

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - SDR-4638 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4631 AND ZON-4635 - PUBLIC HEARING - APPLICANT/OWNERS: CHARLES H. SHIELDS - Request for a Site Development Plan Review for a PROPOSED OFFICE Parking LOT on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 6 (Mack).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – UNANIMOUS with NIGRO excused

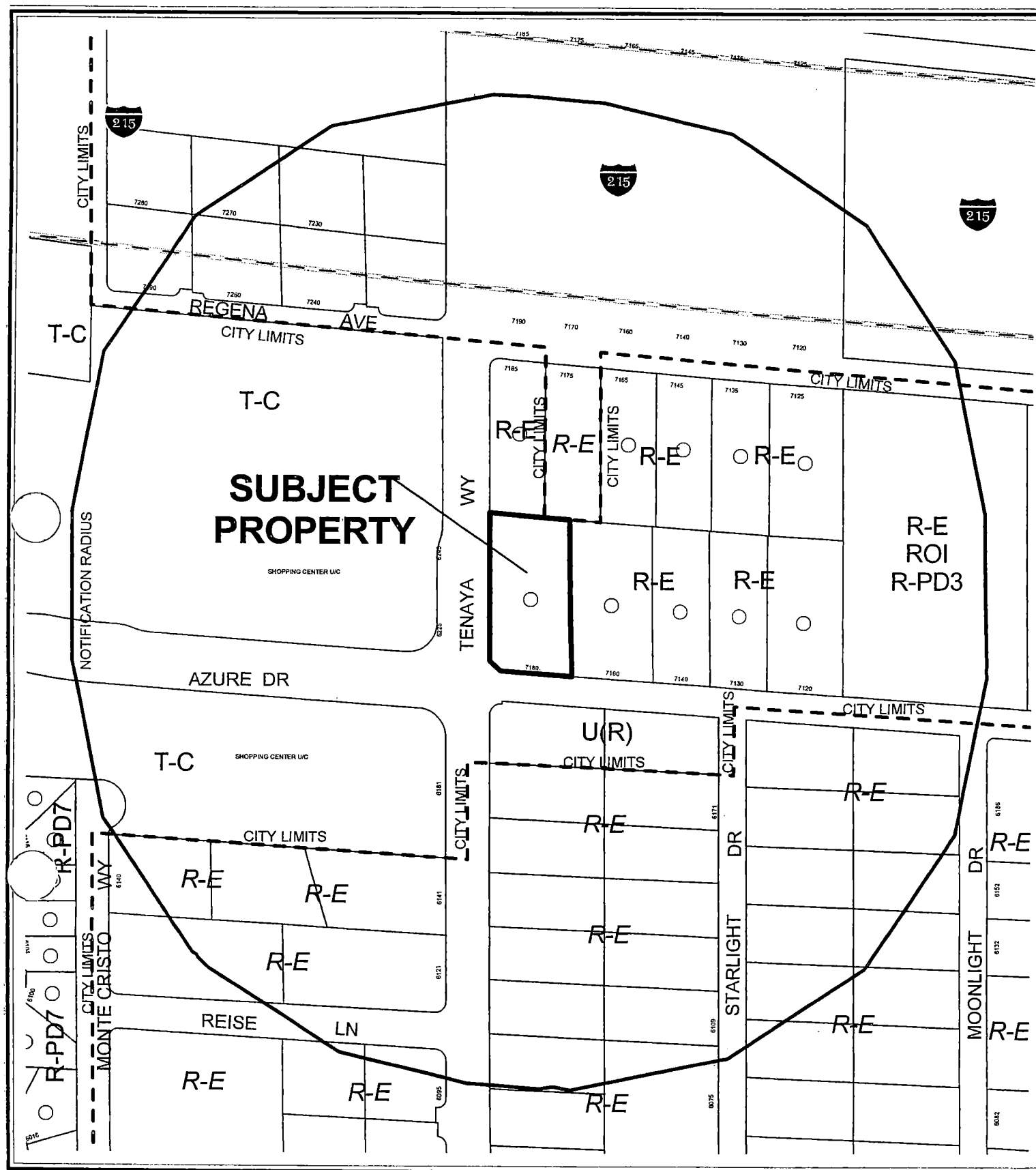
To be heard by the City Council on 10/06/2004

MINUTES:

NOTE: See Item 15 [GPA-4631] for all related discussion on Item 15 [GPA-4631], Item 16 [ZON-4635] and Item 17 [SDR-4638].

(7:18 – 7:48)

1-3032



CASE: SDR-4638

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4638 – APPLICANT/OWNERS: CHARLES H. SHIELDS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. A Site Development Plan Review is required for the proposed future medical office expansion (or any type of expansion), approved by Planning Commission and City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, dated stamped August 25, 2004, except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan, including suite numbering, for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by Title 19 and the Urban Design Guidelines and Standards.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

SDR-4638 - Conditions Page Two
September 9, 2004 Planning Commission Meeting

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, including elimination of the southern most driveway on Tenaya Way, on site circulation, parking lot layout and extension of the existing median island within Tenaya Way prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Proposed driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4635 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 medical office building on 0.96 acres at 7180 West Azure Drive.

B) Applicant's Justification

The justification letter states the applicant is proposing a medical office building. Currently, there is a residence on the property that would be remodeled to accommodate medical office uses. The applicant also proposes a 4,500 square foot expansion in the near future. The existing building is surrounded by mature, intense landscaping and will remain residential in character. The proposed site plan satisfies Title 19 development requirements including parking and landscaping.

BACKGROUND INFORMATION

A) Previous Actions

- 5/20/00 The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas, effective May 20, 2000.
- 07/22/04 The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
- 08/26/04 The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
- 09/09/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4631) from R (Rural) to O (Office), and for a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking), concurrently with this application.

B) Pre-Application Meeting

- 05/19/04 At a pre-application meeting the following issues were discussed.
- Landscape requirements were discussed, such as: a 15-foot buffer along streets, eight foot wide buffer along interior property lines with appropriate landscape materials; parking lot finger islands.
 - If sidewalk is required, the sidewalk and the east half of Tenaya Way shall be designed and built per Town Center Standards for the "Loop Road."

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September 9, 2004 - Planning Commission Meeting

- The parking standards will be based on one space per 200 square feet of building area, which requires 39 spaces and two handicap spaces.

C) *Neighborhood Meetings*

06/22/04 The applicant hosted a meeting and five persons attended. The following comments were made.

- Professional offices not compatible with residential
- Spot zoning
- Location of gate
- 37 parking spaces
- Compatibility with horses on R-E property
- Effects on community well/septic system
- Adverse impact on property values of adjacent residential properties

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.96 Acres

B) *Existing Land Use*

Subject Property: Single Family Residence
North: Single Family Residence; and Undeveloped (Clark County)
South: Undeveloped
East: Undeveloped
West: Single Family Residence

C) *Planned Land Use*

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential); Clark County
South: R (Rural Density Residential)
East: SX-TC (Suburban Mixed Use – Town Center)
West: R (Rural Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates); Clark County
South: U (Undeveloped) [R (Rural Density Residential) General Plan
Designation]
East: T-C (Town Center)
West: R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan of the General Plan designates the site as R (Rural Density Residential). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size. A related General Plan Amendment (GPA-4631) application seeks to change land use designation to O (Office), which would support the proposed zoning to P-R (Professional Office and Parking). The O (Office) category designation allows for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

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

PROJECT DESCRIPTION

- **Site Plan**

The site plan indicates a rectangular shaped 41,654 square foot lot. The proposed medical office conversion will be accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot right-of-way. The site plan indicates the existing single-family residence will be converted to a combination general office (1,183 square feet) and a medical office (1,677 square feet). An expansion (approximately 4,525 square feet) for medical office is planned in the future. On-site parking is located to the rear of the site. A total of 38 parking stalls, including two handicap accessible spaces, are located to the rear of the site. A circular drive is shown on the south end of the site that connects Azure and Tenaya. A trash enclosure is located towards the northeast corner of the site, adjacent to Tenaya Way, approximately seventy feet (70') from the residential property line to the north. Signage is not indicated on the site plan.

- **Landscape Plan**

The landscape plan indicates perimeter landscaping on the entire site and in the front yard of the existing residence. Perimeter landscaping includes minimum fifteen-foot (15') wide planters along the Tenaya Way and Azure Drive street frontages. The side and rear

landscape planters are shown as eight-foot (8') wide landscape planters. Landscape planter islands are indicated in the parking area, as required.

The perimeter landscaping along Tenaya Way and Azure Drive indicates new twenty-four inch box California Pepper Trees and some existing mature trees (Pine trees) spaced twenty feet on center with intermittent 5-gallon Feathery Cassias and Mexican Primrose shrubs and 1-gallon Hybrid Gazania. Landscaping in the front yard of the proposed residential office conversion consists of mature landscaping, including pine trees, cypress trees and a variety of hedges. The landscape plan indicates the existing lawn will be removed and replaced with inorganic ground cover, 3/4" Indian Red Washed gravel.

- Building Elevations

The two-story existing residence will be converted into a 1,677 square foot medical office and a 1,183 square foot general office for a total of 2,860 square feet. The existing residence is characterized by white stucco exterior with a pitched light gray and coral tiled roof. Arched windows on the residence and above the garage add interest to the structure. No additions are planned for the office conversion. The site plan indicates a future medical office expansion, at the rear, which would be reviewed under a separate Site Development Plan Review application.

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	N/A	N/A
Min. Lot Width	60 Feet	150 Feet	Yes
Min. Setbacks			
• Front	20 Feet	70 Feet	Yes
• Side	5 Feet	52 Feet	Yes
• Corner	15 Feet	30 Feet	Yes
• Rear	15 Feet	170 Feet	Yes
Max. Lot Coverage	50 %	4.3 %	Yes
Max. Building Height	2 Stories / 35 Feet	2 Stories	Yes
Trash Enclosure	Yes, Screened	Yes	Yes
Loading Zone	No	No	Yes
Mech. Equipment	Screened	Yes	Yes
Other ...	N/A	N/A	N/A

This application meets the provisions of Title 19.

LLM

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A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided (Total)	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Other Than Listed	1,183 SF	1/300 GFA	3	1	4	1
Office, Medical and Dental	1,677 SF	1/200 GFA up to 2,000 SF, plus 1/175 thereafter	9	---	32	1
TOTAL	2,860 SF		12	1	36	2
			13 total spaces		38 total spaces	

The proposal exceeds the required parking by approximately by 65% in order to accommodate a planned future medical office expansion.

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	9 Trees
Buffer:			
• Min. Trees (adjacent to rights-of-way)	1 Tree per Linear 20 Feet, plus one tree	15 Trees	14 Trees
• Min. Trees (adjacent to residential)	1 Tree per Linear 20 Feet, plus one tree	23 Trees	21 Trees
• Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet
• Min. Zone Width (side and rear property lines)	8 Feet		8 Feet
• Wall height	6 Feet		Existing wall

LLM

The proposed landscape plan is slightly deficient in the number of required trees along the perimeter of the site, as required by Title 19 and the Las Vegas Urban Design Guidelines and Standards. The project is deficient in the amount of required 24-inch box trees along the rights-of-way by one tree and along the residential perimeter by two trees. A waiver was not specifically requested to waive the amount of perimeter trees.

A5) Sign Standards

The application submittal did not include specific information regarding any signage for the site. Pursuant to Title 19.14, the Sign Standards for the P-R (Professional Office and Parking) Zoning District shall apply to the subject proposal.

B) General Analysis and Discussion

• Zoning

The proposed general and medical office conversion will be a permitted use within the P-R (Professional Office and Parking) Zoning District, upon the approval of a related Rezoning (ZON-4635).

• Site Plan

The site plan provides a suitable layout for a typical office conversion. The existing residence is centrally located towards the south end of the site and the parking is located to the rear of the site. The site plan accommodates the required parking for the planned medical office expansion.

• Waivers

No waivers were requested with this site plan.

• Landscape Plan

The landscape plan indicates perimeter and parking lot landscaping as required by Title 19 and the Urban Design Guidelines and Standards. However, the required number of perimeter trees is deficient, and therefore a condition is recommended to provide the trees as required.

• Elevation

The photo elevations submitted for the existing residence are appropriate for the rural residential area.

FINDINGS

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

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

The proposed general and medical office is not compatible with the adjacent rural residential land uses. The proposed zoning of P-R (Professional Office and Parking) would permit the proposed general/medical office conversion. However, this zoning designation and proposed medical office use is not compatible with the surrounding zoning classifications, including R-E (Residence Estates) to the north and east, and U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to the south.

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 general and medical office conversion is not consistent with the intent of the Master Plan, which designates the area as Rural Residential. The site plan, however, does meet the requirements of Title 19 and the Urban Design Guidelines and Standards with the exception of deficient number of required perimeter trees. If approved, a condition is recommended to revise the landscape plan to meet the minimum landscape requirements.

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

The site is accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot right-of-way. The rights-of-way provide adequate access to the site. However, there is concern with the encroachment of traffic related to the medical office use.

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

The photo elevations submitted for the existing residence are appropriate for the rural residential area. The proposed landscape palette materials will provide an aesthetically pleasing environment, however a condition is listed to provide minimum number of trees in the perimeter landscape planters as required by Title 19 and other landscaping shall adhere to the requirements of the Las Vegas Urban Design Guidelines and Standards.

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;"**

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The existing residential character of the structure will remain the same with the office conversion, and therefore would be compatible with the existing residential 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 permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED 32 [Mailed with ZON-4635 & GPA-4631] 7/22/04 PC

APPROVALS 1

PROTESTS 1

TENAYA WAY

ZONED TC
UNDEVELOPED

ZONED U(R)
UNDEVELOPED

AZURE DRIVE

STREET FRONTAGE BUFFER

2 7 4 0 3 2

STREET FRONTAGE BUFFER
24" BOX TREES 20' O.C. W/ 4-1 GAL. AND
4-1/2 GAL. PLANTS PER TREE

NOT A PART

ZONED RE
EXISTING SINGLE
FAMILY RESIDENCE

RY BUFFER
w/ (4)-1 GAL AND
THERM

ZONED RE
EXISTING SINGLE
FAMILY RESIDENCE

LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	SHRUBS AND GROUND COVER	SIZE
	EXISTING TREE - SEE PHOTOS				EXISTING DECORATIVE LANDSCAPE BOULDERS	
	EXISTING TREE - SEE PHOTOS				EXISTING SHRUB - SEE PHOTOS	15 GA
	EXISTING TREE - SEE PHOTOS				EXISTING SHRUB - SEE PHOTOS	15 GA
	CALIFORNIA PEPPER TREE <i>Schinus molle</i>	LARGE DECIDUOUS	24" BOX		FEATHERY CASAHUA <i>Casahuate arborescens</i>	5 GA
	SHOESTRING ACACIA <i>Acacia stenophylla</i>	LARGE DECIDUOUS	24" BOX		MEXICAN PROSPERO <i>Crotona delandieri</i>	5 GA
	HONDEL PINE <i>Pinus douglasii</i>	LARGE EVERGREEN	24" BOX		EXISTING SHRUB - SEE PHOTOS	1 GAL
	ALEPPO PINE <i>Pinus halepensis</i>	LARGE EVERGREEN	24" BOX		EVERGREEN EUCYTHOUS <i>Eucythus japonica</i>	1 GAL
					COPPOON WHITE CREEPER <i>Clematis fortunei</i>	1 GAL
					HYBRID GAZANIA <i>Gazania hybridus</i>	

1. ALL NONIRGAMIC LANDSCAPE GROUND COVER TO BE 3/4" INDIAN RED WASHED GRAVEL	3. EXISTING LANDSCAPE TO BE PRESERVED WHERE POSSIBLE
2. ALL PLANTS ON SITE MUST CONFORM WITH TITLE 15 REG.	4. EXISTING TURF TO BE REMOVED AND REPLACED WITH INDIANIRGAMIC GROUND COVER PER NOTE 5
3. 7'x4" BOX TREES A MAXIMUM OF 20'x8" O.C. @ NORTH & EAST AND WEST PROPERTY LINES	5. EXISTING SPRINKLER SYSTEMS TO BE ABANDONED AND REPLACED WITH NEW DRIFT IRRIGATION SYSTEM
4. 1/2" O.C. FIVE GALLON SHUBS IMP. FOR EACH TREE	

KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 WARDWENT IRON GATES WITH STAMPED METAL BACKING AND LEFT IN LOGGATCH
2	7' AC PAVING
3	LANDSCAPE AREA : BY OTHERS
4	CONCRETE SIDEWALK, CURB, 4 GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/ROCKSALT FINISH
6	HANDICAP CURB RAMP
7	HANDICAP ACCESSIBLE ROUTE
8	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
9	VAN ACCESSIBLE HANDICAP ACCESS AISLE
10	EXISTING DECORATIVE ROCK WALL
11	NEW CONCRETE SIDEWALK W/ROCKSALT FINISH

PROJECT DATA

EXISTING ZONING: RE
REQUIRED ZONING: PR

BUILDING AREA: EXISTING OFFICE
GENERAL OFFICE : 183 SF.
MEDICAL OFFICE : 197 SF.
TOTAL OFFICE : 380 SF.

PARKING REQUIRED: 1 SPACE/200 SF. BUILDING AREA = 19 SPACES

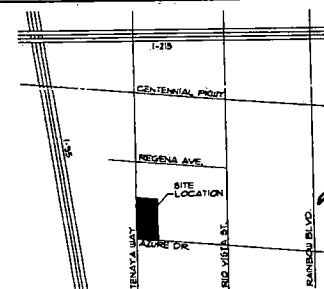
PARKING PROVIDED: 16 SPACES

FLOOR AREA RATIO: 10.8%

SITE ACREAGE: 76,591 SF.
6.1 ACRES

APP# 02-179-03-008

LOCATION



evisions

john
dunn
archie. archie

9
8
7
6
5
4
3
2
1

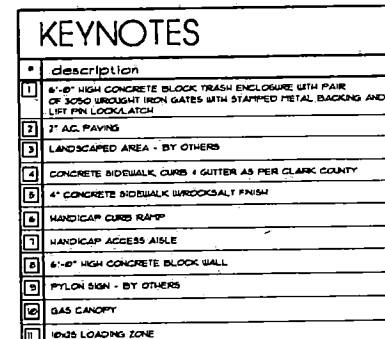
OFFICE BUILDING
7100 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date	DATE
proj. no.	PROJECT
drwn. by	
chkd. by	

sheet no.	A7

GPA-4631
ZON-4635
SDR-4638
8/26/04 PC

REVISED
8.25.04



revisions

john
david
burke. archived

OFFICE BUILDING
7180 W. AZURE DRIVE
for: Chuck & Gail Shields

date	_____
proj. no.	_____
drwn. by	_____
ch-d. by	_____

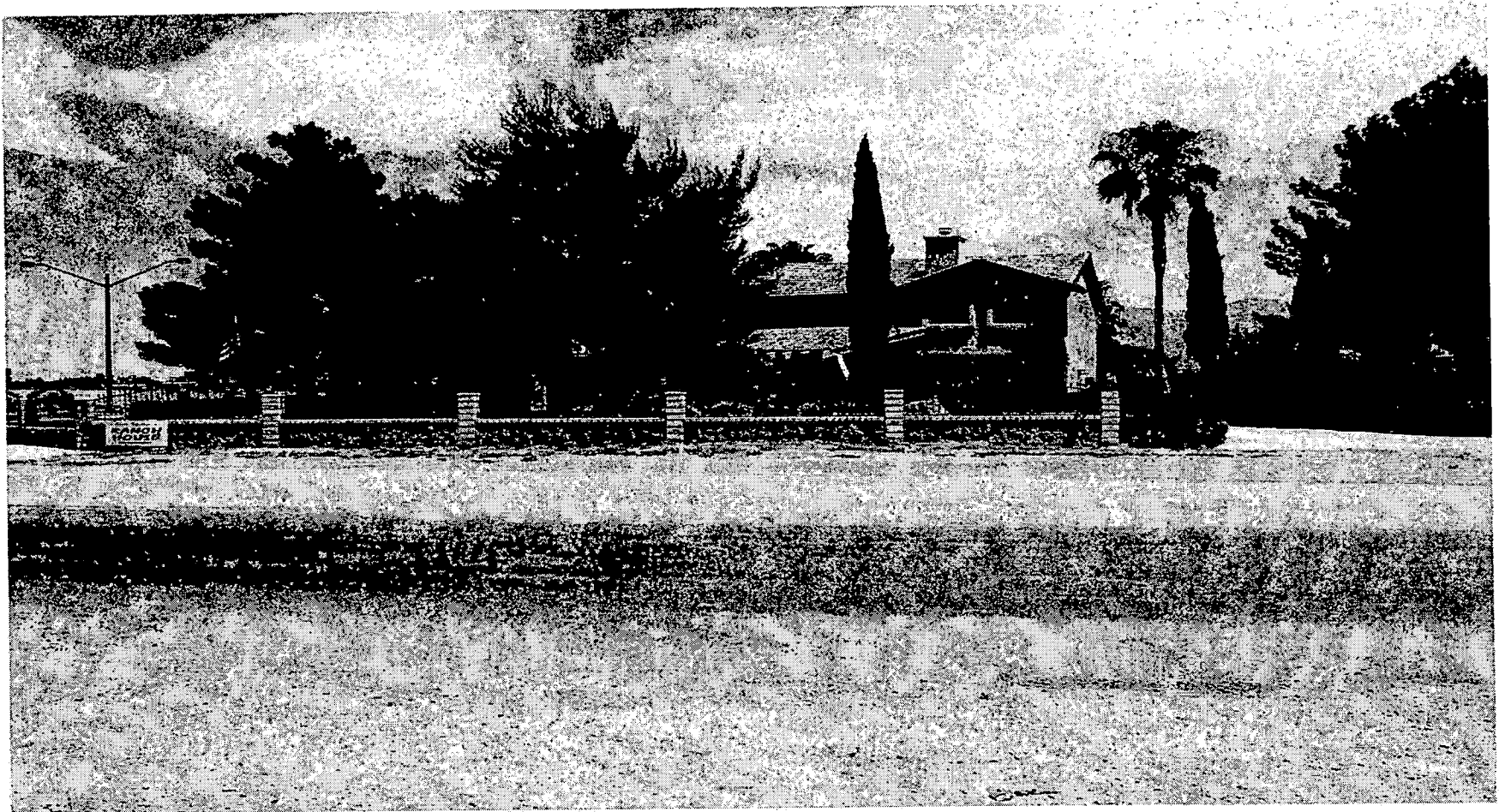
sheet no. A2

1ST FLOOR AREA = 1,671 SF.
2ND FLOOR AREA = 1,183 SF.
TOTAL AREA = 2,860 SF.

REVISED
8.25.04

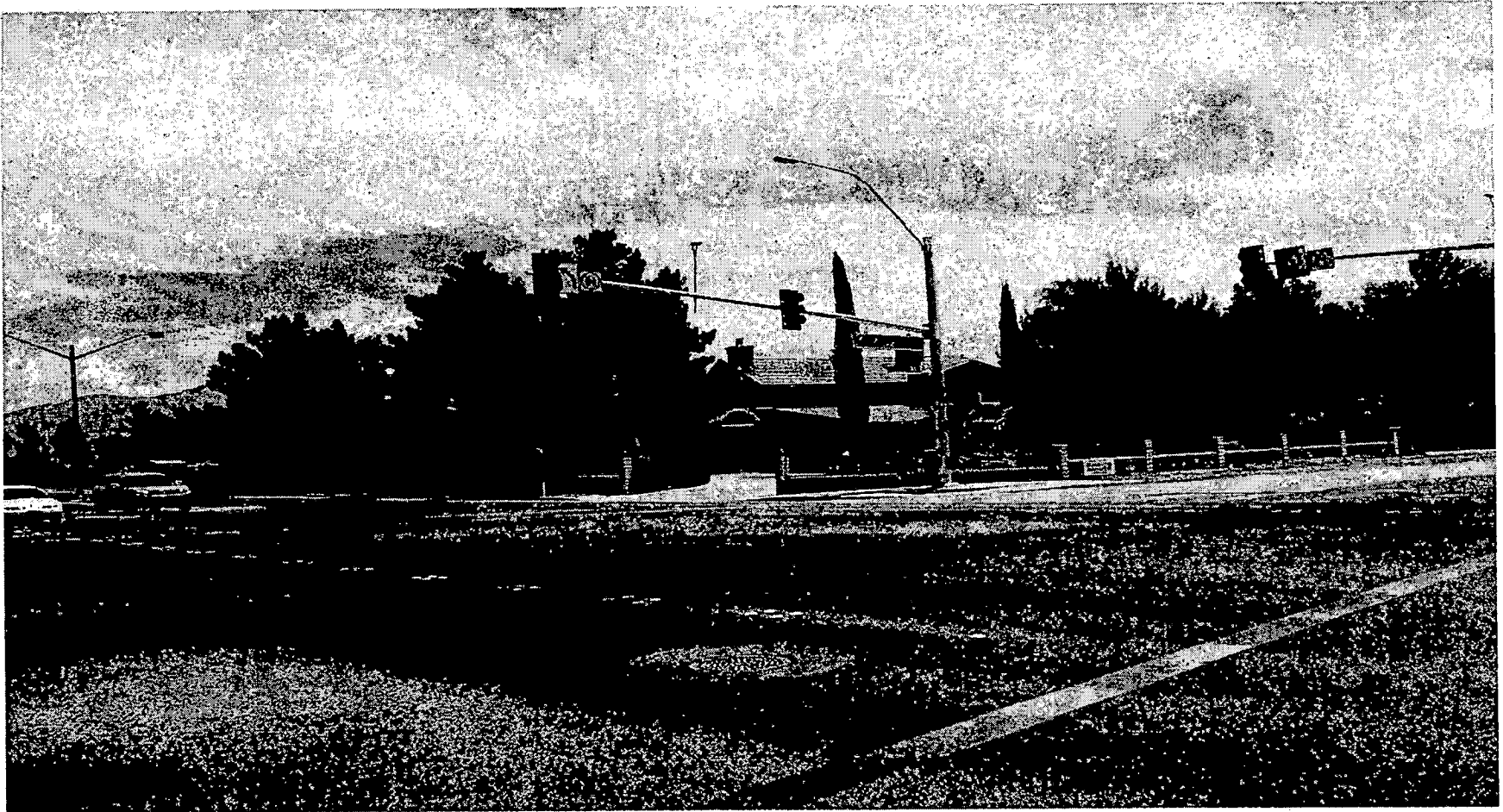
GPA-4631
ZON-4635
SDR-4638
8/26/04 PC

REVISED
2-25-14



SDR-4638 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04



SDR-4638 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

JEFF SPECIAL
KODI BEAR CONCEPTS INC.
DBA, THE RANCH HOUSE

6250 Rio Vista St
Las Vegas, NV 89130
Phone 702-645-1399
Fax 702-645-4009

July 12, 2004

Kyle Walton
Planning and Development Dept.
731 South 4th St.
Las Vegas, NV 89101

RE:
ZON4635
GPA4331
SDR4638

Dear Mr. Walton,

I am in support of the above mentioned applications regarding the property located at 7180 W. Azure Dr.
Las Vegas, NV 89130. There has been tremendous growth in this area and this land use would complement
the other types of growth well.

Sincerely,

Jeff Special

**READ INTO
THE RECORD**

17 July 04

RECEIVED
JUL 20 PM 4:49

Planning and Development Dept.
Current Planning Division
Development Services Center
731 S. Fourth St.
Las Vegas, NV 89101

Re: ZON-4635; GPA-4631; SDR-4638
Property located at 7180 W. Azure Drive 89130

Dear Sir or Madam:

I object to these actions. Mr. Brown and others have repeatedly told us, for the past many years, that there would be NO commercial ventures on the east side of Tenaya.

The amount of commercial enterprises being built around us is staggering. Enough is enough. We still have a neighborhood here with children playing in the streets and walking to school, people walking their dogs, and a sense of community. Once the door is opened to commercial expansion, this whole block will be negatively changed forever.

Please give serious consideration to disallowing these actions.

Sincerely,

Gwen Loucks
(Mrs.) Gwen Loucks
7165 W. Regena Avenue
Las Vegas, NV 89130

READ INTO
THE RECORD

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - MSP-4622 - MASTER SIGN PLAN - PUBLIC HEARING -
APPLICANT: AUTO NATION - OWNER: JRJ PROPERTIES AND JOHN K.
BIEGGER - Request for a Master Sign Plan FOR TWO EXISTING AUTO DEALERSHIPS
on 9.39 acres at 5050 West Sahara Avenue (APN: 163-01-803-003, 004 and 005), C-2 (General
Commercial) Zone, Ward 1 (Moncrief).

ABEYANCE TO THE NOVEMBER 4, 2004 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - Motion to bring forward and HOLD IN ABEYANCE Item 19 [MOD-4632],
Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004
Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission
meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11
[SDR-4555] - UNANIMOUS with NIGRO excused

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 - 6:09)

1-70

Carter & Burgess**FAX TRANSMITTAL**

PROJECT: AutoNation MSP-4622 PROJECT #: 240895

TO: Flinn Fagg FAX: (702) 385-7268 7265
City of Las Vegas Planning
Dept

FROM: Chris Armstrong DATE: 08/30/04

☐ C&B Telephone Number: 938-5592 C&B Fax Number: 938-5537

Total number of pages transmitted, including this page: 1

Remarks:

Request to hold in Abeyance for Item# MSP-4622 Master Sign Plan – AutoNation

Flinn,

☐ Per our earlier conversation.

On behalf AutoNation I would like to request an abeyance, held date specific to November 4th, 2004. The property owner is undergoing some property ownership issues during the re-development of the site with the proposed re-modeling of the Nissan dealership. We are also attempting to address some of staff's concerns with respect to the number and type of proposed signs. We appreciate your patience as we diligently work through this matter. Please contact me with any questions.

Sincerely,
CARTER & BURGESS

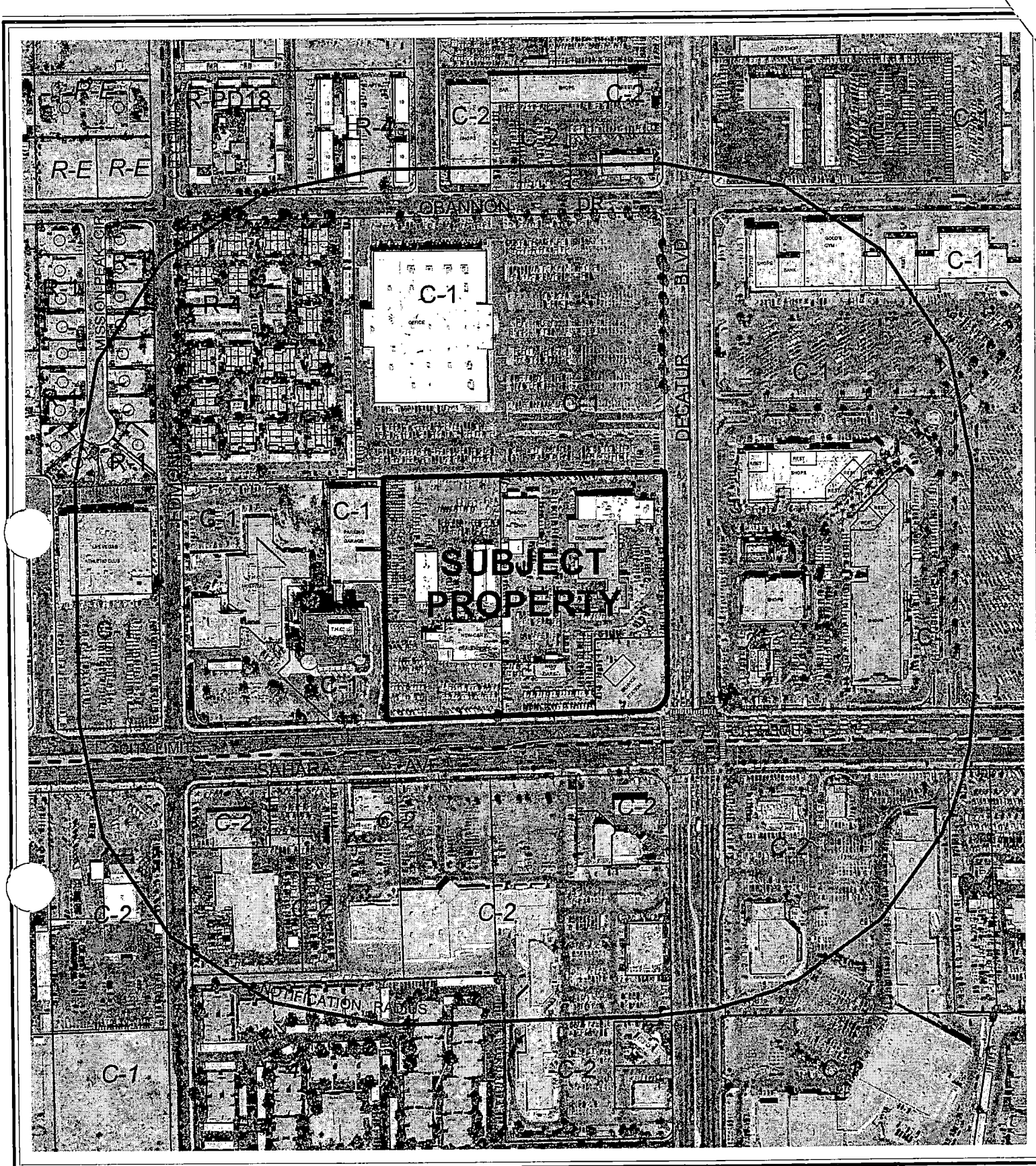
Chris Armstrong

Carter & Burgess, Inc.
6655 Bermuda Road, Las Vegas, NV 80119
Main Number: (702) 938-5400 Main Fax: (702) 938-5454



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





CASE: MSP-4622

RADIUS: 750 FT

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MSP-4622 - APPLICANT: AUTO NATION - OWNER: JRJ
PROPERTIES AND JOHN K. BIEGGER

***ON AUGUST 30, 2004 THE APPLICANT
REQUESTED THIS ITEM BE HELD IN ABEYANCE
TO THE NOVEMBER 4, 2004 PLANNING
COMMISSION MEETING.***



Name of Applicant: Auto Nation

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 3 day of NOV, 2023

Notary Public State Of Nevada
COUNTY OF CLARK
Notary Public in and for said County and State
My Appointment Expires
August 09, 2007

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-4622** APN: **163-01-801-003 & 004**

Name of Property Owner: J R J Properties

Name of Applicant: **Auto Nation**

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:

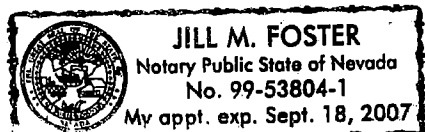
Print Name: **Bob McDonald**

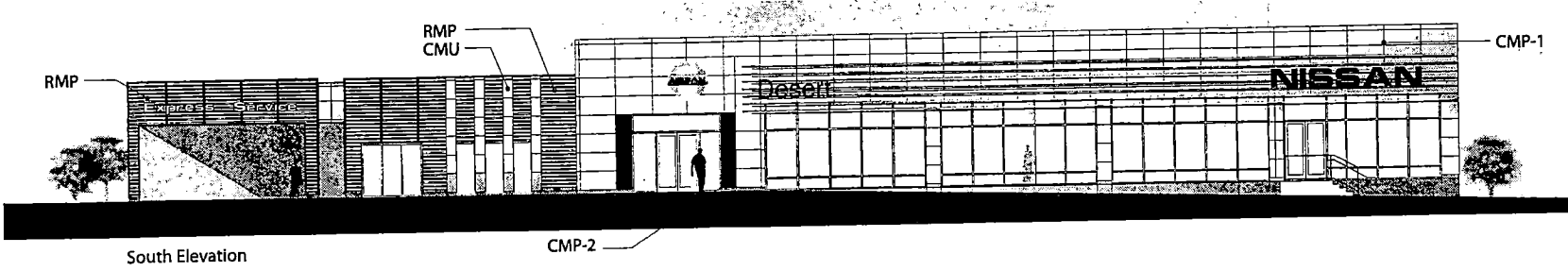
Subscribed and sworn before me

This 11th day of May, 20 04

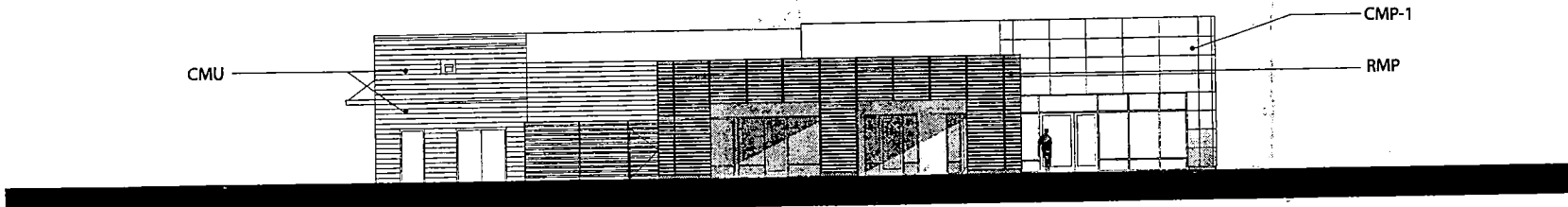
Gill M Foster

Notary Public in and for said County and State

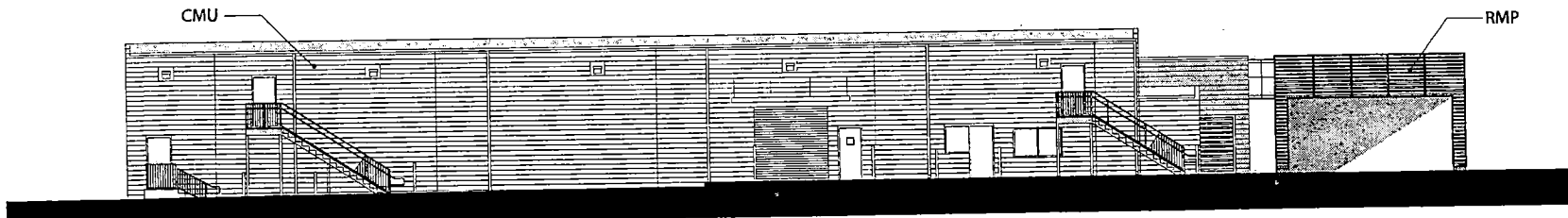




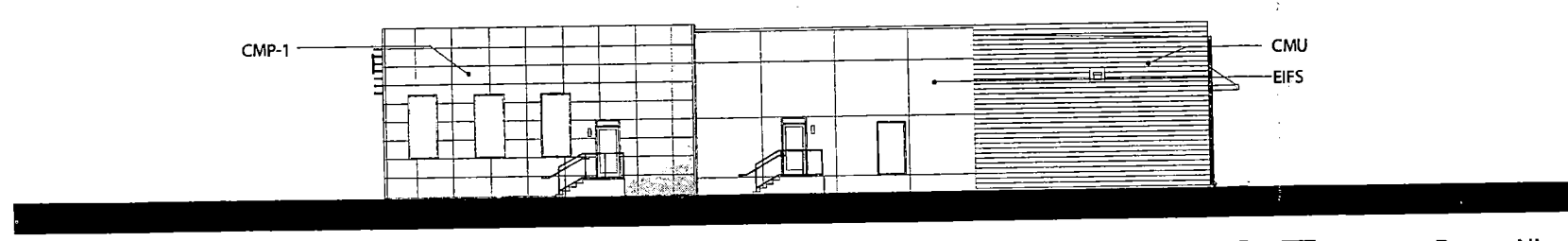
South Elevation



West Elevation



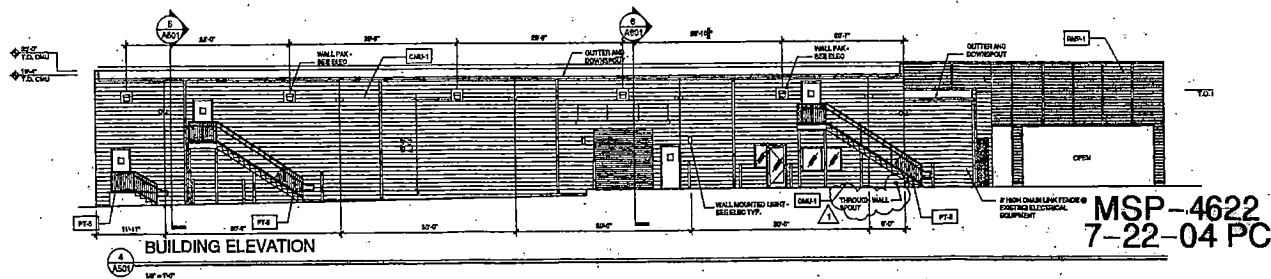
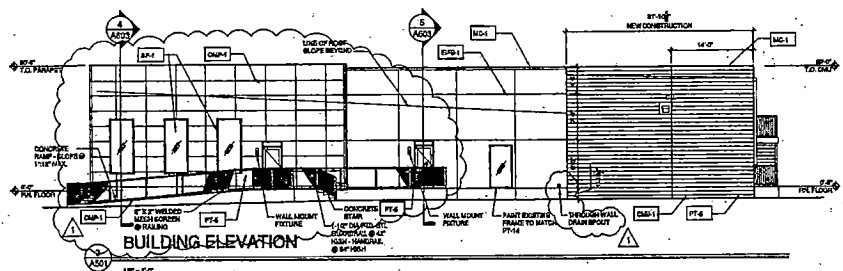
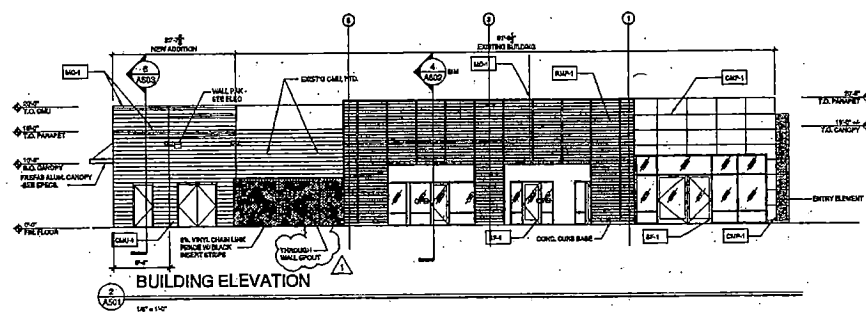
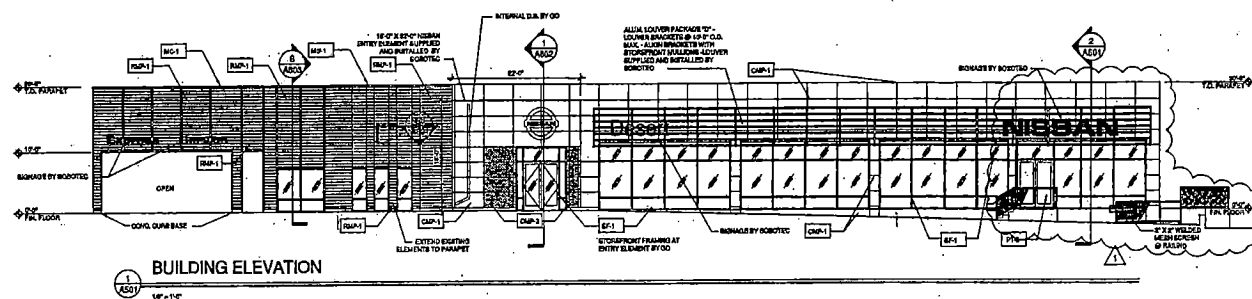
North Elevation



East Elevation



Desert Nissan MSP-462:
 Owner- AutoNation 7-22-04 F
 Architect- praxis



EXTERIOR FINISH SCHEDULE					
CODE	MATERIAL	MANUFACTURER	FINISH	COLOR	REMARKS
CM-1	COMPOSITE METAL PANELS	ALUMINUM OR EQUAL SEE SPEC	REYNOLDS BRIGHT ALUMINUM	BRIGHT SILVER METALLIC	SUBMIT SAMPLES FOR APPROVAL
CM-2	COMPOSITE METAL PANELS	ALUMINUM OR EQUAL SEE SPEC	RED TO MATCH MESAHI RED (PARTITION 102)	RED	SUBMIT SAMPLES FOR APPROVAL
MC-1	ALUMINUM CORNERS	SEE SPEC	SEE SPEC	COLOR TO MATCH ALUMINUM	SUBMIT SAMPLES FOR APPROVAL MATCH EPS-4, EPS-1
MM-1	ROBED METAL PANEL	GRITHA	3M 22 50 GAUGE	COLOR TO MATCH PT-14	
CM-4	SMOOTH FACED CMU			PART #7-8 1/2" X 8" X 16" (HALF DOLLAR)	NEW CMU CONSTRUCTION
EPS-4	EPS	ETO	ETOLUT	EPS-40 SILVER HALF DOLLAR	FEELS FINISH
PT-6	PAINT	BEHMAN MOORE	BASED ON SUBMITTAL	PT-60 SILVER HALF DOLLAR	EXTENDED CMU
PT-6	PAINT	BEHMAN MOORE	GLOSS	PT-60 SILVER HALF DOLLAR	EXTENSIVE METAL, DOORS, FRAMES ALUMINUM, STAINLESS, ETC.
PT-12	PAINT	BEHMAN MOORE	HIGH GLOSS	WHITE	STILES BOLLARDS
PT-16	PAINT	BEHMAN MOORE	SEE SPEC	BRIGHT SILVER METALLIC	EXTENDING TO CORNER TO MATCH CM-1
ESAL-1	SEALANT AT STOREFRONT TO EPSAL-1 CMU	DOWN CORNERS 785	SEE SPEC	GRAY	SUBMIT SAMPLES FOR APPROVAL
ES-1	ALUMINUM STOREFRONT	SEE SPEC	SEE SPEC	CLEAR ANODIZED	SEE FRAME ELEVATIONS
GL-1	GLAZING	AFRO GLASS	8 mm COMFORT E240 (30)	CLEAR	SEE FRAME ELEVATIONS

SIGN LEGEND			
CH	DESCRIPTION	COMMENTS	DEPTH
CH1	"GULFPORT" Channel Name Incised channel feature. The flanking is capped and using white L.E.D.s. The letter faces are white (unpainted) surfaces. The letter stems and profile fins are made painted black. The letter faces are aluminum. The L to upper and lower corners - Aluminized details (shower) (shower). Incised channel letters are (except on painted) letter height 80" D 1/2". Attach letters to wooden base (except on exposed). Fasten exposed backside (except on a structure). Also remove of Dealer Name letters to bottom of Heavy Mounting (except on the Heavy Channel).		26 inch
CH2	"GULFPORT" Channel Name Incised channel feature. The flanking is capped and using white L.E.D.s. The letter faces are white and apply to each PAFINCO 200. The L to 2/2 deep letter stems and profile fins are made painted black. The letter faces are aluminum. The L to upper and lower corners - Aluminized details (shower) (shower). Incised channel letters are (except on painted) letter height 80" D 1/2". Attach letters to wooden base (except on exposed). Fasten exposed backside (except on a structure). Also remove of Dealer Name letters to bottom of Heavy Mounting (except on the Heavy Channel).		40 inch
CH3	"GULFPORT" Channel Name Incised channel feature. The flanking is capped and using white L.E.D.s. The letter faces are white and apply to each PAFINCO 200. The L to 2/2 deep letter stems and profile fins are made painted black. The letter faces are aluminum. The L to upper and lower corners - Aluminized details (shower) (shower). Incised channel letters are (except on painted) letter height 80" D 1/2". Attach letters to wooden base (except on exposed). Fasten exposed backside (except on a structure). Also remove of Dealer Name letters to bottom of Heavy Mounting (except on the Heavy Channel).		10 inch
CH4	"GULFPORT" Channel Name Incised channel feature. The flanking is capped and using white L.E.D.s. The letter faces are white and apply to each PAFINCO 200. The L to 2/2 deep letter stems and profile fins are made painted black. The letter faces are aluminum. The L to upper and lower corners - Aluminized details (shower) (shower). Incised channel letters are (except on painted) letter height 80" D 1/2". Attach letters to wooden base (except on exposed). Fasten exposed backside (except on a structure). Also remove of Dealer Name letters to bottom of Heavy Mounting (except on the Heavy Channel).		27 inch
CH5	"GULFPORT" Channel Name Incised channel feature. The flanking is capped and using white L.E.D.s. The letter faces are white and apply to each PAFINCO 200. The L to 2/2 deep letter stems and profile fins are made painted black. The letter faces are aluminum. The L to upper and lower corners - Aluminized details (shower) (shower). Incised channel letters are (except on painted) letter height 80" D 1/2". Attach letters to wooden base (except on exposed). Fasten exposed backside (except on a structure). Also remove of Dealer Name letters to bottom of Heavy Mounting (except on the Heavy Channel).		100 inch
TOTAL DEPT			

yelos
san-martin
architect

1776 Peachtree St. NE
Suite 520 South
Atlanta, GA 30309
404-875-4300 tel
404-876-8884 fax
www.paxi3.com

[illegible]

Project:

Desert Nissan

8050 W. Sahara Avenue
Las Vegas, Nevada 89146

Date: 12/1/03
Project No: 0313
Drawn By: bpd/a
Checked By: MS
Checked By: TH/CJ
Sheet Title:

Sheet Title:
Building Elevations

Sheet Number:

MSP-4622
7-22-04 PC



MSP-4622 - APPLICANT: AUTO NATION - OWNER: JRJ PROPERTIES AND JOHN K. BIEGGER
5050 WEST SAHARA AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/2/04



MSP-4622 - APPLICANT: AUTO NATION - OWNER: JRJ PROPERTIES AND JOHN K. BIEGGER
5050 WEST SAHARA AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/2/04



MSP-4622 - APPLICANT: AUTO NATION - OWNER: JRJ PROPERTIES AND JOHN K. BIEGGER
5050 WEST SAHARA AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE - MOD-4632 - MAJOR MODIFICATION - PUBLIC HEARING -
APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC -
Request for a Major Modification to the Lone Mountain Master Development Plan FROM: VC
(VILLAGE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED RESIDENTIAL) on 3.7
acres adjacent to the southwest corner of Buckskin Avenue and Shady Timber Street (a portion
of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD
(Planned Community Development) General Plan Designation] under Resolution of Intent to PD
(Planned Development), Ward 4 (Brown).**

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

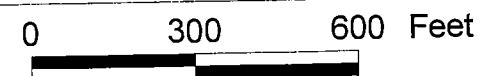
**GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 19 [MOD-4632],
Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004
Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission
meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11
[SDR-4555] – UNANIMOUS with NIGRO excused**

MINUTES:

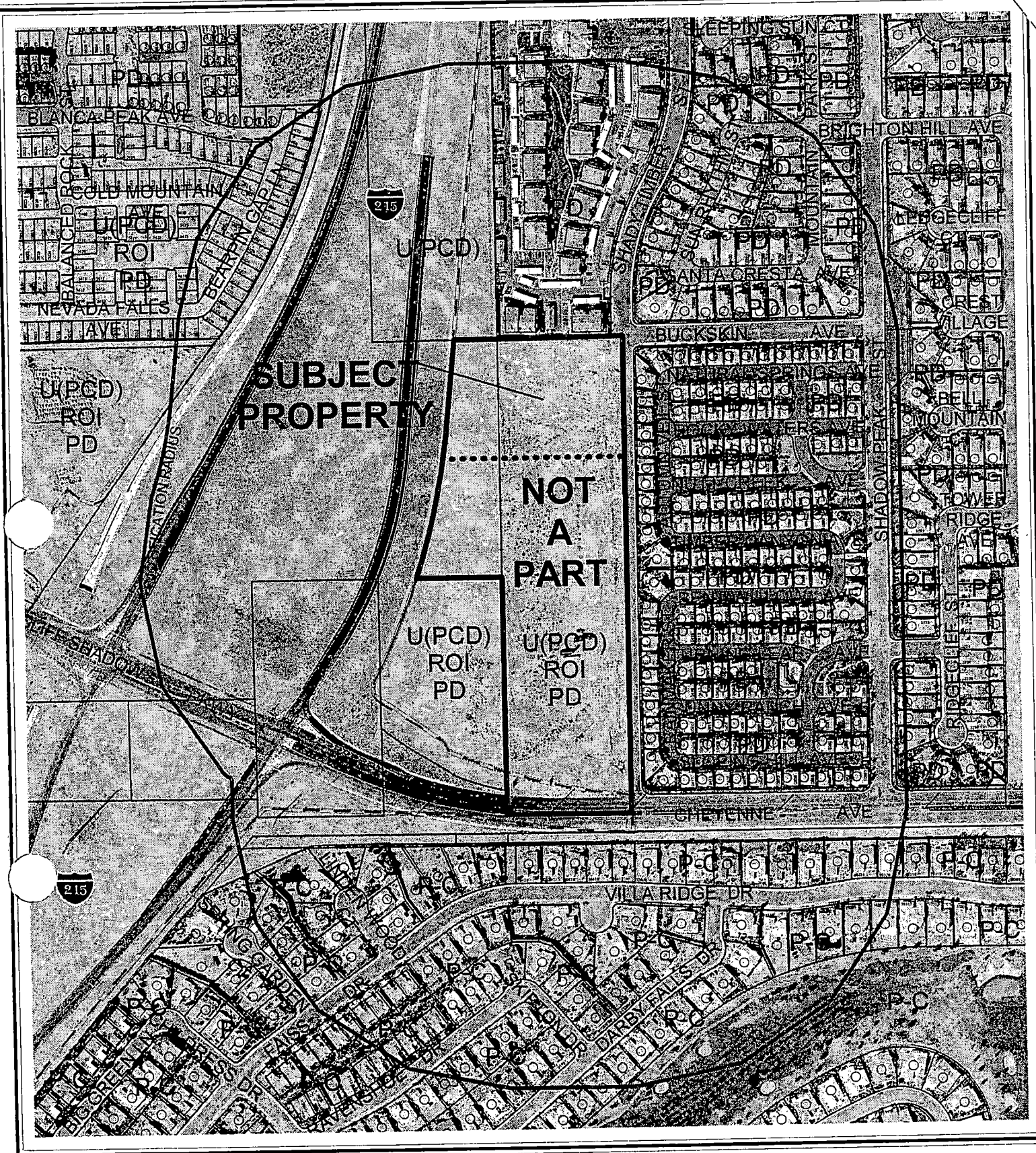
DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 – 6:09)

1-70



ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [VILLAGE COMMERCIAL LONE MOUNTAIN WEST SPECIAL LAND USE DESIGNATION - PROPOSED: MEDIUM-LOW ATTACHED RESIDENTIAL]



CASE: MOD-4632

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) [VILLAGE COMMERCIAL LONE MOUNTAIN WEST SPECIAL LAND USE DESIGNATION - PROPOSED: MEDIUM-LOW ATTACHED RESIDENTIAL]



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - MOD-4632 -

APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of a Waiver (WVR-4754) of Title 18 intersection separation requirements and a Site Development Plan Review (SDR-4751) by the City Council.
2. Conformance to the Lone Mountain Master Development Plan, except as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Major Modification to the Lone Mountain Master Plan from VC (Village Commercial) to MLA (Medium-Low Attached Residential) on 3.7 acres adjacent to the southwest corner of Buckskin Avenue and Shady Timber Street. Submitted in conjunction with this request are applications for a Waiver (WVR-4754) and a Site Development Plan Review (SDR-4751).

B) Applicant's Justification

The applicant has submitted a letter of justification for this modification, making several statements to justify the subject request. These statements are as follows:

"We feel the proposed single-family development will be more compatible with the surrounding community. We believe that the need for single-family homes in this area of Lone Mountain is far greater than the need for additional commercial developments and will act as a good transitional land use buffer to the proposed Village Commercial to the south...We believe that the burdens imposed by the current zoning classification of Village Commercial on the surrounding neighborhood are far greater than those imposed by amending the plan to Medium-Low Attached (MLA) for a residential development...The request for a (Modification) from PD/VC to PD/MLA, does in theory, continue to promote the (Lone Mountain) Plan objectives for this area. We believe that the MLA designation at this location will be a good transition between the existing land uses and the proposed Village Commercial on the remaining portion of this parcel adjacent to this site."

BACKGROUND INFORMATION

A) Actions

- 09/07/94 The City Council approved a request to annex (A-0006-94) approximately 203 acres of land to the city, including the subject parcel. The Planning Commission recommended approval of this request on June 9, 1994. The effective date of this annexation was September 16, 1994.
- 06/23/97 The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic), N-U (Non-Urban) and N-U (Non-Urban) under Resolution of Intent to R-CL (Single Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units Per Acre). The Planning Commission and staff recommended approval of this request on June 12, 1997.

MOD-4632 - Staff Report Page Two
September 9, 2004 - Planning Commission Meeting

- 03/17/04 The City Council approved a Site Development Plan Review (SDR-3651) and a Waiver of the foundation-landscaping buffer for a proposed 87,790 square-foot retail center. The Planning Commission and staff recommended approval of these requests on February 12, 2004.
- 03/17/04 The City Council approved a Special Use Permit (SUP-3653) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store. The Planning Commission and staff recommended approval of this request on February 12, 2004.
- 04/07/04 The City Council approved an application for a Major Modification (MOD-3758) to the Lone Mountain Master Development Plan, to add "Mini-Warehouse Facility" to the VC (Village Commercial) special land use designation. The Planning Commission and staff recommended approval of this request on March 11, 2004.
- 04/07/04 The City Council approved an application for a Special Use Permit (SUP-4009) for a Mini-Warehouse Facility. The Planning Commission and staff recommended approval of this request on March 11, 2004.
- 04/07/04 The City Council approved an application for a Site Development Plan Review (SDR-3759) for a 97,750 square-foot Mini-Warehouse Facility. The Planning Commission and staff recommended approval on March 11, 2004.
- 08/12/04 The Planning Commission held this item in abeyance to the 08/26/04 Planning Commission Meeting to address design concerns.
- 08/26/04 The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission Meeting to further address design concerns.
- 09/09/04 The Planning Commission is scheduled to review accompanying applications for a Waiver (WVR-4754) and a Site Development Plan Review (SDR-4751).

B) Pre-Application Meeting

- 07/22/04 The staff met with the prospective applicant to review the proposed development of the subject site. It was indicated that a Major Modification would be required to alter the Lone Mountain Master Plan.

C) Neighborhood Meetings

No neighborhood meeting was required nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 3.7

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-Family Residential
South: Undeveloped
East: Single-Family Residential
West: I-215 Beltway

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development – Village Commercial)
North: PCD (Planned Community Development – Medium Density Residential)
South: PCD (Planned Community Development – Village Commercial)
East: PCD (Planned Community Development – Medium Low Attached Density Residential)
West: I-215 Beltway

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone, under Resolution of Intent to PD (Planned Development)
North: U (Undeveloped) Zone and PD (Planned Development)
South: U (Undeveloped) Zone under Resolution of Intent to PD (Planned Development)
East: PD (Planned Development)
West: I-215 Beltway

E) *General Plan Compliance*

This property is designated as PCD (Planned Community Development) in the Centennial Hills Sector Plan of the General Plan. The subject site is included within the proposed Lone Mountain Master Plan area and is designated Village Commercial. The subject request is to change the Village Commercial land use classification of the Lone Mountain Master Plan to MLA (Medium-Low Attached Residential). Both of these land use designations of the Lone Mountain Master Plan are permitted within the PCD (Planned Community Development) in the Centennial Hills Sector Plan of the General Plan.

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

The subject property is located within the Lone Mountain Master Plan area.

ANALYSIS

A) Zoning Code Compliance

The applicant proposes to develop a 44-lot single-family attached residential development on the subject 3.7-acre site. The subject request to change the Village Commercial land use classification of the Lone Mountain Master Plan to MLA (Medium-Low Attached Residential) would be required to permit the development.

B) General Analysis and Discussion

The Lone Mountain Master Plan is a carefully conceived plan with varying types of land uses for a balanced community. Of these land uses, 59.9 acres of the 754.5-acre area are to be set aside for retail, personal service, professional service and business service commercial uses that provide for an immediate benefit to the residents in a projected 3,348 residential units at total build out. The subject request is to convert 3.7 acres of the commercial area to a single-family residential development. The closest commercial uses to the Lone Mountain area are several miles away and not convenient to providing for the daily needs of the residents that a neighborhood commercial area provides.

The subject tract was previously set aside as an area for mini-warehouses, which is a good use of the property in providing a personal service to the residents of the Lone Mountain area. It also is a good use as a transition from the commercial development (Wal-Mart) proposed south of the property to residential development to the north and east. Conversely, single-family residential development is not a transitional use, as it is precisely the type of use that needs to be protected from commercial development. For these reasons, it is recommended that the subject request for a Major Modification be denied.

MOD-4632 - Staff Report Page Five
September 9, 2004 - Planning Commission Meeting

NOTICES MAILED 335 [Mailed with WVR-4754 & SDR-4751] 08/26/04 PC

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: SHADOW HILLS PLAZA LLC

Name of Applicant: ROYAL CONSTRUCTION

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: _____

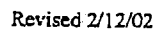
Signature of Property Owner/Authorized Agent:

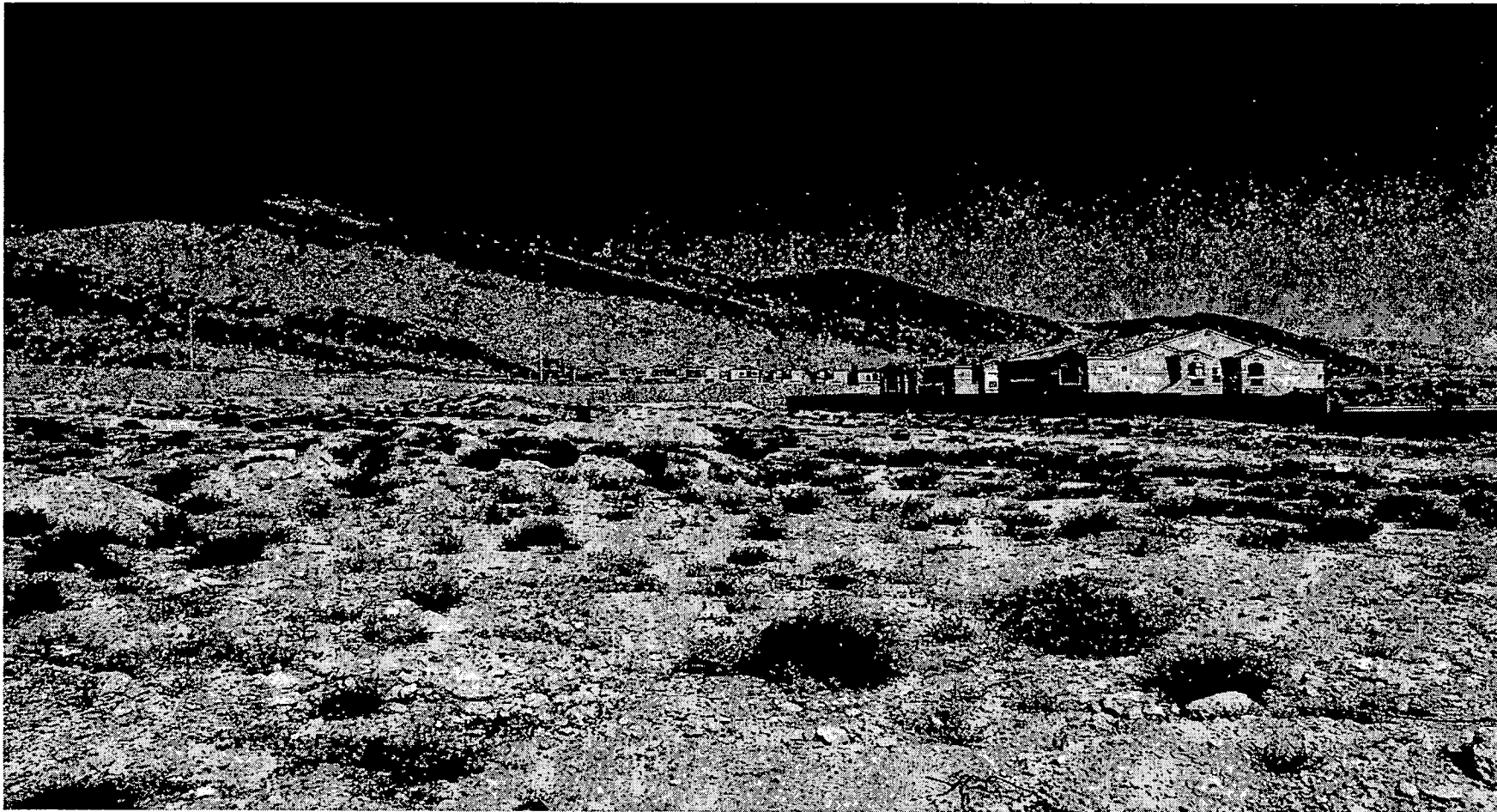
Print Name: Philip H. Davis

Subscribed and sworn before me

This 25th day of June, 2004

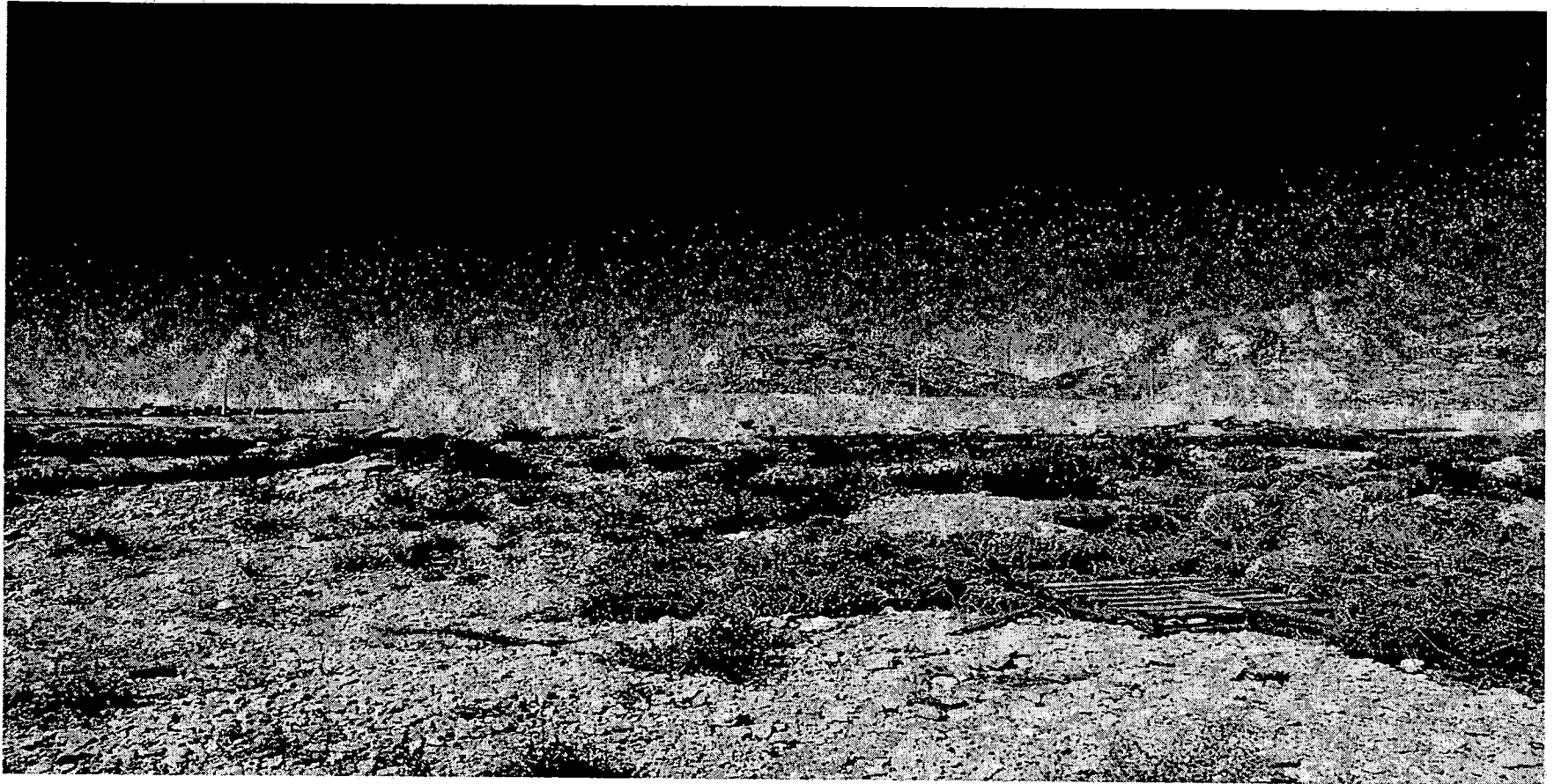
Notary Public in and for said County and State





MOD-4632 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



MOD-4632 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - WVR-4754 - WAIVER RELATED TO MOD-4632 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC - Request for Waivers of TITLE 18.12.160 TO ALLOW A 210-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more AND OF 18.12.130 TO ALLOW A PRIVATE DRIVE GREATER THAN 150 FEET WITHOUT A CIRCULAR TURN-AROUND OR EMERGENCY SERVICE VEHICLE ACCESS GATE, in conjunction with a proposed 44-lot single-family attached residential development on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (a portion of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 4 (Brown).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 19 [MOD-4632], Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004 Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11 [SDR-4555] – UNANIMOUS with NIGRO excused

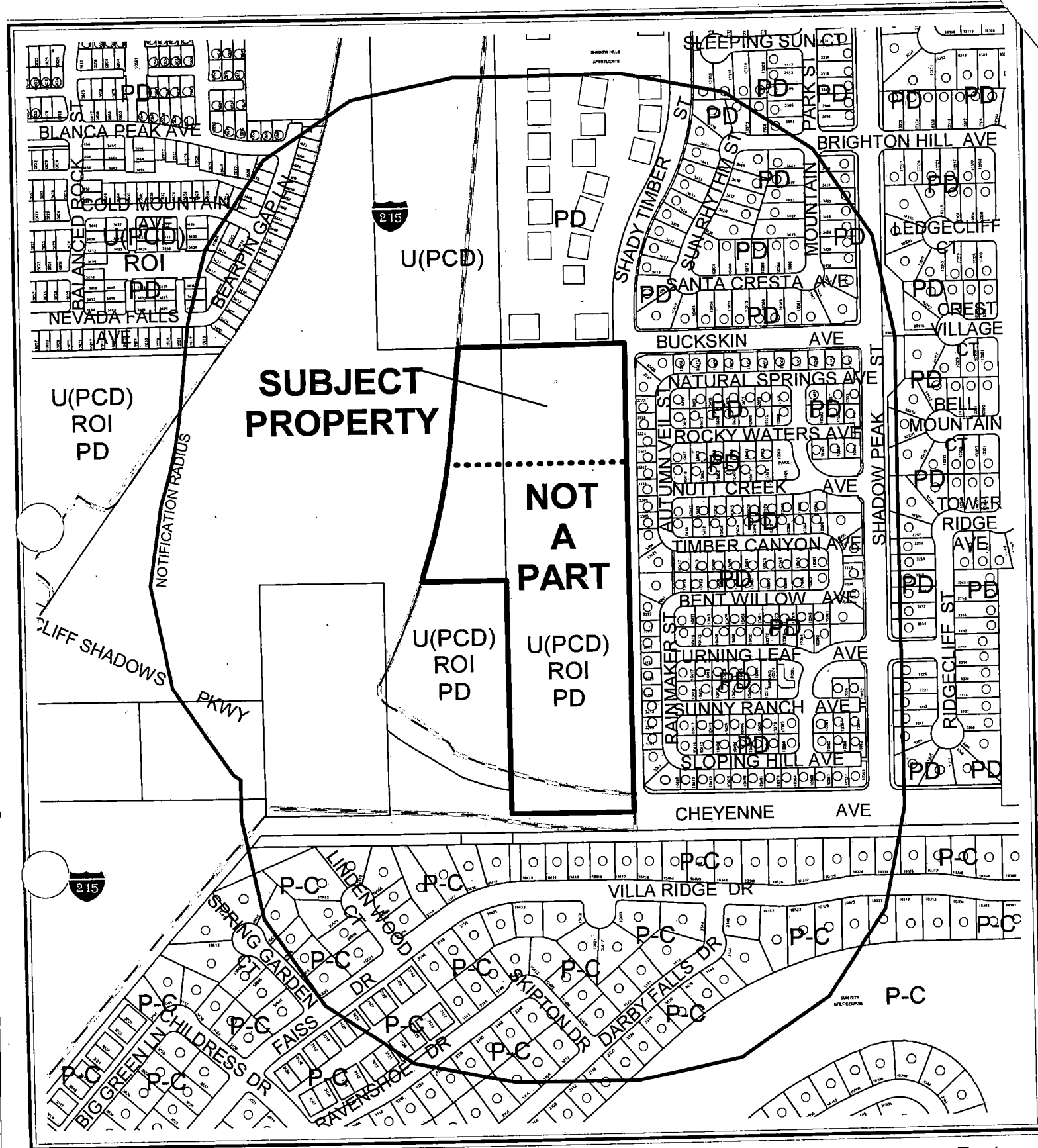
PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 20 – WVR-4754

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 – 6:09)

1-70



CASE: WVR-4754

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) [VILLAGE COMMERCIAL LONE MOUNTAIN WEST SPECIAL LAND USE DESIGNATION - PROPOSED: MEDIUM-LOW ATTACHED RESIDENTIAL]

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-4754 - APPLICANT: ROYAL CONSTRUCTION -

OWNER: SHADOW HILLS PLAZA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to the following:

Planning and Development

1. Approval of a Major Modification (MOD-4632) of the Lone Mountain Master Plan to MLA (Medium-Low Attached Residential) and a Site Development Plan Review (SDR-4751) by the City Council.
2. A fire suppression system be provided to those units located adjacent to Shady Timber Street.
3. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.
4. Comply with all applicable conditions of approval for SDR-4751 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Request for a Waiver to Title 18.12.160 to allow a 210-foot separation between intersections where a minimum of 220 feet is required and for a Waiver to Title 18.12.130 to allow a private drive greater than 150 feet in length without a circular turn-around or emergency service vehicle access gate for a proposed single-family attached residential development on property adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue.

B) Applicant's Justification

The applicant has justified this request by indicating that the Waivers would allow for the efficient planning of the site and be a project that is more visually appealing.

BACKGROUND INFORMATION

A) Actions

09/07/94	The City Council approved a request to annex (A-0006-94) approximately 203 acres of land to the city, including the subject parcel. The Planning Commission recommended approval of this request on June 9, 1994. The effective date of this annexation was September 16, 1994.
06/23/97	The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic) and N-U (Non-Urban) under Resolution of Intent to R-CL (Single Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units Per Acre). The Planning Commission and staff recommended approval of this request on June 12, 1997.
03/17/04	The City Council approved a Site Development Plan Review (SDR-3651) and a Waiver of the foundation-landscaping buffer for a proposed 87,790 square-foot retail center. The Planning Commission and staff recommended approval of these requests on February 12, 2004.

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September 9, 2004 - Planning Commission Meeting

- 03/17/04 The City Council approved a Special Use Permit (SUP-3653) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store. The Planning Commission and staff recommended approval of this request on February 12, 2004.
- 04/07/04 The City Council approved an application for a Major Modification (MOD-3758) to the Lone Mountain Master Development Plan, to add "Mini-Warehouse Facility" to the VC (Village Commercial) special land use designation. The Planning Commission and staff recommended approval of this request on March 11, 2004.
- 04/07/04 The City Council approved an application for a Special Use Permit (SUP-4009) for a Mini-Warehouse Facility. The Planning Commission and staff recommended approval of this request on March 11, 2004.
- 04/07/04 The City Council approved an application for a Site Development Plan Review (SDR-3759) for a 97,750 square-foot Mini-Warehouse Facility. The Planning Commission and staff recommended approval on March 11, 2004.
- 08/12/04 The Planning Commission held this item in abeyance to the 08/26/04 Planning Commission Meeting to address design concerns.
- 08/26/04 The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission Meeting to address design concerns.
- 09/09/04 The Planning Commission is scheduled to review accompanying applications for a Major Modification (MOD-4632) to the Lone Mountain Master Plan and a Site Development Plan Review (SDR-4751).

B) Pre-Application Meeting

- 06/18/04 The staff and applicant discussed the details of a proposed development of the subject site. The staff indicated that a Waiver would be required in Title 18.12.160 to allow a 210-foot separation between intersections where a minimum of 220 feet is required. (At the pre-application conference, the length of the cul-de-sac was not an issue.)

C) Neighborhood Meetings

No neighborhood meeting was required or held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.7

B) Existing Land Use

Subject Property: Undeveloped
North: Multi-Family Residential
South: Undeveloped
East: Single-Family Residential
West: I-215 Beltway

C) Planned Land Use

Subject Property: PCD (Planned Community Development – Village Commercial)
North: PCD (Planned Community Development – Medium Density Residential)
South: PCD (Planned Community Development – Village Commercial)
East: PCD (Planned Community Development – Medium Low Attached Density Residential)
West: I-215 Beltway

D) Existing Zoning

Subject Property: U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
North: U (Undeveloped) Zone and PD (Planned Development)
South: U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
East: PD (Planned Development)
West: I-215 Beltway

PROJECT DESCRIPTION

The subject 3.7-acre site is located adjacent to Shady Timber Street, a 60-foot wide local street. A site plan that accompanies this request indicates the subdivision will consist of 44 single-family lots off a cul-de-sac that connects to Shady Timber Street.

ANALYSIS

A) Zoning Code Compliance

The applicant seeks two Waivers; the first is to waive the requirement of Title 18.12.160, which prescribes the minimum distance between intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement states:

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September 9, 2004 - Planning Commission Meeting

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

The applicant suggests that the proposed design of a 210-foot separation will still allow adequate stacking and turning movements between the cul-de-sac entrance of the development and the Shady Timber Street / Buckskin Avenue intersection. The applicant also indicates that reconfiguration of these access points is not possible without substantially compromising the concept and design of the project.

The second request is for a Waiver in Title 18.12.130, which requires that private drives greater than 150 feet in length be provided with a circular turn-around or emergency service vehicle access gate.

The applicant states that for visual purposes, the dwelling units along Shady Timber Street would consist of three buildings with two units in each building in lieu of one building with four units and one building with two units. This results in the private drive accessing the units to be 167 feet long or 17 feet longer than permitted to avoid installing a turnaround or emergency access gate. In lieu of the required turnaround or emergency access gate, the applicant is agreeable to providing a fire suppression system (sprinkler system) to each unit.

FINDINGS

As to the Waiver in the spacing requirement between street intersections, the proposed design does not appear to present turingn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. As to the Waiver of the provision of a turnaround or emergency access gate to a cul-de-sac longer than 150 feet, a fire suppression system to each unit would ameliorate this need.

However, a single-family attached development of the subject property is not recommended. Therefore, it is recommended that the subject request and accompanying requests for a Major Modification (MOD-4632) and a Site Development Plan Review (SDR-4751) to allow the subject development be denied.

NOTICES MAILED 335 [Mailed with MOD-4632 & SDR-4751] 08/26/04 PC

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-4754** APN: 137-12-401-022
137-12-801-001

Name of Property Owner: SHADOW HILLS PLAZA LLC

Name of Applicant: ROYAL CONSTRUCTION

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: _____

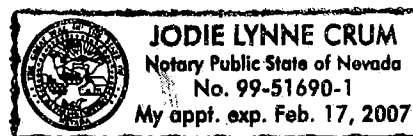
Signature of Property Owner/Authorized Agent: _____

Print Name: Philip H. Davis

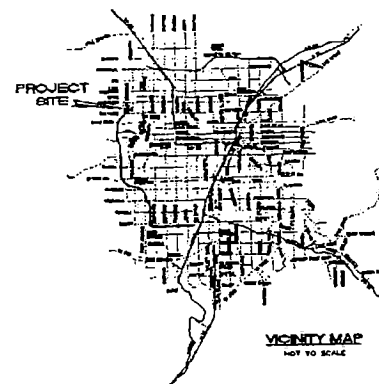
Subscribed and sworn before me

This 25th day of June, 2004

Notary Public in and for said County and State



SPINNAKER VILLAGE III



APN: 137-12-301-018
ZONE: (PND)
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: USA

APN: 137-12-701-011
ZONE: PD
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: AQUA INVESTORS FUND LP

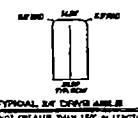
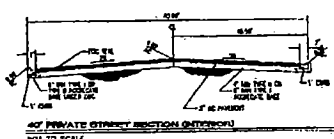
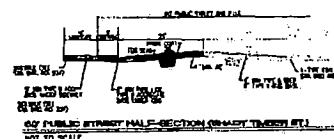
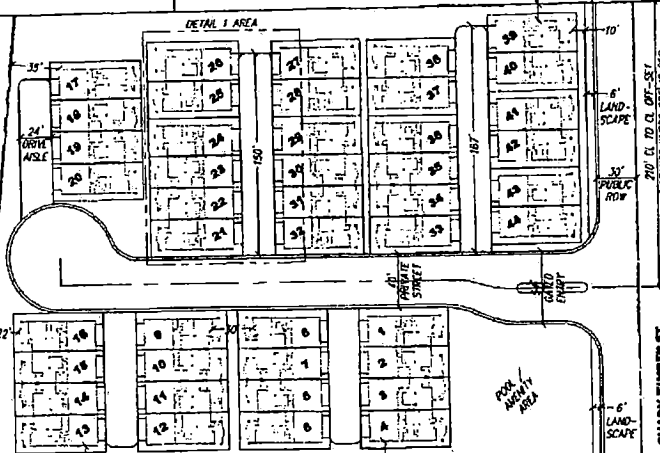
APN: 137-12-714
ZONE: PD
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: CHEYENNE - HAWAIIAN - UNIT 5

APN: 137-12-810
ZONE: PD
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: OCEANIC HAWAIIAN - UNIT 1

APN: 137-12-401-022
ZONE: PD
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: SHADOW HILLS PLAZA LLC

APN: 137-12-801-001
ZONE: PD
MASTER PLANNED: PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: SHADOW HILLS PLAZA LLC

CLARK COUNTY 215



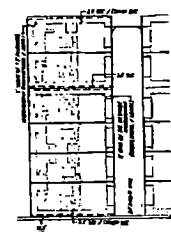
DEVELOPER
ROYAL CONSTRUCTION
4711 S. DRYDEN AVE.
SUITE 100
LAS VEGAS, NEVADA
(702) 873-7773

OWNER
SHADOW HILLS PLAZA LLC
SUITE 5, SHADOW HILLS
SUITE 200
LAS VEGAS, NEVADA 89146

ASSESSOR'S PARCEL NUMBER
FOR OF 137-12-801-001 &
FOR OF 137-12-401-022

OVERALL TABULATIONS
EXISTING ZONE: M-22
EXISTING LAND USE: M-22
PROPOSED LAND USE: M-22
PROPOSED ZONE: M-22
TOTAL ACRES: 1.17
TOTAL ACRES: 1.17
TOTAL ACRES: 1.17

OPEN SPACE REQUIRED - 0.72 ACRES (24,376 SF)
OPEN SPACE PROVIDED - 0.72 ACRES (24,376 SF)



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

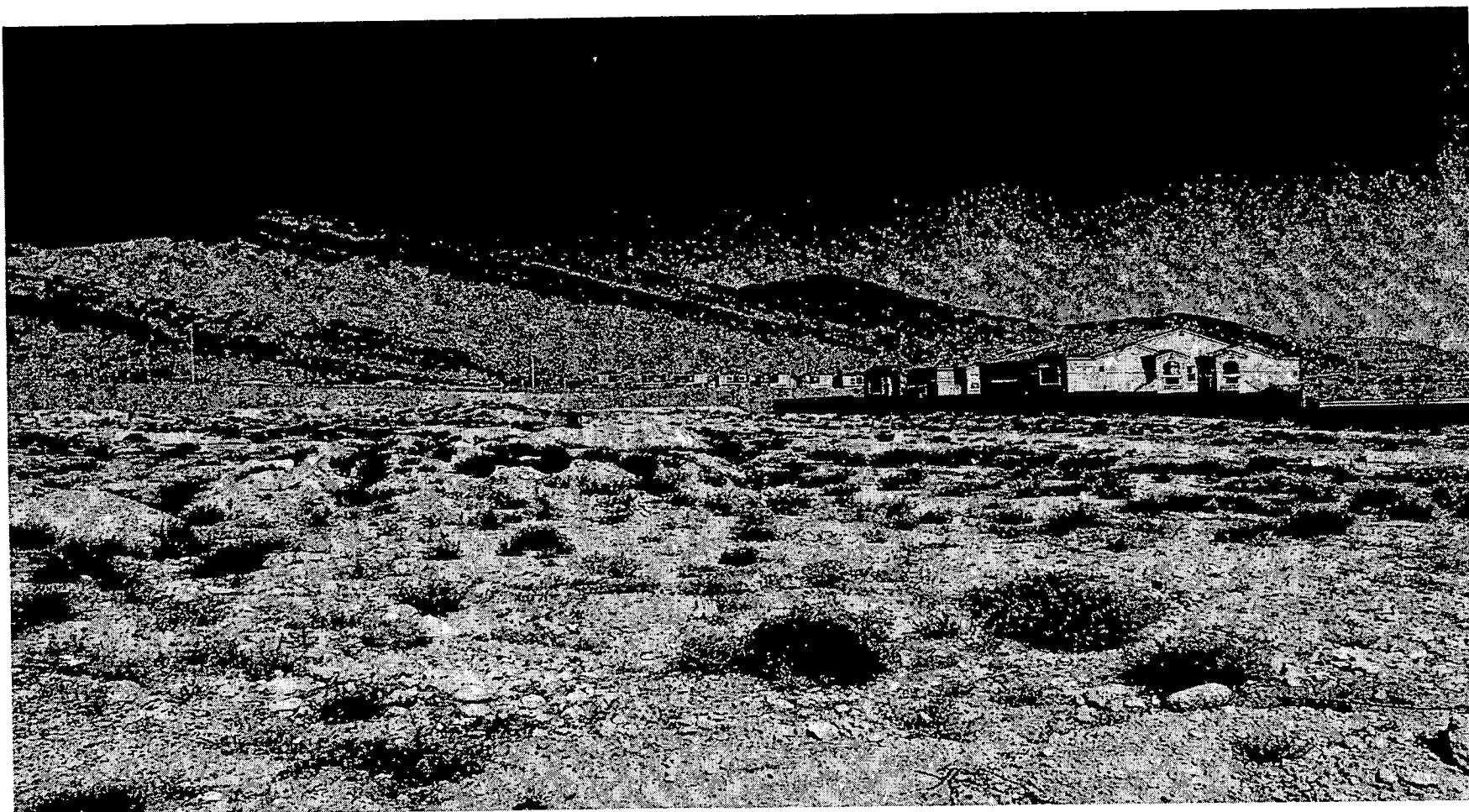
ROYAL CONSTRUCTION
4711 S. DRYDEN AVE.
SUITE 100
LAS VEGAS, NEVADA
(702) 873-7773

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
1725 MARLBOROUGH AVE. SUITE 200
LAS VEGAS, NEVADA 89102
(702) 735-1177

SITE PLAN TO ACCOMPANY
SITE DEVELOPMENT REVIEW / TITLE IS WANNER
SPINNAKER VILLAGE III
CITY OF LAS VEGAS, NEVADA

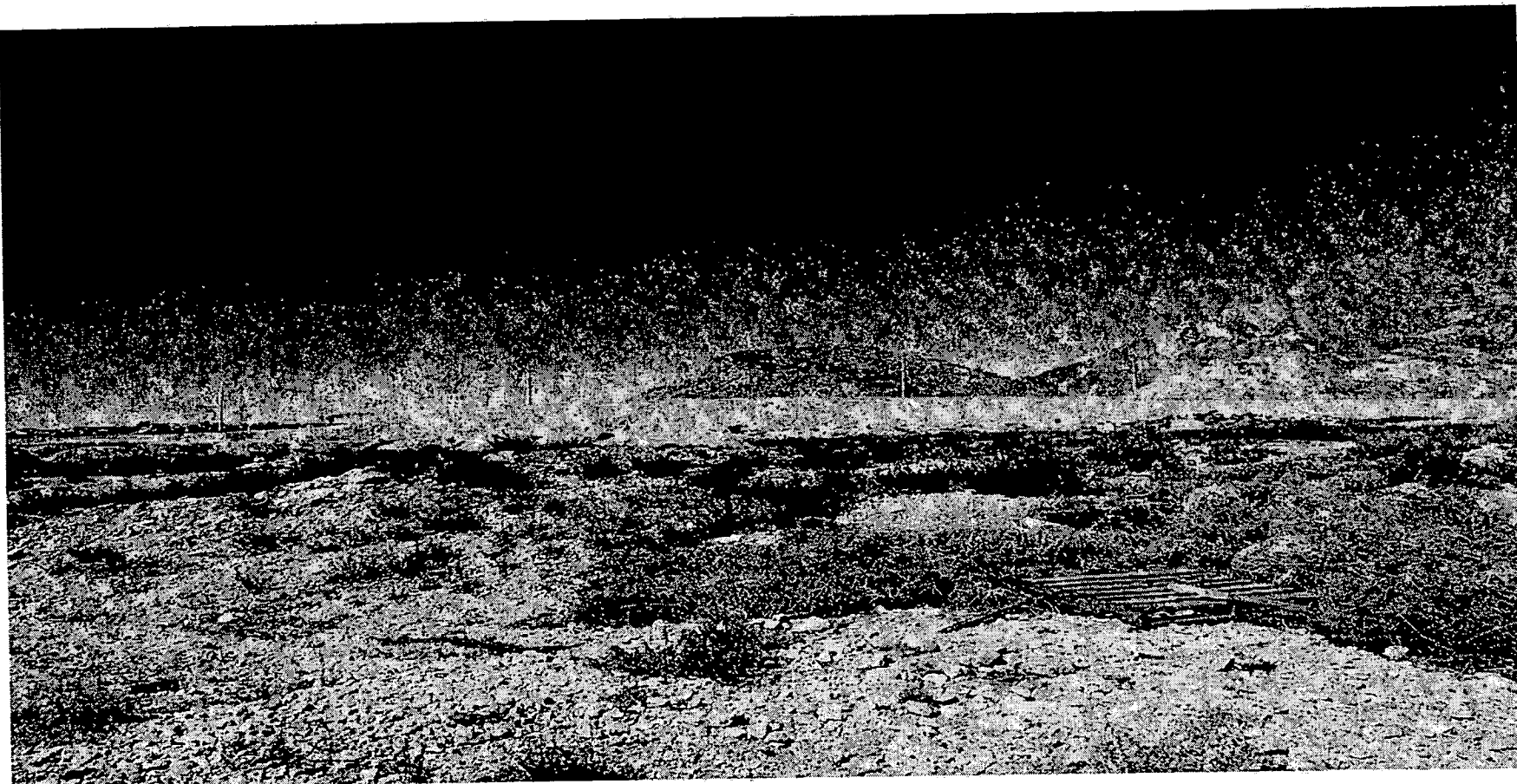
DATE MAY 21, 2004
DRAWN BY A. W. W.
DESIGNED BY A. W. W.
CHECKED BY A. W. W.
SCALE 1" = 100'
PROJECT NO. RC-0005
ENGINEERING SEAL

WVR-4754
SDR-4751
09-09-04 PC
REVISED 08-18-04



WVR-4754 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



WVR-4754 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - SDR-4751 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4632 AND WVR-4754 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 44-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (a portion of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 4 (Brown).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

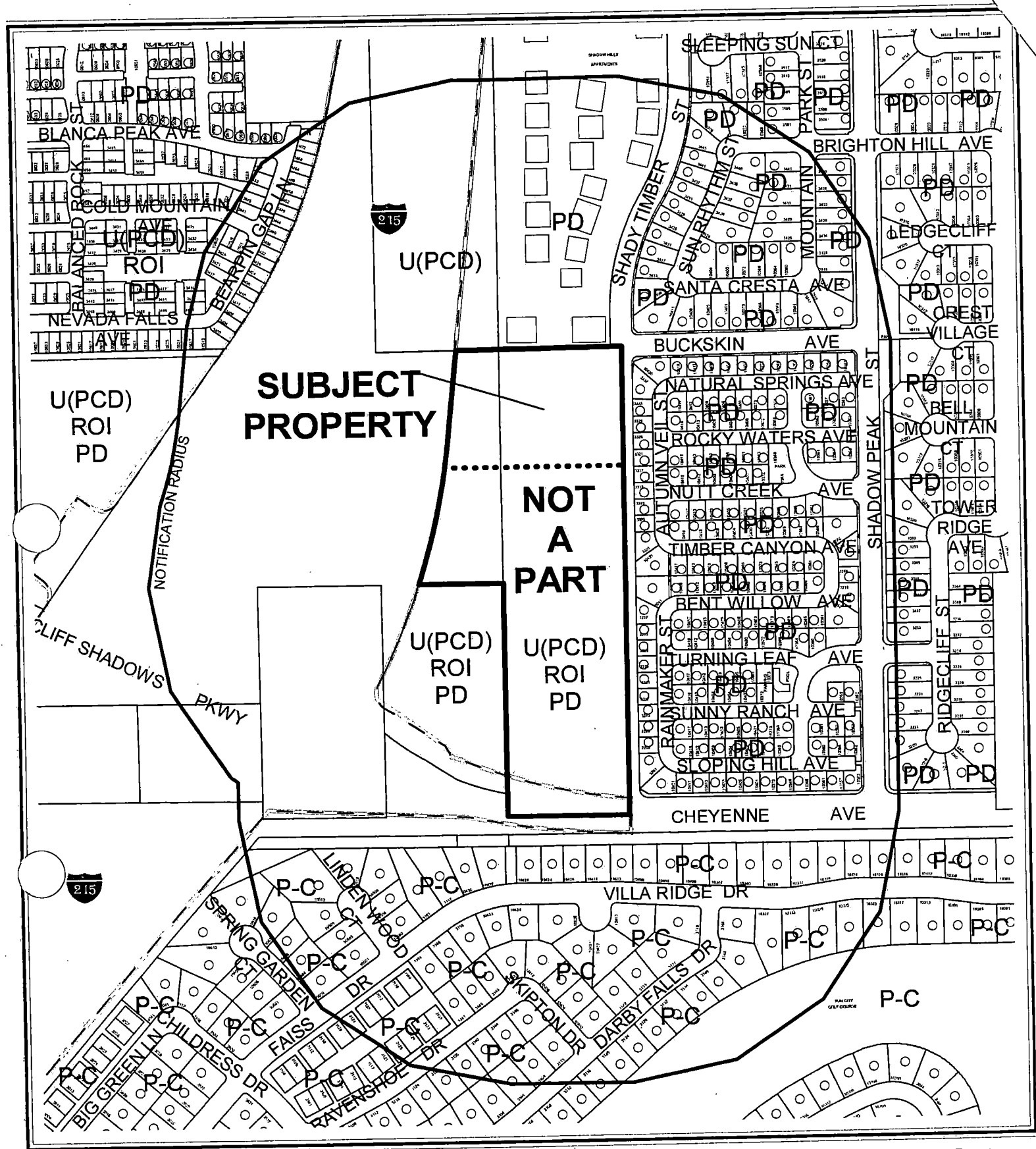
GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 19 [MOD-4632], Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004 Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11 [SDR-4555] – UNANIMOUS with NIGRO excused

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 – 6:09)

1-70



CASE: SDR-4751

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) [VILLAGE COMMERCIAL LONE MOUNTAIN WEST SPECIAL LAND USE DESIGNATION - PROPOSED: MEDIUM-LOW ATTACHED RESIDENTIAL]

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SDR-4751 -

APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Major Modification (MOD-4632) to an MLA (Medium-Low Attached Residential) Zone approved by the City Council.
2. Waivers (WVR-4754) of Title 18.12 to allow a reduction in the separation of street intersections and to allow a private drive to be more than 150 feet long without a turnaround or emergency service vehicle access gate approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 08/18/04, except as amended by conditions herein.
5. The standards for this development shall include the following: minimum lot sizes of 1,580 square feet; minimum lot widths of 23 feet; minimum distances between buildings of 10 feet; maximum building heights of two stories or 35 feet, whichever is less; minimum front yards (to dwelling) of five feet, with no more than 1.5-foot encroachments by patio covers; maximum rear yards (to garage) of six feet, with no more than 2.5-foot encroachments by the buildings' second story; minimum side yards of either zero feet or no less than 3.5 feet; and minimum side corners of 3.5 feet.
6. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a tentative map to reflect the conditions of MOD-4632 and the conditions herein.
7. Two additional shade trees along Shady Timber Street shall be provided, and Mexican Blue Palm or another acceptable variety shall be substituted for the Mexican Fan Palms. The landscape plan shall be revised and approved by the Planning and Development Department staff prior to the time application is made for a tentative map to reflect the conditions herein.

SDR-4751 - Conditions Page Two
September 9, 2004 Planning Commission Meeting

8. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. Coordinate with the City Surveyor to determine whether a Parcel Map or other mapping is necessary for this site; if such map is required it should record prior to the issuance of any permits for this site.
16. Dedicate 30 feet of right-of-way adjacent to this site for Shady Timber Street.
17. Construct all incomplete half-street improvements on Shady Timber Street adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
18. The proposed gated access driveway shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. Extend public sewer in Shady Timber Street to the south edge of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
20. 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.
21. An update to the 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.

SDR-4751 - Conditions Page Four
September 9, 2004 Planning Commission Meeting

22. Site development to comply with all applicable conditions of approval for rezoning application Z-33-97, the Lone Mountain Development Master Plan, and all other applicable site-related actions.
23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
24. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
25. 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.
26. The distance from the face of the garage door to the private drive shall be a minimum distance of 18 feet or a maximum distance of 6 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 44-lot single-family attached residential development on 3.7 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed single-family attached development will provide a transition buffer from the existing residential community and the adjacent Beltway. Open space requirements have been met.

BACKGROUND INFORMATION

A) Actions

- 09/07/94 The City Council approved a request to annex (A-0006-94) approximately 203 acres of land to the city, including the subject parcel. The Planning Commission recommended approval of this request on June 9, 1994. The effective date of this annexation was September 16, 1994.
- 06/23/97 The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic) and N-U (Non-Urban) under Resolution of Intent to R-CL (Single Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units Per Acre). The Planning Commission and staff recommended approval of this request on June 12, 1997.
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SDR-4751 - Staff Report Page Two
September 9, 2004 - Planning Commission Meeting

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- 04/07/04 The City Council approved an application for a Special Use Permit (SUP-4009) for a Mini-Warehouse Facility. The Planning Commission and staff recommended approval of this request on March 11, 2004.
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- 08/12/04 The Planning Commission held this item in abeyance to the 08/26/04 Planning Commission Meeting to address design concerns.
- 08/26/04 The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission Meeting to further address design concerns.
- 09/09/04 The Planning Commission is scheduled to review accompanying applications for a Major Modification (MOD-4632) to the Lone Mountain Master Development Plan from VC (Village Commercial) to MLA (Medium-Low Attached Density Residential) and a Waiver (WVR-4754) of Title 18 intersection separation distance requirement on this site.

B) Pre-Application Meeting

- 6/18/04 The staff and prospective applicant discussed details of a proposed development of the subject site. The staff indicated that a change in the existing land use of the Lone Mountain Master Plan would be required. (In a subsequent discussion with the applicant on July 22, 1994, it was reported that a Major Modification would be required). It was also mentioned to the prospective applicant that a Waiver in the Title 18 Subdivision Ordinance would be required because the distance between an existing intersection and an intersection of the proposed development was not sufficient.

C) Neighborhood Meeting

A neighborhood meeting is not required nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.7

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-Family Residential
South: Undeveloped
East: Single-Family Residential
West: I-215 Beltway

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development – Village Commercial)
North: PCD (Planned Community Development – Medium Density Residential)
South: PCD (Planned Community Development – Village Commercial)
East: PCD (Planned Community Development – Medium Low Attached Density Residential)
West: I-215 Beltway

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
North: U (Undeveloped) Zone and PD (Planned Development)
South: U (Undeveloped) Zone, Under Resolution of Intent to PD (Planned Development)
East: PD (Planned Development)
West: I-215 Beltway

E) *General Plan Compliance*

This property is designated as PCD (Planned Community Development) in the Centennial Hills Sector Plan of the General Plan.

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

The subject site is included within the proposed Lone Mountain Master Development Plan area and is designated VC (Village Commercial). An accompanying request to this application is for a Major Modification (MOD-4632) to change the Village Commercial land use classification of the Lone Mountain Master Plan to MLA (Medium Low Attached Residential) for this site. Both of these land use designations of the Lone Mountain Master Development Plan are permitted within the PCD (Planned Community Development) designation in the Centennial Hills Sector Plan of the General Plan.

PROJECT DESCRIPTION

The subject 3.7-acre site is located adjacent to Shady Timber Street, a 60-foot wide local street. This request is for a Site Development Plan review of a single-family residential attached development, consisting of 44 lots off a single 40-foot gated private street that connects to Shady Timber Street. Access to all lots will be from 24-foot private drives that meet Title 18 standards, except for a Waiver (WVR-4754) requested in the standards for a cul-de-sac more than 150 feet in length. Setbacks requested through this review are five feet to the garage door (rear), 3.5 feet to the dwelling, zero feet on the side, and five feet on the corner side.

A six-foot perimeter landscape buffer is proposed along Shady Timber Street. Additional landscaping is sporadically situated around the perimeter of the site; however, streetscaping is included along the private drives and the private street turnaround.

Elevations indicate two-story duplex and four-plex models with living areas on the second level over rear-facing two-car garages. Dwelling units range in size from 1,700 square feet to 1,821 square feet.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for a PD-zoned project are established by the site plan, Master Development Plan and Design Standards. The following Development Standards are proposed for the subject development:

Standards	Proposed
Min. Lot Size	1,580 square feet
Min. Lot Width	23 feet
Min. Setbacks	
• Front (to dwelling)	5 feet w/ 1.5-foot encroachment
• Side	0 or 3.5 feet
• Corner	3.5 feet
• Rear (to garage)	6 feet w/ 2.5-foot encroachment
Max. Building Height	2 Stories / 26 Feet

The front yard setback of five feet is proposed to include a 1.5-foot encroachment for a patio cover that extends out from the dwelling. The rear yard setback of six feet includes up to a 2.5-foot extension of the second floor that cantilevers out over the garage. There is a concern that residents will attempt to park parallel to the garage in a space greater than six feet; however, the applicant indicates that in construction of the unit there may be a slight error in measurement that would result in the building being closer to the lot line than permitted without fire retardant construction on the exterior.

A2) Landscape and Open Space Standards

Perimeter landscaping for single-family developments in the Lone Mountain Master Plan area shall be in accordance with City of Las Vegas Landscape, Wall and Buffer Standards. The following is required for this development:

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees (Shady Timber Street)	1 – 24" Box Tree/ 30 Linear Feet + 1 Tree	Not Required	7 Trees
• Min. Zone Width	Not required		6 Feet
• Wall height	6 Feet		Not shown

Perimeter landscaping subject to the Landscape, Wall and Buffer Standards is required only along Primary (100-foot) or Secondary (80-foot) Thoroughfares. Shady Timber Street is a 60-foot Minor Collector street; however, the applicant has supplied trees along the street within a minimum six-foot planter. Additional trees are supplied at the corners of the development as well as along the internal private street and at the end of each private drive. It is noted that Mexican Fan Palm is not an acceptable species in Lone Mountain. The Mexican Blue Palm may be substituted for this species.

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

No. of Units	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
44	11.9	330 sf per unit	9%	14,520 sf	23%	36,876 sf

The development exceeds the required amount of open space needed for the development

B) General Analysis and Discussion

- Zoning.

The subject site is included within the proposed Lone Mountain Master Development Plan area and is designated VC (Village Commercial). An accompanying request to this application is for a Major Modification (MOD-4632) to change the Village Commercial land use classification of the Lone Mountain Master Plan to MLA (Medium Low Attached Residential) for this site.

- Site Plan.

The plan illustrates a 44-lot development of two-plex and four-plex dwellings off a single 40-foot wide gated private street that connects to Shady Timber Street. Each dwelling accesses a 24-foot wide drive that connects to the interior private street.

- Waivers.

An accompanying application for Waivers (WVR-4754) has been submitted in Title 18 requirements to reduce the required separation between street intersections and to provide a cul-de-sac longer than 150 feet without a turnaround or emergency access gate. There is no specific objection to these waivers, but to the conversion of commercially designated property to residential.

- Landscape Plan.

Perimeter landscaping is required along arterial streets. Landscaping has been provided along Shady Timber Street, although it is a 60-foot Minor Collector street. It is recommended that an additional two trees be provided along Shady Timber Street. Additional trees are supplied at the corners of the development as well as along the internal private street and at the end of each private drive. It is noted that Mexican Fan Palm is not an acceptable species in Lone Mountain. The Mexican Blue Palm may be substituted for this species.

FINDINGS

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

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

The subject proposal places 44 single-family residences adjacent to a high intensity commercial use to the south. The juxtaposition of this type of land use next to commercial development, in lieu of a proposed mini-warehouse facility, is not a good placement of land use configurations. For this reason it recommended that this application and all other accompanying applications be denied.

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

The proposed development is not consistent with the Lone Mountain Master Plan land use designation of Village Commercial for the subject property. For this reason, an application for a Major Modification (MOD-4632) has been submitted to reclassify the property to a MLA (Medium Low Attached Residential) classification to permit single-family attached development. It is recommended that that application be denied.

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

The subject property has access to Shady Timber Street, a 60-foot wide local street that abuts the property. Access is adequate to meet the requirements of the proposed use.

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

Landscaping has been provided along Shady Timber Street, at the corners of the development as well as along the internal private street, and at the end of each private drive. It is noted that Mexican Fan Palm is not an acceptable species in Lone Mountain and should be substituted by a different variety.

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;"**

SDR-4751 - Staff Report Page Eight
September 9, 2004 - Planning Commission Meeting

Each two-plex or four-plex building consists of attached single-family units that are two stories high. Each unit is provided with a two-car garage located beneath the second story which cantilevers out over the garage by two feet. To the front of each unit is a patio with a roof that extends out approximately 1.5 feet beyond the front façade. The dwellings are not unsightly and are harmonious to development in the area.

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

NOTICES MAILED 335 [Mailed with MOD-4632 & WVR-4754] 08/26/04 PC

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4751**

137-12-401-022

APN: 137-12-801-001

Name of Property Owner: SHADOW HILLS PLAZA LLC

Name of Applicant: ROYAL CONSTRUCTION

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:

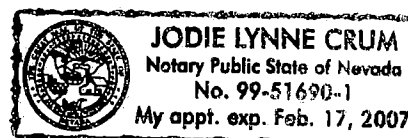
Print Name: _____

Philip H. Davis

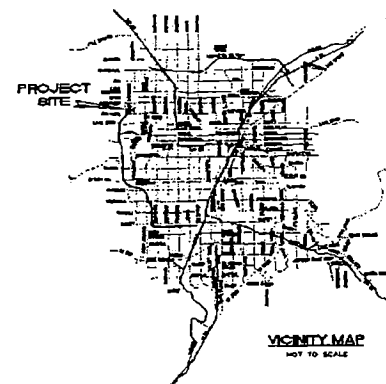
Subscribed and sworn before me

This 25th day of June, 2004

Notary Public in and for said County and State



SPINNAKER VILLAGE III



APN: 137-12-301-018
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: USA

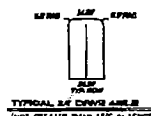
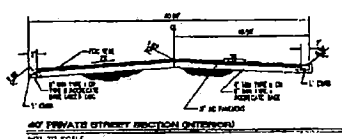
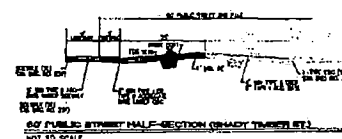
APN: 137-12-701-011
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: ADRI INVESTORS FUND LP

APN: 137-12-714
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: CHRYSTIE - MALAPAL - UNIT 5

APN: 137-12-810
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / MPM
OWNER: CHRYSTIE - MALAPAL - UNIT 1

APN: 137-12-401-022
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / VC
OWNER: SHADOW HILLS PLAZA LLC

APN: 137-12-801-001
ZONE: PD
MASTER PLANNED PLANNED COMMUNITY
DEVELOPMENT / VC
OWNER: SHADOW HILLS PLAZA LLC



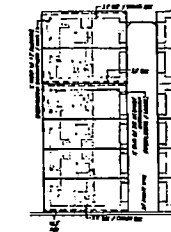
DEVELOPER
ROYAL CONSTRUCTION
2714 N. OLYMPIA AVE.
SUITE 100
LAS VEGAS, NEVADA
(702) 732-7773

OWNER
SHADOW HILLS PLAZA LLC
2714 N. OLYMPIA AVE.
SUITE 100
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER
FOR: 137-12-301-018 &
FOR: 137-12-701-011

OVERALL TABULATIONS

EXISTING ZONING	PLAZA COMMERCIAL
EXISTING LAND USE	RESIDENTIAL
PROPOSED LAND USE	RESIDENTIAL
PROPOSED ACREAGE	3.7 ACRES +/-
# OF UNITS	44
DEVELOP	11.88 ACRES +/-
OPEN SPACE PLANNED	0.22 ACRES (PLANNED)
OPEN SPACE PROVIDED	0.09 ACRES +/- (12,316 S.F.)



TYPICAL DEVELOPMENT STANDARD DETAIL
NO SCALE

ROYAL CONSTRUCTION

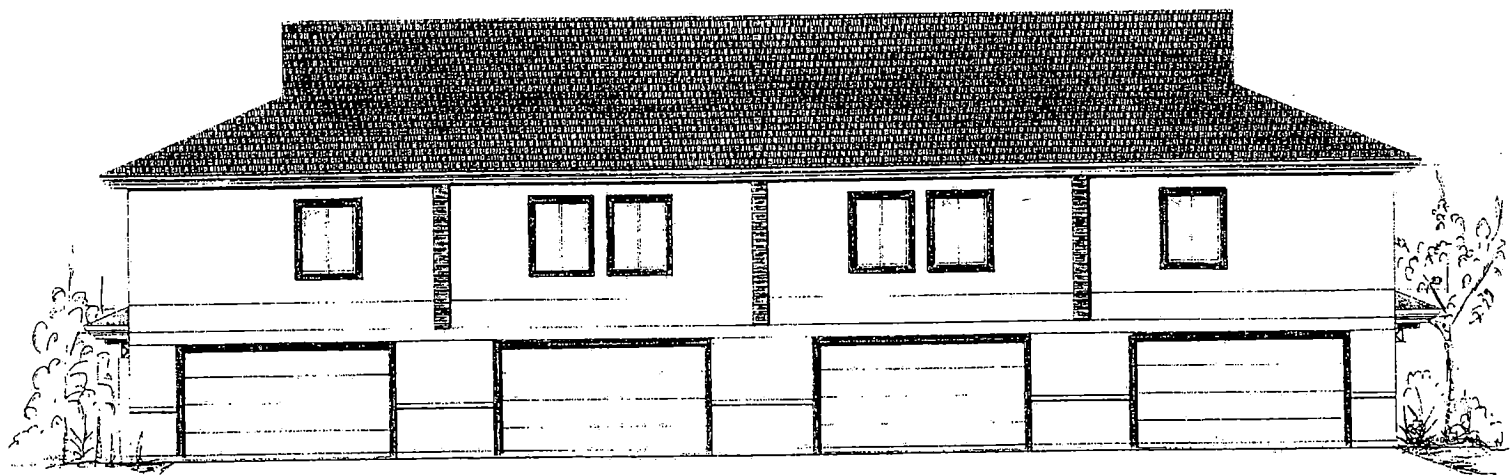
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

SITE PLAN TO ACCOMPANY
SITE DEVELOPMENT REVIEW / TITLE 18 WAIVER

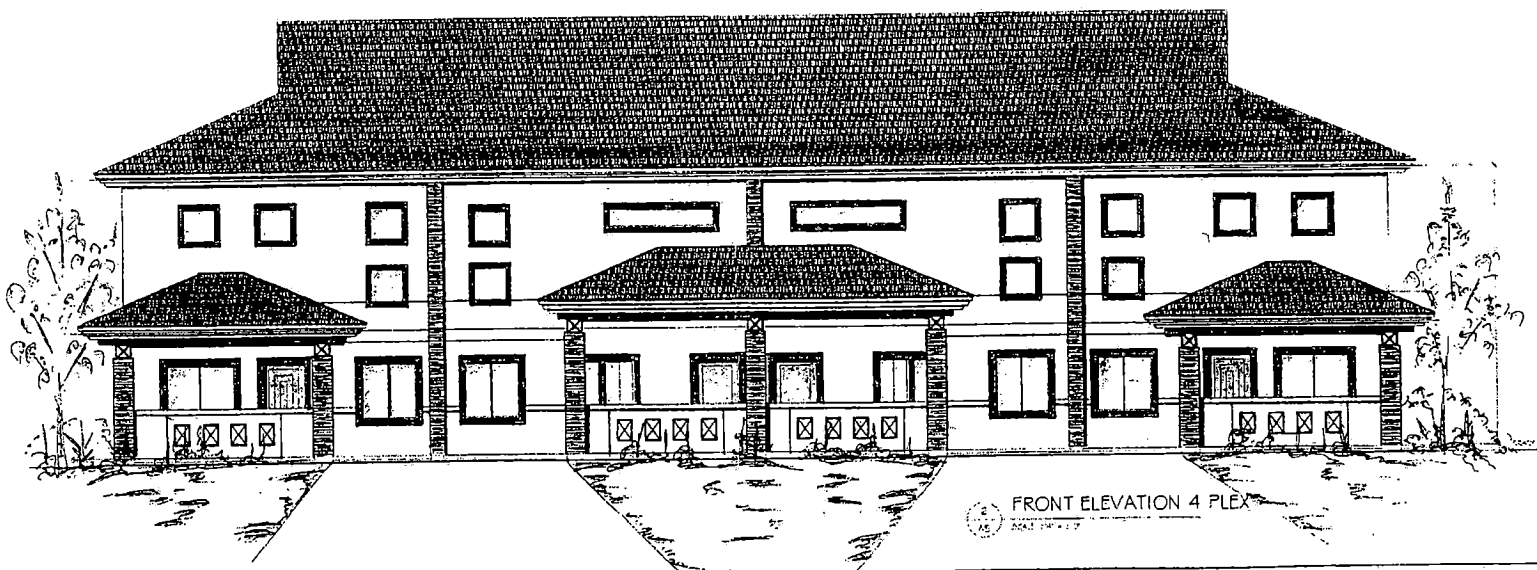
SPINNAKER VILLAGE III
CITY OF LAS VEGAS, NEVADA

DATE:	08/11/04
DRAWN BY:	A. STEW
DESIGNED BY:	A. STEW
CHECKED BY:	CHRYSTIE MC
SCALE:	AS SHOWN
PROJECT NO:	RC-0006
ENGINEERING SEAL:	
SHEET:	1
TOTAL SHEETS:	1

WVR-4754
SDR-4751
09-09-04 PC
REVISED 08-18-04



REAR ELEVATION 4 PLEX



FRONT ELEVATION 4 PLEX

WVR-4754
SDR-4751

09-09-04 PC

DRAWING NO.		09-09-04
DATE		09-09-04
PROJECT		WVR-4754
SHEET		1 OF 1
SCALE		AS SHOWN
SHEET		1 OF 1
ELEVATIONS		2 - 0118
DRAWN BY		WVR-4754
CHECKED BY		WVR-4754
DATE		09-09-04
PROJECT		WVR-4754
SHEET		1 OF 1
SCALE		AS SHOWN
SHEET		1 OF 1

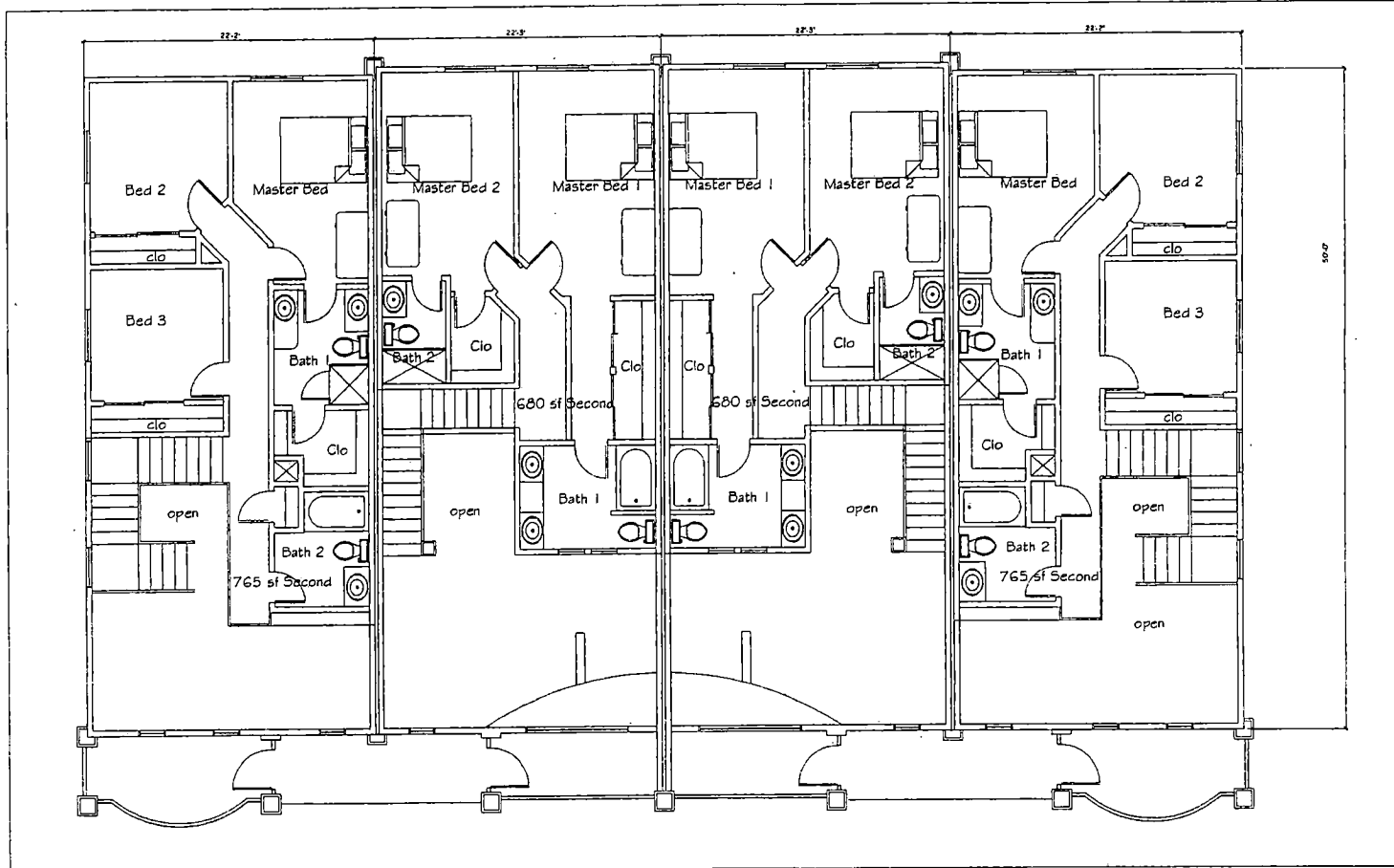


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WVR-4754
SDR-4751 09-09-04 PC



WVR-4754
SDR-4751
09-09-04 PC



UNIT ONE
585 sf First
765 sf Second
1350 sf Res.
471 sf Garage
1821 sf Total

UNIT TWO
549 sf First
680 sf Second
1229 sf Total
471 sf Garage
1700 sf Total

UNIT THREE
549 sf First
680 sf Second
1229 sf Total
471 sf Garage
1700 sf Total

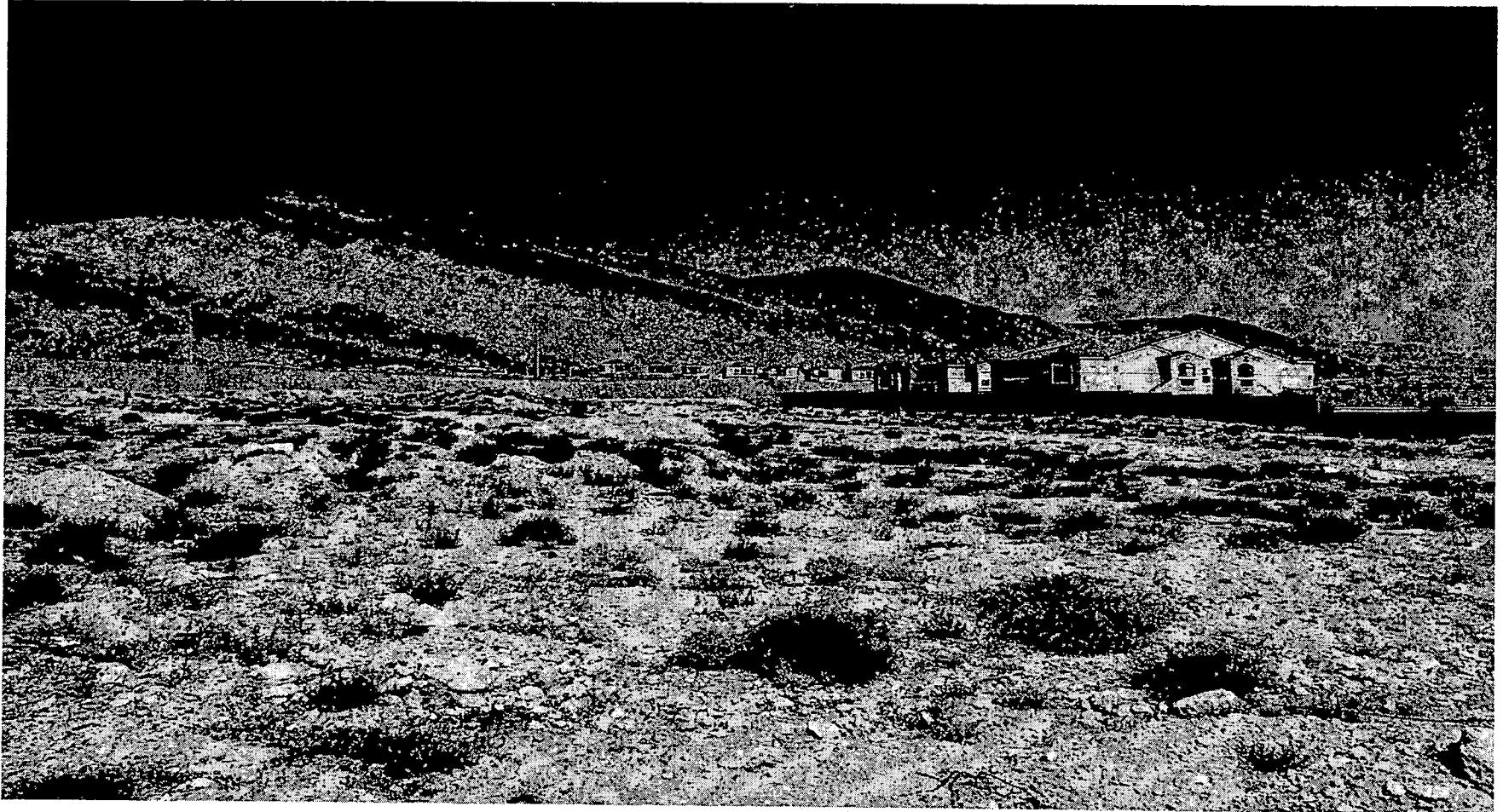
UNIT FOUR
585 sf First
765 sf Second
1350 sf Res.
471 sf Garage
1821 sf Total

SPINNAKER VILLAGE
A FOUR PLEX COMMUNITY
DAVID MCKEE ARCHITECT

SCALE 1/4" = 1'-0"
DATE 2/1/04

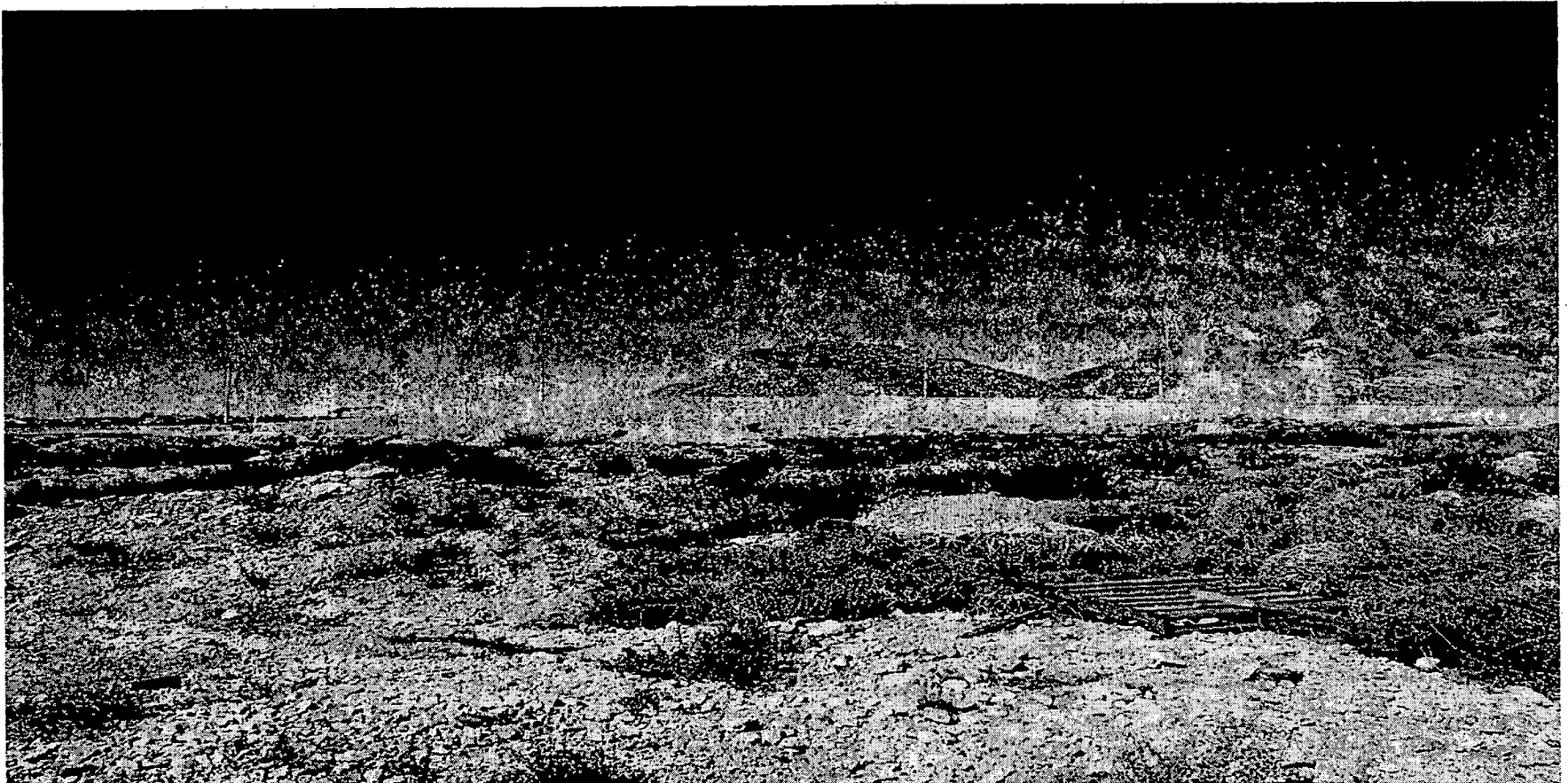
WVR-4754
SDR-4751

09-09-04 PC



SDR-4751 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SDR-4751 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF BUCKSKIN AVENUE AND SHADY TIMBER STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE - VAR-4725 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: CRAIG P. KENNY - Request for a Variance TO ALLOW NINE
PARKING SPACES WHERE 22 SPACES IS THE MINIMUM REQUIRED IN
CONJUNCTION WITH A PROPOSED OFFICE ADDITION on 0.20 acres at 724 South Eighth
Street (APN 139-34-810-035), P-R (Professional Office and Parking) Zone, Ward 5 (Weekly).**

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

**GOYNES - DENIED – Motion carried with DAVENPORT and EVANS voting NO and
NIGRO excused**

This is Final Action

NOTE: COMMISSIONER EVANS disclosed that he knows the KENNY brothers on a professional basis. He has no personal involvement with their applications and no financial interest in their business, so he would be voting on these items.

CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area. However, the property is not within the notification area nor does the project have any impact on his property, so he would be voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 22 [VAR-4725], Item 23 [VAR-5032] and Item 24 [SDR-4724].

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 22 – VAR-4725

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, reminded the Commission that when this item appeared previously, there were questions pertaining to the parking variance. Staff and the applicant were instructed to review the building elevations because the Commission felt the building did not have enough articulation. The applicant has submitted revised elevations, which reflect changing the flat roof to a hipped roof and the added banding and stucco around the facade of the building. With the revision, the bulk of the building will not be visible from the street level. The square footage has not changed, just the look of the building. Staff recommended denial because the site is overbuilt, the parking variance is excessive and the requested amount of the expansion. The entire square footage of the building is 6,423 square feet on a 9,000 square foot lot.

ATTORNEY BRADLEY KENNY, 723 South 7th Street, appeared on behalf of the applicant, his brother, CRAIG KENNY. He verified that the applicant was directed to make the addition more aesthetically pleasing and that the architect had done so. Regarding the parking, he indicated that the staff in the 8th Street building would move to the 7th Street location due to overcrowding.

COMMISSIONER McSWAIN appreciated the applicant's effort in revising the elevation; however, she was concerned about how much was being put on the lot. Much discussion has taken place regarding the encouragement of the live/work environment in this area and this is an overwhelming amount of square footage for the site. She also voiced concern over the parking variance. She told MR. B. KENNY the revised elevations were an improvement over the original submittal yet the design did not flow with the character of the area. She confirmed with MR. CLAPSADDLE that the revised roof design is not as apparently visible from the street as the earlier version.

CRAIG KENNY, 723 South 7th Street, explained he was out of town when this item was previously heard and abeyed and that he had his brother come to represent him at that time. He gave a history about his practice and the property in question. When he started his firm, he worked out of two leased offices in another lawyer's office. After the first year, his staff grew to five persons and he purchased the building at 723 South 7th Street, which is the building located directly behind the property on this application. The 7th Street property had a house built in 1951 with a two-story addition built behind the original house in 1991. By the time he had purchased the home in 1996, a wall was removed. By 1998, his firm had again grown beyond its surroundings and he brought a request to the City asking for an additional 1500 to 1600 square foot addition. Parking was a concern but the item was eventually approved and built. In 2003, he was again required to procure additional space for his expanding business and he was able to purchase the building behind him at 724 South 8th Street, the property on this application.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 22 – VAR-4725

MINUTES – Continued:

MR. C. KENNY assured the Commissioners that parking is not a problem. He indicated that approximately four months ago, the City paved an alley which required closure approximately two months. During those months, no one on the west side of 7th Street or the east side of 8th Street was able to park in that alley and had to park on the street. There were no problems during this time.

COMMISSIONER DAVENPORT questioned the KENNYS where the exhibit photo of the parking lot was taken. MR. C. KENNY indicated the photo showed the 8th Street building from the back of the 723 South 7th Street property. COMMISSIONER GOYNES confirmed that the proposed addition would occupy the space shown in the photo.

COMMISSIONER STEINMAN recollected that he had brought up the issue of parking when the item was previously heard and that MR. B. KENNY informed him there was no problem. The Commissioner indicated that since that time, he had personally visited the area in question and he found parking to be a problem. COMMISSIONER STEINMAN referenced a letter from a resident on 8th Street who was in protest of the approval of the parking variance because at this time, they have trouble parking in front of their own home. As the area develops further, the parking will only worsen. He concurred with staff that this property is overdeveloped.

MR. B. KENNY respectfully disagreed with COMMISSIONER STEINMAN and stated that he works there and uses the ingress/egress daily and Gass Avenue is usually empty. Regarding 7th and 8th Street, there are clients going in and out daily; however, he has never had a client indicate parking was difficult or troublesome. COMMISSIONER STEINMAN indicated that each time a variance is granted, those empty street spaces disappear. He said that he visited the area in both the morning and the afternoon and he continued to believe parking is an issue. He commented that the properties in that area are being developed nicely but the parking situation must be monitored.

COMMISSIONER EVANS also disagreed with COMMISSIONER STEINMAN and indicated that he has been in the area numerous times and although sometimes he has had to park on the street or in the back, he never had a problem finding parking there. He did indicate concerns over a comment previously made that there is no intention to increase staff once the addition is completed. MR. C. KENNY responded that he currently has two or three people occupying offices intended for just one person. The addition would be an attempt to give everyone their own office and add space for storage, a copy room and a conference room. He confirmed he is not adding any additional attorneys or staff at this time.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 22 – VAR-4725

MINUTES – Continued:

COMMISSIONER EVANS was under the impression that the applicant intends to build a second story addition onto one of the existing buildings. COMMISSIONER DAVENPORT clarified with the applicant that it is a request to add an additional structure.

COMMISSIONER EVANS informed the Commission that MR. C. KENNY sponsors a charitable benefit that he estimates approximately 500 people attend and although it is in the evening, everyone finds parking. He added that there are new buildings downtown, which replaced homes that were demolished. Although the buildings are attractive, they do not fit in with the character of the neighborhood. He declared that, in his opinion, lawyers have been the saviors of maintaining the residential character of the downtown area. He expressed hope that as the loft and high-rise projects are built downtown, some of the law firm employees would consider living in the downtown area and walk to work.

COMMISSIONER McSWAIN questioned whether or not there were futuristic plans for parking garages in the downtown area since so many parking waivers in this area have been granted and there are several new developments proposed for the area. She questioned if perhaps the waivers are granted because there will be a parking structure eventually. Currently, the nearest parking structure is across Las Vegas Boulevard.

CHAIRMAN TRUESDELL stated he is happy that firms downtown are wanting to grow and expand, but to visit earlier comments made by COMMISSIONER EVANS, he believed the applicant would in fact add more staff as the practice grew. He questioned how many employees, partners and associates would occupy the existing and new buildings. MR. C. KENNY replied that there are currently three lawyers and three staff members. He confirmed for CHAIRMAN TRUESDELL that the number of employees would remain at six. MR. C. KENNY then indicated an additional six employees would be moved from their other office to the new addition to make a total of 12 employees in the new building with nine spaces. MR. C. KENNY explained that he lives in Anthem Country Club and he has five staff members in the same area and employees carpool to work alleviating parking issues.

CHAIRMAN TRUESDELL indicated parking usually averages three spaces per 3,000 square feet. As the downtown area grows, a very uncomfortable parking situation would result if parking variances and waivers are granted over and over again. He concurred with staff's assessment that the site is overbuilt. He suggested that had the project been three levels with, perhaps, the first level being parking, he would be more apt to support it. CHAIRMAN TRUESDELL would like to encourage growth in the downtown area yet do so without granting waivers that are not acceptable to the process.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 22 – VAR-4725

MINUTES – Continued:

MR. C. KENNY acknowledged the Chairman's concerns and indicated that when he stood before the Commission six years prior, for his last addition, the same concerns were raised; however, there has been no problem. He informed the Commission that the Clark County Bar Association is directly across the street from his project and they have approximately 12 employees including the law firm located above the Association. Should parking be a concern in the future, MR. C. KENNY indicated he would go to a neighbor with parking spaces and lease some of them. He also indicated that the building located at 725 South 7th Street is a residence and the owner has given him the first opportunity to purchase the property should she decide to move.

MR. B. KENNY also said that in reference to the comments made of keeping to the character of the neighborhood, there is a Land Title building directly across from one of their properties and there is plenty of space there as well. He referenced COMMISSIONER EVAN'S comments regarding keeping in conformance with the neighborhood or as an alternative, building a huge office building. He stated they wish to keep in conformity with the residential structure of the neighborhood while giving the clients an aesthetically pleasing building. The expansion would also benefit clients as the practice specializes in Disability Law and it would allow more space and a downstairs conference room. Sharing in MAYOR GOODMAN'S vision for downtown, MR. B. KENNY indicated the firm would stay in the downtown area.

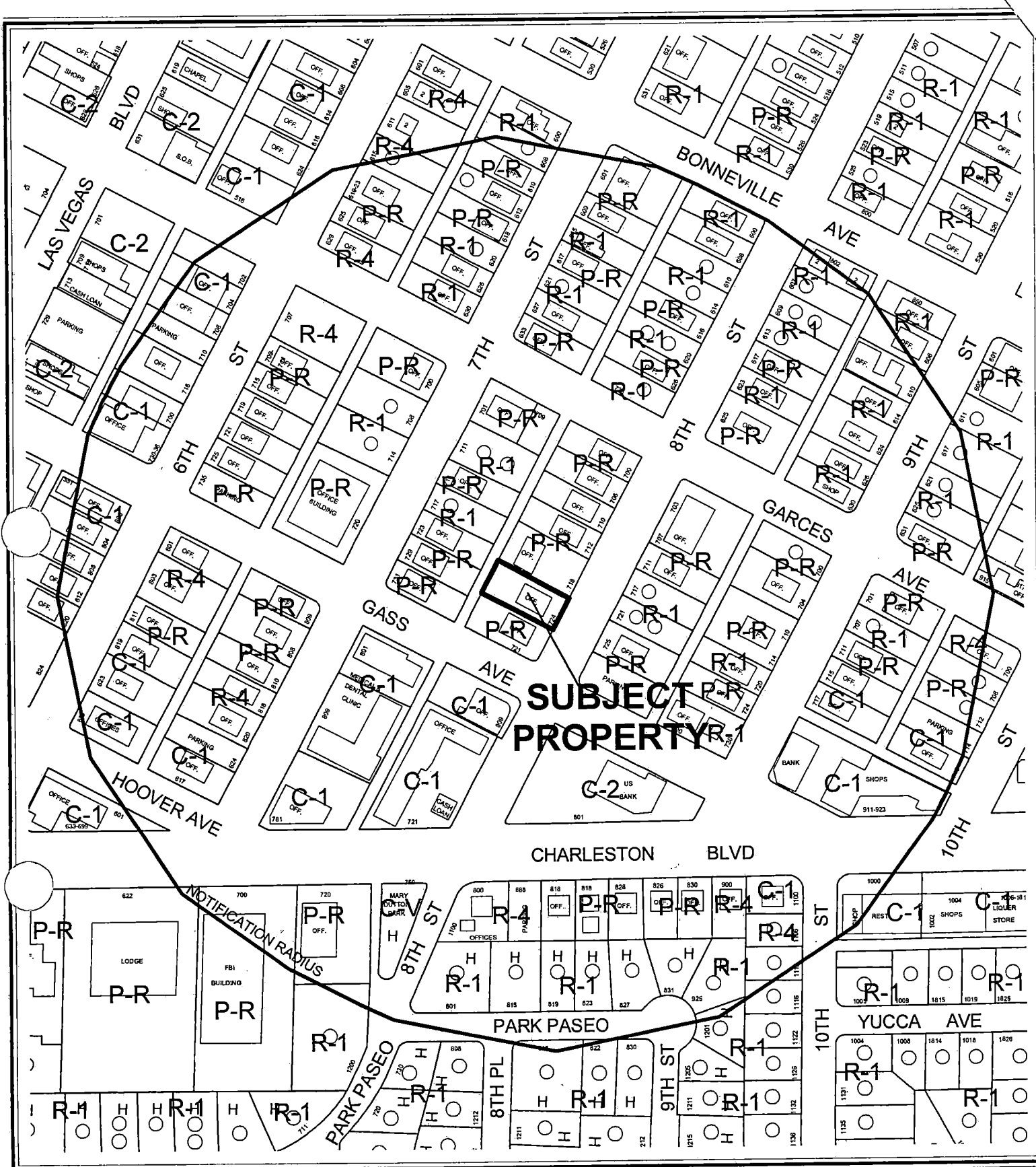
COMMISSIONER GOYNES reiterated the property is overbuilt. He commended the law firm for encouraging carpooling because he is the President of the Club Ride Alternative Commute Program. However, he did not feel that carpooling could be made a standard for the downtown businesses in order to free up parking for clients. Looking at the project from a planning and site perspective, it is a lot of building on the property. He acknowledged the expense of underground parking but suggested it may be an alternative to the overbuilding of the site.

MR. C. KENNY thanked the Commissioners for their consideration.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 22 [VAR-4725], Item 23 [VAR-5032] and Item 24 [SDR-4724].

(7:48 – 8:17)

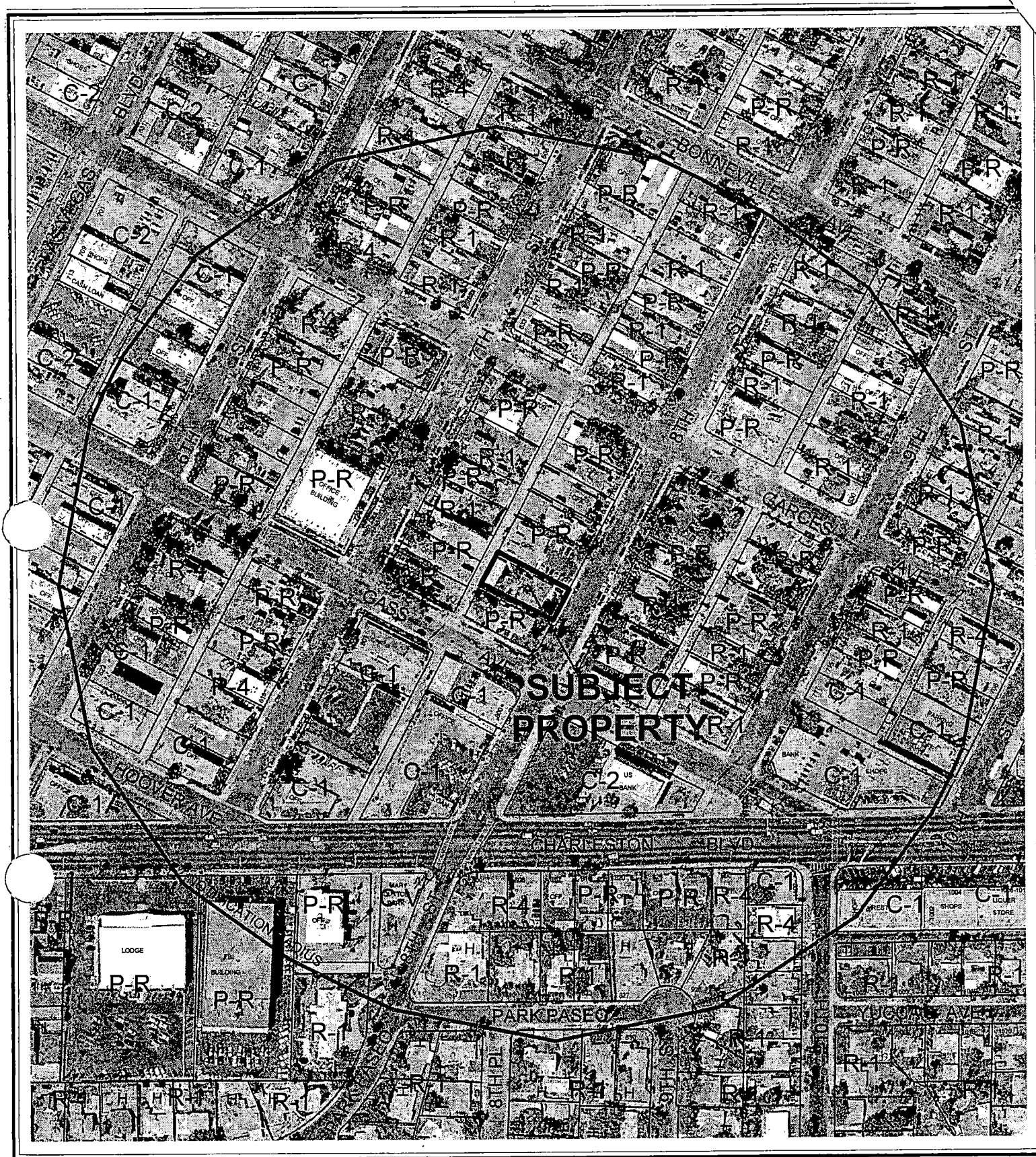
2-590



CASE: VAR-4725

RADIUS: 750 FT

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



CASE: VAR-4725

RADIUS: 750 FT

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4725 - APPLICANT/OWNER: CRAIG P. KENNY

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL** If **APPROVED**, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5032) and Site Development Plan Review (SDR-4724) by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow nine parking spaces where 22 is the minimum required in conjunction with a proposed addition to a professional office building on 0.21 acres at 724 South Eighth Street.

B) Applicant's Justification

According to the applicant's justification letter, the applicant needs additional office space to accommodate his firm's employees, archival records and storage items. No justification was offered specifically for reducing the parking requirement.

BACKGROUND INFORMATION

A) Previous Actions

07/17/91 The City Council approved a request for a Rezoning (Z-0055-91) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on the subject site. The Planning Commission and staff recommended approval.

08/12/04 The Planning Commission held this item in abeyance to allow the applicant time to address staff's concerns.

09/09/04 The Planning Commission will consider related requests for a Variance (VAR-5032) to allow the enlargement of an existing nonconforming building to be 205 percent of the size of the original footprint, where 50 percent is the maximum allowed, and a Site Development Plan Review (SDR-4724) for a proposed two-story, 4,320 square-foot addition to an existing professional office on the subject site.

B) Pre-Application Meeting

06/15/04 It was stressed that the building addition could not exceed the required setbacks because the existing building is already nonconforming with respect to the side yard setbacks. Loading and refuse removal for the site must be illustrated and/or described in the submittal. The existing sign will need to be relocated to permit driveway improvements. Various Public Works concerns regarding traffic and right-of-way issues were addressed. A parking variance would need to be submitted, since the site could not accommodate the required amount of parking.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.21

B) Existing Land Use

Subject Property: Professional Office
North: Professional Office
South: Professional Office
East: Professional Office
West: Professional Office

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: MXU (Mixed Use)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) Existing Zoning

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: P-R (Professional Office and Parking)
East: P-R (Professional Office and Parking)
West: P-R (Professional Office and Parking)

E) General Plan Compliance

The subject site is designated MXU (Mixed Use) on the Downtown Redevelopment Area map in the Southeast Sector of the General Plan. A range of residential as well as commercial and public uses is permitted within this category. The office uses existing on the subject property conform to this designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Las Vegas Redevelopment Plan Area		
Special Overlay District	X	
Neighborhood Revitalization Area		
Trails		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is included within the original Las Vegas Redevelopment Plan Area. Although a range of uses and mixed-use developments are allowed in this area, the subject site is limited to light commercial and public uses by its P-R (Professional Office and Parking) zoning classification.

This area is also part of the Neighborhood Revitalization Area, identified by the Las Vegas Master Plan 2020 as neighborhoods where existing residential uses should be protected and proposed commercial development should be designed within the context of a pedestrian-friendly environment.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office, other	6,423 SF	1/300 SF GFA	21	1	8	1

When the office addition proposed for this site is considered, the overall development is under-parked by 13 spaces. This is a 59% deviation from the minimum standard. This request seeks relief from the 22-space minimum requirement.

The Department of Public Works requires that driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

B) General Analysis and Discussion

The required parking ratio for office uses in the city of Las Vegas is based on gross floor area of buildings on a given site. By the current standards, eight spaces are required for the existing office alone. In this case, the applicant proposes to add 4,320 square feet of floor area to an existing professional office of 2,103 square feet. Only one additional space is proposed after the applicant has added more than double the existing floor area. The balance of building area to parking has clearly not been considered. Space is limited on the site because the site has been overbuilt. Additionally, the applicant has failed to justify this Variance request, show a hardship related to the physical characteristics of the site or allow for additional nearby parking off-site. No changes were made to the site plan that would reduce the severity of the deviation from the standard. Denial of this Variance request is therefore recommended.

FINDINGS

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site with a proposed office addition that is more than double the size of the existing office. A smaller addition and arrangement for off-site parking would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 143 – Mailed with SDR-4724

APPROVALS 0

PROTESTS 0



Name of Applicant: Craig P. Kenny

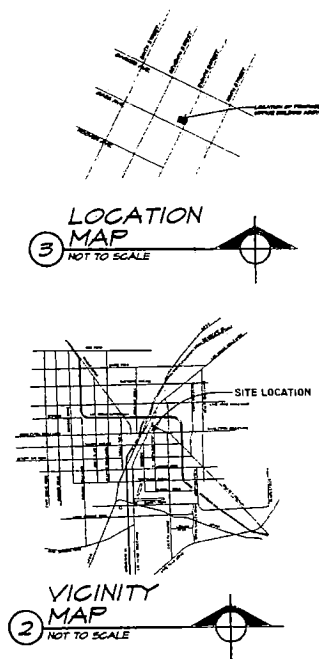
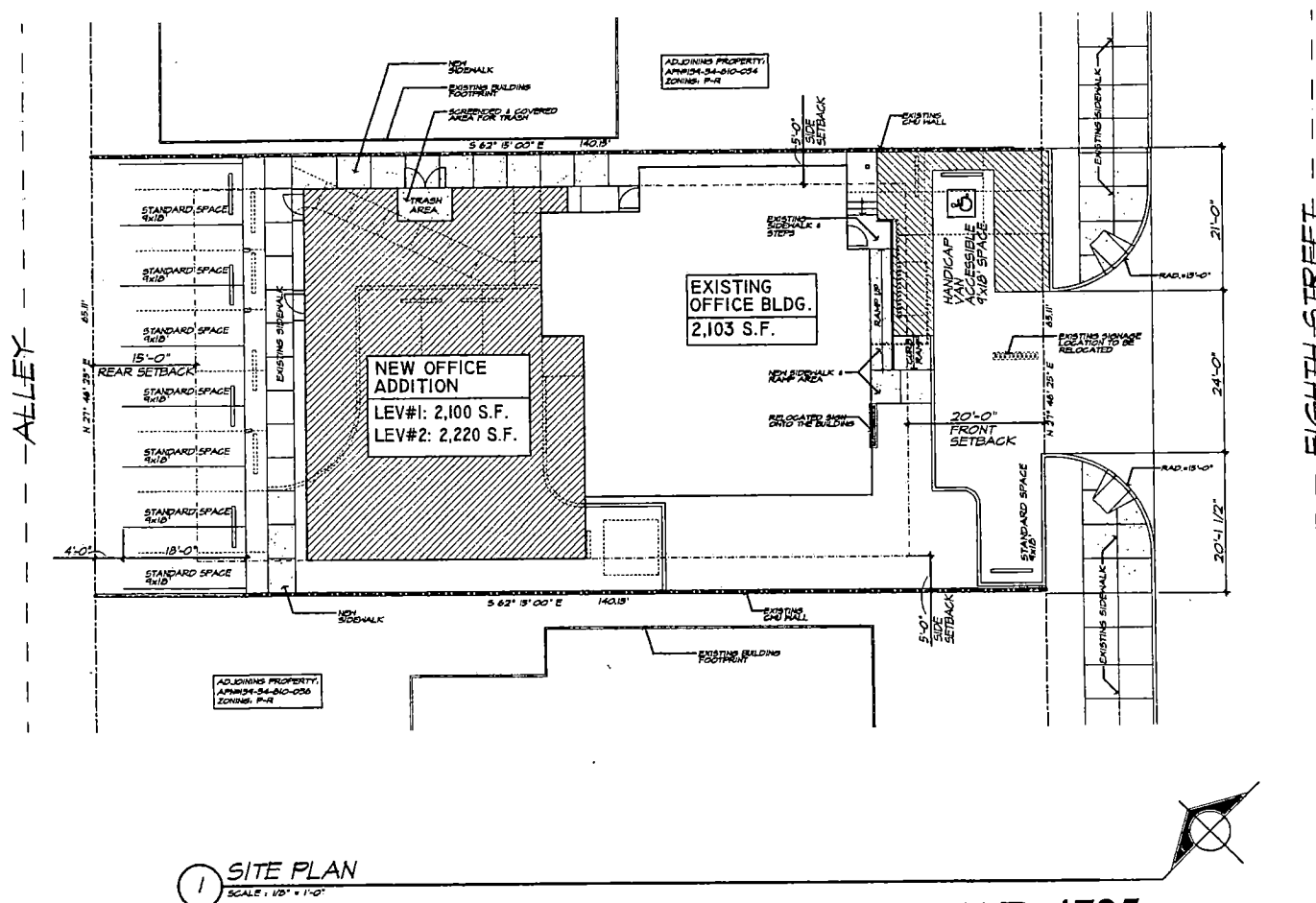
f:\depot\Application Packet\Statement of Financial Interest.doc

SITE DATA:	
ZONING:	P-R
EXISTING ZONING:	P-R
GROSS LOT AREA:	4,123 S.F.
APN 134-34-010-035:	4,123 S.F.
GROSS OFFICE AREA:	4,203 S.F.
LEVEL ONE:	4,203 S.F.
LOT COVERAGE:	46.8
4,203 S.F. / 4,123 S.F.:	46.8

PARKING REQUIRED:	
OFFICE BUILDING:	2,103 S.F.
EXISTING AREA:	2,100 S.F.
NEW LEVEL ONE AREA:	2,220 S.F.
NEW LEVEL TWO AREA:	2,220 S.F.
TOTAL AREA:	6,423 S.F. or 1 SP/300 S.F. = 22 SPACES
TOTAL PARKING REQUIRED:	22 SPACES
(1 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	9 SPACES
(INCLUDING 1 HANDICAPPED SPACES)	



MARK ROSS JOHNSON
ARCHITECT
1740 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA • 89103
TEL: (702) 895-3808 FAX: (702) 895-3805



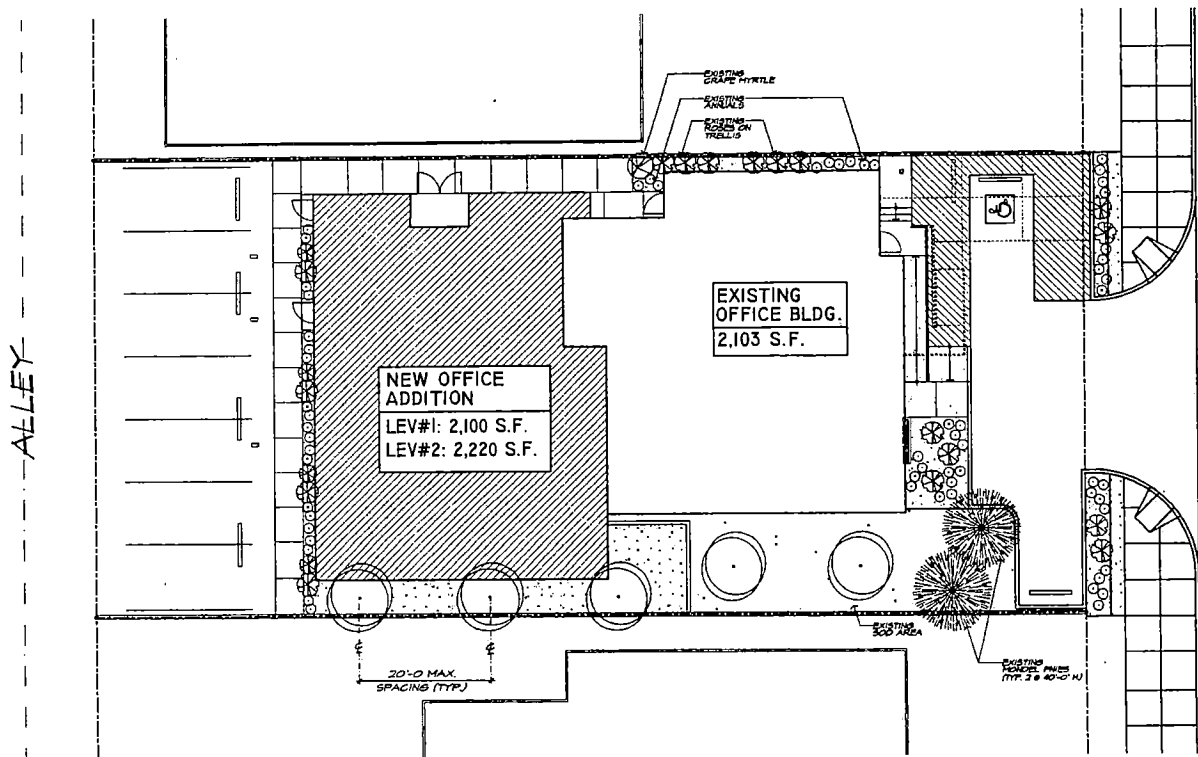
LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 134-34-010-035
LAS VEGAS, NEVADA
FOR CRAIG KENY

Date: 6/26/04

PROJECT NUMBER:
200425

A-1.1

VAR-4725
SDR-4724
08-12-04 PC



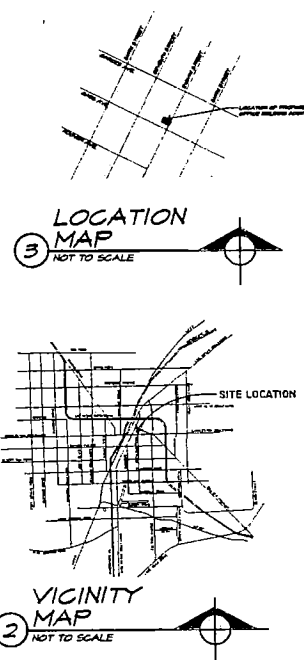
1 SITE PLAN
SCALE: 1/8" = 1'-0"

VAR-4725
SDR-4724
08-12-04 PC

LANDSCAPE LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	PRUNUS VELUTINA	PAK-TEK ASH	24" BOX MIN.
	PRUNUS CERASIFERA	PURPLE LEAF PLUM	24" BOX MIN.
	PRUNUS ELAEAGNUS	NEEDLE PINE	24" BOX MIN.
	PRUNUS ELAEAGNUS	ANNUALS	PLANTS
	PRUNUS ELAEAGNUS	INDIAN HAWTHORNE	5 GAL.
	PRUNUS ELAEAGNUS	REDTIP PRUNELLA	5 GAL.
	PRUNUS ELAEAGNUS	GRAPES HYDRATE	10 GAL.
	PRUNUS ELAEAGNUS	CRUSHED GRANITE MELCH	3/4\"/>
	PRUNUS ELAEAGNUS	TURP	500

NOTES:
1. PROVIDE AUTOMATIC DRIP TYPE IRRIGATION TO EACH PLANT.

EIGHTH STREET



3 LOCATION MAP
NOT TO SCALE

2 VICINITY MAP
NOT TO SCALE



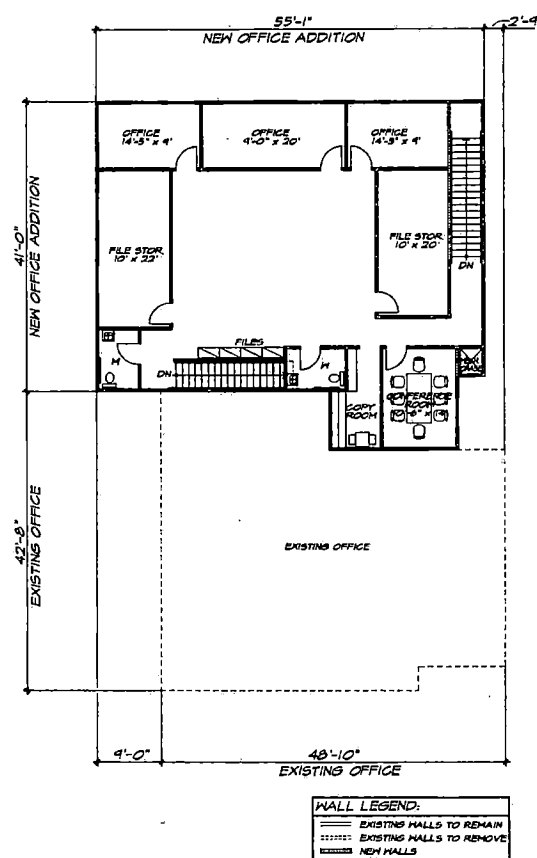
MARK ROSS JOHNSON
ARCHITECT
4725 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA 89103
TEL: (702) 891-3088 FAX: (702) 891-3088

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 159-34-810-035
LAS VEGAS, NEVADA
FOR CRAIG KENNY

Date: 6/26/04

PROJECT NUMBER
200425

L-1



② LEVEL TWO

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

LEVEL TWO OFFICE ADDITION AREA: 2,320 S.F.

① LEVEL ONE

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

LEVEL ONE OFFICE ADDITION AREA: 2,100 S.F.

TOTAL OFFICE ADDITION AREA: 4,420 S.F.

VAR-4725

SDR-4724

08-12-04 PC



MARK ROSS JOHNSON
ARCHITECT
4700 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA 89103
TEL: (702) 884-3888 FAX: (702) 884-3813

LAW OFFICE ADDITION
724 S. EIGHTH ST
A.P.N. 159-34-810-035

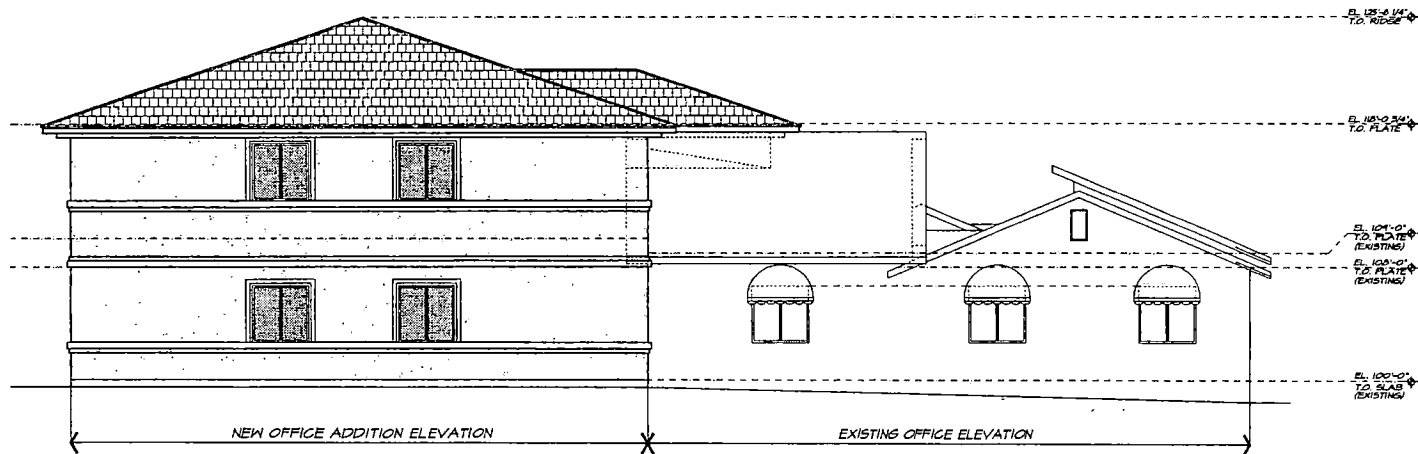
LAS VEGAS, NEVADA
FOR: CRAIG KENNY

Date: 6/26/04

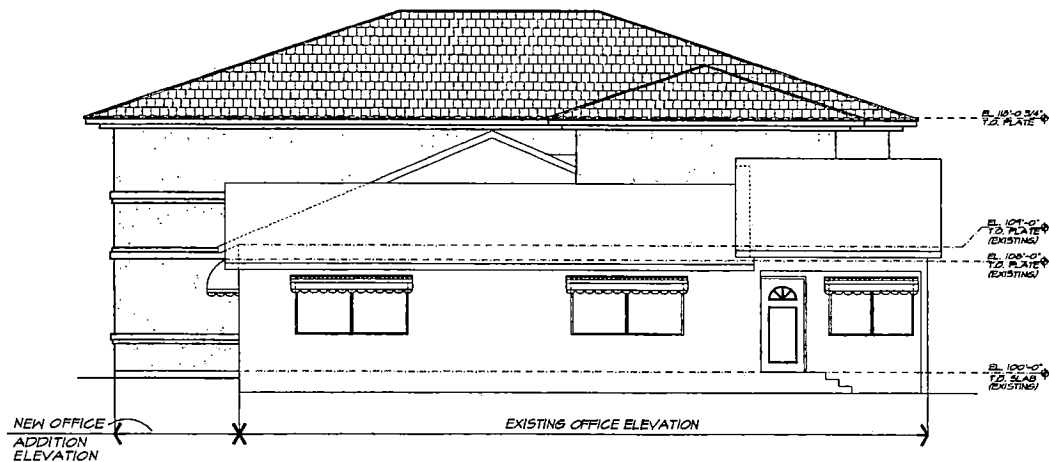
PROJECT NUMBER
200425

A-3.1

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC



② SIDE / SOUTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



① FRONT / SOUTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

MARK ROSS JOHNSON
ARCHITECT
4700 WEST UNIVERSITY AVENUE SUITE 100 LAS VEGAS, NEVADA

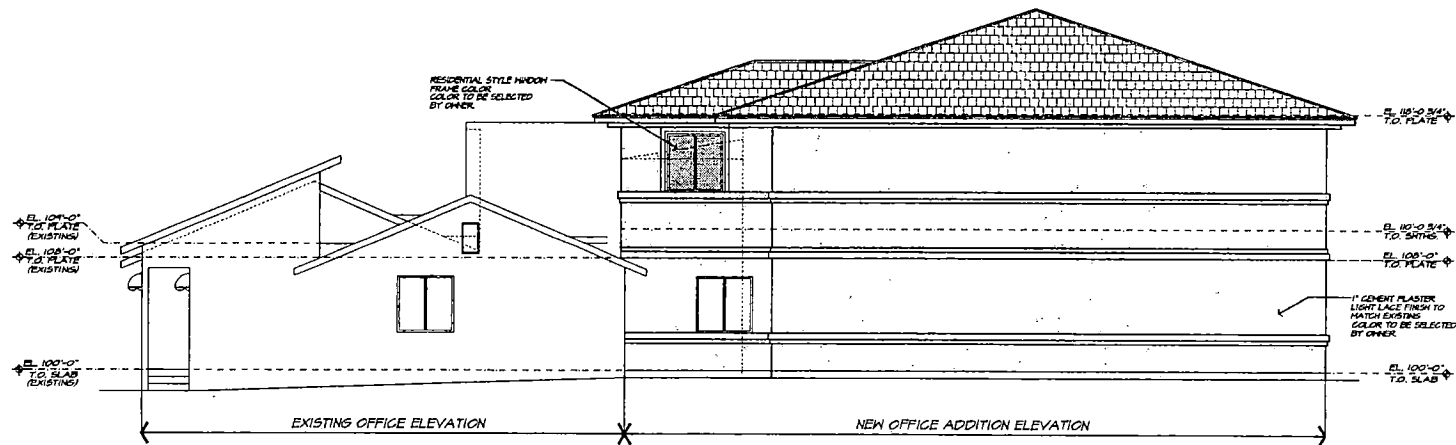
LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 139-34-810-035
LAS VEGAS, NEVADA

Date: 8/26/04
Date Rev: 01/04

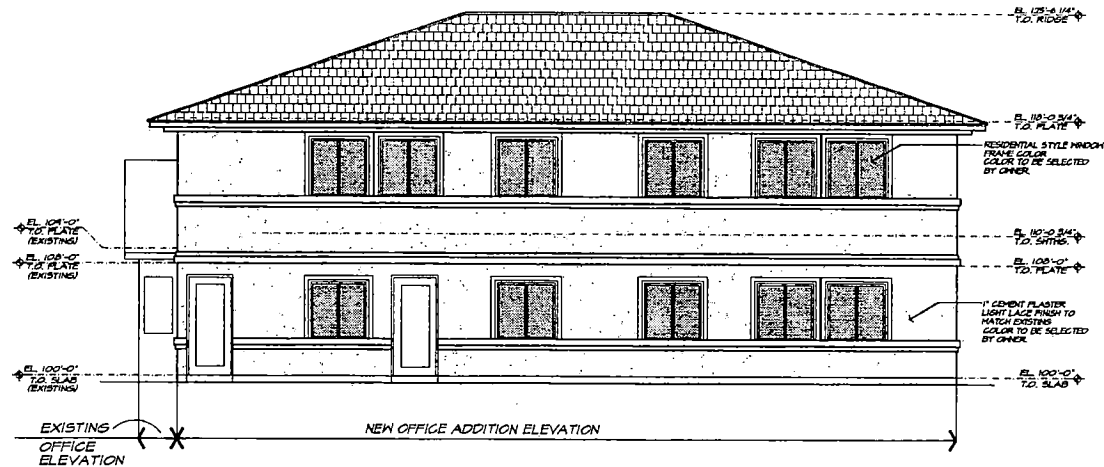
PROJECT NUMBER
200425

ALTERNATE
A-6.1

RECEIVED
AUG 20 2004



4 SIDE / NORTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



3 REAR / NORTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC

RECEIVED
AUG 20 2004

MARK ROSS JOHNSON
ARCHITECT
1700 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA 89102
PH: 702.734.1100 FAX: 702.734.1101

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 159-34-810-035
LAS VEGAS, NEVADA
P.D.B. / J.S.A. / P.M.

Date: 8/26/04
Date Rev: 8/10/04

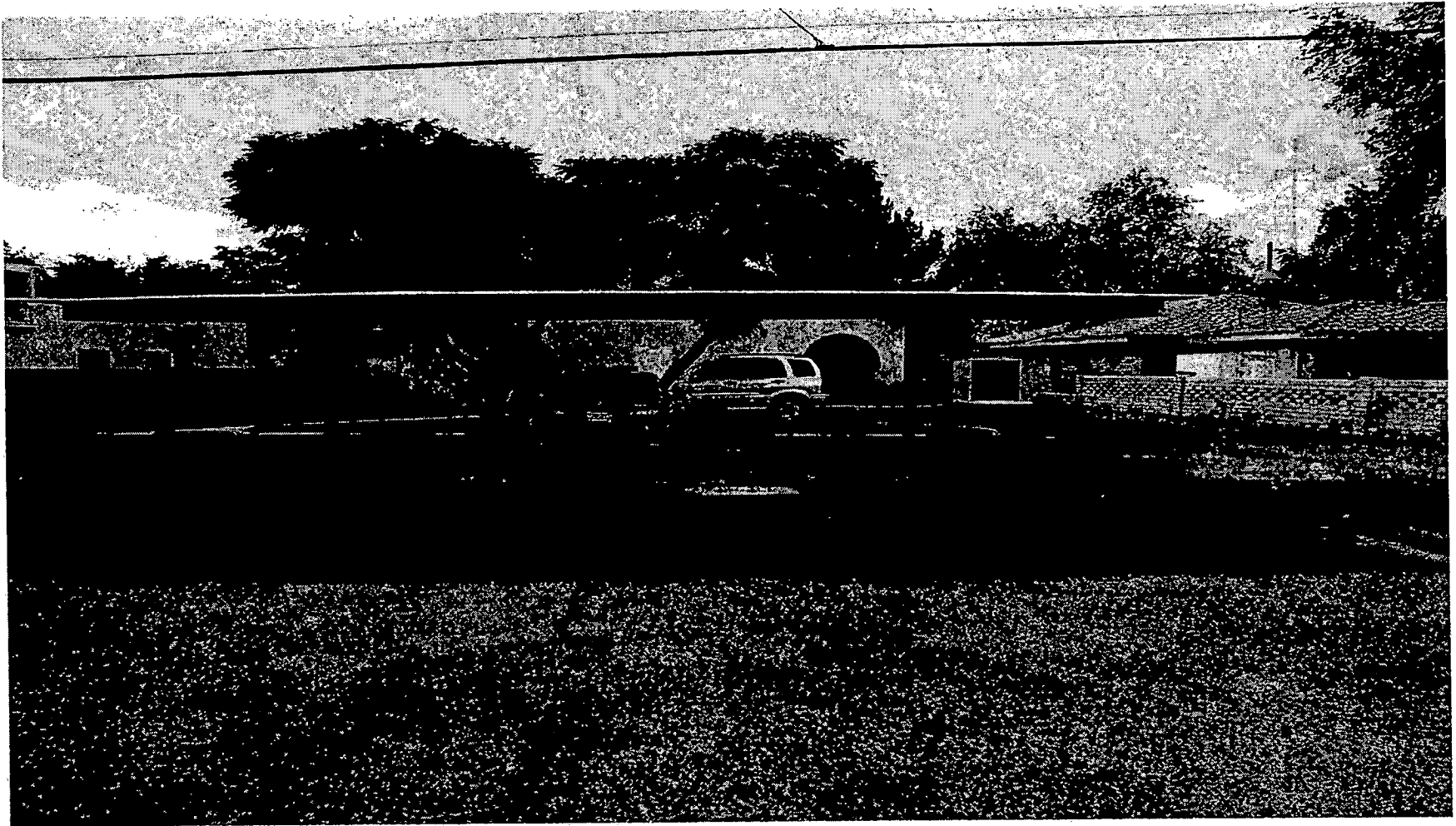
PROJECT NUMBER
200-425

ALTERN.
A-6.2



VAR-4725 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



VAR-4725 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5032 - VARIANCE RELATED TO VAR-4725 - PUBLIC HEARING -
APPLICANT/OWNER: CRAIG P. KENNY - Request for a Variance TO ALLOW THE
 ENLARGEMENT OF AN EXISTING NONCONFORMING BUILDING TO BE 205
 PERCENT OF THE SIZE OF THE ORIGINAL FOOTPRINT, WHERE 50 PERCENT IS THE
 MAXIMUM ALLOWED on 0.20 acres at 724 South Eighth Street (APN 139-34-810-035), P-R
 (Professional Office and Parking) Zone, Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - DENIED – Motion carried with DAVENPORT and EVANS voting NO and
NIGRO excused

This is Final Action

NOTE: COMMISSIONER EVANS disclosed that he knows the KENNY brothers on a
 professional basis. He has no personal involvement with their applications and no financial
 interest in their business, so he would be voting on these items.

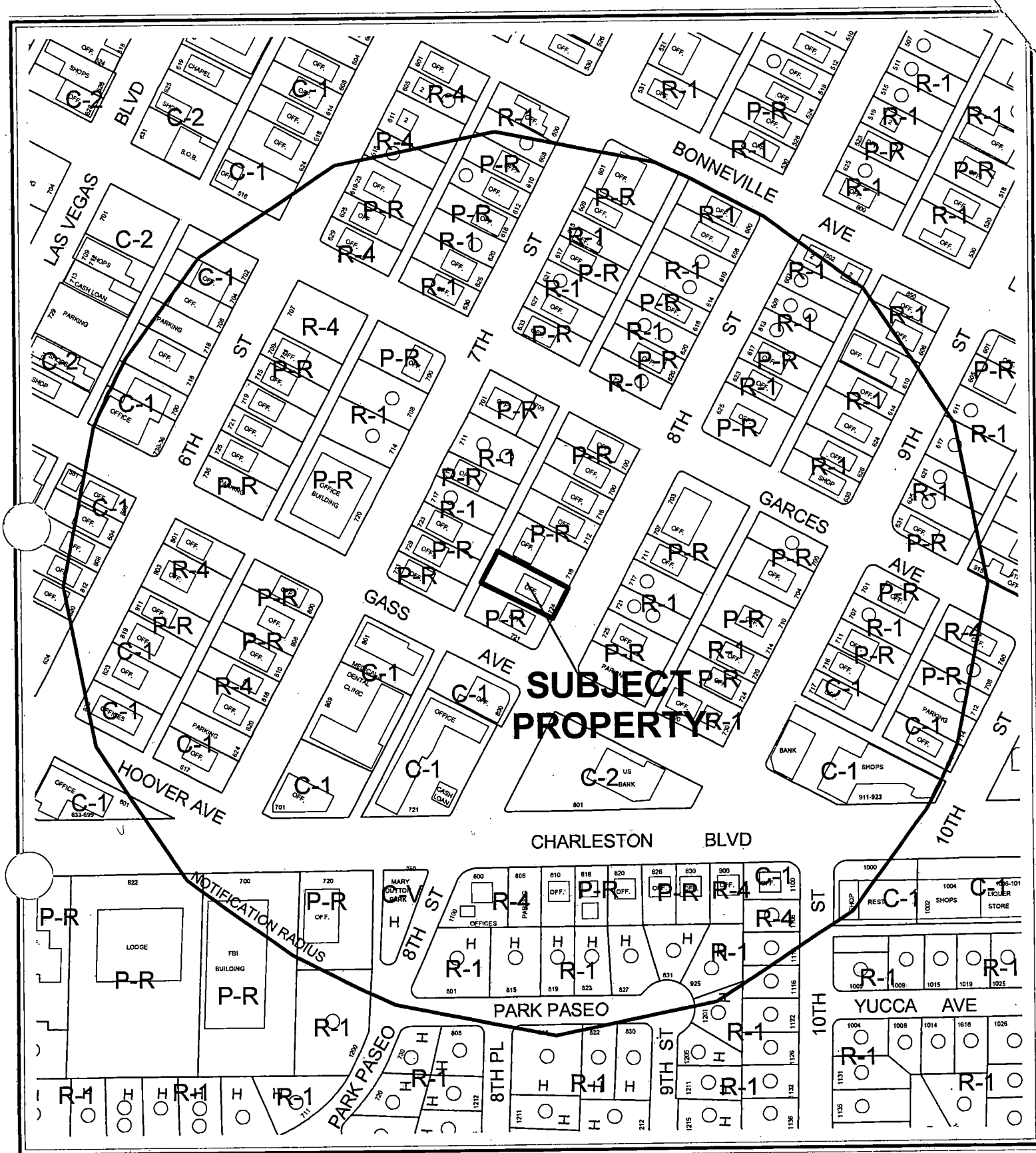
CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area.
 However, the property is not within the notification area nor does the project have any impact on
 his property, so he would be voting on these items.

MINUTES:

Note: See Item 22 [VAR-4725] for all related discussion on Item 22 [VAR-4725], Item 23
 [VAR-5032] and Item 24 [SDR-4724].

(7:48 – 8:17)

2-590



CASE: VAR-5032

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5032 - APPLICANT/OWNER: CRAIG P. KENNY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4724).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow the enlargement of an existing nonconforming building to be 205 percent of the size of the original footprint, where 50 percent is the maximum allowed on 0.20 acres at 724 South Eighth Street. Companion items for a parking Variance (VAR-4725) and a Site Development Plan Review (SDR-4724) for a proposed two-story, 4,320 square-foot addition to an existing office on this site will be considered concurrently.

B) Applicant's Justification

According to the applicant's justification letter, the applicant needs additional office space to accommodate his firm's employees, archival records and storage items. No justification was offered specifically for the expansion of a nonconforming building that exceeds the limits of the Zoning Code.

BACKGROUND INFORMATION

A) Previous Actions

- 07/17/91 The City Council approved a request for a Rezoning (Z-0055-91) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on the subject site. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning Commission held this item in abeyance to allow the applicant time to address staff's concerns.
- 09/09/04 The Planning Commission will consider related requests for a Variance (VAR-4725) to allow nine parking spaces on the subject site where 22 spaces is the minimum required and a Site Development Plan Review (SDR-4724) for a proposed two-story, 4,320 square-foot addition to an existing office on this site.

B) Pre-Application Meeting

- 08/19/04 Code requirements in regard to the proposed Variance request were discussed along with a new design for the office addition.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.21

B) *Existing Land Use*

Subject Property: Professional Office
North: Professional Office
South: Professional Office
East: Professional Office
West: Professional Office

C) *Planned Land Use*

Subject Property: MXU (Mixed Use)
North: MXU (Mixed Use)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) *Existing Zoning*

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: P-R (Professional Office and Parking)
East: P-R (Professional Office and Parking)
West: P-R (Professional Office and Parking)

E) *General Plan Compliance*

The subject site is designated MXU (Mixed Use) on the Downtown Redevelopment Area map in the Southeast Sector of the General Plan. A range of residential as well as commercial and public uses are permitted within this category. The office uses existing on the subject property conform to this designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Las Vegas Redevelopment Plan Area		
Special Overlay District	X	
Neighborhood Revitalization Area		
Trails		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is included within the original Las Vegas Redevelopment Plan Area. Although a range of uses and mixed-use developments are allowed in this area, the subject site is limited to light commercial and public uses by its P-R (Professional Office and Parking) zoning classification.

This area is also part of the Neighborhood Revitalization Area, identified by the Las Vegas Master Plan 2020 as neighborhoods where existing residential uses should be protected and proposed commercial development should be designed within the context of a pedestrian-friendly environment.

ANALYSIS

A) *Zoning Code Compliance*

A1) Standards for Nonconforming Uses and Structures

Title 19.16.030.C states that additions to nonconforming buildings may be approved if the nonconformance is the result of inadequate setbacks and provided that the addition conforms to all other provisions of the Zoning Code. The addition may only be located in the rear or side yard, must not encroach more than 50 percent into the rear or side yard, and cannot exceed more than 50 percent of the size of the original footprint of the structure. The proposed addition adds 205 percent of the original footprint area. The deviation from the size standard is 310 percent. A Variance should be approved for the size of the proposed addition prior to the approval of the addition itself. A Variance is already requested to allow nine parking spaces where 22 spaces are now required.

B) *General Analysis and Discussion*

The existing single-story, 2,103 square-foot office building is nonconforming with respect to the north side yard setback, which is three feet where five feet is required. The proposed addition to this building is 4,320 square feet, which is 310 percent above the standard that would only allow an addition containing a maximum of 1,052 square feet. The justification that additional office space is needed to accommodate employees, archival records and storage items does not meet the state's criteria for the granting of variances. The addition is too large for the site, and this request therefore represents a personal hardship on the part of the applicant. Denial is therefore recommended.

FINDINGS

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

VAR-5032 - Staff Report Page Four
September 9, 2004 Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site with a proposed office addition that is more than double the size of the existing office. A smaller addition would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 143

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

FINANCIAL INTEREST

Case Number: VAR-5032 APN: 139-34-810-035

Name of Property Owner: Craig P. Kenny

Name of Applicant: Craig P. Kenny

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

Yes

 No

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

City Official: _____

Partner(s): _____

APN: _____

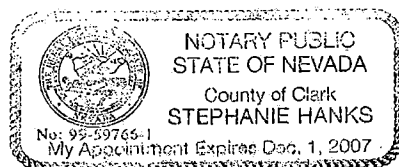
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Uraie R. Huh

Subscribed and sworn before me

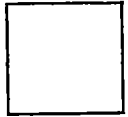
This 22nd day of June, 2004

(Notary Public in and for said County and State

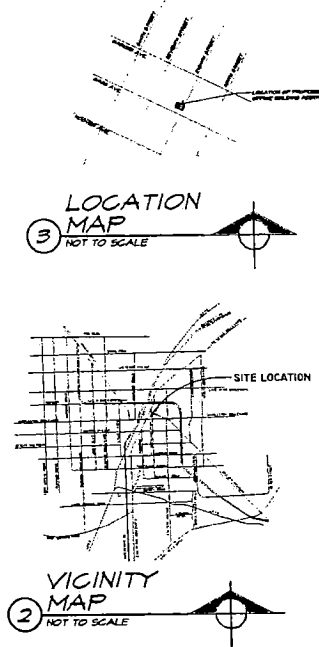
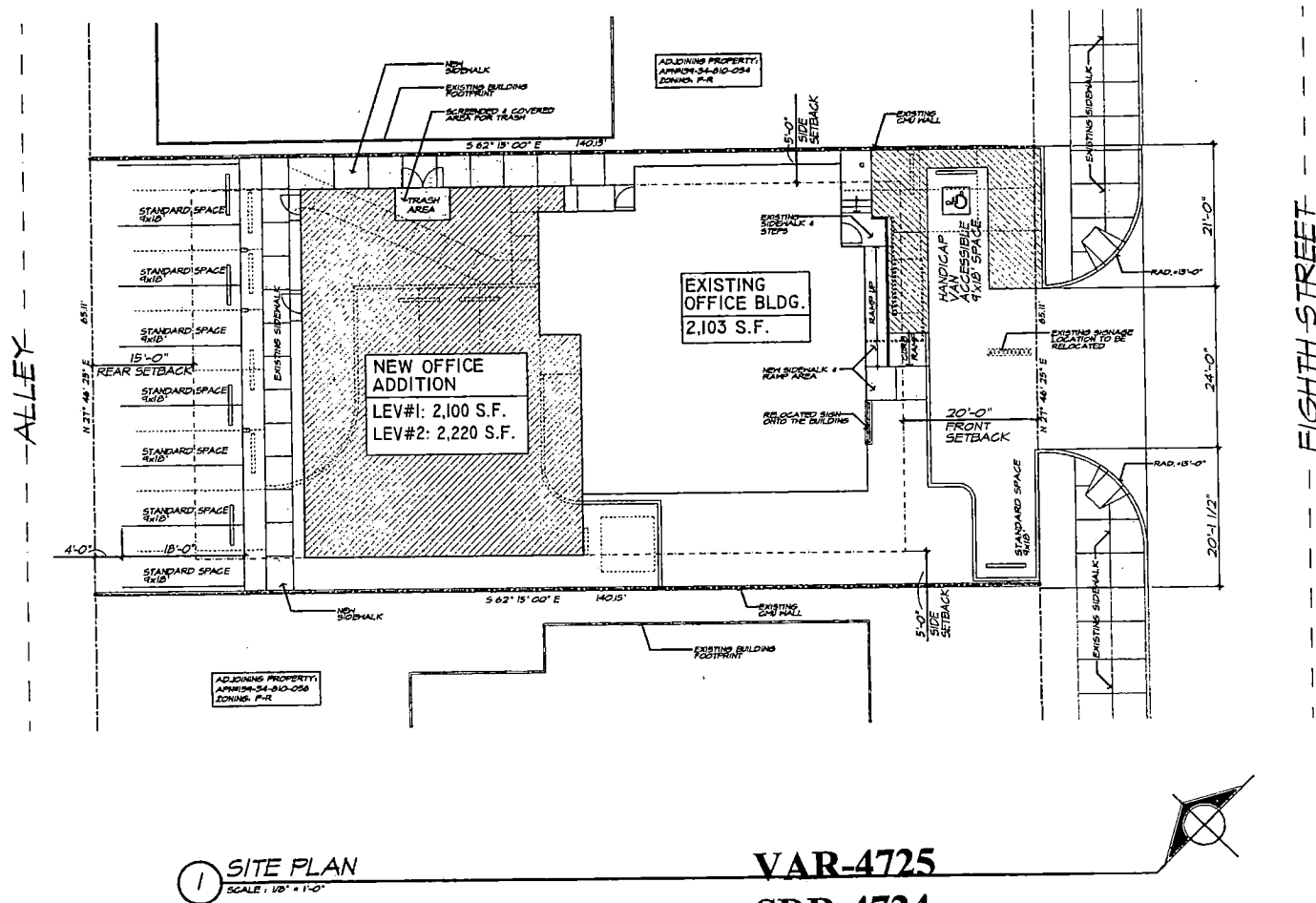


SITE DATA:	
ZONING:	P-R
EXISTING ZONING:	P-R
GROSS LOT AREA:	4,123 S.F.
APN 134-34-810-035:	4,123 S.F.
GROSS OFFICE AREA:	4,203 S.F.
LEVEL ONE:	4,203 S.F.
LOT COVERAGE:	43.00 S.F. / 4.123 S.F.
	48.8

PARKING REQUIRED:	
OFFICE BUILDING:	
EXISTING AREA:	2,103 S.F.
NEW LEVEL ONE AREA:	2,100 S.F.
NEW LEVEL TWO AREA:	2,220 S.F.
TOTAL AREA:	6,423 S.F. at 1 SP/300 S.F. = 22 SPACES
TOTAL PARKING REQUIRED:	22 SPACES
(1 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	9 SPACES
(INCLUDING 1 HANDICAPPED SPACES)	



MARK ROSS JOHNSON
ARCHITECT
4790 WEST UNIVERSITY AVENUE # LAS VEGAS, NEVADA 89103
TEL: (702) 887-3400 FAX: (702) 887-3410

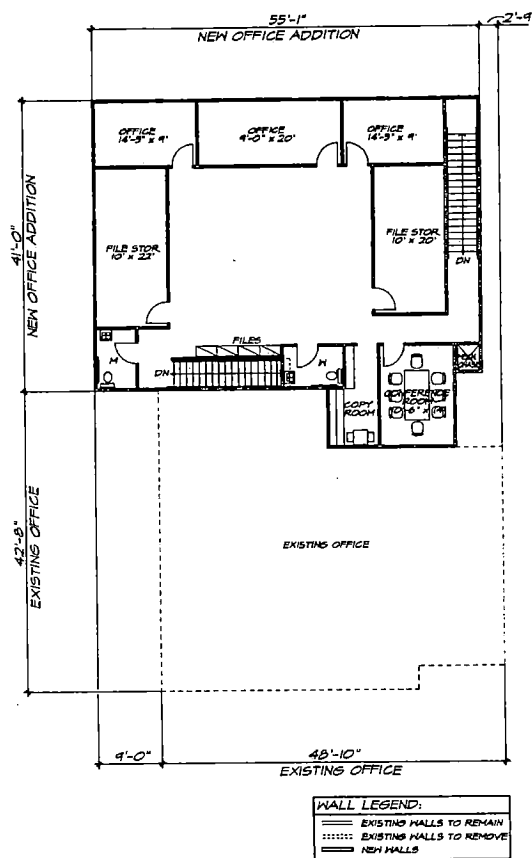


LAW OFFICE ADDITION
724 S. EIGHTH ST.
APN 134-34-810-035
LAS VEGAS, NEVADA
FOR CRAIG KENNY

Date: 6/26/04

PROJECT NUMBER
200425

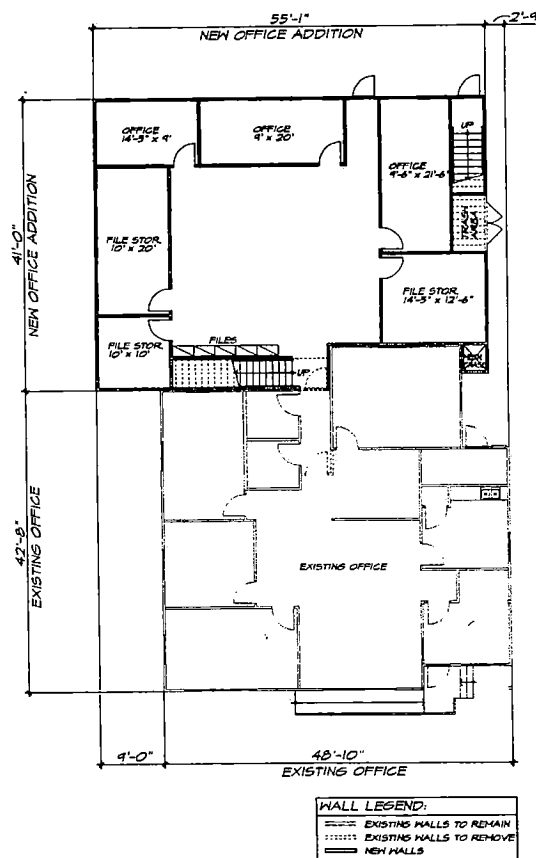
A-1.1



② LEVEL TWO
SCALE: 1/8" = 1'-0"

LEVEL TWO OFFICE ADDITION AREA: 2320 S.F.

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC



① LEVEL ONE
SCALE: 1/8" = 1'-0"

LEVEL ONE OFFICE ADDITION AREA: 2100 S.F.
TOTAL OFFICE ADDITION AREA: 4320 S.F.

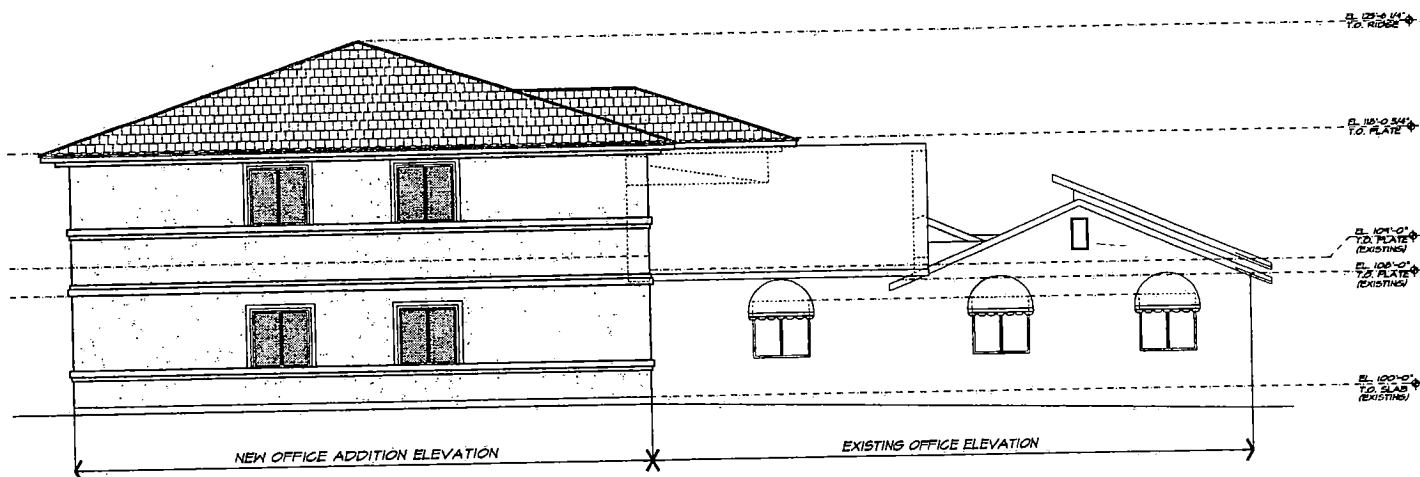
MARK ROSS JOHNSON
ARCHITECT
3345 WEST UNIVERSITY AVENUE ■ LAS VEGAS, NEVADA, 89103
TEL: (702) 865-3800 FAX: (702) 865-3800

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 139-34-010-035
LAS VEGAS, NEVADA
FOR COUNCIL KENT

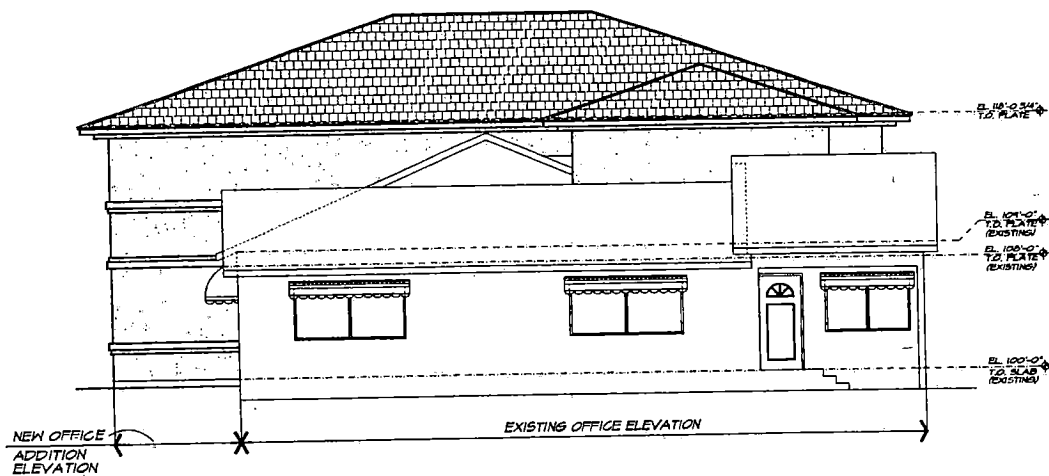
Date: 6/26/04

PROJECT NUMBER
200425

A-3.1



② SIDE / SOUTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



① FRONT / SOUTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC

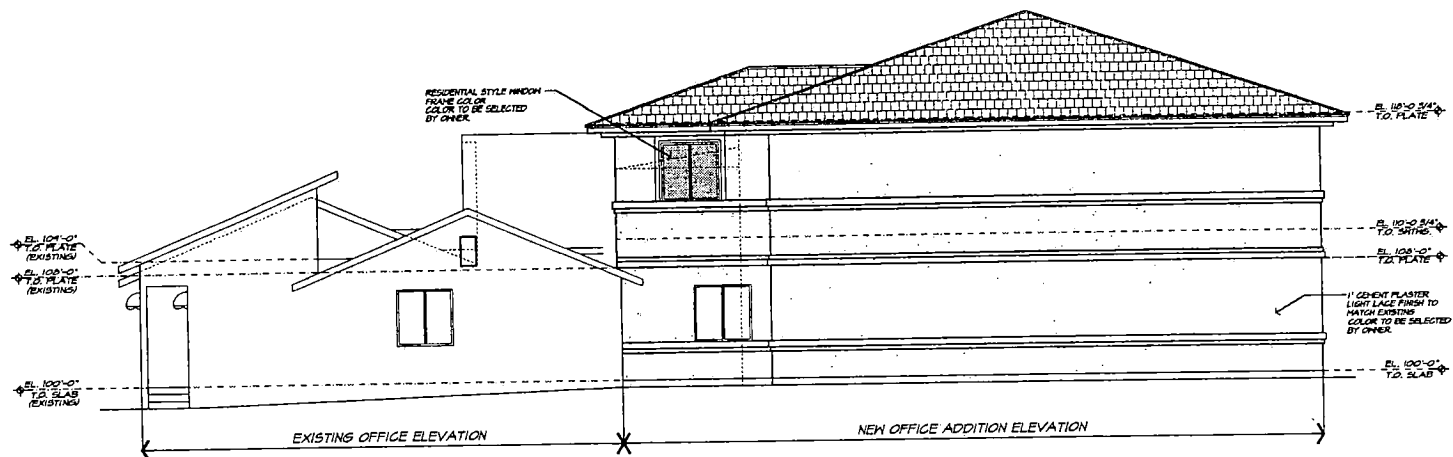
MARK ROSS JOHNSON
ARCHITECT
200 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA 89001

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 139-34-810-035
LAS VEGAS, NEVADA

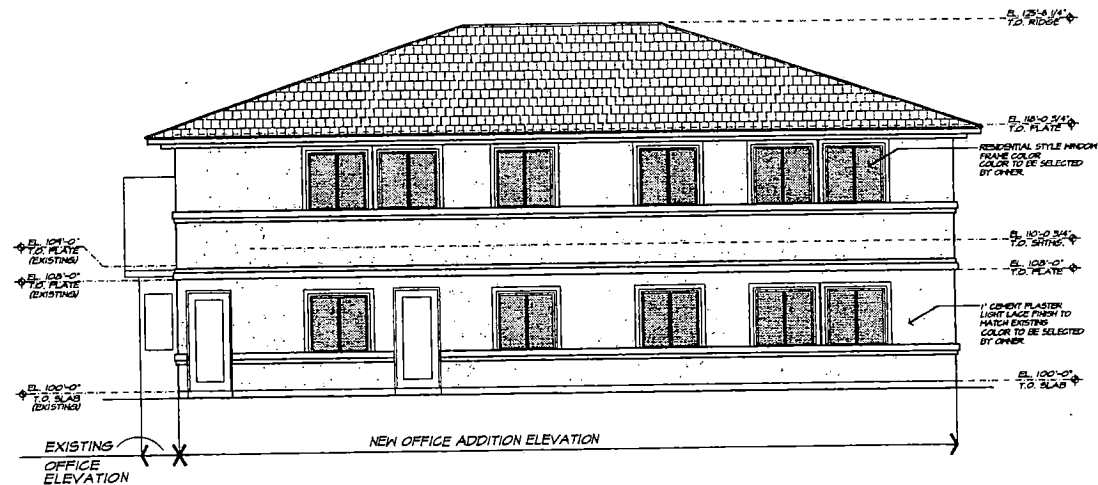
Date: 8/20/04
Date Rev.: 07/00

PROJECT NUMBER
200425

RECEIVED ALTERNATE
A-6.1
AUG 20 2004



4 SIDE / NORTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



3 REAR / NORTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC

RECEIVED
AUG 20 2004

ALTERNATE
A-6.2

MARK ROSS JOHNSON
ARCHITECT
1145 WEST UNIVERSITY AVENUE #1 LAS VEGAS, NEVADA 89103

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 139-34-810-035
1145 VEGAS, NEVADA
Date: 8/26/04
Data Rev: 01/10

PROJECT NUMBER
2004-125



VAR-5032 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



VAR-5032 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - SDR-4724 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5032 AND VAR-4725 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG P. KENNY - Request for a Site Development Review FOR A PROPOSED TWO-STORY, 4,320 SQUARE FOOT OFFICE ADDITION on 0.20 acres at 724 South Eighth Street (APN 139-34-810-035), P-R (Professional Office and Parking) Zone, Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - DENIED – Motion carried with DAVENPORT and EVANS voting NO and NIGRO excused

Final Action

NOTE: COMMISSIONER EVANS disclosed that he knows the KENNY brothers on a professional basis. He has no personal involvement with their applications and no financial interest in their business, so he would be voting on these items.

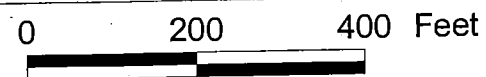
CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area. However, the property is not within the notification area nor does the project have any impact on his property, so he would be voting on these items.

MINUTES:

Note: See Item 22 [VAR-4725] for all related discussion on Item 22 [VAR-4725], Item 23 [VAR-5032] and Item 24 [SDR-4724].

(7:48 – 8:17)

2-590



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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4724 - APPLICANT/OWNER: CRAIG P. KENNY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. A Variance (VAR-4725) to allow nine parking spaces where 22 is the minimum required approved by the City Council.
2. A Variance (VAR-5032) to allow the enlargement of an existing nonconforming building to be 205 percent of the size of the original footprint, where 50 percent is the maximum allowed, approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 08/20/04, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. 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.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

Public Works

13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such mapping is required, it should record prior to the issuance of any building permits for this site.
14. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
17. Landscape and maintain all unimproved right-of-way on Eighth Street adjacent to this site.
18. Submit an Encroachment Agreement for all private improvements located in the Eighth Street public right-of-way adjacent to this site prior to occupancy of this site.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-55-91 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed two-story, 4,320 square-foot addition to an existing professional office on 0.21 acres at 724 South Eighth Street.

B) Applicant's Justification

According to the applicant's justification letter, the applicant needs additional office space to accommodate his firm's employees, archival records and storage items.

BACKGROUND INFORMATION

A) Previous Actions

- 07/17/91 The City Council approved a request for a Rezoning (Z-0055-91) from R-1 (Single-Family Residential) to P-R (Professional Office and Parking) on the subject site. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning Commission held this item in abeyance to allow the applicant time to address staff's concerns.
- 09/09/04 The Planning Commission will consider a request for a Variance (VAR-5032) to allow the enlargement of an existing nonconforming building to be 205 percent of the size of the original footprint, where 50 percent is the maximum allowed; and a Variance (VAR-4725) to allow nine parking spaces on the subject site where 22 spaces is the minimum required.

B) Pre-Application Meeting

- 06/15/04 It was stressed that the building addition could not exceed the required setbacks because the existing building is already nonconforming with respect to the side yard setbacks. Loading and refuse removal for the site must be illustrated and/or described in the submittal. The existing sign will need to be relocated to permit driveway improvements. Various Public Works concerns regarding traffic and right-of-way issues were addressed.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.21

B) *Existing Land Use*

Subject Property: Professional Office
North: Professional Office
South: Professional Office
East: Professional Office
West: Professional Office

C) *Planned Land Use*

Subject Property: MXU (Mixed Use)
North: MXU (Mixed Use)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) *Existing Zoning*

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: P-R (Professional Office and Parking)
East: P-R (Professional Office and Parking)
West: P-R (Professional Office and Parking)

E) *General Plan Compliance*

The subject site is designated MXU (Mixed Use) on the Downtown Redevelopment Area map in the Southeast Sector of the General Plan. A range of residential as well as commercial and public uses are permitted within this category. The office uses existing on the subject property conform to this designation.

PROJECT DESCRIPTION

This is the second addition to what was originally a single-family residence. The two-story, 4,320 square-foot addition will bring the total floor area to 6,423 square feet, more than triple the existing floor space. Access to the property is from the 20-foot rear alley and a 24-foot driveway from Eighth Street. Nine parking spaces are provided, with seven of these accessible from the alley and covered by an existing canopy. The existing building is nonconforming with respect to the north side yard setback, which is less than three feet. Both existing and proposed landscaping is provided within the Eighth Street right-of-way and along the sides and rear of the building. This includes a turf area on the south side of the building.

The proposed addition is two stories and 25 feet tall and consists of a cement plaster exterior painted to match the color of the existing office. The structure will have a hip roof and contains residential-style windows on two sides.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Feet	9,125 SF	N/A
Min. Lot Width	60 Feet	65 Feet	Y
Min. Setbacks			
• Front	20 Feet	25.5 Feet	Y
• Side (existing structure)	5 Feet	3 Feet	N
• Side (new structure)	5 Feet	5 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	31 Feet	Y
Max. Lot Coverage	50 %	46 %	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/25 Feet	Y
Trash Enclosure	Screened, walled, roofed	Screened, walled, roofed	Y
Loading Zone	No deliveries	None	N/A
Mech. Equipment	Screened	Not shown	Cannot determine

The existing and proposed office meets the required P-R (Professional Office and Parking) development standards, with the exception of the minimum side yard setback. Records show that the original residence had a three-foot setback on the north side yard and a 14-foot setback on the south side yard. The addition itself is conforming to P-R standards. Mechanical equipment must be screened in accordance with the Conditions of Approval for the Rezoning of the property (Z-0055-91) and the Commercial Development Standards found in Title 19.08.045.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060, the subject site is not subject to Residential Adjacency Standards, as it is located within the boundaries of the Las Vegas Redevelopment Area, as described by ordinance.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, other	6,423 SF	1/300 SF GFA	21	1	8	1

When the proposed office addition is considered, the overall development is underparked by 13 spaces. This is a 59% deviation from the minimum standard. A Variance to allow the proposed nine spaces has been filed and will be heard concurrently.

The Department of Public Works requires that driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	2 Trees	None
Buffer:			
• Min. Trees (8th Street)	1 Tree/20 Linear Feet	2 Trees	2 Trees
• Min. Trees (sides)	1 Tree/20 Linear Feet	10 Trees	5 Trees
• Min. Zone Width (8th Street)	3 Feet		14 Feet
• Wall height	Max. 6 Feet if used		Not indicated

The development as a whole is deficient two trees in the parking lot and five trees in the rear; however, Z-0055-91 only required one 24-inch box evergreen tree with shrubs and groundcover in a landscape planter along Eighth Street, and a minimum three-foot wide planter in front of the building, with no requirements along the sides of the building. There are three new trees proposed to the south side of the addition. A five-foot sidewalk adjoins the building on the north side of the proposed addition.

A5) Sign Standards

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

Wall Signs: [Front elevation]

Standards	Allowed	Provided
Maximum Number	One sign per elevation	1 total
Maximum Area	10 % of elevation	Not indicated
Maximum Projection	2 Feet	Not indicated
Illumination	Internal only	Not indicated

One wall sign is shown on the elevation facing Eighth Street. Direct external illumination of the sign is prohibited, as there are single-family residential uses located within 200 feet of the front elevation. Signage shall meet the minimum standards contained in Title 19.14 for the P-R (Professional Office and Parking) zoning district.

B) General Analysis and Discussion

- Zoning

The subject site is zoned P-R (Professional Office and Parking). Professional offices, such as the one existing on this site, are permitted uses in this zoning district.

- Site Plan

The existing building is nonconforming with respect to the north side yard setback, which is three feet. According to Title 19.16.030.C, additions to nonconforming buildings may be approved if it is the result of inadequate setbacks and provided that the addition conforms to all other provisions of the Zoning Code. The addition may only be located in the rear or side yard, must not encroach more than 50 percent into the rear or side yard, and cannot exceed more than 50 percent of the size of the original footprint of the structure. The proposed addition, considering just the footprint, adds over 100 percent of the original footprint area. A Variance should be approved for the size of the proposed addition prior to the approval of the addition itself. A Variance is already requested to allow nine parking spaces where 22 spaces are now required.

- Waivers

No waivers were requested as part of this Site Development Plan Review.

- Landscape Plan

The landscape plan complies with the Conditions of Approval of Rezoning (Z-0051-91), which allowed for the conversion of a single-family residence into a professional office. It is noted that, by Title 19 standards, the development is deficient with regard to the number of trees within

the parking lot and the number of trees within perimeter landscape buffers. Turf is limited to a maximum of 12.5 percent of the total landscapable area.

- Elevation

While the proposed addition is significantly larger than the existing structure, the hip roof and stucco banding assist in reducing the massing and adding scale to the structure. As the addition is set back from the street and gradually steps back from the existing structure, its bulk is not immediately apparent from the street.

- Floor Plan

The proposed addition will contain six new offices, five file storage rooms, copy room, a conference room and restrooms. One exit is provided in the rear for each level.

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 two-story office addition is generally incompatible with adjacent single-story professional offices in the area, as its Floor Area Ratio (F.A.R.) far exceeds the F.A.R. of other structures in the immediate vicinity. However, the residential detailing of the structure and its location at the rear of the property assist in reducing the impact to adjacent parcels.

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

The proposed development requires a Variance to Title 19 parking standards to allow nine spaces where a minimum of 22 spaces is required. The proposed addition itself more than doubles the original footprint, requiring an additional variance. Other aspects of the development meet the minimum requirements for developments in the P-R (Professional Office and Parking) zoning district.

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

Access to the overall development is provided by a 20-foot paved rear alley and a 24-foot driveway from Eighth Street, an 80-foot right-of-way. Only 48 of this 80 feet, however, is paved. These roads should be sufficient to serve the needs of the development.

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

The exterior materials of the structure are generally consistent with the existing building on the site and other structures in the area. Landscaping materials are appropriate and meet the conditions of approval for the rezoning of this property.

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

The building elevations and roof configuration assist in maintaining a residential character for the structure, although the massing is much greater than adjacent structures. The proposed addition is set back from the street and does step back from the existing office building, which assists in reducing the impact to adjacent properties.

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

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

NOTICES MAILED 143 – Mailed with VAR-4725

APPROVALS 0

PROTESTS 0

The Law Offices of
Craig P. Kenny & Associates
A Law Firm Committed to the Client

Work Accidents, Car Accidents, Medical Negligence, Criminal Defense,
Bankruptcy, Family Law, Social Security Disability Law

Craig P. Kenny
John L. Duffy
Lawrence E. Mittin
Bradley L. Kenny

Kathryn N. Potvin
Sean M. Hoeffgen
Leon R. Symanski
Lucien A. Cravens, Jr

June 25, 2004



City of Las Vegas
Planning & Development Department

RE: Statement of financial interest/724 S. Eighth Street

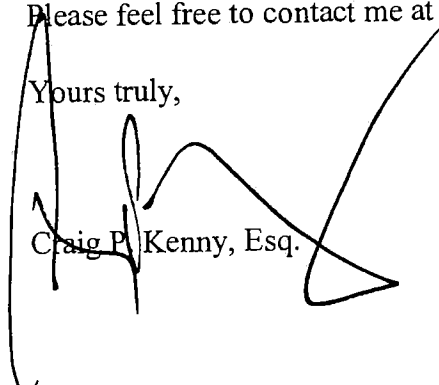
To whom it may concern:

I am the sole owner of the building at 724 S. Eighth Street. Robert Kelley, Esq. currently holds a deed of trust on such property. Other than that, no one else has any financial interest in said property.



Please feel free to contact me at your convenience if you have any questions.

Yours truly,

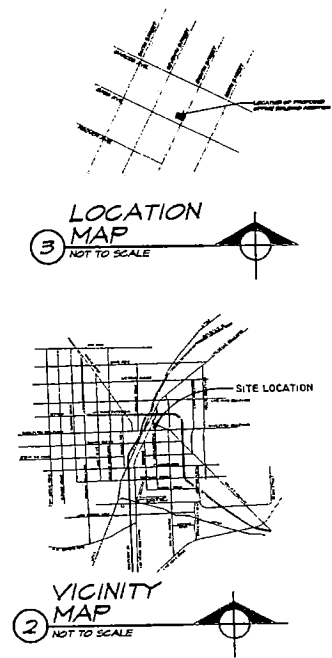
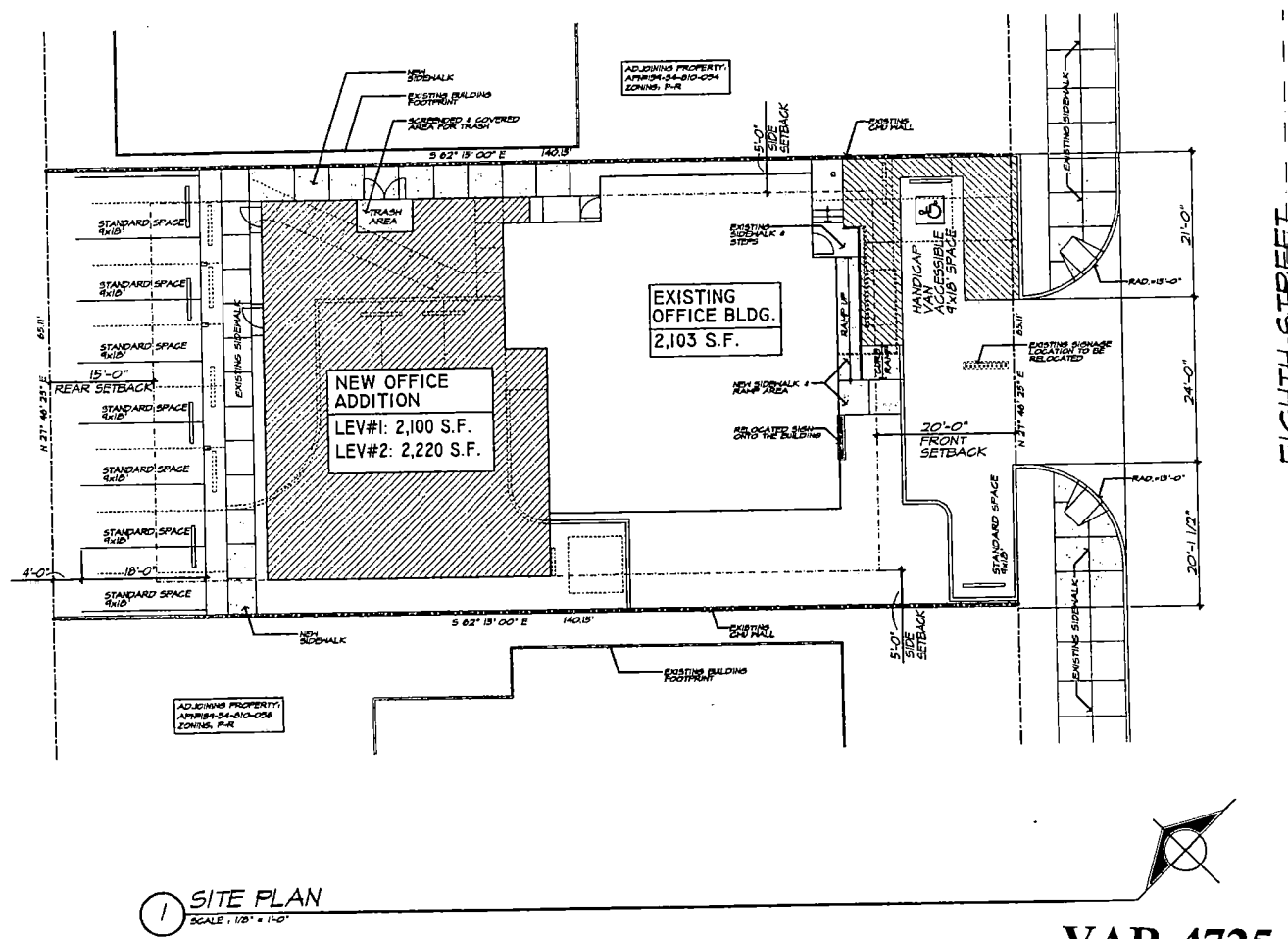

Craig P. Kenny, Esq.

SITE DATA:	
ZONING:	P-R
EXISTING ZONING:	P-R
GROSS LOT AREA:	4,123 S.F.
APN: 194-34-010-035	
GROSS OFFICE AREA:	4,203 S.F.
LEVEL ONE:	
LOT COVERAGE:	46%
4,203 S.F. / 4,123 S.F.	

PARKING REQUIRED:	
OFFICE BUILDING:	
EXISTING AREA:	2,103 S.F.
NEW LEVEL ONE AREA:	2,100 S.F.
NEW LEVEL TWO AREA:	2,220 S.F.
TOTAL AREA:	6,423 S.F. @ 1 SF/300 S.F. = 22 SPACES
TOTAL PARKING REQUIRED:	22 SPACES
(1 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	9 SPACES
(INCLUDING 1 HANDICAPPED SPACES)	



MARK ROSS JOHNSON
ARCHITECT
4790 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA 89103
TEL: (702) 844-3000 FAX: (702) 844-3007



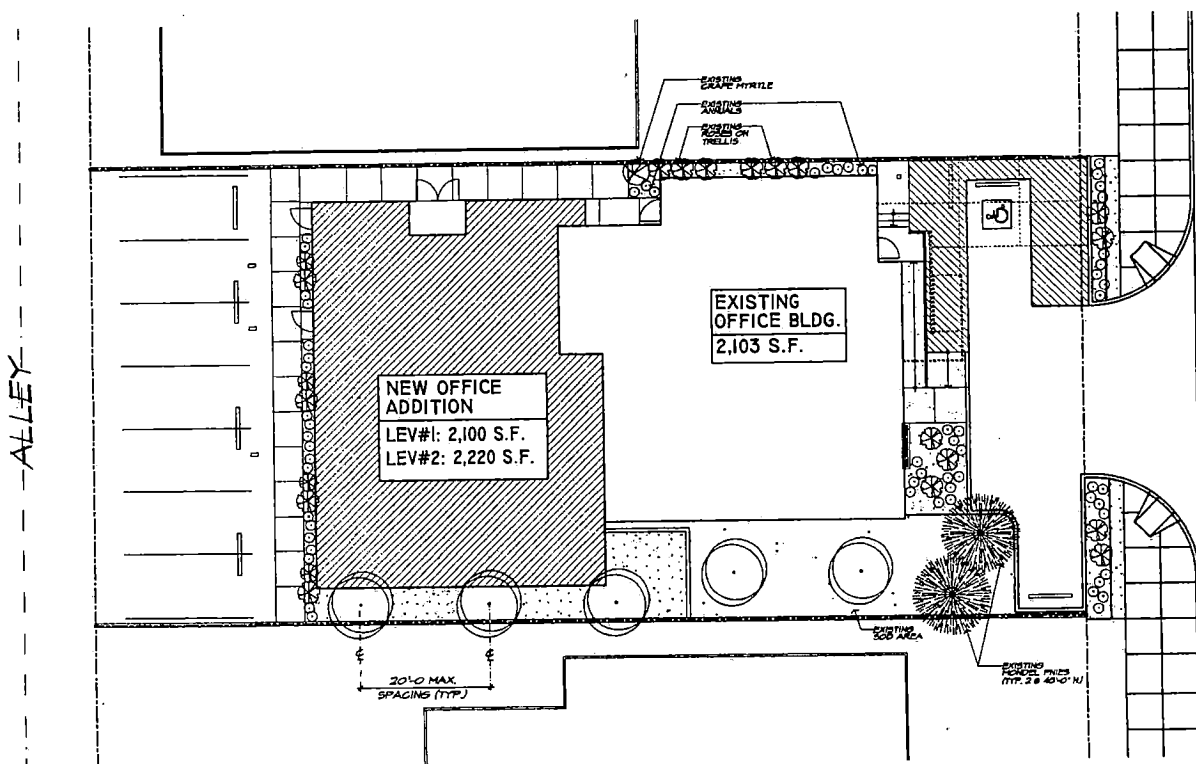
VAR-4725
SDR-4724
08-12-04 PC

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 194-34-010-035
LAS VEGAS, NEVADA
FOR: CRAIG KENNY

Date: 6/26/04

PROJECT NUMBER
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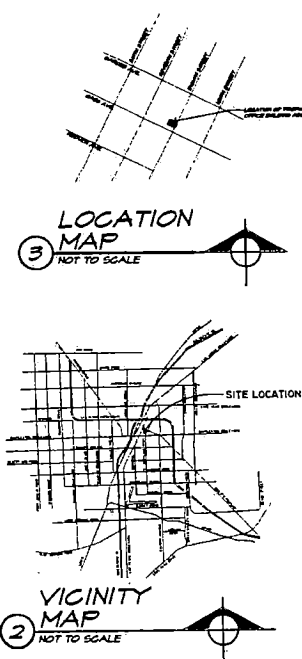


1 SITE PLAN
SCALE: 1/8" = 1'-0"

VAR-4725
SDR-4724
08-12-04 PC

LANDSCAPE LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	PINUS VELUTINA RIO GRANDE	PIN-TEX ASH 20'-0" MAX SPACING	24" BOX MIN
	PINUS PONDEROSA	PURPLE LEAF PINE 20'-0" MAX SPACING	24" BOX MIN
	PINUS ELДАРICA	MONDEL PINE 20'-0" MAX SPACING	24" BOX MIN
		ANNUALS	PLANTS
	RHAPHIOLEPIS INDICA	INDIAN HAWTHORNE	5 GAL
	PHOTINIA FRASERI	REDTIP PHOTINIA	5 GAL
	LACHNSTACHYA INDICA	GRAPE HYDRATE HEADS GLOVED	10 GAL
		CRUSHED GRANITE MELCH 24" MIN WIDTH 2" MIN DEPTH	
		TURF	500

NOTES:
1. PROVIDE AUTOMATIC DRIP TYPE
IRRIGATION TO EACH PLANT.



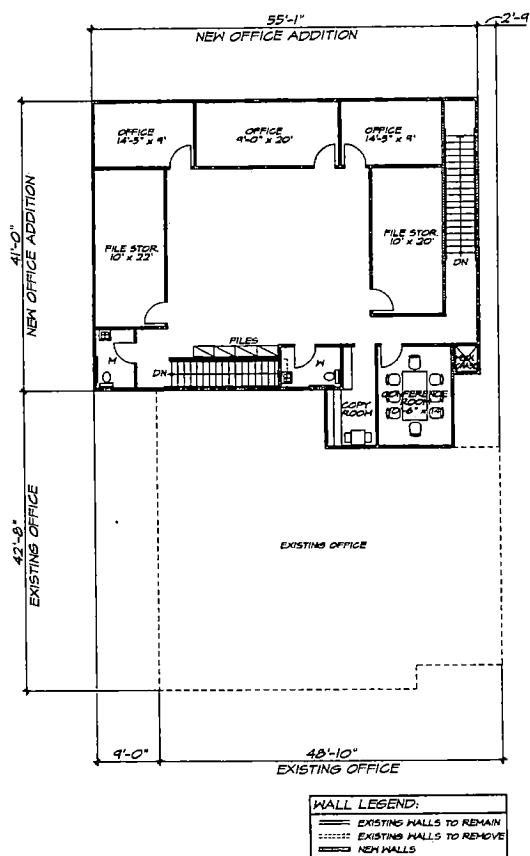
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FOR: CRAIG KENY

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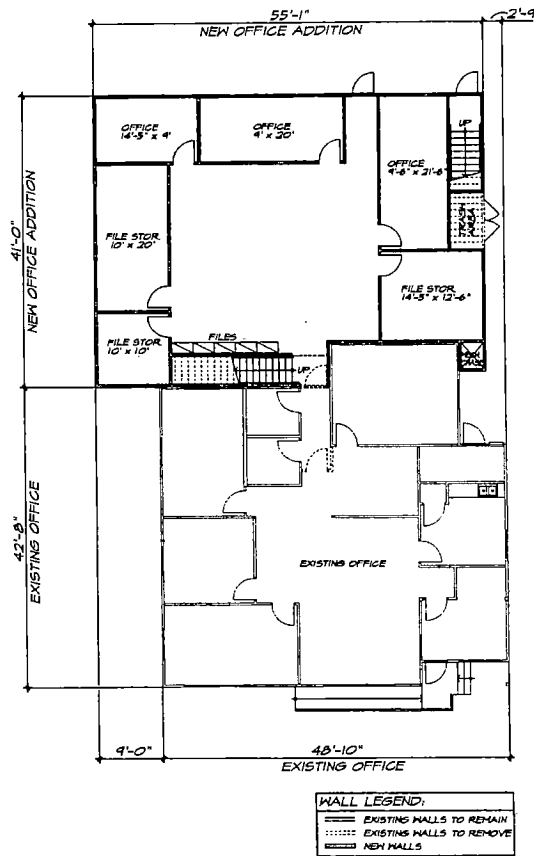
L-1

MARK ROSS JOHNSON
ARCHITECT
100 WEST UNIVERSITY AVENUE • LAS VEGAS, NEVADA • 89101
TEL: (702) 891-2888 FAX: (702) 891-2888



2 LEVEL TWO
SCALE: 1/8" = 1'-0"

LEVEL TWO OFFICE ADDITION AREA: 2,220 S.F.



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

LEVEL ONE OFFICE ADDITION AREA: 2,100 S.F.
TOTAL OFFICE ADDITION AREA: 4,320 S.F.

VAR-4725
SDR-4724
08-12-04 PC



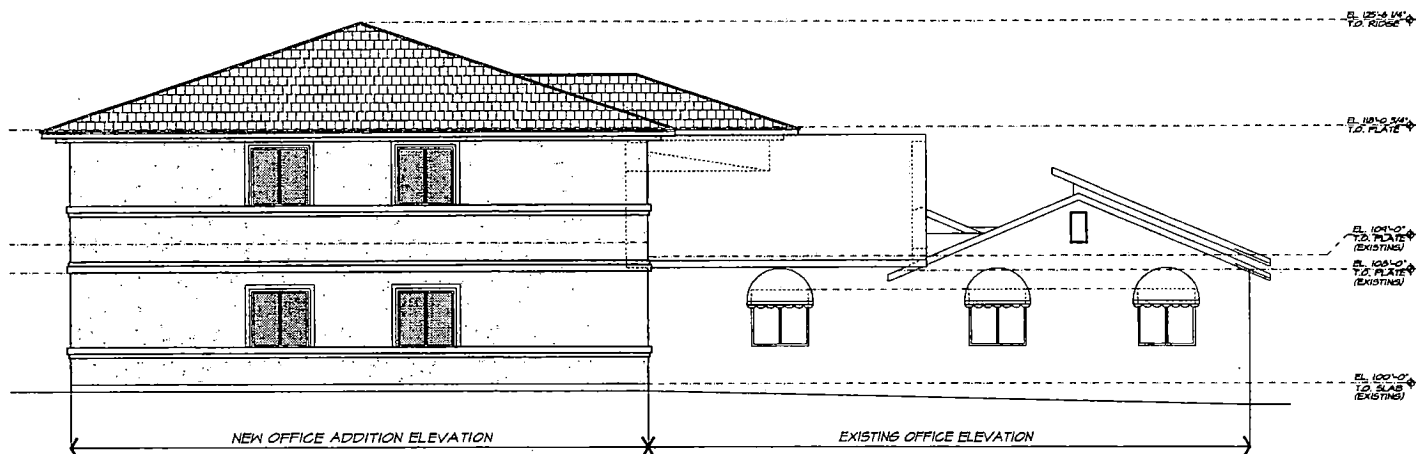
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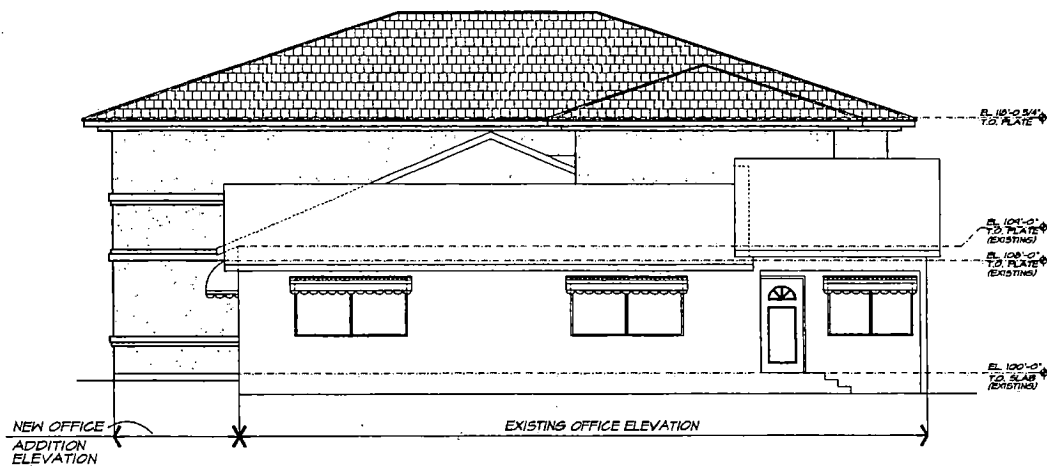
Date: 8/26/04

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A-3.1



② SIDE / SOUTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



① FRONT / SOUTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC

RECEIVED
AUG 20 2004

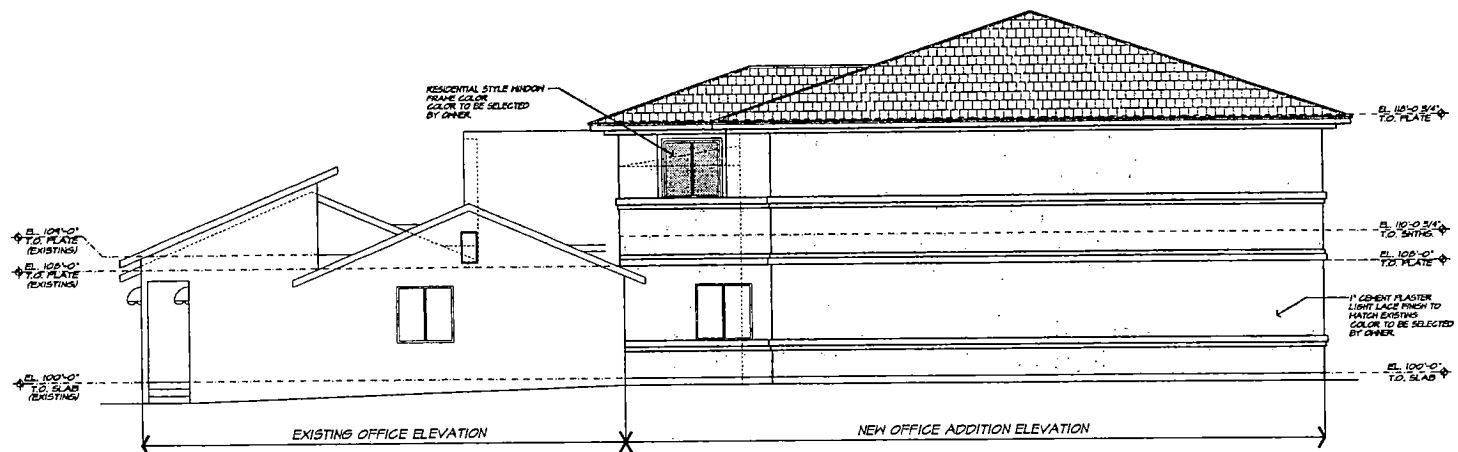
ALTERN
A-6.

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 159-34-810-035
Date: 6/26/04
Date Rev.: 09/09

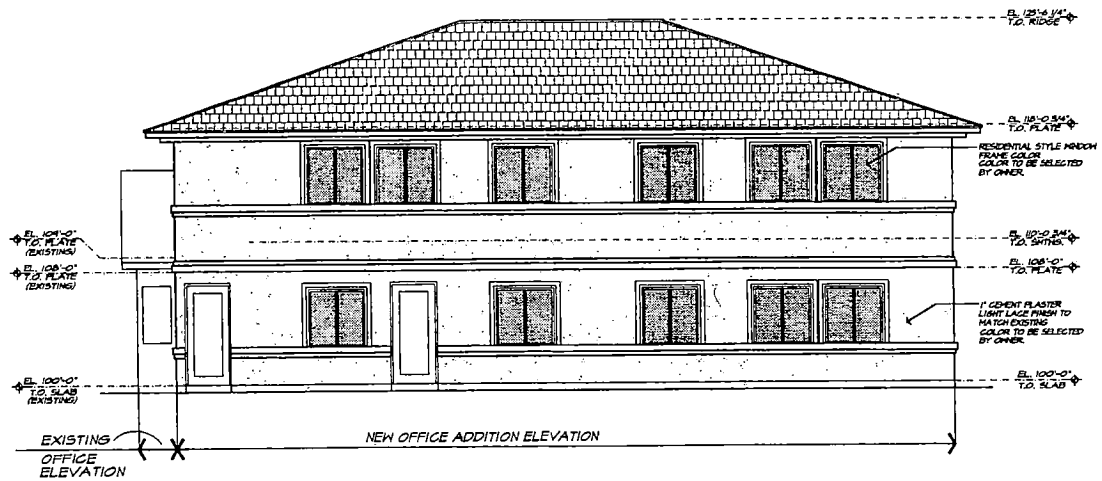
PROJECT NUMBER
200425

MARK ROSS JOHNSON
ARCHITECT

EVERETT
STREET
159-34-810-035



4 SIDE / NORTHEAST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"



3 REAR / NORTHWEST ELEVATION-ALTERNATE #1
SCALE: 1/4" = 1'-0"

VAR-4725
SDR-4724
VAR-5032
09-09-04 PC

RECEIVED
AUG 20 2004

MARK ROSS JOHNSON
ARCHITECT
1270 WEST UNIVERSITY AVENUE # LAS VEGAS, NEVADA 89103

LAW OFFICE ADDITION
724 S. EIGHTH ST.
A.P.N. 139-34-810-035
LAS VEGAS, NEVADA

Date: 6/20/04
Plot Rev: 8/10/04

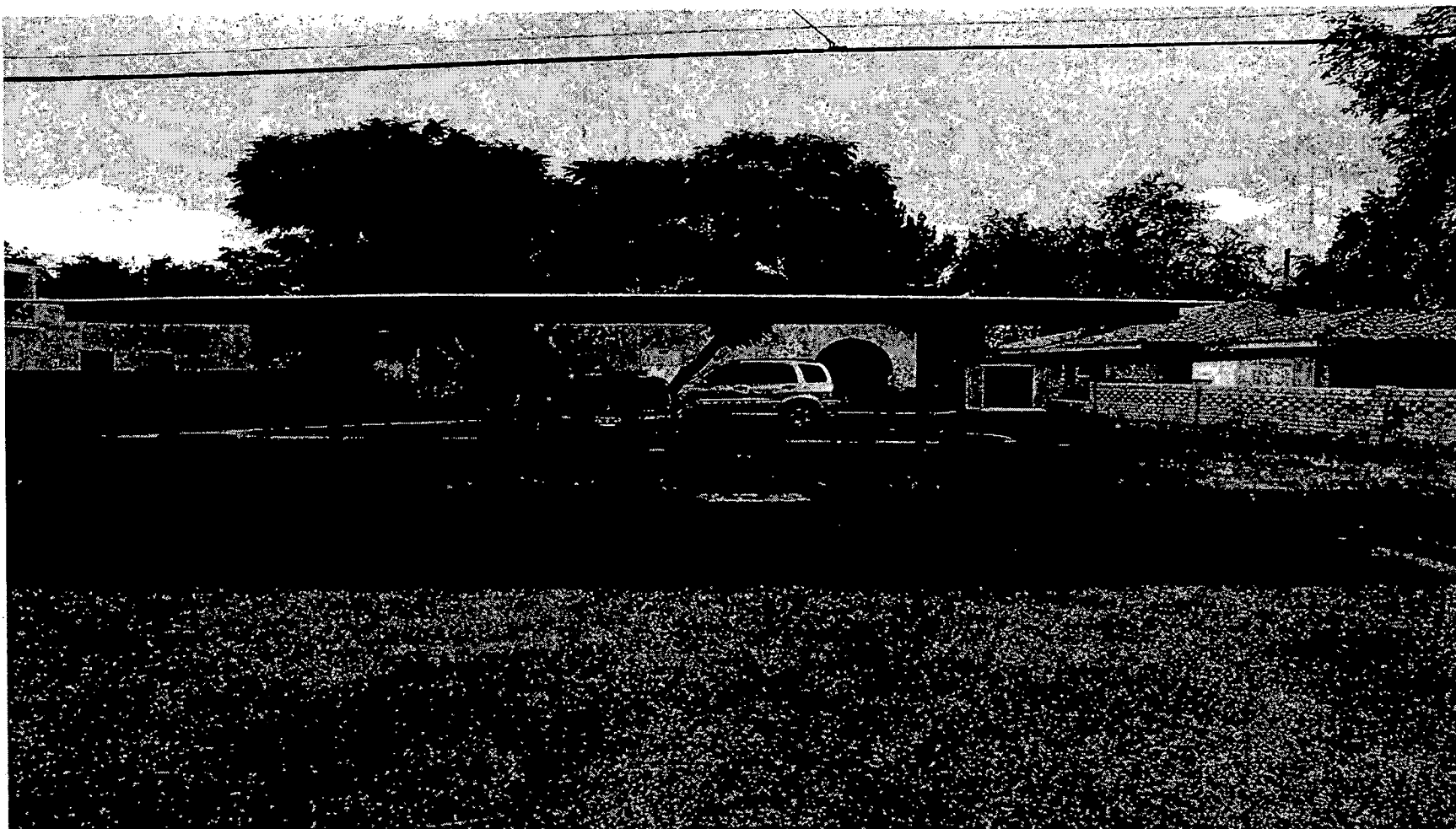
PROJECT NUMBER
200425

ALTERN
A-6.2



SDR-4724 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SDR-4724 - APPLICANT/OWNER: CRAIG P. KENNY
724 SOUTH EIGHTH STREET
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-4728 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area. However, the property is not within the notification area nor does the project have any impact on his property, so he would be voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [SUP-4728] and Item 26 [SDR-4727].

DAVID CLAPSADDLE, Planning and Development Department, indicated that the 199 proposed parking spaces would be located on floors two, three and six and also in the basement.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 25 – SUP-4728

MINUTES – Continued:

Residential uses will be on levels seven through twenty. The building does not meet the step-back requirements on the fourth, eleventh and eighteenth stories; however, staff feels there is enough articulation to warrant approval of the waiver. The streetscape meets the requirements of the Centennial Plan. Staff is asking for shade trees on Hoover Avenue instead of palm trees as proposed on the Site Plan. Also, staff would like to have a condition in place requiring the applicant to apply for a Special Use Permit should they decide to place any electronic billboards on the facade in the future. MR. CLAPSADDLE then read a summary of the conditions associated with the three items.

MARGO WHEELER pointed out that the title of the Agenda Summary Page for Item 26 [SDR-4727] represents a 22-story building in error, the correct verbiage should be 23-story. An applicant representative ROCKY DERRICK, no address given, noted another correction to the same page, that the 169 residential units should actually be 168. He also stated the added parking will take up floors two through seven, not two through six as indicated by MR. CLAPSADDLE.

WILLIAM SEEGMILLER, 10866 Willow Heights, appeared with his brother CLARK SEEGMILLER and SAM CHERRY, co-developers in this project. They supplied a rendering of the project and offered to answer any questions from the Commission. MR. SEEGMILLER indicated the project is one block away from the SOHO Loft project MR. CHERRY is currently developing.

COMMISSIONER GOYNES commended the applicants on a great project and indicated it could set the tone for new revitalization. He questioned if the gap shown in the photo between the top of the roof and the top floor of the building was open space. MR. SEEGMILLER informed him that would be an amenity deck including a pool, a running deck, an exercise room and a community center. MR. SEEGMILLER stated that the nearby SOHO Loft project is selling well and they think this project will also do well.

Making reference to the City's desire to have affordable housing, COMMISSIONER STEINMAN asked the applicant to speculate on the size of the units and the price ranges. MR. SEEGMILLER indicated the goal is to make the price points low enough to encourage people to move into the downtown area and to take the Metro into the area and walk to work. He stated the smallest unit is approximately 750 to 800 square feet and the largest being approximately 2,000 square feet. The price range would begin at the higher end of two hundred thousand dollars.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 25 – SUP-4728

MINUTES – Continued:

COMMISSIONER STEINMAN also questioned the formula used to compute parking spaces required per unit and for the commercial aspect of the building. MR. CHERRY informed him that parking could only be taken so high because people will get dizzy trying to drive up to the fifteenth floor to park. The studies they referenced are bringing in parking stalls for the commercial aspect of the property at 1-¼ to 1-½ per unit. He explained that in some cities, such as Chicago and New York, there is zero parking. MR. CHERRY said it is not the time to try and eliminate parking completely but they are dedicating only one stall per unit and two for each penthouse because they are larger. MR. DERRICK added that there are 203 spaces for 168 units so there will be approximately 30 “second spaces” for some of the larger units to use. This will leave 26 spaces for the retail component, which is approximately 5,000 square feet.

COMMISSIONER EVANS pointed out that at this time, there is really no way to predict what the parking needs will be because none of the newest buildings going into the downtown area have opened yet. He also pointed out that many of these types of homes would be second homes for people from out of state. When he lived in Washington D.C., he lived in a 10-story apartment building that had no allotted parking space. This was not an issue for him because he did not have a car. The Commissioner does not feel the downtown area is prepared to give up reliance on automobiles at this time. COMMISSIONER STEINMAN concurred. COMMISSIONER EVANS then stated that he has spoken with individuals who have expressed interest in living downtown in one of the proposed high rises and many of them work at the Federal Building and at the Courts.

CHAIRMAN TRUESDELL asked the applicant to describe the exterior of the building. MR. DERRICK explained they would be using a panelized system that will be a color similar to concrete grey. The windows will be reflective blue glass. The system will also be used on the exterior of the parking structure with some added detail to dress up the area. He confirmed with CHAIRMAN TRUESDELL the panelized system would be hung on a steel structure. The patios would be concrete slabs off of the steel frame of the structure. The Chairman said the project sounded exciting and because they do take so long from start to finish, staff has not learned all of the questions to ask because there is nothing similar finished yet. Eventually, staff and the Commission will have to look at project staging and issues such as road closures.

MR. SEEGMILLER asked the Commission to consider the deletion of Condition 22 on application SDR-4727. The condition pertains to aerial encroachments, which would include the patios and facades. He stated one of the goals, in keeping with the Centennial Plan, is to avoid a box like structure and to have a greater degree of facade articulation. Also, the balconies do expand the sellable square footage of the units. GINA VENGLASS, Department of Public Works, indicated that it is the duty of the Public Works staff to obtain and preserve the public

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 25 – SUP-4728

MINUTES – Continued:

right-of-way. Title 13 defines the right-of-way as public property dedicated for streets, alleys or other public uses. Staff feels that the balconies and facades on the buildings are not of public use and not a benefit to the public and that is why Staff does not recommend aerial encroachments.

DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed for COMMISSIONER STEINMAN that this is not an aerial rights issue but is an encroachment issue. The items extend into the public right-of-way and an encroachment agreement is required. MR. DERRICK pointed out that the first level of units and therefore the first level of encroachment would be at 82 feet and would extend out six feet. He added that the lot size is slightly less than one half acre with 168 units. This density unit to the acre is typical for urban downtown living. To complete the project as planned, the encroachment is necessary. Without it, the applicant will have to step into the living space to have the balconies and that would be difficult on such a small parcel.

COMMISSIONER STEINMAN asked MS. VENGLASS to elaborate on the problems that could arise should the encroachment be allowed at that height. She indicated that currently, there are no known problems and nothing is foreseen at this time. However, there is no way to predict what could happen in the future. She stated it is only a recommendation and that the Commission and the Council always have the ability to do as they think best.

Referencing Condition 22, COMMISSIONER EVANS interpreted the language as requiring an encroachment for ground level encroachments and that the City Engineer could allow the aerial encroachment. MS. VENGLASS confirmed his assessment and indicated a meeting had already taken place, as the City Engineer has chosen not to allow it. COMMISSIONER DAVENPORT questioned staff as to whether the SOHO Loft project was given a zero lot line. MR. CHERRY replied that it was a zero lot line with an encroachment agreement on file with the City. COMMISSIONER STEINMAN felt this type of encroachment would be common in larger cities. Since the product is so new for the City of Las Vegas, staff and the Commission will have to adapt to deal with issues such as this.

COMMISSIONER DAVENPORT questioned if the condition could be amended to specify no aerial encroachment within the first 82 feet. MR. DERRICK stated that it would be acceptable to amend the language that way as long as the canopies on the retail level of the main floor would not be prohibited. MS. VENGLASS verified the canopies would be allowed. COMMISSIONER DAVENPORT indicated he could support the item with the language prohibiting aerial encroachments within the first 82 feet of the structure. DEPUTY CITY ATTORNEY SCOTT stated that should the verbiage be amended as such, the meaning of Condition 22 would not be altered, the agreement would be required for the areas above 82 foot.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 25 – SUP-4728

MINUTES – Continued:

CHAIRMAN TRUESDELL indicated this is an example of the types of issues the Commission will have to deal with as new projects, such as this one, are developed. He suggested the Commission move the item forward to Council with the condition as is. In doing this, the applicant will have more time to work with staff. COMMISSIONER EVANS stated the City does not want to impede progress of this project but the issue needs to be resolved. COMMISSIONER STEINMAN asked why this was an issue when it has already been done on the SOHO project right down the street. CHAIRMAN TRUESDELL told him the projects differ and so do the locations and the types of encroachments.

COMMISSIONER DAVENPORT began a motion for approval of Item 26 [SDR-4727], which included the deletion of Condition 22 in its entirety. MS. VENGLASS suggested that he perhaps leave the first sentence requiring the agreement and possibly deleting the last sentence or amending the verbiage.

MARGO WHEELER, Deputy Director, Planning and Development, confirmed for the Commission that the deletion of the final sentence would accomplish what COMMISSIONER DAVENPORT had requested. COMMISSIONER DAVENPORT amended his motion to delete only the final sentence of Condition 22.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [SUP-4728] and Item 26 [SDR-4727].

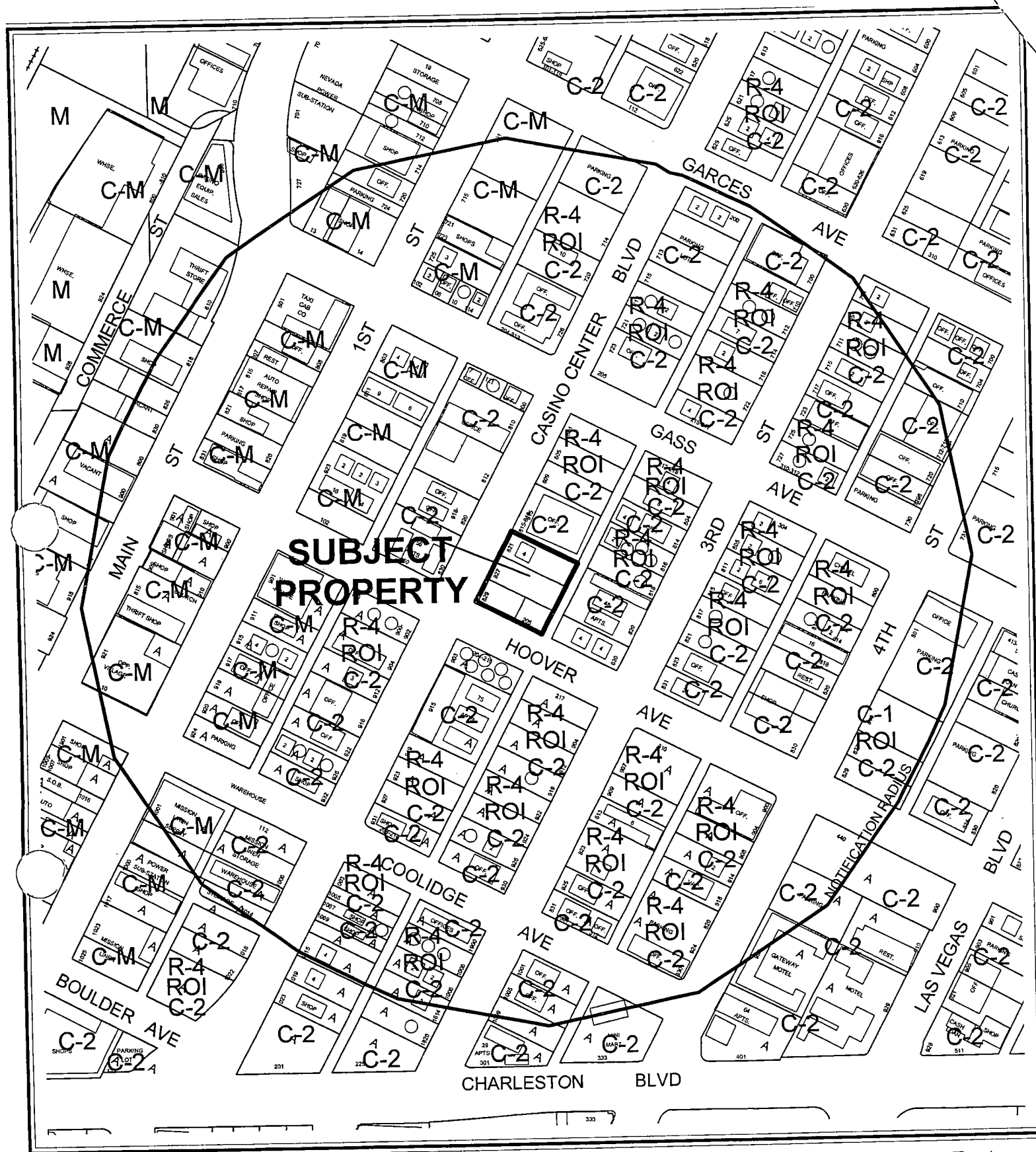
(8:17 – 8:40)

2-1648

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4727).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.



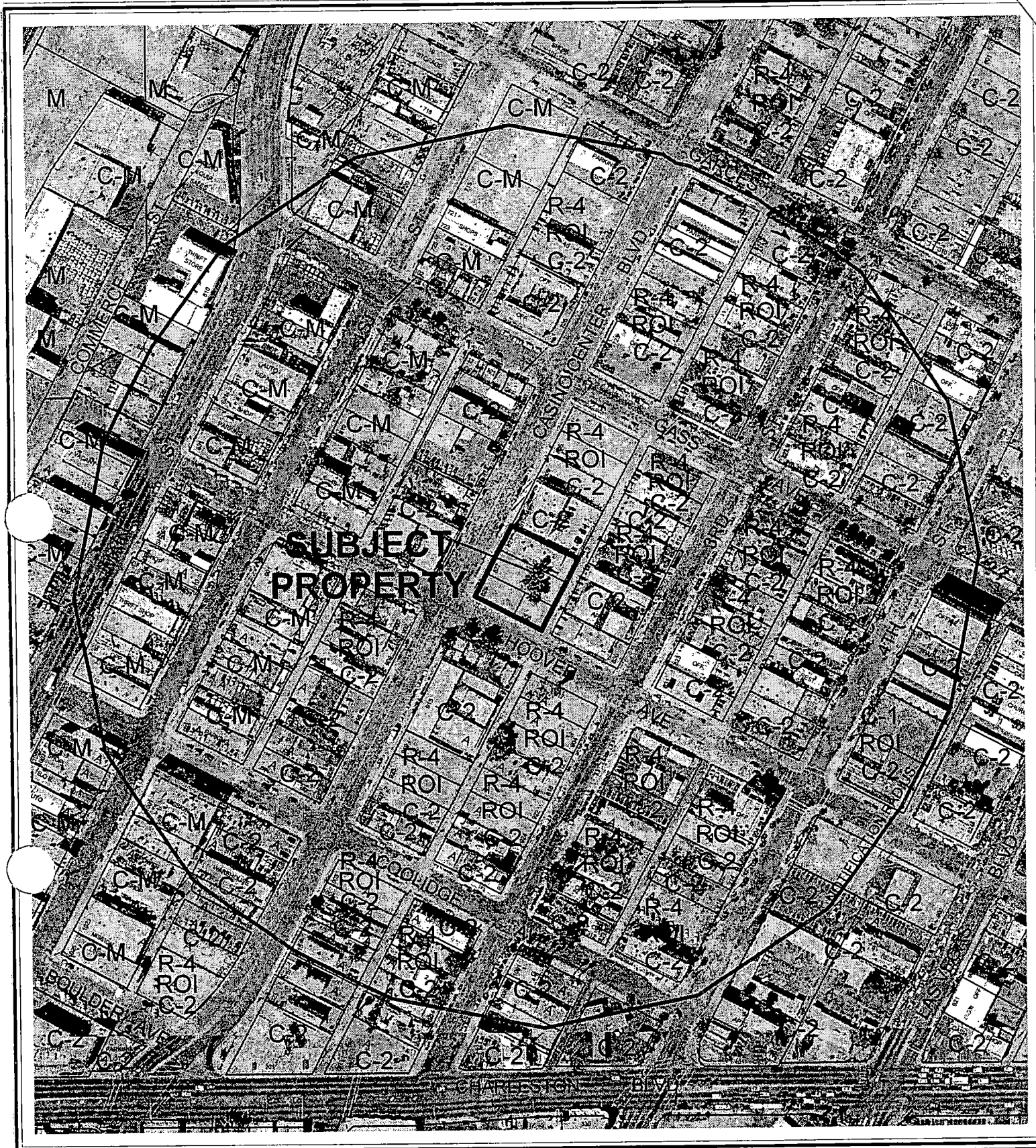
CASE: SUP-4728

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)





CASE: SUP-4728

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER:
SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4727).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit for a Mixed-Use development including commercial and residential uses on 0.48 acres located at 821 South Casino Center Boulevard.

B) Applicant's Justification

The applicant states that the redevelopment project will not impact the levels of service to the surrounding neighborhood, and that public safety, transportation, and other services are available to this project.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

10/15/70 The Planning Commission approved a Plot Plan Review application [Z-0100-64(84)] in order to allow the conversion of an existing residence to a dental laboratory.

08/12/04 The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission meeting to allow the applicant time to further define certain design aspects of this project.

09/09/04 The Planning Commission will consider a companion application for a Site Development Plan Review (SDR-4727) concurrently with the request for Special Use Permit approval.

B) Pre-Application Meeting

06/16/04 At the pre-application conference, it was noted that the project would need a Waiver from the building setback requirement listed in the Downtown Centennial Plan, and that streetscape treatments would need to be installed along Casino Center Boulevard and Hoover Avenue.

In addition, it was noted that a radius corner would need to be dedicated for right-of-way, and that the Centennial Plan requires alley utilities to be placed underground.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.48

B) *Existing Land Use*

Subject Property: Multifamily Residential Use, Undeveloped
North: Office Use
South: Multifamily Residential Use
East: Multifamily Residential Use
West: Office Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: MXU (Mixed-Use)
North: MXU (Mixed-Use)
South: MXU (Mixed-Use)
East: MXU (Mixed-Use)
West: MXU (Mixed-Use)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North: C-2 (General Commercial)
South: R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East: C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
West: C-2 (General Commercial)

E) *General Plan Compliance*

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

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential	168 Units		
Commercial	6,159 SF		
Total:		190	9

A total of 199 parking spaces will be provided for the development, which allows a minimum of one parking space per residential unit, and 31 spaces for the commercial portion of the building. On-street parking is available on both Casino Center Boulevard and Hoover Avenue.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mixed-Use development.

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	Y
	The architecture shall highlight the difference in uses	Y

The design of the development conforms to the minimum requirements listed in Title 19.04 for Mixed-Use structures.

B) General Analysis and Discussion

- **Zoning**

One of the parcels comprising the development is zoned C-2 (General Commercial), and the remaining parcels are zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The proposed structure conforms with the applicable setbacks and lot coverage requirements specified by the Downtown Centennial Plan; height limits and parking requirements are not automatically applied.

- **Use**

Within the Neighborhood Revitalization Area, as defined by the General Plan, residential uses permitted by right in the R-4 (High Density Residential) zone are permitted in the C-2 (General Commercial) district upon approval of a Special Use Permit. Commercial uses are permitted by right in the C-2 (General Commercial) district. The development will include a total 137 residential units and 12,095 square feet of commercial space.

- Conditions

The design of the structure conforms to the minimum Mixed-Use development requirements listed in Title 19.04, and no additional conditions of approval are necessary.

FINDINGS

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

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

The design of the development adequately separates the commercial and residential components, and will not be significantly impacted by the adjacent land uses. The Centennial Plan admonishes a broad diversity of uses in the downtown area, and states that integrating a successful residential community adjacent to the Downtown is vital to the success of the area.

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

The proposed development will result in a residential density of 350 units per acre, which is appropriate for an urban area. The site has frontage on two public rights-of-way, which provides excellent access to the site and adequate separation from adjacent properties.

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

The principal vehicular entrance to the building will be from Hoover Avenue; the entrance to the basement parking level will be accessed from the alley behind the building. The site also abuts Casino Center Boulevard, which will most likely be used by patrons of the ground-floor commercial businesses. The site has excellent access to public transportation, which will assist in reducing the number of vehicle trips generated by the development.

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

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

SUP-4728 - Staff Report Page Six
September 9, 2004 Planning Commission Meeting

NOTICES MAILED 127 – Mailed with SDR-4727

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Newport Lofts

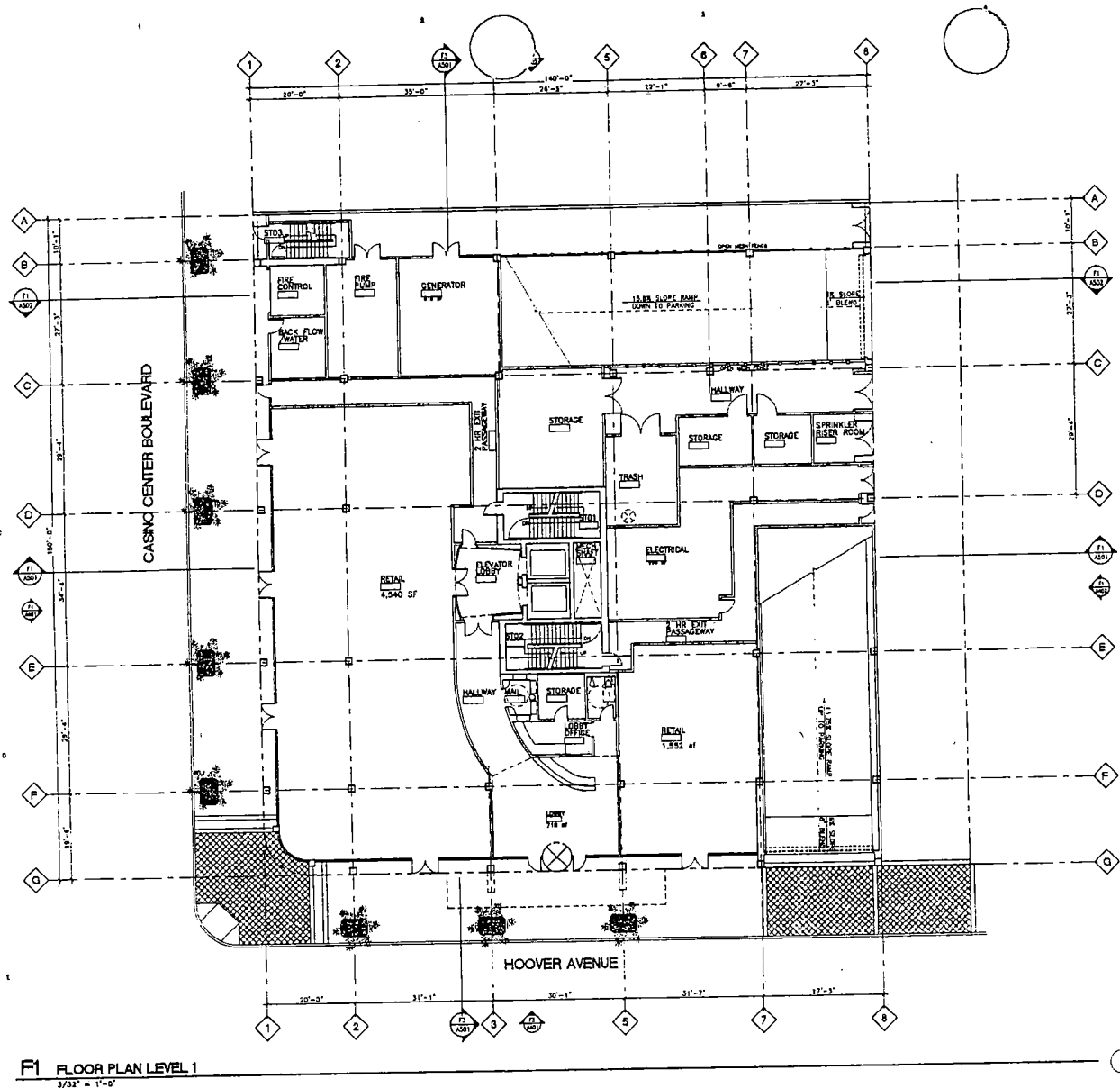
No

APN: _____

Print Name: West Seegmiller

Notary Public in and for said County and State





WPI ARCHITECTURE INC.
106 EAST BEND AVENUE 4
LAS VEGAS NEVADA 89119
TEL. 702 691 8331
FAX 702 491 8112



BRESLIN BUILDERS
**NEWPORT
LOFTS**

LAS VEGAS, NEVADA

INDEXED BY D4173
 FILED D4173A202
 SEARCHED KES
 SERIALIZED AUG 24, 2004

FLOOR PLAN
LEVEL 1

A202

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY

821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY
COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY
COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-4727 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4728 - PUBLIC HEARING - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY -
 Request for a Site Development Plan Review and a Waiver of Downtown Centennial Plan building setback standards FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A 22-STORY BUILDING OF 169 RESIDENTIAL UNITS AND 6,159 SQUARE FEET OF RETAIL on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED subject to conditions and amending the following condition:
 22. Submit an Encroachment Agreement for all landscaping and private improvements, located within the Casino Center Boulevard and Hoover Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
 – UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area. However, the property is not within the notification area nor does the project have any impact on his property, so he would be voting on these items.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 26 – SDR-4727

MINUTES Continued:

Note: See Item 25 [SUP-4728] for all related discussion on Item 25 [SUP-4728] and Item 26 [SDR-4727].

(8:17 – 8:40)
2-1647

CONDITIONS – Continued:

Planning and Development

1. A Special Use Permit (SUP-4728) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/27/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and level of detail of the elevations.
5. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials 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. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 26 – SDR-4727

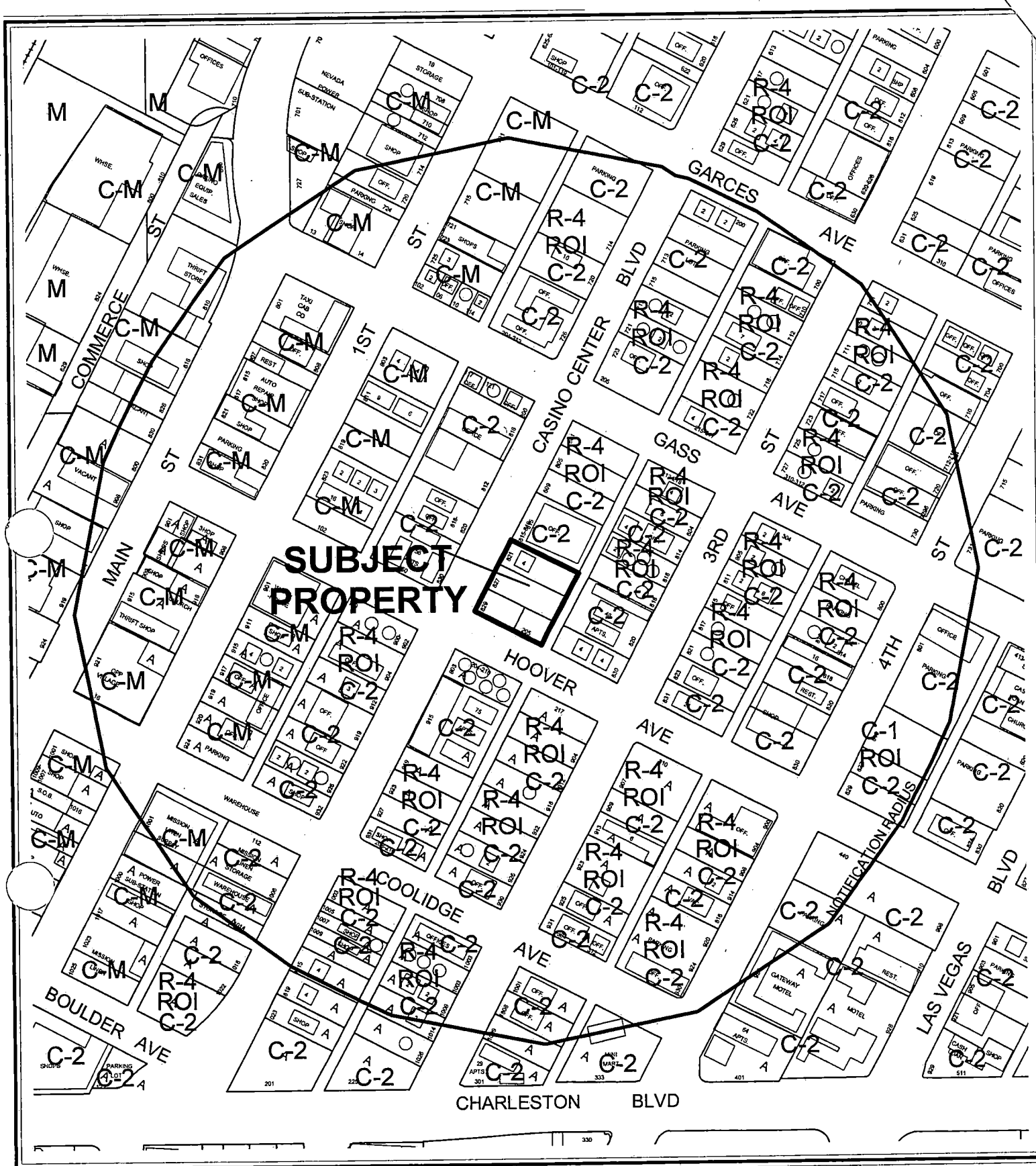
CONDITIONS – Continued:

8. All mechanical equipment shall be fully screened from street level and surrounding building views.
 9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
 10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
 11. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 4 of the Downtown Centennial Plan.
 12. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.
 13. All City Code requirements and design standards of all City departments must be satisfied.
- Public Works
14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
 15. Dedicate a 10 foot radius on the northeast corner of Casino Center Boulevard and Hoover Avenue prior to the issuance of any permits.
 16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan City Standards 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.
 17. Construct all incomplete half-street improvements on Hoover Avenue adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 26 – SDR-4727

CONDITIONS – Continued:

18. Landscape and maintain all unimproved rights-of-way on Casino Center Boulevard and Hoover Avenue adjacent to this site.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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.
21. Submit an Encroachment Agreement for all landscaping and private improvements, located within the Casino Center Boulevard and Hoover Avenue public rights-of-way adjacent to this site prior to occupancy of this site. Aerial encroachment shall not be permitted unless allowed by the City Engineer.



CASE: SDR-4727

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER:
SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Special Use Permit (SUP-4728) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the revised site plan and building elevations, date stamped 08/25/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and general level of detail of the elevations.
5. The parking level elevations of the building shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
6. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials 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. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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September 9, 2004 Planning Commission Meeting

8. 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.
9. All mechanical equipment shall be fully screened from street level and surrounding building views.
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. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
12. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.
13. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
16. Dedicate a 10 foot radius on the northeast corner of Casino Center Boulevard and Hoover Avenue prior to the issuance of any permits.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan City Standards 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.
18. Construct all incomplete half-street improvements on Hoover Avenue adjacent to this site concurrent with development of this site.
19. Landscape and maintain all unimproved rights-of-way on Casino Center Boulevard and Hoover Avenue adjacent to this site.

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September 9, 2004 Planning Commission Meeting

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
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.
22. Submit an Encroachment Agreement for all landscaping and private improvements, located within the Casino Center Boulevard and Hoover Avenue public rights-of-way adjacent to this site prior to occupancy of this site. Aerial encroachment shall not be permitted unless allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a proposed Mixed-Use development including 168 residential units and 6,159 square feet of commercial space on 0.48 acres at 821 South Casino Center Boulevard.

B) Applicant's Justification

The applicant states that the redevelopment project will not impact the levels of service to the surrounding neighborhood, and that public safety, transportation, and other services are available to this project.

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 10/15/70 The Planning Commission approved a Plot Plan Review application [Z-0100-64(84)] in order to allow the conversion of an existing residence to a dental laboratory.
- 08/12/04 The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission meeting to allow the applicant time to further define certain design aspects of this project.
- 09/09/04 The Planning Commission will consider a companion application for a Special Use Permit (SUP-4728) for a Mixed-Use development including 168 residential units and 6,159 square feet of commercial space on the subject site.

B) Pre-Application Meeting

- 06/16/04 At the pre-application conference, it was noted that the project would need a Waiver from the building setback requirement listed in the Downtown Centennial Plan, and that streetscape treatments would need to be installed along Casino Center Boulevard and Hoover Avenue.

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In addition, it was noted that a radius corner would need to be dedicated for right-of-way, and that the Centennial Plan requires alley utilities to be placed underground.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.48

B) *Existing Land Use*

Subject Property: Multifamily Residential Use, Undeveloped

North: Office Use

South: Multifamily Residential Use

East: Multifamily Residential Use

West: Office Use, Multifamily Residential Use

C) *Planned Land Use*

Subject Property: MXU (Mixed-Use)

North: MXU (Mixed-Use)

South: MXU (Mixed-Use)

East: MXU (Mixed-Use)

West: MXU (Mixed-Use)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

North: C-2 (General Commercial)

South: R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

East: C-2 (General Commercial) and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

West: C-2 (General Commercial)

E) *General Plan Compliance*

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

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

PROJECT DESCRIPTION

The project involves the removal of the existing multifamily structure and the construction of a new 22-story Mixed-Use building, with a total of 168 residential condominium units. The proposed structure will include approximately 6,200 square feet of ground-floor commercial space. Parking will occupy Levels 2 through 6 of the building as well as a basement level; residential units will occupy Levels 7 through 20. A residential amenity level and mechanical space will occupy the uppermost floors of the building. A total of 199 parking spaces will be provided within the building, and on-street parking is available immediately adjacent to the site. The building will utilize a synthetic stucco surfacing, with decorative metal accent elements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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September 9, 2004 Planning Commission Meeting

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.48 Acres	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (Hoover)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner (Casino Center)	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	94%	Y
Max. Building Height	N/A	298 Feet	N/A
Building Stepback	4 th , 11 th , 18 th Stories	None	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Alley	Y
Mech. Equipment	Screened	Not indicated	Not indicated

The building does not provide the minimum five-foot setbacks at the 4th, 11th and 18th stories as required by the Downtown Centennial Plan, but generally provides sufficient variation of the façade elements so as to distinguish the internal functions.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential	168 Units		
Commercial	6,159 SF		
Total:		190	9

A total of 199 parking spaces will be provided for the development, which allows a minimum of one parking space per residential unit, and 31 spaces for the commercial portion of the building. On-street parking is available on both Casino Center Boulevard and Hoover Avenue.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	Required		Provided
	Ratio	Trees	
East/West Street Hoover Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	3 Trees
North/South Street Casino Center	1 Palm Tree @ 35' o.c. max. (min. 25' height)	5 Trees	5 Trees
Sidewalk	11' Sidewalk 5' Amenity Zone		Hoover: 16' Casino: 16'

The streetscape treatment on Casino Center Boulevard conforms with the Downtown Centennial Plan requirements. The site plan shows palm trees on Hoover Avenue instead of shade trees; the trees do not meet the minimum spacing requirements due to the location of the driveway entrance to the parking structure.

A5) Sign Standards

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

Marquee Signs:

Standards	Allowed	Provided
Maximum Number	1/Street frontage 2 total	1/Hoover 1 total

Maximum Area	20%/elevation	<1%/elevation
Maximum Height	Cannot extend past top of building	18' above grade
Minimum Setback	3' from curb	12' from curb
Illumination	Internal, External, Animated, Electronic	Not indicated

Wall Signs:

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

Marquee signage is proposed over the residential lobby entrance on the Hoover Avenue façade of the building, and wall signage is proposed for the retail spaces on Casino Center and Hoover Avenue. No dimensions have been provided for the signage; conformance with Title 19.14 will be required.

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-2 (General Commercial) district by right; the residential component is permitted upon approval of a Special Use Permit. A separate Special Use Permit application (SUP-4728) has been filed concurrently with this Site Development Plan Review application. The structure generally conforms with the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- Site Plan

The site plan depicts the residential lobby entrance on the south side of the building with access from Hoover Avenue, and retail space fronting on Hoover Avenue and Casino Center Boulevard. Access to the parking areas will be from Hoover Avenue and the alley on the east side of the building; separate garages are provided for the commercial parking spaces and for the residential units. The entrance to the trash area will also be accessed from the alley. A ten-foot setback is provided along the north property line in order to allow openings on the north side of the building; the setback area will be gated in order to restrict the access of non-residents. A ten-foot radius dedication will be provided at the intersection of Hoover Avenue and Casino Center Boulevard as requested by Public Works.

- **Waivers**

The applicant has requested a Waiver from the Centennial Plan requirement for building setbacks at the 4th, 11th and 18th stories of the building. The Centennial Plan requirement is intended to avoid box-like structures and to encourage a greater degree of façade articulation. Approval of the Waiver request is recommended for the following reasons:

- Projecting balconies will be utilized as a design element in order to add variation to the wall plane of the façade;
- Vertical metal "fins" will be used as a decorative element to contrast with the horizontal balcony structures;
- The use of horizontal banding and changes in façade openings and sizes distinguishes the four different elements of the building (retail, parking, loft units, penthouse units) and provides the variations sought by the Centennial Plan.

- **Landscape Plan**

The landscape plan depicts the use of palm trees in the public right-of-way along Casino Center Boulevard in accordance with the Centennial Plan streetscape requirements. The palm trees shown on Hoover Avenue will need to be changed to shade trees to conform with the Centennial Plan. The specifications indicate that the trees will generally comply with the size and spacing requirements; the number of trees along Hoover Avenue has been reduced due to the driveway opening. Sidewalk accent paving will be used at the intersection as required by the Centennial Plan, and the required alley treatment will also be provided.

- **Elevation**

The elevations clearly define each building function through changes in fenestration and horizontal banding; these distinctions assist in giving the building scale and character. A synthetic stucco product will be the primary exterior material, with storefront window systems for the retail spaces at grade, and a combination of storefront and casement windows on the upper stories of the building. Vertical metal accent features will also add to the variety to the façade elements. The level of detail of the elevations is continued on all four sides of the building, as specified by the Downtown Centennial Plan. The only elements in need of revision are the use of a roll-up garage door on the Casino Center elevation of the building, and the lack of detailing on the parking levels of the building.

- **Floor Plan**

The first floor of the building is laid out with retail space fronting on Hoover Avenue and Casino Center Boulevard, and the residential lobby located on Hoover Avenue. Egress stairways are provided at the central core of the building, but exit directly to the public sidewalk and alley. The parking garage entrances are located on Hoover Avenue and directly off of the alley.

Each of the residential floors will have 13 units per floor, with 12 two-story units on the penthouse levels of the building. Amenities for the residents will be provided on the uppermost floor of the building, with a swimming pool, sun deck, community room and fitness room.

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 Mixed-Use project is compatible with development that is proposed for the area.

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

The proposed development is consistent with the General Plan, Title 19, and with most elements of the Downtown Centennial Plan. A Waiver has been requested from the building setback requirement specified in the Centennial Plan, but the design of the structure meets the intent of the requirement.

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

The design of the project utilizes the alley behind the site as the principal access point for vehicular traffic; the alley and abutting streets will be able to accommodate the amount of traffic generated by the development.

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

The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements.

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 design of the elevations is generally appropriate to the use of the structure, and will be compatible with other development in the downtown area. Additional detailing will be required on the façade of the parking levels of the structure.

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

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

NOTICES MAILED 127 – Mailed with SUP-4728

 **APPROVALS** 0

PROTESTS 0





STATEMENT OF FINANCIAL INTEREST

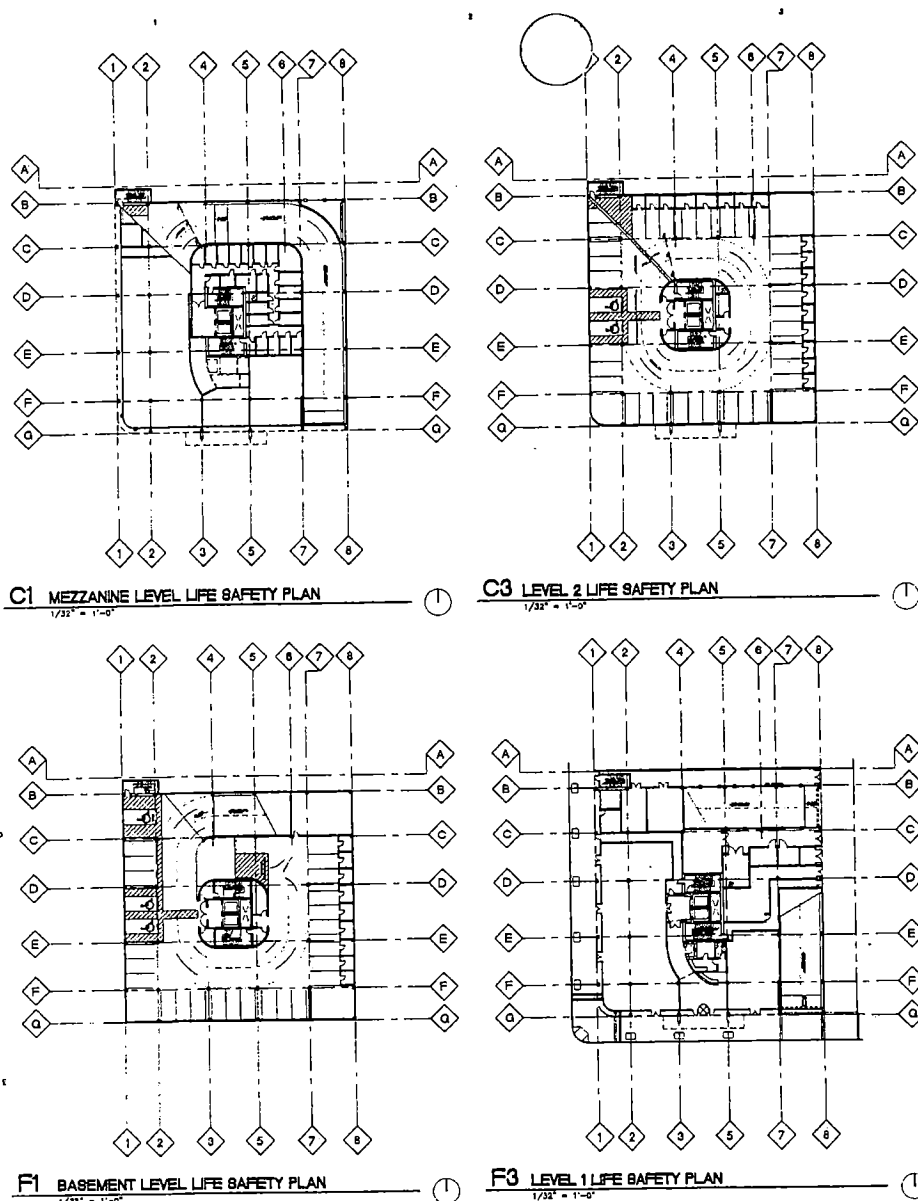
Name of Applicant: Newport Lofts

 No

APN: _____

West Seegmiller

 **BRIAN BANNER**
Commission # 1343476
Notary Public - California
Orange County
My Comm. Expires Feb 16, 2006



FIRE SAFETY SUMMARY

NEWPORT LOFTS
2003 INTERNATIONAL BUILDING CODE (IBC) UNIFORM BUILDING CODE AS AMENDED FOR SOUTHERN NEVADA AND CLARK COUNTY, ACCESSIBILITY REQUIREMENTS PER ADA AND LOCAL REGULATION.
SMOKE ZONES ARE SEPARATED BY RESIDENTIAL FLOOR. CORRIDORS ARE ACTIVE AND RESIDENTIAL UNITS ARE PASSIVE SMOKE ZONES. GROUND FLOOR ENTRY LOBBY IS SEPARATE FROM THE PARKING GARAGE AND GARAGE LEVEL 3 IS SEPARATED FROM LEVELS 1 & 2. REFER TO THE PROTECTION REPORT FOR DETAILS REGARDING VENTILATION, ACTIVE AND PASSIVE EXITS.

OCCUPANCY
OCCUPANCIES AND SEPARATIONS ARE FULLY RETAINED IN THE FIRE PROTECTION REPORT PROVIDED BY HOLF JENSEN ASSOCIATES.
OCCUPANCIES PER IBC CHAPTER 3:

- S-2 PARKING GARAGE
- S-1 LIVE STORAGE ROOMS
- S-1 TRASH AND BUILDING STORAGE
- F-1 MECHANICAL ROOMS AND ELECTRICAL ROOMS
- A-3 LOBBY AND COMMON MEETING ROOM
- B - OFFICES AND FITNESS CENTER

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.3.2:
R-1 TO S-2 1 HR
S-1 TO A-3 3 HR (PER UBC SECTION 302.4, EXCEPTION 1)
F-1 TO S-3 1 HR
S-1 TO S-3 1 HR
R-1 TO F-1 1 HR
F-1 TO A-3 NO SEPARATION REQUIRED
SPECIAL USE ENCLOSURES:
FIRE PUMP ROOM 2 HR
EMERGENCY ELECTRICAL 2 HR
FIRE CONTROL ROOM 2 HR
RESIDENTIAL UNIT DIVIDING WALLS 1 HR

TYPE OF CONSTRUCTION

CONSTRUCTION: TYPE I F.R.
EXTERIOR WALLS BEARING AND NON-BEARING: 3 HR W/G LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'
OPENINGS PROTECTED LESS THAN 20'
(REFER TO FIRE PROTECTION PLAN FOR OPENING PROTECTION DETAILS)

GENERAL BUILDING LIMITATIONS

PER UBC TABLE 5-2:
ALLOWABLE AREA UNLIMITED
ALLOWABLE HEIGHT UNLIMITED
AUTOMATIC SPRINKLER SYSTEM PROVIDED THROUGHOUT
TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER UBC SECTION 402.2.2
ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER UBC SECTION 403.2.1 BY ELEVATOR CLEARANCE THE DOORS PREVENTING 1 HR SEPARATION.

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER UBC SECTION 1005.3.3.2
EXIT PATH CONTINUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.3
DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.3.3
STAIR/LOBBY ENCLOSURE TO BE PRESSURIZED PER 1005.3.3.7
REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILED REQUIREMENTS
PRESSURIZED VESTIBULES (2 HR RATED) PROVIDED PER 1005.3.3.7.1
VESTIBULE DOORS RATED 90 MINUTES PER 1005.3.3.7.1.3
REFER TO DOOR SCHEDULE SHEETS A811-A815 FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EXCESS HARDWARE REQUIREMENTS
TWO EXITS PROVIDED
MAXIMUM DEAD END CORRIDOR 130'
MAXIMUM DISTANCE TO EXIT 4200'

REQUEST FOR MODIFICATION NUMBER 1 DATED MAY 1, 2004
APPROVES NUMBER OF RESIDENTIAL UNITS UP TO 3000 S.F. TR BE PROVIDED WITH TWO EXITS. PER APPROVED REQUEST UNITS OVER 3000 S.F. HAVE TWO EXITS.
TOTAL BUILDING OCCUPANT LEAD 1030
MAXIMUM OCCUPANT LEAD PER TABLE 10-4
FOURTH FLOOR CHIMNEYS 53
FOURTH FLOOR ASSEMBLY 148
TOTAL OCCUPANT LEAD 148
WIDTH REQUIRED FOR EXITS 18'6"
WIDTH PROVIDED (2 EXITS) 72'
WIDTH REQUIRED FOR STAIRS 59'7"
WIDTH PROVIDED (2 STAIRS) 85'
LEAD ON STAIRS IS NOT CUMULATIVE PER 1005.3.3.4
MINIMUM STAIR WIDTH IS 44" PER 1005.3.3.2 AND 1104.1.2
EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

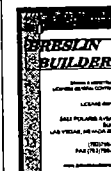
ACCESSIBILITY

NUMBER OF TYPE "A" ACCESSIBLE UNIT - 2
LOCATION OF TYPE "A" ACCESSIBLE UNITS - #401 & #502
NUMBER OF TYPE "B" ACCESSIBLE UNIT - ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

EXITING PATH
1 HOUR RATED ASSEMBLY
2 HOUR RATED ASSEMBLY
REQUIRED EXIT CAPACITY: OCCUPANT LEAD
REQUIRED EXIT WIDTH
2 x LEAD, 36" MIN

WPI ARCHITECTURE
165 EAST BEND AVENUE
LAS VEGAS, NEVADA 89101
TEL: 702.891.9881
FAX: 702.891.8212



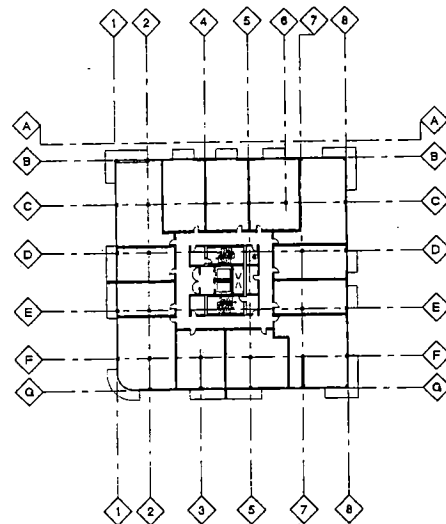
BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

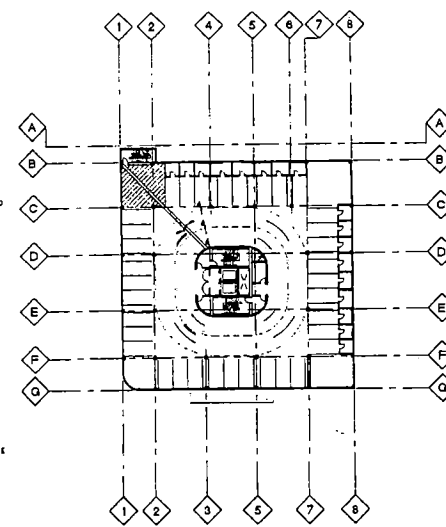
PROJECT NO: 04173
FILE: 04173A011
DRAWN: KCB
DATE: AUG 24, 2004
REVISION: CIRCULAR

PROJECT NO: 04173
CODE SUMMARY
LIFE SAFETY PLANS
BASEMENT - LEVEL 2
SHEET NO:
A011

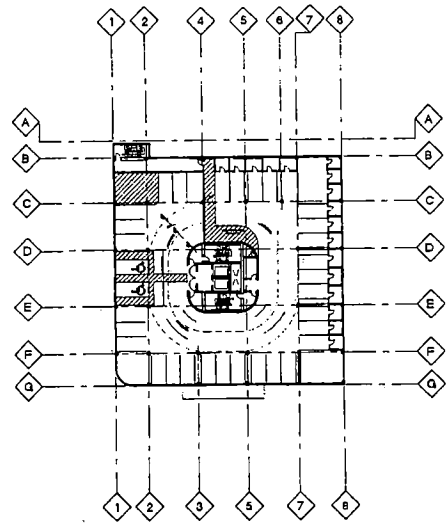
SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



C1 LEVELS 7-18 LIFE SAFETY PLAN, TYP.



F1 LEVELS 3-5 LIFE SAFETY PLAN, TYP.



F3 LEVEL 6 LIFE SAFETY PLAN

FIRE SAFETY AND EXITING SUMMARY

NEWPORT LOFTS
2003 INTERNATIONAL BUILDING CODE (IBC) UNIFORM BUILDING CODE AS AMENDED FOR SOUTHERN NEVADA AND CLARK COUNTY, ACCESSIBILITY REQUIREMENTS PER ADA AND LOCAL REGULATION

SMOKE ZONES ARE SEPARATED BY RESIDENTIAL FLOOR CORRIDORS ARE ACTIVE AND RESIDENTIAL UNITS ARE PASSIVE SMOKE ZONES. GROUND FLOOR ENTRY LOBBY IS SEPARATE FROM THE PARKING GARAGE AND GARAGE LEVEL, 3' 6" SEPARATED FROM LEVELS 1 & 2. REFER TO FIRE PROTECTION REPORT FOR DETAILS REGARDING VENTILATION, ACTIVE AND PASSIVE ZONES.

OCCUPANCY
OCCUPANCIES AND SEPARATIONS ARE FULLY DETAILED IN THE FIRE PROTECTION REPORT PROVIDED BY ROLF JENSEN ASSOCIATES

OCCUPANCIES PER IBC CHAPTER 3:

- S-1 PARKING GARAGE
- S-2 UNIT STORAGE ROOMS
- S-3 TRASH AND BUILDING STORAGE
- F-1 MECHANICAL ROOMS AND ELECTRICAL ROOMS
- A-3 LOBBY AND COMMON MEETING ROOM
- B OFFICES AND FITNESS CENTER

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.3.2.

- R-1 TO S-2 1 HR
- S-3 TO A-3 2 HR (PER IBC SECTION 303.3.2 EXCEPTION 1)
- F-1 TO S-2 1 HR
- S-1 TO S-3 1 HR
- R-1 TO F-1 1 HR
- F-1 TO A-3 NO SEPARATION REQUIRED
- SPECIAL USE ENCLOSURES:
 - FIRE PUMP ROOM 2 HR
 - EMERGENCY ELECTRICAL 2 HR
 - FIRE CONTROL ROOM 2 HR
 - RESIDENTIAL UNIT DEMISING WALLS 1 HR

TYPE OF CONSTRUCTION

CONSTRUCTION TYPE I F.R.
EXTERIOR WALLS BEARING AND NON-BEARING: 2 HR W/C LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'

OPENINGS PROTECTED LESS THAN 20' REFER TO FIRE PROTECTION PLAN FOR OPENING PROTECTION DETAILS

GENERAL BUILDING LIMITATIONS

- PER IBC TABLE 5-8:
- ALLOWABLE AREA UNLIMITED
- ALLOWABLE HEIGHT UNLIMITED
- AUTOMATIC SPRINKLER SYSTEM PROVIDED THROUGHOUT
- TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER IBC SECTION 903.3.2
- ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER IBC SECTION 903.7.1 BY ZERO CLEARANCE FIRE DOORS PROVIDING 1 HR SEPARATION

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER IBC SECTION 1005.3.2.2
EXIT PATH CONTINUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.2

DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.3.5
STAIR/LOBBY ENCLOSURE TO BE PRESSURIZED PER 1003.3.3.7 REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILED REQUIREMENTS

PRESSURIZED VESTIBULES (2 HR RATED) PROVIDED PER 1003.3.3.7.1

VESTIBULE DOORS RATED 90 MINUTES PER 1005.3.7.1.3
REFER TO DOOR SCHEDULE SHEETS A911-A913 FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EGRESS HARDWARE REQUIREMENTS

TWO EXITS PROVIDED
MAXIMUM DEAD END CORRIDOR 430'
MAXIMUM DISTANCE TO EXIT 4200'

REQUEST FOR MODIFICATION NUMBER 1 DATED MAY 1, 2003, APPROVES CHANGE OF REQUIREMENT FOR UNITS UP TO 3000 S.F. TO BE PROVIDED WITH TWO EXITS. PER APPROVED REQUEST UNITS OVER 3000 S.F. HAVE TWO EXITS.

TOTAL BUILDING OCCUPANT LOAD	1030
MAXIMUM OCCUPANT LOAD PER TABLE 10-A	53
FOURTH FLOOR CORRIDORS	140
FOURTH FLOOR ASSEMBLY	108
TOTAL OCCUPANT LOAD	
WIDTH REQUIRED FOR EXITS	33.4'
WIDTH PROVIDED (2 EXITS)	72'
WIDTH REQUIRED FOR STAIRS	50.7'
WIDTH PROVIDED (2 STAIRS)	80'

LOAD ON STAIRS IS NOT CUMULATIVE PER 1003.3.3.4
MAXIMUM STAIR WIDTH IS 44' PER 1003.3.3.2 AND 1104.1.2
EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

ACCESSIBILITY

NUMBER OF TYPE "A" ACCESSIBLE UNIT - 1
LOCATION OF TYPE "A" ACCESSIBLE UNIT - #401 & #502
NUMBER OF TYPE "B" ACCESSIBLE UNIT - ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

- EXITING PATH
- 1 HOUR RATED ASSEMBLY
- 2 HOUR RATED ASSEMBLY
- OCCUPANT LOAD
- REQUIRED EXIT CAPACITY: 2.5 LOAD, 30' MIN.

WJF ARCHITECTURE

300 EAST BOND AVENUE, 6
LAS VEGAS, NEVADA 89101
TEL: 702.491.8201
FAX: 702.491.8210



BRESLIN BUILDERS
NEWPORT LOFTS

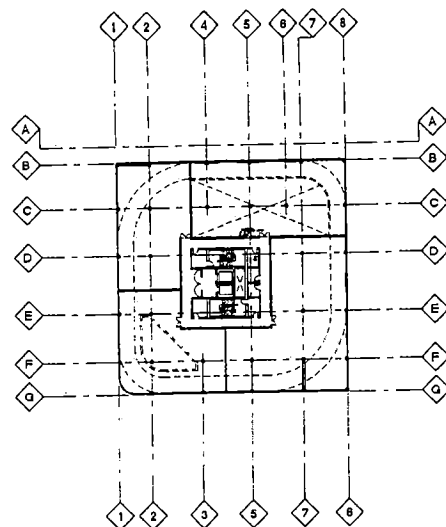
LAS VEGAS, NEVADA

PROJECT NO: 04173
FILE: 04173A013
DATE: 02/05
REV: AUG 24, 2004
REVISION: OCCUPANT

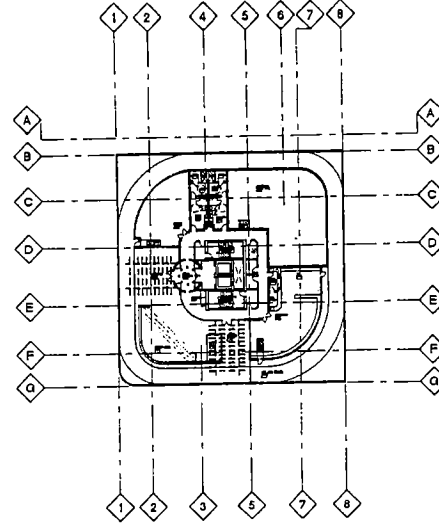
CODE SUMMARY
LIFE SAFETY PLANS
LEVELS 3 - 18

A012

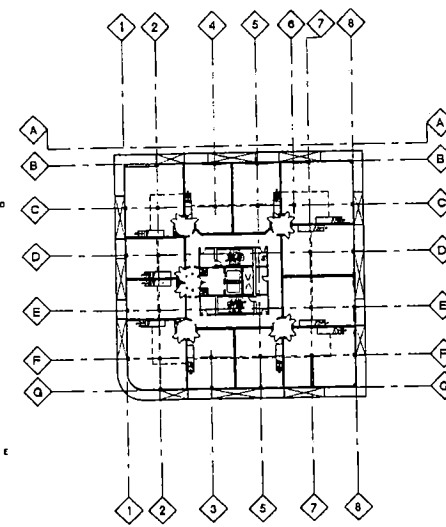
SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



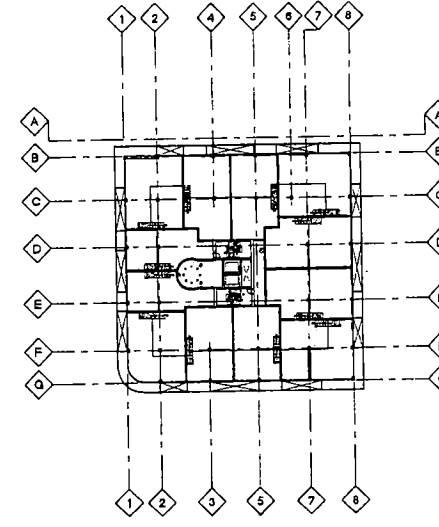
C1 LEVEL 21 LIFE SAFETY PLAN
1/16" = 1'-0"



C3 LEVEL 22 LIFE SAFETY PLAN
1/16" = 1'-0"



F1 LEVEL 19 LIFE SAFETY PLAN
1/16" = 1'-0"



F3 LOFT MEZZANINE LEVEL 20 LIFE SAFETY PLAN
1/16" = 1'-0"

FIRE SAFETY AND EXITING SUMMARY

NEWPORT LOFTS

2003 INTERNATIONAL BUILDING CODE (IBC) UNIFORM BUILDING CODE AS AMENDED FOR SOUTHERN NEVADA AND CLARK COUNTY. ACCESSIBILITY REQUIREMENTS PER ADA AND LOCAL REGULATION.

SMOKE ZONES ARE SEPARATED BY RESISTANT FLOOR. CORRIDORS ARE ACTIVE AND RESIDENTIAL UNITS ARE PASSIVE SMOKE ZONES. GROUND FLOOR LOBBY IS SEPARATE FROM THE PARKING GARAGE AND GARAGE. LEVEL 3 IS SEPARATED FROM LEVELS 1 & 2. REFER TO FIRE PROTECTION REPORT FOR DETAILS REGARDING VENTILATION, ACTIVE AND PASSIVE ZONES.

OCCUPANCY

OCCUPANCIES AND SEPARATIONS ARE FULLY DETAILED IN THE FIRE PROTECTION REPORT PROVIDED BY ROLF JENSEN ASSOCIATES

OCCUPANCIES PER IBC CHAPTER 3:

- S-2 PARKING GARAGE
- S-2 UNIT STORAGE ROOMS
- S-1 TRASH AND BUILDING STORAGE
- F-1 MECHANICAL ROOMS AND ELECTRICAL ROOMS
- R-3 LOBBY AND COMMON MEETING ROOM
- B OFFICES AND FITNESS CENTER

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.2.2.

- R-1 TO S-2 1 HR
- S-3 TO A-3 2 HR (PER IBC SECTION 302.4, EXCEPTION 1)
- F-1 TO S-3 1 HR
- S-1 TO S-3 1 HR
- A-1 TO F-1 1 HR
- F-1 TO A-3 NO SEPARATION REQUIRED
- SPECIAL USE ENCLOSURES:
- FIRE PUMP ROOM 2 HR
- ELECTRONIC ELECTRICAL 2 HR
- FIRE CONTROL ROOM 2 HR
- RESIDENTIAL UNIT DEMISING WALLS 1 HR

TYPE OF CONSTRUCTION

CONSTRUCTION TYPE I, F.A.

EXTERIOR WALLS CEILING AND NON-BEARING 2 HR W/G LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'

OPENINGS PROTECTED LESS THAN 20' (REFER TO FIRE PROTECTION PLAN FOR OPENING PROTECTION DETAILS)

GENERAL BUILDING LIMITATIONS

PER IBC TABLE 5-B:

- ALLOWABLE AREA UNLIMITED
- ALLOWABLE HEIGHT UNLIMITED
- AUTOMATIC SPRINKLER SYSTEM PROVIDED THROUGHOUT
- TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER IBC SECTION 405.2.2
- ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER IBC SECTION 403.7.1 BY ZERO CLEARANCE FIRE DOORS PROVIDING 1 HR SEPARATION

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER IBC SECTION 1005.3.3.2

EXIT PATH CONTIGUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.3

DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.3.3

STAIR/LOBBY ENCLOSURE TO BE PRESSURIZED PER 1005.3.3.7

REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILS REGARDING MEANS OF EGRESS

PRESSURIZED VESTIBULES (2 HR RATED) PROVIDED PER 1005.3.3.7.1

VESTIBULE DOORS RATED 90 MINUTES PER 1005.3.3.7.1

REFER TO DOOR SCHEDULE SHEETS AND HALLS FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EGRESS HARDWARE REQUIREMENTS

TWO EXITS PROVIDED

MAXIMUM DEAD END CORRIDOR <20'

MAXIMUM DISTANCE TO EXIT <200'

REQUEST FOR MODIFICATION NUMBER 1 DATED MAY 1, 2003, APPROVES WAIVER OF REQUIREMENT FOR UNITS UP TO 3000 S.F. TO BE PROVIDED WITH TWO EXITS. FOR APPROVED REQUEST UNITS OVER 3000 S.F. HAVE TWO EXITS.

TOTAL BUILDING OCCUPANT LOAD 1030

MAXIMUM OCCUPANT LOAD PER TABLE 10-A

FOURTH FLOOR DWELLINGS 55

FOURTH FLOOR ASSEMBLY 148

TOTAL OCCUPANT LOAD 188

WIDTH REQUIRED FOR EXITS 39.5'

WIDTH PROVIDED (2 EXITS) 72'

WIDTH REQUIRED FOR STAIRS 38.7'

WIDTH PROVIDED (2 STAIRS) 80'

LOAD ON STAIRS IS NOT CUMULATIVE PER 1003.2.3.4

MAXIMUM STAIR WIDTH IS 44' PER 1003.2.3.2 AND 1104.1.2

EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

ACCESSIBILITY

NUMBER OF TYPE "A" ACCESSIBLE UNIT - 2

LOCATION OF TYPE "A" ACCESSIBLE UNITS - JAB1 & J502

NUMBER OF TYPE "B" ACCESSIBLE UNIT - ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

EXITING PATH

1 HOUR RATED ASSEMBLY

2 HOUR RATED ASSEMBLY

REQUIRED EXIT CAPACITY OCCUPANT LOAD REQUIRED EXIT WIDTH 2 X LOAD, 36" MIN.

WJZ ARCHITECTURE

108 EAST RENO AVENUE # 4
LAS VEGAS, NEVADA 89101
TEL: 702.891.8301
FAX: 702.891.8312



BRESLIN BUILDERS

NEWPORT LOFTS

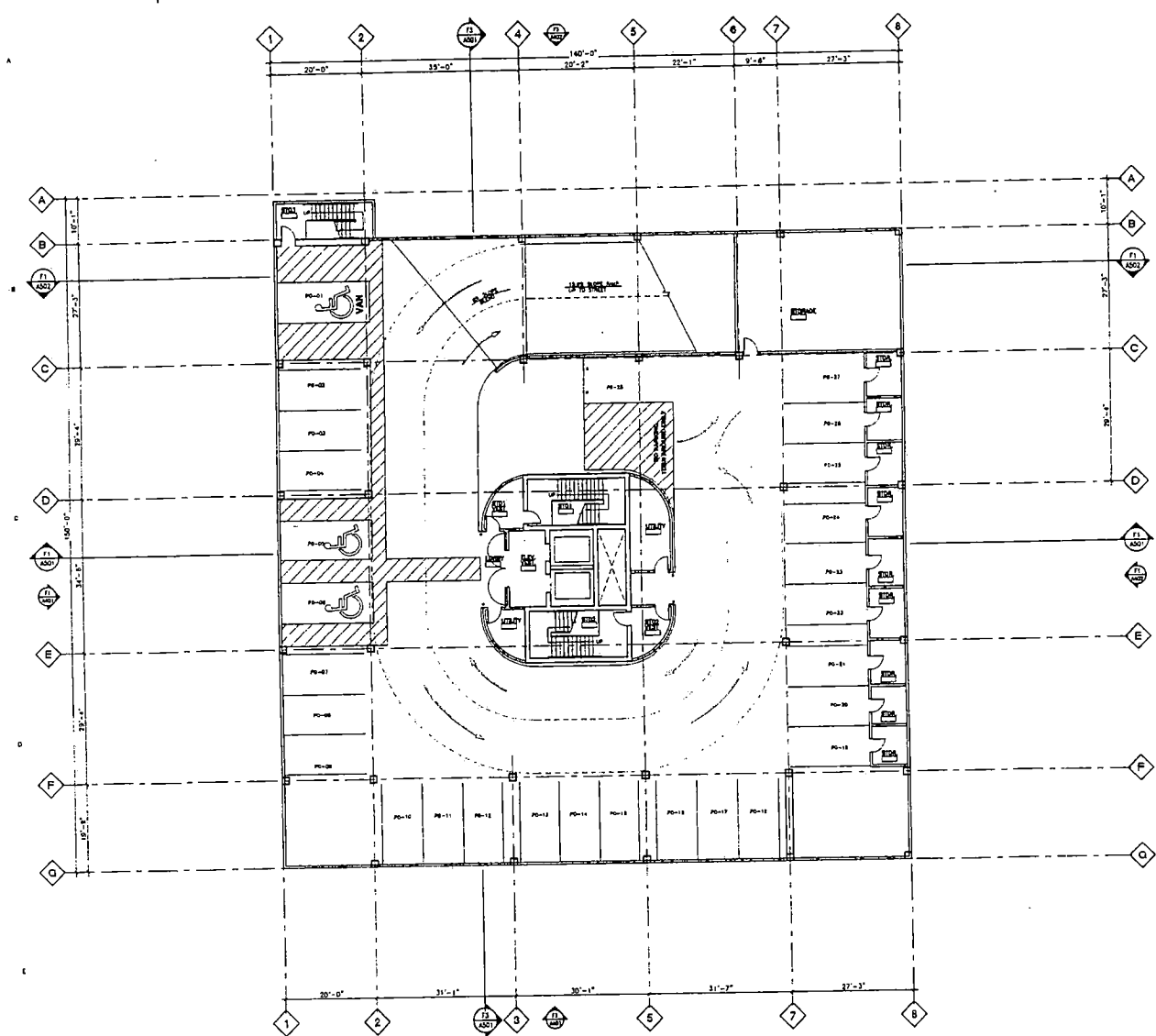
LAS VEGAS, NEVADA

PROJECT NO: 04172
FILE: 041734013
DESIGN: KES
DATE: AUG 24, 2004
REVISION: REVISION

CODE SUMMARY
LIFE SAFETY PLANS
LEVELS 19 - 22

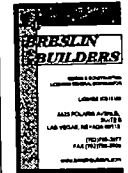
A013

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 FLOOR PLAN BASEMENT LEVEL
3/32" = 1'-0"

WAT ARCHITECTURE
301 EAST 10TH AVENUE, 8
LAS VEGAS, NEVADA 89101
TEL: 702.891.8331
FAX: 702.891.8332



BRESLIN BUILDERS
NEWPORT LOFTS

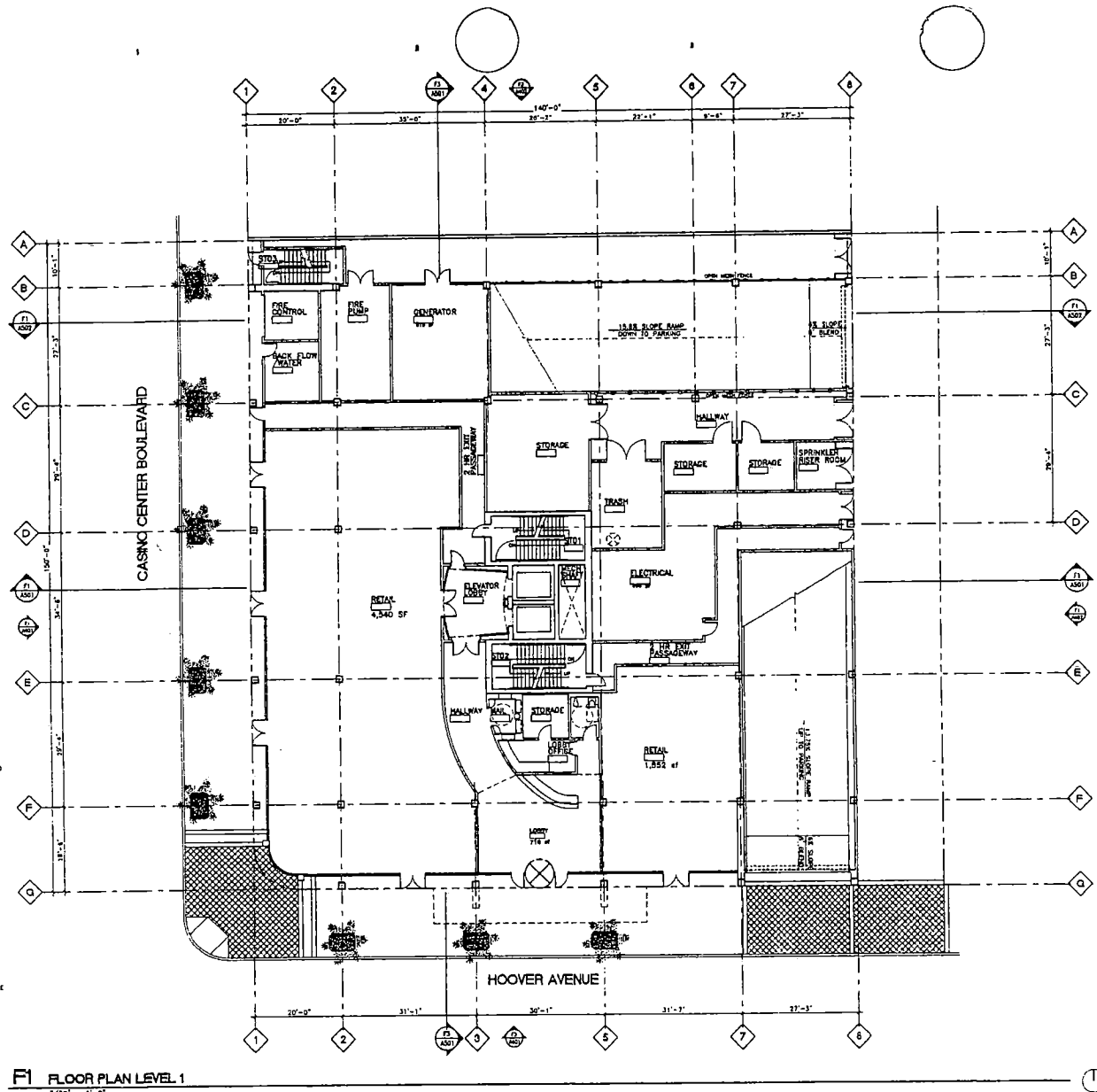
LAS VEGAS, NEVADA

PROJECT NO: 04173
FILE: 04173A201
DATE: 02/25
DATE: AUG 24, 2004
BY: [signature]

**PARKING FLOOR PLAN
BASEMENT LEVEL**

A201

**SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04**



F1 FLOOR PLAN LEVEL 1
 3/32" = 1'-0"

W21 ARCHITECTURE
 108 EAST EDGEMO AVENUE, 6
 LAS VEGAS, NEVADA 89101
 TEL: 702.691.2301
 FAX: 702.691.6212



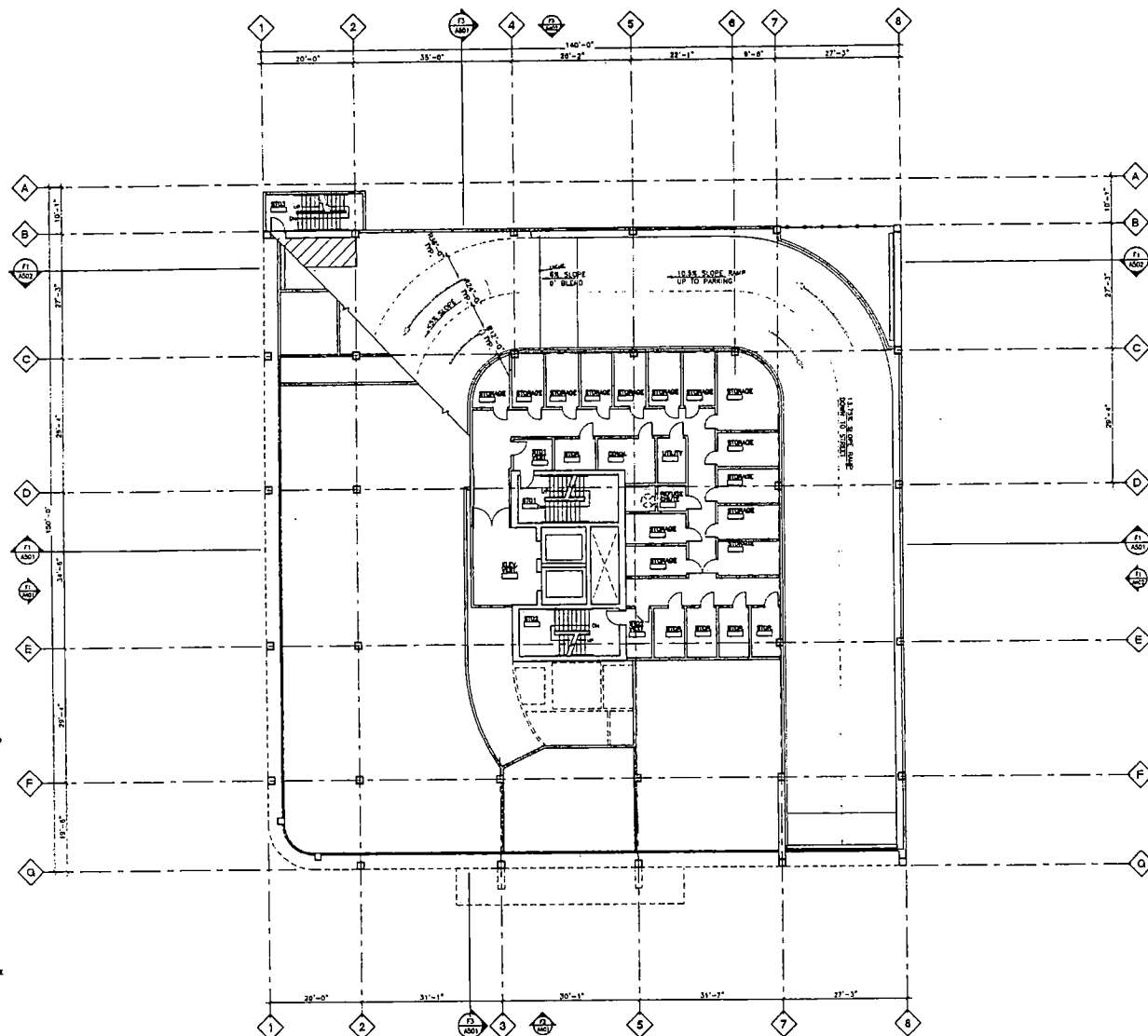
BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

PROJECT: 04173
 FILE: 04173A202
 DRAWN: RES
 DATE: AUG 24, 2004
 CHECKED: [signature]

FLOOR PLAN LEVEL 1
A202

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 FLOOR PLAN
3/32" = 1'-0"

WJ2 ARCHITECTURE
200 EAST 2ND AVENUE
LAS VEGAS, NEVADA 89101
TEL: 702.891.8200
FAX: 702.891.8202



BRESLIN BUILDERS
NEWPORT LOFTS

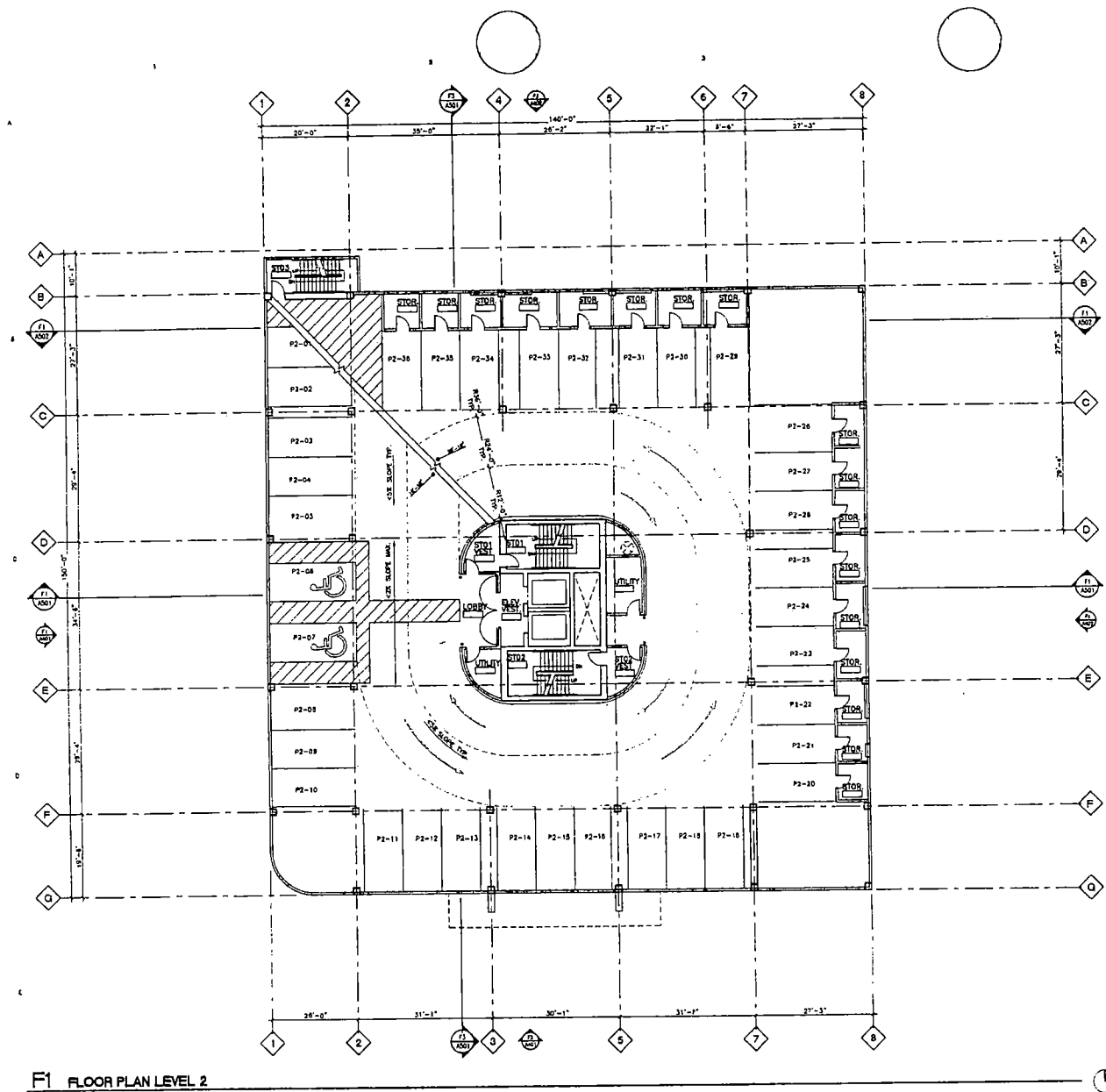
LAS VEGAS, NEVADA

PROJECT NO: 04173
DATE: 04/17/2004
DESIGNER: JES
DATE: AUG 24, 2004
REVISION: 01/24/2004

FLOOR PLAN
MEZZANINE LEVEL

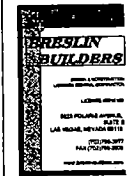
A203

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



CS 041727 Superscript Ltd. 10000 Lakeside Blvd. Suite 1000, San Diego, CA 92123. Project: Newport Lofts, Level 2, 10000 Lakeside Blvd. San Diego, CA 92123. Date: 08/24/04. Scale: 3/32\"/>

W21 ARCHITECTURE
124 EAST 2ND AVENUE
LAS VEGAS, NEVADA 89101
TEL: 792-991-1331
FAX: 792-991-1331



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

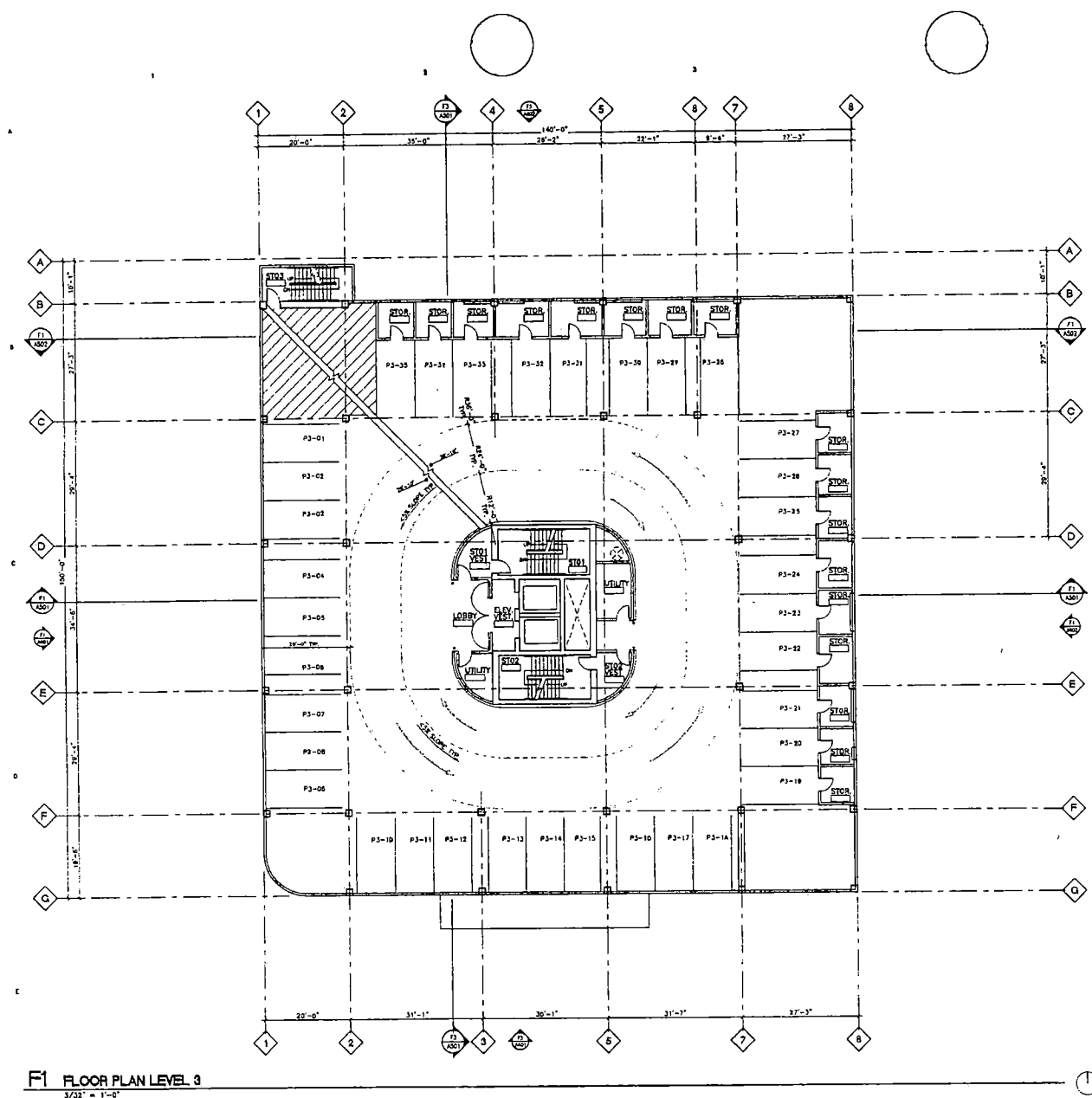
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DATE: 04/17/2004
DESIGNER: RES
DATE: AUG 24, 2004
REVISION: 001

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PARKING FLOOR PLAN
LEVEL 2

A204

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SDR-4727
09-09-04 PC
REVISED 08-24-04



W2: ARCHITECTURE
 104 EAST WIND AVENUE, 8
 LAS VEGAS, NEVADA 89101
 TEL: 702.891.8301
 FAX: 702.891.8372



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

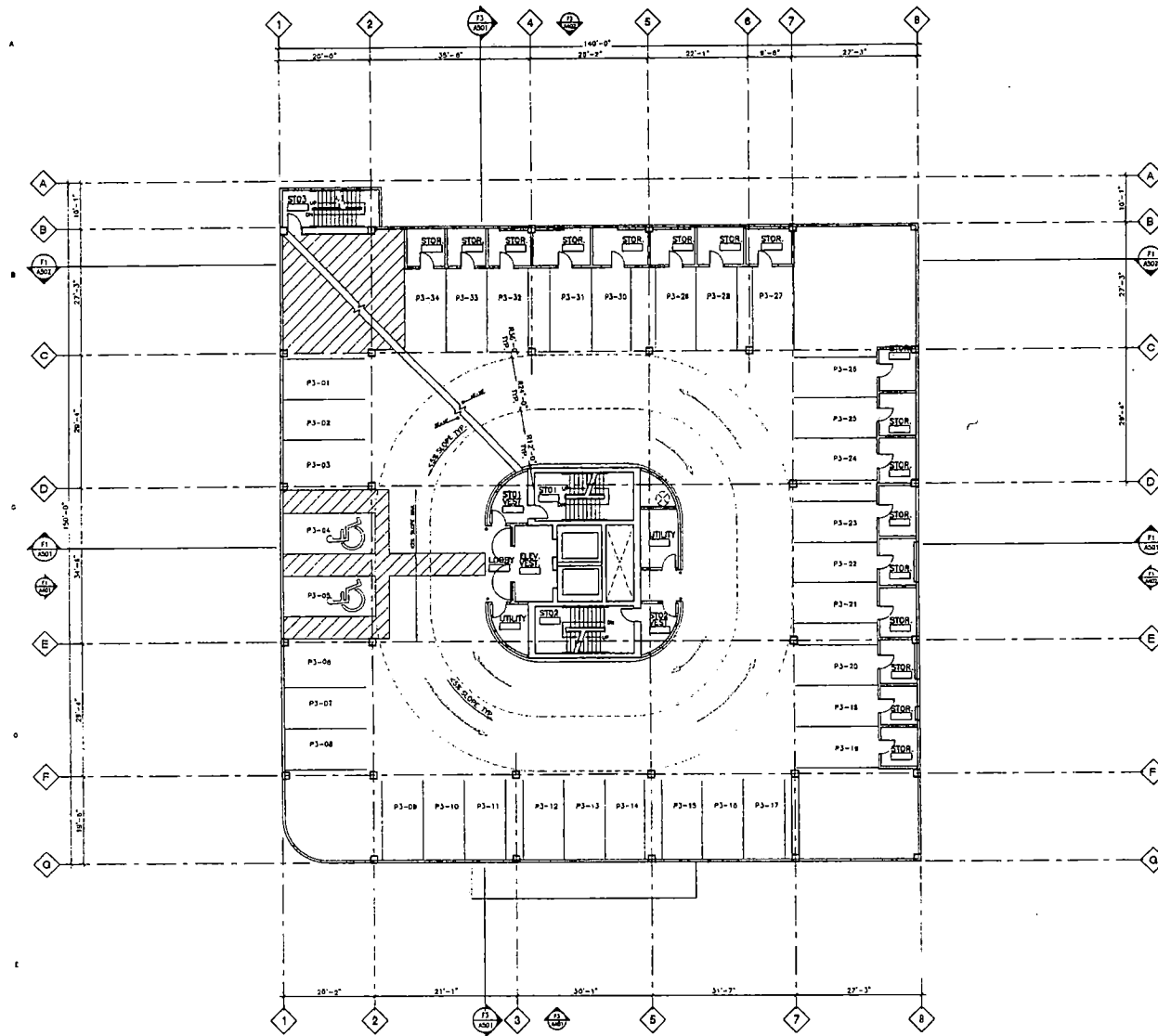
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 NAME: 041734200
 DESIGN: KCB
 DATE: AUG 24, 2004
 REVISION: 00000000

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W2: F1
PARKING FLOOR PLAN
LEVEL 3

W2: F1
A205

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 FLOOR PLAN LEVEL 4
 3/32" = 1'-0"

W2: ARCHITECTURE

105 EAST EDWIN AVENUE 4
 LAS VEGAS, NEVADA 89109
 TEL: 702.891.2021
 FAX: 702.891.2022



BRESLIN BUILDERS

NEWPORT LOFTS

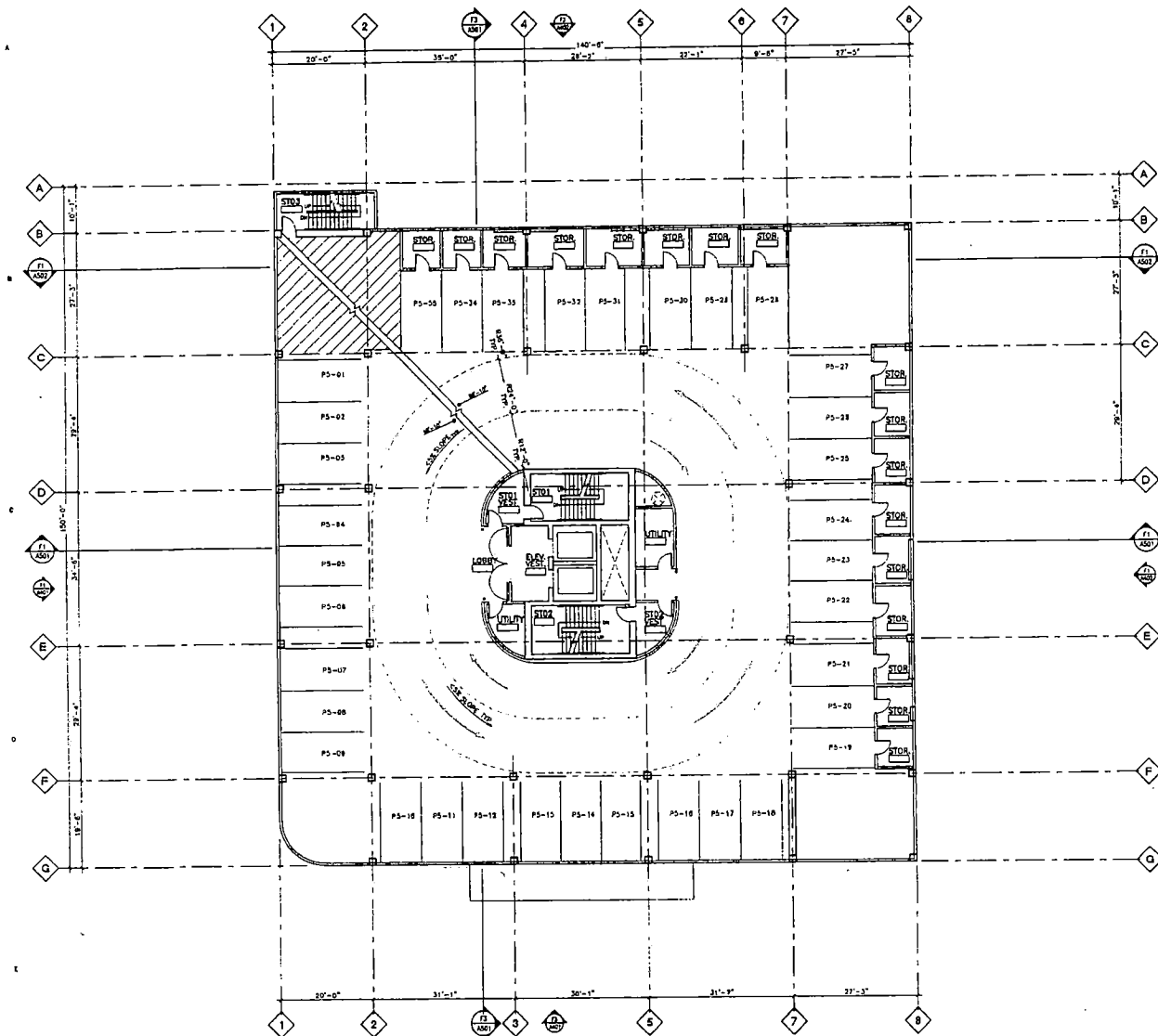
LAS VEGAS, NEVADA

PROJECT NO. 04173
 FILE 04173A206
 OWNER WES
 DATE AUG 24, 2004
 ARCHITECT W2: ARCHITECTURE

SHEET NO.
**PARKING FLOOR PLAN
LEVEL 4**

SHEET NO.
A206

**SUP-4728
 SDR-4727
 09-09-04 PC
 REVISED 08-24-04**



F1 FLOOR PLAN LEVEL 5
3/32" = 1'-0"

WILL ARCHITECTURE

1100 EAST 10TH AVENUE
LAS VEGAS, NEVADA 89107
TEL: 702.891.8201
FAX: 702.891.8202



BRESLIN BUILDERS

NEWPORT LOFTS

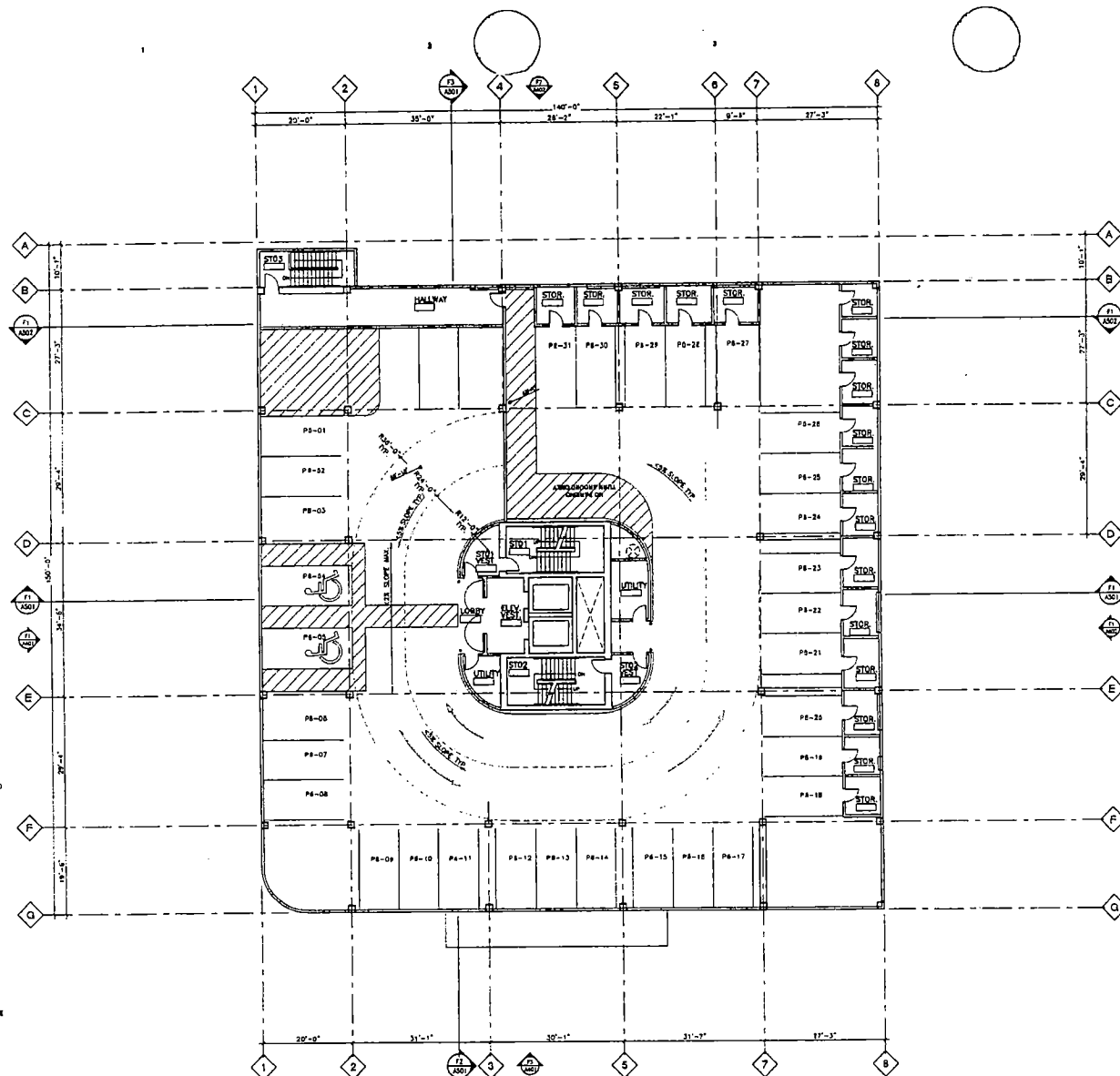
LAS VEGAS, NEVADA

PROJECT NO: 04173
FILE: 04173A207
DRAWN: KES
DATE: AUG 24, 2004
REVISION: 2004/08/24

**PARKING FLOOR PLAN
LEVEL 5**

A207

**SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04**



F1 FLOOR PLAN LEVEL 6
 3/32" = 1'-0"

WJZ ARCHITECTURE
 808 EAST 82ND AVENUE 6
 LAS VEGAS, NEVADA 89119
 TEL: 702.891.8331
 FAX: 702.891.8332



BRESLIN BUILDERS
NEWPORT LOFTS

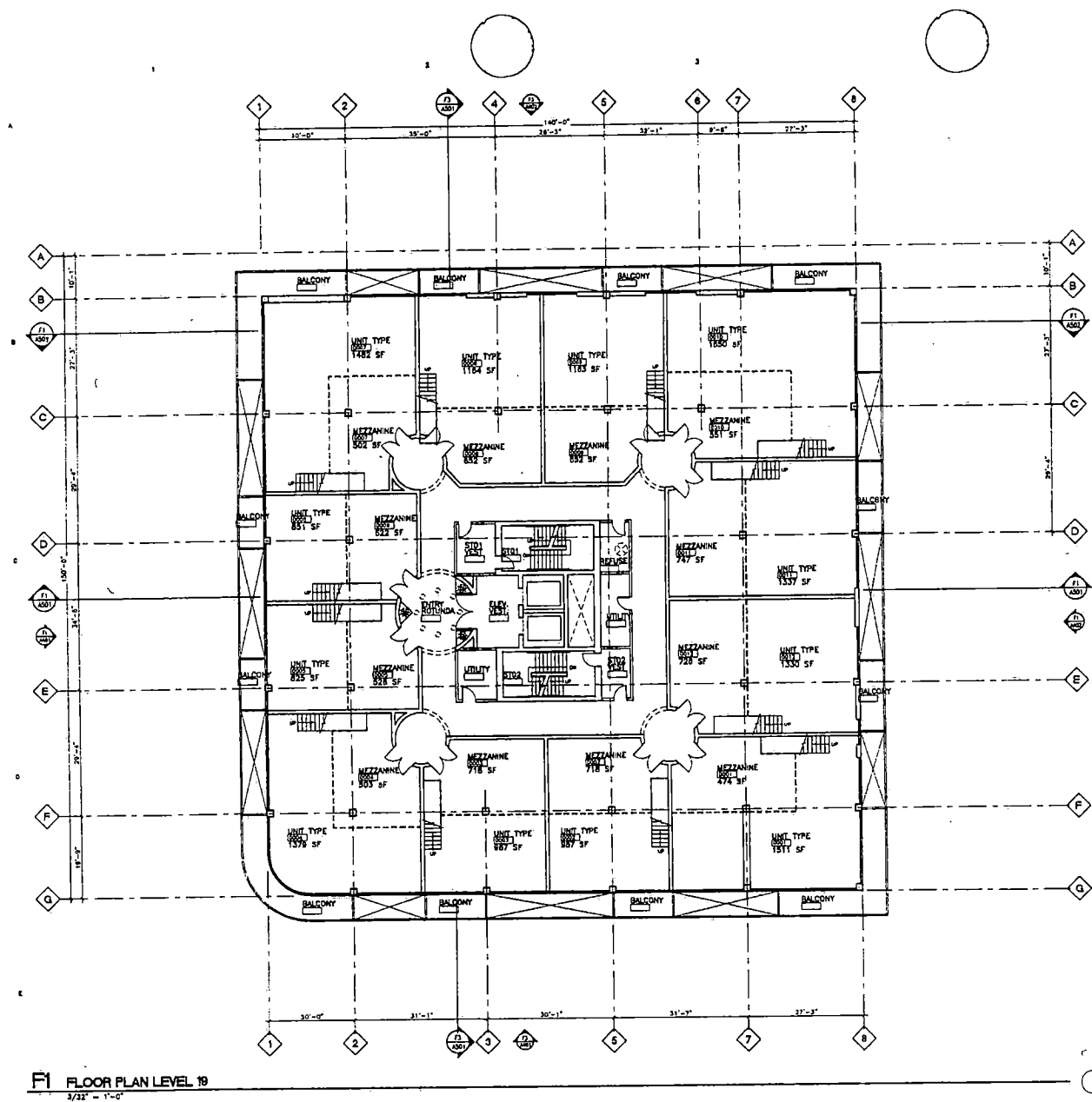
LAS VEGAS, NEVADA

PROJECT NO: 04173
 DATE: 04/17/2006
 DRAWN: KES
 DATE: AUG 24, 2004
 REVIEW: JTC/STP

**PARKING FLOOR PLAN
 LEVEL 6**

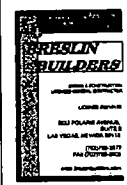
A208

**SUP-4728
 SDR-4727
 09-09-04 PC
 REVISED 08-24-04**



Penthouse Summary Breakdown			
UNIT #	GROUND FLOOR	MEZZANINE	TOTAL
1	1,511	474	1,985
2	587	718	1,305
3	587	718	1,305
4	1,379	803	1,882
5	825	528	1,353
6	851	822	1,473
7	1,492	582	1,854
8	1,184	852	1,910
9	1,103	1,521	2,624
10	1,688	551	2,239
11	1,337	747	2,084
12	1,330	726	2,056
TOTAL			22,888

WIZ ARCHITECTURE
 800 EAST EDWARDS AVENUE, 4
 LAS VEGAS, NEVADA 89101
 TEL: 702.881.8381
 FAX: 702.881.8378



BRESLIN BUILDERS NEWPORT LOFTS

LAS VEGAS, NEVADA

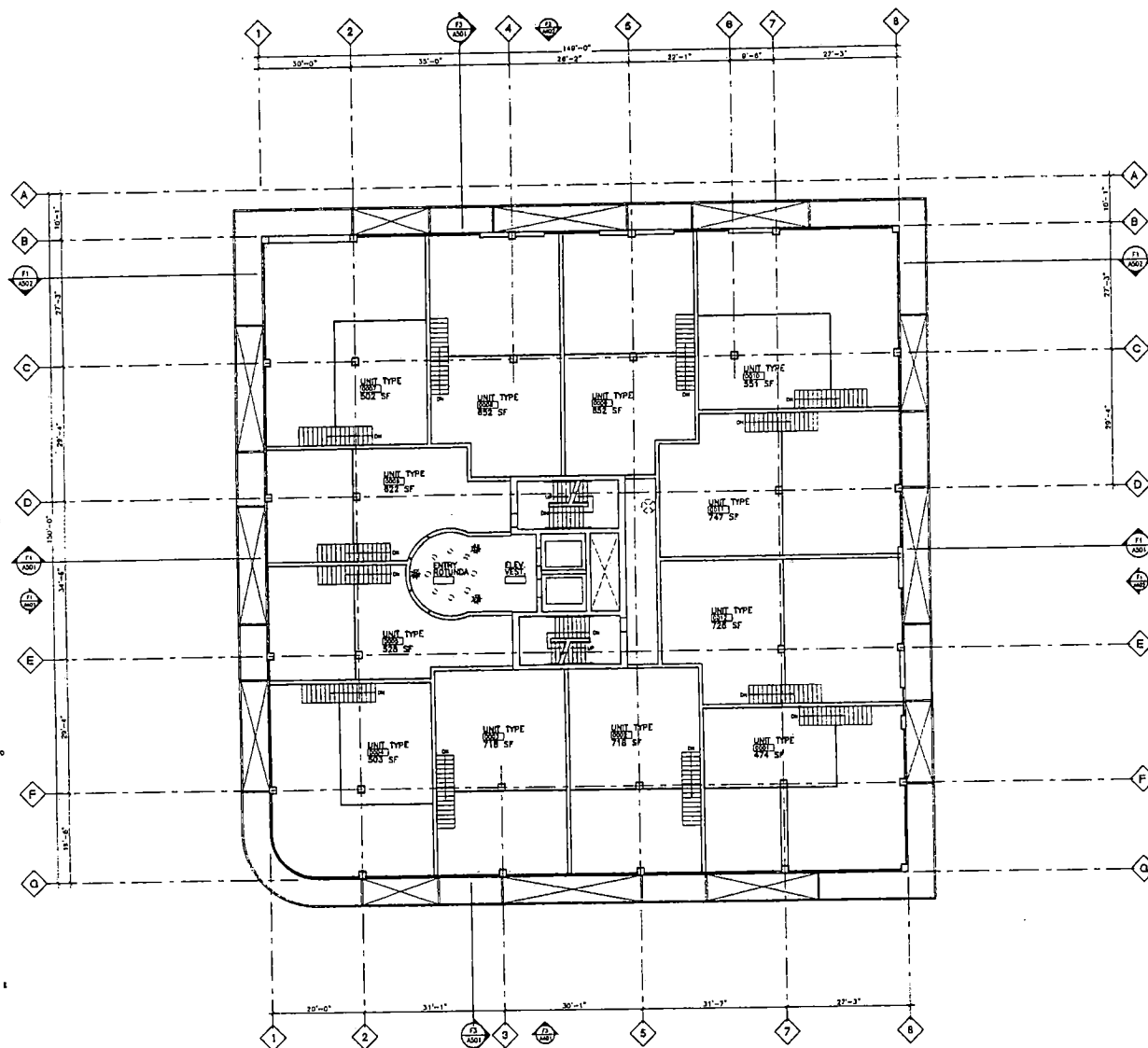
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 FILE 04173A210
 SHEET NO. 502
 DATE JUL 24, 2004
 DRAWN BY [signature]

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PROJECT FILE
 FLOOR PLAN
 LEVEL 19

SHEET NO.
 A210

SUP-4728
 SDR-4727
 09-09-04 PC
 REVISED 08-24-04



F1 FLOOR PLAN LEVEL 20
3/32" = 1'-0"

W21 ARCHITECTURE
108 EAST 82ND AVENUE #4
LAS VEGAS, NEVADA 89108
TEL 702 891 8381
FAX 702 891 8388



BRESLIN
NEWPORT
LOFTS

LAS VEGAS, NEVADA

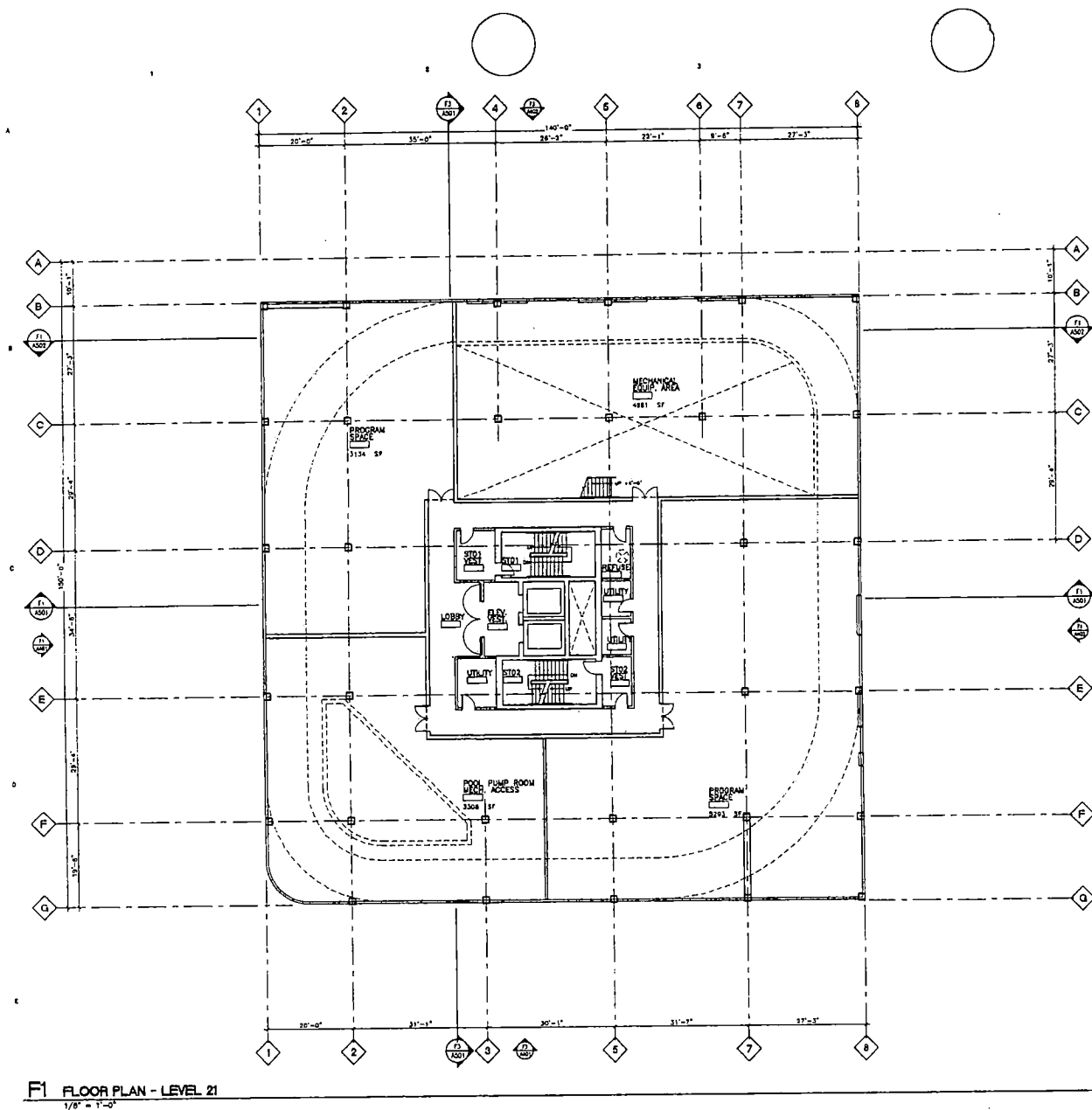
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FILE: 04173A211
SHEET: 505
DATE: AUG 24, 2004
REVISION: 1/2004

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FLOOR PLAN
LEVEL 20

A211

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



W21 ARCHITECTURE
154 EAST 85TH AVENUE, 8
LAS VEGAS, NEVADA 89129
TEL: 703 891 2261
FAX: 703 891 2262



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

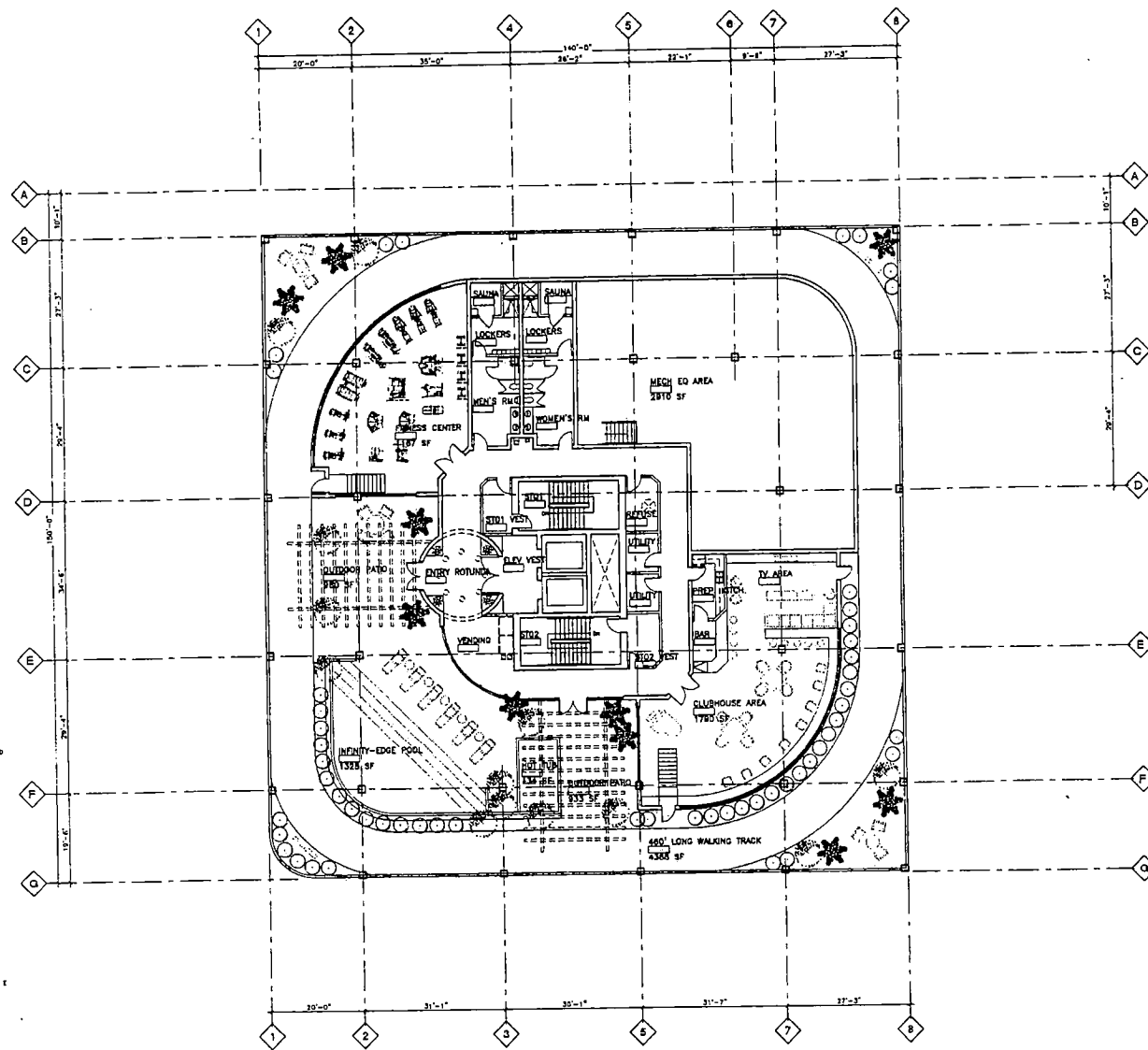
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PLAN: D4173A212
SHEET: 206
DATE: AUG 24, 2004
REVISION: 1

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SHEET 1 OF 1
**FLOOR PLAN
LEVEL 21**

SHEET NO:
A212

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 FLOOR PLAN - LEVEL 22
 1/32" = 1'-0"

WAT ARCHITECTURE
 100 EAST 83RD AVENUE, A
 LAS VEGAS, NEVADA 89109
 TEL 702 891 8201
 FAX 702 891 8202



BRESLIN BUILDERS
NEWPORT LOFTS

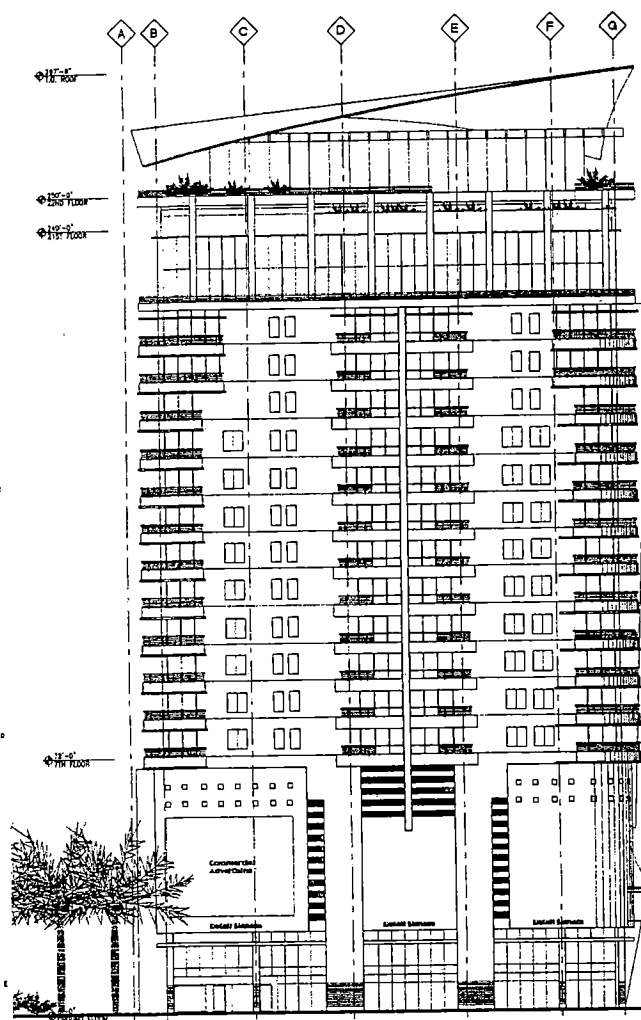
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PROJECT NO. 04173
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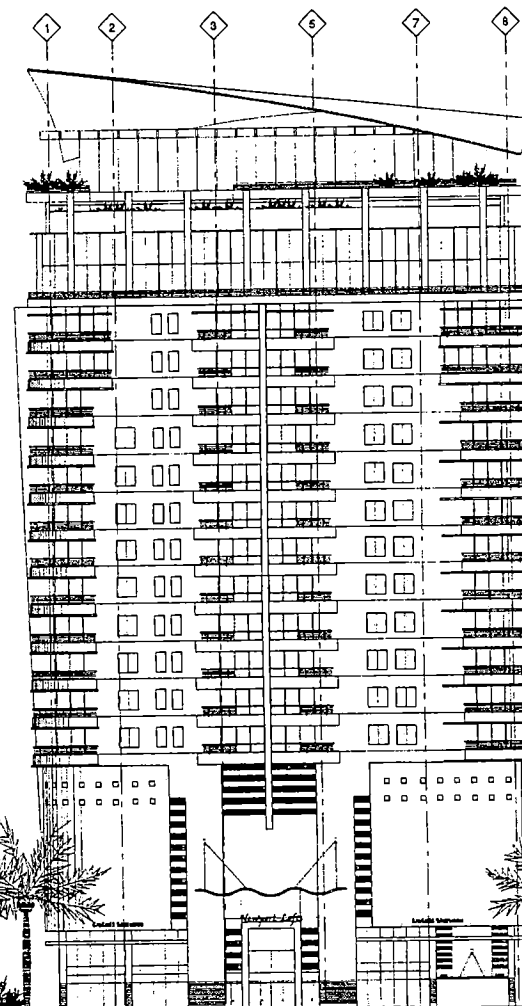
FLOOR PLAN
LEVEL 22

A213

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04

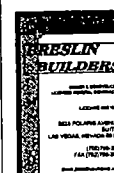


F1 BUILDING ELEVATION - WEST
1/16" = 1'-0"



F3 BUILDING ELEVATION - SOUTH
1/16" = 1'-0"

WIP:ARCHITECTURE
100 EAST 82ND AVENUE # 4
LAS VEGAS, NEVADA 89119
TEL: 702.871.8210
FAX: 702.871.8210



BRESLIN BUILDERS
NEWPORT LOFTS

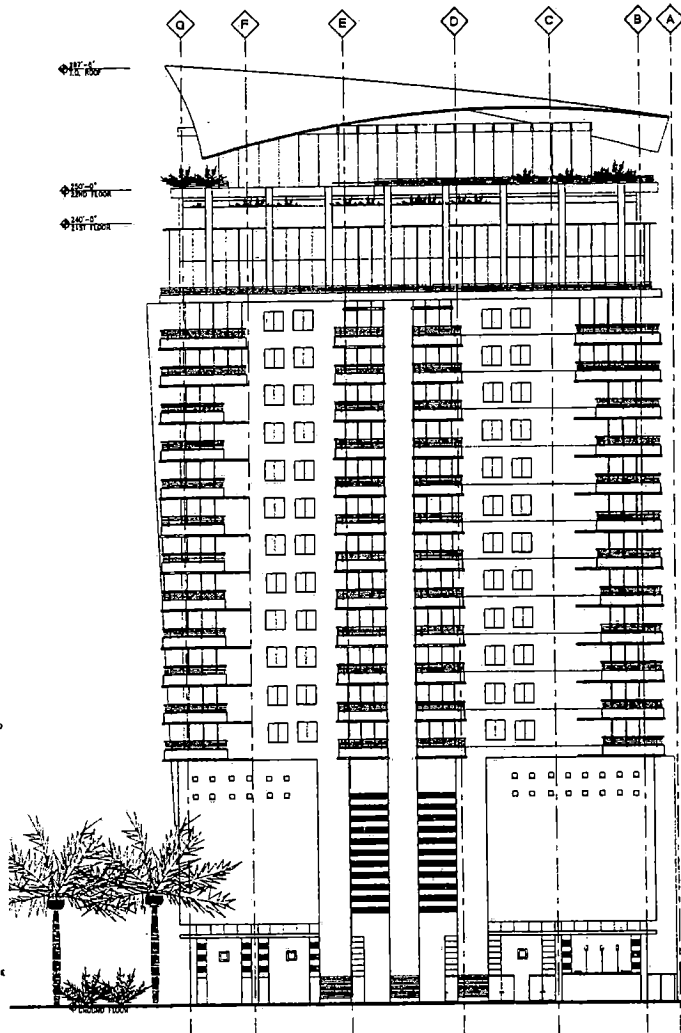
LAS VEGAS, NEVADA

PROJECT NO: 04173
FILE: 04173A401
DATE: JUNE
REV: AUG 24, 2004
REVISION: REVISION

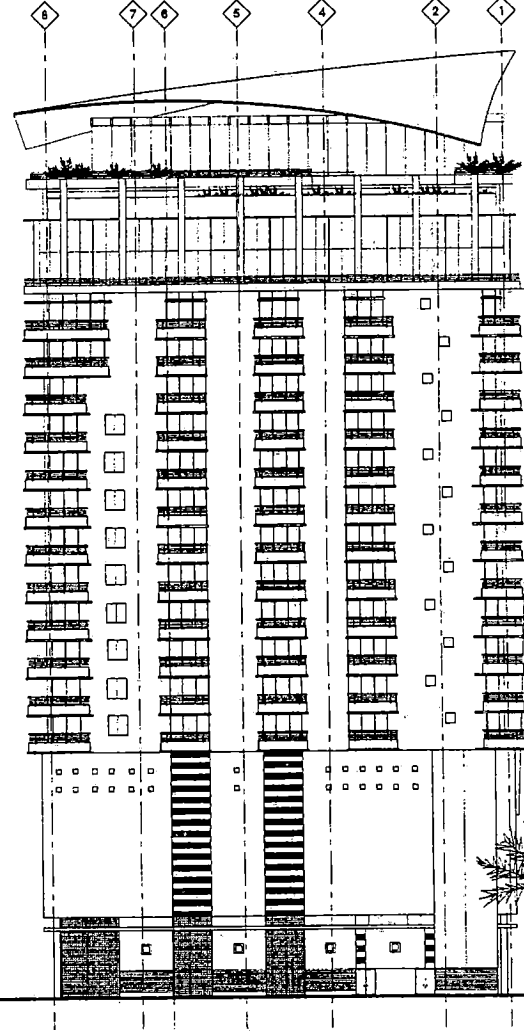
WIP: 714
BUILDING ELEVATIONS

DATE: 08/24/04
A401

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 BUILDING ELEVATION - EAST
1/16" = 1'-0"



F3 BUILDING ELEVATION - NORTH
1/16" = 1'-0"

WJZ ARCHITECTURE
100 EAST BOND AVENUE
LAS VEGAS, NEVADA 89101
TEL: 702.871.2201
FAX: 702.871.2202



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

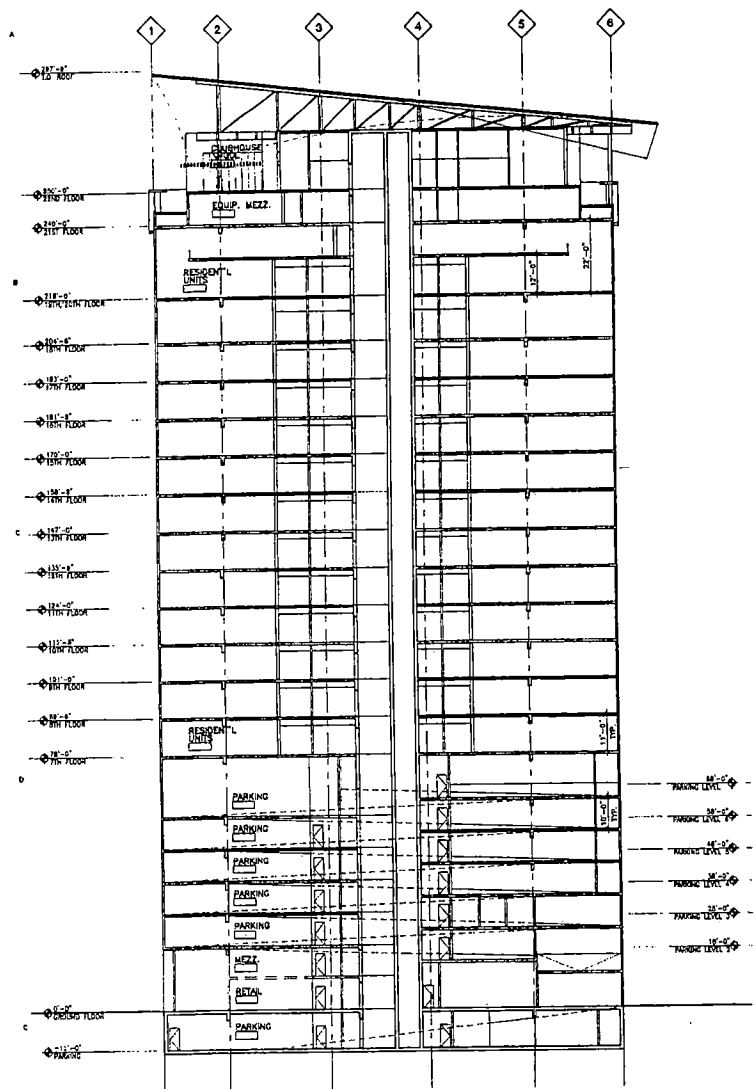
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FILE: 04173A402
ARCHITECT: WJZ
DATE: AUG 24, 2004
REVISION: 00000000

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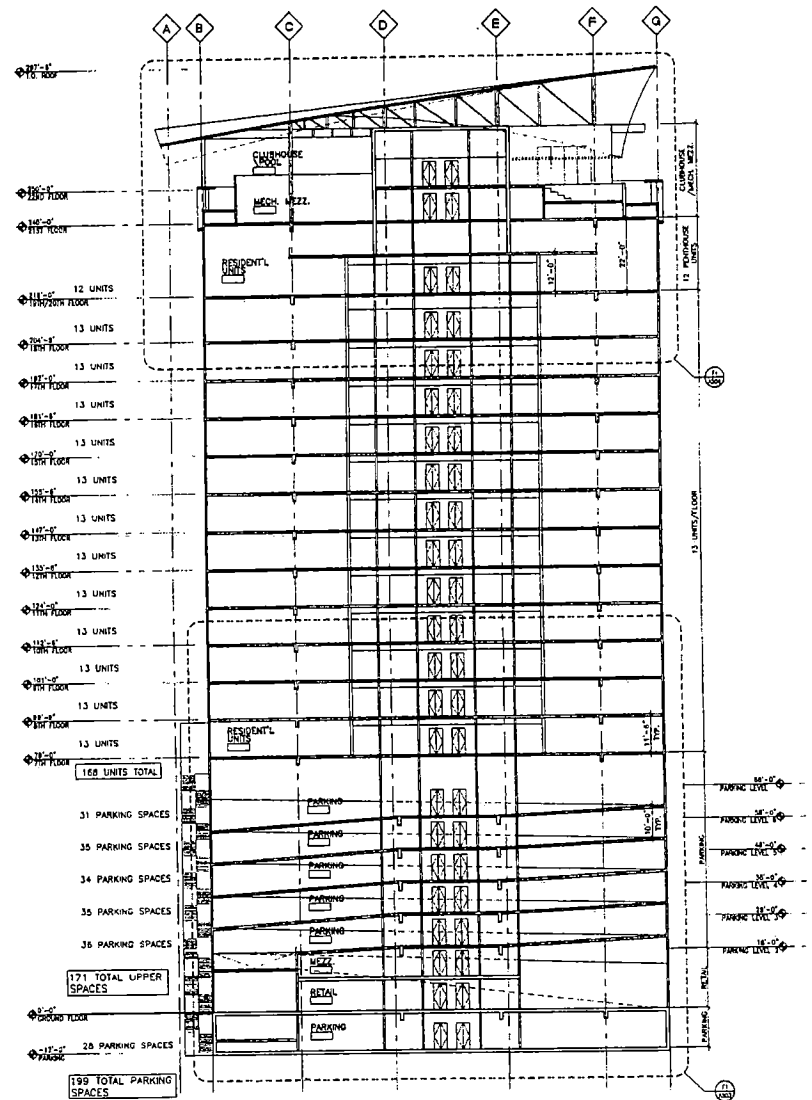
BUILDING ELEVATIONS

A402

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 BUILDING SECTION - EAST/WEST
1/16" = 1'-0"



F4 BUILDING SECTION - NORTH/SOUTH
1/16" = 1'-0"

WAT ARCHITECTURE
100 EAST 8000 AVENUE A
LAS VEGAS, NEVADA 89119
TEL 702.891.8801
FAX 702.891.8810



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A001
DATE AUG 24, 2004
REVISION: REVISION

BUILDING SECTIONS

A501

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04

W21 ARCHITECTURE
 308 EAST 88th AVENUE #
 LAS VEGAS, NEVADA 89109
 TEL. 702.891.8201
 FAX 702.891.8202



BRESLIN BUILDERS
NEWPORT
LOFTS

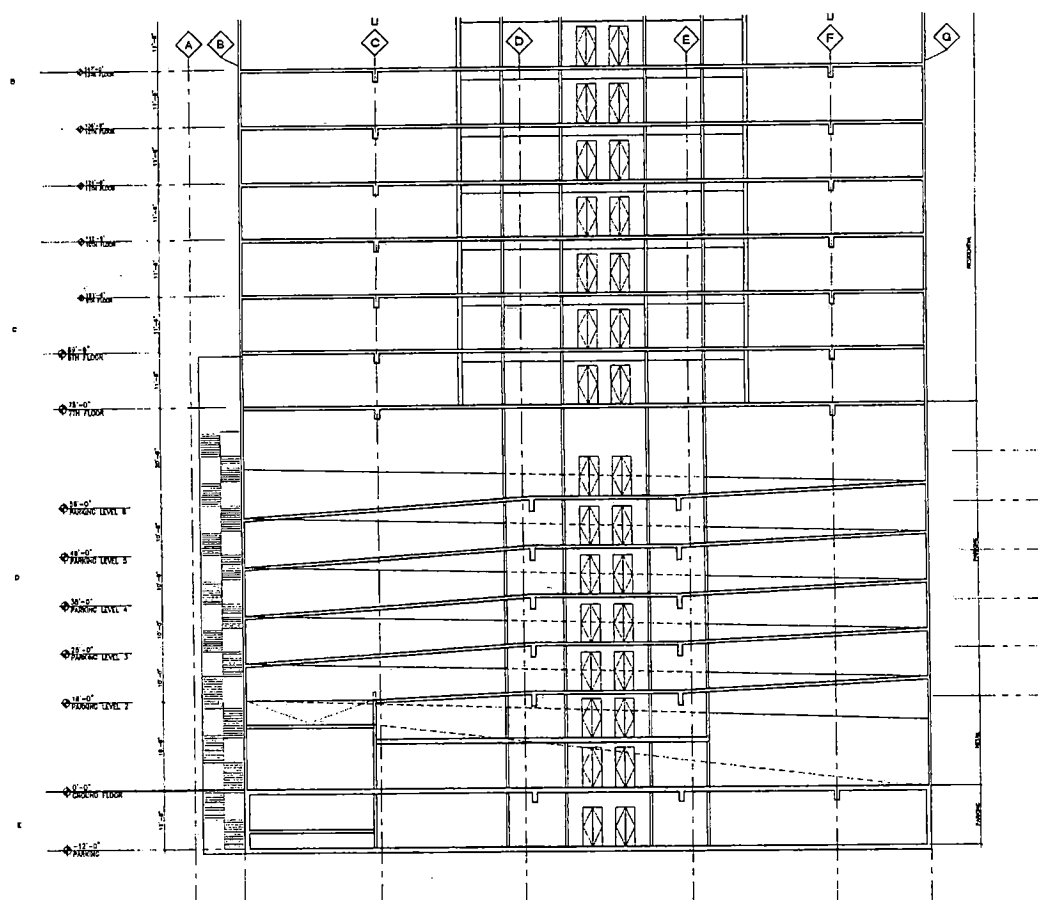
LAS VEGAS, NEVADA

PROJECT # 04173
 FILE 04173A003
 DATE 08/24/2004
 REVISION DESCRIPTION

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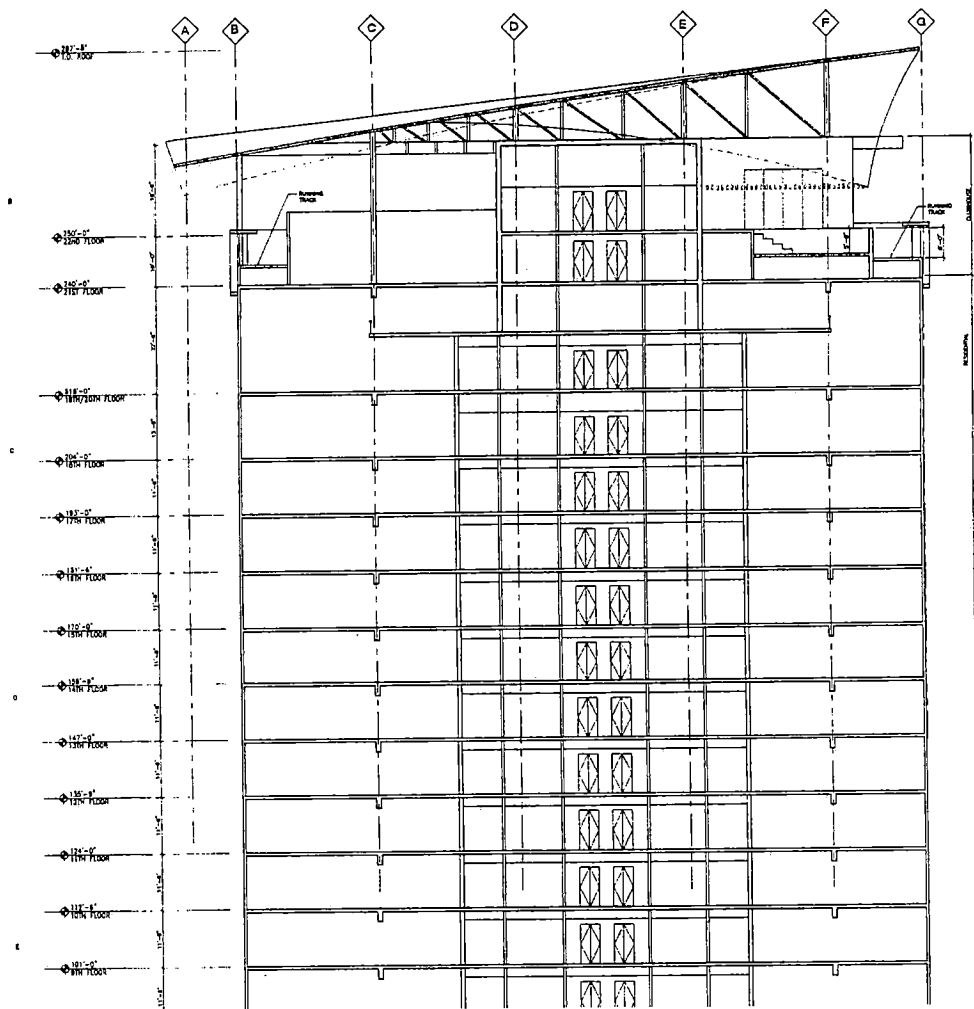
BUILDING SECTION
AT PARKING LEVELS

A503



F1 PARTIAL BUILDING SECTION THROUGH PARKING LEVELS - NORTH/SOUTH
 3/32" = 1'-0"

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



F1 PARTIAL BUILDING SECTION THROUGH AMENITIES LEVELS - NORTH/SOUTH
3/32" = 1'-0"

WJZ ARCHITECTURE
108 EAST KENO AVENUE
LAS VEGAS, NEVADA 89109
TEL: 702.891.8411
FAX: 702.891.8420



BRESLIN BUILDERS
NEWPORT LOFTS

LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A004
DRAWN BY
DATE AUG 24, 2004
REVISION

04173-104
**BUILDING SECTION
AT AMENITIES LEVELS**

POST 10
A504

SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04



SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY
COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY
COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY
COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5039 - VARIANCE - PUBLIC HEARING - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS JR. - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.5 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED AT 711 N. Tonopah Drive (APN: 139-29-704-017), R-1 (Single Family Residential) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone, Proposed: R-PD13 (Residential Planned Development - 13 Units per Acre) Zone, Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO and NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 27 [VAR-5039], Item 28 [ZON-4923] and Item 29 [SDR-4924].

GARY LEOBOLD, Planning and Development Department, stated that per Title 19.06.04 (A), the minimum site area for RPD is five acres and the subject site is four and one half acres which is an approximate 10% deviation from the standard. This project, as designed, does not fit into the parameters of Standard Residential Zoning District under the code. He indicated the property is an infill piece and there is no alternate design or option that would allow for conformance to Title 19. Therefore, the hardship is genuine.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 27 –VAR-5039

MINUTES – Continued:

Regarding the zoning application, the proposed R-PD13 zoning category does conform to the density requirements of the M Land Use designation. He pointed out the property is located in the West Las Vegas Plan Area, the plan designations conform to the General Plan with respect to the site. The Plan is under review and the land use decisions will likely be referred to the Las Vegas Redevelopment Plan because the site is located within an expansion area, which has not been approved by the City Council. He continued by saying it is likely the Redevelopment Plan will designate the area as MXU (Mixed Use), which does include M General Plan Land Use Designation.

With respect to the Site Plan, the proposal is for 60 single-family lots with an overall density of 13.3 units per acre, in clusters of eight and will be serviced by private drives. The lots average approximately 1300 square feet with an 880 square foot footprint and are surrounded by substantial amounts of open space. The elevation is a three-story, family product with a maximum building height of 35 feet. The living areas are approximately 1720 square feet with a two-car garage. Because the units are clustered into groups of eight, there will be a requirement that all units are equipped with sprinklers.

SHARON BULLOCK, 2009 Alta Drive, appeared on behalf of the applicant and stated concurrence with the Variance and Zoning conditions. Regarding the Site Development Plan Review, she corrected MR. LEOBOLD'S comments regarding the square footage of the living areas, as they are 2240 square feet, not 1720 square feet. She also commented on Condition 10 regarding the block wall requirement, stating the perimeter walls are in place on the north, east and south sides of the property. She indicated the applicant would be happy to paint the wall in contrasting colors to make it aesthetically pleasing and would be installing a wrought iron fence on the other side.

MS. BULLOCK showed the elevations for the building at COMMISSIONER GOYNES request and she described the look of the buildings as urban loft. She explained the first floor would be the rear loaded garage and a bonus room; the second floor would be the living quarters and bedrooms would be on the third floor. COMMISSIONER GOYNES acknowledged the challenges associated with building cluster homes at an affordable price without over saturating the density of the development. MS. BULLOCK agreed and informed the Commission that the development is required to provide 43,000 square feet of open space and the development supplies 56,000 square feet. The surrounding properties are zoned RPD-16 and she confirmed it is tight.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 27 –VAR-5039

MINUTES – Continued:

COMMISSIONER GOYNES said that this project reminds him of another project by the same applicant at Martin Luther King Boulevard and Lake Mead Drive called Whispering Timbers. He indicated that he originally had some reservations about that project but as it developed, he did not have any complaints about it. He confirmed with MS. BULLOCK that it had sold out. She pointed out that with the other development coming into the area such as the Cox building, a Terrible Herbst and a Starbucks, there is a need for single-family products in the area.

CHAIRMAN TRUESDELL stated he has been a proponent of good development in West Las Vegas. He referenced a cluster home project at Rancho Drive and Washington Avenue. It was presented as a very attractive solution but upon completion, some people were disappointed in the final product. He confirmed with MS. BULLOCK that the proposed project will have the buildings three feet apart with desert landscaping between each building. MS. BULLOCK indicated it would have desert landscaping. COMMISSIONER TRUESDELL stated he would like to have seen more articulation instead of buildings he described as flat faced, three story products. He also would like to have seen more creativity with the landscaping. MS. BULLOCK said that perhaps the applicant could use varying colors and use some pop outs to make the buildings look slightly different. She informed CHAIRMAN TRUESDELL that to make the housing affordable, the applicant had no choice but to build upwards, resulting in a three-story product.

CHAIRMAN TRUESDELL asked if there would be a Homeowners Association (HOA). MS. BULLOCK indicated the street would be a public street. MR. LEOBOLD added that there will not be a requirement for an HOA for the street; however, the common areas and the private drives will require one.

COMMISSIONER EVANS stated he liked the idea of the rear loading garages. He added that he understood the Chairman's comments regarding the aesthetics. One way to mitigate a relatively non-articulated building would be with the landscaping. He hoped the applicant would look into landscaping as a solution. MS. BULLOCK concurred and indicated previous projects the applicant has developed will prove that concurrence.

COMMISSIONER EVANS asked the applicant to clarify their request regarding Condition 10. MS. BULLOCK indicated Condition 10 required the perimeter wall to be in contrasting colors. She reiterated the walls are already in place on the north and west property lines and 80 percent of the south property line. There is no wall built on the east property line. MARGO WHEELER, Deputy Director, Planning and Development, clarified that Condition 10 only applies to any wall that may be added, not to the existing walls.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 27 –VAR-5039

MINUTES – Continued:

COMMISSIONER EVANS then questioned CHAIRMAN TRUESDELL about any amendments that could be made that would allow the Chairman to approve the project. CHAIRMAN TRUESDELL indicated his visual concerns were that if you looked down the proposed street, to the west, the buildings are situated in such a way that a canyon effect would be created. He would support the Site Plan if the applicant agreed to work with Planning and Development on articulating those elevations. MS. BULLOCK stated the applicant's willingness to do so. CHAIRMAN TRUESDELL also indicated that, in his opinion, the existing walls should conform to the condition in question. MS. BULLOCK indicated the wall on the east property line would be constructed with wrought iron. She confirmed that eight units would face that wall.

COMMISSIONER EVANS agreed with CHAIRMAN TRUESDELL about the canyon effect the buildings would create. He struggled to find language that would amend a condition that would result in more of what the Chairman was looking for. CHAIRMAN TRUESDELL said that this has the opportunity for being a great project. He felt that affordable housing could be created and still remain dynamic. He informed MS. BULLOCK that he would support the item if the applicant agreed to work with staff on some of his concerns. MS. WHEELER crafted a condition to incorporate into COMMISSIONER EVANS motion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 27 [VAR-5039], Item 28 [ZON-4923] and Item 29 [SDR-4924].

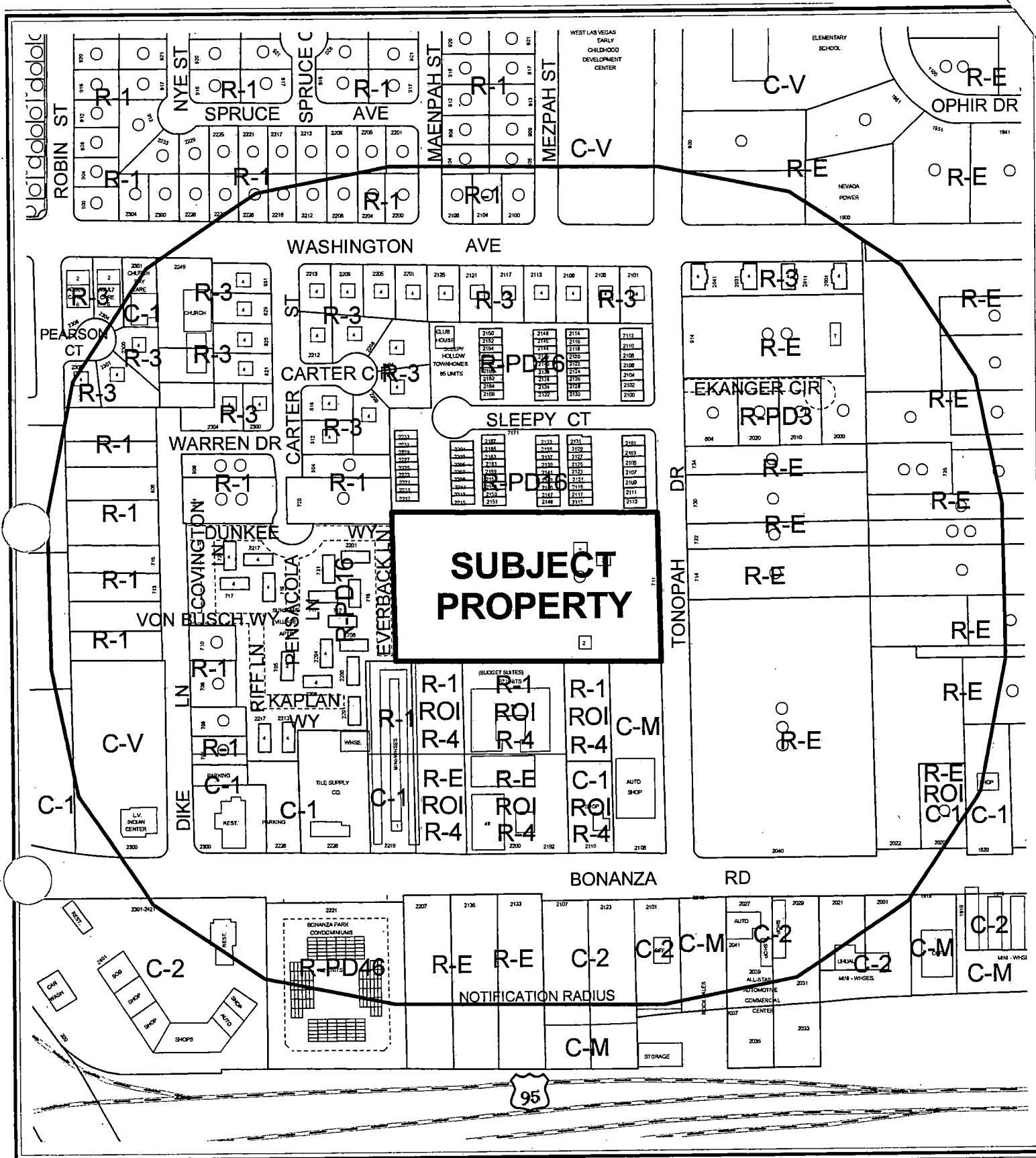
(8:40 – 9:02)

2-2687

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4923) and Site Development Plan Review [SDR-4924].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-5039

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD13 (RESIDENTIAL PLANNED DEVELOPMENT - 13 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5039 - APPLICANT: URBAN ESTATES - OWNER:
FRANK HAWKINS JR.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4923) and Site Development Plan Review [SDR-4924].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow Residential Planned Development zoning to be developed on a parcel smaller than five acres, on a 4.5-acre parcel located at 711 N. Tonopah Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the project is located within the West Las Vegas Redevelopment Addition and will provide needed single-family housing to support business growth in the area.

BACKGROUND INFORMATION

A) Previous Actions

09/09/98 The City Council denied a request for a Rezoning (Z-0042-98) on the subject site from R-1 (Single Family Residential) to R-4 (High Density Residential), to accommodate a project consisting of 160 one-bedroom Apartments. The Planning Commission and staff recommended denial on 07/09/98.

12/01/99 The City Council approved a requests for a General Plan Amendment (GPA-0036-99) from ML (Medium-Low Density Residential) To: M (Medium Density Residential), a Rezoning (Z-0062-99) from R-1 (Single Family Residential) to: R-3 (Medium Density Residential), and a Site Development Plan Review (Z-0062-99(1)) on the subject site, for a 75-unit, two-story Senior Housing Complex. The Planning Commission and staff recommended approval of the General Plan Amendment on 10/21/99, and of the other two applications on 10/28/99.

09/09/04 The Planning Commission will consider companion applications for a Rezoning (ZON-4923) from R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential) to R-PD13 (Residential Planned Development - 13 Units per Acre), and a Site Development Plan Review (SDR-4924) for a 60-lot single-family residential project, concurrently with this application.

B) Pre-Application Meeting

07/15/04 The applicant was advised of various submission requirements, in particular Public Works requirements, and the options for the submissions of applications to enable the project to proceed, were discussed.

C) Neighborhood Meetings

No neighborhood meeting is required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.5
Net Acres: 3.1

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Daily-Weekly Apartments
East: Rural residential development
West: Apartments

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: M (Medium Density Residential)
South: H (High Density Residential) and ML (Medium-Low Density Residential)
East: L (Low Density Residential) and M (Medium Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential)
North: R-PD16 (Residential Planned Development - 16 Units per Acre)
South: R-1 (Single Family Residential) under a Resolution of Intent to R-4 (High Density Residential) and C-M (Commercial/Industrial)
East: R-E (Residence Estates)
West: R-1 (Single-Family Residential) and R-PD16 (Residential Planned Development - 16 Units per Acre)

E) General Plan Compliance

The subject site is currently designated on the Southeast Sector Plan map as M (Medium Density Residential). The Medium Density Residential category has a density range of 12.1 to 25 units per acre and permits a variety of multi-family units such as plexes, townhouses and low-density

apartments. The proposed companion R-PD13 zoning district conforms to the M land use designation. This site plan conforms to this companion zoning district.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
<i>West Las Vegas Plan</i>	<i>X</i>	
<i>Las Vegas Redevelopment Plan</i>	<i>X</i>	
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 located within the West Las Vegas Plan area. This Plan is currently under review, but will defer land use decisions in this area to the Las Vegas Redevelopment Plan. The site is located within the expansion area of Las Vegas Redevelopment Plan. This expansion area has not yet been approved by City Council; however, it is likely that the Plan will designate the subject site as MXU (Mixed Use), which includes the M (Medium Density Residential) land use designation.

ANALYSIS

A) *Zoning Code Compliance*

Pursuant to Title 19.06.040, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 4.5 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 60-unit single-family project on the site. The subject deviation is 10%.

B) *General Analysis and Discussion*

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-3 (Medium Density Residential) zoning district allows up to 25 units per acre, and would conform to the M land use designation proposed for the site, the R-3 district contains a minimum lot width requirement of 65 feet, and front, side and rear setbacks that would not work with the project as proposed.

There are no other standard zoning districts in the Code that would be adequate for a project of this type. The site plan as presented incorporates open space and design elements that ensure adequate separation from adjacent multi-family sites. The extent of the requested Variance is minor, as the site is approximately 10% smaller than the minimum standard.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The applicant is not in a position to acquire more land for this project. There is no alternative design or option that would allow conformance to these specific Title 19 requirements. In view of these points, it is concluded that the applicant's hardship is genuine, and it is recommended that the Variance be granted.

NOTICES MAILED 246 -- (Mailed with ZON-4923 and SDR-4924)

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Urban 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

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: frank thackins Jr

Subscribed and sworn before me

This 18th day of August, 2004

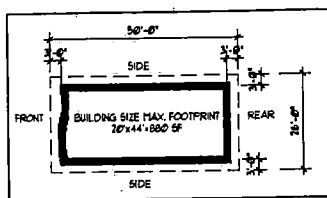
Sharon Bullock
Notary Public in and for said County and State



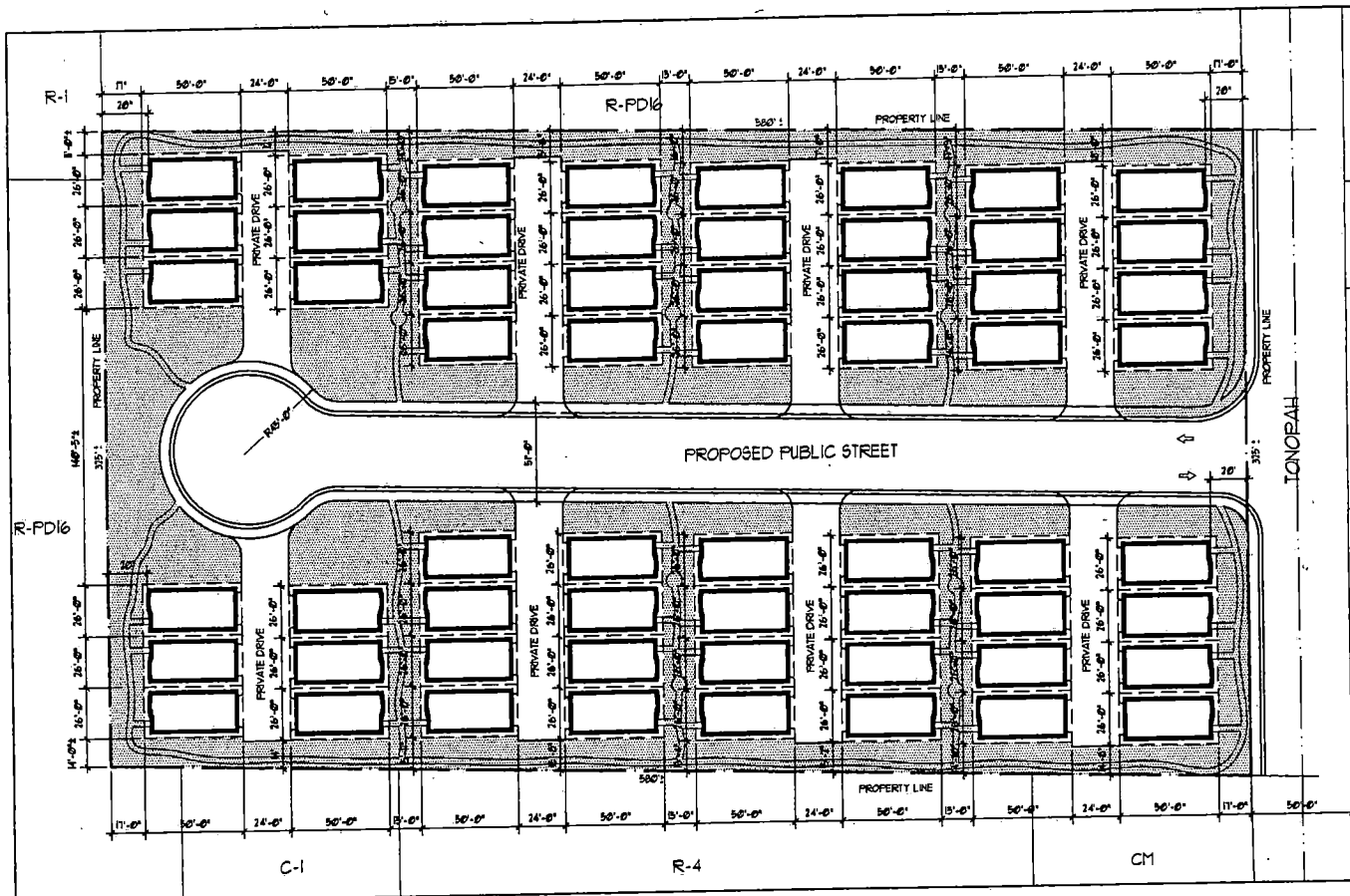
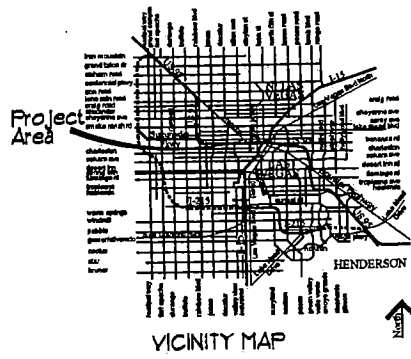
SITE INFORMATION:
 GROSS AREA: 45 ACRES (APPROX.)
 APR. 19-29-104-011
 EXISTING ZONING: R-1
 PROPOSED ZONING: R-PD6
 NUMBER OF SINGLE FAMILY LOTS PROPOSED:
 60 LOTS
 PROPOSED DENSITY: 13.3 U/A 13-3

OPEN SPACE REQUIRED: 43,071 SF
 OPEN SPACE PROVIDED: 50,061 SF
 SHADED AREA DENOTES
 OPEN SPACE / LANDSCAPE AREA
 MINIMUM LOT SIZE: 36' X 50' = 1,800 SF
 FRONT YARD SETBACK: 3'
 SIDE YARD SETBACK: 3'
 REAR YARD SETBACK: 3'
 MAX. BUILDING FOOTPRINT: 20' X 44' = 880 SF

PARKING ANALYSIS:
 EACH LOT WILL HAVE A HOUSE
 WITH A 2 CAR GARAGE
 60 UNITS X 2 SPACES/UNIT = 120 SPACES REQUIRED
 00 SPACES PROVIDED



TYPICAL LOT
 SCALE: 1/16"=1'
 LOT FRONT YARD SETBACK = 3'-0"
 LOT SIDE YARD SETBACK = 3'-0"
 LOT REAR YARD SETBACK = 3'-0"
 MAX. GROSS BUILDING AREA = 7640 SF
 F.A.R. = .80



SITE PLAN
 SCALE: 1"=30'



— — — — — PROPERTY LINE
 - - - - - LOT PROPERTY LINE

VAR-5039
 ZON-4923
 SDR-4924
 09-09-04 PC

REVISIONS	
CONSULTANTS	
SHEET TITLE	CONCEPTUAL SITE PLAN
	JOB TITLE
DATE	6-4-04
	JOB NO. 04-023
SHEET NO.	A-1

3310 N. BUFFALO DRIVE
 SUITE 104
 LAS VEGAS, NV 89133
 PHONE: (702) 344-9400
 FAX: (702) 344-9401
 CLIFTON A. MARSHALL
 ARCHITECT LTD.

SITE INFORMATION:

GROSS AREA: 45 ACRES (APPROX)
 APR: 199-29-104-011
 EXISTING ZONING: R-1
 PROPOSED ZONING: R-FD6
 NUMBER OF SINGLE FAMILY LOTS PROPOSED:
 60 LOTS
 PROPOSED DENSITY: 13.3 U/A 13-3

OPEN SPACE REQUIRED: 43,011 SF
 OPEN SPACE PROVIDED: 56,861 SF

SHADED AREA DENOTES
 OPEN SPACE / LANDSCAPE AREA

MINIMUM LOT SIZE: 26' X 50' = 1300 SF

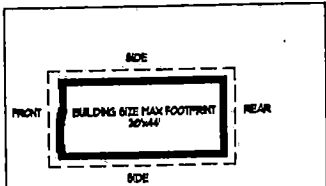
FRONT YARD SETBACK: 3'

SIDE YARD SETBACK: 3'

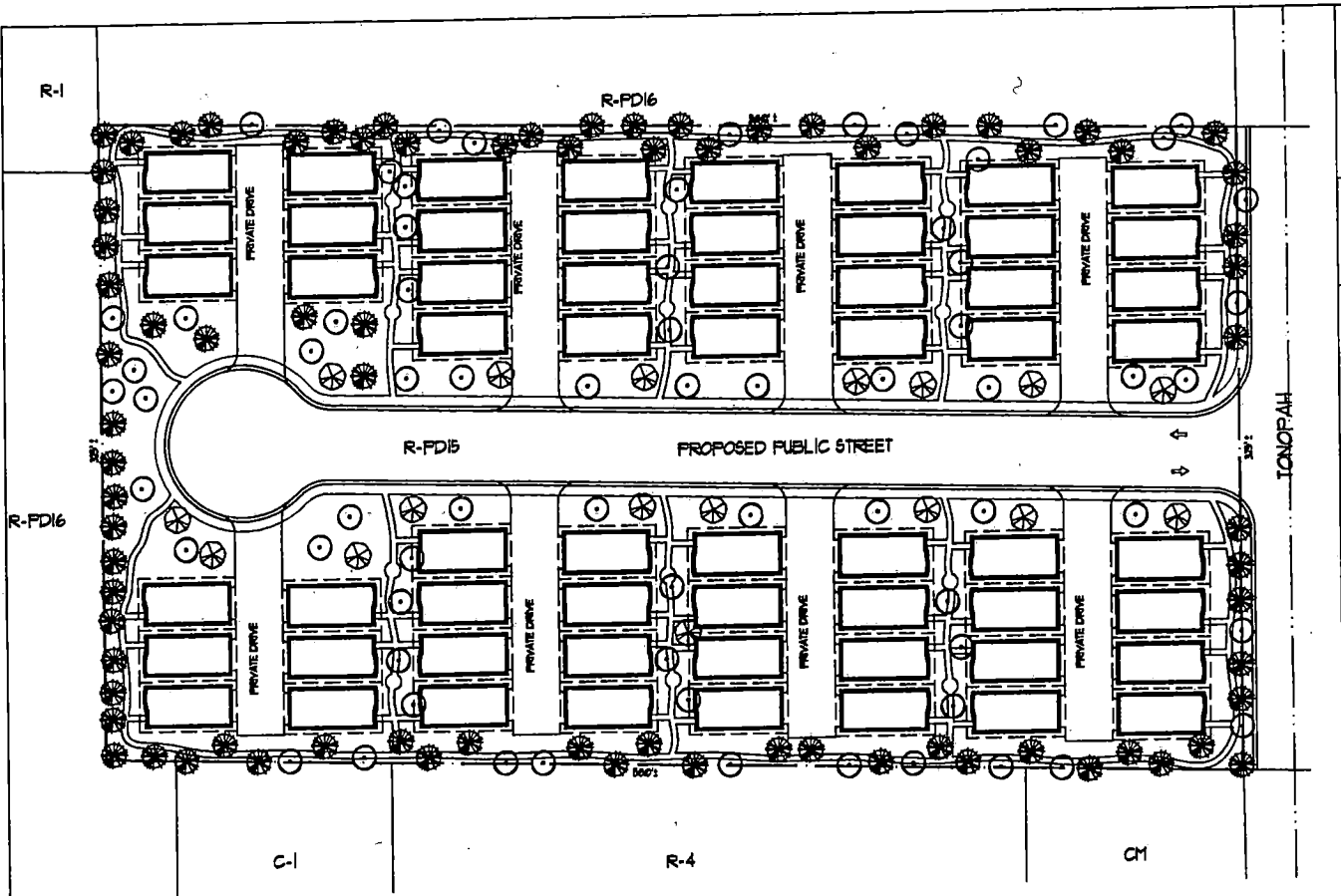
REAR YARD SETBACK: 3'

MAX. BUILDING FOOTPRINT: 20' X 44' = 880 SF

PARKING ANALYSIS:
 EACH LOT WILL HAVE A HOUSE
 WITH A 2 CAR GARAGE
 60 UNITS X 2 SPACES/UNIT = 120 SPACES REQUIRED
 120 SPACES PROVIDED



TYPICAL LOT
 SCALE: 1/16"=1'



LANDSCAPE SITE PLAN

SCALE: 1"=30'

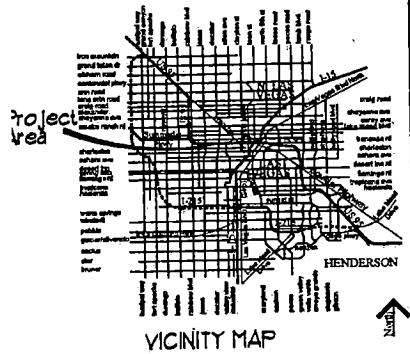


NORTH

VAR-5039
 ZON-4923
 SDR-4924
 09-09-04 PC

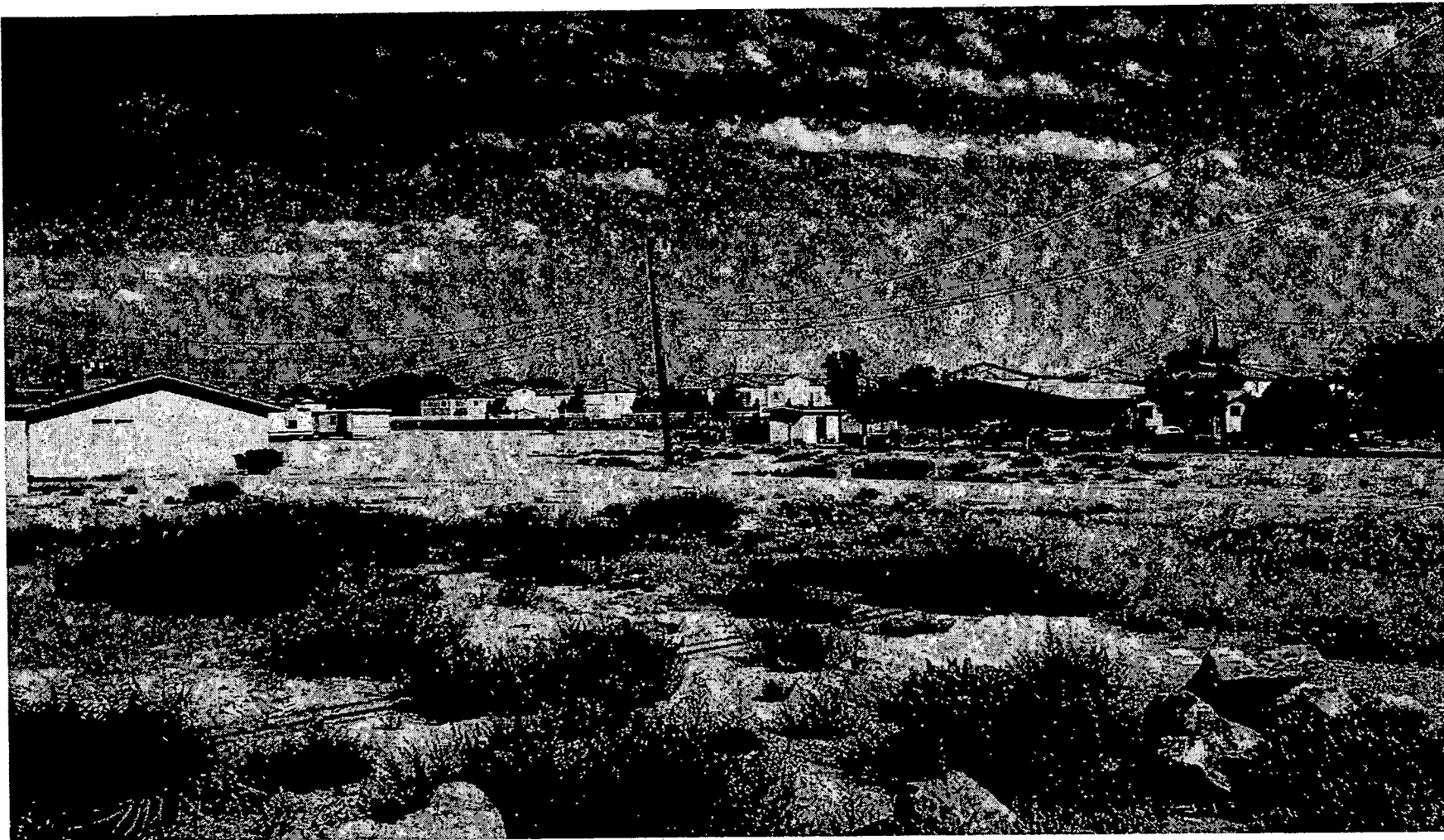
TREE / PLANT SCHEDULE

SYM	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	1-1/2" Caliper Ball and bushy	10 FT OC	YUCCA Single & multi trunk	Fernox yucca
	1-1/2" Caliper Ball and bushy	10 FT OC	CALIFORNIA LAUREL "Peppercorn"	Unshaded collection
	1 1/2" Caliper Ball and bushy	10 FT OC	TEGANUM PALMET Single & multi trunk	Ligustrum japonicum "Tegana"
	1-1/2" Caliper Ball and bushy	10 FT OC	MONIDEL PINE 24" DIA	Fluxa pine
	Height Varies	N/A	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	24" Dia	N/A	FLOWERING PLUM	Prunus blanda
	1-4 gallon	N/A	PONGAMIA PINNATA Compass Rose Shrub and Cover	2 to 4 between all trees
	N/A	N/A	Turf Lawn or sod 1/4" (min)	



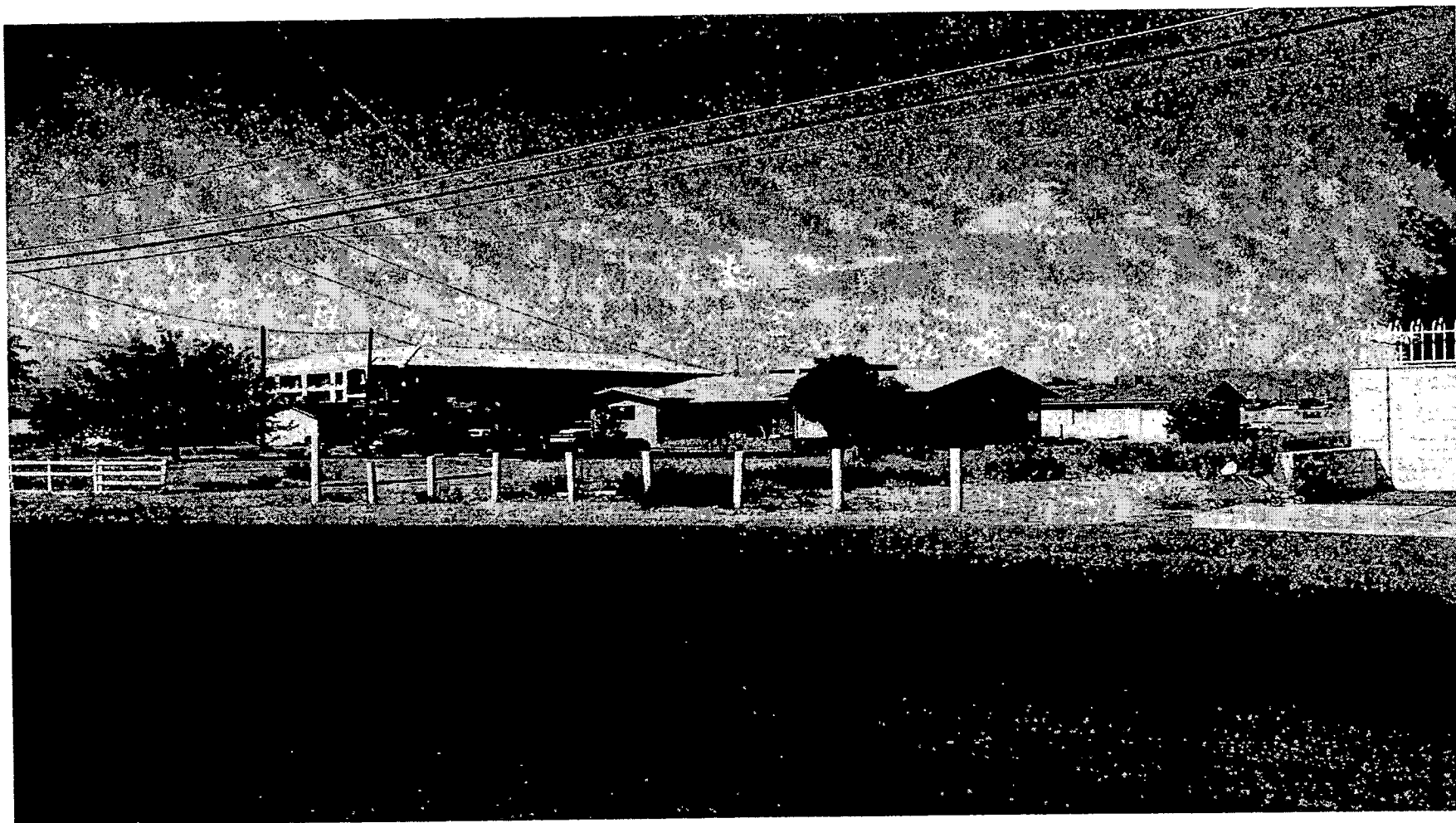
VICINITY MAP

REVISIONS:	CONSULTANTS:	3320 N. BUFFALO DRIVE SUITE 104 LAS VEGAS, NV 89239 PHONE: (702) 344-9466 FAX: (702) 344-9467
CLAYTON A. MARSHALL ARCHITECT LTD.		
SHEET TITLE	CONCEPTUAL LANDSCAPE SITE PLAN	
JOB TITLE	TONOPAH SINGLE FAMILY	
DATE	6-4-04	
JOB NO.	04-029	
SHEET NO.	1-1	



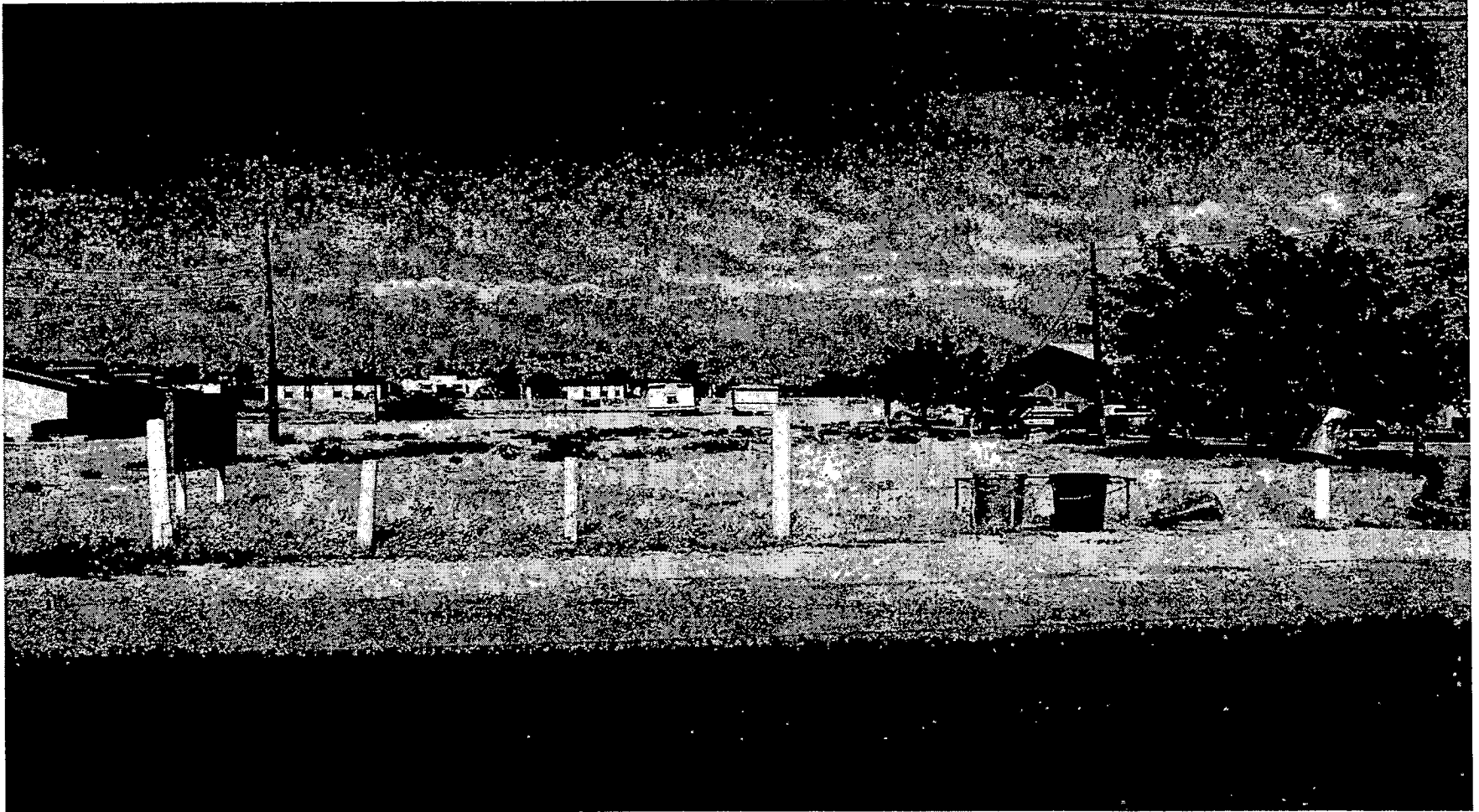
VAR-5039 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



VAR-5039 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



VAR-5039 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-4923 - REZONING RELATED TO VAR-5039 - PUBLIC HEARING -
APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS JR. - Request for a
Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF
INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-PD13 (RESIDENTIAL
PLANNED DEVELOPMENT - 13 UNITS PER ACRE) on 4.50 acres at 711 North Tonopah
Drive (APN 139-29-704-017), Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

**EVANS – APPROVED subject to conditions – Motion carried with TRUESDELL voting
NO and NIGRO and McSWAIN excused**

To be heard by the City Council on 10/06/2004

MINUTES:

See Item 27 [VAR-5039] for all related discussion on Item 27 [VAR-5039], Item 28 [ZON-4923]
and Item 29 [SDR-4924].

(8:40 – 9:02)

2-2687

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-5039) to allow R-PD development on a site smaller than
five acres and a Site Development Plan Review application (SDR-4924) approved by the

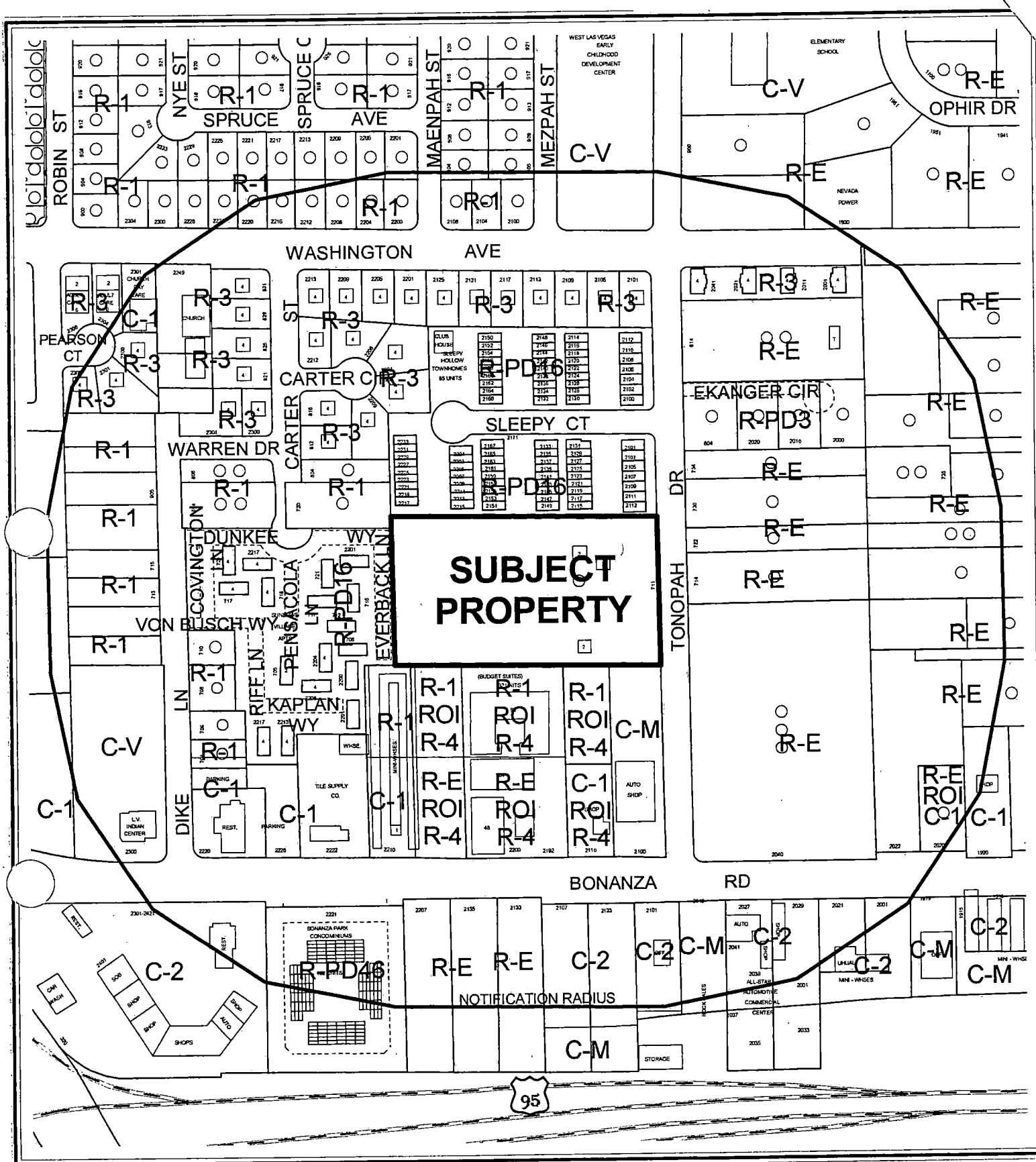
PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 28 – ZON-4923

CONDITIONS – Continued:

Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements including appropriate overpaving on Tonopah Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
5. 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).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-4923

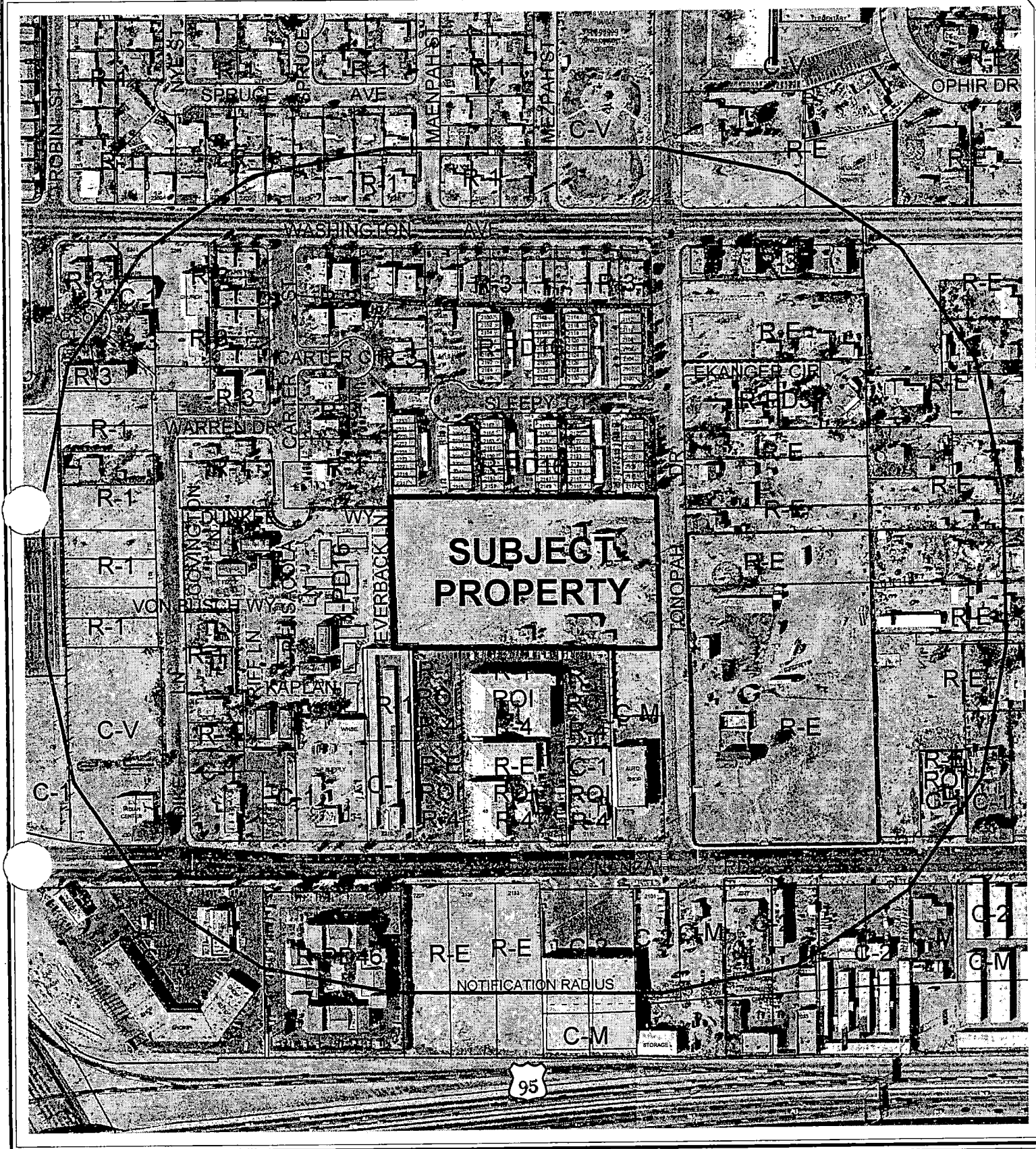
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD13 (RESIDENTIAL PLANNED DEVELOPMENT - 13 UNITS PER ACRE)



CASE: ZON-4923

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD13 (RESIDENTIAL PLANNED DEVELOPMENT - 13 UNITS PER ACRE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-4923 - APPLICANT: URBAN ESTATES - OWNER:
FRANK HAWKINS JR.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-5039) to allow R-PD development on a site smaller than five acres and a Site Development Plan Review application (SDR-4924) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements including appropriate overpaving on Tonopah Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
5. 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).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential) to R-PD13 (Residential Planned Development - 13 Units per Acre) on a 4.5-acre parcel located at 711 N. Tonopah Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the project is located within the West Las Vegas Redevelopment Addition and will provide needed single-family housing to support business growth in the area.

BACKGROUND INFORMATION

A) Previous Actions

- 09/09/98 The City Council denied a request for a Rezoning (Z-0042-98) on the subject site from R-1 (Single Family Residential) to R-4 (High Density Residential), to accommodate a project consisting of 160 one-bedroom Apartments. The Planning Commission and staff recommended denial on 07/09/98.
- 12/01/99 The City Council approved a requests for a General Plan Amendment (GPA-0036-99) from ML (Medium-Low Density Residential) To: M (Medium Density Residential), a Rezoning (Z-0062-99) from R-1 (Single Family Residential) to: R-3 (Medium Density Residential), and a Site Development Plan Review (Z-0062-99(1)) on the subject site, for a 75-unit, two-story Senior Housing Complex. The Planning Commission and staff recommended approval of the General Plan Amendment on 10/21/99, and of the other two applications on 10/28/99.
- 09/09/04 The Planning Commission will consider companion applications for a Variance (VAR-5039) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4924) for a 60-lot single-family residential project, concurrently with this application.

B) Pre-Application Meeting

07/15/04 The applicant was advised of various submission requirements, in particular Public Works requirements, and the options for the submissions of applications to enable the project to proceed, were discussed.

C) Neighborhood Meetings

No neighborhood meeting is required for a Rezoning request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.5
Net Acres: 3.1

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Daily-Weekly Apartments
East: Rural residential development
West: Apartments

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: M (Medium Density Residential)
South: H (High Density Residential) and ML (Medium-Low Density Residential)
East: L (Low Density Residential) and M (Medium Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential)
North: R-PD16 (Residential Planned Development - 16 Units per Acre)
South: R-1 (Single Family Residential) under a Resolution of Intent to R-4 (High Density Residential) and C-M (Commercial/Industrial)
East: R-E (Residence Estates)
West: R-1 (Single-Family Residential) and R-PD16 (Residential Planned Development - 16 Units per Acre)

E) General Plan Compliance

The subject site is currently designated on the Southeast Sector Plan map as M (Medium Density Residential). The Medium Density Residential category has a density range of 12.1 to 25 units per acre and permits a variety of multi-family units such as plexes, townhouses and low-density apartments. The proposed R-PD13 zoning district conforms to this designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
<i>West Las Vegas Plan</i>	<i>X</i>	
<i>Las Vegas Redevelopment Plan</i>	<i>X</i>	
Special Overlay District		X
Trails		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 located within the West Las Vegas Plan area. This Plan is currently under review, but will defer land use decisions in this area to the Las Vegas Redevelopment Plan. The site is located within the expansion area of Las Vegas Redevelopment Plan. This expansion area has not yet been approved by City Council; however, it is likely that the Plan will designate the subject site as MXU (Mixed Use), which includes the M (Medium Density Residential) land use designation.

FINDINGS

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

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

The existing General Plan designation of the subject site is M (Medium Density Residential). This category allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-PD13 (Residential Planned Development - 13 Units per Acre) is consistent with the current General Plan designation.

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

Although the proposed project on this site is at a density that is slightly lower than the surrounding residential properties to the north, west and south, the design of the project will integrate well with the surrounding apartments.

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

The subject property is in a location where quality infill development is needed. The growth and development factors in the community, and the potential for the area to be added to the Redevelopment Plan boundary, indicate that the proposal will be an appropriate addition to the area.

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

Access to the property will be available from Tonopah Drive, designated as a 50-foot local street on the Master Plan of Streets and Highways. This street is adequate to meet the traffic demands of this proposed single-family residential development.

NOTICES MAILED 246 (Mailed with VAR-5039 and SDR-4924)

APPROVALS 0

PROTESTS 0



Case Number: ZON-4923 APN: 139-29-704-017
Name of Property Owner: Frank Hawkins Jr
Name of Applicant: Urban Estates

 Yes

☒ No

City Official: _____

Partner(s): _____

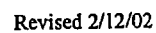
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Frank Hawkins Jr.

This 27th day of July, 2004

Sharon Bullock
Notary Public in and for said County and State



SITE INFORMATION

GROSS AREA: 43 ACRES (APPROX.)
 APN: 09-19-124-011
 EXISTING ZONING: R-1
 PROPOSED ZONING: R-PD-6
 NUMBER OF SINGLE FAMILY LOTS PROPOSED:
 60 LOTS
 PROPOSED DENSITY: 13.3 U/A, 13-1

OPEN SPACE REQUIRED: 43,011 SF
 OPEN SPACE PROVIDED: 56,061 SF

SHADED AREA DENOTES
 OPEN SPACE / LANDSCAPE AREA

MINIMUM LOT SIZE: 26' X 52' X 1300 SF

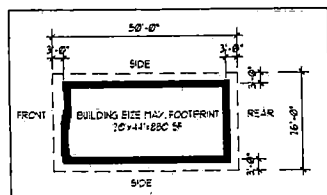
FRONT YARD SETBACK: 3'

SIDE YARD SETBACK: 3'

REAR YARD SETBACK: 3'

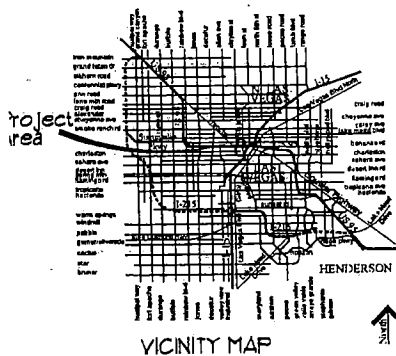
MAX. BUILDING FOOTPRINT: 10' X 44' X 880 SF

PARKING ANALYSIS:
 EACH LOT WILL HAVE A HOUSE
 WITH A 2 CAR GARAGE
 60 UNITS X 2 SPACES/UNIT = 120 SPACES REQUIRED
 120 SPACES PROVIDED



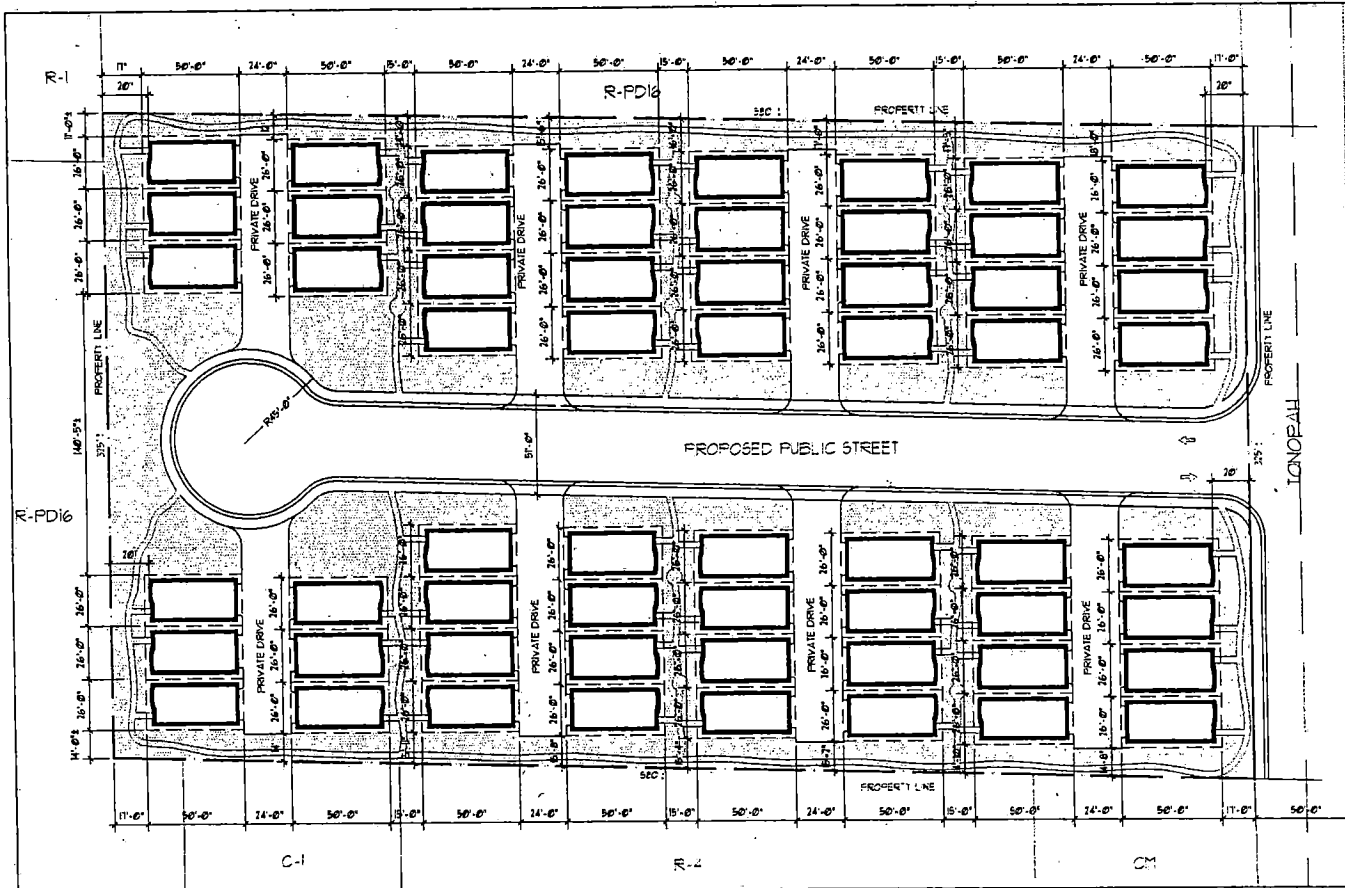
TYPICAL LOT
 SCALE: 1/16"=1'

LOT FRONT YARD SETBACK: 3'-0"
 LOT SIDE YARD SETBACK: 3'-0"
 LOT REAR YARD SETBACK: 3'-0"
 MAX. GROSS BUILDING AREA: 7840 SF
 F.A.R. = .20



SITE PLAN

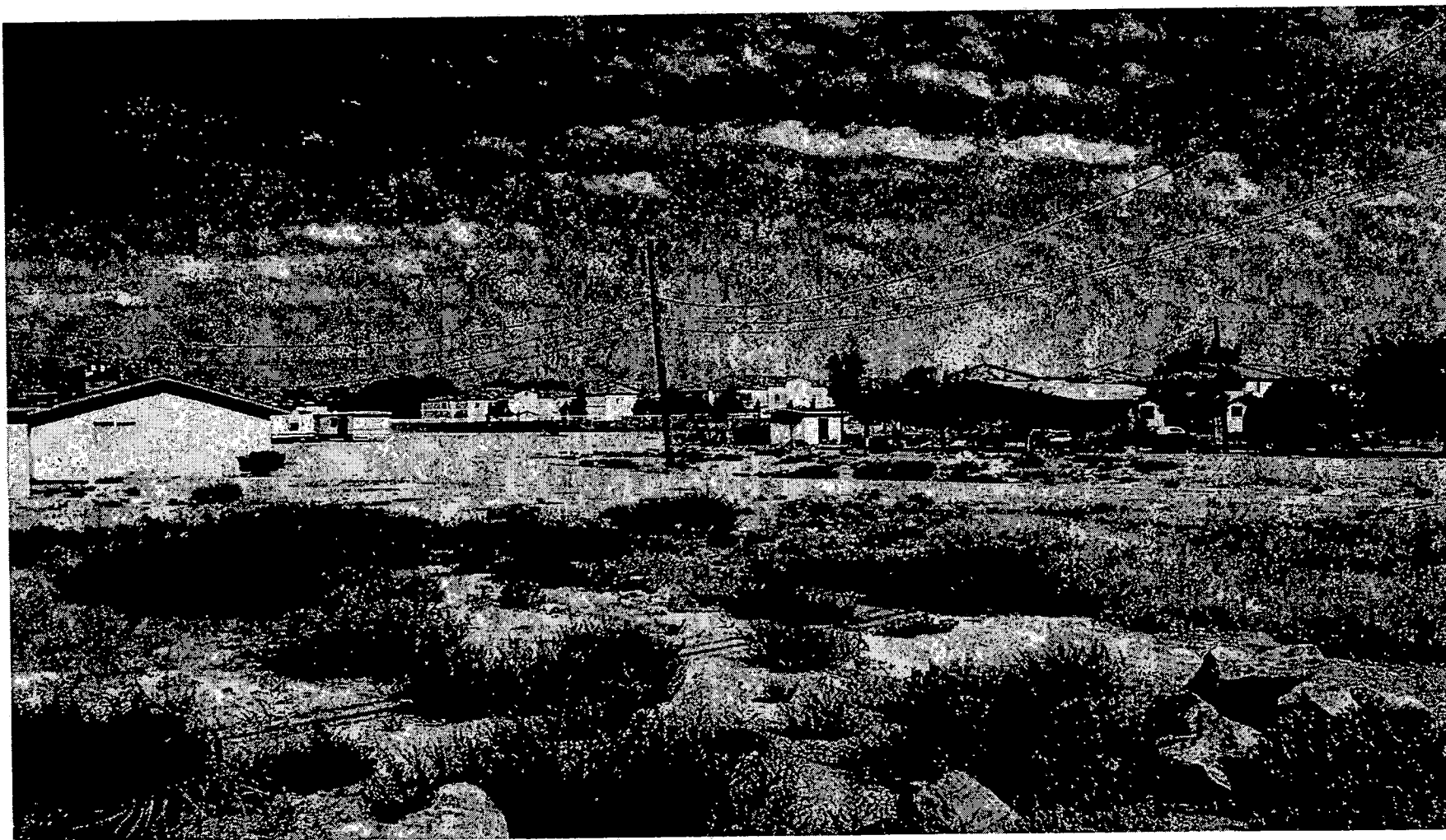
SCALE: 1"=30'



— PROPERTY LINE
 - - - LOT PROPERTY LINE

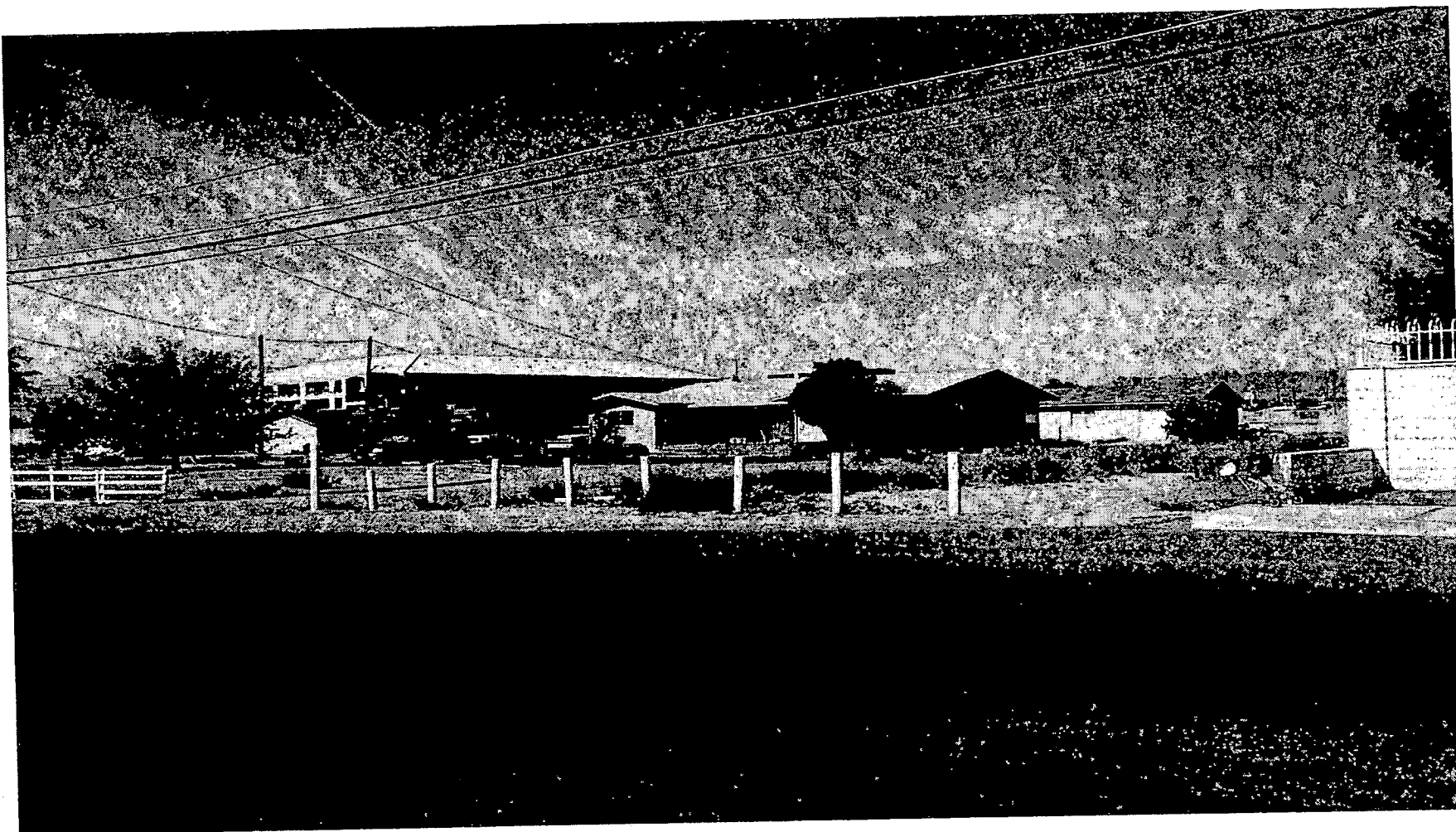
ZON-4923
SDR-4924
09-09-04 PC

REVISIONS	
CONSULTANTS	
3330 N. BUFFALO DRIVE SUITE 104 LAS VEGAS, NV 89123 PHONE: (702) 344-9400 FAX: (702) 344-9401	
 CLIFTON A. MARSHALL ARCHITECT LTD.	
SHEET TITLE CONCEPTUAL SITE PLAN JOB TITLE TONOPAH SINGLE FAMILY	
DATE 6-4-04 JOB NO. 04-029	
SHEET NO. A-1	



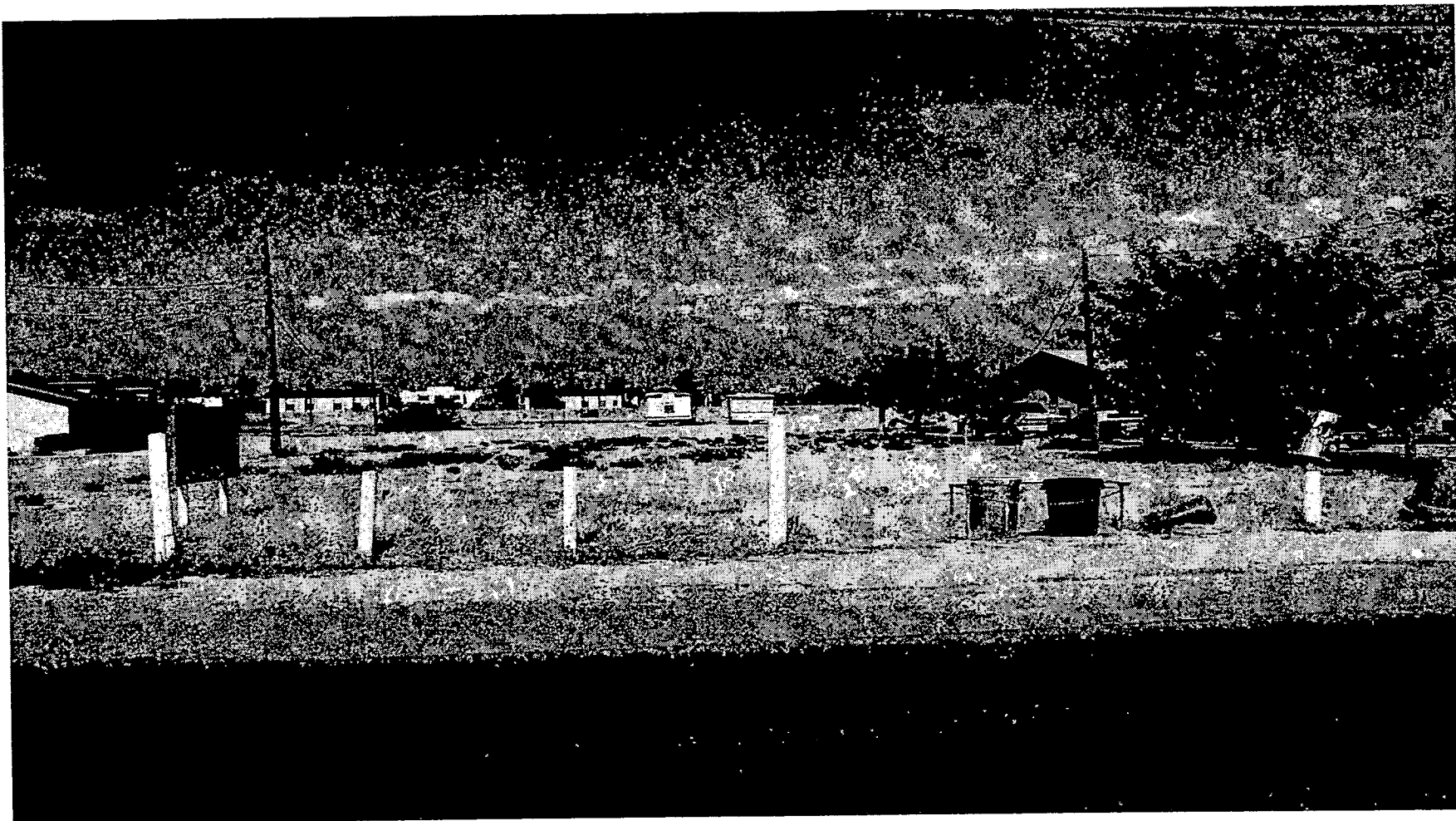
ZON-4923 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



ZON-4923 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



ZON-4923 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-4924 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5039 AND ZON-4923 - PUBLIC HEARING - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS JR. - Request for a Site Development Plan Review FOR A PROPOSED 60-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.50 acres at 711 North Tonopah Drive (APN 139-29-704-017), R-1 (Single-Family Residential) Zone under Resolution of Intent to R-3 (Medium Density Residential) [PROPOSED: R-PD13 (Residential Planned Development - 13 Units per Acre)], Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions and adding the following condition:

- *The applicant shall work with the Department of Planning and Development staff to add articulation to the side elevations.*

– UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

See Item 27 [VAR-5039] for all related discussion on Item 27 [VAR-5039], Item 28 [ZON-4923] and Item 29 [SDR-4924].

(8:40 – 9:02)

2-2687

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 29 – SDR-4924

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4923] to an R-PD13 (Residential Planned Development - 13 Units per Acre) Zoning District and a Variance (VAR-5039) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 06/04/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet, and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3 feet on any property line.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Tonopah Drive.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

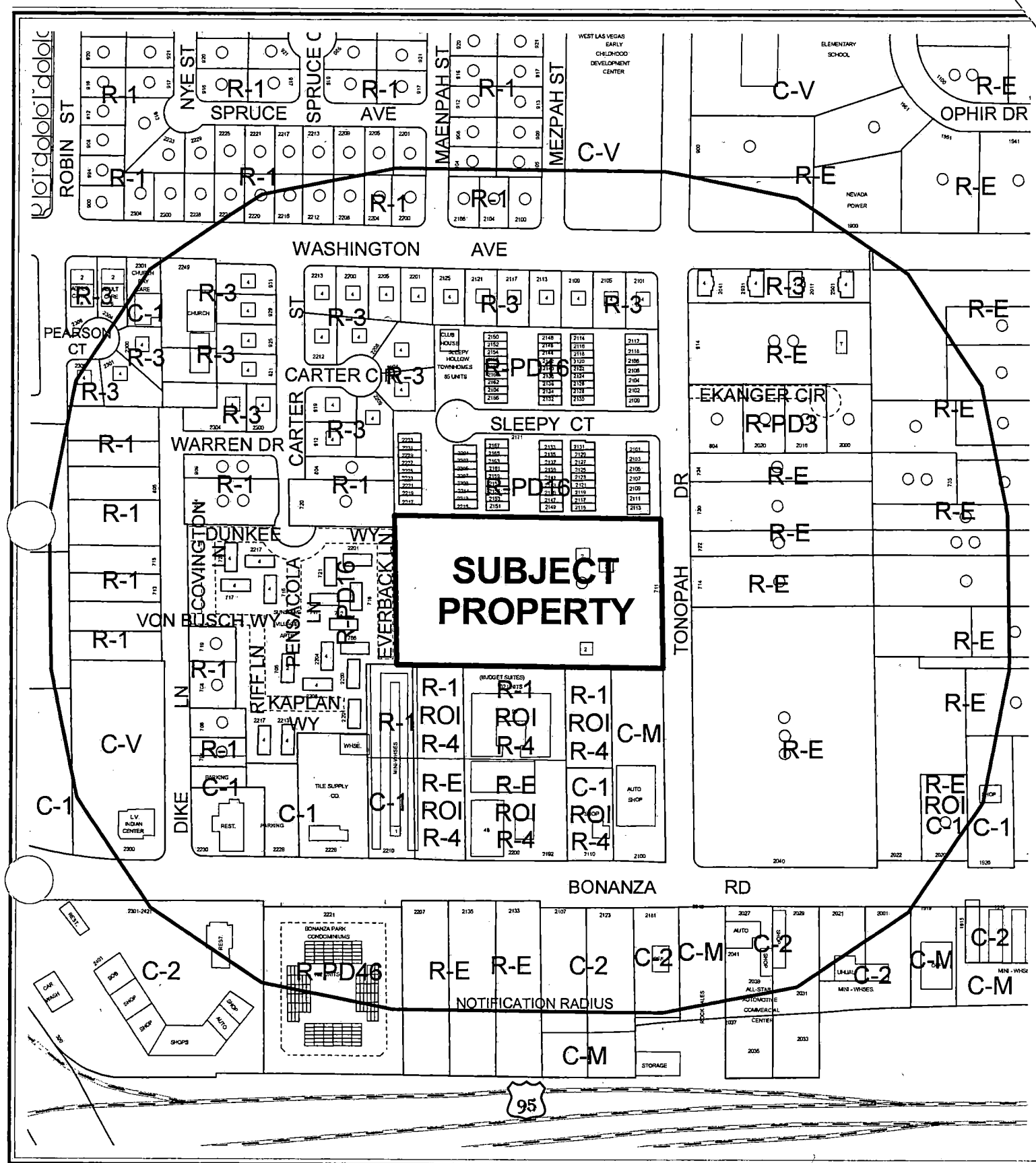
PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 29 – SDR-4924

CONDITIONS – Continued:

13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. All development shall be in conformance with the site plan and building elevations, date stamped 07/27/04, except as amended by conditions herein.

Public Works

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. Site development to comply with all applicable conditions of approval for ZON-4923 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-4924

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD13 (RESIDENTIAL PLANNED DEVELOPMENT - 13 UNITS PER ACRE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4924 - APPLICANT: URBAN ESTATES - OWNER:
FRANK HAWKINS JR.

2
**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Rezoning [ZON-4923] to an R-PD13 (Residential Planned Development - 13 Units per Acre) Zoning District and a Variance (VAR-5039) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 06/04/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet, and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3 feet on any property line.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Tonopah Drive.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

SDR-4924 - Conditions Page Two
September 9, 2004 Planning Commission Meeting

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. All development shall be in conformance with the site plan and building elevations, date stamped 07/27/04, except as amended by conditions herein.

Public Works

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. Site development to comply with all applicable conditions of approval for ZON-4923 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 60-lot single-family residential project on a 4.5-acre parcel located at 711 N. Tonopah Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the project is located within the West Las Vegas Redevelopment Addition and will provide needed single-family housing to support business growth in the area.

BACKGROUND INFORMATION

A) Previous Actions

09/09/98 The City Council denied a request for a Rezoning (Z-0042-98) on the subject site from R-1 (Single Family Residential) to R-4 (High Density Residential), to accommodate a project consisting of 160 one-bedroom Apartments. The Planning Commission and staff recommended denial on 07/09/98.

12/01/99 The City Council approved a requests for a General Plan Amendment (GPA-0036-99) from ML (Medium-Low Density Residential) To: M (Medium Density Residential), a Rezoning (Z-0062-99) from R-1 (Single Family Residential) to: R-3 (Medium Density Residential), and a Site Development Plan Review (Z-0062-99(1)) on the subject site, for a 75-unit, two-story Senior Housing Complex. The Planning Commission and staff recommended approval of the General Plan Amendment on 10/21/99, and of the other two applications on 10/28/99.

09/09/04 The Planning Commission will consider companion applications for a Variance (VAR-5039) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Rezoning from R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential) to R-PD13 (Residential Planned Development - 13 Units per Acre), concurrently with this application.

B) Pre-Application Meeting

07/15/04 The applicant was advised of various submission requirements, in particular Public Works requirements, and the options for the submissions of applications to enable the project to proceed, were discussed.

C) Neighborhood Meetings

No neighborhood meeting is required for a Site Development Plan Review request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.5
Net Acres: 3.1

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Daily-Weekly Apartments
East: Rural residential development
West: Apartments

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: M (Medium Density Residential)
South: H (High Density Residential) and ML (Medium-Low Density Residential)
East: L (Low Density Residential) and M (Medium Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential)
North: R-PD16 (Residential Planned Development - 16 Units per Acre)
South: R-1 (Single Family Residential) under a Resolution of Intent to R-4 (High Density Residential) and C-M (Commercial/Industrial)
East: R-E (Residence Estates)
West: R-1 (Single-Family Residential) and R-PD16 (Residential Planned Development - 16 Units per Acre)

E) General Plan Compliance

The subject site is currently designated on the Southeast Sector Plan map as M (Medium Density Residential). The Medium Density Residential category has a density range of 12.1 to 25 units per acre and permits a variety of multi-family units such as plexes, townhouses and low density apartments. The proposed companion R-PD13 zoning district conforms to the M land use designation. This site plan conforms to this companion zoning district.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
<i>West Las Vegas Plan</i>	<i>X</i>	
<i>Las Vegas Redevelopment Plan</i>	<i>X</i>	
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 located within the West Las Vegas Plan area. The Plan conforms to the General Plan designation with respect to this site. The Plan is currently under review, but will defer land use decisions in this area to the Las Vegas Redevelopment Plan. The site is located within the expansion area of Las Vegas Redevelopment Plan. This expansion area has not yet been approved by City Council; however, it is likely that the Plan will designate the subject site as MXU (Mixed Use), which includes the M (Medium Density Residential) land use designation.

PROJECT DESCRIPTION

The site plan depicts 60 single-family residential lots on the 4.5-acre site, resulting in a density of 13.33 dwelling units per acre. These lots will be served by 24-foot wide private drives that will have access to a single 51-foot wide public street that serves the development from an entrance Tonopah Drive. These lots average approximately 1,300 square feet in size, with an 880 square-foot building footprint, but are surrounded by substantial amounts of communal open space and landscaped areas. Setbacks proposed for this development are three feet on all sides. There are no corner side setbacks.

The applicant has proposed open space areas and walking paths throughout the site, much of it located in paseos surrounding the clusters of homes. These open space areas in total exceed the development's open space requirement. As eight of the units front directly on to Tonopah Drive, no perimeter landscape buffer will be required along Tonopah Drive, provided there is no perimeter wall.

The elevations show a three-story residential product, with a maximum building height of 35 feet. Floor plans indicate an approximate living area of 1,720 square feet per unit. Each dwelling will feature a two-car garage. Materials include stucco exteriors and sloping roofs. With common driveway access to a 24-foot private drive by eight units per cluster, such units will be required to be sprinkled.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Standard. Lot Size	1,300 SF
Standard. Lot Width	26 Feet
Min. Setbacks	
• Front	3 Feet
• Side	3 Feet
• Corner	N/A
• Rear	3 Feet
Max. Lot Coverage	80% (approx)
Max. Building Height	3 Stories / 35 Feet

These standards are appropriate for this type and scale of development, given the amount and location of open space provided on the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Detached	60 Units	2 spaces/unit	120 spaces	none	120 spaces	none

The project as proposed meets the parking requirements of Title 19.

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	
• Wall height	6 Feet		6 Feet

As the project has been designed with units facing the only perimeter street, which is Tonopah Drive, no perimeter buffering or landscaping is required; however, a range of trees and shrubs, including Vitech, California Laurel, Texanum Privet, Mondel Pine and Mexican Fan Palm, are proposed to be planted along the paseos between the rows of houses and in the perimeter trail loop surrounding the subject site.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
4.5 acres	13.33 u.p.a.	1.65	22%	43,124 SF	28.6%	56,067 SF

As currently configured, the site plan exceeds the open space requirements of the Code.

B) General Analysis and Discussion

• Zoning

The site is currently zoned R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential). Companion Rezoning and Variance requests (ZON-4923 and VAR-5039) would, if approved, rezone the subject property to R-PD13 (Residential Planned Development - 13 Units per Acre) in order to allow the project as proposed to be developed. This proposed zoning district is compatible with the current M (Medium Density Residential) General Plan designation for the site, which allows a density of up to 25 dwelling units per acre. The proposed development is compatible with land use designations and adjacent medium-density development, most of which is zoned and developed at 16 units per acre.

- Site Plan

The site plan meets standards with respect to density based on current General Plan land use designation and to the proposed zoning district. The development proposed for this site is compatible with the established development pattern of lots surrounding it.

- Waivers

No Waivers have been requested as part of this application, nor are any required.

- Landscape Plan

The conceptual landscape plan indicates that a variety of elective landscaping will be provided along a walking loop and paseos winding through the proposed development. The type and amount of planting is not required to meet the requirements of Title 19.12 and the Landscape, Wall, and Buffer Standards, as it is elective in nature.

- Elevation

The proposed elevations depict one basic model, to be developed as a mirror image to give some external variety. It is a three-story home, with a building height of 35 feet. These units will have a two-car garage integrated as part of the ground-floor level, and will be capped with a low-angle pitched roof.

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 features three-story homes tightly located in clusters of eight around common private drives, with significant surrounding bands of open space. This project will be compatible with existing apartment development located to the north and west of the site, as well as with the daily-weekly apartment development to the south. Future development of the rural-density site across Tonopah Drive is uncertain at this time, as the site contains historic resources that are to be retained and would have to be integrated into any future development of that site. The proposed development is therefore compatible with existing and proposed adjacent development.

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

The proposed development is consistent with the General Plan. It is consistent with Title 19, in particular the open space, parking and landscaping regulations, provided the companion Rezoning (ZON-4923) and Variance (VAR-5039) requests are approved.

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

Access to the property will be available from Tonopah Drive, designated as a 50-foot local street on the Master Plan of Streets and Highways. This street is adequate to meet the traffic demands of this proposed single-family residential development.

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

The building and landscape materials are appropriate for this type of development in this portion of the City.

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

The proposed elevations depict three-story homes, which are consistent with the scale of the existing apartments located in the area of the subject site.

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

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

NOTICES MAILED 246 (Mailed with ZON-4923 and VAR-5039)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4924 APN: 139-29-704-017

Name of Property Owner: Frank Hawkins Jr

Name of Applicant: Urban 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

No

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

City Official: _____

Partner(s): _____

APN: _____

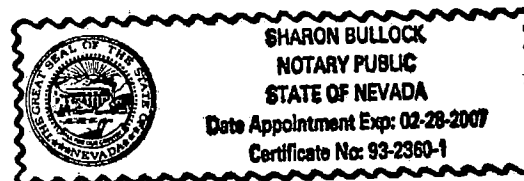
Signature of Property Owner/Authorized Agent: _____

Print Name: Frank Hawkins Jr.

Subscribed and sworn before me

This 27th day of July, 2004

Sharon Bullock
Notary Public in and for said County and State



SITE INFORMATION

GROSS AREA: 45 ACRES (APPROX.)
 APN: 135-19-124-01
 EXISTING ZONING: R-1
 PROPOSED ZONING: R-PD16
 NUMBER OF SINGLE FAMILY LOTS PROPOSED:
 60 LOTS
 PROPOSED DENSITY: 0.3 U/L, 10-1

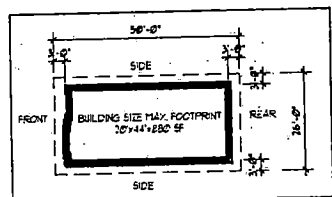
OPEN SPACE REQUIRED: 43,011 SF
 OPEN SPACE PROVIDED: 58,651 SF

SHADED AREA DENOTES
 OPEN SPACE / LANDSCAPE AREA

MINIMUM LOT SIZE: 26' X 50' = 1300 SF

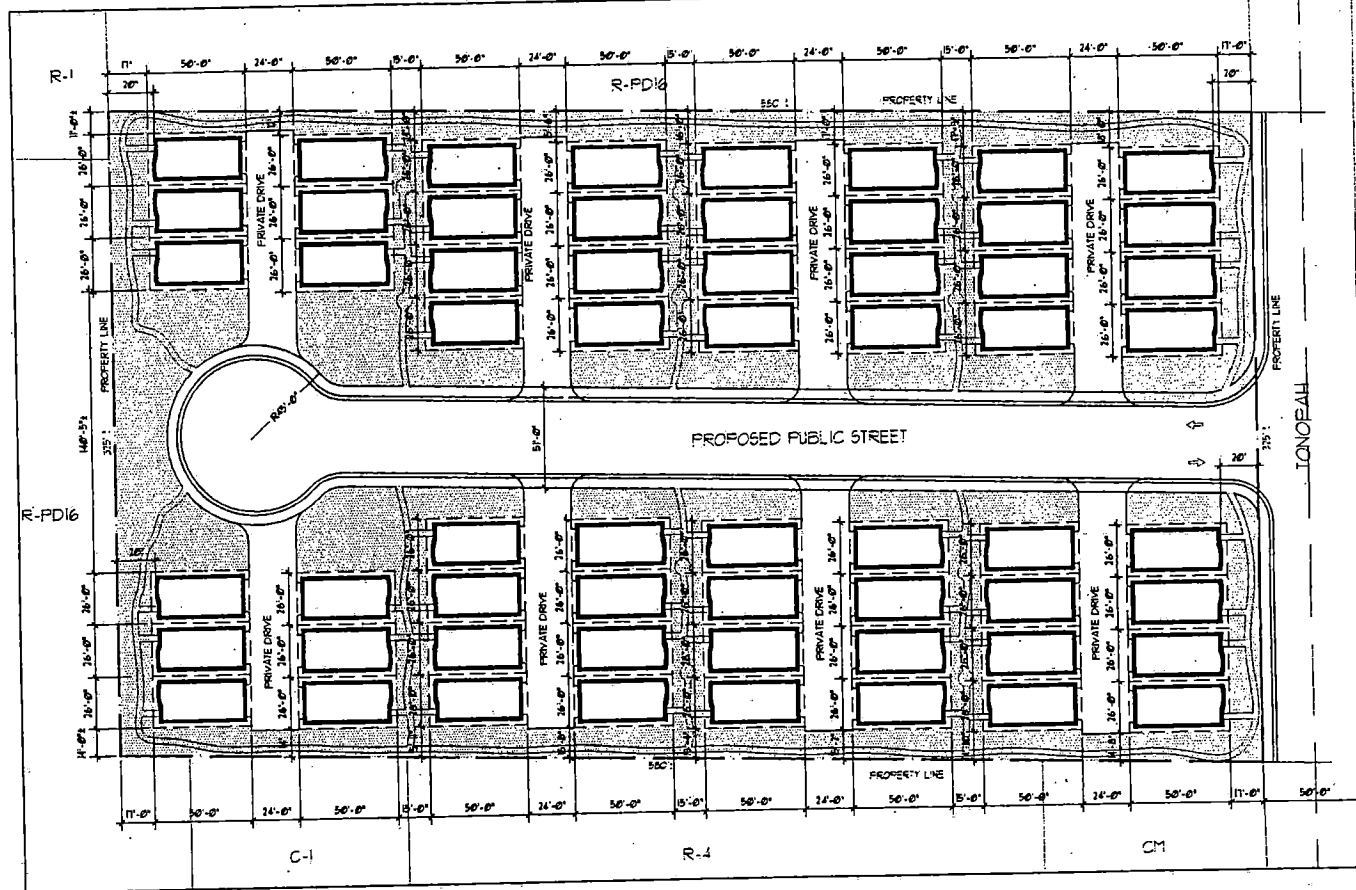
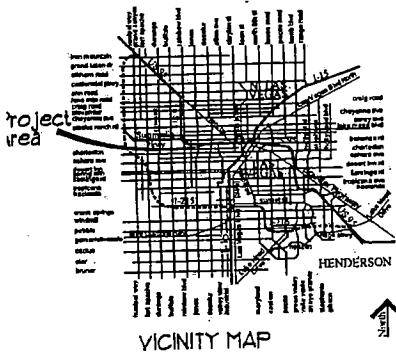
FRONT YARD SETBACK: 3'
 SIDE YARD SETBACK: 3'
 REAR YARD SETBACK: 3'
 MAX. BUILDING FOOTPRINT: 20' X 44' = 880 SF

PARKING ANALYSIS:
 EACH LOT WILL HAVE A HOUSE
 WITH 2 CAR GARAGE
 60 UNITS X 2 SPACES/UNIT = 120 SPACES REQUIRED
 120 SPACES PROVIDED



TYPICAL LOT
 SCALE: 1/16"=1'

LOT FRONT YARD SETBACK = 3'-0"
 LOTSIDE YARD SETBACK = 3'-0"
 LOT REAR YARD SETBACK = 3'-0"
 MAX. GROSS BUILDING AREA = 2640 SF
 F.A.R. = .30



SITE PLAN
 SCALE: 1"=30'



ZON-4923
SDR-4924
09-09-04 PC

REVISIONS	CONSULTANTS	3330 N. BUFFALO DRIVE SUITE 104 LAS VEGAS, NV 89128 PHONE: (702) 344-3400 FAX: (702) 344-0401 CLIFTON A. MARSHALL ARCHITECT LTD.	SHEET TITLE CONCEPTUAL SITE PLAN JOB TITLE TONOPAH SINGLE FAMILY	DATE 6-4-04 JOB NO. 04-029	SHEET NO. A-1

GROSS AREA: 45 ACRES (266000)
APN: 139-28-704-011
EXISTING ZONING: R-1
PROPOSED ZONING: R-FDS
NUMBER OF SINGLE FAMILY LOTS PROPOSED:
60 LOTS
PROPOSED DENSITY: 13.3 U/A 13.3



SHADE AREA DENOTES
OPEN SPACE / LANDSCAPE AREA

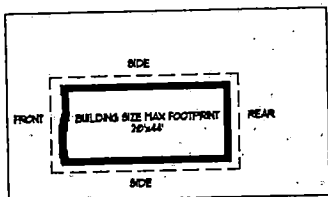
FRONT YARD SETBACK: 3'

SIDE VIEW BACK. 3

GEAR Y 360 4ETBAC. 3'

MAX. BUILDING FOOTPRINT: 30' X 44' = 880 SF

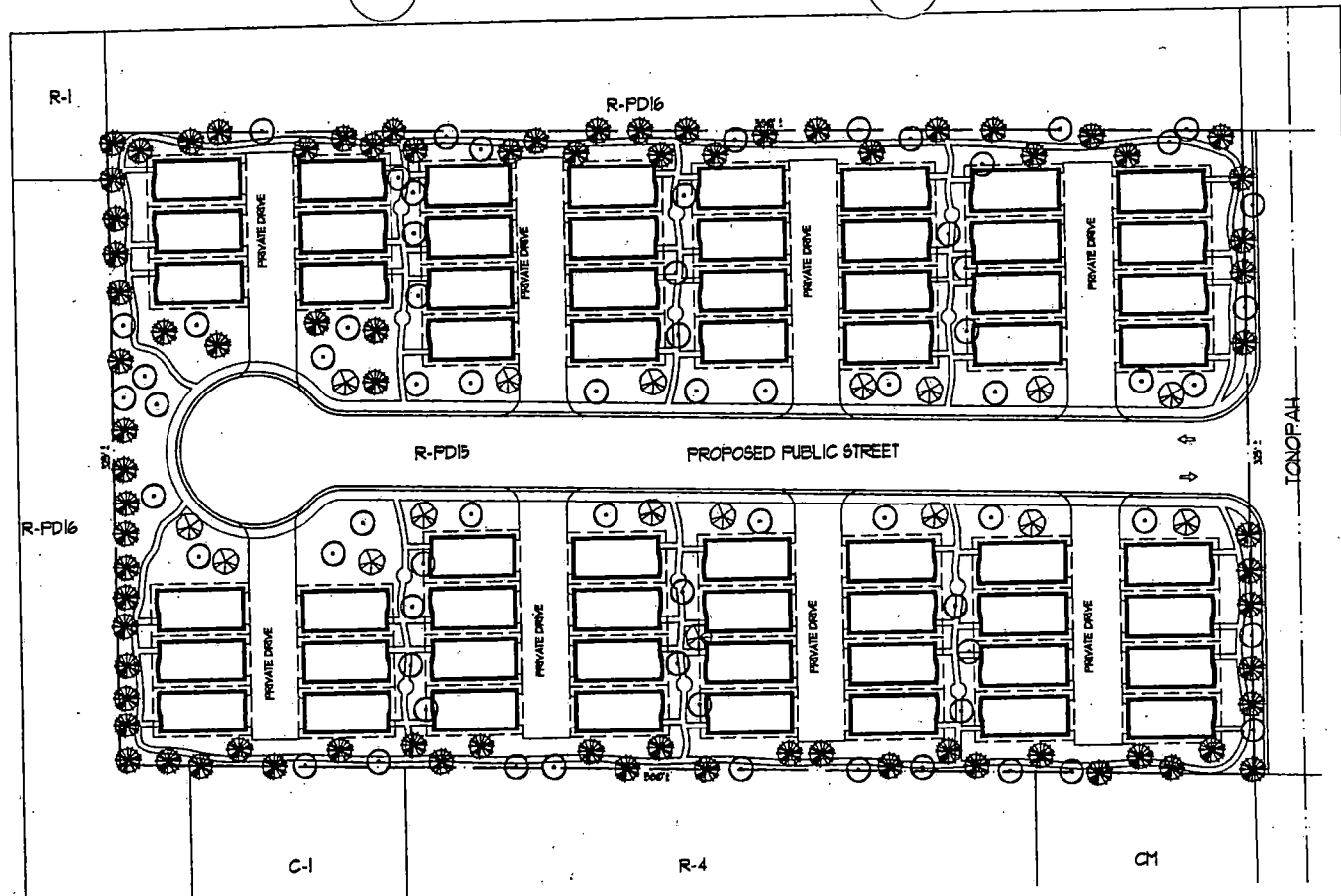
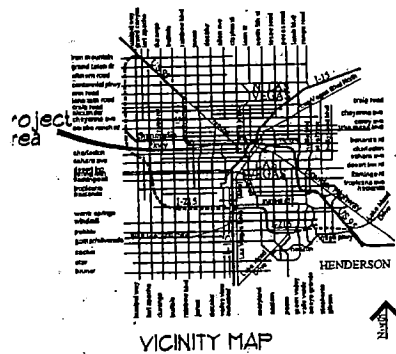
PARKING ANALYSIS:
EACH LOT WILL HAVE 2 HOUSES
WITH A 2 CAR GARAGE
60 UNITS X 2 SPACES/UNIT = 120 SPACES REQUIRED
120 SPACES PROVIDED



TYPICAL LOT

SCALE: 1/16" = 1'

LOT FRONT YARD SETBACK • 3'-0"
LOT SIDE YARD SETBACK • 3'-0"
LOT REAR YARD SETBACK • 3'-0"



LANDSCAPE SITE PLAN

SCALE: 1"=30'



NORTH

—PROPERTY LINE
—LOT PROPERTY LINE

TREE / PLANT SCHEDULE

STEM	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	1-2" Caliper Ballist & buttspat	10 FT OC	VITECH Slipg & small trunk	<i>Ficus religiosa</i>
	1-2" Caliper Ballist & buttspat	Varies 3 to 10 ft high Approximate	CALIFORNIA LAUREL "Peppercorn"	<i>Umbellularia californica</i>
	1-5 gallon Ballist & buttspat	Varies 10 to 15 ft high Approximate	YUKONIAN PRIVET Slipg & small trunk	<i>Ligustrum japonicum</i> "Tansan"
	1-2" Caliper Ballist & buttspat	10 FT OC See Table 2 Approximate	MONSIEUR PINE 2" BUX	<i>Pinus pinea</i>
	Height Varies	N/A	MEXICAN FAN PALM	<i>Washingtonia robusta</i> "Mexican Fan Palm"
	2" Box	Varies 10 to 15 ft high Approximate	FLOWERING PLUM	<i>Prunus hortensis</i>
	1-5 gallon	N/A	Paragon's Viride Ornamental Ground Succula plant	2 to 4 between all trees
	N/A	N/A	Turf Lawn or rock 14" (max)	

END PAGE

CONSULTANTE:

3326 N. BUFFALO DRIVE
SUITE 104
LAS VEGAS, NV. 89129
PHONE: (702) 314-9400
FAX: (702) 314-9401



CLIFTON A. MARSHALL
ARCHITECT LTD.

SHEET TITLE
CONCEPTUAL LANDSCAPE SITE PLAN

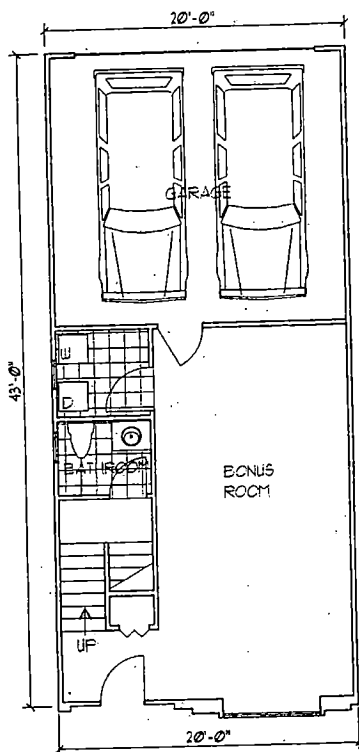
JOB TITLE
TONOPAH SINGLE FAMILY

DATE
6-4-04
JOB NO.
04-029

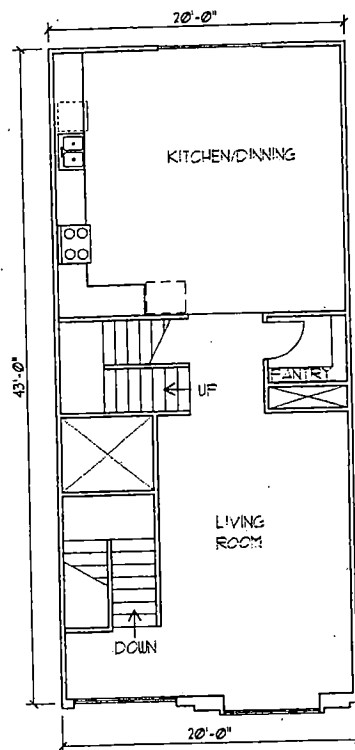
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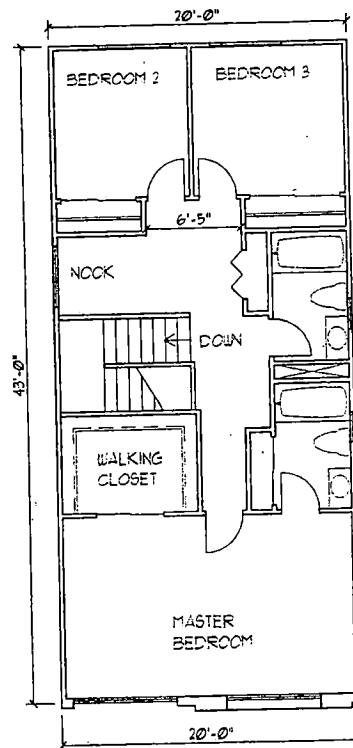
ZON-4923
SDR-4924
09-09-04 PC



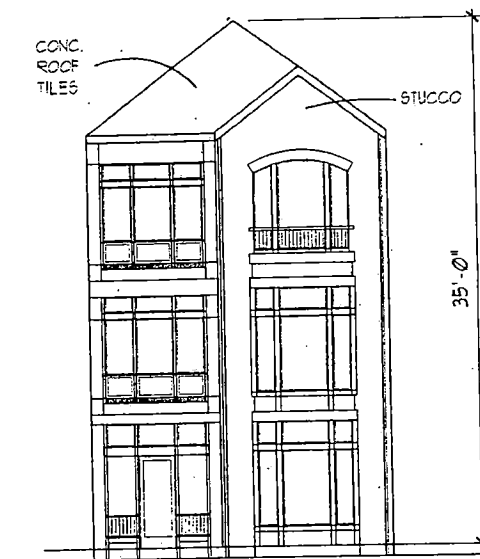
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

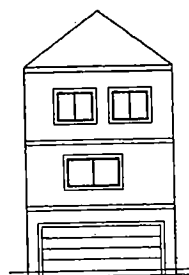


FRONT ELEVATION
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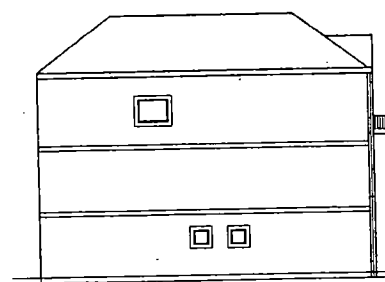
TOTAL BUILDING LIVABLE AREA: 2240 SF.



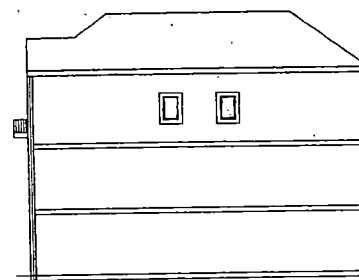
STREET ELEVATION
SCALE: 1/8" = 1'-0"



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



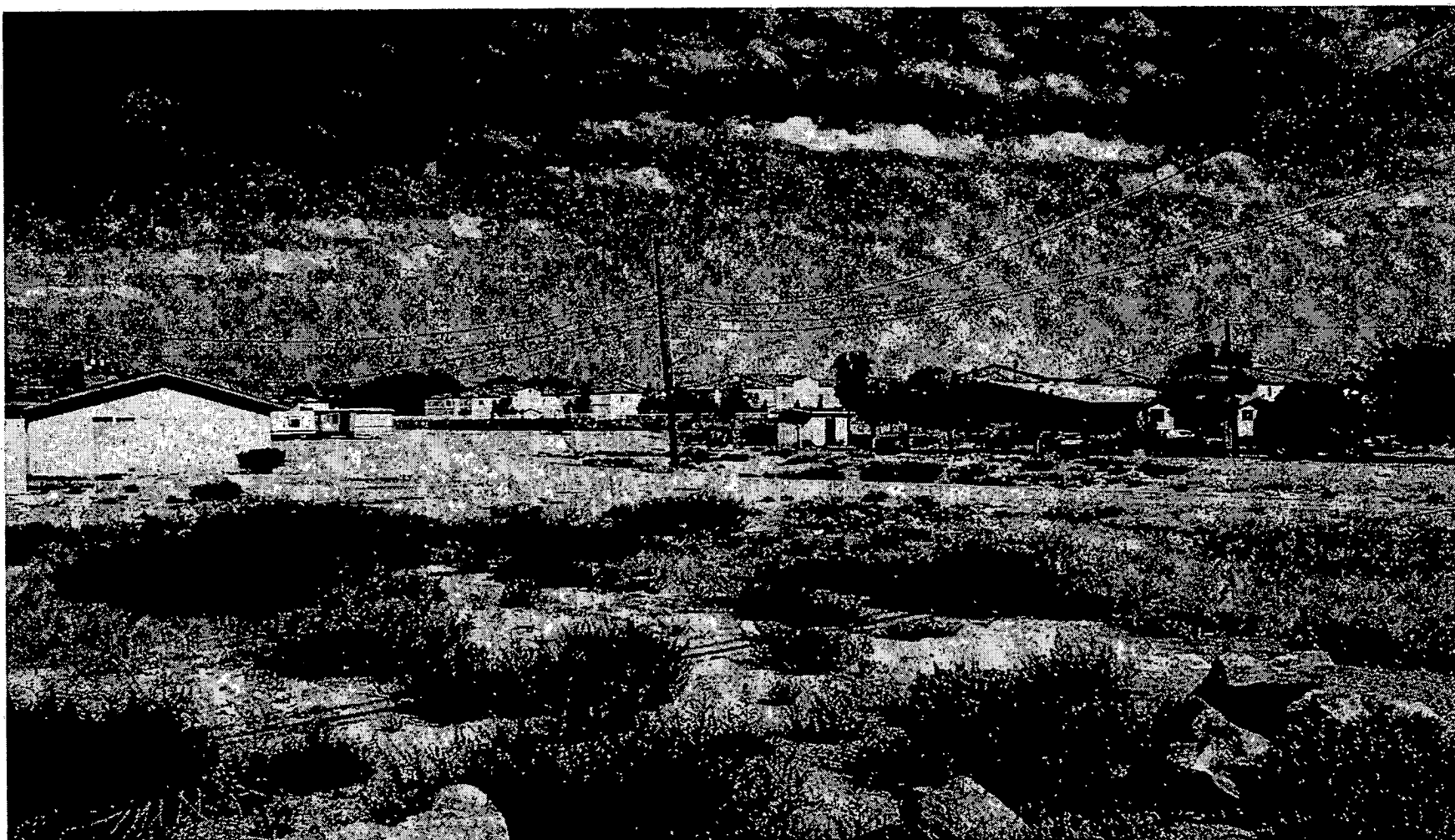
LEFT SIDE ELEV.
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEV.
SCALE: 1/8" = 1'-0"

ZON-4923
SDR-4924
09-09-04 PC

REVISIONS	
CONSULTANTS	
3320 N. BURNALD DRIVE SUITE 104 LAS VEGAS, NV 89119 PHONE (702) 344-8400 FAX (702) 344-8401	
CMA CLIFTON A. MARSHALL ARCHITECT LTD.	
SHEET TITLE FLOOR PLAN JOB TITLE TONOPAH	
DATE 07-13-04 JOB NO. 00-000	
SHEET NO. A-2	



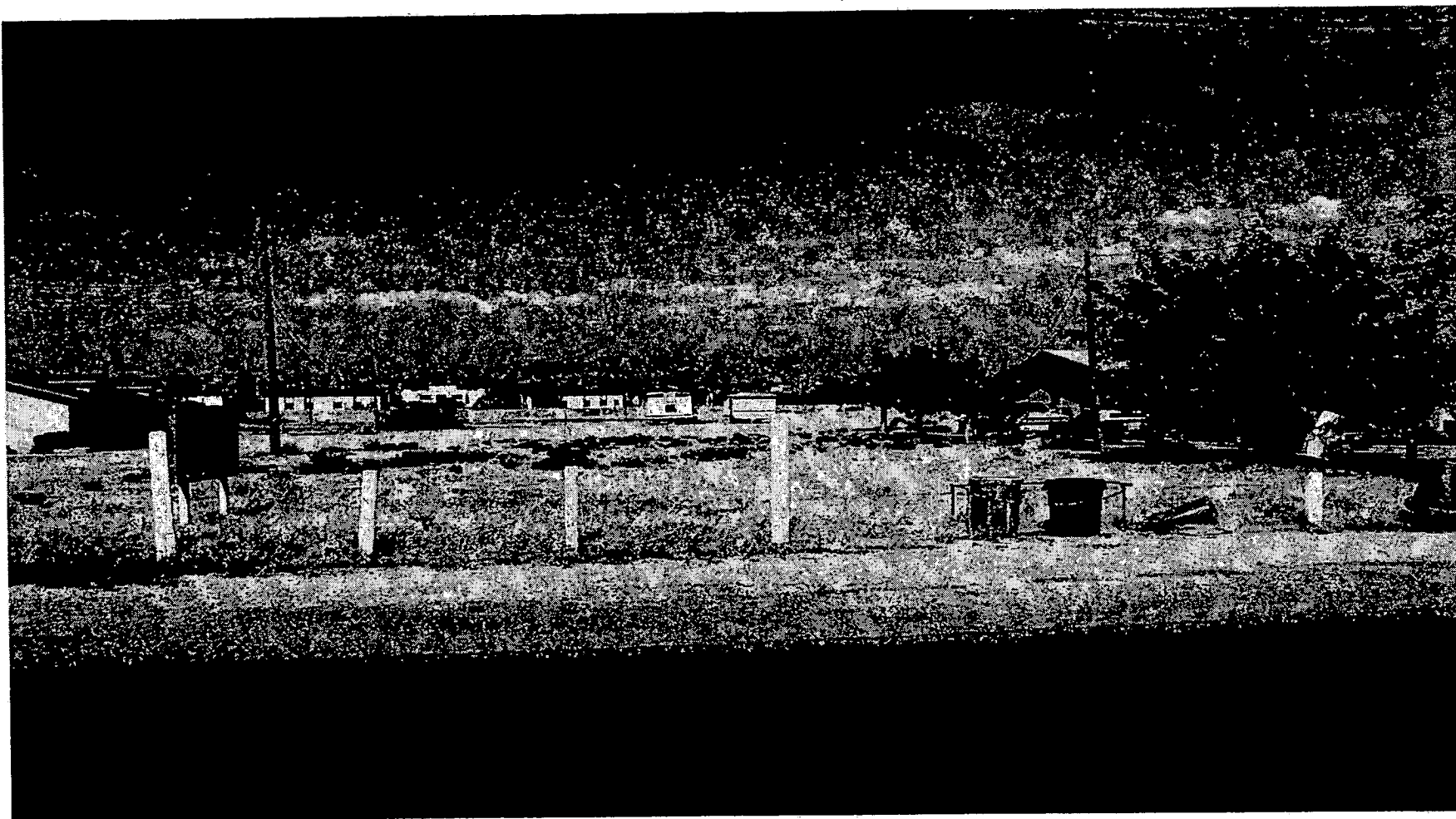
SDR-4924 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



SDR-4924 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



SDR-4924 - APPLICANT: URBAN ESTATES - OWNER: FRANK HAWKINS, JR.
711 NORTH TONOPAH DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-4922 - VARIANCE - PUBLIC HEARING - APPLICANT: HARRY PAPPAS - OWNER: CAROL PAPPAS, ET AL - Request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED AND AN EIGHT-FOOT SIDE YARD SETBACK WHERE NINE FEET IS THE MINIMUM REQUIRED in conjunction with a proposed single-family dwelling on 0.28 acres at 3217 Westleigh Avenue (APN 162-05-220-006), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED subject to conditions and adding the following condition:

- *The variance will be for a seven-foot setback instead of nine-foot setback.*

– UNANIMOUS with NIGRO and McSWAIN excused

This is Final Action

MINUTES:

COMMISSIONER GOYNES declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated the applicant is requesting to build a home on a lot that is affected by the bulb of the cul-de-sac. Showing the Site Plan, he indicated it is not uncommon for lots built on a cul-de-sac to require special design consideration; however, this lot is over a quarter acre in size and large enough to support a residence of smaller dimension or one designed to fit on the lot. Since the use of the

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 30 –VAR-4922

MINUTES – Continued:

property is not denied and there is no indication that a residence with a different design could not be built on the lot, the basis for granting the variance is not warranted. The proposed project could be redesigned to conform with the Code, so staff recommended denial.

HARRY PAPPAS appeared and pointed out the areas of the plan that require a setback variance. At the front of the home, he requested a ten-foot variance to accommodate the plans for the bedroom. He also needed approval of a six-foot variance for the gatehouse, which is also located to the front of the home. A wall on the side of the garage will require approval of a two-foot variance and MR. PAPPAS indicated the City's notification erroneously noted it as one foot.

MR. PAPPAS stated the cul-de-sac radius and setback requirements are causing him to lose approximately 40 feet of building from the home. He also pointed out that the City through condemnation has already taken two portions of his parcel. His family built the development surrounding this cul-de-sac in 1986 and owns all of the homes except two. The street is private and his family owns and maintains it. No one in the neighborhood has a problem with the proposed 3400 square foot custom home or the variance request. He summarized his hardship by saying it is City imposed because of the portions of land taken on Oakey Boulevard as well as the City requirement on the setback at the front of the home when there was already 20 feet lost in the cul-de-sac radius. Building a symmetrical home on this lot would be difficult.

COMMISSIONER DAVENPORT stated that if the City had not taken the property on Oakey Boulevard through condemnation, the variance would not have been required at all. He agreed with MR. PAPPAS that the situation has resulted from City actions. COMMISSIONER EVANS concurred and confirmed with MR. PAPPAS that his current custom home design could not be built on the lot without approval of the variance. He clarified with staff that MR. PAPPAS was seeking a ten-foot variance at the front of the house when a 20-foot setback is required and that he requested a seven-foot variance on the side yard where nine-foot setback is required. MR. PAPPAS reiterated that he had originally requested seven feet and the paperwork generated by the Planning Department erroneously indicated eight feet. MARGO WHEELER, Deputy Director, Planning and Development, clarified with MR. PAPPAS that he was requesting a seven-foot setback variance. She crafted an added condition for the motion amending the setback as such and indicated the change should be noted because without doing so, the action would be based on the title of the item. COMMISSIONER DAVENPORT confirmed with MR. PAPPAS he was in agreement with the conditions and incorporated MS. WHEELER'S suggested language into his motion.

COMMISSIONER GOYNES declared the Public Hearing closed.

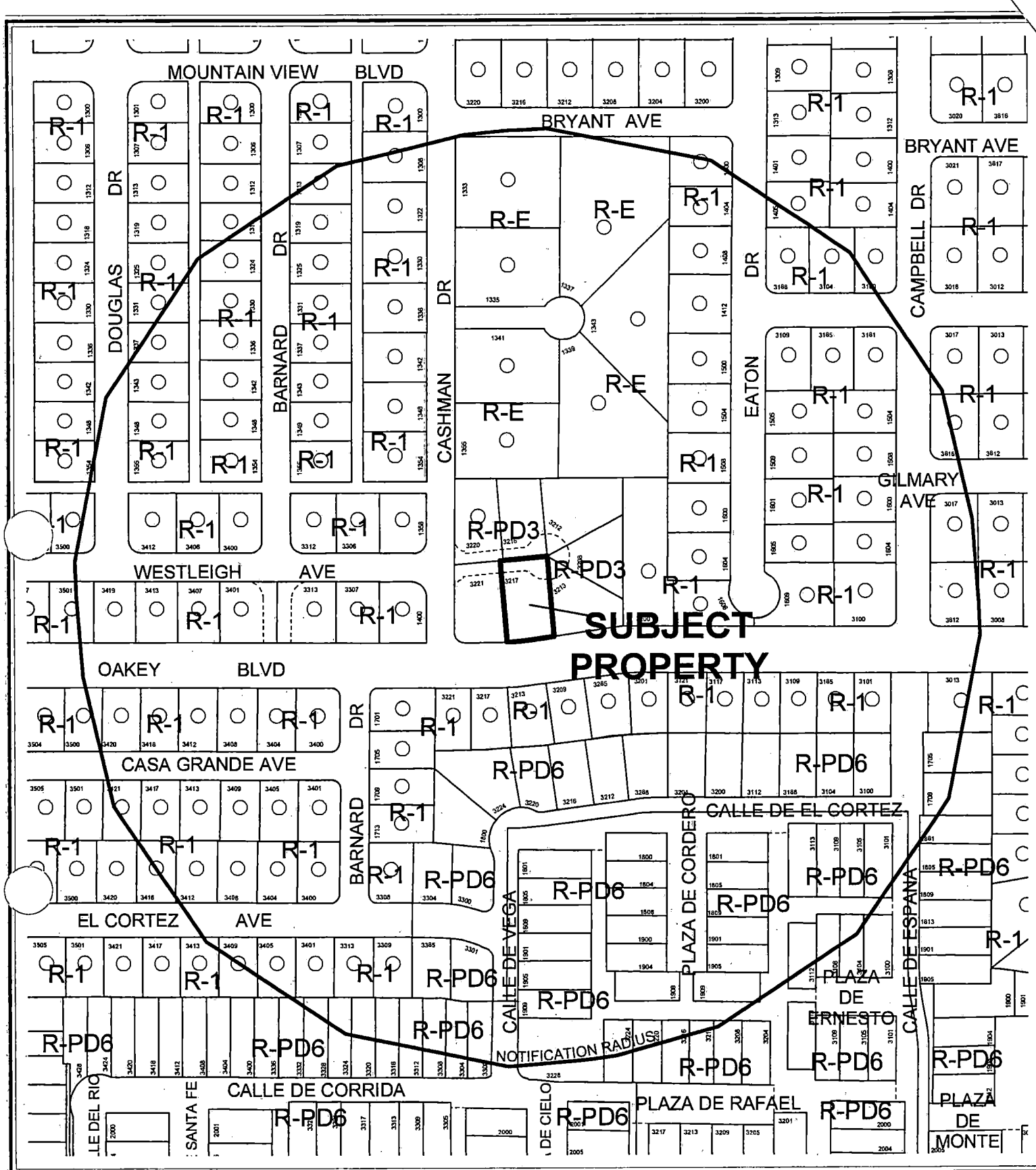
(9:02 – 9:14)

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 30 – VAR-4922

CONDITIONS:

Planning and Development

1. The Variance in the front yard be granted for no more than six feet from the property line.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-4922

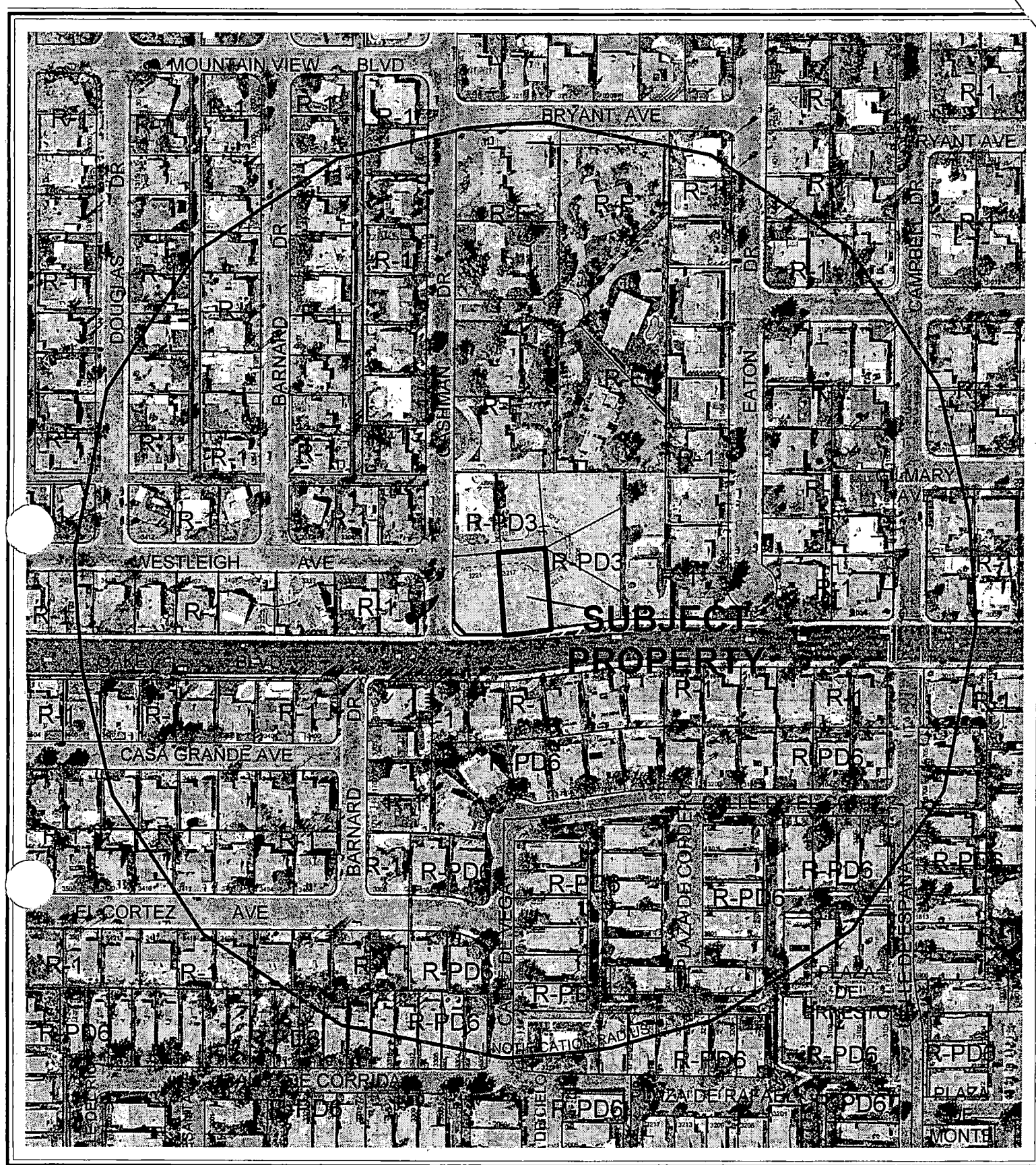
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet





CASE: VAR-4922

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4922 - APPLICANT: HARRY PAPPAS - OWNER:
CAROL PAPPAS, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If APPROVED, subject to the following:

Planning and Development

1. The Variance in the front yard be granted for no more than six feet from the property line.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 10-foot front yard setback where 20 feet is the minimum required and an eight-foot side yard setback where nine feet is the minimum required in conjunction with a proposed single-family dwelling on 0.28 acres at 3217 Westleigh Avenue.

B) Applicant's Justification

The applicant has submitted a letter with the application to explain the reasons for the Variance and its justification. The applicant explains that the irregular shape of the lot at the cul-de-sac turnaround and the zoning of the property preempt placement of the custom designed home without intruding into the required setbacks. It is mentioned: "Half of the lot is shorter in length by 20 feet than the other half of lot." The applicant also believes that without the Variance there is "a tremendous loss of building area and hardship."

BACKGROUND INFORMATION

A) Previous Actions

03/05/86 The City Council approved a request to Rezone (Z-0008-86) a tract of land at the northeast corner of Oakey Boulevard and Cashman Drive, which includes the subject lot, from R-1 (Single Family Residential) to R-PD3 (Residential Planned Development – 3 Units per Acre). The Planning Commission recommended approval on 02/13/86.

B) Pre-Application Meeting

07/12/04 Staff met with the prospective applicant to review a proposal to construct a residence on a lot without sufficient size and width for the residence. The staff explained that both a front yard Variance and side yard Variance would be needed. Details of the Variance process were discussed with the applicant.

C) Neighborhood Meetings

No neighborhood meeting is required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.28

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single-family residential
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: L (Low Density Residential)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-PD3 (Residential Planned Development – 3 Units per Acre)
North: R-PD3 (Residential Planned Development – 3 Units per Acre)
South: R-1 (Single-Family Residential)
East: R-PD3 (Residential Planned Development – 3 Units per Acre)
West: R-PD3 (Residential Planned Development – 3 Units per Acre)

E) General Plan Compliance

The site is located in the Southeast Sector of the General Plan. The site has a land use designation of L (Low Density Residential), which permits up to 5.5 dwelling units per acre, and is zoned R-PD3 (Residential Planned Development – 3 Units per Acre). The requested Variance is not related to any specific General Plan policies.

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

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

A) Zoning Code Compliance

A1) Development Standards

The subject lot is zoned R-PD3 (Residential Planned Development – 3 Units per Acre). Development standards for an R-PD district are established at the time of its approval. Accordingly, the standards for the subject lot were established in 1986. The original standards and the requested Variances from the original standards are noted as follows:

Standards	Required	Requested	Compliance
Min. Setbacks			
• Front	20 feet	10 feet	N
• Side	5 feet, total 14 feet	Total of 13 feet	N
• Rear	15 feet		Y

The applicant is requesting an encroachment into the front yard by an amount of approximately six feet. Therefore, a Variance of 10 feet is requested to allow a front yard of 10 feet in lieu of the required 20 feet.

A minimum side yard setback of five feet and a total minimum side yard setback of 14 feet are required for the subject lot. The applicant is constructing a dwelling with one five-foot side yard on one side and an eight-foot side yard on the other side for a total side yard width of 13 feet. Therefore, the applicant is requesting a Variance of one foot to allow an eight foot side yard in lieu of a nine-foot side yard.

B) General Analysis and Discussion

The applicant proposes to construct a residence that would consist of 3,457 square feet of living space with an 835 square foot attached garage. The northeast corner of the house would encroach into the front yard by approximately six feet, and the three-car garage would encroach into the side yard by approximately one foot.

The setback provisions were established for the subject lot in the Cashman Court Subdivision in 1986. The subdivision consists of seven lots, only one of which has been built upon. The development standards require a minimum 20-foot front yard, a minimum five-foot side yard, and a total minimum 14 feet for two side yards.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

It is apparent that the proposed residence is not designed to conform to the configuration of the lot. According to the criteria above, it is recommended that the request for a Variance be denied. This recommendation of denial is based on the following findings, only one of which is necessary to deny a Variance:

- **No evidence is provided that a hardship exists to warrant a Variance in the required front yard and side yard.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. The applicant presents the argument that because of the irregular shaped lot, the proposed residence is not able to conform to the lot configuration. The lot fronts on a portion of the turnaround to the cul-de-sac street. Such lots are not uncommon to cul-de-sacs and require special design consideration. The subject lot is over a quarter acre in size and large enough to support a residence of smaller dimension or a residence with a configuration that “fits” the lot. Regardless, the odd shaped lot has no affect on the need for a side yard Variance. If the 30.5-foot wide garage, which extends out more than three feet beyond the edge of the residence, were reduced by one foot, a side yard Variance would not be required. Whether a hardship exists depends upon whether no residence can be constructed on the lot, which is not the case.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant’s own making, as the design of the dwelling and not the setback requirements is what causes the need for Variances.
- **Use of the property is not denied.** As indicated above, there is no evidence to indicate that no residence could be built upon the lot as to warrant the grant of a Variance. Indeed, if the residence were redesigned to conform to the lot dimensions or reduced in size, Variances would not be required.

NOTICES MAILED 192

APPROVALS 0

PROTESTS 0

DDS



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Harry Pappas

Yes X No

City Official: _____

Partner(s): _____

APN: _____

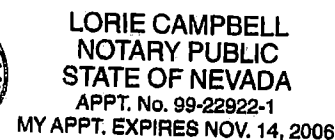
X Signature of Property Owner/Authorized Agent: Harry Kwan

Print Name: HARRY PAPPAS

Subscribed and sworn before me

This 27th day of July, 2004.

Notary Public in and for said County and State



State Nevada County Clark

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4922 APN: 162-05-220-006

Name of Property Owner: Carol Pappas, Harry Pappas, John Pappas

Name of Applicant: Harry Pappas

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

Yes _____ X _____ No _____

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

City Official: _____

Partner(s): _____

APN: _____

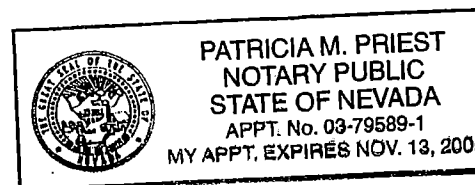
X Signature of Property Owner/Authorized Agent: Carol J. Peppas

* Print Name: Carol L. Pappas

Subscribed and sworn before me

This 26th day of July, 2004

Patricia M Priest
Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4922 APN: 162-05-220-006

Name of Property Owner: Carol Pappas, Harry Pappas, John Pappas

Name of Applicant: Harry Pappas

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

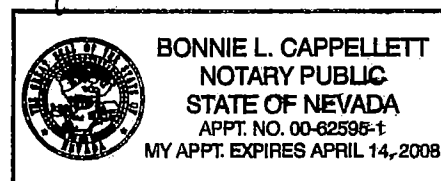
X Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Thomas C. APAS

Subscribed and sworn before me

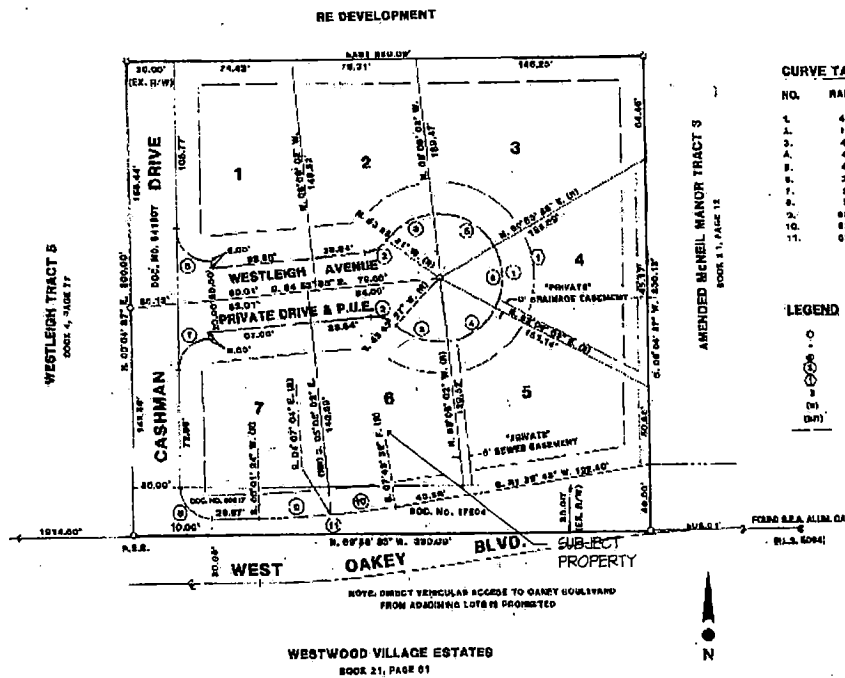
This 26th day of July, 2004

Bonnie L. Cappellat
Notary Public in and for said County and State





PROPOSED FRONT ELEVATION
NOT TO SCALE



NO.	RADIUS	LENGTH	DELTA	TANGENT
1.	40.00'	108.88'	277°58'58"	88.35'
2.	10.00'	10.00'	48°48'38"	8.85'
3.	40.00'	34.81'	48°48'38"	10.38'
4.	40.00'	40.23'	87°00'00"	21.38'
5.	40.00'	28.53'	86°00'00"	46.88'
6.	30.00'	28.28'	85°10'38"	31.89'
7.	20.00'	28.01'	84°48'18"	18.29'
8.	30.00'	31.42'	84°03'13"	20.01'
9.	800.78'	46.38'	94°04'38"	22.81'
10.	832.78'	40.78'	93°41'48"	38.28'
11.	830.78'	60.28'	97°50'18"	42.81'

LEGEND

○ = KEY BEAR & ALUM. CAP (R.L.S. 4018) W/BRASS CAP TIES
 FOUND POINT AS INDICATED
 FOUND G.E.A. ALUM. CAP (R.L.S. 5094)
 CURVE NUMBER
 BLOCK NUMBER
 LOT NUMBER
 RADIAL
 NON-RADIAL
 MINIMUM BENCHMARK ELEVATION LINE
 (10' FRONT & 10' SIDE FOR CORNER LOTS & ALL REAR)

SUB DIVISION PLAN
NOT TO SCALE

VAR-4922
09-09-04 PC

Walter E. Lander, P.E.
8332 Jumboldt Junction Ave.
Las Vegas, NV 89125
P: 703.730.8888
F: 703.730.8888
E: wlander@wlander.com



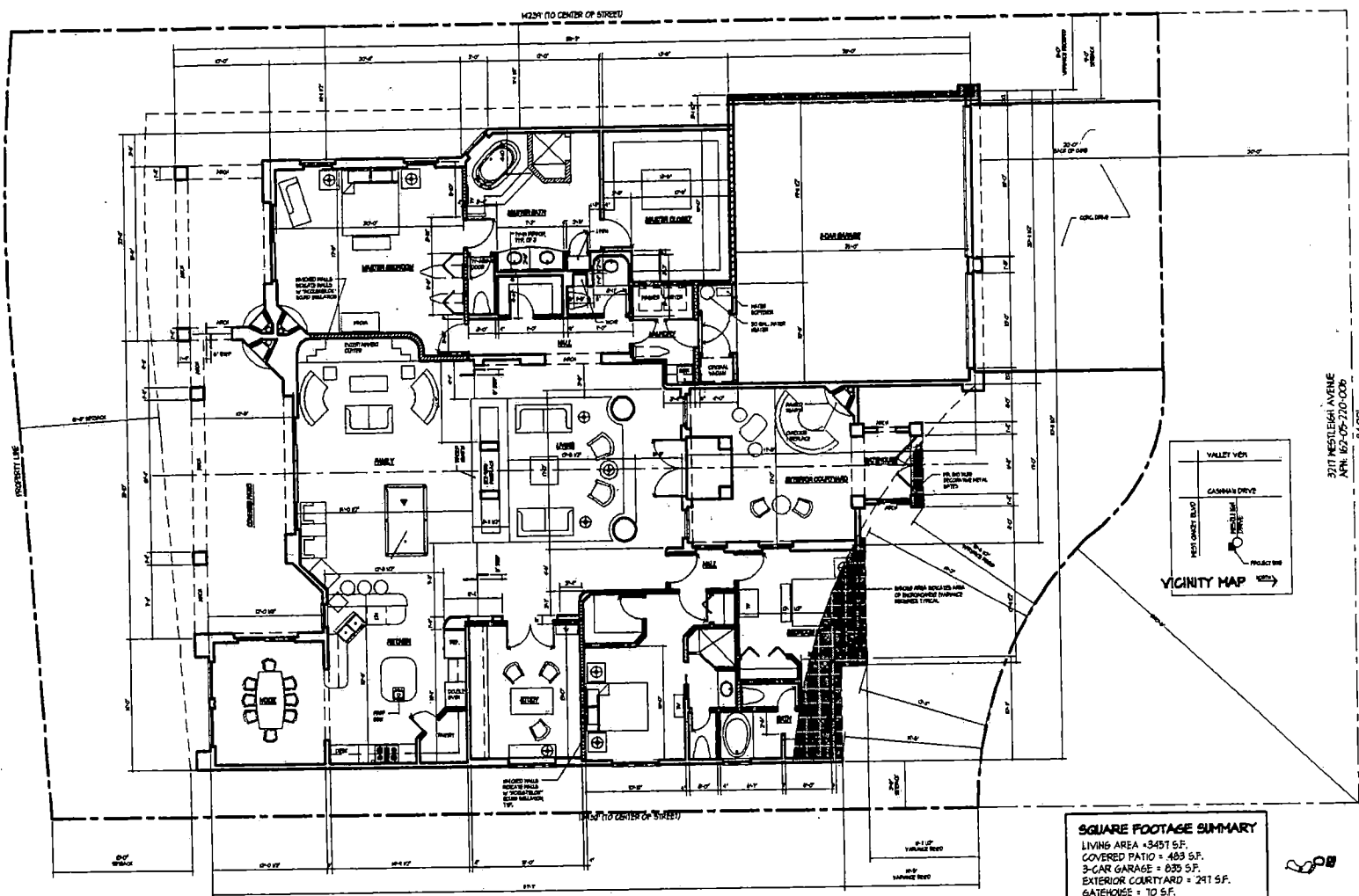
PRELIMINARY
NOT FOR CONSTRUCTION

NOTICE: This plan, or any part thereof, is a preliminary plan and is not to be used for construction. It is the responsibility of the client to verify the accuracy of the information provided on this plan. The client is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client is also responsible for obtaining all necessary easements and rights-of-way for the project. The client is further responsible for obtaining all necessary surveys and maps for the project. The client is also responsible for obtaining all necessary insurance and bonding for the project. The client is further responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client is also responsible for obtaining all necessary easements and rights-of-way for the project. The client is further responsible for obtaining all necessary surveys and maps for the project. The client is also responsible for obtaining all necessary insurance and bonding for the project.

A NEW SINGLE FAMILY DWELLING FOR:
MR. HARRY PAPAS
3217 WESTLEIGH AVE.
LAS VEGAS, NV
APN: 162-05-220-006

SUBDIVISION PLAN
PROPOSED FRONT ELEVATION

SK1



PRELIMINARY SITE/FLOOR PLAN
 5/9/11/07

VAR-4922
 09-09-04 PC

Walter E. Lerner, P.E.
 2017 Westleigh Avenue
 Las Vegas, NV 89129
 P# 702.739.8889
 E: thelerner@cox.net

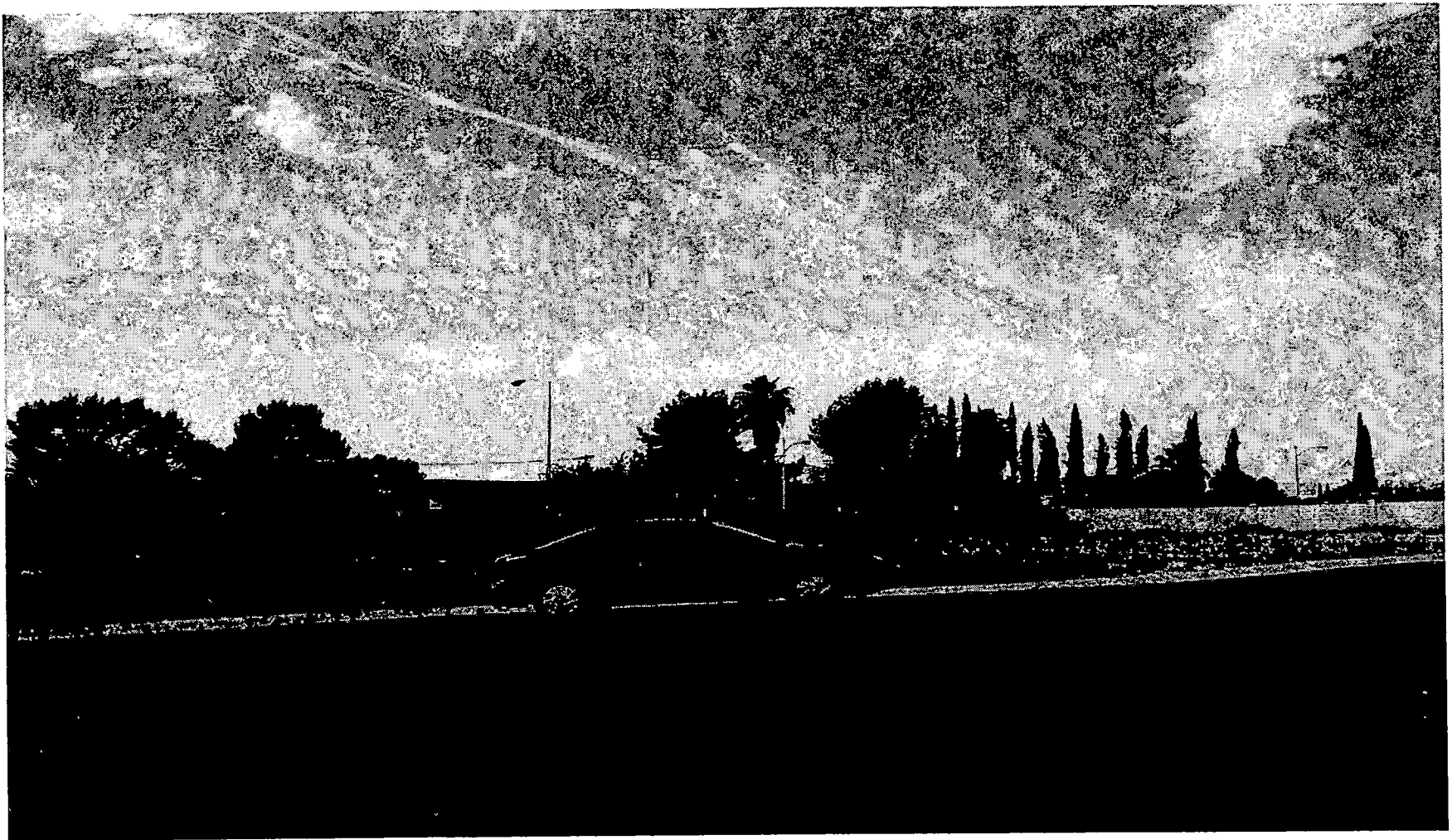
Walter E. Lerner, P.E.
 PRELIMINARY
 NOT FOR CONSTRUCTION

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A NEW SINGLE FAMILY DWELLING FOR:
 MR. HARRY PAPPAS
 2017 WESTLEIGH AVE.
 LAS VEGAS, NV
 APN: 162-05-220-006

FLOOR PLAN

SK2



VAR-4922 - APPLICANT: HARRY PAPPAS - OWNER: CAROL PAPPAS, ET AL
3217 WESTLEIGH AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-4925 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SHARON JAMERSON - Request for a Variance TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE FIVE FEET IS THE MINIMUM REQUIRED AND A VARIANCE TO ALLOW A NINE-FOOT SEPARATION BETWEEN DWELLINGS WHERE 10 FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH AN EXISTING SINGLE-FAMILY RESIDENCE on 0.12 acres at 880 Balzar Avenue (APN 139-21-510-273), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to condition – UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 31 [VAR-4925] and Item 32 [VAR-4926].

GARY LEOBOLD, Planning and Development Department, explained that building permits were issued to the owners to construct residences with five-foot side yards. Upon construction, an abutting property owner registered a complaint that the residences were being constructed without meeting the five-foot side yard clearances. It was determined that the buildings are approximately six inches off center. These requests are for a one-foot variance to the side yard setback on the east side of Item 31 [VAR-4925] and on the west side for Item 32 [VAR-4926].

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 31 –VAR-4925

MINUTES – Continued:

He indicated the hardship is self-imposed because the reduced side yard is due to a six-inch error in the placement of the foundation. SHARON JAMERSON, 3517 North Ernest Street, appeared and indicated the foundation being poured six inches off where it should have been poured was a simple error by one of the construction workers. She stated that she could not see any problems that could be attributed to the six-inch discrepancy and questioned the Commission on what her options were to remedy the problem. She indicated the area was built in 1929 and there are many streets and property lines in the area that are not accurate. She indicated that when the measurements were taken on her property, they were believed to be correct.

EDDIE STEWART, 874 Balzar Avenue, explained he lives adjacent to one of the homes being built by MS. JAMERSON. He was very unhappy about how close one of the new homes is to his home. His primary concern was that the homes being too close together would be dangerous in case of a fire. There are no fire hydrants close by. He indicated that a City employee told him that he would get four feet on his lot and MS. JAMERSON would take five feet. MR. STEWART found that to be unacceptable.

MR. STEWART said that MS. JAMERSON does not intend to live in the homes; they are being built for monetary gain only. He had no problem with developing for profit; however, things should have been done correctly from the start and as the adjacent resident, he is left having to live with the error. MR. STEWART said he has lived in this home since 1970 and he acknowledged the property lines in the area are inconsistent. He stated that when construction began, he pointed out to the construction workers that they were not measuring correctly from the property line and his comments were ignored. He stated that when he went back to the City to report it, he was told to quit coming to complain about the situation. He felt the City employee was wrong to say so. CHAIRMAN TRUESDELL asked that staff investigate and find out which employee MR. STEWART had been dealing with. MR. STEWART thanked the Commission for listening.

COMMISSIONER DAVENPORT questioned staff about the distance variance being requested for the space between both of the new homes or between one of the new homes and MR. STEWART'S home. MR. LEOBOLD indicated Item 31 [VAR-4925] is for the space between one of MS. JAMERSON'S new homes and MR. STEWART'S residence. Item 32 [VAR-4926] is for the space between both of MS. JAMERSON'S new homes.

MR. STEWART added that in his opinion, the MS. JAMERSON'S lot is the right size for one common home. He would not build two homes there. He said a more suitable project would be to build a home 20 feet wide and pick up the rest of the footage by building long. This would leave adequate space on each side so if there were a fire, it would be contained to the one home and not spread to other homes because they are situated so close together.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 31 – VAR-4925

MINUTES – Continued:

MS. JAMERSON stated that she sent a surveyor out once the problem was brought to her attention and the surveyor did confirm there is 10 feet between the homes on Item 31; however, it is not distributed equally. He also confirmed that MR. STEWART is short on his property as well.

Looking at a photo of the homes which show MS. JAMERSON's project under way, COMMISSIONER GOYNES commented that to remedy this situation, the home closest to MR. STEWART'S would have to be torn down and slightly moved to the west. He confirmed with MS. JAMERSON that the distance between the two homes is nine feet seven inches. MR. LEOBOLD indicated the home does not meet the 10-foot distance separation requirement nor does it result in the necessary five-foot balance between both homes.

In looking at the photos, CHAIRMAN TRUESDELL estimated the setback to be about three feet. MARGO WHEELER, Deputy Director, Planning and Development, explained that the building permits were issued and three feet is a common setback on many small lots. In this case, the zoning requires five feet; however, the building code does not. Because of this, the variance could be granted without affecting the validity of the building permit. She also indicated that when plans come in on a project, the property lines are assumed. The requirement of a survey is only imposed when there is a line in question. Once the line was questioned on this application, the applicant hired a surveyor to verify the property line. It was at that time that the five-inch discrepancy was discovered. COMMISSIONER GOYNES asked the applicant if the plans that were submitted were hand drawn. MS. JAMERSON replied that they were done professionally and she described how the property lines had been measured according to that plan.

CHAIRMAN TRUESDELL summarized by saying that the choices were to either require the applicant to have the house moved or, to grant the variance. During the pouring of the foundation, someone should have noticed the error but that had not happened. COMMISSIONER EVANS stated that he understood the setback was short; however, since MS. JAMERSON had not encroached onto MR. STEWART'S property, he was prepared to grant the variance in lieu of requiring her to tear the home down.

MR. STEWART emphasized that he had been trying to tell the workers from the start that they were measuring the property lines wrong. He feels the project should have been done correctly from the onset of construction. COMMISSIONER EVANS suggested that possibly a fence could be required in between MR. STEWART'S home and the adjacent home of MS. JAMERSON. MR. STEWART indicated that MS. JAMERSON has already offered to build one

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 31 –VAR-4925

MINUTES – Continued:

but it has not been done yet. CHAIRMAN TRUESDELL felt a fence would not solve the problem and would most likely result in causing more issues.

COMMISSIONER DAVENPORT informed MS. JAMERSON that if there was a loan on the property, there should have been a title policy done with a 104 endorsement that would guarantee the foundation was poured where it should be. He suggested she go back to the lender for consultation.

COMMISSIONER EVANS stated the reasonable solution to this situation was to grant the variance since the discrepancy is only five inches. He added that it is unfortunate that the error occurred but in his opinion, it did not warrant tearing the home down to correct it. He advised MS. JAMERSON to continue to try and alleviate MR. STEWART'S concerns. She said she would be happy to install a fire hydrant if that would appease him. CHAIRMAN TRUESDELL confirmed for MR. STEWART that a fence between the homes was not a requirement.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 31 [VAR-4925] and Item 32 [VAR-4926].

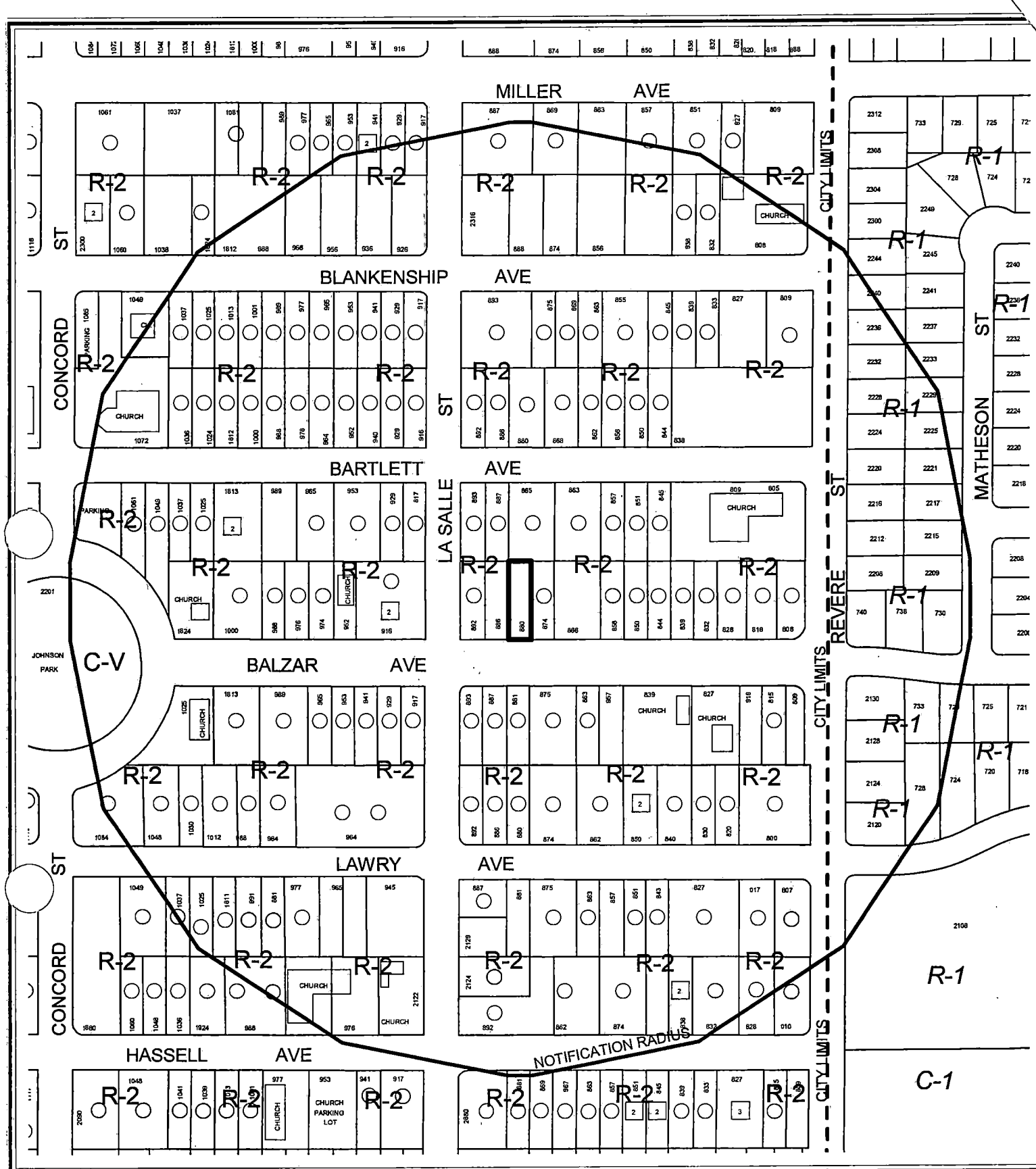
(9:14 – 9:32)

3-528

CONDITION:

Planning and Development

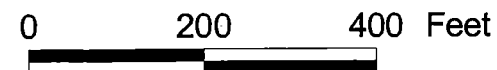
1. This Variance shall expire one year from the date of final approval, unless it is exercised or and Extension of Time is granted by the City Council



CASE: **VAR-4925**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)





CASE: VAR-4925

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4925 - APPLICANT/OWNER: SHARON JAMERSON

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If APPROVED, subject to the following:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a side yard setback of four feet where five feet is the minimum allowed and to allow a nine-foot separation between dwellings where 10 feet is the minimum allowed on 0.12 acres at 880 Balzar Avenue.

B) Applicant's Justification

According to a letter submitted with the application, the applicant indicates that the placement of the building was done in error.

BACKGROUND INFORMATION

A) Previous Actions

There are no recorded previous actions.

B) Pre-Application Meeting

07/16/04 Staff met with the prospective applicant concerning residences that are under construction, which do not have the necessary side yard clearance. It was mentioned that a Variance would be needed to modify the required side yard. Details of the necessary requirements for submittal of an application for a Variance were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.12

VAR-4925 - Staff Report Page Two
September 9, 2004 Planning Commission Meeting

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Single-family residential
East: Single-family residential
West: Undeveloped

C) Planned Land Use

Subject Property: ML (Medium-Low Density Residential)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density Residential)
East: ML (Medium-Low Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-2 (Medium-Low Density Residential)
North: R-2 (Medium-Low Density Residential)
South: R-2 (Medium-Low Density Residential)
East: R-2 (Medium-Low Density Residential)
West: R-2 (Medium-Low Density Residential)

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is ML (Medium Low Density Residential), which permits up to eight dwelling units per acre. The site is zoned R-2 (Medium-Low Density Residential) which is a zone permitted in the ML district. The requested Variance is not related to any specific General Plan policies.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 feet		N
Min. Lot Width	NA		NA
Min. Setbacks			
• Front	20 feet		Y
• Side	5 feet	4 feet	N
• Corner	5 feet		NA
• Rear	20 feet		Y
Min. Distance between buildings	10 feet		N
Max. Lot Coverage	NA		NA
Max. Building Height	2 stories or 35 feet		Y

The size of the subject lot is 5,400 square feet, which does not conform to current Code standards. The Code standard changed to 6,500 square feet after this house was constructed. The side yard for this dwelling requires a variance of approximately six inches. It falls outside of the standard for granting an administrative deviation.

Because the dwelling has a deficient side yard, there is also a deficient separation between the dwelling and the dwelling on the abutting lot to the east. A Variance to allow a separation of nine feet between the two dwellings where 10 feet is the minimum requirement is also necessary.

B) General Analysis and Discussion

A building permit was issued to the owner of the subject lot and the lot to the west to construct residences with five-foot side yards. Upon construction of the dwellings, an abutting property owner registered a complaint that the residences are being constructed without the proper five-foot side yard clearances. Upon checking, it was learned that the building was constructed approximately six inches off to one side. Consequently, this request is for a one-foot Variance in the side yard on the east side of the dwelling. Another Variance (VAR-4925) was submitted for a Variance to the side yard for the residence abutting this lot at 886 Balzar Avenue.

There is a slight deficiency in the separation between the subject dwelling and the dwelling on the lot to the east. The required separation is a minimum of 10 feet, and the staff measured the distance between the buildings as 9.92 feet. Consequently, a Variance in the required separation between buildings is also needed.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

It is apparent from the information submitted that a dwelling was constructed six inches to one side of the lot in error. According to the criteria above, it is recommended that the request for a Variance be denied. This recommendation of denial is based on the following findings, only one of which is necessary to deny a Variance:

- **No evidence is provided that a hardship exists to warrant a Variance in the required side yard.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. Although the applicant indicates why the Variance is needed, there is no evidence to support that a "practical difficulty" or "hardship" exists.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the reduced side yard on one side of the dwelling is caused by a six-inch error in its placement.
- **Use of the property is not denied.** There is no evidence to indicate that no residence could be built upon the lot as to warrant the grant of a Variance. Indeed, the subject residence is suitable for the lot if it had not been placed in error.

NOTICES MAILED 193

APPROVALS 0

PROTESTS 0

DDS



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: SHARON JAMERSON

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

X 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: Sharon Garrison

Print Name: SHARON TAMERSON

Subscribed and sworn before me

This 27 day of July, 2004

James R Gray
Notary Public in and for said County and State



R-2

$\mu-2$

12

2022

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N

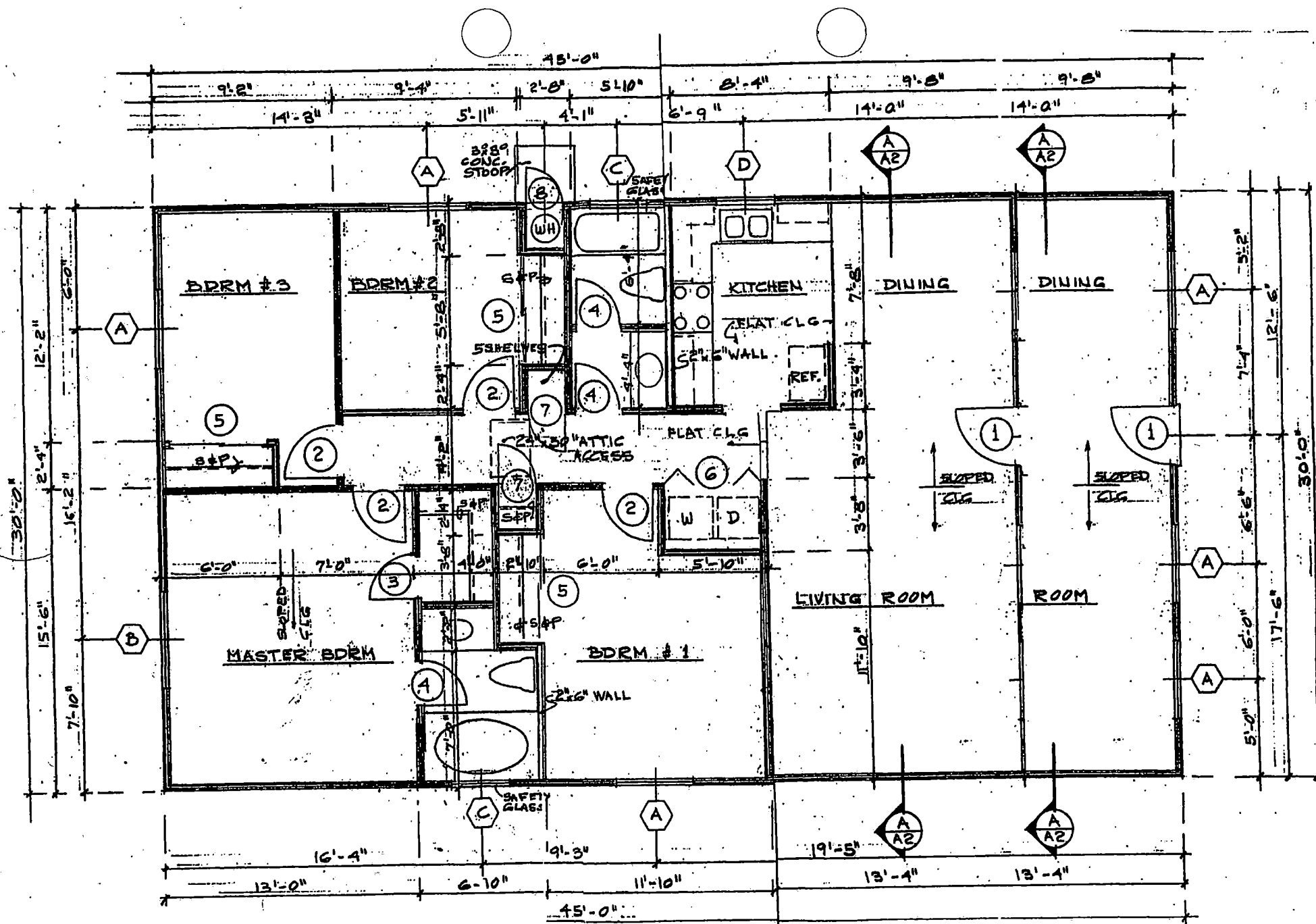
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VAR-4925
09-09-04 PC

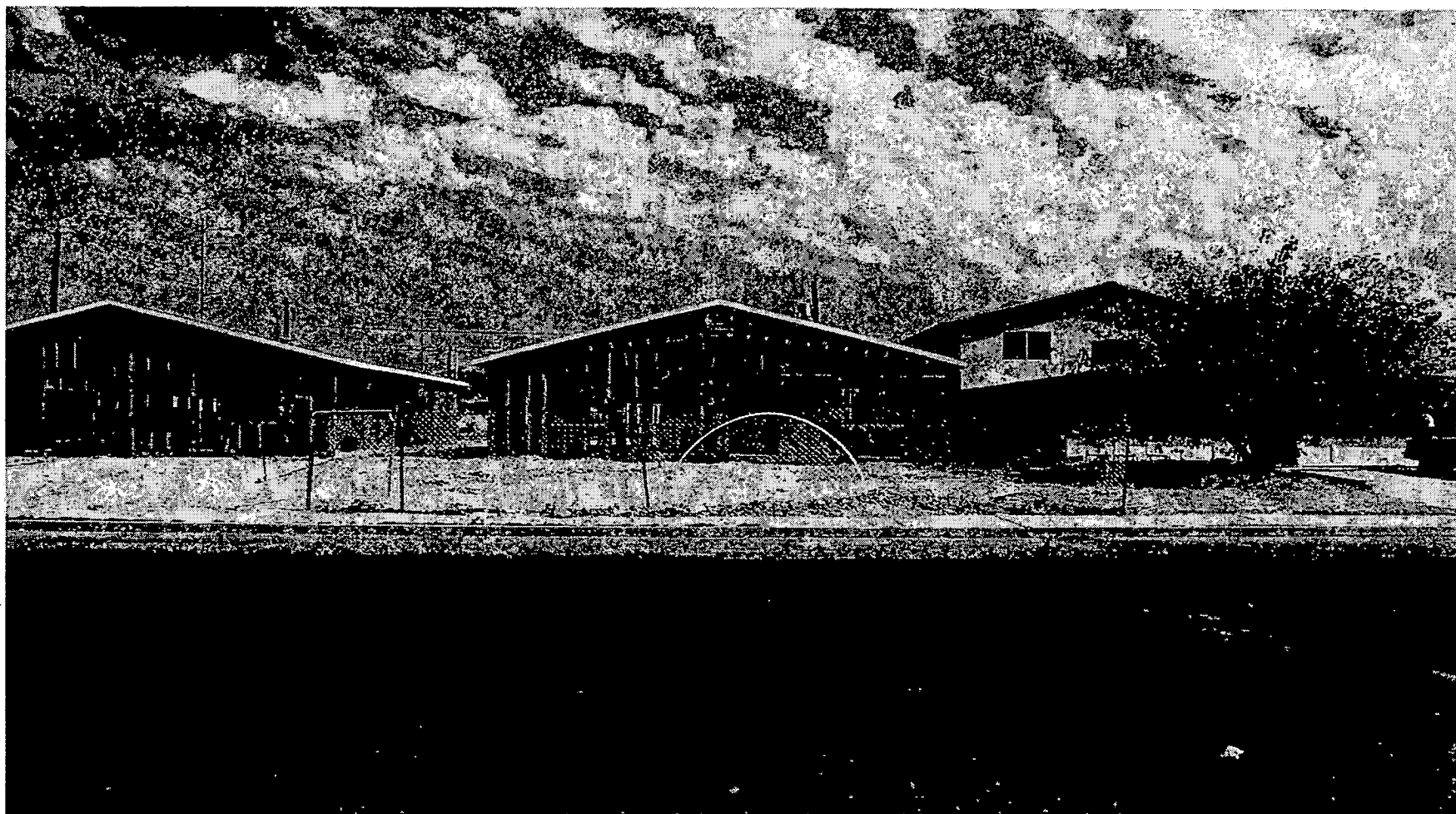
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FENCE
40.00
42.70
FBC

BALZAR AVENUE

Scale 1" = 1/4"



VAR-4925
09-09-04 PC



VAR-4925 - APPLICANT/OWNER: SHARON JAMERSON
880 BALZAR AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-4926 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OTIS AND SHARON JAMERSON - Request for a Variance TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE FIVE FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH AN EXISTING SINGLE-FAMILY RESIDENCE on 0.12 acres at 886 Balzar Avenue (APN 139-21-510-274), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to condition – Motion carried with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

See Item 31 [VAR-4925] for all related discussion on Item 31 [VAR-4925] and Item 32 [VAR-4926].

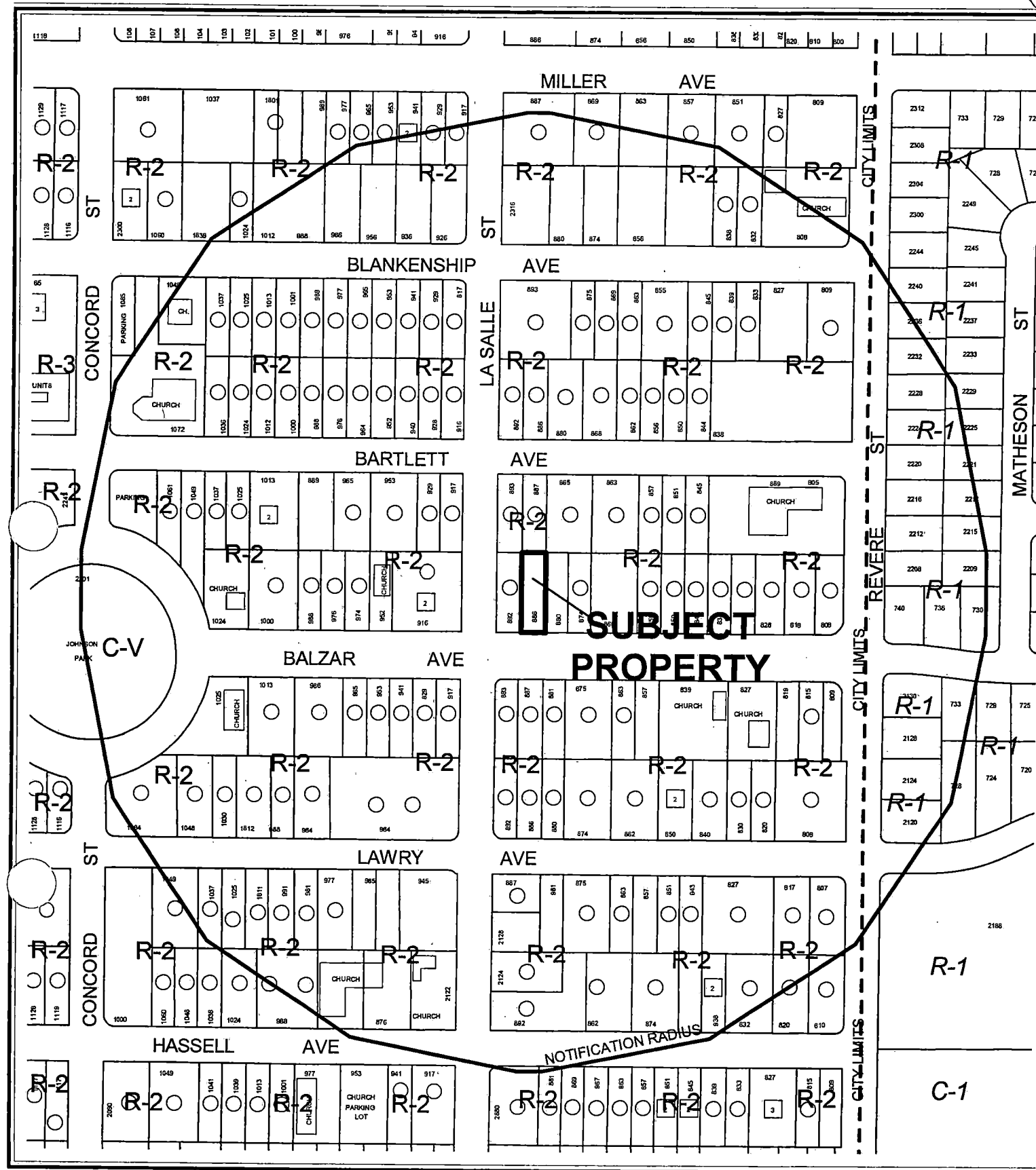
(9:14 – 9:32)

3-528

CONDITION:

Planning and Development

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



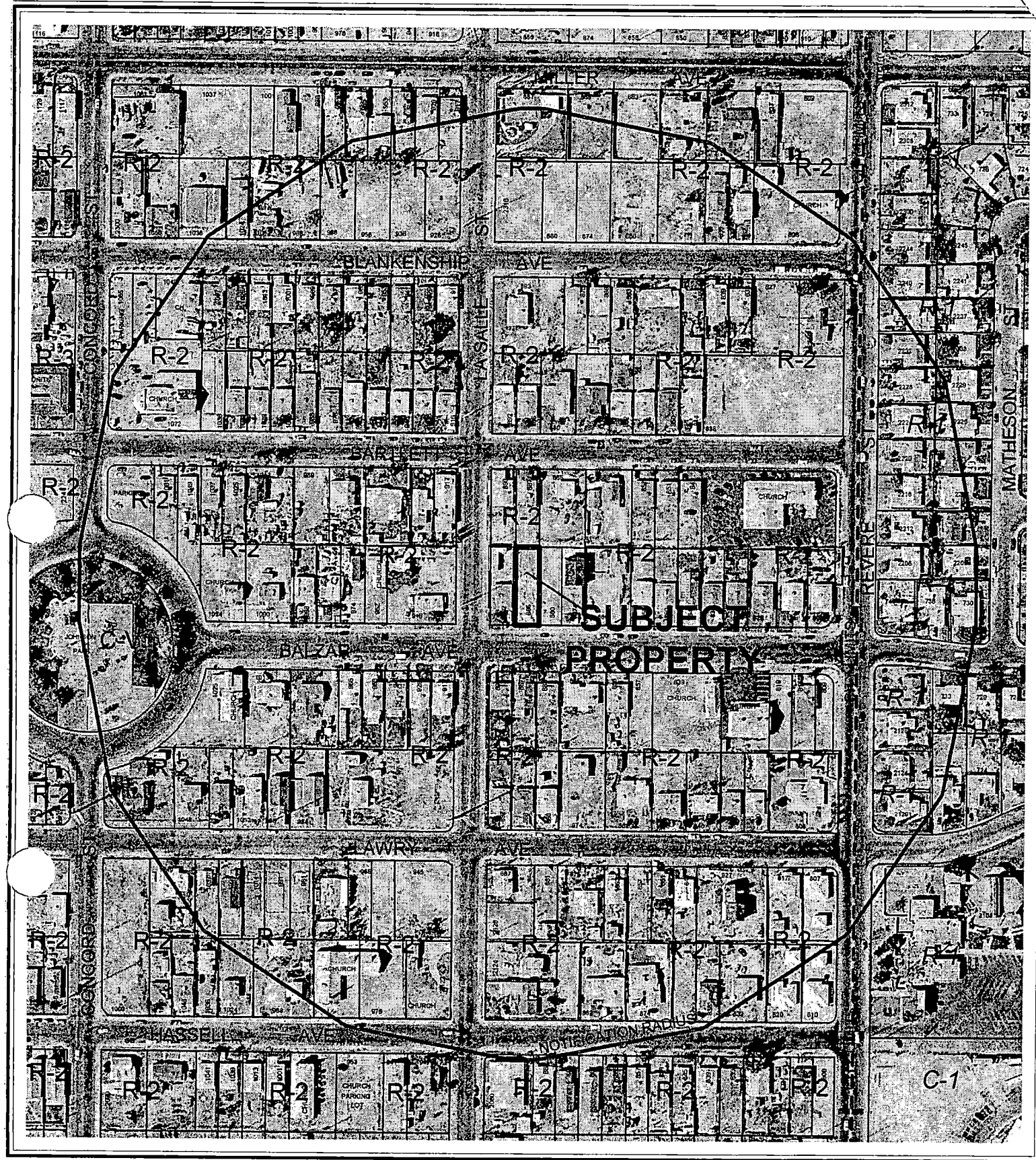
CASE: **VAR-4926**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

0 200 400 Feet





CASE: **VAR-4926**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4926 - APPLICANT/OWNER: OTIS AND SHARON JAMERSON

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If APPROVED, subject to the following:

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a side yard setback of four feet where five feet is the minimum allowed on 0.12 acres at 886 Balzar Avenue.

B) Applicant's Justification

According to a letter submitted with the application, the applicant indicates that the placement of the building was done in error.

BACKGROUND INFORMATION

A) Previous Actions

There are no recorded previous actions.

B) Pre-Application Meeting

07/16/04 Staff met with the prospective applicant concerning residences that are under construction, which do not have the necessary side yard clearance. It was mentioned that a Variance would be needed to modify the required side yard. Details of the necessary requirements for submittal of a Variance application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.12

B) Existing Land Use

Subject Property: Undeveloped
North: Single-family residential
South: Single-family residential
East: Single-family residential
West: Undeveloped

C) Planned Land Use

Subject Property: ML (Medium-Low Density Residential)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density Residential)
East: ML (Medium-Low Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-2 (Medium-Low Density Residential)
North: R-2 (Medium-Low Density Residential)
South: R-2 (Medium-Low Density Residential)
East: R-2 (Medium-Low Density Residential)
West: R-2 (Medium-Low Density Residential)

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is ML (Medium Low Density Residential), which permits up to eight dwelling units per acre. The site is zoned R-2 (Medium-Low Density Residential) which is a zone permitted in the ML district. The requested Variance is not related to any specific General Plan policies.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 feet		N
Min. Lot Width	NA		NA
Min. Setbacks			
• Front	20 feet		Y
• Side	5 feet	4 feet	N
• Corner	5 feet		NA
• Rear	20 feet		Y
Min. Distance between buildings	10 feet		Y
Max. Lot Coverage	NA		NA
Max. Building Height	2 stories or 35 feet		Y

The size of the subject lot is 5,400 square feet, which does not conform to current Code standards. The Code standard changed to 6,500 square feet after this house was constructed. The side yard for this dwelling requires a variance of approximately six inches. It falls outside of the standard for granting an administrative deviation.

Because the dwelling has a deficient side yard, there is also a deficient separation between the dwelling and the dwelling on the abutting lot to the east. A Variance to allow a separation of nine feet between the two dwellings where 10 feet is the minimum requirement is also necessary.

B) General Analysis and Discussion

Building permits were issued to the owner of the subject lot and the lot to the east to construct residences with five-foot side yards. Upon construction of the dwellings, an abutting property owner registered a complaint that the residences are being constructed without the proper five-foot side yard clearances. Upon checking, it was learned that each building was constructed approximately six inches off to one side. Consequently, this request is for a one-foot Variance in the side yard on the east side of the dwelling. Another Variance (VAR-4925) was submitted for a Variance to the side yard for the residence abutting this lot at 880 Balzar Avenue.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

It is apparent from the information submitted that a dwelling was constructed six inches to one side of the lot in error. According to the criteria above, it is recommended that the request for a Variance be denied. This recommendation of denial is based on the following findings, only one of which is necessary to deny a Variance:

- **No evidence is provided that a hardship exists to warrant a Variance in the required side yard.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. Although the applicant indicates why the Variance is needed, there is no evidence to support that a “practical difficulty” or “hardship” exists.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant’s own making, as the reduced side yard on one side of the dwelling is caused by a six-inch error in its placement.
- **Use of the property is not denied.** There is no evidence to indicate that no residence could be built upon the lot as to warrant the grant of a Variance. Indeed, the subject residence is suitable for the lot if it had not been placed in error.

NOTICES MAILED 192

APPROVALS 0

PROTESTS 0

DDS



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4926 APN: 139-21-510-274

Name of Property Owner: SHARON JAMISON

Name of Applicant: SHARON JAMESON

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 X

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: _____

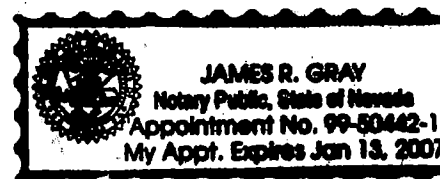
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 27 day of July, 20

James R. Gray
Notary Public in and for said County and State



R-2 R-2

A.P.N. 139-21-510-255

A.P.N. 139-21-510-256

A.P.N. 139-21-510-275

A.P.N. 139-21-510-274

← L.A. SOUTHERN →

10.13'
R-2

R-2

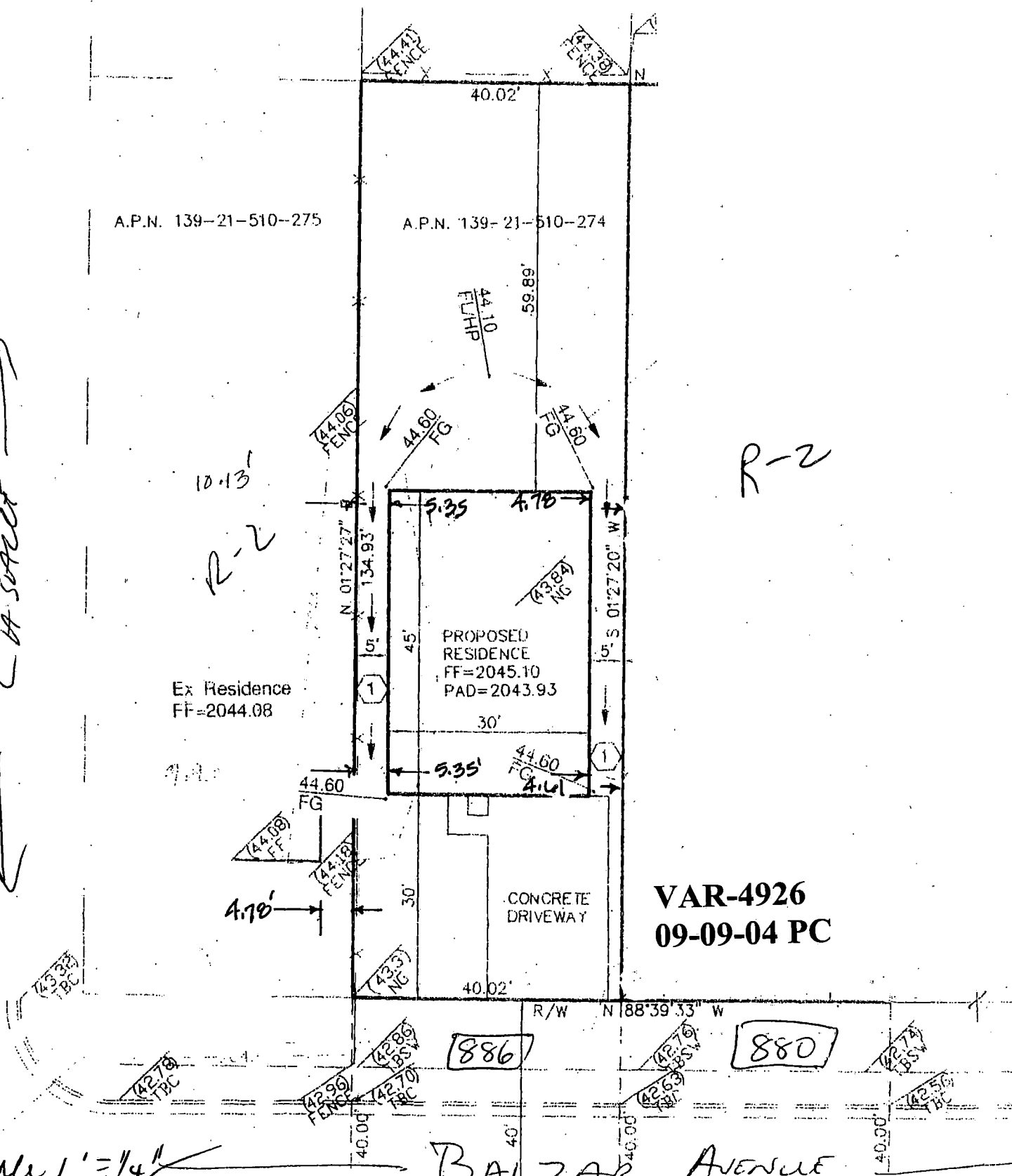
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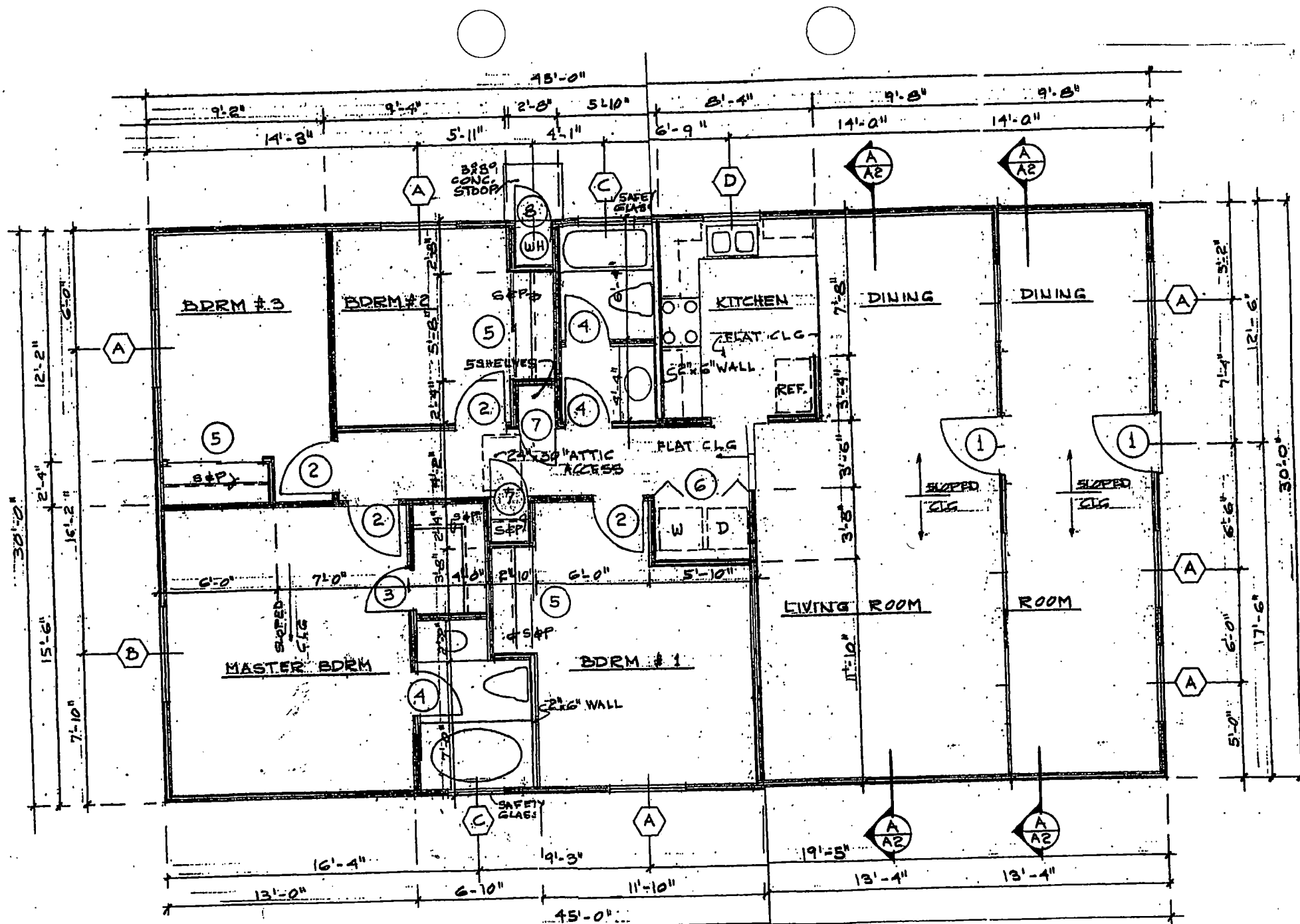
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VAR-4926
09-09-04 PC

Scale 1" = 1/4"

RAI 7 A B AVENUE





VAR-4926
09-09-04 PC



VAR-4926 - APPLICANT/OWNER: SHARON JAMERSON
886 BALZAR AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-4908 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NNN OAKLEY BUILDING 2003, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers for perimeter and parking lot landscaping standards and for side and rear building setbacks FOR A PROPOSED 112,900 SQUARE-FOOT PARKING STRUCTURE on 2.95 acres at 4750 West Oakley Boulevard (APN 162-06-201-004), C-1 (Limited Commercial) and R-3 (Medium Density Residential) Zones, Ward 1 (Moncrief).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - APPROVED subject to conditions - UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated that this building houses the IRS and has always had an issue with lack of parking. The IRS intends to move to a new facility in February and the property owners are looking to remedy the parking issue before new tenants move in. To accomplish this, they are proposing an approximately 113,000 square-foot, four level parking garage that would be located at the east end of the property. The structure will add 262 spaces to the existing 248 spaces. The structure height will be approximately 77 feet and access will remain from Oakley Boulevard.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 33 –SDR-4098

MINUTES – Continued:

He continued by saying there is an issue with a small piece of land at the east end of the parcel. It was confirmed that the Site Plan is correct as shown. The piece in question was taken and appended to the driveway used to access the apartments to the north of this project resulting in very little space between the existing parking lot and the proposed parking structure. Because of this, the structure will not meet the rear and side setback requirements of the Code and the applicant has requested a waiver of those standards. Staff suggested that the applicant could make up some of the landscaping requirement elsewhere on the site; however, the applicant has indicated they are not interested in adding a large amount of landscaping to the site, they would consider enhancing the landscaping on Oakey Boulevard.

DARRYL GOODMAN, NNN Oakey, 7201 West Lake Mead Boulevard, appeared on behalf of the applicant and stated MR. LEOBOLD'S summary of the situation was an accurate representation of the case. He said the applicant would like to upgrade the building to make it more user friendly. He indicated there has been much activity generated by the IRS moving out and several parties are interested in the property but parking is a big issue. The applicant is amenable to adding more trees but would like to see it limited to the strip on Oakey Boulevard where there grass already exists. He thanked staff for their recommendation of approval.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:32 – 9:36)

3-1137

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
4. 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

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 33 –SDR-4098

CONDITIONS – Continued:

satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

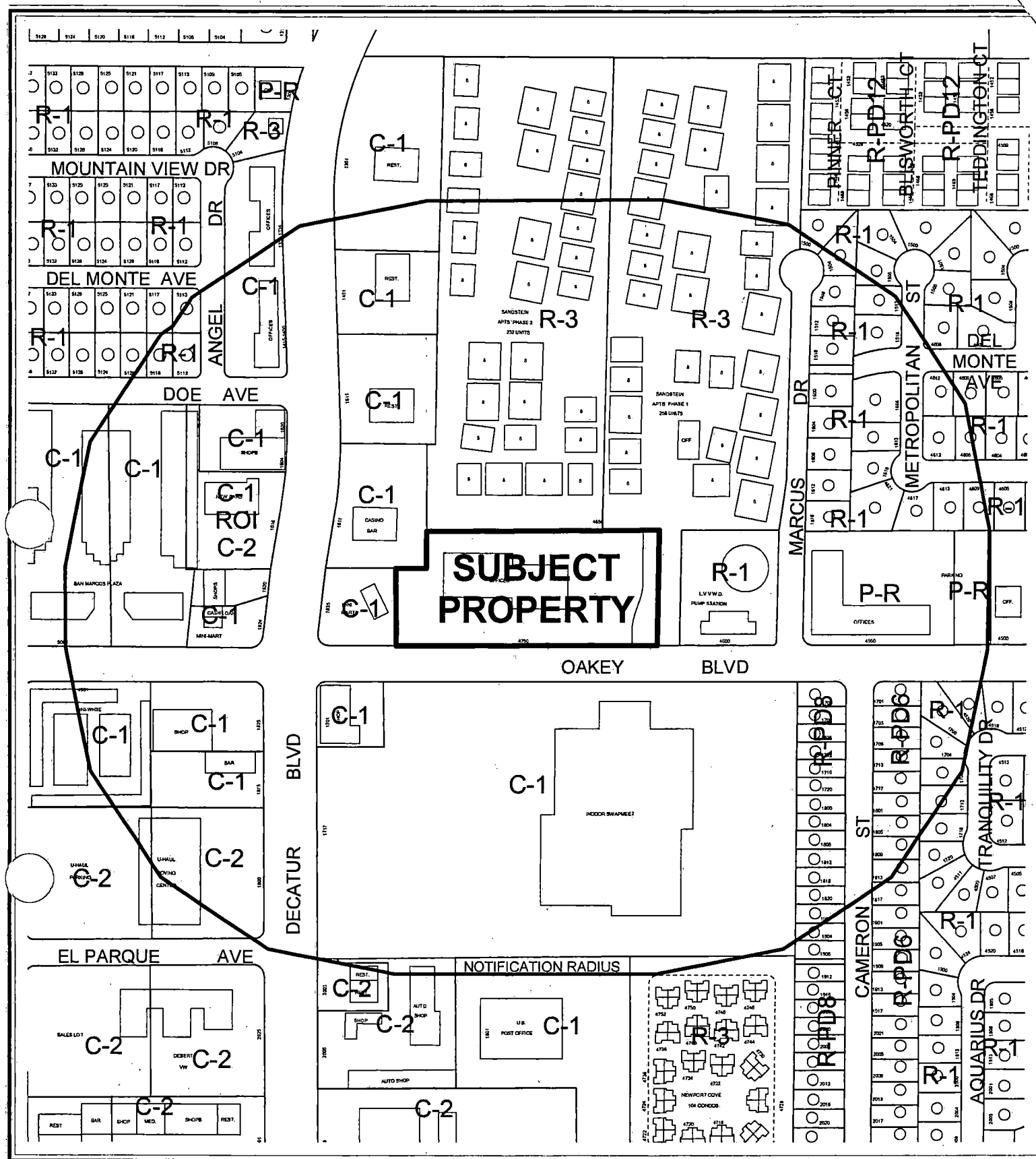
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. A waiver to the perimeter and parking lot landscaping standards of the Code is approved as shown on the site development plan.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including the provision of suitable elevations and/or a detailed materials/color board depicting the materials and colors of the structure's exterior. The site plan shall be revised to indicate the number of handicap spaces to be provided.
14. 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.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 33 –SDR-4098

CONDITIONS – Continued:

Public Works

15. 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.
16. All existing and proposed driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
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.
18. Site development to comply with all applicable conditions of approval for Z-0058-85 and all other site-related actions.



CASE: SDR-4908

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) AND R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4908 - APPLICANT / OWNER: NNN OAKLEY BUILDING
2003, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
4. 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.]
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. A waiver to the perimeter and parking lot landscaping standards of the Code is approved as shown on the site development plan.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

SDR-4908 - Conditions Page Two
September 9, 2004 Planning Commission Meeting

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including the provision of suitable elevations and/or a detailed materials/color board depicting the materials and colors of the structure's exterior. The site plan shall be revised to indicate the number of handicap spaces to be provided.
14. 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.

Public Works

15. 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.
16. All existing and proposed driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
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.
18. Site development to comply with all applicable conditions of approval for Z-0058-85 and all other site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review and Waivers of required side and rear setbacks and perimeter and parking lot landscaping standards for a proposed 112,900 square foot, four-level detached parking structure on 2.95 acres at 4750 West Oakey Boulevard, to be used in conjunction with an existing office building on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the intent of the applicant is to create a more marketable office structure. The building is currently used by the federal IRS, and is significantly underparked. Development of this structure would provide adequate parking for existing and future tenants.

BACKGROUND INFORMATION

A) Previous Actions

10/16/85	The City Council approved a request for a Reclassification of property (Z-0058-95) from R-1 (Single-Family Residential) to R-3 (Limited Multiple Residence) and C-1 (Limited Commercial). The R-3 portion is a 50-foot wide strip at the east end of the site that was intended to provide access to an apartment project that occupies the northern portion of the site. The Planning Commission had recommended approval on 09/24/85.
08/13/87	The Planning Commission approved as Final Action a request for a Plot Plan Review (Z-0058-85(2)) for an 81,000 square-foot office building on the subject portion of the overall site.
12/22/87	The Planning Commission approved as Final Action a request for a Plot Plan Review (Z-0058-85(4)) to add a fourth story to the three-story office building previously approved on the subject portion of the overall site.
04/20/88	The City Council approved a request for an Extension of Time (Z-0058-85(5)) to the Reclassification for a three-year period.

SDR-4908 - Staff Report Page Two
September 9, 2004 Planning Commission Meeting

04/03/91 The City Council approved a request for an Extension of Time (Z-0058-85(8)) to the Reclassification for a three-year period.

05/20/92 The City Council approved a request for an Extension of Time (Z-0058-85(9)) to the Reclassification for a two-year period.

B) Pre-Application Meeting

07/07/04 At the meeting, the applicant advised that this structure is intended to provide only employee parking. A number of issues were raised, including the portion of the site used for access to the apartments to the rear, the need for a landscape plan, the potential for any off-site or substandard improvements, the need for setback and buffering waivers and location and extent of handicap parking.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.95

B) Existing Land Use

Subject Property: Office Building
North: Apartments
South: Indoor Swap Meet
East: LVVWD Pump Station and access to Apartments
West: Convenience Store

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential)
South: SC (Service Commercial)
East: M (Medium Density Residential)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

This site is located on the Southeast Sector Plan map of the General Plan. The site is designated as SC (Service Commercial), which allows low to medium intensity retail, office or other commercial uses that do not include more intense general commercial characteristics. The current C-1 zoning of the majority of the site conforms to this SC land use designation; however, there is a small portion of the east end of the site that is designated M (Medium Density Residential). This portion of the site is used for a landscaped access corridor to the apartment project to the north, and was approved that way in the initial plot plan review for the overall parcel. The current application does not include the M-designated portion of the overall site. The site plan as proposed conforms to the current SC land use designation and C-1 zoning of the subject portion of the site.

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

There are no special area plans or zoning overlay districts that affect the subject site.

PROJECT DESCRIPTION

The applicant proposes to construct an 112,900 square-foot, four-level parking garage on the subject property, to the east of the existing four-story office building on-site. The structure will contain 262 spaces, which when added to 248 ground-level spaces that will be retained around the existing four-story office building, will bring the total amount of parking to 509 spaces on the site. Access to the ramps will continue to be the two existing ramps that serve the project from Oakey Boulevard. External cladding and materials for the structure will be white painted concrete panels. The applicant has not provided a detailed materials and color board at this time. Provision of this information is identified as a condition of approval. The building, proposed for a height just over 77 feet, does not meet the minimum side and rear setback requirements of the Code; the applicant has requested a waiver of these standards. Since insufficient setbacks as proposed does not allow for sufficient landscape buffer requirements, and since a parking garage cannot comply with parking lot landscaping requirements, waivers of these standards has also been requested.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards C-1 District	Required	Provided	Compliance
Min. Lot Width	100 Feet	550 Feet	Y
Min. Setbacks			
• Front	20 Feet	50 Feet	Y
• Side	10 Feet	none	N
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	5 Feet	N
Maximum Lot Coverage	50%	39.6%	Y
Trash Enclosure	Screened & covered	Not indicated	Unknown
Loading Zone	Located to rear or side	Not indicated	Unknown
Mech. Equipment	Screened from abutting streets and properties	Not indicated	Unknown

The project as submitted does not meet the side and rear setback requirements of the Code. A request for a waiver of these standards has been included with this site plan review. Standards pertaining to the screening of the trash enclosure, placement of the loading zone and mechanical equipment will be enforced at the time of building permit.

A2) Residential Adjacency Standards

As there is no nearby single-family dwelling or for-sale housing, or land designated for such in the General Plan, no Residential Adjacency Standards 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
Office	81,000 SF.	1 space/300 s.f. GFA	270 spaces	7 spaces	509 spaces	

With the addition of the proposed parking garage, on-site development exceeds the parking requirements of the Code. The number of handicap spaces needs to be identified. A condition of approval will address this issue.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 uncovered spaces	42 Trees	30 Trees
Buffer • Min. Zone Width • Wall height	10' (front) and 8' (side & rear); 4' (front yard) and 6' (side & rear)		10' (front) and between zero and 5' (side & rear) None indicated

The applicant has indicated that only existing on-site landscaping will be provided. This amount is deficient with respect to Code requirements. Also, Title 19 requires an eight-foot deep landscape buffer at the side and rear of the property. In the area of the proposed garage, the setbacks, and therefore the buffer area, range from zero to five feet. In these areas, no landscaping is provided. The applicant has requested a waiver from the setback, landscaping and buffer requirements.

Trees are required along the front, side and rear of the property. They are to be spaces no less than 20 feet on center. The landscape plan shows trees planted only within the parking area, and not every 30 feet along the street on the south property line. The number of trees will have to be increased to meet the Zoning Code requirement. A Condition of Approval is included to address this deficiency.

B) General Analysis and Discussion

- Zoning

The portion of the subject site affected by this application is zoned C-1 (Limited Commercial), which conforms to the SC (Service Commercial) land use designation of the General Plan.

- Site Plan

The site plan illustrates the location of the proposed parking structure at the east end of the overall site, to the east of the existing office building. The structure as proposed is deficient with respect to a number of aspects of the Code, most notably side and rear setbacks, insufficient perimeter buffers and landscaping, and insufficient parking lot landscaping. The applicant has requested waivers of these standards to accommodate the project.

- Waivers

Setbacks and landscape buffers are required along the side and rear property lines. No buffer would be provided where the parking structure has no setback. Therefore, a waiver of the standard is necessary to permit the development as proposed. Staff has no objection to the Waivers since the existing landscaping is consistent with this area of the city and will permit construction of this needed additional parking.

- Landscape Plan

The landscape plan indicates that only landscaping currently existing on the site will be provided.

- Elevation

The parking structure will feature white pre-cast concrete panels on the exterior of the structure, which will be scored to add detail and reduce the apparent massing of the structure. The parking structure will be painted white in order to provide an architectural continuity with the existing office building.

FINDINGS

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

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

The areas to the north and east are occupied by existing apartment development and are unlikely to be seriously impacted by the proposed development. To the west across Decatur Boulevard is an existing convenience store with gas pumps, and to the south is a large site occupied by an indoor swap meet facility. Neither of these intensive commercial uses is likely to receive negative impacts from the proposed garage development.

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

The proposed parking garage use is consistent with the land use policies of the General Plan for Service Commercial areas, and the use is consistent with C-1 zoning. The project is not consistent with the setback and buffering provisions of the Code, but the applicant has requested relief from those standards through a waiver approved as part of this Site Development Plan Review. It does not meet the minimum buffering standards of the Landscape, Wall and Buffer Standards.

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

Access to the site will be from two ramps from the overall site to Oakey Boulevard, a Secondary (80-foot) Collector as designated on the Master Plan of Streets and Highways. This access should be sufficient to serve the proposed development, given the traffic handling capabilities of this and surrounding streets.

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

The building colors and materials will coordinate with the existing office building on-site, and be complementary to nearby residential and commercial development. The applicant is not planning to add landscaping to the site, which already has a quantity of mature trees.

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 design of the structure, which does not exceed the height of the existing building, should be compatible with the design and scale of surrounding development.

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

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

NOTICES MAILED 176

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: SAME AS ABOVE

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?

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

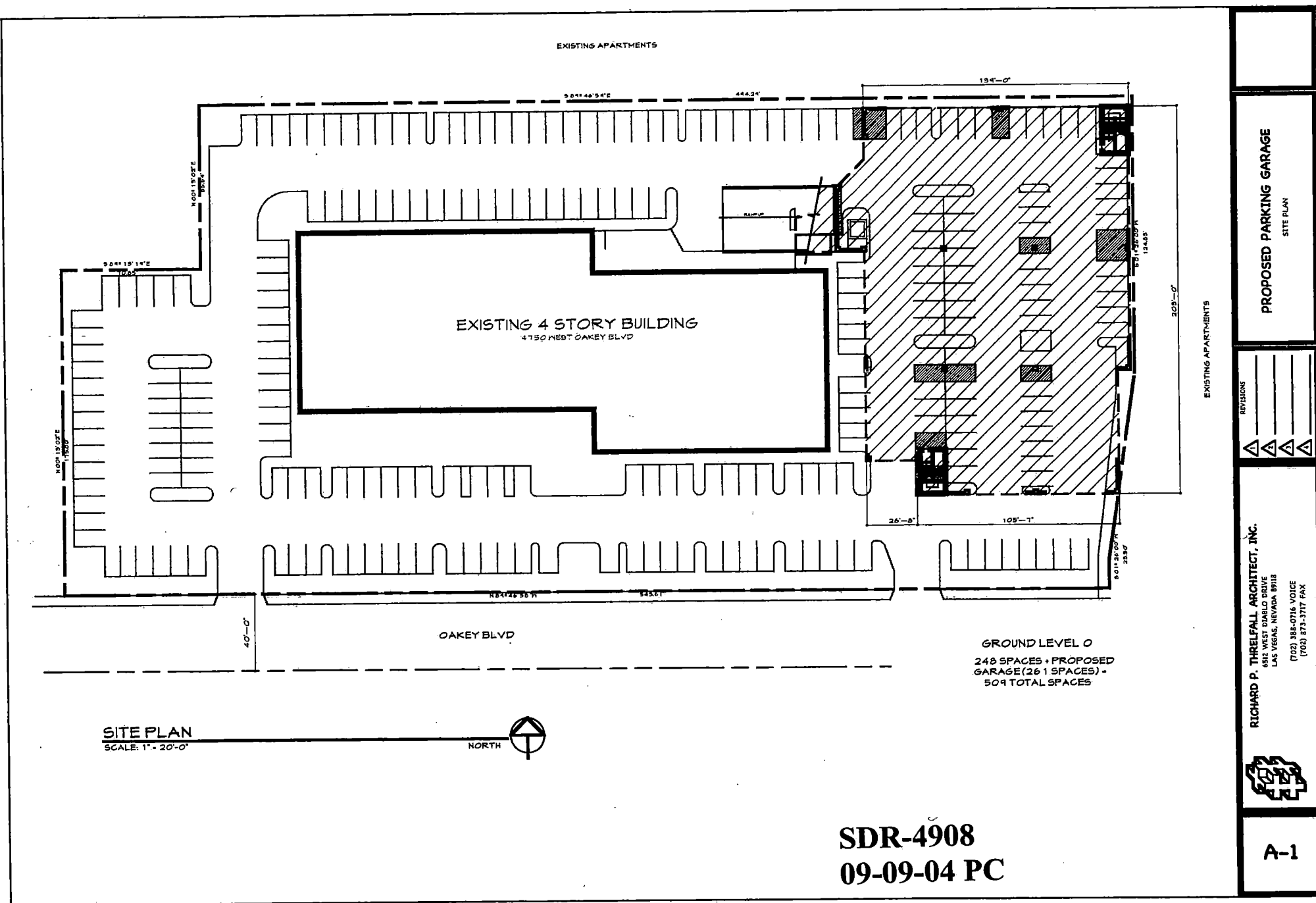
This 22 day of June, 2004

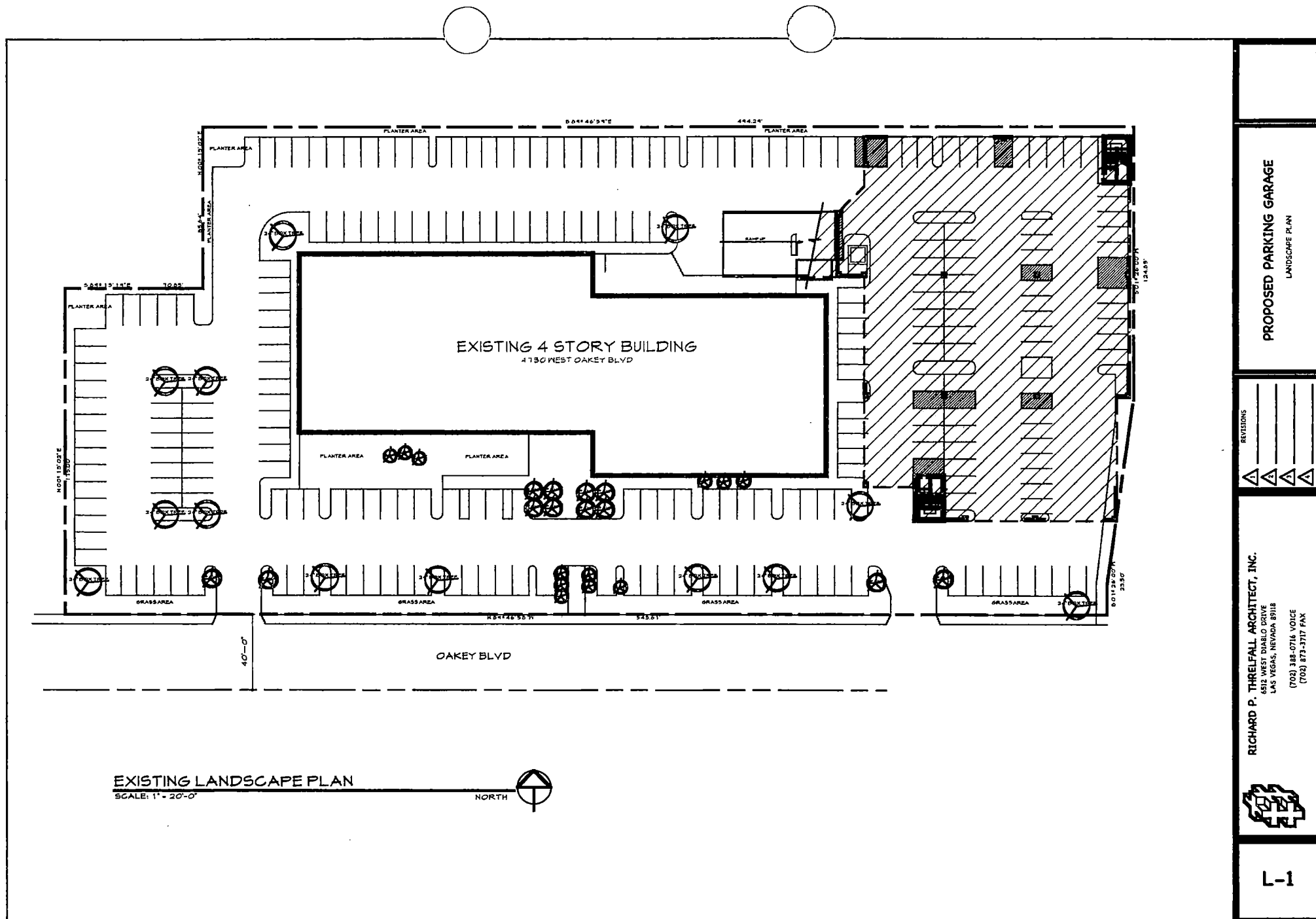
State of Nevada County of Clark
Notary Public in and for said County and State

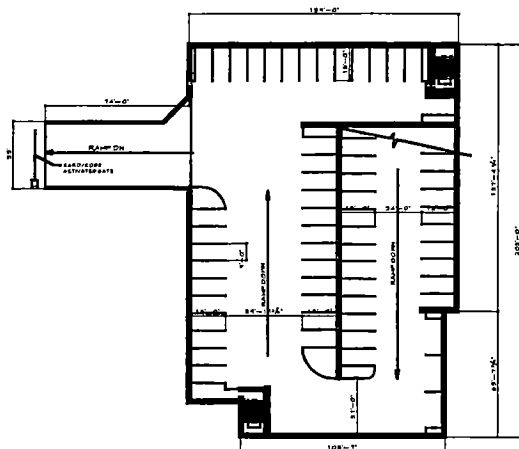
Andrea King

 Notary Public - State of Nevada
COUNTY OF CLARK
ANDREA KING
My Commission Expires Feb. 2, 2006

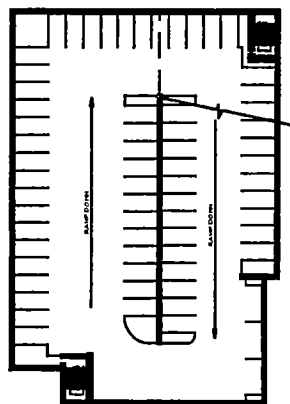
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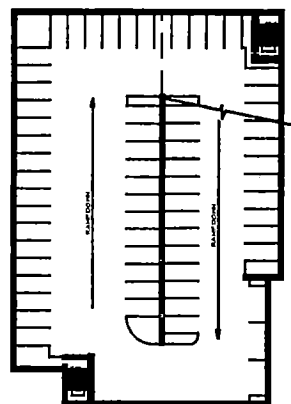




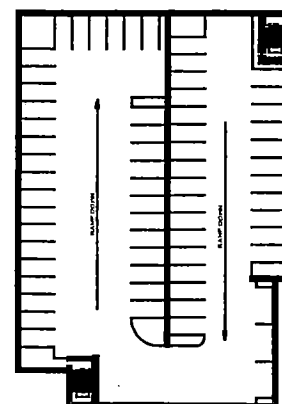
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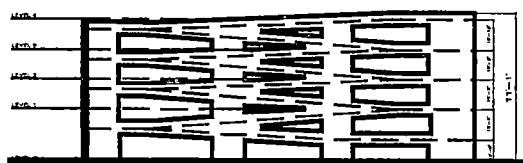
LEVEL 2
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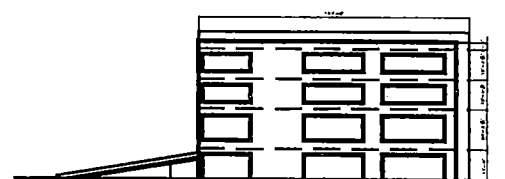
LEVEL 3
66 spaces



LEVEL 4
66 spaces



ELEVATION 1



ELEVATION 2

SDR-4908
09-09-04 PC

SCALE: 1" = 30'-0"

PROPOSED PARKING GARAGE
DECK PLAN / ELEVATION

REVISIONS

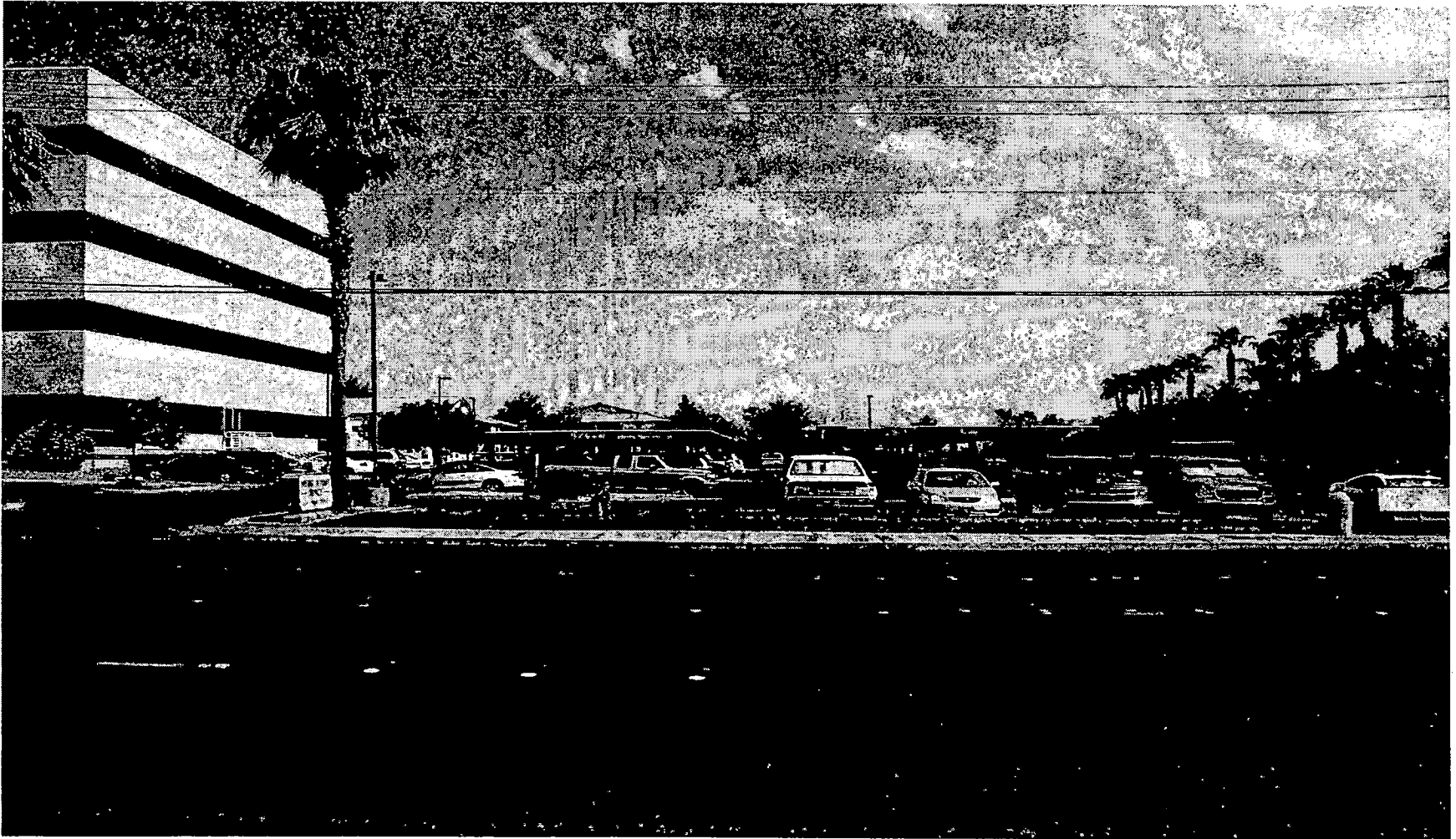
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RICHARD P. THRELFALL ARCHITECT, INC.

6813 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 871-3717 FAX



A-3



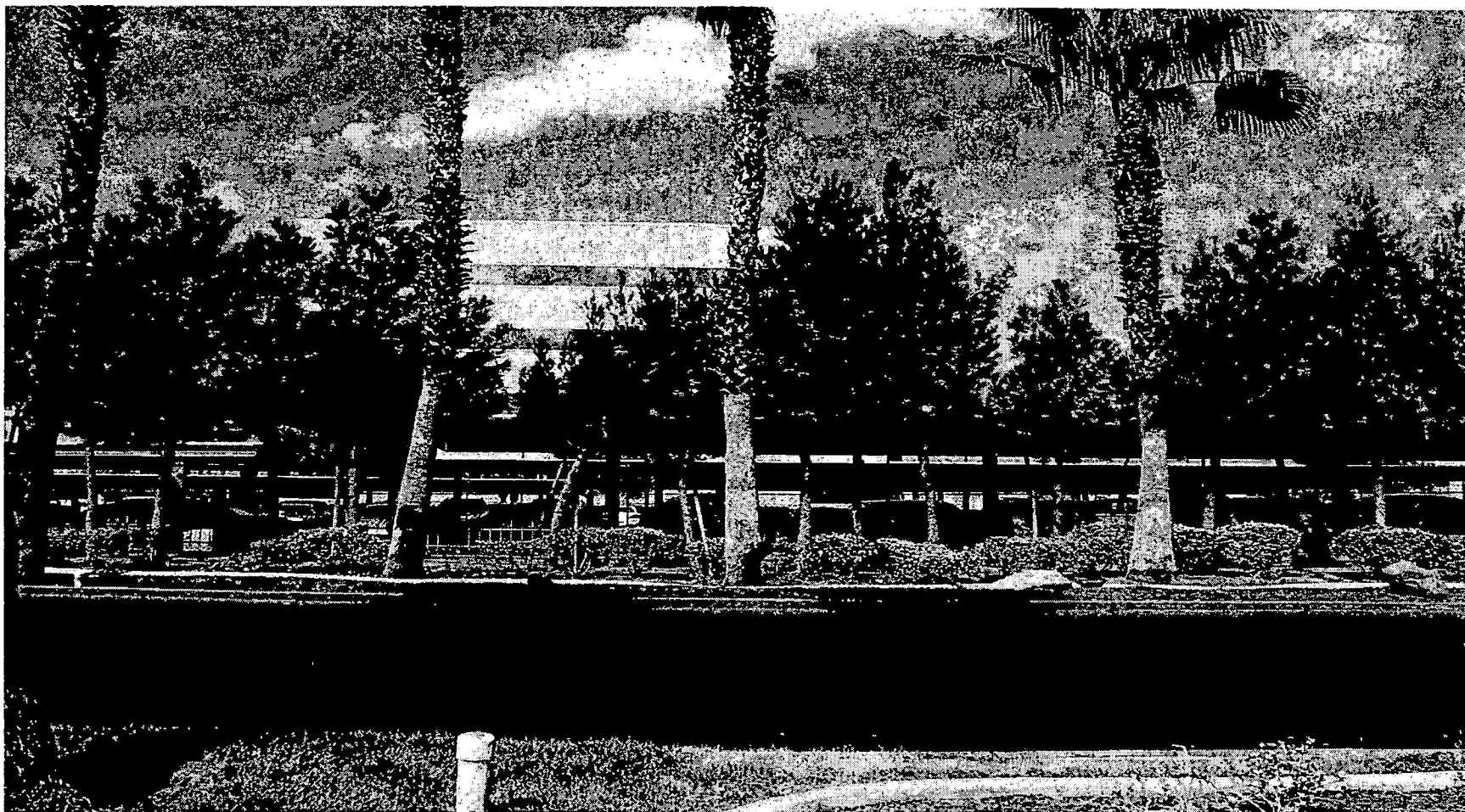
SDR-4908 - APPLICANT/OWNER: NNN OAKLEY BUILDING 2003, LIMITED LIABILITY COMPANY
4750 WEST OAKLEY BOULEVARD
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04



SDR-4908 - APPLICANT/OWNER: NNN OAKLEY BUILDING 2003, LIMITED LIABILITY COMPANY
4750 WEST OAKLEY BOULEVARD
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08/17/04



SDR-4908 - APPLICANT/OWNER: NNN OAKLEY BUILDING 2003, LIMITED LIABILITY COMPANY
4750 WEST OAKLEY BOULEVARD
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-4935 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: DURANGO AND ELKHORN, LIMITED LIABILITY
COMPANY, ET AL - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards for the two-story minimum height requirement in the Urban Center Mixed-Use District and the 70 percent minimum clear glazing requirement at the ground floor level along primary pedestrian routes FOR A PROPOSED 43,200 SQUARE-FOOT COMMERCIAL DEVELOPMENT on 3.94 acres adjacent to the southwest corner of Durango Drive and Elkhorn Road (APN 125-20-101-008 and 009), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack).

C.C. 10/06/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

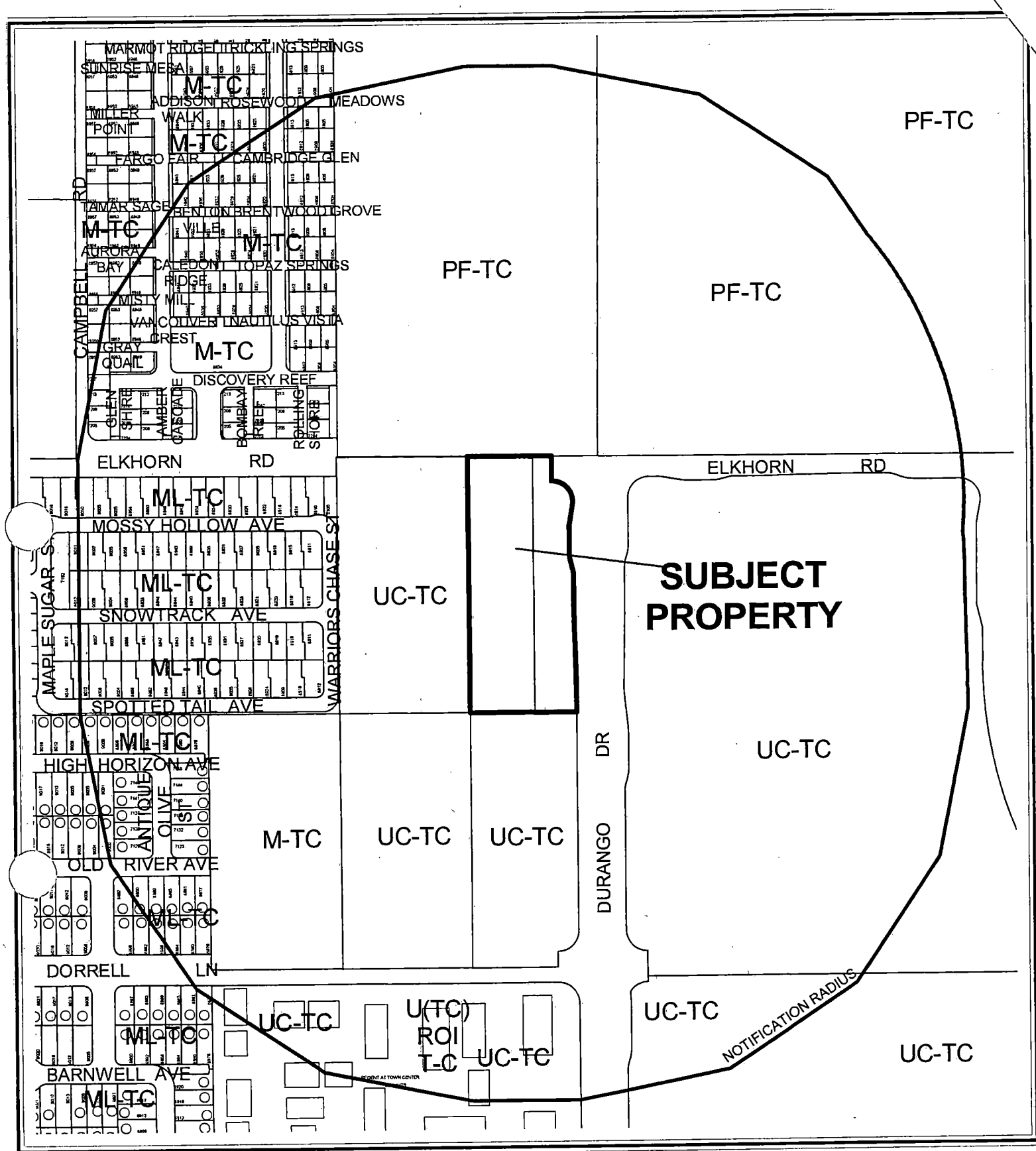
MOTION:

GOYNES – Motion to bring forward and **HOLD IN ABEYANCE** Item 19 [MOD-4632], Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004 Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11 [SDR-4555] – UNANIMOUS with NIGRO excused

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 – 6:09)



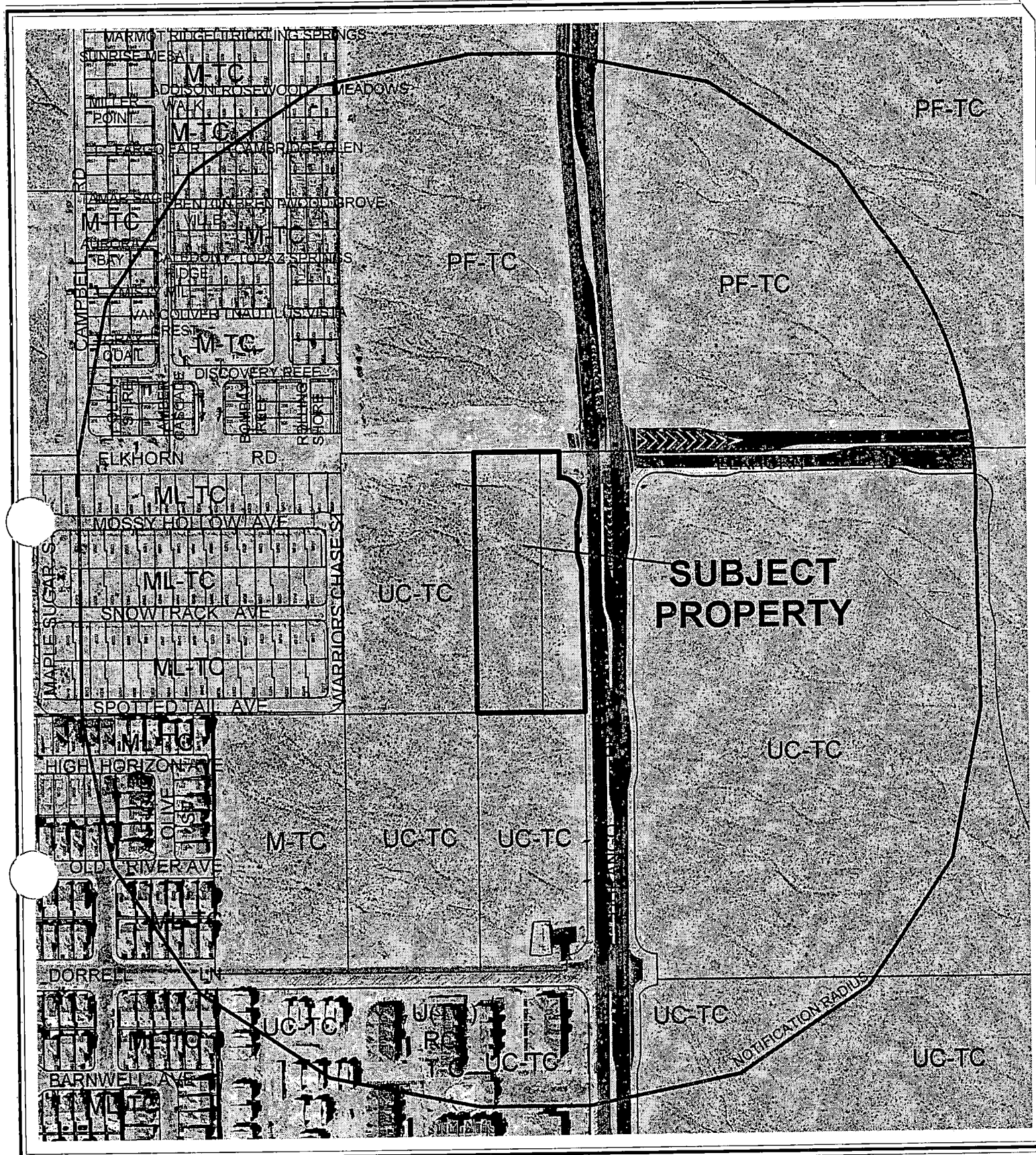
CASE: SDR-4935

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED-USE) TOWN CENTER LAND USE DESIGNATION]





CASE: SDR-4935

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED-USE) TOWN CENTER LAND USE DESIGNATION]

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4935 - APPLICANT/OWNER: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If APPROVED, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The applicant shall enter into a development agreement with the city regarding this project per Section 19.18.090, as stipulated A.3.C of the Town Center Development Standards Manual, prior to approval of civil improvement plans. This agreement shall provide for the planning and development of the site, and the regulation and maintenance of development and infrastructure (including parks and trails, water, sanitation, flood control, transportation and off-site improvements) within the site, and will outline the roles and responsibilities of the City and the master developer in the development of this site.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted in the required amenity zones along both Elkhorn Road and Durango Drive in accordance with the specified Town Center standards, and landscaping along the west edge of the site and in the parking field to meet the combined total requirement per Title 19.12 standards.
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.]

SDR-4935 - Conditions Page Two
September 9, 2004 Planning Commission Meeting

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. Pursuant to the Town Center Development Standards signs in the Urban Center Mixed-Use district (UC-TC) a Master Sign Plan is required and approved by the Centennial Hills Town Center Architectural Review Committee.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. All development shall be in conformance with the site plan and building elevations, date stamped 08/31/04 except as amended by conditions herein.
17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

Public Works

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

SDR-4935 - Conditions Page Three
September 9, 2004 Planning Commission Meeting

19. Coordinate with the City Surveyor to determine whether a Reversionary Map or other mapping is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
20. Provide a copy of a recorded Joint Access Agreement between all parcels comprising this site prior to the issuance of any permits.
21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
22. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
23. Landscape and maintain all unimproved rights-of-way on Durango Drive and Elkhorn Road adjacent to this site.
24. Submit an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Elkhorn Road public right-of-way adjacent to this site prior to occupancy of this site.
25. Site development to comply with all applicable conditions of approval for Z-85-02 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of the Town Center Development Standards for the two-story minimum height requirement in the Urban Center Mixed-Use District and the 70 percent clear glazing requirement at the ground floor level along primary pedestrian routes, for a proposed 43,200 square-foot commercial development on 3.94 acres adjacent to the southwest corner of Durango Drive and Elkhorn Road.

B) Applicant's Justification

The applicant has justified this request by stating that the project conforms to Title 19 and applicable Town Center standards.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a petition to Annex (A-0003-99) property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The Planning Commission and staff recommended approval on 03/25/99. The effective date was 01/26/01.

09/18/02 The City Council approved a request for a Rezoning (Z-0064-02) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, to R-PD7 (Residential Planned Development - 7 Units Per Acre) on approximately 7.4 acres adjacent to the north side of Grand Teton Drive, approximately 225 feet west of Durango Drive. The Planning Commission and staff recommended approval on 08/22/02.

09/18/02 The City Council approved a request for a Site Development Plan Review and a Reduction of the Perimeter Landscaping Requirements to allow a six-foot wide landscape planter on the south property line where an eight-foot wide landscape planter is required (Z-0064-02(1)) for a 45-lot single-family residential development on approximately 7.4 acres adjacent to the north side of Grand Teton Drive, approximately 225 feet west of Durango Drive. The Planning Commission and staff recommended approval on 08/22/02.

SDR-4935 - Staff Report Page Two
September 9, 2004 Planning Commission Meeting

- 11/20/02 The City Council approved a request for a Rezoning (Z-0085-02) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to TC (Town Center) on 5.0 acres located adjacent to the southwest corner of Elkhorn Road and El Capitan Way [Proposed Durango Drive Alignment]. The Planning Commission and staff recommended approval on 10/24/02.
- 11/20/02 The City Council approved a request for a Special Use Permit (U-0129-02) for a proposed Tavern adjacent to the southwest corner of Elkhorn Road and El Capitan Way (Durango Drive Alignment). The Planning Commission and staff recommended approval on 10/24/02.
- 11/20/02 The City Council accepted a request to withdraw without prejudice a request to amend a portion of the Centennial Hills Sector Plan of the General Plan (GPA-0038-02) from ML-TC (Medium-Low Residential - Town Center) and UC/TC (Urban Center Mixed-Use - Town Center) to GC-TC (General Commercial - Town Center) on 15.0 acres adjacent to the southwest corner of Elkhorn Road and El Capitan Way (Durango Drive Alignment). Staff had recommended denial. The Planning Commission recommended approval on 10/24/02.
- 03/17/04 The City Council approved a request for a Variance (VAR-3736) to allow 109 parking spaces where 138 parking spaces are the minimum required in conjunction with a proposed office/retail development on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 02/12/04.
- 03/17/04 The City Council approved a request for a Site Development Plan Review and Waivers of the Town Center Development Standards for the two-story minimum height requirement in the Urban Center Mixed Use District and the 70 percent clear glazing requirement at the ground floor level along primary pedestrian routes (SDR-3657) for a 12,200 square-foot commercial development on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road (the south half of the subject site). The Planning Commission and staff recommended approval on 02/12/04.
- 04/22/04 The Planning Commission approved a request for a Tentative Map (TMP-3657) for a one-lot commercial subdivision on 4.00 acres adjacent to the southwest corner of Elkhorn Road and Durango Drive. Staff had recommended approval.

B) Pre-Application Meeting

- 07/07/04 At the meeting, the applicant was advised of updated traffic and other information that would be required as part of the submission, as well as the need for a separate landscaping plan, an updated parking analysis, signage, and the need for a number of waivers to existing standards for the application as proposed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.97

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center)
East: UC-TC (Urban Center Mixed Use - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the two subject parcels on the Centennial Hills Sector Plan map is TC (Town Center), with the special land use designation of UC-TC (Urban Center Mixed Use - Town Center), pursuant to the Town Center Development Standards Manual. The current T-C (Town Center) zoning district conforms to this special land use designation. The proposed site plan is in compliance with the provisions of this designation and zoning district, subject to the waivers as requested.

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

Town Center Development Standards - Development within the UC-TC (Urban Center Mixed-Use - Town Center) land use designation is intended to be multi-storied, having ground floor offices and/or retail with similar or residential uses utilizing the upper floors. The minimum height requirement in Town Center is two stories. There are no density limitations in the UC-TC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

Trails – The Interlocal Joint Use Planning Area - Trails Map No. 2, adopted by the City of Las Vegas on November 20, 2002, identifies a Multi-Use Non-Equestrian Trail located on the east side of Durango Drive. However, since Durango Drive has been planned and developed as a 120 - foot Town Center Parkway, this trail will be developed on both sides of the street and will include a five-foot amenity zone and 9'-6" sidewalk.

INTERAGENCY ISSUES

There are no interagency issues that affect the subject site.

PROJECT DESCRIPTION

The proposed commercial development will consist of a total of approximately 40,800 square-foot of commercial space, including 13,370 square feet of retail space at the northeast corner of the site in a two-story structure, with 9,937 square feet of office space above on the second floor. An additional 4,800 square feet of office space will be located in a separate two-story structure on the site. A 5,000 square-foot restaurant/bar and a 4,400 square-foot restaurant are also proposed as single-story components. Finally, a 3,300 square-foot single-story bank is proposed. These buildings are oriented to the street, with no intervening parking or drive aisle areas, which is in accordance with Town Center standards and Title 19 commercial design guidelines. The overall site is served with on-site shared surface parking areas.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.110, the Development Standards within a T-C (Town Center) District are established by the Site Development Plan. The development standards that are proposed for this site through this Site Development Plan are as follows:

Standards	Provided
Min. Setbacks	
• Front (Elkhorn Road)	8 Feet
• Side	153 Feet
• Corner Side (Durango Drive)	5 Feet
• Rear	43 Feet
Lot Coverage	24 %
Max. Building Height	2 Stories / 27 Feet
Trash Enclosure	Walled, gated
Loading Zone	3 required, 4 provided
Mech. Equipment	Screened by parapets

The proposed development standards are adequate for commercial projects in the Town Center area, given the setback requirements under Section C of the Development Standards Manual. The proposed restaurant/bar, restaurant and bank (pads C, D and F respectively) do not meet the two-story minimum height requirement in the UC-TC (Urban Center Mixed Use - Town Center) District; however, the pad C restaurant/bar is built to the same scale and contains architectural elements characteristic of two-story structures.

Pursuant to the Town Center Development Standards Manual, there are a number of other standards that apply to the subject proposal:

Standards	Required	Proposed
Building Facade	Incorporate patterns and materials that are visually interesting.	The building elevations propose brick veneers and metal elements with many design features
Exterior Features	Awnings, signage, windows and doors required. Walls on primary pedestrian routes shall have a minimum of 70% clear glazing at ground level; Glazing shall not exceed 75% of building elevation. Dark tinted glass is prohibited. External stairwells shall be covered.	The building elevations do not indicate 70% clear glazing at the ground level.
Building Height	Minimum 2 stories, Maximum 12 stories, unless approved by PC/CC.	3 of the 5 pads are developed at 2 stories or to appear as 2 stories – the other 2 do not meet minimum requirement.
Stepbacks,	Eight-foot stepback required after three stories.	N/A
Build-to-Line Standards	Required, 60% build-to line, with the remaining 40% dedicated to a corner plaza.	Approximates the requirement.

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Entryways every 50 feet	Doorways, porticoes, or other entryways shall occur every 50 feet of building façade that fronts on a street or plaza area.	Approximates the requirement.
Outdoor dining	Outdoor dining areas and sidewalk cafes are strongly encouraged.	Not indicated
Roofs and Rooftops	Screening and require articulated roofline or cornice	Yes.
Exterior Materials	Contribute cohesive environment and convey sense of timelessness. Brick and stone is encouraged. Lists prohibited materials.	Yes.
Exterior Colors	Colors to unify and identify individual developments to create a visually coherent streetscape is encouraged. Large areas of flat uniform texture, unarticulated, windowless, or mono-color buildings are discouraged.	Yes
Trash Enclosure	Required per Title 19.08.045	Yes
Loading Zone	Required per Title 19.10.020 (15' X 25' Space)	Yes
Mech. Equipment	Roof Mounted and Screened by Parapet	Yes

The proposed development complies with most of the Town Center Development Standards. The applicant has requested waivers from the height and glazing provisions of the Manual.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant/ Bar and Restaurant	9,400 s.f. (est. 5,640 public seating	1space/ 50 s.f. of public seating area	113 spaces			
	3,760 s.f. remaining GFA)	1space/ 200 s.f. other GFA	19 spaces			
Office	14,737 s.f.	1 space/ 300 s.f. GFA	50 spaces			
Retail	13,370 s.f.	1 space/ 250 s.f. GFA	54 spaces			
Financial Institution	3,300	1 space/ 200 s.f. GFA	17 spaces			
Totals			253 spaces	7 spaces	276 spaces	8 spaces

The revised site plan as depicted exceeds the minimum parking requirements of the Code. Title 19.10 requires a dedicated drive aisle and six queuing spaces per drive-through ATM machine. The revised site plan shows the ATM system in the parking field instead of adjacent to the building; as redesigned, the site plan meets this aspect of the Code standards.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	46 Trees	59 Trees
Buffer:			
• Town Center Parkway Standards (Min. Trees in Amenity Zone)	1 Tree/35 Linear Feet (600 Feet)	17 Trees	Not provided
• Town Center Arterial Standards (Min. Trees in Amenity Zone) –	1 Tree/35 Linear Feet (280 Feet)	8 Trees	Not provided
• Min. Trees – Rear and Side Yard	1 Tree per 20 Linear Feet, plus one (adjacent to proposed residential)	30 Trees	None - combined with parking area trees
• Min. Amenity Zone Width (Parkway)	5 Feet		Varies
• Min. Amenity Zone Width (Collector)	3 Feet		Varies
• Min. Zone Width – Rear and Side Yard	8 Feet		Parking lot landscaping
Open Space	20%		28%

The landscape plan does not indicate the required landscaping of amenity zones and medians per Town Center Development Standards, nor the perimeter landscaping requirements to the west edge of the site. A condition of approval will address this issue.

A5) Sign Standards

Pursuant to the Town Center Development Standards signs in the Urban Center Mixed-Use - Town Center district (UC-TC) shall be determined within the context of a Development Agreement with the City including, but not limited to, the submittal of a master sign plan and approval by the Centennial Hills Town Center Architectural Review Committee.

B) General Analysis and Discussion

• Zoning

The current zoning of the property is T-C (Town Center), with a UC-TC (Urban Center Mixed Use - Town Center) land use designation within the Centennial Hills Town Center Plan and a TC (Town Center) General Plan land use designation. The current zoning conforms to both the General Plan and the special plan land use designations for this site.

- Site Plan

The proposal depicts a 3.97-acre retail, restaurant and office development at the southwest corner of Elkhorn Road and Durango Drive. The current proposal contains slightly over 40,000 square feet of space, and will replace site plan approval (SDR-3657) for about 12,000 square feet of commercial space on the southern half of the site. The site plan as proposed conforms to the requirements of the UC-TC (Urban Center Mixed Use – Town Center) District, with the exception of the two-story building height and 70 percent clear glazing requirements, which are discussed below in the Waivers section of this report.

- Waivers

Two waivers are requested for approval in conjunction with this Site Development Plan Review:

- Waiver of Subsection A.3.C of the Town Center Development Standards to allow single-story buildings in the UC-TC (Urban Center Mixed Use - Town Center) District. This waiver request is appropriate, as the two proposed single-story structures are taller than most single-story buildings and contain architectural elements characteristic of two-story structures.*
- Waiver of Subsection D.1.B of the Town Center Development Standards to allow less than the 70 percent minimum clear glazing requirement at ground floor level on walls facing primary pedestrian routes. The waiver applies primarily to the proposed restaurant/bar, which is a type of business in which outside light is not preferred. The rest of the facades along Durango Drive provide clear glazing, and at least 70 percent of all walls along Durango Drive and Elkhorn Road will consist of glazing of any kind. For these reasons, the waiver request is acceptable.*

- Landscape Plan

The site meets Code requirements with respect to parking lot landscaping, providing finger islands and the requisite number of trees and shrubs within the planters. Perimeter landscaping is not provided along Durango Drive and Elkhorn Road, and the landscaping along the west property line has been calculated for the parking lot landscaping requirement; also, the south edge of the site will remain open so that proposed commercial development adjacent to the site to the south can have an integrated shared drive aisle.

The proposed commercial/office development on this site will contain outdoor patios and walkways that connect the buildings. Landscaping will have to be provided along the east, west and north property lines in planting areas. The Department of Public Works will require the submittal of an Encroachment Agreement prior to occupancy of the site to address access into public right-of-way areas for maintenance by the owners of this site. The parking lot and perimeter landscaping, along with the walkways and outdoor patios, satisfy the 20 percent open space requirement in Title 19.06.110.E

- Elevation

The elevations depict two of the five structures as two-story buildings, with a third designed to simulate the look of a two-story buildings, although single-story. These buildings are compatible with scale of development planned for this area of Town Center. A waiver to this requirement has been requested for the other buildings on the site. Visual interest is promoted by variation in rooflines and roof types, as well as in cladding, architectural details and façade materials.

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 retail, restaurant and office development is compatible with the surrounding development pattern, which includes commercial and offices to the south and east, future residential uses to the west and public facility uses to the north.

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

The proposed development is consistent with the provisions of the UC-TC (Urban Center Mixed-Use - Town Center) designation and other requirements of the Town Center Development Standards Manual and Title 19, with the exception of the two-story height requirement, the 70 percent clear glazing requirement at ground level, and the provision of the required perimeter landscaping. The applicant has requested waivers of the Town Center Development Standards for the first two items, which are acceptable in the context of the design of this portion of the overall site; the third will be addressed through a revised site plan per conditions of approval.

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

Direct access to this site will be available from Durango Drive, classified as a 120-foot Town Center Parkway Arterial street, and from Elkhorn Road, a 100-foot Primary Arterial street. These adjacent streets will be sufficient to meet the demands of the proposed uses. Circulation through the site and access to adjacent properties is adequate.

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

Exterior materials proposed for this development are appropriate and welcome in the Town Center area. Landscape materials are also 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 elevations depict three structures that are two-story buildings, and a third that replicates the exterior look of a two-story building although single-story. These buildings are compatible with scale of development planned for this area of Town Center; the remaining buildings on site are one-story structures. Visual interest is promoted by variation in rooflines and roof types. The buildings have been located within 0 to 15 feet of the property lines along Elkhorn Road and Durango Drive, which meets the requirements of the Design Standards Manual, which encourages buildings to be located close to the exterior property lines.

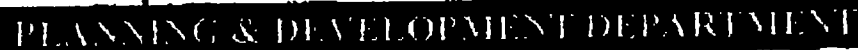
6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

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.

NOTICES MAILED 45

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: RANDY BLACK SR.

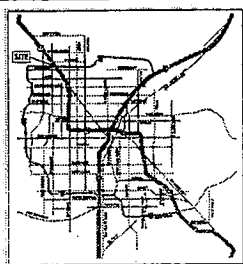
No

APN: _____

Print Name: ROBERT A. BHELE JR.

Aunde Byrnes
Notary Public in and for said County and State





DEVELOPMENT SUMMARY

LAND AREA	ACRES	POURTY
155,871 S.F.	3.47	12.5%

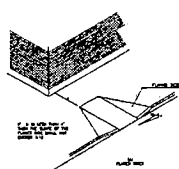
FUNCTION	S.F.	PARKING RATIO	CARS
A. 1st FL. RETAIL	13,370	1.7/1,000	227
B. 2nd FL. OFFICE	9,937	1.7/1,000	169
C. REST./BAR	5,000	1.7/1,000	85
D. RESTAURANT	4,400	1.7/1,000	75
E. OFFICE	2,400	1.7/1,000	41
F. BANK	3,300	1.7/1,000	56
G. TOTAL	40,407	-	694

PARKING TYPE SUMMARY	TYP.	COMMENTS
REGULAR	227	8' x 18'
COMPACT	78	8' x 17' (SIDE WALK ALLOWED)
HANDICAP	16	9' x 18'
TOTAL	321	

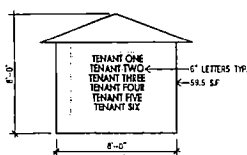
NOTE: A USED FOR PARKING STANDARDS

VICINITY MAP

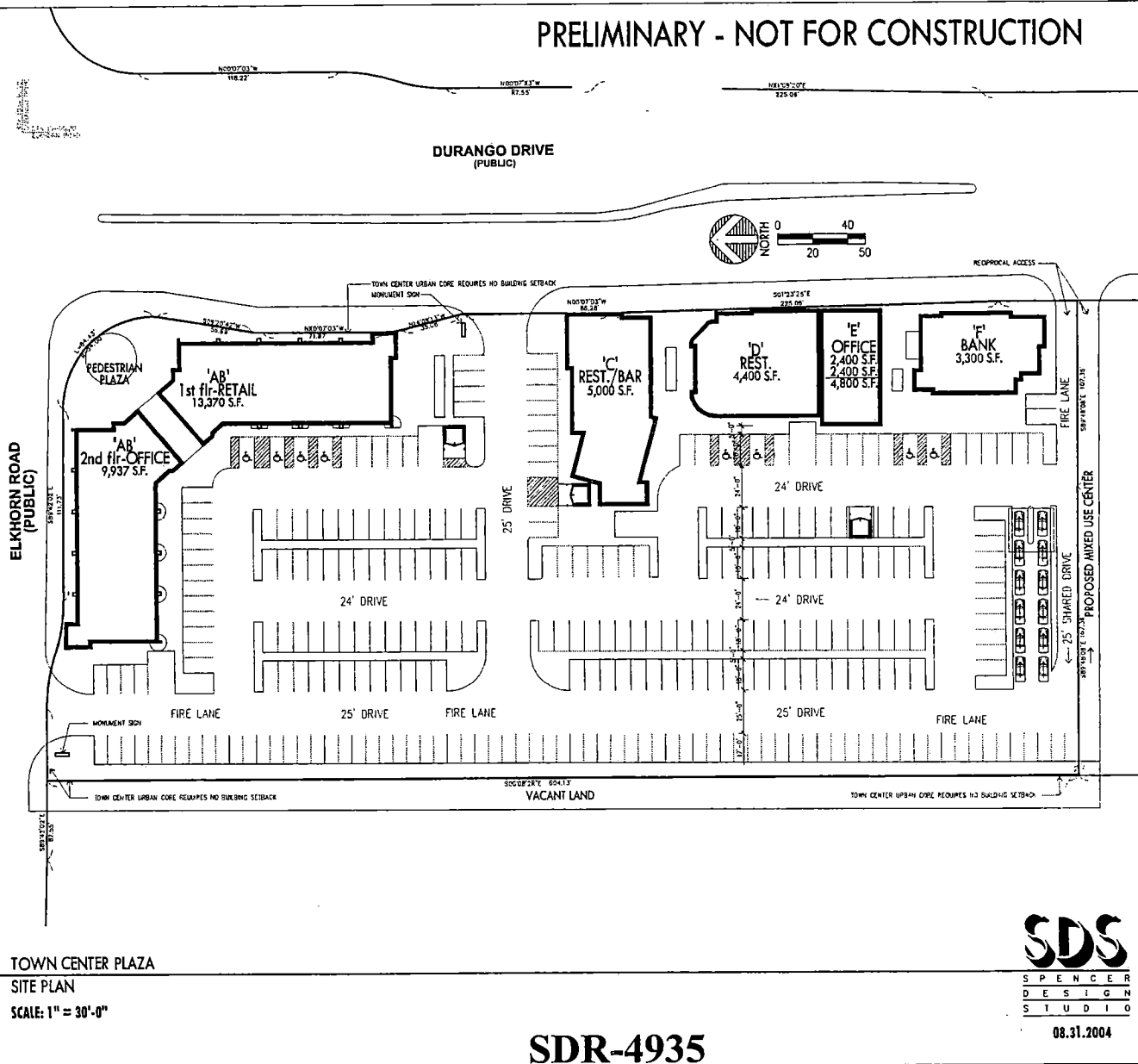
DEVELOPMENT SUMMARY



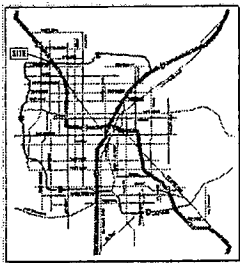
ADA ACCESSIBILITY REQUIREMENTS



TYPICAL MONUMENT SIGN
SCALE: 1/4" = 1'-0"



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REVISED 08-31-04



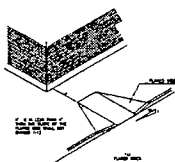
VICINITY MAP

DEVELOPMENT SUMMARY

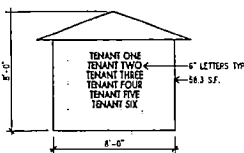
FUNCTION	SF.	PARKING RATIO	CARS
A. RETAIL	11,128	1.7/100	19
B. OFFICE	2,237	1.7/100	38
C. RESTAURANT	2,000	1.7/100	34
D. MEDICAL OFFICE	2,000	1.7/100	34
E. TWO FL. OFFICE	400	1.7/100	7
F. BANK	1,300	1.7/100	22
TOTAL	18,065		270

PARKING TYPE	SUMMARY	TYPE	COMMENTS
REGULAR	220	8' x 18'	
COMPACT	19	6' x 12' (MAX. ALLOWED)	
HANDICAP	8	8' x 18'	
TOTAL	247		

DEVELOPMENT SUMMARY



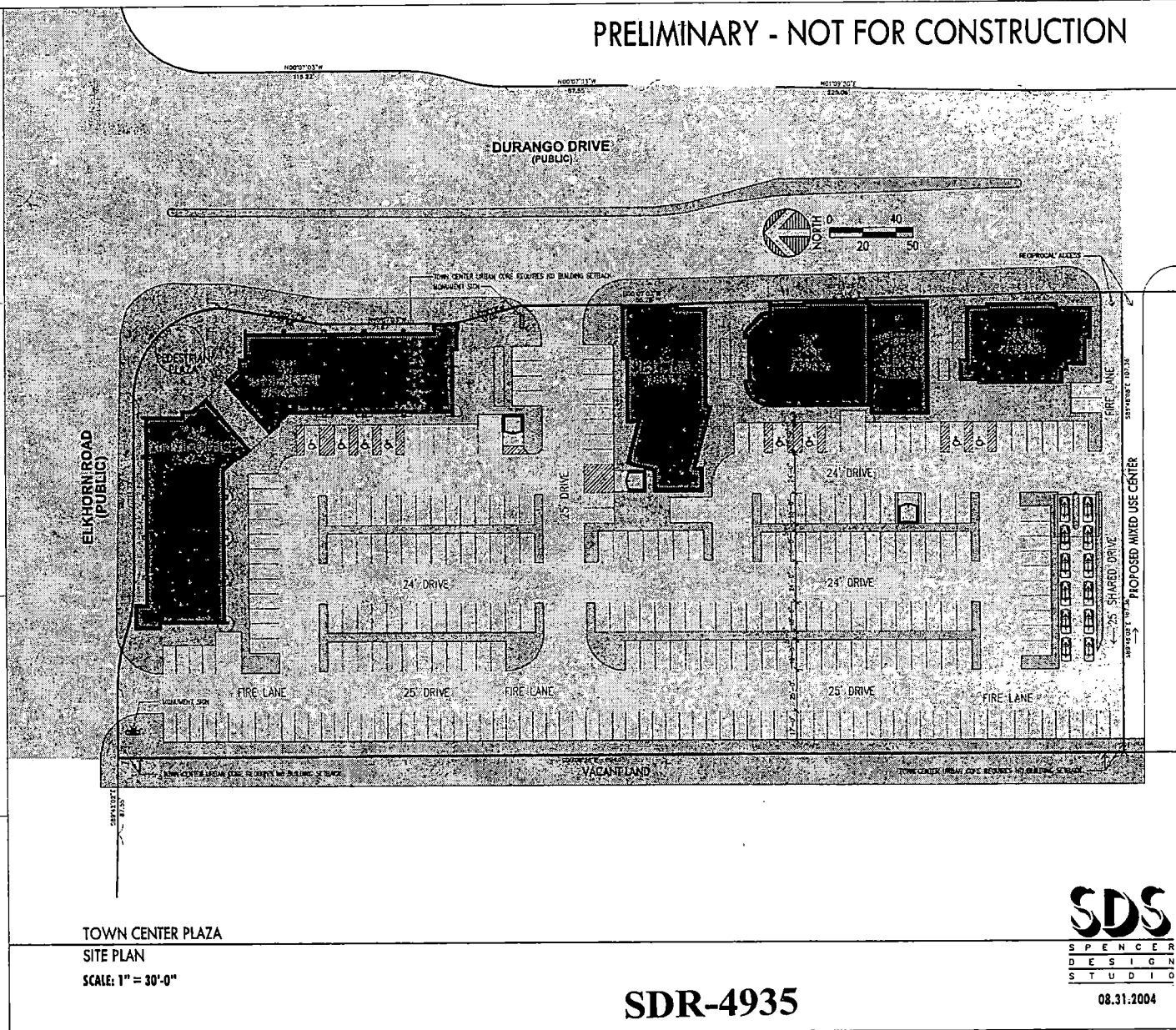
ADA ACCESSIBILITY REQUIREMENTS



TYPICAL MONUMENT SIGN
SCALE: 1/4" = 1'-0"

TOWN CENTER PLAZA
SITE PLAN
SCALE: 1" = 30'-0"

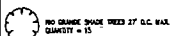
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09-09-04 PC
REVISED 08-31-04



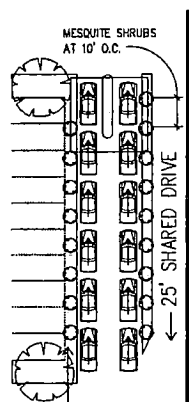
LANDSCAPE REQUIREMENTS
TOTAL UNCOVERED PARKING SPACES = X
TOTAL NUMBER OF ISLANDS AT END OF PARKING ROWS = Y
TOTAL MIN. # OF TREES REQ'D = (X/8) + (Y/2)
TOTAL MIN. # OF TREES REQ'D = (233/8) + (8/2)
TOTAL MIN. # OF TREES REQ'D = 30



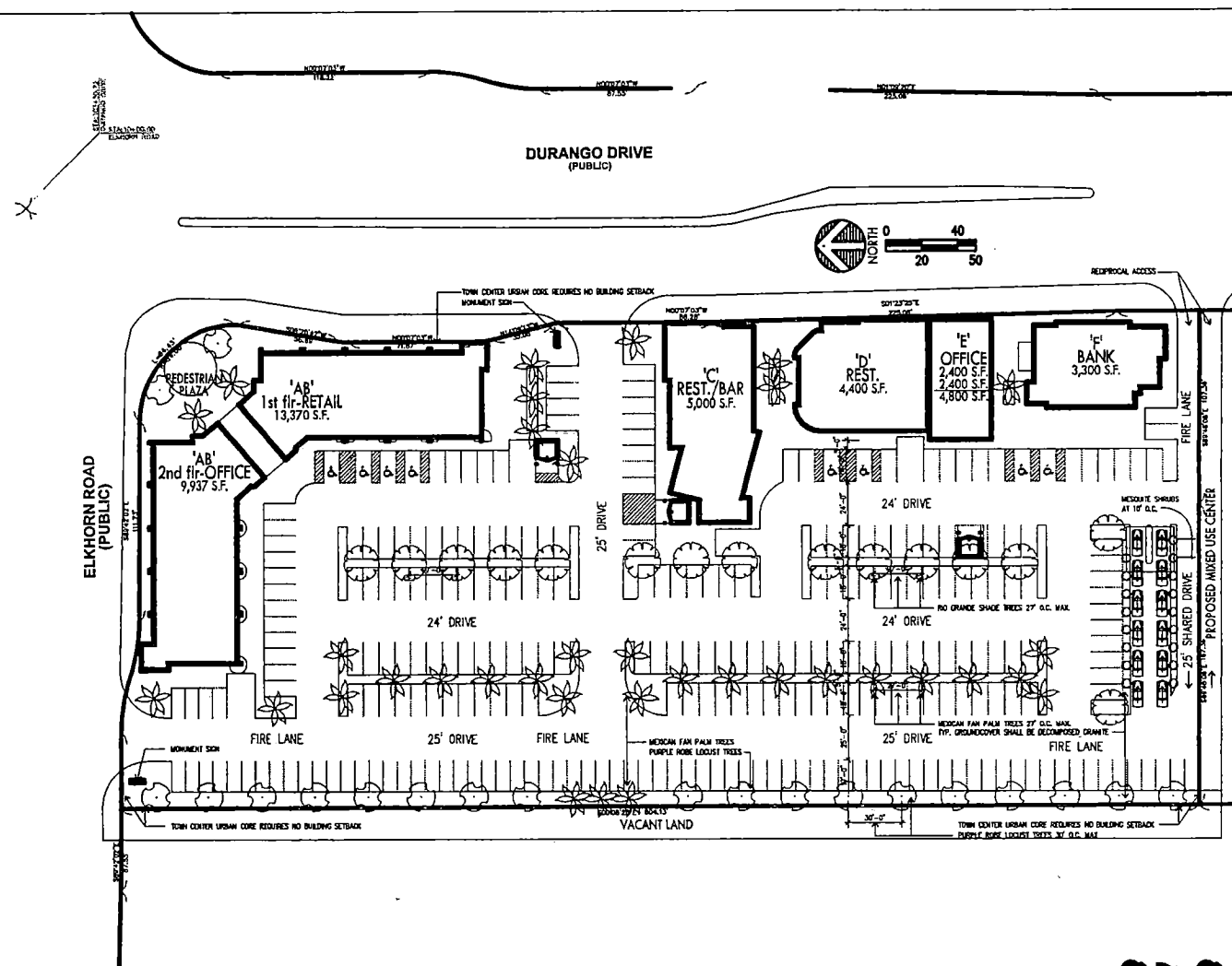
LANDSCAPE REQUIREMENTS



OPEN SPACE



ENLARGED SITE PLAN
BANK DRIVE THRU
SCALE: 1" = 20'-0"

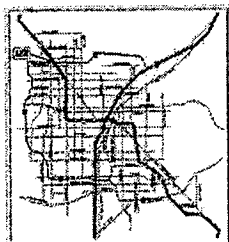


TOWN CENTER PLAZA
LANDSCAPE PLAN
SCALE: 1" = 30'-0"

SDS
SPENCE
DESIGN
STUDIO

08.31.2004

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REVISED 08-31-04

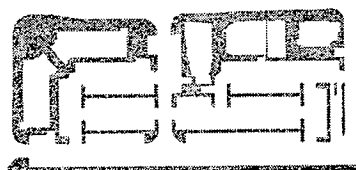


VICINITY MAP

LANDSCAPE REQUIREMENTS
TOTAL UNIMPAVED PARKING SPACES = 3
TOTAL NUMBER OF ISLANDS AT END OF PARKING ROWS = 7
TOTAL MIN. # OF TREES NEEDED = $(15/10) + (1/2)$
TOTAL MIN. # OF TREES NEEDED = 30

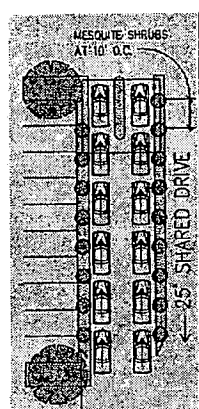
- NO ORANGE SHADE TREES 27' O.C. MAX.
QUANTITY = 13
- PURPLE HONE LOCUST TREES 27' O.C. MAX.
QUANTITY = 20
- MEXICAN FAN PALM TREES 27' O.C. MAX.
QUANTITY = 20
- MIMOSA 17' O.C. MAX.
QUANTITY = 20

LANDSCAPE REQUIREMENTS

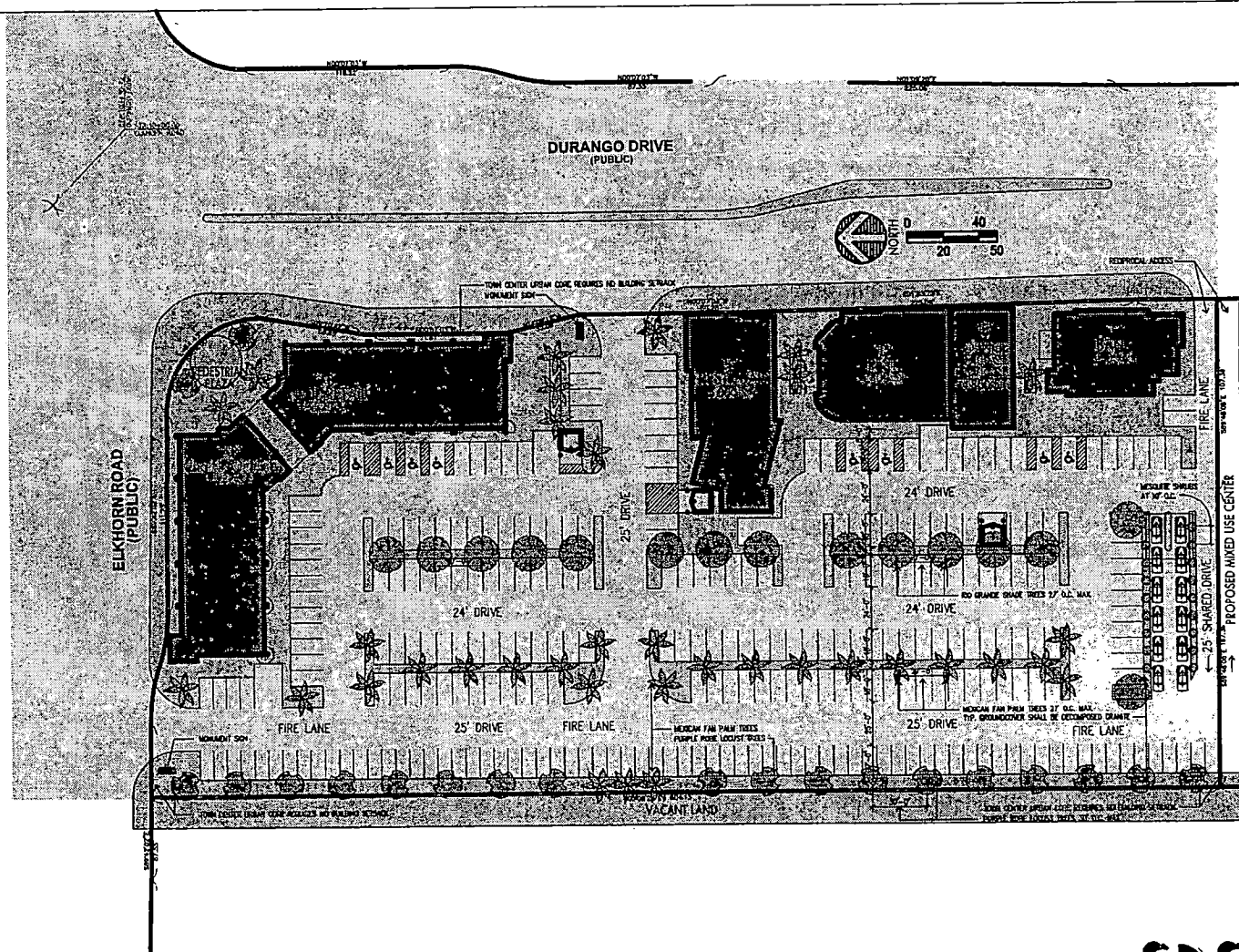


44,466 S.F. OPEN SPACE = 28% OPEN

OPEN SPACE



ENLARGED SITE PLAN
BANK DRIVE THRU
SCALE: 1" = 20'-0"



TOWN CENTER PLAZA
LANDSCAPE PLAN
SCALE: 1" = 30'-0"

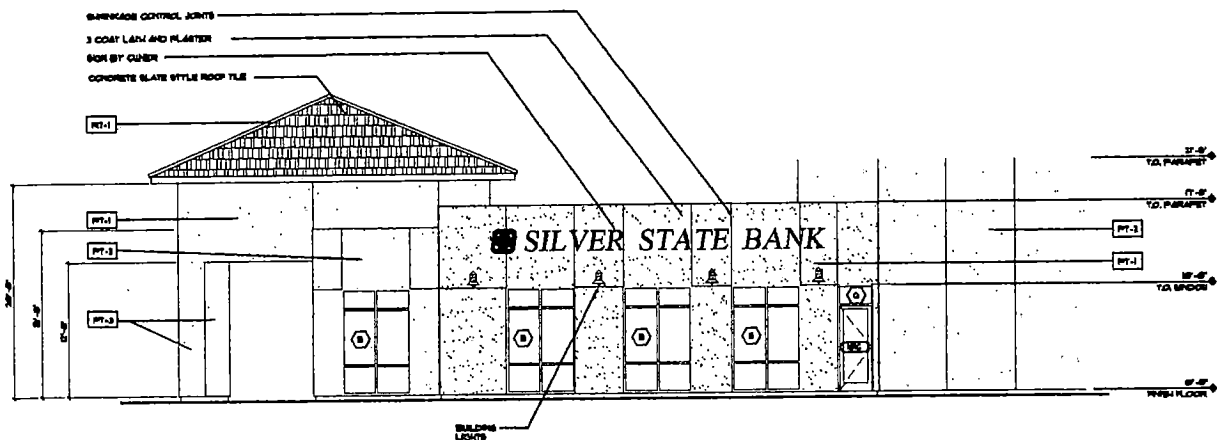
SDS
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DESIGN
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08.31.2004

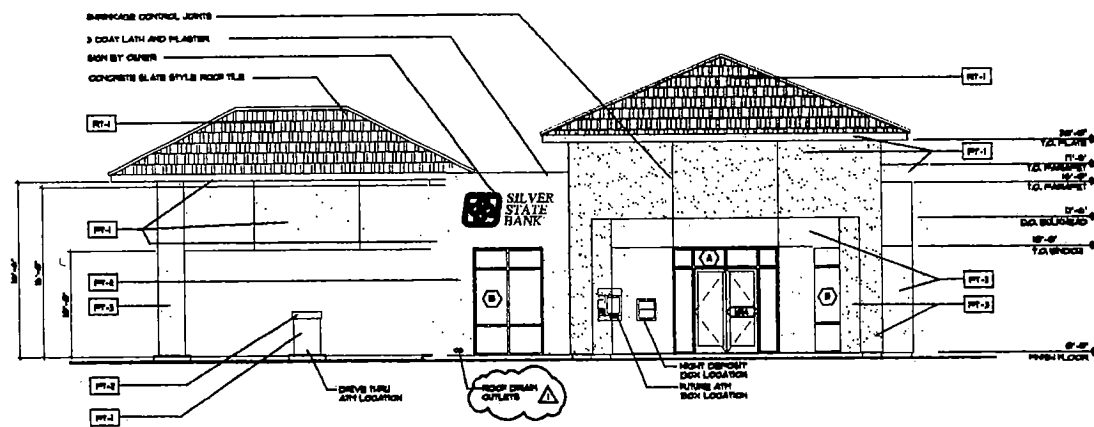
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WEST ELEVATION



NORTH ELEVATION

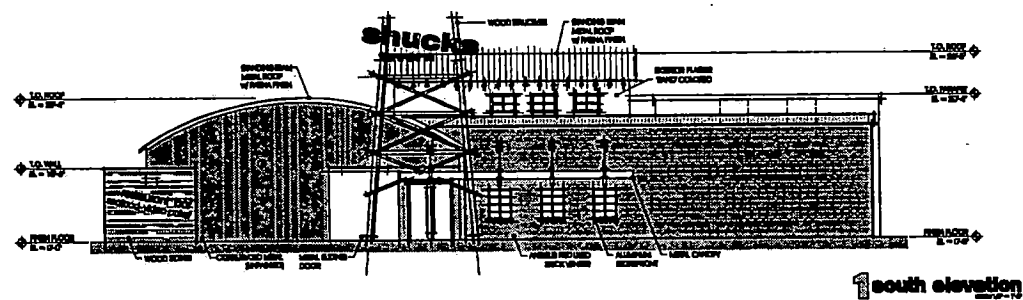
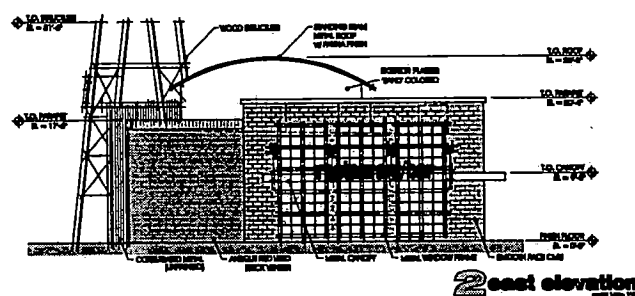
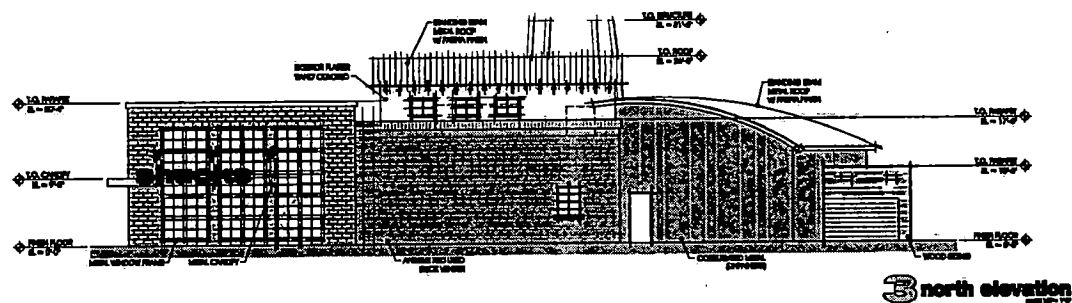
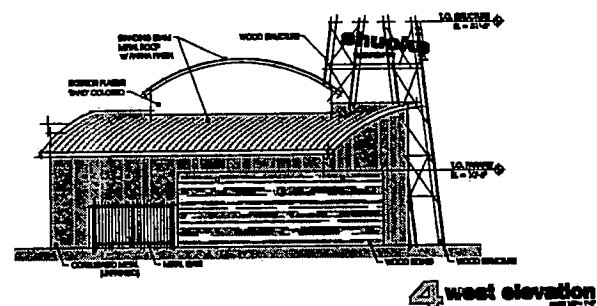
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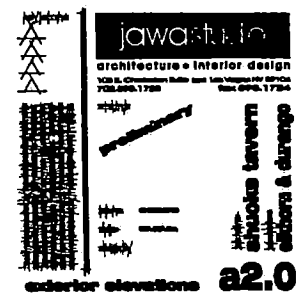
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ADVERTISING GERARD GARDINCHI • AIA • IAC 110 COMMERCIAL CENTER BOULEVARD SUITE 2000, METROVA 88010 (703) 441-1819 FAX (703) 441-7949 LAR VENTURA, NEVADA	SILVER STATE BANK (please enter #)	BUILDING ELEVATIONS (enter title)	email date . drawn by . checked by . proposed no. . revisions . final no.	A6.02

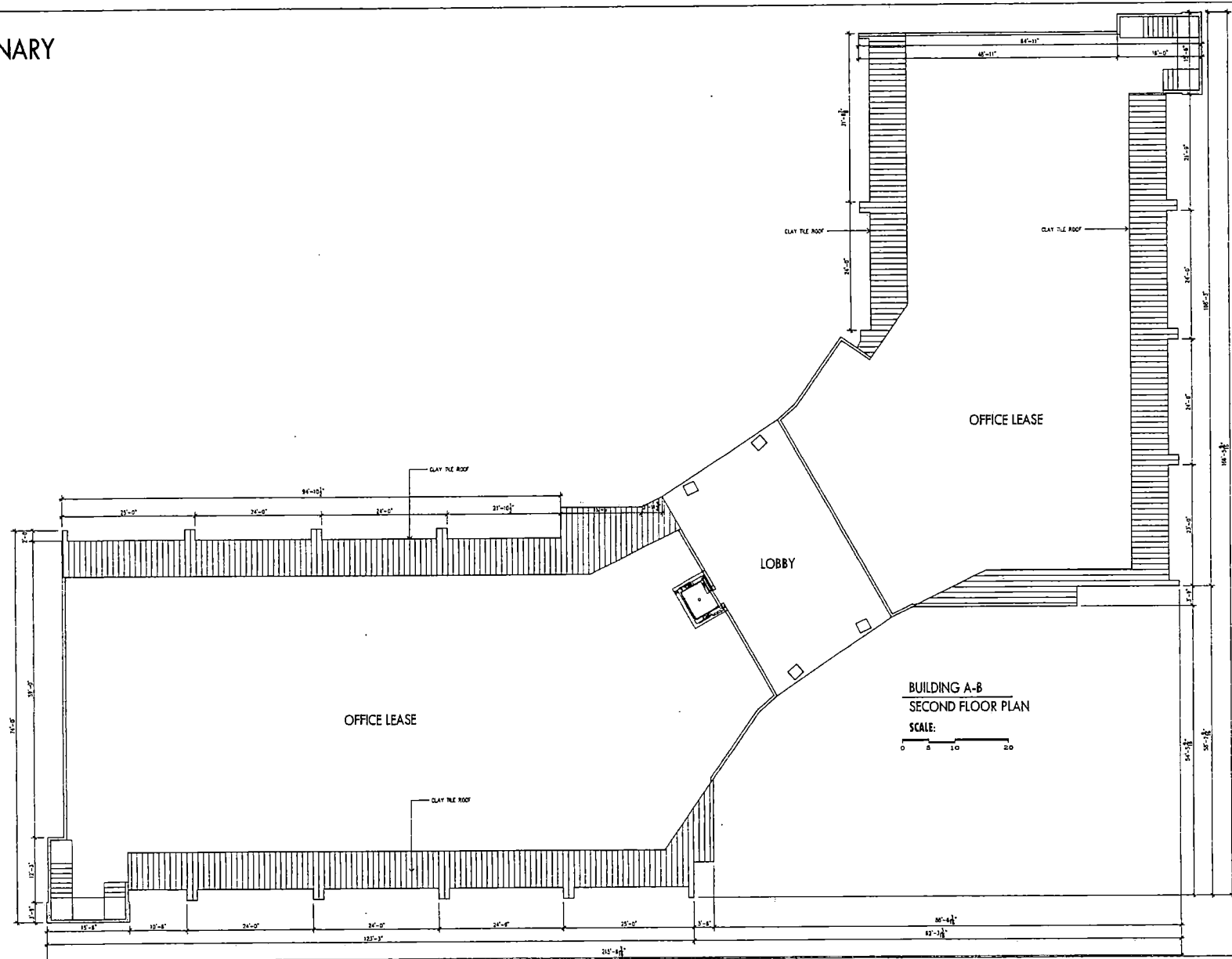
SDR-4935
09-09-04 PC



SDR-4935
09-09-04 PC



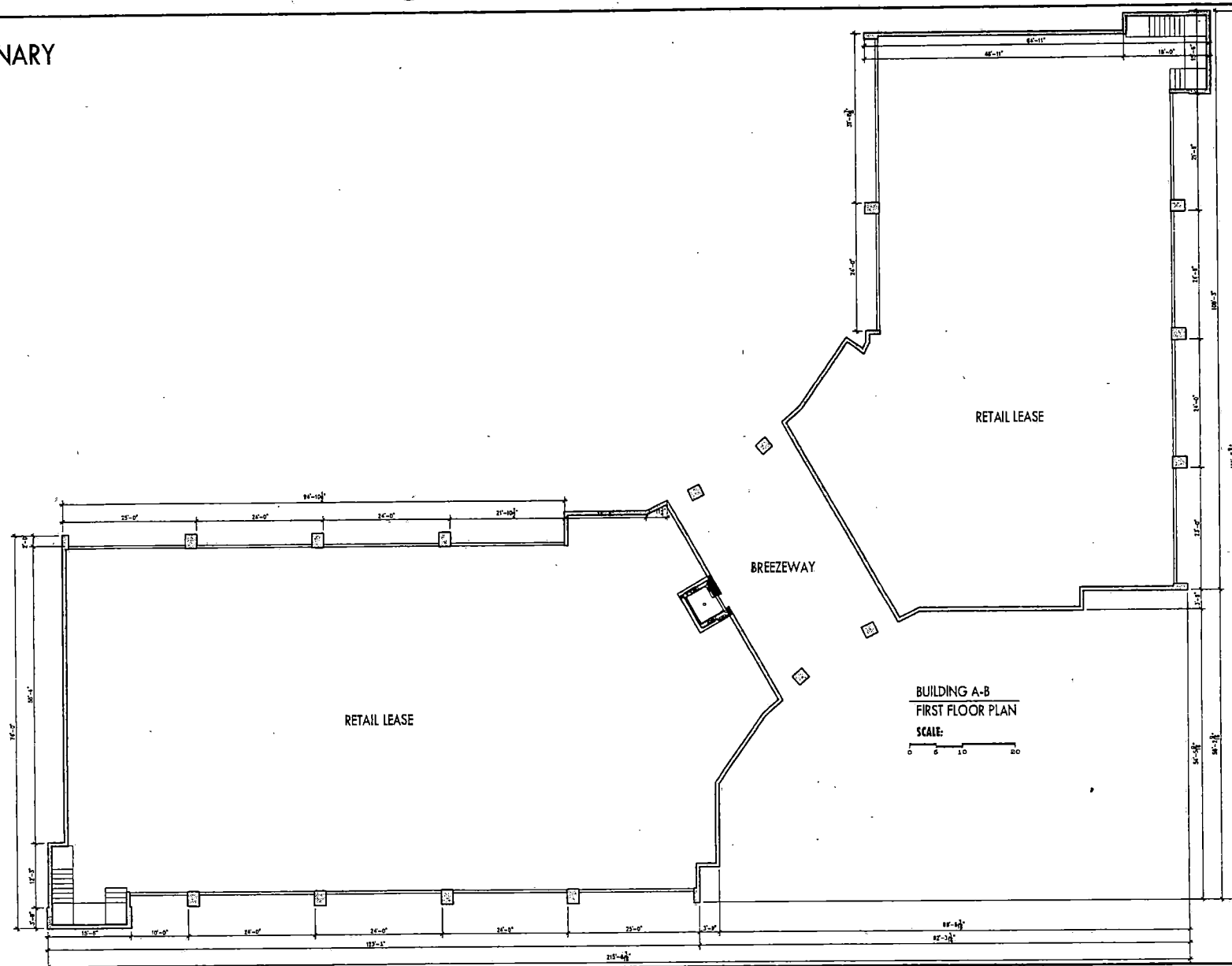
PRELIMINARY



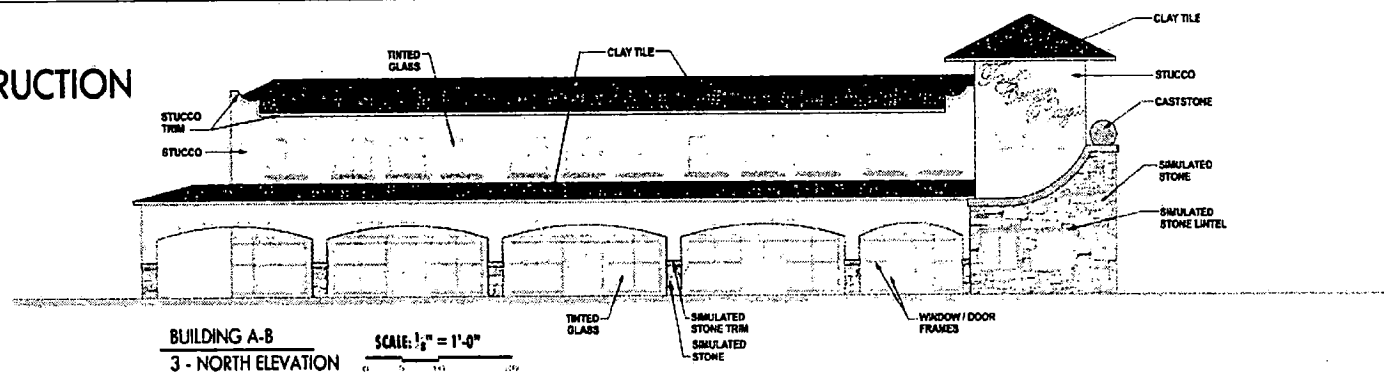
JGS
J. GORDON
SPENCER
ARCHITECT
08.02.2004

SDR-4935
09-09-04 PC

PRELIMINARY



**PRELIMINARY
NOT FOR CONSTRUCTION**



STUCCO - MAIN COLOR
STO # 10511 PACIFIC SAND
FINE TEXTURE

CLAY ROOF TILE
REDLAND COLORS
TERRA COTTA, CAFE ANTIGUA, ADOBE BROWN

SIMULATED STONE
CULTURED STONE - PATTERN
AUSTIN COBBLEFIELD (CSV-2035)

SIMULATED STONE TRIM / CASTSTONE
CONTINENTAL CASTSTONE
COLORS - 1102, 1103, 1104

STUCCO - TRIM COLOR
STO # 10612 AUTUMN WHEAT
FINE TEXTURE

WINDOW / DOOR TINTED GLASS
OLD CASTLE COLOR
1/4" VISTEON VERSALUX BLUE

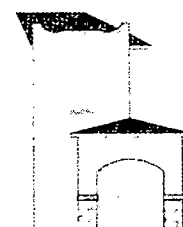
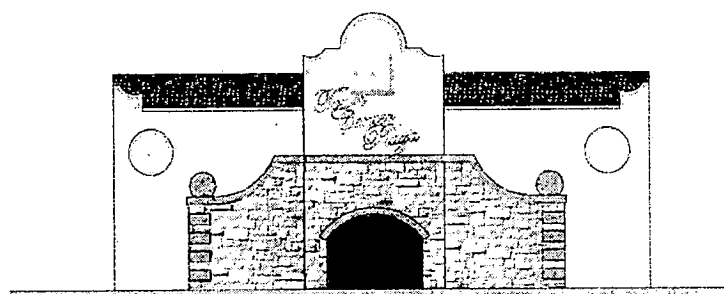
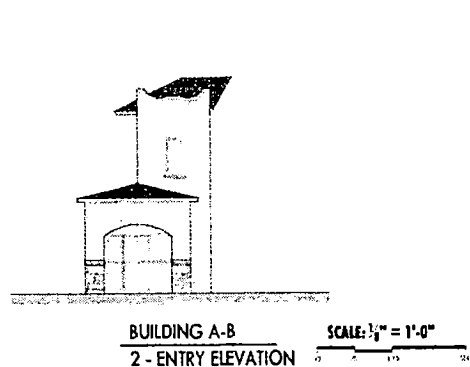
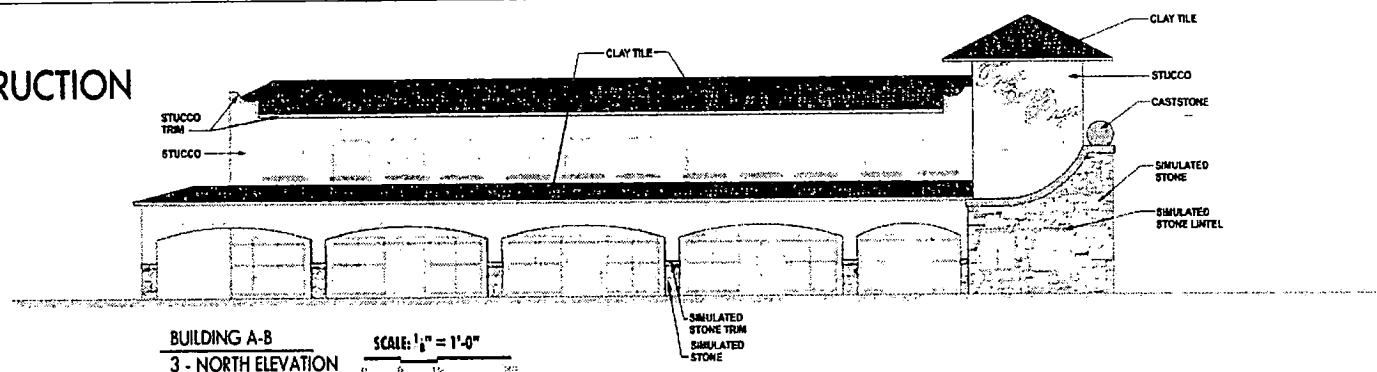
WINDOW / DOOR FRAMES
KAWNEER PERMANODIC ANODIZED FINISH
14 AND # 17 CLEAR ANODIZED

TOWN CENTER PLAZA - AB BUILDING

SDS
SPENCE
DESIGN
STUDIO
09.01.2004

**SDR-4935
09-09-04 PC**

PRELIMINARY
NOT FOR CONSTRUCTION



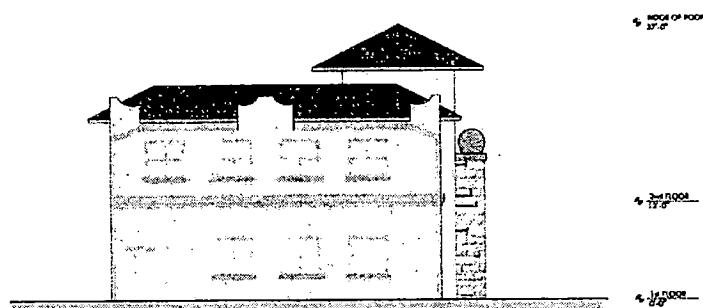
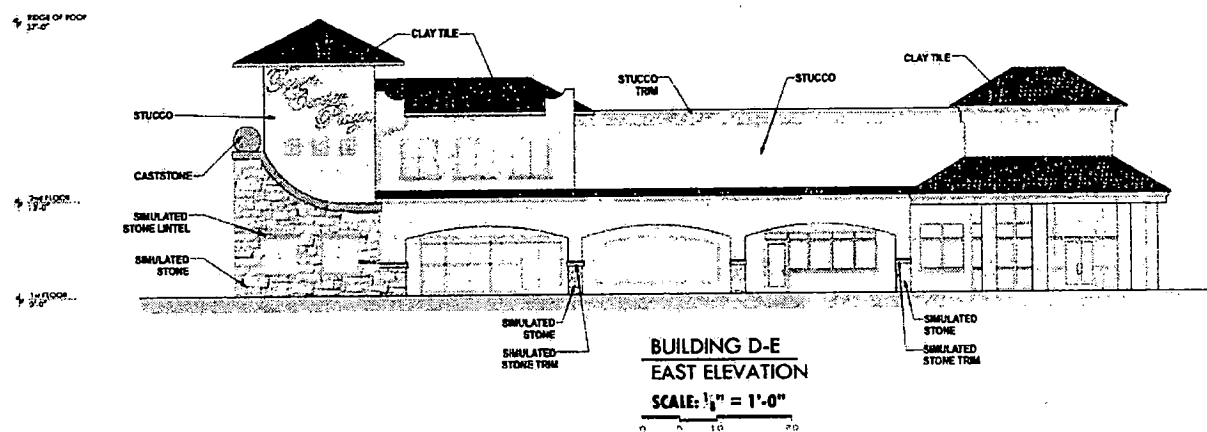
TOWN CENTER PLAZA - AB BUILDING
AB201 - ELEVATIONS

BUILDING A-B
1 - EAST ELEVATION

SDS
SPENCER
DESIGN
ARCHITECTS
09.01.2004

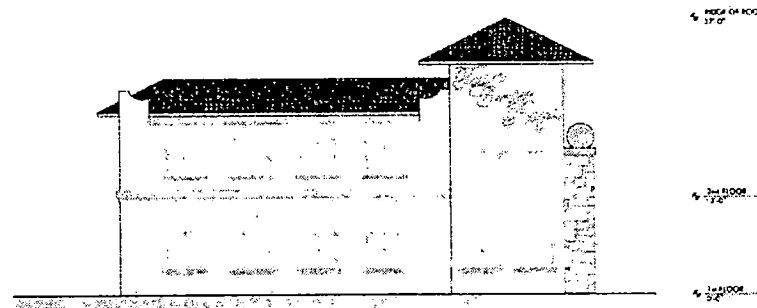
SDR-4935
09-09-04 PC

PRELIMINARY
NOT FOR CONSTRUCTION



BUILDING E
WEST ELEVATION
SCALE: $\frac{1}{8}" = 1'-0"$

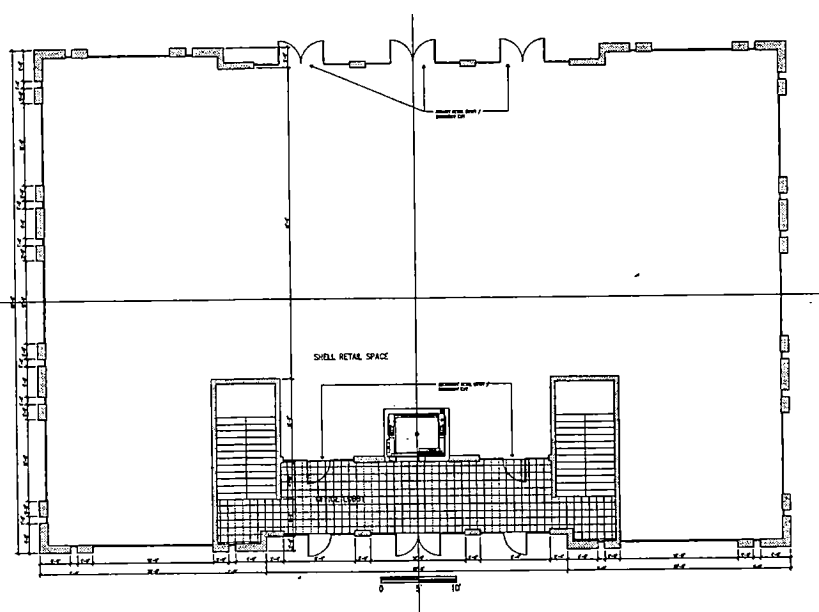
TOWN CENTER PLAZA



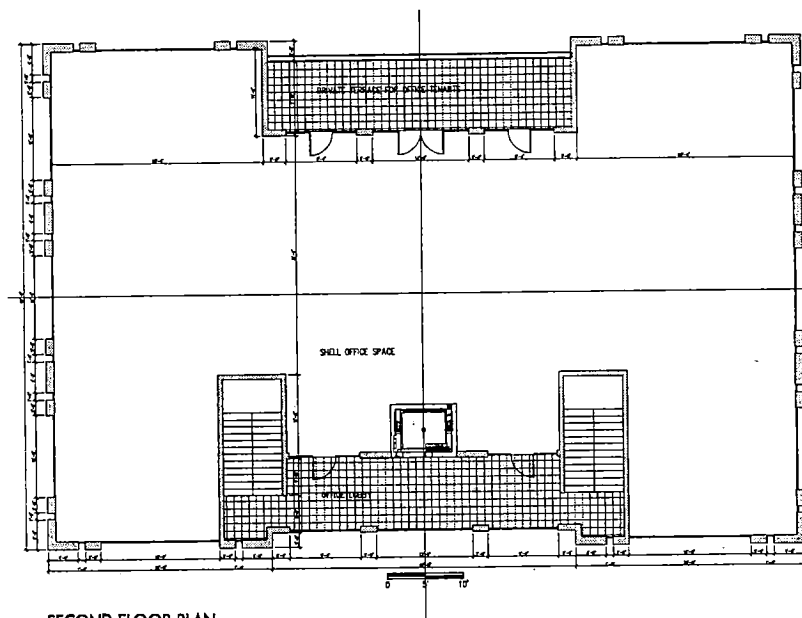
BUILDING E
SOUTH ELEVATION
SCALE: $\frac{1}{8}" = 1'-0"$

SDS
SPENCER
DESIGN
STUDIO
09.01.2004

SDR-4935
09-09-04 PC



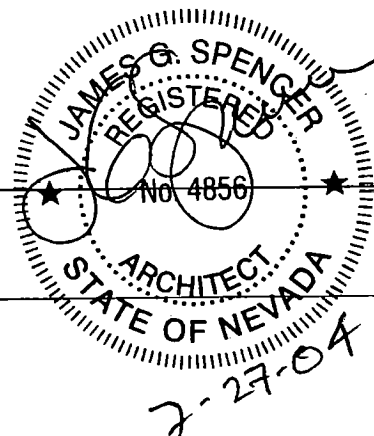
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



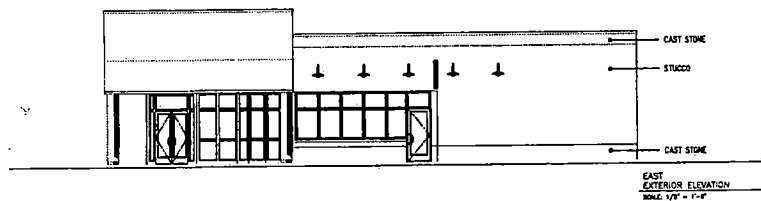
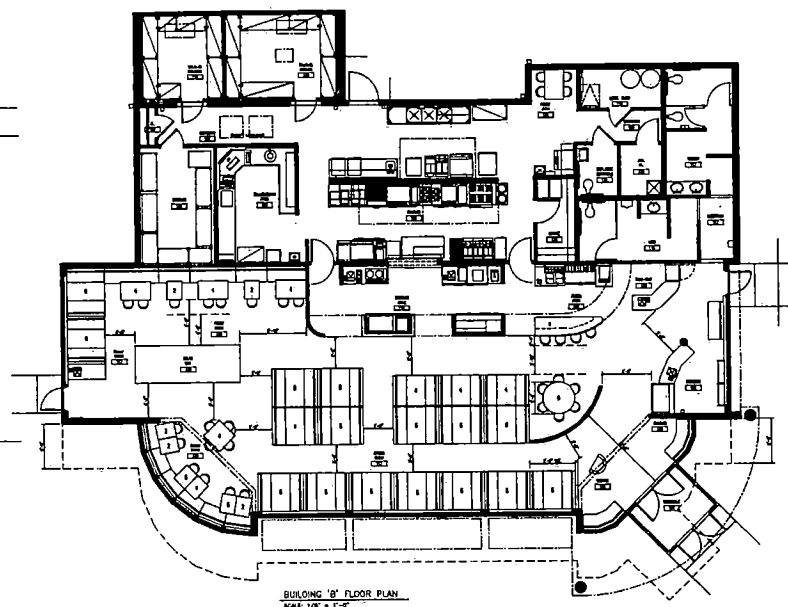
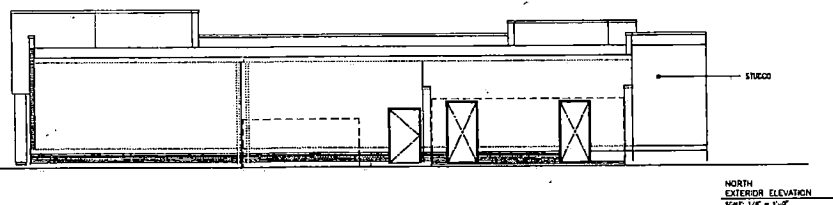
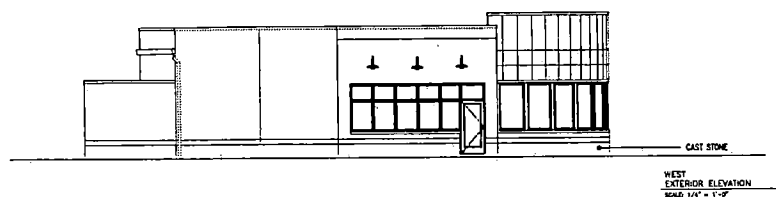
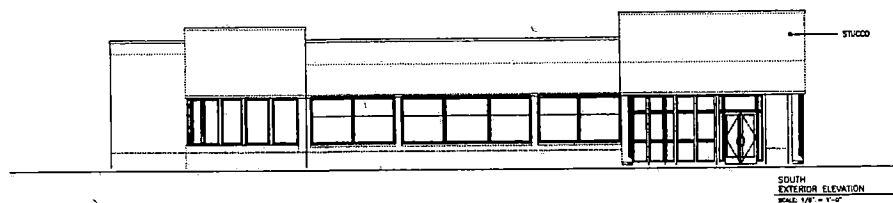
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

TOWN CENTER PLAZA
BUILDINGS 'A' AND 'E'

SDR-4935
09-09-04 PC



JGS
J. GORDON
SPENCER
ARCHITECT
07.27.2004

[illegible]

The attached drawing is for the sole and limited purpose of reference. It is released for your convenience. These are not final construction documents. The set of construction documents is issued by the architect, and the set of construction documents, approved by the building department, and revised as requested are the most current documents. The drawings may have been the hard copy drawings that do not appear in the electronic drawing files. Also, further changes may have been made to the drawings that are not in the electronic files or on the most recent hard copy set. The use of the drawing by any other contractor, architect, engineer, or other party without the written consent of the architect is prohibited. The use of the drawing is without warranty from all claims, damages, and expenses associated with the use of the drawing. The use of the attached drawing is a consent to the foregoing.

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United Release of Computer Generated Information

This computer-aided design & drafting (CADD) data and accompanying written materials (including instructions for use) are provided "as is" without warranty of any kind. Further, Curious Architecture, Inc. (CAI) does not warrant, guarantee, or make any representation regarding the use, or the results of use, of the CADD data or written materials in terms of correctness, accuracy, reliability, or otherwise. The entire risk as to the results and performance of the CADD data is assumed by you. If the CADD data or written materials are defective you, and not CAI or its employees, assume the cost of all necessary servicing, repair, or correction.

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Neither CAI nor anyone else who has been involved in the creation, production or delivery of this CAID data shall be liable for any direct,

indirect, consequential or incidental damages including damages for loss of business profits, business interruption, loss of business information, and the like arising out of the use or inability to use such CALS data even if CAL has been advised of the possibility of such damages.

ACKNOWLEDGMENT

By using this CARS data you acknowledge that you have read this United

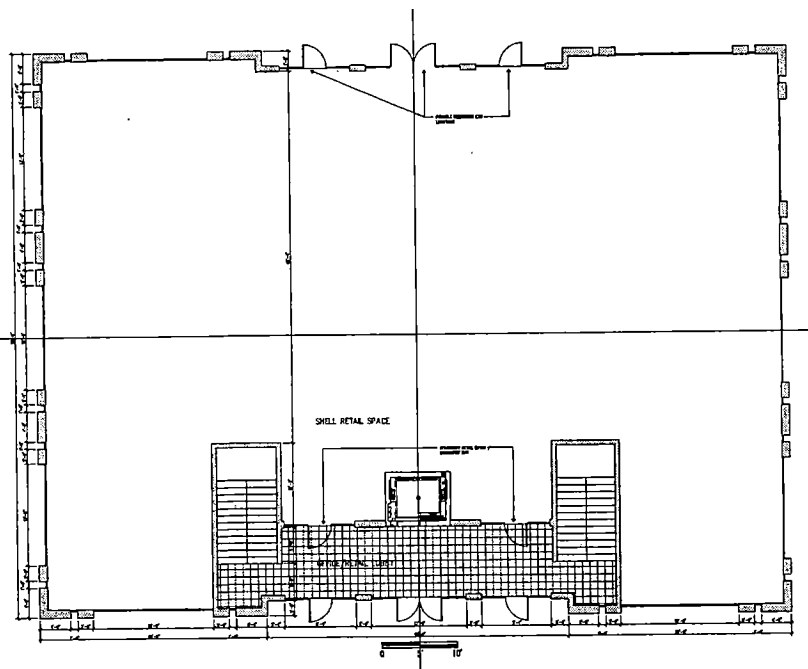
currently, understand it, and agree to be bound by its terms and conditions, you also agree that the limited warranty is the complete and

exclusive statement of agreement between the parties and supersede all proposals or prior agreements, oral or written, and any other communications between the parties relating to the subject matter of the

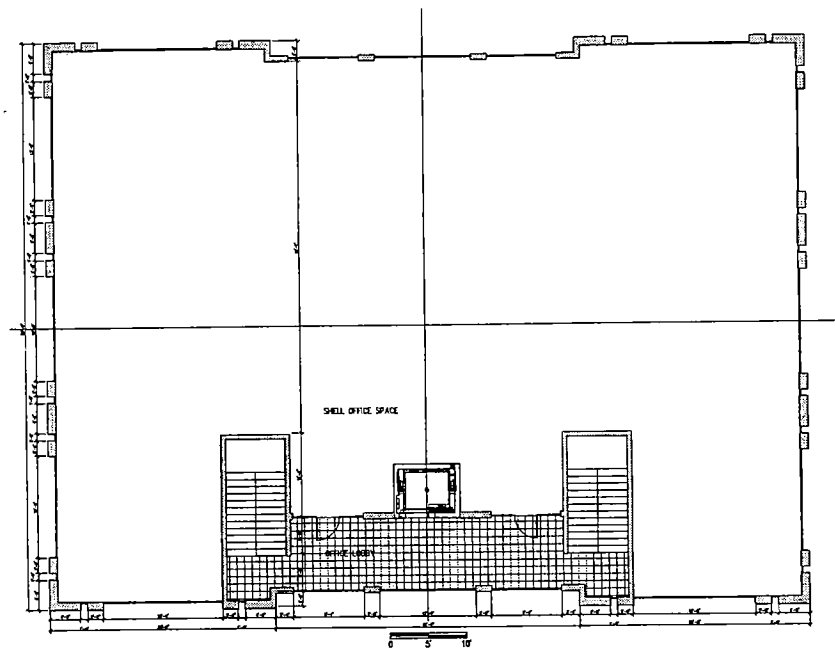
United warranty. The United release is not a waiver of the copyright or ownership rights of the design/information which is represented by the CAM data.

SDR-4935
09-09-04 PC

TOWN CENTER PLAZA
BUILDING 'B' SCHEMATICS



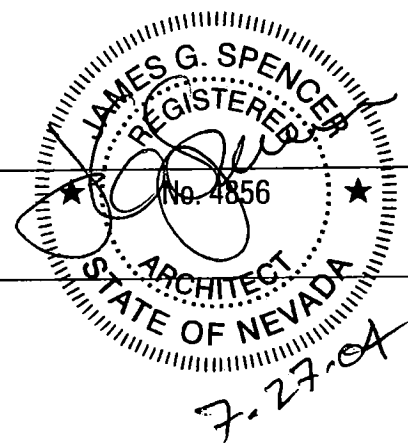
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



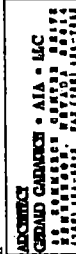
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

TOWN CENTER PLAZA
BUILDING 'C'

SDR-4935
09-09-04 PC



JGS
J. GORDON
SPENCER
ARCHITECT
07.27.2004



SILVER STATE BANK

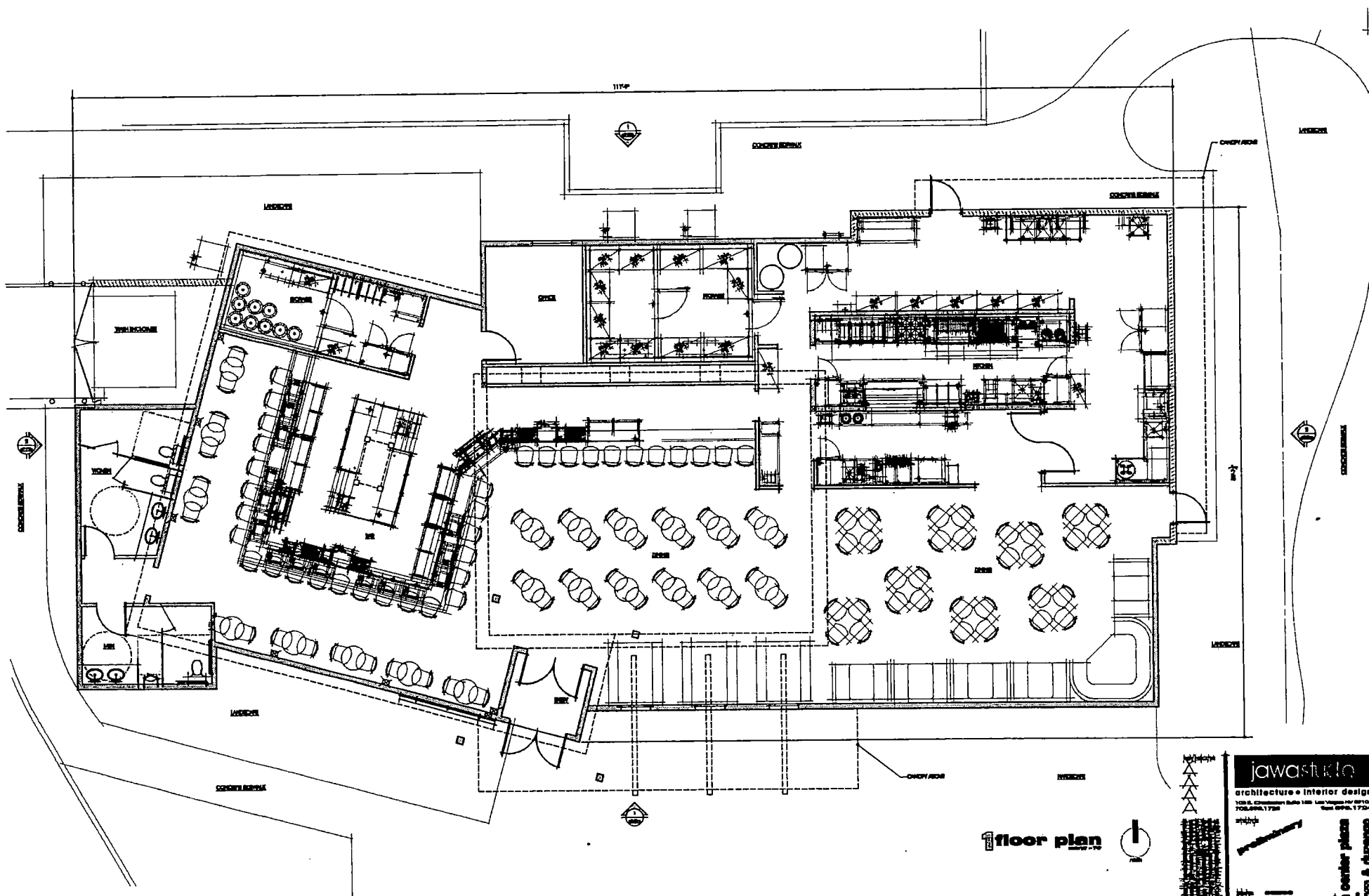
• RECOMMENDATIONS

FLOOR PLAN

Date: _____
 drawn by: _____
 checked by: _____
 protocol no.: _____

A1.01

10



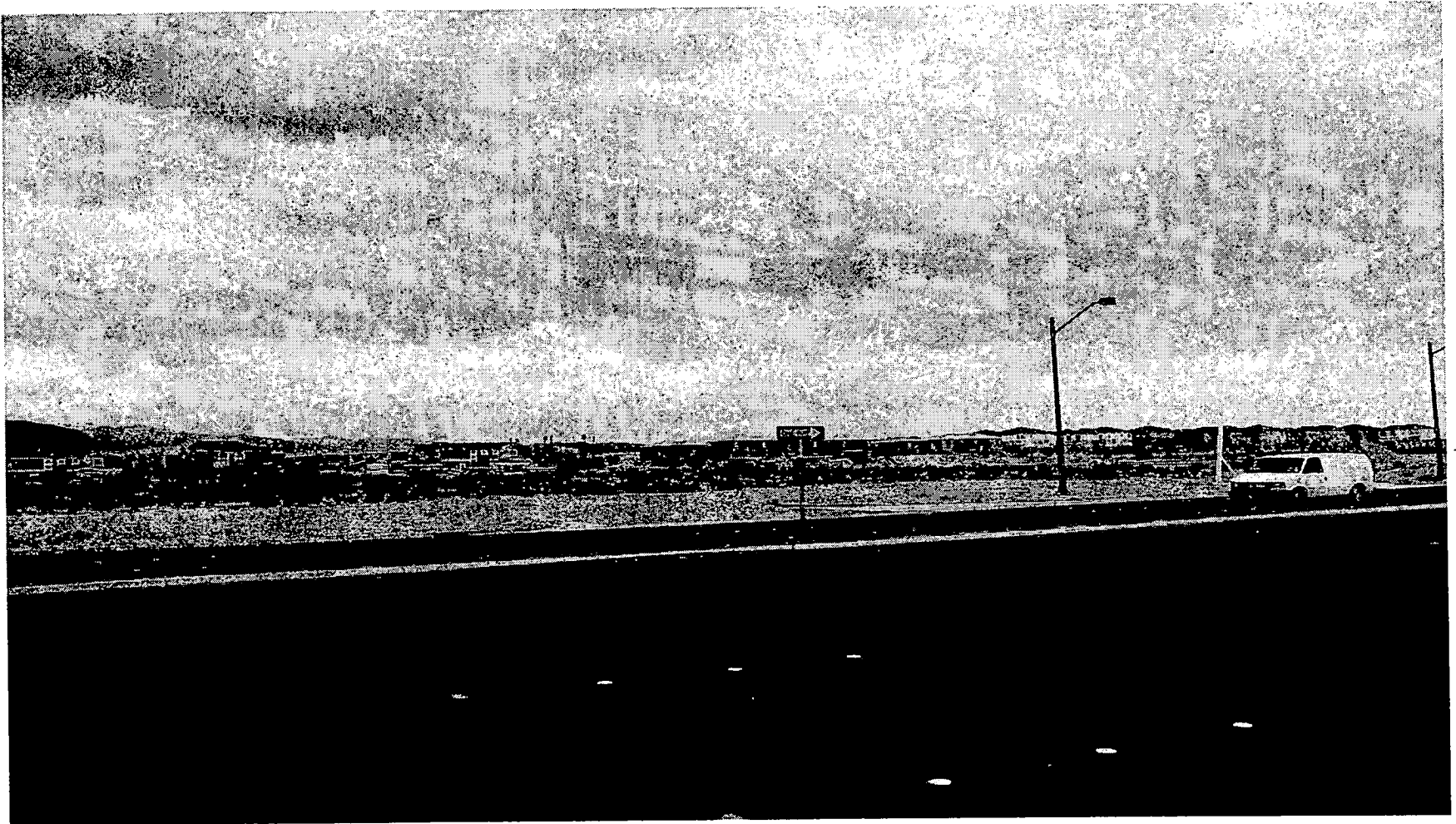
1 floor plan

SDR-4935
09-09-04 PC

jawastukto
architecture • interior design
1000 S. Commercial Suite 1000 Los Angeles, CA 90015
703.460.1178 Fax: 703.460.1178

floor plan a1.0

town center plaza
stairs & elevator



SDR-4935 - APPLICANT/OWNER: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY, ET AL
SOUTHWEST CORNER OF DURANGO DRIVE AND ELKHORN ROAD
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-5036 – PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.02.050 (D) to provide a consistent definition for determining the allowable units per acre in a residential subdivision.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED – UNANIMOUS with NIGRO and McSWAIN excused

To be heard by the City Council on 10/06/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that there is a conflict in the language of the Code that this text amendment would clarify. Title 19.02.05, which applies to every district, states that street rights-of-way and open space are used in determining the number of allowable units per acre in a residential subdivision. The section does not distinguish between dedicated or undedicated right-of-way. The RPD portion of the Code states that density is based on gross acreage. Gross acres is defined within the Code as the total area within the property lines of allotted parcels of lands before public streets, easements or other areas to be dedicated, reserved for public use or deduct from such lot or parcel. The term does not include adjacent property, which has already been dedicated for such purposes.

PLANNING COMMISSION MEETING OF SEPTEMBER 9, 2004
Planning and Development Department
Item 35 –TXT-5036

MINUTES – Continued:

He summarized the conflict by saying that the definition of gross acres indicates only undedicated rights-of-way can be included. Another part of the Code states that all rights-of-way can be counted and in yet another area of the Code, it indicates on all RPD's, the decision is based on gross acreage, which by definition only includes undedicated rights-of-way.

The answer would be to have one clear standard. Amending Title 19.02.050 (D) would remedy the situation. The language proposed for deletion states "although streets rights-of-way and open space may be used in determining the number of allowable units per acre in residential subdivisions." This will clarify the issue to one standard which would be, if the right-of-way is undedicated, it is included and if it is dedicated, it cannot be included. He gave an example of some property located at 215 and Jones Boulevard. The rights-of-way in that location are so large that the difference between counting and not counting the dedicated rights-of-way would result in the project size differing from 42 to 48 acres.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:36 – 9:40)

3-1297

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-5036 - CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to the following:

Amend Title 19.02.050 (D), as follows:

“No street or walkway shall serve as any part of a required yard or minimum lot area.
~~although street rights of way and open space may be used in determining the number of~~
~~allowable units per acre in residential subdivisions”.~~

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Title 19.02.050 of the Las Vegas Zoning Code. The purpose of this text amendment is to alleviate a conflict in the Code between the definition of "Gross Acreage" and this section, which determines what square footage can be used to determine units per acre in a residential project. This conflict will be eliminated by deletion of a portion of 19.02.050 "Regulations Applicable to all Districts".

ANALYSIS

Title 19.02.050 (D) states:

"No street or walkway shall serve as any part of a required yard or minimum lot area, although street rights-of-way and open space may be used in determining the number of allowable units per acre in residential subdivisions".

This section of the Code applies to all zoning districts and clearly permits adjacent rights-of-way, whether dedicated or not, to be used in calculating the density of a residential project.

Title 19.06.040 (A), which pertains to R-PD projects in part states the following:

"...The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per **gross acre.**")

Title 19.20 "Definitions" establishes the following definition for Gross Acreage:

"The total area within the property lines of a lot or parcel of lands before public streets, easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel. The term does not include adjacent property which has already been dedicated for such purposes."

The conflict is clear; when one looks at the R-PD Section of Title 19, the density of projects is to be based on gross acreage. The definition of gross acreage would permit undedicated right-of-way to be included in the parcel, yet dedicated right-of way could not be counted. However, 19.02.050 allows rights-of way to be used in determining density, but makes no distinction between dedicated or undedicated right-of-way.

TXT-5036 - Staff Report Page Two
September 9, 2004 Planning Commission Meeting

There needs to be one clear standard. By deleting "although street rights-of-way and open space may be used in determining the number of allowable units per acre in residential subdivisions" out of the Code, the standard would be the gross acreage definition of the Code.

Approval of this amendment would result in a consistent approach to R-PD projects and information to the public.



NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-5037 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion
and possible action to amend Title 19.14.100 relating to standards for Off-Premise Signs.

ABEYANCE TO THE SEPTEMBER 23, 2004 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 19 [MOD-4632], Item 20 [WVR-4754], Item 21 [SDR-4751], Item 34 [SDR-4935] and Item 36 to 9/23/2004 Planning Commission meeting, Item 18 [MSP-4622] to 11/04/2004 Planning Commission meeting, TABLE Item 8 [GPA-4548], Item 9 [ZON-4554], Item 10 [VAR-4677] and Item 11 [SDR-4555] – UNANIMOUS with NIGRO excused

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:02 – 6:09)

1-70

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-5037 - CITY OF LAS VEGAS

***STAFF REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE SEPTEMBER 23, 2004
PLANNING COMMISSION MEETING.***

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2004

CITIZENS PARTICIPATION:

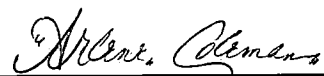
ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 9:40 P.M.

Respectfully submitted:



ARLENE COLEMAN, DEPUTY CITY CLERK



STACEY CAMPBELL, DEPUTY CITY CLERK