

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-4825 - APPLICANT/OWNER: ROYAL SEAL INVESTMENTS, INC. - Request for a Review of Condition Number 3 for an approved Site Development Plan Review [Z-0068-02(1)] that required 24-inch box trees 20 feet on center in the landscape planter along the north property line to allow no trees adjacent to the north side of the building and relocate them elsewhere on the site for an approved 8,000 square foot retail building located adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue (APN 138-11-804-024), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - DENIED - UNANIMOUS with MONCRIEF not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DON NIXON, Royal Seal Construction, stated that the trees could not be placed on the north side of the building because the City required that the gutter system be enlarged from a two-foot system to an eight-foot system. There are no more than four inches between the gutter system and the masonry fence, and it is unlikely that the trees will grow in this small amount of space. MR. NIXON indicated that the neighbor to the north side signed a letter stating that he does not want the trees.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 95 – ROC-4825

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, stated that staff is not in favor of losing landscaping. Staff continues to recommend that the landscaping be provided, but does not argue with the applicant's reasoning as to why he wishes to delete that requirement.

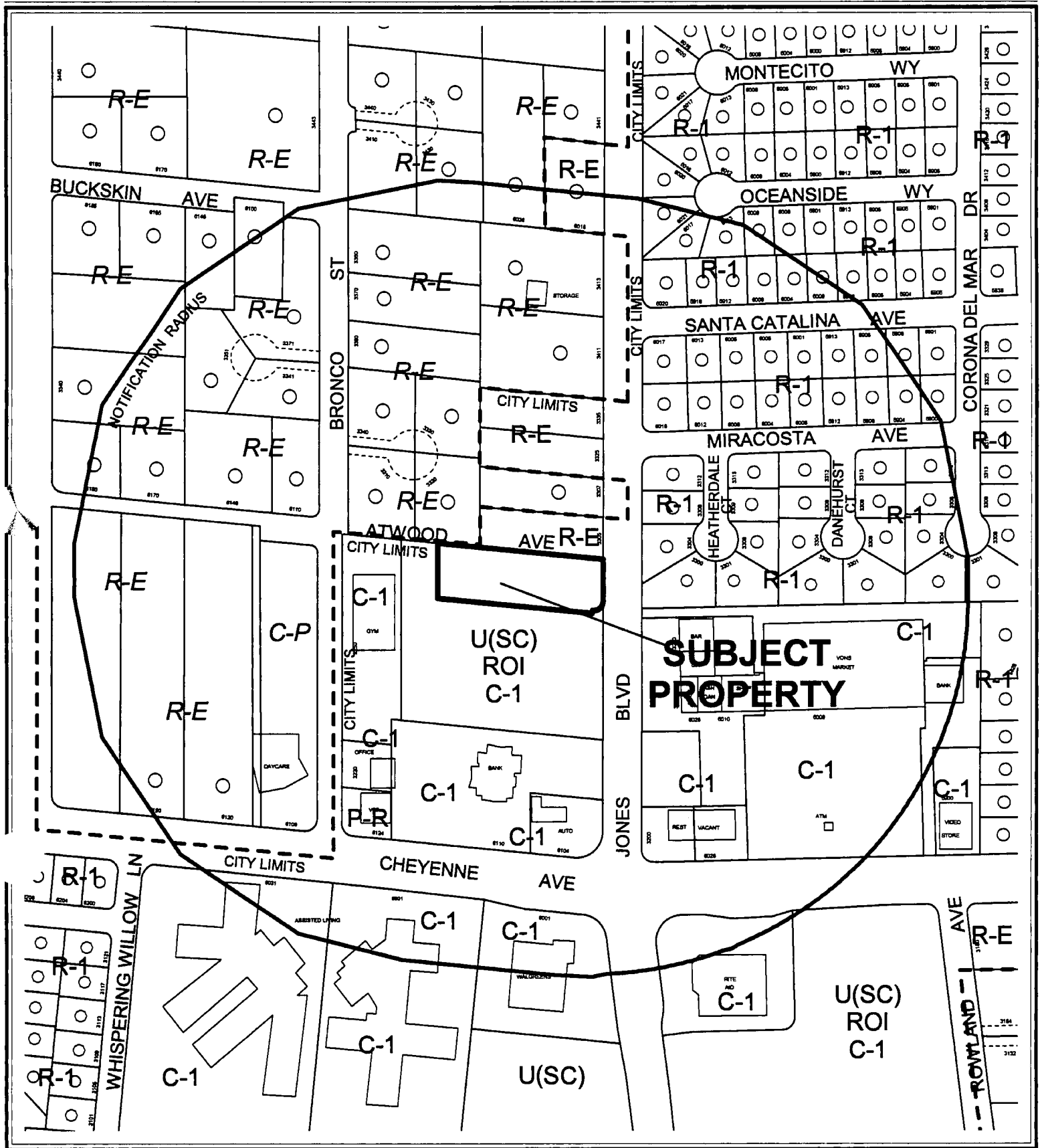
COUNCILMAN MACK noted that Flood Control repeatedly informed his office that the drainage facilities do not preclude the planting of trees. It only means that the drainage facility must be redesigned and another type of facility installed. Therefore, he moved for denial.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:55 – 1:58)

3-1791



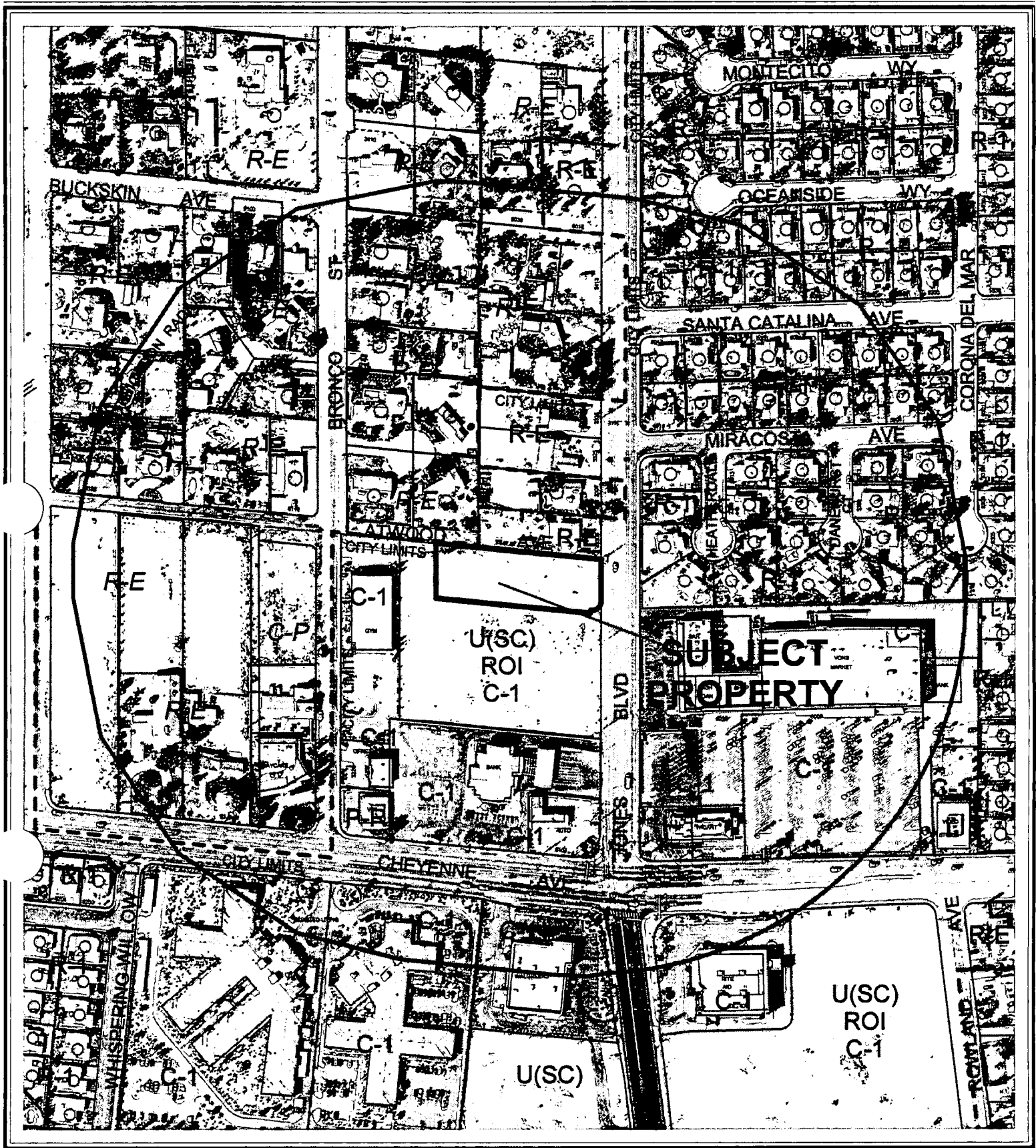
CASE: ROC-4825

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





CASE: ROC-4825

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-4825 - APPLICANT/OWNER: ROYAL SEAL INVESTMENTS, INC.

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

1. Six (6) replacement 24" box trees shall be planted at the rear of the site in lieu of those required on the north property line.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 3 for an approved Site Development Plan Review [Z-0068-02(1)] that required 24-inch box trees 20 feet on center in the landscape planter along the north property line to allow no trees adjacent to the north side of the building and relocate them elsewhere on the site for an approved 8,000 square foot retail building located adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue.

B) Applicant's Justification

The applicant's justification letter indicates a drainage facility is required in the area adjacent to the north side of the building and there is not adequate room to install the required trees. The letter also states the required trees in this area will be located elsewhere on the site.

BACKGROUND INFORMATION

A) Previous Actions

01/22/03 The Planning Commission will consider a Rezoning (Z-0068-02) to C-1 (Limited Commercial) and a Site Development Plan Review [Z-0068-02(1)] for an 8,000 square foot commercial building on this site. The Planning Commission and staff recommended approval on December 19, 2002.

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.89

B) Existing Land Use

Subject Property: Retail Store (Under Construction)
North: Single Family Residences
South: Undeveloped
East: Single Family Residences and Commercial Retail Center
West: Gymnasium

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates) and Unincorporated Clark County
South: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
East: R-1 (Single Family Residential) and C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Centennial Hills Interlocal Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning designation is in conformance with the General Plan designation of SC (Service Commercial).

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

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

PROJECT DESCRIPTION

The applicant is requesting relief from the condition of the approved Site Development Plan Review that requires 24-inch box trees 20 feet on center along the north property line. A drainage channel is required along the north side of the building, which will not provide adequate room for the planting of the required trees. The applicant is proposing to install the required trees in other areas of the required planter.

ANALYSIS

A) Zoning Code Compliance

Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer: • Min. Trees	1 Tree/20 Linear Feet along the north property line	6 Trees	0 Trees
• Min. Zone Width	8 Feet		0

The submitted landscape plan shows there are no trees provided along the north side of the building adjacent to the north property line. In this area a total of 6 24-inch box trees are required. The plan also indicates those 6 trees will be relocated to the planter at the rear of the site.

B) General Analysis and Discussion

- Landscape Plan

While the landscape plan depicts the total number of required number of the trees will be provided in the planter, they are not located where they will provide adequate buffering between this commercial use and the single family residence to the north. Since the intent of the code to provide a buffer between the commercial property and the existing single family residence is not being met, the recommendation for this request is denial.

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 landscape change will affect this project’s compatibility with the adjacent single-family residence. By not providing the required trees, an adequate buffer is not created between the commercial development and single-family residence. Therefore, the recommendation for this request is denial.

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 request to change to eliminate the requirements for 24-inch box trees is not consistent with requirements of the standards. The intent of the required landscaping is to provide a buffer between the commercial development and existing single-family developments.

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

The proposed condition change will not affect site circulation and traffic in the area.

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

The proposed landscape change to eliminate the required trees is not appropriate as adequate buffering will not be provided.

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 landscape change to eliminate the required trees will negatively affect this project's appearance and compatibility with the adjacent single-family residence.

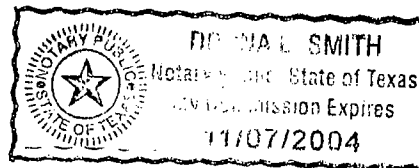
6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

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

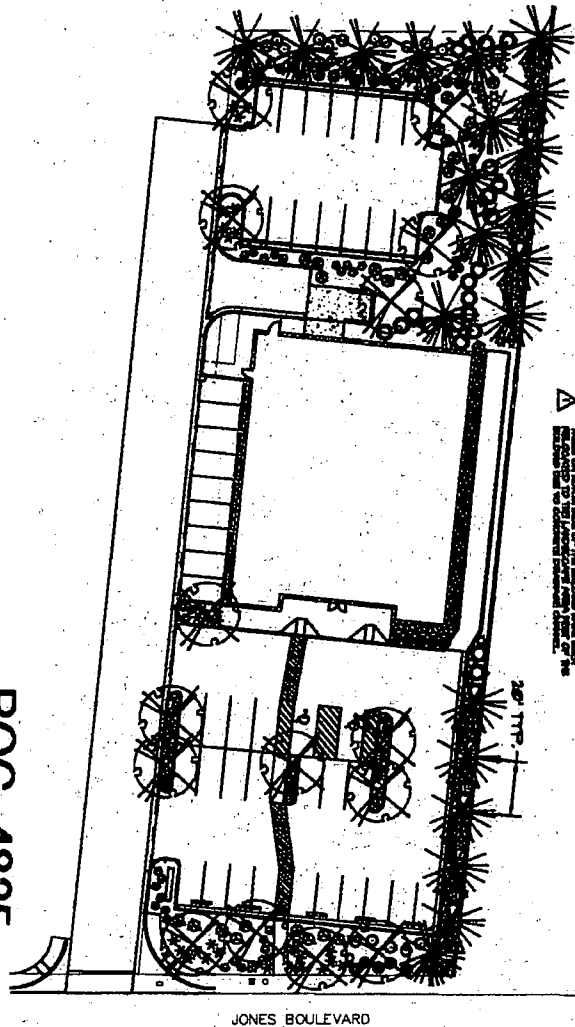
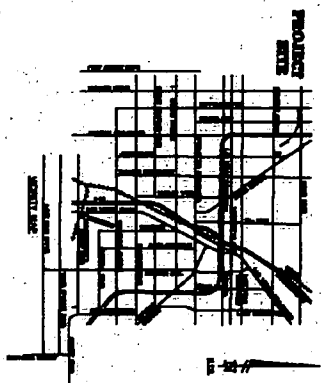
NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



ROC-4825
8-18-04 CC

[illegible]



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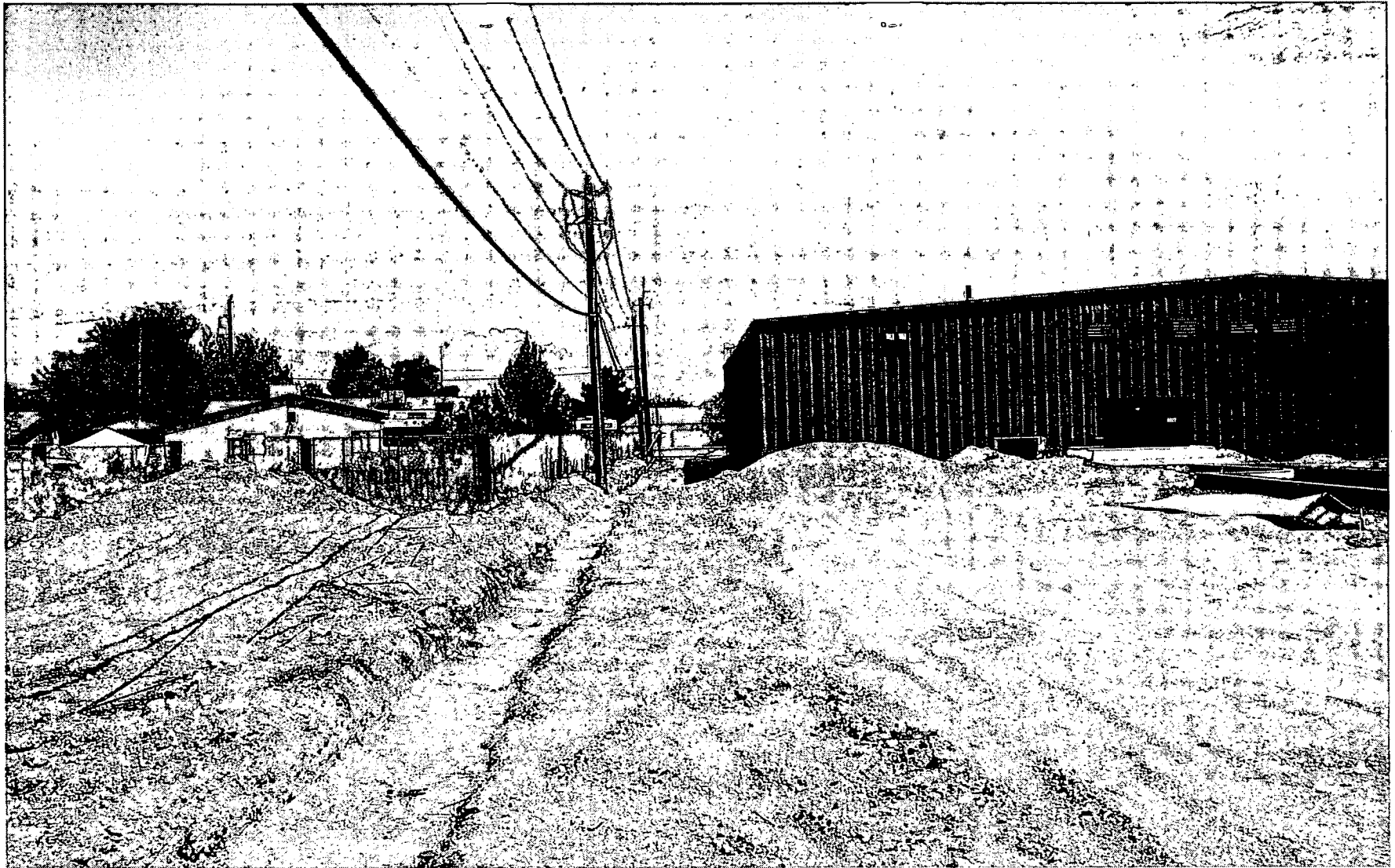
DATE _____



ROC-4825 - APPLICANT/OWNER: ROYAL SEAL INVESTMENTS, INC.

**Adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue
AUGUST 18, 2004 CITY COUNCIL MEETING**

Picture taken 08/5/04



ROC-4825 - APPLICANT/OWNER: ROYAL SEAL INVESTMENTS, INC.

**Adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue
AUGUST 18, 2004 CITY COUNCIL MEETING**

Picture taken 08/5/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A MEDICAL OFFICE DEVELOPMENT CONSISTING OF FOUR 4,000 SQUARE FOOT SINGLE STORY BUILDINGS on 1.49 acres adjacent to the west side of Torrey Pines Drive, approximately 200 feet north of Rancho Drive (APN 138-02-214-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK stated that after several proposals for this site, finally this plan will work with the odd-shaped parcel, which will not be detrimental to the residents on the east side of Torrey Pines.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:58 - 1:59)

3-1906

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 96 – SDR-4182

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the March 29, 2004 building elevations and revised site plan date stamped July 14, 2004, except as amended by conditions herein.
3. 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.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. Turf shall not exceed a maximum of 12.5% of the landscape area.
5. The waiver request from the parking lot landscape island requirement is hereby approved. The landscaping in the parking lot area shall conform to the requirements listed in Title 19.12.
6. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash enclosure shall be walled and roofed in accordance with the requirements of Municipal Code Section 19.08.045.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

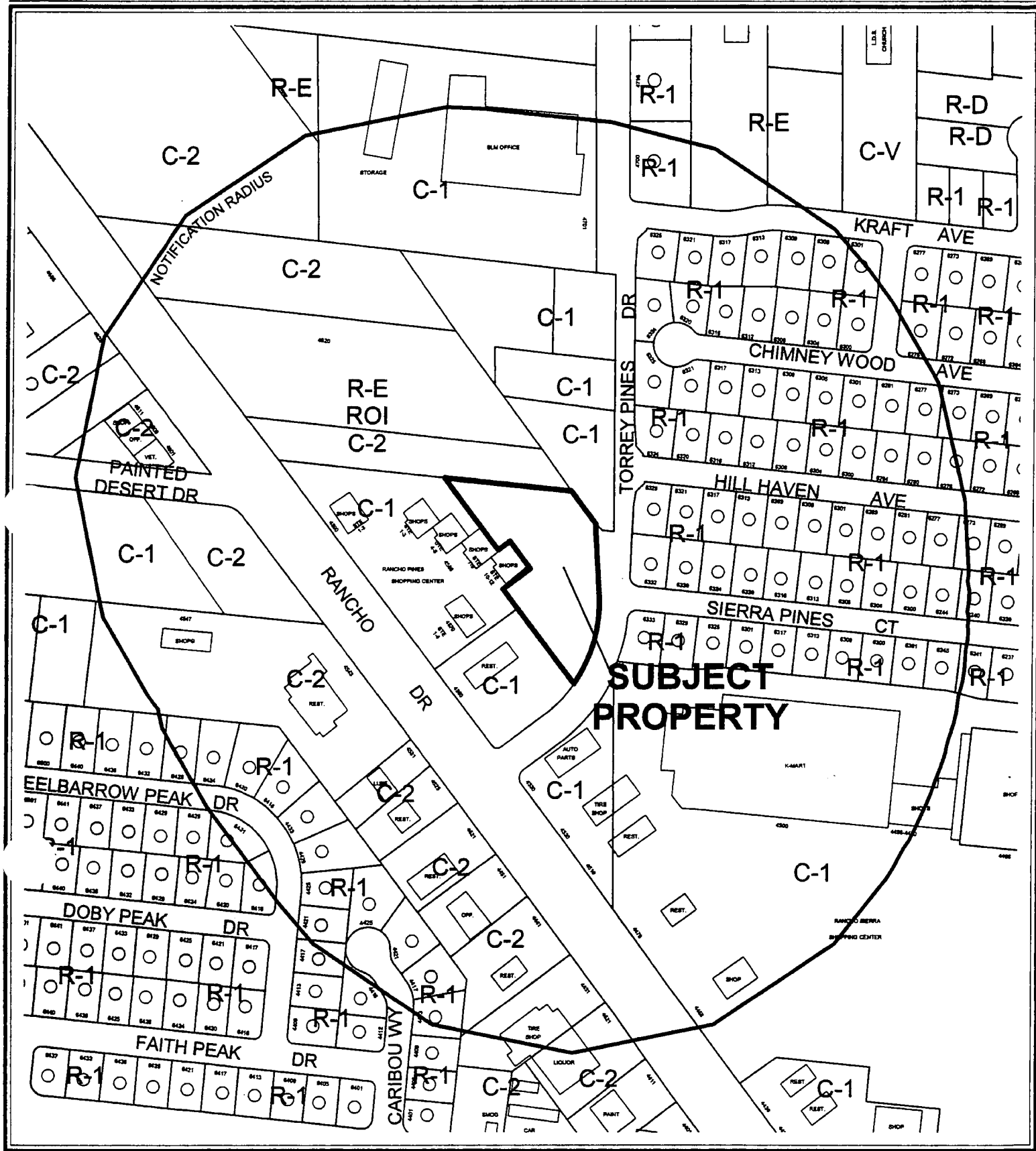
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 96 – SDR-4182

CONDITIONS – Continued:

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. 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.
12. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
13. Vehicle access must be provided and maintained to and through the existing sewer easement along the easterly section of this site and no permanent structures or trees shall be placed in the existing sewer easement along the easterly section of this site.
14. These pad sites must always allow for the perpetual common access between the various parcels/owners within the Rancho Pines commercial subdivision area.
15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

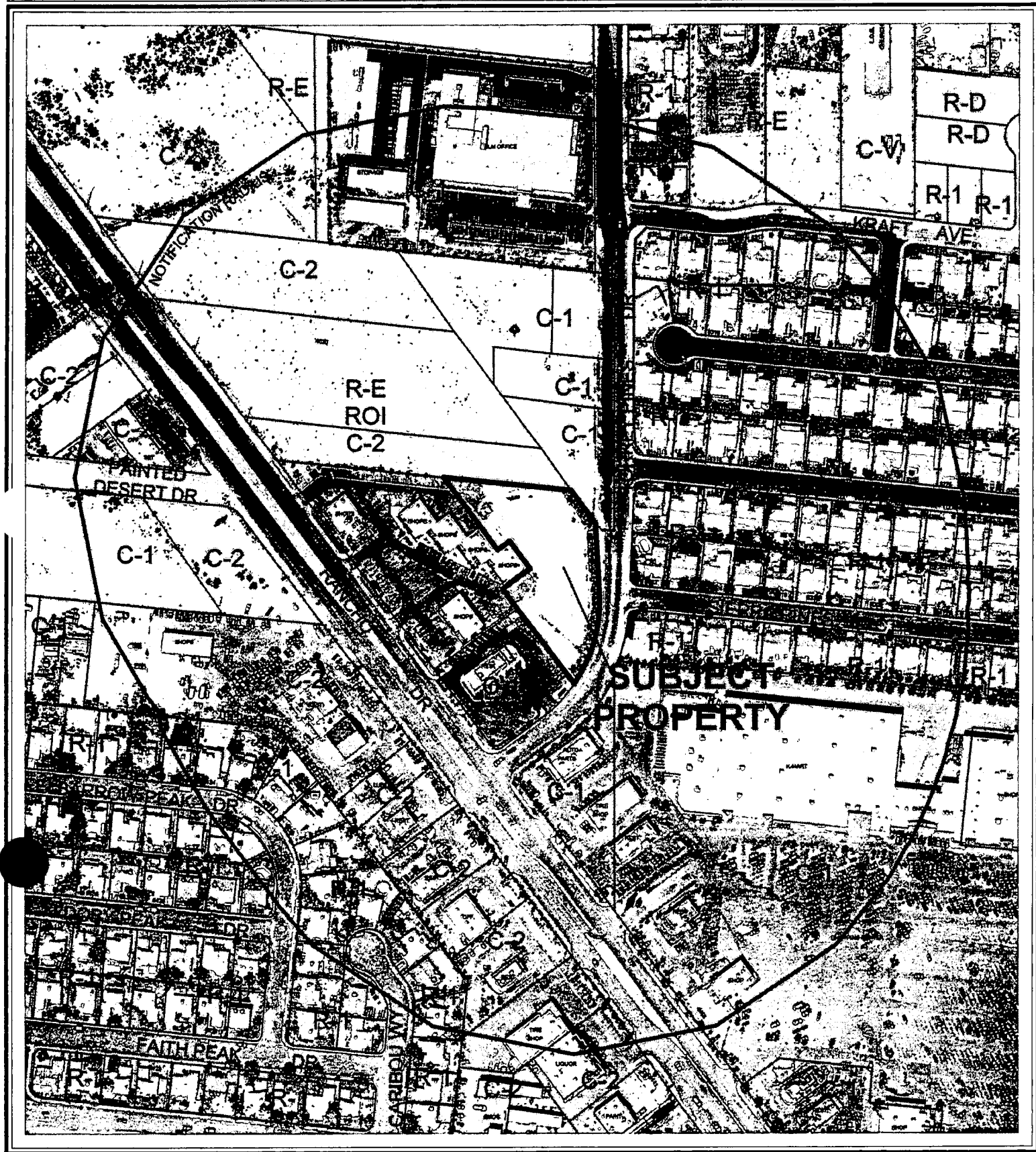


CASE: SDR-4182

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



CASE: SDR-4182

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the March 29, 2004 building elevations and revised site plan date stamped July 14, 2004, except as amended by conditions herein.
3. 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.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. Turf shall not exceed a maximum of 12.5% of the landscape area.
5. The waiver request from the parking lot landscape island requirement is hereby approved. The landscaping in the parking lot area shall conform to the requirements listed in Title 19.12.
6. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash enclosure shall be walled and roofed in accordance with the requirements of Municipal Code Section 19.08.045.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. 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.
12. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
13. Vehicle access must be provided and maintained to and through the existing sewer easement along the easterly section of this site and no permanent structures or trees shall be placed in the existing sewer easement along the easterly section of this site.
14. These pad sites must always allow for the perpetual common access between the various parcels/owners within the Rancho Pines commercial subdivision area.
15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a professional and medical office development on 1.49 acres approximately 275 feet northeast of the intersection of Rancho Drive and Torrey Pines Drive.

B) *Applicant's Justification*

This applicant states that the proposed development is consistent with the General Plan, the zoning regulations and the City's design standards, and is scaled to be compatible with the adjacent residential neighborhood.

BACKGROUND INFORMATION

A) *Previous Actions*

- 04/03/96 The City Council approved a request for a Rezoning (Z-0002-96) from R-E (Residence Estates) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval of March 6, 1996.
- 10/09/03 The Planning Commission voted to table applications for a Site Development Plan Review (SDR-2980), Special Use Permit (SUP-2995) and Review of Conditions (ROC-2996) for a 85,170 square foot Mini-Warehouse building on the subject site. The applications were tabled at the request of the applicant.
- 05/27/04 The Planning Commission voted to hold this and all related items in abeyance to the 06/24/04 meeting to provide the applicant's representative opportunity time to work with City staff.
- 06/24/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to work with staff.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #18).

B) *Pre-Application Meeting*

- 03/17/04 At the pre-application conference, it was noted that the buildings would need to meet Residential Adjacency requirements, and that parking counts for the entire commercial center would be needed in order to verify conformance with parking regulations. Public Works noted that inter-site access with the commercial center was preferable.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.49

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Fast Food Restaurant Use
East: Single-Family Residential Use
West: Shopping Center Use

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: GC (General Commercial)
SC (Service Commercial)
South: SC (Service Commercial)
East: L (Low Density Residential)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates) under Resolution of Intent C-1 (Limited Commercial)
C-2 (General Commercial)
South: C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. The existing C-1 (Limited Commercial) zoning is compatible with this land use district and allows for low- to medium-intensity retail, office, or other commercial uses that serve primarily local area patrons. The proposed office uses are compatible with the General Plan.

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

Rancho Corridor Study Area

The subject site was reviewed under the Rancho Corridor study (GPA-1363). It was concluded that the existing SC (Service Commercial) General Plan designation was the most appropriate land use designation for the site, and no zoning or General Plan modifications were recommended for the subject site.

PROJECT DESCRIPTION

The proposed development consists of the construction of three office buildings with 5,500 square feet of floor area each. The buildings will be one story in height, and their scale and appearance will be compatible with the residential dwellings to the east. A combination of stucco and stone veneer will be used on the exterior of the buildings, with barrel-tile roofs. The subject site is part of a larger commercial subdivision; a total of 41 parking spaces will be provided on the office complex portion of the site, with the remainder of the required parking spaces located on the commercial center portion of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.49 acres	N/A
Min. Lot Width	100 Feet	250 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
Max. Lot Coverage	50%	26%	Y
Max. Building Height	None	23 Feet	N/A
Trash Enclosure	Walled/Roofed	Not indicated	N/A
Mech. Equipment	Screened	Not indicated	N/A

The proposal meets standards for minimum lot size, width and setbacks. Additional information will be needed relative to the trash enclosure and screening of mechanical equipment.

A2) Residential Adjacency Standards

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

- a) Proximity slope. As depicted in the submitted drawings, the proposed structures comply with the required proximity slope.
- b) Building setback. The proposed buildings will be located approximately 100 feet from the nearest residential property line, and will comply with the minimum setback requirements.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office (New)	8,250	1/300 GFA	27.50			
Office (Exist.)	8,010		26.70			
Medical (New)	2,000	1/200 GFA	10.00			
Medical (New)	6,250	1/175 GFA	35.71			
Medical (Exist.)	2,000	1/175 GFA	11.43			
Retail (Exist.)	9,365	1/175 GFA	53.51			
Total	35,375		164.85	6	175	11

The proposed development will provide adequate parking in conformance with code requirements. Additional handicap parking spaces may be required by the Building and Safety Department due to the proposed medical uses on the site.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	7 Trees	6 Trees
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	32 Trees	14 Trees
• Min. Zone Width—Front	15 Feet		20 Feet
• Min. Zone Width—Side	8 Feet		8 Feet

An additional shade tree is needed in the parking area in order to conform to minimum code requirements. The number of trees in the perimeter buffer areas will need to be increased as well to meet code requirements. The landscape buffers meet the minimum depth requirements specified by the Code.

A5) Sign Standards

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

Monument Signs:

Standards	Allowed	Provided
Maximum Number	1/200' street frontage 2 total	1 total
Maximum Area	75 SF/sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	7.5 Feet
Illumination	Direct/Internal	Not indicated

Wall Signs:

Standards	Allowed	Provided
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	4%
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

Signage for the project will be permitted under a separate application. The initial information included with this submittal indicate that the monument sign will conform to the location requirements listed in Title 19.14, and that the proposed wall signage will conform to the area limitations. The monument sign and any wall signage facing the residential neighborhood will be subject to the Residential Protection Standards listed in Title 19.14, which prohibits bare bulbs, exposed neon tubing, animation or electronic message units.

B) General Analysis and Discussion

- Zoning

The proposed professional and medical office uses are in conformance with the C-1 (Limited Commercial) zoning district. The structures will conform to the setback, height, and lot coverage requirements of the C-1 (Limited Commercial) district.

- Site Plan

The site has been designed so as to minimize impacts to the adjacent residential neighborhood. The three proposed buildings are located along the perimeter of the site, but most of the entrances will be located inward. The parking areas are generally located towards the center of the parcel, and are shielded from surrounding properties by the proposed buildings. A single driveway will be located on Torrey Pines Drive, minimizing impacts to the residential neighborhoods to the east, and will be aligned directly with Sierra Pines Court. In addition, two cross-access points will be provided to the existing commercial development to the south, so that the development is easily accessible from Rancho Drive.

- **Waivers**

A waiver is required from the parking lot landscaping requirements, due to the fact that landscape islands are not provided every six parking spaces. This is due to the unusual shape of the parcel and the difficulty in providing a conforming access driveway and parking spaces. The applicant has addressed this issue by providing generous landscape islands wherever possible that exceed the minimum area requirements.

- **Landscape Plan**

As noted previously, additional trees will be required in the perimeter buffer areas in order to conform to code requirements. An additional tree needs to be provided in the parking lot area in order to conform to minimum landscaping requirements. In addition, a waiver is required to address the placement of landscape islands in the parking lot.

- **Elevation**

The submitted elevations indicate the use of stone and stucco pilasters to add depth to the wall surfaces, and gable elements will be utilized to give variety to the roof form. Although the building entrances are oriented to the interior parking lot, the rear elevation of the buildings facing Torrey Pines Drive has been detailed so as to provide the appropriate fenestration for the street frontage. The buildings have been scaled so as to be compatible with the adjacent residential neighborhood.

- **Floor Plan**

The submitted floor plans depict the option of providing three tenant spaces within each building. The actual layout of the tenant spaces will be determined as the spaces are leased to tenants.

FINDINGS

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

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

The proposed development is a low-intensity use that will be compatible with both the adjacent commercial and residential development.

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

The development is consistent with the General Plan and the requirements of the C-1 (Limited Commercial) zoning district. Additional landscaping will be required in the perimeter buffer areas and parking lot in order to conform to code requirements.

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

The office complex will have access from the commercial development to the south, as well as access from Torrey Pines Drive. The office uses will have little impact on neighborhood traffic and adjacent roadways.

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

The proposed building and landscape materials are appropriate for the area.

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

The materials utilized on the exterior of the buildings are appropriate for the area, and have been scaled so as to be compatible with the adjacent residential neighborhood.

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

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

NOTICES MAILED 113 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: RANCH PINES II

Name of Applicant: TESA PARTNERS I

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

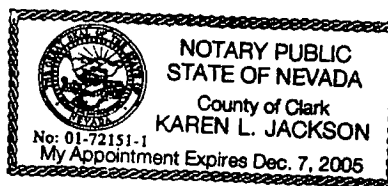
Signature of Property Owner/Authorized Agent: _____

Print Name: Eli Shamoun, Massachusetts
of General Partner of Owner

Subscribed and sworn before me

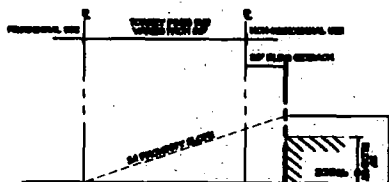
This 2nd day of March, 2004

 Notary Public in and for said County and State



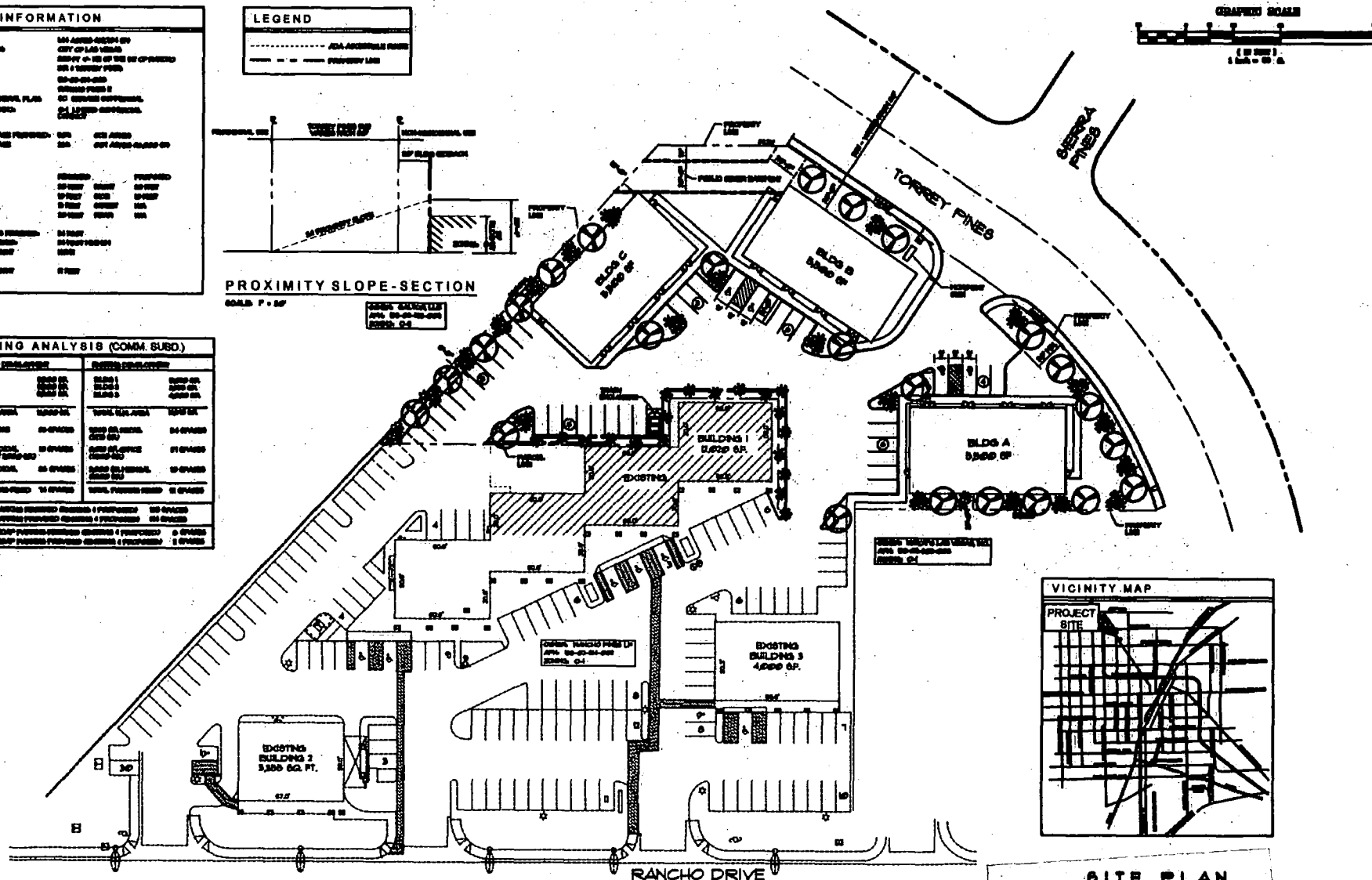
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----- ADA-ADDITIONAL FORMS -----
APPROPRIATE AND USE APPROPRIATE PROPERTY LINE

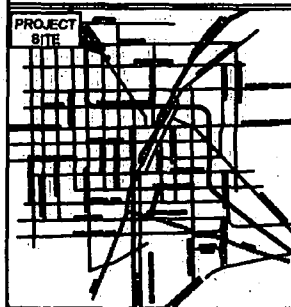


DOI: 10.1002/for

ORDER DEADLINE
APR. 30-NOV. 30
ISSUE: Q-3

[illegible]

VICINITY MAP



SITE PLAN

SDR-4182
7-22-04 PC

REVISED
7.14.04

[illegible]

pacific
DESIGN • CONSTRUCTION • PROPERTY MANAGEMENT

CIVIL ENGINEERING • COMMERCIAL • RESIDENTIAL

01.20.20 • 5. Eastlake Ave. • Suite 245 • Henderson • Nevada • 89052
Phone: (702) 939-2666 • Fax: (702) 492-1218

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

SITE PLAN

Mr. J. Lee

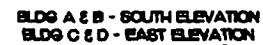
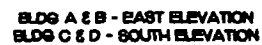
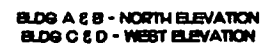
DATE	7/14/94
NAME	JD
ADDRESS	NY
CITY	NY
STATE	NY
ZIP	1000202

Sheet

A1

PROPOSED DEVELOPMENT		EXISTING DEVELOPMENT	
BLDG A	5,500 SF.	BLDG 1	12,020 SF.
BLDG B	5,500 SF.	BLDG 2	3,355 SF.
BLDG C	5,500 SF.	BLDG 3	4,000 SF.
TOTAL FLR. AREA	16,500 SF.	TOTAL FLR. AREA	19,375 SF.
8,250 SF. OFFICE (1/300 SF.)	28 SPACES	9,365 SF. RETAIL (1/175 SF.)	54 SPACES
2,000 SF. MEDICAL (1/200 SF., 1ST 2,000 SF.)	10 SPACES	8,010 SF. OFFICE (1/300 SF.)	27 SPACES
6,250 SF. MEDICAL (1/175 SF.)	36 SPACES	2,000 SF. MEDICAL (1/200 SF.)	10 SPACES
TOTAL PARKING REQ'D	74 SPACES	TOTAL PARKING REQ'D	91 SPACES
TOTAL PARKING REQUIRED (EXISTING + PROPOSED)		165 SPACES	
TOTAL PARKING PROVIDED (EXISTING + PROPOSED)		175 SPACES	
TOTAL HANDICAP PARKING REQUIRED (EXISTING + PROPOSED)		6 SPACES	
TOTAL HANDICAP PARKING PROVIDED (EXISTING + PROPOSED)		11 SPACES	

SDR-4182
REVISED 7-22-04 PC
 7.13.04



ELEVATIONS

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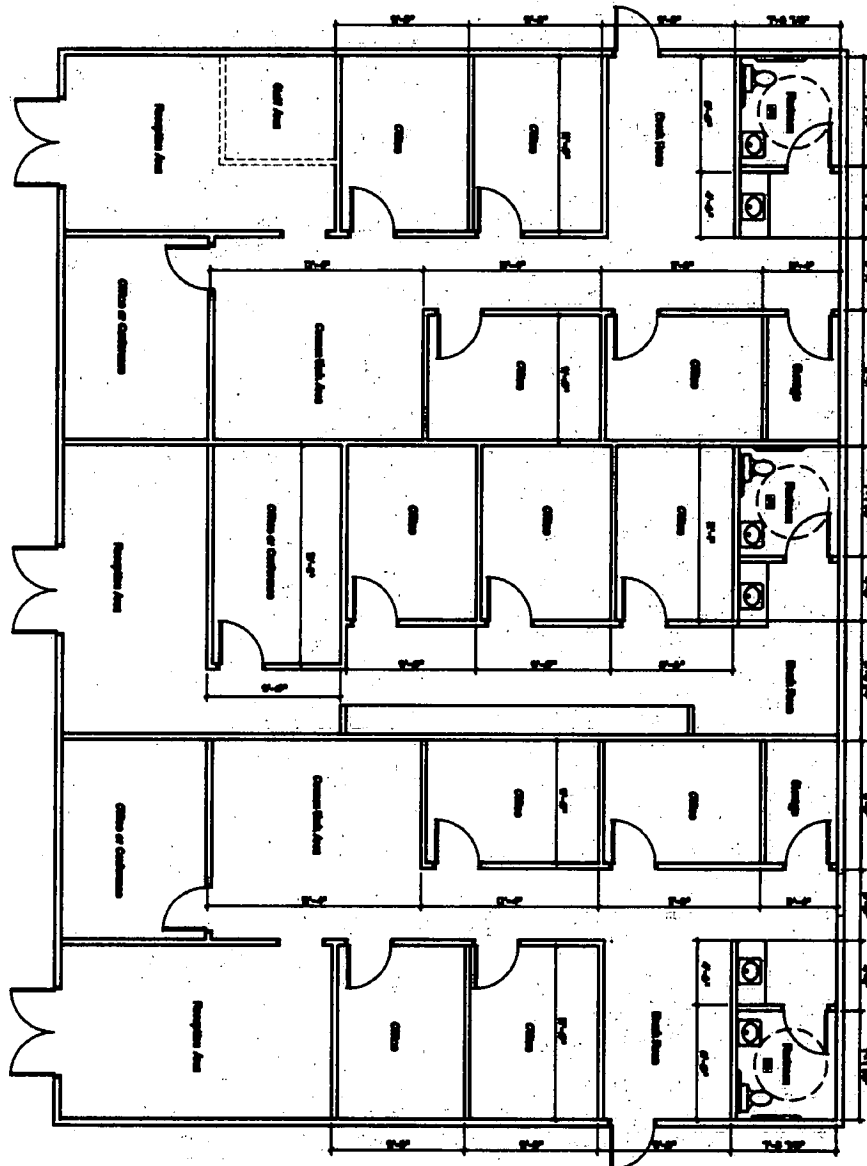
DEVELOPMENT • PROPERTY MANAGEMENT

CIVIL ENGINEERING • COMMERCIAL REAL ESTATE

10120 S. Eastern Ave. • Suite 245 • Henderson • Nevada 89052
Phone: (702) 363-9266 • Fax: (702) 452-1218

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

POL-000-000
 202-0000
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 1/28/00



7/22/04 PC
SDR-4182

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD - OWNER: STATE OF NEVADA BUILDING & GROUNDS - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 62,500 SQUARE FOOT DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION BUILDING on 8.12 acres adjacent to the southwest corner of St. Louis Avenue and McLeod Street (a portion of APN 162-01-402-006), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 9

MOTION:

REESE - ABEYANCE to 9/1/2004 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID SCHMIDT, State of Nevada, 1830 East Sahara Avenue, Suite #204, appeared on behalf of the applicant and concurred with all conditions, but wanted to discuss the proposed condition submitted by the Councilman representing the area.

COUNCILMAN REESE indicated that this is the first he had heard about this project. He received numerous complaints from constituents residing in this area. He would have appreciated the applicant bringing the project to him and discussing the neighbors' concerns. Anything proposed for this property would be beneficial to the neighbors, but his concern is the use. He would like to impose a condition requiring a six-foot wrought iron fence be installed around the property and that it be locked after closing time.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 97 – SDR-4630

MINUTES – Continued:

MR. SCHMIDT apologized for not meeting with the Councilman. He was under the impression that there were no concerns. The building will be occupied 24-7 because of the type of operation. The wrought iron fence would cost approximately \$100,000 and is not feasible with a firm budget. He indicated that the State's long-range plan is to develop this drainage into an amenity with pedestrian walkways. The proposed project will have extensive landscaping. He would not like to delay the decision, as they are ready to build in order to meet the State's schedule. He is not certain at this time whether the fence is needed.

COUNCILMAN REESE pointed out this area has a history of crime. There is a Metro substation in this area and a number of officers will be moved into the facility. He received a number of complaints of vandalism on that building. The park west of the substation has many problems, and these reach from Eastern Avenue to Boulder Highway. He feels that the proposed project will be a haven for this type of behavior. He is uncertain whether the State can monitor the loitering or problems that spill into the surrounding neighborhoods. MR. SCHMIDT stated that the property is undeveloped and he has also seen people sleeping in the arroyo. He believes that developing the property will preclude that activity. He is certainly open to any suggestions the Councilman may have.

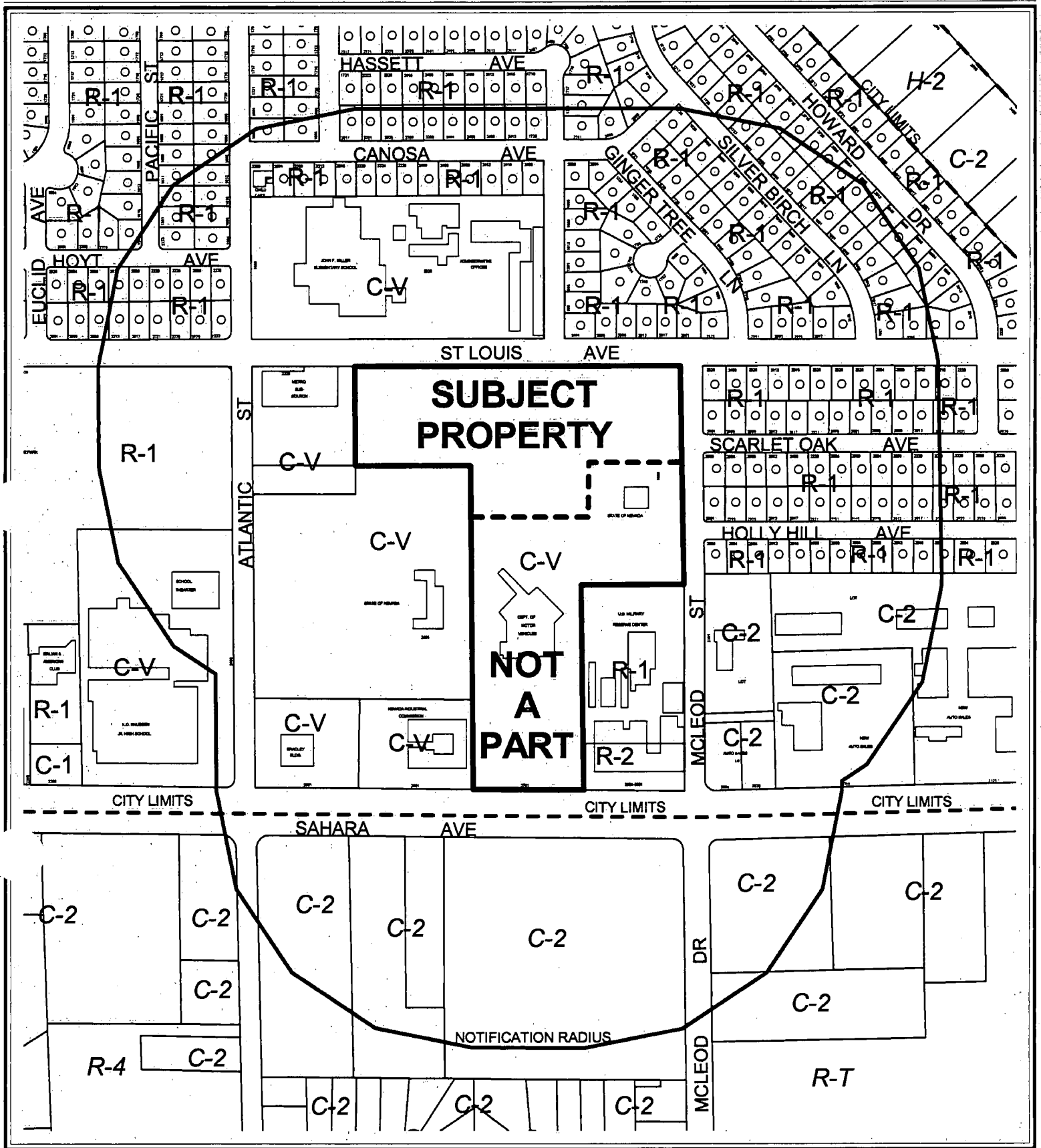
COUNCILMAN REESE requested that the item be held in abeyance for two weeks to give the applicant the opportunity to meet with him.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:59 – 2:07)

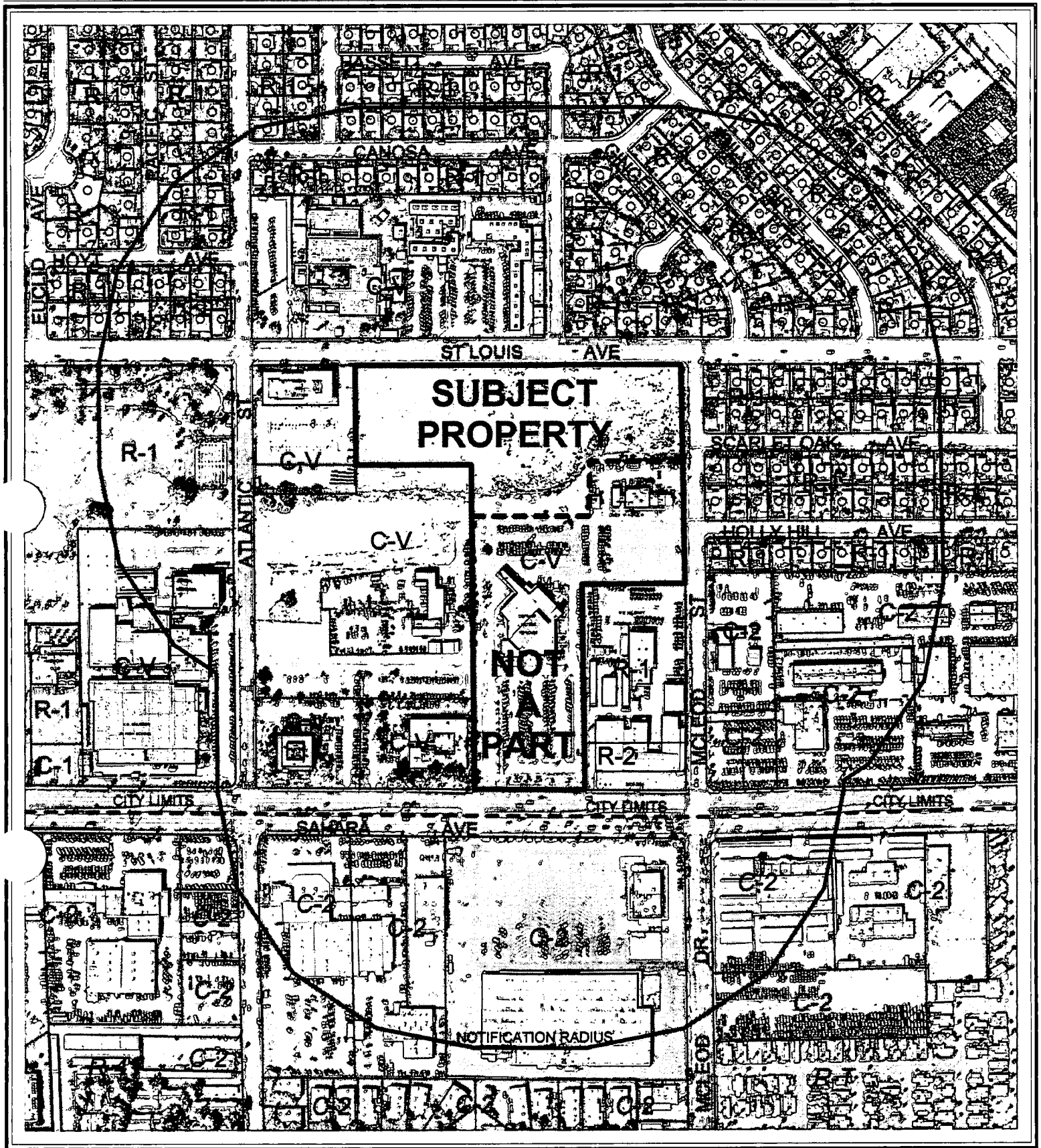
3-1953



CASE: SDR-4630

RADIUS 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: SDR-4630

RADIUS 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD OWNER: STATE OF NEVADA BUILDING & GROUNDS

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. 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, prior to the start of construction.
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 August 18, 2004 except as amended by conditions herein.
4. 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, prior to the start of construction.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate a 20 foot radius on the southwest corner of St. Louis Street and McLeod Street prior to the issuance of any permits.
13. Construct all incomplete half-street improvements on St. Louis Street and McLeod Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
14. 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.
15. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance

will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, 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.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a 62,500 square-foot office building to be located at the southwest corner of St. Louis Avenue and McLeod Street.

B) Applicant's Justification

The proposed office building will be an asset to the community by integrated walking paths and native landscaping, by implementing stormwater detention swales to detain flood water along the south edge of the site, and by utilizing materials and colors that reflect the desert environment while creating a warm, inviting place for the public to take advantage of the State of Nevada's employment assistance programs.

BACKGROUND INFORMATION

A) Previous Actions

07/22/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #9- KW).

B) Pre-Application Meeting

05/26/04 The following issues were discussed at the meeting with applicant.

- A traffic study will be required.
- A contribution to the traffic signal fund is required.
- The gated employee parking lot will need to meet gated entry standards.
- The meandering sidewalk will need an encroachment agreement.
- A drainage study is needed or will need to be updated.
- Substandard improvements will need to be removed or replaced.
- A standard corner radius will need to be dedicated.
- The driveway may need to be aligned with the school's across St. Louis.
- The parking lot will need to be screened from the street.
- 1 tree per six spaces is required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 8.12

B) *Existing Land Use*

Subject Property: Public Facility
North: Single Family Residential/Public Facility
South: Public Facility
East: Single Family Residential
West: Public Facility

C) *Planned Land Use*

Subject Property: PF (Public Facility)
North: PF (Public Facility)
L (Low Density Residential)
South: Clark County
East: PF (Public Facility)
L (Low Density Residential)
West: POS (Park Open Space)
PF (Public Facility)

D) *Existing Zoning*

Subject Property: C-V (Civic)
North: C-V (Civic)
R-1 (Single Family Residential)
South: C-V (Civic)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) *General Plan Compliance*

Southeast General Plan

The subject site is designated PF (Public Facility) on the southeast Sector Map of the General Plan. The proposed C-V (Civic) zoning district is consistent with the General Plan designation, and the proposed office building is a permitted use.

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

The project does not fall within any special districts or zones.

PROJECT DESCRIPTION

The site consists of a 62,500 square-foot office building with parking accessed from St. Louis Street. Access to the site is provided via three driveways from St. Louis, a 60-foot Collector Street. There are 320 parking spaces on site, 226 for employees and 94 for the public.

The building elevations depict aesthetically pleasing buildings that are compatible with the surrounding development.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. The Development Standards Pursuant to Title 19.08 do not apply to the subject proposal.

A2) Residential Adjacency Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. The Residential Adjacency Standards Pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Office	62,500 SF.	1 space/ 300 GFA	208	7	320	12

The proposal exceeds the requirements for parking per Title 19.10.

A4) Landscape and Open Space Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. The Landscape and Open Space Standards Pursuant to Title 19.12 do not apply to the subject proposal.

B) General Analysis and Discussion

- Zoning

The proposed C-V (Civic) zoning district is consistent with the PF (Public Facility) land use designation as described in the General Plan and Title 19. The proposed office building is a permitted use.

Civic uses are compatible with even the lowest intensity uses because C-V (Civic) uses are typically low intensity, have short hours of operation, and usually not open on the weekend.

- Site Plan

The site plan shows the building in the middle of the site with landscaped berms and pathways between the building and the street. The parking lots are separated from the building and the streets by landscaped berms and trails. The effect is a park-like environment with the building as an accessory.

- Waivers

Waivers are not necessary as the standards of this development are established by the approval of this Site Development Plan Review.

- Landscape Plan

Under the C-V (Civic) development standards are established by condition and the approved plan. The Landscape and Open Space Standards Pursuant to Title 19.12 do not apply to the subject proposal.

- Elevation

The elevation shows a low profile two story building that will be unobtrusive to neighboring uses and fit in well with the rolling landscaping around the building.

- Floor Plan

The floor plan shows an office-building layout typical for this type of use.

FINDINGS

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

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

The proposed development is in a predominantly public use area along a collector street that is a short distance of Maryland Parkway to the west and Sahara Avenue to south.. The proposed office building is compatible with development in the area.

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

Under the C-V (Civic) development standards are established by condition and the approved plan. The **Landscape, Wall and Buffer Standards** and other development standards do not apply to the subject proposal.

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

Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials will be appropriate for this 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 buildings are not unsightly and 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 building will be subject to regular inspections and therefore will not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended Conditions 1 and 4 as shown at the request of the applicant.

NOTICES MAILED 213

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4630** APN: 102-01-402-006

Name of Property Owner: State of Nevada

Name of Applicant: Nevada State Public Works Board

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

Yes

~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

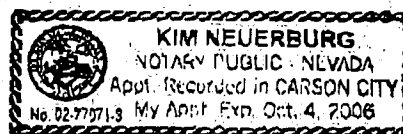
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Pamela B. Wilcox

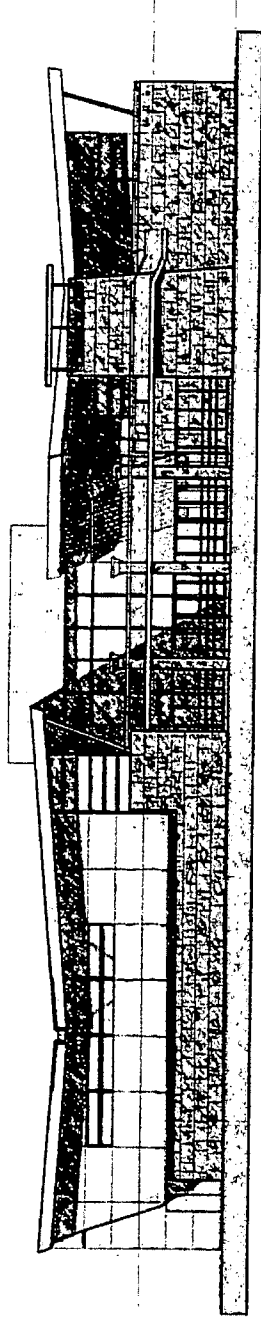
Subscribed and sworn before me

This 4th day of June, 2004

Simon J. Jernberg
Notary Public in and for said County and State

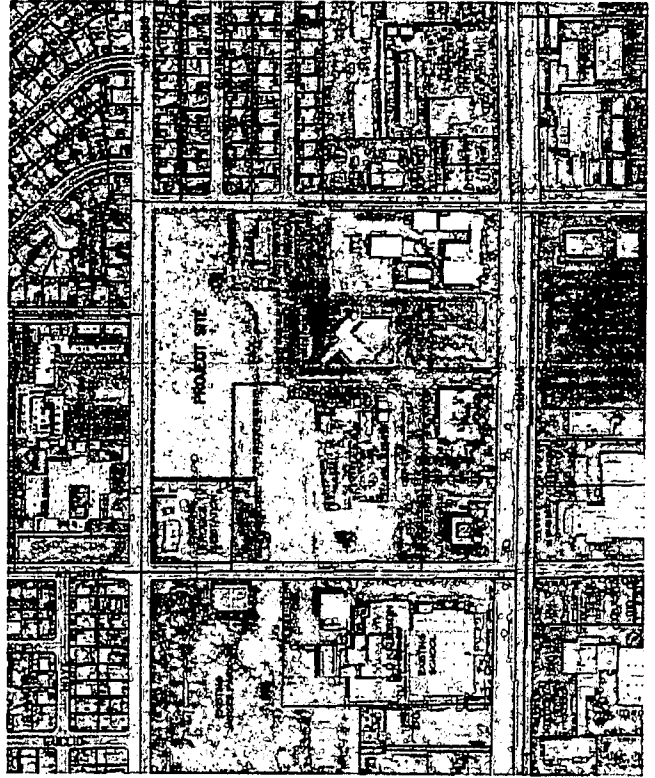


State of Nevada Department of Employment, Training and Rehabilitation



SITE DEVELOPMENT REVIEW SUBMITTAL 5.27.04

PROJECT LIMITS:



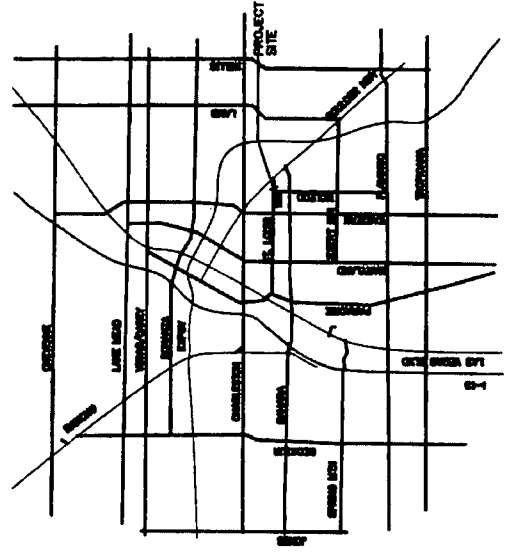
PROJECT DATA:

BUILDING SQUARE FT: 63,300 SF
PROPERTY SIZE: 393,806 SF OR 8.12 ACRES
F.A.R.: .48
DENSITY: N/A

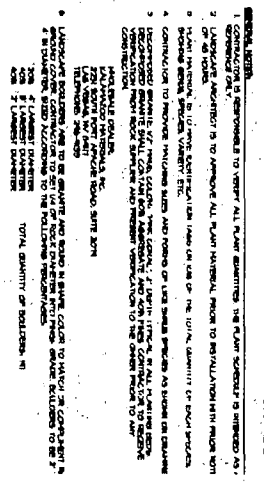
MINIMUM TABLE 1 PARKING REQUIREMENTS

OFFICE ONE SPACE PER 300 SF OF GFA
63,300 SQUARE SQUARE FEET (BUILDING)
63,300 / 300 = 211 SPACES
300 PARKING SPACES REQUIRED
300 PARKING SPACES PROVIDED
1 HANDICAPPED PARKING SPACES REQUIRED
13 HANDICAPPED PARKING SPACES PROVIDED

VICINITY MAP:



SDR-4630
7-22-04 PC

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Page 12

L1.01

EXISTING
SCHOOL
APN:163-01-301-001
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-001
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-002
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-003
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-004
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-005
ZONING: R-1

EXISTING
RESIDENCE
APN:163-01-314-006
ZONING: R-1

ST. LOUIS STREET

CONCRETE
SIDEWALK

CLAYCO STREET

EXISTING
RESIDENCES
APN:163-01-18-001
ZONING: R-1

EXISTING
RESIDENCES
APN:163-01-311-001
ZONING: R-1

EXISTING STATE OF NEVADA
DEPARTMENT OF AGRICULTURE
APN:163-01-402-006
ZONING: C-V

EXISTING STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES
APN:163-01-402-006
ZONING: C-V

SITE PLAN



**Dekker
Perich
Holmes
Sabatini**
ARCHITECTS

ARCHITECT
PROJECT

State of Nevada
Department of Employment, Training and Rehabilitation
2300 E. St. Louis Avenue
Las Vegas, NV 89104

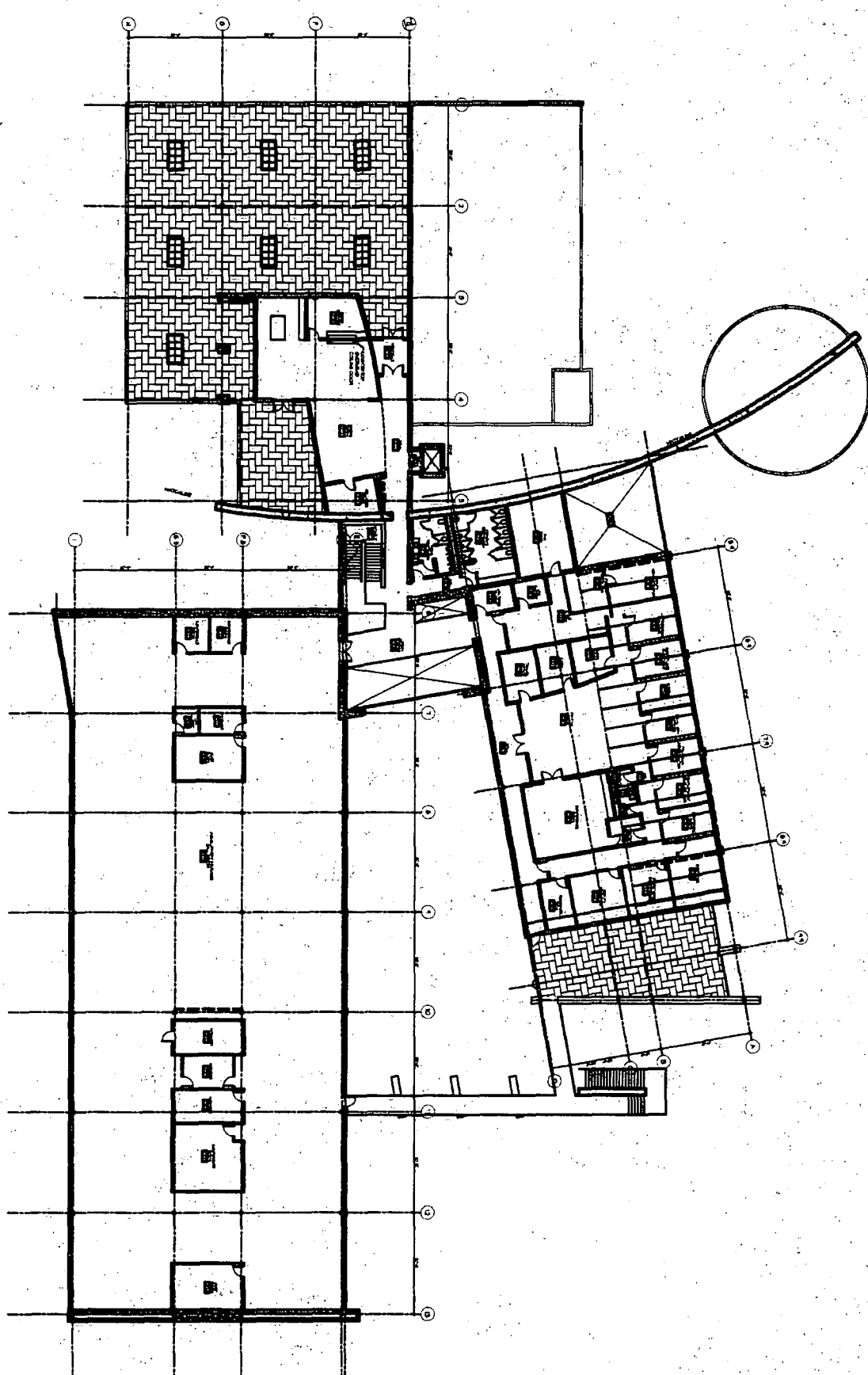
REVISIONS
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DRAWN BY
REVIEWED BY
DATE 08.21.04
PROJECT NO. 08800
DRAWN DATE
SITE PLAN

DRAWING NO.

**SDR-4630
7-22-04 PC**

OVERALL FLOOR PLAN, LEVEL 2
 12/17/10

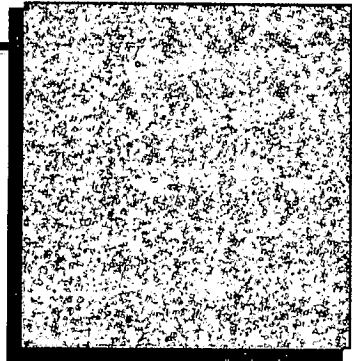


SDR-4630
 7-22-04 PC

State of Nevada
 Department of Employment, Training and Rehabilitation
 2300 E. St. Louis Avenue
 Las Vegas, NV 89104

Deker
Perich
Holmes
Sabatini
 ARCHITECTS

DATE: 12/17/10
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]
 PROJECT NO: 08-27104
 DRAWING NO: 00000
 OVERALL FLOOR PLAN
 LEVEL 2



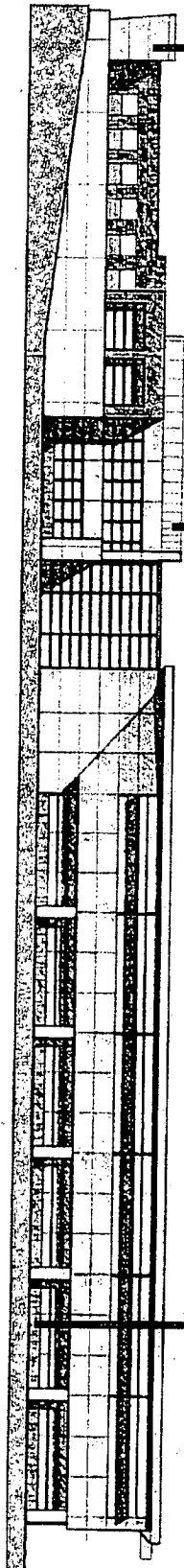
LIGHT SAND FINISH STUCCO



ARCHITECTURAL PRECAST CONCRETE (GRAY)



SANDSTONE VENEER



D.E.T.R.
Dekker
Perich
Holmes
Sabatini
 ARCHITECTS
 1000 S. 10TH AVENUE
 SUITE 100
 LAS VEGAS, NV 89104
 (702) 735-1111

State of Nevada
 D.E.T.R. Office Building
 2300 E. St. Louis Avenue
 Las Vegas, Nevada 89104

REVISIONS
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DESIGNED BY
 REVIEWED BY
 DATE
 PROJECT NO.
 EXISTING WALL
 EXTERIOR
 COLOR/MATERIAL
 BOARD

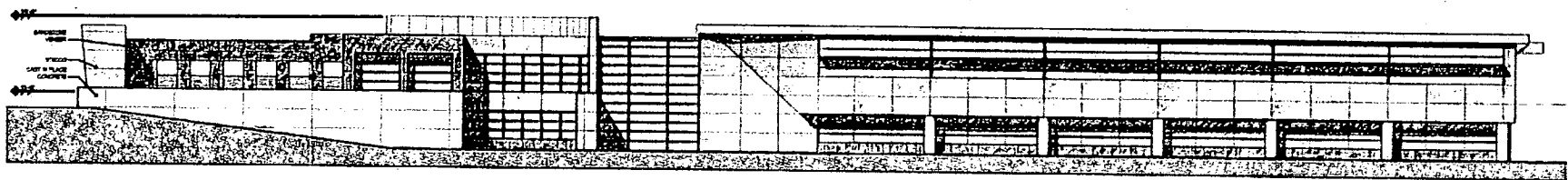
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SDR-4630

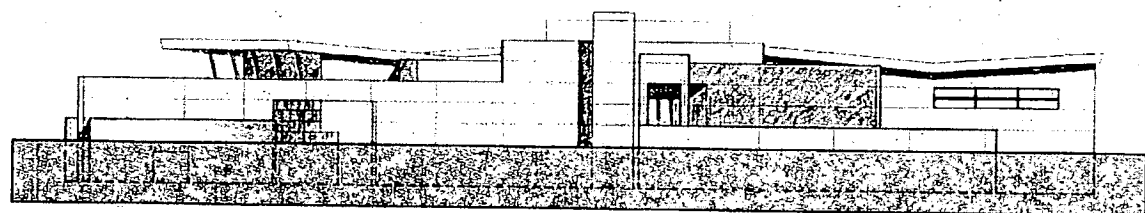
7-22-04 PC



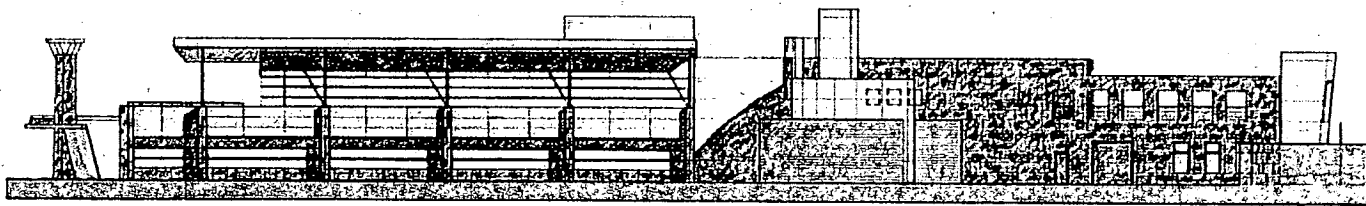
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



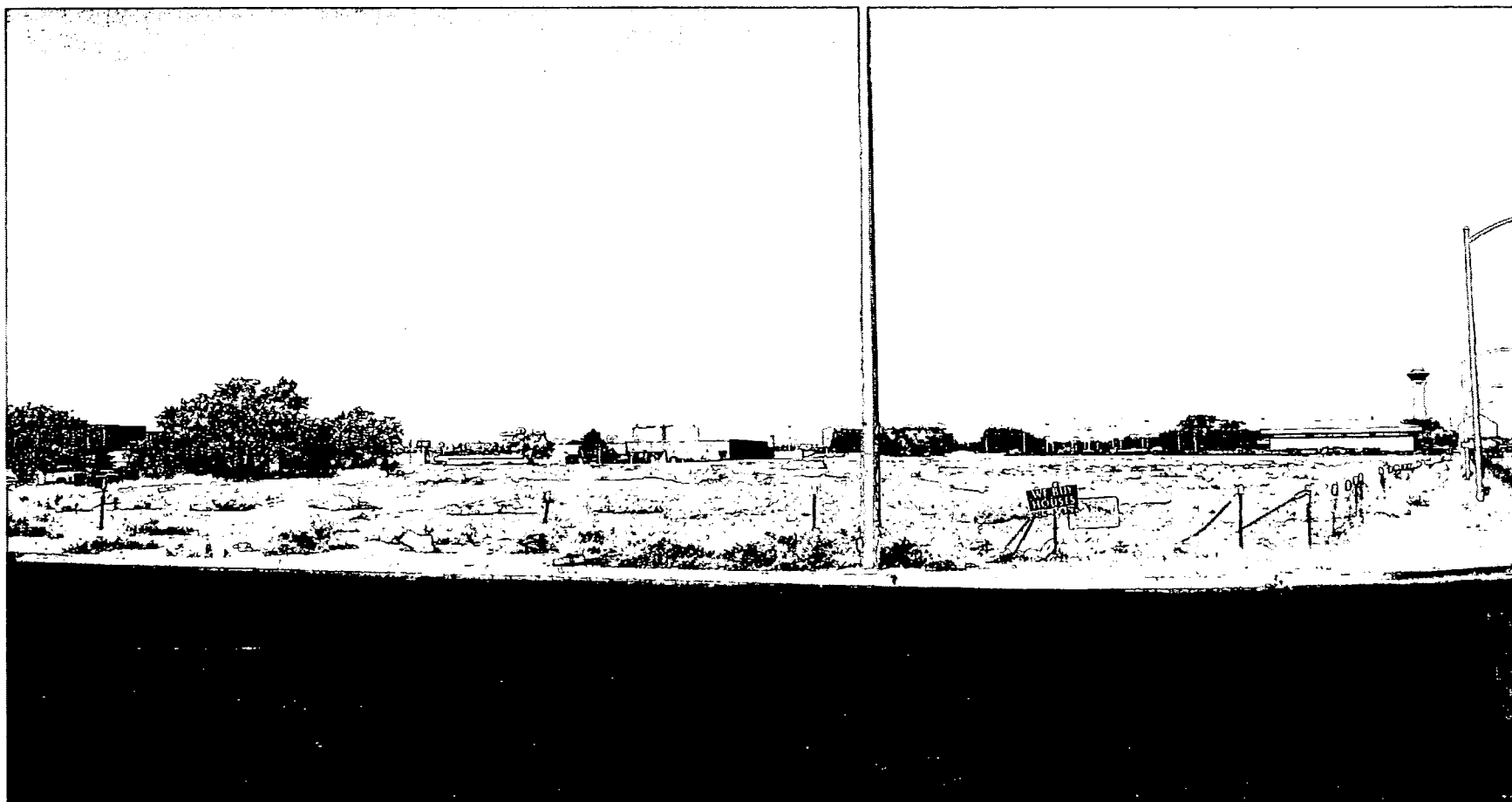
NORTH ELEVATION

State of Nevada
Department of Employment, Training and Rehabilitation
2300 E. St. Louis Avenue
Las Vegas, NV 89104

REVISION
DRAWN BY
REVIEWED BY
DATE
PROJECT NO.
DRAWING NO.

EXTERIOR
ELEVATIONS

**SDR-4630
7-22-04 PC**



SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD OWNER: STATE OF NEVADA
BUILDING & GROUNDS
SOUTHWEST CORNER OF ST. LOUIS AVENUE AND MCLEOD STREET
JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4639 -
APPLICANT: TRIPLE FIVE DEVELOPMENT - OWNER: VILLAGE SQUARE,
LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A
57,092 SQUARE FOOT RETAIL/COMMERCIAL BUILDING AND FOR A WAIVER OF
FOUNDATION LANDSCAPING OF THE COMMERCIAL STANDARDS on 1.61 acres
approximately 260 feet north of Sahara Avenue and approximately 640 feet west of Fort Apache
Road (APN 163-06-816-027), C-1 (Limited Commercial) Zone [SC (Service Commercial)
General Plan Designation], Ward 2 (Wolfson). The Planning Commission (5-1 vote) and staff
recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WOLFSON – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:07 – 2:08)

3-2270

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 98 – SDR-4639

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
2. A waiver to the foundation landscaping requirements of the Code is permitted.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 8/18/04, 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. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All City Code requirements and design standards of all City departments must be satisfied.

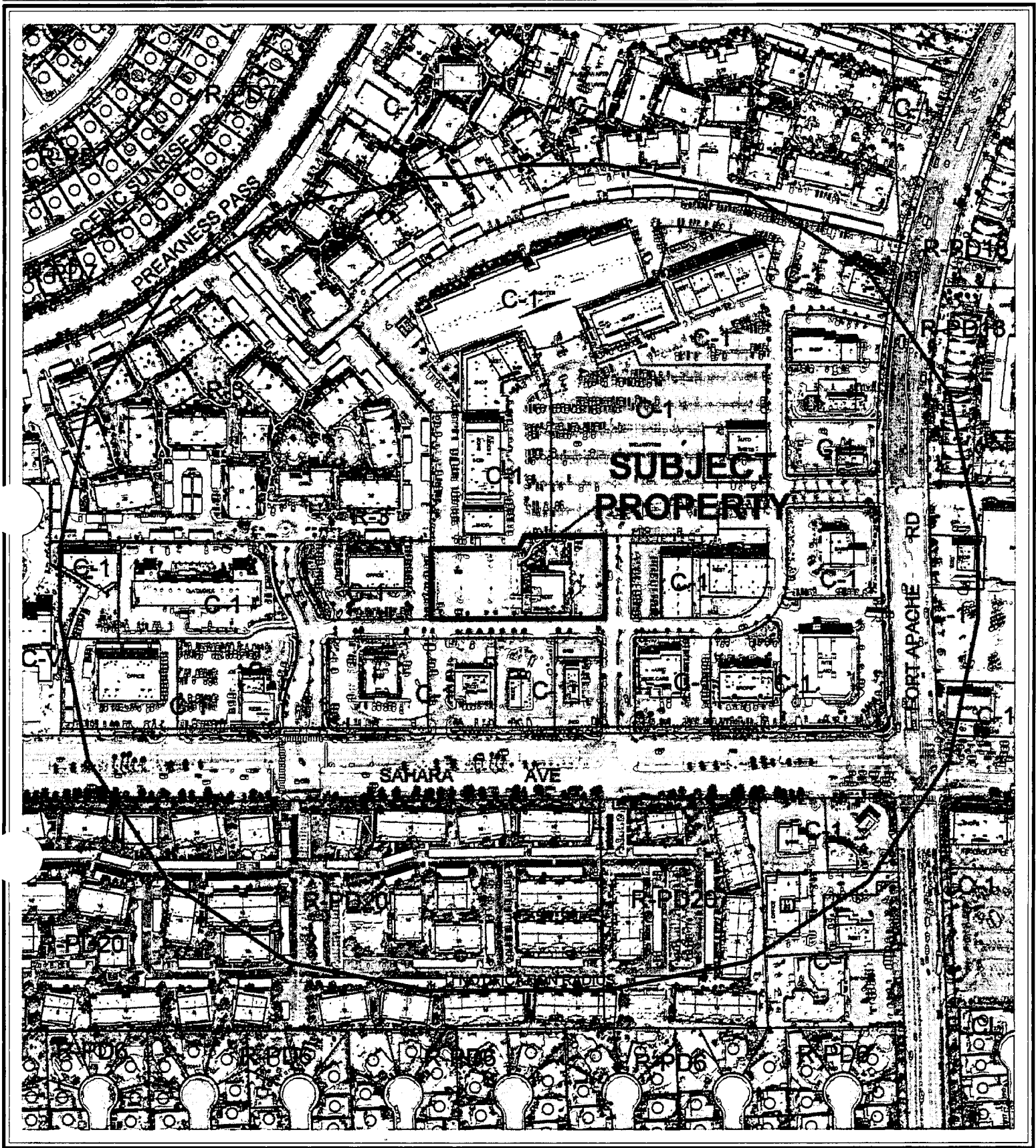
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 98 – SDR-4639

CONDITIONS – Continued:

Public Works

10. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.
11. Site development to comply with all applicable conditions of approval for Z-139-88 and all other subsequent site-related actions.





CASE: SDR-4639

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4639 - APPLICANT: TRIPLE FIVE DEVELOPMENT -
OWNER: VILLAGE SQUARE, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
2. A waiver to the foundation landscaping requirements of the Code is permitted.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 8/18/04, 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. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.
11. Site development to comply with all applicable conditions of approval for Z-139-88 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 57,092 square foot retail/commercial building and a waiver of required foundation landscaping on 1.61 acres approximately 260 feet north of Sahara Avenue and approximately 640 feet west of Fort Apache Road.

B) Applicant's Justification

The applicant justifies this request by stating that the new development will bring added value and enjoyment to the residence in the area. Specifically regarding the requested waiver, the applicant states, "Based on the existing nature of Village Square, and in order to maintain current circulation patterns and avoid dead end parking we must align the new parking field with the existing parking field. When designing with this in mind we were unable to provide six feet."

BACKGROUND INFORMATION

A) Previous Actions

- 02/15/89 The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development- 4 Units per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for the proposed use of Single Family Residential, Multifamily Residential, Commercial and Mixed Use Commercial, which consists of Retail/Service Commercial, Office and Multifamily (multi-story) Residential. The Planning Commission and staff both recommended approval.
- 11/09/98 The City Council approved a Special Use Permit (U-0115-98) and Site Development Plan Review (U-0115-98) on property located north of Sahara Avenue, west of Fort Apache Road to allow a supper club in conjuncture with a proposed 8,802 square foot restaurant. The Planning Commission and staff both recommended approval.
- 02/02/00 The City Council approved an Extension of Time [U-0115-98(1)] application for an approved Special Use Permit (U-0115-98) on property located at 9440 West Sahara Avenue, which allowed a supper club (Joe's Crab Shack). The Planning Commission and Staff both recommended approval.

07/22/04 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #70-PL).

B) Pre-Application Meeting

05/24/04 A pre-application conference was held resulting in the following comments:

1. Public Works will have the same comments as stated for the previous building.
2. Updates to the Drainage Study and Traffic Study may be required.
3. Parking standards for retail and office were discussed.
4. Requesting the overall square footage calculations.
5. Landscaping requirements were discussed.
6. The use of glazing can only be 22% reflective.
7. Requested a complete parking tabulation for entire site.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.61

B) Existing Land Use

Subject Property: Vacant (Joe's Crab Shack Demolition Permit issued 06/01/04)
North: Commercial Center, General Retail/Office
South: Restaurants and Financial Institution, Specified
East: General Retail/Office
West: General Retail/Office

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Southwest Sector of the General Plan. The subject sites C-1 (Limited Commercial) zoning is in conformance with the SC (Service Commercial) 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

The site is not subject to any special area plans, overlay districts, study area or trail requirements.

PROJECT DESCRIPTION

The proposed development is a 56,976 square foot two-story general retail/office building within an established commercial center. The subject site was formerly Joe's Crab Shack, a restaurant/supper club, which has since been demolished. The proposed building will be approximately 40 feet in height with a stucco and reflective glass façade. Access to the site is available via internal drive aisles that are accessible from either Sahara Avenue or Fort Apache Road. Parking is provided on site, in addition to available parking within the rest of the commercial center. There is a designated loading area and trash enclosure along the western property line of the parcel. The site is landscaped with a three (3) foot wide foundation planter around the building and landscape islands located every six parking spaces.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.61	Y
Min. Lot Width	100 Feet	163 Feet	Y
Min. Setbacks			
• Front	20 Feet	±265 Feet*	Y
• Side	10 Feet	±840 Feet*	Y
• Corner	15 Feet	±627 Feet*	Y
• Rear	20 Feet	±120 Feet*	Y

Max. Lot Coverage	50 %	40.6 %	Y
Max. Building Height	NONE	40 Feet	Y
Trash Enclosure	Yes	Yes	Yes
Loading Zone	Yes	3 Spaces	Yes
Mech. Equipment	Yes	Yes	Yes

* The building setbacks represented are approximations of those taken from the public right-of-way and from the edges of the commercial center. Since the parcel is located within a developed commercial center and has no frontage on any public right-of-way, there can be no clear definition of what would constitute the front lot line per Title 18.04.310. The proposed building would sit 70 Feet from the western property line, 10 Feet from the southern property line, 20 Feet from the northern property line, and 10 feet from the eastern property line.

All mechanical equipment is to be screened by the parapet as described in the submitted building elevations.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The proposed building is in conformance.
- b) Building setback. The proposed building is in conformance.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail, Other Than Listed (Less Than 25,000 SF.)	21,266 SF.	1/250 GFA	85	6	95/179*	6
Office, Other Than Listed	28,021 SF.	1/300 GFA	94	6	95/179*	6

- The provided parking count is that of the parking found within the subject parcel and that of the total parking provided through shared parking with the rest of the commercial subdivision. However when calculating the number of available shared parking spaces within the commercial center, staff has determined there is a deficit of 6 parking spaces. This can be easily be corrected through the re-stripping of existing parking spaces and providing compact parking spaces according to Code.

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 Space	16 Trees	43 Trees
• Min. Zone Width	6 Feet		3 Feet*

- The applicant has requested a waiver from the foundation landscaping standards. They are proposing to provide three (3) feet where six (6) feet is required.

The subject parcel is a pad site within an established commercial center therefore has no perimeter landscaping buffers.

A5) Sign Standards

The proposed building elevations and site plan do not indicate any signage on site or on the building. Any future signage will be subject to Title 19.14.

B) General Analysis and Discussion

- Zoning

The proposed development and use of the site is in conformance with the C-1 (Limited Commercial) zoning designation.

- Site Plan

The site plan indicates a proposed 56,976 square two-story general retail/office building located within an established commercial center. Of the total square footage 21,266 square feet is proposed as retail space and 28,021 square feet is proposed as office space. The proposed square footage to be used for retail/office equates to 179 parking spaces being required. Ninety-five (95) parking spaces, six (6) of which are handicapped, are indicated on site. The remaining eighty-four (84) required parking spaces are to be shared with the commercial center.

- Waivers

The applicant is providing three (3) foot wide foundation landscaped planter where 6 feet is required. Therefore, the applicant is requesting a waiver from the foundation landscaping requirements of the commercial development standards. No other waivers are being requested. The waiver is acceptable since the applicant is providing 27 more perimeter trees than required.

- Landscape Plan

The subject parcel is a pad site within an established commercial center and therefore has no perimeter landscaping buffers. Interior parking landscaping is composed of landscaping islands placed every six parking spaces. Foundation landscaping is composed of a 3-foot skirt around the entire building. Materials to be used include 24-inch box Purpleleaf Plum, Fan Tex Ash trees, as well as, 5-gallon Indian Hawthorn, African Iris, and Waxleaf Privet shrubs.

- Elevation

The use of both stucco and reflective glass, combined with a harmonious color palette, results in a development that is both visually pleasing and appropriate to its context. The variation of the planar wall elements adds interest and assists in reducing the massing of the structures. Wall openings are well proportioned, and add human scale to the complex. The use of fabric awnings assists in providing protection of exterior walkways, reduces solar gain, and provides visual interest.

- Floor Plan

The proposed floor plans indicate the use of the first floor as retail space and the second floor as office space. Due to the number of tenant spaces located within the building it is recommended that the site be assigned addresses prior to the completion of the 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 development is compatible with adjacent development and development in the area, based upon it being an extension of an existing commercial center.

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

The proposed development is consistent with the General Plan designation of SC (Service Commercial) and that of the C-1 (Limited Commercial) zoning district. The project meets all City Design Standards except for the foundation landscaping requirements of the commercial development standards. A waiver of the commercial development standards is required for this project to be in conformance.

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

Access to the site will be made available via internal drive aisles that are accessible from either Sahara Avenue or Fort Apache Road, both of which are 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The proposed development will not have a negative impact on adjacent roadways or neighborhood traffic.

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

Building and landscape materials to be used for this project are appropriate for the area, as they will match that of existing buildings within the commercial center.

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 submitted building elevations and landscaping will demonstrate visual consistency with the surrounding office and commercial developments, in that the submitted materials depict appropriate façade design.

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

The proposed development will be subject all city codes and statutes. The development therefore will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission removed the proposed condition of approval regarding required restriping. The applicant indicated that all required parking is provided. This is required by Condition #9.

NOTICES MAILED 34 by Planning Department

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Perlman Architects

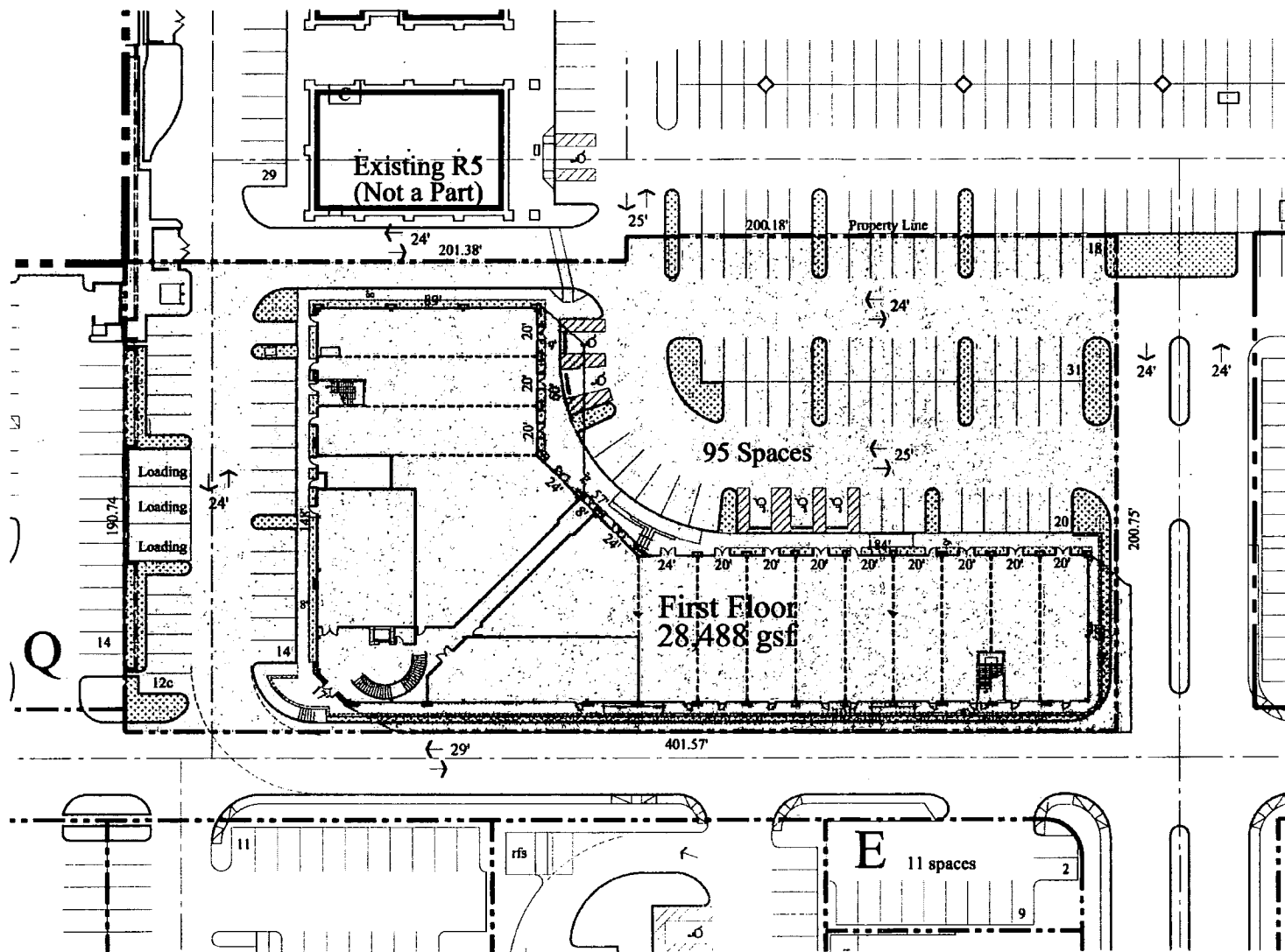
Yes _____ No ☒

APN: _____

Print Name: James Grindstaff

Notary Public in and for said County and State





SITE INFORMATION

ZONING

C1 - Local Business District (APN 163-06-816-027)

AREA (Approximate, to be verified)

Net Area: 78,600 sf 1.80 acres

AREA (Approx)	Peds. - dimensions	Coverage
28,488 sf	404' x 202'	36 %

Building Area

1st floor	28,488 sf
2nd floor	28,488 sf
Total	56,976 sf

PARKING REQUIREMENTS (City Requirements)

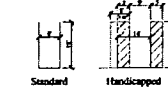
Retail	1 per 250 gsf	31,264 / 250 =	83 Spaces
Office	1 per 300 gsf	28,021 / 300 =	94 Spaces
Total Required			179 Spaces
On-Grade			95 Spaces
Shared w/ Shopping Center			84 Spaces
Total Provided			179 Spaces
Handicap Spaces Required:			5
Handicap Spaces Provided:			5
Loading Spaces Required:			3
Loading Spaces Provided:			3

BUILDING HEIGHT

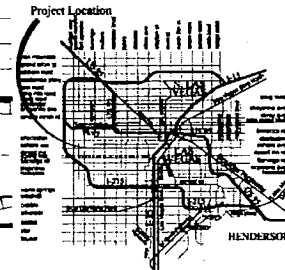
Allowed:	No Restriction
Provided:	2-Story - up to 40 feet

BUILDING COVERAGE

Allowed:	50 %
Provided:	36 %



Typical Parking Spaces



Vicinity Map



Location Map

Note:
This plan has been prepared without benefit of a complete survey.
It is Conceptual in Nature and No Guarantee of its accuracy is implied.



Scale: 1" = 20'



PERLMAN ARCHITECTS, INC.
2220 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.980.8800 702.932.3222 fax

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Pad P at Village Square

NWC Sahara Avenue and Fort Apache Road - Las Vegas, Nevada

Triple Five Nevada Development Corp.
Las Vegas, Nevada

(602) 631-7359

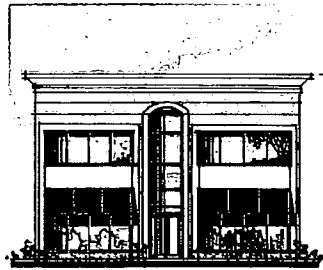
Conceptual Site Plan - Scheme A

Date: June 8, 2004
Project Number: 104146

SDR-4639 7-22-04 PC



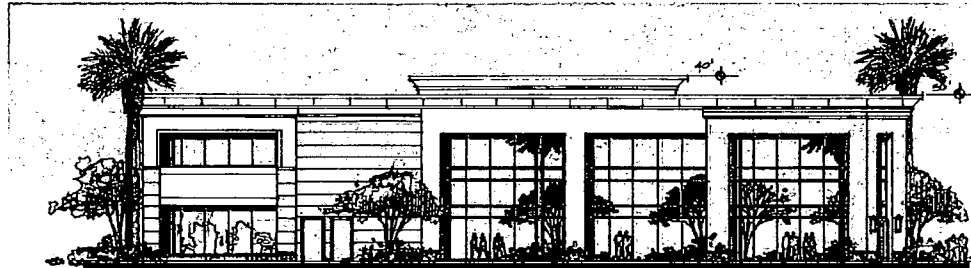
ELEVATIONS
PROJECT # 104146, MAY 28, 2004



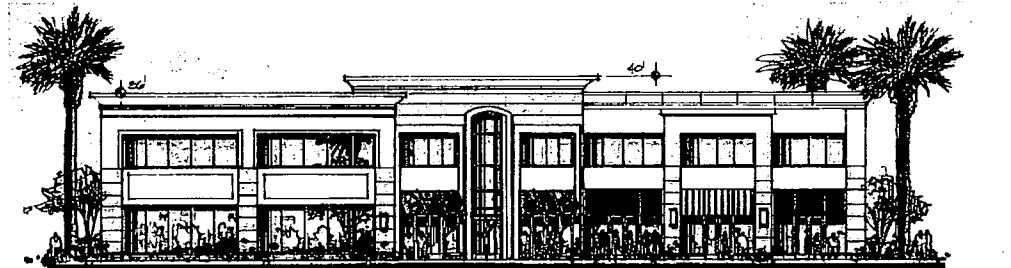
NORTHEAST ELEVATION



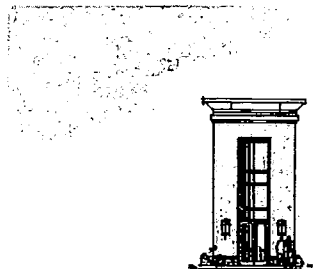
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTHWEST ELEVATION



SOUTH ELEVATION

Village Square

Sahara Avenue and Fort Apache Road, Las Vegas, Nevada

Triple Five Nevada Development Corp.
Las Vegas, Nevada

Pad P - Retail/Office Building

702-242-6937

Date: MAY 04, 2004
Project Number: 104146

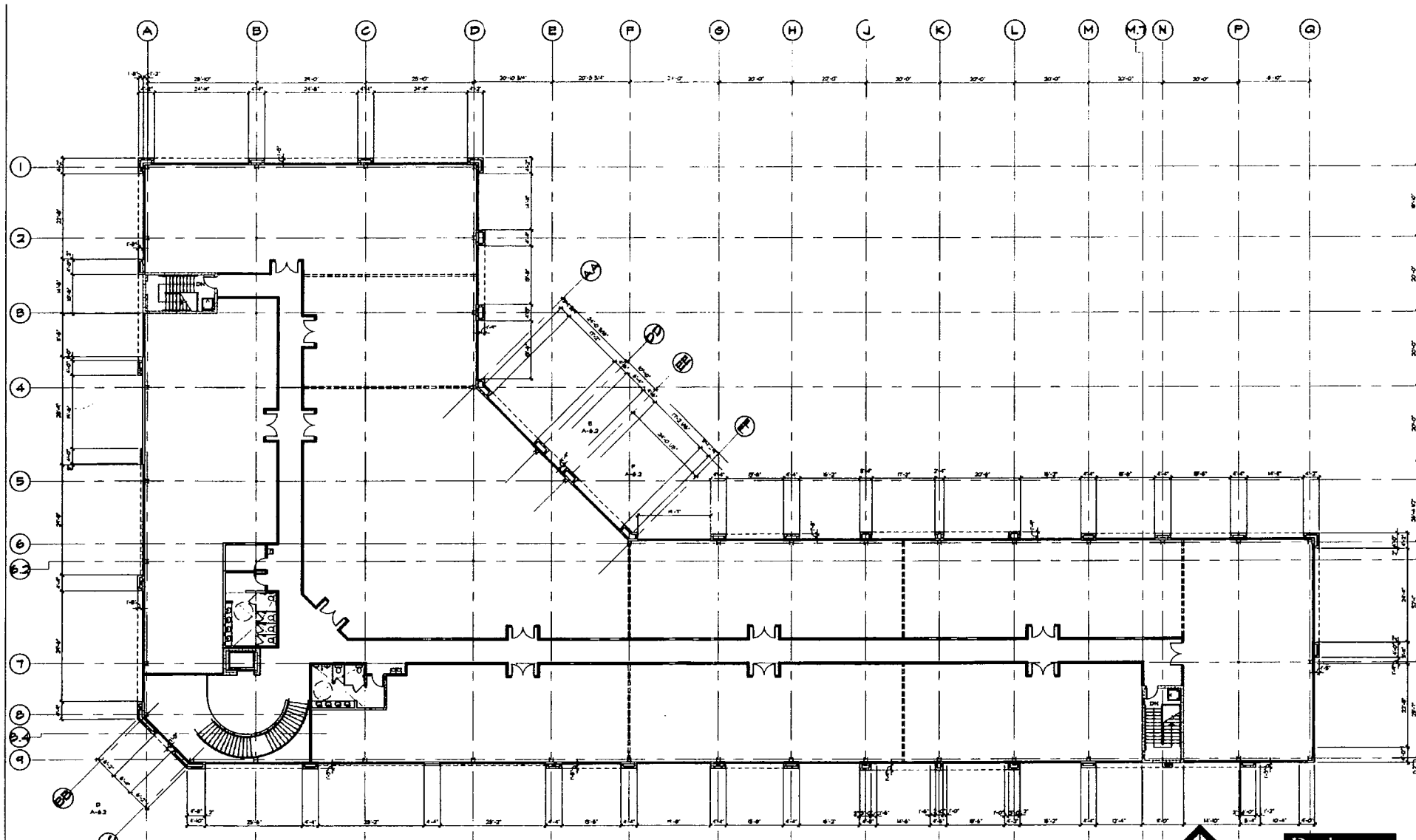
0 16 32

SDR-4639 7-22-04 PC

Perlman
ARCHITECTS, INC.

PERLMAN ARCHITECTS, INC.
2750 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA, 89074
702.900.9900 702.932.5222 fax

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Pad P at Village Square

NWC Sahara Avenue and Fort Apache Road - Las Vegas, Nevada

Triple Five Nevada Development Corp.
Las Vegas, Nevada

Second Floor Plan

(602) 631-7359

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

Date: June 8, 2004
Project Number: 104146

SDR-4639 7-22-04 PC

Perlman

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.560.0900 702.932.3222 fax

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SDR-4639 - APPLICANT: TRIPLE FIVE DEVELOPMENT - OWNER: VILLAGE SQUARE, LIMITED
LIABILITY COMPANY
APPROXIMATELY 260 FEET NORTH OF SAHARA AVENUE AND APPROXIMATELY 640 FEET WEST OF
FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04



SDR-4639 - APPLICANT: TRIPLE FIVE DEVELOPMENT - OWNER: VILLAGE SQUARE, LIMITED
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APPROXIMATELY 260 FEET NORTH OF SAHARA AVENUE AND APPROXIMATELY 640 FEET WEST OF
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APPROXIMATELY 260 FEET NORTH OF SAHARA AVENUE AND APPROXIMATELY 640 FEET WEST OF
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JULY 22, 2004 PLANNING COMMISSION

7/6/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4820 -
APPLICANT: PLANET NISSAN - OWNER: NORTHWEST AUTOWORLD LTD. -
Request for a Site Development Plan Review TO ADD TWO DRIVEWAYS TO AN
EXISTING AUTOMOBILE INVENTORY PARKING LOT on 4.00 acres located at 5850
Centennial Center Boulevard (APN A portion of 125-27-301-007), T-C (Town Center) Zone,
Ward 6 (Mack). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

30

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Protest petition with 30 signatures submitted by Connie Rogers

MOTION:

MACK – APPROVED subject to conditions and an added condition as read for the record
and amended as follows:

- *Entire site perimeter shall have an eight-foot high masonry wall approved by the Planning and Development Department. The wall along the street frontage shall be behind the perimeter landscaping.*

– UNANIMOUS

MINUTES:

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

MAYOR GOODMAN declared the Public Hearing open.

APPEARANCES:

OSCAR GOODMAN, Mayor

MICHAEL SCARINGI, Planet Nissan, 5850 Centennial Center Boulevard

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 99 – SDR-4820

MINUTES – Continued:

APPEARANCES – Continued:

CONNIE ROGERS, 5728 Desert Sky Way
MICHAEL MACK, Councilman
ROBERT GENZER, Director, Planning and Development Department
GARY REESE, Councilman
BART ANDERSON, Public Works Department
MARGO WHEELER, Deputy Director, Planning and Development Department
BRYAN SCOTT, Deputy City Attorney

MAYOR GOODMAN declared the Public Hearing closed.

(2:08 – 2:21)

3-2352

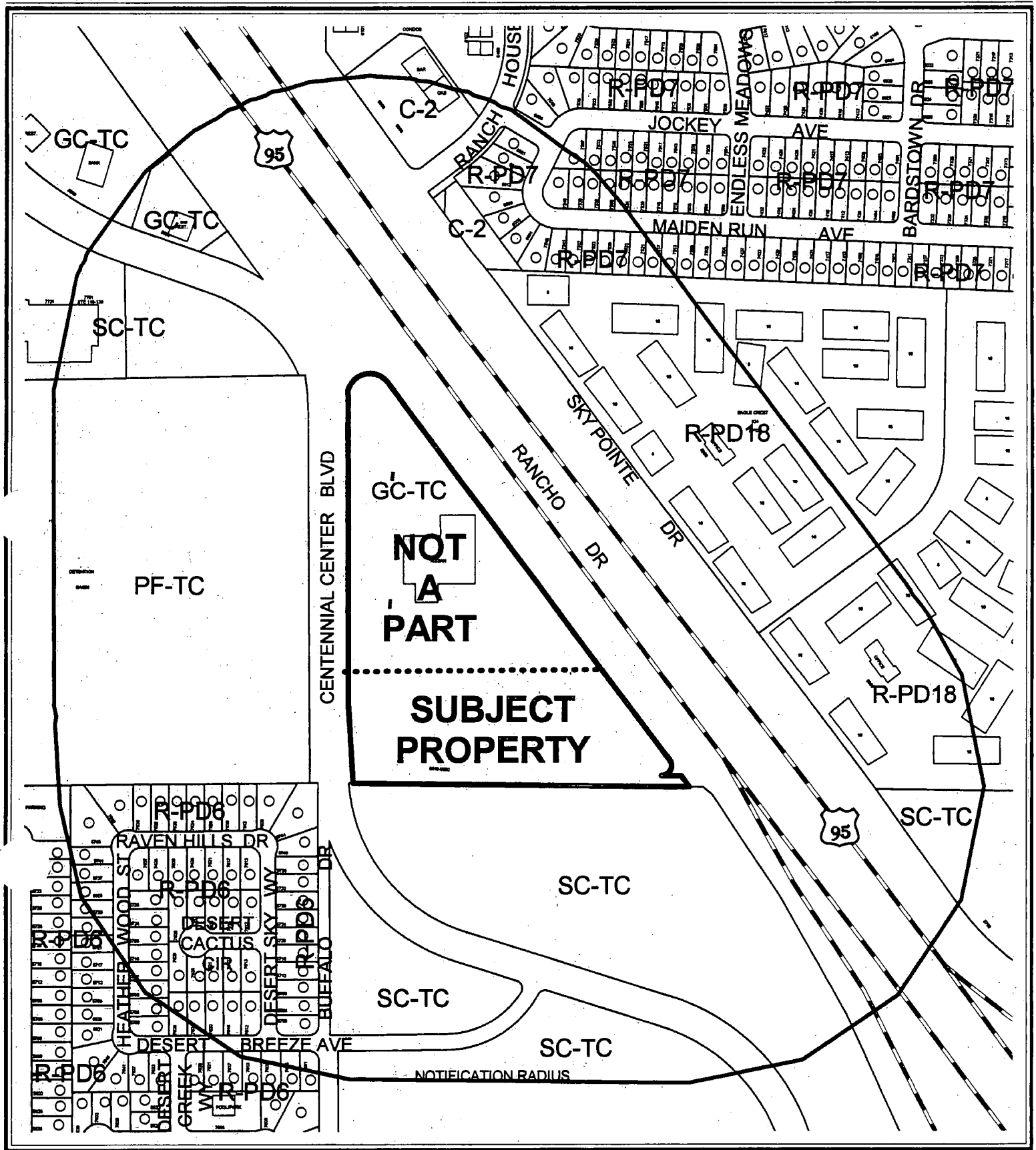
CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. No chains shall be used to secure the site. A permanent metal rolling gate approved by the Planning and Development Department shall be installed to control access.

Public Works

3. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall be used only for deliveries. Gates or bollards shall be installed concurrent with the installation of the proposed driveways and shall be opened only for deliveries.
4. 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 any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: SDR-4820

RADIUS:

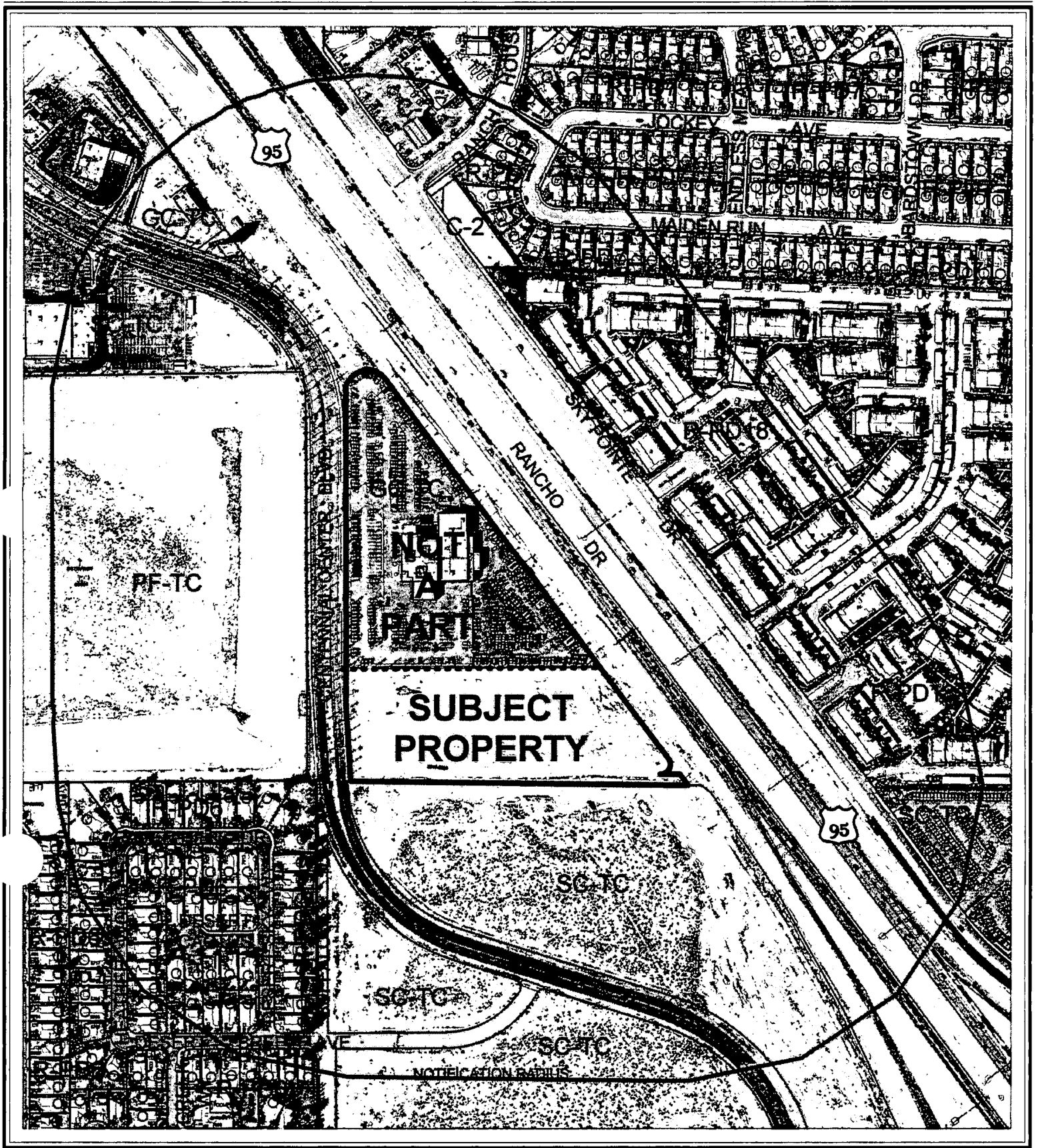
ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER LAND USE DESIGNATION]

0 300 600 Feet

99





CASE: SDR-4820

RADIUS:

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER LAND USE DESIGNATION]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4820 - APPLICANT: PLANET NISSAN – OWNER:
NORTHWEST AUTOWORLD LTD.

**** CONDITIONS ****

Staff recommends DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. No chains shall be used to secure the site. A permanent metal rolling gate approved by the Planning and Development Department shall be installed to control access.

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4. 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 any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review to add two driveways to an existing automobile inventory parking lot on 4.00 acres located at 5850 Centennial Center Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the driveways will provide access for delivery trucks to the inventory storage lot. The driveways will not be open to the public and will be secured by the placement of bollards with chains and locks.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of this site as part of a larger request. Staff and the Planning Commission recommended approval on November 5, 1998.
- 01/10/02 The Planning Commission approved a Site Development Plan Review [Z-0076-98(25)] for a 44,605 square-foot New Auto Dealership. Staff recommended approval.
- 02/12/04 The Planning and Development Department administratively approved a Site Development Plan Review (SDR-3645) for the Auto Dealer Inventory Storage Lot.

B) Pre-Application Meeting

- 07/01/04 A pre-application meeting was conducted and the applicant was advised a Site Development Plan Review application is required to add the new driveways and was provided the application requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.0

B) Existing Land Use

Subject Property: Auto Dealer Inventory Storage Lot
North: Auto Dealership
South: Undeveloped
East: US Highway 95
West: Undeveloped

C) Planned Land Use

Subject Property: SC-TC (Service Commercial - Town Center)
North: GC-TC (General Commercial - Town Center)
South: SC-TC (Service Commercial - Town Center)
East: US Highway 95
West: PF-TC (Public Facilities - Town Center)

D) Existing Zoning

Subject Property: TC (Town Center)
North: US Highway 95
South: TC (Town Center)
East: US Highway 95
West: TC (Town Center)

E) General Plan Compliance

The site is designated TC (Town Center) on the Centennial Hills Interlocal Plan Map of the General Plan. The existing T-C (Town Center) Zoning designation is in conformance with the General Plan designation of TC (Town Center).

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

This site is located in the Town Center Plan Area and is designated as SC-TC (Service Commercial – Town Center).

PROJECT DESCRIPTION

The submitted site plan depicts two new 32-foot wide driveways will be constructed that will provide access from Centennial Center Boulevard to the inventory storage lot. Access will be restricted by the placement of bollards with chains and locks.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The proposed driveways do not affect this developments compliance with the Development Standards.

A2) Residential Adjacency Standards

There are no new buildings proposed as part of this request, therefore the Residential Adjacency Standards do not apply.

A3) Parking and Traffic Standards

The proposed driveways do not affect the required parking for this development.

A4) Landscape and Open Space Standards

The proposed driveways will eliminate a portion of the 15-foot wide landscape planter along Centennial Center Boulevard.

A5) Sign Standards

The proposed new driveways do not affect the signage for this development.

B) General Analysis and Discussion

- **Site Plan**

The proposed new driveways for the inventory storage lot are not appropriate as proposed. The lot is intended as a support use to the existing automobile dealership to the north. Drive aisles are provided from the dealership, which is the appropriate means access for the lot to used only as a support for the dealership. Additional driveways will introduce more vehicular movements onto Centennial Center Boulevard, which are not necessary. Therefore the recommendation for this request is denial.

- **Landscape Plan**

A portion of the 15-foot wide landscape planter along Centennial Center Boulevard in the area the driveways will be constructed will be eliminated. This will result in a reduced buffer for the parking lot along the street frontage, which is not desirable.

FINDINGS

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

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

The proposed development meets the minimum code requirements. However, it proposes a configuration that is not harmonious and compatible with the surrounding land uses.

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

The proposed driveways do not affect this project's conformance with the standards set forth in Title 19 for commercial developments.

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

The proposed driveways will negatively affect the adjacent roadways by introducing additional vehicle movements to Centennial Center Boulevard.

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

A portion of the 15-foot wide landscape planter along Centennial Center Boulevard in the area the driveways will be constructed will be eliminated. This will result in a reduced buffer for the parking lot along the street frontage, which is not appropriate.

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 driveways will affect the project's compatibility with the surrounding development by reducing the landscape buffer along the street frontage.

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

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

NOTICES MAILED 146 by Planning Department.

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 5DR-4820 APN: 125-27-301-007
NORTHWEST AUTOWORLDO LTD. LLC
Name of Property Owner: _____
Name of Applicant: PLANET NISSAN

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): _____

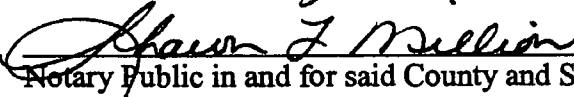
APN: _____

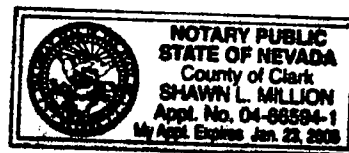
Signature of Property Owner/Authorized Agent: 

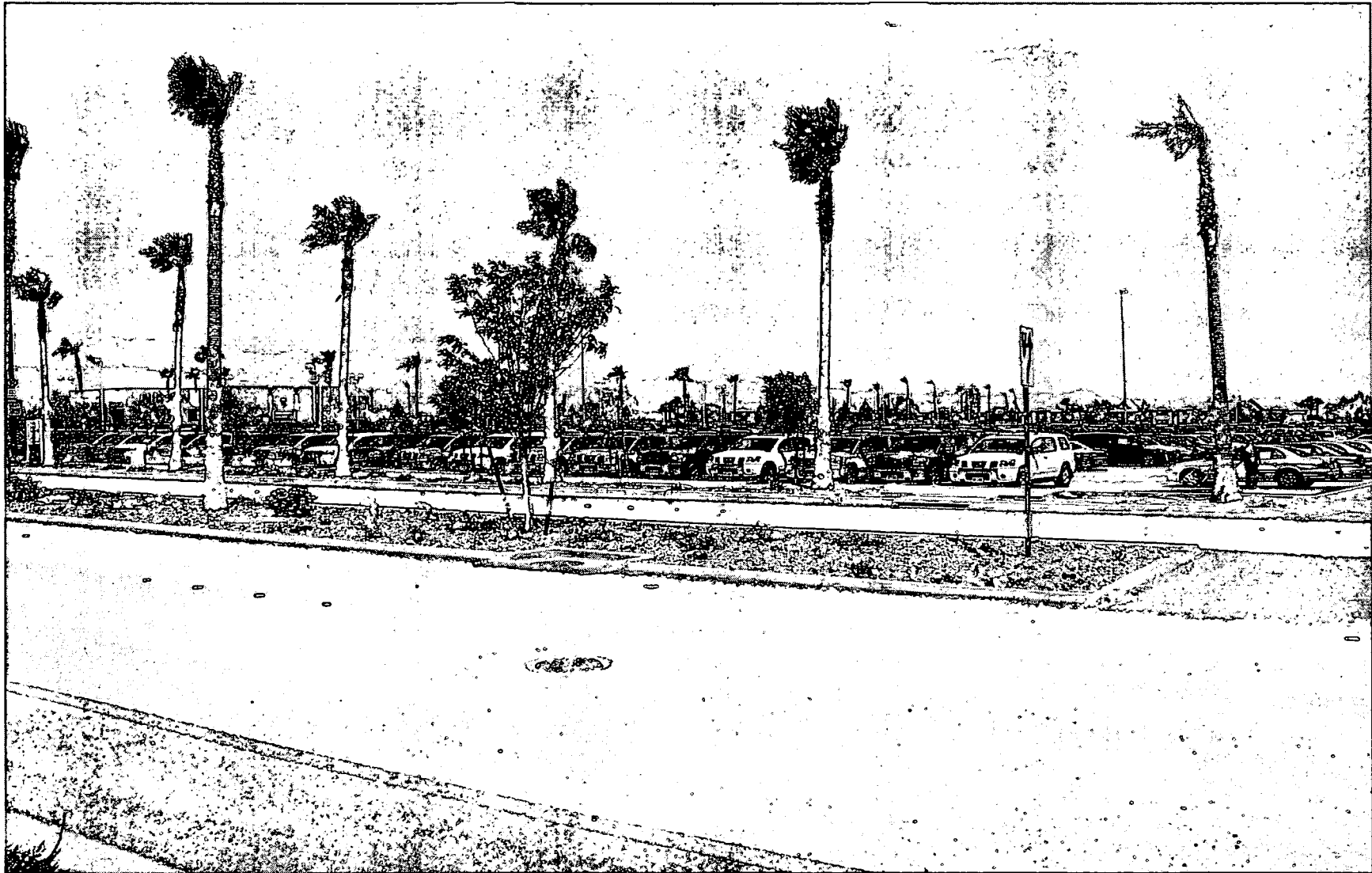
X Print Name: MICHAEL SCARINGI

Subscribed and sworn before me

This 8 day of June, 2004


Notary Public in and for said County and State





SDR-4820 - APPLICANT: PLANET NISSAN – OWNER: NORTHWEST AUTOWORLD LTD.

5850 Centennial Center Boulevard

AUGUST 18, 2004 CITY COUNCIL MEETING

Picture taken 08/5/04



SDR-4820 - APPLICANT: PLANET NISSAN – OWNER: NORTHWEST AUTOWORLD LTD.

**5850 Centennial Center Boulevard
AUGUST 18, 2004 CITY COUNCIL MEETING**

Picture taken 08/5/04

ZoningNissanPetition.txt

PETITION AGAINST DRIVEWAYS CASE: SDR-4820

Planet Nissan is requesting two new driveways but this notification does not show where the driveways will be located.

Since the conception of this business the following occurrences are continuing to happen on a daily basis:

1. The loud speaker for the paging system is very loud, and can be heard all over the neighborhood.
2. The loud speaker and paging system is left on all night, with the volume loud enough to be heard inside the house with all the windows closed during all hours.
3. I phoned "Pooch" the manager, to request he turn off the paging system at night, and turn down the volume entirely. I couldn't get "Pooch" to come to the phone, but the receptionist told me that they didn't care; they had a business to run, again I phoned, Pooch would not come to the phone, but was told rudely by the receptionist that they didn't care if they bother me. I phoned again and the phone was hung up on me, dial tone. Very professional approach to making your neighbors potential buyers for your business, right?
4. Overhead lights are being put up which are not directional low beam, but extremely high voltage and facing backyards of residential homes for a blaring intrusive effect all night.

The following names oppose this change and request that the zoning be enforced to correct the current problems:

Reginald S. Wren 5728 Desert Sky Way Las Vegas, Nv.

Constance L. Rogers 5728 Desert Sky Way, Las Vegas, Nv.

Kimberly Mary 5732 Desert Sky Way

LV, NV

Van Anh 5740 Desert Sky Way

LV, NV

MARIE ASSAD 5744 Desert Sky

LV NV

Sam Steele 7605 Raven Hills Dr

LV, NV

Pg 2

TERESITA B. HILBORN

Teresa B. Hilborn

Sophia Winsor

~~Aphie Whinn~~

WILLIAM MESSOL

Willard

7612 Raven Hills Drive
Las Vegas, N.V. 89149

7616 Raven Hill Dr.

Las Vegas NV. 89149

7620 RAVEN HILLS

LAS VEGAS, NV.

89149

Kathy Messol
Kathy Messol

7620 Raven Hills Dr.
LV NV 89149

RANDY STOUT

Randy St

Lisa L. Roscoe

Robert Wolav

Robert John

7636 RAVEN HILLS DR
LV. NV. 89149

7629 ~~7629~~ RAVEN HILLS - 89149

5700 DESERT SKY

Shelia Engstrom

Shelia Engstrom

John Johnson

Wesley Johnson

PHILIP T. BURROUGHS

Philip T. Burroughs

Jim LAURIE

Jim Laurie

5704 Desert Sky Way

7621 Desert Cactus Cir.

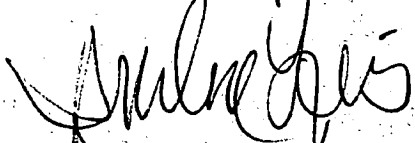
7629 DESERT CACTUS CIR

7628 Desert Cactus Circle

pg 3

Kimberly Derezote
Kimberly Derezote

5108 Desert Sky Way



DARLENE LEWIS

7620 DESERT BREEZE AVE

MARY ELAINE GRATGE

Mary Elaine Gratzel 7621 Desert Breeze Ave

BEN ELMS

Ben Elms 7625 Desert Breeze Ave

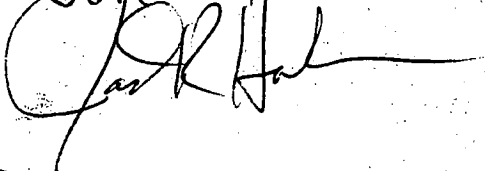
ARTHUR E. FREDERICK

Arthur E. Frederick 7633 DESERT BREEZE AVE.

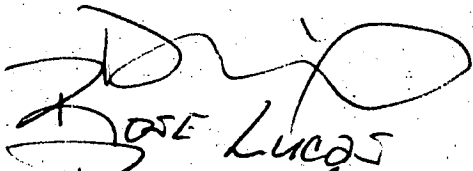
Brenda Boyd

Brenda Boyd 7628 DESERT BREEZE AVE.

Jon Holman 7637 Desert Breeze Ave.



Deanna Wilsm 5720 Heatherwood



Rose Lucas

5728 Heatherwood

Tonya Ellis

5733 Heatherwood St.

Janice Ellis

pg 4

Gary L. Thelen Jr

Gary L. Thelen Jr

Robin Bayne

Robin Bayne

Clayton McKenzie

Clayton McKenzie

5737 Heatherwood Dr
Las Vegas NV 89149

7636 Raven Hills Dr
Las Vegas, NV 89149

7632 Ravenshills Dr.
Las Vegas, NV
89149

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

**Verbatim Transcript: Item 99 – SDR-4820 – APPLICANT – PLANET NISSAN –
OWNER – NORTHWEST AUTOWORLD LTD.**

Appearance List:

OSCAR GOODMAN, Mayor

MICHAEL SCARINGI, Planet Nissan, 5850 Centennial Center Boulevard

CONNIE ROGERS, 5728 Desert Sky Way

MICHAEL MACK, Councilman

ROBERT GENZER, Director, Planning and Development Department

GARY REESE, Councilman

BART ANDERSON, Public Works Department

MARGO WHEELER, Deputy Director, Planning and Development Department

BRYAN SCOTT, Deputy City Attorney

(2:08 – 2:21)

3-2352

13 minutes

Typed by: Angela Crolli

Proofed by: Stacey Campbell

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

22 **MAYOR GOODMAN**

23 Item 99 will be a public hearing on SDR-4820. The applicant is Planet Nissan. The owner is
24 Northwest Autoworld Limited. Request for a Site Development Plan Review to add two
25 driveways to an existing automobile inventory parking lot on four acres located at 5850
26 Centennial Center Boulevard. The staff recommends denial. This is in Ward 6. The public
27 hearing is now declared open. Yes, Sir.

28

29 **MICHAEL SCARINGI**

30 Mayor, Council, my name is Michael Scaringi from Planet Nissan, 5850 Centennial Center
31 Boulevard. I'm here today to, hopefully, get the approval for curb cuts and a storage lot that we
32 have improved on the south side of our property. We are in the process of landscaping it. We
33 already had paved it, and I think that these two curb cuts would ease the traffic in the area so my
34 car carriers can get off of the Centennial Center Parkway there and pull into the parking lot a lot
35 easier. I think it will be a lot safer for the neighborhood, and these curb cuts will be a major
36 asset to our operation.

37

38 **MAYOR GOODMAN**

39 All right. Thank you. Are there any questions of the gentleman? All right, folks, anybody like
40 to be heard on this? Just come on up to a mic and tell us your name and address and be happy to
41 hear from you.

42

43 **CONNIE ROGERS**

44 Thank you. Good afternoon. My name is Connie Rogers. I live at 5728 Desert Sky Way. My
45 backyard is about the fourth house on Buffalo Drive where it dead-ends. Repeatedly, many,
46 many times during the day delivery trucks, vehicles unaware that it's a dead-end come down and
47 turn around. Sometimes the trucks are so big it's very difficult. Buffalo Road (sic) is a dead-end
48 and will be a commercial development with a shopping center. I don't see where I can point on
49 the map. Can I do this and can it be seen?

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

50 **MAYOR GOODMAN**

51 Sure.

52

53 **CONNIE ROGERS**

54 Okay. This is where I'm tal –

55

56 **MAYOR GOODMAN**

57 No, we can't see it there. You've got to put in the middle.

58

59 **CONNIE ROGERS**

60 I don't have a map.

61

62 **MAYOR GOODMAN**

63 Oh, you don't have a map.

64

65 **CONNIE ROGERS**

66 No.

67

68 **MAYOR GOODMAN**

69 Where is this coming from? Upstairs or something?

70

71 **COUNCILMAN MACK**

72 I'll – give her something.

73

74 **MAYOR GOODMAN**

75 All right. Mr. Genzer, you able to help?

76

77 **CONNIE ROGERS**

78 Thank you, kindly.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

79 **ROBERT GENZER**

80 I always help, Your Honor.

81

82 **CONNIE ROGERS**

83 Thank you, very much.

84

85 **MAYOR GOODMAN**

86 Oh, a wise guy, Mr. Genzer. All right.

87

88 **COUNCILMAN REESE**

89 Short timer.

90

91 **CONNIE ROGERS**

92 I live – right where the pen is pointing.

93

94 **MAYOR GOODMAN**

95 Short timer?

96

97 **COUNCILMAN REESE**

98 Hmmm?

99

100 **MAYOR GOODMAN**

101 Short timer?

102

103 **COUNCILMAN REESE**

104 Um hmm

105

106 **CONNIE ROGERS**

107 Buffalo Road (sic) coming in off of Ann Road is a right-turn lane, but it's a dead-end road, so the
108 trucks have a real hard time, and currently, if it's a small SUV or an automobile, they'll go down

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

109 through the ditch onto to Centennial Parkway. All of this will be developed, I have in the future,
110 I get to look forward from my backyard to drive-thru restaurants. Did you say mayonnaise?
111 There will be four sit-down restaurants with slot machines. The shopping center promised us
112 that they wouldn't raise land because I didn't want my mountain view disturbed. All night long
113 there is dumping of sand. The elevation has gone very high and the trucks, when they put it in
114 reverse go beep, beep, beep all night long.

115 The Nissan dealership, I believe, it's been open, what, about eight months?

116

117 **MICHAEL SCARINGI**

118 Yeah.

119

120 **CONNIE ROGERS**

121 Okay. You're ready? Since the conception of this business the following occurrences are
122 continuing to happen on a daily basis. The loud speaker and paging system is very loud and can
123 be heard all over the neighborhood.

124

125 **MAYOR GOODMAN**

126 Time out. I thought we had a ordinance that says they cannot have a loud speaker at a
127 automobile sales business.

128

129 **ROBERT GENZER**

130 You and I just had the same reaction to that statement.

131

132 **MAYOR GOODMAN**

133 Do you have a loud speaker, Sir?

134

135 **MICHAEL SCARINGI**

136 Yes, we do.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

137 **MAYOR GOODMAN**

138 You don't after today. That's – one of our ordinances. You – can't do that. We don't allow the
139 neighborhoods, everybody has to have phones or radios or something like that, but no loud
140 speakers.

141

142 **MICHAEL SCARINGI**

143 It'll be corrected.

144

145 **MAYOR GOODMAN**

146 Somebody should have advised you of that. All right. Next?

147

148 **CONNIE ROGERS**

149 Second one. The loud speaker and paging system is left on –

150

151 **MAYOR GOODMAN**

152 Well forget about it, forget, that's history.

153

154 **CONNIE ROGERS**

155 – all night long to jive music.

156

157 **MAYOR GOODMAN**

158 Well, it won't happen again.

159

160 **CONNIE ROGERS**

161 Third. I phoned and asked who the manager was. Pooch. Would you have Pooch come to the
162 phone, please? Pooch would not comply. The receptionist told me they didn't care if I was
163 being disturbed. They had a business to run. I waited a couple of days and I called back again
164 begging for some help because I couldn't sleep nights. Pooch wouldn't come to the phone and
165 the receptionist told me, we don't care if we're bothering you. We've got a business to run. I
166 called again. The phone was hung up on me. So, obviously they have call ID.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

167 Since they've expanded in their lot, they have very intrusive blinding lights. When I step out of
168 my backyard, it would be equivalent to looking at, at least 10 cars with high beams. In order to
169 see in my backyard, I must do something like this to shelter the bright lights and get below my
170 division wall, and into the shadow of my yard to enjoy my yard and see if there might someone
171 back there.

172 I used to be able to rest in my yard, not worry about locking my doors, stay up until one o'clock
173 in my lounge in the backyard and snooze. And now, almost every night, I have pitter-patter of
174 feet jumping the wall and going through our yards. In fact, to the point, where the whole
175 neighborhood that lines up on Buffalo Road (sic), we now leave our outside lights on, on our
176 back patios because someone is intruding.

177 This is a petition. I petitioned and worked very, very diligently and came to the zoning meeting,
178 until one o'clock in the morning, in opposition to the shopping center. But this time I got smart
179 and I just walked my little feet all over that neighborhood. And of course, I found a lot of people
180 not home. I only found one person that would not agree to my written pet, petition here. So, I'd
181 like to submit that.

182

183 **MAYOR GOODMAN**

184 Would you hand it to the Clerk.

185

186 **CONNIE ROGERS**

187 And of course I oppose the development. I have not seen a plan –

188

189 **MAYOR GOODMAN**

190 Roni?

191

192 **CONNIE ROGERS**

193 – where the driveway would be put in. I don't know why we are not enforcing ingress and
194 egress easement lanes. The shopping center came back on a Variance and wanted to add more
195 driveways across their development. I don't know if they won or lost 'cause I've given up. It

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

196 doesn't matter what I do to stand here, someone makes the decision and I have to take the brunt
197 of it.

198

199 **MAYOR GOODMAN**

200 Thank you.

201

202 **CONNIE ROGERS**

203 I appreciate your time.

204

205 **MAYOR GOODMAN**

206 No problem.

207

208 **CONNIE ROGERS**

209 Thank you.

210

211 **MAYOR GOODMAN**

212 Basically, what the petition says is the same presentation about the noise and about the lack of
213 resp, response from the business, and then there're the signatories to it. All right, would anybody
214 else like to be heard? All right. We'll close the public hearing, then. This is Councilman Mack.

215

216 **COUNCILMAN MACK**

217 It's one of my easier maps this afternoon, Your Honor. I can appreciate the frustration that this
218 neighbor has and I think that the people from Planet Nissan are respectful business owners and
219 will listen, not only to these concerns, but also for the concerns that I will bring up at this
220 meeting.

221 As far as loudspeaker in Town Center Standards, I – just advise you, please grab the Town
222 Center Design book auto ordinance and please abide by everything and we'll have staff follow
223 up with you if you have any conc –

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

224 **MICHAEL SCARINGI**

225 It will be addressed.

226

227 **COUNCILMAN MACK**

228 – concerns about that. As far as the lighting and the shielding of the lighting, in the, when the
229 site plan was approved for the – off-site, the storage next door, was there any condition on the
230 shielding of lighting?

231

232 **ROBERT GENZER**

233 That's also a standard. Normally –

234

235 **COUNCILMAN MACK**

236 That's what I thought.

237

238 **ROBERT GENZER**

239 – in the code where they're supposed to be shielded such that the light does not shine off of the
240 site that the – pole is placed on.

241

242 **COUNCILMAN MACK**

243 So, if we could address that with the applicant.

244

245 **MICHAEL SCARINGI**

246 The light is still under the construction.

247

248 **COUNCILMAN MACK**

249 Okay. So, if you can work on that and make sure that those, 'cause they are bright, I know
250 they're bright lights and I don't want that lady to get a sunburn at night.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

251 **MICHAEL SCARINGI**

252 Absolutely.

253

254 **COUNCILMAN MACK**

255 And lastly, I think the – old Buffalo Road (sic) that's really only used by her development. If,
256 for some reason, I – knew why I asked that question on the Fletcher Jones item. If we can ask
257 some kind of signage be put up on Buffalo that this is not a commercial, you know, it's just a
258 private, it's not really a private road, but it's –

259

260 **BART ANDERSON**

261 I'll certainly bring this to the attention of the Traffic Engineer and ask him to have it signed. I
262 would point out that the – portion of Buffalo Drive described has or is the subject of a Vacation
263 application that was approved, and the road itself is likely to go away when the shopping center
264 is developed. But until then, I'll ask the Traffic Engineer –

265

266 **COUNCILMAN MACK**

267 Maybe we can get something out there to help –

268

269 **BART ANDERSON**

270 – to address it with signage.

271

272 **COUNCILMAN MACK**

273 – those residents. And I know, that, you know, if you can address your transporters and drivers
274 that, you know, it's not a route. I'm sure they do it by accident.

275 Lastly, I've been concerned about this parking lot for sometime. It got approved internally by
276 staff and, but, I don't want, you know, that – lot to become a sales lot, and I'm little bit
277 concerned about that and also believe it needs to be less intrusive to the nearby residents. So,
278 I've asked staff to work on a draft on an additional condition. Margo, maybe you can read that
279 into the record?

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

280 **MARGO WHEELER**

281 Yes, Sir. That the entire site perimeter shall have an eight-foot high masonry wall approved by
282 the Planning and Development Department, and that the wall shall be behind any perimeter
283 landscaping.

284

285 **COUNCILMAN MACK**

286 Is that agreeable?

287

288 **MICHAEL SCARINGI**

289 Yes. It's agreeable.

290

291 **COUNCILMAN MACK**

292 Great.

293

294 **MICHAEL SCARINGI**

295 One other thing that I'd like to ask for, if it's possible, at a later date, it's possible that we might
296 get another franchise as a car dealership and you had mentioned new car sales. At a later date, I
297 would like to apply for a General Plan Amendment to this motion.

298

299 **COUNCILMAN MACK**

300 Yeah.

301

302 **BRYAN SCOTT**

303 We'll have – actually address that, Councilman, when it actually comes forward.

304

305 **COUNCILMAN MACK**

306 Yeah. I can't – look at that at this time, you know. This is the –

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

307 **MAYOR GOODMAN**

308 We're only allowed to discuss those items that are agendized. But you'll give them a call and
309 discuss that. All I can tell you is that we do the General Plan Amendment four times a year. So,
310 the next one is in November.

311

312 **COUNCILMAN MACK**

313 So, you're agreeable to the eight-foot wall condition?

314

315 **MICHAEL SCARINGI**

316 Yes.

317

318 **COUNCILMAN MACK**

319 And you'll work with staff to make sure that's aesthetically and up to –

320

321 **MICHAEL SCARINGI**

322 I was under the impression that it was six feet.

323

324 **COUNCILMAN MACK**

325 I think it's eight foot.

326

327 **MICHAEL SCARINGI**

328 It is eight feet?

329

330 **COUNCILMAN MACK**

331 Yes.

332

333 **MICHAEL SCARINGI**

334 Whatever it is, we'll oblige by it.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

335 **ROBERT GENZER**

336 And – just a clarification on that additional condition, the wall requirement would be on the
337 perimeter. The setback behind the landscaping would only be along the street frontage.

338

339 **MARGO WHEELER**

340 Right.

341

342 **ROBERT GENZER**

343 So, we'll – have to adjust that condition accordingly.

344

345 **COUNCILMAN MACK**

346 Okay. And that's acceptable?

347

348 **MICHAEL SCARINGI**

349 Yes, it is.

350

351 **COUNCILMAN MACK**

- 352 Okay. Your Honor, I motion, **motion for approval with staff conditions as amended.**

353

354 **MAYOR GOODMAN**

355 All right. Very good. And would you make sure that the Clerk gets a copy of that petition that
356 was submitted to us. Very good. All right, let's vote on that. Post. Motion carries. **(Motion**
357 **carried unanimously)** And ma'am? Miss? Miss?

358

359 **CONNIE ROGERS**

360 Yes.

361

362 **MAYOR GOODMAN**

363 When you're not involved, I'd love to hear that mayonnaise imitation at your leisure.

CITY COUNCIL MEETING OF
August 18, 2004

VERBATIM TRANSCRIPT – ITEM 99

364 **CONNIE ROGERS**

365 It's going to happen. Come and enjoy my backyard.

366

367 **MAYOR GOODMAN**

368 All right.

369

370 **CONNIE ROGERS**

371 I'm right in it. I'm right on Buffalo Road (sic).

372

373 **MAYOR GOODMAN**

374 All right. Well, you won't have any noise back there, anyhow now.

375

376 **MICHAEL SCARINGI**

377 Thank you, Council.

378

379 **MAYOR GOODMAN**

380 All right.

381

382 **CONNIE ROGERS**

383 Is that a promise? Thank you, I appreciate it.

384

385 **MAYOR GOODMAN**

386 You're welcome.

387 **(END OF DISCUSSION)**

388 /ac;slc

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Revised renderings submitted by Planning & Development
5. Submitted after final agenda – e-mail from Attorney Russell Rowe with Master Sign Plan Criteria for Treasures Gentlemen's Club
6. Submitted at City Council – Master Sign Plan Criteria for Treasures Gentlemen's Club submitted by Attorney Russell Rowe

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record and amended as follows:

2. Conformance to the sign elevations and Master Sign Criteria document *date stamped August 10, 2004* submitted in conjunction with this request, except as amended by conditions herein.
4. The base of the new freestanding sign on Highland Drive shall be detailed to match the bases of the existing freestanding signs at I-15 and Westwood Drive. The modification shall be reviewed and approved by Planning and Development Staff.

And deleting Condition 5

– UNANIMOUS with MACK abstaining because Treasures is a client of his business, Mack Consulting

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 100 – MSP-4380

MOTION – Continued:

NOTE: MAYOR GOODMAN disclosed that his son represents some of the employees of Treasures, but does not believe that relationship affects this particular issue and would be voting on the item. DEPUTY CITY ATTORNEY BRYAN SCOTT verified that MAYOR GOODMAN had made the same disclosure the last time this item was heard and it is appropriate.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, indicated that this is a Master Sign Plan Application for the entire Treasures site. The request is to consolidate two existing Master Sign Plans on the Treasures site. Somehow two plans were adopted, and the Code requires only one. This would take the two approvals and all the conditions and consolidate them into this application. He submitted a Master Sign Plan Criteria, which is part of the Code requirement. The document outlines all the requirements and restriction on signage for the site.

ATTORNEY ROWE added that the second purpose for the request is to ask for one additional freestanding sign for the site on Highland Drive. Originally the sign was proposed to be located at the corner of Presidio Avenue and Highland Drive. However, Creel Industries, their neighbor to the north, had concerns with respect to that sign drawing traffic down Presidio Avenue and into the site to the north, which could cause problems for deliveries to his business. Therefore, the sign was moved to the south end of Treasures where the existing Highland Avenue office property sign is located. This will address MR. CREEL'S concerns and direct traffic to where it should be going. ATTORNEY ROWE showed a design of the proposed sign depicting the name of the club with an arrow directing people down a private drive into Treasures and not down Presidio Avenue.

COUNCILWOMAN MONCRIEF thanked the applicant for working with staff to move the sign to the appropriate site and for working with Creel Printing.

MARGO WHEELER, Deputy Director, Planning and Development Department, stated for the record that Condition 2 would need to be amended to clarify that the approval is in conformance with documents date-stamped August 10, 2004. Condition 4 will be amended that the base of the freestanding sign will be on Highland Drive, deleting "and Presidio Avenue", and Condition 5 would be deleted in its entirety as the Master Sign Plan has been submitted. ATTORNEY ROWE concurred with the amendments and deletion. MS. WHEELER further clarified that although the Master Sign Criteria for Treasures is dated August 18, 2004, Condition 2 will reflect the date-stamped of August 10, 2004.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 100 – MSP-4380

MINUTES – Continued:

ATTORNEY ROWE thanked COUNCILWOMAN MONCRIEF and her staff for their assistance regarding this application.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:21 – 2:27)

3-2956

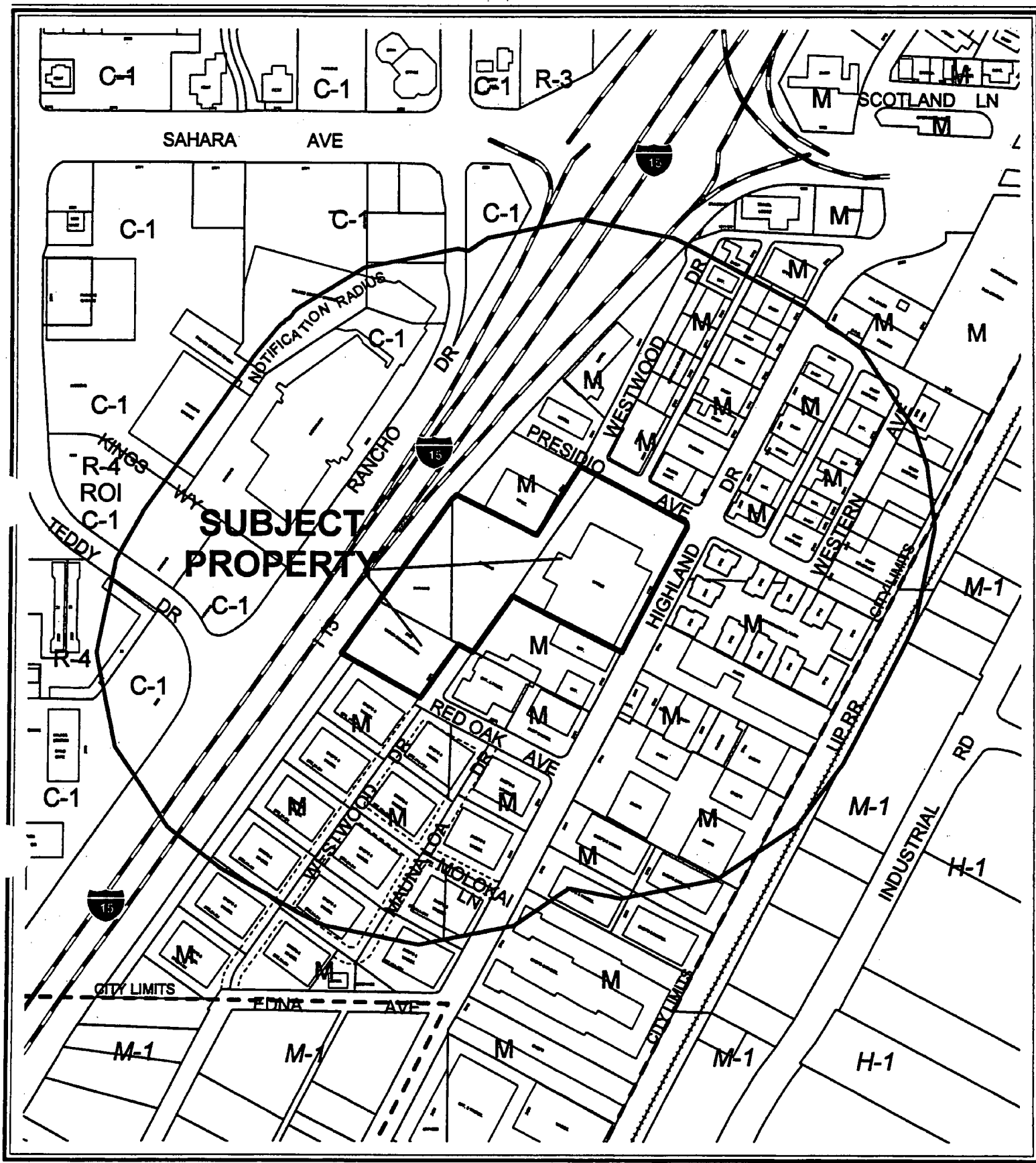
CONDITIONS:

Planning and Development

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

Public Works

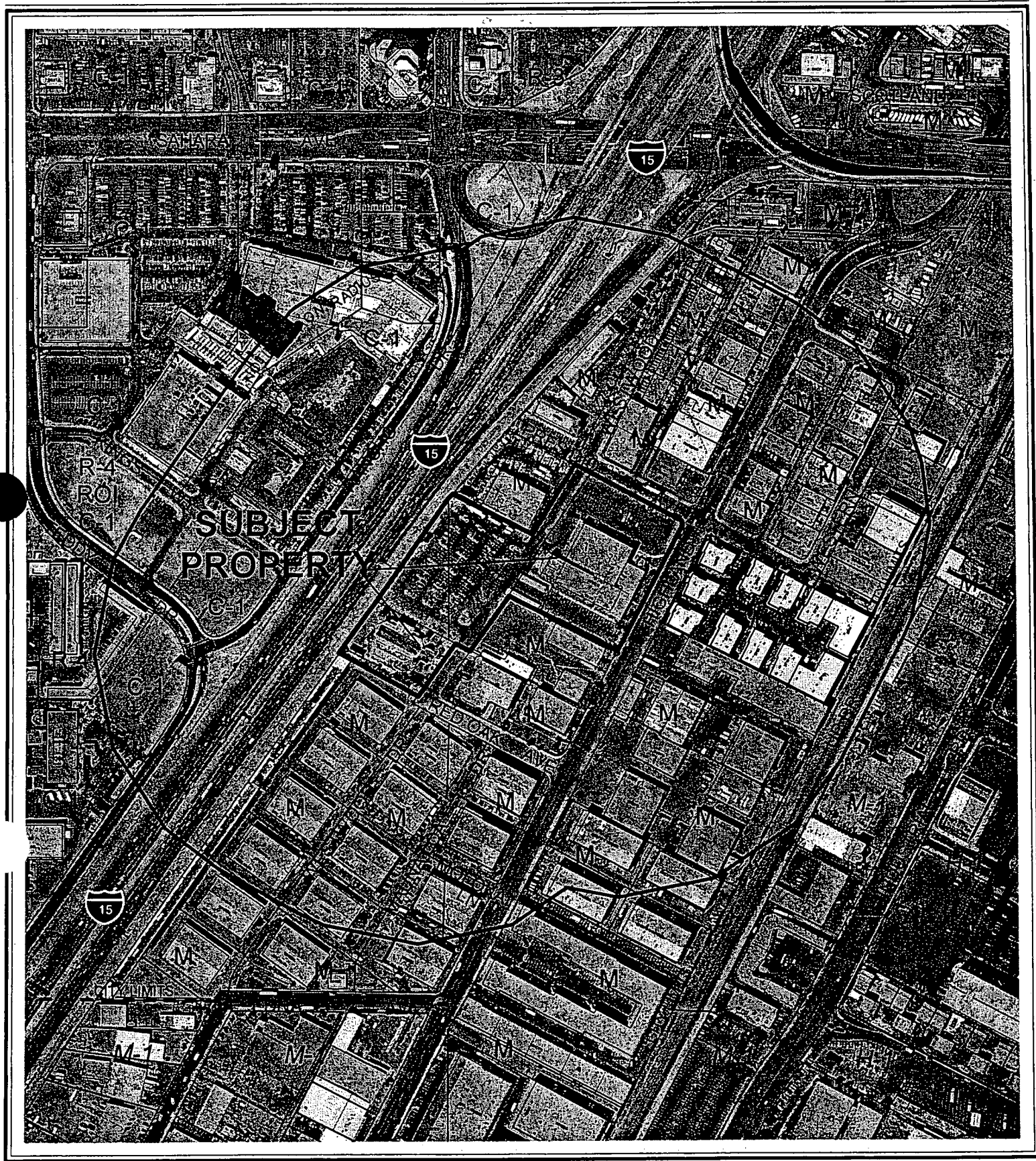
10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: MSP-4380

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **MSP-4380**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.

THIS ITEM WAS HELD IN ABEYANCE AT THE AUGUST 4, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

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

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

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

B) Existing Zoning

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

C) General Plan Compliance

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

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

General project description

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

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

A1) Residential Protection Standards

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

A2) Sign Standards

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

Freestanding Signs:

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

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

Wall Signs:

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

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

B) General Analysis and Discussion

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

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

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MSP-4380 APN: _____

Name of Property Owner: D. 2753, LLC

Name of Applicant: _____

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): N/A

APN: _____

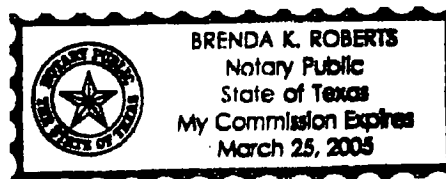
Signature of Property Owner/Authorized Agent: Ali Davari

Subscribed and sworn before me

This 28th day of April, 2004

Brenda K. Roberts

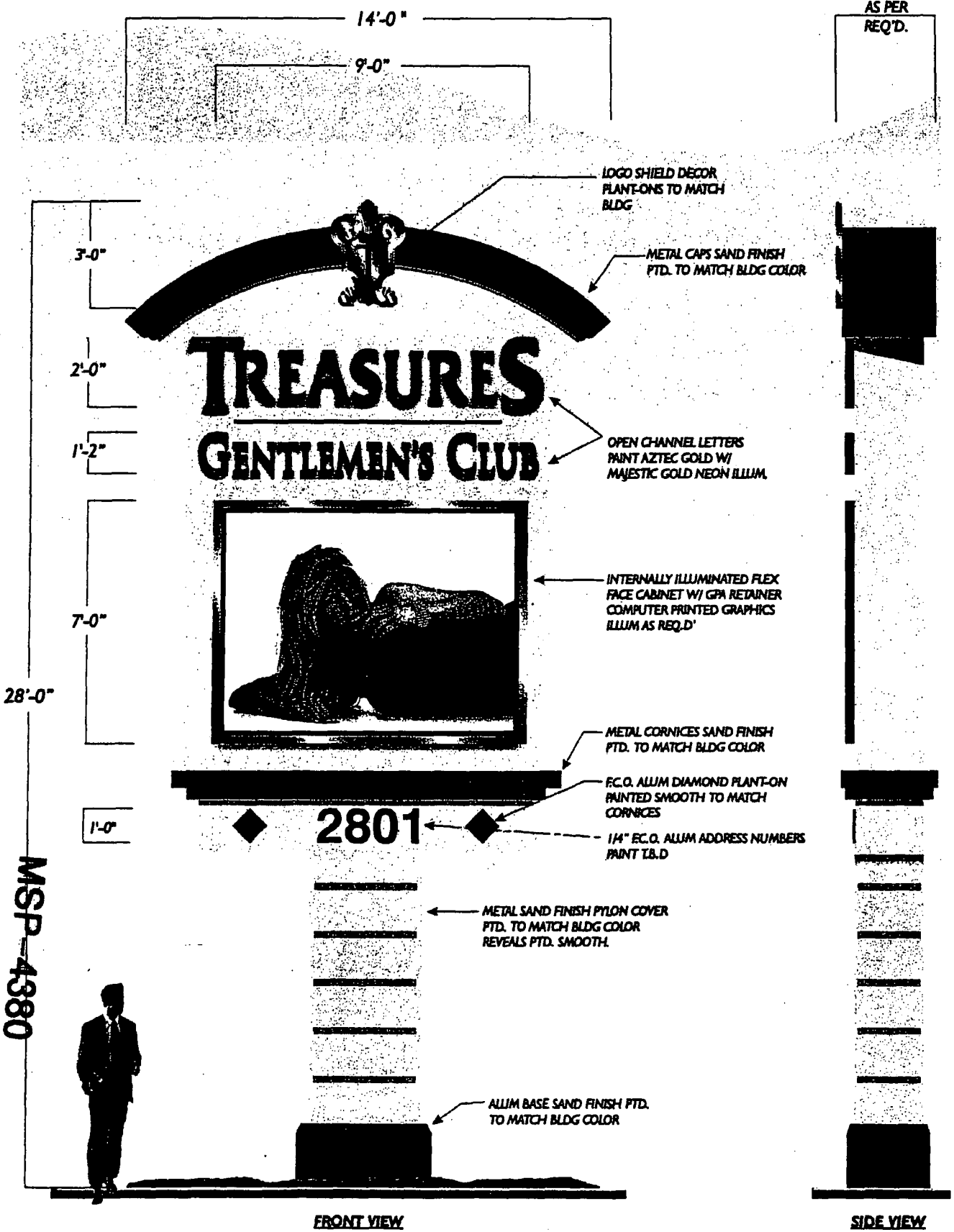
Notary Public in and for said County and State



6-11-04 PC

STAFF

MSP-4380



S/F 28' PYLON SIGN

3/8" = 1'-0"

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

Drawn	7373
Date	10-08-2002
By	DS/BN/C
Check	SHOCK
Approved	TG/7373/CBR

TREASURES
GENTLEMEN'S CLUB

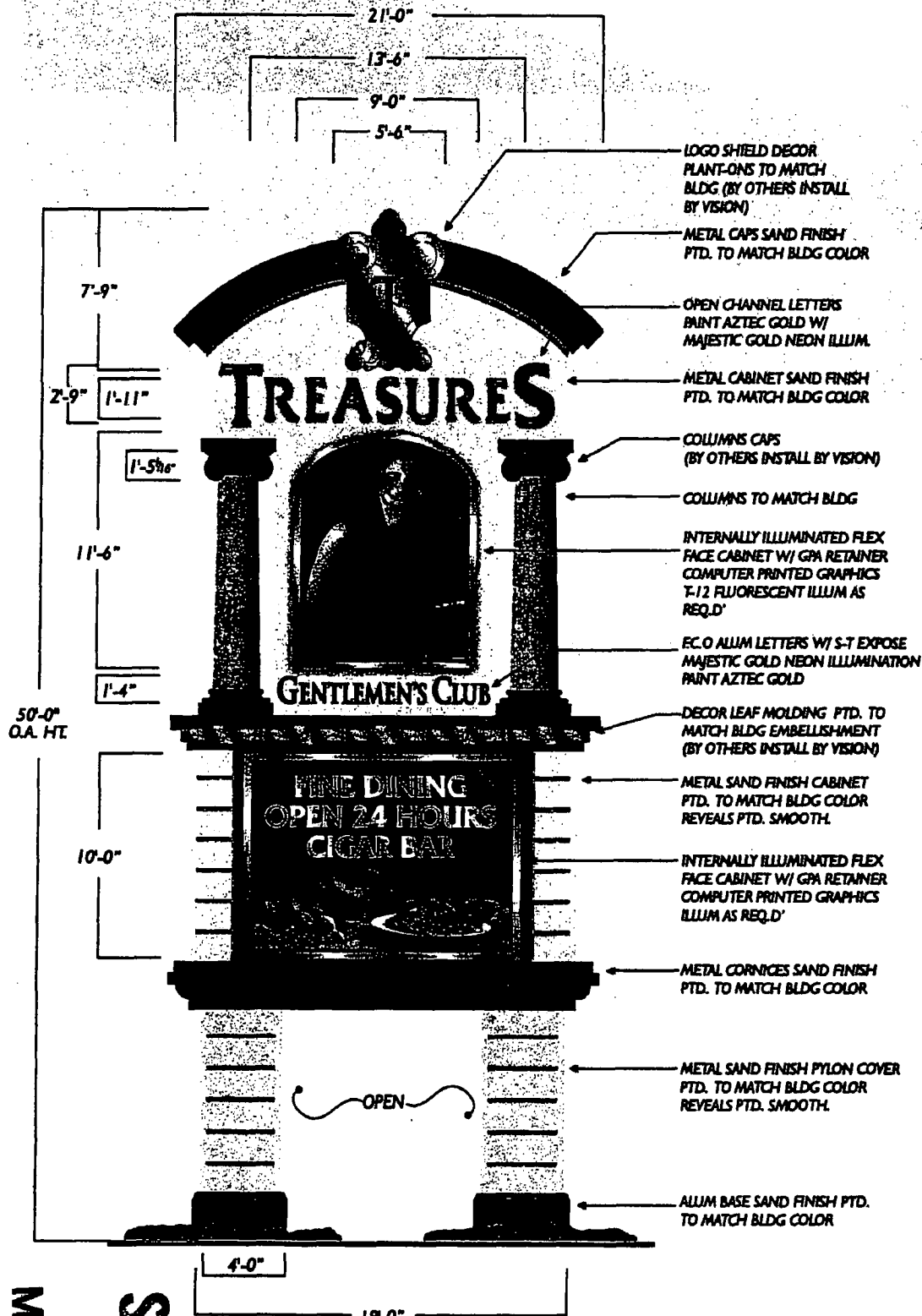
VISION SIGN

3023 S. Polaris Ave., Las Vegas, Nevada 89119

These plans are prepared and submitted by the contractor as an exception to NRS 623.330 for work under contract between employer and contractor under NRS 624.

NY CONTRACTOR LICENSE #01716

Project No.	01-120-100
Sheet No.	
Scale	
Date	



AS PER
REQ'D.

END VIEW

FRONT VIEW

STAFF

D/F 50' PYLON SIGN

3/16" = 1'-0"

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

6-10-04 PC

MSP-4380

Drawn	6804b
Date	10-08-2002
By	DEBCK
Check	SHOCK
Scale	1/8" = 1'-0"
Proj	6804b

TREASURES
GENTLEMEN'S CLUB

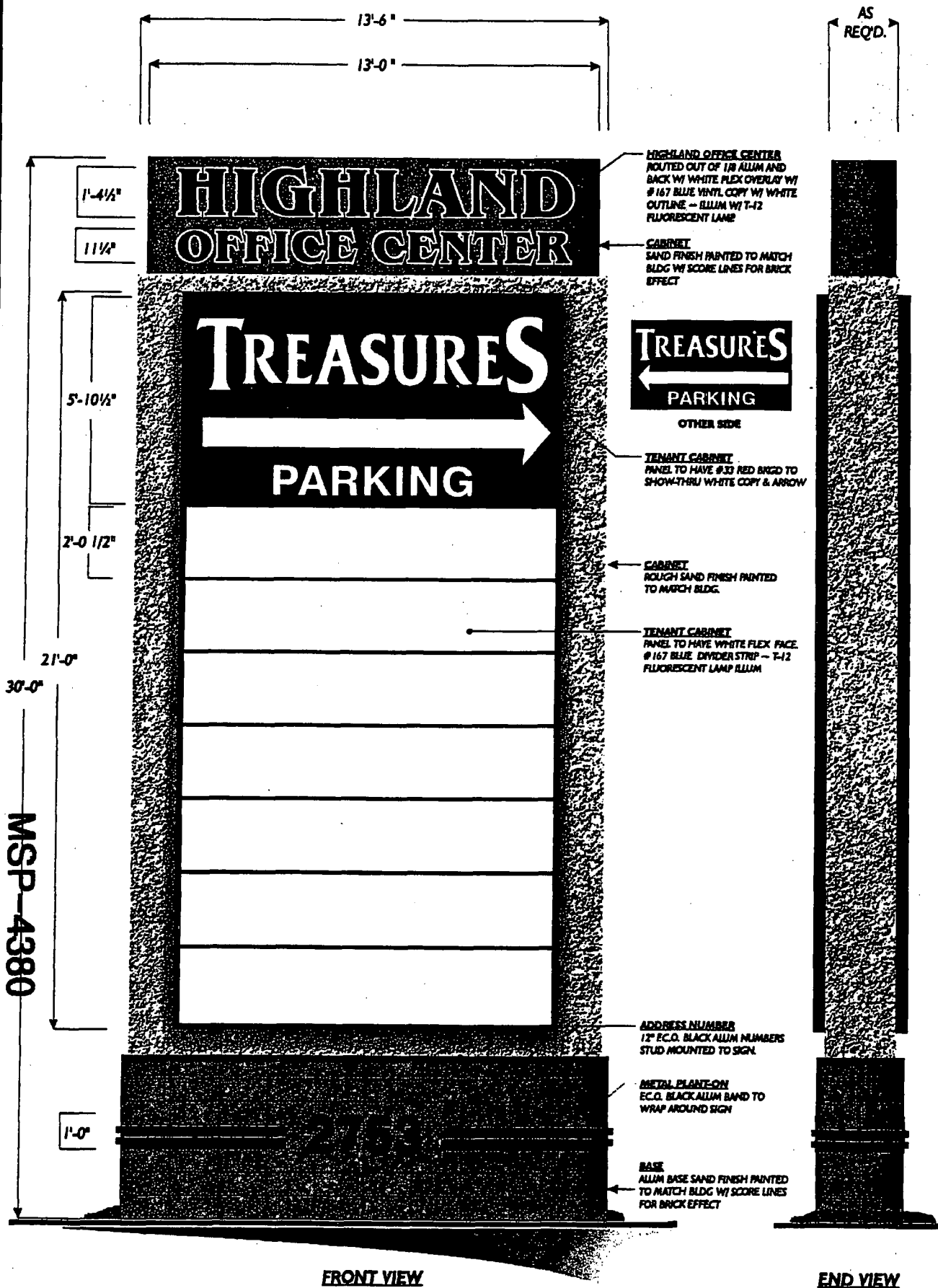
VISION SIGN
3120 S. Pacific Ave. Las Vegas, Nevada 89102

These plans were prepared and submitted by the contractor as an exception to NRS 623.238 for work under contractor license category authority not under NRS 624.

Drawn	6804b	By	DEBCK
Date	10-08-2002	Check	SHOCK
Scale	1/8" = 1'-0"	Proj	6804b

6-12-04 PC

STAFF



D/F 30' PYLON SIGN

3/8" = 1'-0"

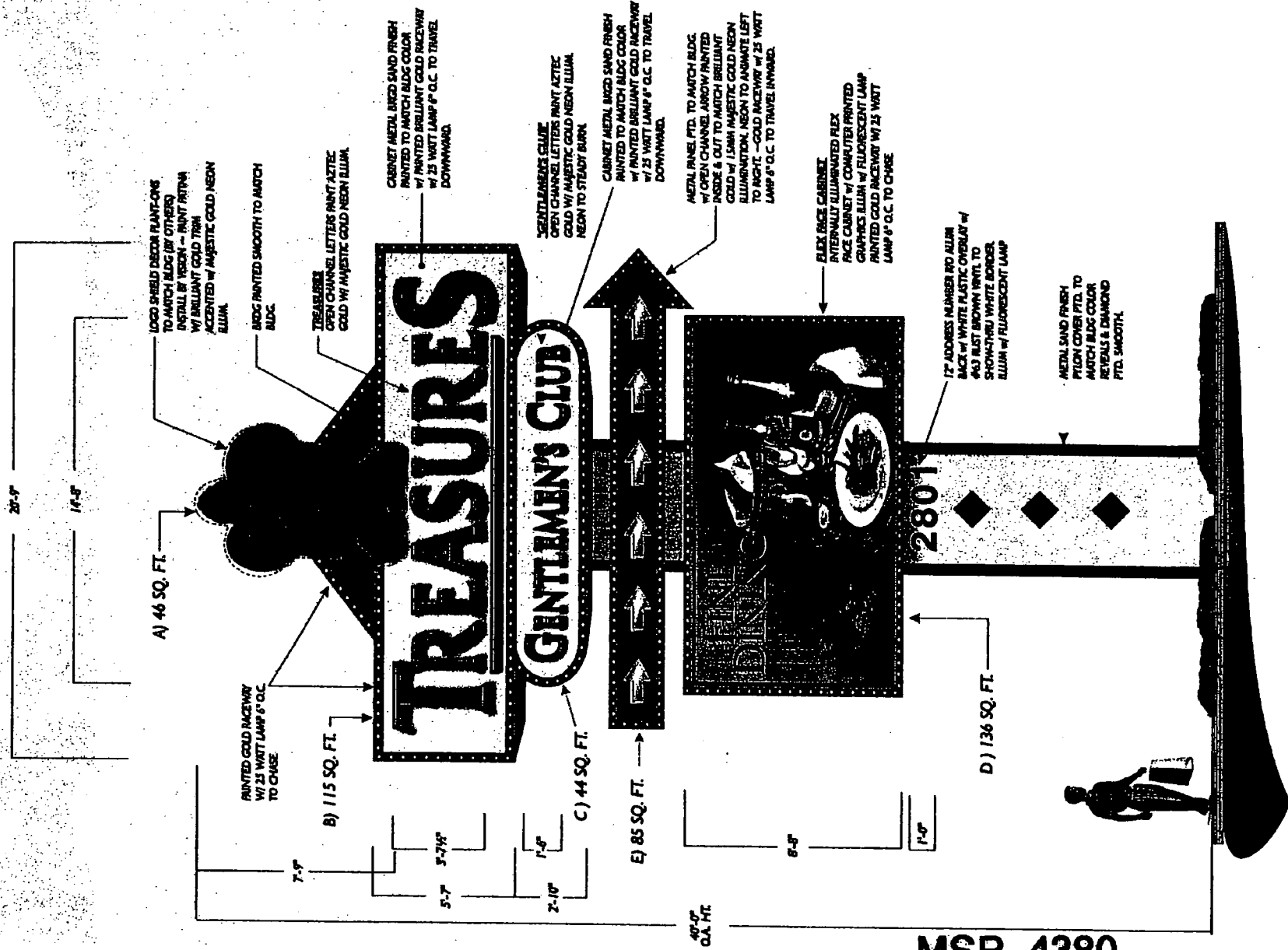
Sheet	6806c
Date	10-25-2007
Drawn	DERREK
Check	SHOCK
By	LAURENCE/ALICE CLR

HIGHLAND OFFICE CENTER
2783 HIGHLAND

VISION SIGN
302 S. Pahr Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an application to HRS 623.238 for work under contractor license category subject to order HRS 624. HW CONTRACTOR LICENSE #A1779.

11-09-07	DL
01-29-01	DL
07-21-02	DL
09-12-03	DL



MSP-4380

6-10-04 PC

STAFF

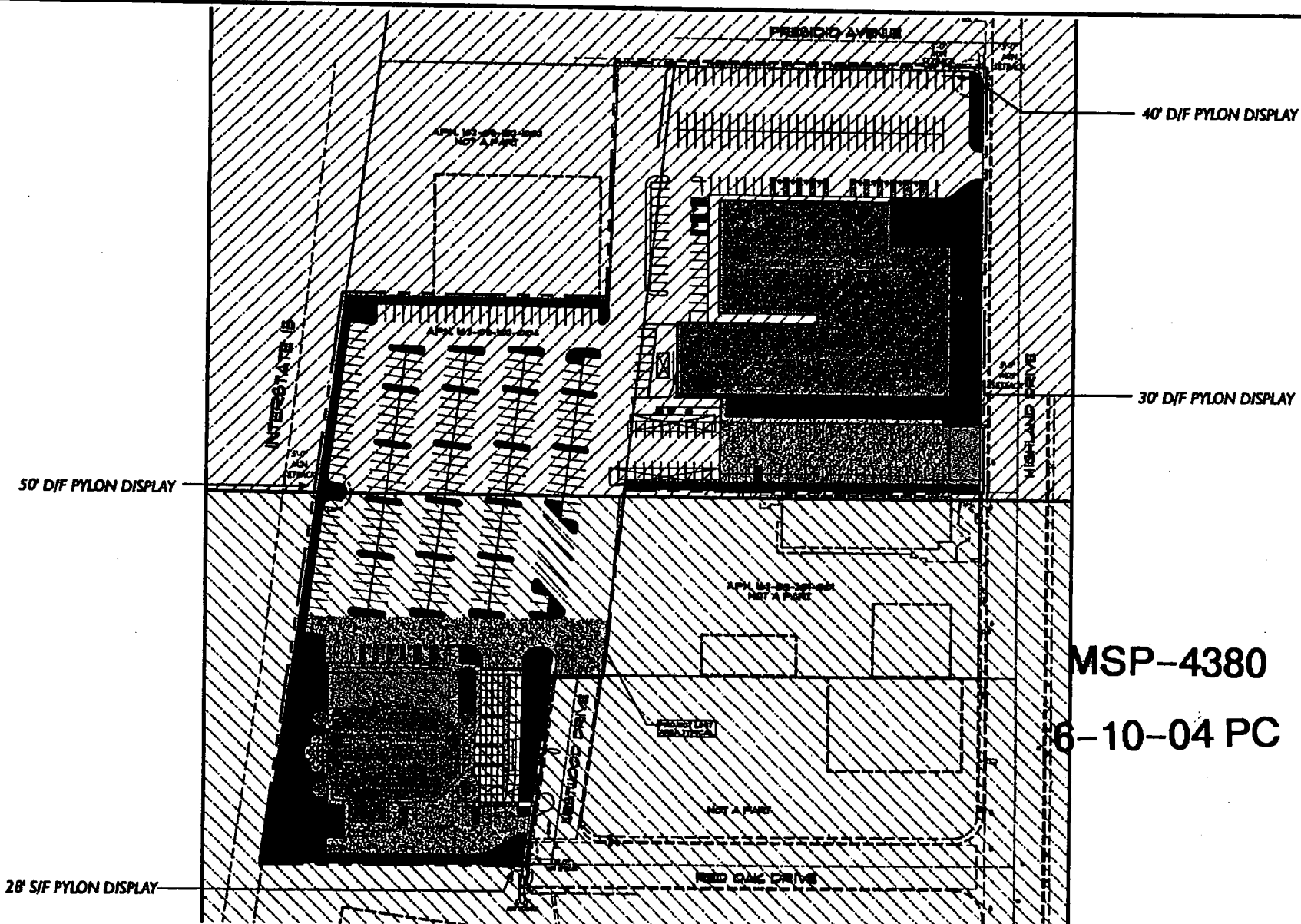
MFG. & INSTALL NEW 40' PYLON SIGN 1/4" = 1'-0"

TREASURES
CLUB GENTLEMEN'S CLUB

VISION SIGN
2801 N. Highway 101, Suite 100, San Jose, CA 95128

Model: MSP-4380
Date: 11-18-2003
Designer: DESIGNEE
Fabricator: VISION
Installer: VISION

This plan is prepared and submitted by the
VISION SIGN COMPANY, 2801 N. Highway 101, Suite 100,
San Jose, CA 95128. It is to be used for the
work under contract number 1003-0001.
It is not to be used for any other project.
VISION SIGN COMPANY



OVERALL SITE PLAN

SCALE: 1"=100'

FILE NO.	TGC Site Plan
DATE	01-05-2004
DRAWN BY	DERICK
CHECKED BY	SHOCK
APP. NO.	TGC QA 01-05-2004
APPROVED BY	TREASURES

TREASURES
GENTLEMEN'S CLUB

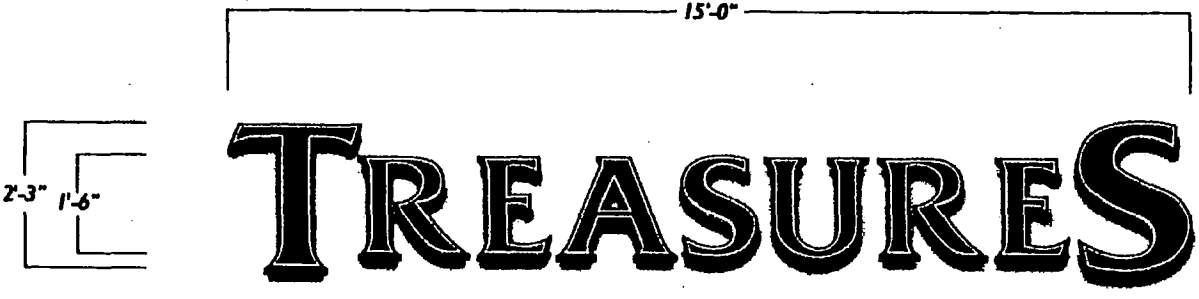
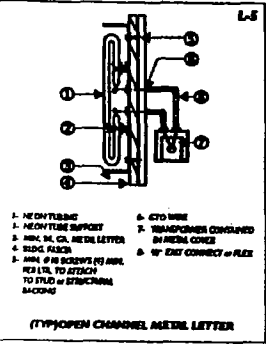


These plans are prepared and submitted by the contractor as an exception to NRS 621.330 for work under contractor license category authorized under NRS 624.
HV CONTRACTOR LICENSE #43776

DATE	01-05-2004
BY	DERICK
CHECKED BY	SHOCK
APP. NO.	TGC QA 01-05-2004
APPROVED BY	TREASURES

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

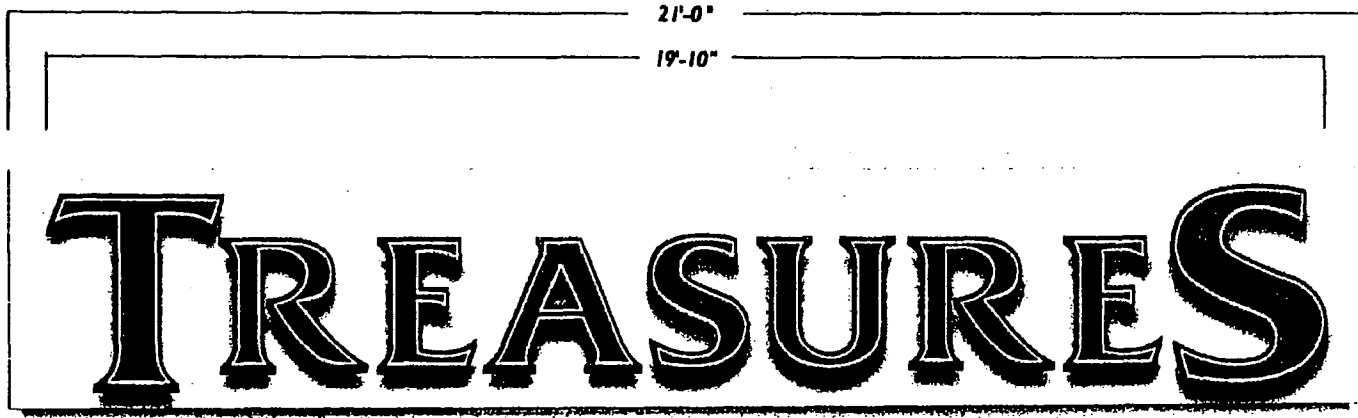
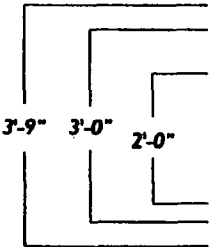
STAFF



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

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

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



STAFF

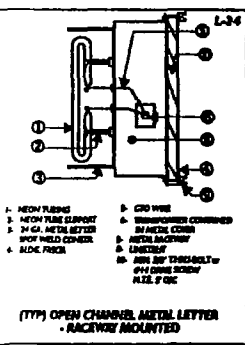
(B) OPEN CHANNEL LETTERS DETAIL 1/2" = 1'-0"

(1) REQ'D. - WEST ELEVATION

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

MSP-4380

6-10-04 PC



PROJ. NO.	7246
DATE	03-24-2003
DRAWN BY	DEWICK
CHECKED BY	SHOCK
FILED BY	7246.DWG
DATE	

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3425 S. Polaris Ave. Las Vegas, Nevada 89103

These plans were prepared and submitted by the contractor as an exemption to NRS 613.330 for work under contractor license category authorized under NRS 634.
NV CONTRACTOR LICENSE #42775

REVISION	BY
04-21-03	DW

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

DATE	04-11-03
BY	LM
REVISION	

These plans are prepared and submitted by the contractor as the responsibility to MDS 62.3.20 for work under contract between company and MDS 62.3.20. ANY CONTRACTOR LICENSE #43775

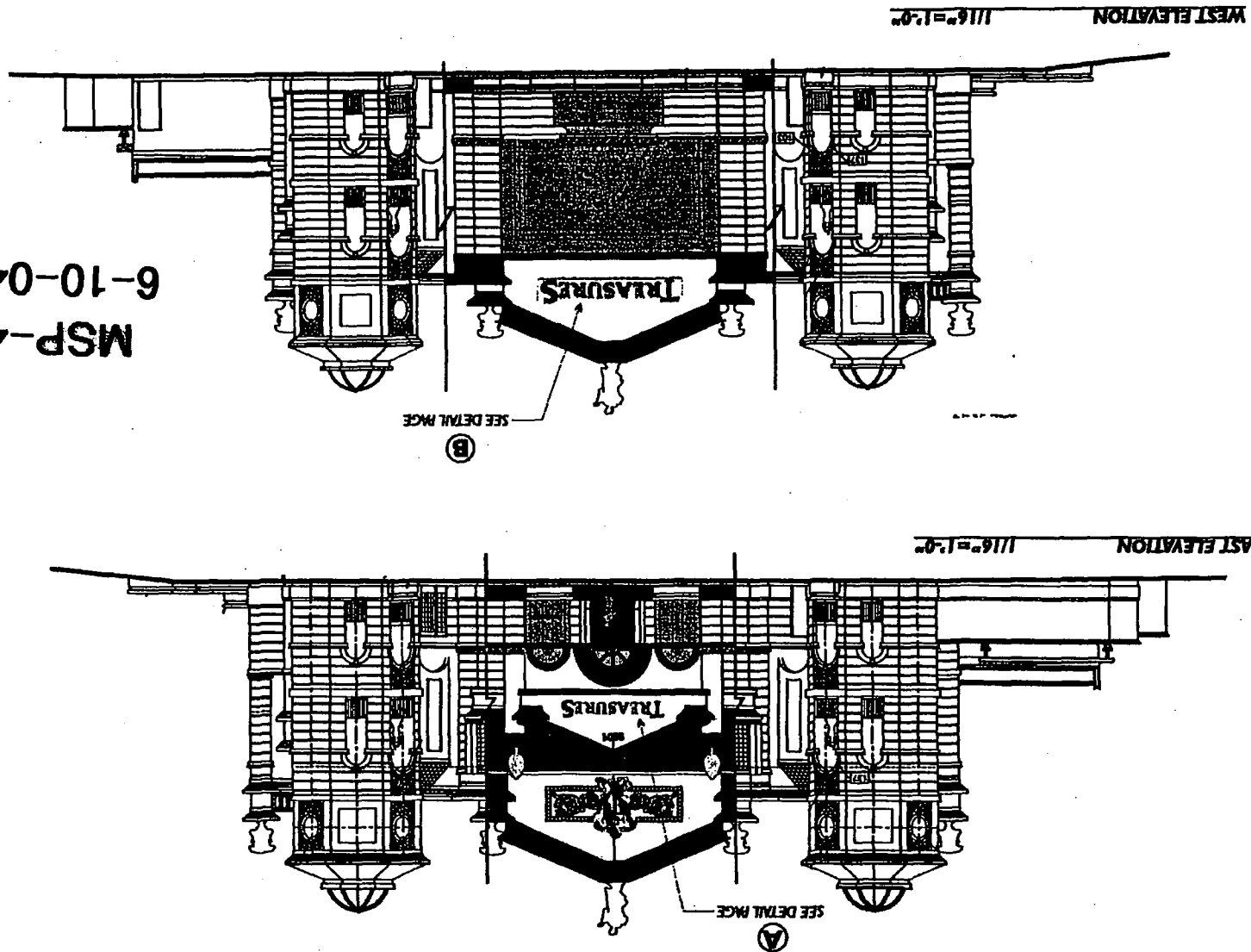
VISION SIGN
MDS 62.3.20, Las Vegas, Nevada 89102

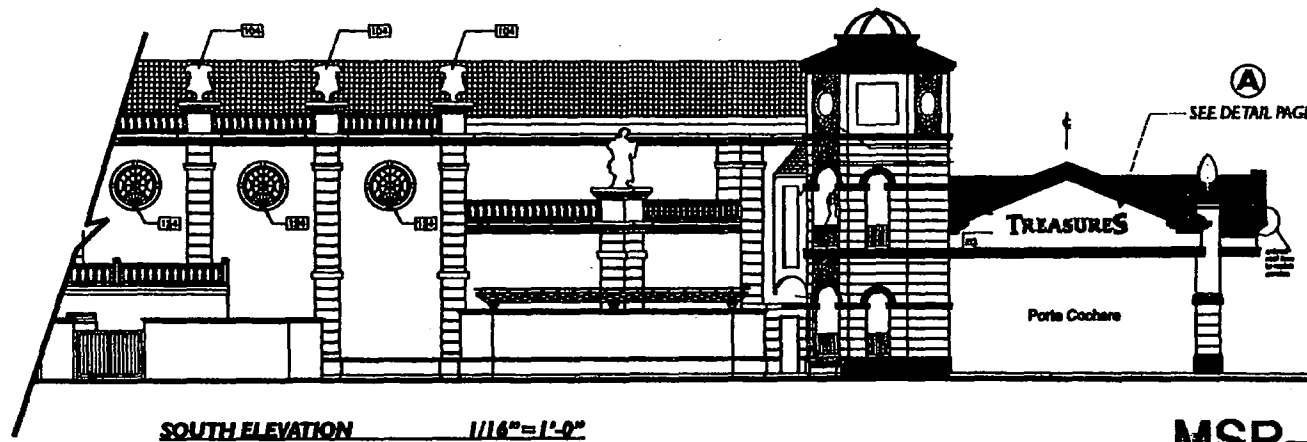
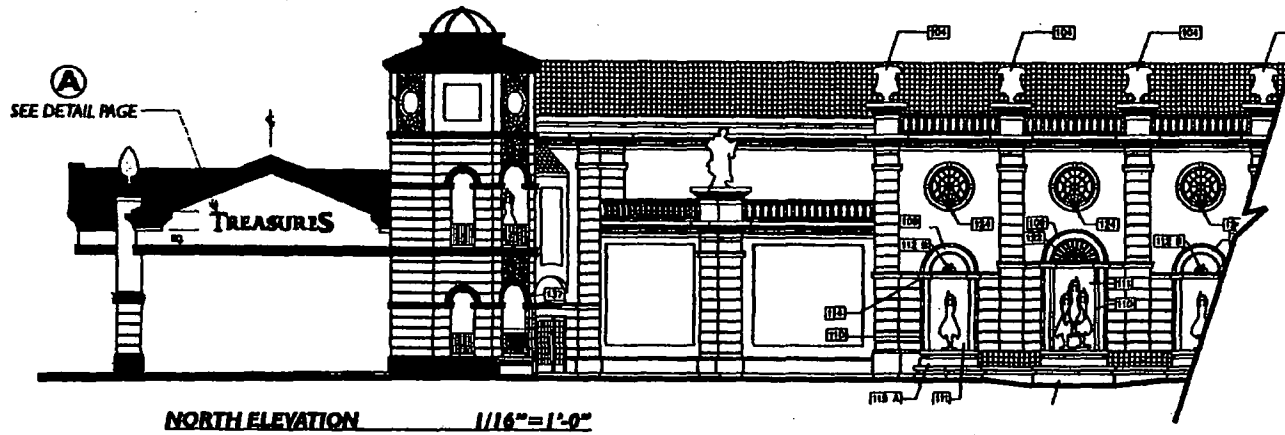
TREASURES
GENTLEMEN'S CLUB

PLAN NO. 7246
DATE 02-26-2003
DRAWN BY
CHECKED BY
APPROVED BY
7246.CAD

STAIR

MSP-4300
6-10-04 PC





STAFF

MSP-4380

6-10-04 PC

DESIGN NO.	7246
DATE	03-26-2003
DRAWN BY	DEROCK
CHECKED BY	SHOCK
FILED BY	7/25/03
BY	

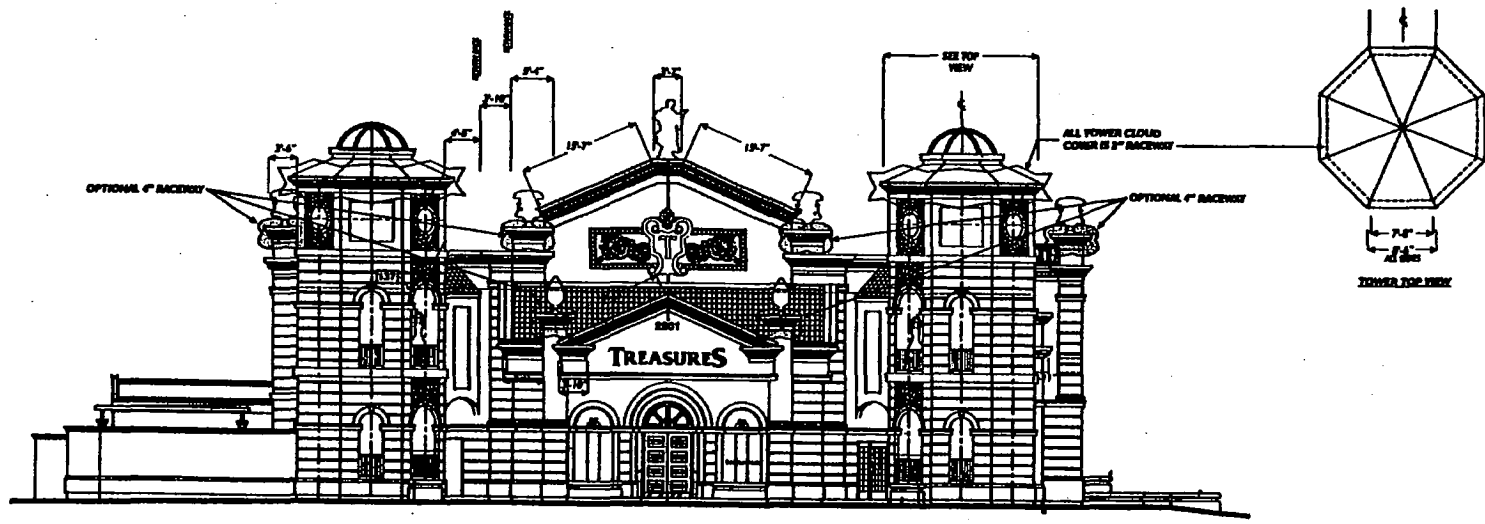
TREASURES
GENTLEMEN'S CLUB

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

These plans are prepared and submitted by the contractor as an exemption to NRS 612.330 for work under contractor license category authorized under NRS 634.
NV CONTRACTOR LICENSE #42776

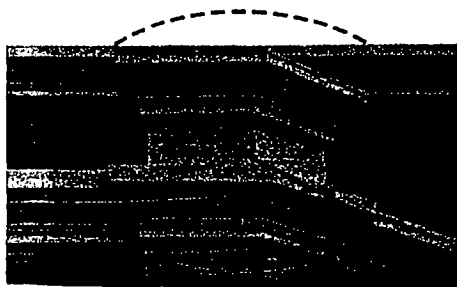
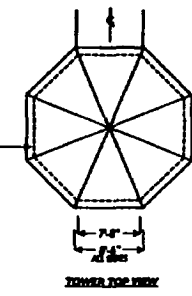
REVISION	BY
01-31-01	PH

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

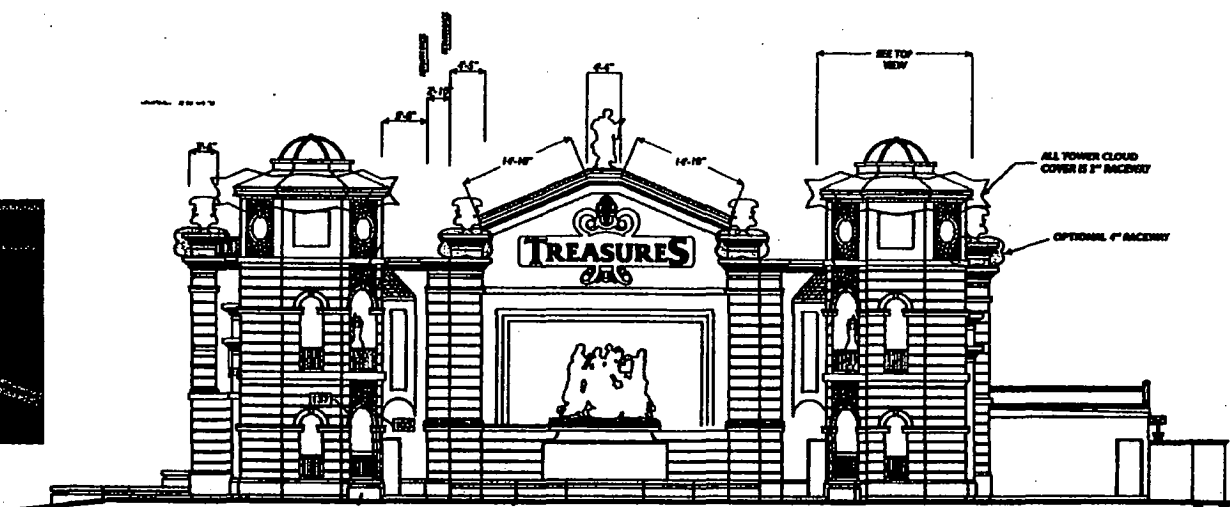


EAST ELEVATION 1/8" = 1'-0"

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

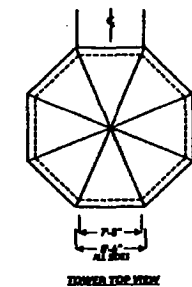


RECESS FOR RACEWAYS



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

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



STAFF

MSP-4300
6-10-04 PC

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

PROJ. NO.	7397
DATE	04-23-2003
DRAWN BY	DERECK
CHECKED BY	SHOCK
FILE NO.	7397/01

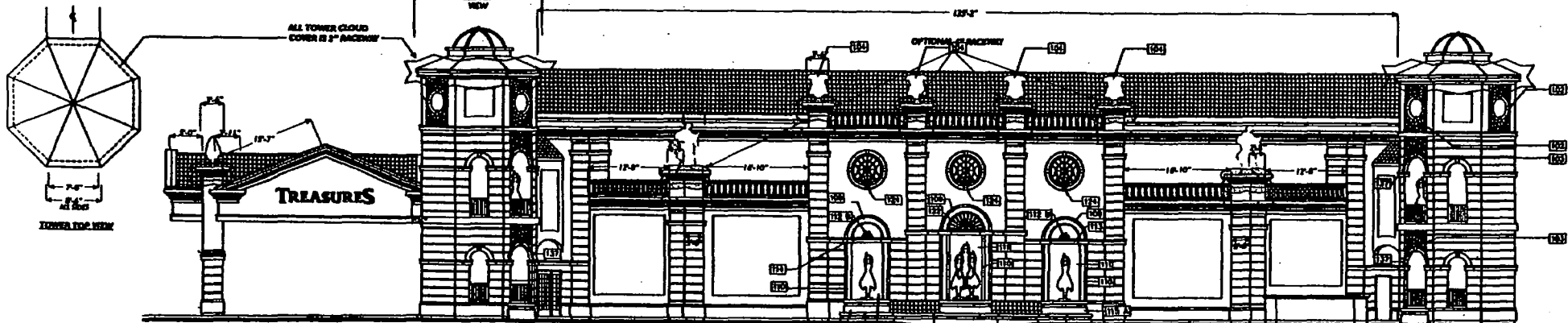
TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3225 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exemption to NRS 623.130 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

REVISION	NO.

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

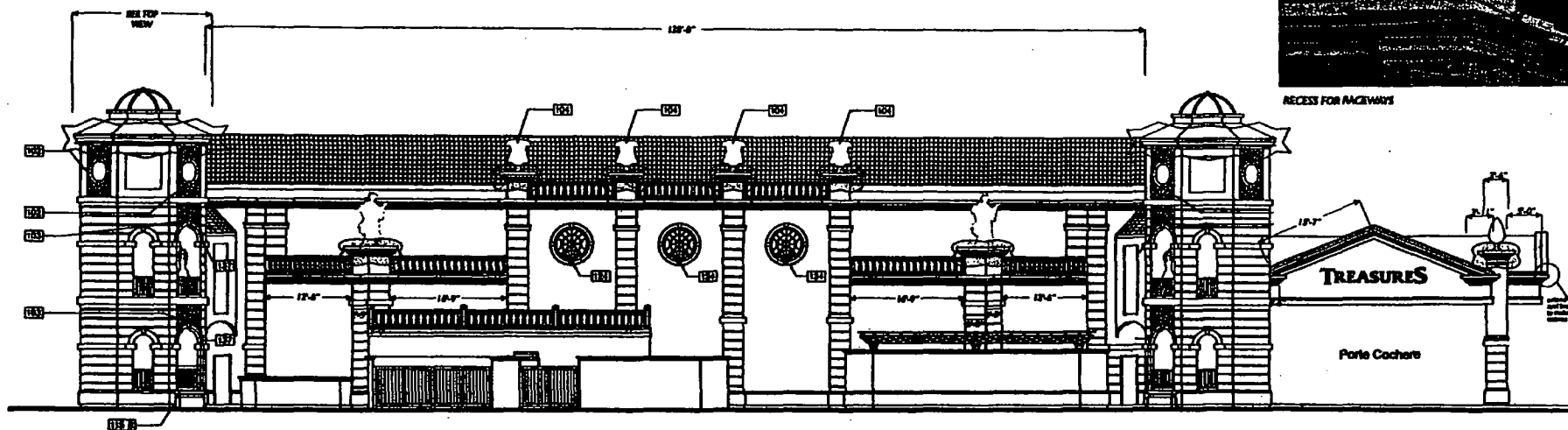


NORTH ELEVATION 1/8" = 1'-0"

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



RECESS FOR RACEWAYS



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

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

JOB NO.	7397
DATE	04-13-2003
DRAWN BY	DERUCK
CHECKED BY	SHOCK
FILE NAME	TGC7397.CDR

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3425 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an exception to NRS 623.130 for work under contractor license category authorized under NRS 624.
NY CONTRACTOR LICENSE #42776

DATE	BY

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

MSP-4380
6-10-04 PC

STAFF

These plans are prepared and submitted by the contractor as an application to NRS 632.330 for work under contractor license category authorized under NRS 624.
 NV CONTRACTOR LICENSE #42376

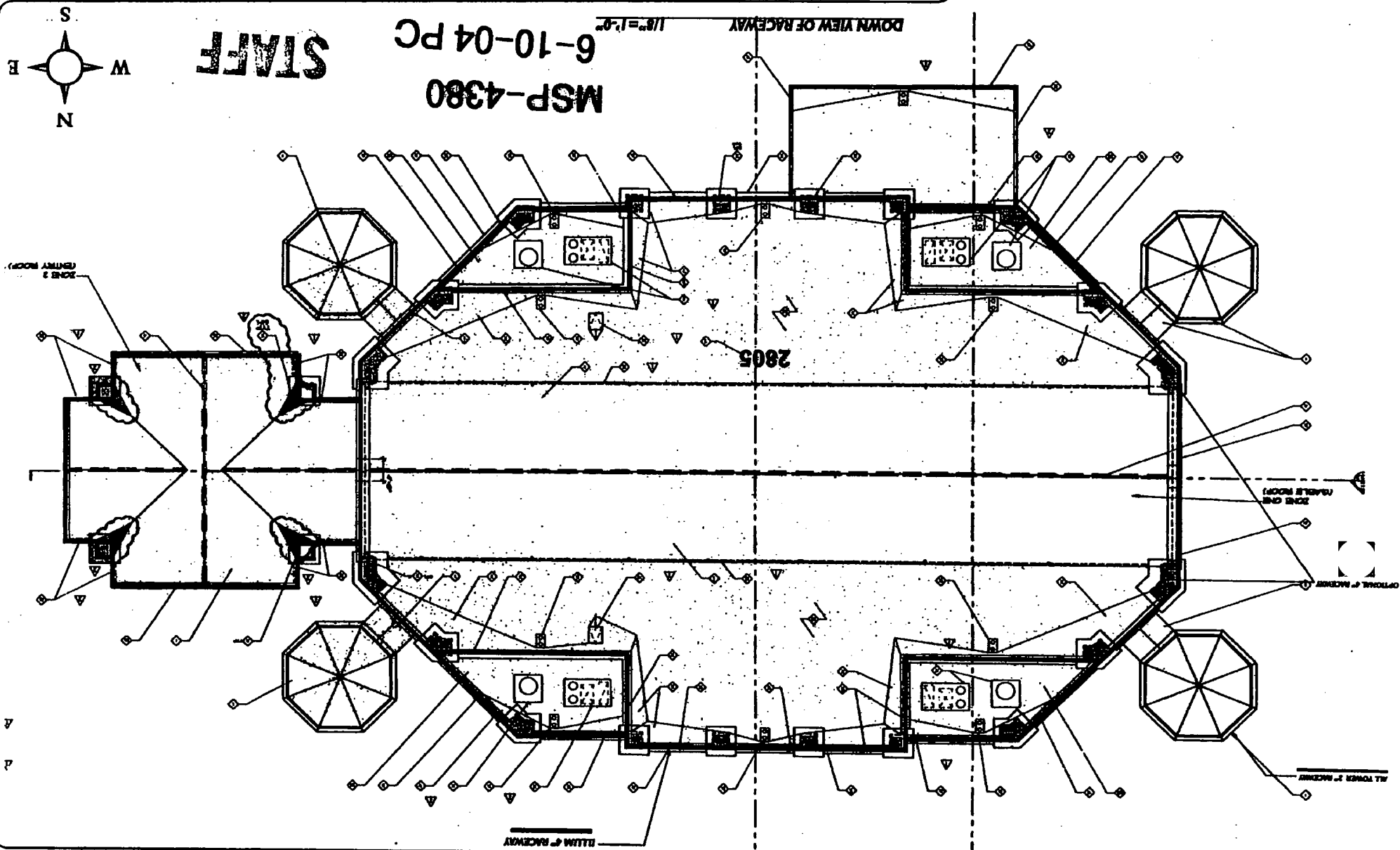
3635 S. Pulte Ave. Las Vegas, Nevada 89103

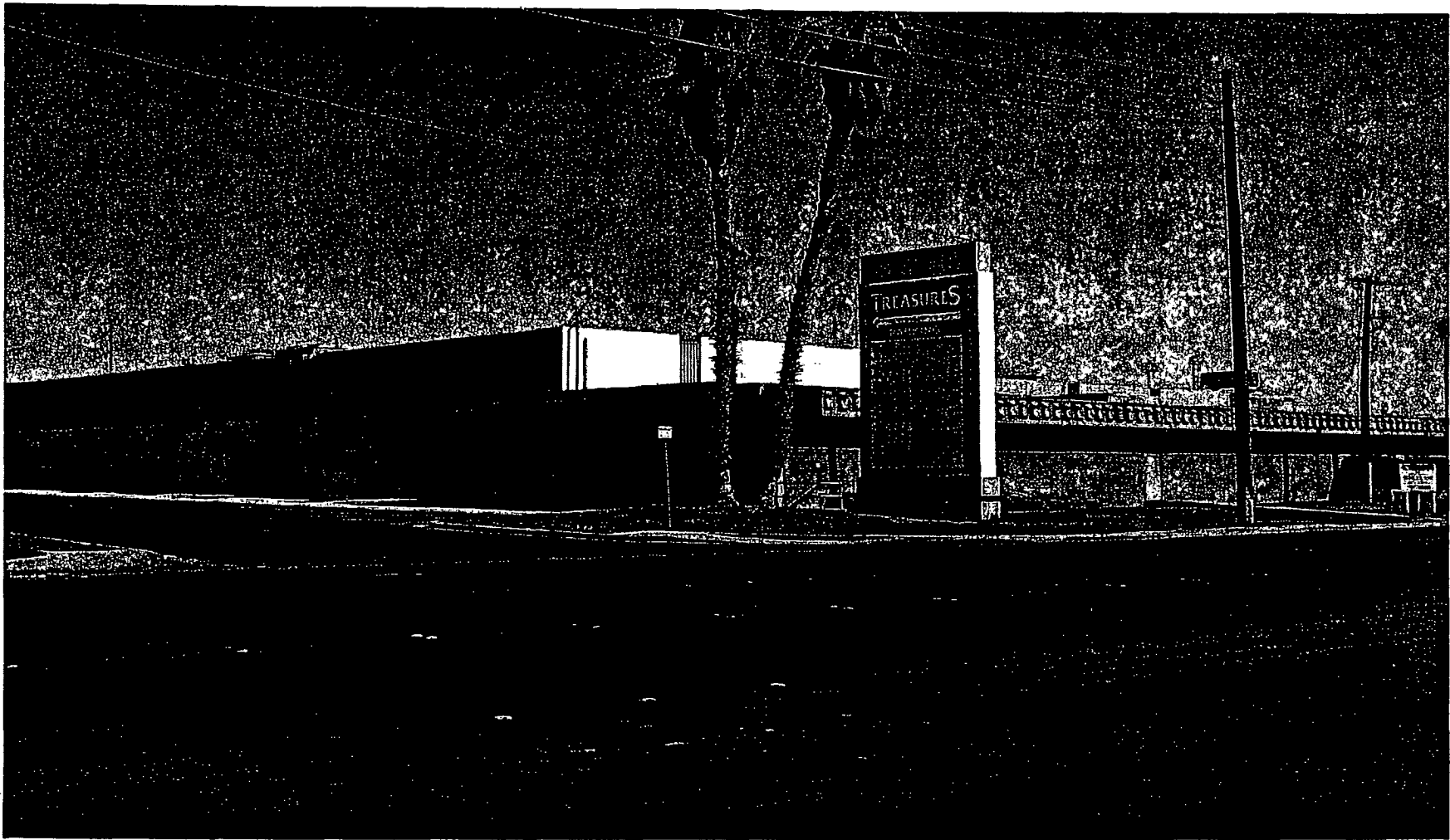
VISION

TREASURES

GENTLEMEN'S CLUB

7391	DATE	04-23-2003
	DRIVER	DERUCK
	TRUCK	SHOCK
	PLS INFO	1003971.COM
	NO	20





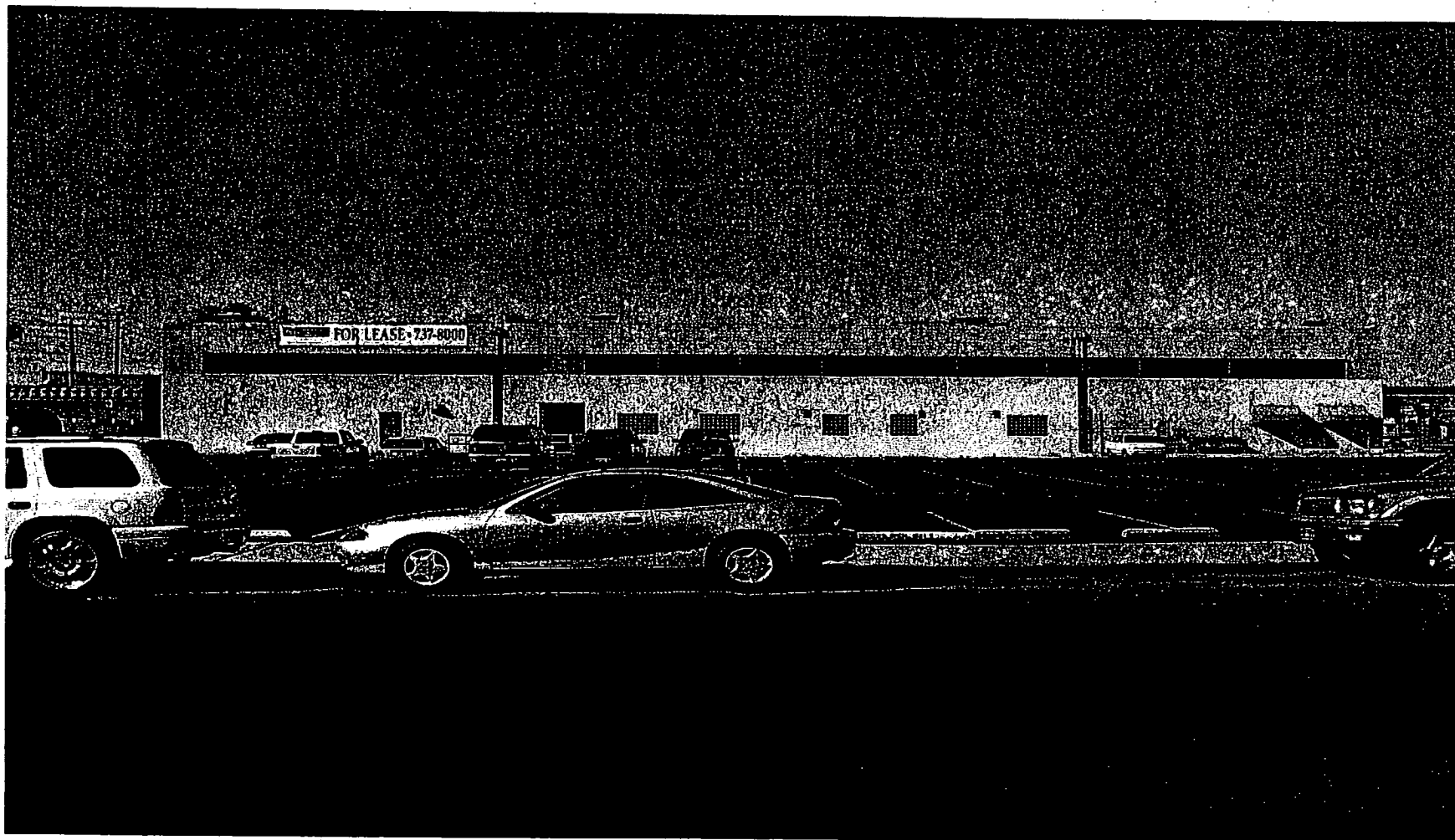
MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



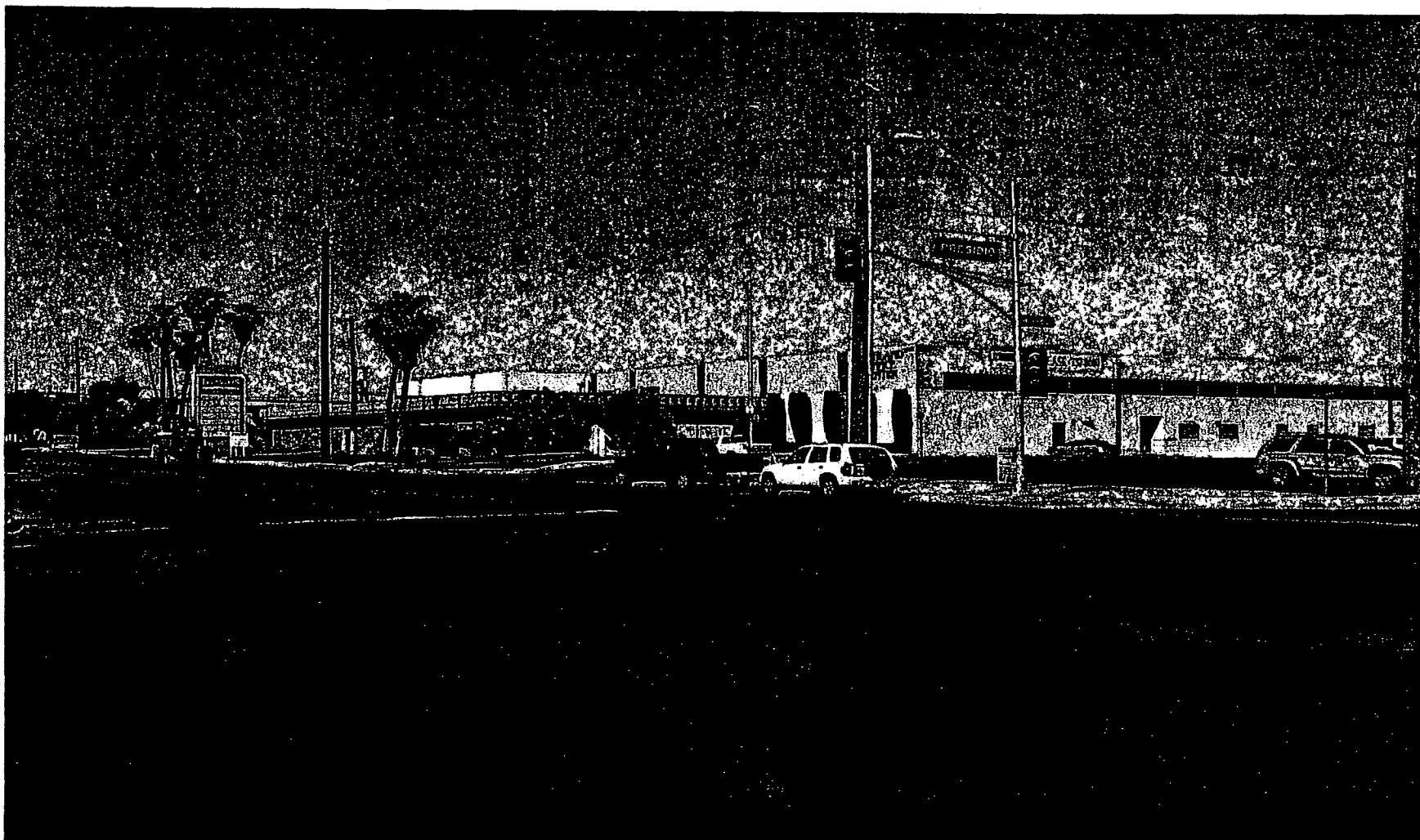
MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



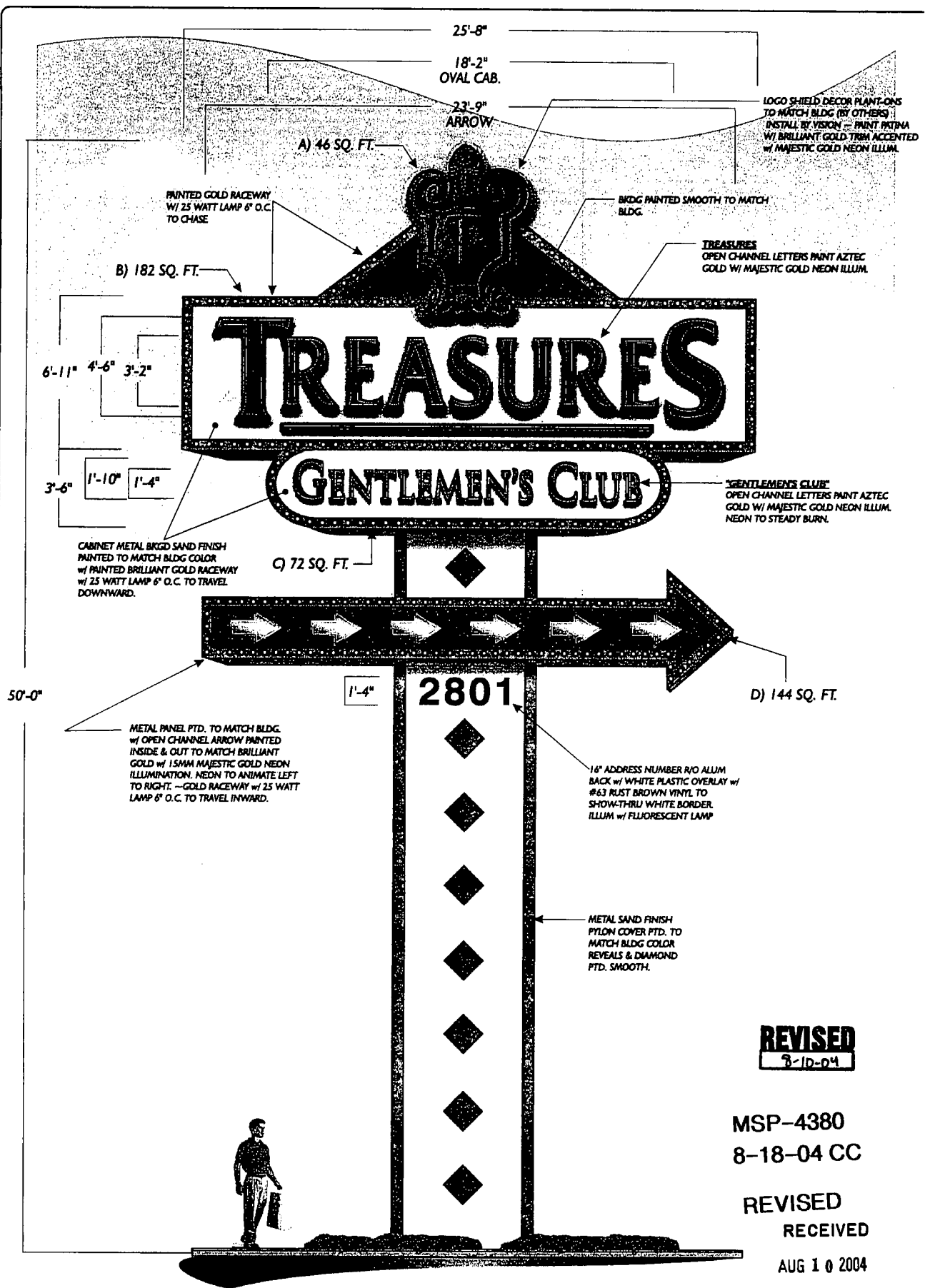
MSP-4380 - APPLICANT: VISION SIGN, INC. - OWNER: D 2801 WESTWOOD, INC.
NORTHWEST CORNER OF WESTWOOD DRIVE AND RED OAK AVENUE
JUNE 10, 2004 PLANNING COMMISSION

05/21/04



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

05/21/04



REVISED
8-10-04

MSP-4380
8-18-04 CC

REVISED
RECEIVED
AUG 10 2004

MFG. & INSTALL NEW 50' PYLON SIGN

1/4" = 1'-0"

DATE	8/2/04
BY	11-18-2003
CHKD	DESIGNER
APPD	SHOCK
NOTED	TUCORP/CLC/CLC

TREASURES
GENTLEMEN'S CLUB

VISION SIGN
3025 S. Polaris Ave. Las Vegas, Nevada 89103

These plans are prepared and submitted by the contractor as an application to H&S 023.326 for the work under contractor license category authorized under 1465.03A. NY CONTRACTOR LICENSE #43776

DATE	8-18-04	BY	ADD TO PROJECT
DATE	8-17-04	BY	NEW ARCH
DATE	8-13-04	BY	ARCH SIGN TO SP

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

REVISED
8-18-04

RECEIVED

AUG 10 2004

MSP-4380

8-18-04 CC

REVISED

HIGHLAND OFFICE
30' D/F PYLON DISPLAY

HIGHLAND OFFICE PYLON
IS TO MOVE TO THIS LOCATION

TREASURES
50' D/F PYLON DISPLAY



50' D/F PYLON DISPLAY

28' S/F PYLON DISPLAY



OVERALL SITE PLAN

SCALE: 1"=100'

JOB NO.	8029b
DATE	11-18-2003
DRAWN BY	DERRICK
CHECKED BY	SHOCK
FILE NAME	TGC8029b.CDR
PLOTTER	TREASURES

TREASURES
GENTLEMEN'S CLUB

VISION SIGN

3625 S. Polaris Ave. Las Vegas, Nevada 89103

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

REVISION	BY

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

Shelley DiNicola

From: Margo Wheeler
Sent: Tuesday, August 10, 2004 12:53 PM
To: Shelley DiNicola
Subject: FW: Treasures Highland Sign

MSP-4380

-----Original Message-----

From: Russell Rowe [mailto:rrowe@kkbr.com]
Sent: Tuesday, August 10, 2004 12:06 PM
To: mwheeler@lasvegasnevada.gov
Subject: Treasures Highland Sign

Dear Margo,

Of the two revised sign elevations sent to you yesterday – one with a reader-board and one without a reader-board – we will be requesting approval of the proposed sign *without* the reader-board.

Also, to address our neighbor's concerns and as indicated on the revised site plan, the proposed sign has been relocated to the southeast corner of the Highland Office Building parcel (APN 162-09-102-003), while the existing freestanding, panel sign for the Highland Office Building will be relocated to the northeast corner of the same parcel. No Treasures signage will be located on the Highland Office Building sign. I will revise the Master Sign Plan Sign Criteria document as necessary to reflect the same.

Finally, I spoke with Paul Larsen, attorney for Mr. Creel, to advise him of the relocation of the proposed sign. Paul said he will be meeting with Mr. Creel next week about this matter.

If you need any clarification of the above, please call me.

Thanks again for your patience and assistance with this application.

Russell M. Rowe
Kummer Kaempfer Bonner & Renshaw
3800 Howard Hughes Parkway, Seventh Floor
Las Vegas, Nevada 89109
Tel: (702) 792-7000
Fax: (702) 796-7181
Email: rrowe@kkbr.com

10912.6

This e-mail communication is a confidential attorney-client communication intended only for the person named above. If you are not the person named above, or the employee or agent responsible for delivery of the following information, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (702)792-7000. Also, please e-mail the sender that you have received the communication in error. We will gladly reimburse your telephone expenses. Thank you.

Submitted after final agenda

Date 8/13/04 Item #100

8/13/2004

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

MSP-4380

August 18, 2004

Applicable Parcels ("the site"):

- 162-08-604-001
- 162-09-102-001
- 162-09-102-003

This Master Sign Plan application, required as a condition of approval for SDPR-0063-01, replaces and supplements two previous master sign plans approved for the site: MSP-1409 and MSP-2565. The signs and conditions of approval for MSP-1409 and MSP-2565 will be incorporated into this Master Sign Plan application, in addition to the following requirements and sign criteria:

Modifications to this Master Sign Plan

All modifications to this Master Sign Plan are governed by 19.14.130 of the Las Vegas Municipal Code.

Arcade Signs

No arcade signs exist on the site or are included in this Master Sign Plan. New arcade signs shall be limited by the provisions of 19.14.060(F)(1) of the Las Vegas Municipal Code.

Awning Signs

No awning signs exist on the site or are included in this Master Sign Plan. New awning signs shall be limited by the provisions of 19.14.060(F)(2) of the Las Vegas Municipal Code.

Canopy Signs

No canopy signs exist on the site or are included in this Master Sign Plan. New canopy signs shall be limited by the provisions of 19.14.060(F)(3) of the Las Vegas Municipal Code.

Consolidated Signs

This Master Sign Plan includes one existing consolidated sign located in the front of the office building located along Highland Drive on the southeast corner of APN 162-09-102-003. A photo of the existing sign is included in the Master Sign Plan application submittal. No new consolidated signs are proposed with this Master Sign Plan. However, the existing consolidated sign will be relocated to the northeast corner of the parcel to make room for the proposed freestanding sign for Treasures (see below). No signage for Treasures shall be placed on the existing consolidated sign. New consolidated signs not shown in the site plan submitted with MSP-4380 shall require a major amendment to this master sign plan, and shall be limited by the provisions of 19.14.060(F)(4) of the Las Vegas Municipal Code.

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

Freestanding Signs

This Master Sign Plan includes three freestanding signs; two existing signs and one proposed sign. One freestanding sign is located on the southeast corner of APN 162-08-604-001 along Redwood Drive and was approved as part of MSP-2565. The second freestanding sign is located along the western boundary of APN 162-09-102-001 and was approved as part of MSP-1409. Photos of the existing signs are included in the Master Sign Plan application submittal. The proposed third freestanding sign will be located at the southeast corner of APN 162-09-102-003. The purpose of this sign is outlined in the justification letter submitted with this Master Sign Plan application. New freestanding signs not shown in the site plan submitted with MSP-4380 shall require a major amendment to this master sign plan, and shall be limited by the provisions of 19.14.060(F)(5) of the Las Vegas Municipal Code.

Marquee Signs

This Master Sign Plan includes three existing marquee signs on the front and sides of the porte cochere, which is located at the front of the building on APN 162-08-604-001 and was approved as part of MSP-2565. Photos of the existing signs are included in the Master Sign Plan application submittal. No new marquee signs are proposed with this Master Sign Plan. New marquee signs shall be limited by the provisions of 19.14.060(F)(6) of the Las Vegas Municipal Code.

Menu Boards

No menu boards exist on the site or are included in this Master Sign Plan. New menu boards shall be limited by the provisions of 19.14.060(F)(7) of the Las Vegas Municipal Code.

Monument Signs

No monument signs exist on the site or are included in this Master Sign Plan. New monument signs shall be limited by the provisions of 19.14.060(F)(8) of the Las Vegas Municipal Code.

Projecting Signs

No projecting signs exist on the site or are included in this Master Sign Plan. New projecting signs shall be limited by the provisions of 19.14.060(F)(9) of the Las Vegas Municipal Code.

Roof Signs

No roof signs exist on the site or are included in this Master Sign Plan. New roof signs shall be limited by the provisions of 19.14.060(F)(10) of the Las Vegas Municipal Code.

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

Wall Signs

This Master Sign Plan includes one existing wall sign located on the building on APN 162-08-604-001, which were approved as part of MSP-2565. A photo of the existing sign is included in the Master Sign Plan application submittal. No new wall signs are proposed with this Master Sign Plan. New wall signs shall require a minor amendment to this master sign plan, and shall be limited by the provisions of 19.14.060(F)(11) of the Las Vegas Municipal Code.

Window Signs

No window signs exist on the site or are included in this Master Sign Plan. New window signs shall be limited by the provisions of 19.14.060(F)(1) of the Las Vegas Municipal Code.

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

August 18, 2004

Applicable Parcels ("the site"):

162-08-604-001
162-09-102-001
162-09-102-003

This Master Sign Plan application, required as a condition of approval for SDPR-0063-01, replaces and supplements two previous master sign plans approved for the site: MSP-1409 and MSP-2565. The signs and conditions of approval for MSP-1409 and MSP-2565 will be incorporated into this Master Sign Plan application, in addition to the following requirements and sign criteria:

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Canopy Signs

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Submitted at City Council

Date 8/18/04 Item #100

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

Freestanding Signs

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Marquee Signs

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Menu Boards

No menu boards exist on the site or are included in this Master Sign Plan. New menu boards shall be limited by the provisions of 19.14.060(F)(7) of the Las Vegas Municipal Code.

Monument Signs

No monument signs exist on the site or are included in this Master Sign Plan. New monument signs shall be limited by the provisions of 19.14.060(F)(8) of the Las Vegas Municipal Code.

Projecting Signs

No projecting signs exist on the site or are included in this Master Sign Plan. New projecting signs shall be limited by the provisions of 19.14.060(F)(9) of the Las Vegas Municipal Code.

Roof Signs

No roof signs exist on the site or are included in this Master Sign Plan. New roof signs shall be limited by the provisions of 19.14.060(F)(10) of the Las Vegas Municipal Code.

Master Sign Plan Sign Criteria

Treasures Gentlemen's Club

Wall Signs

This Master Sign Plan includes one existing wall sign located on the building on APN 162-08-604-001, which were approved as part of MSP-2565. A photo of the existing sign is included in the Master Sign Plan application submittal. No new wall signs are proposed with this Master Sign Plan. New wall signs shall require a minor amendment to this master sign plan, and shall be limited by the provisions of 19.14.060(F)(11) of the Las Vegas Municipal Code.

Window Signs

No window signs exist on the site or are included in this Master Sign Plan. New window signs shall be limited by the provisions of 19.14.060(F)(1) of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION - PUBLIC HEARING - MOD-4484 - APPLICANT/OWNER: RITTER CHARITABLE TRUST - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.00 acres adjacent to the southwest corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

18

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Protest petition with 18 signatures submitted by Councilman Brown

MOTION:**BROWN – APPROVED subject to conditions – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. ATTORNEY FIORENTINO explained that the property is currently zoned for Commercial. The request is a down-zoning from commercial to residential. The site is currently approved for a church, therefore decreasing

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

MINUTES – Continued:

the density. The land use being requested is identical to the land use approved immediately west of this property. He is aware about density concerns. There is a letter of intent to sell this property to a homebuilder who intends to develop this in a density similar to what is being approved and what is contemplated along Cliff Shadows on the east side. ATTORNEY FIORENTINO indicated that they would come back with an actual site plan once the deal with the builder is finalized.

CELESTE POST, 10765 West Hunter Mountain Avenue, opposed the project's density. COUNCILMAN BROWN submitted a petition from the neighbors expressing their concerns about the density. Many of the homes along Alexander Road paid significant premiums for their view lots. The request is to down-zone from Commercial to Medium Low Residential, which allows five and a half to twelve units per acre. The builder will be held to the standard of what exists in the area. In reply to MS. POST'S question of whether the units will be condominiums or a two-story product, COUNCILMAN BROWN replied that these would be single family attached. The applicant is required to come before the Planning Commission and the City Council at public hearings as to the specific project they propose. At that time the residents can meet with the developer and express their concerns.

MS. POST asked what happened to the proposed school and church. COUNCILMAN BROWN replied that the Master Plan was zoned as Neighborhood Commercial. Then a church group came in and asked for a Special use Permit, which was approved, and part of that church facility also included the school. That has been withdrawn, and as of today that remains Neighborhood Commercial, unless the City Council takes action to down-zone it to Residential. MS. POST indicated that there are no stores in this particular area. COUNCILMAN BROWN pointed out a convenience store, drugstore, restaurants and some retail shops proposed in the Cliff Shadows Master Planned Community zoned for Village Commercial. East of the I-215 and Cheyenne Avenue, there are 18 acres of approved commercial that will include a supermarket.

LETICIA CATINO, 10749 West Hunter Avenue, expressed concern about traffic, especially with more homes being built. The street is small, and children waiting for the school bus are at risk with the increased traffic. She requested a crossing guard for this location. Only one access is provided into her community, and if other homes should be built, the road would need to be widened to accommodate the traffic. COUNCILMAN BROWN stated that the range of densities approved today would be compatible with the surrounding existing homes. MS. CATINO asked that single story homes be built as a buffer along Alexander Road to protect the view. COUNCILMAN BROWN noted that that issue would be addressed when the site plan comes back as a public hearing. Whatever might be built, Alexander Road would be fully improved. ATTORNEY FIORENTINO indicated that he will work with the residents on the design before it comes before the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:27 – 2:37)
3-3308

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

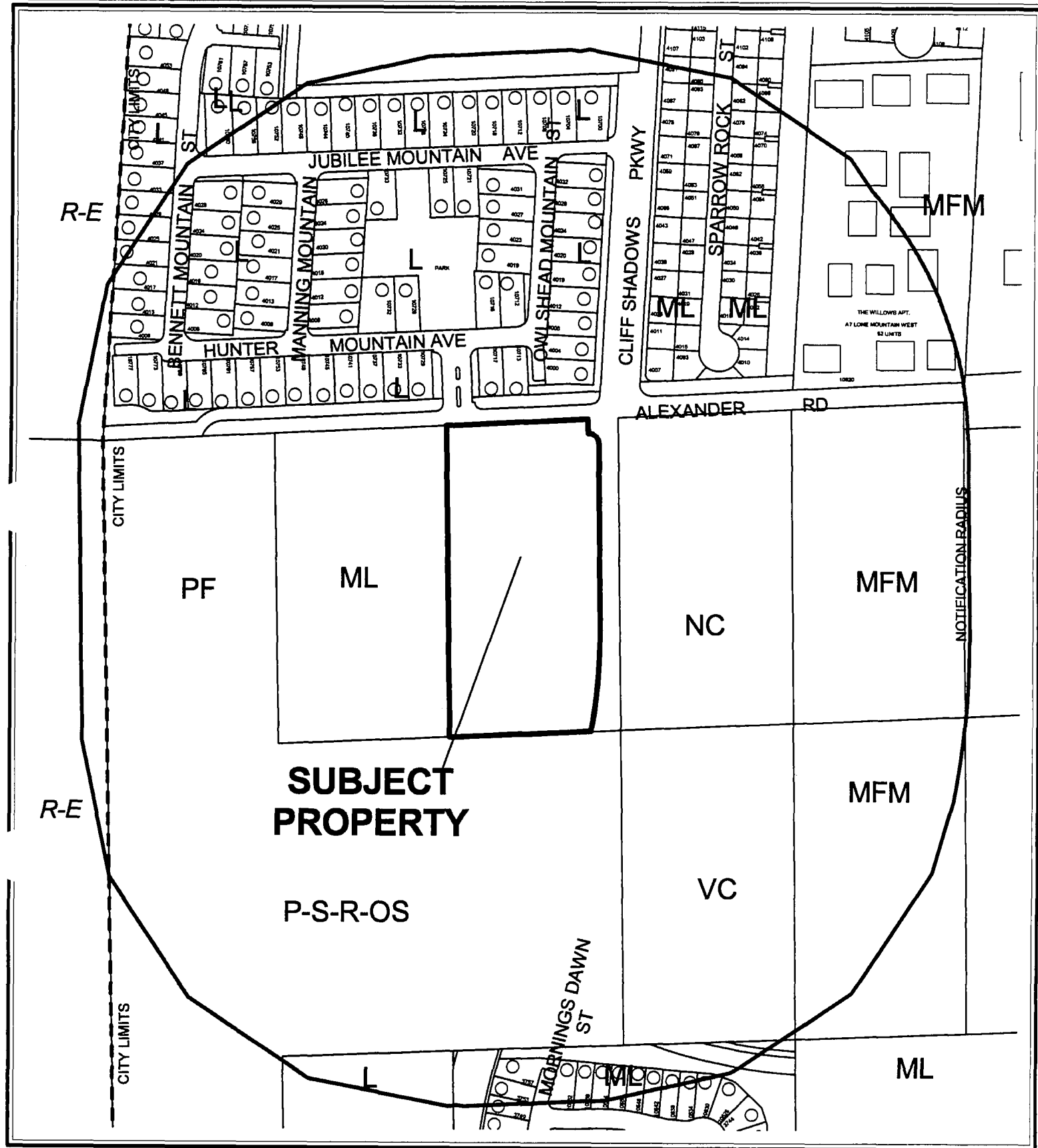
Public Works

2. Dedicate 30 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
3. Construct all incomplete half-street improvements on Alexander Road and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700.00 towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.
5. Grant a traffic chord easement at the southwest corner of Alexander Road and Cliff Shadows Parkway adjacent to this site.
6. Provide a public sewer stub to the southwest corner of this site at a depth and location 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.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 101 – MOD-4484

CONDITIONS – Continued:

7. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
8. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-24-99, the required update to the master Traffic Impact Analysis, and all other subsequent site-related actions.



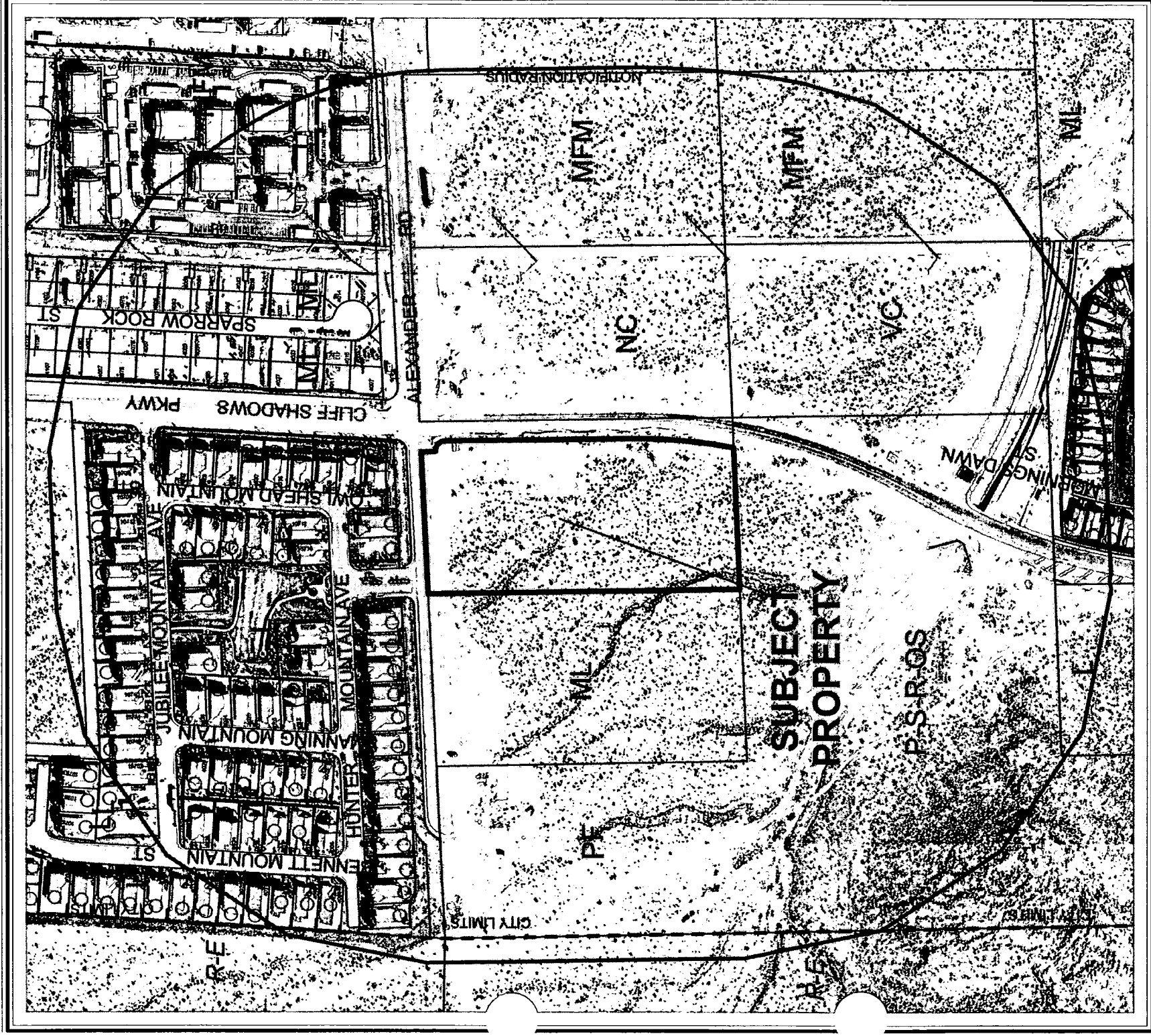
CASE: MOD-4484

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NC (NEIGHBORHOOD COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM LOW DENSITY RESIDENTIAL)





CASE: MOD-4484

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

NC (NEIGHBORHOOD COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-4484 - APPLICANT/OWNER: RITTER CHARITABLE TRUST

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

2. Dedicate 30 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
3. Construct all incomplete half-street improvements on Alexander Road and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
4. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700.00 towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.
5. Grant a traffic chord easement at the southwest corner of Alexander Road and Cliff Shadows Parkway adjacent to this site.
6. Provide a public sewer stub to the southwest corner of this site at a depth and location 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.

7. An update to the master Traffic Impact Analysis for the Lone Mountain West Planned Development must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
8. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-24-99, the required update to the master Traffic Impact Analysis, and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a major modification to the Lone Mountain West Master Development Plan. It is proposed that the future land use designation on the 5.00-acre site from NC (Neighborhood Commercial) to ML (Medium Low Density Residential).

B) Applicant's Justification

According to the applicant approval of this request for a land use change will provide compatibility with adjacent approved land uses and for processing under the residential land use category that best accommodates the uses they will be proposing.

BACKGROUND INFORMATION

A) Previous Actions

02/04/04 The City Council approved a Special Use Permit (SUP-3393), Site Development Plan Review (SDR-3391) for a proposed private school. The Planning Commission and staff recommended approval on January 8, 2004.

07/22/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #51-KW).

B) Pre-Application Meeting

06/22/04 The elements of a major modification application were discussed.

C) Neighborhood Meetings

No neighborhood meeting was required or held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

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

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: PCD (Planned Community Development)

D) Existing Zoning

Subject Property: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
North: PD (Planned Development)
South: C-V (Civic)
East: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses with a maximum of 8 units per acre. The site is zoned U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan Designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Lone Mountain West	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 located within the Lone Mountain West Master Plan area with a Neighborhood Commercial land use designation. The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development.

A) Zoning Code Compliance

Compliance with specific development standards from Title 19 or the Urban Design Guidelines and Standards is not necessary for this application. The project is subject to the Lone Mountain West Master Plan.

B) General Analysis and Discussion

The General Plan designation on the subject property is PCD (Planned Community Development) with the Lone Mountain West Master Development Plan special land use designations consisting of Public Facilities for part and Park/School/Recreation/Open Space for the remaining part.

FINDINGS

In order to approve a Major Modification, the Planning Commission or City Council must affirm the following:

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

The proposal does not conform or support the General Plan or the Lone Mountain West Master Plan. The loss of planned commercial from the Plan area, as a whole, particularly at central location of the subject site, will adversely affect the commercial/ residential balance that defines the Lone Mountain West plan area.

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

The uses proposed for the site will be compatible with surrounding uses. However, amending the land use from the commercial planned for the site will mean that a third of the commercial planned for the intersection of Cliff Shadow Parkway and Alexander Road will be lost.

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

Growth and development in the area have not indicated that the loss of the planned commercial can be justified.

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 street and highway facilities are adequate in size to meet the needs of the potential residents of the planned subdivision.

NOTICES MAILED 96 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-4484** APN: **137-12-101-002**

Name of Property Owner: Ritter Charitable Trust

Name of Applicant: Ritter Charitable Trust

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

Yes

✓ 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): _____

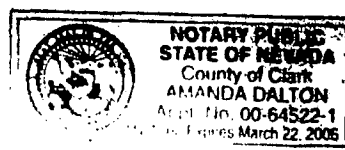
APN: _____

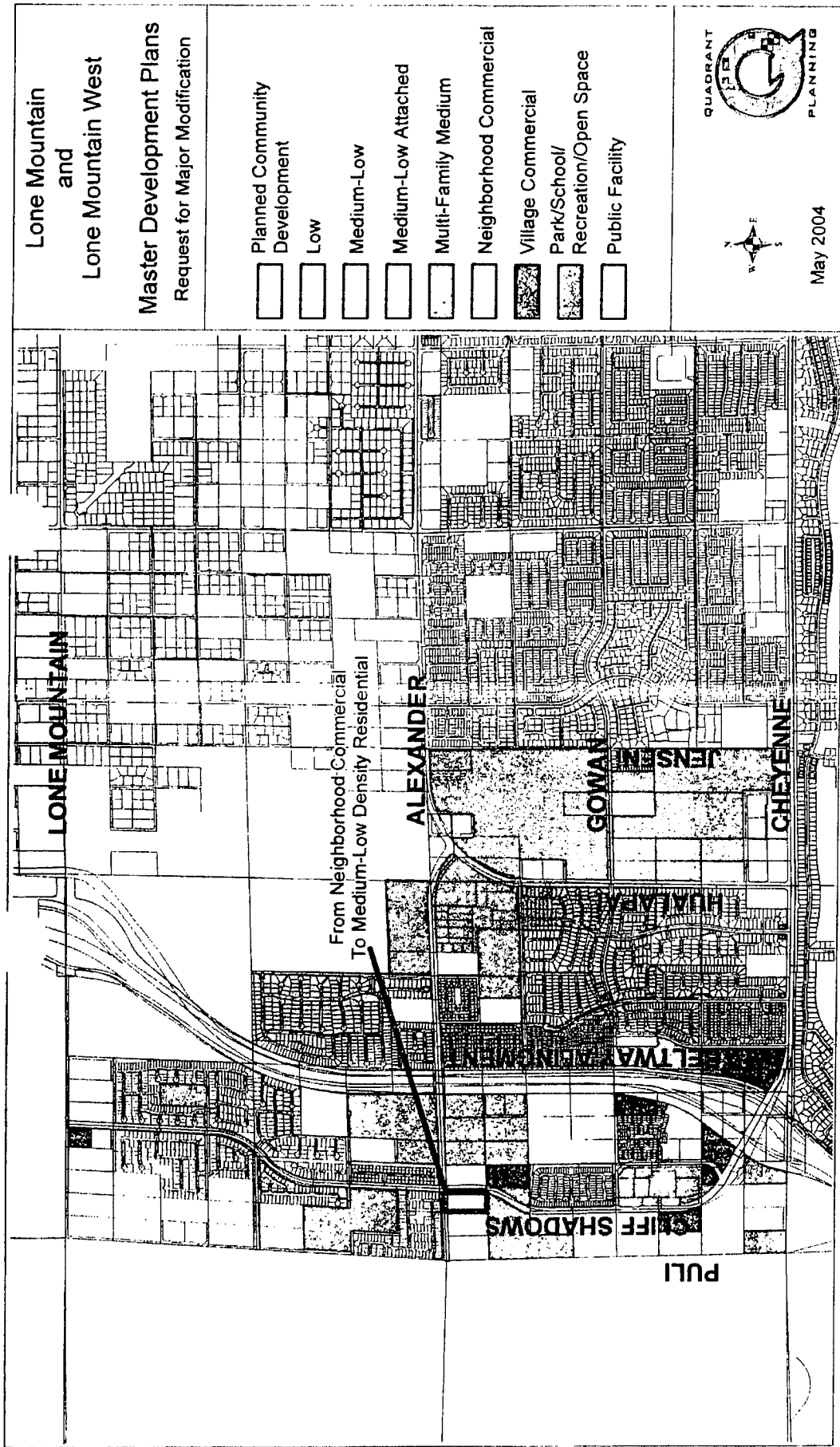
Signature of Property Owner/Authorized Agent: [Signature]

Subscribed and sworn before me

This 13th day, of May, 2004

Notary Public in and for said County and State





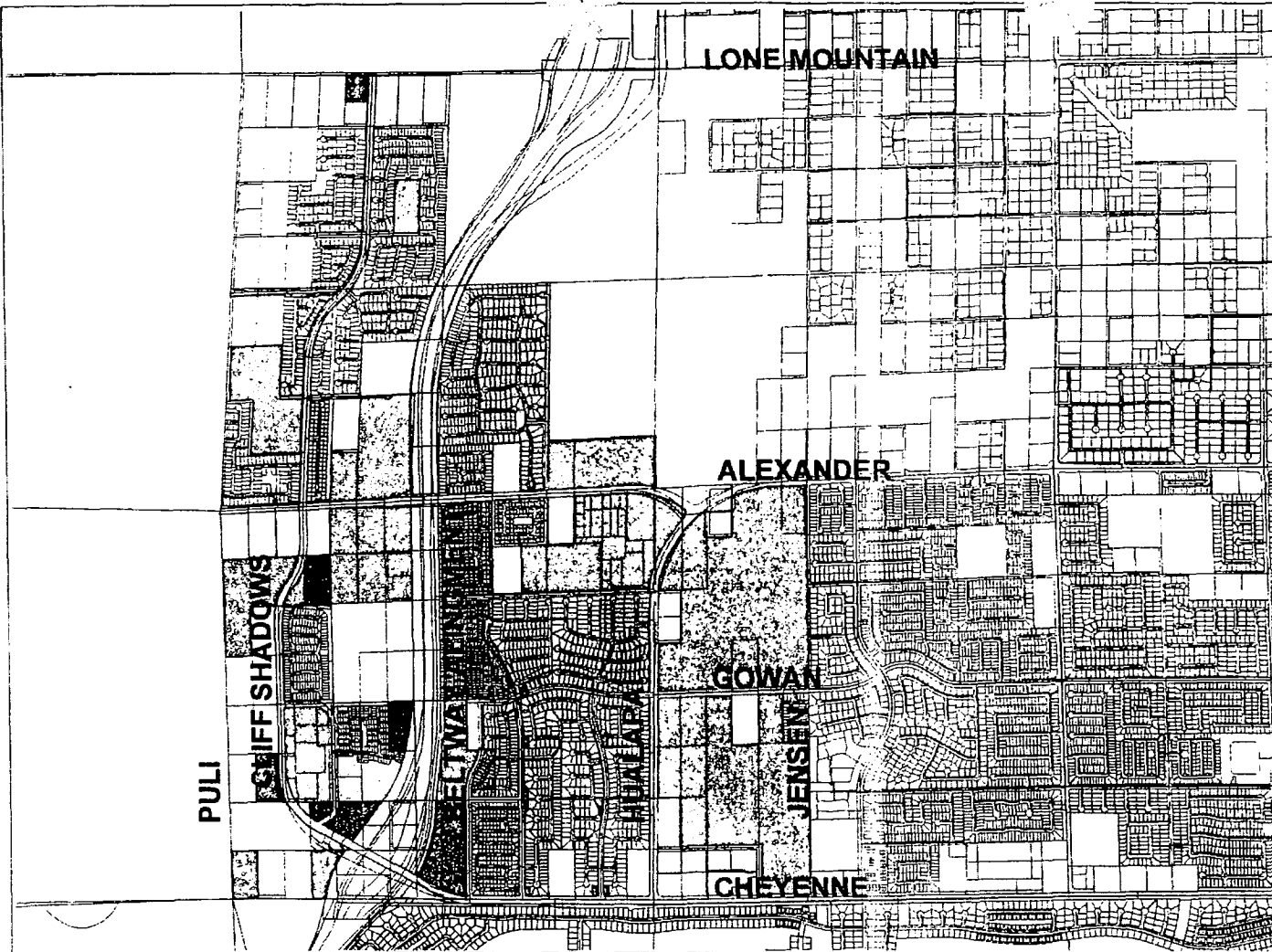
MOD-4484
7-22-04 PC

Lone Mountain
and
Lone Mountain West
Master Development Plans

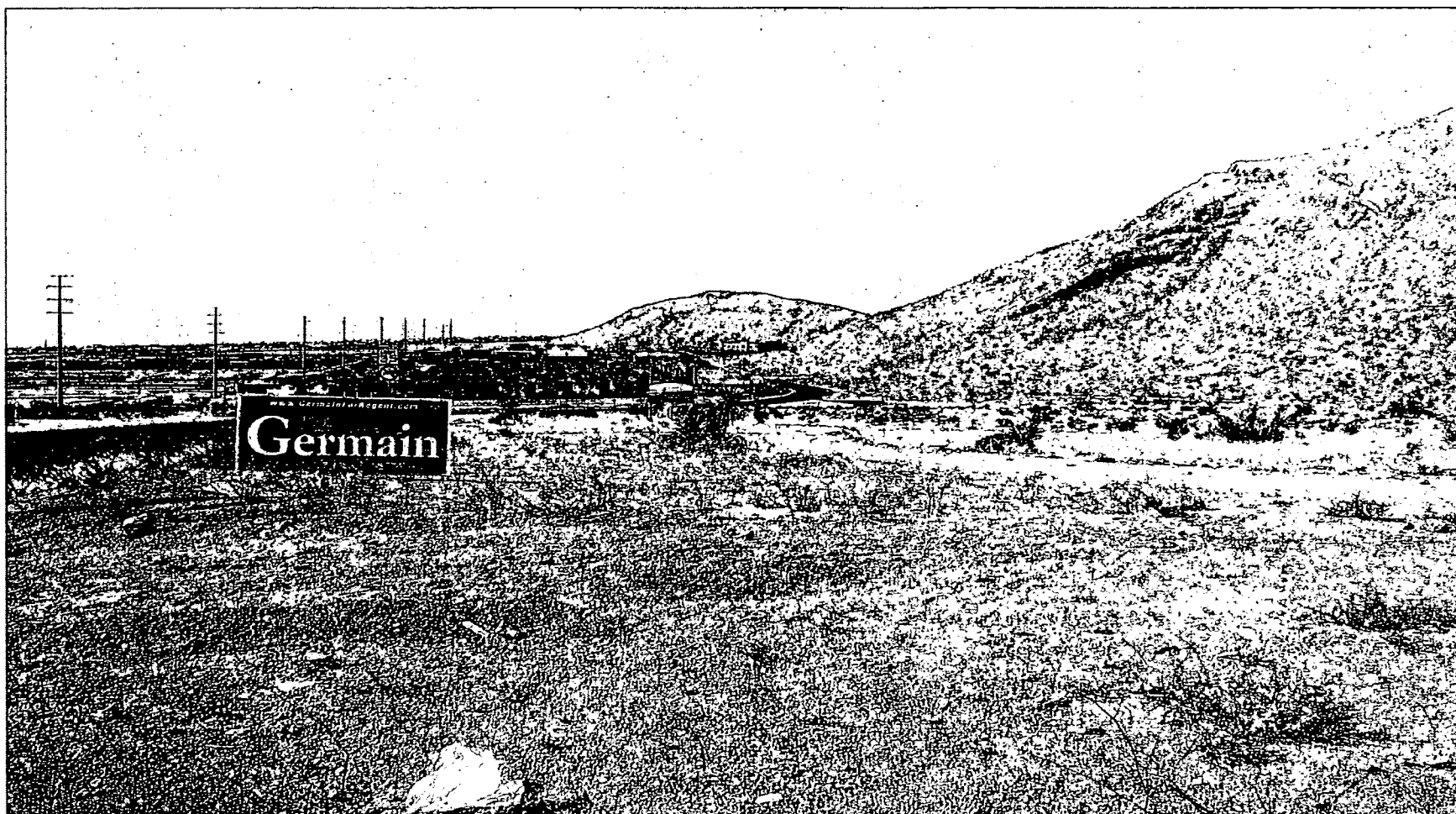
-  Planned Community Development
-  Low
-  Medium-Low
-  Medium-Low Attached
-  Multi-Family Medium
-  Neighborhood Commercial
-  Village Commercial
-  Park/School/ Recreation/Open Space
-  Public Facility



May 2004



MOD-4484
7-22-04 PC



MOD-4484 - APPLICANT/OWNER: RITTER CHARITABLE TRUST
SOUTHWEST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04



**MOD-4484 - APPLICANT/OWNER: RITTER CHARITABLE TRUST
SOUTHWEST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION**

7/6/04

Lone Mountain West
W. Hunter Mountain Ave.

August 17, 2004

City Council Office

Attention Councilman Larry Brown:

Cc: Doug Rankin

MOD 4484

We were not notified of this meeting -

We the people, of W. Hunter Mountain Ave at Lone Mountain West (Cliff Shadows and West Alexander) greatly protest the major modification to the Lone Mountain West Plan: medium to low density residential. We the people of W. Hunter Mountain Avenue have paid high lot premiums for the view of downtown and the strip. Should this proposal be put into play our view will be completely gone.

High density homes would affect traffic on Alexander which is the only way in and out of our community through a gate. This affects over 100 families. The proposed park will also add to traffic congestion.

We the people, ask that Mr. Larry Brown take our concerns and trepidations to the City Council Meeting and propose on record a lesser density residential.

We the people, for the record, would like to see single level homes as a buffer.

Thank you for your consideration in preserving neighborhood harmony.

Celeste Caserio 10745 Hunter Mountain 320-1848

Leticia Catino 10749 Hunter Mtn. 562-7567

Frank. Lema 10757 HUNTER MOUNTAIN 630-890424

Rita Dominguez 10761 HUNTER MOUNTAIN AVE

This document is to be put into record

630-839-1849

Submitted at City Council

Date *8/18/04* Item *101*

• Page 2

August 17, 2004

Elbert Green 413-9011
4012 Bennett Mt
Deona Hernandez 4041 Bennett Mountain
638-8571
Saddy Batiz 10740 Julee MT Dr
243 ~~4~~: 4319
617-4864
Mary Hughes
4012 MANDING MT
Ron Catino
562-7567
10749 W. Hunter Mt

• Page 3

August 17, 2004

Penny ~~At~~ 10741 Hunter Mtn. LV NV 89129
C. Woodhouse 10728 Hunter Mtn Ave LV NV
Kipp ~~At~~ 4023 Owlshhead Mountain
Street 89129
Nino ~~Morgan~~ 4031 Owlshhead Mtn St.
Ruth ~~Norris~~ 10700 Jubilee Mtn St 89129
Grove Russell 10704 Jubilee Mountain Ave. 89129
Carl C. ~~Anders~~ 10721 Jubilee Mtn. Ave 89129
G. ~~At~~ 4008 HANNING MTN. ST 89129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION - PUBLIC HEARING - MOD-4615 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Major Modification TO REMOVE PROPERTY FROM THE IRON MOUNTAIN RANCH MASTER PLAN on 4.3 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:

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

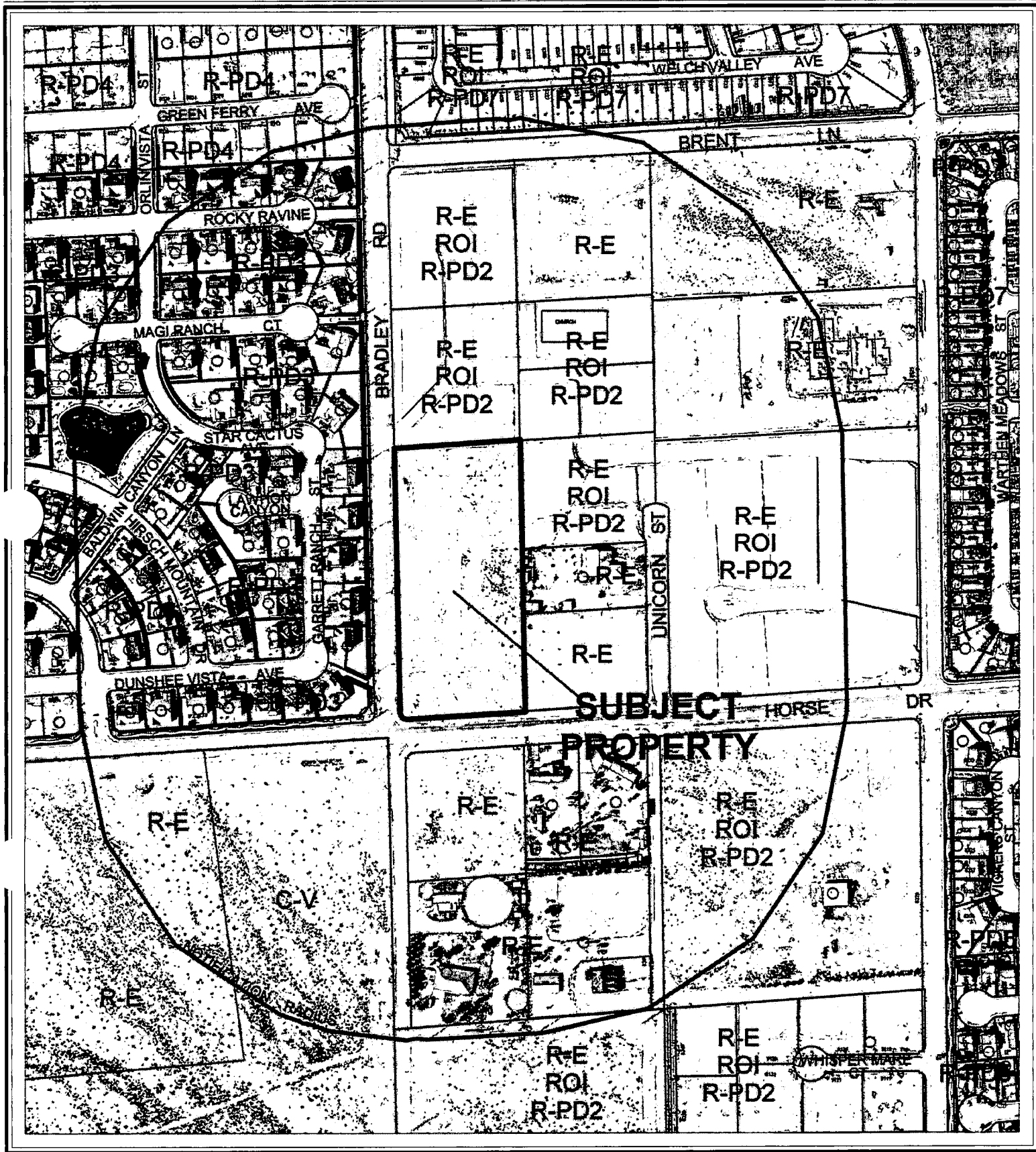
MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)



CASE: MOD-4615

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-4615 - APPLICANT: COOPER CUSTOM HOMES -

OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the conditions for Rezoning ZON-4616 and Site Development Plan Review SDR-4617.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Major Modification to the Iron Mountain Ranch Master Plan to remove property from the plan located adjacent to the northeast corner of Horse Drive and Bradley Road.

B) Applicant's Justification

The applicant's justification letter indicates they wish to remove this site from the Iron Mountain Ranch Master Plan to allow for the development of a 15 lot single-family development.

BACKGROUND INFORMATION

A) Previous Actions

- 10/12/98 The City Council approved a Rezoning (Z-16-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site as part of a larger request. The Planning Commission and staff recommended approval on August 13, 1998.
- 04/02/03 The City Council approved a Major Modification (MOD-1271) to add the western 4.3 acres to the Iron Mountain Ranch plan area and a Site Development Plan Review (SDR-1272) for a 34-lot single-family development on this site as part of a larger request. The Planning Commission and staff recommended approval on February 27, 2003.
- 05/22/03 The Planning Commission approved a Tentative Map (TMP-2219) for a 34-lot single-family subdivision on this site as part of a larger request. The Planning and Development Department recommendation was for approval.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #52-MP).

B) Pre-Application Meeting

- 05/27/04 A pre-application meeting was conducted and the applicant was advised of the requirements for a Major Modification.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 4.3

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single-family Residences (Under Construction)
South: Undeveloped
East: Single-family Residences (Under Construction)
West: Single-family Residences

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

E) *General Plan Compliance*

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Plan Map of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) Zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

This property is currently located within the Iron Mountain Ranch Master Plan Area. The applicant has made this request to remove the property from the master plan.

A 20 foot wide equestrian trail is required adjacent to the east side of Bradley Road on this site. The submitted plans show the required trail.

General Analysis and Discussion

This request is to remove this property from the Iron Mountain Ranch Master and combine it with the parcel to the east to allow for development of a 15 lot single-family development. This site was not a part of the original master plan and was added on April 2, 2003 by Major Modification MOD-1271. This request is appropriate and is subject to the approval and conformance to all conditions of approval for the companion Rezoning (ZON-4616) and Site Development Plan Review (SDR-4617).

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-4615** APN: **125-12-601-006, 009**

Name of Property Owner: **MB Holdings**

Name of Applicant: **Cooper Custom Homes**

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Steve Menzies

Subscribed and sworn before me

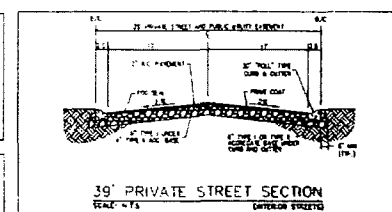
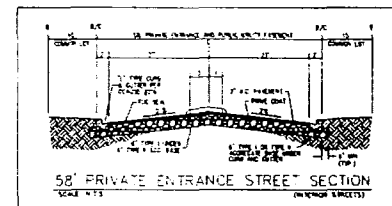
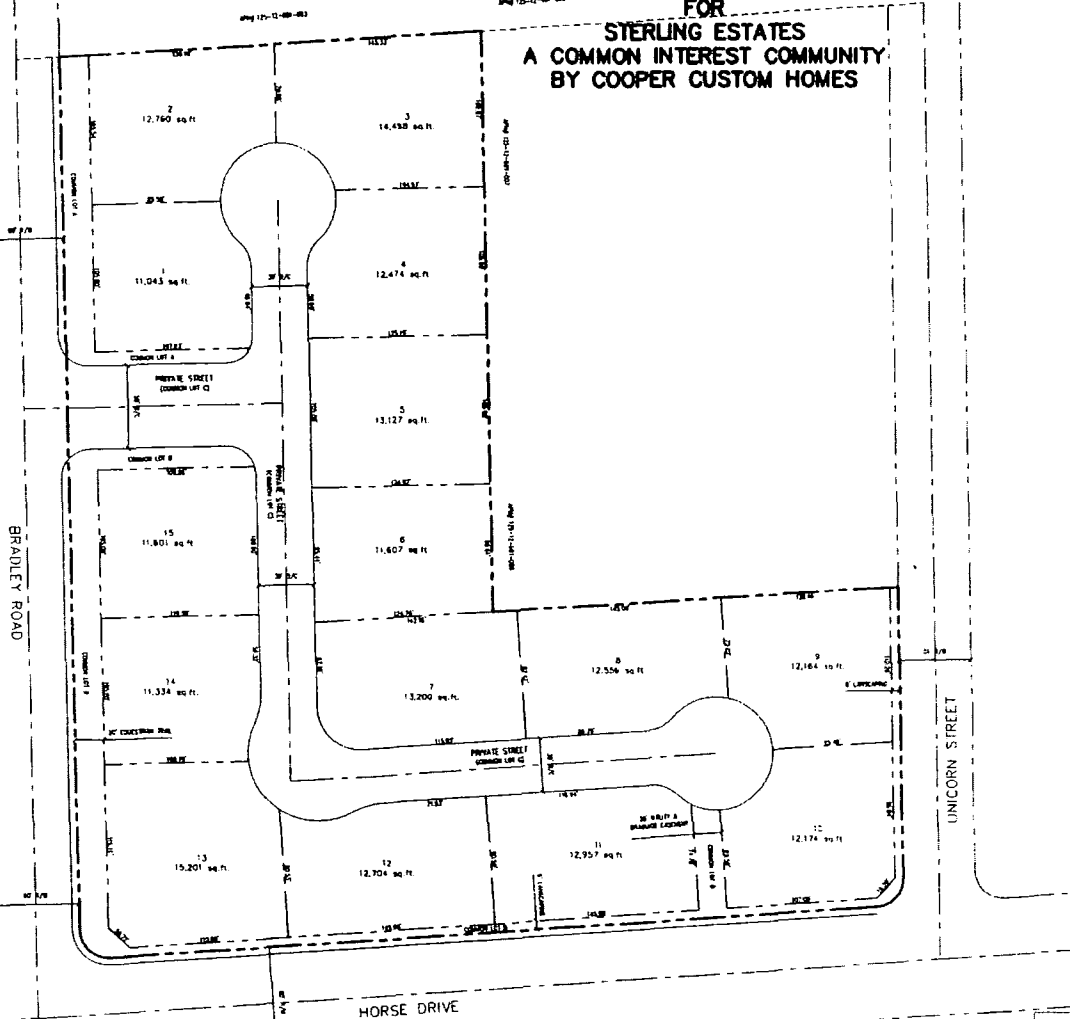
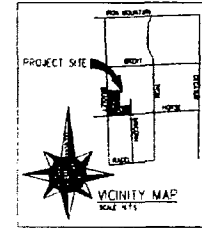
This 20 day of May, 2004

Ruth H Clark

Notary Public in and for said County and State



**SITE PLAN
FOR
STERLING ESTATES
A COMMON INTEREST COMMUNITY
BY COOPER CUSTOM HOMES**



SETBACKS	
FRONT	25'
REAR	25'
SIDE	10'
MIN. SETBACK	10'

SITE DATA	
ADJACENT PARCEL NUMBER	125-12-401-006
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
PROPOSED LOTS	15
NUMBER OF LOTS	15
COMMON LOTS	3
LOT/AC	2.17
MINIMUM LOT SIZE	11,000 SF
MAXIMUM LOT SIZE	15,201 SF

ENGINEER
WRIGHT ENGINEERS
7425 PEARL DRIVE
LAS VEGAS, NEVADA 89138
TEL: (702) 833-7000 FAX: (702) 833-7001
WWW.WRIGHT-ENG.COM

OWNER INFORMATION
MR. & MRS. COOPER
1400 S. COMMERCE ST.
LAS VEGAS, NV 89102

DEVELOPER
COOPER CUSTOM HOMES
1400 S. COMMERCE ST.
LAS VEGAS, NV 89102

WRIGHT ENGINEERS
7425 PEARL DRIVE
LAS VEGAS, NEVADA 89138
TEL: (702) 833-7000 FAX: (702) 833-7001
WWW.WRIGHT-ENG.COM

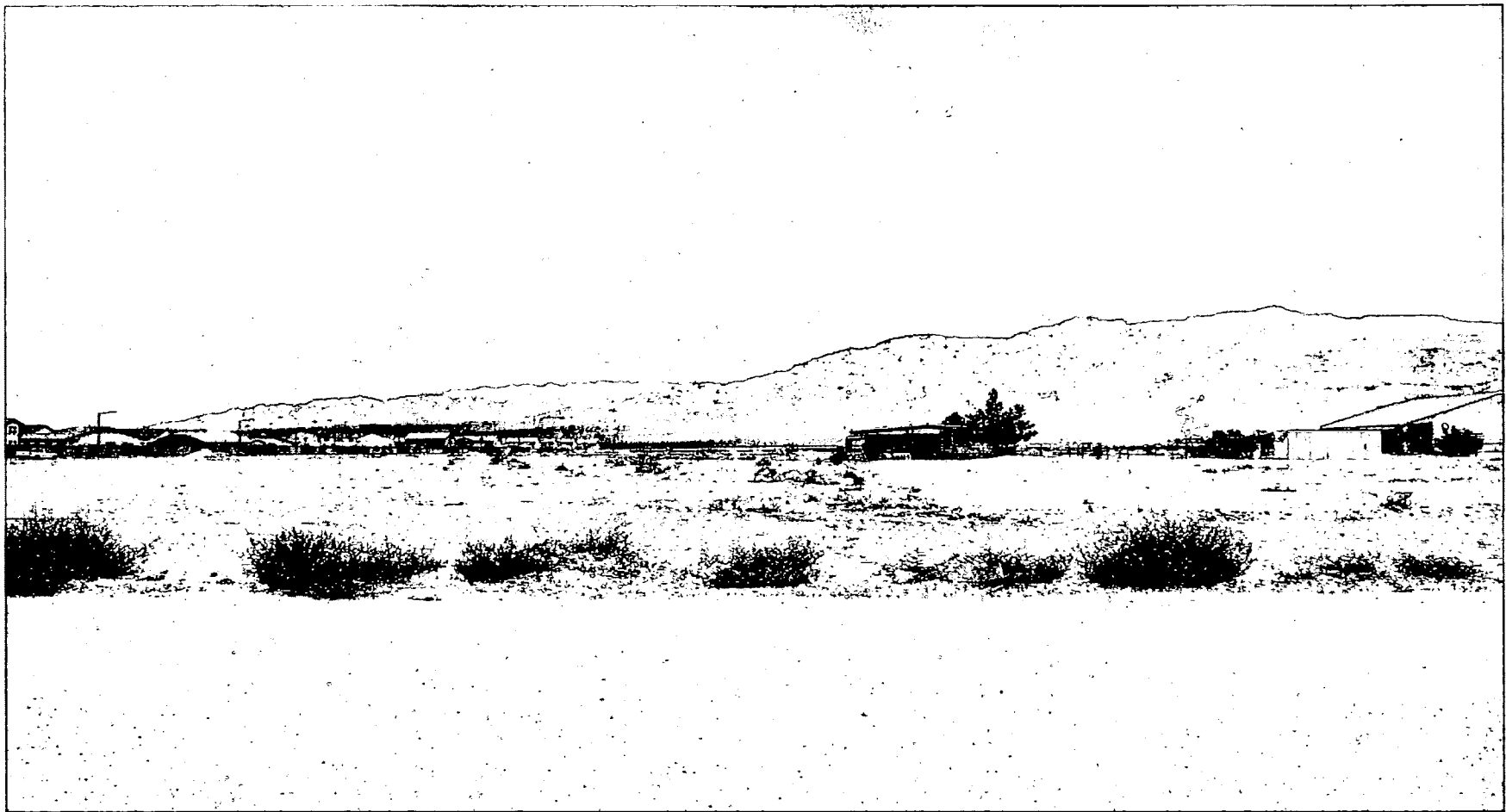


COOPER CUSTOM HOMES
STERLING ESTATES
SITE PLAN

DATE	REVISION	BY	CHKD.
	1		
	2		
	3		

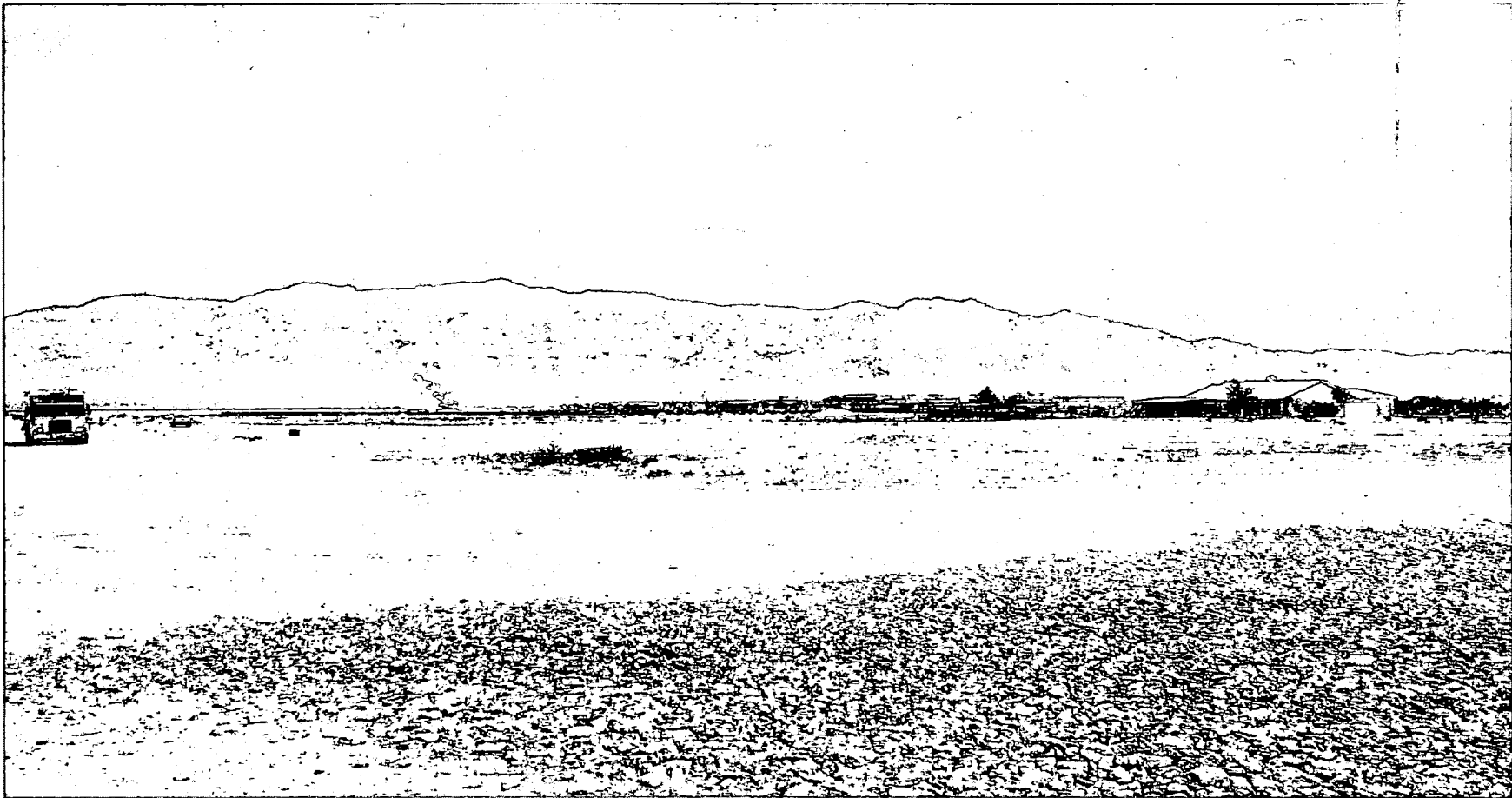
PROJECT NO.	DATE	SCALE
125-12-401-006	7-22-04	1/4" = 100'

**MOD-4615
7-22-04 PC**



MOD-4615 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY
COMPANY
NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD
JULY 22, 2004 PLANNING COMMISSION

7/1/04



MOD-4615 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY

NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD

JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

REZONING RELATED TO MOD-4615 - PUBLIC HEARING - ZON-4616 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

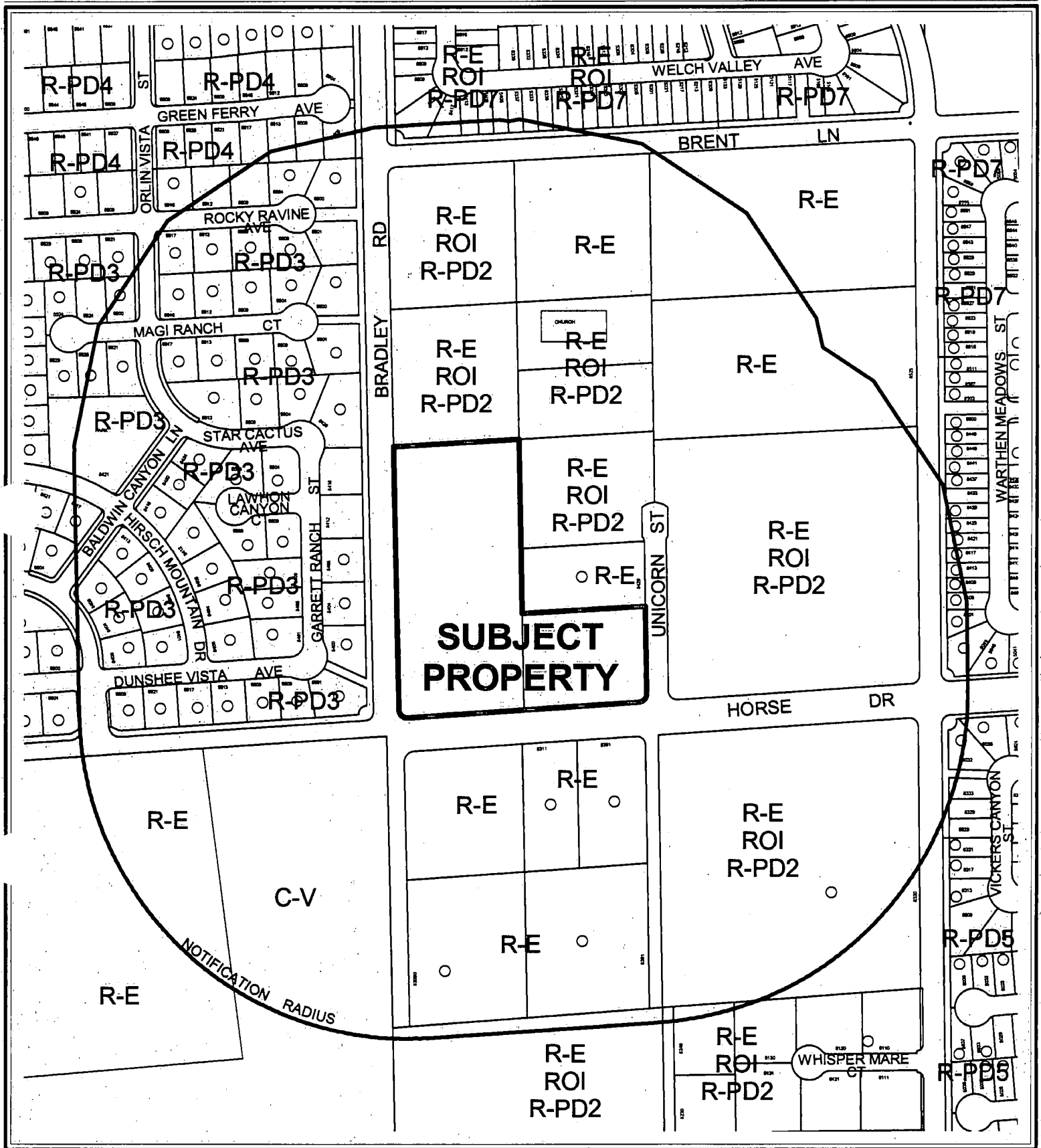
MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)



CASE: ZON-4616

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

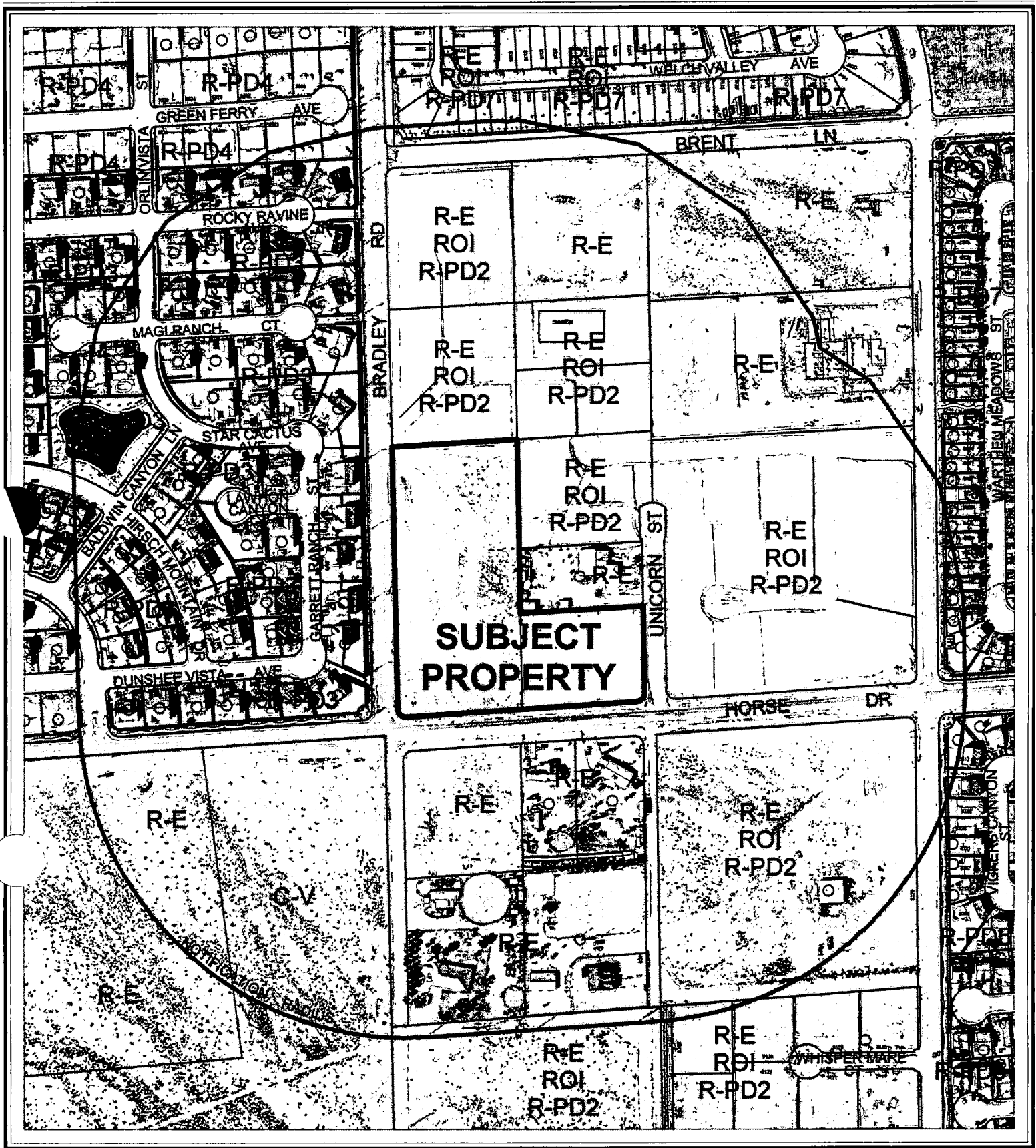
PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



103



CASE: ZON-4616

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-4616 - APPLICANT: COOPER CUSTOM HOMES -
OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Major Modification (MOD-4615) and Site Development Plan Review application (SDR-4617) 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. Construct half-street improvements on Horse Drive, Bradley Road and Unicorn Street including appropriate overpaving on Horse Drive and Unicorn Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. If not already constructed, extend public sewer from Thom Boulevard to this site at a location and depth acceptable to the City Engineer. Extend public sewer in Unicorn Street to the northern boundary of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a 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.

6. Coordinate with the Clark County School District to determine the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts, prior to the issuance of any building permits or the recordation of any maps subdividing this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Rezoning to R-PD2 (Residential Planned Development – 2 Units Per Acre) for a 15 lot single family development located adjacent to the northeast corner of Horse Drive and Bradley Road.

B) *Applicant's Justification*

The applicant's justification letter indicates they are requesting the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning to allow for a 15 lot single family development.

BACKGROUND INFORMATION

A) *Previous Actions*

- 10/12/98 The City Council approved a Rezoning (Z-16-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site as part of a larger request. The Planning Commission and staff recommended approval on August 13, 1998.
- 04/02/03 The City Council approved a Major Modification (MOD-1271) to add the western 4.3 acres to the Iron Mountain Ranch plan area and a Site Development Plan Review (SDR-1272) for a 34-lot single family development on this site as part of a larger request. The Planning Commission and staff recommended approval on February 27, 2003.
- 05/22/03 The Planning Commission approved a Tentative Map (TMP-2219) for a 34-lot single family subdivision on this site as part of a larger request. The Planning and Development Department recommendation was for approval.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #53-MP).

B) *Pre-Application Meeting*

- 05/27/04 A pre-application meeting was conducted and the applicant was advised of the requirements for a Rezoning.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 6.99

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Residences (Under Construction)
South: Undeveloped
East: Single Family Residences (Under Construction)
West: Single Family Residences

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

E) *General Plan Compliance*

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

This property is currently located within the Iron Mountain Ranch Master Plan Area. The applicant has made a request to remove the property from the master plan.

A 20 foot wide equestrian trail is required adjacent to the east side of Bradley Road on this site. The submitted plans show the required trail.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The design of the proposed single family development, including lot size, setbacks and building heights, will be addressed with the companion Site Development Plan Review application.

B) General Analysis and Discussion

The applicant is proposing the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning in order to construct a 15 lot single-family residential development on this site.

FINDINGS

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

1. “The proposal conforms to the General Plan.”

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The proposed R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning designation at a maximum gross density of 2.49 units per acre is in conformance 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 single family development on this site is similar in density to other residential development in this area. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning will be compatible with surrounding land uses and zoning districts.

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

The R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning on the subject site is an appropriate transition from the R-PD3 (Residential Planned Development – 3 Units Per Acre) to the west of the site and the R-E (Residence Estates) and R-PD2 (Residential Planned Development – 2 Units Per Acre) properties to the north, south and east.

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.”**

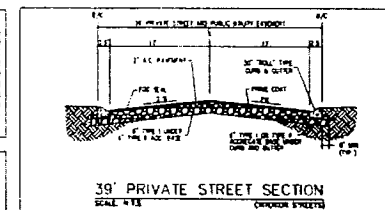
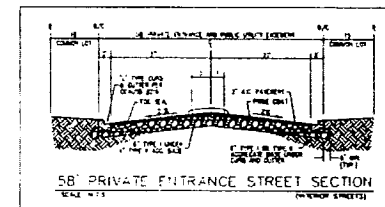
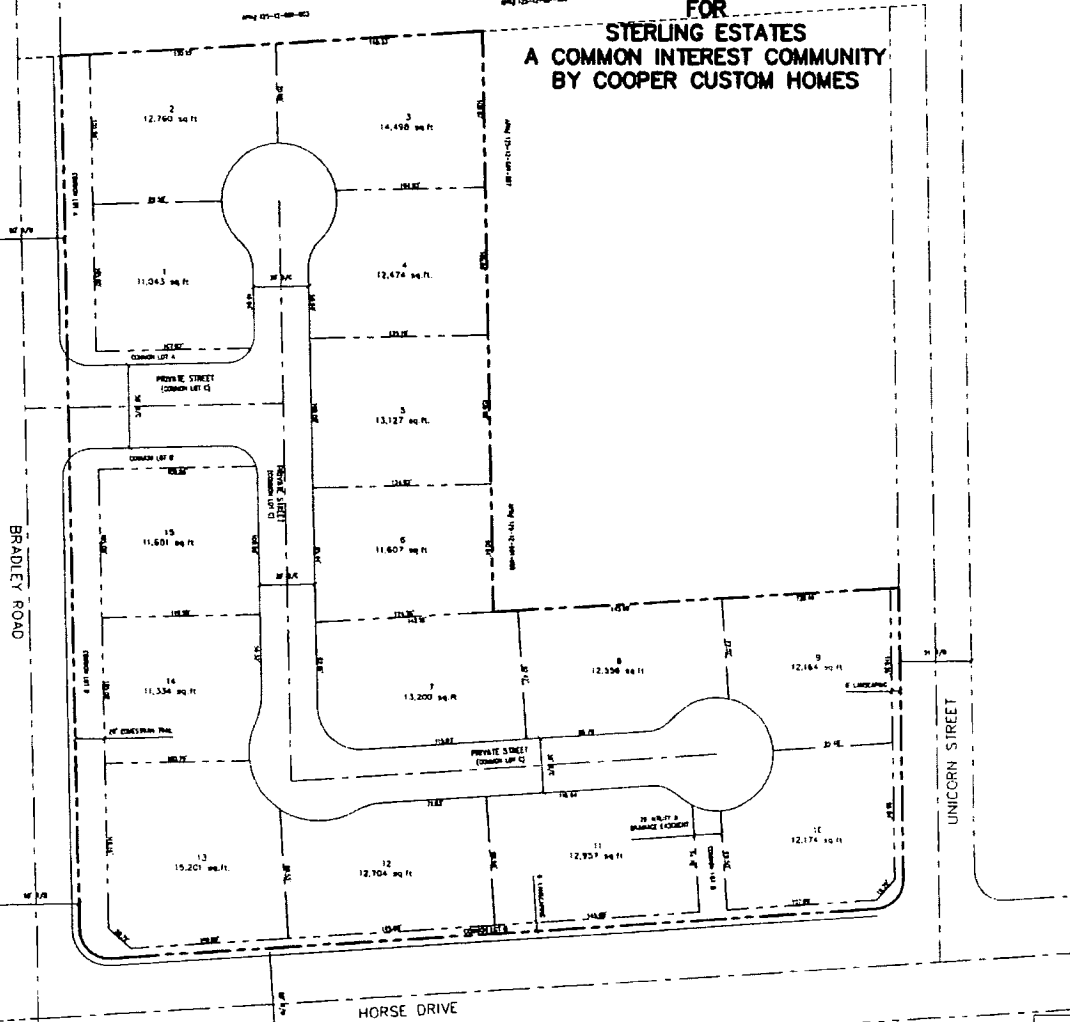
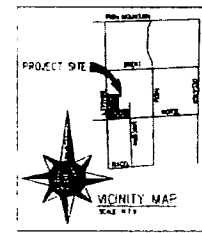
Access to this site is provided from Bradley Road, an 80 foot wide secondary arterial on the Master Plan of Streets and Highways. The proposed development of the site will be sufficiently served by existing roadway facilities.

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0

**SITE PLAN
FOR
STERLING ESTATES
A COMMON INTEREST COMMUNITY
BY COOPER CUSTOM HOMES**



SETBACKS			
FRONT	5'	REAR	5'
SIDE	5'	CORNER	5'
NOTES:	SEE APPLICABLE ORDINANCE		
	SEE CITY OF LAS VEGAS		

SITE DATA	
ASSESSORS PARCEL NUMBER	125-12-401-001
CLIMATE ZONING	R-125-12-401-001
PROPOSED ZONING	RPD-1
GROSS ACRES	8.90
PAVED LOT LOTS	15
COMMON LOTS	5
DU/AC	2.11
APPROX LOT SIZE	11,000 SF
MAXIMUM LOT SIZE	15,000 SF

ENGINEER
WRIGHT ENGINEERS
7425 PLAIN DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 831-1000 FAX (702) 831-1001
PROJECT NO. 000-125-12-401-001

OWNER INFORMATION
COOPER CUSTOM HOMES
125-12-401-001
LAS VEGAS, NV 89128

DEVELOPER
COOPER CUSTOM HOMES
125-12-401-001
LAS VEGAS, NV 89128

WRIGHT ENGINEERS

7425 PLAIN DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 831-1000
FAX (702) 831-1001



COOPER CUSTOM HOMES

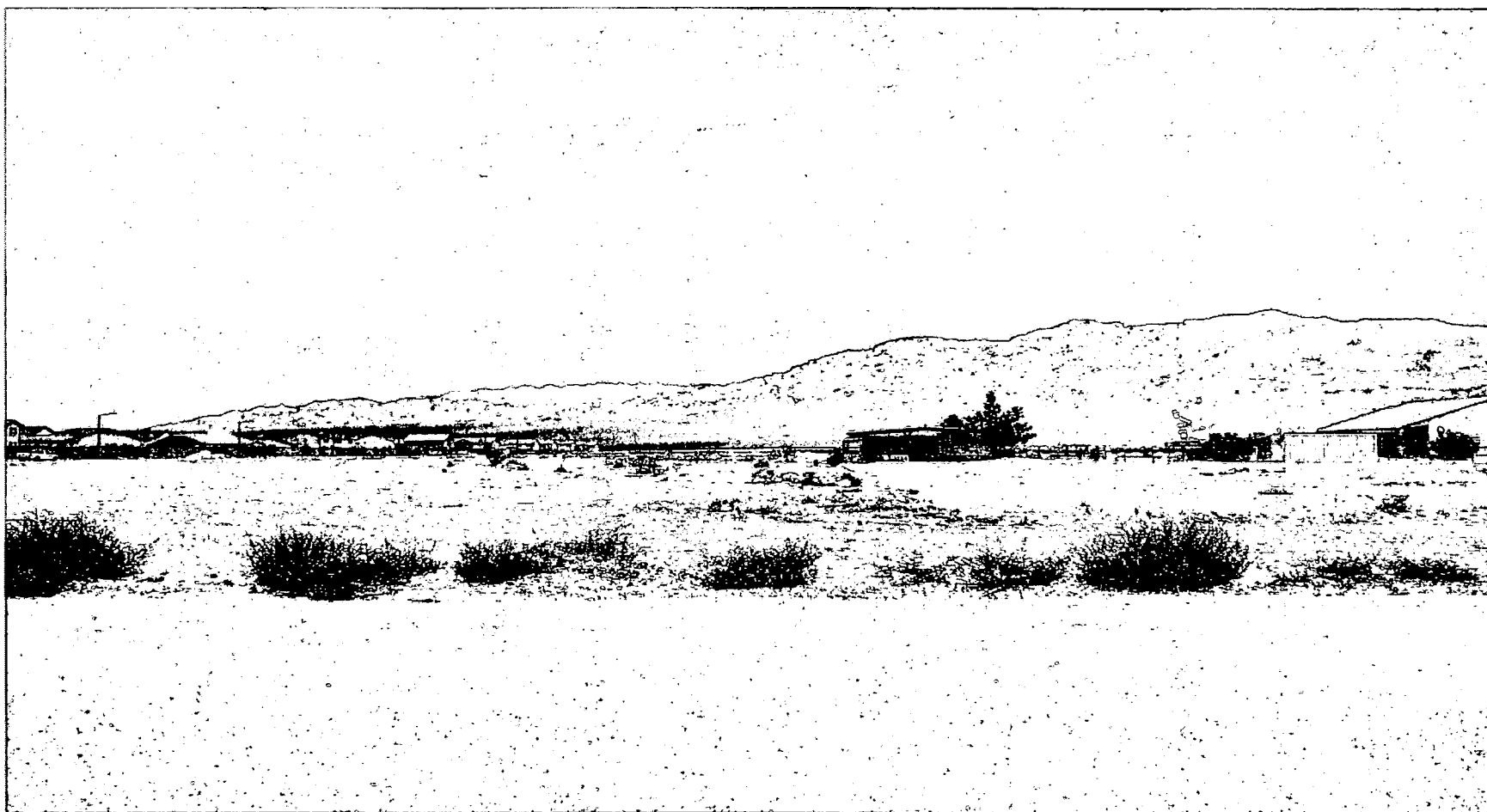
STERLING ESTATES

SITE PLAN

DATE	BY	DATE	BY	DATE	BY

DATE	BY	DATE	BY	DATE	BY

**ZON-4616
7-22-04 PC**



ZON-4616 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY
COMPANY
NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD
JULY 22, 2004 PLANNING COMMISSION

7/2/04



ZON-4616 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY
COMPANY
NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD
JULY 22, 2004 PLANNING COMMISSION

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING - SDR-4617 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 15 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), R-E (Residence Estates) Zone [PROPOSED: R-PD-2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

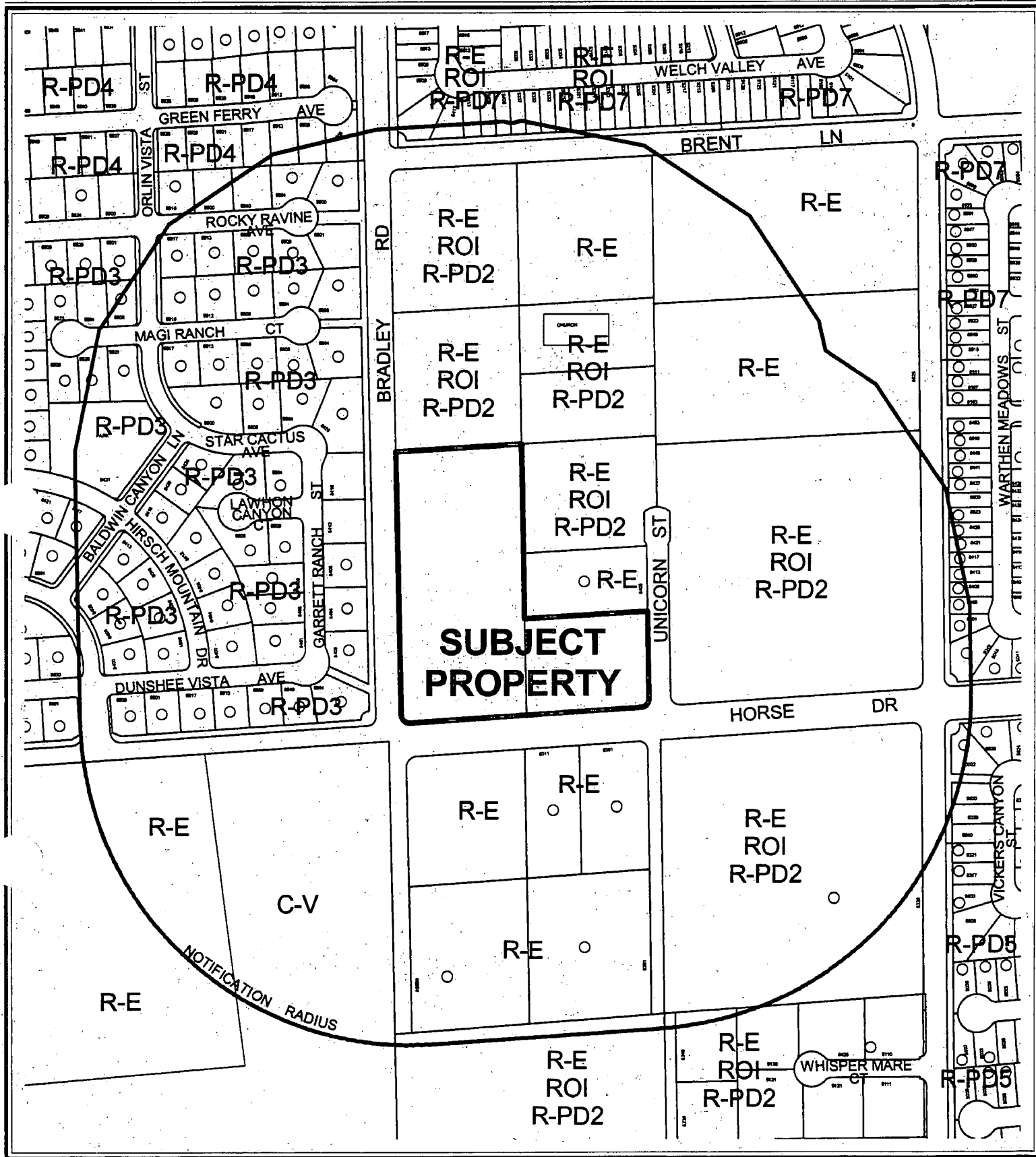
MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

(1:04 – 1:10)



CASE: SDR-4617

RADIUS: 750 FT

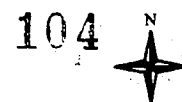
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4617 - APPLICANT: COOPER CUSTOM HOMES -
OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

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

Planning and Development

1. A Major Modification (MOD-4615) and a Rezoning application (ZON-4616) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
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 setbacks for this development shall be 25 feet in the front, 30 feet in the rear (except for lots 7, 8, 11 and 12 as labeled on the submitted site plan, which shall have a 20 foot rear yard setback), 10 feet on the side and 15 feet on the corner side. Building height shall not exceed two stories or 35 feet, whichever is less.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

5. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary for this site; if such map is required it should record prior to the issuance of any building permits for this site.
6. Provide and install a school flasher along Horse Drive. Coordinate with the Traffic Engineering Representative in Land Development to determine the location for the flasher. Provide or obtain easements as necessary to install school flasher.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. Site development to comply with all applicable conditions of approval for ZON-4616 and all other site-related actions.
10. 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 request is for a Site Development Plan Review for a 15 lot single family development located adjacent to the northeast corner of Horse Drive and Bradley Road.

B) Applicant's Justification

The applicant's justification letter indicates the proposed 15 lot single family residential development is in compliance with the General Plan and is compatible with development in the area.

BACKGROUND INFORMATION

A) Previous Actions

- 10/12/98 The City Council approved a Rezoning (Z-16-98) to R-PD2 (Residential Planned Development – 2 Units Per Acre) on this site as part of a larger request. The Planning Commission and staff recommended approval on August 13, 1998.
- 04/02/03 The City Council approved a Major Modification (MOD-1271) to add the western 4.3 acres to the Iron Mountain Ranch plan area and a Site Development Plan Review (SDR-1272) for a 34-lot single-family development on this site as part of a larger request. The Planning Commission and staff recommended approval on February 27, 2003.
- 05/22/03 The Planning Commission approved a Tentative Map (TMP-2219) for a 34-lot single-family subdivision on this site as part of a larger request. The Planning and Development Department recommendation was for approval.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #54-MP).

B) Pre-Application Meeting

- 05/27/04 A pre-application meeting was conducted and the applicant was advised of the requirements for a Site Development Plan Review.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 6.99

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Residences (Under Construction)
South: Undeveloped
East: Single Family Residences (Under Construction)
West: Single Family Residences

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
South: R-E (Residence Estates)
East: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

E) *General Plan Compliance*

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

This property is currently located within the Iron Mountain Ranch Master Plan Area. The applicant has made a request to remove the property from the master plan.

A 20 foot wide equestrian trail is required adjacent to the east side of Bradley Road on this site. The submitted plans show the required trail.

PROJECT DESCRIPTION

The site plan depicts a 15 lot single family residential development with lot sizes ranging from 11,043 to 15,201 square feet. Access to the lots is provided by 39 foot wide private streets connecting to Bradley Road. The proposed setbacks on the plan are 25 feet in the front, 15 feet to side loaded garages, 20 and 30 feet in the rear, 10 feet on the side and 15 feet on the corner side. The elevations depict one and two story single family residences with stucco exteriors and tile roofs. The floor plans indicates the dwellings will range in sizes from 2,832 to 4,037 square feet. A 20 foot wide equestrian trail is provided along the west side of the site adjacent to Bradley Road with 6 foot wide landscape planters shown along Horse Drive and Unicorn Street.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the following Development Standards are proposed for this project:

Standards	Proposed	Acceptable
Minimum Lot Size	11,000 SF	Y
Min. Setbacks		
• Front	25 Feet	Y
• Side Loaded Garage	15 Feet	Y
• Side	10 Feet	Y
• Corner Side	15 Feet	Y
• Rear	20 & 30 Feet	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposed lot sizes, setbacks and building height are appropriate for a development of this type. A condition has been added to establish the setbacks and building height as indicated above. The rear setback for this development is 30 feet except for lots located on the south portion of the site (a total of 4), which will have a 20 foot rear setback. These lots are labeled as lots 7, 8, 11 and 12 on the submitted site plan.

A4) Landscape and Open Space Standards

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
6.99 acres	2.15	1.65	3.54 %	10,779 SF	5.54 %	10,800 SF

Based on the density of 2.15 units per acre, a total of 10,779 square feet of open space is required for this development. The submitted plans indicate there is approximately 10,800 square feet of usable open space provided with the equestrian trail along Bradley Road. Therefore, this development is compliance with open space requirements.

B) General Analysis and Discussion

- Zoning

The proposed 15 lot single family development at a density of 2.15 dwelling units per acre is allowed in the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning district.

- Site Plan

The proposed site plan presents an appropriate layout for this development. The density and lot sizes ranging from 11,043 to 15,201 square feet are compatible with the surrounding development and in compliance with the General Plan and Zoning Code. It should be noted the rear setback for this development is 30 feet except for lots located on the south portion of the site (a total of 4), which will have a 20 foot rear setback. These lots are labeled as lots 7, 8, 11 and 12 on the submitted site plan.

- Elevation

The proposed building elevations depicting 1 and 2 story single family dwellings are appropriate for a development of this type.

- Floor Plan

The proposed floor plans depict single family dwellings that are appropriate for a development of this type.

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 15 lot single family development is appropriate and compatible with adjacent development in the area

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

The proposed project is consistent with the General Plan, Title 19 and the Residential Development Standards.

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

The site will have access to Bradley Road, an 80-foot wide secondary collector, which is adequate to provide access to serve the proposed development. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials are common for a development of this type and are appropriate as proposed.

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

The proposed building elevations depicting 1 and 2 story single family dwellings are appropriate for a development of this type 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 development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4617** APN: **125-12-601-006, 009**

Name of Property Owner: **MB Holdings**

Name of Applicant: **Cooper Custom Homes**

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

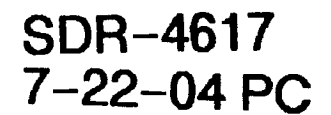
Print Name: **Steve Menzies**

Subscribed and sworn before me

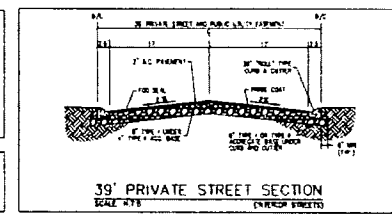
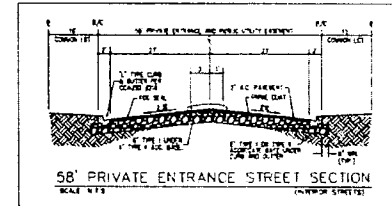
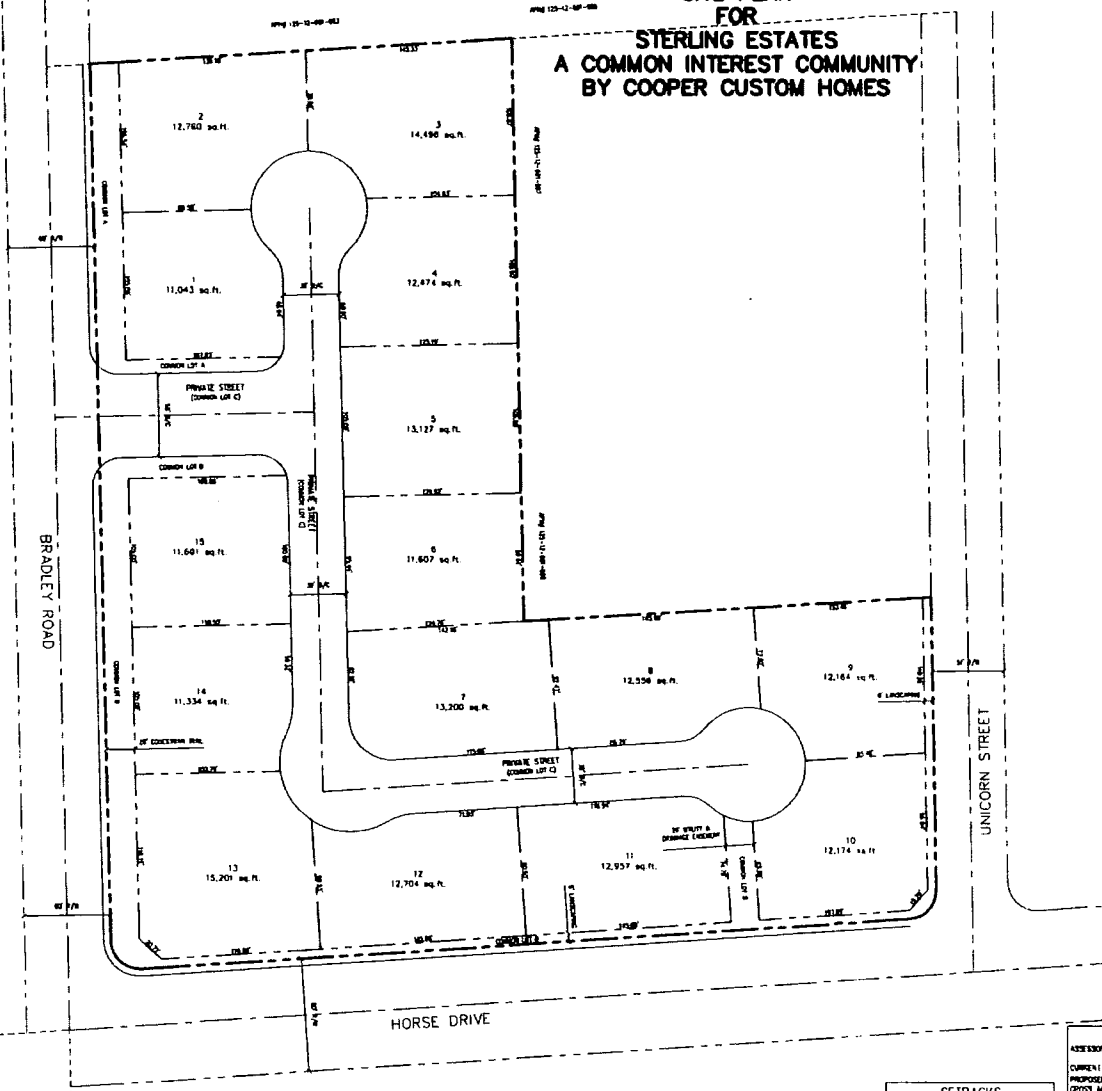
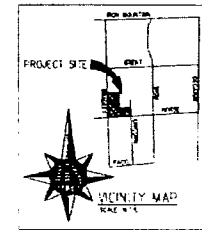
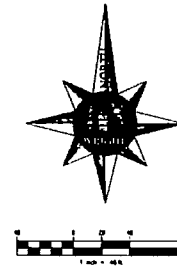
This 20 day of May, 2004
Ruth H Clark

Notary Public in and for said County and State





**SITE PLAN
FOR
STERLING ESTATES
A COMMON INTEREST COMMUNITY
BY COOPER CUSTOM HOMES**



SETBACKS			
FRONT	REAR	LEFT	RIGHT
10'	10'	10'	10'
10'	10'	10'	10'
10'	10'	10'	10'
10'	10'	10'	10'

SITE DATA	
ADJACENT PARCEL NUMBER	125-12-001-001
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
CROSS ACRES	6.90
NUMBER OF LOTS	15
COMMON LOTS	5
DU/AC	2.17
MINIMUM LOT SIZE	11,000 SF
MINIMUM LOT SIZE	11,000 SF

ENGINEER
WRIGHT ENGINEERS
1425 PLEASANT DRIVE
LOS ANGELES, CA 90028
TEL (213) 933-7000 FAX (213) 933-7001
WWW.WRIGHTENGINEERS.COM

OWNER INFORMATION
MR. & MRS. J. & M. COOPER
125-12-001-001
125-12-001-001
125-12-001-001

DEVELOPER
COOPER CUSTOM HOMES
125-12-001-001
125-12-001-001
125-12-001-001

WRIGHT ENGINEERS
1425 PLEASANT DRIVE
LOS ANGELES, CA 90028
TEL (213) 933-7000
FAX (213) 933-7001
WWW.WRIGHTENGINEERS.COM

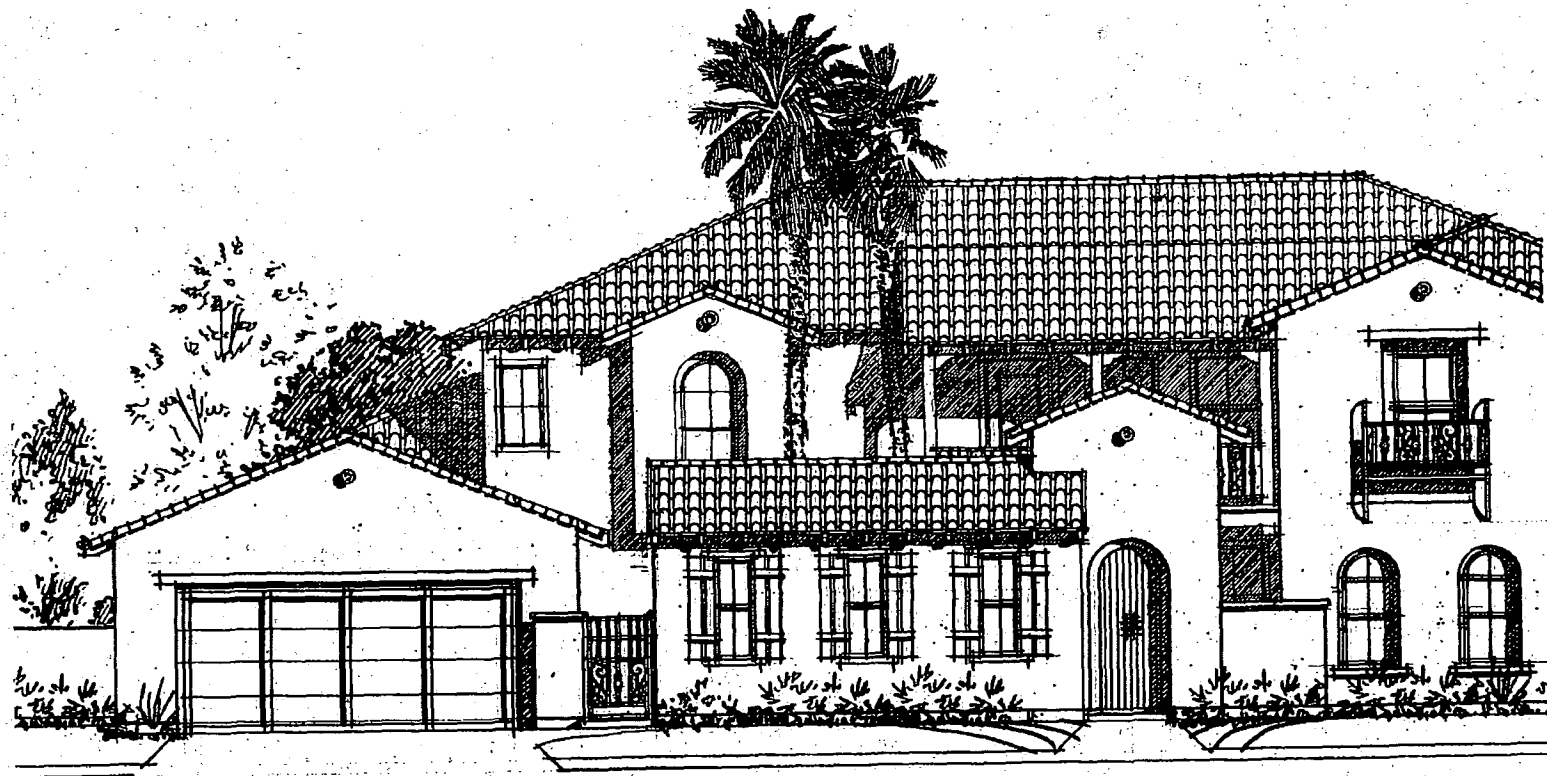


COOPER CUSTOM HOMES
STERLING ESTATES

DATE	BY	DATE	BY	DATE	BY

DATE	BY	DATE	BY	DATE	BY

**SDR-4617
7-22-04 PC**



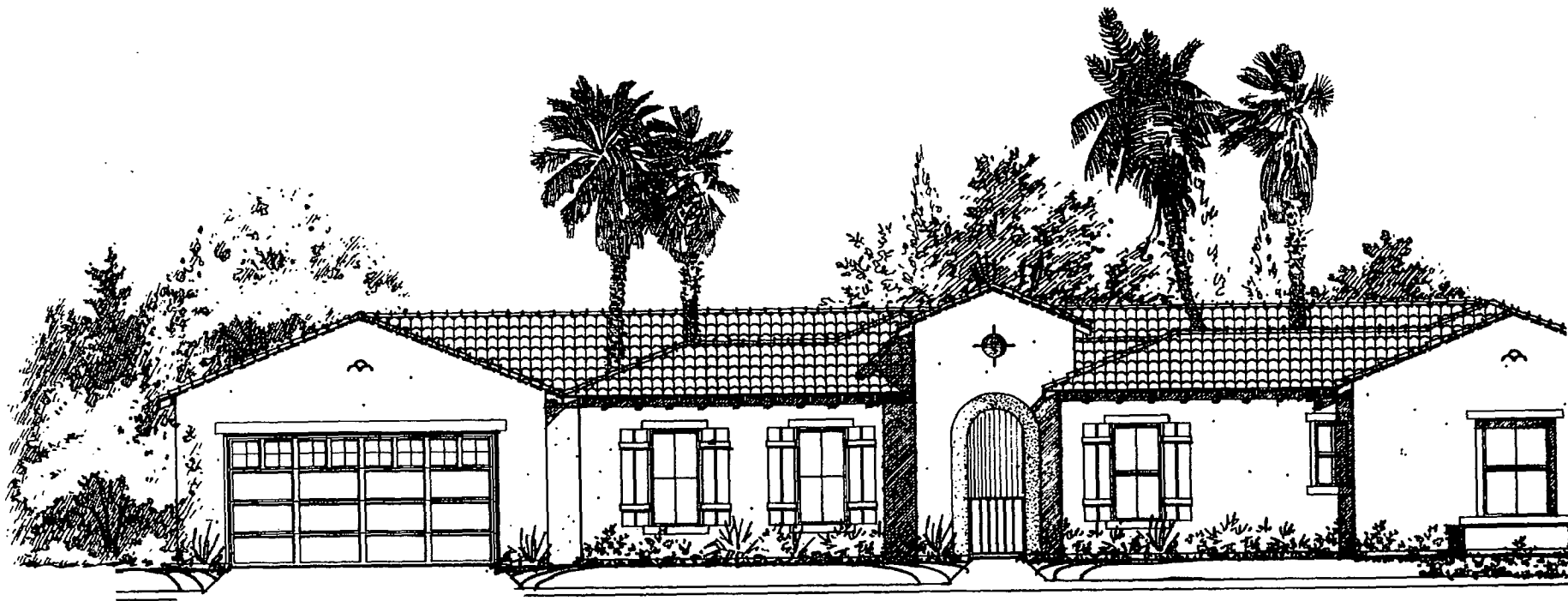
STERLING ESTATES

COOPER CUSTOM HOMES

WOODLEY
ARCHITECTURAL
GROUP, INC.



SDR-4617
7-22-04 PC



STERLING ESTATES

COOPER CUSTOM HOMES

WOODLEY
ARCHITECTURAL
GROUP, INC.

W

91375
Highland
303 44
303 44

151 K2
Costa J
714 54
714 54

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SDR-4617
7-22-04 PC



SDR-4617 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY
COMPANY
NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD
JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - MOD-4633 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 10.26 acres adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1
0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0
0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - ABEYANCE to 9/1/2004 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 105 [MOD-4633] and Item 106 [SDR-4636].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and requested a two-week abeyance for both Item 105 [MOD-4633] and Item 106 [SDR-4636] so that the conditions can be reviewed and the applicant can continue to work with COUNCILMAN BROWN on some concerns.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 105 – MOD-4633

MINUTES – Continued:

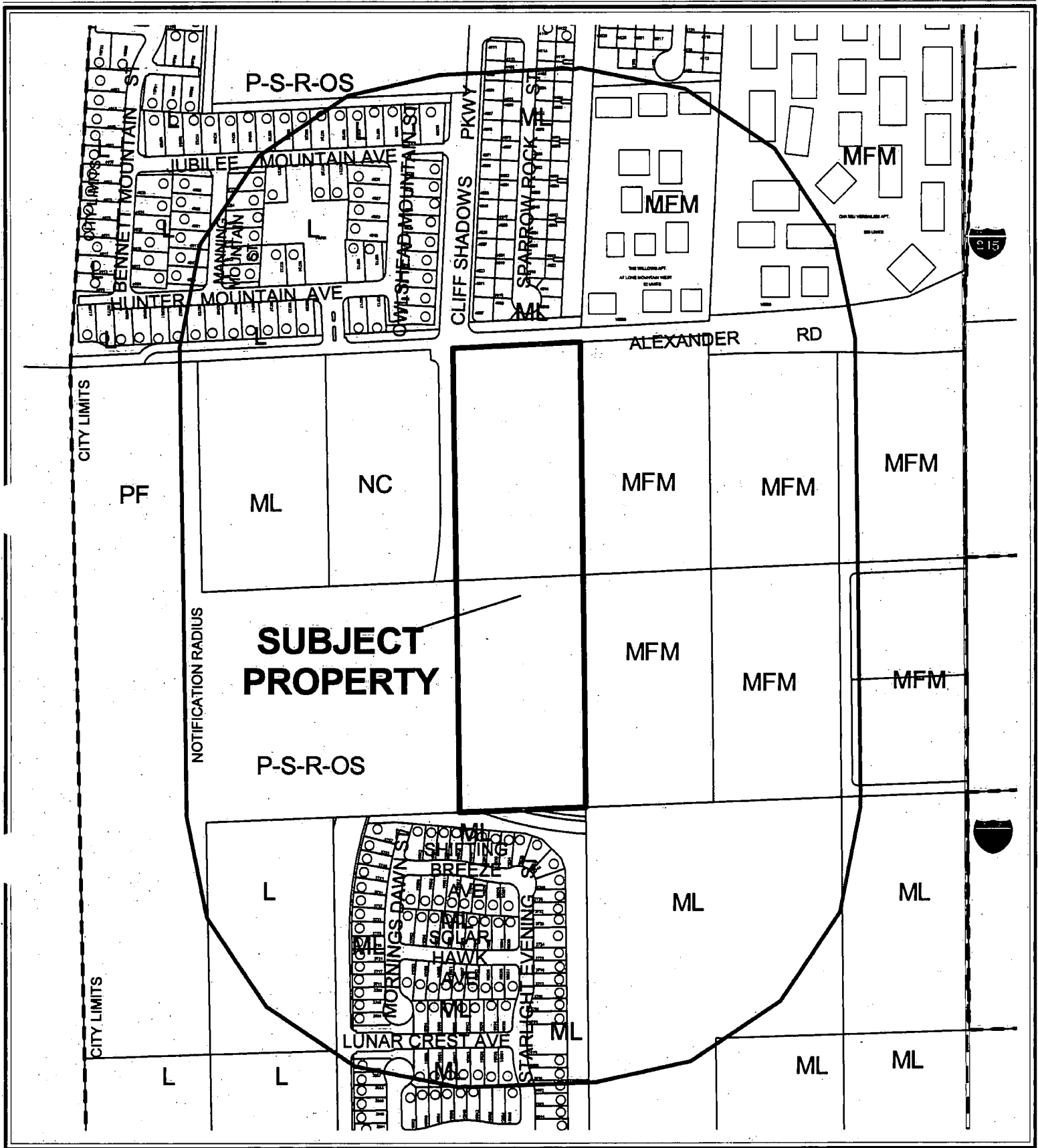
COUNCILMAN BROWN indicated that the issue is unique because of the elevations. It deals with the sewer and the potential pump station that will have to be built. He does not anticipate too much controversy because a tavern is entitled on this spot.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 105 [MOD-4633] and Item 106 [SDR-4636].

NOTE: All discussion for Item 105 [MOD-4633] and Item 106 [SDR-4636] was held under Item 105 [MOD-4633].

(2:37 – 2:39)
3-3886/4-1



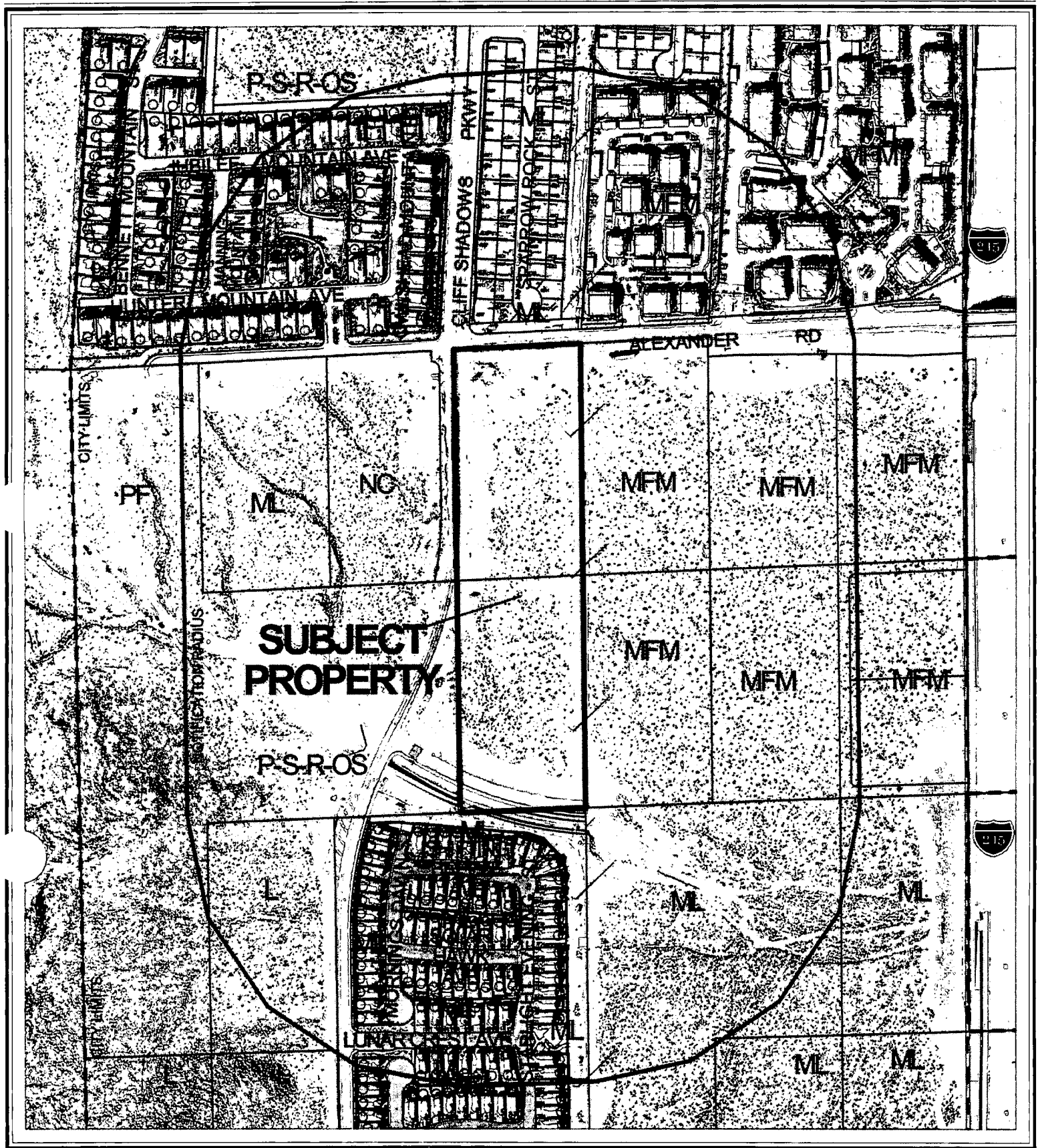
CASE: MOD-4633

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 ML (MEDIUM LOW DENSITY RESIDENTIAL)





CASE: MOD-4633

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 ML (MEDIUM LOW DENSITY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-4633 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Site Development Plan Review (SDR-4636) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

3. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700 (for Assessor's Parcel No. 137-12-101-003) towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Major Modification of the Lone Mountain West Master Plan to change the designation of 10.26 acres of property adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road from VC (Village Commercial) and NC (Neighborhood Commercial) to ML (Medium-Low Density Residential).

B) Applicant's Justification

The applicant justifies this request by stating that "market trends have significantly changed and demand has increased for single family residential land in areas that are easily accessible to employment nodes through existing major arterials and freeways."

BACKGROUND INFORMATION

A) Previous Actions

09/24/98	The Planning Commission approved a request to annex (A-0017-98) twenty-two (22) unimproved parcels totaling 402.5 acres. Staff recommended approval.
03/11/99	The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres. Staff recommended approval.
06/14/99	The City Council approved a Rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission recommended approval on May 13, 1999. Staff recommended approval.
04/05/00	The City Council approved a Petition to Vacate U.S. Government Patent Reservations (VAC-0057-99) on property generally located north of Cheyenne Avenue, south of Lone Mountain Road, east of Puli Road, and west of Barden Road, Ward 4 (Brown). The Planning Commission and Staff both recommended approval.
12/05/01	The City Council approved a Rezoning (Z-0068-01) application for the reclassification of property from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to PD (Planned Development) Zone on approximately 5.15 acres at the southeast corner of Cliff Shadows Parkway and Alexander Road. The Planning Commission and Staff both recommended approval.

- 08/22/02 The Planning Commission approved a motion to Withdraw Without Prejudice a Request for a Special Use Permit (U-0051-02) for gasoline sales in conjuncture with a proposed convenience store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. Staff recommended approval.
- 10/16/02 The City Council approved a Site Development Plan Review [Z-0068-01(1)] and a Reduction in the Amount of Landscape Planter Finger Islands for a 22,920 square foot commercial center adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0045-02) for a tavern on 5.15 acres located adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0047-02) for an off-premise liquor establishment in conjuncture with a proposed drug store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 07/22/04 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item # 55-PL).

B) Pre-Application Meeting

- 05/26/04 The main comment pertained to the front yard setback to the garage door being 18 feet.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.26

B) Existing Land Use

Subject Property: Vacant
North: Residential Housing
South: Residential Housing
East: Vacant
West: Vacant

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: PCD (Planned Community Development)

D) *Existing Zoning*

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

E) *Lone Mountain Land Use Designation*

Subject Property: NC (Neighborhood Commercial)
VC (Village Commercial)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density residential)
East: MFM (Multi-Family Medium Residential)
West: NC (Neighborhood Commercial)
P (Park/School/Recreation/Open Space)

F) *General Plan Compliance*

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation. The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed 55-lot residential subdivision is a permitted use within the PD (Planned Development) zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West		
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 composed of two parcels, which are located within the Lone Mountain West Master Plan area with both a Neighborhood Commercial and a Village Commercial land use designation.

Neighborhood Commercial

The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

Village Commercial

The Village Commercial land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and does not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersection of major arterials and major freeways. The map lot coverage will not exceed 30 percent.

Medium-Low Density Residential

The Medium-Low Density Residential category provides for the development of up to 12 dwelling units per gross acre. This land use category allows for higher density detached, single-family product types including, but not limited to, compact lots and zero lot line, and two story buildings.

Trails:

Multi-Use Non-Equestrian Trail

A Multi-use Transportation Trail is required on the Nevada Power easement along within and along the eastern boundary of the property, as shown on Map 8 of the Transportation Trails Element of the Master Plan and on Map 2 of the Interlocal Joint Parks and Trails Plan. The applicant has illustrated a 43-foot wide trail along the eastern portion of the site.

A) Zoning Code Compliance

Currently, the 10.26 acre site is zoned U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under a Resolution of Intent to PD (Planned Development). The surrounding area is either zoned PD (Planned Development) or is slated by the General Plan to be part of the Planned Community Development known as Lone Mountain West.

B) General Analysis and Discussion

The amount of commercial property available within the Lone Mountain West Master Plan is a limited commodity. Originally, the Master Development Plan called for a total of 40.9 acres of commercial property, comprised of NC (Neighborhood Commercial) and VC (Village Commercial). Today, that total has dropped to approximately 24.42 acres as a result of previous conversions of land use from commercial to residential. In addition to this application's request, another 4.14 acre parcel located adjacent to the southwest corner of Cliff Shadows Parkway and Alexander Road (APN: 137-12-101-002), has applied for a Major Modification (MOD-4484) of the Lone Mountain West Master Plan to reclassify the property from NC (Neighborhood Commercial) to ML (Medium-Low Density Residential). The possible combined loss of commercial property from the Lone Mountain Master Plan would be approximately 15 acres, therefore reducing the total commercial property within the plan to approximately 11 acres. Of the 11 acres that possibly could remain, 2.3 acres is currently a professional office building with no retail component. The approval of this Major Modification and that of MOD-4484 would essentially remove all of the Neighborhood Commercial from the plan.

With the additional housing from this proposed development and the potential number of units that could be built within the Lone Mountain West Master Plan, the total dwelling units per acre for the plan would be approximately 8 dwelling units per acre, as compared with the plans gross residential density of 6.20. By allowing more residential within the planned area there is the potential of increasing the overall density of Lone Mountain West and creating congestion as a consequence.

With such a decrease in available commercial property within the Lone Mountain West Master Plan, residents will be forced to leave their community and travel further distances to reach commercial services and goods. The future construction of a major commercial use within the adjacent Lone Mountain Master Plan is not a valid argument for the legitimization of the removal of almost all of the viable commercial property within the Lone Mountain West Master Plan.

Figure A

Developed or approved residential areas.

Letter	# of Units	Density	Ave. Units per Acre
A	45	L	5.74
B	120	L	5.31
C	103	L	5.31
D	90	L	5.31
E	159	L	5.31
F	104	L	4.79
G	145	ML	7.13
H	261	ML	12
I	150	L	4
J	26	L	4
K	54	L	5
APT1	184	MFM	20
APT2	136	MFM	20
APT3	96	MFM	18.21
APT4	371	MFM	19.8
AA	171	ML	9.15
BB	23	L	4.2
CC	32	ML	6.4
DD	308	ML	9.21
Total	2578		6.48*

* Average number of units for entire Lone Mountain West area of 469.91 acres, including undeveloped and commercial areas.

Total residential units by category.

Densities	Total Units
Low Density (L)	874
Medium Low (ML)	917
Multi-Family Medium (MLM)	787
Grand Total	2578

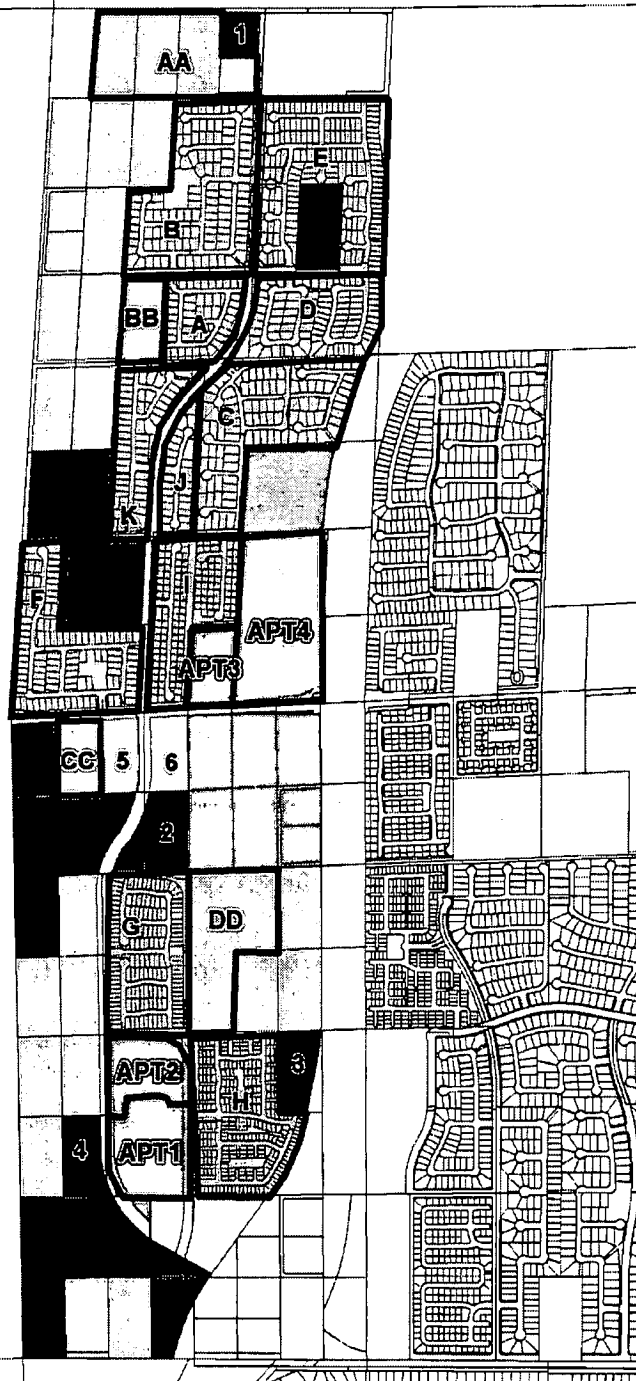
Commercial Areas

Commercial Areas	Number	Acreage
Village Commercial (VC)	1	2.3
	2	5.03
	3	4.22
	4	4.68
Neighborhood Commercial (NC)	5	4.14
	6	4.05
Total VC Acreage Only		16.23
Total NC Acreage Only		8.19
Total Commercial Acreage (VC & NC)		24.42

Available Residential Development

Density*	Acreage	Unit Potential
Low Density, up to 6 units per acre	88.02	528.12
Medium Low, up to 12 units per acre	15.47	185.64
Multi-Family Medium, up to 26 units	29.11	727.75
Total available acreage & max units	132.6	1441.51

* Based on available undeveloped acreage.



Lone Mountain West Density Study

June 28, 2004

FINDINGS

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

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

The proposed Major Modification is not in conformance with the Lone Mountain West Master Plan. The proposal itself goes against the goals of the General Plan, which emphasizes, "the integration of local service commercial activities within a neighborhood center that is in walking distance of homes within the neighborhood;" and "That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported."

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 PD (Planned Development) zoning district is compatible with the surrounding properties, which are also zoned PD (Planned Development). Within the PD (Planned Development) a variety of uses are permitted. These uses are dictated by the overall master plan for the planned area. Therefore, within the planned development known as the Lone Mountain West Master Plan the change in use is not compatible with the surrounding area, due to the removal of Master Plan's ability to be self-supporting as a result of the removal of designated commercial property.

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

Within the Lone Mountain West Master Plan there exists 396 plus acres of land designated for residential use. There still exists a significant amount of this land that has not been developed into residential development. Therefore, growth and development factors within the area, which may call for increased residential property can be satiated with the existing amount of properties that are intended for residential use. The removal of commercial property from the Lone Mountain West Master Plan is unwarranted and therefore inappropriate.

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 is bordered to the west by Cliff Shadows Parkway and to the north by Alexander Road, both of which are 80-Foot Secondary Collectors, and on the south by Gilmore Avenue, 60-Foot residential street, as designated by the Master Plan of Streets and Highways. These streets contain sufficient capacity to serve future residential development of the site.

NOTICES MAILED 151 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-4633** APN: **137-12-101-009**
Name of Property Owner: **National Group #1 LLC % Focus Coml Group**
Name of Applicant: **KB HOME**

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: _____

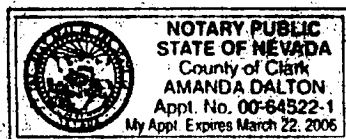
Signature of Property Owner/Authorized Agent: _____

Print Name: **JOHN A BITTNER**

Subscribed and sworn before me

This **7th** day of **June**, 20**04**
Amanda Dalton

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-4633 APN: 137-12-101-003
Name of Property Owner: Lee Brian & Julie 60
Licker Gary Trust 40; % G Licker TRS
Name of Applicant: KB HOME

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

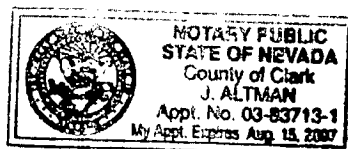
Print Name: BRIAN LEE

Subscribed and sworn before me

This 4th day of JUNE, 2004

J. Altman

Notary Public in and for said County and State Clark/Nevada



SITE INFORMATION

ASSESSOR'S PARCEL NUMBER (APN): 137-12-101-003 & 004
 GROSS AREA: 10.26 +/- GROSS ACRES
 MINIMUM LOT SIZE: 47'W X 59'D (2,773 SQ. FT.)
 NUMBER OF UNITS: 55 SINGLE FAMILY UNITS
 DENSITY: 5.38 SU/AC GROSS
 OPEN SPACE REQUIRED: 15,840 SQ. FT. (550 S.F./UNIT)
 OPEN SPACE S.F. PROVIDED: 30,000 SQ. FT.
 NON-BUILDING SETBACKS:
 10' CHARGE, 10' FRONT, 5' REAR
 5' SIDE, 10' CORNER SIDE
 54' PRIVATE ENTRY
 47' PRIVATE INTERIOR

STREET WIDTHS: ON-SITE
 OFF-SITE: 40' HALF STREET (ALEXANDER & CLIFF SHADOWS)
 30' HALF STREET (GILMORE)
 P-D (PLANNED DEVELOPMENT)
 P-D (PLANNED DEVELOPMENT)

DISTANCE ZONING:
 PROPOSED ZONING:

SERVICES

SANITARY SEWER: CITY OF LAS VEGAS
 WATER: LAS VEGAS VALLEY WATER DISTRICT
 POWER: NEVADA POWER COMPANY
 GAS: SOUTHWEST GAS CORPORATION
 TELEPHONE: SPRINT
 CABLE TV: COX COMMUNICATIONS
 REFUSE: SILVER STATE DISPOSAL SERVICE, INC.

DEVELOPER

KB HOME
 750 PULLEY RD., SUITE 1
 LAS VEGAS, NEVADA 89119

ENGINEER

Carter Burgess
 Consultants in Engineering, Planning and the Environment
 5555 BERNARD ROAD LAS VEGAS, NV 89119
 (702) 938-5400 Fax (702) 938-5454

ALEXANDER / CLIFF SHADOWS

SITE PLAN

A RESIDENTIAL DEVELOPMENT BY KB HOME

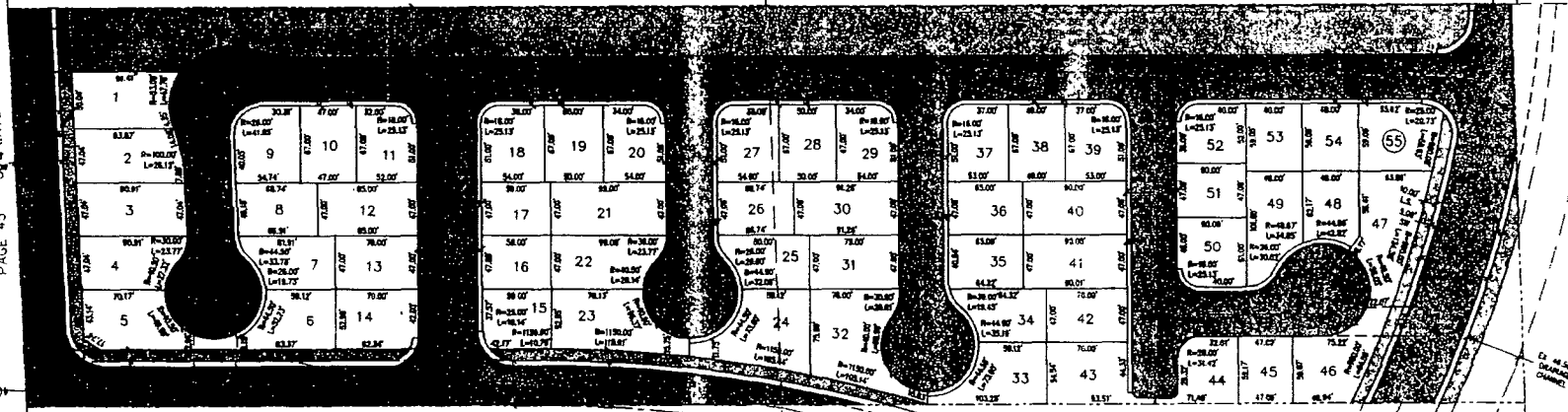


GRAPHIC SCALE



APN: 137-12-101-004

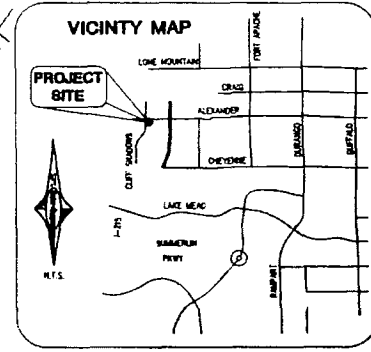
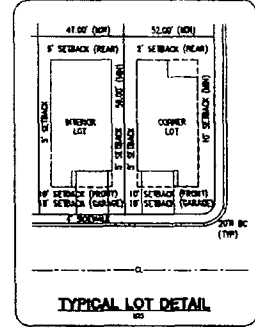
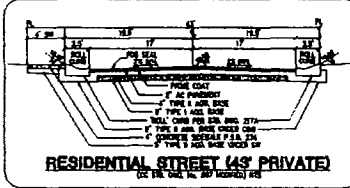
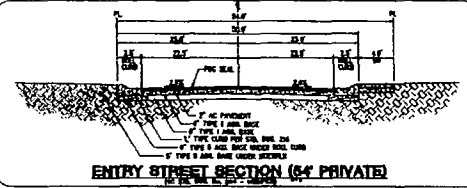
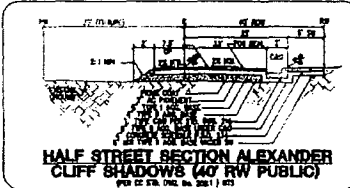
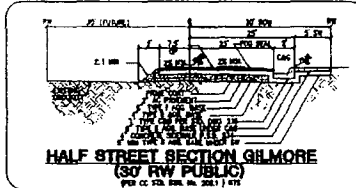
APN: 137-12-101-010



CLIFF SHADOWS PARKWAY

APN: 137-12-101-002

APN: 137-12-101-006



REVISIONS	DATE	BY	APP

REVISIONS	DATE	BY	APP

Carter Burgess
 Consultants in Engineering, Planning and the Environment
 5555 BERNARD ROAD LAS VEGAS, NV 89119
 (702) 938-5400 Fax (702) 938-5454

PROJECT: KBHOME
 ALEXANDER / CLIFF SHADOWS
 SITE PLAN

REVISIONS	DATE	BY	APP
1			
2			

MOD-4633
 7-22-04 PC



MOD-4633 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4633 - PUBLIC HEARING - SDR-4636 - APPLICANT: KB HOME - OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 55 LOT SINGLE FAMILY SUBDIVISION on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

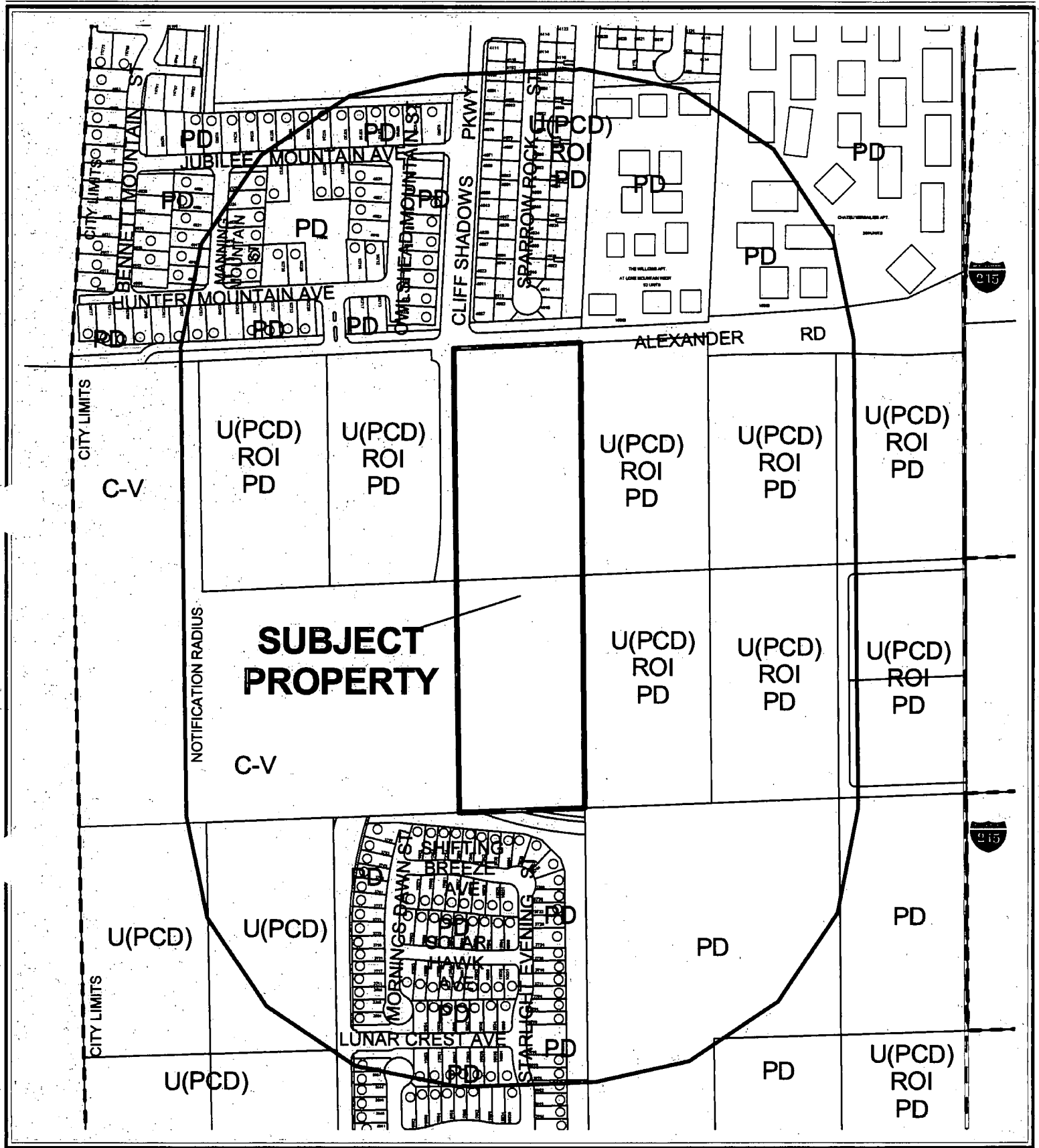
BROWN – ABEYANCE to 9/1/2004 – UNANIMOUS

MINUTES:

NOTE: See Item 105 [MOD-4633] for all related discussion.

(2:37 – 2:39)

3-3886/4-1



CASE: SDR-4636

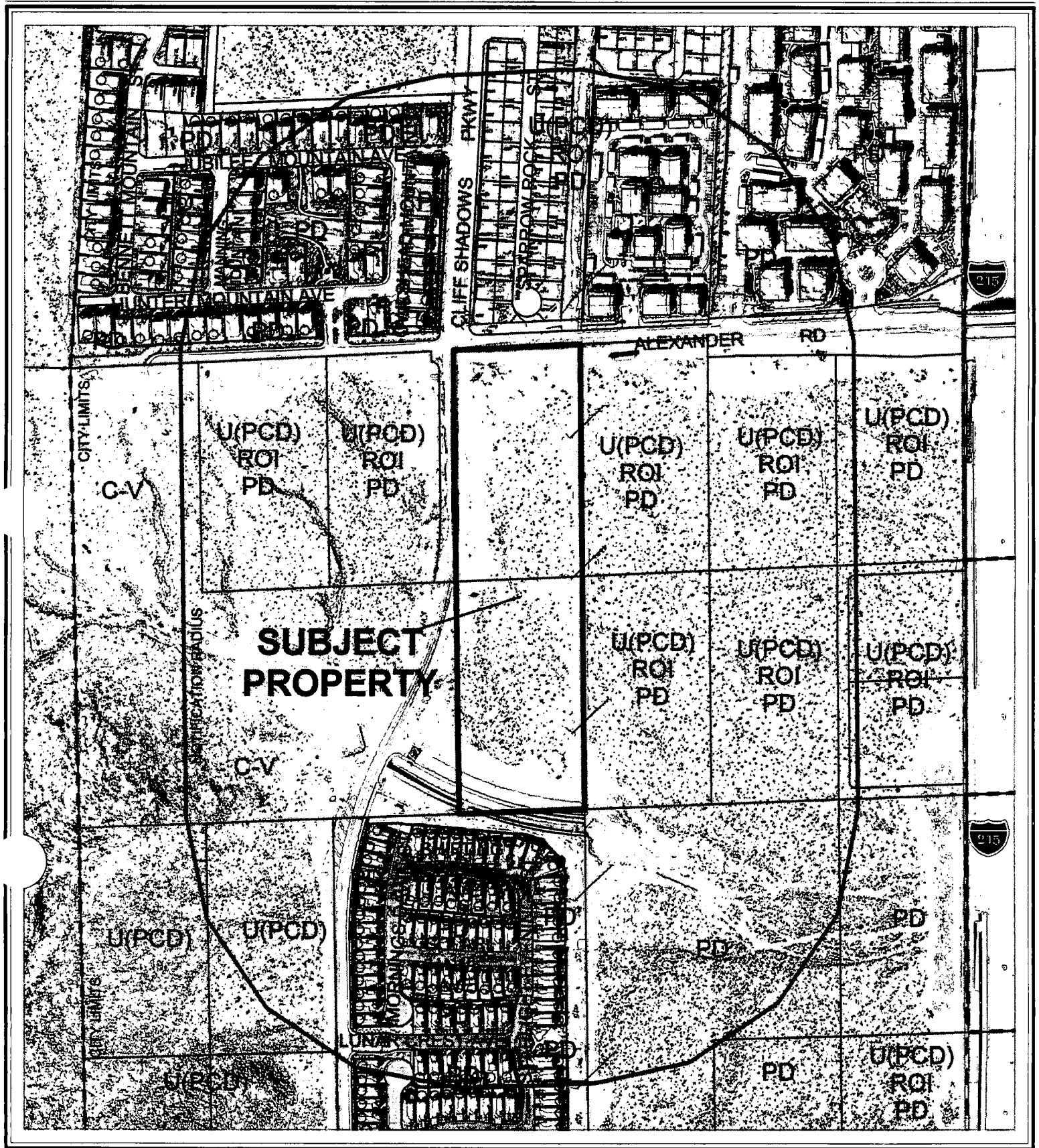
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [LONE MOUNTAIN SPECIAL LAND USE DESIGNATION NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL PROPOSED TO ML (MEDIUM LOW DENSITY RESIDENTIAL)]

0 300 600 Feet





CASE: SDR-4636

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [LONE MOUNTAIN SPECIAL LAND USE DESIGNATION NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL PROPOSED TO ML (MEDIUM LOW DENSITY RESIDENTIAL)]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4636 - APPLICANT: KB HOME - OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1 LIMITED LIABILITY COMPANY

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Major Modification (MOD-4633) of the Lone Mountain West Master Plan from VC (Village Commercial) and NC (Neighborhood Commercial) to ML (Medium-Low Density Residential) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
5. All development shall be in conformance with the site plan and building elevations, dated June 3, 2004 except as amended by conditions herein.
6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet to the corner side, and 5 feet in the rear.
7. The maximum building height shall be 2 stories or 35 feet, whichever is less.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall comply with section 3.6 of the Lone Mountain West Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The walls bordering the access path to the open space area shall have at least the upper 50% of the walls built using wrought iron, to give the path an open and secure feeling.

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

Public Works

12. Dedicate appropriate right-of-way for a total width of 80 feet adjacent to this site for Cliff Shadows Parkway and a total width of 60 feet for Gilmore Avenue, 40 feet for Alexander Road, a 25-foot radius on the southeast corner of Alexander Road and Cliff Shadows Parkway and appropriate drainage right-of-way for the Gilmore Channel.
13. Construct half-street improvements on Alexander Road adjacent to this site, Gilmore Avenue adjacent to this site and extending westerly to tie into Cliff Shadows Parkway and Cliff Shadows Parkway extending from Gilmore Avenue to the northern border of this site, concurrent with development of this site. Such construction shall include overpaving where appropriate. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
14. Landscape the triangular remnant of property (portion of Assessor's Parcel Number 137-12-101-008) adjacent to this site concurrent with development of this site. Such landscaping shall be maintained in perpetuity by the Homeowner's Association. An Encroachment Agreement shall be submitted as required by the City Engineer.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Coordinate with the developer to the south, Astoria at Lone Mountain, and the Collection Systems Planning Section of the Department of Public Works to connect to public sewer on the south side of the Gilmore Channel at Cloudland Canyon Street 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.

18. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, 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.
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
20. Site development to comply with the Lone Mountain West Development Standards, Design Guidelines and Development Agreement, Zoning Reclassification Z-68-01, Z-24-99 and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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. Approval of this Site Development Plan does not constitute approval of any deviations.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site development Plan Review for a 55-lot residential subdivision on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway.

B) Applicant's Justification

The applicant justifies this request by stating that "market trends have significantly changed and demand has increased for single family residential land in areas that are easily accessible to employment nodes through existing major arterials and freeways."

BACKGROUND INFORMATION

A) Previous Actions

- 09/24/98 The Planning Commission approved a request to annex (A-0017-98) twenty-two (22) unimproved parcels totaling 402.5 acres. Staff recommended approval.
- 03/11/99 The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres. Staff recommended approval.
- 06/14/99 The City Council approved a Rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission recommended approval on 5/13/99. Staff recommended approval.
- 04/05/00 The City Council approved a Petition to Vacate U.S. Government Patent Reservations (VAC-0057-99) on property generally located north of Cheyenne Avenue, south of Lone Mountain Road, east of Puli Road, and west of Barden Road, Ward 4 (Brown). The Planning Commission and Staff both recommended approval.
- 12/05/01 The City Council approved a Rezoning (Z-0068-01) application for the reclassification of property from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to PD (Planned Development) Zone on approximately 5.15 acres at the southeast corner of Cliff Shadows Parkway and Alexander Road. The Planning Commission and Staff both recommended approval.

- 08/22/02 The Planning Commission approved a motion to Withdraw Without Prejudice a Request for a Special Use Permit (U-0051-02) for gasoline sales in conjuncture with a proposed convenience store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. Staff recommended approval.
- 10/16/02 The City Council approved a Site Development Plan Review [Z-0068-01(1)] and a Reduction in the Amount of Landscape Planter Finger Islands for a 22,920 square foot commercial center adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0045-02) for a tavern on 5.15 acres located adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0047-02) for an off-premise liquor establishment in conjuncture with a proposed drug store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 07/22/04 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item # 56-PL).

B) Pre-Application Meeting

- 05/26/04 A pre-application was held and resulted in comments other than one directed towards the front yard setback to the garage door being 18 feet.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.26

B) Existing Land Use

Subject Property: Vacant
North: Residential Housing
South: Residential Housing
East: Vacant
West: Vacant

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: PCD (Planned Community Development)

D) *Existing Zoning*

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

E) *Lone Mountain Land Use Designation*

Subject Property: NC (Neighborhood Commercial)
VC (Village Commercial)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density residential)
East: MFM (Multi-Family Medium Residential)
West: NC (Neighborhood Commercial)
P (Park/School/Recreation/Open Space)

F) *General Plan Compliance*

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation. The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed 55-lot residential subdivision is a permitted use within the PD zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West		
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 composed of two parcels, which are located within the Lone Mountain West Master Plan area with both a Neighborhood Commercial and a Village Commercial land use designation.

Neighborhood Commercial

The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

Village Commercial

The Village Commercial land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and does not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersection of major arterials and major freeways. The map lot coverage will not exceed 30 percent.

Medium-Low Density Residential

The Medium-Low Density Residential category provides for the development of up to 12 dwelling units per gross acre. This land use category allows for higher density detached, single-family product types including, but not limited to, compact lots and zero lot line, and two story buildings.

Trails:

Multi-Use Non-Equestrian Trail

A Multi-use Transportation Trail is required on the Nevada Power easement along within and along the eastern boundary of the property, as shown on Map 8 of the Transportation Trails Element of the Master Plan and on Map 2 of the Interlocal Joint Parks and Trails Plan. The applicant has illustrated a 43-foot wide trail along the eastern portion of the site.

PROJECT DESCRIPTION

The proposed residential subdivision will consist of 55 single-family residential detached units located on 10.26 gross acres at a density of 5.36 units per acre. The maximum density allowed within the Lone Mountain West Master Plan is 6.2 units per acre. Concurrently there is another Major Modification (MOD-4484) application requesting the conversion of land use designation from NC (Neighborhood Commercial) to ML (Medium-Low Density Residential), which allows up to 12 dwelling units per acre, therefore, if approved, would also increase the dwelling units per acre of the entire Master Plan.

With the additional housing from this proposed development and the potential number of units that could be built within the Lone Mountain West Master Plan, the total dwelling units per acre for the plan would be approximately 8 dwelling units per acre, as compared with the plans gross residential density of 6.20. By allowing more residential within the planned area there is the potential of increasing the overall density of Lone Mountain West and creating congestion as a consequence.

The proposed development calls for 43-foot wide private streets, which can be accessed from Cliff Shadows Parkway, an 80-foot Secondary Collector, and Gilmore Avenue, a 60-foot residential street, as designated by the Master Plan of Streets and Highways. Along the street frontages of Alexander Road, Cliff Shadows Parkway, and Gilmore Avenue the applicant is proposing a 10-foot landscape buffer next to a 5-foot sidewalk, which abuts the public right-of-way.

The amount of open space required for such a development based upon .0769 acres of open space and pocket parks per acre per the Lone Mountain West Master Plan 2.3.7 would be 35,575 square feet. The applicant meets and exceeds the required open space by means of a proposed 43-foot wide Multi-Use Non-Equestrian Trail located along the eastern property line.

The proposed residential development is proposing seven different two-story models to be built. Each model has three elevations, with the options, including the option for a patio cover.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, a site development plan review shall determine development standards, which will apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	N/A		N/A
Min. Setbacks			
• Front to house	N/A	10 Feet	N/A
• Front to garage		18 Feet	N/A
• Side	N/A	5 Feet	N/A
• Corner	N/A	10 Feet	N/A
• Rear	N/A	5 Feet	
Max. Building Height	2 stories/35 feet, whichever is less	2 Stories	N/A

The proposed development is in conformance with the applicable standards for setbacks, building height, and lot sizes as set forth in the Lone Mountain West Master Development Plan.

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	
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	46 Trees	46 Trees
• Min. Zone Width	6 Feet		10 Feet
• Wall height	8 Feet		6 Feet

The proposed development is in conformance with the applicable standards for landscaping in regards to the widths of the required planters.

Pursuant to Lone Mountain West Master Plan, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Acreage	Area	Acreage	Area
10.26 acres	5.36	.0769	.79	34,369 SF	1.15	50,000 SF

The proposed development is in conformance with the applicable standards for landscaping in regards to the amount of open space provided.

B) General Analysis and Discussion

- Zoning

The proposed PD (Planned Development) zone will allow planned development, consistent with the applicable standards of the Lone Mountain West Master Development Plan.

- Site Plan

The site plan depicts 55 lots, the majority of which are arranged around 43-foot private streets that end in cul-de-sacs. Landscape planters, 10 feet in width are located along the northern, southern, and eastern property lines. Access to the site will be from Cliff Shadows Parkway and Gilmore Avenue. No access gates have been shown on the plan.

- Landscape Plan

The proposed landscaping depicts an attractive plan for the adjacent Public Street. All proposed landscape plans should demonstrate compliance with the Lone Mountain West Development Plan plant palette. The proposed landscaping is in conformity with the standards of the plan.

Section 2.3.7 of the Lone Mountain West Master Plan states that developers are responsible for providing a certain amount of open space within their development. This amount is determined by taking the number of acre multiplied by the pocket park multiplier. This project requires a total amount of .79 acres of park ($10.26 \times 0.0769 = .42$). The submitted site plan is in conformance with the open space requirement in that the site indicates a total of 1.15 acres of pocket parks or 50,000 square feet of eligible open space.

- Elevation

The proposed elevations will be compatible with other developments within the Lone Mountain West Planning Area.

- Floor Plan

Floor plans depicts homes approximately 37 feet wide and 35.5, 37, 40.5, 41, 42, or 43 feet in length. The average lot width, as depicted on the site plan is 47 feet wide. Lots range from 59 feet in length to 99 feet in length. With 5-foot side yard setbacks, the homes will exactly fit on the lots. This allows for minimal variation. Because the majority of the lots share frontage on a single street, this may result in a uniform, visually uninteresting development.

FINDINGS

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

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

The proposed development is compatible with the surrounding residential densities of the surrounding area. However, the request cannot be supported due to the additional loss of commercially designated property.

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

The proposed Site Development Plan Review and the companion Major Modification (MOD-4633) are not in conformance with the Lone Mountain West Master Plan. The proposal itself goes against the goals of the General Plan, which emphasizes, "the integration of local service commercial activities within a neighborhood center that is in walking distance of homes within the neighborhood;" and "That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported."

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

The site is bordered to the west by Cliff Shadows Parkway and to the north by Alexander Road, both of which are 80-Foot Secondary Collectors, and on the south by Gilmore Avenue, 60-Foot residential street, as designated by the Master Plan of Streets and Highways. These streets contain sufficient capacity to serve future residential development of the site.

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

The proposed project will incorporate appropriate building elevations and façade materials for the Lone Mountain West planning area. The proposed landscaping will be appropriate with implementation of the conditions presented regarding compliance with the Lone Mountain West Master Development Plan standards for trail development and compliance with the plant palette.

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

The building elevations are aesthetically pleasing and will be harmonious and compatible with other single-family developments in the area.

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

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

PLANNING COMMISSION ACTION

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

NOTICES MAILED 151 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4636 APN: 137-12-101-003
Name of Property Owner: Lee Brian & Julie 60
Licker Gary Trust 40; % G Licker TRS
Name of Applicant: KB HOME

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:

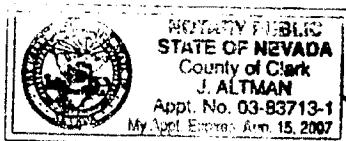
Print Name: _____

Subscribed and sworn before me

This 4th day of June, 20 04

E. Altman

Notary Public in and for said County and State Clark Nevada





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4636 APN: 137-12-101-009

Name of Property Owner: National Group #1 LLC % Focus Coml Group

Name of Applicant: KB HOME

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

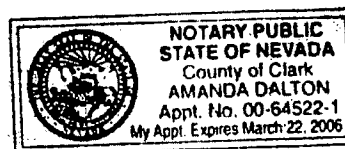
Signature of Property Owner/Authorized Agent: _____

Print Name: JOHN A. KITTER

Subscribed and sworn before me

This 7th day of June, 2004
Amanda Dalton

Notary Public in and for said County and State



SITE INFORMATION

ASSESSOR'S PARCEL NUMBER (APN): 137-15-101-003 & 009
GROSS AREA: 10.28 +/- GROSS ACRES
MODULAR LOT SIZE: 47'8" X 50'0" (2,373 SQ. FT.)
NUMBER OF UNITS: 55 SINGLE FAMILY UNITS
DENSITY: 5.38 DU/AC. (MIN.)
OPEN SPACE REQUIRED: 15,840 SQ. FT. (330 S.F./UNIT)
OPEN SPACE S.F. PROVIDED: 80,000 SQ. FT.
MIN. BUILDING SETBACKS:
14' GARAGE, 18' FRONT & REAR
5' SIDE, 14' CORNER SIDE
34' PRIVATE DRIVEY
43' PRIVATE DRIVEWAY
OFF-SITE: 40' HALF STREET (ALEXANDER & CLIFF SHADOWS)
30' HALF STREET (CLIMBER)
P-2 (PLANNED DEVELOPMENT)
P-2 (PLANNED DEVELOPMENT)

SERVICES

SANITARY SEWER: CITY OF LAS VEGAS
WATER: LAS VEGAS VALLEY WATER DISTRICT
POWER: NEVADA POWER COMPANY
GAS: SOUTHWEST GAS CORPORATION
TELEPHONE: SPRINT
CABLE TV: COX COMMUNICATION
REFUSE: SILVER STAR WASTE DISPOSAL SERVICE, INC.

DEVELOPER

KB HOME
750 PILOT RD. SUITE F
LAS VEGAS, NEVADA 89119

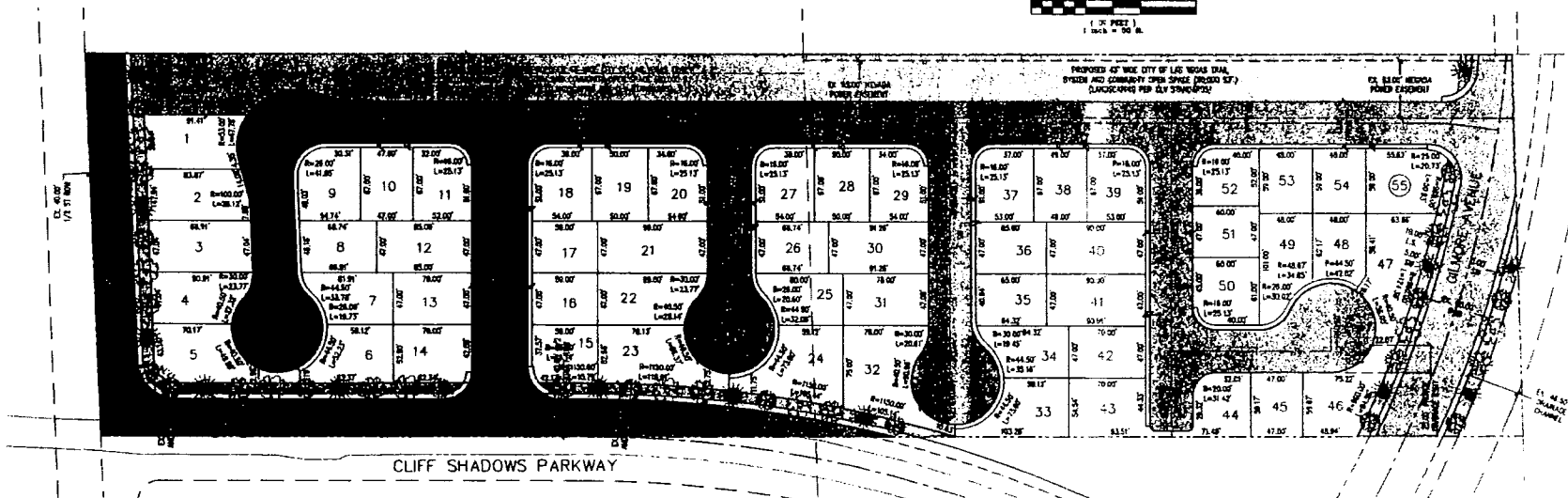
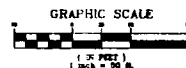
ENGINEER

Carter Burgess
Consultants in Engineering, Planning and the Environment
6605 WENDELL ROAD LAS VEGAS, NV 89119
(702) 838-5400 Fax (702) 838-5454

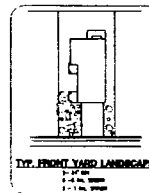
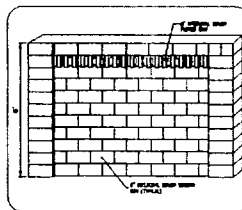
ALEXANDER / CLIFF SHADOWS

LANDSCAPE PLAN

A RESIDENTIAL DEVELOPMENT BY KB HOME

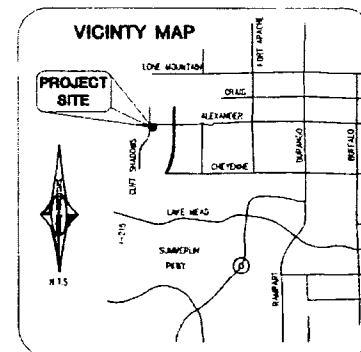


LANDSCAPE LEGEND									
SYMBOL	SPECIES	COMMON NAME	SIZE	SPACING	PARK TREES				
	PROSOPIS JULIFLORA	CHILEAN MESQUITE (THORNLESS VIL)	24" BOX	30'-0" C.		PINUS HALEPENSIS	ALEPPO PINE	24" BOX	PER PLANTING PLAN
	ALBIZIA JULIBRISSIN	SILK TREE	24" BOX	30'-0" C.		PRUNUS CAROLINIANA	CAROLINA LAUREL CHERRY	24" BOX	PER PLANTING PLAN
	CERODOLIUM FLORIDUM	BLUE PALM VERDE	24" BOX	30'-0" C.		QUERCUS IMEX	HONEY OAK	24" BOX	PER PLANTING PLAN
	CHELOPSIS LINEARIS	DESERT WILLOW	24" BOX	PER PLANTING PLAN	SHRUBS				
GROUND COVER						ERYTHRAEA JAPONICA	EVERGREEN ERYTHRAEA	5 GAL/ 1 GAL	PER PLANTING PLAN
	GYNOSTEMMA HISPANICUM	SPANISH BROOM	1 GAL	PER TITLE 17 80% COVERAGE		MANDEVILLA DOMESTICA	HEAVENLY BAMBOO	5 GAL/ 1 GAL	PER PLANTING PLAN
	JUNIPERUS PROCUMBENS	JUNIPER	1 GAL	PER TITLE 17 80% COVERAGE		LEMNISCATA FRUTESCENS	TEXAS RANGER	5 GAL/ 1 GAL	PER PLANTING PLAN
	ROSMARINUS OFFICINALIS	ROSEMARY	1 GAL	PER TITLE 17 80% COVERAGE					



NOTES

1) PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS, EACH PERMITTED LANDSCAPE PLANTER SHALL CONTAIN A MINIMUM OF ONE (1) 24-INCH BOX TREE FOR EVERY FORTY (40) LINEAR FEET OF PLANTER, PLUS ONE (1) ADDITIONAL 24-INCH BOX TREE.
2) PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS, GROUND COVER SHALL INCLUDE A MINIMUM OF FOUR (4) 5-GALLON BOWLS IN EACH STRIP FOR 24-INCH BOX TREE PROVIDED.



SDR-4636

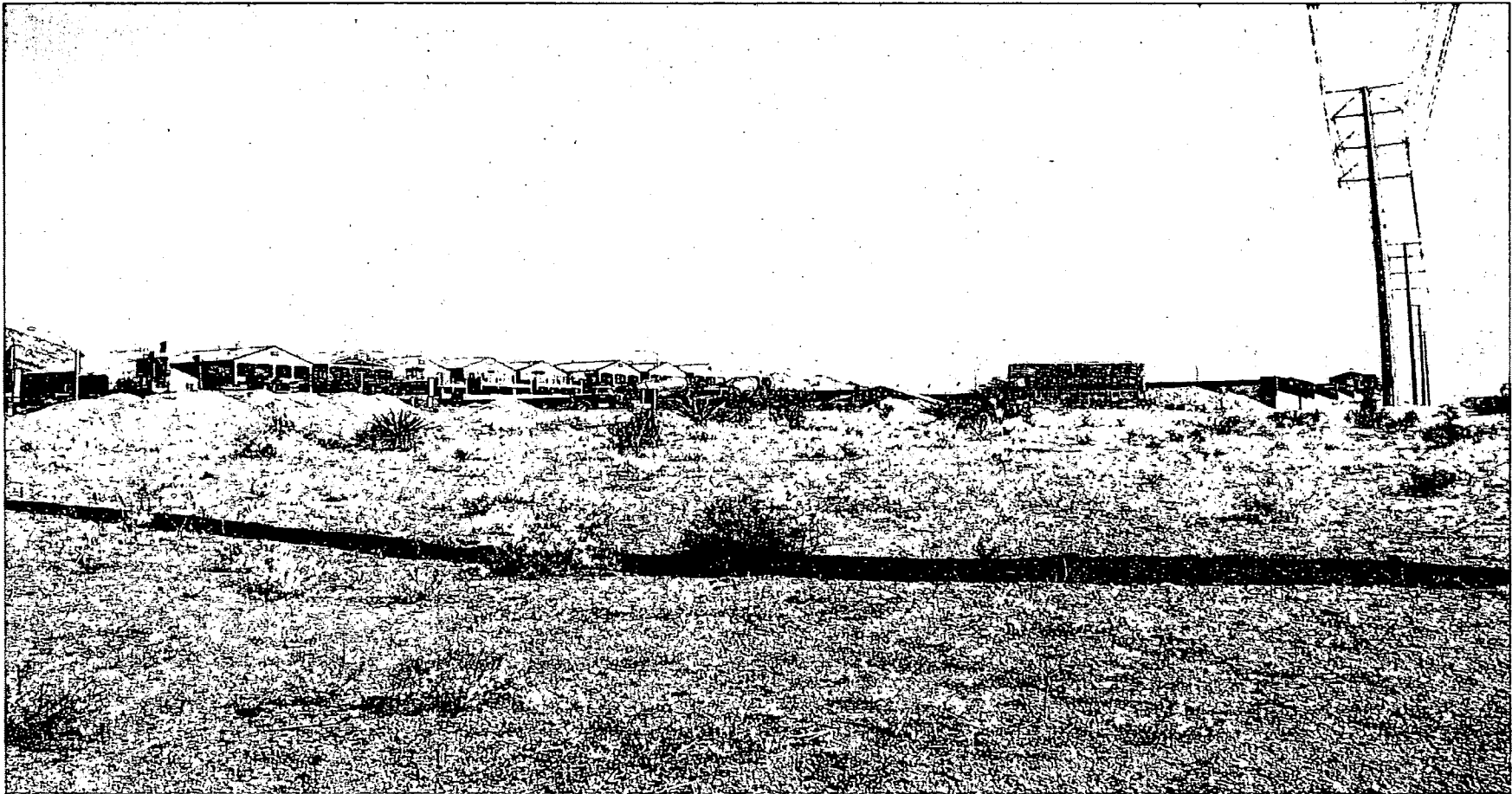
7-22-04 PC

REVISIONS		DATE	BY	APP
1				
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DESIGNER	DATE
CHECKER	DATE
APPROVER	DATE
DATE	DATE

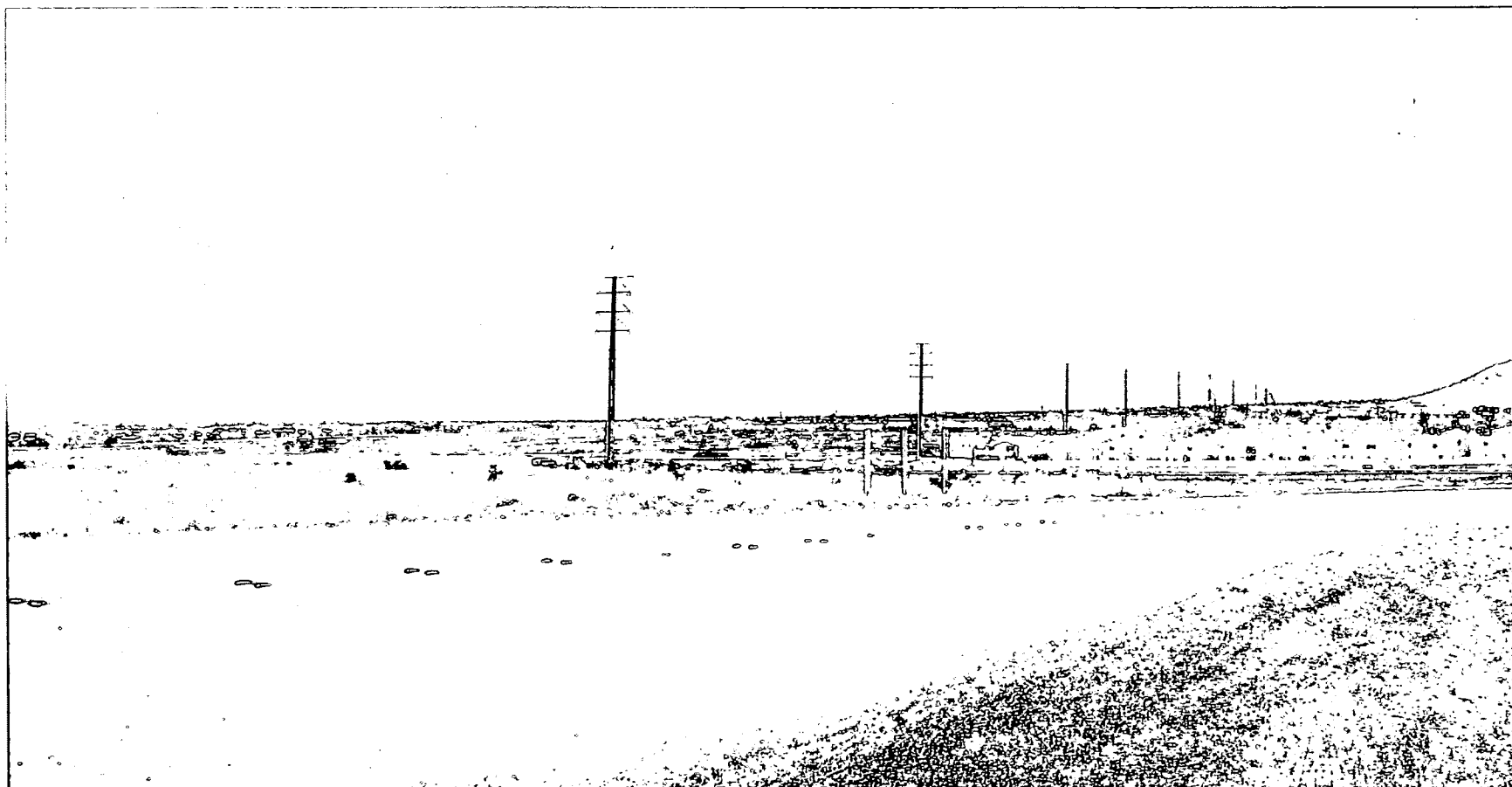
Carter Burgess
Consultants in Engineering, Planning and the Environment
6605 WENDELL ROAD LAS VEGAS, NV 89119
(702) 838-5400 Fax (702) 838-5454

PROJECT: KBHOME ALEXANDER / CLIFF SHADOWS
LANDSCAPE PLAN
SHEET: 2 OF 2



SDR-4636 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04



SDR-4636 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

STREET NAME CHANGE - PUBLIC HEARING - SNC-4254 - APPLICANT: CLAY STRINGHAM - OWNER: BABB INVESTMENT COMPANY - Request for a Street Name Change FROM: SHILOH SCHOOL LANE TO: ISAAC NEWTON WAY, between Hualapai Way and Metro Academy Way, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to condition - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CLAY STRINGHAM appeared on behalf of Babb Investment Company and Challenger School. He stated that the property was purchased in 2001 from West Charleston Baptist Church. At the time the school was known as the Shiloh Christian School, and the street was named to represent that school. The name of the school has been changed to Challenger School, and there has been considerable confusion over the name of the street versus the name of the school. Since they are the only property presently that has an address on this street, they believe it is the appropriate time to make this change. Isaac Newton Way was chosen as an educational name, as well as to honor a great thinker.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 107 – SNC-4254

MINUTES – Continued:

COUNCILMAN BROWN commented that the Challenger School has been a good neighbor in this particular area. The school will be a great addition to the already existing City park and the Metro Academy.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:39 – 2:41)

4-206

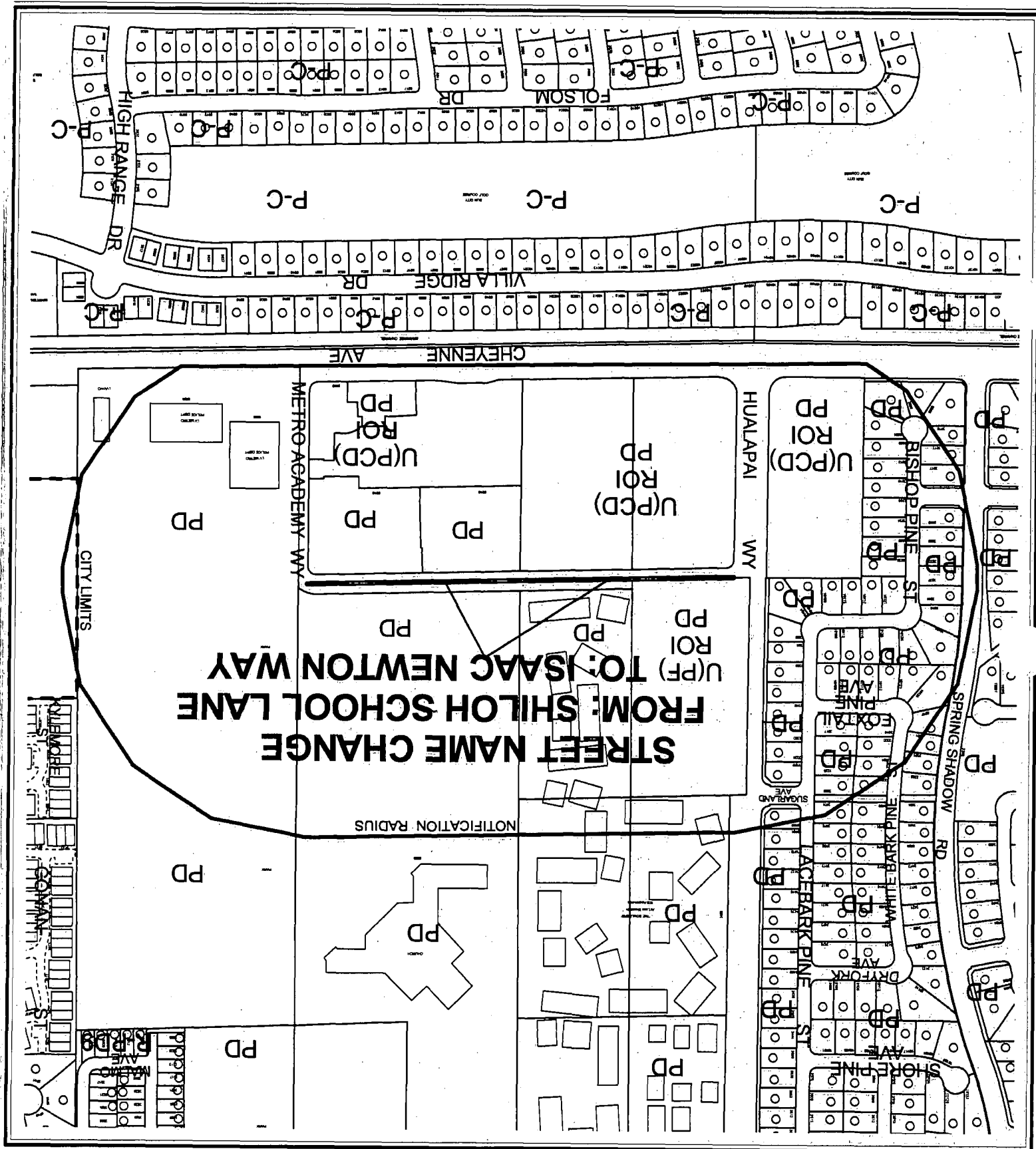
CONDITION:

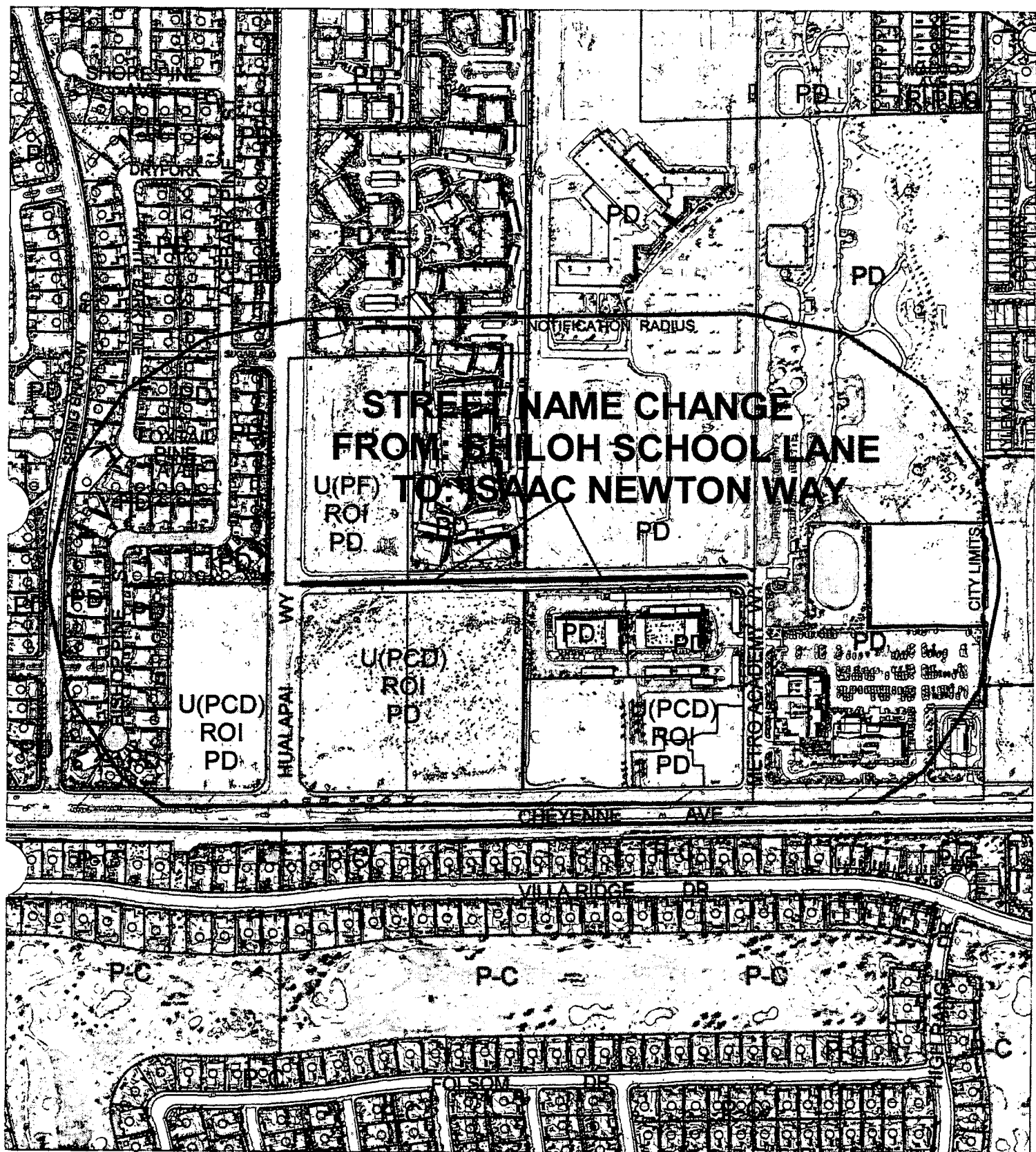
Public Works

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.



0 300 600 Feet





CASE: SNC-4254

RADIUS: SPECIAL

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SNC-4254 - APPLICANT: CLAY STRINGHAM - OWNER:
BABB INVESTMENT COMPANY**

**** CONDITIONS ****

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

Public Works

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Street Name Change from Shiloh School Lane to Isaac Newton Way, between Hualapai Way and Metro Academy Way.

B) Applicant's Justification

The applicant's justification letter indicates the Shiloh Christian School no longer exists at this location. The applicant is requesting the name change because the school is now known as the Challenger School, and the new name would eliminate confusion.

BACKGROUND INFORMATION

Previous Actions

- 11/21/01 The City Council approved a Street Name Change (SNC-0003-01) from Atwood Avenue to Shiloh School Lane in this location, which was subsequently recorded. The Planning Commission and staff recommended approval on October 4, 2001.
- 06/24/04 The Planning Commission voted to hold this item in abeyance to give the applicant the opportunity to be present.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #4).

ANALYSIS

General Analysis and Discussion

The proposed name change is acceptable as it only affects the applicant's property with regards to addressing. The new street name has been approved by the Fire Department.

NOTICES MAILED 71 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SNC-4254** APN: _____

Name of Property Owner: BABB INVESTMENT COMPANY

Name of Applicant: CLAY STRINGHAM

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: Barbara B Baker

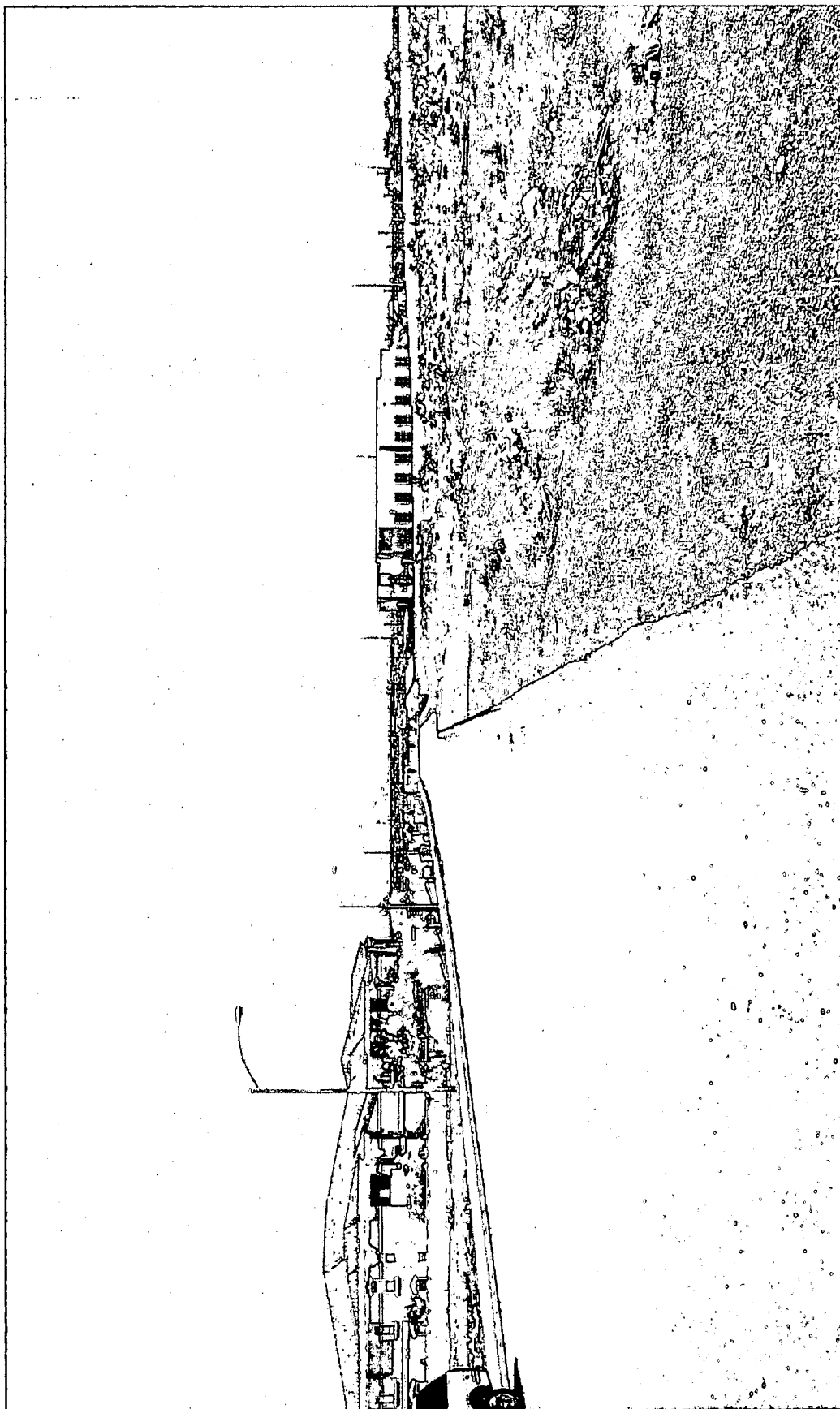
Print Name: Barbara B Baker

Subscribed and sworn before me

This 31st day of March, 2004

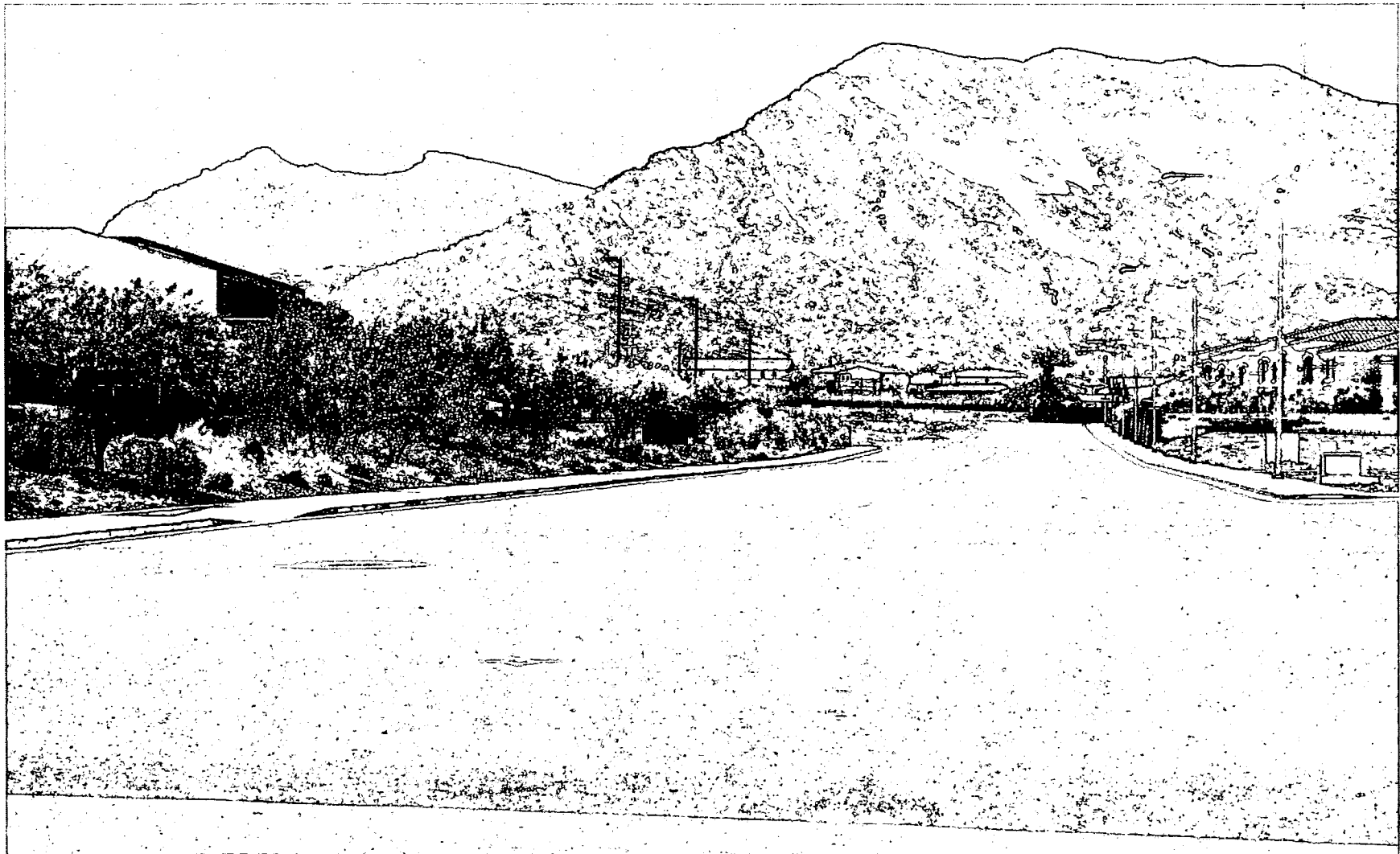
Laurie L. Barr
Notary Public in and for said County and State





SNC-4254 - APPLICANT: CLAY STRINGHAM - OWNER: BABB INVESTMENT COMPANY
JULY 22, 2004 PLANNING COMMISSION

6/3/04



SNC-4254 - APPLICANT: CLAY STRINGHAM - OWNER: BABB INVESTMENT COMPANY
JULY 22, 2004 PLANNING COMMISSION

6/3/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4628 - APPLICANT/OWNER: HABITAT FOR HUMANITY, LAS VEGAS - Request for a Petition to vacate a portion of the west half of La Salle Street between Hart Avenue and Hassell Avenue; and a portion of the north half Hart Avenue between La Salle Street and Concord Street, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LISA FREESTONE, 2270 Corporate Circle, concurred with staff recommendations.

BOB NORRIS, Habitat for Humanity, thanked COUNCILMAN WEEKLY.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

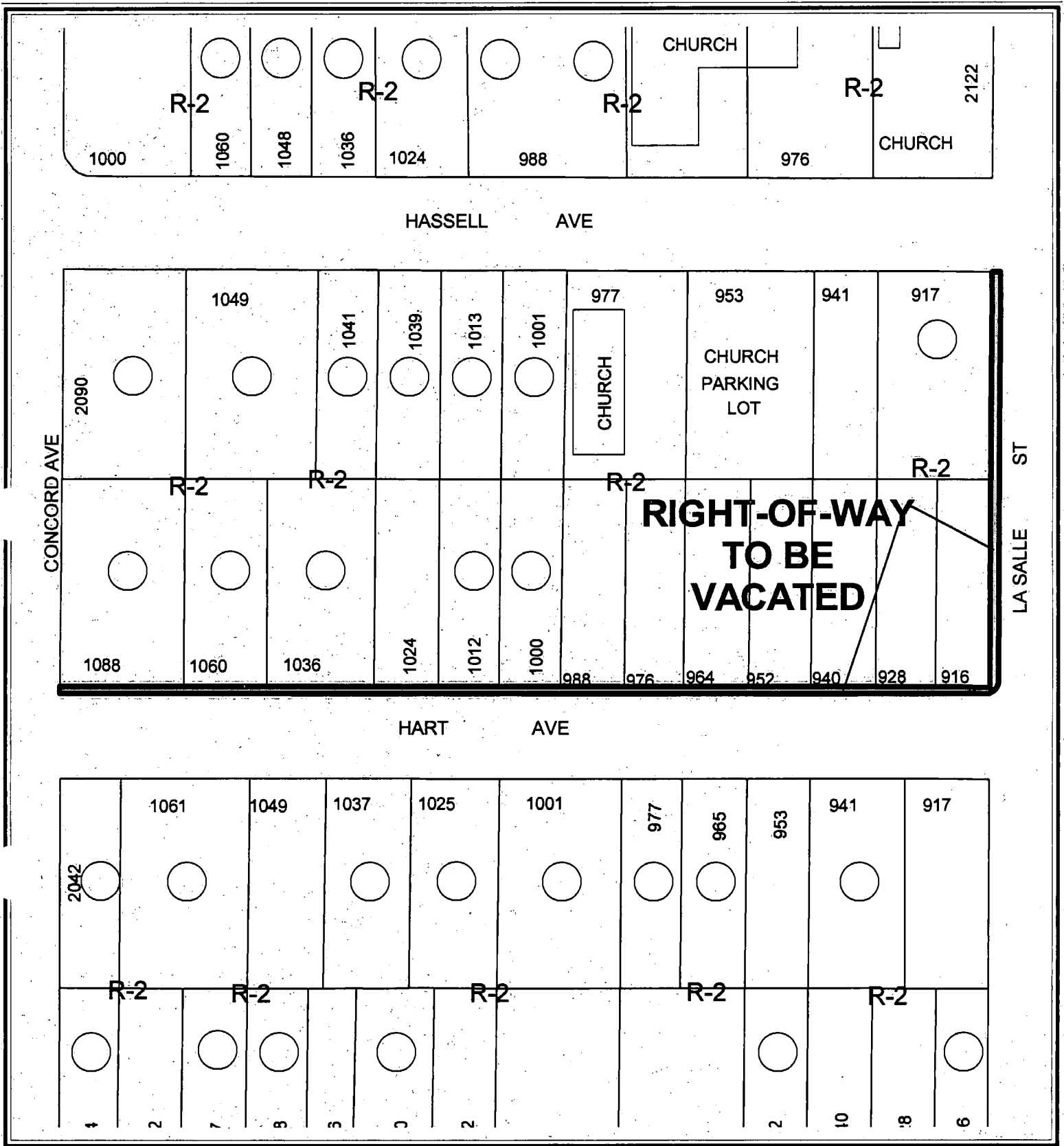
(2:41 – 2:42)

4-280

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 108 – VAC-4628

CONDITIONS:

1. This Vacation shall be revised to retain 15-foot radius corners on the northwest corner of Hart Avenue and LaSalle Street, the northeast corner of Hart Avenue and Concord Street and the southwest corner of Hassell Avenue and LaSalle Street. Also this site shall dedicate any remnant pieces of property needed to complete the 15-foot radius corner on the northwest corner of Hart Avenue and LaSalle Street.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

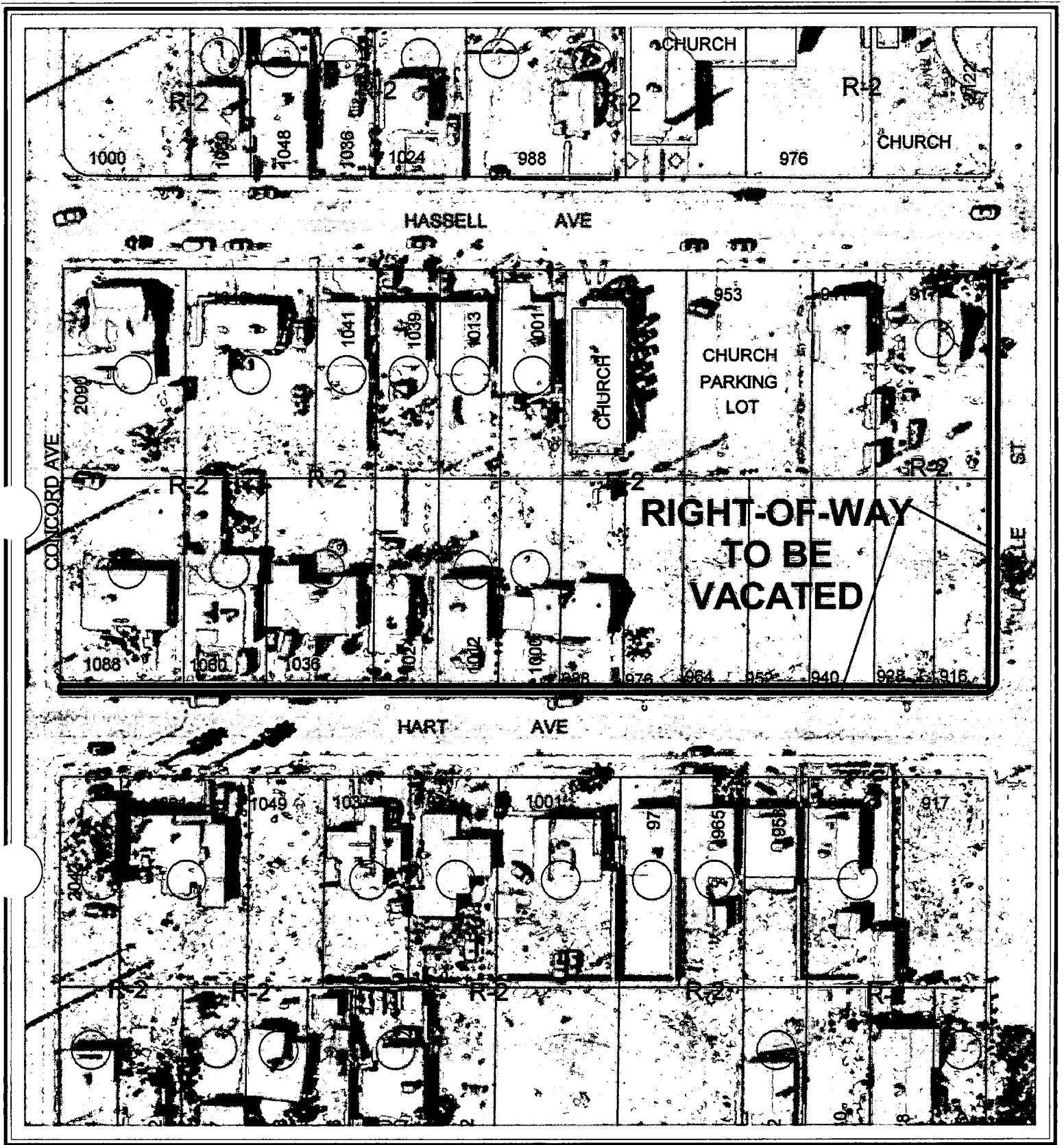


CASE: VAC-4628

0 60 120 Feet

108





CASE: VAC-4628



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-4628 - APPLICANT/OWNER: HABITAT FOR HUMANITY, LAS VEGAS

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

1. This Vacation shall be revised to retain 15-foot radius corners on the northwest corner of Hart Avenue and LaSalle Street, the northeast corner of Hart Avenue and Concord Street and the southwest corner of Hassell Avenue and LaSalle Street. Also this site shall dedicate any remnant pieces of property needed to complete the 15-foot radius corner on the northwest corner of Hart Avenue and LaSalle Street.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate a portion of La Salle Street between Hart Avenue and Hassell Avenue, and a portion of Hart Avenue between La Salle Street and Concord Street.

B) Applicant's Justification

The applicant's justification letter indicates the request to vacate the rights-of-way will allow for development of single-family dwellings on the adjacent property.

BACKGROUND INFORMATION

A) Previous Actions

1928	The Board of County Commissioners approved the Final Map for Vegas Heights Tract, which was subsequently recorded and dedicated the subject rights-of-ways.
07/22/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11-MP).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public right-of-way located in the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 21, Township 20 South, and Range 61 East.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing public rights-of-way because they are no longer needed in their current configuration. This request is appropriate, as the subject rights-of-way are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

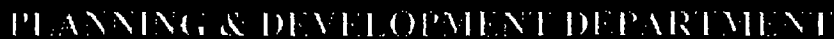
The following information is presented concerning this request to vacate certain public street right of ways:

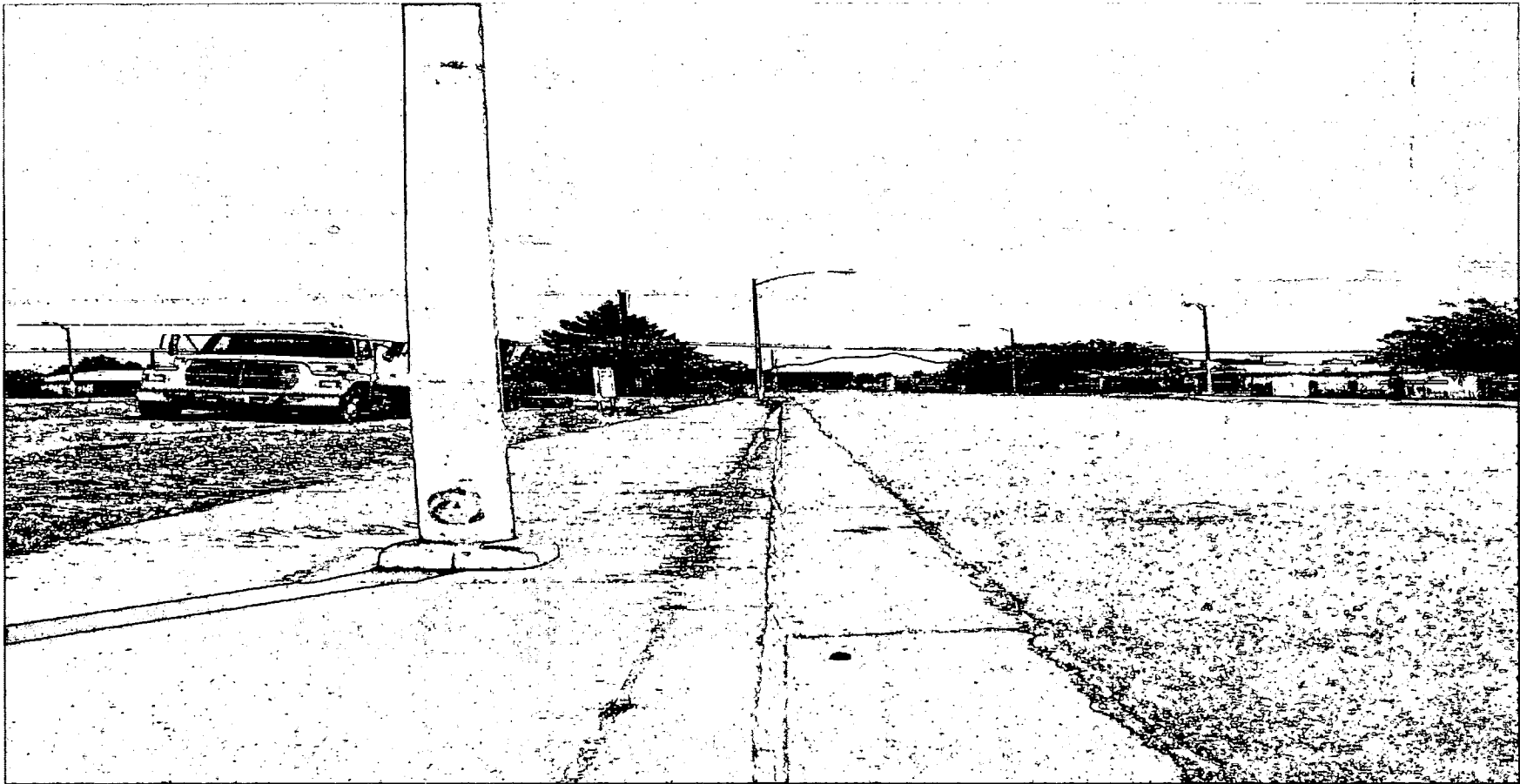
- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A, several properties within this overall area have vacated excess right-of-way, creating varying widths from one property to another.*
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the width of the street will remain the same.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Not at this time, the properties will be developed as Habitat For Humanity housing in the future.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 10 by City Clerk

APPROVALS 0

PROTESTS 0





VAC-4628 - APPLICANT/OWNER: HABITAT FOR HUMANITY, LAS VEGAS
LA SALLE STREET BETWEEN HART AVENUE AND HASSELL AVENUE; AND A PORTION OF THE NORTH
HALF HART AVENUE BETWEEN LA SALLE STREET AND CONCORD STREET
JULY 22, 2004 PLANNING COMMISSION

7/1/04



VAC-4628 - APPLICANT/OWNER: HABITAT FOR HUMANITY, LAS VEGAS
LA SALLE STREET BETWEEN HART AVENUE AND HASSELL AVENUE; AND A PORTION OF THE NORTH
HALF HART AVENUE BETWEEN LA SALLE STREET AND CONCORD STREET
JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4605 - APPLICANT: JSA, INC. - OWNER; CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY - Required Two Year Review of an approved Variance (V-0031-02) WHICH ALLOWED 817 PARKING SPACES FOR AN EXISTING COMMERCIAL CENTER, WHERE 887 PARKING SPACES ARE REQUIRED on 17.8 acres adjacent to the south side of Craig Road, approximately 220 feet east of Tenaya Way (APN 138-03-701-011, 012, 018 and 020), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar owned by his brother-in-law, ANDREW DONNER, is located within this shopping center. He has not discussed this item with him nor will this request affect his business. Therefore, he will vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JENNIFER ROBERTS, 8350 West Sahara Avenue, appeared on behalf of the Developer, Great American Capital.

COUNCILMAN MACK indicated that no problems have arisen with regards to the parking; therefore, he moved for approval.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 109 – RQR-4605

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

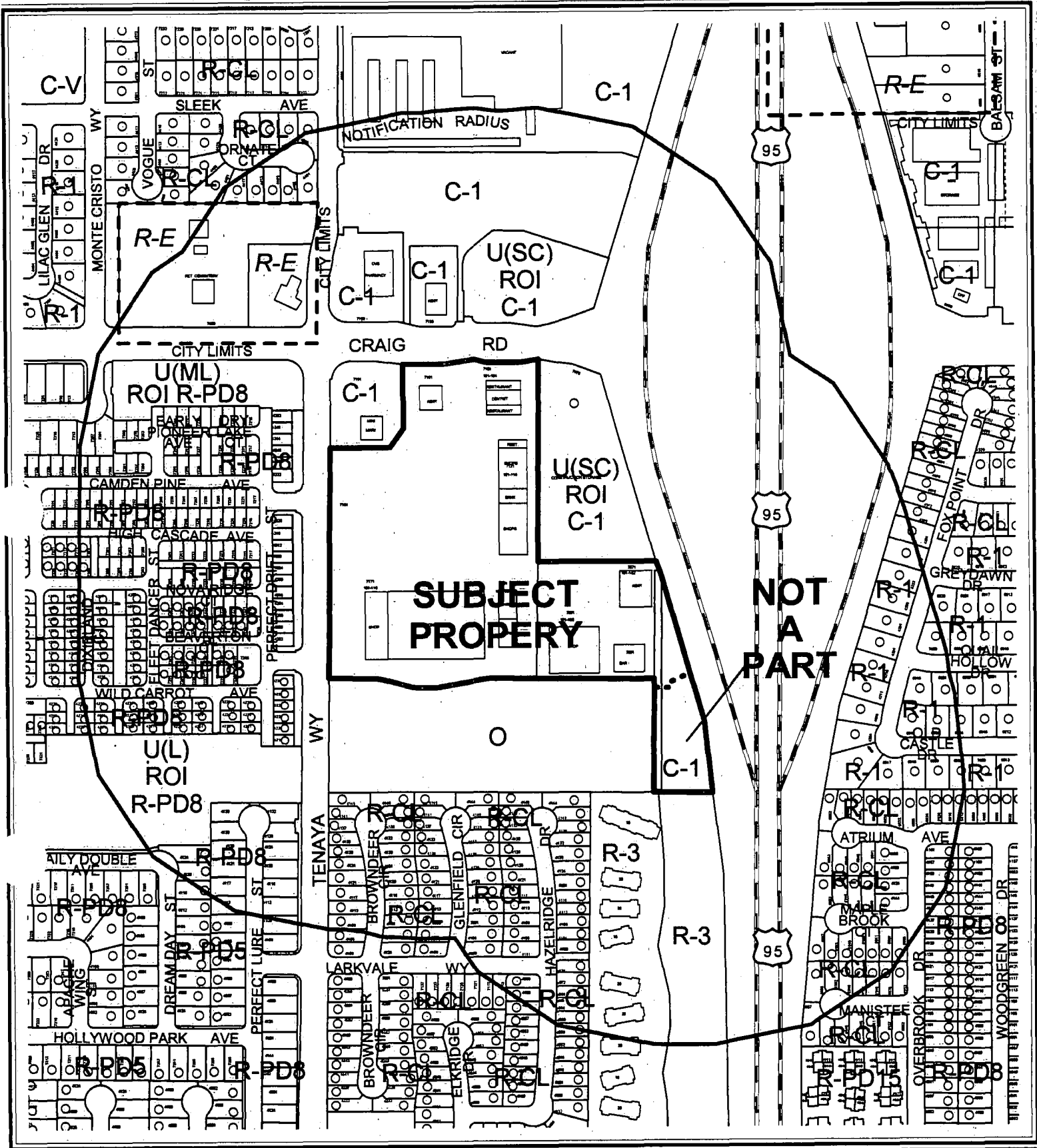
(2:42 – 2:44)

4-313

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in two years at which time the Planning Commission may require the applicant obtain additional parking. The applicant shall be responsible for notification costs of the review.
2. Any proposed change in use, from general retail, will require a parking analysis to be submitted and reviewed by the Planning and Development Department prior to the issuance of any building permits, business licenses, or Certificates of Occupancy.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.



CASE: RQR-4605

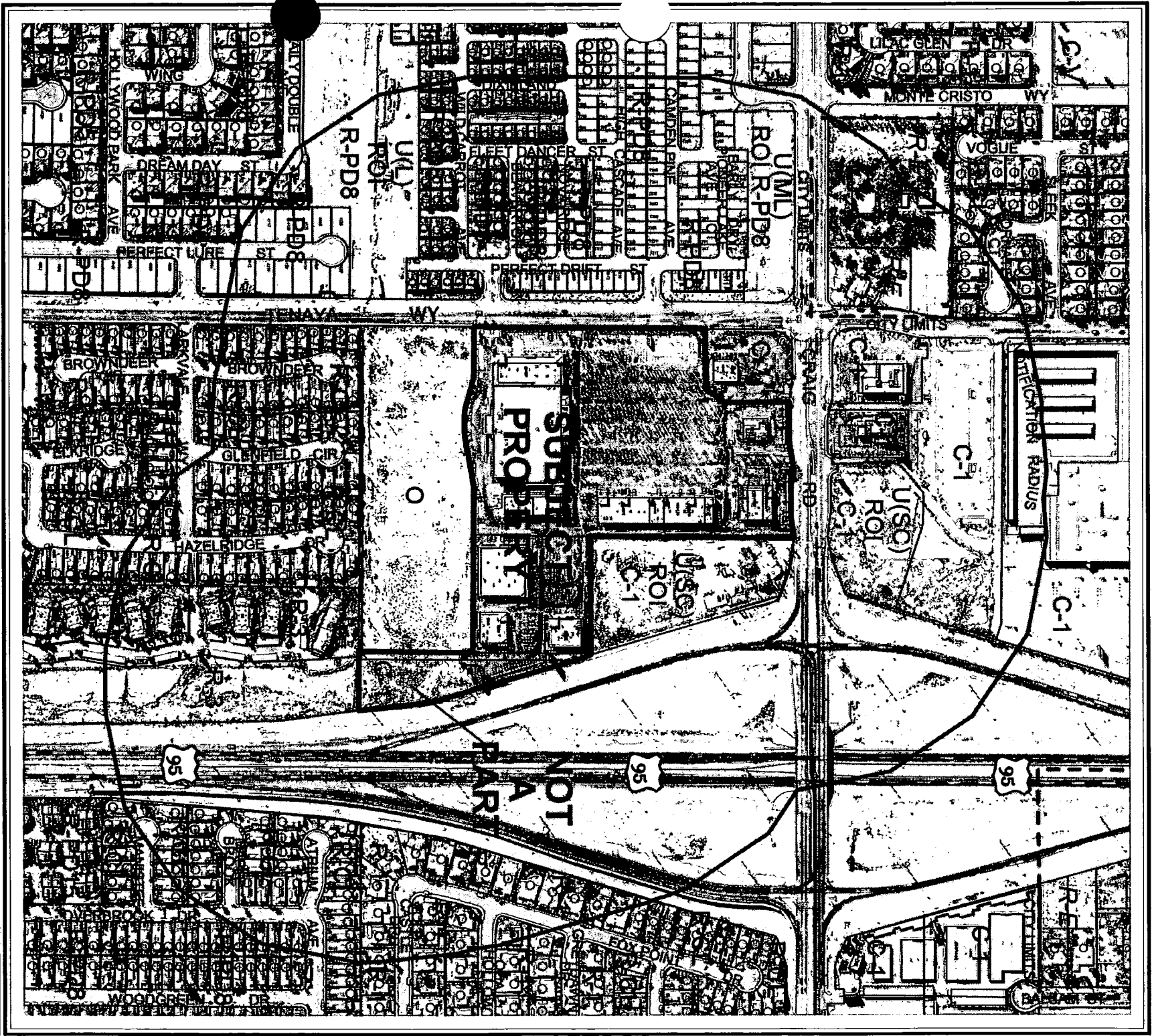
RADIUS: 750 FT

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

0 300 600 Feet

109





CASE: RQR-4605

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-4605 - APPLICANT: JSA, INC. - OWNER; CRAIG
MARKETPLACE, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. The Variance shall be reviewed in two years at which time the Planning Commission may require the applicant obtain additional parking. The applicant shall be responsible for notification costs of the review.
2. Any proposed change in use, from general retail, will require a parking analysis to be submitted and reviewed by the Planning and Development Department prior to the issuance of any building permits, business licenses, or Certificates of Occupancy.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Required Two-Year Review of an approved Variance (V-0031-02) application to allow for 817 parking spaces for an existing commercial center, where 887 parking spaces are required on 17.8 acres adjacent to the south side of Craig Road, approximately 220 feet east of Tenaya Way.

B) Applicant's Justification

No Justification letter is required for this application.

BACKGROUND INFORMATION

A) Previous Actions

- 01/19/00 The City Council approved a Rezoning (Z-0071-99) on the subject site from U (Undeveloped) to C-1 (Limited Commercial) and O (Office). Planning Commission recommended denial. Staff recommended approval.
- 03/01/00 The City Council approved a Site Development Plan Review [Z-0071-99(1)] for a 156,603 square foot commercial retail center and a 90,200 square foot office complex. Staff recommended approval.
- 07/03/02 The City Council approved a Variance (V-0031-02) to allow 817 parking spaces for an existing commercial center, where 887 parking spaces are required. This application was subject to a two-year review. The Planning Commission recommended approval. Staff recommended denial.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #5-PL).

B) Pre-Application Meeting

No pre-application conference is required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 17.8

B) Existing Land Use

Subject Property: Commercial Center
North: Commercial
South: Vacant
East: Single Dwelling/ Construction Yard
West: Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
South: O (Office)
R-3 (Medium Density Residential)
East: US-95
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The current C-1 (Limited Commercial) zoning on the subject site is in conformance with the General Plan.

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

The subject site is not located in any special planned area or overlay district.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Location	Building Area	Required Parking
Major A Grocery Store	60,773	243.09
Shops A		
Hollywood Video	6,000	24.00
<i>Restaurant</i>	1,974	29.12
Am. Family Insurance	1,500	5.00
State Farm Insurance	1,214	4.04
Black Tie Cleaners	1,820	7.28
Shop B		
Roni Joseph	6,927	34.64
Purrfect Auto	3,729	11.00
Major B		
Goodwill	7,600	30.40
<i>Retail</i>	12,000	48.00
Pad 1	2,500	25.00
Pad 3 Jack in the Box	3,700	37.00
Pad 4		
Starbucks	1,500	15.00
Sushi KO	2,399	35.39
Dentaland	3,120	16.40*
Pad 5		
Tan Factory	2,606	10.42
Cingular	1,305	5.22
Post Net	1,303	5.21
Washington Mutual	3,500	17.50
<i>Deli</i>	2,976	29.76
Subway	1,374	13.74
Papa John's	1,499	14.99
Smoke Shop	1,303	5.21
Place to Party	1,787	7.15
Great Clips	1,303	6.52
Honey Tree	3,215	32.15
Pad 6		
Denny's	5,000	73.75
Dance Studio	2,000	12.00
Pad 7		
Timbers (dining area)	4,521	90.42

Timbers (non-dining area)	2,502	12.51
Total	152,950	901.91
Total Parking Required:	902	Spaces (including 18 Handicap accessible)
Total Parking Provided:	817	Spaces (including 25 Handicap accessible)
Parking Deficiency:	9.42%	

* Dental Office: One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf.

Note: Italicized spaces are currently vacant.

The number of and the intensity of uses have increased since the original approval Variance (V-0031-02). Previously the deficiency in parking equaled 7.89%. Based upon a review of the parking analysis provided it has been found that parking deficiency has increased to 9.42% as a result of above mentioned, as well as due to parking spaces required increasing from 887 to 902. Therefore, it is being recommended that the site be held to no new restaurant usages and be limited only to new office and general retail uses. It also is recommended that Pad 1 not be permitted and reverted into additional parking.

ANALYSIS & FINDINGS

Title 19.18.070B states the following:

"B. Scope and Limitations

A Variance shall not be granted 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."

Title 19.18.070.L. states:

"L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission, hearings officer or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

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

The submitted site plan depicts a total of 150,638 square feet of building space on the overall site. Using the submitted site plan, the commercial center will require 902 parking spaces, for the existing uses, per Title 19.10.010 requirements. The site plan depicts a total of 817 parking spaces, approximately 91% of the parking required for the proposed development. There were nine suites, totaling approximately 17,393 square feet of additional retail space that were vacant during the original parking analysis. The majority of these suites are no longer vacant, therefore increasing the number parking spaces to be required. The amount of parking provided onsite still fails to meet the required amount. The applicant had in the past reduced the current minimum parking requirement by 7.89 percent, currently the applicant is requesting a continuation of such a reduction, but based upon current parking standards the reduction would be that of 9.42 %. Since the application is held to the standards by which was approved it has been found that the continuation of Variance (V-0031-02) represents excessive deviation from the Code requirements. In view of the absence of any hardships imposed by the site's physical characteristics such as exceptional narrowness, shallowness, or shape or exceptional topographic conditions, the conclusion that the applicant's hardship is financial in nature, and thereby outside the realm of NRS Chapter 278 for the granting of a continuation to Variances (V-0031-02).

NOTICES MAILED 248 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING &
DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number RQR-4605 APN: 138-03-701-020, 018, 011 & 012

Name of Property Owner: _____

Name of Applicant: _____

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

_____ Yes

_____ X _____ No

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

City Official: _____

Partner(s): _____

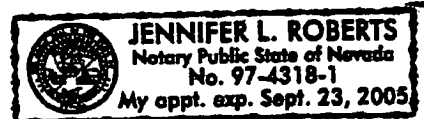
APN: _____

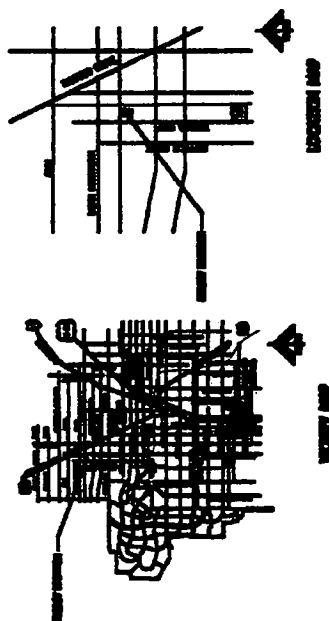
Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Subscribed and sworn before me

This 3rd day of June, 2004
Jennifer L. Roberts
Notary Public in and for said County and State



[illegible]

...and the ...

SITE PLAN/PARKING DIAGRAM

SECRET



THE

**RQR-4605
7-22-04 PC**

100



RQR-4605 - APPLICANT: JSA, INC. - OWNER; CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CRAIG ROAD, APPROXIMATELY 220 FEET EAST OF TENAYA WAY
JULY 22, 2004 PLANNING COMMISSION

7/2/04



RQR-4605 - APPLICANT: JSA, INC. - OWNER; CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY
SOUTH SIDE OF CRAIG ROAD, APPROXIMATELY 220 FEET EAST OF TENAYA WAY
JULY 22, 2004 PLANNING COMMISSION

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BRIGHT PATH, LIMITED LIABILITY COMPANY
 - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 63
5. Submitted at City Council – Added condition submitted by Attorney Gronauer

MOTION:

MONCRIEF – APPROVED subject to conditions as read for the record:

- *An aesthetic enhancement covering to be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval.*

And deleting Condition 2

– **UNANIMOUS** with MACK abstaining because Clear Channel Outdoor is one of the outdoor firms he approaches on behalf of his client, Treasures, through his business, Mack Consulting

NOTE: MAYOR GOODMAN disclosed that his law firm is in discussion with the billboard industry, but it will not affect his ability to vote on this matter.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 110 – SUP-4521

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, and stated that this is an existing billboard sign. He indicated that he submitted to staff an additional condition stating that an aesthetic enhancement covering will be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval. ATTORNEY GRONAUER submitted the condition for the record.

MARGO WHEELER, Deputy Director, Planning and Development Department, agreed to the added condition and asked that Condition 2 be deleted as a result of the added condition.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:44 – 2:46)

4-357

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

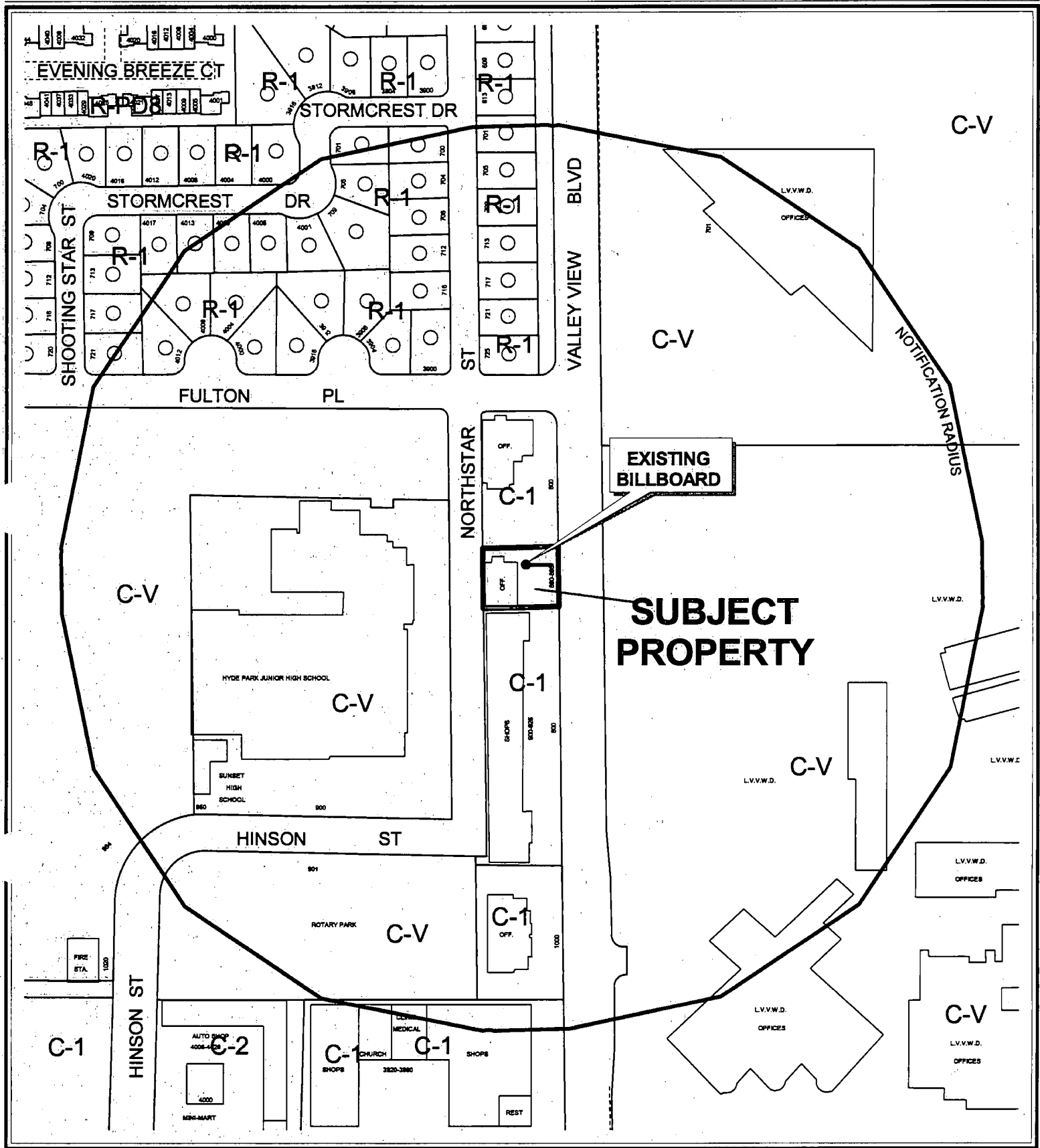
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 110 – SUP-4521

CONDITIONS – Continued:

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

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: SUP-4521

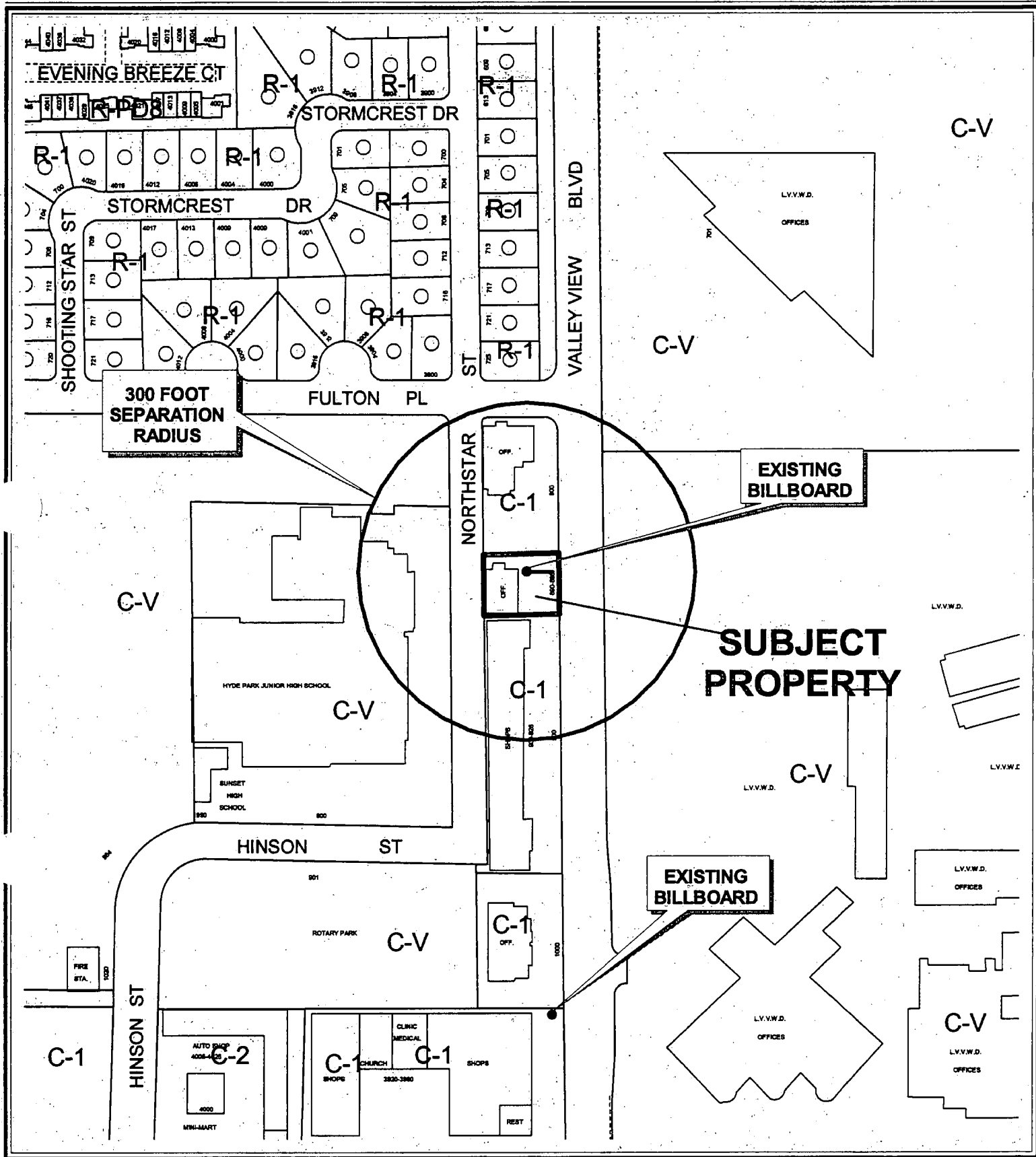
RADIUS: 750 FT

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

0 200 400 Feet

110

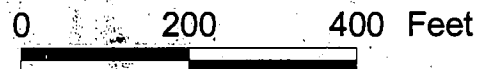


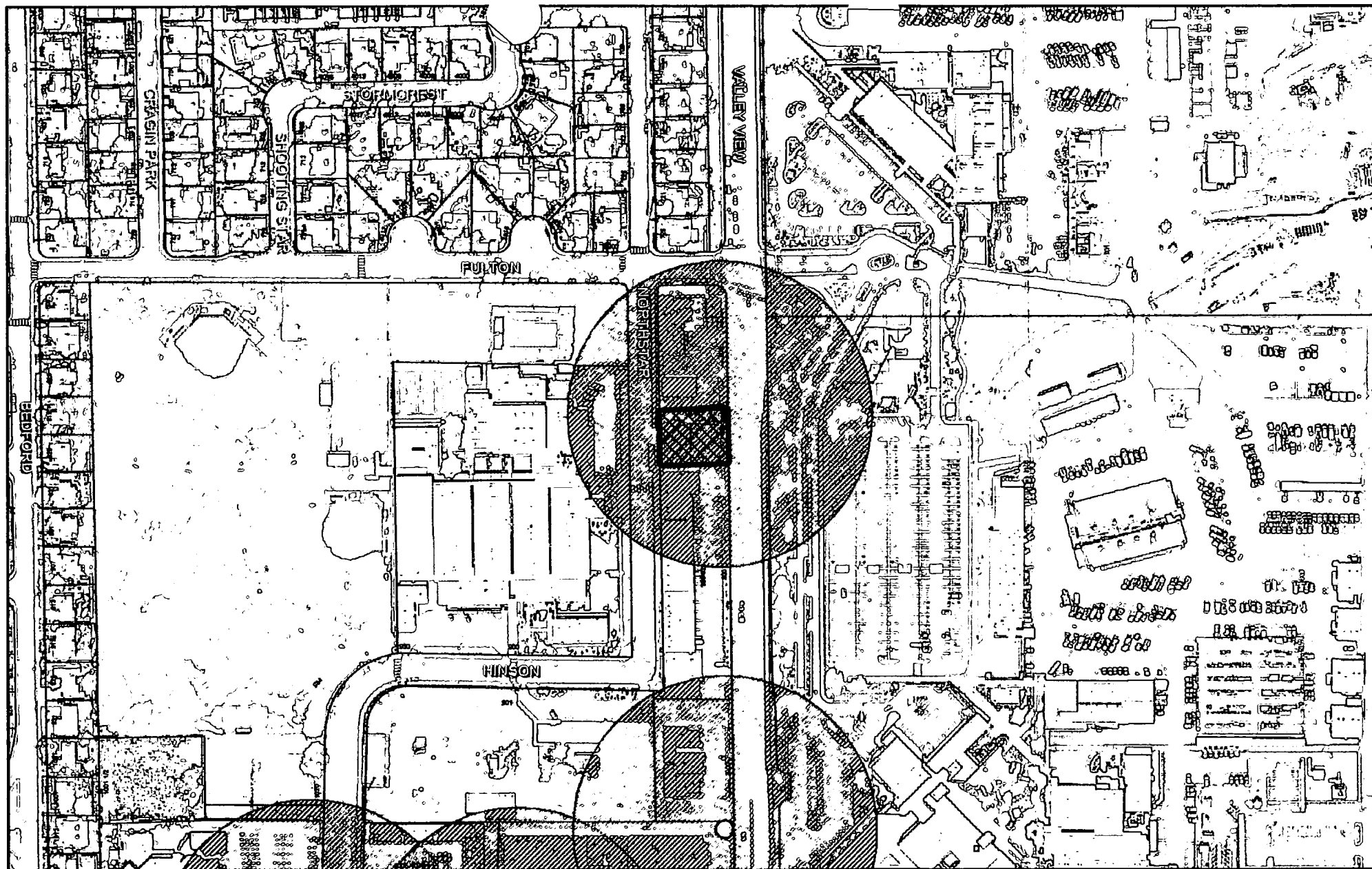


CASE: SUP-4521

SEPARATION RADIUS: 300 FT

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





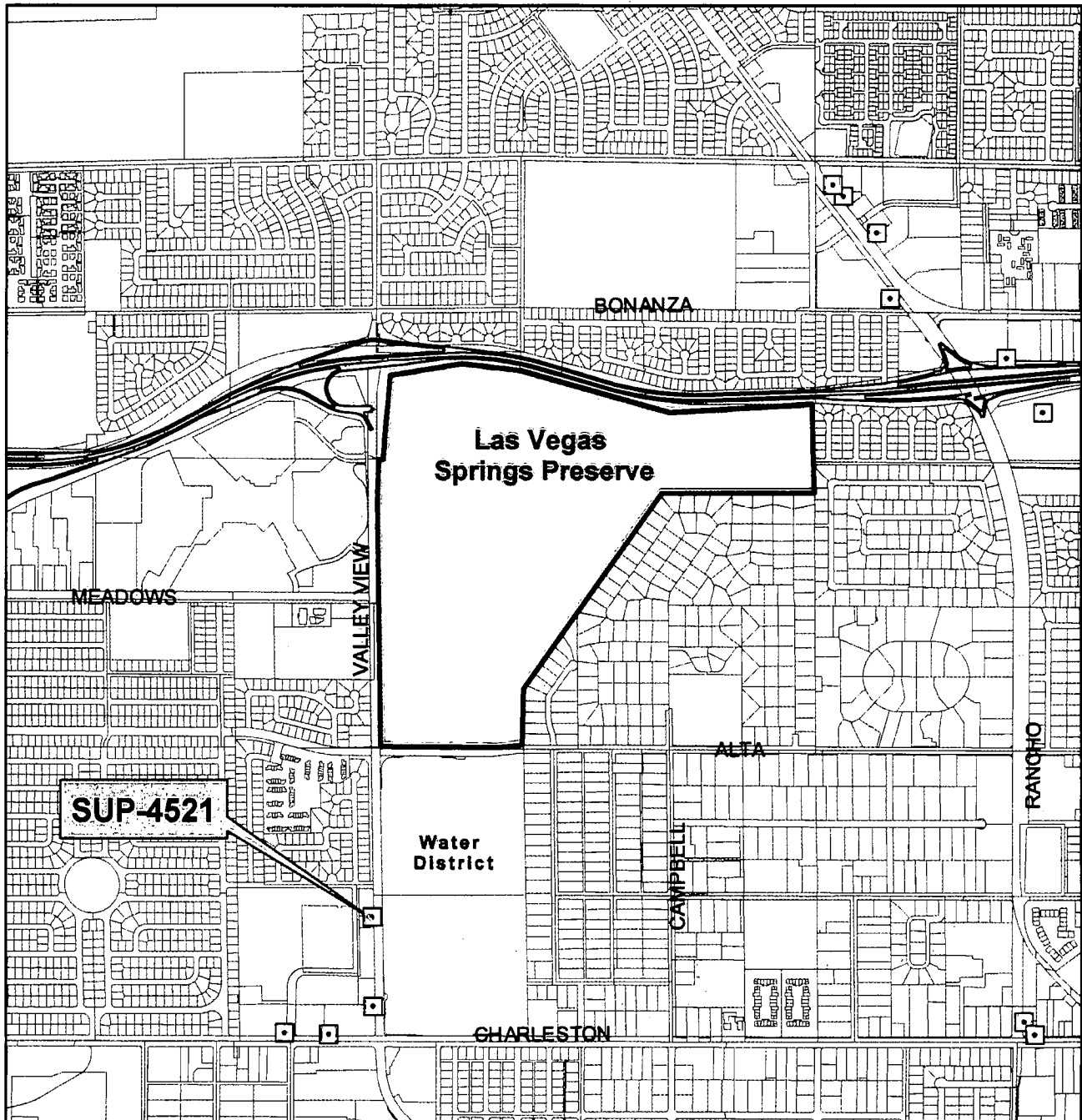
SUP-4521

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



Billboards in Vicinity of Las Vegas Springs Preserve



• Billboards

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: BRIGHT PATH, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a 14 foot x 48 foot, 40-foot tall off-premise advertising (billboard) sign at 820 South Valley View Boulevard.

B) Applicant's Justification

The applicant is attempting to rectify a Notice of Violation (#13373) issued by the Code Enforcement Department. The billboard is still standing after the required one year review was denied [U-0296-94(3)].

BACKGROUND INFORMATION

A) Previous Actions

- 01/18/95 The City Council approved a Special Use Permit for subject billboard (U-296-94). Board of Zoning Appeals had recommended approval.
- 02/16/00 The City Council approved a request for a required five-year review [U-0296-94(1)], subject to a one-year review. The Planning Commission and staff had recommended denial.
- 07/05/01 The City Council approved the one year review. [U-0296-94(2)]. The Planning Commission and staff recommended denial.
- 07/25/02 The Planning Commission denied the second one year review of the subject billboard. This was final action. No appeal was filed within the time limit.
- 07/22/04 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #63-SRS).

B) Pre-Application Meeting

- 05/21/04 Requirements of a Special Use Permit application was discussed. Applicant stated that the sign would remain standing while this application proceeds.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of Special Use Permit.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.34 Acres

B) *Existing Land Use*

Subject Property: Strip commercial
North: Single-family residential
South: Strip commercial
East: Water district facility
West: Public school, park

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: PF (Public Facilities)
West: PF (Public Facilities)
PROS (Park/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: R-1 (Single Family Residential)
South: C-1 (Limited Commercial)
East: C-V (Civic)
West: C-V (Civic)

E) *General Plan Compliance*

Southeast General Plan

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

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

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

ANALYSIS

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	More than 300 feet from any property line zoned as Residential	422 feet to nearest Residential property line

The sign meets the distance separation standard from residential property.

B) *General Analysis and Discussion*

- **Zoning**

The subject billboard is an allowed use within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

This Off-Premise (Billboard) Sign has been operating in violation of City of Las Vegas Zoning Code for 653 days as of the date of discovery by City Code Enforcement, and 744 days as of this Planning Commission meeting (07/22/04). The City and the property owner have made numerous attempts to have the applicant remove the billboard, but it has refused to do so, pending the outcome of the Planning Commission meeting. The Code Enforcement Division discovered the billboard on March 22, 2004 and has made several inspections since that time. Title 19.14.100 allows for the removal of an off-premise sign if it can be demonstrated that conditions in the area have changed to the extent that the sign no longer meets the standards for approval. The continuation of an off-premise advertising (billboard) sign in this area is inappropriate because of the pending (Spring 2005) opening of the Las Vegas Springs Preserve.

The Las Vegas Springs Preserve is a 110-acre public space designed to recreate the natural and cultural conditions of the Las Vegas Valley at the time of it's founding. This historic, cultural, anthropological attraction represents a substantial upgrade in the immediate area, and Valley View Boulevard is the main corridor through which visitor traffic will gain access.

The associated map shows only one other billboard along Valley View Boulevard between Charleston and I-95 (the western edge of the Preserve), and that no billboard appears along I-95 (the northern edge of the Preserve). This billboard-free streetscape serves to expand the feeling of a simple, open-landscape beyond the property lines of the Preserve. At the very least, a billboard-free streetscape will help smooth the visual transition between the Preserve and the modern cityscape that exists just outside the Preserve.

For these aesthetic reasons, above and beyond the applicant's legal problems regarding this billboard, staff recommends denial of this application.

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 continuation of this use is wholly incompatible and out of character with the existing development pattern and the anticipated Las Vegas Springs Preserve.

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

There are no physical constraints to the subject site that would make the site unsuitable for the proposed use.

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

Not applicable to this type of use.

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

In three previous Planning Commission hearings on this same billboard at this same property, it was determined that this proposed use is inconsistent with the overall objectives of the Master Plan 2020, specifically that:

"The visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

Therefore, this request does not advance the goals, objectives and policies of the General Plan.

NOTICES MAILED 42 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4521 APN: 139 31 801 002

Name of Property Owner: _____

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

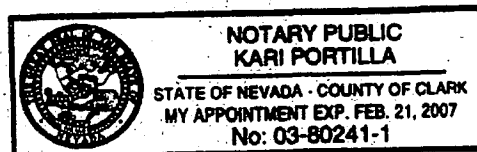
Print Name: Stephanie Christensen

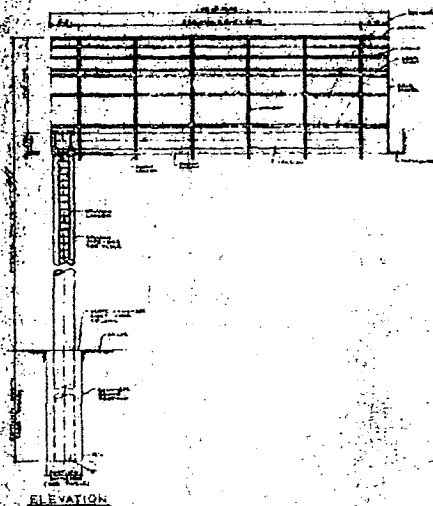
Subscribed and sworn before me

This 14 day of May, 2004

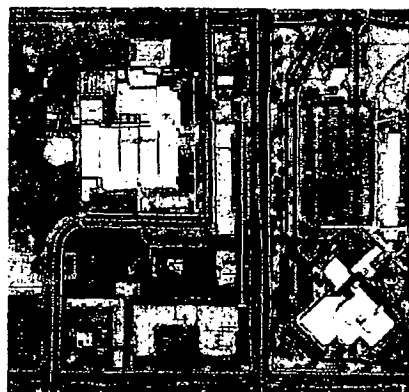
K. Portilla

Notary Public in and for said County and State



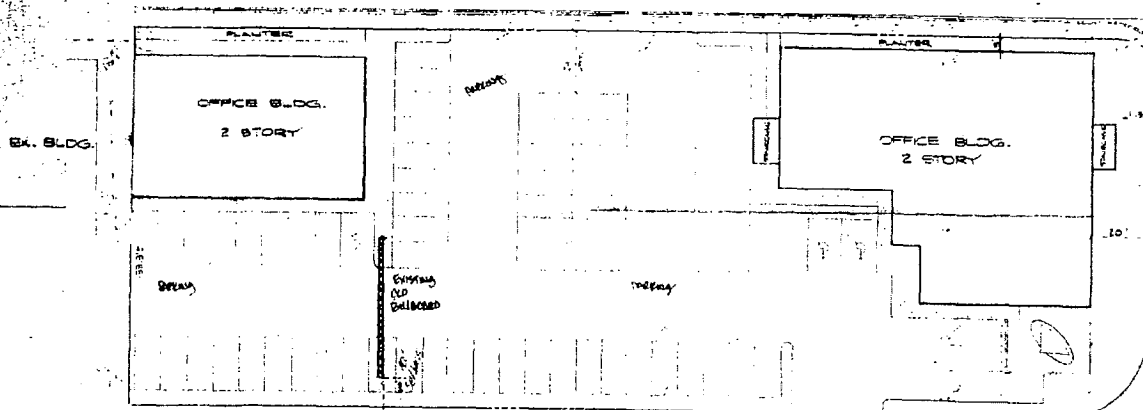


ELEVATION



790' FROM ANOTHER OFF PREMISE ADVERTISING
SIGN (BANNERS) WHERE 300' IS CODE.

VINSON ST.



EX. BLDG.

OFFICE BLDG.
2 STORY

OFFICE BLDG.
2 STORY

EDGE
NOTICE



AERIAL PROVIDED BY COUNTY ASSESSOR'S WEB SITE
300' FROM RESIDENTIAL USE

- NO OFF-PREMISE
- SIGNS WITHIN 300' RADII
- ASSESSOR'S PARCEL
- RFR OR 601 DOW
- NO RESIDENTIAL USE WITHIN 300' RADII
- LOCATION IS CONFORMING TO TITLE RIA CITY OF LAS VEGAS
- BUILDING & ZONING CODE

820 So.
VALLEY VIEW BL.

PARKING SPACES AVAILABLE: 73

EL WASTE FENCE MARK REVEALED WITH ARROW JEP REVISIONS CHANNEL 15 SITE PLAN	
ALCA ENGINEERING & SURVEYING INC. 11111 W. LAS VEGAS BLVD., SUITE 100 LAS VEGAS, NV 89135 TEL: (702) 606-1111 FAX: (702) 606-1112 WWW.ALCA-ENG.COM	

SUP-4521
7-22-04 PC



SUP-4521
7-22-04 PC



SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BRIGHT PATH, LIMITED LIABILITY
COMPAN

820 SOUTH VALLEY VIEW BOULEVARD

JULY 22, 2004 PLANNING COMMISSION

7/1/04



SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BRIGHT PATH, LIMITED LIABILITY COMPAN

820 SOUTH VALLEY VIEW BOULEVARD

JULY 22, 2004 PLANNING COMMISSION

7/1/04



SUP-4521 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BRIGHT PATH, LIMITED LIABILITY
COMPAN
820 SOUTH VALLEY VIEW BOULEVARD
JULY 22, 2004 PLANNING COMMISSION

7/1/04

**Clear Channel Outdoor
SUP-4521
Agenda Item No. 110**

Added Condition

An aesthetic enhancement covering to be placed around the column of the billboard that may consist of a stucco feature or some other architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning & Development Department approval.

Submitted at City Council

Date 8/13/04 Item 110

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4576 - APPLICANT: TERRIBLE HERBST OIL COMPANY - OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) adjacent to the southeast corner of Rancho Drive and Bonanza Road (APN 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly). (Note: This item to be heard in conjunction with Morning Session Item #68 and Item #69). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JEANNIE DANIEL, Compliance Officer, Terrible Herbst Oil Company, appeared on behalf of the applicant.

JIM DiFIORE, Manager, Business License Department, clarified that the Special Use Permit refers to a liquor establishment, but the actual Business License is for beer/wine only and is an off-sale type license.

No one appeared in opposition.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 111 – SUP-4576

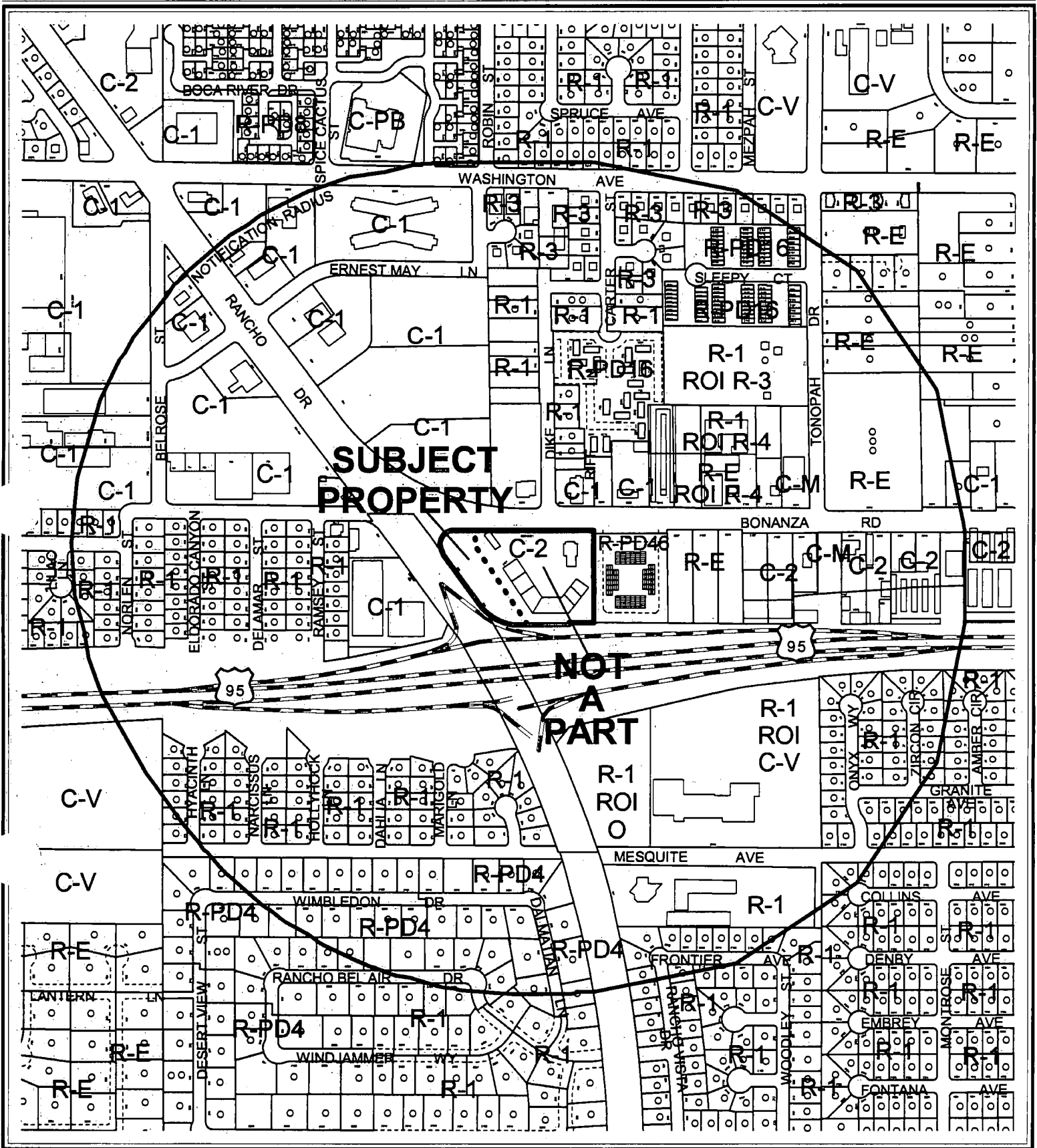
MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:46 – 2:48)
4-431

CONDITIONS:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-4576

RADIUS: 1500 FT

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

0 400 800 Feet

111





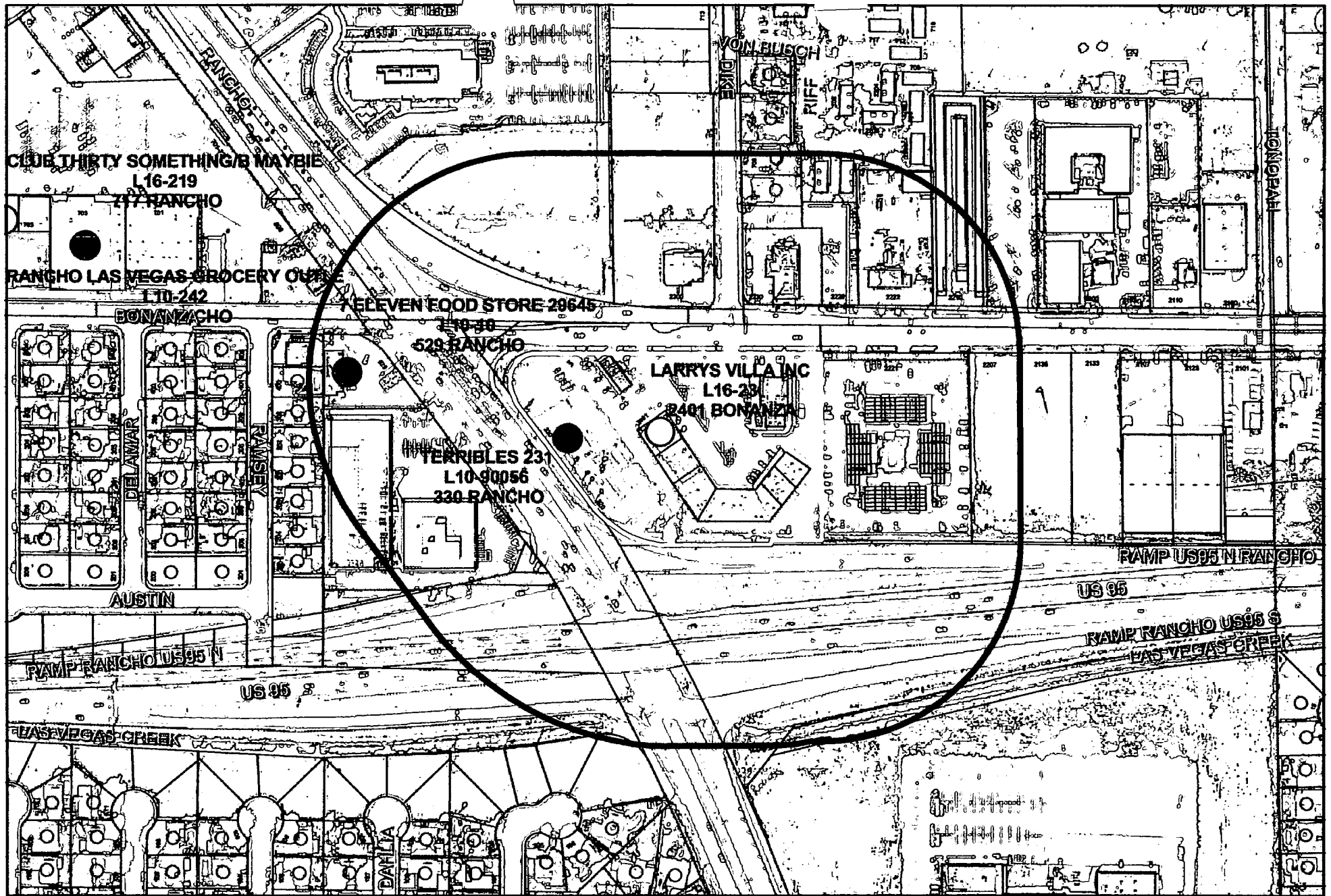
CASE: SUP-4576

RADIUS: 1500 FT

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

0 400 800 Feet





SUP-4576

Package Liquor Sales

Business Licenses

○ Package Liquor Sales

○ Tavern

○ Supper Club/
Restaurant Service Bar

□ Subject Property

○ 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4576 - APPLICANT: TERRIBLE HERBST OIL COMPANY
- OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
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

Request for a Special Use Permit for a liquor establishment (off-premise consumption) adjacent to the southeast corner of Rancho Drive and Bonanza Road.

B) Applicant's Justification

The proposed project meets the basic conditions and there are no protected uses within 400 feet of the project location.

BACKGROUND INFORMATION

A) Previous Actions

10/13/66	The City Council approved a Rezoning (Z-0058-66) from Residential to C-1 (Limited Commercial), with a small plot set aside for C-2 (General Commercial), to be a Car Wash.
11/22/83	The Planning Commission approved a Plot Plan Review [Z-0058-66(1)].
08/01/84	The City Council approved a Rezoning from C-1 (Limited Commercial) to C-2 (General Commercial), to include an Adult Oriented Business, Larry's Villa. The Planning Commission recommended approval.
01/18/94	The City Council approved Special Use Permit (U-0284-94) for an On-Premise Beer/Wine Sales in conjunction with a proposed Restaurant/Bakery. Board of Zoning Adjustment had recommended approval.
12/18/97	The City Council approved a Site Development Review [Z-0058-66(2)] for a convenience store, gasoline station, and carwash. The Planning Commission had recommended approval.
05/02/01	The City Council approved a request for a Site Development Review [Z-0058-66(3)] of a Gasoline Station and Convenience Store; and a Special Use Permit (U-0032-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed convenience store (U-0284-94). The Planning Commission had recommended approval.

- 05/15/02 The City Council approved a Special Use Permit (U-0021-02) for a Restaurant Service Bar in conjunction with a proposed restaurant (China Buffet). The Planning Commission had recommended approval.
- 03/05/03 The City Council approved a request by Terrible Herbst Oil Company for a Master Sign Plan (MSP-1194) for a convenience store, gas canopy and car wash. The Planning Commission had made no recommendation (tie vote).
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #6-SRS).

B) Pre-Application Meeting

- 04/17/04 Other SUPs to be submitted for this property: service station, and general business-related gaming establishment. Elements of the SUP application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, and no neighborhood meeting was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.65

B) Existing Land Use

Subject Property: Shopping center
North: Cable Company, Restaurant, City facility
South: Freeway US95
East: Apartments
West: Office building

C) Planned Land Use

Subject Property: LI-R (Light Industrial/ Research)
North: SC (Service Commercial)
South: ROW (Right of Way)
East: LI-R (Light Industry/Research)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-1 (Limited Commercial)
C-V (Civic)
South: ROW (Right of Way)
East: R-PD46 (Residential Planned Development - 46 Units Per Acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

Southeast General Plan

Liquor Establishment (Off-Premise Consumption) is a permitted use in C-2 (General Commercial) with a Special Use Permit, and is consistent with the General Plan.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Liquor Establishment (Off-Premise Consumption)	3,225 SF.	1/300 GFA	11	1	16	1

The proposal exceeds the requirement for regular parking, and meets the requirement for handicap parking. This calculation includes only the parking that is directly outside the convenience store where the use will occur. The entire facility, which includes a car wash and

self-service gasoline pumps, includes 24 regular parking spaces. Because the car wash and gas pumps generally accommodate vehicles as they are being serviced, there is a generous amount of parking for the various uses on this site.

Right of Way/Circulation (Public Works): Applicant must dedicate an additional 13 feet of right-of-way adjacent to this site for a total half street width of 50 feet on Bonanza Road. Construction of these improvements is not required at this time. Applicant must contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.

A2) Minimum Distance Separation Requirements

Standards	Code Requirement	Provided
Liquor Establishment (Off-premise)	Shall not be located within 400 feet of any church, synagogue, school, child care facility, or City park	Greater than 400 feet from protected uses

The request meets Code standards.

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

Standards	Code Requirement	Provided
Trash Enclosure	50 feet to residential property line	Much greater than 50 feet

The proposal exceeds the trash enclosure requirement.

B) General Analysis and Discussion

- Zoning

The Liquor Establishment (Off-Premise Consumption) use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-Premise Consumption) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or city park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius.

- Conditions

The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

- * 1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or city park.
- * 2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.
- * 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.
- * 4. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The application as proposed appears to meet all the applicable conditions of Title 19.04.050.

FINDINGS

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

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

The proposed Liquor Establishment (Off-Premise Consumption) use is a relatively minor portion of the other uses associated with this site, which include a convenience store, gasoline sales, and carwash. This use is typical of the type of business arrangement, located in a commercial area, which includes offices and restaurants. The proposed use is compatible with these existing land uses.

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

This use, Liquor Establishment (Off-Premise Consumption), is essentially part of the floor plan of the convenience store, plus parking areas. There are no physical constraints that would hinder the proposed use.

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

Access is proposed from Rancho Drive and Bonanza Road. According to the Master Plan of Streets and Highways, Rancho Drive in the vicinity of US 95 is a Major Arterial with a 150-foot right-of way, and Bonanza Road is identified as a Major Arterial with a 120-foot wide right-of-way. Adequate access would be provided.

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 Liquor Establishment (Off-Premise Consumption) will be an accessory use to the proposed grocery store on this site that will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 474 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4576 APN: 139-29-804-004

Name of Property Owner: Rancho Circle Shopping Ctr, LLC

Name of Applicant: TRIUMPH HENRY OF Co.

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: _____

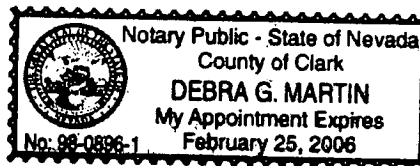
Signature of Property Owner/Authorized Agent:

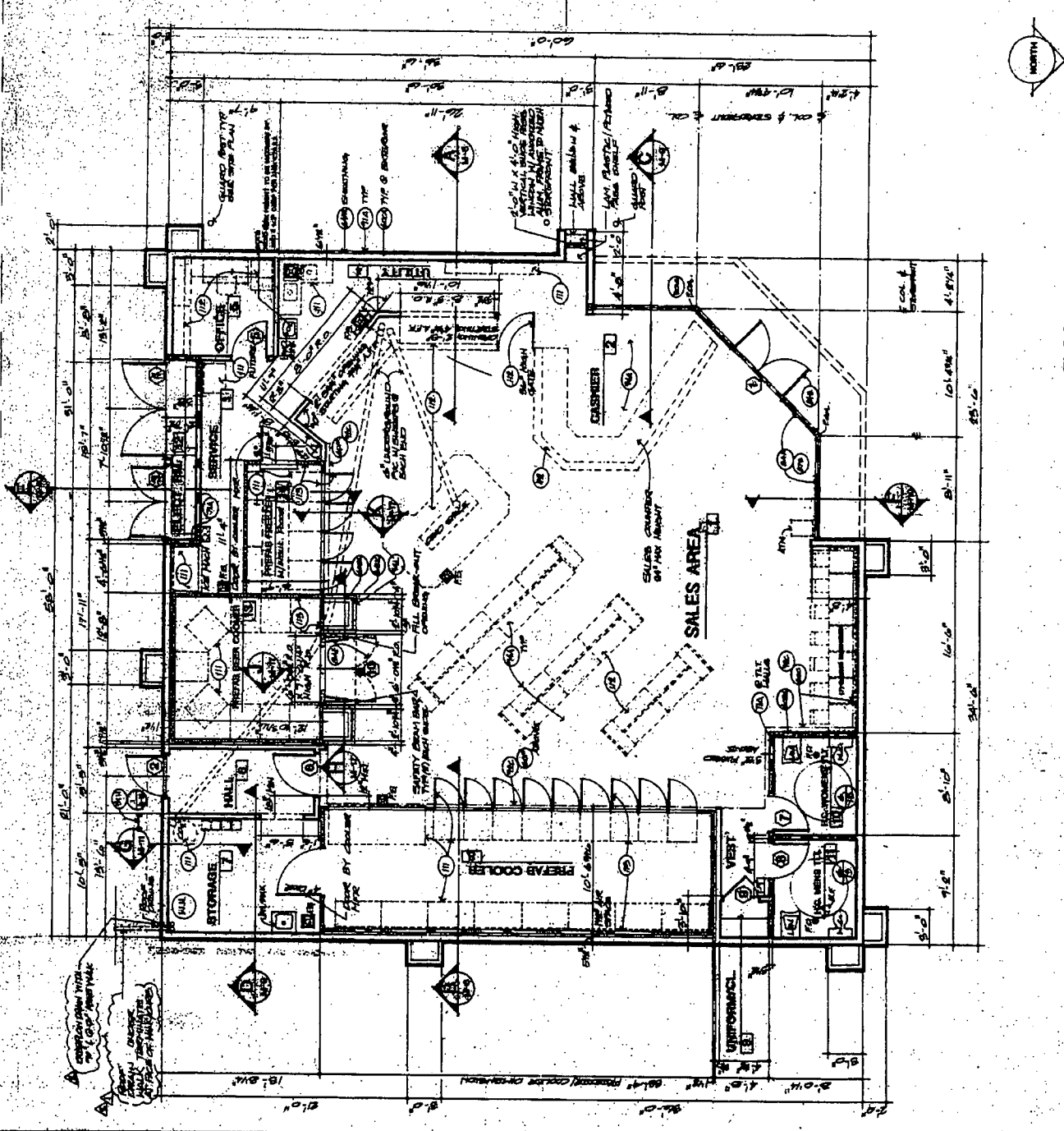
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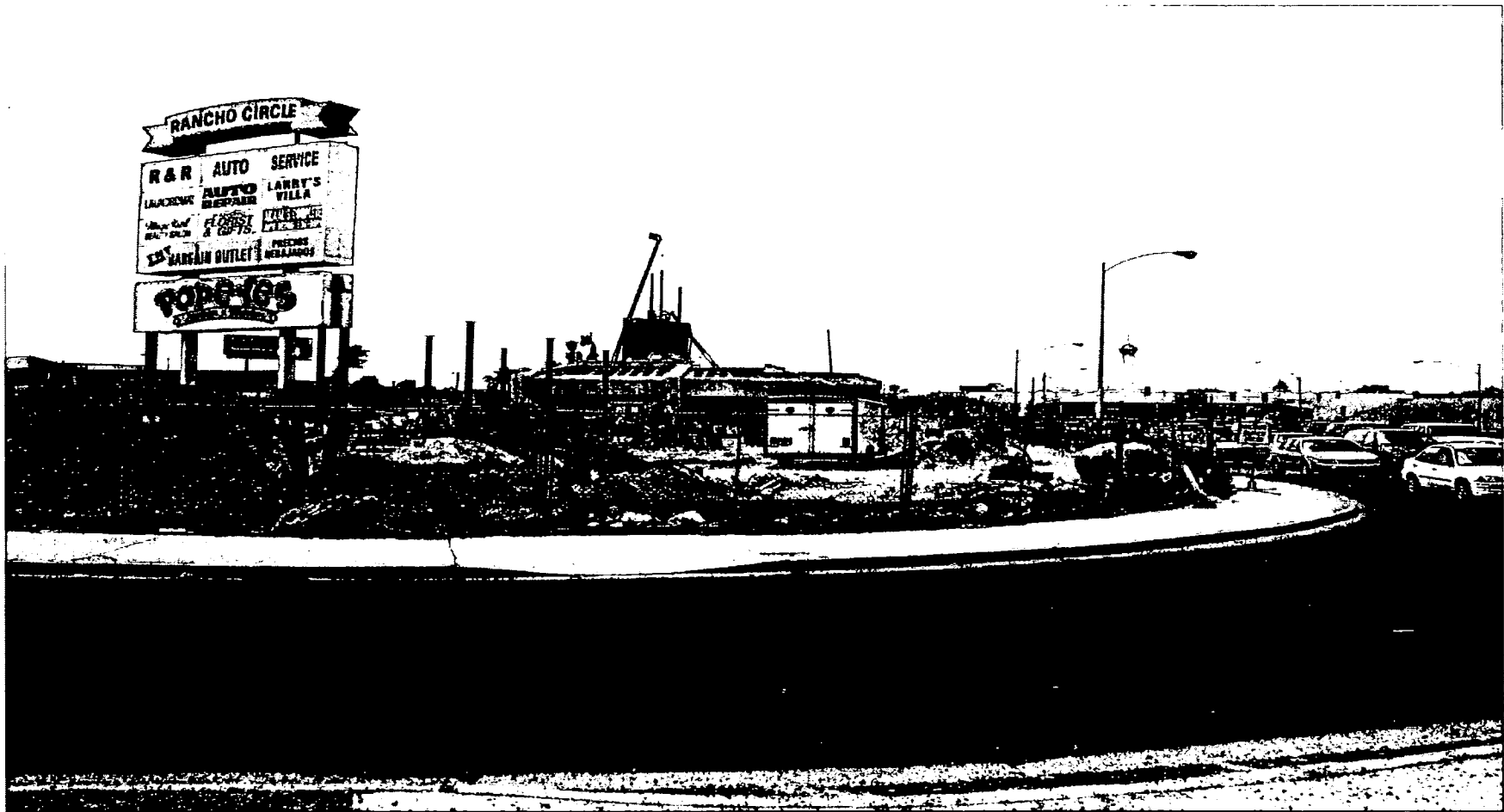
Subscribed and sworn before me

This 28 day of May, 2004

Debra S. Martin
Notary Public in and for said County and State

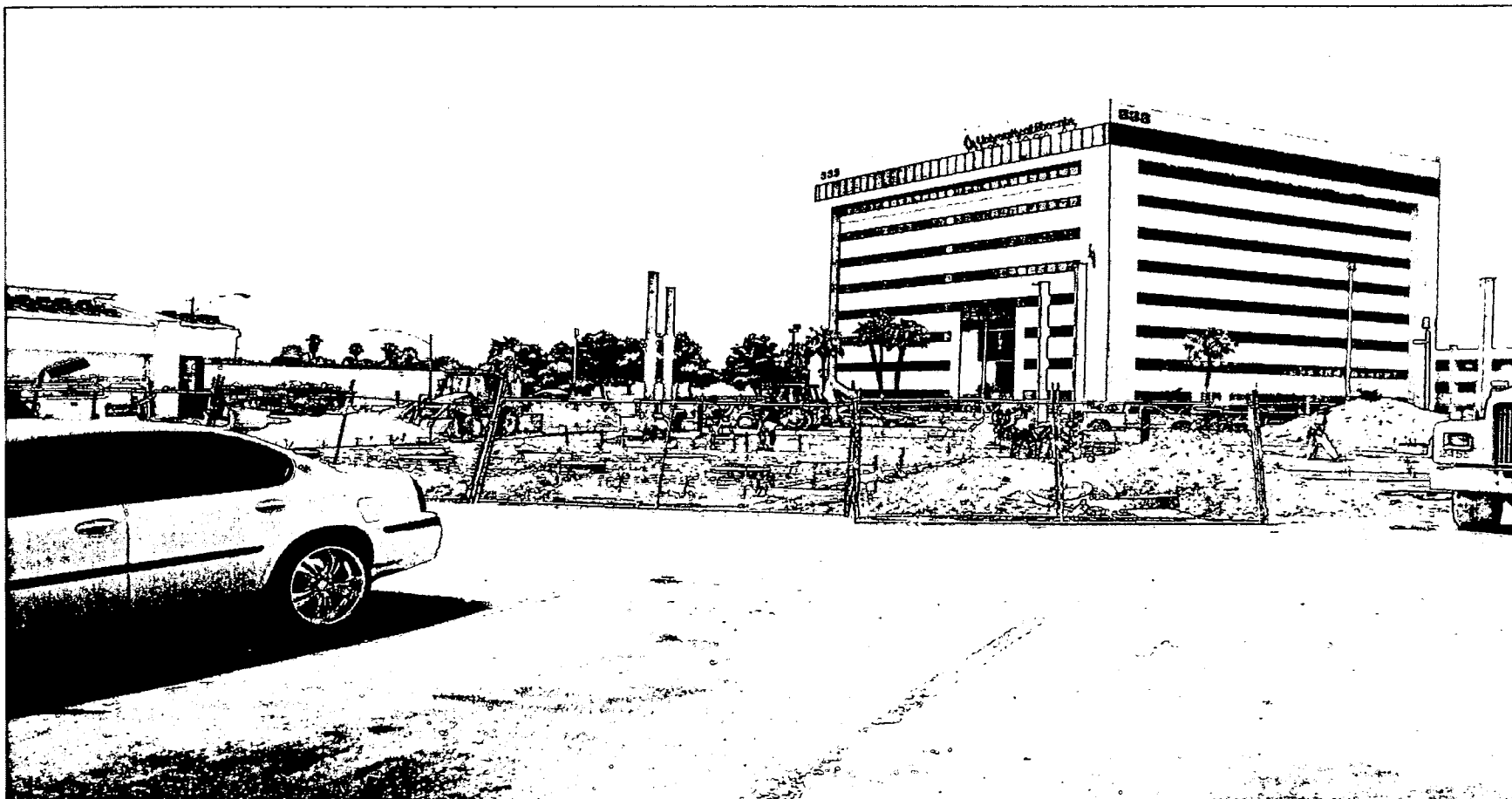






SUP-4576 - APPLICANT: TERRIBLE HERBST OIL COMPANY - OWNER: RANCHO CIRCLE SHOPPING
CENTER, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF RANCHO DRIVE AND BONANZA ROAD
JULY 22, 2004 PLANNING COMMISSION

7/1/04



SUP-4576 - APPLICANT: TERRIBLE HERBST OIL COMPANY - OWNER: RANCHO CIRCLE SHOPPING
CENTER, LIMITED LIABILITY COMPANY
SOUTHEAST CORNER OF RANCHO DRIVE AND BONANZA ROAD
JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

MOTION:

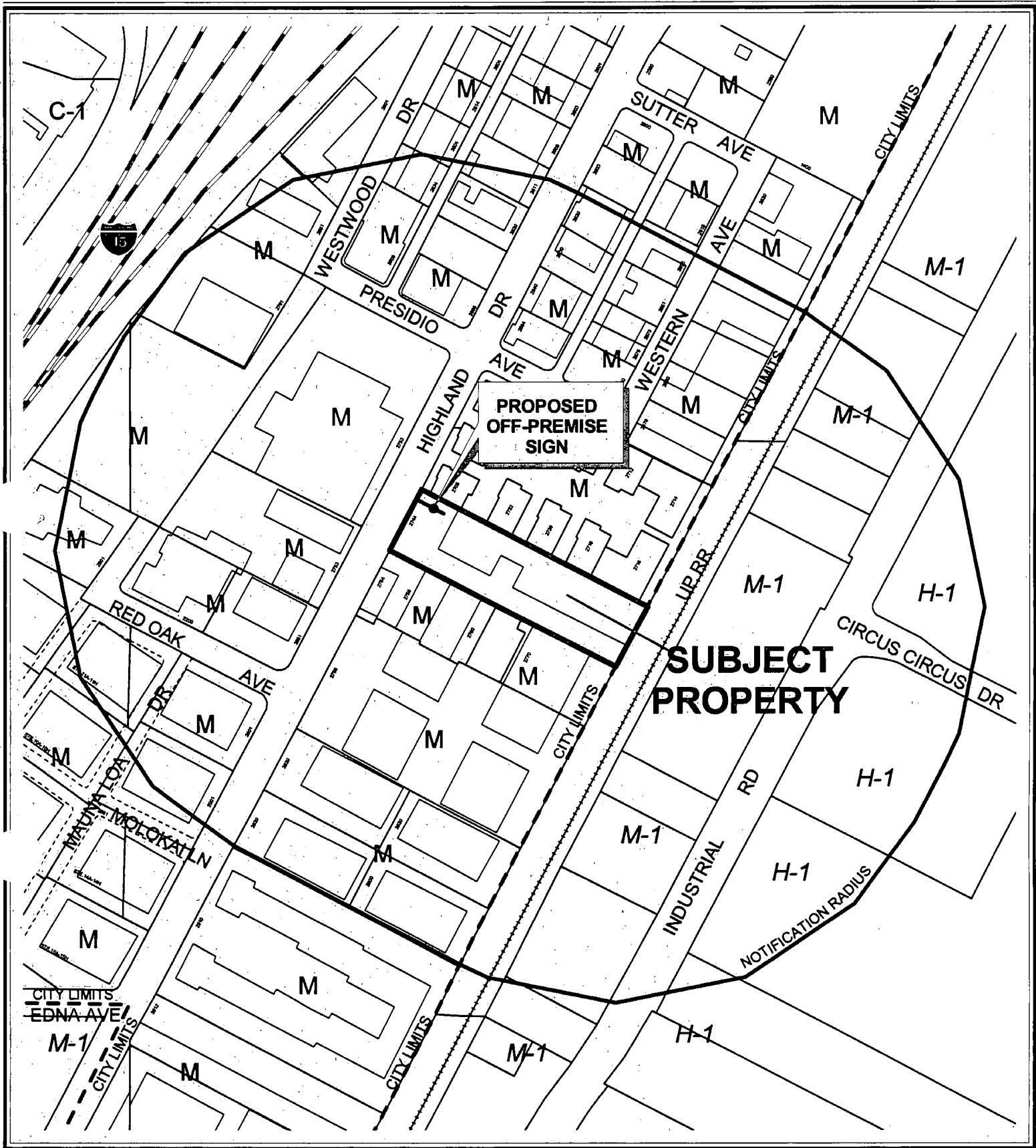
REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

COUNCILMAN MACK disclosed that on Item 112 [SUP-4592], a client of Mack Consulting is within the notification radius of this request. His client, Treasures, has not discussed this request with him nor will it affect their operation; therefore, he will be voting on the item.

(1:04 – 1:10)



CASE: SUP-4592

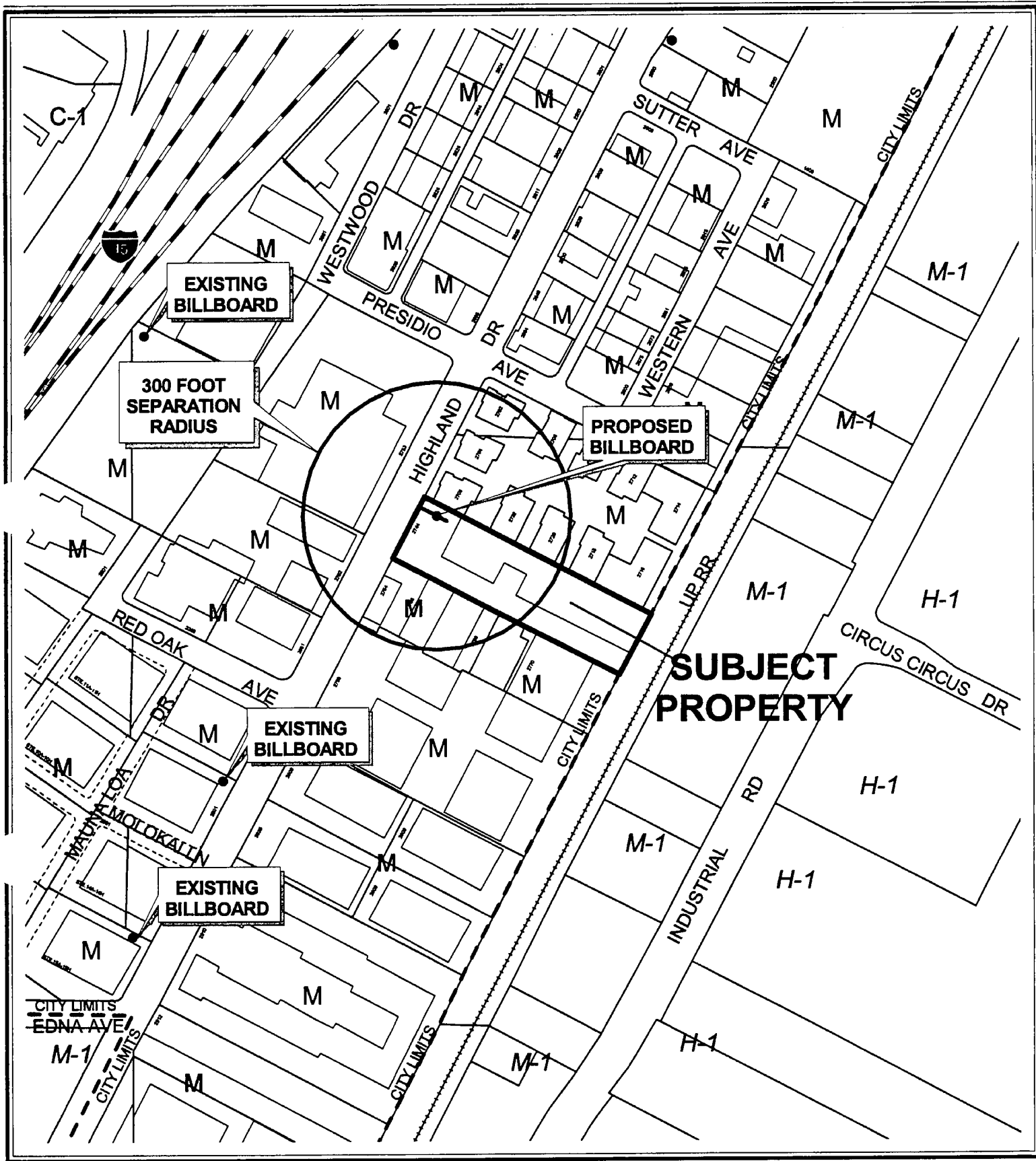
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



112

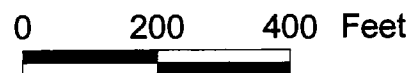


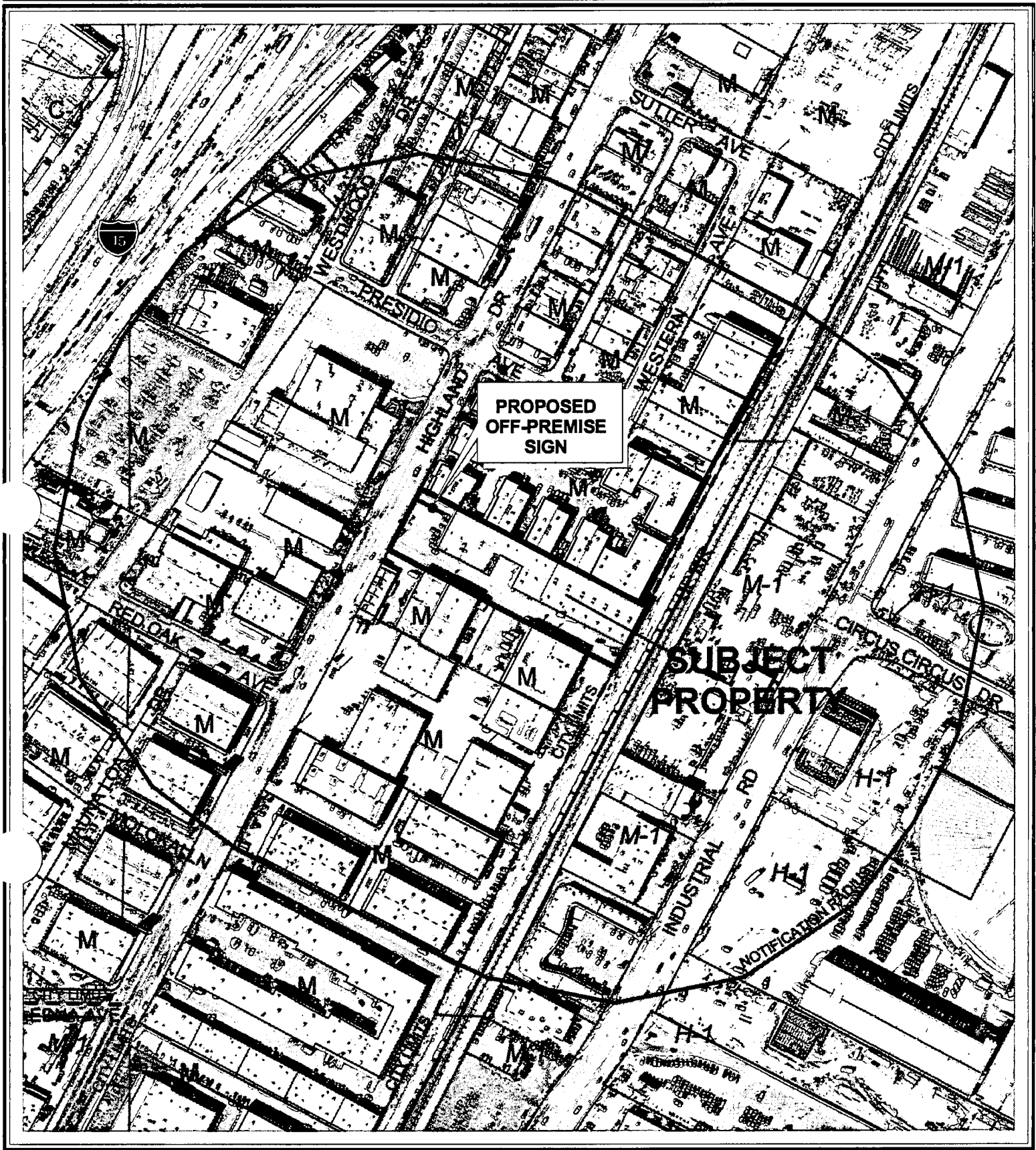


CASE: SUP-4592

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





CASE: SUP-4592

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



SUP-4592

City of Las Vegas Billboard Data

 **Subject Parcel**

City of Las Vegas Billboard Location

- **Clark County Billboard Location**

 300 Foot Buffer Around Billboard

○ 750 Foot Buffer Around Freeway Billboard

 Outside City Boundary

 **Off Premise Sign Exclusion Area**

☐ Exempt - Off Premise Area Sign Area

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES -
OWNER: JOHN HERDA**

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

Public Works

7. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for a 40-foot high, 10 foot x 40 foot off-premise advertising sign (billboard) on at 2744 Highland Drive.

B) *Applicant's Justification*

The off-premise sign will be located in an industrial area that is zoned for this use. The off-premise sign is located more than 300 feet from any other off-premise sign located on Highland Drive. The proposed billboard meets or exceeds all of the location provisions outlined in Title 19.

BACKGROUND INFORMATION

A) *Previous Actions*

01/25/61 The City Council approved a rezoning (Z-0062-60) of subject property from R-E (Residence Estates) to C-1 (Limited Commercial).

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #7-SRS).

B) *Pre-Application Meeting*

04/07/04 Elements of this type of special use permit were discussed.

C) *Neighborhood Meetings*

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.01

B) *Existing Land Use*

Subject Property: Industrial park, warehouses, shops, storage
North: Industrial park, warehouses, shops, storage
South: Industrial park, warehouses, shops, storage
East: Industrial park, warehouses, shops, storage
West: Industrial park, warehouses, shops, storage

C) Planned Land Use

Subject Property: LI/R (Light Industry/Research)
North: LI/R (Light Industry/Research)
South: LI/R (Light Industry/Research)
East: LI/R (Light Industry/Research)
Clark County: M-1 (Light Industrial)
West: LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property: M (Industrial)
North: M (Industrial)
South: M (Industrial)
East: M (Industrial), Clark County
West: M (Industrial)

E) General Plan Compliance: Southeast General Plan

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry/Research) land use designation, which allows for industrial use, commercial/industrial use, and planned business parks. The site is zoned M (Manufacturing) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500' of another jurisdiction recognized by the Southern Nevada Regional Policy Plan.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

No impact on transportation and traffic, schools, emergency services, housing, mass transit, open space and recreation, hydrology, water quality, or utilities and service systems.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) *Zoning Code Compliance*

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100 (C) (11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	No other Off-Premise Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal
Minimum distance separation from "R" zoned property and any other Off-Premise Advertising (Billboard) Sign	300 Feet	

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 2,165 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) *General Analysis and Discussion*

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Overall height of an Off-Premises Advertising Sign is limited to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation.

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.”**

This proposed use is allowed in the LI/R (Light Industrial/ Research) General Plan designation and in the M (Industrial) zoning district. As there are no other billboards within approximately 700 feet, visual clutter in this area of the City is not a major concern.

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

The site is physically suitable for the type and intensity of land use proposed.

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

Not applicable to this type of special use.

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

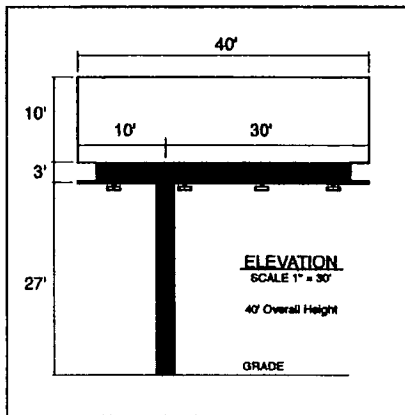
The proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 49 by City Clerk

APPROVALS 0

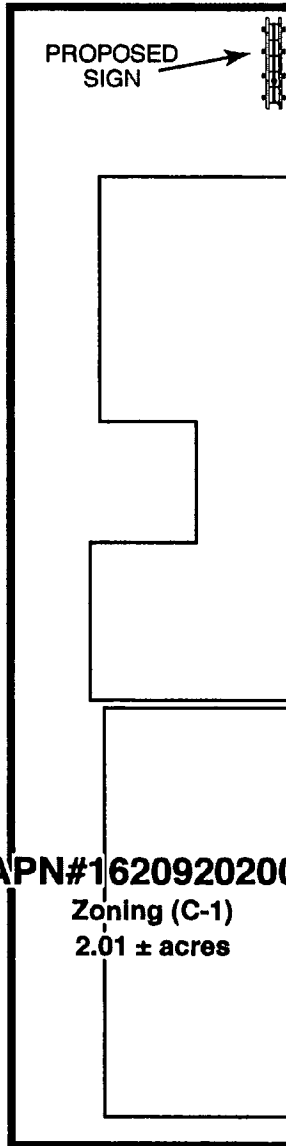
PROTESTS 0





HIGHLAND DR.

TOP VIEW
SCALE 1" = 100'

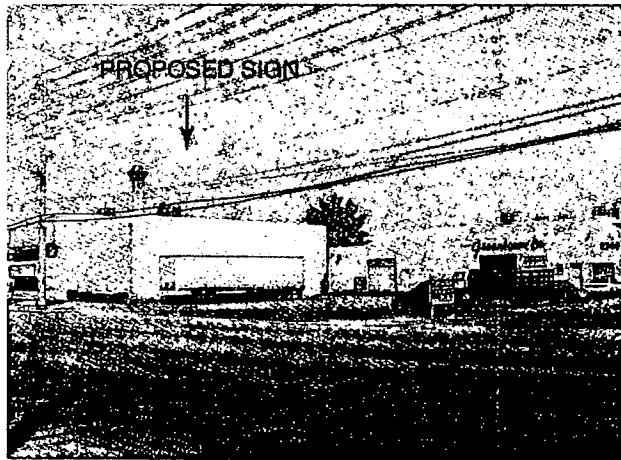


GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 200 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

SUP-4592
7-22-04 PC

OWNER:		
NYP CORPORATION		
SCALE:	APPROVED BY:	DRAWN BY:
NOTED		
DATE:		REVISED:
05/12/04		
LOCATION:		
2744 HIGHLAND DRIVE 89109		
APN#16209202001		DRAWING NO.:



M-INDUSTRIAL ZONE



SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA
2744 HIGHLAND DRIVE
JULY 22, 2004 PLANNING COMMISSION

7/1/04

MOUNTAIN VIEW ESTATES
5500 E. Flamingo Road
Las Vegas, NV 89122

August 17, 2004

Margo Wheeler, Deputy Director
Planning & Development Department
731 S. 4th Street
Las Vegas, NV 89101

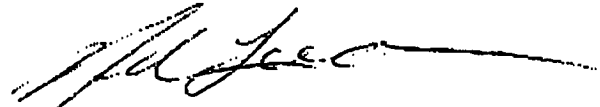
RE: SUP 4592; SUP 4593; SUP 4594

Dear Ms. Wheeler:

Items SUP 4592; SUP 4593; and SUP 4594 are to be heard before the City Council on Wednesday, August 18, 2004. Please hold these items in abeyance for thirty (30) days as our client will be out of town.

Should you need to contact me, I can be reached at 450-8080.

Sincerely,



Michael Luce

RECEIVED
CITY CLERK
2004 AUG 17 P 4:27

Submitted after final agenda

Date 8/17/04 Item #112
113
114

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4593 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: S & K FAMILY TRUST - Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1531 Western Avenue (APN 162-04-605-007), M (Industrial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development
5. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

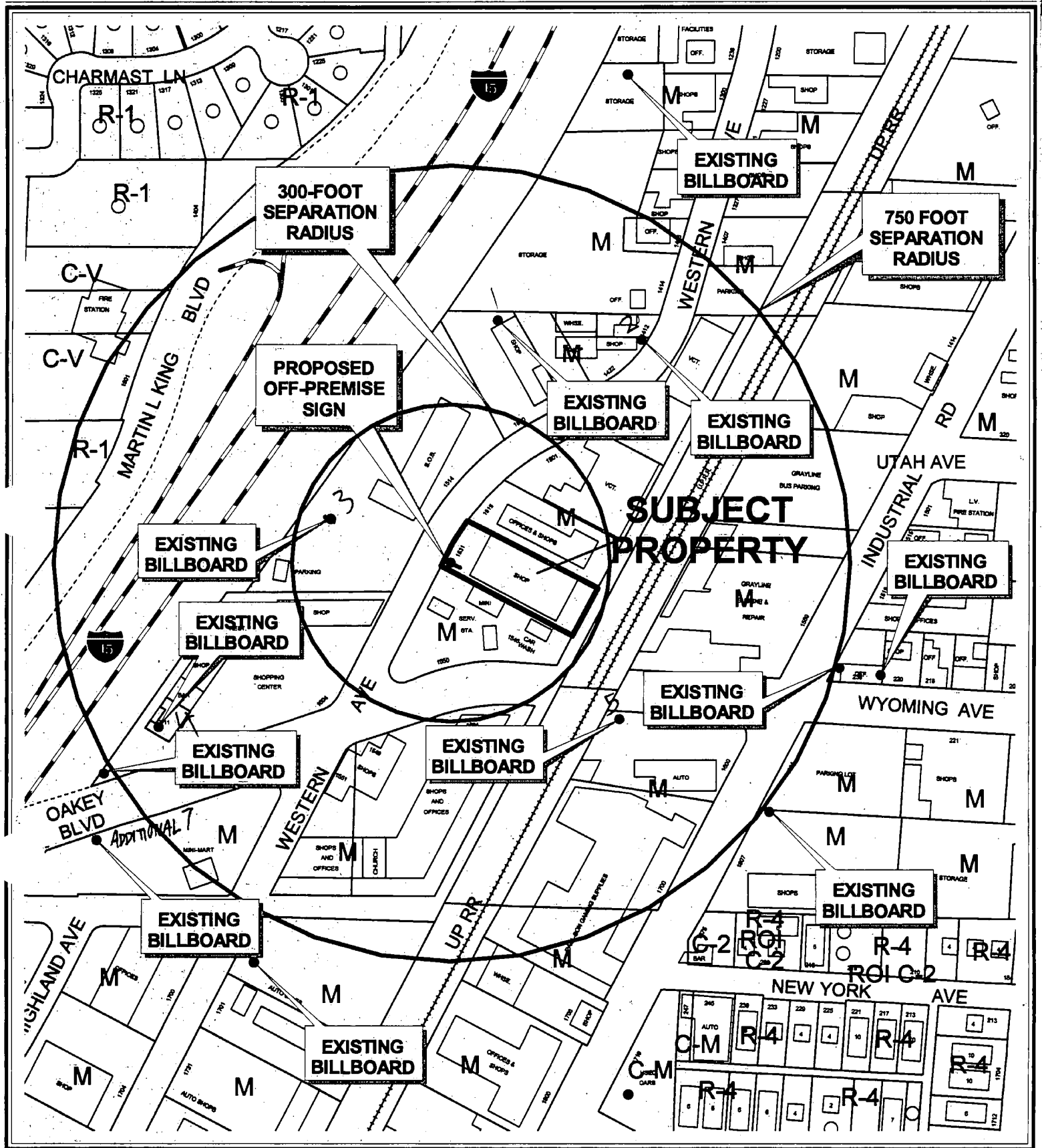
MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

(1:04 – 1:10)



CASE: SUP-4593

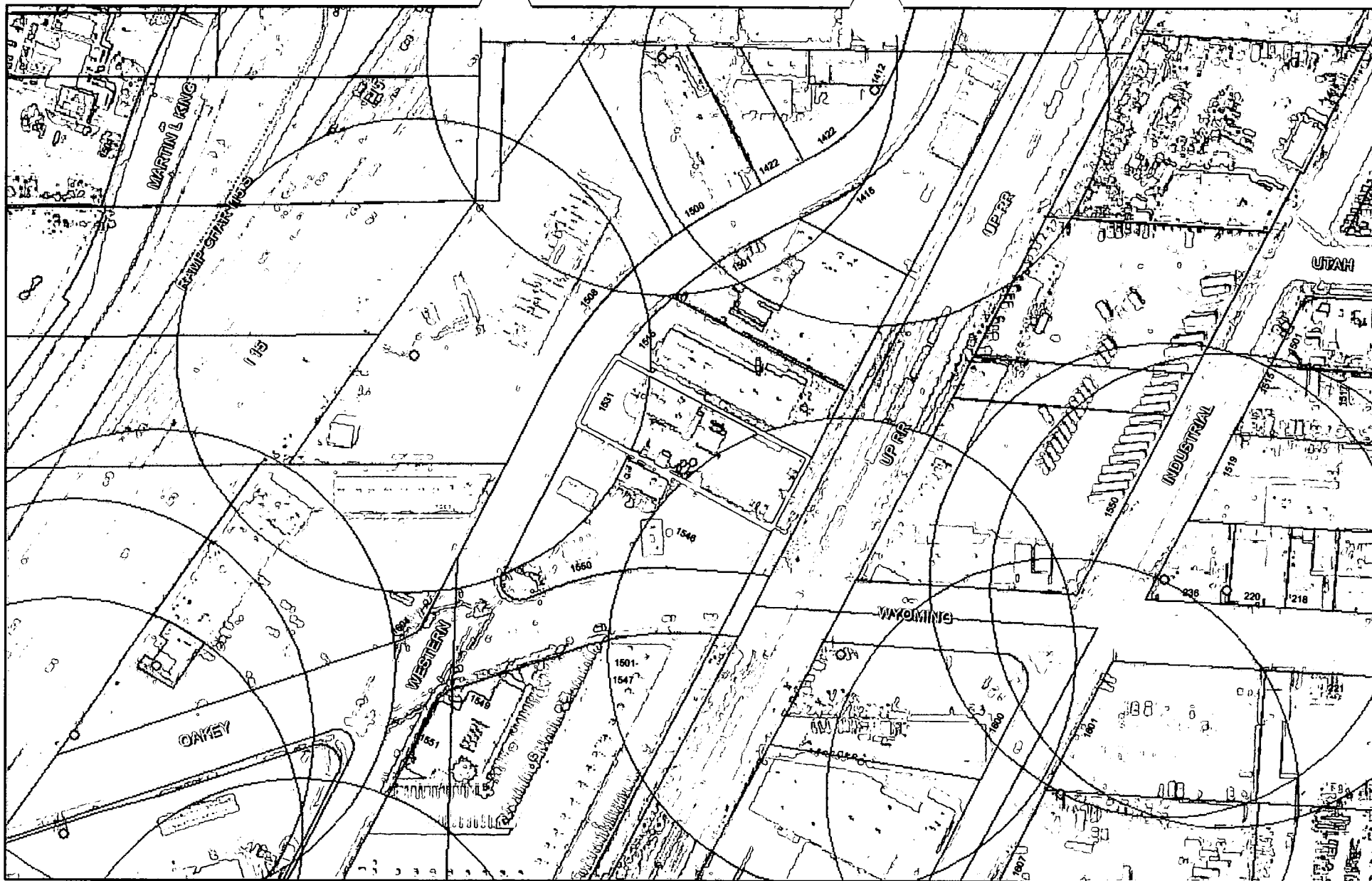
SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet

113



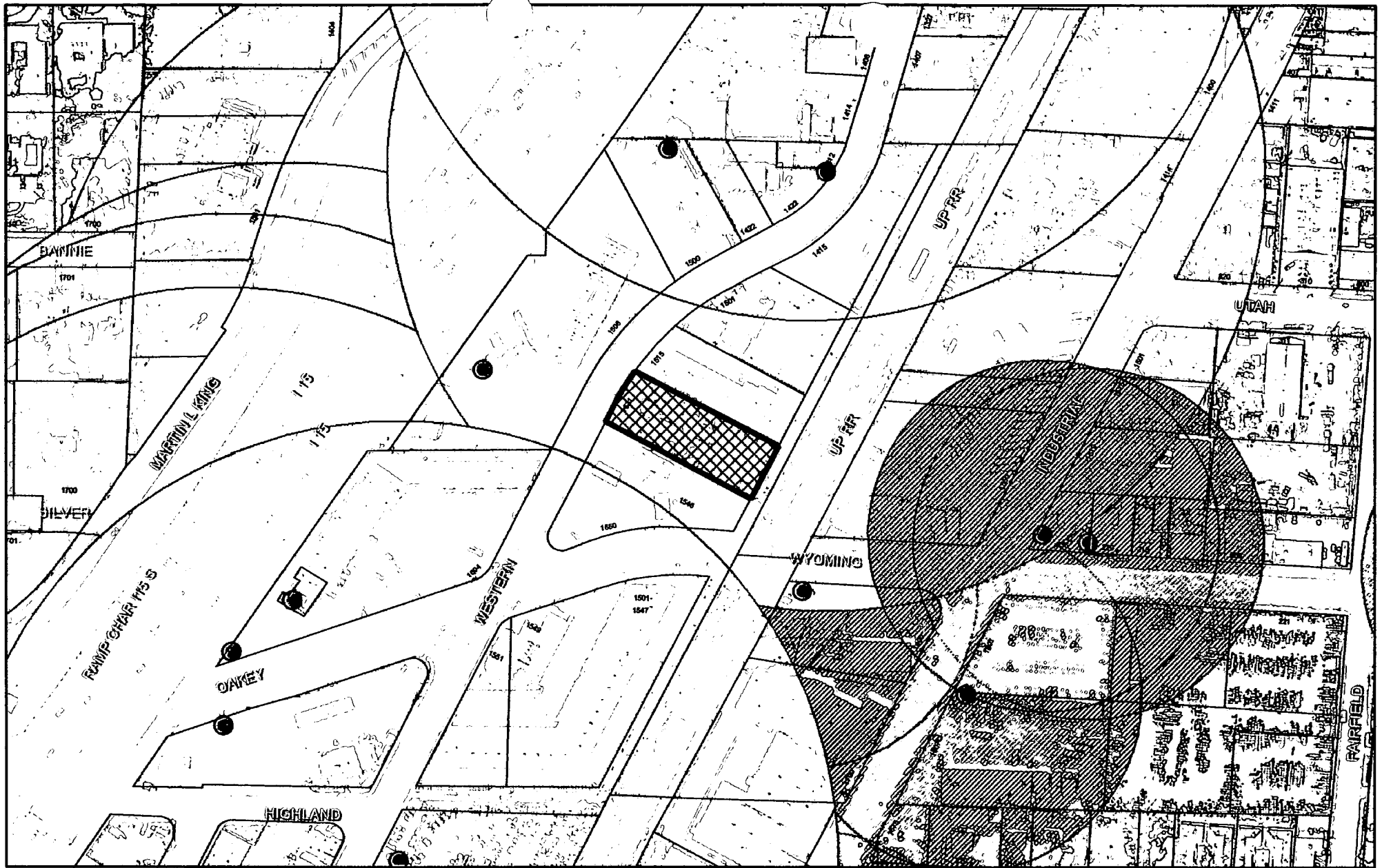


Parcel: 16204605007

City of Las Vegas Billboard Data

-  Subject Parcel
 City of Las Vegas Billboard Location
 Clark County Billboard Location
 300 Foot Buffer Around Billboard
 Outside City Boundary
 Off Premise Sign Exclusion Area
 Exempt - Off Premise Area Sign Area





SUP-4593

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
 City of Las Vegas Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Off Premise Sign Exclusion Area
 Clark County Billboard Location		 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4593 - APPLICANT: MOUNTAIN VIEW ESTATES -
OWNER: S&K FAMILY TRUST**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. The height of this off-premise sign shall be limited to 15 feet over the existing building.
2. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
6. Only one advertising sign is permitted per sign face.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. The off-premise advertising sign structure must not be located at the Western Avenue street frontage. The structure must be located at the center of the parcel, either on the north or south side of the shop building.
9. The height of the off-premise advertising (billboard) sign shall be no more than the height of the parcel's building, plus 14 feet.

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for an off-premise advertising sign (billboard) at 1541 Western Avenue.

B) *Applicant's Justification*

The off-premise sign will be located in an industrial area that is zoned for this use. The proposed billboard meets or exceeds all of the location provisions outlined in City of Las Vegas Title 19.

BACKGROUND INFORMATION

A) *Previous Actions*

01/25/61 The City Council approved a rezoning (Z-0062-60) of subject property from R-E (Residence Estates) to C-1 (Limited Commercial).

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #64-SRS).

B) *Pre-Application Meeting*

04/07/04 Elements of this type of special use permit were discussed.

C) *Neighborhood Meetings*

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.54 acres

B) Existing Land Use

Subject Property: Industrial park, warehouses, shops, storage
North: Industrial park, warehouses, shops, storage
South: Industrial park, warehouses, shops, storage
East: Industrial park, warehouses, shops, storage
West: Industrial park, warehouses, shops, storage

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance: Southeast General Plan

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry/Research) land use designation, which allows for industrial use, commercial/industrial use, and planned business parks. The site is zoned M (Manufacturing) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

ANALYSIS

A) *Zoning Code Compliance*

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100 (C) (11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Conformance
Minimum distance separation from another Off-Premise Advertisement (Billboard) Sign in any direction.	300 Feet	Yes
Minimum distance separation between Off-Premise Advertising (Billboard) Sign within 660 feet of Interstate 15, to any other off-premise sign along the same frontage.	750 feet	Yes

This application meets code standards for submitting an application for an off-premise sign. However, the placement of the billboard will be limited to the center of the property and will have to be placed over the existing building. Also, there are eight other billboards within 100 feet of the 750 foot buffer, for a total of 14 within close visual proximity of this site.

B) *General Analysis and Discussion*

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 (B) (2) states:

“The Special Use Permit requirement set forth in this Section is in addition to and independent of any locational provision or limitation contained in this Section. In determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impacts of the sign on the area and all other aspects of the

sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. The provisions of this Paragraph are intended to reflect and reconfirm existing standards and practice, rather than to impose a new or different standards."

This application meets the technical requirements for distance separation between billboards. The proposed location of the billboard would not meet Code standards, however it could be placed on a very small portion of the center of the site if constructed to be cantilevered over the existing building. It is clear that there are severe design considerations that will have to be accounted for in placing a billboard on this property that still conforms to Code. Also, there are 14 existing billboards in very close proximity to this location. Therefore, there are concerns regarding to the aesthetics of this billboard and how it will add to the visual clutter experienced in this area of the City.

Although this application meets the standards of the Code, the recommendation is for denial based on aesthetics and the visual impacts to the surrounding area. If it is approved, a condition limiting the height to 15 feet above the existing building to somewhat reduce the impacts of this project.

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."**

This proposed use barely meets Code distance separation standards for the placement of an off-premise sign. While it is located in an industrial area of the City, approval of this request would result in additional clutter. Therefore, it is not harmonious and compatible with the surrounding area and not in conformance to the spirit of Code standards.

This proposed use is inconsistent with the overall objectives of the Master Plan 2020, specifically:

"the visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

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

The site is not physically suitable for the type and intensity of land use proposed. It can only be placed on a very small portion of the interior of the parcel.

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."**

Not applicable to this type of special use.

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

The proposed Off-Premise Advertising (Billboard) Sign will compromise public safety, as it is an added distraction to motorists.

PLANNING COMMISSION ACTION

Staff's recommendation was based on the original site plan. The revised location discussed at Planning Commission has the sign beyond the 300 foot buffer area of any other off-site signage. Condition #3 shall be replaced with new dated site plan.

NOTICES MAILED 45 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4593** APN: 16204605007

Name of Property Owner: SEK FAMILY TRUST SANDY GILBERT

Name of Applicant: MOUNTAIN VIEW ESTATES

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

1 No

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

City Official: _____

Partner(s): _____

APN: _____

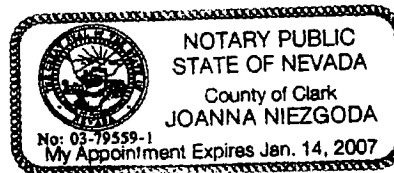
Signature of Property Owner/Authorized Agent:

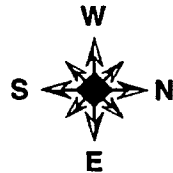
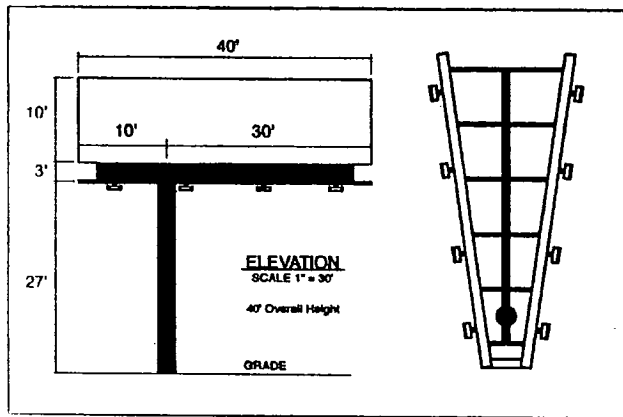
Print Name:

Subscribed and sworn before me

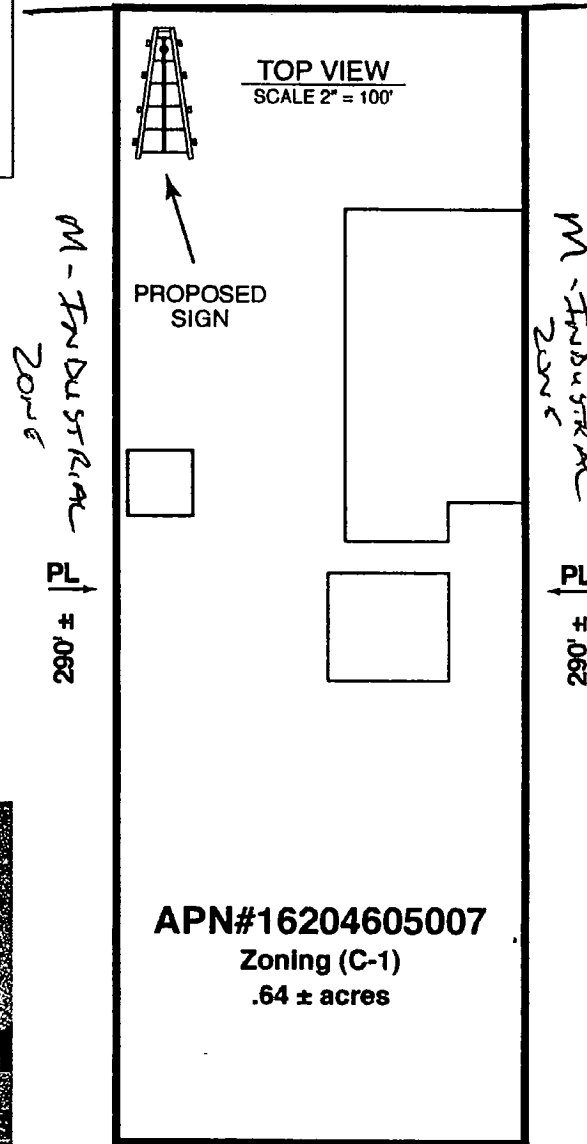
This 26 day of MAY, 2004

Notary Public in and for said County and State

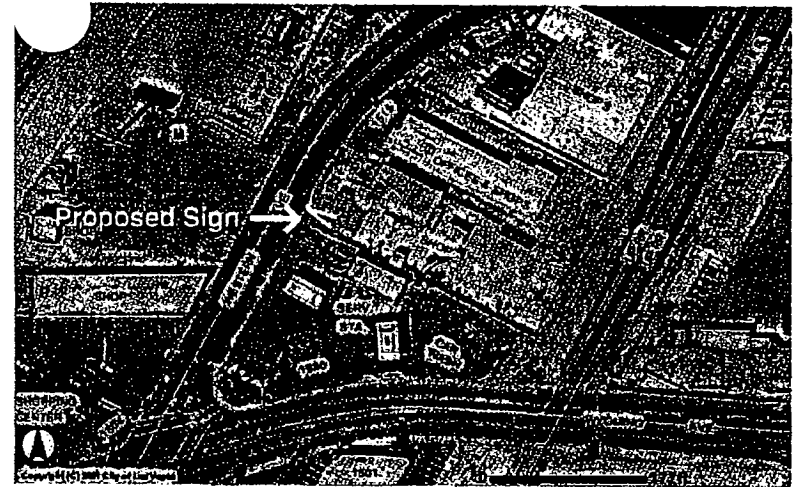




WESTERN AVE.



PL ± 95' ±
M-INDUSTRIAL ZONE



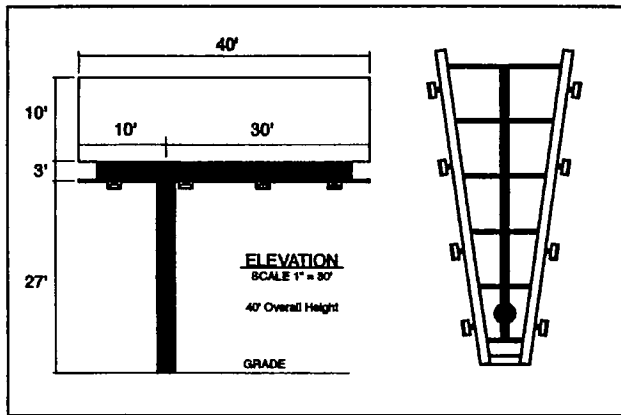
GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign or adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

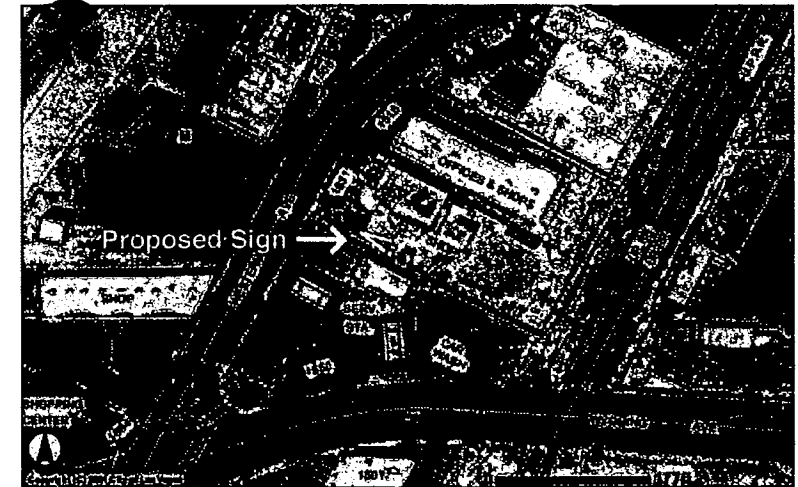
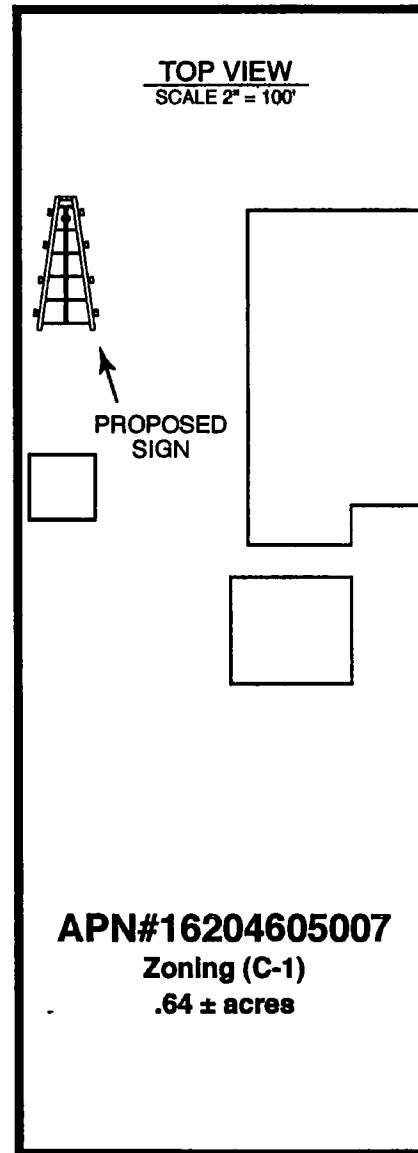
SUP-4593
- 7-22-04 PC

OWNER: S & K FAMILY TRUST		
SCALE: NOTED	APPROVED BY:	DRAWN BY:
DATE: 05/12/04		REVISED:
LOCATION: 1531 WESTERN AVENUE		
APN#16204605007		DRAWING NO.:





WESTERN AVE.



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign or adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

REVISED
8-16-04

RECEIVED

AUG 16 2004

Revised to 8/16/04 CC

SUP-4593

8-18-04 CC

OWNER:		
S & K FAMILY TRUST		
SCALE:	APPROVED BY:	DRAWN BY:
NOTED		
DATE:		REVISED:
05/12/04		
LOCATION:		
1531 WESTERN AVENUE		
APN#16204605007		DRAWING NO.:



Submitted after final agenda
Date 8/16/04 Item #113



PL
290' ±

PL
290' ±

95' ±