City of Las Vegas

Agenda Item No. 120

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter petition with six signatures

MOTION:

MACK – APPROVED subject to conditions and adding the following condition

- ***Public streets abutting this site shall be permitted to be constructed to rural specifications, final improvement requirements shall be determined with the approval of the Tentative Map.***

– UNANIMOUS with REESE and BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID KOERBER, 8445 South Las Vegas Boulevard, appeared on behalf of the applicant, concurred with staff's recommendations and requested approval.

COUNCILMAN MACK asked BART ANDERSON, Department of Public Works, to read the site improvements desired by the City of Las Vegas adjacent to this development. MR. ANDERSON and MR. KOERBER agreed to the added condition.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 120 – SUP-4558

MINUTES Continued:
MAYOR GOODMAN declared the Public Hearing closed.
(2:38-2:39)
5-175

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

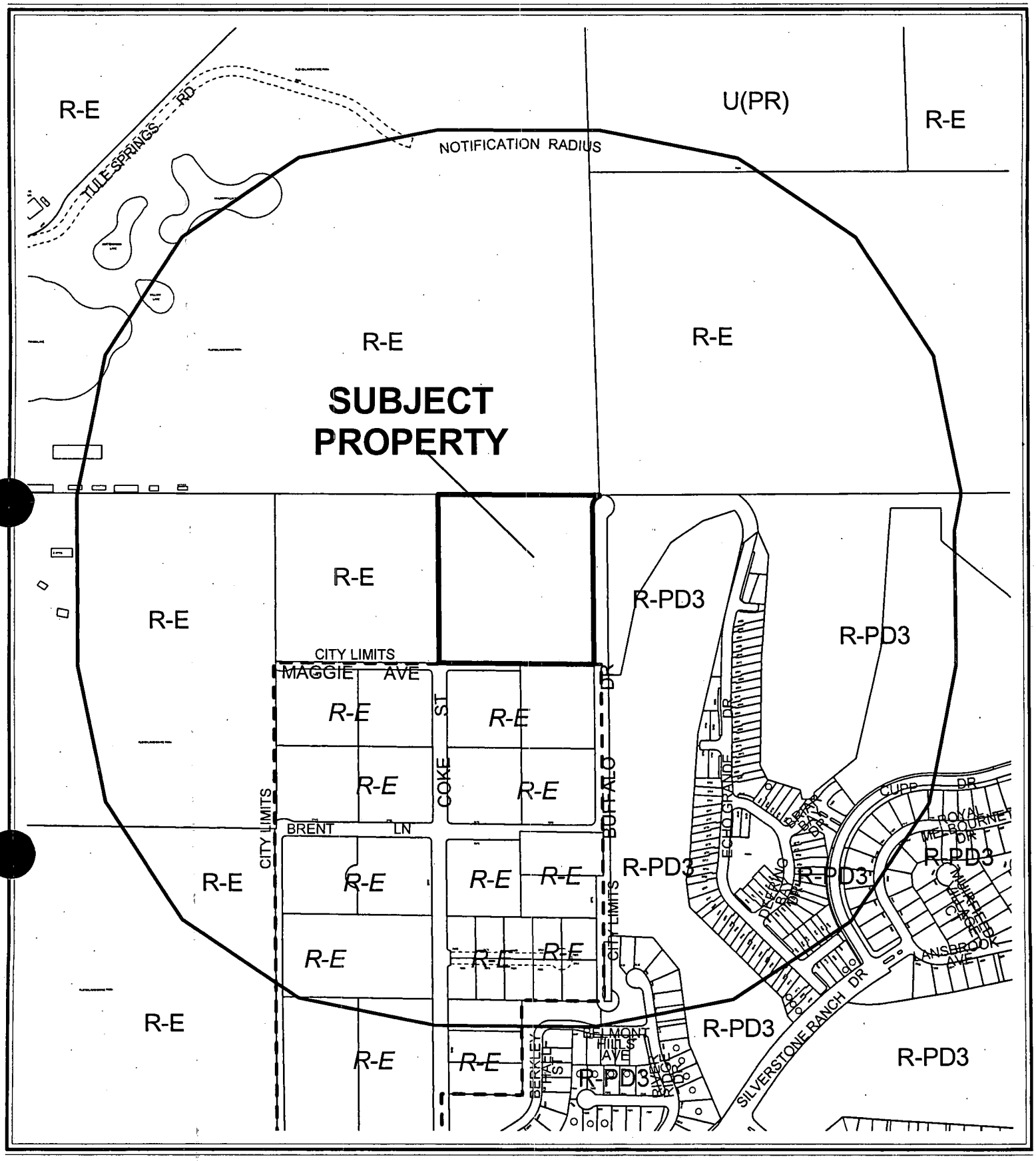
4. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

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.



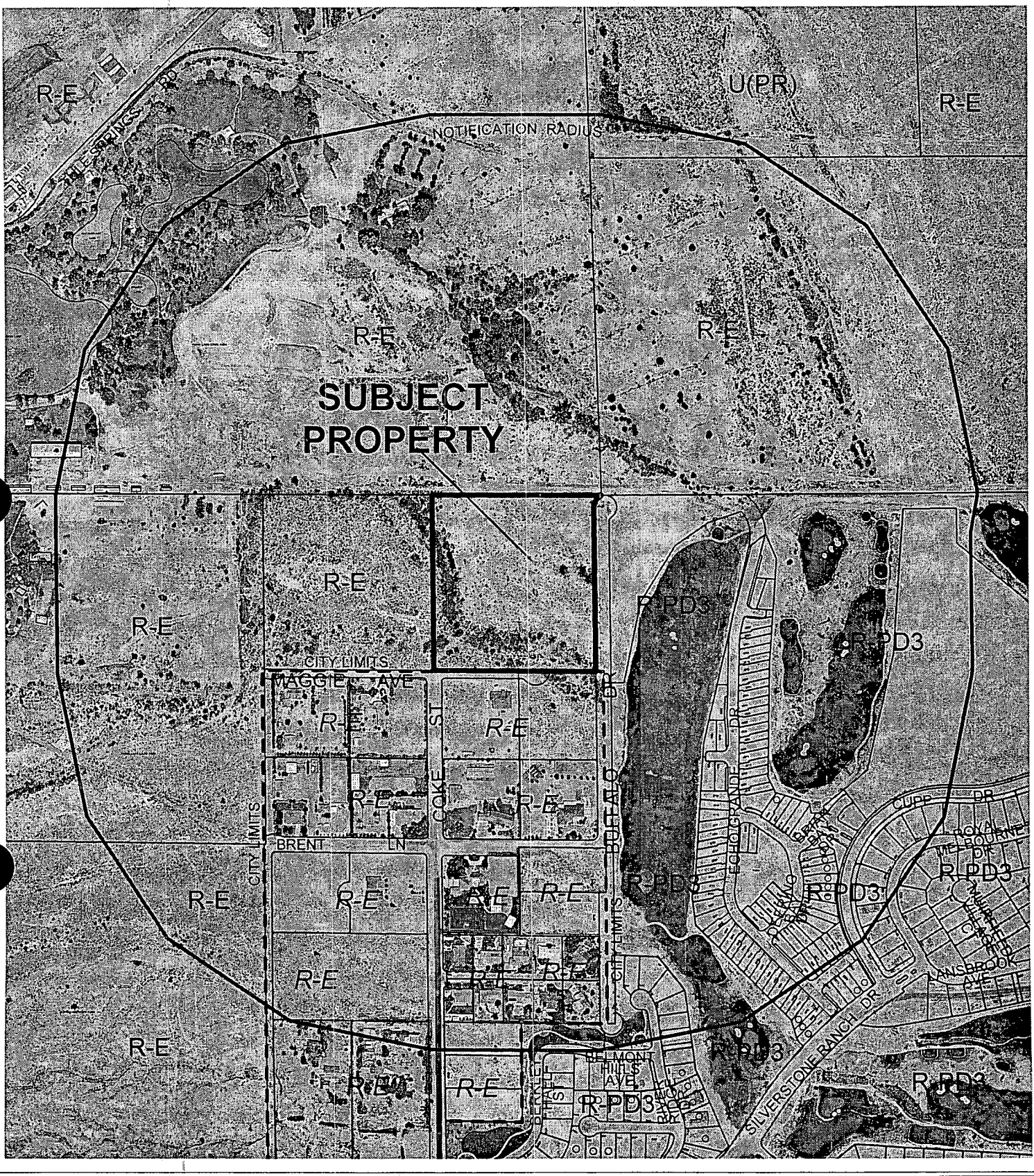
0 400 800 Feet

CASE: **SUP-4558**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RE (RURAL ESTATES) GENERAL PLAN DESIGNATION]



0 400 800 Feet

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

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST

** CONDITIONS **

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

2. 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.

07/08/04 The Planning Commission voted 5-0-2 to recommend APPROVAL (PC Agenda Item #60).

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.

PLANNING COMMISSION ACTION

There was one speaker at the Planning Commission hearing with questions and some comments.

NOTICES MAILED 51 by City Clerk

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]

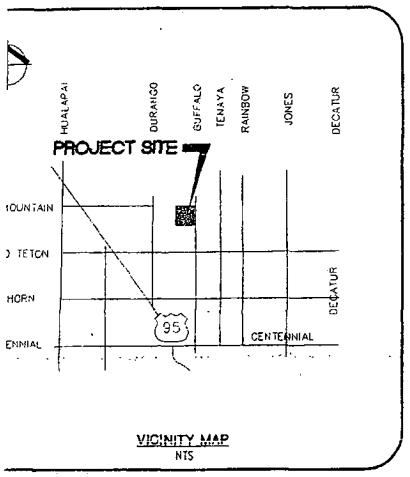
Print Name: RAY DESJARDINS

Subscribed and sworn before me

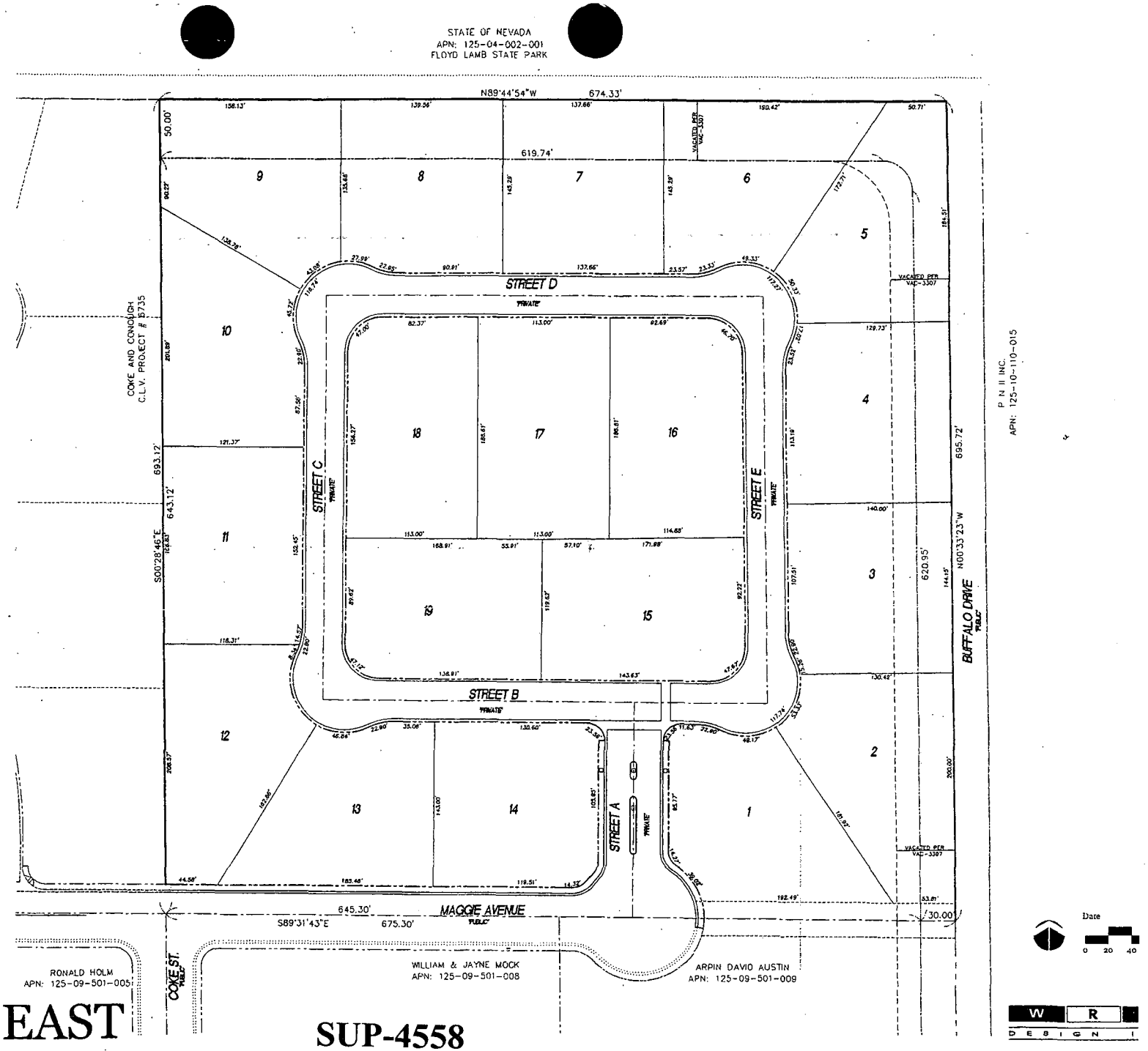
This 12 day of May, 2004

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



Date
0 20 40

W R
DESIGN

OKE & MAGGIE EAST

SUP-4558

Building the American Dream" Development

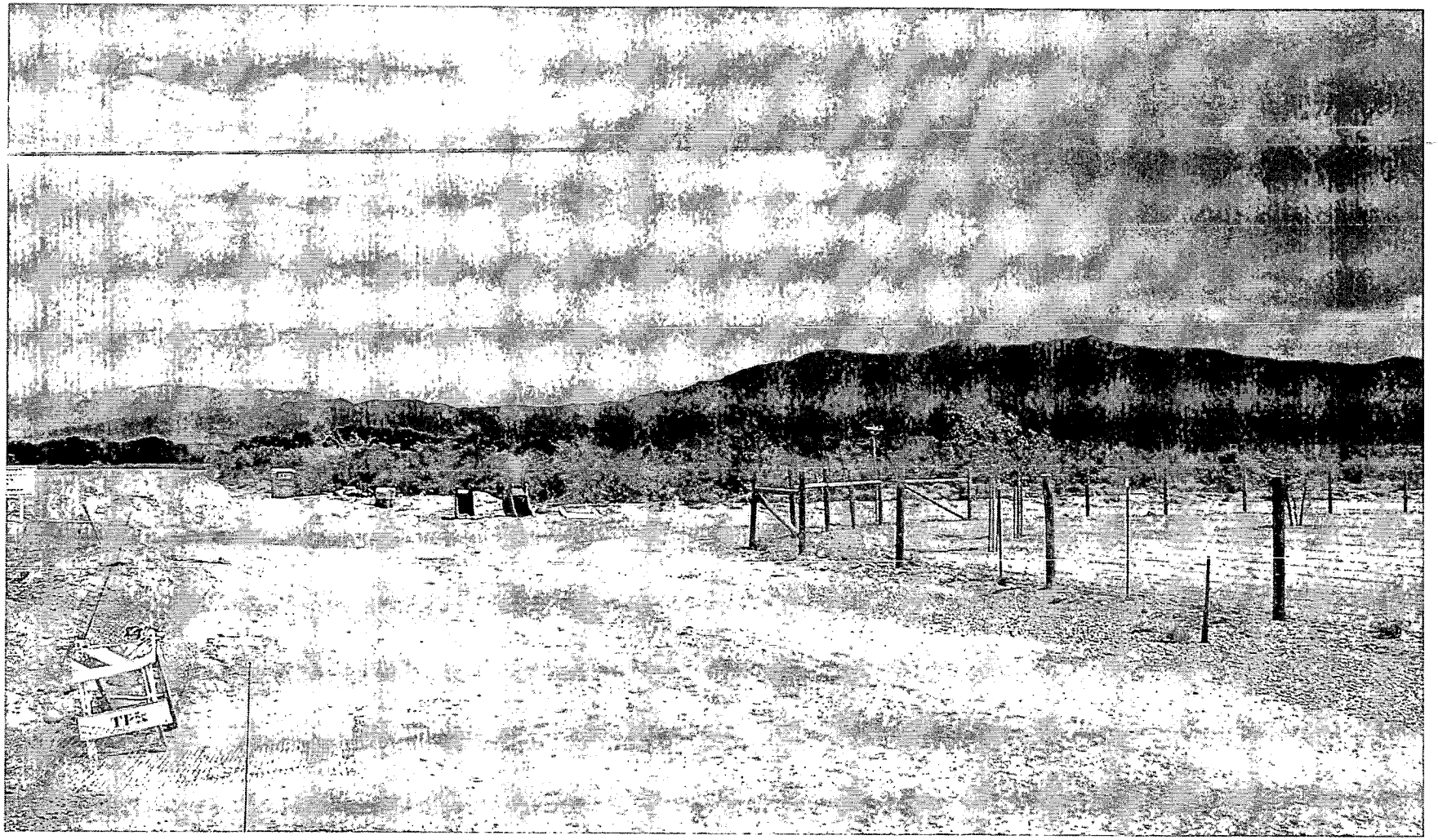
07-08-04 PC

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

July 15, 2004

RECEIVED
CITY CLERK

2004 AUG -3 A 11:20

To: Councilman
City Hall
400 Steward Avenue
Las Vegas, NV 89101

From: Adjacent and affected property owners

Re: Council to stipulate conditions prior to final action approval of SUP 4558

Protest

Dear Councilman, and City and County officials :

As neighbors and property owners within the affected area of SUP 4558; we request that council stipulate certain conditions to remedy the increased flood burden imposed by its approval.

CONDITION ONE — That all finished floor elevations on the proposed home sites marked on EXHIBIT 1 (COKE & MAGGIE EAST PROJECT, developer BUILDING THE AMERICAN DREAM) be REQUIRED to maintain the same finish floor elevation [2439.98 ft] as that of the existing adjacent property [APN 125-09-501-008.]

RATIONALE — Compliance with Las Vegas Zoning Code Chapter 19.08 Sub-section F1. That all proposed home sites finish floor heights be maintained at an elevation no greater than two feet in height above the existing adjacent property. This will allow sufficient isometrics necessary to facilitate sewer drainage without creating a flood nuisance on the adjacent properties.

CONSIDERATION — A flood nuisance has been created for the neighbors and property owners by this builder on a contiguous property currently under construction namely (COKE & MAGGIE WEST PROJECT, developer BUILDING THE AMERICAN DREAM). This occurred because normal protocol was circumvented by the builder. As a result, the finish floor heights of the proposed home sites were allowed to be elevated several feet above the adjacent property. The existing residence was not discovered by the appropriate city agencies in time to take into consideration their finish floor elevation. Litigation is pending.

Submitted after final agenda

Date 8/3/04 Item #120

cc: City Clerk
Barbara Jo Ronemus

Tom Myers from County Flood Control and Greg McDermott from City Flood Control, along with Kim Bush from County Commissioner Maxfield's are working together through the Interlocal Agreement between the City of Las Vegas and Clark County to ensure that the oversight with respect to flood control made on the COKE & MAGGIE WEST PROJECT will not be allowed to be repeated on the COKE & MAGGIE EAST PROJECT by the same developer.

CONDITION TWO That a tentative site map with elevations for the proposed home sites in EXHIBIT 1 be placed on file at City Planning for inspection and review by any and all necessary governing authorities including the Department of Public Works, Planning and Development for both City and County Flood Control prior to final approval of SUP 4558.

RATIONALE After the approval SUP 4558 by City Planning no such documents have been filed and/or could be located in applicants file for inspection. They simply do not exist.

CONSIDERATION We ask that you DENY final approval of SUP 4558 pending stipulation of these conditions. Final approval of SUP 4558 without stipulation of condition one and condition two will enable the COKE & MAGGIE EAST PROJECT to proceed without the oversight of Tom Meyers from County Flood Control and Greg McDermott from City Flood Control working through the Interlocal Agreement and a new flood nuisance will be created. As proof of this the applicant admitted on the environmental impact assessment in their application that they would be altering the drainage pattern of the area and the project would require drainage mitigation. It is essential that SUP 4558 not be approved so that the normal oversight of this project can occur.

In addition the application for SUP 4558 which was accepted on May 26, 2004 does not accurately represent the current owner. The property in question was sold and recorded on May 20, 2004 to Coke Maggie, LLC and is no longer owned by Chris and Cathie Millson Trust. Thus the application and disclosure forms are not valid. A copy of this letter will be forwarded to the county attorney as the parties associated with the Coke Maggie LLC are of interest to the county attorney regarding other project violations.

Sincerely,

Ron and Judy Thomas

Mitch and Beth Taylor

Beverly Coke

Kathy Olender

David Arpin

Ron Holm

cc: Oscar Goodman
Michael Mack, Leni Skaar
Chip Maxfield, Kim Bush
Bob Genzer
Sean Robertson
Greg McDermott
Todd Myers
Dave Betley

City of Las Vegas

Agenda Item No. 121

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
REZONING - PUBLIC HEARING - **ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

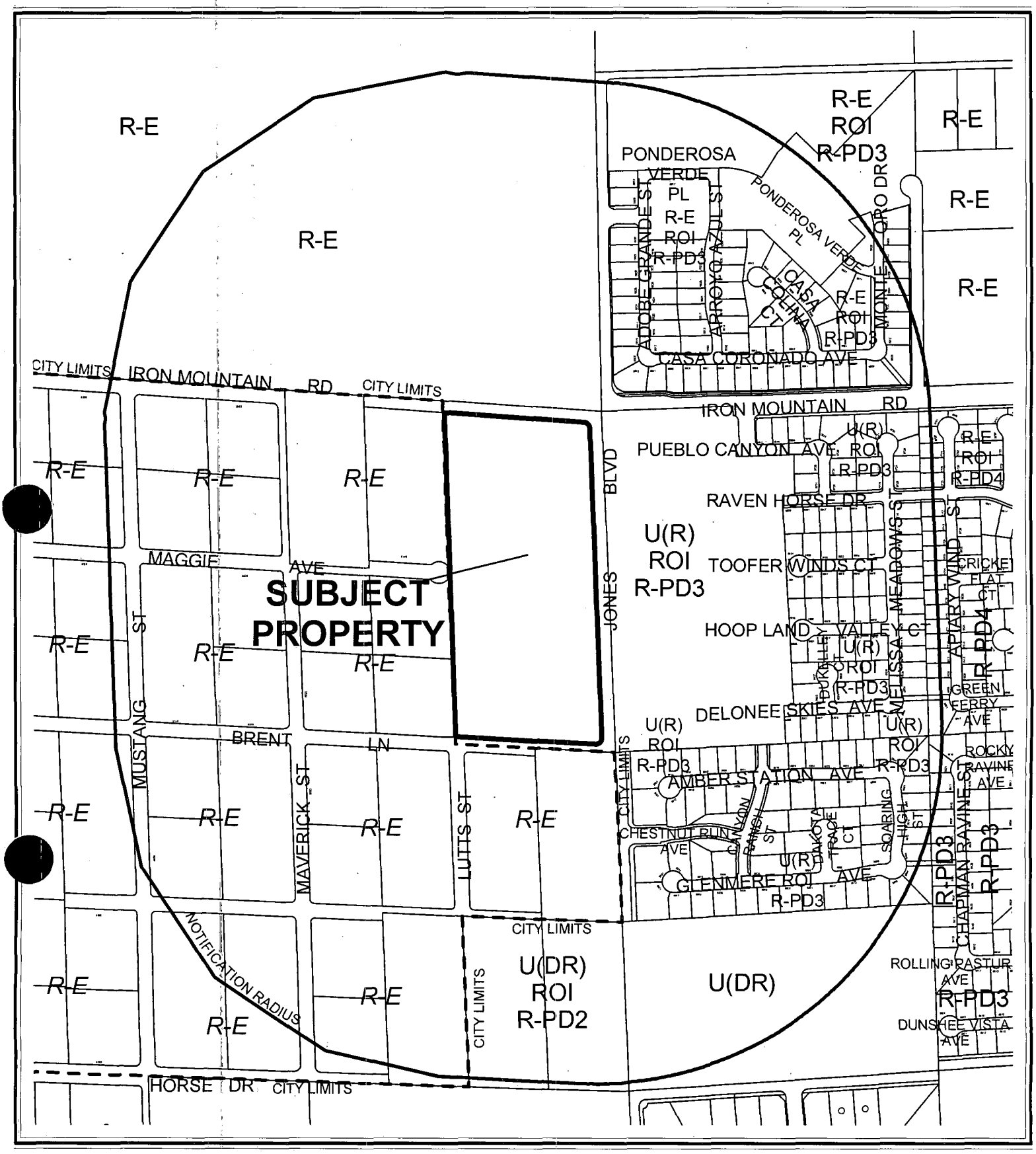
RECOMMENDATION:
The Planning Commission (4-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter requesting abeyance from VTN Nevada for Item 121 [ZON-4200] and Item 122 [SDR-4198] filed under Item 121 [ZON-4200]

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)



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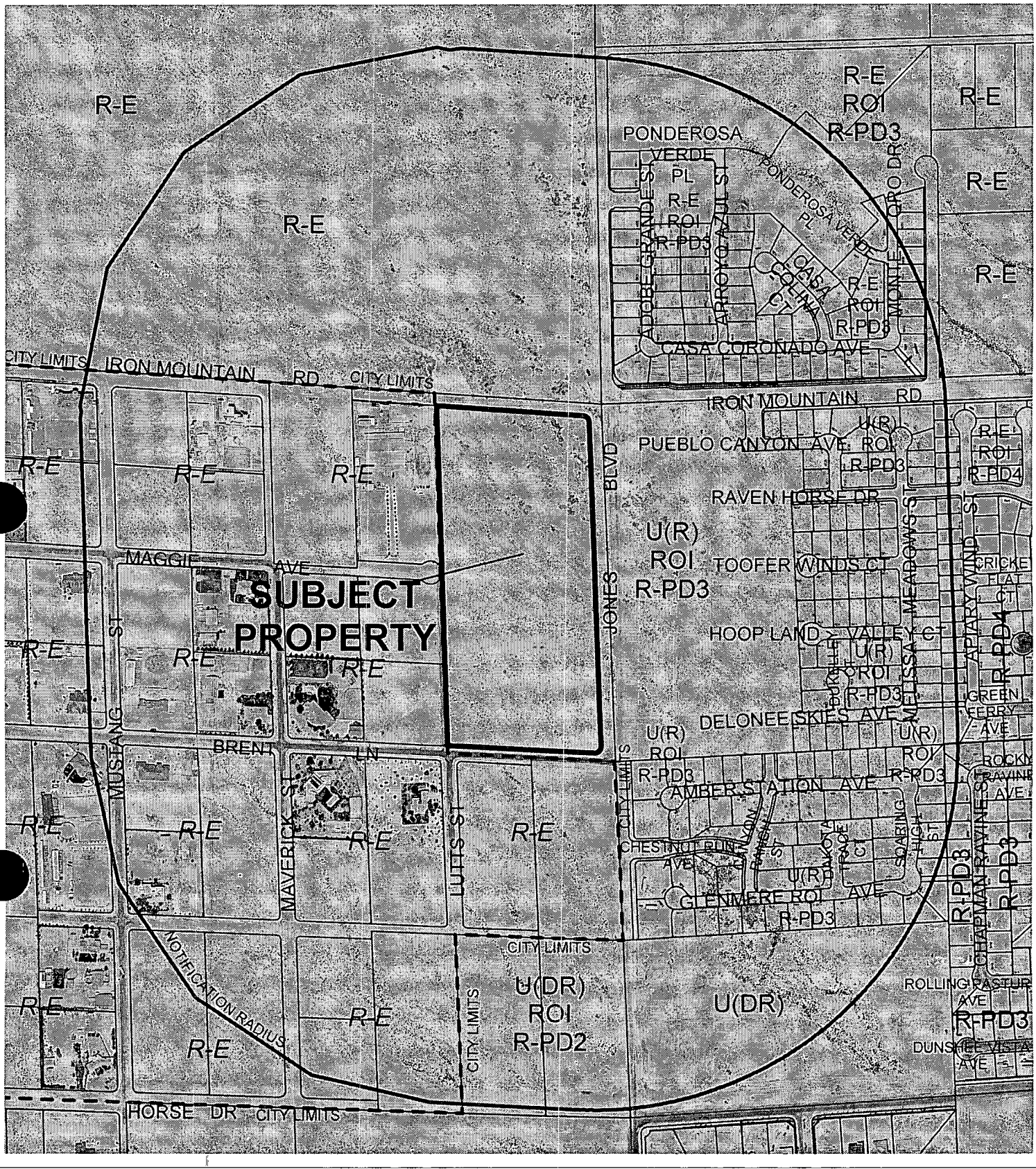
CASE: **ZON-4200**

RADIUS: 1400 FT

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

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

N



0 400 800 Feet

CASE: **ZON-4200**

RADIUS: 1400 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (4-1-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. A Site Development Plan (SDR-4198) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Iron Mountain Road and Jones Boulevard prior to the issuance of any permits.

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and construct half-street improvements on Brent Lane including appropriate overpaving, if legally able, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

5. The west half of Jones shall be constructed to a half width of 40 feet within the 50-foot half right-of-way. Landscape and maintain all unimproved right-of-way on Jones adjacent to this site. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

6. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Iron Mountain Road. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

7. Extend oversized public sewer in Jones Boulevard to the northern edge of this site and extend public sewer in Brent Lane to the western edge of this site in Brent Lane to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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

** STAFF REPORT **

APPLICATION REQUEST:

A) Action Requested

This is a request for Rezoning from R-E (Residence Estates) to R-PD2 (Residential Planned Development at two dwelling units per acre) on 18.2 acres located at the southwest corner of Iron Mountain Road and Jones Boulevard. An application for Site Development Review (SDR-4198) accompanies this application and is included on this agenda for consideration.

B) Applicant's Justification

In a letter included with the application, the applicant states the following:

> "The site is within a Desert Rural land use area which allows up to 2.49 dwelling units per acres. Therefore, the proposed R-PD2 zoning is within the allowable density category. Please note that the proposed lot count will yield 1.6 dwelling units per acre and is well beneath the allowable density."

BACKGROUND INFORMATION:

A) Previous and Current Actions

05/20/64	The Board of City Commissioners approved an Annexation request (A-0003-64).
05/13/04	The Planning Commission held this item and a companion item (SDR-4198) in abeyance to the 06/10/04 PC Meeting at the request of the applicant in order to schedule a meeting with area homeowners and discuss the project with them.
06/10/04	The Planning Commission held this and companion item (SDR-4198) in abeyance to the 07/08/04 PC Meeting to allow the applicant to revise/reevaluate the site plan.
07/08/04	The Planning Commission recommended denial (3-2-2) of a companion application (SDR-4198) as part of this agenda.
07/08/04	The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #8/dds).

B) Pre-Application Meeting

02/20/04	A pre-application meeting was held to discuss the requirements of the proposed R-PD2 zone, the submittal of a plan for Site Development Review, and the presence of a Residential Neighborhood Preservation Buffer within the southwest part of this area.

C) Neighborhood Meetings

05/18/04 A neighborhood meeting with interested property owners who reside near the subject property was held to review the proposed plans for the development. The meeting was held at a neighbor's house who resides next to the property. There were 22 people in attendance who had several concerns about the development. These concerns include the following:

- Lots with no less than 20,000 square feet. This request was made to allow lot owners in the new development to keep horses on their property. The proposed development has numerous lots between 18,000 to 20,000 square feet.
- No entrance to the development off Brent Lane. One of the major entrances to the development is proposed off Brent Lane.
- Rural street standards on Brent Lane. There was some interest in having rural street standards on Jones Boulevard and Iron Mountain Road.
- A decorative perimeter wall. The conditions of approval have a provision that requires a decorative wall to which the residents were apparently favorable.
- Increases in perimeter wall height.
- A well landscaped premises. Residents would like to review the landscape plan when it is submitted and comment on the landscaping scheme.
- One-story buildings on the property located to the west of the subject development. This property is a future phase proposed by the developer.

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres:	18.2
Net Acres:	14.2

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped and single-family residence

C) Planned Land Use

Subject Property:	DR (Desert Rural)
North:	PR-OS (Parks/Recreation/Open Space)
South:	County RE (Rural Estates) and RNP (Rural Neighborhood Preservation)
East:	R (Rural Density Residential)
West:	County RE (Rural Estates) and RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	County R-E (Rural Estates Residential)
East:	U (Undeveloped) under a Resolution of Intent to R-PD3 (Residential Planned Development at 3 dwelling units per acre)
West:	County R-E (Rural Estates Residential)

E) General Plan Compliance

The General Plan land use designation for the subject property is DR (Desert Rural), which allows a density of development of up to two dwelling units per acre. The density proposed in the subject development is 1.6 dwelling units per acre; therefore, the proposed development is consistent with the General Plan designation.

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

A Rural Preservation Neighborhood (RPN) Buffer is located within the extreme southwest corner of the site; however, the state enabling legislation, which used to limit the residential density of development in a RPN Buffer to three dwelling units per acre, lapsed on 05/31/04.

A multi-use transportation trail is required along the south side of Iron Mountain Road. The accompanying plan for Site Development Review (SDR-4198) shows compliance with the trail standards.

ANALYSIS:

A) Zoning Code Compliance

Development Standards for this proposal are addressed with the accompanying application for Site Development Review (SDR-4198) following this application.

B) General Analysis and Discussion

The applicant is proposing the development of a large-lot residential subdivision on the subject tract at an overall density of 1.6 dwelling units per acre. This proposed density is well within the density allowed by the existing zoning of R-E (Residence Estates). However, since some lots are less than the minimum lot size requirement permitted in the R-E zone, rezoning to an R-PD2 zone is necessary. The proposed Rezoning is acceptable, provided a Site Development Review is approved that limits the density of development to less that two dwelling units per acre.

FINDINGS:

To approve a rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

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

   The General Plan designation of the subject property is DR (Desert Rural), which allows residential development at up to two dwelling units per acre. Since the proposed development has an overall density of less than two dwelling units per acre, it is in compliance with the General Plan.

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

   The proposed zoning of the subject property to R-PD2 would permit up to 2.49 dwelling units per acre of residential development. The proposed development, however, has a density of 1.6 dwelling units per acre. A plan for Site Development Review (SDR-4198) has been submitted with this application, and it is recommended that this application be approved subject to approval of the application for Site Development Review.

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

   This criterion is not applicable, as the proposed rezoning and development does not increase the present density of development.

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

   Access to the property is adequate and provided by Iron Mountain Road a Primary Collector (80-foot) streets and Brent Lane, a local street.

PLANNING COMMISSION ACTION

There were four speakers protesting this matter at Planning Commission.

NOTICES MAILED: 41 by Planning Department

APPROVALS: 0

PROTESTS: 8

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4200 APN: 125-11-508-003

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development - Mickey Stratton

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: John Michael Stratton

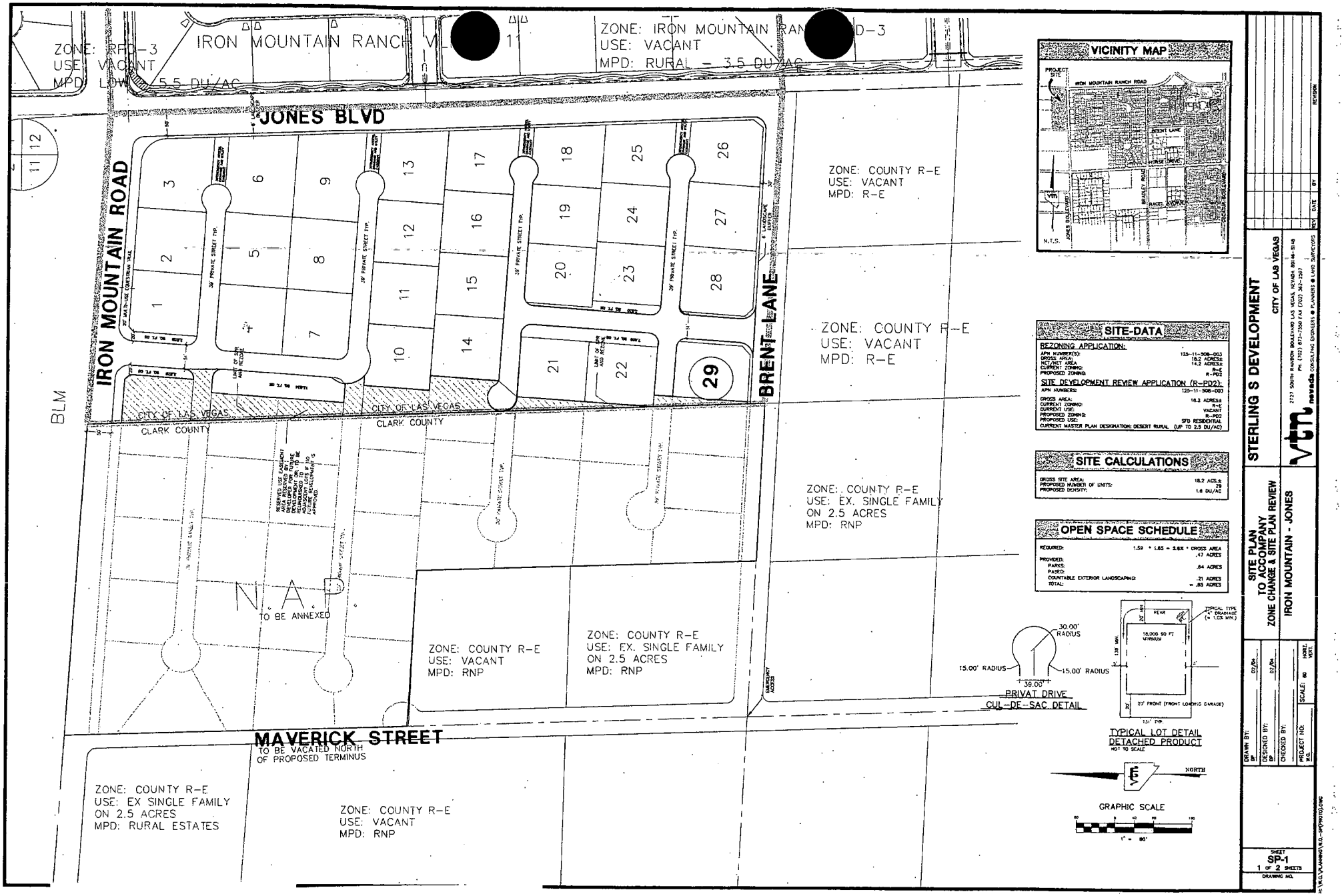
Print Name: John Michael Stratton

Subscribed and sworn before me

This 23rd day of February, 2004

Notary Public in and for said County and State

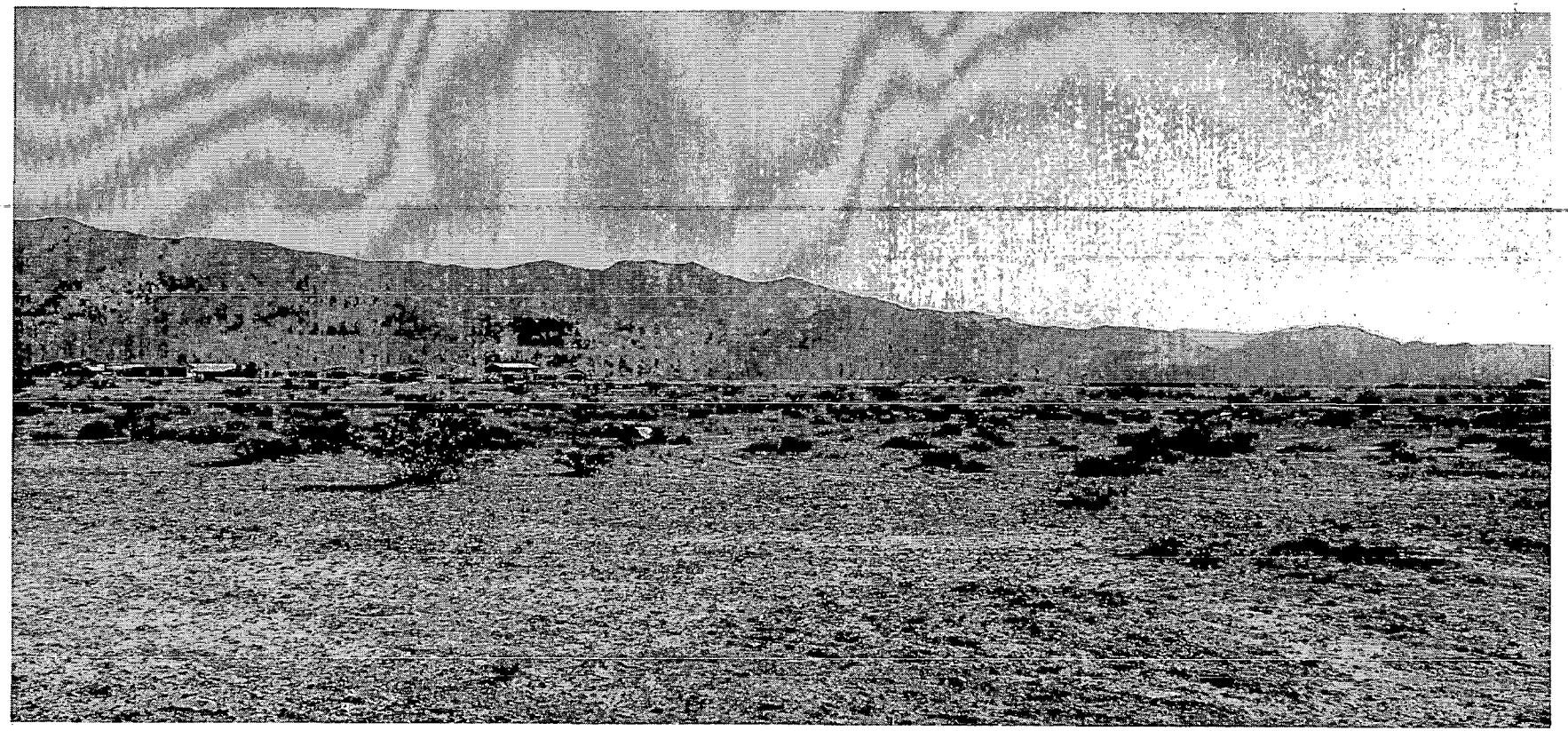
MARY F. SMITH
Notary Public - Nevada
No. 96-2142-1
My appt. exp. Mar. 15, 2004



ZON-4200
SDR-4198

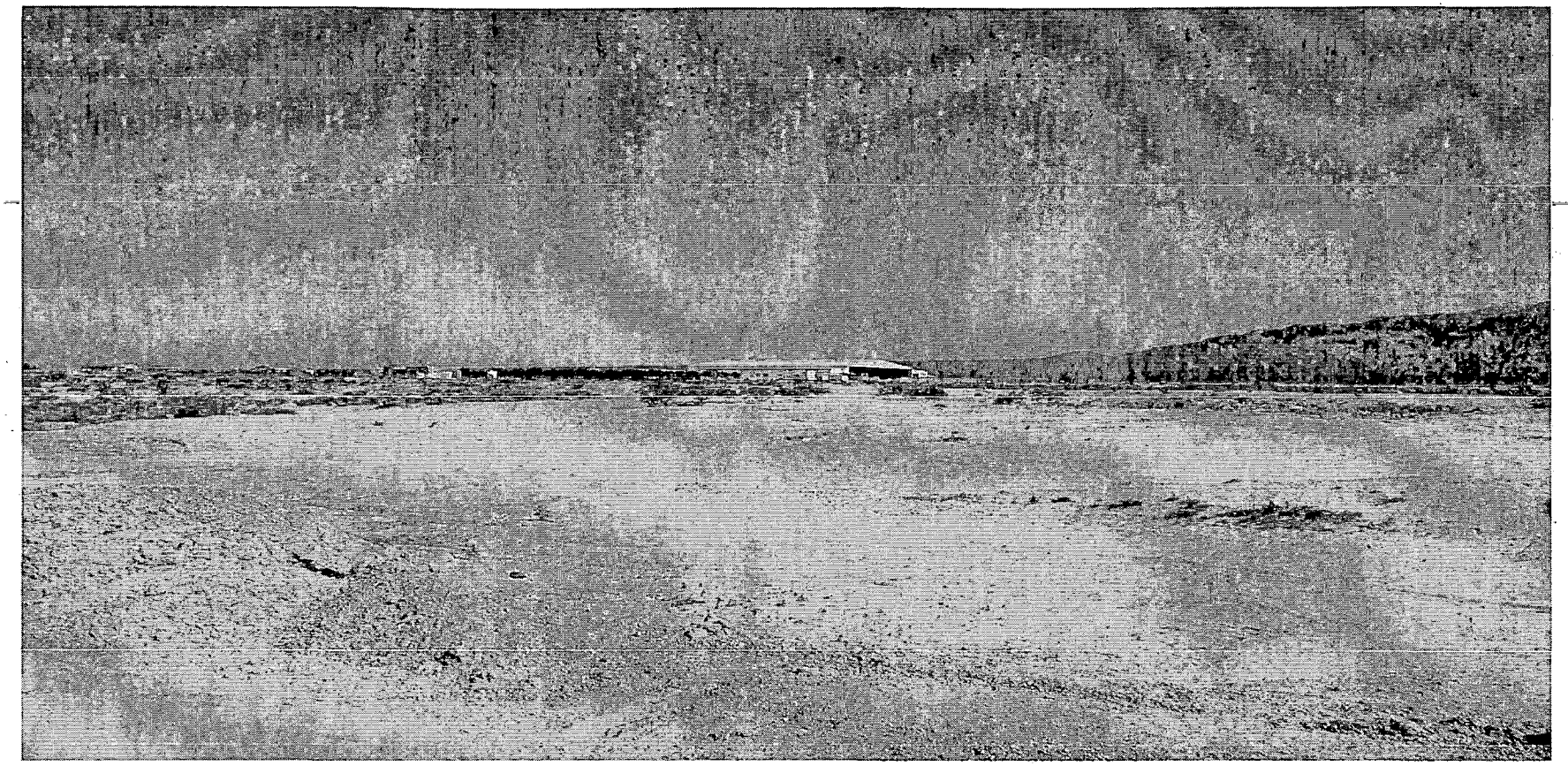
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7-7-04



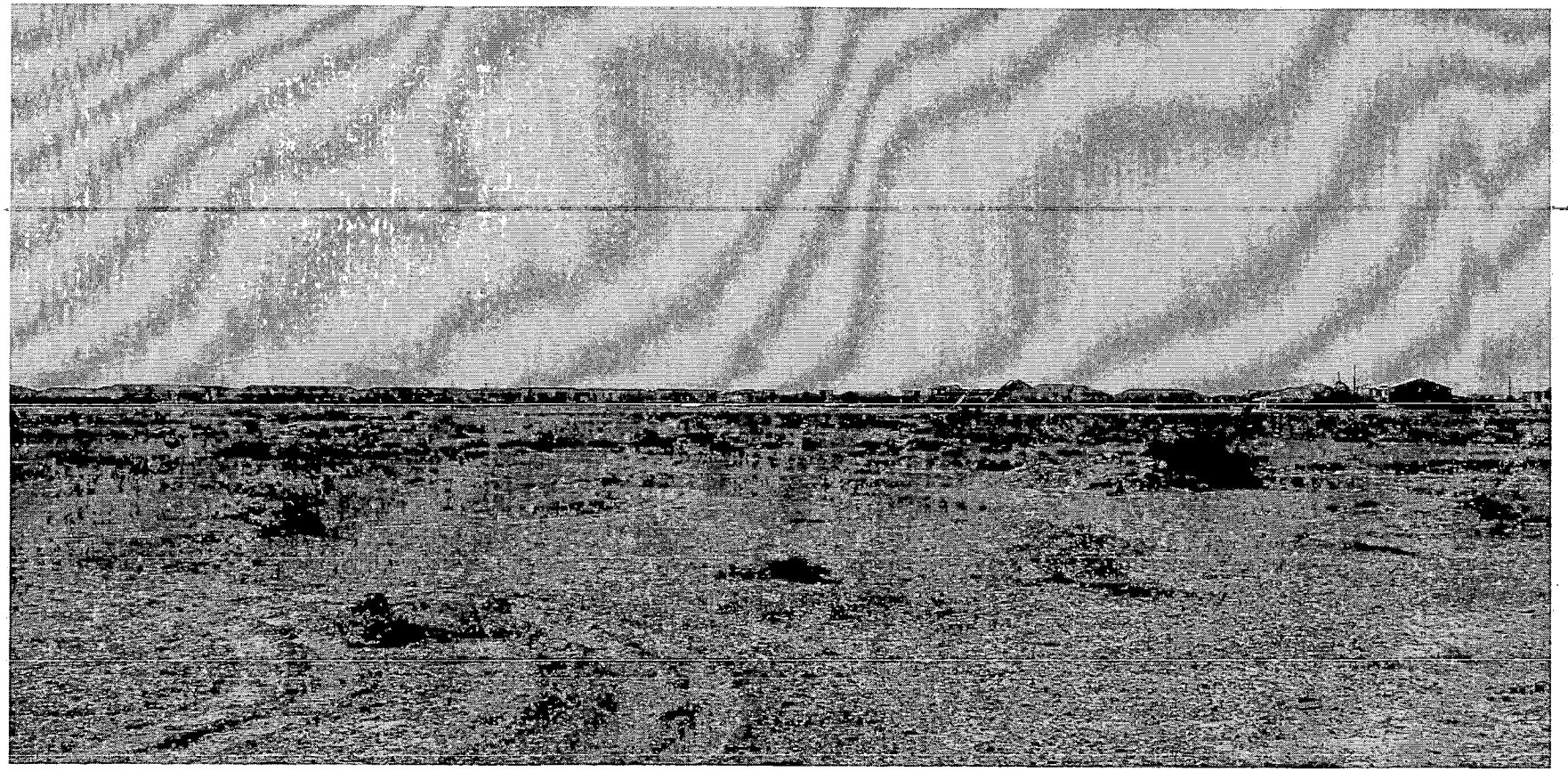
ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

4/26/04



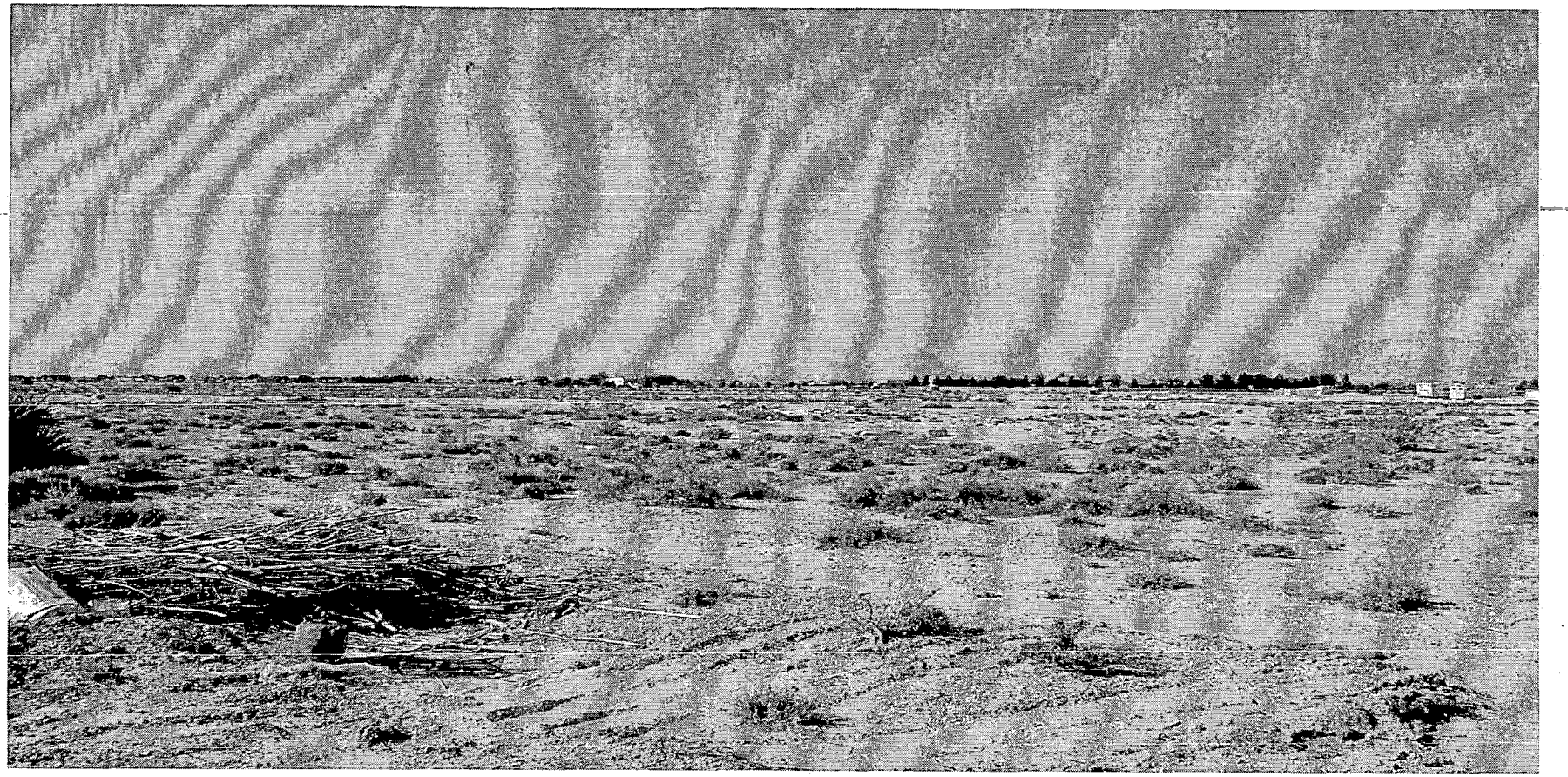
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4/26/04



ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
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JULY 8, 2004 PLANNING COMMISSION

4/26/04



ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

4/26/04

VTN nevada
CONSULTING ENGINEERS • PLANNERS • SURVEYORS
PROVIDING QUALITY PROFESSIONAL SERVICES SINCE 1960

RECEIVED
CITY CLERK
2004 AUG -4 A 7:57

July 30, 2004
WO# 6382

VIA FASCIMILE: 385-7268

City of Las Vegas
Current Planning Department
731 South Fourth Street
Las Vegas, Nevada 89101
Attention: Gary Leobold, Sr. Planner

RE: ZON 4200 AND SDR- 4198, APPLICANT: STERLING S. DEVELOPMENT

At the request of Councilman Michael Mack, I am respectfully requesting that these items be held in abeyance at Wednesday's, August 4, 2004 City Council hearing. The aforementioned applications are items #121 and #122 on the agenda. We are requesting that these items be held in abeyance for two weeks until the August 18, 2004 Council Hearing.

VTN Nevada is making adjustments to the site plan. The extra time is needed to administer these changes.

Thank you for your consideration in this matter. Should you have any questions please call me at 873-7550.

Sincerely,

VTN Nevada

LU Dreja

Lora Dreja

CC. Mickey Stratton, Sterling S. Development
Chris Grubbs, P.E., VTN Nevada
Leni Skaar, CLV Ward 6 Liason

Submitted after final agenda

Date 8/4/04 Item #121 & 122

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
TEL (702) 873-7550 FAX: 362-2597

City of Las Vegas

Agenda Item No. 122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - **SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter requesting abeyance from VTN Nevada for Item 121 [ZON-4200] and Item 122 [SDR-4198] filed under Item 121 [ZON-4200]

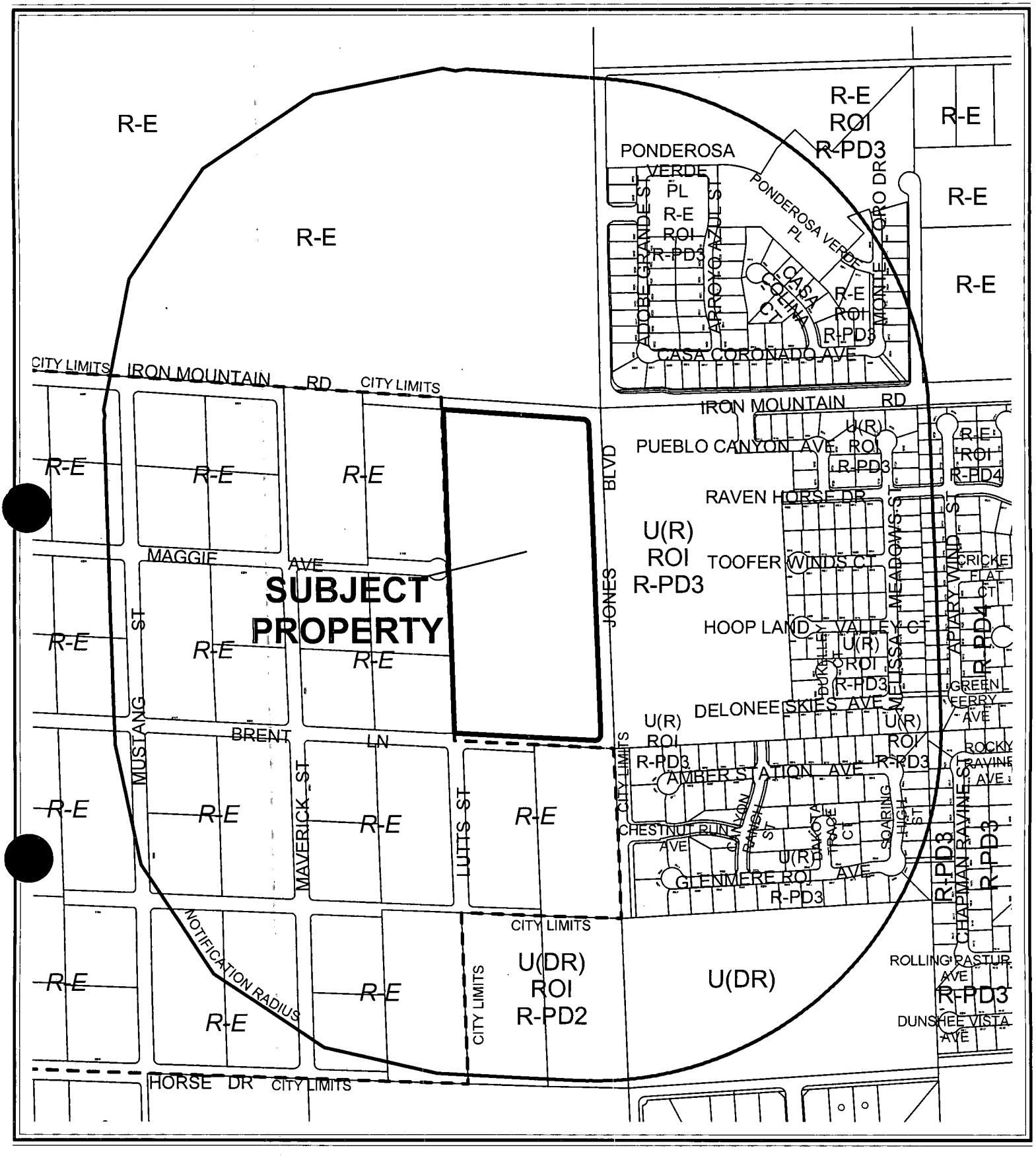
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(1:03 – 1:08)



0 400 800 Feet

CASE: **SDR-4198**

RADIUS: 1400 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-4200) to an R-PD2 (Residential Planned Development - 2 Units Per Acre) 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, date stamped July 9, 2004, except as amended by conditions herein.

4. The standards for this development shall include the following: minimum lot size of 18,000 square feet, and building height shall not exceed two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage and 16 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 20 feet in the rear.

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit and shall be revised and approved by Planning and Development Department staff, prior to the issuance of 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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

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

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

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

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

Public Works

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

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4200 and all other subsequent site-related actions.

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

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST:

A) Action Requested

This application is a request for a Site Development Plan Review for a 29-lot residential development (Quarterhorse Falls Estates) on 18.2 acres located at the southwest corner Iron Mountain Road and Jones Boulevard.

B) Applicant's Justification

In a letter included with the application, the applicant states the following:

> "The subject area is located between the Iron Mountain Ranch Master Planned Community to the east and a Clark County Rural Neighborhood preservation district to the west. As a result, the site was designed to accommodate the surrounding densities. As such, the larger lots are located around the perimeter of the site to be compatible with the 20,000-acre lots that border the Iron Mountain Ranch R-PD3 site. All lots have a North/South to minimize lot count along the perimeter of the site and to comply with the 20/20 Conservation Element. The minimum lot size is 18,000 square feet; and the density and character of the proposed project is appropriate for the Interlocal RNP buffer area....The variety of lot sizes, shapes and housing upgrades will offer a varied street scene that will preserve the custom/rural feel of the surrounding area."

BACKGROUND INFORMATION:

A) Previous Actions

05/20/64	The Board of City Commissioners approved an Annexation request (A-0003-64).
05/13/04	The Planning Commission held this item and related ZON-4200 in abeyance to allow the applicant to schedule a meeting with area homeowners and discuss the project with them.
06/10/04	The Planning Commission held this and companion Rezoning (ZON-4200) in abeyance to the 07/08/04 PC Meeting to allow the applicant additional time to revise the site plan. As of 06/23/04, no changes to the site plan as originally submitted have been proposed.
07/08/04	The Planning Commission recommended approval of a companion application (ZON-4200) as part of this agenda.
07/08/04	The Planning Commission voted 3-2-2 to recommend DENIAL (PC Agenda Item #9).

B) Pre-Application Meeting

02/20/04 A pre-application meeting was held to discuss the need for a proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zone and plan for Site Development Review and the presence of the RNP Buffer within the southwest part of this area.

C) Neighborhood Meetings

05/18/04 A neighborhood meeting with interested property owners who reside near the subject property was held to review the proposed plans for the development. The meeting was held at a neighbor's house who resides next to the property. There were 22 people in attendance who had several concerns about the development. These concerns include the following:

- Lots with no less than 20,000 square feet. This request was made to allow lot owners in the new development to keep horses on their property. The proposed development has numerous lots between 18,000 to 20,000 square feet.
- No entrance to the development off Brent Lane. One of the major entrances to the development is proposed off Brent Lane.
- Rural street standards on Brent Lane. There was some interest in having rural street standards on Jones Boulevard and Iron Mountain Road.
- A decorative perimeter wall. The conditions of approval have a provision that requires a decorative wall to which the residents were apparently favorable.
- Increases in perimeter wall height.
- A well landscaped premises. Residents would like to review the landscape plan when it is submitted and comment on the landscaping scheme.
- One-story buildings on the property located to the west of the subject development. This property is a future phase proposed by the developer

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres:	18.2
Net Acres:	14.2

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped and single-family residence

C) Planned Land Use

Subject Property:	DR (Desert Rural)
North:	PR-OS (Parks/Recreation/Open Space)

South:	County R-E (Rural Estates Residential) and RNP (Rural Neighborhood Preservation)
East:	R (Rural Density Residential)
West:	County R-E (Rural Estates Residential) and RNP (Rural Neighborhood Preservation)

D) Existing Zoning

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

E) General Plan Compliance

The site is located within the Centennial Hills Sector Map of the General Plan. The Centennial Hills Sector Plan of the General Plan designates the area of the subject site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities." The plan goes on to say: "This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is significantly below the upper end of the density range allowed under this land use designation, having 1.6 dwelling units per acre.

ANALYSIS:

A) Zoning Code Compliance

A1) Development Standards

The Site Development Plan establishes the Development Standards within an R-PD District. The Site Development Plan proposes 29 single-family lots ranging in size from 18,000 square feet; the overall net average lot size is 21,329 square feet. The following table shows a comparison between the setbacks and standards currently in place on the site under the existing R-E (Residence Estate) District, with the standards that would be imposed through the proposed Site Development Plan under the proposed R-PD2 District:

Standards	R-E District	Proposed Site Plan
Min. Lot Size	20,000 s.f.	18,000 s.f.
Min. Lot Width	100 feet	N/A
Min. Setbacks		
• Front	50 feet	20 feet (garage) 16 feet (house)
• Side	10 feet	5 feet
• Corner	15 feet	5 feet
• Rear	35 feet	20 feet
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet

The proposed development complies with the standards of the proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) District.

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Perimeter Landscaping	1 - 24" box tree/20 linear feet of gross perimeter frontage (1,760 lineal feet of frontage) plus one tree	88 Trees	114 Trees

The perimeter landscaping meets the minimum perimeter-landscaping requirement.

In R-PD Districts, pursuant to Title 19.06.040, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
18.2 acres	1.6	1.65	2.6 %	.47 acres	5.3 %	.96 acres

The proposal exceeds the requirement for Open Space in the Zoning Code.

A) General Analysis Discussion

This application meets all the requirements of the existing General Plan designation and falls within the density scope of the proposed rezoning (1.6 dwelling units per acre compared to 2.49). Development of this 18.2-acre site with lots that will exceed 18,000 square feet in size would not have an impact on surrounding County lands, which have a minimum lot size requirement of 20,000 square feet. From the standpoint of the proposal as an R-PD development, the project provides a sufficient amount of open space.

FINDINGS:

To approve a Site Development Plan Review application, pursuant to Title 19.18.050, the Planning Commission and City Council must affirm all of the following:

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

   The proposed residential development on the subject site exceeds what could be developed under the existing R-E (Residence Estates) zoning district. The development, therefore, should be compatible with comparable developments in the vicinity.

2. **"The proposed development is consistent with the General Plan, Las Vegas Municipal Code Title 19, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

   The proposed development is consistent with the General Plan as well as Title 19 and other standards.

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

   The subject site has access to Iron Mountain Road and Brent Lane, a local street. Iron Mountain Road is designated as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. These roads will be adequate to meet the requirements of the proposed development.

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

   The building and landscape materials are appropriate for this type of development.

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 development will be typical of single-family residential developments and compatible with surrounding development.

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

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

PLANNING COMMISSION ACTION

On the failed motion for approval the Planning Commission considered the following changes:

- The keeping of horses as allowed by the City of Las Vegas shall not be precluded by CCR's deed restriction or other legal means.
- Perimeter walls and/or fences may be up to 8' in height.

The Planning Commission was asked to consider a one-story restriction by speakers.

NOTICES MAILED 41 by Planning Department

APPROVALS 0

PROTESTS 8

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4198 APN: 125-11-508-003

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development - Mickey Stratton

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: John Michael Stratton

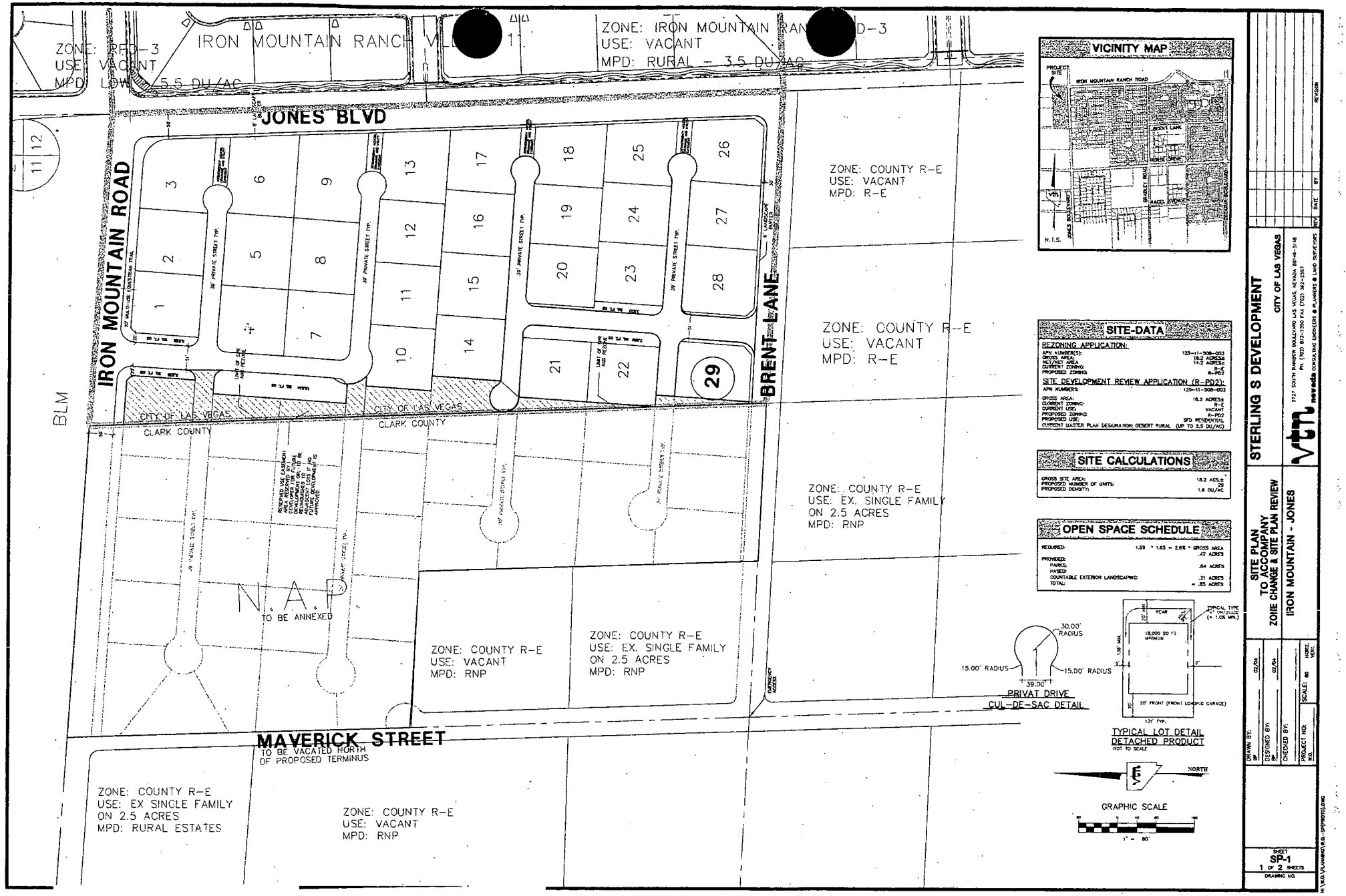
Print Name: John Michael Stratton

Subscribed and sworn before me

This 23rd day of February, 2004

Notary Public in and for said County and State

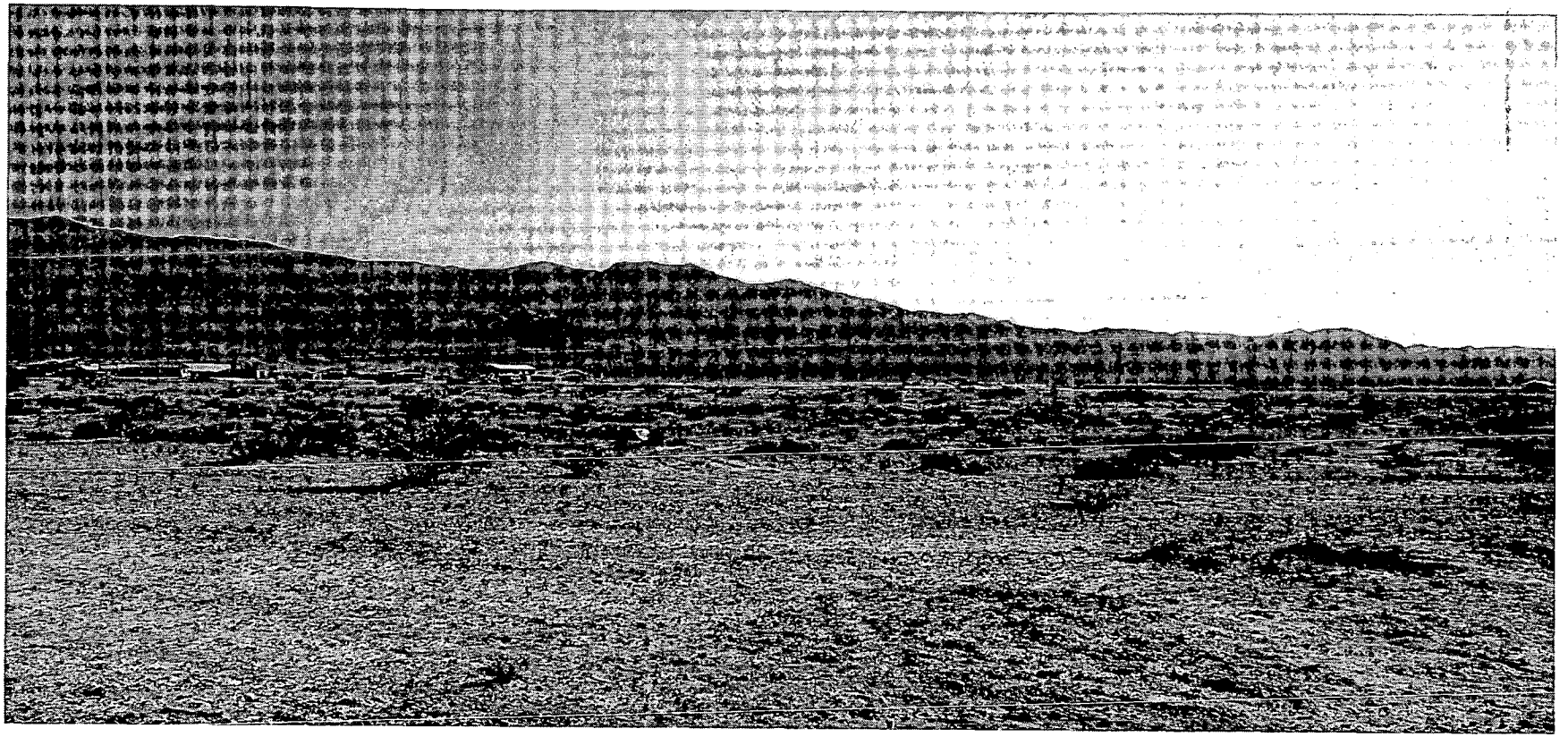
MARY E. SMITH
Notary Public, Nevada
No. 96-2142-1
My appt. exp. Mar. 15, 2004



ZON-4200 REVISED

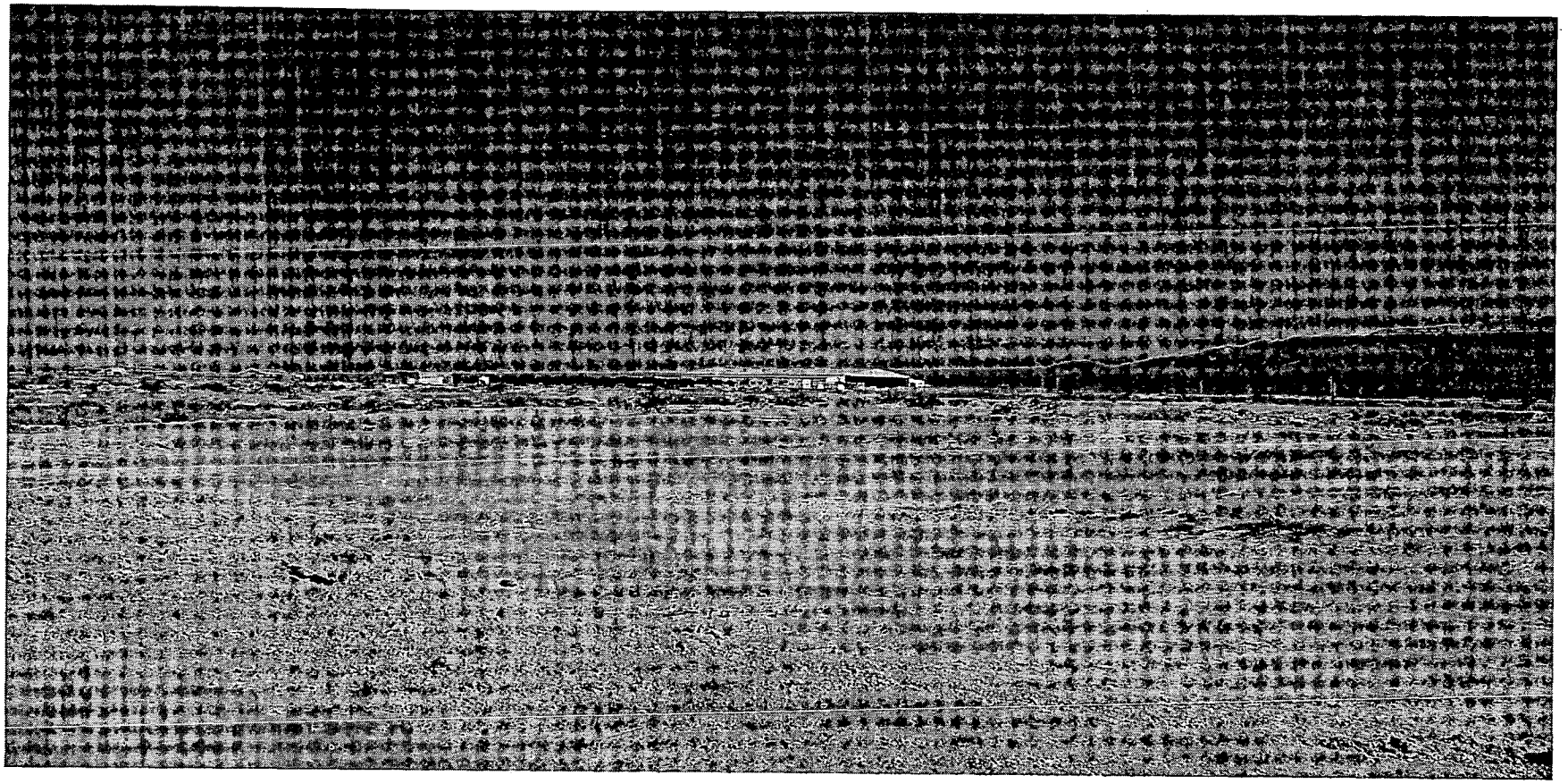
SDR-4198 8-4-04 CC

REVISED 7-9-04



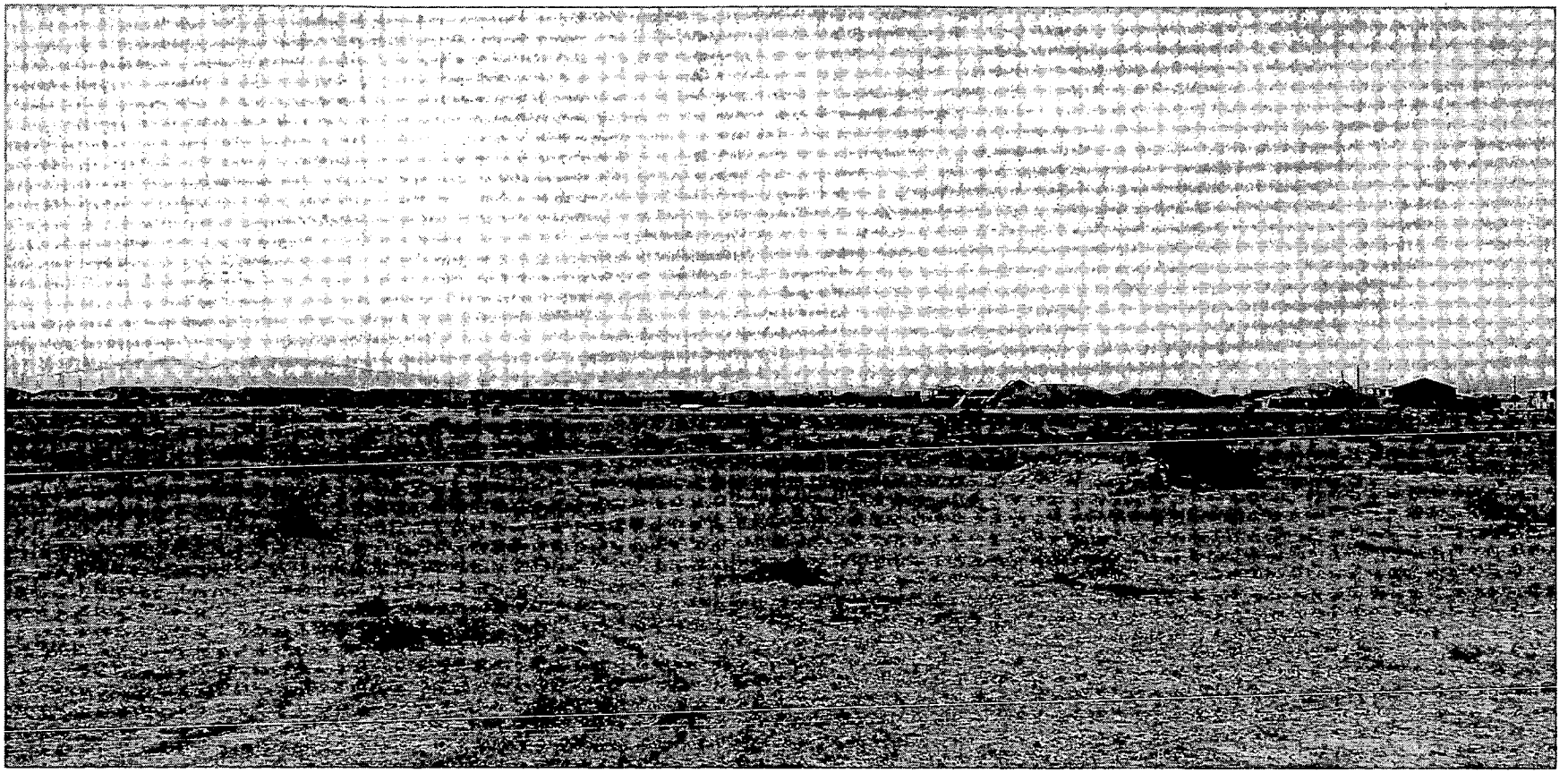
SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

4/26/04



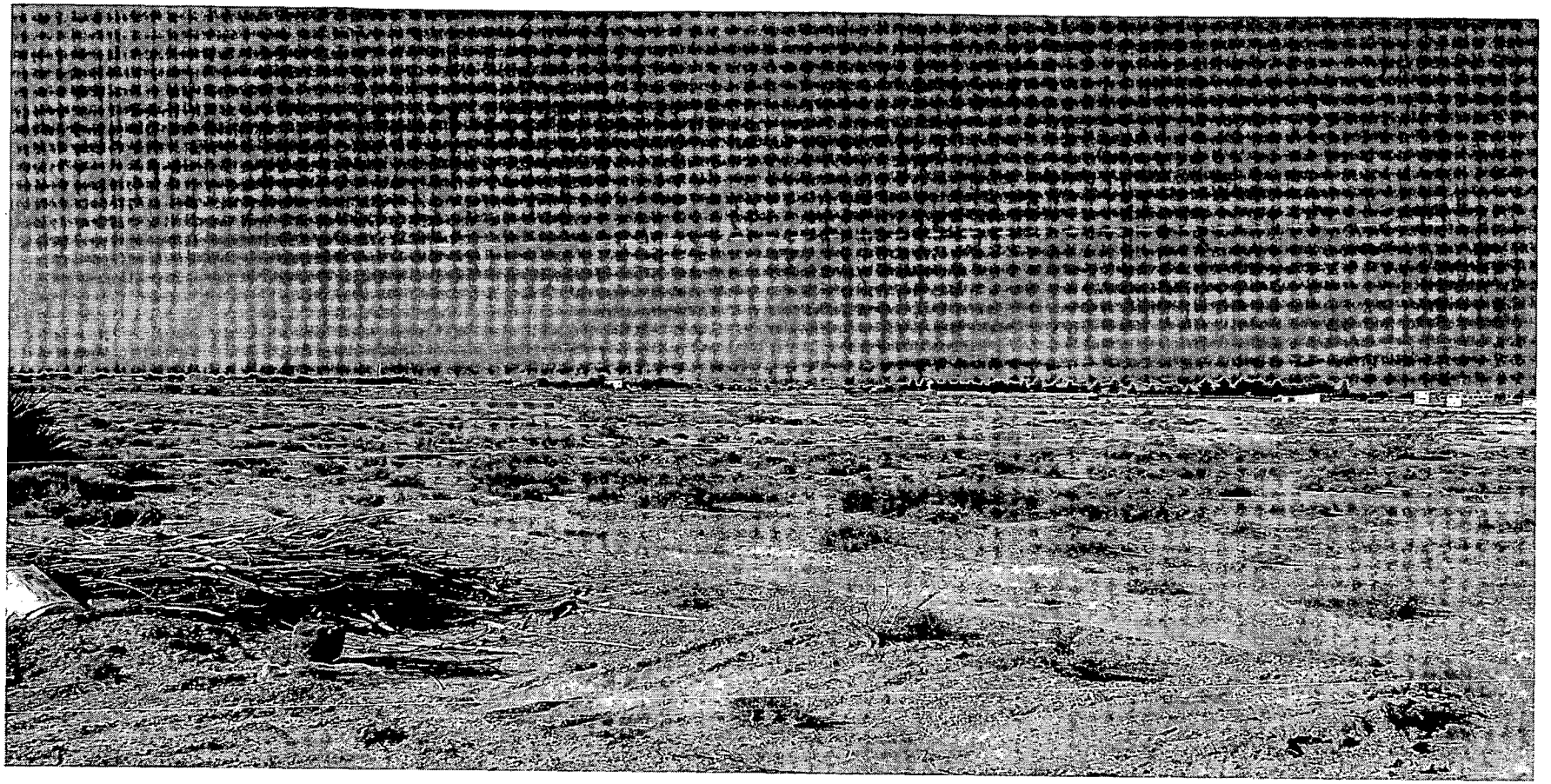
SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

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ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

4/26/04

City of Las Vegas

Agenda Item No. 123

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with REESE and BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 123 [ZON-4526] and Item 124 [SDR-4527].

WALTER TROWBRIDGE, Architect, and his associate, LISA TSUKIYAMA, RAFI, 2480 Tompkins Avenue, appeared on behalf of the applicant, requested approval and noted their acceptance of all conditions. MR. TROWBRIDGE confirmed the facility would be an early childhood development center. He informed MAYOR GOODMAN the construction would be completed in 2005 and that the 10,000 square foot facility would accommodate approximately 90 children.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 123 [ZON-4526] and Item 124 [SDR-4527].

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 123 – ZON-4526

MINUTES Continued:

NOTE: All discussion for Item 123 [ZON-4526] and Item 124 [SDR-4527] was held under Item 123 [ZON-4526].

(2:39-2:42)
5-220

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.

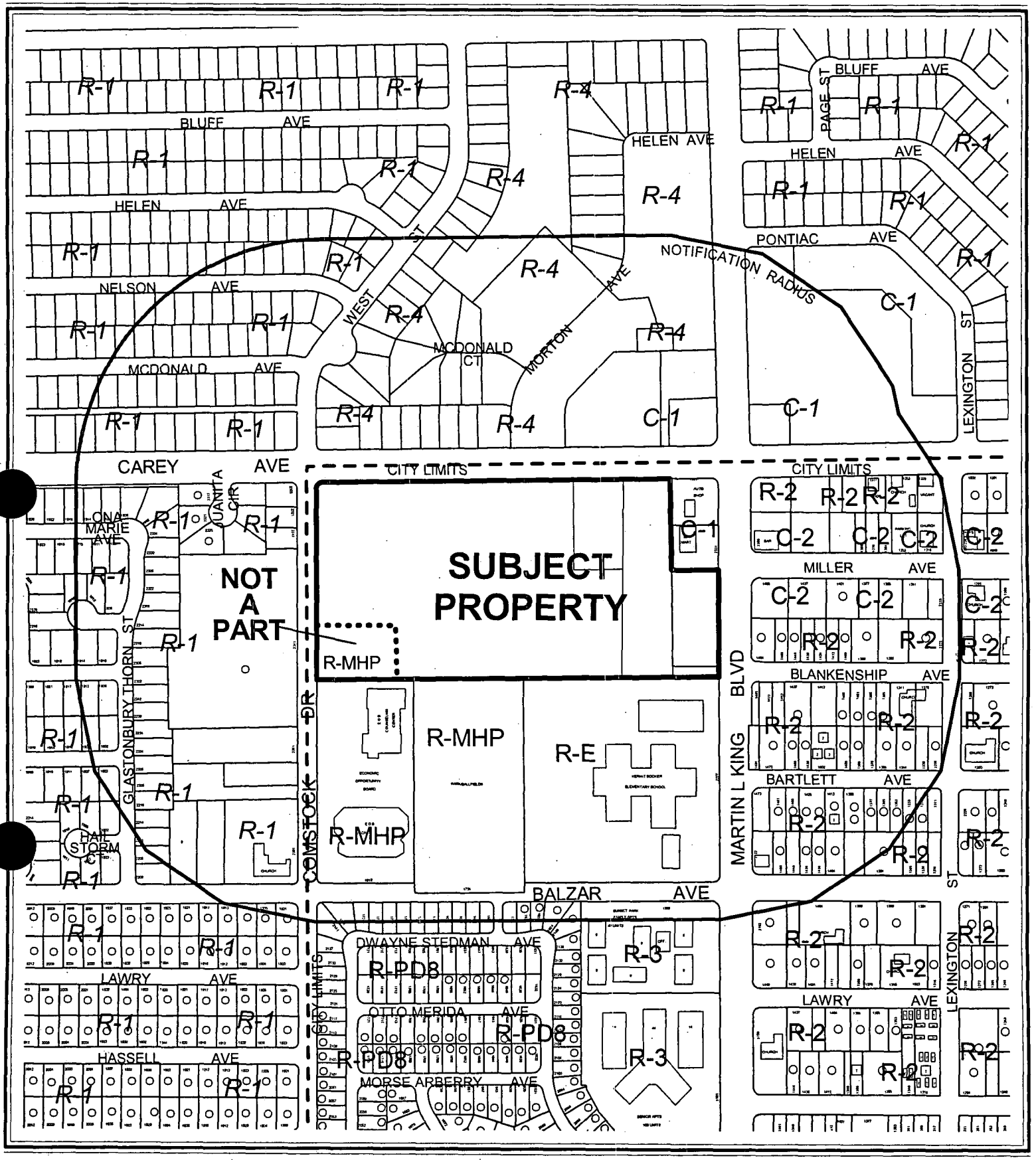
5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site along Martin Luther King Boulevard and replace with new improvements meeting current City Standards concurrent with on-site development activities. Coordinate all improvements along Martin L. 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

CONDITIONS Continued:

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

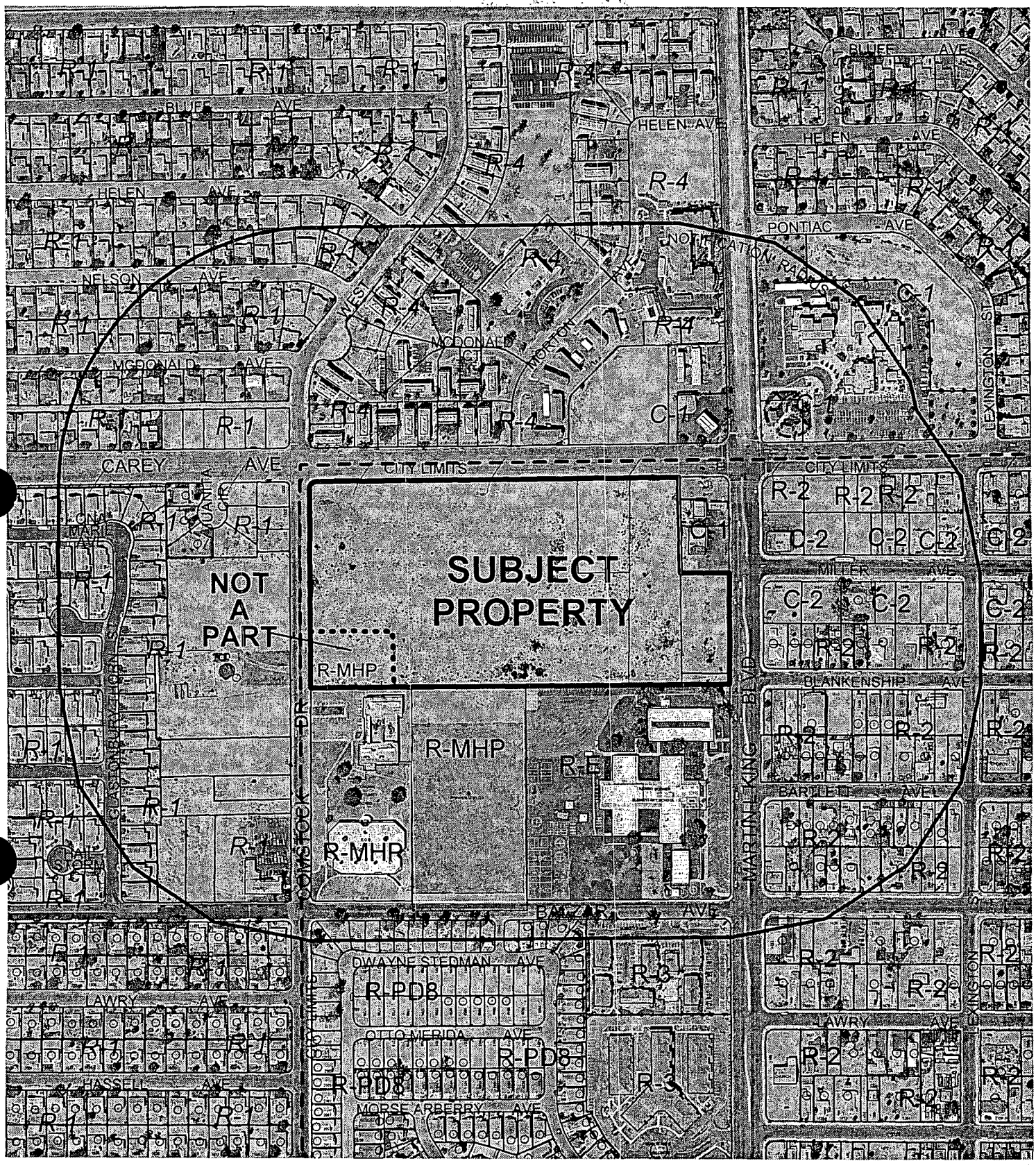
CASE: ZON-4526

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

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4526 - APPLICANT/OWNER: CLARK COUNTY

** CONDITIONS **

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

Planning and Development

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

2. 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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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.

** 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 recommended approval of 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.
07/08/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #42/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

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 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

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

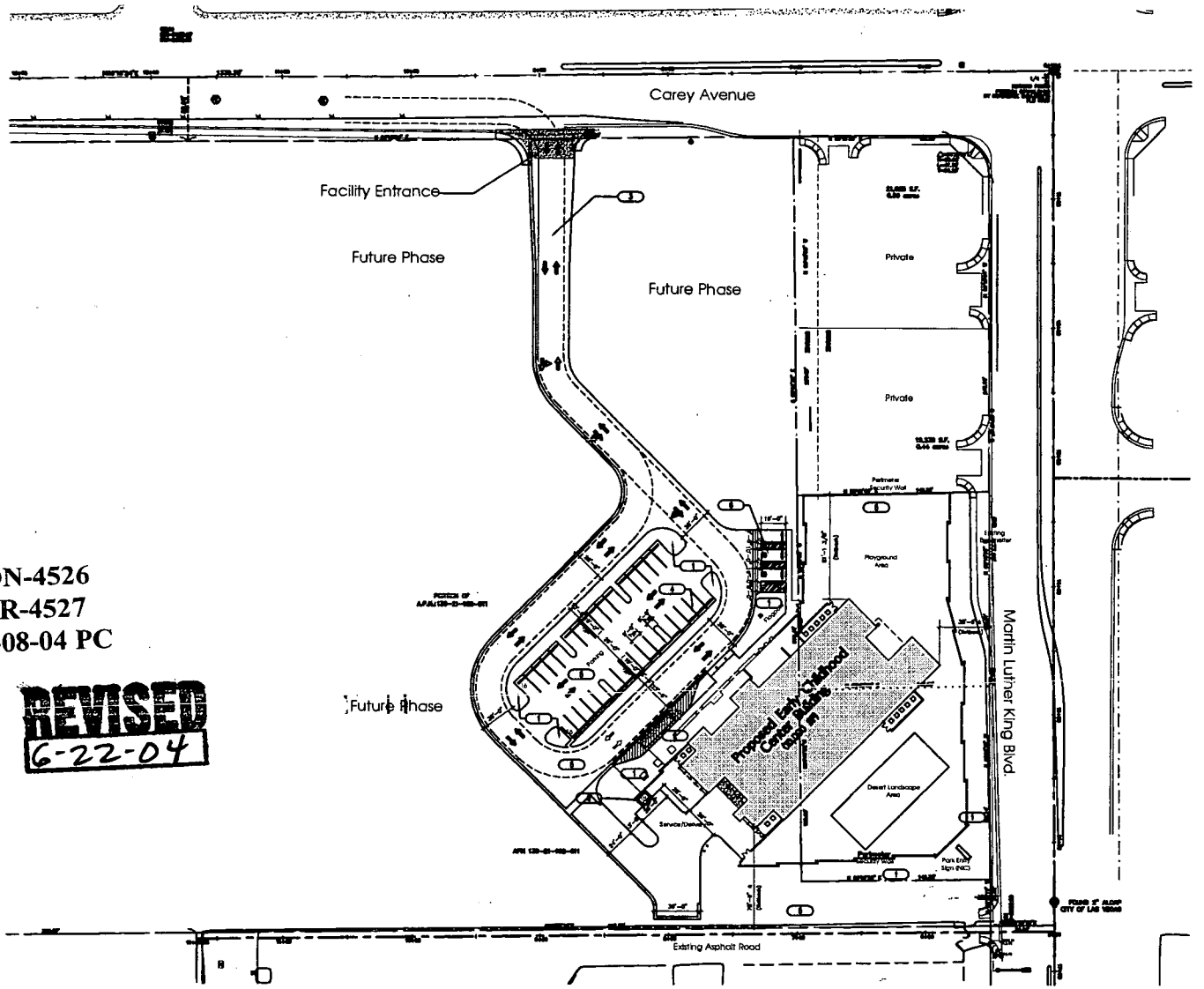
X Subscribed and sworn before me

This 22nd day of April, 2004

Karen S. Mulcahy

Notary Public in and for said County and State

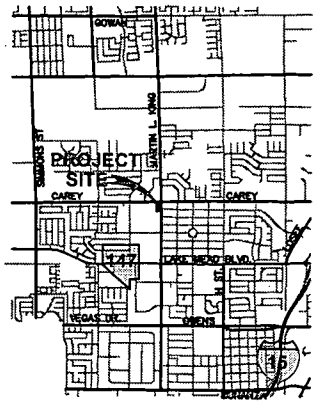
KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-58482-1
My appt. exp. May 10, 2007



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

Site Analysis

LOT AREA	BUILDING AREA
Approx. 105,800 SF (2.5 Acres)	10,000 SF

% of Site Coverage: 9%
% Allowable: 50%

APN:
139-21-102-011 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: 34 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
- Decompose Granite and/or Concrete Paving
- 9' W x 18' Parking Space (Typ)
- New Trash Enclosure
- Accessible Parking Stalls

MLK/Carey Early Childhood Development Center

Address TBD

City of Las Vegas Site Development Review

RAFI
Planning △ Architecture △ Urban Design

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

SITE PLAN

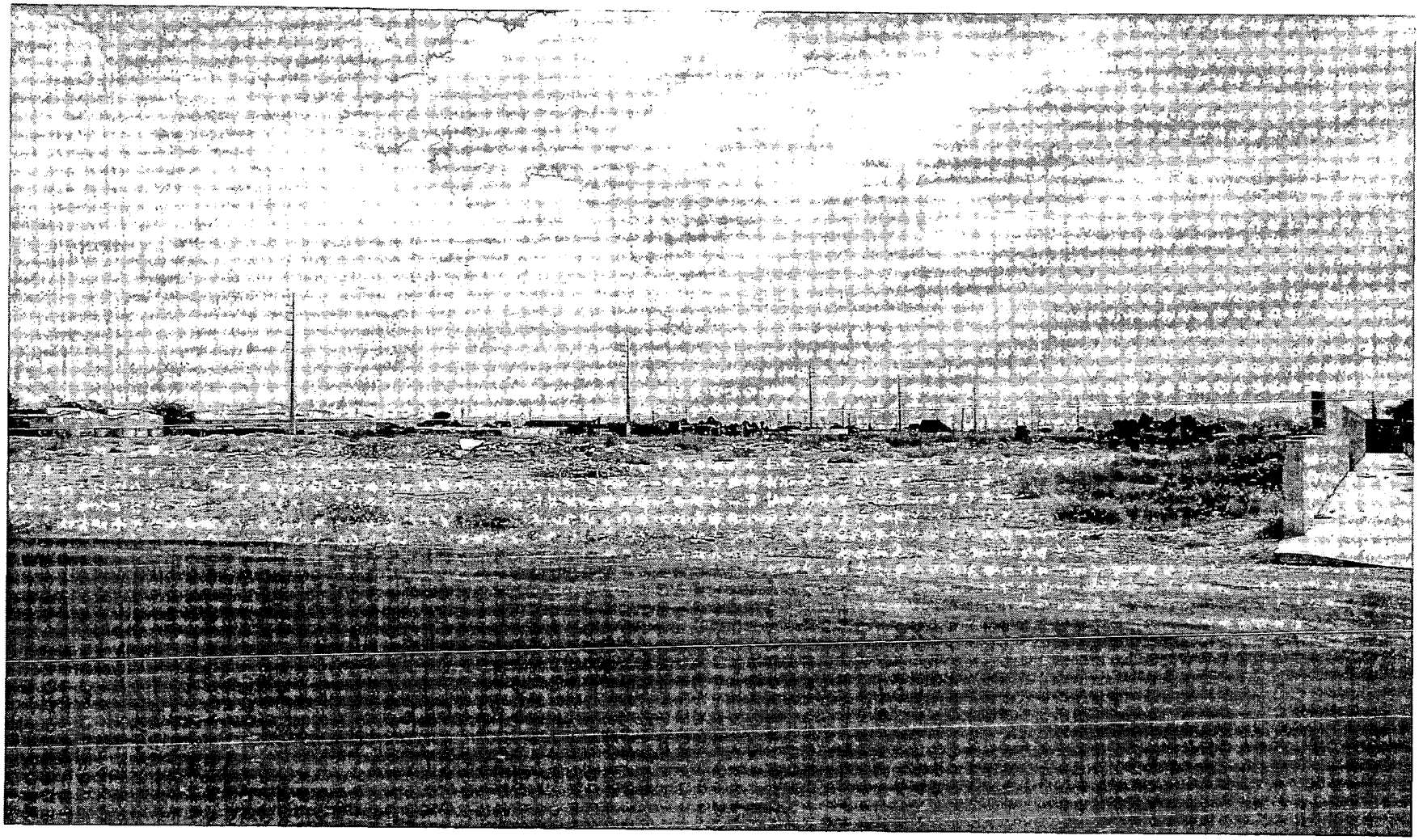
1" = 40'-0" | AS1.01

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 Retained 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 - RAC 022780. 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. 124

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
WEEKLY – APPROVED subject to conditions – UNANIMOUS with REESE and BROWN excused

MINUTES:
NOTE: See Item 123 [ZON-4526] for related discussion.

(1:00 – 1:15)

3-48

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.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 124 – SDR-4527

CONDITIONS Continued:

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.

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.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 124 – SDR-4527

CONDITIONS Continued:

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

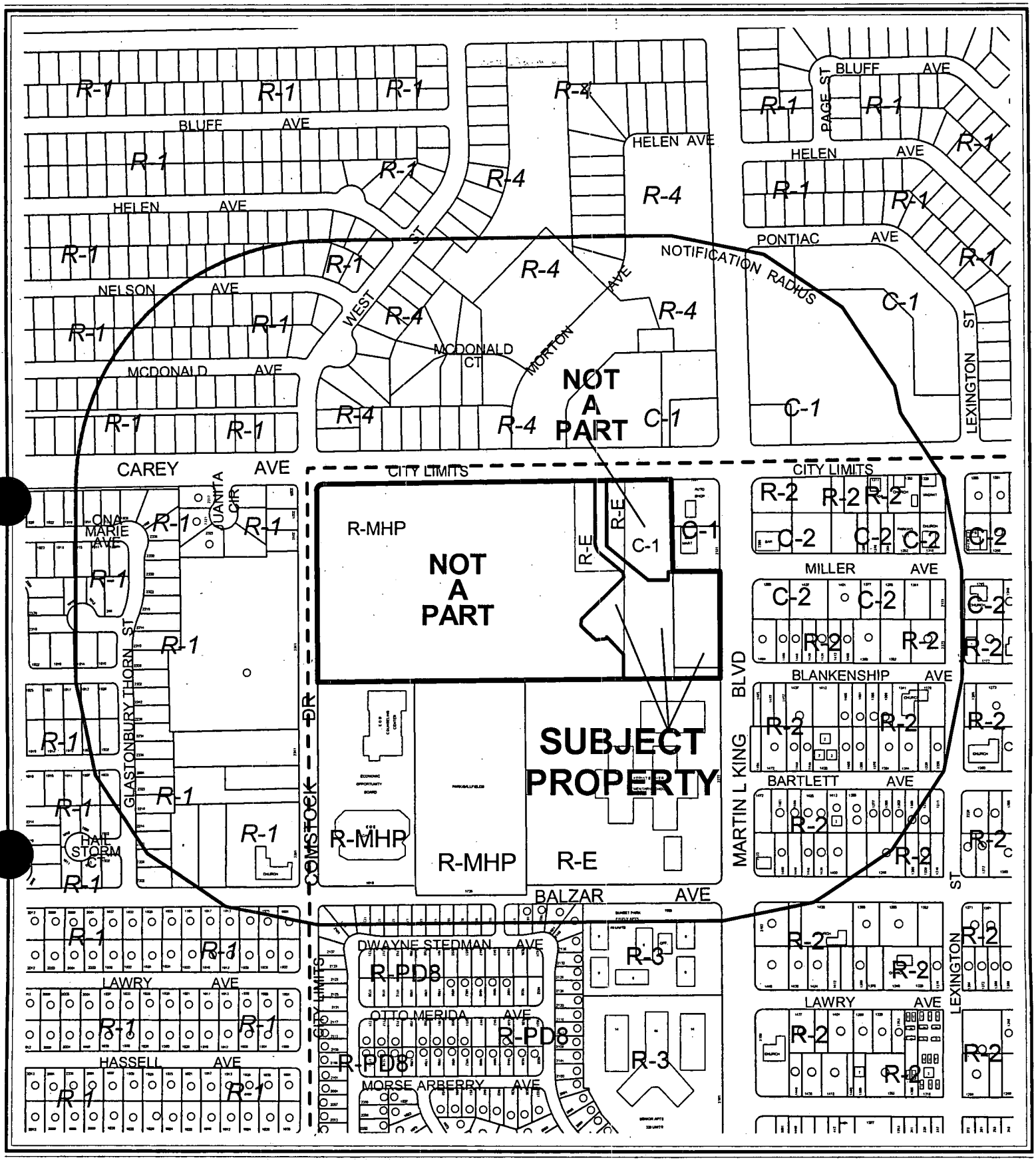
18. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

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.

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.



0 300 600 Feet

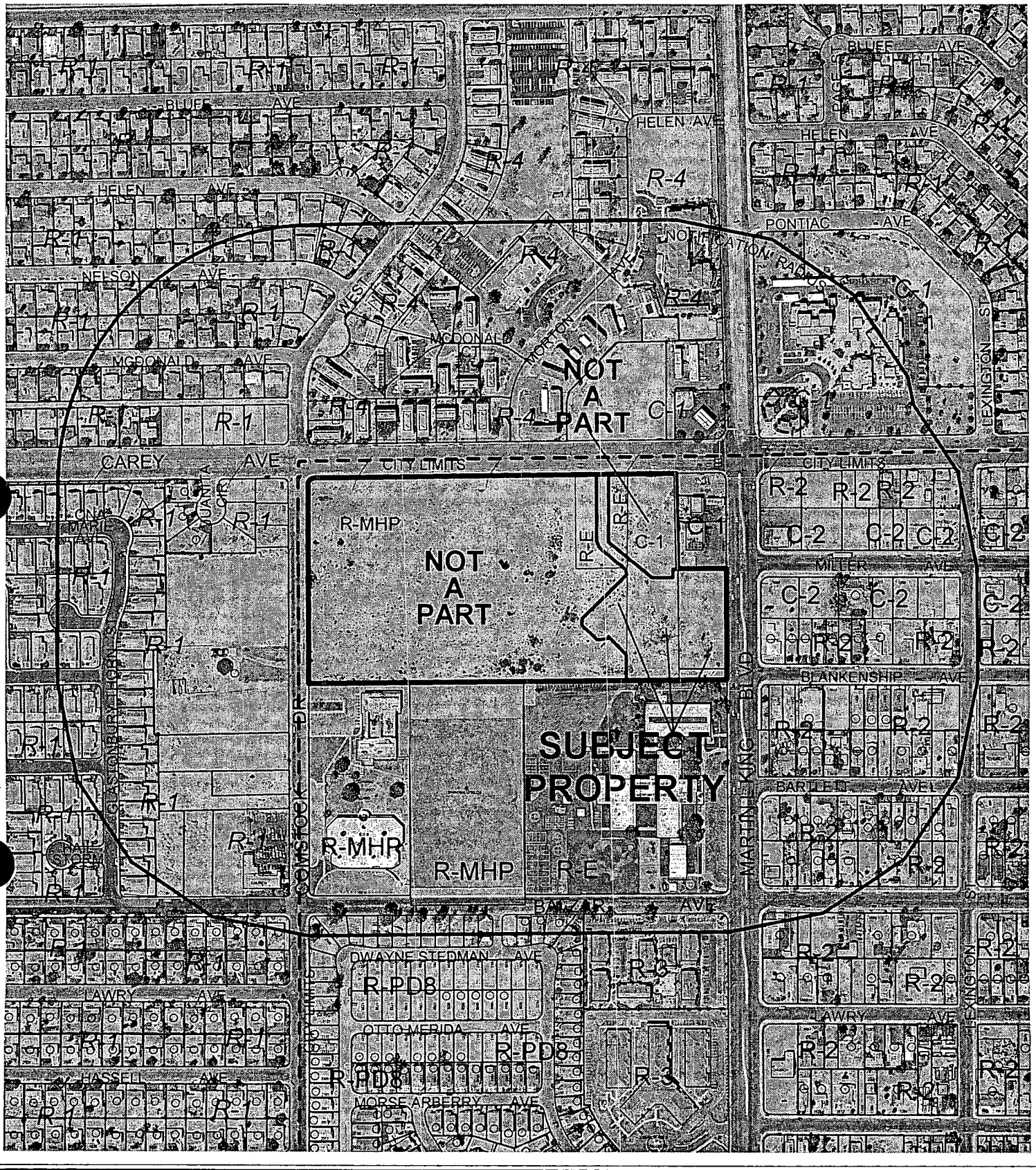
CASE: **SDR-4527**

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)

N



0 300 600 Feet

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)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4527 - APPLICANT/OWNER: CLARK COUNTY

** CONDITIONS **

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

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.

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.

** 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 recommended approval of 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.
07/08/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/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.

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.

- 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.

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 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

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

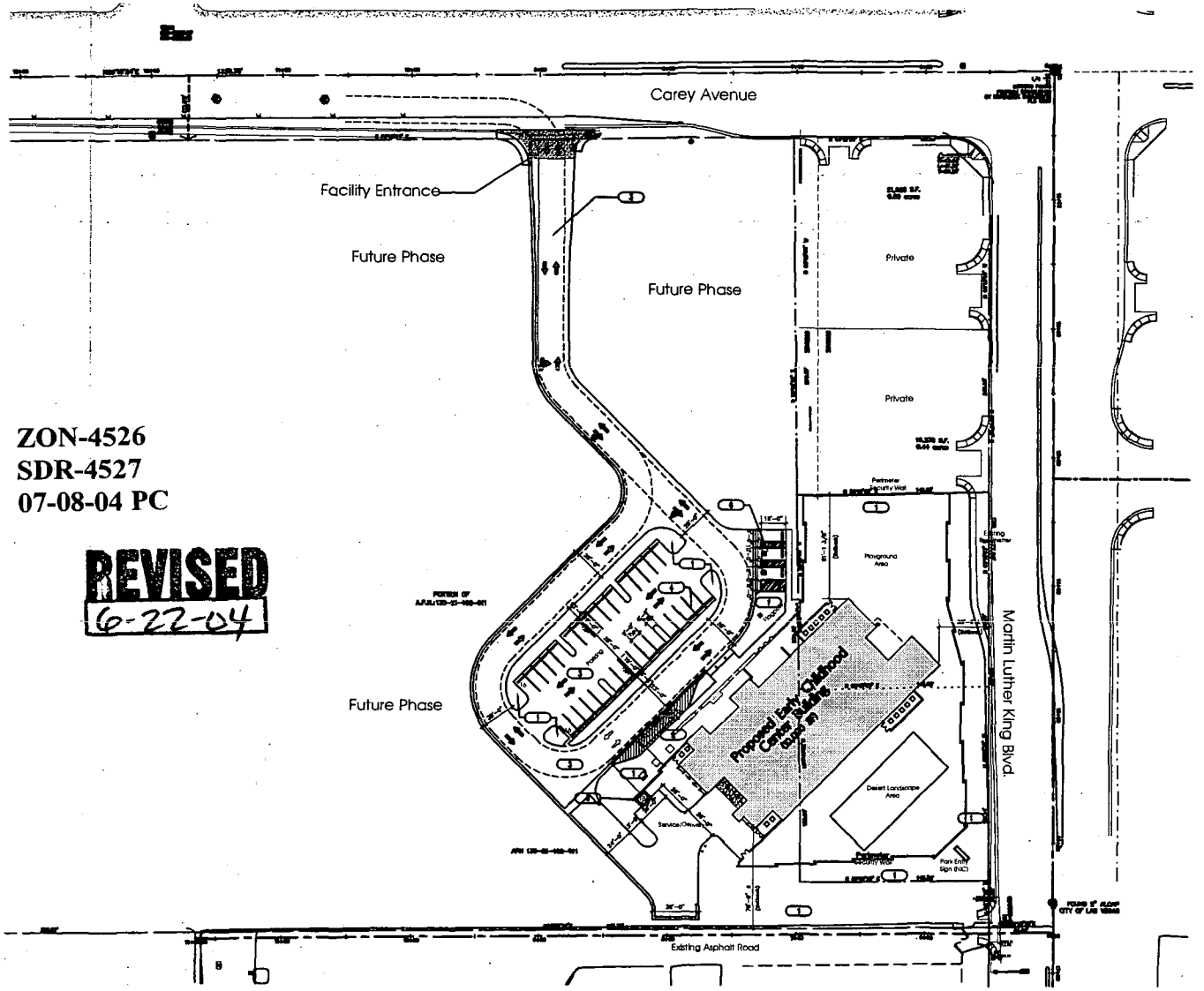
Subscribed and sworn before me

This 22nd day of April, 2004

Karen S. Mulcahy

Notary Public in and for said County and State

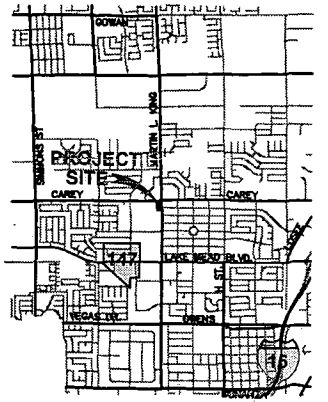
KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-58482-1
My appt. exp. May 10, 2007



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

Site Analysis

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

% of Site Coverage	% Allowable
9%	50%

APN:
139-21-102-011 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 90 children.
Parking required: 24 stalls

PARKING PROVIDED
32 stalls provided.

MAXIMUM BUILDING HEIGHT
None

DENSITY
Early Childhood Development Center
15 staff members, and 90 children

Site Keynotes

- Landscaping Area
- New Concrete Walk
- Decompose Granite and/or Concrete Paving
- 9' W x 18' Parking Space (Typ)
- New Trash Enclosure
- Accessible Parking Stalls

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

RAFI
Planning △ Architecture △ Urban Design
Robert A. Felder Incorporated 2450 East Tropicana Suite 103 Las Vegas, Nevada 89121 (702) 435-7254 Facsimile (702) 435-4479 E-Mail RAFI@RAFI-Nevada.com www.RAFI-Nevada.com

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

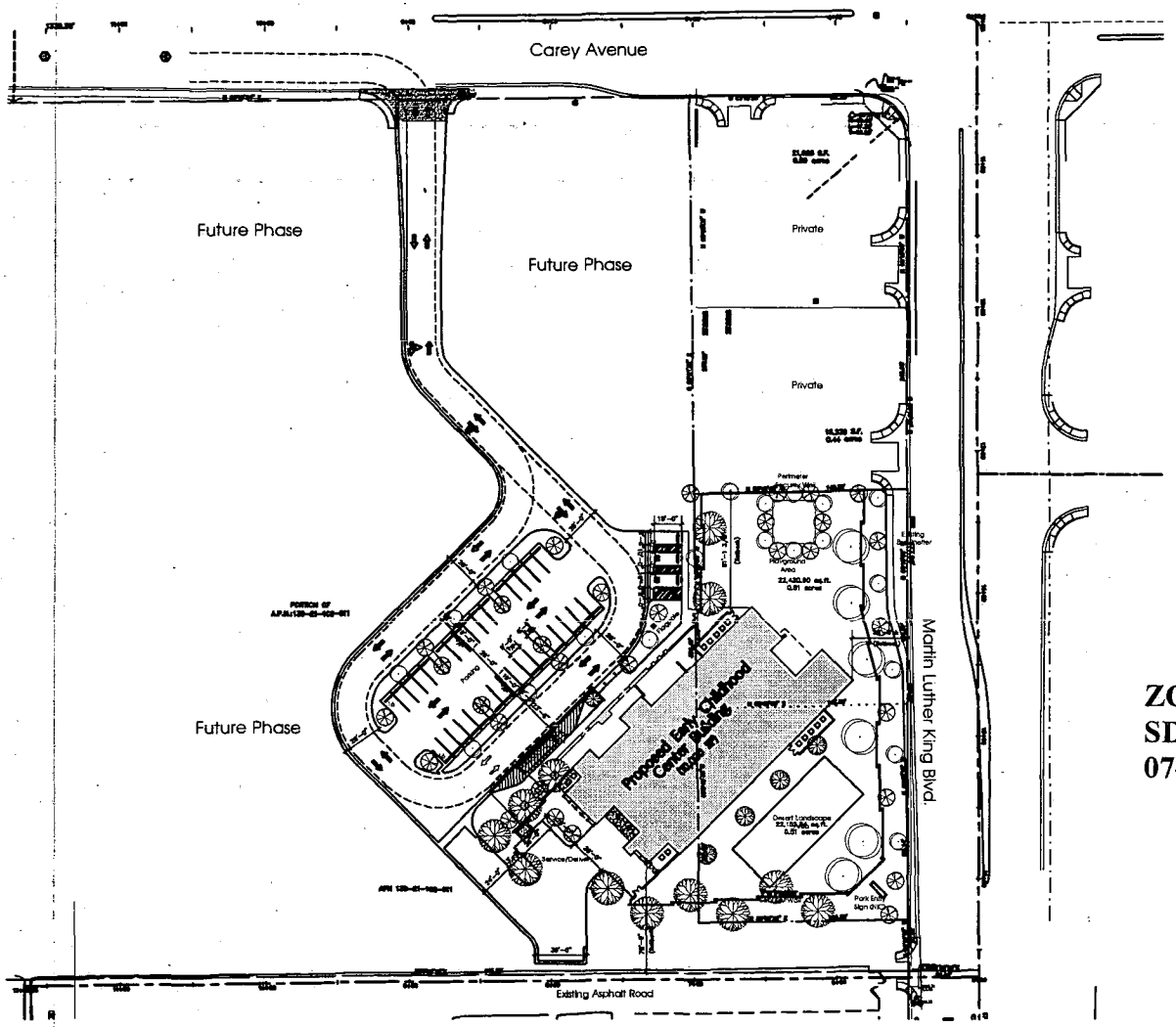
Drawing: SITE PLAN

Project Number

Sheet Number: AS1.01

Scale: 1" = 40'-0"

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 Retained by the Client may be Utilized only for its Use and for Occupying the Project for Which they were Prepared and Not for the Construction of any Other Project – NAC 623.780. Do Not Scale Drawings.



Legend

TREES
- 24" Box Caesalpinia Pulcherrima – "Desert Museum" Blue Palo Verde, Standard
- 24" Box Prosopis Glandulosa " Maverick"–Texas Honey Mesquite, Standard Fliphere
- Aleppo Pine – " Pinus Halepensis"

SHRUBS (5 Gals, Typ.)
- Aloe Grandiflora – Glossy Aloe
- Calamagrostis Congestus – Calamagrostis
- Cassia Nemophila – Green Cassia

ACCENTS (5 Gals, Typ.)
- Rhaphiolepis Indica – India Hawthorn
- Dasylirion wheeleri – Desert Spoon
- Nolina microcarpa – Bear 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

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

RAH
Planning △ Architecture △ Urban Design

Robert A. Hakes Incorporated 3480 East Tropicana Suite 111 Las Vegas, Nevada 89121 (702) 435-7234 Facsimile (702) 435-4479 E-Mail INFO@RAH-Nevada.com www.RAH-Nevada.com

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

LANDSCAPE PLAN

Sheet Number: L1.01

1" = 40'-0"

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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. 125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.16 acres adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue (APN: 162-03-811-000), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Back up referenced from the 7/8/2004 Planning Commission Item 19

MOTION:
REESE – TABLED – UNANIMOUS with BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

MAYOR PRO TEM REESE requested that the item be tabled.

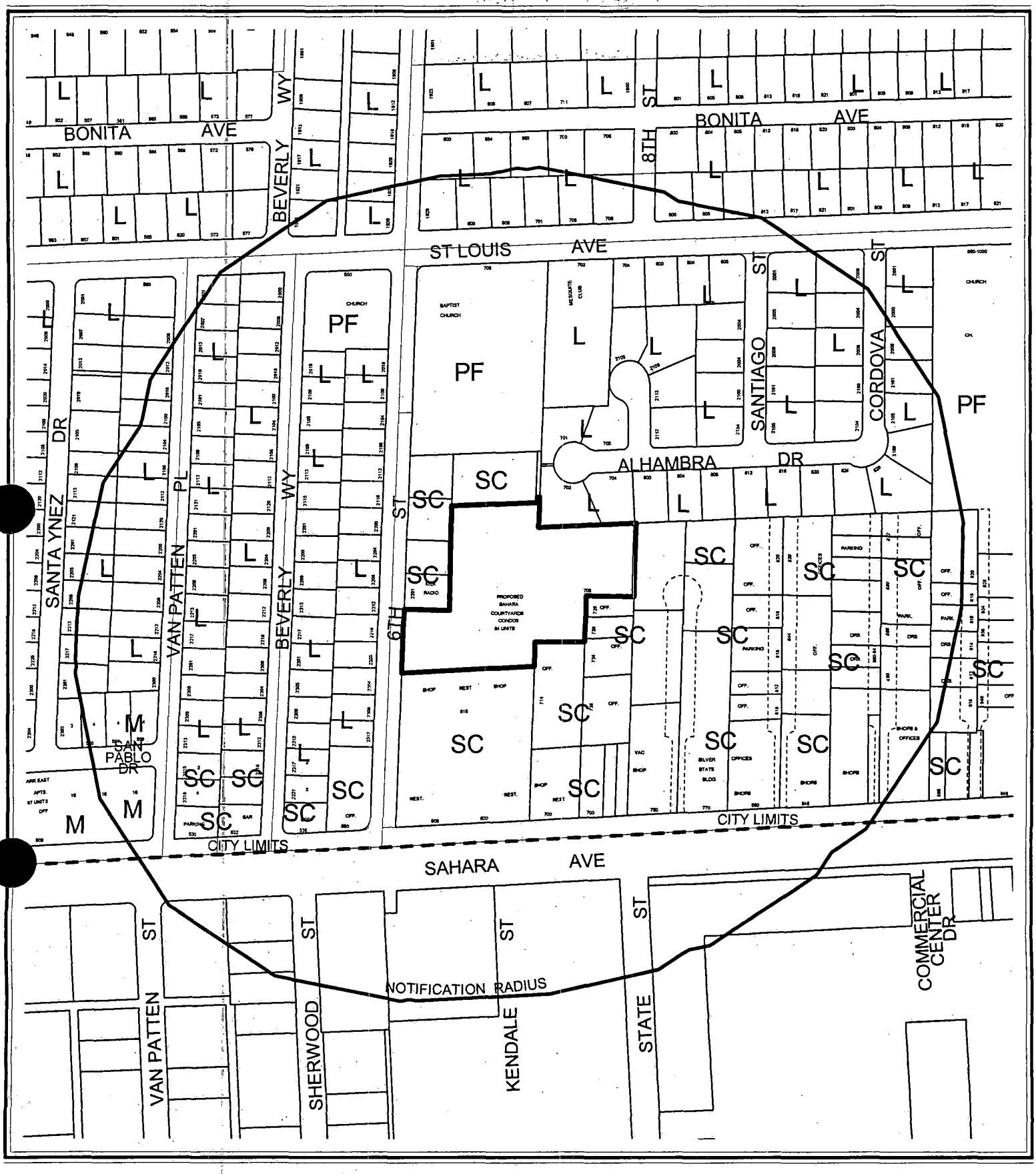
The applicant was not present.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:18 – 2:19)

4-2830



0 200 400 Feet

CASE: **GPA-4332**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

N



CASE: GPA-4332

RADIUS: 750 FT

0 200 400 Feet

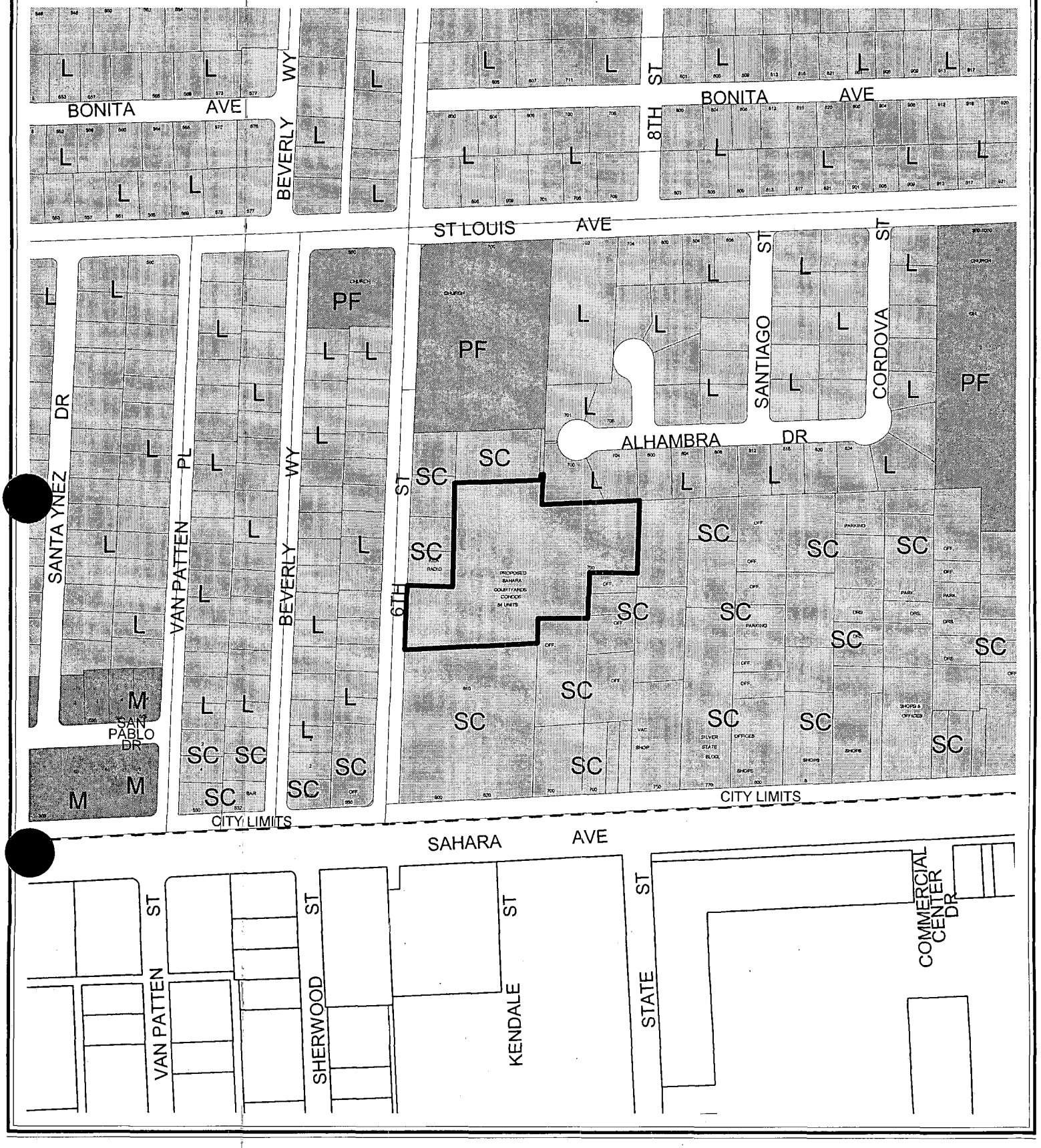
GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

N



0 200 400 Feet

CASE: **GPA-4332**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

STAFF

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue from SC (Service Commercial) to M (Medium Density Residential).

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 property was designated for Service Commercial land uses.

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Southeast Sector Plan designated this parcel as Service Commercial.

02/19/92 The Planning Commission recommended denial of a request to rezone this property to RPD – 40 (Residential Planned Development 40 units per acre) [Z-107-91]. Staff recommended approval.

03/04/92 The City Council heard Z-107-91, a request to rezone the property to RPD – 40 (Residential Planned Development 40 units per acre), the application was approved as amended to RPD – 25 (Residential Planned Development 25 units per acre).

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #19/tp).

DETAILS OF APPLICATION REQUEST

Site Area: 3.16 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Single Family Residential and Undeveloped
South	Commercial
East	Commercial and Undeveloped
West	Single Family Residential and Commercial

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	RPD – 25 (Residential Planned Development 25 units per acre)
North	R – 1 (Single Family Residential)
South	C – 1 (Limited Commercial)
East	C – 1 (Limited Commercial)
West	R – 1 (Single Family Residential)

	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 project is not within any special plan area or overlay district

DEFINITIONS

M (Medium Residential
(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

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

INTERAGENCY ISSUES

There are no interagency issues associated with this request.

ANALYSIS

The subject property is currently undeveloped. Access is provided along 6th street, a 60' right-of-way. The property is surrounded by a mixture of land uses, including commercial to the east, south and west and residential to the north and east. The request will allow up to 25 units per acre. The site has approved zoning for up to 25 residential units per acre, with an approved site plan for 84 condominium units. This site is a prime opportunity for residential infill development. Policy 2.1.2 of the Neighborhood Revitalization section of the Las Vegas Master Plan 2020 states "That development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development." Approval of this request will bring the Master Plan 2020 into conformance with the existing zoning on this site.

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 that include approved neighborhood plans.

In regard to "1": The M (Medium density residential) land use designation is an appropriate buffer between the existing residential and commercial land use designations.

In regard to "2": The zoning districts allowed under the proposed General Plan designation allow a range of density up to 25 units per acre, and provide for an appropriate buffer between residential and commercial land uses.

In regard to "3": This property is in an area of the city where all utilities, fire and police services are currently in place and available to the site. The Northeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation approximately one and one half-miles away at Sahara and Eastern. Fire Station #4, located at Charleston and Maryland Parkway is the closest city facility to the site.

In regard to "4": There are no other plans or policies that would be applicable.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/14/04 A neighborhood meeting sponsored by the applicant was held. Six persons attended and had the following comments:

- Medium density residential is okay as long as the project is nice and adds value to the neighborhood,
- Prefer not to have low income housing or low rent apartments,
- Property owners adjacent to the site are concerned about height,
- Neighbors want to be involved when a project is proposed and if the site plan changes.
- Additional traffic on 6th street.

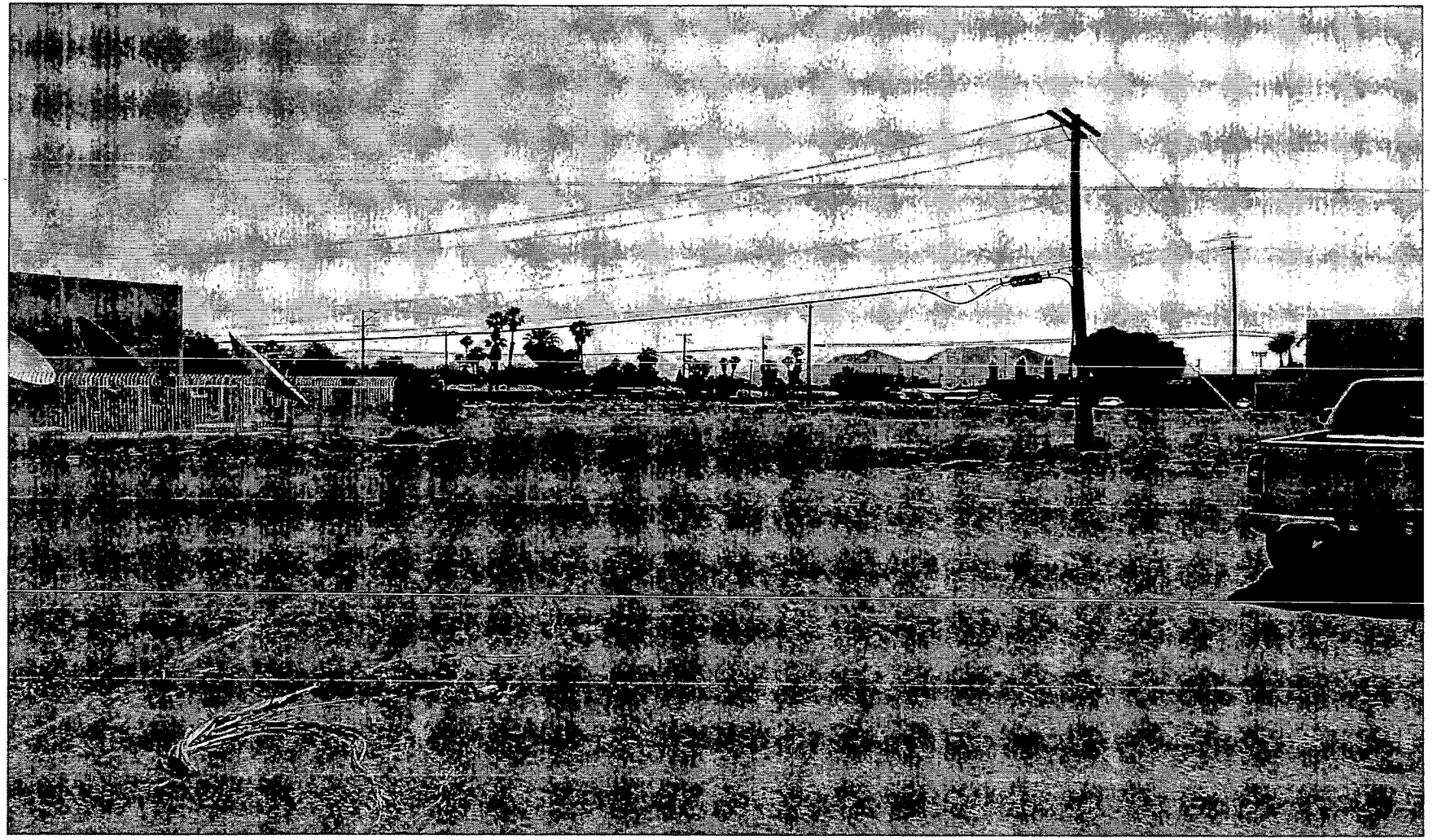
PLANNING COMMISSION ACTION

There was one speaker at the Planning Commission protesting this matter.

NOTICES MAILED: 207 by Planning Department

APPROVALS: 0

PROTESTS: 1



GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED
EAST SIDE OF SIXTH STREET, APPROXIMATELY 360 FEET NORTH OF SAHARA AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
REESE – APPROVED – UNANIMOUS with BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on Item 126 [GPA-4523], Item 127 [ZON-4524] and Item 128 [SDR-4525].

SAM TOLMAN, Architectural Services, City of Las Vegas, appeared on behalf of the applicant and requested approval.

COUNCILMAN REESE indicated that the incubator program in West Las Vegas has been successful; therefore, several requests have come in asking for one in East Las Vegas. He stated it would be a great addition to Ward 3. The financing is already in place, and there are interested parties. He commended staff for obtaining the funding programs.

No one appeared in opposition.

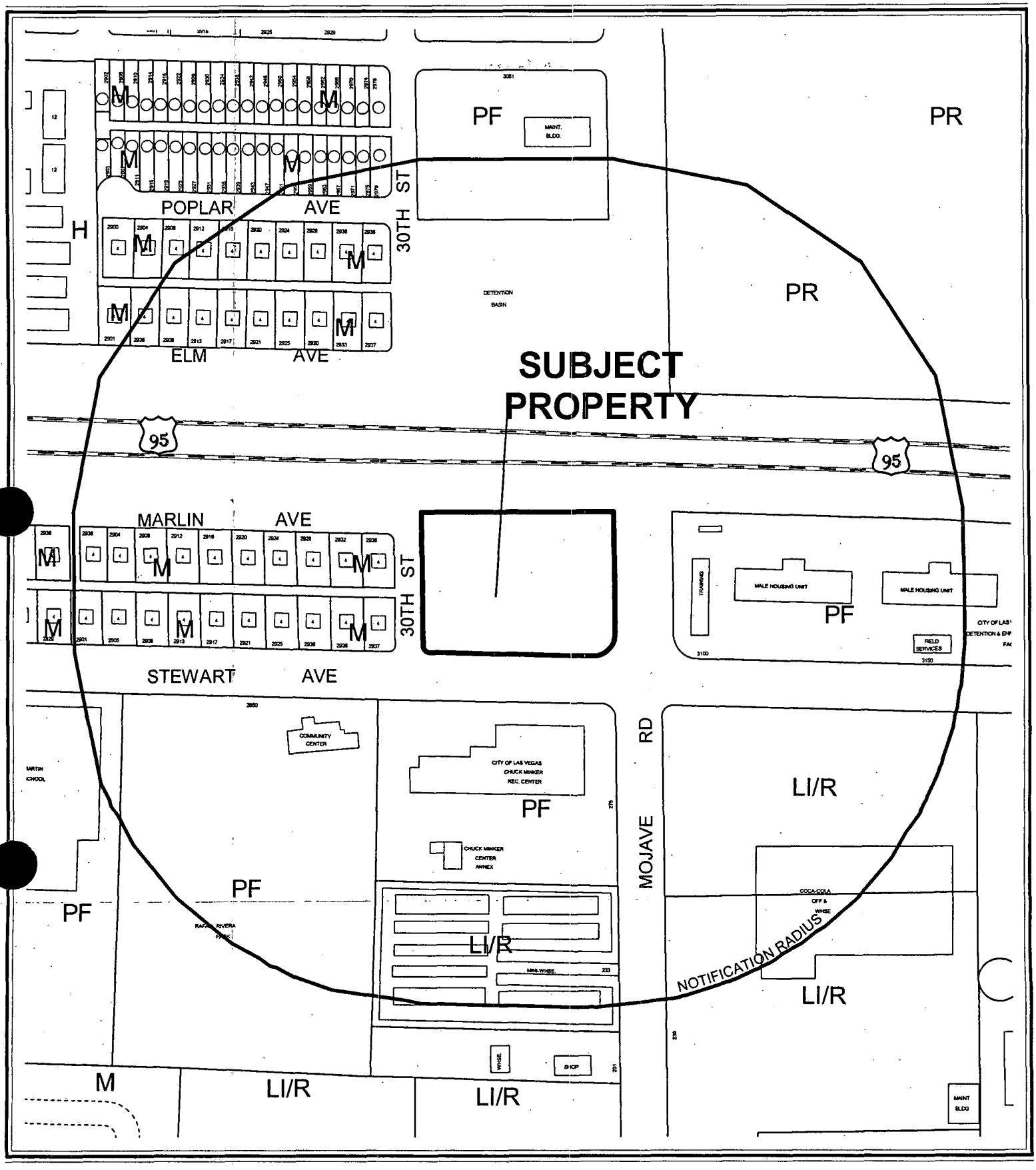
CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 126 – GPA-4523

MINUTES Continued:

MAYOR GOODMAN declared the Public Hearing closed on Item 126 [GPA-4523], Item 127 [ZON-4524] and Item 128 [SDR-4525].

NOTE: All discussion for Item 126 [GPA-4523], Item 127 [ZON-4524] and Item 128 [SDR-4525] was held under Item 126 [GPA-4523].

(2:19 – 2:28)

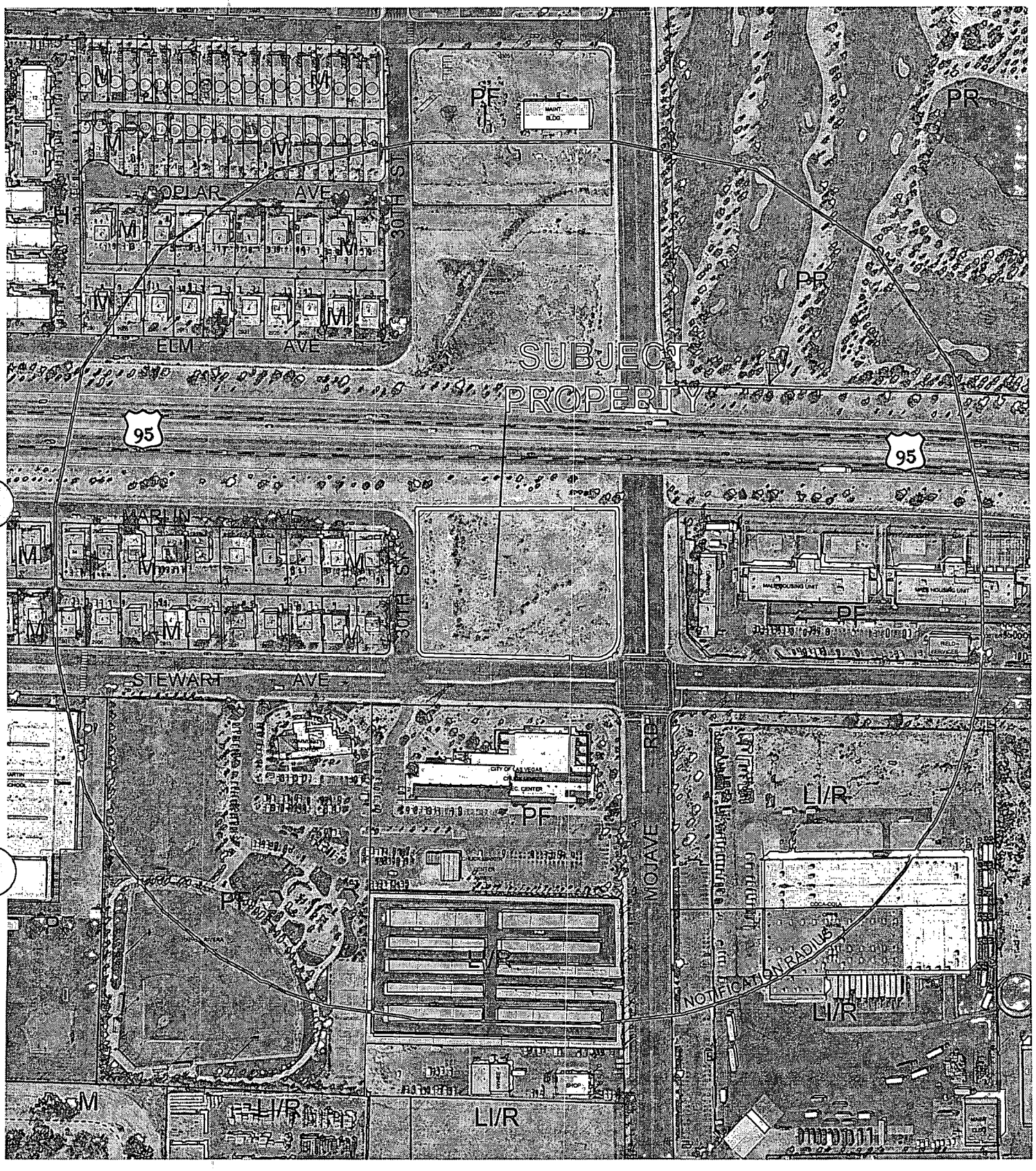


CASE: **GPA-4523**

RADIUS: 750 FT

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

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
PF (PUBLIC FACILITIES)



0 200 400 Feet

CASE: GPA-4523

RADIUS: 750 FT

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

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
PF (PUBLIC FACILITIES)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to northwest corner of Mojave Road and Stewart Avenue from SC (Service Commercial) to PF (Public Facility). A related Rezoning (ZON-4524) and Site Development Plan Review (SDR-4525) 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 property was designated for SC (Service Commercial) land uses.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. Subject site is located in the Southeast Sector and is designated for SC (Service Commercial).
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
07/08/04	The Planning Commission recommended approval of related items (ZON-4524 and SDR-4525).
07/08/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #20/tp).

DETAILS OF APPLICATION REQUEST

Site Area: 3.59 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Interstate 515
South	Chuck Minker Sports Complex
East	Detention Facility

West	Multi-family residential development

PLANNED LAND USE

Subject Property	SC (Service Commercial)
North	ROW (Right-of-Way)
South	PF (Public Facility)
East	PF (Public Facility)
West	M (Medium density residential)

EXISTING ZONING

Subject Property	C – 1 (Limited Commercial)
North	ROW (Right-of-Way)
South	CV (Civic)
East	CV (Civic)
West	R-3 (Medium density residential)

	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

This site is not within any special plan area of overlay district

DEFINITIONS

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.

PF (Public Facilities)
This category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

INTERAGENCY ISSUES

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

The subject site is currently undeveloped. It has public facilities to the east and south, Interstate 515 to the north, and medium density residential to the west. Access is provided off Mojave Rd, 120' Right-of-Way, and Stewart Ave, 100' Right-of-Way. The request will allow government building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, storm and water control facilities and other uses considered public or semi-public such as libraries and public utility facilities.

Policy 2.1.7 states "That the demand for transportation services be reduced by improving the balance between jobs and housing and by creating options for people to live and work within walking or cycling distance of their place of work."

Approval of this request will bring job opportunities within walking distance of existing population that has historically high unemployment.

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 PF (Public Facility) land use designation, in this context, is appropriately situated among other public facilities and medium density residential.

In regard to "2": The zoning districts allowed under the PF (Public Facility) land use designation allow a range of uses that are compatible with surrounding properties.

In regard to "3": This property is in an area of the city where all utilities, fire and police services are currently in place and available to the site. The Northeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation approximately one-quarter of a mile away at Stewart and Spectrum. Fire Station #8, located at Bonanza and Mojave is the closest city facility to the site.

In regard to "4": There are no other plans or policies that would be applicable.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/29/04 A neighborhood meeting sponsored by the applicant. Nine persons attended had the following comments:

- No protests
- Construction be environmentally sound
- Ensure trail is there.

NOTICES MAILED: 47 by Planning Department

APPROVALS: 0

PROTESTS: 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4523 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS

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

_____ Yes ___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: DAVID ROARK

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: David Roark

Print Name: DAVID ROARK

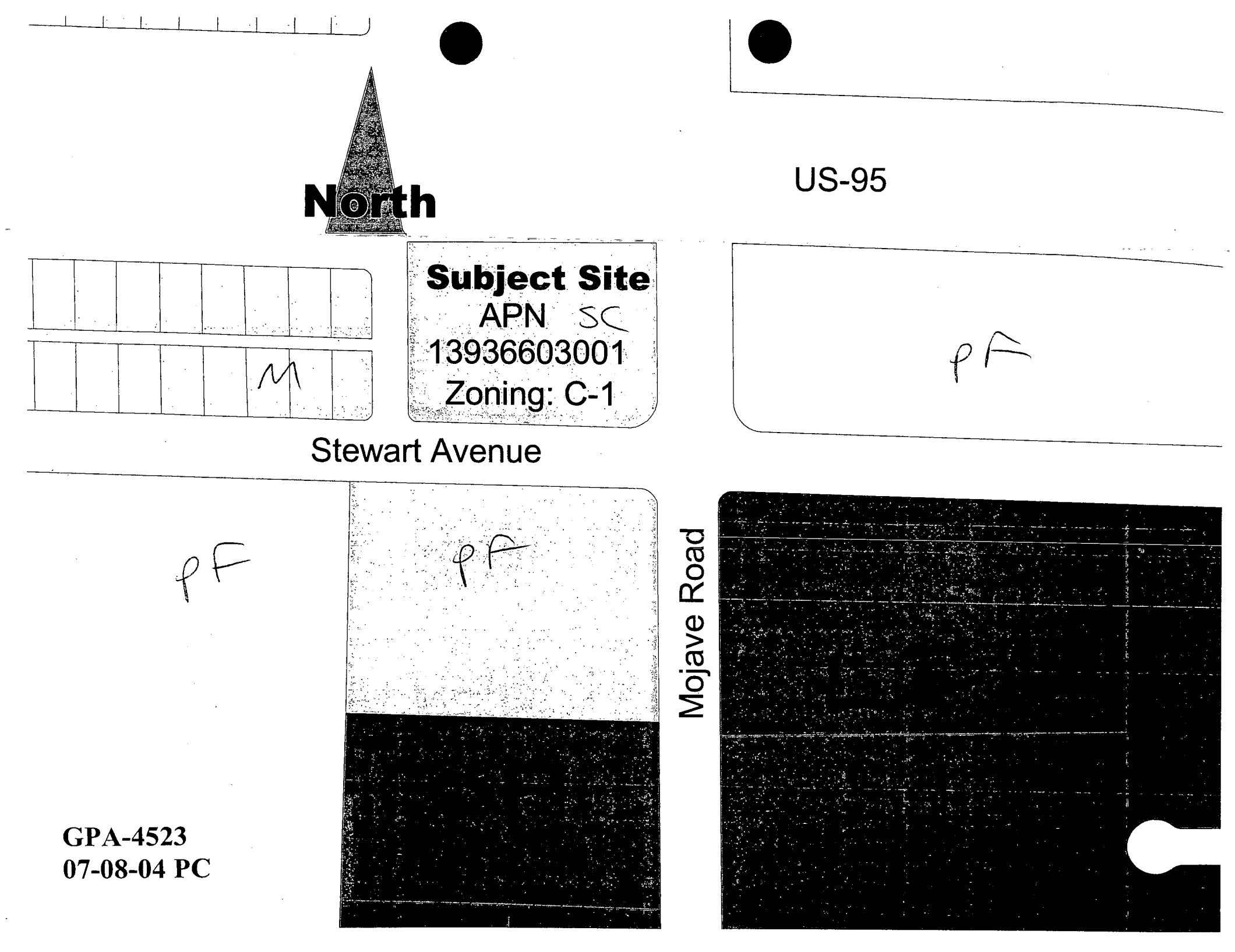
Subscribed and sworn before me

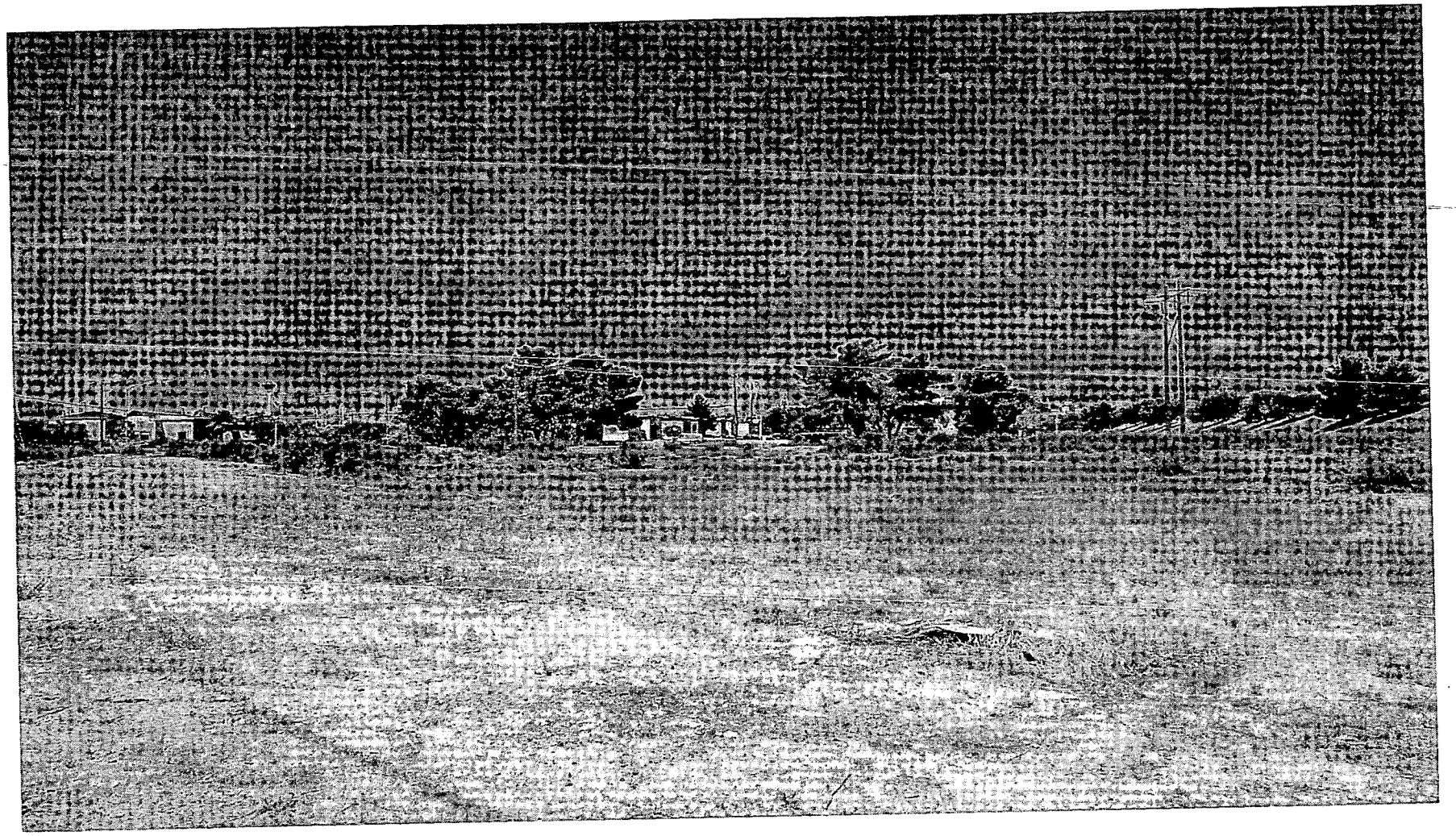
This 2nd day of Feb, 20 04

Jill Melone

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51648-1 My Appointment Expires Feb. 16, 2007


North
US-95
Subject Site
APN
13936603001
Zoning: C-1
Stewart Avenue
Mojave Road
GPA-4523
07-08-04 PC



GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF MOJAVE ROAD AND STEWART AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
REZONING RELATED TO GPA-4523 - PUBLIC HEARING - **ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
REESE – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:
NOTE: See Item 126 [GPA-4523] for related discussion.
(2:19 – 2:28)
4-2886

CONDITIONS:
Planning and Development
1. A General Plan Amendment (GPA-4523) to a PF (Public Facilities) land use designation approved by the City Council.

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

3. A Site Development Plan Review application (SDR-4525) 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
4. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or #234.3

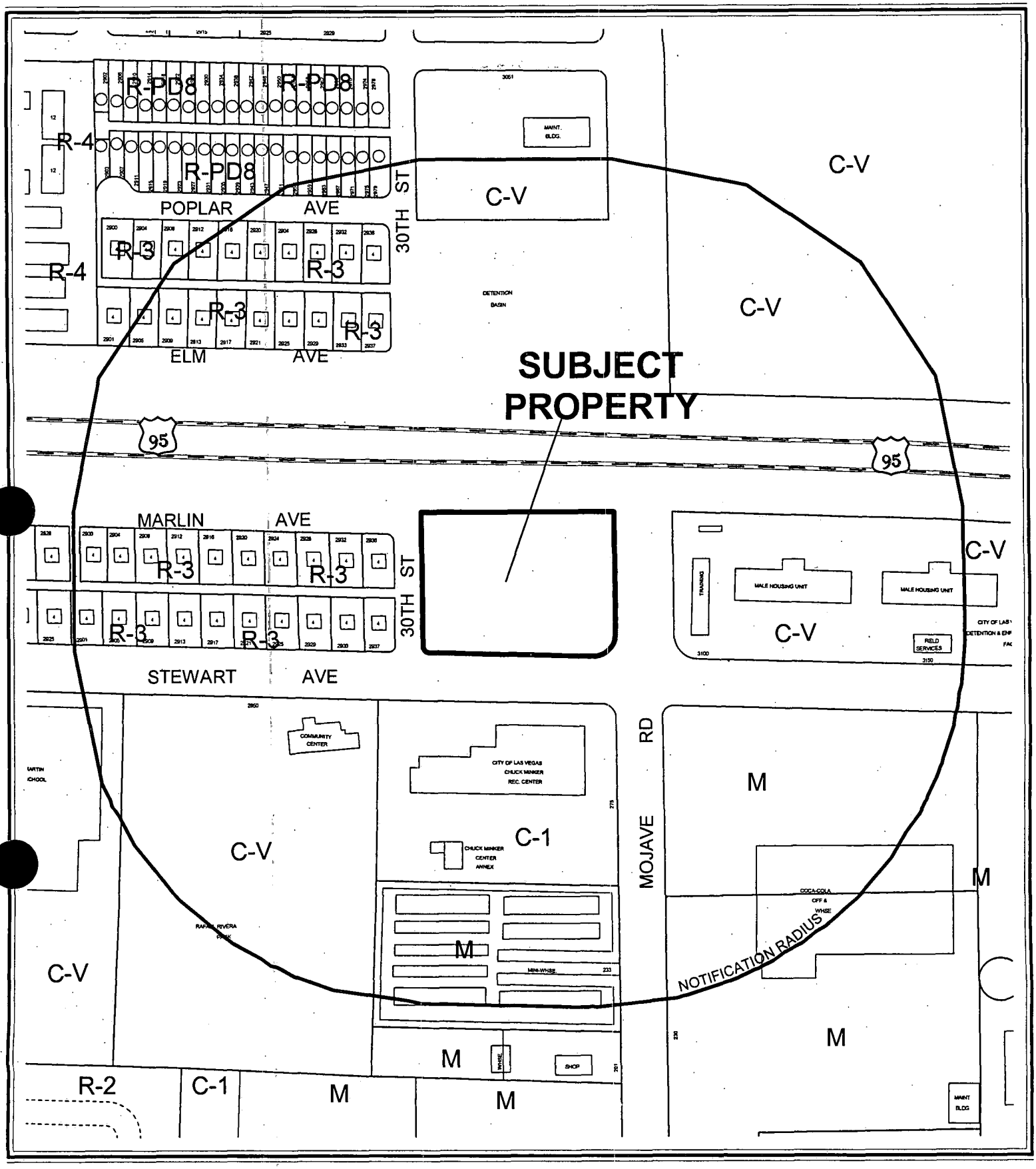
CONDITIONS Continued:

for a bus turn-out on Stewart Avenue prior to the issuance of any permits, unless otherwise allowed by the City Traffic Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

5. Construct all incomplete half-street improvements on Stewart Avenue adjacent to this site concurrent with development of this site.

6. 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.

7. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.



0 200 400 Feet

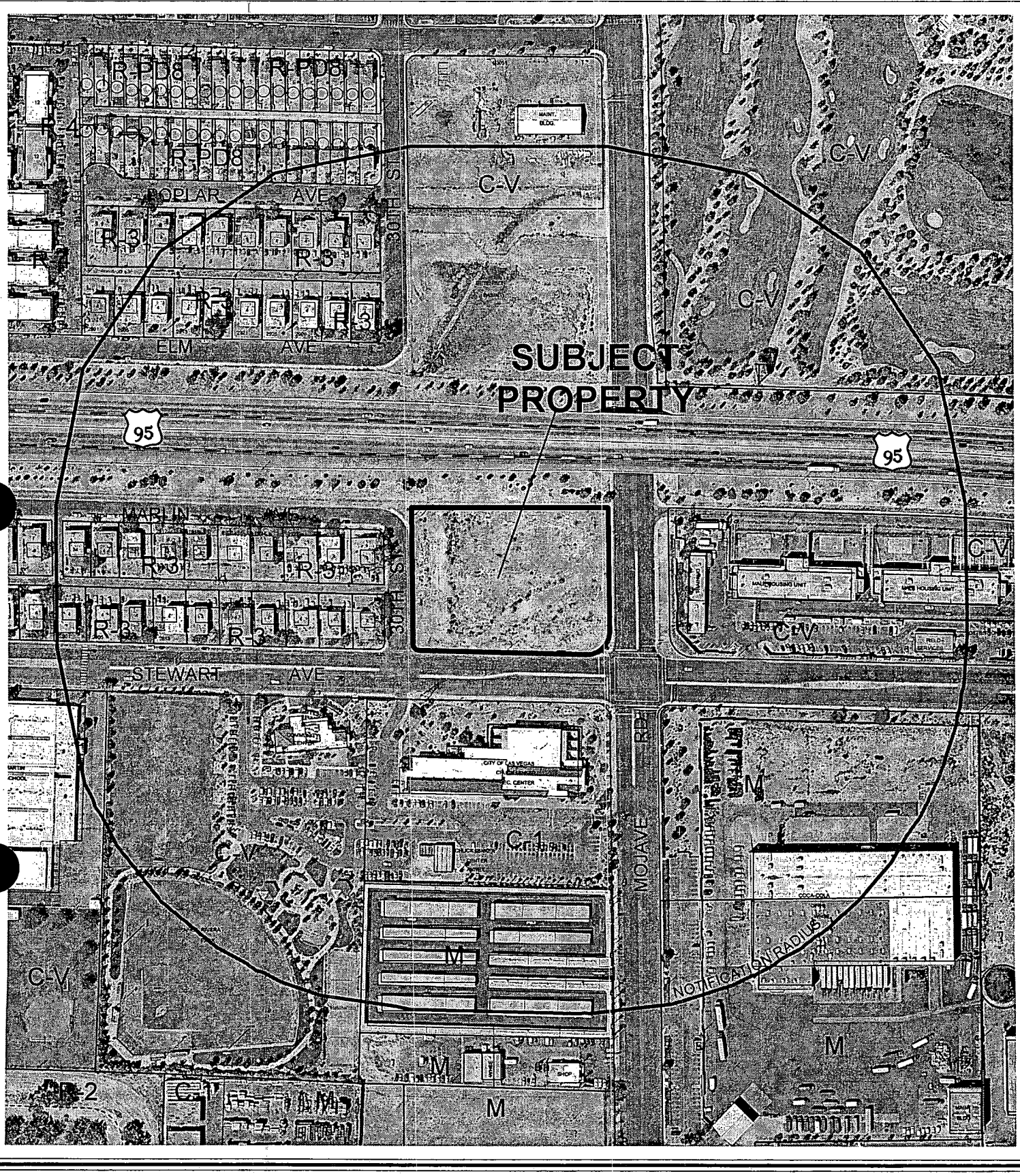
CASE: ZON-4524

RADIUS: 750 FT

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

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

N



CASE: **ZON-4524**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-4523) to a PF (Public Facilities) land use designation approved by the City Council.

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

3. A Site Development Plan Review application (SDR-4525) 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

4. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or #234.3 for a bus turn-out on Stewart Avenue prior to the issuance of any permits, unless otherwise allowed by the City Traffic Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

5. Construct all incomplete half-street improvements on Stewart Avenue adjacent to this site concurrent with development of this site.

6. 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.

7. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from C-1 (Limited Commercial) to C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue. A related General Plan Amendment (GPA-4523) and Site Development Plan Review (SDR-4525) will be considered concurrently with this application.

B) Applicant's Justification

A justification letter was not provided.

BACKGROUND INFORMATION

A) Previous Actions

07/08/04 The Planning Commission recommended approval of a related General Plan Amendment (GPA-4523) and Site Development Plan Review (SDR-4525) concurrently with this application. Staff recommends approval.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #21/fs).

B) Pre-Application Meeting

02/10/04 Issues discussed included the need for a General Plan Amendment, Rezoning, and Site Development Plan Review Application. Concern was expressed by the Public Works Department regarding off-site improvements, site access, and bus turnout lanes.

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.59

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-515
South:	Community/Recreational Center
East:	Multi-family development
West:	Correctional Facility

C) Planned Land Use

Subject Property:	SC (Service Commercial), Proposed: PF (Public Facilities)
North:	I-515
South:	PF (Public Facilities)
East:	PF (Public Facilities)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Service Commercial)
North:	I-515
South:	C-1 (Service Commercial)
East:	R-3 (Medium Density Residential)
West:	C-V (Civic)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a SC (Service Commercial) land use designation. The proposed C-V (Civic) zoning district will be in compliance with the General Plan with the approval of a related General Plan Amendment (GPA-4523) to PF (Public Facilities).

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

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

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.08, there is no required minimum site area or other standards when rezoning to C-V (Civic).

B) General Analysis and Discussion

The request is for a Rezoning from C-1 (Limited Commercial) to C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue. The C-V (Civic) district is intended to provide for uses including public and quasi-public uses, which are operated by any recognized religious, fraternal, veteran, civic or service organization. The site is being rezoned to accommodate the proposed East Las Vegas Business Incubator, which will encourage the creation of jobs for low and moderate-income persons in the East Las Vegas area. It has yet to be determined if the center will be operated by the Department of Neighborhood Services or a qualified non-profit organization. If the Incubator is to be operated by a non-profit organization, a rezoning to the C-V (Civic) district would still be appropriate as it would be considered a similar use as outlined in Title 19.06.020(C). The proposed rezoning will continue the general development pattern of civic uses being located along this portion of Stewart Avenue.

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 a related General Plan Amendment (GPA-4523) to a PF (Public Facilities) land use designation, the proposed rezoning 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 is situated in close proximity to other civic buildings including a correctional facility and a community center. The proposed C-V (Civic) zoning district is compatible with the surrounding land uses and zoning districts.

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

   There are several government buildings in the vicinity along Stewart Avenue, and the proposed rezoning to the C-V (Civic) zoning district follows the general development pattern of civic uses the 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 site will receive access via a drive from Thirteenth Street, and a drive from Mojave Road, both 60-foot collector streets. The street facilities are adequate in size to meet the requirements of the proposed zoning district.

NOTICES MAILED 47 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON4524 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS

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

_____ Yes 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: David Roark

Print Name: DAVID ROARK

Subscribed and sworn before me

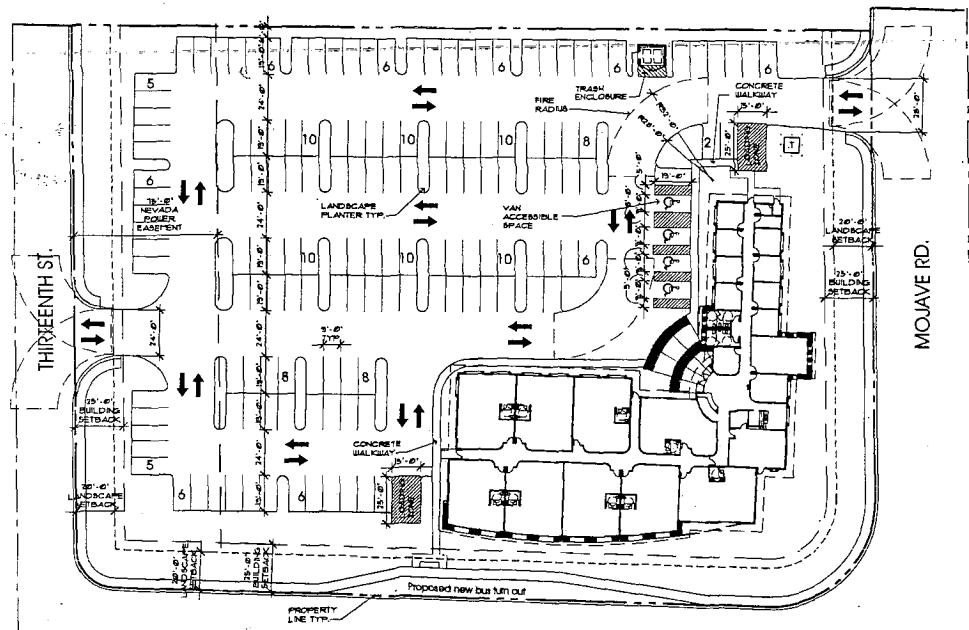
This 25TH day of MAY, 20 04

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51646-1 My Appointment Expires Feb. 16, 2007

_____
Notary Public in and for said County and State

I-515
INTERSTATE

ADJACENT
ZONING
R-3



ADJACENT
ZONING
C-V

ADJACENT
ZONING
C-1

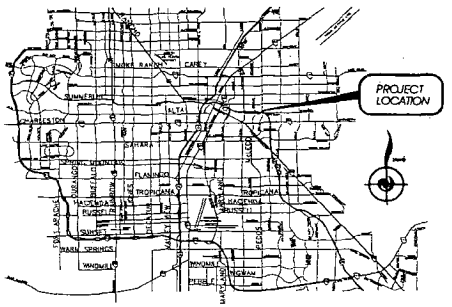
Site Data

ASSESSORS PARCEL NUMBER (APN)		139-36-603-004
CURRENT ZONING		C-1
PROPOSED ZONING		C-V
PARCEL AREA		
SITE GROSS	+/- 3.59 ACRES GROSS	156,380 S.F.
BUILDING AREA GROSS		17,000 S.F.
BUILDING SITE COVERAGE		11 PERCENT
PARKING REQUIRED		
OFFICE	1/175 S.F.	97 SPACES
TOTAL PARKING REQUIRED		97 SPACES
PROVIDED	9/1000 S.F.	155 SPACES

Owner / Developer

DEPARTMENT OF PUBLIC WORKS
OFFICE OF ARCHITECTURAL SERVICES
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101
SAMUEL D. TOLMAN, AIA, NCARB 702.229.2091

Vicinity Map



Site Plan

Scale: 1" = 30'-0"

North

Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied.

ZON-4524
SDR-4525
07-08-04 PC

East Las Vegas Business Incubator

May 5, 2004

Schematic Design

Las Vegas, Nevada

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Indigo Architecture, Inc.
8930 S. Maryland Pkwy, Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772



ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF MOJAVE ROAD AND STEWART AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4523 AND ZON-4524 - PUBLIC HEARING - **SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS -** Request for a Site Development Plan Review FOR A PROPOSED GOVERNMENT FACILITY (EAST LAS VEGAS BUSINESS INCUBATOR), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), C-1 (Limited Commercial) Zone, [Proposed: C-V (Civic) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

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

MOTION:
REESE – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:
NOTE: See Item 126 [GPA-4523] for related discussion.

(2:19 – 2:28)

4-2886

CONDITIONS:
Planning and Development

1. A General Plan Amendment (GPA-4523) to PF (Public Facilities), and Rezoning (ZON-4524) 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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 128 – SDR-4525

CONDITIONS Continued:

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

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

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems 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.

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 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.

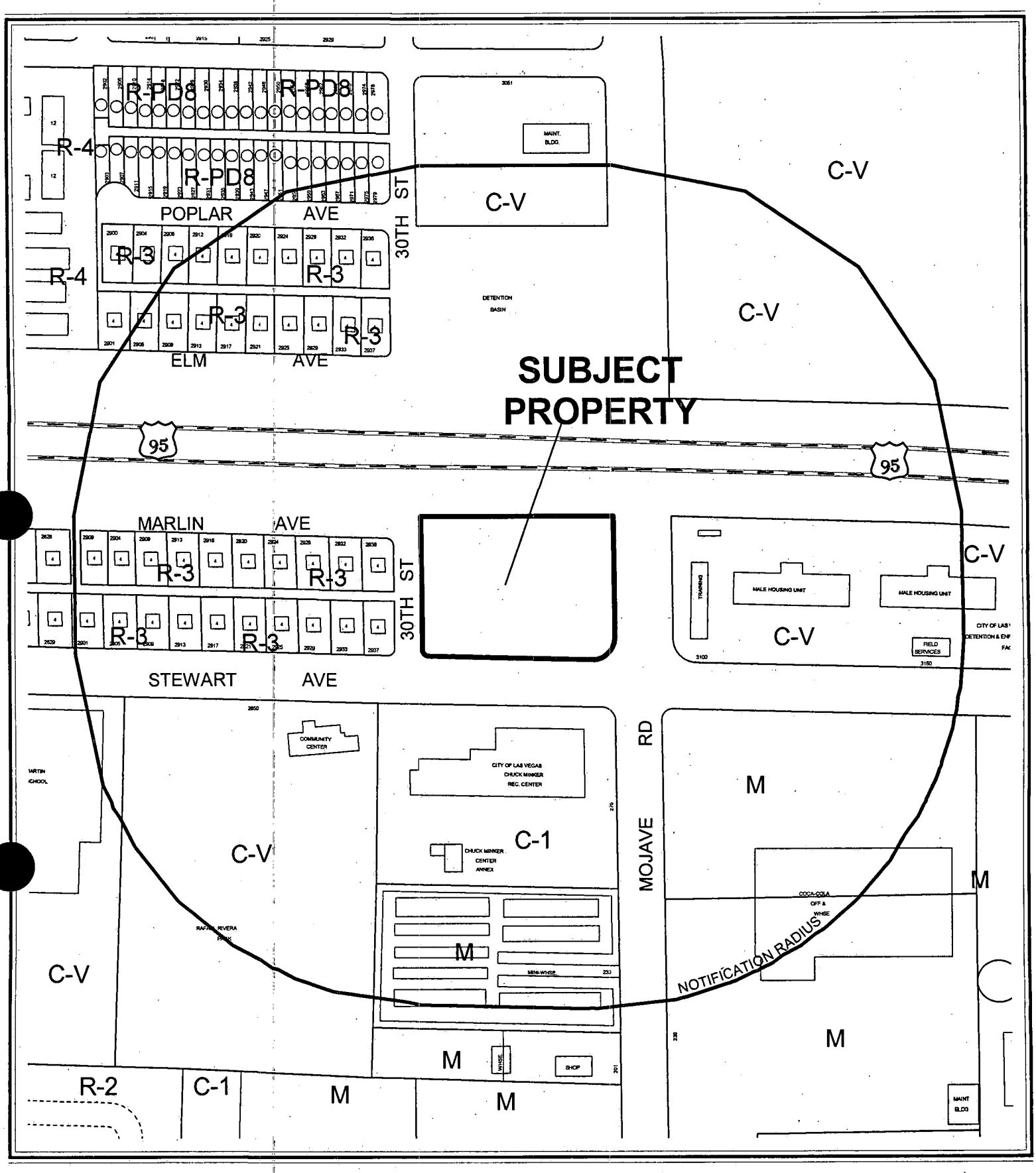
CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 128 – SDR-4525

CONDITIONS Continued:

Public Works

14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4524 and all other subsequent site-related actions.



0 200 400 Feet

CASE: **SDR-4525**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-4523) to PF (Public Facilities), and Rezoning (ZON-4524) 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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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

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15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4524 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for the proposed East Las Vegas Business Incubator, on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue. A related General Plan Amendment (GPA-4523) and Rezoning (ZON-4524) will be considered concurrently with this request.

B) Applicant's Justification

A justification letter was not provided.

BACKGROUND INFORMATION

A) Previous Actions

07/08/04 The Planning Commission recommended approval a related General Plan Amendment (GPA-4523) and Rezoning (ZON-4524) concurrently with this application. Staff recommends approval.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22/fs).

B) Pre-Application Meeting

02/10/04 Issues discussed included the need for a General Plan Amendment, Rezoning, and Site Development Plan Review Application. Concern was expressed by the Public Works Department regarding off-site improvements, site access, and bus turnout lanes.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.59

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-515
South:	Community/Recreational Center
East:	Multi-family development
West:	Correctional Facility

C) Planned Land Use

Subject Property:	SC (Service Commercial), Proposed: PF (Public Facilities)
North:	I-515
South:	PF (Public Facilities)
East:	PF (Public Facilities)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-1 (Service Commercial), Proposed: C-V (Civic)
North:	I-515
South:	C-1 (Service Commercial)
East:	R-3 (Medium Density Residential)
West:	C-V (Civic)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with a SC (Service Commercial) land use designation. The proposed C-V (Civic) zoning district will be in compliance with the General Plan with the approval of a related General Plan Amendment (GPA-4523) to PF (Public Facilities).

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 Districts or Zones.

PROJECT DESCRIPTION

The request is for the proposed East Las Vegas Business Incubator on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue. Development and landscape standards are established by this site plan in conjunction with a related Rezoning (ZON-4524) to the C-V (Civic) zoning district. Access is provided via drives from Mojave Road and Thirteenth Street, and there are 155 parking spaces internal to the site. The building is located on the southeastern portion of the site, and the elevations depict a 24-foot structure with a flat roof and an exterior consisting of cultured stone and cement plaster painted in desert tones.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan, in conjunction with the related Rezoning (ZON-4524) application, establishes the Development Standards in a C-V (Civic) zoning district.

Standards	**Provided**
Min. Setbacks	
• Front	25 Feet
• Side	25 Feet
• Corner	25 Feet
• Rear	25 Feet
Max. Lot Coverage	11 %
Max. Building Height	24 Feet
Trash Enclosure	Roofed/Enclosed
Loading Zones	2 provided

A2) 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
Professional Office	17,000 SF	1/300GFA	54	3	151	4

The proposal exceeds Title 19 Parking Requirements.

A4) Landscape and Open Space Standards

Pursuant to Title 19.06, the Site Development Plan, in conjunction with the related Rezoning (ZON-4524) application, establishes the Landscape Standards in a C-V (Civic) zoning district.

Standards	**Provided**	
		Trees
Parking Area	1 Tree per 6 Spaces	34 Trees
Buffer Trees	As shown on Site Plan	29 Trees
• Min. Zone Width	20 Feet	
• Min Zone Width (North Property Line)	6 Feet	

B) General Analysis and Discussion

- Zoning

The C-V District is intended to provide for the continuation of existing public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District and other public utility facilities. In addition, the C-V District is intended to provide for other compatible uses, including public and quasi-public uses which are operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

- Site Plan

The request is for the proposed East Las Vegas Business Incubator on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue. The Business Incubator Center will encourage the creation of jobs for low and moderate-income persons, as well as provide technical and business development assistance to small businesses in the East Las Vegas area. Pursuant to Title 19.06, the Site Development Plan, in conjunction with the related Rezoning (ZON-4524) application, establishes the Development Standards in a C-V (Civic) zoning district. The proposed 17,000 square-foot building is located at the southeast corner of the site. Access is provided via driveways from Mojave Road, and Thirteenth Street, both 60-foot Collector streets. The plan depicts 155 parking spaces where 57 are required, and two loading zones are provided on site.

- Waivers

No waivers are requested as a part of this application.

- Landscape Plan

Pursuant to Title 19.06, the Site Development Plan, in conjunction with the Rezoning (ZON-4524) application, establishes the Landscape Standards in a C-V (Civic) zoning district. The landscape plan depicts 20-foot wide landscape buffers along the east, west, and south property lines planted with Date Palms, Modesto Ashes, African Sumacs and various five-gallon shrubs. The north landscape buffer is six feet wide and planted with Modesto Ashes and various five-gallon shrubs. Ground cover will consist of decomposed granite, and no turf is proposed for the site. Landscape fingers are located every sixth space throughout the parking area, and a minimum of five feet of foundation landscape buffer is provided along the building footprint. The proposed landscaping is adequate.

- Elevation

The building elevation depicts a 24-foot structure with a flat roof and an exterior consisting of cultured stone and cement plaster painted in desert tones.

- Floor Plan

The floor plans depict a 17,000 square foot building with training and conference rooms, numerous office suites, and other areas typically associated with a professional office building.

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 East Las Vegas Business Incubator is compatible with the adjacent development and development in the area. There are several civic uses in the vicinity along Stewart Avenue, and the proposed site is an appropriate location for the Business Incubator.

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

   The proposed development will be consistent with 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-4523) and Rezoning (ZON-4524).

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

   The site will receive access via a drive from Thirteenth Street, and a drive from Mojave Road, both 60-foot collector streets. Site access will not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials proposed 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;"**

   The building elevations depict design characteristics that 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 site will be subject to ongoing inspection, and therefore will not compromise the public health, safety or general welfare.

NOTICES MAILED 47 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4525 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CITY OF LAS VEGAS

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

_____Yes 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: David Roark

Print Name: DAVID ROARK

Subscribed and sworn before me

This 25TH day of MAY, 20 04

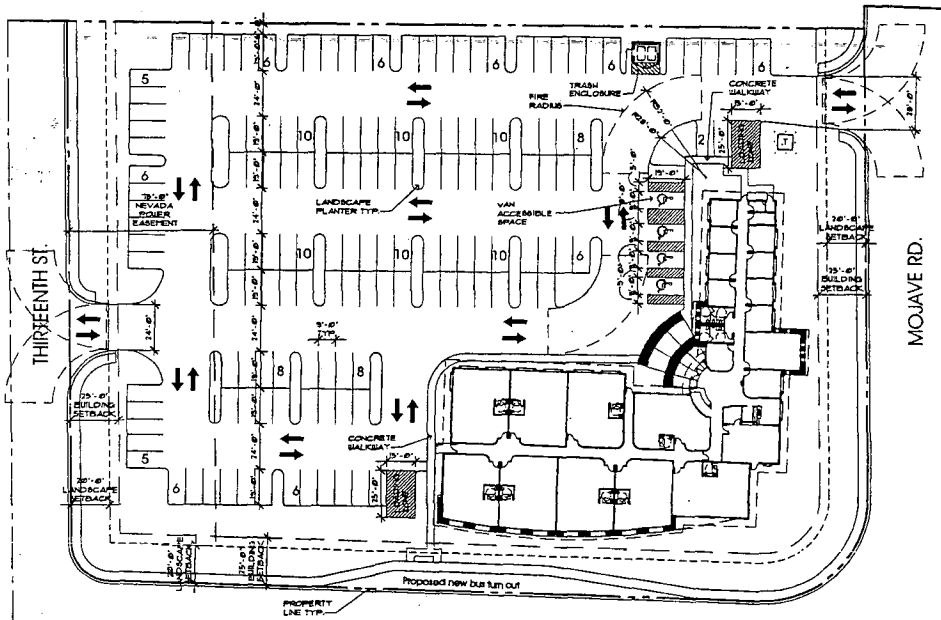
Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-51646-1 My Appointment Expires Feb. 16, 2007

Notary Public in and for said County and State

I-515
INTERSTATE

ADJACENT ZONING R-3

THIRTEENTH ST.



MOJAVE RD.

ADJACENT ZONING C-V

STEWART AVE.

ADJACENT ZONING C-1

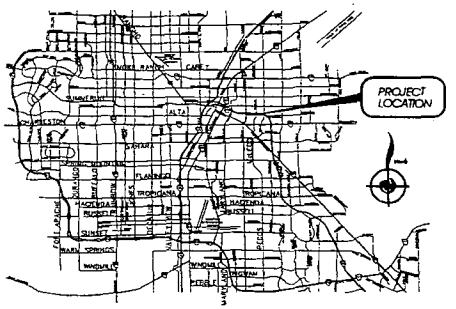
Site Data

ASSESSORS PARCEL NUMBER (APN)		139-36-603-001
CURRENT ZONING		C1
PROPOSED ZONING		C-V
PARCEL AREA		
SITE GROSS	+/- 3.59 ACRES GROSS	156,380 S.F.
BUILDING AREA GROSS		17,000 S.F.
BUILDING SITE COVERAGE		11 PERCENT
PARKING REQUIRED		
OFFICE	1/175 S.F.	97 SPACES
TOTAL PARKING REQUIRED		97 SPACES
PROVIDED	9/1000 S.F.	155 SPACES

Owner / Developer

DEPARTMENT OF PUBLIC WORKS
OFFICE OF ARCHITECTURAL SERVICES
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101
SAMUEL D. TOLMAN, AIA, NCARB 702.229.2091

Vicinity Map



ZON-4524
SDR-4525
07-08-04 PC

Site Plan

Scale: 1" = 30'-0"

North

East Las Vegas Business Incubator

May 5, 2004 — Schematic Design — Las Vegas, Nevada

Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied.

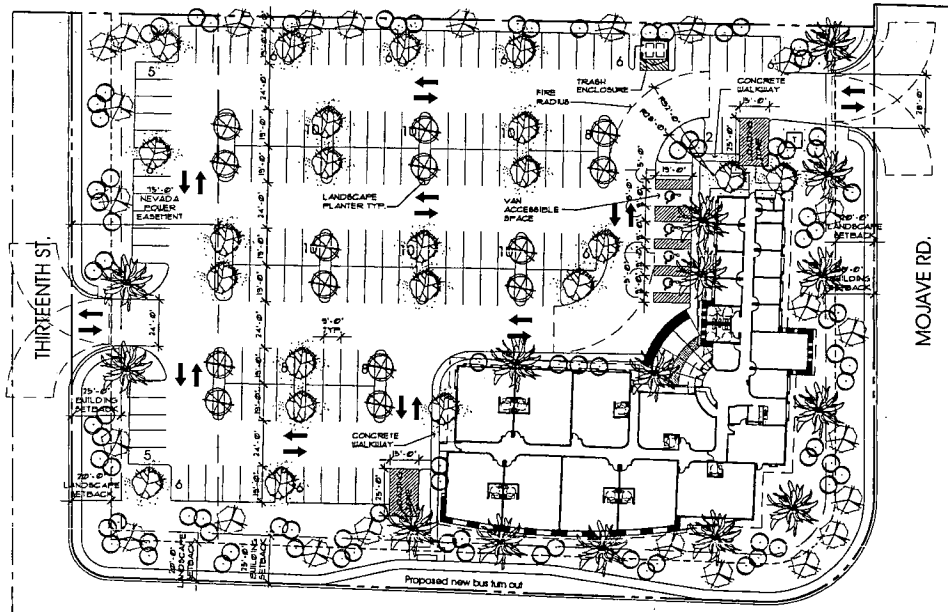
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Las Vegas, Nevada 89123
(702) 456-2772

I-515
INTERSTATE

ADJACENT ZONING R-3

THIRTEENTH ST.



MOJAVE RD.

ADJACENT ZONING C-V

STEWART AVE.

ADJACENT ZONING C-1

Landscape Plan

Scale: 1" = 30'-0"

North

Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied.

Owner / Developer

DEPARTMENT OF PUBLIC WORKS
OFFICE OF ARCHITECTURAL SERVICES
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101
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Site Data

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PROPOSED ZONING		C-V
PARCEL AREA		
SITE GROSS	+/- 3.59 ACRES GROSS	156,380 S.F.
BUILDING AREA GROSS		17,000 S.F.
BUILDING SITE COVERAGE		11 PERCENT
PARKING REQUIRED		
OFFICE	1/175 S.F.	97 SPACES
TOTAL PARKING REQUIRED		97 SPACES
PROVIDED	9/1000 S.F.	155 SPACES

Landscape will meet title 19A requirements.

Tree Legend

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	SPACING
	PHOENIX SPECIES DATE PALM	18'-0"	15	AS SHOWN ON PLAN
	F. VELUTINA 'MODESTO' MODESTO ASH	24" BOX	22	AS SHOWN ON PLAN
	RHUS LANCEA AFRICAN SUMAC	24" BOX	14	AS SHOWN ON PLAN

Suggested Shrub List

BOTANICAL/COMMON NAME	SIZE	SPACING
ACACIA REDOLENS 'DESERT CARPET' - DESERT CARPET ACACIA	5 GALLON	
CAMEA POLYGONIFOLIA - SILVER CAMEA	5 GALLON	
HESPERALOE PARVIFLORA - RED YUCCA	5 GALLON	
LEUCOPHYLLUM ZYGOPHYLLUM - BLUE RAIN SAGE	5 GALLON	36" MIN. LENGTH OF PLANTER
MUHLENBERGIA CAPILLARIS 'REGAL MIST' - REGAL MIST DEER GRASS	5 GALLON	
RUSSELIA EQUISETIFORMIS - CORAL FOUNTAIN	5 GALLON	
TECOMARIA CAPENSIS - CAPE HONEYSUCKLE	5 GALLON	
SALVIA GREGGII 'CHERRY RED' - AUTUMN SAGE	5 GALLON	
TEUCRIUM CHAMAEDRYS - GERMANDER	5 GALLON	

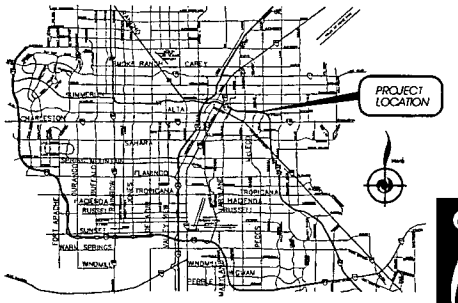
Ground Cover

DECOMPOSED GRANITE - 1/2" FINES
UNDER ALL TREES AND SHRUBS

Landscape Area

26,151 SF OF LANDSCAPE AREA PROVIDED
0 SF OF LANDSCAPE TURF AREA PROVIDED

Vicinity Map



East Las Vegas Business Incubator

May 5, 2004

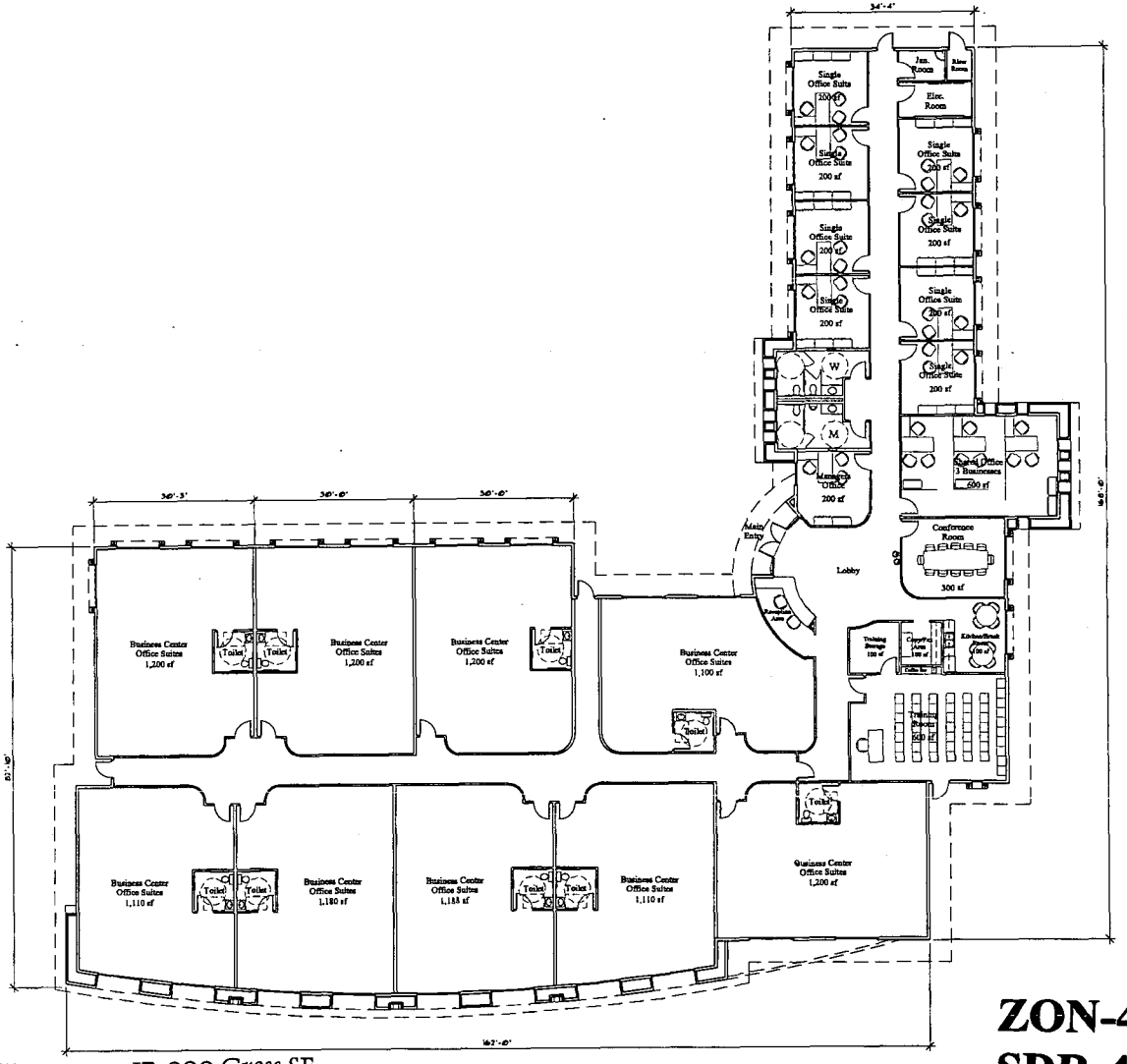
Schematic Design

Las Vegas, Nevada

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Floor Plan 17,000 Gross SF

Scale: 3/32" = 1'-0"

ZON-4524
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North

East Las Vegas Business Incubator

May 5, 2004

Schematic Design

Las Vegas, Nevada

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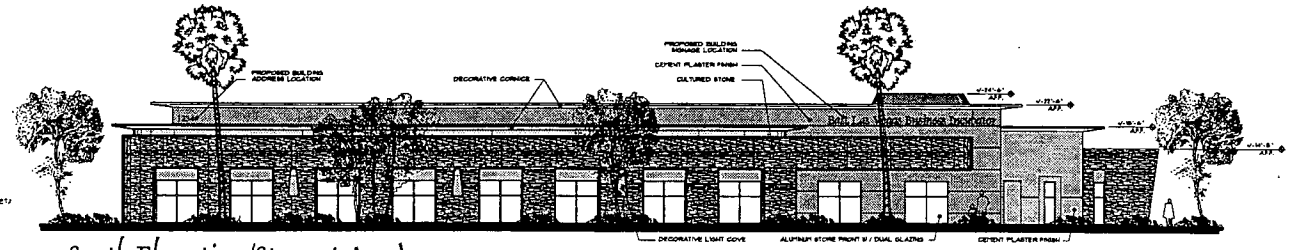
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(702) 456-2772

FIELD COLOR 1 (FRAZEE 1710H DESERT SUNSET)

FIELD COLOR 2 (FRAZEE 8244D COPPER SPRINGS)

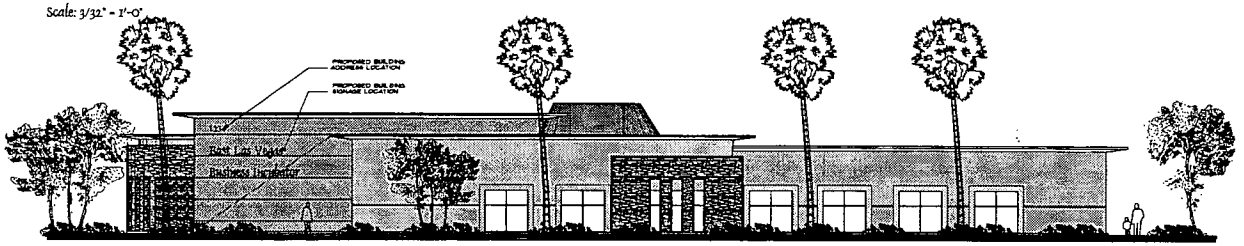
ACCENT (FRAZEE 8584H GREY EXPECTATIONS)

ACCENT CORNICE (FRAZEE 8336N BAVARIAN CHALET)



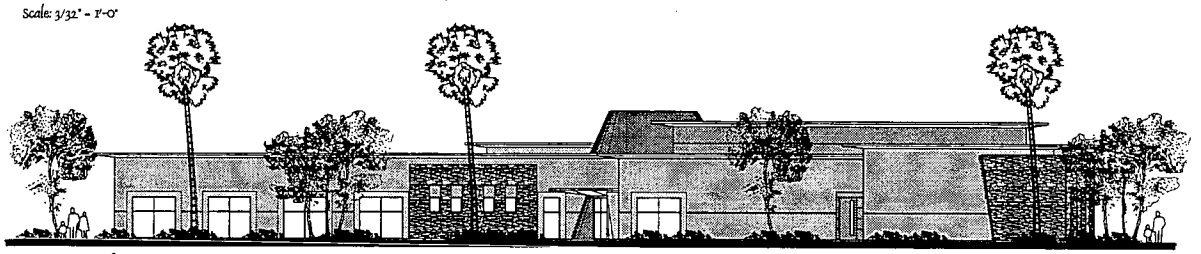
South Elevation (Stewart Ave.)

Scale: 3/32" = 1'-0"



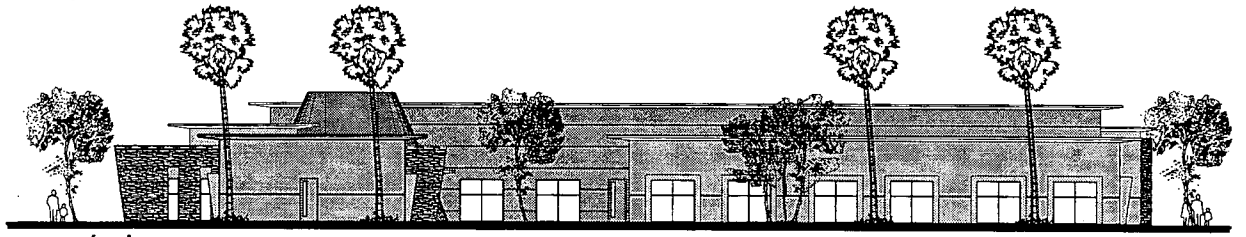
East Elevation (Mojave Rd.)

Scale: 3/32" = 1'-0"



West Elevation

Scale: 3/32" = 1'-0"



North Elevation

Scale: 3/32" = 1'-0"

East Las Vegas Business Incubator

May 5, 2004

Schematic Design

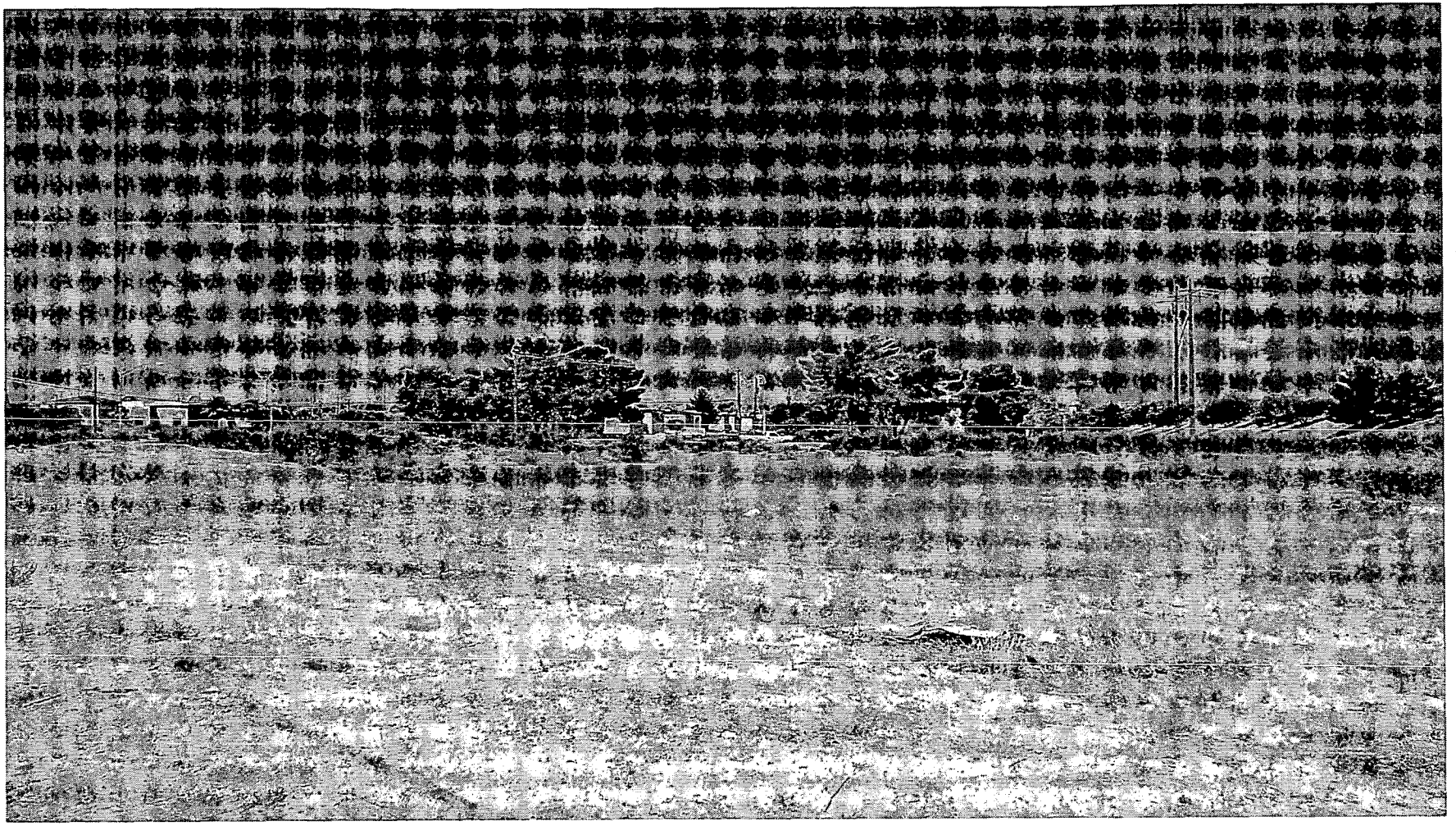
Las Vegas, Nevada

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Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied.

ZON-4524
SDR-4525
07-08-04 PC

Indigo Architecture, Inc.
8990 S. Maryland Pkwy Ste. 100
Las Vegas, Nevada 89123
(702) 456-2772



SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF MOJAVE ROAD AND STEWART AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

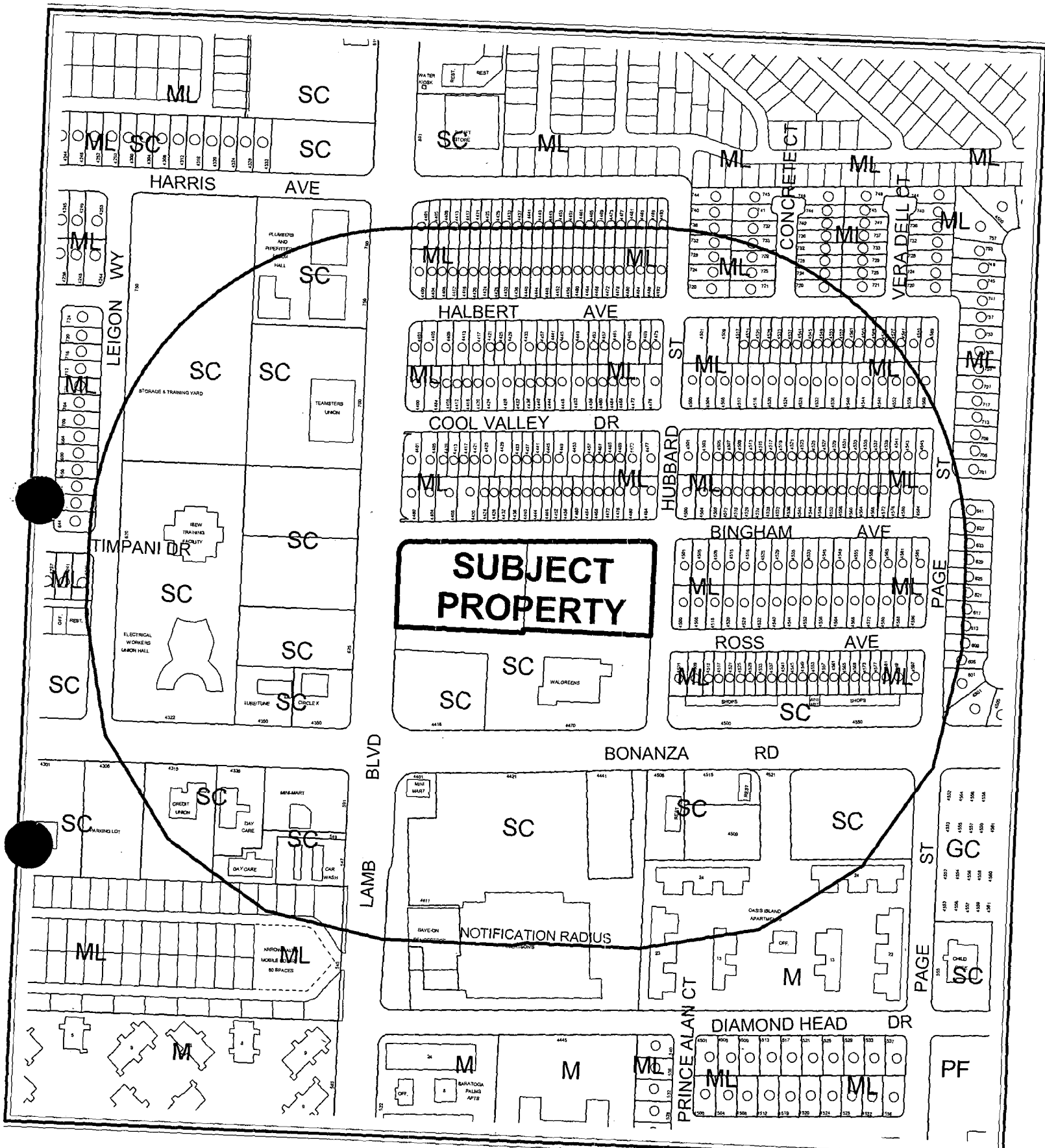
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] filed under Item 129 [GPA-4542]

MOTION:
REESE – APPROVED – UNANIMOUS

MINUTES:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)

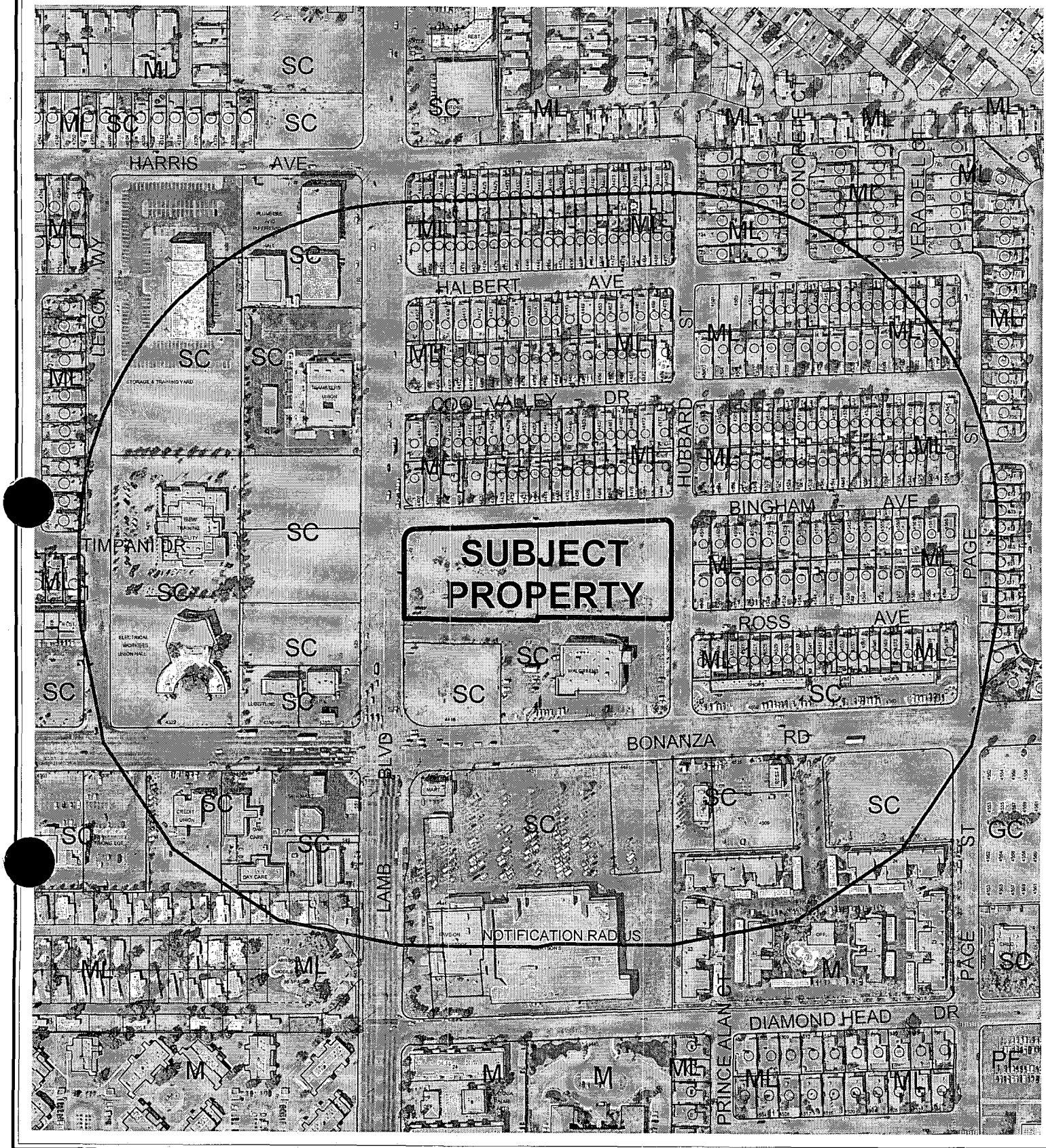


CASE: **GPA-4542**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL)



CASE: **GPA-4542**

RADIUS: 750 FT

0 200 400 Feet

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

** 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 Lamb Boulevard and Bingham Avenue from ML (Medium Low Density Residential) to M (Medium Density Residential). Requests for a Rezoning (ZON-4543), two Variances, (VAR-4547) and (VAR-4572), and a Site Development Plan Review (SDR-4545) have also been submitted.

BACKGROUND INFORMATION:

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 ML (Medium Low Density Residential) land uses with a maximum density of twelve dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. On this plan the parcels were designated as ML (Medium Low Density Residential) with a maximum density of nine dwelling units per acre.
08/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. On this plan, the parcels were designated as ML (Medium Low) with a maximum density of eight dwelling units per acre.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
07/08/04	The Planning Commission recommended approval of related items (VAR-4547, ZON-4543, VAR-4572 and SDR-4545).
07/08/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/sr).

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	M-L (Medium Low Residential)
North	M-L (Medium Low Residential)
South	S-C (Service Commercial)
East	M-L (Medium Low Residential)
West	S-C (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

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**

DEFINITIONS

ML (Medium Low Density Residential)
(5.6 to 8 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

M (Medium Residential)
(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

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.

ANALYSIS

The subject parcels are currently undeveloped. Abutting the site are Lamb Boulevard, a 100-foot wide right-of-way to the west and Bingham Avenue to the north and Hubbard Street to the east, two 50-foot wide rights-of-way,. Surrounding development includes single-family homes to the north and east, commercial development to the south, and vacant land to the west.

The M (Medium Density Residential) land use designation supports densities ranging from 12.1 to 25 dwelling units per acre. Typical uses include plexes, townhomes, and multi-family apartments. Regardless of the specific type of use, projects of this density are successful only when adequate space is available for amenities and, when necessary, buffering. As density rises, so do the needs for open space and assurances that neighboring properties won't be negatively impacted. The subject property, being approximately 3.5 gross acres in size, is not large enough to provide for the flexibility of design necessary to obtain adequate open space and buffering. The proposed R-PD (Residential Planned Development) zoning designation, which provides for flexible and innovative design, specifically requires a minimum of five acres.

These parcels are in the area of the Master Plan 2020 that is designated as the Neighborhood Revitalization Area. Policy 2.1.2 of that plan states that, "Development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development." The M (Medium Density Residential) land use designation on this parcel cannot be developed in that manner. The fact that the properties to the south and west are existing or planned for commercial uses does not automatically justify a more intense land use designation if the subject property itself cannot support the resulting density.

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 proposed land use designation supports development that is not appropriate in this context.

In regard to "2," the zoning designations that would be permitted under the proposed land use designation permit a range of uses that cannot be developed harmoniously with the surrounding properties.

In regard to "3," the site is approximately a mile driving distance from the 3.5-acre Stewart Place Park to the southeast and 1.5 miles driving distance from Freedom Park at Washington Avenue and Pecos Road. The Northeast Area Command of the Las Vegas Metropolitan Police Department services this site with a substation approximately two miles away at Washington Avenue and Mojave Road. Fire Station No. 8, at Bonanza Road and Mojave Road, is the closest city facility to the site.

In regard to "4," there are no other applicable adopted plans or policies.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 14, 2004, a neighborhood meeting sponsored by the applicant was held. The two neighbors in attendance persons had the following comments:

1. They were concerned that the project proposed 2-story homes.
2. The entrance on Bingham Avenue would draw traffic onto a residential street.
3. They felt the $170,000 price range was too low.

NOTICES MAILED: 402 by Planning Department

APPROVALS: 0

PROTESTS: 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4592 APN: 140-29-401-005 & 0006

Name of Property Owner: Clark County

Name of Applicant: Joel Armstrong

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Sandra M. Nasikog

Print Name: Sandra M. Naskog Director

State of Nevada County of Clark

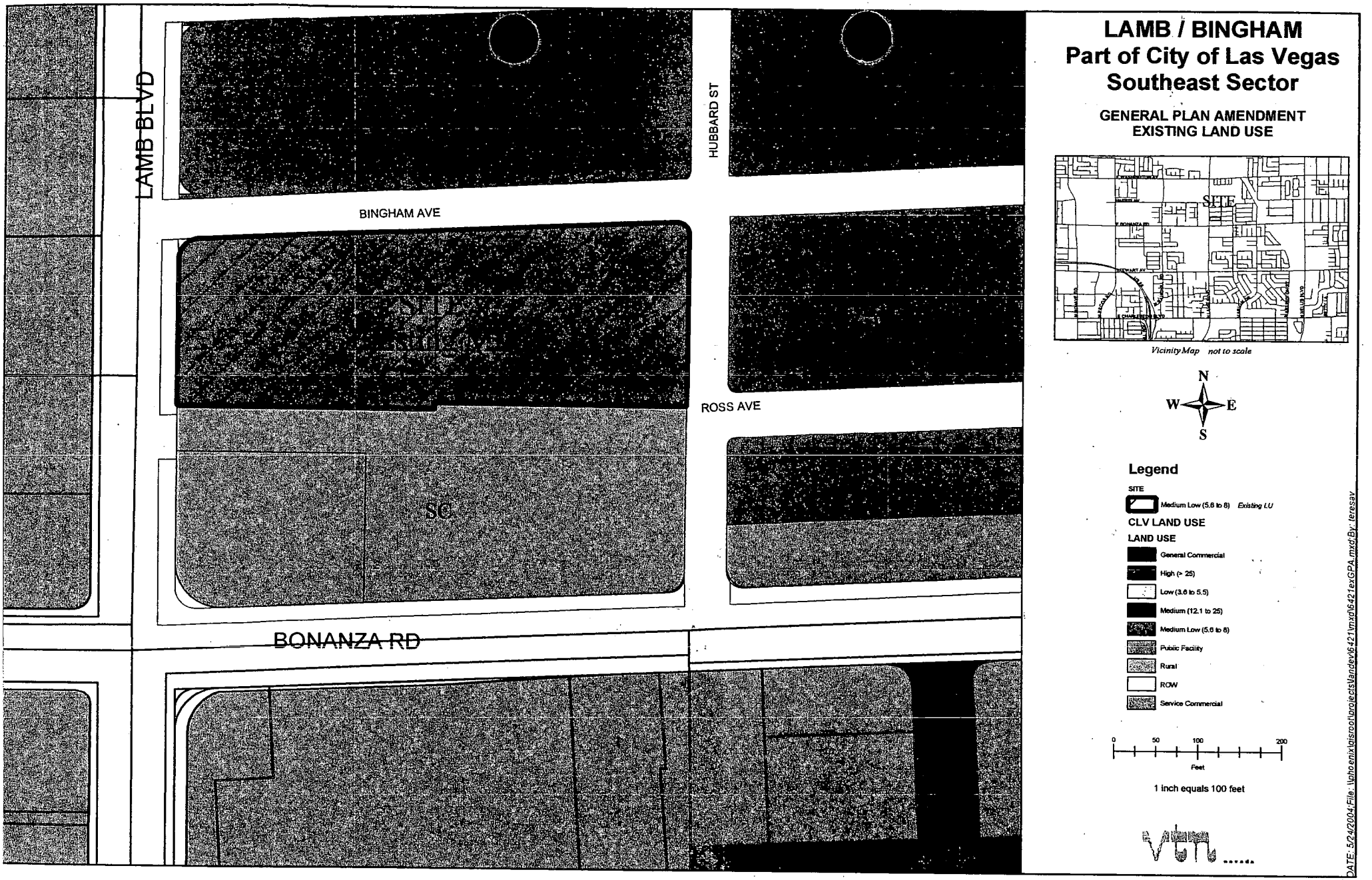
Subscribed and sworn before me

This 20th day of May, 2004

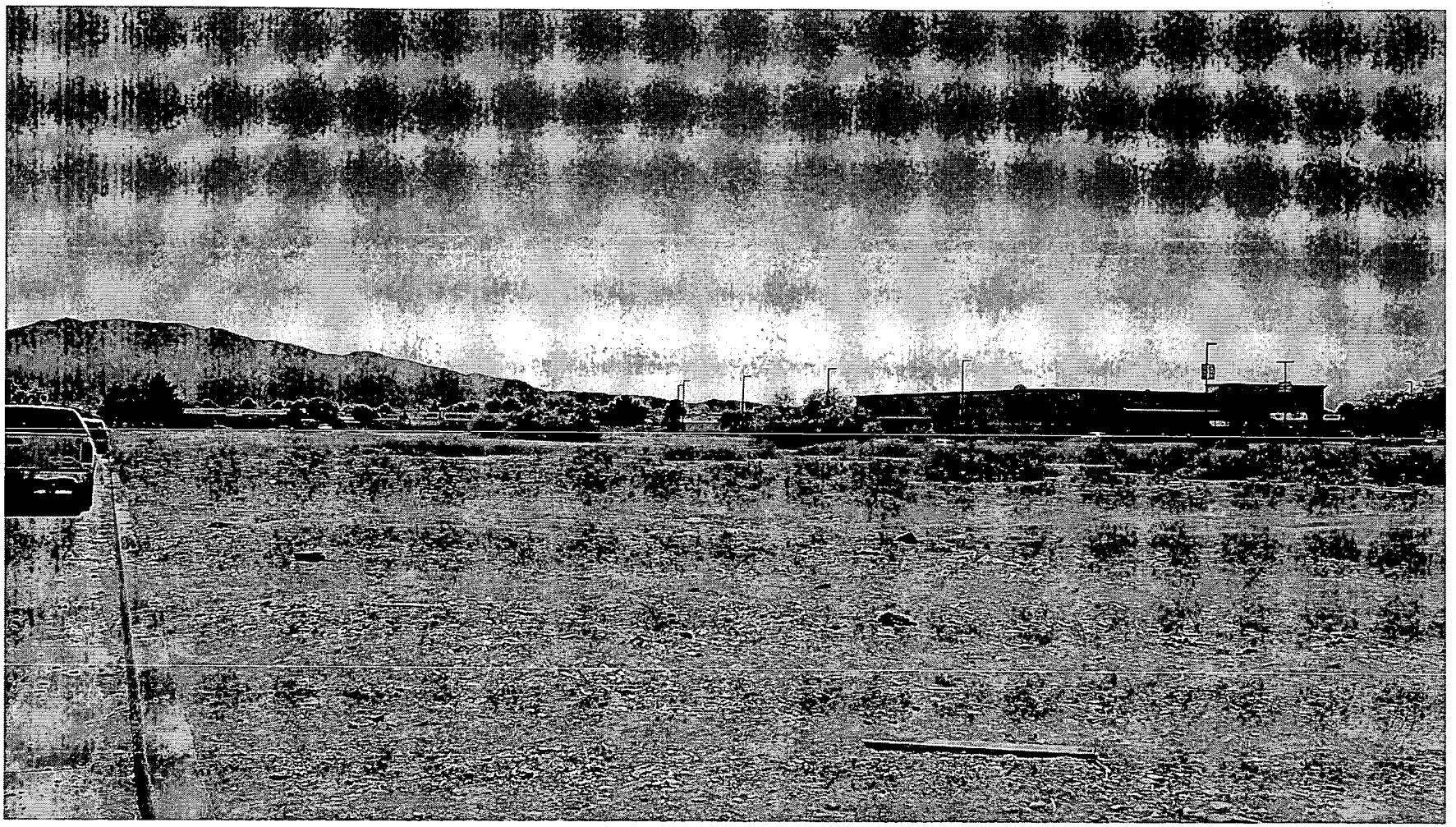
Karen S Mulcahy

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



GPA-4542
07-08-04 PC



GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

TABITHA D. FIDDYMENT
tfiddyment@kkbr.com

July 28, 2004

VIA FACSIMILE
832-4803

Don Schmiser
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
731 S. 4th Street
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 JUL 28 A 10:18

Re: Revised Request
Joel Armstrong – City Council ABEYANCE of
GPA-4542; VAR-4547; VAR-4572; ZON-4543; SDR-4545

Dear Don:

Please be advised this office represents the applicant on the above referenced matter. The above items are scheduled to be heard at the City Council hearing on August 4, 2004. The applicant seeks to have this items abeyed to the September 1, 2004 City Council hearing in order to make revisions to the site plan.

Thank you for your kind consideration, please contact this office if you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha D. Fiddyment

TDF/dmf

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
REZONING RELATED TO GPA-4542 - PUBLIC HEARING - **ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

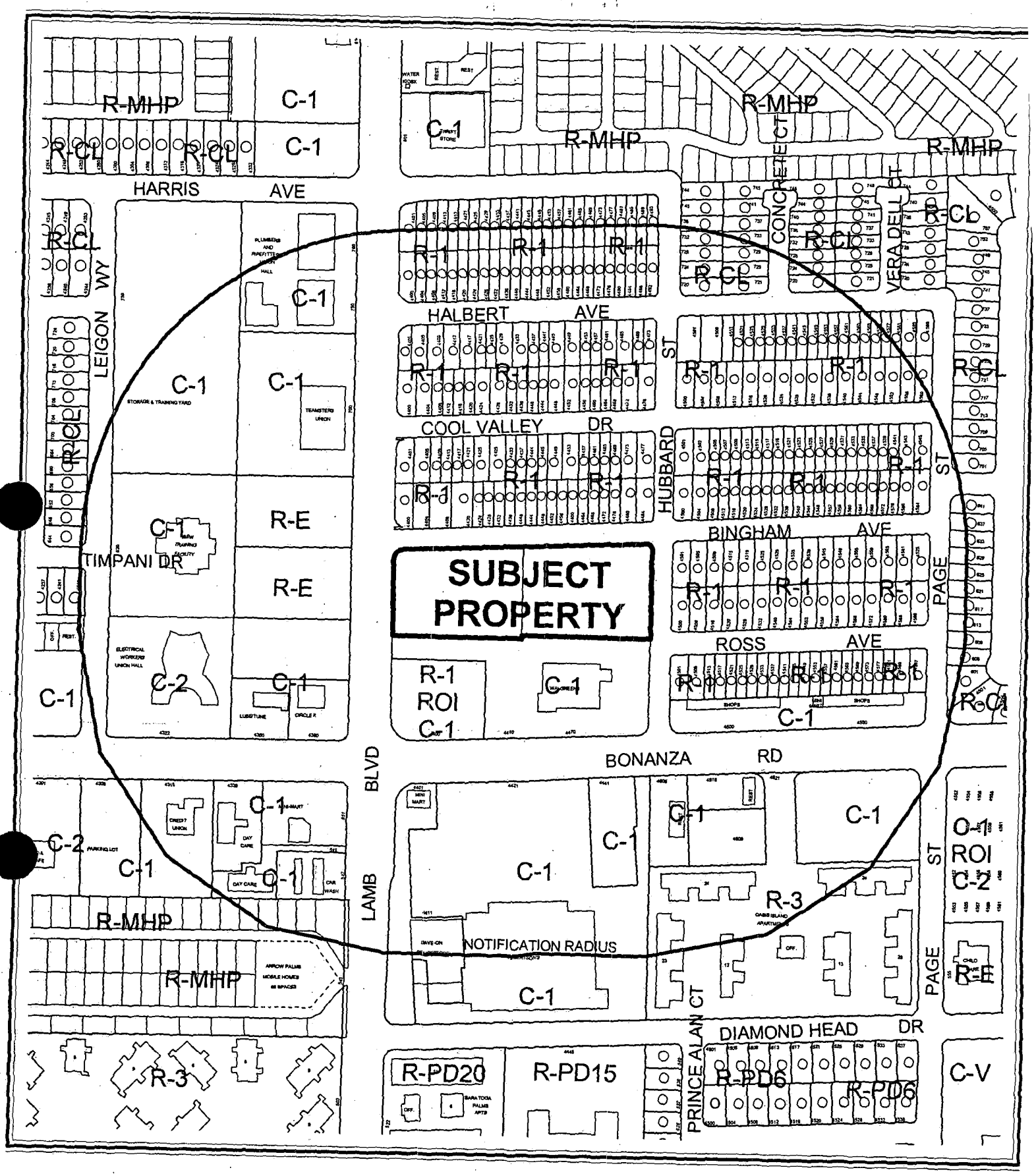
RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542]

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)

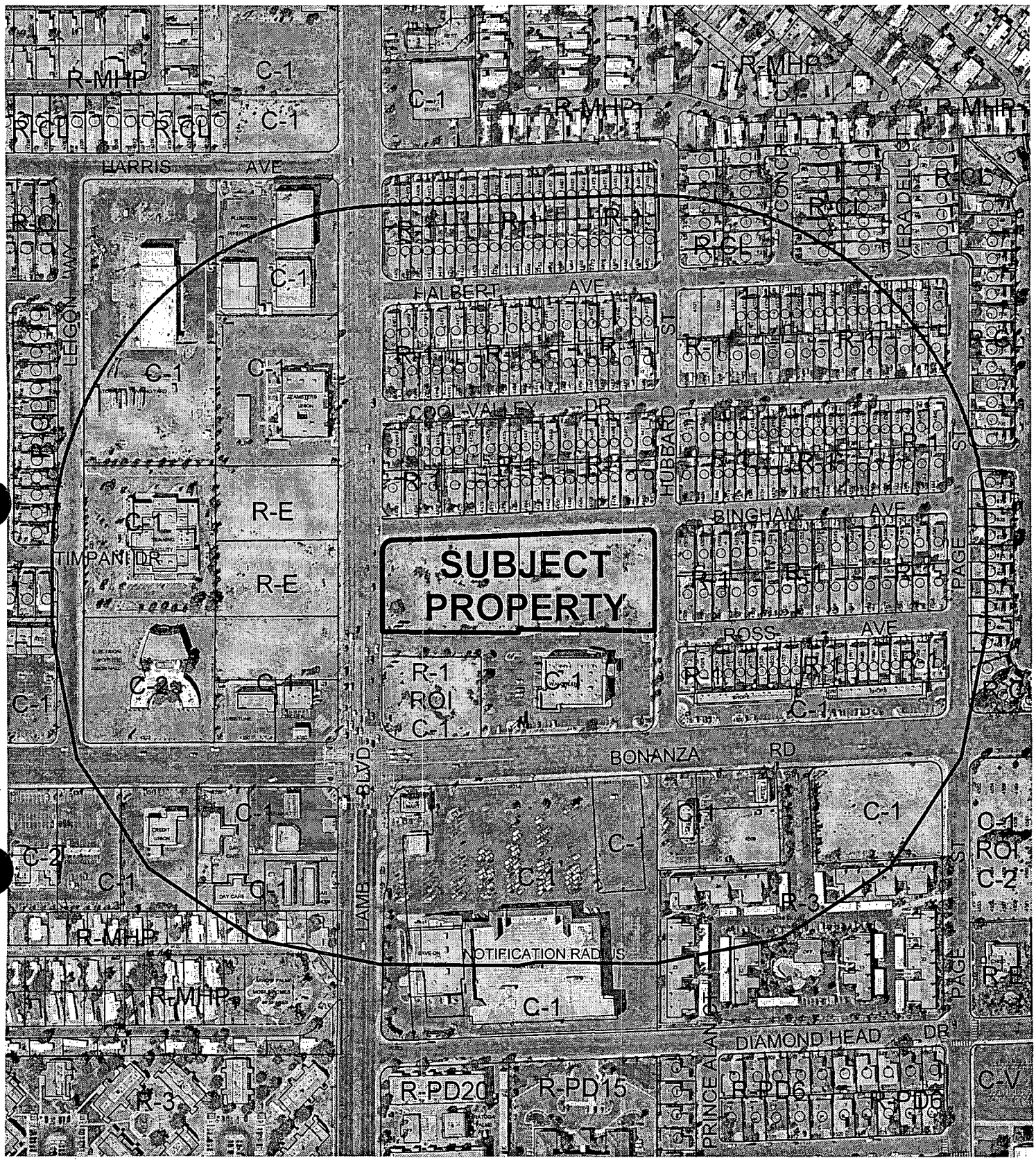


CASE: **ZON-4543**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)



0 200 400 Feet

CASE: **ZON-4543**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

** CONDITIONS **

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

Planning and Development

1. (For R-PD9) Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Site Development Plan Review (SDR-4545) approved by the City Council.

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

3. A Site Development Plan Review (SDR-4545) approved by the Planning Commission or City Council prior to issuance of any permits, site grading, and development activity for the site.

4. The total number of lots shall be limited to a maximum of thirty-five (35).

Public Works

5. Construct all incomplete half-street improvements on Lamb Boulevard, Bingham Avenue and Hubbard Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. 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.

7. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Rezoning from R-1 (Single-Family Residential) to R-PD9 (Residential Planned Development – 9 Units Per Acre) on 3.58 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, an open space Variance (VAR-4572), and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant indicates in a letter submitted with the application the following:

> "While the existing zoning to the north and east is R-1, the proposed R-PD9 zoning is an ideal buffer to the C1 immediately adjacent and to the south and the C-1 to the west. In addition, the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard). A portion of the proposed development will be located on a 100-foot wide street, Lamb Boulevard."

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), and a Site Development Plan Review (SDR-4545). Staff is recommending denial of these applications.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A Neighborhood meeting is not required for a Rezoning.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium-Low Density Residential)
North	ML (Medium-Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium-Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Southeast Sector of the General Plan. The property is presently classified in the ML (Medium Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 35 single-family lots on 3.58 acres generates a density of development of 9.8 dwelling units per acre. Since this density is greater that permitted in the ML classification, the applicant is requesting a General Plan Amendment to M (Medium Density Residential) that would permit up to 25 dwelling units per acre.

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

There are no special plans, study areas or overlays that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The development standards are presented with the Site Development Plan Review (SDR-4545) that accompanies this application.

B) General Analysis and Discussion

The applicant is proposing a 35-lot subdivision for single-family homes at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed, although for a R-PD9 development, 25,158 square feet are required. The interior streets that serve the development are proposed to be 39 feet wide and private.

Projects of this density, particularly for single-family development, are successful only when adequate space is available for amenities. The subject property, being 3.58 net acres in size, is not large enough to provide for the flexibility of design necessary to obtain adequate open space and buffering for a R-PD district. The district requires a minimum of five acres for its formation for this reason. The applicant is requesting a Variance (VAR-4547) to reduce the minimum size for formation of an R-PD district and another variance in the required amount of open space for a R-PD9 district.

The only justification presented by the applicant for a change in zoning is that "the proposed R-PD9 zoning is an ideal buffer to the C-1 immediately adjacent and to the south and the C-1 to the west." Nothing is said about the effect of existing commercial development on a residential development of the subject property. Also, the applicant indicates that "the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard)," but makes no statement as to whether the 100-foot right-of-way of Lamb Boulevard is sufficient to buffer a residential development from the negative externalities of the commercial development to the west.

FINDINGS

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

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

   The proposal exceeds the density permitted by the current ML (Medium Low Density Residential) land use designation. For this reason, the applicant has requested a M (Medium Density Residential) classification that permits a density of up to 25 dwelling units per acre. The accompanying staff report for this General Plan Amendment (GPA-4542) recommends denial of this request.

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

   Property to the west and south of the subject property is zoned and developed for commercial use and the property to the north and east is zoned and developed for single-family residences. The applicant proposes to develop the subject property with 35 single-family residences on lots that are approximately 2000 square feet in size. Although this density of development is excessive for this property, the uses at this density should not be a detriment to the adjoining properties, as streets and perimeter walls separate this development from the adjacent single-family homes.

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

   There are additions of commercial development to the south that render the subject property less favorable for R-1 (Single-Family Residential) development. However, with appropriate screening and buffers, development under the current zoning is feasible. An R-PD (Residential Planned Development) zoning district at a higher density is acceptable for single-family development but only if the appropriate amenities are provided for the development. The applicant proposes a higher density R-PD zone than is appropriate for the area. Consequently, a R-PD8 district is the highest density district recommended, and it would not require a General Plan Amendment.

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

   The subject site abuts Lamb Boulevard, a Primary (100-foot wide) Arterial Street, according to the Master Plan of Streets and Highways. The applicant, however, proposes to access the subject site from Bingham Avenue, a 60-foot wide local street that connects to Lamb Boulevard. These streets provide adequate access to the property.

NOTICES MAILED 402 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4543 APN: 140-29-401-005 & 006

Name of Property Owner: Clark County

Name of Applicant: Joel Armstrong

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Sandra M. Norskog

State of Nevada
County of Clark

Print Name: Sandra M. Norskog, Director

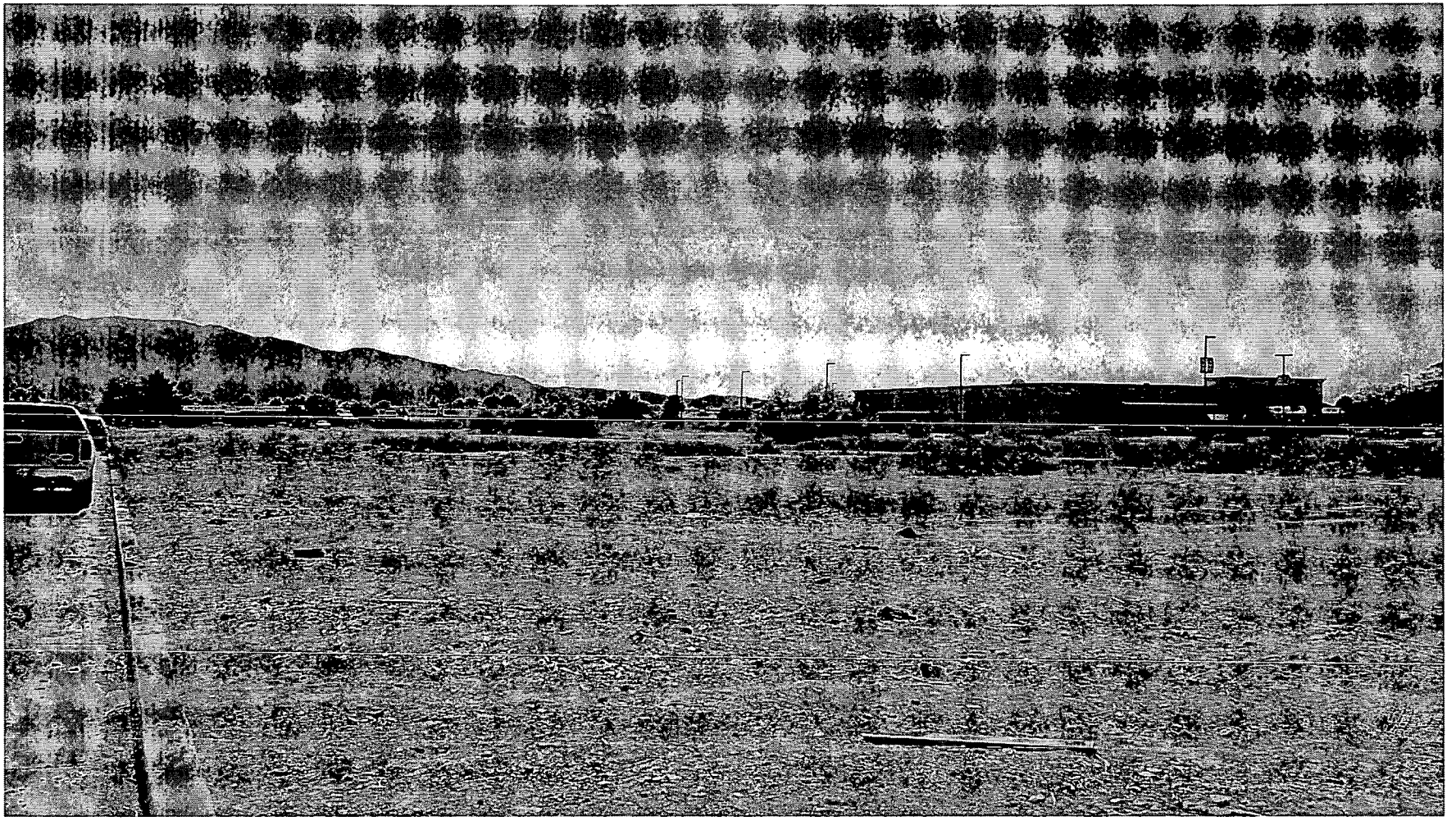
Subscribed and sworn before me

This 20th day of May, 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, 20[illegible]

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



ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - **VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

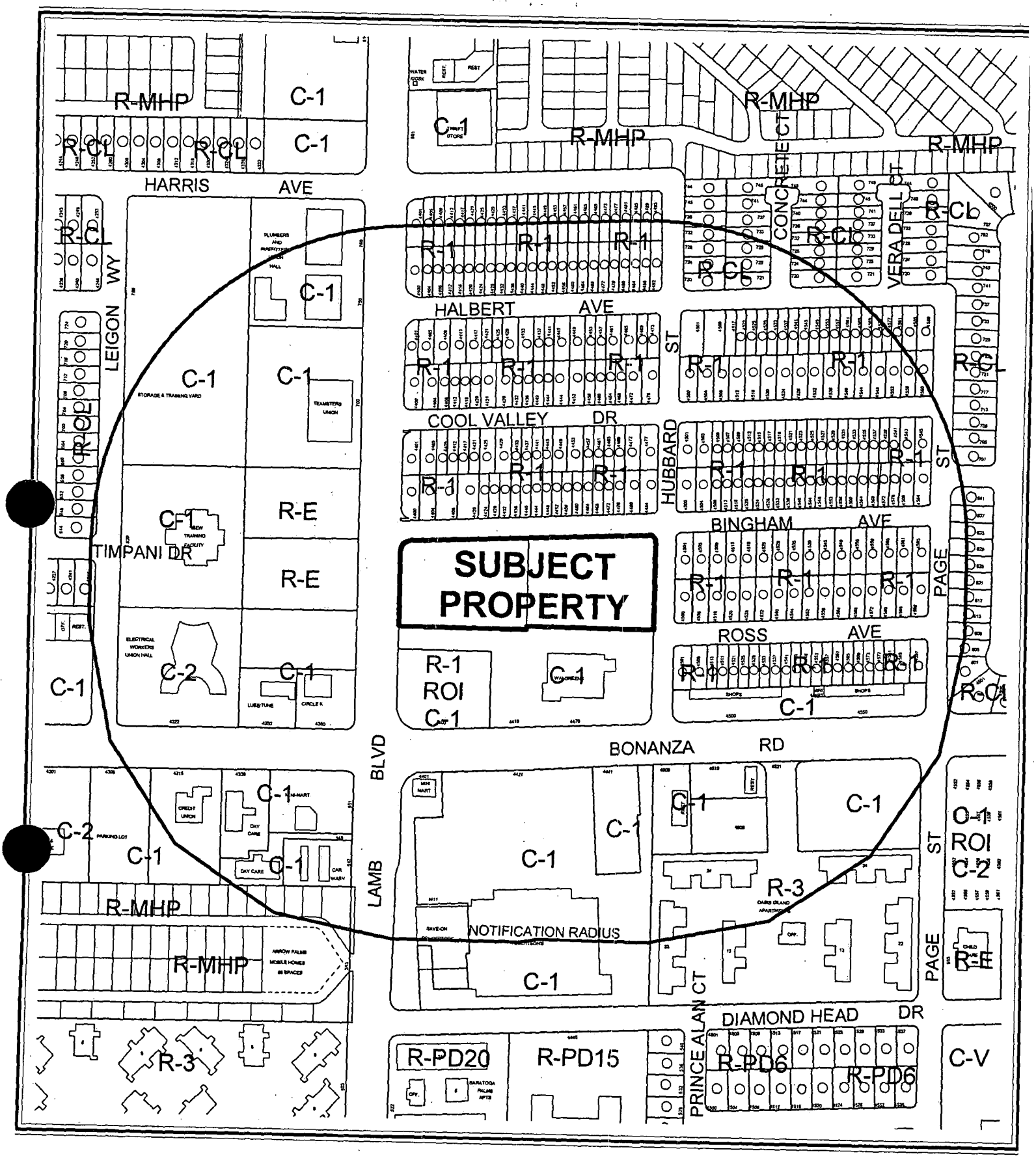
RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542]
5. Submitted after final agenda – Protest letter from Betty Barker

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)



CASE: **VAR-4547**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-4543) and Site Development Plan Review (SDR-4545) approved by the City Council.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow the formation of an R-PD (Residential Planned Development) zoning district on 3.58 acres, where 5.00 acres are the minimum required, at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant has submitted a letter justifying the merits of the project, but there is no explanation or basis for the granting of a Variance under the criteria established by Title 19 or the Nevada Revised Statutes.

BACKGROUND INFORMATION

A) Previous and Present Actions

11/02/00 The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. The staff recommended approval on October 12, 2000.

11/02/00 The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. The staff recommended approval on October 12, 2000.

11/02/00 The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. The staff recommended approval on October 12, 2000.

07/08/04 The Planning Commission recommended approval of applications submitted in conjunction with this application, including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545). The staff is recommending denial of these applications.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

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 ML (Medium Low Density Residential), which permits up to eight dwelling units per acre, and is zoned R-1 (Single Family Residential). The requested Variance is not related to any specific 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

There are no special plans, study areas or overlays that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

There are no development standards that relate to this request for a variance.

B) General Analysis and Discussion

This Variance is to allow the formation of an R-PD (Residential Planned Development) zoning district on 3.58 acres, where 5.00 acres are the minimum required.

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."

This recommendation of denial is based on the following findings:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application.
- **The hardship is self-imposed.** The hardship is of the applicant's own making. The property's value is what the property will realize in developing the property for a single-family development under the present zoning.
- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. There is commercial development that has been introduced to the area, but the question is one of whether the property could be developed under its present classification. Clearly, the property could be developed with at least approximately 14 lots.

NOTICES MAILED 405 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4547 APN: 140-29-401-005 & 006

Name of Property Owner: Clark County

Name of Applicant: Joel Armstrong

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Sandra M. Nastos 05

State of Nevada
County of Clark

Print Name: Sandra M. Nastos, Director

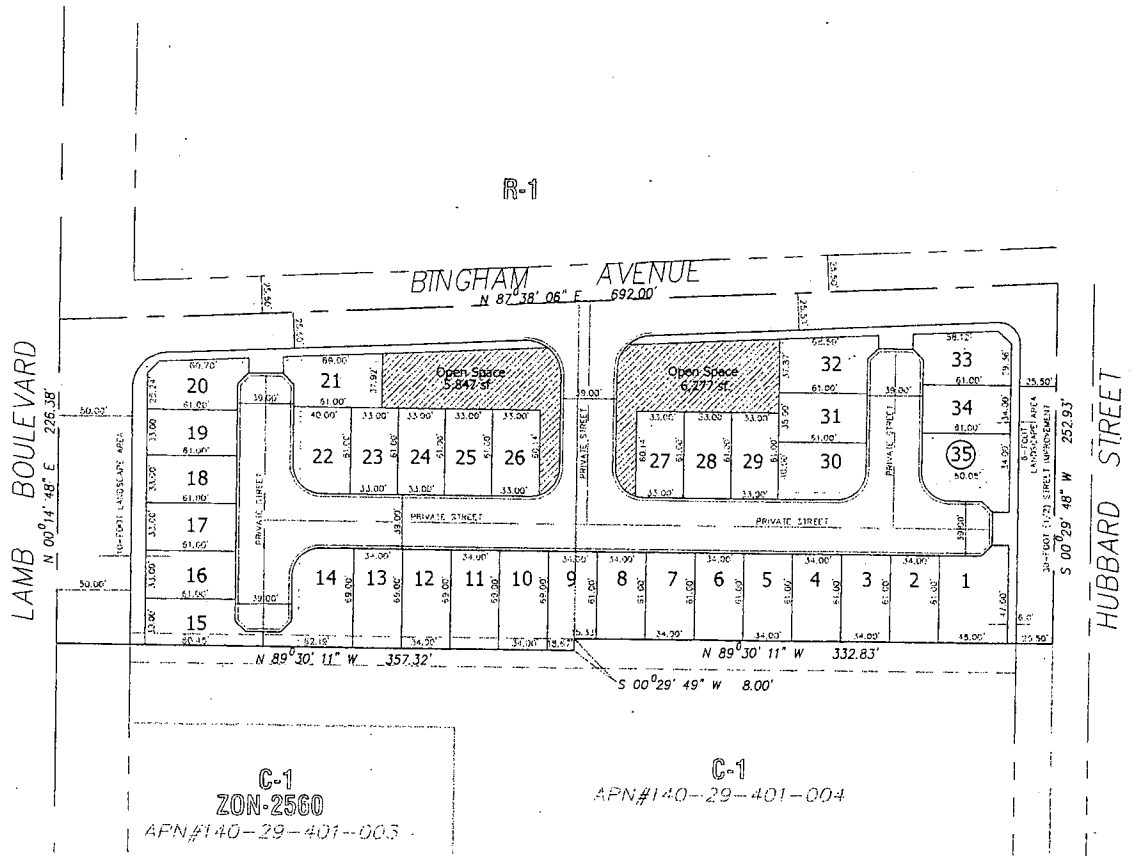
Subscribed and sworn before me

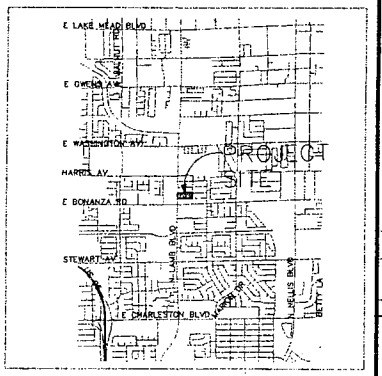
This 20th day of May, 2004

Karen S Mulcahy

Notary Public in and for said County and State

KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-56462-1
My appt. exp. May 10, 2007





VICINITY MAP
N.T.S.

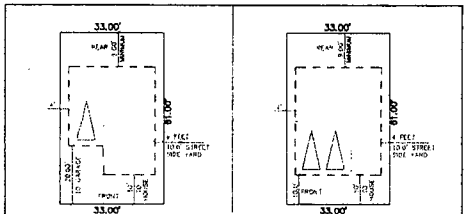
GRAPHIC SCALE
1" = 40'

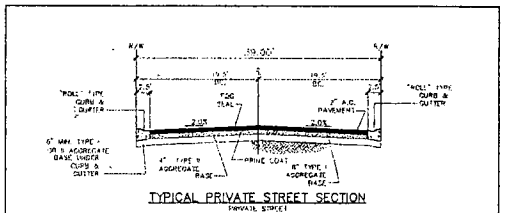
PROJECT SETBACKS

PROPOSED MINIMUM SETBACKS	
FRONT	100 FEET
GARAGE	200 FEET
SIDE YARD	40 FEET
REAR YARD	95 FEET
STREET SIDE YARD	90 FEET
NOTE: Perimeter setback to be a minimum of 10 feet	

PROJECT SUMMARY

PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-005 & 006
GROSS ACRES	7.80 ACRES
CURRENT GENERAL PLAN	ML (MEDIUM-LOW) 5.6 to 8.0 du/ac
PROPOSED GENERAL PLAN	ML (MEDIUM-LOW) 8.1 to 12 du/ac
CURRENT ZONING	R-1
PROPOSED ZONING	R-PD-7
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	35
PROPOSED DENSITY	4.91 DU/AC
OPEN SPACE	
OPEN SPACE REQUIRED	65,159 SF. or 1.57 ACRES (15%)
PROPOSED USABLE OPEN SPACE	12,124 SF.
OTHER OPEN SPACE	0 SF.
TOTAL OPEN SPACE PROVIDED	16,124 SF.
PARKING	
# PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	70

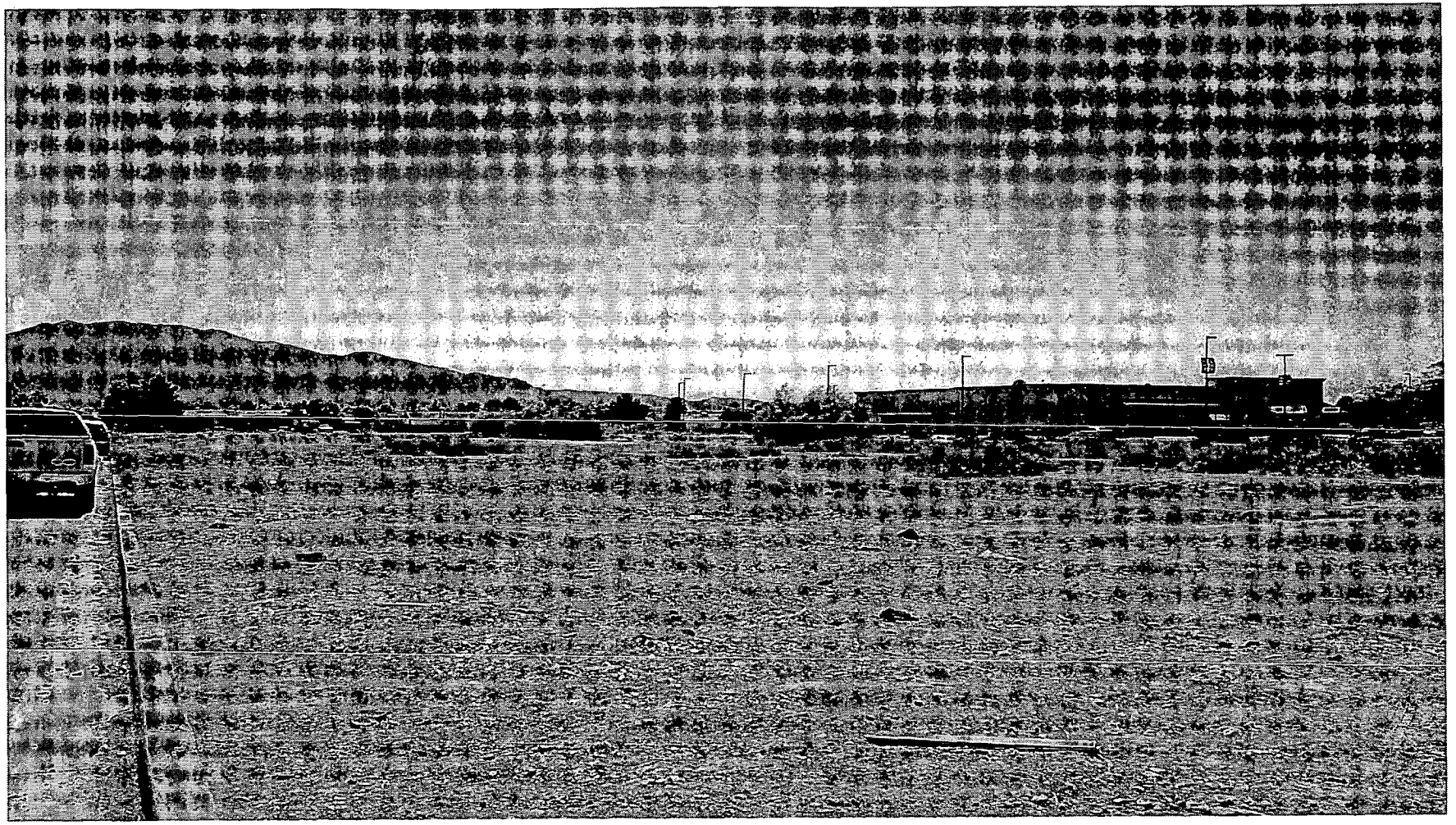




GENERAL NOTES:
1. There are no existing structures located within the property boundary.
2. The lot dimensions are preliminary and may vary with the mapping process.
3. The boundary for this project is from "of record information". The of record boundary will most likely differ from the surveyed boundary.
4. Some lot lines and dimensions may change during the final mapping process.

StoryBook Homes
City of Las Vegas
SITE DEVELOPMENT PLAN
FOR
LAMB & BINGHAM
DRAWN BY: AM
DESIGNED BY: AM
CHECKED BY:
PROJECT NO. 6457
SCALE: 40'
HORZ. 40'
SHEET 01
1 OF 2 SHEETS
DRAWING NO. 6457-CLV

ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

1821 Glenwillow Drive
Las Vegas, N.V. 89117

Barbara Jo Ronemus
City Clerk

RE: VAR-4547

I strongly object to a variance to allow 12,000 square feet of open space where 25,870 square feet is the minimum.
Let this request be solidly defeated.

Betty Barker
Betty Barker

for B Rental Property INC.

Protest

RECEIVED
CITY CLERK
2004 JUL 30 A 8:47

Submitted after final agenda

Date 7/30/04 Item #131

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:

VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - **VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY -** Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542]
5. Submitted after final agenda – Protest letter from Betty Barker

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

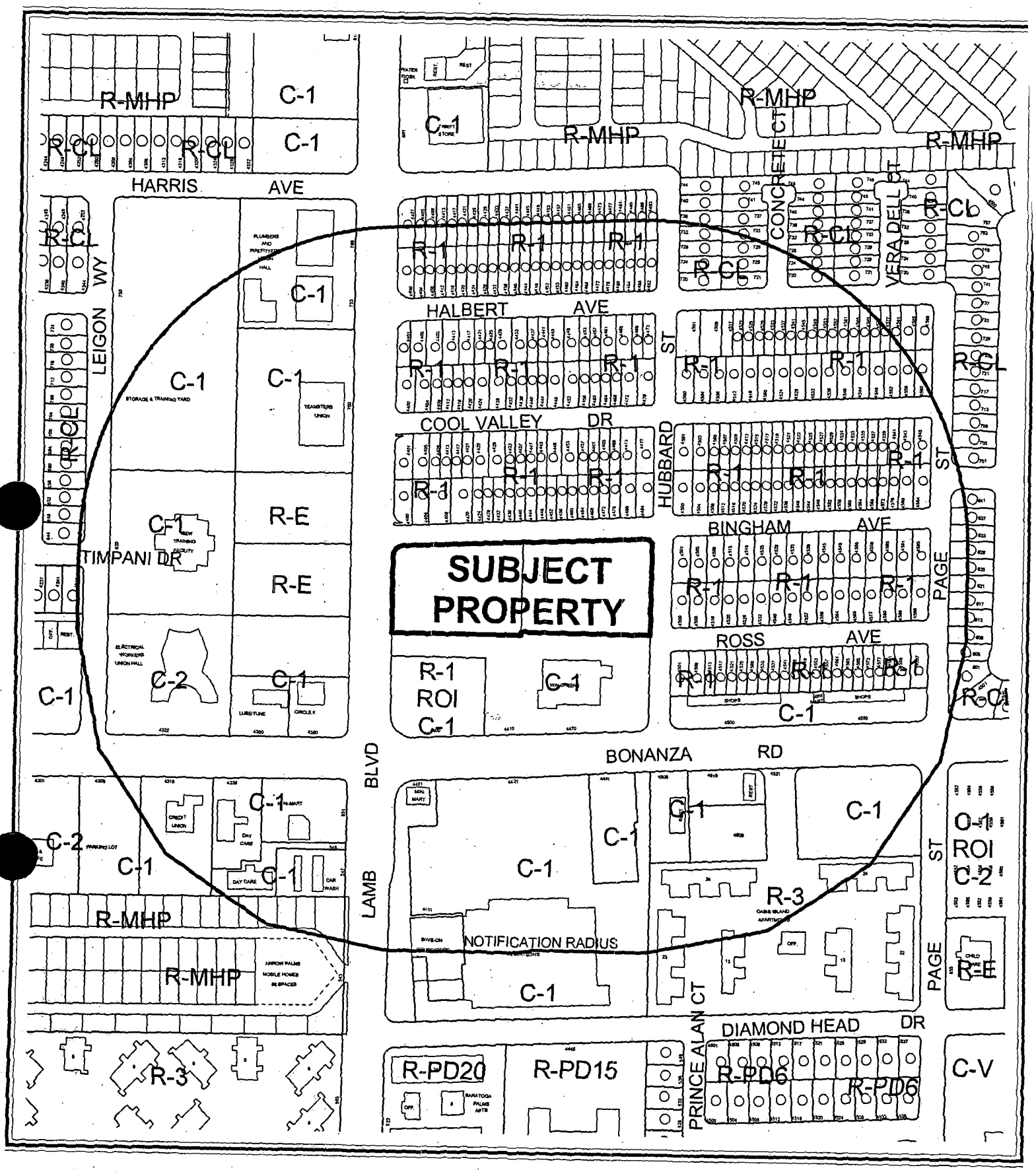
City of Las Vegas

Agenda Item No. 132

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 132 – VAR-4572

MINUTES:
There was no discussion.

(1:03 – 1:08)
3-48



CASE: **VAR-4572**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Rezoning (ZON-4543), and Site Development Plan Review (SDR-4545) by the City Council.

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

3. A contribution shall be made to the City Parks CIP Fund in the amount of $45,352.00 for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer will still be required to comply with the Open Space requirements in accordance with Title 19 of the Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 12,000 square feet of open space where 25; 870 square feet is required on 3.8 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant has submitted a letter justifying the merits of the project, but there is no explanation or basis for the granting of a variance under the criteria established by Title 19 or the Nevada Revised Statutes.

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545).

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #28/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium-Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium-Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

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 M-L (Medium Low Density Residential), which permits up to eight dwelling units per acre, and is zoned R-1 (Single Family Residential). The requested Variance is not related to any specific 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

There are no special plans, study areas or overlays that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
3.8	9.2	1.65	15.18	25,127 sq. ft.	7.3	12,124 sq.ft.

B) General Analysis and Discussion

This Variance is to reduce the required amount of open space for the proposed 35-lot development from 25,127 square feet to 12,124 square feet, a 52 percent reduction in the required amount of open space.

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; and
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

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

This recommendation of denial is based on the following findings:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the reduction in the amount of open space is based upon the manner in which the applicant proposes to development the property.
- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. There is commercial development that has been introduced to the area, but the question is one of whether the property could be developed under another classification that would not necessitate the reduction in the amount of open space. Since profit motives and financial incentives are not a basis for the granting of a variance, clearly the property could be developed under a different scenario that does not require a reduction in the amount of open space.

NOTICES MAILED 405 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4572 APN: 140-29-401-005 & 006

Name of Property Owner: CLARK COUNTY

Name of Applicant: Joel Armstrong

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: Sandra M. Norskog

Print Name: Sandra M. Norskog

State of Nevada County of Clark

Subscribed and sworn before me

This 27th day of May, 2004

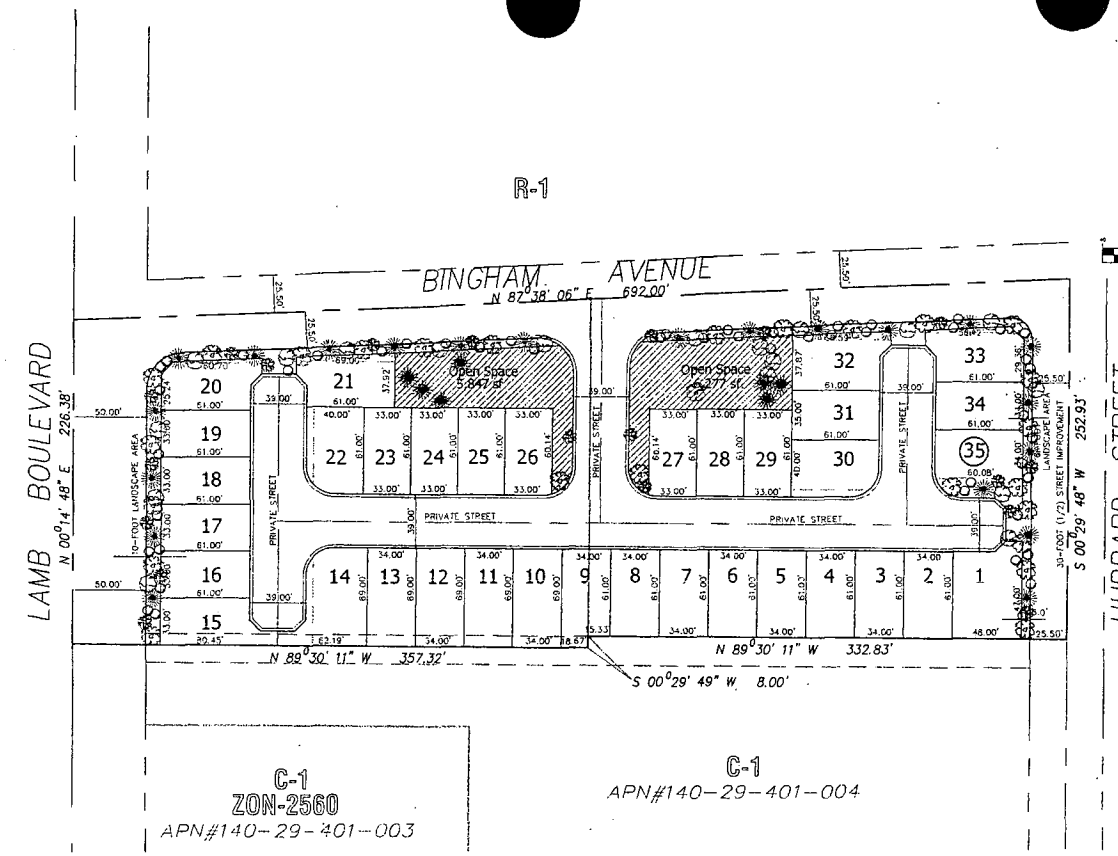
Karen S. Mulcahy

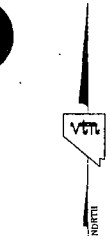
Notary Public in and for said County and State

KAREN S. MULCAHY
Notary Public State of Nevada
No. 99-58492-1
My appt. exp. May 16, 2007

Revised 2/12/02

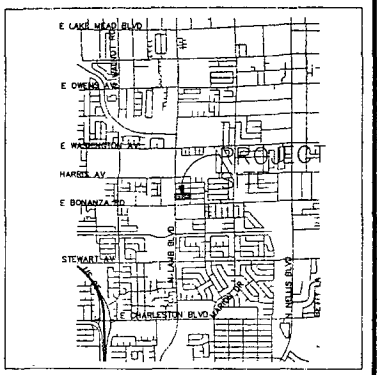
f:\depot\Application Packet\Statement of Financial Interest.doc





GRAPHIC SCALE

1" = 40'



VICINITY MAP
N.T.S.

TREE/PLANT SCHEDULE

SYM.	QTY.	SIZE	SPACING	NAME
	21	24" BOX	VARIES	MODESTO ASH
	18	24" BOX	VARIES	MONDEL PINE
	34	VARIES	N/A	DATE PALM
	7	13 GALLON	VARIES	PHOTNIA
	48	15 GALLON	VARIES	FLOWERING PLUM
	19	1 GALLON	VARIES	GROUND SHRUBS

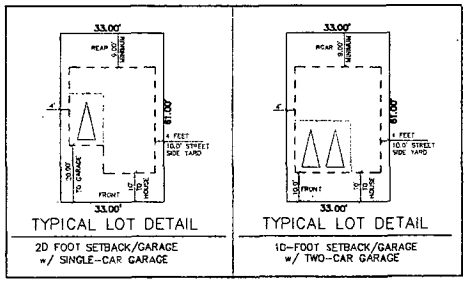
GENERAL NOTES

1. Landscape shall conform to requirements of Title 19A (City of Las Vegas).
2. Ground cover shall be designed to cover more than 50% of the landscaped area.
3. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed Landscape Architect as a part of the final engineering plan.
4. The number and types of plant may vary from this proposed conceptual plan.
5. The Applicant reserves the right to change the plant shown on this plan, and alter the amenities shown in the Open Space area.

PROJECT SETBACKS

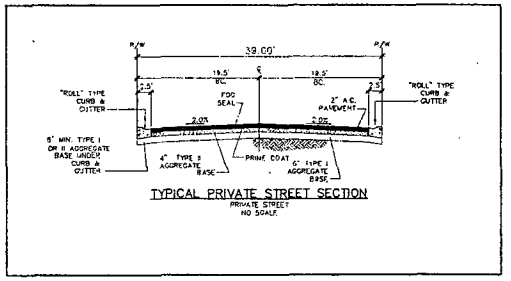
PROPOSED MINIMUM SETBACKS	
FRONT	100 FEET
GARAGE	200 FEET
SIDE YARD	40 FEET
REAR YARD	95 FEET
STREET SIDE YARD	100 FEET

NOTE : Perimeter setback to be a minimum of 5 feet.



TYPICAL LOT DETAIL
2D FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGE

TYPICAL LOT DETAIL
1D-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE



TYPICAL PRIVATE STREET SECTION
PRIVATE STREET
NO SCALE

PROJECT SUMMARY

PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-005 & 006
GROSS ACRES	2.80 ACRES
CURRENT GENERAL PLAN	ML (MEDIUM-LOW) 3.5 to 8.0 du/ac.
PROPOSED GENERAL PLAN	MLA (MEDIUM-LOW) 8.1 to 12 du/ac.
CURRENT ZONING	R-1
PROPOSED ZONING	R-PD-10
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	36
PROPOSED DENSITY	9.47 DU/AC
OPEN SPACE	
OPEN SPACE REQUIED	25,870 SF. or 0.59 ACRES (15.62%)
PROPOSED USABLE OPEN SPACE	14,532 SF.
OTHER OPEN SPACE	0 SF.
TOTAL OPEN SPACE PROVIDED	14,532 SF.
PARKING	
# PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	72

GENERAL NOTES :

1. There are no existing structures located within the property boundary.
2. The lot dimensions are preliminary and may vary with the mapping process.
3. The boundary for this project is from "of record information". The of record boundary will most likely differ from the surveyed boundary.
4. Some lot lines and dimensions may change during the final mapping process.

REV.	DATE	BY	REVISION
1	5/25/04	JBA	CHANGED ENTRANCE TO BINGHAM / LOST 1 LOT.

CONCEPTUAL LANDSCAPE PLAN
FOR
LAMB & BINGHAM

StoryBook Homes
2580 Marlemont Street
Las Vegas, Nevada 89117
(702) 873-7360

City of Las Vegas

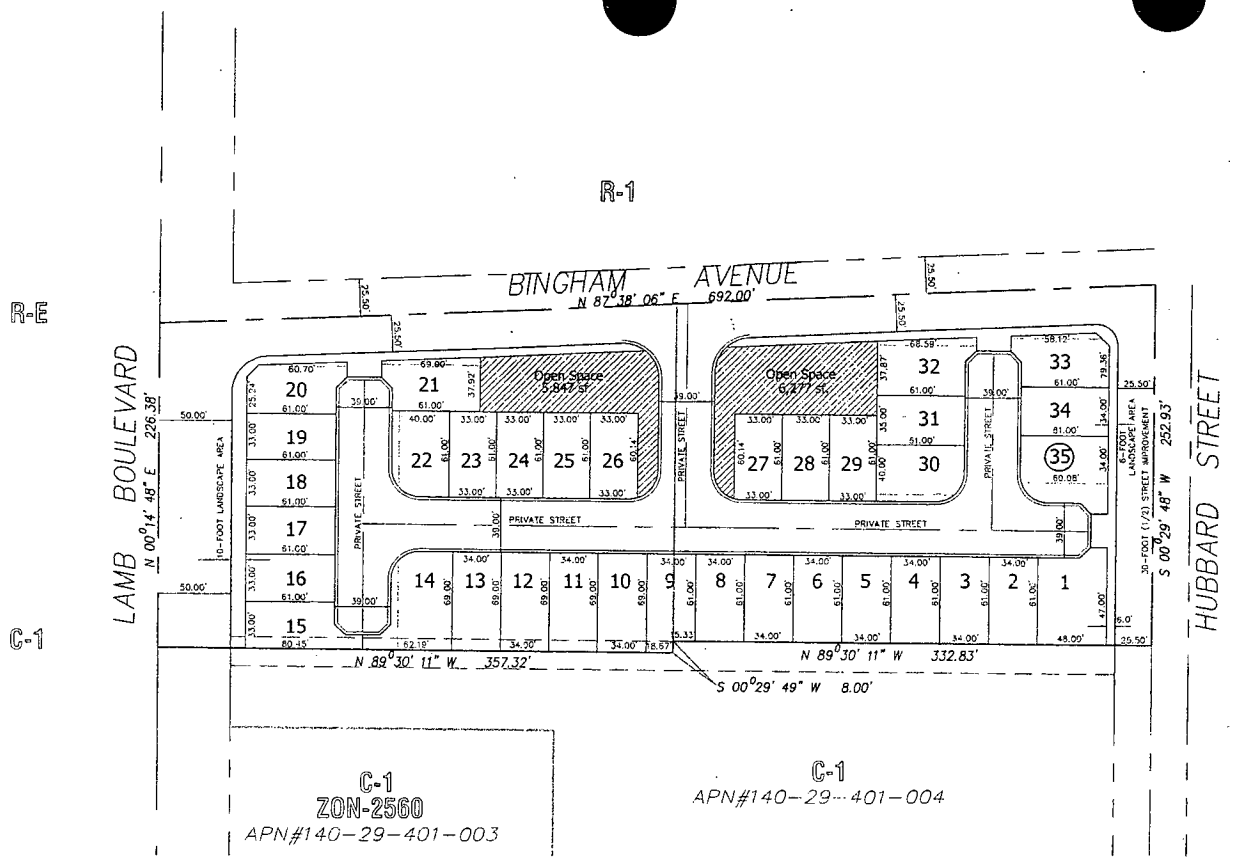
VTN
7727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89118-3148
Ph. (702) 873-7330 FAX (702) 362-7327
RENO/TAHOE CONSULTING ENGINEERS ■ PLANNERS ■ LAND SURVEYORS

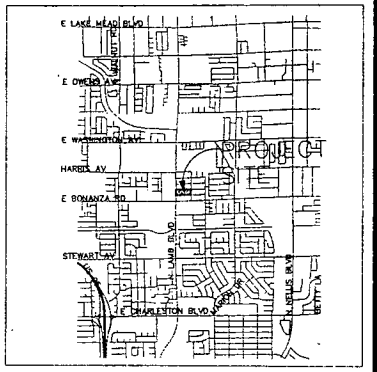
DRAWN BY: JBA 4/23/2004
DESIGNED BY: JBA 4/23/2004
CHECKED BY:
PROJECT NO: 6457
SCALE: 40' HORIZ. 40' VERT.

SHEET 02
2 OF 2 SHEETS
DRAWING NO. 6457-CLV

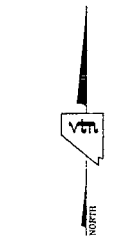
H:\VTN (BM-1)

VAR-4572
07-08-04 PC





VICINITY MAP
N.T.S.

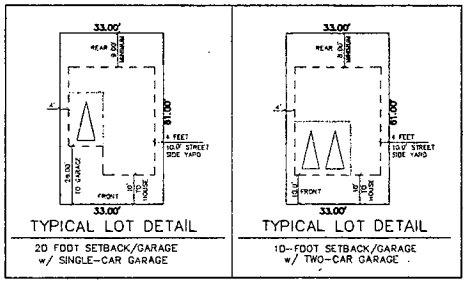


GRAPHIC SCALE
1" = 40'

PROJECT SETBACKS

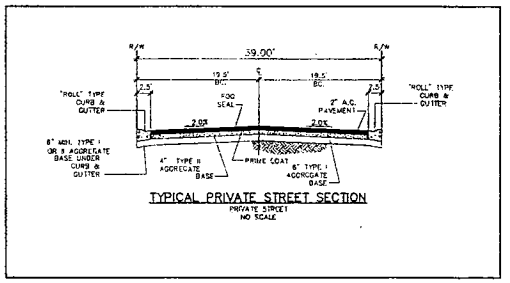
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STREET SIDE YARD	90 FEET

NOTE : Perimeter setback to be a minimum of 10 Feet.



TYPICAL LOT DETAIL
20 FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGE

TYPICAL LOT DETAIL
10-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE



TYPICAL PRIVATE STREET SECTION
PRIVATE STREET
NO SCALE

PROJECT SUMMARY

PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-005 & 006
GROSS ACRES	3.80 ACRES
CURRENT GENERAL PLAN	ML (MEDIUM-LOW) 5.6 to 8.0 du/ac.
PROPOSED GENERAL PLAN	MLA (MEDIUM-LOW) 8.1 to 12 du/ac
CURRENT ZONING	R-1
PROPOSED ZONING	R-ED-2
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	35
PROPOSED DENSITY	9.21 DU/AC
OPEN SPACE	
OPEN SPACE REQUIED	25,156 SF. or 0.57 ACRES (15%)
PROPOSED USABLE OPEN SPACE	12,124 SF.
OTHER OPEN SPACE	0 SF.
TOTAL OPEN SPACE PROVIDED	12,124 SF.
PARKING	
# PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	70

GENERAL NOTES :
1. There are no existing structures located within the property boundary.
2. The lot dimensions are preliminary and may vary with the mapping process.
3. The boundary for this project is from "of record information". The of record boundary will most likely differ from the surveyed boundary.
4. Some lot lines and dimensions may change during the final mapping process.

StoryBook Homes
3800 Howard Hughes Pkwy
Las Vegas, Nevada 89117
(702) 877-7040

City of Las Vegas

vtn NEVADA CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5149
PH. (702) 873-7500 FAX (702) 362-2267

NO	DATE	BY	REVISION
1	5/24/04	JRA	CHANGE ENTRANCE TO BINGHAM / LOST 1 LOT

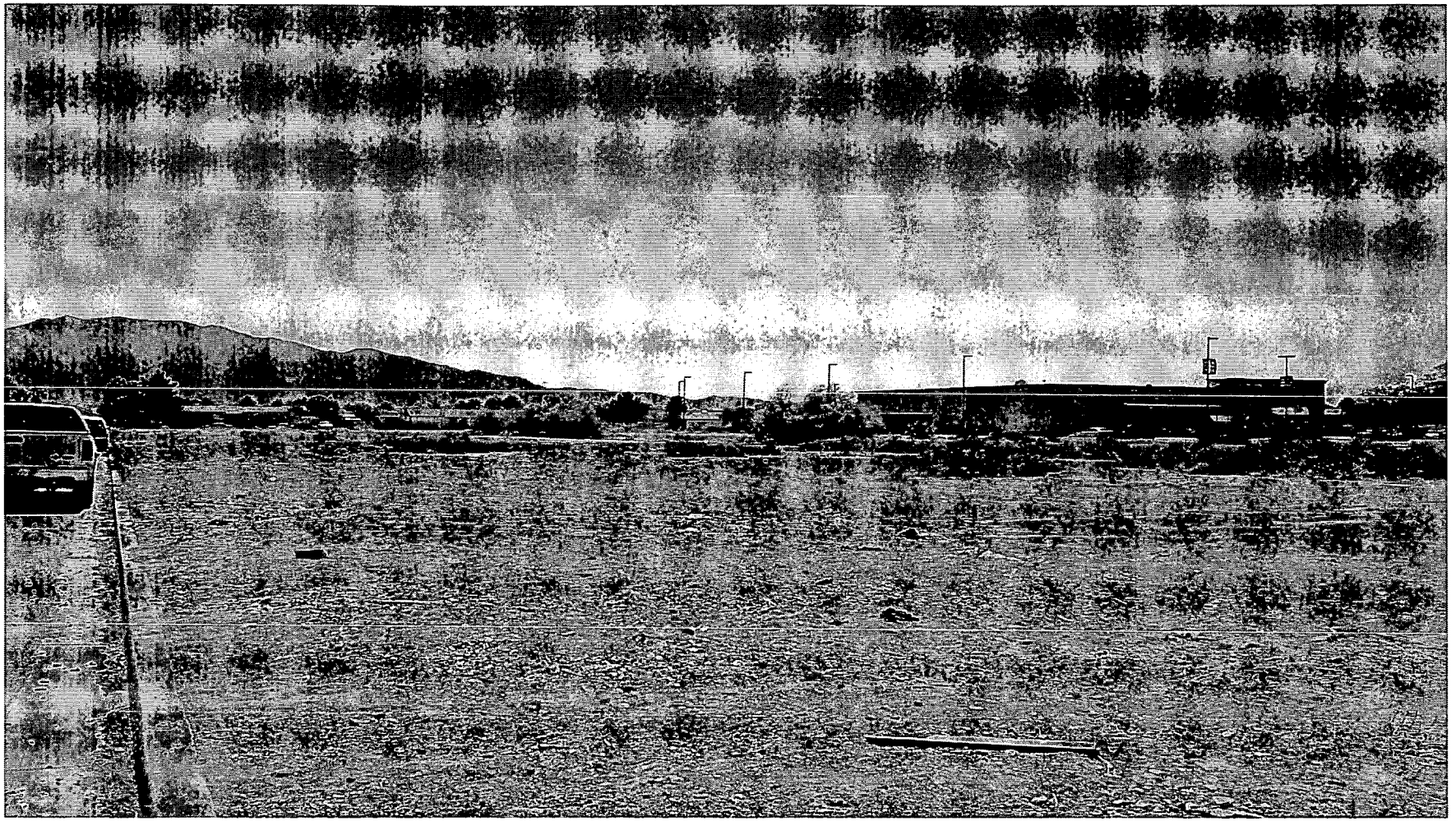
SITE DEVELOPMENT PLAN
FOR
LAMB & BINGHAM

DRAWN BY: JRA 4/22/2004
DESIGNED BY: JRA 3/22/2004
CHECKED BY:
PROJECT NO: 6457
SCALE: 40' HORIZ. 40' VERT.

SHEET 01
1 OF 2 SHEETS
DRAWING NO. 6457-CLV

H:\VTN (SH-1)

VAR-4572
07-08-04 PC



VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

1821 Glenwillow Drive
Las Vegas, N.V. 89117

Barbara Jo Ronemus
City Clerk

RE: VAR-4572

I strongly object to a variance to allow 12,000 square feet of open space where 25,870 square feet is the minimum.
Let this request be solidly defeated.

Betty Barker
Betty Barker
for B Rental Property INC.

RECEIVED
CITY CLERK
2004 JUL 30 A 8:47

Protest

Submitted after final agenda

Date 7/30/04 Item #132

City of Las Vegas

Agenda Item No. 133

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - **SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL

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

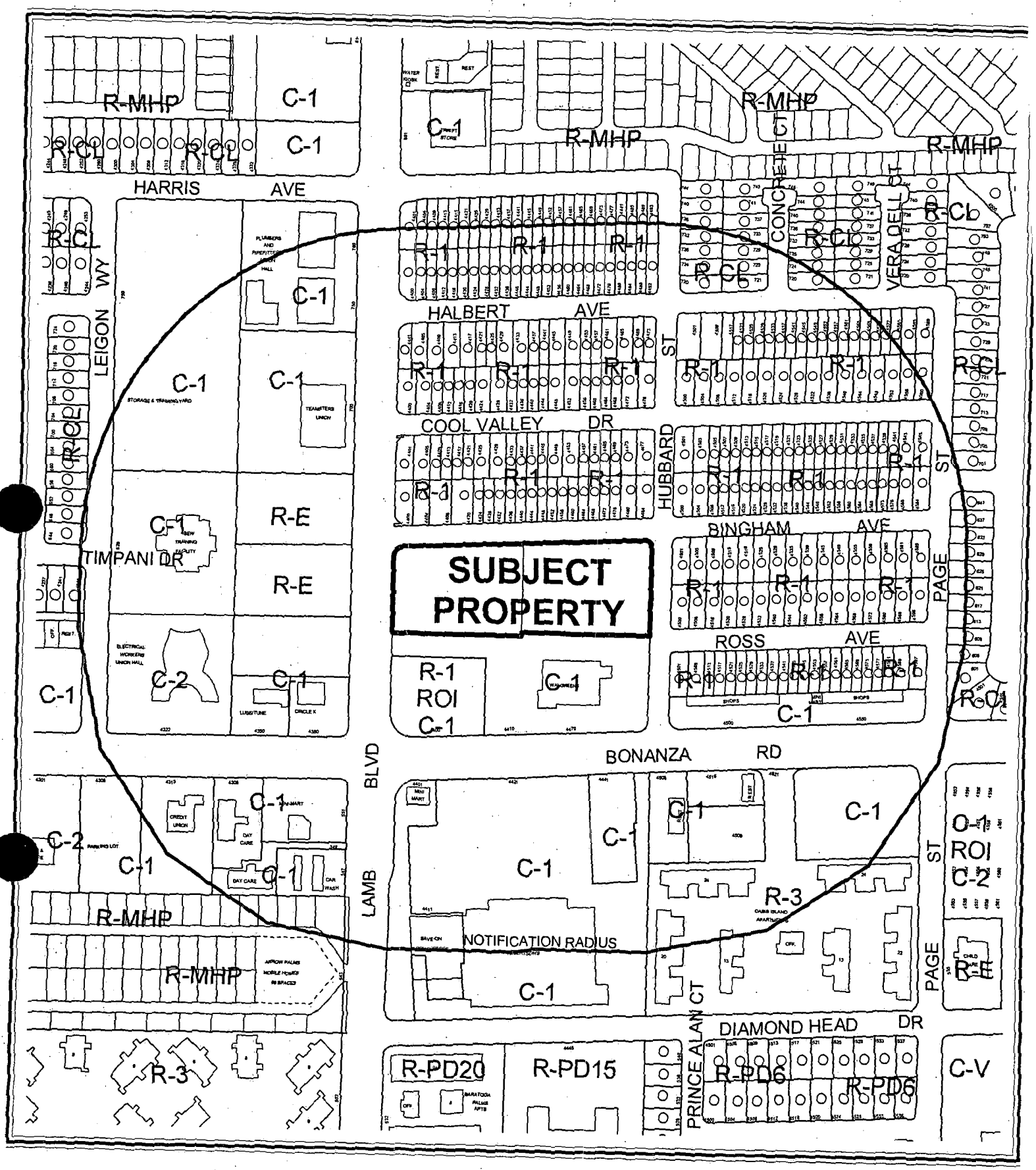
RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542] filed under Item 129 [GPA-4542]

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)



CASE: **SDR-4545**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Rezoning (ZON-4543) approved by the City Council.

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

3. The standards for this development shall include the following:

4. The site plan shall be revised to illustrate the details and conditions of approval listed herein and shall be approved by Planning and Development Department staff prior to or at the time application is made for a tentative map.

5. A landscape plan shall be submitted and approved by Planning and Development Department staff prior to or at the time application is made for a tentative map. The landscape plan shall comply with the standards of Title 19.

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

7. 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.

8. 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.

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

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

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

12. The applicant shall work with staff to create usable open space within the project.

Public Works

13. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway.

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

16. Site development to comply with all applicable conditions of approval for ZON-4543 and all other subsequent site-related actions.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

18. 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 is a request for a Site Development Plan Review for a proposed 35-lot single-family residential development on 3.58 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and an open space Variance (VAR-4572) have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant indicates in a letter submitted with the application the following:

> "While the existing zoning to the north and east is R-1, the proposed R-PD9 zoning is an ideal buffer to the C1 immediately adjacent and to the south and the C-1 to the west. In addition, the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard). A portion of the proposed development will be located on a 100-foot wide street, Lamb Boulevard."

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and an open space Variance (VAR-4572).

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	M-L (Medium Low Residential)
North	M-L (Medium Low Residential)
South	S-C (Service Commercial)
East	M-L (Medium Low Residential)
West	S-C (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

PROJECT DESCRIPTION

The applicant is proposing a 35-lot subdivision for single-family development on 3.58 acres at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed; although, for a R-PD9 development, 25,158 square feet are required. The applicant is requesting a variance to reduce the required amount of open space. The interior streets that serve the development are proposed to be 39 feet wide and private.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan establishes the Development Standards for a R-PD. The Development Standards proposed are as follows:

Standards	**Provided**	**Recommended**
Min. Lot Size	2,000 sq. ft.	2,000 sq. ft.
Min. Lot Width	33 ft.	33 ft.
Min. Setbacks • Front • Side • Corner • Rear	 10 ft. 4 ft. 10 ft. 9.5 ft.	 10 ft.
Max. Lot Coverage	52.5%	52.5%
Max. Building Height	Two stories	Two stories or 35 ft.
Max. or Min. Drive Length	>18 ft. or <10 ft.	>18 ft. or <5 ft.

A condition of approval is included for the recommended Development Standards indicated above.

A3) Parking and Traffic Standards

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

Use	Dwelling Units	Required		Provided	
		Ratio	Parking	Ratio	Parking
Single- Family Residential	35	2/D.U.	70	2/D.U.	70

Two parking spaces are provided for each dwelling unit. Proposed models have the garage situated either 18 feet or 10 feet back from the street. Garages that are less than 18 feet back from the street should be provided with no more than a five-foot apron in front of the garage. Otherwise, there will be an inclination for drivers to either park their car in the driveway with the vehicle extending into the street or to park parallel to the garage. A condition of approval stipulates that drives shall be either a minimum of 18 feet in length or a maximum of five feet in length.

A4) Landscape and Open Space Standards

A detailed landscape plan has not been submitted. Such a plan is to be submitted prior to the "final engineering plan." The plan should be submitted prior to or at the same time as the submittal of the tentative map. A condition of approval addresses this matter.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
3.58	9.8	1.65	16.2	25,263 sq. ft.	7.8	12,124 sq. ft.

The development does not comply with the open space requirement. The applicant has requested a variance to reduce the amount of open space to 12,000 square feet. The staff report addressing that item (VAR-4572) recommends the variance be denied.

B) General Analysis and Discussion

The applicant is proposing a 35-lot subdivision for single-family development on 3.58 acres at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed; although, for a R-PD9 development, 25,158 square feet are required. The applicant is requesting a variance to reduce the required amount of open space. The interior streets that serve the development are proposed to be 39 feet wide and private.

The Development Standards for the development are acceptable, except for the garage setbacks. Two different models illustrate setbacks of either 20 feet or 10 feet. It is recommended that the setbacks be either no less than 18 feet or no more than five feet. A detailed landscape plan for the development, meeting the requirements of Title 19, needs to be submitted prior to or at the time a tentative map for the development is submitted.

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;"**

   Property to the west and south of the subject property is developed for commercial use and the property to the north and east is developed for single-family residences. The applicant proposes to develop the subject property with 35 single-family residences on lots that are approximately 2000 square feet in size. This density of development is excessive for this property.

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 proposal exceeds the density permitted by the current ML (Medium Low Density Residential) land use designation. For this reason, the applicant has requested a M (Medium Density Residential) classification that permits a density of up to 25 dwelling units per acre. The accompanying staff report for this General Plan Amendment (GPA-4542) recommends denial of this request.

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

The subject site abuts Lamb Boulevard, a Primary (100-foot wide) Arterial Street, according to the Master Plan of Streets and Highways. The applicant, however, proposes to access the subject site from Bingham Avenue, a 60-foot wide local street that connects to Lamb Boulevard. These streets provide adequate access to the property.

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

Although a detailed landscape plan was not submitted, a conceptual plan portrays a landscaping scheme with plant varieties that are appropriate for the area. The detailed landscape plan must comply with the landscape provisions of Title 19.

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

The proposed dwellings maintain a consistent architectural theme. Each is two story and has an aesthetic appearance that will be harmonious and compatible with other single-family residences in the area.

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.

PLANNING COMMISSION ACTION

The Planning Commission voted to approve the project believing all potentially negative impacts were properly ameliorated.

NOTICES MAILED 402 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4545 APN: 140-29-401-005 & 006

Name of Property Owner: Clark County

Name of Applicant: Joel Armstrong

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: X Sandra M. Norskog

Print Name: Sandra M. Norskog

State of Nevada County of Clark

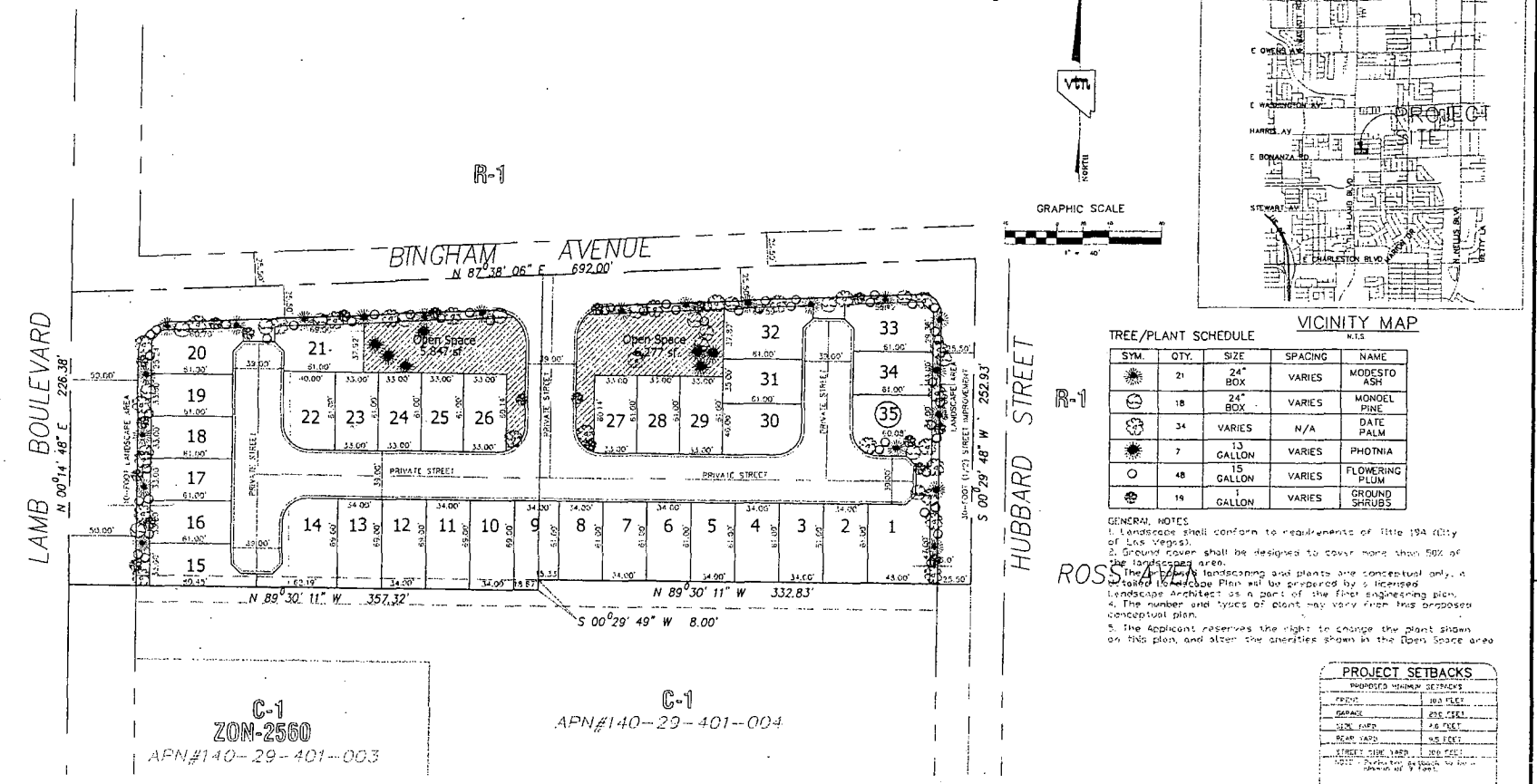
Subscribed and sworn before me

This 20th day of May, 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



VICINITY MAP
N.T.S

TREE/PLANT SCHEDULE

SYM.	QTY.	SIZE	SPACING	NAME
	21	24" BOX	VARIES	MODESTO ASH
	18	24" BOX	VARIES	MONDEL PINE
	34	VARIES	N/A	DATE PALM
	7	13 GALLON	VARIES	PHOTNIA
	48	15 GALLON	VARIES	FLOWERING PLUM
	19	1 GALLON	VARIES	GROUND SHRUBS

GENERAL NOTES
1. Landscape shall conform to requirements of Title 19A (City of Las Vegas).
2. Ground cover shall be designed to cover more than 50% of the landscaped area.
3. The Applicants landscaping and plants are conceptual only. A detailed Landscape Plan will be prepared by a licensed Landscape Architect as a part of the final engineering plan.
4. The number and types of plant may vary from this proposed conceptual plan.
5. The Applicant reserves the right to change the plant shown on this plan, and alter the amenities shown in the Open Space area.

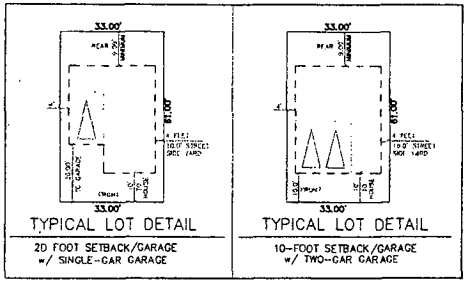
PROJECT SETBACKS

PROPOSED MINIMUM SETBACKS	
FRONT	10.0 FEET
GARAGE	20.0 FEET
SIDE YARD	4.0 FEET
REAR YARD	9.5 FEET
STREET SIDE YARD	10.0 FEET

NOTE: Porches may encroach no more than 5 feet.

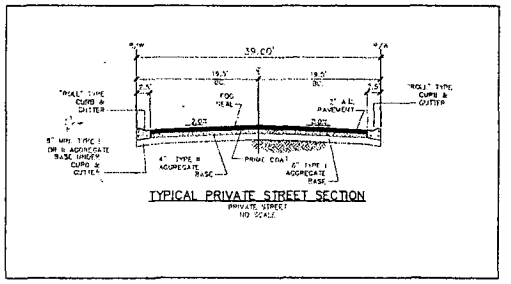
PROJECT SUMMARY

PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-005 & 006
GROSS ACRES	3.80 ACRES
CURRENT GENERAL PLAN	ML (MEDIUM-LOW) 5.5 to 8.0 du/ac.
PROPOSED GENERAL PLAN	M-A (MEDIUM-LOW) 8.1 to 12 du/ac.
CURRENT ZONING	R-1
PROPOSED ZONING	R-PD-10
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	36
PROPOSED DENSITY	9.47 DU/AC
OPEN SPACE	
OPEN SPACE REQUIED	25,870 SF. or 0.59 ACRES (15.4%)
PROPOSED USABLE OPEN SPACE	15,532 SF.
OTHER OPEN SPACE	0 SF.
TOTAL OPEN SPACE PROVIDED	15,532 SF.
PARKING	
# PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	72



TYPICAL LOT DETAIL
2D FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGE

TYPICAL LOT DETAIL
10-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE



TYPICAL PRIVATE STREET SECTION
PRIVATE STREET
NO SCALE

GENERAL NOTES :
1. There are no existing structures located within the property boundary.
2. The lot dimensions are preliminary and may vary with the mapping process.
3. The boundary for this project is from "of record information". The of record boundary will most likely differ from the surveyed boundary.
4. Some lot lines and dimensions may change during the final mapping process.

CONCEPTUAL LANDSCAPE PLAN FOR LAMB & BINGHAM

StoryBook Homes
2580 Sorrento Square Street
Las Vegas, Nevada 89117
(702) 877-7660

VTN
2727 South Rainbow Boulevard Las Vegas, Nevada 89146-5148
ph. (702) 822-7336 fax (702) 362-2337
Planning ● Civil Engineering ● Surveying ● Landscape Architecture

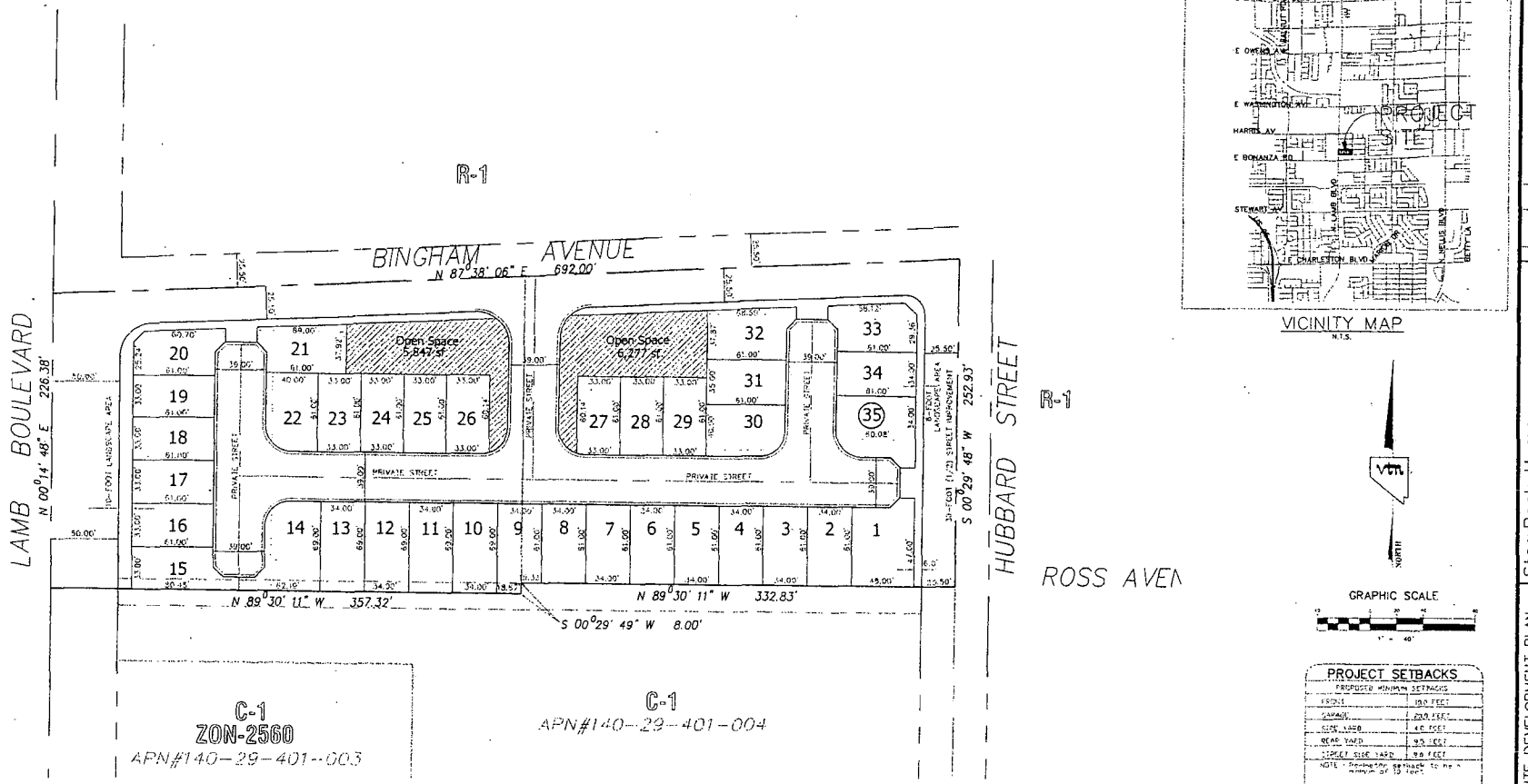
City of Las Vegas

REVISION	BY	DATE
CHANGED DRIVEWAY TO BINGHAM / LOST 1 LOT.	JAL	5/31/01

DRAWN BY: JAL 1/22/2004
DESIGNED BY: JAL 1/22/2004
CHECKED BY:
PROJECT NO: 1459
SCALE: 40' HORIZ. 40' VERT.

SHEET 02
2 OF 2 SHEETS
DRAWING NO. 6459-CLV

ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



GRAPHIC SCALE

1" = 40'

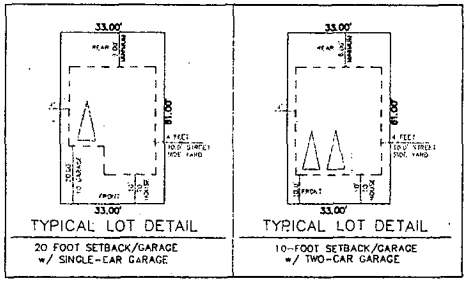
PROJECT SETBACKS

PROPOSED MINIMUM SETBACKS	
FRONT	150 FEET
GARAGE	200 FEET
SIDE YARD	40 FEET
REAR YARD	95 FEET
STREET SIDE YARD	90 FEET

NOTE: Projection setback to be a minimum of 10 feet.

PROJECT SUMMARY

PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-003 & 004
GROSS ACRES	9.89 ACRES
CURRENT GENERAL PLAN	ML (MEDIUM-LOW) 3.5 to 8.0 du/ac
PROPOSED GENERAL PLAN	ML (MEDIUM-LOW) 3.5 to 8.0 du/ac
CURRENT ZONING	R-1
PROPOSED ZONING	R-PD6
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	35
PROPOSED DENSITY	3.91 DU/AC
OPEN SPACE	
OPEN SPACE REQUIRED	69,159 SF OR 9.87 ACRES (15%)
PROPOSED USABLE OPEN SPACE	12,124 SF
OTHER OPEN SPACE	0 SF
TOTAL OPEN SPACE PROVIDED	12,124 SF
PARKING	
# PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	70

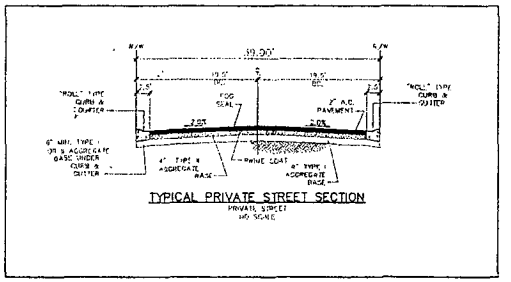


TYPICAL LOT DETAIL

20 FOOT SETBACK/GARAGE w/ SINGLE-CAR GARAGE

TYPICAL LOT DETAIL

10-FOOT SETBACK/GARAGE w/ TWO-CAR GARAGE



TYPICAL PRIVATE STREET SECTION

PRIVATE STREET
NO SCALE

GENERAL NOTES:
1. There are no existing structures located within the property boundary.
2. The lot dimensions are preliminary and may vary with the mapping process.
3. The boundary for this project is from "of record information". The of record boundary will most likely differ from the surveyed boundary.
4. Some lot lines and streamlines may change during the final mapping process.

StoryBook Homes
1360 Whitney Mesa Dr.
Henderson, NV 89014
(702) 837-7500

City of Las Vegas

VTN
2727 North Hualapai Way, Suite 100, Las Vegas, Nevada 89128-5346
PH. (702) 853-7500 FAX (702) 243-3281
CIVIL ENGINEERING PLANNING SURVEYING

NO.	DATE	BY	REVISION
1	3/21/04	JA	CHANGE ENTRANCE TO BINGHAM / LOST 1 LOT

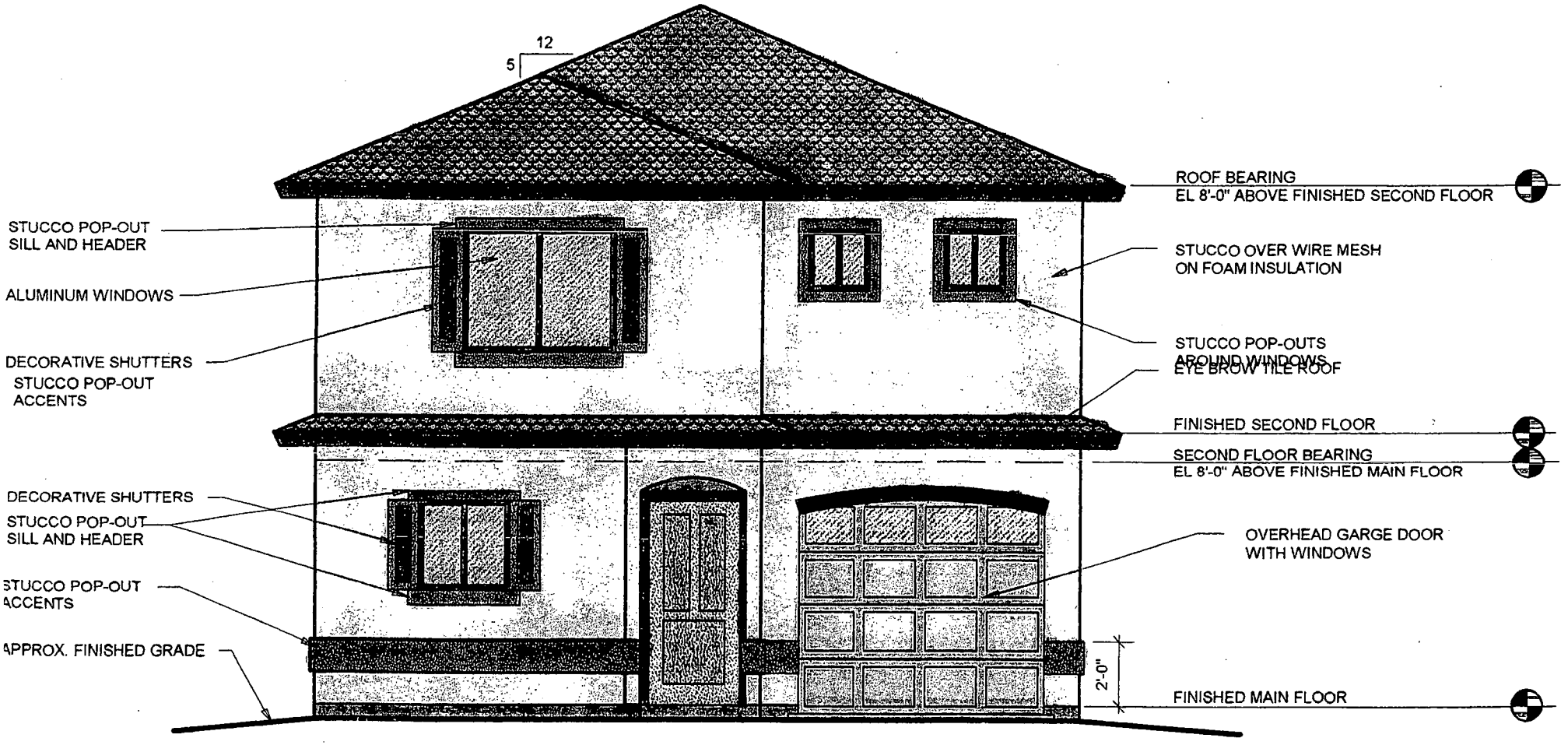
SITE DEVELOPMENT PLAN
FOR
LAMB & BINGHAM

DRAWN BY: JA 4/22/2004
DESIGNED BY: JA 3/26/2004
CHECKED BY:
PROJECT NO: 5452
SCALE: 40' HORIZ. VERT.

SHEET 01
1 OF 2 SHEETS
DRAWING NO. 6457-CLV

REVIT9 (BM-1)

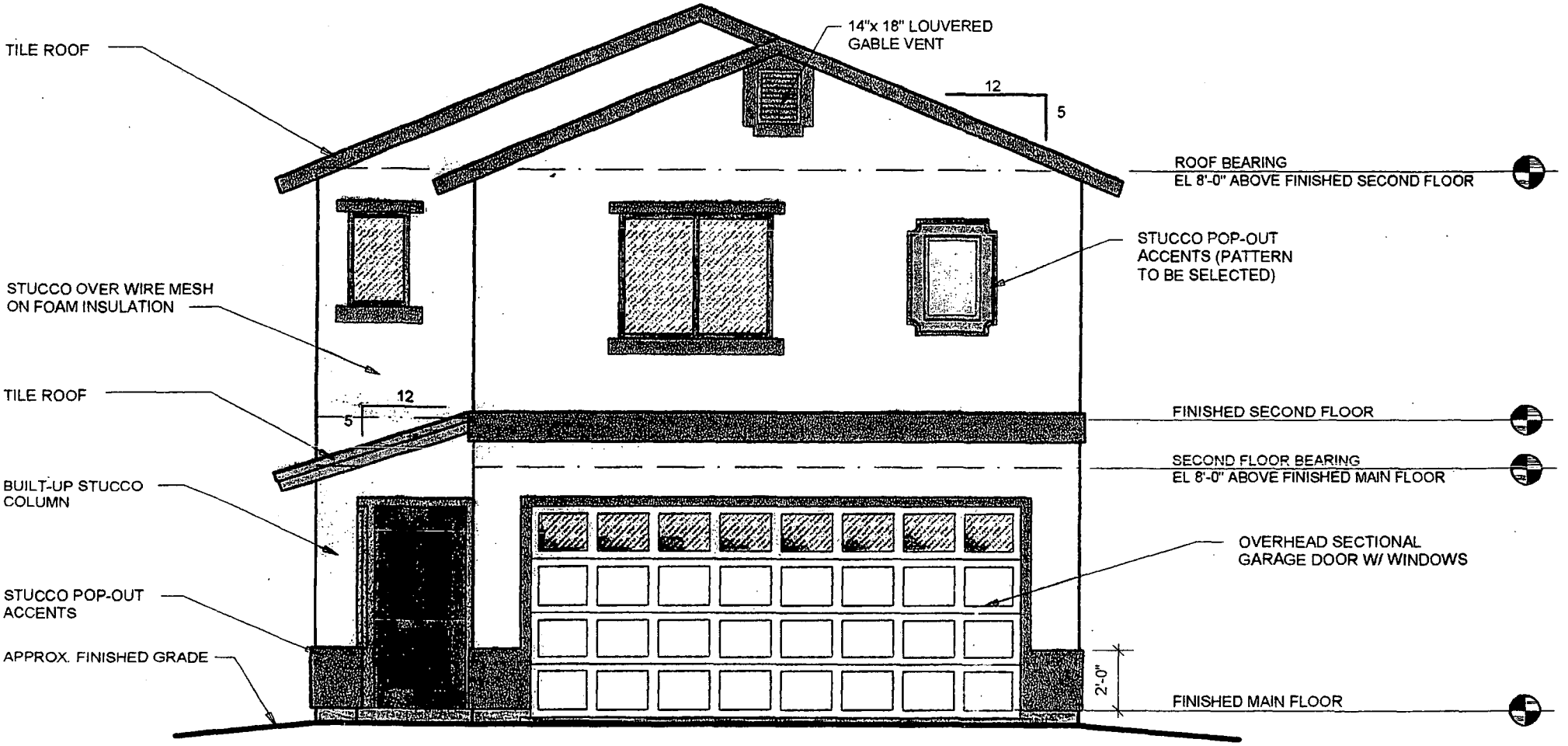
ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



FRONT ELEVATION - B

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

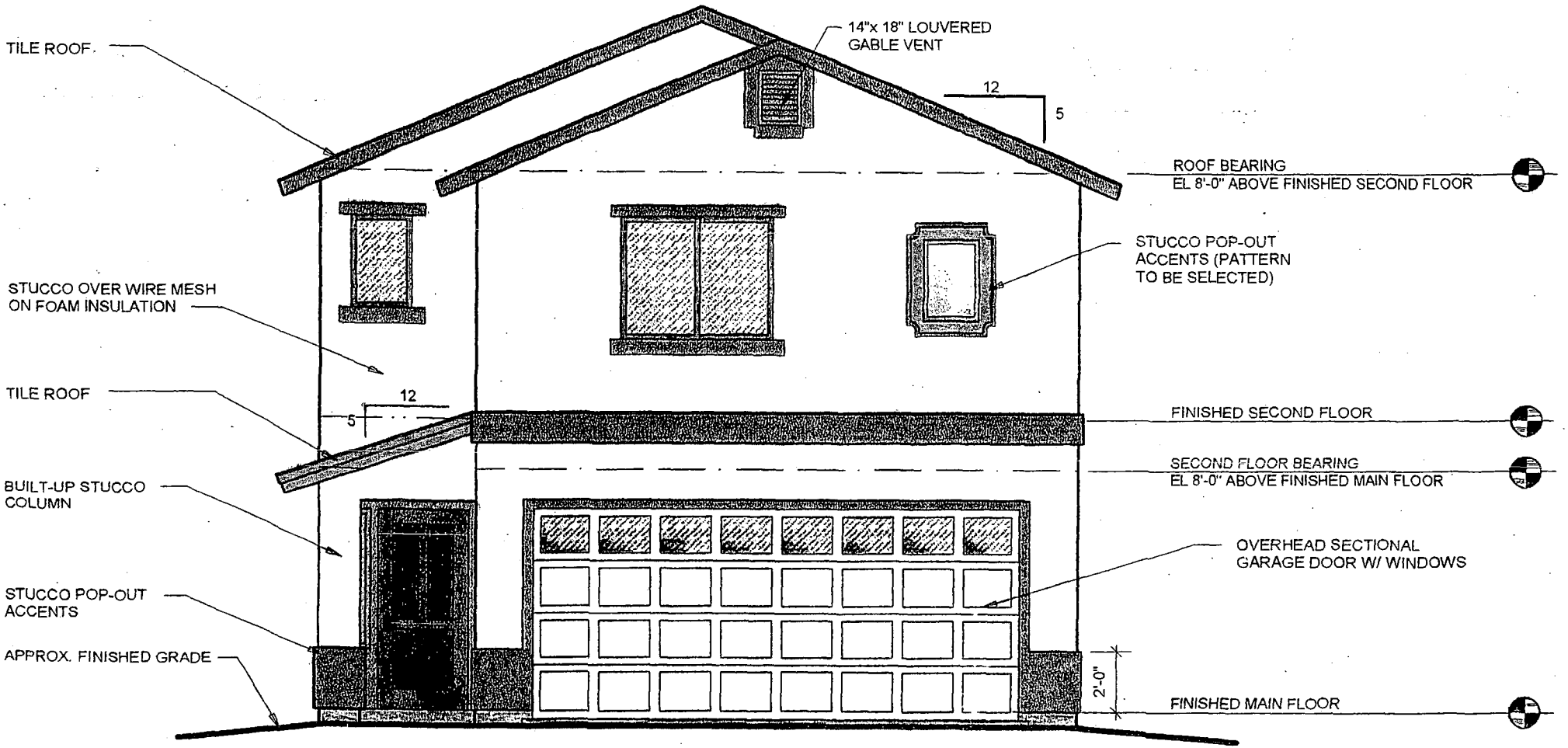
ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



FRONT ELEVATION

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

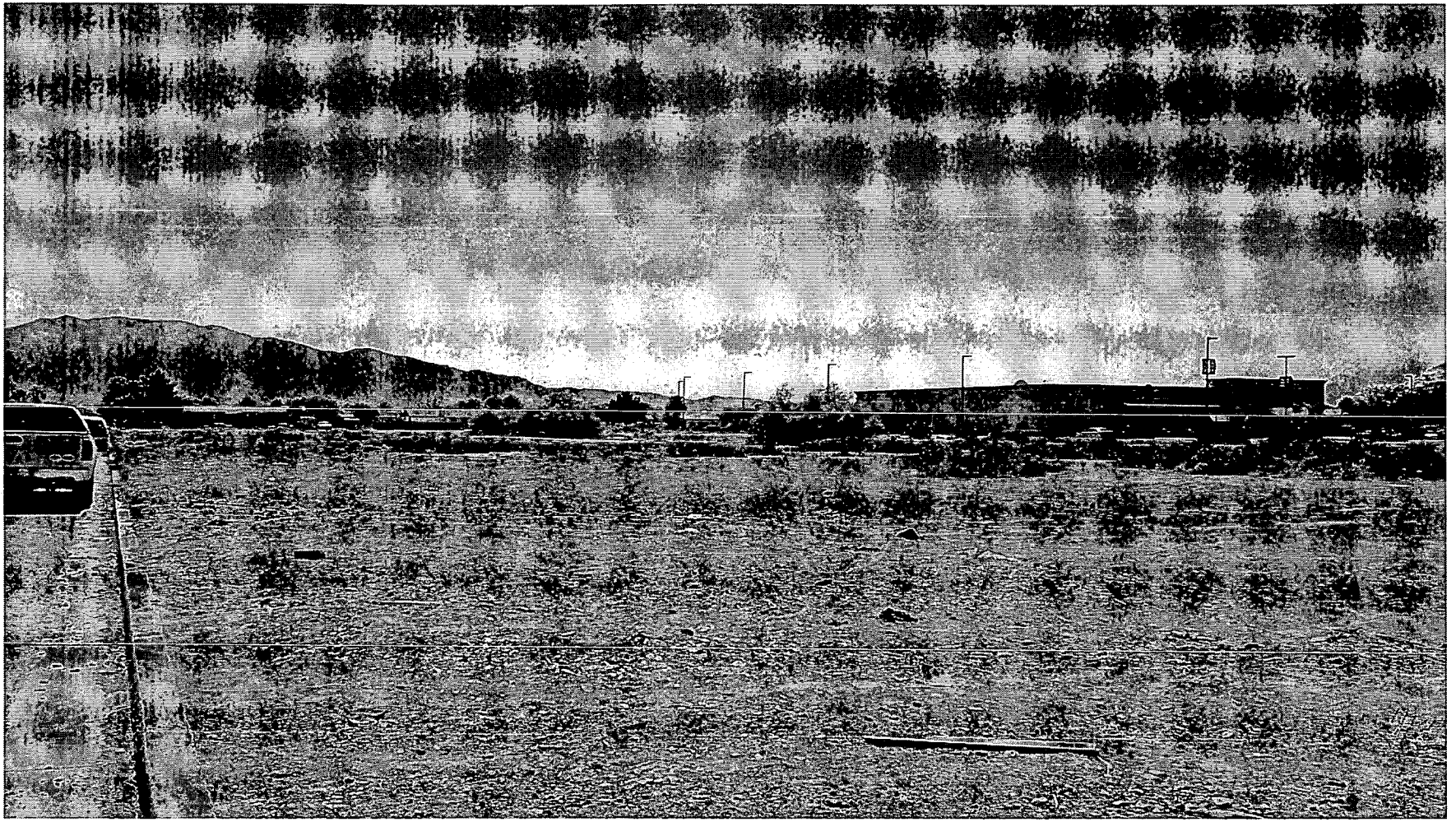
ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



FRONT ELEVATION

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

ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City of Las Vegas

Agenda Item No. 134

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:
GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (Office) and DR (Desert Rural Density Residential) TO: GC (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). The Planning Commission (5-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted After Final Agenda – Letter of Opposition for Item 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553] and Item 137 [SDR-4551] by Joseph E. Piracci filed under Item 134 [GPA-4549]
5. Submitted at City Council – Letter of Opposition by Conita Jones filed under Item 134 [GPA-4549]
6. Submitted at City Council – Test Drive Route by Dan Towbin filed under Item 134 [GPA-4549]

MOTION:
MONCRIEF – APPROVED subject to condition as read for the record as follows:
- ***The north thirty-three feet of the existing C-2 parcel shall remain O (Office).***

– UNANIMOUS with REESE and BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

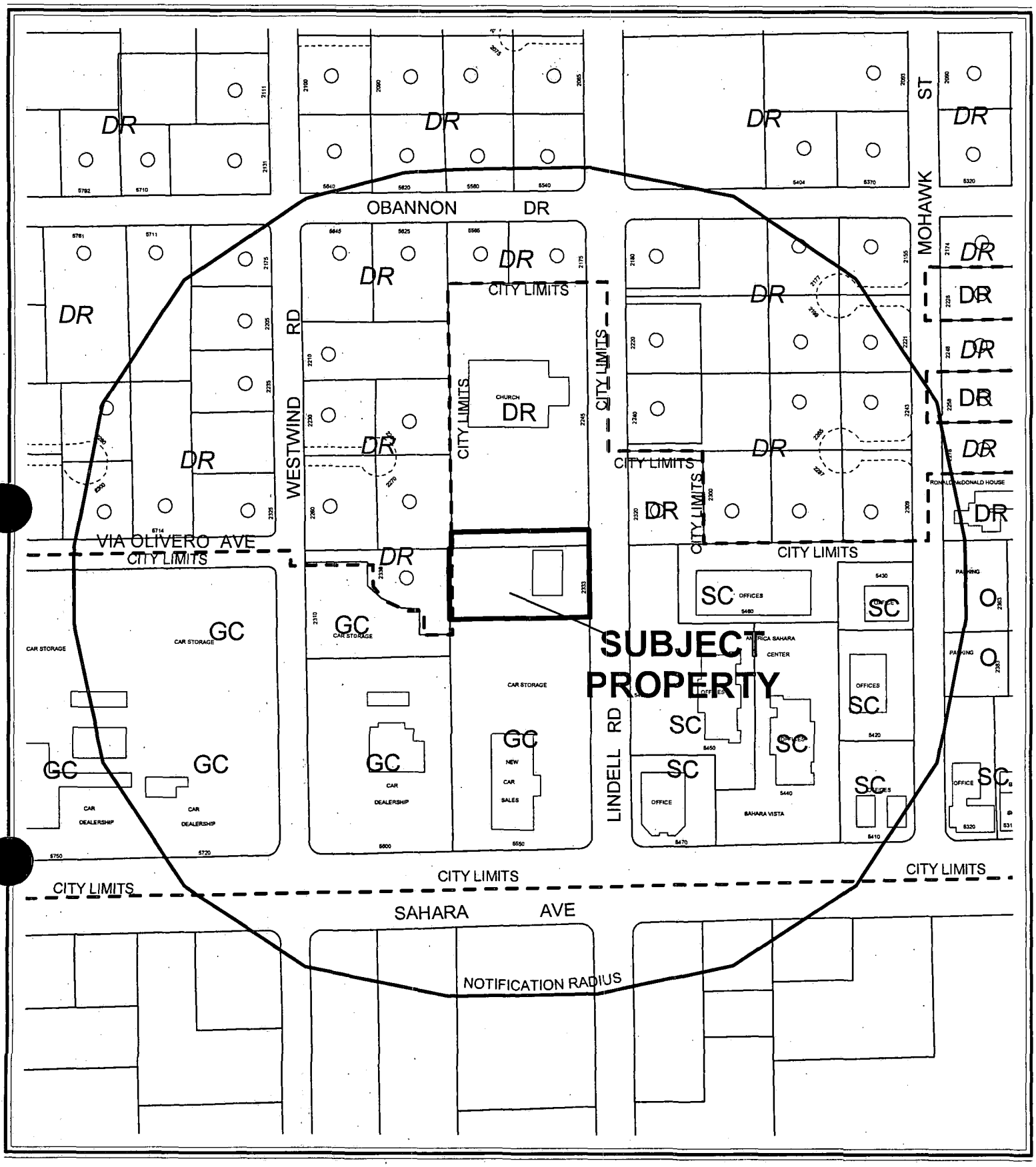
CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 134 – GPA-4549

MINUTES Continued:

APPEARANCES:
OSCAR GOODMAN, Mayor
MICHAEL MACK, Councilman
CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Drive
TED EGERTON, 6345 South Jones Boulevard
BART ANDERSON, Project Manager, Public Works Department
FIRST UNIDENTIFIED MALE SPEAKER
JANET MONCRIEF, Councilwoman
DAN TOWBIN, Chairman, Towbin Automotive Enterprises
CONITA JONES, 5645 O'Bannon Drive,
STEVE WOLFSON, Councilman
TIM FROMHART, 5711 O'Bannon Drive
SECOND UNIDENTIFIED MALE SPEAKER
GARY SWANCIGER, 2270 Westwind Road
BILL CURRAN, Attorney, 300 South 4th Street
ROBERT GENZER, Director, Planning and Development Department

MAYOR GOODMAN declared the Public Hearing closed on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

(2:42 – 3:21)



0 200 400 Feet

CASE: **GPA-4549**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL) AND O (OFFICE)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

N



0 200 400 Feet

CASE: GPA-4549

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL) AND O (OFFICE)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (5-2 vote) and staff recommend APPROVAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Southwest Sector Plan of the General Plan from O (Office) and DR (Desert Rural Density Residential) to GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue. A Rezoning (ZON-4550) from P-R (Professional Office) and R-E (Residence Estates) zone to C-2 (General Commercial) zone on a portion of the site (1.11 acres); a Variance (VAR-4553) to allow an 83-foot 1-inch residential adjacency setback where 100 feet is required; and a Site Development Plan Review (SDR-4551) 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 will be considered as companion agenda items.

APPLICANT'S JUSTIFICATION

The justification letter states the applicant is requesting a General Plan Amendment on 0.87 acres to change a lot mapped O (Office) to GC (General Commercial). Additionally there is a request for a General Plan Amendment on 0.24 acres to change the parcel mapped DR (Desert Rural Density Residential) to GC (General Commercial). GC (General Commercial) is a common designation in the area and the land will not significantly change use (currently there is parking and office and the site will remain as parking). In order to create a harmonious project on all three parcels, a change in designation is requested.

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/Office) and R (Rural Density Residential) Residential land uses with a maximum density of three dwelling units per acre.
1986	The subject properties were annexed (A-0012-86) into the City of Las Vegas.
04/24/90	The City Council approved a Reclassification of Property (Z-0038-90) to the P-R (Professional Office) zoning district (APN: 163-01-404-007). The Planning Commission recommended Approval on April 24, 2000. staff recommended Denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.

04/24/94	The Zoning Board of Adjustment approved a Variance (V-0061-94) to allow a Beauty Salon (APN: 163-01-404-007). Planning staff recommended Denial.
08/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan.
07/08/04	The Planning Commission recommended approval of three related items: A Rezoning (ZON-4550) from P-R (Professional Office) and R-E (Residence Estates) zone to C-2 (General Commercial) zone on a portion of the site (1.11 acres); a Variance (VAR-4553) to allow an 83-foot 1-inch residential adjacency setback where 100 feet is required; and a Site Development Plan Review (SDR-4551) 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.
07/08/04	The Planning Commission voted 5-2 to recommend APPROVAL (PC Agenda Item #34/llm).

DETAILS OF APPLICATION REQUEST

Site Area:	1.11 Acres (GPA only) 4.15 Acres (overall site)

EXISTING LAND USE

Subject Property	Office and Parking
North	Religious Facility
South	Vacant Auto Dealership (New Sales)
East	Single Family Residence and Office
West	Single Family Residence

PLANNED LAND USE

Subject Property	O (Office) and DR (Desert Rural Density Residential)
North	DR (Desert Rural Density Residential)
South	GC (General Commercial)
East	DR (Desert Rural Density Residential) and SC (Service Commercial)

EXISTING ZONING

Subject Property	O (Office) and R-E (Residence Estates)
North	R-E (Residence Estates)
South	C-2 (General Commercial)
East	R-E (Residence Estates) and C-1 (Limited Commercial)
West	Clark County

	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 site is not within any special area plan or overlay district.

DEFINITIONS

DR (Desert Rural Density Residential) (0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre.

The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

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.

GC (General Commercial)
General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. This category includes the Village and Town Center concept areas.

INTERAGENCY ISSUES

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

The proposed Towbin Hummer Auto Dealership will be located on the northwest corner of Sahara Avenue and Lindell Road. The existing vacant auto dealership building will be torn down to accommodate the new 37,950 square-foot Motor Vehicle Sales (New) Facility on 4.15 acres. The site is accessed via drives from Sahara Avenue and Lindell Road. A total of 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.

This request is for a General Plan Amendment from O (Office) and DR (Desert Rural Density Residential) to GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue. The amendment consists of two parcels, which will be utilized for employee parking in conjunction with the proposed Towbin Hummer Dealership facility to the south. To the north of the subject site is a parking area for a religious facility, to the south is the proposed related auto dealership, to the east is a single family residence and an office development and to the west is a single family residence.

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 proposed GC (General Commercial) General Plan designation allows for retail, service, wholesale, office, and other general business uses of a more intense commercial character. The proposed GC (General Commercial) designation is generally not considered compatible with the adjacent DR (Desert Rural Density Residential) General Plan designation and related land uses. However the proposed GC (General Commercial) General Plan designation is acceptable in this case as the area is predominately General Commercial along the Sahara Avenue corridor. Most of the surrounding properties are developed as automobile dealerships.

In regard to "2": The proposed zoning of C-2 (General Commercial) would permit the proposed Motor Vehicle Sales (New) Facility [Towbin Hummer]. This zoning designation is generally not compatible with the existing R-E (Residence Estates) to the north and east, however the Rezoning is appropriate due to commercial nature of the area and the conglomeration of auto dealerships in the vicinity. In addition, the site plan indicates screening between the residential and religious facility uses and the project site.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the 5925 Spring Mountain Road (located east of Jones Boulevard). Fire Station #5, located at 1020 Hinson Street (located north of Charleston Boulevard and west of Valley View Boulevard) is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/08/04 A neighborhood meeting sponsored by the applicant was held. A total of 12 persons attended, and provided the following comments:

- Loud speakers audible in the neighborhoods. The applicant is willing to increase landscaping on the west side of the site, adjacent to residential properties to mitigate noise.
- Test drives and employees driving through the neighborhood. Mr. Towbin will instruct his employees to adhere to rules and regulations that prohibit them from driving in the neighborhoods for either reason.
- The location of unloading of new vehicles. The applicant indicated that some on-site parking could be moved to create an on-site loading area on the west side of the building. Mr. Towbin will instruct the truck deliveries to occur on site in a particular area.

- Concern with the General Plan land use change due to the potential of a high intensity commercial use adjacent to residential properties.
- Wall height adjacent to residential. Want an increase in wall height.
- A question was posed regarding moving the building closer to Sahara Avenue, Mr. Towbin stated that this request is difficult to meet because the for sale vehicles need to be located in the front of the building for viewing.
- The residents want a tall (minimum ten feet in height) block wall built along the west and north property lines, nearest to the residences. The residents also want a wall along Lindell to shield the employee parking area. Mr. Towbin is okay to build these decorative block walls.

PLANNING COMMISSION ACTION

There were six speakers protesting this matter at the Planning Commission hearing.

NOTICES MAILED: 70 by Planning Department

APPROVALS: 0

PROTESTS: 6

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4549 APN: _____

Name of Property Owner: Daniel L. Towbin

Name of Applicant: Carl 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 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

LOCATION MAP

PROPOSED GENERAL PLAN AMENDMENT

OFFICE

GENERAL COMMERCIAL (CITY OF LAS VEGAS)

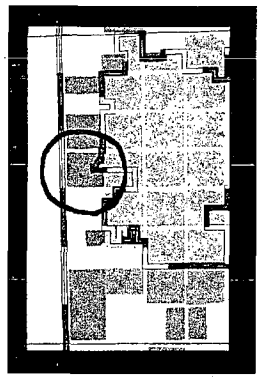
GENERAL COMMERCIAL (CLARK COUNTY)

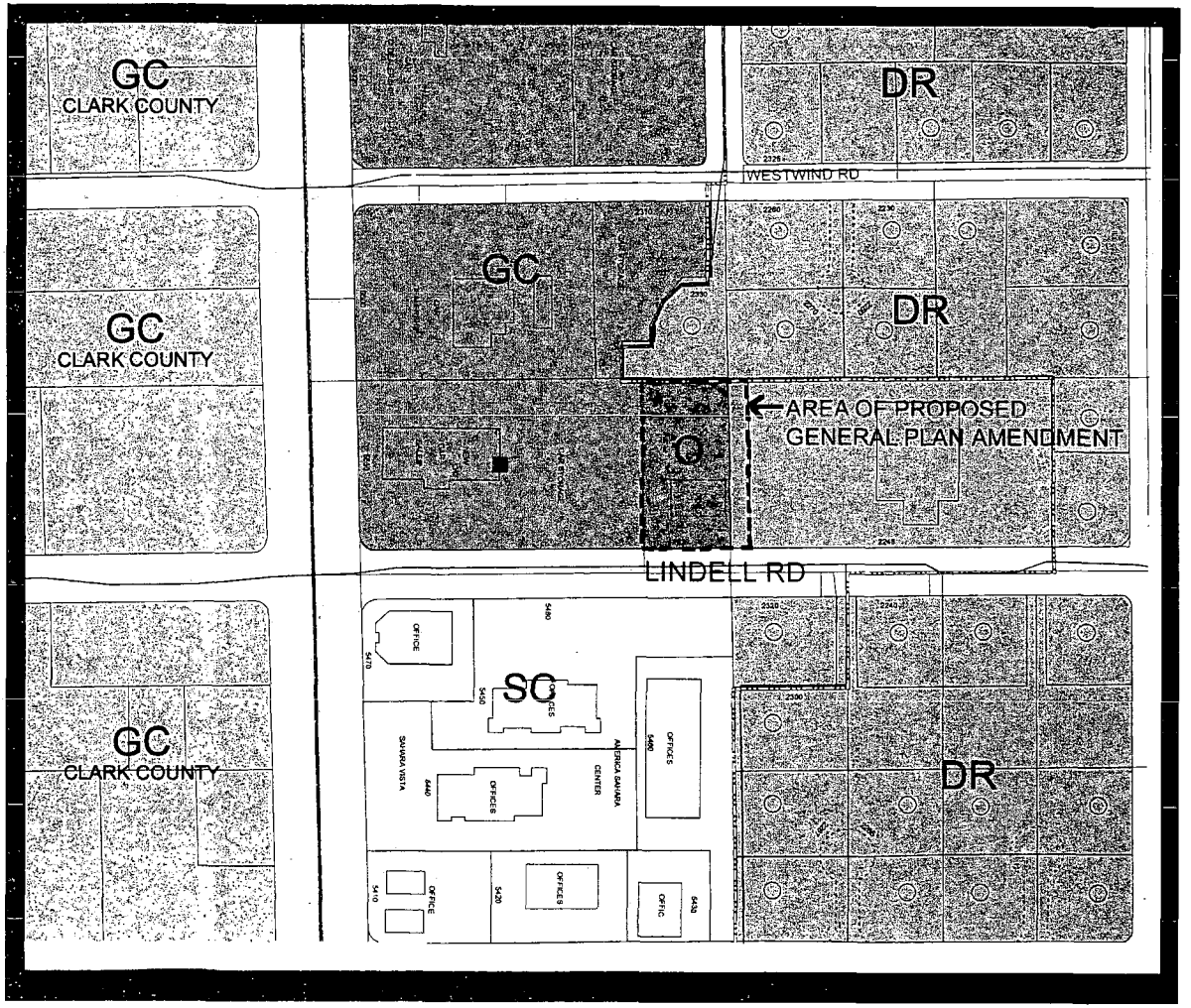
DESERT RURAL

SERVICE COMMERCIAL

RIGHT-OF-WAY

VICINITY MAP





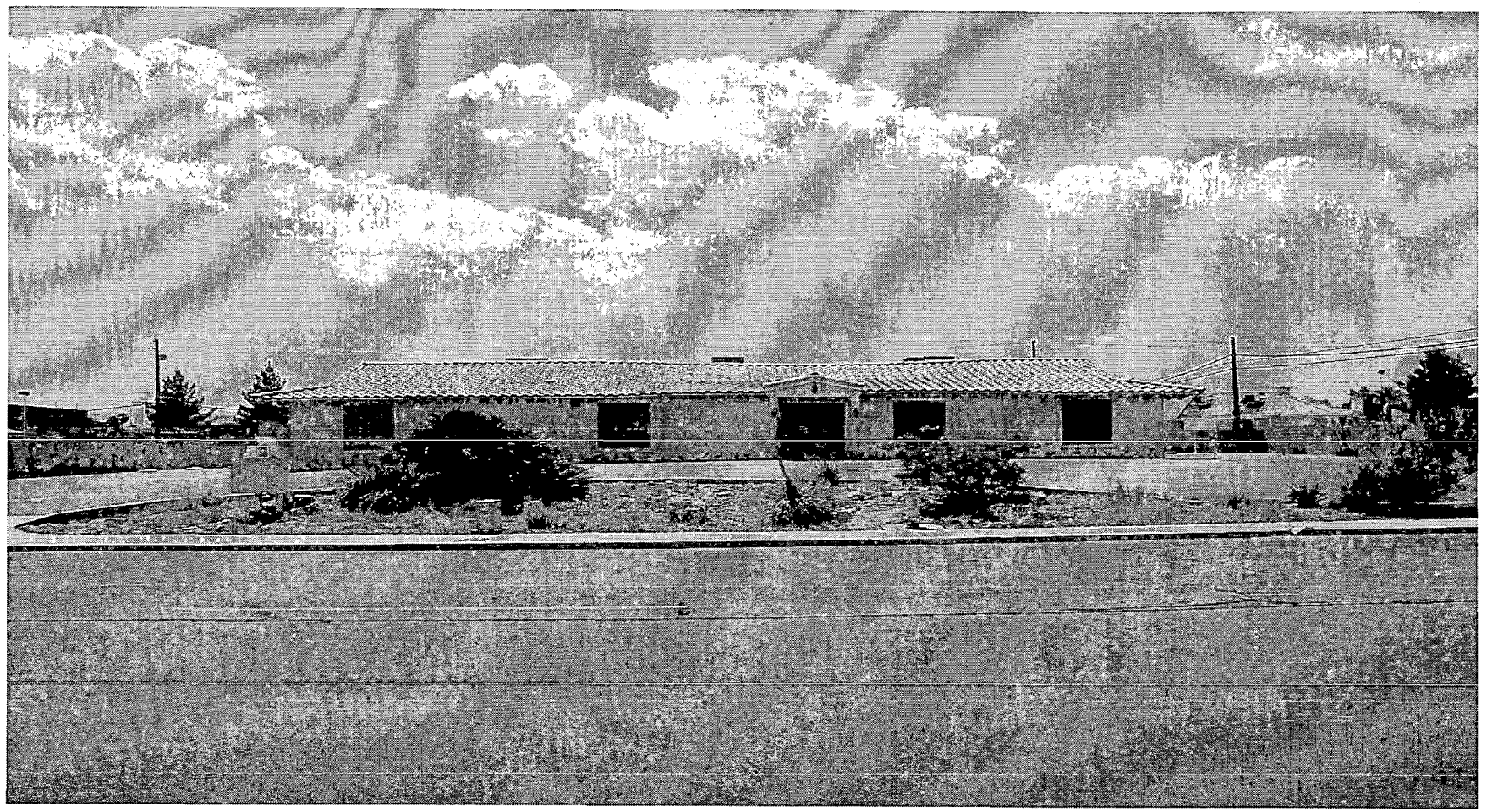
TOWBIN HUMMER - NWC SAHARA AVE. & LINDELL ROAD
LAS VEGAS, NV

GPA-4549
07-08-04 PC



GPA-4549 - 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



GPA-4549 - 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

July 27, 2004

Re GPA-4549, ZON-4550, SDR-4551, VAR-4553 (Hummer dealership Sahara and Lindell)

City Council Members:

I am sorry that I am unable to attend this important meeting. I reside at 2330 Westwind Rd directly adjacent to the proposed Hummer dealership, and will be affected more than anyone by its construction and operation. My two primary concerns are the visual impact of a commercial establishment so close to my home and the noise that will invariably be generated.

Their plans call for a large steel exit door facing westward (directly toward me) that will be raised and lowered many times a day, exposing me to the sound of the door itself in addition to the sounds of a busy repair shop (pounding, impact wrenches, etc.) when the door is open. Also off loading of inventory vehicles at unpredictable hours with the sounds of large delivery trucks and noisy steel ramps is planned to take place even closer to my home between their building and my residence.

I ask that the applicant be required to construct a high decorative block wall with screening landscaping to include a row of large evergreen trees (36" box placed 15' on center) between my home and the business. Several years ago when the Budget dealership was established, you required them, in coordination with me, to construct walls varying between 9 and 14 feet with the same landscaping requirement. This has worked well.

Protest

I request that variance 4553 be denied. It is bad enough that such a large commercial structure will be placed within 100 feet of a residence. A regulation designed to protect the homeowner from the concerns expressed above will be circumvented. Why would you allow it to be built 17 feet closer?

Concerning ZON-4550: Present zoning allows employee parking. Rezoning to C-2 will allow inventory parking. The applicant states he has no intention of using this space for inventory parking. I request that if the zoning change is permitted, it be passed with the stipulation that no inventory parking will be allowed. There should be no objection from the applicant.

Finally, I ask that no outdoor paging of any kind during any hours of the day be allowed and so stipulated.

Sincerely,

Joseph E Piracci, MD

RECEIVED
CITY CLERK
2004 JUL 28 A 11:44

Submitted after final agenda

Date 7/28/04 Item #134-137

July 27, 2004

Re GPA-4549, ZON-4550, SDR-4551, VAR-4553 (Hummer dealership Sahara and Lindell)

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Sincerely,

Joseph E Piracci, MD

Submitted at City Council
Date 8/4/04 Item 134-137

Conita Jones
5645 O'Bannon Drive
Las Vegas, Nevada 89146
702-364-1395

June 21, 2004

Daniel L. Ballard, AIA
JMA Architecture Studios
10150 Covington Cross Drive
Las Vegas, NV 89144

Dear Mr. Ballard:

Thank you for holding the informative meeting on June 8, 2004, concerning the proposed Hummer Dealership, City Case No. GPA 4549. We are pleased that Mr. Towbin understands the importance of helping preserve our neighborhood from the unavoidably negative impact caused by his dealerships, and that he is interested in reaching an amicable agreement. As a reminder, here is the list of appropriate actions that we discussed.

1. Help close O'Bannon Drive at Jones to limit the impact of the parking area leased by the Towbin dealership near the SE corner of that intersection. This could be done by filing with the County, on behalf of your landlord, to vacate that portion of O'Bannon between Jones and the end of the commercial area. Unless this is done, traffic from that lot will be most detrimental to our community.

2. Install medians on Lindel to force employees and test drives to make right turns toward Sahara, while having a north bound left hand turn lane (on Lindel) returning to the dealership from Sahara.

3. Prevent the use of loud speakers/pagers of any kind outside the dealership and prevent music from being played from vehicles while outside.

4. Permanently stop all outside loud speakers at Towbin Infinity at 5605 W. Sahara and the existing Towbin Super Store at 5555 W. Sahara.

5. Prohibit test drives and vehicle relocations from traveling through our residential areas. To enforce use of the route, require employees to sign a statement that they will not drive in residential neighborhoods and if caught, will accept a fine or employment termination. Controlling employees at the dealership level will deter larger fines imposed by Ordinance No. 5665.

6. Prohibit transport trucks from driving through residential streets.

7. Raise all block walls surrounding property as high as the city allows.

8. Plant evergreen trees of a size acceptable to the residents along the west side and north side of the property line to serve as a buffer for the neighborhood.

Submitted at City Council
Date 8/4/04 Item #134-137

9. Install and maintain lighting shrouds to reflect all lighting from the neighborhood.

10. Remove the palm tree at the NW corner of the property for access by the power company to a power pole located in SW corner of Gary Swanciger's yard.

11. Prevent employees from parking on streets.

12. Maintain north end of property for employee parking not inventory parking.

13. Bay doors to be closed at all feasible times.

We want all agreed upon conditions to be stated within the final Special Use Permit. Thank you so much for your concern and help. Please call me if you would like to discuss these matters further. I can have several neighbors available to meet with you at most anytime.

Sincerely,

Conita Jones

cc: Dan Towbin, L.V. Development, Mayor Goodman, Councilwoman Moncrief, City Planning Commission, Commissioner Maxfield, Kim Bush

JMA ARCHITECTURE STUDIOS

July 1, 2004

Carl Marcello
Las Vegas Development
4795 S. Durango
Las Vegas, Nevada 89147

Re: Towbin Hummer
Neighborhood Recommendations
JMA Project No. 2003349

Dear Mr. Marcello,

Two separate meetings have been held with local residents in the area concerning the development of the 5550 West Sahara property, owned by Dan Towbin. The proposed project site being the development is a Hummer Dealership. The first meeting open to the neighborhood was held on Tuesday, June 8th. Also last Saturday, June 19th we met with two neighbors Dr. Joesph Piccati and Gary Swanceiger who directly share a property line with Mr. Towbin's project site. Dr. Piccati and Mr. Swanceiger own the two residential homes bordering the west property line, located in the northwest corner of the project site. The building directly north of the project site is an LDS Church. Contact has been made with the Church's local Facilities Department due to requests of neighbor's regarding fencing on the west and north property lines of the project site that will involve their cooperation. The contact for the Church is Bob McCoy, (FM) Facility Manager.

This letter comprises the neighbor's recommended conditions for development of the Towbin Hummer site. Listed below are the recommended conditions put forth by the residents:

- Visual Screening: The request is that the height of the existing masonry site walls on the West Property line be increased in height. The city does not have a restriction on the height of walls where commercial and residential properties abut. However there will be two physical restrictions to the height of the fence, one there are power lines directly above the fence and two the wall as engineered will have a limit to what height may be added without compromising the wall's structure integrity.

- Noise: The request is that no outside audio intercom system be used. At a minimum the request is that no speakers be located

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Executive
Vice President

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144 (702) 731 2033 facsimile (702) 731 2039

in the rear of the site or directed to the rear of the site. If an outside audio intercorn system is used, it is preferable that the system is only used during daytime working hours and that no music be played continuously on the system. Another request is to restrict music being played outside, specifically radios at the car wash area. Also a request was made that the service bay doors remain closed at all times.

- Lighting: The request is for exterior lighting at the employee parking area to be of the lowest levels allowed by code. In addition it was requested the light poles to be lower in height and be directed inward, toward the site, with light shields on fixtures where it may add in reflecting light away from residences.

- Parking: The request is that there be no vehicle storage in the north parking area. The residents prefer that all parking stalls located in this area be for employee parking only.

- Re-Zoning Area: The request is that the proposed re-zone parcel 'B' have a deed restriction in that no physical structure be allowed to be built on the property.

The above items were discussed at length during our walk of the property; my objective with this letter was to briefly state the resident's requests and to summarize at best our discussion.

Sincerely,

Jeff Bourne, AIA

Dist: Original hand-delivered to addressee
Copy faxed to addressee
Copy mailed to Tom and Conita Jones, Neighborhood Residents
Copy to Bob McCoy, Facility Manager – LDS church

July 2, 2004

Dr. Joseph E. Piracci
2330 Westwind Road
Las Vegas, Nevada 89146-0306

Re: Towbin Hummer
Neighborhood Concessions
JMA Project No. 2003349

Dear Dr. Piracci:

This letter comprises the concessions Mr. Towbin is willing to concede too regarding the conditions of development for the Hummer Dealership on Sahara and Lindell. The following is a listing of the concessions:

- Speaker systems are required for the normal business operations, however no speakers will be located at the employee parking area. The use of the speaker system will not be allowed after 10:00 p.m.
- By implementation of a company policy, customer test-driving of vehicles will occur on Sahara Ave. Transport vehicles will be asked to use Sahara Ave.
- We will raise the height of the West property line fencing, to a height to be agreed upon, to give residents visual screening.
- We will increase the landscaping requirements at the West and North property lines, beyond what is required to create a dense landscaping buffer.
- We will provide a concrete masonry site wall on the East property line to screen the employee parking lot.
- We will remove palm trees at the Northwest corner of the Towbin site to allow access, by the Nevada Power, to the power pole located adjacently in Dr. Piracci yard.
- We are willing to stipulate that Parcel #163-01-404-007 will be used for a parking lot. Also every design measure will be taken to ensure the site lighting is contained.
- We will stipulate that the Service Bay doors remain closed at all feasible times.

It goes without saying but as a further note all conditions for approval imposed by the City Council will be followed. A traffic study will be commissioned and all requirements will be complied with.

Sincerely,

Jeff Bourne, AIA
Project Manager

Document in Expedition

Commissioner Chip Maxfield
500 s. Grand Central Pkwy
Las Vegas, NV 89155-1401

Dear Commissioner Maxfielld,

As you are well aware we have a tremendous problem with the car dealerships around this neighborhood as well as with the cut through traffic. I have written a letter to the Towbin's and Joseph Scala since I have had no response from anyone at the dealerships. These you will find attached. Allowing Towbin to park at O'Bannon and Jones has been devastating to our neighborhood. It also appears that even if something is said to Towbin dealership's or Courtesy the employees drive extra dangerous as though they are trying to make a point to the neighborhood that they have no rules and they can play however they want.

I know it is difficult to do something to corporations that donate so much money to campaign's but our neighborhood needs something done. We also know our City receives a lot in taxes from these dealership's. At the same time these dealership's should not be allowed to dictate to our governing agencies as to what they can do within residential neighborhoods.

Our neighborhood looks to you to help resolve this problem and get these dealership's off of our residential streets. We should not have live in this danger and we should not have to move from the homes and away from the neighbors we love.

We appreciate your help in this matter. I'm sorry that our neighborhood has to continue to be a thorn in everyone's side but we have to continue until something is done about this situation.

Sincerely,

Conita Jones
5645 O'Bannon Drive
Las Vegas, NV 89146

p.s. Note that I never put my address on the dealership's letters. I do not trust these people and I don't need the retaliation from them.

RECEIVED
DEC 17 2003
COUNTY CLERK

Carol Towbin
Towbin Infinity
5605 W. Sahara
Las Vegas, NV 89146

RECEIVED
CITY CLERK

2003 DEC 17 P 2:10

Dear Mr. and Mrs. Towbin,

I am a resident living on O'Bannon Drive north of Sahara Ave. between Jones and Lindel. You must not have received my phone message so I decided to write. I do not believe that you know how vehicles from Towbin dealerships are being driven.

The County, City and I believe the police department has spoken to a general manager/ manager at the hummer location without any changes from the employees. The employees drive in excessive speeds running stop signs with disregard to all residents within our neighborhoods. I watched a hummer run the stop sign at Westwind and O'Bannon at a high rate of speed and then run the stop sign at O'Bannon and Lindel at 8:30 p.m.Wednesday on 11/19/03. I called the GM at the jeep store that night and the next a.m. leaving a voice mail both times. After this I called the Infinity dealership to speak with you. I believe residents have gone through all channels with no help so we have no choice but to turn to you. The last rain we had, a neighbor watched one of your employees (driving a hummer) hit the water at Westwind and O'Bannon loosing control, almost taking out my mailbox before gaining control. These are not unique incidents, this is a daily and continuing occurrence which neighbors have called the dealerships on.

The Infinity employees drive through our neighborhood like this also, they just are not as obvious as a hummer that is running 40,50 or 60 miles an hour in front of your house. You can speak to anyone within our neighborhood and you will have the same reaction from us all in regard to your dealerships and the way employees drive new vehicles and vehicles in for repair.

I am the recent victim of someone running a stop sign. I had 6 children with me when this happened. Someone was watching over myself and the children as the children were more shaken than hurt. The girl who ran the stop sign did not fair as well. I do not believe you would want an employee to hurt anyone and put your dealerships in a predicament. Nothing has happened yet, but I don't think anyone wants to see this day come and it will.

Thank you for your help in this matter.

Conita Jones
364-1395

cc: Mayor Oscar Goodman/Councilmembers/Commissioners/LVMPD/Towbin Superstores

TOWBIN
HUMMER®
SUPERSTORE

Test Drive Route
for
Towbin Hummer Employees

Attn: All Towbin Hummer Employees

The following test drive route is mandatory for all test drives – Sales and Service. No exceptions will be allowed.

Exit dealership on Sahara Avenue going west; to Jones Boulevard, then left going south; to Desert Inn Road, then left going east; to Decatur Boulevard, then left going north; to Sahara Avenue, then left going west back to the dealership

Note: Violations of this test drive route are subject to discipline up to termination.

Submitted at City Council
Date 8/4/04 Item # 134-137

5555 West Sahara Avenue • Las Vegas, Nevada 89146 • (702) 253-7000

COMBINED VERBATIM TRANSCRIPT – ITEM 134, 135, 136 and 137

Combined Verbatim Transcript: Items 134, 135, 136 and 137

GPA-4549, ZON-4550, VAR-4553 AND SDR-4551 – LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY

Appearance List:

OSCAR GOODMAN, Mayor
MICHAEL MACK, Councilman
CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Drive
TED EGERTON, 6345 South Jones Boulevard
BART ANDERSON, Project Manager, Public Works Department
FIRST UNIDENTIFIED MALE SPEAKER
JANET MONCRIEF, Councilwoman
DAN TOWBIN, Chairman, Towbin Automotive Enterprises
CONITA JONES, 5645 O'Bannon Drive,
STEVE WOLFSON, Councilman
TIM FROMHART, 5711 O'Bannon Drive
SECOND UNIDENTIFIED MALE SPEAKER
GARY SWANCIGER, 2270 Westwind Road
BILL CURRAN, Attorney, 300 South 4th Street
ROBERT GENZER, Director, Planning and Development Department

(2:42 – 3:21)
5-308

39 minutes

Typed by: Stacey Campbell; Ydoleena Yturralde
Proofed by: Angela Crolli

MAYOR GOODMAN

All right. We have 134, 135, 136 and 137. One thirty four is GPA-4549. The applicant is Las Vegas Development Company, Limited Liability Company. The owner is Cardan Lindell North, Limited Liability Company. Request to amend a portion of the Southwest Sector Plan of the General Plan from O, which is Office and DR, Desert Rural Density Residential to GC, General Commercial on one point one one acres adjacent to the west side of Lindell Road approximately four hundred and fifty feet north of Sahara Ave. Pardon me.

COUNCILMAN MACK

Bless you.

MAYOR GOODMAN

Excuse me. Thank you very much. Pardon me. The Planning Commission and staff recommend approval subject to conditions, it's in Ward 1. One thirty five, the same, this is ZON-4550, the same applicant. Request for a rezoning from PR, which is Professional Office and Parking and RE, Residence Estates, to C2 General Commercial, at that location and the Planning Commission and staff recommend approval subject to conditions. One thirty six is VAR-4553, same applicant. Request for a variance to allow a proposed 83-foot side yard setback where residential adjacency standards require a minimum of a hundred feet at that location. The Planning Commission and staff recommend approval subject to the conditions. Item 137 is SDR-4551, the same applicant. Request for a Site Development Plan review and waivers to allow a reduction of perimeter parking lot and foundation landscaping to allow palm trees along Sahara Avenue where Pine or deciduous trees are required for a proposed thirty seven thousand nine hundred and fifty square-foot motor vehicle sales, new facility, on four point one five acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road. Planning Commission and staff recommend approval subject to conditions. These are all Public Hearings folks and they're now open. Mr. Marcello?

CARL MARCELLO

Carl Marcello, Las Vegas Development Company, 4795 South Durango Drive. The applicant, I represent Dan Towbin and Towbin Automotive Group in this presentation. Bill Curran is our attorney, he's on his way back from the County and we're gonna –

MAYOR GOODMAN

Well I'm so happy he's not here. He is the most –

CARL MARCELLO

So, we're gonna – attempt to just present this ourselves and go over each item –

MAYOR GOODMAN

I'm so happy, Mr. Towbin. You may pay him but we really don't have to hear from him. Mr. Marcello would do fine. Thank you.

CARL MARCELLO

So, as you can see, you know, this is the picture of the facility we're gonna build. It's a great improvement to the existing conditions that are there today, which is an old Acura dealership at the northwest corner of Lindell and West Sahara. We worked diligently with the neighborhood on all of the issues with them. And, here's a site plan that shows what we would like to do. Here's – the existing Acura dealership here. This is our new dealership that we propose to construct. And, with Mr. Towbin's acquisition of the property, he also acquired this lot here and this one here, which has different zoning issues so, we want to make it all C-2 zoning so it'll be contiguous. We, here's the site plan which shows the building and where we want to place it. We're in conformance with the parking requirements and landscape requirements as well. We added additional landscaping for the neighbors in this area here and also deleting a little bit of landscaping in this corner to accommodate a neighbor that has a power pole on his property and Nevada Power has been accessing it through his property. So, we told him that we have no problem accessing to our property. We have, you know, going before the Planning Commission,

they had some conditions that we have some concerns about and would like to address them with you today.

MAYOR GOODMAN

All right. Why don't you do that?

CARL MARCELLO

Okay. Item number 134, we don't have any comments on that at all. Item one thirty five, 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 the onsite development activities. One, our main issue that we have with this is that currently we have a bus stop that's located on West Sahara and we're gonna be required by staff to put in a bus turn out and a radius return driveway in this area here. And, we think, feel it's a big safety factor with the public and ingress and egress on our only driveway that we have on West Sahara. And, I would like to introduce our Civil Engineer, Ted Egerton, to address those issues 'cause it's a really important issue with us.

MAYOR GOODMAN

Yes, sir.

TED EGERTON

Ted Egerton, 6345 South Jones. What we'd like is the condition to be rewritten that we will replace all substandard street improvements on Lindell Road only, leave the improvements on Sahara Avenue, leave the existing driveway. The reason being is, of course, Sahara is an NDOT right of way, once we get into Sahara we have problems with maintaining our driveway per NDOT standards, even though they do meet City standards.

MAYOR GOODMAN

Staff, what do you have to say about that?

BART ANDERSON

Well, staff's recommendation is that the condition remains as is, but we're certainly willing to take direction from Council if other considerations make more sense.

COUNCILMAN MACK

I got a quick question.

MAYOR GOODMAN

Yes, Councilman.

COUNCILMAN MACK

Councilwoman and Mayor, it's my understanding, if you left the existing building the way it was, built your brand new facility behind it, and then it came back in for a demolition permit, you wouldn't have to make any of these off-site improvements. Is that correct staff?

BART ANDERSON

Well, I can't – really answer that with authority. The Building Department would determine whether or not a site plan was needed, the Planning Department would be invoked and unless a site plan is needed –

COUNCILMAN MACK

If they got the site plan for the back portion then came back in for a demo permit I don't believe any of the site, the off-sites on Sahara would be necessary.

BART ANDERSON

If – it did not come back before the Planning Commission and, or City Council –

COUNCILMAN MACK

Right.

BART ANDERSON

– then we would not be imposing these requirements.

COUNCILMAN MACK

Okay. Thank you.

CARL MARCELLO

We could even further go into the safety issues with our Civil Engineer, if need be, to further clarify that, you know, with what exists today and what they're proposing.

TED EGERTON

Well, what we propose basically is right now there is currently a break down lane that the bus currently uses on Sahara Avenue. By installing a bus pull out, we would actually be moving the existing bus shelter further, closer to the driveway per the standard drawings. The problems that we have with that is, it becomes a sight visibility issue with the existing, with the proposed shelter where it would be along with any buses that would be in that bus pull out lane. So, actually, with that driveway on Sahara, which is our main driveway for test drives and everything else, we would have a site visibility problem, a safety issue coming out of the driveway

BART ANDERSON

If I may, if it is the will of the City Council, I certainly do have additional or modified wording that I can read into the record that would accomplish this.

MAYOR GOODMAN

All right. Councilwoman, is that okay with you? Very good.

BART ANDERSON

Okay, I'd – this would apply to Item 137, Condition 22 would be revised to read as follows. Remove all substandard public street improvements and unused driveway cuts, if any, on Lindell

Road, adjacent to this site and replace with new improvements meeting current City standards concurrent with on-site development activities. Driveways on Lindell Road shall be reconstructed to meet the requirements of Standard Drawing 222a unless otherwise directed by the City Traffic Engineer. However, the existing improvements along the Sahara Road frontage including the existing driveway shall be allowed to remain as is at this time.

MAYOR GOODMAN

All right.

BART ANDERSON

And then condition number 31, we would also suggest some rewording too. Sahara Avenue shall be posted as no parking adjacent to this site. Parking along Lindell Road from the southerly driveway southward shall be posted as no parking and from the southerly driveway northward shall be posted as restricted two hour parking. All necessary signage to indicate this shall be installed by the developer concurrent with development of the site unless otherwise directed by the City Traffic Engineer.

MAYOR GOODMAN

Is that agreeable folks?

CARL MARCELLO

Yes, Your Honor.

MAYOR GOODMAN

All right. Very good. All right.

BART ANDERSON

And, one last thing, if I may?

MAYOR GOODMAN

Certainly.

BART ANDERSON

He had raised the similar issue on Item 135, which is the rezoning, which does say remove and replace substandard improvements, but the rezoning applies only to the portion at the north edge of this site, does not actually abut Sahara. And, so it's my opinion that that condition would only be construed to include Lindell.

MAYOR GOODMAN

Is that understood?

CARL MARCELLO

Yes, Your Honor.

MAYOR GOODMAN

Okay.

COUNCILMAN MACK

And Councilwoman, if I could maybe, one last suggestion or condition that maybe might be placed on the applicant. As a member of the RTC I think it's important that we always serve our base that, you know, rides these buses the best way possible, especially with ADA requirements. And, I know that these bus turnouts are so important to keeping traffic flow and no one likes to get stuck behind a bus on a busy, major thoroughfare. I know that there's not many turn outs on, in that corridor, maybe we could place a condition that you'd work with the RTC to find, maybe, alternative places to place the bus stop and participate financially in – buying right of way or moving the bus stop to a different location.

FIRST UNIDENTIFIED MALE SPEAKER

That's reasonable.

CARL MARCELLO

(Inaudible) That's – fine Your Honor.

MAYOR GOODMAN

Very good.

COUNCILMAN MACK

Is that okay with you, Councilwoman?

COUNCILWOMAN MONCRIEF

That's fine, thank you. There's a couple condition I'd like to speak to you about. The piece of land that's just north of the existing C-2, there's thirty-three feet that I'd like to keep Office for the General Plan Amendment.

CARL MARCELLO

That's fine.

COUNCILWOMAN MONCRIEF

Is that – agreeable with you?

CARL MARCELLO

I – think that won't affect us, right?

MAYOR GOODMAN

That's agreeable?

CARL MARCELLO

And that's fine yes, Your Honor.

COUNCILWOMAN MONCRIEF

And then on Item 135 on the zoning, then that thirty-three feet would be amended to the PR use.

CARL MARCELLO

Yes Your Honor.

COUNCILWOMAN MONCRIEF

Also, I'd like to add a condition where this rezoning of the C-2 area, the new C-2 area, there can never be building built on that.

CARL MARCELLO

That's fine, Councilwoman.

COUNCILWOMAN MONCRIEF

Okay.

CARL MARCELLO

Definitely.

COUNCILWOMAN MONCRIEF

On Item 137, I'd like to add a condition where the height of the wall on the east side of Lindell, that you would match that type of wall to give privacy to any neighbors around.

CARL MARCELLO

That's fine.

MAYOR GOODMAN

Yes. Okay, no thanks.

COUNCILWOMAN MONCRIEF

One other condition I'd like to add, and I think we spoke about this with staff, on the median and Lindell, my big concern is any type of traffic that could possibly be leaving this dealership and going into the neighbors, I don't want that. So, we had spoke about an island that would be designed that only, to allow the vehicles leaving the dealership to go right on Lindell, or go towards Sahara. And, any vehicles going in Lindell could only turn left into your property.

CARL MARCELLO

That's acceptable. Thank you.

COUNCILWOMAN MONCRIEF

Okay.

BART ANDERSON

And, if I may, Councilwoman, Mr. Mayor, Condition number 30 speaks to that.

CARL MARCELLO

Okay.

MAYOR GOODMAN

Very good. And, I believe Councilman Mack had a comment.

COUNCILMAN MACK

I hate to butt in Councilwoman, but just a few recommendations, just meeting with the applicant. Just observing, and I think Mr. Towbin agreed yesterday, I, the Hummer franchise, as a Hummer franchise, you're required to put that little test route in. Maybe some kind of bollards or rock material. Was a little bit concerned right on that corner on Lindell and Sahara, someone is testing their future Hummer and they hit the gas pedal too hard, we don't 'em flying into Sahara. So maybe something that would protect them as well as oncoming traffic. And then, Mr. Towbin, you mentioned something to me yesterday that I thought was really important about the

test drive route for the neighborhood. You know, we don't allow that by Code, now that Councilman sponsored that ordinance but you made a pretty passionate plea to me yesterday regarding your employees.

DAN TOWBIN

Yes, my name's Dan Towbin, I'm Chairman of Towbin Automotive Enterprises and thank you for spending the time today, Mayor, Councilmen, Councilwoman Moncrief, thank you. First, I'd like to say, it's aside from what we're talking about, Oscar, I met with you and all you want to talk about is downtown Las Vegas and I gotta tell you, I see the light. It is unbelievable. I met with the development department and I, with my, I was blown away quite frankly. And, I've been talking about it for the last few days with everybody that I know. It is just amazing what's going on downtown. And you're to be commended, all of you for that.

MAYOR GOODMAN

And the reason I say this is that we, what's going to happen is, we have the downtown and then we go to historic West Las Vegas, it spills over there and then it spills over into Ward 3 with Councilman Reese and Ward 1 with Councilman (sic) Moncrief into the commercial parts of the neighborhoods. We're talking about a development, Councilwoman, I didn't know whether you heard it, but they're talking about some condos at MLK and Alta, which would be phenomenal. And, it's going to have a reverberating effect. It's going to affect all the wards that really need the most help in the downtown because what we refer to as the 2, 4 and 6 Wards, they take care of themselves. That's where the natural affluent growth is taking place and the other wards need the help. And, I think that, I don't know, I think we're hitting the jackpot, that this is the right time for it. But that's besides, we better not talk about it –

DAN TOWBIN

I'm sorry.

MAYOR GOODMAN

It's not agendized. We'll both get in trouble. But they, I don't think they could charge you with an ethics complaint.

DAN TOWBIN

I hope not. Well, in regards to the issue of employees or even customers driving in – the neighborhood, I was in attendance of a neighborhood meeting. I – deliberately didn't introduce myself on the onset. I listened carefully. I sat in the back of the room and it was an opportunity for the neighbors to express their frustrations and – there were – many. But, mainly, and I won't speak for them, 'cause I know that some of them are here today and they might want to express that, these concerns. But, mainly what I got, took out of that was that some of our employees have, in the past, driven in the neighborhood on more than one occasion and our company has not been responsive to that. And, I'm here to say today that I give my personal commitment that that will change today. We have set a test drive course, which we have here. I'll – hand that into you today. It's reasononable; it's along Sahara, Jones, DI, Decatur and back on Sahara to the dealership. And, our employees are subject to discipline inclusive of termination, if in fact they decide to violate a policy that is very, very serious.

I know that I am a grandparent and I – have my grandchildren in front of my home on occasion with their bikes and when a car goes by, my heart is in my mouth and I think about, God forbid something would happen. I do personally understand the issue and I have, I give you all my personal commitment that thatwill be honored and dealt with immediately. And, I apologize to any neighbors that have gone through any inconvenience, hardship or anything in regards to anything about my company. And that's the statement I'd like to make and it is real and that's how I feel.

MAYOR GOODMAN

All right, thank you. All right folks, a public hearing, be happy to hear from the public. What we do is we abide by Robert's Rules here so, by show of hands, how many would like to speak on this so I could have an idea as to, okay, just three? That's fine. So, we'll just hear you as you come up. That's fine. Tell us your name and your address.

CONITA JONES

Conita Jones, 5645 O'Bannon Drive. As usual, we have the same problem on O'Bannon Drive and it's my understanding that you guys wanna abandon it and turn us over to the County. And, we cannot get the County to respond. We're desperate. No matter what he says the, when they park on Jones and O'Bannon they still are coming across on O'Bannon to get to this new location. It's a nightmare. Nothing they've said has happened, this is just recent this is going on.

MAYOR GOODMAN

When you say turn you over to the County, I don't understand that.

CONITA JONES

Well, because on Jones and O'Bannon, half the street belongs to the City and half belongs to the County, and we're in a real predicament because we don't have faith in the County to close off O'Bannon at Jones.

MAYOR GOODMAN

I see.

CONITA JONES

So, we need help, we need maybe turn that north part over to that property owner. You know, that way that'll push the County into turning over their south half, vacating that and give it back to property owner. We need help. They park all of their Hummers down there on Jones and O'Bannon and then they still come across no matter what they say, we're still seeing them.

MAYOR GOODMAN

Oaky. Well, from my perspective, this is the first I'm hearing of this. Now, maybe other folks on the County have heard this, but this is the first that this has been brought to my attention.

CONITA JONES

Well, I've – just have a few recent, if you have somebody'd like to hand these out, this is just a few of the respon, you know, from lately –

MAYOR GOODMAN

Okay.

CONITA JONES

– from them and, for our requests. And one was, help us close off that street. That was our number one request to the Towbin dealership, since – they do park on Jones and O'Bannon and then come across. We've been watching it for, there's one letter to Mr. Towbin back in, I believe, November that I wrote with these Hummers racing across O'Bannon at high rates of speed. They run stop signs, they do not appear to be able to control their employees.

MAYOR GOODMAN

Okay. We'll take, we'll certainly take a look at this, read it carefully.

CONITA JONES

Okay, thank you so much.

MAYOR GOODMAN

Thank you very much.

COUNCILWOMAN MONCRIEF

Your Honor?

MAYOR GOODMAN

Yes.

COUNCILWOMAN MONCRIEF

We're actively working with the County to get O'Bannon closed and we haven't given up on that. If, kind of came to kind of a dead end but we're actively working with it again.

CONITA JONES

Well, our – fear is that if – you guys approve everything and then, you know, then we're just stuck. You know, we have these car, vehicles racing across there, no way to stop them. And, you know, we need the, we need help.

MAYOR GOODMAN

Do you know the area, Mr. Marcello? Mr. Towbin, do you know the area thatMs. Jones is talking about?

DAN TOWBIN

I do, Your Honor. We –

MAYOR GOODMAN

Is – that part of test route?

DAN TOWBIN

No. We have a storage facility on Jones and what I believe to that, has happened in the past, and we're eliminating here now, is that some of our employees have driven through the neighborhood via O'Bannon to Lindell back to the dealership to avoid the Sahara traffic.

MAYOR GOODMAN

And you're saying that that is going to be obviated at this point.

DAN TOWBIN

Absolutely.

MAYOR GOODMAN

Okay.

DAN TOWBIN

Absolutely and I've given the neighbors my – assistant's direct line, who's got total access to me. I only ask that they kindly ask her, give her – the information, as much as they can, so we can immediately deal with it right then and there and we will.

MAYOR GOODMAN

Okay. So, what he's saying is, it's not going to happen and if it does happen, you should call him.

CONITA JONES

I'd be on the phone twenty-four hours a day I do believe.

MAYOR GOODMAN

Well –

CONITA JONES

You know, I'm, every, it's, I don't go out of the house that often so I don't see it but when I do go out, it never fails, I see a vehicle comin' across there. You know, so, nobody's done anything to stop this.

MAYOR GOODMAN

Okay. Well, the Councilwoman indicated that she's working on it, it's just, it's not going as quickly as she would like. All right, thank you very much.

CONITA JONES

Thank you.

COUNCILMAN WOLFSON

Your Honor, if I may? Just real quickly.

MAYOR GOODMAN

Yes, Councilman Wolfson.

COUNCILMAN WOLFSON

I think Mr. Towbin is – being very reasonable in – his comments today. What I'd like to see, perhaps, Mr. Towbin, is you've made some commitments here today to the council and to the members of the public and to some of the people that are voicing complaints. What I'd like to have you do, if possible, is put some of the things you're talking about in writing. If you've got a policy for your employees regarding hours of test drives and routes of test drives, I'd like to see you put that in writing so it's very clear to your employees. If it's something you can distribute to some of the concerned citizens so they know what your policies are, so it's very clear, that would be helpful. 'Cause I think you're being very reasonable, but I think you need to be very specific in what you're telling us that you're going to do.

DAN TOWBIN

– and I do have the – test drive route for Towbin, Hummer employee both service and sales. I I've noticed is not addressed is the Jones location, our store's lot. But this is very specific and I'll be glad to hand this into you and also to the neighbors.

MAYOR GOODMAN

Okay, and I have to say, apologize to you, Ms. Jones, I indicated this is the first I've heard of this. I see that you've copied me in on at least two of the letters. I did not have any independent recollection of it, so I apologize. Okay. Yes, sir.

TIM FROMHART

Your Honor, my name is Tim Fromhart, and I reside at 5711 O'Bannon. It's a little farther up the street then – Conita there. And you can see on this parcel map, this, these businesses are

sinking pretty deep into the – neighborhood there and the actual way to stop this – problem here and for both sides of us to win this little argument we have going on is to – put a barrier up on O'bannon and – Jones. And we've been fighting for that for quite some time. It's a pretty easy fix. We came into, what was the last car lot that –

SECOND UNIDENTIFIED MALE SPEAKER

Desert Lincoln Mercury.

TIM FROMHART

Desert Lincoln, they had a couple concessions where we stopped two of the side streets coming in from Sahara to our neighborhoods and I think this, you know, this is the final step is closing O'Bannon down. I think everybody will be happy.

MAYOR GOODMAN

Okay, now that you say that company, now it does – ring a bell. I didn't – relate it to Towbin but certainly we did have this discussion before. There's no question about that. We've been through this – we've been through this before.

TIM FROMHART

Right and supposedly, you know, the City and the County own half the street –

MAYOR GOODMAN

Okay. All right. Now it comes back.

TIM FROMHART

– and that was the big stop there. So, I mean, I've got a five year old and an eight year old and there just, we can't let them out in the front.

MAYOR GOODMAN

All right well, I'm – sure the council –

COUNCILWOMAN MONCRIEF

Excuse me, Your Honor. Yes we've spoke to the fire department and they're fine with blocking it off.

MAYOR GOODMAN

Yeah –

COUNCILWOMAN MONCRIEF

They have no problems with the issues of safety getting to fires or EMT responses –

TIM FROMHART

It's really getting the traffic up here because of the, you know, the added businesses in the – neighborhood. Just the traffic is just really, really getting bad. So, I think that's what we're concerned about.

MAYOR GOODMAN

Okay. And now it all comes back to me. I know exactly what we're talking about here.

COUNCILWOMAN MONCRIEF

Mr. Towbin, maybe you could help us in the fact of working with the county to get this O'Bannon closed off. We temporarily did it for a while and we ran into some problems. And maybe you could be our bridge between the City and the County in helping us get this road closed off.

DAN TOWBIN

It would be my pleasure to – show a sign of good faith by being as helpful we I can.

MAYOR GOODMAN

Okay. Maybe we'll get it done finally. Good. Good. Yes, sir.

GARY SWANCIGER

Good afternoon. I'm Gary Swanciger, I live at 2270 Westwind Road. I worked with the Lincoln Mercury dealership in getting the closure on Westwind and Duneville. And, the last issue was the closure of O'Bannon because of the impact on the neighborhood. I do have a letter here from Dr. Perachi. Dr. Perachi is my neighbor and we are most directly affected by the proposed dealership and, I believe, that Councilwoman Moncrief as issued as, are we taking into consideration Mr. Perachi's letter. I believe you read that by some of the comments you've made. But if I like, I would like to read his letter.

MAYOR GOODMAN

Sure.

GARY SWANCIGER

He gave me copies, would it be proper for me to –

MAYOR GOODMAN

Certainly. If you hand them to the Clerk she'll get them to us.

GARY SWANCIGER

Council – City Council members, I am sorry I am unable to attend this important meeting. I reside at 2330 Westwind Road directly adjacent to the proposed hummer dealership, and will be affected more than anyone by this construction and operation. My two primary concerns are the visual impact of a commercial establishment so close to my home and the noise that will invariably be generated. Their plans call for a large steel exit door facing westward, directly towards me, that will be raised and lowered many times a day, exposing me to the sound of the door itself in addition to the noise of the busy repair shop, pounding impact wrenches, etcetera, when the door is open.

Also, off loading of inventory vehicles at unpredictable hours with the sound of large delivery trucks and noisy steel rams is planned to take place even closer to my home between their building and my residence. I ask that the applicant be required to construct a high decorative

block wall with screening landscaping to include a row of large Evergreen trees 36 inch box placed on 15 foot – on center between my home and the business. Several years ago when the budget dealership was established, you required them, in coordination with me, to construct walls varying from, between 9 and 14 feet with the same land, landscaping requirement. This is worked well. I request that the variance 4553 be not, be denied. It is bad enough that such a large commercial structure will be placed within a hundred feet of a residence, a regulation designed to protect homeowners from the concerned expressed above will be circumvented. Why would you allow it be built 17 feet closer? Concerning zone, ZON-4550, present zoning allows employee parking. Rezoning to C-2 will allow inventory parking. The applicant states he has no intention of using this space for inventory parking. I request that the zoning change is permitted, it be passed with the stipulation that no inventory parking be allowed.

There should be no objection to this by the applicant. Finally, I ask that no outdoor paging of any kind during any hours of the day be allowed and so stipulated.

Now, Mr. Perachi, Dr. Perachi brought this letter to me on Sunday afternoon, and at that time he said that he observed several Hummers traveling down O'Bannon from Jones to Lindell. So it's as recent as this last Saturday that these vehicles were invading our neighborhood. This is a serious, serious issue. It's not as bad as it was at one time, but it's still a very serious issue, and that's the other item that we're so concerned of is the traffic. Mr. Towbin is leasing, I believe, or he may even own the property where he has the store's lot. That property is actually in the County and the upset side of the street is in the City.

So, he has the power, I believe, to assist us in getting the street closed, which will solve a multitude of problems for the neighborhood.

MAYOR GOODMAN

Which he indicated he would try to do.

GARY SWANCIGER

Yes. Yes. On a personal level, I believe that the new dealership will be an improvement to the area. The current dealership is run down. The house that was existing, beauty shop, is probably, if it's not condemned, it probably should be condemned. It appears that the roof is caving in. I

believe that the site plan that they've revolved with the architect will be a major improvement to the area. I ask for the consideration to allow the power company to access to the power point. Now, I also talked to Dan at the architecture firm, and asked him if he had come to an agreement with Dr. Perachi and I understand that they haven't this time, as far as Dr. Perachi's concerns. And my concern also, is also the noise and the visual impact. And the dealership has tentatively agreed to raise my block wall fence to shelter me from the parking lot. And I would like that that be stipulated, that it be part of the approval process that they will raise my wall, as well. Okay?

MAYOR GOODMAN

All right, thank you very much.

GARY SWANCIGER

Thank you.

MAYOR GOODMAN

All right. Any other public comment at this time. All right, then we'll close the public hearing. Councilwoman?

COUNCILWOMAN MONCRIEF

I'd just like to ask someone from the Towbin group. What size wall are you planning on providing the two residences that are affected the most?

CARL MARCELLO

What, we were required by the Planning Commission to go to City standards, which is eight feet. That – that was. The rec – I

COUNCILWOMAN MONCRIEF

I – think they might be requesting a little bit more than that. Is that correct?

BILL CURRAN

We'd go as high as – you would permit us. I think we'd have to file an application to go above that eight feet tall.

ROBERT GENZER

Councilwoman, that's correct. Under the code they can go eight feet above that, they would have to have a variance.

COUNCILWOMAN MONCRIEF

So, they'd have to come back for the variance.

ROBERT GENZER

That's correct.

MAYOR GOODMAN

Come on up if you'd like to be heard, please. You have to come up.

GARY SWANCIGER

My question, excuse me. My question is – is it eight feet from my side of the fence or from the other side of the fence? Because my property sits up about three feet, I, on my side – excuse me, on my side of the fence, I'm elevated. So, eight feet on my side would be acceptable, but eight see, eight feet on the other side would not be acceptable.

MAYOR GOODMAN

All right. Well, the representation has been that when they come in for the variance, it'll be as high as – necessary.

ROBERT GENZER

If he's if, his side is three feet higher the eight feet would be measured from his side.

MAYOR GOODMAN
Okay.

ROBERT GENZER
It's whichever side is the higher finished grade.

MAYOR GOODMAN
Very good. I don't want to get into that. We did that last meeting. We spent 17 hours on 3 feet.

COUNCILWOMAN MONCRIEF
So, that would be acceptable to you.

DAN TOWBIN
Yes, it would be.

COUNCILWOMAN MONCRIEF
Great. And also, Mr. Towbin, I think you said to me that you would provide, maybe, double lines of trees along that also.

DAN TOWBIN
Yes, I believe it was Planning's recommendation to put, kind of double the landscaping efforts where the neighbors are, and we have – absolutely no problem with that. We think it's a great idea.

COUNCILWOMAN MONCRIEF
Okay. Thank you.

ROBERT GENZER
If I may, on that, to answer that, Condition number nine, under the Site Development Plan Review, requires 24-inch box trees, 15 feet on center, planted in a triangulated pattern along the

north, and I do need to make a change. The current condition says north and south. It should be along the north and west property lines coterminous with existing residential development. So, that covers that issue.

MAYOR GOODMAN

Is that agreeable, folks?

DAN TOWBIN

I believe the north property line is the – LDS Church parking.

COUNCILWOMAN MONCRIEF

It is.

DAN TOWBIN

Would you like that there as well? Was that your –

ROBERT GENZER

That's – the intent. The north and the west.

DAN TOWBIN

Okay.

MAYOR GOODMAN

All right.

COUNCILWOMAN MONCRIEF

Is that agreeable?

DAN TOWBIN

Absolutely.

COUNCILWOMAN MONCRIEF

Okay. Okay, Item number 134. I'd like to move for approval following staff's recommendation as amended.

MAYOR GOODMAN

All right. Very good. Let's vote. Post. Motion carries. **(Motion carried unanimously with Reese and Brown excused)** 135.

COUNCILWOMAN MONCRIEF

135, on the rezoning I'd like to move for approval following staff's recommendation as amended.

MAYOR GOODMAN

Let's vote, please. Post. Motion carries. **(Motion carried unanimously with Reese and Brown excused)** 136, please

COUNCILWOMAN MONCRIEF

I'd like to move for approval following staff's recommendation, as amended.

MAYOR GOODMAN

Let's vote. Post, please.

ROBERT GENZER

Just for the record, I don't believe there were any amendments on 136. But – I do need to add some on 137 when we get there.

MAYOR GOODMAN

Okay. Yeah.

CARL MARCELLO

Excuse me –

MAYOR GOODMAN

Yes?

CARL MARCELO

– Your Honor, we have just a couple other comments on Item 137. On a couple of conditions.

MAYOR GOODMAN

Well, we're not there yet. We're on 136.

CARL MARCELLO

– Oh, okay. Sorry.

MAYOR GOODMAN

Okay. 136. That's the motion. Let's vote, please. Post. Motion carries. **(Motion carried unanimously with Reese and Brown excused)** And I think people want to speak as to 137. Yes?

CARL MARCELLO

Thank you, Your Honor. On one, on Condition number 14 on the Planning and Development, it said any property line wall should be decorative block where at least 20 percent contrasting material to wall height shall be measured from side of fence to at least the vertical exposure above the finished grade unless otherwise stipulated. One of the walls that we're going to be raising is an existing wall. We wanted to match the existing material from that wall and then a new wall will comply with, we'd like to comply with this recommendation.

MAYOR GOODMAN

Staff?

ROBERT GENZER

We have – no problem with that.

MAYOR GOODMAN
Okay. Very good.

CARL MARCELLO
Okay. Thank you very much. We have one other item to discuss. As Public Works comments number 21 and, I'm gonna have to defer to our civil engineer for that. It says dedicated 29-foot right-of-way for a total of 54 feet on the northwest corner of Lindell and Sahara Avenue coordinate with the Right-of-Way Section with the Public Works for assistance in preparing the appropriate documents. And, you know, we were discussing with our civil engineer and with Public Works whether we should have a cord right of way or a cord easement. Do we have to make a decision at this time on that? And I'd like to have my civil engineer discuss that with you, if we do.

MAYOR GOODMAN
Staff.

BART ANDERSON
We could add language to the condition to say dedicate an additional 29 feet of right-of-way or alternatively a cord easement for traffic control purposes and then the decision could be made later on.

MAYOR GOODMAN
Is that agreeable, folks?

DAN TOWBIN
Yes, Your Honor.

MAYOR GOODMAN
Very good. Did I hear from you Mr. Curran? Did you –

BILL CURRAN

My clients have told me I was particularly eloquent today, Mr. Mayor.

MAYOR GOODMAN

All right. Well this is the best job you've ever done in front of us any way. Okay.

COUNCILMAN MACK

Your Honor?

MAYOR GOODMAN

Yes.

COUNCILMAN MACK

I don't – remember hearing, but Councilwoman did you ask for those two recommendations? The RTC recommendation and also the one from the test-drive path? Did they put some kind of block –

COUNCILWOMAN MONCRIEF

That – that's required by the City, I understand. Then the other condition, I just want to remind everyone is, that median island is gonna be on Lindell that will prevent anyone going into the neighborhood into Lindell.

DAN TOWBIN

Yes, you're – very clear on that.

COUNCILWOMAN MONCRIEF

That's agreeable.

COUNCILMAN MACK

And Councilwoman the – recommendation that I had if they were, if they could have conversations with the RTC that they'd be willing to help fund right-of-way purchase or, you know, such as moving the bus stop as well as that, not the test drive, what do you call it?

DAN TOWBIN

The bus turn out.

COUNCILMAN MACK

No, the one where your – take your Hummers and you test them on that little hill.

DAN TOWBIN

Oh, the test track.

COUNCILMAN MACK

The test track.

DAN TOWBIN

The test track. The very economical test track.

COUNCILMAN MACK

Right.

DAN TOWBIN

Economically fuel efficient test track.

COUNCILMAN MACK

The test track of – putting some kind of boulders or bollards –

DAN TOBIN

Yes.

COUNCILMAN MACK

– or some sort so the cars don't come into Sahara.

DAN TOWBIN

I tend to agree with you, Councilman. I think it's a really smart idea.

MAYOR GOODMAN

Yeah.

COUNCILWOMAN MONCRIEF

It looks as if it's very rugged landscaping the way you have that designed already anyway. So, that's good.

DAN TOWBIN

I think it'll fit.

COUNCILWOMAN MONCRIEF

Okay, so I would like to move for approval on 137 following staff's recommendations with all amendments.

ROBERT GENZER

The amendments that you spoke about, I do need to clarify two things in regard to the issue of no buildings in the northerly portion of the – site, I'm going to recommend that we delete the second sentence of Condition number four and replace it with a new sentence that says, no building shall be allowed in the north portion of the site identified for employee parking. In order to then change that condition, the applicant would at some point in the future, should they want to have buildings in that area, come back for a review of condition. That would be a public hearing. So

if we just put that new sentence, we're covered there. Also, I don't know that I heard any discussion in regard to Condition number 31, which is the on-site, or the on street parking on Lindell. We're recommending that the Condition 31 as, I think added by the Planning Commission be deleted and replaced with a new Condition 31 that reads, parking along Lindell road from the most southerly driveway to the north property line will be posted as restricted two-hour parking. Parking from the most southerly driveway southerly to Sahara Avenue, will be posted no parking.

MAYOR GOODMAN

Is that understood, folks?

DAN TOWBIN

It is.

BART ANDERSON

And, if I may. Actually I had covered that one earlier and read in that language. So, I would ask for clarification though, if you do want to include the additional condition that Councilman Mack had recommended, I kind of jotted down some wording I think might work.

COUNCILWOMAN MONCRIEF

Thank you.

BART ANDERSON

The applicant shall work with the RTC and City staff to locate an alternative location for a bus turn out, and shall participate financially with respect to right-of-way acquisition and or construction requirements. I believe that's the intent that Councilman Mack, you had expressed.

COUNCILWOMAN MONCRIEF

Is that agreeable?

DAN TOWBIN

Yes.

ROBERT GENZER

And – if I may, one last thing, just for the record. There was a mention by one of the area resident in regard to outdoor speakers. I just want to put on the record that our code at the present time prohibits use of outdoor speakers in any manner in relationship to a new car dealership. So, the only thing that they can carry is like, the beeper type units. But outdoor speakers are no longer allowed by code.

MAYOR GOODMAN

Okay, you understand that, of course.

DAN TOWBIN

I do.

MAYOR GOODMAN

Very good. All right. That takes care of that.

COUNCILWOMAN MONCRIEF

Okay, I've made my motion and I just want to thank you for working with us and, please work with the County and work with me on possibly closing O'Bannon.

DAN TOWBIN

I will. I want to take this opportunity to thank all of you and staff for working with us. There's been a lot of little issues, and some very important issues and it's been enlightening working with the City. I have, haven't had a lot of experience with the City, mostly the County, and it's been a good experience, I'll have you know, and thank you all for that.

MAYOR GOODMAN

Good. All right. Let's vote, please. Post. Motion carries. **(Motion carried unanimously with Reese and Brown excused)**

And, Ms. Jones, feel free to call Councilwoman Moncrief if there's anything that disturbs you out there and she'll be very attentive to your needs. And I wouldn't mind if you keep my office advised too that I assume that, Mr. Towbin's the kind of guy who I think will help everybody out as far as the County is concerned and get that street resolved. All right. Thank you very much

BILL CURRAN

Thank you.

MAYOR GOODMAN

Thank you, Mr. Curran.

(END OF DISCUSSION)

/sc/yy;ac

City of Las Vegas

Agenda Item No. 135

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). The Planning Commission (5-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted After Final Agenda – Letter of Opposition for Item 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553] and Item 137 [SDR-4551] by Joseph E. Piracci filed under Item 134 [GPA-4549]
5. Submitted at City Council – Letter of Opposition by Conita Jones filed under Item 134 [GPA-4549]
6. Submitted at City Council – Test Drive Route by Dan Towbin filed under Item 134 [GPA-4549]

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record:

- ***The northern thirty-three feet shall be amended to P-R (Professional Office).***
- ***There shall be no building built on the new P-R area.***

– UNANIMOUS with REESE and BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 135 – ZON-4550

MINUTES Continued:

APPEARANCES:
OSCAR GOODMAN, Mayor
MICHAEL MACK, Councilman
CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Drive
TED EGERTON, 6345 South Jones Boulevard
BART ANDERSON, Project Manager, Public Works Department
FIRST UNIDENTIFIED MALE SPEAKER
JANET MONCRIEF, Councilwoman
DAN TOWBIN, Chairman, Towbin Automotive Enterprises
CONITA JONES, 5645 O'Bannon Drive,
STEVE WOLFSON, Councilman
TIM FROMHART, 5711 O'Bannon Drive
SECOND UNIDENTIFIED MALE SPEAKER
GARY SWANCIGER, 2270 Westwind Road
BILL CURRAN, Attorney, 300 South 4th Street
ROBERT GENZER, Director, Planning and Development Department

MAYOR GOODMAN declared the Public Hearing closed on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

(2:42 – 3:21)

5-308

CONDITIONS:

Planning and Development

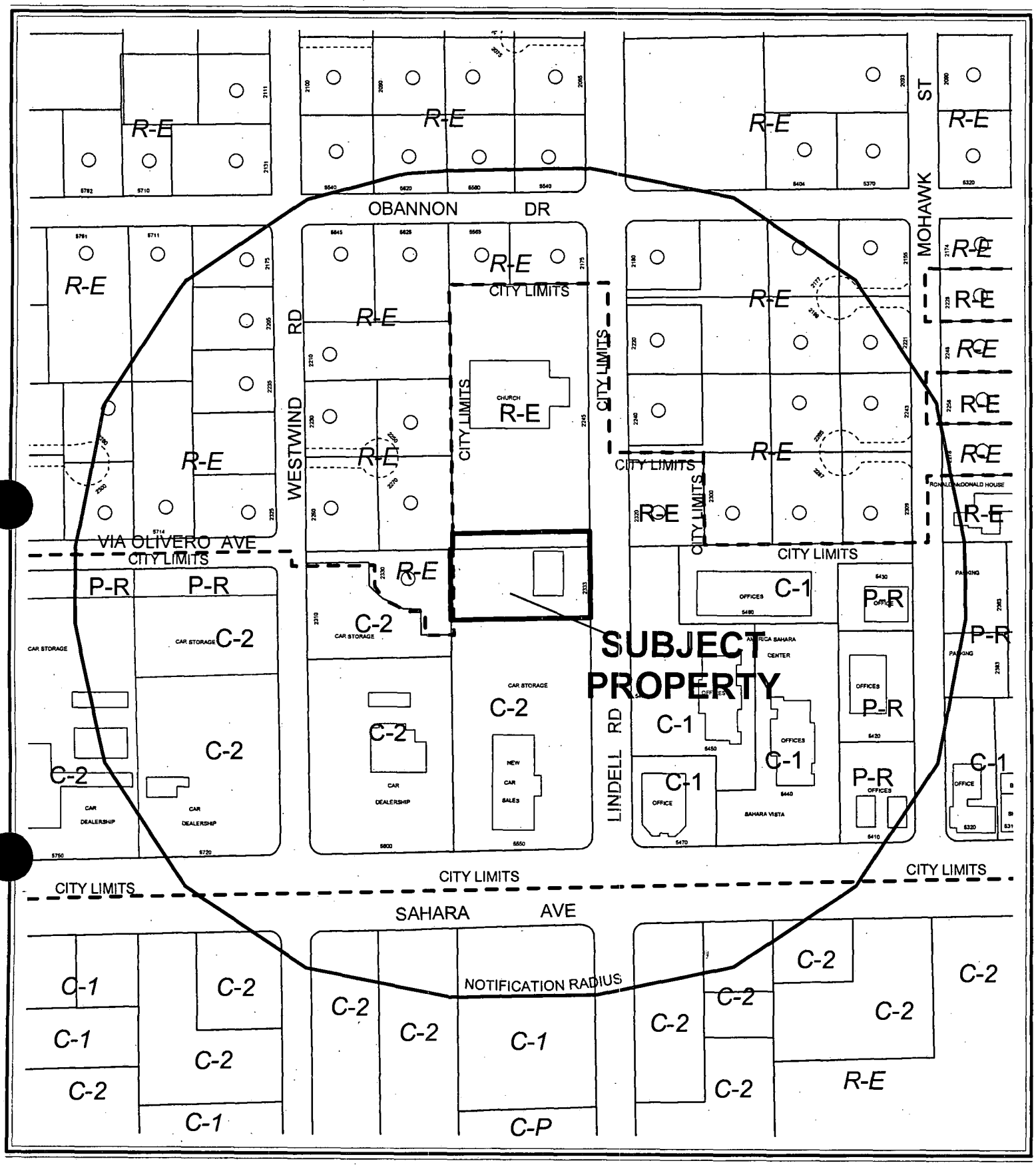
1. **A Resolution of Intent with a two-year time limit.**

CONDITIONS Continued:

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.



0 200 400 Feet

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



0 200 400 Feet

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

CITY COUNCIL MEETING DATE: AUGUST 4, 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 **

The Planning Commission (5-2 vote) and staff recommend 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.

** 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 recommended approval of a related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Site Development Plan Review (SDR-4551) concurrently with this application. Staff recommends approval.

07/08/04 The Planning Commission voted 5-2 to recommend APPROVAL (PC Agenda Item #35/fs).

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.

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 by Planning Department

APPROVALS 0

PROTESTS 6

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

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

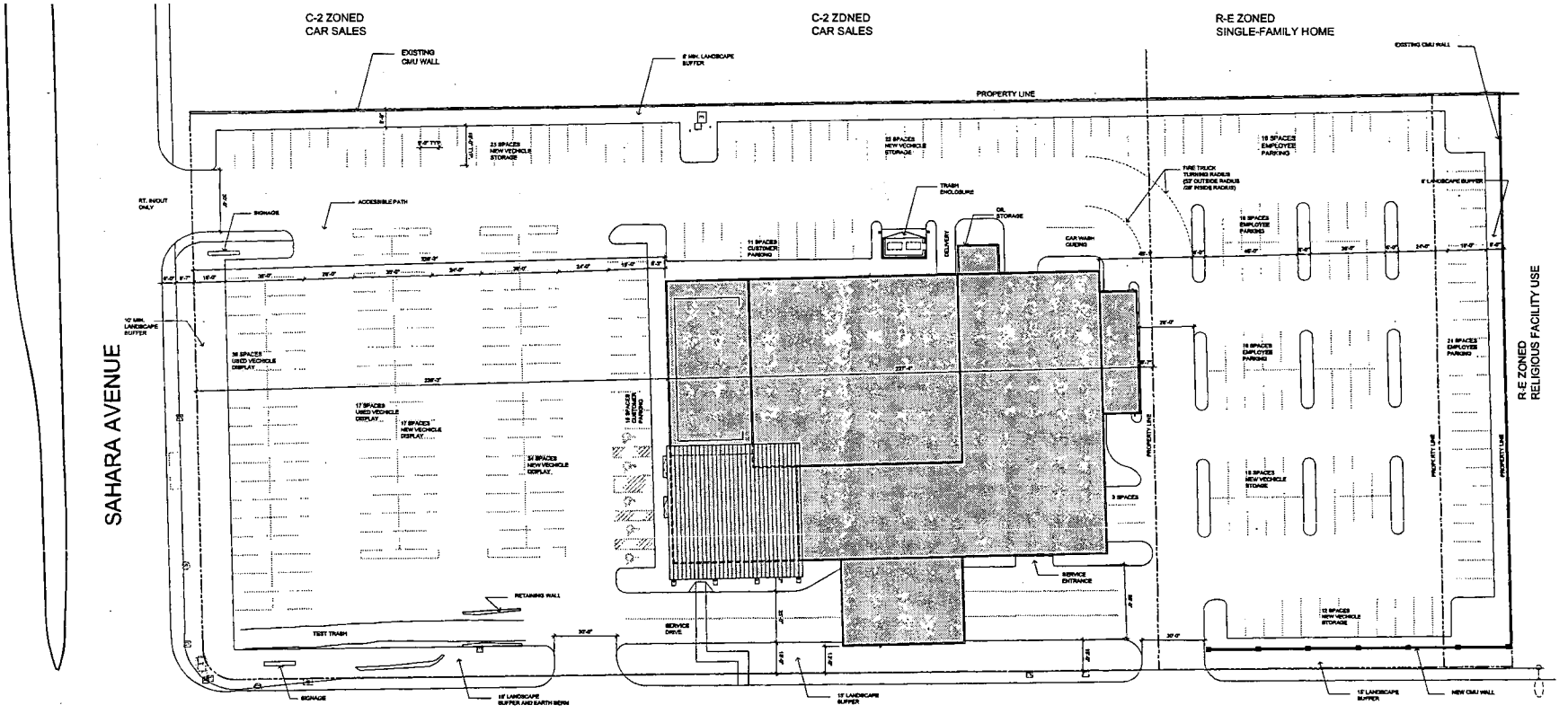
_____

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/Broker
Office: 702-735-4800
Cell: 702-836-4709
Fax: 702-735-5484
4765 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: adrcarcello@cox.net

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:	183 SPACES

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

PARCEL 'C'	
SITE AREA:	10,434.4 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

TOWBIN HUMMER

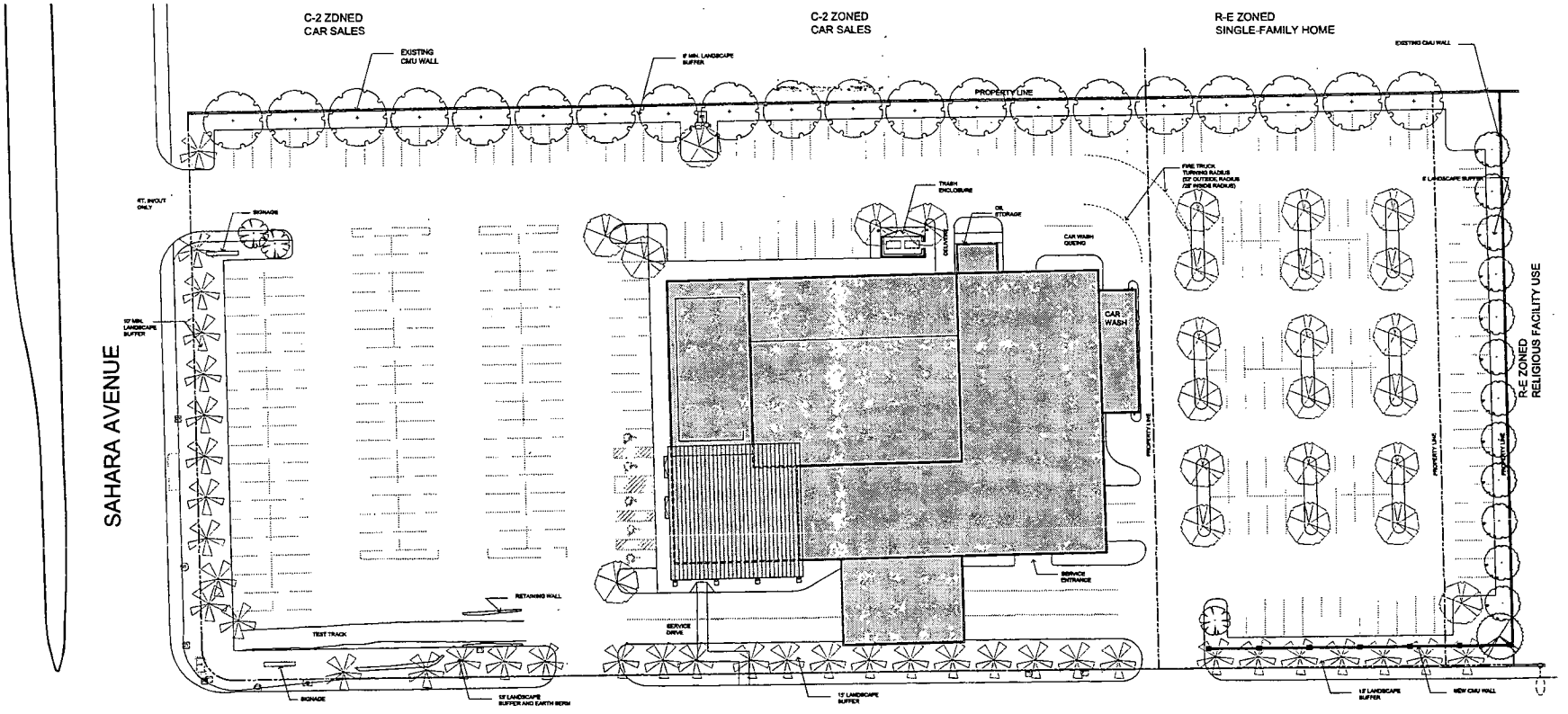
ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

REVISED
07-01-04

12180 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE (702) 731-3033 FAX (702) 731-3036 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 6, 2004

Carl D. Marcello
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

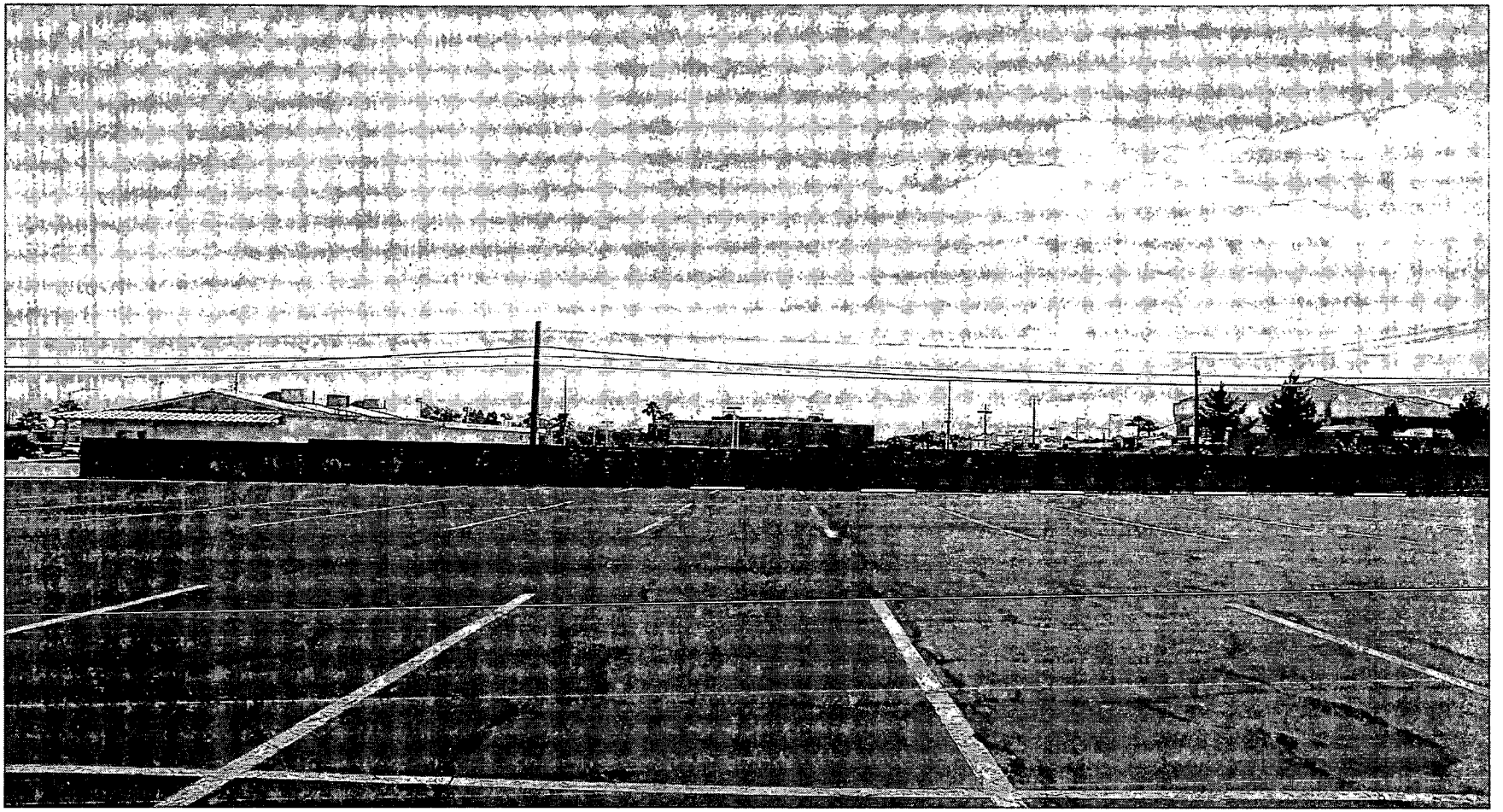
TOWBIN HUMMER

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

REVISED
07-01-04

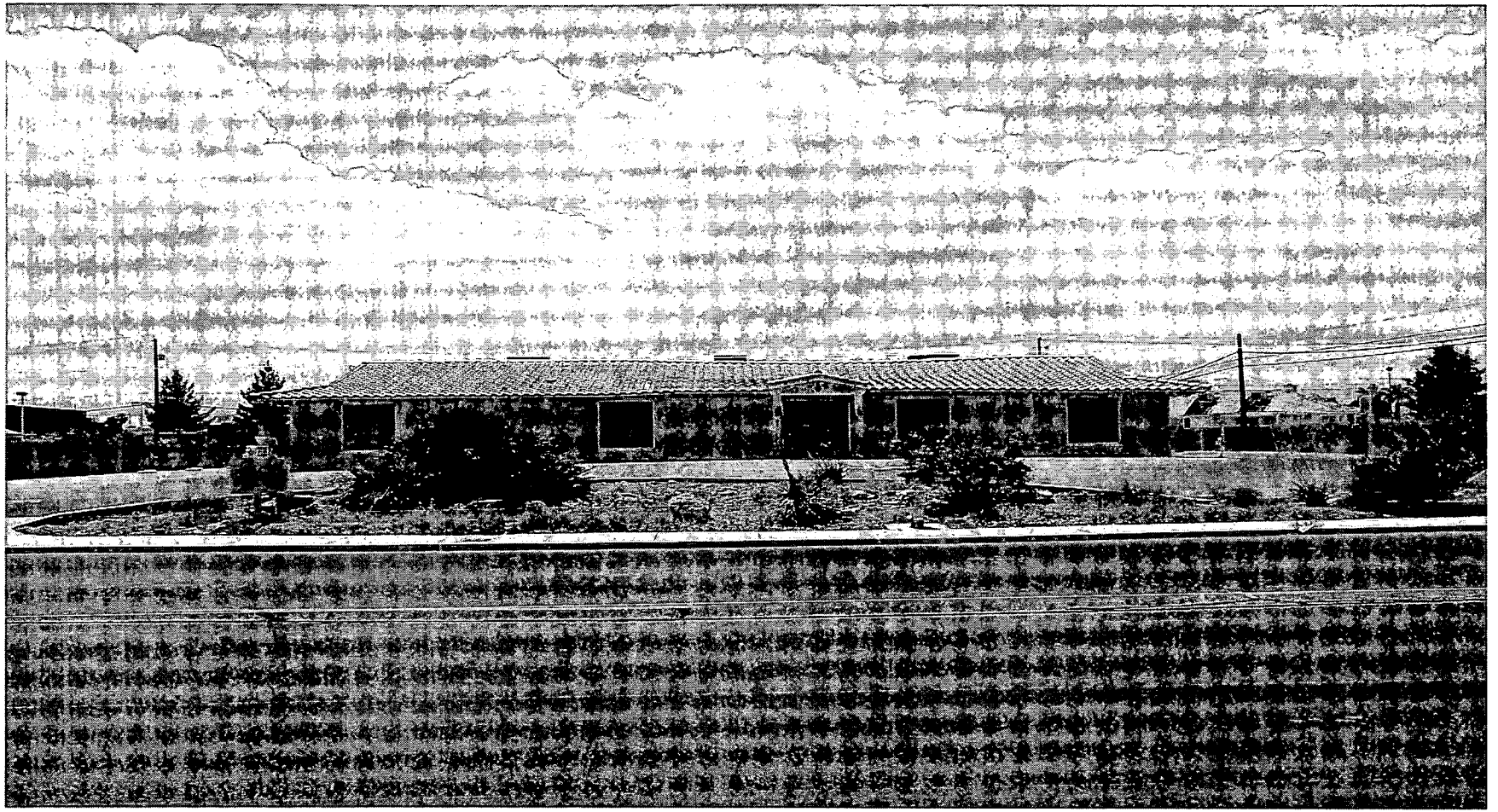
10181 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 731-3033 FAX: (702) 731-3039 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 8, 2004



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. 136

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted After Final Agenda – Letter of Opposition for Item 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553] and Item 137 [SDR-4551] by Joseph E. Piracci filed under Item 134 [GPA-4549]

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS with REESE and BROWN excused

MINUTES:
MAYOR GOODMAN declared the Public Hearing open on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 136 – VAR-4553

MINUTES Continued:

APPEARANCES:
OSCAR GOODMAN, Mayor
MICHAEL MACK, Councilman
CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Drive
TED EGERTON, 6345 South Jones Boulevard
BART ANDERSON, Project Manager, Public Works Department
FIRST UNIDENTIFIED MALE SPEAKER
JANET MONCRIEF, Councilwoman
DAN TOWBIN, Chairman, Towbin Automotive Enterprises
CONITA JONES, 5645 O'Bannon Drive,
STEVE WOLFSON, Councilman
TIM FROMHART, 5711 O'Bannon Drive
SECOND UNIDENTIFIED MALE SPEAKER
GARY SWANCIGER, 2270 Westwind Road
BILL CURRAN, Attorney, 300 South 4th Street
ROBERT GENZER, Director, Planning and Development Department

MAYOR GOODMAN declared the Public Hearing closed on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

(2:42 – 3:21)

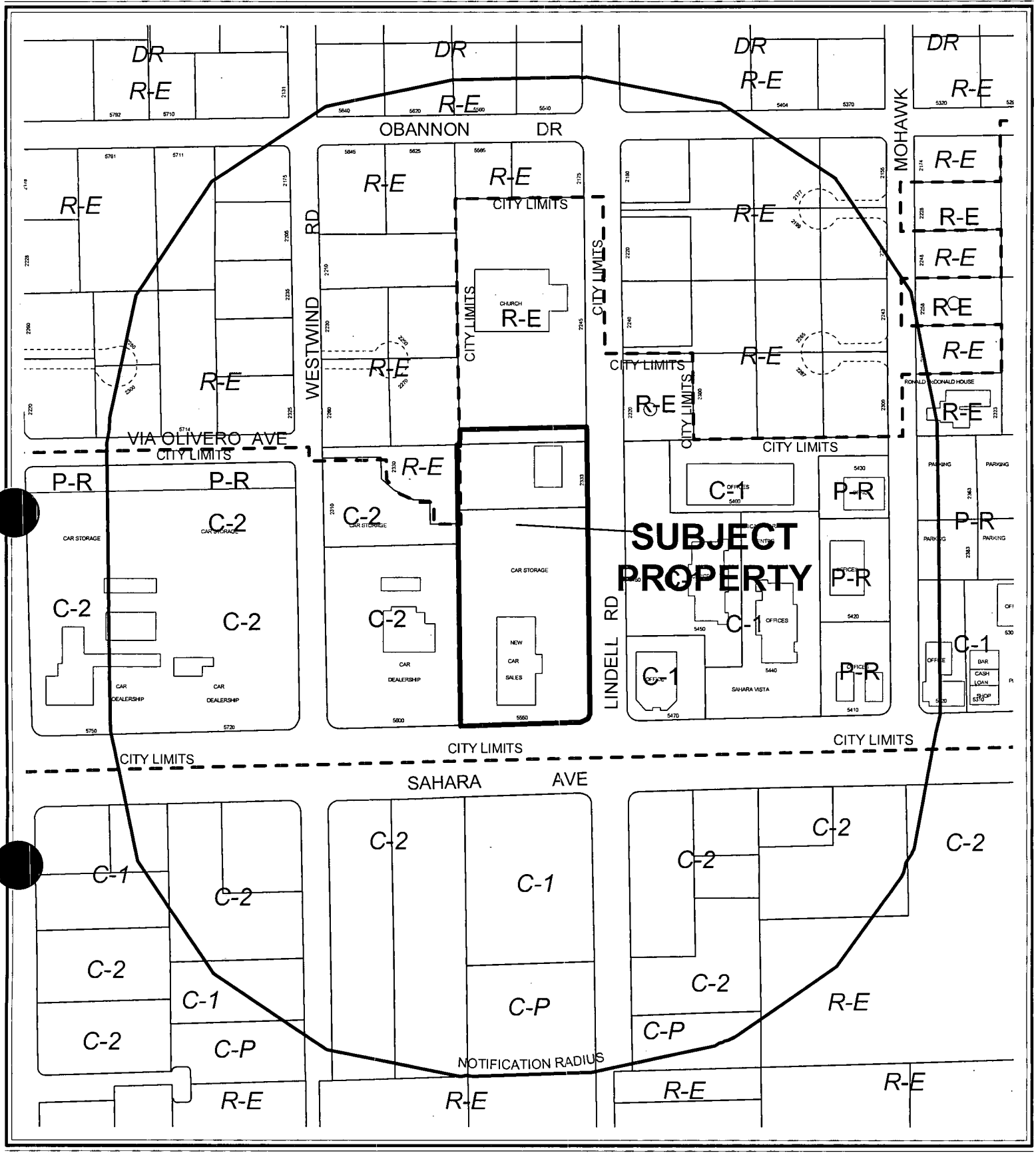
5-308

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.



CASE: **VAR-4553**

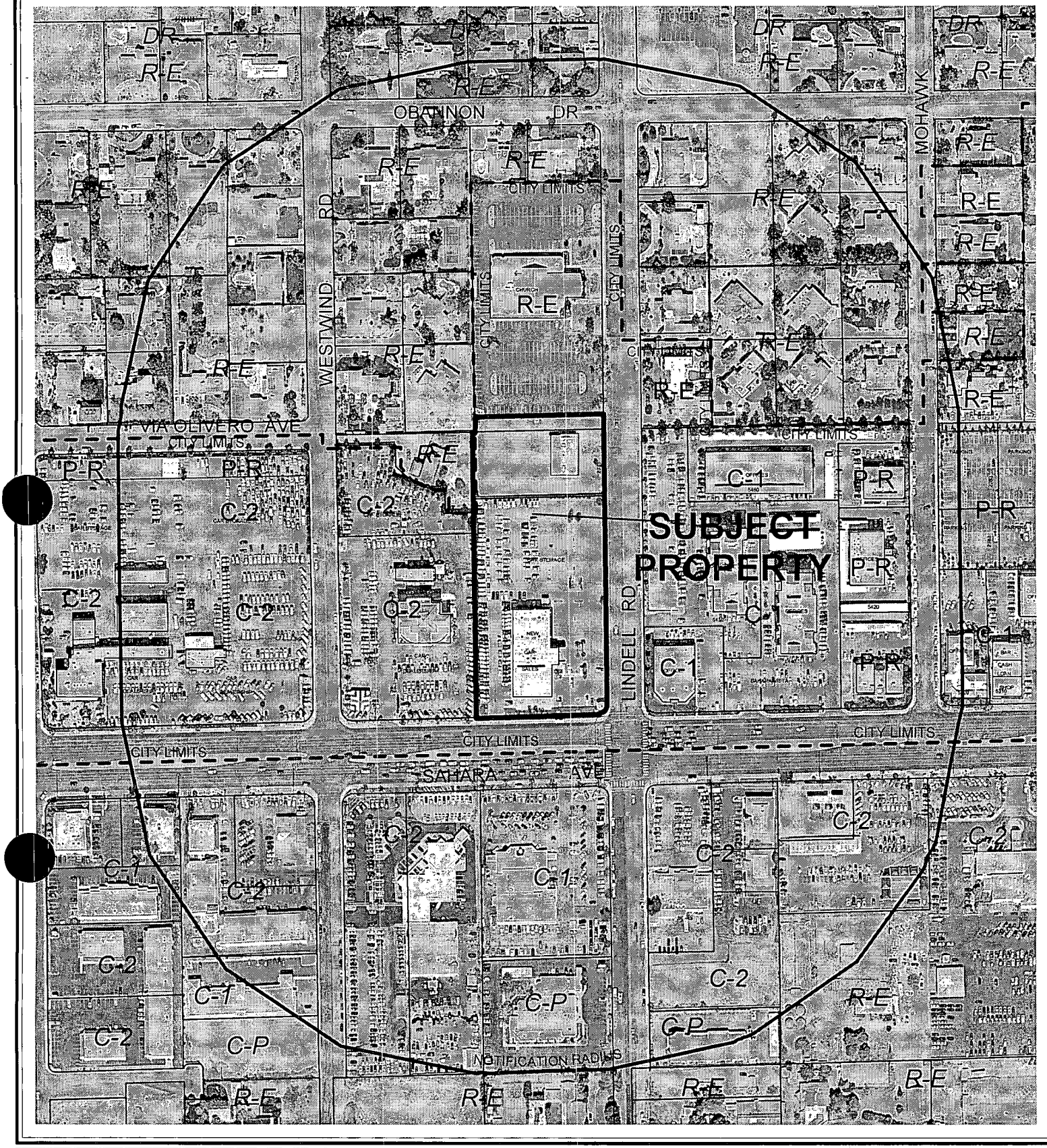
0 200 400 Feet

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



CASE: **VAR-4553**

RADIUS: 750 FT

0 200 400 Feet

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

CITY COUNCIL MEETING DATE: AUGUST 4, 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 **

The Planning Commission (6-1 vote) and staff recommend 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.

** 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 recommended approval of a related General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551) concurrently with this application. Staff recommends approval.
07/08/04	The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #36/fs).

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:

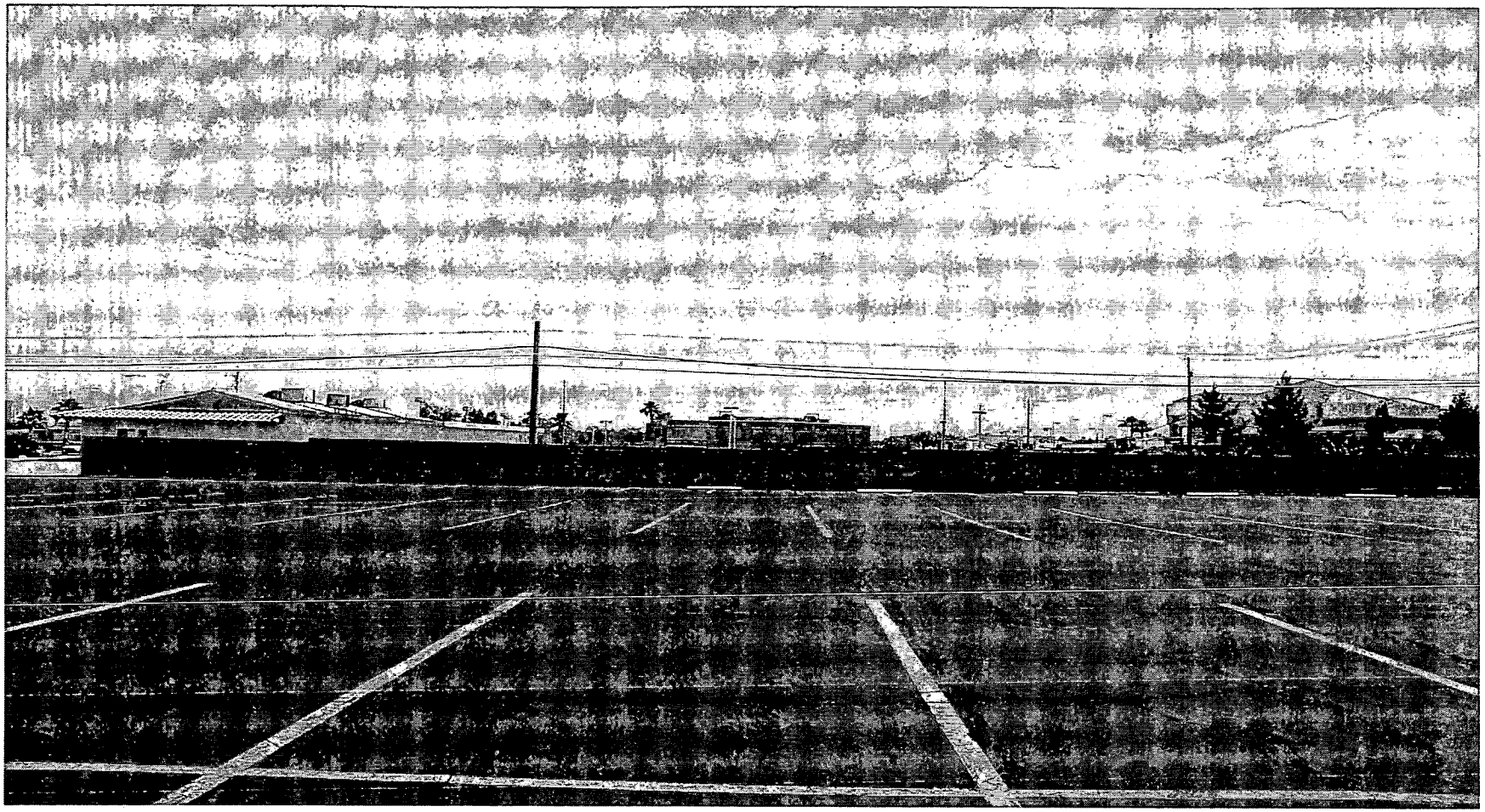
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application 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 74 by City Clerk

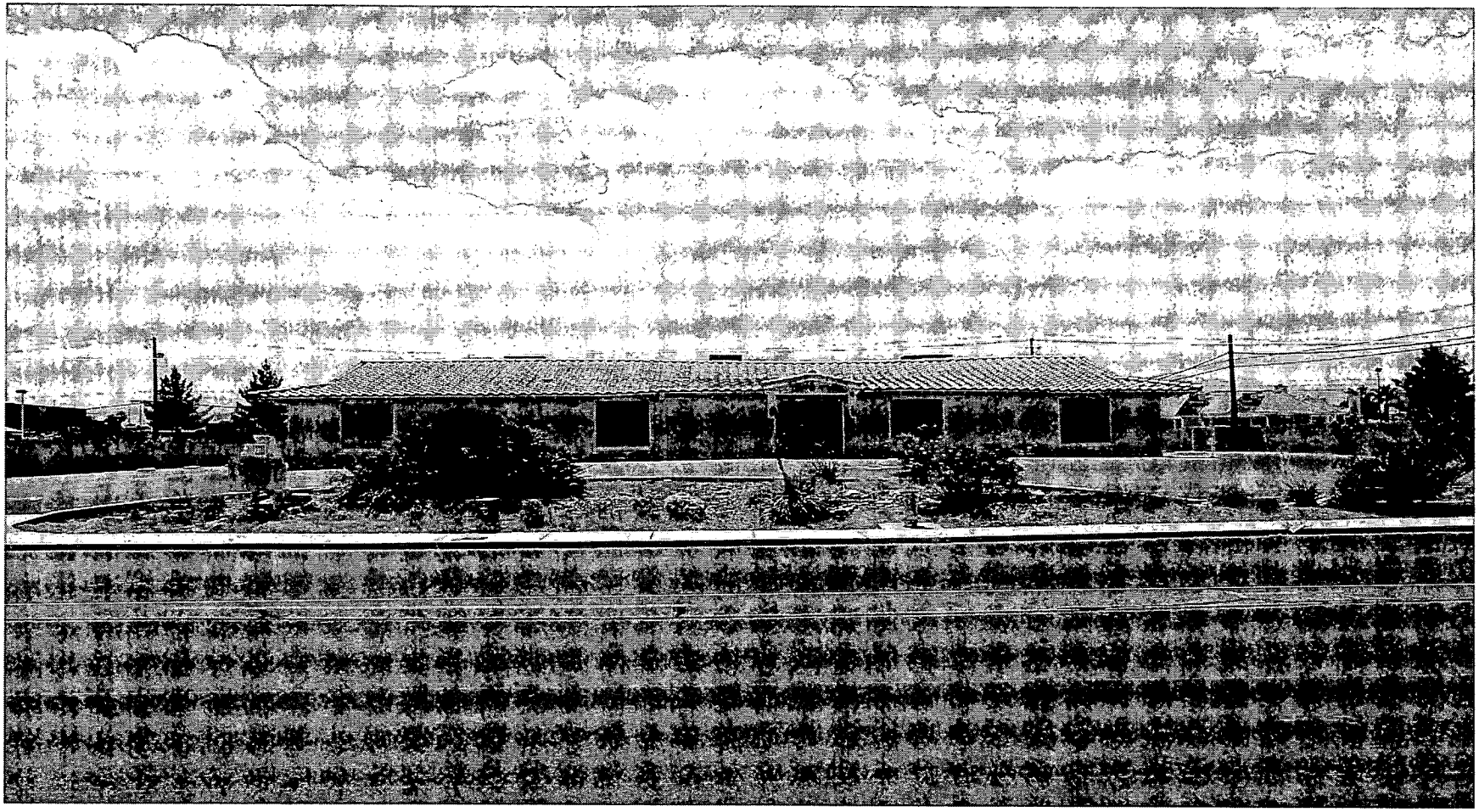
APPROVALS 0

PROTESTS 6



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. 137

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 2004

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 AND VAR-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). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted After Final Agenda – Letter of Opposition for Item 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553] and Item 137 [SDR-4551] by Joseph E. Piracci filed under Item 134 [GPA-4549]

MOTION:

MONCRIEF – APPROVED subject to conditions and amending Conditions 4, 9, 21, 22 and Condition 31 as follows:

4. **All development shall be in conformance with the site plan and building elevations dated 07/01/04, except as amended by conditions herein.** ***No building shall be allowed in the north portion of the site identified for employee parking.***
9. **A landscaping plan must be submitted prior to or at the same time application is made for a building permit. This plan shall include a double staggered row of trees (24" box, 15 feet on center) planted in a triangulated pattern along the north and** ***west*** **property lines coterminous with existing residential development.**
21. **Dedicate an additional 29 feet of right-of-way** ***or alternatively, grant a chord easement for traffic control purposes*** **on the northwest corner of Lindell Road and**

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 137 – SDR-4551

MOTION Continued:

Sahara Avenue. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

22. **Remove all substandard public street improvements and unused driveway cuts, if any, *on Lindell Road* adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. *Driveways on Lindell Road shall be reconstructed to meet the requirements of Standard Drawing 222a unless otherwise directed by City Traffic Engineer; however, the existing improvements along the Sahara Avenue frontage, including the existing driveway, shall be allowed to remain as is at this time.***

31. ***Sahara Avenue shall be posted as No Parking adjacent to this site; parking along Lindell Road from the southerly driveway southward shall be posted as No Parking, and from the southerly driveway northward shall be posted as Restricted 2-hour Parking. All necessary signage to indicate this shall be installed by the developer concurrent with development of the site unless otherwise directed by the City Traffic Engineer.***

And the following added conditions as read as follows:

- ***The height of the wall on the east side of Lindell Road shall match that of the existing wall.***
- ***The applicant shall work with the Regional Transportation Commission (RTC) and City staff to locate an alternative location for a bus turn out and shall participate financially with respect to right-of-way acquisition and/or construction requirements.***

– UNANIMOUS with REESE and BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

NOTE: A Verbatim Transcript is made a part of the Final Minutes.
APPEARANCES:
OSCAR GOODMAN, Mayor
MICHAEL MACK, Councilman
CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Drive
TED EGERTON, 6345 South Jones Boulevard
BART ANDERSON, Project Manager, Public Works Department
FIRST UNIDENTIFIED MALE SPEAKER
JANET MONCRIEF, Councilwoman
DAN TOWBIN, Chairman, Towbin Automotive Enterprises

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 137 – SDR-4551

MINUTES – Continued:
CONITA JONES, 5645 O'Bannon Drive,
STEVE WOLFSON, Councilman
TIM FROMHART, 5711 O'Bannon Drive
SECOND UNIDENTIFIED MALE SPEAKER
GARY SWANCIGER, 2270 Westwind Road
BILL CURRAN, Attorney, 300 South 4th Street
ROBERT GENZER, Director, Planning and Development Department

MAYOR GOODMAN declared the Public Hearing closed on 134 [GPA-4549], Item 135 [ZON-4550], Item 136 [VAR-4553], and Item 137 [SDR-4551].

(2:42 – 3:21)

5-308

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.

4. All development shall be in conformance with the site plan and building elevations dated 07/01/04, except as amended by conditions herein. A public hearing shall be required to consider a Site Development Plan Review for any buildings proposed for the area of the site identified for employee parking.

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.

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 137 – SDR-4551

CONDITIONS Continued:

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. This plan shall include a double staggered row of trees (24" box, 15 feet on center) planted in a triangulated pattern along the north and south property lines coterminous with existing residential development.

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 on 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.

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.

CONDITIONS Continued:

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

18. Off-loading of vehicles shall only take place on the west side of the building.

19. No parking or display of vehicles shall be allowed in buffer areas.

20. Hours of delivery shall be limited to the hours of 7:00 a.m. to 10:00 p.m. daily.

Public Works

21. 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.

22. 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.

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

24. 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.

25. 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 t he 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

CONDITIONS Continued:

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.

26. 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 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.

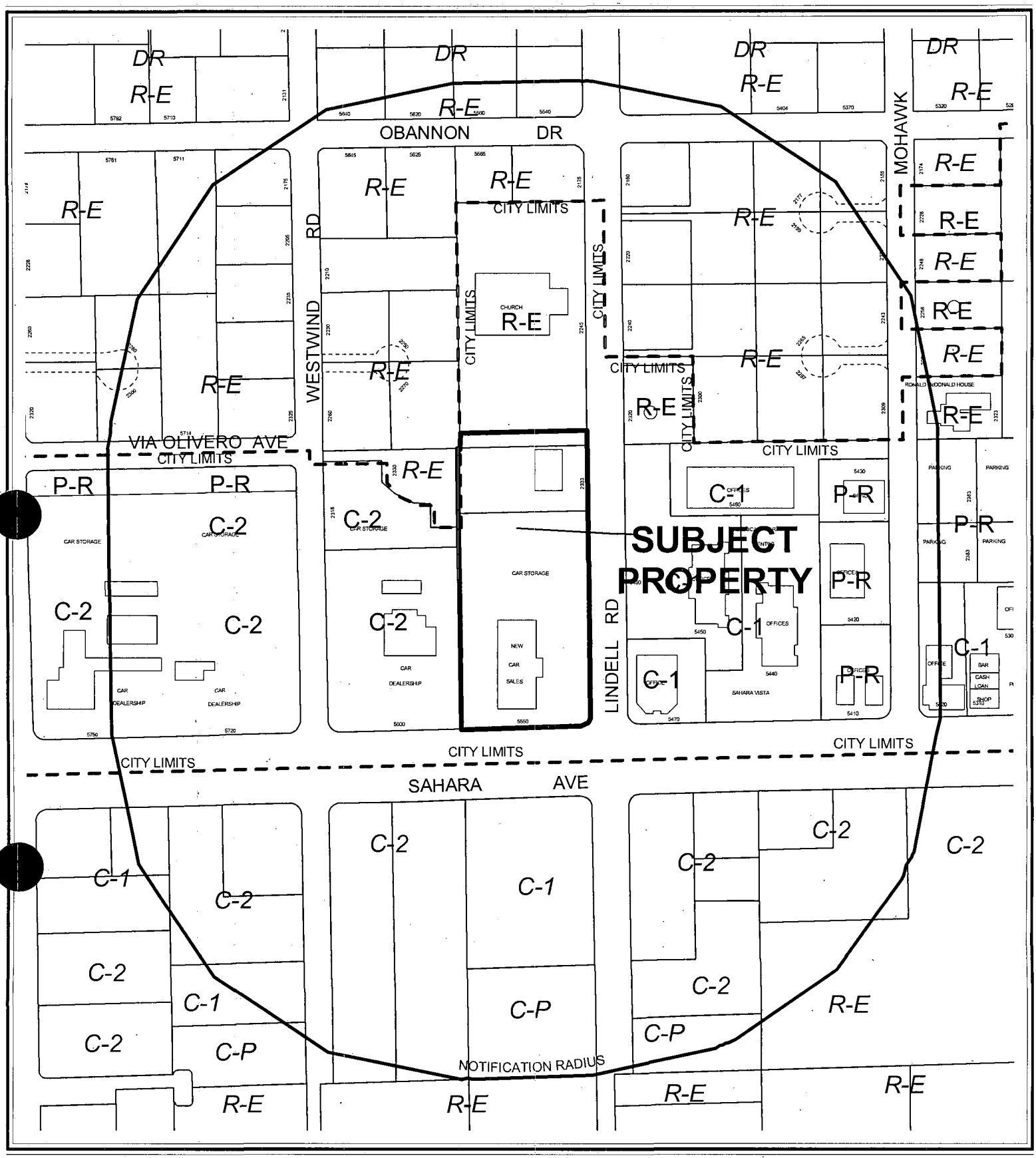
27. Landscape and maintain all unimproved right-of-way on Sahara Avenue and Lindell Road adjacent to this site.

28. 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.

29. 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.

30. Left turns northbound on Lindell Road from the northern vehicle entrance to the site shall be restricted in a manner acceptable to the Department of Public Works.

31. No on-street parking shall be allowed on Lindell Road adjacent to the subject site, per plan submitted by the applicant and approved by the City Engineer.



CASE: **SDR-4551**

0 200 400 Feet

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)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 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 **

The Planning Commission (6-1 vote) and staff recommend 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 dated 07/01/04, except as amended by conditions herein. A public hearing shall be required to consider a Site Development Plan Review for any buildings proposed for the area of the site identified for employee parking.

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. This plan shall include a double staggered row of trees (24" box, 15 feet on center) planted in a triangulated pattern along the north and south property lines coterminus with existing residential development.

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 on 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.

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.

18. Off-loading of vehicles shall only take place on the west side of the building.

19. No parking or display of vehicles shall be allowed in buffer areas.

20. Hours of delivery shall be limited to the hours of 7:00 a.m. to 10:00 p.m. daily.

Public Works

21. 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.

22. 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.

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

24. 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.

25. 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.

26. 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.

27. Landscape and maintain all unimproved right-of-way on Sahara Avenue and Lindell Road adjacent to this site.

28. 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.

29. 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.

30. Left turns northbound on Lindell Road from the northern vehicle entrance to the site shall be restricted in a manner acceptable to the Department of Public Works.

31. No on-street parking shall be allowed on Lindell Road adjacent to the subject site, per plan submitted by the applicant and approved by the City Engineer.

** 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 recommended approval of a related General Plan Amendment (GPA-4549), Variance (VAR-4553), and Rezoning (ZON-4550) concurrently with this application. Staff recommends approval.
07/08/04	The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #37/fs).

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 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)
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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			Provided	
		Ratio	Parking		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		Provided
	Ratio	Trees	
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

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.

PLANNING COMMISSION ACTION

The Planning Commission heard testimony from six speakers protesting the project. The amended the following conditions: 4, 9, 12, 18, 19, 20, 27, 28, 29, 30 and 31.

NOTICES MAILED 70 by Planning Department

APPROVALS 0

PROTESTS 6

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

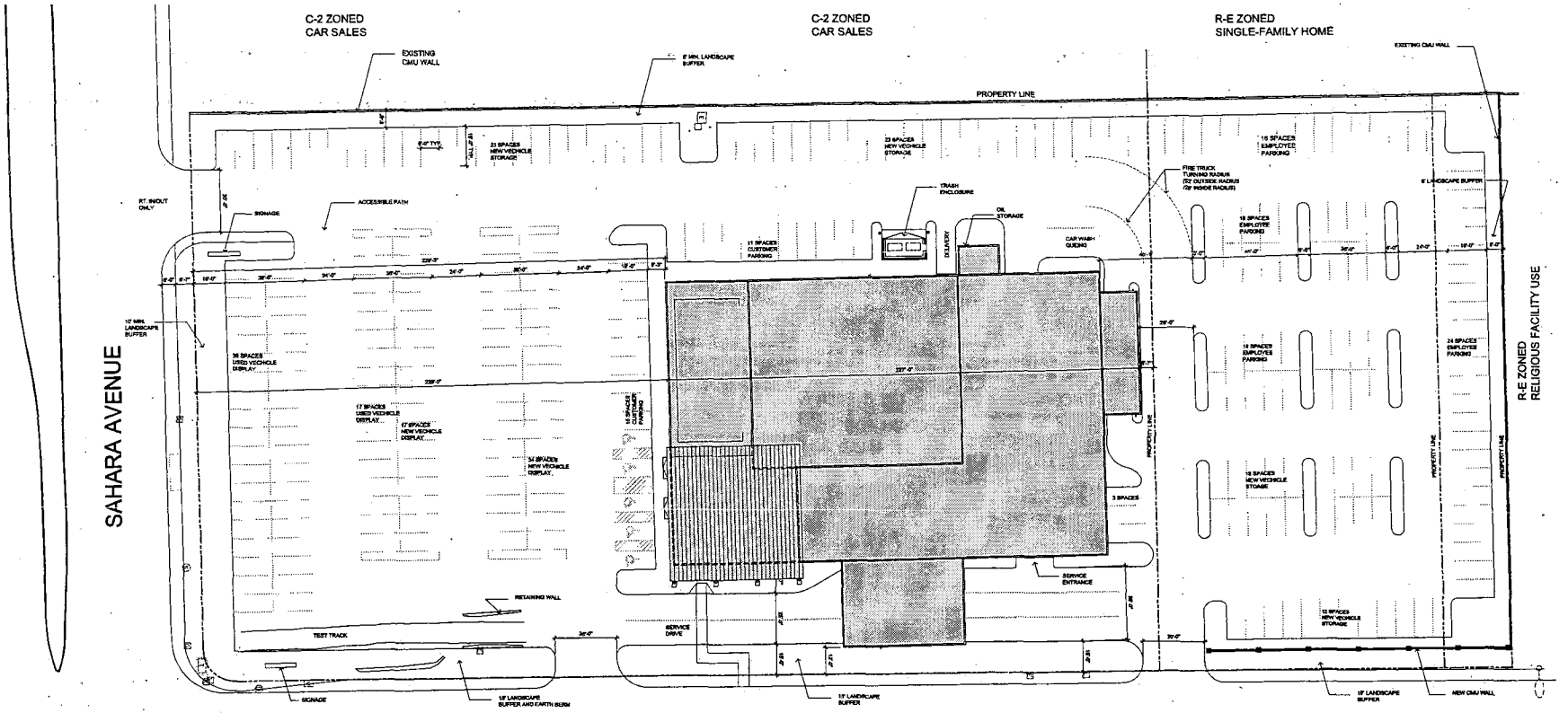
Melanie Mikovits

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
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Cell: 702-236-4708
Fax: 702-798-5484
4798 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: cdmarcello@cdmarcello.com

JMA ARCHITECTURE STUDIOS



LINDELL ROAD

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

PARCEL 'A'		PARCEL 'B'		TOTAL SITE	
SITE AREA:	134,600.4 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

TOWBIN HUMMER

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

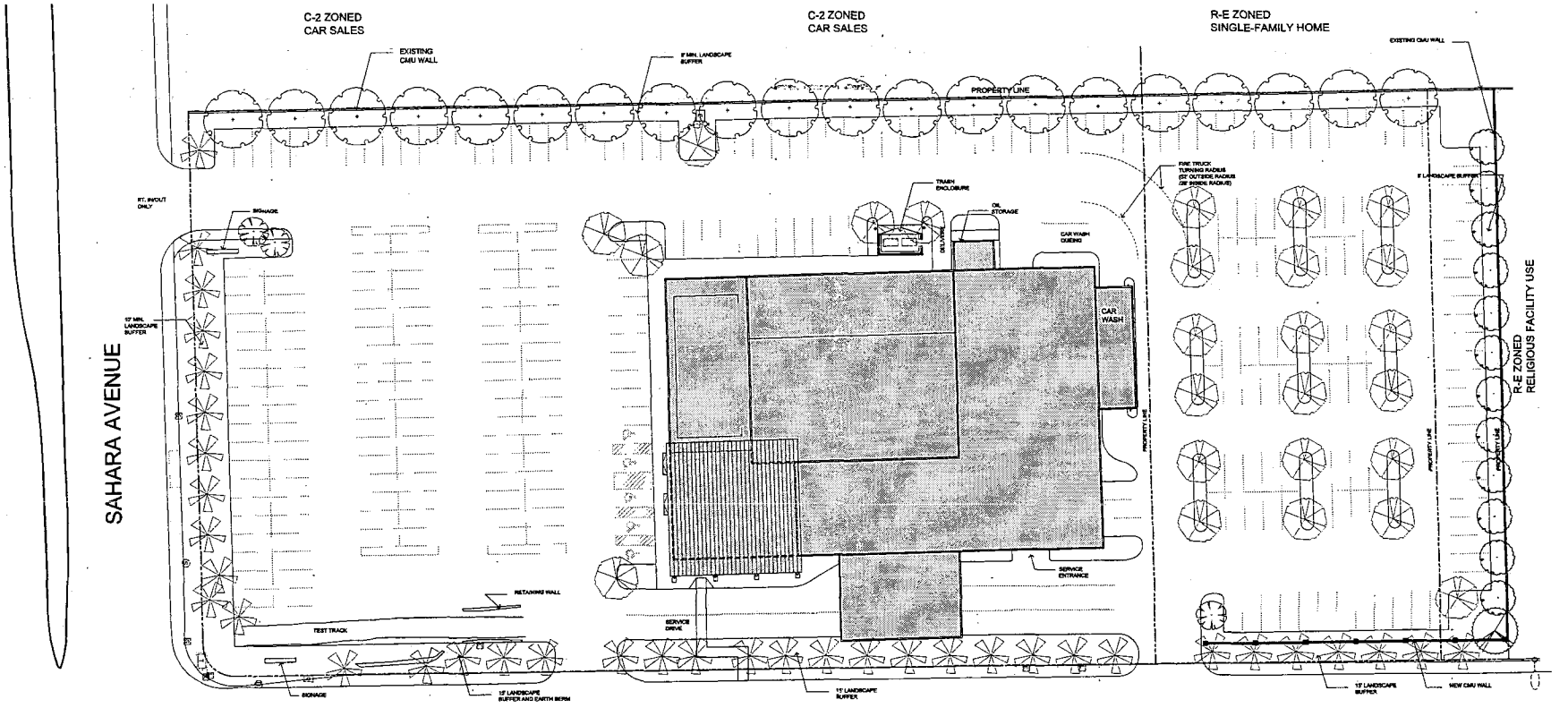
REVISED
07-01-04

10100 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE (702) 731-3033 FAX: (702) 731-3039 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: JULY 4, 2004

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Manager Member/ Broker
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Fax: 702-798-9494
4795 So. Durango Dr. Las Vegas, Nevada 89147
E-mail: sahararealty@cox.net

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

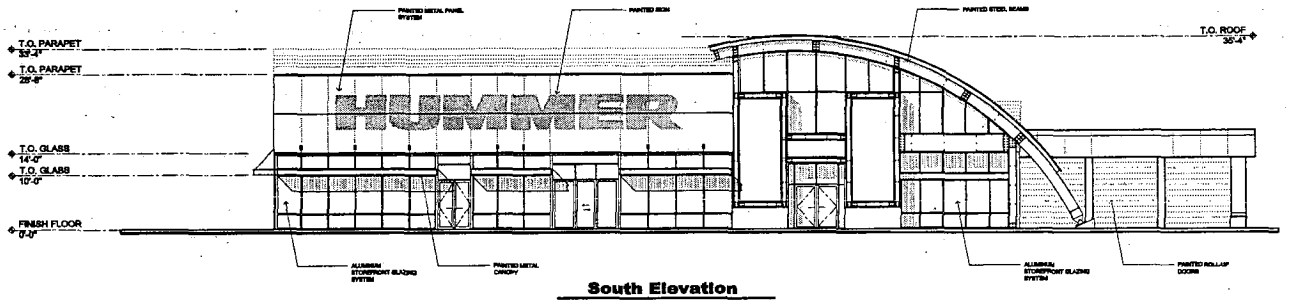
ZON-4550
VAR-4553
SDR-4551
07-08-04 PC

REVISED
07-01-04

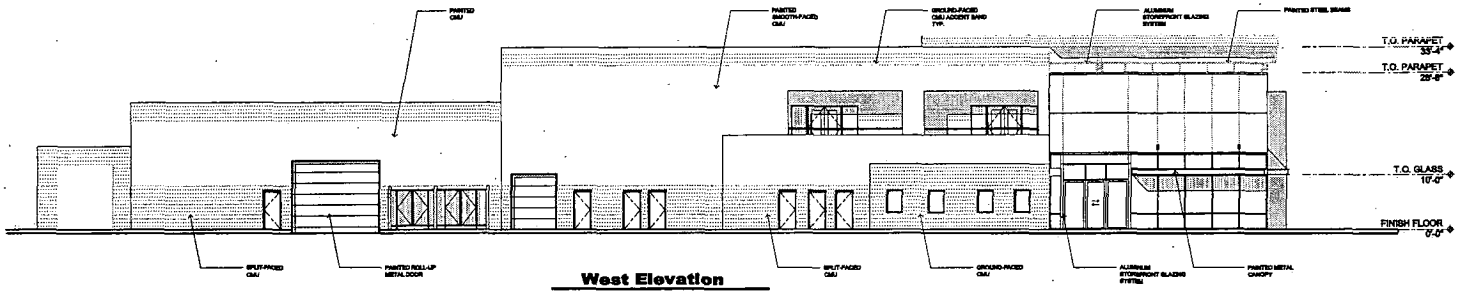
10180 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
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PROJECT NO: 2003349
DATE: JULY 8, 2004

JMA ARCHITECTURE STUDIOS



South Elevation



West Elevation

TOWBIN HUMMER

SCHEMATIC ELEVATIONS

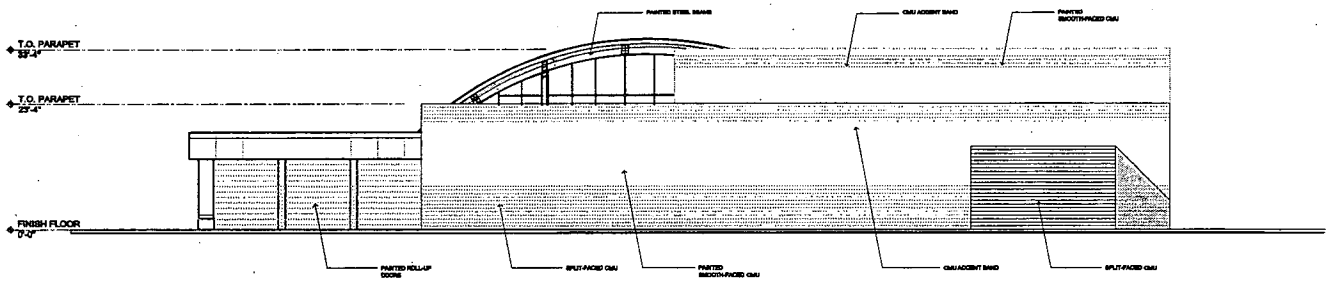
ZON-4550
SDR-4551
07-08-04 PC

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Fax: 702-776-4001
4760 So. Pecos Rd. Las Vegas, Nevada 89121
Email: cdmarcello@cox.net

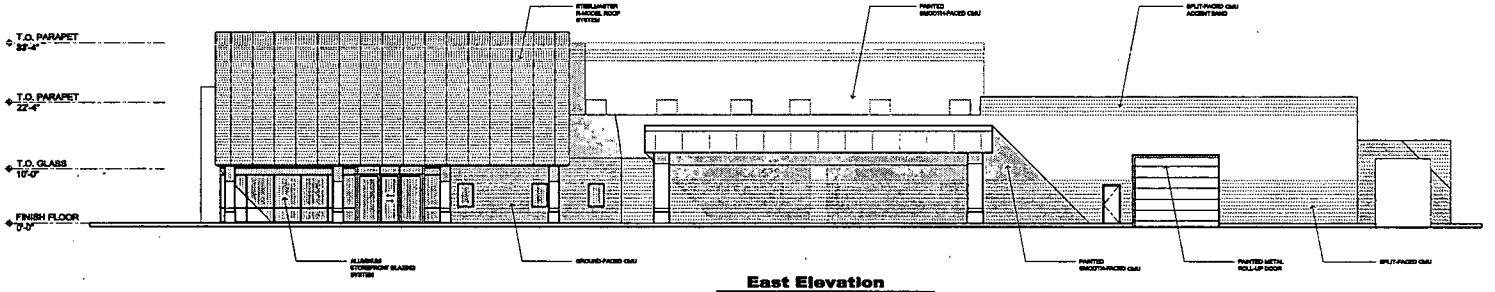
10120 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE (702) 791-0505 FAX: (702) 791-0299 WWW.JMAARCH.COM

PROJECT NO: 2003349
DATE: MAY 25, 2004
0 4 8 16
SCALE: 1/8" = 1'-0"

JMA ARCHITECTURE STUDIOS



North Elevation



East Elevation

TOWBIN HUMMER

SCHEMATIC ELEVATIONS

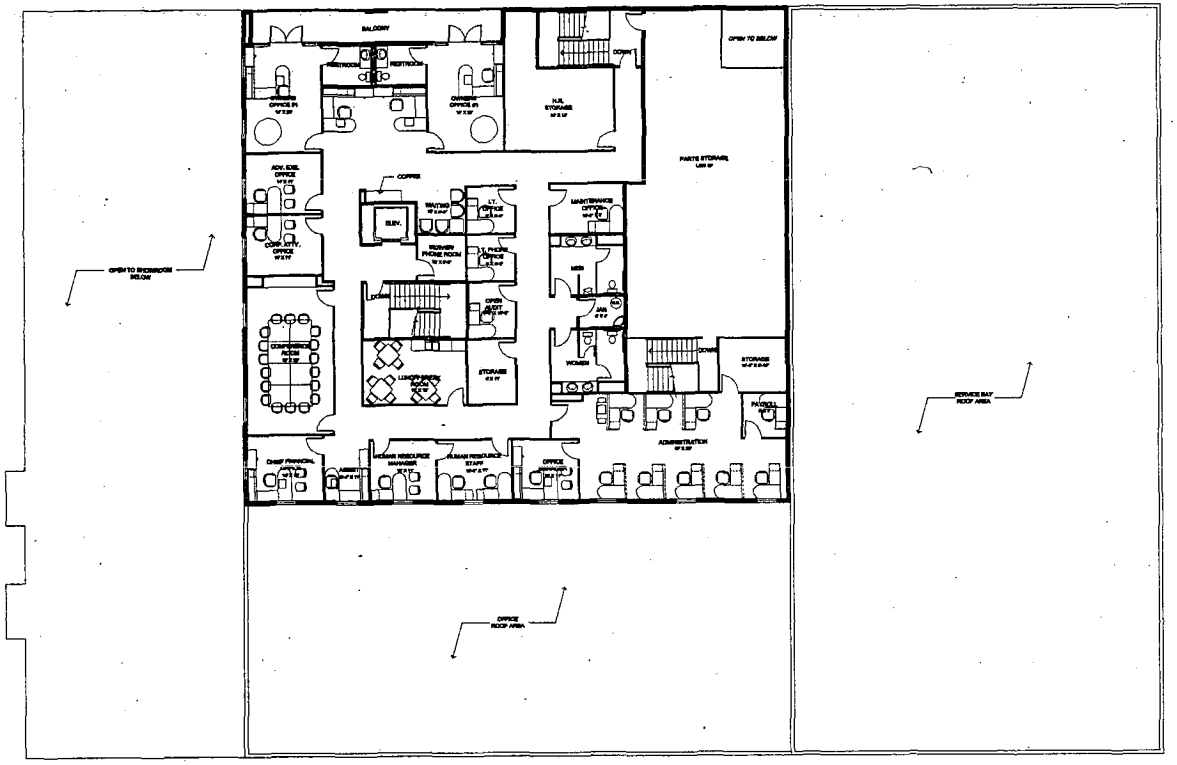
ZON-4550
SDR-4551
07-08-04 PC

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10120 COVINGTON CROSS DRIVE, LAS VEGAS, NEVADA 89144
PHONE: (702) 791-4888 FAX: (702) 791-4889 WWW.JMAARCH.COM

PROJECT NO. 2003349
DATE: MAY 5, 2004
0 4 8 16
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

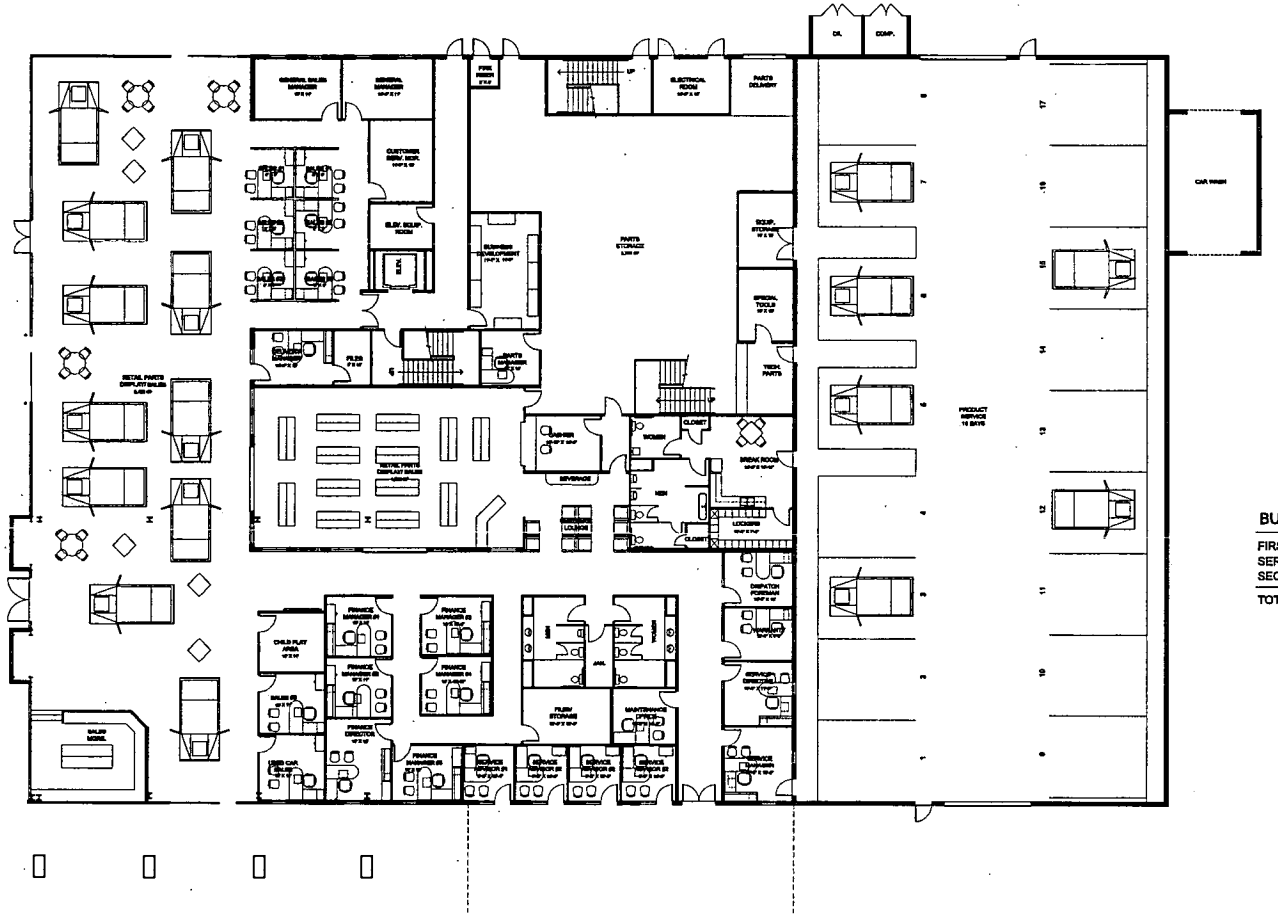
PROJECT NO: 2003349

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

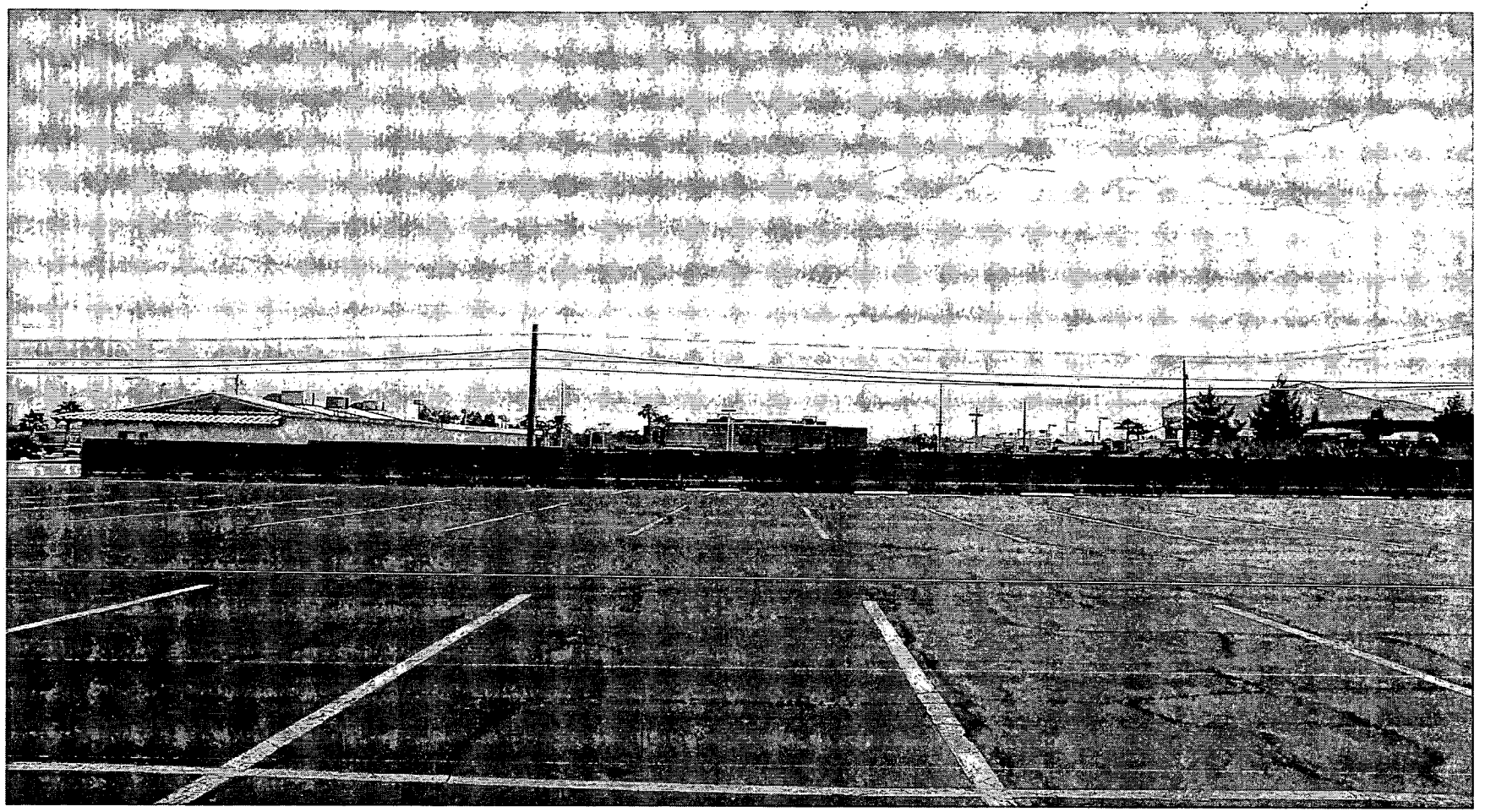
Carl D. Marcello

PROJECT NO: 2003349

DATE: MAY 25, 2004

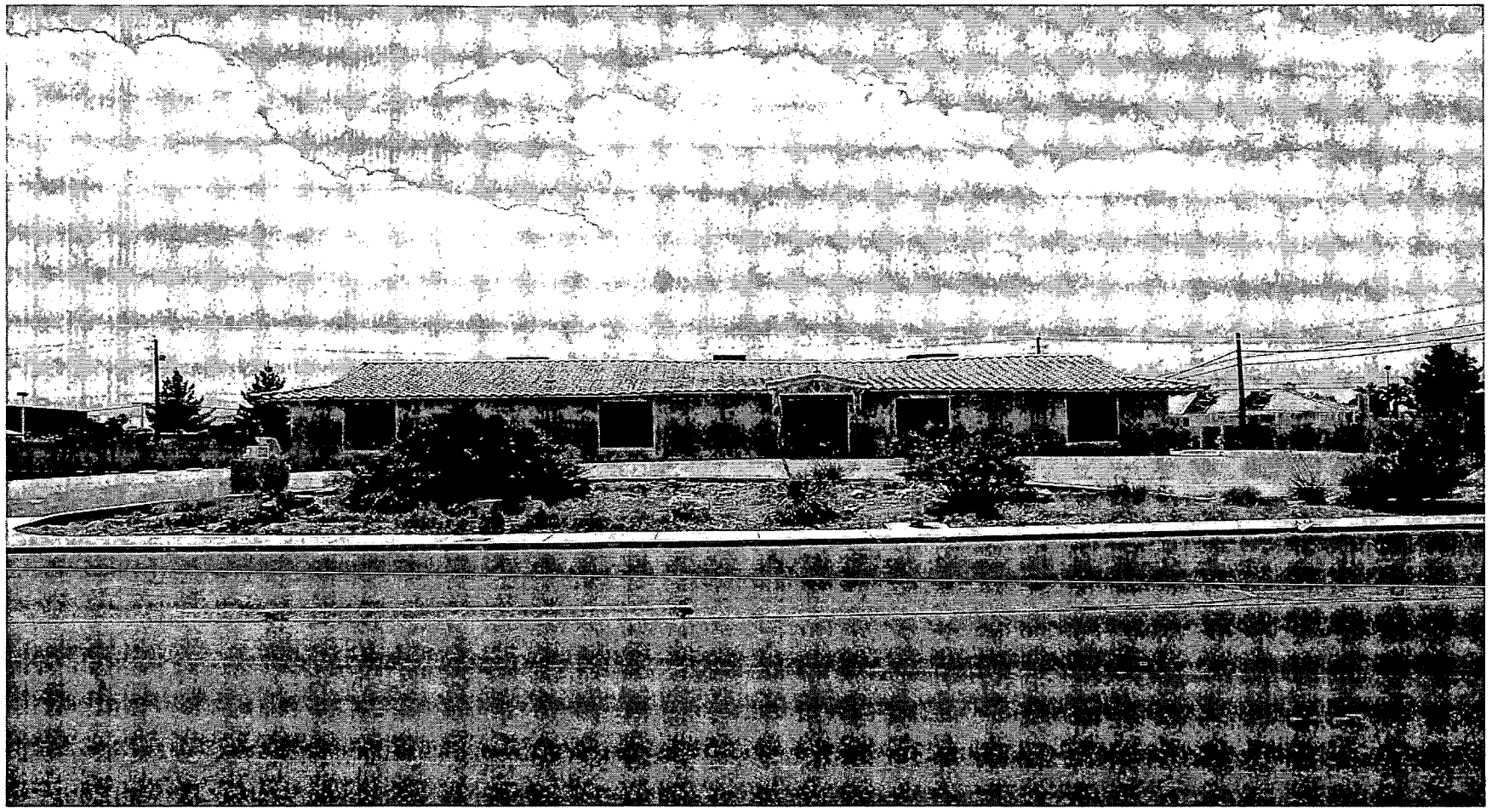
SCALE: 1/8" = 1'-0"

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. 138

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563]
5. Back up referenced from the 7/8/2004 Planning Commission Item 38

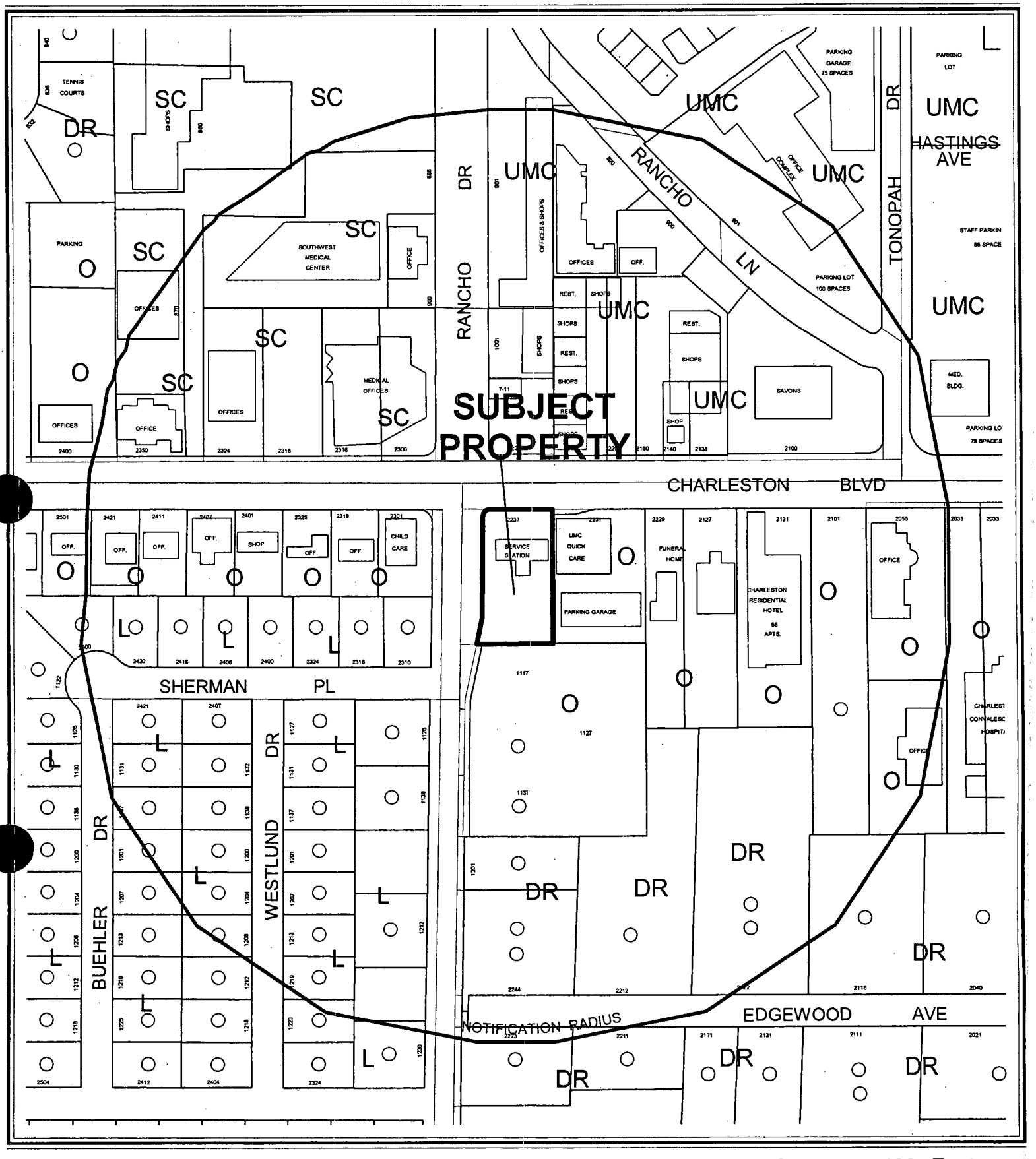
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:

There was no discussion.

(1:03 – 1:08)



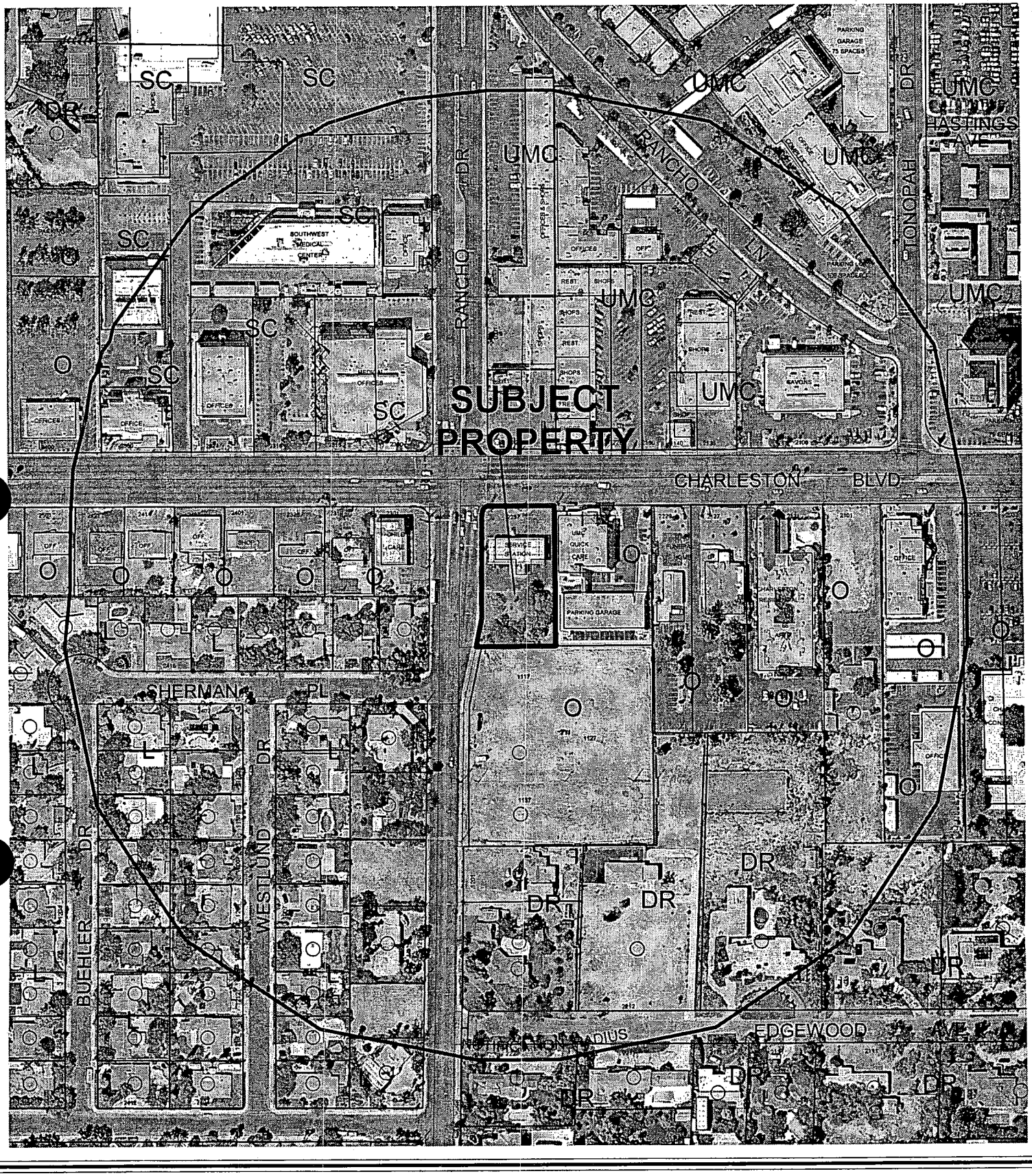
0 200 400 Feet

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

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

** 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.
07/08/04	The Planning Commission recommended approval of related items (VAR-4696, SUP-4565 and SDR-4563).
07/08/04	The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #38/ar).

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

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.

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 .

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:

- 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)

PLANNING COMMISSION ACTION

At the Planning Commission hearing there were four speakers protesting the application.

NOTICES MAILED: 74 by Planning Department

APPROVALS: 0

PROTESTS: 5

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 _____ 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: Tom Jones

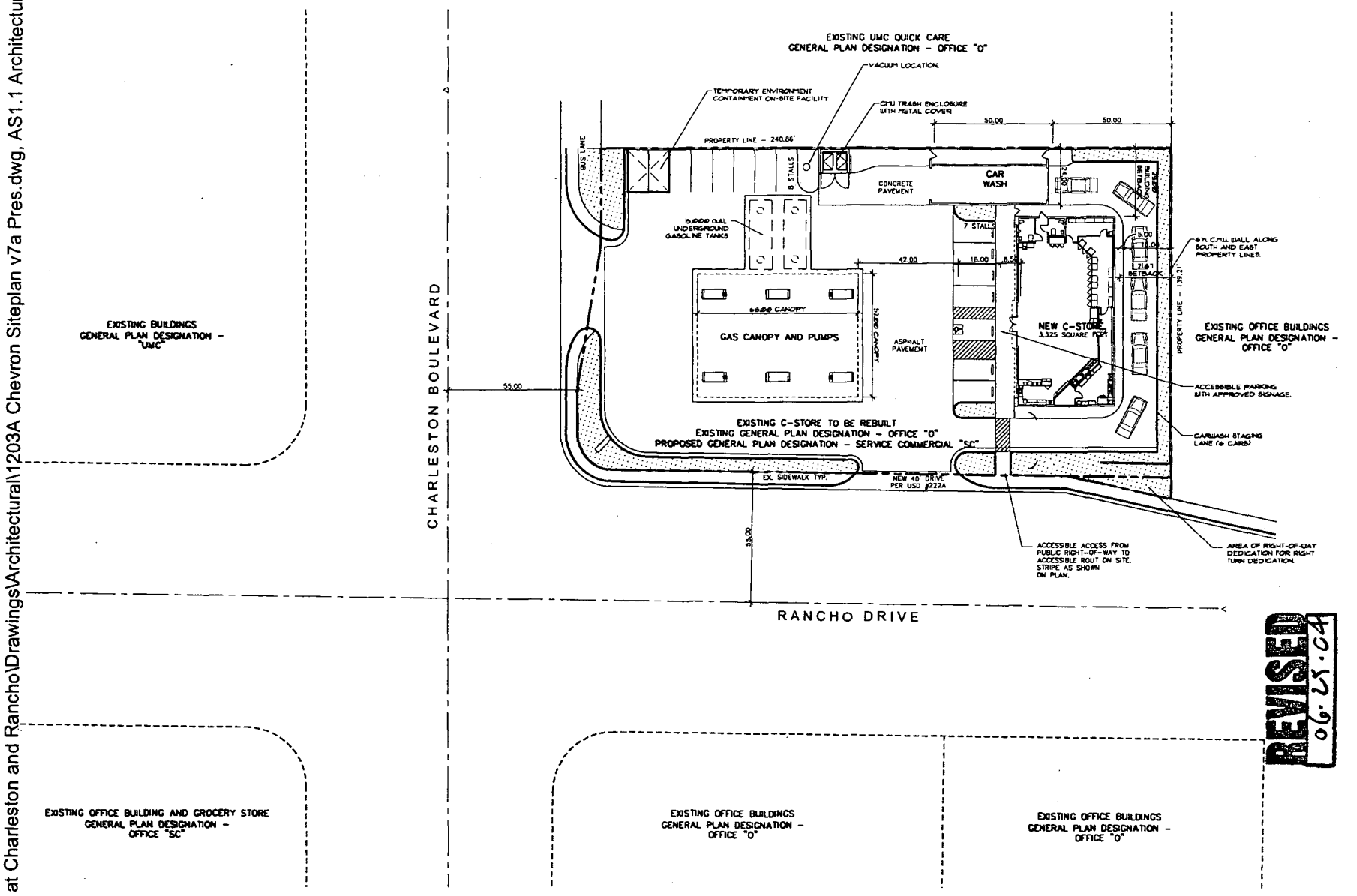
Subscribed and sworn before me

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



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 FOR SUBMITTAL TO CONSTRUCTION AS A CONTRACTOR AUTHORIZED UNDER NRS

BRESLIN BUILDERS — COMPANY NAME
JACK BRESLIN — SIGNATURE (SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)
0018185 — CONTRACTOR LICENSE#
TODD McSHAYER — PLAN PREPARED BY
5/24/04 — DATE

BRESLIN BUILDERS

DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR

LICENSE #0018185

5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118

(702)798-3977
FAX (702)798-3608

www.breslinbuilders.com

Project Owner:
Chevron Convenience Store and Car Wash

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

Sheet Title:
Architectural Site Plan with General Plan Designations

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

AS1.1g

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



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

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

ROBERT J. GRONAUER
rgronauer@kkbr.com

July 26, 2004

VIA FACSIMILE
382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 JUL 26 A 10:02

Re: GPA-4564; SUP-4565; SDR-4563; VAR-4696
Charleston/Rancho

Dear Ms. Ronemus:

This office represents the applicant in the above-referenced matters. We respectfully request these matters be continued from the presently scheduled City Council hearing of August 4, 2004 until August 18, 2004. The additional time is needed to continue to meet with the neighbors and revise the site plans and elevations.

Thank you for your consideration.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Robert J. Gronauer

RJG/mlt

cc: Gary Leobold (via facsimile)
Tracey Hurless (via facsimile)

City of Las Vegas

Agenda Item No. 139

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

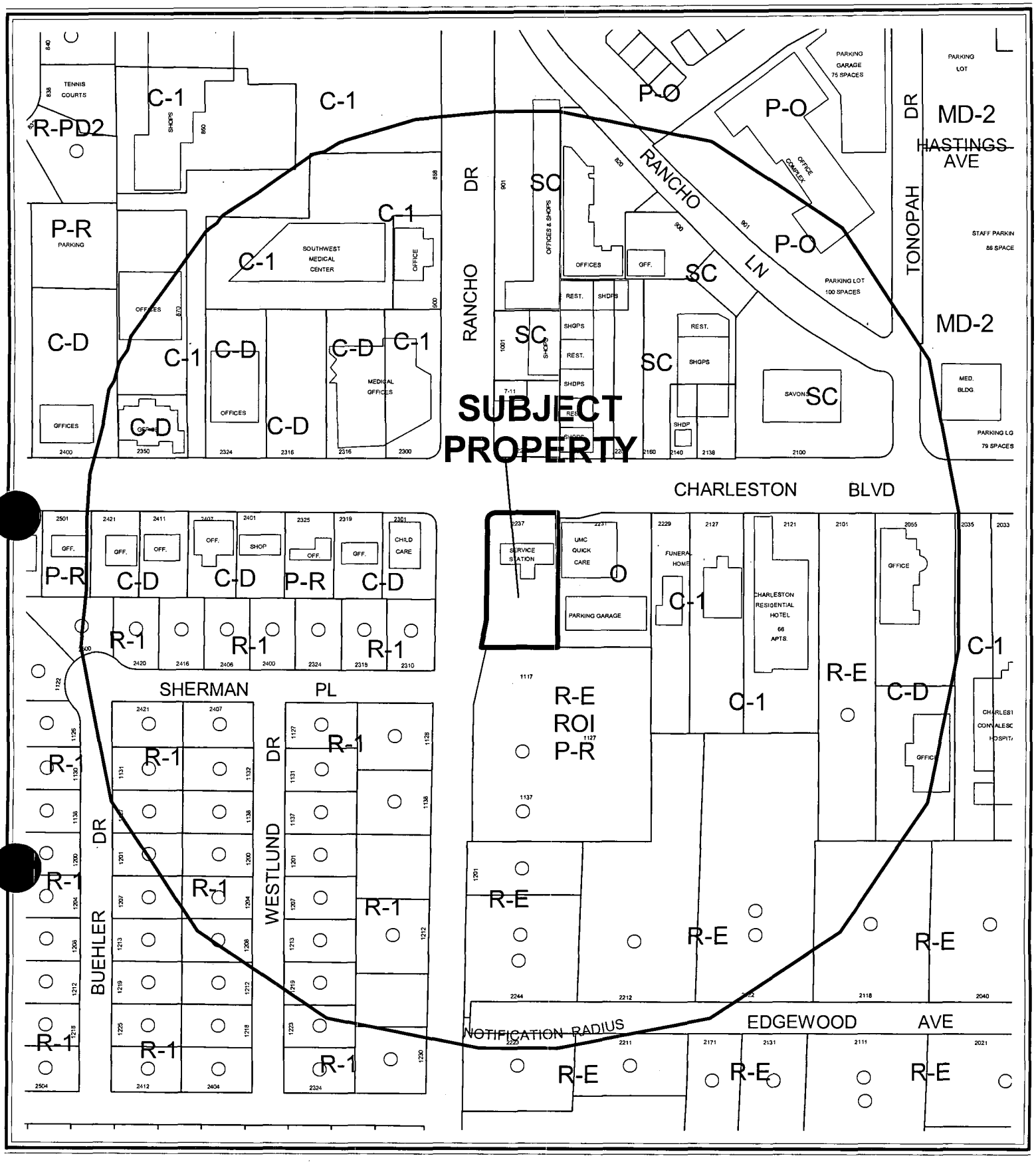
RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] filed under Item 138 [GPA-4564]
5. Back up referenced from the 7/8/2004 Planning Commission Item 39
6. Submitted after final agenda – Protest letter from Betty L. Armstrong

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

(1:03 – 1:08)



0 200 400 Feet

CASE: **VAR-4696**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, 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.

** 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 recommended approval of 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.

07/08/04 The Planning Commission voted 4-3 to recommend APPROVAL (PC Agenda Item #39/gl).

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

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.

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."

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 76 by City Clerk

APPROVALS 0

PROTESTS 5

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: [signature]

Print Name: TOM JONES

Subscribed and sworn before me

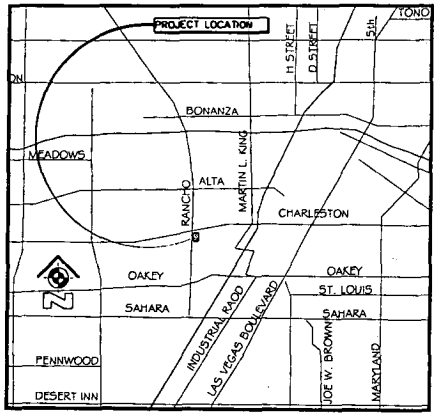
This 21st day of June, 2004

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	34,559.48 SQUARE FEET or .79 ACRES
BUILDING AREA	3,325 SQUARE FEET (C-STORE ONLY)
LOT COVERAGE	9.62%

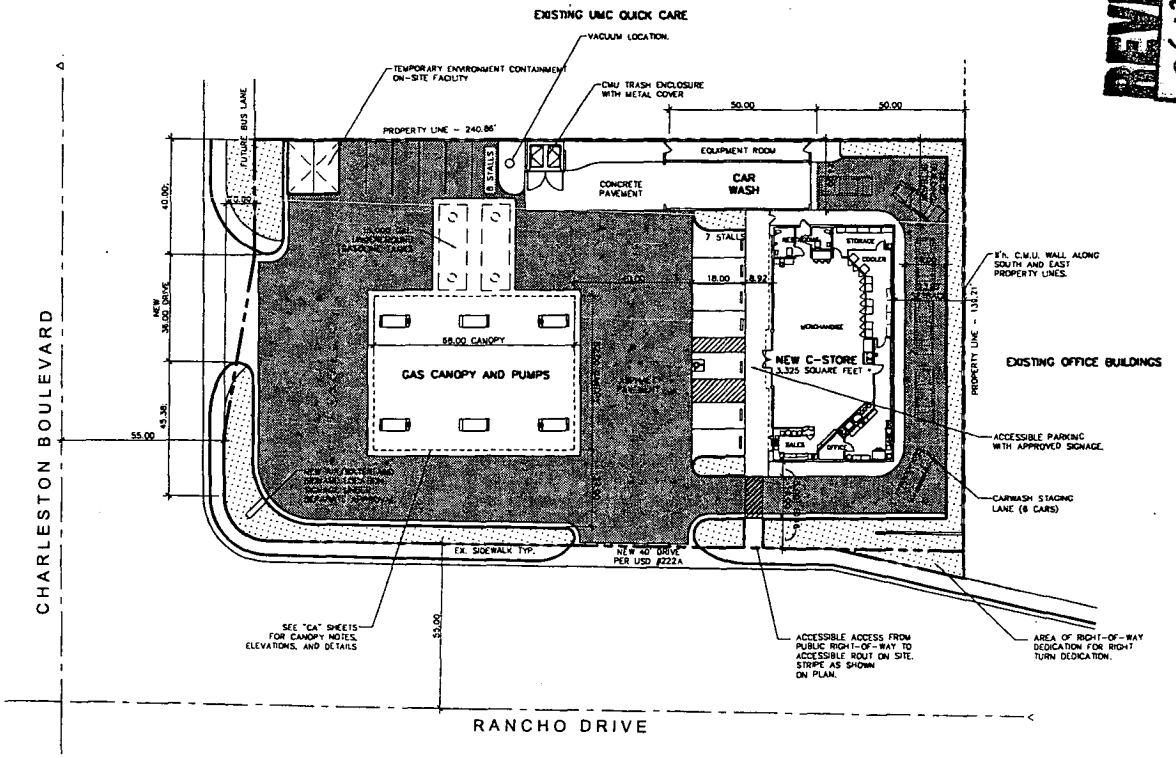
PARKING REQUIRED (CITY OF LAS VEGAS)

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
3011838
TODD MASSAYER

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0019188
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3677
FAX (702)798-3908
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 McBayer
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/JB

AS1.1



VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY
2237 WEST CHARLESTON BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

06/17/04

City Council: July 30, 04

I'm writing in regard to VAR-4696, and Sup-4565. Rider's Chevron-Duane Barrett Group, Limited Liability Company- I object to both items that they want to do at 2237 West Charleston.

a new car wash is being built at Bonanza & Rancho, so I don't feel the need one there nearby.

Betty L Armstrong
1138 Westwind Dr
Las Vegas NV 89102

Protest

RECEIVED
CITY CLERK
2004 AUG -4 A 10:34

Submitted after final agenda

Date 8/4/04 Item #139-141

City of Las Vegas

Agenda Item No. 140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

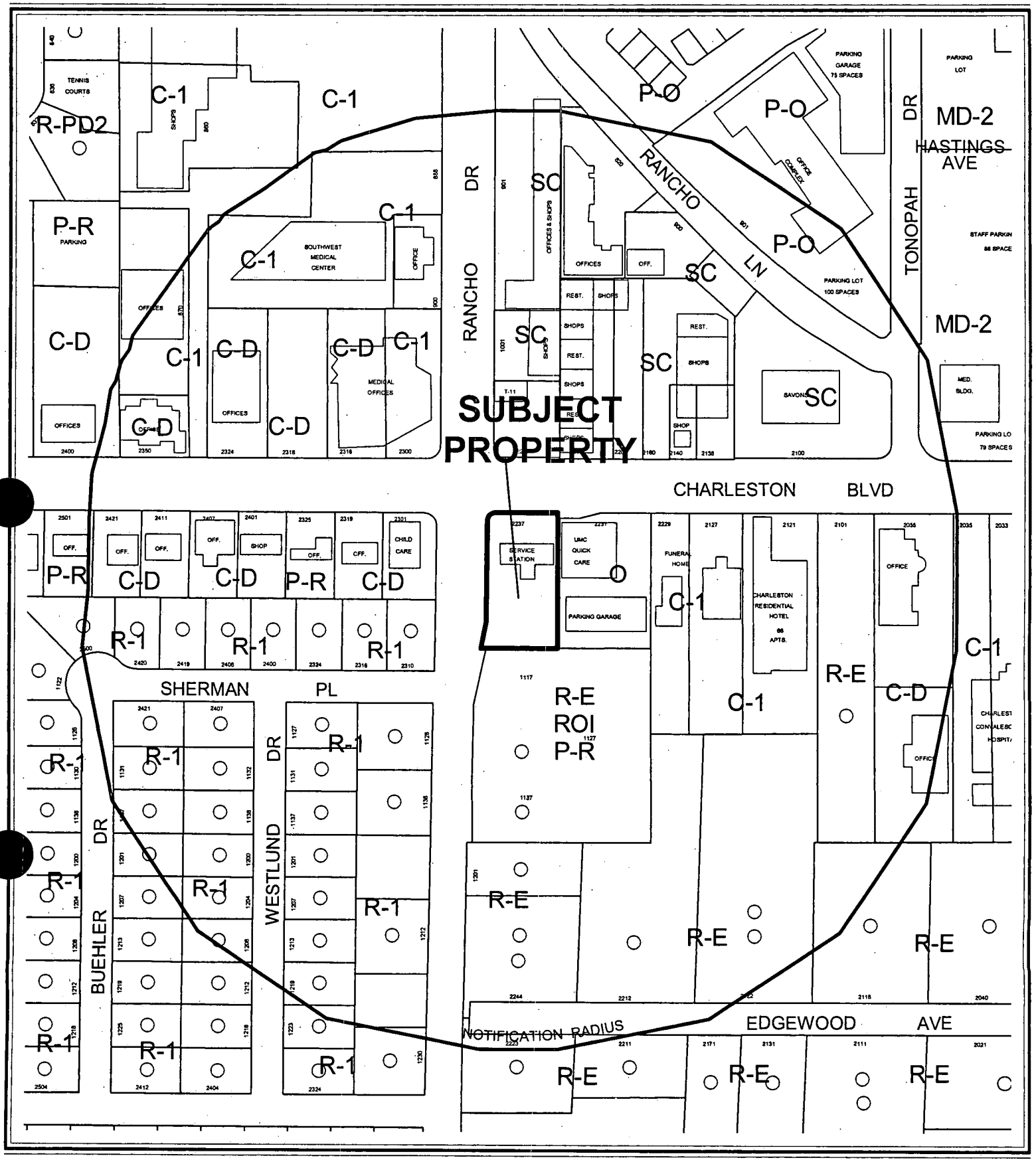
RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] filed under Item 138 [GPA-4564]
5. Back up referenced from the 7/8/2004 Planning Commission Item 40
6. Submitted after final agenda – Protest letter from Betty L. Armstrong filed under Item 139 [VAR-4696]

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

MINUTES:
There was no discussion.

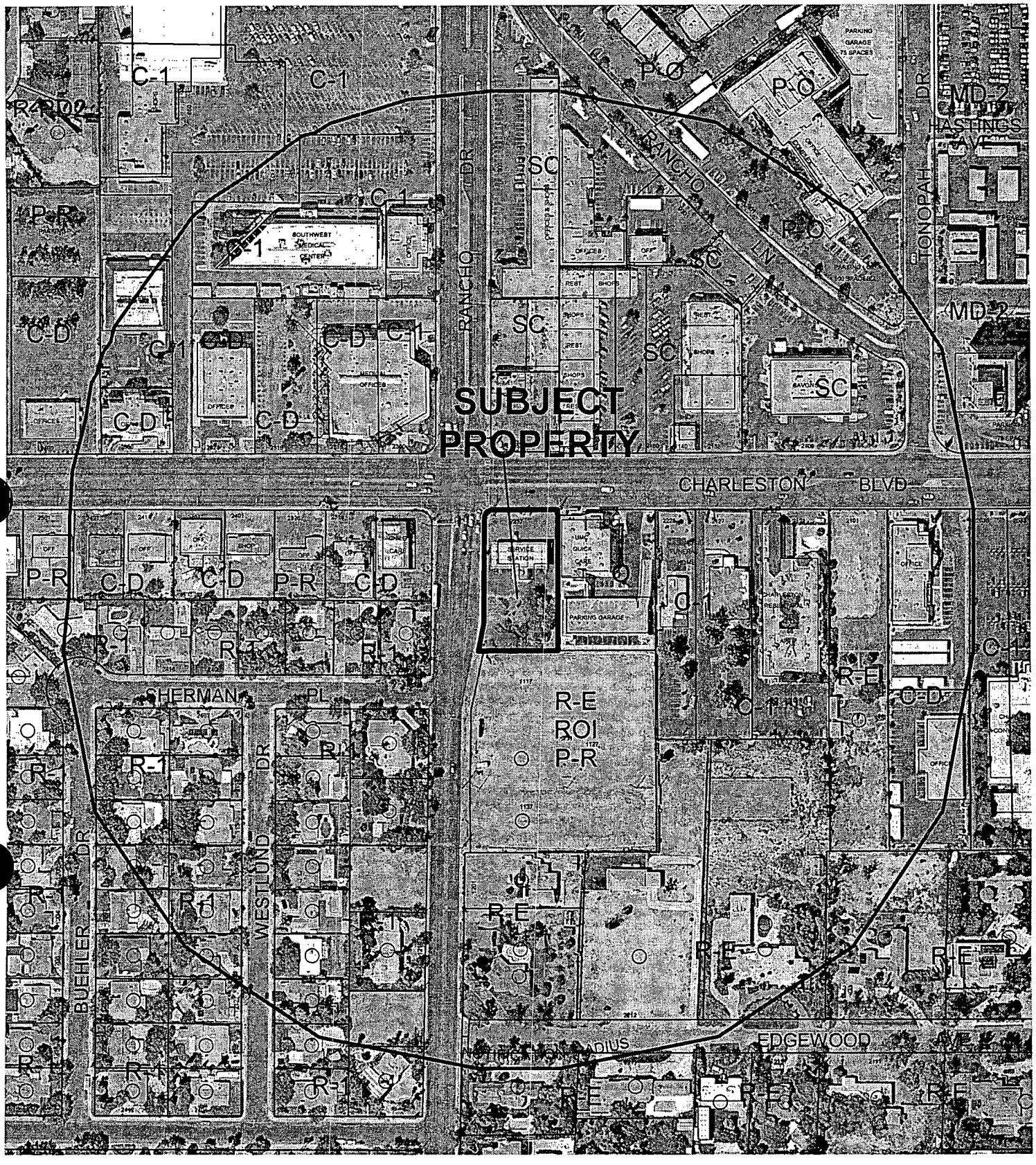
(1:03 – 1:08)



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

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, 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.

** 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 recommended approval of 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.

07/08/04 The Planning Commission voted 4-3 to recommend APPROVAL (PC Agenda Item #40/gl).

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

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

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

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.

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 77 by City Clerk

APPROVALS 0

PROTESTS 5

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-45265 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

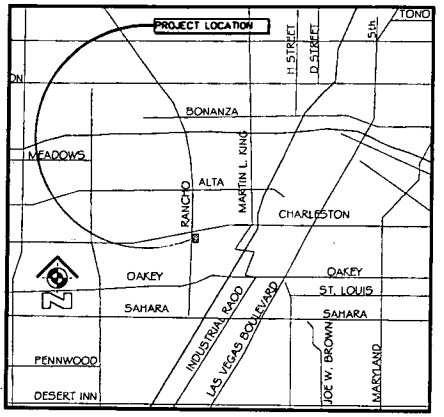
This 24th day of May, 2004

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



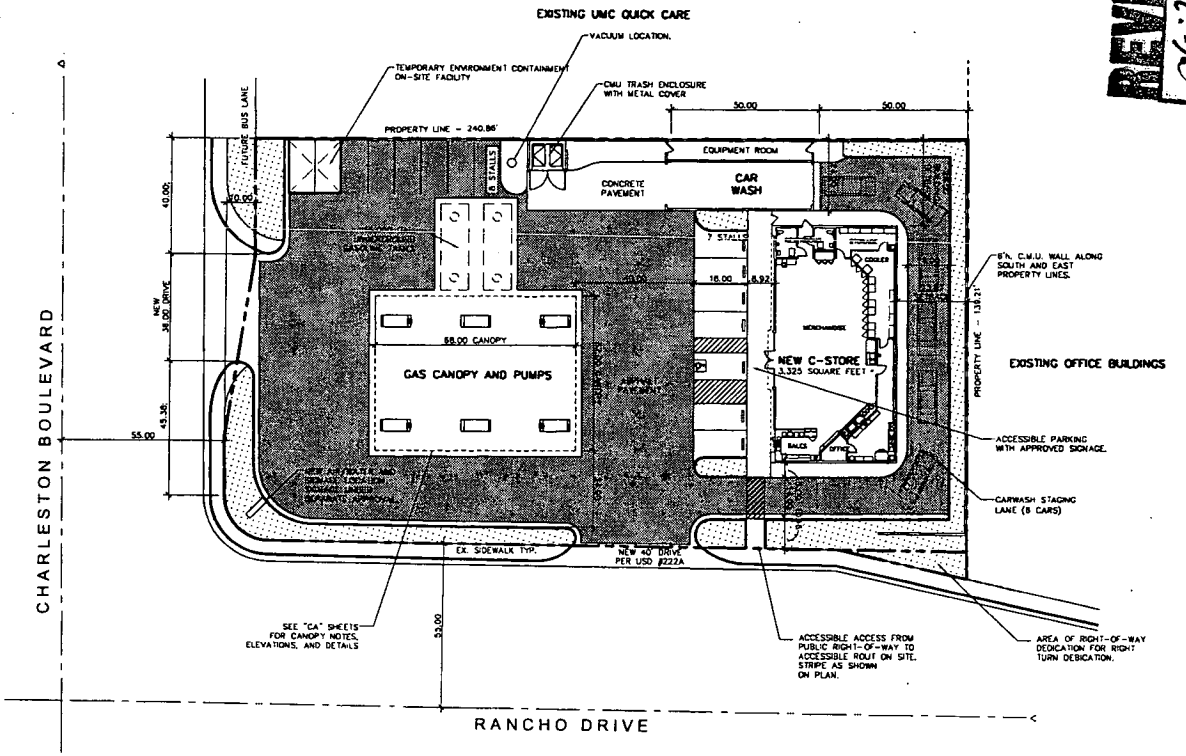
DESIGN DATA

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

REVISIONS

Mark	Date	Description

REVISED 06.25.04



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

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

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CONTRACTOR

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS A CONTRACTOR AUTHORIZED REPRESENTATIVE

LEGAL BUSINESS NAME: BRESLIN BUILDERS	JACK BRESLIN	SIGNATURE
COMPANY NAME	CONTRACTOR'S REPRESENTATIVE OR MEMBER OR OFFICER OR EMPLOYEE	
	0018199	
	CONTRACTOR'S LICENSE	
	TODD MCBRAYER	
	PLANS PREPARED BY	

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018199
5504 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3977
FAX (702)798-3908
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. 141

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 4, 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). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] filed under Item 138 [GPA-4564]
5. Back up referenced from the 7/8/2004 Planning Commission Item 41

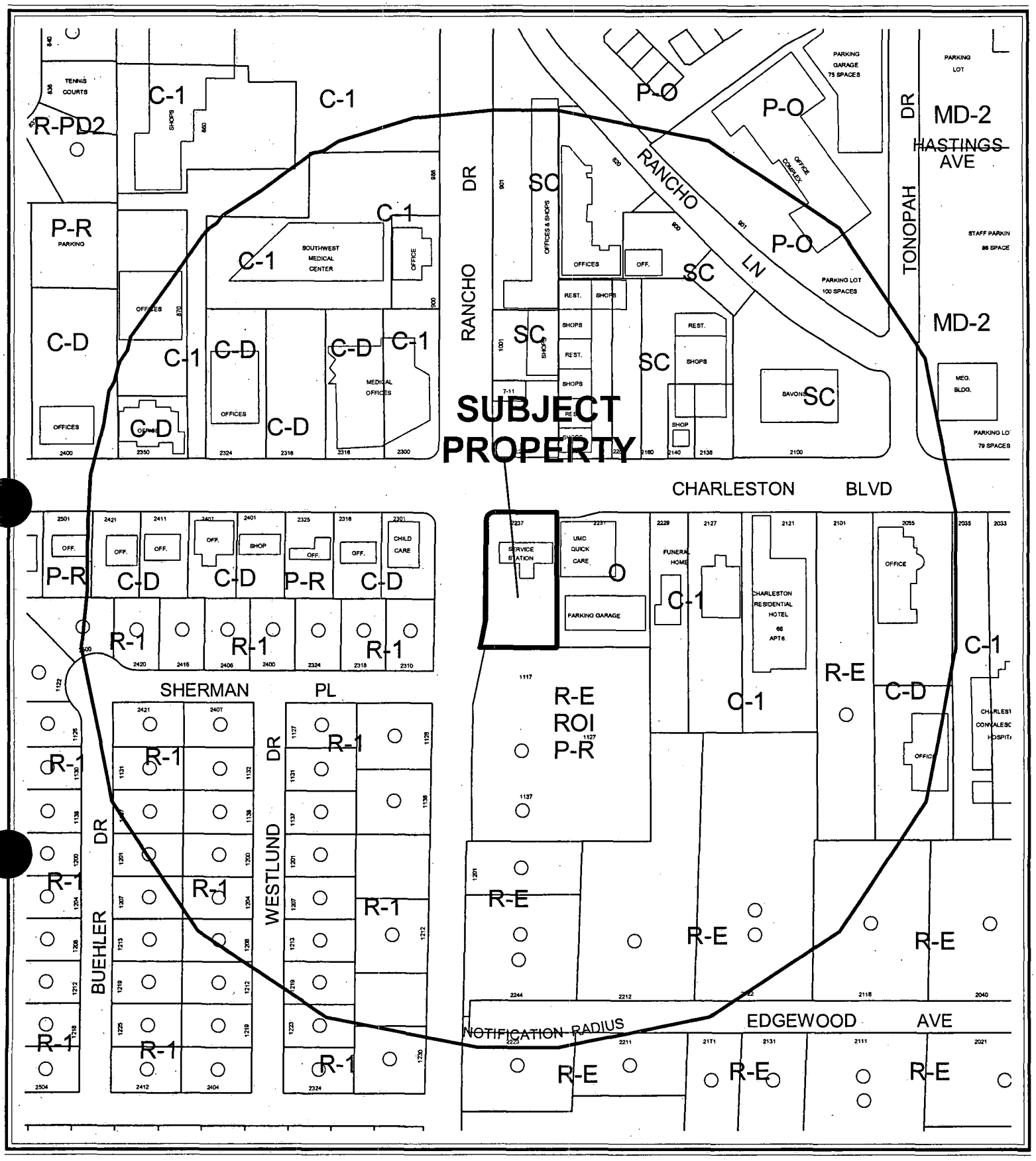
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 90 [DIR-4797], Item 92 [ROC-4709], Item 94 [MSP-4380], Item 121 [ZON-4200], Item 122 [SDR-4198], Item 138 [GPA-4564], Item 139 [VAR-4696], Item 140 [SUP-4565] and Item 141 [SDR-4563] to 8/18/2004, Item 104 [SUP-2848], Item 119 [SUP-4532], Item 129 [GPA-4542], Item 130 [ZON-4543], Item 131 [VAR-4547], Item 132 [VAR-4572] and Item 133 [SDR-4545] to 9/1/2004 – UNANIMOUS with BROWN excused

CITY COUNCIL MEETING OF AUGUST 4, 2004
Planning and Development Department
Item 141 – SDR-4563

MINUTES:
There was no discussion.

(1:03 – 1:08)
3-48



CASE: **SDR-4563**

RADIUS: 750 FT

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

0 200 400 Feet

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to:

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, and no vacuum area shall be allowed on the site.

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. The waiver of landscaping in perimeter areas has been deemed to be unnecessary. The applicant shall add additional landscaping to screen the car wash queuing area to the satisfaction of the Planning and Development Department.

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

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

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.

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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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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

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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.

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07/08/04 The Planning Commission voted 4-3 to recommend APPROVAL (PC Agenda Item #41).

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

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

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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)

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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.

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 • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 40 Feet none 29 Feet 22 Feet	 Y N Y 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
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	**Required** 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** Ratio	**Required** Trees	**Provided**
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.

PLANNING COMMISSION ACTION

The Planning Commission heard testimony from four parties protesting the application. They amended Conditions 3 and 7.

NOTICES MAILED 74 by Planning Department

APPROVALS 0

PROTESTS 5

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS 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: [signature]

Print Name: Tom Jones

Subscribed and sworn before me

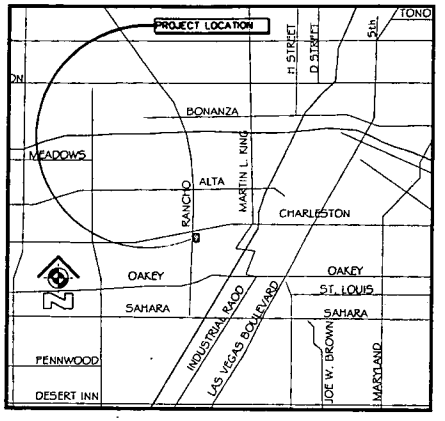
This 24th day of May, 2004

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

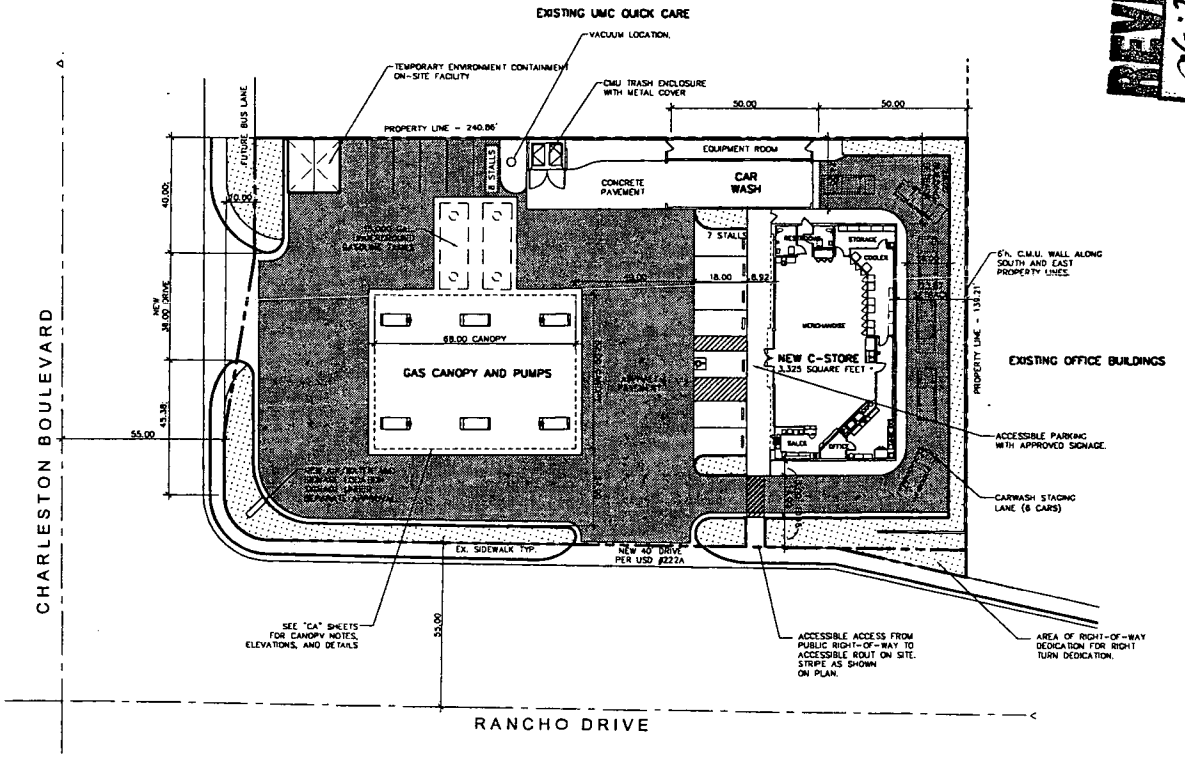
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DESIGN DATA

LOT AREA	34,558.46 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

Breslin Builders' shall retain all rights to the ideas, designs, arrangements and plans indicated on these drawings. All of which are the property of Breslin Builders' and shall not be used in whole or in part without the written permission of Breslin Builders'. Visual contact with these drawings shall constitute agreement to these restrictions.

CONTRACTOR
THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS A CONDITION OF CONTRACT WITH OWNER
BRESLIN BUILDERS
Contractor's Name
JACK BRESLIN
CONTRACTOR'S RECOMMENDATION ON MATTER OF N.R.S. 279.150(5)(c)
NATIONAL FORM
ELVIN
CONTRACTOR'S LICENSE
TODD MCBRAYER
PLANS PREPARED BY
SIGNATURE

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018199
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3677
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

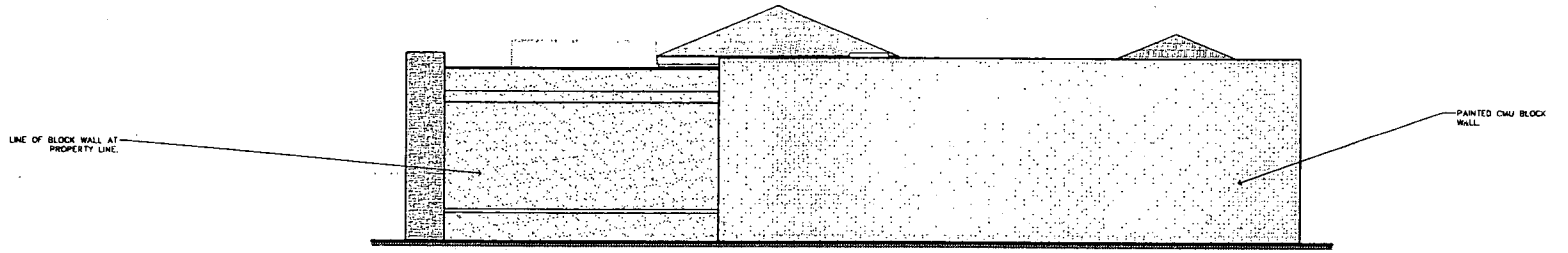
Sheet Title:
Architectural Site Plan

062504

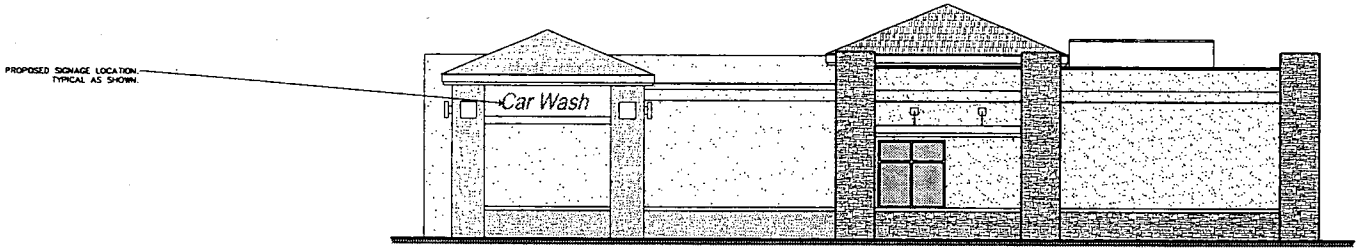
Date: May 24, 2004	Designed By: Todd McBrayer
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/JB

AS1.1

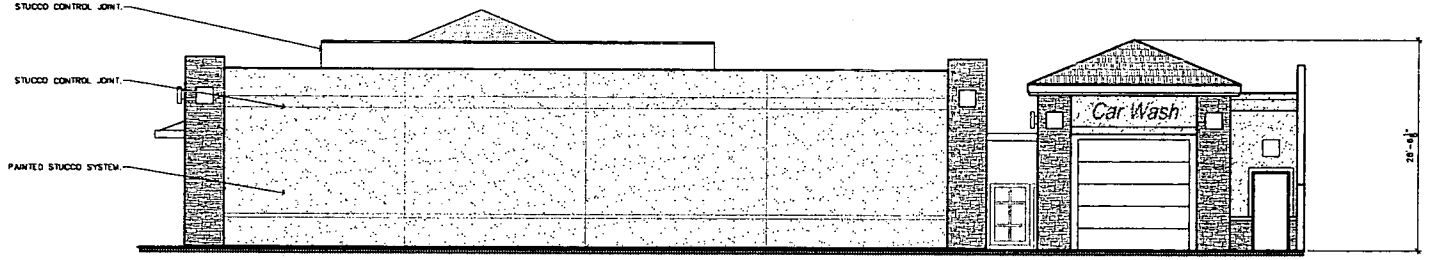
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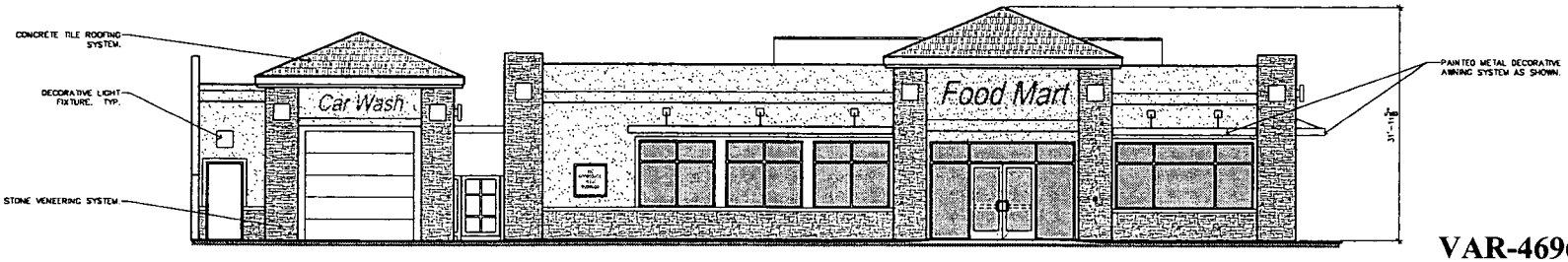
EAST ELEVATION
SCALE: 1/8" = 1'-0"



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

CONTRACTOR

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE #0018188
5525 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702)798-3677
FAX (702)798-3608
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 24, 2004	Designed By: Todd McBrayer
Project No.: 2004A	Drawn By: TMM
Jurisdiction: City of Las Vegas	Checked By: TMM/JB

A2.1

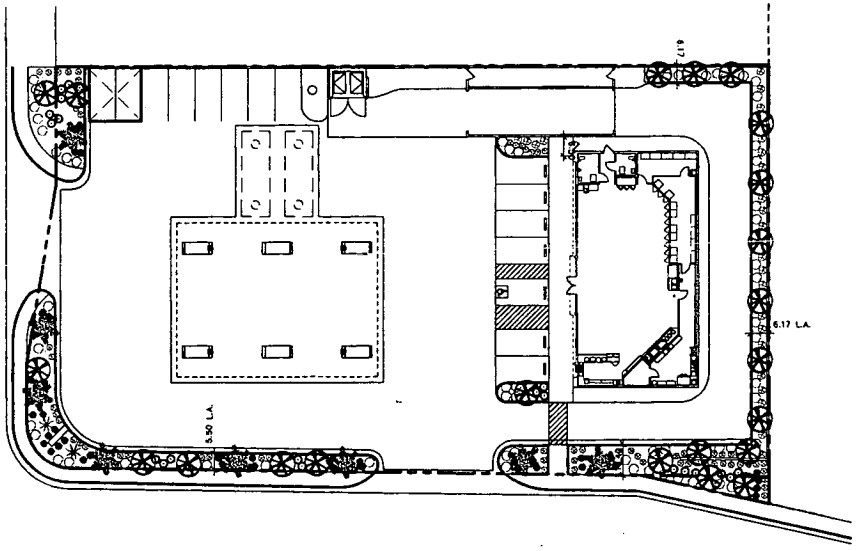
P:\1203A Chevron at Charleston and Rancho\Drawings\Architectural\1203A Chevron Siteplan v7a Pres.dwg, L1.1 Landscape Plan, 6/25

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
S	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 DE-WEEDED 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

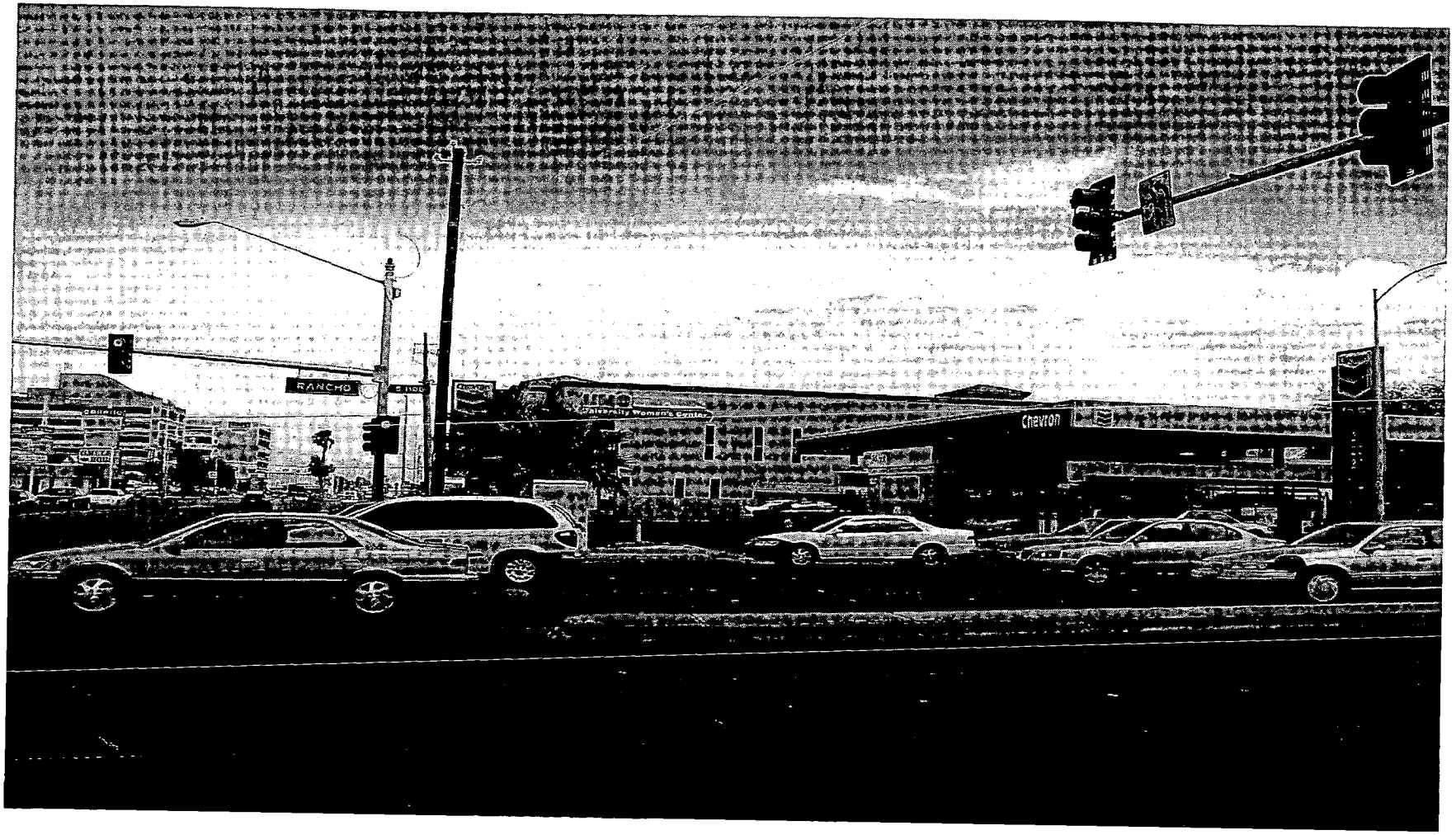
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Project Owner:
Chevron Convenience Store and Car Wash
Southeast Corner of Charleston Boulevard and Rancho Drive, Las Vegas, Nevada
APN: 162-04-101-001

Sheet Title:
Landscape Plan

Date:	Designed By:
May 24, 2004	Todd McBrayer
Project No.:	Drawn By:
2004A	TMM
Jurisdiction:	Checked By:
City of Las Vegas	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. 142

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB – 221 SOUTH VAN BUREN AVENUE, DB – 105 NORTH YALE STREET, DB – 224 WEST PHILIDELPHIA AVENUE, DB – 208 NORTH 20TH STREET, SUP-4521, SUP-4576, SUP-4592, SUP-4593, SUP-4594, SUP-4614_SNC-4254_SUP-4594 RQR-4605, VAR-4094, VAC-4420 and VAC-4628VAR-4462 and VAR-4642 – 8/18/2004 AGENDA

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: AUGUST 4, 2004

DEPARTMENT: CITY CLERK
DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:
ADDENDUM:

None.

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 4, 2004

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES announced her plans to help relieve her unwanted association with drug dealers. She voiced displeasure over her inability to enter Nellis Air Force Base. Being concerned over a possible conspiracy involving the police force and drug dealers, she requested that the Council help to prevent police force corruption. MAYOR GOODMAN confirmed with MS. BARNES that she was not able to reach MR. MANGANA because of his travel constraints. MAYOR GOODMAN then directed DEPUTY CITY MANAGER BETSY FRETWELL to track MS. BARNES' situation and help assure she speaks with necessary contacts.

(3:22-3:24)

5-1723

STEVEN "CAPTAIN TRUTH" DEMPSEY commented on the status of verifiable vote counts in the community. He read an excerpt of an editorial, which referenced a small minority of people who do not trust the government. He indicated people have blind faith in government and he felt the reverberating effect is spilling over into the community and is causing bloodshed, which he strongly opposes. He asked MAYOR GOODMAN to uphold his oath of office and protect the community. MAYOR GOODMAN explained the use of a new voting machine that would provide a paper trail of votes. MR. DEMPSEY expressed his skepticism and submitted documents for COUNCILMAN WOLFSON'S review. He then encouraged the public to always ask questions and do research.

(3:24-3:29)

5-1806

MEETING ADJOURNED AT 3:30 P.M