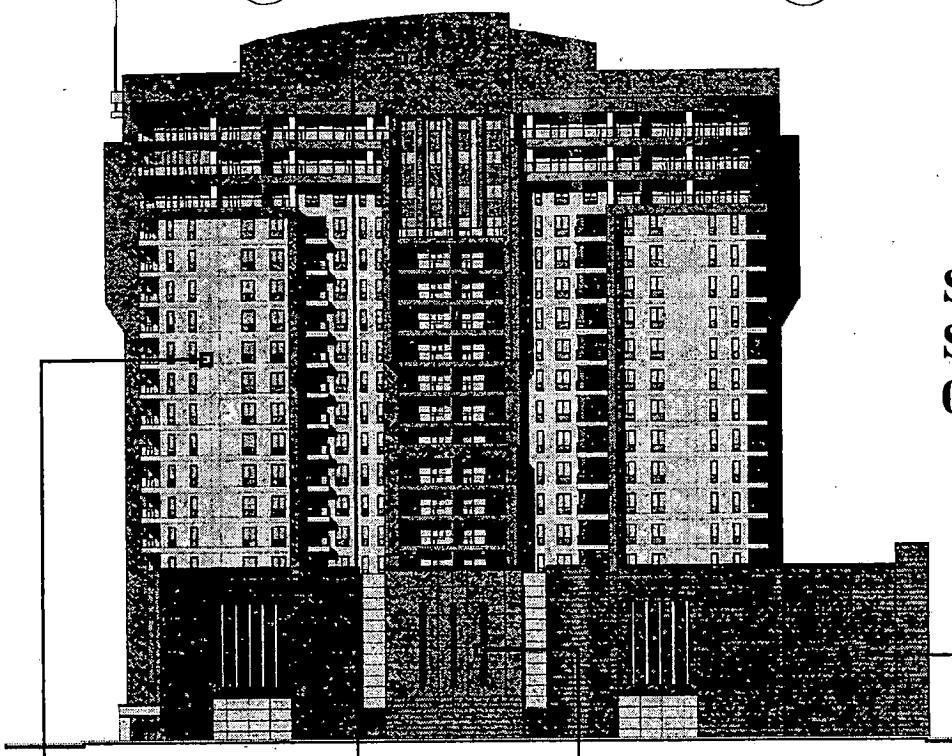
City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

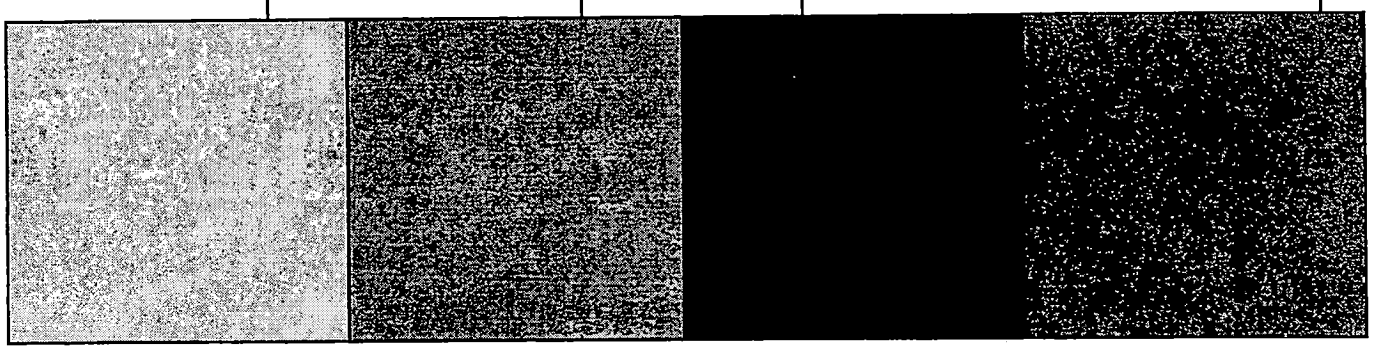
Date: May 24, 2004

SDR-4512
SUP-4515
07-08-04 PC

JMA ARCHITECTURE STUDIOS



SDR-4512
SUP-4515
07-08-04 PC



Main Paint
Estate Greige (PT-1)

Accent Paint
Stratford Brown (PT-2)

Accent Paint
Heartwood (PT-3)

Concrete Block
Black 250 Precision Block

LIBERTY TOWER

EXTERIOR COLOR SCHEME

Project # 20040123
Proposal # 200401901.103

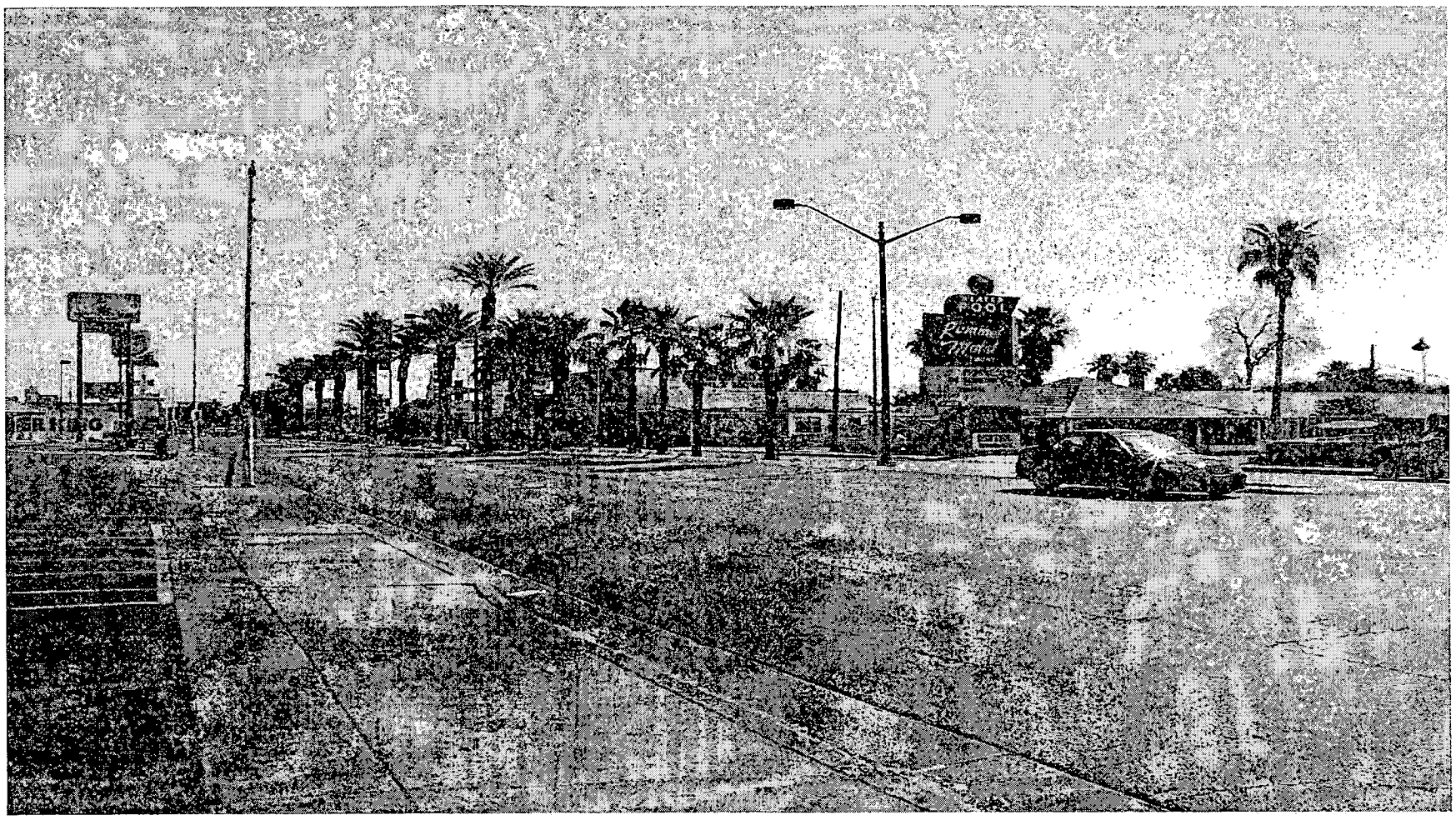
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

1801 SOUTH LAS VEGAS BOULEVARD

Date: May 24, 2004

10150 COVINGTON CROSS DRIVE • LAS VEGAS, NV 89114
PHONE: (702) 731-2033 • FAX: (702) 731-2039 • WWW.JMAARCH.COM



SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC.
1801 LAS VEGAS BOULEVARD SOUTH
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4540 - APPLICANT/OWNER: ABF, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as he owns interest in a property located within the Notification area

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 53 [SUP-4540] and Item 54 [SDR-4534].

DAVID CLAPSADDLE, Planning and Development Department, gave a brief description of the proposed project. He pointed out that each tower would contain 404 residential units with 5,000 square feet of commercial space. The towers will face Sahara, and the parking structure will be on the north side of the site.

MINUTES – Continued:

Staff approved of the Waiver requests, which included the streetscape treatment along Fairfield Avenue would include 25 feet palm trees and a five foot amenity zone; an eight foot setback from the property line on Cincinnati Avenue instead of the required ten feet; the streetscape width along Sahara would be modified to five feet amenity zones behind the curb and allow the sidewalk to be eight feet in width.

GREG BORGEL, 300 South 4th Street, believed that it was important to the City to have something spectacular built on this site, as it would help create the high quality design character and image that the City seeks from redevelopment. Previous recommendation on this site was to increase the landscaping, and MR. BORGEL pointed out that the landscaping on Cincinnati Avenue would double, which would make it an attraction to the neighborhood.

Using the overhead, MR. BORGEL gave a presentation of the proposed site. He clarified for staff and the Commission that the East Towers would be the first phase of the project. Access would primarily be off of Sahara Avenue, service access off of Cincinnati Avenue and secondary access off of Fairfield Avenue.

MR. BORGEL appreciated staff's favorable recommendations and concurred with staff's conditions. He was also pleased to see various entities enthusiastically supporting these types of projects, such as iconic structures at the entrance to the City.

LARRY WRIGHT, 327 and 331 West Cincinnati, appeared on behalf of sixteen property owners within the neighborhood. MR. WRIGHT stated they do not oppose the project and felt that this was a terrific project. However, there were a few concerns regarding how the applicant would accommodate the new residents with additional parking; how utilities would be provided; where would the access point be to the alley way behind Texaco; how the residents' views would be affected; and how long would construction take place.

MR. BORGEL replied that the applicant is providing 1,157 parking spaces, which is well over the City's standard. Access would be off of Cincinnati, which is basically a service access with minimal traffic. Regarding the view, any project that is built on this site would affect the views of low-rise structures. MR. BORGEL felt that this project, including the enhanced landscaping, would not have a negative impact on the view for the residents residing along Cincinnati Avenue. The applicant would run their own utility lines to avoid an overload of the capacity of existing utility lines, such as the sewer line.

MINUTES – Continued:

GINA VENGLASS, Public Works, confirmed for COMMISSIONER DAVENPORT that a Traffic Study was submitted this week. The study indicated at Sahara Avenue and Las Vegas Boulevard, the level of service would change from Level E to Level F. RICK SCHROEDER, Public Works, clarified that the other intersections studied had a level of service D or better. MR. BORGEL replied that the applicant would be willing to make any improvements necessary to increase the level of service at the intersection of Sahara Avenue and Las Vegas Boulevard. MR. SCHROEDER informed COMMISSIONER DAVENPORT that the level of service deals with the average delays through intersections, so increasing the level of service from E to F would actually cause an increased delay of approximately one minute at Sahara Avenue and Las Vegas Boulevard. MR. BORGEL stated that although the applicant does not control this intersection, there will substantial contributions to tax increment to the Redevelopment Agency, which would enable any necessary improvements. In addition, if required, the applicant is willing to pay for these improvements. COMMISSIONER McSWAIN stated that she is not suggesting the project be held up due to the Traffic Study; however, she questioned what options are available to the City to mitigate traffic issues at this intersection resulting from this project.

MR. BORGEL mentioned that an upcoming proposed project is in the works, which would be located on one of the corners of this intersection. The project involves several participants, and what has been suggested is to create three right turns northbound from Sahara Avenue to Las Vegas Boulevard and dual left turns southbound from Sahara Avenue to Las Vegas Boulevard. This would relieve some of the traffic congestion between Paradise Boulevard and Las Vegas Boulevard. He also confirmed for COMMISSIONER McSWAIN that this would cause a widening of the streets. MR. SCHROEDER commented that MR. BORGEL was referring to an upcoming proposed project on the northeast corner of Sahara Avenue and Las Vegas Boulevard. COMMISSIONER DAVENPORT commended MR. BORGAL on a great project. Although he does not have the answer, COMMISSIONER EVANS has discussed with MR. BORGEL possible measures to improve the flow of traffic at the intersection of Sahara Avenue and Las Vegas Boulevard. In response to COMMISSIONER EVANS questions, MR. BORGEL replied that there would be tinted non-reflective glass on the structure and the lower level would be retail. COMMISSIONER EVANS commended MR. BORGEL on a wonderful project and wished them the best of luck. COMMISSIONER STEINMAN asked how the residents would enter into this structure and park their vehicles. MR. BORGEL and BRETT PURKINS, 3731 Briar Park Drive, Houston, Texas confirmed that the principal entrance would be off of Sahara Avenue, with valet parking or self-parking. This access point would also be used for commercial uses. The secondary entrance would be off of Fairfield Avenue, which would be restricted to residents only. The applicant would address any stacking concerns if the applicant goes with access control. The third entrance would be off of Cincinnati Avenue, which is for the residents, as well as, the area for trash collection to take place.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 53 – VAR-4516

MINUTES – Continued:
MR. BORGEL confirmed for COMMISSIONER STEINMAN that all of the condominium units would be for sale. Once sold, the owner has the discretion to rent the unit.

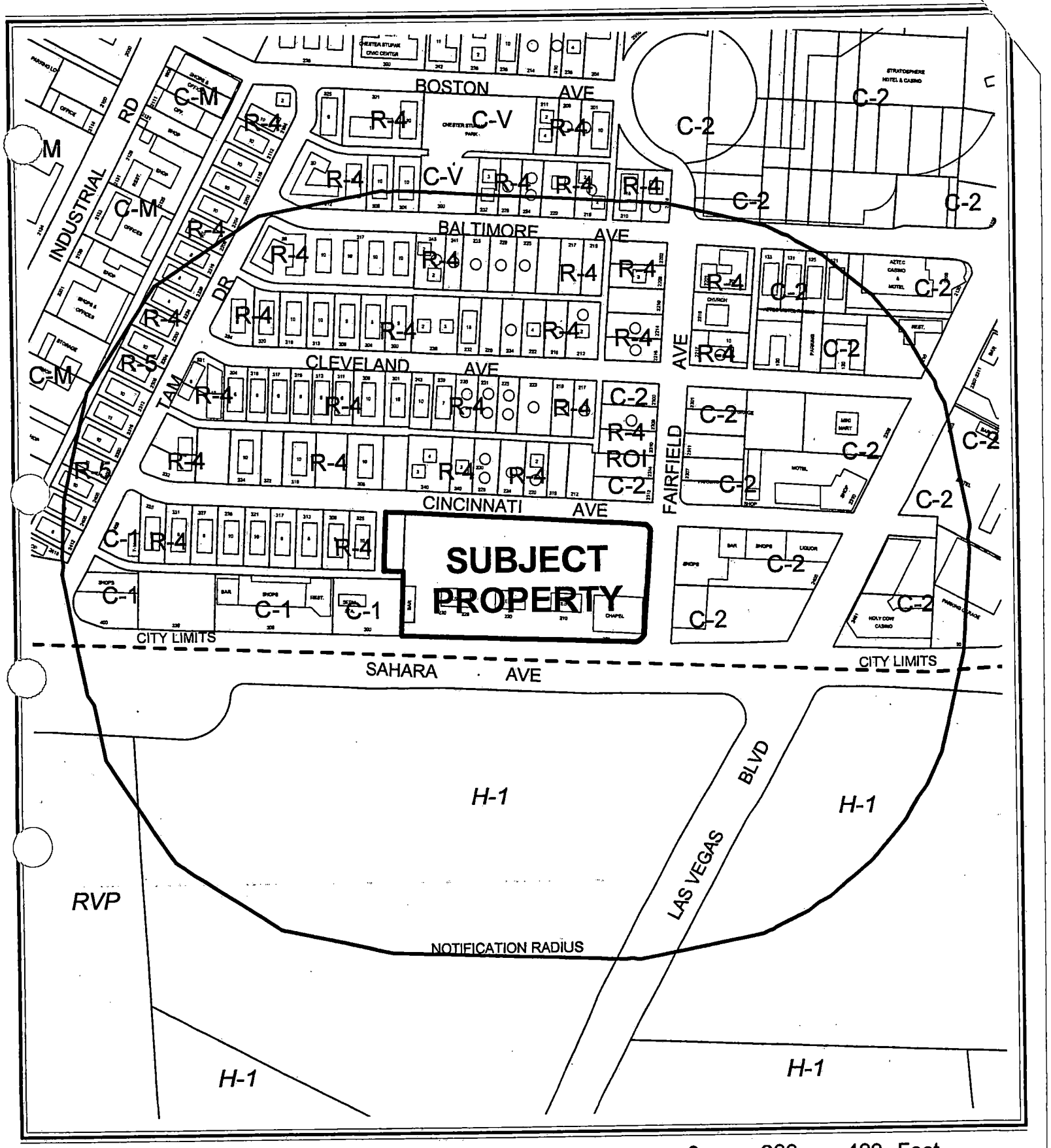
No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 53 [SUP-4540] and Item 54 [SDR-4534].

(10:48 – 11:13)
3-3939

CONDITIONS:
Planning and Development

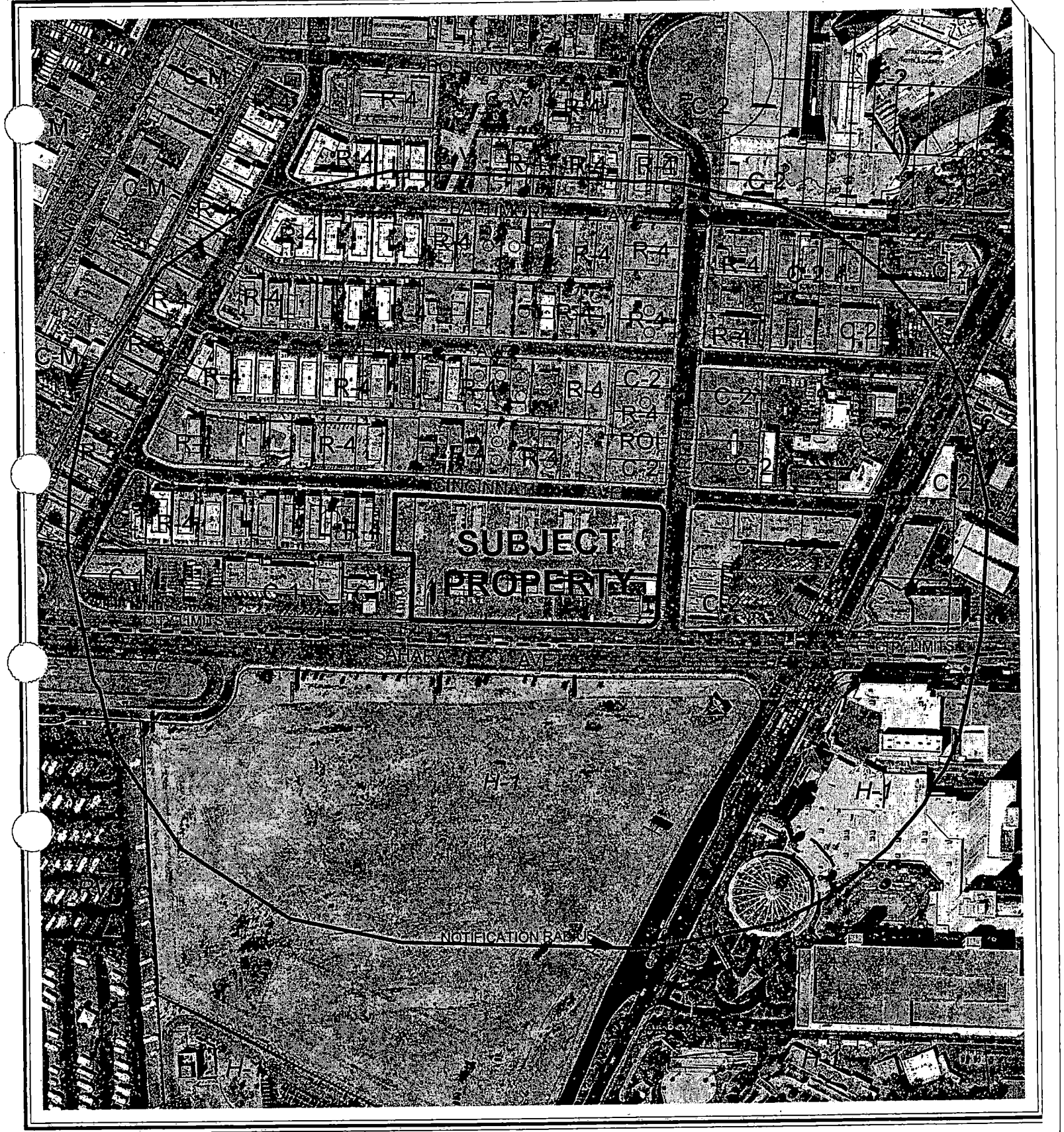
1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4517) and Site Development Plan Review (SDR-4514).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **SUP-4540**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4(HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



0 200 400 Feet

CASE: **SUP-4540**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4(HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4540 - APPLICANT/OWNER: ABF, INC.

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4534).

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

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

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit for a Mixed-Use development including commercial and residential uses on 3.90 acres located at the northwest corner of Sahara Avenue and Fairfield Avenue.

B) Applicant's Justification

The applicant states that the proposed development meets the City's goal for new housing in the downtown area, and will help create the high quality design character and image that the City seeks from redevelopment.

BACKGROUND INFORMATION

A) Previous Actions

03/22/61	The City Council approved a Rezoning (Z-0013-61) on a portion of the subject site from R-3 (Medium-Density Residential) to C-1 (Limited Commercial).
07/26/61	The City Council approved a Rezoning (Z-0026-61) on a portion of the subject property from R-3 (Medium-Density Residential) to C-1 (Limited Commercial).
06/24/76	The Board of Zoning Adjustment approved a Variance (V-0037-76) in order to permit a Wedding Chapel in a district where the use is not allowed.
01/07/87	The City Council approved a Rezoning (Z-0099-86) on a portion of the subject property in order to allow a Wedding Chapel use.
02/18/87	The City Council approved a Rezoning (Z-0107-86) on the subject property from R-3 (Medium-Density Residential) and C-1 (Limited Commercial), to C-1 (Limited Commercial) and C-2 (General Commercial), in order to permit the development of retail shops, gas sales and a convenience store, and a restaurant.
06/25/87	The Board of Zoning Adjustment approved a Variance (V-0066-87) from parking requirements for a shopping center on the subject property.

03/08/99 The City Council approved a Rezoning (Z-0002-99) to C-2 (General Commercial) on the subject property in order to permit the development of 54,580 square-foot shopping center. A Variance (V-0001-99) for relief from side, rear, and corner side yard setbacks was also approved in conjunction with the Rezoning request.

06/05/02 The City Council approved a Site Development Plan Review [Z-0002-99(1)] for the development of a 200-room hotel and casino on the site. Special Use Permits for a Hotel Lounge Bar (U-0042-02) and Non-Restricted Gaming (U-0043-02), and a Variance (V-0027-02) to allow the construction of a parking garage directly on the north property line and 12-foot high perimeter walls were also approved at that time.

06/02/04 The City Council approved an Extension of Time (EOT-4349) for the Variance (V-0027-02) request that allowed a zero-foot setback for the parking structure and 12-foot high perimeter walls.

07/08/04 The Planning Commission will consider a Site Development Plan Review (SDR-4534) concurrently with the request for Special Use Permit approval.

B) Pre-Application Meeting

5/12/04 At the pre-application conference, issues were discussed relative to the previous Variance (V-0027-02) approval, the required setbacks and streetscape requirements, the requirement for building stepbacks, the detailing of the parking structure façade, the plans for the sewer line in the abutting alley, and the requirement for NDOT approval of the driveway openings.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.90

B) Existing Land Use

Subject Property:	Restaurant Use, Wedding Chapel Use
North:	Undeveloped, Multifamily Residential Use
South:	Unincorporated Clark County
East:	Retail Use
West:	Service Station Use, Retail Use

FF

C) Planned Land Use

Subject Property:	C (Commercial Use)
North:	MXU (Mixed-Use)
South:	Unincorporated Clark County
East:	C (Commercial Use)
West:	C (Commercial Use), MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	R-3 (Medium-Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	R-4 (High-Density Residential) under Resolution of Intent to C-2 (General Commercial); R-4 (High-Density Residential)
South:	Unincorporated Clark County
East:	C-2 (General Commercial)
West:	C-1 (Limited Commercial); R-4 (High-Density Residential)

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcel C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) A Final Map or Planned Unit Development of 500 units or more.

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

1) A Special Use Permit application concerning property within 500 feet of the City boundary with Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Las Vegas Metropolitan Police Department has noted that existing staffing levels are currently below national averages, and that additional residential units in the area will further burden the department in providing adequate police services and protection. No mitigation measures are proposed.

2) The Regional Transportation Commission has not identified any negative impacts, and has noted that higher density residential development in the Resort Corridor with proximity to the Monorail system will likely result in an increase in transit ridership and improve the jobs/housing balance in the area.

3) The Las Vegas Valley Water District has determined that the proposed project will not have a significant impact on the capacity of the District's water supply system.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential			
• Studio	58 units		
• 1 Bedroom	332 units		
• 2 Bedroom	356 units		
• 3 Bedroom	62 units		
Commercial			
• Retail	10,500 SF		
• Spa	25,000 SF		
Total:		1,133	24

A total of 1,133 parking spaces will be provided for the development, which allows a minimum of one parking space per residential unit, 185 spaces for the commercial components, and leaves 140 spaces for guest or additional resident parking.

The Public Works Department has reviewed the submitted plans for traffic circulation issues, and has not noted any significant concerns.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mixed-Use development.

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

Standards	Code Requirement	Provided
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	Y
	The architecture shall highlight the difference in uses	Y

The design of the development conforms with the minimum requirements listed in Title 19.04 for Mixed-Use structures.

B) General Analysis and Discussion

- Zoning

The subject property is under a Resolution of Intent to the C-2 (General Commercial) Zone. Within the Neighborhood Revitalization Area, residential uses permitted by right in the R-3 (Medium Density Residential) and R-4 (High Density Residential) Zone are permitted in the C-2 (General Commercial) district upon approval of a Special Use Permit. The proposed commercial and spa uses are permitted by right in the C-2 (General Commercial) district.

- Use

The proposed development includes a total of 10,500 square feet of commercial uses on the ground floor of the tower buildings, with a 25,000 square foot spa on the top of the parking structure. A total of 808 residential units will be constructed in two phases of development. A parking structure with 1,133 parking spaces will serve the residential and commercial uses on the site.

- Conditions

The design of the development conforms to the minimum Mixed-Use requirements listed in Title 19.04, and no additional conditions are necessary.

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 design of the development provides adequate separation between the commercial and residential uses, and will not be significantly impacted by the adjacent land uses. The Centennial Plan admonishes a broad diversity of uses in the downtown area, and states that integrating a successful residential community adjacent to the Downtown is vital to the success of the area.

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

The proposed development will result in a residential density of 207 units per acre, which is appropriate for an urban area. The site is bounded on three sides by public rights-of-way, which provides excellent access to the site and adequate separation from adjacent properties.

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."**

Sahara Avenue has sufficient capacity to accommodate the proposed development, and additional access from Cincinnati Avenue and Fairfield Avenue provides for additional dispersal of traffic. The site has excellent access to public transportation, which will assist in reducing the number of vehicle trips generated by the development.

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."**

Approval of the Special Use Permit is consistent with General Plan, and will not compromise public health, safety, or welfare.

NOTICES MAILED 76 (Mailed with SDR-4534)

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4540 APN: 162-04-812-001 & 162-04-811-027

Name of Property Owner: ABF, INC.

Name of Applicant: ABF, 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: Andrew S. Fonfa

Print Name: Andrew S. Fonfa

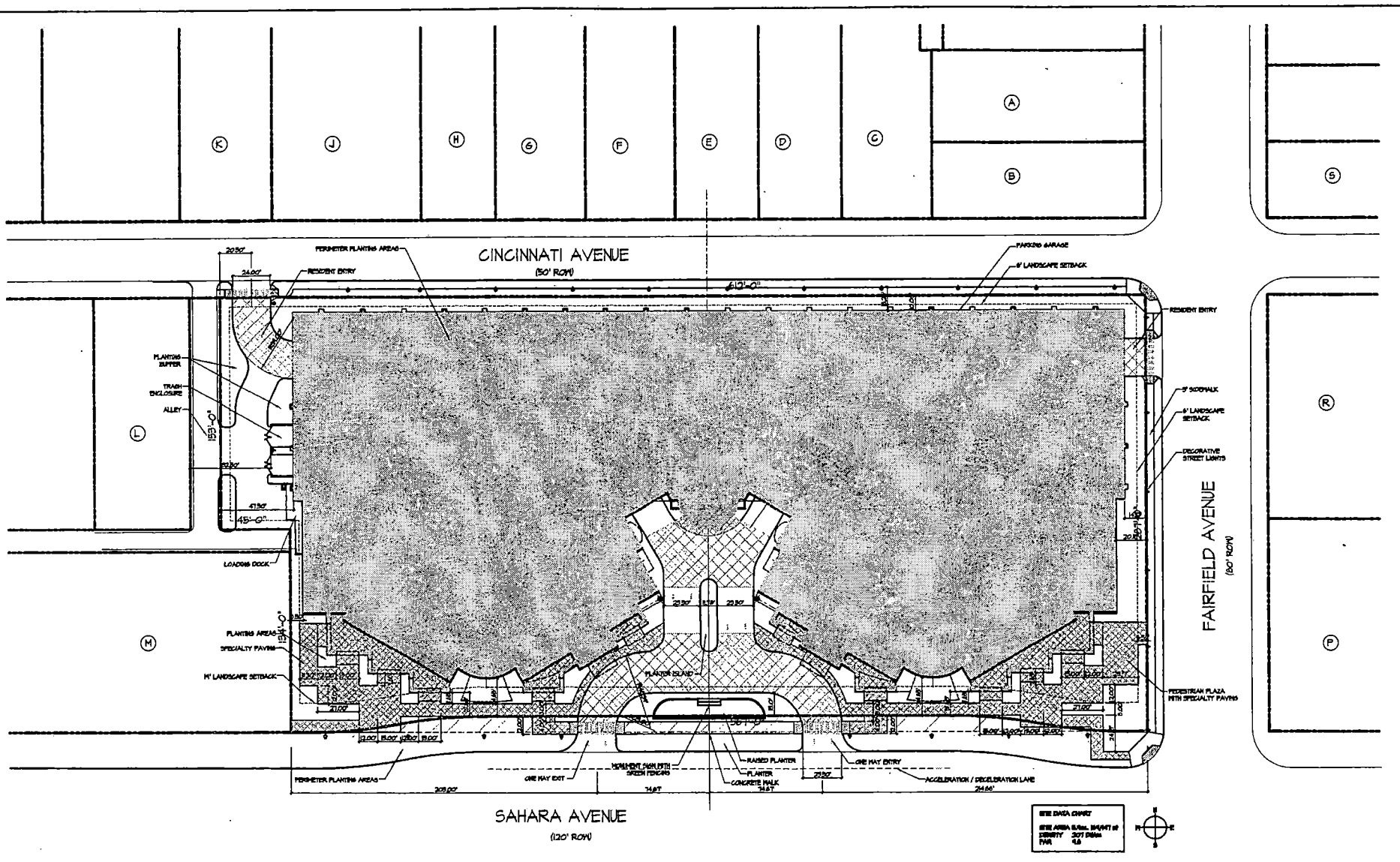
Subscribed and sworn before me

This 25 day of May, 2004

Cynthia S. Pineda

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CYNTHIA S. PINEDA
Appt. No. 94-1380-1
My Appt. Expires March 28, 2006



SUP-4540
SDR-4534
07-08-04 PC

REVISED
6-18-04

EDI Architecture

EDI ARCHITECTURE INC.
5151 BELLAIRE DRIVE
SUITE 1000
HOUSTON, TEXAS 77081
(713) 789-0888
FAX (713) 789-1282
www.EDIArchitecture.com

TEXAS CALIFORNIA NEW YORK

SITE PLAN
1"=20'

SAHARA AVENUE
CONDOMINIUM
SP SAHARA DEVELOPMENT L.L.C.
LAS VEGAS, NEVADA

SITE PLAN

PROJECT No. 04030.000
ISSUED FOR REVIEW
ISSUED DATE: JUNE 18, 04
FILE: 4030A02

DRAWING NUMBER
A1.1
SITE PLAN

SITE PLAN

CINCINNATI AVENUE
(50' ROW)

612'-0"

PLANTER WALLS
CABANA
PLANTER
PAVILION
TANNING LEDGE
POOL
SPECIALTY PAVING
SPA BUILDING
STEPS AND SEATING
PLANTERS
ARBOR

287'-0"

134'-0"

567'-0"

SITE DATA CHART

SITE AREA 3.4ac. 148,447 sf
DENSITY 20.7 DU/ac.
FAR .46

N
W
E
S

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
~~07-08-04 PC~~

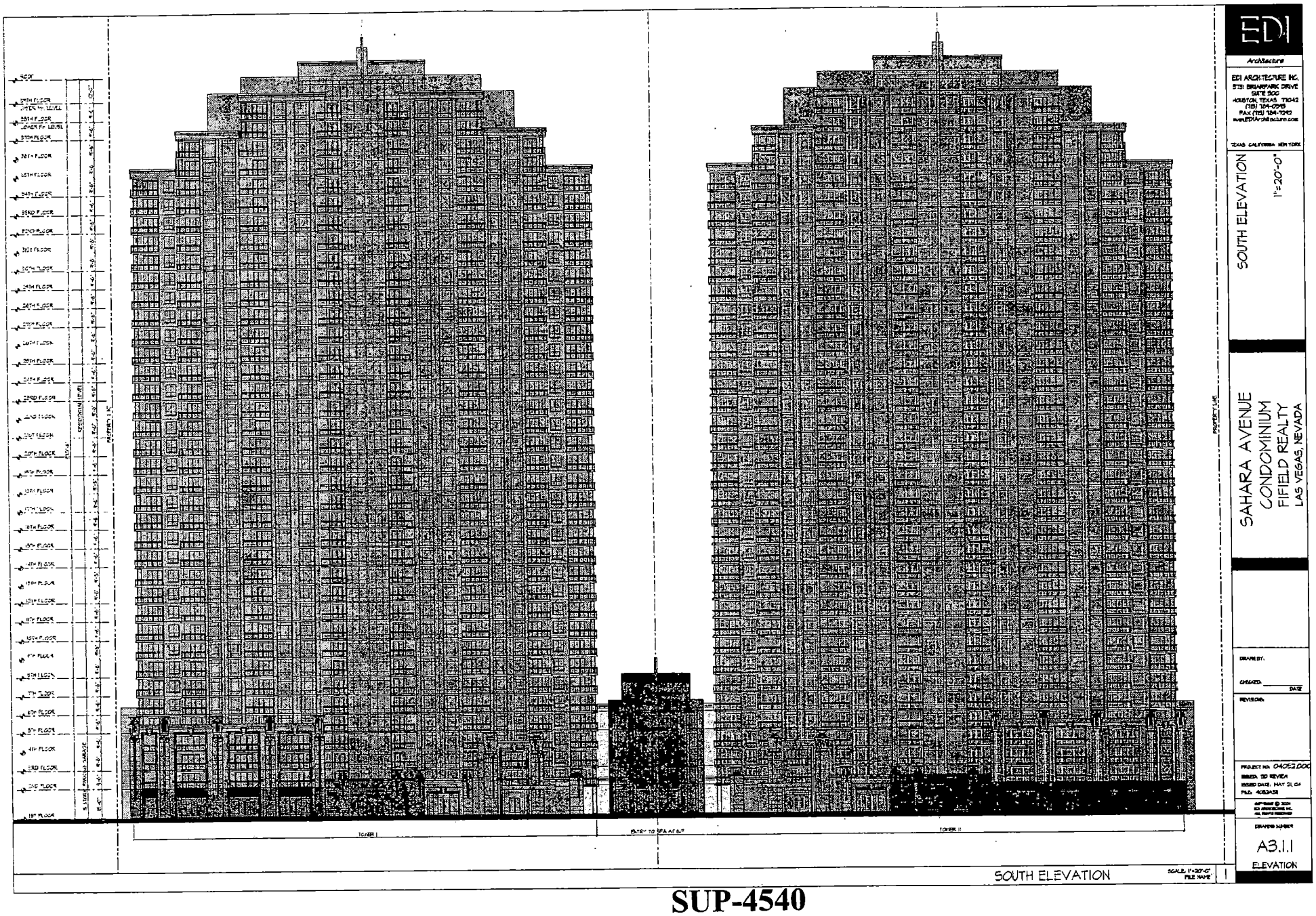
SPA PLAZA SITE PLAN

EDI
Architecture
EDI ARCHITECTURE INC
9731 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0018
FAX (713) 784-1343

SITE PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A1.1.2
SITE PLAN



EDI
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(713) 784-0949
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mail@EDIarchitecture.com

TEXAS CALIFORNIA NEW YORK

SOUTH ELEVATION
1"=20'-0"

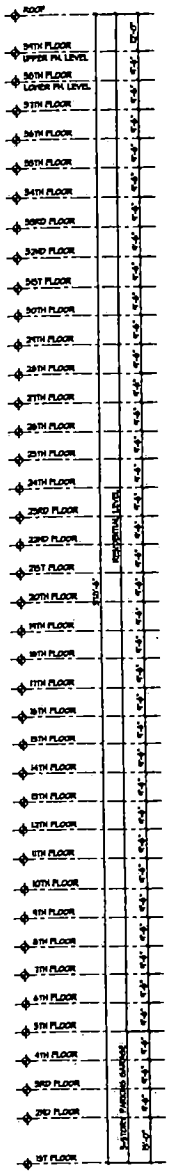
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

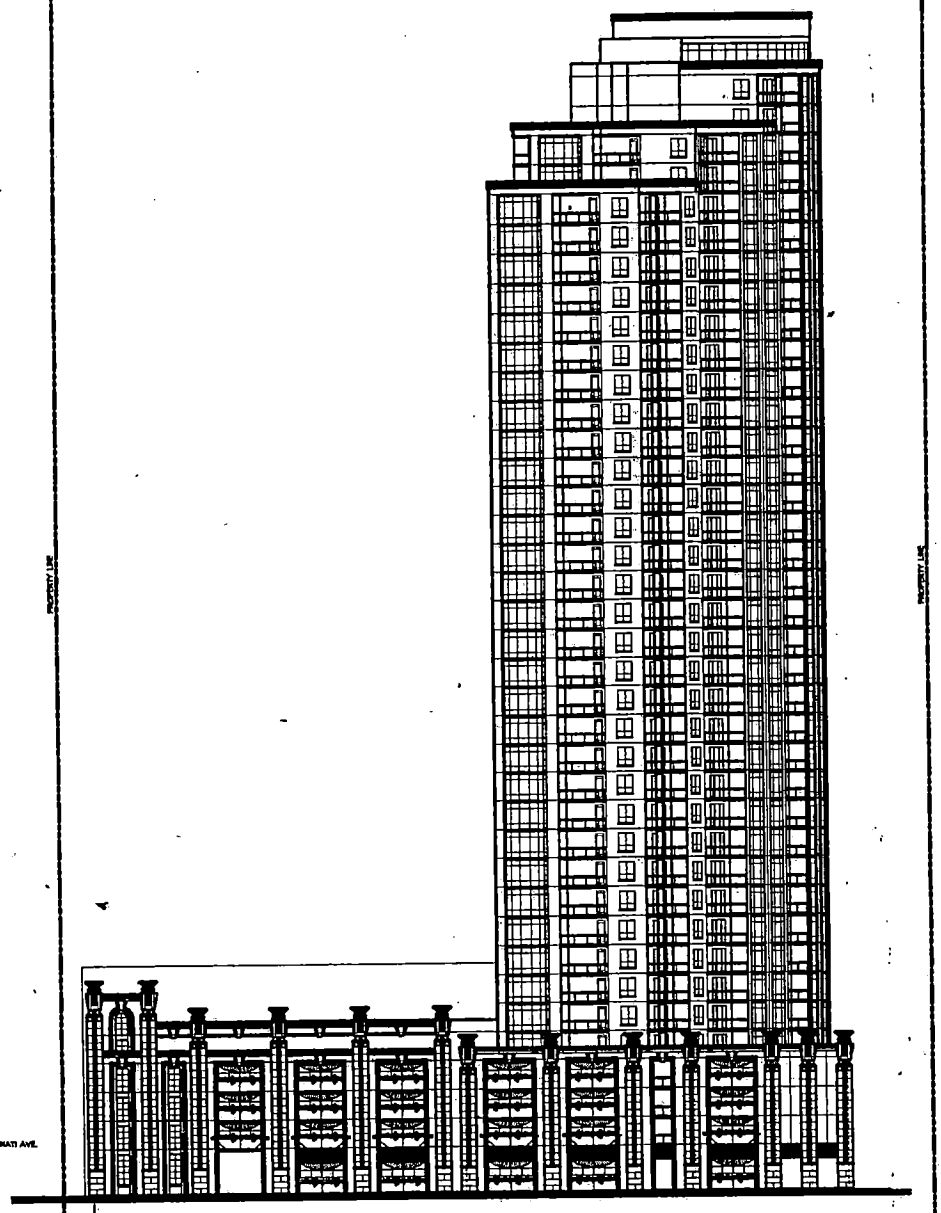
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REVISIONS:
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ISSUED: SD REVIEW
ISSUED DATE: MAY 21, 04
FILE: 4053A3

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DRAWING NUMBER
A3.1.1
ELEVATION

SUP-4540
SDR-4534
07-08-04 PC





WEST ELEVATION

SCALE: 1"=20'-0"

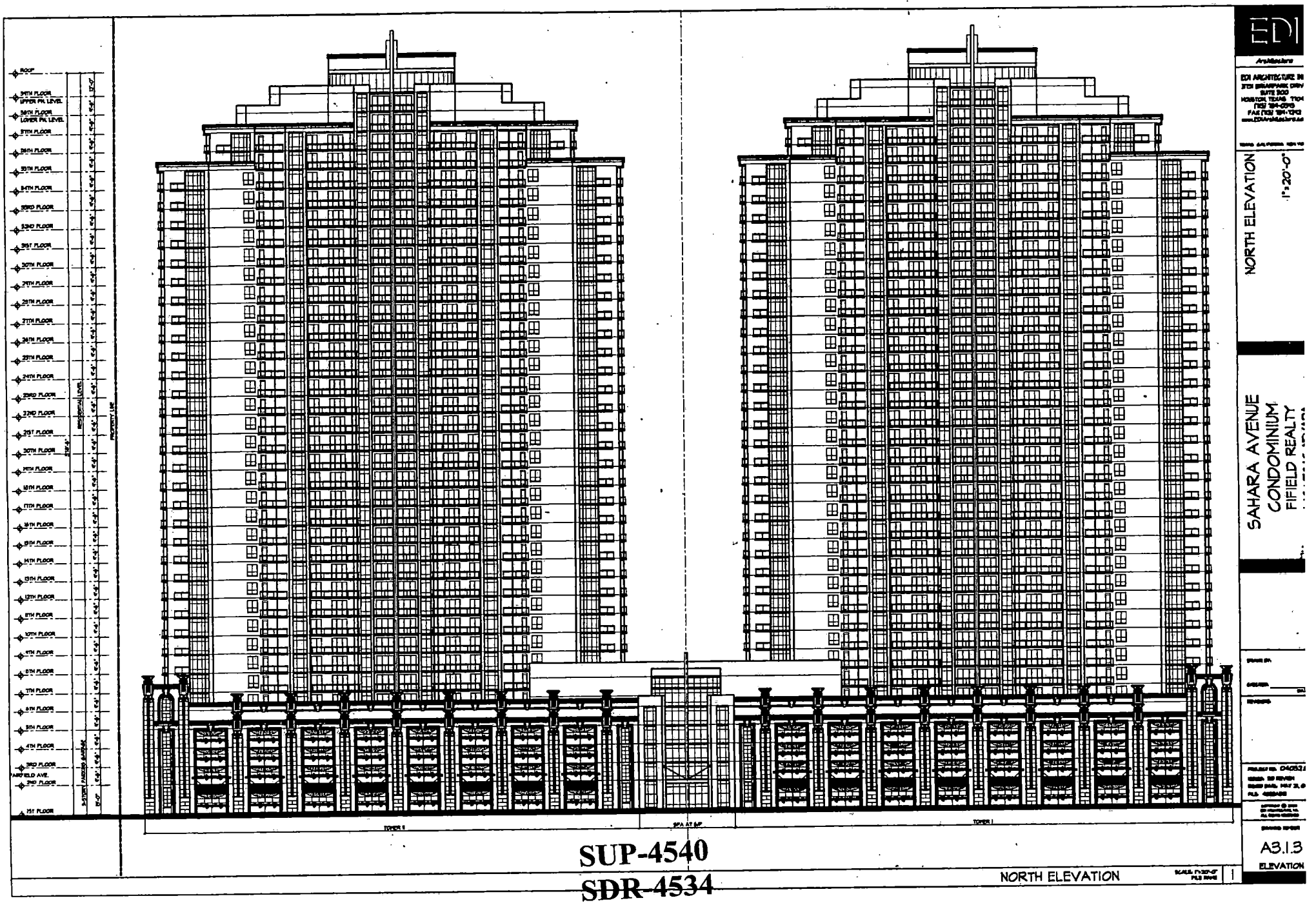
EDI ARCHITECTURE INC
3131 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0345
FAX (713) 784-1243

WEST ELEVATION
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A3.1.2
ELEVATION

SUP-4540
SDR-4534
07-08-04 PC



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Architecture

EDI ARCHITECTURE IN
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SUITE 300
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FAX (713) 784-1243

NORTH ELEVATION

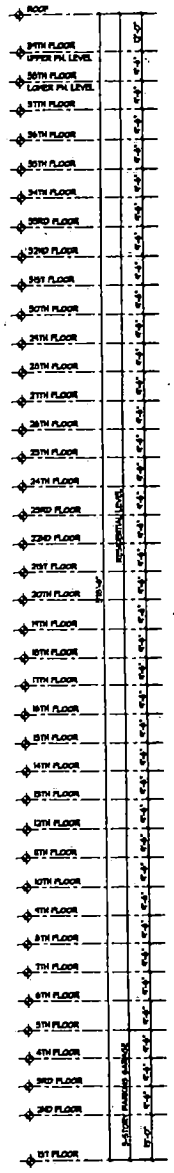
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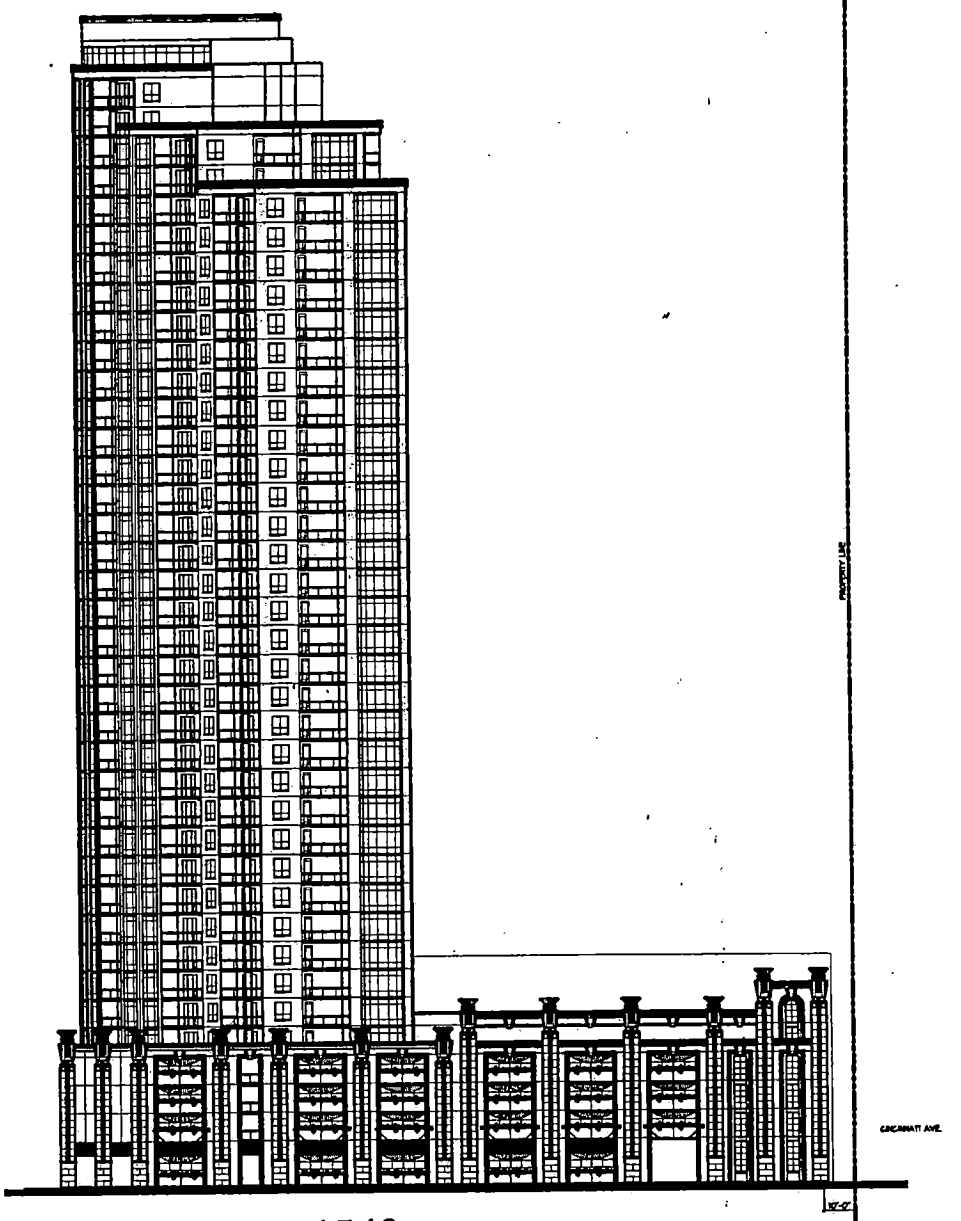
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A3.1.3

ELEVATION

SUP-4540
~~SDR-4534~~
07-08-04 PC





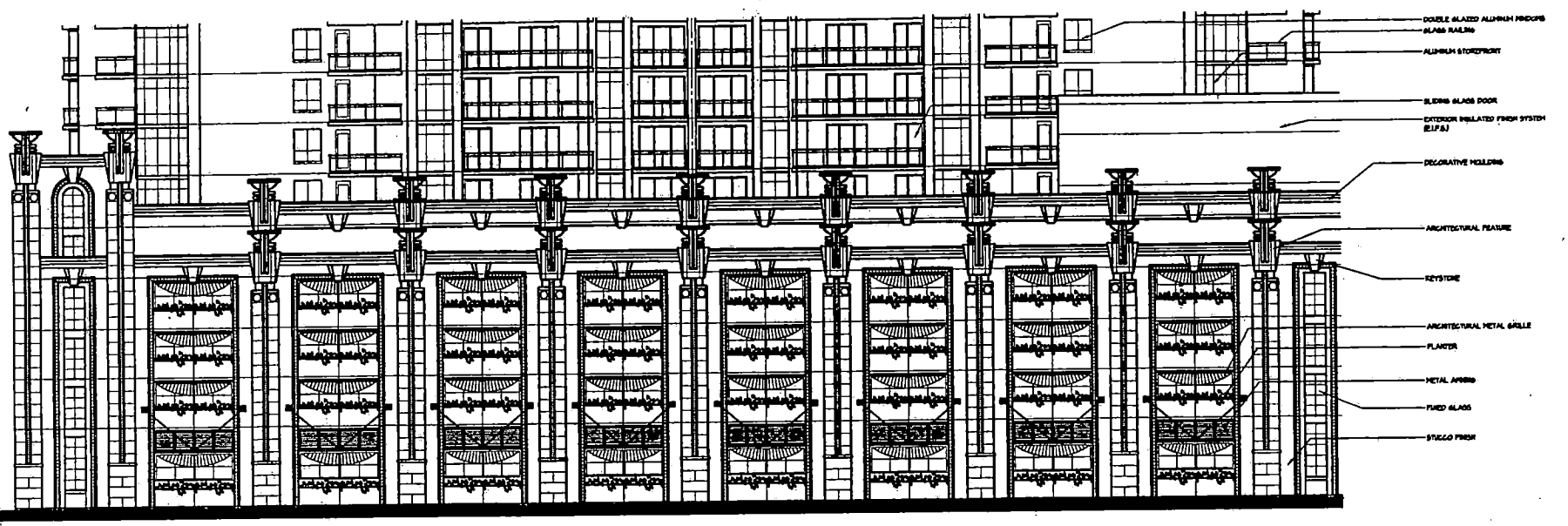
SUP-4540
SDR-4534
07-08-04 PC

EAST ELEVATION

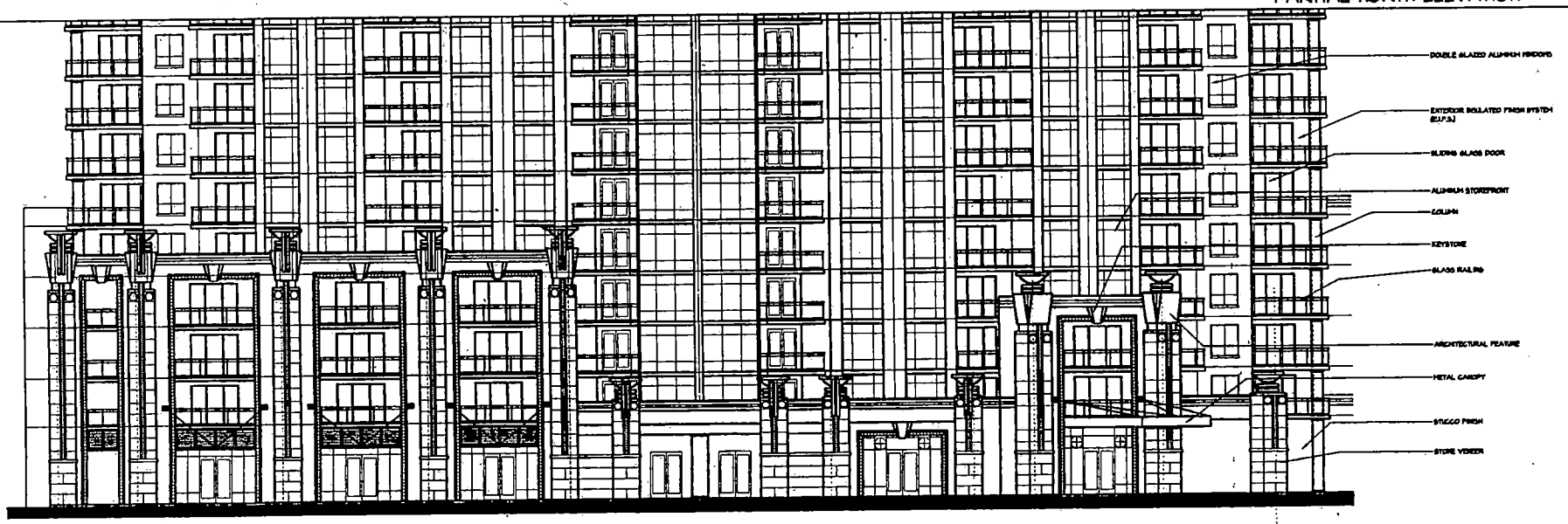
1" = 20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A3.1.4
ELEVATION



PARTIAL NORTH ELEVATION 2



PARTIAL SOUTH ELEVATION 1

SUP-4540
SDR-4534
07-08-04 PC

EDI Architecture

EDI ARCHITECTURE INC
9701 BRAESWOOD DRIVE
SUITE 300
HOUSTON, TEXAS 77074
(713) 781-0818
FAX (713) 781-1312

PARTIAL ELEVATION
1"=10'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A3.2.1
ELEVATION

CINCINNATI AVENUE
(50' ROW)

1ST PARKING LEVEL (241 SPACES)

RAMP UP @5.0%

RAMP UP @5.0%

RAMP UP @5.0% TO 2.0%

FAN RM.
PUMP RM.
EXIT CORRIDOR
EMER. GENERATOR
FIRE CONTROL
TRASH
ELEC. RM.
RETAIL (1,240 SF)
LOBBY
OFFICE
COVERED WALKWAY
RETAIL (4,010 SF)

TOWER I

TOWER II

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

GROUND FLOOR PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

GROUND FLOOR PLAN
1"=20'-0"

A2.1.0
PLAN

CINCINNATI AVENUE

(50' ROW)

RAMP UP @5.0%

RAMP DN @5.0%

RAMP DN @12% AT 2F ONLY

2ND-4TH PARKING LEVEL (241 SPACES)

ELEV. LOBBY

B3a

B1

A1

B2

TOWER I (8 UNITS PER FLOOR)

TOWER II (8 UNITS PER FLOOR)

SAHARA AVENUE

(120' ROW)

SUP-4540

SDR-4534

07-08-04 PC

2ND-4TH FLOOR PLAN

1"=20'-0"

SAHARA AVENUE CONDOMINIUM

FIFIELD REALTY

A2.1.02

PLAN

CINCINNATI AVENUE

(50' ROW)

RAMP DN @5.0%

RAMP DN @5.0%

5TH PARKING LEVEL (165 SPACES)

ELEV. LOBBY

B3a

B1

A1

B2

TOWER I (8 UNITS PER FLOOR)

TOWER II (8 UNITS PER FLOOR)

SAHARA AVENUE

(120' ROW)

SUP-4540

SDR-4534

~~07-08-04 PC~~

5TH FLOOR PLAN

1"=20'-0"

SAHARA AVENUE CONDOMINIUM

FIFIELD REALTY

A2.1.04

PLAN

CINCINNATI AVENUE
(50' ROW)

2-STORY SPA (25,000 SF)

FITNESS
S2
B1
A1
CLUB
LIB./BUSINESS
B3
B2 B2
ELEC.

TOWER I (8 UNITS PER FLOOR)

TOWER II (8 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

6TH FLOOR PLAN

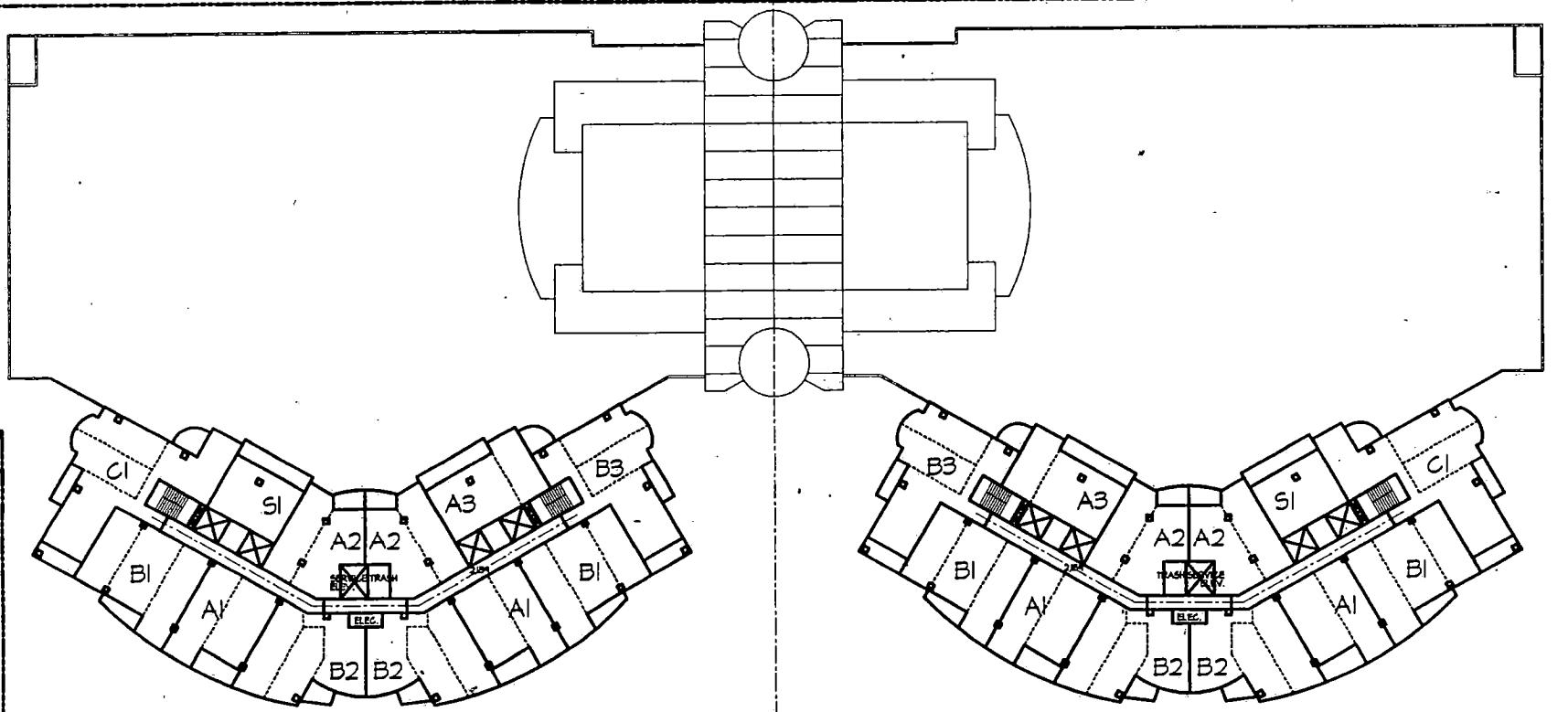
EDI Architecture

6TH FLOOR PLAN
PLAZA LEVEL
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM

A2.1.05
PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (12 UNITS PER FLOOR)

TOWER II (12 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

7TH-34TH FLOOR PLAN

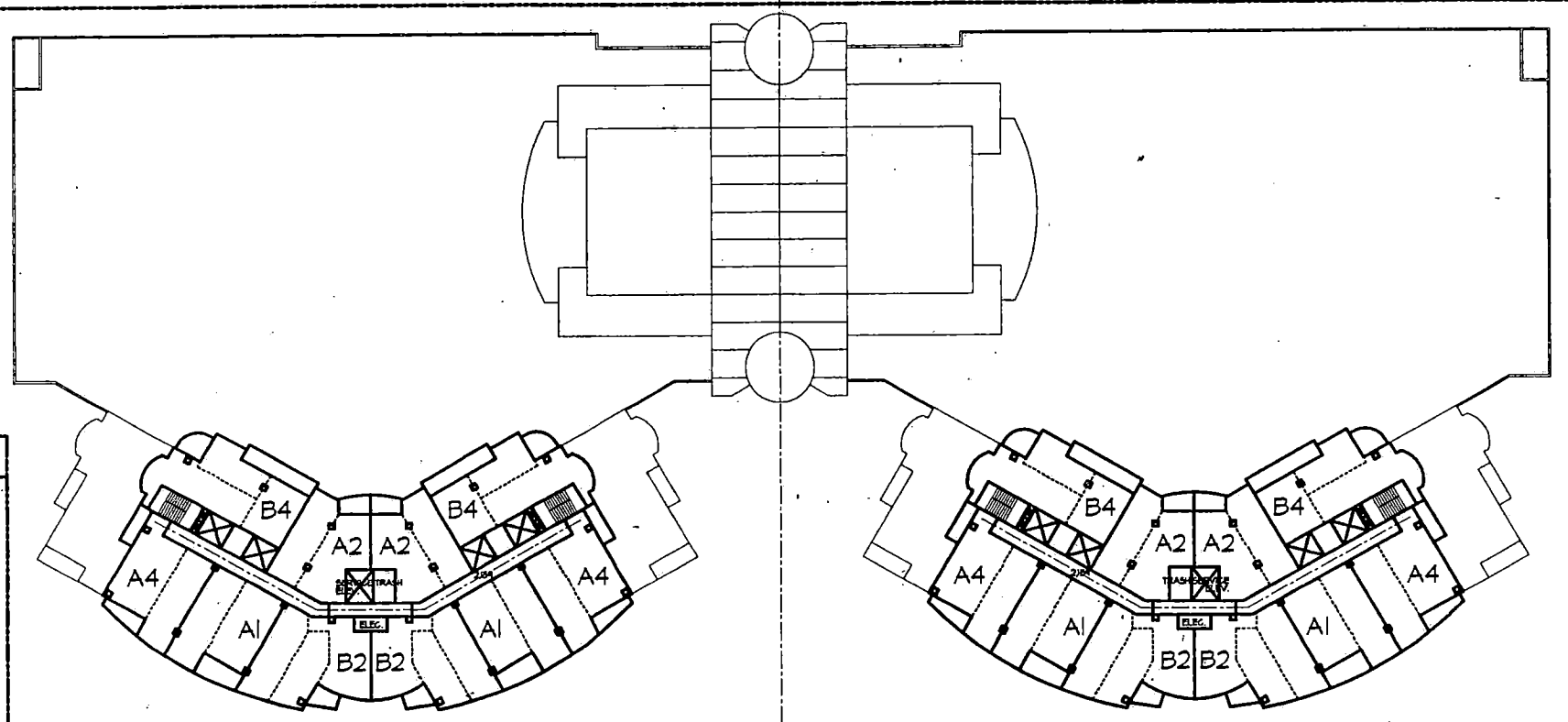
EDI
Architecture

7TH-34TH FLOOR PLAN
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A2.1.06
PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (10 UNITS PER FLOOR)

TOWER II (10 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

35TH-36TH FLOOR PLAN

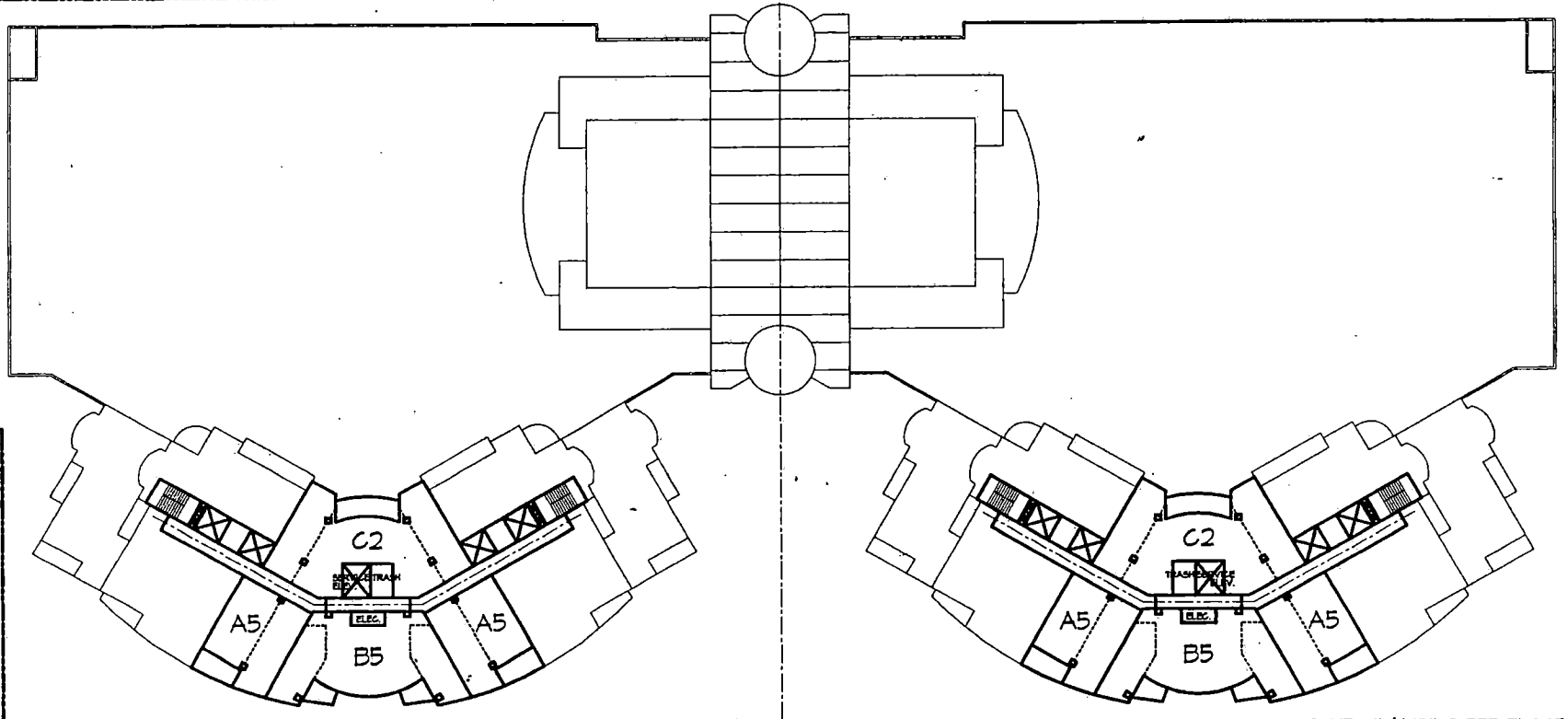
EDI
Architecture

35TH-36TH FLOOR PLAN
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A2.1.0
PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (4 UNITS PER FLOOR)

TOWER II (4 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

37TH FLOOR PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

37TH FLOOR PLAN
1"=20'-0"

A2.1.08
PLAN

CINCINNATI AVENUE
(50' ROW)

C3-L1
A5
C4-L1
A5

TOWER I (4 UNITS PER FLOOR)

C3-L1
A5
C4-L1
A5

TOWER II (4 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

38TH FLOOR PLAN

EDI
Architecture

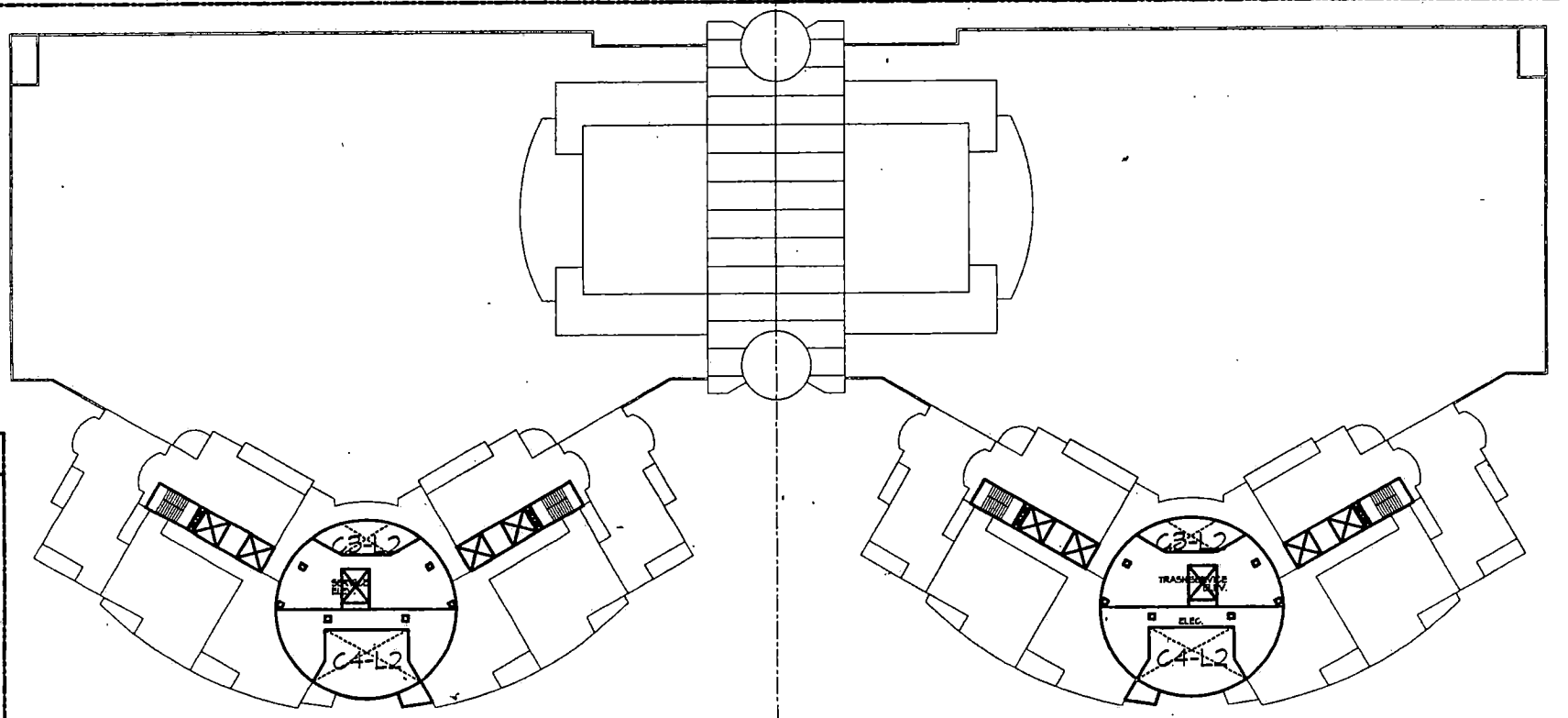
EDI ARCHITECTURE INC
3131 BRIARPARK DRIVE
SUITE 260
HOUSTON, TEXAS 77042
(713) 784-0510
FAX (713) 784-1242

38TH FLOOR PLAN
PENTHOUSE LOWER LEVEL
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A2.1.0
PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (PENTHOUSE UNITS UPPER LEVEL)

TOWER II (PENTHOUSE UNITS UPPER LEVEL)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

39TH FLOOR PLAN

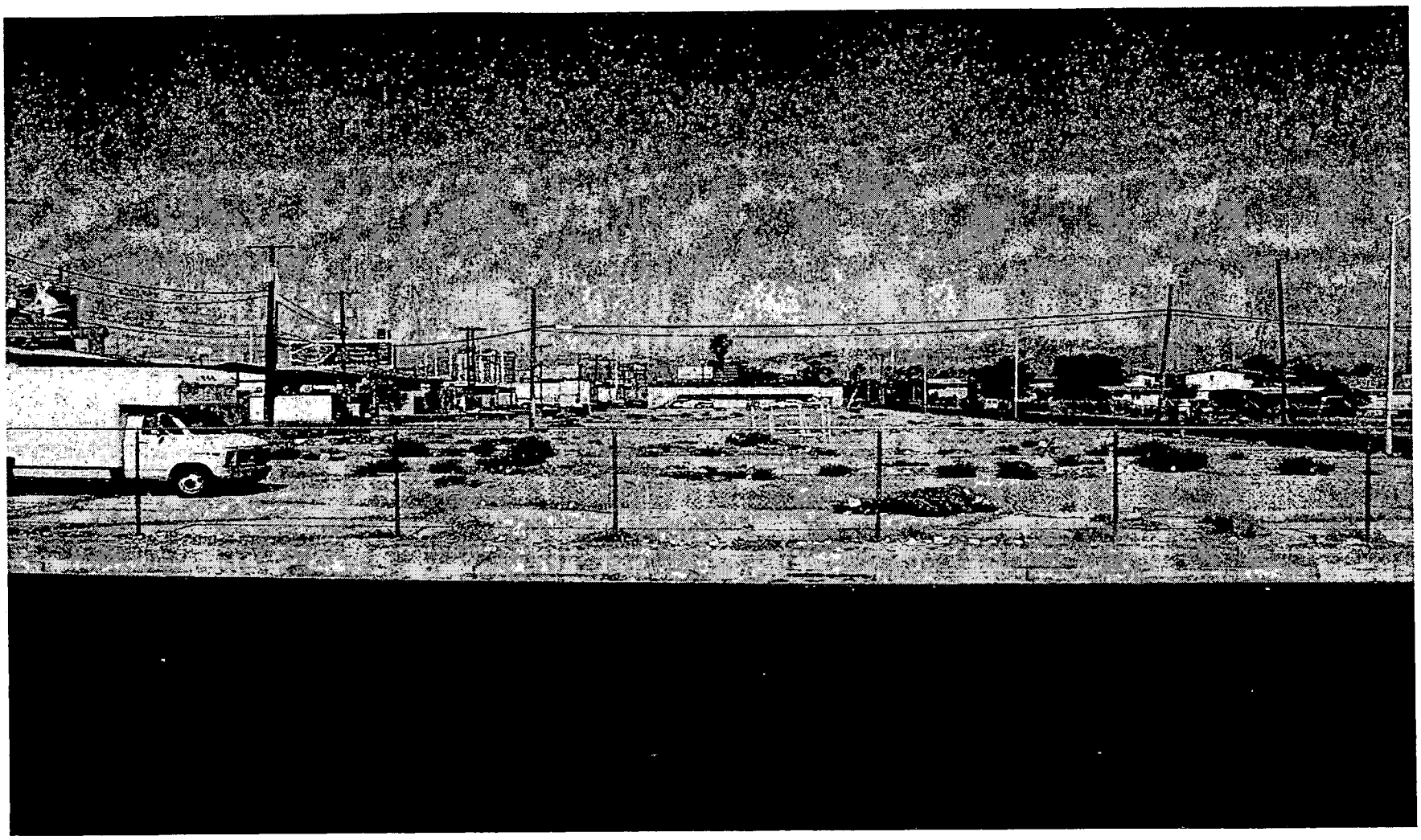
EDI
Architecture

EDI ARCHITECTURE INC
3701 KIRBY DRIVE
SUITE 800
HOUSTON, TEXAS 77098
(713) 524-0010
FAX (713) 524-1712
www.EDIArchitecture.com

39TH FLOOR PLAN
PENTHOUSE UPPER LEVEL
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY

A2.1.10
PLAN



SUP-4540 - APPLICANT/OWNER: ABF, INC.
NORTHWEST CORNER OF SAHARA AVNEUE AND FAIRFIELD AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4540 - PUBLIC HEARING - SDR-4534 - APPLICANT/OWNER: ABF, INC. - Request for a Site Development Plan Review and Waivers from Downtown Centennial Plan Standards regarding landscaping, setbacks, stepbacks, and buffers FOR A PROPOSED 39-STORY MIXED-USE DEVELOPMENT consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and adding the following condition:
- ***The applicant shall provide tinted non-reflective glass.***

– Motion carried with TRUESDELL abstaining as he owns interest in a property located within the Notification area

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 53 [SUP-4540] for all related discussion on Item 53 [SUP-4540] and Item 54 [SDR-4534].

(11:13 – 11:19)

CONDITIONS – Continued:

Planning and Development

1. Approval of a Special Use Permit (SUP-4540) in order to permit the Mixed-Use development.

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

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

4. The waiver from the Downtown Centennial Plan requirement for building stepbacks is hereby approved, based on the level of façade articulation detailed in the submitted elevations.

5. The waiver from the 70% frontage requirement for building placement is hereby approved, based on the pedestrian amenity areas provided at the base of each building.

6. The waiver from the 10-foot landscape buffer requirement is hereby approved in accordance with the Variance (V-0027-02) that was previously approved for the site.

7. The streetscape treatment along Fairfield Avenue shall be modified to include 25-foot tall palm trees located in a five-foot amenity zone immediately behind the curb, spaced no greater than 35 feet on center, in accordance with the requirements of the Downtown Centennial Plan. A waiver is hereby approved for the reduction in sidewalk width to five feet along Fairfield Avenue, due to the limited right-of-way area.

8. The streetscape treatment along Sahara Avenue shall be modified to include a five-foot deep amenity zone located immediately behind the curb, with deciduous trees planted in accordance with the requirements of the Downtown Centennial Plan. A waiver is hereby approved for the reduction in sidewalk width to eight feet.

9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CONDITIONS – Continued:

10. 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.

11. 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.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with Title 19.08.

13. 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.

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

15. 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.

16. 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.

17. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

CONDITIONS – Continued:

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

19. The applicant shall provide tinted non-reflective glass.

Public Works

20. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Sahara Avenue and Fairfield Avenue prior to the issuance of any permits.

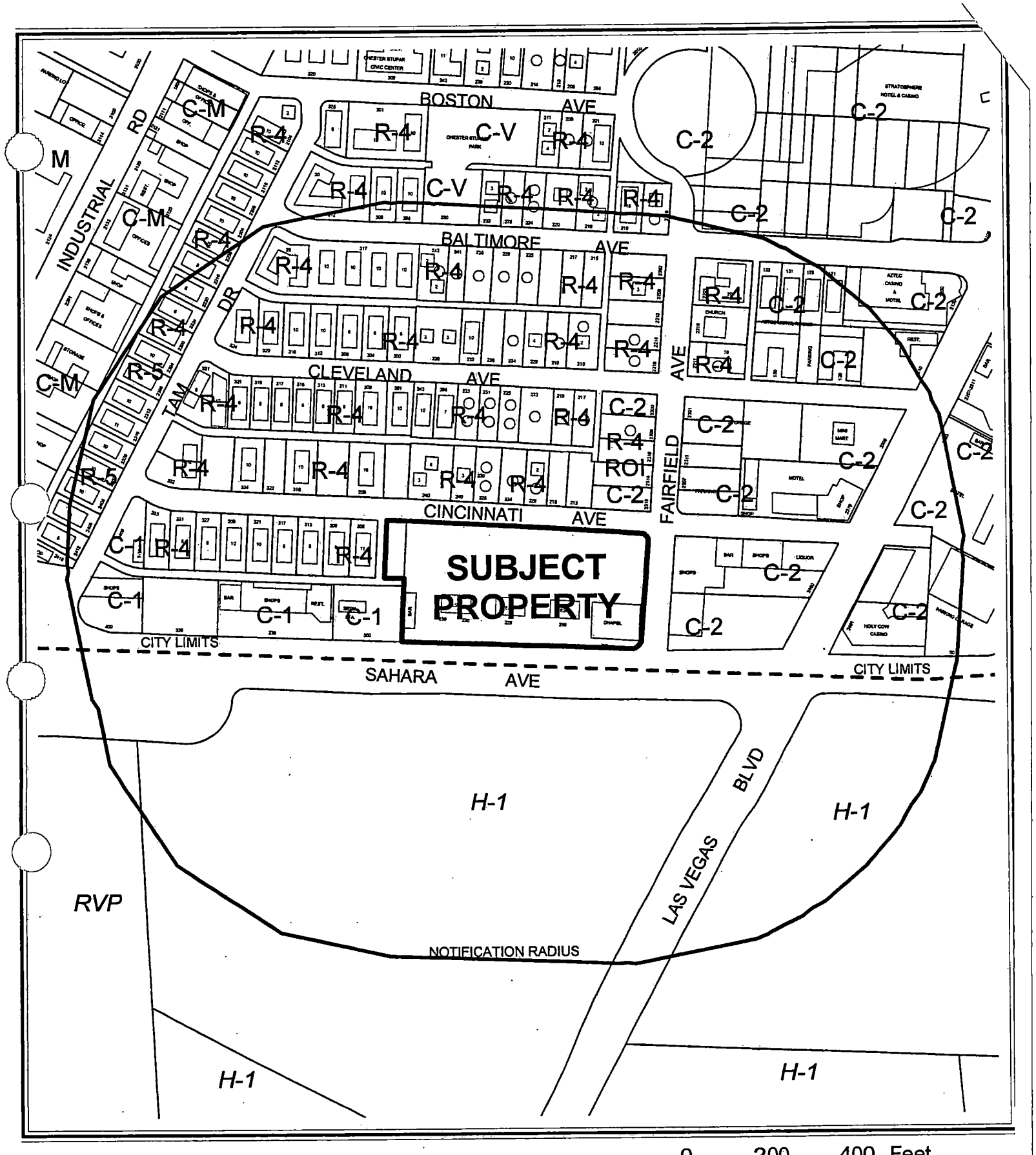
21. Submit a public sewer relocation plan for abandonment/relocation of the existing 8-inch public sewer conflicting with development of this site to the Department of Public Works prior to the submittal of any construction drawing for this site. Provide appropriate public sewer easements for the relocated public sewer, and submit appropriate vacation applications to eliminate the existing public sewer/utility easement; the Order of Vacation shall record prior to the issuance of building permits for any structures overlying the public sewer/utility easement. Additionally, this project will exceed the capacity of the neighborhood sewers to the north and is required to connect to the Sahara Avenue interceptor sewer.

22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Fairfield Avenue adjacent to this site.

23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fairfield Avenue public right-of-way adjacent to this site prior to occupancy of this site.

24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

25. Site development to comply with all applicable conditions of approval for Rezoning application Z-0002-99 and all other subsequent site-related actions.



CASE: **SDR-4534**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL) AND R-4(HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4534 - APPLICANT/OWNER: ABF, INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Special Use Permit (SUP-4540) in order to permit the Mixed-Use development.

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

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

4. The waiver from the Downtown Centennial Plan requirement for building stepbacks is hereby approved, based on the level of façade articulation detailed in the submitted elevations.

5. The waiver from the 70% frontage requirement for building placement is hereby approved, based on the pedestrian amenity areas provided at the base of each building.

6. The waiver from the 10-foot landscape buffer requirement is hereby approved in accordance with the Variance (V-0027-02) that was previously approved for the site.

7. The streetscape treatment along Fairfield Avenue shall be modified to include 25-foot tall palm trees located in a five-foot amenity zone immediately behind the curb, spaced no greater than 35 feet on center, in accordance with the requirements of the Downtown Centennial Plan. A waiver is hereby approved for the reduction in sidewalk width to five feet along Fairfield Avenue, due to the limited right-of-way area.

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FF

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

FF

Public Works

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20. Submit a public sewer relocation plan for abandonment/relocation of the existing 8-inch public sewer conflicting with development of this site to the Department of Public Works prior to the submittal of any construction drawing for this site. Provide appropriate public sewer easements for the relocated public sewer, and submit appropriate vacation applications to eliminate the existing public sewer/utility easement; the Order of Vacation shall record prior to the issuance of building permits for any structures overlying the public sewer/utility easement. Additionally, this project will exceed the capacity of the neighborhood sewers to the north and is required to connect to the Sahara Avenue interceptor sewer.

21. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Fairfield Avenue adjacent to this site.

22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fairfield Avenue public right-of-way adjacent to this site prior to occupancy of this site.

23. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

24. Site development to comply with all applicable conditions of approval for Rezoning application Z-0002-99 and all other subsequent site-related actions.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a proposed mixed-use development consisting of 808 multifamily units and 35,500 square feet of commercial space in two 39-story towers and waivers from the Downtown Centennial Plan Standards for streetscape requirements, setbacks, building stepbacks, and buffering requirements on 3.90 acres located at the northwest corner of Sahara Avenue and Fairfield Avenue.

B) Applicant's Justification

The applicant offers the following justifications for the requested waivers:

- While the building does not strictly comply with the 70% frontage requirement, pedestrian amenities such as plazas, entries, and landscape features will enhance the pedestrian environment.
- The building does not require stepbacks at the 11th and 18th stories due to the fact that both towers will be set back from the street.
- Although the parking structure does not meet the required 10-foot setback, a landscape buffer is provided along the frontage to screen the use from the abutting street.

BACKGROUND INFORMATION

A) Previous Actions

03/22/61 The City Council approved a Rezoning (Z-0013-61) on a portion of the subject site from R-3 to C-1.

07/26/61 The City Council approved a Rezoning (Z-0026-61) on a portion of the subject property from R-3 to C-1.

06/24/76 The Board of Zoning Adjustment approved a Variance (V-0037-76) in order to permit a Wedding Chapel in a district where the use is not allowed.

01/07/87 The City Council approved a Rezoning (Z-0099-86) on a portion of the subject property in order to allow a Wedding Chapel use.

02/18/87 The City Council approved a Rezoning (Z-0107-86) on the subject property from R-3 and C-1 to C-1 and C-2 in order to permit the development of retail shops, gas sales and a convenience store, and a restaurant.

06/25/87 The Board of Zoning Adjustment approved a Variance (V-0066-87) from parking requirements for a shopping center on the subject property.

03/08/99 The City Council approved a Rezoning (Z-0002-99) to C-2 (General Commercial on the subject property in order to permit the development of 54,580 square-foot shopping center. A Variance (V-0001-99) for relief from side, rear, and corner side yard setbacks was also approved in conjunction with the Rezoning request.

06/05/02 The City Council approved a Site Development Plan Review [Z-0002-99(1)] for the development of a 200-room hotel and casino on the site. Special Use Permits for a Hotel Lounge Bar (U-0042-02) and Non-Restricted Gaming (U-0043-02), and a Variance (V-0027-02) to allow the construction of a parking garage directly on the north property line and 12-foot high perimeter walls were also approved at that time.

06/02/04 The City Council approved an Extension of Time (EOT-4349) for the Variance (V-0027-02) request that allowed a zero-foot setback for the parking structure and 12-foot high perimeter walls.

07/08/04 The Planning Commission will consider a Special Use Permit (SUP-4540) for a Mixed-Use development concurrently with the request for Site Development Plan Review.

B) Pre-Application Meeting

5/12/04 At the pre-application conference, issues were discussed relative to the previous Variance (V-0027-02) approval, the required setbacks and streetscape requirements, the requirement for building stepbacks, the detailing of the parking structure façade, the plans for the sewer line in the abutting alley, and the requirement for Nevada Department of Transportation approval of the driveway openings.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.90

B) Existing Land Use

Subject Property:	Restaurant Use, Wedding Chapel Use
North:	Undeveloped, Multifamily Residential Use
South:	Unincorporated Clark County
East:	Retail Use
West:	Service Station Use, Retail Use

FF

C) Planned Land Use

Subject Property:	C (Commercial Use)
North:	MXU (Mixed-Use)
South:	Unincorporated Clark County
East:	C (Commercial Use)
West:	C (Commercial Use), MXU (Mixed-Use)

D) Existing Zoning

Subject Property:	R-3 (Medium-Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	R-4 (High-Density Residential) under Resolution of Intent to C-2 (General Commercial); R-4 (High-Density Residential)
South:	Unincorporated Clark County
East:	C-2 (General Commercial)
West:	C-1 (Limited Commercial); R-4 (High-Density Residential)

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcels C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) A Final Map or Planned Unit Development of 500 units or more.

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

1) A Special Use Permit application concerning property within 500 feet of the City boundary with Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Las Vegas Metropolitan Police Department has noted that existing staffing levels are currently below national averages, and that additional residential units in the area will further burden the department in providing adequate police services and protection. No mitigation measures are proposed.

2) The Regional Transportation Commission has not identified any negative impacts, and has noted that higher density residential development in the Resort Corridor with proximity to the Monorail system will likely result in an increase in transit ridership and improve the jobs/housing balance in the area.

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

PROJECT DESCRIPTION

The project entails the removal of the existing structures on the site, and the construction of two 39-story towers joined at the base by a five-story parking structure. The towers will face the Sahara Avenue frontage, with the parking structure located on the north side of the property. The project will be constructed in two phases, with construction of the western tower and the parking structure to be developed as Phase I, and the eastern tower to be developed as Phase II. Each tower will contain 404 residential units, with approximately 5,000 square feet of commercial space and the residential lobbies on the ground floor of each tower. A 25,000 square foot spa will be constructed on top of the parking structure.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	3.90 Acres	N/A
Min. Lot Width	N/A	567 Feet	N/A
Min. Setbacks			
• Front (Sahara Ave.)	0 Feet	21 Feet	Y
• Side	N/A	8 Feet	N/A
• Corner (Fairfield Ave.)	0 Feet	12 Feet	Y
• Rear (Cincinnati Ave.)	10 Feet	8 Feet	N
Max. Lot Coverage	Up to 100%	Not indicated	Y
Max. Building Height	N/A	379 Feet	N/A
Trash Enclosure	Walled/roofed	Not indicated	Not indicated
Loading Zone	3	1	N
Mech. Equipment	Screened	Not indicated	Not indicated

The front setback of the building on Sahara Avenue does not comply with the Downtown Centennial requirement for 70% frontage along the front property line, but does not encroach adjacent properties or rights-of-way. A ten-foot setback is required for parking structures; the proposed parking structure is to be located eight feet from the property line on Cincinnati Avenue. A Variance (V-0027-02) has already been approved for a reduced setback on Cincinnati Avenue, which will allow the structure in its proposed location. One loading space has been provided at the west side of the building; based on the commercial square footage, a total of three loading spaces will be required. Trash enclosures are shown at the west side of the building, but no information has been provided relative to the required roof structure. The submitted plans would suggest that mechanical equipment will be screened; a condition has been included to establish compliance with the screening requirements contained in the Code.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The site is located approximately 1,400 feet from the nearest single-family property.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential • Studio • 1 Bedroom • 2 Bedroom • 3 Bedroom	 58 units 332 units 356 units 62 units		
Commercial • Retail • Spa	 10,500 SF 25,000 SF		
Total:		1,133	24

A total of 1,133 parking spaces will be provided for the development, which allows a minimum of one parking space per residential unit, 185 spaces for the commercial components, and leaves 140 spaces for guest or additional resident parking.

Public Works has reviewed the submitted plans for traffic circulation issues, and has not noted any significant concerns.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Sahara Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	19 Trees	23 Trees
East/West Street Cincinnati Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	21 Trees	0 Trees
North/South Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	9 Trees	0 Trees
Sidewalk	11' Sidewalk		Sahara: 5' to 8' Fairfield: 5' Cincinnati: 5'

The proposed streetscape for Sahara Avenue involves moving the route of the public sidewalk from the public right-of-way onto private property near the entrances of each building, and then back out to the public right-of-way. This conflicts with the Downtown Centennial Plan, which requires a five-foot amenity zone behind the curb, and an 11-foot wide sidewalk behind the amenity zone. The Centennial Plan would also require an 11-foot wide sidewalk and 25-foot tall palm trees planted in an amenity zone along Fairfield Avenue; the submitted plans show a five-foot sidewalk and a five-foot amenity zone adjacent to the street with only low-level plantings. The streetscape for Cincinnati Avenue shows a five-foot sidewalk behind the curb, with a buffer area provided between the sidewalk and the parking structure. Trees are provided in the buffer area, but are not located in the public right-of-way as required by the Centennial Plan.

A5) Sign Standards

No information has been submitted relative to proposed signage for the development. Signage shall be reviewed under a separate application, subject to conformance with the requirements of Title 19.14.

B) General Analysis and Discussion

- Zoning

The commercial uses located at the ground floor and the proposed spa are permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The residential units are only permitted upon approval of a Special Use Permit; a separate application has been filed (SUP-4540) in order to allow the residential use. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

- Site Plan

The site plan depicts a buildings located approximately 20 feet from the front property line along Sahara Avenue, with pedestrian amenity areas directly in front of each building. A circular driveway with access to Sahara Avenue is provided in between the two towers, and provides access to the parking structure located to the rear of the site. Additional driveways are provided on Cincinnati Avenue and Fairfield Avenue to assist in traffic dispersal. A loading and service area is provided on the west side of the building, and is accessed from Cincinnati Avenue or the public alley. Buffers are provided in between the parking structure and the adjacent rights-of-way, in order to assist in screening the structure from adjacent properties.

- Waivers

The development requires waivers from the Downtown Centennial Plan requirement for building placement, building stepbacks, setbacks, and streetscape treatments. Regarding the building placement, the waiver for a 21-foot setback from the property line is warranted in this location due to its location outside immediate urban core and the pedestrian amenity zone provided at the front of the building. A building stepback is provided at the fourth story of the building in accordance with the Centennial Plan, but no additional stepbacks are provided at the 11th and 18th stories as required. The configuration of the building and fenestration of the façade provides sufficient variation to the appearance of the building, and is consistent with the design goals of the Centennial Plan. An eight-foot buffer area is provided between the parking structure and the property line, instead of the 10-foot buffer area required by the Plan. As a variance has already been approved for the setback along Cincinnati Avenue, the waiver from the setback and buffer requirement is justified. Finally, the applicant has requested waivers from the streetscape and landscape requirements; a discussion of the requested waivers is included below.

- Landscape Plan

The Centennial Plan requires a 10-foot deep perimeter buffer between parking structures and adjacent rights-of-way; while the buffer areas provided along the north and east sides of the structure do not conform to the minimum depth requirements, there are adequate trees and plant materials included in the buffer area to adequately screen the structure.

The proposed streetscape treatments in the public rights-of-way do not conform with the Centennial Plan requirements; while the proposed streetscape treatment and sidewalk along Cincinnati Avenue is adequate based on the street conditions, the treatments along Fairfield Avenue and Sahara Avenue will need to be modified to conform as closely as possible to the requirements. The Fairfield Avenue streetscape will need to be modified to include palm trees in a five-foot amenity zone adjacent to the curb, spaced at a maximum distance of 35 feet on center. The proposed sidewalk may remain at five feet in width due to the limited right-of-way along the street. Along Sahara Avenue, a five-foot landscape amenity zone is required immediately behind the curb, with an 11-foot sidewalk behind the amenity zone. The width of the sidewalk may be reduced where there is insufficient right-of-way, due to the fact that additional pedestrian areas will be provided in the front yard area of both towers.

- Elevation

The exterior materials will include a stone veneer at the base of each tower, with stucco accents and decorative architectural features to accentuate the vertical elements. Decorative metal grilles and planters will be provided at the openings of the parking structure, which provide screening and visual interest to the façade. The upper stories of the building will be faced with synthetic stucco, with white aluminum frames at the window openings and glass balcony railings. Decorative elements are provided at the top of each tower in order to screen the mechanical equipment and to enhance visual interest. The proposed materials and detailing of the structure are in accordance with the goals and objectives of the Downtown Centennial Plan.

FF

- Floor Plan

The floor plan locates the commercial space and residential lobbies at the front of the site facing Sahara Avenue, with the parking structure located on the north side of the site. The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation with the structures. The spa and amenities for the residential units will be located atop the parking structure.

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 be compatible with adjacent development, and will assist in improving the jobs/housing balance in the area.

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

   The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform with the Centennial Plan requirements.

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

   The traffic circulation for the site has been designed so as to reduce impacts to Sahara Avenue and the surrounding neighborhood. Secondary driveways are provided on Fairfield Avenue and Cincinnati Avenue to assist in the dispersal of traffic generated by the development. Furthermore, the site has excellent access to public transportation, which will assist in reducing the number of vehicle trips normally generated by a development of this scale.

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

   The proposed landscape materials are generally appropriate for the area; modifications have been requested to the streetscape treatments in order to conform as closely as possible with the Downtown Centennial Plan requirements. The proposed building materials are appropriate for the area and the City.

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

   Adequate care has been exercised in detailing the building facades in order to create an orderly and harmonious appearance between the towers and the attached parking structure. The façade of the parking structure is detailed with decorative metal grilles and planters, and will be adequately with landscape materials at the base of the structure.

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

   The development will be subject to ongoing inspections and therefore will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NOTICES MAILED 76 (Mailed with SUP-4515)

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4534 APN: 162-04-812-001 & 162-04-811-027

Name of Property Owner: ABF, INC.

Name of Applicant: ABF, 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: Andrew S. Fonfa

Print Name: ANDREW S. FONFA

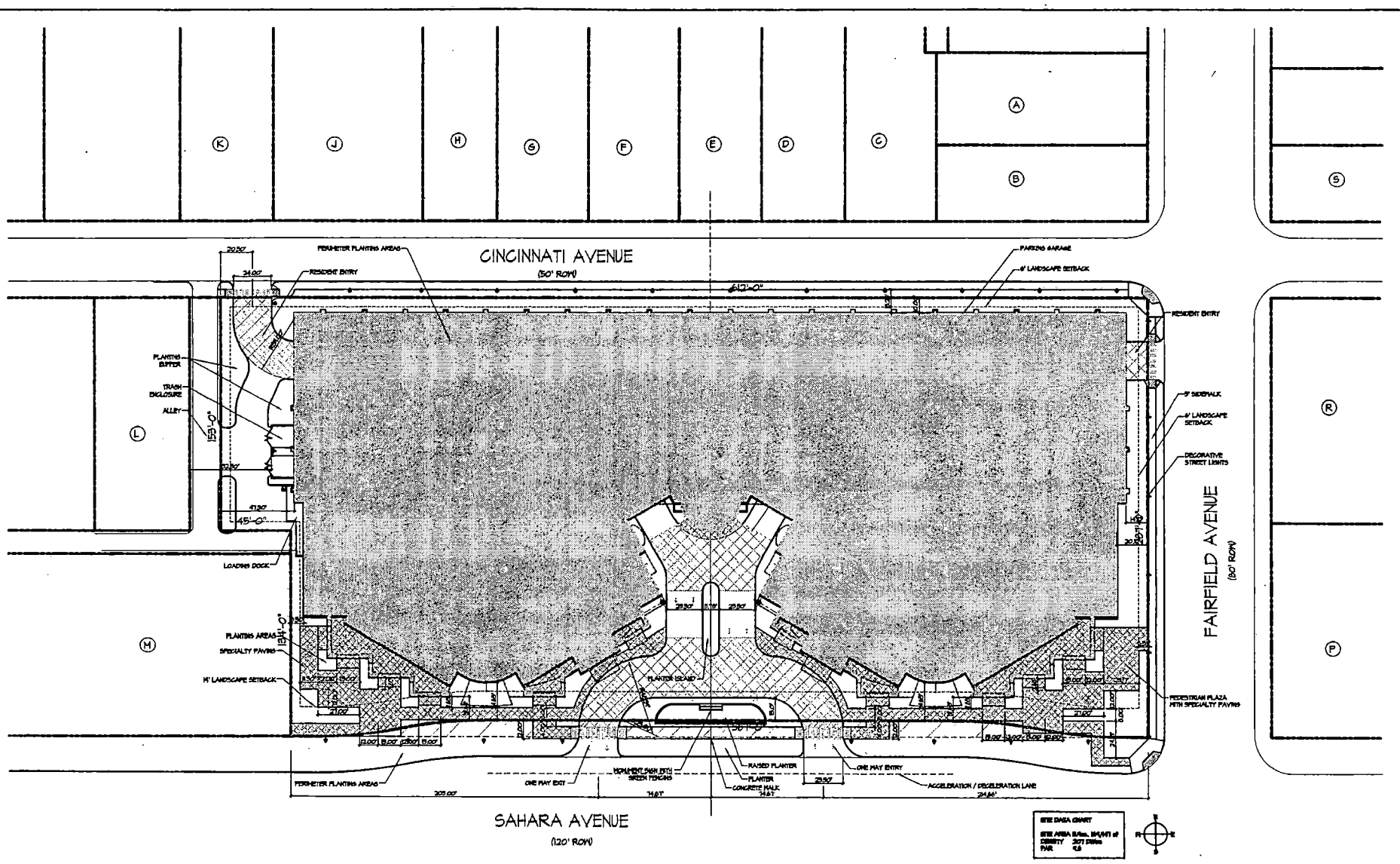
Subscribed and sworn before me

This 25th day of May, 2004

Cynthia S. Pineda

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CYNTHIA S. PINEDA
Appt No. 94-1380-1
My Appt Expires March 28, 2006



SUP-4540
SDR-4534
07-08-04 PC

SITE PLAN

REVISED
6-18-04

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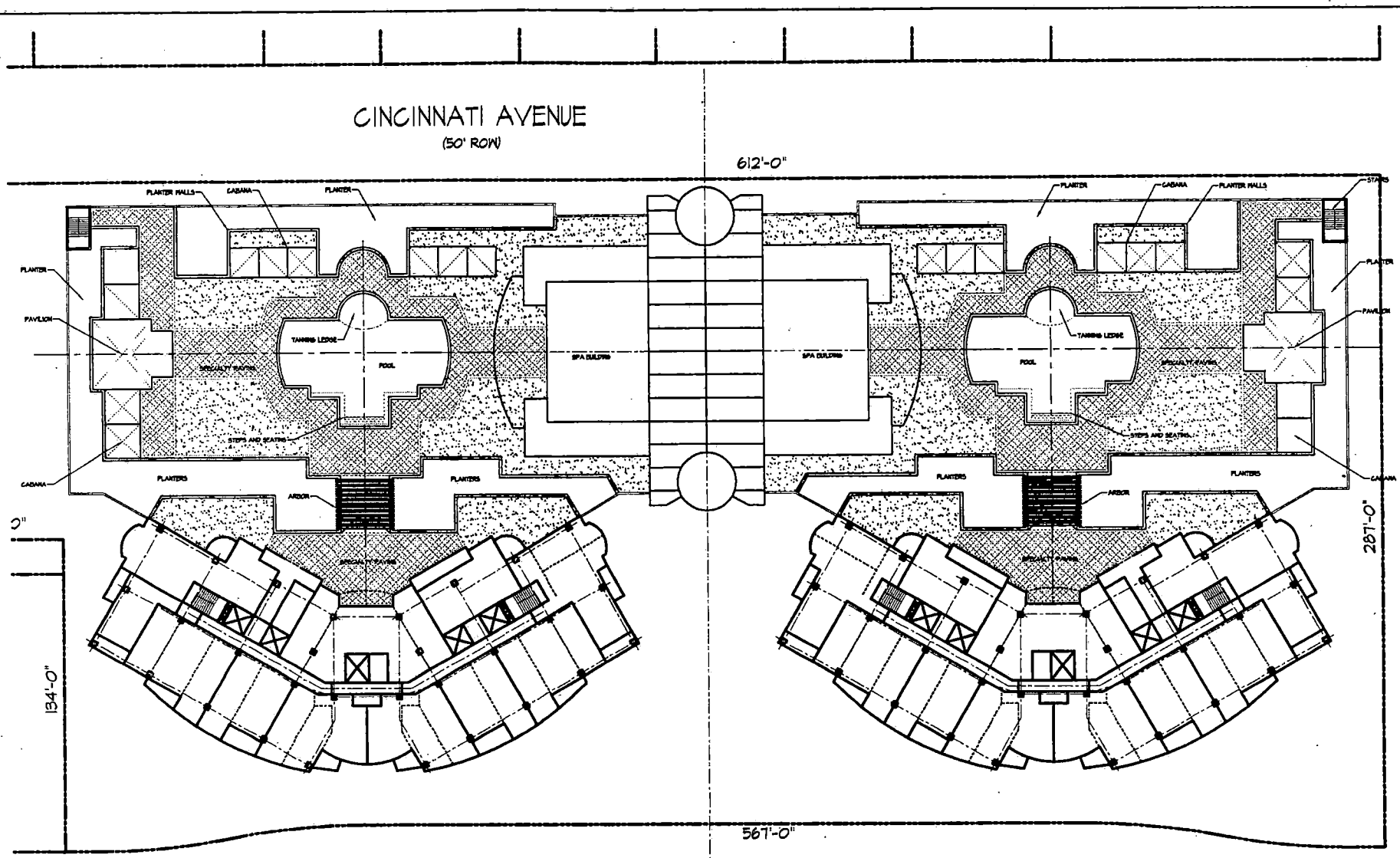
Irvine CALIFORNIA NEW YORK

SITE PLAN
1"=20'

SAHARA AVENUE
CONDOMINIUM
SP SAHARA DEVELOPMENT L.L.C.
LAS VEGAS, NEVADA

PROJECT No. 04082.000
DRAWN BY REVIEW
ISSUED DATES: JUNE 18, 04
FILE: 4082A001

DRAWING NUMBER
A1.1.1
SITE PLAN



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SITE PLAN 1"=20'

SPA PLAZA SITE PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A1.1.2
SITE PLAN

GENERAL NOTES

GRASSING:

All disturbed areas shall receive 4" minimum of topsoil (compacted) and grassed with sod or seed as indicated on the plan.

Seeded areas shall be grassed with a mixture of Common Bermuda or approved equal at a rate of ten (10) pounds per 1,000 sq. ft. of grassed area. Seed shall be spread evenly over entire area with an approved mechanical spreader sowing equal quantities in two (2) directions at right angles to each other. Seed shall be raked lightly into the top 1/8" of soil, rolled lightly and watered with a fine spray. All seeded areas shall be mulched with a clean, seed-free, dry hay or straw spread uniformly to form a continuous blanket not less than 1 1/2" loose thickness.

All entrance drives shall be sodded with a six ft. strip of sod.

Sodded areas shall be grassed with 'Tifi 419' Hybrid Bermuda sod. Sod shall be laid with close, tight fitting joints, which shall be laid in rows parallel to the contour contour lines. All sodded areas shall be rolled to achieve a smooth, uniform lawn and top dressed with sand.

Fertilization and soil amendments for all grassed areas shall be as per laboratory analysis. Hydroseeding may be substituted for mechanical seeding by mixing seed, fertilizer and pulverized mulch in water, using equipment specifically designed for hydrossed application. Mix until uniformly blended into homogenous slurry suitable for hydraulic application. Apply uniformly at a rate as required to obtain specified seeding rate.

ALL GRASSED AREAS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.

SHRUBS AND TREES:

All trees located in grassed areas shall be planted as per detail and mulched with at least four (4) feet diameter of approved hardwood mulch.

Shrub beds and parking lot islands shall be mounded 6" - 12" in height, and mulched with approved hardwood mulch.

Dwarf Youpon Holly shall be planted 3' o.c. in staggered rows 2 1/2' apart. Liriope (when specified) shall be planted 12" o.c. in staggered rows 10" apart.

Trees shall be planted no closer than five (5) feet from back-of-curb.

LOCATION AND LAYOUT OF ALL SHRUBS AND TREES SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.

STAKING AND LAYOUT OF BUILDINGS:

See civil drawings for staking and layout of site elements such as buildings, driveways and parking areas.

LANDSCAPE PLANTING:

The landscape contractor shall familierize himself with the site conditions and verify them to his satisfaction. The landscape contractor shall accept the site conditions and do the work specified without additional compensation for possible variation from grades and conditions shown.

Prior to construction the landscape contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during construction. Should the landscape contractor cause damage to any utilities, he shall make necessary repairs as quickly as practicable without additional compensation.

All plant material sizes and measurements, including trunk, head and spread sizes, container and root ball sizes, quality and condition shall conform to the standards set forth in the current issue of "American Standards for Nursery Stock" (ANSI Z60.1).

All plant material are subject to the approval by the owner, and may be inspected at the place of growth or at site before planting.

The landscape contractor shall be responsible for maintaining, in full, all landscape planting work (including watering, spraying for insects and diseases, mulching, mowing, fertilizing, cultivating, edging and weeding) during installation and until acceptance by the owner.

The landscape contractor shall completely guarantee all tree planting work and materials for a period of one (1) full year from the date the work has been approved by the owner as installed. All shrubs, ground covers and other planting materials shall be guaranteed for a period of not less than (3) months from the date the work has been approved by the owner as installed. All plant material not in a healthy growing condition shall be removed immediately and replaced as soon as practicable with like kind at no charge to the owner.

The landscape contractor shall be responsible for obtaining soil samples from top soil and native or fill soils at the site and submitting them to an approved soil testing laboratory, and obtain analyses and recommendations for amending these soils and fertilization of specified plant material.

All planting areas, shrub beds and trees shall be mulched with a minimum compacted depth of three (3) inches of mulch as specified. Prior to mulching apply a pre-emergent herbicide (approved by the owner) as recommended by the manufacturer, to prevent recurring weed and grass growth.

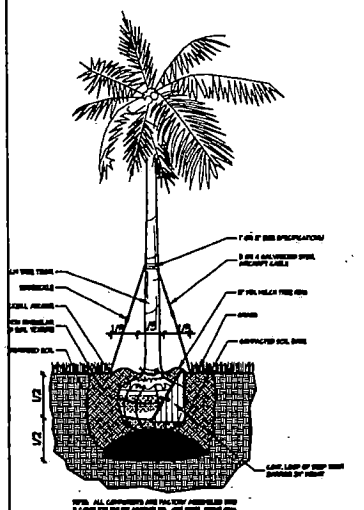
All disturbed areas of the site shall be either grassed or planted immediately after grading in order to prevent soil erosion. A permanent vegetation cover shall be provided throughout all unpaved areas of the site, adjacent disturbed areas and right-of-way (R.O.W.). All work within any R.O.W. shall conform to standards and specifications of local and/or state jurisdictions.

PLANTING NOTES — NO SCALE — 7

PLANT SCHEDULE

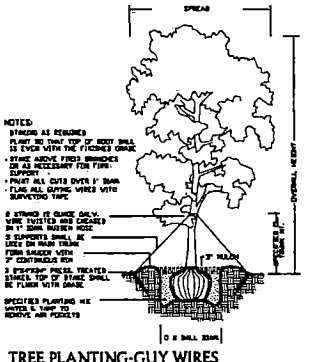
KEY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	CUPRESSUS SEMPERVIRENS	Italian Cypress	2" box	
	CUPRESSUS ARIZONICA	Arizona Cypress	2" box	
	LINUM PERENNE	Blue Flax	1 gal	
	LOPHOSTEMON CONFERTUS	Brisbane Box	24" box	
	CHILOPSIS LINEARIS	Desert Willow	24" box	
	PRUNUS CERASIFERA	Purple Leaf Plum	15 gal	
	QUERCUS VIRGINIANA	Live Oak	24" box	
	MANGIFERA INDICA	Mango	24" box	
	CHILOPSIS LINEARIS	Desert Willow	15 gal	
	EUCALYPTUS SPECIES	Eucalyptus	24" box	
	EUCALYPTUS MICROTHECA	Coolibah Tree	24" box	
	EUCALYPTUS POLYANTHEMOS	Silver Dollar Gum	24" box	
	FICUS MICROCARPA	Chinese Banyan Fig	24" box	
	ELAEAGNUS PUNGENTIFOLIA	Silverberry	15 gal	
	JACARANDA MIMOSIFOLIA	Jacaranda	24" box	
	JUNIPERUS CHINENSIS 'TORULOSA'	Hollywood Juniper	15 gal	
	WASHINGTONIA FILIFERA	Desert Fan Palm	24" box	
	TRACHYCARPUS FORTUNEI	Windmill Palm	24" box	
	FICUS MICROCARPA	Chinese Banyan Tree	24" box	
	FICUS RETUSA	Cuban Laurel Fig	24" box	
	PARKINSONIA ACULEATA	Jerusalem Thorn	15 gal	
	OLEA EUROPAEA	Olive	15 gal	
	HESPER CLEANDRA	Dasylirion	5 GAL	4' o.c. GREEN VARIETY
	CYCAS REVOLUTA	Sago Palm	5 GAL	
	ILEX CORNUTA 'RotFordii'	Rotford Holly	6 GAL	TRAINED TO TREE FORM, 6' o.c.
	MAHONIA BEALEI	Mexican Barberry	5 GAL	3' o.c.
	YUCCA FILIFERA	Weeping Yucca	5 GAL	
	AGAVE DESMETTIANA	Smooth Agave	5 GAL	WHITE FLOWERS
	OLEA NANA 'MONTRA'	Russian Wild Olive	5 GAL	80% to 20%
	BACCHARIS SAROTHROIDES	Desert Broom	5 GAL	
	BURSA MICROPHYLLA JAPONICA	Japanese Boxwood	5 GAL	
	ILEX VOMITORIA	Yaupon Holly	5 GAL	
	MISCANTHUS SINENSIS 'PURPUREUS'	Fakir's Grass	5 GAL	WHITE FLOWERS, COMPACT VARIETY
	PENNISETUM SETACEUM 'RUBRUM'	Purple Fountain Grass	5 GAL	RED FLOWERS, COMPACT VARIETY
	ESCALLONIA JAPONICA	Escallonia	5 GAL	
	CLEMATIS FONTANESI	Common Virgin Creeper	1 GAL	
	HESPERALOE PARVIFLORA	Red Yucca	5 GAL	
	LANTANA MONTEVIDENSIS	Trailing Lantana	1 GAL	Plant flat mounding
	LEUCOPHYLLUM FRUTESCENS	Texas Ranger	5 GAL	
	NERIUM OLEANDER	Oleander Ivy	4" POT	18"-12" OC.
	JUNIPERUS HORIZONTALIS 'WILTONII'	Blue Creeper Juniper	1 GAL	24" o.c. open sun to part shade
	LAURUS NOBILIS	Bay Bush Shrub	1 GAL	18" o.c.
	RUSCUS ACULEATUS	Male Hardy Ivy Plant		18"-15" o.c.
	DELOSPERMA SPECIOSUM	Euryops Jubilee		24" o.c. open sun to part shade
	LIRIOPE GIGANTEA	Giant Liriope	1 GAL	18" o.c.
	MAHONIA AQUIFOLIUM	Oregon Grape	5 GAL	18"-12" o.c.
	OPUNTIA SPECIES	Prickly Pear		24" o.c.
	JUNIPERUS PROCUMBENS	Green Mound Juniper	1 GAL	18" o.c.
	HEMEROCALLIS 'STELLA D'ORO'	Stella D'oro Daylily	1 GAL	18" o.c.
	SANTOLINA CHAMAECYPARISSUS	Lavender Cotton	1 GAL	18" o.c.
	ROSMARINUS OFFICINALIS	Rosemary	1 GAL	24" o.c.
	GALVANIZERIA ACUMINATA	Fountain Bamb Grass	1 GAL	24" o.c.
	YUCCA RECURVIFOLIA	Curved Leaf Yucca	1 GAL	18" o.c.
	YUCCA GLORIOSA	Spanish Dagger	1 GAL	18" o.c.
		Bunny Tail Grass	1 GAL	18" o.c.
		Annuals	Flats	12" o.c.

PLANT SCHEDULE AND KEY — NO SCALE — 5



PALM TREE STAKING DETAIL — NOT TO SCALE

SHRUB PLANTING — NOT TO SCALE



TREE PLANTING-GUY WIRES — NOT TO SCALE

PLANTING DETAILS — NO SCALE — 1

DETAILS — NO SCALE — 2

SUP-4540
SDR-4534
07-08-04 PC

EDI Architecture

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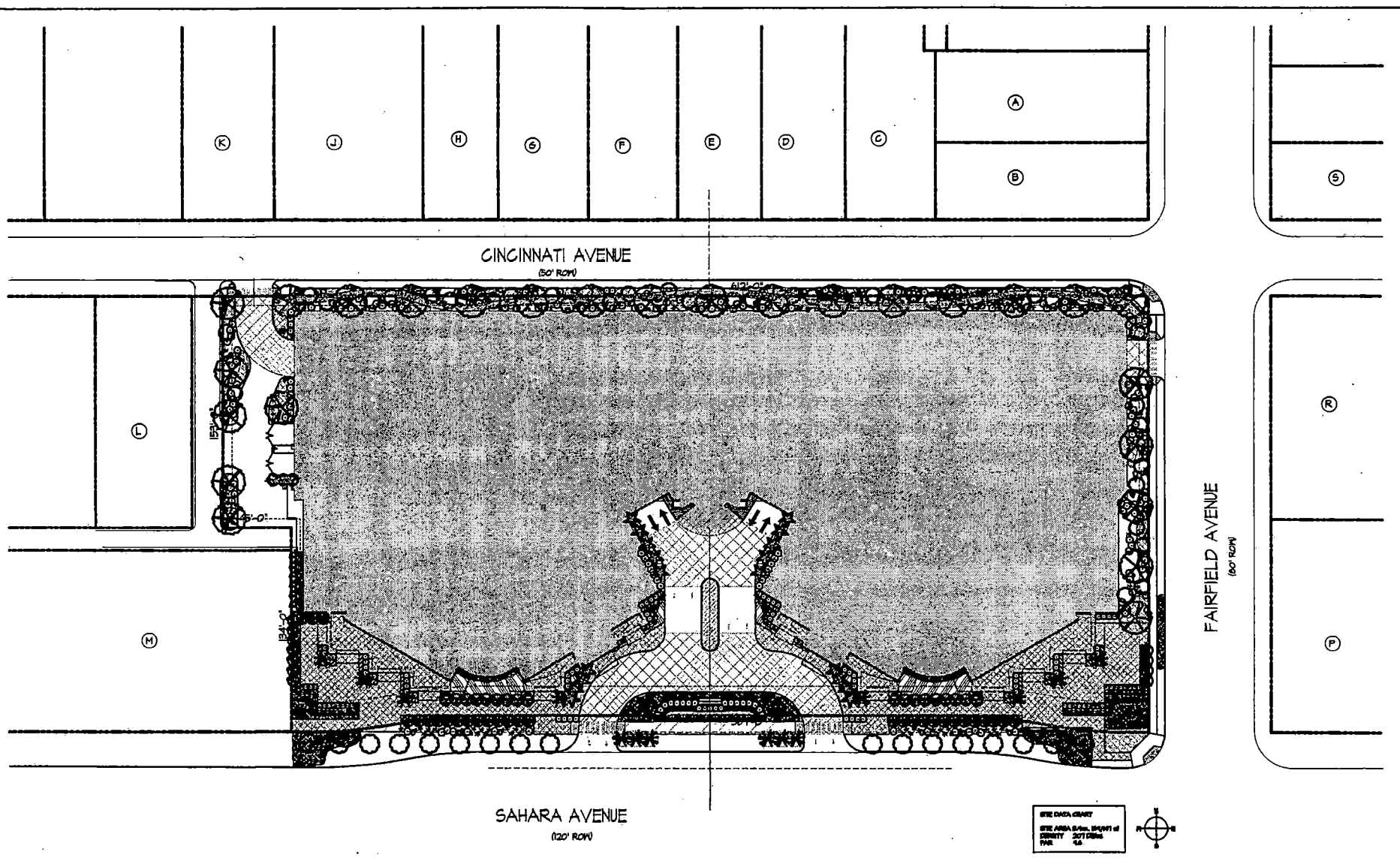
PLANTING NOTES & DETAILS
DETAILS AND NOTES — NO SCALE

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

PROJECT NO. 04080.000
ISSUED FOR REVIEW
ISSUED DATE: MAY 31, 04
FILE: 4080.31

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DRAWING NUMBER
L1.1.2
DETAILS



SUP-4540
SDR-4534
07-08-04 PC

REVISED
6-18-04

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SAHARA AVENUE
CONDOMINIUM
SP SAHARA DEVELOPMENT L.L.C.
LAS VEGAS, NEVADA

PLANTING PLAN
1"=30'

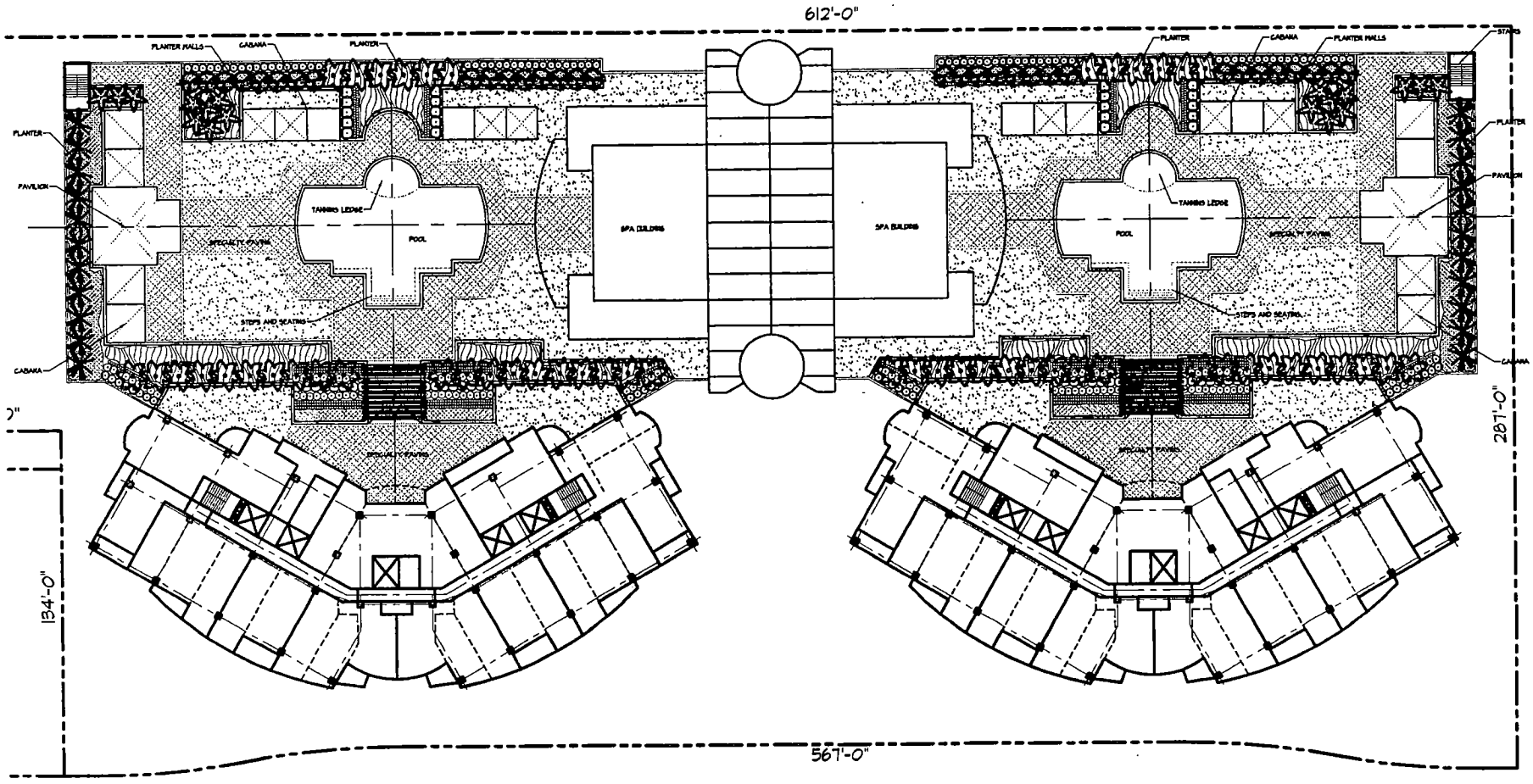
PLANTING PLAN

L1.1

PLANTING PLAN

CINCINNATI AVENUE

(50' ROW)



SAHARA AVENUE

(120' ROW)

SITE DATA CHART

SITE AREA 3.9ac. 164,647 sf
DENSITY 207 DU/ac
FAR 4.8

N
W
E
S

SUP-4540
SDR-4534
07-08-04 PC

SPA PLAZA SITE PLAN

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TEXAS CALIFORNIA NEW YORK

PLANTING PLAN 1"=20'

SPA PLAZA SITE PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY: NCH

CHECKED: _____ DATE

REVISIONS

PROJECT No. 04052.000
ISSUED: SD REVIEW
ISSUED DATE: JULY 21, 04
FILE: 4052SPA01

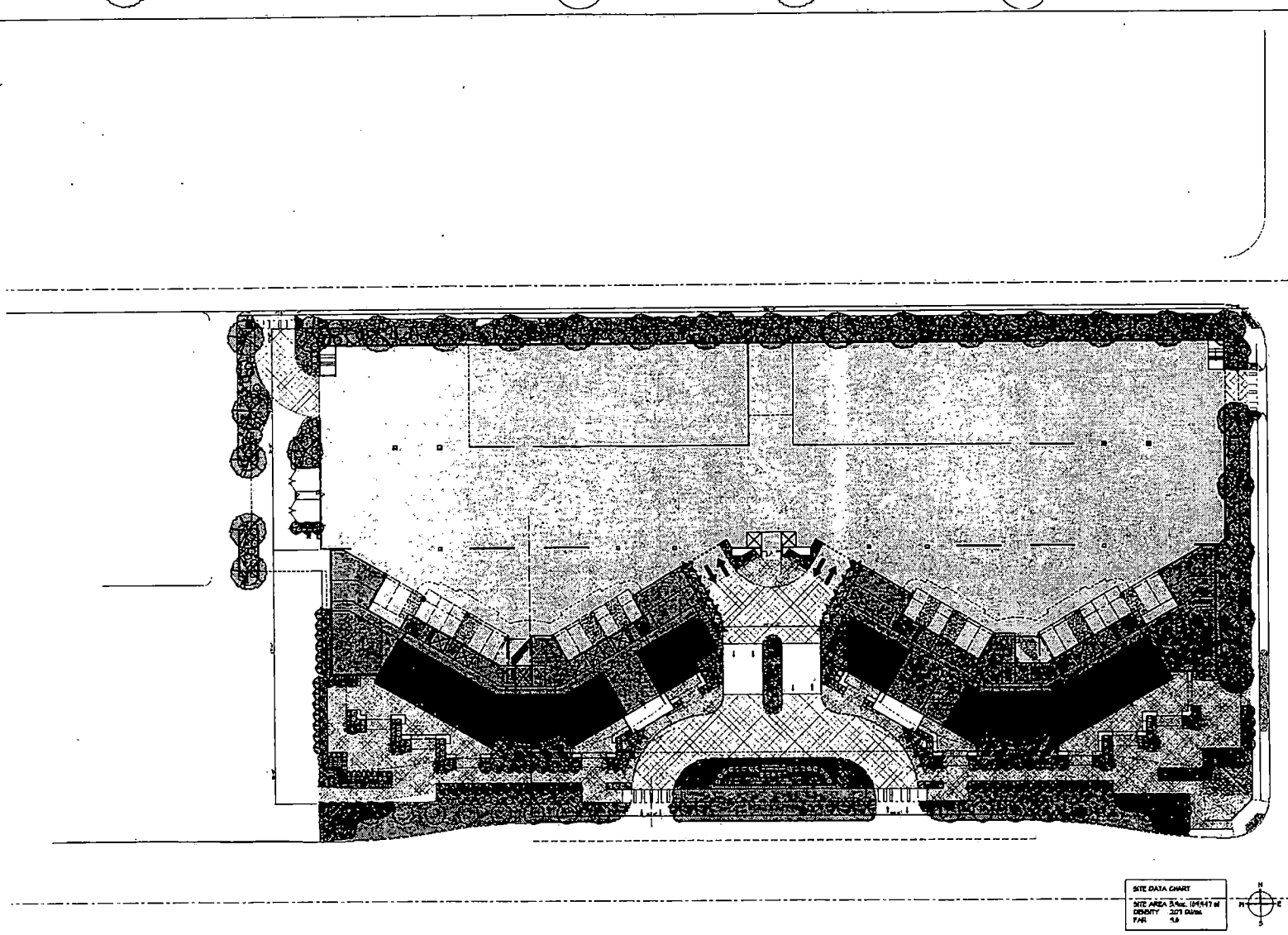
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DRAWING NUMBER

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PLANTING PLAN

SPA PLAZA SITE PLAN 1"=20' 1



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TEXAS CALIFORNIA NEW YORK

CITY SUBMITTAL

1"=30'

SITE PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY: HDH

CHECKED: _____ DATE

REVISIONS:

PROJECT NO. 04052.000
ISSUED: SD REVIEW
ISSUED DATE: MAY 21, 04
FILE: 4052A00

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DRAWING NUMBER

L1.1.1

LANDSCAPE

LANDSCAPE PLAN 1"=30' 4052SDR1.DWG 1

SUP-4540
SDR-4534
07-08-04 PC

CINCINNATI AVENUE

(50' ROW)

612'-0"

PLANTER WALLS

CABANA

PLANTER

PLANTER

CABANA

PLANTER WALLS

STAIRS

PLANTER

PAVILION

PAVILION

SPECIALTY PAVING

SPECIAL PAVING

CABANA

SPECIALTY PAVING

SPECIAL PAVING

26'-0"

18'-0"

567'-0"

SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

SPA PLAZA LANDSCAPE PLAN

EDI

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TEXAS CALIFORNIA NEW YORK

CITY SUBMITTAL

1"=20'

SPA PLAZA SITE PLAN

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY: KDH

CHECKED _____ DATE

REVISIONS:

PROJECT NO. 04057.000
ISSUED: SD REVIEW
ISSUED DATE: MAY 31, 04
FILE: 4057A001

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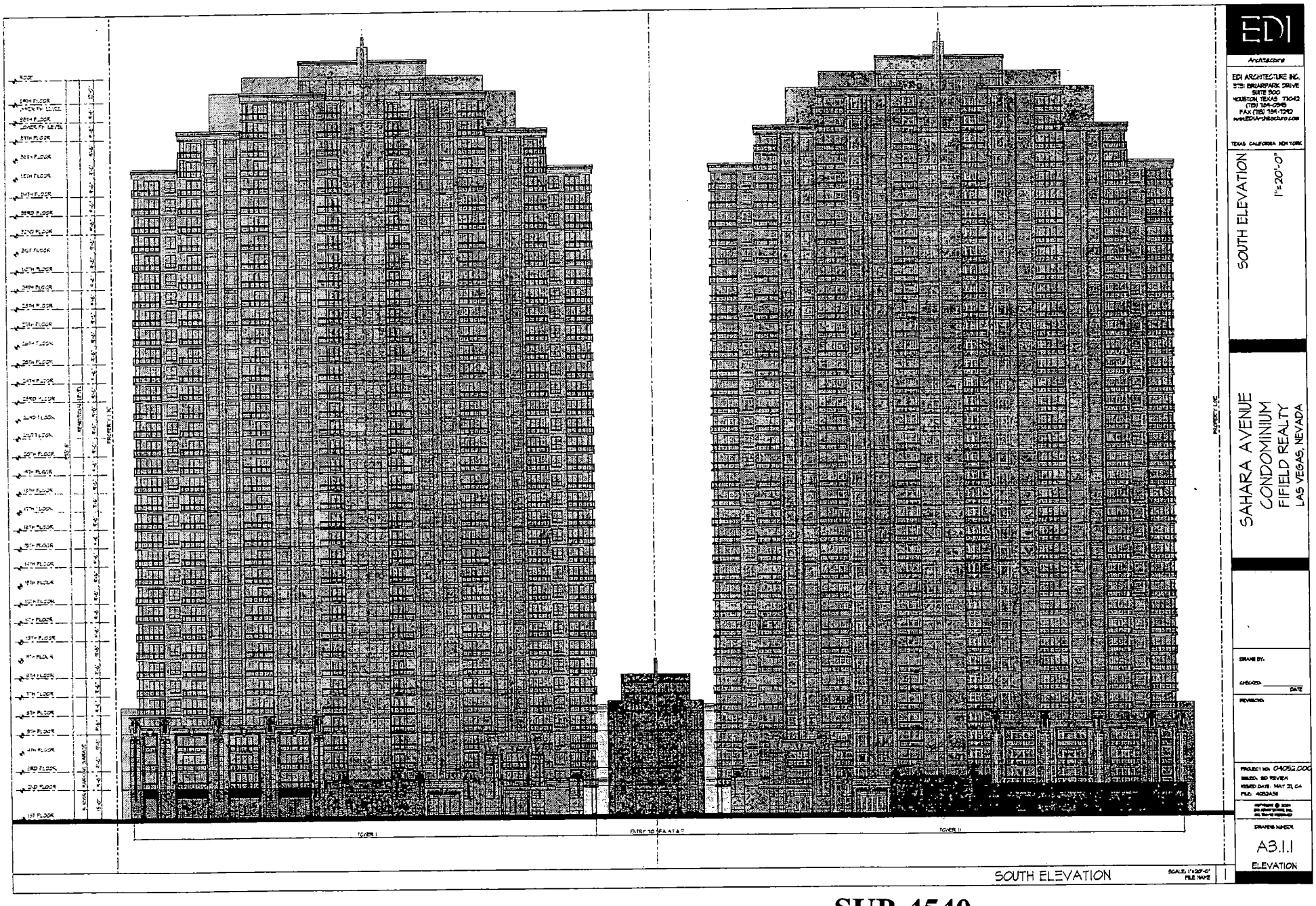
DRAWING NUMBER

L1.1.2

LANDSCAPE

1"=30'
4057ASKM-PLAZA.DWG

1



SOUTH ELEVATION

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Architecture

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TEXAS CALIFORNIA NEW YORK

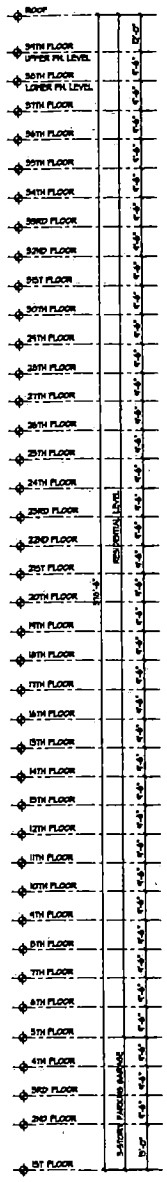
SOUTH ELEVATION
1"=20'-0"

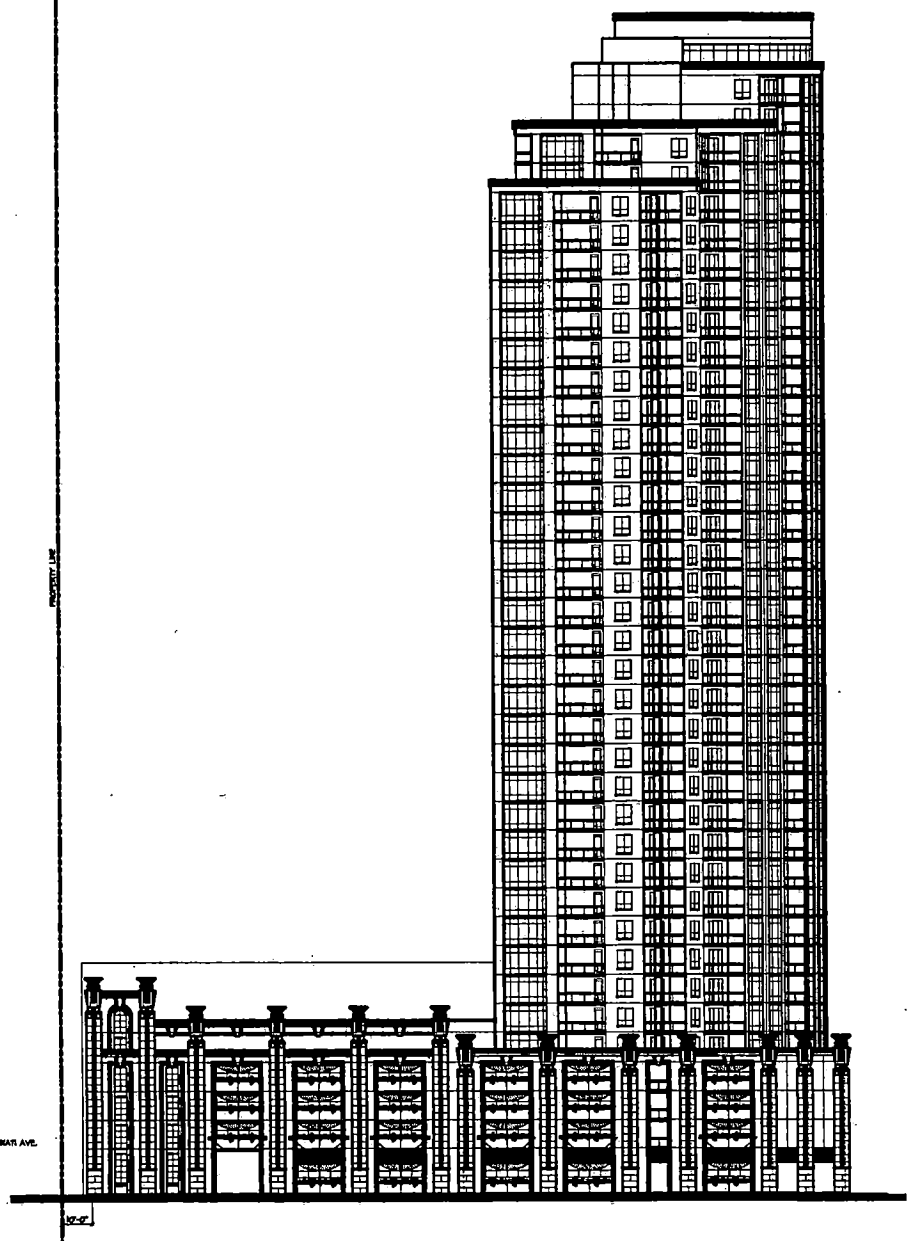
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY:
CHECKED: DATE
REVISIONS:
PROJECT NO: 0405Z.COC
BLDG. SD REVIEW
ISSUED DATE: MAY 21, 04
FILE: 4053456

DRAWING NUMBER
A3.1.1
ELEVATION

SUP-4540
SDR-4534
07-08-04 PC





WEST ELEVATION

SUP-4540
~~SDR-4534~~
07-08-04 PC

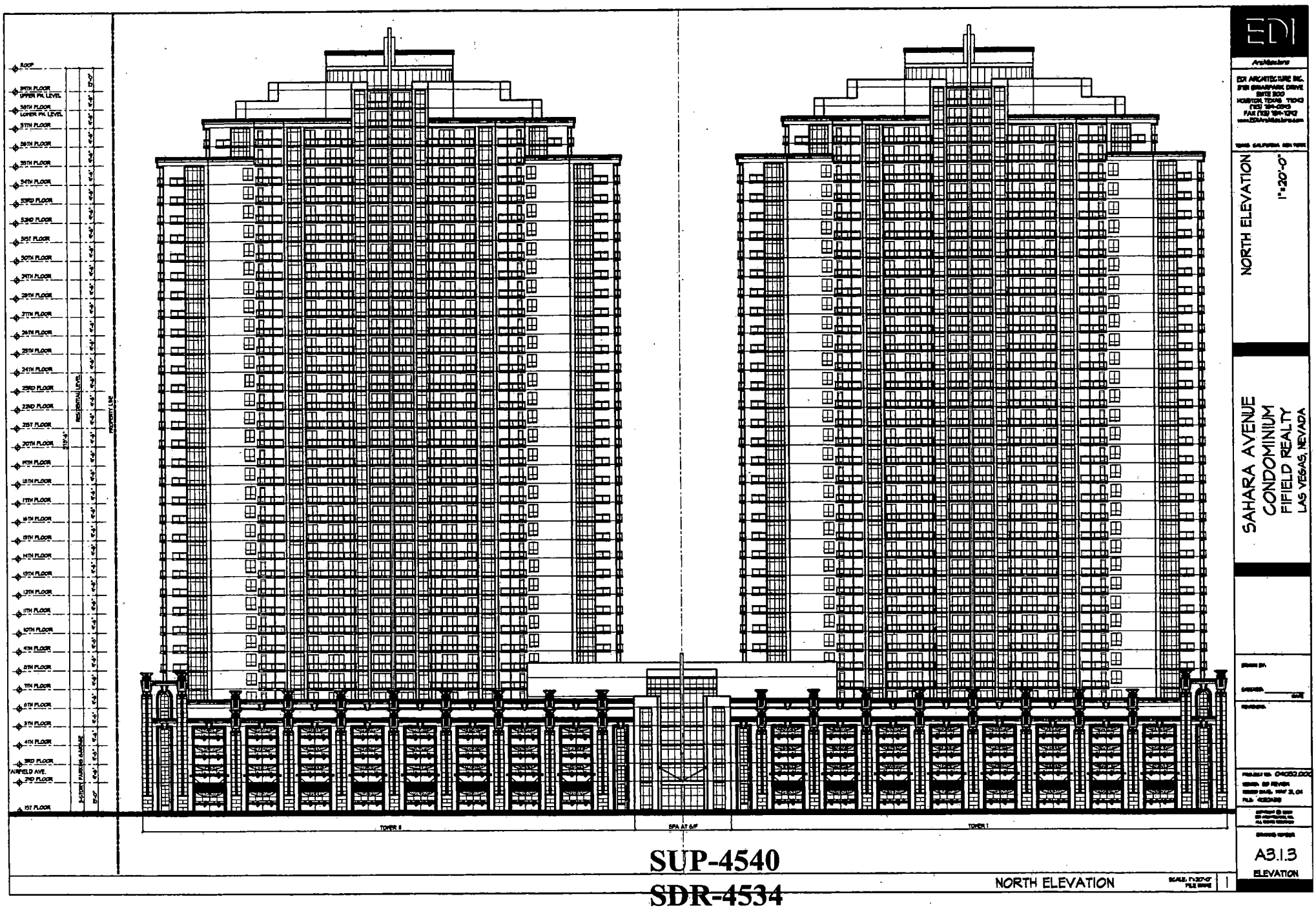
EDI
Architecture
EDI ARCHITECTURE INC.
3730 BRIARPARK DRIVE
SUITE 200
HOUSTON, TEXAS 77042
(713) 784-0240
FAX (713) 784-1242

WEST ELEVATION
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

PROJECT No. 04052.000

A3.1.2
ELEVATION



NORTH ELEVATION

SCALE: 1"=20'-0"

EDI Architects

EDI ARCHITECTURE INC.
3100 WEMBLEY PARK DRIVE
SUITE 200
HOUSTON, TEXAS 77043
(713) 984-0990
FAX (713) 984-1942
www.EDIArchitecture.com

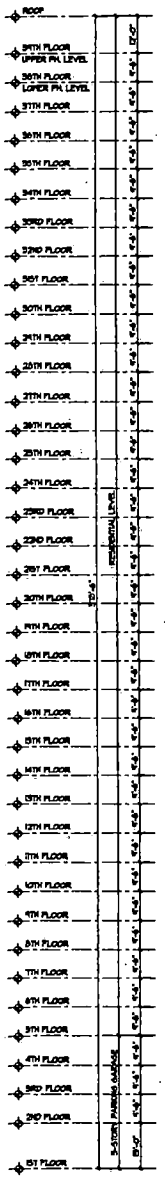
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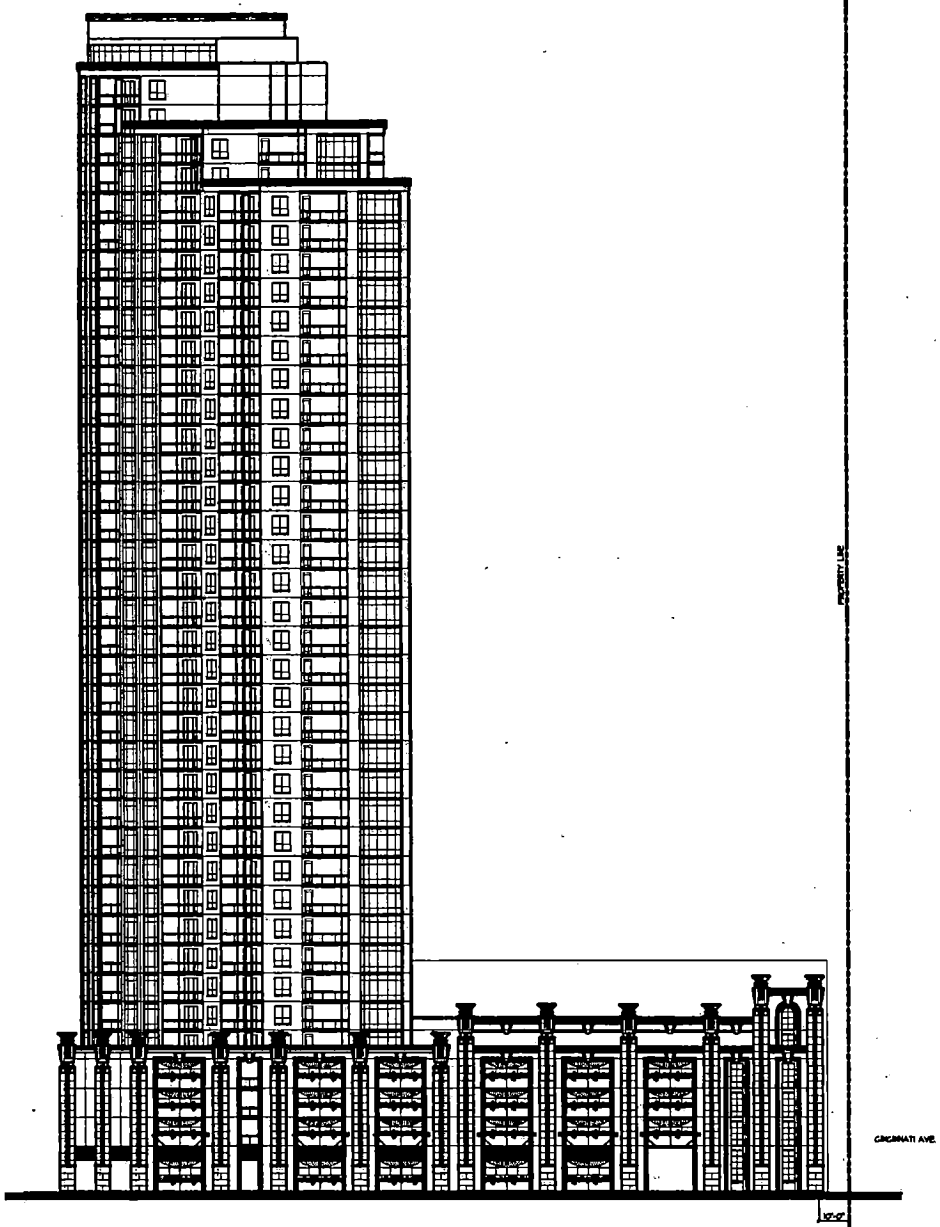
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

NORTH ELEVATION
1"=20'-0"

A3.1.3
ELEVATION

SUP-4540
~~SDR-4534~~
07-08-04 PC





SUP-4540
SDR-4534
07-08-04 PC

EAST ELEVATION

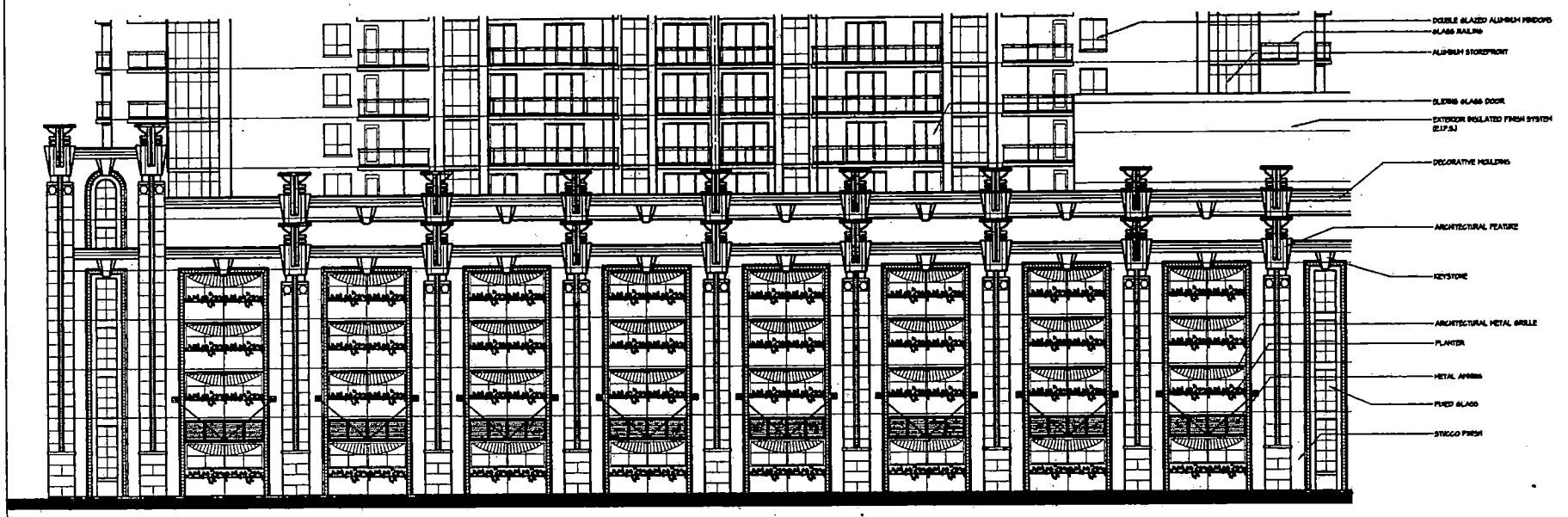
EDI
Architecture
EDI ARCHITECTURE INC.
3131 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0300
FAX (713) 784-1242
www.EDIArchitecture.com
TEXAS CALIFORNIA NEW YORK

EAST ELEVATION
1"=20'-0"

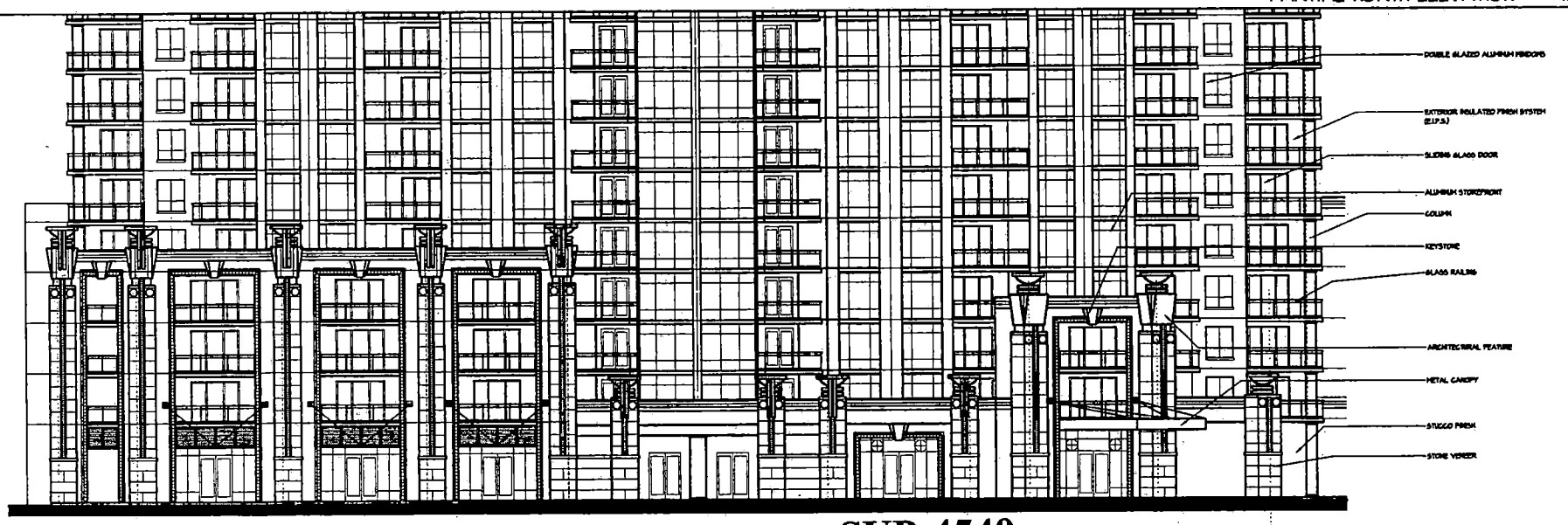
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY:
CHECKED: DATE:
REVISIONS:
PROJECT NO. 04053.000
ISSUED FOR REVIEW
ISSUED DATE: FRIDAY 28, 04
FILE: 4053A01

A3.1.4
ELEVATION



PARTIAL NORTH ELEVATION SCALE: 1"=20'-0" FILE NAME 2



PARTIAL SOUTH ELEVATION SCALE: 1"=20'-0" FILE NAME 1

SUP-4540
~~**SDR-4534**~~
07-08-04 PC

EDI

Architecture

EDI ARCHITECTURE INC.
5151 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0898
FAX (713) 784-1242
www.EDIArchitecture.com

TEXAS CALIFORNIA NEVADA

PARTIAL ELEVATION
1"=10'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY:
CHECKED: DATE:

REVISIONS

PROJECT NO. 04032.000
ISSUED: SD REVIEW
ISSUED DATE: MAY 31, 04
FILE: <SDR4540>

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DRAWING NUMBER
A3.2.1
ELEVATION

CINCINNATI AVENUE

(50' ROW)

RAMP UP @5.0%

RAMP UP @5.0%

RAMP UP @10% TO 20'

1ST PARKING LEVEL (241 SPACES)

FAN RM.

PUMP RM.

EXIT CORRIDOR

EMER. GENERATOR

TRASH

FIRE CONTROL

ELEC. RM.

RETAIL (1,240 SF)

LOBBY

OFFICE

RETAIL (4,010 SF)

COVERED WALKWAY

TOWER I

TOWER II

SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

GROUND FLOOR PLAN

SCALE: 1"=20'-0"

FILE NAME: 1

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SUITE 200
HOUSTON, TEXAS 77042
(713) 784-0845
FAX (713) 784-1242

TEXAS CALIFORNIA NEW YORK

GROUND FLOOR PLAN

1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

PROJECT NO. 04032.00

ISSUED FOR SD REVIEW

ISSUED DATE: MAY 21, 04

FILE: 4032A201

DRAWING NUMBER

A2.1.01

PLAN

CINCINNATI AVENUE

(50' ROW)

RAMP UP @5.0%

RAMP DN @5.0%

RAMP DN @12% AT 20' ONLY

2ND-4TH PARKING LEVEL (241 SPACES)

B3a

B1

A1

B2

ELEV. LOBBY

SERV. TRASH ELEV.

TOWER I (8 UNITS PER FLOOR)

TOWER II (8 UNITS PER FLOOR)

SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

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EDI ARCHITECTURE INC.
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SUITE 200
HOUSTON, TEXAS 77042
(713) 784-2075
FAX (713) 784-1242

2ND-4TH FLOOR PLAN

1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.02

PLAN

2ND-4TH FLOOR PLAN

CINCINNATI AVENUE

(50' ROW)

RAMP DN @5.0%

RAMP DN @5.0%

5TH PARKING LEVEL (165 SPACES)

B3a

B1

A1

B2

TOWER I (8 UNITS PER FLOOR)

TOWER II (8 UNITS PER FLOOR)

SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

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3781 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-6996
FAX (713) 784-1242

5TH FLOOR PLAN
1"=20'-0"

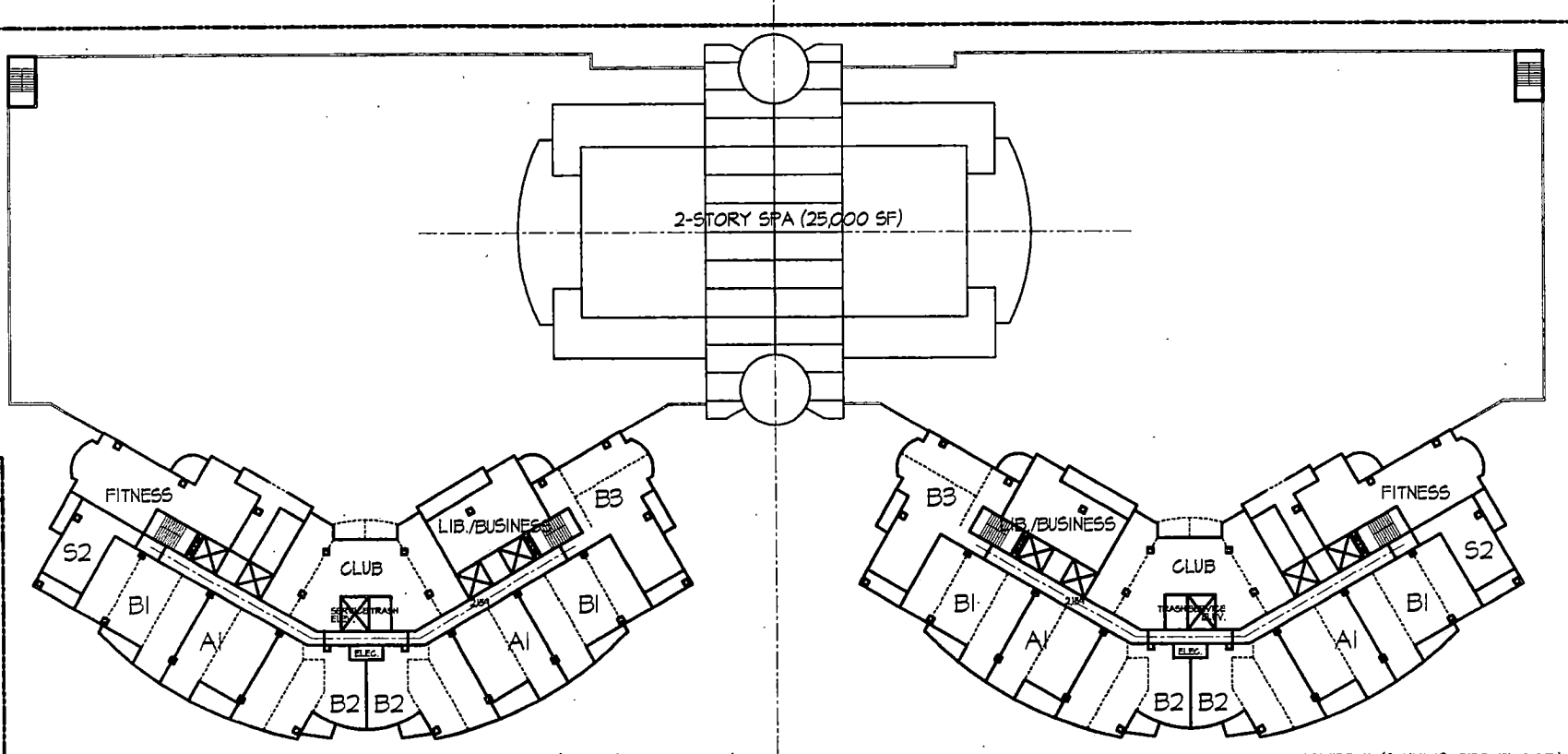
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.04
PLAN

5TH FLOOR PLAN

CINCINNATI AVENUE

(50' ROW)



SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

6TH FLOOR PLAN

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3761 BROADPARK DRIVE
SUITE 200
HOUSTON, TEXAS 77043
(713) 784-0343
FAX (713) 784-1243
www.EDIArchitecture.com

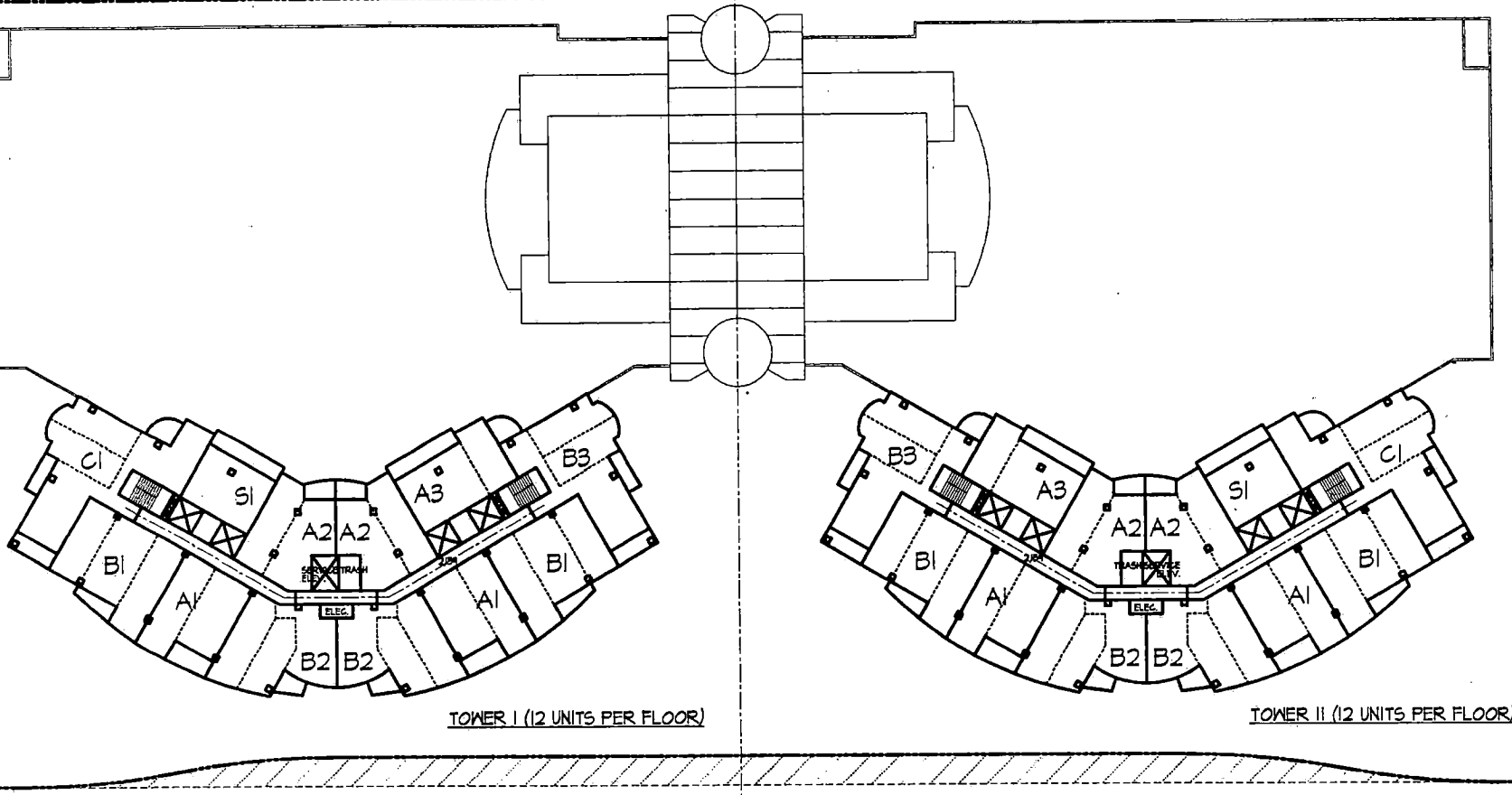
TEXAS CALIFORNIA NEW YORK

6TH FLOOR PLAN
PLAZA LEVEL
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.05
PLAN

CINCINNATI AVENUE
(50' ROW)



SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

7TH-34TH FLOOR PLAN

EDI
Architecture
EDI ARCHITECTURE INC.
3701 BRIARPARK DRIVE
SUITE 200
HOUSTON, TEXAS 77042
(713) 784-0895
FAX (713) 784-1292

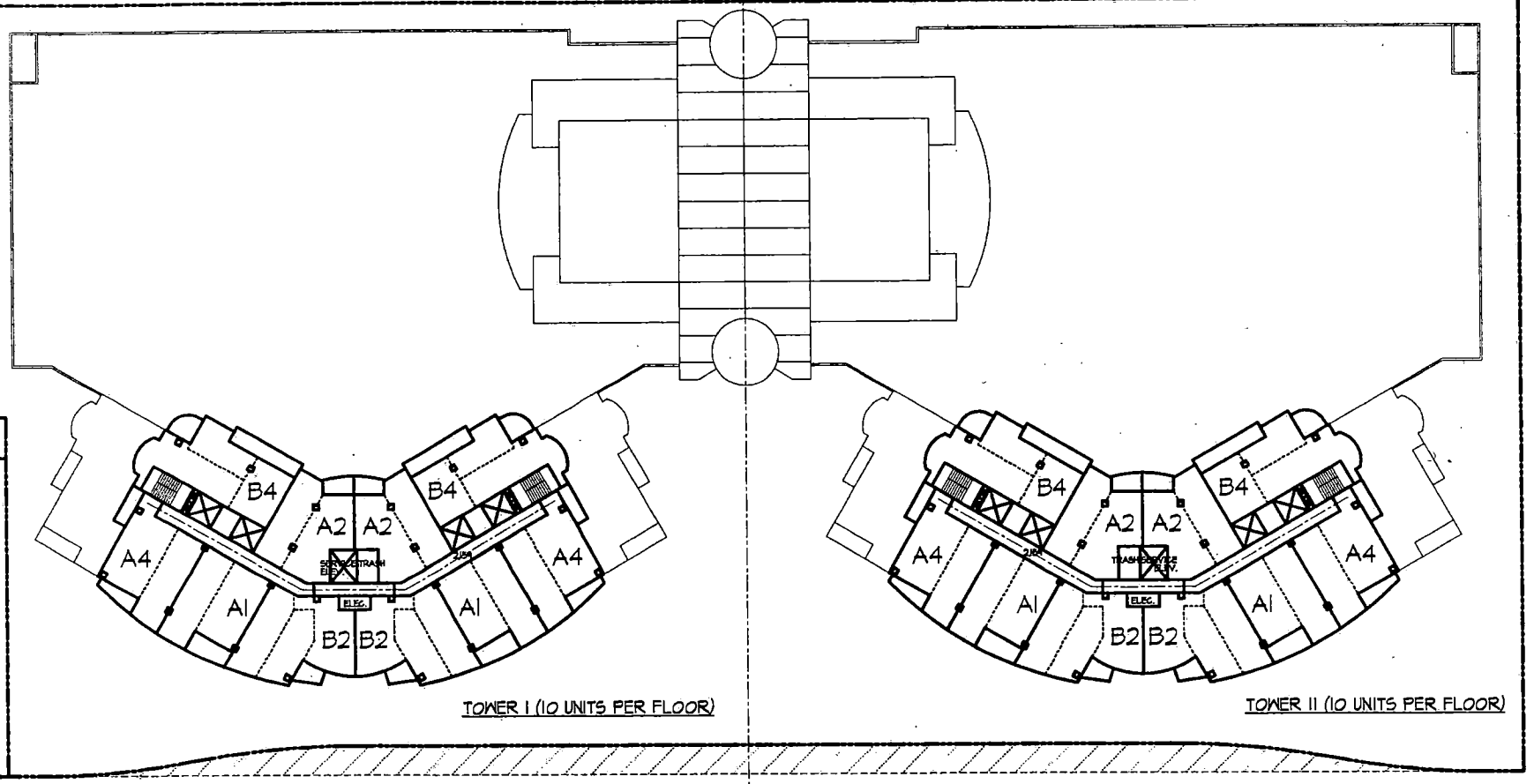
7TH-34TH FLOOR PLAN
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.06
PLAN

7TH-34TH FLOOR PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (10 UNITS PER FLOOR)

TOWER II (10 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

35TH-36TH FLOOR PLAN

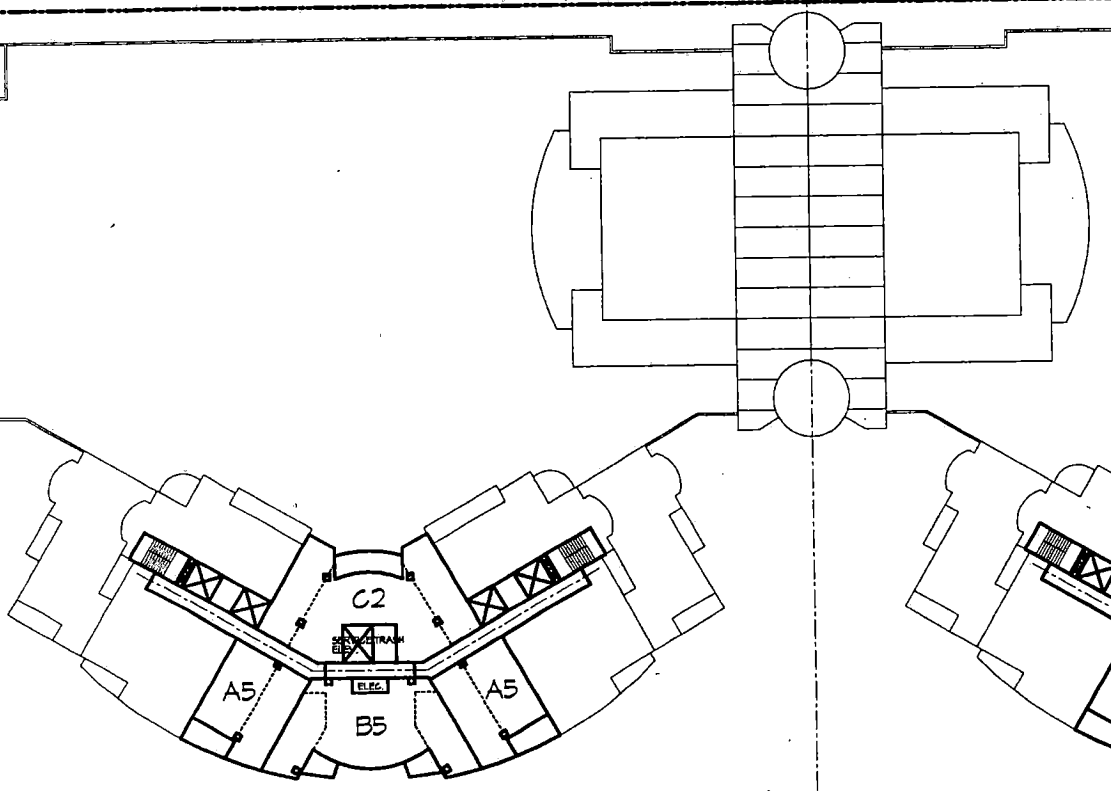
EDI
Architecture
EDI ARCHITECTURE INC.
3131 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0393
FAX (713) 784-1293

35TH-36TH FLOOR PLAN
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.07
PLAN

CINCINNATI AVENUE
(50' ROW)



TOWER I (4 UNITS PER FLOOR)

TOWER II (4 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

37TH FLOOR PLAN

EDI
Architecture
EDI ARCHITECTURE INC.
3131 BRIARPARK DRIVE
SUITE 200
HOUSTON, TEXAS 77042
(713) 784-2275
FAX (713) 784-1243

37TH FLOOR PLAN
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.08
PLAN

CINCINNATI AVENUE
(50' ROW)

C3-L1
A5
C4-L1
A5
ELEC.

TOWER I (4 UNITS PER FLOOR)

C3-L1
A5
C4-L1
A5
ELEC.

TOWER II (4 UNITS PER FLOOR)

SAHARA AVENUE
(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

38TH FLOOR PLAN
PENTHOUSE LOWER LEVEL
1"=20'-0"

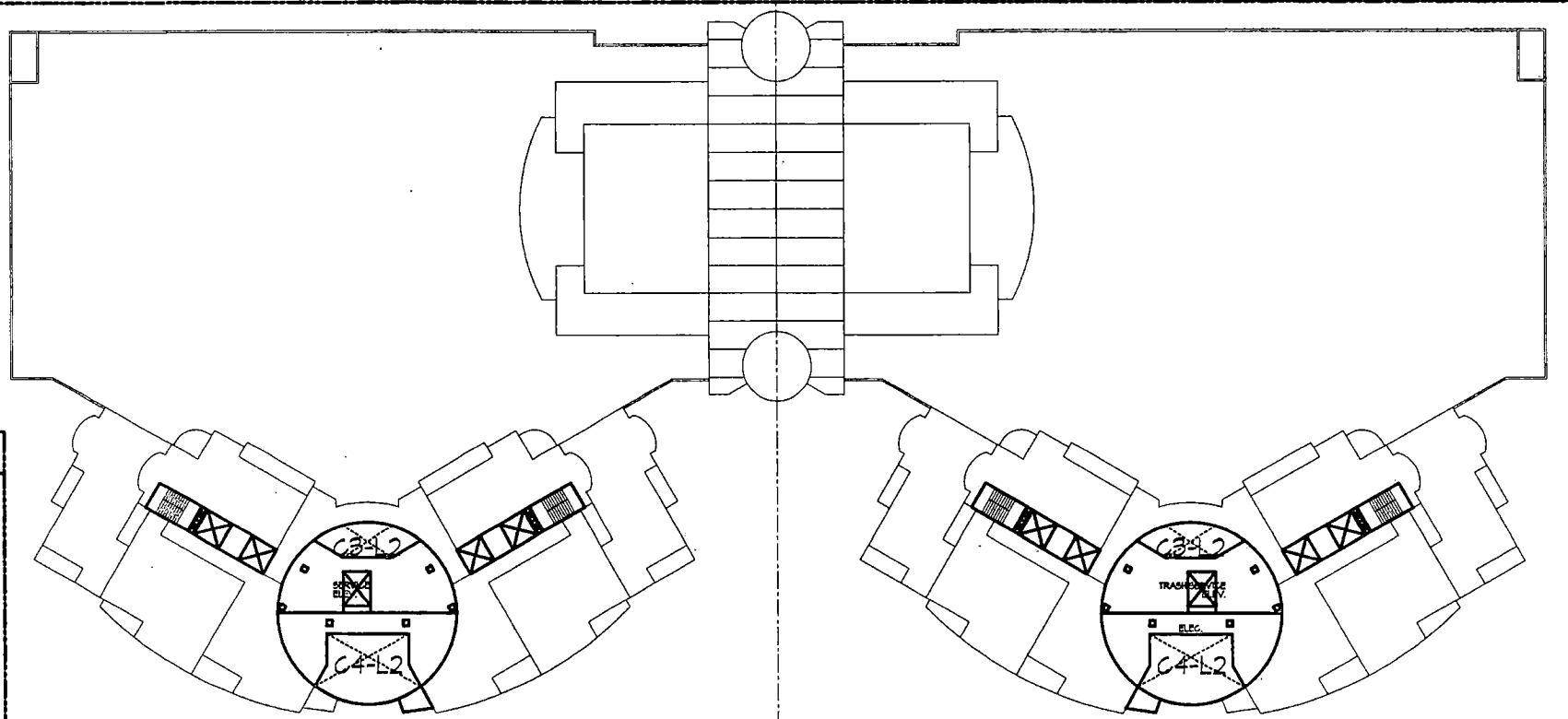
SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

A2.1.09
PLAN

38TH FLOOR PLAN

CINCINNATI AVENUE

(50' ROW)



TOWER I (PENTHOUSE UNITS UPPER LEVEL)

TOWER II (PENTHOUSE UNITS UPPER LEVEL)

SAHARA AVENUE

(120' ROW)

SUP-4540
SDR-4534
07-08-04 PC

39TH FLOOR PLAN

EDI Architecture

EDI ARCHITECTURE INC.
3701 BRIARPARK DRIVE
SUITE 300
HOUSTON, TEXAS 77042
(713) 784-0913
FAX (713) 784-1292
www.EDIArchitecture.com

TEXAS CALIFORNIA NEW YORK

39TH FLOOR PLAN
PENTHOUSE UPPER LEVEL
1"=20'-0"

SAHARA AVENUE
CONDOMINIUM
FIFIELD REALTY
LAS VEGAS, NEVADA

DRAWN BY:

CHECKED: DATE:

REVISIONS:

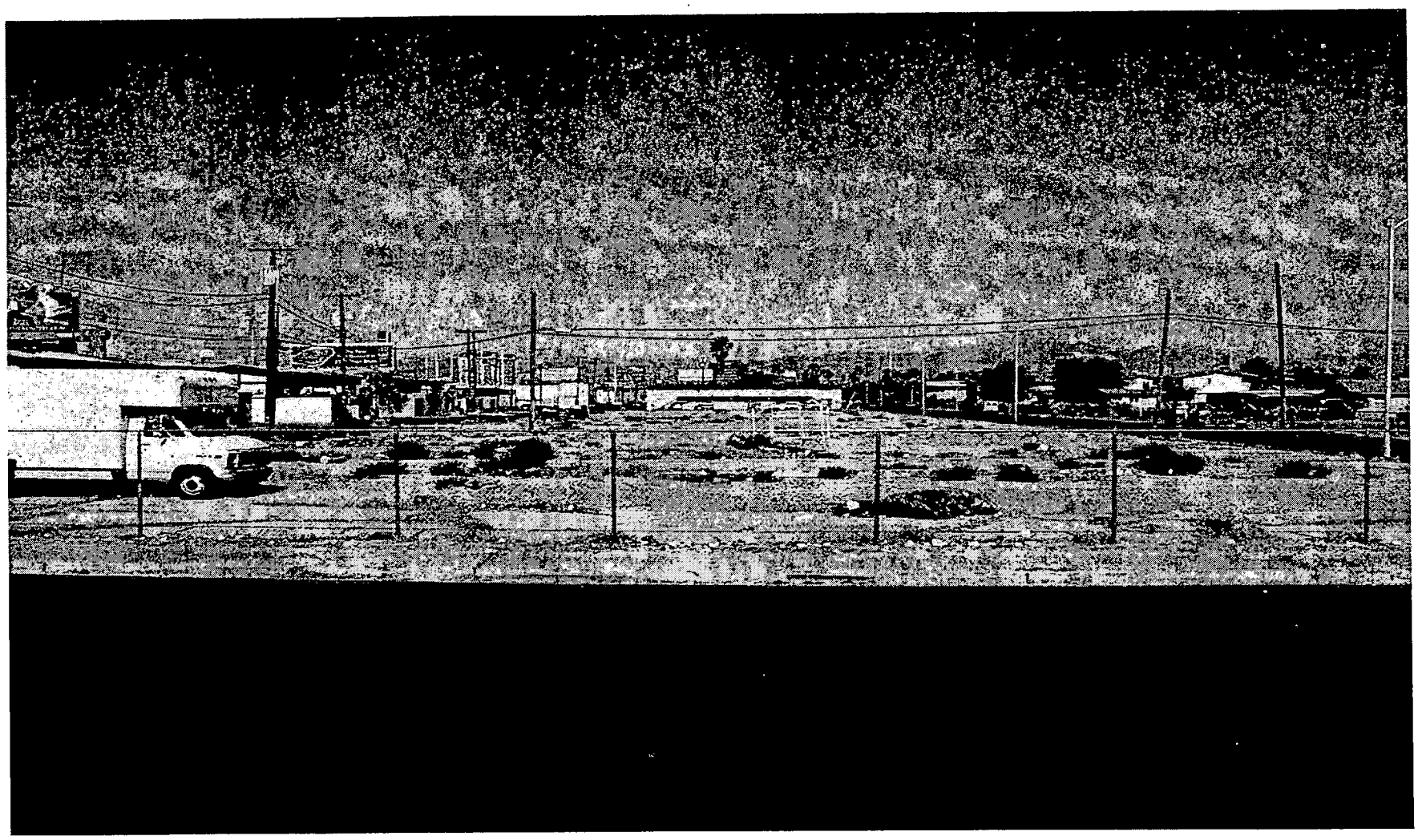
PROJECT No. 04053.000
DESIGN DEVELOPMENT
ISSUED DATE: MAY 24, 04
FILE: 4053A3D

SUBMITTED TO CITY OF LAS VEGAS FOR PLANNING REVIEW

DRAWING NUMBER

A2.1.10

PLAN



SDR-4534 - APPLICANT/OWNER: ABF, INC.
NORTHWEST CORNER OF SAHARA AVNEUE AND FAIRFIELD AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN located at 911 North Lamb Boulevard (APN: 140-29-202-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated the application meets all the standards of the Code. The proposed off-premise advertising billboard sign is located in excess of 300 feet from any other billboard sign or residentially zoned property.

ANDY BILANZICH, 1464 E. Michigan Avenue, concurred with staff recommendations.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 55 – SUP-4510

MINUTES – Continued:
No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(11:13 – 11:19)
4-637

CONDITIONS:
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign 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. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

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

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

8. 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.

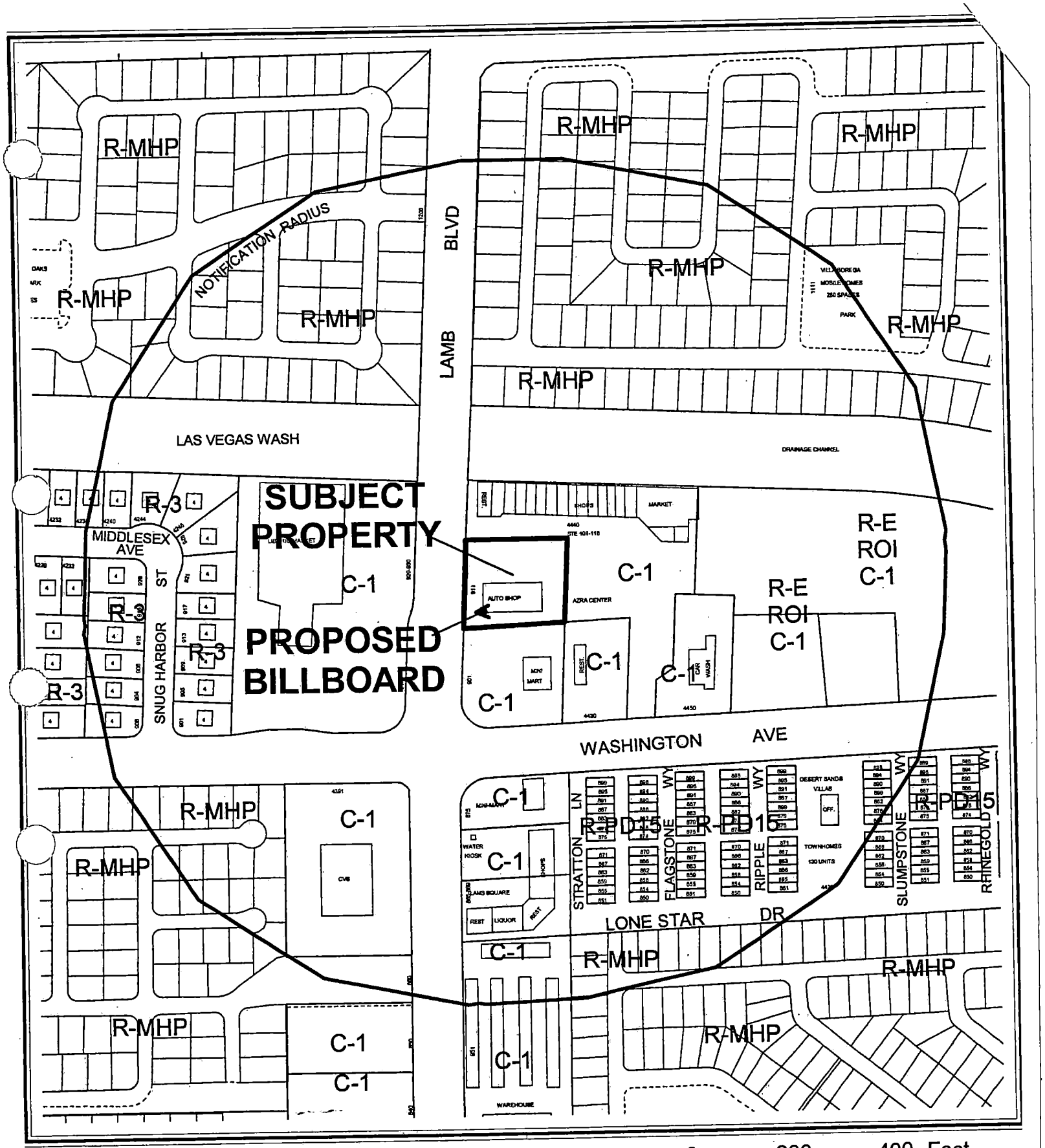
PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 55 – SUP-4510

CONDITIONS – Continued:

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

Public Works

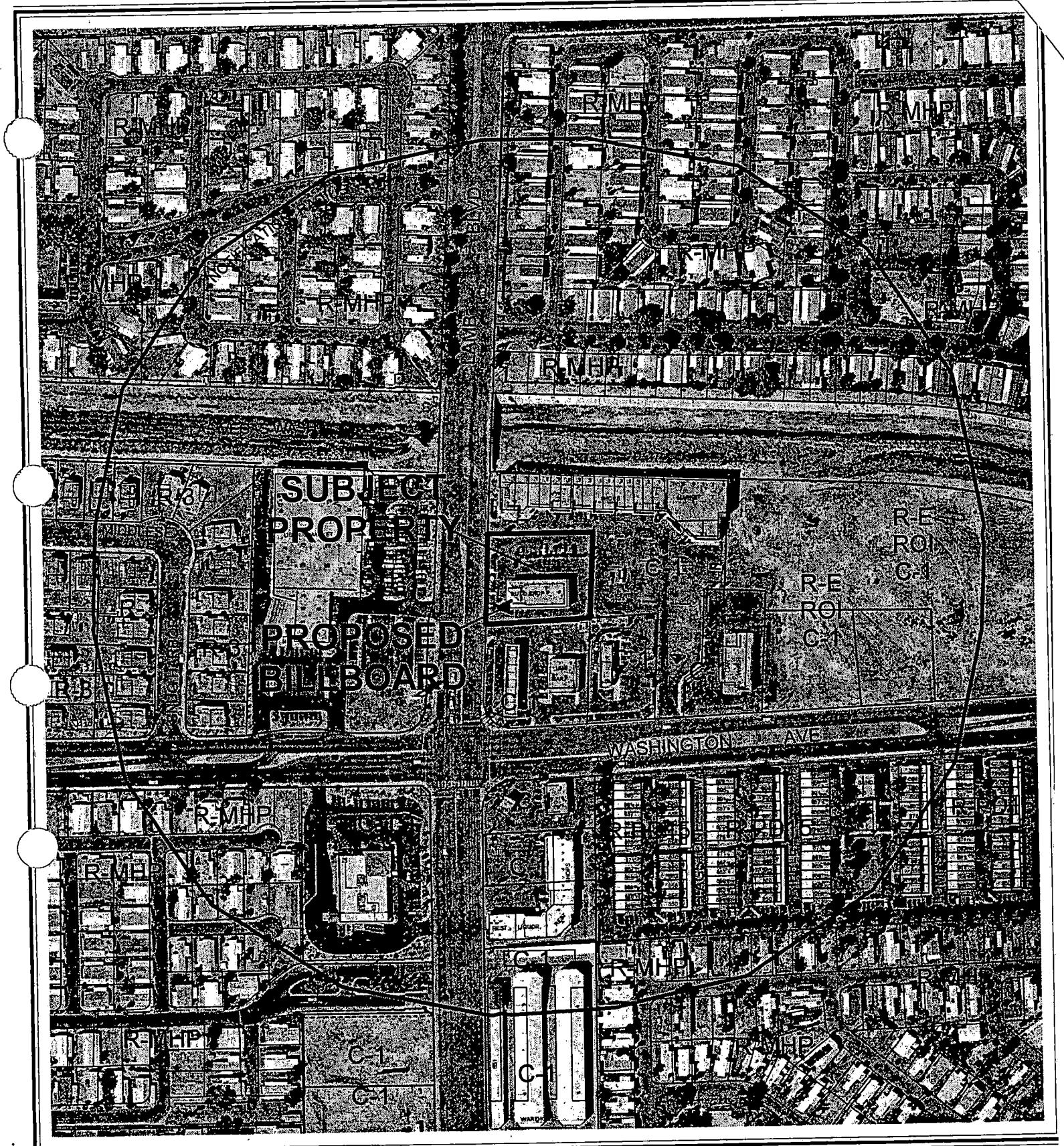
10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: **SUP-4510**

RADIUS: 750 FT

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



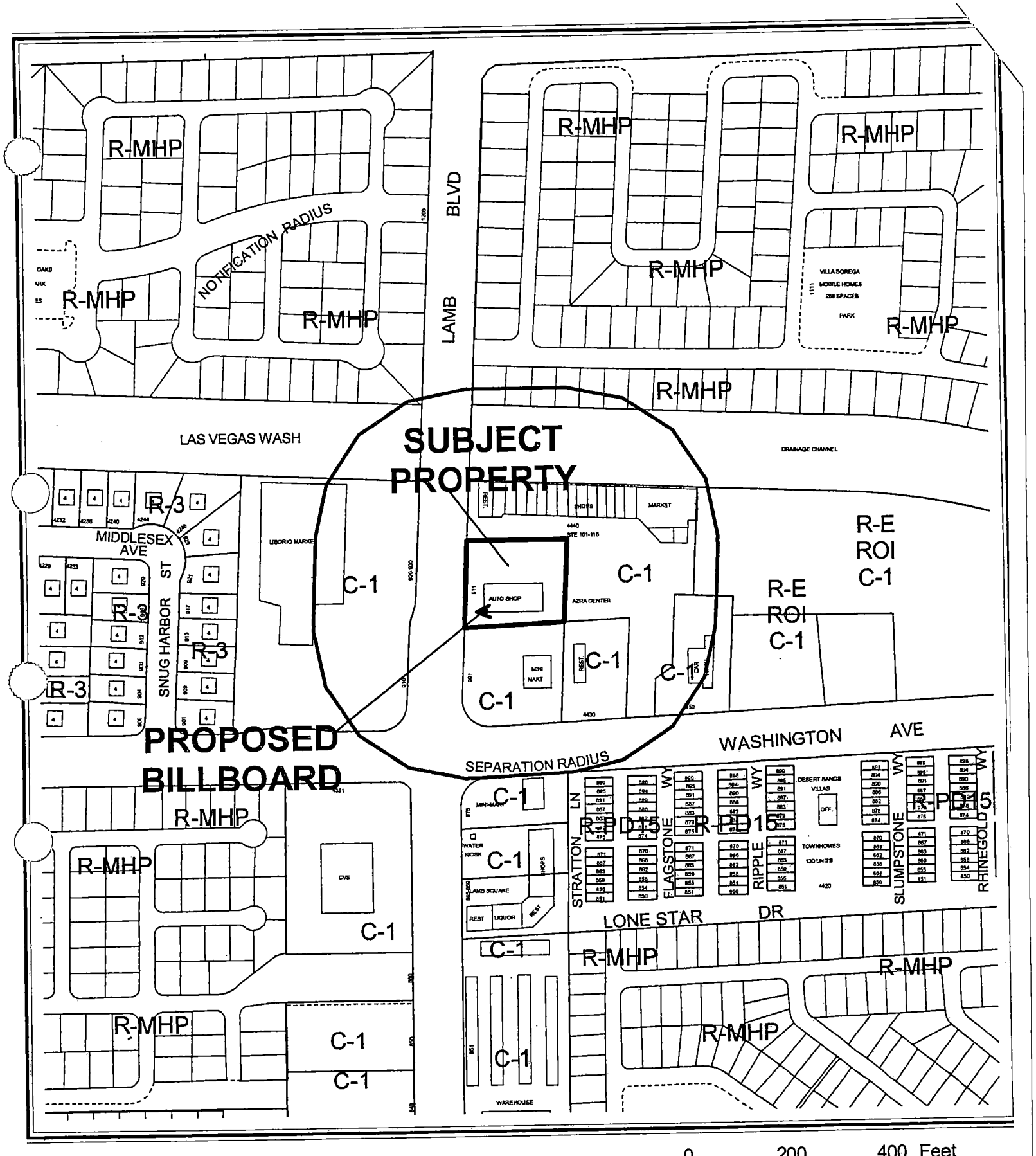
0 200 400 Feet

CASE: **SUP-4510**

RADIUS: 750 FT

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

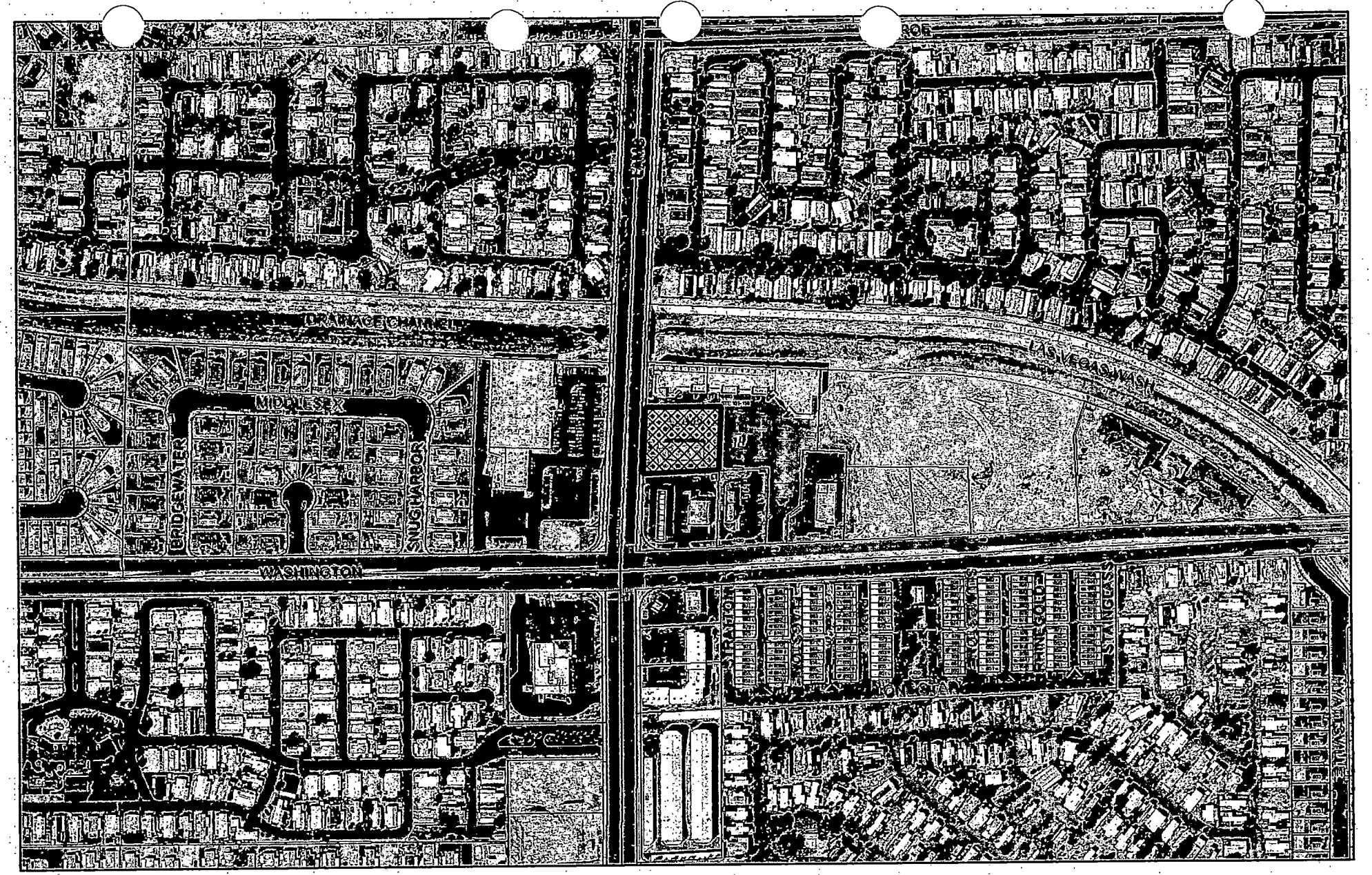
N



CASE: **SUP-4510**

SEPARATION RADIUS: 750 FT

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



SUP-4510

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to the following conditions:**

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign 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. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

8. 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.

DDS

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

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 911 North Lamb Boulevard.

B) Applicant's Justification

The applicant states in a letter attached to the application:

> "Lamb Boulevard is a highly traveled road used by local people going to and from numerous businesses in the areas. Many local businesses will be able to utilize this sign as an inexpensive advertising medium."

BACKGROUND INFORMATION

A) Previous Actions

7/15/63	The City Council approved a request to Rezone (Z-114-63) this property to R-1 (Single family Residence) for this site. This zoning expired.
11/02/94	The City Council approved a request to Rezone (Z-0105-94) this property to C-1 (Limited Commercial) as part of a larger case. This zoning expired.
10/03/95	City Council approved a request to Rezone (Z-0065-95) this property to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
09/08/97	The City Council approved a request to Rezone (Z-0075-97) this property to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
04/09/98	The Planning Commission approved a Site Development Plan [Z-75-97 (1) and Z-105-97 (1)] for a proposed 123,182 square-foot retail shopping center on this property as part of a larger case. Staff recommended approval.
05/11/98	City Council approved a Special Use (U-0019-98) for a 6,274 square-foot minor auto repair facility. The Planning Commission and staff recommended approval.
12/15/99	City Council approved a Site Development Plan Review [Z-0075-97(2)] for a proposed commercial center. The Planning Commission and staff recommended approval.

DDS

B) Pre-Application Meeting

05/14/04 The prospective applicant indicated that there were no signs within 300 feet nor would the sign take up any parking. Public Works staff had no comment.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.77

B) Existing Land Use

Subject Property:	General commercial (auto service garage)
North:	Service commercial (commercial center)
South:	Service commercial (mini mart)
East:	Service commercial (commercial center)
West:	Service commercial (grocery store)

C) Planned Land Use

Subject Property:	S-C (Service Commercial)
North:	S-C (Service Commercial)
South:	S-C (Service Commercial)
East:	S-C (Service Commercial)
West:	S-C (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

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

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

The site is shown in the Southeast Sector of the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it complies with the Zoning Code.

B) General Analysis and Discussion

- Zoning

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

- Use

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

FINDINGS

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

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

   This proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, and meets all code standards.

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

   The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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

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

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

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

NOTICES MAILED 1,207

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUR4510 APN: 140-29-202-007

Name of Property Owner: Aberle Heinrich J. Trust

Name of Applicant: Reagan National 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 ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Andrew D Bilawich

Print Name: Andrew D. Bilawich

Subscribed and sworn before me

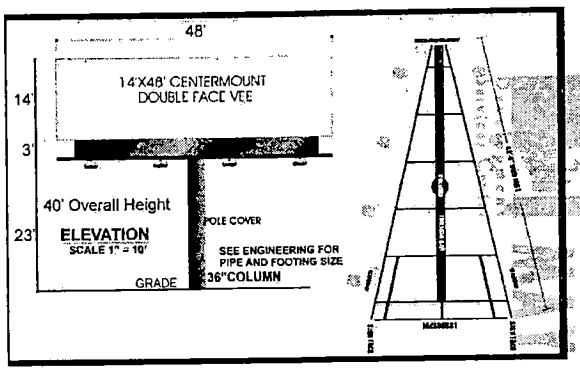
This 13th day of May, 2004

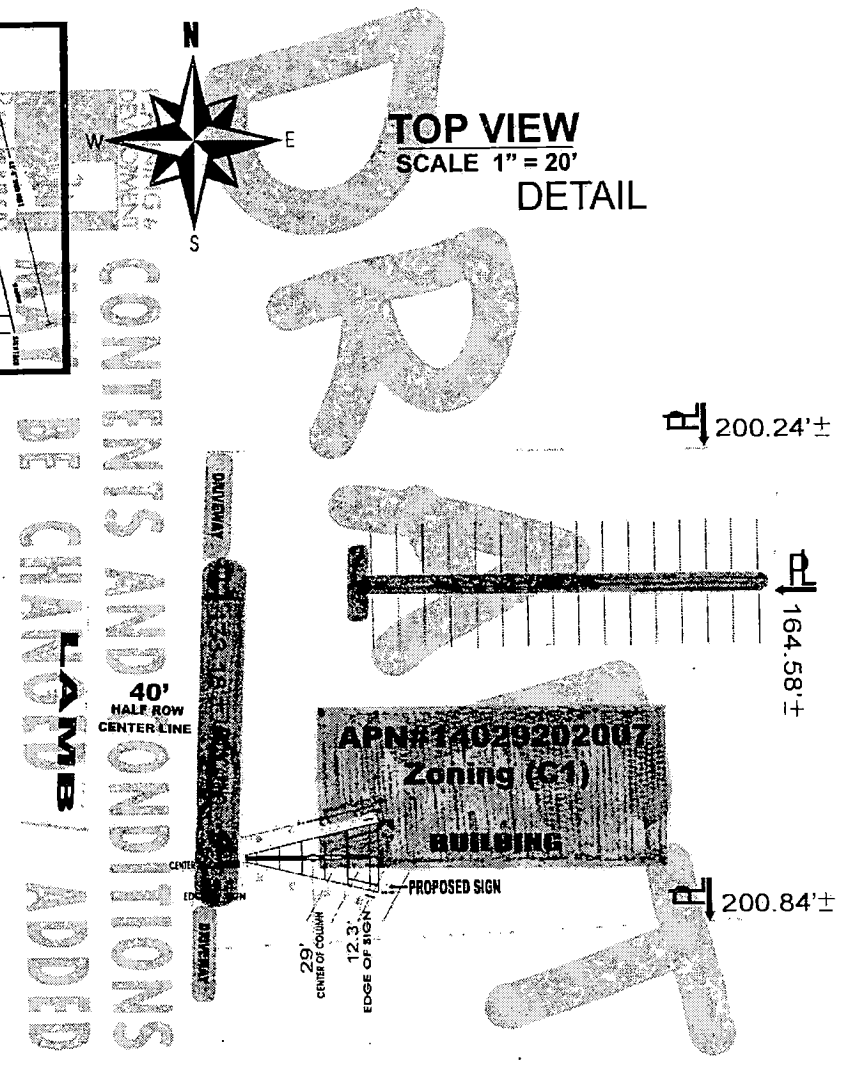
Mary Jo Mahoney

Notary Public in and for said County and State

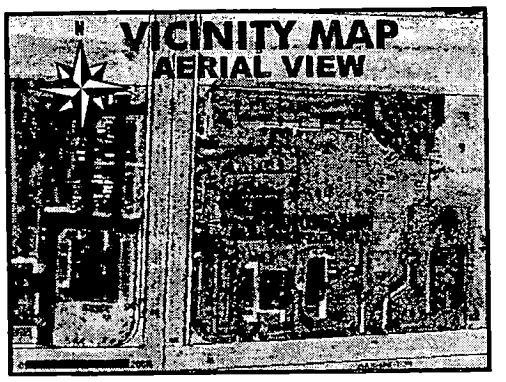
MARY JO MAHONEY
Notary Public State of Nevada
No. 99-58884-1
My appt. exp. Oct. 25, 2007

SUP-4510 site plan









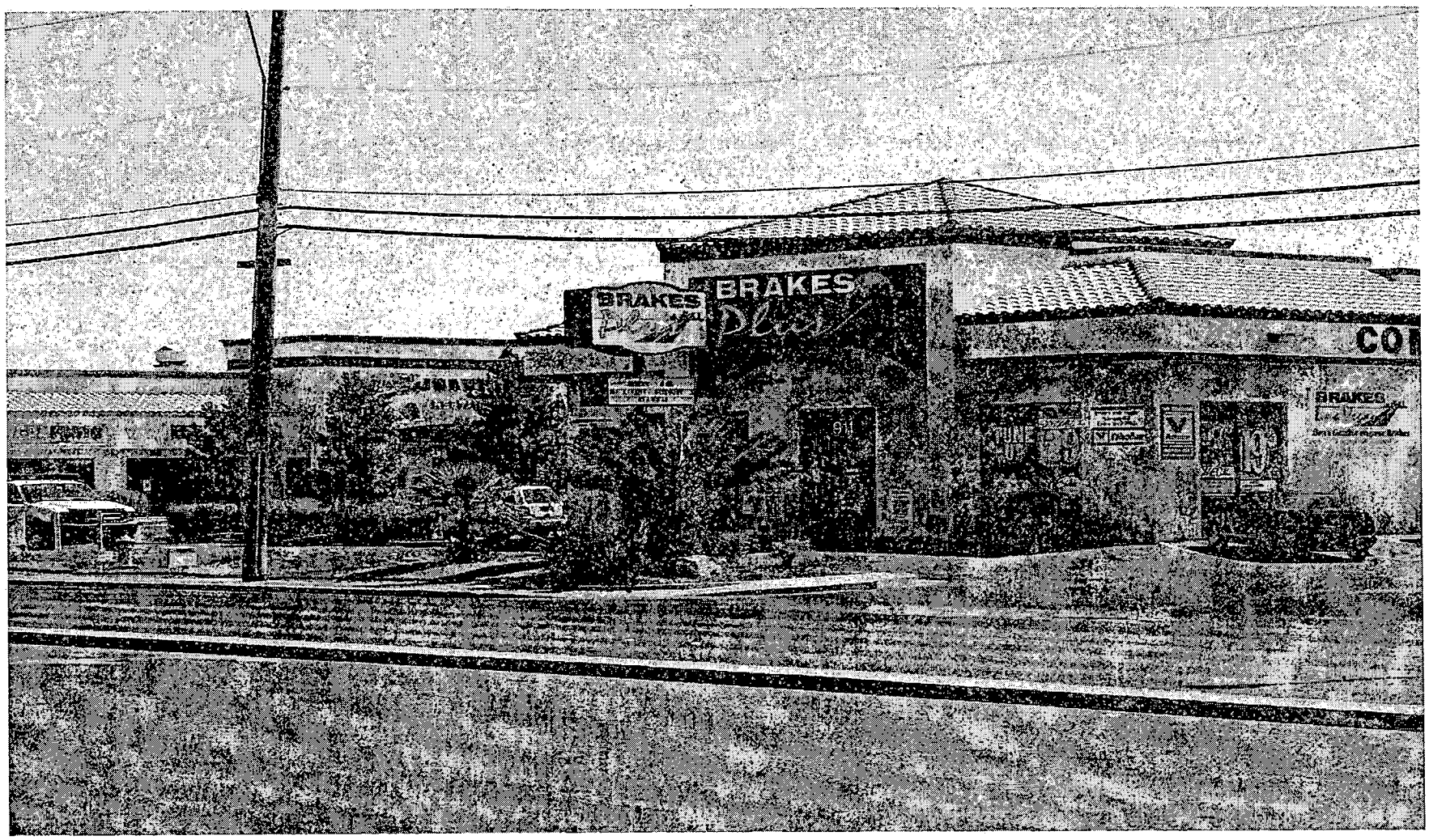
GENERAL NOTES

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

REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723

JONES BLUEPRINT 4145 W. TECO AVE / LAS VEGAS, NV 89118 / 702-645-0022

OWNER: ABERLE HEINRICH J TRUST		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 4-23-04		REVISED:
LOCATION: 911 N LAMB BLVD		
APN# 14029202007		DRAWING NUMBER: 302



SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J. ABERLE TRUST
911 NORTH LAMB BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4511 - APPLICANT: GUS MISHERFI – OWNER - SAMER NAKHLE - Request for a Special Use Permit FOR A PROPOSED PRIVATE STREET adjacent to the southeast corner of Belcastro Street and Holmby Avenue (APN: 163-03-501-032), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and amending the following condition:

4. Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to *or concurrent with* submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Belcastro Street shall be terminated in a circular cul-de-sac meeting current City Standards, *unless otherwise allowed by the City Engineer.*

– UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the application meets the standards for a private street. Only four lots would be served, so the impact should be minimal.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 56 – SUP-4511

MINUTES – Continued:

JOHN VORNSAND, 2564 Wigwam Parkway, Henderson, appeared on behalf of the applicant, concurred with staff's recommendations and requested clarification on Condition 4, as he was informed there was a revision to this condition.

GINA VENGLASS, Public Works, stated that Public Works would like to add *"unless otherwise allowed by the City Engineer"* at the end of the last sentence on Condition 4. MR. VORNSAND also questioned if Public Works approved of changing the first sentence of Condition 4 to read *"Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to or concurrent with submittal of a Tentative Map for this site."* Both MR. VORNSAND and MS. VENGLASS concurred with the aforementioned changes on Condition 4.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:19 – 11:22)

4-1180

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

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.

Public Works

4. Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to or concurrent with submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Belcastro Street shall be terminated in a circular cul-de-sac meeting current City Standards, unless otherwise allowed by the City Engineer.

5. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

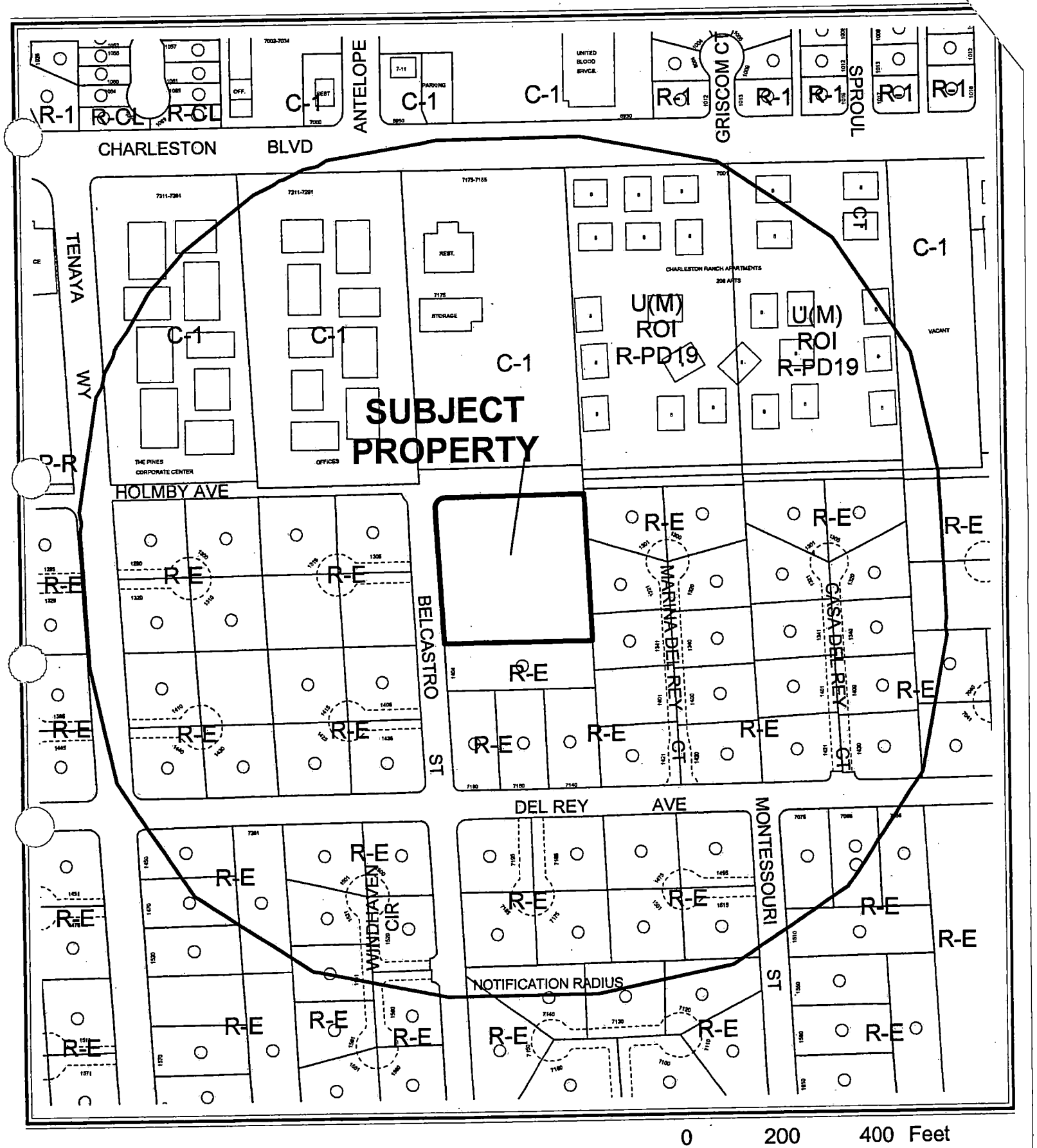
6. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

CONDITIONS – Continued:

7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

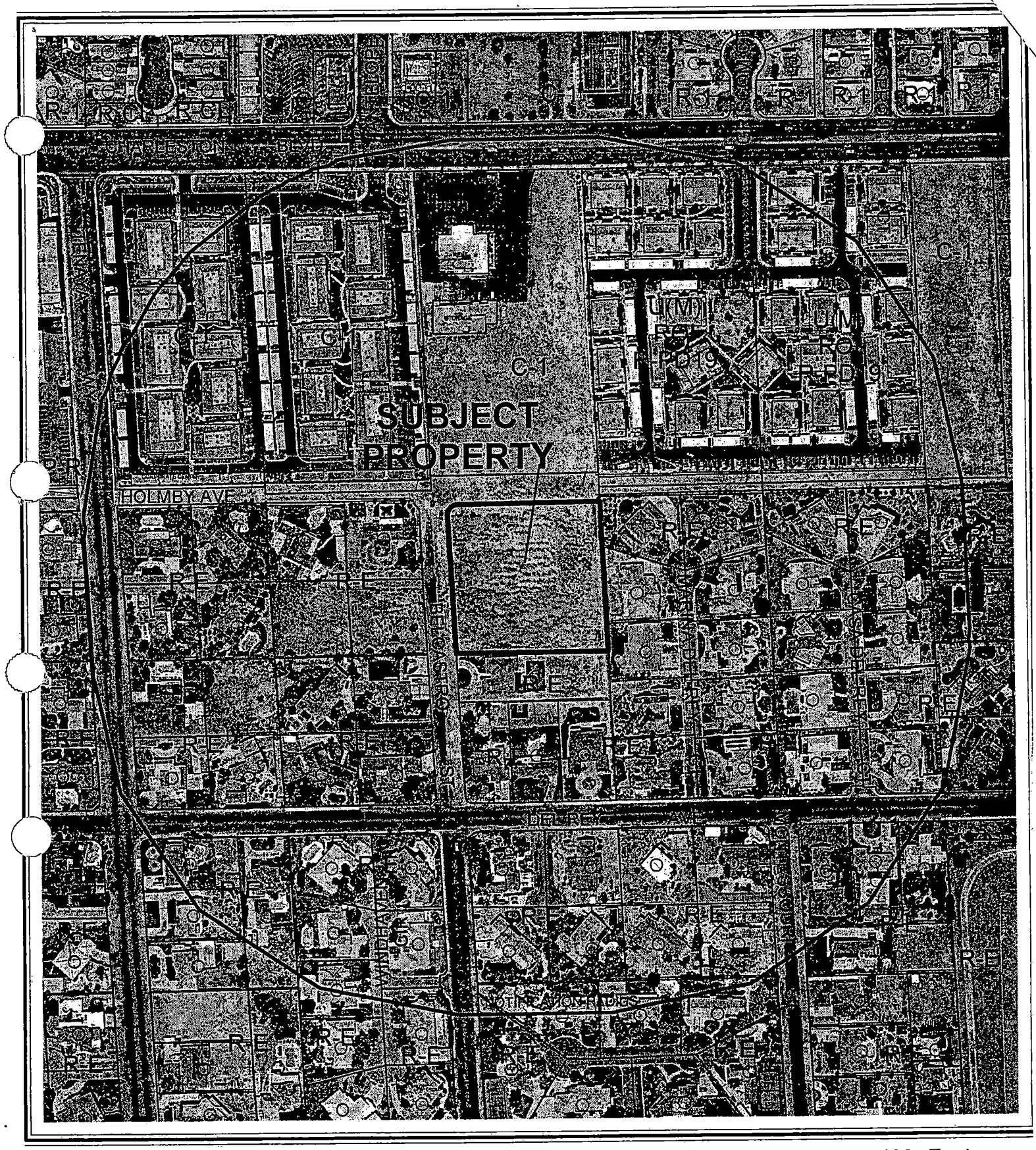
9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



CASE: **SUP-4511**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SUP-4511**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4511 - APPLICANT: GUS MISHERFI – OWNER - SAMER NAKHLE

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

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.

Public Works

4. Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Belcastro Street shall be terminated in a circular cul-de-sac meeting current City Standards.

5. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

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

7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. 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

This request is for a Special Use Permit for a private street to a subdivision to be located at the southeast corner of Belcastro Street and Holmby Avenue.

B) Applicant's Justification

The applicant's justification letter states that the only way to design a subdivision of four lots on a 2.5-acre parcel is by providing access to a private street (of narrower width). The letter goes on to state that there are approximately 50 R-E zoned subdivisions within Section 3 that are served by private streets including approximately 30, four-lot subdivisions with similar private cul-de-sac streets. The subject parcel is one of the last remaining parcels of this size in the area for development.

BACKGROUND INFORMATION

A) Previous Actions

None.

B) Pre-Application Meeting

05/25/04 The pre-application meeting addressed the following.

- The private street must be established as a common lot maintained by a homeowners association.
- If the development were gated, a deviation of the gate standards would be required, as gates could not meet standards.
- Lots must meet R-E standards as to width, area, and setbacks.
- A traffic signal impact fee will be assessed.
- A cross-section will be necessary to show retaining wall heights, area of lots, and other details
- Vacation of the right-of-way north of the proposed turnaround will be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acreage: 2.5

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Single Family Dwellings
East:	Single Family Dwelling
West:	Single Family Dwellings and undeveloped

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	SC (Service Commercial)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The Southwest Sector Map of the General Plan designates the site to be served by a private street as DR (Desert Rural Density Residential). The site is zoned R-E (Residence Estates). The R-E district requires a minimum of 20,000 square-foot lots, which is in conformance with the density of development permitted in the DR land use category.

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 to be served by the proposed private street falls within a "Rural Preservation Neighborhood (RPN)" buffer area. RPN designated parcels are located to the east, west and south. The Nevada Revised Statutes, Section 278, limited the density of RPN and RPN buffer areas prior to May 31 of 2004. Since that date, the provisions are no longer applicable. Regardless, there is no request for a change in the land use classification or zoning of the property.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The proposed four-lot residential development with a private street is a permitted use in the proposed R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

- Use

The proposed 39-foot wide private street is intended to serve all four lots of the proposed residential subdivision.

- Conditions

Title 19.04.050 lists several base conditions, which are required for the approval of a Special Use Permit for Private Streets. The following is a list of the base conditions; requirements indicated by an asterisk may not be waived:

1. Unless otherwise approved, every private street shall conform to the same design and construction standards required for public streets.

2. The Planning Commission may deny the creation of any private street if, in the Commission's judgment, the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets;
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parks and libraries; or
   d. Delay the response time of emergency vehicles.

*3. A property owners' association is mandatory for subdivisions developed with private streets. The association is responsible for the maintenance of private streets.

*4. Private streets shall be constructed on property separately owned by a property owners' association.

5. The entrances to all private streets must be marked with a sign stating that it is a private street. The subdivision must ensure access to the subdivision by the City or emergency services.

6. All restricted access entrances must be designed with sufficient turn-around space.

*7. All legal subdivision documentation shall note that certain City services will not be provided on private streets.

The proposal meets these base conditions of approval.

FINDINGS

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

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

   The proposed private street will not negatively affect the public streets or access to the subdivision. In addition, the private streets will not impair access to or from public facilities, nor delay the response time of emergency vehicles.

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

   The subject site is suitable for a proposed 39-foot wide private street within the proposed four-lot residential subdivision.

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

   The applicant is proposing a 39-foot wide private street. Ingress and egress by the proposed private street would be to Belcastro Street, a 60-foot wide local collector street, which provides adequate access to the site.

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

   The proposed private street would be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards, and therefore, it would not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 74

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4511 APN: 163-03-501-032

Name of Property Owner: Samer Nakhle

Name of Applicant: GUS MISHERFI

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: Samer Nakhle

Print Name: Samer Nakhle

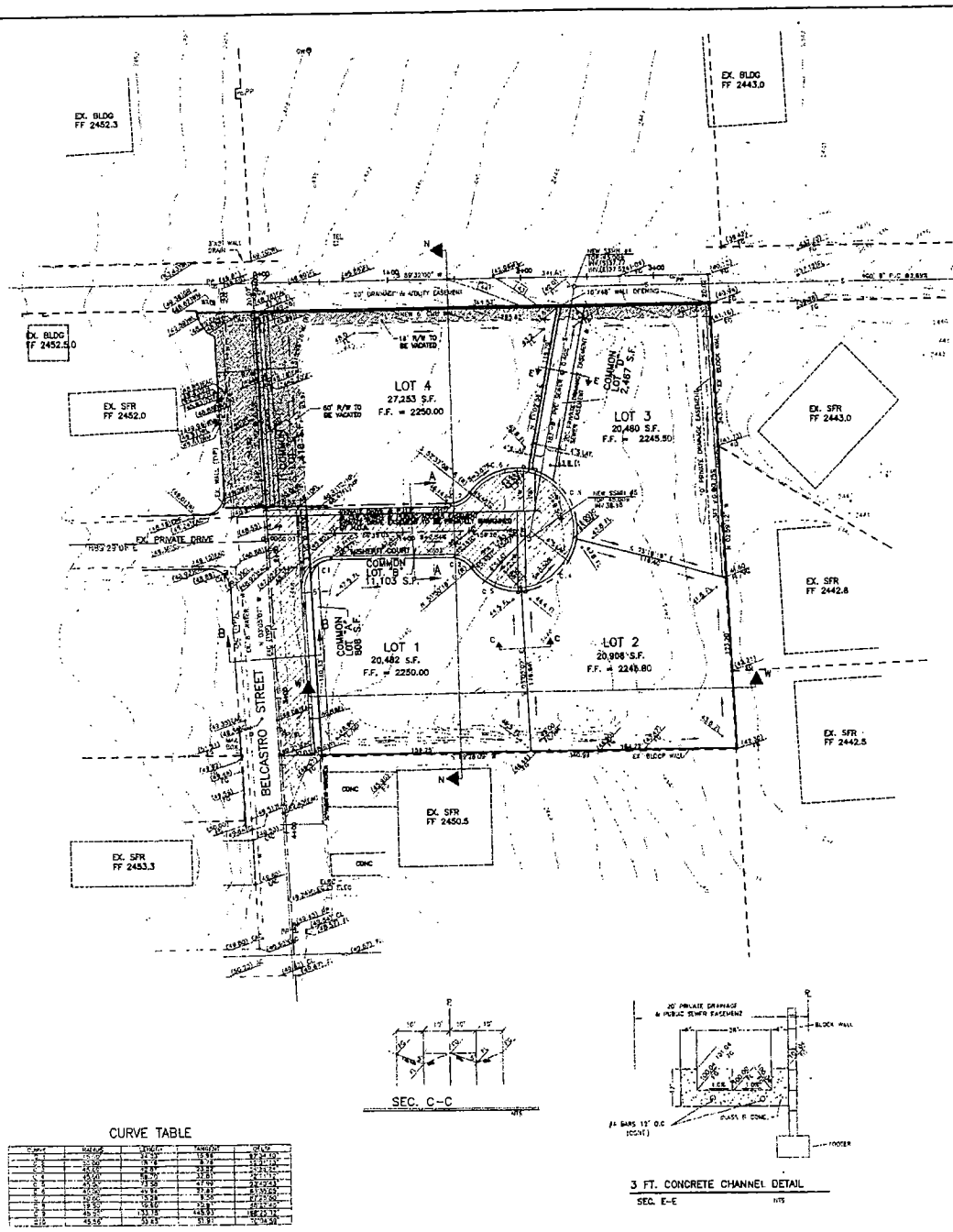
Subscribed and sworn before me

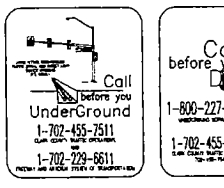
This 15th day of March, 2004

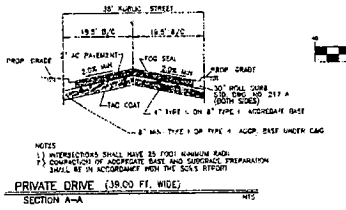
Melody A Pink

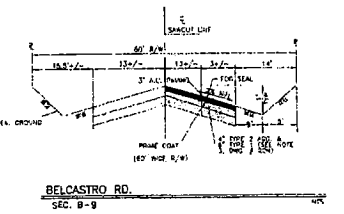
Notary Public in and for said County and State

MELODY A. PINK
Notary Public, State of Nevada
Appointment No. 01-70490-1
My Appt. Expires Aug 31, 2005









CURVE TABLE

CURVE #	RADIUS	LENGTH	TANGENT	DELTA
C1	15.00'	24.53'	15.86'	93°40'10"
C2	32.00'	19.19'	9.98'	34°21'24"
C3	45.00'	24.84'	12.80'	31°37'50"
C4	45.00'	58.70'	32.81'	74°44'13"
C5	45.00'	73.58'	47.99'	93°42'43"
C6	45.00'	49.94'	31.87'	63°35'49"
C7	15.00'	13.24'	7.56'	50°34'56"
C8	15.00'	15.60'	8.48'	59°35'42"
C9	45.00'	151.78'	448.93'	193°21'15"
C10	45.00'	59.83'	37.37'	76°10'58"

SUP-4511
07-08-04 PC

BASIS OF BEARING

S66°58'30"W, BEING THE CENTERLINE OF REGENTS GATE DR AS SHOWN ON BOOK80 OF PLATS, PAGE 99.

BENCHMARK

CGH BM 182, NHD/BC ON THE SOUTH SIDE OF LAKE MEAD DR, 42 HIGHWAY STA. 435+06.21 1700 FT+/- WEST OF FAIRWAVE ST. ELEVATION = 611.419 M (2025.96 FEET) NAVD 88

NOTE

NO GROUND WATER IS WITHIN 20 FT OF THE SURFACE
NO FAULTS OR FISSURES ARE LOCATED ON THE PROPERTY
MAINTENANCE, SHARED ACCESS AGREEMENTS & CC&R'S TO BE RECORDED WITH THE FINAL MAP
LANDSCAPE MAINTENANCE TO BE THE RESPONSIBILITY OF INDIVIDUAL PROPERTY OWNERS.
THIS IS NOT A PART OF A MASTER PLAN
NO NEW STORM DRAINS ARE PROPOSED
NO DEVIATIONS FROM STANDARDS
NO RESERVATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC OR QUASI-PUBLIC USES

LEGEND

- RIGHT-OF-WAY LINE
- LOT LINE
- CENTERLINE OF ROADWAY
- EX. BACK OF CURB
- (0) FINISH CONTOUR LINE
- EXIST CONTOUR LINE
- DIRECTION OF FLOW
- (0.00) EXIST ELEVATION
- 0.00 DESIGN ELEVATION
- CATV CABLE TV BOX
- TEL TELEPHONE BOX
- EL ELECTRICAL BOX
- WM WATER METER
- FH FIRE HYDRANT
- FG FINISH GRADE
- FL FLOW LINE
- FF FINISH FLOOR ELEV. (LOWEST)
- EAC EXISTING EDGE OF PAVEMENT
- SAWCUT LINE
- SIGHT VISIBILITY ZONE
- NEW AC PAVEMENT
- HP HIGH POINT
- S SEWER LINE
- W WATER LINE
- RIGHT-OF-WAY TO BE VACATED

UTILITIES

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
TELEPHONE	SPRINT
CABLE TV	COX CABLE
GAS	SOUTHWEST GAS
ELECTRIC	NEVADA POWER

EX WATER & SEWER IS AVAILABLE TO THE PROPERTY

SEWER USAGE

AVE FLOW	0.001 MGD
PEAK ONLY	0.002 MGD

SITE DATA

GROSS ACRES 2.5 ACRES
A.P.N. 163-03-501-032
ZONING - RF - 20,000 S.F. MIN. LOT SIZE

OWNER/DEVELOPER

SAMER NAKHLE
8221 WINDRUSH AVE.
LAS VEGAS, NEVADA 89117
TEL: (702) 596-0282

VICINITY MAP
NTS

Call before you UnderGround 1-702-455-7511
1-702-229-6611
Call before you Dig. 1-800-227-2600
1-702-455-7540

NO	DATE	REVISIONS	APP'D

SITE MAP
BELCASTRO SUBDIVISION
FOR : SAMER NAKHLE
A PORTION OF THE NE1/4, SECTION 03, T.21S., R.60E., M.D.M.
A.P.N. 163-03-501-032

EMS ENGINEERING
5160 S. EASTERN AVE., SUITE F
LAS VEGAS, - NEVADA 89119
(702) 739-7211
EST. 1983

SCALE: HOR. 1"= 40' VERT
PROJECT NO.
DRAWING NO.
SHT



SUP-4511 - APPLICANT: GUS MISHERFI - OWNER: SAMER NAKHLE
SOUTHEAST CORNER OF BELCASTRO STREET AND HOLMBY AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 317 Garces Avenue (APN: 139-34-310-052), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
McSWAIN – APPROVED subject to conditions and amending the following condition:

3. **A landscaped plan of the unpaved portions of the *private* property shall be prepared and approved by the Planning and Development Department staff prior to issuance of any permits.**

– UNANIMOUS

To be heard by the City Council on 8/04/2004

NOTE: Chairman Truesdell disclosed that he owns a piece of property south of this site, which is not within the Notification area, so he will be voting on this item.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that there are numerous bail bond services within the surrounding area. The proposed bail bond service is to be located

MINUTES – Continued:

in an existing building that was once a small residence. Staff has confirmed with Metro that there has not been any conflicts or problems within the area.

PARRISH WARD, the applicant, 3350 Wardlaw Street, addressed Condition 3. He was informed by the owner, David Lee Phillips, that there was an agreement with the City when 4th Street was developed into a one-way street, that should Mr. Phillips relinquish his driveway on 4th Street, then the City would put in landscaping, which the City has done. In addition, should additional landscaping be required, Mr. Phillips felt that the City should be responsible for the additional landscaping.

DAVID CLAPSADDLE, Planning and Development, corrected MR. WARD by stating the information given to him was incorrect. In addition, the property is consumed by existing hard surfaced paving in front of the building that is used for substandard parking spaces. The Site Plan illustrates spaces for landscaping on both sides of the building, which if fully landscaped, would add important visual acuity to the streetscape in front of the building.

MARGO WHEELER, Planning and Development, informed MR. WARD that the City would not do landscaping on private property. MR. WARD confirmed again for COMMISSIONER TRUESDELL that he was informed that the previous landscaping, with the exception of a palm tree, was done by the City. COMMISSIONER TRUESDELL confirmed that the previous landscaping was done as part of the 4th Street Widening Program, which is in the public right-of-way. However, per Code, any additional landscaping requires that it is done on site, such as in this case, MR. WARD, would be the responsible party.

At DEPUTY CITY ATTORNEY BRYAN SCOTT'S request, MS. WHEELER clarified that Condition 3 could be revised to state "private property" and not "property", which would alleviate any confusion as to the public right-of-way. MR. CLAPSADDLE added that staff is willing to work with the applicant on an agreeable landscaping plan. MR. WARD concurred.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

(11:19 – 11:22)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 57 – SUP-4518

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Special Use Permit for a Bailbond Service use.

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

3. A landscaped plan of the unpaved portions of the private property shall be prepared and approved by the Planning and Development Department staff prior to issuance of any permits.

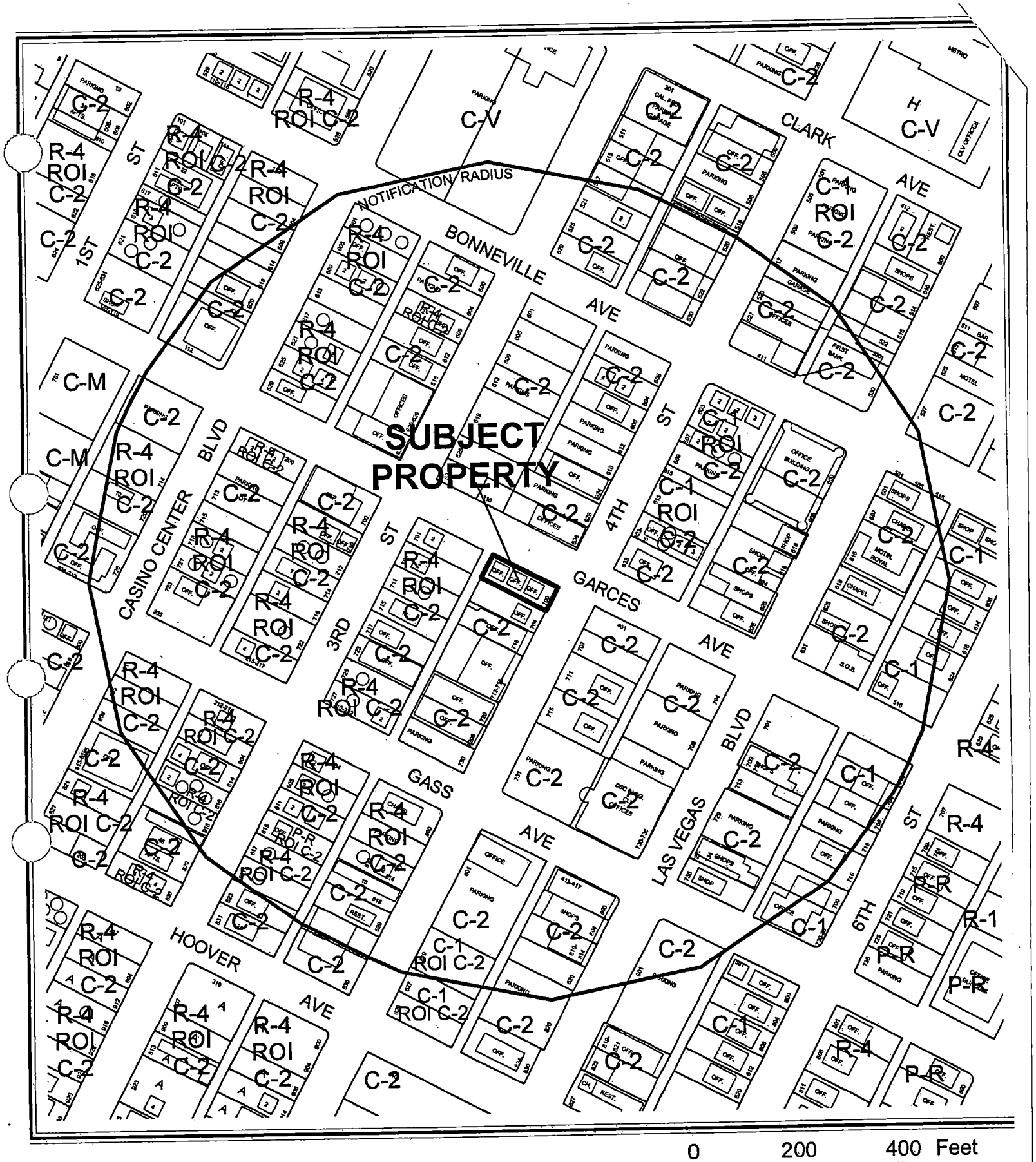
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Dedicate a 10-foot radius on the southwest corner of Garces Avenue and Fourth Street 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.

6. Landscape and maintain all unimproved right(s)-of-way on Garces Avenue and Fourth Street adjacent to this site.

7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Garces Avenue and Fourth Street public right-of-way adjacent to this site prior to occupancy of this site.



CASE: **SUP-4518**

RADIUS: 750 FT

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

N

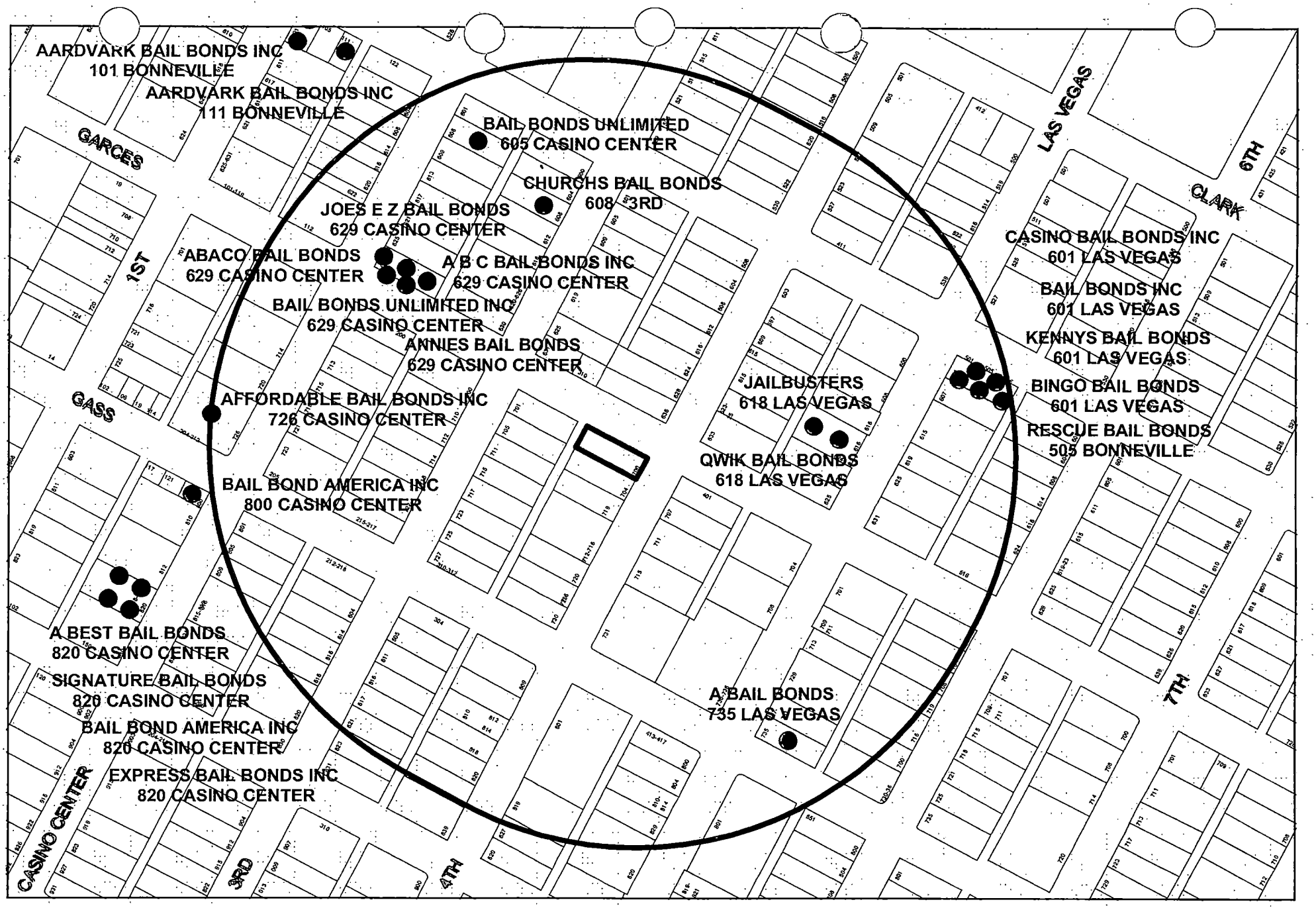


CASE: **SUP-4518**

RADIUS: 750 FT

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

N



SUP-4518

Business Licenses

Bail Bond

Subject Property

750 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, Subject to the following:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Special Use Permit for a Bailbond Service use.

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

3. A landscaped plan of the unpaved portions of the property shall be prepared and approved by the Planning and Development Department staff prior to issuance of any permits.

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

Public Works

5. Dedicate a 10-foot radius on the southwest corner of Garces Avenue and Fourth Street 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.

6. Landscape and maintain all unimproved right(s)-of-way on Garces Avenue and Fourth Street adjacent to this site.

7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Garces Avenue and Fourth Street public right-of-way adjacent to this site prior to occupancy of this site.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Bailbond Service at 317 Garces Avenue.

B) Applicant's Justification

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

> "Writing bail bonds (is) an important part of the legal system I feel that to be a successful bail agent for myself and to serve our community, being located near the heart of the legal community is essential."

BACKGROUND INFORMATION

A) Previous Actions

None.

B) Pre-Application Meeting

05/14/04 Details of the proposed business were discussed including the following:

- The use would be located within an existing building.
- Need for a site plan that shows existing buildings with available parking
- Property is within the Downtown Overlay district.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.16

B) Existing Land Use

Subject Property:	Office
North:	Office
South:	Office
East:	Parking lot
West:	Residential duplex

DDS

C) Planned Land Use

Subject Property:	C (Commercial-Downtown Overlay)
North:	C (Commercial-Downtown Overlay)
South:	C (Commercial-Downtown Overlay)
East:	P-F (Public Facilities)
West:	C (Commercial-Downtown Overlay)

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:	R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial)

E) General Plan Compliance

This subject site lies within the boundaries of the Southeast Sector Map of the General Plan. It is designated C (Commercial-Downtown Overlay) which is the Downtown Redevelopment Plan area. The C land use designation includes the O, SC, and GC (Office, Service Commercial, and General Commercial) General Plan land uses. The proposed Bailbond Service use is a allowed with the issuance of a Special Use Permit within the C-1 or C-2 zoning districts, which are the zoning districts most directly associated with the SC and GC land use classifications respectively.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Redevelopment Plan Area	X	
Special Overlay District	X	
Downtown South	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

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06.060, parking is not automatically required for uses in the Downtown Overlay District. The proposed Bailbond Service is located on a lot with two other uses. For the entire lot, there are 19 substandard parking spaces accessed by substandard drives. The site plan for the application illustrates four regular parking spaces and one handicapped space in front of the proposed building for the use. However, the widths of the spaces do not appear to meet ordinance requirements. They also appear shorter in length within the 30-foot space between the building and the street right-of-way of Garces Street. The parking spaces currently exist; however, if there is a change to the configuration of the spaces, it is recommended that the parking area conform to Title 19 requirements or be eliminated.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Bailbond Service. There are 16 similar bailbond businesses within 750 feet of this site, which is an indication of the demand for the service in this particular location.

B) General Analysis and Discussion

The proposed Bailbond Service is to be located in an existing building that was once used as a small residence. Its conversion to a commercial use occurred many years ago. The building's occupancy by the proposed use is seemingly appropriate for the proposed use, which is permitted in this location with a Special Use Permit. There are 16 other Bailbond Service establishments located within 750 feet of this site, which conveys the demand for this type of service in this general area.

The property is consumed by existing hard surfaced paving in front of the building that is used for substandard parking spaces. The site plan illustrates spaces for landscaping on both sides of the building which if fully landscaped would add important visual acuity to the streetscape in front of the building. It is recommended that a landscape plan be developed that provides this amenity, and a Condition of Approval is included addressing this matter.

FINDINGS

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

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

   The site is within an established commercial area of the Downtown. Legal professionals including other Bailbond Services and attorneys are predominate in this area. There are 16 other similar Bailbond Services located within 750 feet of this site.

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

   The subject site is a small site with two other buildings and uses on the property. A Bailbond Service is a comparatively low intensity use, making it suitable for the site.

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

   The site is accessed by Garces Street, a local street that provides suitable access.

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

   The Redevelopment Plan of the City of Las Vegas designates this site for Service Commercial uses. The Bailbond Service conforms to the overall objectives of the General Plan.

NOTICES MAILED 115

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4518 APN: 139-34-310-052

Name of Property Owner: DAVID L. PHILLIPS

Name of Applicant: Parrish Ward dba A-AALTO Bail Bonds

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: DAVID L. PHILLIPS

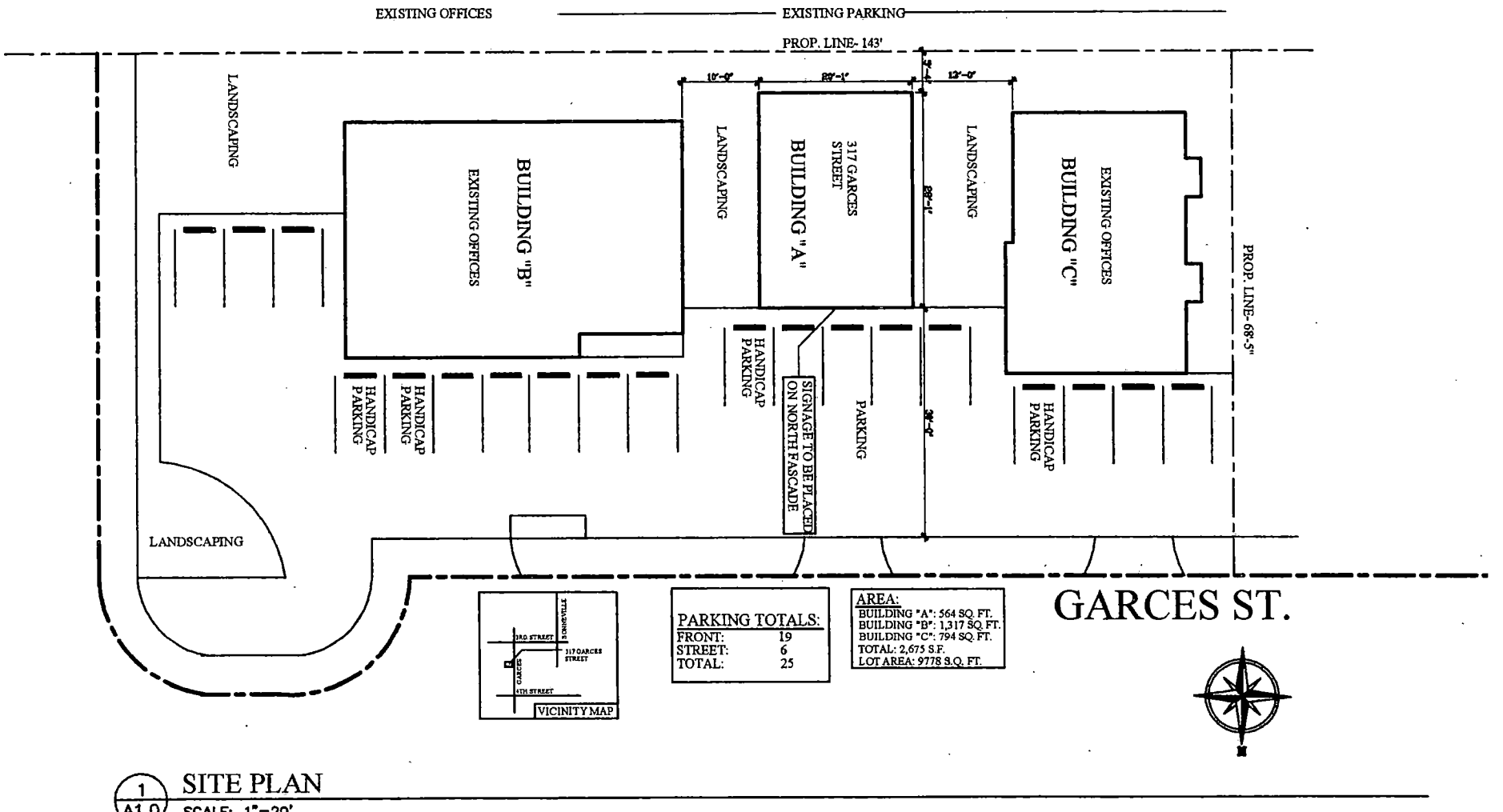
Subscribed and sworn before me

This 24 day of May, 2004

Mary Holguin

Notary Public in and for said County and State

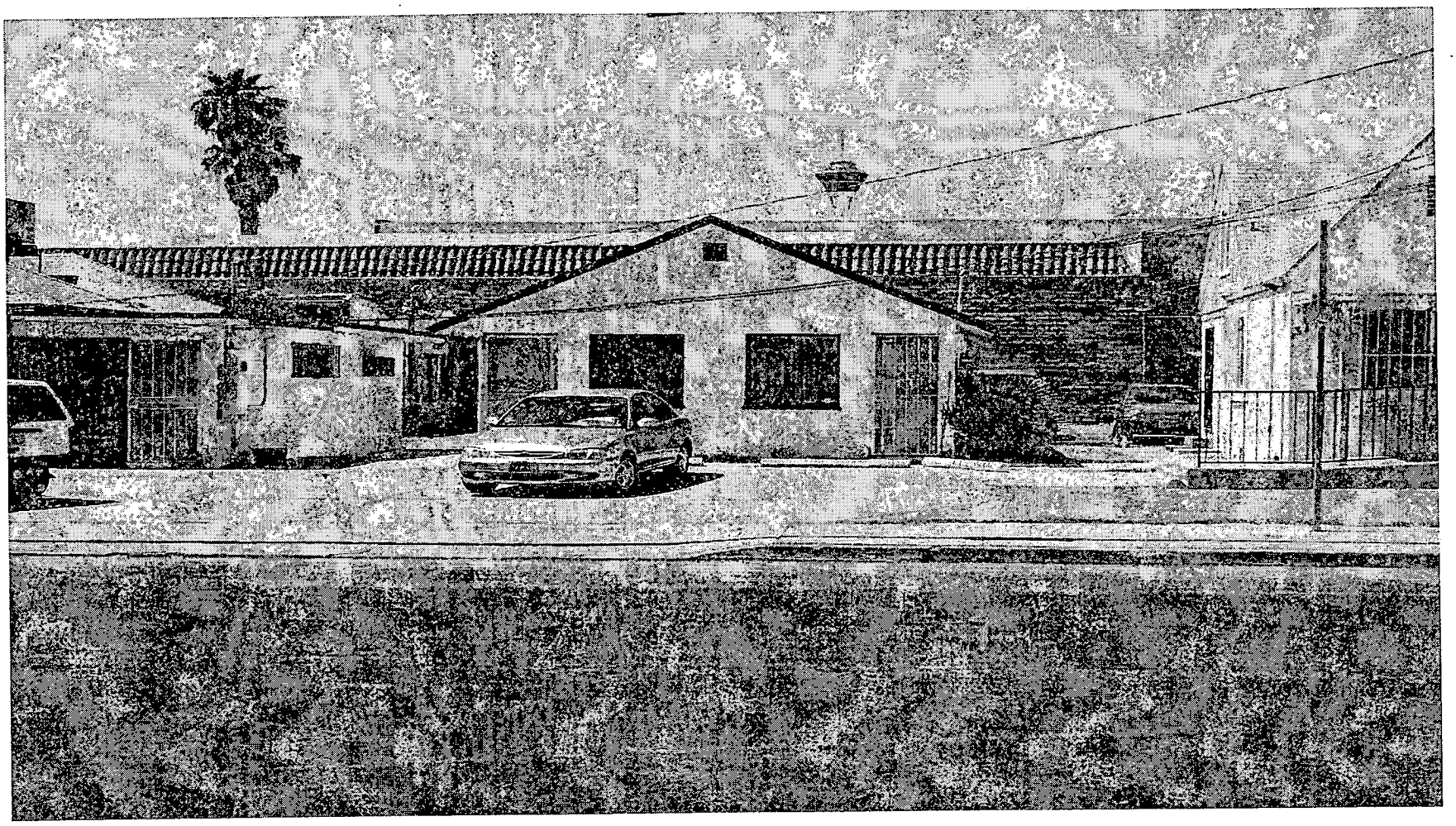
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY E. HOLGUIN
No: 01-69883-1
My Appointment Expires July 25, 2005



1 / A1.0 SITE PLAN

SCALE: 1"=20'

SUP-4518
07-08-04 PC



SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS
317 GARCES AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 6370 West Lake Mead Boulevard (APN: 138-23-601-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm does work for the owner, Ernest Becker, Jr.

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the application meets all the standards of the Code.

KAREN RICHARDSON, 815 Pilot Road, Suite B, Las Vegas, appeared on behalf of the applicant and concurred with staff's recommendations.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 58 – SUP-4531

MINUTES – Continued:
No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(11:26 – 11:28)
4-1452

CONDITIONS:
Planning and Development

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

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

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

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) 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.

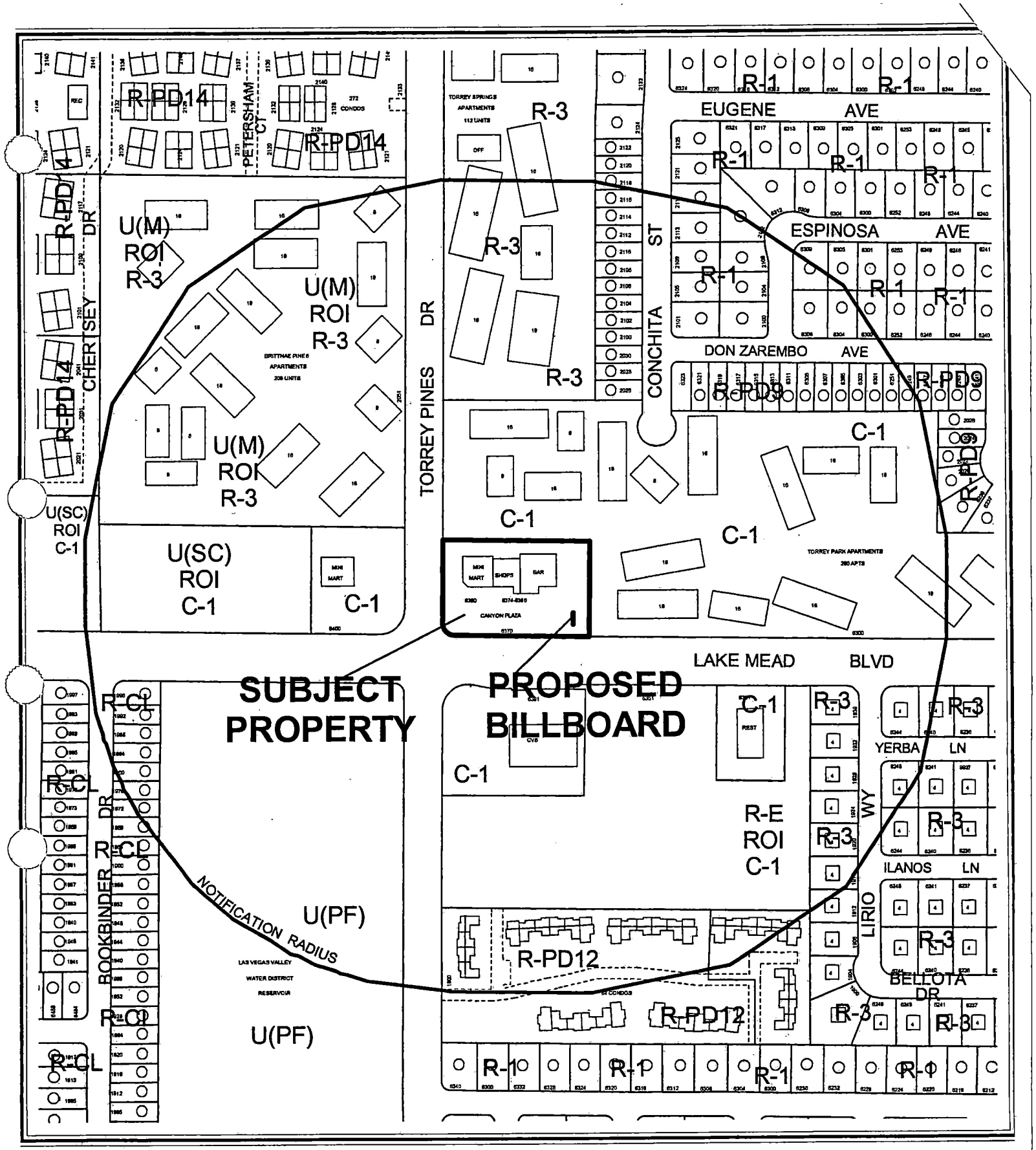
CONDITIONS – Continued:

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

Public Works

10. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Torrey Pines Drive and Lake Mead Boulevard adjacent to this site prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

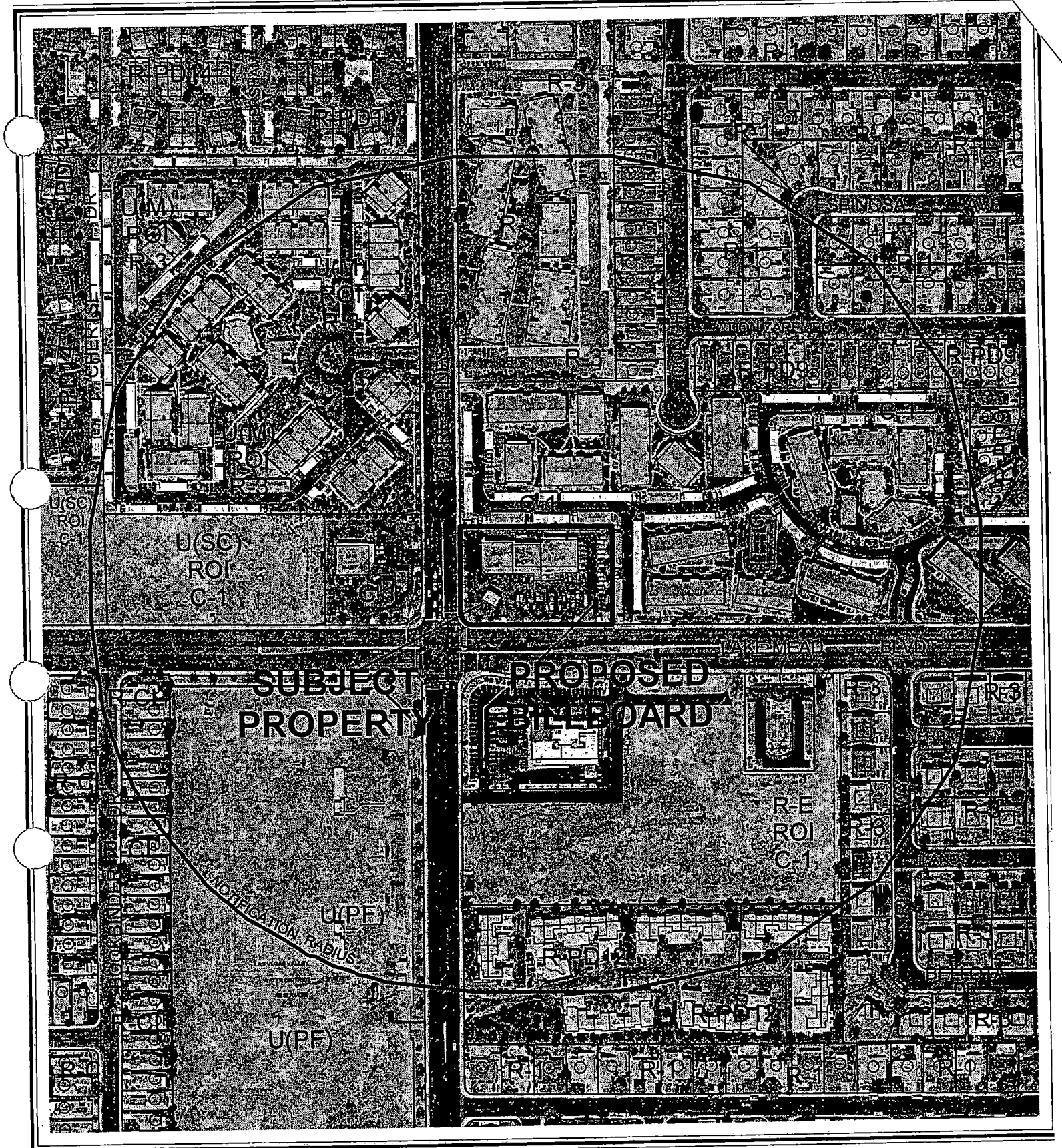


CASE: **SUP-4531**

RADIUS: 750 FT

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

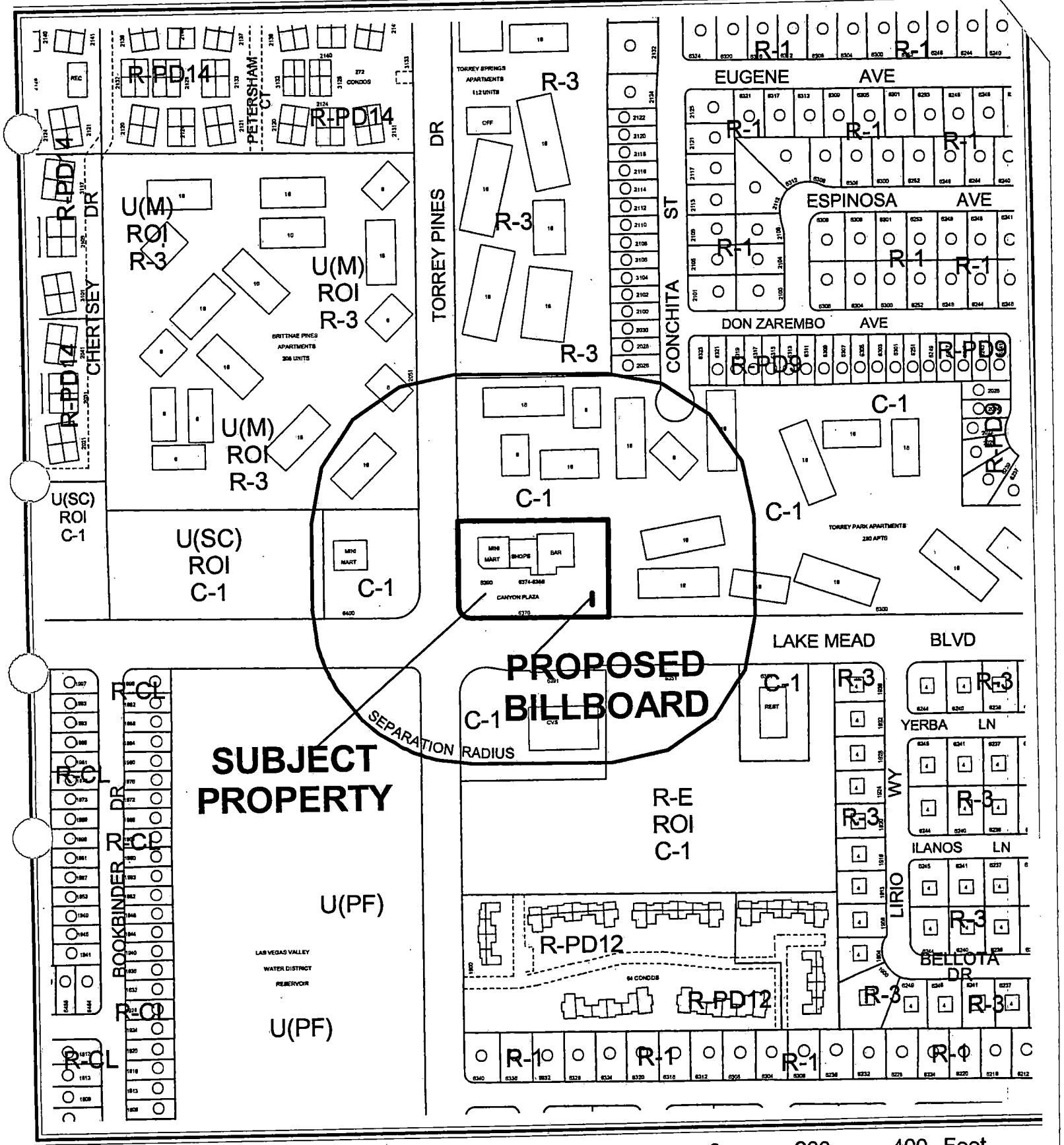
N



CASE: **SUP-4531**

RADIUS: 750 FT

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

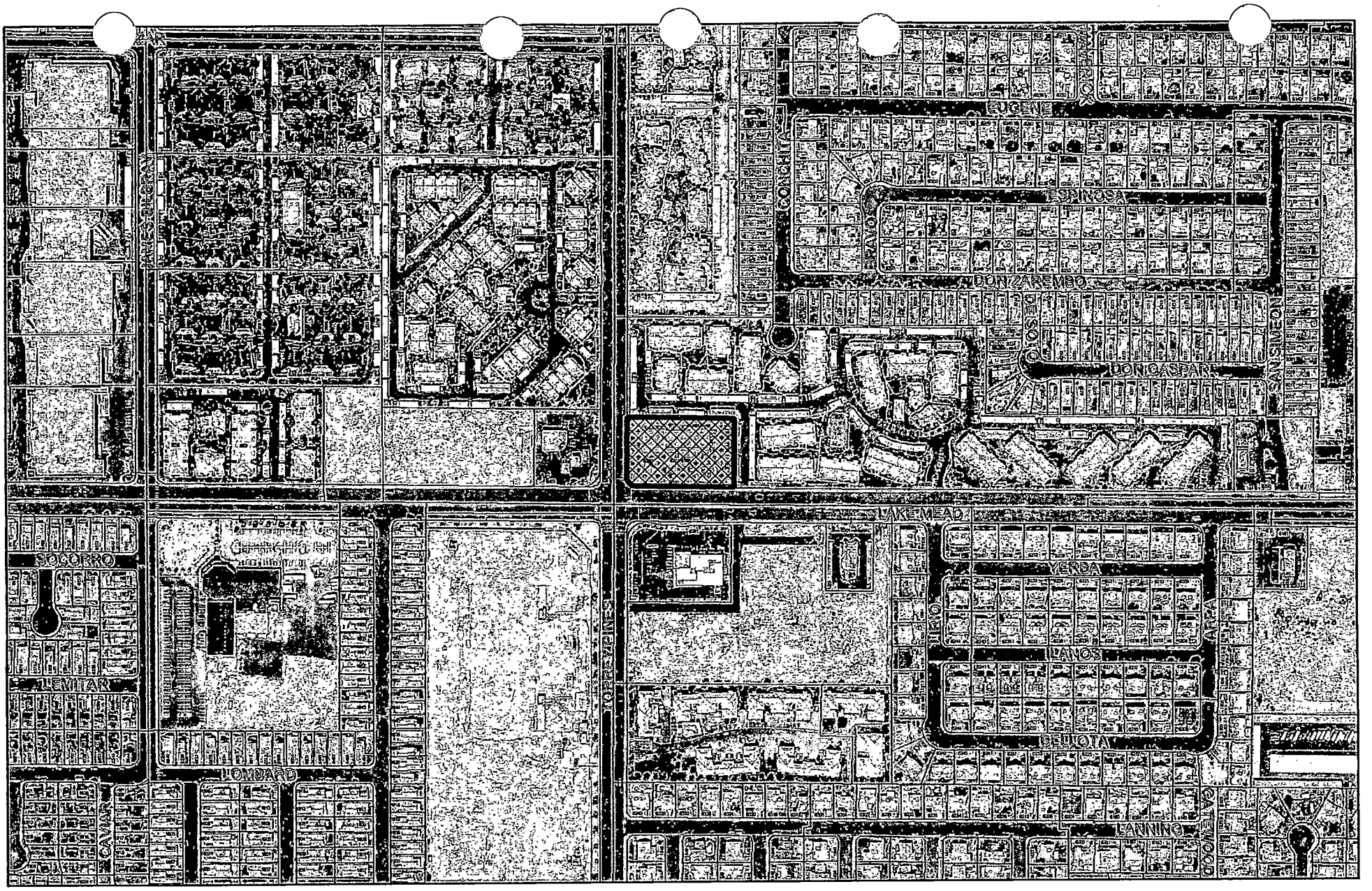


CASE: SUP-4531

SEPARATION RADIUS: 300 FT

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

N



SUP-4531

City of Las Vegas Billboard Data

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL, Subject to the following conditions:**

Planning and Development

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

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

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

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

8. 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.

DDS

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

Public Works

10. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Torrey Pines Drive and Lake Mead Boulevard adjacent to this site prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 6370 West Lake Mead Boulevard.

B) Applicant's Justification

The applicant's only justification for the sign is to mention that the site "is in a commercial district on a 100-foot or greater street."

BACKGROUND INFORMATION

A) Previous Actions

1962	The City Annexed (A-0006-62) the site in conjunction with a larger tract.
12/03/75	The City Council Rezoned (Z-0049-75) the site in conjunction with a larger 147-acre tract to C-1 (Limited Commercial) for a proposed shopping center of retail and service commercial development. The Planning Commission and staff recommended approval on 11/13/75.
04/26/90	The Board of Zoning Adjustment approved a Variance (V-0035-90) to reduce the number of parking spaces for a proposed shopping center. Staff recommended denial.
02/20/91	The City Council approved a Special Use Permit (U-0277-90) to allow beer and wine sales in conjunction with a proposed convenience store and a proposed tavern and restaurant. The Board of Zoning Adjustment and staff recommended approval on 01/24/91.
03/28/91	The Board of Zoning Adjustment approved a Special Use Permit (U-0053-91) to allow gasoline sales in conjunction with a proposed convenience store. The staff recommended approval of the request on the same date.

B) Pre-Application Meeting

05/07/04	The prospective applicant discussed applying for a Variance to construct a sign to a height of 50 feet, which would require a 10-foot Variance. It was mentioned that staff would recommend denial of a Variance but would probably recommend approval of the billboard.

DDS

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.42

B) Existing Land Use

Subject Property:	Service commercial
North:	Apartments
South:	Service commercial
East:	Apartments
West:	Service commercial

C) Planned Land Use

Subject Property:	S-C (Service Commercial)
North:	M (Medium Density Residential)
South:	S-C (Service Commercial)
East:	M (Medium Density Residential)
West:	S-C (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

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

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

DDS

The site is shown on the Southwest Sector Plan Map of the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

According to the "Master Plan Transportation Trails Element," a multi-use transportation trail is shown along Lake Mead Boulevard. The location of the trail is not designated, allowing its location to be determined at the first opportunity for it establishment. Because of the existing high intensity uses in this location and restricted location for a trail, its location is better suited to the opposite side of the street.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other off-premise sign or residentially zoned property. Therefore, it complies with the Zoning Code.

B) General Analysis and Discussion

- Zoning

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

- Use

  Title 19 establishes the criteria for the approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from other off-premise signs. The Code also requires such signs to be located 300 feet from residentially zoned properties. An apartment development is located within 300 feet; however, the site is zoned C-1 (Limited Commercial). Therefore, the proposed sign meets these Code requirements with regard to distance separation.

FINDINGS

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

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

   This proposed off-premise sign meets all standards of the Code.

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

   The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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

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

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

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

NOTICES MAILED 193

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-45331 APN: 138-23-601-003

Name of Property Owner: ERNEST A. Becker JR.

Name of Applicant: Las Vegas Billboards

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

_____Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

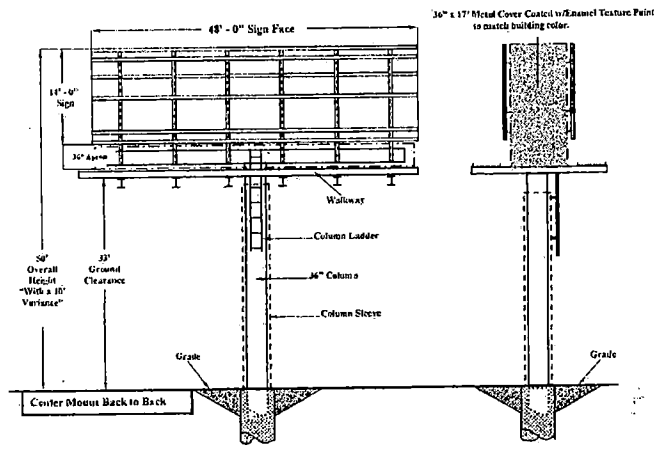
Print Name: ERNEST A BECKER JR

Subscribed and sworn before me

This 6th day of April, 2004

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA S. ALSTON
Appt. No. 03-84766-1
My Appt. Expires Oct. 10, 2007



PROPERTY OWNER:	FREMONT WEST SHOPPING CTR. 50 S. JONES BLVD. #100 LAS VEGAS, NV 89107-2672
PROPERTY ADDRESS:	6370 W. LAKE MEAD BLVD. LAS VEGAS, NV 89108
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

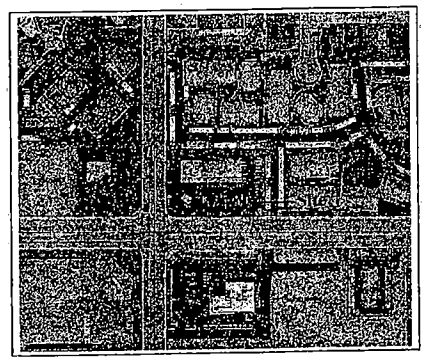
APN: 138-23-601-003
ZONED: C-1
14' X 48' CENTERMOUNT BACK TO BACK
50' OVERALL HEIGHT, WITH A 10' VARIANCE
NO ADJACENT OFF-PREMISE SIGN WITHIN 300' RADIUS
NO R - ZONE WITHIN 300'
SCALE 1" = 30'

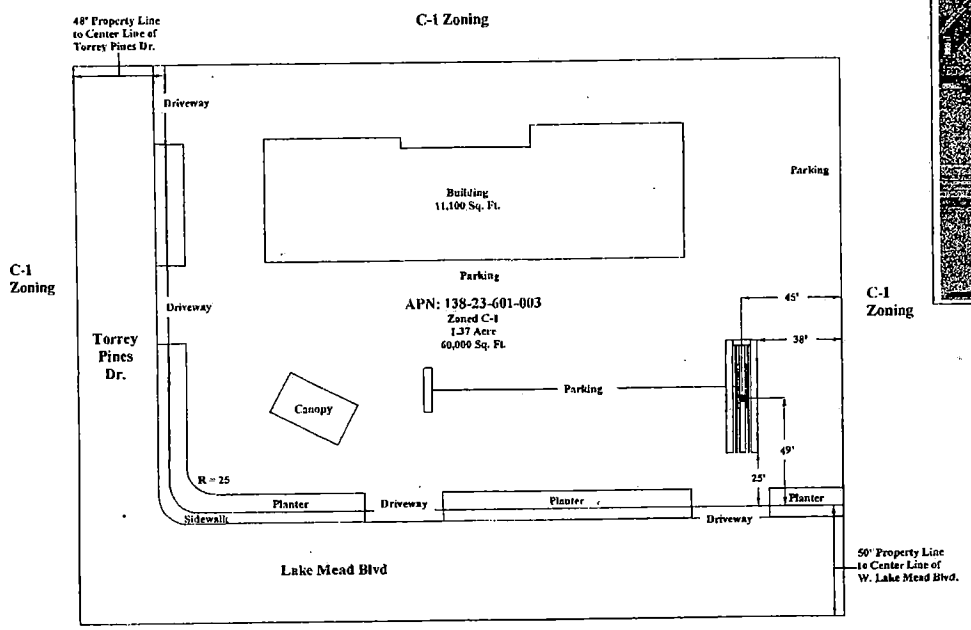
NORTH

SIGN ANALYSIS TABLE

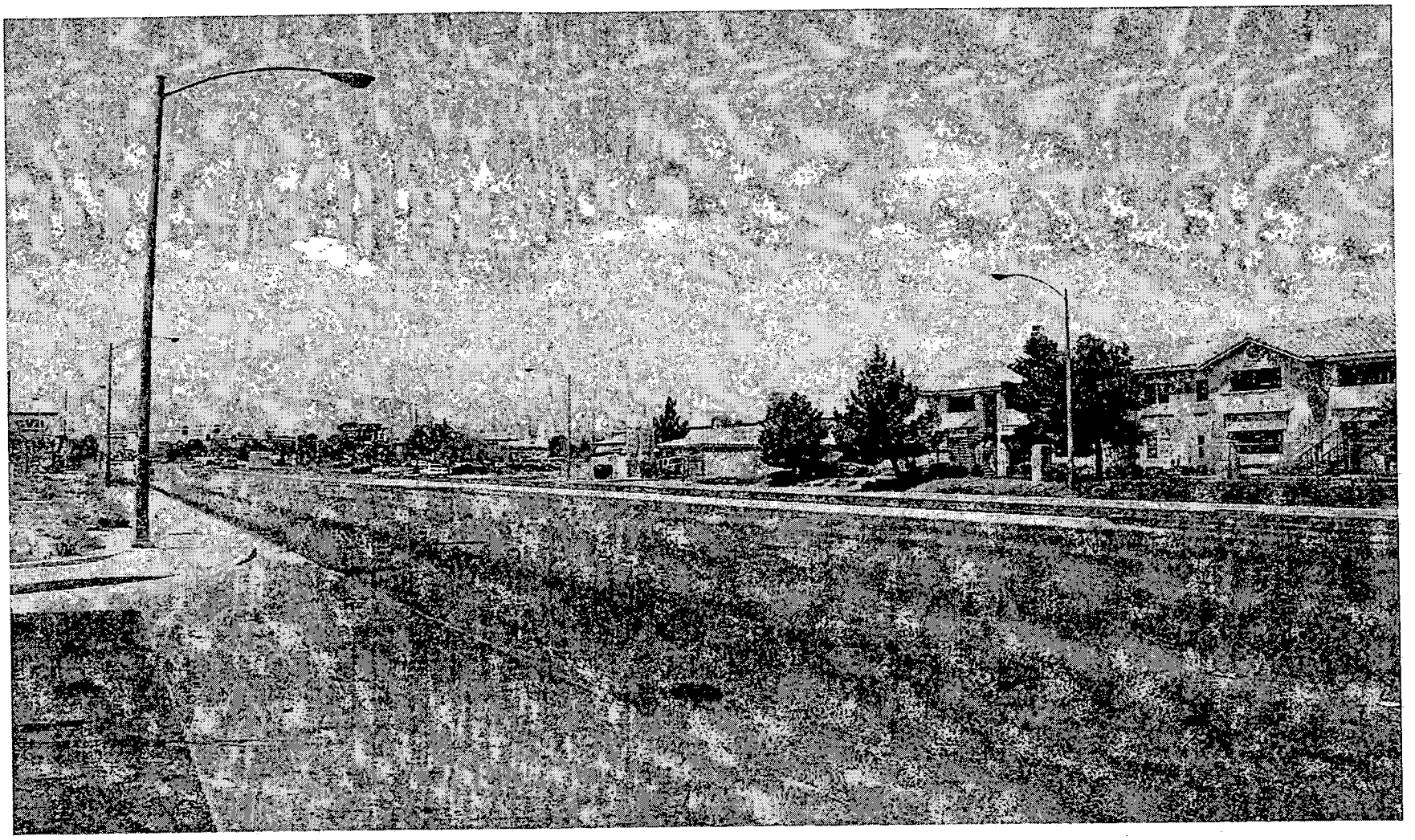
TYPE OF SIGN:	14' X 48' OFF-PREMISE SIGN
SIGN HEIGHT:	58' OVERALL HEIGHT (40' with a 10' variance)
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
25' FRONT SETBACK FROM LAKE MEAD BLVD. TO LEADING EDGE OF SIGN.
49' FRONT SETBACK FROM LAKE MEAD BLVD. TO CENTER OF COLUMN.
38' SIDE SETBACK FROM EAST PROPERTY LINE TO LEADING EDGE OF COLUMN.
45' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN.





SUP-4531
07-08-04 PC



SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR.
6370 WEST LAKE MEAD BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN: 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that there is a pending application before the City Council for an Off-Premise Billboard Sign that is within 300 feet of the location for this proposed sign. That application was first heard by the Planning Commission on November 20, 2003. The Planning Commission and staff recommended denial of that application, and it was appealed to the City Council and abeyed by the City Council on four separate occasions at the applicant's request. On July 7th, the City Council abeyed that application to the 07-21-04 City Council meeting. Should the City Council approve of that application, it would preempt approval of the subject application, because the two signs would be within 300 feet of each other.

MINUTES – Continued:

The proposed billboard sign would be adjacent to existing on-premises signs for commercial development that would substantially increase the amount of signage in the area. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. As a result, this would increase the amount of visual clutter to this area of the community and would not be harmonious or compatible with the surrounding development.

KAREN RICHARDSON, 815 Pilot Road, Suite B, Las Vegas, appeared on behalf of the applicant and concurred with staff's conditions.

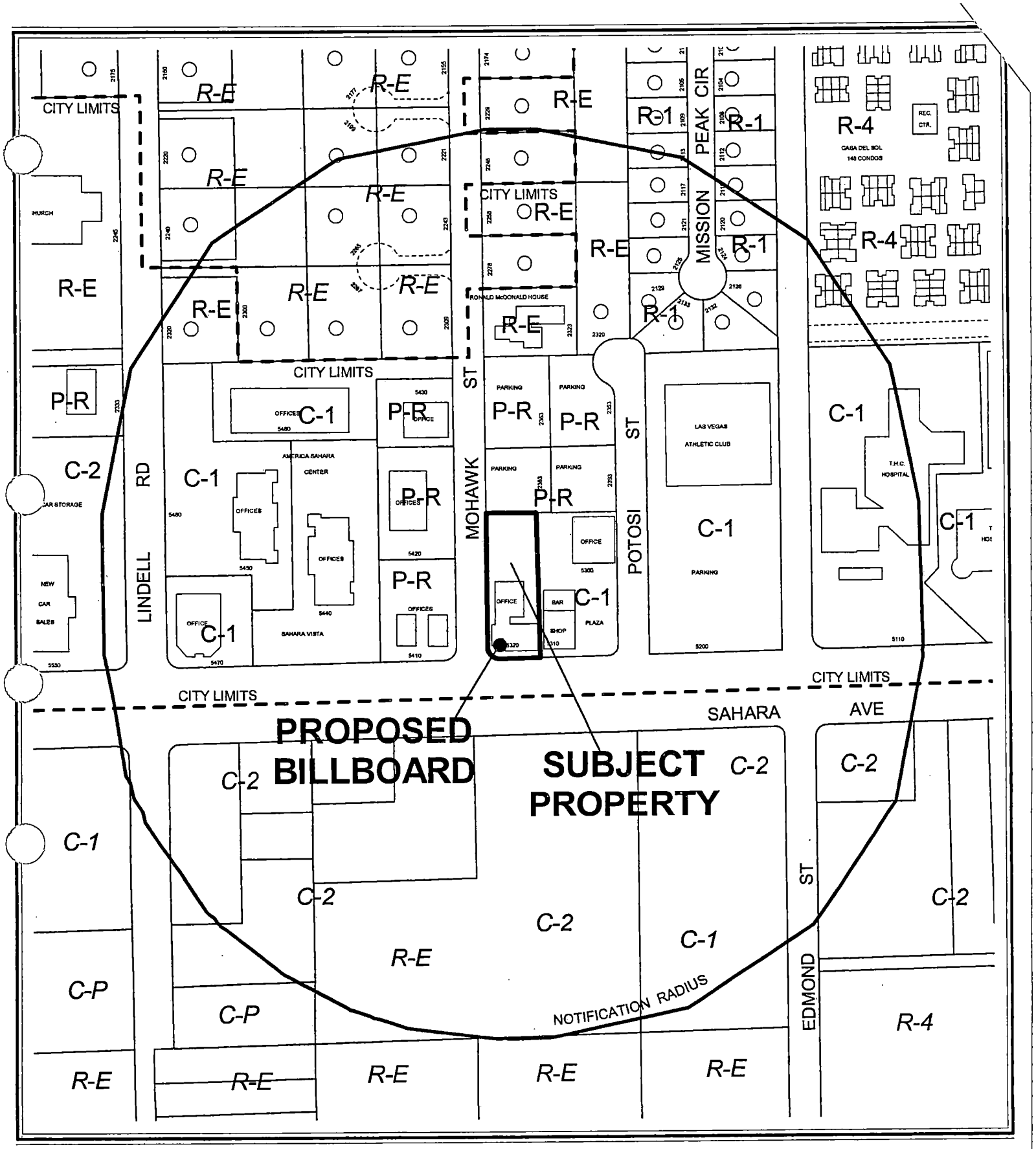
COMMISSIONER STEINMAN stated he viewed the site and was astounded that the applicant would like to place a 40-foot sign in front of the existing beautiful landscaping. He would never support this type of proposed sign at this particular location.

COMMISSIONER McSWAIN concurred with COMMISSIONER STEINMAN and added that she does not generally support billboard signage along West Sahara and would not do so for this particular application.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

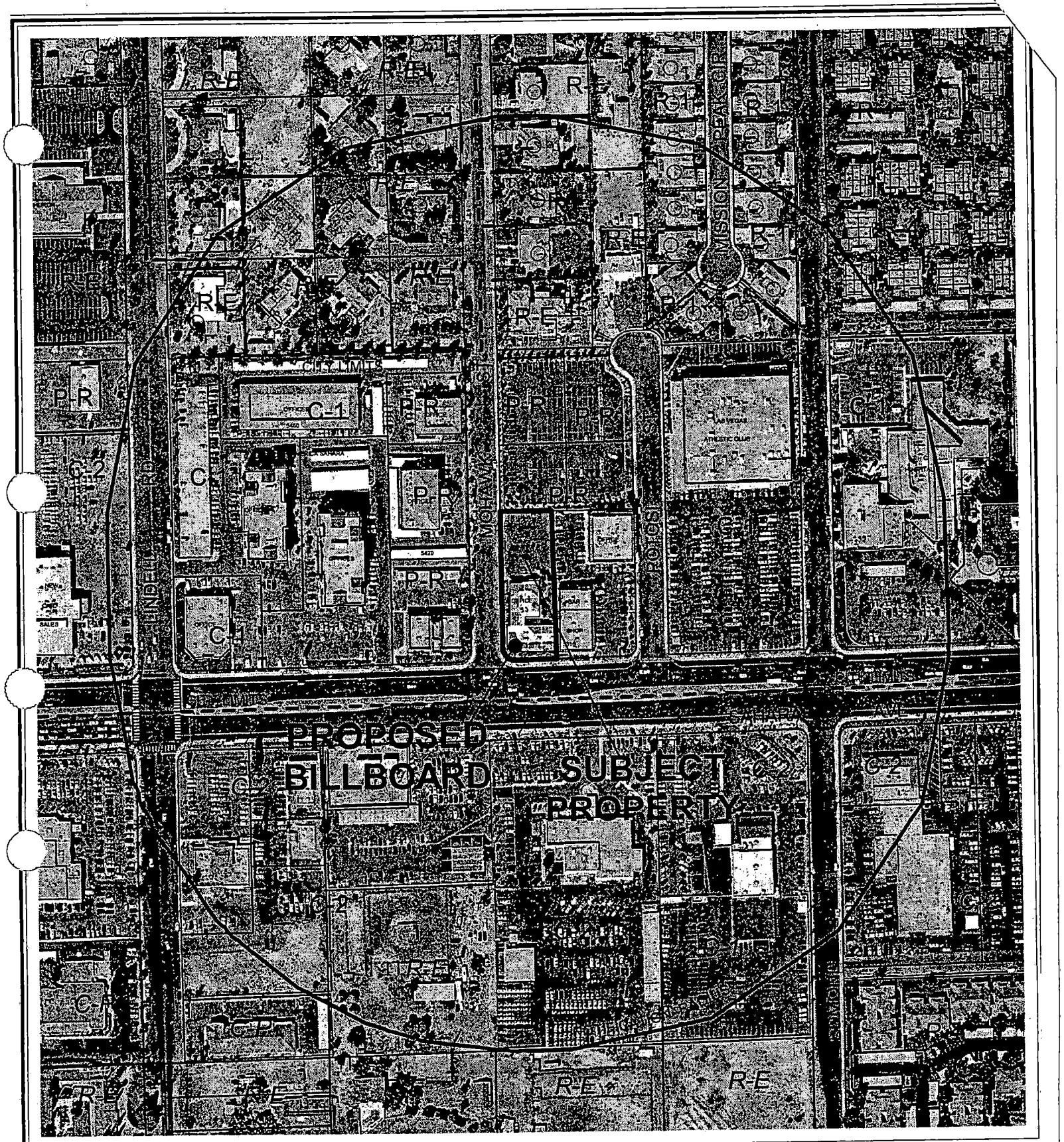
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CASE: **SUP-4532**

RADIUS: 750 FT

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



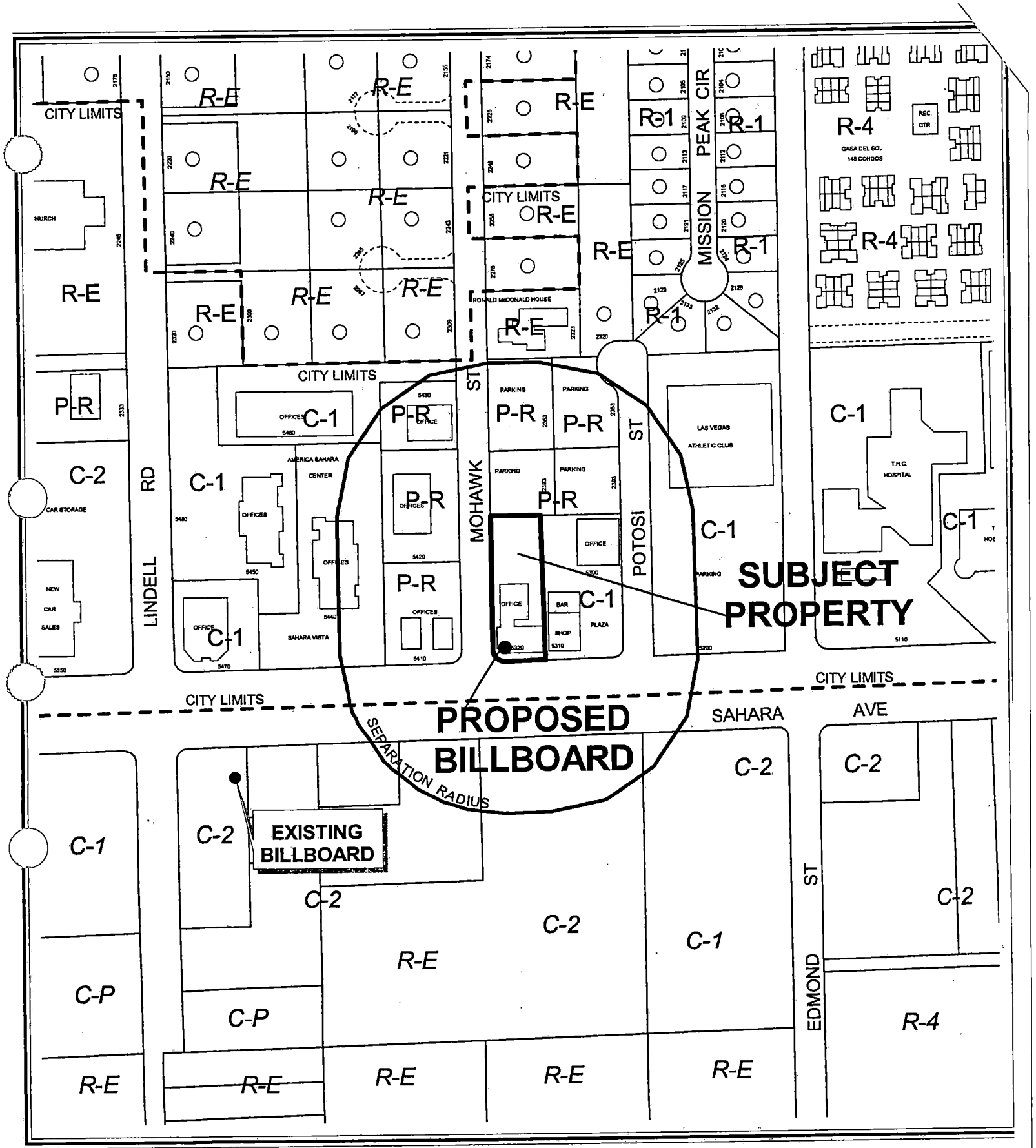
0 200 400 Feet

CASE: **SUP-4532**

RADIUS: 750 FT

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

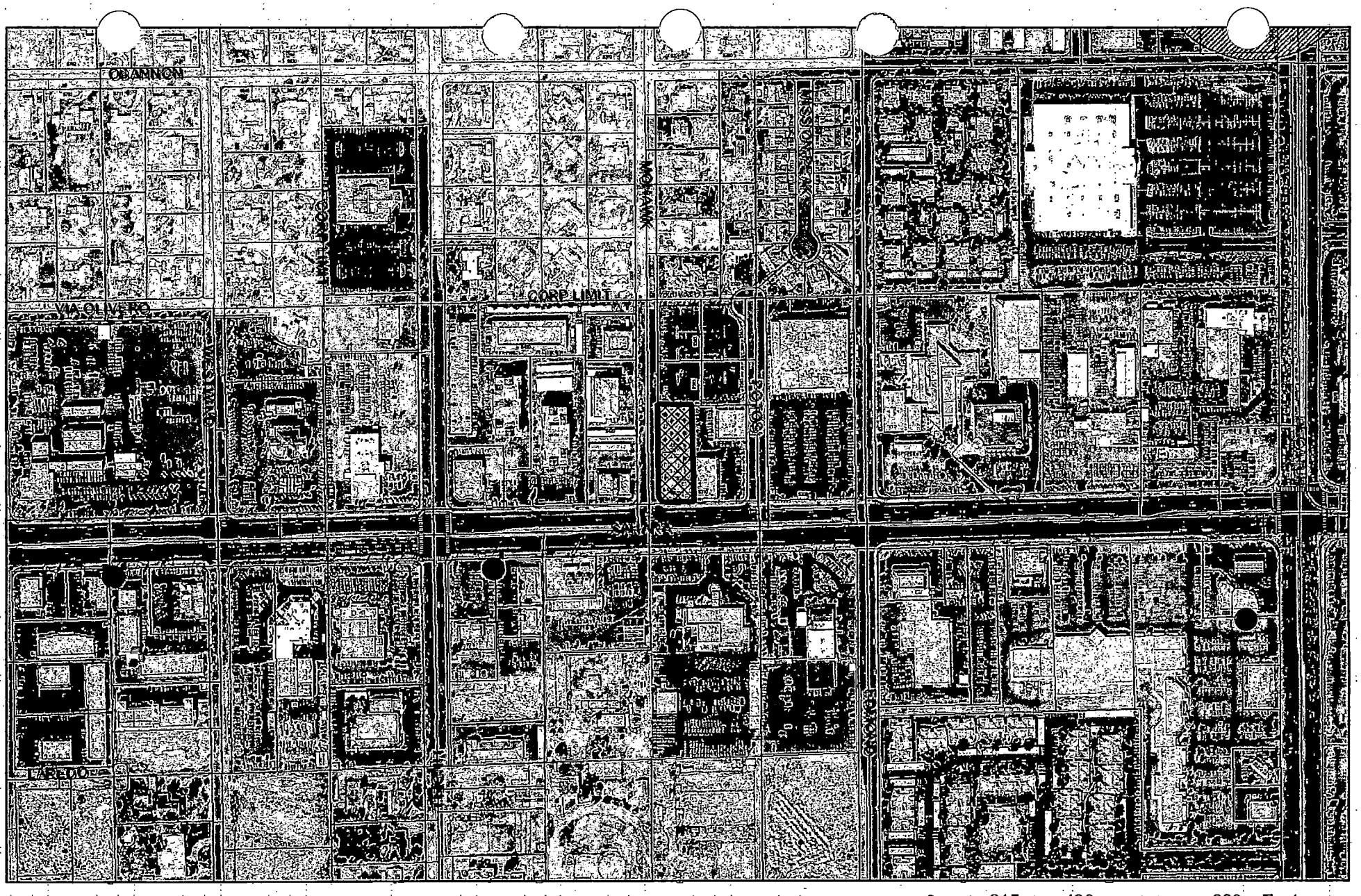
N



CASE: **SUP-4532**

SEPARATION RADIUS: 300 FT

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



SUP-4532

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

0 215 430 860 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If approved, subject to the following conditions:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign 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. Conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

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

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

8. 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.

DDS

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

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

11. The off-premise advertising (billboard) sign billboard shall not be located within or under any easements.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 5320 West Sahara Avenue.

B) Applicant's Justification

The applicant's only justification for the sign is to mention that the site "is in a commercial district on a 100-foot or greater street."

BACKGROUND INFORMATION

A) Previous Actions

There is no previous action recorded for this property; however, there is a pending application before the City Council for an Off-Premise (Billboard) Sign that is within 300 feet of the location of this proposed sign. The City Council will consider that application at its meeting on 07/07/04. The Planning Commission and staff recommended against that application on 11/20/03.

B) Pre-Application Meeting

05/07/04 There was a question whether another off-premises (billboard) sign is under consideration by the City Council that would be within 300 feet of this location. (As noted above, it was learned that there is a request pending before the City Council that if approved would preempt approval of this application.) The request would be a Project of Regional Significance, requiring review by Clark County.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.66

DDS

B) Existing Land Use

Subject Property:	Office
North:	Parking lot
South:	General commercial
East:	Office, tavern and retail establishment
West:	Office

C) Planned Land Use

Subject Property:	S-C (Service Commercial)
North:	O (Office)
South:	County Commercial
East:	S-C (Service Commercial)
West:	S-C (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	P-R (Professional Office and Parking)
South:	County C-2 (General Commercial)
East:	C-1 (Limited Commercial)
West:	P-R (Professional Office and Parking)

E) General Plan Compliance

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

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

The site is shown in the Southeast Sector of the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

DDS

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" as a Special Use within 500 feet of the unincorporated area of Clark County. An Environmental Impact Assessment questionnaire was circulated to the County and other affected Agencies and Entities for the mandated 15-day period. No comments citing negative impacts have been received to date.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) Sign in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it complies with the Zoning Code.

There is a pending application before the City Council for an Off-Premise Advertising (Billboard) Sign (SUP-3152) which if approved would place it within 300 feet of the subject proposed sign. That application was first heard by the Planning Commission on November 20, 2003. The Planning Commission and staff recommended denial of that application, and it was appealed to the City Council and abeyed by the City Council on four separate occasions at the applicant's request. That application again is to be considered by the City Council on July 7, 2004. If the City Council were to approve that application, it would preempt approval of the subject application, because the two signs then would be within 300 feet of each other.

B) General Analysis and Discussion

- Zoning

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

- Use

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

The Off-Premise Advertising (Billboard) Sign is proposed adjacent to existing on-premises signs for commercial development that would substantially increase the amount of signage in the area. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. This proposed billboard would add substantial visual clutter to this area of the community and not be harmonious and compatible with the surrounding development. If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

FINDINGS

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

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

   Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, this proposed billboard would add visual clutter in this area of the City.

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

   The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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

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

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

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

NOTICES MAILED 52

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4532 APN: 163 01 804 005

Name of Property Owner: SAHARA Mohawk LLC

Name of Applicant: DAVE Smith & ROBERT EARL

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: Dave Smith Robert Earl

Print Name: Dave Smith ROBERT R. EARL

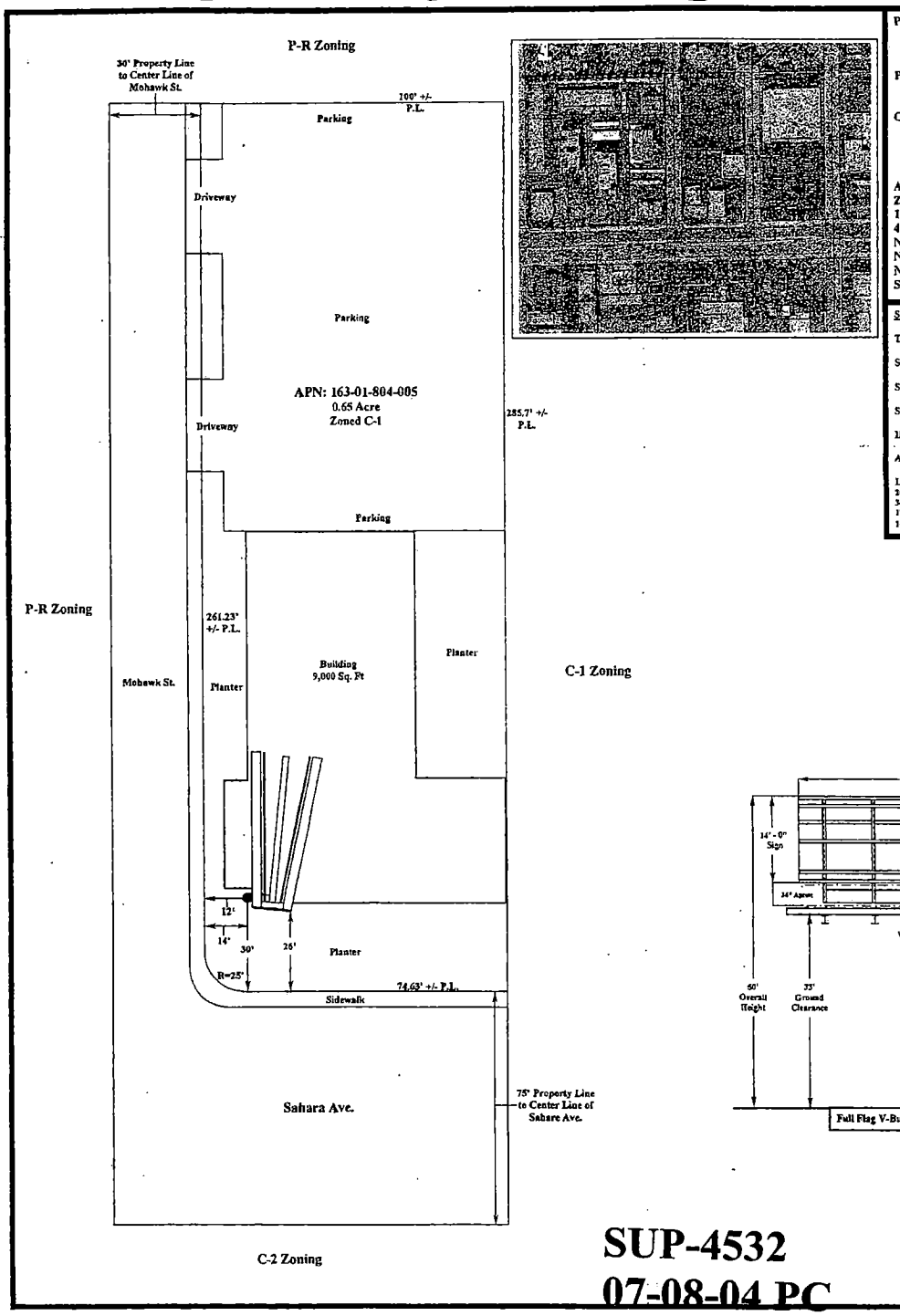
Subscribed and sworn before me

This 8 day of March, 2004

Lina R. Heisler

Notary Public in and for said County and State

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



PROPERTY OWNER:	SAHARA MOHAWK LLC 5320 W. SAHARA AVE. LAS VEGAS, NV 89146-3306
PROPERTY ADDRESS:	5320 W. SAHARA AVE LAS VEGAS, NV 89146-3306
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

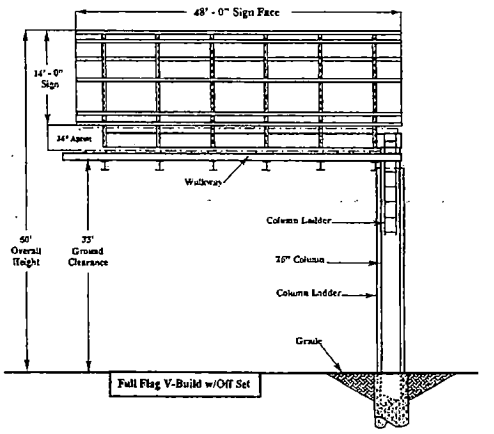
APN: 163-01-804-005
ZONED: C-1
14' x 48' FULL FLAG V-BUILD w/OFFSET
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 308' RADIUS
NO R-E ZONE WITHIN 300'
SCALE 1" = 20'

NORTH

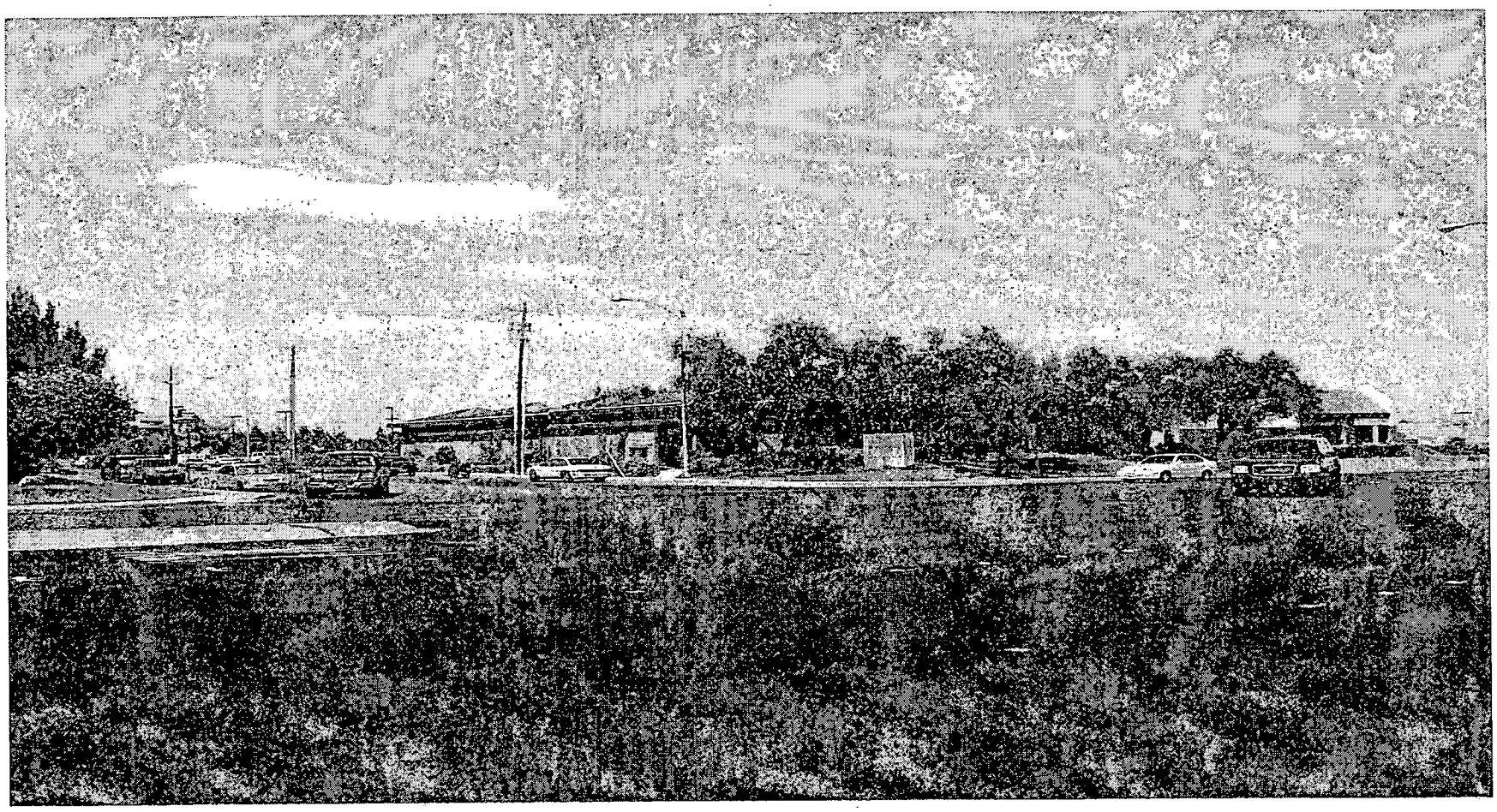
SIGN ANALYSIS TABLE

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

LOCATION:
26' FRONT SETBACK FROM DECATUR BLVD. TO LEADING EDGE OF SIGN.
30' FRONT SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.
12' SIDE SETBACK FROM WEST PROPERTY LINE TO LEADING EDGE OF COLUMN.
14' SIDE SETBACK FROM WEST PROPERTY LINE TO CENTER OF COLUMN.



SUP-4532
07-08-04 PC



SUP-4532 - APPLICNAT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY
5320 WEST SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (APN: 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm is currently doing work for American Dream Corporation and TRUESDELL abstaining as the application is represented by Andras Babero, who is a long-time friend of his and they have previously worked together

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this would be a gated private street, 37 feet wide, and would serve a 19 lot residential development. Under Title 19, it is a permitted use with the approval of a Special Use Permit and the RE zoning under the U category is appropriate.

MINUTES – Continued:

ANDRAS F. BABERO, Attorney, 6741 W. Alexander Road, appeared on behalf of the applicant, and stated this project is located on the corner of Coke Street and Maggie Avenue. ATTORNEY BABERO concurred with staff's recommendations.

RON THOMAS, 7745 Maggie Avenue, stated the residents are familiar with this developer due to their involvement in another existing project located directly across the street on the other side of this project. There have been some concerns with the entire process and the dissension within the neighborhood. His concern is with applications that do not require a Variance, so the applicant does not have to have a neighborhood meeting. As a result, sometimes residents do not find out about projects until construction is actually taking place within their neighborhoods. He referred back to the ongoing project he mentioned earlier and stated the residents found out, after the fact, that the developer was placing street lights and sidewalks on the site. The residents felt this would have been inappropriate for a rural area, which was situated next to Floyd Lamb State Park. Fortunately, changes were made that the residents could agree to. MR. THOMAS stated that he would like to see the application approved, subject to an added condition requiring the applicant presents a Tentative Plan to a neighborhood body, such as the nearby Lone Mountain Town Council, to avoid some of the dissension, as well as, repeated trips to the Planning Commission and City Council. This would allow the applicant to present the plan to the appointed council for their approval prior to Tentative Maps being approved.

ATTORNEY BABERO rebutted by stating that they do not desire to change the zoning. This site is part of the Rural Preservation Area, and the proposal is for two lots per acre pursuant to the Ordinance. He agreed with MR. THOMAS that many concerns have been worked out. He added that the previous process took place due to a setback issue.

VICE CHAIRMAN NIGRO felt that MR. THOMAS did not object to this application, but that he was making general comments. DEPUTY CITY ATTORNEY BRYAN SCOTT added that the applicant is not required, by Code, to appear before another body to obtain approval. The Commission does not have the authority to make this a requirement; it is only done as a courtesy if the involved parties agree to it. VICE CHAIRMAN NIGRO then stated that neighborhood meetings are sometimes required, but the Commission can only suggest that the developer meet with the residents regarding the proposed project. If an application is in conformance with the General Plan and zoning, then the applicant could proceed with the Tentative Map without appearing before the Commission. He stressed the importance of having a constant dialogue between the neighbors and the applicant on a voluntary basis to ensure all parties involved are informed. ATTORNEY BABERO added that all parties involved with this application have been repeatedly informed and know what is going on with this particular application.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 60 – SUP-4558

MINUTES – Continued:
VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(11:31 – 11:37)
4-1612

CONDITIONS:
Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

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.

Public Works

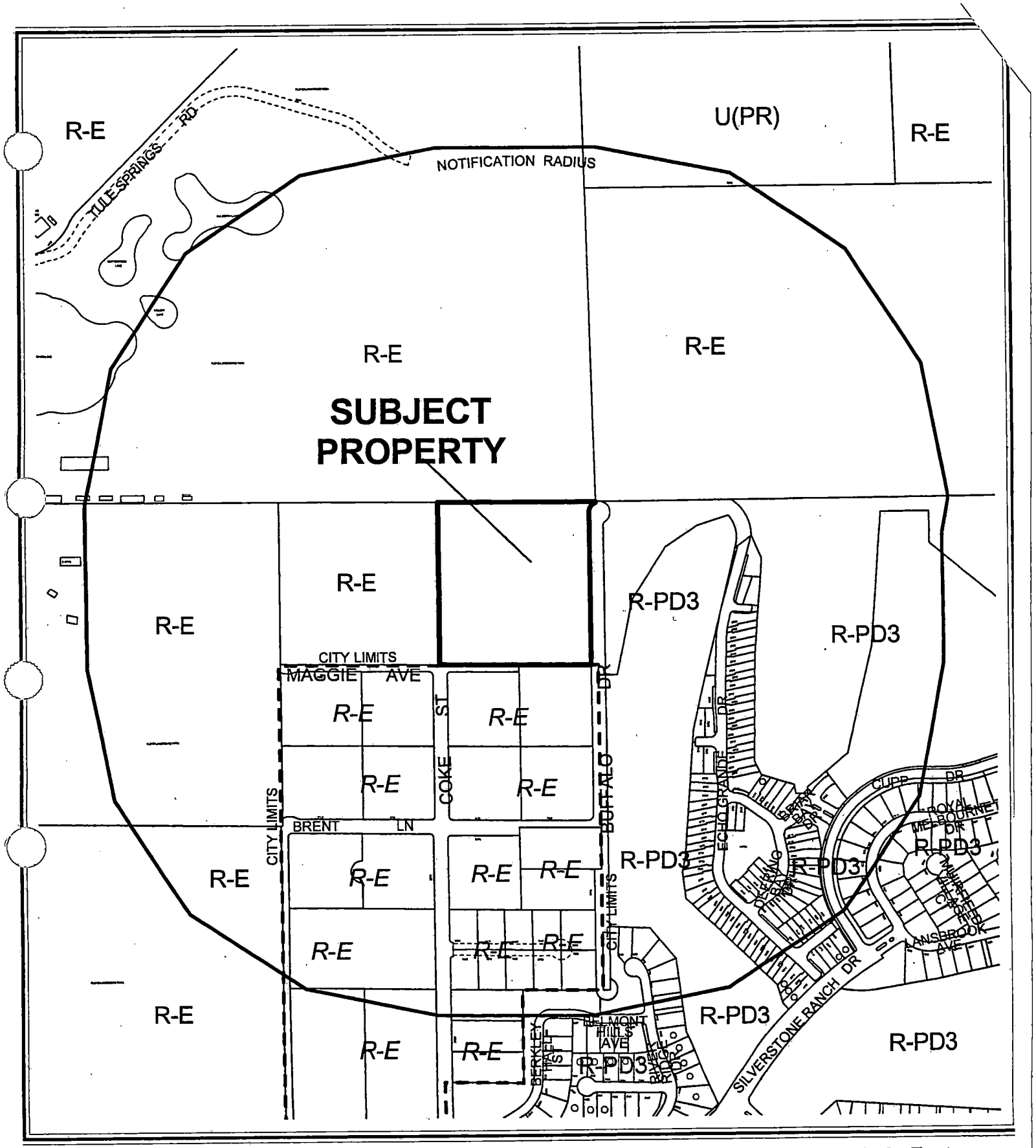
4. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

5. Gated entry drives, if proposed, 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 prior to the issuance of any permits.

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.



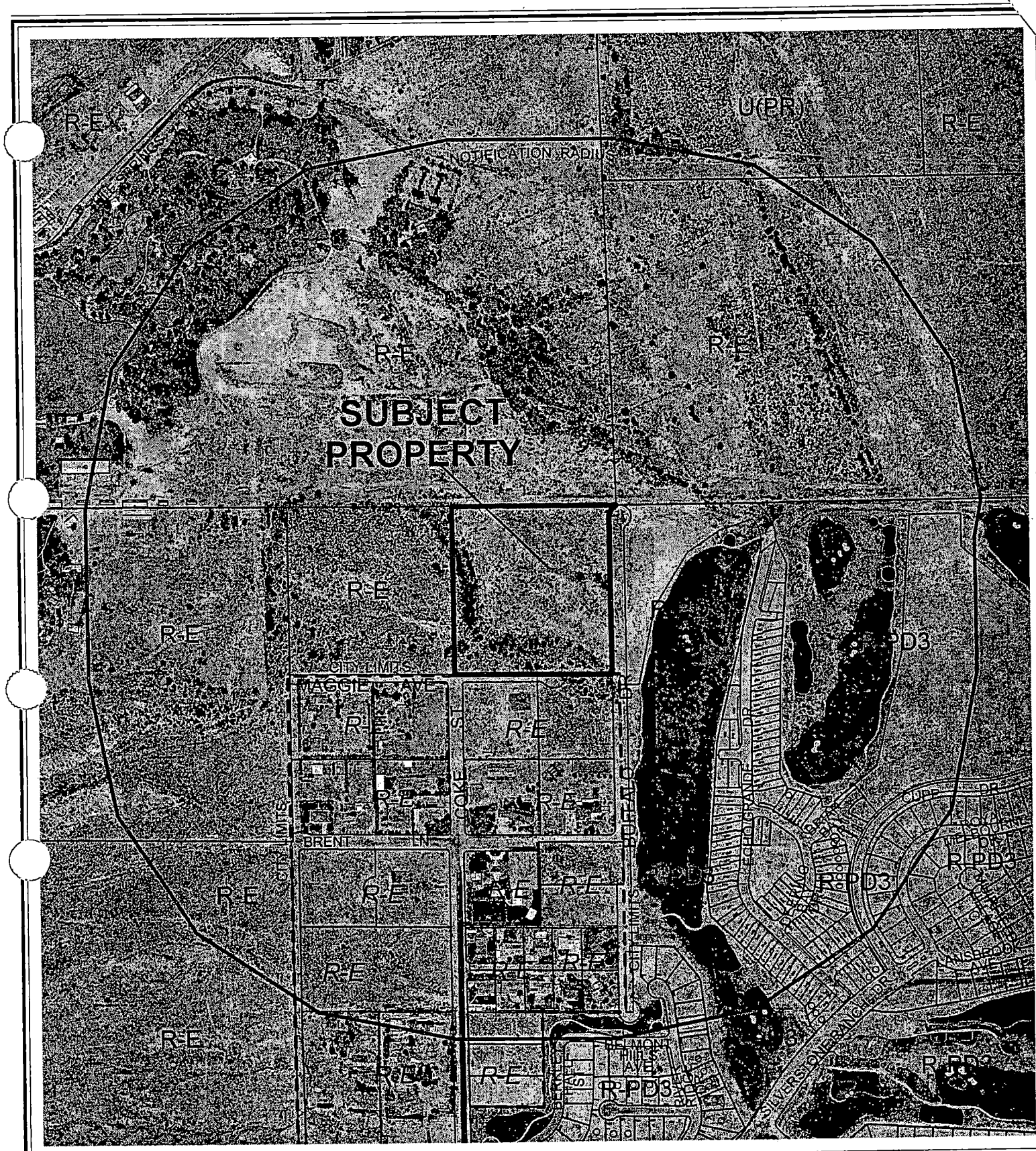
CASE: **SUP-4558**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RE (RURAL ESTATES) GENERAL PLAN DESIGNATION]

N



CASE: **SUP-4558**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RE (RURAL ESTATES) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST

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

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

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.

Public Works

4. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

5. Gated entry drives, if proposed, 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 prior to the issuance of any permits.

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit (SUP-4558) for a private street in conjunction with a proposed single-family residential development east of Coke Street and north of Maggie Avenue.

B) Applicant's Justification

The applicant's justification letter states that the intent for the private street is to "create, measure and enhance curb appeal and security within a privately held and gated development." In doing so, it is stated that this proposed project would meet or exceed the objective of urban growth in a planned, orderly manner to encourage high quality development and to create a cost effective urban development pattern.

BACKGROUND INFORMATION

A) Previous Actions

05/05/04 The City Council approved an Annexation (ANX-3871) to annex the site to be served by the proposed private street. The effective date was 06/11/04. The Planning Commission and staff recommended approval on 03/25/04.

B) Pre-Application Meeting

04/28/04 Staff discussed the need for a Special Use Permit and other minor details of the proposed development to be served by the private street.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Area of Site

Acres: 10.7

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped (Floyd Lamb Park)
South:	Single family dwellings and undeveloped
East:	Golf course and residential development
West:	Single family under development

C) Planned Land Use

Subject Property:	R-E (Rural Estates)
North:	PR-OS (Park/Recreation/Open Space)
South:	County RE (Rural Estates) and RNP (Residential Neighborhood Preservation)
East:	PCD (Planned Community Development)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [R-E (Rural Estates) General Plan Designation]
North:	R-E (Residence Estates)
South:	County R-E (Rural Estates Residential)
East:	R-PD3 (Residential Planned Development at 3 dwelling units per acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan designates the site to be served by a proposed private street as R-E (Rural Estates). The site is zoned U (Undeveloped). The zone requires a minimum of 20,000 square-foot lots, which is in conformance with the density of development permitted in the R-E land use category.

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

There is no request for a change in the land use classification or zoning of the property.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The 19-lot residential development to be served by a proposed private street is a permitted use in the U (Undeveloped) [R-E (Rural Estates) General Plan Designation]) zoning district with the approval of a Special Use Permit.

- Use

The proposed 37-foot wide private street is intended to serve all 19 lots of the proposed residential subdivision.

- Conditions

Title 19.04.050 lists several base conditions, which are required for the approval of a Special Use Permit for Private Streets. The following is a list of the base conditions; requirements indicated by an asterisk may not be waived:

1. Unless otherwise approved, every private street shall conform to the same design and construction standards required for public streets.

2. The Planning Commission may deny the creation of any private street if, in the Commission's judgment, the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets;
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parks and libraries; or
   d. Delay the response time of emergency vehicles.

*3. A property owners' association is mandatory for subdivisions developed with private streets. The association is responsible for the maintenance of private streets.

*4. Private streets shall be constructed on property separately owned by a property owners' association.

5. The entrances to all private streets must be marked with a sign stating that it is a private street. The subdivision must ensure access to the subdivision by the City or emergency services.

6. All restricted access entrances must be designed with sufficient turn-around space.

*7. All legal subdivision documentation shall note that certain City services will not be provided on private streets.

The proposal meets these base conditions of approval.

FINDINGS

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

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

   The proposed private street will not negatively affect the public streets or access to the subdivision. In addition, the private street will not impair access to or from public facilities nor delay the response time of emergency vehicles.

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

   The subject site is suitable for a proposed 37-foot wide private street.

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

   The applicant is proposing a 37-foot wide private street. Ingress and egress by the proposed private street would be to Maggie Avenue, a 60-foot wide local collector street, which provides adequate access to the site.

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

   The proposed private street would be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards, and therefore, it would not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 34

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4558 APN: 125-09-501-003

Name of Property Owner: CCM Trust and Chris and Cathie Milkon Trust.

Name of Applicant: Building the American Dream Corp.

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

____ Yes X No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner/Authorized Agent: [signature]

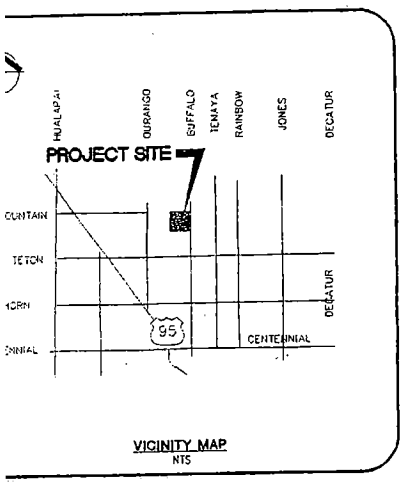
Print Name: RAY DESJARDINS

Subscribed and sworn before me

This 12 day of May, 2004

Linda Moore
Notary Public in and for said County and State

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



VICINITY MAP
NTS

STATE OF NEVADA
APN: 125-04-002-001
FLOYD LAMB STATE PARK

N89°44'54"W 674.33'

619.74'

50.00'

COKE AND CONCOUGH
C.L.V. PROJECT # B735

693.12'

643.12'

S00°28'46"E

695.72'

N00°33'23"W

620.95'

P N II INC.
APN: 125-10-110-015

STREET D
PRIVATE

STREET C
PRIVATE

STREET E
PRIVATE

STREET B
PRIVATE

STREET A
PRIVATE

BUFFALO DRIVE
PUBLIC

MAGGIE AVENUE
PUBLIC

645.30'
S89°31'43"E
675.30'

30.00'

COKE ST.
PUBLIC

RONALD HOLM
APN: 125--09-501-005

WILLIAM & JAYNE MOCK
APN: 125-09-501-008

ARPIN DAVID AUSTIN
APN: 125-09-501-009

VACATED PER VAC-3307

Date
0 20 40

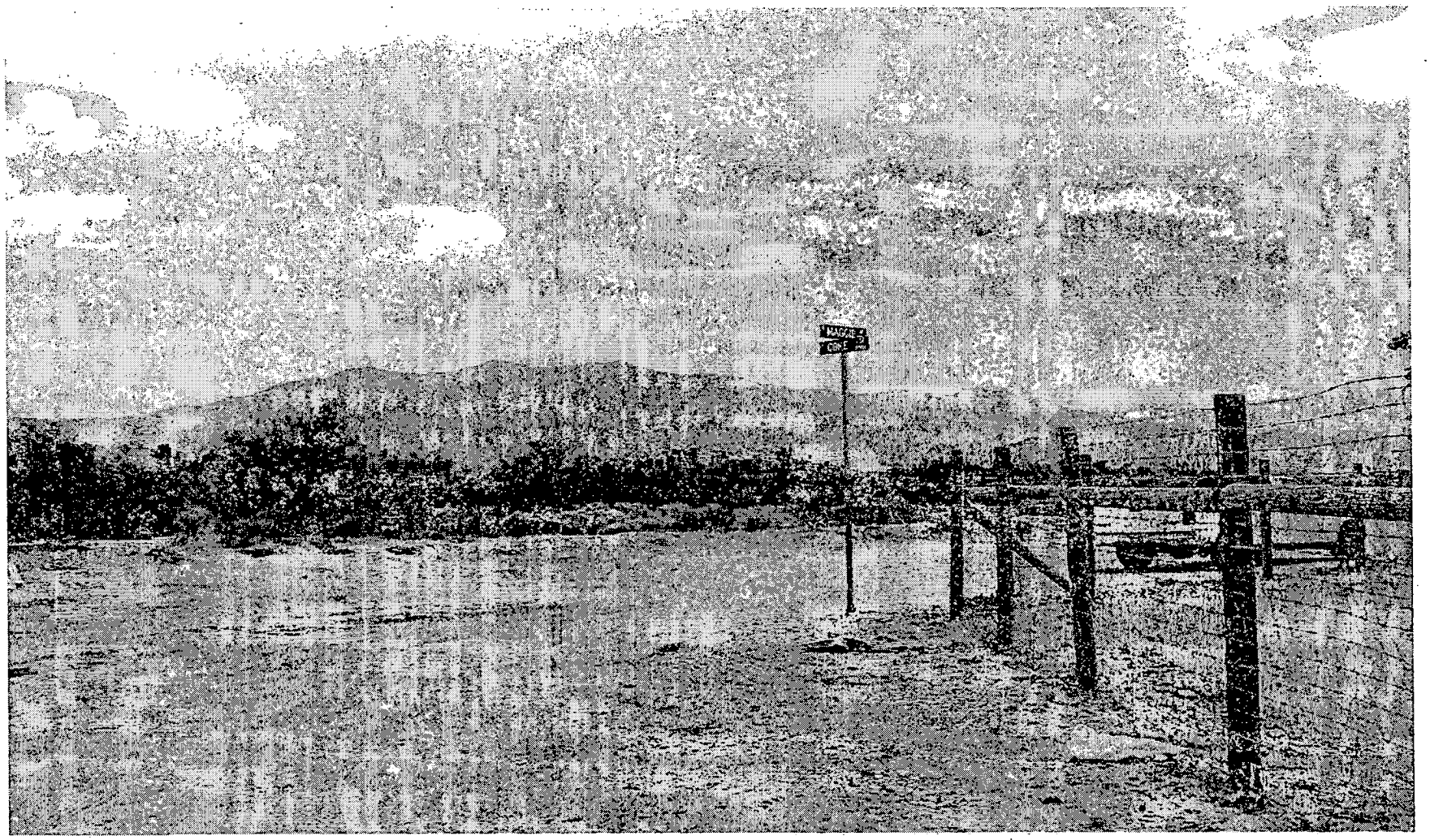
W R
DESIGN

OKE & MAGGIE EAST

Building the American Dream" Development

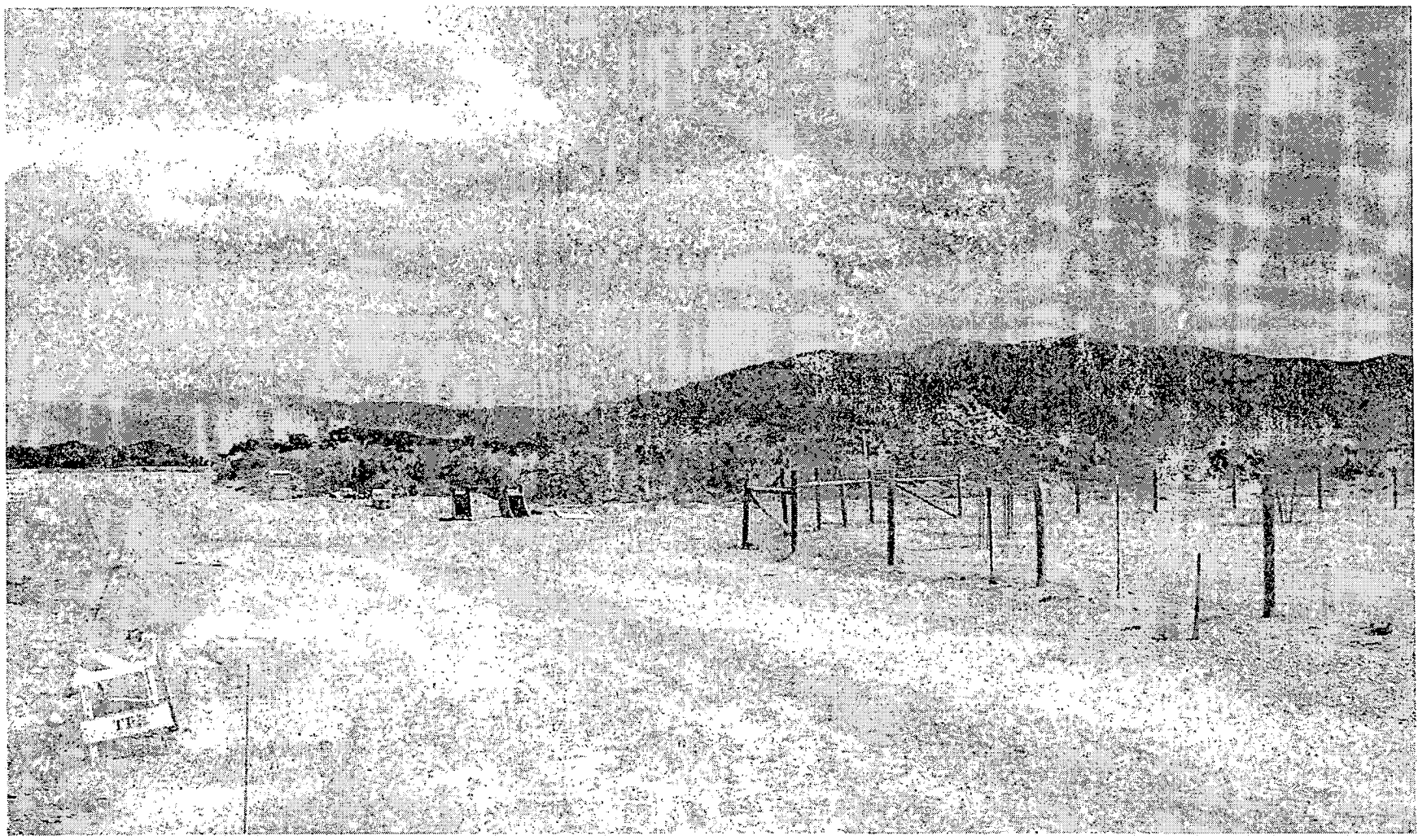
SUP-4558
07-08-04 PC

SITE PL



SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST
NORTHEAST CORNER OF COKE STREET AND MAGGIE AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST
NORTHEAST CORNER OF COKE STREET AND MAGGIE AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4504 - APPLICANT: TIM AYALA - OWNER: ANTONIO AND GRACIELA VILLEDA - Request for a Site Development Plan Review and a Waiver of the perimeter buffer landscaping standards FOR A 1,400 SQUARE-FOOT PROFESSIONAL OFFICE on 0.17 acres adjacent to the east side of Jones Boulevard, approximately 700 feet north of Alta Drive (APN:138-36-210-010), R-1 (Single-Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

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

RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
GOYNES – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the project would allow for the conversion of an existing 1,400 square-foot residence to a professional office use. Due to the small size of the site, the applicant requested a Waiver for perimeter landscaping buffers.

TIM AYALA, 4600 Sunset Road, appeared on behalf of the applicant and concurred with staff's recommendations.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 61 – SDR-4504

MINUTES – Continued:
VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(11:37 – 11:38)
4-1864

CONDITIONS:
Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

3. All development shall comply with the conditions of approval of the Rezoning (Z-0026-91) that was previously approved for the site.

4. A partial landscape buffer shall be provided along the south property line at the southeast corner of the site in accordance with Code requirements. The buffer shall only be provided in that area where it will not interfere with the driveway to the rear parking lot; no buffer shall be required where the driveway directly abuts the south property line. The buffers along the north and east property lines shall have a minimum depth of eight feet in accordance with Code requirements.

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 along the south and east sides of the property, and at 30 feet on-center along the north and west sides of the property. A minimum of four five-gallon shrubs shall be required for each tree within provided planters. The use of turf in required buffers shall be limited to 12.5% of the overall buffer area.

6. The 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.

CONDITIONS – Continued:

7. All existing and any new mechanical equipment and air conditioners and shall be fully screened in views from the abutting streets and properties. Any trash enclosure shall have walls and a roof in accordance with the requirements of Title 19.08.

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

9. Screen walls shall be provided in accordance with the requirements of Title 19.12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

12. Hard Surface (if allowed by Planning and Development) and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

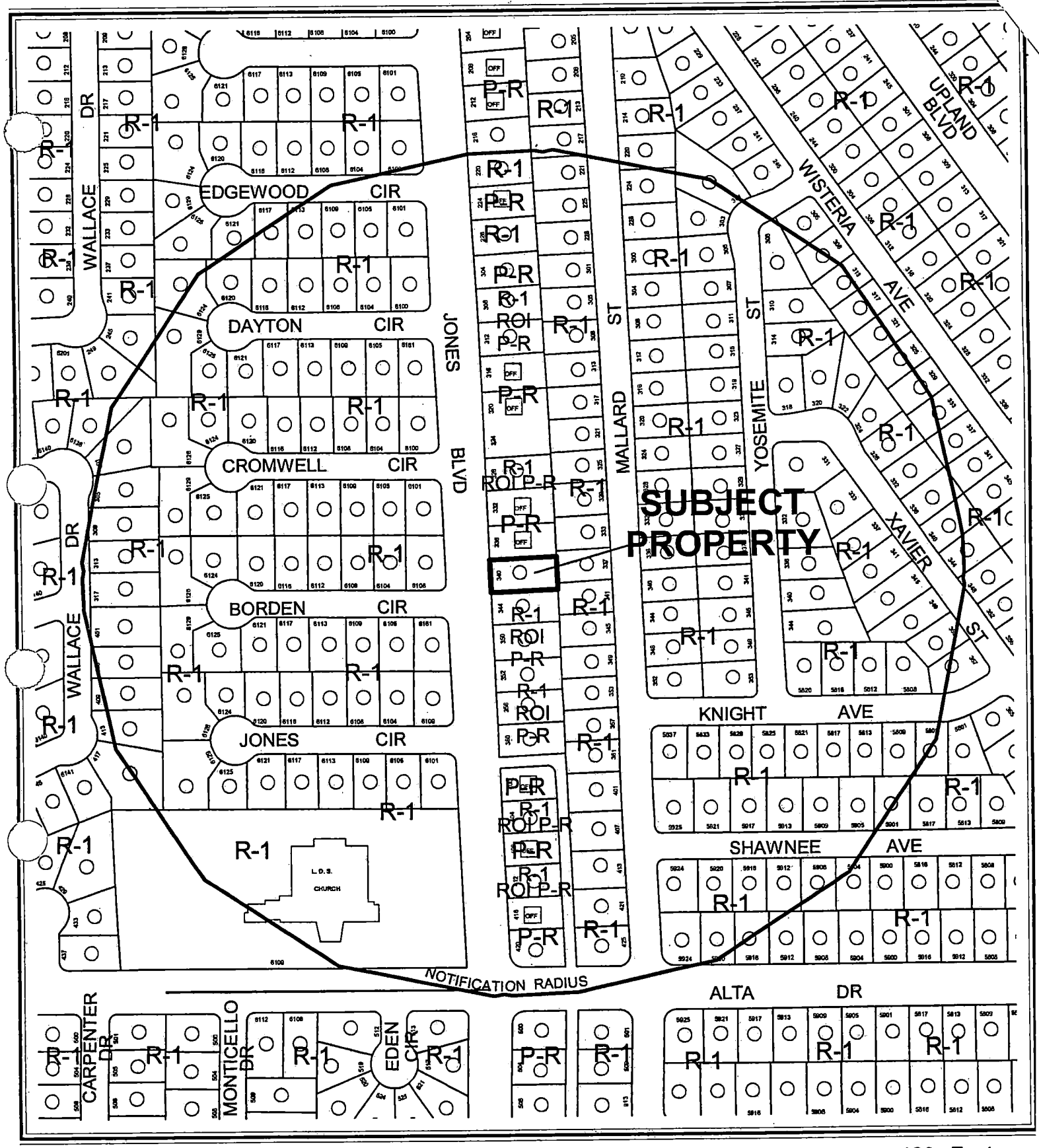
13. Submit an application for an Occupancy Permit for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

CONDITIONS – Continued:

15. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222a unless otherwise allowed by the City Engineer.

16. Site development to comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.



CASE: **SDR-4504**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: **SDR-4504**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4504 - APPLICANT: TIM AYALA - OWNER: ANTONIO AND GRACIELA VILLEDA

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

3. All development shall comply with the conditions of approval of the Rezoning (Z-0026-91) that was previously approved for the site.

4. A partial landscape buffer shall be provided along the south property line at the southeast corner of the site in accordance with Code requirements. The buffer shall only be provided in that area where it will not interfere with the driveway to the rear parking lot; no buffer shall be required where the driveway directly abuts the south property line. The buffers along the north and east property lines shall have a minimum depth of eight feet in accordance with Code requirements.

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 along the south and east sides of the property, and at 30 feet on-center along the north and west sides of the property. A minimum of four five-gallon shrubs shall be required for each tree within provided planters. The use of turf in required buffers shall be limited to 12.5% of the overall buffer area.

6. The 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. All existing and any new mechanical equipment and air conditioners and shall be fully screened in views from the abutting streets and properties. Any trash enclosure shall have walls and a roof in accordance with the requirements of Title 19.08.

FF

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

9. Screen walls shall be provided in accordance with the requirements of Title 19.12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

12. Hard Surface *(if allowed by Planning and Development)* and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. Submit an application for an Occupancy Permit for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

15. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222a unless otherwise allowed by the City Engineer.

16. Site development to comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a Waiver of perimeter buffer landscaping standards for a 1,400 square-foot professional office on 0.17 acres adjacent to the east side of Jones Boulevard, approximately 700 feet north of Alta Drive.

B) Applicant's Justification

The applicant states that the design meets City of Las Vegas planning standards, and that similar projects have been developed north and south of the subject property.

BACKGROUND INFORMATION

A) Previous Actions

05/01/91 The City Council approved a Rezoning (Z-0026-91) for properties on both sides of Jones Boulevard between Alta Drive and U.S. 95, from R-1 (Single-Family Residence) to P-R (Professional Office and Parking). The Planning Commission recommended denial of the request on 04/11/91.

B) Pre-Application Meeting

05/05/04 At the pre-application conference, it was noted that one of the conditions of approval of the Rezoning (Z-0026-91) required a 10-foot landscape buffer along Jones Boulevard. In addition, Public Works indicated that any driveway changes on Jones Boulevard would require approval by the Nevada Department of Transportation, and that all off-site improvements abutting the site would need to be brought up to Code requirements. Building and Safety noted that handicap ramps would need to be provided to the structure.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

FF

B) Existing Land Use

Subject Property:	Single-Family Residential Use
North:	Office Use
South:	Single-Family Residential Use
East:	Single-Family Residential Use
West:	Single-Family Residential Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
North:	P-R (Professional Office and Parking)
South:	R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The Southwest Sector Plan of the General Plan designates the parcel as SC (Service Commercial), which permits low- to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed office use is in conformance with the General Plan.

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

The site is not subject to any Special Area Plan, Overlay District or Study Area. No trail routes abut the site.

PROJECT DESCRIPTION

The project entails the conversion of an existing 1,400 square-foot residence to a professional office use. A parking lot will be developed at the rear of the structure; the existing one-car garage on the south side of the residence will be demolished in order to allow driveway access to the parking lot. A handicap parking space will be provided in the front yard area, with landscape buffers on the front, north side, and rear of the property.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Feet	0.17 Acres	N/A
Min. Lot Width	60 Feet	61 Feet	Y
Min. Setbacks			
• Front	20 Feet	32 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	15 Feet	63 Feet	Y
Max. Lot Coverage	50 %	12%	Y
Max. Building Height	2 Stories/35 Feet	2 Stories	Y
Trash Enclosure	Walled/roofed	Not indicated	Not indicated
Mech. Equipment	Screened	Not indicated	Not indicated

The existing structure meets all setback requirements of the P-R (Professional Office and Parking) district. No information has been provided relative to the trash enclosure or screening of any mechanical equipment.

A2) Residential Adjacency Standards

The structure is existing, and is therefore not subject to Residential Adjacency Standards. The only exterior modification proposed to the structure is the removal of the single-car garage on the south side of the residence.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office	1,400 SF	1/300 GFA	5	1	8	1

A total of eight parking spaces will be provided on the site, which will provide parking in excess of Code requirements.

Public Works has noted that the driveway will need to conform to minimum access standards; no issues were noted with the layout of the parking lot area.

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Tree/6 Spaces	2 Trees	3 Trees
Buffer:			
• Min. Trees – West, North	1 Tree/30 Linear Feet	6 Trees	10 Trees
• Min. Trees – East, South	1 Tree/20 Linear Feet	9 Trees	5 Trees
• Min. Zone Width – Front	10 Feet		10 Feet
• Min. Zone Width – Side, Rear	8 Feet		5 Feet, 0 Feet
• Wall height	8 Feet		Not indicated

The front buffer conforms with the 10-foot depth requirement of the Rezoning (Z-0026-91) that was approved for the area; the north and rear buffer do not conform to the eight-foot depth requirement, and no buffer is provided on the south side of the property.

A5) Sign Standards

No information has been provided relative to signage. Any proposed signage shall be required to conform to Title 19.14.

B) General Analysis and Discussion

- Zoning

The proposed office use is a permitted use in the P-R (Professional Office and Parking) District. The existing structure conforms with setbacks, lot coverage, and height limitations of the P-R District.

- Site Plan

The site plan depicts a handicap parking space in the front yard area, located behind a 10-foot deep landscape buffer at the front of the property. The remaining parking spaces are located behind the existing structure in the back yard area. The existing one-car garage will be demolished in order to provide driveway access to the rear parking area. Ideally, vehicular access would be provided between the subject property and the property to the north in order to cross-access and prevent impacts to Jones Boulevard. No other significant changes are proposed for the property.

- Waivers

The project will require waivers from minimum buffer requirements for the buffer areas on the north, east and south sides of the property. There is adequate room on the property to provide an eight-foot deep buffer along the north property line; increasing the buffer depth on the east side of the property to eight feet will most likely result in the loss of one parking space, which will not impact compliance with parking requirements. It is recommended that a partial buffer be provided along the southern property line at the rear of the property, where it will not impact the driveway access to the back parking lot area.

- Landscape Plan

The landscape information provided on the site plan indicates that trees will be installed in all buffer areas; no information has been provided relative to the types of trees that will be provided in the buffer areas. Title 19.12 requires trees at 30-foot centers in the buffers at the front and along the north side of the property; the tree spacing requirement decreases to 20-foot centers along the east and south sides of the property due to the abutting residential properties. Title 19.12 also requires an eight-foot high wall between commercial properties and residential properties.

- Elevation

As previously noted, the one-car garage on the south side of the structure will be removed to provide vehicular access to the rear of the property, and no other changes are proposed to the exterior of the structure.

- Floor Plan

The existing residence will be modified to accommodate the office use, including the removal of the existing kitchen and the provision of handicap-accessible bathrooms.

FF

FINDINGS

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

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

   The proposed development is consistent with the other conversions in the area. The provision of adequate buffers in conformance with Code requirements will assist in compatibility issues with the abutting residential properties.

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

   The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19. The requirements for adequate buffering have been noted in the conditions of approval.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**
   One driveway will be provided to Jones Boulevard, which has sufficient capacity to accommodate the proposed change in use. Impacts to adjacent roadways will be minimal.

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

   No information has been submitted relative to the type of landscape materials to be provided in the buffer areas. All buffers shall conform with minimum Code requirements. No significant changes are proposed to the exterior of the structure.

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

   The existing structure is consistent with other residential structures in the area. As no significant modifications are proposed to the structure, it will be harmonious with the other residential structures in the immediate vicinity.

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

   The conversion of the structure will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

NOTICES MAILED 234

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4504 APN: 138-36-210-010

Name of Property Owner: TONY VILLEDA

Name of Applicant: TIM C. AYALA

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: NA

Partner(s): NA _____

APN: NA

Signature of Property Owner/Authorized Agent: _____

Print Name: TIM C AYALA

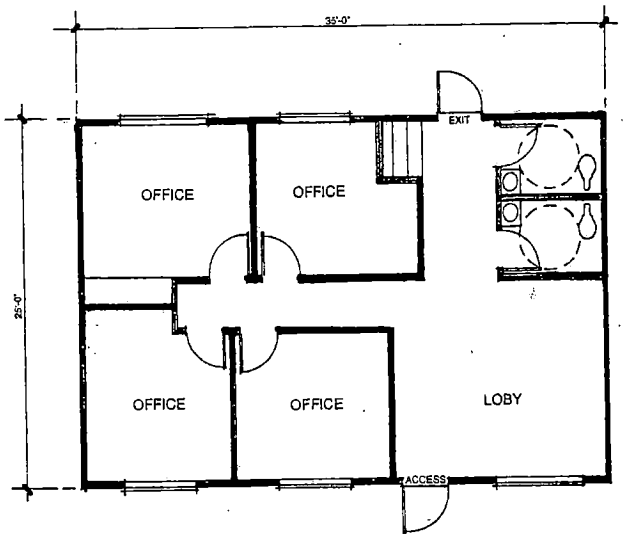
Subscribed and sworn before me

This 10th day of May, 2004

_____

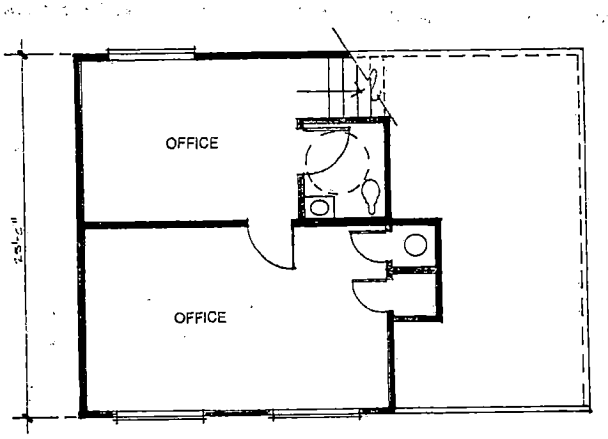
Notary Public in and for said County and State

CHARITY A. LOPEZ
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-87969-1
MY APPT. EXPIRES MAR. 3, 2008



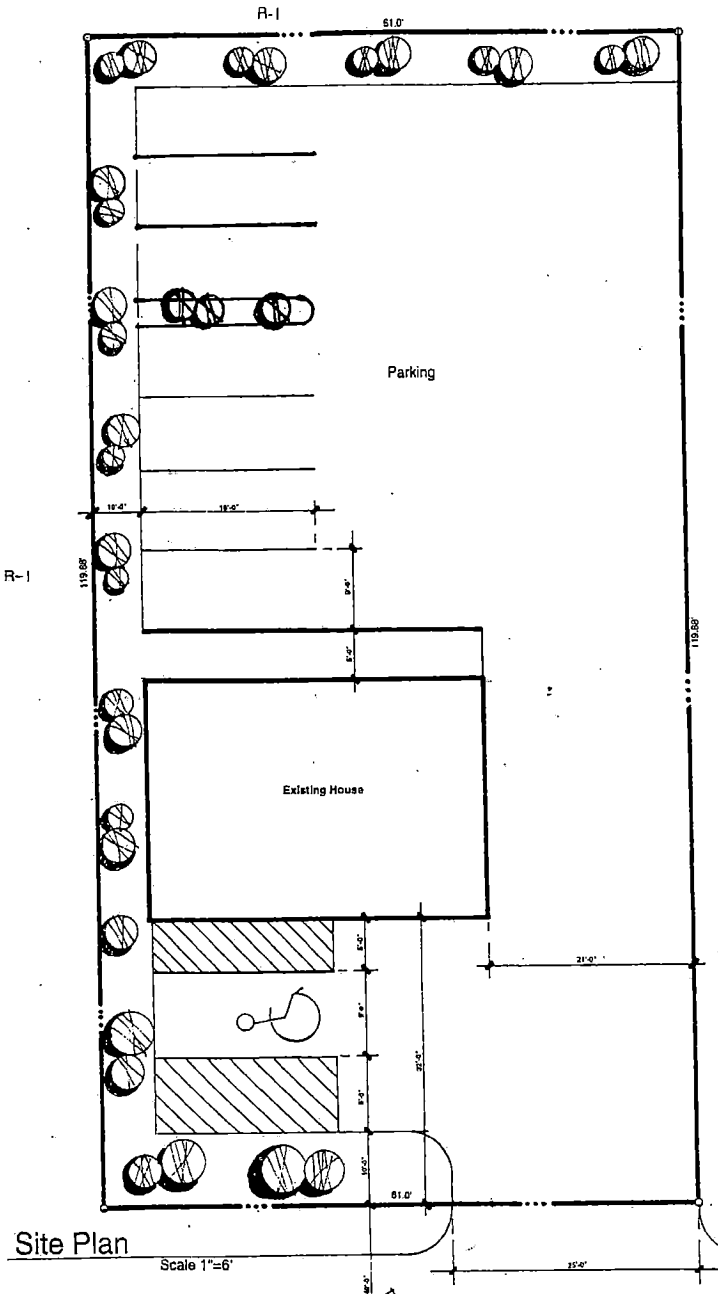
UPPER LEVEL

Scale 1/4" = 1'-0"



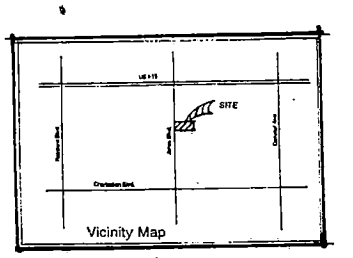
LOWER LEVEL

Profesional Offices
340 Jones Boulevard
Las Vegas, Nevada



Site Plan

Scale 1"=6'



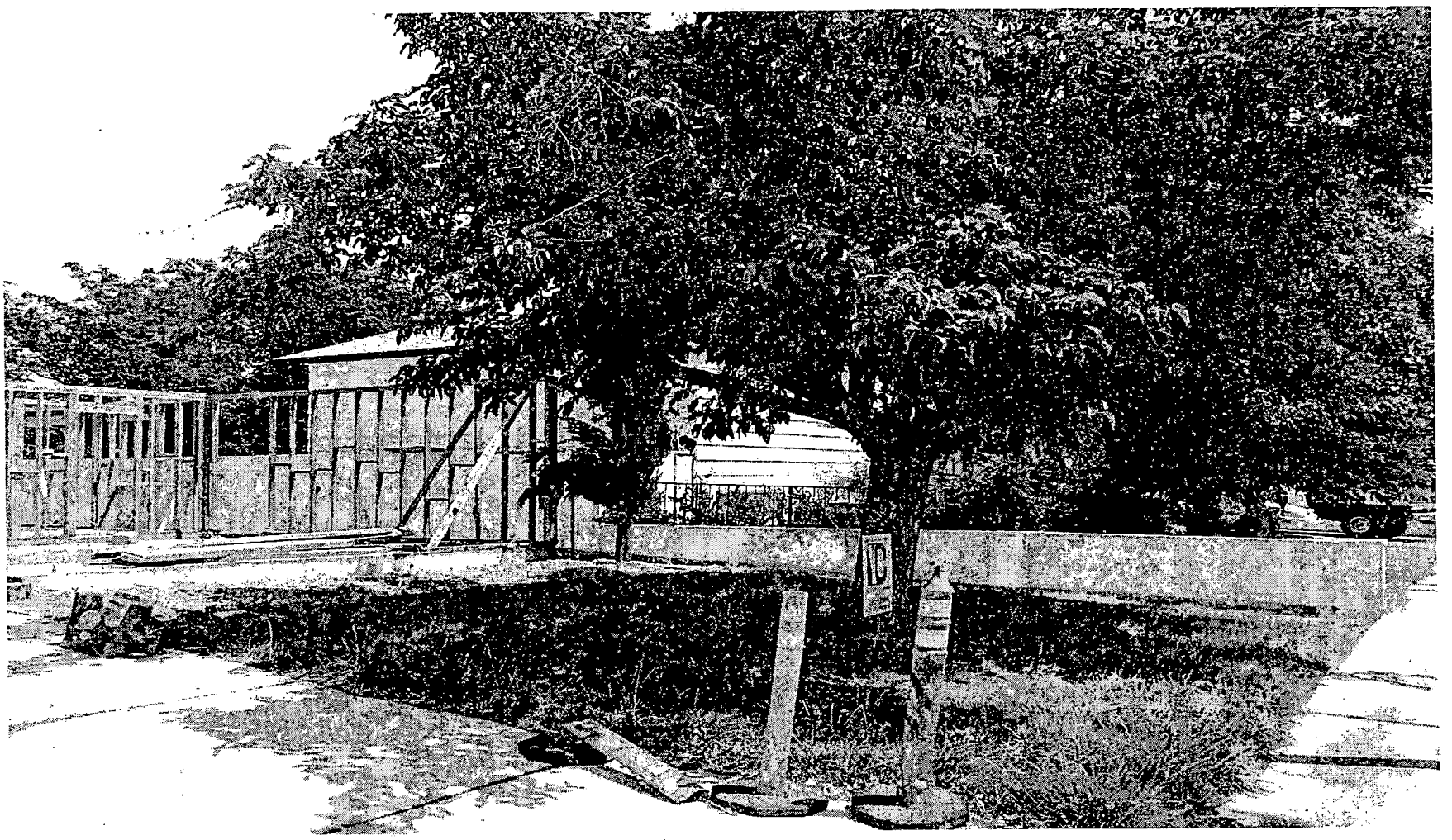
SDR-4504
07-08-04 PC

Land Use Data

Property Area - 7,312 sq.ft.
Existing Zone - R-1
Existing Parking - 8 parking spaces
0.11 % floor area ratio

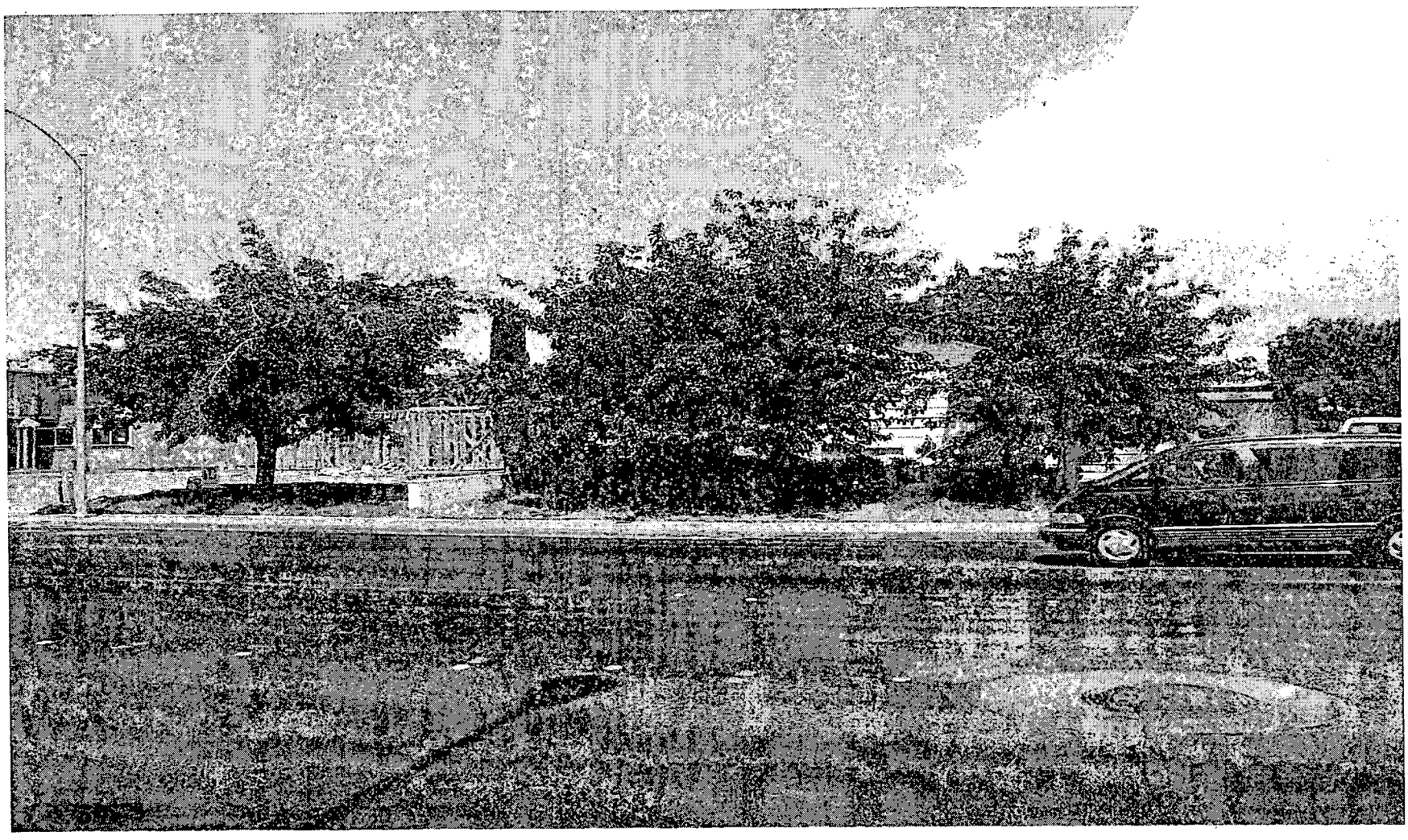
Jones Boulevard

North



SDR-4504 - APPLICANT: TIM AYALA - OWNER: ANTONIO AND GRACIELA VILLEDA
EAST SIDE OF JONES BOULEVARD, APPROXIMATELY 700 FEET NORTH OF ALTA DRIVE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



SDR-4504 - APPLICANT: TIM AYALA - OWNER: ANTONIO AND GRACIELA VILLEDA
EAST SIDE OF JONES BOULEVARD, APPROXIMATELY 700 FEET NORTH OF ALTA DRIVE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JULY 8, 2004

CITIZENS PARTICIPATION:

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

MINUTES:

COMMISSIONER McSWAIN welcomed COMMISSIONER TRUESDELL back to the Commission.

MARGO WHEELER, Planning and Development Department, informed the Commission that the bi-annual PC Workshop would be held on Thursday, July 15th at Noon. COMMISSIONER TRUESDELL will be participating in the billboard presentation. Additional topics will include commercial development standards and detached accessory structures. She hoped the entire Commission would join them on this day.

DEPUTY CITY ATTORNEY SCOTT added that some of the Commissioners expressed interest to have a topic dealing with high-rise structures at the next PC Workshop. This is a project that is becoming more visible within the City, and the Commission would like to become better familiarized with it and obtain information on the possible pitfalls regarding these types of projects. MS. WHEELER wholeheartedly agreed.

MEETING ADJOURNED AT 11:40 P.M.

Respectfully submitted:

Arlene Coleman
ARLENE COLEMAN, DEPUTY CITY CLERK

Stacey Campbell
STACEY CAMPBELL, DEPUTY CITY CLERK