

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding the population estimates for redistricting - All Wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The purpose of this item is to provide Council with a reliable population estimate for redistricting.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

BROWN – ACCEPTED the population estimates – UNANIMOUS

MINUTES:

ROBERT GENZER, Director, Planning and Development, stated that in order to prepare for next year's Municipal Election, his staff was asked to review the existing population numbers and to project numbers for 2004, understanding that redistricting may be necessary in order to meet the five percent tolerance rule.

TOM PERRIGO, Manager, Comprehensive Planning Division, commented that his staff generated the population estimates using the Housing Unit Method, which is widely accepted as one of the most reliable methodologies for estimating population. Referring to a table on the overhead, he indicated that the total population for 2003 was 535,269, with an estimated increase for 2004 of 24,000 or 559,455. Over half of that increase was in Ward 6. The wards with the largest population disparity were Wards 1 and 6. In 2003, that disparity was 24,000, or 30% difference. As of July 1, 2004, the disparity had grown to 36,638, roughly 46% difference. He recommended the Council receive these numbers as reliable for the purposes of redistricting.

COUNCILMAN MACK thanked staff for updating the population estimates, which will probably have to be done again in a couple years.

(1:56 – 2:00)

4-783

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: POPULATION ESTIMATES FOR REDISTRICTING

The Planning and Development Department prepared an updated population estimate to be used as the basis for redistricting. This estimate takes advantage of dwelling unit counts current as of June 30, 2004, and also updated occupancy numbers from an annual survey prepared by the U.S. Postal Service. Preparation of this estimate coincides with preparation of the official population estimate prepared annually, although the official estimate will not be released until November or December of 2004, and will include slight adjustments from the redistricting numbers. The numbers contained in this memo are deemed to be reliable, and are based on accepted and proven techniques and methodologies for estimating population.

The July 1, 2004 population estimate for redistricting is 559,455. This represents an increase of 24,186, or 4.5 percent more than last year's estimate of 535,269. Table 1 shows the population by Council Ward.

Table 1. Population Comparison based on 2003 Council Ward Boundaries

Council Ward	2003 Population	2004 Population	Change 03 - 04	Change 03 - 04	Equal Pop	Change Needed
Ward 1	79,629	80,202	573	0.7%	93,243	13,041
Ward 2	94,270	97,751	3,481	3.7%	93,243	(4,508)
Ward 3	81,842	82,385	543	0.7%	93,243	10,858
Ward 4	92,432	96,651	4,219	4.6%	93,243	(3,408)
Ward 5	83,440	85,627	2,187	2.6%	93,243	7,616
Ward 6	103,656	116,840	13,184	12.7%	93,243	(23,597)
Total	535,269	559,455	24,186	4.5%		

Source: Planning and Development Department

Each Council Ward added population in 2003, with the majority (85%) of growth occurring in Council Wards 2, 4, and 6. Council Ward 6 accounted for more than one-half (54%) of the growth. Council Wards 4 and 2 accounted for 17% and 14% of the population growth respectively.



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE/FAX: (702) 877-2438

Protest

14 September 2004

to: CLV Mayor GOODMAN and Councilpersons BROWN, MACK, MONCRIEF,
REESE, WEEKLY and WOLFSON

Please consider the following concerns and address them regarding the several agenda items. We will be observing.

Councilpersons Moncrief and Weekly, Charleston Neighborhood Preservation eagerly awaits any Pioneer Trails action.

#50 & #51—Action at Mirabelli also eagerly welcomed.

#65—Councilman Wolfson, this "real world" change is welcomed.

#66—The DEVELOPMENT of the project and housing must incorporate the requests of the HOA people in the abutting area such as trees for screening for visual and noise abatement also, traffic control.

#83—No for this business at this location. Congestion here does not accommodate for customers of such business.

#87—Well, if Mayor & Council are happy, in this instance, Charleston Neighborhood Preservation will try to be happy.

#88—Yes, to CLV being the controlling entity. NO, to all Directors being appointed by any one person!

#95—NO, NO, NO. Residents are at this time, unable to vote for PLANNING commissioners, therefore, under no circumstances can you allow their vote to become the law of the land. Such a proposal is shocking in an American city government. If State law does suggest such action, such action must be removed. Mr. Genzer, we request an appointment with you to discuss this at your earliest convenience.

#104—Staff has made the best decision here. Preventing public access to streets paid for by them (us) leads to no favorable circumstances. We think that a granted "variance" has led to these subsequent requests. Closing Alta between Decatur and Buffalo would certainly quiet our neighborhood.

#107—You should go with denial. The parade of electeds to the stand during Plan. Commission do not even represent the area.

#129, 130, 131—We welcome Albertson's to this area.

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobej - Rose Hornath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stacey - Others

2004 SEP 15 A 103

RECEIVED
CITY CLERK

Supp

see p2 +

9/15/04 #87

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-150-2004 - Discussion and possible action regarding a resolution authorizing the Mayor to appoint Directors to the Las Vegas Arts District Development Corporation (LVADDC) and to approve the City of Las Vegas to be designated the Controlling Entity of LVADDC in the Application for New Markets Tax Credits from the Department of Treasury - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Las Vegas Arts District has formed a nonprofit corporation, the Las Vegas Arts District Development Corporation (LVADDC), to apply for Community Development Entity status and New Markets Tax Credits from the Department of Treasury. The Arts District has requested that the City Council appoint a majority of the board members to LVADDC which would render the City as the "Controlling Entity" for the New Markets Tax Credit application. This Resolution authorizes the Mayor to appoint a majority of directors to LVADDC, subject to changes to the bylaws, indemnification of the directors and acceptable D & O insurance coverage. It also approves the City as the Controlling Entity in the New Markets Tax Credit Application.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

1. Resolution No. R-150-2004
2. Submitted after Final Agenda - Support and comment letter from Charleston Neighborhood Preservation

MOTION:

MONCRIEF – APPROVED – UNANIMOUS with MACK not voting

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, indicated that this matter involves a resolution that authorizes the Mayor to appoint a majority of the directors to the Arts District Development Corporation, subject to review and acceptance of the Corporation's bylaws for indemnity provisions and review and acceptance of the Corporation's insurance policy for the officers and directors.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Resolutions

Item 88 – R-150-2004

MINUTES – Continued:

MAYOR GOODMAN stressed that, based on the City Attorney's representations, he felt a level of confidence that the City would be protected.

(2:00 – 2:03)

4-911

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WHEREAS, the Las Vegas Arts District Development Corporation, a Nevada nonprofit corporation ("LVADDC"), was formed by the Las Vegas Arts District, with a plan to redevelop and revitalize the Arts District of Las Vegas, including, but not limited to, retail and residential development and new cultural activities; and

WHEREAS, LVADDC, as a newly formed corporation, desires to have the City of Las Vegas ("City") be the Controlling Entity of LVADDC. The City can be the Controlling Entity by appointing a majority of the directors to serve on the Board of LVADDC; and

WHEREAS, the City is desirous of supporting and facilitating LVADDC with its application for Tax Credits subject to the limitations and requirements set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to appoint a majority of the Directors to the Board of LVADDC subject to the following requirements:

1 1. That the Bylaws and/or Articles of Incorporation (if necessary) of the LVADDC be
2 amended to provide for the appointment of the majority of the Directors by the Mayor of the City
3 of Las Vegas; and

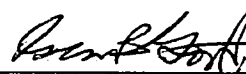
4 2. That the Bylaws specifically provide that LVADDC indemnify those persons who
5 serve as the Directors of LVADDC, and that such bylaw provision be acceptable to the City; and

6 3. That LVADDC purchase and maintain insurance on behalf of any person who is or
7 was a Director of LVADDC against any liability asserted against him or her and incurred by him
8 or her in any such capacity or arising out of his or her status as such, whether or not LVADDC
9 would have the power to indemnify against such liability under the indemnity provision in the
10 Bylaws. The insurance to be obtained by LVADDC shall be acceptable to the City.

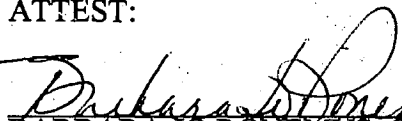
11 RESOLVED FURTHER, that the City hereby approves the designation of the City as the
12 Controlling Entity in the Tax Credits application to be filed by LVADDC for the 2005 year, and,
13 as such, shall facilitate LVADDC by providing appropriate documentation required by the Tax
14 Credits Application.

15 THE FOREGOING RESOLUTION was passed, adopted and approved this 15 day of
16 September 2004.

18 CITY OF LAS VEGAS

19 By: 
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:

25  9/3/04
26 Date



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Vicki Arnold - Juanita Clark - Miriam Ean - Marcour Gobel - Rose Hornath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rutherford - Pamela Stange - Others

Submitted after final agenda

Date 9/15/04 Item #88

RECEIVED
CITY CLERK
0004 SEP 15 A
11:03

Support

see p2 - 1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEUMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS & COMMISSIONS:

NEON MUSEUM BOARD OF TRUSTEES: Appointment by the City Council of one Class I City of Las Vegas Trustee, currently filled by Councilman Michael Mack, and one Class III City of Las Vegas Trustee, currently vacant

Fiscal Impact

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

On August 21, 2002, by action of the City Council as the sole member of the Neon Museum Board, the City of Las Vegas was removed as the sole member of the Neon Museum Board. The new articles of incorporation and bylaws were amended to allow for three trustees from the City of Las Vegas, appointed by the City Council, to serve on the Board of Trustees. There are appointments available in Class I, which will expire in 2007 and Class III, which will expire in 2006.

RECOMMENDATION:

Recommendation for appointment of two trustees from the City of Las Vegas as follows:

Class I Seat (Expiration 2007) – Options are reappointment of Councilman Mack or appointment of a new trustee

Class III Seat (Expiration 2006) - Appointment of a new trustee to fill the vacant seat

BACKUP DOCUMENTATION:

Current Listing and Authority – Neon Museum Board of Trustees

MOTION:

GOODMAN – Motion to REAPPOINT COUNCILMAN MACK (Goodman's recommendation as Class I Trustee) and APPOINT STEVE EVANS (Goodman's recommendation as Class III Trustee), State of Nevada, 2200 S. Rancho Drive, Ste. #210, Las Vegas, Nevada 89102 – UNANIMOUS with WEEKLY not voting

Clerk to notify

MINUTES:

There was no discussion.

(2:03 – 2:04)

4-998

NEON MUSEUM BOARD OF TRUSTEES

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
<u>CITY OF LAS VEGAS APPOINTMENTS UNDER THE NEW BY LAWS ADOPTED 8-21-2002</u>				
2. MACK, MICHAEL COUNCILMAN	400 Stewart Ave. Class I	01	6-18-2003	2004
1. DEANER, NANCY Ph: 257-6773 Bus: 229-6712, Fax: 383-6306 Bus: 749 Veterans Memorial Drive, Las Vegas, NV 89101	1900 Plaza Del Padre Class II	102 (Reap. 10-6-99) (Reapp. 6-18-2003)	10-27-97	10-27-2005
3. Vacant	Class III			2006

AUTHORITY: N.R.S. 82.006 and 82.031 - By-Laws Amended on 8-21-2002 to remove the City of Las Vegas as the sole member of the Neon Museum Board. Three appointments are to be made by the City of Las Vegas to the Board of Trustees, Class I, Class II and Class III.

TERM: Three (3) Classes shall hold office:
Class I, Class II, Class III - After each initial term of office the term of office for each class of Trustee shall be three (3) years
 Must fill unexpired term-if appropriate

APPOINTED: 3 members appointed by the City Council.

PURPOSE: Contracts, rents, buys or sells personal or real property.

MEETINGS: Meetings are set by the By-Laws of the Neon Museum.

ON AUGUST 21, 2002, BY ACTION OF THE LAS VEGAS CITY COUNCIL AS THE SOLE MEMBER OF THE NEON MUSEUM BOARD, REMOVED THE CITY OF LAS VEGAS AS THE SOLE MEMBER OF THE NEON MUSEUM BOARD. THE ARTICLES OF INCORPORATION AND THE BYLAWS WERE AMENDED TO ALLOW FOR THREE MEMBERS FROM THE CITY OF LAS VEGAS, APPOINTED BY THE COUNCIL TO SERVE ON THE BOARD OF TRUSTEES.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS & COMMISSIONS:

TRAFFIC & PARKING COMMISSION – John J. Phillips, Term Expiration 10-18-2004

Fiscal Impact

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The members are appointed by the Mayor and confirmed by the City Council such that one member shall reside in and represent each of the six Wards and one member representing the City as a whole. There is no requirement to fill unexpired portions of terms and no limits to the number of terms which may be served. Mr. Phillips is a representative of Ward 4 and requires Councilman Brown's recommendation. Mr. Phillips is eligible and wishes to be reappointed.

RECOMMENDATION:

Procedure for this Board requires appointment by the Mayor with confirmation by the City Council. This seat is for Councilman Brown's recommendation. Options are for Councilman Brown to recommend Mr. Phillips' reappointment or recommend a new Ward 4 representative who resides in Ward 4.

BACKUP DOCUMENTATION:

Current Listing & Authority - Traffic & Parking Commission

MOTION:

BROWN – Motion to REAPPOINT JOHN J. PHILLIPS – UNANIMOUS with WEEKLY not voting

Clerk to notify

MINUTES:

There was no discussion.

(2:04)
4-1034

TRAFFIC & PARKING COMMISSION

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1. CRAIK, BETTY (McDonald's recommendation) (Replaced Robert White-Resigned 3-29-2002)	4416 Alta Drive Resident of Ward 1	07	5-15-2002	5-15-2006
2. ESBIN, MARTIN (Adamsen's recommendation) (L. McDonald's reappt.recommendation)	9329 Lotus Elan Dr. Resident of Ward 2	17	2-21-1996 (Reappt. 2-16-2000) (Reappt. 2-4-2004)	2-21-2008
3. CARRY, TED (Callister's recommendation) (Weekly's concurrence to remain in seat following enactment of Ordinance #5258 due to redistricting) (Weekly's reappt.recommendation)	1900 Stonehaven Dr. Resident of Ward 4 (with redistricting this residence is in Ward 5)	108	5-27-1997 (Reappt. 5-2-2001)	5-27-2005
4. HOBAN, ROBERT (Reese's recommendation)	1929 Ballard Drive Resident of Ward 3	04	12-20-1995 (Reappt. 1-5-2000) (Reappt. 12-3-2003)	12-20-2007
5. TURNER, DAVID STEPHEN (Mayor Goodman, City-wide appt.)	1210 Hinson Street Resident of Ward 1	02	6-19-2002	6-19-2006
6. PHILLIPS, JOHN J. (Brown's recommendation)	3016 Yeoman Circle Resident of Ward 4	28	1-3-2001	10-18-2004
7. GARCIA, ED (Mack's recommendation)	7709 Meadowrobin Ave. Resident of Ward 6	131	3-3-2004	3-3-2007

(The Sheriff, or his designee, Lt. Wayne Petersen, Attn. Sgt. Tom Plehn, Traffic Section, LVMPD, 400 Stewart Avenue, Traffic Section, Las Vegas, Nevada 89101-2984 (229-3535) (Acting Designee - Sgt. Tom Plehn) and the Director of Public Works, or his designee, are also voting members.)

AUTHORITY: L.V.M.C. 2.48, Amended by Bill 2001-70, Ordinance 5346, adopted 8-1-2001. Resolution R-34-2002, adopted 6-5-2002, creates a Traffic Signal Capital Improvements Advisory Committee in conjunction with the City's Traffic Signal Capital Improvements Plan.

TERM: 4 years. No limit to number of terms. No requirement to fill unexpired portions of terms.

MEMBERS: 9 voting members - 7 members of the public, the Sheriff, & Public Works Director.
(Bill #89-72 adopted 1-3-90 increased from 3 to 5 the public members; Ordinance #5258 enacted 10/4/2000 increased the public membership to 7 to include the two new Wards). Seven public members **appointed by the Mayor and confirmed by the City Council** such that one member shall reside in and be representative of each of the six Council Wards with one member representing the City as a whole. Ex-Officio (non-voting) - Traffic Engineer, City Attorney, Fire Chief, Director of Planning & Development or their designees and other staff members that the City Manager may designate.

NOTES: MUST BE CITY OF LAS VEGAS RESIDENT, Ord. 3527.

NO CITY FINANCIAL DISCLOSURE REQUIREMENT per Bill 2001-70, Ordinance 5346, adopted 8-1-2001. (State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Commissions no longer required to file State form.)

MEETINGS: Meets 4th Thursday of each month, 2 p.m., City Hall Council Chambers.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-59 – Annexation No. ANX-4440 – Property location: On the north side of Regena Avenue, 170 feet east of Riley Street; Petitioned by: Mona Agamez; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Regena Avenue, 170 feet east of Riley Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 24, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 8/31/2004 Recommending Committee.

First Reading – 8/18/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

Bill No. 2004-59 and Location Map

MOTION:

MONCRIEF – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5725 – **UNANIMOUS** with **WEEKLY** not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:04 – 2:05)

4-1057

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-60 – Ordinance Creating Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$72,000.00

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 8/31/2004 Recommending Committee.

First Reading – 8/18/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

Bill No. 2004-60

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5726 – UNANIMOUS with WEEKLY not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:05)

4-1074

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-61 – Ordinance authorizing the issuance by the City of Las Vegas, Nevada, of General Obligation (Limited Tax) Medium-Term Recreation Bonds (Centennial Hills Project), Series 2004C in the aggregate principal amount not to exceed \$20,000,000

Fiscal Impact

☐

No Impact

Amount: \$20,000,000

☒

Budget Funds Available

Dept./Division: Finance and Business Service

☐

Augmentation Required

Funding Source: General Obligation Bonds

PURPOSE/BACKGROUND:

Pursuant to NRS 268.672 through 268.740 and NRS 350.087 through 350.095, the City is authorized to issue medium-term obligations to finance recreational projects as defined in NRS 268.710. The City intends to use the proceeds of this bond issue to finance Centennial Hills Park.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

1. Bill No. 2004-61
2. Letter from State of Nevada Department of Taxation

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5727 – **UNANIMOUS** with **WEEKLY** not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:05 – 2:06)

4-1098



KENNY C. GUINN
Governor

BARBARA SMITH CAMPBELL
Chair, Nevada Tax Commission

CHARLES E. CHINNOCK
Executive Director

STATE OF NEVADA
DEPARTMENT OF TAXATION

1550 E. College Parkway
Suite 115
Carson City, Nevada 89706-7937

Phone: (775) 687-4820 • Fax: (775) 687-8302
In-State Toll Free: 800-892-0900

Web Site: <http://tax.state.nv.us>

LAS VEGAS OFFICE

Grant Sawyer Office Building
Suite 1200
555 E. Washington Avenue
Las Vegas, Nevada 89101
Phone: (702) 466-2300
Fax: (702) 466-2373

RENO OFFICE

4600 Kietzke Lane
Building L, Suite 285
Reno, Nevada 89502
Phone: (775) 688-1285
Fax: (775) 688-1203

August 11, 2004

Michael K. Olson, City Treasurer
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: Medium-Term Obligation Request

Dear Mr. Olson:

The Department of Taxation has received the request from the City Council of the City of Las Vegas for approval of a medium-term obligation in an amount not to exceed \$20,000,000. Proceeds from the financing will be used to acquire, improve and equip a recreational project. The request has been reviewed as required by NRS 350.089 and is approved.

Pursuant to NRS 350.089, the approval must be recorded in the minutes of the governing board, and the financing must be secured within eighteen months of the receipt of this approval.

If you have any questions regarding this matter, please do not hesitate to call Warner Ambrose in the Local Government Finance Section at (775) 684-2077.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Chinnock".

Charles E. Chinnock, Executive Director
Department of Taxation

CEC:ph

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-62 – Makes adjustments to the types of zoning approval necessary for various land uses. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Planning staff and the Planning Commission have determined that a number of uses currently requiring a special use permit in specified zoning districts would more properly be allowable as conditional uses or as a matter of right. This bill will make the necessary adjustments to the provisions of the Zoning Code, which will reduce the number of special use permit applications required to be processed.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-63 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law.
Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Special use permit applications currently require final action by the City Council. This bill is intended to reduce the special use permit "caseload" of the Council by providing that Planning Commission action on most applications is final action. Planning Commission decisions will continue to be appealable to the Council, and members of the Council may request review of Planning Commission decisions. The bill will also incorporate State law requirements concerning zoning-related hearings and appeals.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

Submitted after Final Agenda - Opposition letter from Charleston Neighborhood Preservation

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE/FAX: (702) 877-2438

Protest

14 September 2004

to: CLV Mayor GOODMAN and Councilpersons BROWN, MACK, MONCRIEF,
REESE, WEEKLY and WOLFSON

Please consider the following concerns and address them regarding the several agenda items. We will be observing.

Councilpersons Moncrief and Weekly, Charleston Neighborhood Preservation eagerly awaits any Pioneer Trails action.

#50 & #51—Action at Mirabelli also eagerly welcomed.

#65—Councilman Wolfson, this "real world" change is welcomed.

#66—The DEVELOPMENT of the project and housing must incorporate the requests of the HOA people in the abutting area such as trees for screening for visual and noise abatement also, traffic control.

#83—No for this business at this location. Congestion here does not accommodate for customers of such business.

#87—Well, if Mayor & Council are happy, in this instance, Charleston Neighborhood Preservation will try to be happy.

#88—Yes, to CLV being the controlling entity. NO, to all Directors being appointed by any one person!

#95—NO, NO, NO. Residents are at this time, unable to vote for PLANNING commissioners, therefore, under no circumstances can you allow their vote to become the law of the land. Such a proposal is shocking in an American city government. If State law does suggest such action, such action must be removed. Mr. Genzer, we request an appointment with you to discuss this at your earliest convenience.

#104—Staff has made the best decision here. Preventing public access to streets paid for by them (us) leads to no favorable circumstances. We think that a granted "variance" has led to these subsequent requests. Closing Alta between Decatur and Buffalo would certainly quiet our neighborhood.

#107—You should go with denial. The parade of electeds to the stand during Plan. Commission do not even represent the area.

#129, 130, 131—We welcome Albertson's to this area.

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Eas - Marcus Gobel - Rose Homath - June Ingram - Rick Johnson
Gene & Pearl Louardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rutherford - Pamela Stage, etc. Others

RECEIVED
CITY CLERK
2004 SEP 15 A 10:3

Support

see p2 +

9/14/04 - 795

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-64 – Modifies the standards for granting a variance application and modifies certain provisions regarding variance hearings and appeals so as to conform to State law.
Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will modify the standards for granting a variance application, and modify certain provisions regarding variance hearings and appeals so as to conform to State law.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-65 – Amends the Supplemental Document to the NFPA 1, Uniform Fire Code, 2003 Edition, regarding the approval of traffic management or calming devices. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The version of the NFPA 1, Uniform Fire Code, 2003 Edition, that recently was adopted by the City contains language that can be read to imply that the sole authority to approve certain traffic management devices (such as speed humps) rests with the Department of Fire and Rescue. This bill will establish the Fire Code requirements pertaining to these devices and clarify that Fire Code requirements are not the only requirements pertaining to these devices.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-65

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

10/5/2004 Recommending Committee

10/6/2004 Council Agenda

MAYOR GOODMAN announced that Item 99 (Bill No. 2004-67) would be submitted to a Special Recommending Committee set for 9/27/2004 at 3:00 p.m. in the Council Chambers.

(2:06 – 2:16)

4-1141

BILL NO. 2004-65

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE SUPPLEMENTAL DOCUMENT TO THE NFPA 1, UNIFORM FIRE CODE, 2003 EDITION, REGARDING THE APPROVAL OF TRAFFIC MANAGEMENT OR CALMING DEVICES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

**Proposed by: David L. Washington, Chief,
Department of Fire and Rescue**

Summary: Amends the Supplemental Document to the NFPA 1, Uniform Fire Code, 2003 Edition, regarding the approval of traffic management or calming devices.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1: The Supplemental Document to the NFPA 1, Uniform Fire Code, 2003 Edition, as adopted by Ordinance No. 5667, is hereby amended as set forth in Section 2 of this Ordinance.

SECTION 2: Section 18.2.3.1.4, as added to the City's Fire Code by the Supplemental Document, is deleted and a new Section 18.2.3.1.4 is added as follows:

18.2.3.1.4 Traffic Management or Calming Devices.

18.2.3.1.4.1 The installation and maintenance of traffic management or calming devices within the City is generally governed by City policies and procedures other than this Code. However, in addition and independent of those policies and procedures, the remaining provisions of this Section 18.2.3.1.4 shall apply.

18.2.3.1.4.2 Traffic management or calming devices shall not be permitted within the required width of:

- (1) Fire apparatus access roads, including both public and private right of ways; or**
- (2) Primary and Secondary emergency response routes as identified by the Las Vegas Fire & Rescue.**

18.2.3.1.4.3 The Las Vegas Fire & Rescue is authorized to require the removal from any private property of any existing traffic management or calming device that:

- (1) Does not meet the applicable criteria of the City's Traffic Engineering Division; and**
- (2) Has been determined by the Las Vegas Fire & Rescue to unnecessarily hinder**

1 emergency apparatus response.

2 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
3 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
4 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
5 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
6 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
7 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
8 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
9 invalid or ineffective.

10 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

14 APPROVED:

15
16 By _____
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 _____
20 BARBARA JO RONEMUS, City Clerk

21 APPROVED AS TO FORM:

22 Val Steed 9-1-04
23 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2004, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2004, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15

16

ATTEST:

17

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BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-66 – Establishes new solid waste and recycling regulations. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact

☐

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City's current solid waste code provisions were enacted more than fifty years ago and do not take into account many contemporary industry standards and practices as well as current state and federal regulatory provisions. Solid waste issues transcend the boundaries of the City and other local jurisdictions within the County metropolitan areas; each contracting with Republic Services, Inc. to perform solid waste collection and disposal services. Accordingly, this bill is modeled after recent changes made in the County code in order to achieve regulatory uniformity. This bill specifically designates the items included within the solid waste stream, hazardous waste stream, medical waste stream, and recyclable materials stream for regulatory purposes; restricts hours of solid waste collection in residential areas; and conditionally waives collection fees for absentee residents.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-66

MOTION:

REESE – Motion to bring forward and **STRIKE** Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

BILL NO. 2004-66

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE THE CITY'S REGULATIONS CONCERNING THE COLLECTION, TRANSPORTATION, DEPOSIT AND DISPOSAL OF SOLID WASTE AND RECYCLABLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director
Department of Finance and Business Services

Summary: Establishes new solid waste and recycling regulations.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1: Title 9, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Chapter, to be designated as Chapter 8, to consist of the provisions set forth as Sections 2 to 33, inclusive, of this Ordinance.

SECTION 2: It is declared to be the policy of the City to regulate the collection, transportation, deposit and disposal of solid waste and recyclables in a manner that is consistent with State law and that will:

- (A) Protect public health and welfare.
- (B) Prevent water or air pollution.
- (C) Prevent the spread of disease and the creation of nuisances.
- (D) Conserve natural resources.
- (E) Enhance the beauty and quality of the environment.

SECTION 3: In the construction of this Chapter, the following definitions shall apply, unless the context clearly requires otherwise:

"Commercial recycler" means any licensed entity, including a licensed franchisee, that is in the business of purchasing, accepting donations of, collecting, storing, transporting or processing non-commingled recyclables.

"Commingled recyclables" means recyclables that have been abandoned or discarded and that are mixed with solid waste other than residual solid waste.

"Compacted" means reduced in volume, but not weight, by two-thirds or more by mechanical equipment.

1 “Construction or demolition waste” means solid waste resulting from the construction or
2 demolition of buildings and other structures, including but not limited to wood, plaster, metals,
3 asphaltic substances, bricks, block and concrete, and excavation dirt, rock, stone and gravel. The term
4 “construction or demolition waste” does not include uncontaminated soil, rock, stone, gravel, unused
5 brick and block and concrete if they are separated from other construction or demolition waste and
6 are to be used as clean fill.

7 “Curbside recyclables collection” means a collection program operated by a solid waste
8 franchisee in which commingled and non-commingled recyclables are collected from residential
9 customers on a regularly scheduled basis as a part of the franchisee’s solid waste business.

10 “Dead animals” means all dead animals or parts thereof (including condemned meats) that are
11 not intended to be used as food for man or animal.

12 “Dirt” means loose earth, ashes and manure, but exclusive of sand and gravel that is to be used
13 in construction work.

14 “Drop-off center” means a collection site where non-commingled recyclables may be taken
15 by persons and deposited into designated containers.

16 “Franchise agreement” means an agreement between the City and a third party by which such
17 third party is authorized to collect, transport and dispose of solid waste and perform curbside
18 recyclables collection services in the City.

19 “Franchise fee” means the fee required by a franchise agreement based upon a percentage of
20 a franchisee’s gross revenues derived from the collection, transportation and disposal of solid waste
21 and curbside recyclables collection services in the City.

22 “Franchisee” means any person who has contracted with the City for collection, transportation
23 and disposal of solid waste and the performance of curbside recyclables collection.

24 “Garbage” means putrescible animal and vegetable wastes, other than non-commingled
25 recyclables, that result from the handling, storage, sale, preparation, cooking and serving of food, and
26 that have been discarded or abandoned.

27 “Gross revenue” means all revenues (or receipts) derived from the collection of solid waste
28 and curbside recyclables collection services and includes, by way of illustration and not limitation,

1 all cash, credits, property or other consideration of any kind derived directly or indirectly by a
2 franchisee (or any of its authorized agents or affiliates) for the collection, transportation and disposal
3 of solid waste, including all revenue received from residential service (including any charges
4 attributable to curbside recyclables collection services), commercial and industrial service, medical-
5 waste service, container rentals, packaging, shipping and late fees, but excluding the following
6 revenues from:

- 7 (A) The sale of recyclables.
- 8 (B) Sewage-waste service.
- 9 (C) Any taxes on services furnished by a franchisee that are imposed by other
10 governmental entities, that are passed through to and collected from the franchisee's customers, and
11 that are separately itemized on customers' bills.

12 "Hazardous waste" means any waste or combination of wastes, including solids, semisolids,
13 liquids or contained gases which:

14 (A) Because of its quantity or concentration or its physical, chemical or infectious
15 characteristics may:

16 (1) Cause or significantly contribute to an increase in mortality or serious
17 irreversible or incapacitating illness; or

18 (2) Pose a substantial hazard or potential hazard to human health, public
19 safety or the environment when it is given improper treatment, storage, transportation, disposal or
20 other management;

21 (B) Is identified as hazardous by the Nevada Department of Conservation and
22 Natural Resources as a result of studies undertaken for the purpose of identifying hazardous wastes;
23 and

24 (C) Includes, among other wastes, toxins, corrosives, flammable materials, irritants,
25 strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

26 "Medical waste" means items other than a culture or stock of an infectious substance, that
27 contain an infectious substance and are generated in:

28 (A) The diagnosis, treatment or immunization of human beings or animals;

1 (B) Research pertaining to the diagnosis, treatment or immunization of human
2 beings or animals; or

3 (C) The production or testing of biological products.

4 The term "medical waste" does not include the following if the items as packaged do not contain any
5 material otherwise subject to the requirements of 49 CFR Part 173, App.G:

6 (1) Biological products;

7 (2) Diagnostic specimens;

8 (3) Laundry or medical equipment that conforms to 29 CFR 1910.1030 of
9 the regulations of the Occupational Safety and Health Administration of the United States Department
10 of Labor;

11 (4) A material, including waste, that previously contained an infectious
12 substance and has been treated by steam sterilization, chemical disinfection or other appropriate
13 method, so that it no longer poses the hazard of an infectious substance;

14 (5) Any waste material, including garbage, trash and sanitary waste in
15 septic tanks, derived from households, including but not limited to single and multiple residences,
16 hotels and motels;

17 (6) Corpses, remains and anatomical parts that are intended for ceremonial
18 interment or cremations; or

19 (7) Animal waste generated in animal husbandry or food production.

20 "Motel" means a building or group of buildings whose main function is to provide temporary
21 lodging and which does not offer conference rooms, restaurants or similar amenities to its customers
22 in addition to sleeping quarters.

23 "Multiple dwellings" means apartments and any other collection of two or more residences
24 which are grouped together under the management of one person and which do not require separate
25 individual collection of solid waste.

26 "Non-commingled recyclables" means recyclables that have been separated from the solid
27 waste stream at the source for recycling purposes and that are not mixed with solid waste other than
28 residual solid waste.

1 “Place of business” means any place of business in the City, other than multiple dwellings,
2 to conduct or carry on principally or exclusively any pursuit or occupation for the purpose of gaining
3 a livelihood.

4 “Premises” means land together with all buildings, improvements, and personal property
5 located thereon.

6 “Public building” means office buildings, clubs, churches, schools, hospitals or other places
7 of similar character.

8 “Putrescible” means capable of being decomposed by microorganisms with sufficient rapidity
9 as to cause nuisances from odors or gases.

10 “Recyclables” or “recyclable materials” means items that can be processed and returned to the
11 economic mainstream in the form of raw materials or products, as determined by the Clark County
12 Health District. “Recyclables” include but are not limited to: newspaper, corrugated cardboard,
13 aluminum, yard debris, vegetation, green waste, office paper, glass, tin and steel cans, metal, motor
14 oil, plastic, antifreeze, wood, and food waste.

15 “Recycling center” means a facility designed and operated to receive, store or process
16 recyclables that have been separated at the source from all but residual solid waste. The center must
17 be licensed or permitted by the Clark County Health District and must receive, store and process only
18 source-separated recyclables for which there is an available market. The term “recycling center” does
19 not include a materials recovery facility, transfer station, compost plant, hazardous waste recycling
20 facility, convenience center, drop off bin (or center), or agricultural facility, as such terms are used
21 in the Clark County Health District’s Regulations Governing Recycling Centers.

22 “Refuse” means those discarded materials that have no useful physical, chemical or biological
23 properties after serving their original purpose and that cannot be reused or recycled for the same or
24 other purposes.

25 “Residual solid waste” means an insubstantial amount of contaminant material, as determined
26 by the Clark County Health District, that is not a permitted recyclable under the District’s Regulations
27 Governing Recycling Centers, that remains after the separation and removal of recyclable materials,
28 that cannot be recycled, and that must be disposed of as solid waste pursuant to such regulations.

1 “Rubbish” means nonputrescible wastes, other than non-commingled recyclables, that have
2 been discarded or abandoned such as paper, cardboard, automobiles, cans, wood, glass, bedding,
3 crockery and similar materials.

4 “Sewage waste” means any solid or semi-solid waste, including biosolids, sludge, screenings
5 and grit, generated from the operation of the City’s water pollution control facility.

6 “Single-family residence” means a building or dwelling wherein not more than one family
7 resides or dwells, and where no business of any kind is conducted, and includes a mobile home,
8 apartment and other unit in a multiple dwelling which receives individual and heavy and bulky item
9 collection.

10 “Solid waste” means all putrescible and nonputrescible materials in solid or semisolid form
11 that have been discarded or abandoned by their owner, including garbage, rubbish, junk vehicles and
12 parts, ashes or incinerator residue, street refuse, dead animals, construction or demolition waste,
13 commercial or industrial waste, medical waste, commingled recyclables and other refuse. The term
14 “solid waste” does not include any of the following:

15 (A) Construction or demolition waste, septic tank waste, grease trap waste and
16 green waste transported by authorized persons.

17 (B) Hazardous waste managed pursuant to NRS 459.400 through 459.600,
18 inclusive.

19 (C) Sewage waste.

20 (D) Non-commingled recyclables.

21 “Unforeseen economic circumstance” means:

22 (A) A percentage change in the Consumer Price Index, All Urban Consumers, U.S.
23 City Average (CPI-U), as published by the Bureau of Labor Statistics, Washington, D.C. for a given
24 calendar year ending in December that is greater than ten percent or below zero (a decrease);

25 (B) An occurrence beyond a franchisee’s reasonable control;

26 (C) An action by a governmental jurisdiction; or

27 (D) A finding by the City Council that there have been economic occurrences
28 during that period that have caused specific additional economic costs for a franchisee which are not

1 reflected in changes to the CPI-U during that same period.

2 SECTION 4: Any person collecting, transporting, processing or disposing of solid
3 waste, hazardous waste or recyclables shall do so subject to the ordinances, rules and regulations of
4 the City, the Clark County Health District, the State of Nevada and the Federal Government.

5 SECTION 5: It is unlawful for any person to:

6 (A) Throw or deposit, or cause to be thrown or deposited, in any street, alley, gutter
7 or highway within the City, any solid waste, hazardous waste or recyclables.

8 (B) Throw or deposit, or cause to be thrown or deposited, any solid waste,
9 hazardous waste or recyclables upon the private property or premises or into the receptacles of
10 another person within the City, except for the depositing of non-commingled recyclables at drop-off
11 centers.

12 (C) Place, deposit or accumulate, or cause to be placed, deposited or accumulated,
13 any solid waste, hazardous waste or recyclables in such a manner, or permit the same to remain on
14 his or her premises in such condition so that the same may be blown or carried over to public or other
15 private property by any means whatsoever.

16 (D) Throw or deposit or cause to be thrown or deposited any solid waste, hazardous
17 waste or recyclables in any areas of the City not designated, authorized or licensed by the City for
18 deposit of these materials.

19 SECTION 6: It is unlawful for any person, for the purpose of disposal of solid waste,
20 hazardous waste or recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish
21 the materials for any such fire, or to authorize any such fire to be kindled or maintained in any solid
22 waste, hazardous waste or recyclables receptacle, or on any street, alley, road, land or other public
23 grounds or upon any private property, within the City, unless a written permit to do so shall first have
24 been secured from the Department of Fire and Rescue; provided, however, that solid waste and
25 infectious waste may be burned in an incinerator duly approved by the Department of Fire and Rescue
26 and the Department of Building and Safety.

27 SECTION 7: Except in case of an emergency declared by the City Council under
28 Section 8 of this Ordinance, it is unlawful for any person, other than the City, a franchisee or their

1 duly appointed agents to collect or transport any solid waste, or provide curbside recyclables
2 collection service; provided, however, that:

3 (A) Construction or demolition waste may be removed by any duly licensed
4 construction cleanup or demolition contractor and transported to a transfer station or a disposal site
5 operated in accordance with all applicable laws, rules and regulations.

6 (B) Any duly licensed and permitted septic tank or grease trap pumpers, licensed
7 lawn maintenance services and licensed tree trimmers may transport those materials accumulated in
8 or generated by the performance of licensed services to a transfer station or a disposal site operated
9 in accordance with all applicable laws, rules and regulations.

10 (C) Any person may transport his or her own solid waste to a transfer station or a
11 disposal site operated in accordance with all applicable laws, rules and regulations.

12 (D) Any person may transport his or her own non-commingled recyclables to
13 recycling centers or drop-off centers.

14 (E) A commercial recycler may transport non-commingled recyclables in the
15 legitimate course of business.

16 (F) A commercial recycler or charitable organization qualified as such under the
17 Federal Internal Revenue Code may collect non-commingled recyclables from single-family
18 residences, places of business, multiple dwellings and public buildings at the express request of the
19 owner, tenant or occupant and may transport those recyclables to drop-off centers or recycling centers.

20 SECTION 8: (A) In the event of an interruption in the collection, transportation
21 or disposing of solid waste and recyclables by the City or its franchisees, problems affecting the
22 public health, safety and welfare may arise. These problems may include increases in pathogens,
23 vectors, fire hazards, unsightly litter, odor and traffic hazards from the accumulation of solid waste
24 and recyclables. This Section is intended to provide for the emergency collection, transportation and
25 disposing of solid waste and recyclables by private citizens in order to minimize the adverse impact
26 on the public health, safety and general welfare arising from an interruption in the collection,
27 transportation and disposal of solid waste and recyclables.

28 (B) In the event of an interruption in the collection, transporting or disposing of

1 solid waste and recyclables by the City or its franchisees, the City Council may declare an emergency
2 by resolution.

3 (C) If the City Council declares an emergency under Subsection (B) of this Section,
4 the provisions of Section 7 of this Ordinance which relate to transporting solid waste and recyclables
5 shall be suspended and the following provisions shall apply until the date specified in the resolution
6 declaring an emergency or in a subsequent resolution:

7 (1) The City Manager may designate, establish, operate and maintain
8 temporary emergency collection areas for solid waste and recyclables;

9 (2) Any person may transport the solid waste and recyclables generated or
10 found on real property in his or her possession to a designated temporary emergency collection area;

11 (3) Until hauled to a designated temporary emergency collection area, all
12 putrescible solid waste shall be stored indoors in plastic bags or outdoors in containers or receptacles
13 which will not permit access by flies or animals or constitute a fire hazard; and

14 (4) All putrescible solid waste hauled to a temporary emergency collection
15 area must be securely contained in plastic bags.

16 SECTION 9: (A) It is unlawful for any person other than the owner, the City or
17 a franchisee, or their duly appointed agents, to interfere in any manner with any receptacles containing
18 solid waste or recyclables or to remove any such receptacle from the location where placed for pickup
19 by the owner, the City or a franchisee.

20 (B) It is unlawful for any person, other than the operator of a drop-off center or his
21 or her duly appointed agent, to interfere with or remove any recyclables from a drop-off center.

22 SECTION 10: It is unlawful to use any cart or vehicle for the transportation or removal
23 of solid waste or recyclables unless such cart or vehicle is appropriately constructed and covered to
24 prevent odors from or leakage, sifting, spilling, drifting or blowing of such solid waste or recyclables
25 in or upon the streets through which such cart or vehicle may be driven.

26 SECTION 11: (A) Every person owning or managing any place of business, public
27 building, multiple dwelling or single-family residence, except as otherwise provided in Subsection
28 (E) of this Section, shall provide a receptacle sufficient for the depositing of all solid waste from the

1 premises. A solid waste franchisee may rent solid waste receptacles to its customers pursuant to the
2 rates specified in this Chapter, but the responsibility for placement of such rented receptacles remains
3 with the person owning or managing the place of business, public building, multiple dwelling or
4 single-family residence.

5 (B) A franchisee shall provide to its curbside recyclables collection customers,
6 upon request and at no additional cost to such customers, appropriate receptacles for the depositing
7 of recyclables.

8 (C) On any single-family residential lot, it is unlawful to place, keep, store or locate
9 any solid waste or recyclables receptacle within the right-of-way of a street, sidewalk or alley, or
10 within any front yard as defined in the zoning regulations of the City; provided, however, that such
11 receptacles may be placed within such area for the purpose of the collection of solid waste and
12 recyclables from midnight to midnight on the day designated for the pickup thereof and for a period
13 not to exceed ten hours prior to midnight of the day of pickup.

14 (D) On any multi-family, commercial or industrial lot, it is unlawful to place, keep,
15 store or locate any dumpster or other solid waste or recyclables receptacle within the right-of-way of
16 a street, sidewalk or alley. Dumpsters shall be stored within an enclosure if an enclosure was required
17 in connection with development approval or is otherwise provided on the lot. The construction of
18 dumpster enclosures is encouraged, if such construction was not required in accordance with a
19 development approval.

20 (E) Places of business whose rubbish consists principally of boxes, cartons and
21 other items of such bulk that the placing of the same in a receptacle would be impracticable may
22 provide for such rubbish to be piled on the premises of such place of business adjacent to a street or
23 alley, provided such boxes or cartons shall be flattened and tied in bundles. The monthly rate to be
24 charged such places of business for collecting, transporting and disposing of such rubbish shall be
25 computed in accordance with the rates specified in Section 18 of this Ordinance based upon the bulk
26 of such piles.

27 (F) The provisions of this Section may be enforced by the City's Department of
28 Neighborhood Services, as well as the Las Vegas Metropolitan Police Department.

1 SECTION 12: Each receptacle which is not emptied by mechanical or hydraulic
2 equipment shall have a capacity of not less than three nor more than thirty-three gallons. Multiple
3 dwellings, places of business and public buildings shall also be permitted to use the types and sizes
4 of receptacles listed in Section 18 of this Ordinance. Solid waste receptacles shall be constructed
5 watertight and shall be provided with handles and tight-fitting covers. Each such receptacle and cover
6 shall be made of a material approved for such use by the City. Covers shall not be removed except
7 when necessary to place solid waste therein. Each receptacle and its cover shall be kept clean from
8 accumulating grease and decomposing material.

9 SECTION 13: (A) No person other than the owner, the City or a franchisee, or their
10 agents may:

11 (1) Remove any solid waste or recyclables from the solid waste receptacles
12 or recyclables receptacles that are intended for pickup by a franchisee as part of its solid waste
13 collection and curbside recyclables collection programs;

14 (2) Remove recyclables that have been tied, boxed, bundled or otherwise
15 collected and placed for pickup by a franchisee as part of its curbside recyclables collection program;
16 or

17 (3) Tamper with, engage in, interfere with or participate in curbside
18 recyclables collection.

19 (B) No person other than an owner or operator of a drop-off center, or their
20 authorized agents, may remove recyclables from the drop-off center or recyclables that have been
21 bundled, boxed, tied or otherwise collected and placed adjacent to the drop-off center.

22 SECTION 14: (A) All solid waste shall be placed in a receptacle; provided,
23 however, that:

24 (1) Places of business may place rubbish on their premises pursuant to
25 Subsection (E) of Section 11 of this Ordinance; and

26 (2) Tree trimmings, scrap lumber and other solid waste capable of being
27 bundled in accordance with Subsection (B) of this Section may be bundled if securely tied and placed
28 next to a receptacle.

1 (B) Items bundled pursuant to this Section shall not exceed six feet in length nor
2 weigh more than seventy-five pounds.

3 (C) Receptacles which are not emptied by mechanical or hydraulic equipment shall
4 not weigh more than seventy-five pounds, including their contents.

5 SECTION 15: (A) Notwithstanding any other provision of this Chapter to the
6 contrary, all rates for services specified herein shall be deemed to be the maximum allowable rates
7 that may be charged to customers for the collection, transportation and disposal of solid waste and
8 curbside recyclables collection service. A franchisee may charge customers less than the rates
9 specified in this Chapter without the City's approval; provided that any discount from the maximum
10 allowable rate that the franchisee gives to any customer for a particular service shall be given to all
11 other customers receiving the same service. Nothing in this Chapter shall be deemed to permit a
12 franchisee to discriminate in the rates charged to customers receiving the same service.

13 (B) A franchisee that elects to charge less than the maximum allowable rates
14 pursuant to this Chapter may subsequently raise its rates up to the maximum allowable rates without
15 the City's approval, provided that the franchisee gives the City and all its customers affected by such
16 rate change at least thirty days prior written notice of the rate increases.

17 SECTION 16: (A) The charge for collecting, transporting and disposing of solid
18 waste from single-family residences on a twice-a-week basis, and providing curbside recyclables
19 collection services on an every-other-week basis, shall be thirty-three dollars and thirty-eight cents
20 per quarter.

21 (B) The charge for collecting, transporting, and disposing of solid waste from
22 multiple dwellings on a twice-a-week basis, and providing curbside recyclables collection services
23 on an every-other-week basis, shall be twenty-four dollars and eighty-seven cents per quarter for the
24 first multiple dwelling unit on one stop and seventeen dollars and forty-one cents per quarter for each
25 additional unit on one stop, irrespective of occupancy or vacancy of any unit or units.

26 (C) If requested by the owner of multiple dwellings, the charge for collecting,
27 transporting and disposing of solid waste three times per week, and providing curbside recyclables
28 collection services on an every-other-week basis, shall be one and one-half times the charge for

1 service two times per week.

2 (D) If requested by the owner of multiple dwellings, the charge for collecting,
3 transporting and disposing of solid waste six times per week, and providing curbside recyclables
4 collection services on an every-other-week basis, shall be two and one-half times the charge for
5 service two times per week.

6 SECTION 17: (A) For mobile home parks that do not receive individual service
7 at each mobile home and for motels, the charge for collecting, transporting and disposing of solid
8 waste on a twice-a-week basis, and curbside recyclables collection services on an every-other-week
9 basis, shall be twenty-four dollars and eighty-seven cents per quarter for each office, plus eleven
10 dollars and ninety-seven cents per quarter for each mobile home and motel room without cooking
11 facilities, or fourteen dollars and ninety-four cents per quarter for each mobile home and motel room
12 with cooking facilities, irrespective of occupancy or vacancy of any unit or units.

13 (B) If requested by the owner of a mobile home park or motel, the charge for
14 collecting, transporting and disposing of solid waste three times per week, and curbside recyclables
15 collection services on an every-other-week basis, shall be one and one-half times the charge for
16 service two times per week.

17 (C) If requested by an owner of a mobile home park or motel, the charge for
18 collecting, transporting and disposing of solid waste six times per week, and curbside recyclables
19 collection services on an every-other-week basis, shall be two and one-half times the charge for
20 service two times per week.

21 (D) For mobile home parks that receive individual service at each mobile home,
22 which shall include the same heavy and bulky item pickup as that provided to single-family
23 residences, the charges for collecting, transporting and disposing of solid waste and curbside
24 recyclables collection services shall be the same as for residences as set forth in Section 16 of this
25 Ordinance.

26 SECTION 18: The charge for collecting, transporting and disposing of solid waste
27 from places of business and public buildings others than those mentioned in Section 17 of this
28 Ordinance shall be determined by the number and type of receptacles required by each such place of

1 business or public building and by the number of collections from each per week in accordance with
2 Tables A, B and C that are included within this Section. The charge for collecting, transporting and
3 disposing of compacted solid waste from receptacles other than compaction-type drop boxes shall be
4 three times the otherwise applicable charge.

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Section 18 Table (A)
Collection Charges (Quarterly Rates)
Places of Business and Public Buildings

<u>Number & Type of Receptacles</u>	<u>2 Collections Per Week</u>	<u>6 Collections Per Week</u>	<u>7 Collections Per Week</u>
One can	44.73	186.24	223.31
Two cans	89.46	260.59	312.79
Three cans	134.19	334.99	402.30
Each additional can	44.73	74.36	89.50
 <u>One Cubic Yard Container</u>			
One container	223.31	483.67	581.17
Two containers	447.35	855.08	1,028.52
Each additional container	223.31	371.84	447.35
 <u>Two Cubic Yard Container</u>			
One container	447.35	855.50	1,028.52
Two containers	894.72	1,599.17	1,923.23
Each additional container	447.35	743.67	894.71
 <u>Three Cubic Yard Container</u>			
One container	671.03	1,227.34	1,475.86
Two containers	1,342.05	2,342.84	2,817.93
Each additional container	671.03	1,115.51	1,342.05
 <u>Four Cubic Yard Container</u>			
One container	894.71	1,599.17	1,923.15
Two containers	1,789.42	3,086.49	3,712.57
Each additional container	894.71	1,487.23	1,789.43
 <u>Six Cubic Yard Container</u>			
One container	1,342.05	2,342.84	2,817.93
Two containers	2,684.09	4,685.67	5,635.84
Each additional container	1,342.05	2,225.68	2,677.02
 <u>Eight Cubic Yard Container</u>			
One container	1,789.42	3,086.49	3,712.57
Two containers	3,578.84	6,172.99	7,425.14
Each additional container	1,789.42	2,993.88	3,601.20

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Section 18 Table (B)

Solid Waste Compaction Type Drop Boxes

Monthly Rates:

<u>Compactor Size</u>	<u>1 pull per week</u>	<u>2 pulls per week</u>	<u>3 pulls per week</u>	<u>4 pulls per week</u>	<u>5 pulls per week</u>	<u>6 pulls per week</u>	<u>7 pulls per week</u>
10-yard	1,654.47	2,211.76	3,030.26	3,291.30	3,552.36	3,813.41	5,573.66
17-yard	2,046.94	2,702.14	3,808.57	4,184.55	4,560.51	4,936.50	6,572.55
26-yard	2,294.07	3,196.41	4,549.93	4,925.90	5,301.88	5,677.85	7,437.56
36-yard	2,707.00	3,609.40	4,962.79	5,391.55	5,820.31	6,249.16	8,008.90

<u>Compactor Size</u>	<u>8 pulls per week</u>	<u>9 pulls per week</u>	<u>10 pulls per week</u>	<u>11 pulls per week</u>	<u>12 pulls per week</u>	<u>13 pulls per week</u>	<u>14 pulls per week</u>
10-yard	7,228.12	7,785.43	8,603.95	8,864.98	9,126.01	9,387.06	11,147.32
17-yard	8,619.48	9,275.25	10,381.12	10,757.09	11,133.08	11,509.06	13,145.11
26-yard	9,731.61	10,633.97	11,987.50	12,363.47	12,739.46	13,115.41	14,875.13
36-yard	10,715.92	11,618.31	12,971.70	13,400.46	13,829.24	14,258.07	16,017.80

Per Pickup Rates (with regular service):

	<u>Regular</u>	<u>Sunday/Holiday</u>
Special pickup 0-49 yards	406.08	609.12
Special pickup 50-74 yards	780.88	1,171.32
Special pickup 75 yards	1,273.71	1,910.57

Per Pickup Rates (without regular service):

On-call pickup 0-49 yards	633.88	950.82

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3	<u>On-Call Rates</u> (with or without regular service)	<u>Regular</u>	<u>Sunday/Holiday</u>
4	10 cubic yards	\$78.20	\$117.30
5	20 cubic yards	\$156.40	\$234.60
6	28 cubic yards	\$218.96	\$328.44
7	35 cubic yards	\$273.70	\$410.55
8	50 cubic yards	\$391.00	\$586.50
9			

10 All on-call rates are subject to additional charges of \$17.46 demurrage per 24 hours or any part
11 thereof after the first 72 hours, excluding Sundays.

12 Monthly Rates:

13 All other rates shall be calculated as follows:

14 (Base Charge x number of yards of capacity x number of pickups per week x 52 weeks per year,
15 divided by 12 months per year) + Demurrage = total monthly rate, where:

16 **"Base Charge" for Monday - Saturday pickups = \$7.82.**

17 **“Base Charge” for Sunday pickups = \$11.73.**

18 "Demurrage" = \$17.46 per 24 hours or any part thereof after the first 72 hours, excluding
19 Sundays.

20 **SECTION 19: The charges for container rentals for single-family residences, multiple**
21 **dwellings, places of business and public buildings shall be as follows:**

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1	Container Size	Monthly Charge
2	1 Yard	\$14.34
3	2 Yard	\$17.20
4	3 Yard	\$20.08
5	4 Yard	\$22.37
6	6 Yard	\$28.67
7	8 Yard	\$31.54

8		Quarterly Charge
9	Up to 96 gal. Mobile Cart	\$10.32

10 SECTION 20: The charges for special one-time collections for single-family
11 residences, multiple dwellings, places of business and public buildings shall be as follows:

12	Size of Receptacle	One Time Charge
13	1 Yard Container	\$28.02
14	2 Yard Container	\$37.36
15	3 Yard Container	\$46.70
16	4 Yard Container	\$56.02
17	6 Yard Container	\$65.37
18	8 Yard Container	\$74.71

19 SECTION 21: The charges per container for preparation, collection, transportation and
20 disposal of medical waste and the charges for sales and rentals of medical waste containers shall be
21 determined in accordance with the following schedules:

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BASIC SERVICE CHARGES					
Item	Size & Volume	Price Per Item		Minimum Charge Per Service Call	
		Delivered	Picked Up	Prescheduled Once/Month or Greater Frequency	On-Call/Special Pickup
Bio-Hazardous Accumulation Containers	Medium 10-14 Gallons	\$4.50	\$4.50	\$25.69 (If total for containers delivered and picked up is less than \$25.69, then \$25.69 will be invoiced)	\$57.81 (If total for containers delivered and picked up is less than \$57.81, then \$57.81 will be invoiced)
	Large 27-32 Gallons	\$6.43	\$6.43		
	X-Large 48-50 Gallons	\$9.63	\$9.63		

ADDITIONAL SERVICE CHARGES			
Charges for prescheduled once/month or greater frequency service:			
Type	Size Code	Container	Disposal Price
Chemotherapy Waste Disposal	Large	33 Gallon	\$31.71
	Extra Large	55 Gallon	\$56.25
Pharmaceutical (non-controlled substance) Disposal	Extra small	5 Gallon	\$40.91
	Small	10 Gallon	\$74.15
	Medium	20 Gallon	\$148.30
	Large	30 Gallon	\$222.46
	Extra Large	55 Gallon	\$370.77
Charges for on-call / special pickups or special services:			
Item			Charge
Special pick ups (after 5:00 p.m., same day requests, holidays, weekends or greater than 20 polyurethane containers per pickup)			\$61.37 Per Hour
Special services (account balancing, reconciliation, usage reports, certificates)			\$61.37 Per Hour
Preparation of waste to make suitable for transportation			\$25.57 Per Container
Collection delay - \$1.02 per minute after 5 minutes			\$5.10 Minimum
Over weight charge (Over 50 lbs)			\$40.91 Per Container

PURCHASE OR RENTAL ITEMS				
Item	Size	Volume	Dimensions	Price
Sharp Containers	Small	1 Quart	4" x 4" x 6"	\$5.11 plus tax
	Medium	5 Quarts	4" x 10" x 9"	\$8.18 plus tax
	Large	8 Quarts	6" x 9" x 10"	\$10.23 plus tax
	Extra Large	32 Quarts	9" x 13" x 17"	\$20.46 plus tax
Red Bio-Hazard Bags	Small (500 bags per case)	8-10 Gallons	24" x 32" (8-10 gallons)	\$71.60 plus tax
	Large/Extra Large (25 bags per roll)	50 Gallons	43" x 48" (50 gallons)	\$12.27 plus tax
Locker Rental	Small	5 Cubic yards	7-1/2' x 5-1/2' x 3-1/2'	\$61.37 per month (includes transportation)
	Large	30 Cubic yards	20' x 8' x 8'	\$143.19 per month (includes transportation)
Roll-Off Box Rental	Extra Large	40 Cubic yards		\$337.52 per month
Trailer Rental (Special pickup charge of \$61.37 per hour does not apply to customers with trailer service, unless after hours or holiday pickups are requested)		30 feet long or less		\$489.48 per month
		48 feet long or less		\$652.64 per month
		53 feet long or less		\$734.22 per month

1 SECTION 22: (A) To ensure the uniform, safe and sanitary treatment of solid waste
2 in the City and to discourage the illegal handling and disposal of such solid waste, it shall be
3 mandatory for any person owning, occupying or managing any premises in the City which are
4 connected to water service to subscribe to solid waste collection service provided by the City or its
5 authorized franchisee and to pay the charges specified in this Chapter. No person may discontinue
6 paying for solid waste collection service for his or her premises, unless such premises will not be
7 connected to water service for the entire billing period.

8 (B) All charges for regular or periodic services provided by the City, its
9 franchisees, or their duly appointed agents, pursuant to this Chapter shall be due and payable in
10 advance on the first business day of each January, April, July and October for quarterly charges and
11 on the first business day of each month for monthly charges. All charges for services under this
12 Chapter, including the penalties for delinquent payment, shall constitute a debt and obligation of the
13 legal owner and the person having the management of the places of business, public buildings,
14 multiple dwellings and residences to the City or its franchisee, and such persons shall be liable
15 therefor in a civil action commenced by the City or its franchisee in any court of competent
16 jurisdiction for the recovery of such charges and penalties.

17 (C) A customer shall be entitled to a refund of any advance payment for service
18 he or she has made upon presenting proof that a connection to water service did not exist at the
19 customer's premises during the entire billing period for which the advance payment was made. All
20 refunds from a franchisee to a customer shall be paid within thirty days from the date of the
21 customer's request for reimbursement or date of franchisee's knowledge that a refund is owed.

22 (D) Subject to Section 15 of this Ordinance, no person shall accept and no
23 franchisee shall offer or give any solid waste collection, transportation and disposal services or
24 curbside recyclables collection services without charge, or shall offer or give a discount, refund or
25 rebate of any charge authorized by this Chapter, except that this provision does not apply to charitable
26 organizations which are exempt from federal income tax pursuant to Section 501(c) of the Internal
27 Revenue Code or as further provided by franchise agreement.

28 (E) If any person fails to pay the charges authorized by this Chapter within fifteen

1 days after they become due and payable, such charge shall be considered delinquent and a penalty of
2 ten percent per annum of the delinquent amount shall be added thereto.

3 SECTION 23: (A) In addition to all other charges allowed by this Chapter, a
4 franchisee may pass through to its customers such charges as are necessary for the franchisee to
5 recoup all State business license taxes paid pursuant to Section 187 of Chapter 5, Statutes of Nevada
6 2003, 20th Special Session. Such charges shall be based on only employees who are employed
7 directly by the franchisee and only to the extent that such taxes are directly attributable to the
8 franchisee's operations within the City. The franchisee shall list such charges separately on its bills.

9 (B) A franchisee shall provide to the City a detailed report on or before January 31
10 each year for the preceding calendar year containing the following information concerning the
11 franchisee's State business license taxes in a form satisfactory to the City:

- 12 (1) The amount of taxes paid during the prior calendar year;
- 13 (2) How such taxes were calculated including the number of employees
14 upon which such taxes were based;
- 15 (3) The number of customers in the City served by the franchisee during
16 the prior calendar year;
- 17 (4) The total pass-through tax charges collected from customers during the
18 prior calendar year; and
- 19 (5) The method that the franchisee will use to pass through such taxes to
20 its customers for the current year, including any adjustments to the
21 pass-through tax charges necessary to correct for any excess or under
22 charges during the prior calendar year.

23 SECTION 24: All solid waste collection charges or fees authorized and regulated by
24 this Chapter, including any penalties assessed under Section 22 of this Ordinance, shall constitute a
25 lien upon the real property of the premises served until such charges and fees have been paid. Such
26 lien shall be enforced in the following manner:

27 (A) A lien shall not be recorded against any property until the record owner of the
28 property has been mailed written notice of the delinquency at his or her last address shown by the

1 records of the County Assessor, and such delinquency has not been cured within fifteen days after the
2 mailing of the notice.

3 (B) The provider of solid waste collection may record in the office of the County
4 Recorder, no later than four hundred days following the date on which such charges or fees become
5 delinquent, a notice of solid waste service lien in favor of the person claiming the lien and signed by
6 an authorized representative of the person claiming the lien. The notice of solid waste lien shall
7 contain the amount of the charges or fees due, the periods for which such charges or fees are due, the
8 name of the record owner(s) of the property, and a legal description of the property.

9 (C) The provider of solid waste collection may bring an action for foreclosure
10 against such property in the same manner as an action for foreclosure of any other lien, commenced
11 within two years after the date of recording the notice of solid waste lien.

12 SECTION 25: (A) The rates and charges established pursuant to this Chapter shall
13 be adjusted annually based upon the percentage of change in the Consumer Price Index, All Urban
14 Consumers, U.S. City Average (CPI-U), as published by the U.S. Department of Labor, Bureau of
15 Labor Statistics, Washington, D.C.

16 (B) Rate changes shall be made effective as of July 1, each year, and shall be based
17 upon the percentage change in the CPI-U for the twelve-month period of the preceding calendar year.

18 (C) Annual increases to rates and charges adjusted in accordance with the
19 percentage change in the CPI-U shall not be greater than six and one-half percent when the percentage
20 change in CPI-U is within the range of zero (no change) to ten percent and shall be done in the
21 following manner:

22 (1) When the percentage change in the CPI-U is between zero and six and
23 one-half percent, the charges are to be adjusted by the actual percentage change; and

24 (2) When the percentage change is between six and one-half percent and
25 ten percent, the rates and charges adjustment shall not be greater than six and one-half percent.

26 (D) When an unforeseen economic circumstance has occurred during the preceding
27 calendar year, the City Council may consider and may approve a method for adjusting rates which
28 is not based on changes to the CPI-U. In any year following a period when the adjustment to rates

1 was based on some other method, rate adjustments shall again be based on changes in the CPI-U.

2 (E) A minimum of one annual rate adjustment based on the CPI-U method must
3 occur between annual rate adjustments based on methods other than the CPI-U method.

4 SECTION 26: (A) Every franchisee shall pay a quarterly franchise fee, in the
5 amount specified in the franchise agreement, based on its gross revenue derived from the collection
6 of solid waste and curbside recyclables collection for the preceding calendar quarter. All franchise
7 fees shall be due no later than thirty days after the end of each calendar quarter.

8 (B) All rates that a franchisee charges its customers for the collection of solid waste
9 and curbside recyclables collection pursuant to this Chapter and the franchise agreement shall be
10 deemed to include the franchise fee which the franchisee pays to the City. The franchisee may pass
11 such fees through to its customers only as a part of the general service rates charged to its customers,
12 not as a separate charge that is additional to the general service rates.

13 (C) If a franchise fee is received by the City after the due date, a late fee of two
14 percent per month (or fraction thereof) of the delinquent amount will be assessed to the franchisee.

15 SECTION 27: All solid waste and hazardous waste collected from the public and
16 private places and premises in the City shall not be deposited at any place other than at a disposal site
17 operated in accordance with all applicable laws, rules and regulations.

18 SECTION 28: (A) Any person may dispose of solid waste at any disposal site
19 operated in accordance with all applicable laws, rules and regulations.

20 (B) Any single-family resident of the City who is a current customer of a franchisee
21 may dispose of the solid waste generated at his or her own single-family dwelling at any authorized
22 disposal site operated by the franchisee within the "urban solid waste service area" in Clark County,
23 without charge, upon presentation of a current quarterly bill for residential service from the franchisee
24 and photo identification.

25 SECTION 29: The City, in addition to the remedies and penalties above named, may
26 seek injunctive relief against any violator of this Chapter, with or without prior notice, to prevent or
27 correct any solid waste, hazardous waste or recyclable materials problem.

28 SECTION 30: Nothing in this Chapter shall limit the right of any person to donate or

1 sell his or her non-commingled recyclable materials.

2 SECTION 31: Nothing in this Chapter shall limit the right of the City to collect,
3 transport, process or dispose of any solid waste, hazardous waste or recyclable material including the
4 operation of transfer stations and recycling centers.

5 SECTION 32: Solid waste and hazardous waste, as defined in Section 3 of this
6 Ordinance and for the purpose of this Chapter, are a nuisance per se.

7 SECTION 33: (A) Notwithstanding any other provision of this Code to the
8 contrary, no franchisee shall perform solid waste collection or curbside recyclables collection in the
9 City other than from 6:00 a.m. to 10:00 p.m. on property which is either developed for, or whose
10 property line is within three hundred feet of property developed for, residential use.

11 (B) In case of an emergency or for other good cause shown, the City Manager or
12 his or her designee may grant temporary written approval to make collections of solid waste and
13 curbside recyclables outside of the hours specified in Subsection (A) of this Section.

14 SECTION 34: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby repealed.

16 SECTION 35: Section 34 of this Ordinance shall become effective as of 12:01 A.M.
17 the day after publication of this Ordinance by title.

18 SECTION 36: Sections 1 through 33, inclusive of this Ordinance shall become
19 effective as of 12:02 A.M. the day after publication of this Ordinance by title.

20 SECTION 37: If any section, subsection, subdivision, paragraph, sentence, clause or
21 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
22 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
27 invalid or ineffective.

28 SECTION 38: Whenever in this ordinance any act is prohibited or is made or declared

1 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
2 required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
6 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

7 SECTION 39: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:

18 Larry G. Bellis
19 9-1-04
20 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2004, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2004, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

13

14 By _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

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18 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-67 – Adjusts the ward boundaries of the City. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City Charter authorizes the City Council to adjust Council ward boundaries from time to time in order to address significant population imbalance among Council wards. This bill will adjust the ward boundaries in accordance with a redistricting proposal designed to restore population balance among Council wards.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2004-67
2. Map of Proposed Wards
3. Table of Precinct Populations
4. Submitted at meeting: letters opposing redistricting Ward 1 addressed to the Mayor from Kristina Pickering, Steve Morris, John T. Moran, Jr., John A. Hunt, Esq., John F. O'Reilly, Esq., and William L. Coulthard

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

9/27/2004 Special Recommending Committee

10/6/2004 Council Agenda

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

New Bill

Item 99 – Bill No. 2004-67

MINUTES – Continued:

Under Item 97, MAYOR GOODMAN announced that Item 99 (Bill No. 2004-67) would be submitted to a Special Recommending Committee set for 9/27/2004 at 3:00 p.m. in the Council Chambers.

JOHN MORAN, JR., Ward 1 resident, stated that he represents many residents of Ward 1 that wish to remain in Ward 1. Many of those people not only reside in Ward 1, but also own businesses in Ward 1. He opined that the Council should allow an adequate forum for public comment. There are ways to accomplish redistricting so that people who voted for COUNCILMAN WOLFSON are not shuffled into another ward, without raping the integrity of Ward 1. MR. MORAN indicated that PETER THOMAS, a Ward 1 resident, is against introducing this bill and believes that it should be modified and reintroduced.

MAYOR GOODMAN submitted several letters, which are made a part of the final minutes, that he received from various Ward 1 residents with concerns.

LOIS TARKANIAN, 2905 Justice Lane, asked if this matter would be voted on at the 9/27/2004 meeting. MAYOR GOODMAN asserted that there would be an opportunity for public hearing at the Special Recommending Committee meeting of 9/27/2004, where the bill will be heard by the full Council and citizens could give their input. CITY ATTORNEY JERBIC explained that the full Council would consider this bill, make amendments, if necessary, and then forward it with a recommendation to the 10/20/2004 Council meeting, at which time the Council will take a final vote.

COUNCILMAN WOLFSON asked if providing input at the Special Recommending Committee was the proper process. MAYOR GOODMAN answered that the public can submit letters or make phone calls to their Council representative to express their concerns and input.

(2:06 – 2:16)

4-1141

THE MORNING SESSION RECESSED AT 2:16 P.M.

BILL NO. 2004-67

ORDINANCE NO. _____

AN ORDINANCE TO ADJUST THE WARD BOUNDARIES OF THE CITY, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney Summary: Adjusts the ward boundaries of the City.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1: Title 1, Chapter 16, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1.16.020: Ward No. 1 shall consist of that area of the City which is encompassed within election precinct numbers 2461, 3089, 3090, 3120, 3127, 3225, 3227, 3301, 3302, 3308, 3309, 3310, 3311, 3312, 3320, 3321, 3322, 3323, 3326, 3353, 3354, 3355, 3360, 3361, 3362, 3900, [4325,] 4350, 4351, 4352, 4353, 4355, 4356, [4901,] 5014, 6013, 6031, 6034, [6333, 6351, 6352, 6353, 6354, 6355,] 6343, 6360, 6361, 6362, 6363, 6364, 6365, 6370, 6371, 6372, 6373, 6374, 6375, 6380, 6381, 6382, 6383, 6384, 6385, 6390, 6391, 6392, 6393, 6394, 6395, 6396, 6400, 6401, 6402 and 6403.

SECTION 2: Title 1, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1.16.030: Ward No. 2 shall consist of that area of the City which is encompassed within election precinct numbers 2303, 2305, 2306, 2307, 2310, 2311, 2312, 2314, 2331, 2455, 2460, [2461, 3089, 3090,] 3129, 3130, [3225, 3227,] 3228, 3229, 3340, 3341, 3342, 3343, 3344, 3345, 3350, 3351, 3352, [3355, 3360, 3361, 3362,] 3363, 3364, 3365, 3366, 3370, 3371, 3372, 3373, 3374, 3375, 3380, 3381, 3382, 3386, 3541, 3544, 6305, 6310, 6341 and 6342. [6343, 6344, 6345, 6350, 6380, 6381, 6382 and 6383.]

SECTION 3: Title 1, Chapter 16, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1.16.040: Ward No. 3 shall consist of that area of the City which is encompassed within election precinct numbers 4040, 4050, 4341, 4343, 4344, 4345, 4347, 4360, 4361, 4363, 4364, 4365, 4370, 4371, 4372, 4373, 4374, 4375, 4376, 4380, 4381, 4382, 4383, 4384, 4385, 5003, 5300, 5310, 5312,

1 5313, 5315, 5316, 5320, 5350, 5351, 5352, 5356, 5383, 5384, 5385, 5901, 5902, 7370, 7371, 7372
2 and 7373.

3 SECTION 4: Title 1, Chapter 16, Section 50, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **1.16.050:** Ward No. 4 shall consist of that area of the City which is encompassed within election
6 precinct numbers 2300, 2301, [2302, 2303, 2305, 2307, 2310,] 2313, [2314,] 2321, 2342, 2344, 2900,
7 3034, 3035, 3036, 3037, 3038, 3040, 3041, 3042, 3214, 3217, 3219, 3220, 3383, 3384, 3385, 3390,
8 3391, 3392, 3393, 3394, 3395, 3396, 3400, 3401, 3402, 3403, 3404, 3410, 3411, 3412, 3413, 3414,
9 3415, 3420, 3421, 3422, 3423, 3424, 3425, 3430, 3431, 3432, 3434, 3435, 3436, 3442, 3443, 3446,
10 3450, 3451, 3452, 3453, 3454, 3463, 3464, 3465, 3466, 3524, 3525, 3526 and 3903.

11 SECTION 5: Title 1, Chapter 16, Section 60, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **1.16.060:** Ward No. 5 shall consist of that area of the City which is encompassed within election
14 precinct numbers 2050, 2327, 2332, 2333, 2349, 2450, 2451, 2452, 2453, 4028, 4031, 4035, [4040,]
15 4320, 4321, 4324, 4325, 4330, 4331, 4332, 4340, [4341,] 4342, [4343, 4344, 4345, 4347,] 4386, 4387,
16 4450, 4451, 4452, 4453, 4455, 4460, 4461, 4462, 4463, 4464, 4465, 4466, 4901, 6300, 6301, 6302,
17 6303, 6311, 6312, 6314, 6320, 6322, 6323, 6325, 6330, 6331, 6332, 6333, 6334, 6339, [and] 6340[.],
18 6344, 6345, 6350, 6351, 6352, 6353, 6354 and 6355.

19 SECTION 6: Title 1, Chapter 16, Section 70, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **1.16.070:** Ward No. 6 shall consist of that area of the City which is encompassed within election
22 precinct numbers 2037, 2044, 2047, 2048, 2052, 2302, 2322, 2323, 2324, 2325, 2326, 2328, [2331,]
23 2338, 2341, [2344,] 2345, 2346, 2350, 2351, 2352, 2353, 2354, 2355, 2454, [2455, 2460,] 2462, 2901,
24 2947, 2948, [3453, 3463, 3464, 3465, 3466,] 3470, 3471, 3472, 3481, 3482, 3483, 3485, 3486, 3490,
25 3491, 3494, 3495, 3500, 3501, 3502, 3505, 3506, 3507, 3508, 3510, 3514, 3520, [3524, 3525, 3526,]
26 3527, 3528, 3530, 3545, 3961[,], and 3965, [6305, 6310, 6341 and 6342.]

27 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

1 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
2 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
3 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
4 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
5 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
6 invalid or ineffective.

7 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15
16 BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:

18 Val Steep 9-7-04
19 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2004, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2004, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

13

14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BARBARA JO RONEMUS, City Clerk

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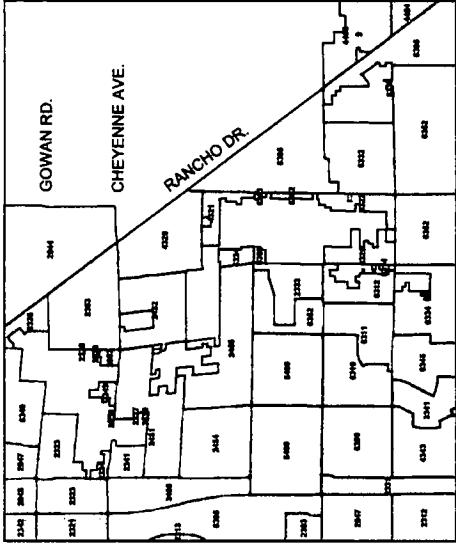
28

City of Las Vegas
MAP SHOWING
PROPOSED WARDS FOR
BILL # 2004-67

- 3483 Precinct Number
- Precinct Boundary
- Council Ward One
- Council Ward Two
- Council Ward Three
- Council Ward Four
- Council Ward Five
- Council Ward Six

September 07, 2004

TOTAL POPULATION AS OF JULY 1, 2004: 559,455



Precinct Populations as of July 1, 2004

WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6
Precinct	Precinct	Precinct	Precinct	Precinct	Precinct
Population	Population	Population	Population	Population	Population
2481 2,513	916	4040	2300	2050	2044
3089 2,038	2,203	4050	2301	1,817	2,044
3090 1,852	2,424	4060	2313	1,915	2,428
3120 1,867	2,118	4341	2311	2,332	1,742
3205 2,107	2,107	4343	2312	2,332	2,046
3206 1,872	2,107	4344	2313	2,332	2,046
3207 1,872	2,107	4345	2314	2,332	2,046
3208 1,872	2,107	4346	2315	2,332	2,046
3227 1,181	3,214	4347	2316	2,332	2,046
3228 1,181	3,214	4348	2317	2,332	2,046
3229 1,181	3,214	4349	2318	2,332	2,046
3230 1,181	3,214	4350	2319	2,332	2,046
3231 1,181	3,214	4351	2320	2,332	2,046
3232 1,181	3,214	4352	2321	2,332	2,046
3233 1,181	3,214	4353	2322	2,332	2,046
3234 1,181	3,214	4354	2323	2,332	2,046
3235 1,181	3,214	4355	2324	2,332	2,046
3236 1,181	3,214	4356	2325	2,332	2,046
3237 1,181	3,214	4357	2326	2,332	2,046
3238 1,181	3,214	4358	2327	2,332	2,046
3239 1,181	3,214	4359	2328	2,332	2,046
3240 1,181	3,214	4360	2329	2,332	2,046
3241 1,181	3,214	4361	2330	2,332	2,046
3242 1,181	3,214	4362	2331	2,332	2,046
3243 1,181	3,214	4363	2332	2,332	2,046
3244 1,181	3,214	4364	2333	2,332	2,046
3245 1,181	3,214	4365	2334	2,332	2,046
3246 1,181	3,214	4366	2335	2,332	2,046
3247 1,181	3,214	4367	2336	2,332	2,046
3248 1,181	3,214	4368	2337	2,332	2,046
3249 1,181	3,214	4369	2338	2,332	2,046
3250 1,181	3,214	4370	2339	2,332	2,046
3251 1,181	3,214	4371	2340	2,332	2,046
3252 1,181	3,214	4372	2341	2,332	2,046
3253 1,181	3,214	4373	2342	2,332	2,046
3254 1,181	3,214	4374	2343	2,332	2,046
3255 1,181	3,214	4375	2344	2,332	2,046
3256 1,181	3,214	4376	2345	2,332	2,046
3257 1,181	3,214	4377	2346	2,332	2,046
3258 1,181	3,214	4378	2347	2,332	2,046
3259 1,181	3,214	4379	2348	2,332	2,046
3260 1,181	3,214	4380	2349	2,332	2,046
3261 1,181	3,214	4381	2350	2,332	2,046
3262 1,181	3,214	4382	2351	2,332	2,046
3263 1,181	3,214	4383	2352	2,332	2,046
3264 1,181	3,214	4384	2353	2,332	2,046
3265 1,181	3,214	4385	2354	2,332	2,046
3266 1,181	3,214	4386	2355	2,332	2,046
3267 1,181	3,214	4387	2356	2,332	2,046
3268 1,181	3,214	4388	2357	2,332	2,046
3269 1,181	3,214	4389	2358	2,332	2,046
3270 1,181	3,214	4390	2359	2,332	2,046
3271 1,181	3,214	4391	2360	2,332	2,046
3272 1,181	3,214	4392	2361	2,332	2,046
3273 1,181	3,214	4393	2362	2,332	2,046
3274 1,181	3,214	4394	2363	2,332	2,046
3275 1,181	3,214	4395	2364	2,332	2,046
3276 1,181	3,214	4396	2365	2,332	2,046
3277 1,181	3,214	4397	2366	2,332	2,046
3278 1,181	3,214	4398	2367	2,332	2,046
3279 1,181	3,214	4399	2368	2,332	2,046
3280 1,181	3,214	4400	2369	2,332	2,046
3281 1,181	3,214	4401	2370	2,332	2,046
3282 1,181	3,214	4402	2371	2,332	2,046
3283 1,181	3,214	4403	2372	2,332	2,046
3284 1,181	3,214	4404	2373	2,332	2,046
3285 1,181	3,214	4405	2374	2,332	2,046
3286 1,181	3,214	4406	2375	2,332	2,046
3287 1,181	3,214	4407	2376	2,332	2,046
3288 1,181	3,214	4408	2377	2,332	2,046
3289 1,181	3,214	4409	2378	2,332	2,046
3290 1,181	3,214	4410	2379	2,332	2,046
3291 1,181	3,214	4411	2380	2,332	2,046
3292 1,181	3,214	4412	2381	2,332	2,046
3293 1,181	3,214	4413	2382	2,332	2,046
3294 1,181	3,214	4414	2383	2,332	2,046
3295 1,181	3,214	4415	2384	2,332	2,046
3296 1,181	3,214	4416	2385	2,332	2,046
3297 1,181	3,214	4417	2386	2,332	2,046
3298 1,181	3,214	4418	2387	2,332	2,046
3299 1,181	3,214	4419	2388	2,332	2,046
3300 1,181	3,214	4420	2389	2,332	2,046
3301 1,181	3,214	4421	2390	2,332	2,046
3302 1,181	3,214	4422	2391	2,332	2,046
3303 1,181	3,214	4423	2392	2,332	2,046
3304 1,181	3,214	4424	2393	2,332	2,046
3305 1,181	3,214	4425	2394	2,332	2,046
3306 1,181	3,214	4426	2395	2,332	2,046
3307 1,181	3,214	4427	2396	2,332	2,046
3308 1,181	3,214	4428	2397	2,332	2,046
3309 1,181	3,214	4429	2398	2,332	2,046
3310 1,181	3,214	4430	2399	2,332	2,046
3311 1,181	3,214	4431	2400	2,332	2,046
3312 1,181	3,214	4432	2401	2,332	2,046
3313 1,181	3,214	4433	2402	2,332	2,046
3314 1,181	3,214	4434	2403	2,332	2,046
3315 1,181	3,214	4435	2404	2,332	2,046
3316 1,181	3,214	4436	2405	2,332	2,046
3317 1,181	3,214	4437	2406	2,332	2,046
3318 1,181	3,214	4438	2407	2,332	2,046
3319 1,181	3,214	4439	2408	2,332	2,046
3320 1,181	3,214	4440	2409	2,332	2,046
3321 1,181	3,214	4441	2410	2,332	2,046
3322 1,181	3,214	4442	2411	2,332	2,046
3323 1,181	3,214	4443	2412	2,332	2,046
3324 1,181	3,214	4444	2413	2,332	2,046
3325 1,181	3,214	4445	2414	2,332	2,046
3326 1,181	3,214	4446	2415	2,332	2,046
3327 1,181	3,214	4447	2416	2,332	2,046
3328 1,181	3,214	4448	2417	2,332	2,046
3329 1,181	3,214	4449	2418	2,332	2,046
3330 1,181	3,214	4450	2419	2,332	2,046
3331 1,181	3,214	4451	2420	2,332	2,046
3332 1,181	3,214	4452	2421	2,332	2,046
3333 1,181	3,214	4453	2422	2,332	2,046
3334 1,181	3,214	4454	2423	2,332	2,046
3335 1,181	3,214	4455	2424	2,332	2,046
3336 1,181	3,214	4456	2425	2,332	2,046
3337 1,181	3,214	4457	2426	2,332	2,046
3338 1,181	3,214	4458	2427	2,332	2,046
3339 1,181	3,214	4459	2428	2,332	2,046
3340 1,181	3,214	4460	2429	2,332	2,046
3341 1,181	3,214	4461	2430	2,332	2,046
3342 1,181	3,214	4462	2431	2,332	2,046
3343 1,181	3,214	4463	2432	2,332	2,046
3344 1,181	3,214	4464	2433	2,332	2,046
3345 1,181	3,214	4465	2434	2,332	2,046
3346 1,181	3,214	4466	2435	2,332	2,046
3347 1,181	3,214	4467	2436	2,332	2,046
3348 1,181	3,214	4468	2437	2,332	2,046
3349 1,181	3,214	4469	2438	2,332	2,046
3350 1,181	3,214	4470	2439	2,332	2,046
3351 1,181	3,214	4471	2440	2,332	2,046
3352 1,181	3,214	4472	2441	2,332	2,046
3353 1,181	3,214	4473	2442	2,332	2,046
3354 1,181	3,214	4474	2443	2,332	2,046
3355 1,181	3,214	4475	2444	2,332	2,046
3356 1,181	3,214	4476	2445	2,332	2,046
3357 1,181	3,214	4477	2446	2,332	2,046
3358 1,181	3,214	4478	2447	2,332	2,046
3359 1,181	3,214	4479	2448	2,332	2,046
3360 1,181	3,214	4480	2449	2,332	2,046
3361 1,181	3,214	4481	2450	2,332	2,046
3362 1,181	3,214	4482	2451	2,332	2,046
3363 1,181	3,214	4483	2452	2,332	2,046
3364 1,181	3,214	4484	2453	2,332	2,046
3365 1,181	3,214	4485	2454	2,332	2,046
3366 1,181	3,214	4486	2455	2,332	2,046
3367 1,181	3,214	4487	2456	2,332	2,046
3368 1,181	3,214	4488	2457	2,332	2,046
3369 1,181	3,214	4489	2458	2,332	2,046
3370 1,181	3,214	4490	2459	2,332	2,046
3371 1,181	3,214	4491	2460	2,332	2,046
3372 1,181	3,214	4492	2461	2,332	2,046
3373 1,181	3,214	4493	2462	2,332	2,046
3374 1,181	3,214	4494	2463	2,332	2,046
3375 1,181	3,214	4495	2464	2,332	2,046
3376 1,181	3,214	4496	2465	2,332	2,046
3377 1,181	3,214	4497	2466	2,332	2,046
3378 1,181	3,214	4498	2467	2,332	2,046
3379 1,181	3,214	4499	2468	2,332	2,046
3380 1,181	3,214	4500	2469	2,332	2,046
3381 1,181	3,214	4501	2470	2,332	2,046
3382 1,181	3,214	4502	2471	2,332	2,046
3383 1,181	3,214	4503	2472	2,332	2,046
3384 1,181	3,214	4504	2473	2,332	2,046
3385 1,181	3,214	4505	2474	2,332	2,046
3386 1,181	3,214	4506	2475	2,332	2,046
3387 1,181	3,214	4507	2476	2,332	2,046
3388 1,181	3,214	4508	2477	2,332	2,046
3389 1,181	3,214	4509	2478	2,332	2,046
3390 1,181	3,214	4510	2479	2,332	2,046
3391 1,181	3,214	4511	2480	2,332	2,046
3392 1,181	3,214	4512	2481	2,332	

Estimated Population by Existing and Proposed Ward Boundaries

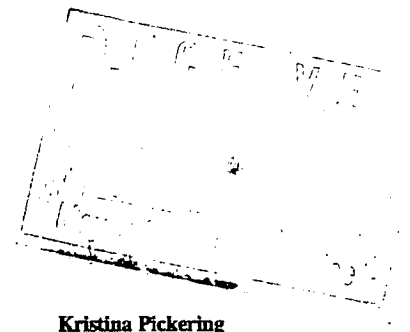
Ward	Exisiting	Proposed
1	80,202	92,433
2	97,751	93,521
3	82,385	93,518
4	96,651	94,053
5	85,626	92,045
6	116,840	93,885
CLV Total	559,455	559,455

*Estimates as of July 1, 2004

*Popualtion Estimates Prepared by Planning and Develpoment

MORRIS & PICKERING
PETERSON
ATTORNEYS AT LAW

900 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NV 89101
TELEPHONE 702/474-9400
FACSIMILE 702/474-9422
WEBSITE: morrislawgroup.com



Kristina Pickering
Direct dial: (702) 474-9472
E-Mail: kp@morrislawgroup.com
Fax: (702) 382-2620

September 14, 2004

VIA HAND DELIVERY

Mayor Oscar Goodman
City Council Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, Nevada 89101

Re: Proposed Realignment Affecting Ward 1 Residents

Dear Mayor and Council:

I am writing to add my voice to those of my neighbors, many of whom have written asking that you reject the proposed division and redistricting of our Ward 1 neighborhood. My home is at 2508 Pinto Lane, which is east of Shetland, south of Alta, and west of Rancho.

I moved to Las Vegas from Reno in 1992. Since then, I have always lived in Ward 1. I have worked at being a contributing part of the neighborhood, and I count its residents as friends, colleagues, running companions, and fellow walkers and dog lovers. Those of us in Ward 1 know one another. We debate and unite on issues of local political concern; if we disagree, we do so collegially and with respect for one another. We support our neighborhood schools, both public and parochial, our churches, our streets, and one another.

Neighborhoods and neighborhood ties are the root of good government, not something to put aside in favor of personal agendas of one political force or another. Please do not balkanize Ward 1 and make us ineffective strangers in new and unfamiliar wards.

September 14, 2004
Page 2

Thank you for your consideration.

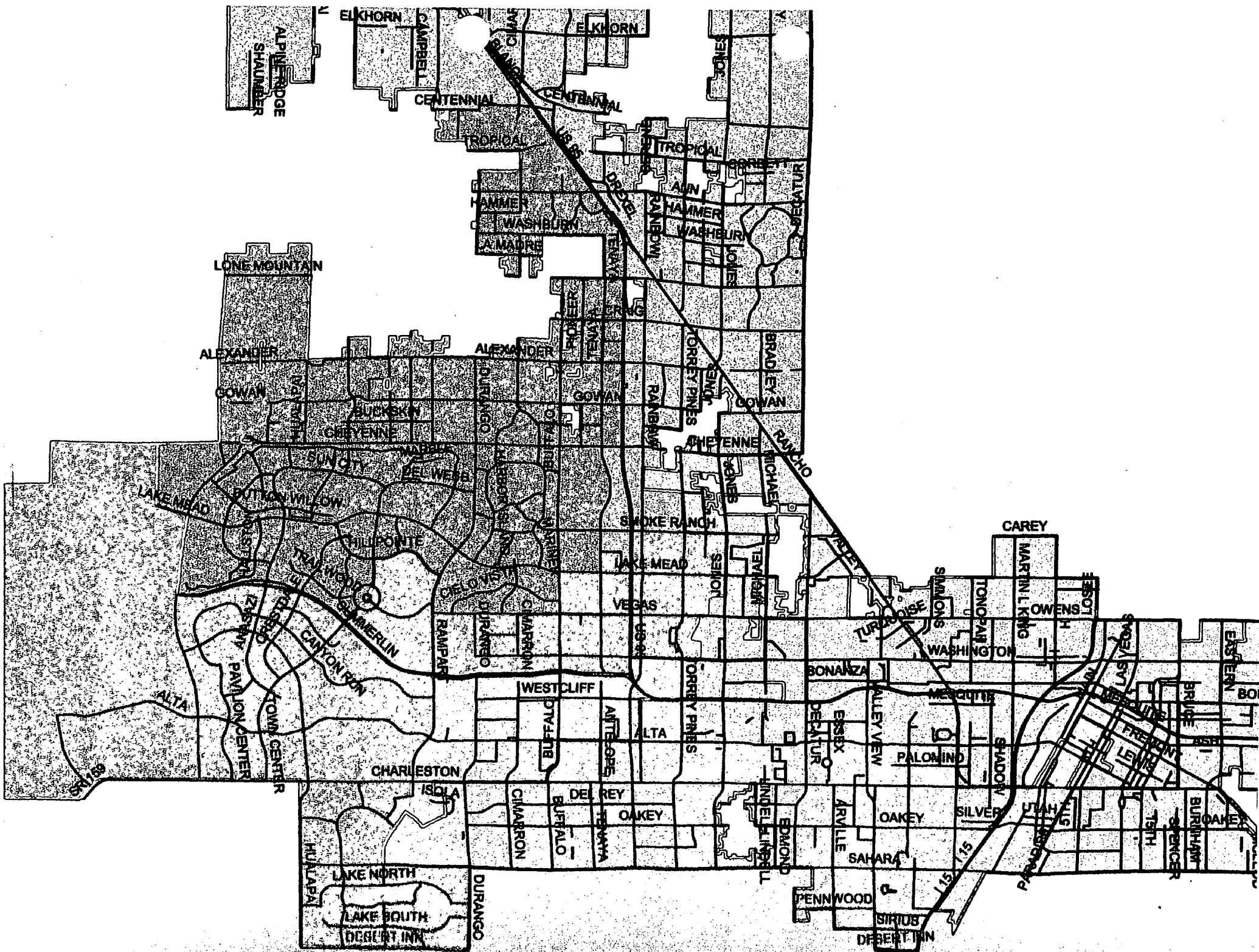
Sincerely,


KRISTINA PICKERING

KP:jmh

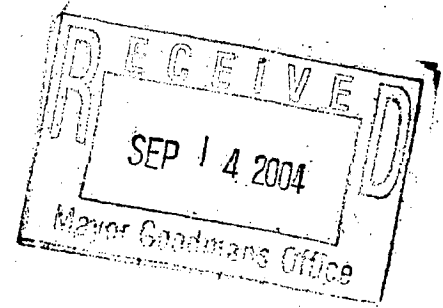
Copy to: Governor Guinn
Senator Reid
John O'Reilly
John Hunt
Bill Coulthard
Peter Thomas
Ed Bernstein
John Momot
John T. Moran, Jr.

MORRIS PICKERING & PETERSON



MORRIS & PICKERING
PETERSON
ATTORNEYS AT LAW

900 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NV 89101
TELEPHONE 702/474-9400
FACSIMILE 702/474-9422
WEBSITE: morrislawgroup.com



Direct dial: (702) 474-9433
E-Mail: SM@morrislawgroup.com
Direct Fax: (702) 474-4547

September 13, 2004

Mayor Oscar Goodman
City Council Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, Nevada 89101

**RE: PROPOSED REALIGNMENT EFFECTING WARD 1 RESIDENTS
(NORTH OF U.S. 95 AND WEST OF RANCHO DRIVE)**

Dear Mayor and Council:

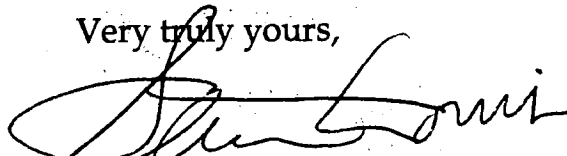
I live at 2508 Pinto Lane; I have lived in this Ward 1 neighborhood for 20 years. I moved here from another Ward to enjoy the unique neighborhoods and fine people who live here. I have worked with them on many activities and projects unique to Ward 1, and I would like to continue doing so.

I write to oppose placing me and my immediate neighbors to the west in Ward 5, while leaving our neighbors and neighborhood across the street and west in Ward 1. We belong where we have worked together and been historically, in Ward 1. This proposed gerrymandering suggests that the realignment of Ward 1's boundaries is not driven by concern for the property and residents of Ward 1 you propose to displace but by politics.

Please do not realign Ward 1's boundaries as proposed in Agenda Item 99 for the September 15 meeting. Leave all of the area west of Rancho along Alta, Pinto, and Palomino that is in Ward 1 in Ward 1.

Thank you.

Very truly yours,


STEVE MORRIS

Submitted at City Council
Date 9/15/04 Item #99

Mayor Oscar Goodman
September 13, 2004
Page 2

cc: Governor Guinn
Senator Reid
John O'Reilly
John Hunt
Bill Coulthard
Peter Thomas
Ed Bernstein
John Momot
John T. Moran, Jr.

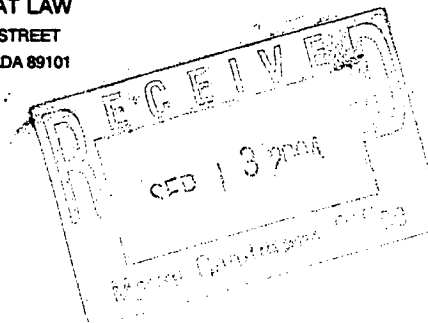
MORAN & ASSOCIATES

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

630 SOUTH 4TH STREET

LAS VEGAS, NEVADA 89101



TELEPHONE (702) 384-8424

TELECOPIER (702) 384-6568

MORANLAWFIRM.COM

JOHN T. MORAN, JR.
JILL M. LYNNE
LEW BRANDON, JR.
JEFFERY A. BENDAVID
SHAWN R. HUGGINS
J. T. MORAN III
LADINE ORAVETZ

September 13, 2004

HAND DELIVERED

Mayor Oscar Goodman
City Council Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, NV 89101

**RE: PROPOSED REALIGNMENT EFFECTING WARD 1 RESIDENTS
(NORTH OF U.S. 95 AND WEST OF RANCHO DRIVE)**

Dear Mayor and Council:

Yesterday I was approached by several of my neighbors in Ward 1 who brought to my attention that the City is in the process of realigning Ward 1 and placing those residents in Ward 5. Also that a City Council Meeting for approval is set on this coming Wednesday, September 18, 2004 where the item #99 will be heard. By this correspondence I am bringing to your attention that some residents effected in Ward 1 are adamantly opposed to being placed into any other wards.

In my conversations with residents who approached me, many suggested that this proposed realignment that effects Ward 1 residents, particularly in Rancho Bel Air Estates, Rancho Circle, and the Historical District established in Ward 1 in the Alta/Rancho Drive area has "political overtones". I would hope that this is not the case as rumored.

As you are well aware Mayor, Ward 1 residents that are effected by this proposed ward alignment have been in such Ward, many for in excess of close to 50 years per family. They have worked together on various City projects during this time and have supported you throughout your terms as Mayor and they do not wish to be relocated into wards that they are unfamiliar with and do not have a prior historical interaction with residents some distance away. I enclose for your review the ward realignment map, which depicts the area of concern in Ward 1 that will now be placed into Ward 5 should the misguided realignment be approved by the City Council. As one of your constituents and a resident for an extended period of time in the City of Las Vegas, I am asking you and your

Submitted at City Council

Date 9/15/04 Item #99

Mayor Oscar Goodman
City Council Members
September 13, 2004
Page 2

Council to rethink any ward realignment that removes Ward 1 residents in the suspect area and places them into a Ward 5 configuration.

Thanking you for your attention to this matter.

Very truly yours,



John T. Moran, Jr.

JTM/hgf

cc: Governor Guinn
Senator Reid
Steve Morris, Esq.
Kristina Pickering, Esq.
John O'Reilly, Esq.
John Hunt, Esq.
Bill Coulthard, Esq.
Peter Thomas, Esq.
Ed Bernstein, Esq.
John Momot, Esq.



Raleigh, Hunt, & McGarry, P.C.

Attorneys at Law

112 Garces Avenue Suite 200 Las Vegas, NV 89101

702-386-4842 fax 702-386-5990

CHRISTOPHER J. RALEIGH
chris@lvattorneys.net

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BERT E. WUESTER JR
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SUSAN M. SAKIO
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REGINA A. HABERMAS
cina@lvattorneys.net

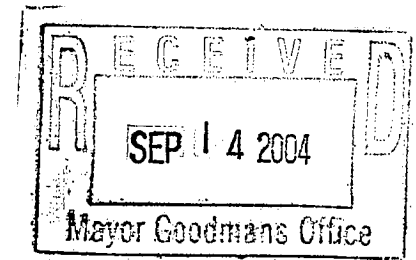
LYNN M. HUGHES
lhughes@lvattorneys.net

September 14, 2004

Via Hand-Delivery

Mayor Oscar Goodman
City Hall Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, NV 89101

**RE: Proposed Realignment Effecting Ward 1 Residents
(North of U.S. 95 and West of Rancho Drive)**



Dear Mayor and Council:

Recently I have been informed by several of my neighbors the City is considering redistricting Ward 1. I am not only a resident of Ward 1, but my law firm of Raleigh, Hunt & McGarry, PC have our offices located in Ward 1.

Ward 1 is a very special district as it is more than houses and buildings, but, in fact, it is a family. I am particularly disturbed to hear that members of our family will be disenfranchised by the redistricting. Looking at the map, it appears to be "gerrymandering" at the finest.

There appears to be political motivations for this gerrymandering. I have not been involved in any efforts to recall Ms. Moncrede, however, such political shenanigans should not be tolerated. We love our families and our neighbors and hope the City will respect our wishes to remain in tact as Ward 1. I know our friends and neighbors can count on all of you to do the right thing and not let political considerations override a sense of community that has been established since the inception of Las Vegas.

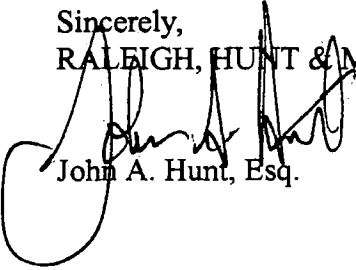
Finally, I believe any redistricting should be decided in a public forum. I know hundreds of Ward 1 residents will have an opinion regarding redistricting once they are made aware of it. Please let the democratic process have an opportunity to work.

Submitted at City Council
Date 9/15/04 Item # 99

Mayor Oscar Goodman
City Hall Members
September 14, 2004
Page 2

Should you have any questions, do not hesitate to call.

Sincerely,
RALEIGH, HUNT & MCGARRY, P.C.



John A. Hunt, Esq.

JAH/rrd

cc: Governor Guinn
Senator Reid
Steve Morris, Esq.
Kristina Pickering, Esq.
John O'Reilly, Esq.
Bill Coulthard, Esq.
Peter Thomas, Esq.
Ed Bernstein, Esq.
John Momot, Esq.
John Moran, Jr., Esq.

O'REILLY & FERRARIO, LLC

A NEVADA LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS
ATTORNEYS AT LAW

JOHN F. O'REILLY, CHTD.
MARK E. FERRARIO
WILLIAM J. WRAY
OF COUNSEL
JAMES L. ZEMELMAN

325 SOUTH MARYLAND PARKWAY
LAS VEGAS, NEVADA 89101-5300
TELEPHONE: (702) 382-2500 FACSIMILE: (702) 384-6266
www.oreillyferrario.com

D. KEVIN DeGRAW
BRANDON E. ROOS
C. DEAN HOMAYOUNI
WILLIAM L. BRYSON
SHAUN P. HALEY

September 14, 2004

Mayor Oscar Goodman
City Council Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, NV 89101

Re: **PROPOSED REALIGNMENT EFFECTING WARD 1 RESIDENTS
(NORTH OF U.S. 95 AND WEST OF RANCHO DRIVE)**
Our File No.: 80001-00001

Dear Mayor and Council :

I live at 3013 Pinto Lane. I have lived with my wife and children in this Ward 1 neighborhood in excess of 25 years. I enjoy the unique neighborhoods and the fine people who live in Ward 1. I have worked with them on many activities and projects that are unique to Ward 1, and I would like to continue doing so.

I write to oppose placing me and my immediate neighbors to the west in Ward 5, while leaving our neighbors and neighborhood across the street and west in Ward 1. This proposed gerrymandering suggests that the realignment of Ward 1's boundaries is not driven by concerns for the property and residents of Ward 1 you propose to displace but by politics.

Please do not realign Ward 1's boundaries as proposed in Agenda Item 99 for the September 15 meeting. Leave all of the area west of Rancho along Alta, Pinto Palomino that is in Ward 1 in Ward 1. We belong where we have worked together and been historically, in Ward 1.

Thank you.

Very truly yours,

O'REILLY & FERRARIO, LLC


John F. O'Reilly, Esq.

JOR:ga

Mayor Oscar Goodman
City Council Members
September 14, 2004
Page 2

cc: Governor Guinn
Senator Reid
Steve Morris
John Hunt
Bill Coulthard
Peter Thomas
Ed Bernstein
John Momot
John T. Moran, Jr.

HARRISON, KEMP & JONES, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89109
(702) 385-6000

MESSAGE FROM: (702) 385-6001

DATE: September 14, 2004

TO: Mayor Oscar Goodman
Janet Moncrief (Ward 1)
Steve Wolfson (Ward 2)
Gary Reese (Ward 3)
Larry Brown (Ward 4)
Lawrence Weekly (Ward 5)
Michael Mack (Ward 6)

FAX #: 385-7960
382-8558

PHONE #:

FROM: William L. Coulthard, Esq.

CLIENT/MATTER:

CLIENT/MATTER NO.:

NUMBER OF PAGES (including cover page): 3

MESSAGE: Please ensure that the Mayor and each City Council Member receive a copy.

THIS FACSIMILE IS INTENDED ONLY FOR THE ADDRESSEE NAMED ABOVE. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, DESTROY ALL COPIES, AND DO NOT DISSEMINATE THE INFORMATION TO ANYONE. THANK YOU FOR YOUR ASSISTANCE.

IF YOU EXPERIENCE PROBLEMS WITH THIS TRANSMISSION,
please call (702) 385-6000 and ask for: Miriam Alvarez

Submitted at City Council

Date 9/15/04 Item #99

HARRISON, KEMP & JONES
ATTORNEYS AT LAW

WILL KEMP
KIRK R. HARRISON
J. RANDALL JONES
WILLIAM L. COULTHARD*
RICHARD F. SCOTTI**
JENNIFER C. POPICK
ARTEMUS W. HAM, IV
ANDREA N. ALEXANDER**
BILLIE-MARIE MORRISON
KRISTIN H. STANGELAND

A LIMITED LIABILITY PARTNERSHIP
WELLS FARGO TOWER
3800 HOWARD HUGHES PARKWAY
SEVENTEENTH FLOOR
LAS VEGAS, NEVADA 89109
hkj@hkj-law.com

TELEPHONE
(702) 385-6000

FACSIMILE
(702) 385-6001
(702) 385-1234

September 14, 2004

*Also licensed in Idaho
**Also licensed in California

Honorable Mayor Oscar Goodman
City Council Members
City of Las Vegas
City Hall, 10th Floor
Las Vegas, Nv. 89101

Via Fax & Regular Mail

Re: **LETTER IN OPPOSITION to Bill No. 2004-67**
Item No. 99 Sept. 15, 2004 City Council Agenda
Proposed Ward Re-alignment of Portions of Ward 1 into Ward 5
(South of U.S. 95 and West of Rancho Drive)

Dear Mayor and City Council:

This letter is submitted in **OPPOSITION** to the proposed realignment of portions of Ward 1 into Ward 5. I reside at 2400 Pinto Lane, Las Vegas. I am a native Nevadan who has resided within Ward 1 my entire life. I grew up in Rancho Circle, lived for nearly 10 years in the McNeal Neighborhood, and most recently moved onto Pinto Lane three (3) years ago. We have just learned that the City Council is considering realigning portions of Ward 1 into Ward 5. My home is within the proposed realignment to Ward 5.

First and foremost, I question the City's lack of direct notice to the City residents effected by this proposed realignment. No direct notice was sent to our home, and we have only just learned about this proposed realignment through communications with other concerned Ward 1 residents. Such an important issue would seem to warrant direct notification to impacted City residents.

Notwithstanding the City's lack of direct notice to impacted homeowners, for many years my family and I have participated in matters and activities directly affecting Ward 1 and we desire to continue to be included within Ward 1. We have worked hard to ensure that this unique historic neighborhood is preserved. We have grown to know and to enjoy working with our Ward 1 neighbors to further Ward 1 interests. We strongly desire to remain within Ward 1 and to remain under the same City Council representation. We do not want to be severed from our neighbors and placed in Ward 5. Finally, I have concerns that the proposed realignment is motivated by political gerrymandering rather than what is best for the neighborhood and its residents.

September 14, 2004

Page 2

I respectfully request that the City Counsel NOT realign Ward 1 boundaries as proposed in Agenda Item 99 on the September 15, 2004 City Council Agenda. Please leave all of the area west of Rancho Drive, south of U.S. 95 within Ward 1.

Thank you for your consideration in this matter.

Very truly yours,

HARRISON, KEMP & JONES, LLP



William L. Coulthard
2400 Pinto Lane
Las Vegas, Nevada

cc: Governor Guinn
Senator Reid
John T. Moran, Jr.
Peter Thomas
John Hunt, Esq.
Ed Bernstein, Esq.
John O'Reilly, Esq.
Steve Morris, Esq.
John Momot, Esq.
Don Ashworth, Esq.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE - Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 - **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it relates to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic on West Charleston Boulevard**

MINUTES:

COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

COUNCILMAN WEEKLY requested that Item 144 [SUP-4683] and Item 145 [SUP-4689] be taken off the abeyance request list and brought forward for discussion. It was determined a vote could be taken on Item 145 [SUP-4689] as it had been requested to be withdrawn without prejudice.

COUNCILMAN WOLFSON asked that Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] be brought forward for discussion as the applicants had been waiting for a long time.

COUNCILMAN MACK disclosed that on Item 137 [SUP-2848] his company, Mack Consulting, does business with billboard companies, but it will not affect his vote. He asked that Item 118 [VAC-4071] be held in abeyance to the 10/6/2004 City Council meeting.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

City Clerk

Any Items

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER indicated his applicant was ready to proceed with Item 126 [VAC-4747]. However, SENATOR BRYAN had contacted him to ask that the item be held in abeyance until the 10/20/04 City Council meeting, to which he agreed. MAYOR GOODMAN noted that he met with SENATOR BRYAN, who pointed out that due to the religious holiday, the abeyance would be agreeable to both parties.

LUCY STEWART appeared on behalf of Las Vegas Billboards and indicated that a letter was erroneously sent requesting Item 140 [SUP-4532] be withdrawn without prejudice and asked that the item be held in abeyance to December 15, 2004.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 410 South 7th Street. PROPERTY OWNER: JOHNNY KIM LARSEN EXEMPT TRUST – Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount: \$2,395.00**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C & W Enterprises to board the structure remove all trash and debris and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$2,395.00 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 101 – 410 South 7th Street

MOTION – Continued:

HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

5-1

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 410 South 7th Street. PROPERTY OWNER: JOHNNY KIM LARSEN EXEMPT TRUST - Ward 1 (Moncrief)

C & W Enterprises completed work on July 24, 2004 at a cost of \$1,800.00, a boarding fee of \$325.00, plus a 15% administrative fee, for a total of \$2,395.00

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of Dangerous Buildings", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



THIRD ST
CARSON AVE
BRIDGER AVE
LEWIS AVE
CLARK AVE
GARCES AVE
LAS VEGAS BLVD
SIXTH ST
SEVENTH ST
EIGHTH ST
NINTH ST
POLY FEDERAL BUILDING
FEDERAL COURTHOUSE
OFFICE BUILDING
CHURCH
ACADEMY OF INTERNATIONAL STUDIES & PERFORMING ARTS
L.D.S. CHURCH & LIBRARY
OFFICES
PARKING LOT
PARKING
PARKING 61 SPACES
VACANT
VILLA INN HOTEL
BEVERLY PALMS HOTEL
MOTEL
OFFICE
STORE
APTS
PARKING GARAGE
MOTEL
LIEB
COMMUNITY CENTER
LAS VEGAS

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: David Semenza, Manager – Neighborhood Response Division

CC: File

Date: July 24, 2004

Re: Report of Expenses for the abatement of dangerous building located at 410 South 7th Street
- Ward 1 (Moncrief)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above referenced property to be corrected by boarding the structures and posting "No Trespassing" signs on the property. C & W Enterprises completed work on July 24, 2004 at a cost of \$1,800.00. The Department of Neighborhood Services accepted these costs.

Contract Amount	\$1,800.00
AMOUNT DUE	\$1,800.00
Boarding Fee	\$ 325.00
Administrative Processing Fee	\$ <u>270.00</u>
TOTAL AMOUNT DUE	\$2,395.00

OWNER OF RECORD: JOHNNY KIM LARSEN EXEMPT TRUST

PROPERTY ABATED: 410 SOUTH 7TH STREET

ASSESSOR'S PARCEL: 139 34 710 031

LEGAL DESCRIPTION: WARDIE ADD
PLAT BOOK 1 PAGE 13
LOT 27 BLOCK 5
& LOT 2B
& VAC RD

DS:LD

C & W Enterprises, Inc.
3160 S. Valley View Blvd, Suite 204
Las Vegas, NV 89102

Disclosure of Principals

The principals and partners of *C & W Enterprises, Inc.*, and all persons and entities holding more than 1% interest in *C & W Enterprises, Inc.* or any principal of *C & W Enterprises, Inc.* are the following:

	Full Name	Business Address	Business Phone
1.	<u>Tony Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
2.	<u>Jose Moreno</u>	<u>3160 S. Valley View #204</u>	<u>732-8961</u>
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

C & W Enterprises, Inc.

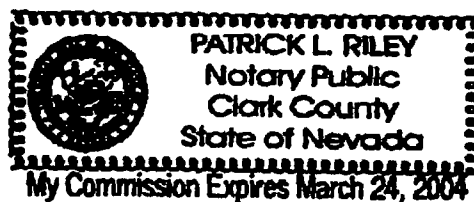
By: _____

Print Name

STATE OF NEVADA)
)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 17th day of AUGUST, 2000.

Patrick L. Riley
NOTARY PUBLIC in and for said
County and State





**NOTICE OF PUBLIC HEARINGS
SEPTEMBER 15, 2004**

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08, Title 9.04 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, September 15, 2004**, at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Abatement of the property by boarding, securing and cleaning property located at **410 SOUTH 7TH STREET** legally described as **WARDIE ADD, PLAT BOOK 1 PAGE 13, LOT 27 BLOCK 5 & LOT 2B & VAC RD.** Owner of record at time of abatement: **JOHNNY KIM LARSEN EXEMPT TRUST - WARD 1 (MONCRIEF)**

The Director of Neighborhood Services certifies in the report that the sum of \$2,395.00 was expended (\$1,800.00 to C & W Enterprises for cleaning and boarding the property; \$325.00 Boarding Fee and \$270.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-604

CASENO 16087

MISC 8/6/2004 2:27:00 PM KATHY STEWART

Sent invoice (\$1,800) from C&W to Finance for payment. Sent file to Laura deArmond for Council.

MISC 8/5/2004 7:35:00 AM VICTORIA ROSEMORE

16) POST VIDEO AND FILE FORWARDED TO KATHY IN OFFICE.

PHONE 8/3/2004 3:07:00 PM VICTORIA ROSEMORE

16) CONT. VAGRANT ITEMS NEWLY PRESENT ON REAR PATIO. HE STATED THAT THE PROPERTY IS ON REGULAR MAINTENANCE AND THE ITEMS WILL BE REMOVED WITHIN NEXT COUPLE DAYS.

PHONE 8/3/2004 3:00:00 PM VICTORIA ROSEMORE

16) TELECON W/ KIM LARSON (203-5208), PROP OWNER ADVISING OF STATUS AND THAT HE MUST APPEAL THE ABATEMENT TO CITY COUNCIL. KIM LARSON EXPRESSED HIS FRUSTRATION AND ANGER FOR THE SITUATION AND STATED HE WILL APPEAL. ALSO ASKED KIM TO REMOVE THE MINOR

MEET 8/3/2004 2:30:00 PM VICTORIA ROSEMORE

16) MET W/ DS AND ADVISED OF KIM LARSON'S REQUEST. PER DS, THE ABATEMENT HAS GONE TO FAR TO BE STOPPED BY HIM. ADVISE KIM LARSON TO APPEAL THE ABATEMENT FEES TO CITY COUNCIL.

INSP 8/3/2004 12:45:00 PM VICTORIA ROSEMORE

16) OBSERVED PROPERTY SECURE. LOWER BASEMENT WINDOWS ARE BOARDED, WEEDS CUT, REFUSE & WASTE REMOVED. THERE IS VERY MINOR LITTER AND A CUSHION LOCATED ON REAR PATIO (VAGRANT MATERIALS). POST VIDEO COMPLETE. WILL CALL OWNER AND ADVISE OF MINOR LITTER.

MISC 8/3/2004 9:32:00 AM KATHY STEWART

Gave file to #16.

PHONE 8/2/2004 4:15:00 PM VICTORIA ROSEMORE

16) CONT. THAT A PERSON COULD NOT FIT INTO THE WINDOWS.

PHONE 8/2/2004 4:14:00 PM VICTORIA ROSEMORE

16) KIM LARSON STATED THAT HE HAS BEEN WORKING WITH BLDG DEPT AND ENGINEERING TO BRING STRUCTURE INTO COMPLIANCE WITH HISTORICAL REQUIREMENTS. HE NEEDED THE WINDOWS IN BASEMENT UNCOVERED DURING THE WORK FOR LIGHT AND VENTILATION DURING THE PROCESS AND

PHONE 8/2/2004 4:13:00 PM VICTORIA ROSEMORE

16) CONT. RETURNED. ADVISED KIM LARSON THAT I COULD NOT MAKE A DECISION OF THE MATTER AND I WOULD FORWARD HIS REQUEST OF WAIVER TO MY MANAGER DAVID SEMENZA AND CALL HIM BACK TOMORROW AFTERNOON.

PHONE 8/2/2004 4:12:00 PM VICTORIA ROSEMORE

16) CONT. SHOULD HAVE TO PAY \$1800.00 ABATEMENT FEE AS THIS WAS THE CITY'S FAULT. ADVISED THAT 22 HAD LEFT AND CASE WAS BEING HANDLED BY 26. THE PHONE MSG MADE BY 26 WAS TO THE SECOND OWNER/BROTHER TO KIM WHO IS INDIA THAT IS WHY THE PHONE CALL WAS NOT

PHONE 8/2/2004 4:11:00 PM VICTORIA ROSEMORE

16) CONT. STATUS. KIM LARSON STATES THAT HE WAS OUT OF TOWN AND CAME BACK TO THE STRUCTURE BOARDED AND WEEDS CUT & BUSHES & VINES REMOVED. KIM STATES HE HIRED A LANDSCAPER TO REMOVE THE WEEDS AND THE CITY DID NOT DO THAT PART. KIM DOES NOT THINK HE

PHONE 8/2/2004 4:00:00 PM VICTORIA ROSEMORE

16) TELECON W/ KIM LARSON (203-5208), PROP OWNER WHO STATES THAT HIS PROPERTY HAS BEEN BOARDED BY THE CITY AND HE WANTS TO KNOW HOW THIS HAPPENED WHEN HE WAS WORKING W/ 22. KIM LARSON LEFT 4 VOICEMAIL MSG FOR 22 W/ NO RESPONSE BACK. ADVISED KIM LARSON OF

VIDREQ 8/2/2004 3:12:00 PM KATHY STEWART

Sent Request for After Abatement Video to #16.

MISC 8/2/2004 3:11:00 PM KATHY STEWART

Received Invoice (\$1,800) from C&W Enterprises for completion of abatement.

RECORD 7/23/2004 3:02:00 PM JESSICA LARRAMENDY

JL) Recorded N&O at Clark County. Book: 20040723 Inst: 03063.

BIDA 7/20/2004 3:13:00 PM LAURA DEARMOND

Ld) AWARDED TO C&W ENTERPRISES, WILL CALL BACK W/START DATE

BIDR 7/20/2004 3:08:00 PM LAURA DEARMOND

Ld) REC'D BIDS (1) C&W \$1800 (2) K O CONSTRUCTION \$1969

BIDS 7/14/2004 12:08:00 PM LAURA DEARMOND

Ld) FAXED BID TO CONTRACTORS; DUE BACK 7/19

INSP 7/10/2004 10:51:00 AM VICTORIA ROSEMORE

24) PRE VIDEO COMPLETED. THE HOUSE & GARAGE ARE SECURE. HI WEEDS IN FRONT & REAR OF PROPERTY. OVERGROWN VEG AGROUND WINDOWS AT GROUND LEVEL, COULD HARBOR VAGRANTS. REFE TO LD FOR BIDS. TAPE TO DS. *WEEDS IN TRANSITION AREA NEED REMOVAL ALSO.

INSP 7/2/2004 9:23:00 AM VICTORIA ROSEMORE

26) PROPERTY IS SECURE BUT HIGH WEES & R/W REMAIN TOOK PIX. CALLED OWNER @ 334-2627 L/M. CONTINUE ABATEMENT. CALLED ROBERT LARSEN IN BOULDER CITY 293-2630. L/M.

INSP 6/26/2004 1:47:00 PM LYNN NIHIPALI

26) ALL DOOR & WINDOWS ARE LOCKED & SECURE BUT HIGH WEEDS REMAIN IN ALL YARD, LANDSCAPER COMING PER PREVIOUS ENTRY CB 7/2

PHONE 6/24/2004 10:08:00 AM FABIANA AXELROD

22) RECEIVED PHONE CALL FROM MR KIM LARSON 334-2627 STATING HAS SECURED THE PROPERTY AND HIS LANDSCAPER SHOULD BE WORKING ON THE PROPERTY WITHIN A WEEK.

NOPOST 6/17/2004 5:45:00 PM LYNN NIHIPALI

22) N&O POSTED ON SITE.

INSP 6/17/2004 5:45:00 PM LYNN NIHIPALI

22) NO CHANGE

NOTICE 6/16/2004 3:30:00 PM LAURA DEARMOND

Ld) SENT DANG BLDG N&O TO OWNERS: JOHNNY KIM & ROBERT LARSEN EXEMPT TRUST; POST 6/17; CB 6/28

NOREQ 6/8/2004 4:02:00 PM FABIANA AXELROD

22) N&O PREPARED AND FORWARDED TO 24 FOR REVIEW.

INSP 6/8/2004 10:29:00 AM FABIANA AXELROD

22) OBSERVED VACANT HOME, OVERGROWN WEEDS IN ALL YARDS, DEAD/DRY VEGETATION IN S'SIDE YARD, T/D IN ALL YARDS. S'SIDE ENTRY IN DETACHED GARAGE IS OPEN AND ACCESSIBLE. WINDOW IN ATTIC IN MAIN STRUCTURE IS OPEN AND ACCESSIBLE.

APN 139 34 710 031
Case #16087

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: JOHNNY KIM LARSEN EXEMPT TRUST
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 139 34 710 031
Commonly known as: 410 SOUTH 7TH STREET
Legal Description: GREATER LAS VEGAS 3 UNIT #5B AMD
PLAT BOOK 11 PAGE 41
LOT 87 BLOCK 3

On July 24, 2004, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$2,395.00 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on September 15, 2004, ordered the above charges in the amount of \$2,395.00 assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this ____ day of _____, 2004

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

NO ITEMS

DISCUSSION/ACTION ITEMS

WATER FEATURE EXEMPTION

- 102 **DIR-4831** - Applicant/Owner: Simon Chelsea LV Dev, LLC

DIRECTORS BUSINESS ITEM

- 103 **ABEYANCE ITEM - DIR-4797** - Applicant: Orion Outdoor Media - Owner: Lapour Grand Central Limited Liability Company
- 104 **DIR-5079** - Applicant: Danny Piper, Scotch 80 HOA – Owners: Various

RESCIND PREVIOUS ACTION - DIRECTORS BUSINESS - PUBLIC HEARING

- 105 **DIR-3934** - Applicant/Owner: Howard Hughes Corporation

RECONSIDER - DIRECTORS BUSINESS - PUBLIC HEARING

- 106 **DIR-3934** - Applicant/Owner: Howard Hughes Corporation

GENERAL PLAN AMENDMENT - PUBLIC HEARING

- 107 **GPA-4528** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas

REZONING RELATED TO GPA-4528 - PUBLIC HEARING

- 108 **ZON-4529** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING

- 109 **SDR-4752** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 110 **SDR-4604** - Applicant/Owner: 600 Casino Center, Limited Liability Company
- 111 **SDR-4657** - Applicant: Indigo Architecture, Inc. – Owner: Ishimaru, Limited Liability Company and Desert Mountain Enterprises, Inc.
- 112 **SDR-4726** - Applicant: PHD Properties, Inc. – Owner: Centennial Court, Limited Liability Company
- 113 **SDR-4749** - Applicant: City of Las Vegas – Owner: United States of America and City of Las Vegas
- 114 **SDR-4750** - Applicant: Arnold Ross Stalk – Owner: J & D Financial Services, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of September 15, 2004

MAJOR MODIFICATION - PUBLIC HEARING

- 115 **ABEYANCE ITEM - MOD-4615** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

REZONING RELATED TO MOD-4615 - PUBLIC HEARING

- 116 **ABEYANCE ITEM - ZON-4616** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING

- 117 **ABEYANCE ITEM - SDR-4617** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

VACATION - PUBLIC HEARING

- 118 **VAC-4071** - Applicant: WRG Design, Inc. – Owner: Palm Mortuary, Inc.
119 **VAC-4700** - Applicant: Investors Realty Group – Owner: Campbell 2.5, Limited Liability Company and Carl Unger, et al
120 **VAC-4707** - Applicant/Owner: L M Cliff's Edge, Limited Liability Company
121 **VAC-4710** - Applicant/Owner: Back AAG, Limited Liability Company
122 **VAC-4711** - Applicant/Owner: Back AAG, Limited Liability Company, et al
123 **VAC-4722** - Applicant/Owner: Pulte Homes
124 **VAC-4737** - Applicant: City of Las Vegas – Owner: Grand Canyon Partners, Limited Liability Company
125 **VAC-4745** - Applicant/Owner: Warmington Homes Nevada
126 **VAC-4747** - Applicant/Owner: M T C 118, Inc.

VARIANCE - PUBLIC HEARING

- 127 **VAR-4629** - Applicant/Owner: Day Star Venture, Limited Liability Company
128 **VAR-4701** - Applicant: Terrible Herbst, Inc. – Owner: Rancho Circle Shopping Center, Limited Liability Company
129 **VAR-4720** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

SPECIAL USE PERMIT RELATED TO VAR-4720 - PUBLIC HEARING

- 130 **SUP-4719** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4720 AND SUP-4719 - PUBLIC HEARING

- 131 **SDR-4718** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

VARIANCE - PUBLIC HEARING

- 132 **VAR-4733** - Applicant: Lamar Advertising Company – Owner: D 2801 Westwood, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of September 15, 2004

REQUIRED FIVE YEAR REVIEW - PUBLIC HEARING

- 133 **RQR-4264** - Applicant: Sensation Spas of Nevada – Owner: Howard Johnson

SPECIAL USE PERMIT - PUBLIC HEARING

- 134 **SUP-4541** - Applicant/Owner: Caminar – Las Vegas
135 **SUP-4688** - Applicant: Shippy, Limited Liability Company – Owner: Meyer & Sylvia Gold Trust

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4688 - PUBLIC HEARING

- 136 **SDR-4687** - Applicant: Shippy, Limited Liability Company – Owner: Meyer & Sylvia Gold Trust

SPECIAL USE PERMIT - PUBLIC HEARING

- 137 **ABEYANCE ITEM - SUP-2848** - Reagan National Advertising on behalf of C O G III, Limited
138 **ABEYANCE ITEM - SUP-3394** Las Vegas Billboards on behalf of West Sahara Associated, Limited Partnership
139 **ABEYANCE ITEM - SUP-4172** - Applicant: Las Vegas Billboards – Owner: Shahram and Tawnya Sheikhan
140 **ABEYANCE ITEM - SUP-4532** - Applicant: Las Vegas Billboards – Owner: Sahara Mohawk, Limited Liability Company
141 **ABEYANCE ITEM - SUP-4592** - Applicant: Mountain View Estates – Owner: John Herda
142 **ABEYANCE ITEM - SUP-4593** - Applicant: Mountain View Estates – Owner: S & K Family Trust
143 **ABEYANCE ITEM - SUP-4594** - Applicant: Mountain View Estates – Owner: Saitta Family Trust
144 **SUP-4683** - Applicant: Reagan National Advertising of Nevada – Owner: Aner Iglesias Trust
145 **SUP-4689** - Applicant: Las Vegas Billboards – Owner: Jerr Appelkans and Debra Tennariello
146 **SUP-4690** - Applicant: Las Vegas Billboards – Owner: Richard E. Wilkie Revocable Trust
147 **SUP-4693** - Applicant: Orion Outdoor Media – Owner Thomas J. Obata
148 **SUP-4739** - Applicant/Owner: Third Street Promenade, Limited Liability Company
149 **SUP-4741** - Applicant/Owner: Third Street Promenade, Limited Liability Company
150 **SUP-4742** - Applicant/Owner: Third Street Promenade, Limited Liability Company
151 **SUP-4743** - Applicant/Owner: Third Street Promenade, Limited Liability Company
152 **SUP-4744** - Applicant/Owner: Hubert R. Powell and Renee C. Ramberg
153 **SUP-4919** - Applicant: The Massage Group – Owner: City of Las Vegas Redevelopment and Fremont Street Experience, LLC

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

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City Council Meeting of September 15, 2004

REZONING - PUBLIC HEARING

- 154 **ABEYANCE ITEM - ZON-4368** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

VACATION RELATED TO ZON-4368 - PUBLIC HEARING

- 155 **ABEYANCE ITEM - VAC-4420** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING

- 156 **ABEYANCE ITEM - SDR-4370** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l

REZONING - PUBLIC HEARING

- 157 **ZON-4208** - Applicant/Owner: Pardee Homes of Nevada

VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING

- 158 **VAR-4209** - Applicant/Owner: Pardee Homes of Nevada

SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING

- 159 **SUP-4210** - Applicant/Owner: Pardee Homes of Nevada

VACATION RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING

- 160 **VAC-4212** - Applicant/Owner: Pardee Homes of Nevada

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209, SUP-4210 AND VAC-4212 - PUBLIC HEARING

- 161 **SDR-4214** - Applicant/Owner: Pardee Homes of Nevada

REZONING - PUBLIC HEARING

- 162 **ZON-4699** - Applicant: Investors Realty Group – Owners: Weiland Trust B and San Gregario, Limited Liability Company

- 163 **ZON-4746** - Applicant/Owner: Jacob J. Kiefer

- 164 **ZON-4755** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

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City Council Meeting of September 15, 2004

- WAIVER RELATED TO ZON-4755 - PUBLIC HEARING
- 165 **WVR-4774** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4755 AND WVR-4774 - PUBLIC HEARING
- 166 **SDR-4756** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l
- REZONING - PUBLIC HEARING
- 167 **ZON-4216** - Applicant/Owner: Pardee Homes of Nevada
- VACATION RELATED TO ZON-4216 - PUBLIC HEARING
- 168 **VAC-4218** - Applicant/Owner: Pardee Homes of Nevada
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING
- 169 **SDR-4220** - Applicant/Owner: Pardee Homes of Nevada
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 170 **ABEYANCE ITEM - GPA-4542** - Applicant: Joel Armstrong – Owner: Clark County
- REZONING RELATED TO GPA-4542 - PUBLIC HEARING
- 171 **ABEYANCE ITEM - ZON-4543** - Applicant: Joel Armstrong – Owner: Clark County
- VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING
- 172 **ABEYANCE ITEM - VAR-4547** - Applicant: Joel Armstrong – Owner: Clark County
- 173 **ABEYANCE ITEM - VAR-4572** - Applicant: Joel Armstrong – Owner: Clark County
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, VAR-4547, ZON-4543 AND VAR-4572 - PUBLIC HEARING
- 174 **ABEYANCE ITEM - SDR-4545** - Applicant: Joel Armstrong – Owner: Clark County
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 175 **GPA-4535** - Applicant: Blue Heron Properties – Owner: W. M. Land Development
- VARIANCE RELATED TO GPA-4535 - PUBLIC HEARING
- 176 **VAR-4536** - Applicant: Blue Heron Properties – Owner: W. M. Land Development

City of Las Vegas

PLANNING & DEVELOPMENT - Page Six

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City Council Meeting of September 15, 2004

177 REZONING RELATED TO GPA-4535 AND VAR-4536 - PUBLIC HEARING
ZON-4537 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

178 WAIVER RELATED TO GPA-4535, VAR-4536 AND ZON-4537 - PUBLIC
HEARING
WVR-4748 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

179 SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4535, VAR-4536, ZON-
4537 AND WVR-4748 - PUBLIC HEARING
SDR-4539 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

WATER FEATURE EXEMPTION - DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC - Request for a Water Feature Exemption to allow the operation of four water features for a commercial development located at 777 South Grand Central Parkway. (APN 139-33-710-001), Ward 5 (Weekly). Staff recommends APPROVAL (NOTE: Address was corrected to 875 South Grand Central Parkway)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions- UNANIMOUS

MINUTES:

PETER SLADE, Operation Director, Las Vegas Premium Outlets, 875 South Grand Central Parkway, Suite 1690, asked the City Council to approve the request for the water feature. He also indicated that the address in the application should reflect 875 South Grand Central Parkway not 777 South Grand Central Parkway. MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that this minor amendment does not affect the application, as the map reflects the appropriate property.

(3:37 - 3:39)

5-1676

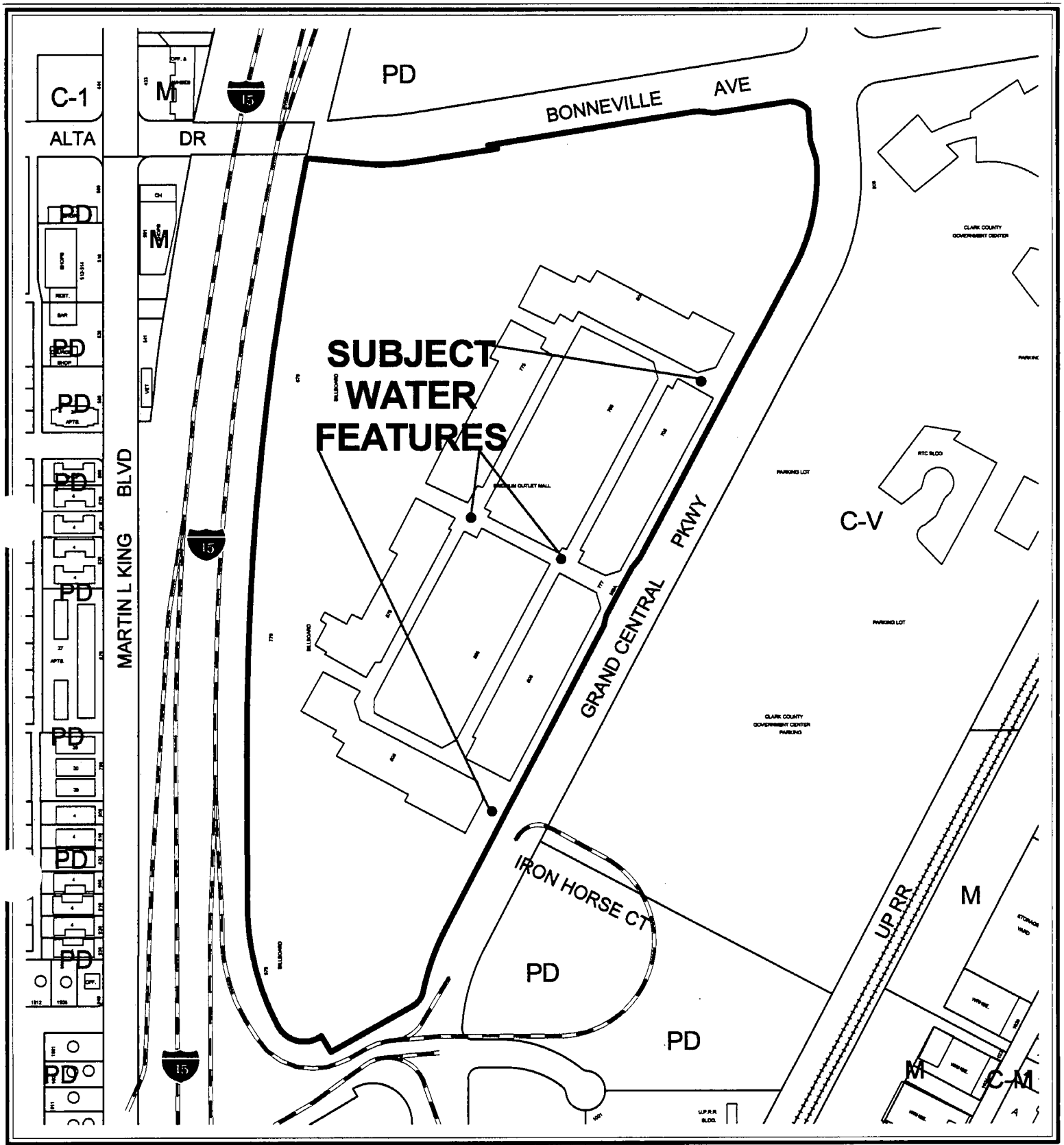
CONDITIONS:

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$7,970 to operate the water features through December 31, 2004. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 102 – DIR-4831

CONDITIONS:

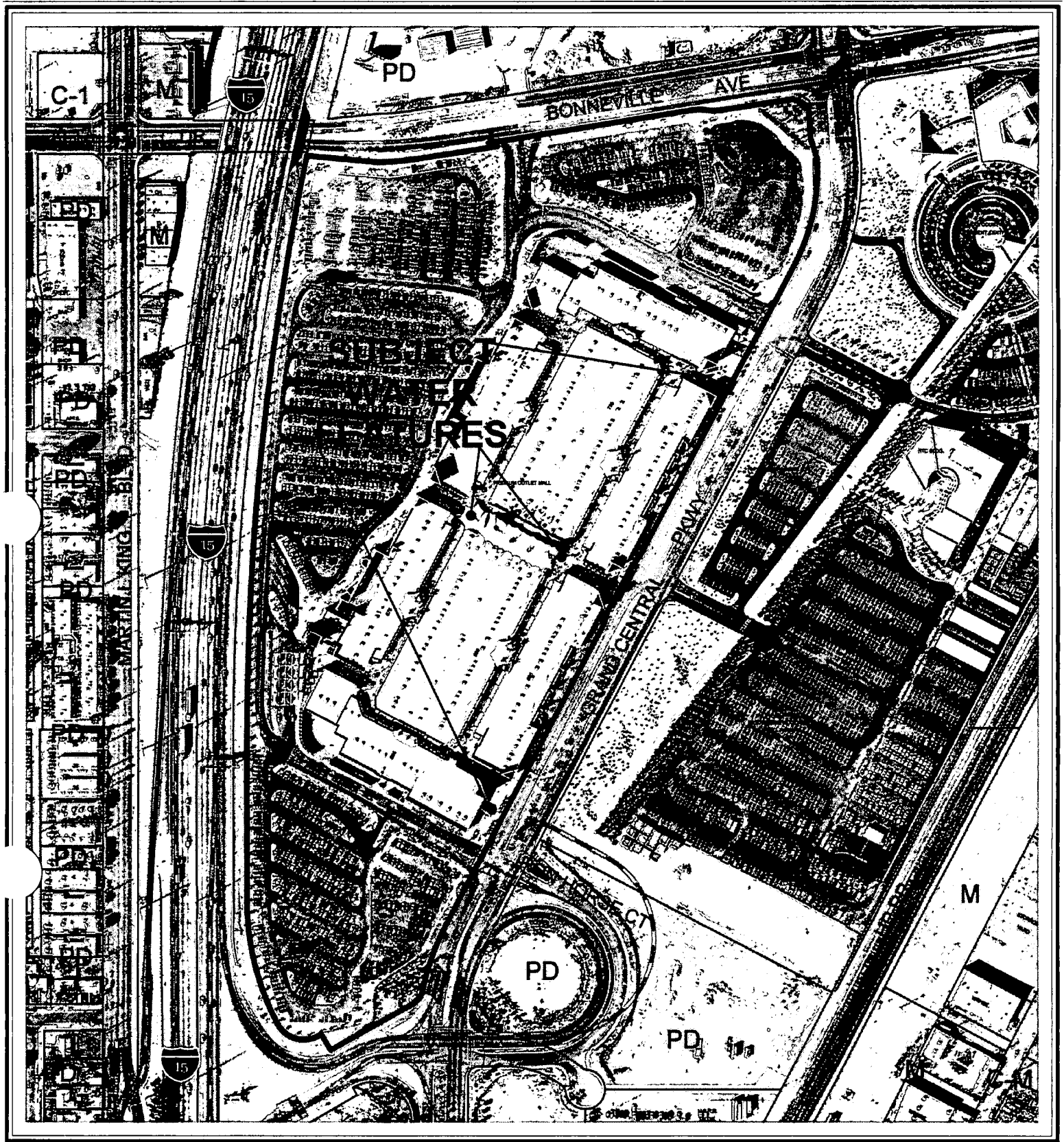
2. This exemption does not apply in years which Drought Emergency is declared.
3. The applicant shall post a sign at the water features to indicate they have received an exemption to allow its operation.



CASE: DIR-4831

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)





0 200 400 Feet

CASE: DIR-4831

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



PETER SLADE
OPERATIONS DIRECTOR

DIRECT 366-9004

873 SOUTH GRAND CENTRAL PKWY.
SUITE 1140 LAS VEGAS, NV 89104

TEL (703) 474-7100

FAX (703) 474-1184

PSLADE@CIGELCON

CHELSEA PROPERTY GROUP

PREMIUM OUTLETS

INTERSTATE 15

BONNEVILLE

GRAND CENTRAL PARKWAY

WATERFALL

PYRAMID

2 X BARRAGON

DIR-4831
9-15-04 CC

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV
DEV, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$7,970 to operate the water features through December 31, 2004. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. This exemption does not apply in years which Drought Emergency is declared.
3. The applicant shall post a sign at the water features to indicate they have received an exemption to allow its operation.

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for a Water Feature Exemption to allow the operation of four water features for a commercial development located at 777 South Grand Central Parkway.

DETAILS OF APPLICATION REQUEST

The applicant is requesting to allow the operation of four water features located throughout the subject commercial development.

ANALYSIS & FINDINGS

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert. On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to a drought tolerant landscaping (such as desert landscaping) to allow for 1 square foot of water feature area. In cases where there is not enough turf to meet this ratio, a fee of \$10 per square foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the \$10 per square foot of water feature area shall be applied.

In this case, the submitted plans indicate the subject water features total 797 square feet. Additionally, there is no turf to convert to as part of this request. Therefore, the amount of the fee the applicant shall be required to pay to allow for the operation of the water features during the current declaration of Drought Alert is \$7,970. In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of \$250 to allow for the continued operation of the water features. This exemption shall not apply in years which Drought Emergency is declared.

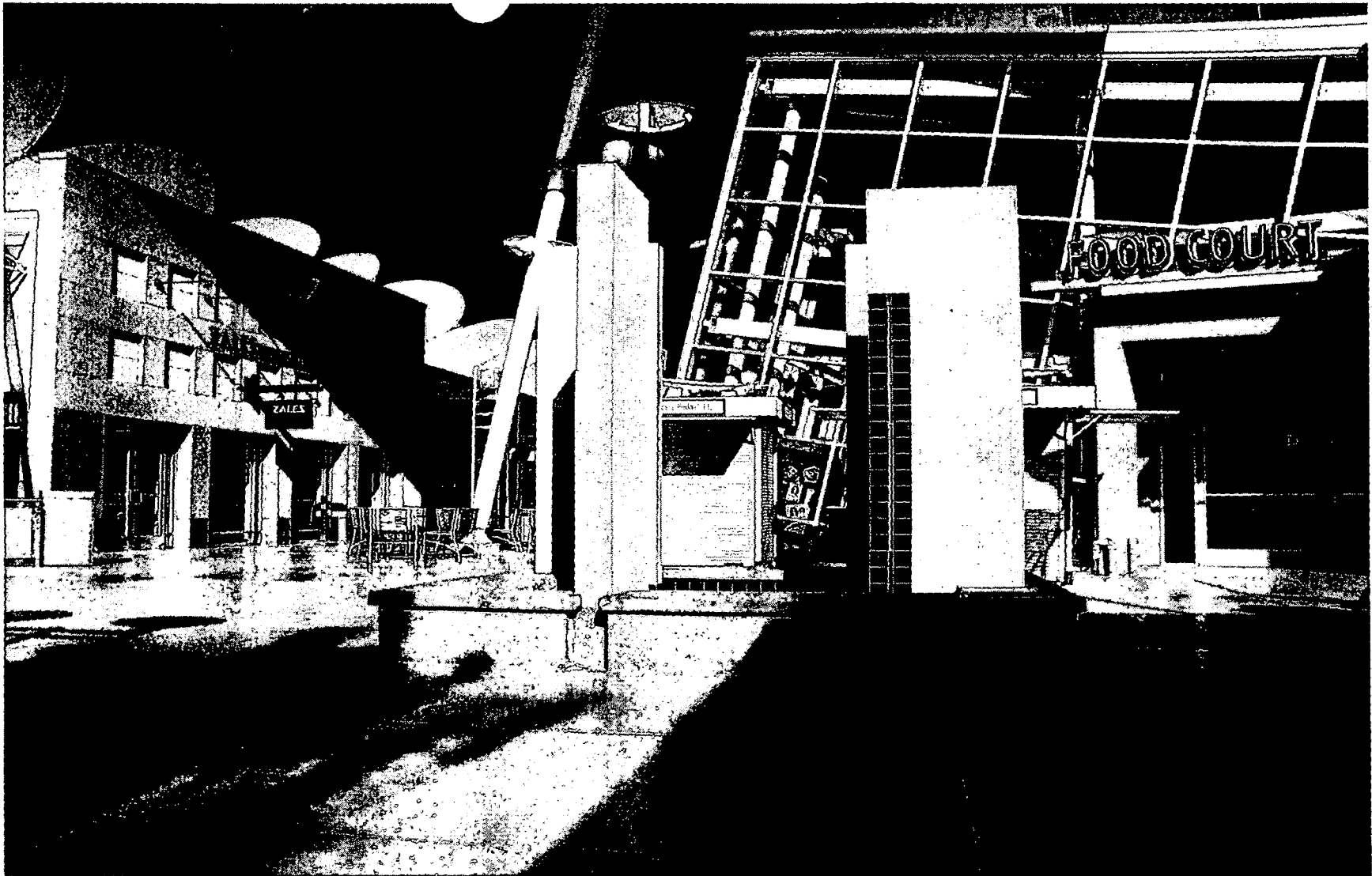
In order to inform the public that an exemption has been received for the subject water features, the applicant shall post a sign indicating such adjacent to the subject water features.

On August 10, 2004, the Las Vegas Valley Water District provided confirmation that the subject water features are not in operation at the time of this exemption request.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



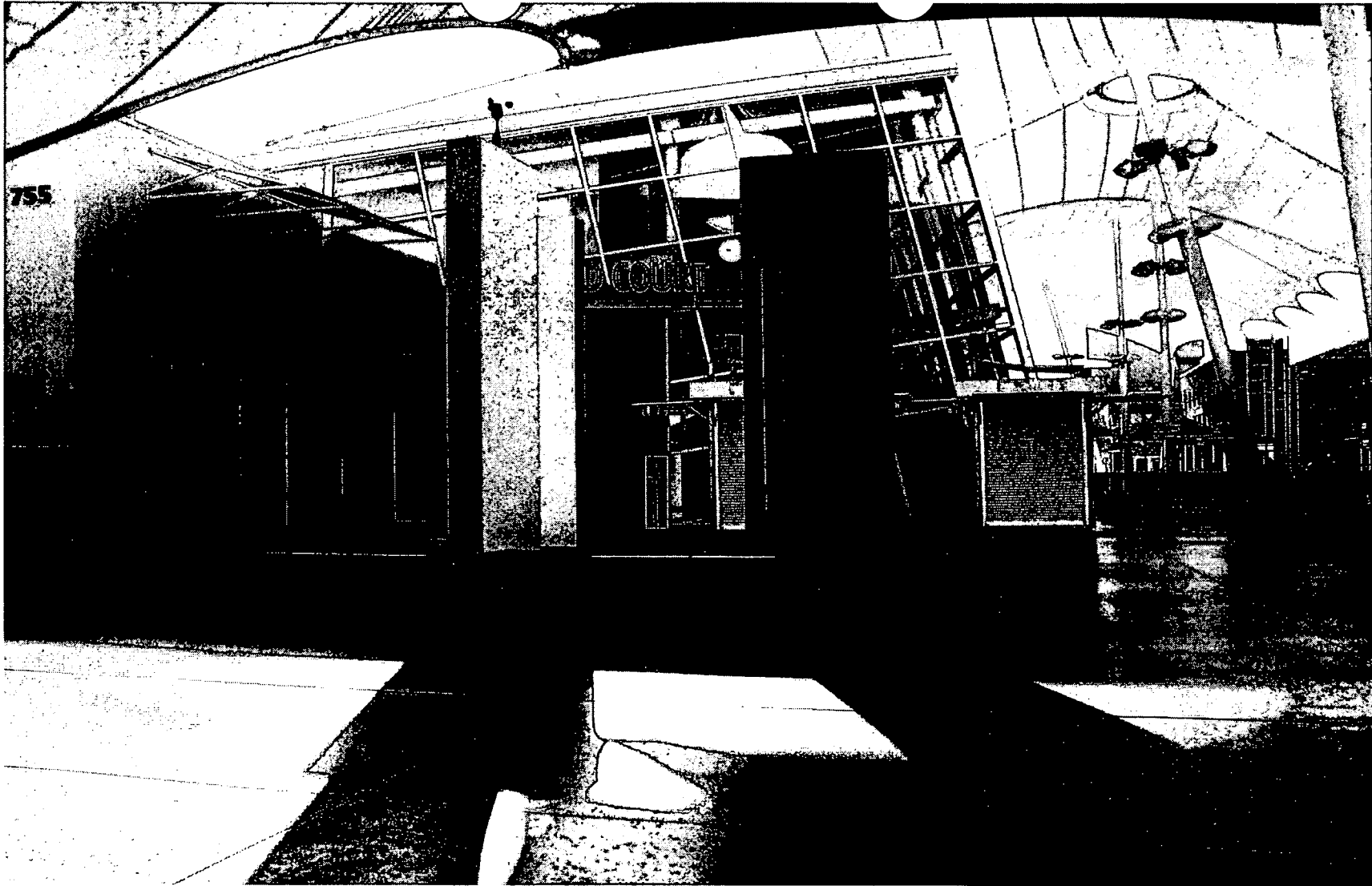
DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC
777 South Grand Central Parkway
SEPTEMBER 15, 2004 CITY COUNCIL MEETING

Picture taken 08/26/04



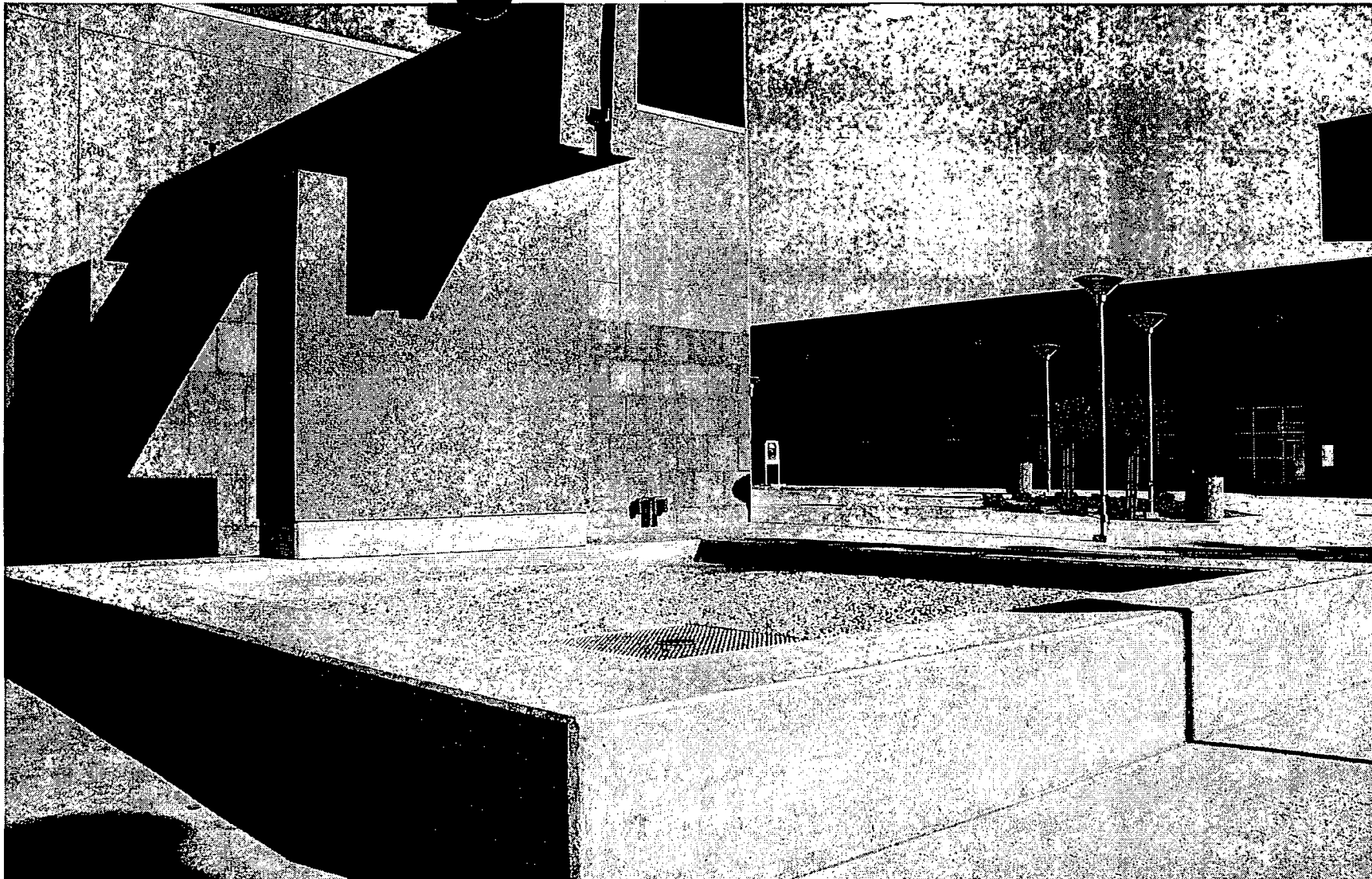
DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC
777 South Grand Central Parkway
SEPTEMBER 15, 2004 CITY COUNCIL MEETING

Picture taken 08/26/04



DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC
777 South Grand Central Parkway
SEPTEMBER 15, 2004 CITY COUNCIL MEETING

Picture taken 08/26/04



DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC
777 South Grand Central Parkway
SEPTEMBER 15, 2004 CITY COUNCIL MEETING

Picture taken 08/26/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - APPEAL OF DIRECTOR'S DECISION - **DIR-4797** -
APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Withdrawal without Prejudice request by Singer & Brown

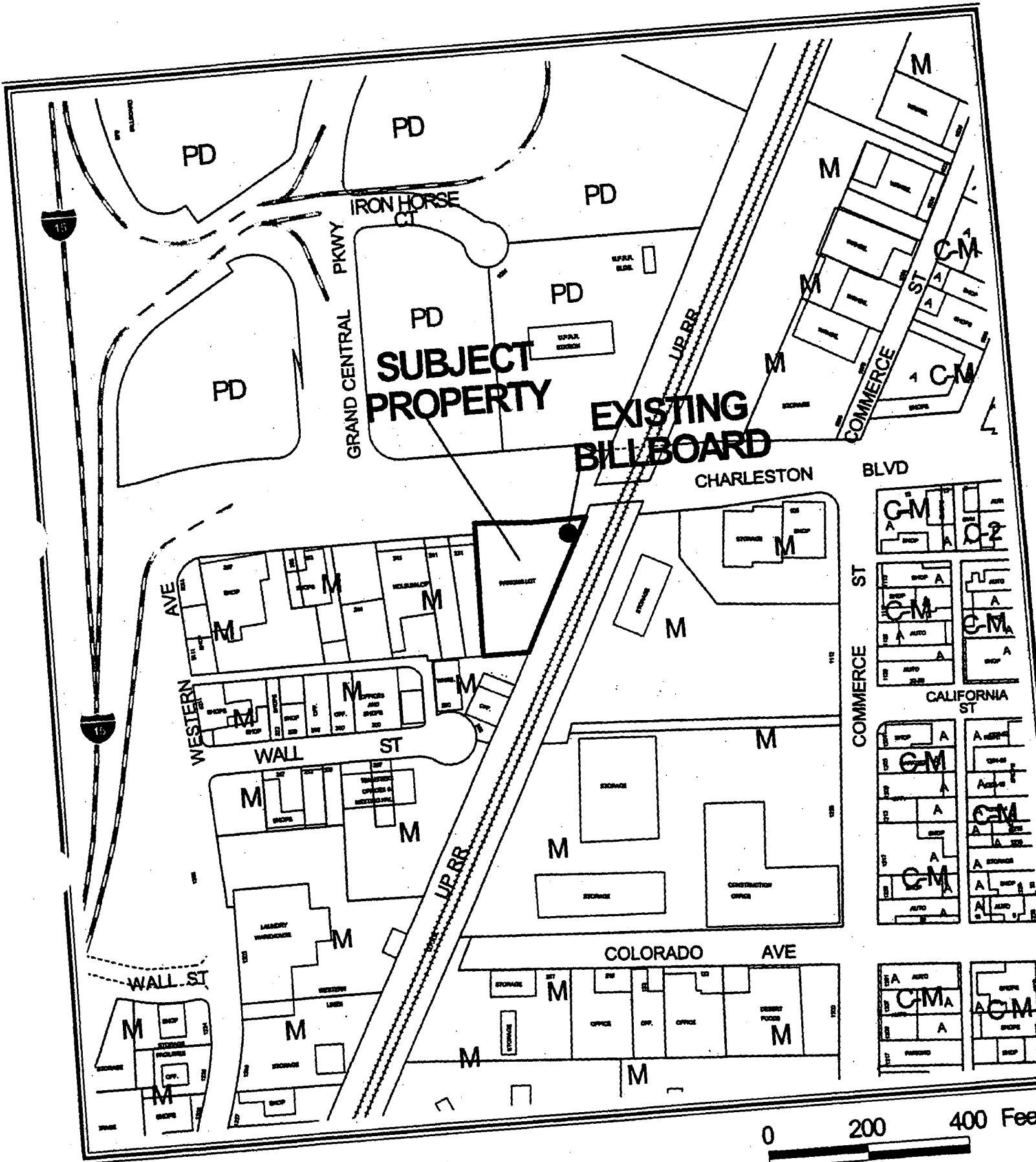
MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

MINUTES:

COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

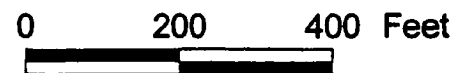
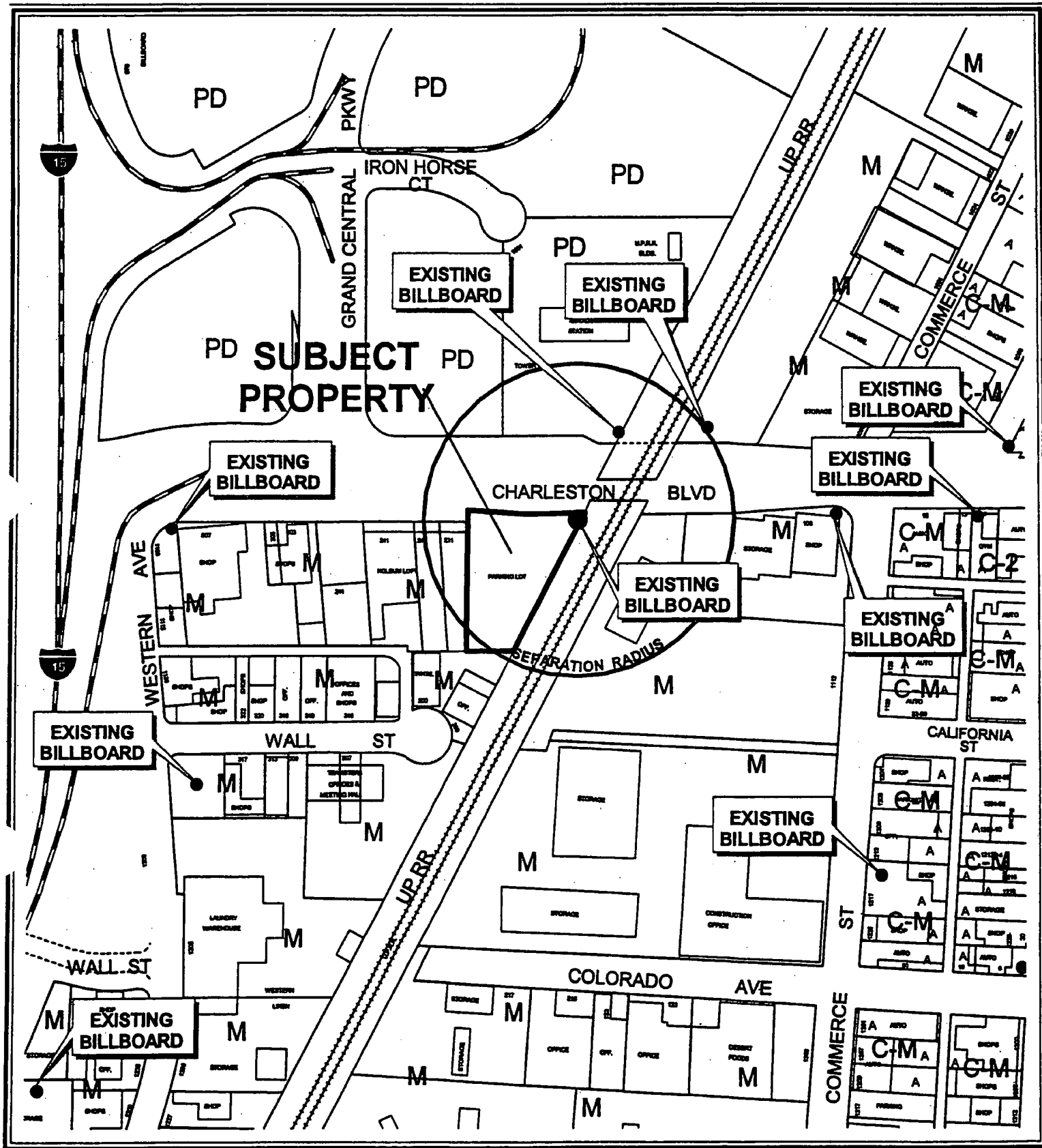
(2:48 – 3:01)



CASE: DIR-4797

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



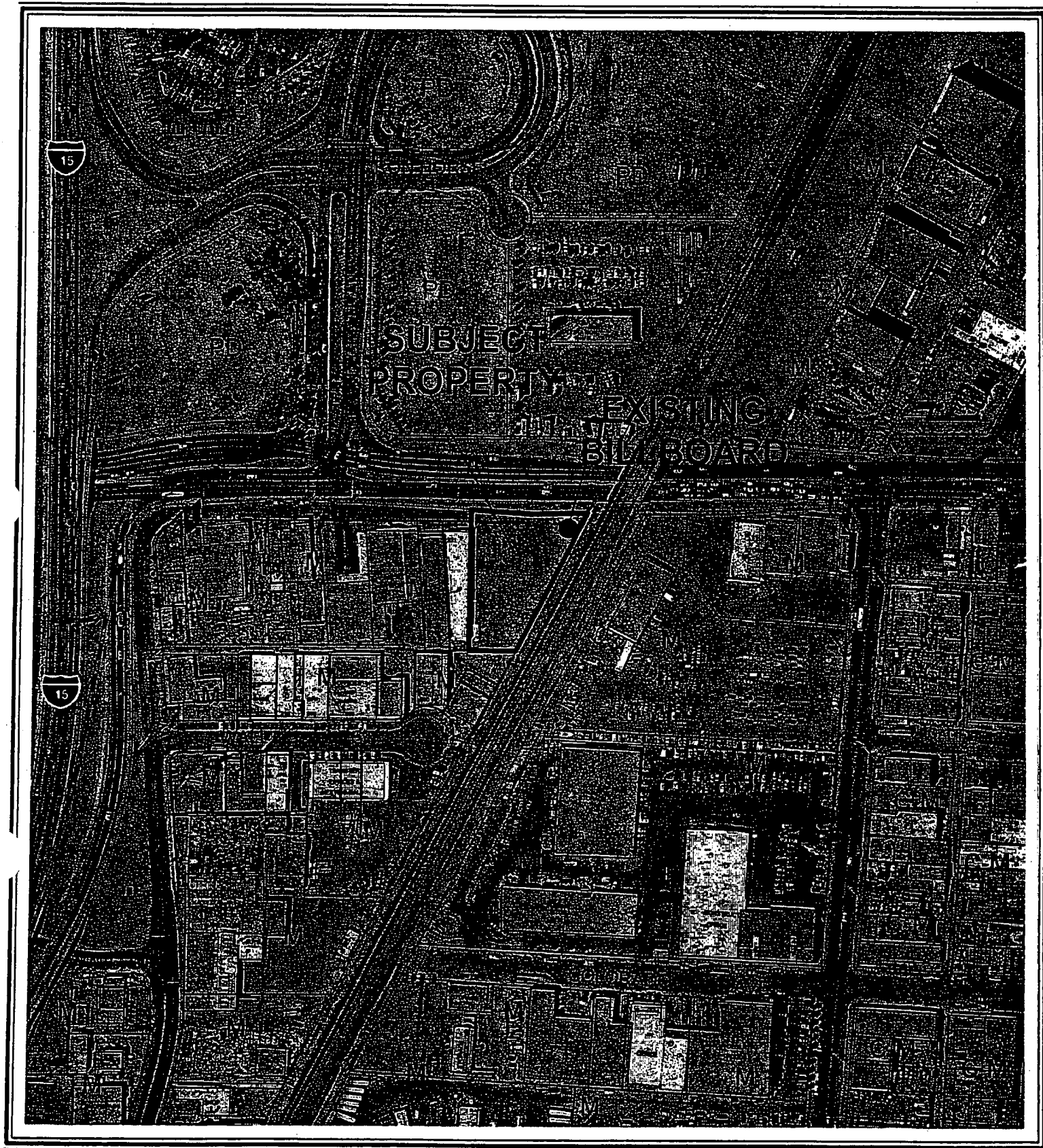


CASE: DIR-4797

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





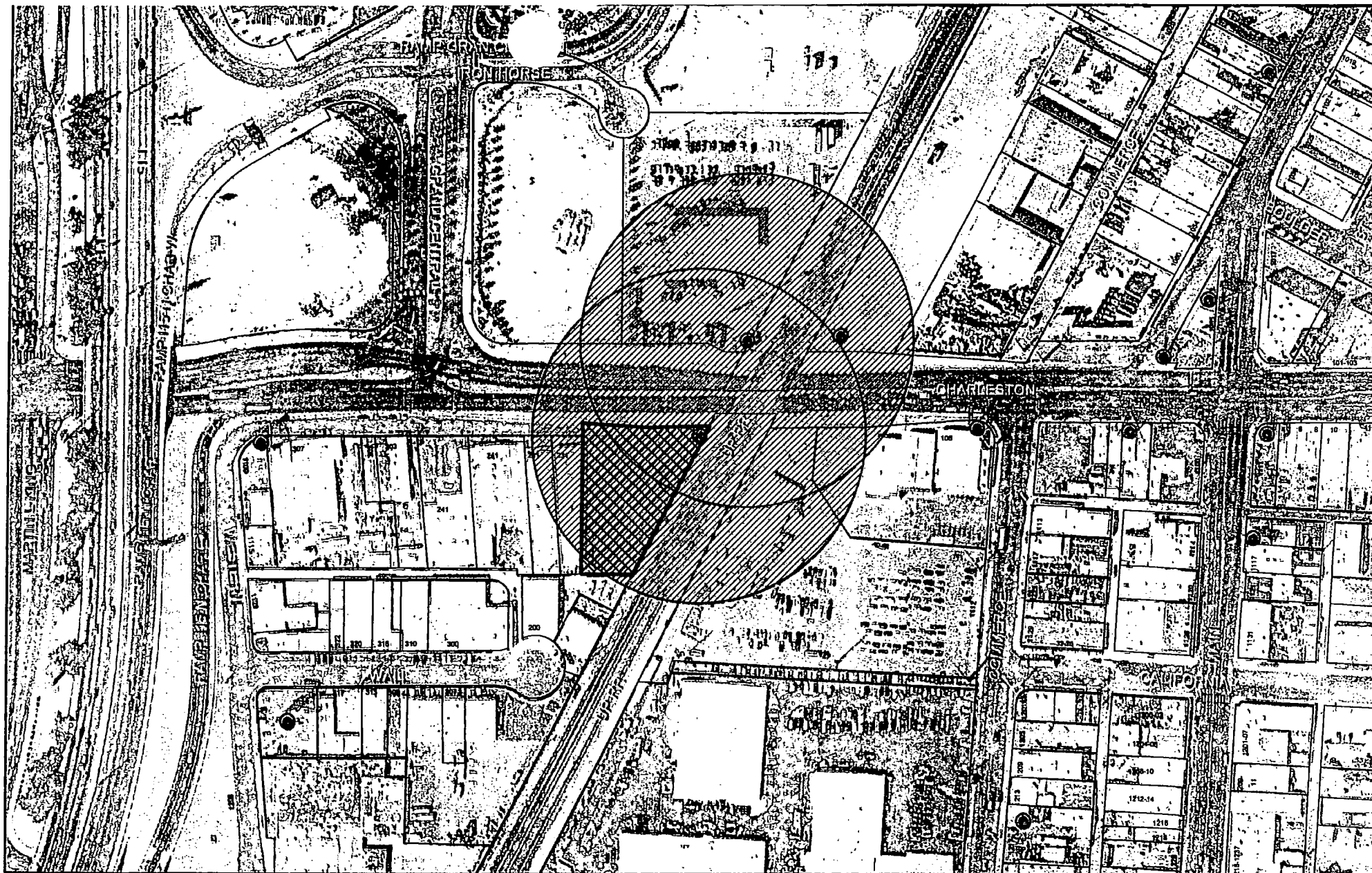
0 200 400 Feet

A horizontal scale bar with three segments, corresponding to the 0, 200, and 400 feet markings.

CASE: DIR-4797

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





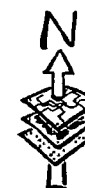
DIR-4797

City of Las Vegas Billboard Data

 Subject Parcel

 City of Las Vegas Billboard Location

 300 Foot Buffer Around Impacted Billboard



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - DIR-4797 - APPLICANT: ORION
OUTDOOR MEDIA – OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY
COMPANY**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 1, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

Staff recommends DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This is an Appeal of the Planning and Development Director's decision per Title 19.00.070.F to deny the acceptance of a application for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign for failure to comply with Title 19.14.100. The location of the proposed off-premise sign is 211 West Charleston Boulevard.

APPLICANT'S JUSTIFICATION

The applicant justifies this request by stating that while the existing off-premise sign can be moved to comply with current zoning requirements, doing so would conflict with the proposed mixed-use project on the site. According to the applicant, Title 19.14.100.B allows the City Council to consider aspects of the proposed billboard's compatibility with the surrounding area, including the existence (or lack thereof) of other signage in the area.

BACKGROUND DATA

- 12/17/03 The City Council approved a Site Development Plan Review (SDR-3199) and Waivers of the parking lot and perimeter buffer landscaping standards for the redevelopment of an existing 36,223 square-foot commercial building at 299 West Charleston Boulevard, including the subject property. The Planning Commission and staff recommended approval.
- 12/17/03 The City Council approved a Variance (VAR-3202) to allow 101 parking spaces where 150 is the minimum required on the 2.25-acre site at 299 West Charleston Boulevard, including the subject site. The Planning Commission and staff recommended approval.

No data is available regarding the approval of a building permit for the subject off-premise sign or approval of a Special Use Permit for such a use on the subject site.

ANALYSIS & FINDINGS

The applicant is seeking application for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign on property located at 211 West Charleston Boulevard. Planning and Development Department staff refused to accept the application, claiming that Code requirements with regard to distance separation could neither be met nor varied given the proposed location of this new off-premise sign.

An existing off-premise advertising (billboard) sign owned by the applicant is located on the northeastern corner of the subject site and is oriented toward Charleston Boulevard. Another billboard is legally located 190 feet to the northeast along the western edge of the Union Pacific Railroad. The current zoning code (Title 19.14.100.C) does not allow any off-premise sign to be located any closer than 300 feet in any direction to any other off-premise sign. It also requires a new Special Use Permit in order to be moved to any other location or reconstructed in the same location. The applicant requests to remove the existing 40-foot tall, 14-foot by 48-foot sign structure and to rebuild a 40-foot tall, 14-foot by 48-foot off-premise sign in the same location. This is contrary to the provisions of Title 19.14.100.B.1 and 19.14.100.C.2.

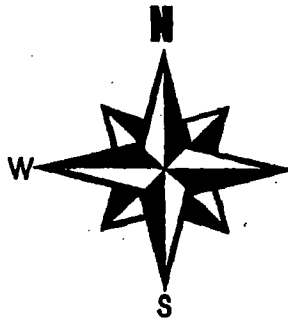
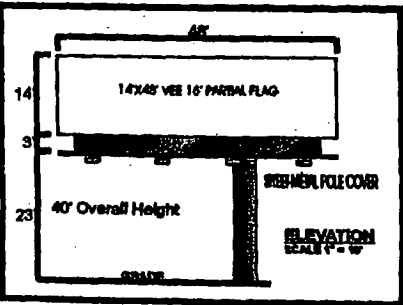
This property is currently being developed as part of a mixed-use project (Holsum Lofts) consisting of office, retail, and residential uses. It is possible for the existing billboard to be shifted on the subject property to points greater than 300 feet from another existing billboard, although it is unclear whether the billboard would be viewable from Charleston Boulevard, given the approved location of the proposed mixed-use project. Title 19.14.100.C.2 states, "No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs)." Title 19.14.100.D does not allow any off-premise sign to be located on property to be used for residential purposes, as this site will be.

According to Title 19.18.070.B, a Variance cannot be granted to vary any minimum spacing requirement between uses. Given this restriction under the current Zoning Code, a new off-premise advertising (billboard) sign cannot legally be constructed in the proposed location. The Director's decision to deny the application for a Special Use Permit for a new off-premise sign at this location was therefore based on the inability to meet code requirements and the impossibility of the applicant to gain approval under current State and local laws.

NOTICES MAILED N/A

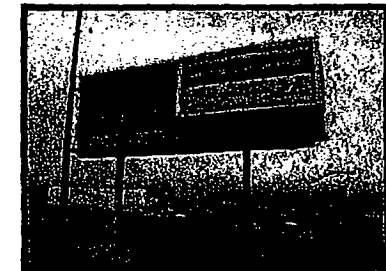
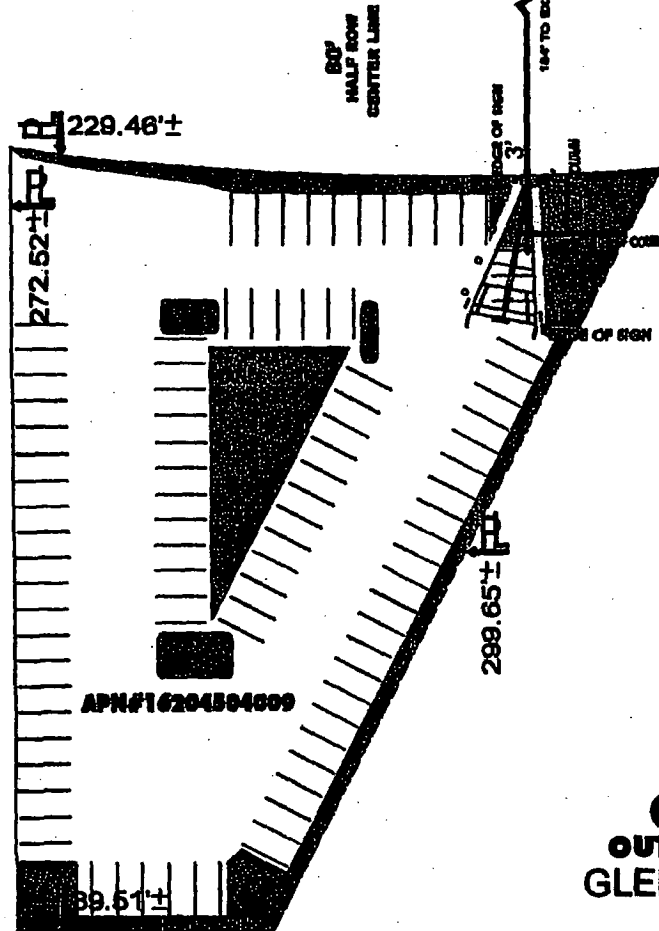
APPROVALS 0

PROTESTS 0



TOP VIEW SCALE 1" = 20' **DETAIL**

CHARLESTON



REPLACEMENT OF EXISTING SIGN

DIR-4797

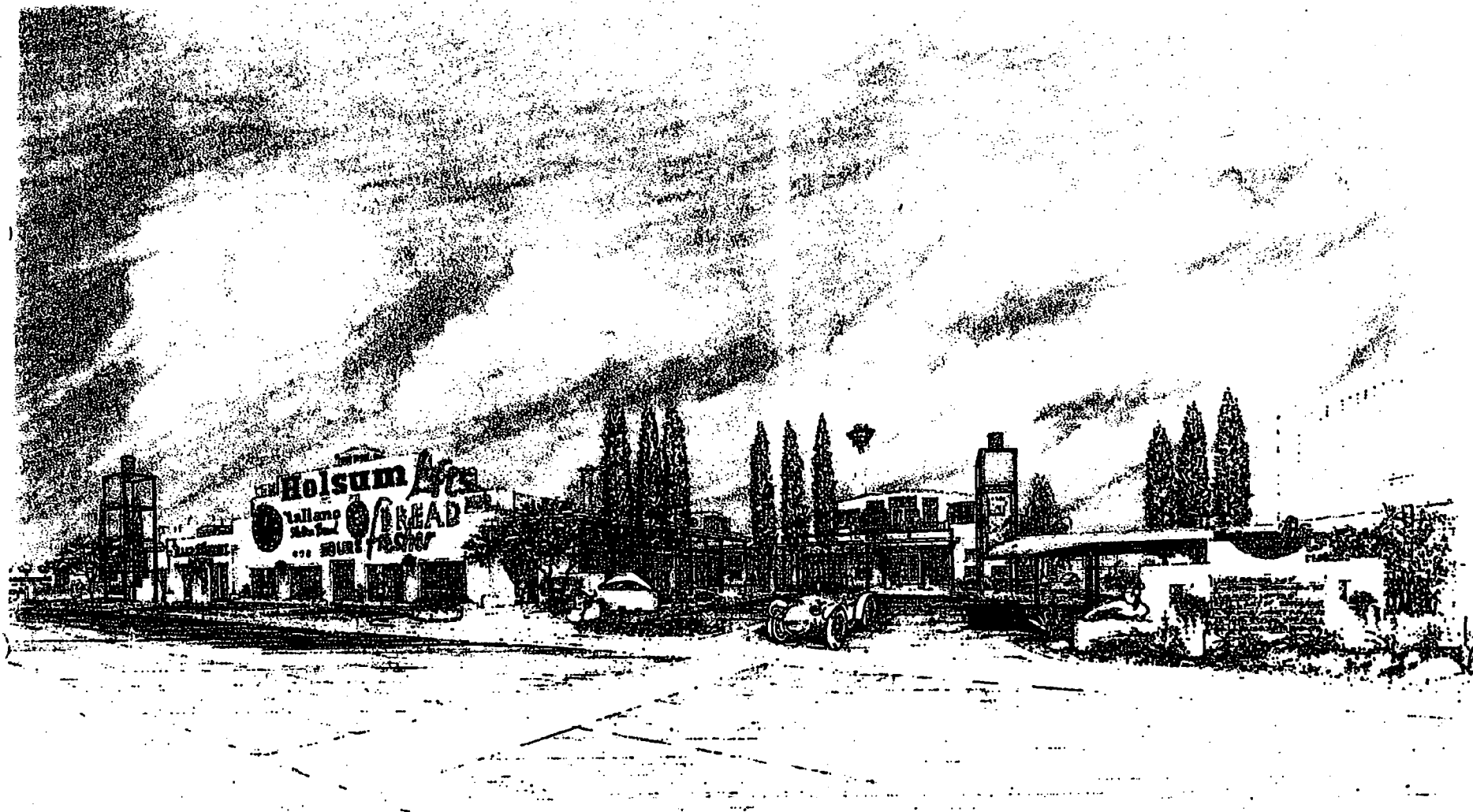
8-4-04 CC

APN#16204504009

ORION
OUTDOOR MEDIA
GLENDALIPPMAN
595-4896

GENERAL NOTES
APN#16204504009
ZONEING (M)
REPLACEMENT OF EXISTING SIGN
14'X48' BILLBOARD
NO PARKING SPACE TAKEN

LAPOUR GRAND CENTRAL L L C			
DATE	NOTED	APPROVED BY	DATE
8-04-04			
1211 W CHARLESTON BLVD			
APN#16204504009			188



DIR-4797

8-4-04 CC

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 13, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E Stewart Avenue
Las Vegas, Nevada 89101
Attn: Barbara Jo Ronemus
City Clerk

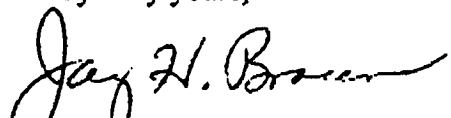
Re: Item No. 103 City Council Agenda for 9/15/04
DIR-4797 Orion Outdoor Media on behalf of
Lapour Grand Central, Limited Liability Company

Dear Ms. Ronemus:

Please be advised that I represent Orion Outdoor Media in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be withdrawn without prejudice at this time.

Very truly yours,


Jay H. Brown

JHB:cc

RECEIVED
CITY CLERK
2004 SEP 13 P 4:57

Submitted after final agenda

Date 9/13/04 Item #103

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - DIR-5079 - APPLICANT/OWNER: SCOTCH EIGHTY HOMEOWNERS ASSOCIATION - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Petition to Vacate public streets located within the Scotch Eighty Subdivision for failure to comply with Title 19.04.040, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Abeyance letter from Attorney Richard McKnight
5. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation

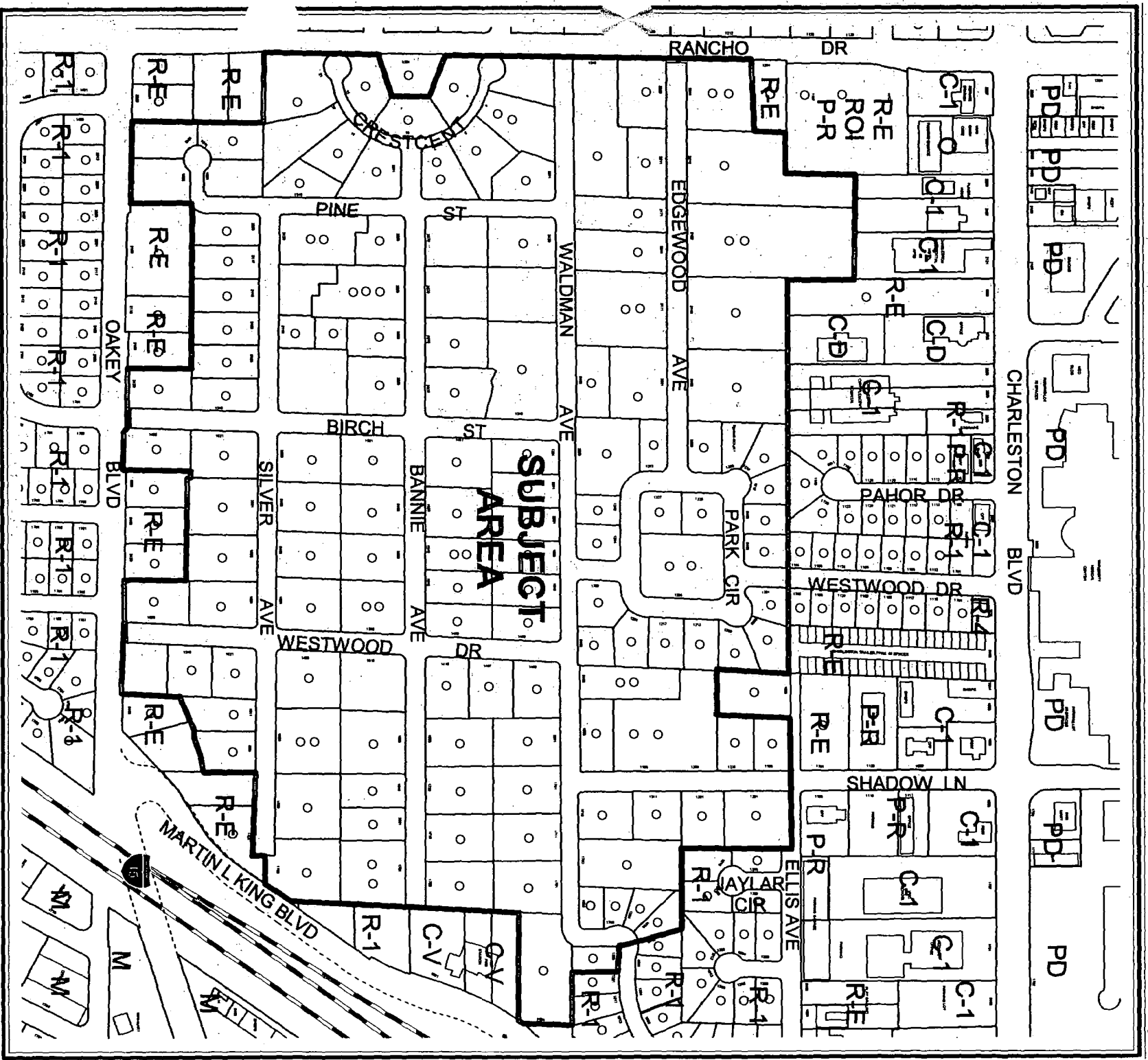
MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

There was no discussion.

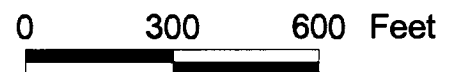
(2:48 – 3:01)



CASE: DIR-5079

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) AND R-1 (SINGLE-FAMILY RESIDENTIAL)





R-E (RESIDENCE ESTATES) AND R-1 (SINGLE-FAMILY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: DIR-5079 - APPLICANT/OWNER: SCOTCH EIGHTY
HOMEOWNERS ASSOCIATION**

**** CONDITIONS ****

Staff recommends DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for an appeal of the Director's decision, per Title 19.00.070.F to deny acceptance of the application of a Petition to Vacate public streets located within the Scotch Eighty Subdivision for failure to comply with requirements set forth in Title 19.04.040.

BACKGROUND DATA

- 04/21/04 The City Council adopted Ordinance Number 5685, which amended Title 19.04.040 to allow private streets as a conditional use subject to meeting certain standards.
- 08/04/04 The Planning and Development Department issued a letter indicating the Vacation application to privatize the streets within the Scotch Eighty subdivision could not be accepted because the applicant did not provide evidence that the request meets the requirements of Title 19.04.040.

ANALYSIS

The applicant is seeking to apply for a Vacation of all of the public streets within the Scotch Eighty subdivision in order to make them private. The application was not accepted by the Planning and Development Department because it failed to meet the requirements set forth in the Zoning Code.

Title 19.04.040, Section 40, Subsection (C), Number (6) now states, "Subdivisions developed with private streets must have a mandatory property owners' association which includes all property served by private streets". The Homeowners Association documents provided were established in 1990 and only cover the original Scotch Eighty subdivision, not the entire area affected by the Vacation. Additionally, the 1990 association is voluntary and the members of the board no longer live in the area. Additionally, Title 19.04.040, Section 40, Subsection (C), Number (7) states "private streets shall be constructed on property separately owned by a property owners' association". The applicant was not able to demonstrate how compliance with this requirement would be achieved. No proof of the existence of a "mandatory property owner's association" has been given. The Director's decision to deny the application for a Vacation of the public streets for this subdivision was based on the inability to meet code requirements.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

RICHARD MCKNIGHT
DAVID MINEIN +
THOMAS J. GILLOON

Law Offices Of
Richard McKnight, P.C.

WWW.LAWLASVEGAS.COM

330 SOUTH THIRD STREET
SUITE 900
LAS VEGAS, NEVADA 89101-6032

TELEPHONE

VOICE: 702-388-7186
FAX: 702-388-0108

E-MAIL

mcknight@lawlasvegas.com

ADMITTED IN NEVADA AND CALIFORNIA

September 3, 2004

By Fax and U.S. Mail To: 702-474-7463

Robert Genzer
City Of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

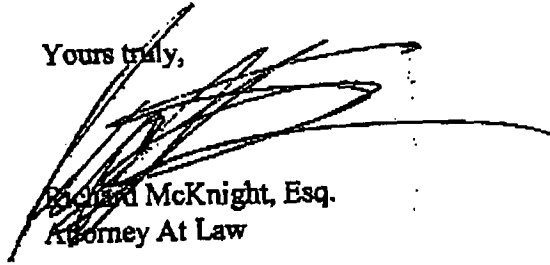
DIR-5079

Re: Appeal Scotch Eighty
Our File No.: 1770-SCOT

Dear Bob:

Due to the fact that I will be on vacation until September 24, 2004 I would request that Scotch Eighty's appeal be held in abeyance until the October 20, 2004 meeting. Thank you for cooperation in this matter.

Yours truly,


Richard McKnight, Esq.
Attorney At Law

cc: clients

RECEIVED
CITY CLERK
2004 SEP -7 P 1:28



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE/FAX: (702) 877-2438

Protest

14 September 2004

to: CLV Mayor GOODMAN and Councilpersons BROWN, MACK, MONCRIEF,
REESE, WEEKLY and WOLFSON

Please consider the following concerns and address them regarding the several agenda items. We will be observing.

Councilpersons Moncrief and Weekly, Charleston Neighborhood Preservation, eagerly awaits any Pioneer Trails action.

#50 & #51—Action at Mirabelli also eagerly welcomed.

#65—Councilman Wolfson, this "real world" change is welcomed.

#66—The DEVELOPMENT of the project and housing must incorporate the requests of the HOA people in the abutting area such as trees for screening for visual and noise abatement also, traffic control.

#83—No for this business at this location. Congestion here does not accommodate for customers of such business.

#87—Well, if Mayor & Council are happy, in this instance, Charleston Neighborhood Preservation will try to be happy.

#88—Yes, to CLV being the controlling entity. NO, to all Directors being appointed by any one person!

#95—NO, NO, NO. Residents are at this time, unable to vote for PLANNING commissioners, therefore, under no circumstances can you allow their vote to become the law of the land. Such a proposal is shocking in an American city government. If State law does suggest such action, such action must be removed. Mr. Gabzer, we request an appointment with you to discuss this at your earliest convenience.

#104—Staff has made the best decision here. Preventing public access to streets paid for by them (us) leads to no favorable circumstances. We think that a granted "variance" has led to these subsequent requests. Closing Alta between Decatur and Buffalo would certainly quiet our neighborhood.

#107—You should go with denial. The parade of electeds to the stand during Plan. Commission do not even represent the area.

#129, 130, 131—We welcome Albertson's to this area.

MEMBERS

Vicki Arnold - Junita Clark - Miriam Ben - Marcus Gebel - Rose Hornath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stange, IMH - Others

RECEIVED
CITY CLERK
004 SEP 15 A 10:03

Support

see p2 - 1

9/15/04 #104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward 2 and 4 (Wolfson and Brown). Staff has NO RECOMMENDATION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED rescission – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 105 [DIR-3934-Rescission] and Item 106 [DIR-3934].

ROBERT GENZER, Director, Planning and Development Department, explained that after the meeting two months ago, when the City Council considered this request, staff discovered that the conditions recommended by the Planning Commission were not brought forward in their entirety to the City Council. As a result, these items have been placed on the agenda first to rescind the previous action and then to reconsider the item in its entirety.

GERALD ROBBINS, Howard Hughes Corporation, 10000 West Charleston Boulevard, Suite #200, concurred with all conditions.

MAYOR GOODMAN declared the Public Hearing closed on Item 105 [DIR-3934-Rescission] and Item 106 [DIR-3934].

(3:39 – 3:41)

5-1739

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - DIR 3934 -

APPLICANT/OWNER: HOWARD HUGHES CORPORATION

**** CONDITIONS ****

Staff has NO RECOMMENDATION.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to Rescind the Previous Action of Approval of the revised Development Standards Manual for Summerlin (DIR-3934). The backup materials provided to City Council for the May 19, 2004 meeting were incomplete and did not include the recommendations of the Planning Commission; consequently, the item is proposed to be rescinded and reheard with the correct Conditions of Approval in place.

B) Applicant's Justification

The applicant has stated that the revised development standards will assist City staff in reviewing submittals within the Summerlin Planned Community in accordance with their current standards.

BACKGROUND DATA

A) Previous Actions

06/03/87	The zoning of a portion of the Summerlin property, totaling 4,651 acres, is reclassified from N-U to PC (Planned Community).
01/18/89	City Council approved the Summerlin Development Standards.
02/07/90	An additional 616 acres was rezoned as PC (Planned Community).
11/18/92	The revised Summerlin Development Standards are adopted by City Council.
06/02/93	Development Agreement DA-0001-93 is approved by City Council, which establishes the land use and development standards for Village 8.
02/16/94	Development Agreement DA-0002-93 is adopted by City Council, which establishes the land use and development standards for Villages 10, 11, 12 and 26.
01/27/97	City Council approved Development Agreement DA-0001-96, establishing the use and standards for 8,318.66 acres on the west side of the 215 beltway.
02/07/01	City Council approved a request for a review of a Development Agreement pertaining to a parcel of land located on the southeast corner of Village Center Circle and Trails Center Drive.

- 05/19/04 The City Council approved the revised Summerlin Development Standards Manual (DIR-3934). The documentation provided to City Council did not include all of the recommendations made by the Planning Commission.
- 09/15/04 Director's Business item (DIR-3934) to be reheard by the City Council.

B) Pre-Application Meeting

- 01/27/04 At the pre-application conference, staff discussed changes to create greater continuity between Title 19 and the Summerlin Development Standards, including definitions, permitted uses, and development standards. In addition, concerns were raised relative to the review and approval process proposed for casinos within Summerlin. Fire Prevention Services objected to the reduced setbacks and street widths allowed under the new Special Lot Development Standards, unless residential sprinkler systems were to be required in all of the units developed under those standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

The most recent version of the Summerlin Development Standards Manual was adopted by the City in 1992. The Howard Hughes Corporation has made numerous internal changes to their development standards over the years, but those changes have not been formally adopted by the City. The following text summarizes the changes that are proposed to the 1992 Summerlin Development Standards Manual:

Section 1: Introduction

Land Use Hierarchy

- The Community Center designation has been removed.

Section 2: Development Standards

Permitted Uses—Commercial

- Alcoholic Beverage Sales eliminated
- Aggregate Processing allowed in all districts subject to specific standards listed on pages 2-10 through 2-12.
- Auto Body Repair Shops now allowed by Special Use Permit in Town Center.
- Auto Service Stations not permitted in Neighborhood Focus districts.
- Bail Bondsman use no longer listed as a permitted use.
- Bed & Breakfast Inn added to the list of permitted uses.

- Boat Dealerships and Boat Storage separated; Boat Dealerships now require Special Use Permit approval.
- The Building Materials use will now require a Special Use Permit in Village Center districts.
- Car Washes no longer permitted in Neighborhood Focus districts.
- Casinos no longer require Special Use Permit approval, but have specific height and guest room restrictions.
- Cemeteries are now permitted in Employment Center District.
- Concrete/Asphaltic Batch Plants permitted in all districts subject to specific standards.
- Convenience Store (No Fuel Pumps) now permitted in Neighborhood Focus district.
- Day Care/Nursery School category created.
- Equipment rental removed from the list of permitted uses.
- Garage sales now permitted in Community Open Space district.
- Night Clubs now require Special Use Permit approval.
- Product Distribution/Storage category has been removed from the list of permitted uses.
- Recreational Vehicle Dealerships have now require Special Use Permit approval.
- Recreational Vehicle Storage has been created as a new use category.
- Second Hand Stores has been removed from the list of permitted uses.
- Special Care Facility has been added as a new use category.
- Thrift Stores will now require a Special Use Permit.
- Tire Stores have been added as a permitted use.
- Transient Open Lot Sales has been removed from the list of permitted uses.
- Video Rental (non-adult) has been added to the list of permitted uses.
- Wedding Chapels will now require Special Use Permit approval.

Permitted Uses—Housing Facilities

- Assisted Living Apartment added as a new use category.
- Catered Living Quarters and Extended Care Facilities have been removed from the list of permitted uses.
- Single Family Special Lot Development has been added to the list of permitted development types.

Permitted Uses—Public & Quasi-Public Uses

- Parking Lots/Structures will now require Special Use Permit approval in Neighborhood Focus districts.
- Wireless Communication Towers will be permitted in Neighborhood Focus districts upon Special Use Permit approval.

Permitted Uses—Community Support Uses

- Stadiums/Arenas will now require Special Use Permit approval.

Uses Not Permitted

- Auto Title Loans and Check Cashing are special listed as non-permitted.

Specific Land Use Standards. Specific standards have been added or significantly modified for the following uses:

- Aggregate Processing/Asphaltic/Concrete Batch Plants
- Boat and Recreational Vehicle Storage
- Casinos
- Crematories
- Clubs and Private Clubs
- Convenience Stores (with fuel pumps)
- Guest Houses/Casitas
- Home Occupation
- Any development not meeting the minimum standards must receive Special Use Permit approval through the standard process.

Property Development Standards

- The provisions for encroachments into required setbacks has been more specifically defined, including requirements for patio covers.
- Additional standards have been provided for detached accessory structures.
- New standards have been added for courtyard walls.
- Residential adjacency standards have been added.

Residential District Development Standards

- A new residential designation, Single Family Special Lot Development (SFSD) has been added to the permitted residential development types, and would allow up to 18 units per gross acre. Exhibits 2.2 through 2.9 provide typical graphic examples of the new development types.
- The density for Single Family Attached (SFA) has been increased from 14 units per gross acres to 18 units per gross acre.
- The side yard setback for Single Family Detached (SF2) has been decreased from six feet to five feet, and the height has been increased from 36 feet to 38 feet.
- The height of structures in the Single Family Detached (SF3) district has been increased from 36 feet to 45 feet.
- The height of structures in the Single Family Zero Lot Line (SFZL) district has been increased from 36 feet to 45 feet, and the front yard setback has been reduced from 18 feet to 10 feet.
- The height limit for the Low Density Multi-Family district has been increased from 36 feet to 45 feet; more stringent setback requirements have been established in conformance with the requirements for the MF2 and MF3 districts.
- Separate development standards for Retirement Residential uses are no longer provided.

Section 3: Parking Standards

Table 3.3 – Parking Standards

- The table of parking requirements has been expanded to match the list of permitted uses.

Parking Requirements

- The revised standards include parking alternatives and processes for parking-impaired developments such as are included in Title 19.

Section 4: Signage Standards

Permit Application

- Detailed submittal requirements have been added, noting that Summerlin approval is required prior to obtaining a permit from the City, and that a master signage plan is required for each development.

Signs Not Requiring a Building Permit and Sign Certificate

- Regulations have been added based on the requirements of Title 19 to allow certain signs without permits.

Prohibited Signs

- A list of prohibited signs has been added, and references signs not permitted by Title 19.

General Provisions

- The list of general signage provisions has been expanded to reference the City's Street Naming and Address Assignment Regulations, provide sight visibility line standards, and general aesthetic guidelines.
- Community banners will now be permitted, provided the Summerlin logo is displayed.

Section 5: Review Process

Administration

- Allows the Director to appoint a designee to perform the duties and functions provided in the development standards.

Table 5.1 – Land Use Category Comparison

- Adopts a Land Use Category Comparison which provides equivalent categories for standard City of Las Vegas zoning classifications.

Section 6: Glossary

Glossary

- Additional definitions have been provided in order to assist in interpretations and application of zoning requirements.

ANALYSIS & FINDINGS

The proposed revisions to the Development Standards Manual will assist staff in issuing permits for development in conformance with adopted standards.

Permitted Uses: The revisions to the list of permitted uses are generally consistent with comparable City zoning districts and existing land uses within the Summerlin planned community. Casinos will be limited to 75 feet in height and a maximum of 750 guest rooms.

Residential District Development Standards: The revised standards would allow a two-foot increase in height in the SF2 district, and a nine-foot height increase in the SF3 district, the SFZL district, and the MF1 district. Minor changes have also been made to the setback requirements for most of the districts as noted above. The density for the SFA district has been increased from 14 units per gross acre to 18 units per acre; regardless of this increase in permitted density, the overall density and number of residential units is limited by the approved development agreements and infrastructure capacity.

In addition to revisions to the existing residential districts, the revised document includes a new category, the Single Family Special Lot Development (SFSD). This new development category permits a variety of small-lot housing configurations, including cluster development, "zipper" lots, and alley-loaded garage configurations. Fire Prevention Services has objected to the minimal setbacks and width of private drive aisles, but would allow the proposed development types if the residential units were to include fire sprinklers.

Public Works has stated concerns about the requirements regarding residential driveway lengths. In order to prevent vehicles parked over public sidewalks, driveway lengths should be less than five feet from the back of curb, or more than 18 feet. Minor revisions should be made to the language of the residential development standards to make this requirement clear.

Parking Requirements: The proposed parking requirements are generally consistent with the parking requirements listed in Title 19, with the exception of the requirements for general retail uses. Title 19 requires one space per 175 square feet for commercial developments under 25,000 square feet, and one space per 250 square feet for developments with greater than 25,000 square feet; the Summerlin requirement is one space per 250 square feet regardless of the total square footage of the development. As this requirement is currently in place and no parking issues have arisen, there is no need for revisions to this standard.

Signage Standards: The additional verbiage relative to signage standards will assist staff in issuing permits for signage within the Summerlin planned community. No significant changes are proposed to the existing standards.

Review Process: No significant changes are proposed to the review process for development plans and building permits within Summerlin. Language has been added to allow the Planning and Development Director to appoint a designee to review applications and permits, which is consistent with department policy.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECONSIDER - DIRECTOR'S BUSINESS - PUBLIC HEARING - **DIR-3934** -
APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible
action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward
2 and 4 (Wolfson and Brown). The Planning Commission (6-0 vote) and staff recommend
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map- Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 105 [DIR-3934-Rescission] for all related discussion.

(3:11 - 3:12)

5-1033

CONDITIONS:

Planning and Development

1. The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
2. Subsection 8(c) of Section 2 shall be amended to state that casinos and appurtenant structures shall not exceed 75 feet in height (nor shall they exceed 5 stories), nor shall the hotel appurtenant to the casino exceed 750 rooms.
3. The General Provisions of Section 4 shall be amended to permit community banners with the Summerlin logo to be mounted on street poles for the purpose of advertising community events and seasonal messages.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 106 – DIR-3934

CONDITIONS – Continued:

Public Works

4. Revise the “Revised Development Standards Manual for Summerlin” to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: DIR 3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION

**** CONDITIONS ****

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

Planning and Development

1. The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
2. Subsection 8(c) of Section 2 shall be amended to state that casinos and appurtenant structures shall not exceed 75 feet in height (nor shall they exceed 5 stories), nor shall the hotel appurtenant to the casino exceed 750 rooms.
3. The General Provisions of Section 4 shall be amended to permit community banners with the Summerlin logo to be mounted on street poles for the purpose of advertising community events and seasonal messages.

Public Works

4. Revise the "Revised Development Standards Manual for Summerlin" to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to approve a revised Development Standards Manual for Summerlin. The backup materials provided to City Council for the May 19, 2004 meeting were incomplete and did not include the recommendations of the Planning Commission; consequently, the item will need to be rescinded and reheard with the correct Conditions of Approval in place.

B) Applicant's Justification

The applicant has stated that the revised development standards will assist City staff in reviewing submittals within the Summerlin Planned Community in accordance with their current standards.

BACKGROUND DATA

A) Previous Actions

- 06/03/87 The zoning of a portion of the Summerlin property, totaling 4,651 acres, is reclassified from N-U to PC (Planned Community).
- 01/18/89 City Council approved the Summerlin Development Standards.
- 02/07/90 An additional 616 acres was rezoned as PC (Planned Community).
- 11/18/92 The revised Summerlin Development Standards are adopted by City Council.
- 06/02/93 Development Agreement DA-0001-93 is approved by City Council, which establishes the land use and development standards for Village 8.
- 02/16/94 Development Agreement DA-0002-93 is adopted by City Council, which establishes the land use and development standards for Villages 10, 11, 12 and 26.
- 01/27/97 City Council approved Development Agreement DA-0001-96, establishing the use and standards for 8,318.66 acres on the west side of the 215 beltway.
- 02/07/01 City Council approved a request for a review of a Development Agreement pertaining to a parcel of land located on the southeast corner of Village Center Circle and Trails Center Drive.

- 05/19/04 The City Council approved the revised Summerlin Development Standards Manual (DIR-3934). The documentation provided to City Council did not include all of the recommendations made by the Planning Commission.
- 09/15/04 Director's Business item (DIR-3934) to be reheard by the City Council. The Conditions of Approval include the recommendations made by the Planning Commission at their meeting of 4/22/04, as well as the changes to the language regarding casinos made at the City Council meeting of 5/19/04.

B) Pre-Application Meeting

- 01/27/04 At the pre-application conference, staff discussed changes to create greater continuity between Title 19 and the Summerlin Development Standards, including definitions, permitted uses, and development standards. In addition, concerns were raised relative to the review and approval process proposed for casinos within Summerlin. Fire Prevention Services objected to the reduced setbacks and street widths allowed under the new Special Lot Development Standards, unless residential sprinkler systems were to be required in all of the units developed under those standards.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

The backup materials submitted to City Council for the 19 May 2004 meeting did not include the conditions recommended by the Planning Commission. The incorrect conditions that were voted on by City Council were as follows:

- 1) The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
- 2) Table 2.1 shall be amended to require Special Use Permit approval for Casinos in the Employment Center, Town Center, and Village Center districts.
- 3) Revise the "Revised Development Standards Manual for Summerlin" to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

The conditions recommended by Planning Commission at their meeting of 22 April 2004 were as follows:

- 1) The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions. *(No changes)*
- 2) Subsection 8(c) of Section 2 shall be amended to state that casinos and appurtenant structures shall not exceed 75 feet in height (nor shall they exceed 5 stories), nor may the hotel appurtenant to the casino exceed 750 rooms. *(Revised condition—includes revised language discussed at the City Council meeting of 19 May 2004)*
- 3) The General Provisions of Section 4 shall be amended to permit community banners with the Summerlin logo to be mounted on street poles for the purpose of advertising community events and seasonal messages. *(New condition)*
- 4) Revise the “Revised Development Standards Manual for Summerlin” to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed). *(No changes)*

As there are material differences between the two sets of conditions, it has been recommended that the previous approval be rescinded and that DIR-3934 be re-heard with the corrected conditions in place. There are no other changes proposed to the Development Standards Manual.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number DIR-3934 APN: _____

Name of Property Owner: The Howard Hughes Corporation

Name of Applicant: The Howard Hughes Corporation

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: N/A

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Gerald M. Robbins

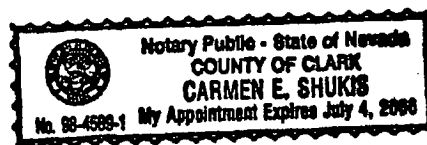
Print Name: Gerald M. Robbins

Subscribed and sworn before me

This 10th day of February, 2004

Carmen E. Shukis

Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4528 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (Medium-Low Attached Density Residential) TO: M (Medium Density Residential) on 10.5 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation

MOTION:

WOLFSON – APPROVED – UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752].

Under Item 100, COUNCILMAN WOLFSON asked that Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] be brought forward for discussion as the applicants had been waiting for a long time.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 107 – GPA-4528

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated the City of Las Vegas is the owner of the property. He thanked Neighborhood Services staff for all their hard work in making this project a possibility. The 10-acre parcel is surrounded by the Summerlin Parkway to the north and condominium developments to the east and to the west. The General Plan Amendment, zone change and site plan will allow for an assisted living facility for seniors 55 years and older, who need assistance with daily living activities due to some physical limitation. It is not a nursing home or a medical facility.

ATTORNEY KAEMPFER added that the site plan consists of three phases; phase one includes 90 units, phases two and three approximately 80 units, for an approximate total of 170 senior units. All 10 acres will be used for senior living, and a substantial amount of open space and recreational amenities will be provided. The setbacks have been maximized on all sides to limit any impact on surrounding neighbors. Access will be provided through two streets off Silver Sky Drive. This project will not impact schools, noise, crime or traffic. This site when fully built will only generate over 450 trips daily, compared to 800 trips that might be generated by a 12-unit multi-family development. The facility will provide on site shuttle service to allow seniors access to shopping, movies, doctors visits and other activities. Since this is not a medical facility, they do not require a full-time registered nurse, but staff consists of 10 to 15 people during the day and a physician and nurse on immediate call at all times. This project is much needed and the site chosen is appropriate for this use. The applicant has worked and will continue to work with adjacent neighbors with regard to providing appropriate landscape buffers.

ATTORNEY KAEMPFER explained that the GPA was forwarded as a denial due to not having the super majority vote required for GPAs, as five members are needed for it to pass. All the Commissioners present voted yes.

ASSEMBLYWOMAN BARBARA BUCKLEY, Assembly Representative for District 8 and Assembly Majority Leader in the Nevada Legislature, stated the community is facing a crisis with regard to the booming senior population. There are many beautiful assisted living facilities, but they are unaffordable. Most seniors rely only on Social Security and cannot afford them. Another option for seniors would be nursing homes or other facilities that do not offer the quality care and affordability. Even though there are some non-profit housing resources, such as HOME Funds, CDBG, and Housing Tax Credits, there has been a disconnect between the non-profit housing resources and the service money that help seniors remain in the community instead of having to go to nursing homes. Therefore, the Legislature decided to actually build a facility, instead of conducting a study. During this process, barriers would be identified and policy changes would be introduced in the Legislature to make this facility a model for other projects.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

ASSEMBLYWOMAN BUCKLEY explained the journey began three years ago when SENATOR HARRY REID agreed to introduce a Congressional Act to obtain a free piece of BLM land. Harrah's Entertainment was the second partner, who gave a significant amount of money towards the project, and was joined by the City of Las Vegas, who dedicated one million dollars of HOME funds to make the project possible. The fourth partner was the State of Nevada, who changed the tax credit allocation process to give non-profit affordable assisted living a priority, as well as dedicating \$800,000 from the Housing Trust Fund. Other community partners include CARLA SLOAN, Director of AARP, CLAUDIA COLLINS, UNR Cooperative Extension, Fannie Mae and the seniors. Existing assisted facilities within the City were visited, as well as touring facilities in California. Hopefully this process will bring about changes at the Legislative level, such as the Housing Tax Credit Advisors, who believed assisted living was too risky. MARY LIVERATTI, Department of Human Resources, State of Nevada, was able to pledge that the State of Nevada Tax Dollars would be a backstop.

She thanked the City Council for being their partner, and DEPUTY CITY MANAGER BETSY FRETWELL, ORLANDO SANCHEZ, Director, Neighborhood Services, SUE PRESCOTT and FAYE JOHNSON, Neighborhood Services, for their support.

BOB FIEBERMAN, Nevada Hand, 295 Warm Springs Road, Henderson, and MS. PRESCOTT explained for MAYOR GOODMAN that the facility will have 84 one-bedroom units and six two-bedroom units. The rents range from \$500 to \$600 a month. MAYOR GOODMAN mentioned that the one complaint he heard from his mom, who stayed at Seville Terrace, is the fear they would not be able to afford the facility. He encouraged staff to address this issue so that the seniors feel comfortable about its affordability. MR. FIEBERMAN added that the facility would have a commercial kitchen where all meals will be prepared and served. The intent is not to have the seniors cook in the units.

MR. FIBERMAN reiterated that the units are one bedrooms and not studios. COUNCILMAN REESE commented that his mother's concern is about the food prepared at the facility where she resided. He asked for assurance that food prepared at assisted living facilities will be edible. MR. FIBERMAN pointed out that he visited a facility in Orange County, California, where a food service company called Morrison is providing the food. He ate lunch there and found the food to be very good.

ASSEMBLYWOMAN BUCKLEY noted that the difference between the proposed facility and other assisted living facilities is that this facility will be non-profit. The goal is to provide quality care at affordable rates. If more money can be acquired through housing funds the rents will be lower. The partnership with BLM, the City of Las Vegas, the State and Harrah's guarantees that the rent rates will not increase.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

JULIE MURRAY, Harrah's Entertainment, was pleased to work with City staff on the proposed project. Harrah's made a large contribution because the focus was on seniors and the importance of doing something that would affect change in the community. Once the project is developed, Harrah's plans to bring volunteers to read to and visit the seniors, as well as bring chefs who will prepare food monthly. In addition, Harrah's plans to duplicate it in other markets and use this facility as a national model project for ways to improve the lives of seniors.

BOB HERBERT, Regional Director for SENATOR REID, stated that the Senator was instrumental in working through the United States Congress to facilitate this project. On the Senator's behalf, he acknowledged the leadership and the hard work of ASSEMBLYWOMAN BUCKLEY.

CARLA SLOAN, State Director for AARP, thanked the Mayor, COUNCILMAN WOLFSON and staff for their support and urged the entire Council's support. She assured that this development is being designed to address the quality of life and homelike environment of senior citizens. The design is also sensitive to neighborhood concerns, and once the facility opens, the City Council will be proud of their vote.

COUNCILMAN WOLFSON thanked ASSEMBLYWOMAN BUCKLEY, ATTORNEY KAEMPER and everyone involved with this project for all the hard work. He noted that the facility would be affordable and serve as a model project because of its affordability. He verified with MARGO WHEELER, Deputy Director, Planning and Development Department, that the action taken today is for phase one only. The remaining two phases will have some senior living aspect. He asked if that could be made into a condition.

MS. WHEELER replied that a proposed condition of approval would be added to the zoning to address that issue. COUNCILMAN WOLFSON felt comfortable that the residents' concerns have been incorporated into what is being approved. MS. WHEELER pointed out that an amendment would also be made on a condition on the site plan.

Regarding Item 108 [ZON-4529], MS. WHEELER read into the record an added condition stating that all phases shall be occupied by persons 55 or older as allowed by State and Federal Law. For Item 109 [SDR-4752], she added a sentence to Condition 7 that on the west property line planters shall be two staggered rows of 24-inch box Mondel Pine trees.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

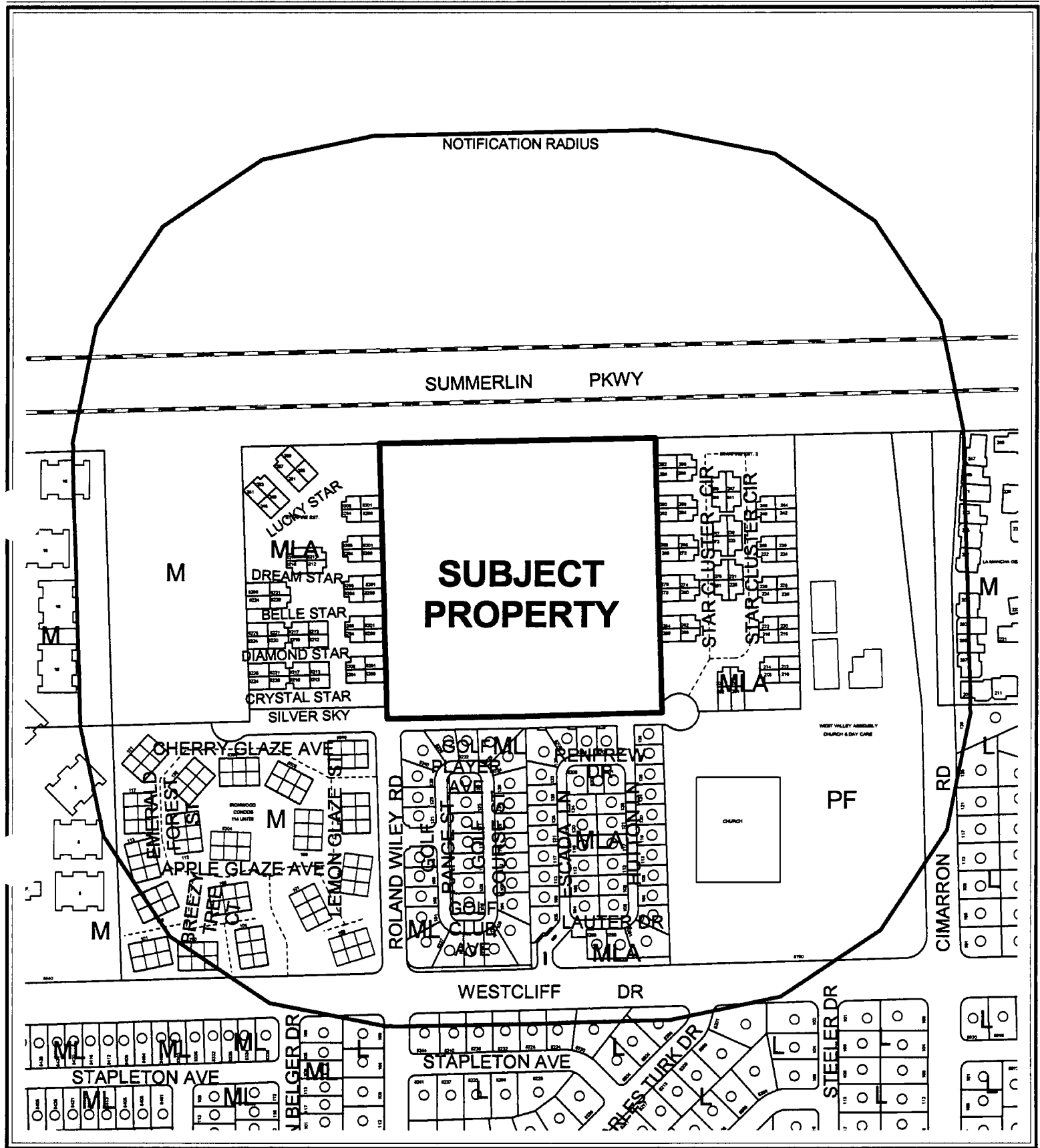
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752].

NOTE: All discussion for Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] was held under Item 107 [GPA-4528].

(3:10 – 3:37)

5-660



CASE: GPA-4528

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 200 400 Feet



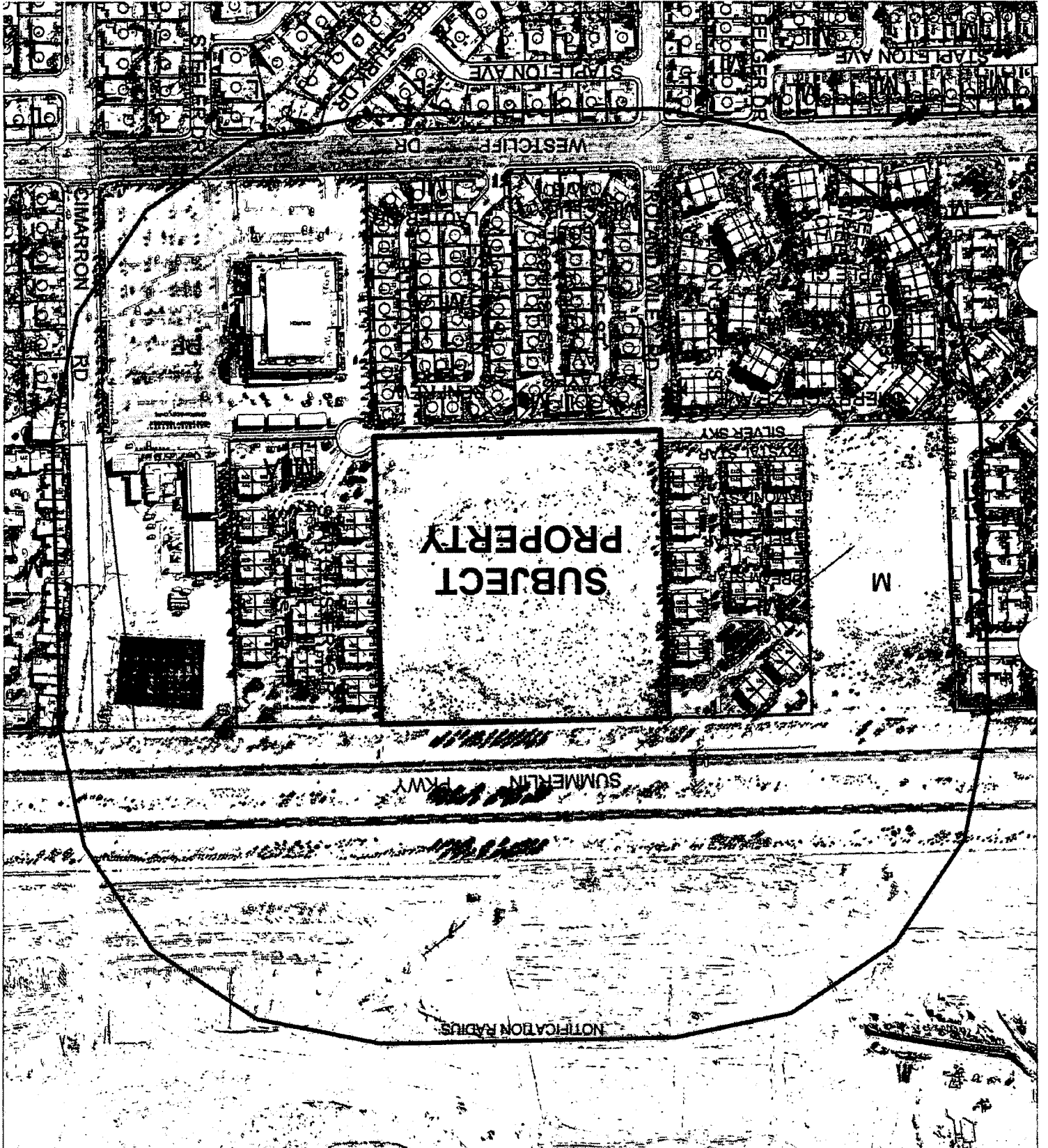


PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL)

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

CASE: GPA-4528
RADIUS: 750 FT

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-4528 - APPLICANT: SILVER SKY ASSISTED LIVING,
LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive from MLA (Medium-Low Attached Density Residential) to M (Medium Density Residential).

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Medium (12-20 du/ac) and Medium Low (6-12 du/ac) residential land uses.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject property was designated for MLA (Medium Low Attached Density Residential) land uses.
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
07/08/04	The Planning Commission held this item in abeyance to the 08/12/04 PC Meeting in order to be heard with companion items.
08/12/04	The Planning Commission recommended approval of companion applications for a Rezoning (ZON-4529) from U (Undeveloped) Zone [MLA (Medium-Low Attached Residential) General Plan Designation] General Plan Designation] to R-PD17 (Residential Planned Development - 17 Units Per Acre) Zone and a Site Development Plan Review (SDR-4752) concurrently with this request.
08/12/04	The Planning Commission voted 4-0-1 to recommend DENIAL (PC Agenda Item #27).

DETAILS OF APPLICATION REQUEST

Site Area: 10.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Summerlin Parkway
South	Single Family Development
East	Condominiums
West	Condominiums

PLANNED LAND USE

Subject Property	MLA (Medium-Low Attached Density Residential)
North	Right-of-Way
South	MLA (Medium-Low Attached Density Residential) and ML (Medium-Low Density Residential)
East	MLA (Medium-Low Attached Density Residential)
West	MLA (Medium-Low Attached Density Residential)

EXISTING ZONING

Subject Property	Undeveloped
North	Right-of-Way
South	R-PD 7 and R-PD8 (Residential Planned Development - 7 and 8 Units per Acre)
East	R-PD11 (Residential Planned Development - 11 Units per Acre)
West	R-PD10 (Residential Planned Development - 10 Units per Acre)

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

DEFINITIONS

ML (Medium-Low Density Residential)

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

MLA (Medium-Low Attached Density Residential)

(8.1 to 12 dwelling units/gross acre.) The Medium-Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. It is also an appropriate transitional use.

M (Medium Density Residential)

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

ROW (Right-of-Way)

A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

The site consists of an undeveloped 10.5-acre tract. The Summerlin Parkway lies to the north, with single-family dwellings to the south and condominiums to the east and west. The redesignation of this site to a Medium Density Residential land use category should not create adverse impacts to the surrounding community. It also advances plan policies that encourage quality infill development on vacant parcels in the City development to be sensitive in use and design to the surrounding development.

FINDINGS

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

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to "1": The M (Medium Density Residential) General Plan designation is an appropriate buffer between Summerlin Parkway and the single-family residential properties to the south.

In regard to "2": The densities of residential development which would be permitted under the M (Medium Density Residential) land use designation, with adequate buffering, would be compatible with adjacent single-family homes.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the uses proposed by the proposed General Plan amendment. Roland Wiley Road would provide adequate access for the residential development.

In regard to "4": Policy 2.1.2 of the Master Plan 2020 states that, "Development on vacant or underutilized lots within exiting residential neighborhoods be sensitive in use an design to surrounding development." Although the subject parcels are not within the "Neighborhood Revitalization Area" to which this policy applies, the context is similar to that area and the policy may be appropriately applied.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

05/26/04 Ten people attended and had concerns regarding the compatibility of this proposal with surrounding residential uses and the possible adverse traffic impacts on Roland Wiley Road and Westcliffe Drive.

PLANNING COMMISSION ACTION

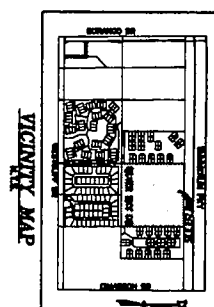
There were 4 speakers protesting and 1 in favor of the proposal at the Planning Commission hearing.

NOTICES MAILED: 310

APPROVALS: 1

PROTESTS: 4

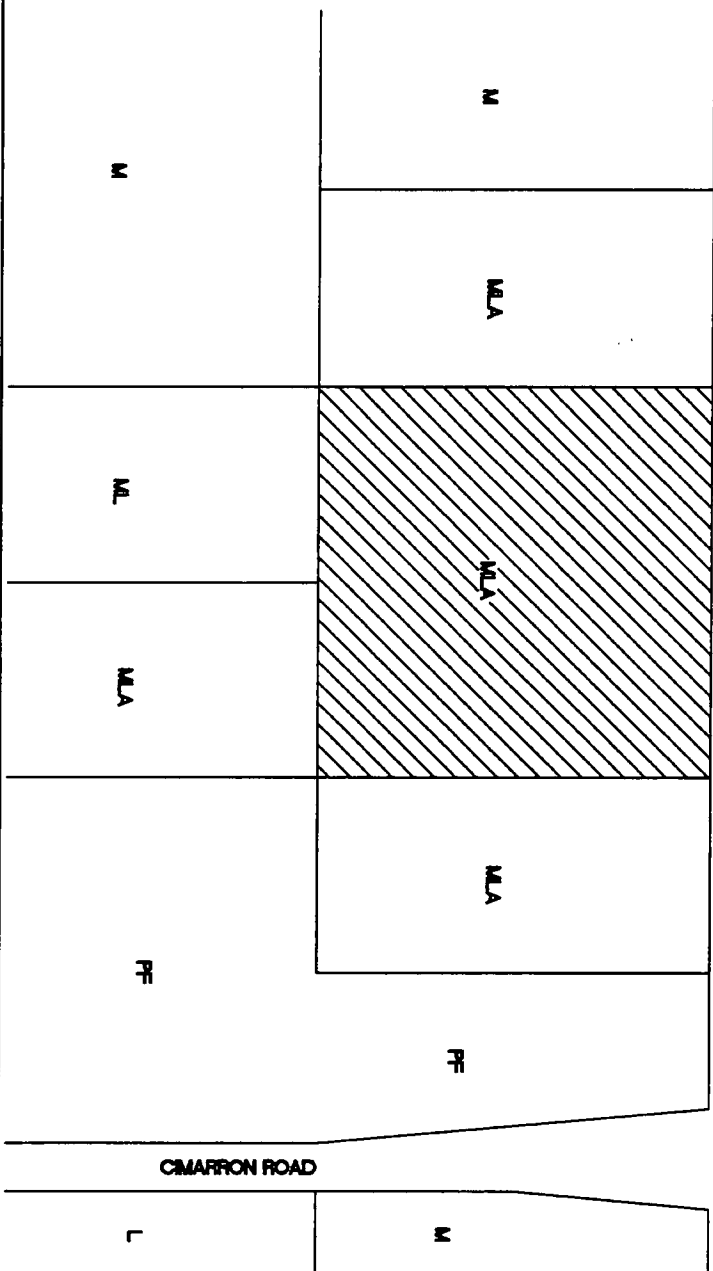




PROD NO.	
REVISED	1978
DATE	06/17/78
BY	JAN. MCCORMACK
CHANGED	Q20-284-400

RE

SUMMITLIN PARKWAY



GPA-4528
07-08-04 PC

SHEET GPA 1 OF 1 SHEETS PROJECT NO. SSAL	SILVER SKY ASSISTED LIVING RESIDENCE	TRC <i>Customer-Focused Solutions</i> SV Engineering Nevada 1039 S. FLAMINGO BOULEVARD SUITE 1020 LAS VEGAS, NV 89119 TEL: 702-691-0022 FAX: 702-691-0017 WWW: trcna.com	SHEET NO. 102-0001
	SILVER SKY ASSISTED LIVING LP		
	GENERAL PLAN AMENDMENT SITE PLAN		



GPA-4528 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP
NORTHEAST CORNER OF ROLAND WILEY ROAD AND SILVER SKY DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

06/17/04



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE/FAX: (702) 877-2438

Protest

14 September 2004

to: CLV Mayor GOODMAN and Councilpersons BROWN, MACK, MONCRIEF,
REESE, WEEKLY and WOLFSON

Please consider the following concerns and address them regarding the several agenda items. We will be observing.

Councilpersons Moncrief and Weekly, Charleston Neighborhood Preservation, eagerly awaits any Pioneer Trails action.

#50 & #51—Action at Mirabelli also eagerly welcomed.

#65—Councilman Wolfson, this "real world" change is welcomed.

#66—The DEVELOPMENT of the project and housing must incorporate the requests of the HOA people in the abutting area such as trees for screening for visual and noise abatement also, traffic control.

#83—No for this business at this location. Congestion here does not accommodate for customers of such business.

#87—Well, if Mayor & Council are happy, in this instance, Charleston Neighborhood Preservation will try to be happy.

#88—Yes, to CLV being the controlling entity. NO, to all Directors being appointed by any one person!

#95—NO, NO, NO. Residents are at this time, unable to vote for PLANNING commissioners, therefore, under no circumstances can you allow their vote to become the law of the land. Such a proposal is shocking in an American city government. If State law does suggest such action, such action must be removed. Mr. Ganzer, we request an appointment with you to discuss this at your earliest convenience.

#104—Staff has made the best decision here. Preventing public access to streets paid for by them (us) leads to no favorable circumstances. We think that a granted "variance" has led to these subsequent requests. Closing Alta between Decatur and Buffalo would certainly quiet our neighborhood.

#107—You should go with denial. The parade of electeds to the stand during Plan. Commission do not even represent the area.

#129, 130, 131—We welcome Albertson's to this area.

MEMBERS

Vicki Arnold - Junita Clark - Miriam Ben - Marcus Gobel - Rose Hornath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stone - Others

RECEIVED
CITY CLERK
2004 SEP 15 A 10:38

Support

see p2 - 1

Date 9/14/04 Item #107

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4528 - PUBLIC HEARING - ZON-4529 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [MLA (Medium-Low Attached Residential) General Plan Designation] TO: R-PD17 (Residential Planned Development - 17 Units Per Acre) on 5.56 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 28

MOTION:

WOLFSON – APPROVED subject to conditions and the added condition as read for the record as follows:

- *All phases shall be occupied by persons 55 or older as allowed by State and Federal Law.*

– UNANIMOUS with MACK not voting

MINUTES:

NOTE: See Item 107 [GPA-4529] for all discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. This Rezoning shall apply to the westerly 5.56 acres of the site. Subdivision map shall be approved and recorded to create the separate parcels.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 108 – ZON-4529

CONDITIONS – Continued:

2. General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation and Site Development Plan Review (SDR-4752) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Silver Sky Drive prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving on Silver Sky 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.
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.

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4529 - APPLICANT: SILVER SKY ASSISTED LIVING,
LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Rezoning shall apply to the westerly 5.56 acres of the site. Subdivision map shall be approved and recorded to create the separate parcels.
2. General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation and Site Development Plan Review (SDR-4752) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Silver Sky Drive prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving on Silver Sky 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.
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 request is for a Rezoning from U (Undeveloped) Zone [MLA (Medium-Low Attached Residential) General Plan Designation] General Plan Designation] to R-PD17 (Residential Planned Development - 17 Units Per Acre) Zone on 5.56 acres of a 10.5-acre site approximately 660 feet west of Cimmaron Road and 660 feet north of Westcliffe Drive. Companion applications for a General Plan Amendment (GPA-4528) and a Site Development Plan Review for a three-story, 78,649 square-foot Assisted Living Development (SDR-4752) will be considered concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that proposed project is phase one of an assisted living apartment complex for seniors, age 55 and above. The assisted living complex will constitute a quiet, structured environment and will serve as a buffer between the Summerlin Parkway to the north and single-family residential to the south. The applicant is of the opinion that quality housing of this nature is greatly needed in Las Vegas, and that seniors are the fastest growing segment of the population and their needs must be met.

BACKGROUND INFORMATION

A) Previous Actions

12/21/83	The City Council approved a Petition to Annex property (A-0010-83) containing approximately 922 acres, including the subject site. The effective date was 12/30/83. The Planning Commission and staff recommended approval.
07/08/04	The Planning Commission held companion General Plan Amendment (GPA-4528) in abeyance to the 08/12/04 Planning Commission meeting.
08/12/04	The Planning Commission recommended denial of a companion application for a General Plan Amendment (GPA-4528); and recommended approval of a Site Development Plan Review (SDR-4752) concurrently with this request.
08/12/04	The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #28/gl).

B) Pre-Application Meeting

05/17/04 An initial meeting was held on this date. A follow up meeting was held on 06/25/04, in which a number of the site plan details, which were not available at the earlier meeting, were discussed. It was determined that a variance for parking for the project, which was discussed at the earlier meeting as a possibility, would not be required. The applicant was advised in detail of the necessary submission requirements.

C) Neighborhood Meetings

05/26/04 Although no neighborhood meeting is required for a Rezoning, a neighborhood meeting for companion General Plan Amendment GPA-4528 was held by the applicant at the Lieburn Senior Center, 6230 Garwood Avenue. Ten people attended and had concerns regarding the compatibility of this proposal with surrounding residential uses and the possible adverse traffic impacts on Roland Wiley Road and Westcliff Drive.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross acres: 10.5
Phase 1 Acres: 5.56

B) Existing Land Use

Subject Property: Undeveloped
North: Summerlin Parkway
South: Single Family Development
East: Condominiums
West: Condominiums

C) Planned Land Use

Subject Property: MLA (Medium-Low Attached Density Residential)
North: Right-of-Way
South: MLA (Medium-Low Attached Density Residential) and ML (Medium Low Density Residential)
East: MLA (Medium-Low Attached Density Residential)
West: MLA (Medium-Low Attached Density Residential)

D) Existing Zoning

Subject Property: Undeveloped
North: Right-of-Way
South: R-PD 7 and R-PD8 (Residential Planned Development - 7 Units and 8 Units per Acre)
East: R-PD11 (Residential Planned Development - 11 Units per Acre)
West: R-PD10 (Residential Planned Development - 10 Units per Acre)

E) General Plan Compliance

The site is currently designated as MLA (Medium-Low Attached Density Residential) within the Southwest Sector Plan of the General Plan. This category allows a maximum of 12.0 dwelling units per gross acre.

The applicant has requested a General Plan Amendment to change the designation to M (Medium Density Residential). The Medium Density Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density and variety of multifamily unit types, up to three stories in height. The applicant has requested to change the zoning on this site to R-PD17 (Residential Planned Development - 17 Units per Acre).

The proposed zoning district is not consistent with the current General Plan land use designation, but will conform to the proposed General Plan category if approved.

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

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

FINDINGS

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

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

The existing General Plan designation of the subject site is MLA (Medium-Low Attached Density Residential). This category allows a maximum of 12.0 dwelling units per gross acre. The applicant is requesting to amend this land use designation to M (Medium Density Residential), which allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-PD17 (Residential Planned Development - 17 Units per Acre) is consistent with the proposed General Plan designation. Staff has recommended approval of the General Plan amendment request.

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

Although proposed project on this site is at a density that is somewhat higher than the surrounding residential properties, a senior apartment complex is a less intense use than a regular non-age restricted apartment complex, and the overall population density would be substantially less.

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 infill development should be pursued. The growth and development factors in the community indicate a need for the rezoning to R-PD17 (Residential Planned Development - 17 Units per Acre) for a senior apartment complex on this site.

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

The access designed for this project will be adequate to meet the requirements of the proposed zoning district.

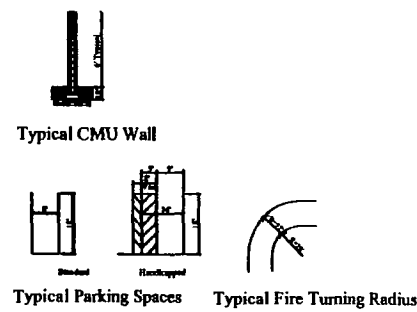
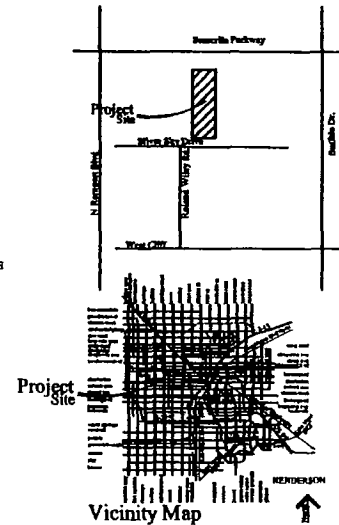
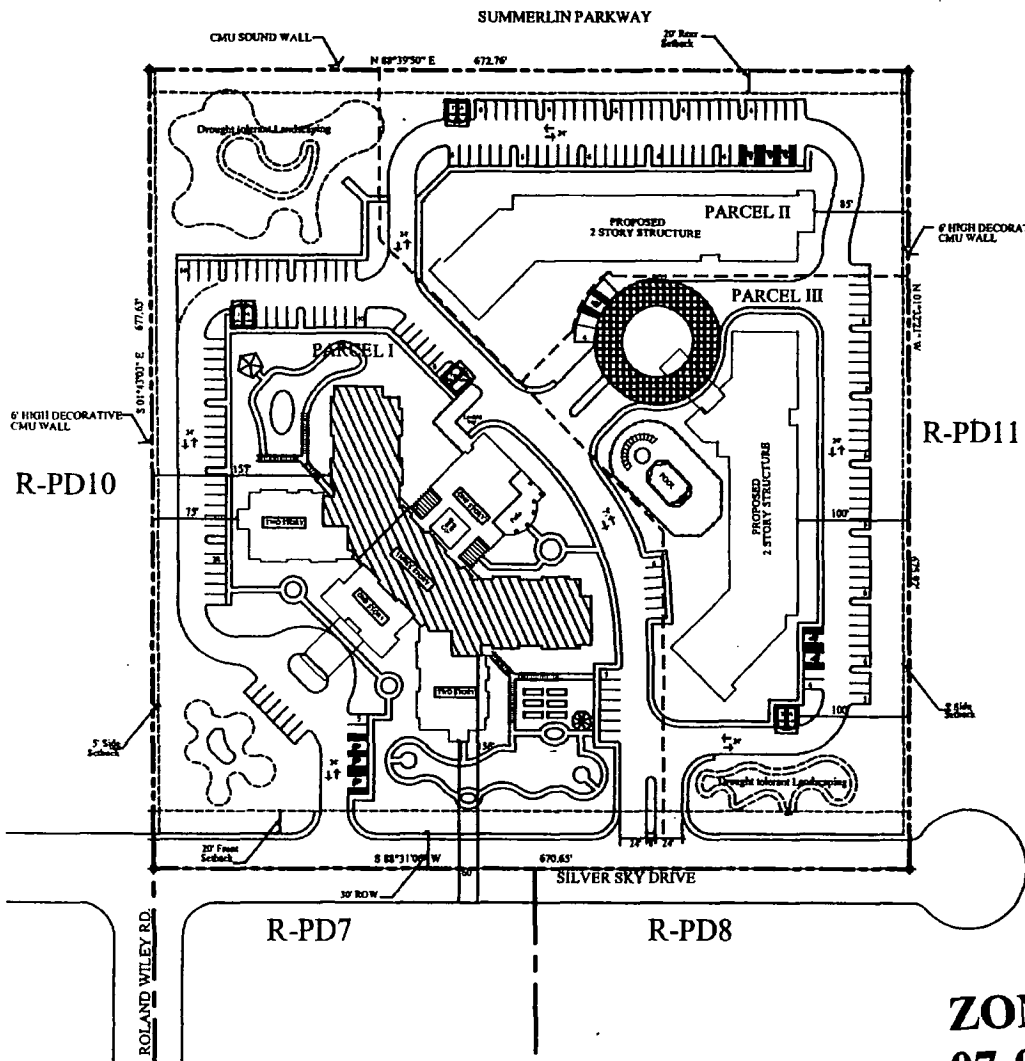
PLANNING COMMISSION ACTION

Condition #1 was added by the Planning Commission.

NOTICES MAILED 310

APPROVALS 0

PROTESTS 0



SITE INFORMATION

ZONING - CITY OF LAS VEGAS
Current Zoning : U (MLA)
Proposed Zoning Change to: R-PD17

APN# 158-28-401-014

AREA (Approximate) 454,589 sq ft 10.44 Acres

Parcel I - Assisted Living Facility

84 1-Bed Units
6 2-Bed Units
90 Units Total

BUILDING AREA:

1st Floor Approx. 40,148 S.F.
2nd Floor Approx. 31,836 S.F.
3rd Floor Approx. 22,548 S.F.
Total Approx. 94,532 S.F.

Parking

Parking Required = $84 \times 1.25 + 6 \times 1.75 = 116$
Guest Parking = 90/6 = 15
Total = 131
Parking Provided (65 Standard, 2 HC, 1 HCV) = 68

Parcel II - Independent Living Facility

40 1-Bed Units
40 Units Total

BUILDING AREA:

1st Floor Approx. 19,883 S.F.
2nd Floor Approx. 19,883 S.F.
Total Approx. 39,766 S.F.

Parking

Parking Required = $40 \times 1 = 40$
Guest Parking = 40/5 = 8
Total Parking Required = 48
Parking Provided (37 Standard, 2 HC, 1 HCV) = 60

Parcel III - Independent Living Facility

40 1-Bed Units
40 Units Total

BUILDING AREA:

1st Floor Approx. 21,051 S.F.
2nd Floor Approx. 21,051 S.F.
Total Approx. 42,102 S.F.

Parking

Parking Required = $40 \times 1 = 40$
Guest Parking = 40/5 = 8
Total Parking Required = 48
Parking Provided (50 Standard, 2 HC, 1 HCV) = 53

SETBACKS

	Required	Provided
Front	20 ft	78 ft
Side	5 ft	58 ft
Rear	20 ft	112 ft

HEIGHT

Maximum Allowed:	2 stories / 35 ft
Provided:	3 stories / 32 ft

LANDSCAPE

Buffer Required:	
Front	Adjacent to Non Residential use 24" Box Tree @ 30' o/c
Side	Adjacent to Residential use 24" Box Tree @ 20' o/c
Rear	Adjacent to Non Residential use 24" Box Tree @ 30' o/c

Note:
1) This plan has been prepared without benefit of a complete survey.
It is Conceived to Nature and No Guarantee of its accuracy is implied.

ZON-4529
07-08-04 PC

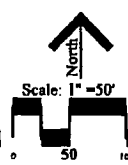
Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.

Conceptual Site Plan

104168 May 25, 2004



Perلمان
PERLMAN ARCHITECTS, INC.
2250 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.890.8900 702.890.3222 fax



ZON-4529 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP
NORTHEAST CORNER OF ROLAND WILEY ROAD AND SILVER SKY DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

06/17/04

5. AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING - SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 90-UNIT, 78,649 SQUARE-FOOT ASSISTED LIVING DEVELOPMENT on 5.56 acres adjacent to the northeast corner of Silver Sky Drive and Roland Wiley Road (APN 138-28-401-014), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: R-PD17 (Residential Planned Development - 17 Units Per Acre)], Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 29

MOTION:

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

7. 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. *The west property line planters shall be two staggered rows of 24-inch box Mondel Pine Trees.*

– UNANIMOUS with MACK not voting

MINUTES:

NOTE: See Item 107 [GPA-4529] for all discussion.

(3:11 – 3:12)

5-1033

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 109 – SDR-4752

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall apply to the westerly 5.56 acres of the site.
2. A General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation Rezoning [ZON-4529] to an R-PD17 (Residential Planned Development - 17 Units Per Acre) Zoning District 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, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Department of Planning and Development and Public Works should the engineering studies cause changes to this approved site plan and building elevations.
5. 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 type of trees and shrubs to be planted on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. 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.
8. The elevations shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 109 – SDR-4752

CONDITIONS – Continued:

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
17. All development shall be in conformance with the site plan and building elevations, date stamped 06/29/04, except as amended by conditions herein.
18. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

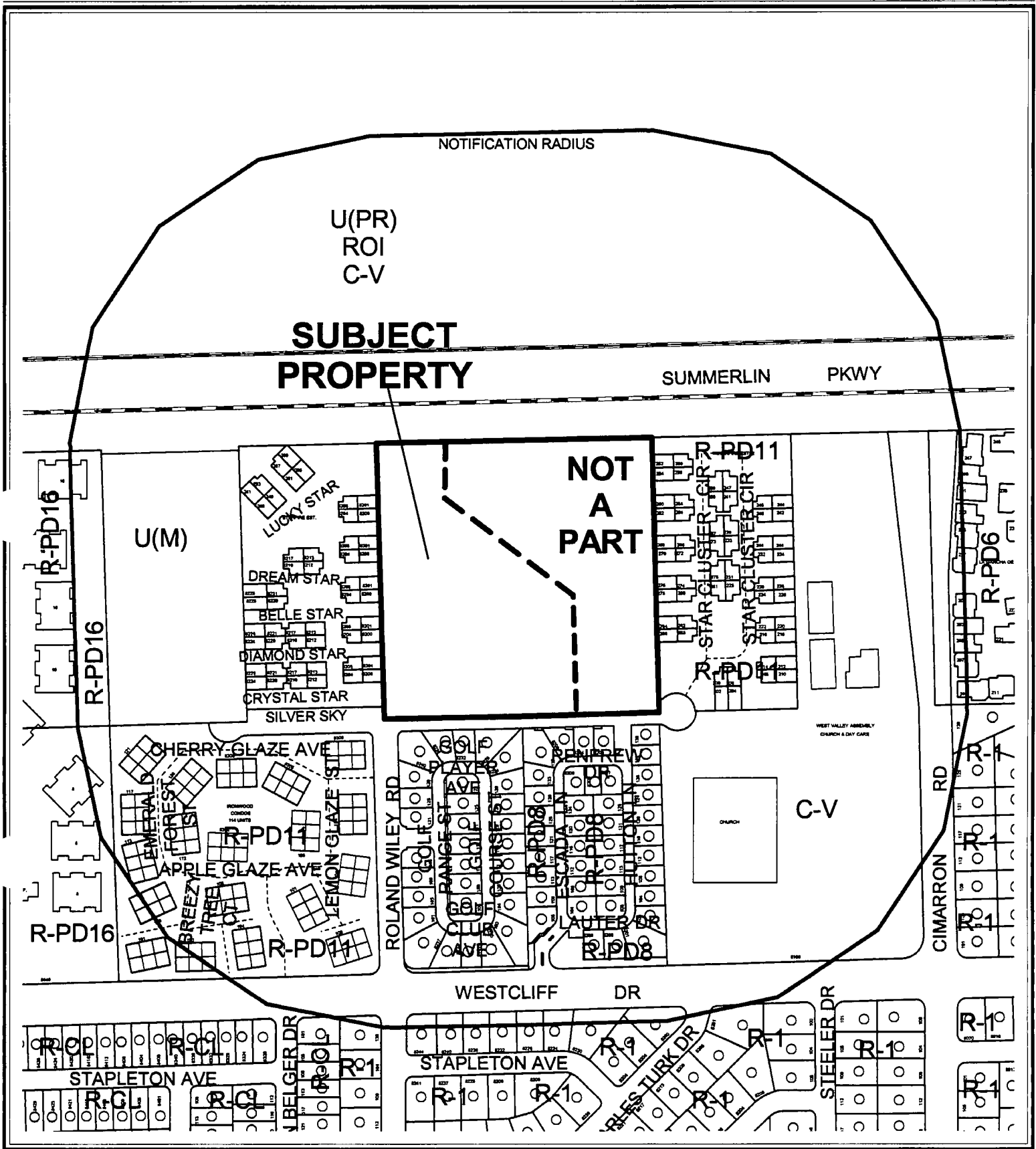
Public Works

19. 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.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
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CONDITIONS:

20. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Site development to comply with all applicable conditions of approval for ZON-4529 and all other subsequent site-related actions.



CASE: SDR-4752

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

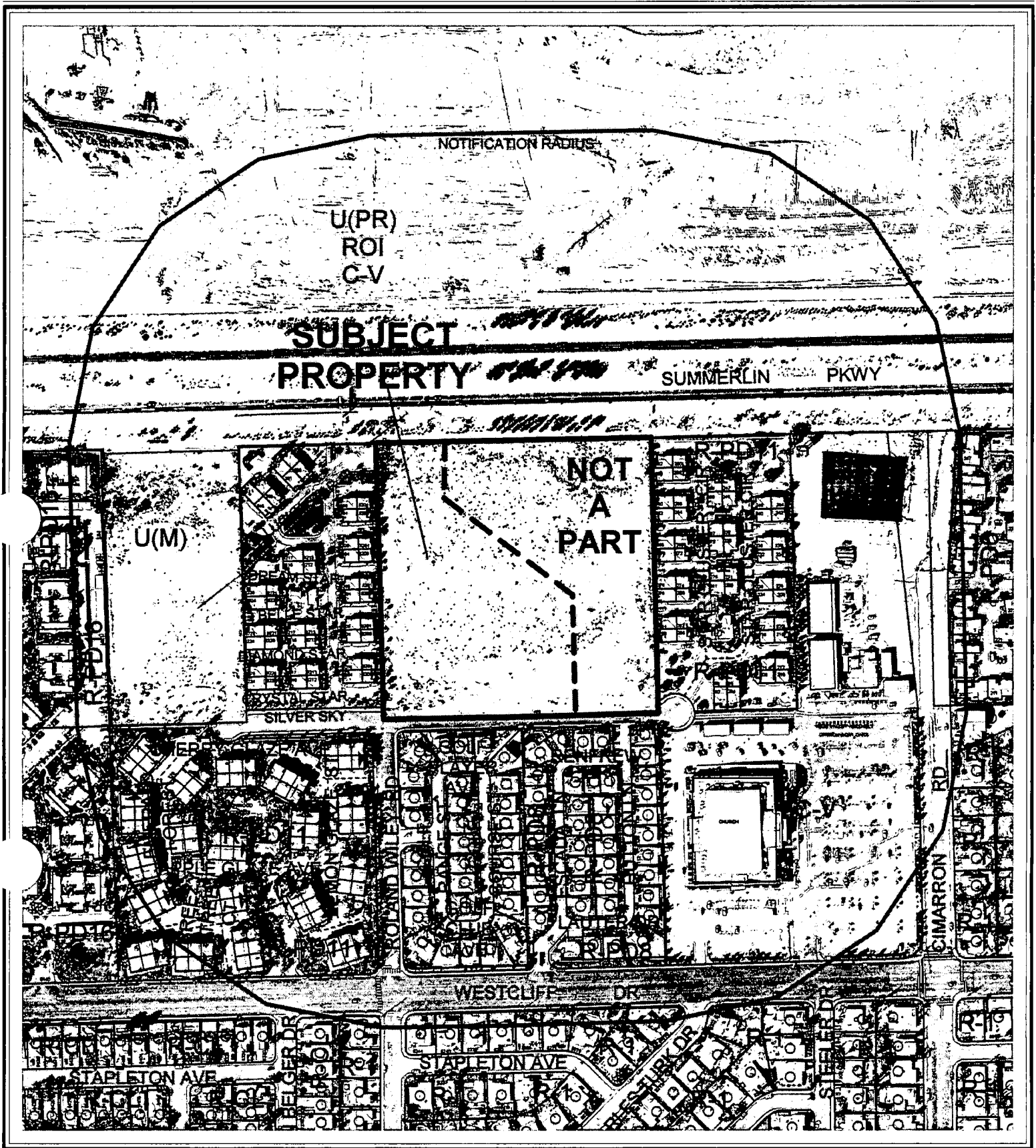
R-PD17 (RESIDENTIAL PLANNED DEVELOPMENT - 17 UNITS PER ACRE)

0 200 400 Feet



109





CASE: SDR-4752

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD17 (RESIDENTIAL PLANNED DEVELOPMENT - 17 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING,
LIMITED PARTNERSHIP OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall apply to the westerly 5.56 acres of the site.
2. A General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation Rezoning [ZON-4529] to an R-PD17 (Residential Planned Development - 17 Units Per Acre) Zoning District 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, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Department of Planning and Development and Public Works should the engineering studies cause changes to this approved site plan and building elevations.
5. 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 type of trees and shrubs to be planted on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. 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.
8. The elevations shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
17. All development shall be in conformance with the site plan and building elevations, date stamped 06/29/04, except as amended by conditions herein.
18. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

19. 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.
20. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

21. Site development to comply with all applicable conditions of approval for ZON-4529 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a three-story, 78,649 square-foot Assisted Living Development on 5.56 acres of an overall 10.5-acre site approximately 660 feet west of Cimmaron Road and 660 feet north of Westcliffe Drive. Companion applications for a General Plan Amendment (GPA-4528) and a Rezoning from U (Undeveloped) Zone [MLA (Medium-Low Attached Residential) General Plan Designation] General Plan Designation] to R-PD17 (Residential Planned Development - 17 Units Per Acre) Zone (ZON-4529) will be considered concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that proposed project is phase one of an assisted living apartment complex for seniors, age 55 and above. The assisted living complex will constitute a quiet, structured environment and will serve as a buffer between the Summerlin Parkway to the north and single-family residential to the south. The applicant is of the opinion that quality housing of this nature is greatly needed in Las Vegas, and that seniors are the fastest growing segment of the population and their needs must be met.

BACKGROUND INFORMATION

A) Previous Actions

12/21/83	The City Council approved a Petition to Annex property (A-0010-83) containing approximately 922 acres, including the subject site. The effective date was 12/30/83. The Planning Commission and staff recommended approval.
07/08/04	The Planning Commission held companion General Plan Amendment (GPA-4528) in abeyance to the 08/12/04 Planning Commission meeting.
08/12/04	The Planning Commission recommended denial of a companion application for a General Plan Amendment (GPA-4528); and recommended approval of a related Rezoning (ZON-4529) concurrently with this request.
08/12/04	The Planning Commission voted 4-0-1 to recommend APPROVAL (PC Agenda Item #29/gl).

B) Pre-Application Meeting

05/17/04 An initial meeting was held on this date. A follow up meeting was held on 06/25/04, in which a number of the site plan details, which were not available at the earlier meeting, were discussed. It was determined that a variance for parking for the project, which was discussed at the earlier meeting as a possibility, would not be required. The applicant was advised in detail of the necessary submission requirements.

C) Neighborhood Meetings

05/26/04 Although no neighborhood meeting is required for a Site Development Plan Review, a neighborhood meeting for companion General Plan Amendment GPA-4528 was held by the applicant at the Lieburn Senior Center, 6230 Garwood Avenue. Ten people attended and had concerns regarding the compatibility of this proposal with surrounding residential uses and the possible adverse traffic impacts on Roland Wiley Road and Westcliffe Drive.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.5
Phase 1 Acres: 5.56

B) Existing Land Use

Subject Property: Undeveloped
North: Summerlin Parkway
South: Single Family Development
East: Condominiums
West: Condominiums

C) Planned Land Use

Subject Property: MLA (Medium-Low Attached Density Residential)
North: Right-of-Way
South: MLA (Medium-Low Attached Density Residential) and ML (Medium Low Density Residential)
East: MLA (Medium-Low Attached Density Residential)
West: MLA (Medium-Low Attached Density Residential)

D) Existing Zoning

Subject Property: Undeveloped
North: Right-of-Way
South: R-PD 7 and R-PD8 (Residential Planned Development - 7 Units and 8 Units per Acre)
East: R-PD11 (Residential Planned Development - 11 Units per Acre)
West: R-PD10 (Residential Planned Development - 10 Units per Acre)

E) General Plan Compliance

The site is currently designated as MLA (Medium-Low Attached Density Residential) within the Southwest Sector Plan of the General Plan. This category allows a maximum of 12.0 dwelling units per gross acre.

The applicant has requested a General Plan Amendment to change the designation to M (Medium Density Residential). The Medium Density Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density and variety of multifamily unit types, up to three stories in height. The applicant has requested to change the zoning on this site to R-PD17 (Residential Planned Development - 17 Units per Acre).

The proposed site plan, at a density of 16.19 units per acre, is consistent with the proposed General Plan land use designation, and with the proposed R-PD17 zoning district.

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

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

PROJECT DESCRIPTION

The project which is the subject of this application represents phase one of a three-phase project containing a campus of assisted living facilities for seniors on the overall 10.5-acre subject site. Phase one, which occupies 5.56 acres of the overall site, is scheduled to contain a three-story structure (in which there are two-story and one-story wings) containing 78,649 square feet. This structure will contain 84 one-bedroom units and six two-bedroom units. A total of 72 surface parking spaces are provided.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.040, the Development Standards within an R-PD 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:

Proposed Standards	
<i>Min. Setbacks</i>	
• Front	98 Feet
• Side	75 Feet
• Rear	112 Feet
<i>Max. Building Height</i>	3 Stories / 39 Feet

These standards as presented will allow a development that should be harmonious and compatible with the approved residential project to the north of the site.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The two-story portion of the project is approximately 75 feet from the nearest residential area, where approximately 66 feet is required. The three-story portion of the building is 157 feet from the nearest residential area, where 117 feet is required. The proposal exceeds the proximity slope requirement.
- b) Building setback. The project exceeds the established setback requirements on adjacent R-PD sites, where setbacks have been established through the respective site plan approvals for these various developments.

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
Seniors' Apartments	90 Units	0.75 spaces/unit	68 spaces	3 spaces	72 spaces	3 spaces

The project exceeds the parking standards of the Zoning Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	12 Trees	12 Trees
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet plus 1 Tree (1,288 Feet)	44 Trees	44 Trees
• Min. Zone Width	15 Feet along external perimeters, 6 Feet along internal perimeters		Y Y
• Wall height	6 Feet		Y

The proposal meets the landscaping requirements of the Zoning Code.

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
5.56 acres (phase 1)	16.19	1.65	26.7 %	1.48 acres (64,666 SF)	34.2%	1.9 acres (82,764 SF)

The project as designed exceeds the open space requirements of the Zoning Code.

A5) Sign Standards

No signage has been indicated for the project at this time. Placement of on-premise signage will require separate review and approval at a later date.

B) General Analysis and Discussion

• Zoning

With the approval of companion Rezoning application (ZON-4529) which applies to 5.56 acres of the overall 10.5-acre site, the phase one portion of the overall site will be zoned R-PD17 (Residential Planned Development - 17 Units per Acre). The proposed Site Development Plan forms the basis of the zoning request, and therefore conforms to the proposed zoning for the site.

• Site Plan

The site plan as proposed conforms to all of the applicable development standards of the Zoning Code.

• Waivers

No Waivers have been requested or are required with respect to this application.

- Landscape Plan

Conceptual landscaping as indicated on the site plan and related documentation indicates that 44 24-inch box trees will be planted along the external perimeters of the phase 1 area, and 12 24-inch box trees will be planted in the parking area. The type of trees and shrubs to be planted are unspecified. A condition of approval will address this issue.

- Elevation

The elevations depict a three-story building with a low-angle terra cotta tile roof. A two-earth tone color palette, with a third lighter color for fascia trim is used for the stucco-finished structure. The structure has two two-story wings and one single-story wing in addition to the main three-story element. Façade articulation and use of vertical elements, as well as a porte cochere for drop-off area, will enhance the visual interest of the structure.

- Floor Plan

The plan includes 84 one-bedroom units and six two-bedroom units arranged in four wings around a central entry and activity area. A fifth wing will contain a kitchen, dining and related facilities.

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;”**

Although proposed project on this site is at a density that is somewhat higher than the surrounding residential properties, a senior apartment complex is a less intense use than a regular non-age restricted apartment complex, and the overall population density, and the potential for noise and traffic impacts, would be substantially less.

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 existing General Plan designation of the subject site is MLA (Medium-Low Attached Density Residential). This category allows a maximum of 12.0 dwelling units per gross acre. The companion General Plan Amendment request is for the M (Medium Density Residential) designation, which allows a maximum of 25 dwelling units per gross acre. The companion Rezoning request to R-PD17 (Residential Planned Development - 17 Units per Acre) is consistent with the proposed General Plan designation. The site plan as proposed conforms to both the proposed General Plan designation and zoning district, and meets the development standards of Title 19 and other city standards and policies.

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

The access designed for this project will be adequate to meet the requirements of the proposed zoning district.

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 building elevations are typical of modern assisted living residential developments and will be compatible with single-family residential development near the 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.

PLANNING COMMISSION ACTION

The speakers protesting the application had concerns regarding traffic, more landscaping, concern about 3 stories and phasing.

NOTICES MAILED 310

APPROVALS 0

PROTESTS 0

Name of Applicant: Silver Sky Asst Living LP

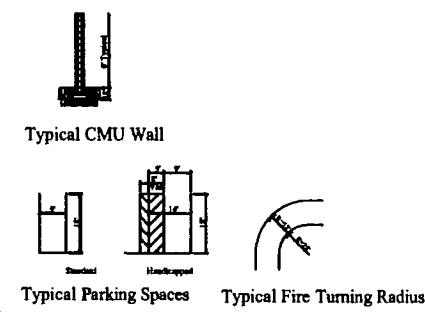
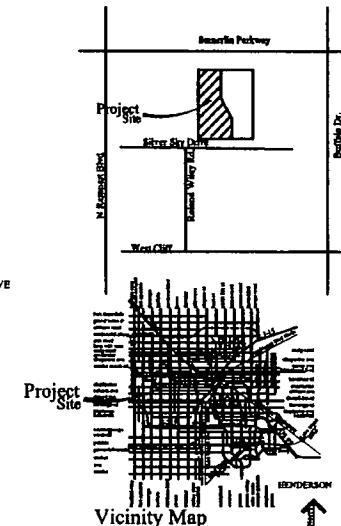
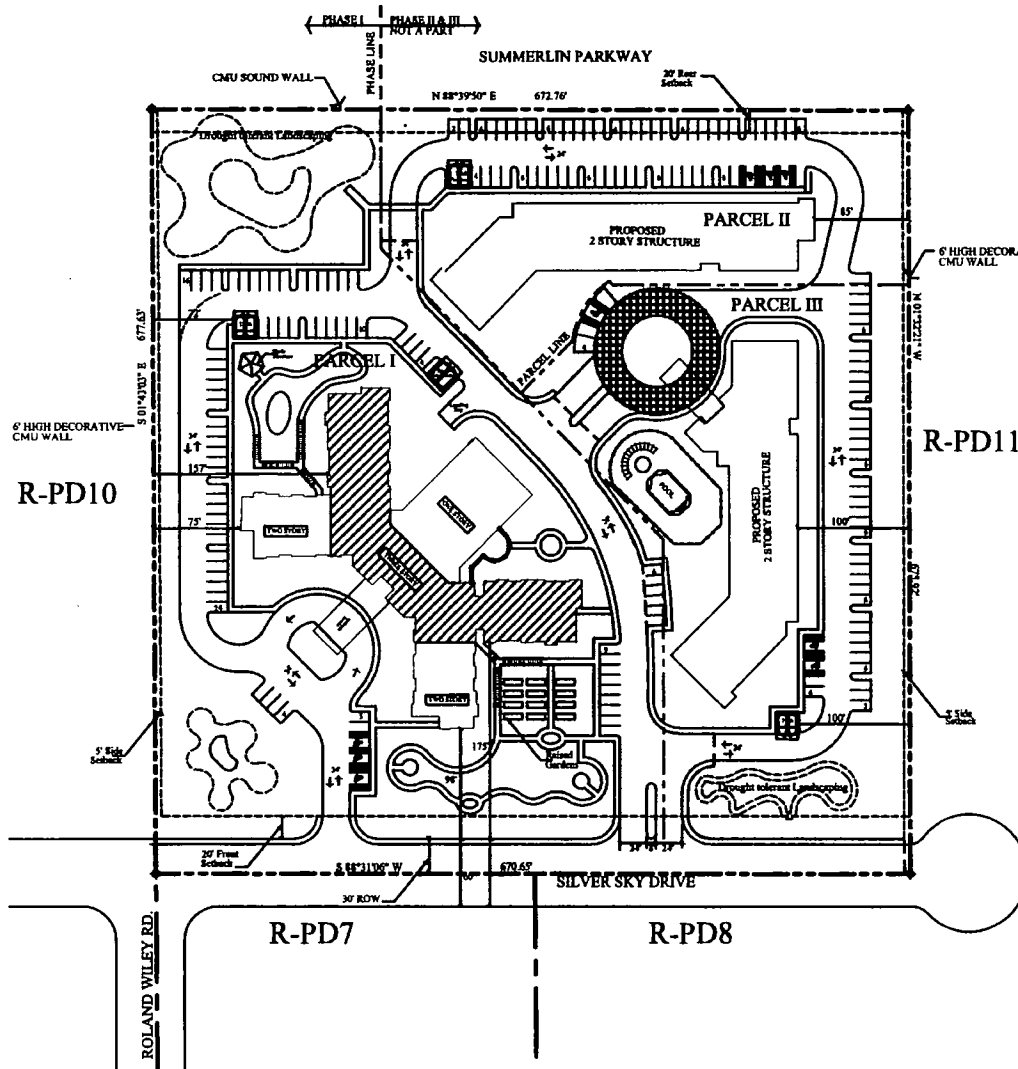
 Yes ☒ No

APN: _____

Print Name: David Roark

Seymour C. Romero
Notary Public in and for said County and State





SITE INFORMATION

ZONING - CITY OF LAS VEGAS
Current Zoning : U (MLA)
Proposed Zoning Change to: R-PD17
APN# 138-28-401-014

AREA (Approximate)
Gross Area: 434,589 sf 10.44 Acres
Net Area: 435,600 sf 10.00 Acres
Parcel I - Assisted Living Facility
24 1-Bed Units
6 2-Bed Units
90 Units Total
BUILDING AREA:
1st Floor Approx. 33,877 S.F.
2nd Floor Approx. 26,092 S.F.
3rd Floor Approx. 18,680 S.F.
Total Approx. 78,649 S.F.
Parking
Parking Required = 90 x 0.75 = 68
Parking Provided = 72
(63 Standard, 2 HC, 1 HCV)

PARCEL II & III NOT A PART

Parcel II - Independent Living Facility
40 1-Bed Units
40 Units Total
BUILDING AREA:
1st Floor Approx. 19,883 S.F.
2nd Floor Approx. 19,883 S.F.
Total Approx. 39,766 S.F.
Parking
Parking Required = 40 x 0.75 = 30
Parking Provided = 60
(57 Standard, 2 HC, 1 HCV)
Parcel III - Independent Living Facility
40 1-Bed Units
40 Units Total
BUILDING AREA:
1st Floor Approx. 21,051 S.F.
2nd Floor Approx. 21,051 S.F.
Total Approx. 42,102 S.F.
Parking
Parking Required = 40 x 0.75 = 30
Parking Provided = 53
(50 Standard, 2 HC, 1 HCV)

SETBACKS	Required	Provided
Front	20 ft	98 ft
Side	5 ft	75 ft
Rear	20 ft	112 ft

HEIGHT	
Maximum Allowed:	3 stories / 40 ft (PUD)
Provided:	3 Stories / 39 ft

LANDSCAPE	
Buffer Required:	
Front Adjacent to Non Residential use	24" Box Tree @ 30' o/c
Side Adjacent to Residential use	24" Box Tree @ 20' o/c
Rear Adjacent to Non Residential use	24" Box Tree @ 30' o/c

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

SDR-4752
08-12-04 PC

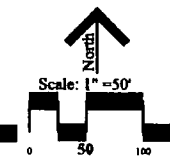
Silver Sky Assisted Living LP.

Silver Sky Assisted Living Residence

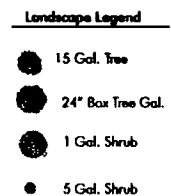
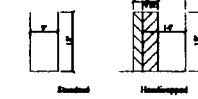
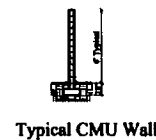
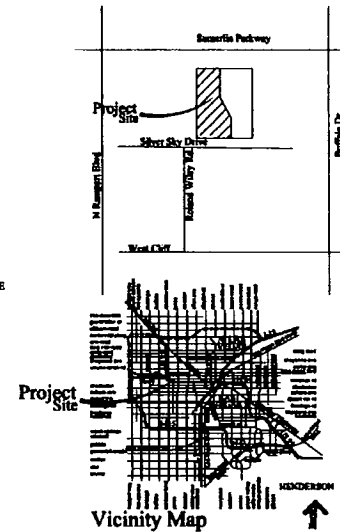
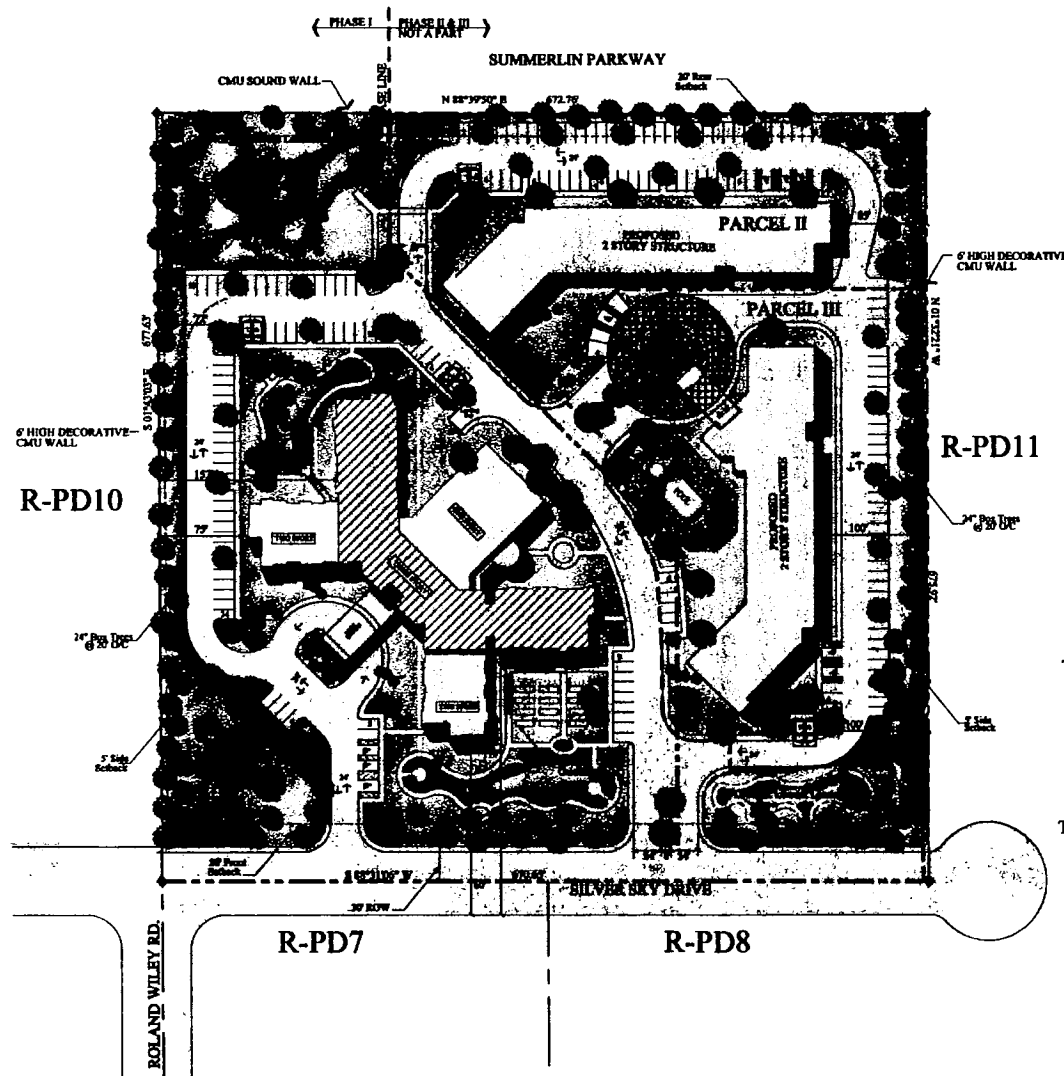
Conceptual Site Plan

Silver Sky Drive, Las Vegas, Nevada.

104168 June 29, 2004



Perlmutter
PERLMUTTER ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.880.8900 702.882.3222 fax



SITE INFORMATION

ZONING - CITY OF LAS VEGAS
Current Zoning : U (MLA)
Proposed Zoning Change to: R-PD17
APN# 138-28-401-014

AREA (Approximate)
Gross Area: 454,589 sq ft
Net Area: 433,600 sq ft
10.44 Acres
10.00 Acres

Parcel I - Assisted Living Facility
84 1-Bed Units
6 2-Bed Units
90 Units Total
BUILDING AREA:
1st Floor Approx. 33,877 S.F.
2nd Floor Approx. 26,092 S.F.
3rd Floor Approx. 18,680 S.F.
Total Approx. 78,649 S.F.

Parking
Parking Required = $90 \times 0.75 = 68$
Parking Provided = 72
(65 Standard, 2 HC, 1 HCV)

PARCEL II & III NOT A PART

Parcel II - Independent Living Facility
40 1-Bed Units
40 Units Total
BUILDING AREA:
1st Floor Approx. 19,883 S.F.
2nd Floor Approx. 19,883 S.F.
Total Approx. 39,766 S.F.

Parking
Parking Required = $40 \times 0.75 = 30$
Parking Provided = 60
(57 Standard, 2 HC, 1 HCV)

Parcel III - Independent Living Facility
40 1-Bed Units
40 Units Total
BUILDING AREA:
1st Floor Approx. 21,051 S.F.
2nd Floor Approx. 21,051 S.F.
Total Approx. 42,102 S.F.

Parking
Parking Required = $40 \times 0.75 = 30$
Parking Provided = 53
(50 Standard, 2 HC, 1 HCV)

SETBACKS	Required	Provided
Front	20 ft	98 ft
Side	5 ft	75 ft
Rear	20 ft	112 ft

HEIGHT
Maximum Allowed: 3 stories / 40 ft (PUD)
Provided: 3 Stories / 39 ft

LANDSCAPE
Buffer Required:
Front Adjacent to Non Residential use 24" Box Tree @ 30' o/c
Side Adjacent to Residential use 24" Box Tree @ 20' o/c
Rear Adjacent to Non Residential use 24" Box Tree @ 30' o/c

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

Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.



Conceptual Landscape Plan

104168 June 29, 2004

SDR-4752
08-12-04 PC

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FRONT ELEVATION

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



SIDE ELEVATION

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



BACK ELEVATION

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

Silver Sky

Las Vegas Nevada

Conceptual Elevations

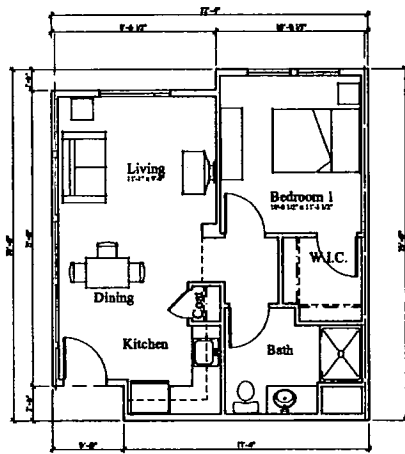
SDR-4752
08-12-04 PC

Perlman

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 201
HENDERSON, NEVADA 89074
702.990.9900 702.992.3222 fax

Date: June 29, 2004
Project Number: 104168

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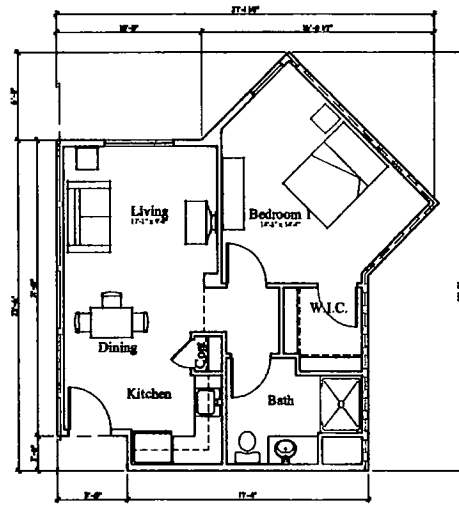


Plan 1 - 1 Bedroom Plan

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

AREA CALC's

Livable Total	518 sf

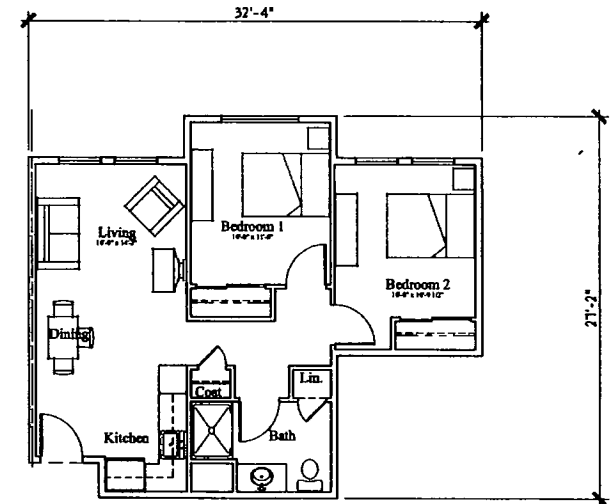


Plan 1b - 1 Bedroom Plan

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

AREA CALC's

Livable Total	564 sf



Plan 2 - 2 Bedroom Plan

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

AREA CALC's

Livable Total	692 sf

Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.

Scale: 1/4" = 1'

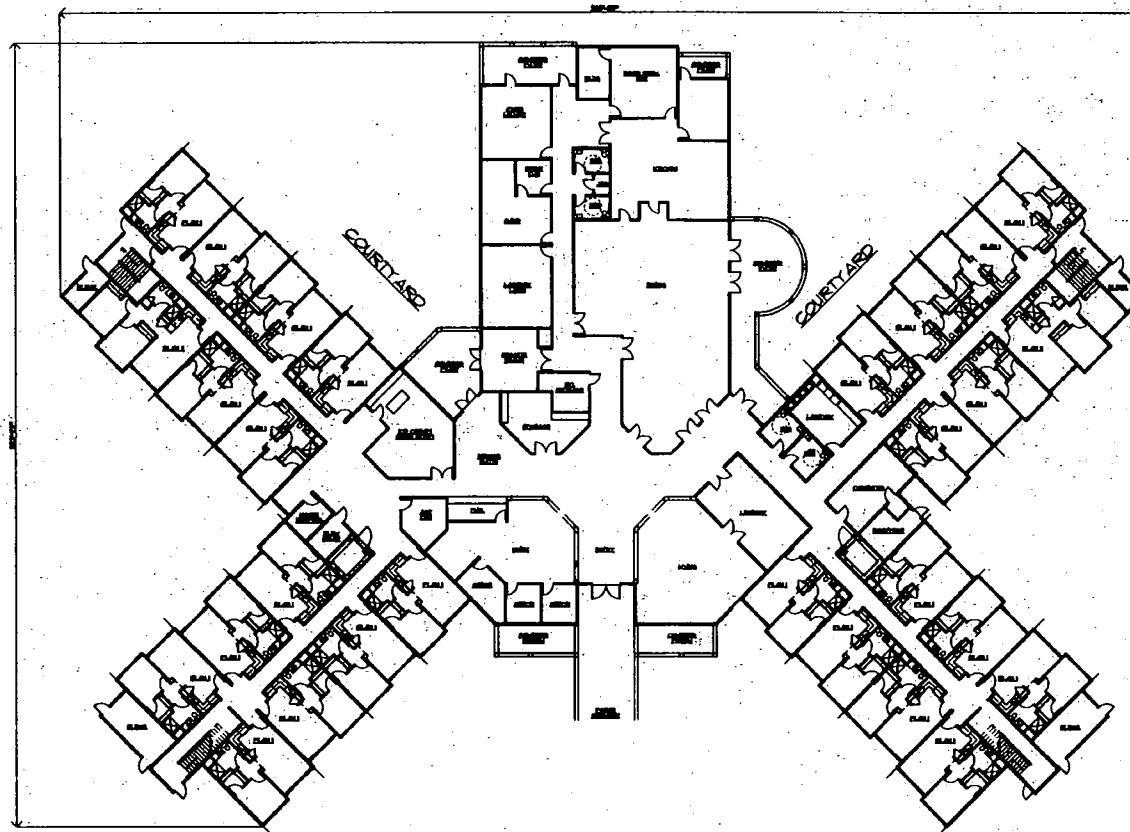
104168 JUNE 29, 2004

SDR-4752
08-12-04 PC

Perlman

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.890.8900 702.892.3222 fax

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1ST FLOOR PLAN

SCALE 1/16" = 1'-0"

AREA
APPROXIMATELY 3,871.42

Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.



Scale: 1/16" = 1'

104168 JUNE 29, 2004

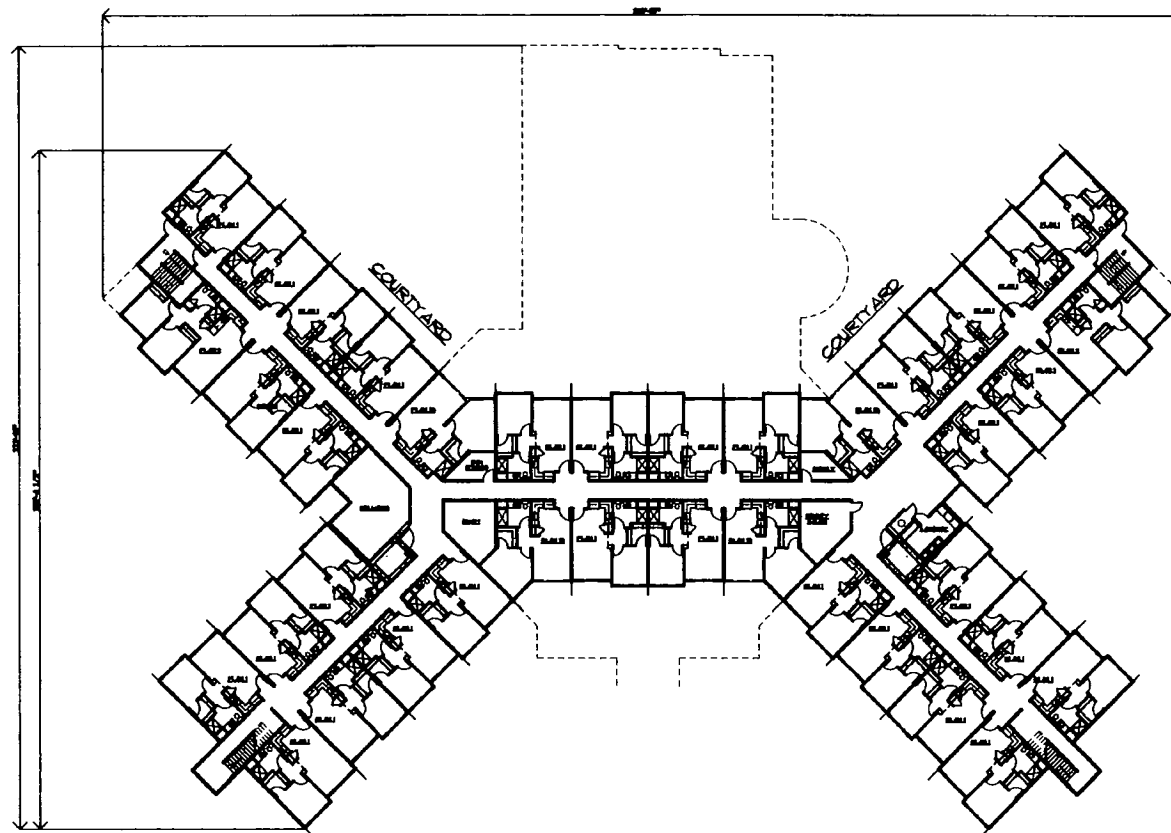
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SDR-4752
08-12-04 PC



2ND FLOOR PLAN
SCALE 1/16" = 1'-0"

AREA
APPROXIMATELY 10,000 SQ. FT.

Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.



Scale: 1/16" = 1'

Perlman

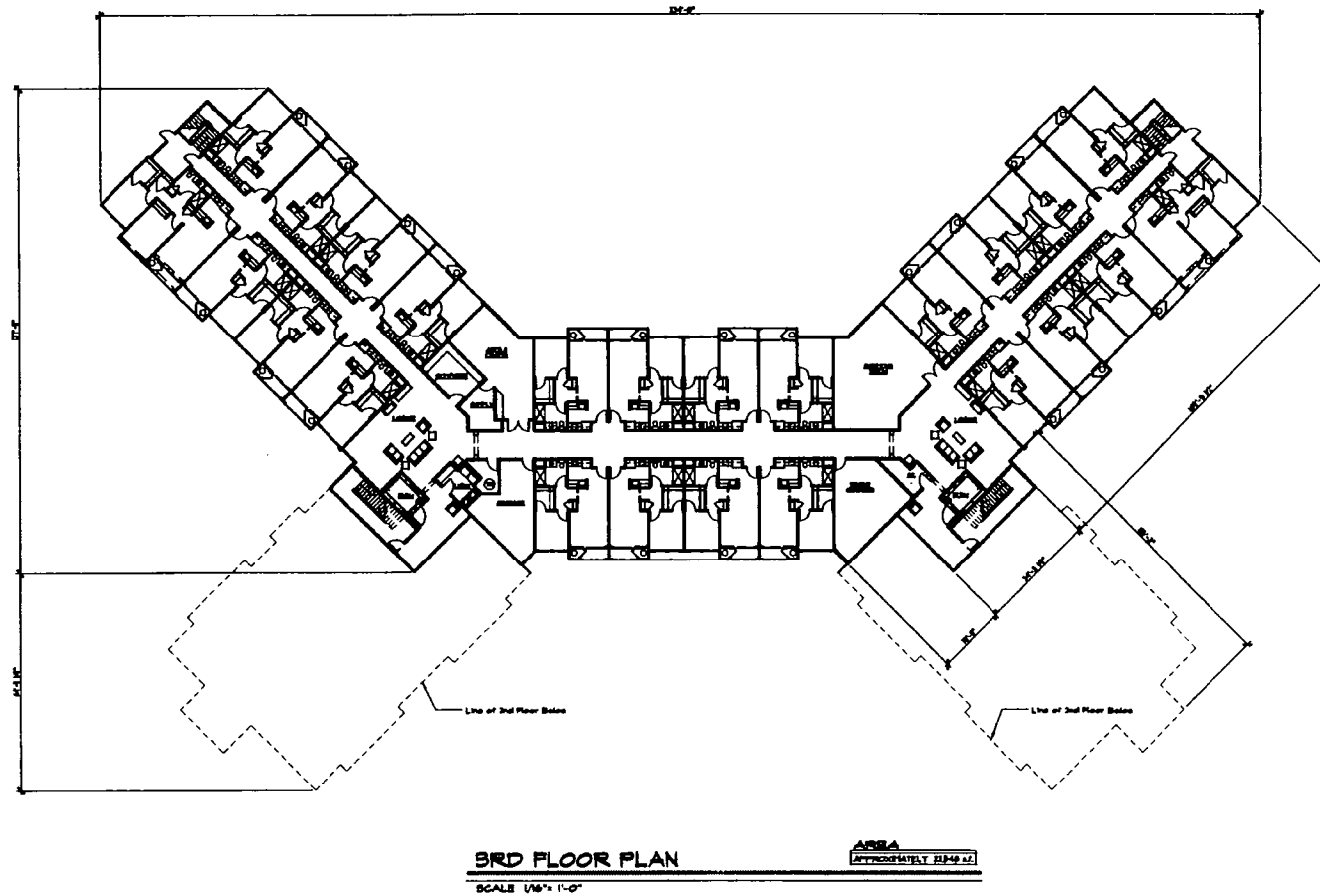
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SDR-4752
08-12-04 PC



Silver Sky Assisted Living Residence

Silver Sky Drive, Las Vegas, Nevada.

Silver Sky Assisted Living LP.



Scale: 1/16" = 1'

Perlman
ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.890.8800 702.890.3222 fax

104168 May 25, 2004

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SDR-4752
08-12-04 PC



SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP
NORTHEAST CORNER OF ROLAND WILEY ROAD AND SILVER SKY DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

06/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and WAIVERS from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, FOR A PROPOSED PARKING LOT on 0.72 acres adjacent to the southwest corner of Bonneville Avenue and Casino Center Boulevard (APN 139-34-311-043 through 047), C-2 (General Commercial) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions and deleting Condition 5 - **UNANIMOUS** with GOODMAN abstaining because MR. KEACH, MR. SPILOTRO and MR. CHESNOFF, who own the property, are personal friends and partners in other business ventures

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

ATTORNEY MARTY KEACH, 520 South 4th Street, appeared together with JOHN SPILOTRO, and stated that ATTORNEY DAVID CHESNOFF could not be present as he was called to New York to represent MARTHA STEWART. ATTORNEY KEACH indicated that the Planning Commission approved this matter. He indicated that the condition referring to a wall would have to be built according to the Downtown Centennial Standards, but they are not required to put in a new wall at this time.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, confirmed that to be the case and upon discussing the issue with staff, that Condition 5 should be deleted so as not to leave it open to interpretation. The applicant understands that at such time as they actually fully develop the site, if a wall is required, the condition would be imposed. ATTORNEY KEACH concurred with MR. GENZER'S comments, as well as with all conditions and the deletion of Condition 5.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:41 – 3:44)

5-1828

CONDITIONS:

Planning and Development

1. The landscape treatment show in the attached Site Development Plan Review shall be implemented within six months of the approval date by the City Council.
2. This Site Development Plan Review shall be reviewed in five years by the Planning Commission and City Council. At that time, the full Centennial Plan improvements shall be required.
3. All development shall be in conformance with the site plan and building elevations, date stamped 8/09/04, except as amended by conditions herein.
4. Five-foot deep landscape buffers shall be provided at the perimeter of the property adjacent to Casino Center Boulevard and Bonneville Avenue. A decorative 42" high parking lot screen fence shall be installed along the Casino Center Boulevard and Bonneville Avenue frontages in accordance with Subsection DS3.1.g of the Downtown Centennial Plan. The screen fence shall conform to the design shown in Graphic 5 of the Downtown Centennial Plan; 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. Landscaping and ground cover shall be provided in the perimeter buffer areas in accordance with Title 19.12.
5. Any new decorative block wall, with at least 20 percent contrasting materials, shall be installed along the interior property lines in accordance with Title 19.12. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

CONDITIONS – Continued:

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. Turf shall be utilized for no more than 12.5% of the total landscape area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Any streetscape improvements to the public right-of-way along Bonneville Avenue shall be coordinated with the Public Works Department for conformance to the development plan for the Bonneville Clark Couplet construction project.
8. 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, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
9. Utilities and power service lines in alleys shall be located underground

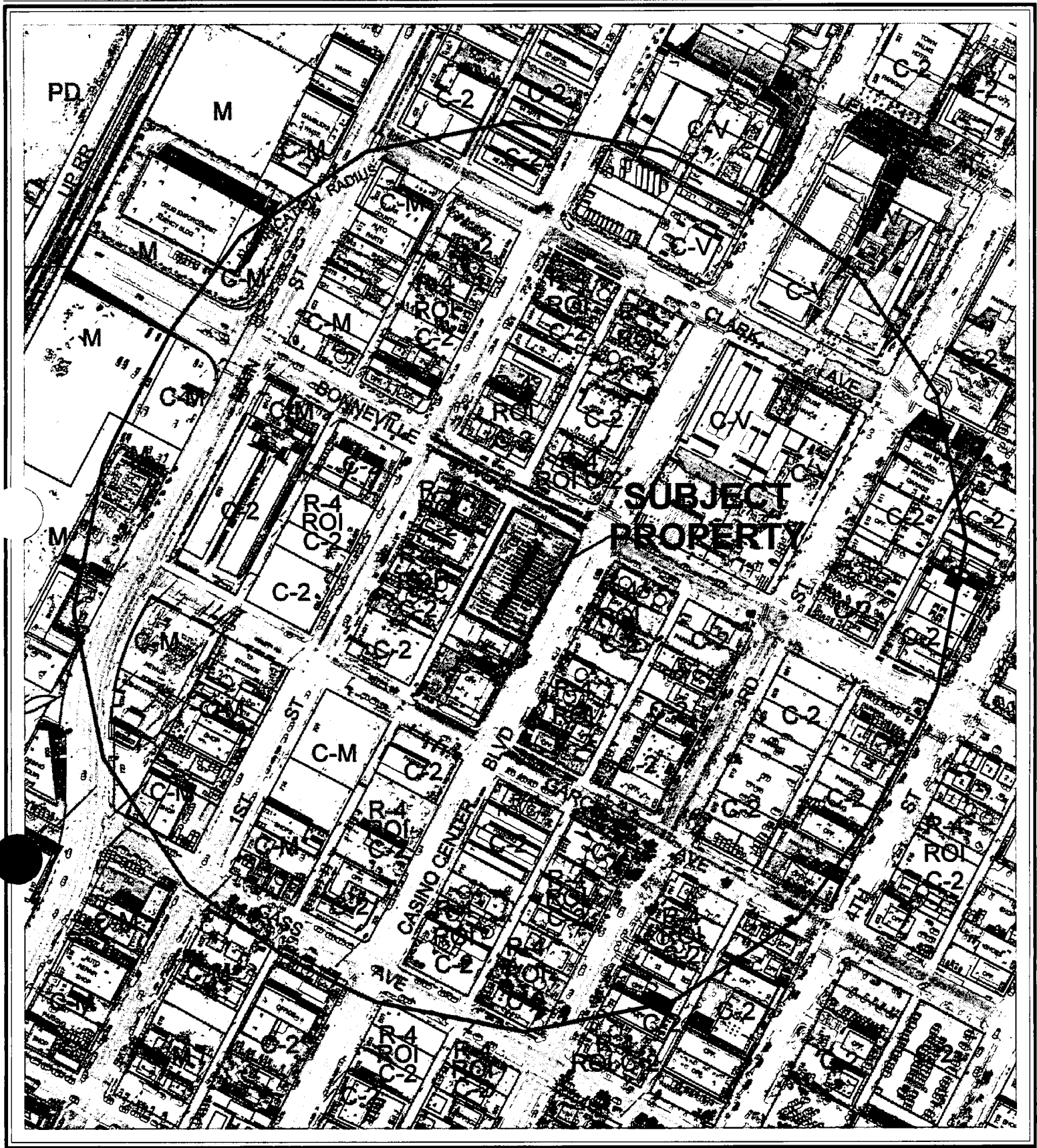
Public Works

10. Dedicate a 10 foot radius and also grant a chord easement on the southwest corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
11. Coordinate with the City Engineer to determine appropriate improvements for the Bonneville Clark Couplet. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
12. 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.
13. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

CONDITIONS – Continued:

15. Landscape and maintain all unimproved right-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the Bonneville Avenue and Casino Center Boulevard public right-of-way adjacent to this site prior to occupancy of this site.



CASE: SDR-4604

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. The landscape treatment show in the attached Site Development Plan Review shall be implemented within six months of the approval date by the City Council.
2. This Site Development Plan Review shall be reviewed in five years by the Planning Commission and City Council. At that time, the full Centennial Plan improvements shall be required.
3. All development shall be in conformance with the site plan and building elevations, date stamped 8/09/04, except as amended by conditions herein.
4. Five-foot deep landscape buffers shall be provided at the perimeter of the property adjacent to Casino Center Boulevard and Bonneville Avenue. A decorative 42" high parking lot screen fence shall be installed along the Casino Center Boulevard and Bonneville Avenue frontages in accordance with Subsection DS3.1.g of the Downtown Centennial Plan. The screen fence shall conform to the design shown in Graphic 5 of the Downtown Centennial Plan; 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. Landscaping and ground cover shall be provided in the perimeter buffer areas in accordance with Title 19.12.
5. Any new decorative block wall, with at least 20 percent contrasting materials, shall be installed along the interior property lines in accordance with Title 19.12. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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. Turf shall be utilized for no more than 12.5% of the total landscape area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Any streetscape improvements to the public right-of-way along Bonneville Avenue shall be coordinated with the Public Works Department for conformance to the development plan for the Bonneville Clark Couplet construction project.
8. 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, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
9. Utilities and power service lines in alleys shall be located underground

Public Works

10. Dedicate a 10 foot radius and also grant a chord easement on the southwest corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
11. Coordinate with the City Engineer to determine appropriate improvements for the Bonneville Clark Couplet. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
12. 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.
13. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.
15. Landscape and maintain all unimproved right-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the Bonneville Avenue and Casino Center Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and Waivers from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, for a proposed parking lot on 0.72 acres adjacent to the southwest corner of Bonneville Avenue and Casino Center Boulevard.

Since the 07/22/04 Planning Commission meeting, staff has met twice with the applicant to review the conditions imposed on this proposed parking lot. A revised site development plan has been submitted, which depicts the following:

- 1) Providing five foot landscape planters along the perimeter of the property, with 24 inch box trees 30 feet on center with shrubs and ground cover.
- 2) The screen fence will conform to the Downtown Centennial Plan.
- 3) Any new decorative block wall will contain at least 20% contrasting materials in conformance to the landscape wall and buffer guidelines
- 4) Palm trees, Fourth Street light fixtures and interior landscaping will be deferred until the construction of a permanent on-site building.

Staff is only supporting this request based on the following understanding:

- 1) This site plan approval will be for a maximum of five years. At that time, a required review will take place to examine the status of the parking lot and the timing of a permanent development. All of the Centennial Plan standards may be required to be installed at the time of this review.
- 2) The applicant has stated it is their intent to build an office building on this site, which will conform to all Centennial Plan standards and contribute positively to the redevelopment of the downtown area.

B) Applicant's Justification

The applicant states that the parking lot is only a temporary development, and that the long-range plan for the property will result in the development of a multistory mixed-use structure. In addition, it is noted that any development on the site will be removed once a structure is constructed on the property, and that the parking lot will be available to patrons of the Regional Justice Center.

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The City Council approved a Resolution of Intent (Z-0100-64) to reclassify 230 acres in the downtown area to C-2 (General Commercial). The Planning Commission recommended approval of the reclassification on December 10, 1964.
- 04/11/91 The Planning Commission approved a Site Development Plan Review [Z-0100-64(149)] for the development of a surface parking lot on a portion of the subject property.
- 07/22/04 The Planning Commission held this item in abeyance to allow the applicant time to work with staff.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #48/FF).

B) Pre-Application Meeting

- 05/24/04 The parking lot was paved without approval of a Site Development Plan Review application; the applicant paved the lot in order to address air quality and Code Enforcement issues. In addition, the Downtown Centennial Plan parking lot landscaping and perimeter buffering requirements were discussed, and Public Works noted the requirement to dedicate right-of-way at the intersection of Casino Center Boulevard and Bonneville Avenue.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.72

B) *Existing Land Use*

Subject Property: Parking Lot Use

North: Office Use

South: Office Use

East: Office Use, Multifamily Residential Use, Undeveloped

West: Office Use, Multifamily Residential Use, Single-Family Residential Use

C) *Planned Land Use*

Subject Property: C (Commercial)

North: C (Commercial)

South: C (Commercial)

East: C (Commercial)

West: C (Commercial)

D) *Existing Zoning*

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

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

South: C-2 (General Commercial)

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

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

E) General Plan Compliance

The subject property is designated Commercial by the Las Vegas Redevelopment Plan. The Commercial designation allows uses comparable to the following designations: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is generally in compliance with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Office Core District, which is intended to serve as the region's legal, governmental, and financial center. Low-intensity office uses with high-to-medium density residential uses are intended south of Bonneville Avenue; parking is to be located at the rear of buildings or in parking structures. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

PROJECT DESCRIPTION

The applicant without approval of a Site Development Plan Review application paved the parking lot on the subject property, as the applicant was not aware that approval was required. The lot was paved in order to address dust abatement and weed control issues. The site plan has been presented for an after-the-fact approval.

The revised site development plan shows a total of 77 parking spaces, four of them to be handicapped spaces. A single driveway is located on Casino Center Boulevard, and is the only means of ingress and egress for the property. A 42" screen fence in conformance to the Downtown Centennial Plan standards is proposed behind the perimeter landscaped planter. Holly Oak trees, shrubs and ground cover, with decomposed granite will be placed in the planter area. No interior landscaping is proposed; the required palm trees and Fourth Street light fixtures would be installed at the time of construction of a permanent building.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

No structure is proposed for the subject property.

A2) Residential Adjacency Standards

Residential Adjacency Standards are not applicable as no structure is being developed on the site.

A3) Parking and Traffic Standards

Minimum parking space requirements do not apply to commercial parking lots. Four handicap parking spaces will be provided on the site.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	13 Trees	0 Trees
Buffer:			
• Min. Square Footage	10 SF/Parking Space	780 SF	Approx. 1,450 SF
• Min. Zone Width	8 Feet		3 Feet
• Wall height	42 Inches		42 Inches

No trees are shown within the parking lot area on the submitted site plan; a total of 13 trees are required by Code. A total of 11 trees are provided in the perimeter landscaped planter. The landscape areas at the four corners of the property comply with the minimum area requirements, although no landscape materials are provided. The perimeter buffer areas do not meet the minimum eight-foot depth requirement. The applicant is proposing to meet the fence standards of the Downtown Centennial Plan.

A5) Sign Standards

No signage is proposed as part of this request.

B) General Analysis and Discussion

- Zoning

Commercial parking facilities are a permitted use in the C-2 (General Commercial) district. No other structures or uses are currently anticipated for the site.

- Site Plan

The site plan depicts a single access driveway to the site on Casino Center Boulevard, located approximately 170 feet south of the Bonneville Avenue intersection. The Public Works Department has noted that the driveway will need to conform to minimum Code requirements. The parking spaces conform to the minimum dimensions, and the driveway aisles meet or exceed minimum requirements.

- Waivers

The applicant has requested Waivers for perimeter landscape buffers that do not meet the minimum depth requirement, the use of a chain-link fence in place of the fence required by the Downtown Centennial Plan, the elimination of required trees within the parking lot, and the elimination of Centennial Plan streetscape treatments.

Staff is supporting the parking lot and waivers to the Downtown Centennial Plan standards based on this being a temporary project and the applicant's commitment to installing all required improvements at the time of construction of a permanent 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;"**

While additional parking adjacent to the Regional Justice Center is desirable, the surface parking lot is inconsistent with the urban development anticipated for the area, and lacks the landscaping and buffers that would typically be required for other similar projects.

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 parking lot use is consistent with the General Plan and the uses permitted in the C-2 (General Commercial) District. The site will, eventually, be in conformance to the Downtown Centennial Plan, and does not meet landscaping and buffering standards.

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

The entrance to the parking lot is located a sufficient distance from adjacent intersections and will not impact the flow of traffic, nor will the use impact adjacent properties.

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

As previously indicated, the landscaping and buffering does not meet the minimum requirements, and the proposed chain-link fence is inconsistent with the development requirements for the downtown 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;”**

No structures are to be constructed as part of this request.

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

Inspections will be performed to ascertain that all improvements have been constructed in accordance with Code requirements.

NOTICES MAILED 118 by Planning Department

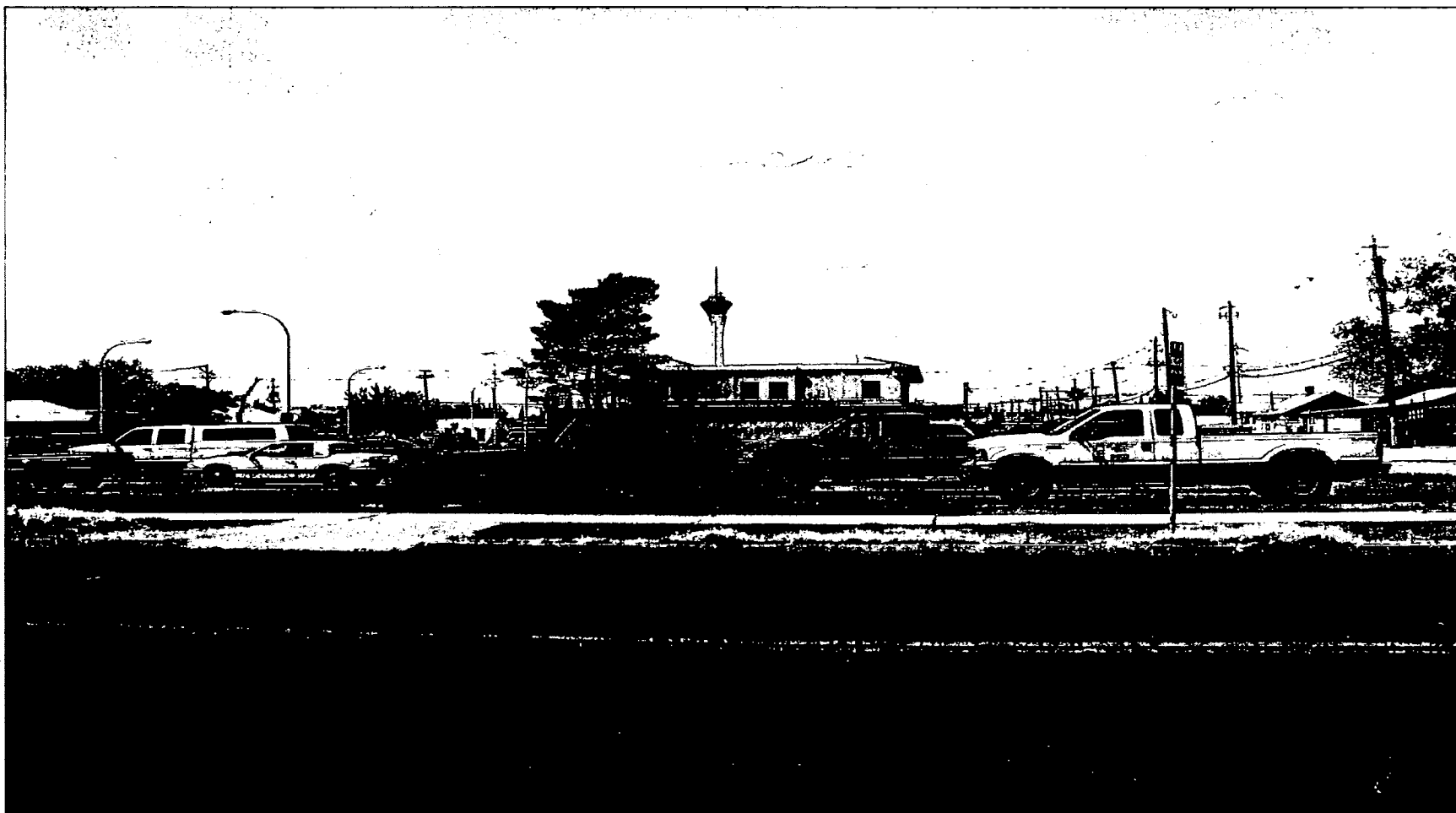
APPROVALS 0

PROTESTS 0



SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY
SOUTHWEST CORNER OF BONNEVILLE AVENUE AND CASINO CENTER BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

7/1/04



SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY
SOUTHWEST CORNER OF BONNEVILLE AVENUE AND CASINO CENTER BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

7/1/04



SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY
SOUTHWEST CORNER OF BONNEVILLE AVENUE AND CASINO CENTER BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC. - Request for a Site Development Plan Review and a WAIVER from foundation landscaping requirements FOR A PROPOSED 8,400 SQUARE-FOOT OFFICE/RETAIL BUILDING on 0.93 acres adjacent to the north side of Lake Mead Boulevard, approximately 230 feet west of Harbor Island Drive (APN 138-20-611-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

STEVE MAAHS, Indigo Architecture, Inc., appeared on behalf of the applicant and agreed with the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:44 – 3:45)

5-1950

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 111 – SDR-4657

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/09/04, except as amended by conditions herein.
3. A Waiver of foundation landscaping requirements is hereby approved.
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. 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, if necessary.
6. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

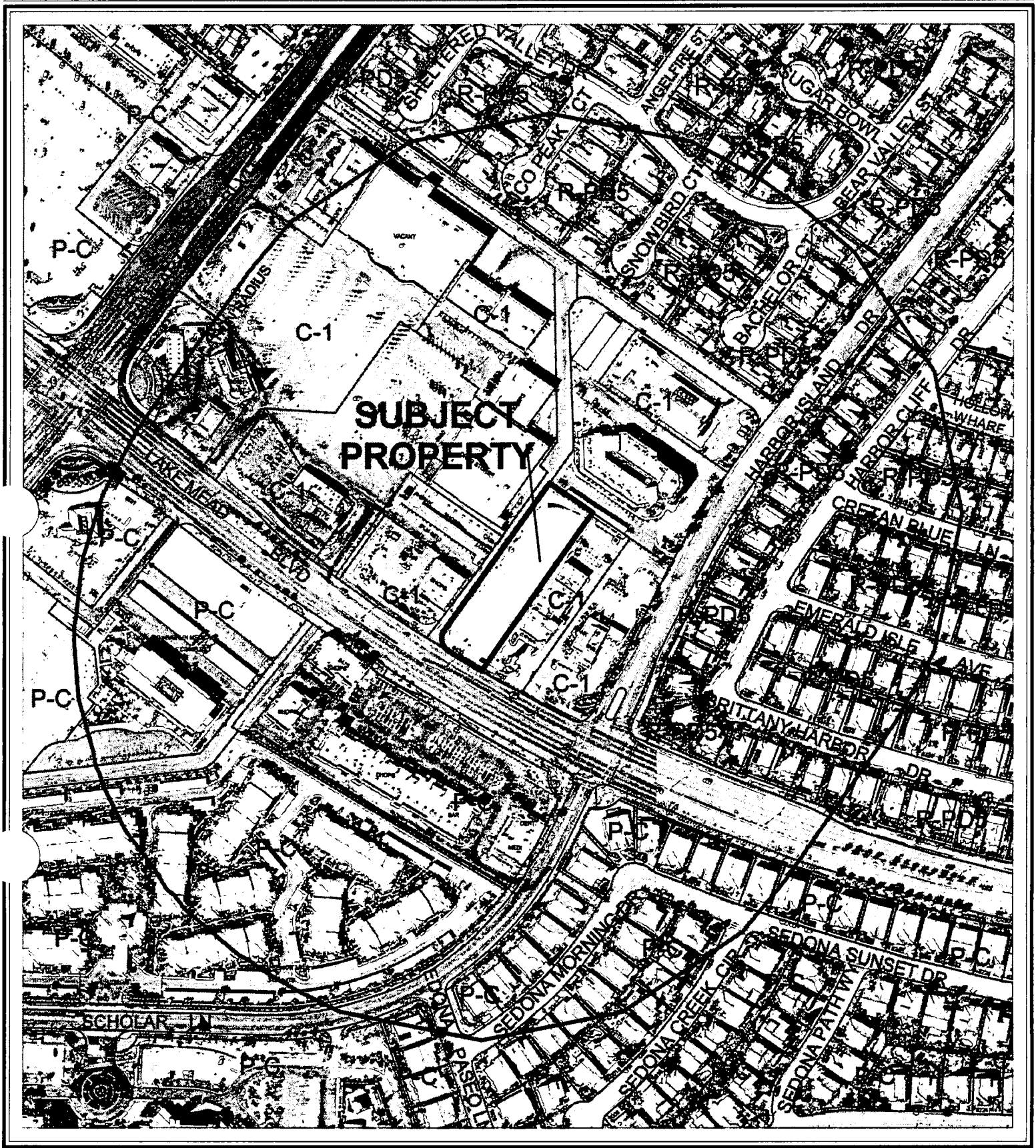
8. Construct sidewalk along the private drive on the west side of this site concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on Lake Mead Boulevard to the first intersection of the on-site roadway network or an alternately acceptable access route; the connecting sidewalk shall be terminated on-site with a handicap ramp.
9. 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.
10. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the South Shores Center Commercial Subdivision.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 111 – SDR-4657

CONDITIONS – Continued:

11. Per the previously approved Traffic Impact Analysis, contribute \$4,225.00 prior to the issuance of any building or off-site permits. The City reserves the right to utilize the contributed traffic monies for the installation or improvement of traffic signals at any intersection within this general vicinity, which is impacted by this development.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-0003-89 and all other subsequent site-related actions.





CASE: SDR-4657

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. -
OWNER: ISHIMARU LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN
ENTERPRISES, INC.**

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/09/04, except as amended by conditions herein.
3. A Waiver of foundation landscaping requirements is hereby approved.
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. 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, if necessary.
6. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Construct sidewalk along the private drive on the west side of this site concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on Lake Mead Boulevard to the first intersection of the on-site roadway network or an alternately acceptable access route; the connecting sidewalk shall be terminated on-site with a handicap ramp.

9. 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.
10. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the South Shores Center Commercial Subdivision.
11. Per the previously approved Traffic Impact Analysis, contribute \$4,225.00 prior to the issuance of any building or off-site permits. The City reserves the right to utilize the contributed traffic monies for the installation or improvement of traffic signals at any intersection within this general vicinity, which is impacted by this development.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-0003-89 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 a Waiver of foundation landscape standards for a proposed 8,400 square-foot retail and office development on 0.93 acres adjacent to the north side of Lake Mead Boulevard, approximately 270 feet west of Harbor Island Drive.

B) Applicant's Justification

The applicant justifies this request by stating that the owner has had requests to construct retail and office space on this site. The foundation landscape waiver is needed because not enough space is available between the proposed building and the sidewalk to allow shrubs to grow to full maturity. The public would be better served by enlarging the sidewalk adjacent to the building.

BACKGROUND INFORMATION

A) Previous Actions

- 03/01/89 The City Council approved C-1 (Limited Commercial) zoning for the property as part of a larger request (Z-0003-89). The Planning Commission and staff recommended approval.
- 01/12/98 The City Council tabled a request for a Special Use Permit (U-0119-97) for a proposed Liquor Establishment (Off-Premise Consumption) on the subject property. The Planning Commission and staff had recommended approval.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #13/SS)

B) Pre-Application Meeting

- 04/07/04 The parking requirements were discussed. The original plan did not incorporate the one parking space per 175 square feet of retail space ratio required by the code, nor was adequate parking lot landscaping provided. In a follow-up meeting held on June 9, 2004, the applicant presented a revised site plan that met the parking requirements and parking lot landscaping. However, a waiver would be required for foundation landscaping along the front and sides of the building. Perimeter landscaping would need to be provided to code standards at the rear of the property.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.93

B) Existing Land Use

Subject Property: Undeveloped
North: Offices
South: Retail Commercial
East: Medical Offices, Animal Hospital
West: Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and which do not include more intense general commercial characteristics. The proposed retail center conforms to the SC (Service Commercial) category.

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

No special districts, zones, or studies are related to the subject site.

PROJECT DESCRIPTION

The subject proposal consists of an 8,400 square-foot multi-tenant retail and office building to be located on a 0.93-acre site within the existing South Shores Center Commercial Subdivision. Access to the site is from two private drives within the subdivision, both with eventual access to Lake Mead Boulevard. A third driveway is proposed near the rear of the property and would connect the subject property to the existing adjacent commercial property to the south. The proposed one-story retail/office building is oriented toward the southwest corner of the site with the parking lot area located to the east and north of the building. One loading zone is provided between the building and the rear of the property. A trash enclosure is provided in the northeast corner of the site, partially screened by landscaping. Monument signage is located in front of the building along Lake Mead Boulevard.

Landscaping includes an 18-foot planter for the width of the property along Lake Mead Boulevard, a three-foot planter along the east lot line, and an eight-foot planter along the north lot line. The north and south planters accommodate a combination of 24-inch box Modesto Ash and African Sumac, along with numerous clusters of one- to five-gallon shrubs including Desert Carpet Acacia, Silver Cassia, Red Yucca, and Blue Rain Sage. Internal landscaping is used as screening for the loading zone and for mechanical equipment.

Elevations indicate a single-story structure with a flat roof and parapet screening element. The maximum height is 22.5 feet. Facades are articulated and consist of stucco employing a brown and tan color scheme contrasted by a stone veneer base. Glazing is provided primarily on the east, north and south elevations. Seven tenant spaces are proposed, each containing approximately 1,200 square feet.

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	40,605 SF	N/A
Min. Lot Width	100 Feet	105 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	20 Feet	128 Feet	Y
Max. Lot Coverage	50 %	21 %	Y

Max. Building Height	None	1 Story/22.5 Feet	N/A
Trash Enclosure	Walled, roofed, screened, min. 50 feet from residential	Walled, roofed, screened, adj. to commercial	Y
Loading Zone	1 Space	1 Space	Y
Mech. Equipment	Screened	Screened by parapet	Y

The proposed site plan indicates that the project either meets or exceeds the applicable Development Standards found in Title 19 for C-1 (Limited Commercial) zoning districts.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards are not applicable to the proposed commercial center, as the development is not adjacent to any protected properties.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail, Less than 25,000 SF	8,400 SF	1/175 SF GFA	46	2	46	2

The 48 spaces provided meet the Title 19 requirements for General Retail uses with less than 25,000 square feet. Any office uses within the building could be accommodated by the amount of parking provided.

The Department of Public Works notes that this pad site must provide for the perpetual common access between the various parcels/owners within the South Shores Center Commercial Subdivision.

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	8 Trees	10 Trees
Buffer:			
• Min. Trees (Lake Mead Blvd.)	1 Tree/20 Linear Feet + 1 Tree	4 Trees	5 Trees
• Min. Trees (north property line)	1 Tree/30 Linear Feet + 1 Tree	4 Trees	5 Trees
• Min. Zone Width (Lake Mead Blvd.)	15 Feet		18 Feet
• Min. Zone Width (north property line)	8 Feet		8 Feet
• Min. Zone Width (sides)	0 Feet		3 Feet south side; 0 feet north side
• Wall height	Max. 6 feet if used		not shown

The proposed landscape plan meets the minimum requirements listed and/or referenced by Title 19. Existing and proposed walls on the perimeter of the site are not indicated on the site plan. If walls are proposed, they should be designed and constructed in conformance to the Commercial Development Standards.

A5) Sign Standards

Monument Signs: [North landscape planter]

Standards	Allowed	Provided
Maximum Number	1 / 200 Feet Street frontage 1 total	1 total
Maximum Area	75 SF /sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	5 Feet
Illumination	External/Internal/Animated/Electronic Message Unit	Not indicated

Wall Signs: [on multi-tenant building]

Standards	Allowed	Provided
Maximum Number	Up to 20 % of each building elevation	16 total
Maximum Area	20 % of each tenant's elevation	Not indicated
Maximum Projection	4 Feet	Not indicated
Illumination	External/Internal/Animated/Electronic Message Unit	Not indicated

The submitted plans indicate that one monument sign will be placed in the front setback area on the north side of the property. In addition, wall signage will be placed on all four elevations of the multi-tenant building. All proposed signage will be subject to the requirements of Title 19.14.060 for signs in the C-1 (Limited Commercial) zoning district.

B) General Analysis and Discussion

- Zoning

The proposed 8,400 square-foot retail/office building use is allowed in the C-1 (Limited Commercial) zoning district subject to conformance with applicable requirements of Title 19.

- Site Plan

The proposed site plan makes efficient use of a small lot. While there is no direct access from Lake Mead Boulevard, the proposed development fits into the overall commercial subdivision and has three driveways. There is no indication as to how much building area will be used for office; however, the general retail parking ratio is more restrictive than for office uses, so the development should be able to handle any quantity of office uses. More intense uses such as restaurants and hair salons may not be approved in the future, given the tight parking situation. The provided loading zone should be closer to the building; however, it is adequately screened by landscaping and serves as a buffer between mechanical equipment and paved areas.

- Waivers

A Waiver of the Commercial Development Standards (Title 19.08.045) for a six-foot landscape buffer between the building and parking area has been requested. The waiver is recommended for the following reasons:

1. If the foundation landscape planter is provided, there is not enough room to also provide a four to six foot wide sidewalk.
2. It will also allow for the provision of a required drive aisle along the east side of the building for access to the rear of the building.

- Landscape Plan

The amount of landscaping provided is adequate. Trees should not be spaced more than 20 feet on center along the Lake Mead Boulevard frontage. All other aspects of the landscape plan comply with the Zoning Code.

- Elevation

The submitted elevations are well-articulated and provide adequate variation in color and materials. A minimum of 60 percent glazing has been applied to the south elevation per the Commercial Development Standards. There are no residential adjacency issues.

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 building will be a new structure on the subject site. The proximity of this proposed use to other commercial uses along this portion of Lake Mead Boulevard makes it compatible with development in the area, subject to compliance with Title 19 requirements.

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 use is consistent with the General Plan and the land use provisions of Title 19. A Waiver of the Commercial Development Standards for foundation landscaping is minor and does not detract from the quality of the project.

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

Access to the site is via driveways from private drives with access to Lake Mead Boulevard and Harbor Island Drive (through the adjacent property). The access and roadways are adequate in size to meet the needs of the proposed development.

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

The building materials as proposed are appropriate for this type of commercial use in this area. The amount of parking lot and perimeter landscaping meets the minimum requirements of the Zoning Code. A Waiver of the foundation landscaping requirement is appropriate for this site.

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, architecture and aesthetic features of the proposed development are satisfactory and will not have a negative impact on this site or on surrounding areas.

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

The proposed retail and office building will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 133 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4657 APN: 138-20-611-006

Name of Property Owner: Vern Yamanaka

Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

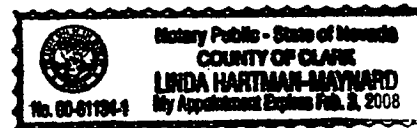
Signature of Property Owner/Authorized Agent: Steve D. Moaks

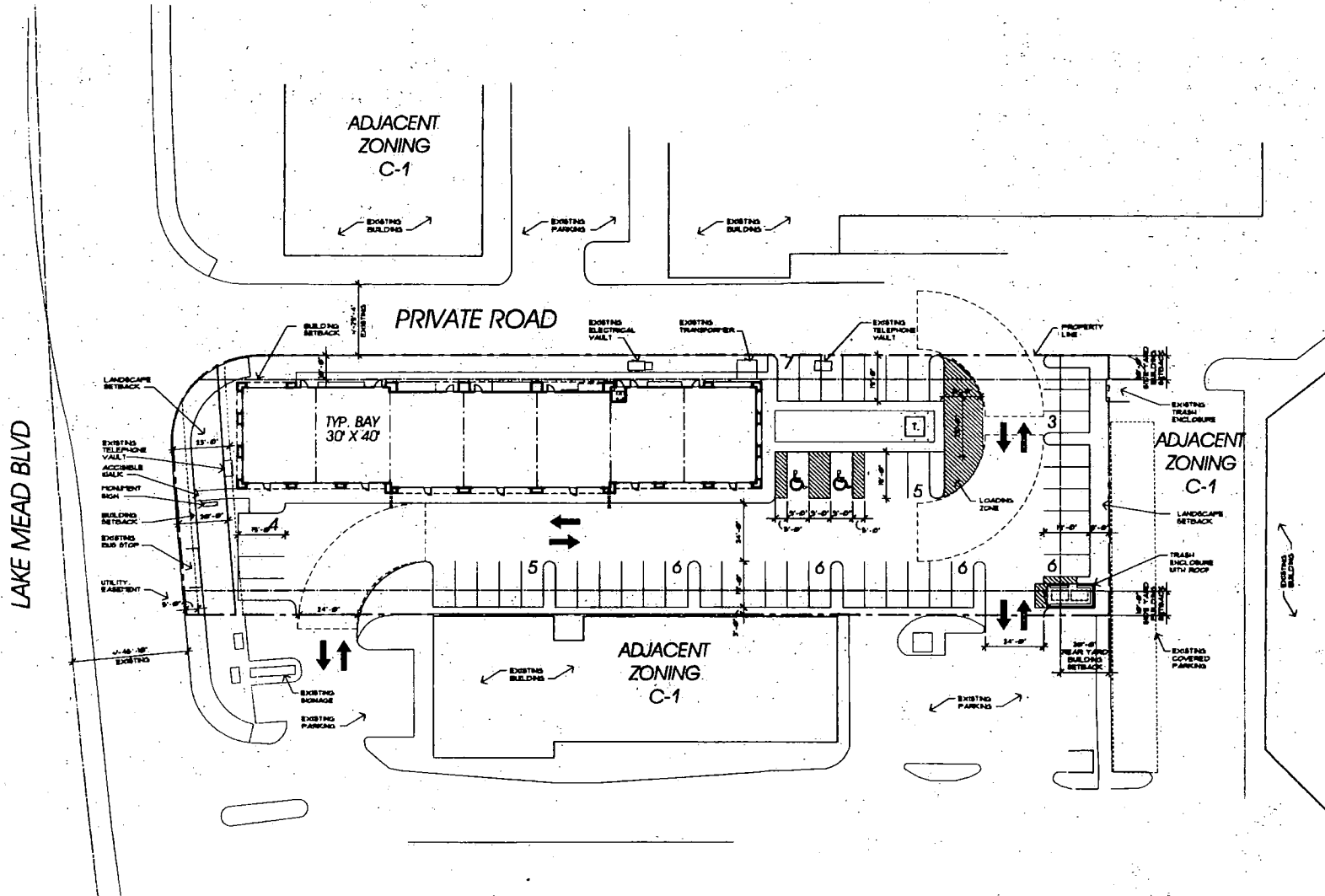
Print Name: Steve D. Moaks

Subscribed and sworn before me

This 10TH day of JUNE, 2004

Linda Hartman-Maynard
Notary Public in and for said County and State





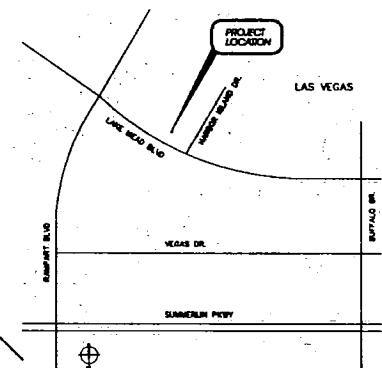
Site Data

ADDRESSOR PARCEL NUMBER (APN)	138-30-011-005
CURRENT ZONING	C-1
PROPOSED ZONING	C-1
PARCEL AREA	
SITE GROSS	+- 53 ACRES GROSS 40,005 S.F.
BUILDING AREA GROSS	+- 8,400 S.F.
BUILDING SITE COVERAGE	20 PERCENT
PARKING REQUIRED	
RETAIL	1/178 S.F. 48 SPACES
TOTAL PARKING REQUIRED	48 SPACES
PROVIDED	6,710/000 S.F. 48 SPACES

Owner / Developer

THE HILD IRON WORKS BUILDING
1206 KAMEHAMEHA AVENUE
HILO, HAWAII 96720
VERN YAMANAKA (808) 935-9766

Vicinity Map



Site Plan

Scale: 1" = 20'-0"

SDR-4657
08-12-04 PC

8430 Retail Center @ Lake Mead

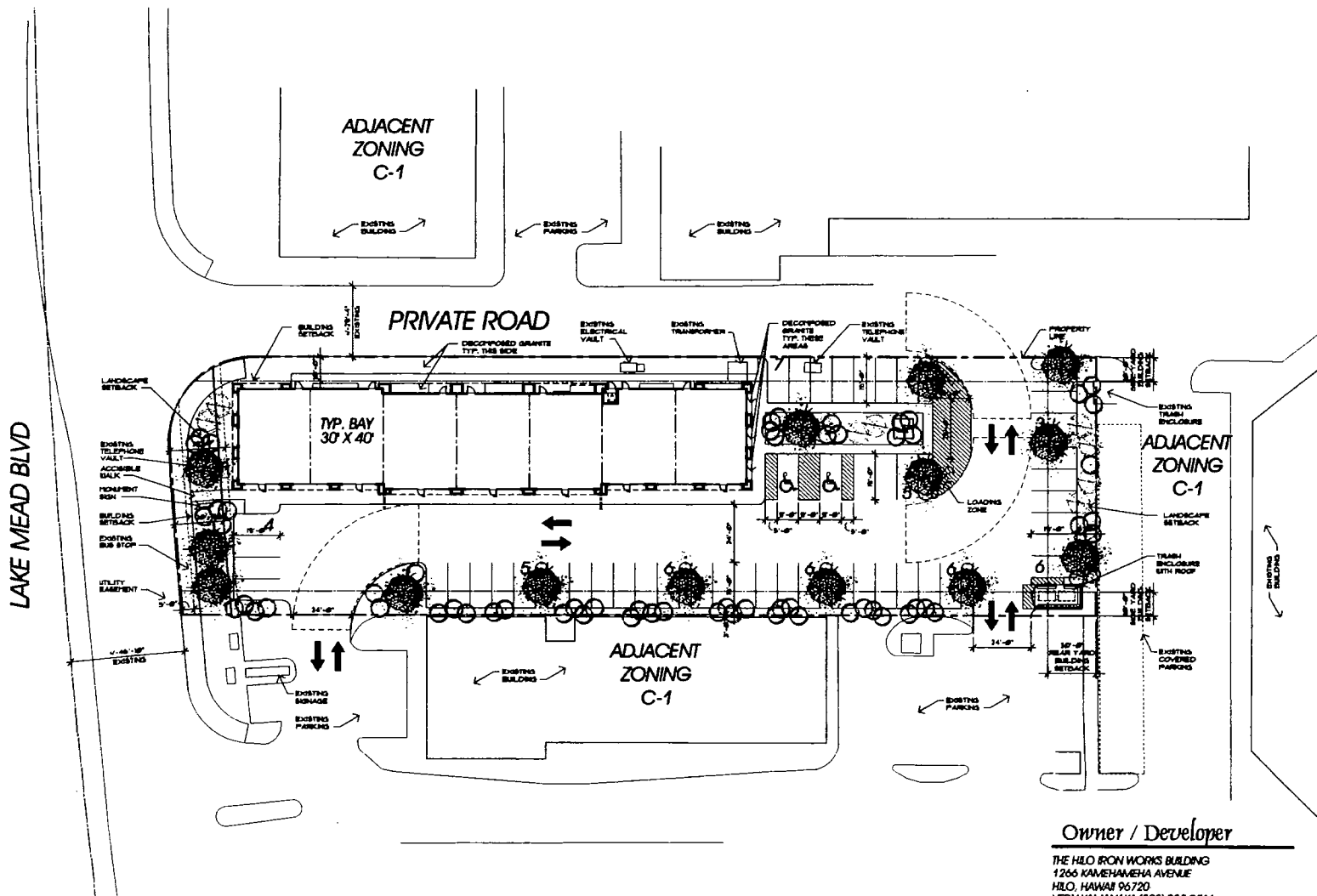
Schematic Design

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Las Vegas, Nevada

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

Indigo Architecture, Inc.
899 S. Maryland Pkwy Ste 400
Las Vegas, Nevada 89123
(702) 495-1772



Site Data

ASSESSORS PARCEL NUMBER (APN)	138-20-611-000
CURRENT ZONING	C-1
PROPOSED ZONING	C-1
PARCEL AREA	
SITE GROSS	-/- .03 ACRES GROSS 40,805 S.F.
TOTAL SITE OPEN SPACE	+/- .74 ACRES
SITE LANDSCAPED	17%
TOTAL LANDSCAPE AREA	+/-7,000 S.F.

Landscape will meet title 19A requirements.

Tree Legend	SP	DBH	H	AS	WIND	PLANT
1. LARGO TREE	SP	DBH	H	AS	WIND	PLANT
2. MEDIUM TREE	SP	DBH	H	AS	WIND	PLANT

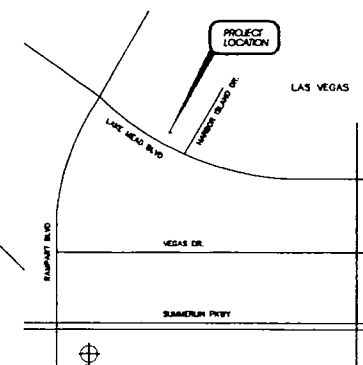
Suggested Symb List

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	1. LARGO TREE	1	1. LARGO TREE
2	2. MEDIUM TREE	2	2. MEDIUM TREE

Ground Cover

SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1	1. GROUND COVER	1	1. GROUND COVER
2	2. GROUND COVER	2	2. GROUND COVER

Vicinity Map



Owner / Developer

THE HILO IRON WORKS BUILDING
1266 KAMEHAMEHA AVENUE
HILO, HAWAII 96720
VERN YAMANAKA (808) 935-9766

Landscape Plan

Scale: 1" = 20'-0"



8430 Retail Center @ Lake Mead

SDR-4657

08-12-04 PC

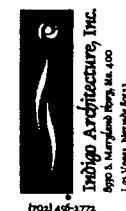
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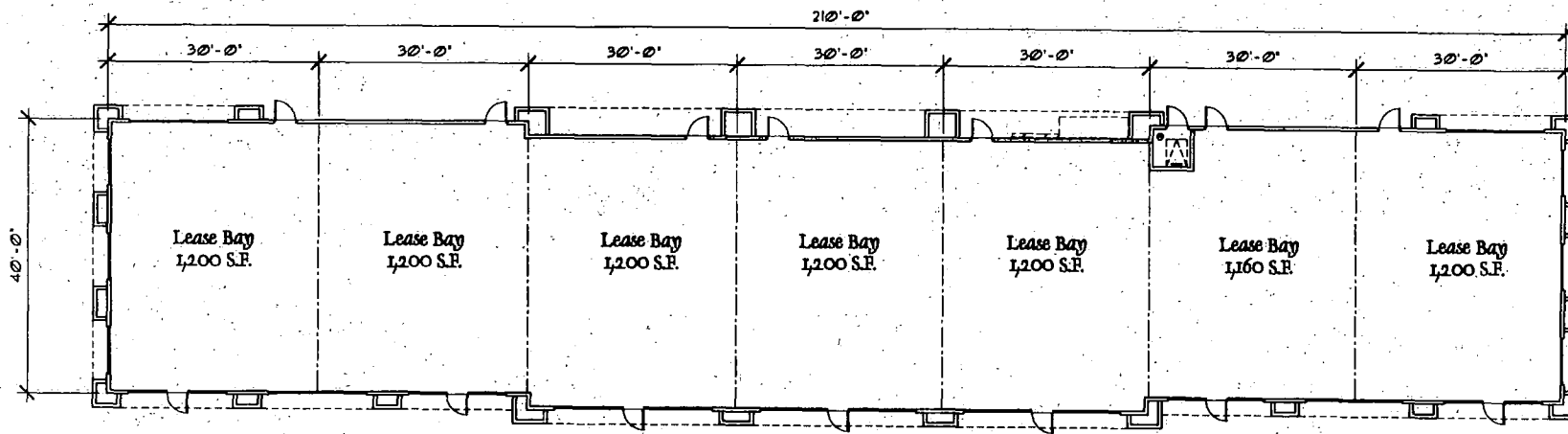
June 9, 2004

Schematic Design

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Las Vegas, Nevada





Floor Plan **8,400 S.F.**
Scale: 1/8" = 1'-0"

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

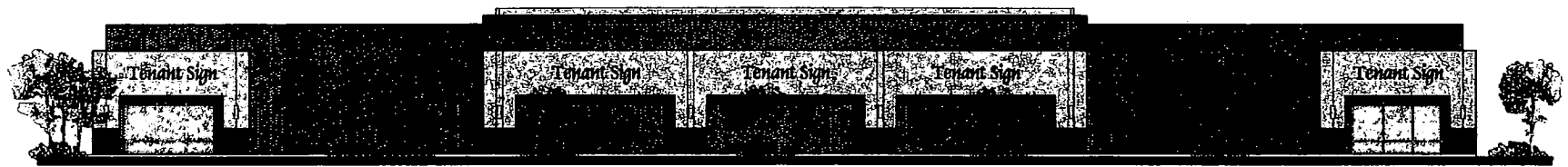
8430 Retail Center @ Lake Mead

Schematic Design

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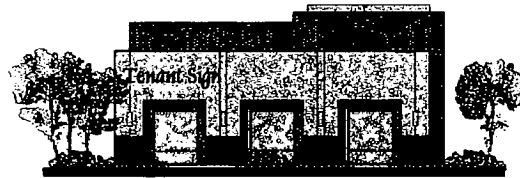
Las Vegas, Nevada

SDR-4657
08-12-04 PC



West Elevation

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



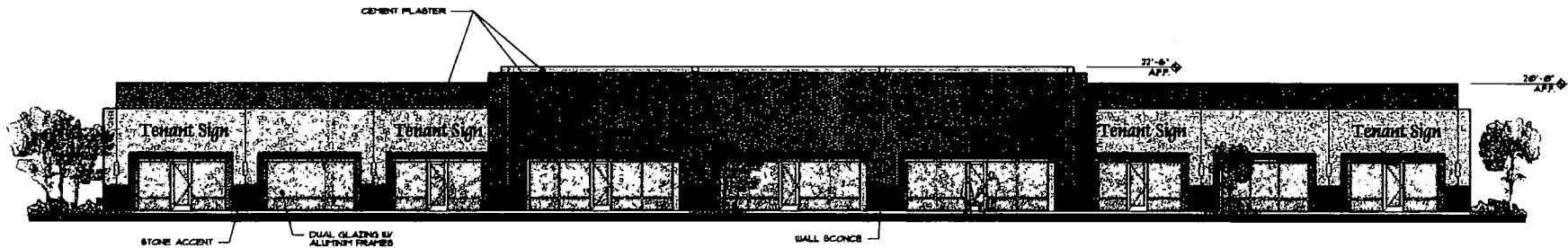
South Elevation (Lake Mead Blvd.)

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



North Elevation

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



East Elevation

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

8430 Retail Center @ Lake Mead

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

June 9, 2004

Schematic Design

Las Vegas, Nevada

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SDR-4657
08-12-04 PC



SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC.

NORTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 230 FEET WEST OF HARBOR ISLAND DRIVE

AUGUST 12, 2004 PLANNING COMMISSION

07/20/04



SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC.
NORTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 230 FEET WEST OF HARBOR ISLAND DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY - Request for a Major Amendment to an approved Site Development Plan Review [Z-0074-99(1)] FOR TWO PROPOSED PAD SITES TOTALLING 16,000 SQUARE FEET, WHERE THREE PAD SITES TOTALLING 10,754 SQUARE FEET HAD BEEN APPROVED on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive (APN 125-21-711-004 and 005), C-2 (General Commercial) Zone under Resolution of Intent to T-C (Town Center) and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

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

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK indicated that the applicant was present earlier but had to leave. Since this is a routine request, he motioned for approval.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 112 – SDR-4726

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

(3:45 – 3:46)

5-1998

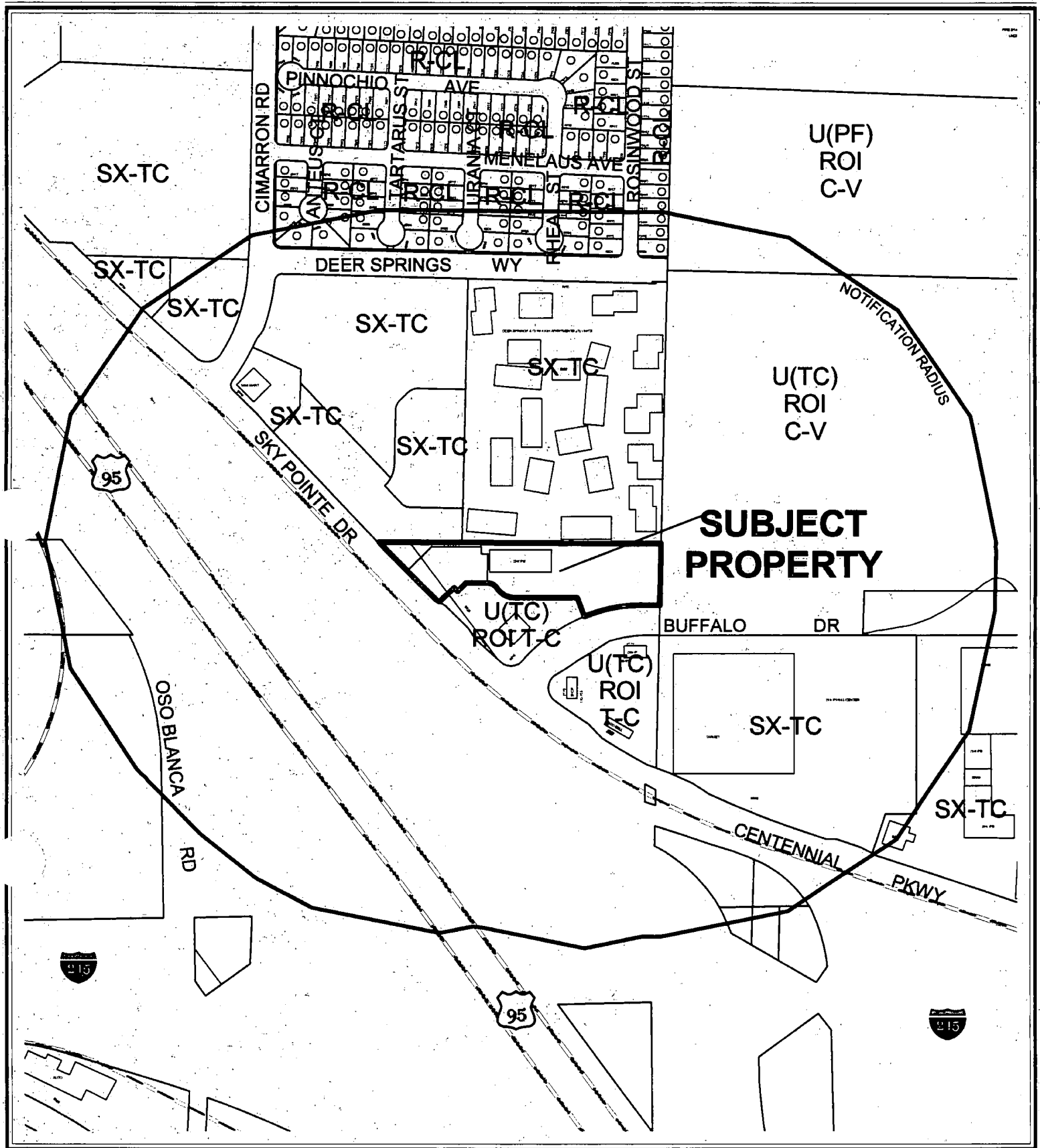
CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 27, 2004, except as amended by conditions herein.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
4. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of building permits.

Public Works

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the Buffalo/95 (Davis) (A Commercial Subdivision) area.
7. Site development to comply with all applicable conditions of approval for Z-74-99, Site Development Plan Review SDR-3441, the Buffalo/95 (Davis) (A Commercial Subdivision) and all other applicable site-related actions.

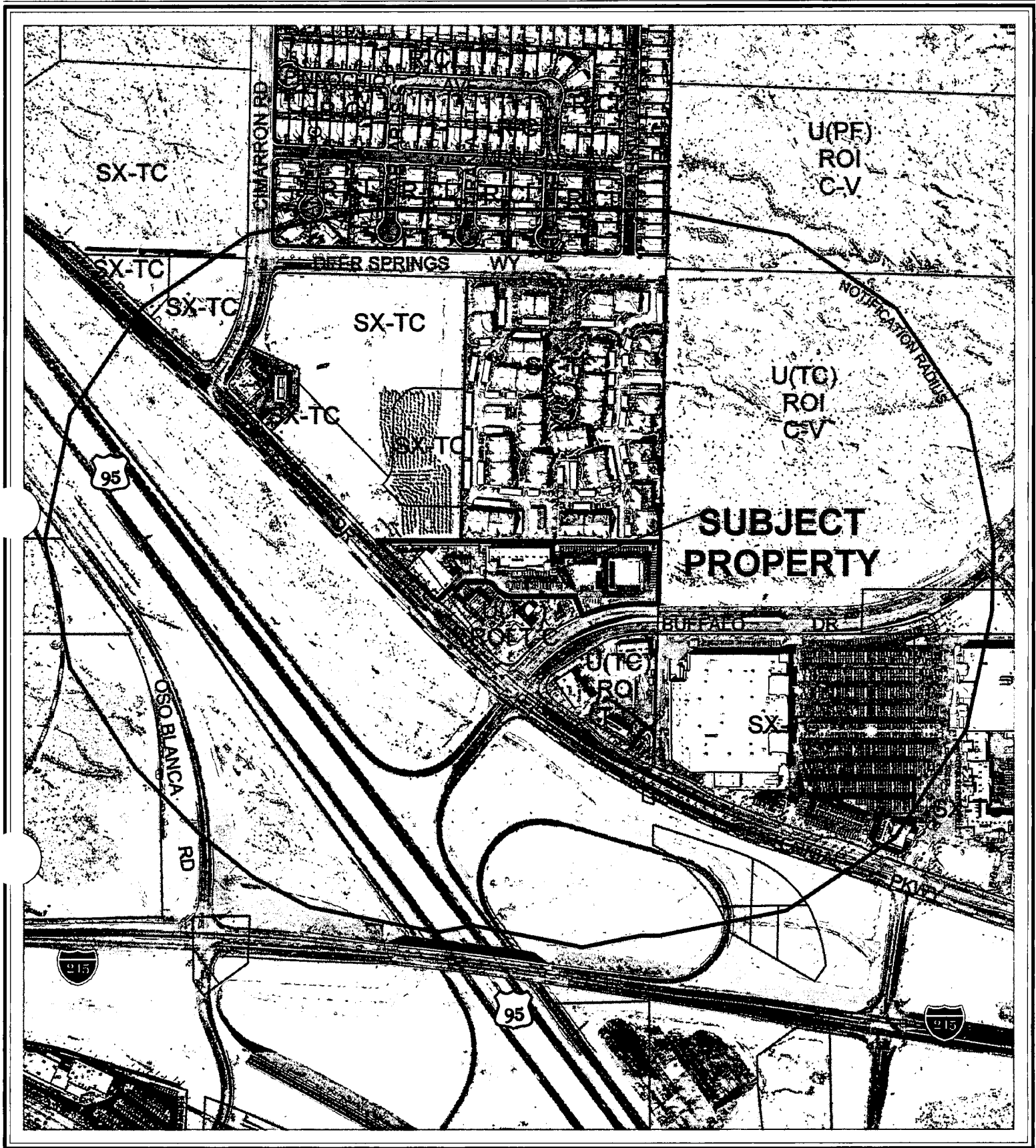


CASE: SDR-4726

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] UNDER
 REOLUTION OF INTENT TO TC (TOWN CENTER) AND C-2 (GENERAL COMMERCIAL)
 UNDER REOLUTION OF INTENT TO TC (TOWN CENTER)



CASE: SDR-4726

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] UNDER REOLUTION OF INTENT TO TC (TOWN CENTER) AND C-2 (GENERAL COMMERCIAL) UNDER REOLUTION OF INTENT TO TC (TOWN CENTER)



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 27, 2004, except as amended by conditions herein.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
4. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of building permits.

Public Works

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the Buffalo/95 (Davis) (A Commercial Subdivision) area.
7. Site development to comply with all applicable conditions of approval for Z-74-99, Site Development Plan Review SDR-3441, the Buffalo/95 (Davis) (A Commercial Subdivision) and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Major Amendment to an approved Site Development Plan Review [Z-74-99(1)], for two pad sites totaling 16,000 square feet, where three pad sites totaling 10,754 square feet had been approved on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive

B) Applicant's Justification

Competition from Centennial Center, just across Highway 95, has motivated the applicant to offer more retail space.

BACKGROUND INFORMATION

A) Previous Actions

- 05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. The area where this proposed plan amendment is located is shown as TC (Town Center) land use. The Planning Commission and staff recommended approval.
- 12/01/99 The City Council approves an Annexation [A-0037-99(A)] of the 16.63 acres comprising the subject site. Planning Commission and staff recommended approval. Effective date: 12/15/99.
- 04/05/00 The City Council approves a Site Development Plan Review [Z-74-99 (1)] for three pad sites totaling 10,754 square feet on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive. Planning Commission and Staff had recommended approval on 12/16/99.
- 02/19/03 The City Council approved an update of the Town Center Land Use Plan of the Centennial Hills Sector Plan (GPA-1417) of the city of Las Vegas General Plan. On this map, the subject properties were designated for SX-TC (Suburban Mixed Use - Town Center) land use. The Planning Commission and Staff recommended approval.
- 03/05/03 The City Council adopted the last update of the Town Center Land Use Plan of the Centennial Hills Sector Plan (GPA-0039-02). At the time of that update the area of this proposed amendment was shown to have the SX-TC (Suburban Mixed Use - Town Center) land use. The Planning Commission recommended approval and Staff recommended denial.

- 02/18/04 The City Council accepted a Withdrawal without Prejudice of applicant's request to amend (GPA-3439) Map 4 of the Centennial Hills Sector Plan from SX-TC (Suburban Mixed-Use-Town Center) to SC-TC (Service Commercial-Town Center). Planning Commission and staff recommended denial on 01/22/04.
- 02/18/04 The City Council accepted a Withdrawal without Prejudice of companion applications to the above General Plan Amendment. Automotive Repair, Minor (SUP-3440 and SUP-3540) were deemed inappropriate to the surrounding residential communities. The Site Development Plan Review (SDR-3441) was felt to not conform to Town Center Development Standards. Planning Commission and staff recommended denial on 01/22/04.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #14).

B) Pre-Application Meeting

- 06/15/04 At this meeting, the applicant was advised to submit a new parking analysis for the overall site, to include the site on the south side of Buffalo Drive. This analysis was submitted. The applicant was advised to identify any significant changes to signage that may be required as part of the resubmission. There were no changes to the signage. Waivers of commercial setbacks and building landscaping were discussed. The applicant requested no Waivers. Traffic Engineering required applicant to update the original traffic study. Public Works required applicant to update the flood study.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.56

B) Existing Land Use

Subject Property: retail shops and services

North: undeveloped, apartments

South: bank, fast-food, shops, intersection of U.S. 95 Freeway and 215 Beltway.

East: undeveloped

West: intersection of U.S. 95 Freeway and 215 Beltway.

C) Planned Land Use

Subject Property: TC (Town Center)
North: TC (Town Center)
South: TC (Town Center), ROW (Right-of-Way)
East: TC (Town Center)
West: TC (Town Center), ROW (Right-of-Way)

D) Existing Zoning

Subject Property: C-2 (General Commercial) Zone
under Resolution of Intent to T-C (Town Center) and U (Undeveloped)
Zone [TC (Town Center) General Plan Designation] under Resolution
of Intent to T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center) and Right-of-Way
East: U (Undeveloped) TC (Town Center) General Plan Designation]
West: Right-of-Way and C-1 (General Commercial)

E) General Plan Compliance

This application lies within the Town Center Land Use area of the Centennial Hills General Plan. This part of Town Center is designated SX-TC (Suburban Mixed-Use Town Center), equivalent to a Service Commercial zoning district with the addition of medium density residential, requiring height and use transitions at the edges of the district.

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

This project lies within the Town Center district, and uses Town Center Development Standards. The Town Center district was established to permit and encourage the development of a mixed-use employment center that will provide economic stability and diversification for the City of Las Vegas. The primary objective of the Town Center district concept is to provide employment in excess of 100,000 individuals while, at the same time, creating a unique blending of human habitation and economic activity. The area around the site was planned with an emphasis a live/work environment.

PROJECT DESCRIPTION

This application for a Major Amendment to Z-74-99 (1) reduces the number of pads from three to two, and increases overall square footage to 16,000 square feet (an addition of 5,246 square feet). The pads, originally planned for minor automotive repair, a tavern, and fast food, will now support only retail establishments. Access will be a driveway from Buffalo Drive and a driveway from Sky Point Drive.

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	3.56 acres	Y
Min. Lot Width	100 Feet	203 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	15 Feet	N
Max. Lot Coverage	50 %	17%	Y
Max. Building Height	2 Stories	1 story	Y
Trash Enclosure	Yes	Yes	Y
Loading Zone	Yes	No	N
Mech. Equipment	Screened	Screened	Screened

Except for a reduction of five feet in the rear setback, the proposal meets the requirements for setback, lot coverage, enclosures and screening and height. Loading zones are not provided; the uses in this center are mainly services and light retail.

A2) Residential Adjacency Standards

The proposal meets the requirements for proximity slope and building setback.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store >20,000 SF	38,339 SF.	1 space / 250 GFA	174	6	255	10

This parking analysis includes all three pads of Block #1 of this shopping center: Pad #3 and #5 (this site plan), and the existing Pad #4. The proposal exceeds 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	
Parking Area	1 Trees/ 6 Spaces	7 Trees	7
Buffer: • Min. Trees	1 Trees/20 Linear Feet 1 Trees/ 30 Linear Feet	32 Trees	36 existing
• Min. Zone Width	8 Feet Rear and Side		8
• Wall height	8 Feet		8

This proposal meets the landscaping requirements of Title 19.

A5) Sign Standards

A master sign plan (CHR-0006-02), is on file for this location. The sign plan conforms to Town Center sign plan standards.

B) General Analysis and Discussion

- Zoning

Retail uses as proposed in this amended site plan, are allowed in a T-C (Town Center) designated area.

- Site Plan

The change from more intensive service uses (previous site plan) to lighter retail uses (this site plan), brings this shopping center into the realm of Town Center development standards, and will enhance residents' experience of this unique part of the City.

- Waivers

Applicant has not requested any waivers, but do need a waiver of the building locations and foundation landscaping approved in the previous site plan, which predated the current standards.

- Landscape Plan

Landscaping was identified in the original site plan review, carry over to this amended site plan. The elements of the proposed landscaping plan conform to the standards of Title 19.

- Elevation

The elevations are consistent with the current development in the immediate 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;”**

With the buildings separated from the street by a driveway the proposed development is inconsistent with the Town Center Development Standards. The standards would have had the buildings with the same orientation but moved up to the landscaped buffer along the street. The same uses have been located in this manner in other locations, such as across the street. This would lessen the impact of the uses on the residential development to the north, as the uses would be further apart. A waiver of the building locations approved in the previous site plan would be needed, these locations predated the current standards.

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. The site plan conforms to the setback, wall and landscaping requirements of Title 19.

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

Access to the pad sites are via Sky Pointe Drive, a 90-foot Town Center Loop Road and Buffalo Drive, a 100-foot wide Primary Arterial roadway as described in the Town Center Development Standards.

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

The proposed project will incorporate appropriate building and landscape materials for the Town Center 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 proposed development is visually interesting and consistent with development in the area.

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

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

NOTICES MAILED 43 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4726 APN: 125-21-711-004
125-21-711-005
Name of Property Owner: Centennial Court LLC
Name of Applicant: PHD Properties, Inc.

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

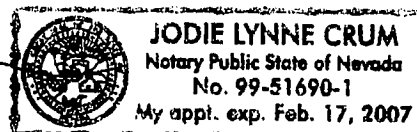
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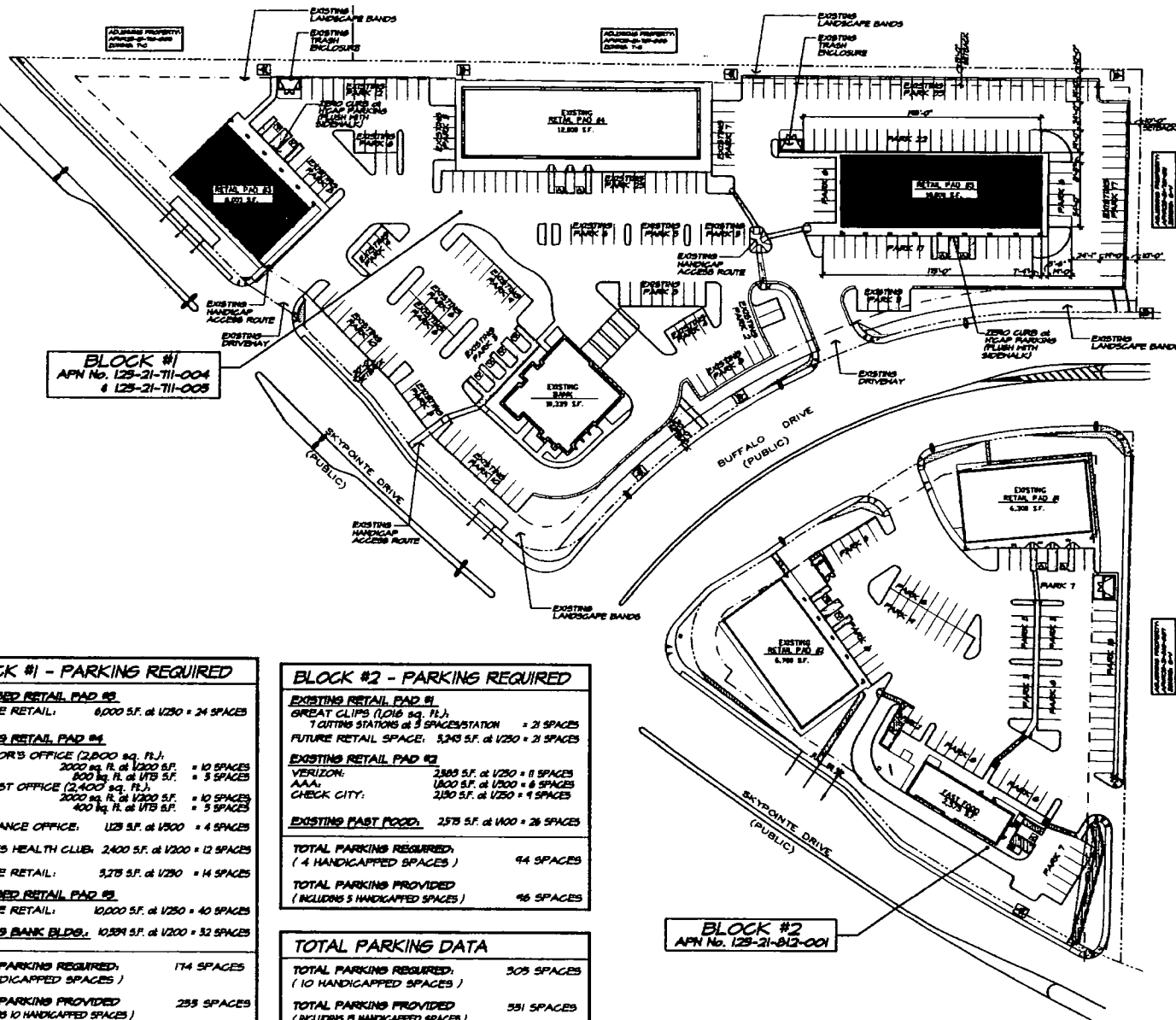
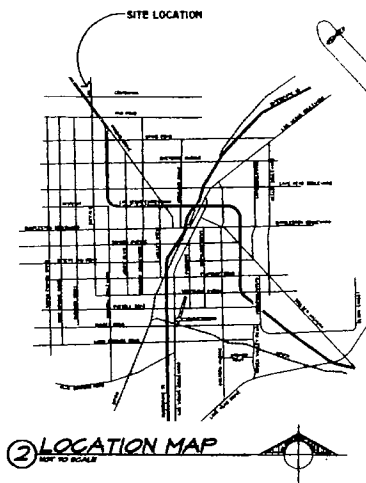
Philip Davis MANAGER
Philip Davis

Subscribed and sworn before me

This 28th day of June, 2004

Jodie Lynne Crum
Notary Public in and for said County and State





BLOCK #1 - SITE DATA

LOT AREA GROSS TOTAL:	225,641 S.F. (5.18 ACRES)
EXISTING ZONING:	C-2
APN :	125-21-111-001
DESCRIPTION	AREA
PROPOSED RETAIL PAD #5 BLDG:	6,000 S.F. TOTAL
EXISTING RETAIL PAD #4 BLDG:	12,000 S.F. TOTAL
PROPOSED RETAIL PAD #3 BLDG:	10,000 S.F. TOTAL
EXISTING BANK:	10,334 S.F. TOTAL
GRAND TOTAL:	38,334 S.F. TOTAL
ALLOWABLE LOT COVERAGE:	
60% x 225,641 S.F. =	135,385 S.F. (3.11 ACRES)
PROPOSED LOT COVERAGE (17%) :	30,334 S.F. (.68 ACRES)

BLOCK #2 - SITE DATA

LOT AREA GROSS TOTAL:	105,256 S.F. (2.51 ACRES)
EXISTING ZONING:	C-2
APN :	125-21-812-001
DESCRIPTION	AREA
EXISTING PAD #1 BLDG:	6,300 S.F. TOTAL
EXISTING PAD #2 BLDG:	6,700 S.F. TOTAL
EXISTING FAST FOOD:	2,575 S.F. TOTAL
GRAND TOTAL:	15,575 S.F. TOTAL
ALLOWABLE LOT COVERAGE:	
60% x 105,256 S.F. =	63,154 S.F. (1.42 ACRES)
PROPOSED LOT COVERAGE (13%) :	13,575 S.F. (.36 ACRES)

BLOCK #1 - PARKING REQUIRED

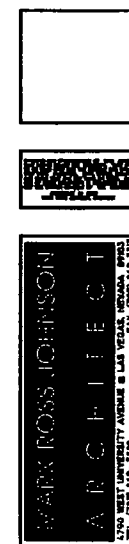
PROPOSED RETAIL PAD #5	
FUTURE RETAIL:	6,000 S.F. @ 1/250 = 24 SPACES
EXISTING RETAIL PAD #4	
DOCTOR'S OFFICE (2,000 sq. ft.):	800 sq. ft. @ 1/250 S.F. = 10 SPACES
800 sq. ft. @ 1/75 S.F.:	3 SPACES
DENTIST OFFICE (2,400 sq. ft.):	2,400 sq. ft. @ 1/250 S.F. = 10 SPACES
2,400 sq. ft. @ 1/250 S.F.:	5 SPACES
400 sq. ft. @ 1/75 S.F.:	5 SPACES
INSURANCE OFFICE:	1,250 S.F. @ 1/250 = 4 SPACES
LADIES HEALTH CLUB:	2,400 S.F. @ 1/250 = 12 SPACES
FUTURE RETAIL:	3,275 S.F. @ 1/250 = 14 SPACES
PROPOSED RETAIL PAD #3	
FUTURE RETAIL:	10,000 S.F. @ 1/250 = 40 SPACES
EXISTING BANK BLDG:	10,334 S.F. @ 1/250 = 32 SPACES
TOTAL PARKING REQUIRED:	174 SPACES
(6 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	235 SPACES
(INCLUDING 10 HANDICAPPED SPACES)	

BLOCK #2 - PARKING REQUIRED

EXISTING RETAIL PAD #1	
GREAT CLIPS (1,000 sq. ft.):	7 CUTTING STATIONS @ 3 SPACES/STATION = 21 SPACES
FUTURE RETAIL SPACE:	3,200 S.F. @ 1/250 = 21 SPACES
EXISTING RETAIL PAD #2	
VERIZON:	3,800 S.F. @ 1/250 = 8 SPACES
AAA:	1,800 S.F. @ 1/250 = 4 SPACES
CHECK CITY:	3,150 S.F. @ 1/250 = 9 SPACES
EXISTING FAST FOOD:	2,575 S.F. @ 1/250 = 26 SPACES
TOTAL PARKING REQUIRED:	94 SPACES
(4 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	96 SPACES
(INCLUDING 5 HANDICAPPED SPACES)	
TOTAL PARKING DATA	
TOTAL PARKING REQUIRED:	305 SPACES
(10 HANDICAPPED SPACES)	
TOTAL PARKING PROVIDED	331 SPACES
(INCLUDING 5 HANDICAPPED SPACES)	

PARKING EXHIBIT and SITE DATA
SCALE 1" = 40'

SDR-4726
08-12-04 PC



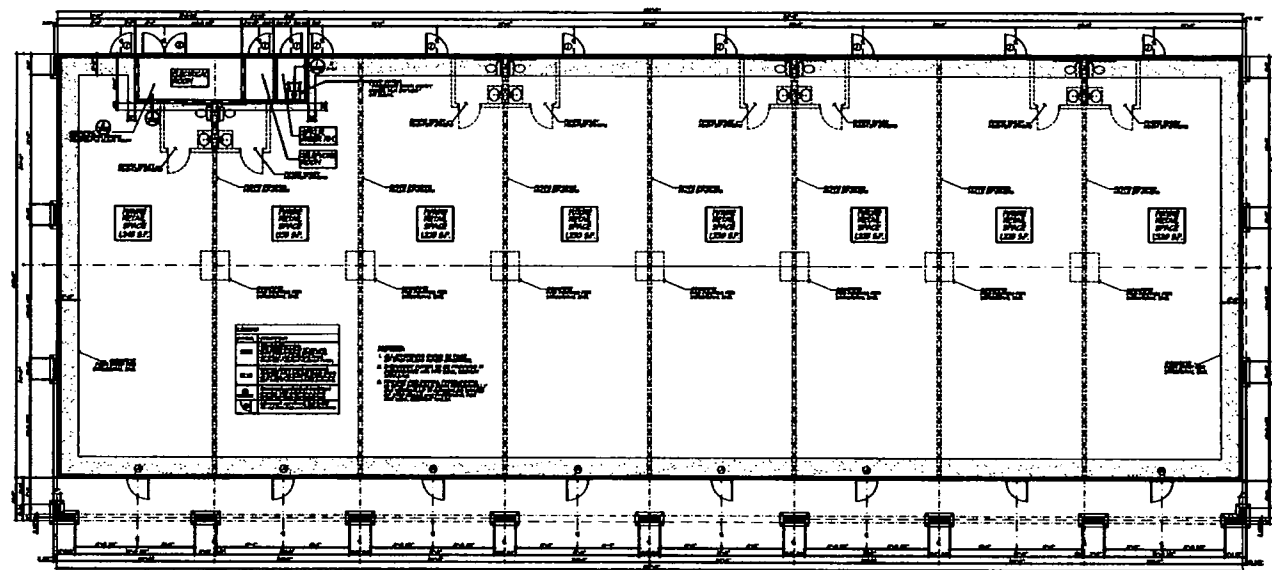
CENTENNIAL COURT SHOPPING CENTER
PAD BUILDING #5 & 5, BLOCK #1
APN#125-21-111-004 & 125-21-111-005
BUFFALO DRIVE and SKYPOINTE DRIVE
LAS VEGAS, NEVADA

Date: 08-27-04

PROJECT NUMBER
200451

A-1.1

SDR-4726
08-12-04 PC



① PAD #5-FLOOR PLAN
SCALE: 1/8" = 1'-0"

TOTAL BUILDING: 10,000 SQ. FT.



SDR-4726
08-12-04 PC



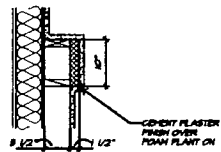
MARL ROSS JOHNSON
ARCHITECT
1700 WEST WALK, SUITE 200
LAS VEGAS, NEVADA 89102
TEL: (702) 441-2000
FAX: (702) 441-2001

CENTENNIAL COURT SHOPPING CENTER
PAD BUILDING #3 & 5, BLOCK #1
APR/25-21-711-004 & 125-21-711-005
BUFFALO DRIVE and SKYPOINT DRIVE
FOR: PROPERTIES, INC.
LAS VEGAS, NEVADA

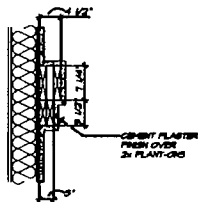
Date: 08-27-04

PROJECT NUMBER
200401

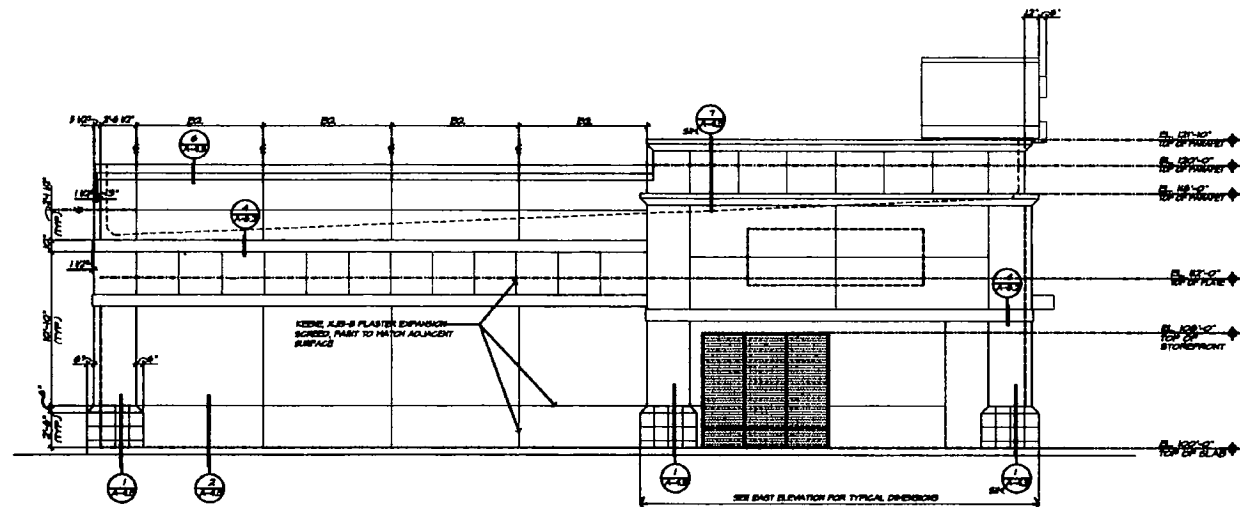
A-3.2



4 DETAIL
SCALE: 1" = 1'-0"

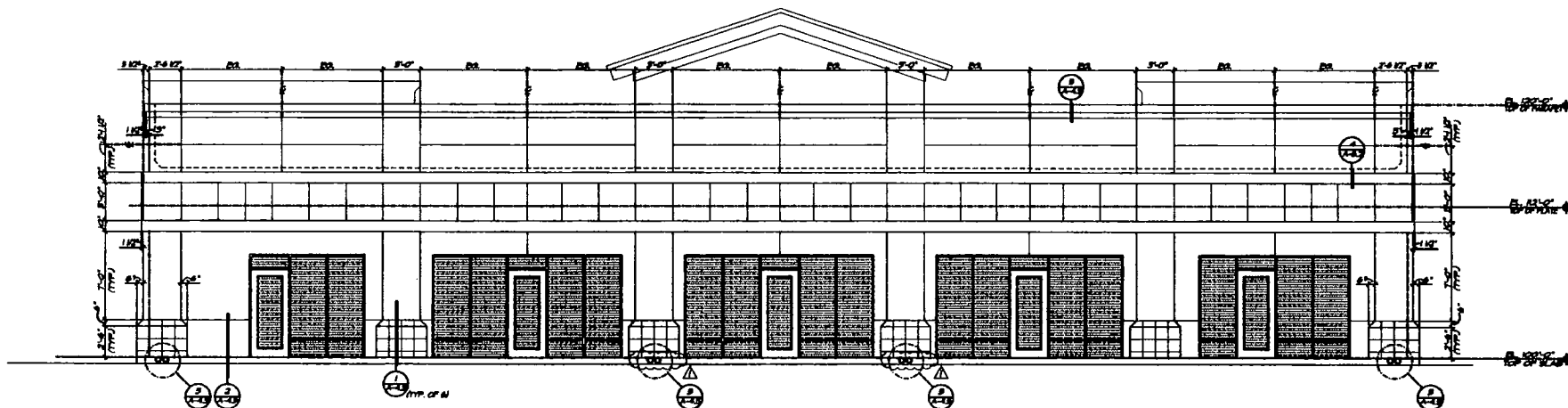


3 DETAIL
SCALE: 1" = 1'-0"



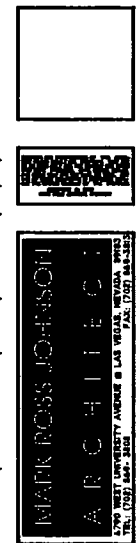
2 PAD #3-EAST ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: SEE NORTH ELEVATION FOR EXTERIOR
TYPICAL FINISH NOTES.
SEE WEST ELEVATION FOR TYPICAL
EXTERIOR DIMENSIONS.



1 PAD #3-SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: SEE NORTH ELEVATION FOR EXTERIOR
TYPICAL FINISH NOTES.



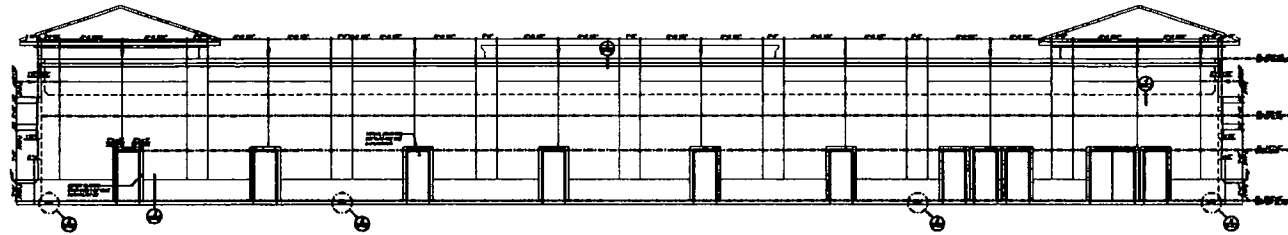
CENTENNIAL COURT SHOPPING CENTER
PAD BUILDING #3 & 5, BLOCK #1
APN#25-21-111-004 & 125-21-111-005
BUFFALO DRIVE AND SKYPOINT DRIVE
FOR: PAD PROPERTIES, INC.
LAS VEGAS, NEVADA

Date: 08-27-04

PROJECT NUMBER
2004091

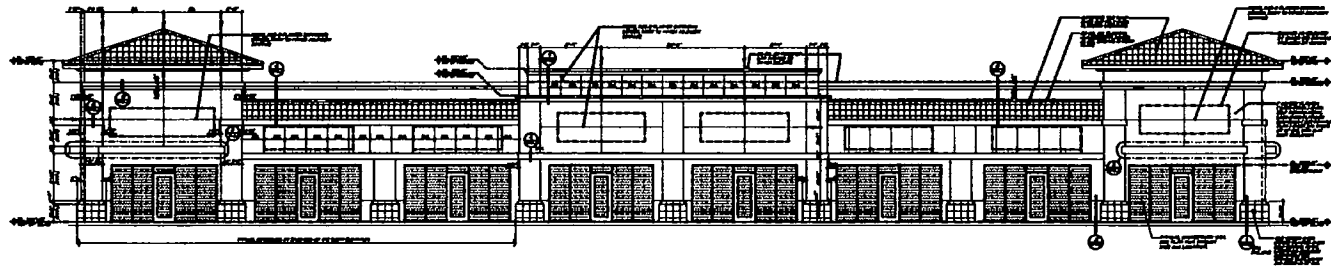
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SDR-4726
08-12-04 PC



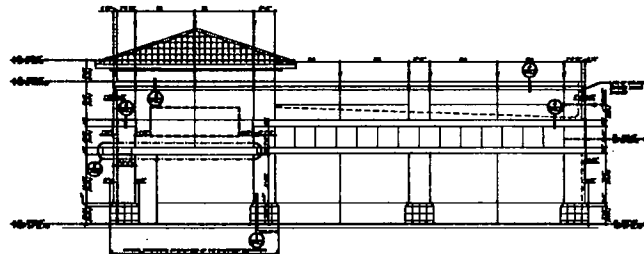
① NORTH ELEVATION-RETAIL PAD BLDG.#5
SCALE: 1/4" = 1'-0"

NOTE: SEE SOUTH ELEVATION FOR EXTERIOR
TYPICAL FINISH NOTES.



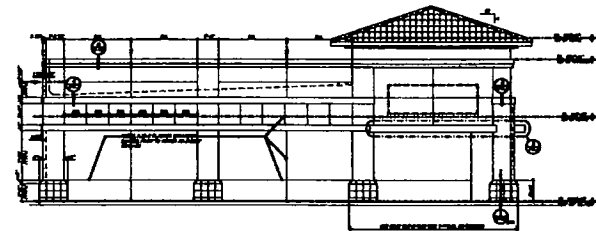
② SOUTH ELEVATION-RETAIL PAD BLDG.#5
SCALE: 1/4" = 1'-0"

NOTE: EXTERIOR FINISHES AND NOTES SHOWN
SHOWN TYPICAL FOR ALL ELEVATIONS.



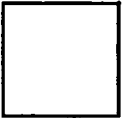
③ EAST ELEVATION-RETAIL PAD BLDG.#5
SCALE: 1/4" = 1'-0"

NOTE: SEE SOUTH ELEVATION FOR EXTERIOR
TYPICAL FINISH NOTES.



④ WEST ELEVATION-RETAIL PAD BLDG.#5
SCALE: 1/4" = 1'-0"

NOTE: SEE SOUTH ELEVATION FOR EXTERIOR
TYPICAL FINISH NOTES.
SEE EAST ELEVATION FOR TYPICAL
EXTERIOR DIMENSIONS.



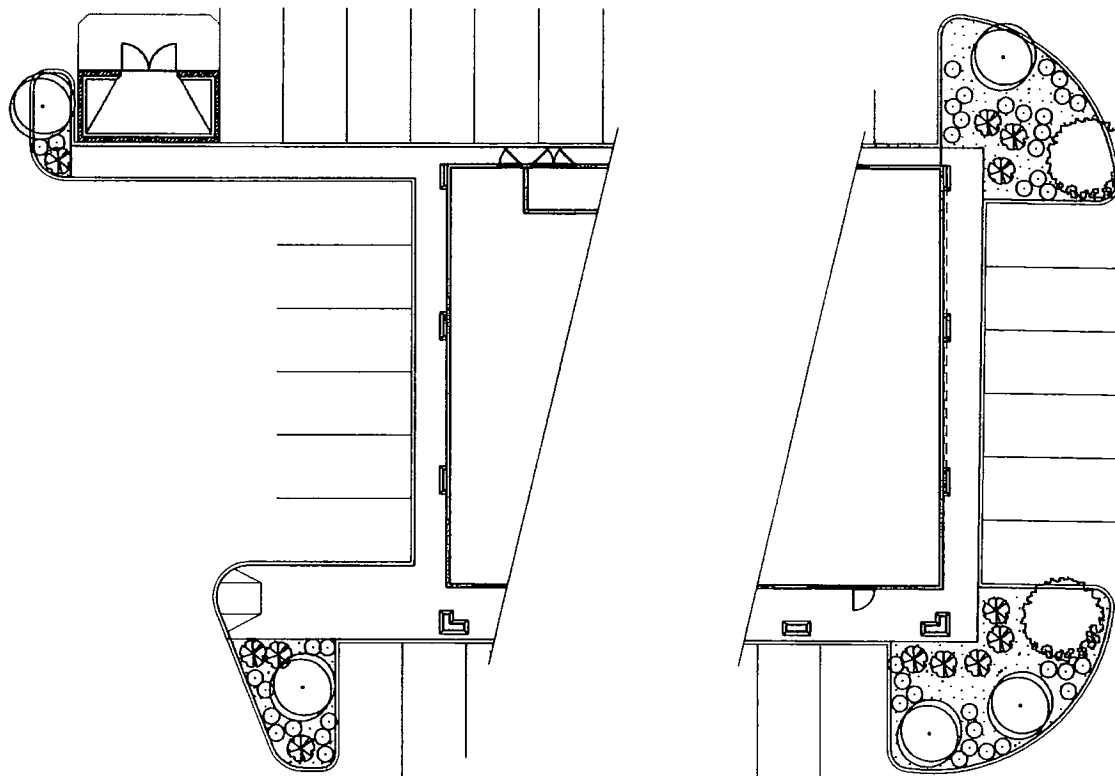
CENTENNIAL COURT SHOPPING CENTER
PAD BUILDING #3 & 5, BLOCK #1
APR/125-21-711-004 & 125-21-711-005
BUFFALO DRIVE and SKYPOINT DRIVE
FOR: PAD PROPERTIES, INC.
LAS VEGAS, NEVADA

Date: 08-27-04

PROJECT NUMBER
200401

A-6.3

SDR-4726
08-12-04 PC



① PAD #5-LANDSCAPE PLANTERS at PARKING AREA
SCALE: 1/8" = 1'-0"

LANDSCAPE LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	FRAXINUS VELUTINA	PAINTED ASH	24" BOX MIN.
	PRUNUS CHALCOPHOLICA	THORNLESS CHALKBERRY	24" BOX MIN.
	PINUS ELDARICA	MONSIEUR PINE	24" BOX MIN.
	ANNUALS	PLANTS	PLANTS
	IRIS PALLIDA	IRIS PALLIDA	2" GAL.
	PROTEA FRUTICOSA	RED TIP PROTEA	2" GAL.
	LAMPROSTACHYS PALLIDA	GRASS HYDRATE	10" GAL.
	CRACKED SPINATE MELON	24" MIN. WIDTH, 2" MIN. DEPTH	
	TURF		3000

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



CENTENNIAL COURT SHOPPING CENTER
PAD BUILDING #3 & 5, BLOCK #1
APR#25-21-711-004 & 125-21-711-005
BUFFALO DRIVE and SKYPOINT DRIVE
FOR: THE PROPERTIES, INC.
LAS VEGAS, NEVADA

Date: 08-27-04

PROJECT NUMBER
200431

L-1

SDR-4726
08-12-04 PC



SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SKY POINTE DRIVE AND BUFFALO DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04



SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF SKY POINTE DRIVE AND BUFFALO DRIVE
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4749 - APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 98,000 SQUARE-FOOT LEISURE CENTER on 16.80 acres adjacent to the northwest corner of Buffalo Drive and John Herbert Boulevard (APN a portion of 125-21-701-011, and a portion of 125-21-701-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 17

MOTION:

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

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL VLAOVICH, City of Las Vegas Public Works Department, stated that he worked with staff, met with the neighbors and satisfied their concerns.

COUNCILMAN MACK expressed excitement in seeing a multi-generational facility and was pleased with the design. The 78,000 square foot facility will have two basketball courts and indoor and outdoor pools. It will be a great amenity to the entire City of Las Vegas.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:46 – 3:48)

5-2046

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 29, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

CONDITIONS – Continued:

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

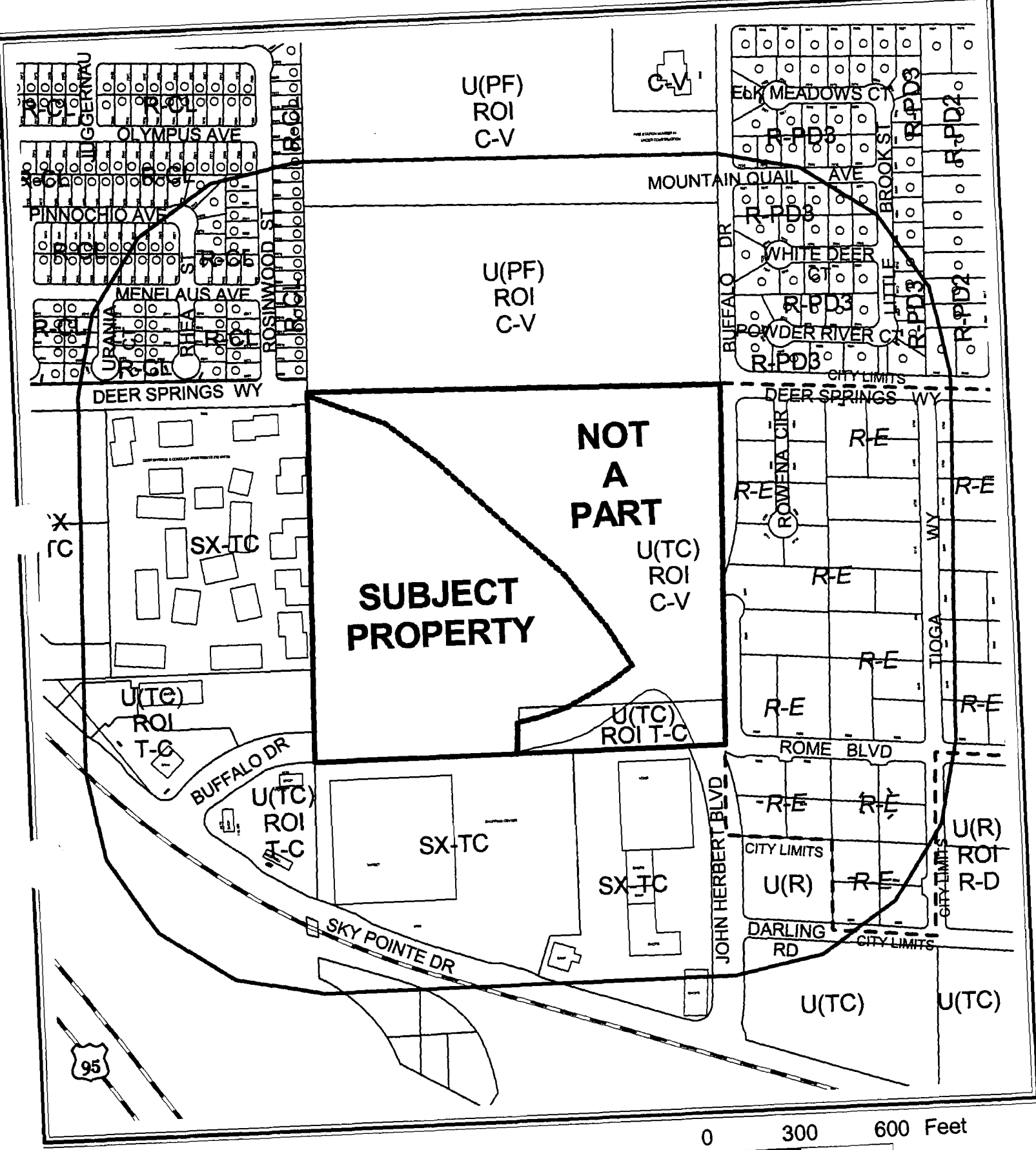
Public Works

15. Construct street improvements for Deer Springs Way adjacent to this site concurrent with development of this site. Construct incomplete half-street improvements on Buffalo Drive, including median improvements to channel and control turning movements as required by the City Traffic Engineer, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Provide a sanitary sewer plan showing how the existing sanitary sewer main in the old Deer Springs Way alignment will be maintained and/or how alternative sanitary sewer infrastructure will be provided to assist or replace current facilities. The plan must maintain sewer service to upstream users. All sewer mains transferring off-site effluent flows must be located within dedicated rights of way or appropriate easements must be provided and maintained.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

CONDITIONS – Continued:

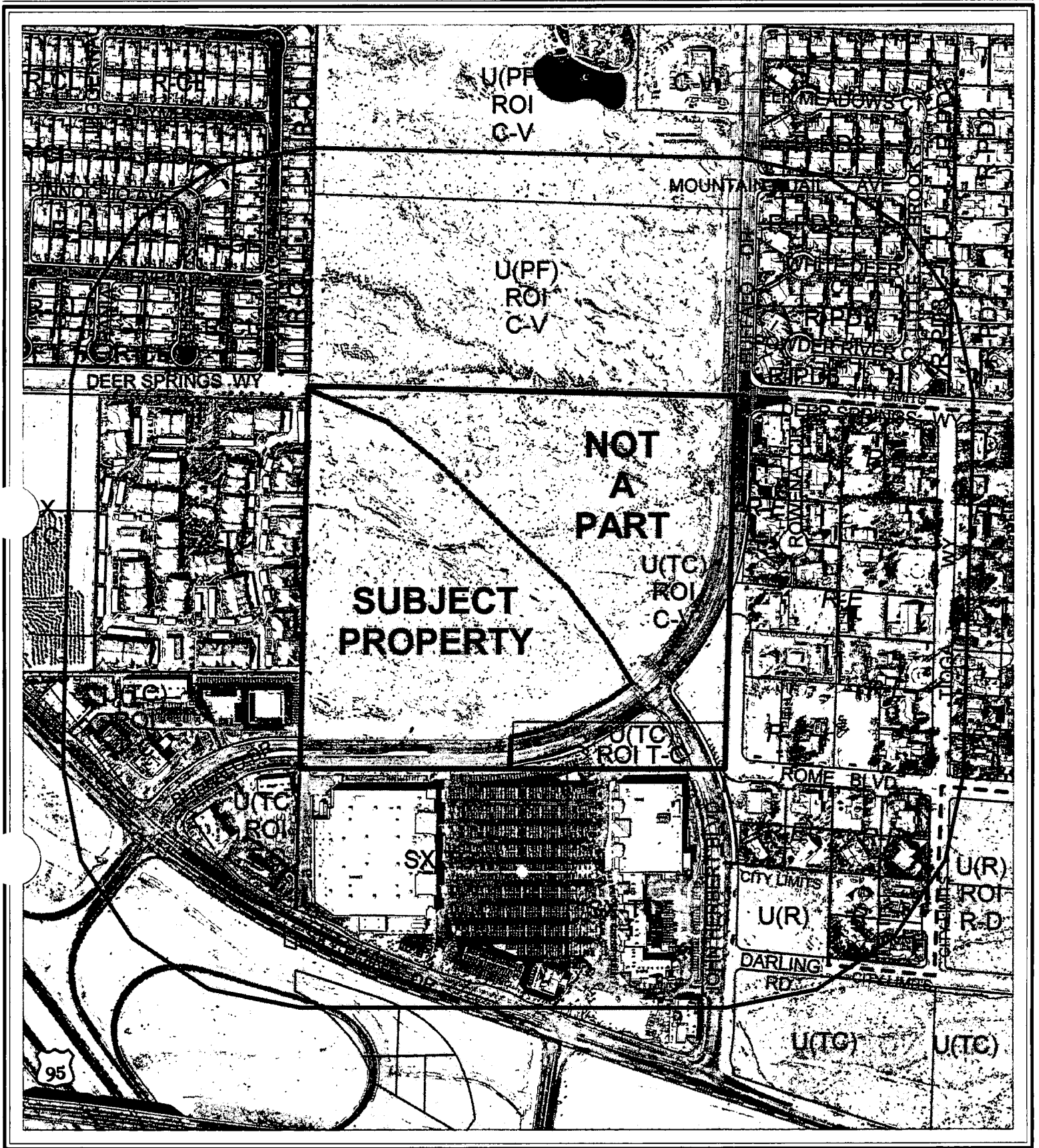
17. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways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



CASE: SDR-4749

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-V (CIVIC)



CASE: SDR-4749

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-V (CIVIC)



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4749 - APPLICANT: CITY OF LAS VEGAS OWNER:
UNITED STATES OF AMERICA AND CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 29, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. 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. 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.

Public Works

15. Construct street improvements for Deer Springs Way adjacent to this site concurrent with development of this site. Construct incomplete half-street improvements on Buffalo Drive, including median improvements to channel and control turning movements as required by the City Traffic Engineer, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Provide a sanitary sewer plan showing how the existing sanitary sewer main in the old Deer Springs Way alignment will be maintained and/or how alternative sanitary sewer infrastructure will be provided to assist or replace current facilities. The plan must maintain sewer service to upstream users. All sewer mains transferring off-site effluent flows must be located within dedicated rights of way or appropriate easements must be provided and maintained.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 98,000 square foot leisure center (City of Las Vegas Centennial Hills Leisure Center) on 16.80 acres adjacent to the northwest corner of Buffalo Drive and John Herbert Boulevard.

B) Applicant's Justification

The recreational needs of the quickly growing northwest area of the City have prompted the need for a new Leisure Center. This project will create an aesthetically pleasing facility with a scale and design characteristics appropriate for the land use and respectful of the geology and ecology of the area.

BACKGROUND INFORMATION

A) Actions

- 03/09/99 The City Council approved an Annexation [A-0026-98 (A)] of 111.56 acres located on the west side of Buffalo Drive between Elkhorn Road and Rome Boulevard. This parcel is the southern third of the annexation. The Planning Commission and staff recommended approval. Effective date is March 19, 1999.
- 09/19/01 The City Council approved a request for a rezoning (Z-0054-01) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation], under Resolution of Intent to C-V (Civic), to C-V (Civic) on the northwest intersection of Buffalo Drive and Rome Boulevard. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #17/SRS)

08/18/04 The City Council will hear the request to amend the Master Plan Transportation Trails Element of the General Plan (GPA-3933) to revise trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan." This action may have an impact on the alignment of the Multi-Use Transportation Trail proposed to run alongside the eastern boundary of this project.

B) Pre-Application Meeting

06/15/04 The applicant was informed by planning staff of the possible requirement of landscape encroachment agreements, and that residential adjacency standards may apply if adjacent development to the west is condominiums. The adjacent property is multi-family residential.

It was determined that parking requirements will consist of one space per 200 SF four loading spaces, and one tree per six parking spaces. Fifteen-foot wide landscape buffers will be required at streets. These requirements were all met on the site plan.

Traffic issues discussed at this meeting included driveway alignments, the left turn pocket in the median on Buffalo Drive, and traffic signal impact fees. Public Works issues included the dedication of Right-of-Way for the future Deer Springs Way, the need for a drainage study, dedication of an easement for a bus turnout, and the completion of offsite improvements.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, and no meeting was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 16.8

B) Existing Land Use

Subject Property: undeveloped
North: undeveloped, and public park
South: shopping center
East: residences
West: apartments

C) Planned Land Use

Subject Property: TC (Town Center)
North: PR-OS (Parks, Recreation, Open Space)
South: TC (Town Center)
East: RNP (Rural Neighborhood Preservation)
West: TC (Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to C-V (Civic)
North: U (Undeveloped) Zone [PR-OS (Parks, Recreation, Open Space) General Plan Designation] under Resolution of Intent to C-V (Civic)
South: T-C (Town Center)
East: R-E [(Rural Estates) Clark County]
West: T-C (Town Center) and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)

E) General Plan Compliance

This site is located in the Centennial Hills Sector Plan. The PF-TC designation allows public facilities such as proposed in this application; as a result, this project conforms to the provisions of the Centennial Hills Sector Plan.

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

The project is a part of the Town Center Master Plan, the Deer Springs Park (Centennial Hills Park) Master Plan and will follow the Town Center Development Standards Manual design guidelines. Recreation Centers (Public) and Swimming Pools (Public) are a permitted use in the Town Center Zone.

A proposed Multi-Use Transportation Trail runs along the eastern perimeter of the project site. The Transportation Trails Element of the Master Plan (Map number 6) identifies this trail as an eight-foot wide Town Center Arterial Trail.

PROJECT DESCRIPTION

The proposed Centennial Hills Leisure Center will be located at the south end of City owned property, where the north end has recently been developed as Deer Springs Park. The leisure center will include indoor and outdoor pools, a bathhouse, a large water slide, two gymnasiums and fitness rooms, a senior center, classrooms, pre-school, teen center, and offices.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The C-V (Civic) zoning establishes, setbacks, height, and lot coverage at the time of site plan approval

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to this site plan, as there is no single-family residential adjacent to the leisure center. A multifamily complex has been developed adjacent to this proposal (to the east), with no application on record to convert to condominiums.

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
Community Recreational Facility	98,000 SF.	1/200 GFA	630	13	631	30

This proposal meets regular parking requirements and provides four on-site loading spaces have been provided.

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	105 Trees	127
Buffer: • Min. Trees	1 Tree / 30 Linear Feet	116 Trees	129

The proposal exceeds the landscaping requirements.

A5) Sign Standards

Monument signs to be located at the three entrances, at the bus turnout, and at the corner of Buffalo Drive and the future Deer Springs Way will be the typical Parks Department monument sign found at parks throughout the City. These signs will be subject to Title 19.14.060(C) 4 and 5 (Permitted Signs in the C-V (Civic) Zoning Districts).

B) General Analysis and Discussion

- Zoning

The proposed project is consistent with the C-V (Civic) zoning district and the TC (Town Center) General Plan land use designation.

- Site Plan

As this parcel is designated C-V (Civic) in the General Plan, setbacks, height, and lot coverage are established upon approval of the site plan. This project's features do match up to the standards of a well-planned commercial project. A new bus turnout will be conveniently located near the entrance to the facility. A proposed Multi-Use Transportation Trail will benefit from the new landscaping on the east side of the project.

A particularly innovative feature of this site plan is called out as a "Geological Site Feature." These are gently sloping landscape-retaining walls at the center's northeast and south entrances and consist of poured concrete embedded with subtle layers that simulate geological strata.

- Waivers

Waivers have not been requested for this application, nor are any required.

- Landscape Plan

As this parcel is designated as a C-V (Civic) zone, landscaping is established upon approval of the site plan. Recommended conditions require conformance to the site development and landscaping plan.

- Elevation

The proposed leisure center structure includes several architectural features that enhance the façade articulation. Exterior walls up to the 10-foot level are red granite-colored glazed concrete masonry units (CMUs). From the 10-foot to 35-foot level, exterior walls are lighter colored CMUs. This split-face technique reduces the building's visual bulk. Select portions of the exterior walls are coated in earth-tone colors (cream, moss greens, mustard, brick red) to accent visual appeal, and to match the colors of facilities at Deer Springs Park, to the north. Green clerestory windows, weathering steel trellises and weathering steel entrance canopies further distinguish this structure as a significant and attractive public facility.

Canopy shade structures at the outdoor pool will consists of bright primary colors. This is the only design element that do not match well with this otherwise attractive structure, but the canopies may have "kid appeal," important to that demographic of pool users. Roofing will be standing seam metal, earth tone colored to match the entire structure.

- Floor Plan

The floor plans for the senior center, teen center, gymnasiums, fitness rooms, classrooms, bathhouse, and offices are all appropriate for their use.

FINDINGS

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

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

The areas to the north are C-V (Civic) zoned and is the site of an existing outdoor park and will contain future public facilities. To the west and east are multi-family and single-family residential, with Town Center commercial areas south of Buffalo Drive. The design and function of the proposed development makes for a seamless fit with these areas.

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;"**

As this parcel is designated C-V (Civic) in the General Plan, design standards, landscape, and other standards are established upon approval of the site plan. This development is consistent with the design standards required of comparable facilities in public facility zoned areas. Landscape buffering between the site and streets match those of the surrounding area.

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

Deer Springs Park is a neighborhood and community park, serving residents within a 3 mile radius. The proposed center will be served mainly by Buffalo Drive (a 100-foot Primary Arterial) and the future Deer Springs Way (an 80-foot Secondary Collector), as designated in the Master Plan of Streets and Highways. Site access will be via two main entrances, one from Buffalo Drive and the other from Deer Springs Way. Both entrances have internal drop-off circles, to prevent congestion along the streets. A bus turnout at Deer Springs Way allows transit customers to enter the center directly at the main entrance to the northeast. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

High-end concrete masonry units, weathering steel, and exterior glazing meet Town Center development standards, and compares well to the aesthetic design established at Deer Springs Park to the north. Landscaping conforms to low-water-usage standards; plants and groundcover match those of newer nearby developments. No turf will be used.

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;"

This new leisure center has been designed to be a pleasant, visually pleasing public space. Mechanical functions (heaters storage, chemicals) will be housed in a separate building which matches the main structure. The main building has an articulated design with several architectural elements that eliminate visual monotony. The shaded pool deck and concession areas use umbrellas and other shading materials comparable to pool areas of hotels. This project will be harmonious and compatible with surrounding residential, commercial and civic properties.

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.

PLANNING COMMISSION ACTION

There was one written protest received.

NOTICES MAILED 160 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4749 APN: 125-21-701-011

Name of Property Owner: USA (BLM LEASE TO CITY OF LAS VEGAS)

Name of Applicant: CITY OF LAS VEGAS

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

X Yes

_____ No

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

City Official: _____

Partner(s): _____

APN: _____

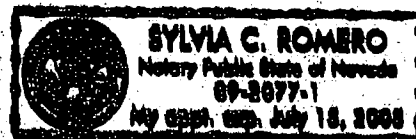
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: MICHAEL J. VLAOVICH

Subscribed and sworn before me

This 25th day of June, 2004

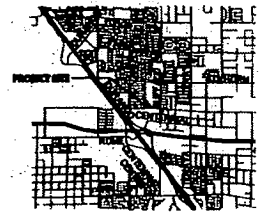
Sylvia C. Romero
Notary Public in and for said County and State



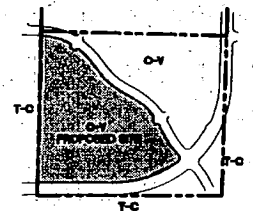
SITE DATA

TOTAL PROPERTY SIZE	4.6 ACRES (GROSS) (4.1 TRACT SF)
TOTAL PROPOSED BUILDING GROSS SF.	18,000 SF.
FLOOR AREA RATIO	2.0
CURRENT ZONING	C-1 (CMC)
APN NUMBER	50-5-101-01
SETBACK (FRONT)	NO SPECIFIC SETBACKS REQUIREMENTS IN TITLE 19
BUILDING HEIGHTS (FRONT)	NO SPECIFIC BUILDING HEIGHTS REQUIREMENTS IN TITLE 19
ON-SITE LOADING SPACES REQUIRED	4 SPACES
ON-SITE LOADING SPACES PROVIDED	4 SPACES
PARKING REQUIRED	450 SPACES
TOTAL PROPOSED BUILDING GROSS SF. (18,000 SF. - 1 PER 100 GSF)	450 SPACES
OUTDOOR AQUATICS (NO SPECIFIC REQUIREMENT IN TITLE 19)	140 SPACES
TOTAL PARKING REQUIRED	450 TOTAL PARKING SPACES
HANDICAP REQUIRED	13 SPACES (3% OF TOTAL PARKING REQUIRED)
TOTAL PARKING PROVIDED	611 TOTAL PARKING SPACES
HANDICAP PROVIDED	30 SPACES (4.9% OF TOTAL PARKING PROVIDED)
ALL PARKING SPACES ARE STANDARD SIZE (17'x8')	

VICINITY MAP

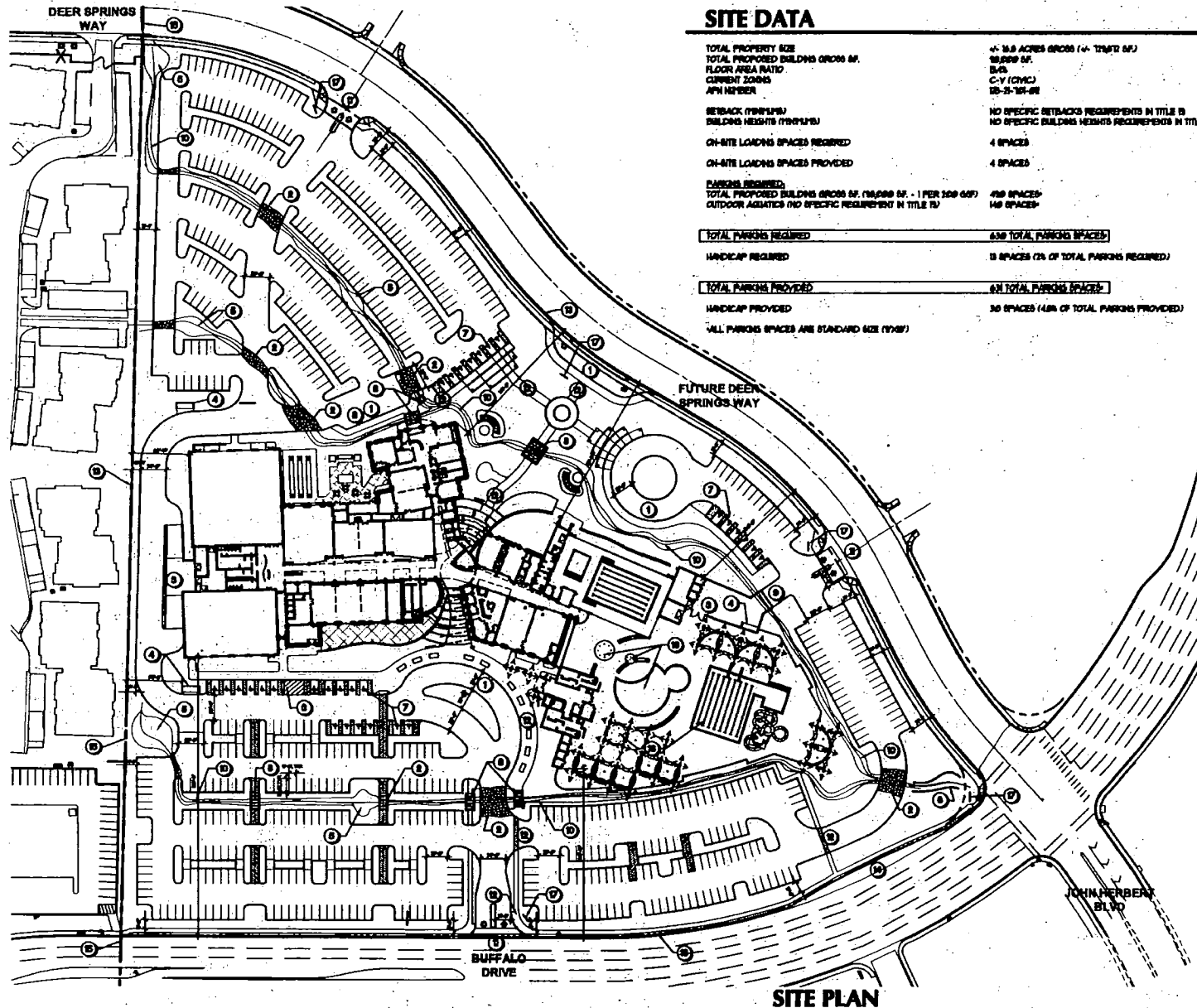


ADJACENT LAND USES



KEYNOTES

- 1 DROP-OFF
- 2 TEXTURED ROAD AT DRY WASH
- 3 LOADING AREA
- 4 TRASH ENCLOSURE
- 5 DRAINAGE DETENTION AREA
- 6 BIO-FILTER
- 7 HANDICAPPED PARKING
- 8 PEDESTRIAN BRIDGE
- 9 ACCESS GATE
- 10 DRY WASH (STORMWATER DRAINAGE)
- 11 SITE IMPROVEMENTS
- 12 ACCESSIBLE PATH
- 13 PROJECT SITE BOUNDARY
- 14 EXISTING BUS STOP
- 15 EXISTING PROPERTY LINE
- 16 OUTDOOR POOL AREA
- 17 POSSIBLE FREE STANDING ROOM LOCATION



SITE PLAN



6077-02-001

CENTENNIAL HILLS CENTRE CENTER

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004

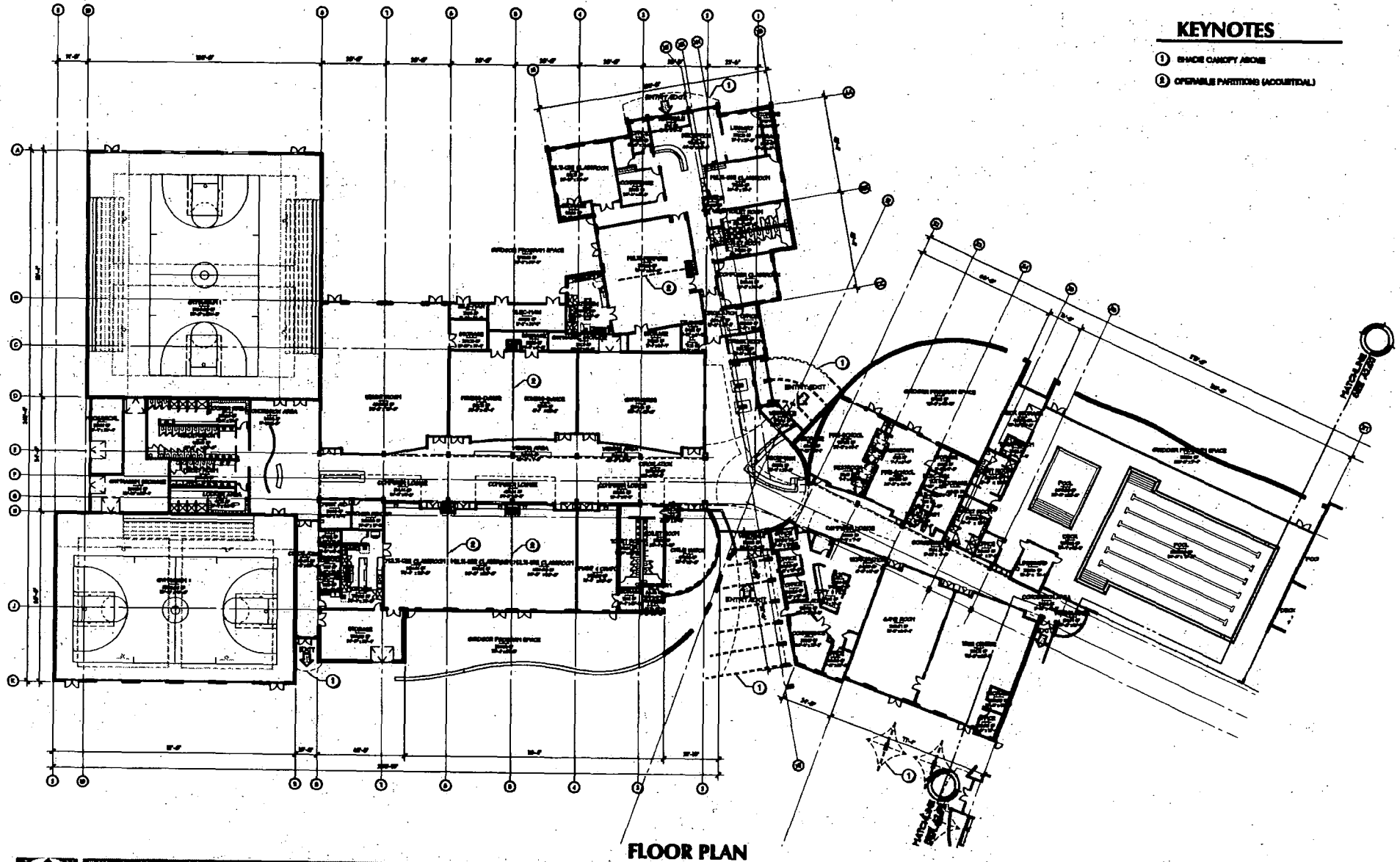
SDR-4749

08-12-04 PC

SCALE 1" = 60' - 0"



101



0077-03-001

CENTENNIAL HILLS LEISURE CENTER

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004

SCALE 1" = 30' - 0"



SDR-4749
08-12-04 PC

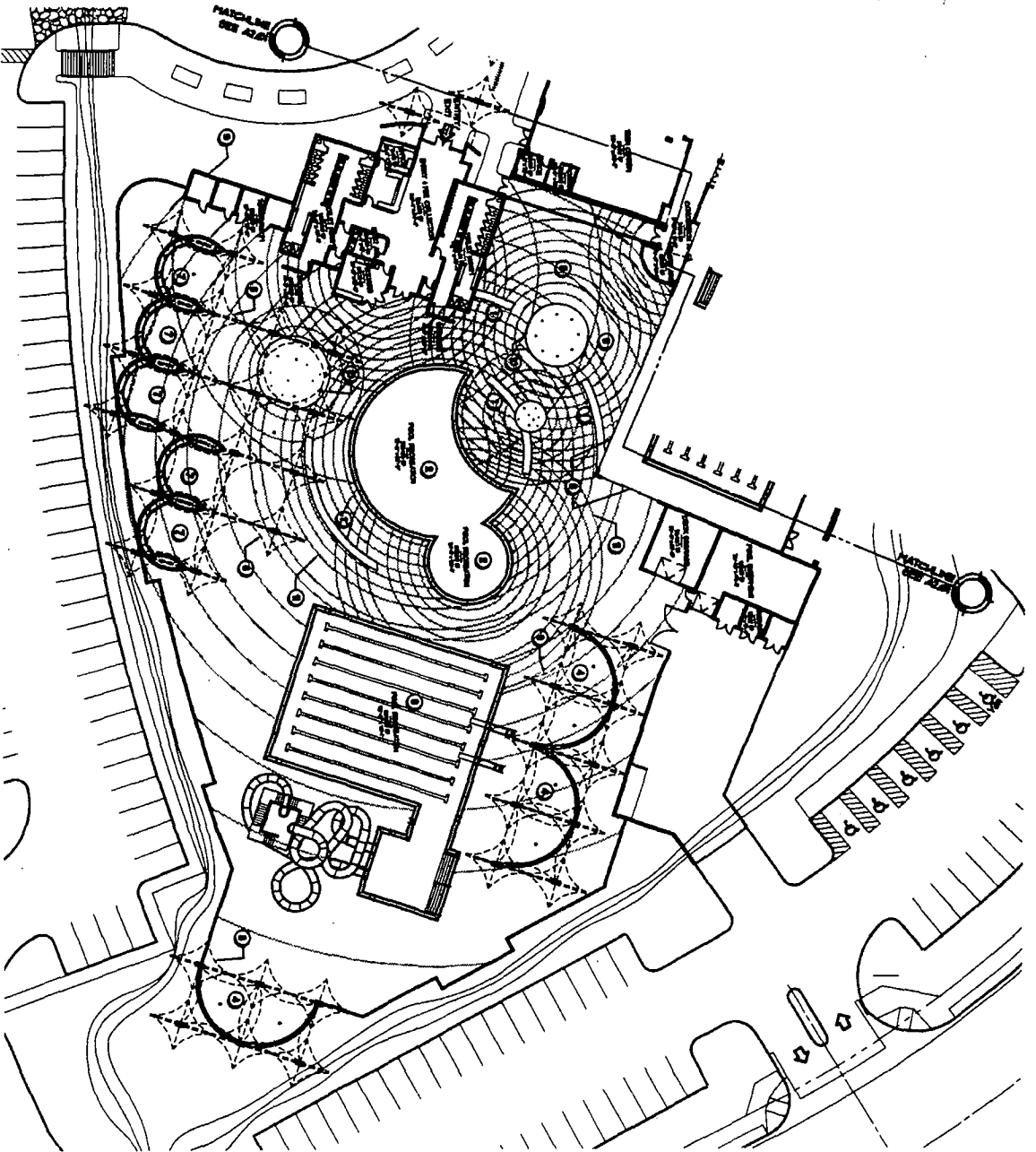


08/12/04

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004

OUTDOOR POOL PLAN



KEYNOTES

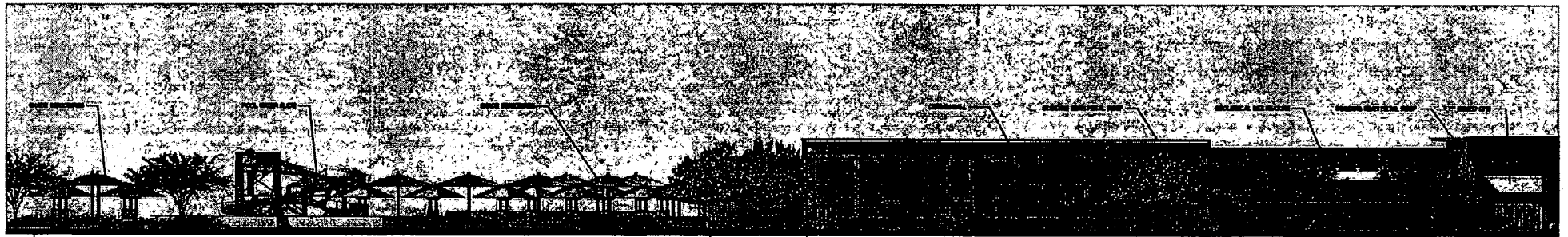
- 1 LOW SEAT WALL
- 2 CHANGING ROOM W/ TROUSERS AREA
- 3 RECREATION POOL
- 4 SHARED PARTY RESTROOM AREA (NO TRENCH)
- 5 CONCRETE AREA W/ SHARED STRUCTURE ABOVE
- 6 CHANGING ROOM WALL
- 7 SHARED CHANGING ROOM (NO TRENCH)
- 8 SHARED RESTROOM AREA
- 9 SHARED RESTROOM AREA (NO TRENCH)
- 10 WATER PUMPING AREA FOR
- 11 SHARED CHANGING ROOM - TYPICAL

SDR-4749
08-12-04 PC

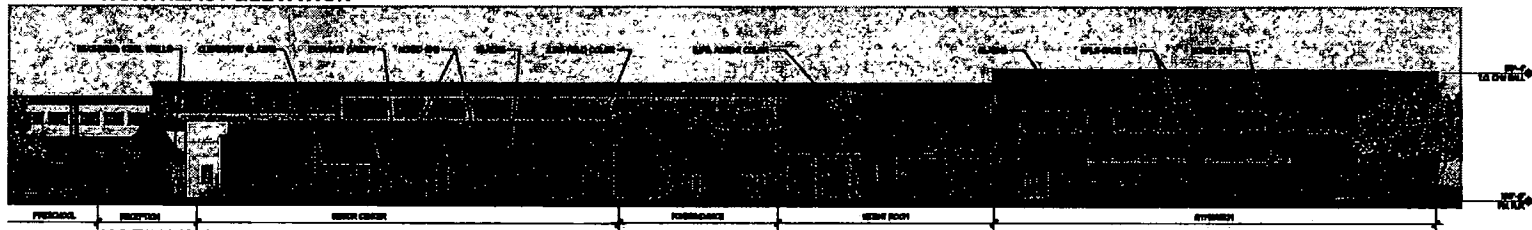


USC&ES
CIVIL

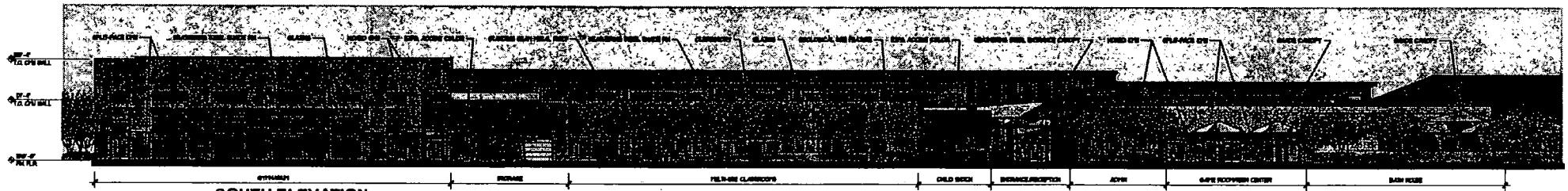
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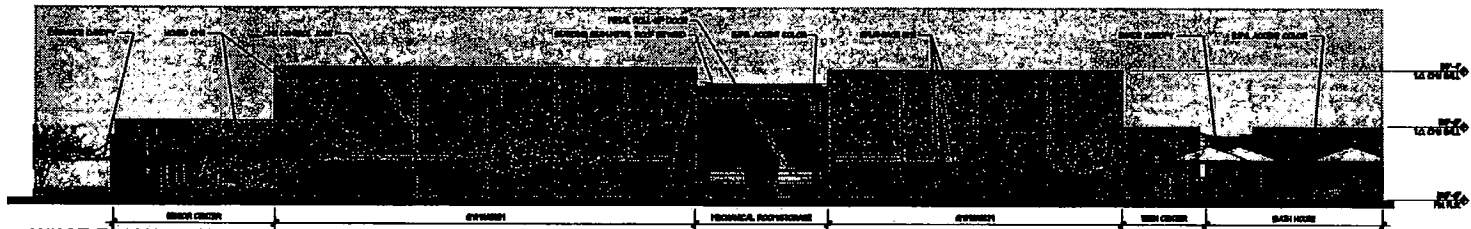
NORTHEAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

EXTERIOR BUILDING ELEVATIONS



08/7-03-001

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

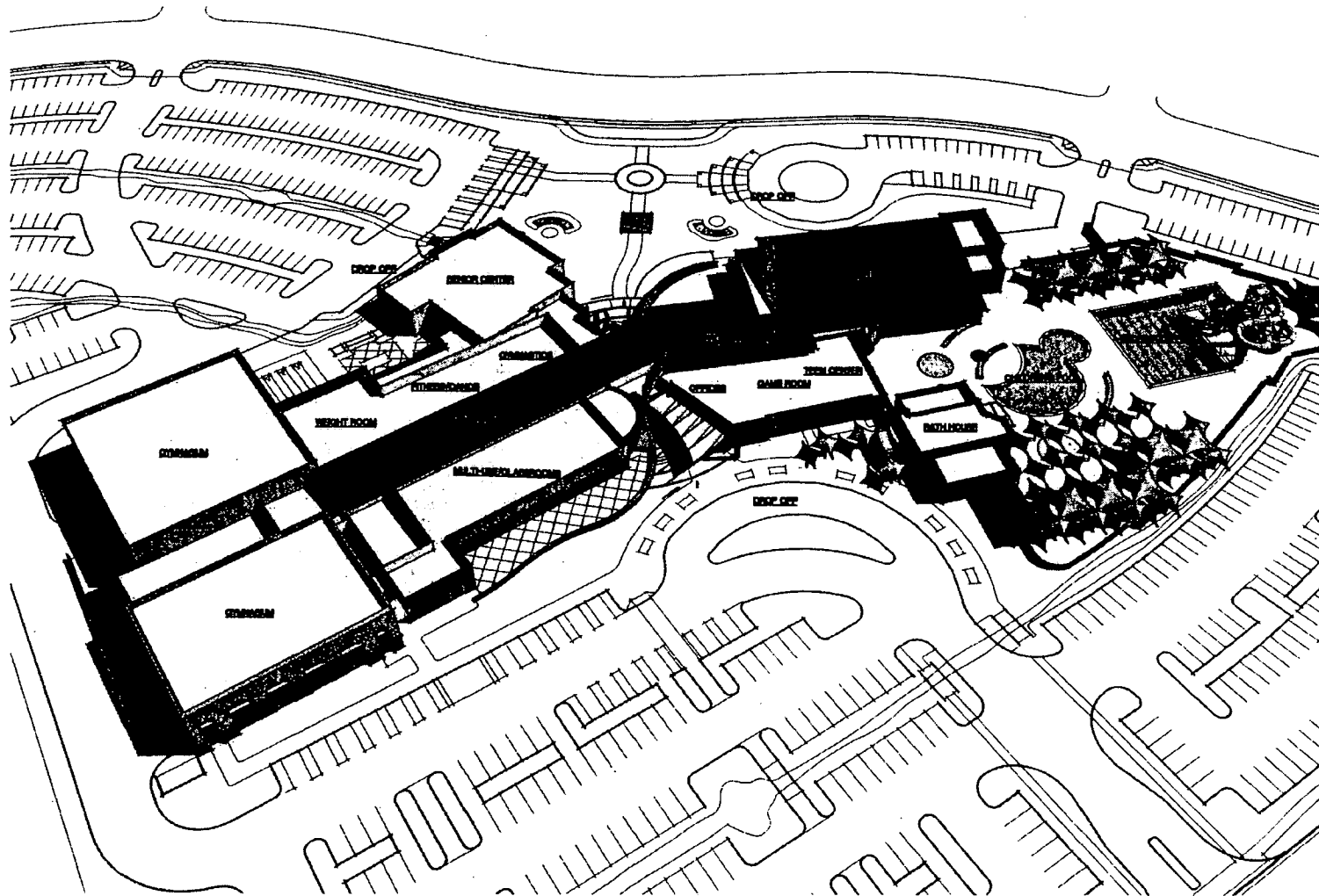
JUNE 29, 2004

SCALE 1/16" = 1' - 0"



SDR-4749

08-12-04 PC



BIRDEYE VIEW FROM SOUTHWEST



007740-001

CENTENNIAL HILLS LEISURE CENTER

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004



SDR-4749
08-12-04 PC

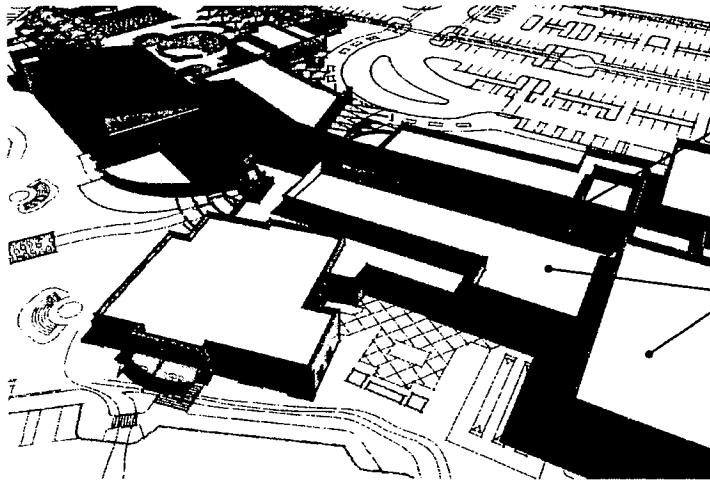


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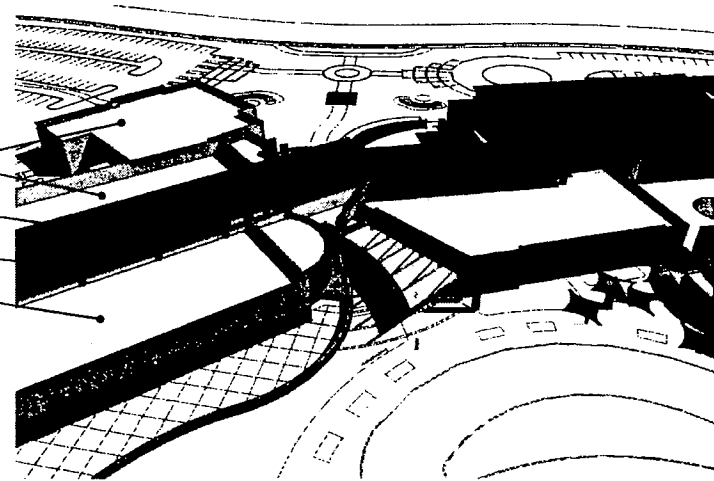
JUNE 29, 2004

SDR-4749
08-12-04 PC

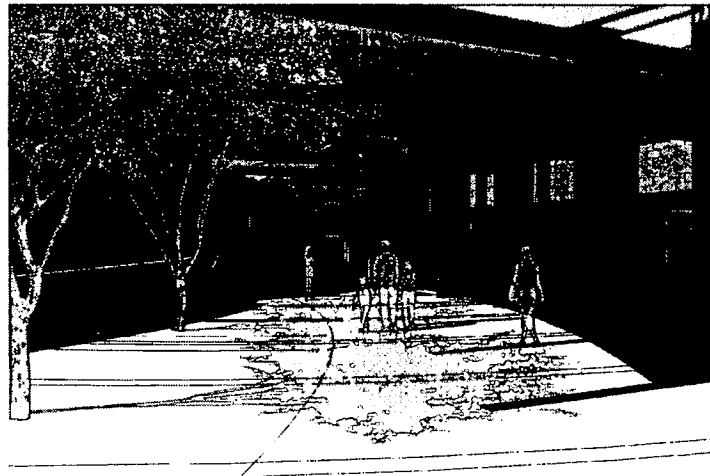


BIRDEYE VIEW AT NORTHWEST

STANDING BEAM
METAL ROOF
THERMOPLASTIC
ROOFING
STANDING BEAM
METAL ROOF
CLERESTORY
WINDOWS
THERMOPLASTIC
ROOFING

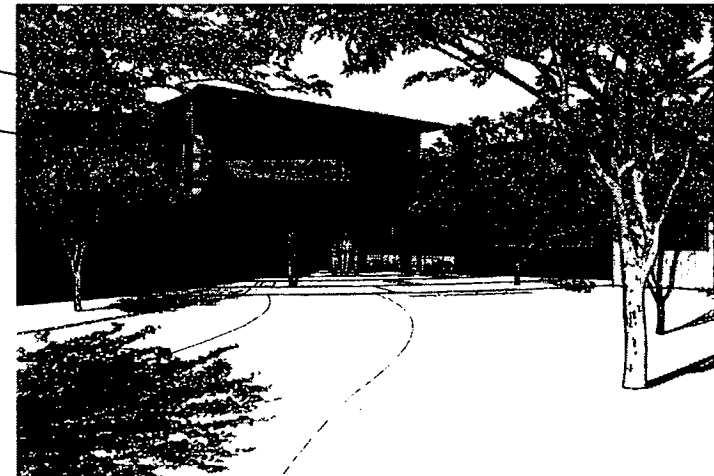


BIRDEYE VIEW AT NORTH



SOUTH ENTRY

CLERESTORY
WINDOWS
METAL MESH
SHADE STRUCTURE



NORTH ENTRY

IMAGES



0077-03-001

CENTENNIAL HILLS LEISURE CENTER

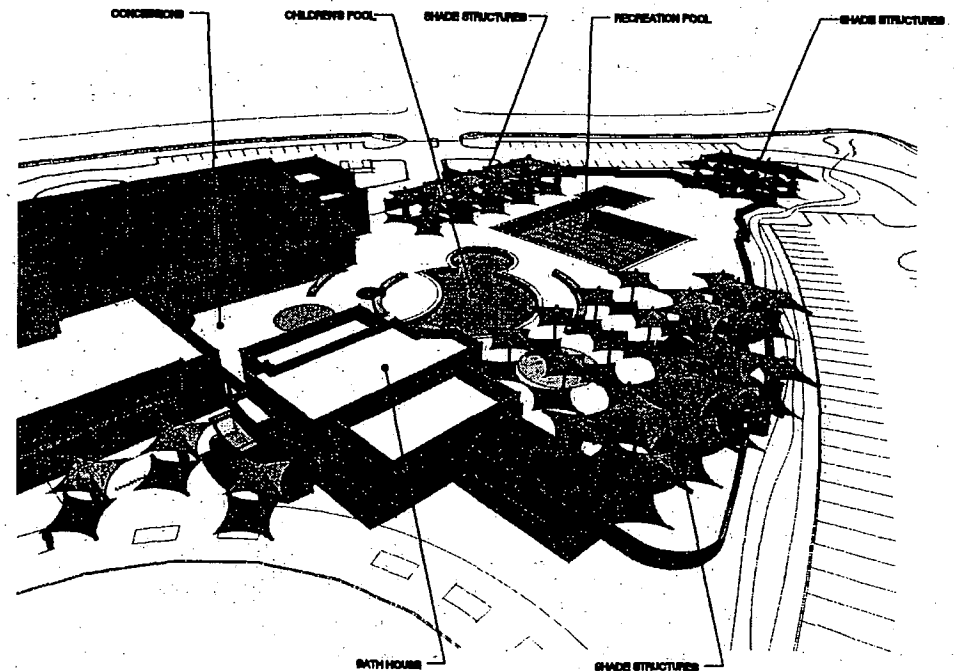
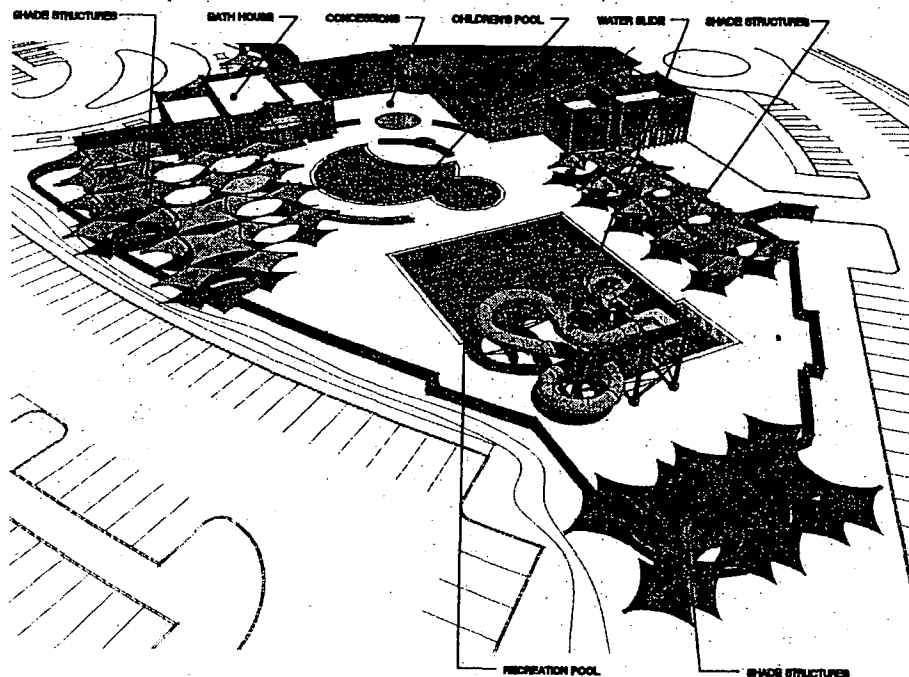
SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004

SDR-4749
08-12-04 PC



A7.03



BIRDEYE VIEWS at POOL AREA



007-03-001

CENTENNIAL HILLS LEISURE CENTER

SITE DEVELOPMENT PLAN REVIEW SUBMITTAL

JUNE 29, 2004

SDR-4749

08-12-04 PC



A7.04



SDR-4749 - APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS
NORTHWEST CORNER OF BUFFALO DRIVE AND JOHN HERBERT BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04



SDR-4749 - APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS
NORTHWEST CORNER OF BUFFALO DRIVE AND JOHN HERBERT BOULEVARD
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC. - Request for a Site Development Plan Review and Waivers of perimeter and foundation landscaping, building placement, exterior accent strip lighting being within 300 feet of residential property, and parking lot landscaping FOR A PROPOSED 60,000 SQUARE-FOOT COMMERCIAL CENTER on 5.4 acres adjacent to the northwest corner of Fremont Street and 25th Street (APN 139-35-815-002), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions - **UNANIMOUS** with **MACK** abstaining because a SuperPawn owned by his brother, **STEVEN MACK**, might be impacted by this project.

NOTE: COUNCILMAN MACK disclosed that although SuperPawn, owned by his brother, STEVEN MACK, is in the process of being sold, CAMCO, which will maintain the real estate holdings will still be affected. Due to the size of this project, he believes it could have an impact on his brother's property.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARNOLD STALK, 7432 West Sahara Avenue, Suite 101, congratulated the Mayor, City Council and staff for the redevelopment occurring in Downtown Las Vegas. City staff

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
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MINUTES – Continued:

has been very supportive and helpful with the site plan. La Plaza de Las Vegas will be a focal point of the Hispanic community in Downtown Las Vegas containing a mixture of uses, from entertainment, shopping and businesses to a wide variety of cultural events to be held throughout the year. In addition, tourists from Hispanic countries will help make this development an excellent tourist destination. This center will not only be for Latino residents and tourists, but for all Southern Nevadans to enjoy. The 60,000 square foot center will include a Supermercado, retail shops and ethnic restaurants. The center of the development will be the scene for wedding and Quinceanera ceremonies, outdoor dining and holiday celebrations. The second level will contain a wedding chapel, tux and wedding dress shop and offices.

MR. STALK added that La Plaza de Las Vegas project will add to the economic development and social benefits in Downtown Las Vegas, as well as eliminating blight in the area. This project will strengthen and diversify the economic base of the immediate neighborhood and will create over 250 part-time and full-time jobs. The Mayor and City Council's vision for a world class downtown is becoming a reality. La Plaza de Las Vegas represents an estimated 18 million dollar investment utilizing strictly private funds. MR. STALK concurred with all staff recommendations.

COUNCILMAN REESE asked MARGO WHEELER, Deputy Director, Planning and Development Department, to clarify the request. MS. WHEELER indicated that the conditions of approval recommend approval of the waiver of the foundation, landscaping and reduced perimeter tree spacing. However, the condition that the Planning Commission approved and that the applicant agreed to, does require additional trees, shrubs, and trails to meet the standards of the Code. Staff made their recommendation upon the condition that the requirements of the Code in the Downtown area have substantially been met.

ZAN MERLOT, President, Del Rancho Inc., explained they will be the primary tenant for this project and look forward to the opportunity of opening a new supermarket for the Hispanic community. Del Rancho Market will bring added vitality to the infrastructure of the area. They intend to employ 50 to 70 people and are in the process of opening other stores throughout the Valley. MAYOR GOODMAN verified with MR. MERLOT that the supermarket would be approximately 27,000 square feet primarily focused on service meat, seafood, bakery and a tortilleria.

LETIZIA GARDIA, 8929 Loggersmill Avenue, expressed her support because this project would address a great deal of tradition, cultural venues, events and a restaurant. The restaurant will bring a unique and authentic Mexican flavor that will also cater to the business sector, Anglos, Hispanics and tourists alike. The project includes a "cafecito" similar to a Starbucks.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
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MINUTES – Continued:

MAYOR GOODMAN commented on all the new great developments taking place in this particular area. COUNCILMAN REESE concurred what and asked that MR. STALK work closely with his office.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:48 – 3:58)

5-2121

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/02/04, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Departments of Planning and Development and Public Works should the required engineering studies cause changes to the site plan or building elevations.
3. Any change in uses or square footage as identified on the approved Site Plan may result in the need for a parking Variance.
4. Waivers are granted to permitted to allow no foundation landscaping, reduced perimeter tree spacing, exterior accent lighting within 300 feet of residential property and place the building away from the property line.
5. 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.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
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CONDITIONS – Continued:

7. 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 the proper development standards for a Multi-Use Transportation Trail, as depicted in the Transportation Trails Element of the Las Vegas General Plan, as well as, depicting minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the remaining landscape planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
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CONDITIONS – Continued:

Public Works

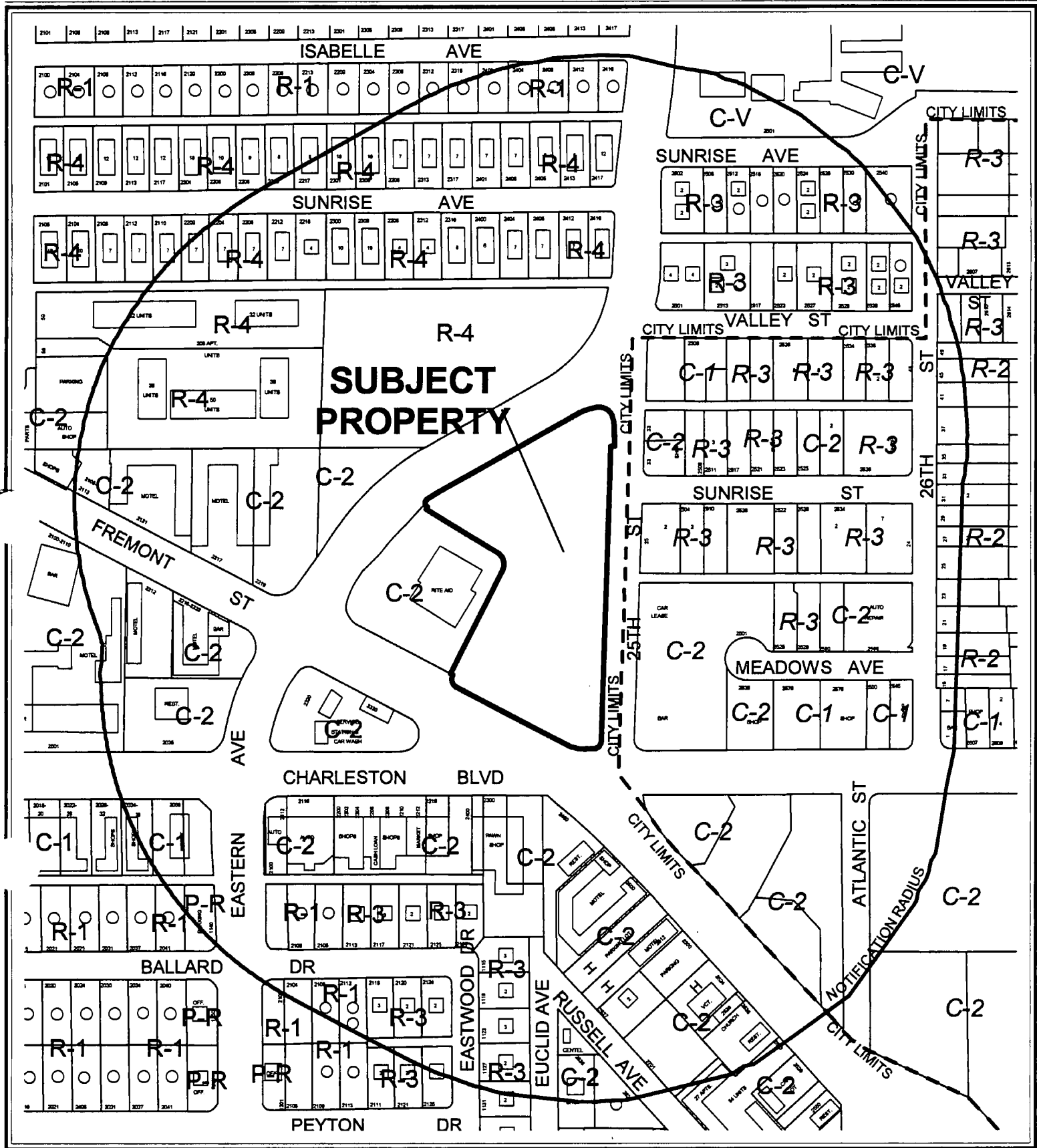
15. Dedicate an additional 8 feet of right-of-way for a total half-street width of 40 feet for that portion of 25th Street not previously dedicated adjacent to this site prior to the issuance of any permits. Additional dedication for a deceleration lane along Fremont Street acceptable to the City Traffic Engineer and dedication for the portion of the bus turn out along Eastern Avenue not previously dedicated shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Construct a deceleration lane on Fremont Street acceptable to the City Traffic Engineer adjacent to this site concurrent with development of this site.
17. 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.
18. Landscape and maintain all unimproved rights-of-way on Fremont Street, 25th Street, and Eastern Avenue adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Eastern Avenue and 25th Street public rights-of-way adjacent to this site prior to occupancy of this site. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Fremont Street public right-of-way adjacent to this site prior to the issuance of any permits.
20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
21. 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.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
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CONDITIONS – Continued:

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.

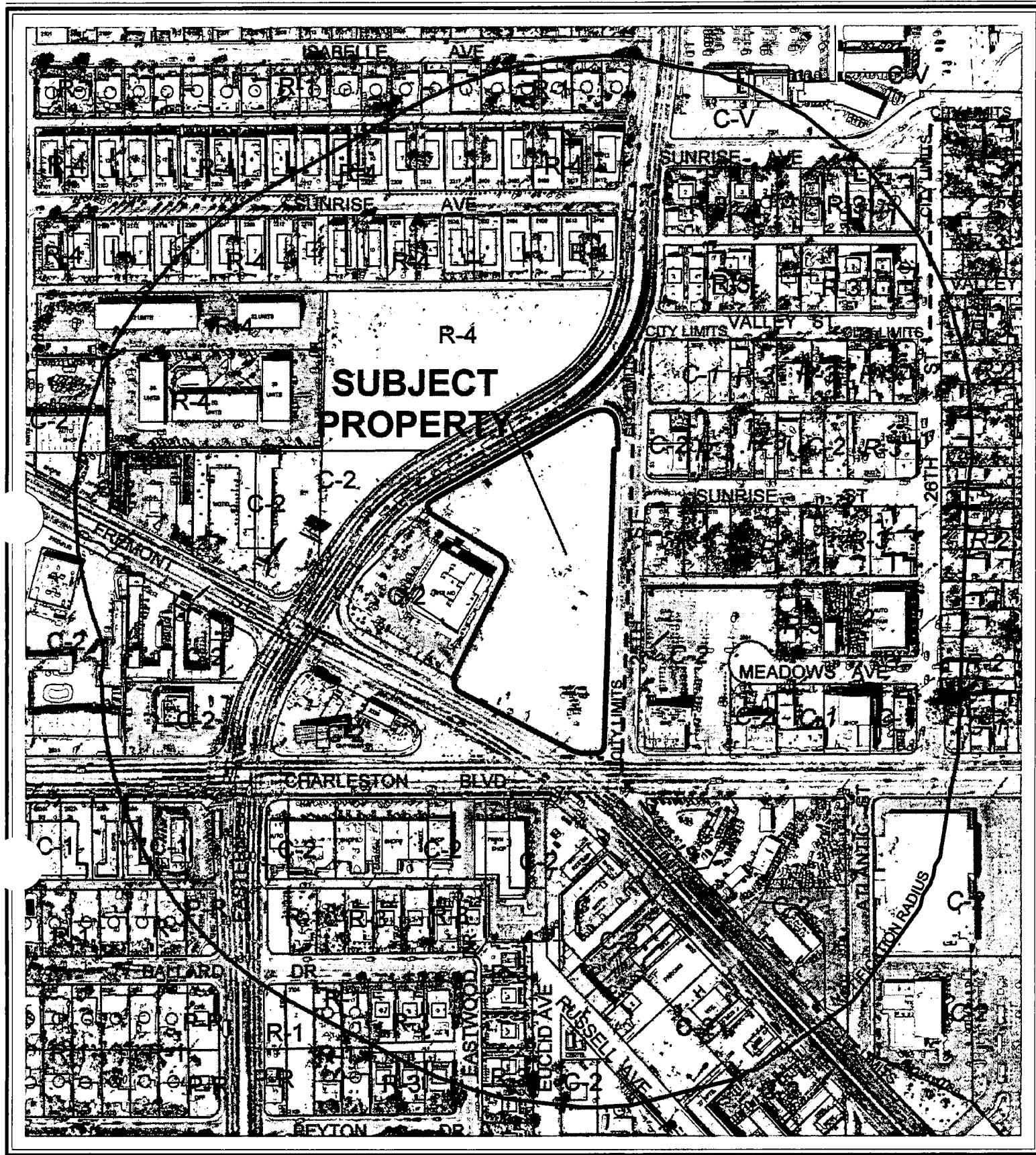
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and 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: SDR-4750

RADIUS: 750 FT

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



CASE: SDR-4750

RADIUS: 750 FT

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

0 200 400 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4750 - APPLICANT: ARNOLD ROSS STALK; OWNER: J & D FINANCIAL SERVICES, INC.

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/02/04, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Departments of Planning and Development and Public Works should the required engineering studies cause changes to the site plan or building elevations.
3. Any change in uses or square footage as identified on the approved Site Plan may result in the need for a parking Variance.
4. Waivers are granted to permitted to allow no foundation landscaping, reduced perimeter tree spacing, exterior accent lighting within 300 feet of residential property and place the building away from the property line.
5. 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.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. 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 the proper development standards for a Multi-Use Transportation Trail, as depicted in the Transportation Trails Element of the Las Vegas General Plan, as well as, depicting minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the remaining landscape planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate an additional 8 feet of right-of-way for a total half-street width of 40 feet for that portion of 25th Street not previously dedicated adjacent to this site prior to the issuance of any permits. Additional dedication for a deceleration lane along Fremont Street acceptable to the City Traffic Engineer and dedication for the portion of the bus turn out along Eastern Avenue not previously dedicated shall also be provided unless specifically not required in the approved Traffic Impact Analysis.

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17. 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.
18. Landscape and maintain all unimproved rights-of-way on Fremont Street, 25th Street, and Eastern Avenue adjacent to this site.
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20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
21. 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

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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review and Waivers of required perimeter and foundation landscaping, location of the building not on street frontage, exterior accent strip lighting being within 300 feet of residential property, and parking tree spacing for a proposed 60,000 square foot commercial center on 5.4 acres adjacent to the northeast corner of Fremont Street and Eastern Avenue.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed development will enhance a blighted portion of the downtown redevelopment project area by creating a quality commercial center, as well as a cultural center within the Latin community. It will create approximately 350 new jobs and 50 part time jobs, therefore promoting economic development within the community. Reasons for the waivers include, the urban streetscape and that the parking field increases store visibility and enhances security.

BACKGROUND INFORMATION

A) Previous Actions

- 12/19/84 The City Council approved a Rezoning & Site Development Plan Review (Z-0084-84) application for the reclassification of property generally located on the southwest corner of Eastern Avenue and 25th Street from R-4 (High Density Residential) to C-2 (General Commercial) for proposed retail stores. The Planning Commission and staff both recommended approval.
- 01/02/85 The City Council approved a Tentative Map (Z-0084-84) application for 5 Points commercial subdivision on property generally located on the northeast corner of Fremont Street and Eastern Avenue.
- 02/19/86 The City Council approved a Variance & Site Development Plan Review (V-0142-85) application to allow the construction and operation of a commercial storage unit complex with a live-in manager's residence, on property generally located south of the intersection of Eastern Avenue and 25th Street. The Board of Zoning Adjustment and staff both recommended approval.

- 10/24/85 The Board of Zoning Adjustment approved a Variance (V-0103-85) application to allow a proposed automobile repair and service facility 20 feet from the east property line, 40 feet from the north property line, and 20 feet from the west property line, where a 50-foot setback is required, on property generally located on the north side of Fremont Street between Eastern Avenue and 25th Street. Staff recommended denial.
- 11/20/85 The City Council approved a Rezoning & Site Development Plan Review (Z-0067-85) application for the reclassification of property generally located on the north side of Fremont Street between Eastern Avenue and 25th Street, for a proposed automotive repair and service facility. The Planning Commission recommended approval, while staff recommended denial.
- 08/06/86 The City Council approved a Rezoning & Site development Plan Review (Z-0054-86) application for the reclassification of property located on the northeast corner of Fremont Street and Eastern Avenue from R-4 (High Density Residential) to C-2 (General Commercial) [Under Resolution of Intent to C-M (Commercial/Industrial)], for a proposed shopping center and automotive shop. The Planning Commission and staff both recommended approval.
- 02/06/91 The City Council approved a Rezoning & Site Development Plan Review (Z-0145-90) application for the reclassification of property located on the north side of Fremont Street between Eastern Avenue and 25th Street from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) for a proposed Hotel/Casino. The Planning Commission and staff both recommended approval.
- 07/07/97 The Planning Department administratively approved a Site Development Plan Review (SD-7-97) application for a proposed drug store (Rite Aid), on property located on the northeast corner of Fremont Street and Eastern Avenue.
- 10/13/97 The City Council approved a Special Use Permit (U-0063-97) application to allow the off-premise sale of packaged liquor in conjuncture with a proposed drug store, on property located on the northeast corner of Fremont Street and Eastern Avenue. The Planning Commission and staff both recommended approval.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #75/PL)

B) Pre-Application Meeting

06/16/04 A pre-application conference was held and resulted in the following comments:

1. A waiver of the foundation landscaping, location of the building, and the spacing of trees within parking will need to be requested.
2. A multi-use transportation trail exists along Eastern Avenue.
3. Complete all half street and all substandard improvements.
4. A drainage study is required.
5. Traffic impact fee exempt, old fee required.
6. Deceleration lane / bus turnout required along Fremont Street.
7. Traffic would like to see 25th Street vacated.
8. Need 60 feet for deceleration lane for access from Fremont Street.
9. Update previous traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.40
Net Acres: 4.10

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped & Multi-Family Residences
South: General Commercial Strip Center, Rite Aid (Drug Store), Service Station and Car Wash, and Pawn Shop
East: Residential, Parking Lot, and a Bar
West: Undeveloped, Apartment Complex, and a Motel

C) Planned Land Use

Subject Property: C (Commercial)
North: C (Commercial) & MXU (Mixed Use)
South: C (Commercial)
East: Clark County
West: C (Commercial) & MXU (Mixed Use)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: R-4 (High Density Residential) & C-2 (General Commercial)
South: C-2 (General Commercial)
East: County Zoning: C-2 (General Commercial) & R-3 (Multiple-Family Residential) [18 Units per Acre] & C-1 (Local Business)
West: R-4 (High Density Residential) & C-2 (General Commercial)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as being included in the "Downtown Redevelopment Plan" Area. It is subject to the land use designations identified in the Las Vegas Redevelopment Plan. The Redevelopment Plan designates the parcel as C (Commercial), which allows office uses, service-oriented commercial uses, and general commercial uses, such as the existing convenience store. The subject parcel is within a C-2 (General Commercial) zoning district, which is in conformance with the Redevelopment Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area 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

Las Vegas Redevelopment Plan Area

The subject site is included in the Las Vegas Redevelopment Plan Area, which includes most of downtown Las Vegas, portions of West Las Vegas, and the industrial area located south of Charleston and east of the Union Pacific Railroad. The purpose of this plan is to eliminate blighted properties, develop vacant or underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas.

Trails:

Multi-Use Transportation Trail

A Multi-use Transportation Trail is required along the eastern portion of the Eastern Avenue street frontage, as shown on Map 2 of the Transportation Trails Element of the Master Plan. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path.

PROJECT DESCRIPTION

The proposed commercial center consists of a Latin-themed supermarket building and an in-line retail building, with offices and a wedding chapel located on the second floor, which are connected via a central plaza. The central plaza creates a sense of an "urban streetscape" in which cultural exhibits and events can occur. The applicant has requested waivers of the Commercial Development Standards for the placement of the buildings within the site, perimeter and foundation landscaping, exterior accent strip lighting being within 300 feet of residential property, and interior spacing of trees for parking along the edges of the property. The requested waivers are acceptable due to overall design of the project would become unfeasible. Additionally, a multi-use transportation trail will run the length of the western property line along the Eastern Avenue street frontage.

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	4.1 Acres	Y
Min. Lot Width	100 Feet	±315 Feet	Y
Min. Setbacks			
• Front	20 Feet	65 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	128 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	24%	Y
Max. Building Height	None	15 to 115 Feet	Y
Trash Enclosure	Yes	2	Y
Loading Zone	Yes	2 Zones	Y
Mech. Equipment	Yes	Yes	Y

The proposed development is in compliance with the Commercial Development Standards set forth by Title 19.08, excluding the requested waivers for required foundation landscaping, location of the building, exterior accent strip lighting being within 300 feet of residential property, and parking tree spacing.

A2) Residential Adjacency Standards

The project complies with all residential adjacency standards of the Code.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Retail, Other Than Listed (Less Than 25,000 SF.)	42,710 SF.	1/250 GFA	171	7	171	7
Office, Other Than Listed	11,400 SF.	1/300 GFA	38	7	38	7
Wedding Chapel	1,600 SF.	1/200 GFA	8	7	8	7
Total	55,710 SF.		217	7	217	7

The proposed development meets the parking requirements based upon the square footage provided for the future buildings and uses. It meets all handicapped standards as well. Parking will be monitored as the site develops to ensure adequate parking.

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	39 Trees	26*
Buffer:			
• Min. Trees	1 Tree / 30 Linear Feet	51 Trees	50*
• Min. Zone Width	15 Feet		15*

* The applicant has supplied trees on the site at a rate of one per six (6) parking spaces except for the parking spaces located on the Eastern Avenue, 25th Street, and Fremont Street edges. The applicant has supplied trees at a rate of one per thirty (30) feet within a fifteen (15) foot landscape buffer along the perimeter of the property with exception of along the share property line of the adjacent parcel, where an ten (10) foot concrete service walk is proposed. The site plan indicates the planting of one five (5) gallon shrub per twenty-four (24) inch box tree, where four (4) five (5) gallon shrub per twenty-four (24) inch box tree is required. The applicant is requesting a waiver from the perimeter and foundation landscape buffers, as well as the parking landscape tree spacing.

A5) Sign Standards

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

Freestanding Signs: Located on Eastern Avenue and Fremont Street

Standards	Allowed	Provided
Maximum Number	1 / 200 Feet Street frontage 7 total	1 / Street frontage 2 total
Maximum Area	2 SF / 1 Foot Street frontage	Not Provided
Maximum Height	40 Feet	25 Feet
Minimum Setback	5 Feet	5+ Feet
Illumination	Yes	Not Provided

Wall Signs: North, South, And East Elevations

Standards	Allowed	Provided
Maximum Number	N/A	13 total
Maximum Area	20% of Building Elevation	Not Legible
Maximum Projection	4 Feet	Not Provided
Illumination	Internal/External	Not Provided

Approval of this Site Development Plan Review does not constitute the approval of any signage on site. All signage will be evaluated at time of permitting.

B) General Analysis and Discussion

- Zoning

The proposed development of a supermarket and retail/office building within a C-2 (General Commercial) zoning district is permissible.

- Site Plan

The site plan provides a suitable layout for the irregularly shape site. The commercial center is composed of three distinct components, a supermarket, retail/office building, and a central plaza. The two-story retail/office building is located within the northwest portion of the site and opens up to the parking lot along Eastern Avenue, as well as to the central plaza. The supermarket is located along the southwester portion of the site and is attached to the rest of the site via a central plaza. The central plaza acts as a nexus to the two buildings and creates a cohesive design layout.

- Waivers

The applicant is requesting a waiver from perimeter and foundation landscaping requirements, the parking landscape tree spacing requirement, as well as the location of buildings not on street frontages and exterior accent strip lighting being within 300 feet of residential property. If the applicant were to provide landscape fingers along Eastern Avenue, 25th Street, and Fremont Street the resulting loss in available parking space would put the proposed development under the required amount of parking. Therefore, in an attempt to comply with the parking requirements the waiver is applicable.

The waiver of foundation landscaping is also applicable due to the creation of a central plaza and courtyard where the majority of foot traffic will take place.

The waiver of perimeter landscaping would allow access to the back service entrances of the buildings via a ten-foot concrete service walk, which would not be feasible with a eight-foot perimeter landscape buffer practically abutting the proposed buildings. Additionally it would allow for the planting of one five-gallon shrub per 24-inch box tree, where four five-gallon shrub per 24-inch box tree is required.

The waiver of the buildings not being located along the street frontage is acceptable due cohesiveness of the site design, as well as compatibility with adjacent parcel creating a center commercial center.

The waiver to allow exterior accent strip lighting being within 300 feet of residential property can be substantiated through the mitigation of emitted light by perimeter landscaping.

The requested waivers are acceptable due to overall design of the project would become unfeasible.

- Landscape Plan

The landscape plan depicts perimeter and parking lot landscaping that meets the intent of Title 19 and the Las Vegas Urban Design Guidelines and Standards, excluding the requested waivers. Landscape materials to be used include 24-inch box Canary Island Palm, Blue Palo Verde, Native Mesquite, and Desert Willow trees, as well as five-gallon Texas Ranger and Brittle Bush shrubs.

- Elevation

The building elevations illustrate a 30-foot tall super market with kiosks located along the east elevation, a 30-foot two story retail/office building, as well as a 115-foot tall wedding chapel tower. The building elevations utilize an innovative use of building rhythm by incorporating various types of vertical and horizontal patterns via external details, such as decorative metal arches, canopies, stucco façade walls, and steel cable with proposed colored fiber optic light string.

- Floor Plan

The proposed floor plans indicate a 24,400 square foot market with an additional 3,560 square feet of kiosk space attached to the front of the market. The floor plan also indicated the two-story retail/office building to be composed of 14,750 square feet of retail space on the ground floor and 11,400 square feet of office space located on the second floor. A 1,600 square foot wedding chapel tower is indicated in the middle of the development and will be accessible via the central plaza. Each of the before mentioned buildings utilize the central plaza area as the main entrance point.

FINDINGS

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

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

The proposed site is located in a commercial area along Fremont Street, with commercial outlets in the vicinity. The proposed development is compatible with adjacent development and development in the area

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

The proposed commercial center development will be consistent with Title 19, and with the intent of the Design Standards Manual, and the Landscape, Wall and Buffer Standards with the exception of requested waivers for building placement, foundation, perimeter, and parking lot landscape requirements, as well as exterior accent strip lighting being within 300 feet of residential property.

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

The site receives access via a drive from Eastern Avenue and Fremont Street, as well as frontage along East Charleston Boulevard, all of which are Primary (100-foot) Arterials, on the Master Plan of Streets and Highways, as well as a drive from 25th Street, a minor residential access street. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed building materials and colors are compatible with the desert environment and are appropriate. The proposed landscape palette materials will provide an aesthetically pleasing environment, however a condition is listed to provide the minimum number of shrubs in the perimeter landscape planters as required by Title 19 and 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;”

The building elevations depict design characteristics that are not unsightly or obnoxious in appearance, and with the approval of a waiver to allow exterior accent strip lighting to be within 300 feet of residential property, will be harmonious and compatible with development in the area.

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

The proposed 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 149 by Planning Department

APPROVALS 0

PROTESTS 0

ORIGINAL ONLY



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4750 APN: 139-35-815-002

Name of Property Owner: James Fisher

Name of Applicant: Arnold Ross Stalk

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: _____

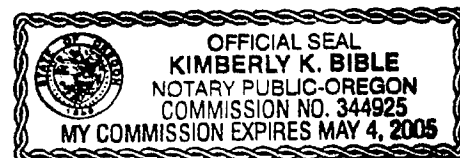
Signature of Property Owner/Authorized Agent: Charles J. Fisher

Print Name: James S. Fisher

Subscribed and sworn before me

This 25th day of June, 2004.

Viberg KBJ
Notary Public in and for said County and State



REVISED	BY
"LAS VEGAS CENTRAL" RETAIL/OFFICE PLAZA FRANKFURT ST., EASTERN AVE. & 25 TH ST.	
 Architecture Design and Development 702-382-0007 Fax 702-382-0022 1001 G of Children + Safe for Youth (© 1992)	
GROUND FLOOR PLAN	
Scale Section Dr. Room App Sheet 2 Q S	



1. CONC. STEPS & PLAIN BELOW
2. RAILING & LANDING BELOW
3. FIB SUPPORT WALL FOR CANTOY ABOVE.
4. SEE ELEVATIONS
5. STAIRS
6. METAL RAILING
7. ELEVATIONS
8. WALL 1/2" BELOW & GROUND FLOOR
9. CONC. CURB BELOW & GROUND FLOOR
10. PROPOSED OFFICE YELAND, DENISING WALLS
11. CONC. WALS & GROUND FLOOR BELOW
12. GLASS & ALUMINUM STUCKER-CON-TYP.
13. WALL 1/2" BELOW
14. FIBED SLICE
15. CANTOY SUPPORT WALL BELOW
16. METAL CANTOY-SEE SLDG. ELEVATIONS
17. GLASS & ALUMINUM CANTOY WALL
18. PROPOSED WALLS SEE ELEVATIONS
19. CONC. STAIRS MET. STUCKER-CON PLAIN-SEE SLDG. ELEVATIONS



REVISIONS	6
"LAS VEGAS CENTRAL" RETAIL/OFFICE PLAZA PREMONT ST., EASTERN AVE. & 25 TH ST.	
	
322-10-0071 Ext. 220-0002 2400 W. Charleston - Suite 2 Las Vegas, NV 89102	
SECOND FLOOR PLAN	
Scale	
Size	
CD Scale	
Job	
Sheet	3
Of 5	1

Revisions	By

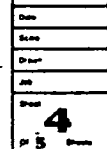
- "LAS VEGAS CENTRAL"
RETAIL/OFFICE PLAZA**



202-221-0077
Ext. 221-0072

202-221-0077
Ext. 221-0072

- PROLIVUS HOMELITE**



4

SDR-4750
08-12-04 PC

REVISIONS	DATE

- [illegible]



- (A) GALVANIZED STEEL, GALVANIZED-STEEL FINISH (SILVER/GRAY)
- (B) CARBID
- (C) ACCEP
- (D) SOFTENEST SET
- (E) NADRA
- (F) TGA FRANKLIN
- (G) CHAPMAN
- (H) GARDOL *
- (I) REDDIES-KROHN SPLT. FACE CONC. BLOCK (COLOR INTEGRAL

NOTE: ALL PAINT COLORS ARE "DUKE-EDWARDS" BRAND



SDR-4750
08-12-04 PC

"LAS VEGAS CENTRAL"

REPRODUCTION OF THE BUREAU OF THE ARMY



202-742-0022
Fax: 202-742-0023

7000 W. Chapman • Suite
400 • Denver, CO 80221

EXTENSION, ELIMINATIONS

1

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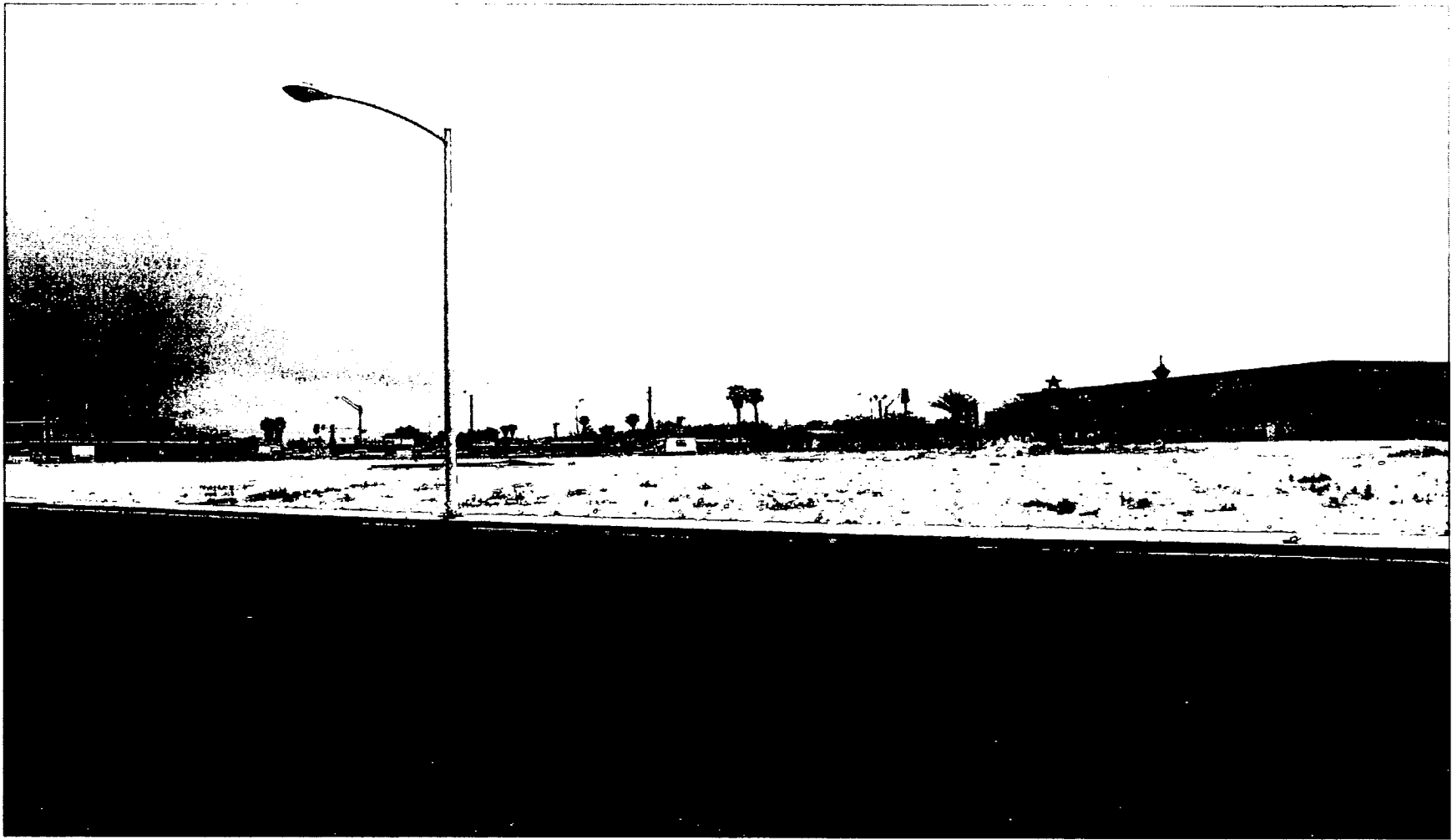
SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC.
NORTHWEST CORNER OF FREMONT STREET AND 25TH STREET
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04



**SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC.
NORTHWEST CORNER OF FREMONT STREET AND 25TH STREET
AUGUST 12, 2004 PLANNING COMMISSION**

07/20/04



SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC.
NORTHWEST CORNER OF FREMONT STREET AND 25TH STREET
AUGUST 12, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to condition - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617].

CHRIS KROFT, Wright Engineering, 7425 Peak Drive, appeared on behalf of the applicant and concurred with all conditions. MR. KROFT thanked COUNCILMAN MACK for meeting with them to discuss the project.

COUNCILMAN MACK asked MARGO WHEELER, Deputy Director, Planning and Development Department, to read into the record the added condition stating that Horse Drive shall have a five-foot landscape parkway with low maintenance ground cover plant material, separating the five-foot meandering sidewalk from back of L curb per Iron Mountain Ranch thematic loop street plan.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 115 – MOD-4615

MINUTES – Continued:

In addition, MS. WHEELER read into the record a condition regarding the equestrian trail stating that the east side of Bradley Road shall have the required 20-foot wide equestrian trail in accordance with Map 2 of the Recreation Trails Element. A detailed cross-section of the equestrian trail shall be submitted as part of the Tentative Map approval. MR. KROFT concurred with the added conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617].

NOTE: All discussion for Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617] was held under Item 115 [MOD-4615].

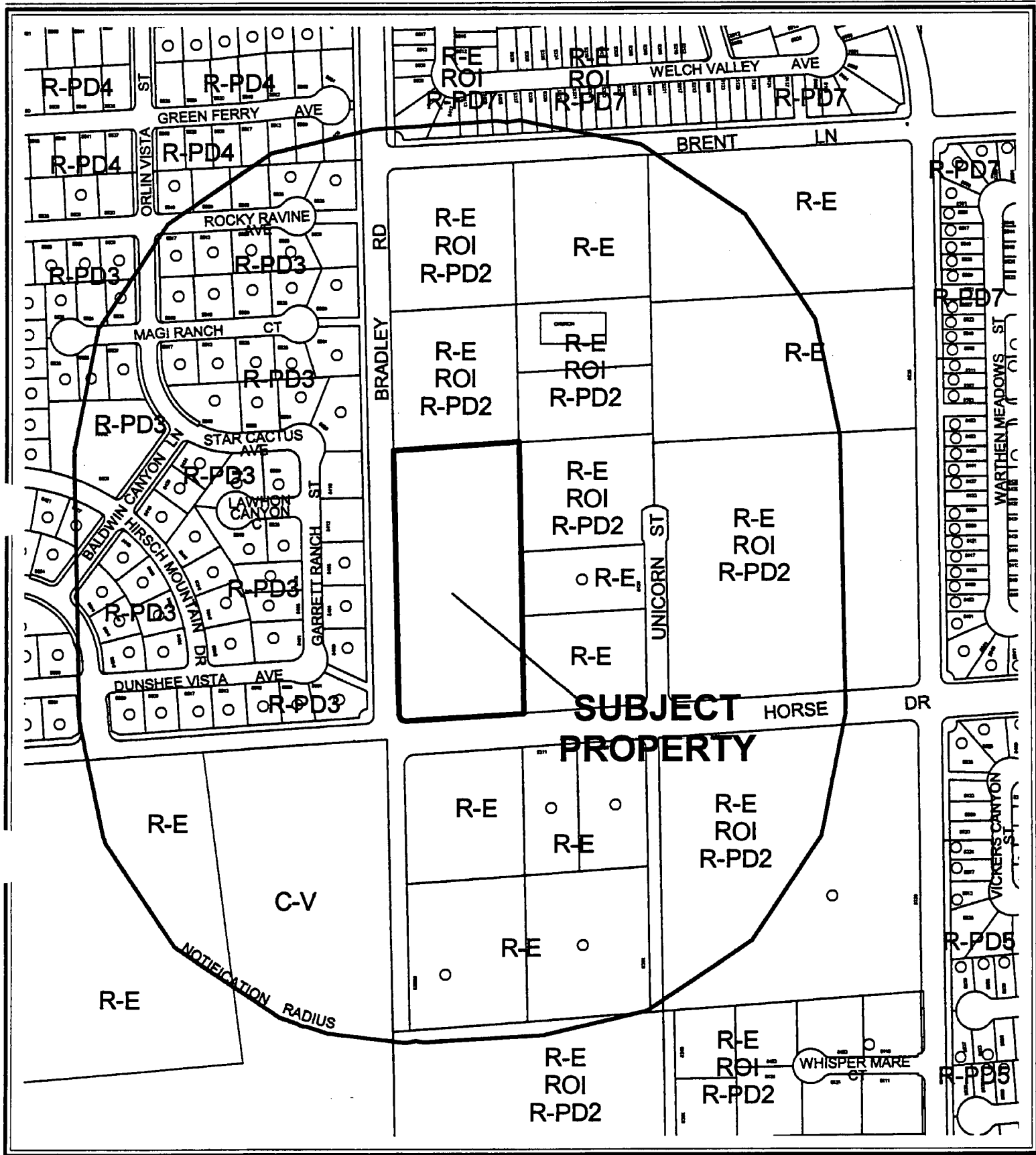
(3:58 – 4:00)

5-2557

CONDITION:

Planning and Development

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



CASE: MOD-4615

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet

115



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - MOD-4615 - APPLICANT: COOPER
CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY**

***THIS ITEM WAS HELD IN ABEYANCE AT THE AUGUST 18, 2004 CITY COUNCIL
MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.3

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

General Analysis and Discussion

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

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: **MB Holdings**

Name of Applicant: **Cooper Custom Homes**

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: **Steve Menzies**

Subscribed and sworn before me

This 20 day of May, 2004

Ruth H Clark

Notary Public in and for said County and State



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

10-15-11 10-15-11

BRADLEY ROAD

UNICORN STREET

HORSE DRIVE

15,201 sq. ft.

12,704 sq. ft.

12,957 sq. ft.

12,174 sq. ft.

12,506 sq. ft.

13,800 sq. ft.

11,334 sq. ft.

11,808 sq. ft.

11,043 sq. ft.

12,760 sq. ft.

14,458 sq. ft.

12,474 sq. ft.

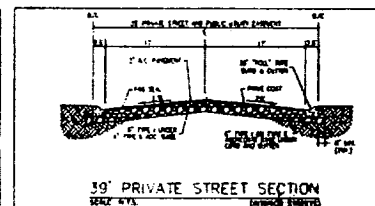
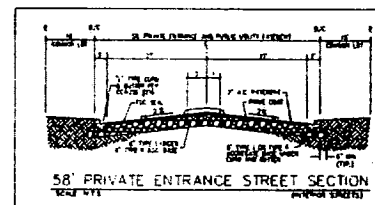
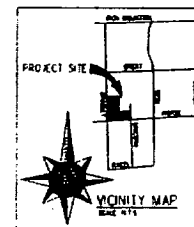
15,127 sq. ft.

11,607 sq. ft.

12,184 sq. ft.

10-15-11 10-15-11

SETBACKS



SETRACKS NAME _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ COUNTRY _____		SIT DATA TELEPHONE NUMBER (761-72-4027) 0 123-12-80-00 0	
		COMPANY NAME _____ COMPANY ADDRESS _____ COMPANY TYPE OF LEADS _____ COMPANY LEADS _____ THE FIRM _____ MANUFACTURE LOW RATE _____ 11 0000	
OWNER INFORMATION NAME _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ COUNTRY _____			
DEVELOPER NAME _____ PHONE _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ COUNTRY _____			

WRIGHT ENGINEERS

7425 PEAK DRIVE
LAS VEGAS, NEVADA 89128
TEL (702) 933-7000
FAX (702) 933-7001

[illegible]

COOPER CUSTOM HOMES

STERLING ESTATES

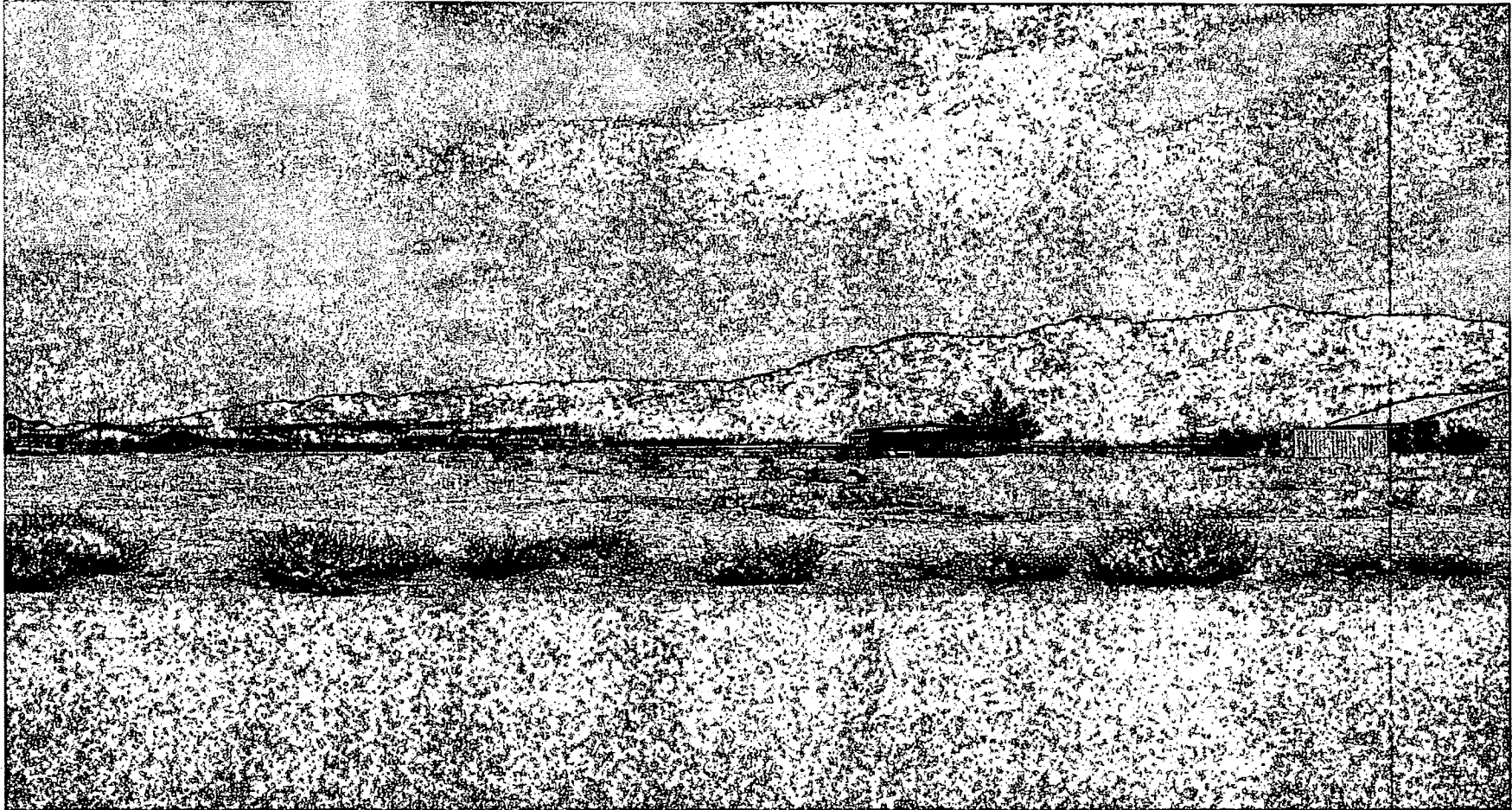
STATE PLAN

DATE	12/28/02	TIME	12:40
DATE	12/28/02	TIME	12:40
DATE	12/28/02	TIME	12:40

7/1/25	600 137000
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7/30/25	600 137000
7/31/25	600 137000

904 4

MOD-4615
7-22-04 PC



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

7/1/04



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

NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD

JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 115 [MOD-4615] all related discussion.

(3:58 – 4:00)

5-2557

CONDITIONS:

Planning and Development

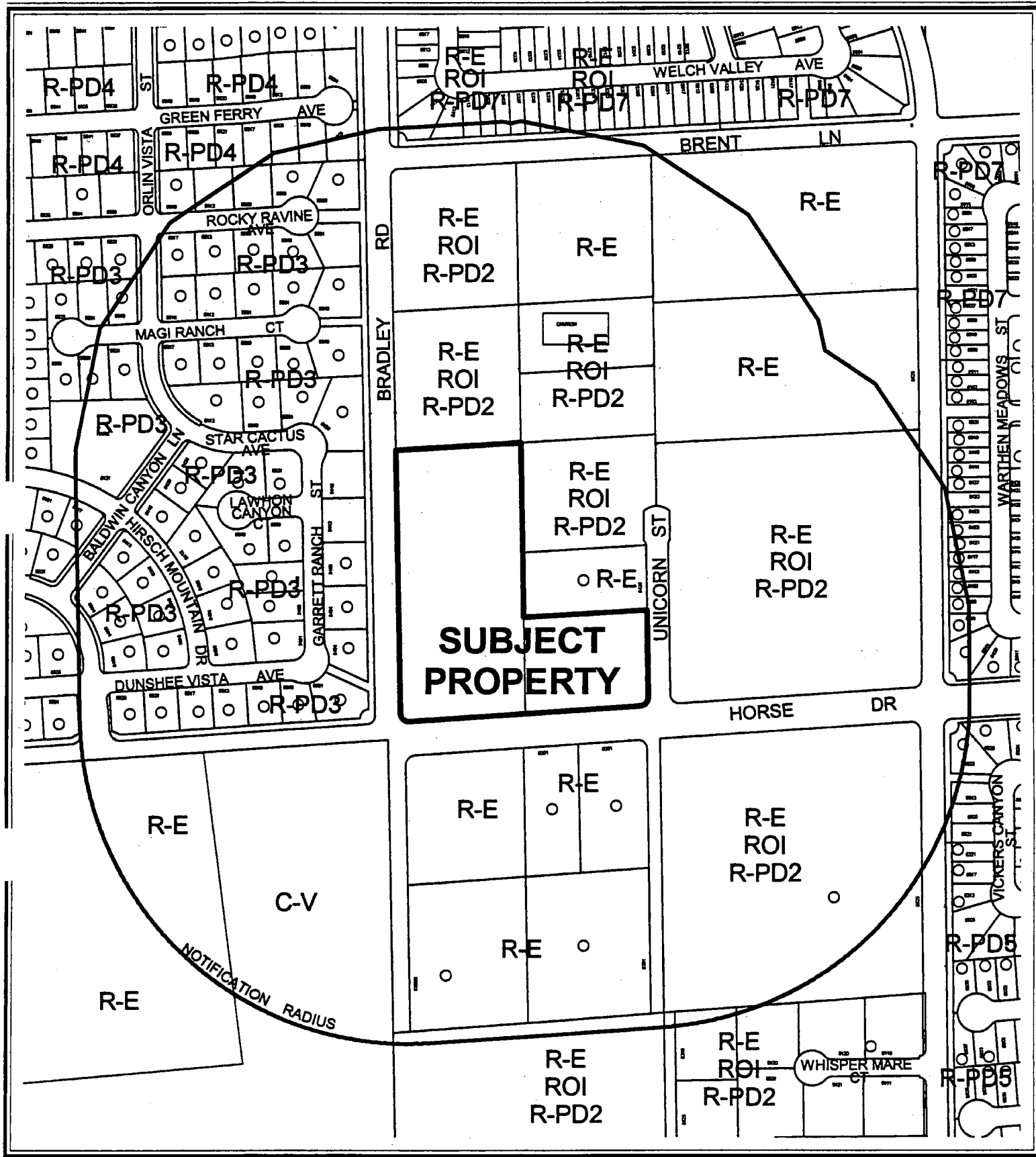
1. A Resolution of Intent with a two-year time limit.
2. A Major Modification (MOD-4615) and Site Development Plan Review application (SDR-4617) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 116 – ZON-4616

MINUTES – Continued:

Public Works

3. Construct half-street improvements on Horse Drive, Bradley Road and Unicorn Street including appropriate overpaving on Horse Drive and Unicorn Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. If not already constructed, extend public sewer from Thom Boulevard to this site at a location and depth acceptable to the City Engineer. Extend public sewer in Unicorn Street to the northern boundary of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the -Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
6. Coordinate with the Clark County School District to determine the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts, prior to the issuance of any building permits or the recordation of any maps subdividing this site.



0 200 400 Feet



CASE: ZON-4616

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

116





CASE: ZON-4616

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE AT THE AUGUST 18, 2004 CITY COUNCIL
MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Major Modification (MOD-4615) and Site Development Plan Review application (SDR-4617) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements on Horse Drive, Bradley Road and Unicorn Street including appropriate overpaving on Horse Drive and Unicorn Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. If not already constructed, extend public sewer from Thom Boulevard to this site at a location and depth acceptable to the City Engineer. Extend public sewer in Unicorn Street to the northern boundary of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the -Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

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

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 6.99

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

B) General Analysis and Discussion

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

FINDINGS

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

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

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The proposed R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning designation at a maximum gross density of 2.49 units per acre is in conformance with the General Plan

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

The proposed single family development on this site is similar in density to other residential development in this area. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning will be compatible with surrounding land uses and zoning districts.

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

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

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

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

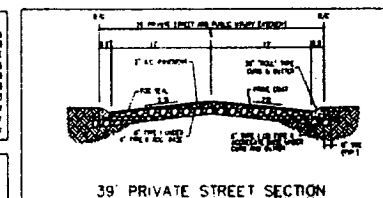
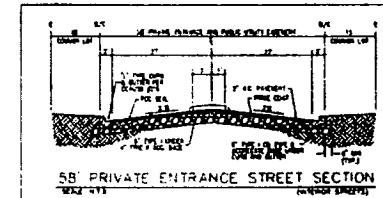
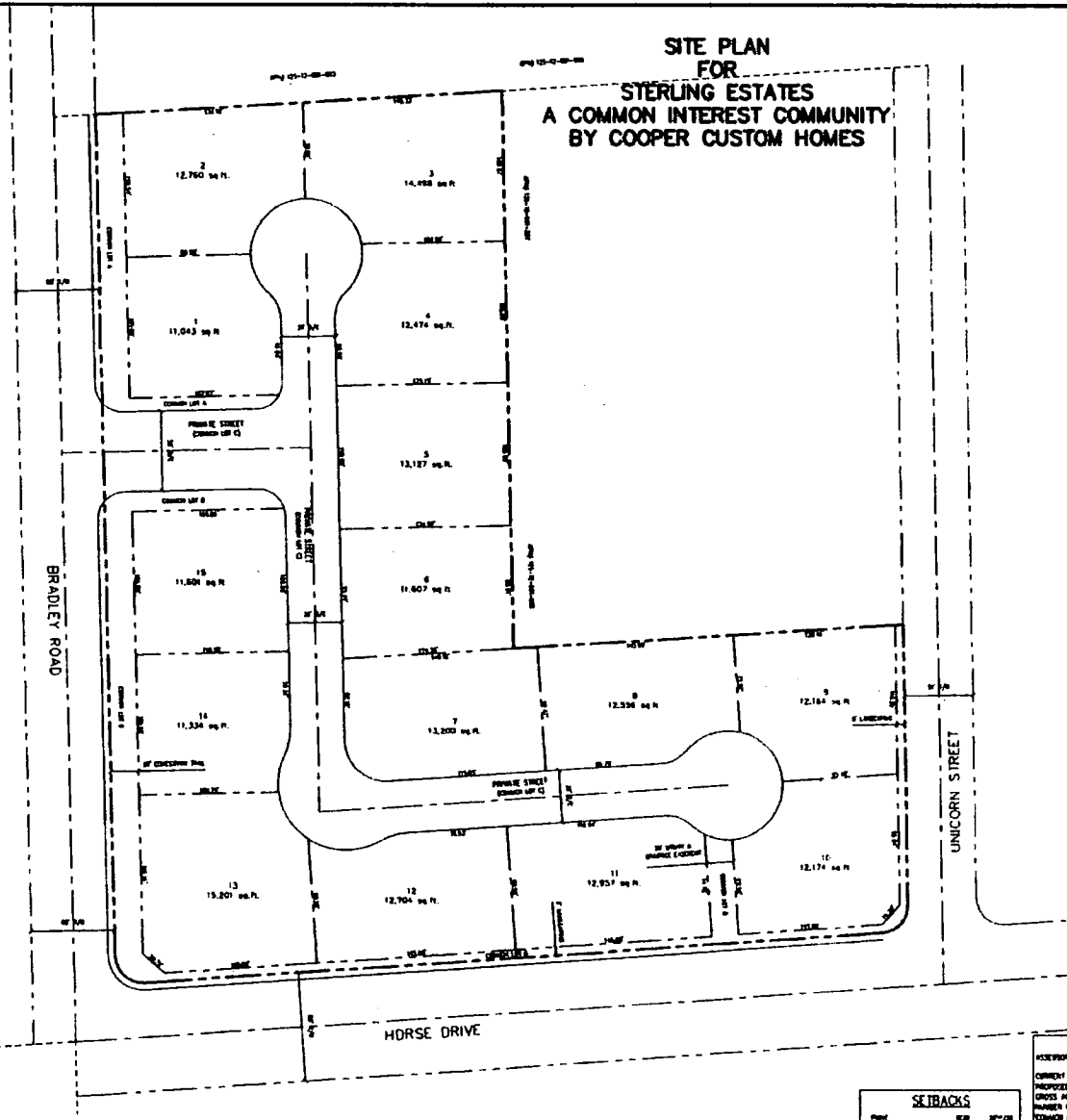
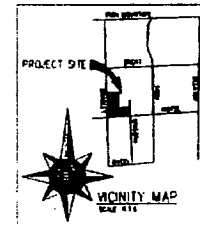
NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



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



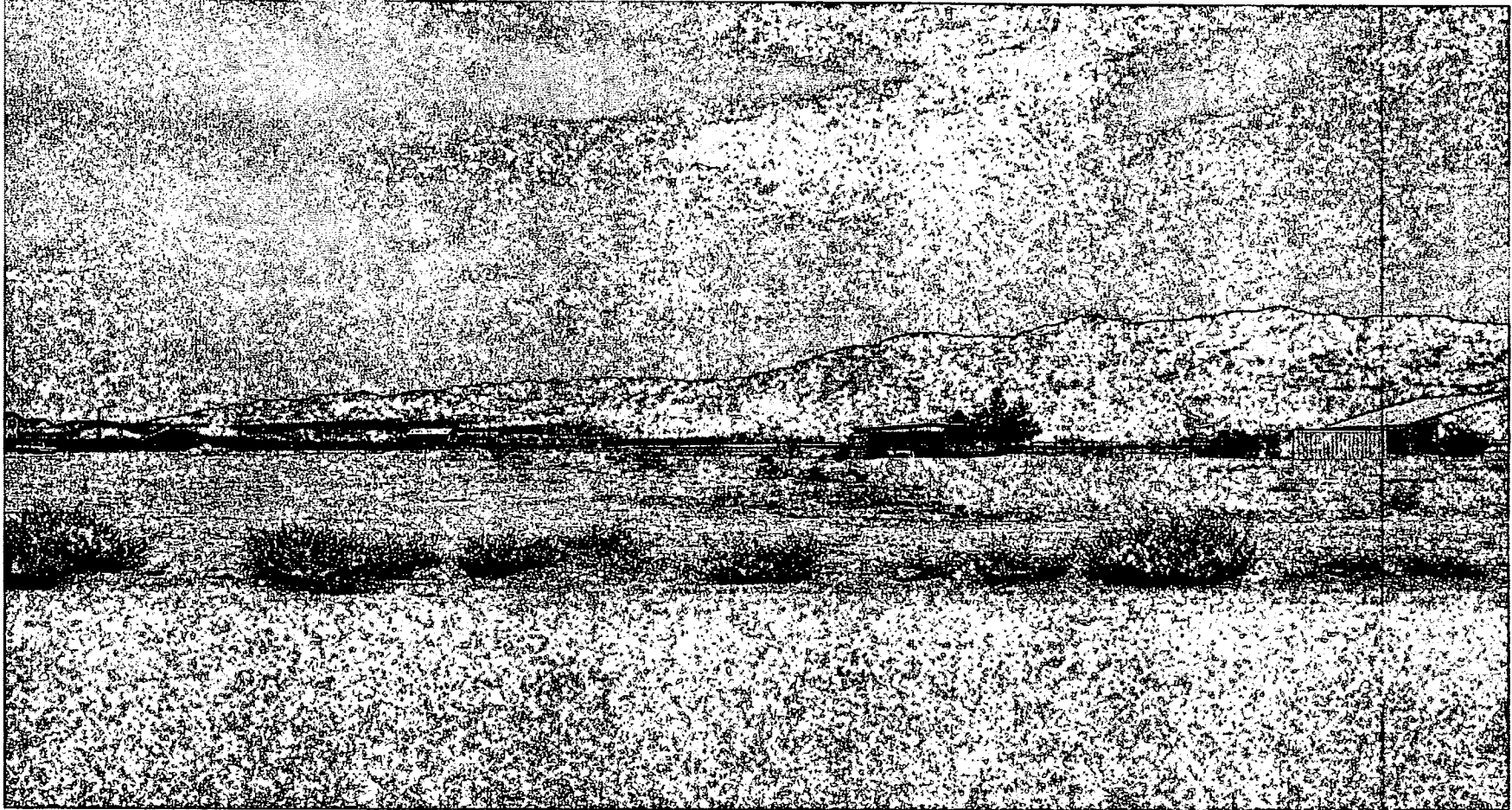
SETBACKS	
Front	5'
Side	5'
Back	10'

SITE DATA	
ASSOCIATED PARCEL NUMBER	12-12-00-000
CURRENT ZONING	R 175-12-00-000
PROPOSED ZONING	R 175-12-00-000
GROSS ACRES	0.50
NUMBER OF LOTS	15
PERMIT AREA	1.17
APPROX. LOT SIZE	11,000 SF
APPROX. LOT SIZE	11,000 SF

ENGINEER WRIGHT ENGINEERS 3025 KAY DRIVE LAS VEGAS, NEVADA 89128 TEL: (702) 931-7000 FAX: (702) 931-7001	OWNER INFORMATION COOPER CUSTOM HOMES 1000 S. COMMERCE ST. LAS VEGAS, NV 89102	DEVELOPER COOPER CUSTOM HOMES 1000 S. COMMERCE ST. LAS VEGAS, NV 89102

WRIGHT ENGINEERS	
3025 KAY DRIVE LAS VEGAS, NEVADA 89128 TEL: (702) 931-7000 FAX: (702) 931-7001	
STRUCTURAL CIVIL MEP SURVEYING	
COOPER CUSTOM HOMES STERLING ESTATES	
SITE PLAN	
DATE: 7-22-04	SCALE: 1" = 40'
SHEET NO. 1 OF 1	

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



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

7/2/04



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

NORTHEAST CORNER OF HORSE DRIVE AND BRADLEY ROAD

JULY 22, 2004 PLANNING COMMISSION

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions and the following conditions as read for the record:

- *Horse Drive shall have a five-foot landscaped parkway with low-maintenance ground cover plant material, separating the five-foot meandering sidewalk from back of L curb, per Iron Mountain Ranch thematic loop street plan.*
- *The east side of Bradley Road shall have the required 20-foot wide equestrian trail in accordance with Map 2 of the Recreation Trails Element. A detailed cross-section of the equestrian trail shall be submitted as part of the Tentative Map approval.*

– UNANIMOUS

MINUTES:

NOTE: See Item 115 [MOD-4615] all related discussion.

(3:58 – 4:00)

5-2557

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 117 – SDR-4617

CONDITIONS:

Planning and Development

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

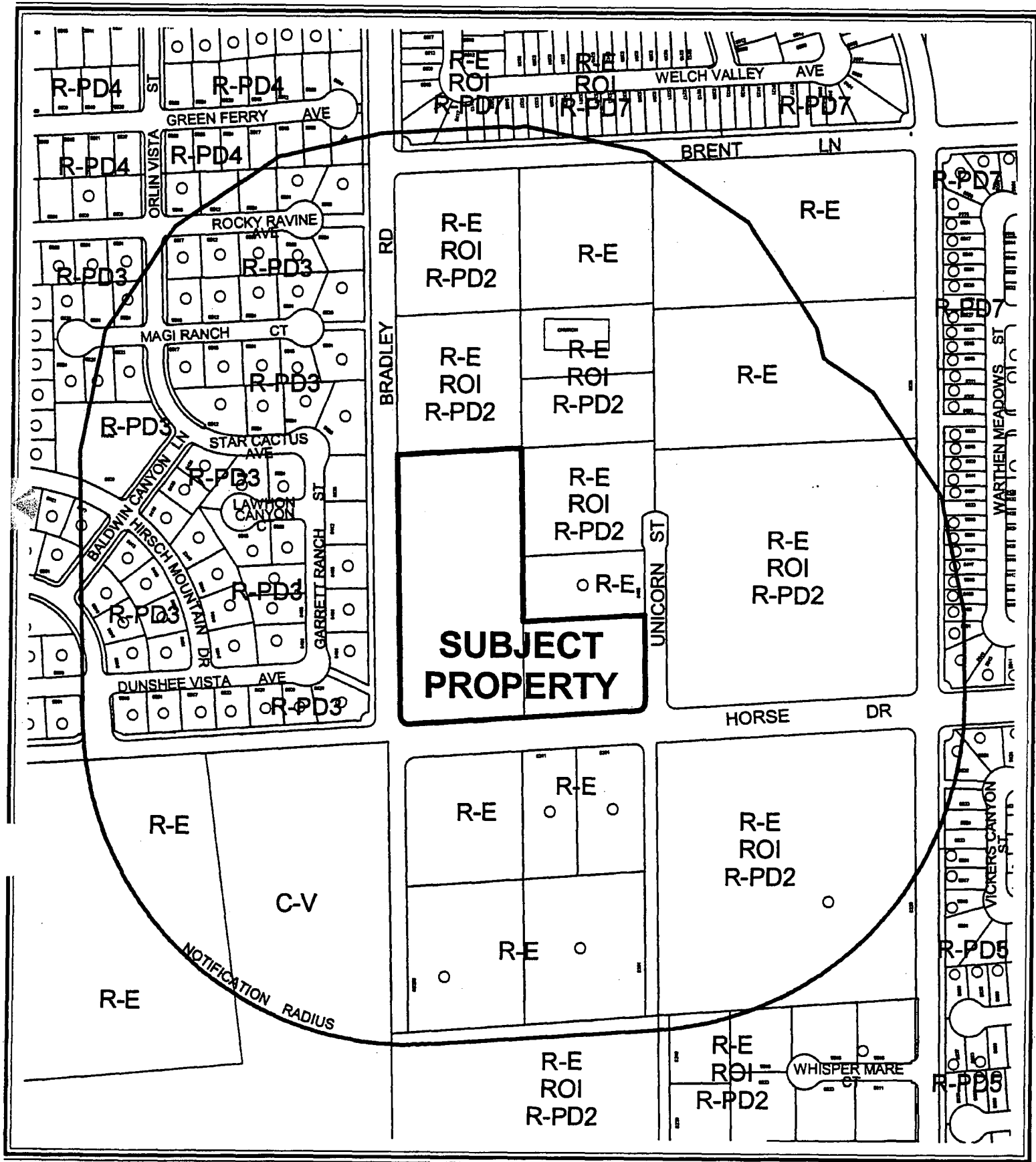
Public Works

5. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary for this site; if such map is required it should record prior to the issuance of any building permits for this site.
6. Provide and install a school flasher along Horse Drive. Coordinate with the Traffic Engineering Representative in Land Development to determine the location for the flasher. Provide or obtain easements as necessary to install school flasher.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
9. Site development to comply with all applicable conditions of approval for ZON-4616 and all other site-related actions.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 117 – SDR-4617

CONDITIONS – Continued:

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



CASE: SDR-4617

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE AT THE AUGUST 18, 2004 CITY COUNCIL
MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

9. Site development to comply with all applicable conditions of approval for ZON-4616 and all other site-related actions.
10. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a 15 lot single family development located adjacent to the northeast corner of Horse Drive and Bradley Road.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 6.99

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

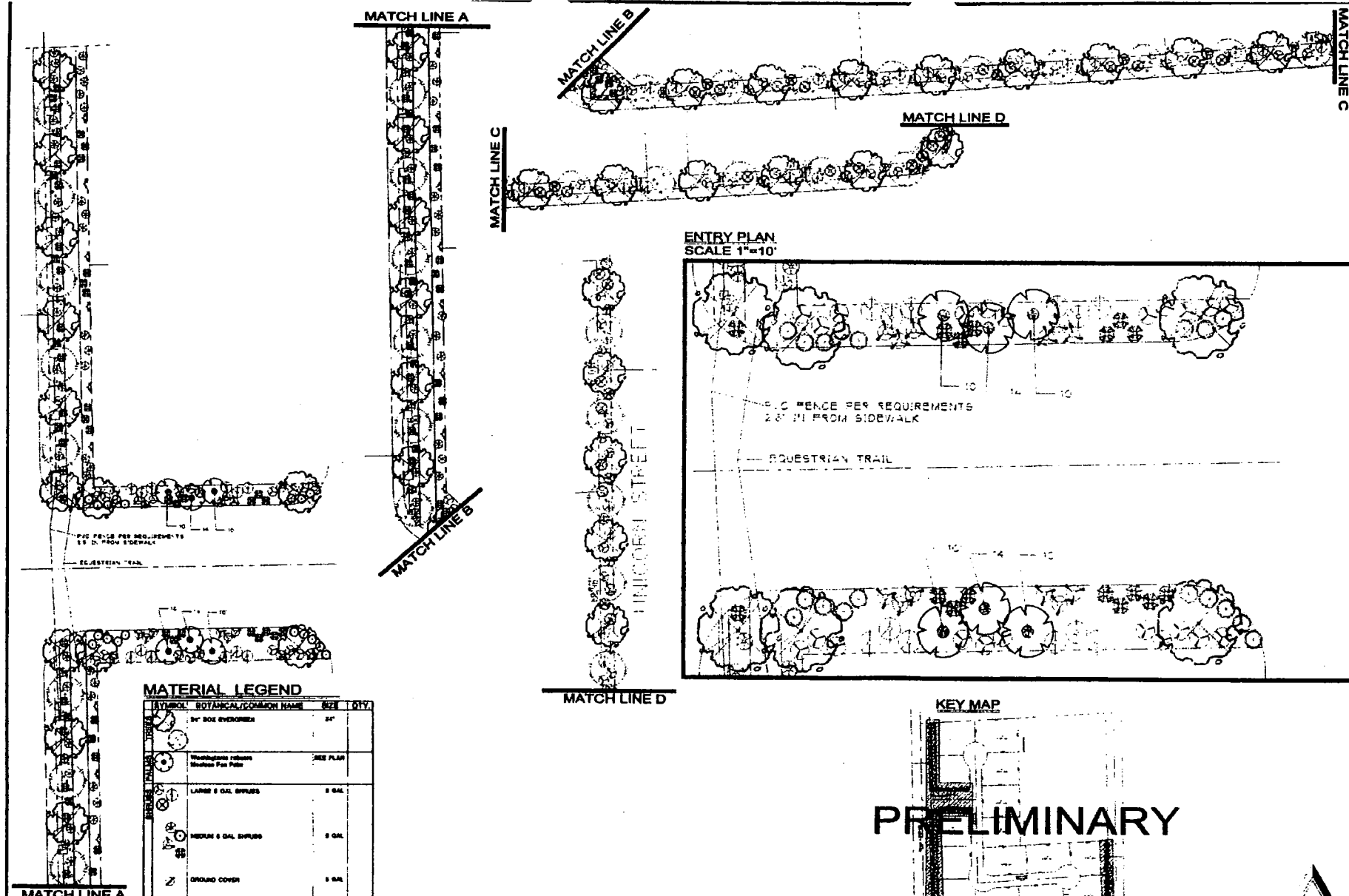
The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0





STERLING ESTATES
BRADY AND HORSE DR.
PRELIMINARY STREETScape AND ENTRY

SCALE 1" = 10'-0"

5/11C

6/7/04

1 OF 1

62-04-213

LANDSCAPE SERVICES, INC.

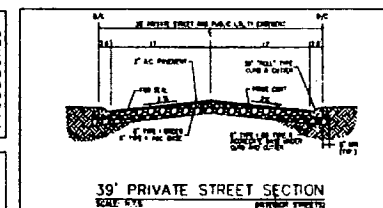
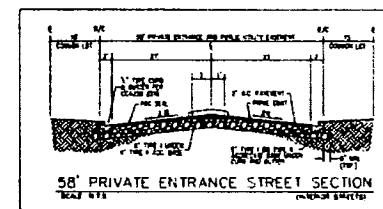
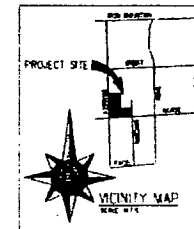
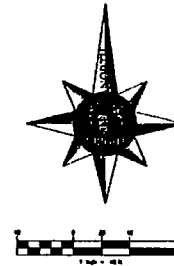
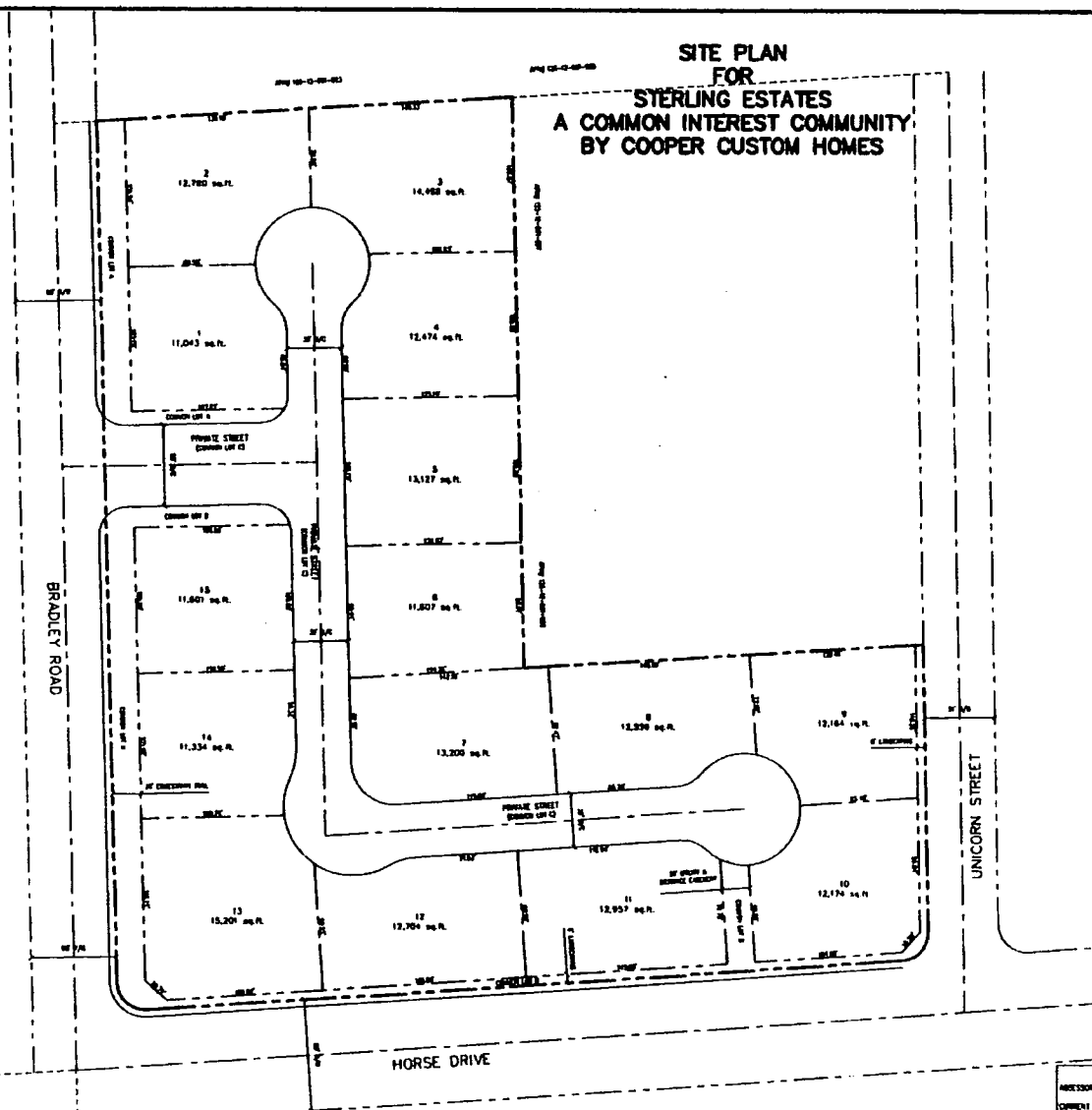
48 W. Saguaro Ave.
Las Vegas, Nevada 89103

(702) 266-0777

INC. 00000000

SDR-4617
7-22-04 PC

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



SITE DATA	
AMENDED PLAT NUMBER	125-12-001-000
AMENDED PLAT NUMBER	125-12-001-000
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
PROPOSED PLANS	125-12-001-000
NUMBER OF LOTS	16
CURVE DATA	125-12-001-000
PROPOSED LOT SIZE	11,807 sq. ft.
PROPOSED LOT SIZE	11,807 sq. ft.

SETBACKS	
FRONT	10'
REAR	10'
SIDE	10'

ENGINEER
WRIGHT ENGINEERS
1225 W. W. BOONE
LAS VEGAS, NEVADA 89128
TEL (702) 531-7000
FAX (702) 531-7001

OWNER INFORMATION
WRIGHT ENGINEERS
1225 W. W. BOONE
LAS VEGAS, NEVADA 89128
TEL (702) 531-7000
FAX (702) 531-7001

DEVELOPER
COOPER CUSTOM HOMES
1225 W. W. BOONE
LAS VEGAS, NEVADA 89128
TEL (702) 531-7000
FAX (702) 531-7001

WRIGHT ENGINEERS			
1225 W. W. BOONE LAS VEGAS, NEVADA 89128 TEL (702) 531-7000 FAX (702) 531-7001			
COOPER CUSTOM HOMES			
STERLING ESTATES			
SITE PLAN			
1 OF 3 SHEETS			

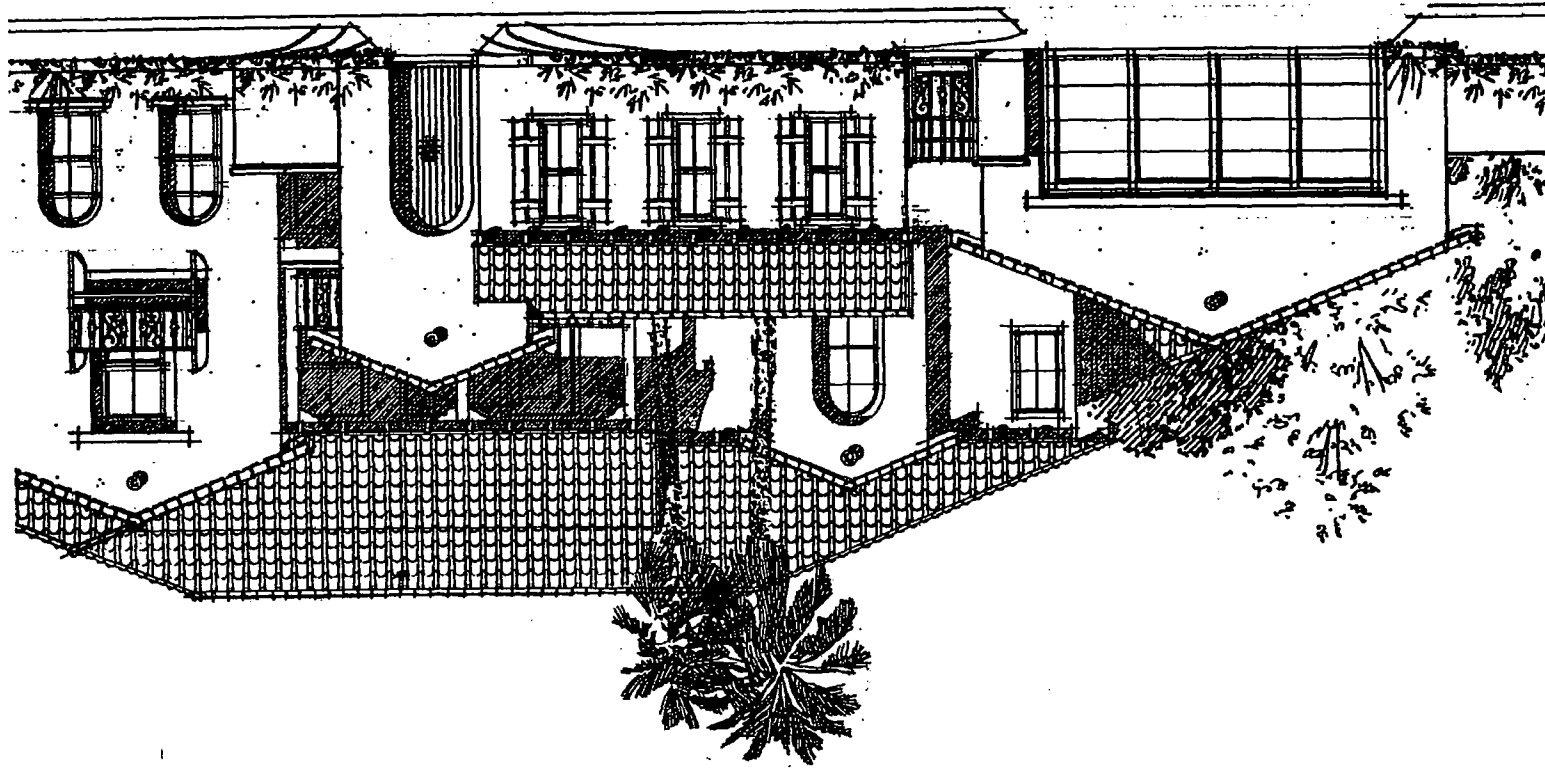
**SDR-4617
7-22-04 PC**

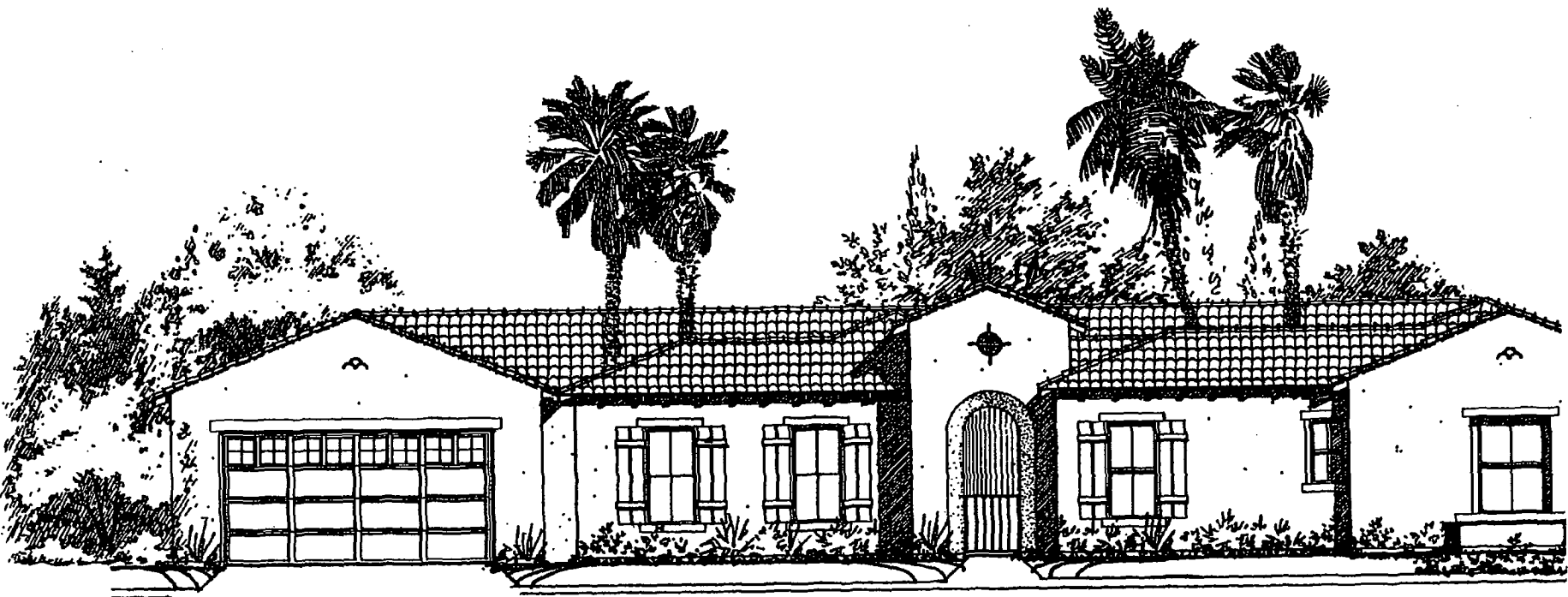
SDR-4617
7-22-04 PC



STERLING ESTATES

COOPER CUSTOM HOMES





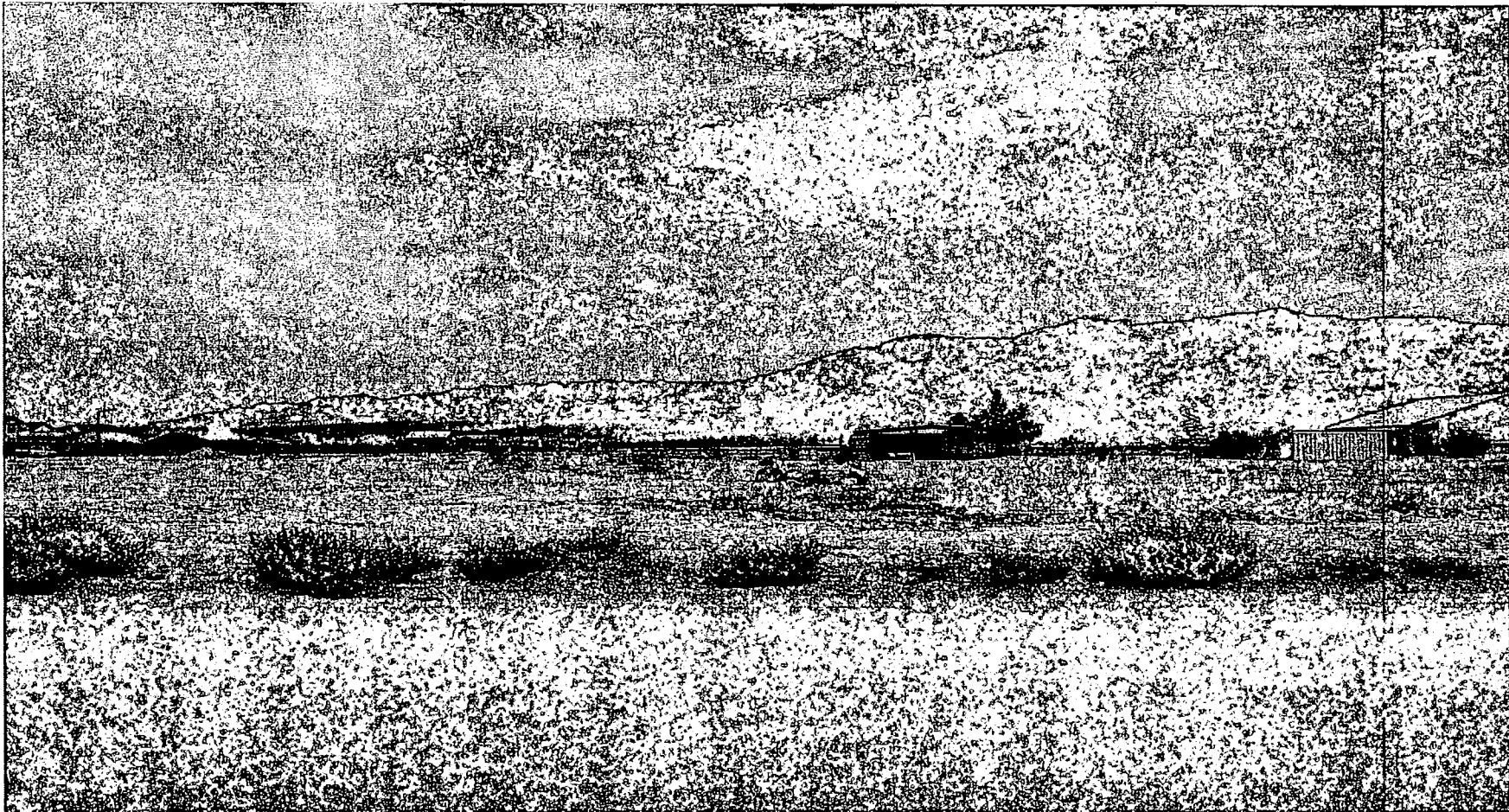
STERLING ESTATES

COOPER CUSTOM HOMES

WOODLEY
ARCHITECTURAL
GROUP, INC.

9137 S
149th St
PO Box 44
PO Box 44
181st St
Cedar Rapids, IA
52404
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reproduced without written permission.

SDR-4617
7-22-04 PC



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

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Petition to Vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by LAS Consulting, Inc.

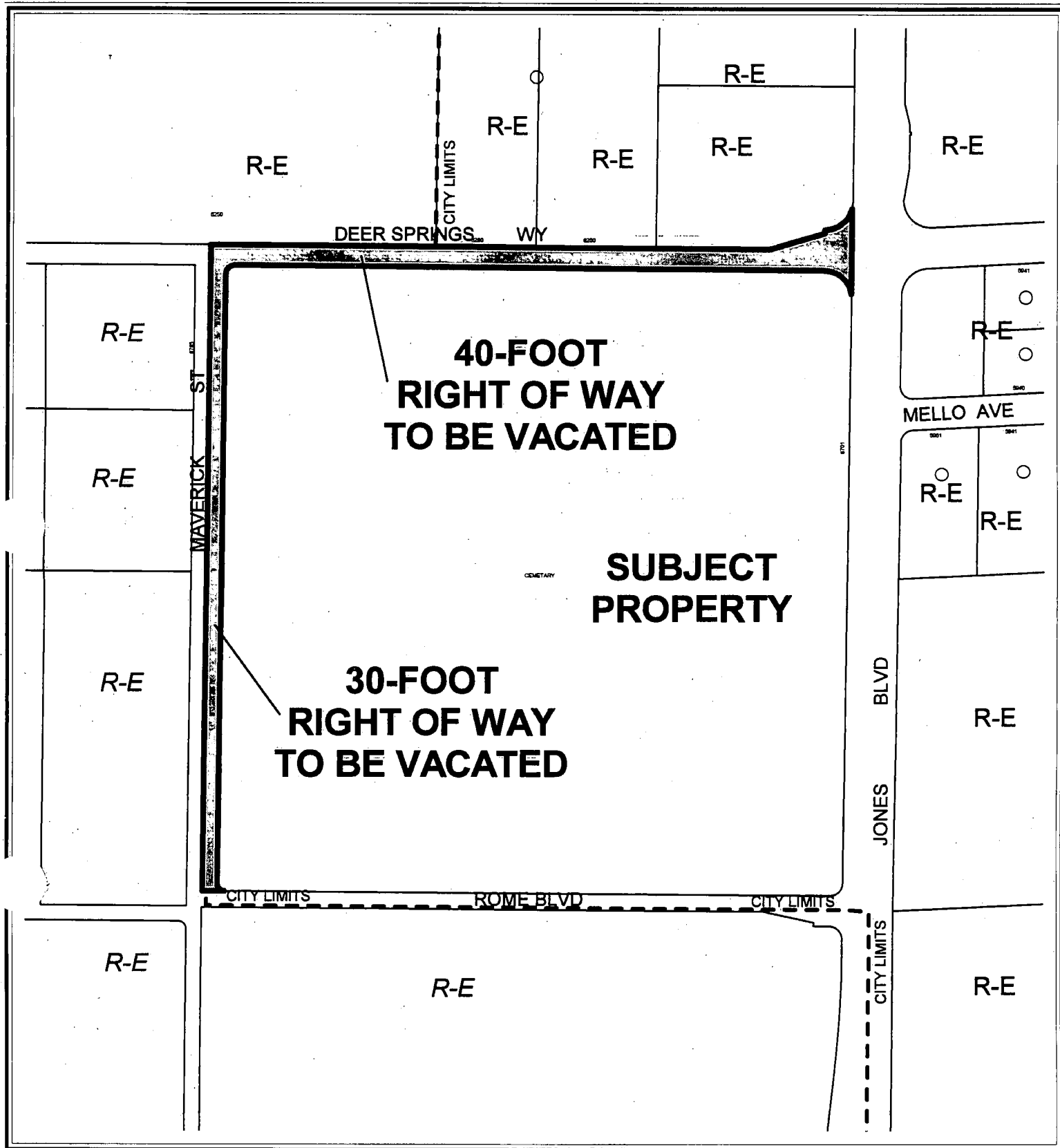
MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

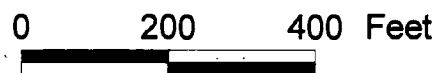
MINUTES:

COUNCILMAN MACK disclosed that on Item 137 [SUP-2848] his company, Mack Consulting, does business with billboard companies, but it will not affect his vote. He asked that Item 118 [VAC-4071] be held in abeyance to the 10/6/2004 City Council meeting.

(2:48 – 3:01)



CASE: VAC-4071





CASE: VAC-4071





AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC.

**** CONDITIONS ****

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

1. Approval of a Special Use Permit prior to recordation of the Vacation. The applicant shall provide proof of the creation of a Homeowners' Association and the establishment of a reserve fund for maintenance and improvements prior to recordation of the Vacation.
2. The provision of signed affidavits, prior to recordation of the Vacation, from all affected property owners (which includes owners to the west in the County along Deer Springs Way), not just adjacent owners, in which the affidavit clearly states that the owners understand the impacts of this Vacation and agree to it nonetheless.
3. The area to be covered by the private street shall be mapped as a common lot through the Tentative and Final Map process.
4. A Petition of Vacation for the western half of Maverick Street within Clark County must record concurrently with this Order of Vacation.
5. A Petition of Vacation for Deer Springs Way for all remaining right-of-way west of Maverick Street within Clark County must record concurrently with this Order of Vacation.
6. Prior to the recordation of this Petition of Vacation, the applicant shall reimburse the City of Las Vegas \$17,592.80 for the fees paid to obtain the northwest corner of Jones Boulevard and Deer Springs Way.
7. An agreement reimbursing the cost of changes to the construction plans and any additional engineering fees for Special Improvement District No. 1487 - Jones Blvd (Centennial Pkwy to Elkhorn Rd) to the City of Las Vegas must be prepared and all fees paid prior to recordation of the Order of Vacation. Contact the Special Improvements District section the City of Las Vegas Department of Public Works for cost calculations and preparation of this agreement.

8. Prior to the recordation of this Petition of Vacation the applicant shall provide a plan acceptable to the City of Las Vegas Department of Public Works showing how legal access will be provided to all adjacent parcels. The plan must be signed by all parcel owners and notarized.
9. Legal access encumbrances on all affected parcels must be recorded concurrent with recordation of the Order of Vacation.
10. This Petition of Vacation shall be amended to retain a 20 foot wide public sewer easement centered over the existing sewer line within Deer Springs Way and to retain an additional 20 foot wide public sewer easement for future facilities within Deer Springs Way at a location acceptable to the Department of Public Works.
11. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
12. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
13. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
14. All development shall be in conformance with code requirements and design standards of all City departments.
15. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
16. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates this vacation of right-of-way would not be a detriment to surrounding properties.

BACKGROUND INFORMATION

A) Previous Actions

09/24/96	The Board of Zoning Adjustment approved a Special Use Permit (U-99-96) to allow a cemetery and a Variance (V-111-96) to allow upright headstones, crypts and mausoleums in conjunction with the cemetery on the property adjacent to this request.
11/07/01	The City Council approved a Required Five Year Review [U-0099-96(1) and V-0111-96(1)] of the approved cases that allowed a cemetery on the property adjacent to this request. The Planning Commission and staff recommended approval on September 20, 2001.
04/22/04	The Planning Commission voted to abey this application at the request of the applicant to its 05/27/04 meeting, to give the applicant an opportunity to work with staff.
05/27/04	The Planning Commission held this item in abeyance to the 06/10/04 meeting.
06/10/04	The Planning Commission tabled this item.
08/12/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Item #76).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate public rights-of-way located in the Southeast Quarter (SE¼) of The Northeast Quarter (NE¼) and the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 23, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate public rights-of-way in order for this area to be incorporated into the adjacent development. This request is not appropriate, as the subject rights-of-way are needed to provide access to properties fronting on the subject streets. Approval will result in reduced traffic handling capability for the area and eliminating legal access to existing parcels.

Since the item was tabled, the applicant has met with staff from both Public Works and Planning and Development, as well as with Clark County planning staff, to discuss outstanding items of concern. These include:

- Signed affidavits from all affected property owners (which would include owners to the west in the County along Deer Springs Way), not just adjacent owners, in which it is clearly stated that they understand the effect of a Vacation and agree nonetheless;
- Submission of an application for a Special Use Permit for a private street. Per the Title 18 definition and Title 19 regulations, even if the closed area is called a private access easement, if it functions as a street providing access to parcels, it is considered as a private street. The only exception is if it is a private drive, and then overall length is limited to 150 feet (200 feet with a cul-de-sac or a crash gate). Private streets require approval through a Special Use Permit; one of the conditions is the creation of a Homeowners' Association and the establishment of a reserve fund for maintenance and improvements. Proof of these requirements are required with the submission, but have not been received to date.
- The area covered by the private street must be mapped as a common lot. This should be done through a Tentative and Final Map process, which would also identify the lots covered by the Homeowners' Association.

To date, none of these requirements have been met. As additional vacation of adjacent lands within Clark County must also occur, and be recorded simultaneously with this application, a related Vacation application must be filed with Clark County as well. To date, no such Vacation request has been filed with the County. As a result of these circumstances, DENIAL of this request is recommended by the Planning and Development Department.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street rights-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It would completely eliminate Deer Springs Way between Jones Boulevard to the nearest vacated portion of Deer Springs Way within Clark County and eliminate Maverick Street between Deer Springs Way and Rome Avenue as adjacent Petitions of Vacations are required within Clark County as a Conditions of Approval.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *Yes, as public traffic will be diverted to other potentially less suitable public streets.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *No.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *Yes, however a Condition of Approval has been added to establish private streets.*
- F. Does this vacation request result in a conflict with any existing City requirements? *Yes, however if approved with the recommended conditions, conflicts will be minimized.*
- G. Does the Department of Public Works have an objection to this vacation request? *Yes, however if approved with recommended Conditions of Approval, objections will be minimized.*

PLANNING COMMISSION ACTION

There were several speakers in favor of this application. While many steps in the process have not been accomplished, the Planning Commission believes that when accomplished the action is acceptable.

NOTICES MAILED 9 by City Clerk

APPROVALS 0

PROTESTS 0



*LAS Consulting, Inc.
856 E. Sahara, #4
Las Vegas, NV 89104
(702) 889-2879-ofc.
(702) 889-3122-fax*

September 15, 2004

Robert Genzer, Director
Development Services Center
731 South 4th Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 385-7268

2004 SEP 15 A 10:33

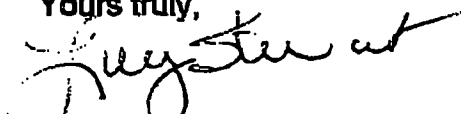
RECEIVED
CITY CLERK

RE: City Council Agenda item 118, VAC-4071

Dear Mr. Genzer:

Please accept this letter as a request to hold the above referenced agenda item until the next City Council meeting. We are requesting this to allow staff time to review our proposed conditions. Thank you for your consideration in this matter.

Yours truly,


Lucy Stewart

Cc. Jay Bingham, 368-5801-fax
City Clerk, 382-4803-fax
Paul Larsen, 383-8845-fax

Submitted after final agenda

Date 9/15/04 Item #118

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4700 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER, ET AL - Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD TURNER, 6765 West Russell Road, appeared on behalf of the applicant and concurred with staff conditions.

COUNCILMAN BROWN verified with BART ANDERSON, Public Works Department, that the condition regarding the elevations would be on the site plan.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:00 – 4:01)

5-2678

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 119 – VAC-4700

CONDITIONS:

1. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas sewer easement connecting the northwest corner of Assessor's Parcel Number 138-08-401-008 to the nearest public street, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Relinquishment of Interest.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4699 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-4700 - APPLICANT: INVESTORS REALTY GROUP -
OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER, ET
AL**

**** CONDITIONS ****

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

1. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas sewer easement connecting the northwest corner of Assessor's Parcel Number 138-08-401-008 to the nearest public street, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Relinquishment of Interest.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4699 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate U. S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue.

B) Applicant's Justification

The applicant justifies this request by stating that the subject vacation of patent reservations is needed to develop a one-lot, five-acre commercial subdivision on the adjacent parcels.

BACKGROUND INFORMATION

A) Actions

- 04/25/02 The Planning Commission tabled requests to amend a portion of the Centennial Hills Sector Plan (GPA-0008-02) from ML (Medium-Low Density Residential) to O (Office) and to Rezone (Z-0022-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 600 feet east of Fort Apache Road. Staff recommended denial of both requests.
- 08/21/02 The City Council approved a request to amend a portion of the Centennial Hills Sector Plan (GPA-0011-02) from ML (Medium-Low Density Residential) to O (Office) on 10.00 acres adjacent to the northwest and northeast corner of Campbell Road and Cheyenne Avenue. The City Council also approved a Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The previous actions on the site (GPA-0008-02 and Z-0022-02) were expunged. Planning Commission and staff recommended approval.
- 05/21/03 The City Council approved a Rezoning (ZON-1017) from U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to O (Office) to C-1 (Limited Commercial) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road. The approval was amended to N-S (Neighborhood Service) by the City Council. The Planning Commission and staff recommended approval of the N-S proposal.

- 11/05/03 The City Council approved a Site Development Plan Review (SDR-2871) and Waivers to side and rear setback requirements, and perimeter and parking lot landscaping requirements for a proposed mini-warehouse development with recreational vehicle and boat storage on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road. The Planning Commission and staff recommended approval.
- 08/04/04 The City Council approved the request for an Extension of Time (EOT-4691) on an approved Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL for a request for a Rezoning (ZON-4699) from U (Undeveloped) [O (Office) General Plan Designation] to O (Office) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. (PC Item #53/SS)
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Item #18/SS)

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 8, Township 20 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Reservations because they are no longer needed in their current configuration. This will allow the development of a one-lot commercial subdivision on adjacent parcels. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

Public Works has no objection to the Vacation application request for U.S. Government Patent Reservations generally located on the north side of Cheyenne Avenue, west of Campbell Road.

NOTICES MAILED 13 by City Clerk

APPROVALS 0

PROTESTS 0





AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4707 - **APPLICANT/OWNER: L M CLIFF'S EDGE, LIMITED LIABILITY COMPANY** - Petition to Vacate U.S. Government Patent Easements generally located east of Puli Drive between Grand Teton Drive and Farm Road, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOSH JOHNSON, G.C. Wallace, Inc., 10000 West Charleston Boulevard, Suite #130, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:01 – 4:02)

5-2734

CONDITIONS:

1. Provide a plan, acceptable to the Development Coordination Section of the Department of Public Works, showing how legal access will be retained or provided to all parcels not under control of this developer prior to recordation of the Order of Relinquishment of Interest. Staff is empowered to modify the exact extents of this Vacation Application to ensure continuity of such legal access.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 120 – VAC-4707

CONDITIONS – Continued:

2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

U.S GOVERNMENT PATENT EASEMENTS TO BE VACATED

U(PCD)

GRAND TETON DR

PD

PD

U.S GOVERNMENT PATENT EASEMENTS TO BE VACATED

DONALD NELSON AVE

PD

PD

FARM RD

U.S GOVERNMENT PATENT EASEMENTS TO BE VACATED

ALPINE RIDGE WY

EGANCREST WY

U(PCD)

PD

PD

PD

PD

CASE: VAC-4707

0 400 800 Feet



120



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-4707 - APPLICANT/OWNER: L M CLIFF'S EDGE, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

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

1. Provide a plan, acceptable to the Development Coordination Section of the Department of Public Works, showing how legal access will be retained or provided to all parcels not under control of this developer prior to recordation of the Order of Relinquishment of Interest. Staff is empowered to modify the exact extents of this Vacation Application to ensure continuity of such legal access.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate U. S. Government Patent Easements generally located east of Puli Drive between Grand Teton Drive and Farm Road.

B) Applicant's Justification

The applicant justifies this request by stating that the parcels adjacent to the easements will be developed into a 930-unit single-family residential subdivision on approximately 148 acres, and the vacation is necessary to continue with this development.

BACKGROUND INFORMATION

A) Actions

- 04/16/03 The City Council approved a rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 297.50 acres and to establish a Master Plan for the Cliff's Edge Development adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
- 06/12/03 The Planning Commission approved a Rezoning (ZON-2184) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 704 acres within the Cliff's Edge Master Development Plan Area. The Planning Commission and staff recommended approval.
- 06/18/03 The City Council approved a Vacation (VAC-2230) application to vacate Government Patent Reservations generally located west of Hualapai Way, between Grand Teton Drive and Deer Springs Way, within the proposed Cliff's Edge Master Development Plan Area. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #19/SS)

- 02/18/04 The City Council approved a Rezoning (ZON-3241) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 90.0 acres within the Cliff's Edge Master Development Plan Area. The Planning Commission and staff recommended approval.
- 08/12/04 The Planning Commission will consider a Tentative Map (TMP-4706) for a 930-lot single-family residential subdivision (Northern Terrace at Providence) on 148 acres adjacent to the northeast corner of Shaumber Road and Farm Road.

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the North Half (N ½) of Section 13, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Reservations because they are no longer needed in their current configuration. This will allow the development of a 930-lot single-family subdivision on this site. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request for U. S. Government Patent Reservations generally located in the general vicinity of the southwest corner of the intersection of Hualapai Way and Grand Teton Drive.

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0

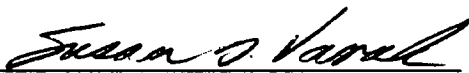


SIGNATURE PAGE FOR STATEMENT OF FINANACIAL INTEREST

LM CLIFF'S EDGE, LLC, a Delaware limited liability company

By: LOWE ENTERPRISES RESIDENTIAL INVESTORS, LLC, a Delaware limited liability company, Its Sole Member

BY: LOWE ENTERPRISES RESIDENTIAL ADVISORS, LLC, a Delaware limited liability company, Its Managing Member

By: 

Name: Susan D. Vavak

Title: Vice President

Date: June 11, 2004

POD 102 – ORDER NUMBER 03205094 – 2ND AMENDED

POD 102 – PARCEL 1: APN 126-13-501-003

POD 102 – PARCEL 2: APN 126-13-601-002

POD 107 – ORDER NUMBER 03205100 – 2ND AMENDED

POD 107 – PARCEL 1: APN 126-13-201-008

POD 107 – PARCEL 2: APN 126-13-201-016

POD 107 – PARCEL 3: APN 126-13-601-002

POD 107 – PARCEL 4: APN 126-13-601-007

POD 108 – ORDER NUMBER 03205101 – 2ND AMENDED

POD 108 – PARCEL 1: APN 126-13-601-001

POD 108 – PARCEL 2: APN 126-13-601-002

POD 202 – ORDER NUMBER 03205121 – 2ND AMENDED

POD 202 – PARCEL 1: APN 126-13-101-005

POD 202 – PARCEL 2: APN 126-13-101-006

POD 202 – PARCEL 3: APN 126-13-101-007

POD 202 – PARCEL 4: APN 126-13-101-008

POD 204 – ORDER NUMBER 03205123 – 2ND AMENDED

POD 204 – PARCEL 1: APN 126-13-101-012

POD 204 – PARCEL 2: APN 126-13-101-013

POD 204 – PARCEL 3: APN 126-13-101-014

POD 206 – ORDER NUMBER 03205123 – 2ND AMENDED

POD 206 – PARCEL 1: APN 126-13-201-005

POD 206 – PARCEL 2: APN 126-13-201-006

POD 206 – PARCEL 3: APN 126-13-201-007

POD 206 – PARCEL 4: APN 126-13-201-013

POD 206 – PARCEL 5: APN 126-13-201-014

POD 206 – PARCEL 6: APN 126-13-201-015