City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW

RQR-4664 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA COMMERCE BANK - Required Two Year Review of an approved Special Use Permit (U-0023-95) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3200 Valley View Boulevard (APN 162-08-410-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UANIMOUS with MACK disclosing that his business, Mack Consulting, has negotiated on behalf of his client, Treasures, and expects to do so in the near future. Even, though he has ended his contract between Mack Consulting, Treasures and Clear Channel Outdoor, he would be able to vote, but in the abundance of caution, he would abstain from voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RON CARTER, Clear Channel Outdoor, 2880 Meade Avenue, concurred with staff's recommendations.

TOM McGOWAN, Las Vegas citizen, noted that the applicant is a contractual affiliate of the Las Vegas Centennial Celebration Committee, whose Chairman and President is MAYOR GOODMAN. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that the Mayor is serving on the committee as part of his duties as Mayor of the City of Las Vegas and he would not need to abstain from voting on this item.

COUNCILMAN REESE informed MR. CARTER that a billboard on Eastern Avenue and the freeway needs to be repainted to remove the graffiti. MR. CARTER indicated that he would take care of it immediately.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

MINUTES - Continued:
(2:08 - 2:10)
3-2338

CONDITIONS:
Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

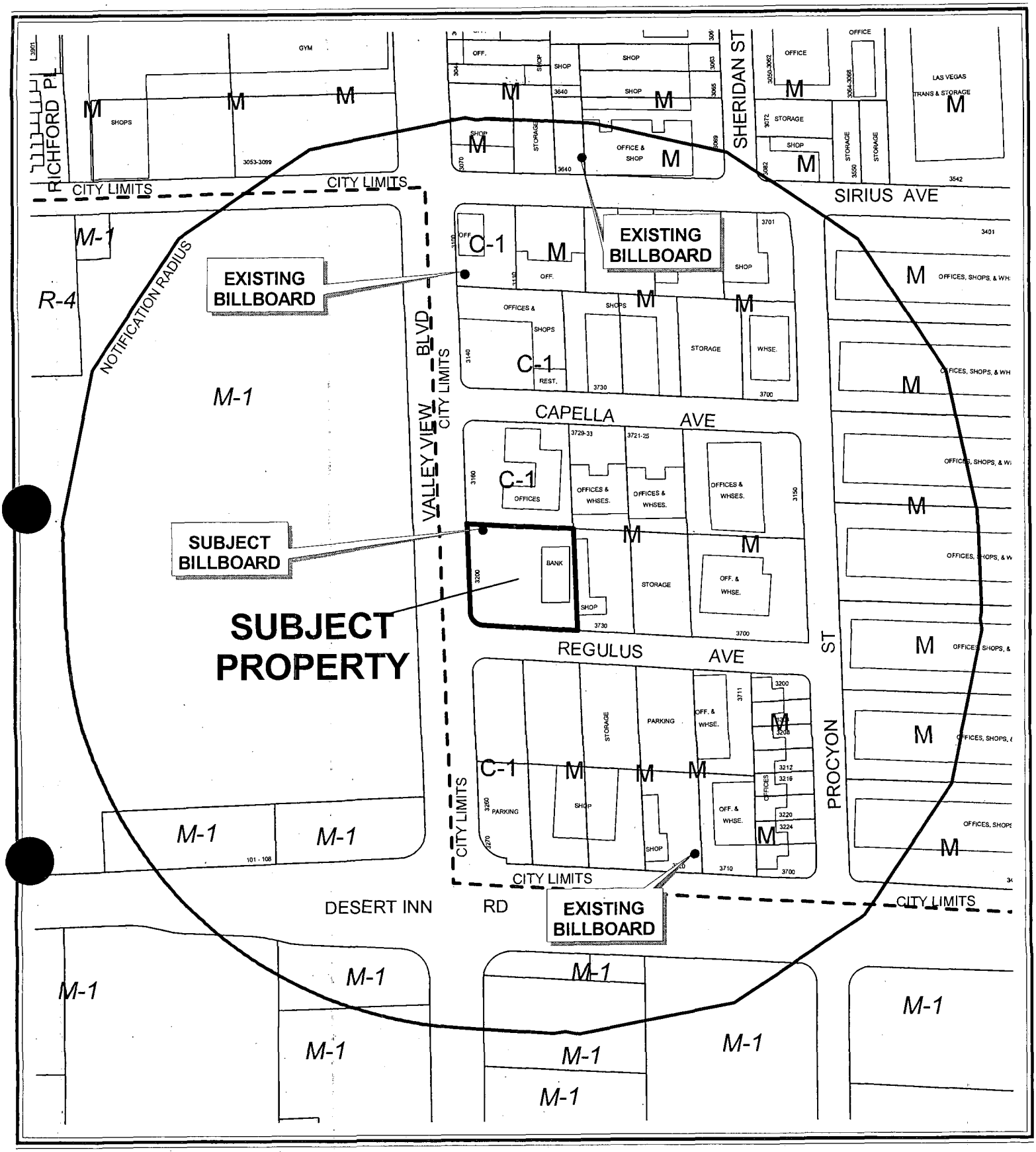
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City Departments shall be satisfied.

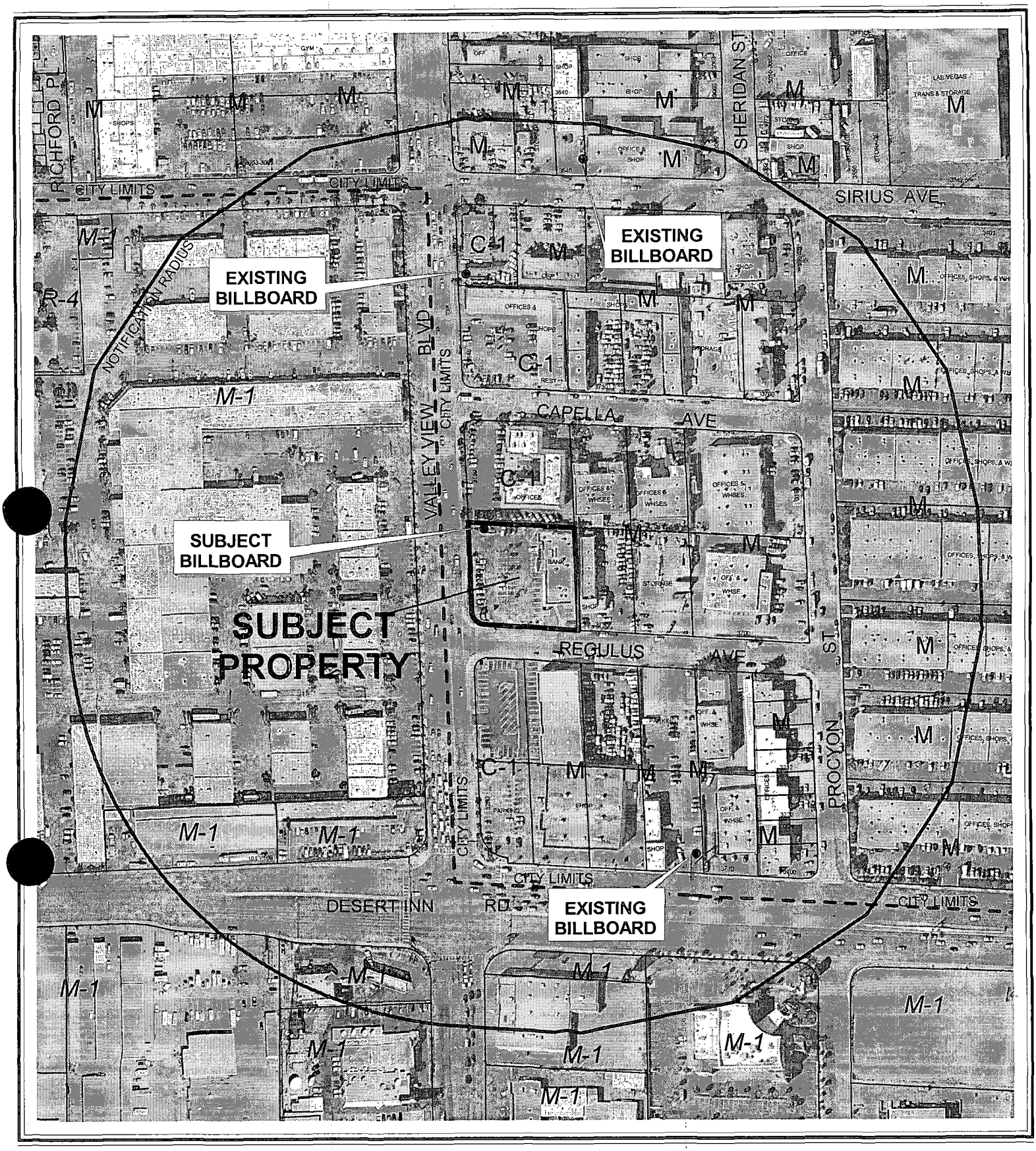


0 200 400 Feet

CASE: **RQR-4664**

RADIUS: 750 FT

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



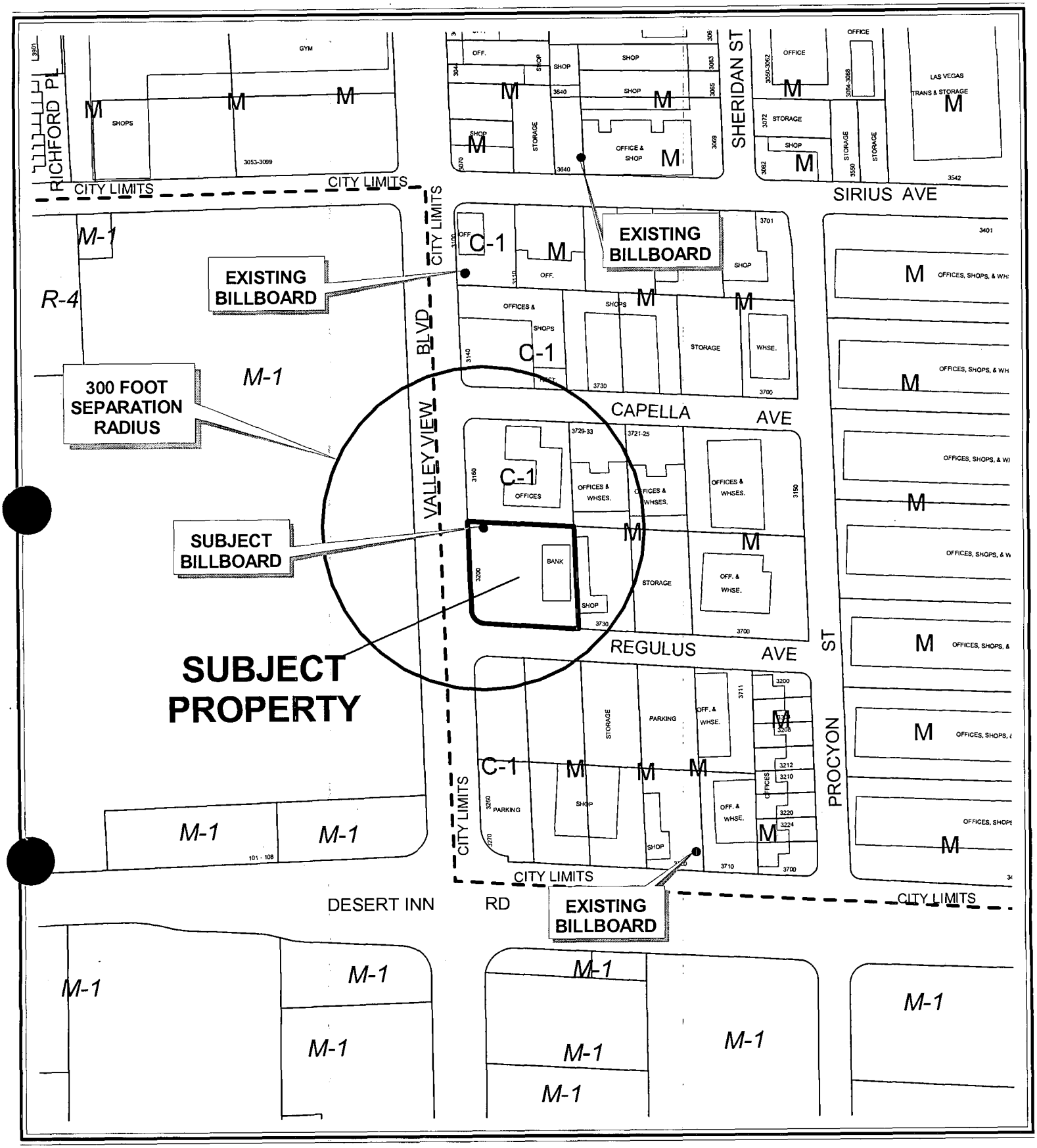
0 200 400 Feet

CASE: RQR-4664

RADIUS: 750 FT

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

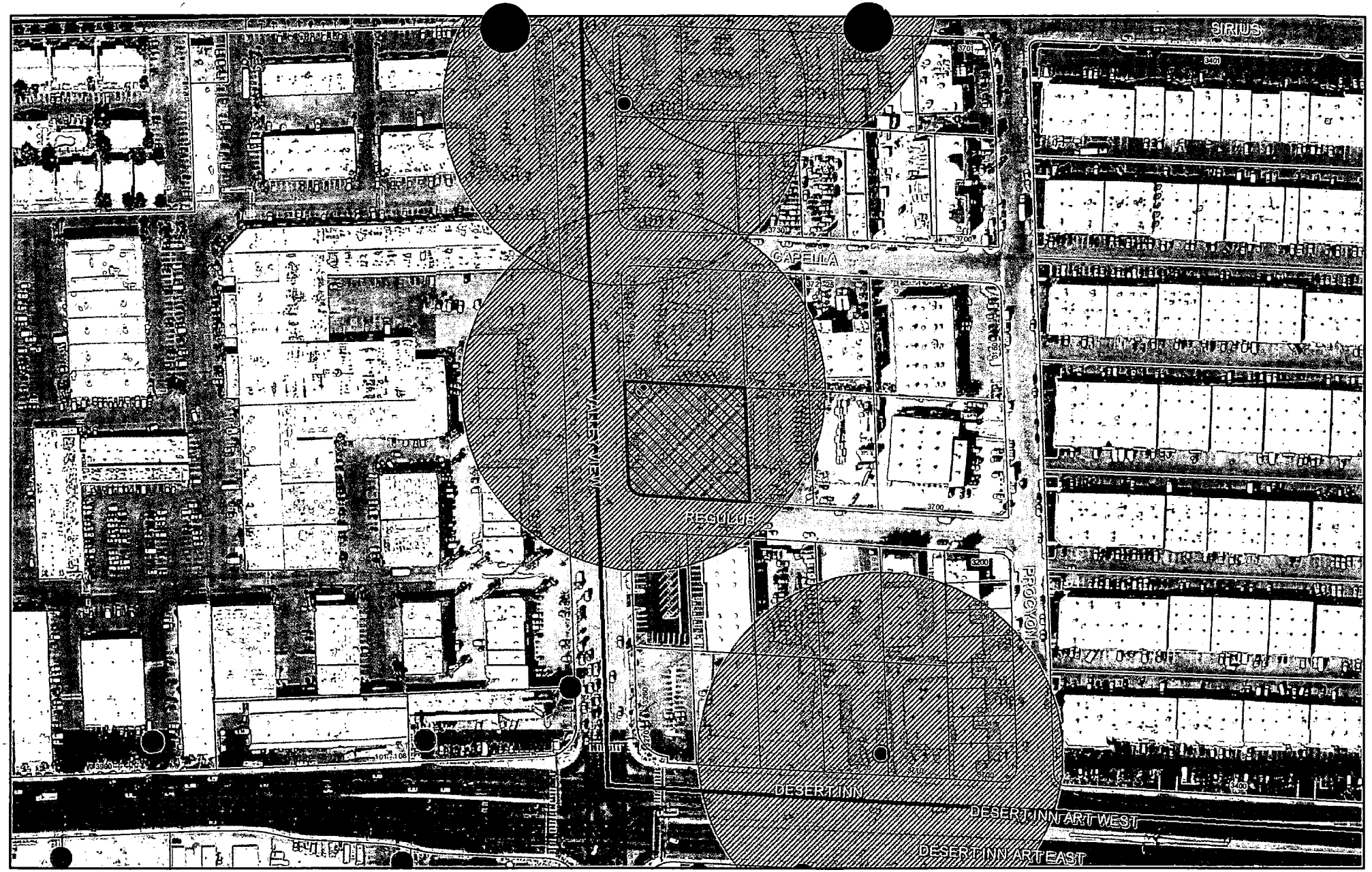
N



CASE: **RQR-4664**

SEPARATION RADIUS: 300 FT

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



RQR-4664

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4664 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA COMMERCE BANK

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City Departments shall be satisfied.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a required Two-Year Review of an approved Special Use Permit (U-0023-95) for one 672 square foot (14 foot by 48 foot), 40 foot high off-premise advertising (billboard) sign, located at 3200 South Valley View Boulevard.

B) Applicant's Justification

A justification letter is not required for this application.

BACKGROUND INFORMATION

A) Previous Actions

04/19/95	The City Council approved a Special Use Permit (U-0023-95) for one 40 foot tall, 14 Foot X 48 Foot off-premise advertising (billboard) sign on this site, subject to a five year review.
06/07/00	The City Council approved a five-year review on an approved Special Use Permit [U-0023-95(1)] for one 40-foot tall, 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.
08/07/02	The City Council approved a two-year review on an approved Special Use Permit [U-0023-95(2)] for one 40-foot tall, 14 foot x 48 foot off-premise advertising (billboard) sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.
08/26/04	The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #8/srs).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.85

B) Existing Land Use

Subject Property:	Bank
North:	Offices
South:	Shops
East:	Shops
West:	Offices

C) Planned Land Use

Subject Property:	LI/R (Light Industrial)
North:	LI/R (Light Industrial)
South:	LI/R (Light Industrial)
East:	LI/R (Light Industrial)
West:	Clark County

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial) M (Industrial)
East:	M (Industrial)
West:	Clark County

E) General Plan Compliance

a. Southeast General Plan

This site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The existing C-1 (Limited Commercial) Zoning is in conformance with the SC (Service Commercial) land use designation General Plan.

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

There are no Special Area Plans, Study areas, or Overlay Districts associated with this site.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500'

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Department of Public Works had no comments.
2) The Metropolitan Police Department found no significant enforcement issues.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	Closest sign is approx. 470 Feet away.	Y
Separation distance from "U" or "R" zoning district	300 Feet	Greater than 300 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	Approx. 190 feet	Y

The off-premise advertising (billboard) sign is in conformance with separation, size, and location standards of Title 19.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial), and an off-premise advertising (billboard) sign is a permitted use within the C-1 (Limited Commercial) zone subject to a Special Use Permit.

- Use

The continued off-premise sign use on the subject site is appropriate, in that the surrounding area has not changed substantially in the past two years. Therefore, continuation of the billboard use will be appropriate for the next two years.

- Conditions of U-0023-95

The conditions of the original request are:

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

b. Sign Condition

On 04/29/04 a site inspection of the subject property found that the off-premise advertising (billboard) sign was properly maintained and kept clear of graffiti. However, the photos taken of the site indicate the existence of two advertisements per sign face. A condition has been placed limiting advertisements to one per sign face.

FINDINGS

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

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

   Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise advertising (billboard) sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site has not changed substantially since the last three-year review of the Special Use Permit allowing the off-premise advertising (billboard) sign.

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

   There are no physical constraints to the location of the use on the subject site.

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

   The off-premise advertising (billboard) sign is located on a lot at the northeast corner of Valley View Boulevard and Regulus Avenue, both existing fully developed streets.

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

   The off-premise sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NOTICES MAILED 41 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-4664** APN: **162-08-410-018**

Name of Property Owner: **Nevada Commerce Bank**

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: Kate Elsea

Print Name: **Kate Elsea, Vice President/Chief Financial Officer**

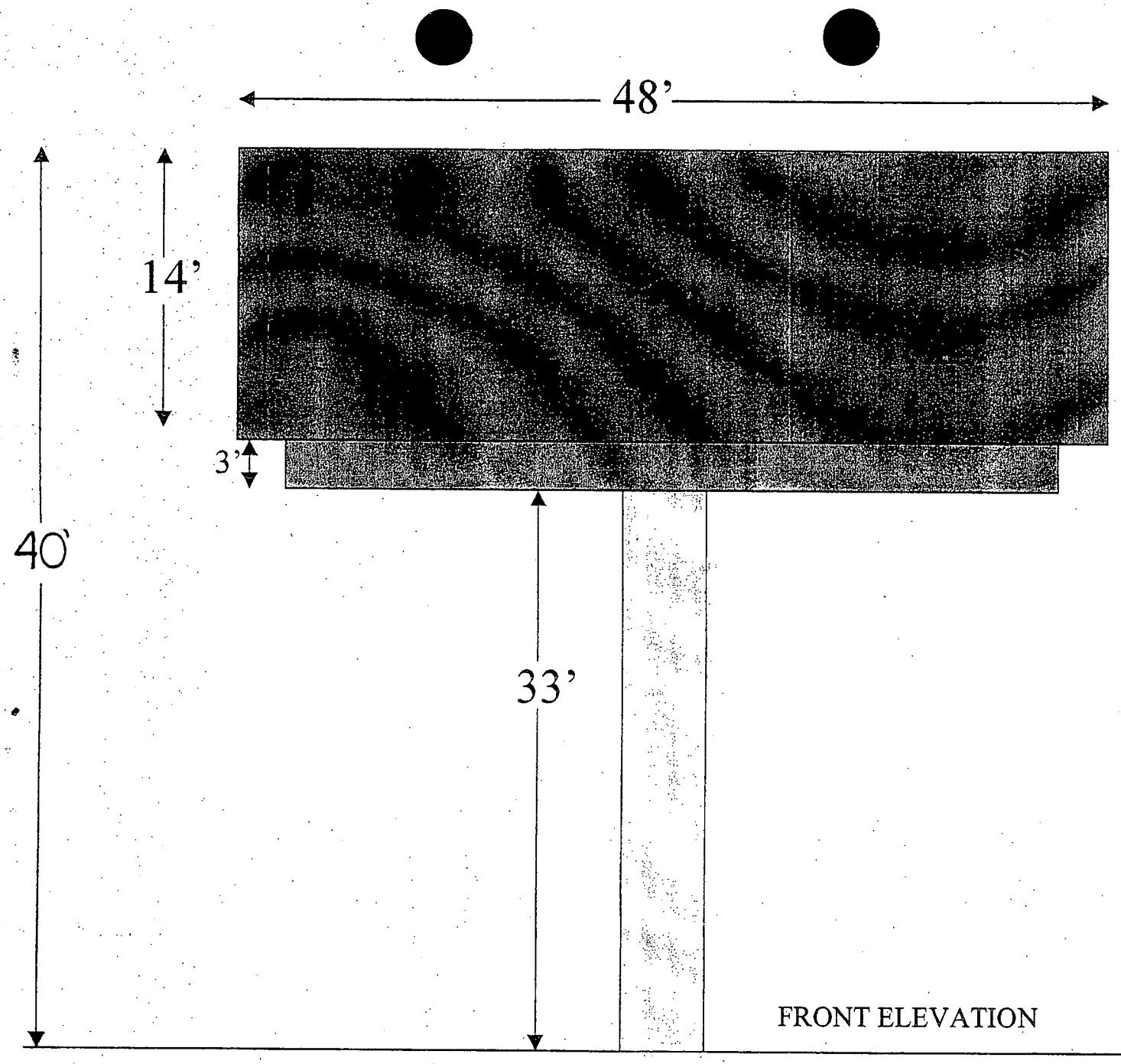
Subscribed and sworn before me

This 3rd day of June, 2004

Vivian E Cook

Notary Public in and for said County and State

VIVIAN E. COOK
Notary Public State of Nevada
No.00-748-1
My appt. exp. Jan. 18, 2008



FRONT ELEVATION

RQR-4664
8/26/04 PC

NOT TO SCALE

RQR-4664
8/26/04 PC

LOTS 1 & 2, BLOCK 11,
STARLIGHT PARK SUBDIVISION

LOT 1 19,973 SQ. FT.
LOT 2 20,042 SQ. FT.

BENCHMARK
END EXISTING TBC ELEV = 100.00

Notes:
1. NO OFF PREMISE SIGNS WITHIN 300'

L&P L.R. POPE ENGINEERS & SURVEYORS

REVISIONS
NO. DATE BY DESCRIPTION

12-21-17

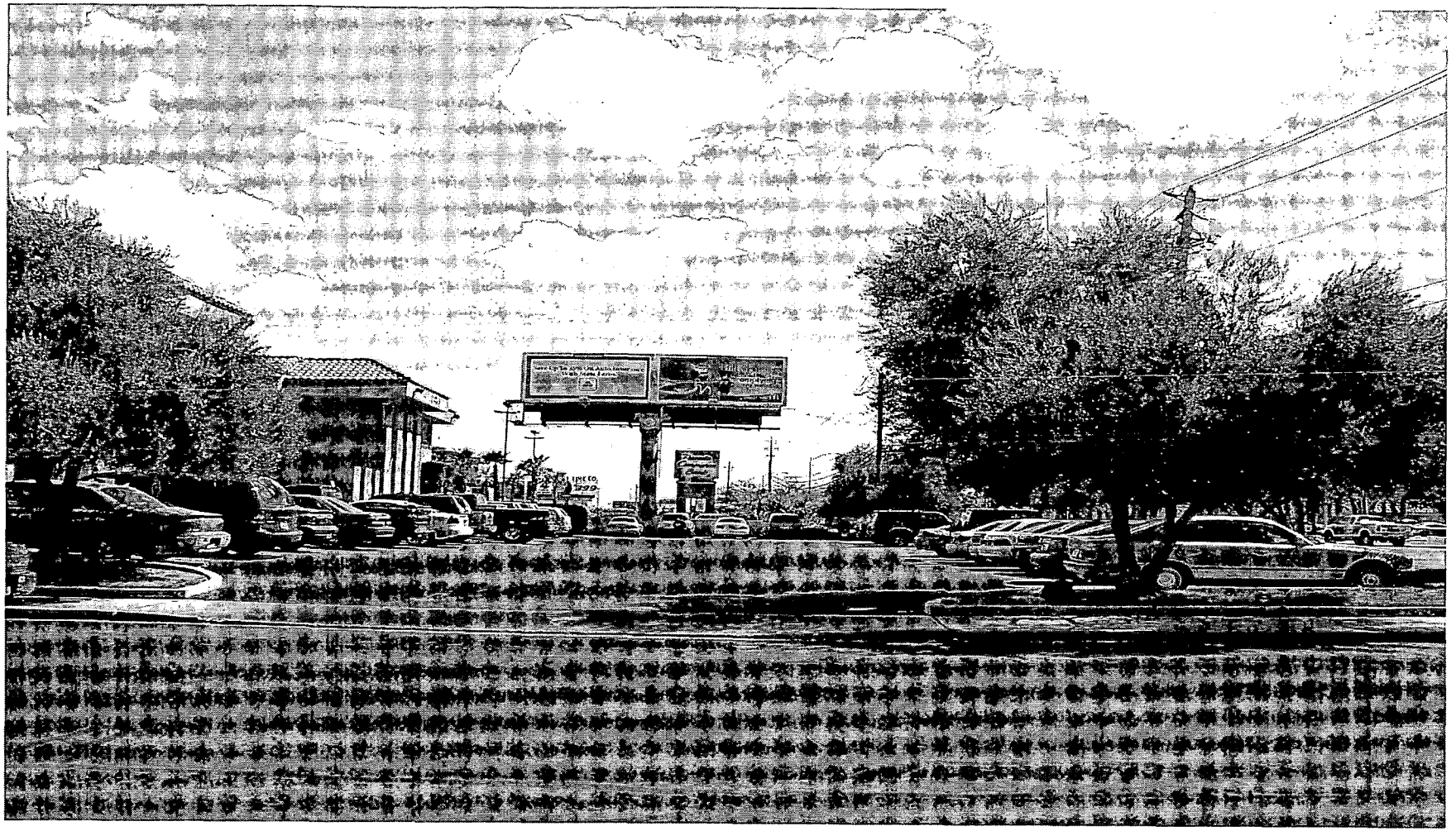
TRUCKMASTERS
REGULUS AVE. & VALLEY VIEW DR.
SITE PLAN

DATE: DEC 1993
SCALE: 1" = 20'
BY: DALE
SHEET
1 OF 1 SHEETS



REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4664 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA COMMERCE BANK
3200 VALLEY VIEW BOULEVARD
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04



REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4664 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA COMMERCE BANK
3200 VALLEY VIEW BOULEVARD
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

City of Las Vegas

Agenda Item No. 106

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED ONE YEAR REVIEW

RQR-4669 - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI - Required One Year Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF A ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE- ABEYANCE to 10/20/2004 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN REESE requested that the item be held in abeyance, as he is concerned about the existing business.

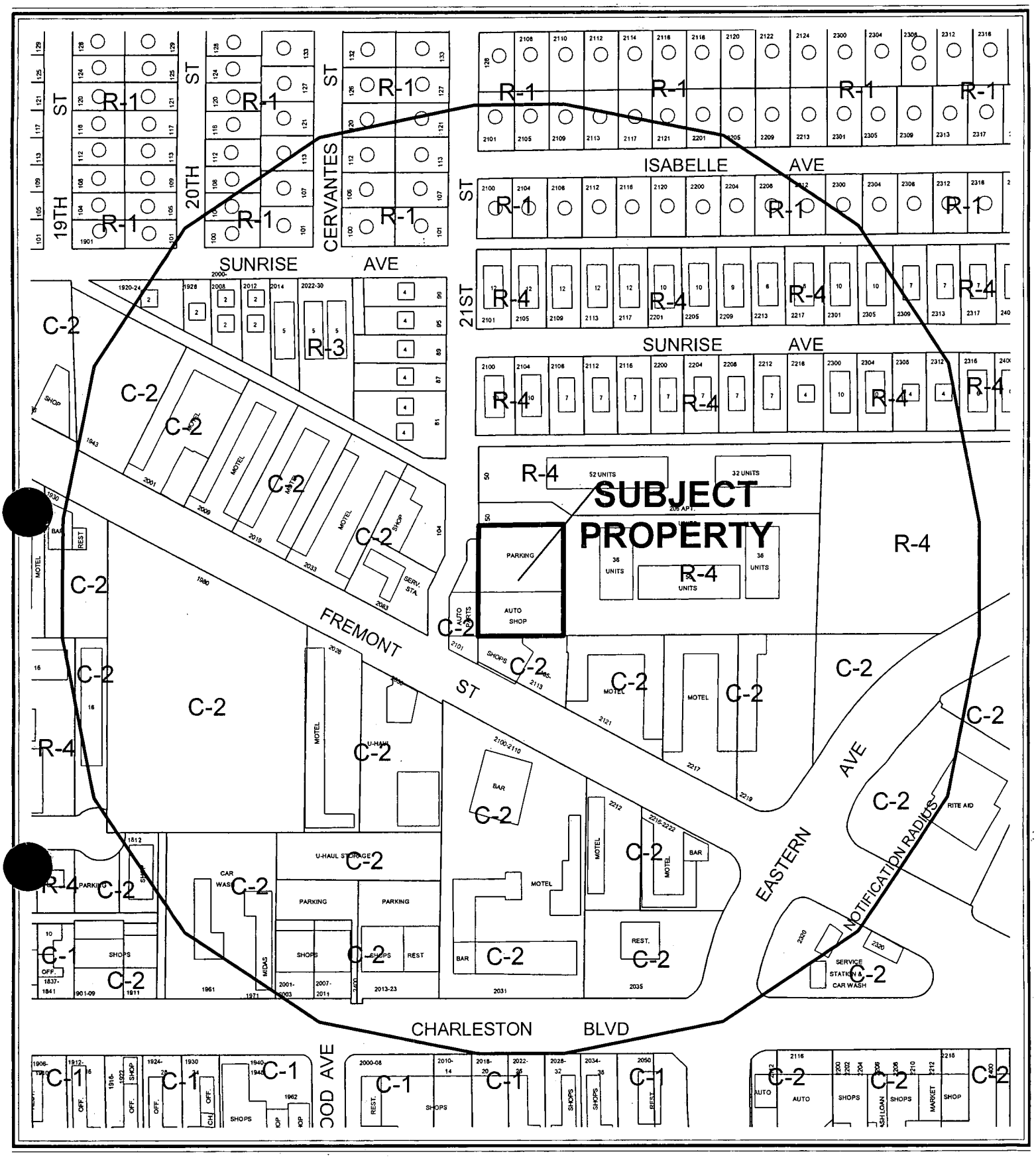
JOSE TORRES, Grace Management, appeared on behalf of the property owners directly east of the site who object to this request. He stated that this business is causing a nuisance to their tenants. There is a constant sound of drill compressors, hammering of vehicles, and dismantling of auto parts. Some tenants are asking to be moved to other units, or they simply move away. This business not only impacts the quality of life of the tenants but also their operation. MR. TORRES added that the business is an eyesore with the wide gates that are kept open. There are eight garage doors with most of them closed, but still work is not being done indoors. He asked that the review not be extended.

MAYOR GOODMAN indicated that MR. TORRES' comments would be taken into consideration when this item will be heard in two weeks.

MINUTES - Continued:

TOM McGOWAN, Las Vegas resident, stated there is no reason why this property should not be shielded from offensive view or noise. The area of Eastern Avenue and Charleston Boulevard needs enhanced aesthetic businesses. If the City Council intends to improve this area, these businesses need to be shielded from residential.

MAYOR GOODMAN declared the Public Hearing closed.
(2:10 - 2:17)
4-2432

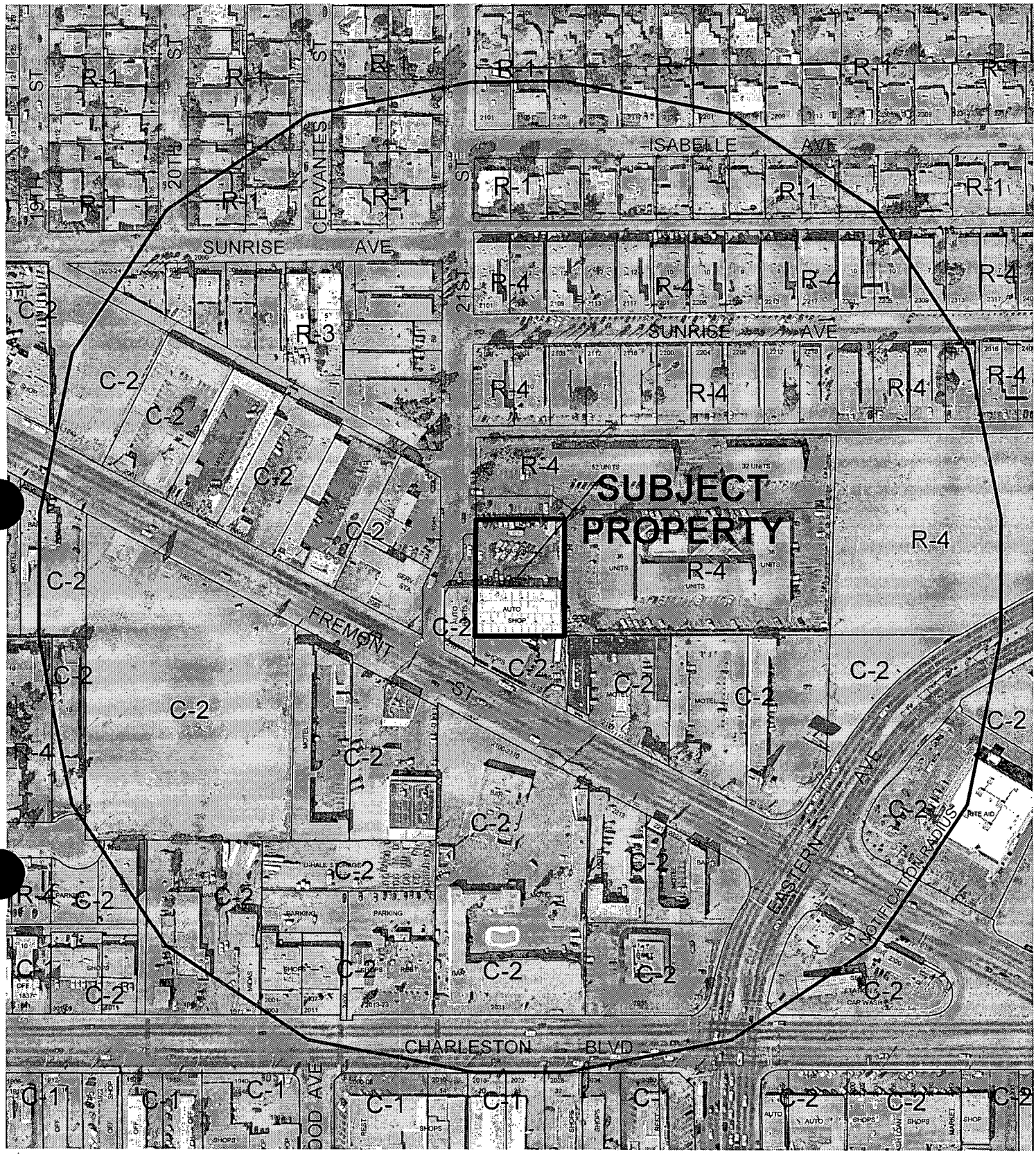


CASE: **RQR-4669**

RADIUS: 750 FT

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

0 200 400 Feet



CASE: **RQR-4669**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-4669 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203.

2. The Special Use Permit SUP-2203 shall be reviewed in eighteen months at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Required One-Year Review of a Special Use Permit (SUP-2203), which allowed an auto repair garage and waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets at 2101 Fremont Street.

B) Applicant's Justification

No letter is required for this application.

BACKGROUND INFORMATION

A) Previous Actions

02/21/00	The City Council approved an Auto Repair Garage, Major use in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. The approval also established minimum standards that must be met for this use.
08/20/03	The City Council approved SUP-2203 for an Auto Repair Garage, Major.
08/26/04	The Planning Commission voted 5-2 to recommend APPROVAL (PC Agenda Item #45/kw).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: .70

B) Existing Land Use

Subject Property:	Commercial
North:	Multi-Family Residential (Apartments)
South:	Commercial
East:	Multi-Family Residential (Apartments)
West:	Commercial

C) Planned Land Use

Subject Property:	DTR (Downtown Redevelopment) SC (Service Commercial)
North:	DTR (Downtown Redevelopment) Medium to High Density Residential Rehab
South:	DTR (Downtown Redevelopment) SC (Service Commercial)
East:	DTR (Downtown Redevelopment) Medium to High Density Residential Rehab
West:	DTR (Downtown Redevelopment) SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-4 (High Density Residential)
South:	C-2 (General Commercial)
East:	R-4 (High Density Residential)
West:	C-2 (General Commercial)

E) General Plan Compliance

This site is designated as DTR (Downtown Redevelopment) Area 5C on the Southeast Sector of the General Plan. The Redevelopment plan establishes SC (Service Commercial) and H (High Density) as the designations possible for this site. The existing C-2 (General Commercial) zoning on this site is not compatible with this designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area		
Special Overlay District		X
Trails		X
Rural Preservation Neighborhood		X
Inter-local Agreement Joint Land Use Planning Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The property is located within the Las Vegas Redevelopment Plan area. The proposed auto repair garage, major should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. The properties located to the south and west of this site are also located in the Downtown Centennial Plan.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The existing auto repair garage major is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

The proposed auto repair garage, major, should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. An auto repair garage, minor occupied the commercial building prior to the current request. There are no approvals on record allowing for any type of outdoor activities for the previous repair garage.

The use is permitted by compliance with the conditions of Title 19.04.050 for auto repair garage, major and the conditions of approval for SUP-2203.

- Conditions

The conditions of approval for a auto repair garage, major of Title 19.04.050 are:

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise generating activities are being performed.

2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.

3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.

5. Outdoor hoists are prohibited.

6. All hazardous materials resulting from the repair, storage or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state and local regulations.

7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.

8. Outdoor bells and loudspeakers are prohibited.

SUP-2203 was approved with a waiver of conditions 1 and 5. The hoists onsite were allowed to remain but the chain link fence on site was to have slats that would obscure the interior of the site.

The operation does not meet code conditions of approval #4 and 6. An inspection showed that cars in various states of repair are located in open areas and not adequately screened from view. Discarded parts and equipment are out in the open and are visible from the street. The lack of screening of vehicles was waived by the City Council, however containers of solvents were strewn on the site.

FINDINGS

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

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

   The auto repair use could be conducted in a manner that is harmonious and compatible with surrounding land uses by conformance with established conditions of approval. However, the applicant has not implemented these conditions, therefore, the operation is not harmonious and compatible with the surrounding area. If this request is approved, it is recommended the applicant be given no more than an additional year to change the operation.

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

   There are no physical constraints to the location that would hinder conformance with the conditions of approval.

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

   The site is located adjacent to Fremont Street, a fully developed street.

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

The continuation of the auto repair garage as currently operated does not implement the overall objectives of the Redevelopment Plan, which is to create new opportunities for growth in this area of the City.

NOTICES MAILED 99 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-4669 APN: 139-35-804-004

Name of Property Owner: Zygmunt Amaretti

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 ✓ 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: Zygmunt Amaretti

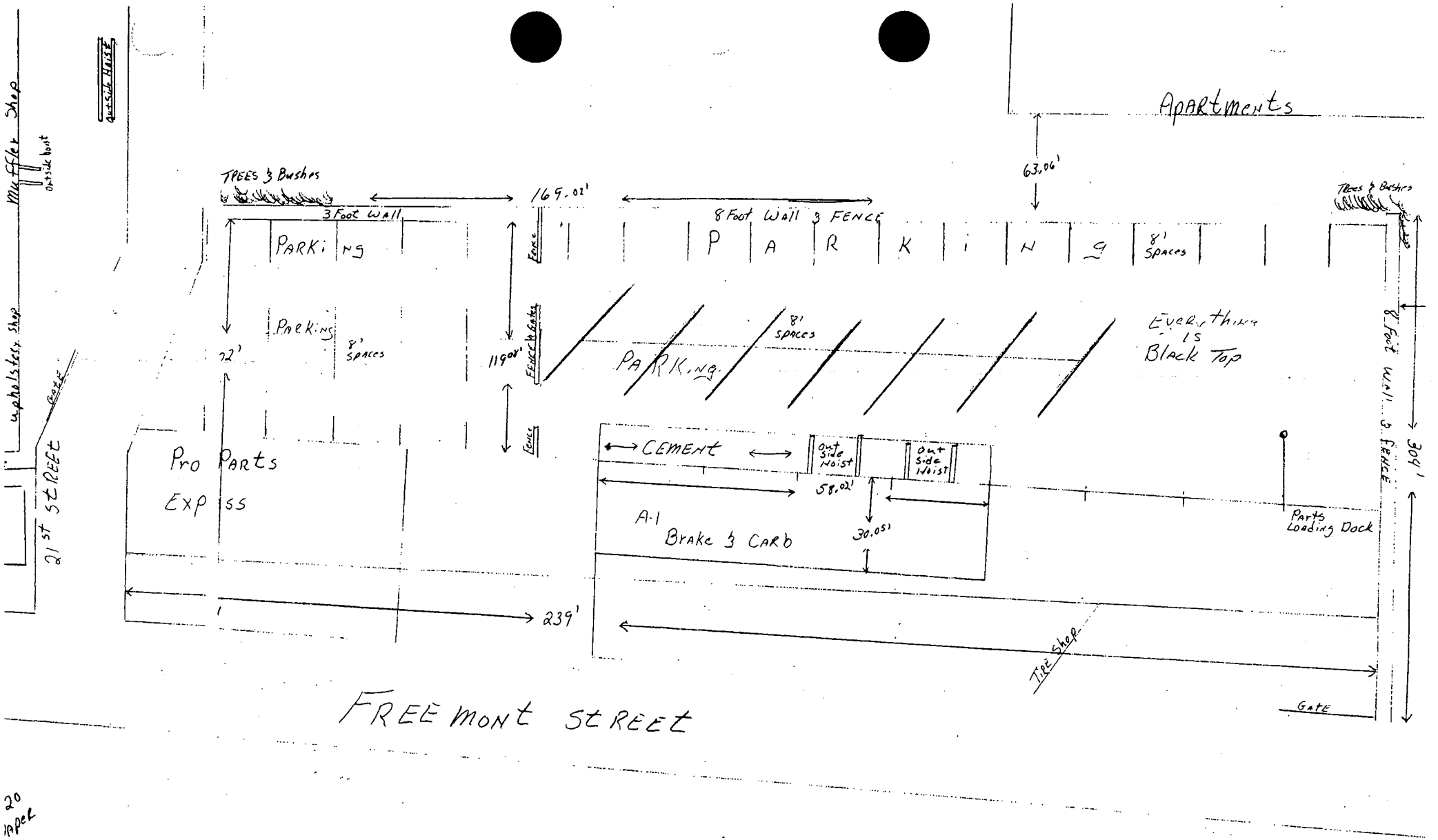
Print Name: ZYGMUNT AMARETTI

Subscribed and sworn before me

This 10th day of June, 2004

Elizabeth L. Cookson
Notary Public in and for said County and State

ELIZABETH L. COOKSON
Notary Public State of Nevada
No. 91-0641-1
My appt. exp. Mar. 26, 2008

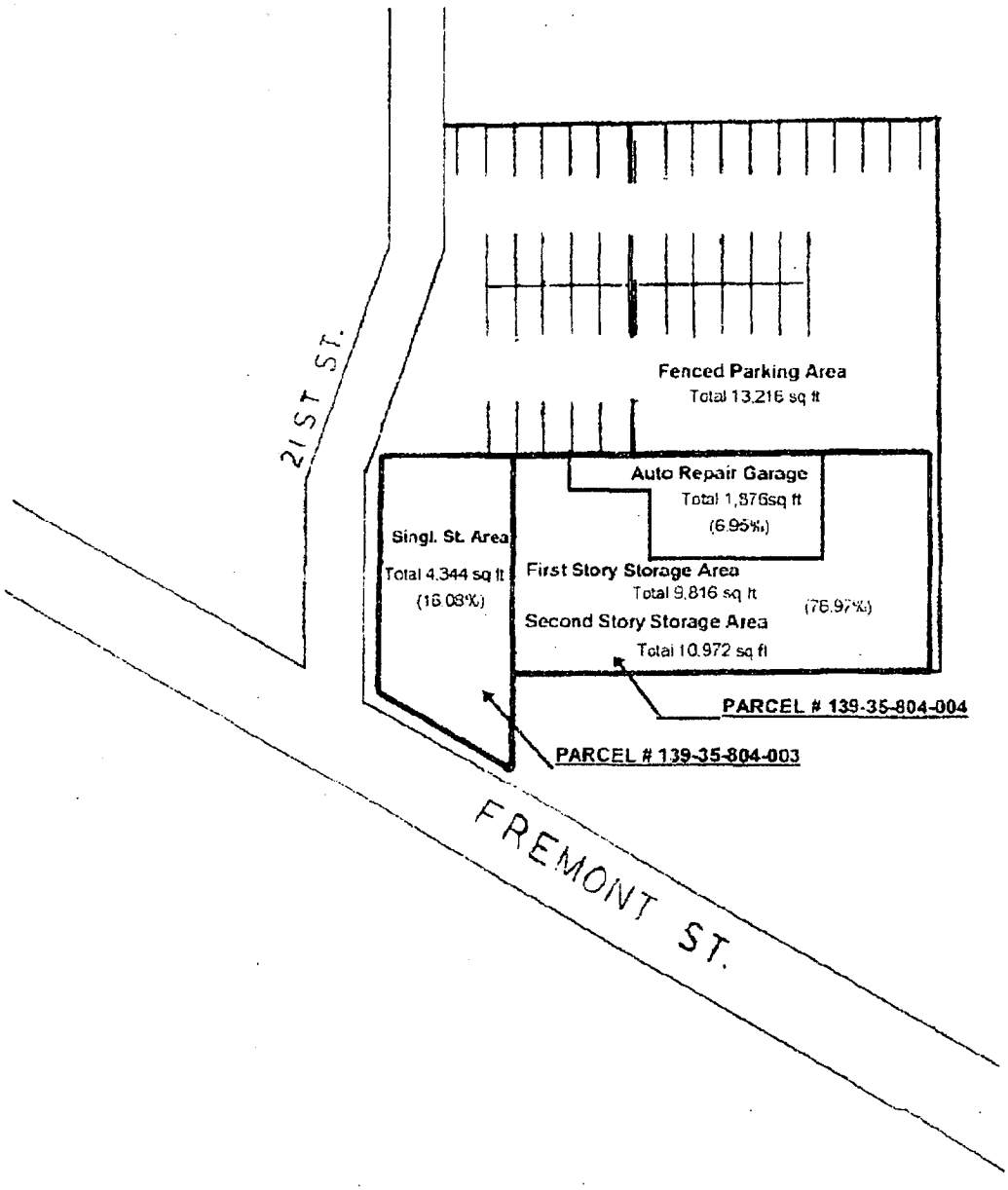


20 Paper

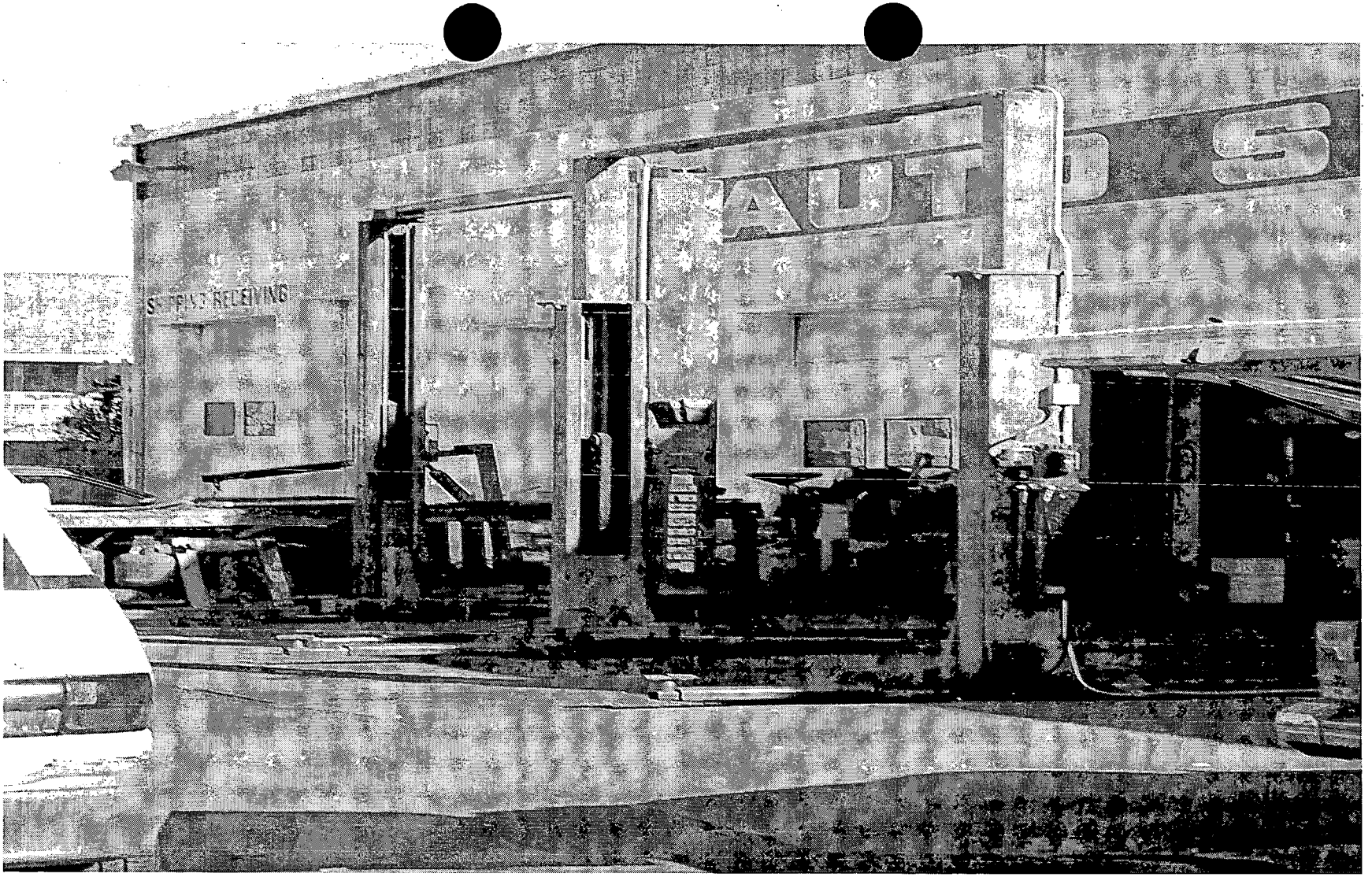
RQR-4669
8/26/04 PC

FREMONT & 21ST AUTOMOTIVE COMPLEX

2101 E. FREMONT ST. LAS VEGAS, NV 89101

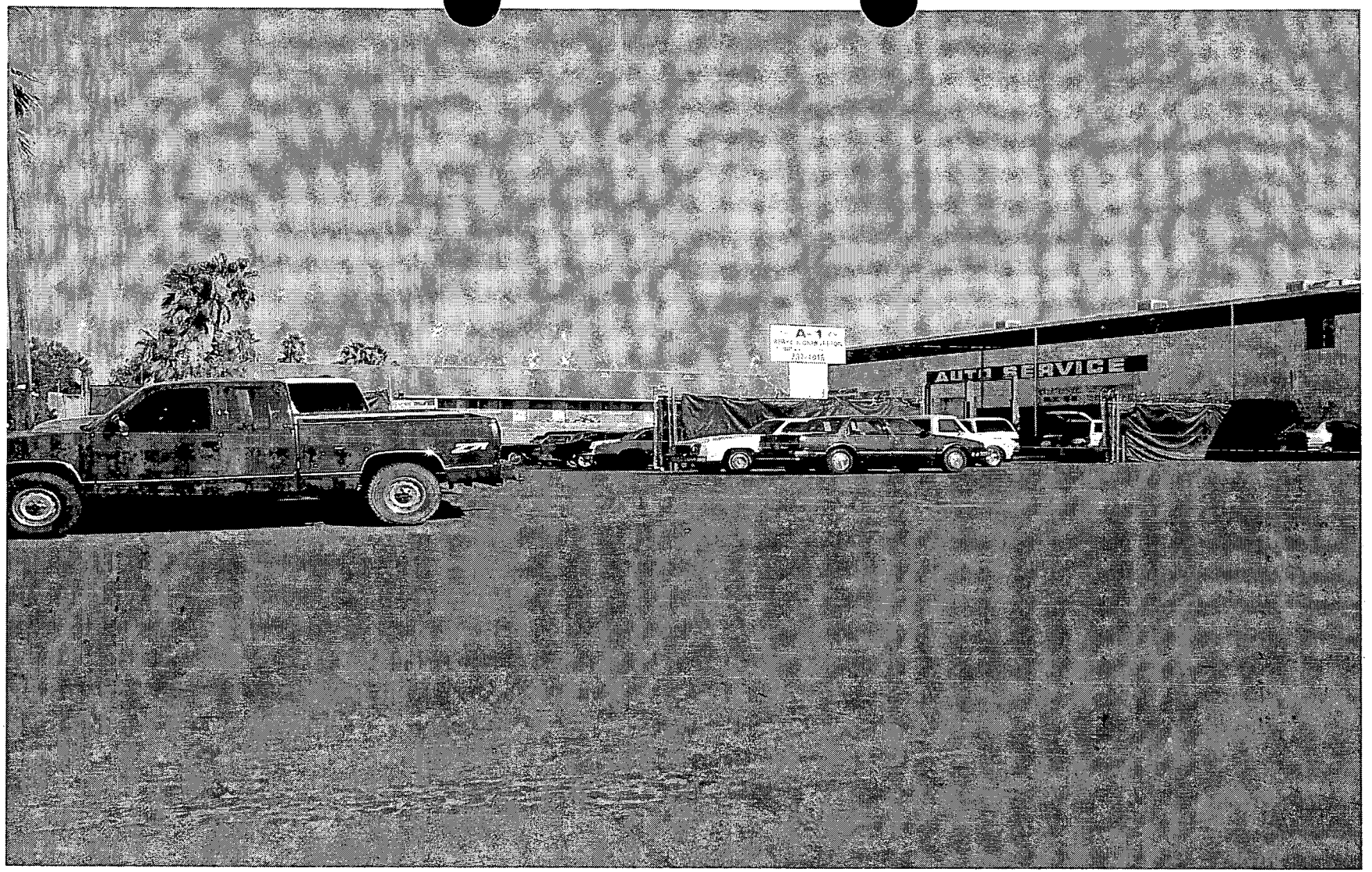


RQR-4669
8/26/04 PC



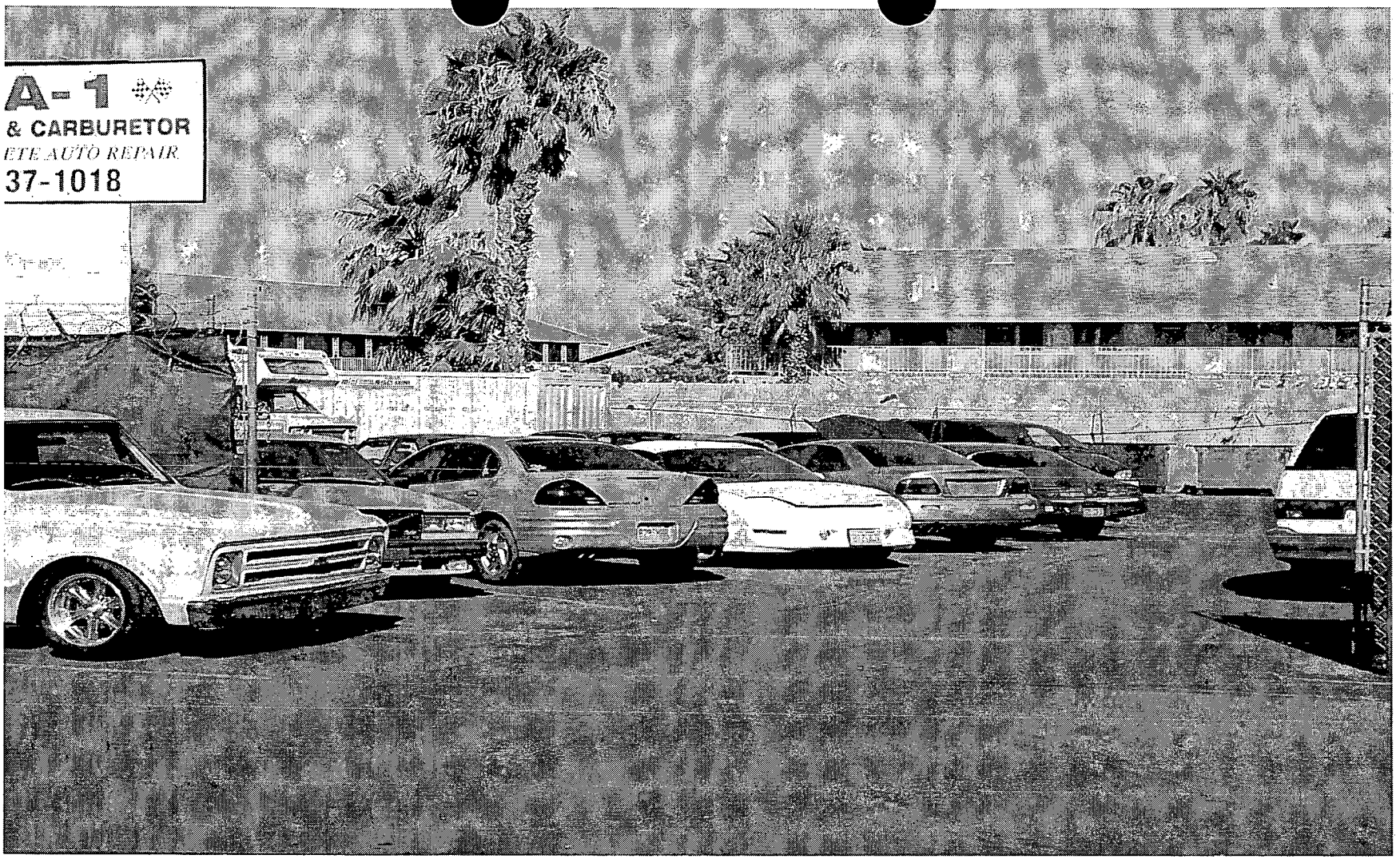
RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
2101 Fremont Street
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 09/16/04



RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
2101 Fremont Street
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 09/16/04



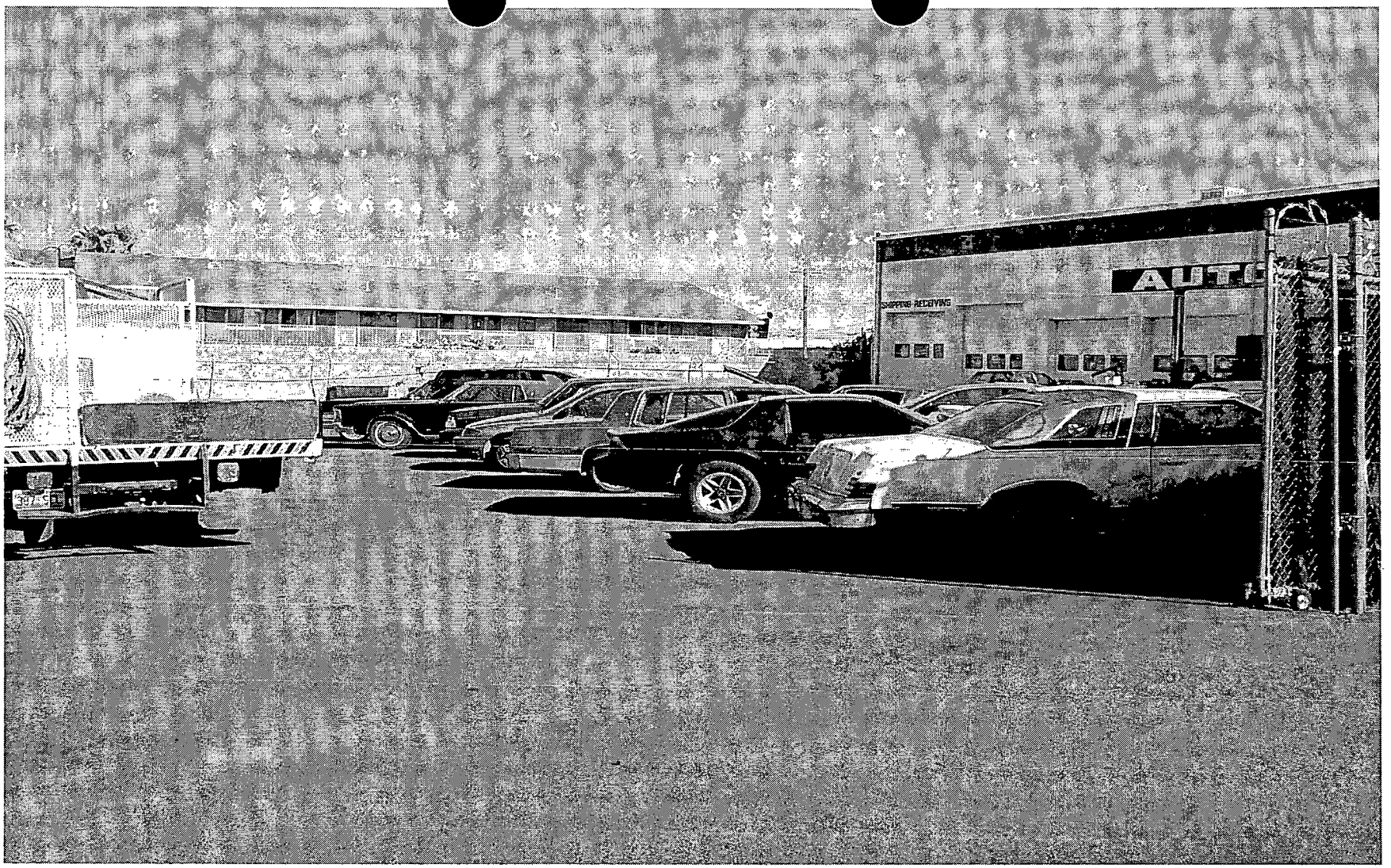
RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
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Picture taken 09/16/04



RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
2101 Fremont Street
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 09/16/04



RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
2101 Fremont Street
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 09/16/04



RQR-4669 - APPLICANT: DENNIS HANCOCK – OWNER: ZYGMUNT AMARETTI
2101 Fremont Street
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 09/16/04

City of Las Vegas

Agenda Item No. 107

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO-YEAR REVIEW - SPECIAL USE PERMIT

RQR-5009 - - PUBLIC HEARING - APPLICANT/OWNER: DECATUR SHOPPING CENTER ASSOCIATES - Required Two-Year Review of an approved Special Use Permit (U-0086-02) FOR A BANQUET FACILITY at 1401 North Decatur Boulevard, Suite 13 (APN 138-25-503-007), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

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

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother, STEVEN MACK, owns property on the edge of the notification area. He has not discussed this issue with him and therefore will vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

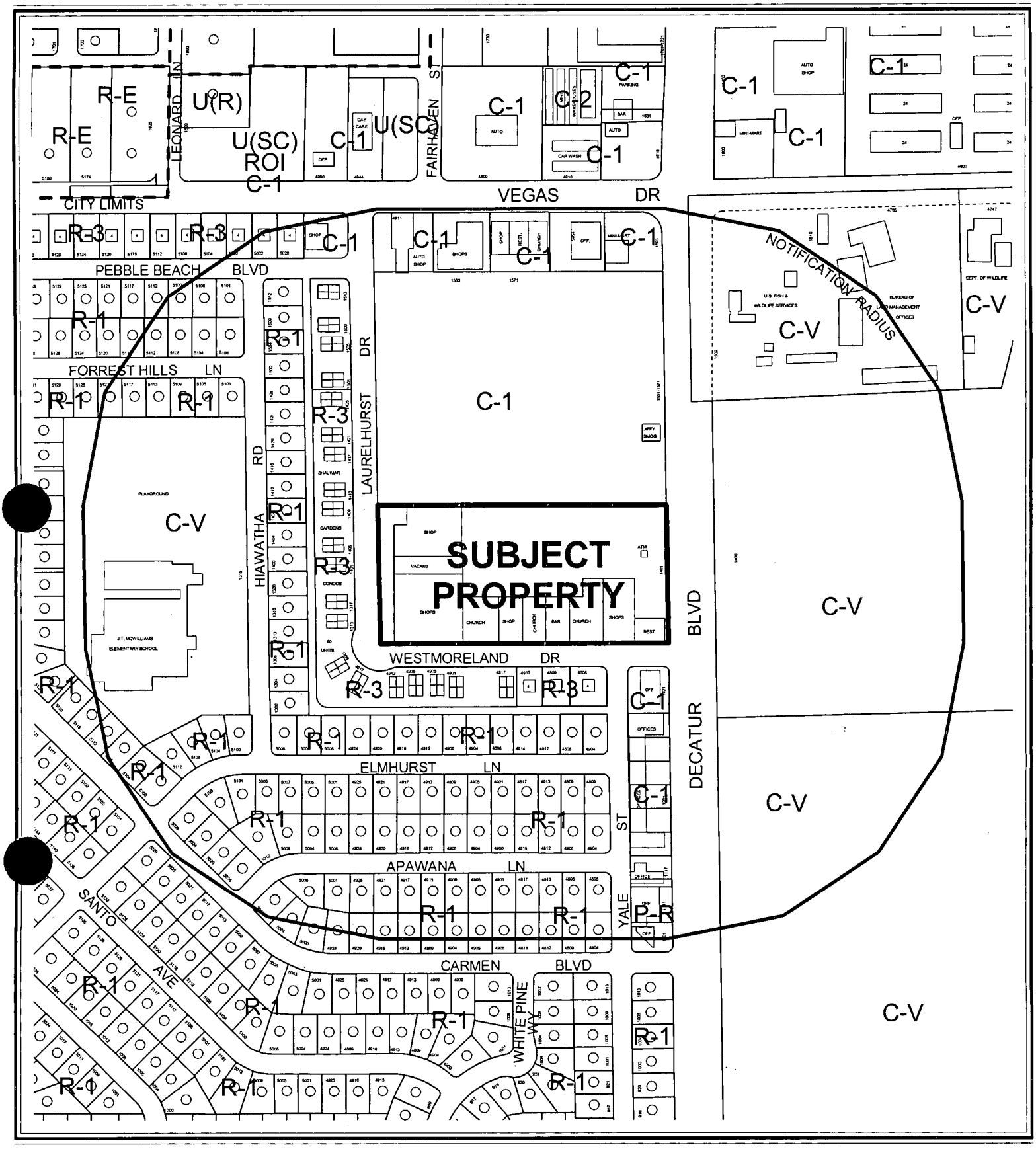
The applicant was not present and no one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:17 - 2:18)
3-2748

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit U-0086-02.



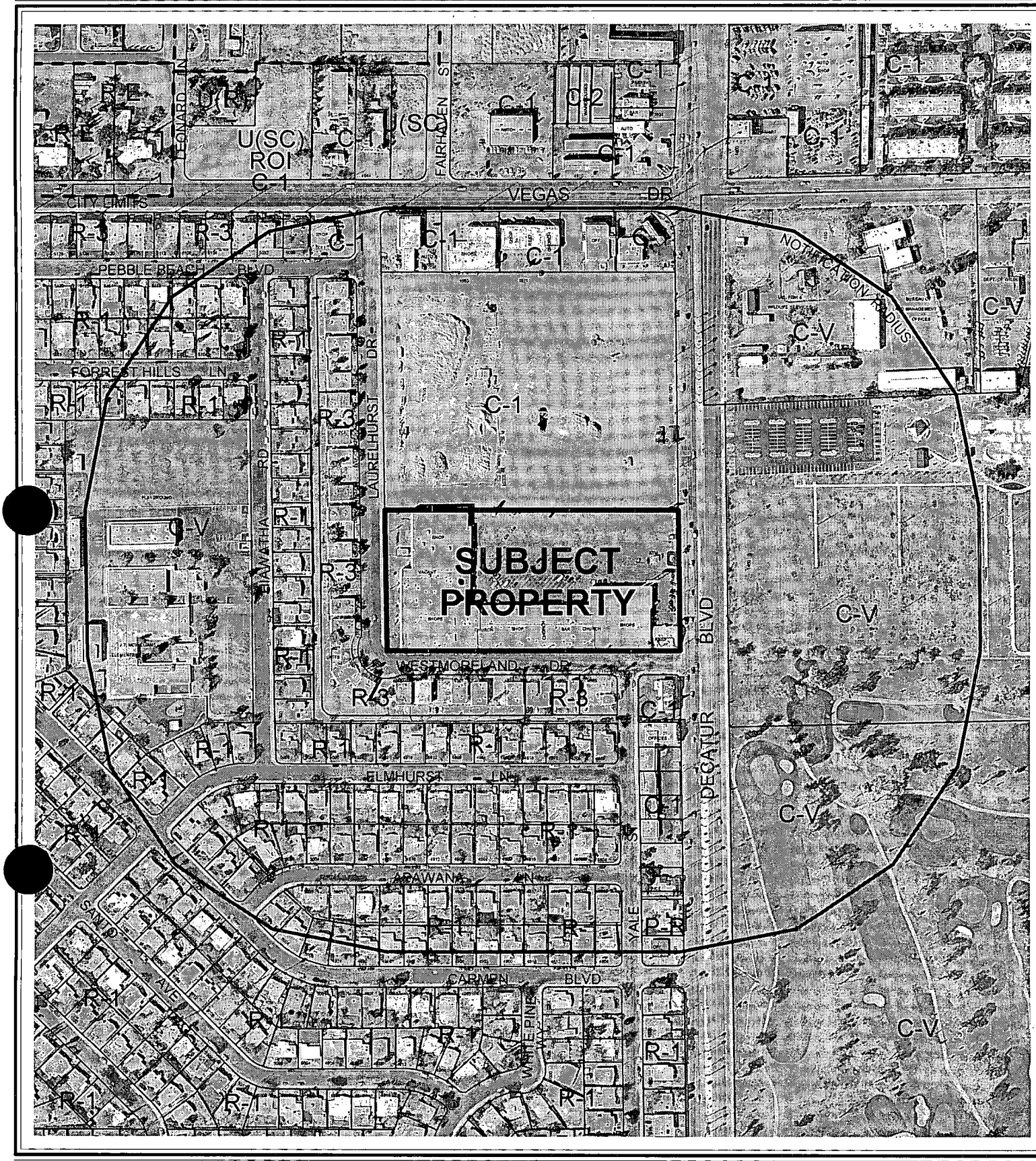
0 300 600 Feet

CASE: **RQR-5009**

RADIUS: 750 FEET

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

N



CASE: **RQR-5009**

RADIUS: 750 FEET

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5009 - APPLICANT/OWNER: DECATUR SHOPPING CENTER ASSOCIATES

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit U-0086-02.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Required Two-Year Review of an approved Special Use Permit (U-0086-02) for a Banquet Facility at 1401 North Decatur Boulevard, Suite 13.

B) Applicant's Justification

According to the applicant's justification letter, the property has not changed during the past two years, all the conditions of approval have been met, and there have been no problems with the Banquet Facility.

BACKGROUND INFORMATION

A) Previous Actions

05/24/61	The Board of City Commissioners approved a Rezoning (Z-0018-61) of the subject property from R-1 (Single-Family Residential) to C-1 (Limited Commercial) as part of a larger request. The Planning Commission and staff recommended approval.
11/04/96	The City Council added the subject property to the Las Vegas Redevelopment Area (Ordinance #4036) as part of a larger action.
10/02/02	The City Council approved a Special Use Permit (U-0086-02) for a proposed Banquet Facility on the subject site. The Planning Commission and staff recommended approval.
01/13/03	The Department of Building and Safety issued a Certificate of Occupancy for the Banquet Facility at 1401 North Decatur Boulevard, Suite 13.
01/15/03	Business license for Princess Hall (B23) Banquet Facility issued and currently active.
07/07/04	The City Council approved a Variance (VAR-4340) to allow 276 parking spaces where 534 parking spaces was the minimum required for the existing shopping center on the subject site. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.88

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Vacant
South:	Multi-Family Residential
East:	Ed Fountain Park
West:	Multi-Family Residential

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	M (Medium Density Residential)
East:	PR-OS (Parks/Recreation/Open Space)
West:	M (Medium Density Residential)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-1 (Limited Commercial) and is consistent with the General Plan.

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

The subject site is part of the Las Vegas Redevelopment Area determined by ordinance in 1996. It is also part of the Neighborhood Revitalization Area as identified by the Las Vegas Master Plan 2020. The Special Use Permit for the Banquet Facility is not affected by the site's inclusion in either of these areas.

ANALYSIS

- Use

A Banquet Facility is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. It is intended to be leased by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar events. The sale of alcoholic beverages on this site is restricted to events only, due to the proximity of Ed Fountain Park, located adjacent to the east side of Decatur Boulevard.

- Conditions

There are no base conditions for the approval of a Special Use Permit for a Banquet Facility. However, the approval of U-0086-02 was conditioned on a two-year review by the City Council. Other conditions included the following:

- In accordance with Chapter 19.20 of the Las Vegas Zoning Code, alcoholic beverages shall not be sold except during events.

- Any doors or other apertures at the rear (south) side of the subject business space shall remain closed during the duration of every banquet event, except for emergency access needs. This condition was intended to protect adjacent residential units from noise pollution.

- No outdoor activities in connection with the banquet use shall be conducted on this site.

FINDINGS

The applicant has indicated compliance with the conditions of approval of the Special Use Permit, and there have been no Code Enforcement issues associated with the operation of the facility. The recommendation is therefore for approval, subject to continued compliance with the conditions of approval of the Special Use Permit (U-0086-02).

NOTICES MAILED 152 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5009 APN: _____

Name of Property Owner: BURT J. BLUM

Name of Applicant: BURT J. BLUM

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: Burt J Blum

Print Name: BURT J. BLUM

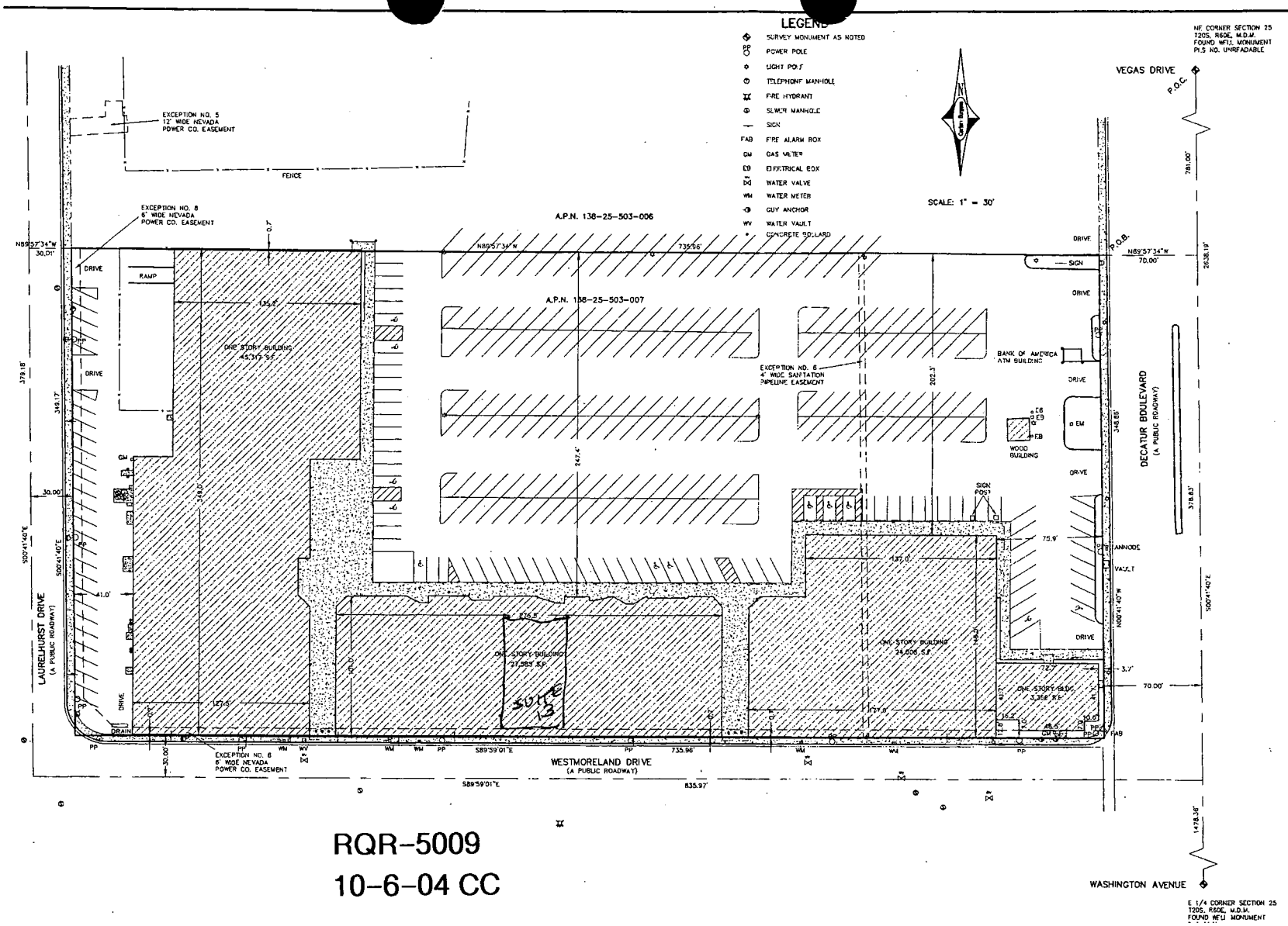
Subscribed and sworn before me

This 10 day of August, 2004

_____

Notary Public in and for said County and State

KENDRA K. GARST
Commission # 1321689
Notary Public - California
Los Angeles County
My Comm. Expires Sep 22, 2005



RQR-5009
10-6-04 CC

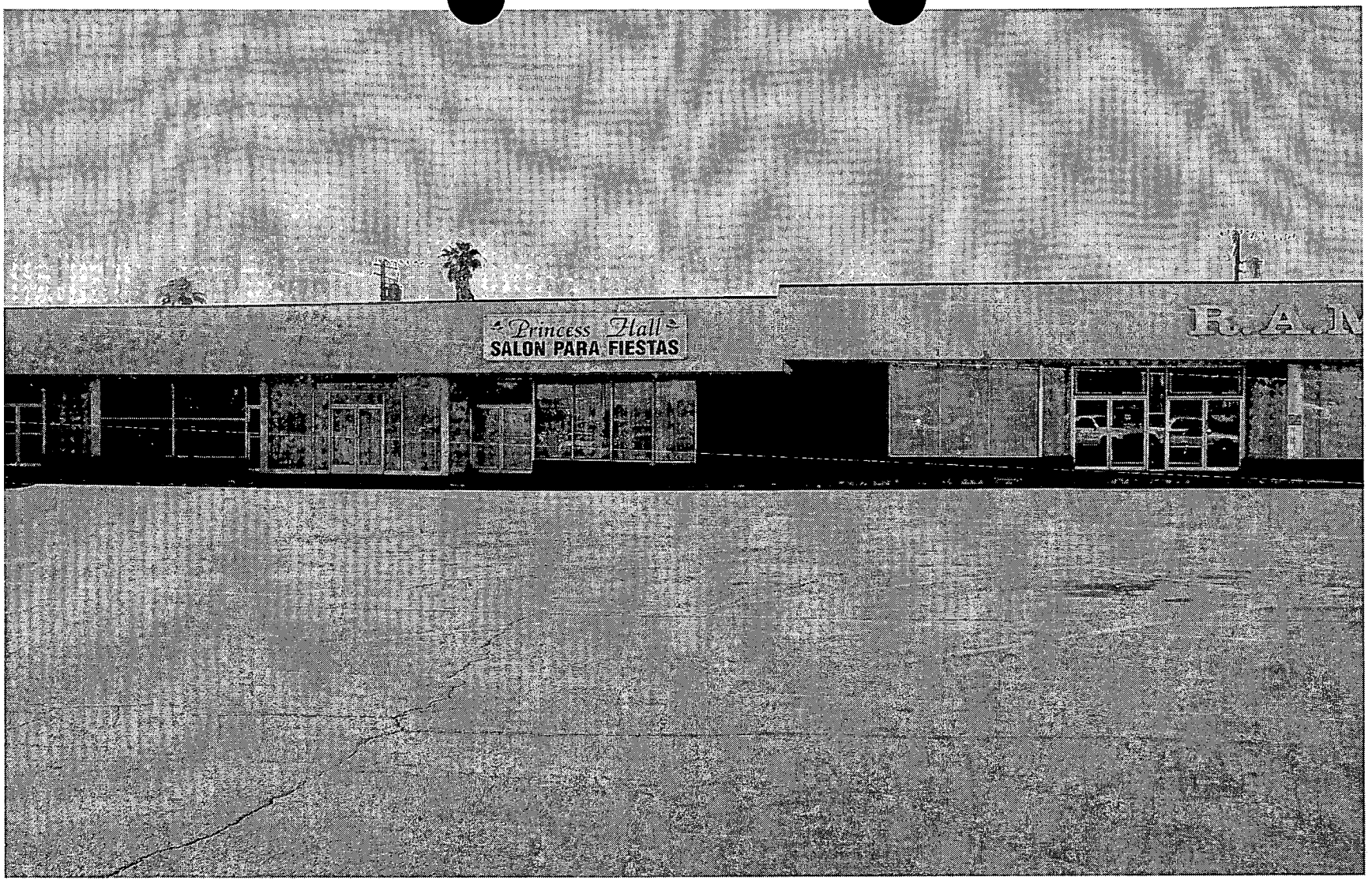
REVISIONS

No.	Date	CHKD APPD

DESIGNED: ___ JAC
DRAWN: ___ JAC
CHECKED: ___ ADSBB
JOB NO: ___ ADSBB
SCALE: 1"=30'
DATE: 1-12-04

Carter :: Burgess
6555 Bermuda Road
Las Vegas, NV 89119
(702) 938-4400 Fax (702) 938-5454

PROJECT: 1401 N. DECATUR BOULEVARD
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 2



RQR-5009 - APPLICANT/OWNER: DECATUR SHOPPING CENTER ASSOCIATES
1401 North Decatur Boulevard, Suite 13
OCTOBER 6, 2004 CITY COUNCIL MEETING

Picture taken 08/26/04

City of Las Vegas

Agenda Item No. 108

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4728 - PUBLIC HEARING - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	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
4. Back up referenced from the 9/9/2004 Planning Commission meeting Item 25

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CLARK SEEGMILLER, Principal for Seegmiller, LLC, stated he has lived in Las Vegas since 1989 and works downtown. He expressed excitement about the proposed 165 unit, 23-story building. There will be a pool and workout area. The top of the building is approximately 335 feet high with a dramatic view of the downtown area. The building will have six levels of parking with 195 parking stalls, which might increase to 198. A subterranean parking had been proposed, but it is not possible due to sewer and flooding issues. MR. SEEGMILLER pointed out that this is a joint venture with Cherry Development. MAYOR GOODMAN stated this project will be a phenomenal addition to downtown.

TOM McGOWAN, Las Vegas resident, clarified with MR. SEEGMILLER that the construction of the project has not begun. What currently exists on the site is the staging area for the Soho Lofts project. He also stated that these units are not designated as affordable housing but are market driven.

DOROTHY BARNES, Campaige Place, 8th Street and Stewart Avenue, hopes that the proposed project will not have discrimination she is facing where she currently resides.

COUNCILWOMAN MONCRIEF was pleased with the project that will fulfill the City Council's vision

MINUTES - Continued:
for downtown. MR. SEEGMILLER indicated that construction will begin in the Spring of 2005.

No one appeared in opposition.

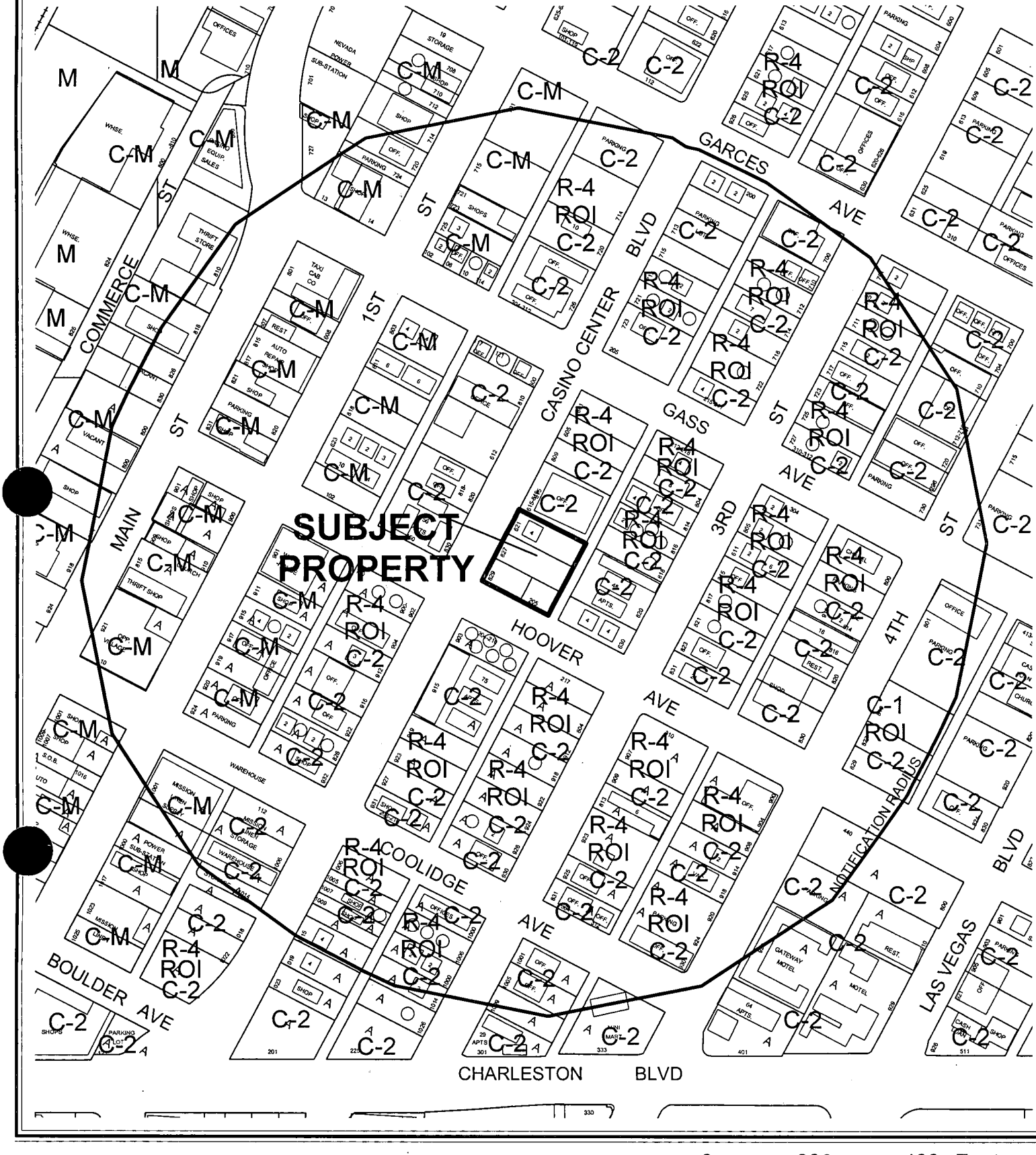
MAYOR GOODMAN declared the Public Hearing closed.
(2:18 - 2:25)
3-2793

CONDITIONS:
Planning and Development
1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4727).

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

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



CASE: **SUP-4728**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



CASE: **SUP-4728**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4727).

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

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

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

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

09/09/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #25).

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.48

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 133 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4728 APN: 139-34-410-062, 139-34-410-063, 139-34-410-064, 139-34-410-065

Name of Property Owner: Seegmiller Partners LLC

Name of Applicant: Newport Lofts

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: West Seegmiller

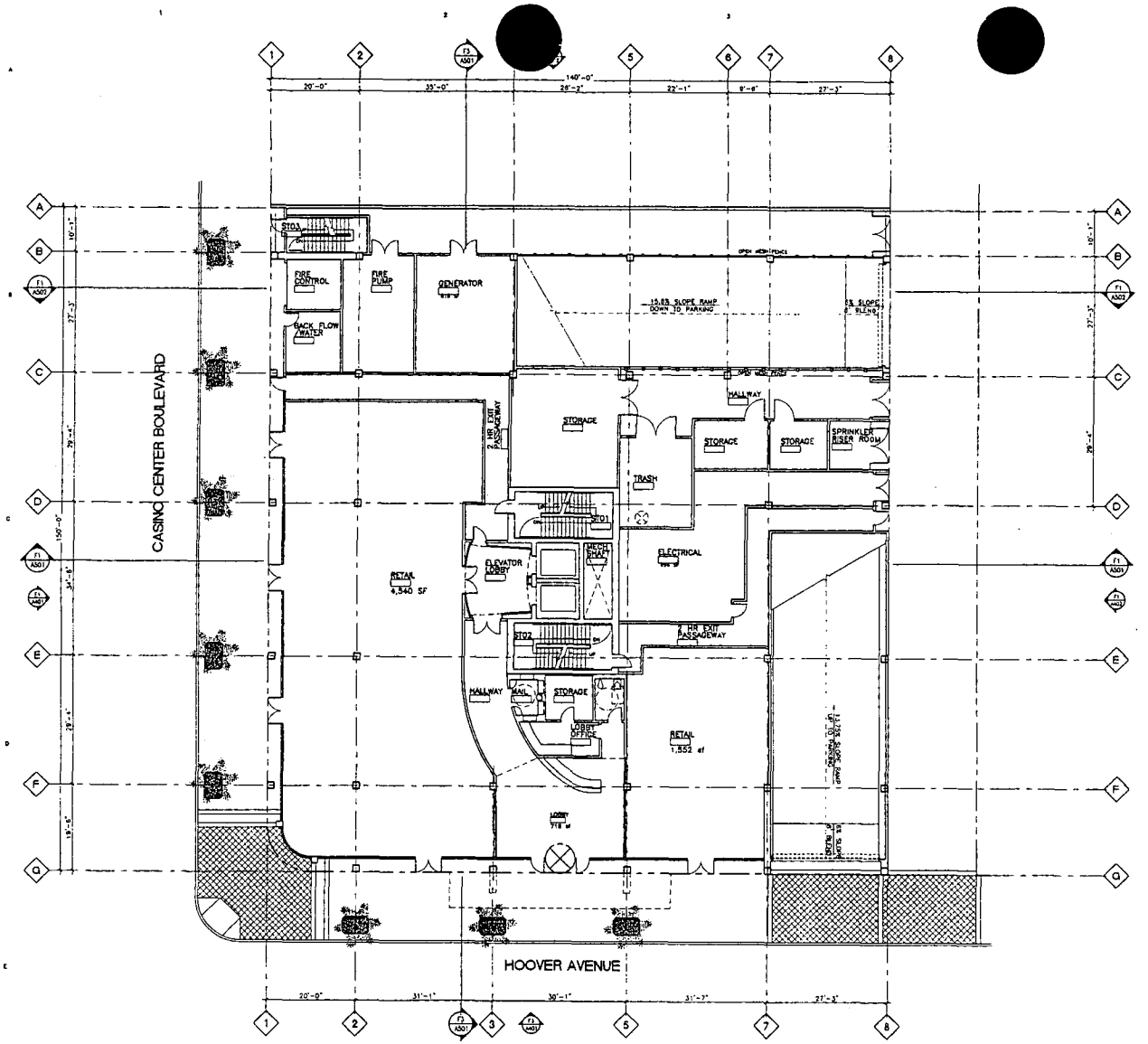
Subscribed and sworn before me

This 25 day of June, 2004

_____

Notary ~~Public in and for said~~ County and State

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



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

WPI ARCHITECTURE Inc
106 EAST BEND AVENUE
LAS VEGAS NEVADA 89119
TEL 702 891 4201
FAX 702 891 4212

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

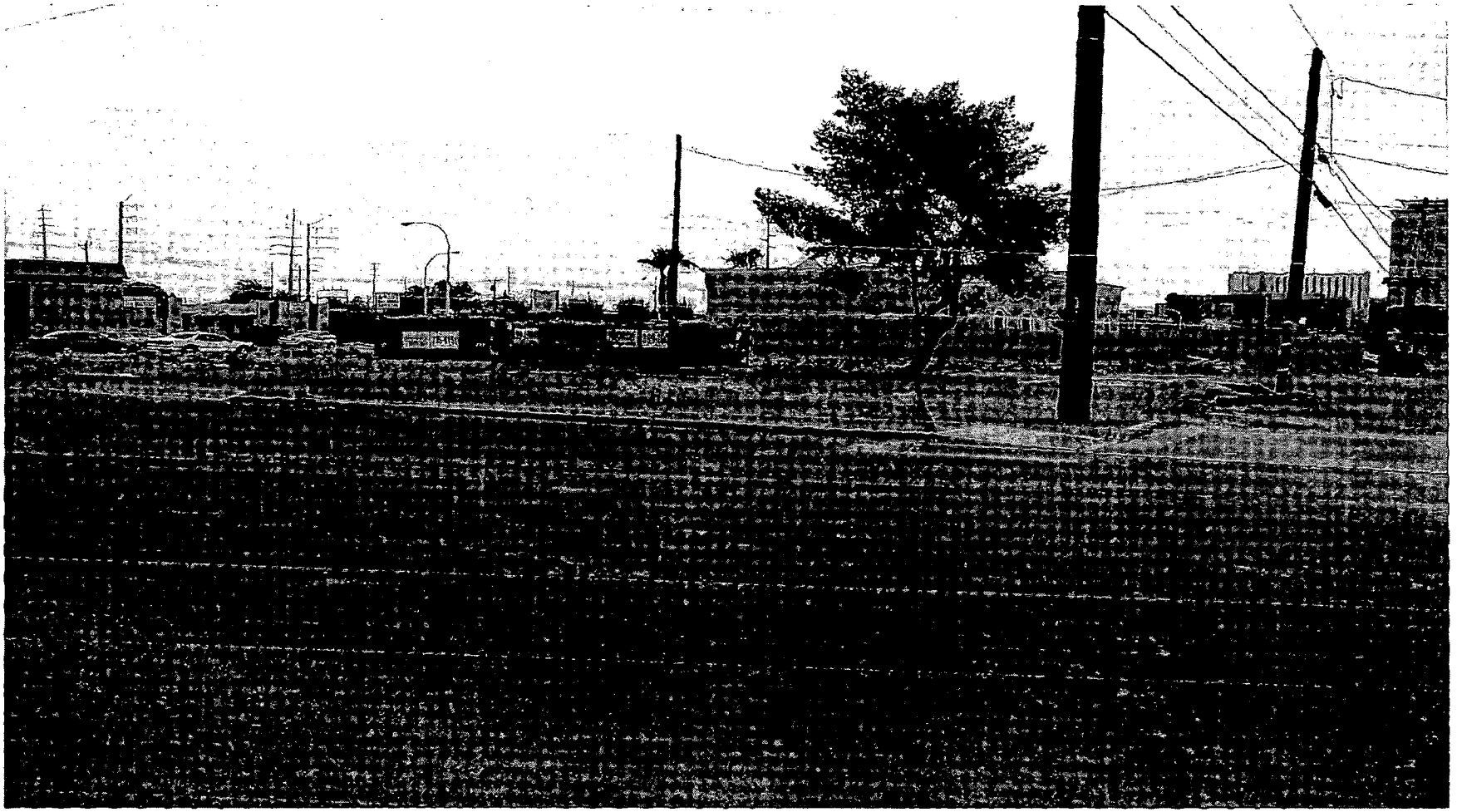
LAS VEGAS, NEVADA

PROJECT no. 04173
FILE 04173A202
DRAWN KES
DATE AUG 24, 2004
REVISIONS DESCRIPTION

SHEET TITLE
FLOOR PLAN
LEVEL 1

SHEET no.
A202

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



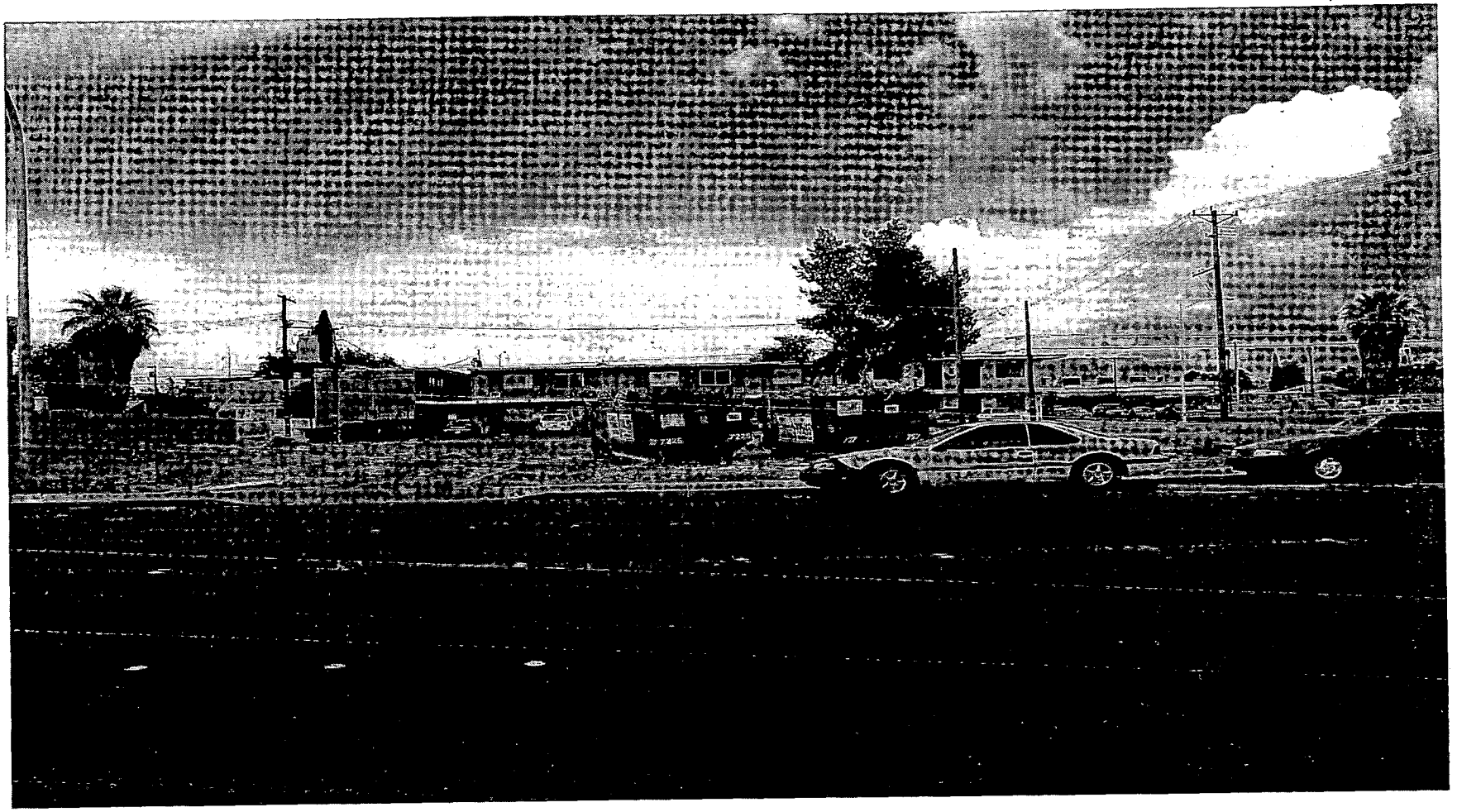
SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
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07/20/04



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

07/20/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

SEPT. 3, 2004

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
731 SO. FOURTH STREET
LAS VEGAS, NEVADA 89101

RE: NEWPORT LOFTS DEVELOPMENT

ACCORDING TO THE PROJECT INFO SUMMARY, THE DEVELOPER PLANS 171 PARKING SPACES FOR 166 UNITS. OF THE 171 SPACES, 6 WILL BE A. D. A. COMPATIBLE. THIS ASSUMES THAT EACH TENANT WILL OWN ONLY ONE CAR, A NOT REALISTIC ASSUMPTION.

HISTORICALLY, THE DOWNTOWN AREA HAS BEEN BURDENED WITH A SHORTAGE OF PARKING AT MULTI-STORY BUILDINGS.

I WOULD REQUEST THAT THE CITY NOT ALLOW ANY VARIANCE FROM THE PROPOSED NUMBER OF PARKING SPACES. IF POSSIBLE, MORE SPACES WOULD BE A BENEFIT TO THE SURROUNDING AREA.

VERY TRULY YOURS,
Tom Trinaystich
TOM TRINAYSTICH
722 SO. 3RD STREET
LAS VEGAS, NEVADA 89101

SUP-4728
SDR-4727

RECEIVED
SEP 10 2004

Protest for Council

City of Las Vegas

Agenda Item No. 109

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4728

SDR-4727 - PUBLIC HEARING - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of Downtown Centennial Plan building stepback standards FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A 22-STORY BUILDING OF 169 RESIDENTIAL UNITS AND 6,159 SQUARE FEET OF RETAIL on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL. (NOTE: Request is for 23 stories, 168 units)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	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
4. Back up referenced from the 9/9/2004 Planning Commission meeting Item 26

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with BROWN not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CLARK SEEGMILLER, Principal for Seegmiller, LLC, indicated for COUNCILMAN MACK that the minimum price for these units is less than $300,000.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:25-2:27)

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-4728) to allow Mixed-Use development approved by the City Council.

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

CONDITIONS - Continued:

3. All development shall be in conformance with the revised site plan and building elevations, date stamped 08/24/04, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and general level of detail of the elevations.

5. The parking level elevations of the building shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

6. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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

9. All mechanical equipment shall be fully screened from street level and surrounding building views.

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

11. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.

12. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

13. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.

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

Public Works

CONDITIONS - Continued:

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

16. Dedicate a 10 foot radius on the northeast corner of Casino Center Boulevard and Hoover Avenue prior to the issuance of any permits.

17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

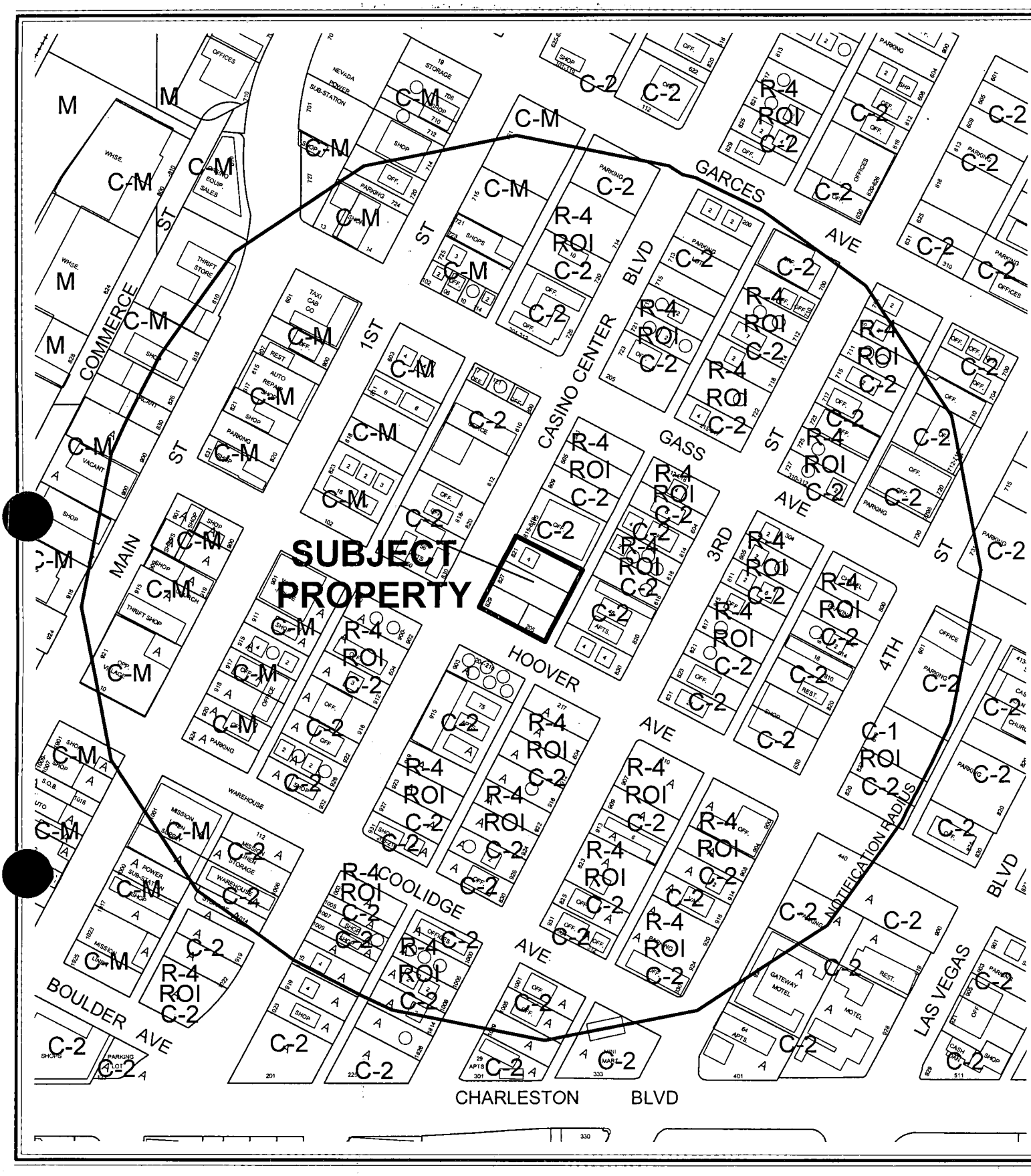
18. Construct all incomplete half-street improvements on Hoover Avenue adjacent to this site concurrent with development of this site.

19. Landscape and maintain all unimproved rights-of-way on Casino Center Boulevard and Hoover Avenue adjacent to this site.

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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

22. Submit an Encroachment Agreement for all landscaping and private improvements, located within the Casino Center Boulevard and Hoover Avenue public rights-of-way adjacent to this site prior to occupancy of this site.



CASE: **SDR-4727**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

1. A Special Use Permit (SUP-4728) to allow Mixed-Use development approved by the City Council.

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

3. All development shall be in conformance with the revised site plan and building elevations, date stamped 08/24/04, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and general level of detail of the elevations.

5. The parking level elevations of the building shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.

6. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. Landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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13. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.

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

Public Works

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

16. Dedicate a 10 foot radius on the northeast corner of Casino Center Boulevard and Hoover Avenue prior to the issuance of any permits.

17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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22. Submit an Encroachment Agreement for all landscaping and private improvements, located within the Casino Center Boulevard and Hoover Avenue public rights-of-way adjacent to this site prior to occupancy of this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
10/15/70	The Planning Commission approved a Plot Plan Review application [Z-0100-64(84)] in order to allow the conversion of an existing residence to a dental laboratory.
08/12/04	The Planning Commission held this item in abeyance to the 09/09/04 Planning Commission meeting to allow the applicant time to further define certain design aspects of this project.
09/09/04	The Planning Commission recommended approval a companion application for a Special Use Permit (SUP-4728) for a Mixed-Use development including 168 residential units and 6,159 square feet of commercial space on the subject site.
09/09/04	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #26).

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres:	0.48

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

A5) Sign Standards

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

Marquee Signs:

Standards	**Allowed**	**Provided**
Maximum Number	1/Street frontage 2 total	1/Hoover 1 total
Maximum Area	20%/elevation	<1%/elevation
Maximum Height	Cannot extend past top of building	18' above grade
Minimum Setback	3' from curb	12' from curb
Illumination	Internal, External, Animated, Electronic	Not indicated

Wall Signs:

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

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

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

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #22.

NOTICES MAILED 127 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4727 APN: 139-34-410-062, 139-34-410-063, 139-34-410-064, 139-34-410-065

Name of Property Owner: Seegmiller Partners

Name of Applicant: Newport Lofts

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: West Seegmiller

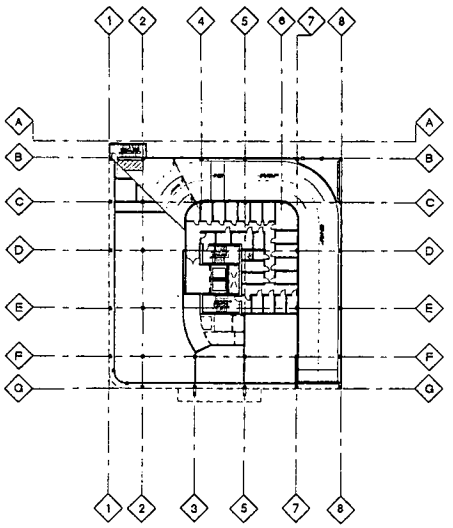
Subscribed and sworn before me

This 25 day of June, 2004

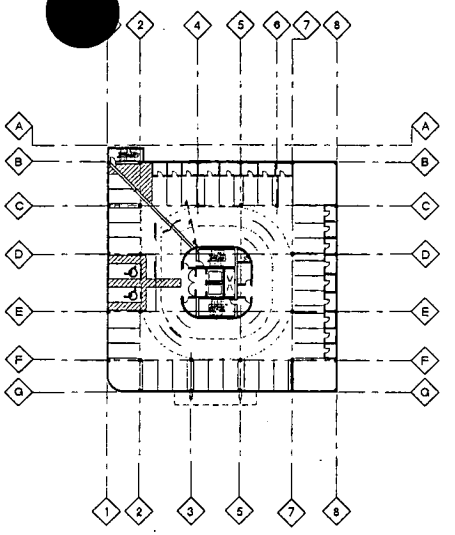
_____

Notary Public in and for said County and State

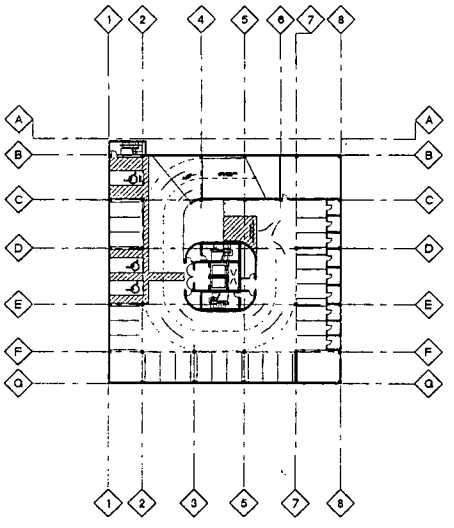
BRIAN BANNER
Commission # 1343476
Notary Public - California
Orange County
My Comm. Expires Feb 16, 2006



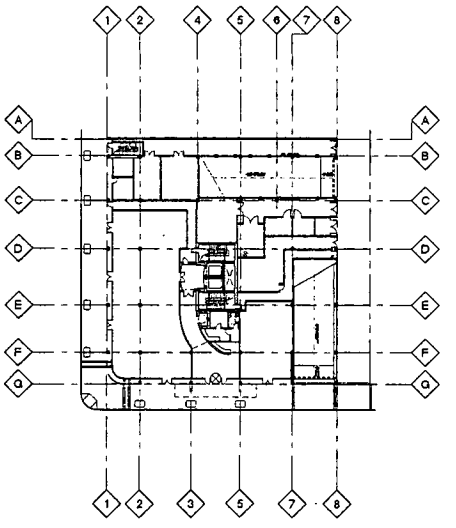
C1 MEZZANINE LEVEL LIFE SAFETY PLAN
1/32" = 1'-0"



C3 LEVEL 2 LIFE SAFETY PLAN
1/32" = 1'-0"



F1 BASEMENT LEVEL LIFE SAFETY PLAN
1/32" = 1'-0"



F3 LEVEL 1 LIFE SAFETY PLAN
1/32" = 1'-0"

FIRE SAFETY A[redacted]D SUMMARY

NEWPORT LOFTS

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

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

OCCUPANCY

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

OCCUPANCIES PER IBC CHAPTER 3:

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

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.3.2:

R-1 TO S-2	1 HR
S-3 TO A-3	2 HR (PER UBC SECTION 302.4, EXCEPTION 1)
F-1 TO S-3	1 HR
S-1 TO S-3	1 HR
R-1 TO F-1	1 HR
F-1 TO A-3	NO SEPARATION REQUIRED

SPECIAL USE ENCLOSURES:

FIRE PUMP ROOM	2 HR
EMERGENCY ELECTRICAL	2 HR
FIRE CONTROL ROOM	2 HR
RESIDENTIAL UNIT DEMISING WALLS	1 HR

TYPE OF CONSTRUCTION

CONTRUCTION: TYPE I F.R.

EXTERIOR WALLS BEARING AND NON-BEARING: 2 HR H/C LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'

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

GENERAL BUILDING LIMITATIONS

PER UBC TABLE 5-B:

ALLOWABLE AREA	UNLIMITED
ALLOWABLE HEIGHT	UNLIMITED

AUTOMATIC SPRINKLER SYSTEM PROVIDED THROUGHOUT

TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER UBC SECTION 403.2.2

ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER UBC SECTION 403.7.1 BY ZERO CLEARANCE FIRE DOORS PROVIDING 1 HR SEPARATION.

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER UBC SECTION 1005.3.3.2

EXIT PATH CONTINUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.3

DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.5.5

STAIR/EGRESS ENCLOSURE TO BE PRESSURIZED PER 1005.3.3.7 REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILED REQUIREMENTS

PRESSURISED VESTIBULES (2 HR RATED) PROVIDED PER 1005.3.3.7.1

VESTIBULE DOORS RATED 90 MINUTES PER 1005.3.3.7.1.3

REFER TO DOOR SCHEDULE SHEETS A811-A913 FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EGRESS HARDWARE REQUIREMENTS.

TWO EXITS PROVIDED
MAXIMUM DEAD END CORRIDOR <20'
MAXIMUM DISTANCE TO EXIT <200'

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

TOTAL BUILDING OCCUPANT LOAD	1030

MAXIMUM OCCUPANT LOAD PER TABLE 10-A

FOURTH FLOOR DWELLINGS	53
FOURTH FLOOR ASSEMBLY	149
TOTAL OCCUPANT LOAD	189

WIDTH REQUIRED FOR EXITS	39.8"
WIDTH PROVIDED (2 EXITS)	72"
WIDTH REQUIRED FOR STAIRS	39.7"
WIDTH PROVIDED (2 STAIRS)	88"

LOAD ON STAIRS IS NOT CUMULATIVE PER 1003.2.3.4

MINIMUM STAIR WIDTH IS 44" PER 1003.3.3.2 AND 1104.3.2 EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

ACCESSIBILITY

NUMBER OF TYPE "A" ACCESSIBLE UNIT = 2
LOCATION OF TYPE "A" ACCESSIBLE UNITS = #401 & #502

NUMBER OF TYPE "B" ACCESSIBLE UNIT = ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

EXITING PATH

1 HOUR RATED ASSEMBLY

2 HOUR RATED ASSEMBLY

45/36 REQUIRED EXIT CAPACITY: OCCUPANT LOAD / REQUIRED EXIT WIDTH (.2 X LOAD, 36" MIN.)

WPI ARCHITECTURE Inc.
102 EAST RENO AVENUE B
LAS VEGAS NEVADA 89119
TEL 702 891 8381
FAX 702 891 8212

BRESLIN BUILDERS

NEWPORT LOFTS

LAS VEGAS, NEVADA

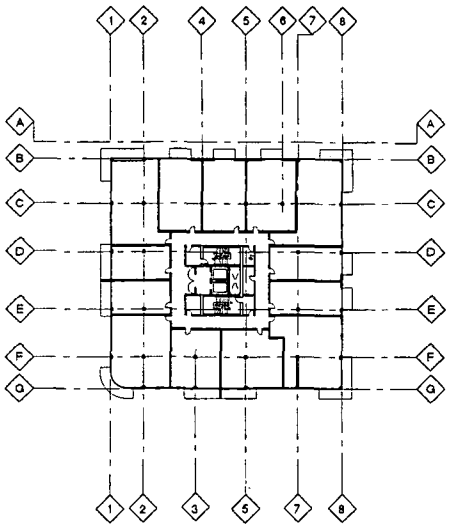
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FILE: 04173A011
DRAWN: KES
DATE: AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
CODE SUMMARY
LIFE SAFETY PLANS
BASEMENT - LEVEL 2

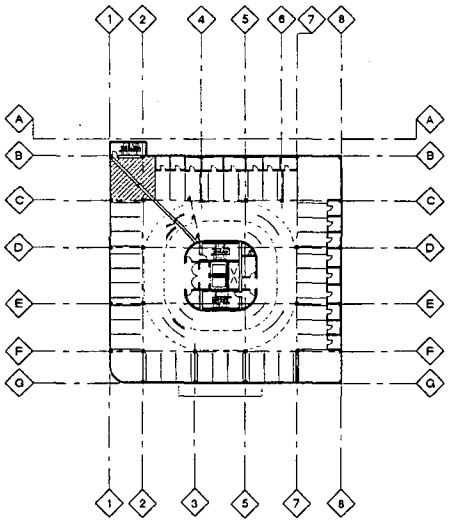
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SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04

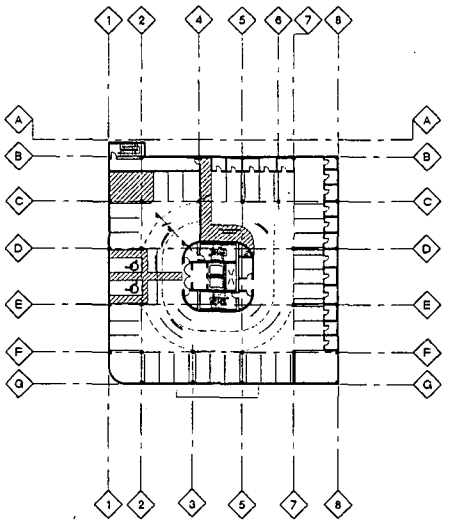
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C1 LEVELS 7-18 LIFE SAFETY PLAN, TYP.
1/16" = 1'-0"



F1 LEVELS 3-5 LIFE SAFETY PLAN, TYP.
1/16" = 1'-0"



F3 LEVEL 6 LIFE SAFETY PLAN
1/16" = 1'-0"

FIRE SAFETY A[redacted]G SUMMARY

NEWPORT LOFTS

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

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OCCUPANCY

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

OCCUPANCIES PER IBC CHAPTER 3:

S-2 PARKING GARAGE

S-2 UNIT STORAGE ROOMS

S-1 TRASH AND BUILDING STORAGE

F-1 MECHANICAL ROOMS AND ELECTRICAL ROOMS

A-3 LOBBY AND COMMON MEETING ROOM

B OFFICES AND FITNESS CENTER

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.3.2:

R-1 TO S-2	1 HR
S-3 TO A-3	2 HR (PER UBC SECTION 302.4, EXCEPTION 1)
F-1 TO S-3	1 HR
S-1 TO S-3	1 HR
R-1 TO F-1	1 HR
F-1 TO A-3	NO SEPARATION REQUIRED

SPECIAL USE ENCLOSURES:

FIRE PUMP ROOM	2 HR
EMERGENCY ELECTRICAL	2 HR
FIRE CONTROL ROOM	2 HR
RESIDENTIAL UNIT DEMISING WALLS	1 HR

TYPE OF CONSTRUCTION

CONTRUCTION: TYPE I F.R.

EXTERIOR WALLS BEARING AND NON-BEARING, 2 HR N/C LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'

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

GENERAL BUILDING LIMITATIONS

PER UBC TABLE 5-B:

ALLOWABLE AREA	UNLIMITED
ALLOWABLE HEIGHT	UNLIMITED

AUTOMATIC SPRINKLER SYSTEM PROVIDED THROUGHOUT

TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER UBC SECTION 403.2.2

ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER UBC SECTION 403.7.1 BY ZERO CLEARANCE FIRE DOORS PROVIDING 1 HR SEPARATION.

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER UBC SECTION 1005.3.3.2

EXIT PATH CONTINUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.3

DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.3.5

STAIR/EGRESS ENCLOSURE TO BE PRESSURIZED PER 1005.3.3.7 REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILED REQUIREMENTS

PRESSURISED VESTIBULES (2 HR RATED) PROVIDED PER 1005.3.3.7.1

VESTIBULE DOORS RATED 90 MINUTES PER 1005.3.3.7.1.3

REFER TO DOOR SCHEDULE SHEETS A011-A013 FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EGRESS HARDWARE REQUIREMENTS.

TWO EXITS PROVIDED
MAXIMUM DEAD END CORRIDOR <20'
MAXIMUM DISTANCE TO EXIT <200'

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

TOTAL BUILDING OCCUPANT LOAD	1030
MAXIMUM OCCUPANT LOAD PER TABLE 10-A:	
FOURTH FLOOR DWELLINGS	53
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TOTAL OCCUPANT LOAD	188
WIDTH REQUIRED FOR EXITS	38.8"
WIDTH PROVIDED (2 EXITS)	72"
WIDTH REQUIRED FOR STAIRS	59.7"
WIDTH PROVIDED (2 STAIRS)	88"

LOAD ON STAIRS IS NOT CUMULATIVE PER 1003.2.3.4

MINIMUM STAIR WIDTH IS 44" PER 1003.3.3.2 AND 1104.1.2 EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

ACCESSIBILITY

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

NUMBER OF TYPE "B" ACCESSIBLE UNIT - ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

EXITING PATH

1 HOUR RATED ASSEMBLY

2 HOUR RATED ASSEMBLY

+3 / 36 REQUIRED EXIT CAPACITY: OCCUPANT LOAD / REQUIRED EXIT WIDTH: .2 X LOAD, 36" MIN.

WPI ARCHITECTURE
108 EAST BONO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8212

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

LAS VEGAS, NEVADA

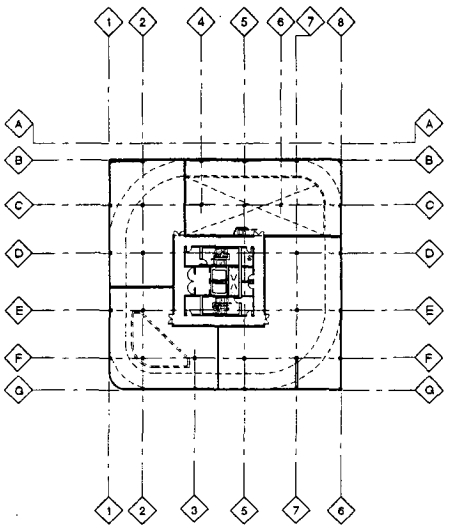
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DATE: AUG 24, 2004
REVISION: DESCRIPTION:

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CODE SUMMARY
LIFE SAFETY PLANS
LEVES 3 - 18

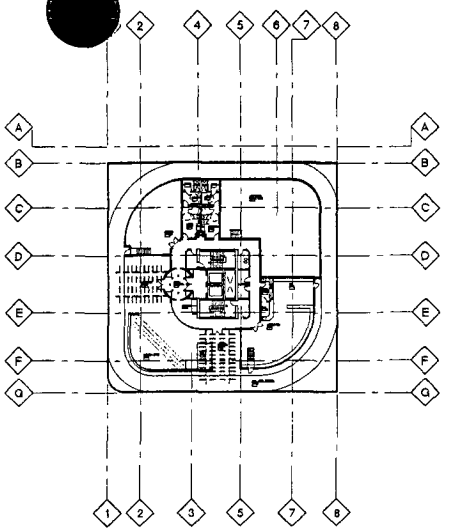
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SUP-4728
SDR-4727
09-09-04 PC
REVISED 08-24-04

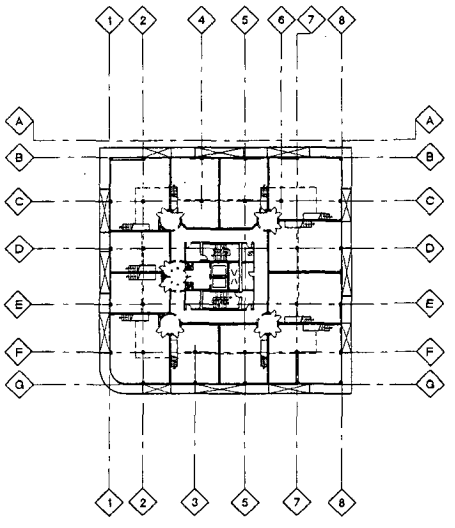
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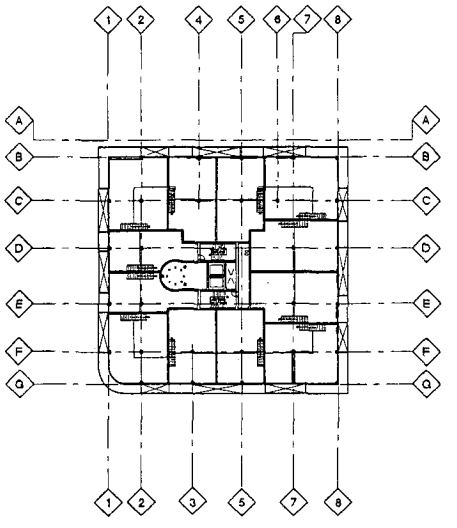
C1 LEVEL 21 LIFE SAFETY PLAN
1/16" = 1'-0"



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



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



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

FIRE SAFETY A[redacted]3 SUMMARY

NEWPORT LOFTS

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

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

OCCUPANCY SEPARATIONS

OCCUPANCY SEPARATIONS PER IBC CHAPTER 3, TABLE 303.3.2:

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F-1 TO S-3	1 HR
S-1 TO S-3	1 HR
R-1 TO F-1	1 HR
F-1 TO A-3	NO SEPARATION REQUIRED

SPECIAL USE ENCLOSURES:

FIRE PUMP ROOM	2 HR
EMERGENCY ELECTRICAL	2 HR
FIRE CONTROL ROOM	2 HR
RESIDENTIAL UNIT DEMISING WALLS	1 HR

TYPE OF CONSTRUCTION

CONTRUCTION: TYPE I F.R.

EXTERIOR WALLS BEARING AND NON-BEARING: 2 HR N/C LESS THAN 20' FROM PROPERTY LINE, 1 HR LESS THAN 40'

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

GENERAL BUILDING LIMITATIONS

PER UBC TABLE 5-B:

ALLOWABLE AREA	UNLIMITED
ALLOWABLE HEIGHT	UNLIMITED

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TRASH CHUTE ENCLOSURE PROVIDED WITH SPRINKLERS AT TOP, BOTTOM, AND ON ALTERNATE FLOORS FOR 1 HR SEPARATION PER UBC SECTION 403.2.2

ELEVATORS SEPARATED FROM CORRIDORS AND PARKING LEVELS PER UBC SECTION 403.7.1 BY ZERO CLEARANCE FIRE DOORS PROVIDING 1 HR SEPARATION.

MEANS OF EGRESS

2 HR RATED EXIT ENCLOSURE REQUIRED PER UBC SECTION 1005.3.3.2

EXIT PATH CONTINUOUS TO THE EXTERIOR OF THE BUILDING PER 1005.3.3.3

DOORS TO ENCLOSURE TO BE 90 MINUTE ASSEMBLY PER 1005.3.3.5

STAIR/EGRESS ENCLOSURE TO BE PRESSURIZED PER 1005.3.3.1 REFER TO FIRE PROTECTION REPORT AND MECHANICAL FOR DETAILED REQUIREMENTS

PRESSURISED VESTIBULES (2 HR RATED) PROVIDED PER 1005.3.3.7.1

VESTIBULE DOORS RATED 60 MINUTES PER 1003.3.3.7.1.3

REFER TO DOOR SCHEDULE SHEETS A011-A013 FOR COMPLETE LIST OF RATED DOOR AND FRAME ASSEMBLIES AND EGRESS HARDWARE REQUIREMENTS.

TWO EXITS PROVIDED
MAXIMUM DEAD END CORRIDOR <20'
MAXIMUM DISTANCE TO EXIT <200'

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TOTAL BUILDING OCCUPANT LOAD	1030

MAXIMUM OCCUPANT LOAD PER TABLE 10-A:

FOURTH FLOOR DWELLINGS	53
FOURTH FLOOR ASSEMBLY	146
TOTAL OCCUPANT LOAD	199

WIDTH REQUIRED FOR EXITS	38.8"
WIDTH PROVIDED (2 EXITS)	72"
WIDTH REQUIRED FOR STAIRS	58.7"
WIDTH PROVIDED (2 STAIRS)	88"

LOAD ON STAIRS IS NOT CUMULATIVE PER 1003.2.3.4

MINIMUM STAIR WIDTH IS 44" PER 1003.3.3.2 AND 1104.1.2 EXEMPTION 2 FOR FULLY SPRINKLERED BUILDINGS

ACCESSIBILITY

NUMBER OF TYPE "A" ACCESSIBLE UNIT = 2
LOCATION OF TYPE "A" ACCESSIBLE UNITS = #401 & #302

NUMBER OF TYPE "B" ACCESSIBLE UNIT = ALL OTHERS

FIRE SAFETY AND EXITING LEGEND

EXITING PATH

1 HOUR RATED ASSEMBLY

2 HOUR RATED ASSEMBLY

45 / 55 REQUIRED EXIT CAPACITY: OCCUPANT LOAD / REQUIRED EXIT WIDTH (.2 X LOAD, 36" MIN.)

WPI ARCHITECTURE Inc
105 EAST RENO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 5201
FAX 702 891 8212

BRESLIN BUILDERS

NEWPORT LOFTS

LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A013
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DATE AUG 24, 2004
REVISION DESCRIPTION

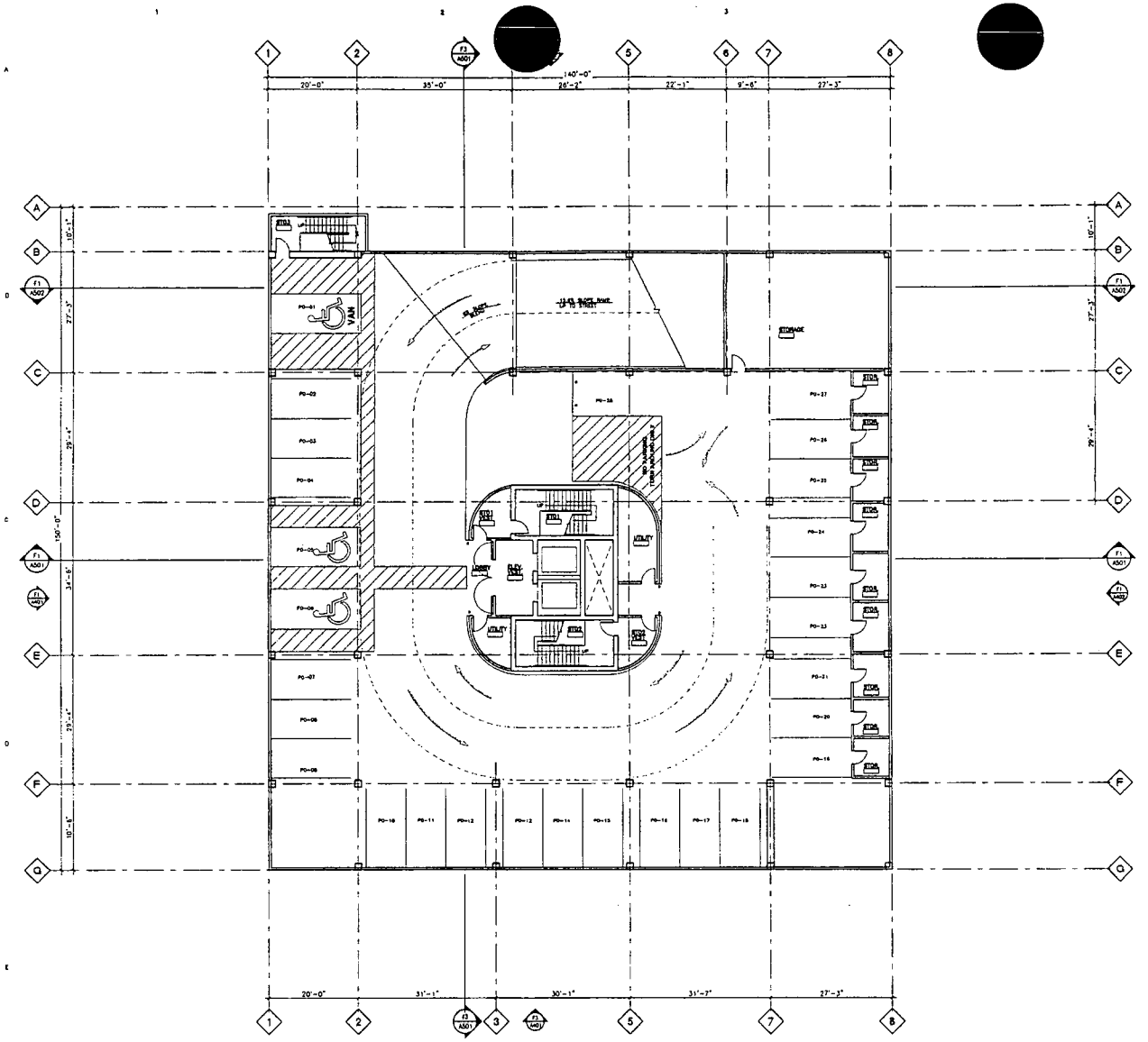
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SHEET TITLE
CODE SUMMARY
LIFE SAFETY PLANS
LEVES 19 - 22

SHEET NO
A013

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

G:\04173 Newport LOFTS\DOC Archive\001.1 Planning Commission Submittal Aug 24 2004\04173A013.PLN.dwg, A013 CODE SUMMARY - LIFE SAFETY PLANS, 8/24/2004 10:09:21 AM, kseymour, 1:1



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

WPI ARCHITECTURE Inc
108 EAST BONO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8212

BRESLIN BUILDERS

NEWPORT LOFTS

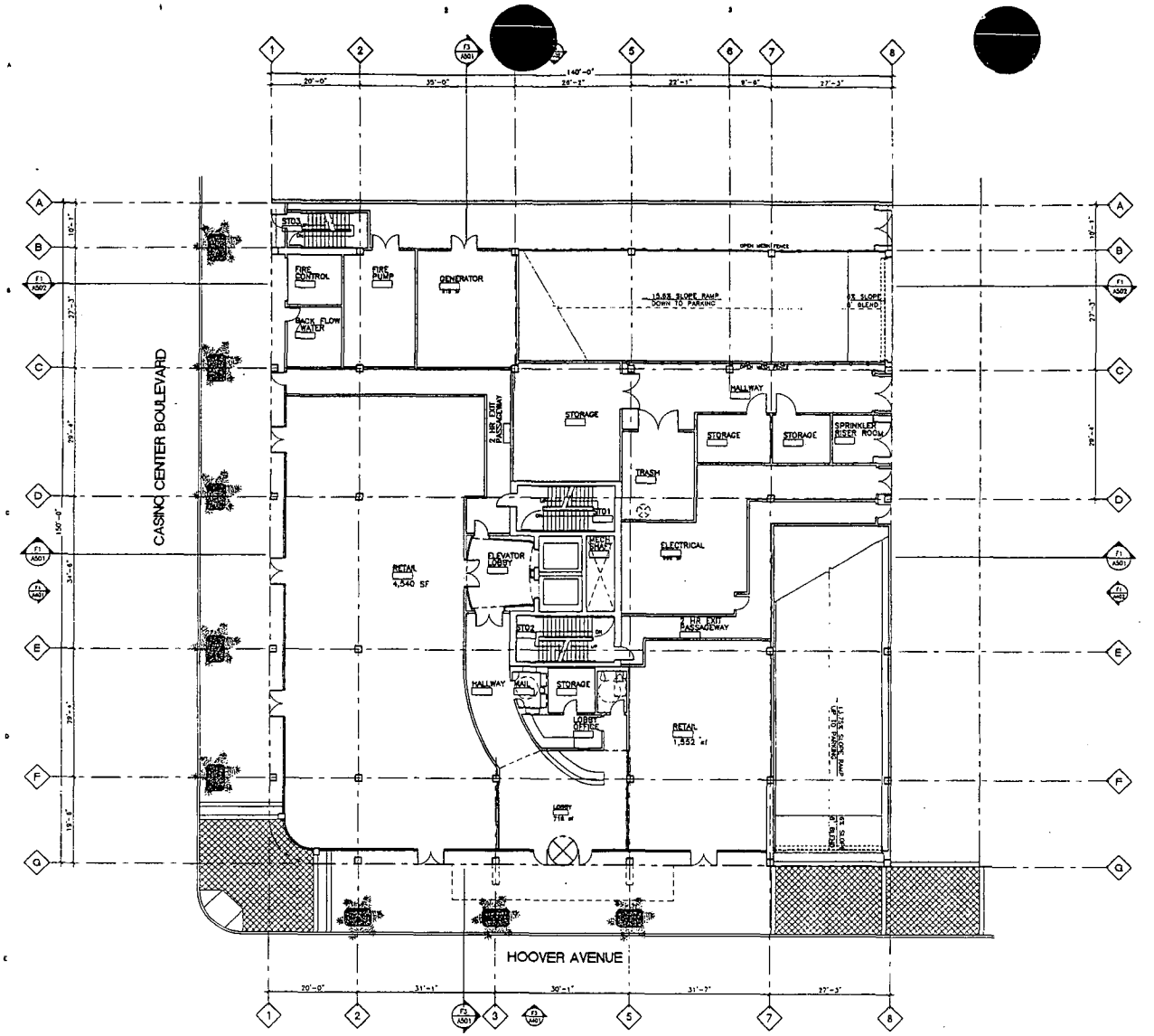
LAS VEGAS, NEVADA

PROJECT no. 04173
FILE 04173A201
DRAWN KES
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE:
PARKING FLOOR PLAN
BASEMENT LEVEL

SHEET no.
A201

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



F1 FLOOR PLAN LEVEL 1

3/32" = 1'-0"

WPI ARCHITECTURE
706 EAST BONNEVILLE AVENUE
LAS VEGAS NEVADA 89101
TEL 702 891 4291
FAX 702 891 4292

BRESLIN BUILDERS

NEWPORT LOFTS

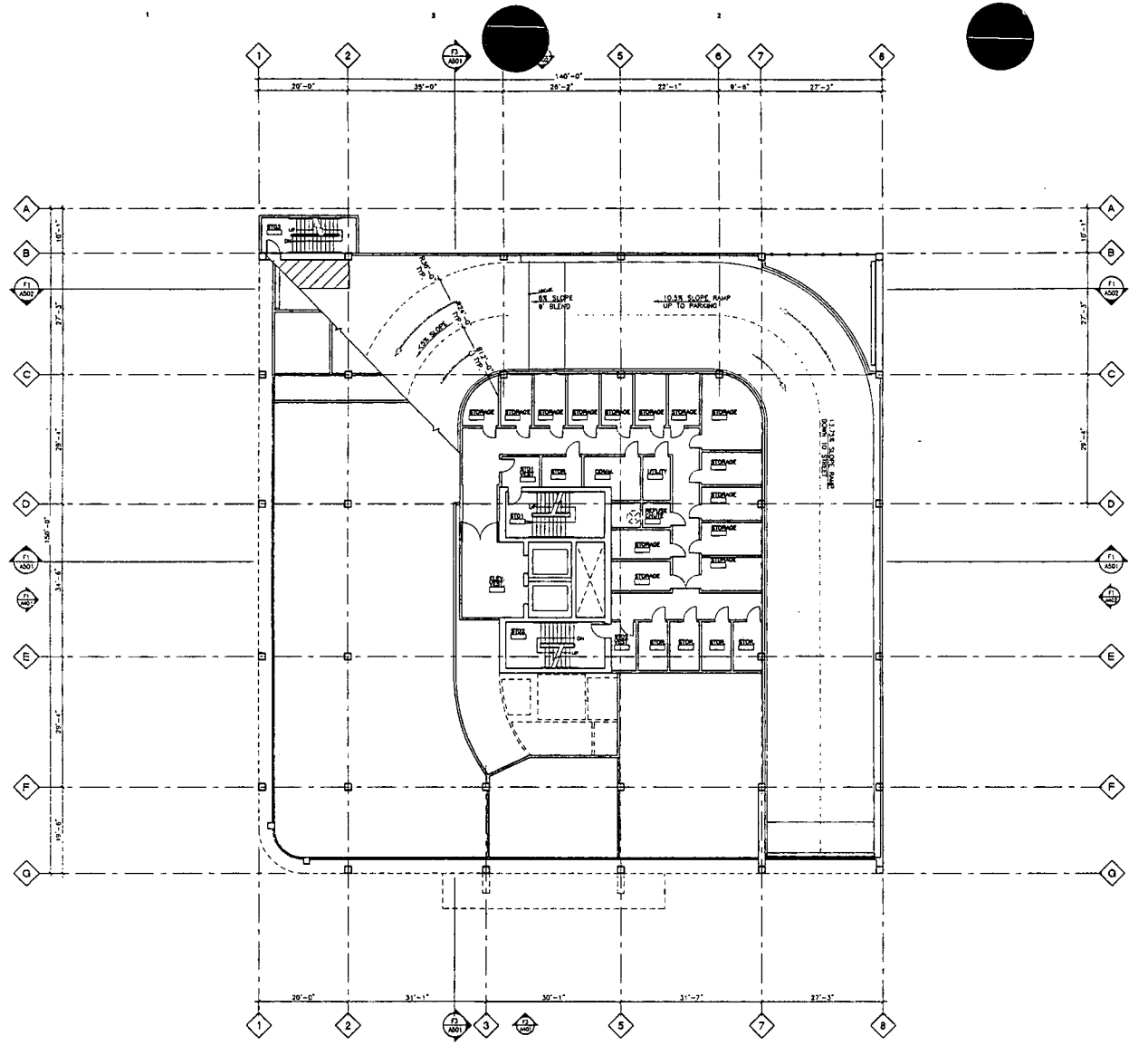
LAS VEGAS, NEVADA

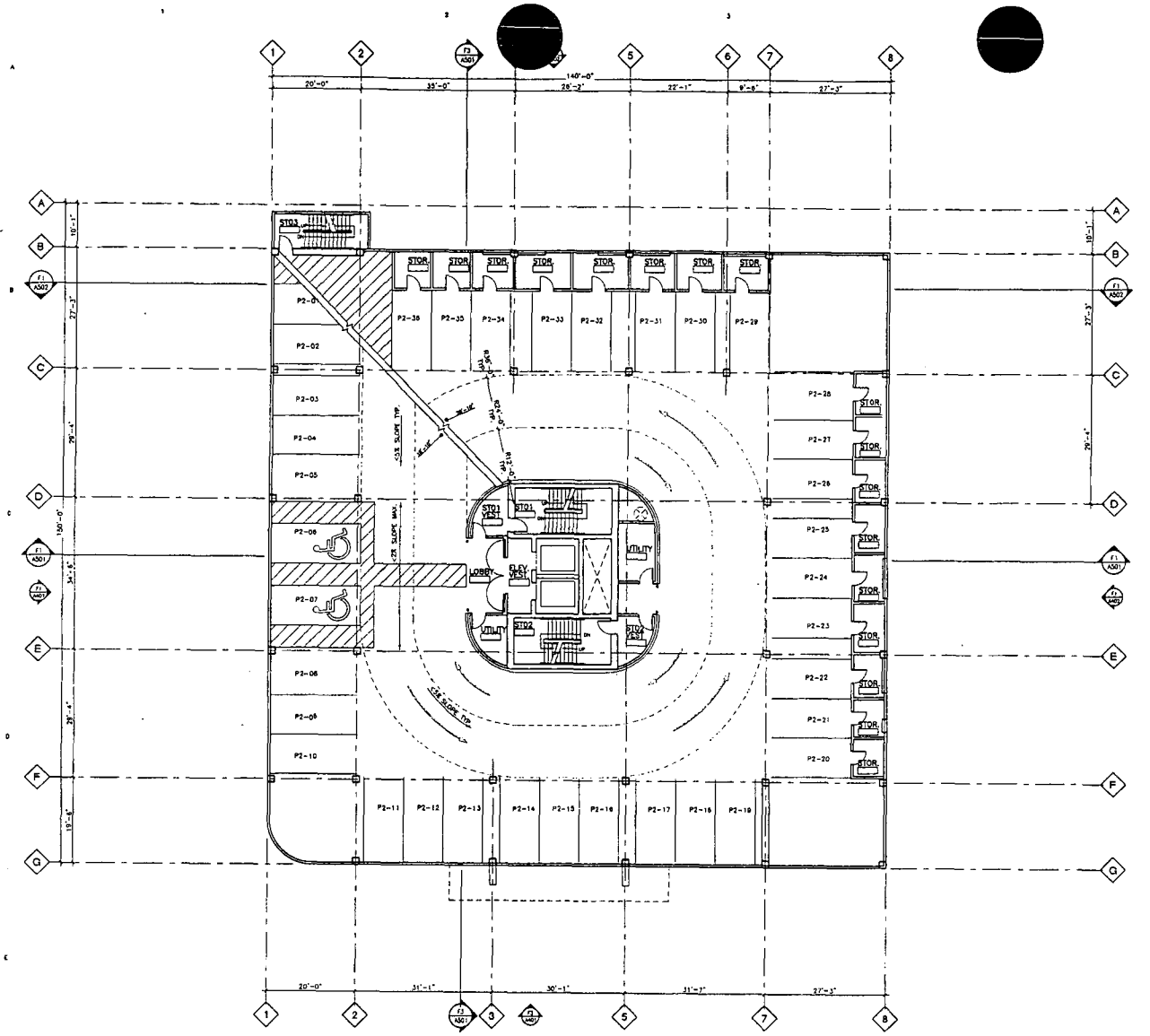
D4173
D4173A202
KES
AUG 24, 2004

FLOOR PLAN
LEVEL 1

A202

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


8% SLOPE
9' BLEND
10.5% SLOPE RAMP
UP TO PARKING
STORAGE
UTILITY
RETAIL
RETAIL
RETAIL



F1 FLOOR PLAN LEVEL 2

3/32" = 1'-0"

WPI ARCHITECTURE
103 EAST BONO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 9281
FAX 702 891 9210

BRESLIN BUILDERS

NEWPORT LOFTS

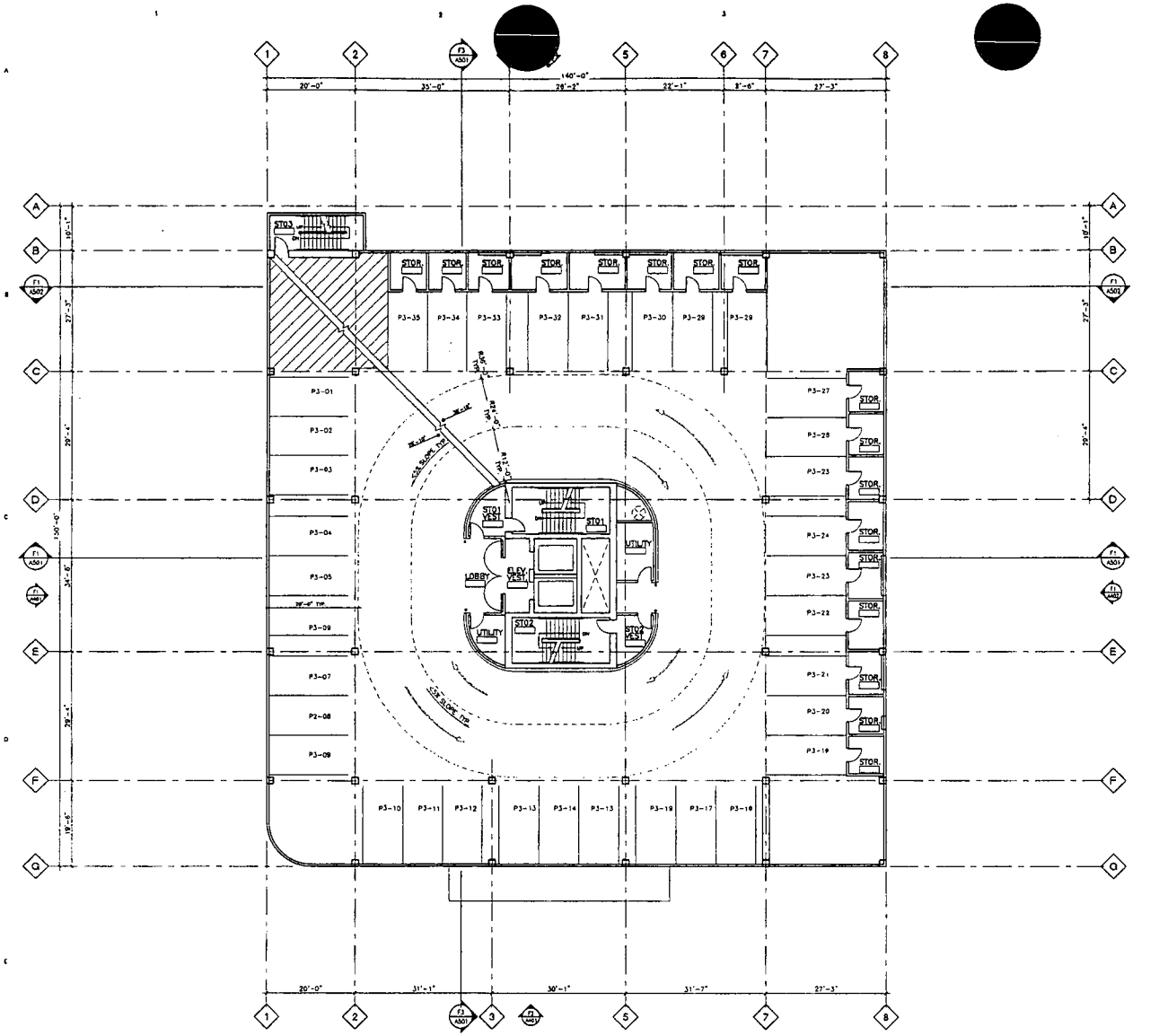
LAS VEGAS, NEVADA

PROJECT NO. 04123
FILE 04123A204
DRAWN KES
DATE AUG. 24, 2004
REVISION DESCRIPTION

SHEET TITLE
PARKING FLOOR PLAN LEVEL 2

SHEET NO.
A204

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



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

WPI ARCHITECTURE Inc
306 EAST BONNEVILLE AVENUE #
LAS VEGAS NEVADA 89101
TEL 702 891 5201
FAX 702 891 9212

BRESLIN BUILDERS

NEWPORT LOFTS

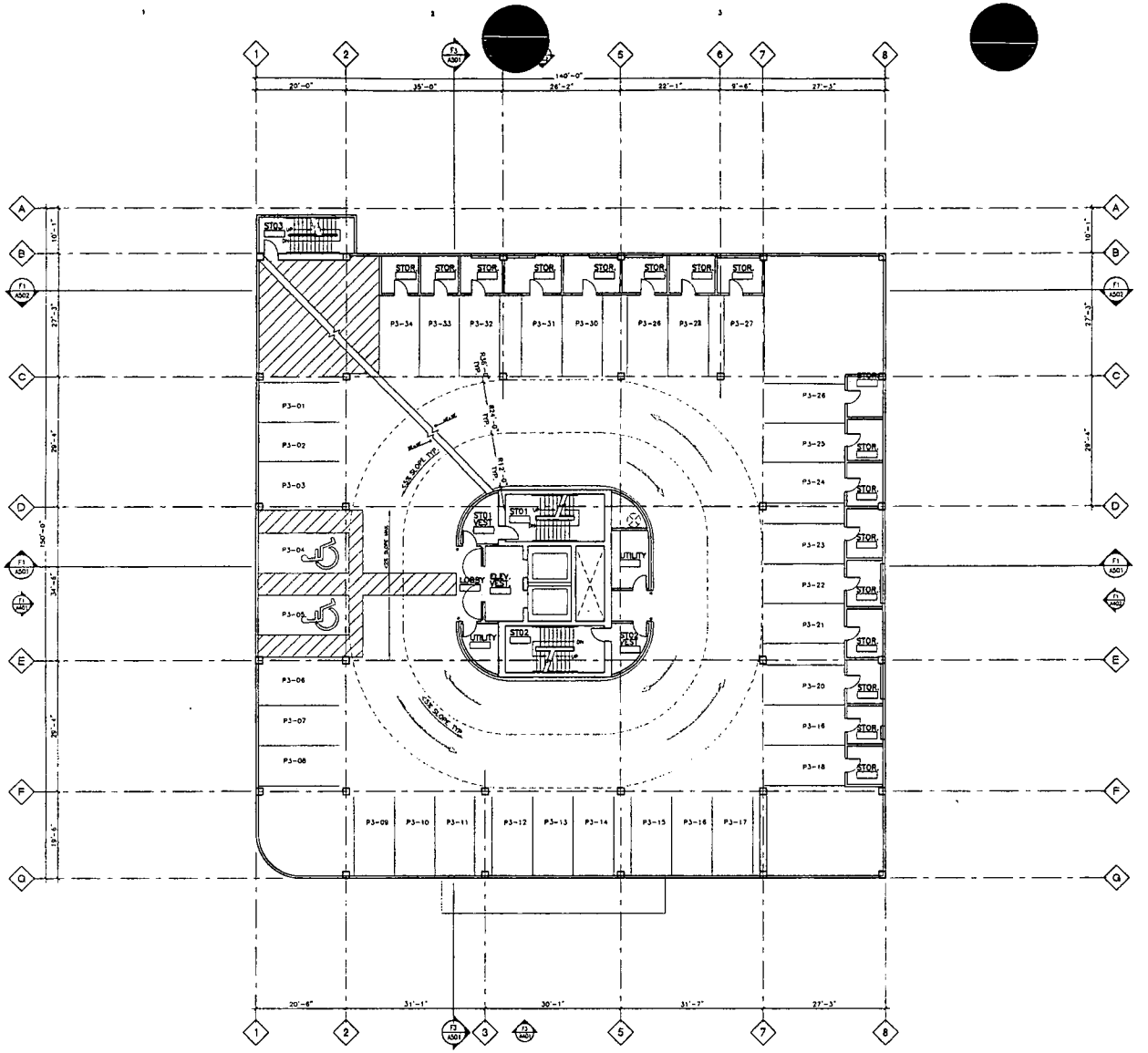
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A205
DRAWN KES
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
PARKING FLOOR PLAN LEVEL 3

SHEET NO.
A205

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



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

WEI ARCHITECTURE Inc
105 EAST BEMO AVENUE A
LAS VEGAS NEVADA 89119
TEL 702 891 3261
FAX 702 891 3212

BRESLIN BUILDERS

NEWPORT LOFTS

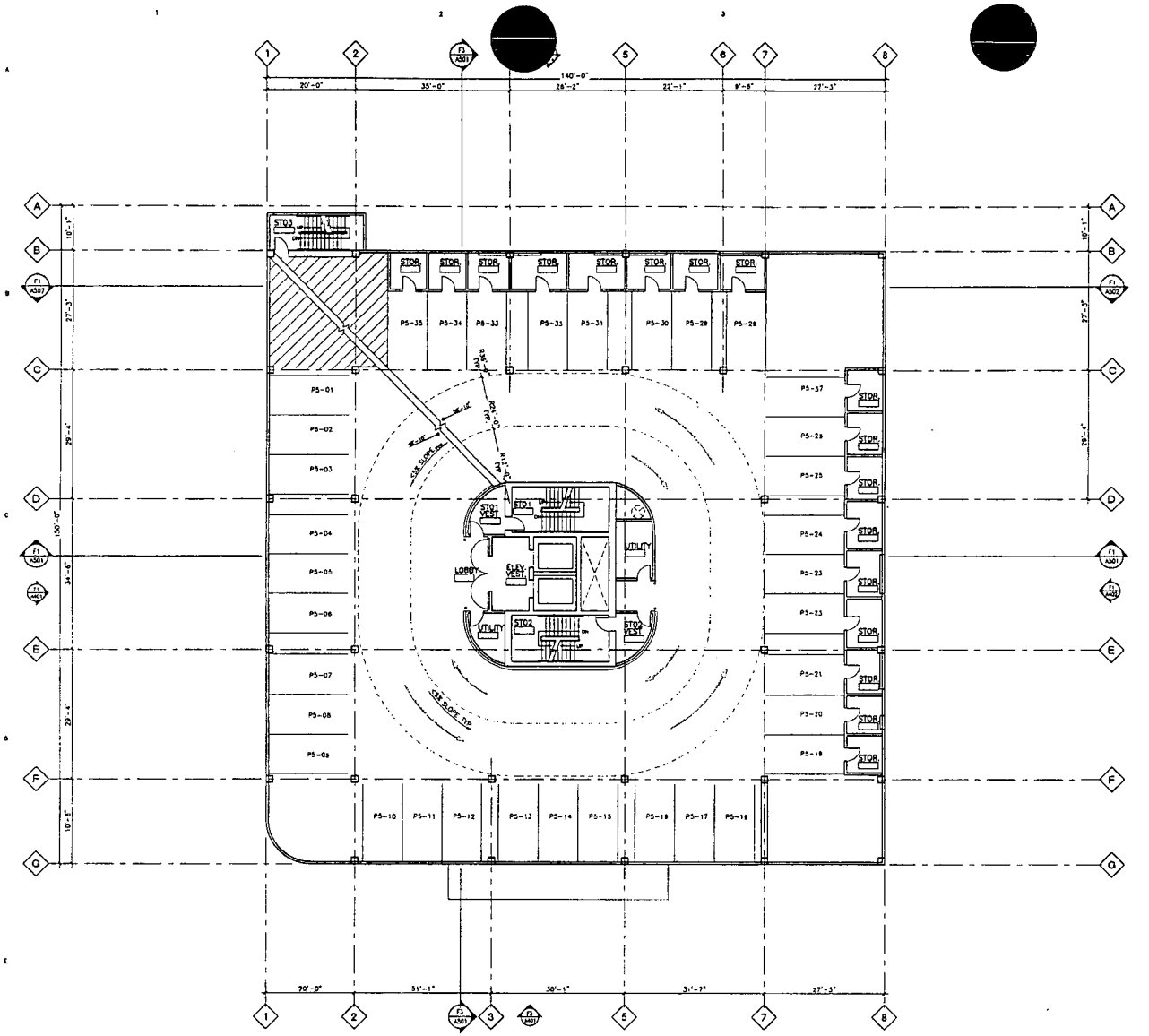
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A206
DRAWN KES
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
PARKING FLOOR PLAN LEVEL 4

SHEET NO.
A206

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



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

WPI ARCHITECTURE

108 EAST BONO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 2301
FAX 702 891 2313

BRESLIN BUILDERS

NEWPORT LOFTS

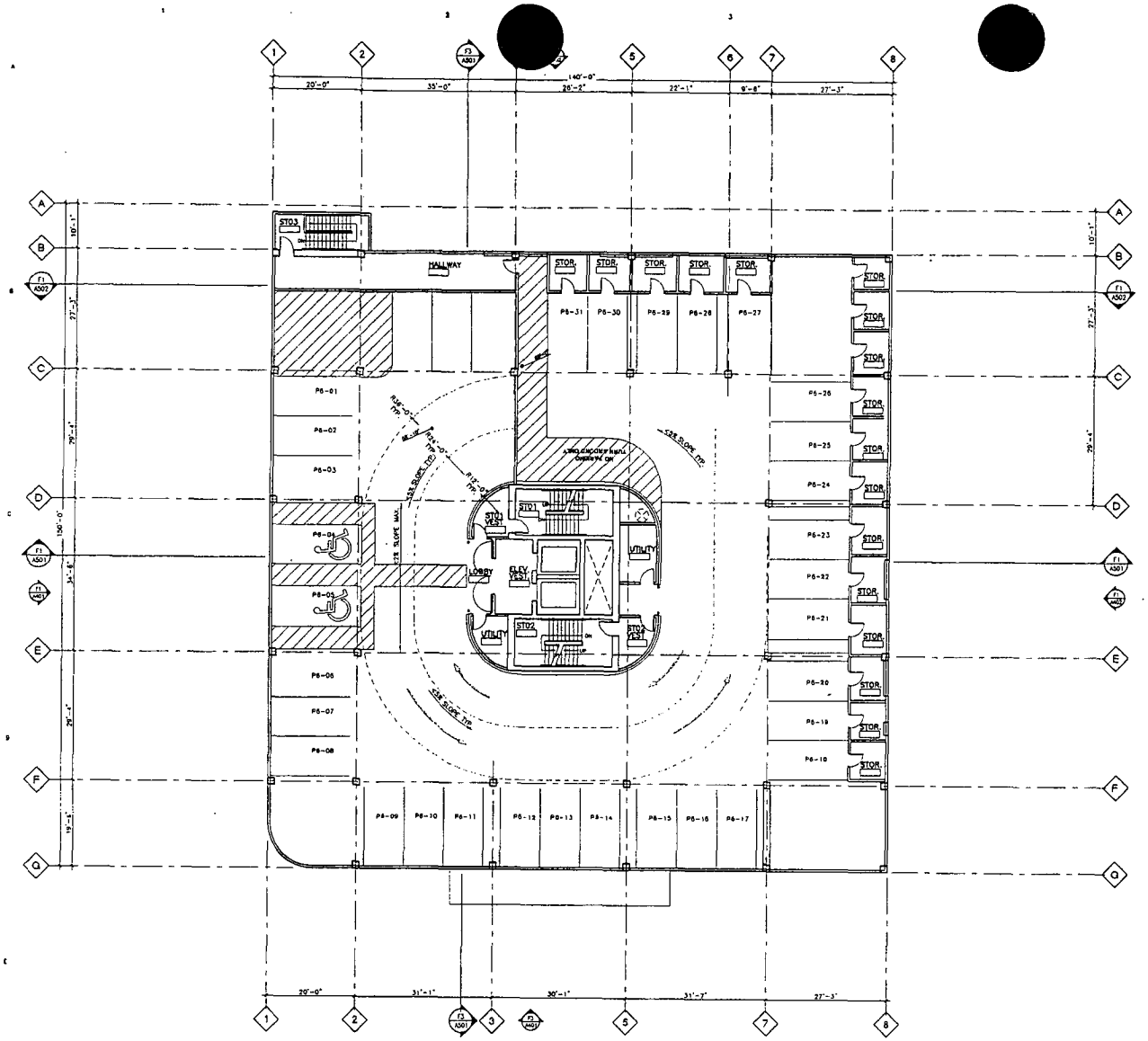
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A207
DRAWN KES
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
PARKING FLOOR PLAN LEVEL 5

SHEET NO.
A207

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



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

WPI ARCHITECTURE Inc
108 EAST BONO AVENUE 6
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8213

BRESLIN BUILDERS

NEWPORT LOFTS

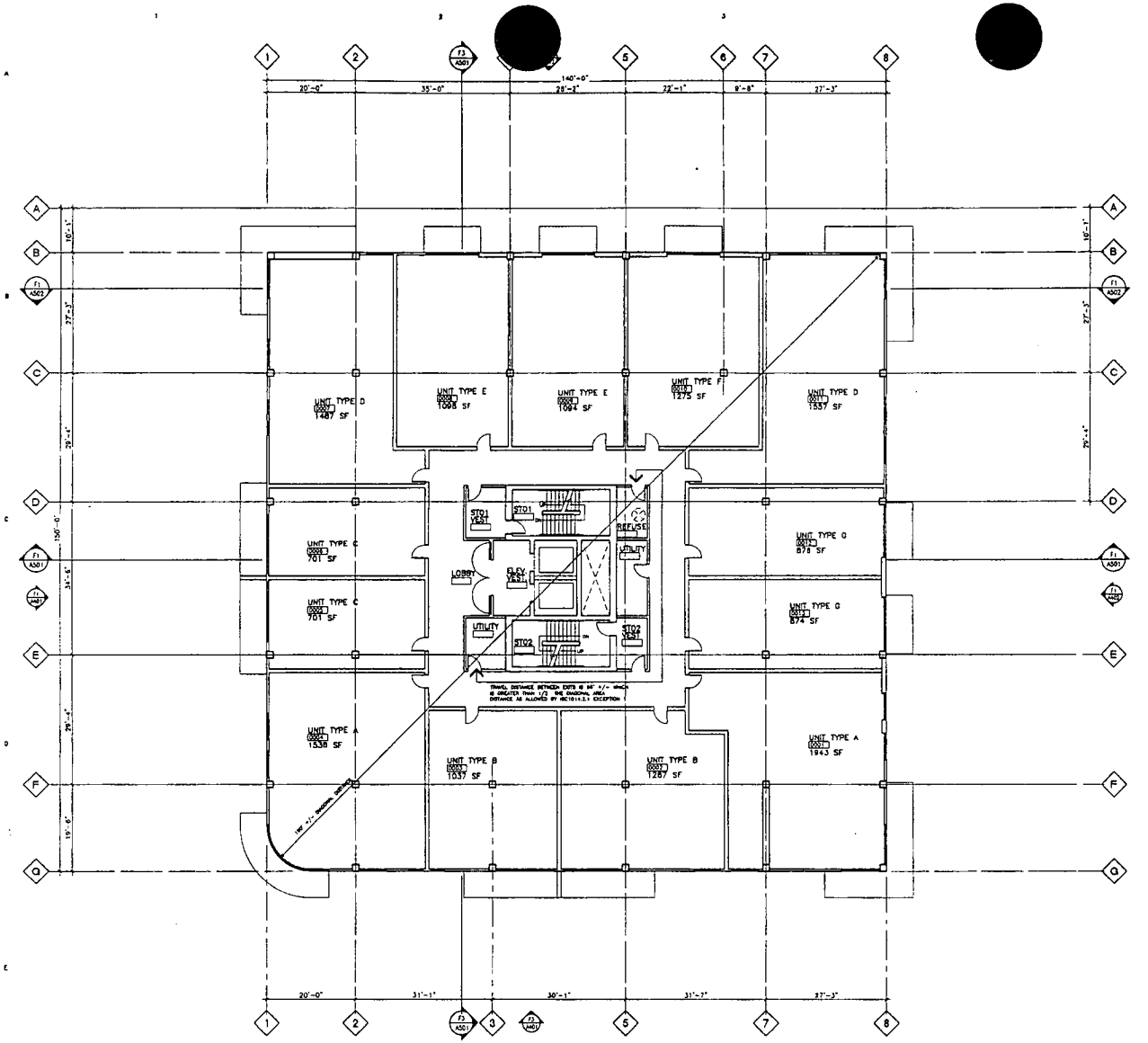
LAS VEGAS, NEVADA

PROJECT NO 04173
FILE 04173A208
DRAWN KES
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
PARKING FLOOR PLAN LEVEL 6

SHEET NO.
A208

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



F1 FLOOR PLAN - LEVEL 7 THRU 18

3/32" = 1'-0"

TYPICAL FLOOR AREA DATA

GROSS FLOOR AREA	19,587 SF
UNIT 0001	1843 SF
UNIT 0002	1287 SF
UNIT 0003	1037 SF
UNIT 0004	1538 SF
UNIT 0005	701 SF
UNIT 0006	701 SF
UNIT 0007	1487 SF
UNIT 0008	1068 SF
UNIT 0009	1094 SF
UNIT 0010	1275 SF
UNIT 0011	1557 SF
UNIT 0012	874 SF
UNIT 0013	874 SF
TOTAL UNIT FLOOR AREA	15,176 SF
NET FLOOR AREA	15,941 SF
CORE FLOOR AREA	3308 SF

FLOOR PLAN NOTES

1. UNIT AREAS ARE TO THE INTERIOR FACE OF WALLS
2. CORE AREA IS TO INTERIOR FACE OF CORRIDOR WALL

WEST ARCHITECTURE inc
106 EAST BEND AVENUE A
LAS VEGAS NEVADA 89119
TEL 702 821 8201
FAX 702 891 8213

BRESLIN BUILDERS

NEWPORT LOFTS

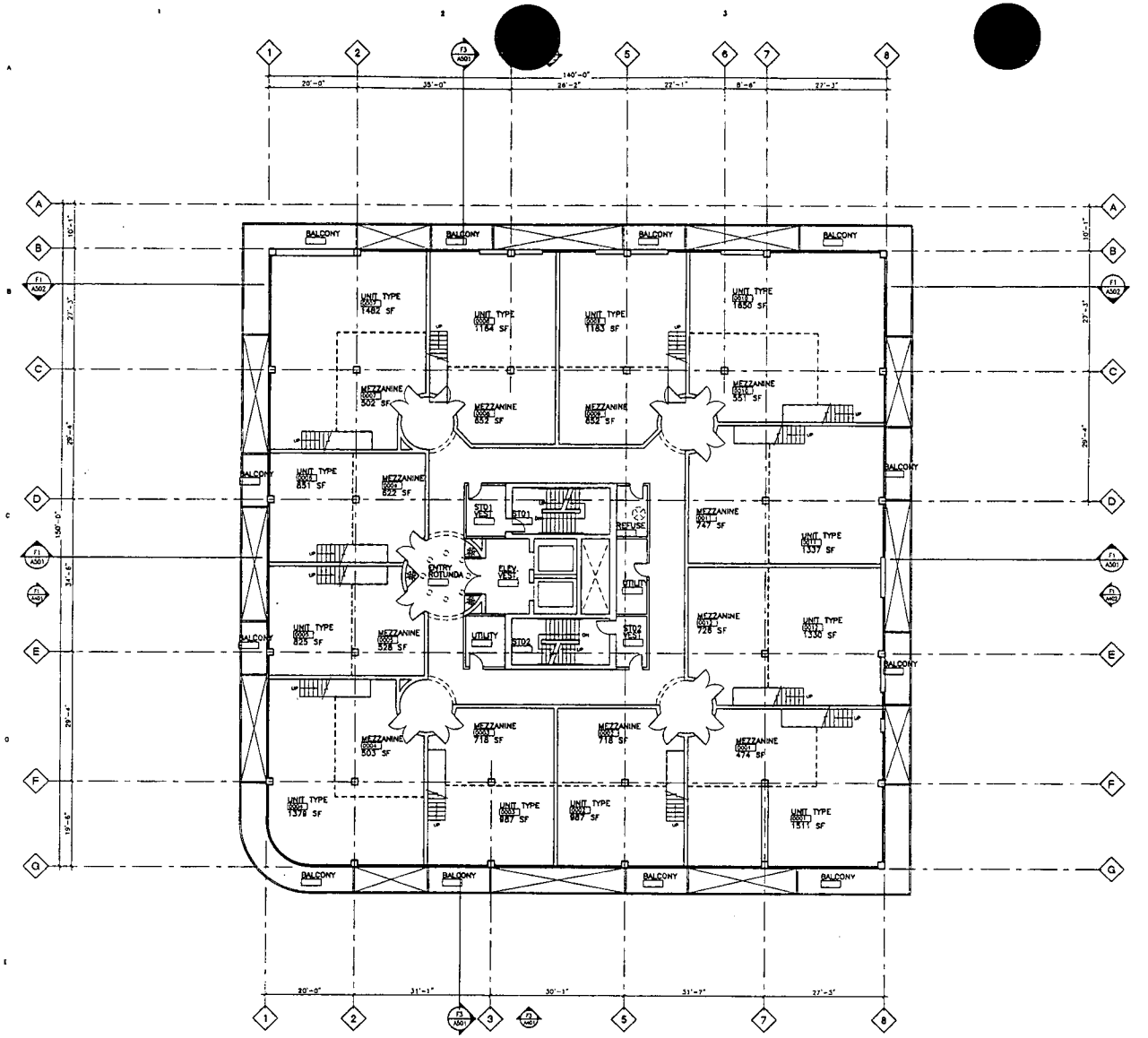
LAS VEGAS, NEVADA

PROJECT NO.: 04173
FILE: 04173A209
DRAWN: SDS
DATE: AUG 24, 2004

SHEET TITLE:
FLOOR PLAN
LEVEL 7 THRU 18

SHEET NO.
A209

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



F1 FLOOR PLAN LEVEL 19

3/32" = 1'-0"

Penthouse Summary Breakdown

UNIT #	GROUND FLOOR	MEZZANINE	TOTAL
1	1,511	474	1,985
2	987	718	1,705
3	987	718	1,705
4	1,379	503	1,882
5	825	528	1,353
6	851	822	1,673
7	1,482	502	1,984
8	1,184	652	1,836
9	1,163	652	1,815
10	1,650	551	2,201
11	1,337	747	2,084
12	1,330	728	2,058
	TOTAL		22,069

WPI ARCHITECTURE Inc
108 EAST BONANZA AVENUE, #
LAS VEGAS NEVADA 89114
TEL 702 891 9201
FAX 702 891 9212

BRESLIN BUILDERS

NEWPORT LOFTS

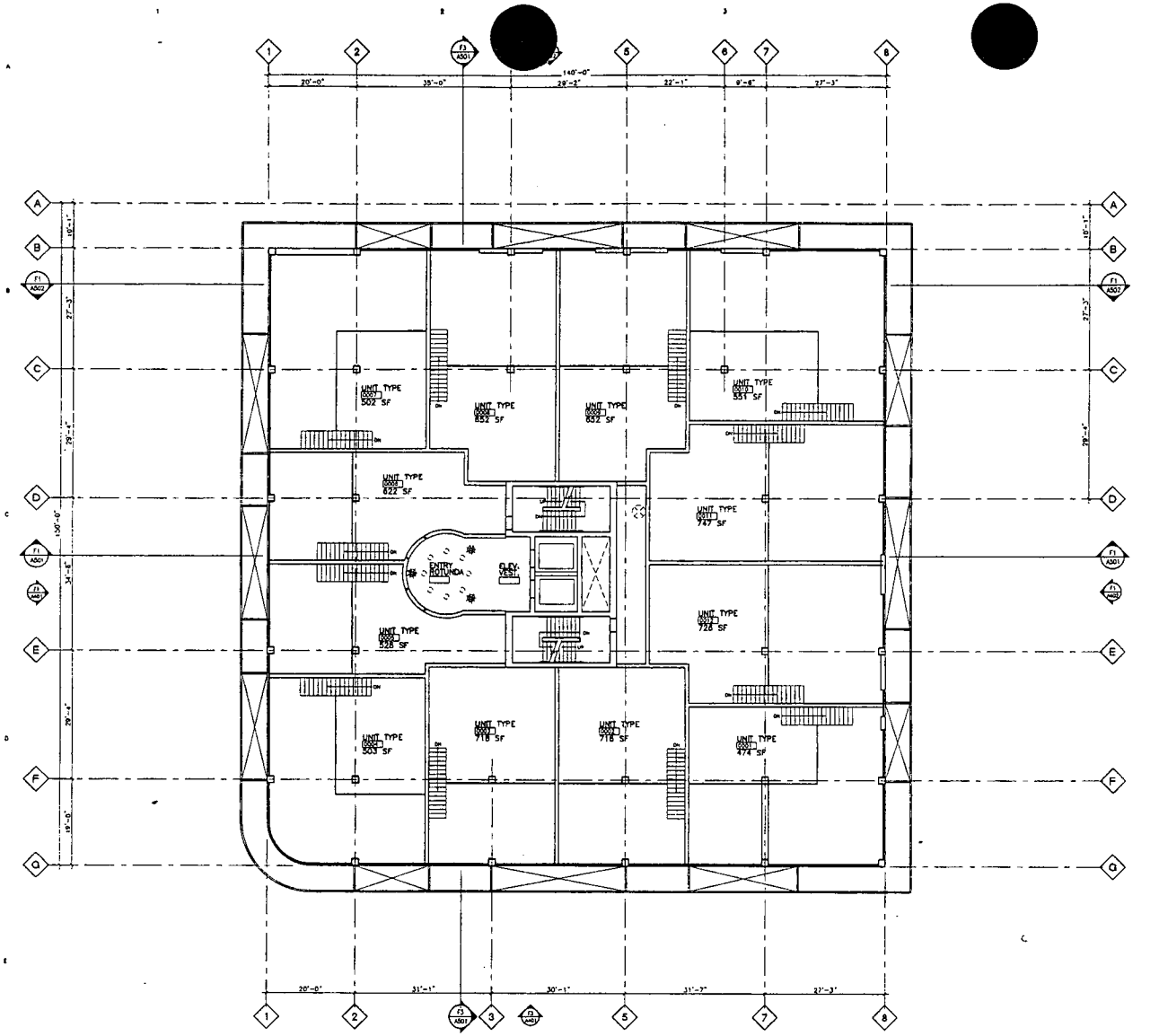
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A210
DRAWN SDS
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
FLOOR PLAN
LEVEL 19

SHEET NO.
A210

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



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

WPI ARCHITECTURE Inc
308 EAST BONO AVENUE 6
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8222

BRESLIN BUILDERS

BRESLAD

NEWPORT LOFTS

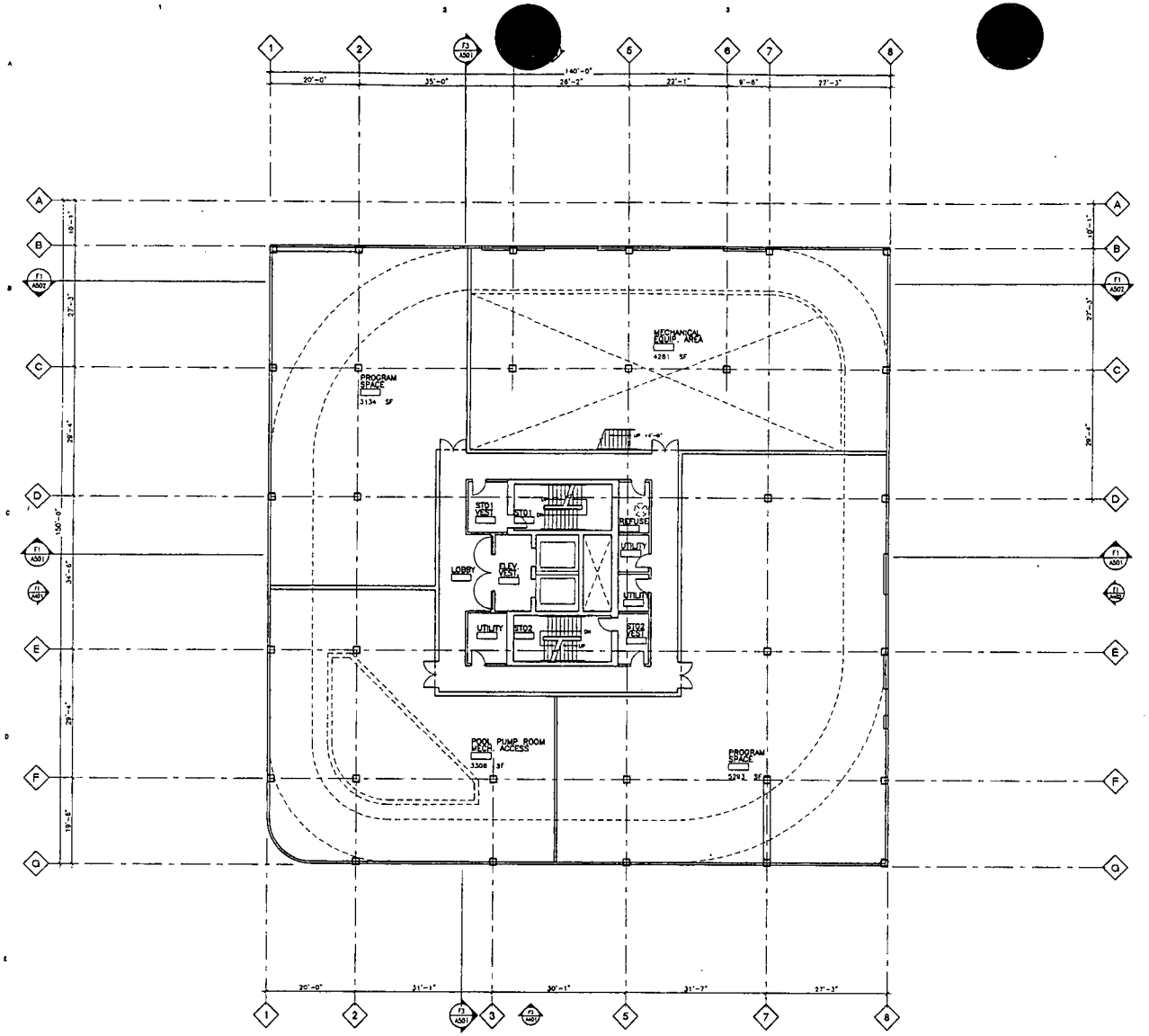
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A211
DRAWN SDS
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE:
FLOOR PLAN
LEVEL 20

SHEET NO.
A211

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



F1 FLOOR PLAN - LEVEL 21
1/8" = 1'-0"

WDI ARCHITECTURE inc
303 EAST ECHO AVENUE A
LAS VEGAS NEVADA 89119
TEL 702 891 6201
FAX 702 891 9212

BRESLIN BUILDERS

NEWPORT LOFTS

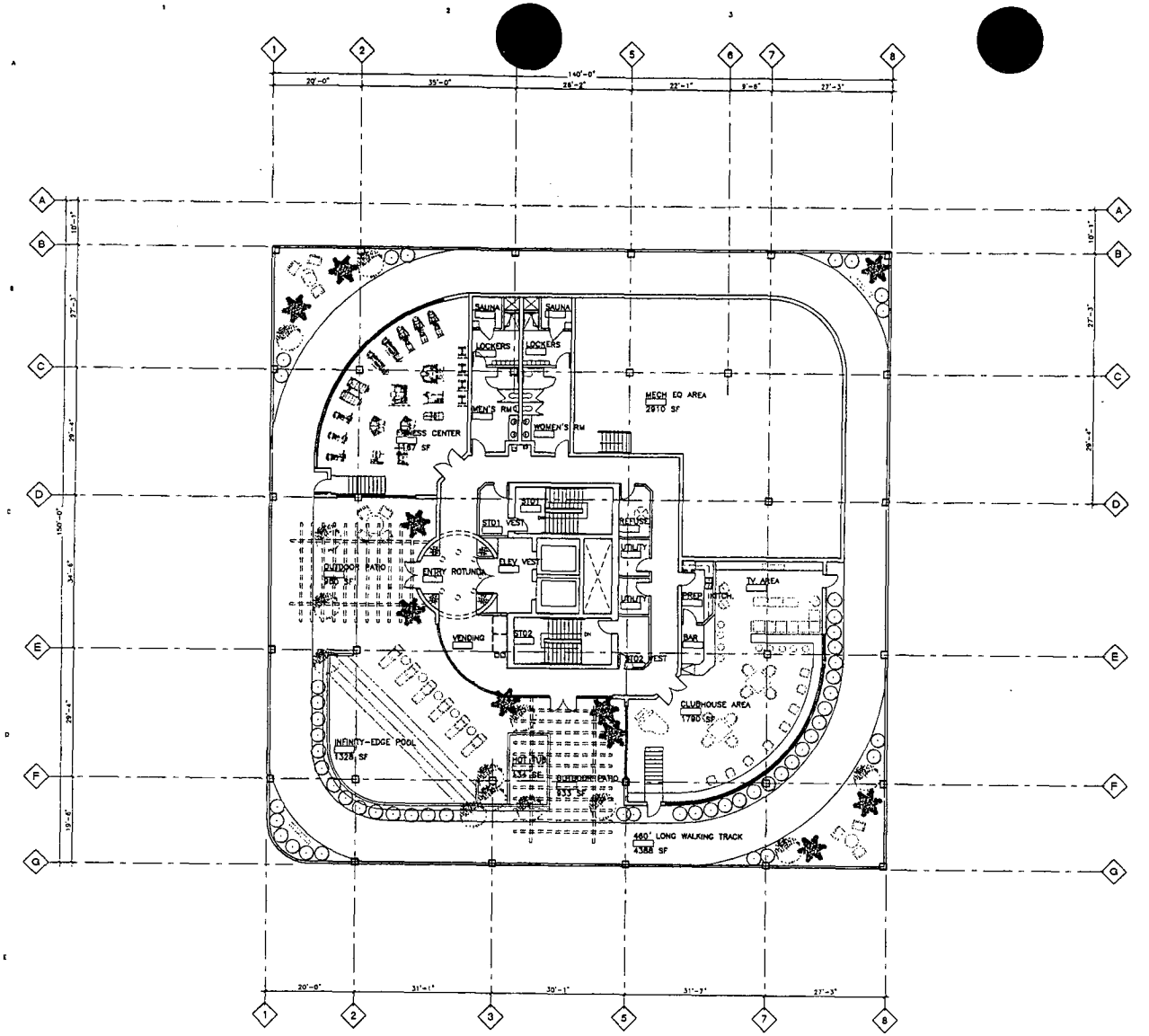
LAS VEGAS, NEVADA

PROJECT NO 04173
FILE 04173A212
DRAWN SDS
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
FLOOR PLAN
LEVEL 21

SHEET NO.
A212

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



F1 FLOOR PLAN - LEVEL 22

3/32" = 1'-0"

WPI ARCHITECTURE

108 EAST ECHO AVENUE
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8212

BRESLIN BUILDERS

NEWPORT LOFTS

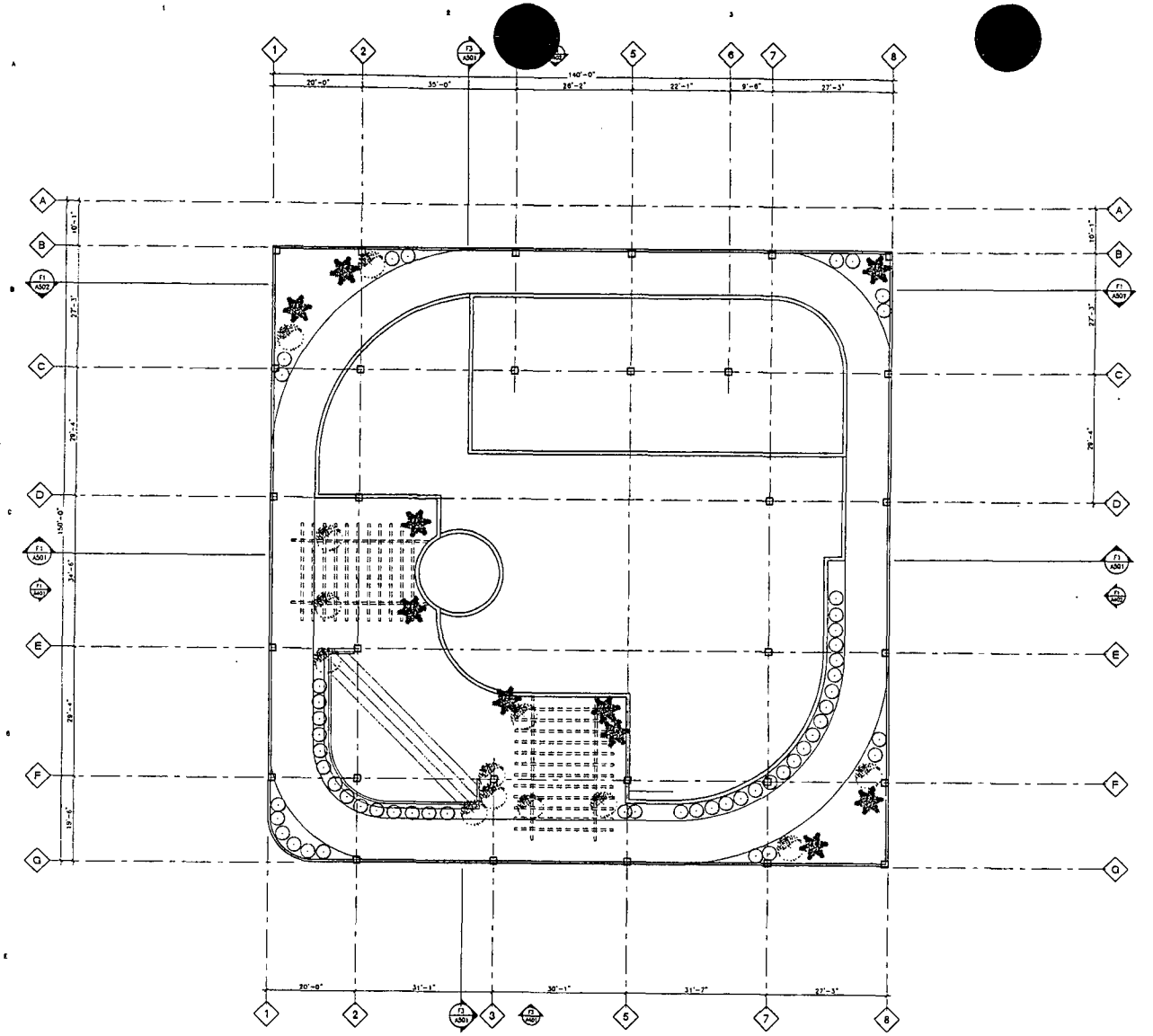
LAS VEGAS, NEVADA

PROJECT NO.: 04173
FILE: 04173A213
DRAWN: SDS
DATE: AUG 24, 2004
REVISION: DESCRIPTION

SHEET TITLE:
FLOOR PLAN
LEVEL 22

SHEET NO.:
A213

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



F1 ROOF PLAN
1/8" = 1'-0"

WPI ARCHITECTURE Inc
108 EAST ECHO AVENUE
LAS VEGAS NEVADA 89119
TEL 702 891 2291
FAX 702 891 2222

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

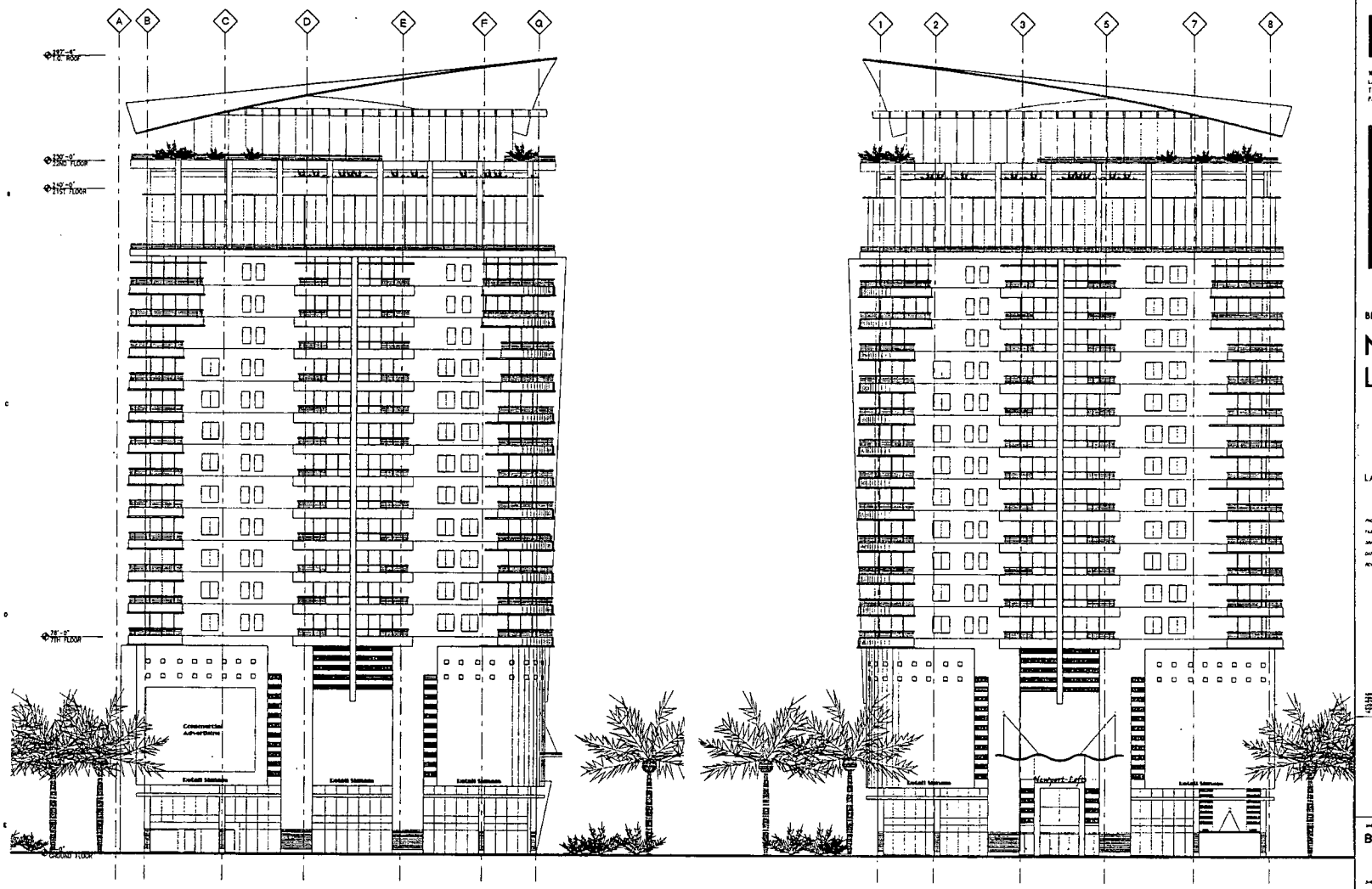
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A219
DRAWN BGS
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
FLOOR PLAN
ROOF

SHEET NO.
A214

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



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

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

WDT ARCHITECTURE Inc
108 EAST ECHO AVENUE
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8212

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

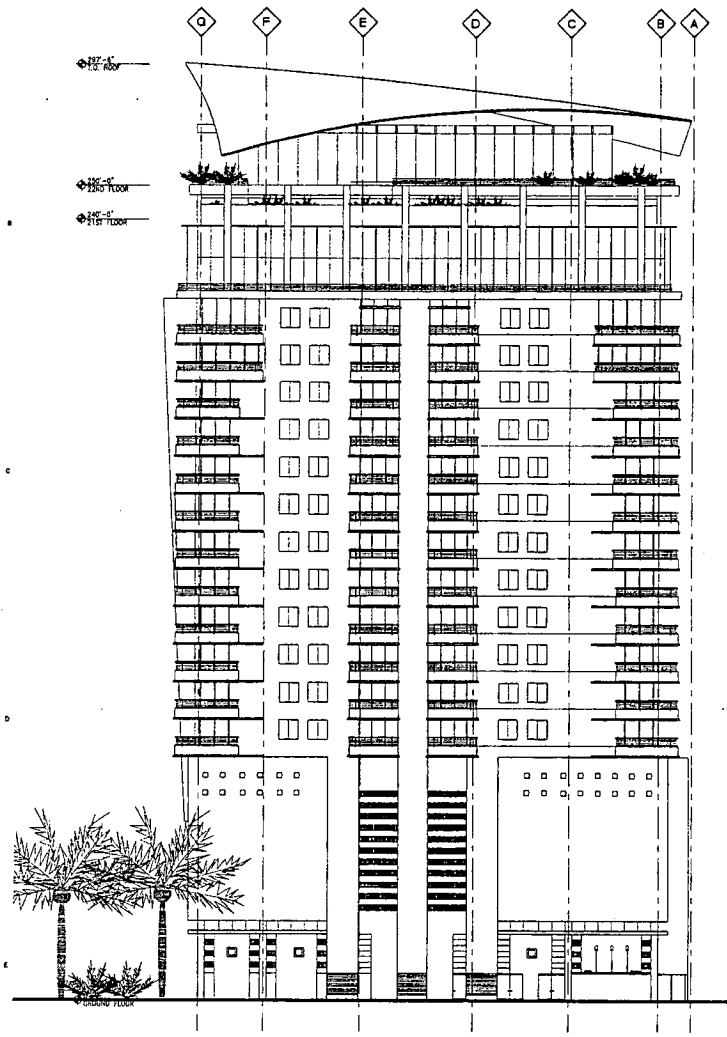
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A401
DRAWN mjf
DATE AUG 24, 2004
REVISION DESCRIPTION

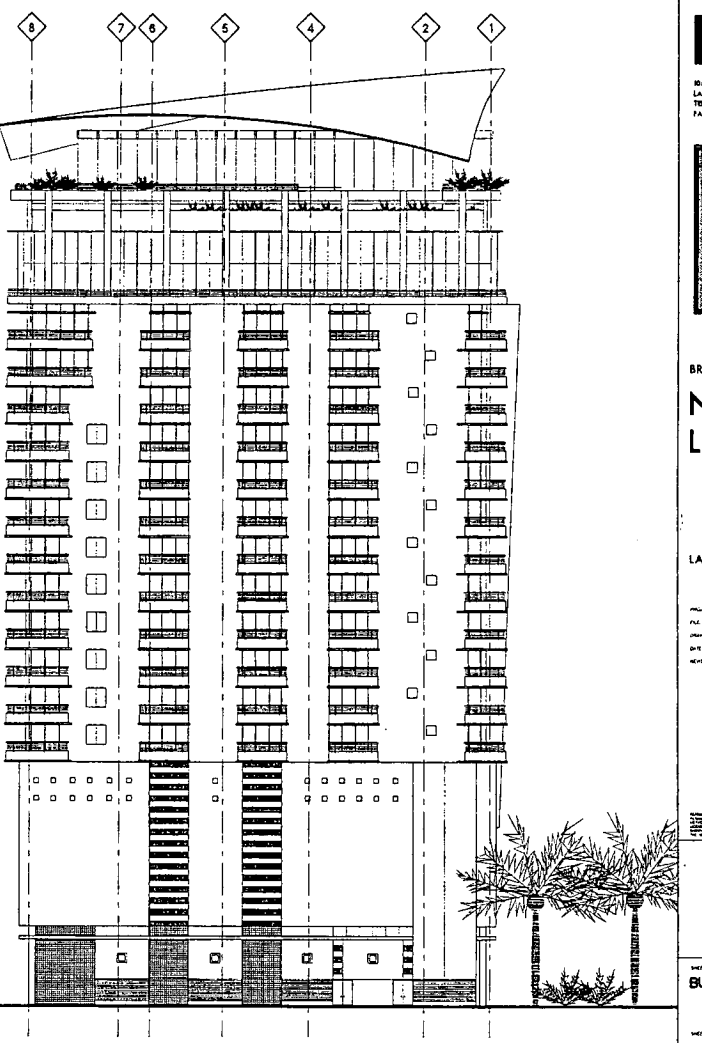
SHEET TITLE
BUILDING ELEVATIONS

SHEET NO.
A401

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



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



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

WPT ARCHITECTURE inc.
106 EAST BEND AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 4201
FAX 702 891 4212

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

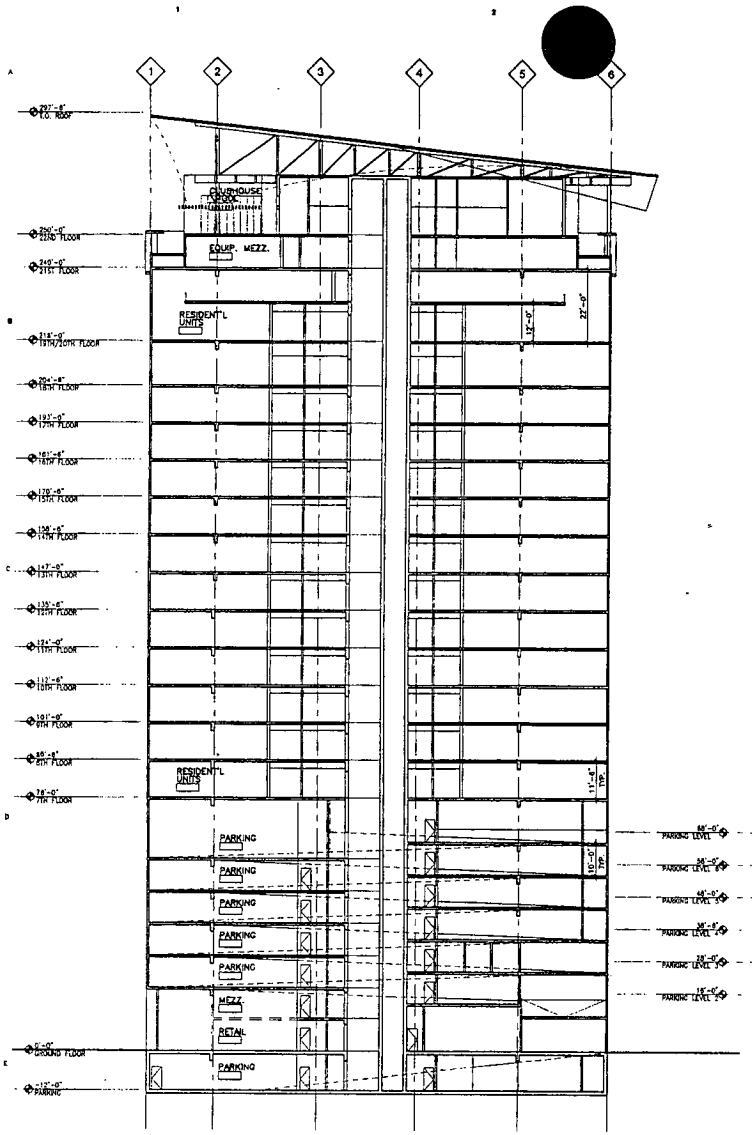
LAS VEGAS, NEVADA

04173
04173A402
mjf
AUG 24, 2004

BUILDING ELEVATIONS

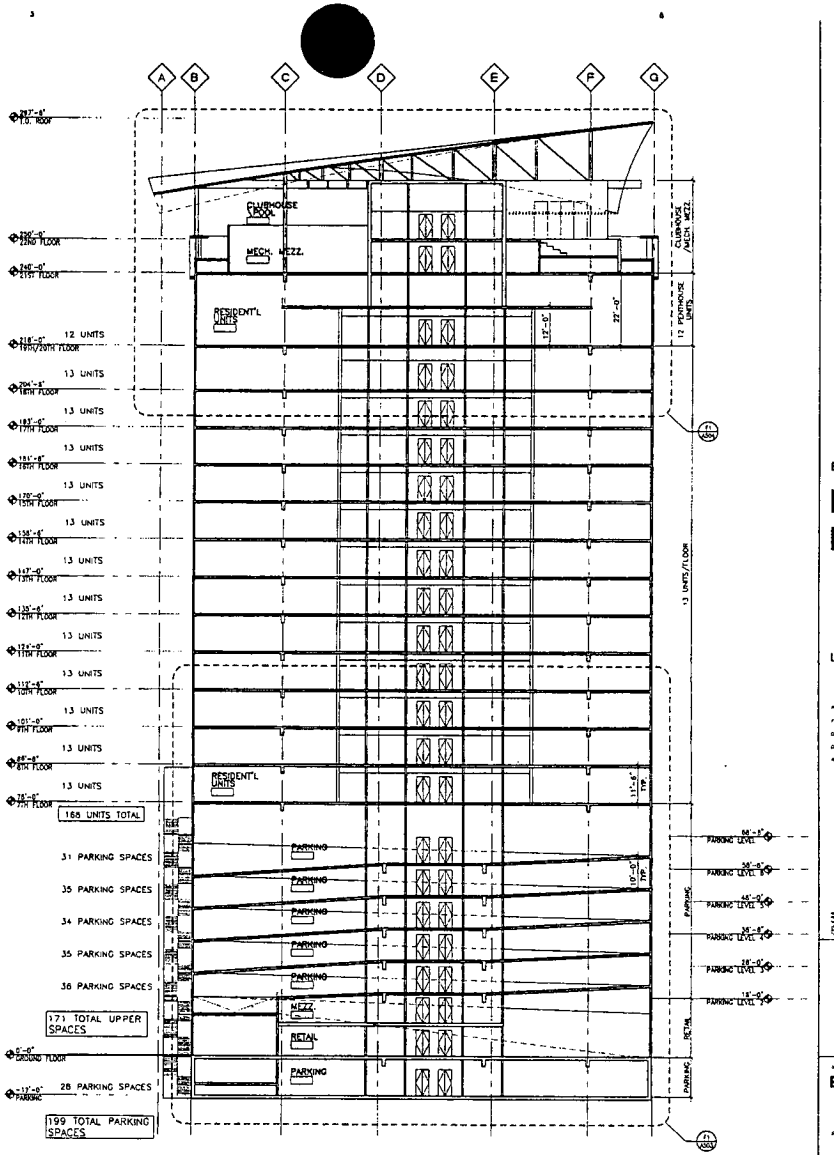
A402

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



F1 BUILDING SECTION - EAST/WEST

1/16" = 1'-0"



F4 BUILDING SECTION - NORTH/SOUTH

1/16" = 1'-0"

WEST ARCHITECTURE INC.
308 EAST BONNEVILLE AVENUE
LAS VEGAS NEVADA 89101
TEL 702 891 2301
FAX 702 891 2302

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

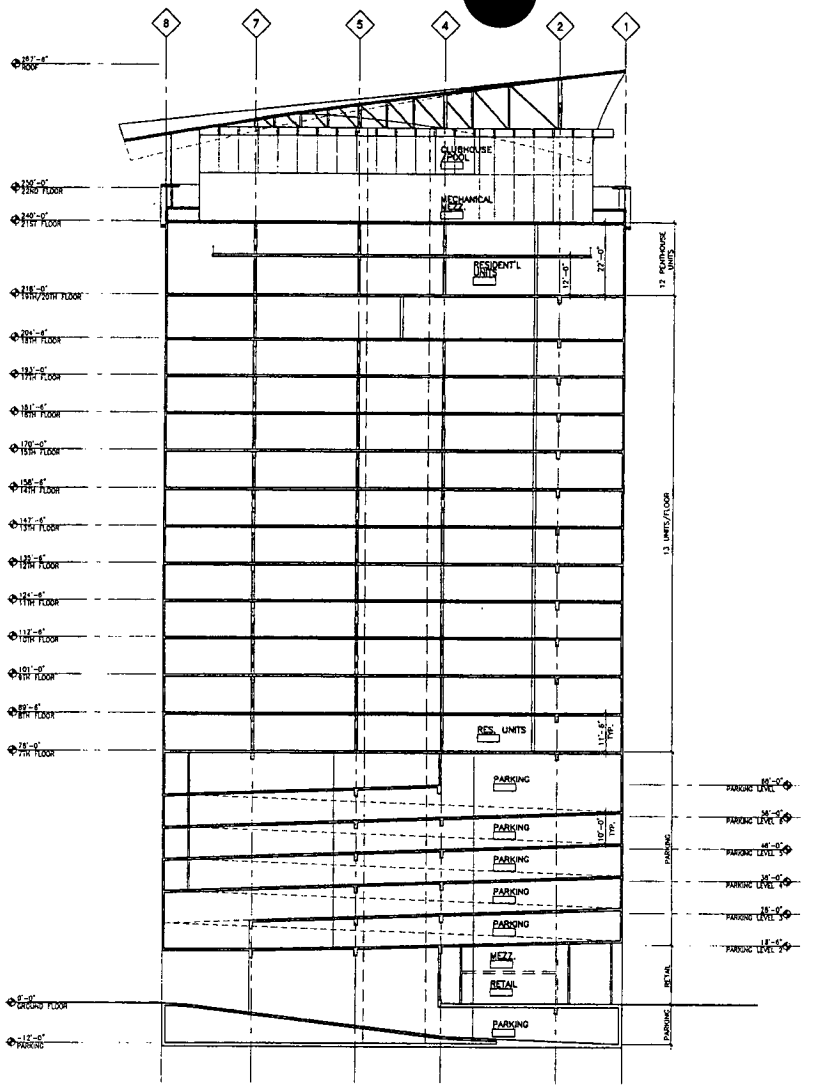
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A501
DRAWN RWF
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
BUILDING SECTIONS

SHEET NO.
A501

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



F1 BUILDING SECTION - EAST/WEST - TRHOUGH RAMP TO BASEMENT PARKING

1/16" = 1'-0"

WPI ARCHITECTURE inc.
LAS VEGAS NEVADA
TEL 702 891 2291
FAX 702 891 2292

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

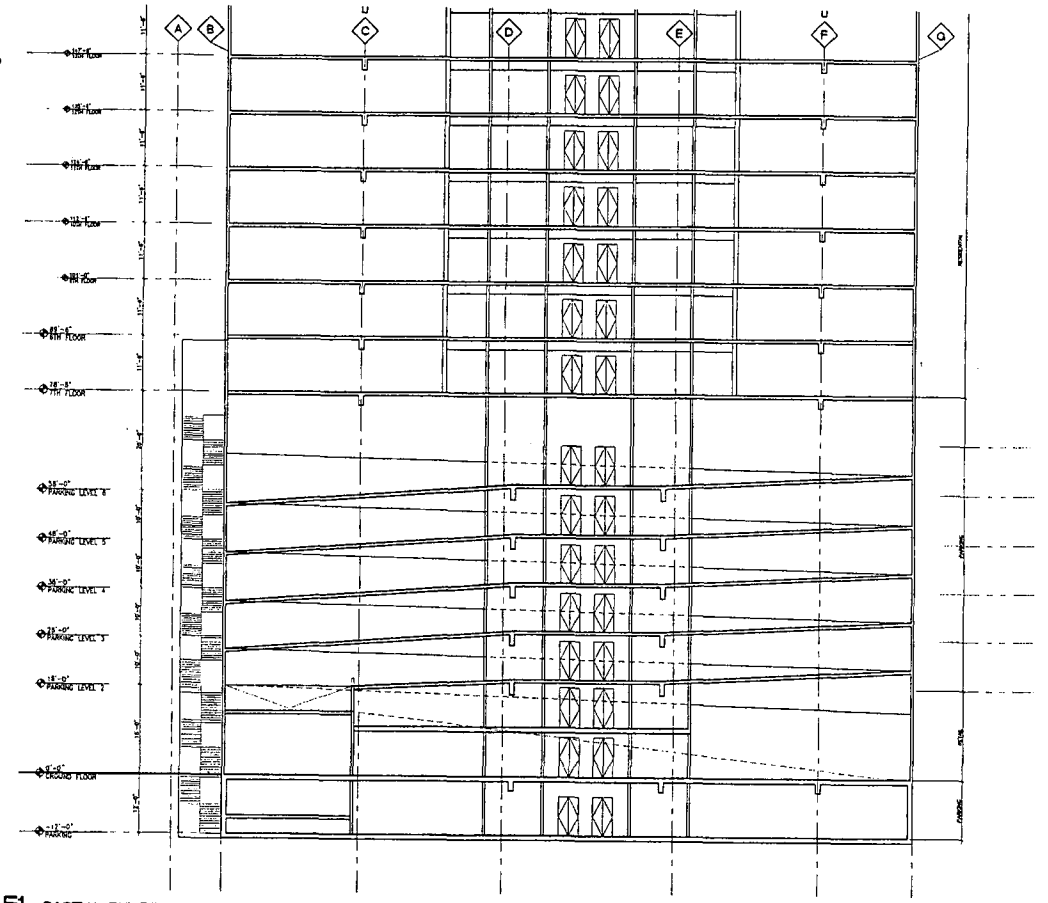
LAS VEGAS, NEVADA

PROJECT NO. 04173
FILE 04173A502
DRAWN mjf
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
BUILDING SECTIONS

SHEET NO.
A502

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



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

WPI ARCHITECTURE Inc.
108 EAST RENO AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 891 8201
FAX 702 891 8212

BRESLIN BUILDERS

BRESLIN BUILDERS

NEWPORT LOFTS

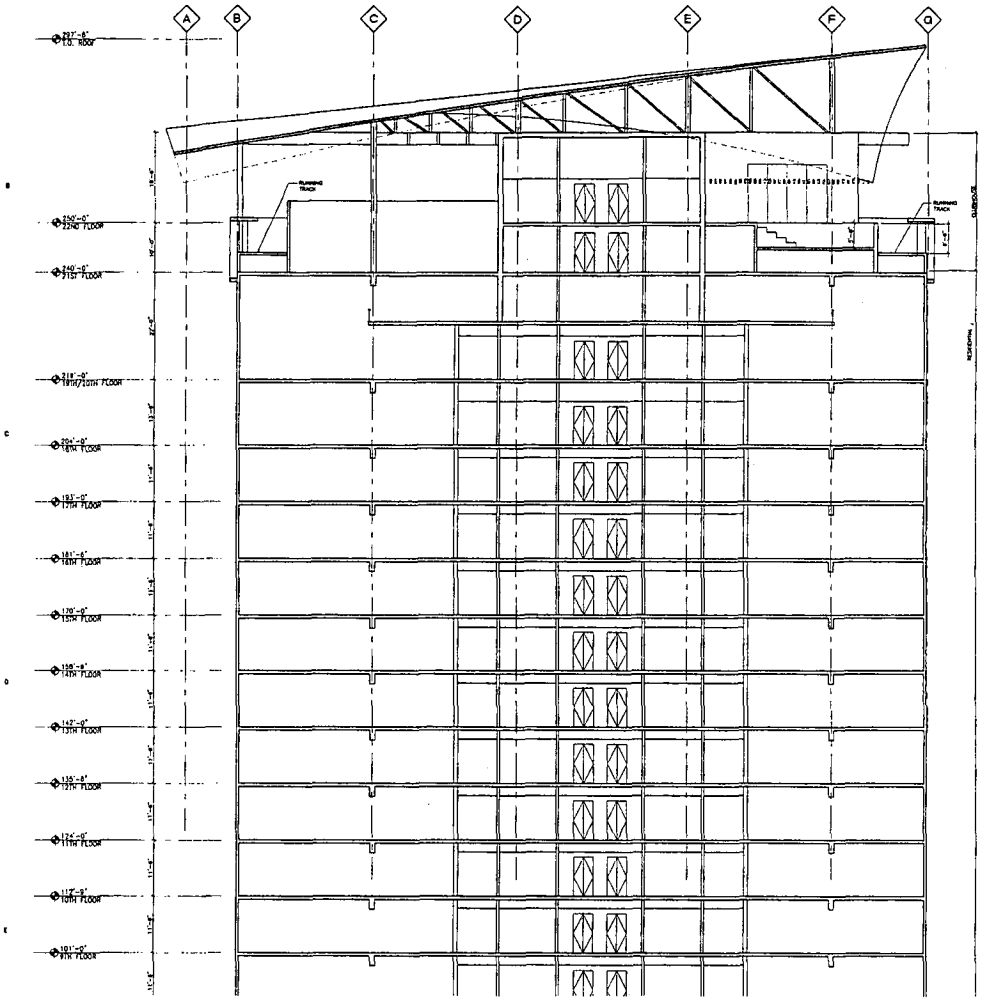
LAS VEGAS, NEVADA

PROJECT NO: 04173
FILE 04173A503
DRAWN mjl
DATE AUG 24, 2004
REVISION DESCRIPTION

SHEET TITLE
BUILDING SECTION AT PARKING LEVELS

SHEET NO.
A503

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



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

WPI ARCHITECTURE Inc.
808 EAST SUNSET AVENUE #
LAS VEGAS NEVADA 89119
TEL 702 691 2201
FAX 702 691 2212

BRESLIN BUILDERS

NEWPORT LOFTS

LAS VEGAS, NEVADA

PROJECT No.: 04173
FILE: 04173A504
DRAWN: mjf
DATE: AUG 24, 2004
REVISION: DESCRIPTION:

REPRODUCTION IN THE AMOUNT OF A CERTAIN TRANSFER OF THE RIGHTS OF THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES MADE TO THE PLANS BY ANY OTHER PERSON OR ENTITY. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES MADE TO THE PLANS BY ANY OTHER PERSON OR ENTITY.

SHEET TITLE:
BUILDING SECTION AT AMENITIES LEVELS

SHEET NO:
A504

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



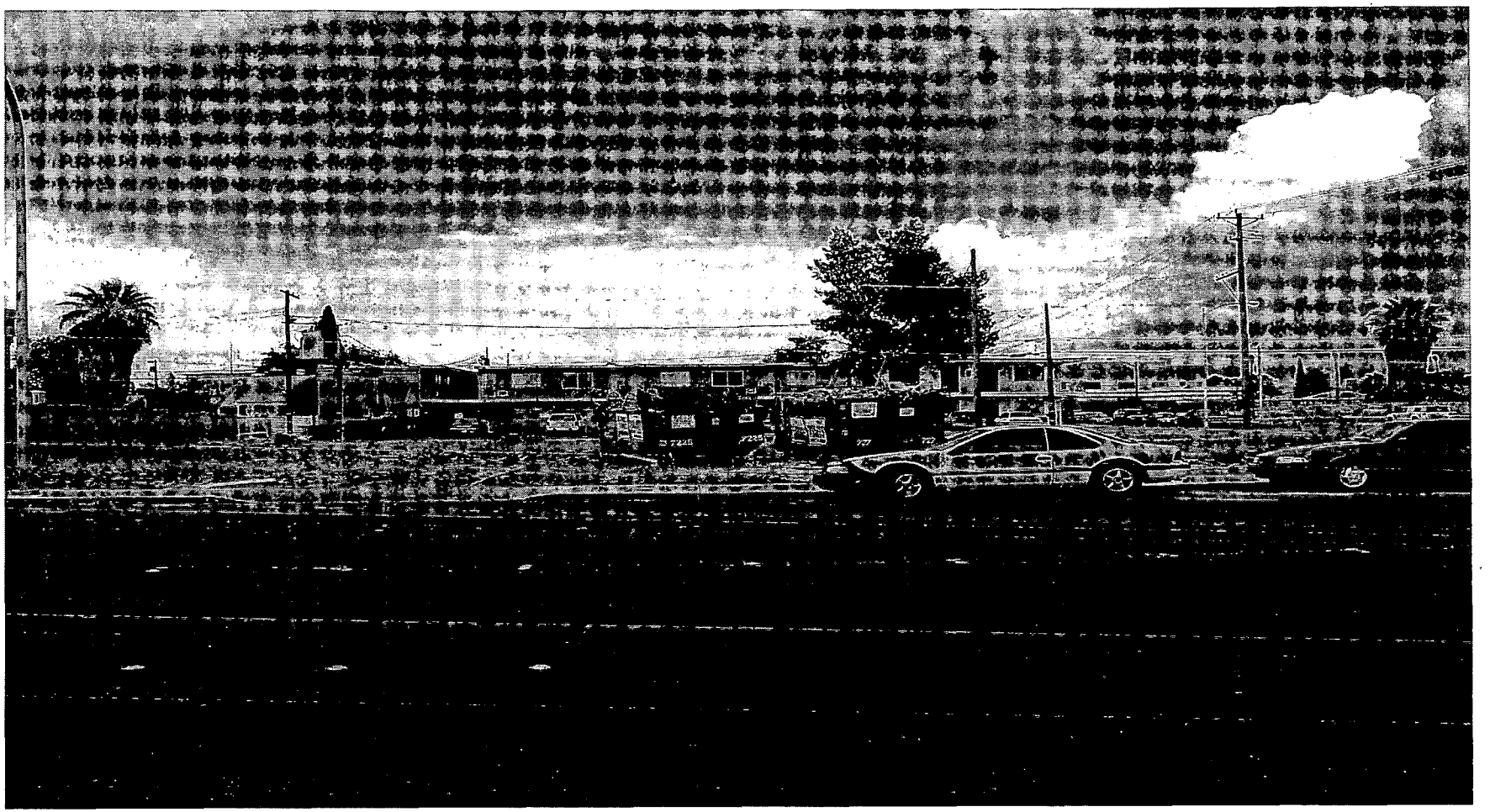
SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY
821, 827 AND 829 SOUTH CASINO CENTER BOULEVARD AND 205 HOOVER AVENUE
SEPTEMBER 9, 2004 PLANNING COMMISSION

07/20/04



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

07/20/04



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

07/20/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

SEPT 3, 2004

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
731 SO. FOURTH STREET
LAS VEGAS, NEVADA 89101

RE: NEWPORT LOFTS DEVELOPMENT

ACCORDING TO THE PROJECT INFO SUMMARY, THE DEVELOPER PLANS 171 PARKING SPACES FOR 166 UNITS. OF THE 171 SPACES, 6 WILL BE A.D.A. COMPATIBLE. THIS ASSUMES THAT EACH TENANT WILL OWN ONLY ONE CAR, A NOT REALISTIC ASSUMPTION.

HISTORICALLY, THE DOWNTOWN AREA HAS BEEN BURDENED WITH A SHORTAGE OF PARKING AT MULTI-STORY BUILDINGS.

I WOULD REQUEST THAT THE CITY NOT ALLOW ANY VARIANCE FROM THE PROPOSED NUMBER OF PARKING SPACES. IF POSSIBLE, MORE SPACES WOULD BE A BENEFIT TO THE SURROUNDING AREA.

VERY TRULY YOURS,
Tom Trinaystich
TOM TRINAYSTICH
722 SO. 3RD STREET
LAS VEGAS, NEVADA 89101

SUP-4728
SDR-4727

RECEIVED
SEP 10 2004

Protest for Council

City of Las Vegas

Agenda Item No. 110

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4592 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with MACK disclosing that his client, Treasures, does business with this venture, and although he has not discussed this issue and does not believe it will have any impact, he will be abstaining from voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE BROWN, 4175 Cameron, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:27 - 2:28)
3-3261

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting

CONDITIONS - Continued:
may result in fines and/or removal of the off-premise advertising (billboard) sign.

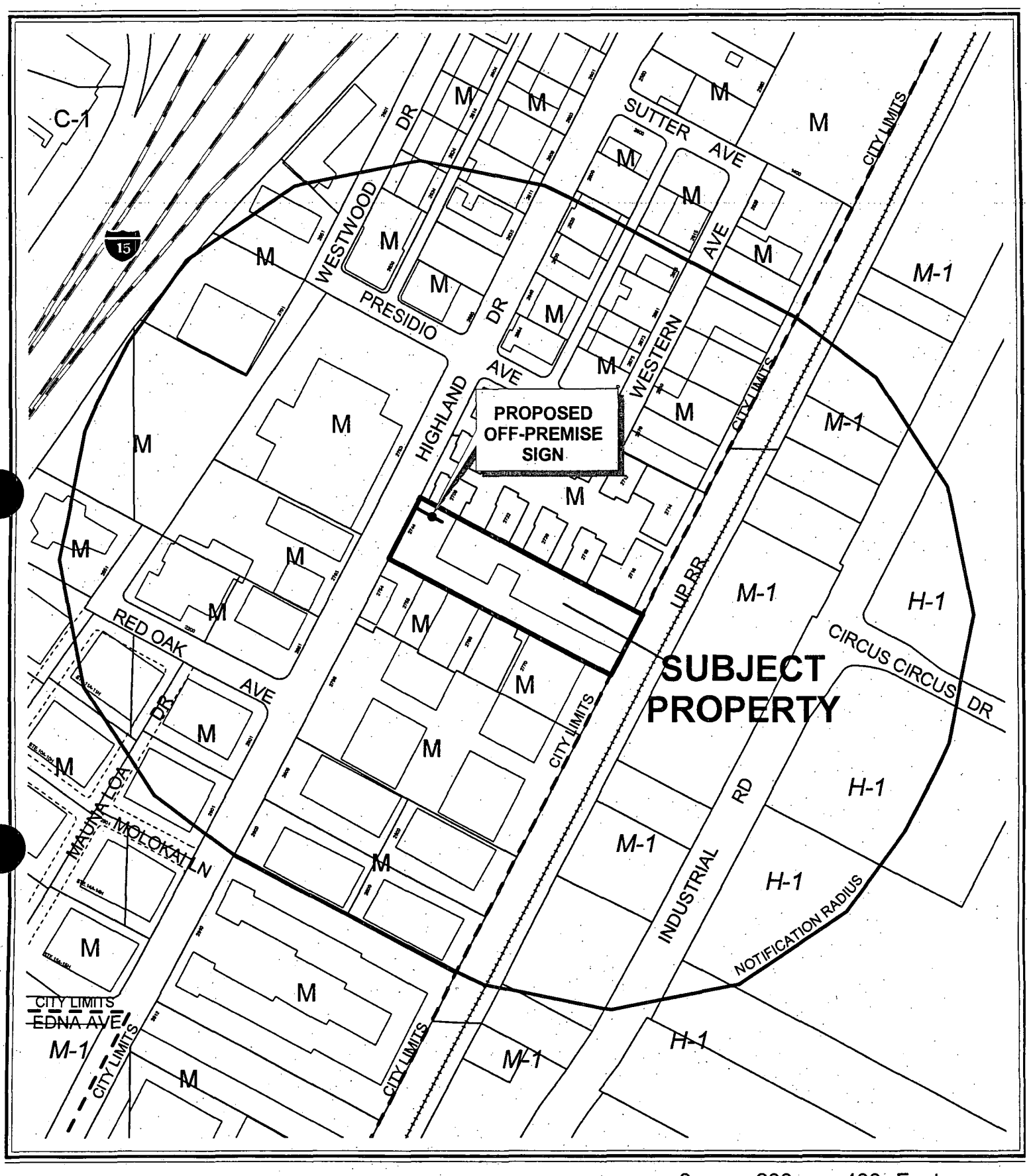
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

5. Only one advertising sign is permitted per sign face.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

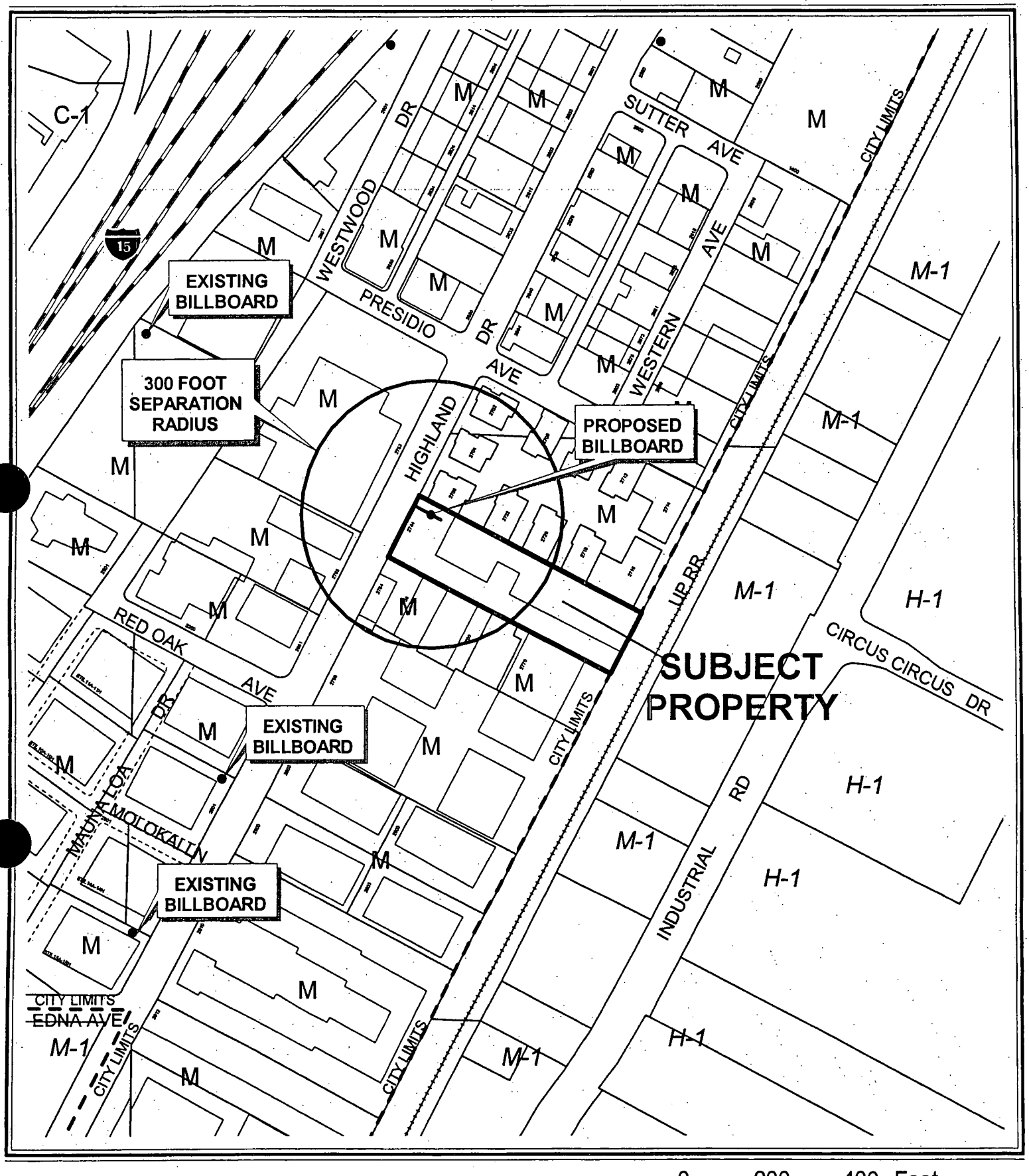
Public Works
7. The off premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



CASE: **SUP-4592**

RADIUS: 750 FT

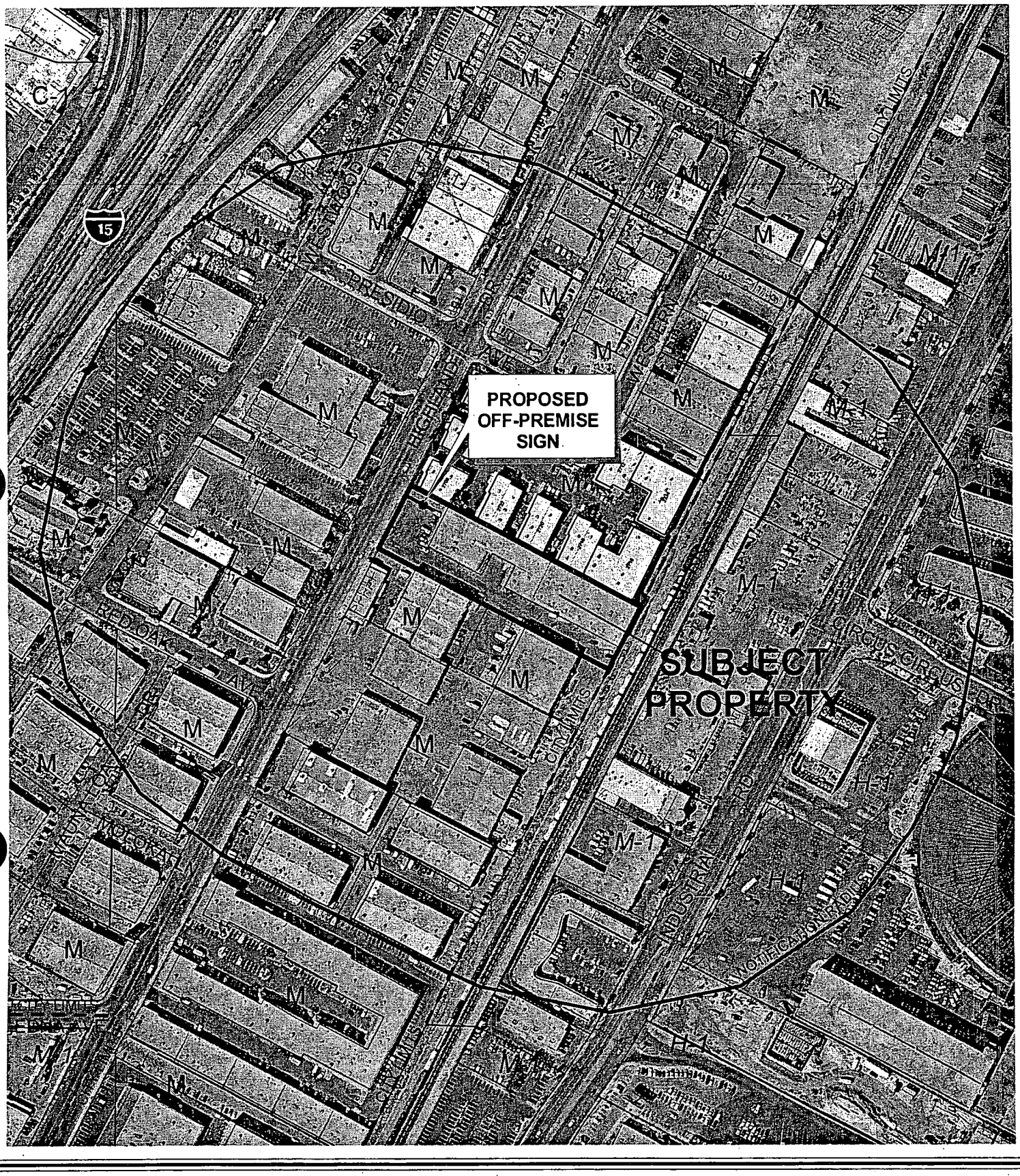
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **SUP-4592**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



0 200 400 Feet

CASE: **SUP-4592**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-4592

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA

THIS ITEM WAS HELD IN ABEYANCE AT THE SEPTEMBER 15, 2004 CITY COUNCIL MEETING AT APPLICANT'S REQUEST.

** CONDITIONS **

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

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

5. Only one advertising sign is permitted per sign face.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

Public Works

7. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a 40-foot high, 10 foot x 40 foot off-premise advertising sign (billboard) on at 2744 Highland Drive.

B) Applicant's Justification

The off-premise sign will be located in an industrial area that is zoned for this use. The off-premise sign is located more than 300 feet from any other off-premise sign located on Highland Drive. The proposed billboard meets or exceeds all of the location provisions outlined in Title 19.

BACKGROUND INFORMATION

A) Previous Actions

01/25/61	The City Council approved a rezoning (Z-0062-60) of subject property from R-E (Residence Estates) to C-1 (Limited Commercial).
07/22/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #7-SRS).

B) Pre-Application Meeting

04/07/04	Elements of this type of special use permit were discussed.

C) Neighborhood Meetings

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.01

B) Existing Land Use

Subject Property:	Industrial park, warehouses, shops, storage
North:	Industrial park, warehouses, shops, storage
South:	Industrial park, warehouses, shops, storage
East:	Industrial park, warehouses, shops, storage
West:	Industrial park, warehouses, shops, storage

C) Planned Land Use

Subject Property:	LI/R (Light Industry/Research)
North:	LI/R (Light Industry/Research)
South:	LI/R (Light Industry/Research)
East:	LI/R (Light Industry/Research)
	Clark County: M-1 (Light Industrial)
West:	LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial)
East:	M (Industrial), Clark County
West:	M (Industrial)

E) General Plan Compliance: **Southeast General Plan**

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry/Research) land use designation, which allows for industrial use, commercial/industrial use, and planned business parks. The site is zoned M (Manufacturing) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500' of another jurisdiction recognized by the Southern Nevada Regional Policy Plan.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

No impact on transportation and traffic, schools, emergency services, housing, mass transit, open space and recreation, hydrology, water quality, or utilities and service systems.

The Planning Commission is to consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100 (C) (11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	No other Off-Premise Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal
Minimum distance separation from "R" zoned property and any other Off-Premise Advertising (Billboard) Sign	300 Feet	

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 2,165 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Overall height of an Off-Premises Advertising Sign is limited to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation.

FINDINGS

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

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

   This proposed use is allowed in the LI/R (Light Industrial/ Research) General Plan designation and in the M (Industrial) zoning district. As there are no other billboards within approximately 700 feet, visual clutter in this area of the City is not a major concern.

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

   The site is physically suitable for the type and intensity of land use proposed.

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

   Not applicable to this type of special use.

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

   The proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 49 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4592 APN: 162092020 01

Name of Property Owner: JOHN HERDA

Name of Applicant: MOUNTAIN VIEW ESTATES

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

_____ Yes ✓ 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: John J. Herda

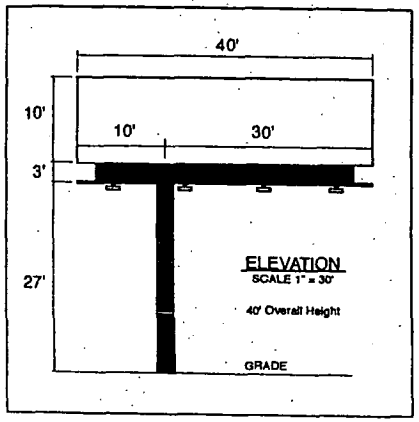
Subscribed and sworn before me

This 26th day of May, 2004

Tina Fagin

Notary Public in and for said County and State

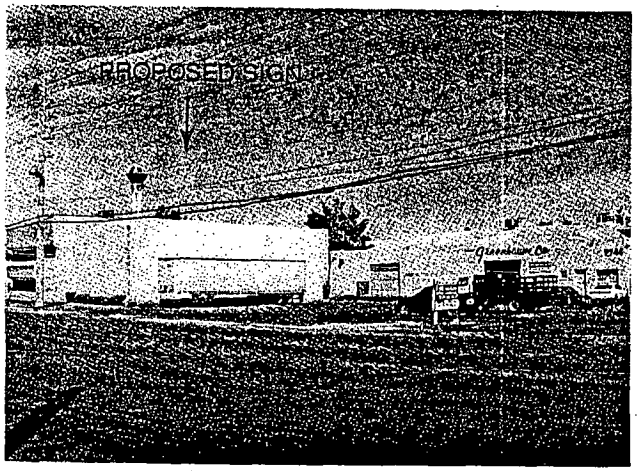
TINA FAGIN
Notary Public State of Nevada
No. 99-54312-1
My appt. exp. Mar. 29, 2007



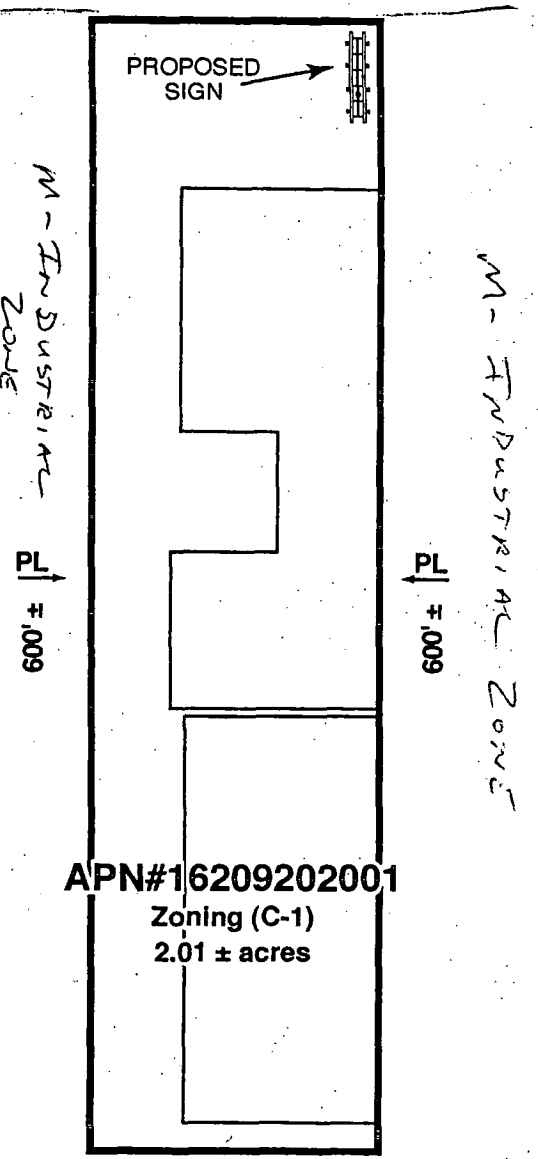


HIGHLAND DR.

TOP VIEW
SCALE 1" = 100'





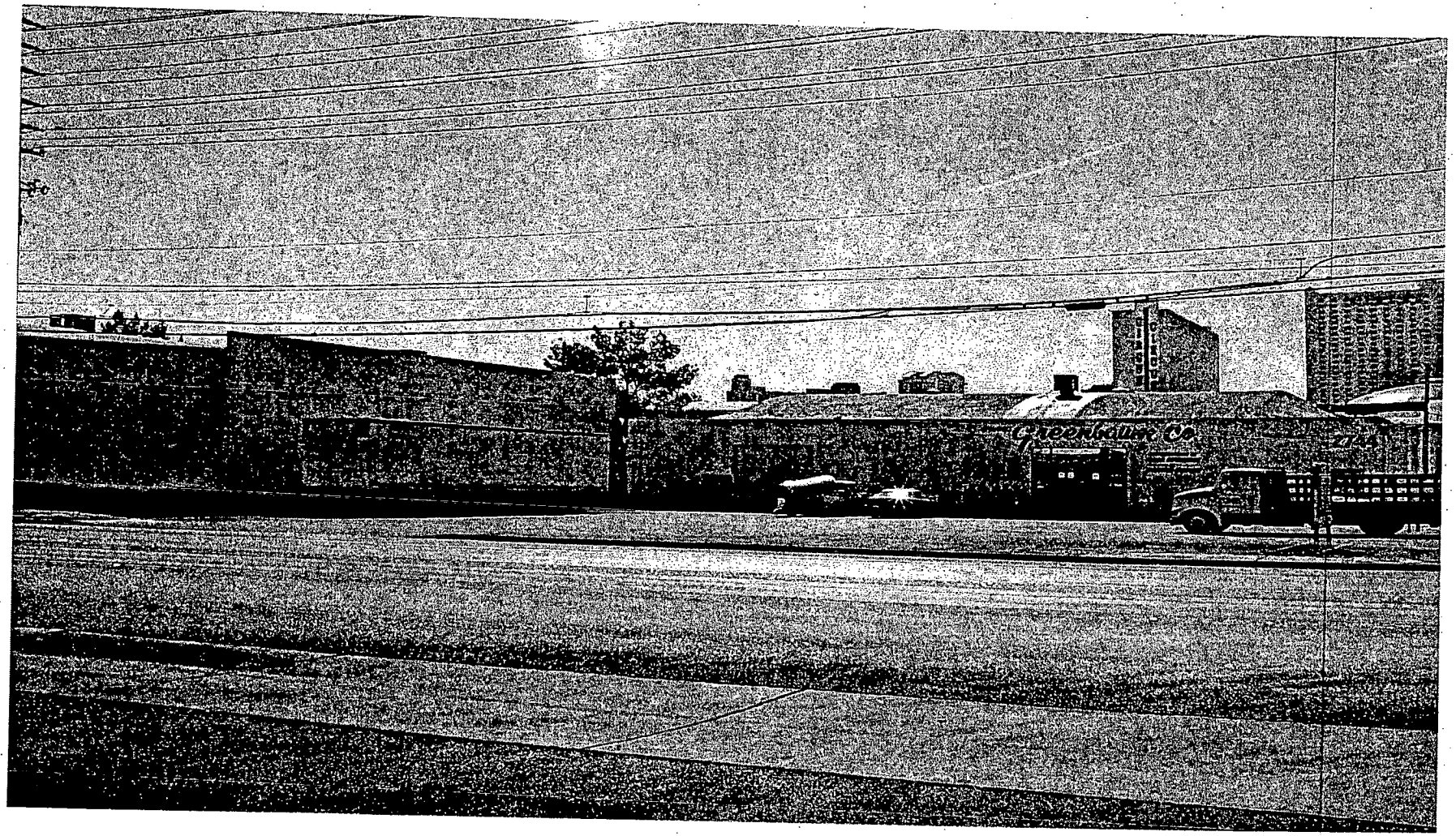




GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4 No parking spaces will be taken for this location.

SUP-4592
7-22-04 PC

OWNER: NYP CORPORATION		
SCALE: NOTED	APPROVED BY:	DRAWN BY:
DATE: 05/12/04		REVISED:
LOCATION: 2744 HIGHLAND DRIVE 89109		
APN#16209202001		DRAWING NO.:



SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA
2744 HIGHLAND DRIVE
JULY 22, 2004 PLANNING COMMISSION

7/1/04

City of Las Vegas

Agenda Item No. 111

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4593 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: S & K FAMILY TRUST - Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1531 Western Avenue (APN 162-04-605-007), M (Industrial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

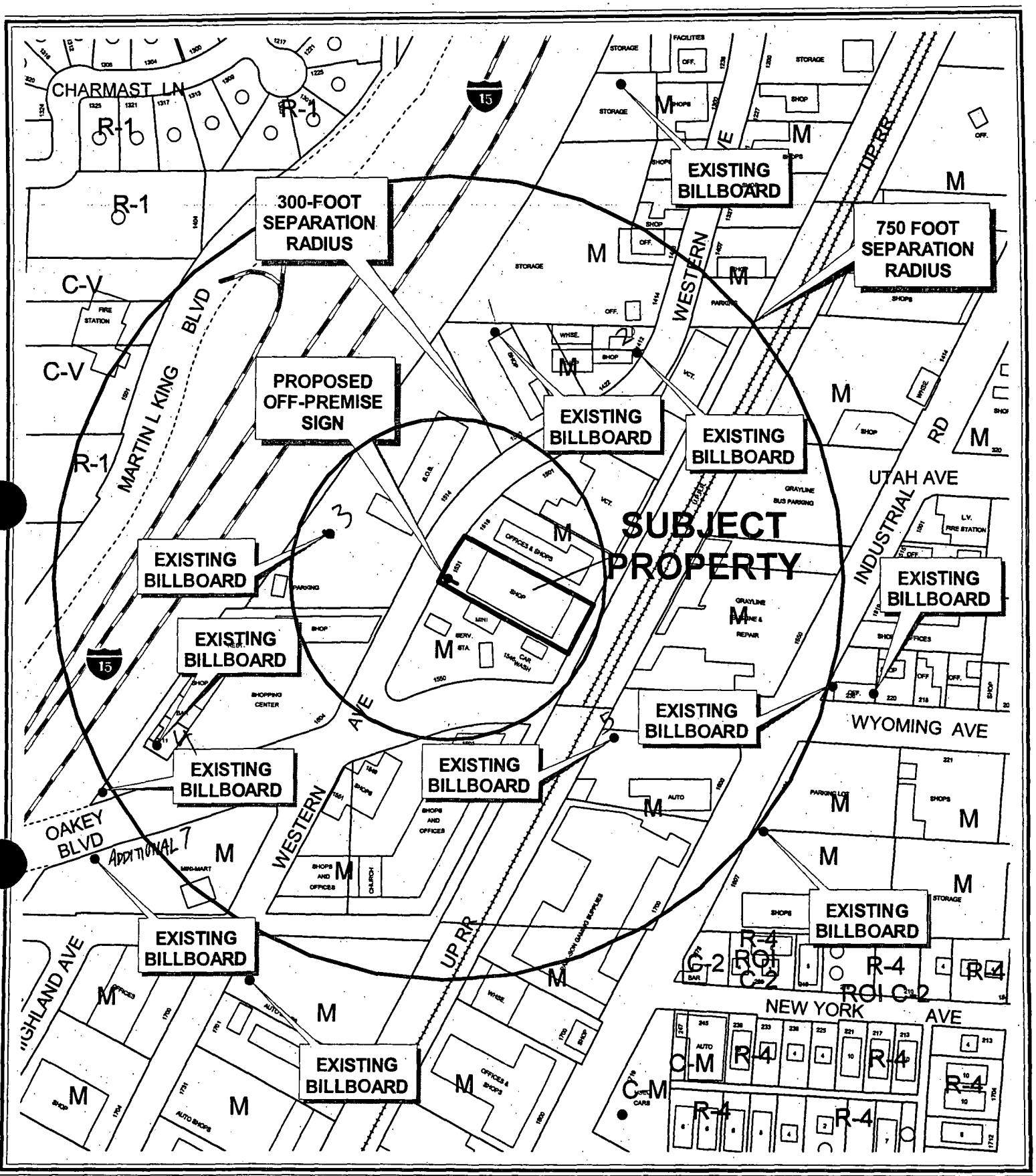
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - Motion to STRIKE Item 71 [824 Shetland Road] and Item 111 [SUP-4593], TABLE Item 114 [SUP-4808] and to HOLD IN ABEYANCE Item 120 [SUP-4918] to 10/20/2004 - UNANIMOUS with GOODMAN abstaining on Item 114 [SUP-4808] as he has a business relationship with ATTORNEY JAY BROWN

MINUTES:

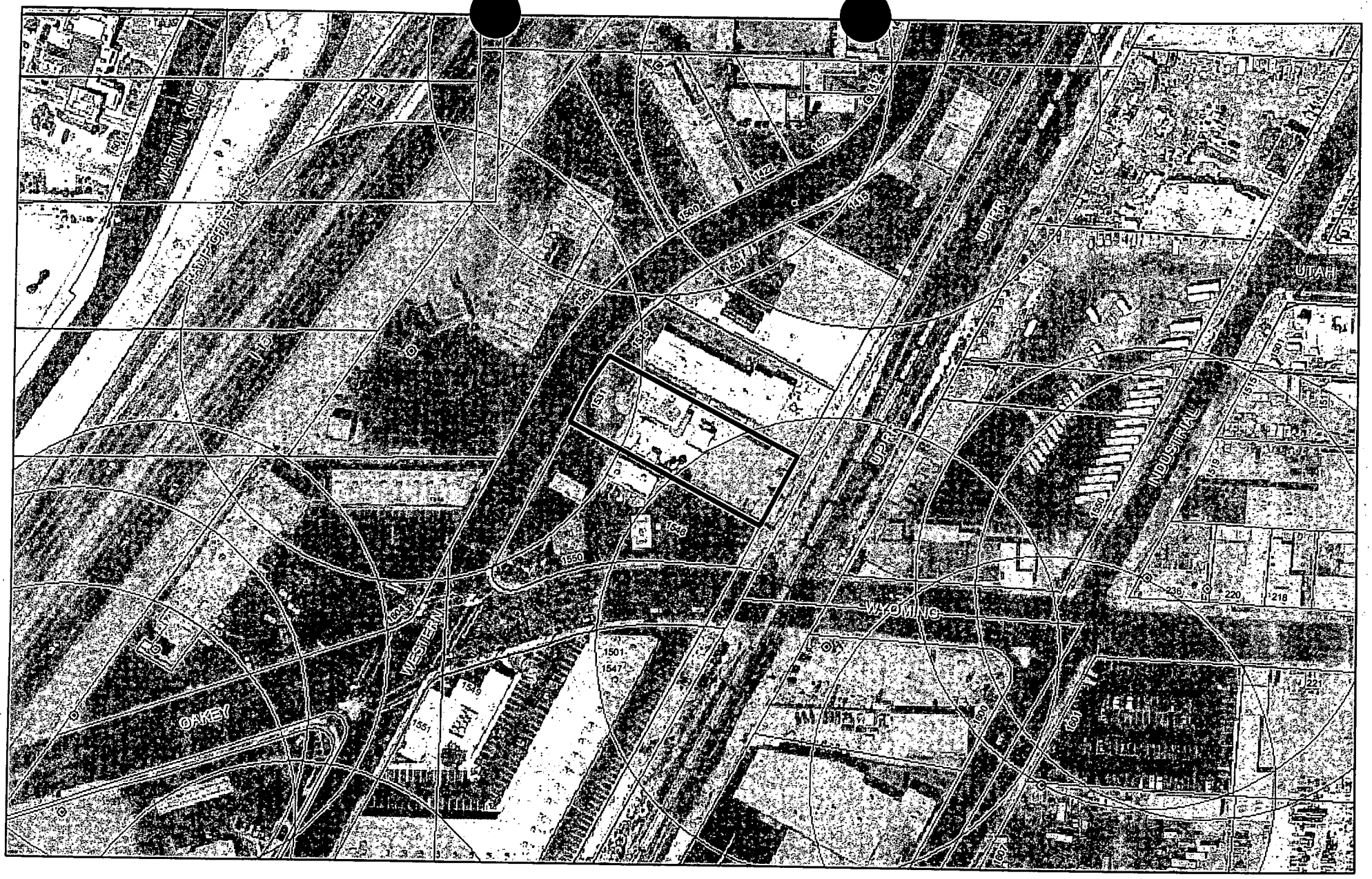
There was no discussion.
(1:04 - 1:07)
3-1



CASE: **SUP-4593**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



Parcel: 16204605007

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4593 – APPLICANT: MOUNTAIN VIEW ESTATES – OWNER: S&K FAMILY TRUST

THIS ITEM WAS HELD IN ABEYANCE AT THE SEPTEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

Staff recommends this be STRICKEN. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

6. The off-premise advertising sign structure must not be located at the Western Avenue street frontage. The structure must be located at the center of the parcel, either on the north or south side of the shop building.

7. The height of the off-premise advertising (billboard) sign shall be no more than the height of the parcel's building, plus 14 feet.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for an off-premise advertising sign (billboard) at 1541 Western Avenue.

Subsequent to the Planning Commission meeting, the existence of an off-premise sign was discovered at 1501 Western Avenue. This places the entire subject parcel within the 300 foot separation distance, which, according to Title 19.14.100, cannot be waived.

B) Applicant's Justification

The off-premise sign will be located in an industrial area that is zoned for this use. The proposed billboard meets or exceeds all of the location provisions outlined in City of Las Vegas Title 19.

BACKGROUND INFORMATION

A) Previous Actions

01/25/61	The City Council approved a rezoning (Z-0062-60) of subject property from R-E (Residence Estates) to C-1 (Limited Commercial).
07/22/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #64-SRS).

B) Pre-Application Meeting

04/07/04	Elements of this type of special use permit were discussed.

C) Neighborhood Meetings

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.54 acres

B) Existing Land Use

Subject Property:	Industrial park, warehouses, shops, storage
North:	Industrial park, warehouses, shops, storage
South:	Industrial park, warehouses, shops, storage
East:	Industrial park, warehouses, shops, storage
West:	Industrial park, warehouses, shops, storage

C) Planned Land Use

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

D) Existing Zoning

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

***E) General Plan Compliance:* Southeast General Plan**

The subject site is located within the Southeast Sector of the General Plan with a LI/R (Light Industry/Research) land use designation, which allows for industrial use, commercial/industrial use, and planned business parks. The site is zoned M (Manufacturing) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100 (C) (11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Conformance
Minimum distance separation from another Off-Premise Advertisement (Billboard) Sign in any direction.	300 Feet	NO
Minimum distance separation between Off-Premise Advertising (Billboard) Sign within 660 feet of Interstate 15, to any other off-premise sign along the same frontage.	750 feet	Yes

This application does not meet code standards for submitting an application for an off-premise sign. Also, there are eight other billboards within 100 feet of the 750 foot buffer, for a total of 14 within close visual proximity of this site.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

The revised site plan shows that the 40 foot will be placed toward the southwest side of the property and not over the existing building on the site. It cannot be placed anywhere on the property that conforms to the distance separation standards of the Code.

FINDINGS

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

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

   This proposed use does not meet Code distance separation standards. Therefore, it cannot be constructed in a manner that is harmonious and compatible with the surrounding area.

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

The site is not physically suitable for the type and intensity of land use proposed. It can only be placed on a very small portion of the interior of the parcel.

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

   Not applicable to this type of special use.

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

   The proposed Off-Premise Advertising (Billboard) Sign will compromise public safety, as it is an added distraction to motorists.

PLANNING COMMISSION ACTION

Staff's recommendation was based on the original site plan and without knowing there was an existing billboard within the 300 foot separation distance.

NOTICES MAILED 45 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4593 APN: 162046O5007

Name of Property Owner: S&K FAMILY TRUST SANDY GILBERT

Name of Applicant: MOUNTAIN VIEW ESTATES

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: SANDY GILBERT

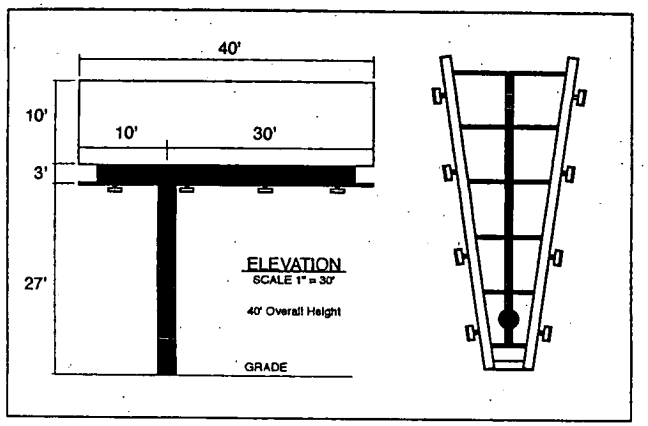
Subscribed and sworn before me

This 26 day of MAY, 2004

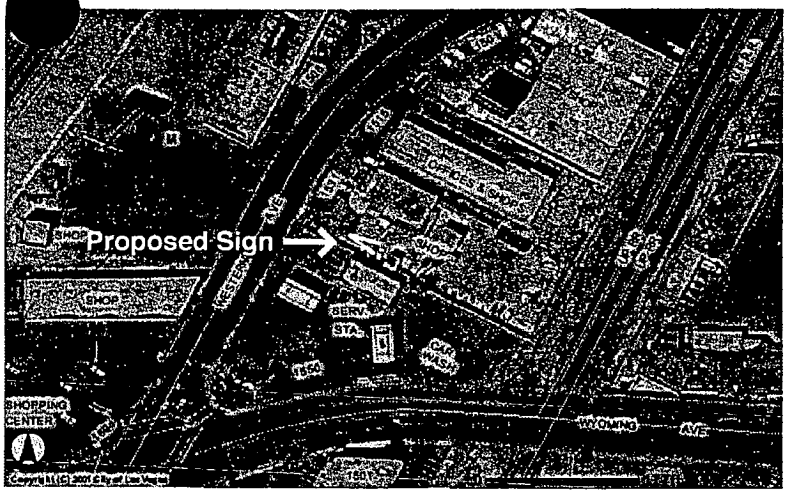
Joanna Niezgoda

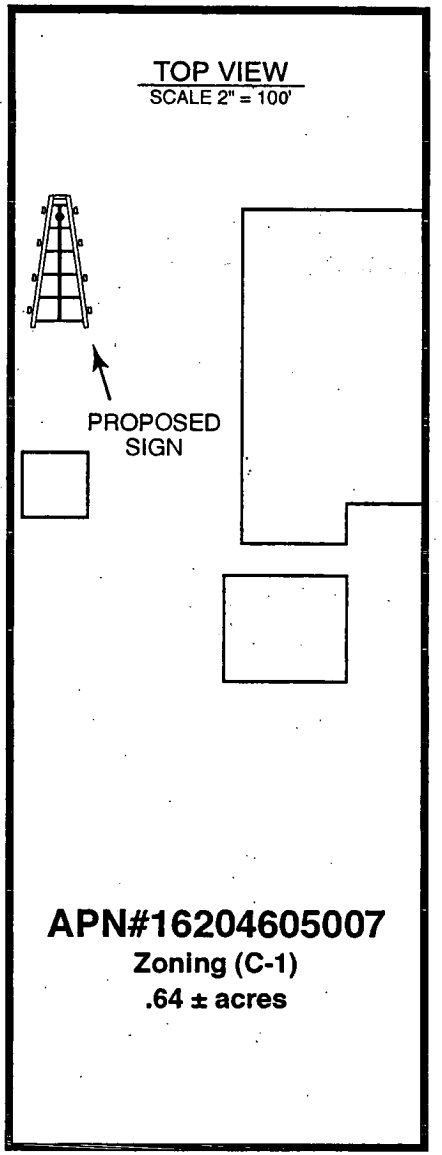
Notary Public in and for said County and State

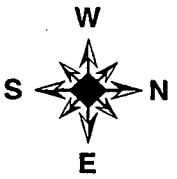
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JOANNA NIEZGODA
No: 03-79559-1
My Appointment Expires Jan. 14, 2007



WESTERN AVE.









GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign or adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

REVISED 8-16-04

RECEIVED

AUG 16 2004

Revised for 8/18/04 CC

SUP-4593

8-18-04 CC

OWNER: S & K FAMILY TRUST		
SCALE: NOTED	APPROVED BY:	DRAWN BY:
DATE: 05/12/04		REVISED:
LOCATION: 1531 WESTERN AVENUE		
APN#16204605007		DRAWING NO.:

City of Las Vegas

Agenda Item No. 112

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4594 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 South Decatur Boulevard (APN 162-06-301-006), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Mountain View Estates

MOTION:

MONCRIEF - ABEYANCE to 10/20/2004 - UNANIMOUS

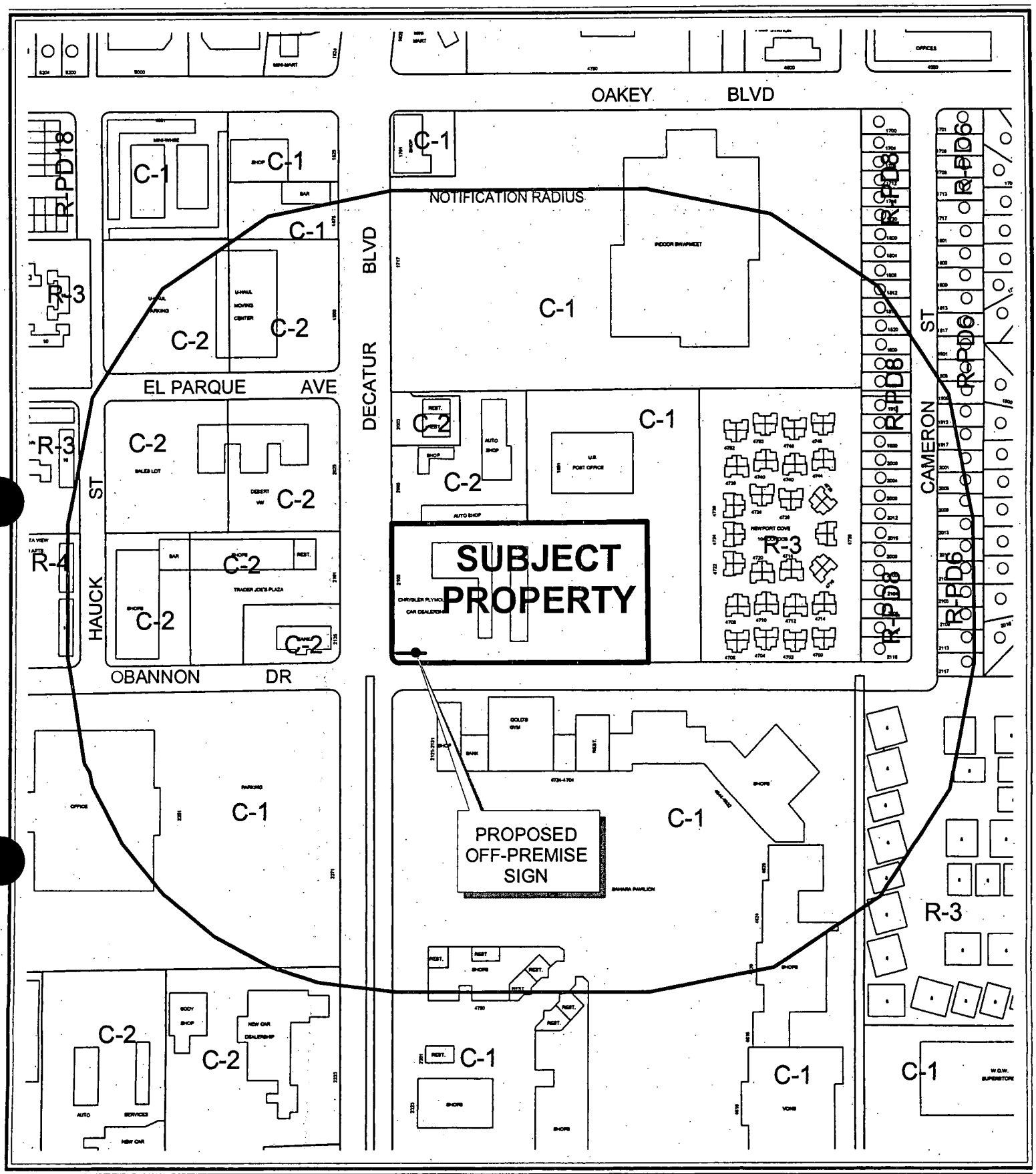
MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE BROWN, 4175 Cameron, appeared on behalf of the applicant and asked for a two-week abeyance so that he can meet with together with COUNCILWOMAN MONCRIEF and the owner.

No one appeared in opposition.

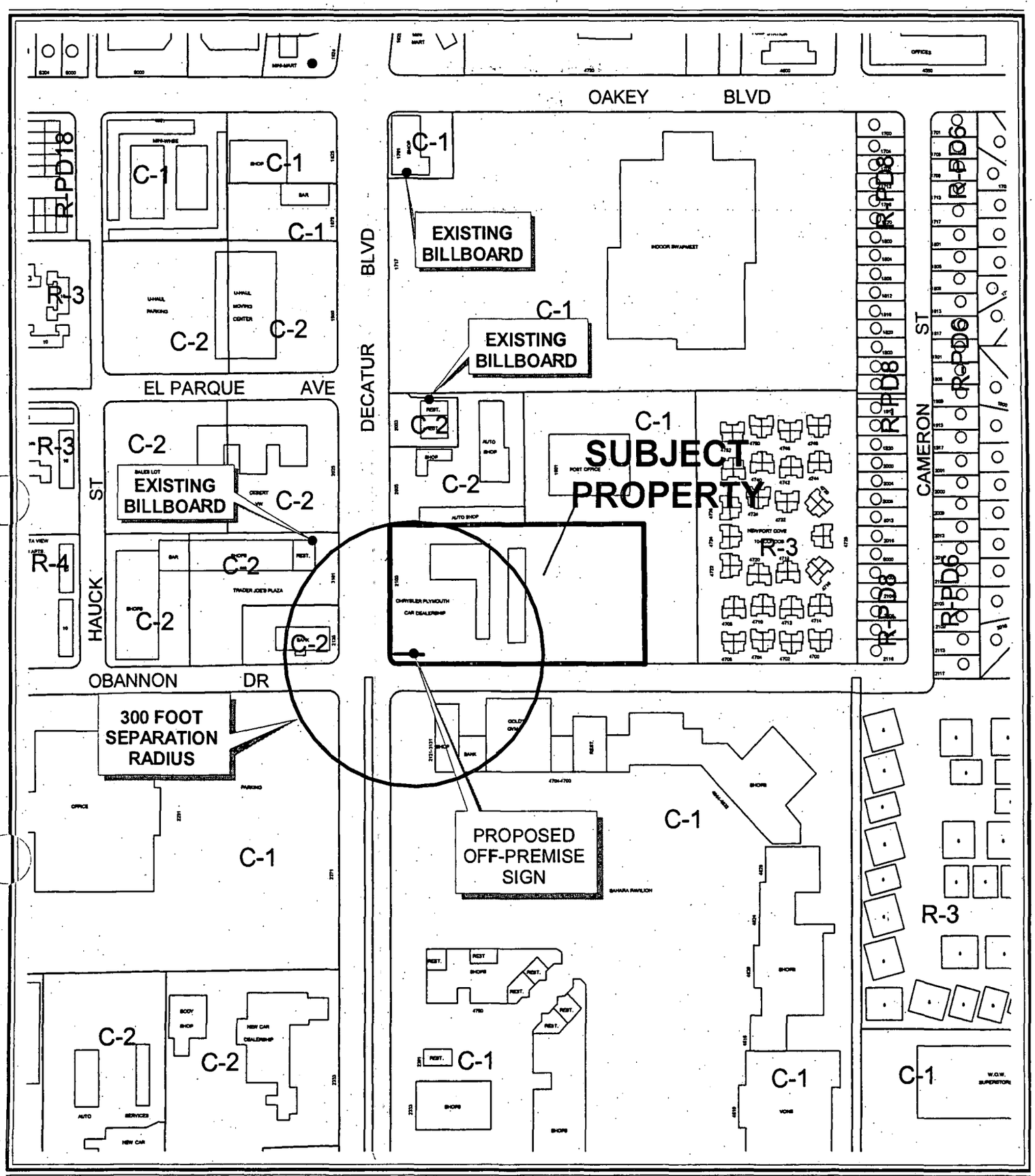
MAYOR GOODMAN declared the Public Hearing closed.
(2:28 - 2:29)
3-3337



CASE: **SUP-4594**

RADIUS: 750 FT

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



CASE: **SUP-4594**

SEPARATION RADIUS: 300 FT

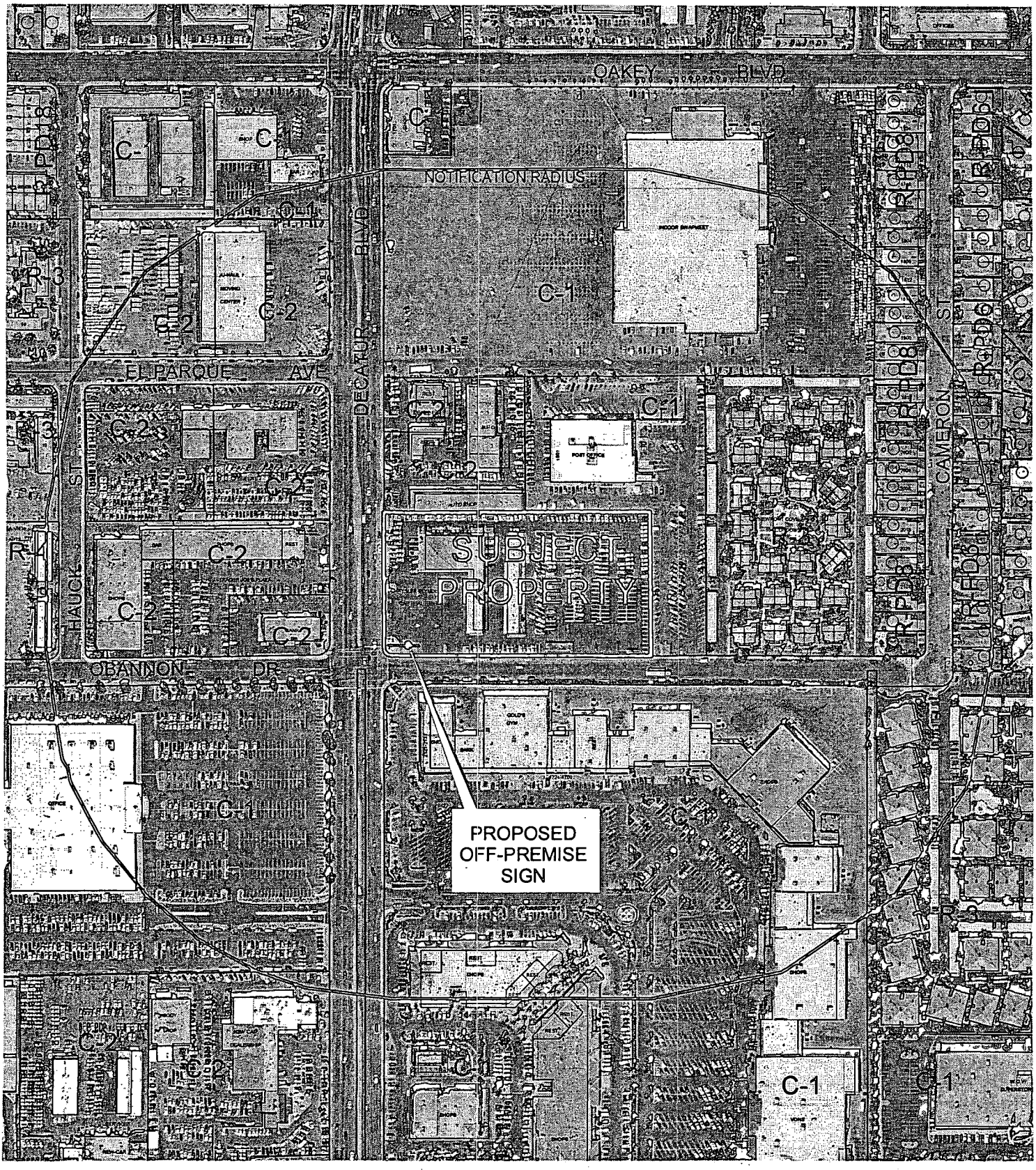
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

RADIUS: 750 FT

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

N



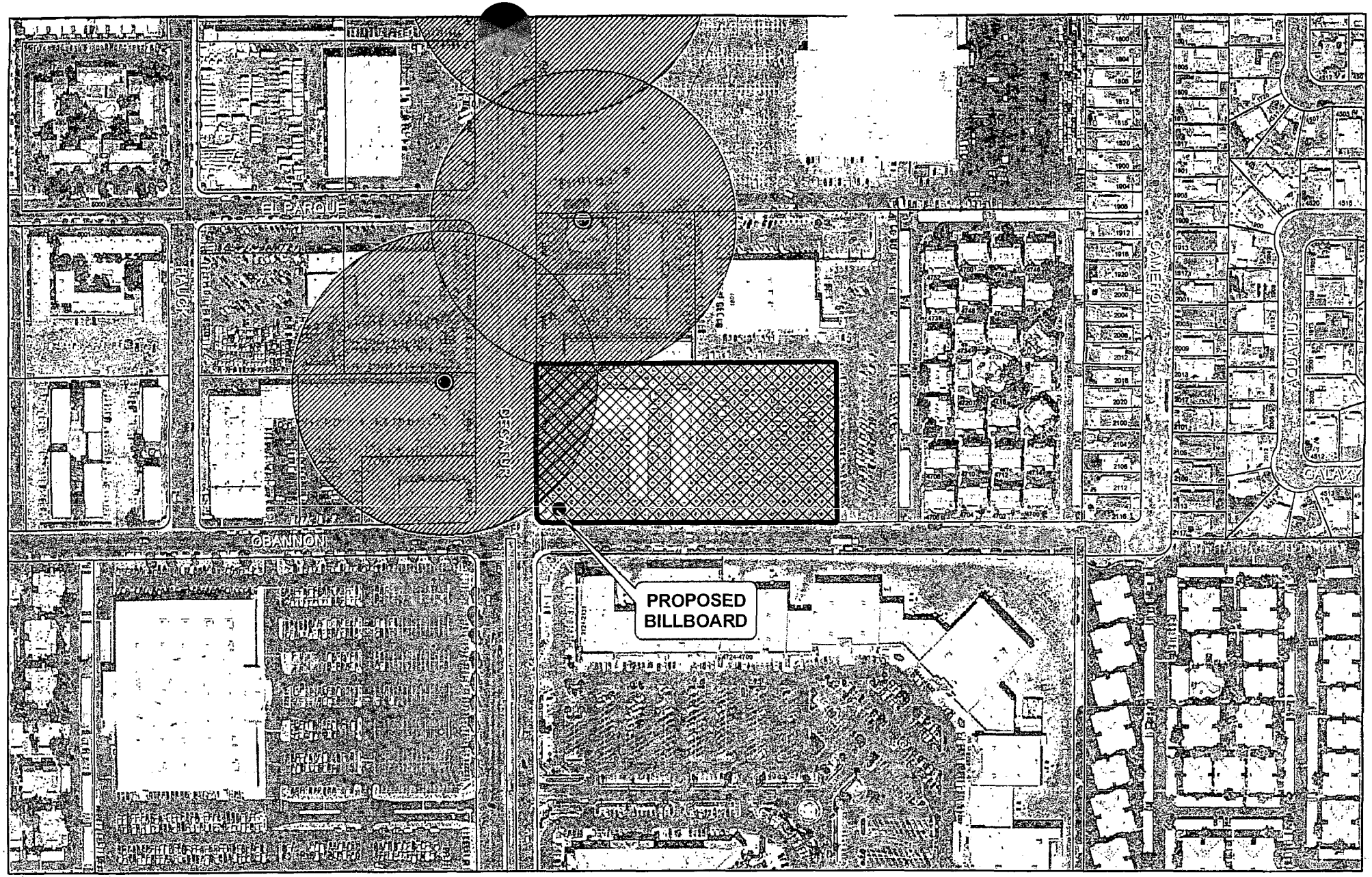
0 200 400 Feet

CASE: SUP-4594

RADIUS: 750 FT

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

N



SUP-4594

Subject Parcel

City of Las Vegas Billboard Location

Clark County Billboard Location

City of Las Vegas Billboard Data

300 Foot Buffer Around Billboard

750 Foot Buffer Around Freeway Billboard

Outside City Boundary

Off Premise Sign Exclusion Area

Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4594 APPLICANT: MOUNTAIN VIEW ESTATES – OWNER: SAITTA FAMILY TRUST

THIS ITEM WAS HELD IN ABEYANCE AT THE SEPTEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

** CONDITIONS **

The Planning Commission (4-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

5. Only one advertising sign is permitted per sign face.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

7. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial of the Planning Commission of a request for a Special Use Permit for a 40 foot high, 10 foot x 40 foot off-premise advertising (billboard) sign at 2100 South Decatur Boulevard.

B) Applicant's Justification

The billboard will be located in a commercial area that is zoned for this use. It will be located more than 300 feet from any other billboard located on Decatur Blvd. The proposed sign will be located at least 50 feet from the intersection of Decatur Blvd and O'Bannon Drive.

BACKGROUND INFORMATION

A) Previous Actions

01/02/85	The City Council approved a Rezoning (Z-0087-84), from R-1 (Single Family Residential) and R-3 (Medium Density Residence) to C-2 (General Commercial) with the proposed use of a used car dealership. The Planning Commission and staff recommended approval.
07/24/86	The Board of Zoning Adjustment approved a Variance (V-0062-86), allowing three on-premise ground signs, where one is allowed.
07/22/04	The Planning Commission voted 4-2 to recommend DENIAL (PC Agenda Item #65/srs).

B) Pre-Application Meeting

04/07/04	Elements of this type of special use permit were discussed.

C) Neighborhood Meetings

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.27 acres

B) Existing Land Use

Subject Property:	auto repair
North:	shops, restaurant
South:	shopping center
East:	post office, residential
West:	strip retail

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	GC (General Commercial) PF (Public Facility)
South:	SC (Service Commercial)
East:	SC (Service Commercial) PF (Public Facility)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Service Commercial)
West:	C-2 (Limited Commercial)

E) General Plan Compliance

Southeast General Plan

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

ANALYSIS

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100(C)(11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in any "R" zoning district	650 feet to nearest Residential property line.

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 650 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the C-2 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Overall height of an Off-Premises Advertising Sign is limited to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation.

FINDINGS

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

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

   Title 19.14.100 (B) (2) states that the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area.

   The area at the intersection of Decatur Boulevard and O'Bannon Drive is visually congested. Auto dealership banners and balloons compete with mismatched strip mall signs and nearby billboards, compounded by a large rainbow colored, faux-hot-air advertising balloon.

Specifically, existing on-premise signage has already been installed pursuant to a Variance granted in 1986 allowing three on-premise ground signs, where one is allowed. Approval of a billboard in this context will further unbalance this urban landscape.

Also, O'Bannon Drive is a minor roadway, collecting small amounts of traffic going to and from residential areas. Off-premise advertising is not harmonious here.

While this proposed billboard meets the technical requirements of the City of Las Vegas Zoning Code, the aesthetic impact of the sign on the area would be that of excessive visual clutter. Planning staff recommends DENIAL.

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

The site is physically suitable for the type and intensity of land use proposed.

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

Not applicable to this type of special use.

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

This proposed use is inconsistent with the overall objectives of the Master Plan 2020, specifically:

> "the visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

NOTICES MAILED 146 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4594 APN: 162063010006

Name of Property Owner: SAITTA FAMILY TRUST

Name of Applicant: MOUNTAIN VIEW ESTATES

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

____ Yes __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: Thomas Saitta

Print Name: THOMAS SAITTA

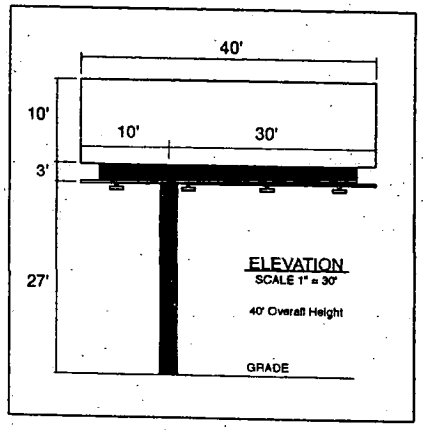
Subscribed and sworn before me

This 26 day of May, 2004

Kellie Otero

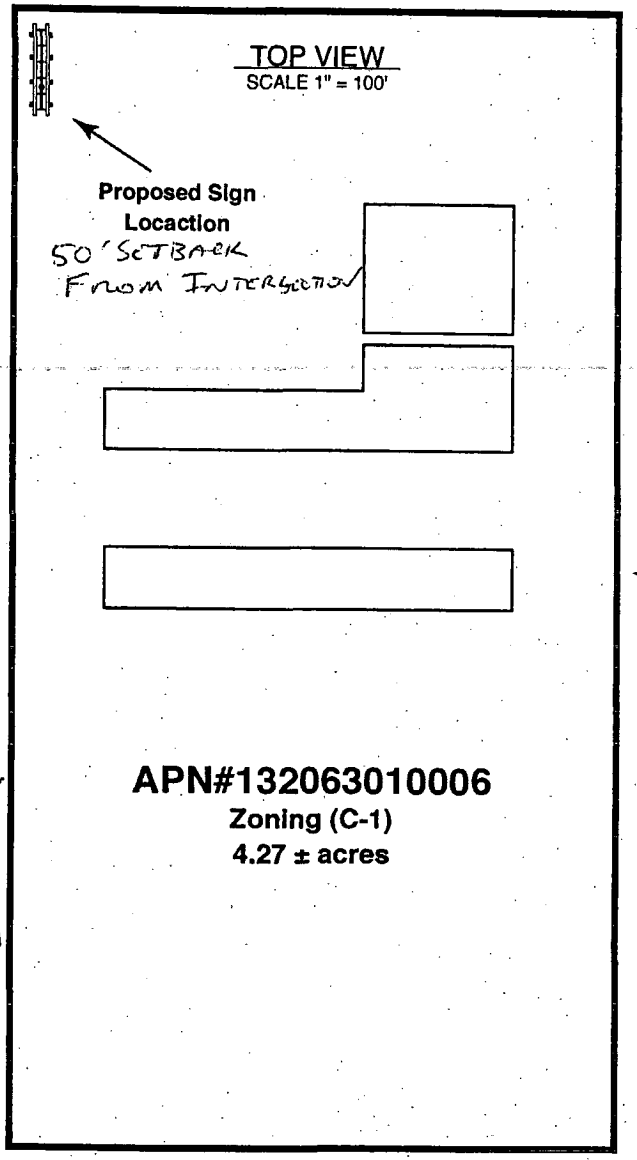
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KELLIE OTERO
My Appointment Expires
September 18, 2006.
No: 02-78701-1



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DECATUR BLVD.

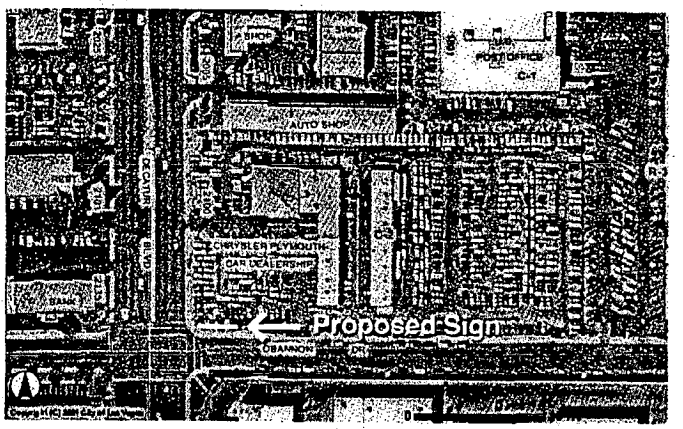


OLD BANNON DRIVE

C-2 ZONE

C-1 ZONE

C-1 ZONE



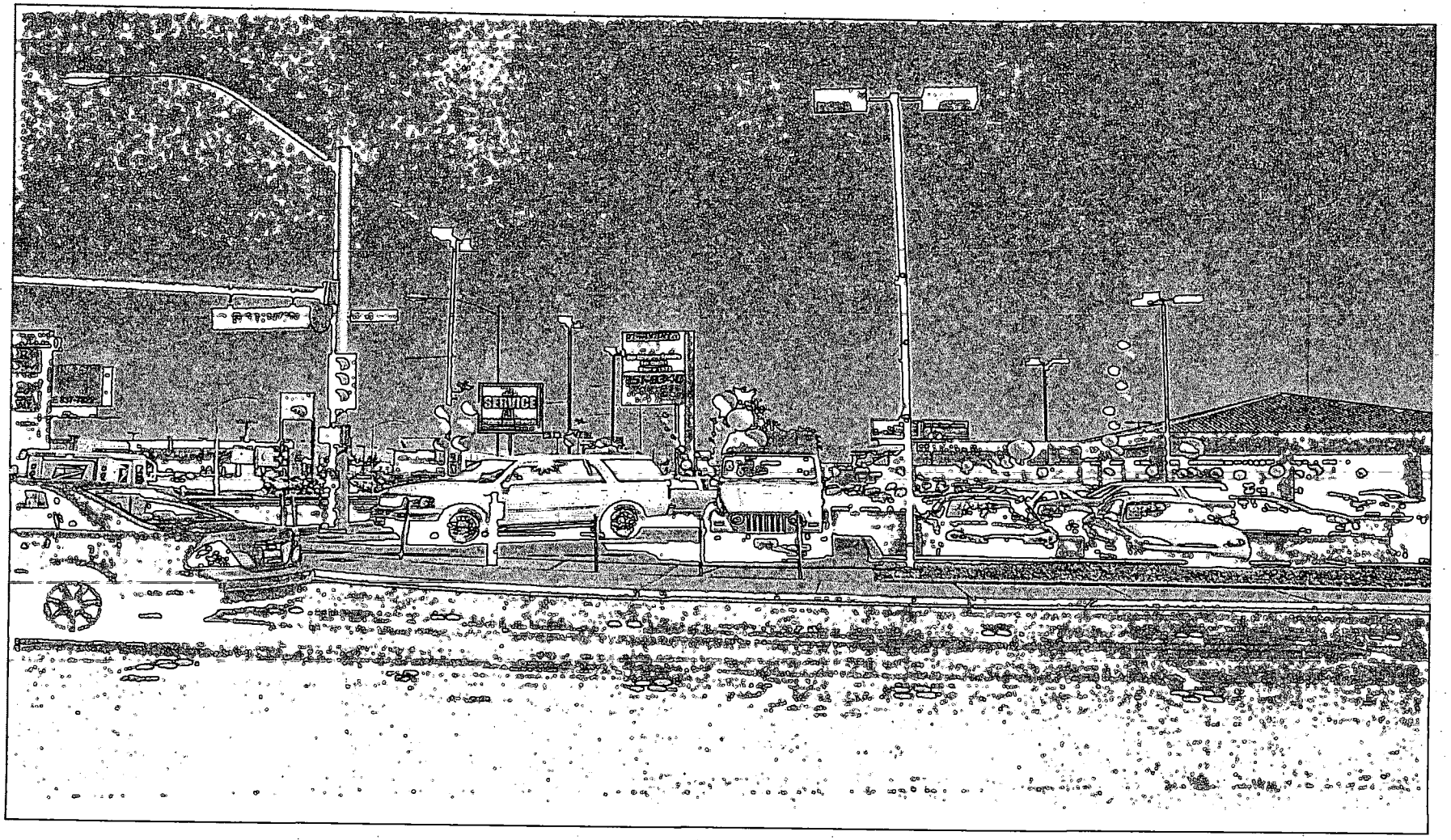
GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4 No parking spaces will be taken for this location.





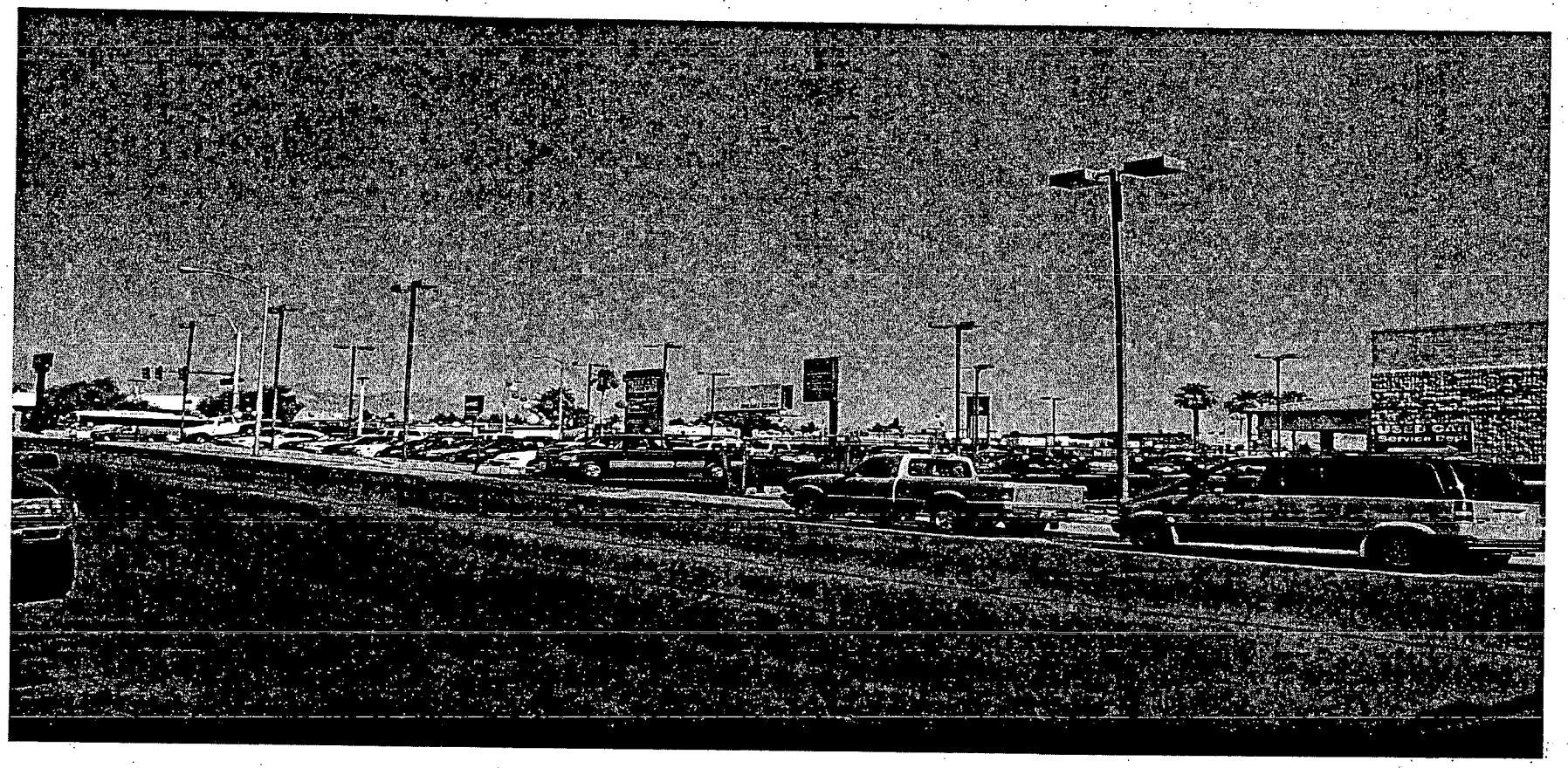
OWNER: CHRYSLER REALTY CORPORATION		
SCALE: NOTED	APPROVED BY:	DRAWN BY:
DATE: 05/12/04		REVISED:
LOCATION: 2100 S. DECATUR BLVD. 89102		
APN#162063010006		DRAWING NO.:

SUP-4594 7-22-04 PC



SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST
2100 SOUTH DECATUR BOULEVARD
JULY 22, 2004 PLANNING COMMISSION

7/2/04



SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST
2100 SOUTH DECATUR BOULEVARD
JULY 22, 2004 PLANNING COMMISSION

7/2/04

MOUNTAIN VIEW ESTATES
5500 E. Flamingo Road
Las Vegas, NV 89122

July 28, 2004

RECEIVED
CITY CLERK
2004 JUL 28 P 12:11

TO: CLV City Clerks Office

FR: Mountain View Estates

RE: SUP 4594

We would like to appeal the decision of Item #65 (SUP 4594) on the 7-22-04 Planning Commission meeting to have it heard at the August 18, 2004 City Council meeting.

Please inform us if this is added to the agenda so a representative can attend the meeting. We can be reached at (702) 450-8000.

Thank you.

Michael Luce

City of Las Vegas

Agenda Item No. 113

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4807 - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 51 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Nevada Department of Transportation letter with proposed conditions
5. Submitted at City Council - Protest petition with 12 properties
6. Back up referenced from the 8/26/2004 Planning Commission meeting Item 33

MOTION:

MONCRIEF - ABEYANCE to 11/03/2004 - UNANIMOUS with GOODMAN abstaining because he is a partner with ATTORNEY JAY BROWN on a piece of property on West Charleston

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 113 [SUP-4807] and Item 115 [SUP-4809].

ATTORNEY JAY BROWN appeared on behalf of his applicant and requested approval.

STEVEN MATULICH, 304 Estella Avenue, stated that the residents of this particular area have put up with numerous things, including the expansion of the freeway. They oppose the huge billboards that will be glaring into their backyards. He believed the objective was to beautify the highways not to install this monstrosity. These billboards will affect the quality of life for everyone that resides along this corridor.

JOHNNY VENTURA, 601 Raintree Lane, appeared in support because he believes that advertisements would bring business into the area.

FRANK BINGHAM, 412 Estella Avenue, read and submitted a statement for the record signed by himself and 12 other residents. They oppose billboards to be installed adjacent to the Meadows Mall because they do not belong at this location. The residents fear that what will be advertised cannot be

MINUTES - Continued:
controlled.

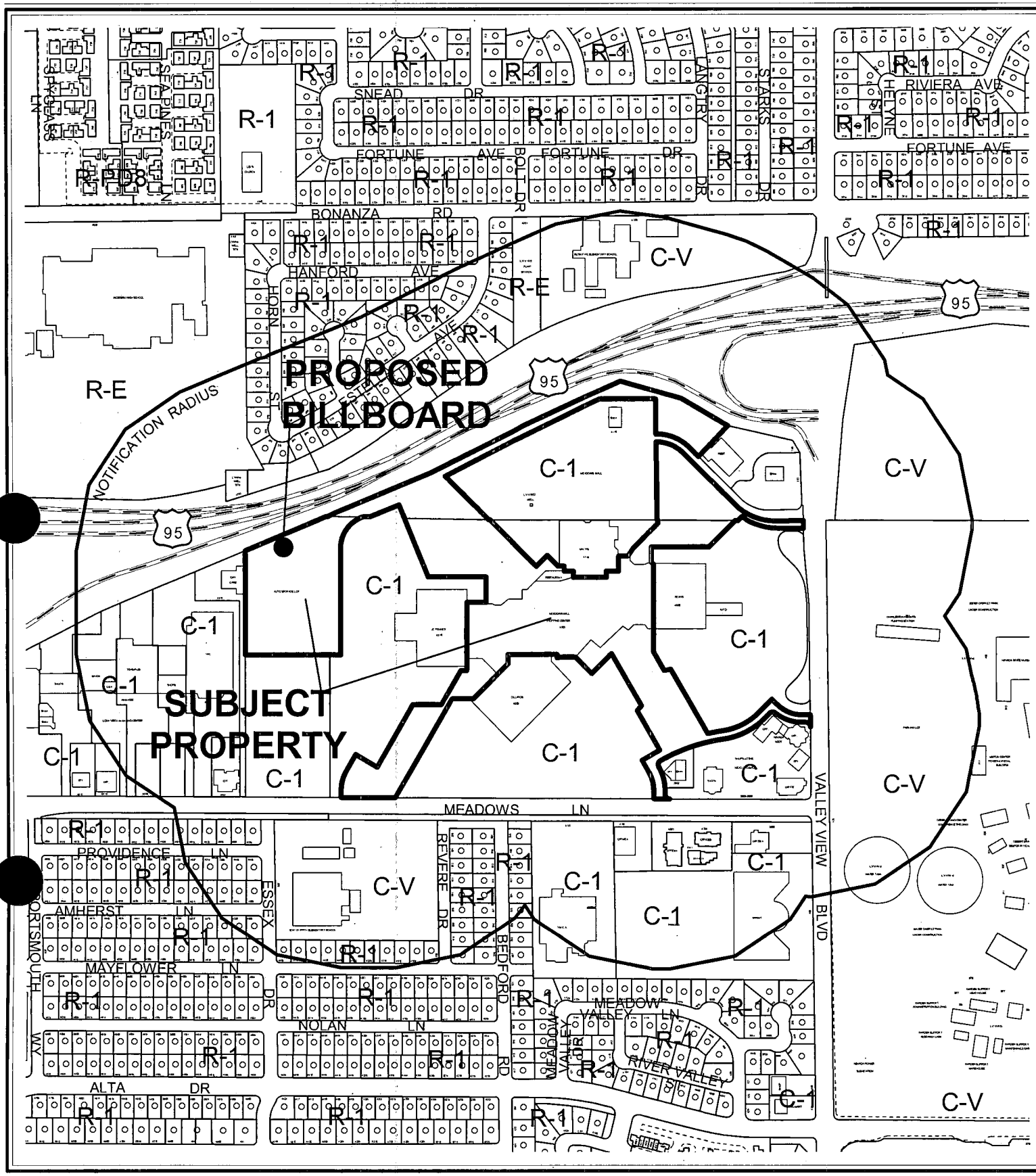
COUNCILMAN WEEKLY verified with ATTORNEY BROWN that the requests meet the Residential Adjacency Standards. ATTORNEY BROWN noted he would like to reach an amicable solution with the neighbors and suggested the items be held in abeyance for 30 days. It will provide his client an opportunity to meet with the residents to discuss their concerns. COUNCILMAN WEEKLY was appreciative of the request because these billboards will affect his constituents as well. He suggested that the applicant provide renderings for the residents.

TOM McGOWAN, Las Vegas residents, stated that the billboards would affect patrons of the Meadows Mall; therefore, this is a city-wide issue. The content of the signs cannot be controlled.

COUNCILWOMAN MONCRIEF indicated she received a list of people who have concerns about the billboards; therefore, she granted the abeyance.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 113 [SUP-4807] and Item 115 [SUP-4809].

NOTE: All discussion for Item 113 [SUP-4807] and Item 115 [SUP-4809] was held under Item 113 [SUP-4807].
(2:29 - 2:37
3-3394

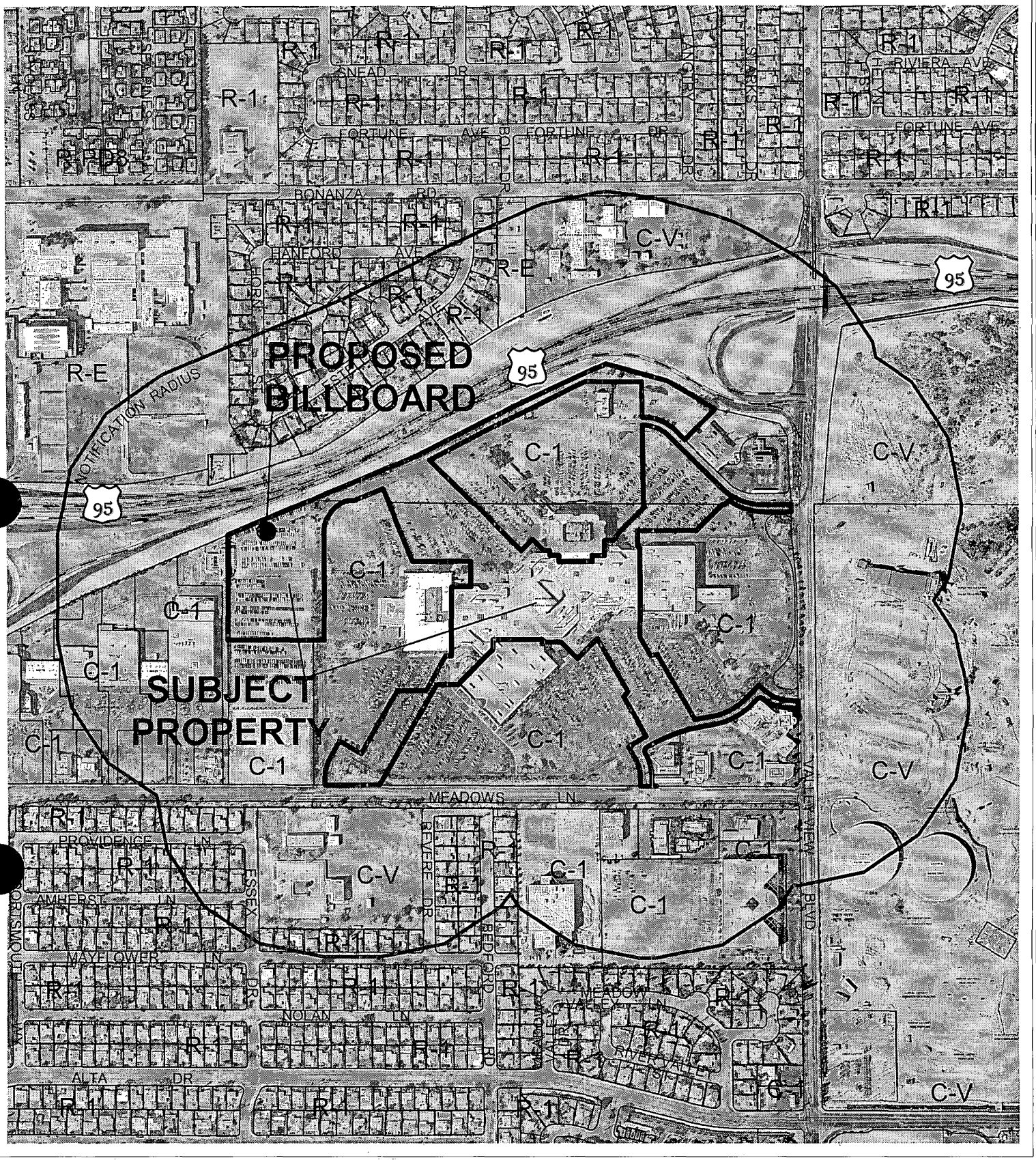


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CASE: **SUP-4807**

RADIUS: 750 FT

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



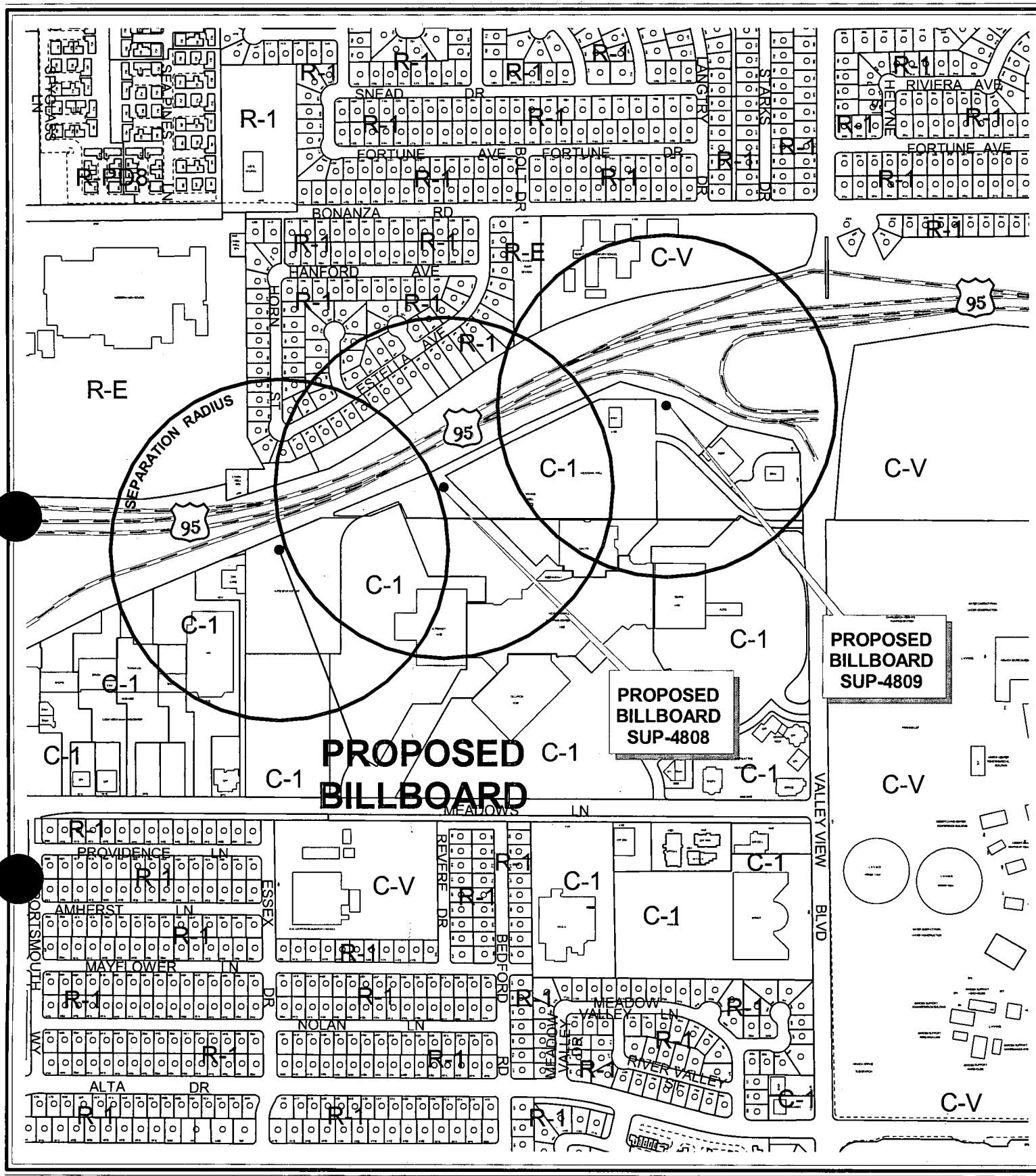
0 400 800 Feet

CASE: **SUP-4807**

RADIUS: 750 FT

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

N



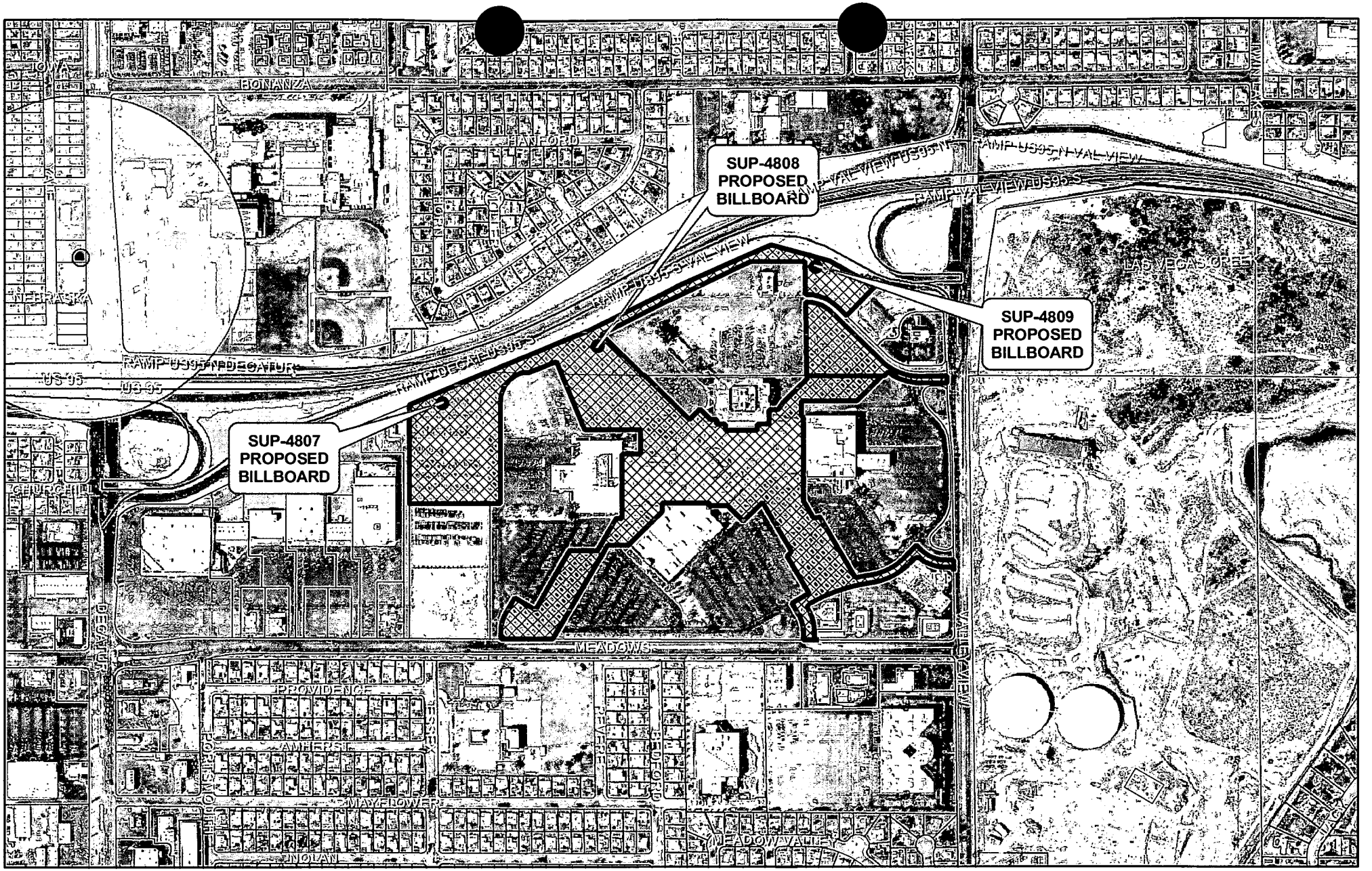
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CASE: **SUP-4807**

SEPARATION RADIUS: 750 FT

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

N



SUP-4807,SUP-4808, and SUP-4809

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4807 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.

** CONDITIONS **

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

Planning and Development

1. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.

2. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

4. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

5. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

7. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

8. Only one advertising sign is permitted per sign face.

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

10. The sign shall be limited to 51 feet in height pursuant to plans and elevations for sign #1 as shown on plans date stamped August 6, 2004.

11. No off-premise advertising (billboard) signs may be located along the Valley View Boulevard side of the property.

Public Works

12. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting the approval of Special Use Permit to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane. The applicant is requesting that the sign be raised to a height of 51 feet, where 40 feet is the maximum permitted.

B) Applicant's Justification

The applicant justifies this application by stating that the sign conforms to all City standards and justifies the increased height request as being a result elevation changes from the proposed location of the site and the US 95.

BACKGROUND INFORMATION

A) Previous Actions

04/19/95 The City Council approved a Special Use Permit (U-0021-95) application for a class III secondhand dealership to allow the sale of used records, tapes and compact discs at 4300 Meadows Lane. The Board of Zoning Adjustment and staff recommended approval.

12/18/96 The City Council approved a Special Use Permit (U-0132-96) application on property located at 4300 Meadows Lane, Suite 2430 in the Meadows Mall for beer and wine sales in conjunction with a proposed restaurant. The Board of Zoning Adjustment and staff recommended approval.

05/02/01 The City Council approved a Special Use Permit (U-0030-01) application for auto dealer inventory storage at 4300 Meadows Lane. The Planning Commission and staff recommended approval.

09/19/01 The City Council approved a Special Use Permit (U-0110-01) application for a 60-foot tall wireless communications monopole at 4300 meadows lane. The Planning Commission and staff recommended approval.

08/26/04 The Planning Commission recommended approval of two other Special Use Permits (SUP-4808 and SUP-4809) to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign and a 40-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane, respectively.

08/26/04 The Planning Commission voted 5-1-1 to recommend APPROVAL (PC Agenda Item #33/pl).

B) Pre-Application Meeting

06/23/04 A pre-application conference was held resulting in the following:

1. Special Use Permit requirements for an off-premise advertisement (billboard) sign were discussed.
2. The 750-foot minimum distance separation was discussed, relative to the location of the three proposed signs.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	27.25

B) Existing Land Use

Subject Property:	Commercial Center (Meadows Mall)
North:	US 95
South:	Residential Dwellings
	Public School (Griffith Elementary)
	YMCA; Office Park
East:	Undeveloped (Las Vegas Valley Water District)
West:	Commercial Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ROW (Right-of-Way)
South:	L (Low Density Residential)
	PF (Public Facilities)
	SC (Service Commercial)
East:	PF (Public Facilities)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	Right-of-Way
South:	R-1 (Single-Family Residential)
	C-V (Civic)
	C-1 (Limited Commercial)
East:	C-V (Civic)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Southeast Sector Land Use Map of the General Plan.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	750 Feet	770 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	309 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	51 Feet	N*
Setbacks (min.)	50 Feet from nearest ROW intersection	32 feet	Y

* The applicant is requesting an increase in height of the sign to 51 feet as to increase the visibility. The three signs meet the separation standards of the Code.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

Staff has some concerns regarding clutter if three off-premise signs are approved. Two would be more appropriate, given that three signs barely meet Code standards and there are residentially zoned properties within 310 feet. The revised elevations are decorative and mitigate some of the concerns pertaining to their appearance. The recommendation for approval is based on one of the signs being eliminated and conformance to the revised elevations. The Meadows Mall logo cannot be placed on the off-premise billboard. The proposed off-premise sign meets all other Code standards.

FINDINGS

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

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

   The off-premise signs proposed can be harmonious and compatible with the surrounding area if one of them is eliminated so visual clutter is reduced and they conform to the revised elevations.

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

   There are no physical constraints to the permissibility of the off-premise advertising (billboard) sign use on this site.

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

The site has adequate access from Valley View Boulevard, an 80-foot Secondary Collector as indicated by the Master Streets and Highway Plan, and Meadows Lane, a public right-of-way.

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

If approved, the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 155 by City Clerk

APPROVALS 0

PROTESTS 0

#1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4807** APN: 139-31-510-016

Name of Property Owner: General Growth Properties

Name of Applicant: ORion Outdoor Media

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Gregory K. Sims

Subscribed and sworn before me

This 3rd day of June, 2004

Naomi J. Fabis

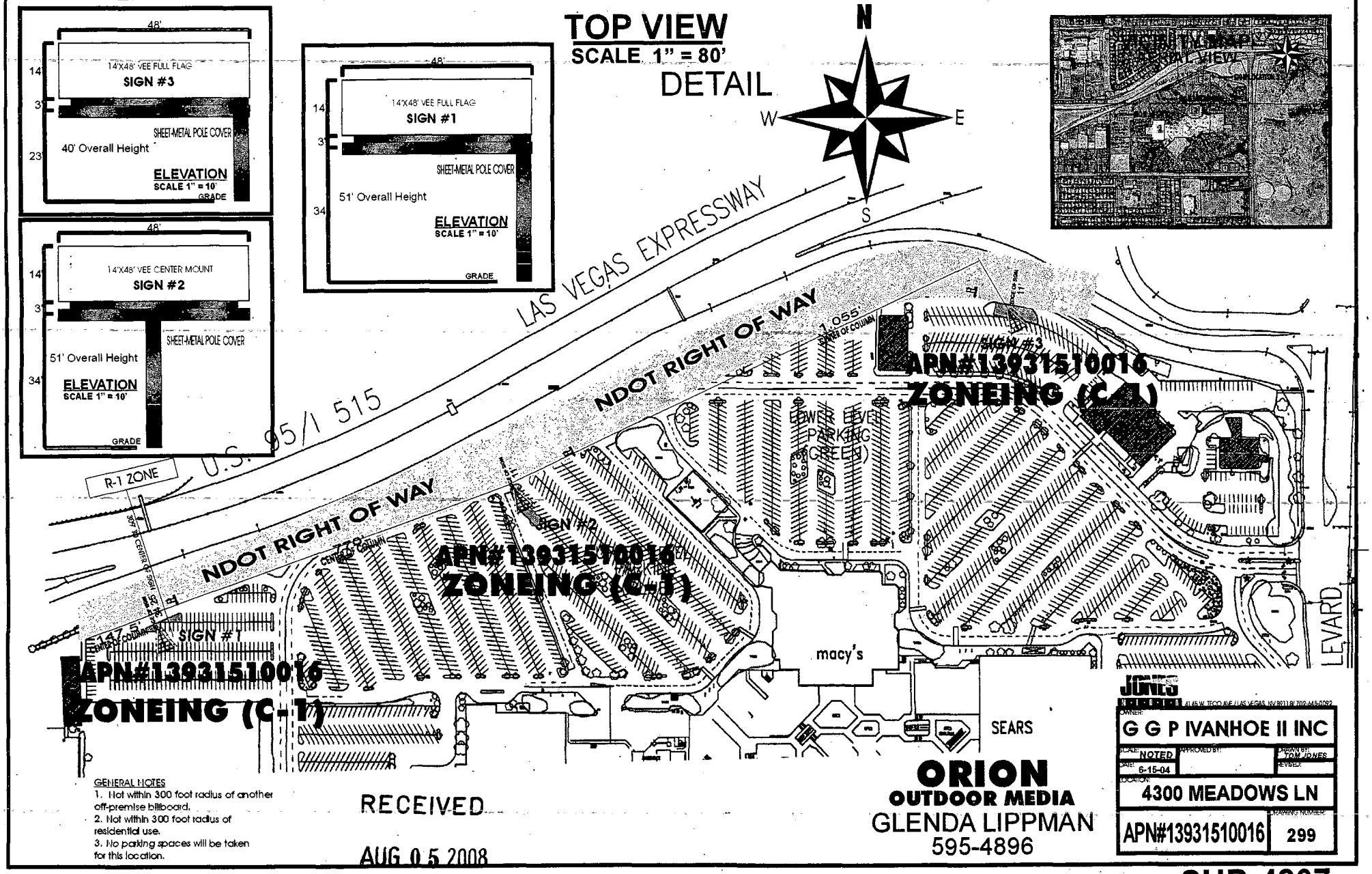
Notary Public in and for said County and State

Revised 2/12/02

Notary Public - State of Nevada
County of Clark
NAOMI J. FABIS
My Appointment Expires
No: 96-6118-1 January 27, 2005

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





GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3. No parking spaces will be taken for this location.

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AUG 05 2008

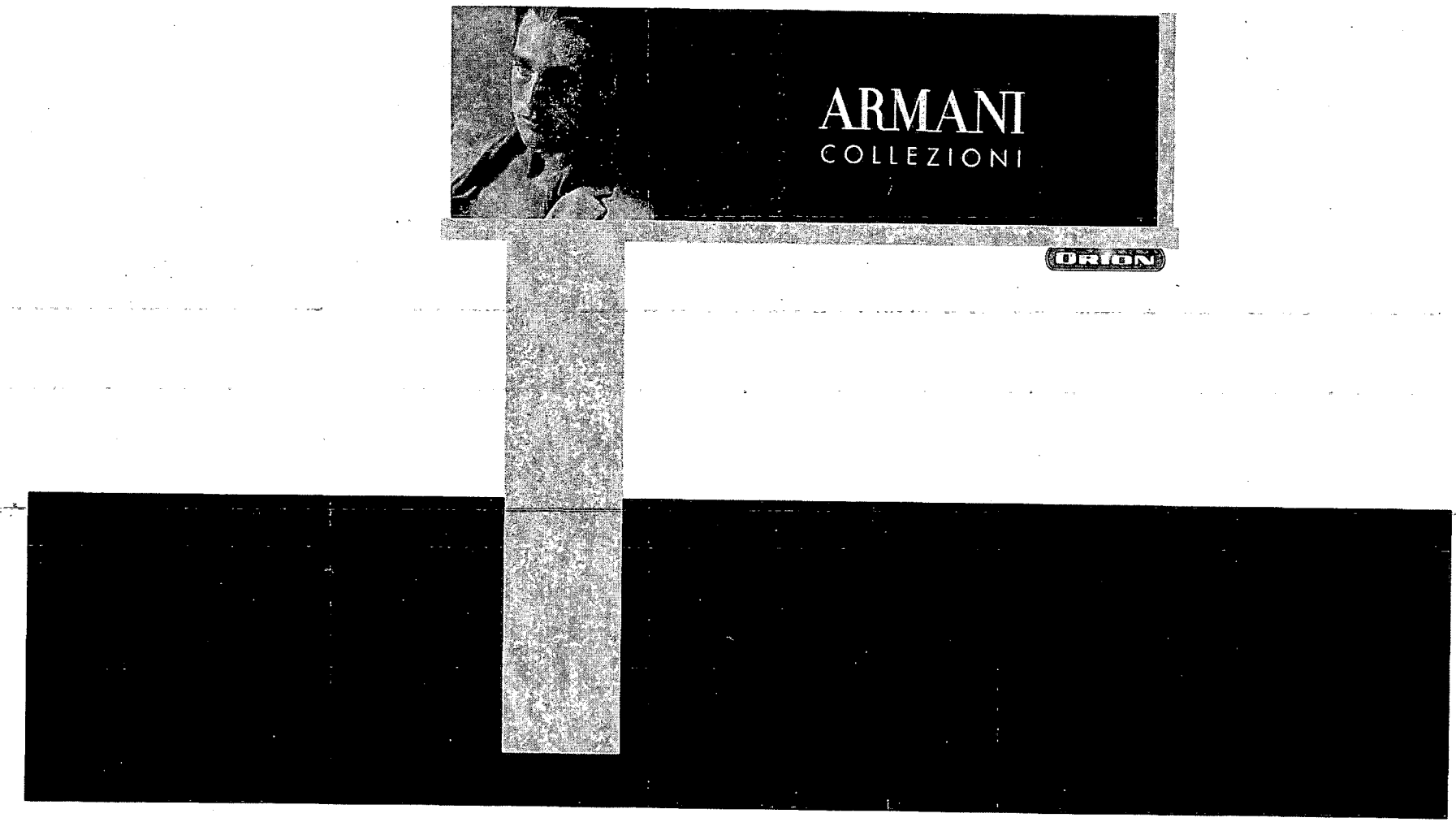
ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

JONES
4145 W. TECO AVE / LAS VEGAS, NV 89118 / 702-445-0092

OWNER: G G P IVANHOE II INC
SCALE: NOTED
APPROVED BY:
DRAWN BY: TOM JONES
DATE: 6-15-04
REVISED:
LOCATION: 4300 MEADOWS LN
APN#13931510016
DRAWING NUMBER: 299

REVISED
8.6.04

SUP-4807
8/26/04 PC

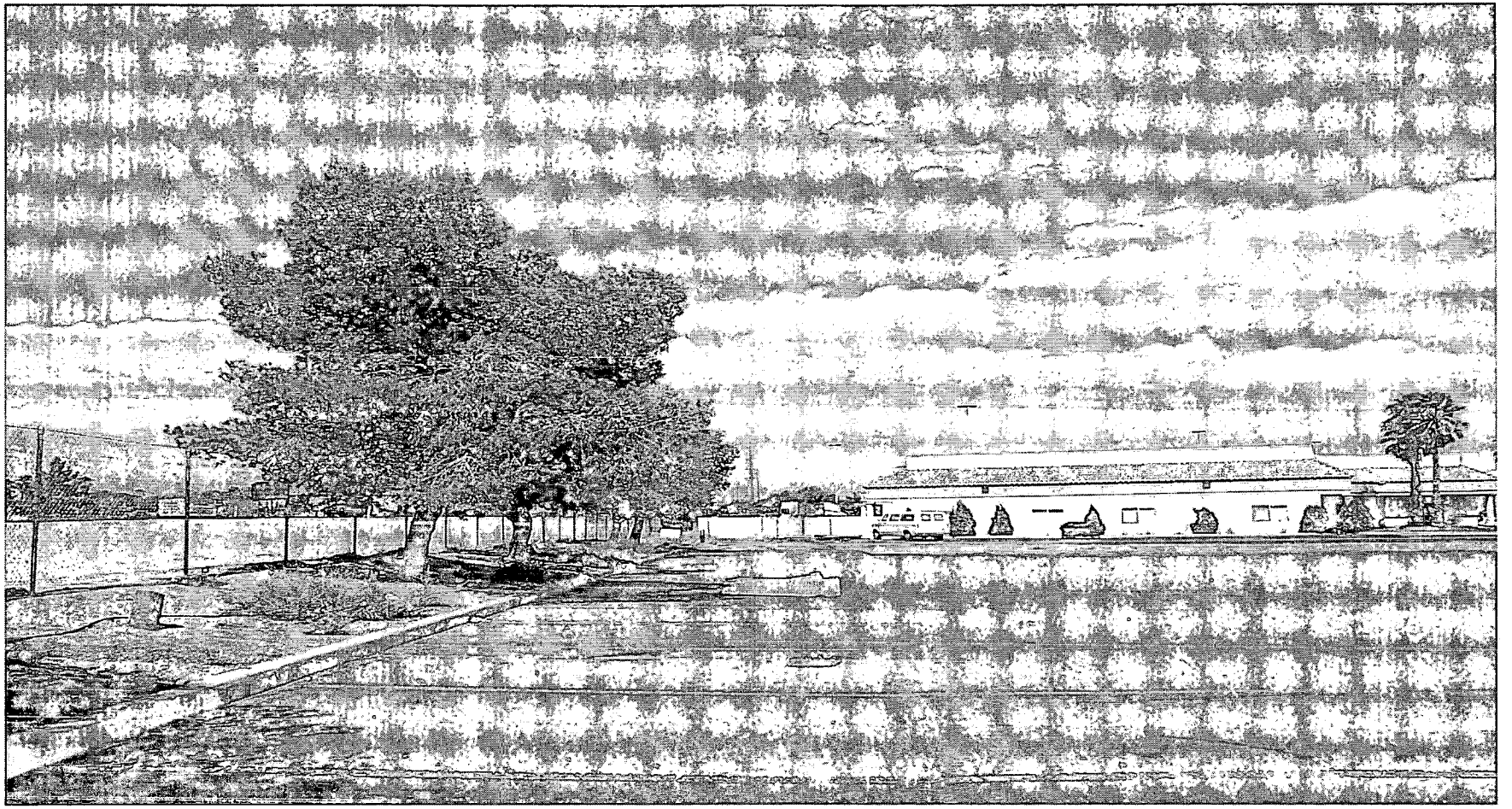


ORION
OUTDOOR MEDIA

SUP-4807
8/26/04 PC

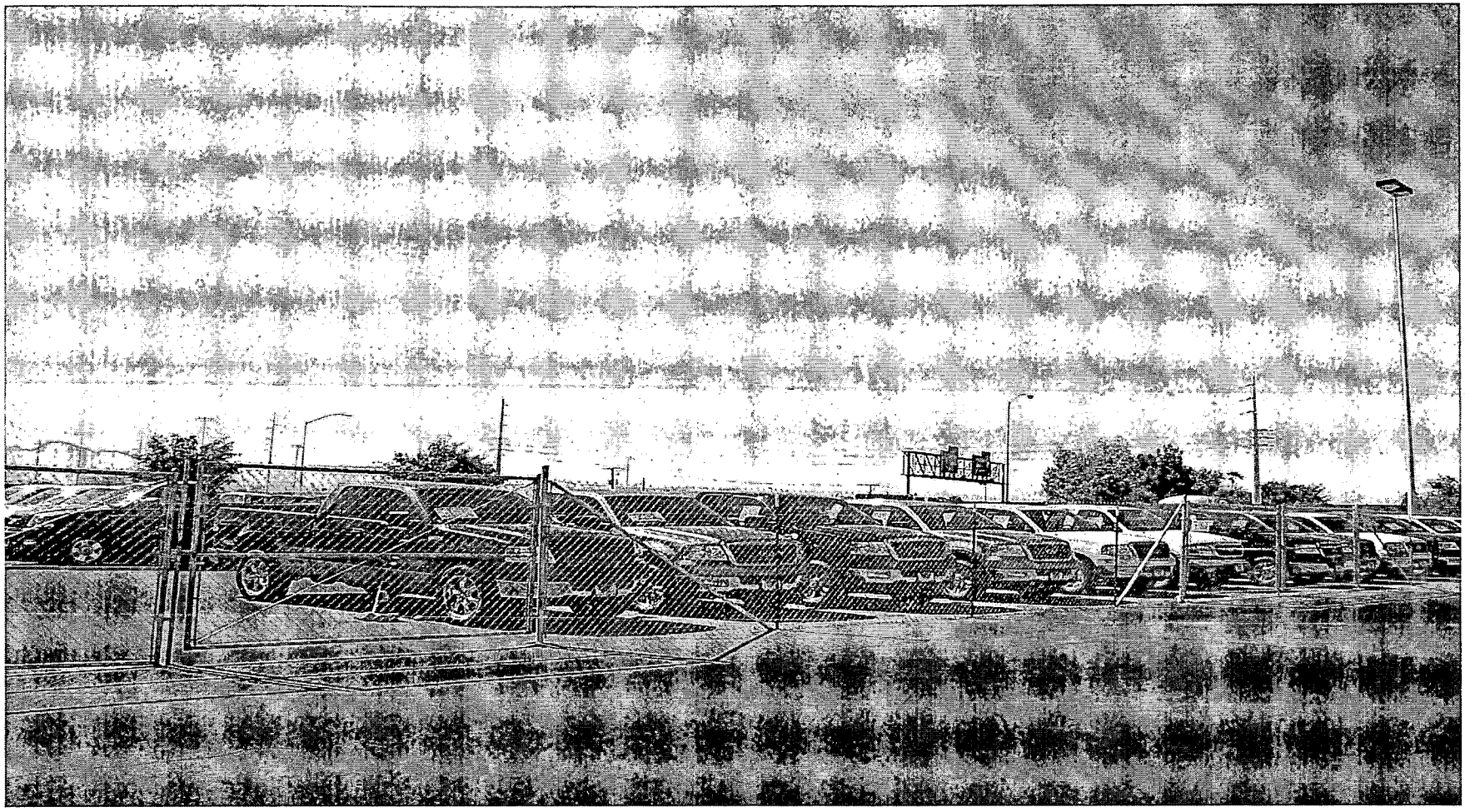
REVISED
8.18.04

RECEIVED
AUG 18 2004



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4807 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4807 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas NV 89125-0170
September 29, 2004

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

City of Las Vegas
City Clerk
1st Floor
400 Stewart Avenue
Las Vegas, NV 89101

Outdoor Advertising Control
CLV Use Permits
SUP-4807, 4808, 4809

Dear Sir or Madam:

I have reviewed the requests for Special Use Permits (SUP-4807, SUP 4808, and SUP 4809) located along US 95 at 4300 Meadows Lane (APN 139-31-510-016). NDOT has no objections to these signs as long as the following conditions are met.

1. The applicant shall obtain a State Sign Permit prior to issuance of a building permit.
2. The signs shall not encroach in or over any NDOT Right-of-Way, permanent easements, or construction easements.

If you have questions, please call me at (702) 385-6525 or e-mail me at kleany@dot.state.nv.us .

Sincerely,

Kevin S. Leany
Supervisory Utility Inspector

KSL/sgb

cc: Carson City R/W
Bill Snyder
Loraine Kusuhara
Lew Rinker

RECEIVED
CITY CLERK
2004 OCT -1 A 10: 32

Submitted after final agenda
Date 10/4/04 Item #113

(NSPO 5-03)

L 135

Submitted at City Council

Date 10/6/04 Item #113

October 6, 2004

To: LAS VEGAS CITY COUNCIL

OPPOSITION TO ORION OUTDOOR MEDIA ADVERTISING SIGN PROPOSAL - SUP-4807, 4808 & 4809

Protest

We are opposed to granting special use permits for construction of advertising signs adjacent to the Meadows Mall. We live across the freeway from these locations. This is our neighborhood, and advertising signs do not belong here. Once constructed there would be no control over the type of material advertised , which could include pornographic type material. This would be unsuitable for a residential area.

A regional park is being constructed on Las Vegas Valley Water District property near the proposed sign locations. . This will be a family type facility and will receive considerable use. People visiting the park from North West Las Vegas will exit U.S. 95 at Valley View Drive and will pass by these signs. Again, the type of information displayed may be offensive for family viewing. Advertising signs are not compatible with a park type environment.

NAME	ADDRESS
Isaac C Bingham	412 Estella Ave. L.V. 89107
Saulni Bingham	412 ESTELLA AVE
Janette M King	416 ESTELLA AVE
Patricia Sadler	417-Estella Ave.
Barbara Fleming	408 Estello Ave
Sandy Standish	8825 Bonta Ave.
Teresa Portee	402 Estella Las Vegas 89107
Suzanne Garlick	315 Sabract Las Vegas NV 89107
Maria Jennings	4416 Hanford LV NV 89107
Abel Favela	320 Estella Ave. LV NV 89107
Edith A Brooks	316 Estella Ave LV NV 89107
Laura Burns	309 Estella Ave LV, NV 89107
Mark L Cox	409 Estella ave

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Monday, August 23, 2004

City Planning Commission, City of Las Vegas
Planning and Development Department
Current Planning Division
Development Services
731 South Fourth Street
Las Vegas Nevada 89101

Timothy W. & Deena J Dowd
208 Moller Cir.
Las Vegas Nevada 89107-2128
702-878-4380

We object to the following Special Use Permits SUP-4807, SUP4808, SUP 4809,

Reason:

1. We feel that 51 feet is too high. SUP-4808 will be seen over US95 Wall from our front yard.
2. The billboard may contain advertisements not suitable for the near by Elementary and High school.

cc. City Councilwomen: Janet Moncrief
City Councilman: Lawrence Weekly

READ INTO
THE RECORD

August 26, 2004 FAX AND US MAIL

Kyle C. Walton
Senior Planner
Planning and Development Department – Current Planning
The City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101

RE: A Unified Letter in Opposition to the Proposed SUP's 4807, 4808 and 4809

Dear Mr. Walton,

On or about August 16, certain people residing in the area near the Meadows Mall in Las Vegas received notification from The City of Las Vegas regarding the application and hearing of certain Special Use Permits. These permits are described as SUP-4807, SUP-4808 and SUP-4809. These SUP's, if granted, would allow Orion Outdoor Media to erect three separate billboard-type signs, ranging in height from 40 feet to 51 feet.

To note, herewith: in our opinion, the affected area was grossly miscalculated as shown on the accompanying sketches, with a primary bias given to the limited C-1 area designation. The affected area(s) should have properly been reflected to include the primary residences further to the north, with respect to those residing on Snead Drive on the north, to Mayflower Lane to the south. Due notice to those residences should be given prior to a public hearing on this matter.

Failing this proper course of due diligence on the part of the City of Las Vegas, the undersigned wish to proclaim their opposition to these applications for the following reasons:

1. Although the signs would be placed in an area designated as C-1, limited commercial use, the north and south boundaries are adjacent to, or abut, residential (R-1) neighborhoods.
2. These signs will be directly visible to students of two schools; one an elementary school (Ruth Fyfe) and Western High School.
    a) Extreme caution must be given to advertising messages in plain sight to minor children.
    b) The content of advertising has consistently been upheld by the United States Supreme Court as a right of free speech, according to the 1st Amendment of the United States Constitution, and is therefore unassailable to local government(s).
    c) Regardless of any assurances by the applicant, the City of Las Vegas cannot guarantee the absence of offensive material(s) advertised on these proposed boards,
    d) Given the direct eye-line to these advertising messages to minor students, this could lead to direct manipulation of a minor's perception, and is therefore inappropriate.
3. These signs will vary, to approximate the height of a four to five story building which will be in plain sight of the residents of the affected area, as well as the outlying boundaries.
4. The Nevada Department of Transportation has seen fit to mitigate the audible effects of the continuing freeway expansion to nearby residents, by the erection of sound-wall barriers. The visible effects should receive no less due consideration.
5. A cursory web search of Orion Outdoor Media resulted in the requirement of a password to be issued by the company (by calling a toll-free telephone number) to the inquirer, in order for the caller to further research the company's Las Vegas presence. This toll-free number was called, after normal business hours, which only resulted in a number of choices for individual telephone extensions.
6. Most companies which include a web presence are eager to express that company's mission, goals, clients and accomplishments on their web pages. The apparent restrictions to basic information on Orion Outdoor Media's site should be suspect as to raise an alarm.

Due to the concerns outlined above, the undersigned residents hereby proclaim their opposition to SUP-4807, SUP-4808 and SUP-4809.

Printed Name	Street Address	Day Phone
Richard Kimmell	400 Horn St	877-1262
Betty Jo Kimmell	400 Horn St	877-1262
C.J. Bufalino	405 Horn St	870-7965
Karol Bufalino	405 Horn St	870-7965
Chuck Ankenman	401 Horn St	870-1672
Blair Redd	213 Horn St	360-8397
Juan Javier Vila	204 Estella Ave	365-0436
Susan Ornelas	208 Estella Ave	878-1833
Bonnie Cantrell	208 Estella Ave	878-1833
Joshua Ornelas	208 Estella Ave	878-1833
David Norton	212 Estella Ave	259-2440
Fernando J. Romero	216 Estella Ave	259-8677
Joseph S. Galza	220 Estella Ave	259-4860
Richard Barschdorf	404 Estella Ave	877-3219
Frank E. Bingham	412 Estella Ave	878-0011
Scott Burns	309 Estella Ave	877-9116
Nancy H. Smith	305 Estella Ave	870-2444
Bernard Linker	201 Moller Cir	878-9427
Dana Ledford	204 Moller Cir	878-8059
Tina Peters	200 Moller Cir	636-9880
Nick Mirabella	209 Estella Ave	877-9355
Betsy Halliday	300 Horn St	259-3230
Mary Lynn Riggs	404 Horn St	870-6352
William V. Riggs	404 Horn St	870-6352
Janet Churchill	409 Horn St	878-8600
Charles Churchill	409 Horn St	878-8600

Cc: David Clapsdale
Robert Genzer
Lawrence Weekly

BRYAN A LOWE & ASSOCIATES
Professional Law Corporation

ATTORNEYS:
BRYAN A. LOWE*
ROBERT K. WINN**

ALSO ADMITTED
*CALIFORNIA & ARIZONA
**UTAH

LEGAL ASSISTANTS:
CAROL A. STONAKER
JENNIFER A. HEYWOOD
JULIA L. FYHRLUND

August 20, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: SUP-4807, SUP-4808, SUP-4809

Dear Sir or Madam:

I am in receipt of the Notices of Public Hearing relating to the above-referenced Special Use Permits. I own my own business that is located at 4011 Meadows Lane, Suite 102, Las Vegas, Nevada.

It is apparent to me that over the past few years great efforts have been made to improve this area of the valley. For instance, the expansive park that is currently under construction by the Las Vegas Valley Water District. While this is an ongoing project, it is my belief that upon completion the park will add to the value of the area both aesthetically and monetarily. However, I believe that the additions of billboards to this area will detract from the work that is being done and, in fact, cheapen the area.

Further, if the Special Use Permits are granted, then the area businesses have no control over who rents the billboards and what types of advertising would be allowed on said billboards.

In conclusion, I firmly oppose the above-referenced requests for Special Use Permits and request that they be denied as to avoid any negative impact on mine and other area businesses and property values.

Very truly yours,

BRYAN A LOWE & ASSOCIATES
PROFESSIONAL LAW CORPORATION

Bryan A Lowe, Esq.

4011 Meadows Lane, Suite 102 • Las Vegas, Nevada 89107
(702) 259-0002 • Fax: (702) 259-7774

Boulder City Office: 916 Nevada Highway, Suite 6 • Boulder City, Nevada 89005
(702) 293-6888
office@bryanalowe.com

Protest for Council

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas NV 89125-0170
September 29, 2004

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

City of Las Vegas
City Clerk
1st Floor
400 Stewart Avenue
Las Vegas, NV 89101

Outdoor Advertising Control
CLV Use Permits
SUP-4807, 4808, 4809

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2. The signs shall not encroach in or over any NDOT Right-of-Way, permanent easements, or construction easements.

If you have questions, please call me at (702) 385-6525 or e-mail me at kleany@dot.state.nv.us .

Sincerely,

Kevin S. Leany
Supervisory Utility Inspector

KSL/sgb

cc: Carson City R/W
Bill Snyder
Loraine Kusuhara
Lew Rinker

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CITY CLERK
2004 OCT -1 A 10:32

Submitted after final agenda
Date 10/4/04 Item #113

(NSPO 5-03)

L 135

City of Las Vegas

Agenda Item No. 114

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4808 - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 51 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Nevada Department of Transportation letter with proposed conditions
5. Submitted at City Council - Protest petition with 12 properties
6. Back up referenced from the 8/26/2004 Planning Commission meeting Item 34

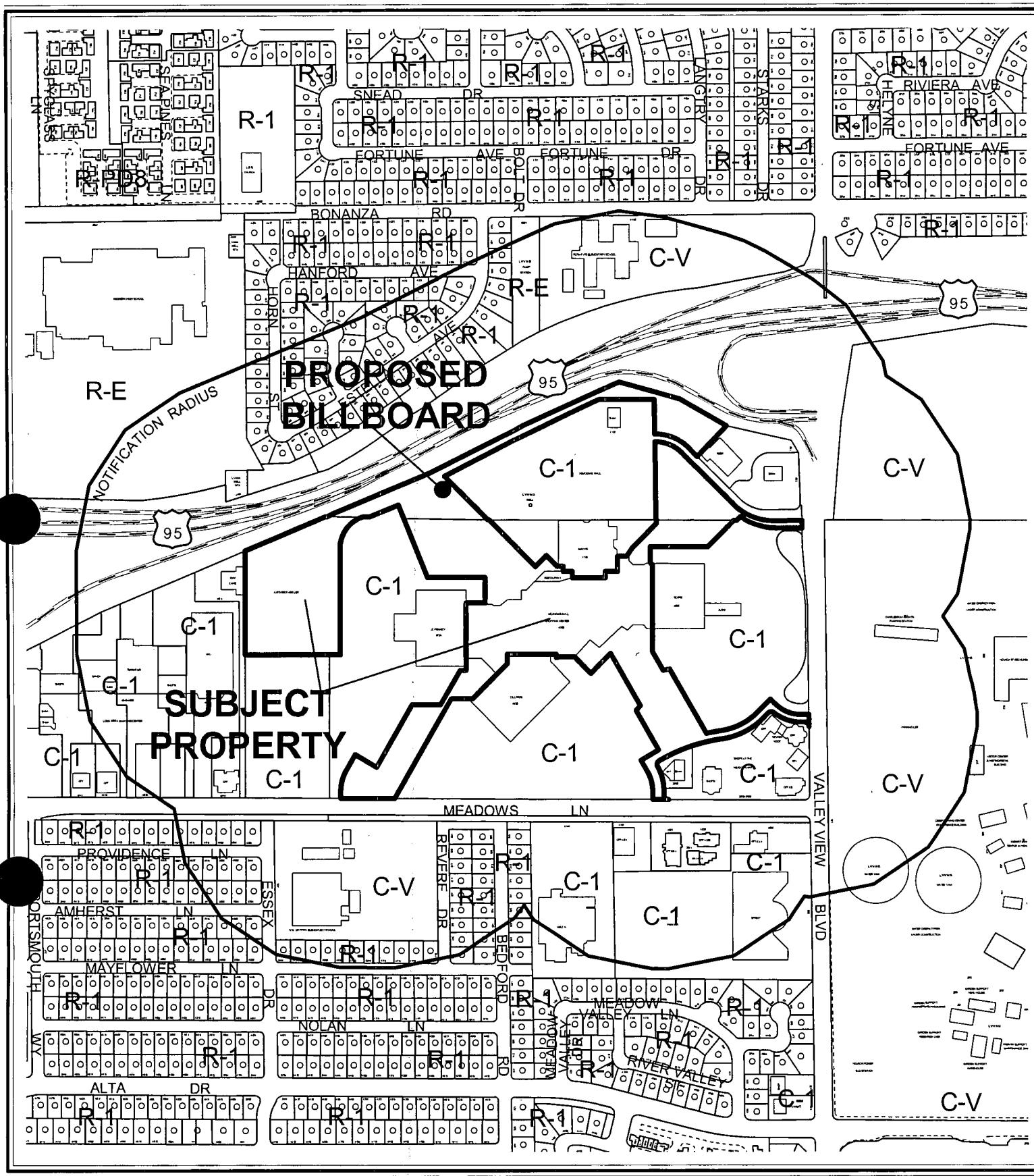
MOTION:

REESE - Motion to STRIKE Item 71 [824 Shetland Road] and Item 111 [SUP-4593], TABLE Item 114 [SUP-4808] and to HOLD IN ABEYANCE Item 120 [SUP-4918] to 10/20/2004 - UNANIMOUS with GOODMAN abstaining on Item 114 [SUP-4808] as he has a business relationship with ATTORNEY JAY BROWN

MINUTES:

COUNCILMAN REESE verified with COUNCILWOMAN MONCRIEF that Item 114 [SUP-4808] would be tabled and Item 115 [SUP-4809] would be heard.

MAYOR GOODMAN disclosed that he would be abstaining from voting on Item 114 [SUP-4808], as he has a business relationship with ATTORNEY JAY BROWN.
(1:04 - 1:07)
3-1

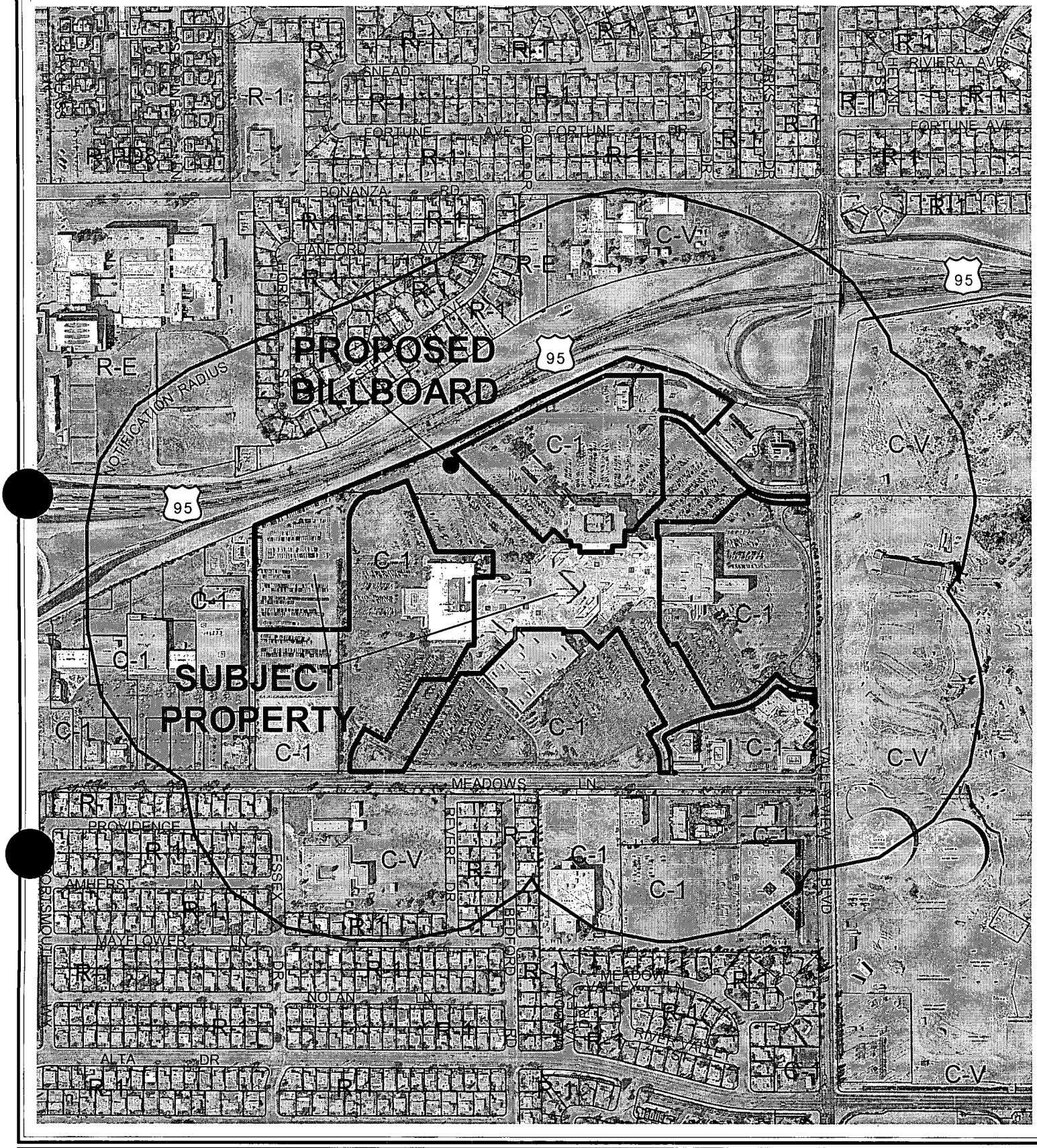


0 400 800 Feet

CASE: **SUP-4808**

RADIUS: 750 FT

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



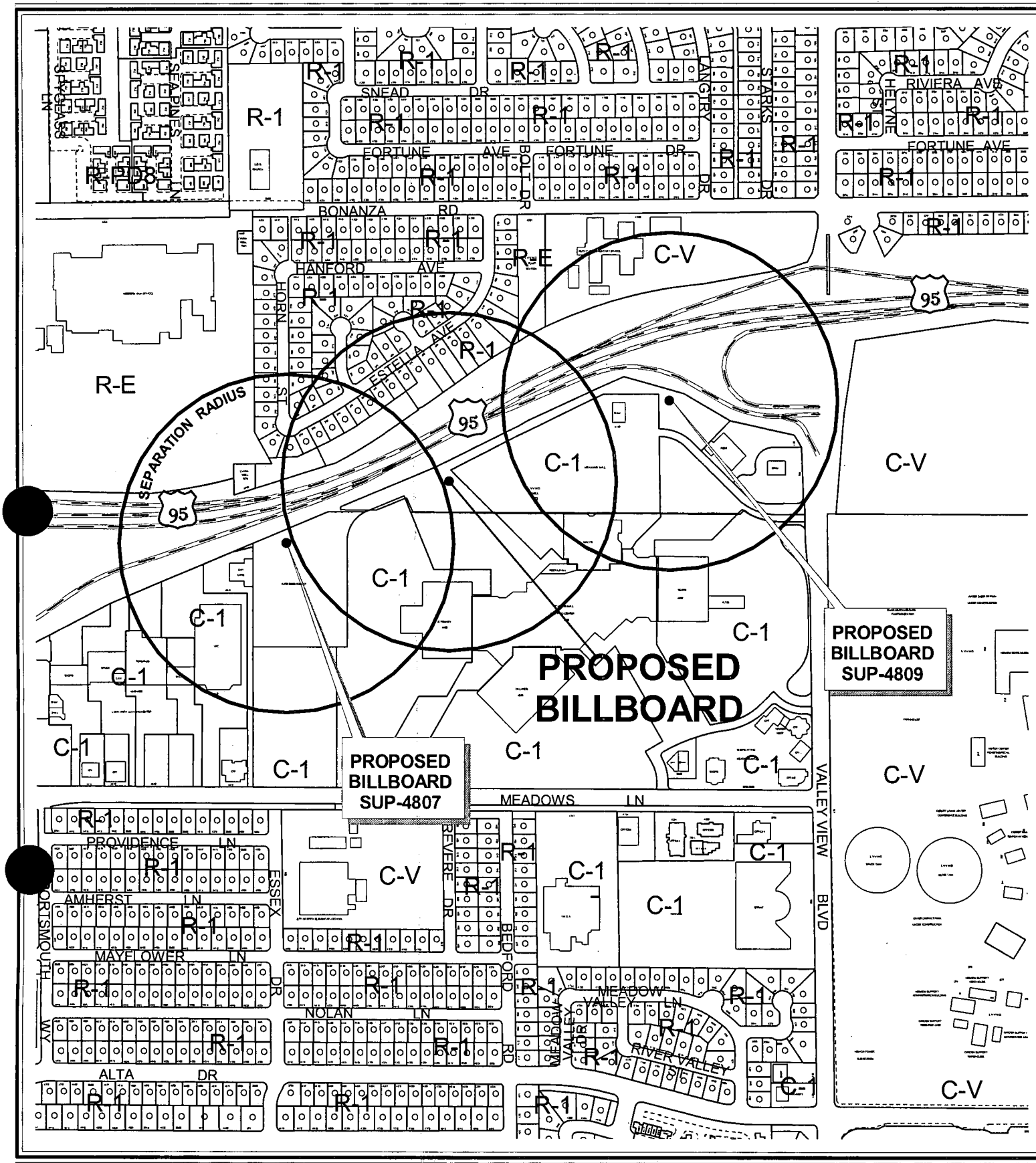
CASE: **SUP-4808**

RADIUS: 750 FT

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

0 400 800 Feet

N



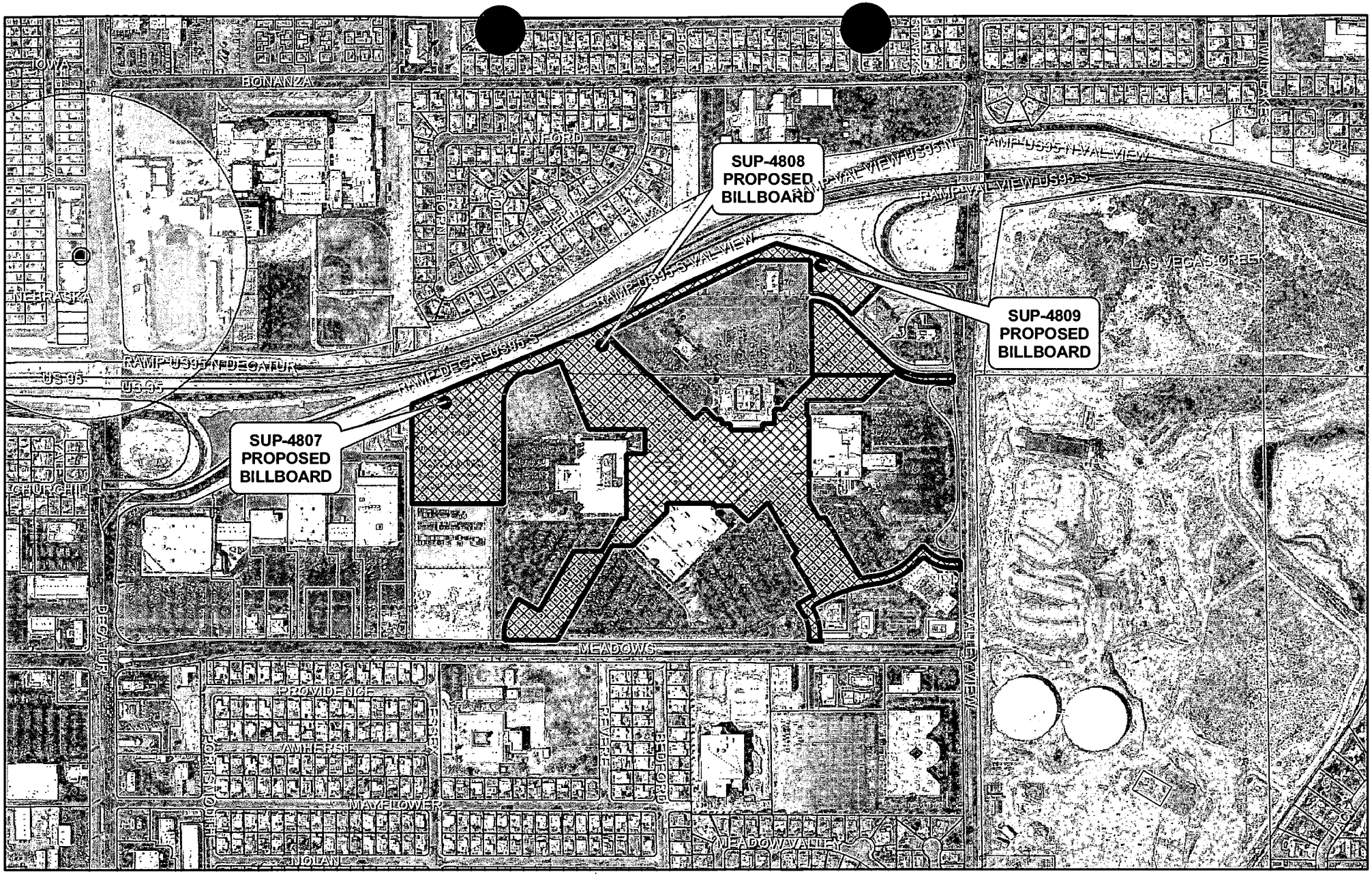
CASE: **SUP-4808**

SEPARATION RADIUS: 750 FT

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

0 400 800 Feet

N



SUP-4807,SUP-4808, and SUP-4809

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4808 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.

** CONDITIONS **

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

Planning and Development

1. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.

2. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

4. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

5. If a Site Development Plan Review for new development includes property in which, an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

7. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

8. Only one advertising sign is permitted per sign face.

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

10. The sign shall be limited to 40 feet in height designed as shown on the submitted plans date stamped August 6, 2004 for sign #2.

11. No off-premise advertising (billboard) signs may be located along the Valley View Boulevard side of the property.

Public Works

12. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting the approval of Special Use Permit to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane. The applicant is requesting that the sign be raised to 51 feet from the required 40 feet.

B) Applicant's Justification

The applicant justifies this application by stating that the sign conforms to all City standards and justifies the increased height request as being a result elevation changes from the proposed location of the site and the US 95.

BACKGROUND INFORMATION

A) Previous Actions

04/19/95 The City Council approved a Special Use Permit (U-0021-95) application for a class III secondhand dealership to allow the sale of used records, tapes and compact discs at 4300 Meadows Lane. The Board of Zoning Adjustment and staff recommended approval.

12/18/96 The City Council approved a Special Use Permit (U-0132-96) application on property located at 4300 Meadows Lane, Suite 2430 in the Meadows Mall for beer and wine sales in conjunction with a proposed restaurant. The Board of Zoning Adjustment and staff recommended approval.

05/02/01 The City Council approved a Special Use Permit (U-0030-01) application for auto dealer inventory storage at 4300 Meadows Lane. The Planning Commission and staff recommended approval.

09/19/01 The City Council approved a Special Use Permit (U-0132-01) application for a 60-foot tall wireless communications monopole at 4300 meadows lane. The Planning Commission and staff recommended approval.

08/26/04 The Planning Commission recommended approval of two other Special Use Permits (SUP-4807 and SUP-4809) to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign and a 40-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane, respectively.

08/26/04 The Planning Commission voted 5-1-1 to recommend APPROVAL (PC Agenda Item #34/pl).

B) Pre-Application Meeting

06/23/04 A pre-application conference was held resulting in the following:

1. Special Use Permit requirements for an off-premise advertisement (billboard) sign were discussed.
2. The 750-foot minimum distance separation was discussed, relative to the location of the three proposed signs.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 27.25

B) Existing Land Use

Subject Property:	Commercial Center (Meadows Mall)
North:	US 95; Residential Dwellings
	Public School (Fyfe Elementary)
South:	Residential Dwellings
	Public School (Griffith Elementary)
	YMCA
	Office Park
East:	Undeveloped (Las Vegas Valley Water District)
West:	Commercial Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ROW (Right-of-Way)
	L (Low Density Residential)
	PF (Public Facilities)
South:	L (Low Density Residential)
	PF (Public Facilities)
	SC (Service Commercial)
East:	PF (Public Facilities)
West:	SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Southeast Sector Land Use Map of the General Plan.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	750 Feet	770 Feet	Y

Separation distance from "U" or "R" zoning district	300 Feet	360+ Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	51 Feet	N*
Setbacks (min.)	50 Feet from nearest ROW intersection	32 feet	Y

* The applicant is requesting an increase in height of the sign to 51 feet as to increase the visibility. The sign meets all other standards of the Code.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

Staff has some concerns regarding clutter if three off-premise signs are approved. Two would be more appropriate, given that three signs barely meet Code standards and there are residentially zoned properties within 310 feet. The revised elevations are decorative and mitigate some of the concerns pertaining to their appearance. The recommendation for approval is based on one of the signs being eliminated and conformance to the revised elevations. The Meadows Mall logo cannot be placed on the off-premise billboard. The proposed off-premise sign meets all other Code standards.

FINDINGS

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

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

   The off-premise signs proposed can be harmonious and compatible with the surrounding area if one of them is eliminated so visual clutter is reduced and they conform to the revised elevations.

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

There are no physical constraints to the permissibility of the off-premise advertising (billboard) sign use on this site.

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

The site has adequate access from Valley View Boulevard, an 80-foot Secondary Collector as indicated by the Master Streets and Highway Plan, and Meadows Lane, a public right-of-way.

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

If approved, the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 155 by City Clerk

APPROVALS 0

PROTESTS 0

#2

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4808** APN: 139-31-510-016

Name of Property Owner: General Growth Properties

Name of Applicant: ORion Outdoor Media

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Gregory K. Sims

Subscribed and sworn before me

This 3rd day of June, 2004

Naomi J. Fabis

Notary Public in and for said County and State

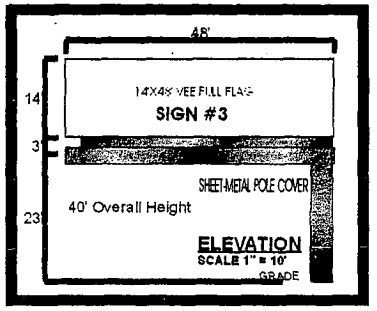
Revised 2/12/02

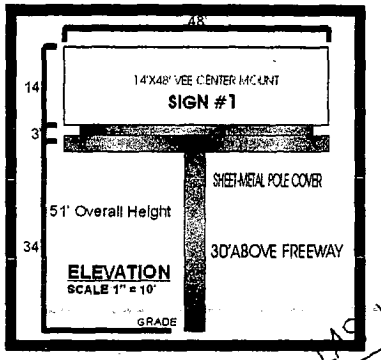
Notary Public - State of Nevada
County of Clark
NAOMI J. FABIS
My Appointment Expires
January 27, 2005
No: 96-6118-1

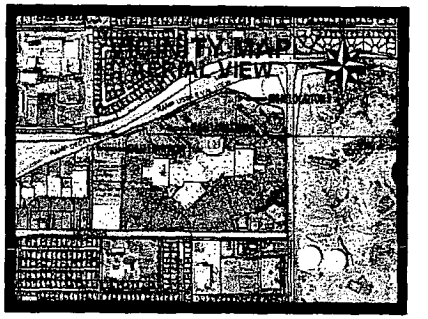
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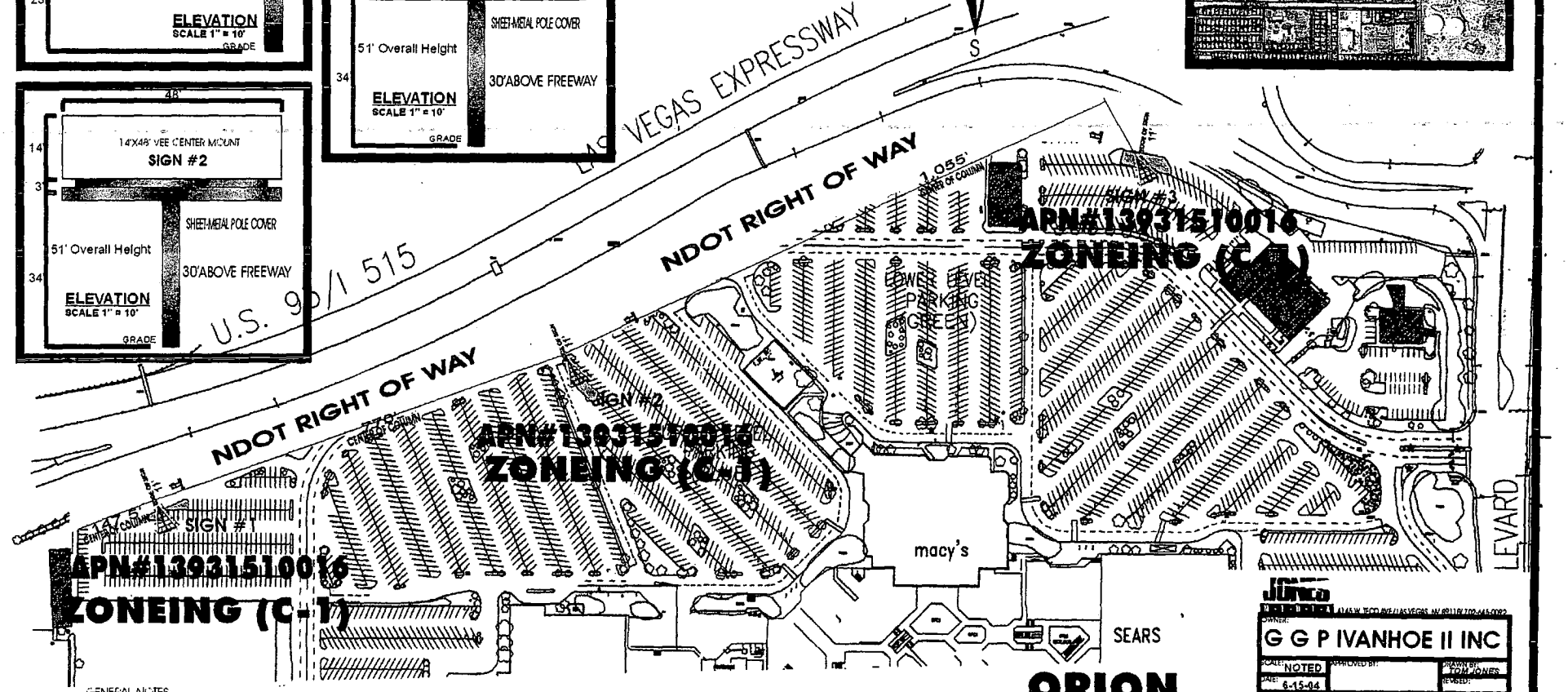
TOP VIEW
SCALE 1" = 80'

DETAIL







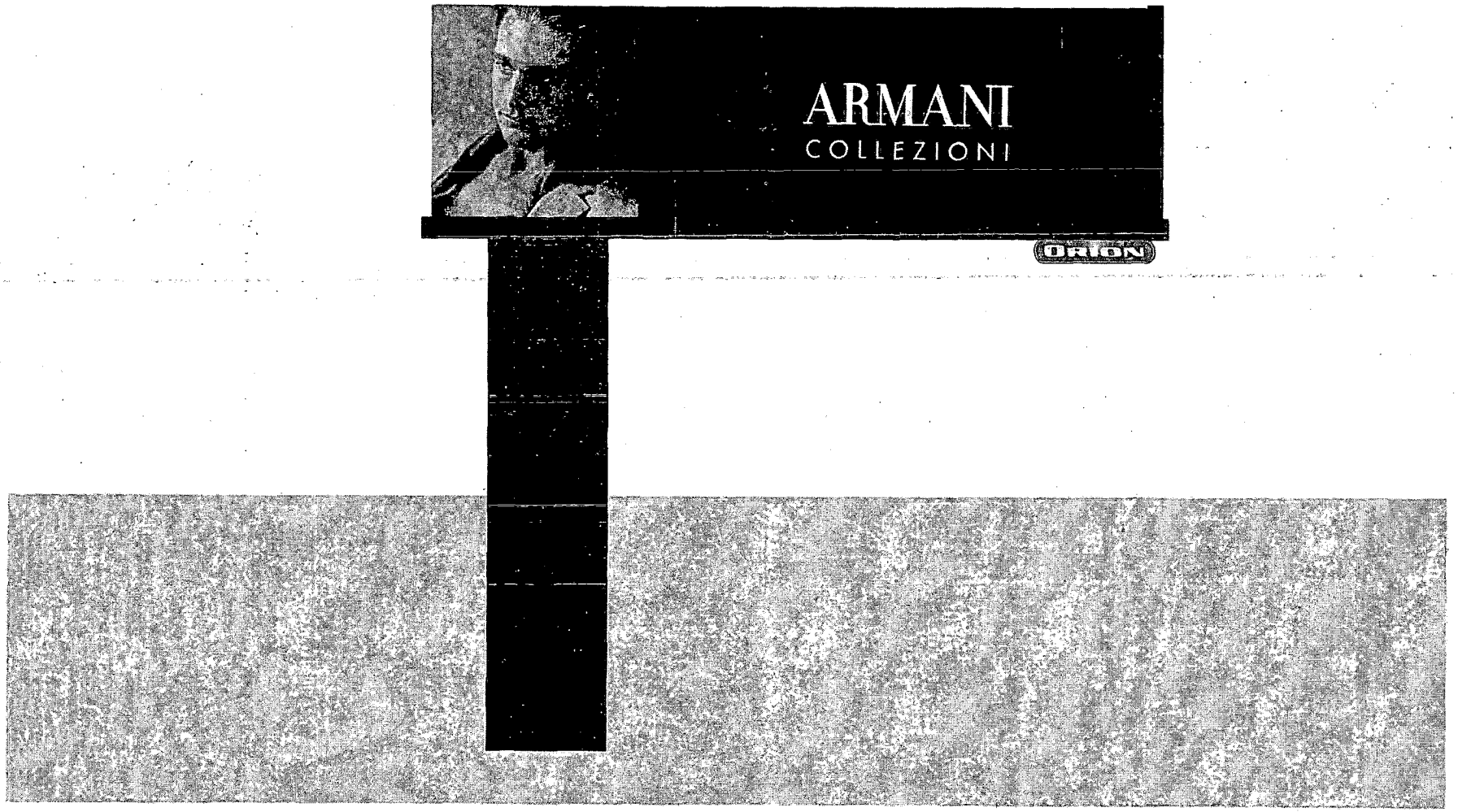


GENERAL NOTES
1. Not within 300 feet radius of another off-premise billboard.
2. Not within 300 feet radius of residential use.
3. No parking spaces will be taken for this location.

ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

OWNER:	G G P IVANHOE II INC
SCALE: NOTED	APPROVED BY:
DRAWN BY: TOM JONES	
DATE: 6-15-04	REVISED:
LOCATION:	4300 MEADOWS LN
APN#13931510016	DRAWING NUMBER: 299

SUP-4808
8/26/04 PC

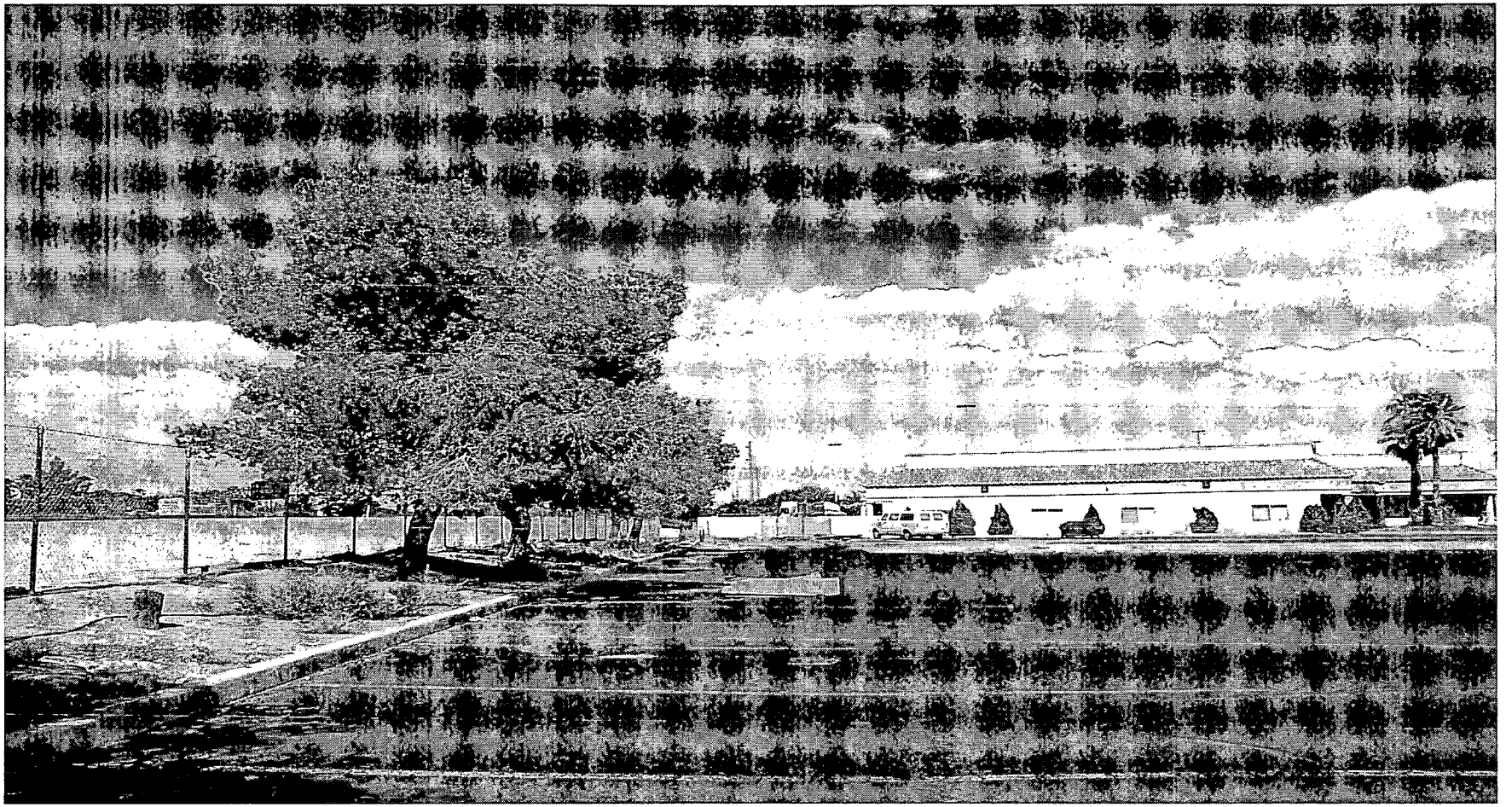


ORION
OUTDOOR MEDIA

SUP-4808
8/26/04 PC

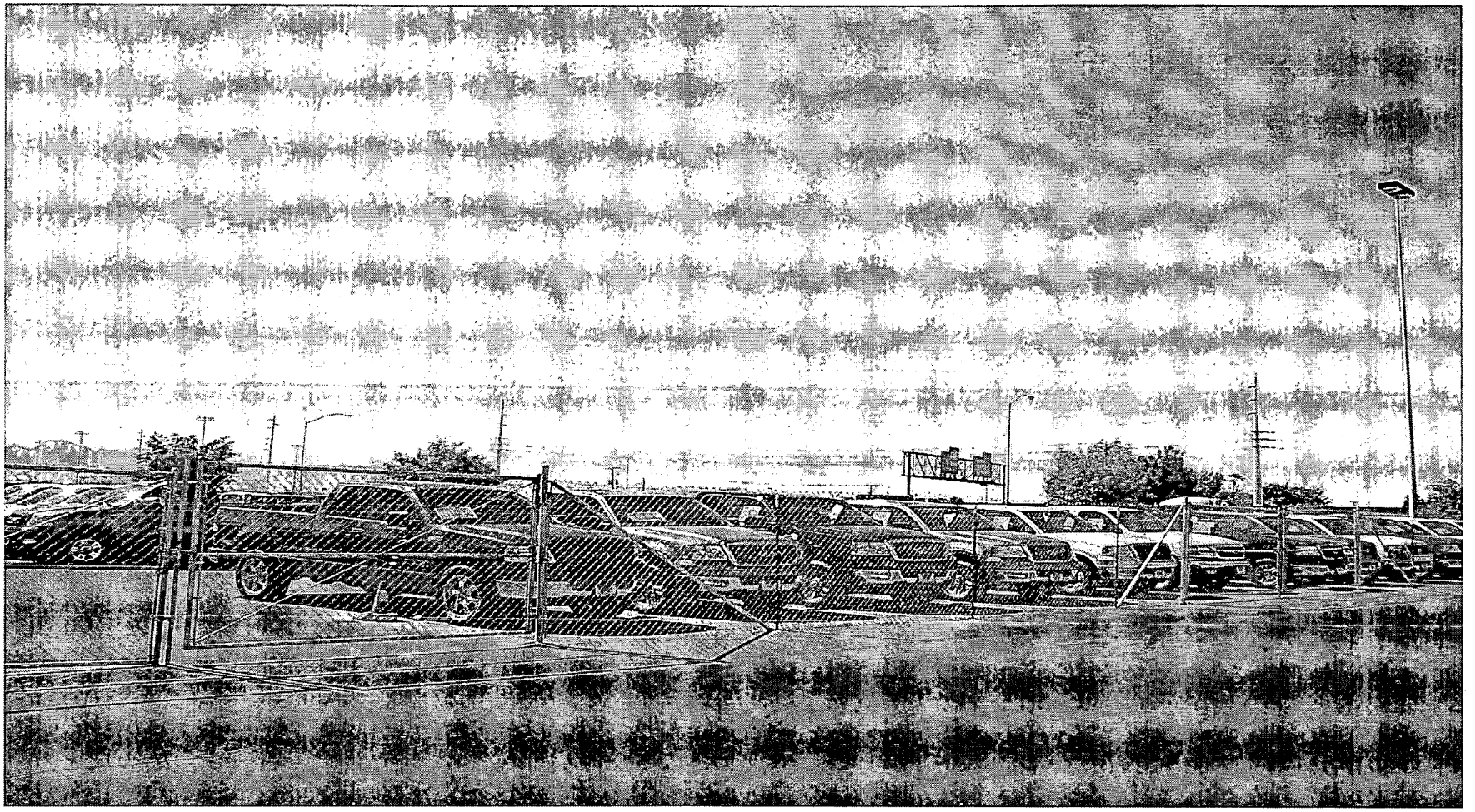
RECEIVED
AUG 18 2004

REVISED
8.18.04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4808 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4808 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas NV 89125-0170
September 29, 2004

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

City of Las Vegas
City Clerk
1st Floor
400 Stewart Avenue
Las Vegas, NV 89101

Outdoor Advertising Control
CLV Use Permits
SUP-4807, 4808, 4809

Dear Sir or Madam:

I have reviewed the requests for Special Use Permits (SUP-4807, SUP 4808, and SUP 4809) located along US 95 at 4300 Meadows Lane (APN 139-31-510-016). NDOT has no objections to these signs as long as the following conditions are met.

1. The applicant shall obtain a State Sign Permit prior to issuance of a building permit.
2. The signs shall not encroach in or over any NDOT Right-of-Way, permanent easements, or construction easements.

If you have questions, please call me at (702) 385-6525 or e-mail me at kleany@dot.state.nv.us .

Sincerely,

Kevin S. Leany
Supervisory Utility Inspector

KSL/sgb

cc: Carson City R/W
Bill Snyder
Loraine Kusuhara
Lew Rinker

RECEIVED
CITY CLERK
2004 OCT -1 A 10:32

Submitted after final agenda

Date 10/4/04 Item #114

(NSPO 5-03)

L 135

Submitted at City Council

Date 10/6/04 Item #113

October 6, 2004

To: LAS VEGAS CITY COUNCIL

OPPOSITION TO ORION OUTDOOR MEDIA ADVERTISING SIGN PROPOSAL - SUP-4807, 4808 & 4809

Protest

We are opposed to granting special use permits for construction of advertising signs adjacent to the Meadows Mall. We live across the freeway from these locations. This is our neighborhood, and advertising signs do not belong here. Once constructed there would be no control over the type of material advertised , which could include pornographic type material. This would be unsuitable for a residential area.

A regional park is being constructed on Las Vegas Valley Water District property near the proposed sign locations. . This will be a family type facility and will receive considerable use. People visiting the park from North West Las Vegas will exit U.S. 95 at Valley View Drive and will pass by these signs. Again, the type of information displayed may be offensive for family viewing. Advertising signs are not compatible with a park type environment.

NAME	ADDRESS
Israel C Bingham	412 Estella Ave. L.V. 89107
Saulni Bingham	412 ESTELLA AVE
Janette M King	416 ESTELLA AVE
Patricia Sadler	417-Estella Ave,
Barbara Fleming	408 Estello Ave
Sandy Mandish	8825 Bonta Ave.
Teresa Portee	402 Estella Las Vegas 89107
Suzanne Gerlach	315 Sabract Las Vegas NV 89107
Maria Jennings	4416 Hanford LV NV 89107
Abel Favela	320 Estella Ave. LV NV 89107
Edeen A Brooks	316 Estella Ave LV NV 89107
Laura Burns	309 Estella Ave LV, NV 89107
	409 Estella Ave

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Monday, August 23, 2004

City Planning Commission, City of Las Vegas
Planning and Development Department
Current Planning Division
Development Services
731 South Fourth Street
Las Vegas Nevada 89101

Timothy W. & Deena J Dowd
208 Moller Cir.
Las Vegas Nevada 89107-2128
702-878-4380

We object to the following Special Use Permits SUP-4807, SUP4808, SUP 4809,

Reason:

1. We feel that 51 feet is too high. SUP-4808 will be seen over US95 Wall from our front yard.
2. The billboard may contain advertisements not suitable for the near by Elementary and High school.

cc. City Councilwomen: Janet Moncrief
City Councilman: Lawrence Weekly

READ INTO
THE RECORD

August 26, 2004 FAX AND US MAIL

Kyle C. Walton
Senior Planner
Planning and Development Department – Current Planning
The City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101

RE: A Unified Letter in Opposition to the Proposed SUP's 4807, 4808 and 4809

Dear Mr. Walton,

On or about August 16, certain people residing in the area near the Meadows Mall in Las Vegas received notification from The City of Las Vegas regarding the application and hearing of certain Special Use Permits. These permits are described as SUP-4807, SUP-4808 and SUP-4809. These SUP's, if granted, would allow Orion Outdoor Media to erect three separate billboard-type signs, ranging in height from 40 feet to 51 feet.

To note, herewith: in our opinion, the affected area was grossly miscalculated as shown on the accompanying sketches, with a primary bias given to the limited C-1 area designation. The affected area(s) should have properly been reflected to include the primary residences further to the north, with respect to those residing on Snead Drive on the north, to Mayflower Lane to the south. Due notice to those residences should be given prior to a public hearing on this matter.

Failing this proper course of due diligence on the part of the City of Las Vegas, the undersigned wish to proclaim their opposition to these applications for the following reasons:

1. Although the signs would be placed in an area designated as C-1, limited commercial use, the north and south boundaries are adjacent to, or abut, residential (R-1) neighborhoods.
2. These signs will be directly visible to students of two schools; one an elementary school (Ruth Fyfe) and Western High School.
    a) Extreme caution must be given to advertising messages in plain sight to minor children.
    b) The content of advertising has consistently been upheld by the United States Supreme Court as a right of free speech, according to the 1st Amendment of the United States Constitution, and is therefore unassailable to local government(s).
    c) Regardless of any assurances by the applicant, the City of Las Vegas cannot guarantee the absence of offensive material(s) advertised on these proposed boards,
    d) Given the direct eye-line to these advertising messages to minor students, this could lead to direct manipulation of a minor's perception, and is therefore inappropriate.
3. These signs will vary, to approximate the height of a four to five story building which will be in plain sight of the residents of the affected area, as well as the outlying boundaries.
4. The Nevada Department of Transportation has seen fit to mitigate the audible effects of the continuing freeway expansion to nearby residents, by the erection of sound-wall barriers. The visible effects should receive no less due consideration.
5. A cursory web search of Orion Outdoor Media resulted in the requirement of a password to be issued by the company (by calling a toll-free telephone number) to the inquirer, in order for the caller to further research the company's Las Vegas presence. This toll-free number was called, after normal business hours, which only resulted in a number of choices for individual telephone extensions.
6. Most companies which include a web presence are eager to express that company's mission, goals, clients and accomplishments on their web pages. The apparent restrictions to basic information on Orion Outdoor Media's site should be suspect as to raise an alarm.

Due to the concerns outlined above, the undersigned residents hereby proclaim their opposition to SUP-4807, SUP-4808 and SUP-4809.

Printed Name	Street Address	Day Phone
Richard Kimmell	400 Horn St	877-1262
Betty Jo Kimmell	400 Horn St	877-1262
C.J. Bufalino	405 Horn St	870-7965
Karol Bufalino	405 Horn St	870-7965
Chuck Ankenman	401 Horn St	870-1672
Blair Redd	213 Horn St	360-8397
Juan Javier Vila	204 Estella Ave	365-0436
Susan Ornelas	208 Estella Ave	878-1833
Bonnie Cantrell	208 Estella Ave	878-1833
Joshua Ornelas	208 Estella Ave	878-1833
David Norton	212 Estella Ave	259-2440
Fernando J. Romero	216 Estella Ave	259-8677
Joseph S. Galza	220 Estella Ave	259-4860
Richard Barschdorf	404 Estella Ave	877-3219
Frank E. Bingham	412 Estella Ave	878-0011
Scott Burns	309 Estella Ave	877-9116
Nancy H. Smith	305 Estella Ave	870-2444
Bernard Linker	201 Moller Cir	878-9427
Dana Ledford	204 Moller Cir	878-8059
Tina Peters	200 Moller Cir	636-9880
Nick Mirabella	209 Estella Ave	877-9355
Betsy Halliday	300 Horn St	259-3230
Mary Lynn Riggs	404 Horn St	870-6352
William V. Riggs	404 Horn St	870-6352
Janet Churchill	409 Horn St	878-8600
Charles Churchill	409 Horn St	878-8600

Cc: David Clapsdale
Robert Genzer
Lawrence Weekly

BRYAN A LOWE & ASSOCIATES
Professional Law Corporation

ATTORNEYS:
BRYAN A. LOWE*
ROBERT K. WINN**

ALSO ADMITTED
*CALIFORNIA & ARIZONA
**UTAH

LEGAL ASSISTANTS:
CAROL A. STONAKER
JENNIFER A. HEYWOOD
JULIA L. FYHRLUND

August 20, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: SUP-4807, SUP-4808, SUP-4809

Dear Sir or Madam:

I am in receipt of the Notices of Public Hearing relating to the above-referenced Special Use Permits. I own my own business that is located at 4011 Meadows Lane, Suite 102, Las Vegas, Nevada.

It is apparent to me that over the past few years great efforts have been made to improve this area of the valley. For instance, the expansive park that is currently under construction by the Las Vegas Valley Water District. While this is an ongoing project, it is my belief that upon completion the park will add to the value of the area both aesthetically and monetarily. However, I believe that the additions of billboards to this area will detract from the work that is being done and, in fact, cheapen the area.

Further, if the Special Use Permits are granted, then the area businesses have no control over who rents the billboards and what types of advertising would be allowed on said billboards.

In conclusion, I firmly oppose the above-referenced requests for Special Use Permits and request that they be denied as to avoid any negative impact on mine and other area businesses and property values.

Very truly yours,

BRYAN A LOWE & ASSOCIATES
PROFESSIONAL LAW CORPORATION

Bryan A Lowe, Esq.

4011 Meadows Lane, Suite 102 • Las Vegas, Nevada 89107
(702) 259-0002 • Fax: (702) 259-7774

Boulder City Office: 916 Nevada Highway, Suite 6 • Boulder City, Nevada 89005
(702) 293-6888
office@bryanalowe.com

Protest for Council

City of Las Vegas

Agenda Item No. 115

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4809 - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

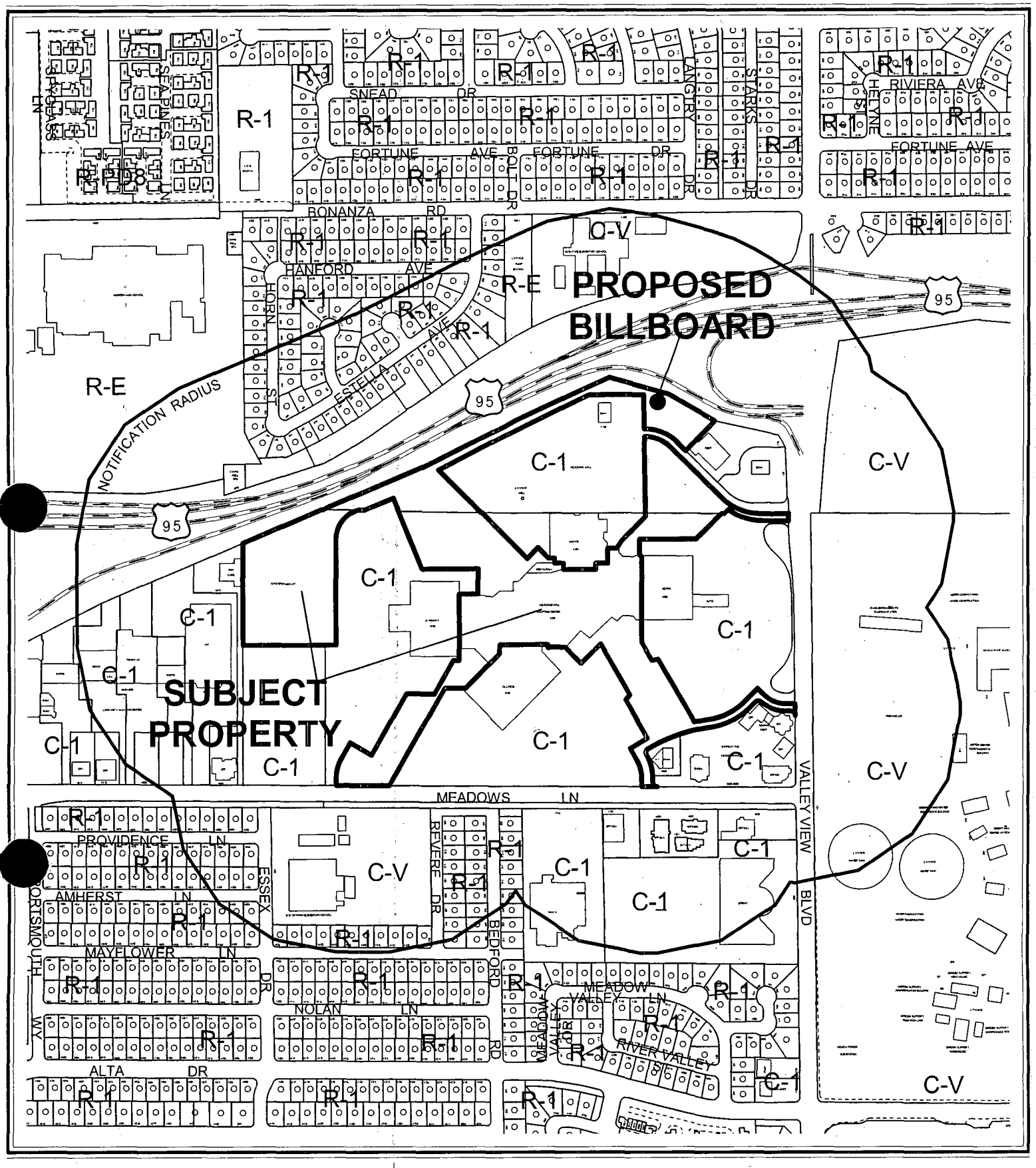
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Nevada Department of Transportation letter with proposed conditions
5. Submitted after final agenda - Abeyance request by Singer & Brown
6. Submitted at City Council - Protest petition with 12 properties
7. Back up referenced from the 8/26/2004 Planning Commission meeting Item 35

MOTION:

MONCRIEF - ABEYANCE to 11/03/2004 - UNANIMOUS with GOODMAN abstaining because he is a partner with ATTORNEY JAY BROWN on a piece of property on West Charleston

MINUTES:

NOTE: See Item 113 [SUP-4807] for all discussion.
(2:29 - 2:37
3-3394



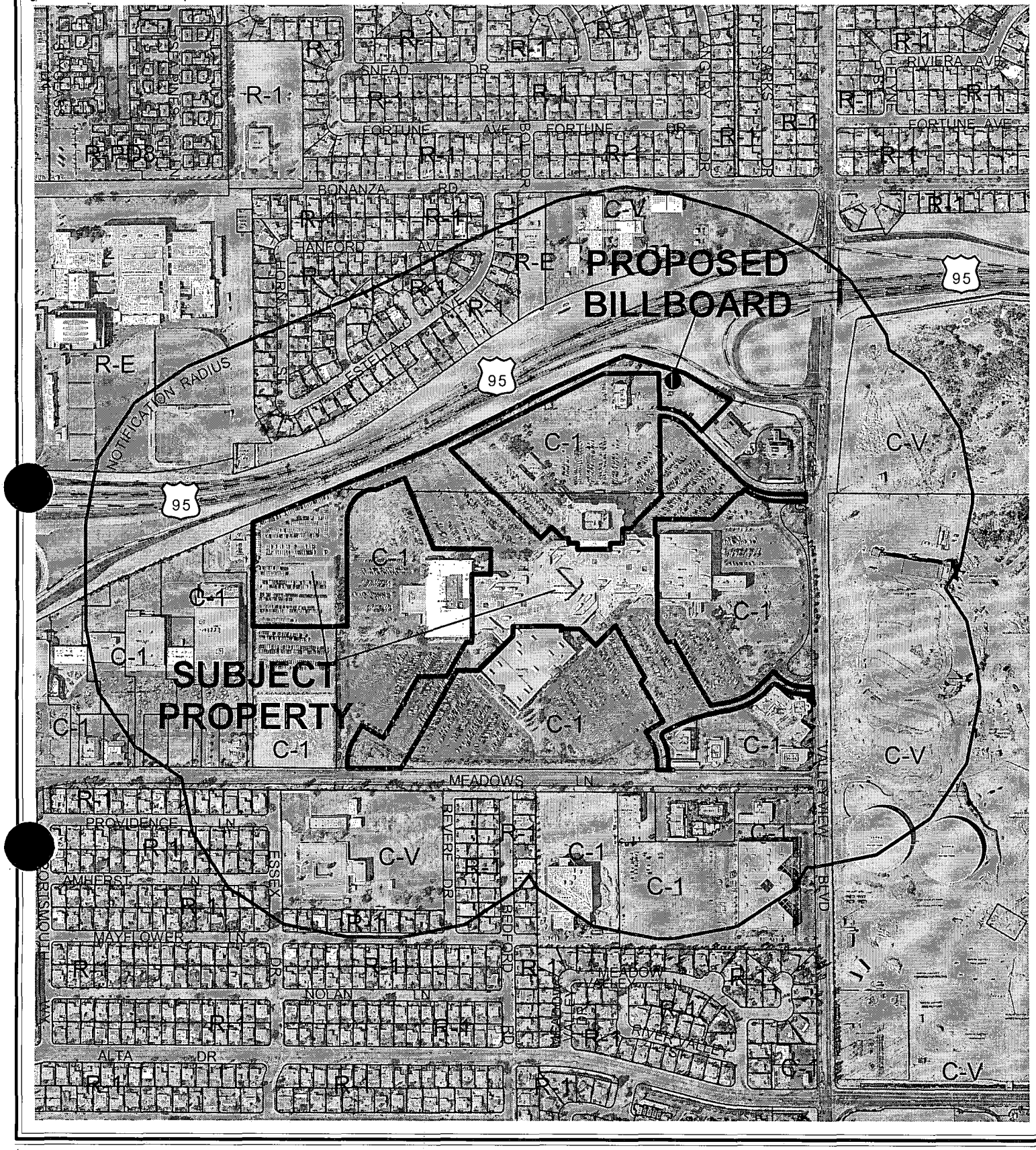
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CASE: **SUP-4809**

RADIUS: 750 FT

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

N



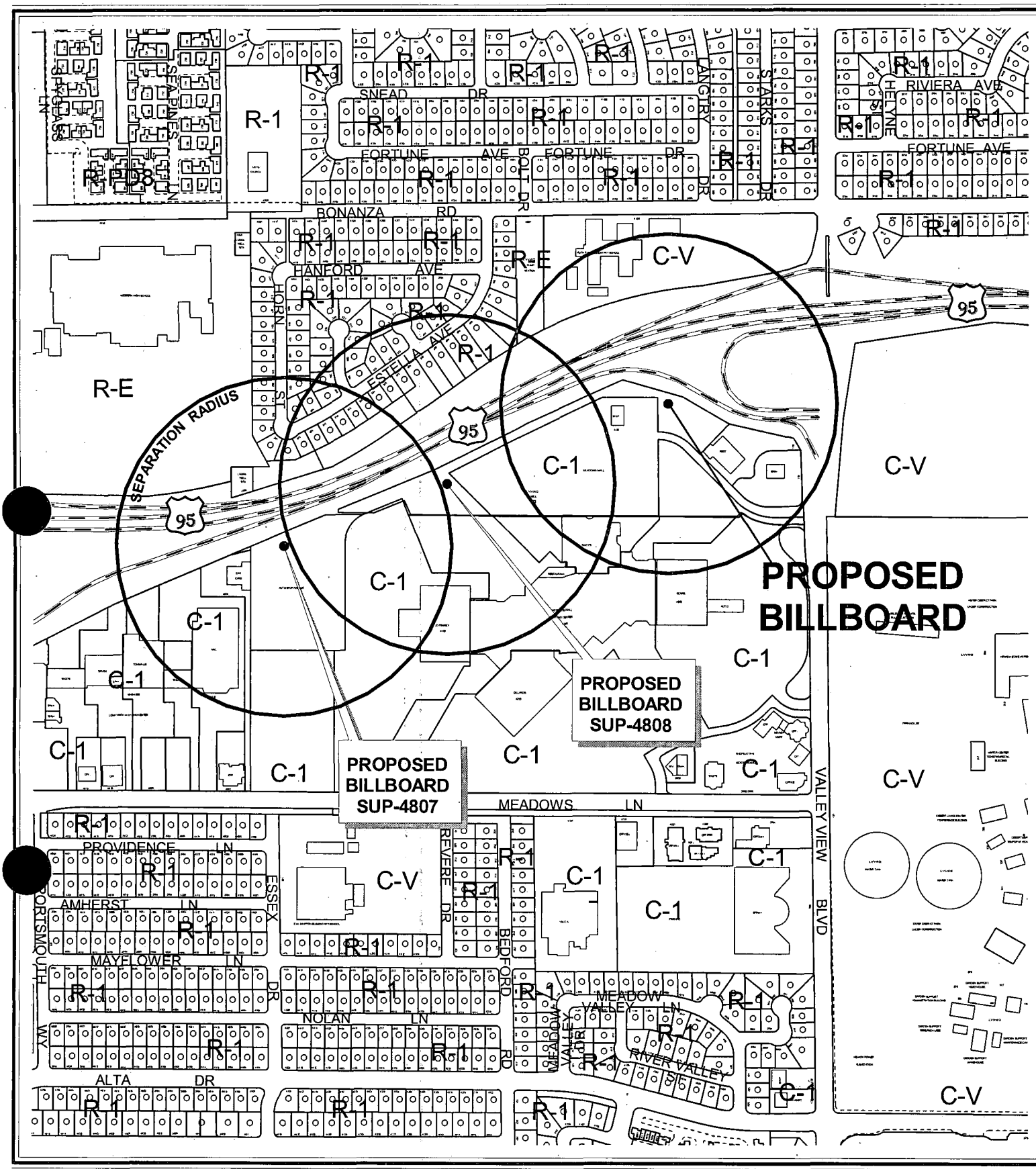
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CASE: **SUP-4809**

RADIUS: 750 FT

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

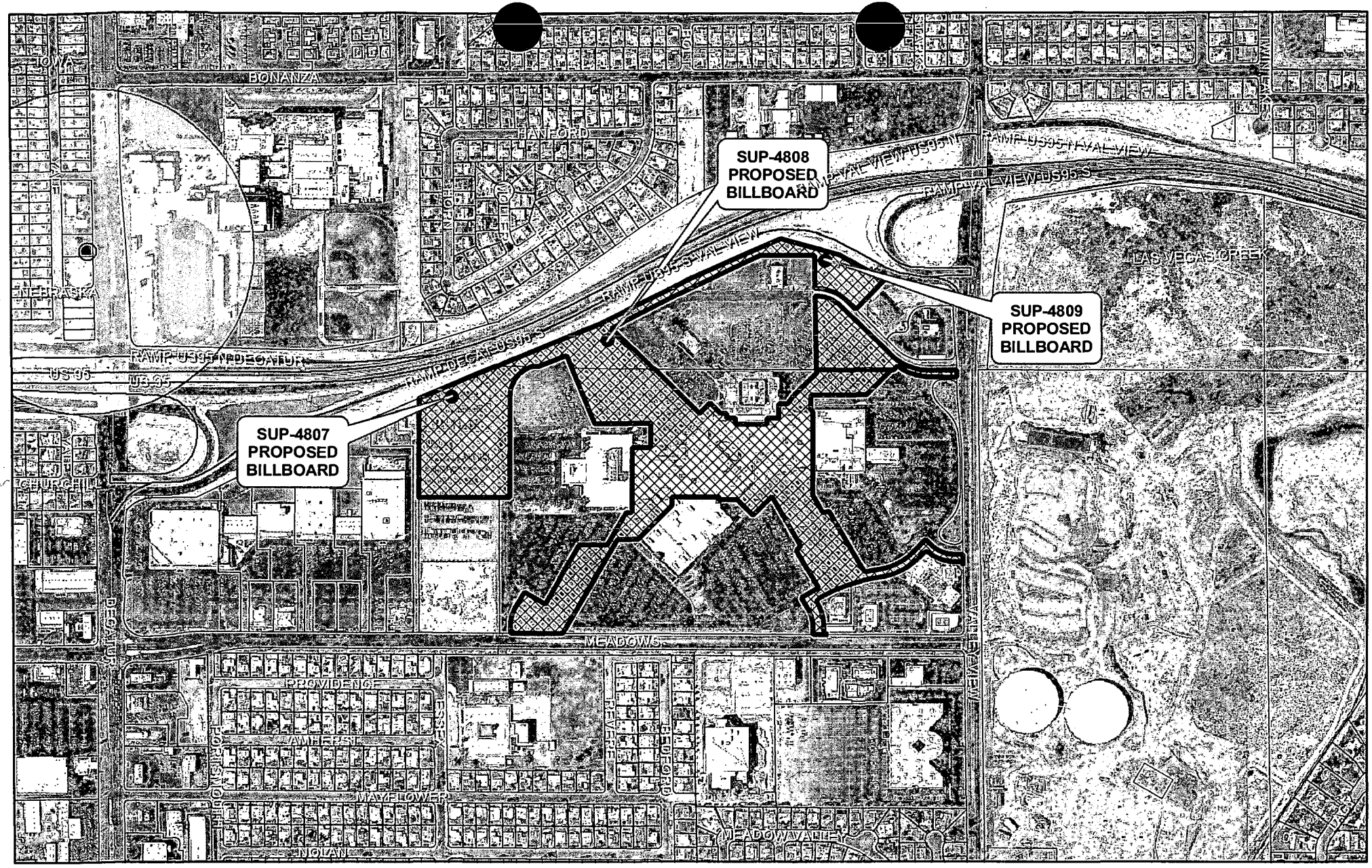
N



CASE: **SUP-4809**

SEPARATION RADIUS: 750 FT

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



SUP-4807,SUP-4808, and SUP-4809

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4809 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.

** CONDITIONS **

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

Planning and Development

1. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.

2. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

4. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

5. If a Site Development Plan Review for new development includes property in which, an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.

6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

7. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

8. Only one advertising sign is permitted per sign face.

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

10. The sign shall be limited to 40 feet in height pursuant to submitted plans date stamped August 6, 2004 for sign #3.

11. No off-premise advertising (billboard) signs may be located along the Valley View Boulevard side of the property.

Public Works

12. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting the approval of Special Use Permit to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane. The applicant is requesting that the sign be raised to 51 feet from the required 40 feet.

B) Applicant's Justification

The applicant justifies this application by stating that the sign conforms to all City standards and justifies the increased height request as being a result elevation changes from the proposed location of the site and the US 95.

BACKGROUND INFORMATION

A) Previous Actions

04/19/95 The City Council approved a Special Use Permit (U-0021-95) application for a class III secondhand dealership to allow the sale of used records, tapes and compact discs at 4300 Meadows Lane. The Board of Zoning Adjustment and staff recommended approval.

12/18/96 The City Council approved a Special Use Permit (U-0132-96) application on property located at 4300 Meadows Lane, Suite 2430 in the Meadows Mall for beer and wine sales in conjunction with a proposed restaurant. The Board of Zoning Adjustment and staff recommended approval.

05/02/01 The City Council approved a Special Use Permit (U-0030-01) application for auto dealer inventory storage at 4300 Meadows Lane. The Planning Commission and staff both recommended approval.

09/19/01 The City Council approved a Special Use Permit (U-0132-01) application for a 60-foot tall wireless communications monopole at 4300 meadows lane. The Planning Commission and staff recommended approval.

08/26/04 The Planning Commission recommended approval of two other Special Use Permits (SUP-4807 and SUP-4809) to allow a 51-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign and a 40-foot high, 14-foot x 48-foot off-premise advertisement (billboard) sign at 4300 Meadows Lane, respectively. Staff is recommending denial.

08/26/04 The Planning Commission voted 5-1-1 to recommend APPROVAL (PC Agenda Item #35/pl).

B) Pre-Application Meeting

06/23/04 A pre-application conference was held resulting in the following:

1. Special Use Permit requirements for an off-premise advertisement (billboard) sign were discussed.
2. The 750-foot minimum distance separation was discussed, relative to the location of the three proposed signs.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	27.25

B) Existing Land Use

Subject Property:	Commercial Center (Meadows Mall)
North:	US 95; Residential Dwellings
	Public School (Fyfe Elementary)
South:	Residential Dwellings
	Public School (Griffith Elementary)
	YMCA
	Office Park
East:	Undeveloped (Las Vegas Valley Water District)
West:	Commercial Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	ROW (Right-of-Way)
	L (Low Density Residential)
	PF (Public Facilities)
South:	L (Low Density Residential)
	PF (Public Facilities)
	SC (Service Commercial)
East:	PF (Public Facilities)
West:	SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Southeast Sector Land Use Map of the General Plan.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	750 Feet	1,055 Feet	Y

Separation distance from "U" or "R" zoning district	300 Feet	±640 Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	32 feet	Y

The proposed off-premise advertisement (billboard) sign meets all of the requirements set forth by Title 19.14.100.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

Staff has some concerns regarding clutter if three off-premise signs are approved. Two would be more appropriate, given that three signs barely meet Code standards and there are residentially zoned properties within 310 feet. The revised elevations are decorative and mitigate some of the concerns pertaining to their appearance. The recommendation for approval is based on one of the signs being eliminated and conformance to the revised elevations. The Meadows Mall logo cannot be placed on the off-premise billboard. The proposed off-premise sign meets all other Code standards.

FINDINGS

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

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

   The off-premise signs proposed can be harmonious and compatible with the surrounding area if one of them is eliminated so visual clutter is reduced and they conform to the revised elevations.

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

   There are no physical constraints to the permissibility of the off-premise advertising (billboard) sign use on this site.

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

   The site has adequate access from Valley View Boulevard, an 80-foot Secondary Collector as indicated by the Master Streets and Highway Plan, and Meadows Lane, a public right-of-way.

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

   If approved, the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 155 by City Clerk

APPROVALS 0

PROTESTS 0

#1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4809 APN: 139-31-510-016

Name of Property Owner: General Growth Properties

Name of Applicant: CBiow Outdoor Media

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Robert A. Michaels, President

Subscribed and swom before me

This 12th day of July, 2004

_____
Notary Public in and for said County and State

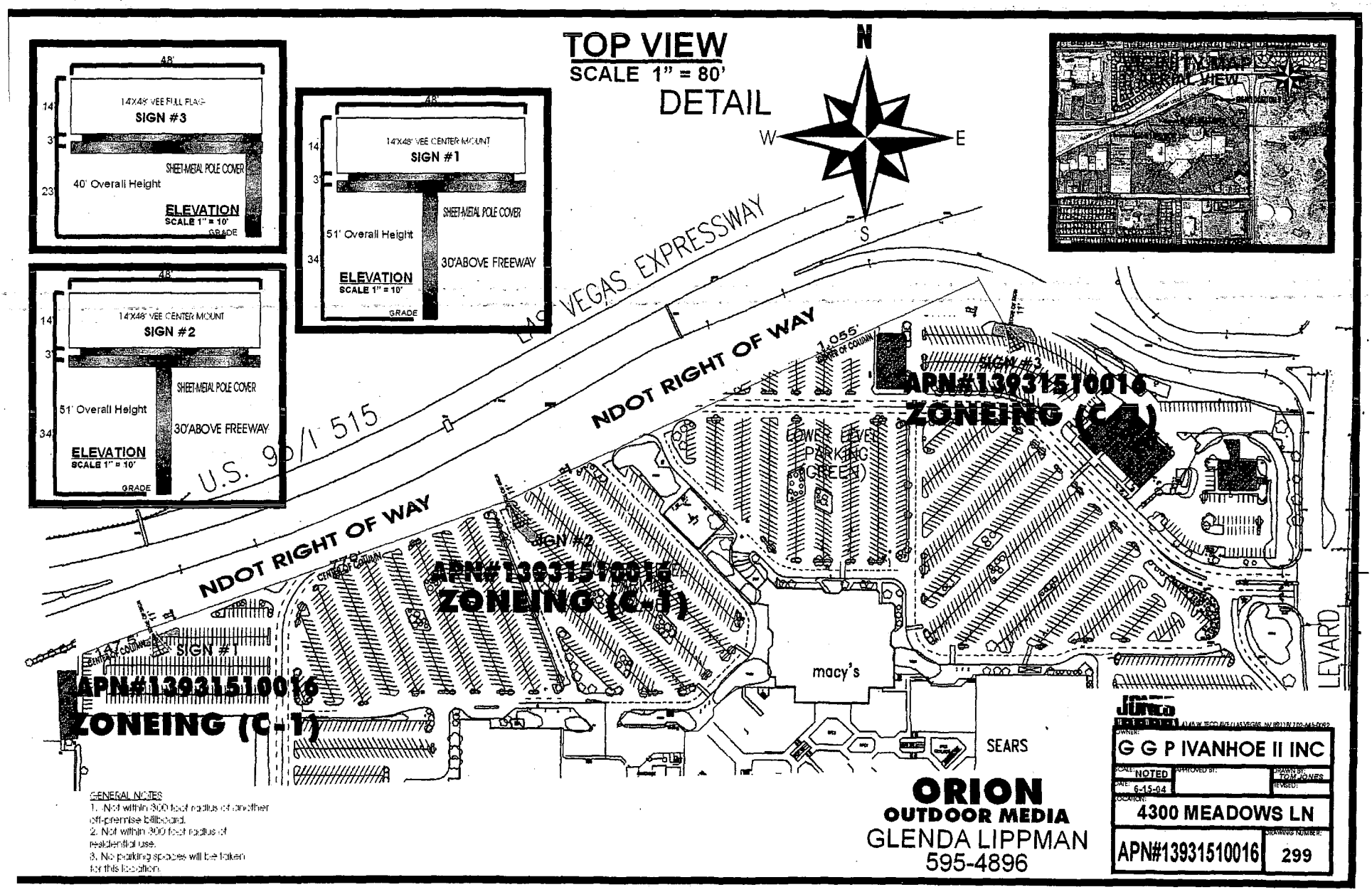
OFFICIAL SEAL
LAURA E SMYTH
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP SEPT. 2,2006

Revised 2/12/02

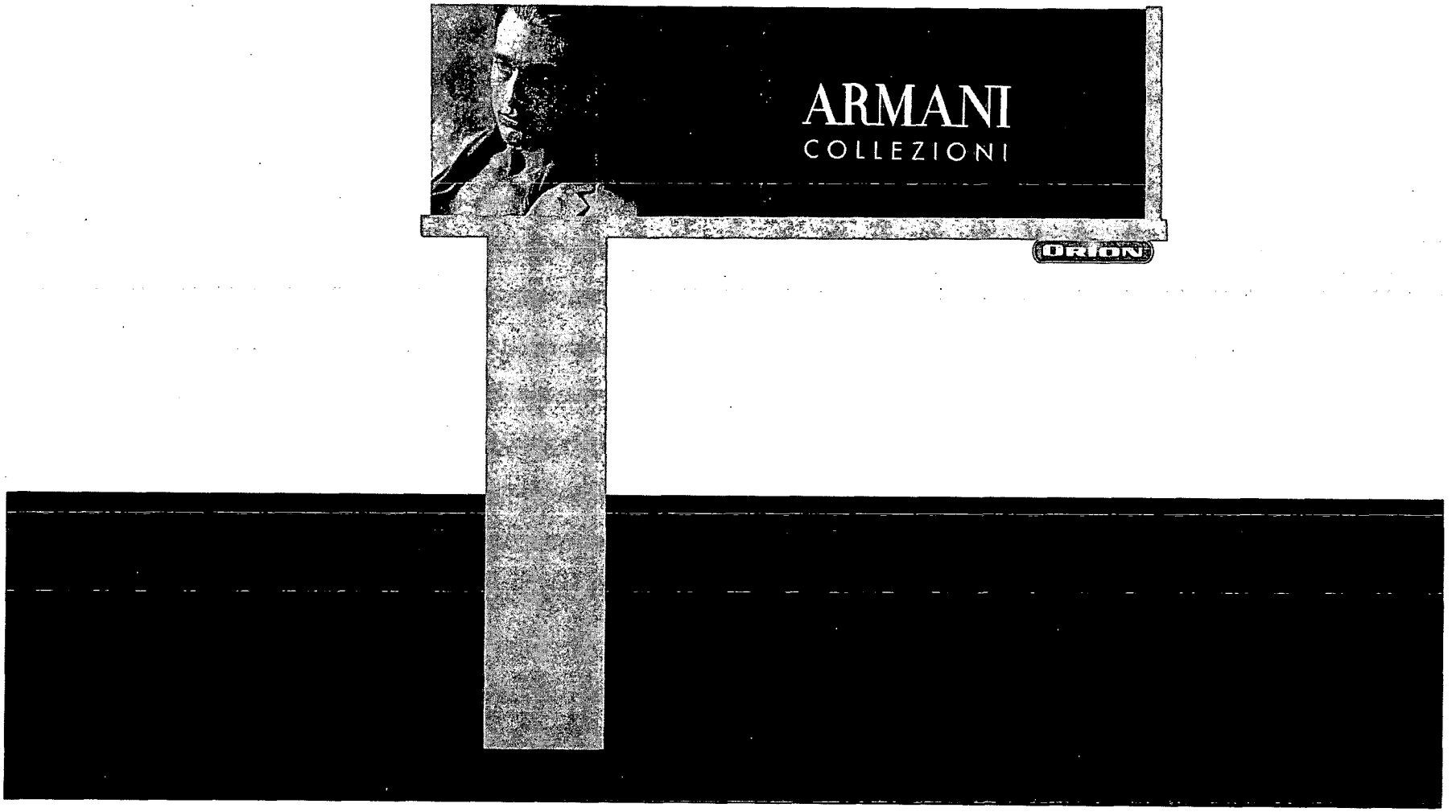
f:\depot\Application Packet\Statement of Financial Interest.doc

RHC

APPROVAL



SUP-4809
8/26/04 PC

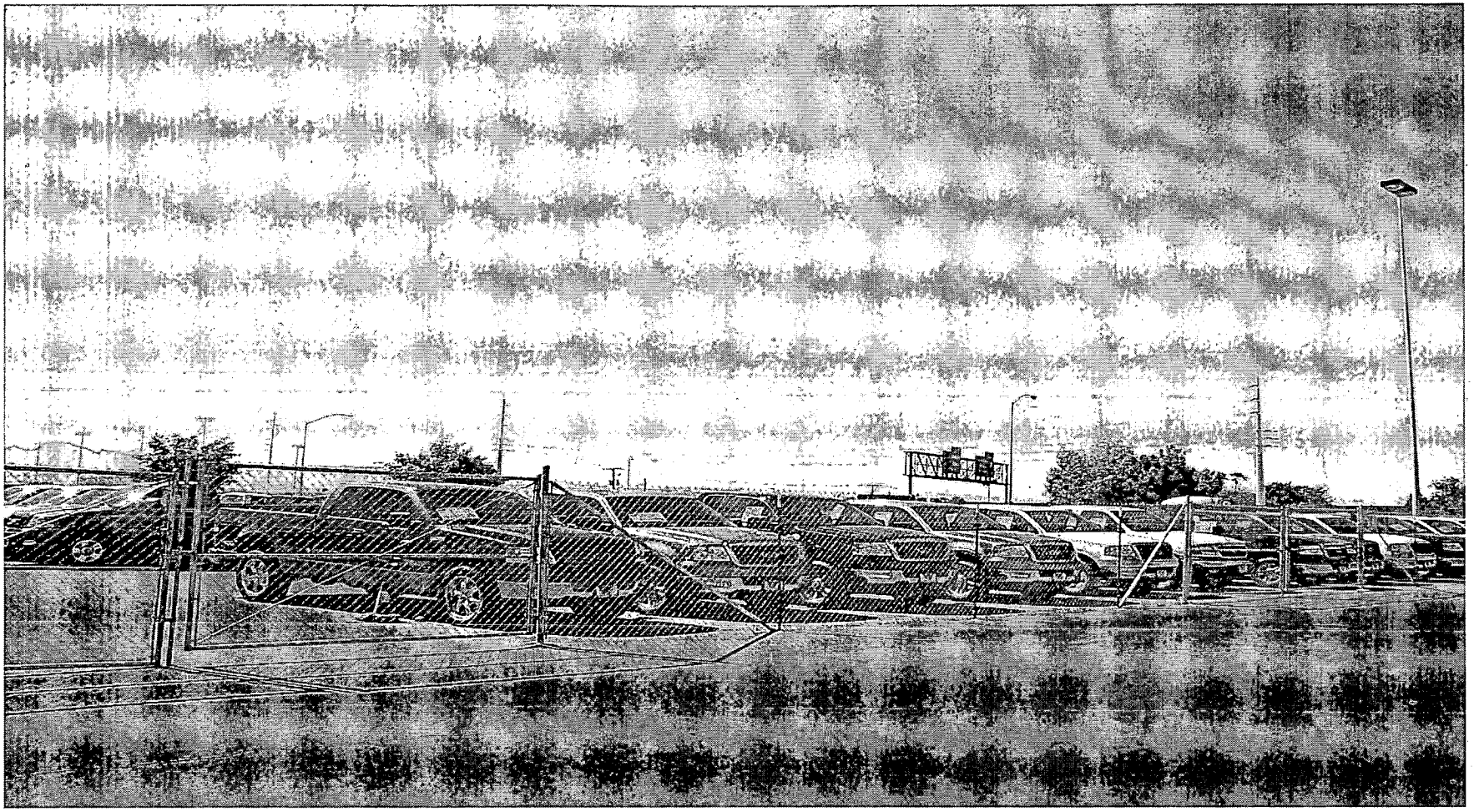


ORION
OUTDOOR MEDIA

SUP-4809
8/26/04 PC

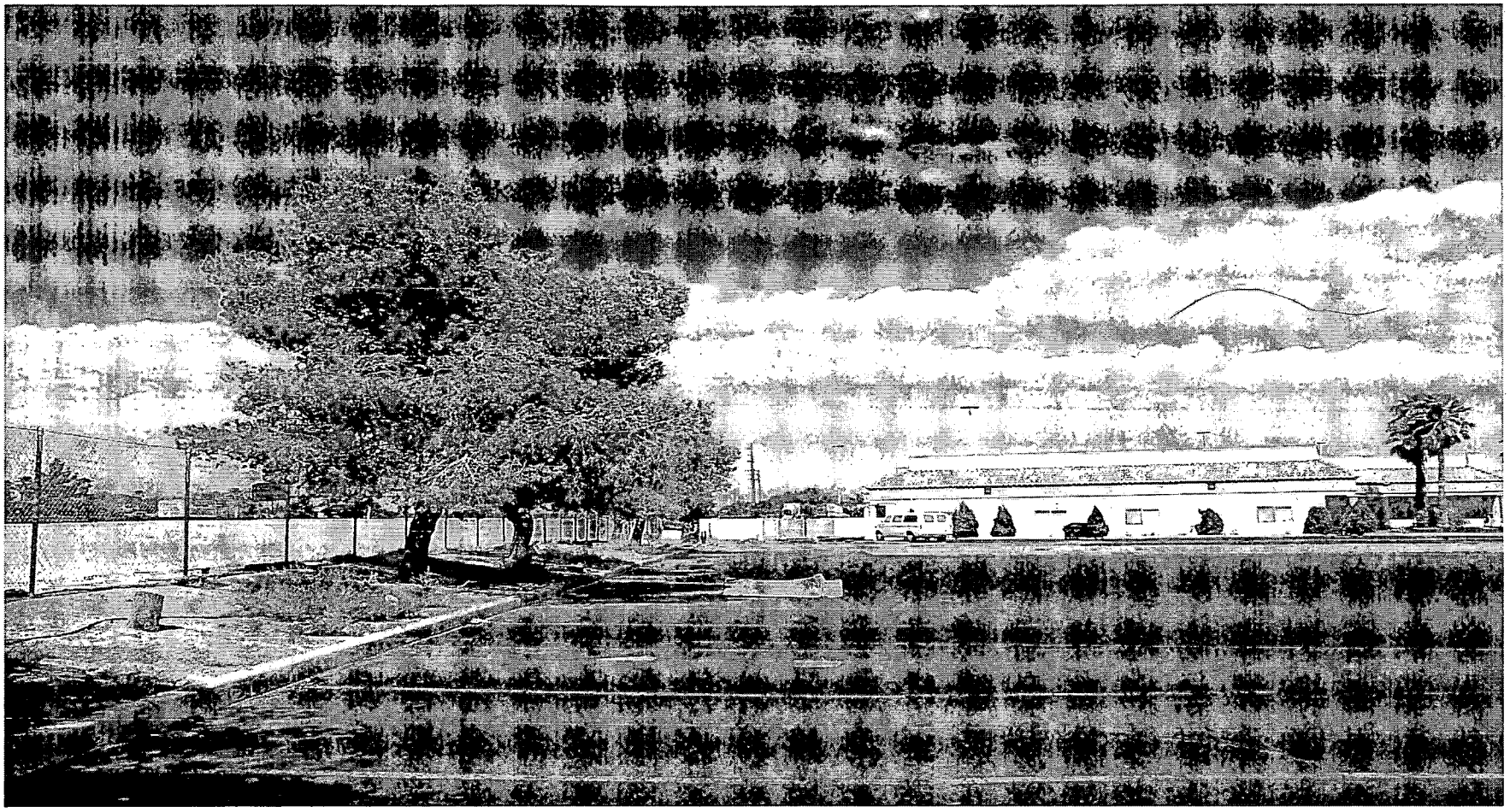
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AUG 18 2004

REVISED
8.18.04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4809 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4809 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC.
4300 MEADOWS LANE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY DIVISION
P. O. Box 170, Las Vegas NV 89125-0170
September 29, 2004

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

City of Las Vegas
City Clerk
1st Floor
400 Stewart Avenue
Las Vegas, NV 89101

Outdoor Advertising Control
CLV Use Permits
SUP-4807, 4808, 4809

Dear Sir or Madam:

I have reviewed the requests for Special Use Permits (SUP-4807, SUP 4808, and SUP 4809) located along US 95 at 4300 Meadows Lane (APN 139-31-510-016). NDOT has no objections to these signs as long as the following conditions are met.

1. The applicant shall obtain a State Sign Permit prior to issuance of a building permit.
2. The signs shall not encroach in or over any NDOT Right-of-Way, permanent easements, or construction easements.

If you have questions, please call me at (702) 385-6525 or e-mail me at kleany@dot.state.nv.us .

Sincerely,

Kevin S. Leany
Supervisory Utility Inspector

KSL/sgb

cc: Carson City R/W
Bill Snyder
Loraine Kusuhara
Lew Rinker

RECEIVED
CITY CLERK
2004 OCT -1 A 10:32

Submitted after final agenda
Date 10/4/04 Item #115

(NSPO 5-03)

L 135

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

October 5, 2004

FAX: 382-4803

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

RECEIVED
CITY CLERK
2004 OCT -6 A 7:49

Re: Item No. 115 City County Agenda of October 6, 2004
SUP-4809 Special Use Permit- Orion Outdoor Media
on behalf of G G P Ivanhoe II, Inc.

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 held in abeyance from the City Council agenda of October 6, 2004 and reset for the December 1, 2004 City Council meeting.

Very truly yours,

Jay H. Brown

JHB:cc

Submitted after final agenda
Date 10/6/04 Item #115

Submitted at City Council

Date 10/6/04 Item #113

October 6, 2004

To: LAS VEGAS CITY COUNCIL

OPPOSITION TO ORION OUTDOOR MEDIA ADVERTISING SIGN PROPOSAL - SUP-4807, 4808 & 4809

Protest

We are opposed to granting special use permits for construction of advertising signs adjacent to the Meadows Mall. We live across the freeway from these locations. This is our neighborhood, and advertising signs do not belong here. Once constructed there would be no control over the type of material advertised , which could include pornographic type material. This would be unsuitable for a residential area.

A regional park is being constructed on Las Vegas Valley Water District property near the proposed sign locations. . This will be a family type facility and will receive considerable use. People visiting the park from North West Las Vegas will exit U.S. 95 at Valley View Drive and will pass by these signs. Again, the type of information displayed may be offensive for family viewing. Advertising signs are not compatible with a park type environment.

NAME	ADDRESS
Israel C Bingham	412 Estella Ave. LV. 89107
Saudni Bingham	412 ESTELLA AVE
Janette M King	416 ESTELLA AVE
Patricia Sadler	417-Estella Ave.
Barbara Fleming	408 Estello Ave
Sandy Mandish	8825 Bonta Ave.
Teresa Portee	402 Estella Las Vegas 89107
Suzanne Gaskill	315 Sabract Las Vegas NV 89107
Maria Jennings	4416 Hanford LV NV 89107
Abel Favela	320 Estella Ave. LV NV 89107
Edeen A Brooks	316 Estella Ave LV NV 89107
Laura Burns	309 Estella Ave LV, NV 89107
[illegible]	409 Estella Ave

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Monday, August 23, 2004

City Planning Commission, City of Las Vegas
Planning and Development Department
Current Planning Division
Development Services
731 South Fourth Street
Las Vegas Nevada 89101

Timothy W. & Deena J Dowd
208 Moller Cir.
Las Vegas Nevada 89107-2128
702-878-4380

We object to the following Special Use Permits SUP-4807, SUP4808, SUP 4809,

Reason:

1. We feel that 51 feet is too high. SUP-4808 will be seen over US95 Wall from our front yard.
2. The billboard may contain advertisements not suitable for the near by Elementary and High school.

cc. City Councilwomen: Janet Moncrief
City Councilman: Lawrence Weekly

READ INTO
THE RECORD

August 26, 2004 FAX AND US MAIL

Kyle C. Walton
Senior Planner
Planning and Development Department – Current Planning
The City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101

RE: A Unified Letter in Opposition to the Proposed SUP's 4807, 4808 and 4809

Dear Mr. Walton,

On or about August 16, certain people residing in the area near the Meadows Mall in Las Vegas received notification from The City of Las Vegas regarding the application and hearing of certain Special Use Permits. These permits are described as SUP-4807, SUP-4808 and SUP-4809. These SUP's, if granted, would allow Orion Outdoor Media to erect three separate billboard-type signs, ranging in height from 40 feet to 51 feet.

To note, herewith: in our opinion, the affected area was grossly miscalculated as shown on the accompanying sketches, with a primary bias given to the limited C-1 area designation. The affected area(s) should have properly been reflected to include the primary residences further to the north, with respect to those residing on Snead Drive on the north, to Mayflower Lane to the south. Due notice to those residences should be given prior to a public hearing on this matter.

Failing this proper course of due diligence on the part of the City of Las Vegas, the undersigned wish to proclaim their opposition to these applications for the following reasons:

1. Although the signs would be placed in an area designated as C-1, limited commercial use, the north and south boundaries are adjacent to, or abut, residential (R-1) neighborhoods.
2. These signs will be directly visible to students of two schools; one an elementary school (Ruth Fyfe) and Western High School.
    a) Extreme caution must be given to advertising messages in plain sight to minor children.
    b) The content of advertising has consistently been upheld by the United States Supreme Court as a right of free speech, according to the 1st Amendment of the United States Constitution, and is therefore unassailable to local government(s).
    c) Regardless of any assurances by the applicant, the City of Las Vegas cannot guarantee the absence of offensive material(s) advertised on these proposed boards,
    d) Given the direct eye-line to these advertising messages to minor students, this could lead to direct manipulation of a minor's perception, and is therefore inappropriate.
3. These signs will vary, to approximate the height of a four to five story building which will be in plain sight of the residents of the affected area, as well as the outlying boundaries.
4. The Nevada Department of Transportation has seen fit to mitigate the audible effects of the continuing freeway expansion to nearby residents, by the erection of sound-wall barriers. The visible effects should receive no less due consideration.
5. A cursory web search of Orion Outdoor Media resulted in the requirement of a password to be issued by the company (by calling a toll-free telephone number) to the inquirer, in order for the caller to further research the company's Las Vegas presence. This toll-free number was called, after normal business hours, which only resulted in a number of choices for individual telephone extensions.
6. Most companies which include a web presence are eager to express that company's mission, goals, clients and accomplishments on their web pages. The apparent restrictions to basic information on Orion Outdoor Media's site should be suspect as to raise an alarm.

Due to the concerns outlined above, the undersigned residents hereby proclaim their opposition to SUP-4807, SUP-4808 and SUP-4809.

Printed Name	Street Address	Day Phone
Richard Kimmell	400 Horn St	877-1262
Betty Jo Kimmell	400 Horn St	877-1262
C.J. Bufalino	405 Horn St	870-7965
Karol Bufalino	405 Horn St	870-7965
Chuck Ankenman	401 Horn St	870-1672
Blair Redd	213 Horn St	360-8397
Juan Javier Vila	204 Estella Ave	365-0436
Susan Ornelas	208 Estella Ave	878-1833
Bonnie Cantrell	208 Estella Ave	878-1833
Joshua Ornelas	208 Estella Ave	878-1833
David Norton	212 Estella Ave	259-2440
Fernando J. Romero	216 Estella Ave	259-8677
Joseph S. Galza	220 Estella Ave	259-4860
Richard Barschdorf	404 Estella Ave	877-3219
Frank E. Bingham	412 Estella Ave	878-0011
Scott Burns	309 Estella Ave	877-9116
Nancy H. Smith	305 Estella Ave	870-2444
Bernard Linker	201 Moller Cir	878-9427
Dana Ledford	204 Moller Cir	878-8059
Tina Peters	200 Moller Cir	636-9880
Nick Mirabella	209 Estella Ave	877-9355
Betsy Halliday	300 Horn St	259-3230
Mary Lynn Riggs	404 Horn St	870-6352
William V. Riggs	404 Horn St	870-6352
Janet Churchill	409 Horn St	878-8600
Charles Churchill	409 Horn St	878-8600

Cc: David Clapsdale
Robert Genzer
Lawrence Weekly

BRYAN A LOWE & ASSOCIATES
Professional Law Corporation

ATTORNEYS:
BRYAN A. LOWE*
ROBERT K. WINN**

ALSO ADMITTED
*CALIFORNIA & ARIZONA
**UTAH

LEGAL ASSISTANTS:
CAROL A. STONAKER
JENNIFER A. HEYWOOD
JULIA L. FYHRLUND

August 20, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: SUP-4807, SUP-4808, SUP-4809

Dear Sir or Madam:

I am in receipt of the Notices of Public Hearing relating to the above-referenced Special Use Permits. I own my own business that is located at 4011 Meadows Lane, Suite 102, Las Vegas, Nevada.

It is apparent to me that over the past few years great efforts have been made to improve this area of the valley. For instance, the expansive park that is currently under construction by the Las Vegas Valley Water District. While this is an ongoing project, it is my belief that upon completion the park will add to the value of the area both aesthetically and monetarily. However, I believe that the additions of billboards to this area will detract from the work that is being done and, in fact, cheapen the area.

Further, if the Special Use Permits are granted, then the area businesses have no control over who rents the billboards and what types of advertising would be allowed on said billboards.

In conclusion, I firmly oppose the above-referenced requests for Special Use Permits and request that they be denied as to avoid any negative impact on mine and other area businesses and property values.

Very truly yours,

BRYAN A LOWE & ASSOCIATES
PROFESSIONAL LAW CORPORATION

Bryan A Lowe, Esq.

4011 Meadows Lane, Suite 102 • Las Vegas, Nevada 89107
(702) 259-0002 • Fax: (702) 259-7774

Boulder City Office: 916 Nevada Highway, Suite 6 • Boulder City, Nevada 89005
(702) 293-6888
office@bryanalowe.com

Protest for Council

City of Las Vegas

Agenda Item No. 116

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4811 - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL - Request for a Special Use Permit FOR A 40 FOOT HIGH, 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3311 Meade Avenue (APN 162-08-303-004), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Lucy Stewart, 856 East Sahara, appeared on behalf of the applicant and concurred with staff recommendations and respectfully requested approval.

COUNCILWOMAN MONCRIEF indicated that this is an industrial area and appropriate for a billboard.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:37 - 2:39)
4-138

CONDITIONS:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.

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

CONDITIONS - Continued:

3. The Special Use Permit shall be reviewed in five (5) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

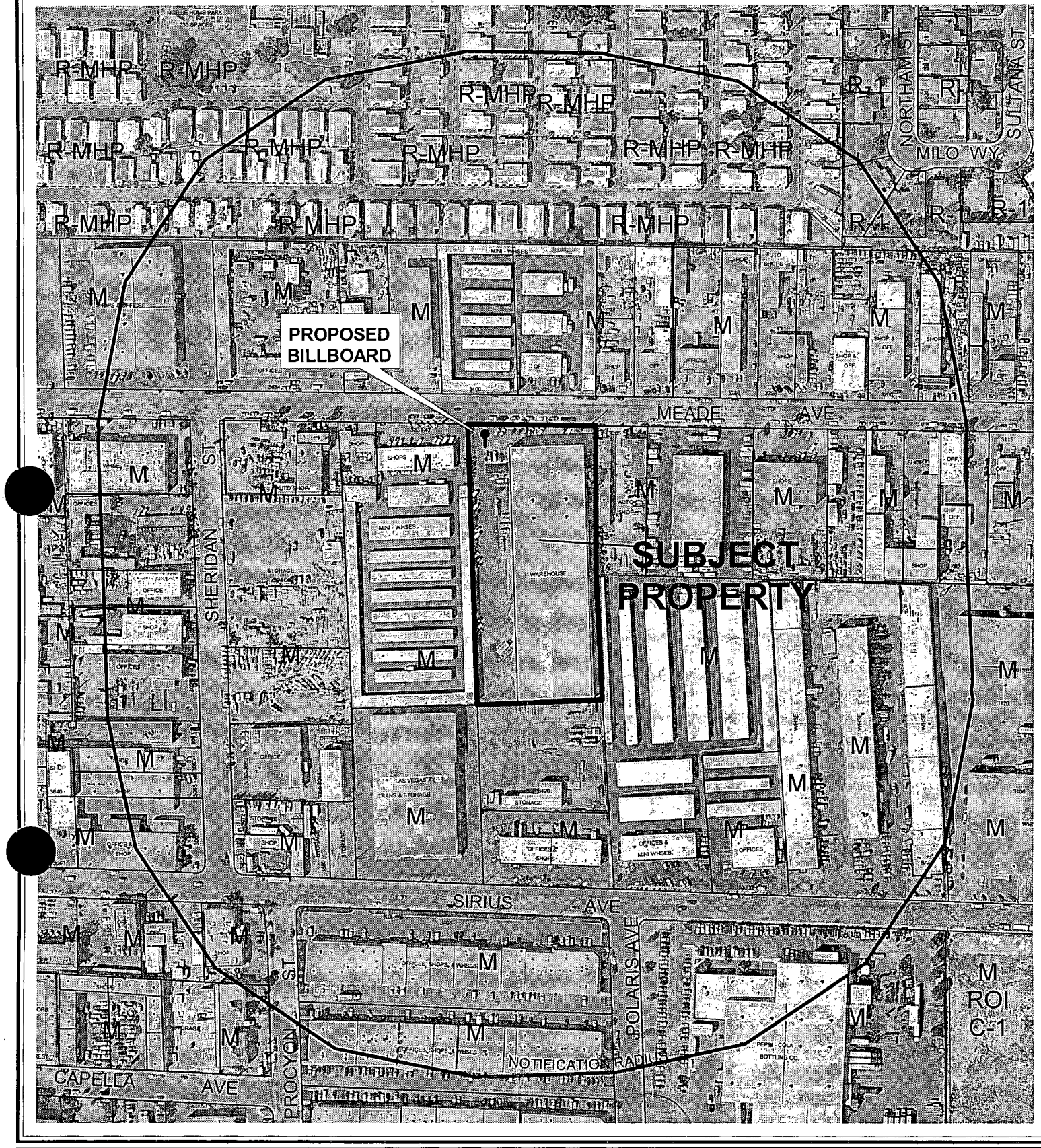
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6. Only one advertising sign is permitted per sign face.

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

Public Works

8. The off premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



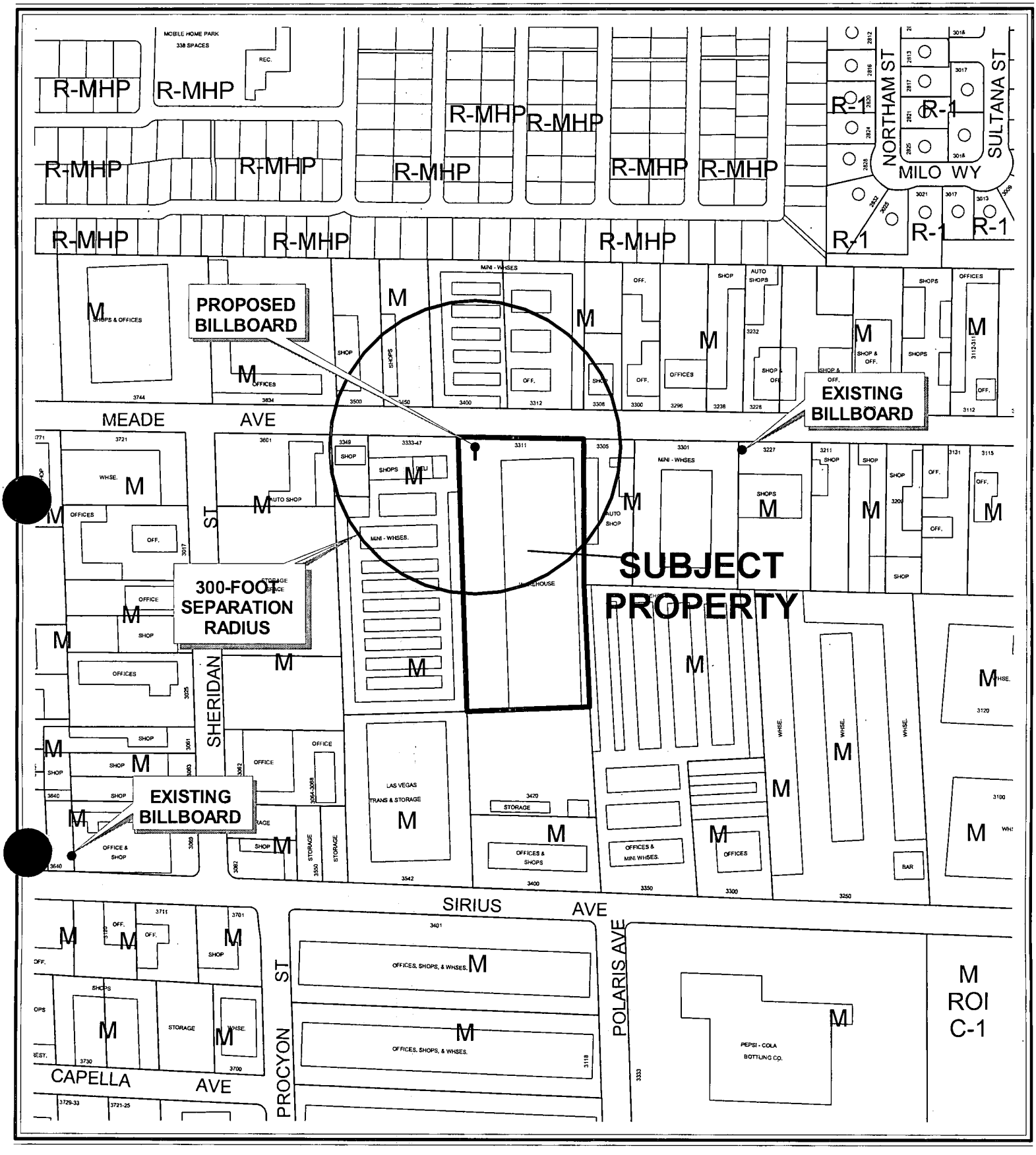
0 200 400 Feet

CASE: **SUP-4811**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



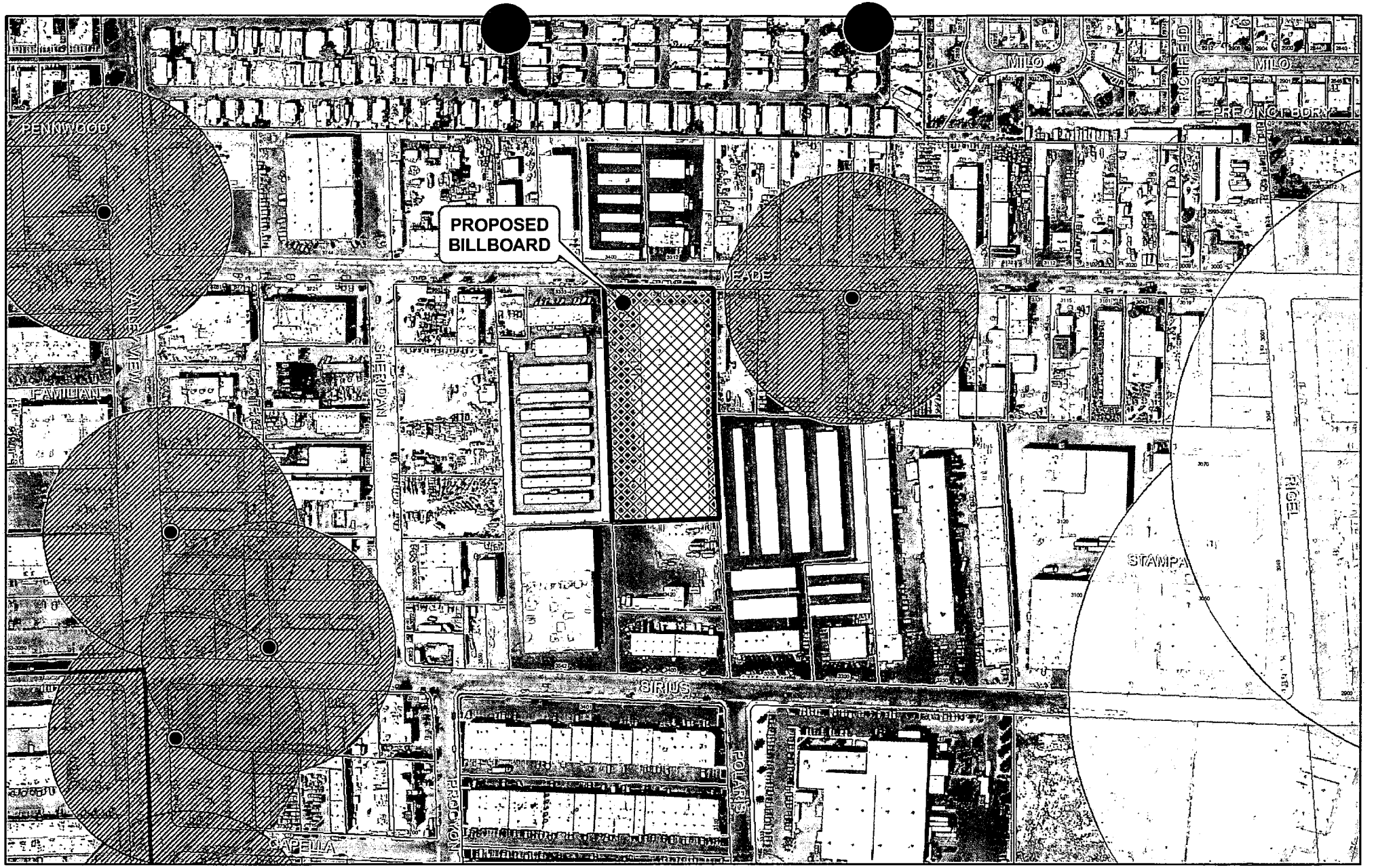
0 200 400 Feet

CASE: **SUP-4811**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-4811

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4811 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL

** CONDITIONS **

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

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.

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

3. The Special Use Permit shall be reviewed in five (5) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

6. Only one advertising sign is permitted per sign face.

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

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Special Use Permit for a 40-foot high, 12-foot x 24-foot off-premise advertising (billboard) sign at 3311 Meade Avenue.

B) Applicant's Justification

The applicant justifies the requested Special Use Permit application by stating that the use is appropriate and would not be out of context with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case material associated with the subject parcel.

08/26/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/pl).

B) Pre-Application Meeting

06/29/04 A pre-application conference was held and resulted in the following:

1. Special Use Permit submittal requirements discussed.
2. Special Use Permit conditions for billboards were discussed.
3. Sign's orientation determined to be towards Meade Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.23

B) Existing Land Use

Subject Property:	Industrial Warehouse
North:	Mini-Warehouses
	Industrial Office Building
South:	Office/Shops
	Storage
East:	Auto Shops
	Warehouses
West:	Mini-Warehouses
	Commercial Kitchen

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject parcel is designated LI/R (Light Industry / Research) on the Southeast Sector Land Use Map of the General Plan. The current M (Industrial) zoning is in conformance with the General Plan. An off-premise advertisement (billboard) sign is a permissible use within an M (Industrial) zoning district by means of a Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in a M Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	545+ Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	385+ Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	500+ feet	Y

The proposed off-premise advertisement (billboard) sign meets all of the requirements set forth by Title 19.14.100.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 (B) (2) states:

This application meets the technical requirements for distance separation between billboards and from residential properties. The Special Use Permit application will be conditioned so as to assure an aesthetic compatibility to the surrounding area.

- Conditions

In addition to the minimum distance separation conditions as listed under section A.a-1 of this report, Title 19.14.100(D) specifies the following additional provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels, which are removed for the purpose of changing the advertising message, shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
   c. An accurate indication of the location of all existing and proposed off-premise signs; and
   d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

A condition has been recommended requiring conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements, which includes the above conditions. Additional conditions have been recommended if this application to ensure the billboard and the property are properly maintained and the off-premise advertising sign (billboard) supporting structure uses finish materials to complement the existing on-site building.

FINDINGS

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

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

The proposed off-premise advertisement (billboard) sign use can be conducted in a harmonious and compatible manner with existing surrounding land uses and with future surrounding land uses as projected by the General Plan.

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

   There are no physical constraints to the permissibility of the off-premise advertising (billboard) sign use on this site.

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

   The subject site has access from Meade Avenue, a 60-foot public right-of-way, which will be adequate in size to meet the requirements of the proposed use.

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

   If approved, the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 387 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4811** APN: 162-08-303-004

Name of Property Owner: Schwartz, milton

Name of Applicant: Las Vegas Billboards

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: A. J. Schwartz

Print Name: A. Jonathan Schwartz

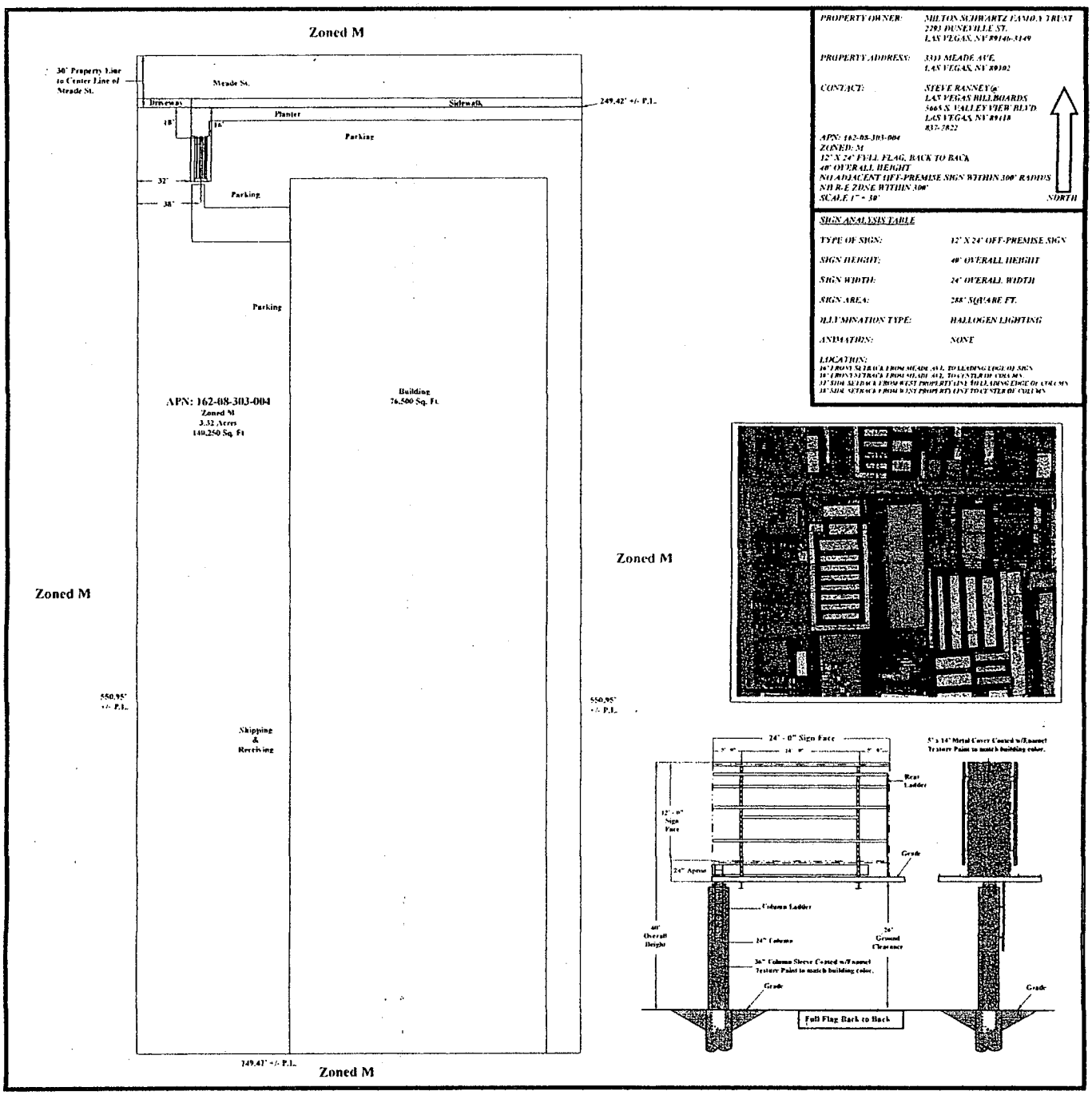
Subscribed and sworn before me

This 3rd day of June, 2004

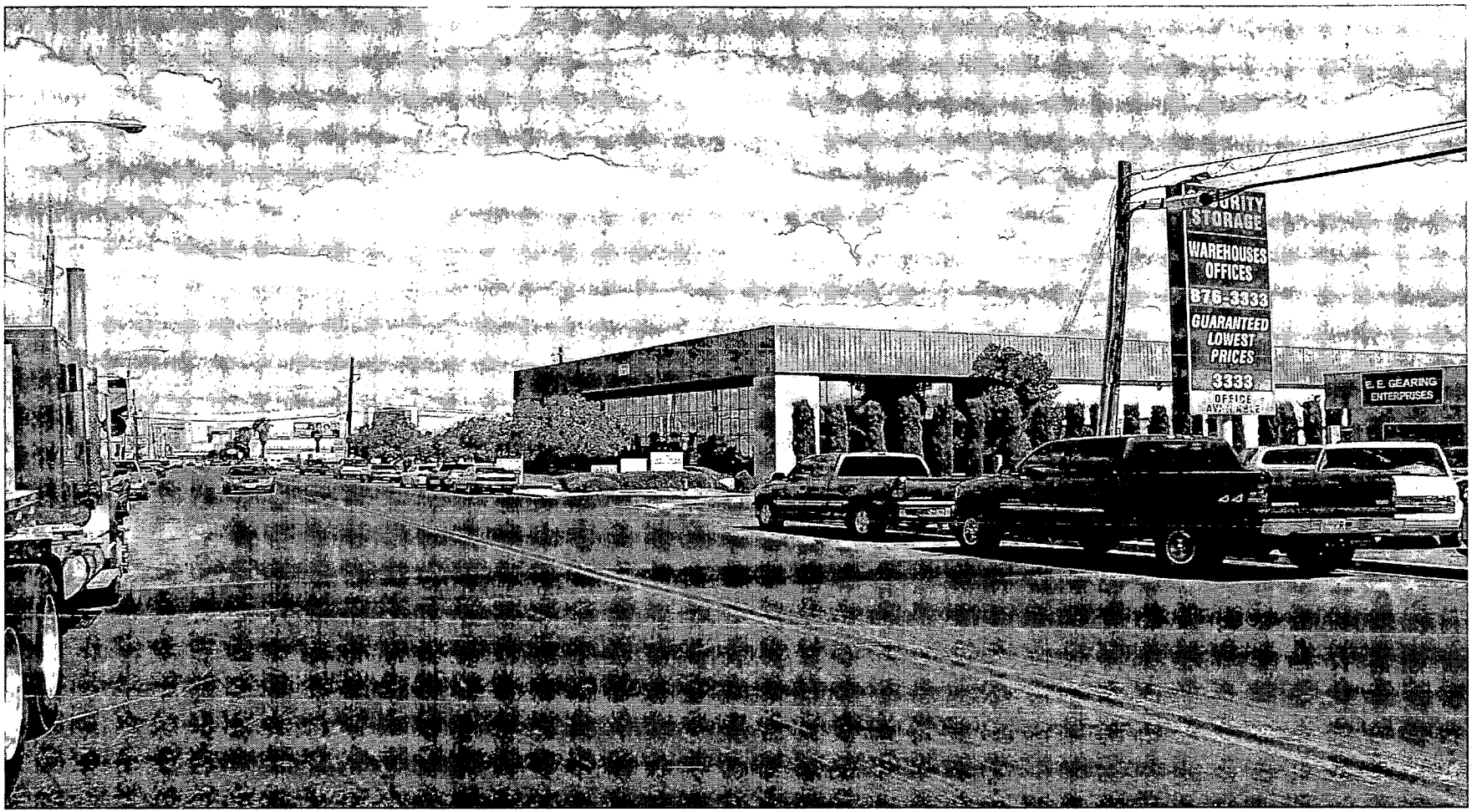
Susan Jean Turner

Notary Public in and for said County and State

Susan Jean Turner
Notary Public - Nevada
Clark County
No: 91-0015-1
My appt. exp. Nov. 26, 2006



SUP-4811
8/26/04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4811 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL
3311 MEADE AVENUE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

City of Las Vegas

Agenda Item No. 117

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4812 - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL - Request for a Special Use Permit FOR A 40 FOOT HIGH, 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3542 Sirius Avenue (APN 162-08-303-027), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Lucy Stewart, 856 East Sahara Avenue, on behalf of the applicant, concurred with staff recommendations and respectfully requested approval.

COUNCILWOMAN MONCRIEF approved the item due to its industrial location.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:39 - 2:40)
4-178

CONDITIONS:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.

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

3. The Special Use Permit shall be reviewed in five (5) year at which time the City Council may require

CONDITIONS - Continued:

the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

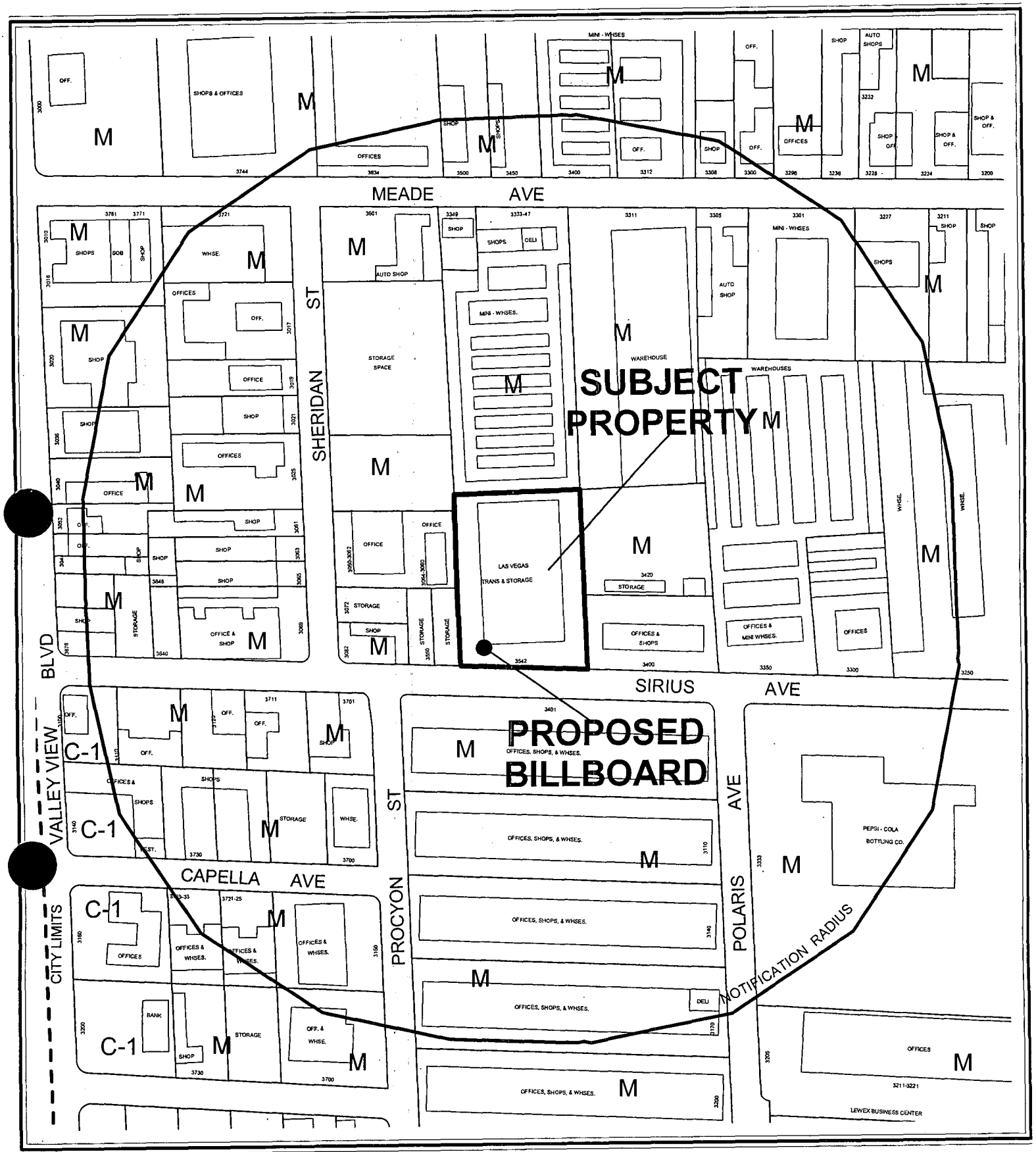
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6. Only one advertising sign is permitted per sign face.

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

Public Works

8. The off premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.



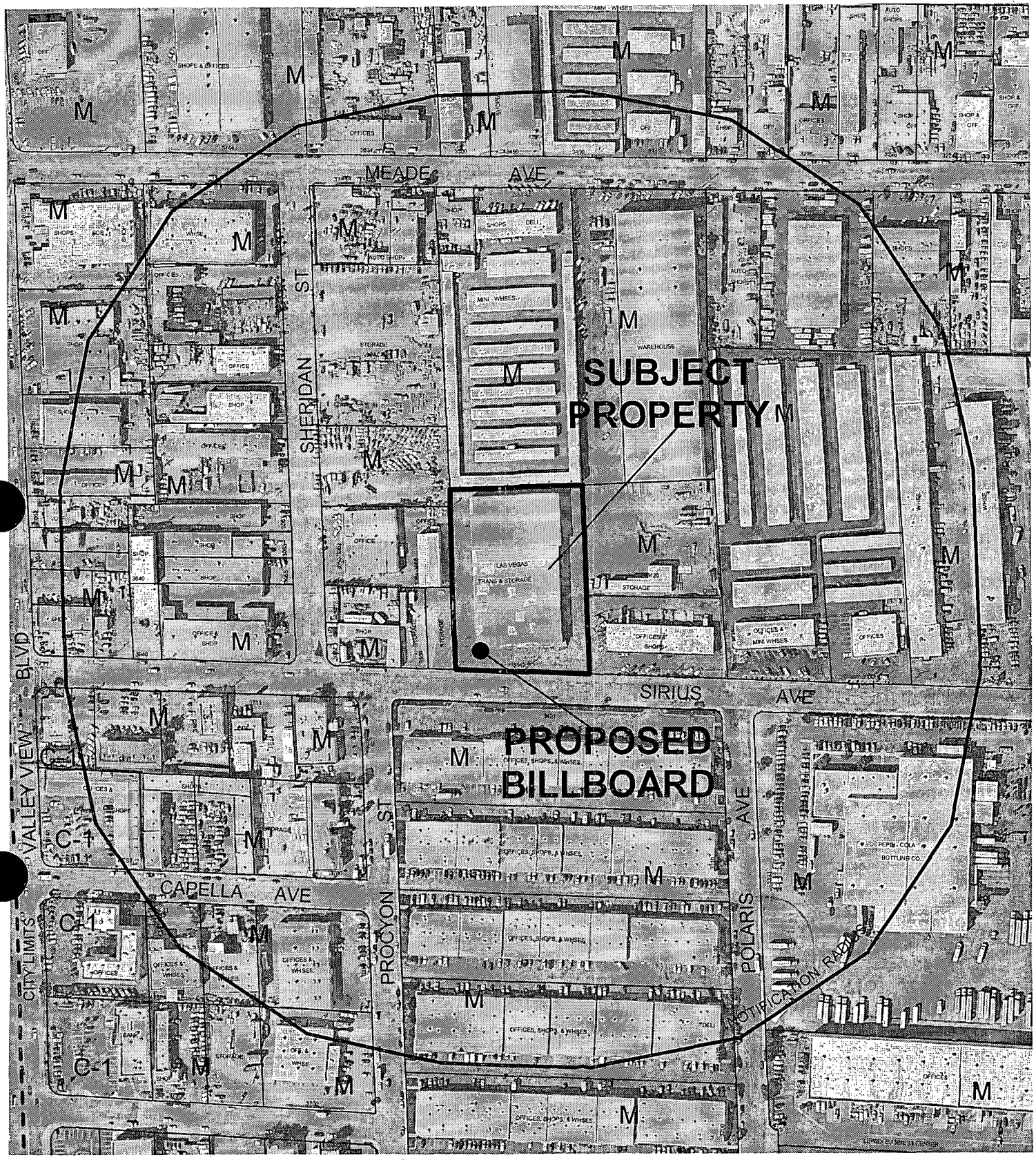
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CASE: **SUP-4812**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



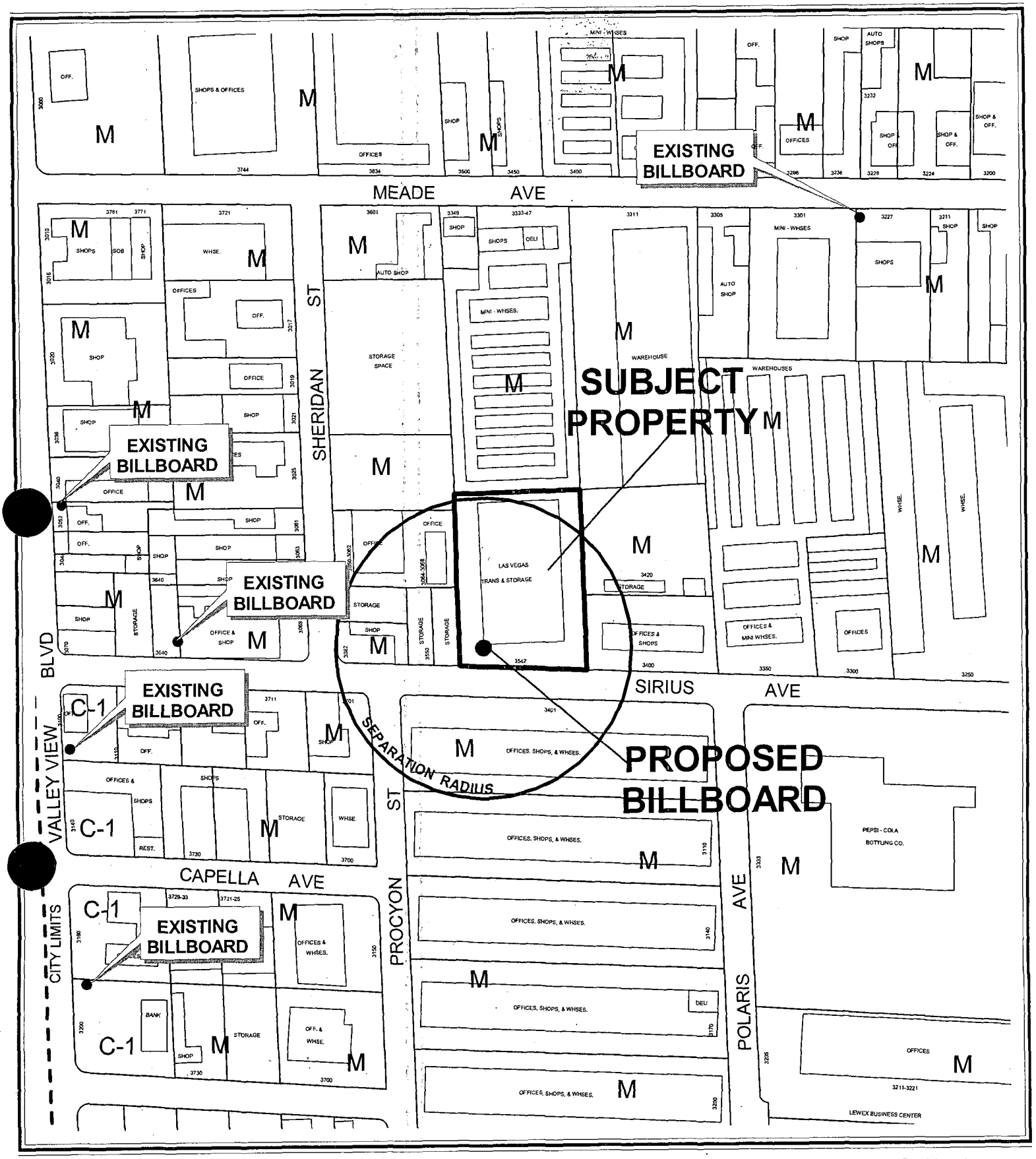
0 200 400 Feet

CASE: **SUP-4812**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



CASE: **SUP-4812**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



SUP-4812

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Outside City Boundary
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4812 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL

** CONDITIONS **

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

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.

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

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6. Only one advertising sign is permitted per sign face.

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

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Special Use Permit for a 40-foot high, 12-foot x 24-foot off-premise advertising (billboard) sign at 3542 Sirius Avenue.

B) Applicant's Justification

The applicant justifies the requested Special Use Permit application by stating that the use is appropriate and would not be out of context with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case material associated with the subject parcel.

08/26/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/pl).

B) Pre-Application Meeting

06/29/04 A pre-application conference was held and resulted in the following:

1. Special Use Permit submittal requirements discussed.
2. Special Use Permit conditions for billboards were discussed.
3. Sign's orientation determined to be towards Meade Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.09

B) Existing Land Use

Subject Property:	Building Supply Warehouse
North:	Mini-Warehouses
	Commercial Kitchen
South:	Offices
	Shops
	Warehouses
East:	Office/Shops
	Storage
West:	Office
	Storage

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject parcel is designated LI/R (Light Industry / Research) on the Southeast Sector Land Use Map of the General Plan. The current M (Industrial) zoning is in conformance with the General Plan. An off-premise advertisement (billboard) sign is a permissible use within an M (Industrial) zoning district by means of a Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in a M Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	610+ Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	1,250+ Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	300+ feet	Y

The proposed off-premise advertisement (billboard) sign meets all of the requirements set forth by Title 19.14.100.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the M (Industrial) zoning district with approval of a Special Use Permit.

- Use

This application meets the technical requirements for distance separation between billboards and from residential properties. The Special Use Permit application will be conditioned to assure an aesthetic compatibility to the surrounding area.

- Conditions

In addition to the minimum distance separation conditions as listed under section A.a-1 of this report, Title 19.14.100(D) specifies the following additional provisions regarding off-premise advertising signs:

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels, which are removed for the purpose of changing the advertising message, shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.

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3. For any off- premise sign that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

   a. An accurate site plan of the lot, at the scale the Director requires;
   b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
   c. An accurate indication of the location of all existing and proposed off-premise signs; and
   d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director of any significant change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

Conditions have been recommended requiring conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign use and to ensure the billboard and property are properly maintained.

FINDINGS

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

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

   The proposed off-premise advertisement (billboard) sign use can be conducted in a harmonious and compatible manner with existing surrounding land uses and with future surrounding land uses as projected by the General Plan.

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

There are no physical constraints to the permissibility of the off-premise advertising (billboard) sign use on this site.

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

The subject site has access from Sirius Avenue, a 60-foot public right-of-way, which will be adequate in size to meet the requirements of the proposed use.

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

If approved, the off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health, safety or welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4812 APN: 162-08-303-027

Name of Property Owner: Schwartz, milton

Name of Applicant: LAS Vegas Billboards

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: A. J. Schwartz

Print Name: A. Jonathan Schwartz

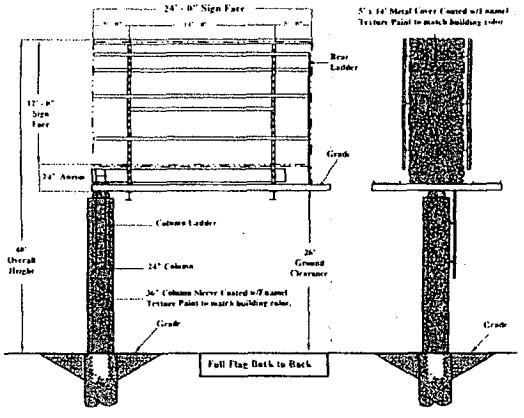
Subscribed and sworn before me

This 3rd day of June, 2004

Susan Jean Turner

Notary Public in and for said County and State

Susan Jean Turner
Notary Public - Nevada
Clark County
No: 91-0015-1
My appt. exp. Nov. 26, 2006



PROPERTY OWNER:	MILTON SCHWARTZ FAMILY TRUST 2293 DUNEVILLE ST. LAS VEGAS, NV 89146-3149
PROPERTY ADDRESS:	3542 SIRIUS AVE. LAS VEGAS, NV 89102
CONTACT:	STEVE RANNEY @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

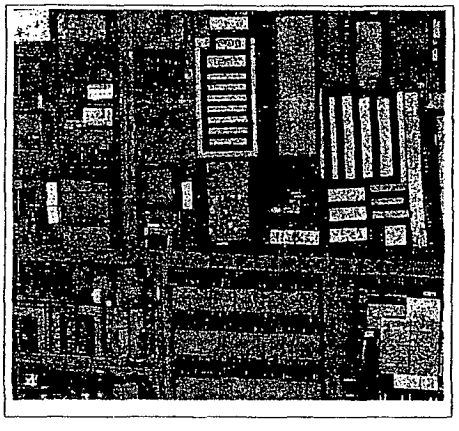
APN: 162-08-303-027
ZONED: M
12' X 24' FT/U. FLAG, BACK TO BACK
40' OVERALL HEIGHT
NO ADJACENT OFF-PREMISE SIGN WITHIN 300' RADIUS
NO R-E ZONE WITHIN 300'
SCALE 1" = 30'

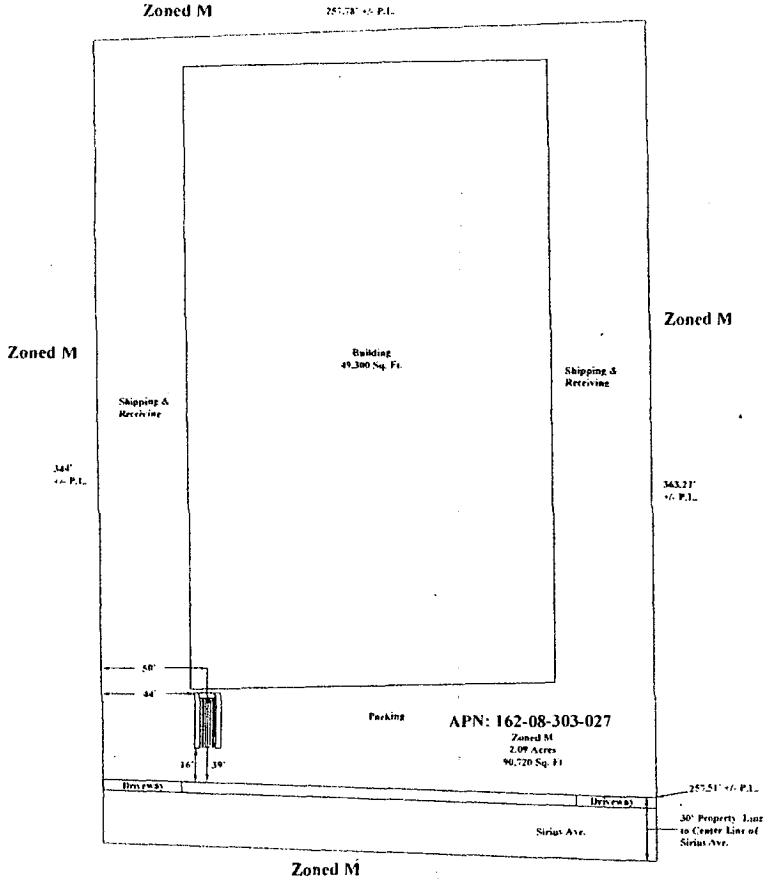
NORTH

SIGN ANALYSIS TABLE

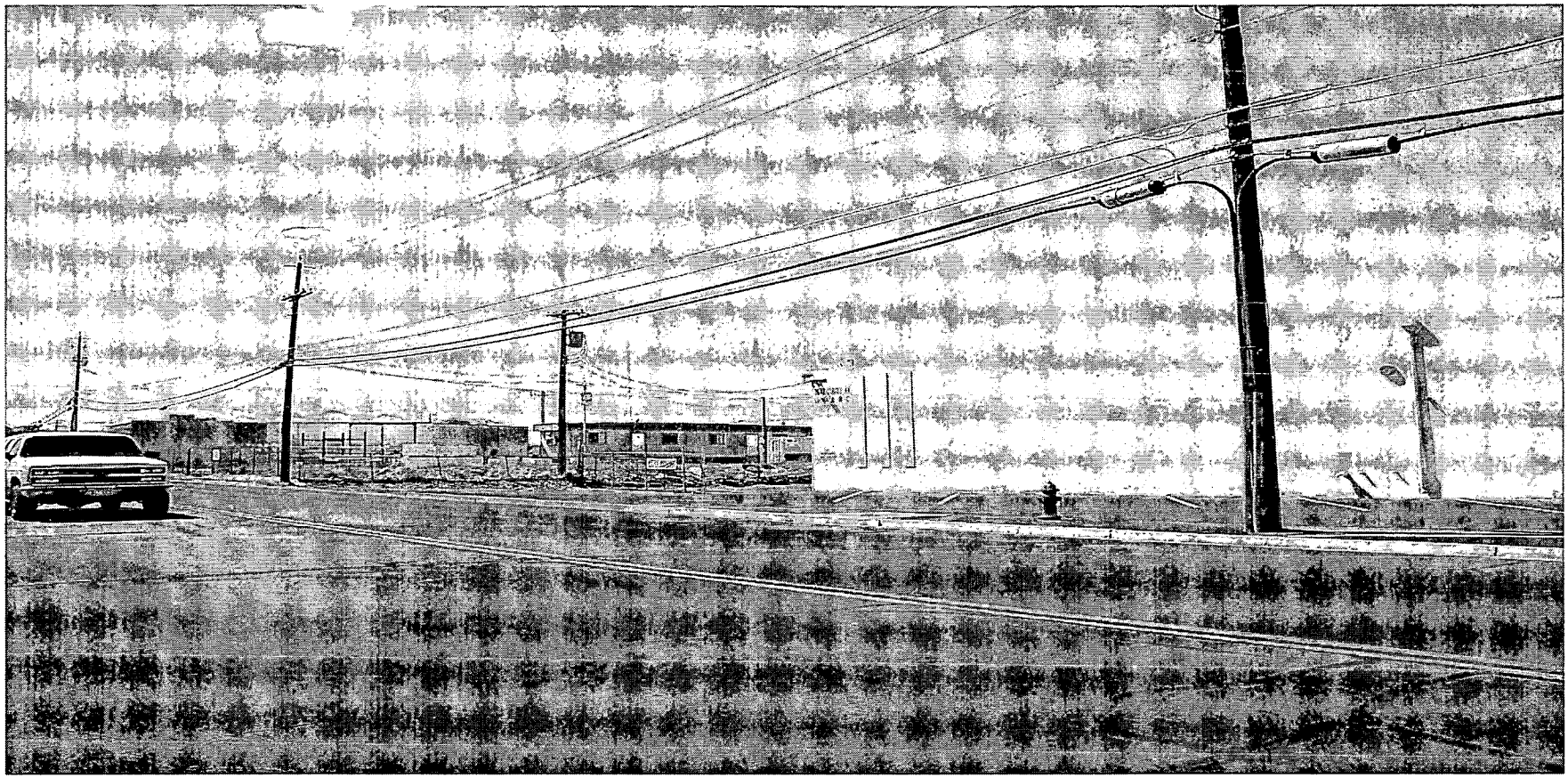
TYPE OF SIGN:	12' X 24' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	24' OVERALL WIDTH
SIGN AREA:	288' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
16' FRONT SETBACK FROM SIRIUS AVE. TO LEADING EDGE OF SIGN.
39' FRONT SETBACK FROM SIRIUS AVE. TO CENTER OF COLUMNS.
44' SIDE SETBACK FROM WEST PROPERTY LINE TO LEADING EDGE OF COLUMN.
56' SIDE SETBACK FROM WEST PROPERTY LINE TO CENTER OF COLUMN.





SUP-4812
8/26/04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4812 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL
3542 SIRIUS AVENUE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

City of Las Vegas

Agenda Item No. 118

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

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

SUBJECT:
SPECIAL USE PERMIT

SUP-4822 - PUBLIC HEARING - APPLICANT: ACOSTA ENTERPRISE DBA EL RINCON LATINO - OWNER: SAHARA WESTLAKE ASSOCIATES - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (ON-SALE/OFF-SALE/ ON-OFF-SALE) at 4505 West Sahara Avenue (APN 162-07-101-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	2	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

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

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/26/2004 Planning Commission meeting Item 38

MOTION:
MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open.

LOUIE GARCIA appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

NOTE: COUNCILWOMAN MONCRIEF directed staff to inquire how other municipalities control the proliferation of billboards. COUNCILMAN BROWN concurred with the Councilwoman and indicated that within the last three to six months there has been an increase of billboards concentrated in the City, in particular Ward 1. He suggested that an item be placed on the next agenda to clarify the existing policy or consider a temporary moratorium on new billboard locations.

DEPUTY ATTORNEY BRYAN SCOTT noted that in the interim he would meet with representatives from Clark County, other Municipalities and their legal counsel with regard to how they are handling the billboard issues. He is aware that a ban has been recently placed on new billboards, but he is unsure if it is a permanent ban or a moratorium. ROBERT GENZER, Director, Planning and Development Department, indicated they have drafted an amendment to the current Code, which the Planning Commission is currently reviewing for a 30-day period. It will actually expand the exemption area for billboards currently in place. He would provide a copy of the proposed amendment in lieu of putting an item on the agenda.

MINUTES - Continued:

DEPUTY CITY ATTORNEY SCOTT verified for COUNCILMAN BROWN that new applications received by Planning have to be accepted because no moratorium on billboards exists. As soon as he obtains the information from the other entities, he would provide it to the entire City Council.

MAYOR GOODMAN declared the Public Hearing closed.
(2:40 - 2:45)
4-209

CONDITIONS:
Planning and Development
1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-sale/Off-sale/On-Off sale) use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

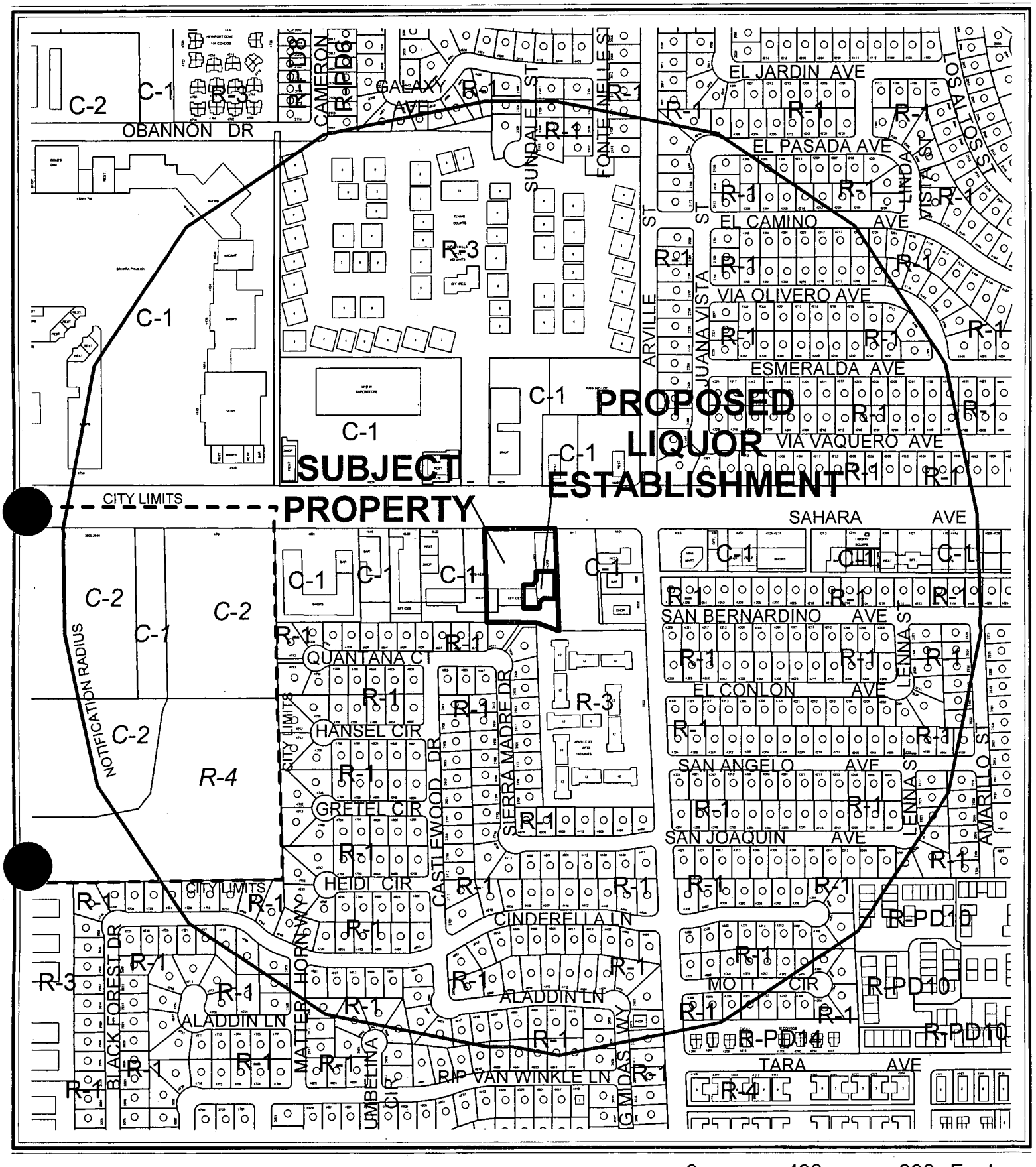
4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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

7. The Special Use Permit shall be limited to the off-sale of beer and wine only.

8. The area within the store where the beer and wine may be displayed shall be limited to 10% of the gross floor area.

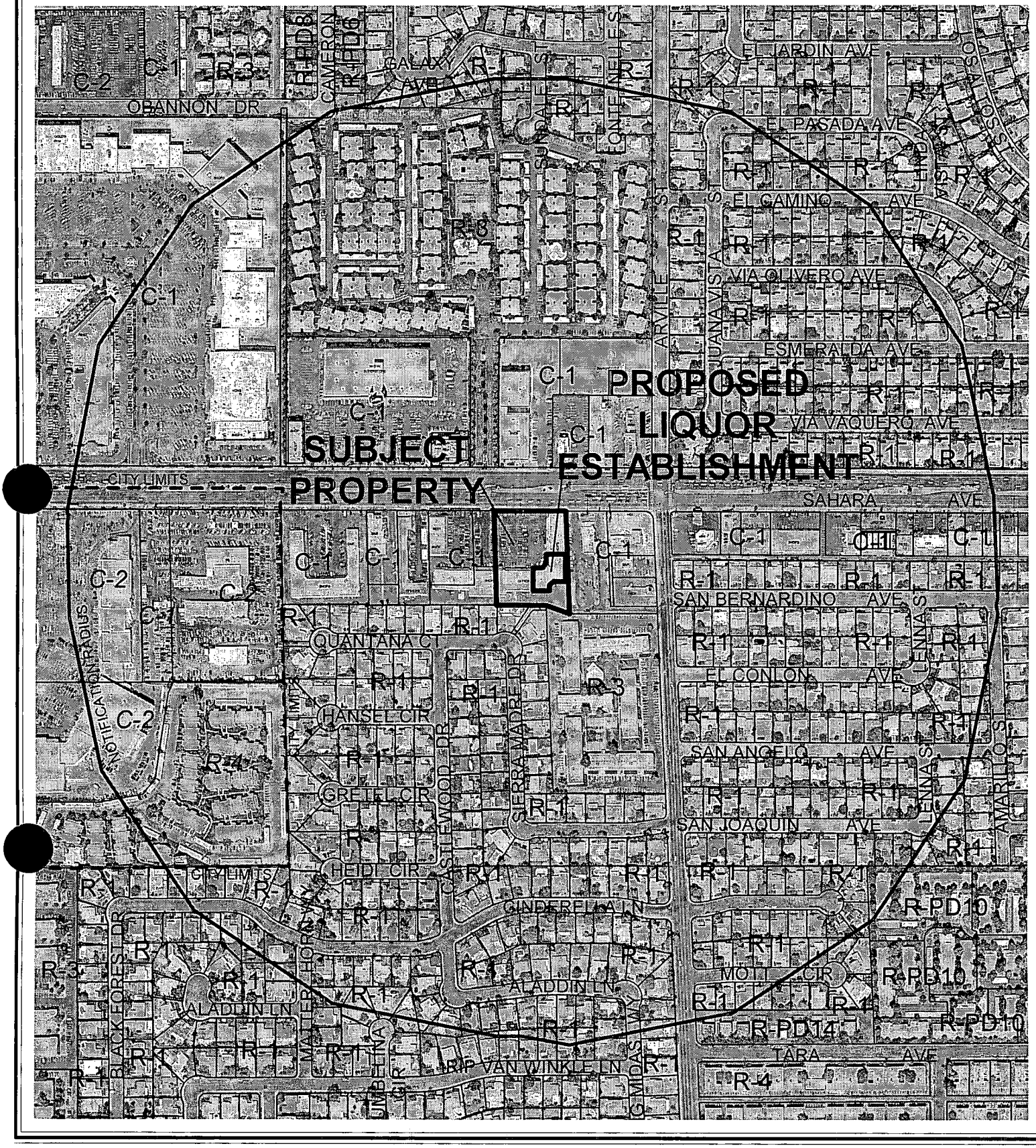


0 400 800 Feet

CASE: **SUP-4822**

RADIUS: 1500 FT

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



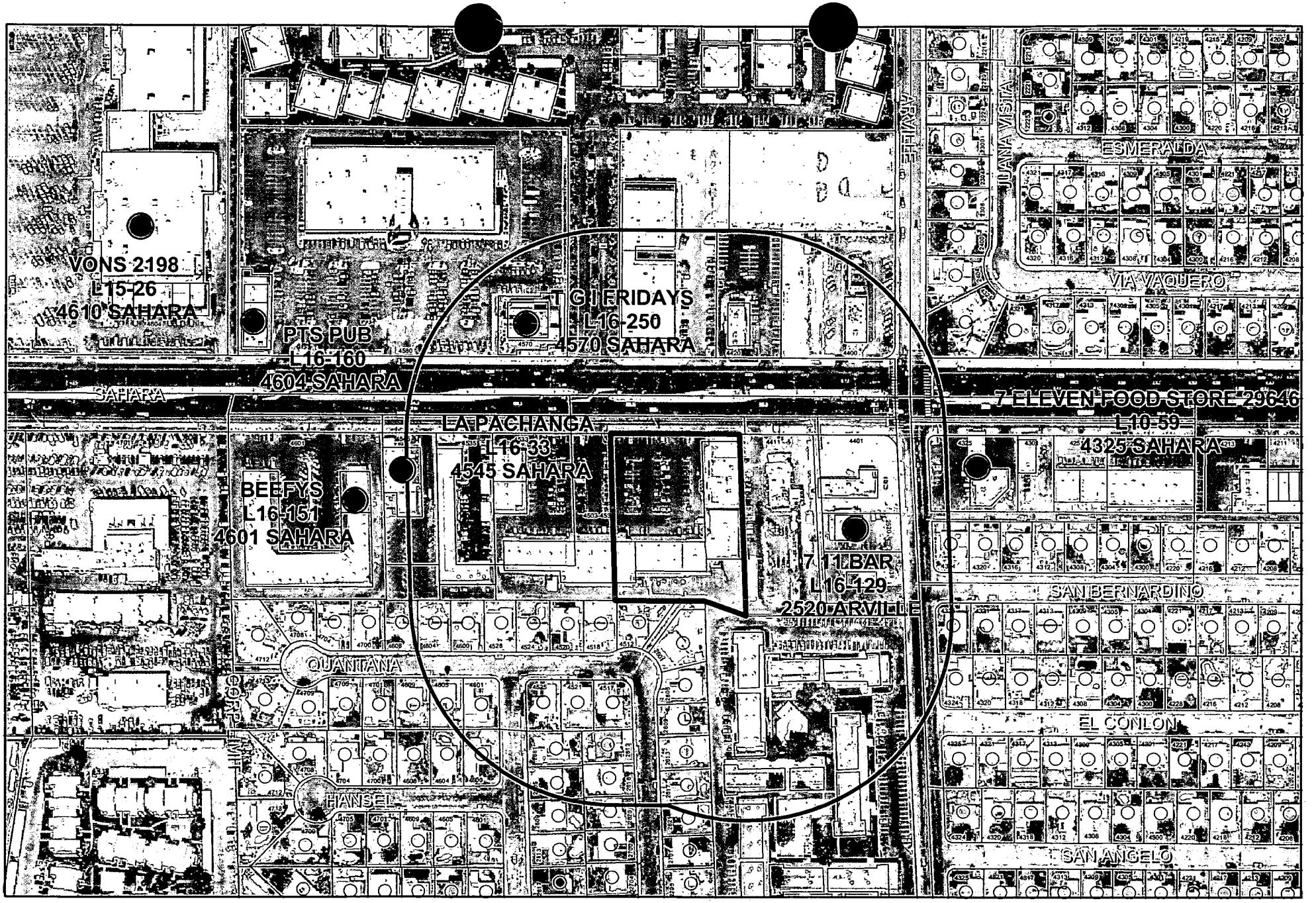
0 400 800 Feet

CASE: **SUP-4822**

RADIUS: 1500 FT

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

N



SUP-4822

Package Liquor Sales

Business Licenses

Package Liquor Sales

Tavern

Supper Club/
Restaurant Service Bar

Subject Property

400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4822 - APPLICANT: ACOSTA ENTERPRISE DBA EL RINCON LATINO - OWNER: SAHARA WESTLAKE ASSOCIATES

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-sale/Off-sale/On-Off sale) use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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

7. The Special Use Permit shall be limited to the off-sale of beer and wine only.

8. The area within the store where the beer and wine may be displayed shall be limited to 10% of the gross floor area.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit for a Liquor Establishment (On-sale/Off-sale/On-Off sale) within a future grocery store at 4505 West Sahara Avenue.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed grocery store will provide much needed services in the community, as well as create additional employment within the area.

BACKGROUND INFORMATION

A) Previous Actions

08/28/63 The Board of City Commissioners approved a request for a Rezoning on this property from R-1 (Single Family Residential) to C-1 (Limited Commercial) as part of a larger request (Z-111-63). The Planning Commission recommended denial.

03/27/86 The Board of Zoning Adjustment approved a Variance (V-0017-86) application to allow a motorcycle dealership, which is not permitted, and to allow outside display for a maximum of ten motorcycles, on property located at 4505 West Sahara. Staff recommended denial.

06/28/92 The Board of Zoning Adjustment approved a Special Use Permit (U-0138-92) application to allow minor motorcycle repair on property located at 4505 West Sahara Avenue. Staff recommended approval.

10/18/95 The City Council denied appeal, thereby denying the Variance (V-0124-95) application to allow two 14-foot x 48-foot off-premise advertisement (billboard) signs as follows: one billboard is proposed 212 feet from residentially zoned property and the second billboards is proposed 275 feet from residentially zoned property, where 300 feet is the minimum separation required from residentially zoned property. The Planning Commission and staff recommended denial.

09/05/01 The City Council accepted Withdrawal Without Prejudice of the request for a General Plan Amendment (GPA-0036-00) to amend a portion of the Southeast Sector Map of the General Plan from SC (Service Commercial) to GC (General Commercial). The Planning Commission and staff recommended denial.

09/05/01 The City Council accepted the Withdrawal Without Prejudice of the request for a Rezoning [(Z-0112-00) related to GPA-0036-00] from C-1 (Limited Commercial) to C-2 (General Commercial) for the proposed use of a new motorcycle dealership. The Planning Commission and staff recommended denial.

08/26/04 The Planning Commission denied a Special Use Permit (SUP-4821) application for a Financial Institution, Specified with a separation of zero feet where 200 is required from residential property, a separation of 230 feet where 1,000 feet is required from a similar use, and a interior building space of 100 square feet where 1,500 square feet is the minimum required located at 4505 West Sahara Avenue. Staff is recommending denial.

08/26/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #38/pl).

B) Pre-Application Meeting

06/22/04 A pre-application conference was held resulting in the following comments:

1. The Special Use Permit submittal requirements were discussed.
2. The Special Use Permit conditions were discussed.
3. Locating of houses of worship is the responsibility of the applicant.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.91

B) Existing Land Use

Subject Property:	Commercial Strip Center
North:	Fast Food Restaurants
	Commercial Center
South:	Single-Family Dwellings
	Apartments
East:	Vacant Restaurant (Former McDonalds)
West:	Offices

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
	R-3 (Medium Density Residential)
South:	R-1 (Single-Family Residential)
	R-3 (Medium Density Residential)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) within the Southeast Sector Land Use Map of the General Plan. The subject parcel is currently within a C-1 (Limited Commercial) zoning district, which is in conformance with the SC (Service Commercial) General Plan designation.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (On-sale/Off-sale/On-Off sale)	400 Feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park	Greater than 400 Feet

The proposed use will be located within a proposed Latin-themed grocery store. The proposed use is greater than 400 feet from any protected use. Therefore, it meets the minimum distance separation requirement.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial). A Liquor Establishment (On-sale/Off-sale/On-Off sale) use is permitted in C-1 with the approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (On-sale/Off-sale/On-Off sale) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius. The proposed sale of beer, wine, and liquor will be an accessory use to a proposed Latin-themed grocery store.

- Conditions

The following conditions are stipulated for the Liquor Establishment (On-sale/Off-sale/On-Off sale) use within a C-1 (Limited Commercial) zoning district. The conditions with asterisks are cannot be waived:

***1.** Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or City park.

***2.** Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.

***3.** In the case of a liquor establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Subsection (1) do not apply to:

a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed retail establishment having more than 50,000 square feet or retail floor space.

***6.** All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

7. The minimum distance requirements set forth in Subsection (1), which are otherwise non-waivable under the provisions of this subdivision, may be waived:

a. In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment, which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

The application appears to meet all the applicable conditions of Title 19.04.050.

FINDINGS

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

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

   The proposed Liquor Establishment (On-sale/Off-sale/On-Off sale) use will be an accessory use to a proposed grocery store. It is located in a wholly commercial area along a Primary Arterial. For these reasons, the use is compatible with existing land uses and appropriate for the area.

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

   The subject site is physically suitable for the type and intensity of land use proposed. The addition of a Liquor Establishment (On-sale/Off-sale/On-Off sale) use does not affect the parking requirement for the proposed grocery store in which it is to be located, or the parking for the overall retail center development.

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

   The subject location is accessible from Sahara Avenue, a 100-foot Primary Arterial as indicated on the Master Plan of Streets and Highways, which is of adequate in size and capacity to accommodate the proposed Financial Institution, Specified.

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

   The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Liquor Establishment (On-sale/Off-sale/On-Off sale) would be subject to inspections for a Certificate of Occupancy.

PLANNING COMMISSION ACTION

The Planning Commission added Conditions 7 and 8 as shown.

NOTICES MAILED 545 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4822 APN: 162-07-101-010

Name of Property Owner: Sahara Westlake Associates, a California Limited Partnership

Name of Applicant: Cesare Crociata / Dos Compadres 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: Michael J Crisp

Print Name: MICHAEL J. CRISP

Subscribed and sworn before me

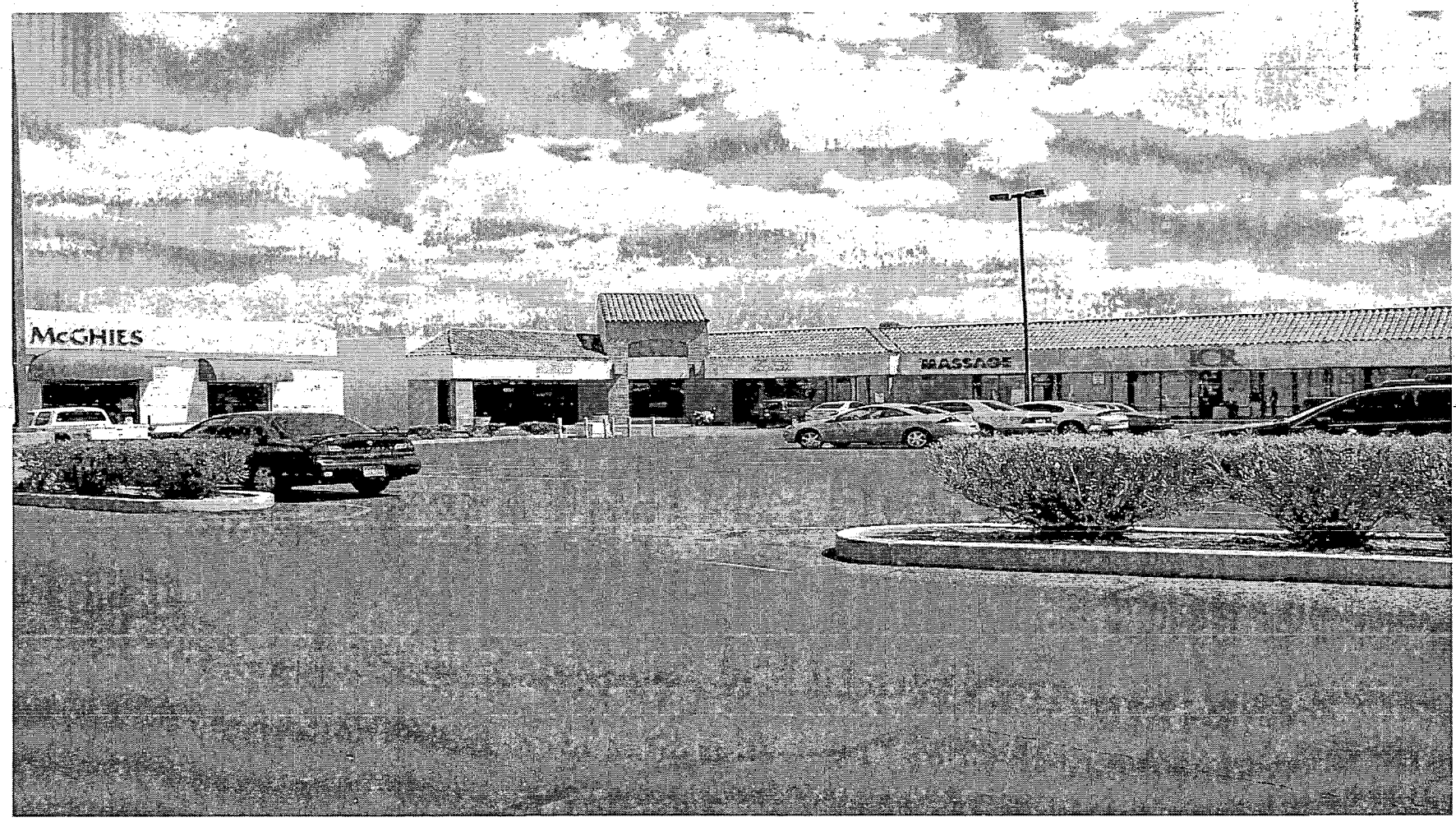
This 8th day of July, 20 01

Connie Gamble

Notary Public in and for said County and State

Notary Public · State of Nevada
County of Clark
CONNIE GAMBLE
My Appointment Expires
January 14, 2008
No: 89-26229-1

40.6
19.6
16.6
69
88'6"
11'9"04
9'0"
Roll up door
OFFICE
FREEZER walkin
STORAGE AREA
HEAT WALKIN COOKEL
FREEZER Glass Door
24' SHELVES
8' FISH
56 FT OF MEAT
28FT SHELVES
10FT DELI
Beer Cases 15 FT
Tortilla Case
Kytchen (HOT FOOD TABLE)
Bathroom
Bathroom
10FT Hood
DISPLAYS AREA
24 FT Freeze and Dairy Case
Beer - Display Soda Display
Glass Front Door WALKIN COOLER
CHECK OUT
CASHIER
Shopping Baskets
ENTRANCE/EXIT DOUBLE DOOR
VISTA GROUP
4507 W. SAHARA
10/21/03
SCALE 1/16"=1'-0"
VISTA GROUP
4505 W. SAHARA
SCALE 1/16"= 1'-0"
10/10/03
SUP-4822
8/26/04 PC
(AS IS - currently)



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4822 - APPLICANT: ACOSTA ENTERPRISE DBA EL RINCON LATINO - OWNER: SAHARA WESTLAKE ASSOCIATES
4505 WEST SAHARA AVENUE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

8/24

August 18, 2004

Reference: SUP-4821, SUP-4822

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

To Whom it may concern:

WE STRONGLY OBJECT TO SPECIAL USE PERMIT 4821

Applicant: Dos Compadres, Inc – Owner: Sahara Westlake Associates – Request for a special use permit for a financial institution at 4505 West Sahara Avenue.

WE STRONGLY OBJECT TO SPECIAL USE PERMIT 4822

Applicant: Acosta Enterprise DBA El Rincon Latino – Owner: Sahara Westlake Associates – Request for a special use permit for a liquor Establishment (on-sale/on-off sale) at 4505 West Sahara Avenue.

Respectfully,

F.D. Carlson
Linda Carlson

Ferd Jaynes and Linda Carlson
4300 San Angelo Avenue
Las Vegas, Nevada 89102-0617

City of Las Vegas

Agenda Item No. 119

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4844 - PUBLIC HEARING - APPLICANT: JESUS IS THE ANSWER MINISTRIES - OWNER: TIM MEAD AND JULIE OVERMAN - Appeal filed by the Applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A TRANSITIONAL LIVING GROUP HOME at 1060 Hart Avenue (APN 139-21-612-043), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	14	**Planning Commission Mtg.**	2
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Jesus is the Answer Ministries with support letters and petition
5. Submitted after final agenda - Protest letters from Mrs. J.L. Harris
6. Submitted at City Council - Protest petition with 58 signatures

MOTION:

WEEKLY - ABEYANCE to 10/20/2004 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PASTOR RAYMOND EDMOND MACINTOSH apologized for previous interactions and stated his intentions for the ministry are genuine. He stated he has been operating homes in North Las Vegas for eight years and has not had any complaints. The home in Las Vegas is well-kept and has received support from his neighbors. He indicated that his program has been successful and rehabilitated many people. His ministry has been recognized on the Discovery Channel and articles have been written in magazines in California describing its success.

TOM McGOWAN voiced his respect for the ministry and commended the organization for their care of other people.

DEXTER GARY, Director of the home, elaborated on the amount of men they have helped. Their intent is to rebuild and reconstruct the community by reinstating these men into a productive lifestyle and society. He felt the home would be a wondrous benefit.

STEPHEN GAINS, Las Vegas resident, shared his experiences as a crack and heroin addict on Fremont

MINUTES - Continued:

Street. He expressed appreciation for the program, as he has now turned his life around. He has become a productive citizen and felt that the focus should be on helping people in similar situations.

MINISTER RICKY ARMAN spoke in support of the project and indicated how his life changed with the help of the ministry. He commented on his efforts as a recovering addict and credited the home for his success. He said they work hard to be a light in the community and gave examples of how they contribute to enhance the community.

RODNEY RANDOLPH, Las Vegas resident, shared his troubled life experiences on Fremont Street and spoke of his efforts to be a part of a program that would accept him without any form of identification. He said he was raised by church-going parents and has been very fortunate to be associated with this group.

RICHARD GREY shared his life-changing experiences because of the ministry and strongly encouraged the Council to grant approval. CHRISTOPHER DOUGAN also briefly described his lifestyle before his involvement with the ministry and outlined how it helped make a tremendous change.

HERBERT BERN, 1060 Hart Avenue, pointed out that REVEREND MACINTOSH'S intent is to enhance the quality of human conditions. STEVEN RICKS stated he has been in the program for seven months and supports the ministry.

SUSAN MACKER, 2128 Running River Road, Executive Director, Habitat for Humanities, indicated that they have been building single-family homes in this particular neighborhood over the last several years. They receive public and private funds to build these homes and use voluntary labor to complete the homes for these families. Even though there is a need for transitional homes, she felt that this neighborhood is not appropriate. Vegas Heights is extremely inundated with churches. Habitat for Humanities wants to continue their work by building affordable single-family homes. She submitted a petition signed by homeowners and volunteers.

DOROTHY BARNES, Las Vegas resident, supported the ministry. JOHNNY VENTURA, 601 Rain Tree Lane, spoke in support simply because the people are helping others.

STEVEN "CAPTAIN TRUTH" DEMPSY appeared in support. Knowing that people care enough to help others should be reason enough for approval. HENRY JACKSON, Minister, testified to the assistance provided to all the men. There have been no problems since they have occupied the home. Men's lives have completely changed for the better. A miracle is taking place, especially with the circumstances that surround this neighborhood.

GINA FOUNTAIN, Administrator, Jesus is the Answer, stated she has been in the ministry since 1998. She was born and raised in Las Vegas and is aware of the over-saturation of churches in West Las Vegas. She stressed the importance of enhancing the quality of life of these men, which is necessary to maintain the area and encourage development.

CAROL LeDUC, 7575 Rome Boulevard, was confused as to why someone who performs good work should not be approved. This work is needed, and they should be given a helping hand.

MINUTES - Continued:

JESSE BUSH, 1137 Hassle Avenue, spoke in opposition of the ministry because he felt Hart Street should be improved first. Someone getting out of prison cannot be put into an environment infested with drugs. The community should be built up instead of being saturating with needy individuals. He indicated that EOB and Habitat for Humanities are building new homes. The community should be built, instead of contributing to the existing problem.

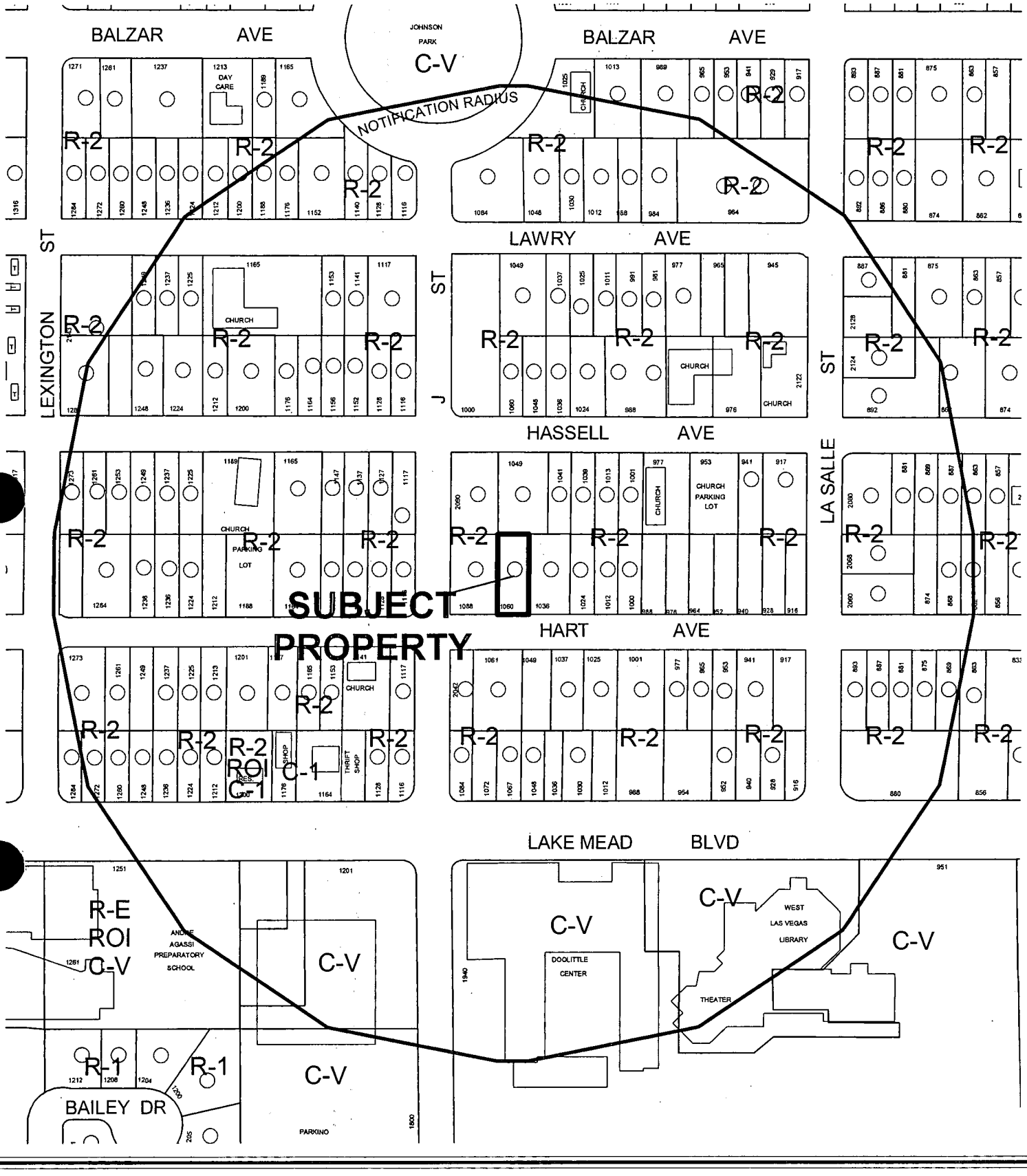
WILLIAM McCURDY, 1117 Hart Avenue, does not oppose the work of the ministry but is concerned about the community not being aware of where these men are from or what past offenses they may have committed. He suggested that this home should be close to the Reverend's church, where he and his staff can personally supervise the men. MR. McCURDY stated for the record that he took time off from his place of employment at the Las Vegas Housing Authority to come and protest this matter.

COUNCILMAN WEEKLY expressed his utmost respect for their efforts in assisting these individuals. He acknowledged the people in support of the ministry but indicated that he received many calls in opposition. He expressed concerns about this organization and asked to meet with the applicant, MS. FOUNTAIN and the neighbors to discuss what makes this home different from other transitional homes that have been denied in the past. He appreciated those who appeared who shared their personal stories and recognized the impact he felt about their success.

MAYOR GOODMAN expressed the desire of attending the meeting with COUNCILMAN WEEKLY. He asked that the Reverend bring some of the men who gave testimony to elaborate on their experiences and difficulties they had on Fremont Street.

COUNCILMAN WEEKLY commented that the last ministry application was not a good experience, leaving many people upset and friendships broken. The outcome will be based on the best interest of the community and the integrity of the neighborhood.

MAYOR GOODMAN declared the Public Hearing closed.
(2:45 - 3:15)
4-358

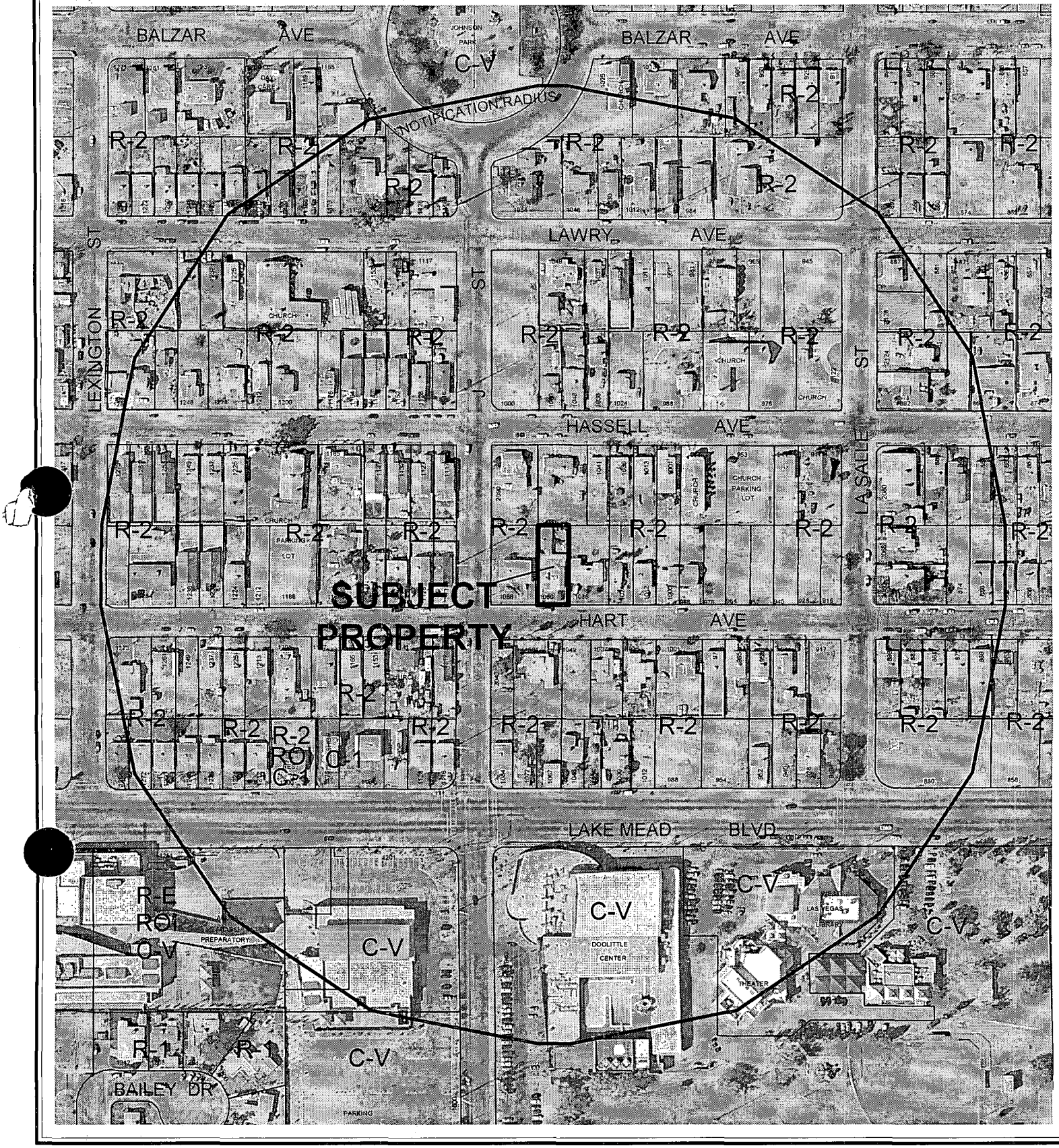


0 200 400 Feet

CASE: **SUP-4844**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)



0 200 400 Feet

CASE: **SUP-4844**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4844 - APPLICANT: JESUS IS THE ANSWER MINISTRIES - OWNER: TIM MEAD AND JULIE OVERMAN

** CONDITIONS **

The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The number of residents shall be limited to six persons.

2. Conformance to all Title 19 standards for a transitional living home.

3. The facility must comply on an ongoing basis with all governmental licensing requirements.

Public Works

4. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit for a Transitional Living Group Home at 1060 Hart Avenue.

B) Applicant's Justification

Applicant proposes to house, feed, and clothe individuals who are looking to improve their lot in life. Residents must obtain employment and work toward becoming self-sufficient. Group Home volunteers help the residents to obtain identification cards, find jobs, and seek the help of social and economic agencies. This Group Home will help residents to become functional, productive members of society.

This Group Home will *not* serve as a rescue mission, homeless shelter, half-way house, or facility for individual care. Nor will the Home serve as a drug/alcohol treatment/withdrawal center. Residents who need professional services will do so off-site.

BACKGROUND INFORMATION

A) Previous Actions

There are no recorded previous actions associated with this property or use.

08/26/04 The Planning Commission voted 6-1 to recommend DENIAL (PC Agenda Item #41/srs).

B) Pre-Application Meeting

Routine discussion to have regarding application procedures. Applicant asked for waivers of quantity of residents and waiver of parking standards. Staff later informed applicant that because of Title 19 standards and definitions for a Transitional Living Group Home, these issues would not be waivable. Applicant agreed to proceed with the application with the maximum allowable number of residents (six) and two parking spaces.

C) Neighborhood Meetings

A neighborhood meeting is not required of this type of application, nor were any meetings held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property:	Single Family Residential
North:	Single Family Residential
South:	Single Family Residential
	Community Center
	Library
	Prep School
East:	Single Family Residential
West:	Single Family Residential

C) Planned Land Use

Subject Property:	ML (Medium Low Density Residential)
North:	ML (Medium Low Density Residential)
South:	ML (Medium Low Density Residential)
	PF (Public Facilities)
East:	ML (Medium Low Density Residential)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	R-2 (Single Family Residential - 2 Units Per Acre)
North:	R-2 (Single Family Residential - 2 Units Per Acre)
South:	R-2 (Single Family Residential - 2 Units Per Acre)
	C-V (Civic)
East:	R-2 (Single Family Residential - 2 Units Per Acre)
West:	R-2 (Single Family Residential - 2 Units Per Acre)

E) General Plan Compliance

The parcel is designated as ML (Medium Low Density Residential) on the Southeast Sector Map of the General Plan. The R-2 (Single Family Residential - 2 Units Per Acre) zoning of the site is in conformance to this designation. The proposed Transitional Living Group Home is allowed in the R-2 (Single Family Residential - 2 Units Per Acre) zoning district, with a special use permit.

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

This use will be located in the West Las Vegas Plan area. The report does not conflict with any goals, objectives or policies of the plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Detached	1981 SF.	N/A	2	0	2	0

This proposal meets the parking requirement.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Transitional Living Group Home use.

B) General Analysis and Discussion

- Zoning

The R-2 (Single Family Residential – 2 Units Per Acre) zoning of the site allows a Transitional Living Group Home with a Special Use Permit.

- Use

The use shall be conducted according to the conditions of approval as detailed in Title 19.04 and below.

- Conditions

1. **The home must be located on a parcel with a minimum size of 6,500 square feet.**

   The lot is greater than 7,000 square feet.

2. **Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.**

   One space for the residents and one for the administrator shall be provided.

3. **Common area shall be provided on the basis of a minimum of 15 square feet per resident. The facility must comply on an ongoing basis with all governmental licensing requirements.**

   Common areas measure approximately 540 square feet, or 90 square feet per resident.

   Applicant (Jesus is the Answer Ministries) licensure status has been documented on July 22, 2002 by the State of Nevada Department of Human Resources, Health Division, Bureau of Licensure and Certification. The Bureau determined that the way the applicant provides services does not fall within the State's definition of a "halfway house for recovering alcohol and drug abusers," and therefore does not require a license for this type of Group Home.

FINDINGS

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

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

   This Transitional Living Group Home, with a maximum of only six residents and low-key style of service will operate essentially like any other single family residence in the surrounding area. This Home fulfills some of the goals and objectives of the West Las Vegas Plan., which has been developed in conformance with the General Plan. Specifically, this use will "provide the opportunity for citizen empowerment to effectuate change in the community, provide affordable housing, and promote diverse employment opportunities for area residents."

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

   Subject house and yards are well-maintained, and freshly painted. A long covered patio provides suitable shade for residents.

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

   This R-2 zoned property is served by several 60 foot residential streets, and is within walking distance of Citizens Area Transit lines on both Lake Mead Boulevard and Martin Luther King Boulevard. Most residents will transport themselves via bus, bicycle or foot, so street and highway impacts will be negligible.

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

   This Group Home will be monitored by health department and other code enforcement issues, so public health and safety will be protected.

PLANNING COMMISSION ACTION

At the Planning Commission hearing there were several persons speaking in opposition to the subject application and two in favor. The Planning Commission believed the proposal was not compatible within the neighborhood.

NOTICES MAILED 159 by City Clerk

APPROVALS 2

PROTESTS 14

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4844 APN: 139-21-612-043

Name of Property Owner: Tim S. Mead / Julie Overman

Name of Applicant: Jesus Is The Answer Ministries

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: Tim S. Mead

Print Name: Tim S Mead

Subscribed and sworn before me

This 12 day of July, 2004

Julie Overman 9-23-2007

Notary Public in and for said County and State

County of Marin

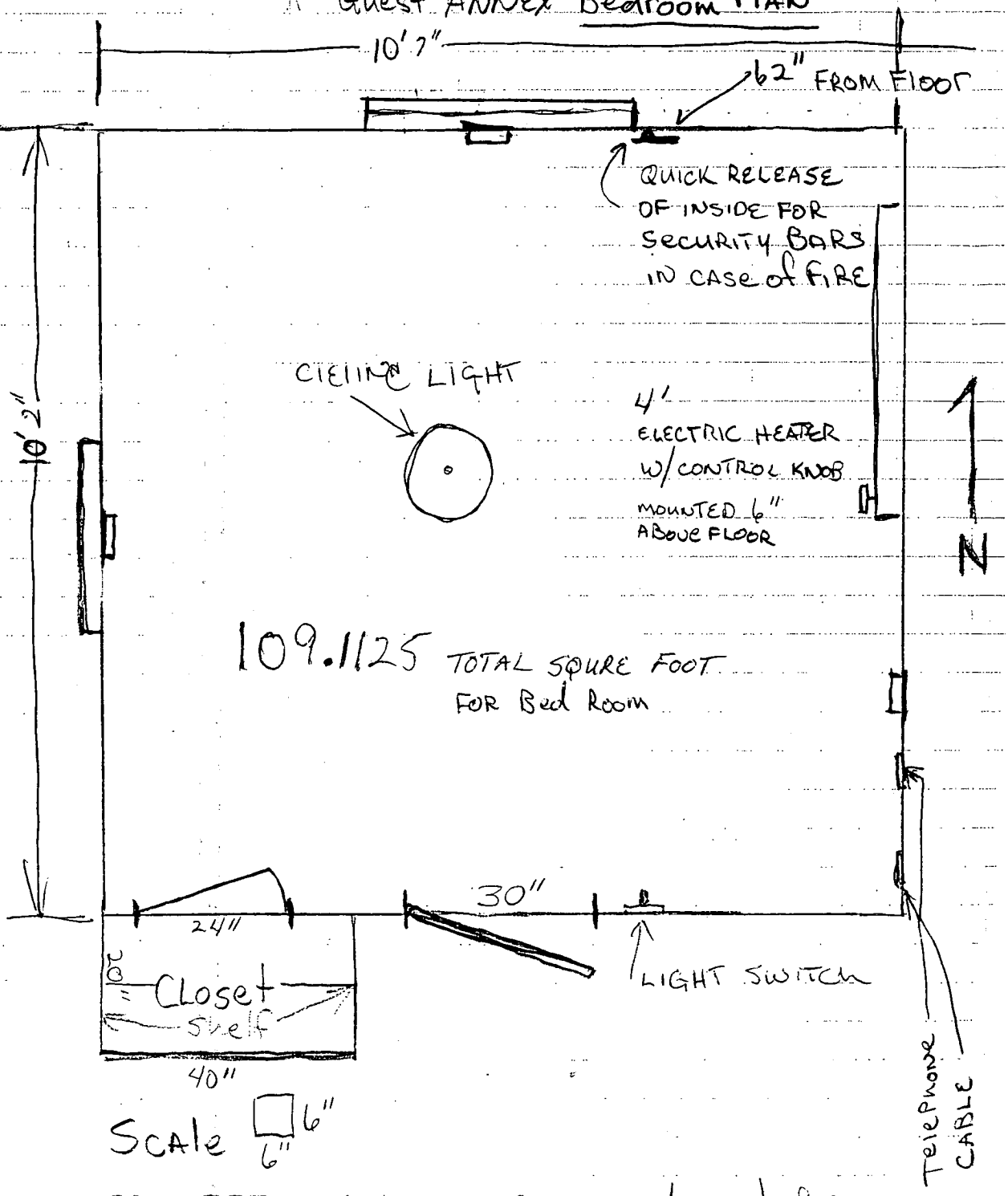
State of California

JULIE OVERMAN
Commission # 1441122
Notary Public - California
Marin County
My Comm. Expires Sep 23, 2007

Revised 2-12-01

1060 Hart Ave

Guest ANNEX Bedroom PLAN



Scale 6" / 6"

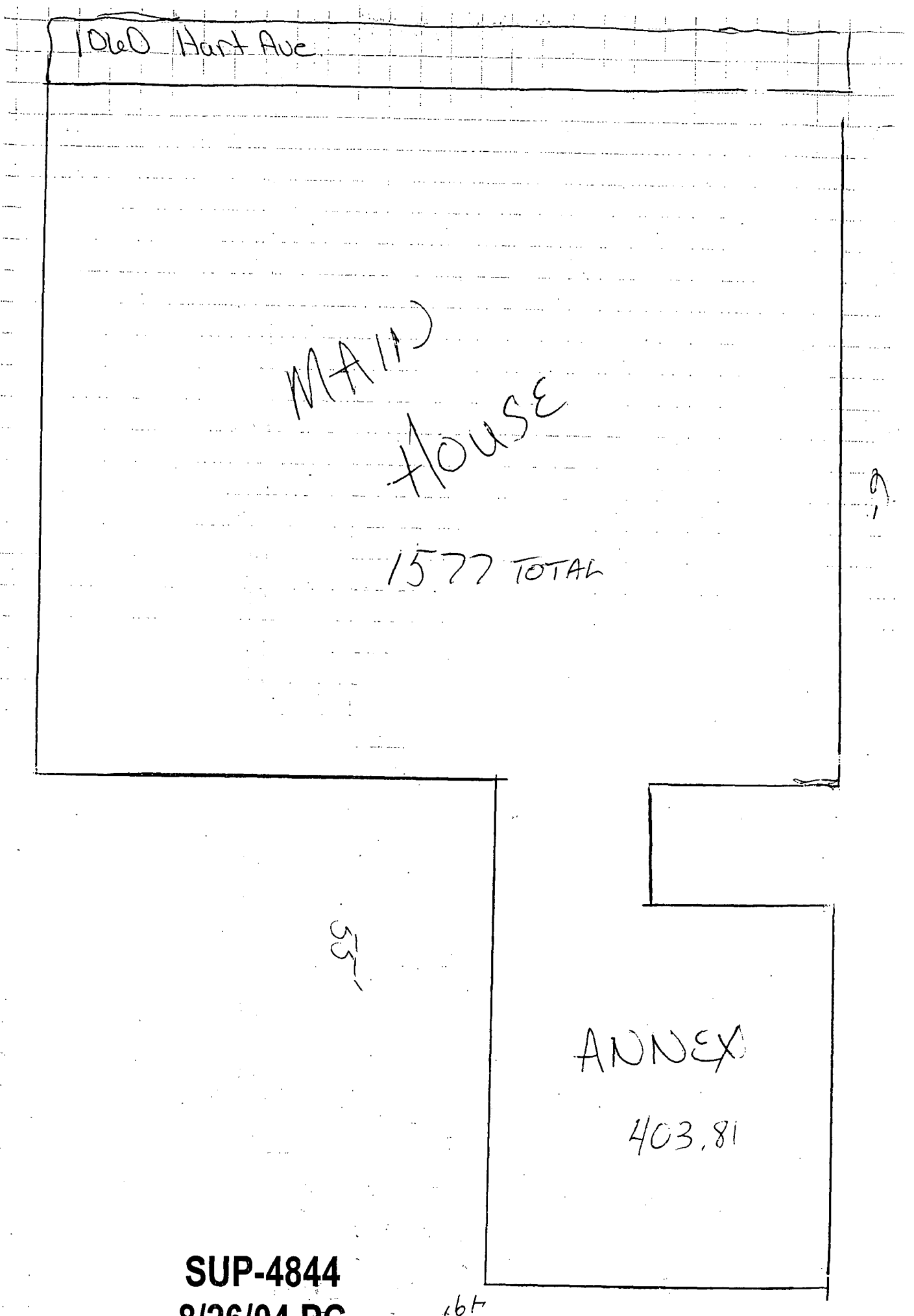
WINDOW OPENING w/ Security BARS

DOOR

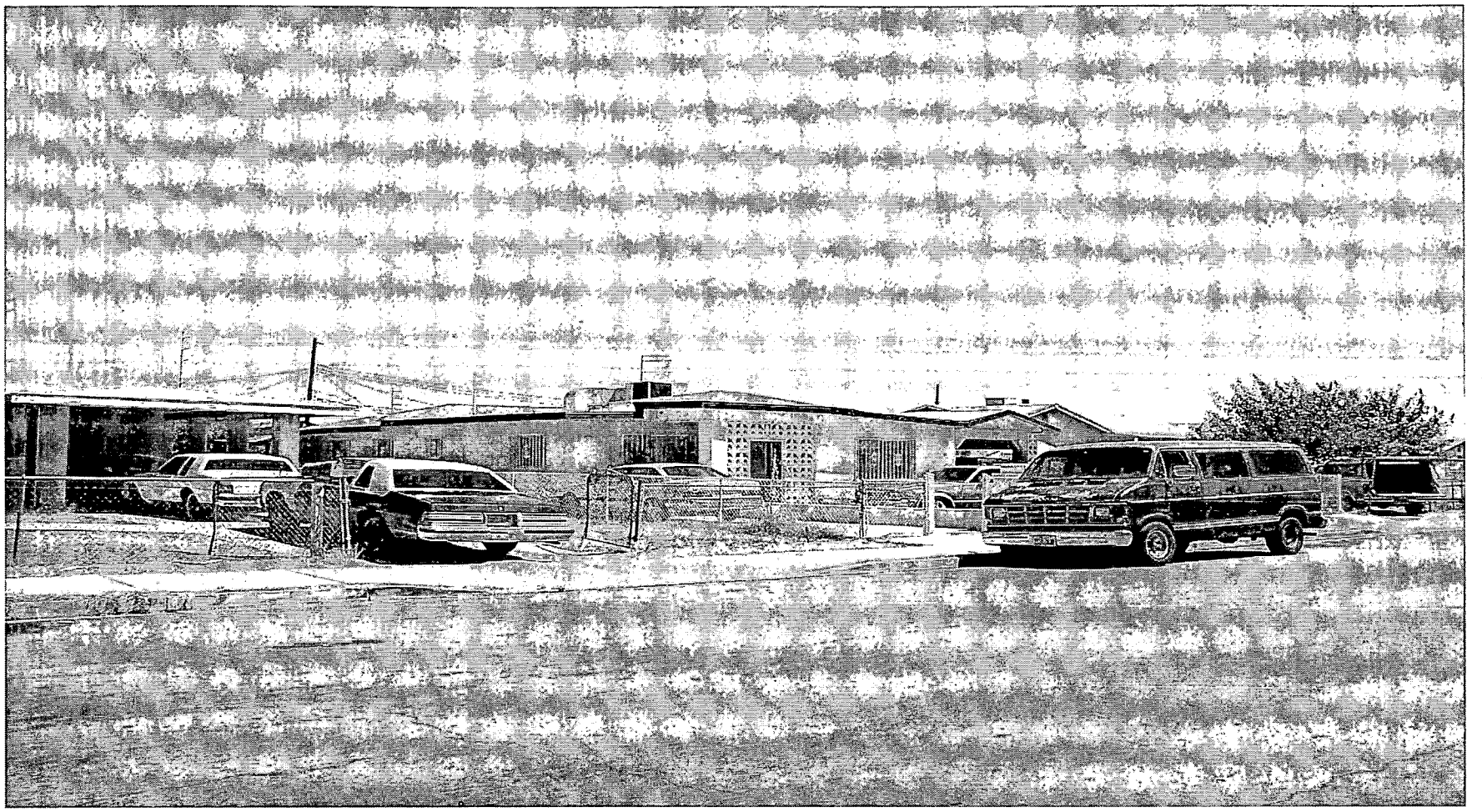
110 ELEC. PLUGS @11 mounted @ 14" FROM FLOOR

CABLE & PHONE WALL JACKS

SUP-4844
8/26/04 PC

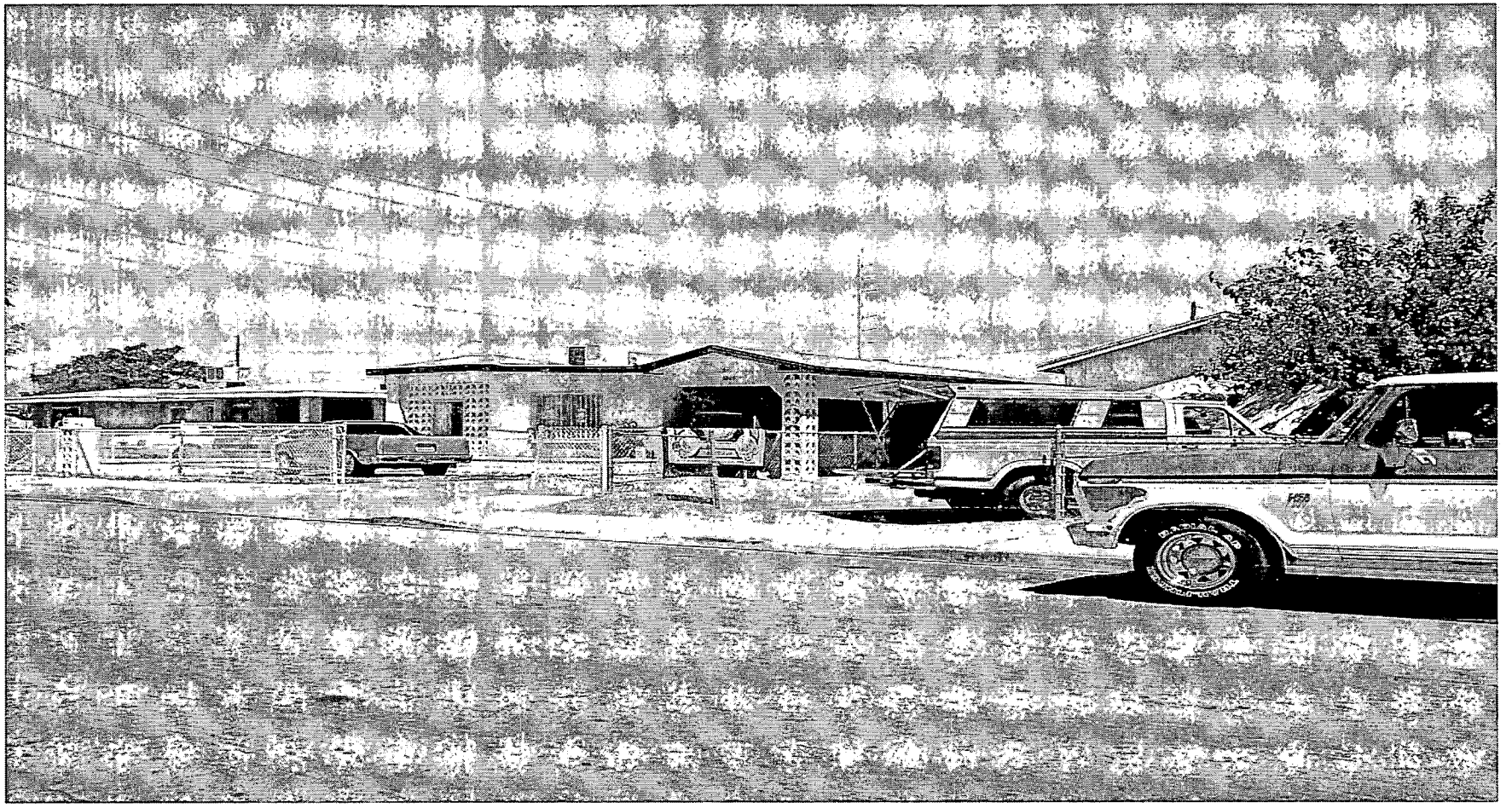


SUP-4844
8/26/04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4844 - APPLICANT: JESUS IS THE ANSWER MINISTRIES - OWNER: TIM MEAD & JULIE OVERMAN
1060 HART AVENUE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4844 - APPLICANT: JESUS IS THE ANSWER MINISTRIES - OWNER: TIM MEAD & JULIE OVERMAN
1060 HART AVENUE
AUGUST 26, 2004 PLANNING COMMISSION

8/3/04

Jesus Is The Answer Ministries

Bishop Raymond McIntosh

JER. 31:3

RECEIVED
CITY CLERK
2004 SEP -3 P 4:59

September 3, 2004

Las Vegas City Clerk
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

Re: SUP-4844 - SPECIAL USE PERMIT - LETTER OF APPEAL
1060 Hart Avenue APN 139-21-612-043

To Whom It May Concern:

This correspondence is written on behalf of the Planning Commissions vote to deny our request for a Special Use Permit For A Transitional Living Group Home at the above referenced address, Ward 5 (Weekly), R-2 (Medium-Low Density Residential) Zone, which was considered by the Planning commission on August 26, 2004.

This letter is written to appeal the action taken by the Planning Commission to deny the special use permit. As noted in the letter of denial, the Planning Commission felt that the proposed use would not be compatible with the surrounding neighborhood.

We would like to thank the City of Las Vegas for their efforts to clear out our neighborhoods of undesirable activities and individuals. With this in mind, we are requesting a review of our application based on the fact that we are providing a greatly needed service to community residents by helping them to become socially responsible and promote the greater good of the community.

Because we are a faith-based residency program, we have a zero tolerance for drugs, alcohol, disruptive behavior or negative social activity for the residents of the home. The homes are a refuge to help people become self-sufficient. Many of the individuals that we assist are residents of the Las Vegas Community and have lived in or around the West Las Vegas community at one time or another. Their desire is to be given a second chance to change their lives and restore the families that they have lost in the process of the poor choices that were made in the past.

1126 Fremont St. Las Vegas, Nevada 89101 702-388-7777 702-318-2210 Fax
Mailing - P.O. Box 364920 N. Las Vegas, NV 89036

I have live in the West Las Vegas Community for over 25 years, and I own my home, which is less than a mile from the men's home. Therefore, I understand the concerns of our community. We are simply providing some of the goals and objectives of the West Las Vegas Plan as described in the City's General Plan, to provide an opportunity for citizen empowerment to effectuate change in the community, provide affordable housing, and promote diverse employment opportunities for area residents. We assist all of our residents in finding employment and/or upgrading their skill levels. We work with various agencies to insure that our residents are making progress in becoming self-sufficient functional members of this community.

During the Planning Commission meeting of August 26, 2004, concern was expressed by an individual that came in opposition to the Special Use Permit. Specifically, he mentioned that the area residents were concerned about their safety and the need for infill housing. Also, it was stated that our ministry owned property adjacent to the church, which is located in the downtown area; that we should build a facility on that property. Just to set the record straight, we do not own any property; we lease our building and the home.

We agree that this community is distressed and is in need of economic development, but a community is only as strong as its residents. We are trying to help make that happen by assisting individuals of the community to acknowledge the responsibilities that they have in being a part of the solution and not the problem. With respect to the West Las Vegas area residents, we have for your review and information obtained over 300 signatures in support of our Men's Home Program. These signatures represent the actual families that live within one mile of our home.

Additionally, we have enclosed for your perusal letters of support from local agencies, pastors, and business owners that we have been collaborating with in all phases of providing services to members of our ministry and the homes. We pray that you will give this appeal your support and approval.

Thanking you in advance for your consideration.

Sincerely,

Bishop Raymond McIntosh

BRM:gf

Enclosure

WARM SPRINGS
Baptist Church

September 2, 2004

City Council of Las Vegas
City Hall, 400 E. Stewart
Las Vegas, NV 89101

Ladies and Gentlemen:

As a pastor of Warm Springs Baptist Church, a suburban church located in the Green Valley area of the Las Vegas Valley, it is my pleasure to write this letter of endorsement for Jesus is the Answer Ministries (Ministry), and the wonderful work it is doing in the inner city of Las Vegas.

About three years, our church partnered with this Ministry to serve our City in a variety of ways. We serve an annual Christmas Dinner using their facilities and help; our people offer a once-a-month Saturday night dinner through them; we have a blanket drive for the people they help, and more. Last year, about a dozen women from their church came to our church's women's retreat. It was a great experience.

During the past three years, our respect for the work that this Ministry has done has increased. They have a genuine love and compassion for the people to whom they minister. They believe that through them, God can reach people others have written off. The testimonies of changed lives that have resulted from their ministry are remarkable. They operate with integrity; they offer compassion; they hold up a standard of behavior. All of this is fueled with a great spiritual power. Our community needs what they are doing.

I believe there is a growing understanding in our nation that faith-based ministries are among the most successful in bringing genuine help to those who need it. Jesus is the Answer Ministries is such a faith-based ministry. I believe it deserves your support. It is an asset to our City!

Thank you for your consideration. May God grant you his wisdom in this, and all the decisions you make in the coming days.

Sincerely,

Douglas R Meye

Douglas R. Meye
Senior Pastor

LOVE CENTER UNLIMITED CHURCH

September 2, 2004

Mayor Goodman, & Members of the City Council
City of Las Vegas
400 Stewart Avenue
Las Vegas NV 89106

RE: LETTER OF SUPPORT

Dear Honorable Mayor and City Council:

This correspondence is in support of Jesus is the Answer Ministries - Christian Men's Home Program. It is my understanding that they will be presenting their request to the City Council to provide housing, services and resources to the undeserved men of West Las Vegas.

I commend them for their efforts in establishing affordable and safe transitional housing for those in need of a second chance. We implore you to give their program your uttermost consideration as you deliberate and vote on this matter. It is faith-based groups such as Jesus is the Answer Ministries that assists distressed communities in establishing affordable housing and maintaining quality of life.

Thanking you in advance, for your consideration.

In His Service,

Sandy B. Toles
Pastor

P. O. Box 93743, Las Vegas, NV 89193 (702) 558-1409 Fax (702)566-8505

INTERNATIONAL HOUSE OF PAYER
3240 B CIVIC CENTER DRIVE
NORTH LAS VEGAS, NEVADA 89030

September 1, 2004

To Whom It May Concern:

We at International House of Prayer are standing with our Brothers and Sisters at Jesus is The Answer with our prayers and financial support to insure God's blessing on the great work that Bishop Raymond McIntosh and staff are doing.

It was a vision birthed through prayer that Bishop McIntosh stepped out in to see lives restored, and the God of a second chance shine forth.

I personally have known the Bishop over 15 years. He is a loving, caring and giving person.

The work He is doing is much needed in this city. He is feeding and clothing and providing shelter for those who are in need but this is not the sole purpose of this ministry. The ultimate goal is to see these people become people of integrity, an asset to the community and to become problem solvers themselves and not be a problem.

The big difference with this ministry is that the people are truly loved. They are always being reminded of who they can be with God's help, guidance and support and never discusses what they use to be or where they came from, yes, Bishop McIntosh works with what they have "A future"!

One likes to adopt a child when they are infants but who wants the lost and broken at 25, 30, 35 years old, Bishop McIntosh does, He sees the worth that is in them. He specializes in forgiveness, restoration and most of all love. We plead with you to open your hearts to this great work. Thank You. Only heros bring back the wounded in battle.

Sincerely,

Pastor Dennis Fox

L.A.C.E.

LADIES ADVOCATING CHRISTIAN ENTERTAINMENT

City Council
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Re: Letter of Support

City Council Members:

It is with pleasure that I offer my support in the efforts of Jesus Is The Answer Ministries Christian Men's Home Program. The work that this ministry is providing for the many men and women of our community is to be commended, not condemned. We can no longer see a need and pretend that it does not exist. This ministry is providing a valued service to the community's under-served and homeless population of Southern Nevada.

We recognize that there is a tremendous need to provide quality housing, stability and economic growth for the residents of this area. I applaud the initiative and efforts of Jesus Is The Answer Ministries to eliminate the barriers that the residents of this community experience in obtaining a better quality of life that empowers them to become more self sufficient individuals.

Therefore, I am pleased to lend my support to this ministry that is truly helping people in and of our community become productive, engaging and stable individuals. Our community needs restoration and rebuilding that's a fact, but it begins with its residents. That is why it is so necessary for effective programs like this one to help our men and women that are serious about making a change in their lives.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Joyce Coleman

1124 E. FREMONT STREET
LAS VEGAS, NV 89101
P.O. BX 570163
LAS VEGAS, NV 89157

Phone: 702 362-3387
FAX 702 362-3397
EMAIL LACE12 "BIGPLANET.COM

ROPC, INTERNATIONAL
8550 W. Charleston Blvd., Ste. 102-#110
Las Vegas, NV 89117
(702) 375-6625

September 2, 2004

JESUS IS THE ANSWER MINISTRIES
1126 Fremont Street
Las Vegas, Nevada 89101

Dear Bishop McIntosh:

This letter is intended to give testimony regarding our relationship with your church insofar as our ongoing food program and the Christian home program that your church operates.

Since we began providing you with bakery goods from Costco's Summerlin store over 9 months ago, we have watched your distribution program to the needy take hold. You have utilized people from the homes you furnish, giving people responsibility to provide many types of services on behalf of your church, thereby giving them a sense of worthiness.

Our church, Meadows Fellowship Foursquare Church, has been involved with feeding the needy in the inner city for over 5 years. Your program has impressed our elders to the point where we have joined with you in providing 90% of all the bakery goods from Costco to you. We have found your workers to be very reliable and

dependable individuals that can be trusted and deserve a chance at proving themselves.

Your homes, as we have seen, are giving people the opportunity to re-enter the workforce here and renew their confidence. We have worked with the Salvation Army here in Las Vegas for the past 5 years, and prior to that with the Fred Jordon Mission in downtown Los Angeles. where both men and women have the opportunity to do the things that you are accomplishing with your housing program. Working with men in your program like Michael Porter and Dexter Gary has given us the confidence to turn the food pickup and distribution over to your ministry, we have full confidence in what this ministry is trying to accomplish. We support you in your endeavors and wish you the best success in your appeal process.

We look forward to continuing our relationship for a long time to come.

Faithfully,

Michael Fryer and Dorris Beck

New Ventures

Capital Development Co.

A Licensed S.B.A. 504 C.D.C.

September 2, 2004

City Hall
400 E. Stewart
Las Vegas, Nevada 89101

Dear City Council,

This letter is in reference to Jesus Is The Answer Ministries Men's Home Program, as I have been a member of this community since 1966, I have witnessed first hand the lack of services available for the less fortunate to start all over again. As President of New Ventures Capital Development Company which has been certified by the Small Business Administration and I am in total support of Men's Home Program. I totally support Jesus Is The Answers Ministry, because they are willing to come out the church walls to help those that are disadvantaged and that deserve a second chance. I have been working with members of this program to resolve credit issues and become productive citizens in our community. I am in full support in what Jesus Is The Answer Ministry has accomplished through the ministry work with people who have made bad choices and now are trying to better themselves.

If you have any questions, please feel free to contact me at 702-382-9522 or by fax at 702-382-0375.

Sincerely,

Ernest M. Fountain
President

626 South Ninth Street Las Vegas, Nevada 89101 (702) 382-9522 Facsimile (702) 382-0375

August 31, 2004

City Council members
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, NV 89101

Re: Jesus Is The Answer Ministries
Christian Men's Home Petition – 1060 Hart Avenue

This letter in support of the work that Jesus Is the Answer Ministries residency program is doing in the Las Vegas community, particularly in the "West Las Vegas" Community. This ministry is an example of what Christ instructed the church to do, which is to go out and compel those men and women who are lost and hurting, to come into the House of the Lord and to be made whole again.

This ministry is helping men and women of all ethnic backgrounds become productive individuals in our society. Community development begins with the individuals of and in the community **first**. We feel that this ministry home does not pose any threat or safety issue to residents in our community. Therefore, we support the homes and all that they are doing to help people in and of our community.

WEST LAS VEGAS COMMUNITY RESIDENTS

(See petition list)

CHRISTIAN HOMES PETITION (1)

	NAME (Print)	SIGNATURE	ADDRESS
1	ORLANDO DIAZ		1249 HASSEL Ave.
2	Nadine Diaz		4470 Wendy Lane
3	Joe JAMES		
4	Felton Askew		1185 Blue Jay
5	DAVID RICHARDSON		1237 Hassell Ave
6	HURLEY PATTON		1041 HASSELL AVE
7	Will Dyson		857 Hassell
8	Nathan Kendall		863 Hassell
9	RAY DIRECT		651 HASSEL
10	Gerald & Brook		825 Camden Ave
11	Valerie Jackson		833 HASSELL AV
12			833 HASSELL AV
13	Sharon Hart	2312 Holly Ave	Sharon GANT
14			
15			1187 Hassell
16		Roseve Hatfield	839 Hassle
17			
18	SHEILA BROADEN		4120 CRUSADER CT LAS VEGAS
19			70 W Mallease Lake Charles, LA
20	Robin Taylor		473 Fiddlehead Cir
21			1317 W. Jackson Ave
22			1165 Blanchon St
23	THOMAS WHITSON		1508 Winslow St
24	Judith Ross		820 Hassell Ave
25	Ernest Jackson		817 EST
26	Sydney H Baker		874 W. Hassell Ave
27	Sherry McCoy	Sherry McCoy	1201 Bartlett
28			1032 Blanchard St
29			1045 Hassell St
30	Pastor L.H. Murray		976 Hassell Ave.
31			1099 HASSEL St.
32	JOHNNIE HENTON	Johnnie Henton	1036 Hassell Ave L.V.
33	Dorothy Sharp		5989 E. Stewart Ave Apt 2139
34	Juanita Hill		5989 E. Stewart Ave Apt 2139
35	Dorothy McNair	Dorothy McNair	801 West Lake Mead #A
36	ARLEAN DICKERSON		937 W. LAKEMEAD #A

(2)

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
37	Nelie Collins	Nelie Collins	977 - Hart ave.
38	~~Daisy Hampton~~	Daisy Hampton	1088 Hart ave.
39	Louis Wiggins	Louis Wiggins	1088 Hart ave
40	Raycil Williams	Raycil Williams	1165 Hart AVE
41	Ty'Jahnae Smith	Ty'JahnaeSmith	2323 Lexington Ave

(3)

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
42	Marlene Dixon	Marlene Dixon	829 W. Lakemead #B
43	LaToj Johnson	LaToj Johnson	829 W. Lakemead #C
44	Emma L-Burrell	Emma L Burrell	825 w Lakemead R
45	Carl Hayes	Carl Hayes	825 w lakemead R
46	ANDREW AKINS	Andrew Akins	830 - H
47	Marion Hampton	marion Hampton	817 West L M
48	Loretta Strickland	Loretta Strickland	1952 H
49	Dorothea Clemons	Dorothea Clemons	1952 H

4

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
50	[illegible] Davis		1832 W McLeon
51	Derrick WEBB	Derrick Webb	941 Hart.
52	Cassy WEBB	Cassy Webb	1813 Tropicana Blvd
53	[illegible]	[illegible]	829 [illegible] Av. 245 Vegas
54	Angelia Webb	Angelia Webb	1226 Revere St.
55	CAROLYN HARVEY	Carolyn Harvey	2216 REVERE
56	Stacey TURNER	Stacey Turner	833 Hassel Ave
57	LEE WILSON	Lee Wilson	2008 Winwood Ave
58	AMBER Randolph	Amber Randolph	1436 Blankenship Ave
59	~ JOSE Brooks	[illegible]	825 Sandusky Ave
60	Charlotta JACKSON	Charlotta Jackson	1340 Hassell # D
61	Shaye Anderson	Shaye Anderson	1340 Hassell
62	Roy N Xol	[illegible]	1340 Hassell #1
63	John Bland	John Bland	2015 Rainstorm Ct.
64	Starr Lucey	Starr Lucey	2015 Rain Storm Ct
65	HENRY JOLLEY	Henry Jolley	976 DALZA AVE
66	BN [illegible]	B.L.	509 W Lake
67	George Toms		805 E LAKE MEAD
68	TONY Black	Tony Black	805 Lake Mead
69	THERESA Johnson	Theresa Johnson	801 West Lake Mead, N.L.C.
70	Miriam Hernandez	[illegible]	1035 A St L. Vegas 9
71	JILL Johnson	[illegible]	317 West L M
72	David ELDRIDGE	David Eldridge	1900 w Lake mead APT C

(5)

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Undra Stephens		976 Balzar LV NV
Stacey Derby	Stacy Derby	1005 Mosskas Court
Billy B Lord	Billy B Lord	801 W Lake mead
Robert L Barton	Robert L. Barton	941 Blankenship
Eddy Jefferson	Eddy Jefferson	826 Hart Ave
Patrick Smith	Patrick Smith	4500 E Tropicana
Darnell Robinson	Darnell Robinson	1436 Blankenship
~~Jack Hadley~~ Angela Williams	~~Jack Hadley~~ Angela Williams	876 Hartman Ln
BEN ASBERRY	Ben Asberry	204W-VAN BUREE
Kiana Alexander	Kiana Alexander	1415 Simmons Apt 2167 LV NV
Cynthia Hair Salon	Cynthia Lyon	2027 H St Las Vegas NV 89106
Cynthia Lee	Cynthia Lee	2027 H St Las Vegas NV 89106
Lamart Boykin	Lamart Boykin	839 Hassell
jackie smith	Jack Smith	2928 Dogwood
Erick Adams	Erick Adams	2551 E Bonanza
DONNA GARCIA	Donna Garcia	500 W Miller AVE
Joshua Thomas	Joshua Thomas	437 Duchess Ave
Madelyn Jackson	Madelyn Jackson	1040 Miller Ave
Bessie Lee	Bessie Lee	1146 Lowry Ln., NV. 89106
Ben Thrower	Ben Thrower	1141 Lowry 89106
Melanie Dowd	Melanie Dowd	500 Duchess 89030
Trudy MAXEY	Trudy Maxey	1340 HASSEL I
Ernest Johnson	ERNEST JOHNSON	2533 West St
ALMA Pitts	Alma Pitts	1341 Hassel St
JOE Pitts	Joe Pitts	1341 Hassel St
Garland West	Garland West	1413 Del Rosa Ave. N. Las Vegas
Nyesha Le Rutherford	Nyesha Rutherford	837 W. Lake Mead #C
Margarette RUFF	Margarette Ruff	831 W Lake Mead #C
OSCAR STEWART	Oscar Stewart	801 W. LAKE MEAD #C
Edrie Shumate	Edrie Shumate	809 W. Lake Mead #D
ROYAL YORK	Royal York	809 W LAKE MEAD Apt B
Mable Halloway	MABLE Halloway	833 W Lake Mead Apt A
Linda Matthews	LINDA MATTHEWS	821-W LAKE MEAD BLVD-A
Clara Washington	CLARA WASHINGTON	821-W. LAKE MEAD BLVD-B

CHRISTIAN HOMES PETITION

(6)

	NAME (Print)	SIGNATURE	ADDRESS
109	DEBORAH Parker	Deborah Parker	918 No. 1st St #B 89101
110	JOHN E WILLIAMS	John E Williams	815 Hart
111	IVORY Johnson	Ivory Johnson	1054 Sumner
112	Leonard Johnson	Leonard Johnson	1525 Pine Tree Ln #11
113	Billy Edmondson	Billy Edmondson	1637 Hart
114	Lee V. Graves	Lee V. Graves	712 morgan
115	Dane Lee	Dane Lee	4/2 Monroe
116	Darwin Hall	Darwin Hall	1905 W. McDonald
117	Patricia Garrett	Patricia Garrett	5010 E. Craig Rd.
118	~~Agatha Tegabel~~		
119	~~Velma Harris~~		
120	~~Theresa Matthews~~		
121	~~Lee Harper~~		

(7)

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
122	Michael FRANKLIN	Michael Franklin	3012 FERNCREST LN 89031
123	Joshawanna Washington	Joshawanna Washington	3318 N Decatur Blvd.
124	Marbetta Mason	Marbetta Mason	205 N Torrey Pines
125	Rudolph Young	Rudolph Young	6500 VEGAS DRIVE
126	Eric Mathews	Eric Mathews	1112 Eleanor
127	ANTHONY BRANDON JR	Anthony Brandon	1113 RHAMA
128	MARY D. Williams	Mary D. Williams	1048 HASSELL
129	Kevin Guillory	Kevin Guillory	800 MONROE
130	David Crockett	David Crockett	1212 W. ~~Main~~ St Main
131	Mike Montana	Mike Montana	1915 U. H St
132	Devon Carter	Devon Carter	2205 U4
133	Albert Evans	Albert Evans	312 Duke St.
134	Charin OSley	Charin Osley	868 Hart ave
135	Anthony Davis	Anthony Davis	868 Hart AVE
136	Theresa Williams	Theresa Williams	310 George St.
137	TRACIE Grant	Tracie Grant	615 Gilday ct

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
137	Mikael Hill	Mikael Hill	1516 Rivercrest.
138	Beverly Hornsby	Beverly Hornsby	1165 Balzar ave
140	Bill Mazzocchi	Bill Mazzocchi	31 W. OWENS
141	Roy MACINTYRE	Roy Macintyre	31 W. OWENS
142	Priscilla Burr	Priscilla Burr	1436 Bartlette
143	Lyn Drouhard	Lyn Drouhard	1420 W Bartlett Ave
144	Alberto Vargas	Alberto Vargas	1364 W. Bartlett ave
145	Vernel Virgil	Vernel Virgil	1364 W. Bartlett ave
146	Pedro Ramirez	Pedro Ramirez	2235 Lexington ST. L.V.
147	Maria L Ramirez	Maria L Ramirez	2235 Lexington ST L.V.
148			500 W Miller St
149	Mavel Barnes		963 Blankenship dr
150	PHILLIP SMITH SR	Phillip Smith	2538 PAGE ST N LAS VEGAS
	OSCAR MONTENEGRO		1225 BLANKENSHIP AVE N. LAS VEGAS

CHRISTIAN HOMES PETITION

	NAME (Print)	SIGNATURE	ADDRESS
151	Shauna Williams	Shauna Williams	1271 Balzar Ave
152	Andrea L. Williams	Andrea L. Williams	1220 W. McWilliams Ave.
153	Martha Salazar	Martha G Salazar	1388 W BARTLETT AVE
154	Tanya Jimerson	Tanya Jimerson	1344 W. Bartlett Ave.
155	Chris Bibbins	Chris Bibbins	1311 W. Bartlett Ave
156	Naomi Richardson	Naomi Richardson	1165 Blankenship #3
157	[illegible]	[illegible]	1165 Blankenship #3
158	Kaith Miller	[illegible]	154 W VEGAS BLVD N
159	Eleanor allen Bartlett	Eleanor allen Bartlett	1198 Blankenship Ave
160	Melody Smith	Melody Smith	1405 Blankenship
161	Cynthia Smith	CYNTHIA Smith	1395 Blankenship
162	Larry Butler	LARRY Butler	1401 BLANKENSHIP
163	Mike Hicks	Michael Hicks	1941 Walker
164	Johnny L Isaac	Johnny L Isaac	1225 W. Lake ave
165	Linda McCormick	Linda McCormick	1153 Miller Ave

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Marie Robinson	Marie Robinson	1654 D St. L.V. N.V. 89106
Latanya Logan	Latanya Logan	1654 D St. LVNV 89106
Sallie Hodge	Sallie Hodge	1654 D St. LVNV 89106
CLEADY MOSS	Cleady Moss	1654 D St 89106
LYNN PAGE	Lynn Page	1654 D. ST. 89106
SUNNY PHIPPS	Sunny Phipps	1654 D. St. 89106
Eddie Dorsey	Eddie Dorsey	1662 D St 89106
ANISSA Kenney	Anissa Kenney	1659 D St 89106
VIVIAN BAILEY	Vivian Bailey	1662 D St 89106
Keith Jones	Keith A Jones	1674 D St 89106
Rachel Ford	Rachel Ford	1924 Leona St 89106
Angela Stevenson	Angela Stevenson	401 Holland 89106
Demarine Coleman	Demarine Coleman	401 Holland 89106
Bessie S Bowers	Bessie S Bowers	401 Holland Ave 89106
NIKKICHA HALL	Nikkicha Hall	30 Elliott St 89106
Dena Jenkins	Dena Jenkins	512 Alexander ave
AURA King	Aura King	1809 1/2 D St
Jemima Washington	Jemima Washington	1901 A. Street
Tiffany Lee	TIFFANY LEE	1654 D STREET 89106
Perry Brown Carr	Perry Brown Carr	1654 D Street 89106
RICHARD W. GRAY JR.	Richard W Gray Jr	1060 HART AVE. LV NV 89106
Eric Nicholas	Eric Nicholas	2704 Lidia 89032
Pablo Campillo	Pablo Campillo	2704 Lidia 89032
Christopher Wyatt	Christopher Wyatt	2704 Lidia 89032
Tony Hunter	Tony Hunter	2704 Lidia 89032
GERALD ROGERS	Gerald Rogers	1617 Brooks N. Las Vegas 89030
Michelle Tolbert	Michelle Tolbert	1654 D Street LV 89106
Claude Tolbert	Claude Tolbert	1617 Brooks St NLV 89030
Jessica Ellison	Jessica Ellison	941 Hart St NLV 89106
EUGENE ELLISON	Eugene Ellison	941 HART NLV 89106
H. A. Jennings	H. A. Jennings	941 Hart Ave 89106
ASHIA ELLISON	Ashia Ellison	941 Hart Ave 89106
MICHAEL MOOSE	Michael Moose	1365 Lowry 89106
Wm. Fred Rea	Wm. Fred Rea	1704 N. Nevada
Kenneth Cox	Kenneth Cox	533 Hart
Deborah Wilson	Deborah Wilson	2239 Hemlock 89030

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(11)

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Patrina Jimerson	Patrina L Jimerson	1264 Balzar AVE LVN 89106
Tiffany Hymon	Tiffany Hymon	1831 Cartier NLVN 89
[illegible]	[illegible]	1764 Bart H ST NLV 89
Alycia Daniels	Alycia Daniels	1429 Balzar Ave
Bryan Charles	GREG AMBER	1449 BARTLETT NLV 89
DARLENE Richardson	D. Richardson	3771 W Bartlett 89106
THADDEUS	[illegible]	[illegible]
Curtis Webb	Curtis Webb	201 Bartlett LV 89
SAMUEL BAXNI	[illegible]	120 BARTLETT
Blaine Curtis		201 Bartlett #B
[illegible]	Lillian Barnes	1213 Blankenship LVN
Shelton L Barnes	Shelton Barnes	1213 Blankenship
Dellanne Wiggins	DELLANEE WIGGINS	1965 HART ST
Mark Wiggins	Mark Wiggins	2323 Lexington
OSSIE BANKS	Ossie Banks	1400 BLANKSHIP 8906
BRANCA BATTLE	Branca Battle	K-18 MILLER ST. 8910
LETICIA RODRIGUEZ	[illegible]	1164 MILLER AV

218

218

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
ROBERT PRICE	Robert Price	2283 Concorde
ESTRENETTE L. BROWN	Estrenette L. Brown	1025 W. Barry Ave.
PEGGY M. BRANCH	Peggy M. Branch	"
EDDIE L. BRANCH	Eddie L. Branch	" 977 W. Covey Ave
Felix Jacobs	Felix Jacobs	
Ronald Ray	Ronald Ray	845 W. Lacey Ave
Rev Sylvester Hooks	Rev Sylvester Hooks	887 Miller Ave Bvn
Eric Douglas	Eric Douglas	929 Miller Ave
Keshia Douglas	Keshia Douglas	929 Miller Ave
Demetria Williams	Demetria Williams	941 W. Miller St.
LEONARD FOLMAR	Leonard Folmar	1039 Blankenship
Rosie Harris	Rosie Harris	875 Blankenship
Doris Jackson	Doris Jackson	818 W. Bartlett Ave 89106
Emilio Camacho		893 W. Bartlett
Brandon Lea	Brandon Lea	953 W. Bartlett
GEORGE BROWN	George Brown	965 W. Bartlett Ave
DONALD E. MAZE	Donald E. Maze	1049 W. Bartlett Ln.
D.L. Sr. ROGERS	D.L. Sr. Rogers	1025 Baloza Dr. LV. 89106
Laurence Day	Laurence Day	941 Balzar Ave
MICHAEL DUNNA	Michael Dunna	887 Balzar Ave
Odessa Armstrong	Odessa Armstrong	863 Balzar Ave
ROSIE M. WILLIAMS	Rosie M. Williams	816 Balzar Ave

17

x 22

240

2

11

13

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Maria L Hernandez	Maria L. Hdez	2300 Concord st #B
Joanne Tunches		1013 W. Carey Ave
MARY MINTON	Mary Minton	989 W. Carey Ave
Richard H Brown	Richard H Brown	893 W Carey Ave
Arlene Butler	Arlene Butler	893 W Carey
[illegible]	2208 CRAVEN	6C
Brandon Wiggins	Brandon Wiggins	820 MILLER AVE LV NV
MARY JIMERSON	Mary Jimerson	1024 Miller Ave L.V
Edgie Twilligar	Edgie Twilligar	1084 Miller Las Vegas
Sandra McDonnell	S. McDonnell	1089 No. Simmons #103
Lisa Hobbs	Lisa Hobbs	965 Blankenship Ave
Donnie Hobbs		"
Terri Lanier	Terri Lanier	845 Blankenship Ave 89106
DARNELL RICCAS	Darnell Riccas	860 W. BARTLETT AVE
Rubin Turner	Rubin Turner	940 a. BARTLETT AVE
LeeAnn Hayes	LeeAnn Hayes	940 W. BARTLETT AVE
med clerk-	med clerk	952 W. BARTLETT AVE
Jose deArcos	Jose deArcos	1037 Bartlett ave
Evelyn de Arcos	Evelyn de Arcos	1061 W Bartlett Las Vegas 89106
Doris Marshall		
~~Lafayette Dean~~	~~Lafayette Dean~~	1061 W Bartlett Las Vegas 89106
YVONNE HYLAN	Yvonne Hylan	6666 W. Washington 455, 89107

+22

262

(14)

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Soledad Zamora	Soledad Zamora	2300 Cow Creek APD
Lee Hall	Lee Hall	3020 Saint George
Peter Pawen Jr		941 W. Carol Ave
Lou Ragland	Lou Ragland	833 W. Carey Ave
Walter Cardenas	Walter Cardenas	976 Miller Ave
Gary Hargett	Gary Hargett	1000 Miller Ave
Earnest Riley	EARNEST Riley	1001 BLANKENSHIP
Lula McCoy	Lula McCoy	1532 Blankenship Ave
Alma Monday	Alma Monday	532 Blankenship Ave
Marvis Hill	Marvis Hill	945 Beckley
Dewey Miller	Dewey Miller	845 Beckley
Branch W. KERN	Branch W. Kern	900 Bartlett N Las Vegas
MICHAEL A. CLARK	Michael A. Clark	925 BARTLETT AVE
Doris Clark	Doris Clark	929 Bartlett Ave
Victoria	Rodriguez	1037 Bartlett Ave
RUTH A. SIGERS	Ruth A. Sigers	1000 Bazaar #96
TERRY WASHINGTON		916 K BONAR
Troy STEWART Sr.	Troy Stewart Sr.	3015 Valley View B-19

(19)

(290)

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CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Dyke Lee	Dyke Lee	3700 Bluebonnet Ln. Veg 87333
Sonny Nash	Sonny Nash	609 Crest Ct.
Maurice Polk	Maurice Polk	609 Crest Ct.
Luz Maria	Luz Maria R	977 W Carey
John D Jordan	John D. Jordan	557 Miller St
Monnie Shepard	Monnie Shepard	917 Miller
Desirae Williams	Desirae Williams	941 Miller
Eva Ortega	Eva Ortega	953 Miller Ave
Charity Williams	Charity Williams	1073 N. Bartlett Ave
FRANCES WESLEY	Frances Wesley	839 Blankenship
Vanessa Jacobson		968 W Bartlett
NAZARE LLOYD	NAZARE LLOYD	648-7205 Bartlett
Louise Evans	LOUISE EVANS	648-1279 Bartlett
EVAN FLEMING	EVAN FLEMING	1025 Bartlett
Mercy Lindsey	Mercy Lindsey	881 Belgar st
Lillie Bridges	Lillie Bridges	250 Belgar

16

CHRISTIAN HOMES PETITION

NAME (Print)	SIGNATURE	ADDRESS
Carmine Cozanelos	Carmine Cozanelos	370 CAREY
JAMES WILLIS	James Willis	361 CAREY
SANDRA THOMAS	Sandra Thomas	338 CAREY
DEXTER CARY	Dexter Cary	1060 HART AVE

3

99

Mrs. J.L. Harris
1921 Balzar Ave.
N.L.V. NV.89032

RECEIVED
CITY CLERK

2004 OCT -6 A 9:22

Protest

I strongly oppose sup-4844 --- A transitional living group home would undermine, what we are trying to do. And that is to rebuild the community. One of the greatest contributions toward that goal is the City and Habitat program. One of the greatest hindrances is these crack houses poping up all over, under the pretense of christianity. There is nothing christian about this program. There is no space for them to do anything the whole lot is housing and cars, trucks, etc. They would be packed in there like sardines. Why would someone want to treated another human being like that.... to create just a hostile enviroment, all walks of life, on such a limited space (40X135) lot. They would be not only a menance to each other but spilling over into the neighborhood. Besides, What would these people do all day? This group home would be on the same street as the six beautiful homes of habitat, that are for families, not impaired persons. We have enough crack heads and prostitutes at the beginning of the streets of Hassell and Hart St., we don't need another haven in the middle of the block. If these ministers really want to help these ones, they should try a program like the one Judge Voy is envolved in. He is in the forestery program and he is making a difference in some of their lives, because these people are working and they have space to roam, to think and to appreciate nature and get themselves together, but for the subject property... on such limited space there isn't any room for things like that here for the subject property. I know there may be a need for such a group home, but much more space is needed. Our enviroment is all wrong for them and if not for them , then certainly for us. I'm affected because I own a rental on Hassell St. This is a wonderful family, there are six children that goes to school. One of the schools is Matt Kelly on J st. They leave home on Hassell going west to Concord, then south to school. They have to pass the corner of Hart St. but the whole area is full of little ones going to school, most walk by themselves. Most families do not have cars, most families are single parent and some of those parents are at work when their children get out of school, and when they go to school, if they catch a bus to work. Many of these kids have been robbed of a normal childhood, let's not rob them of a safe walk to school and back home.
Thank you.

Sincerely yours
Mrs. J.L Harris

Submitted after final agenda

Date 10/6/04 Item #119

I strongly oppose sup-4844 --- A transitional living group home would undermind, what we are trying to do. And that is to rebuilt the community. One of the greatest contribution towards that goal is the city and Habitat program. One of the greatest hindrance is these crack houses poping up all over, under the pretense of christianity. There is nothing christian about this program. There is no space for them to do anything the whole lot is housing and cars, trucks, etc. They would be packed in there like sardines, not only a menance to each other but spilling over into the neighborhood. Besides, What would these people do all day? This group home would be on the same street as the six beautiful homes of habitat, that are for families,not crack heads. We have enough crack heads and prostitutes at the beginning of the streets of hassell and hart, we don't need another haven in the middle of the block.If these ministers really want to help these ones, they should try a program like the one Judge Voy is envolved in. The forestery program. He is making a different in some of their lives.These people are working and they have space to roam, to think and to appreciated nature and get themselves together, but there is nothing here for them our enviroment is all wrong for them and if not for them , then certainly their is for us. I'm affected because I own a rental on hassell. This is a wonderful family, there are six children that goes to school. One of the schools is Matt Kelly on J st. They leave home on hassell going west to concord, then south to school. They have to pass the corner of hart but the whole area is full of little ones going to school, most walk by themselves. Most families do not have cars, most families are single parent and some of those parents are at work when their children get out of school, and when they go to school also if they catch a bus to work. Many of these kids are robbed of a normal childhood, let's not let these money makers rob them of a safe walk to school and back home.
Thank you,

Sincerely yours
Mrs. J.L Harris

Mrs. J. L. Harris
[redacted] Balzar ave.
N. L. V. Nv. 89032

RECEIVED
CITY CLERK
2004 OCT -6 A 7:49

Protest

Submitted after final agenda
Date 10/6/04 Item # 119

habitat for humanity las vegas, inc.
Building houses in partnership with God's people in need

September 9, 2004

RE: SUP4844

To Whom It May Concern:

Protest

We the undersigned are against the proposed transitional house to be built at 1040Hart Avenue by Jesus is the Answer Ministries. As volunteers for Habitat for Humanity Las Vegas, we have given of our time, talents and resources to help redevelop the Vegas Heights Community into a neighborhood of single-family homes, occupied by responsible, tax-paying citizens.

Habitat for Humanity Las Vegas has completed 18 homes in this neighborhood, and has plans to complete 9 more over the next year. Many of these homeowners are single mothers with small children. It is our belief that a transitional house would bring an unwanted element into the neighborhood, and would be a step backward in the process of redevelopment, which the City of Las Vegas, Clark County, Habitat for Humanity Las Vegas, and other affordable housing providers have invested hundreds of thousands of dollars into.

By my signature below, I am voicing my opposition to the proposed transitional house.

NAME	ADDRESS / Phone	SIGNATURE
1. William H. Byman	1322 Bahama	William H. Byman
2. Richard Howerton	4638 Green Badge	
3. Bethene D Hanson	4525 Prince Cary Ct	Bethene D Hanson
4. Jessica Chilcutt	3121 Peach Hill	Jessica Chilcutt
5. Will		
6. Elizabeth Jarman	2807 Watersport Ave	Elizabeth Jarman
7. Becky Jones	1072 Gilmore	Becky
8. Virginia Jarman	2807 Water Sport NLV	Virginia Jarman
9. David Jarman	2807 Water Sport Ave NLV	

Submitted at City Council

Date 10/6/04 Item # 119

	NAME	ADDRESS /Phone	SIGNATURE
10.	Sal Cadra	7101 Rawlins Ct 255-6115	Sal Cadra
11.	Charlene & Ken VanDenDendy	2904 Crystal Bay Dr. 363-8016	C.S. VanDenDendy
12.	Donna Alley	10 Hogan Fuller Circle Las V. 89115	Donna Alley
13.	Michael A. Gradolfo	P.O. Box 27126, LV. NV. 89126-126	
14.	Dean Wells	5150 Spyglass Hill Dr #174 LV 89142	
15.	Gail A. Wells	5150 Spyglass Hill Dr #174 LV 89142	
16.	Jud Koch	5710 E Tropicana #1088 89122	
17.	Olga Perez	6501 W. Charleston #252 89146	
18.	Landa Langston	6521 Redshank Ln. 89084	
20.	JoAnn Pooton	2707 Olivia Heights Ave, Henderson NV 89052	
21.	David Saenz	980 Gallt Rd Pahrump 89060	
22.	Robert M Sibbio	6416 Old Colonial Way LV 89108	
23.	Richard Aibel	10266 Romantico LV 89135 / 838-4825	
24.	Peter G. Sarles	3691 N. Arby Ave. LV 89118 / 702 897 8362	
25.	Kathy Potter	2651 Clark Towers Ct Las Vegas, 89102	
26.	Shelley Muñoz	3609 Marlborough Ave LV, NV 89110	
27.	[illegible]	404 Emerald Heights LV, NV 89144	
28.	[illegible]	4104 Oakey Blvd LV NV 89103	
29.	Louis Vanig II	586 Pamela Way SLC UT 84116	
30.	Doraleen Lenao	199 West 1980 South Clearfield, UT. 84015	
31.	Ben Johnson	3220 S. 900 E. #5 SLC, UT 84106	
32.	Tina Schaap	4245 Pack St. LV NV 89149	
33.	Concira Tejoj	1118E 2500N Layton, UT 84040	

NAME	ADDRESS/Phone	SIGNATURE
34. Ezra Timotes	1345 SammerLake Circle	Ezra Timotes
35. Mark Thompson	10320 Mountain Lodge Dr	
36. YoVanda L Williams	1152 Hassel Ave	Yolanda Williams
37. Marina Lusby	1273 Hassell	Marina D. Lusby
38. Konnie Enos	3630 E. Owens #1093	Konnie Enos
39. GERALD A ENOS	3630 E OWENS #1093	Gerald D Enos
40. Tessie Caponigri	8676 Bolton Ct. 89148	Tessie Caponigri
41. Jeff Vickroy	10020 Ranch Hand Ave LV, NV 89117	
42. John Semison	1621 Shady Elm LV 89135	
43. DOUG MESSINGER	5029 TROPICAL CLIFF LV NV 89130	
44. YVONNE Ridley	5216 Pacific Opal, LV NV	Y Ridley
45. Russell Ridley	5216 Pacific Opal LV NV	Russell Ridley
46. Phil J. Dees	8985 Lindell Rd. Las Vegas 89139	Phil J Dees
47. Robert Hart	4545 Valadez St Las Vegas 89129	
48. Janet Hart	4545 Valadez St. Las Vegas, 89129	Janet Hart
49. Dennis Vegas	2061 Lodsburg Lane Las Vegas 89134	
50. Janet Vegas	2061 Lodsburg Lane Las Vegas 89134	
51. Richard Brown	P.O. Box 159 Blue Diamond NV. 89004	
52. Desire Soporito	" " "	
53. Dave Francioli	1112 Pagosa Way LV, NV 89128	
54. Kathleen Monburg	7507 mycroft Ct. Las Vegas NV 89147	
55. Carolyn M Willoughby	7175 Adobe Falls Ct Las Vegas 89113	
56. Bruce W Willoughby	7175 Adobe Falls Ct Las Vegas 89113	

NAME	ADDRESS/Phone	SIGNATURE
57. Shari Nordenbrock	1164 Hassell Ave	SNordenbrock
58. Kathy Dougherty Kaelin Dougherty	4900 Dunkirk AS 89121	KDougherty
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City of Las Vegas

Agenda Item No. 120

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4918 - PUBLIC HEARING - APPLICANT/OWNER: COKE MAGGIE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PRIVATE STREET on property adjacent to the southwest corner of Coke Street and Horse Drive (APN 125-09-702-001 and 002), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

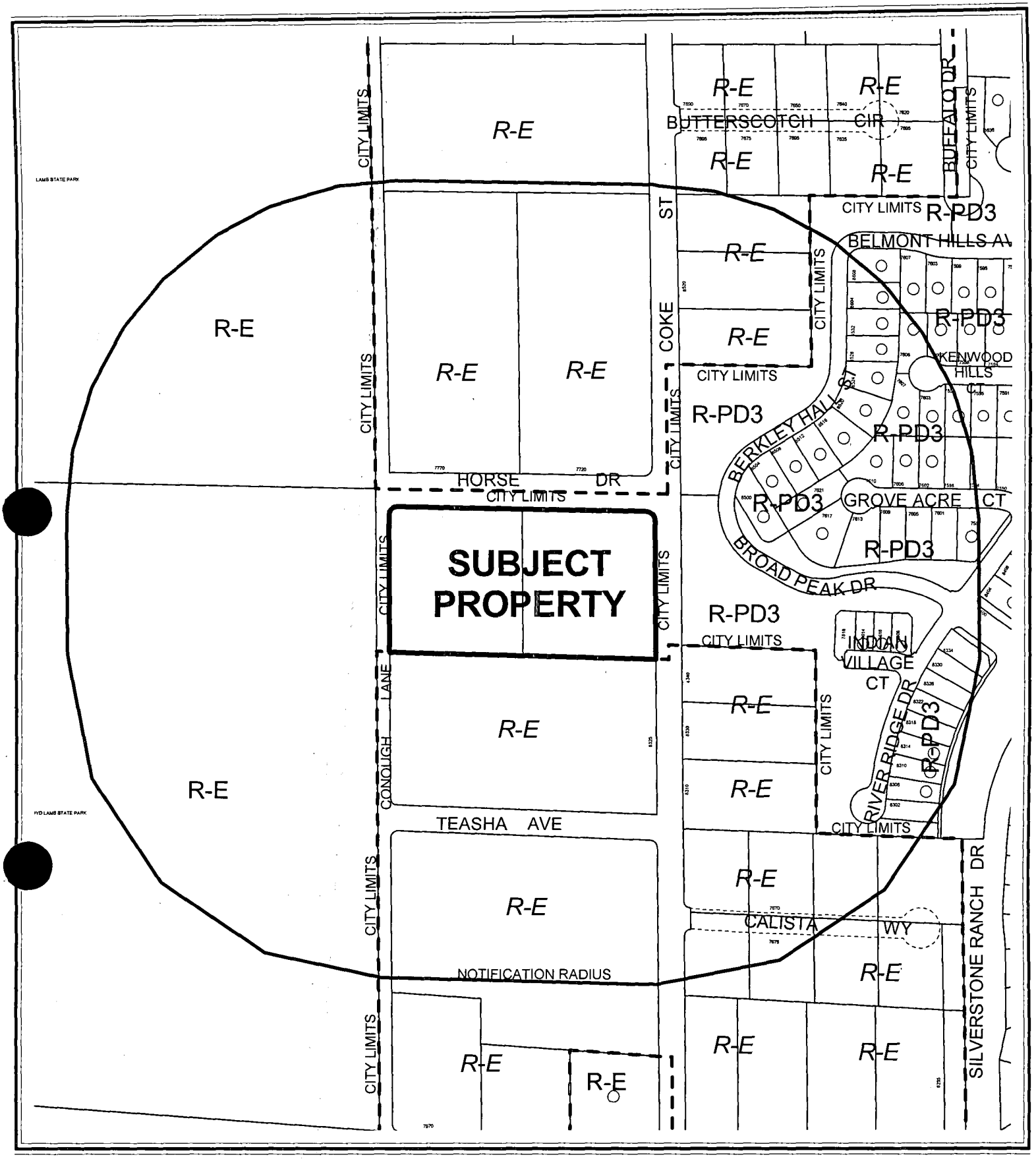
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Letter from David Koevba requesting item be tabled

MOTION:

REESE - Motion to STRIKE Item 71 [824 Shetland Road] and Item 111 [SUP-4593], TABLE Item 114 [SUP-4808] and to HOLD IN ABEYANCE Item 120 [SUP-4918] to 10/20/2004 - UNANIMOUS with GOODMAN abstaining on Item 114 [SUP-4808] as he has a business relationship with ATTORNEY JAY BROWN

MINUTES:

There was no discussion.
(1:04 - 1:07)
3-1

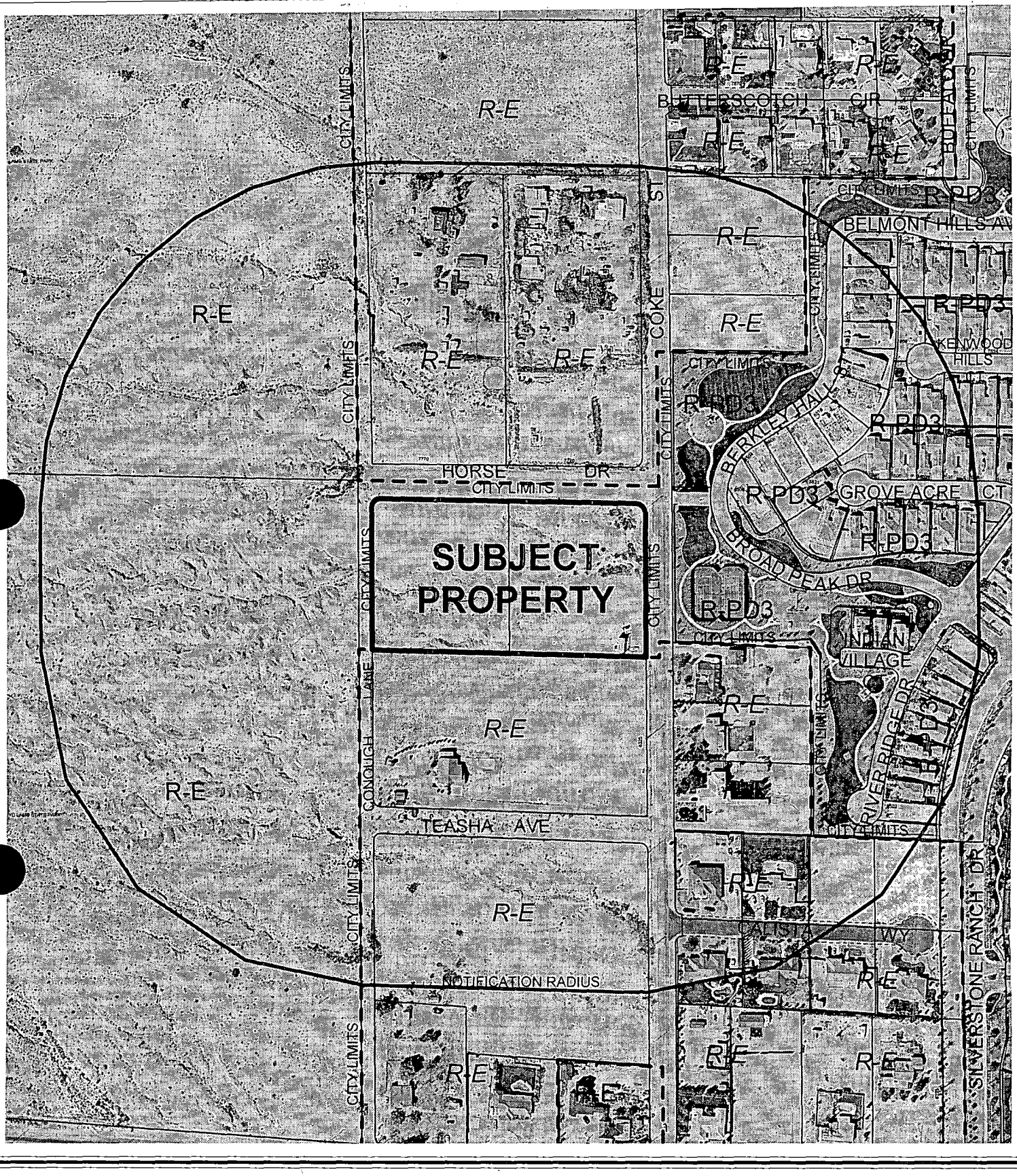


CASE: **SUP-4918**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION]



0 200 400 Feet

CASE: **SUP-4918**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4918 - APPLICANT/OWNER: COKE MAGGIE, LIMITED LIABILITY COMPANY

** CONDITIONS **

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

Planning and Development

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

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

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

Public Works

4. Submit a petition of vacation for those portions of Horse Drive and Conough Lane, both within the City and Clark County, adjacent to this site prior to or concurrent with submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Horse Drive shall be terminated in a circular cul-de-sac meeting current City Standards, unless otherwise allowed by the City Engineer. The minimum vacation extent for Conough Lane shall be to the north right-of-way boundary of Teasha Avenue. We note that the vacation as shown on the submitted site plan indicates an offset Vacation. Such configuration shall not be permitted unless signed affidavits from the two property owners north of this site within Clark County are provided prior to submittal of the Tentative Map and the portion of the offset cul-de-sac proposed within Assessor's Parcel Number 125-09-602-004 is dedicated by separate document prior to submittal of a Final Map for technical review.

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

6. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

8. A Homeowners' 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. Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Private Street in conjunction with a proposed nine-lot single-family residential development adjacent to the southwest corner of Coke Street and Horse Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed development of the site with 39-foot Private Streets utilizing rolled curbs will foster a rural lifestyle within the project.

BACKGROUND INFORMATION

A) Previous Actions

01/21/04 The City Council approved a request to annex (ANX-3103) 4.8 acres at the southwest corner of Coke Street and Horse Drive. Staff had recommended approval. The Planning Commission recommended approval on 11/06/03. The effective date of this annexation was 01/30/04.

09/09/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #4/gl).

B) Pre-Application Meeting

06/24/04 At the meeting, the applicant was advised of the requirements for this submission and the need to vacate portions of adjacent streets in order to allow recordation of the Final Map for the project as designed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.76

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwelling and Undeveloped

South:	Single Family Dwelling and Undeveloped
East:	Single Family Dwellings
West:	Undeveloped (Floyd Lamb State Park)

C) Planned Land Use

Subject Property:	RNP (Residential Neighborhood Preservation)
North:	RNP (Residential Neighborhood Preservation)
South:	RNP (Residential Neighborhood Preservation)
East:	PCD (Planned Community Development)
West:	PR-OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property:	U (Undeveloped) RNP [Residential Neighborhood Preservation]
North:	U (Undeveloped) RNP [Residential Neighborhood Preservation]
South:	U (Undeveloped) RNP [Residential Neighborhood Preservation]
East:	R-PD3 (Residential Planned Development - 3 Units per Acre)
West:	R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan designates the site to be served by a proposed private street as RNP (Residential Neighborhood Preservation). The site is zoned U (Undeveloped). The zone requires a minimum of 20,000 square-foot lots, which is in conformance with the density of development permitted in the RNP land use designation. The request for a Private Street use is not directly related to any General Plan policy.

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

There is no special area plan or zoning overlay that affects the subject site. The Master Plan Trails Element identifies an equestrian trail on Conough Lane to the west of the site; however, this trail is intended to be provided on the west side of the Conough Lane alignment and therefore it does not directly affect the subject property. Conough Lane is shown to be vacated on the submitted site plan.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because it is a Special Use located within 500 feet of the unincorporated portion of Clark County.

An Environmental Impact Assessment questionnaire was circulated for the mandated 15-day period. No negative comments were received.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The nine lots proposed for this development will contain a minimum of two parking spaces per lot in accordance with the Zoning Code. The proposed Private Street will have sufficient width to allow additional on street parking on either side of the street.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Private Street use.

B) General Analysis and Discussion

- Zoning

The proposed nine-lot residential development to be served by a proposed Private Street is a permitted use in the U (Undeveloped) zoning district, with the approval of a Special Use Permit.

- Use

The proposed 39-foot wide Private Street is intended to serve all nine lots of the proposed residential subdivision.

- Conditions

Title 19.04.050 lists several base conditions, which are required for the approval of a Special Use Permit for Private Streets. The following is a list of the base conditions; requirements indicated by an asterisk may not be waived:

1. Unless otherwise approved, every Private Street shall conform to the same design and construction standards required for public streets.

2. The Planning Commission may deny the creation of any Private Street if, in the Commission's judgment, the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets;
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parks and libraries; or
   d. Delay the response time of emergency vehicles.

*3. A property owners' association is mandatory for subdivisions developed with Private Streets. The association is responsible for the maintenance of Private Streets.

*4. Private Streets shall be constructed on property separately owned by a property owners' association.

5. The entrances to all Private Streets must be marked with a sign stating that it is a Private Street. The subdivision must ensure access to the subdivision by the City or emergency services.

6. All restricted access entrances must be designed with sufficient turn-around space.

*7. All legal subdivision documentation shall note that certain City services will not be provided on Private Streets.

The proposal meets these base conditions of approval. The development, as designed, is predicated on the assumption that portions of Conough Lane to the west of the site and Horse Drive to the north of the site will be vacated and used as developable area for the project. A condition of approval addresses this issue.

FINDINGS

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

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

   The proposed Private Street will not negatively affect the public streets or access to the subdivision. In addition, the Private Street will not impair access to or from public facilities nor delay the response time of emergency vehicles.

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

   The subject site is suitable for a proposed 39-foot wide Private Street.

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

   The applicant is proposing a 39-foot wide Private Street. Ingress and egress by the proposed Private Street would be to Coke Street, a 60-foot wide local street, which provides adequate access to the site.

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

   The proposed Private Street would be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards, and therefore, it would not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED 50 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4918 APN: 125-09-501-004

Name of Property Owner: COKE MAGGIE, LLC

Name of Applicant: RAYMOND L. DESJARDINS

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 XX 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: RAYMOND L. DESJARDINS

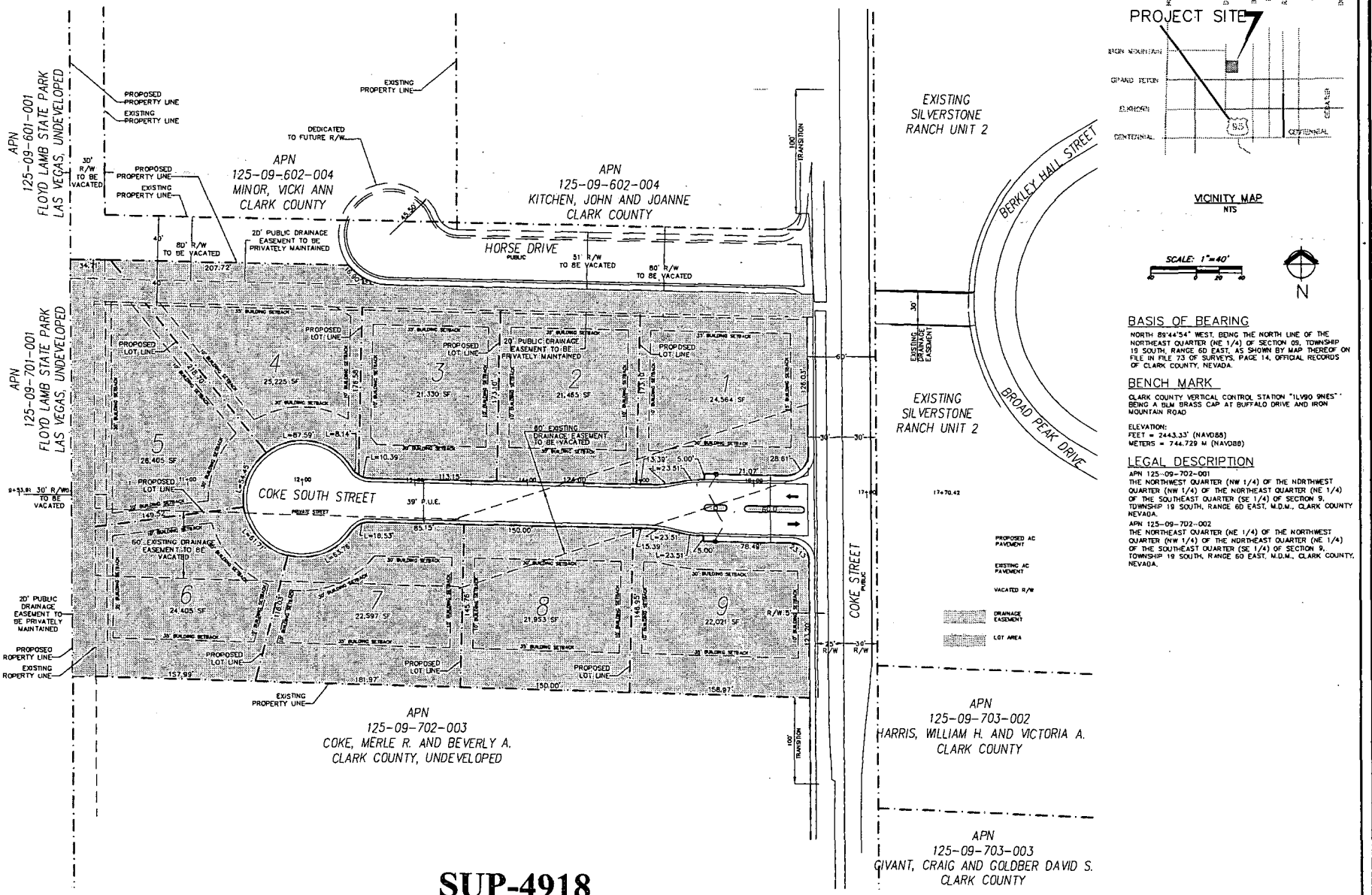
Subscribed and sworn before me

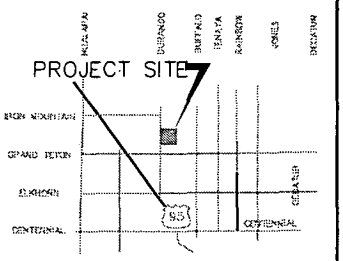
This 13th day of July, 2004

Notary Public in and for said County and State

LINDA K. JOHN
Notary Public State of Nevada
No. 01-70972-1
My appt. exp. Sept. 13, 2005

SITE PLAN
FOR
COKE AND HORSE





SCALE: 1"=40'

N

BASIS OF BEARING

NORTH 89°44'54" WEST, BEING THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, AS SHOWN BY MAP THEREOF ON FILE IN FILE 73 OF SURVEYS, PAGE 14, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

BENCH MARK

CLARK COUNTY VERTICAL CONTROL STATION "ILVBO 9NES" BEING A BLM BRASS CAP AT BUFFALO DRIVE AND IRON MOUNTAIN ROAD

ELEVATION:
FEET = 2443.33' (NAVD88)
METERS = 744.729 M (NAVD88)

LEGAL DESCRIPTION

APN 125-09-702-001
THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY NEVADA.

APN 125-09-702-002
THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

DESIGN INC

BY | DATE | DESCRIPTION

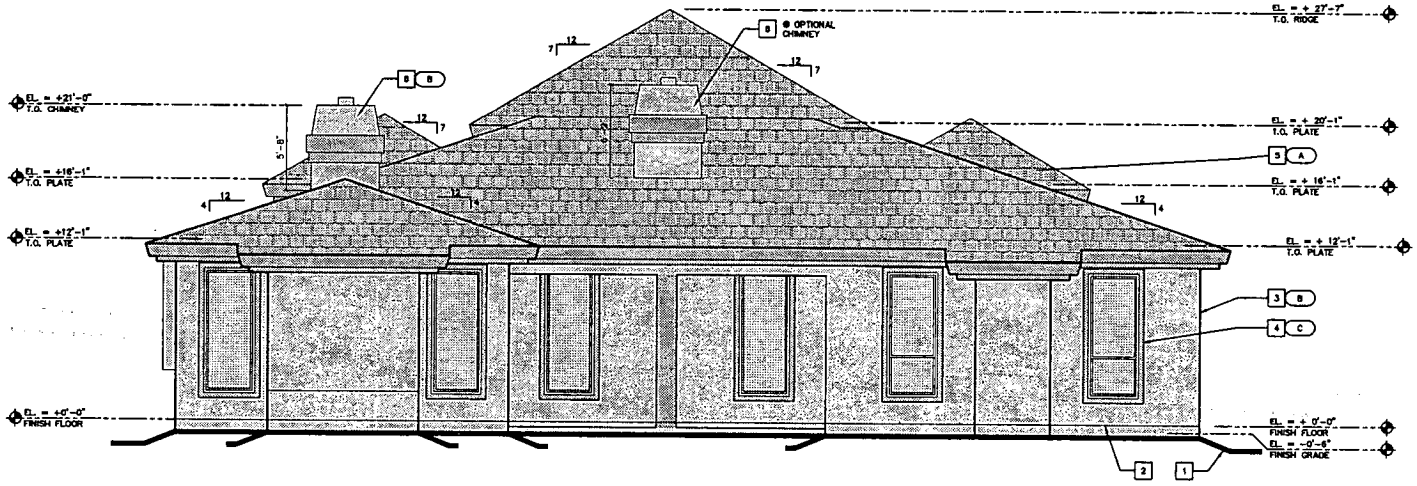
SITE PLAN
COKE AND HORSE
BUILDING THE AMERICAN DREAM
CITY OF LAS VEGAS

DATE 07/13/04
DRAWN BNK
DESIGNED BDS
CHECKED BDS
PROJECT # 0304SR60.SP

SHEET TITLE
SITE PLAN

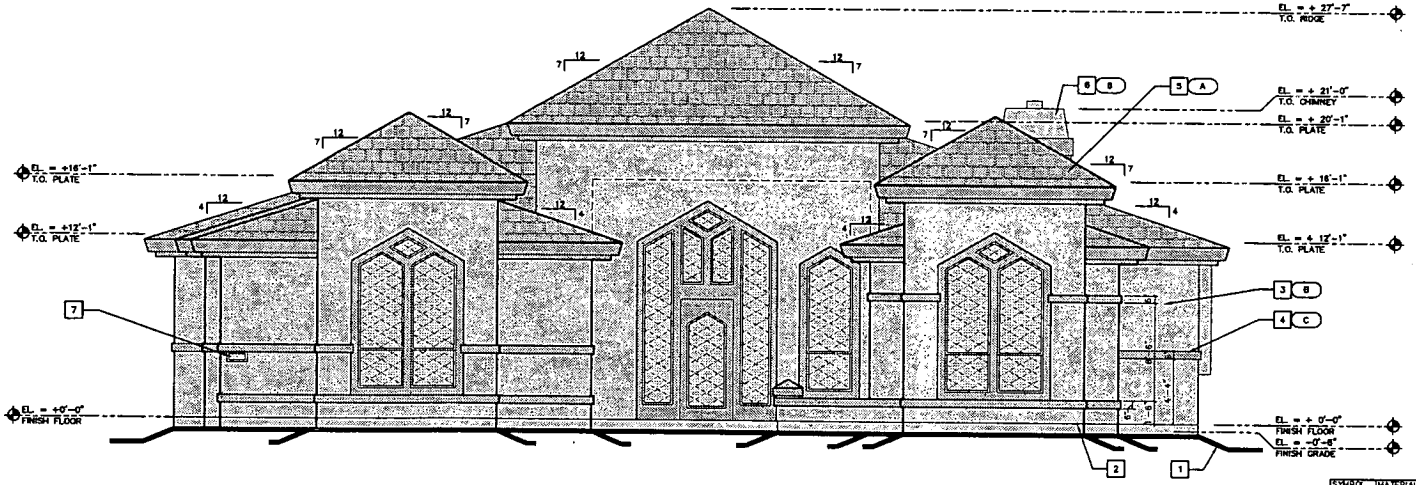
SHEET NUMBER
1

SUP-4918
09-09-04 PC



B A2.0 **REAR ELEVATION**

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



A A2.0 **FRONT ELEVATION**

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

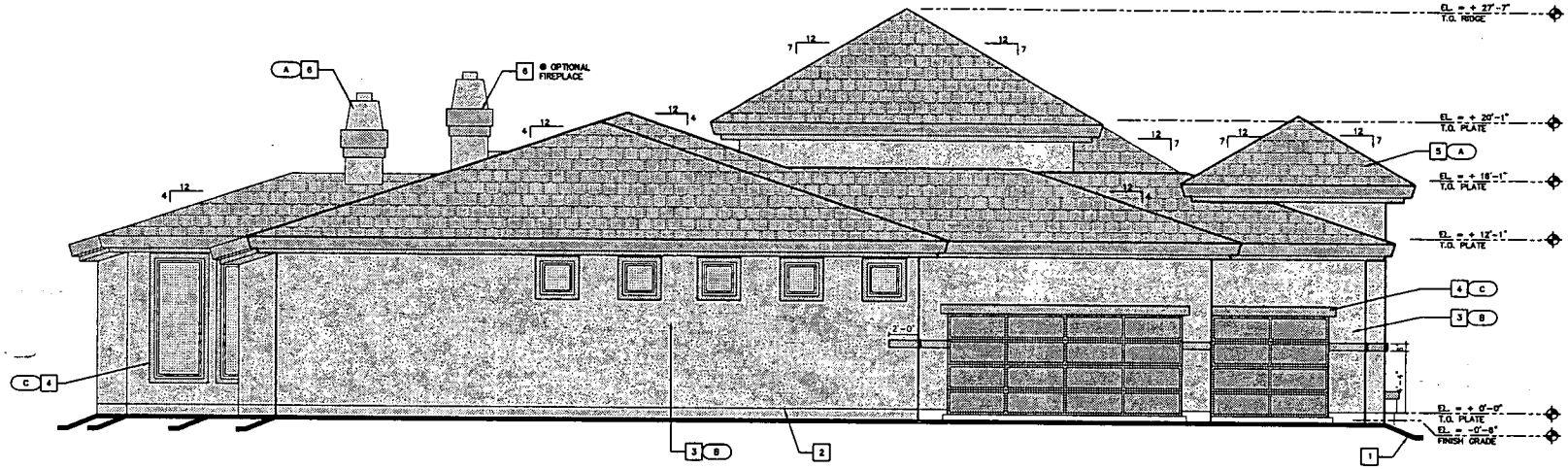
Elevation Key Notes

1. FINISHED GRADE.
2. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.2.
3. EXTERIOR WALL COVERING: WESTERN 1-COAT STUCCO SYSTEM (C.R.A.), EGBW (OR APPROVED EUQUAL) O/ METAL LATH O/ FOAM BOARD O/ 2 LAYERS GRADE 'D' BUILDING PAPER, FINISH TO BE ELASTOMERIC PAINT.
4. STUCCO O/ FOAM TRIM.
5. ROOF TILE: CONC. ROOF TILE, PER CONTRACT, O/ 1 LAYER 30# FELT O/ 1/2" OSB BOARD ROOF SHEATHING - OR APPROVED EQUAL.
6. CHIMNEY & CAP @ FIREPLACE WHERE OCCURS, SEE DETAIL 8/A3.0. TOP OF CAP TO BE 2'-0" ABOVE ANY PORTION OF THE BUILDING WITHIN A 10'-0" RADIUS PER IRC R1001.8.
7. ADDRESS LIGHT - SEE GENERAL NOTES FOR REQUIREMENTS.

SYMBOL	MATERIAL	COLOR SCHEME 1	COLOR SCHEME 2
A	ROOF TILE	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #413	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #449
B	PAINT BODY	MFG: GLIDDEN SPEC: SPA BLUE #7080 40/250	MFG: GLIDDEN SPEC: IVORY SAMPLER 30YY 58/176
C	PAINT ACCENT	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 78/112	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 78/112

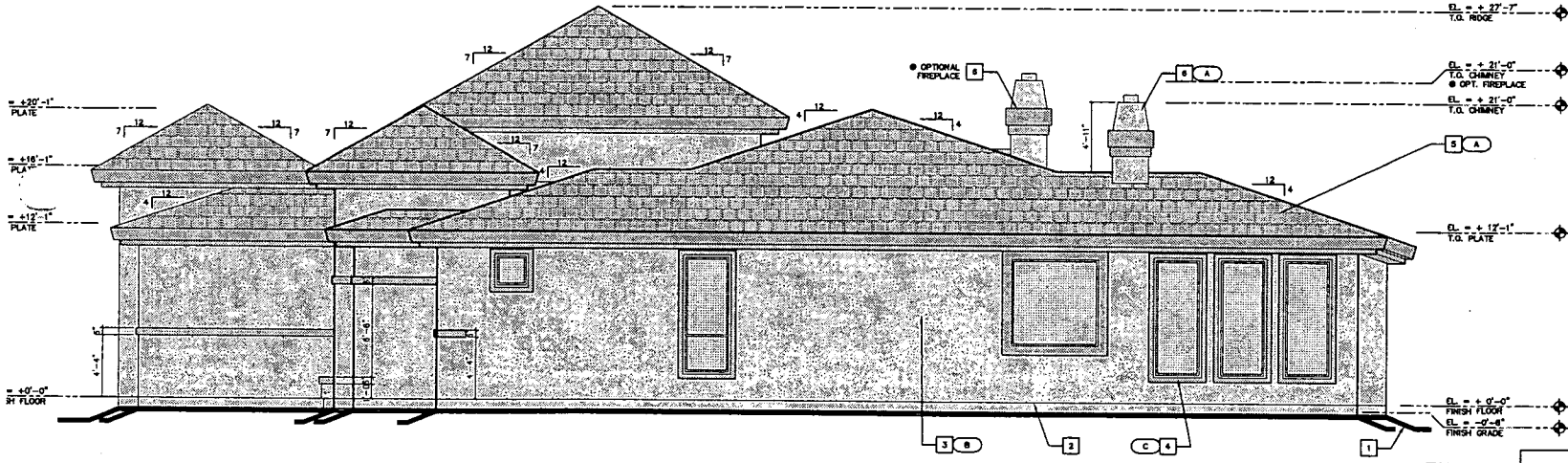
REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO A/D PRIOR TO COMMENCING WORK. NEGLECT OF THIS RESPONSIBILITY SHALL RENDER ANY RESULTING CORRECTIONS AND COSTS THEREOF THE RESPONSIBILITY OF THE CONTRACTOR. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AT THE RISK OF THE CONTRACTOR UNTIL ALL CONSTRUCTION DOCUMENTS ARE COMPLETE, PLANS ARE NOT TO BE CONSIDERED FINALIZED AND USED AT CONTRACTOR'S RISK UNTIL ALL CONSTRUCTION DOCUMENTS ARE COMPLETE, TO BE RETURNED OR SATISFACTORILY ACCOUNTED FOR, TO STAND ON THEIR OWN AND NOT BE SCALED FOR ANY REASON. ALL DIMENSIONS ARE TO FACE OF STUD OR FACE OF CMU, U.N.O. ALL DIMENSIONS ARE TO BE VERIFIED BY CONTRACTOR AT JOB SITE



B A2.1 **LEFT ELEVATION**

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



A A2.1 **RIGHT ELEVATION**

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

Elevation Key Notes

1. FINISHED GRADE.
2. STUCCO SCREED TO BE A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED SURFACES AND SHALL COMPLY WITH IBC SECTION 2512.1.2.
3. EXTERIOR WALL COVERING: WESTERN 1-COAT STUCCO SYSTEM LC.B.O. #2899 (OR APPROVED EQUAL) O/ METAL LATH O/ FOAM BOARD O/ 2 LAYERS GRADE 'D' BUILDING PAPER. FINISH TO BE ELASTOMERIC PAINT.
4. STUCCO O/ FOAM TRIM.
5. ROOF TILE: CONC. ROOF TILE, PER CONTRACT, O/ (1) LAYER 30# FELT O/ 1/2" OSB BOARD ROOF SHEATHING - OR APPROVED EQUAL.
6. CHIMNEY & CAP @ FIREPLACE WHERE OCCURS, SEE DETAIL A/A3.0. TOP OF CAP TO BE 2'-0" ABOVE ANY PORTION OF THE BUILDING WITHIN A 10'-0" RADIUS PER IRC R1003.5.
7. ADDRESS LIGHT - SEE GENERAL NOTES FOR REQUIREMENTS.

SYMBOL	MATERIAL	COLOR SCHEME 1	COLOR SCHEME 2
A	ROOF TILE	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #413	MFG: EAGLE ROOFING PROD. SPEC: MALIBU #449
B	PAINT BODY	MFG: GLIDDEN SPEC: SPA BLUE #70BG 40/030	MFG: GLIDDEN SPEC: IVORY SAMPLER 30YY 56/178
C	PAINT ACCENT	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 76/112	MFG: GLIDDEN SPEC: LIGHT NAVAJO 40YY 76/112

SUP-4918

09-09-04 PC

REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO THE ARCHITECT PRIOR TO COMMENCING WORK. READ ALL DIMENSIONS AND NOTES THROUGHOUT THE PLANS AND DO NOT SCALE DRAWINGS. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE OR CENTERLINE OF COLUMN UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE ARCHITECT.

Building the American Dream
7550 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129
(702) 277-3290 - (702) 870-4818 (FAX)

EXTERIOR ELEVATIONS

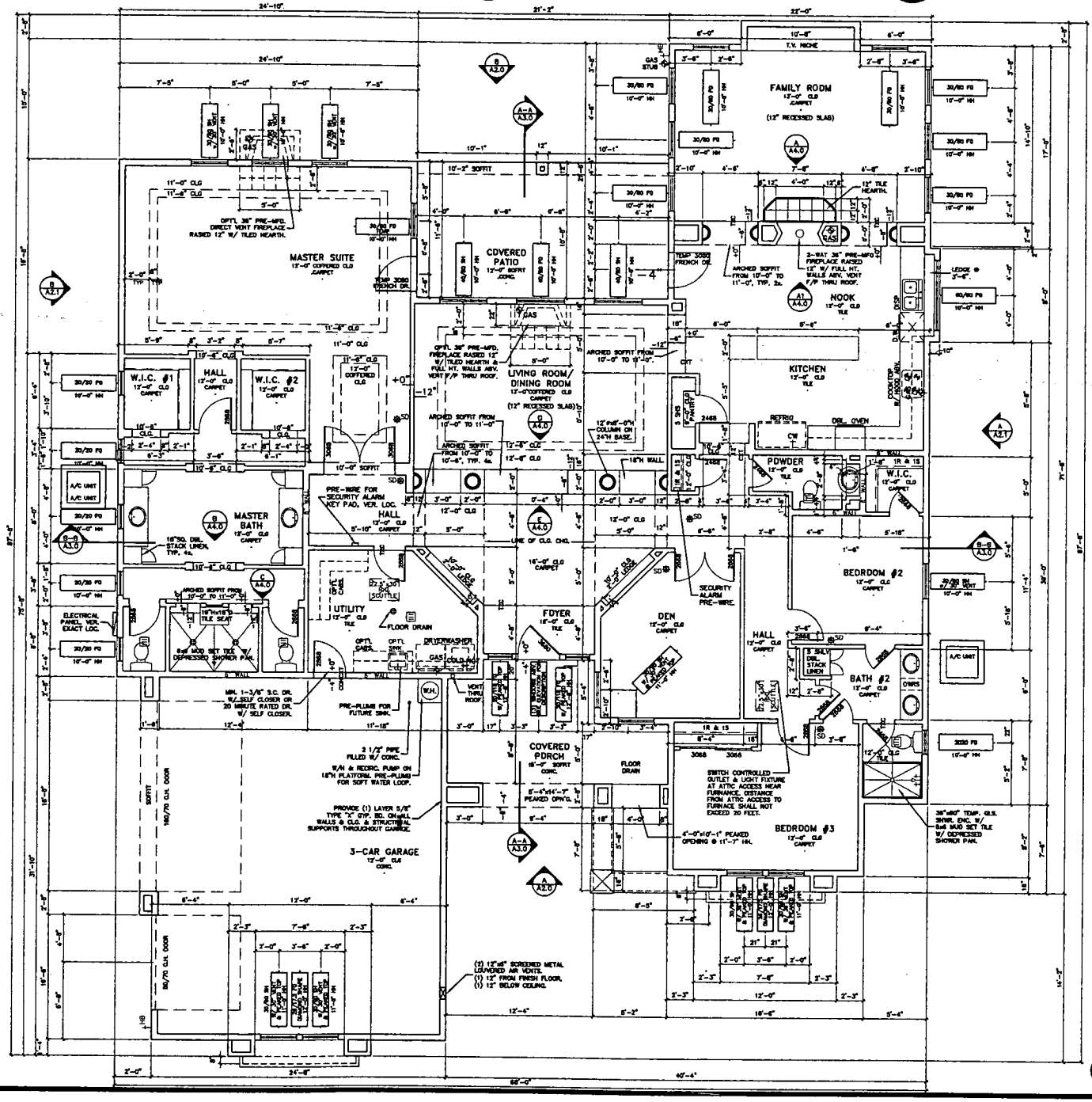
PARK RANCH ESTATES - PLAN 3294
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL, WEST OF BUFFALO
LAS VEGAS, NEVADA

DESIGNED BY: EBL
DRAWN BY: EC
CHECKED BY: RD
DATE ISSUED: 6/1/04
JOB NUMBER: 2003-1001
SCALE: 1/4" = 1'-0"

THESE PLANS ARE PREPARED & ISSUED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 623.350 FOR WORK UNDER THE AUTHORIZED UNDER NRS 624. "BUILDING THE AMERICAN DREAM CORPORATION" BUILDERS INCL. # 0067611 WAS PREPARED BY: RAY DESJARDINS

© 2003 COPYRIGHT - BUILDING THE AMERICAN DREAM CORP.

SHEET # A2.1
PLAN 3294



GENERAL NOTES

ALSO SEE SHEET A0.0 FOR ADDITIONAL GENERAL NOTES AND PLAN REQUIREMENTS.

A. SHIPLAPPED CORNER BEAD AT ALL (INTERIOR) OUTSIDE CORNERS AND WINDOWS SURROUNDS.

B. ALL EXTERIOR DOORS AND WINDOWS TO BE STANDARD HEIGHT W/ STANDARD FRAME OPENINGS U.N.O. ON PLAN.

C. 1. FRONT ENTRY DOOR IS TO 8'-0" IN HEIGHT.
2. ALL OTHER DOORS ARE TO BE 6'-8" IN HEIGHT, U.N.O. ON PLANS OR CONTRACT.

D. WALL FRAMING – U.N.O.:
EXTERIOR WALLS – 2X6 AT 16" O.C.
INTERIOR WALLS: BEARING – 2X4 AT 16" O.C.
INTERIOR WALLS: NON-BRNG. – 2X4 AT 24" O.C.
INTERIOR WALLS: PLUMBING – 2X6 AT 24" O.C.

(SEE SOILS REPORT FOR DRAINAGE AND DAMP PROOFING REQUIREMENTS OF FOUNDATION WALLS BELOW GRADE AT INTERIOR USABLE SPACE.)

E. INSULATION – U.N.O.:
ROOF / CEILING – R30.
EXTERIOR WALLS – R19 BATT.
BETWEEN GARAGE & RESIDENCE – R13 BATT
GARAGE CEILING – R13 BATT.

F. VERIFY DIMENSIONS WITH PLUMBING FIXTURE MANUFACTURER FOR ACTUAL DRAIN LOCATIONS.

G. PROVIDE A CATWALK & WORKING PLATFORM AIR UNITS. PROVIDE A PERMANENT ELECTRICAL OUTLET AND SWITCHED LIGHT FIXTURE IN ATTIC AREAS AT HVAC EQUIPMENT THAT REQUIRE SERVICING. SWITCH TO BE LOCATED AT THE ACCESS OPENING.

H. ALL DIMENSIONS INDICATED ARE FROM/TO FACE OF STUD – U.N.O.

I. A DOOR STOOP IS REQUIRED AT ALL EXTERIOR DOORS. STOOP IS TO BE 0" WIDER THAN THE WIDTH OF THE DOOR OPENING, CENTERED ON DOOR) AND A MIN. OF 36" IN THE DIRECTION OF TRAVEL.

K. EXTERIOR DOORS SHALL BE PROVIDED WITH A SWITCHED LIGHT TO ILLUMINATE THE EXTERIOR EXIT LANDING.

L. THE DESIGN OF THE VAPOR BARRIER SHALL NOT CREATE CONDITIONS OF ACCELERATED DETERIORATION FROM MOISTURE CONDENSATION. IN ALL CEILINGS NOT VENTILATED TO ALLOW MOISTURE TO ESCAPE, AN APPROVED VAPOR RETARDER HAVING A MAX PERM RATING OF 1.0 WHEN TESTED IN ACCORDANCE WITH ASTM E96-80, SHALL BE USED ON THE WARM-IN-WINTER SIDE OF THE THERMAL INSULATION.

M. TWO LAYERS OF GRADE "D" PAPER ARE REQUIRED OVER OSB OR PLYWOOD AT ALL EXTERIOR WALLS PRIOR TO APPLICATION OF METAL LATH OR EPS BOARD. THIS APPLIES TO ANY WOOD BASED PRODUCT.

N. THE INTERIOR OF THE BUILDING SHALL BE SEPARATED FROM FOAM PLASTIC INSULATION BY USING BY USING AT LEAST THE MINIMUM REQUIRE-MENTS AS PRESCRIBED IN IRC R314.

P. ALL GUARDRAILS TO BE A MIN. OF 36" HIGH W/ INTERMEDIATE RAILS SPACED SUCH THAT A 4"ø SPHERE WILL NOT PASS THROUGH.

Q. TYPICAL RESIDENTIAL HANDRAIL AND STAIR NOTES:
1. TOP OF HANDRAIL SHALL BE 34–38" ABV. NOSING OF THE TREADS AND RETURNED TO WALL OR POST.
2. PROVIDE MIN. 1.5" BETWEEN WALL AND HANDRAIL.
3. SHAPE OF HANDGRIP PORTION MIN. 1.25" & MAX. 2.0".
4. MINIMUM STAIR RUN = 9"
5. MAXIMUM STAIR RISE = 8"
6. MAXIMUM VARIATION ALLOWED FOR RISE OR RUN IS 3/8".
7. MIN. 6'-8" HEADROOM IS REQUIRED.
8. SEE IRC SECTION R311.5 AND LOCAL AMENDMENTS FOR MORE INFORMATION.

R. ESCAPE OR RESCUE WINDOWS SHALL HAVE A MIN. NET CLR. OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLR. OPENABLE DIM. SHALL BE 24" IN HT. AND 20" IN WIDTH. WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE OR RESCUE, THEY SHALL HAVE A FINISHED SILL HT. NOT MORE THAN 44" ABOVE THE FLR.

S. FUEL-BURNING CLOTHES DRYERS LOCATED IN A CLOSET SHALL BE PROVIDED A MINIMUM OPENING OF 100 SQUARE INCHES FOR MAKE-UP AIR IN THE DOOR OR BY OTHER APPROVED MEANS.

T. ANY PERSON WHO INSTALLS A MANUFACTURED FIRE PLACE INTO ANY DWELLING UNIT MUST SCHEDULE A PETITION OF APPEAL AND MEET W/ THE BUILDING OFFICIAL PRIOR TO INSTALLATION OF THAT FIREPLACE. FACTORY-BUILT FIREPLACES AND CHIMNEYS AND THEIR INSTALLATION SHALL COMPLY WITH IRC CHAPTER AND 61802, INCLUDING LOCAL AMENDMENTS. A GAS OR WOOD-BURNING FIREPLACE SHALL BE PROVIDED WITH: (a) A SOLID DOOR; (b) AN UNOBSTRUCTED FRESH AIR SUPPLY DIRECTLY FROM THE EXTERIOR OF THE STRUCTURE TO THE FIRE BOX IF LOCATED IN A SLEEPING ROOM OR AN ADJACENT BATHROOM.

SQUARE FOOTAGES

LIVING AREA	3,294 S.F.
BASEMENT LIVING AREA	3,045 S.F.
COVERED PORCH	190 S.F.
COVERED PATIO	243 S.F.
GARAGE AREA	750 S.F.
FRAMING	4,551 S.F.
SLAB AREA	4,115 S.F.
OVERALL WIDTH	68'-0"
OVERALL DEPTH	87'-8"

SUP-4918
09-09-04 PC

1 A1.0 **FLOOR PLAN**
SCALE: 1/4" = 1'-0"

REV.	DATE	BY:	REVISION:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS TO WPB PRIOR TO COMMENCING WORK. THESE PLANS ARE NOT TO BE SCALED. ANY DIMENSIONS NOT SHOWN SHALL BE STRICTLY ADHERED TO. ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO WPB IMMEDIATELY. THESE PLANS ARE NOT TO BE CONSIDERED PRELIMINARY AND USED AS SUCH. ALL DIMENSIONS AND DETAILS SHALL BE CONSIDERED FINAL. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AS SUCH. ALL DIMENSIONS AND DETAILS SHALL BE CONSIDERED FINAL. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AS SUCH. ALL DIMENSIONS AND DETAILS SHALL BE CONSIDERED FINAL. THESE PLANS ARE TO BE CONSIDERED PRELIMINARY AND USED AS SUCH. ALL DIMENSIONS AND DETAILS SHALL BE CONSIDERED FINAL.

Building the American Dream
7550 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129
(702) 277-3290 – (702) 870-4818 (FAX)

FLOOR PLAN

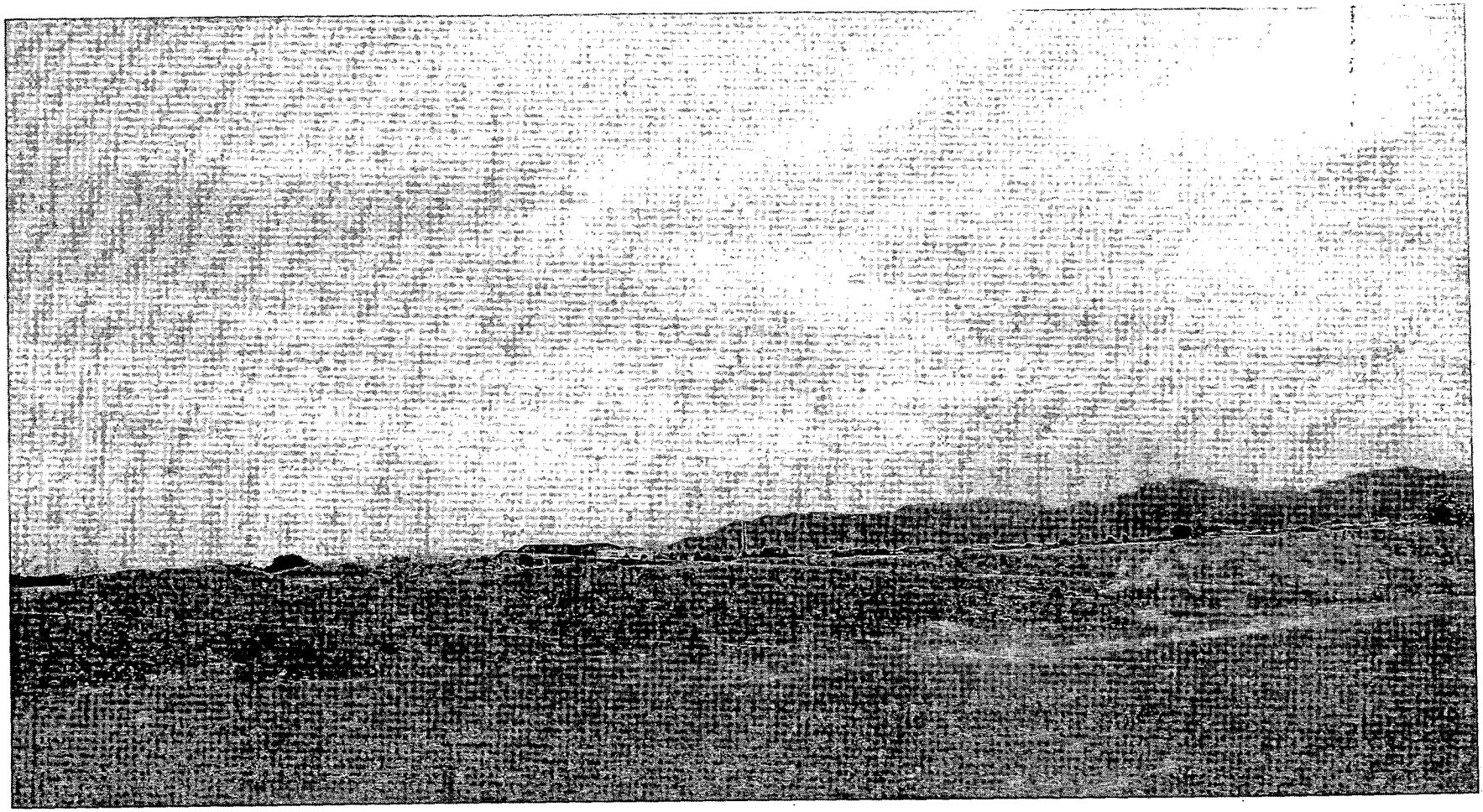
PARK RANCH ESTATES - PLAN 3294
NORTHWEST LAS VEGAS VALLEY
NORTH OF RACEL, WEST OF BUFFALO
LAS VEGAS, NEVADA

DESIGNED BY: EBL
DRAWN BY: EC
CHECKED BY: RD
DATE ISSUED: 6/1/04
JOB NUMBER: 2003-1001
SCALE: 1/4" = 1'-0"

THESE PLANS ARE PREPARED & SUBMITTED BY THE CONTRACTOR AS AN EXEMPTION TO NRS 624.330(2)(a) FOR WORK PERFORMED BY THE CONTRACTORS LICENSE CATEGORY AUTHORIZED UNDER NRS 624. CONTRACTOR: THE BUILDERS HOUSE, LLC. LICENSE #0056211 PLANS PREPARED BY: RAY DESJARDINS

© 2003 COPYRIGHT – BUILDING THE AMERICAN DREAM CORP.

SHEET #
A1.0
PLAN 3294



SUP-4918 - APPLICANT/OWNER: COKE MAGGIE, LIMITED LIABILITY COMPANY
THE SOUTHWEST CORNER OF COKE STREET AND HORSE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

08/17/04

10/6/04

RECEIVED
CITY CLERK

2004 OCT -6 A 10:34

TO whom it May Concern!

Regarding item # 120 of todays agenda (SUP 4918). We respectfully request that this item be table until the Next meeting as an offer to purchase this ~~PS~~ subject property is before us.

Thank you for your consideration.

David Koerber
Representing the applicant.

Submitted after final agenda

Date 10/6/04 Item #120

City of Las Vegas

Agenda Item No. 121

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-4609 - PUBLIC HEARING - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO - Request to Amend the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL) on 0.43 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road (APN 125-27-201-004 and 005), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote; therefore the recommendation is for DENIAL. Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote; therefore the recommendation is for DENIAL. Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Back up referenced from the 9/9/2004 Planning Commission meeting Item 12

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 121 [GPA-4609], Item 122 [VAR-4671] and Item 123 [SDR-4606].

LUCY STEWART, 856 West Sahara Avenue, appeared with DAVID MASON, and DAVID SURRUTI, representing the manufacturer of the equipment on this site. She indicated that this property was zoned C-2 long before homes were built in the area. There are residences to the east, apartments to the south and a tavern and gas station to the north . The landscape Variance is being requested because the parking encroaches into the landscape area, but they intend to maintain the same amount of landscaping. There will be a mixture of trees, shrubs, and ground cover and more intense landscaping will be provided adjacent to the homes.

MS. STEWART added that the trash enclosure is within 15 feet of the residents; however, it is enclosed in the building itself. It has walls on all three sides with a gate and roof. Since it will be difficult for the trash truck to come in and pick it up, the trash receptacle will be on wheels and brought out and away from the residents for trash pickup and then brought back into the enclosure. In addition, they have a reduction in the adjacency requirements because of a second floor. They intend to do offices on the

MINUTES - Continued:

second story, and, in order to comply with Residential Adjacency Requirements, they intend to have no windows on the second story facing the residences. Extensive landscaping will be done separating the wall, and the height of the wall adjacent to the residents will be increased if the residents require. In addition, they agree to landscape a vacant lot adjacent to Ranch House Road at the time landscaping is done on their sites. The homeowners association owns the vacant lot. They agree to install gates across the driveway so that people cannot go into the site once the facility is closed. An attendant will be on site at all times during business hours. The applicant will work with the homeowners association with regard to landscaping along Sky Pointe Drive because they were concerned about visibility on Ranch House Road and Sky Pointe Drive.

DAVID MASON, 516 South Sixth Street, indicated that this project would be similar to the one completed a year ago on Charleston Boulevard and Rancho Drive. The proposed project sits on property that was zoned before any residential homes were built. The biggest concerns come from three homeowners directly adjacent to the proposed project. The rest of the neighborhood seems receptive to the project. The trees will be the same height as the building. To mitigate the noise level, state of the art equipment will be used. The only equipment outside of the building will be the vacuum, which will be one of the most quiet in the industry. They agree to build a perimeter wall around it to further buffer the noise.

COUNCILMAN MACK thanked the applicant for their cooperation. He pointed out that the residents' concern regarding the second story would be mitigated by not having windows on the second story. In addition, the two-story height will be a deterrent to the noise. He also thanked the applicant for keeping the integrity of the architectural plan. He questioned the issue of the trash location and expressed concern that it might be too close to the residents. He does not feel comfortable having the trash truck closer to the neighbors. He asked that the applicant work administratively with staff to find a suitable location. MS. STEWART agreed to work with staff to address that issue. COUNCILMAN MACK confirmed with MS. STEWART that the hours of operation will be 7:00 a.m. to 8:00 p.m. during the week and 8:00 a.m. to 8:00 p.m. on the weekends. He confirmed with MR. MASON that the height of the wall would be raised depending on the footing. In addition, he asked that the applicant work with the homeowners association and staff regarding the landscaping on the northern boundary. MR. MASON pointed out that they would provide the landscaping, but it would be maintained by the homeowners association.

COUNCILMAN MACK was pleased that a quiet vacuum system would be used, but expressed concern about the wall surrounding the vacuum, as it might amplify the noise. MR. SURRATI described the components that make the vacuum quiet. It was confirmed the masonry enclosure would help reduce the noise.

COUNCILMAN BROWN clarified with MS. STEWART that regardless of what will be done to the wall, the minimum height on the applicant's side of the property would be at least six feet high. The neighbors' side would be two to three feet lower. MAYOR GOODMAN expressed his appreciation towards the applicant for following through with his commitments. ROBERT GENZER, Director, Planning and Development, explained that the wall could be raised to eight feet measured from whichever side has the higher finished elevation.

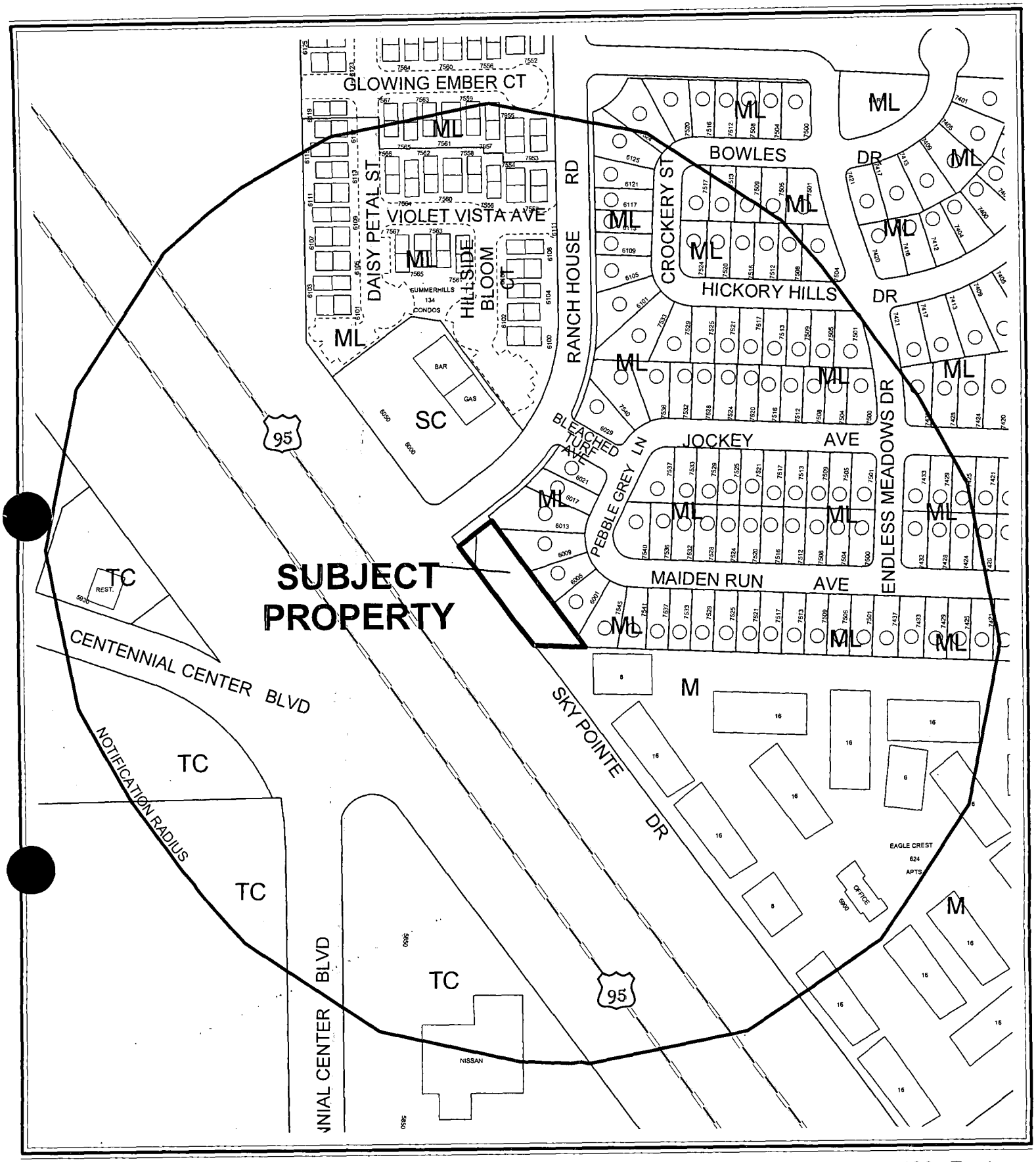
MINUTES - Continued:

MAYOR GOODMAN noted that he resides around the corner from a previous project developed by the applicant, and he is pleased with the landscaping and the exterior of the building.

MR. GENZER suggested that Condition 11 regarding the height of the wall be amended to reflect the maximum height of eight feet. He also suggested that Condition 14 be deleted since a condition was added by COUNCILMAN MACK to address the trash enclosure. However, DEPUTY CITY ATTORNEY BRYAN SCOTT advised to have the condition remain and for staff to work with the applicant as to where the fital resting place for the trash enclosure will be. MR. GENZER agreed.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 121 [GPA-4609], Item 122 [VAR-4671] and Item 123 [SDR-4606].
(3:15 - 3:40)
4-1434



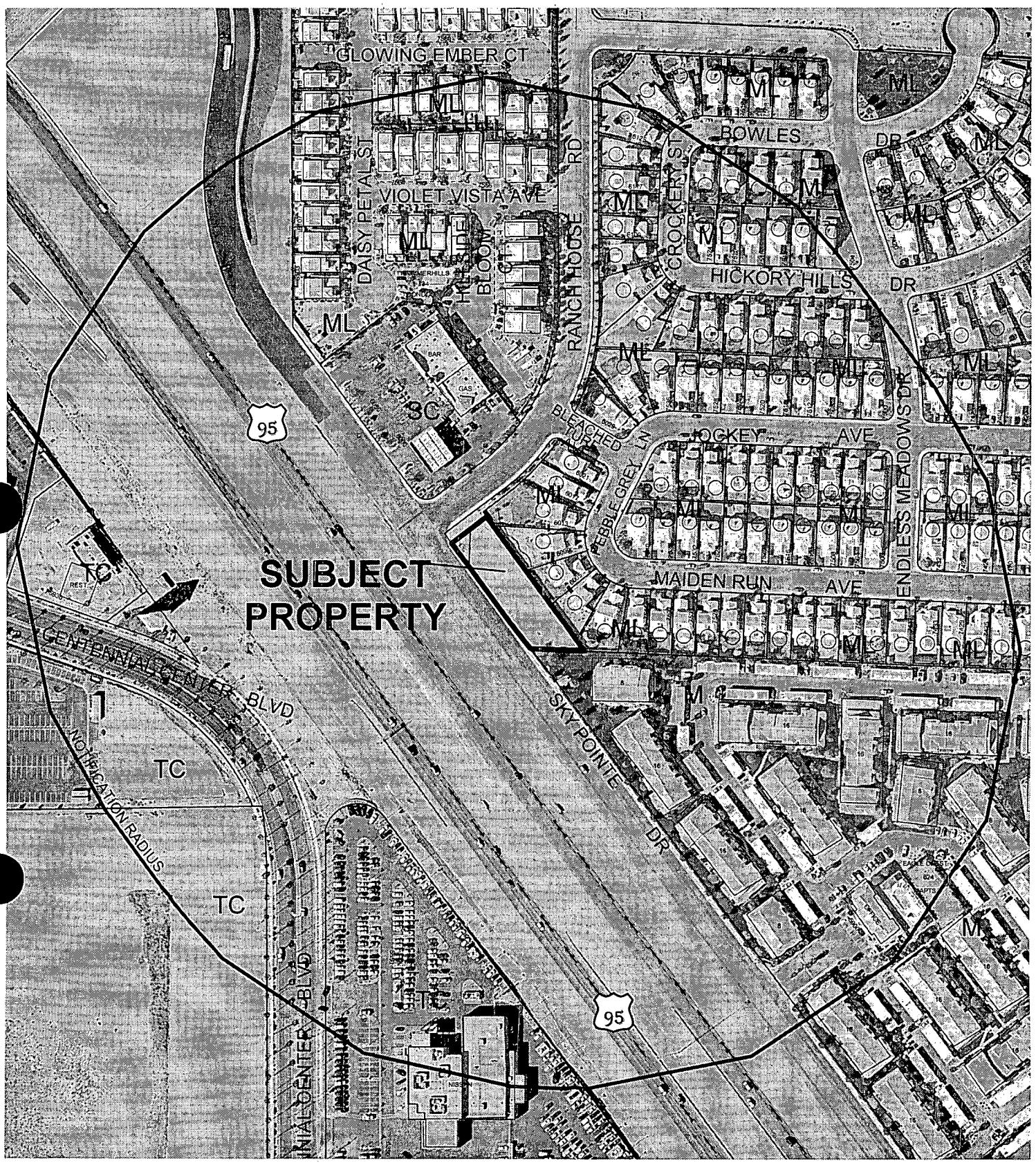
0 200 400 Feet

CASE: **GPA-4609**

RADIUS: 750 FT

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

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



0 200 400 Feet

CASE: **GPA-4609**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4609 - APPLICANT: H&GG, LMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO

** CONDITIONS **

The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote; therefore the recommendation is for DENIAL. Staff recommends DENIAL.

** 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 Sky Pointe Drive and Ranch House Road from ML (Medium Low Density Residential) to GC (General Commercial).

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 Low, Medium-Low and Medium Density Residential land uses with a maximum density of 20 dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject properties were designated for ML (Medium-Low Density Residential) land uses with a maximum density of 8 units per acre.
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.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developed Area as described in the Plan.
02/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for ML (Medium-Low Density Residential) land uses with a maximum density of 8 units per acre.
07/22/04	The Planning Commission held this item in abeyance to the 09/09/04 PC Meeting to allow the applicant time to revise the site plan and meet with the neighbors.
09/09/04	The Planning Commission recommended approval of related items SDR-4606 and VAR-4671 as part of this agenda.
09/09/04	The Planning Commission voted 4-2 (on a motion for approval) failed to obtain a super majority; therefore their recommendation is for DENIAL (PC Agenda Item #12/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 0.42 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Single Family Dwellings
South	U.S. 95
East	Single Family Dwellings
West	U.S. 95

PLANNED LAND USE

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium Low Density Residential)
South	ROW (Right-of-way)
East	ML (Medium Low Density Residential)
West	ROW (Right-of-way)

EXISTING ZONING

Subject Property	C-2 (General Commercial)
North	R-PD7 (Residential Planned Development - 7 Units Per Acre)
South	ROW (Right-of-way)
East	R-PD7 (Residential Planned Development - 7 Units Per Acre)
West	ROW (Right-of-way)

E) General Plan Compliance: Centennial Hills General Plan

The Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan designated this site for ML (Medium Low Density Residential) land uses, which allow up to 8 units per acre. A General Plan Amendment application has been submitted to request the GC (General Commercial) designation on this site. If that request is approved, the land use will be consistent with the current zoning of the parcel.

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

There are no special area plans or districts that pertain to this request.

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.

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

ANALYSIS

The GC (General Commercial) designation, and the associated zoning districts that it supports, is intended to allow retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Because the subject parcel is adjacent to residential uses on two sides, with no significant transition between the two land uses, the request cannot be supported.

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.**

   The intensity of the proposed land use is not compatible with the residential development to the north and east.

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

   The C-2 (General Commercial) zoning district that would be supported by this request would not be compatible with the adjacent R-PD7 (Residential Planned Development – 7 Units Per Acre) 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.**

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

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

   This application does not comply with 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."

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/27/04 Twelve people attended and had the following concerns:

- Vacuum noise
- Car stereo noise
- Car wash noise
- Traffic
- Lighting
- Kids from apartments hanging out late at night behind car wash and potentially vandalizing homes
- If built, please make wall 10', and increase landscape buffer along property line that is shared with homes
- Safety of children walking along Sky Pointe to bus stop on Ranch House Rd
- Property is poorly maintained as vacant lot
- Property is too narrow, car wash patrons will crash into landscaping and walls
- Will there be a full time attendant? Yes, during hours of operation (around 8am to 8pm)
- City has been derelict in responding to numerous complaints about noise and traffic from bar on corner of Ranch House Rd and Sky Pointe
- Music and lights from gas station are constant nuisance at night

PLANNING COMMISSION ACTION

There were 2 speakers in opposition to this project at Planning Commission.

NOTICES MAILED: 228 by Planning Department

APPROVALS: 0

PROTESTS: 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4609 APN: 125-27-004, 4-005

Name of Property Owner: H5 GG LIMITED PARTNERSHIP

Name of Applicant: SHAGS CAR WASH

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: James Shoughro

Print Name: JAMES SHOUGHRO

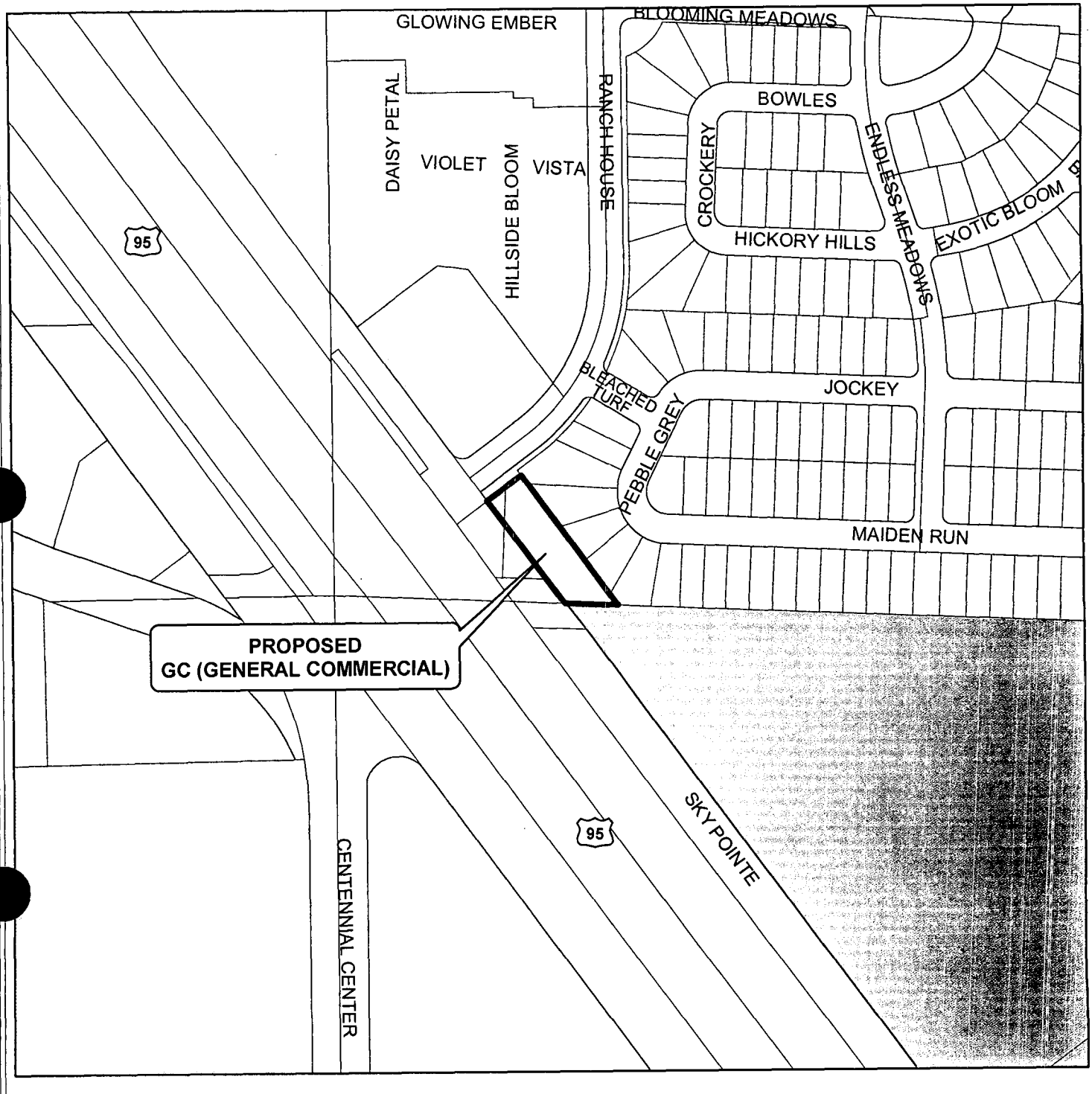
Subscribed and sworn before me

This 8TH day of JUNE, 2004

Notary Public in and for said County and State

MICHAEL R. BODAK
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 94-3084-1
EXPIRES JULY 7, 2006

125-27-201-004 & 125-27-201-005



General Plan

- Medium - Low
- Medium
- Service Commercial
- Town Center

0 210 420 840 Fee

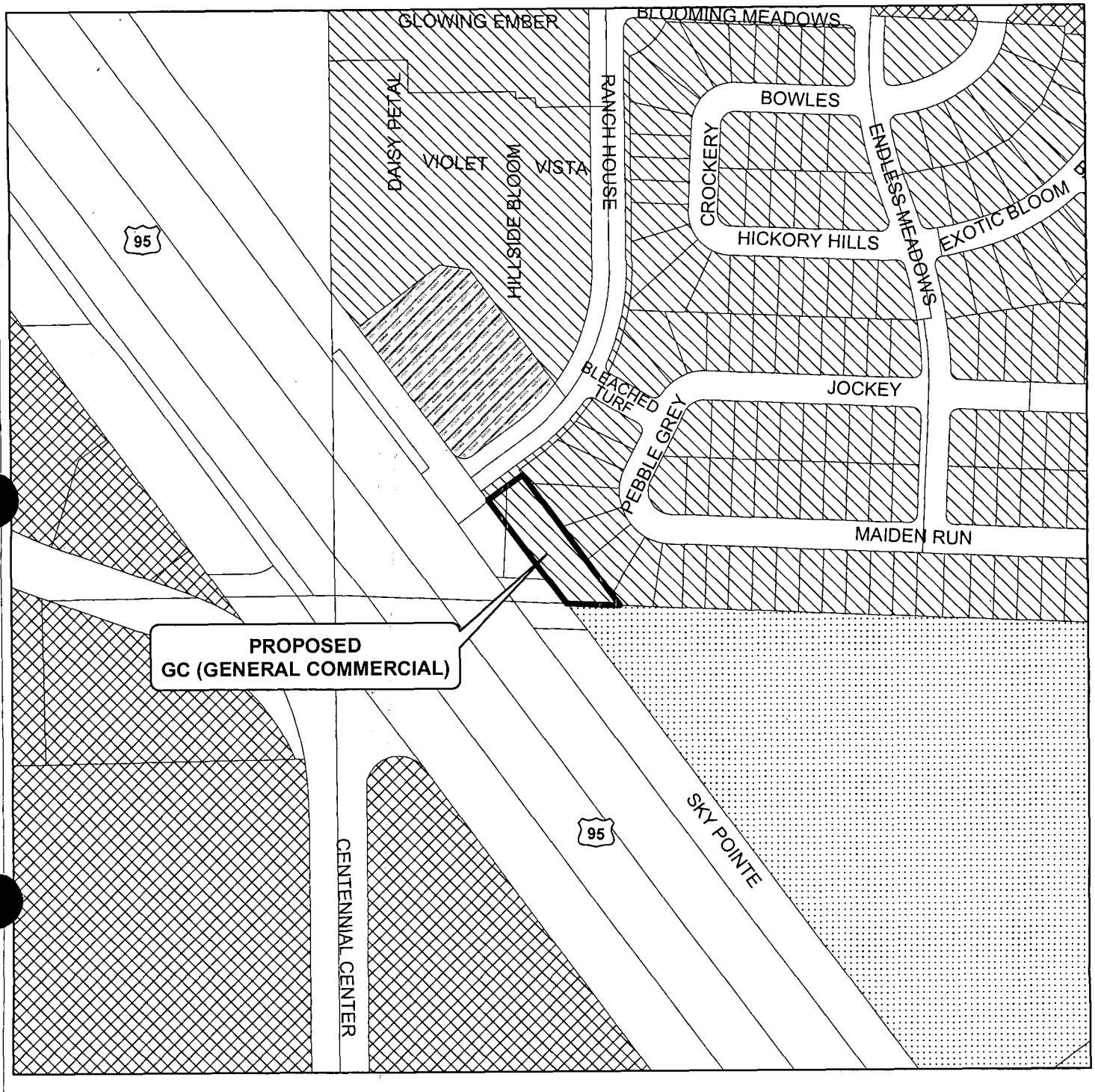
SUBJECT PROPERTY

Created by: planningeis.mxd on Jun 25 2004

Due to continuous development activity this map is for reference only.

N

125-27-201-004 & 125-27-201-005



General Plan

- Medium - Low
- Medium
- Service Commercial
- Town Center

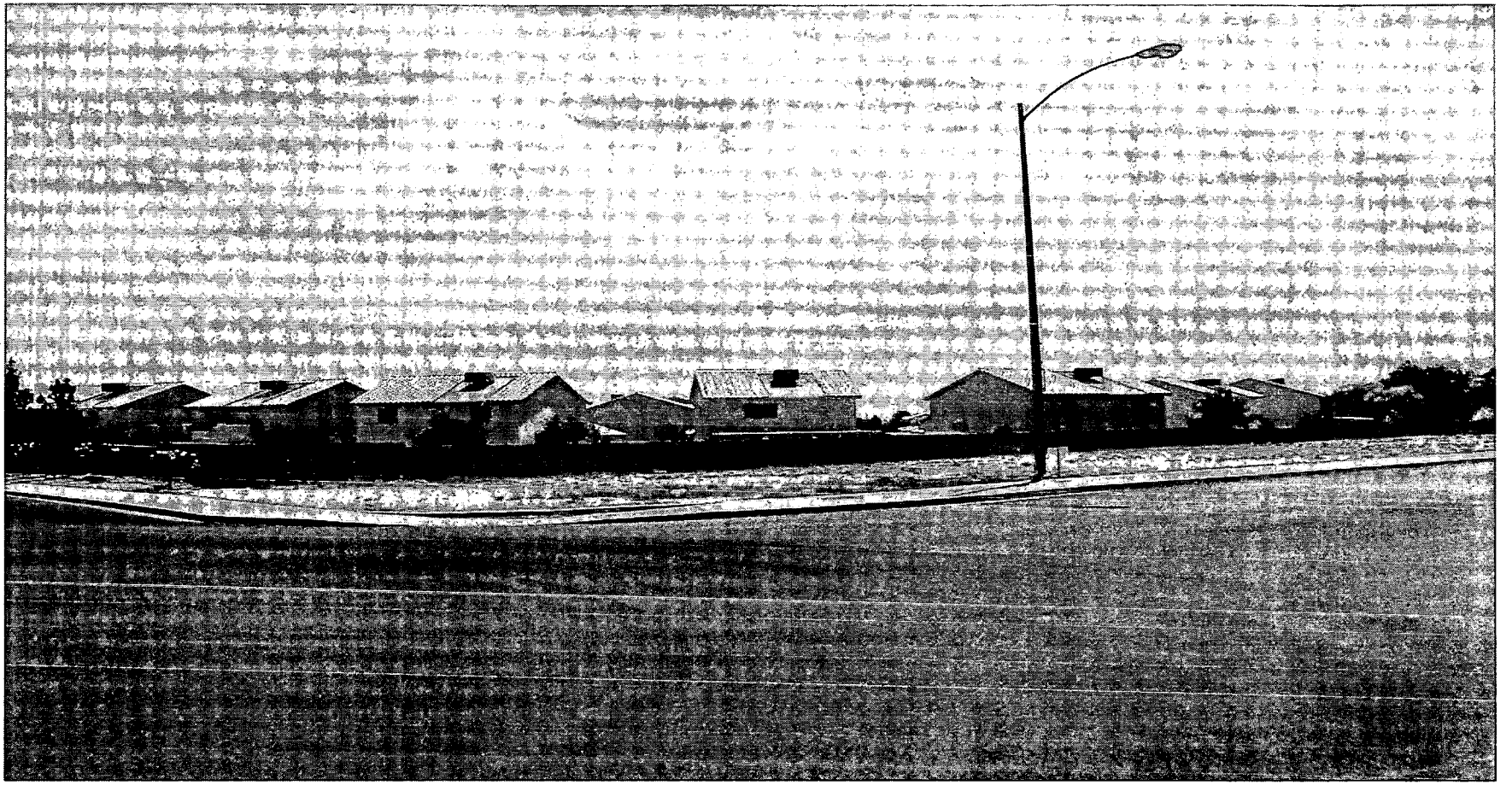
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SUBJECT PROPERTY

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Created by: planningeis.mxd on Jun 25 2004

Due to continuous development activity
this map is for reference only.



GPA-4609 - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO
THE NORTHEAST CORNER OF SKY POINTE DRIVE AND RANCH HOUSE ROAD
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

July 19th, 04

TO: Planning Commission

RE: GPA-4609

This property should be bought by the City and used for a small PARK. It is the right size for a play ground, Basketball court + Picnic AREA. There are no parks in this AREA close for the people to use

I object to a CAR wash being allowed on this small property

Michael Goodwiller
6105 Hillside Bloom Ct #101
LV, NV. 89130

GPA-4609
P

City of Las Vegas

Agenda Item No. 122

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO GPA-4609

VAR-4671 - PUBLIC HEARING - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO - Request for a Variance TO ALLOW A REAR SETBACK OF 28.9 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 84.75 FEET IN CONJUNCTION WITH A PROPOSED SELF-SERVICE CAR WASH AND PET WASH on 0.43 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road (APN 125-27-201-004 and 005), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) 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 M. Jones
5. Back up referenced from the 9/9/2004 Planning Commission meeting Item 13

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

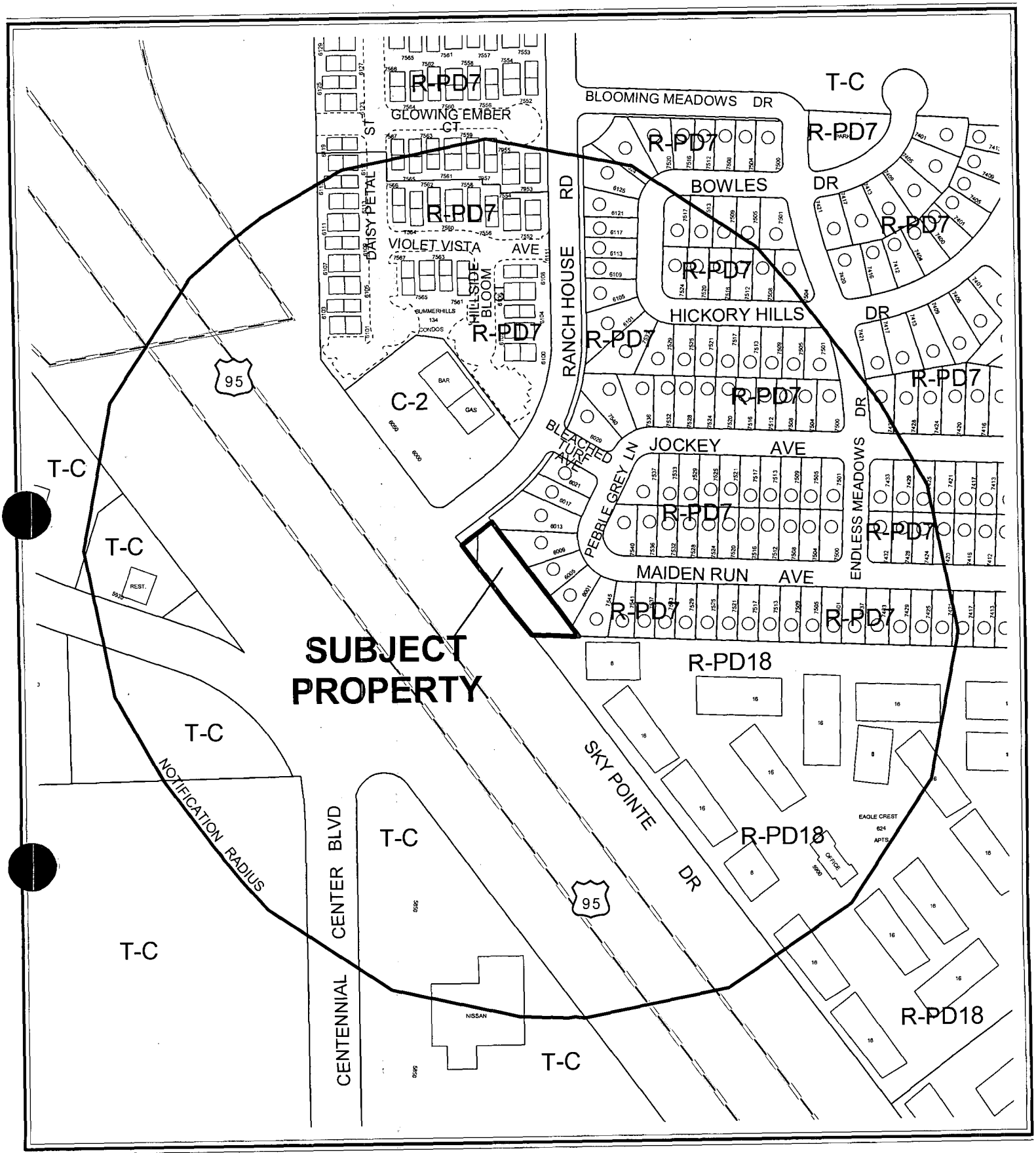
NOTE: See Item 121 [GPA-4609] for all related discussion.
(3:15 - 3:40)
4-1434

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4606).

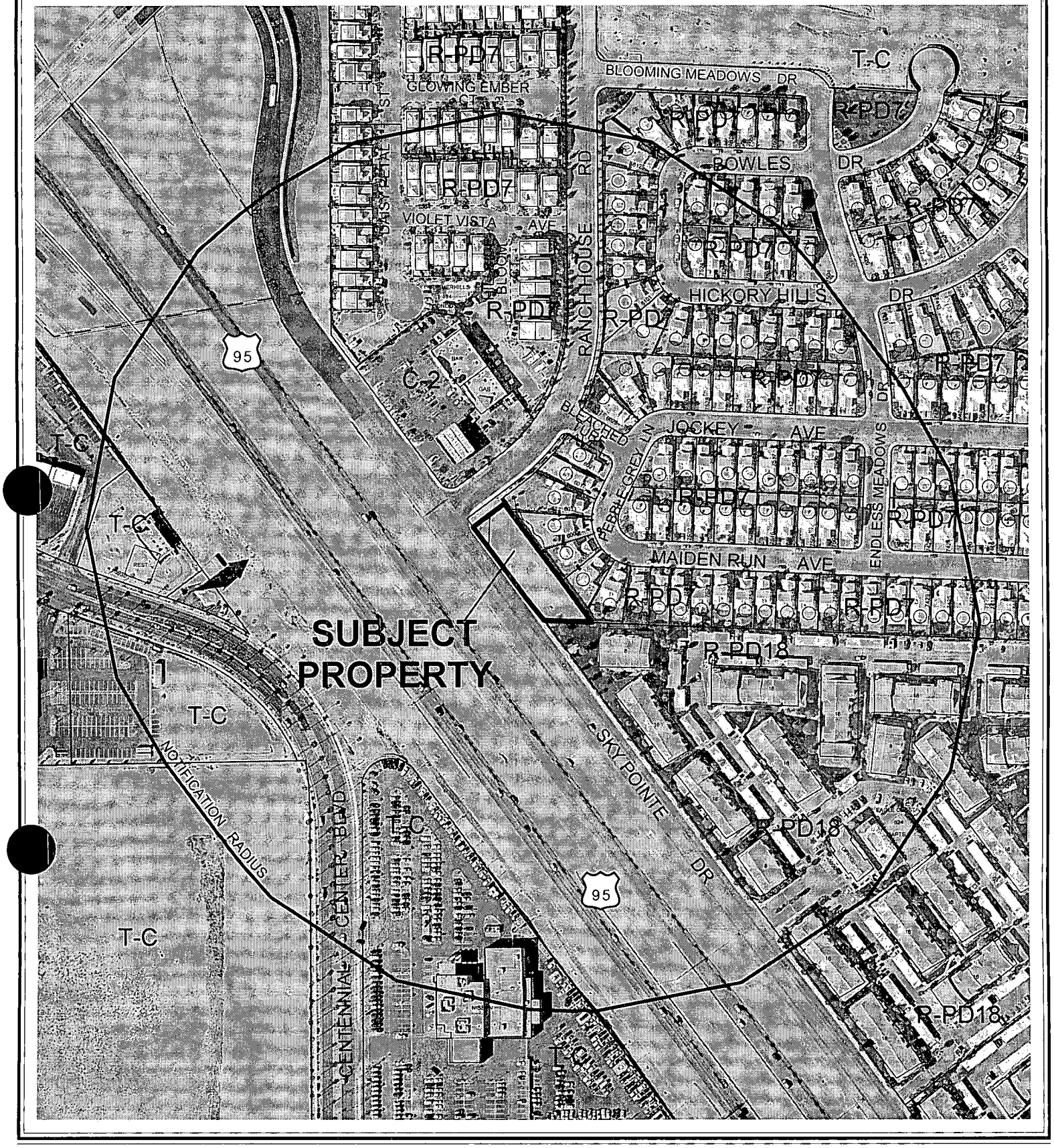
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-4671**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **VAR-4671**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4671 - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4606).

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self-serve car wash and pet wash on 0.42 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road.

B) Applicant's Justification

The applicant has provided no justification for this request.

BACKGROUND INFORMATION

A) Previous Actions

07/22/04 The Planning Commission held this item in abeyance to the 09/09/04 PC Meeting to allow the applicant time to redesign the site plan and allow the new representative to meet with the neighbors.

09/09/04 The Planning Commission recommended approval of a related item SDR-4606 and failed to obtain a super majority on a motion for approval, therefore the recommendation is for denial of a related General Plan Amendment (GPA-4609) as part of this agenda.

09/09/04 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #13).

B) Pre-Application Meeting

05/17/04 The applicant was informed that a landscape waiver and a waiver for the trash enclosure location would be required.

C) Neighborhood Meetings

06/23/04 Twelve people attended and had these concerns:

- Vacuum, Car, Wash noise
- Traffic
- Lighting
- Kids from apartments hanging out late at night behind car wash and potentially vandalizing homes.
- If built, please make wall 10', and increase landscape buffer along property line that is shared with homes.
- Safety of children walking along Sky Pointe to bus stop on Ranch House Rd.
- Property is poorly maintained as vacant lot.

- Property is too narrow, car wash patrons will crash into landscaping and walls.
- Will there be a full time attendant? Yes, during hours of operation (around 8am to 8pm).
- Neighbors will be in force at PC meeting, are very angry, will fight any commercial development on site, are having a petition signed in opposition.
- City has been derelict in responding to numerous complaints about noise and traffic from bar on corner of Ranch House Rd and Sky Pointe.
- Music and lights from gas stations is constant nuisance at night.

DETAILS OF APPLICATION REQUEST

Site Area: 0.42 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Single Family Dwellings
South	U.S. 95
East	Single Family Dwellings
West	U.S. 95

PLANNED LAND USE

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium Low Density Residential)
South	ROW (Right-of-way)
East	ML (Medium Low Density Residential)
West	ROW (Right-of-way)

EXISTING ZONING

Subject Property	C-2 (General Commercial)
North	R-PD7 (Residential Planned Development - 7 Units Per Acre)
South	Right-of-way
East	R-PD7 (Residential Planned Development - 7 Units Per Acre)
West	Right-of-way

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

At the depicted height of 28.25 feet the building should be a minimum of 84.75 feet from the east property line, which is adjacent to single family development. This variance is to allow the building to be constructed 28.9 feet from that property line.

B) General Analysis and Discussion

The elevations depict a 28-foot high structure, which does not comply with the Residential Adjacency Standards and is not compatible with residential development to the east. Approval of this application would result in a development that is out of character with the area and too intense for the size of this parcel.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by attempting to overbuild the subject site with a commercial building that is higher than what the subject site can accommodate. Alternative building designs would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

The Planning Commission felt the project is appropriate for commercial development and inappropriate for residential.

NOTICES MAILED 230 by City Clerk

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4671** APN: 125-27-201-004, 1 5-005

Name of Property Owner: H & GG LIMITED PARTNERSHIP

Name of Applicant: SHAG'S CAR WASH

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: James Shughro

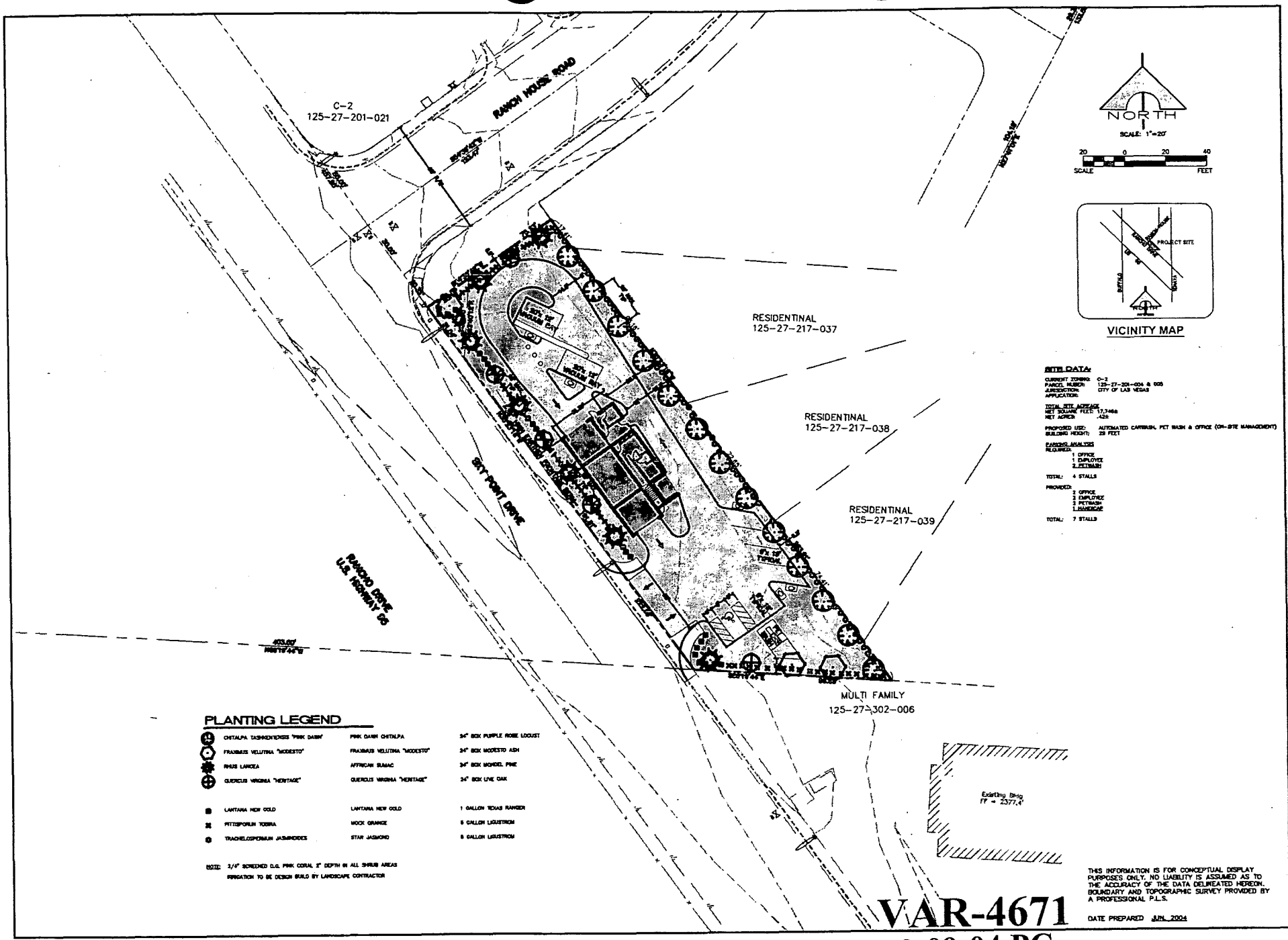
Print Name: JAMES SHUGHRO

Subscribed and sworn before me

This 15th day of June, 2004

Notary Public in and for said County and State

MICHAEL R. BODAK
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 94-3084-1
EXPIRES JULY 7, 2006



SITE DATA:

CURRENT ZONING: C-2
PARCEL NUMBER: 125-27-201-004 & 005
JURISDICTION: CITY OF LAS VEGAS
APPLICATION:

TOTAL SITE ACREAGE
NET SQUARE FEET: 17,746±
NET ACRES: .42±

PROPOSED USE: AUTOMATED CARWASH, PET WASH & OFFICE (ON-SITE MANAGEMENT)
BUILDING HEIGHT: 25 FEET

PARKING ANALYSIS
REQUIRED:
1 OFFICE
1 EMPLOYEE
2 PETWASH
TOTAL: 4 STALLS

PROVIDED:
2 OFFICE
2 EMPLOYEE
2 PETWASH
1 HANDICAP
TOTAL: 7 STALLS

PLANTING LEGEND

	CHITALPA TASHKENTENSIS "PINK DAWN"	PINK DAWN CHITALPA	24" BOX PURPLE ROBE LOCUST
	FRAXINUS VELUTINA "MODESTO"	FRAXINUS VELUTINA "MODESTO"	24" BOX MODESTO ASH
	RHUS LANCEA	AFRICAN SUMAC	24" BOX MONDEL PINE
	QUERCUS VIRGINIA "HERITAGE"	QUERCUS VIRGINIA "HERITAGE"	24" BOX LIVE OAK
	LANTANA NEW GOLD	LANTANA NEW GOLD	1 GALLON TEXAS RANGER
	PITTOSPORUM TOBIRA	MOCK ORANGE	5 GALLON LIGUSTRON
	TRACHELOSPERMUM JASMINOIDES	STAR JASMOND	5 GALLON LIGUSTRON

NOTE: 3/4" SCREENED D.G. PINK CORAL 3" DEPTH IN ALL SHRUB AREAS
IRRIGATION TO BE DESIGN BUILD BY LANDSCAPE CONTRACTOR

THIS INFORMATION IS FOR CONCEPTUAL DISPLAY PURPOSES ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON. BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY A PROFESSIONAL P.L.S.

DATE PREPARED JUN. 2004

VAR-4671
09-09-04 PC

REV'D	BY	DATE	DESCRIPTION	APPROVAL

OWNER / DEVELOPER
H GQ PROPERTIES
3119 CONNERS DRIVE
LAS VEGAS, NEVADA
(707) 815-1984
FAX (707) 864-4096

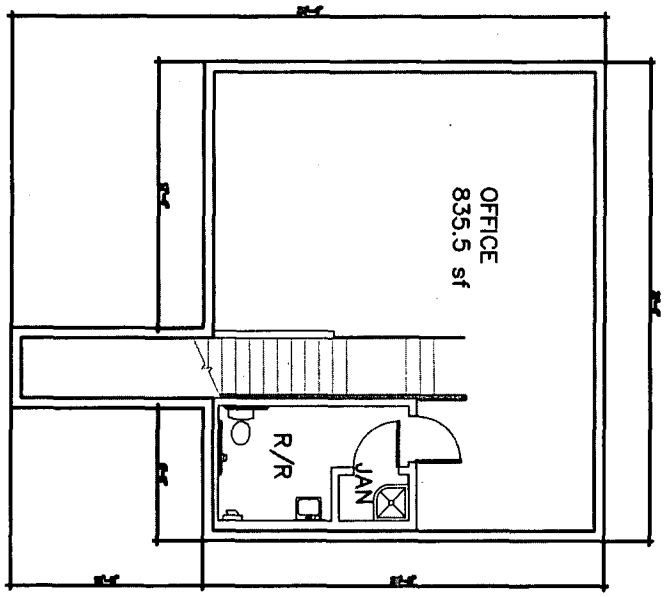
CHAD VELLINGA, P.E.
CIVIL ENGINEER L.L.C.
2311 S. RAINBOW, STE 148
LAS VEGAS, NV 89146
(702) 645-2900
FAX (702) 645-2901

PROJECT: SHAG'S CAR WASH

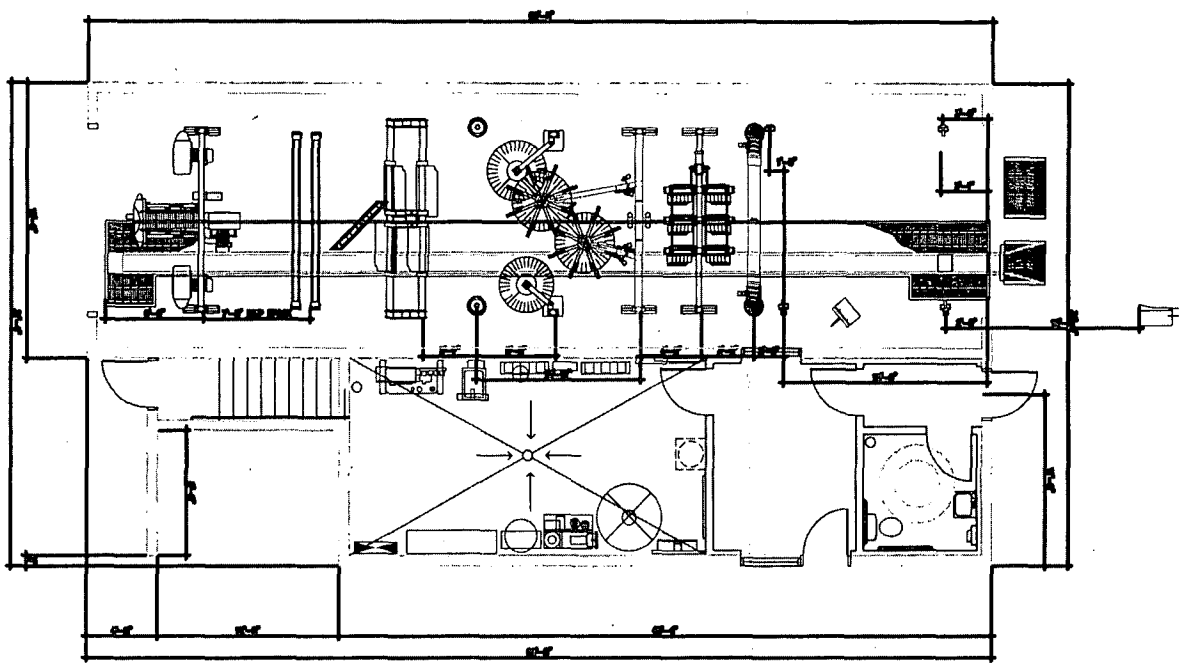
SHEET TITLE: SITE PLAN / LANSCAPE PLAN

SCALE: 1" = 20'
JOB NO.:
DRAWN BY: MRA
CHECKED BY: CCV
SHEET NO.: C1 OF C1
HTE

SECOND FLOOR



FIRST FLOOR



VAR-4671
09-09-04 PC

THE PLANS, IDEAS AND DESIGNS SHOWN HEREIN ARE THE PROPERTY OF CRYSTAL CLEAN AND DON PHILLIPS, AIA ARCHITECT AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PURPOSE FOR WHICH THEY WERE NOT INTENDED WITHOUT THE EXPRESS WRITTEN CONSENT OF BOTH CRYSTAL CLEAN AND DON PHILLIPS, AIA ARCHITECT. ALL PLANS HEREIN ARE COPYRIGHT PROTECTED © COPYRIGHT 2004

Automatic Car Wash
Plan for
Shag's Car Wash

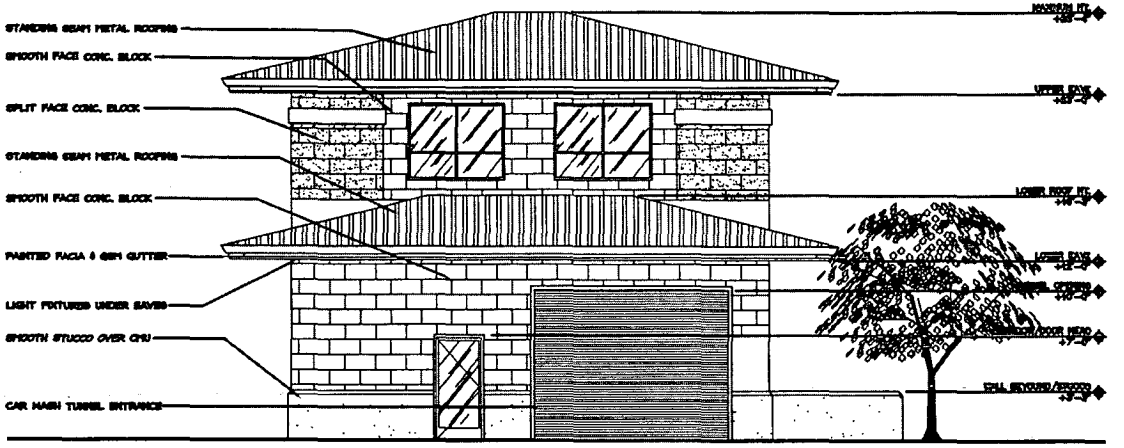
APN 125-27-201-004 & 005
Las Vegas, Nevada

PRELIMINARY
FLOOR PLANS

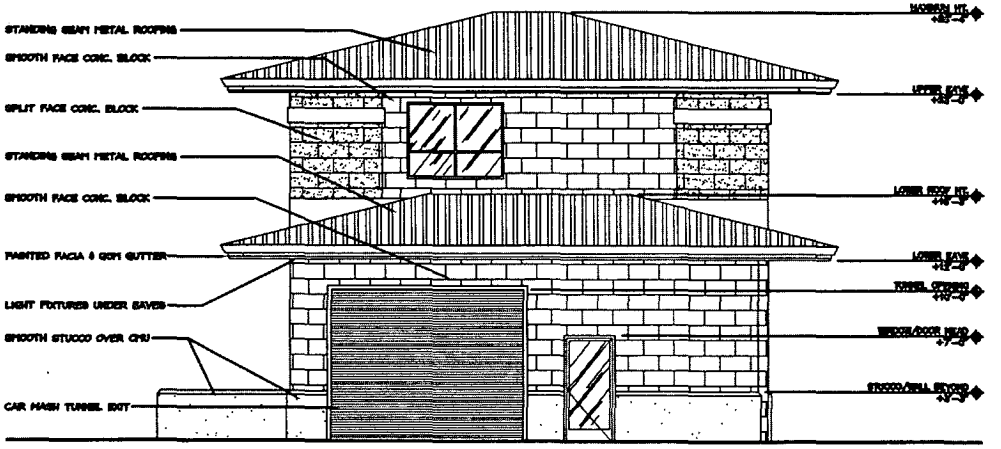
CRYSTAL CLEAN

DON PHILLIPS · AIA ARCHITECT
DONALD W. PHILLIPS AIA

PF1
1/8"
dwg
2402-1013
1-13-04



NORTH-WEST ELEVATION



SOUTH-EAST ELEVATION

VAR-4671
09-09-04 PC

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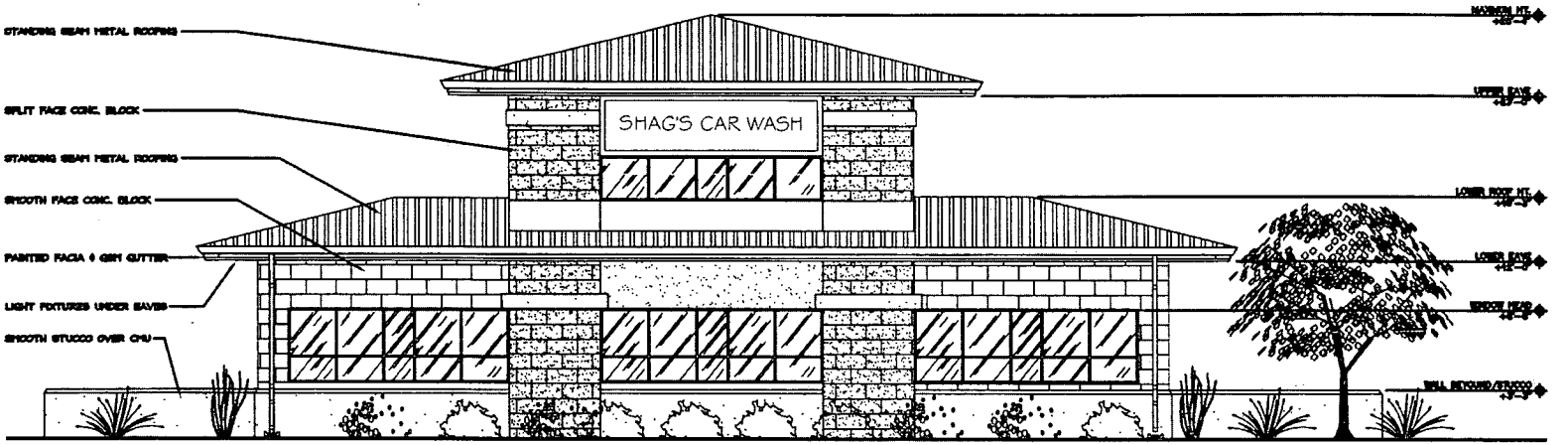
DON PHILLIPS - AIA ARCHITECT

CRYSTAL CLEAN

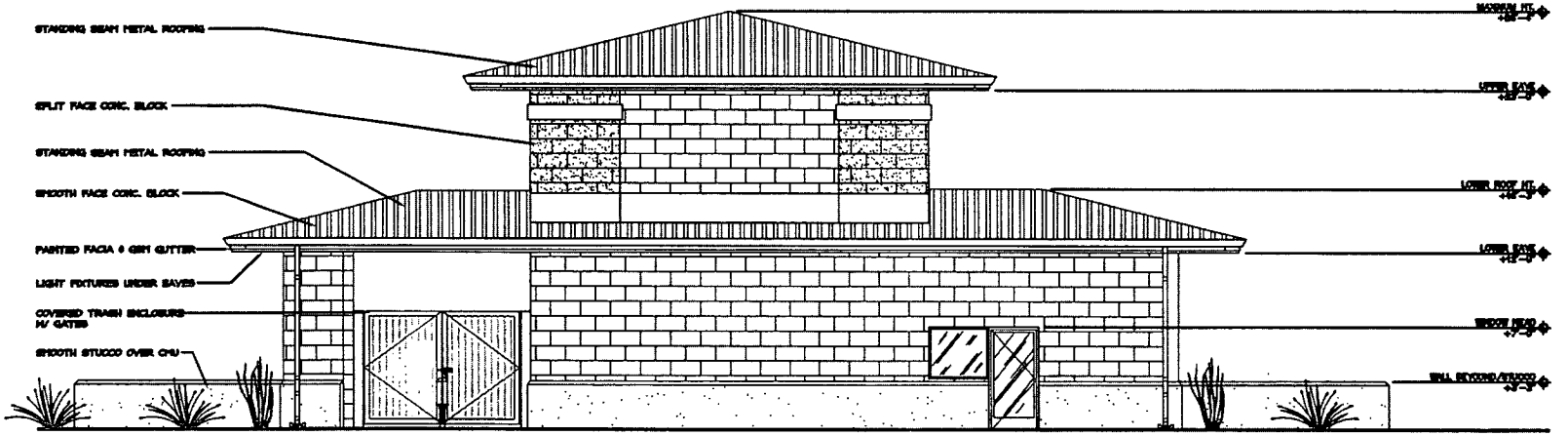
PRELIMINARY
ELEVATIONS

Automatic Car Wash
Plan for
Bing's Car Wash
APN 125-27-201-004 & 005
Las Vegas, Nevada

1-13-04
1/4"=1'-0"
dwp
2403-1013
PE2



SOUTH-WEST ELEVATION



NORTH-EAST ELEVATION

VAR-4671

09-09-04 PC

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DON PHILLIPS - AIA ARCHITECT

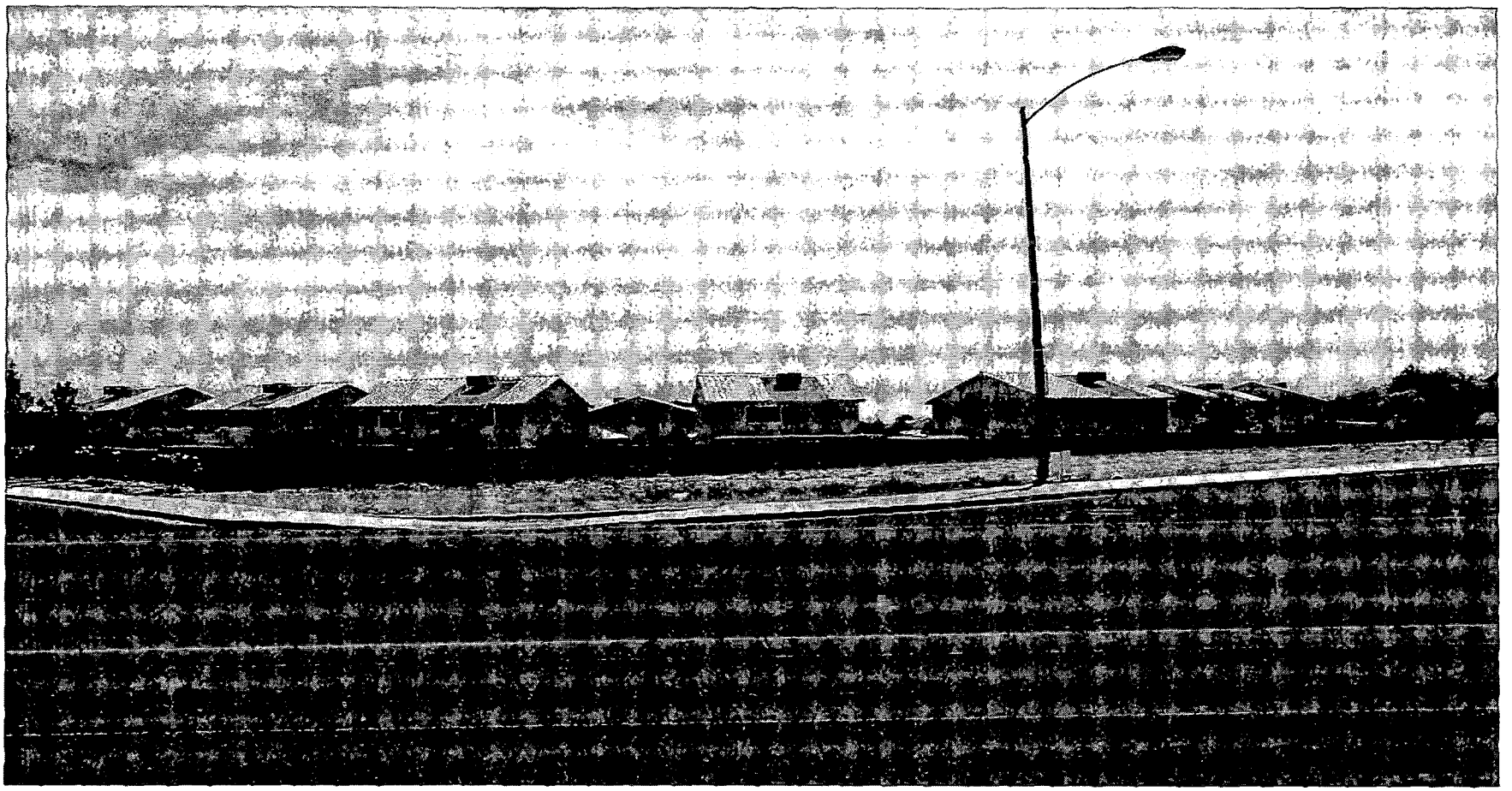
CRYSTAL CLEAN

PRELIMINARY ELEVATIONS

Automatic Car Wash
Plan for
Shag's Car Wash
APN 125-27-201-004 & 005
Las Vegas, Nevada

1-13-04
1/4"=1'-0"
dwp
2403-1013

PE1



VAR-4671 - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO
THE NORTHEAST CORNER OF SKY POINTE DRIVE AND RANCH HOUSE ROAD
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

RECEIVED
CITY CLERK

2004 SEP 30 A 10:28

Monday, September 27, 2004

CITY CLERK
LAS VEGAS, CITY OF
400 STEWART AVE.
CITY HALL 1ST FLOOR
LAS VEGAS, NV 89101

Dear Barbara Ronemus:

This concerns the variance VAR-4671. This should not be granted. In fact there should not be a car wash on this lot at all. This is the only entrance and exit to our entire development. There was an exit on north Ranchhouse Rd. but it was closed and walled off over a year ago for a business park. There is a lounge and gas station across the intersection. The car wash will increase the traffic on this 2 lane street.
There is also a school bus stop about 100 ft. from the proposed car wash where all the children in our development are picked up. All this combined will cause a major traffic problem. There are houses right behind where the car wash is suppose to be build. This would cause a noise problem beside just running down the neighborhood. The lot is not a good site for a car wash.

If you have any questions please call or write.

M. Jones
7501 Maiden Run
Las Vegas NV 89130
702-395-3127

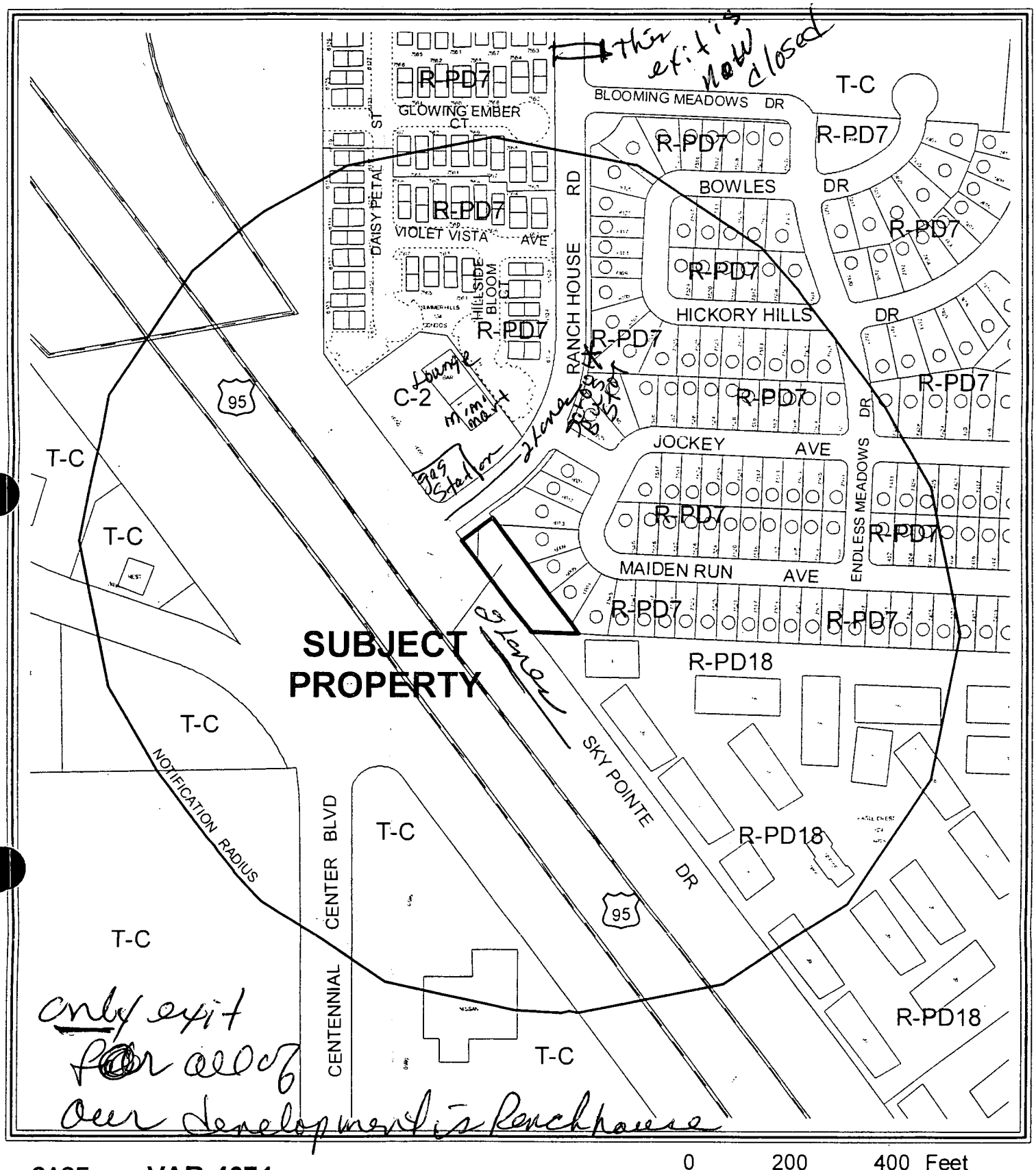
Protest

Sincerely,

M. Jones

Submitted after final agenda

Date 9/30/04 Item #122



CASE: **VAR-4671**

RADIUS: 750 FT

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

NOTICE OF PUBLIC HEARING

VARIANCE

JONES MARJORIE A
7501 MAIDEN RUN AVE
LAS VEGAS NV 89130-7905

MEETING: CITY COUNCIL
DATE: OCTOBER 6, 2004
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

NO

VAR-4671

APPLICANT: H&GG, LMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO - REQUEST FOR A VARIANCE TO ALLOW A REAR SETBACK OF 28.9 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 84.75 FEET IN CONJUNCTION WITH A PROPOSED SELF-SERVICE CAR WASH AND PET WASH ON 0.43 ACRES ADJACENT TO THE NORTHEAST CORNER OF SKY POINTE DRIVE AND RANCH HOUSE ROAD (APN: 125-27-201-004 AND 005), C-2 (GENERAL COMMERCIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.ci.las-vegas.nv.us.

CITY OF LAS VEGAS NEVADA

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

July 19th, 01

Planning Commission
RE: VAR 4671

I object to the request for a variance on their property. It is too small for the proposed ~~CAR~~ wash.

Michael Goodenough
6103 Hillside Bloom ct #101
CV, NV 89130

VAR-4671
P

City of Las Vegas

Agenda Item No. 123

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4609 - PUBLIC HEARING

SDR-4606 - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO - Request for a Site Development Plan Review FOR A SELF SERVE CAR WASH AND PET WASH; A WAIVER OF DISTANCE REQUIREMENT TO ALLOW A TRASH ENCLOSURE TO BE 28 FEET FROM RESIDENTIAL USES WHERE 50 FEET IS REQUIRED and A WAIVER TO REDUCE PERIMETER LANDSCAPING REQUIREMENTS on 0.43 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road (APN 125-27-201-004 and 005), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL [NOTE: MAYOR GOODMAN ANNOUNCED THAT THIS ITEM WAS PROPERLY NOTICED AS A PUBLIC HEARING ITEM EVEN THOUGH THIS WAS NOT REFLECTED IN THE CITIZENS AGENDA]

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 9/9/2004 Planning Commission meeting Item 14

MOTION:

MACK - APPROVED subject to conditions and the amended conditions as read for the record as follows:

10. Landscape and maintain the remnant vacant lot adjacent to Sky Pointe Drive concurrent with installation of landscaping on this site, if allowed by adjacent homeowners' association.

11. Increase the height of the wall between the residents and the car wash to a maximum of eight feet.

17. Hours of operation shall be 7:00 a.m. to 8:00 p.m. during the week and 8:00 a.m. to 8:00 p.m. during the weekends.

And the following added conditions:

- Location of the trash enclosure and handicap parking space shall be worked out with staff.

-Twenty-four inch box trees planted 15-feet on center shall be required along the east property line, and 30-inch tall berm shall be incorporated in the landscape area along Sky Pointe Drive and Ranch House Road with 24-inch box trees planted 20-feet on center.

- UNANIMOUS

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

MINUTES:
NOTE: See Item 121 [GPA-4609] for all related discussion.
(3:15 - 3:40)
4-1434

CONDITIONS:
Planning and Development
1. Approval of a General Plan Amendment (GPA-4609) and Variance (VAR-4671) by the City Council.

2. All proposed trash enclosures shall have a roof.

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

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

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

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

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

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

10. Landscape the remnant vacant lot adjacent to Sky Pointe Drive concurrent with installation of landscaping on this site, if allowed by adjacent homeowners' association.

11. Increase the height of the wall between the residences and the car wash to seven feet.

12. A gate to be approved by the Planning and Development Department will be placed across the driveway when the car wash is closed so there is no access to the site after business hours.

13. An attendant shall be on site at all times during business hours.

CONDITIONS - Continued:

14. Trash receptacle shall be brought to the street for trash pick up only and shall remain within the enclosure during all other times.

15. No windows shall be placed on the second floor (office) facing the residences.

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

17. Hours of operation shall be limited to 8 a.m. to 8 p.m.

18. There shall be no signage allowed on the east side of the building facing residential properties.

19. There shall be an on-site median designed to slow egress and ingress at the entrance approved by the City Traffic Engineer.

Public Works

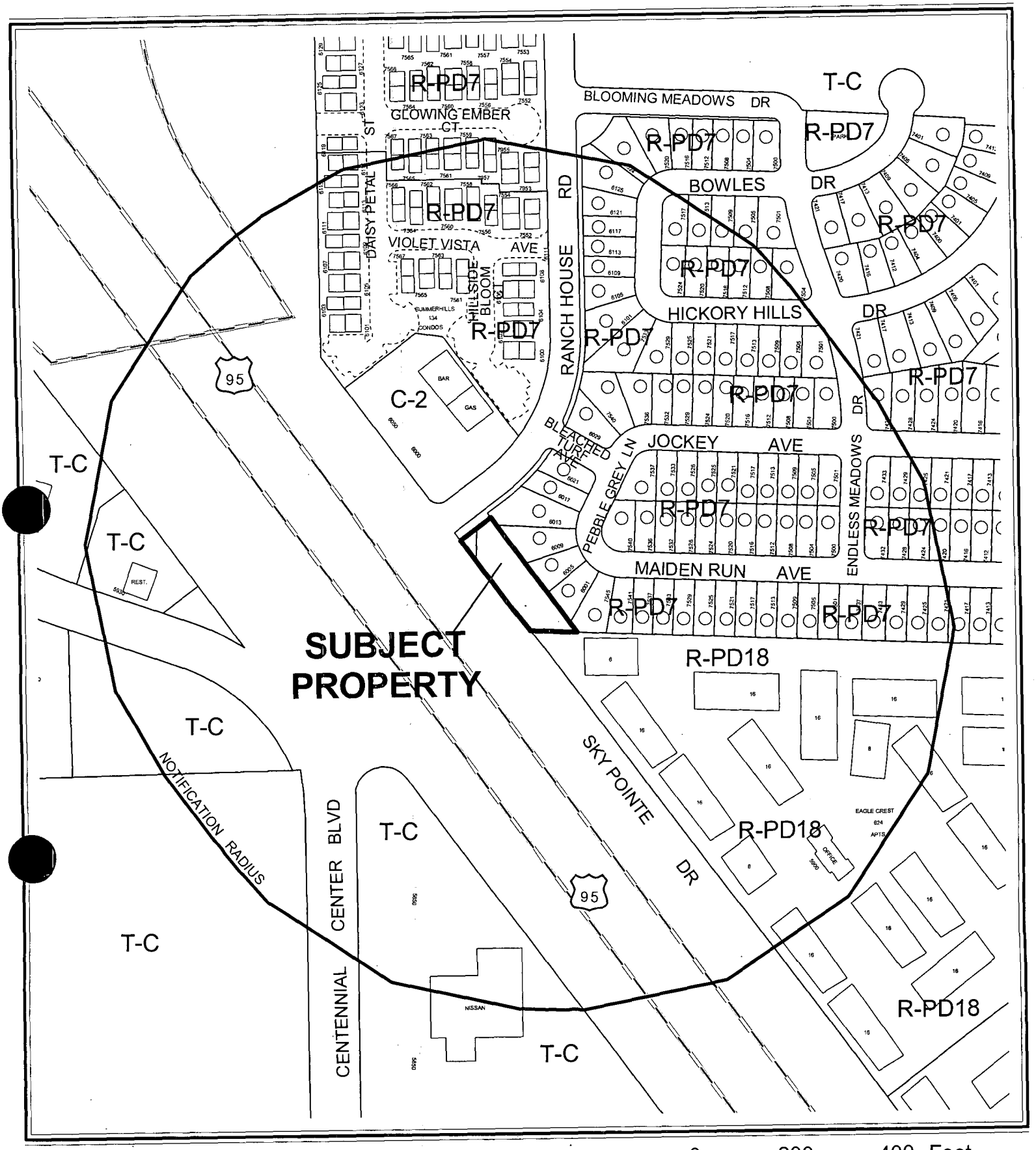
20. The applicant shall add a median on site at the entrance to the satisfaction of the City Engineer.

21. 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.

22. The proposed driveways, accessing Sky Pointe Drive, shall be designed, located and constructed in accordance with Standard Drawing #222A.

23. The developer of this site shall be responsible to connect to public sewer. Coordinate with the Collection Systems Planning Section of the Department of Public Works to connect to public sewer at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

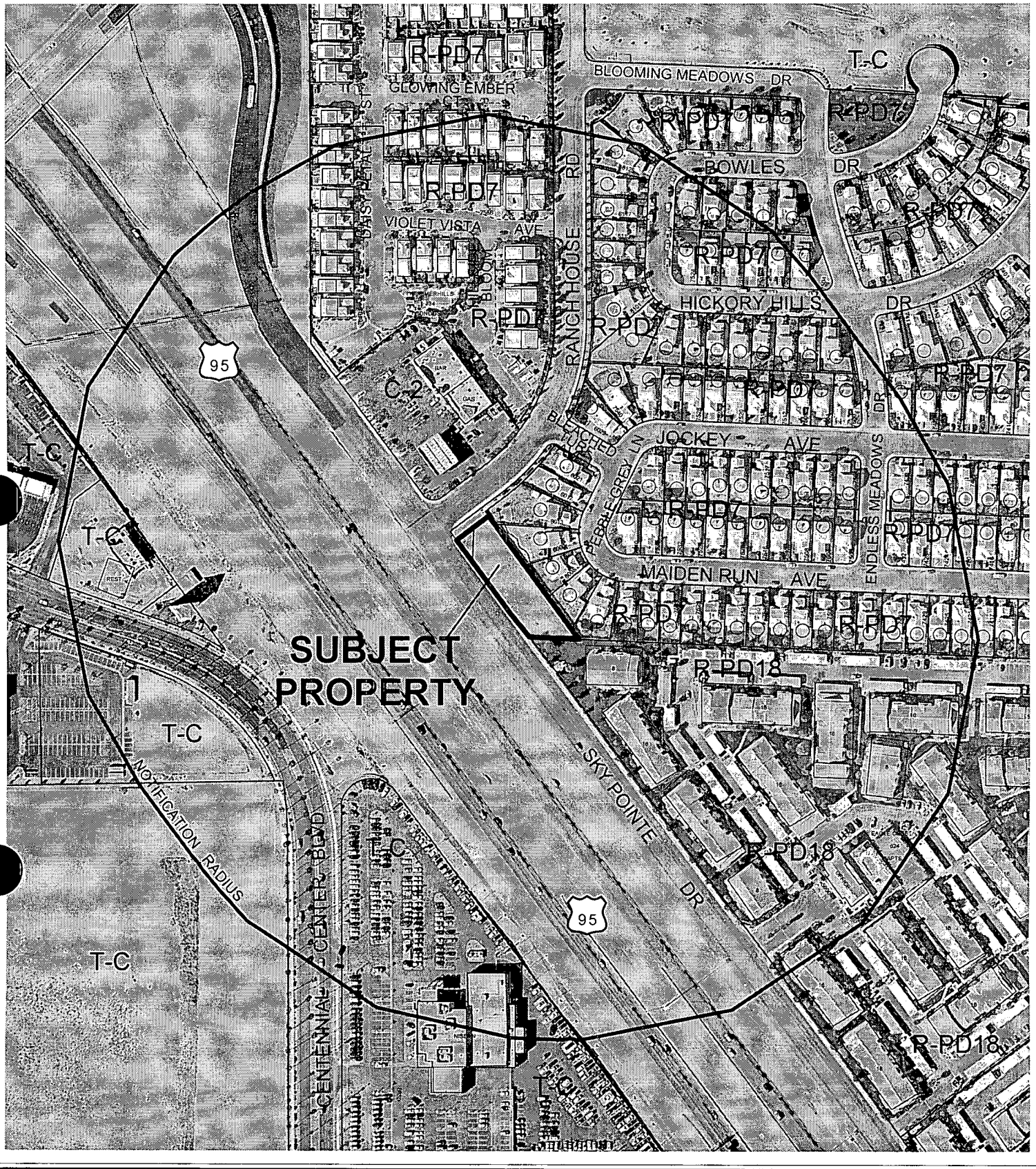
24. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.



CASE: **SDR-4606**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SDR-4606**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4606 - APPLICANT: H&GG, LMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of a General Plan Amendment (GPA-4609) and Variance (VAR-4671) by the City Council.

2. All proposed trash enclosures shall have a roof.

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

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

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

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

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

8. Parking lot lighting standards shall be no more than *30* feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

10. Landscape the remnant vacant lot adjacent to Sky Pointe Drive concurrent with installation of landscaping on this site, if allowed by adjacent homeowners' association.

11. Increase the height of the wall between the residences and the car wash to seven feet.

12. A gate to be approved by the Planning and Development Department will be placed across the driveway when the car wash is closed so there is no access to the site after business hours.

13. An attendant shall be on site at all times during business hours.

14. Trash receptacle shall be brought to the street for trash pick up only and shall remain within the enclosure during all other times.

15. No windows shall be placed on the second floor (office) facing the residences.

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

17. Hours of operation shall be limited to 8 a.m. to 8 p.m.

18. There shall be no signage allowed on the east side of the building facing residential properties.

19. There shall be an on-site median designed to slow egress and ingress at the entrance approved by the City Traffic Engineer.

Public Works

20. The applicant shall add a median on site at the entrance to the satisfaction of the City Engineer.

21. 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.

22. The proposed driveways, accessing Sky Pointe Drive, shall be designed, located and constructed in accordance with Standard Drawing #222A.

23. The developer of this site shall be responsible to connect to public sewer. Coordinate with the Collection Systems Planning Section of the Department of Public Works to connect to public sewer at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a self serve car wash and pet wash; a waiver of distance requirement for a trash enclosure and a waiver to reduce perimeter landscaping requirements on 0.42 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road

B) Applicant's Justification

The applicant indicates this request is justified because the subject site is zoned C-2 (General Commercial) and is adjacent to Rancho Drive. According to the applicant, the waiver for the location of the trash enclosure and the waiver of the perimeter landscape requirement are justified due to the small size of the parcel.

BACKGROUND INFORMATION

A) Previous Actions

07/22/04 The Planning Commission held this item in abeyance to the 09/09/04 PC Meeting to allow the applicant time to revise the site plan and allow the new representative to meet with the neighbors.

09/09/04 The Planning Commission recommended approval of a related item VAR-4671 and failed to obtain a super majority on a motion for approval, therefore the recommendation is for denial of a related General Plan Amendment (GPA-4609) as part of this agenda.

09/09/04 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #14).

B) Pre-Application Meeting

05/17/04 The applicant was informed that a landscape waiver and a waiver for the trash enclosure location would be required.

C) Neighborhood Meetings

06/23/04 Twelve people attended and had these concerns:

- Vacuum noise
- Car stereo noise
- Car wash noise
- Traffic

- Lighting
- Kids from apartments hanging out late at night behind car wash and potentially vandalizing homes
- If built, please make wall 10', and increase landscape buffer along property line that is shared with homes
- Safety of children walking along Sky Pointe to bus stop on Ranch House Rd
- Property is poorly maintained as vacant lot
- Property is too narrow, car wash patrons will crash into landscaping and walls
- Will there be a full time attendant? Yes, during hours of operation (around 8am to 8pm)
- Neighbors will be in force at PC meeting, are very angry, will fight any commercial development on site, are having a petition signed in opposition
- City has been derelict in responding to numerous complaints about noise and traffic from bar on corner of Ranch House Rd and Sky Pointe
- Music and lights from gas station are constant nuisance at night

DETAILS OF APPLICATION REQUEST

Site Area: 0.42 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Single Family Dwellings
South	U.S. 95
East	Single Family Dwellings
West	U.S. 95

PLANNED LAND USE

Subject Property	ML (Medium-Low Density Residential)
North	ML (Medium-Low Density Residential)
South	ROW (Right-of-way)
East	ML (Medium-Low Density Residential)
West	ROW (Right-of-way)

EXISTING ZONING

Subject Property	C-2 (General Commercial)
North	R-PD7 (Residential Planned Development - 7 Units Per Acre)
South	Right-of-way
East	R-PD7 (Residential Planned Development - 7 Units Per Acre)
West	Right-of-way

E) General Plan Compliance: Centennial Hills General Plan

The Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan designated this site for ML (Medium Low Density Residential) land uses, which allow up to 8 units per acre. A General Plan Amendment application has been submitted to request the GC (General Commercial) designation on this site. If that request is approved, the land use will be consistent with the current zoning of the parcel.

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

There are no special area plans or districts that have an effect on the site.

PROJECT DESCRIPTION

The applicant is proposing a self-serve car wash with vacuum bays and an outdoor pet wash. Access to the site will be from a 32-foot wide drive to Sky Pointe Drive. Landscaping with 24-inch box trees spaced at 20 feet on center is provided along all property lines and in planters adjacent to the car wash building and vacuum bays. A trash enclosure is shown 25 feet from the east property line. Seven parking spaces are shown, with four along the east property line. The elevations for the car wash building depict a split face concrete block exterior with a standing seam metal roof at a height of 28 feet 3 inches.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	222 Feet	Y
Min. Setbacks			
• Front	20 Feet		Y
• Side	10 Feet		Y
• Corner	15 Feet		Y
• Rear	20 Feet		Y
Max. Building Height	2 Stories / 35 Feet	28 feet	Y
Trash Enclosure	50	25	N

The applicant indicates the small size of the property precludes compliance with the trash enclosure location requirement.

A2) Residential Adjacency Standards

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

At the depicted height of 28.25 feet the building should be a minimum of 84.75 feet from the east property line, which is adjacent to single family development. A Variance (VAR-4671) to allow the building to be 28.9 feet from that property line has been submitted with this site plan review.

A3) 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	1 Tree	1
Buffer: • Min. Trees	1 Tree/20 Linear Feet	26 Trees	26
• Min. Zone Width	8 Feet along east property line		5.3 feet

The applicant indicates the small size of the property precludes compliance with the landscaping requirement along the east property line.

B) General Analysis and Discussion

- Zoning

The proposed car wash with vacuums is a permitted use in the C-2 (General Commercial).

- Site Plan

The small size of the parcel causes the car wash and vacuum bays to be located adjacent to residential development. The proposed uses are too intense for a parcel of this size.

- Waivers

The combination of the small size of the parcel and the intensity of the proposed uses necessitates the location of a trash enclosure 25 feet from residentially developed property. Again, the use is too intense and therefore the waiver cannot be supported.

- Landscape Plan

The small size of the parcel and the intensity of use combine to necessitate a landscape waiver which staff is unable to support.

- Elevation

The elevations depict a 28-foot high structure, which does not comply with the Residential Adjacency Standards and is not compatible with residential development to the east.

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 noise and lighting associated with a car wash with vacuums is not compatible with the residential development to the east.

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 fact that the applicant has requested two waivers and a variance suggests that the proposed use is too intense for the site.

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

   The site is accessed from Sky Pointe Drive, a public street, and will not have a negative impact on adjacent roadways or neighborhood traffic.

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

   The building and landscape materials are appropriate for this 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 applicant has requested a waiver of the trash enclosure separation requirement, a waiver of the perimeter landscape requirement, and a variance from residential adjacency standard setback requirement. The small size of the parcel necessitates the location of car wash and vacuum bays in close proximity to residential development. Based on these factors, the proposed use is too intense for this site.

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

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

NOTICES MAILED 228 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4606 APN: 125-27-004 & 8-005

Name of Property Owner: H'GG LIMITED PARTNERSHIP

Name of Applicant: SHAGS CAR WASH

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: James Shoughro

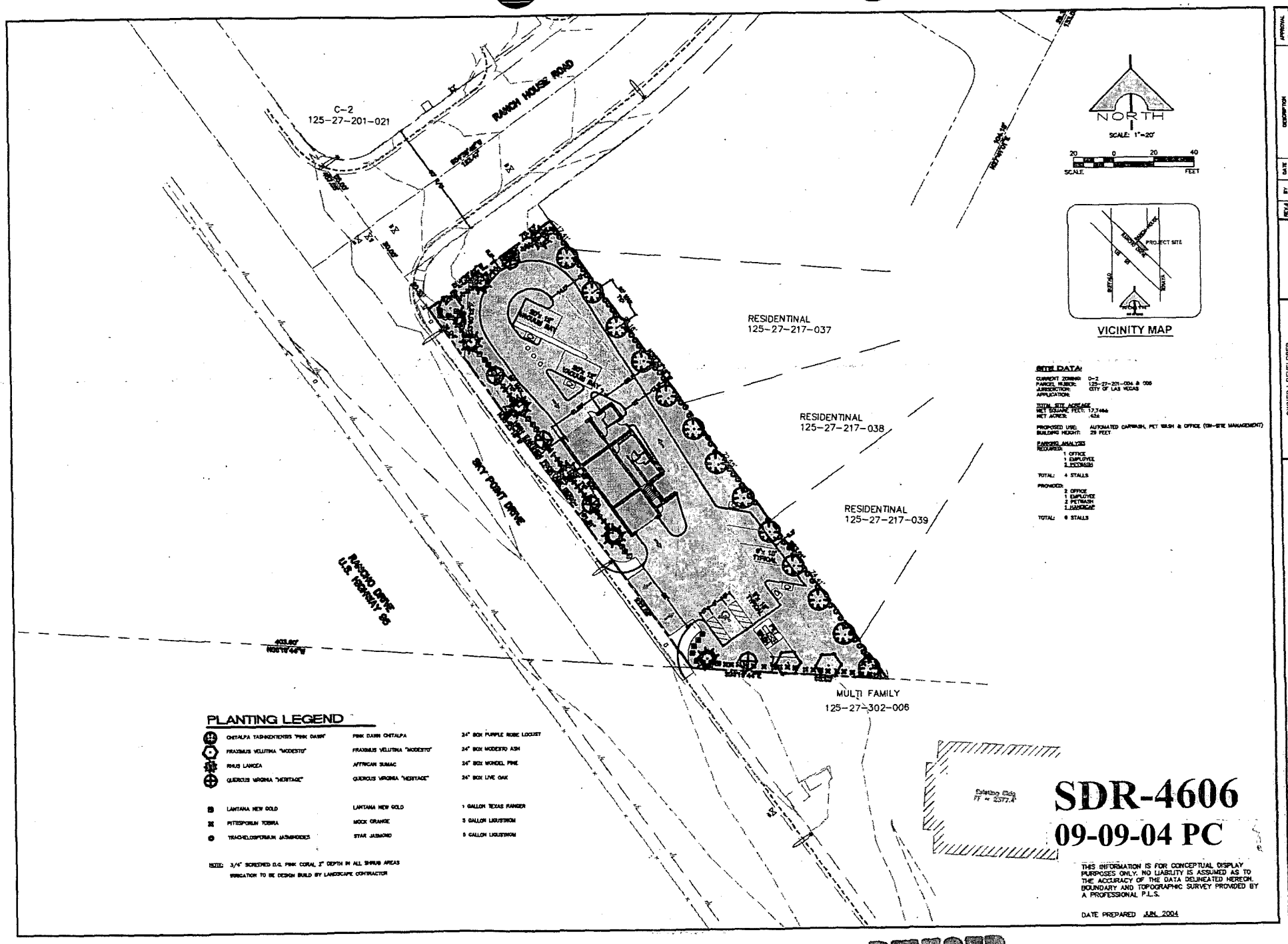
Print Name: JAMES SHOUGHRO

Subscribed and sworn before me

This 8th day of June, 2004

Notary Public in and for said County and State

MICHAEL R. BODAK
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 94-3084-1
MY APPT. EXPIRES JULY 7, 2006



APPROVAL	DESCRIPTION	DATE	BY	REV.#

OWNER / DEVELOPER
H GQ PROPERTIES
3113 CORNERS DRIVE
LAS VEGAS, NV 89107
(702) - 876-1944
FAX (NONE)

CHAD VELLINGA, P.E.
CIVIL ENGINEER L.L.C.
331 S. RAINBOW, STE. 148
LAS VEGAS, NV 89145
(702) 940-3300
FAX (702) 940-3303

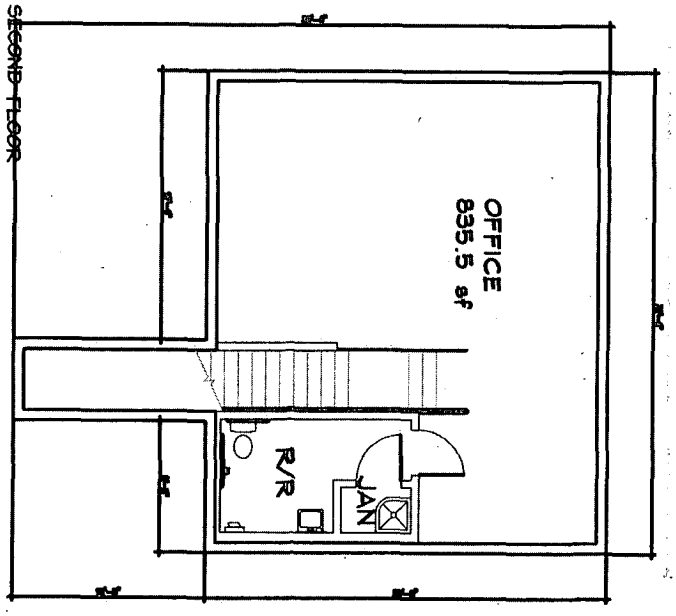
PROJECT
SHAG'S CAR WASH

SHEET TITLE
SITE PLAN / LANSCAPE PLAN

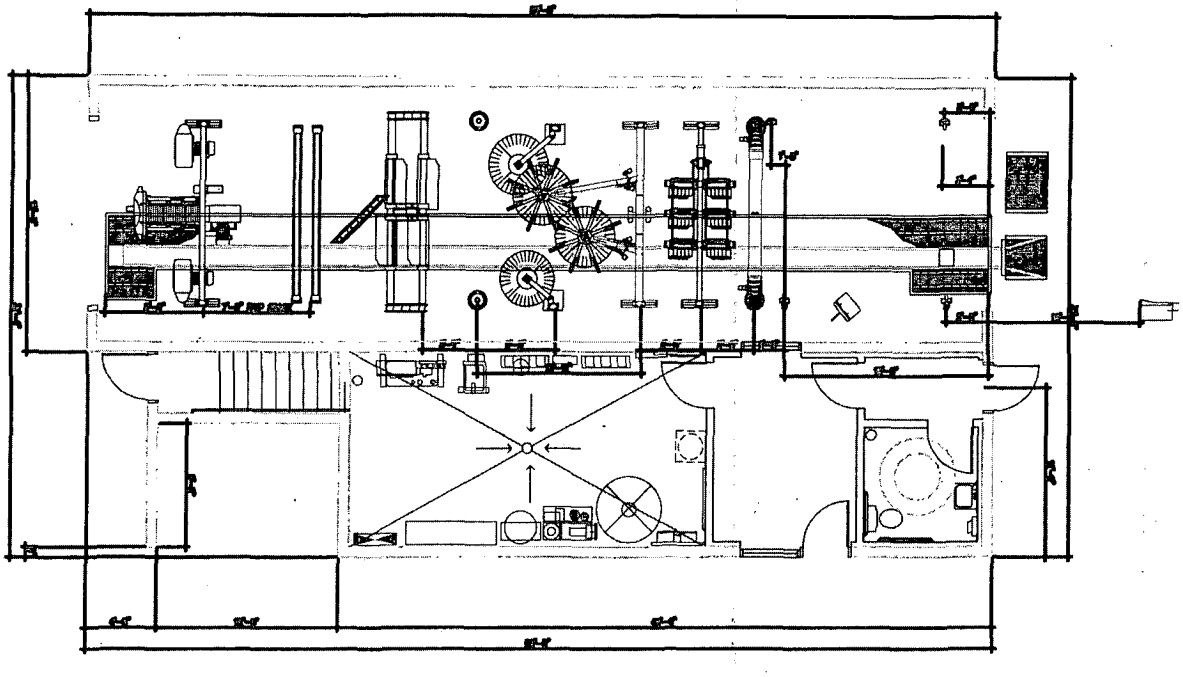
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JOB NO:	
DRAWN BY:	MRA
CHECKED BY:	CCV
SHEET NO:	C1 OF C1

HTE

SECOND FLOOR



FIRST FLOOR



REVISED
6.16.04

SDR-4606

09-09-04 PC

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Automatic Car Wash
Plan for
Shagi's Car Wash

APN 09-27-201-004 & 005
Las Vegas, Nevada

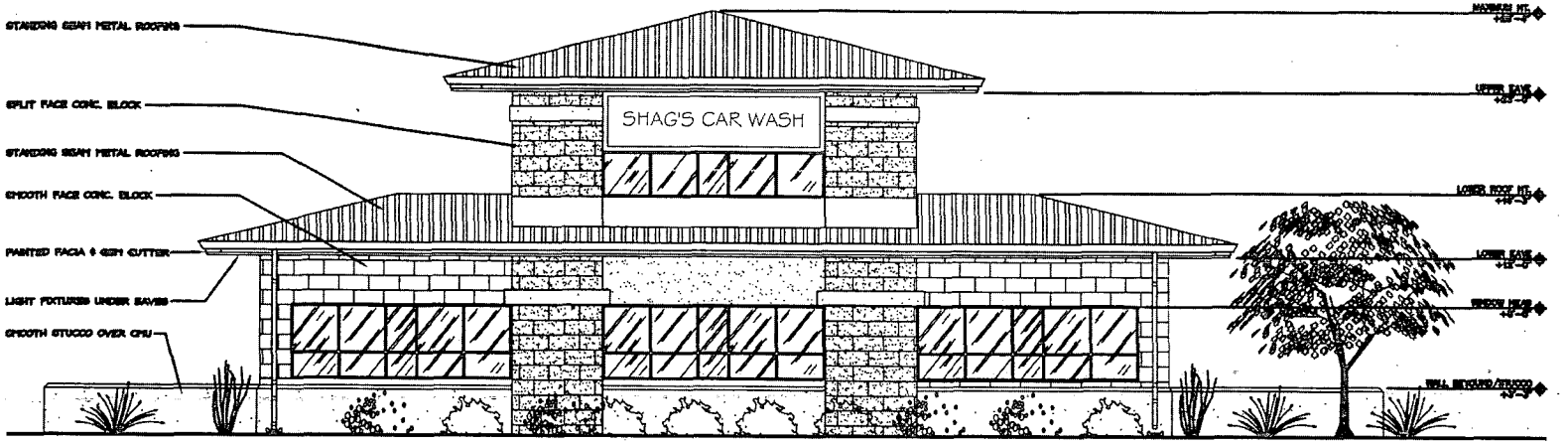
PRELIMINARY
FLOOR PLANS

CRYSTAL CLEAN

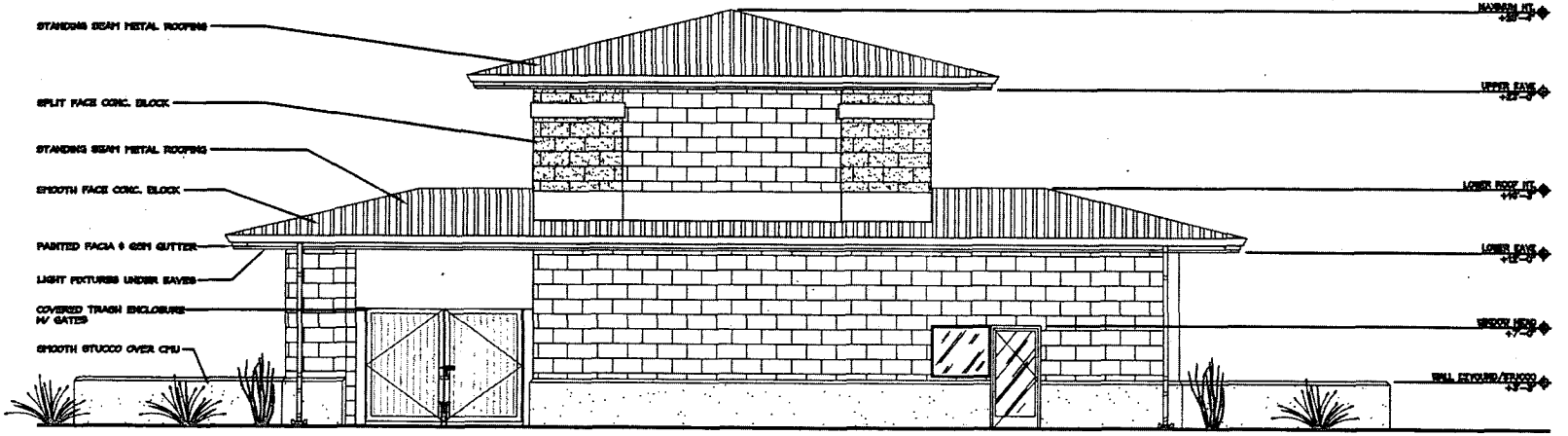
DON PHILLIPS - AIA ARCHITECT
DONALD R. PHILLIPS AIA

PF1

1-8-04
1/4"=1'-0"
dsp
2409-109



SOUTH-WEST ELEVATION



NORTH-EAST ELEVATION

SDR-4606

09-09-04 PC

REVISED
6.16.04

DON PHILLIPS - AIA ARCHITECT

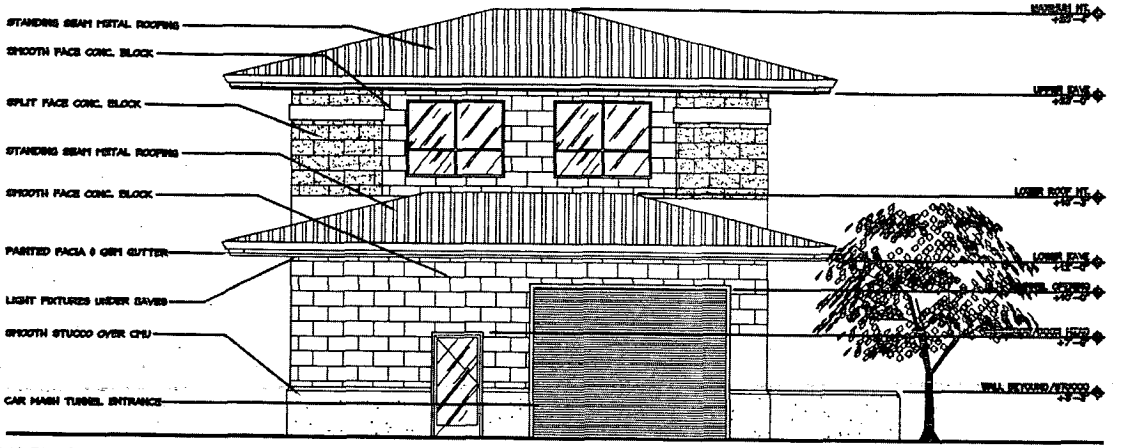
CRYSTAL CLEAN

PRELIMINARY
ELEVATIONS

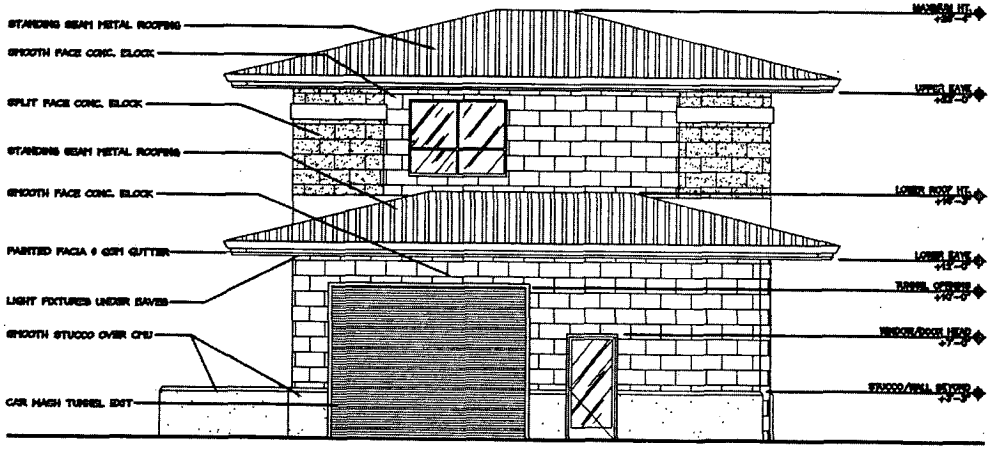
Automatic Car Wash
Plan for
Shag's Car Wash
APN 125-27-201-004 & 005
Las Vegas, Nevada

1-13-04
1/4"=1'-0"
dwp
3403-103

PE1



NORTH-WEST ELEVATION



SOUTH-EAST ELEVATION

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DON PHILLIPS - AIA ARCHITECT

CRYSTAL CLEAN

PRELIMINARY
ELEVATIONS

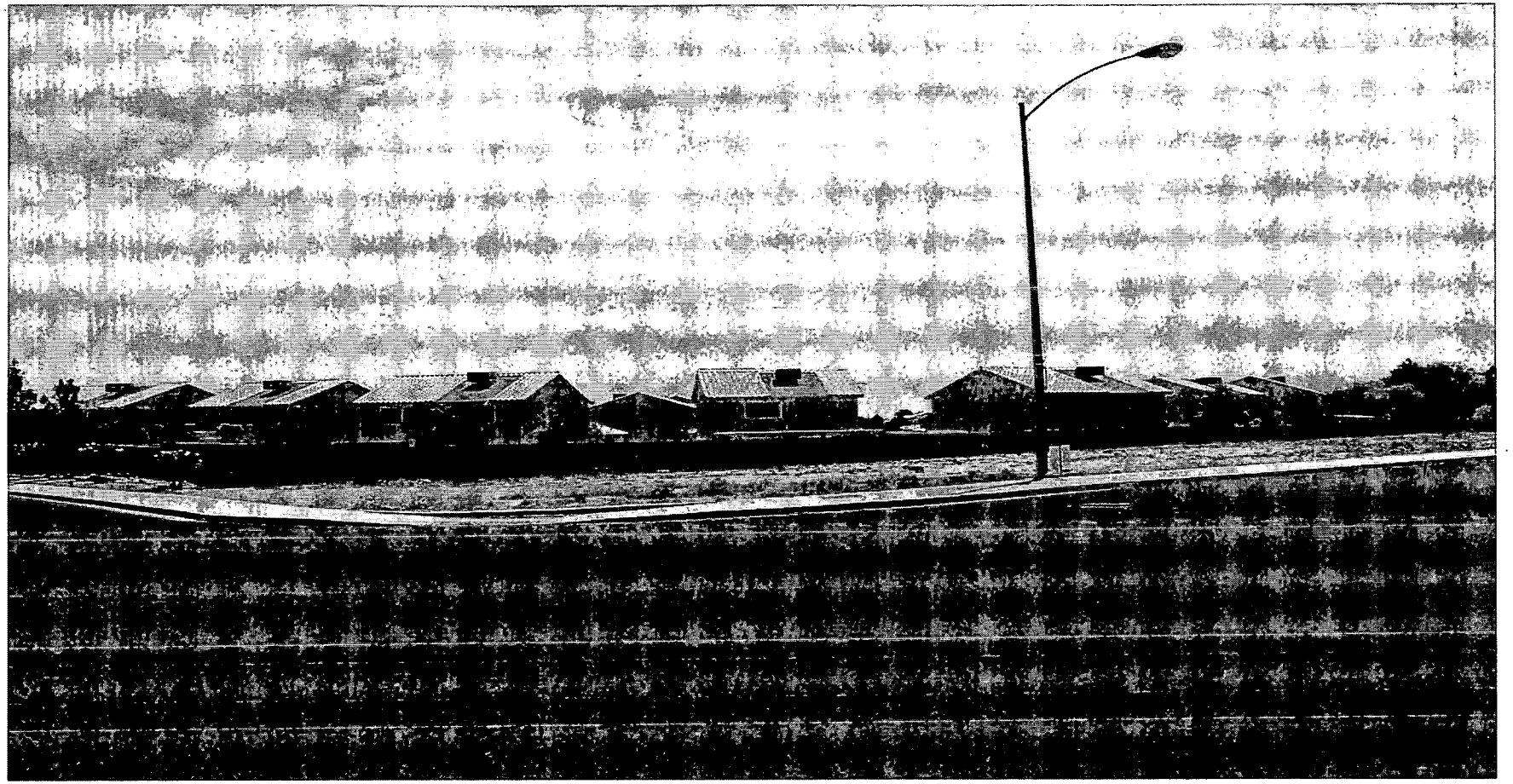
Automatic Car Wash
Plan for
Eagle Car Wash
APN 125-27-201-004 & 005
Las Vegas, Nevada

1-13-04
1/4"=1'-0"
dwp
2403-103
PE2

SDR-4606

09-09-04 PC

REVISED
6.16.04



SDR-4606 - APPLICANT: H&GG, LIMITED PARTNERSHIP, DAVID L. MASON REVOCABLE LIVING TRUST AND SHAG'S CAR WASH - OWNER: JAMES SHOUGHRO
THE NORTHEAST CORNER OF SKY POINTE DRIVE AND RANCH HOUSE ROAD
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

July 19, 04

Planning Commission
RE SDR-4606

I object to A car wash being allowed on this property. It is too small, too close to homes in the AREA.
The city should purchase this property for a small park. There are no parks in the AREA for Residents to be able to walk to.

Michael Goodlander
6102 Hillside Bloom Ct #101
LV. NV. 89130

SDR-4606
P

City of Las Vegas

Agenda Item No. 124

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-4631 - PUBLIC HEARING - APPLICANT/OWNER: CHARLES H. SHIELDS - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: R (Rural) TO: O (OFFICE) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	5	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted at City Council - Protest petition with 8 properties submitted for Item 124 [GPA-4631], Item 125 [ZON-4635] and Item 126 [SDR-4638] filed under Item 124 [GPA-4631]
5. Back up referenced from the 9/9/2004 Planning Commission meeting Item 15

MOTION:

MACK - APPROVED subject to the following added condition as read for the record:
The approval is for southernmost 179 feet only.
- UNANIMOUS with REESE not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 124 [GPA-4631], Item 125 [ZON-4635] and Item 126 [SDR-4638].

ATTORNEY TABITHA FIDDYMENT, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and noted their difficulty with the property. Although this area is rural, the site is no longer appropriate for residential living. The house was purchased for a residence and was used as such, but because of the construction of I-215 immediately north of this site, development of Town Center, Tenaya Way becoming a heavy traveled arterial, and the construction of a traffic signal located on the property, the house is no longer desirable as a rural residential home. The proposed use would be consistent with what exists and compliments the uses to the east. ATTORNEY FIDDYMENT explained that no major modifications are proposed to the exterior or any additions to the existing residence and parking will be located in the rear. They will be eliminating the proposal to rezone the east portion of the site to serve as a buffer to the neighbors. The residence will be used a medical office, which will be the most ideal buffer to the adjacent commercial uses. She believes this use will not set a precedent, especially if the request is being made due to the residential property being adjacent to the Beltway, across the street from the most intense commercial uses allowed by Code, located directly on a 80-foot arterial and having a traffic light on the corner and

MINUTES - Continued:

in front of the house. She believes the property may be appropriate for professional office use rather than a residential rural use.

JENNIFER GATTI, 7145 West Regena, appeared in opposition to the plan. She understands the difficulty of the location, but her concern is that residential homes will be built in this particular area. This request will negatively impact the other residences and will create spot zoning. She submitted a petition of eight families who oppose the request.

CHRISTOPHER RITZI, 7135 West Regena, felt the conversion from residence to office would deteriorate the area. He clarified with BART ANDERSON, Public Works Department, that Tenaya Way at this location is a 90-foot wide street, master planned with 45 feet on each side of the centerline.

CAROL LeDuc, 7575 Rome Boulevard, opposed professional use in the rural neighborhood. She stated that the applicant fails to understand that Town Center has five or six categories of land use. When Town Center was extended north and south of the 215, the line of demarcation was north of 215. She does not support this request because it will set a precedent. There are no uses along Tenaya Way other than residential.

In response to MS. LeDUC'S comments regarding the original site plan, ATTORNEY FIDDYMENT pointed out that their intent was not to mislead the residents. No additional buildings will be added on the property.

COUNCILMAN MACK noted that a line was drawn from residential and commercial. He has done everything to protect the rural preservation. The applicant's property sits on a corner that has significantly changed. Setting a precedent is of great concern to the neighbors, and he clarified with DEPUTY CITY ATTORNEY BRYAN SCOTT that this request would not set a precedent, as each property stands on its own. The City Council would be able to make individual decisions on different applications.

COUNCILMAN MACK added a condition to Item 124 [GPA-4631] that the approval is for the southernmost 179 feet of the parcel only. He amended Condition 1 of Item 125 [ZON-4635] to read that the General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council for the southermost 179 feet of the parcel. He also added a condition that the approval is for the southernmost 179 feet only.

ATTORNEY FIDDYMENT questioned whether it would be required to up earth the existing landscaping. MR. ANDERSON explained that that portion of Tenaya Way, between Azure and Centennial, is part of the Town Center loop road that has a signature look which includes an amenity zone and a detached sidewalk. The conditions are written and intended so that the applicant would have to remove what currently exists and the right-of-way would need to be changed to 45 feet to meet the Town Center Standards. The wall needs to be relocated, including the decorative wall located in the corner, to accommodate the Town Center required street section. The corner radius has to be enlarged, and the signal may need to be relocated because it is not in the appropriate location. Staff was unable to obtain permission from the property owner to locate it in the correct place at the time that the signal was installed.

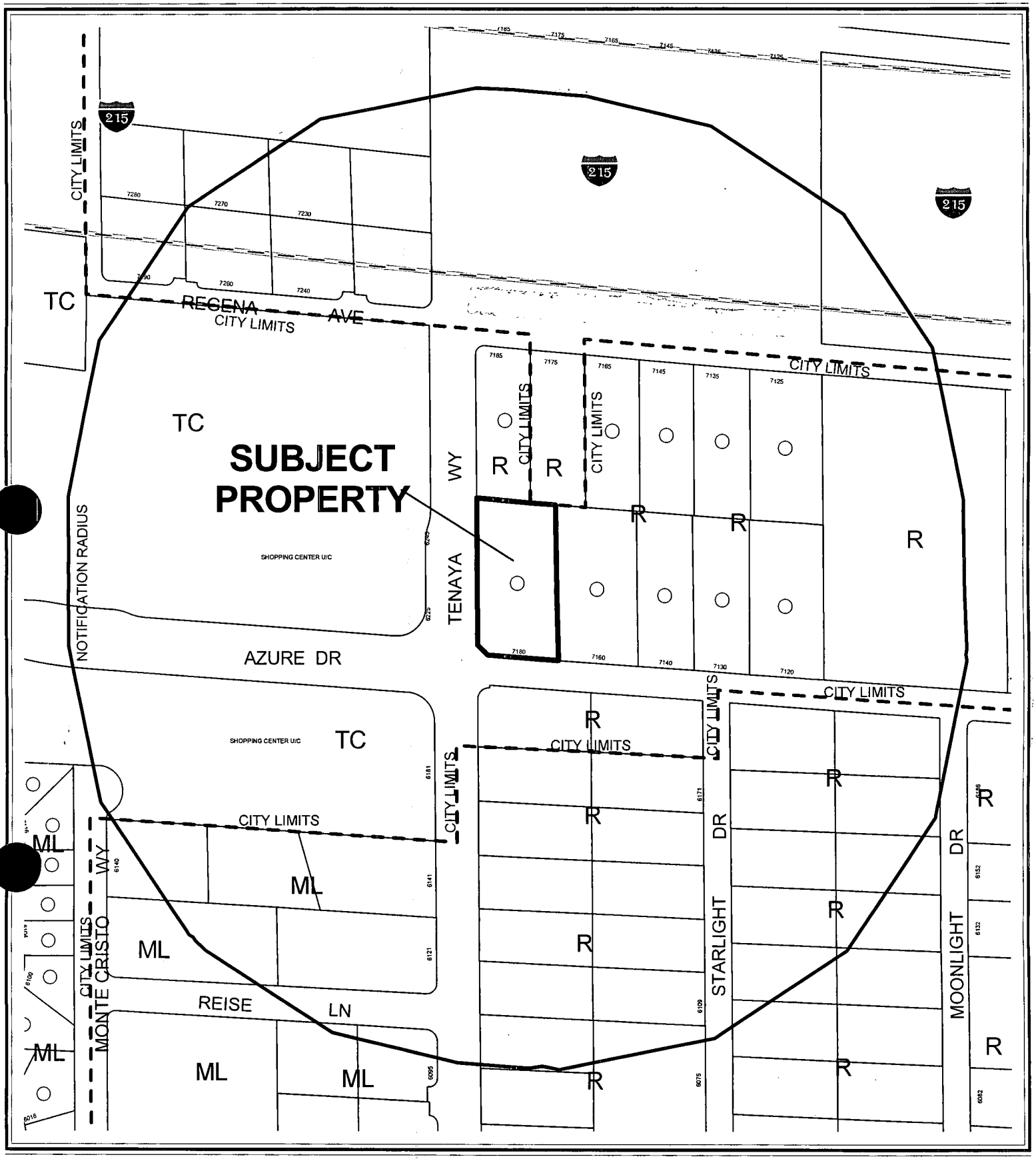
MINUTES - Continued:

ROBERT GENZER, Director, Planning and Development Department, stated that he believed the northerly part would be included. The remaining parcel is approximately 104 feet wide, which is enough to allow access onto a major street. That property may in the future be combined with the property to the north. Staff is not in a position to place a condition on that property since it is no longer a part of the rezoning. He noted for the record that if any attempt is made to combine with property to the north, the second parcel east of Tenaya is still in the County. Therefore, an annexation would be required.

MR. ANDERSON pointed out that another consequence of reducing the size of the original proposal is that a condition requiring the dedication of a bus turnout was easy to accommodate into the original site plan and is now problematic with the current site plan. Therefore, he added a phrase to Condition 4 "unless otherwise allowed by the City Traffic Engineer". ATTORNEY FIDDYMENT agreed. MR. ANDERSON added that staff determined that if the applicant will have a zoning end midway through the parcel and leave the rest residential, it would be appropriate to require a parcel map to create a parcel that can remain residential. Therefore, he recommended an additional condition requiring a parcel map along the zoning line. ATTORNEY FIDDYMENT agreed to the request.

Regarding Item 126 [SDR-4638], ATTORNEY FIDDYMENT confirmed that the plans submitted on August 25, 2004 no longer show the expansion.

MAYOR GOODMAN declared the Public Hearing closed Item 124 [GPA-4631], Item 125 [ZON-4635] and Item 126 [SDR-4638].
(3:38 - 3:59)
4-2369



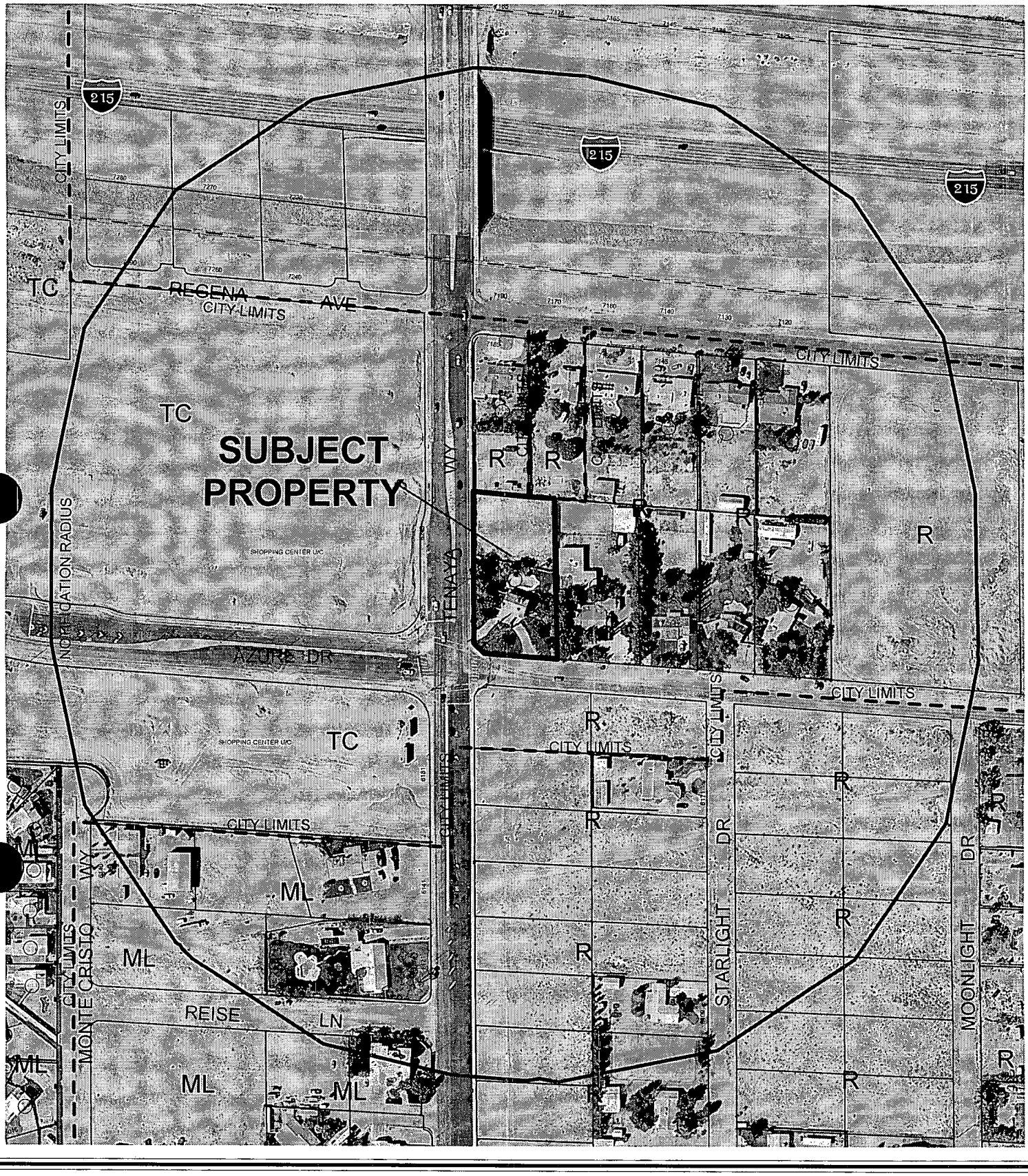
0 200 400 Feet

CASE: **GPA-4631**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: O (OFFICE)



0 200 400 Feet

CASE: **GPA-4631**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4631 - APPLICANT/OWNER: CHARLES H. SHIELDS

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R (Rural Density Residential) to O (Office) on 0.96 acres at 7180 West Azure Drive.

APPLICANT'S JUSTIFICATION

The applicant's justification letter states the proposed General Plan Amendment and Rezoning from Rural to Professional Office is the ideal transition from the high density, urban master planned community across Tenaya Way from the proposed site to the less dense residential developments to the southeast. Further, the burdens imposed by such a change will be consistent with those imposed by the TC (Town Center) uses as well as the current traffic flow on Tenaya and Azure Drive just south of the Beltway. The proposed plan amendment and rezoning is compatible with the TC (Town Center) to the east and further the goals of the general plan by promoting transitional zoning, where appropriate.

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 R (Rural) Residential land uses with a maximum density of three dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
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.
05/20/00	The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas, effective May 20, 2000.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
11/07/01	The City Council approved the Town Center Development Standards Manual through Bill No. 2001-100.

02/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for R (Rural Density Residential) land uses, (if residential - with a maximum density of 3.59 dwelling units per acre).
07/22/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
08/26/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
09/09/04	The Planning Commission recommended denial of companion applications for a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking), and for a Site Development Plan Review (SDR-4638) for a medical office building on the subject site, concurrently with this application.
09/09/04	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #15).

DETAILS OF APPLICATION REQUEST

Site Area: 0.96 Acres

EXISTING LAND USE

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

PLANNED LAND USE

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

EXISTING ZONING

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

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD	X	
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

RNP (Rural Neighborhood Preservation) (Zero to 2.0 dwelling units per acre). The predominant residential lifestyle of these areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In accordance with an interlocal agreement signed January 2, 2002, the City and Clark County designate those areas recognized for the above-described lifestyle as Rural Neighborhood Preservation areas. These areas are shown on Map 3, the "Centennial Hills Interlocal Land Use Plan", of the Centennial Hills Sector Plan. The Interlocal describes areas within the Centennial Hills Sector as "Excepted Areas". The "Excepted Areas" are those that will be annexed in to the City only by request of the individual property owners. Map 3 shows a boundary that encompasses those parcels that are within the "Excepted Areas" of the Interlocal and represents the limits of the Rural Neighborhood Preservation neighborhoods.

Parcels in the excepted areas at the time of the signing of the Interlocal shall remain Rural Neighborhood Preservation areas whether the parcels annex into the city or not.

R (Rural Density Residential) (2.5 to 3.59 dwelling units/gross acre). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

TC (Town Center) The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; medium to high density residential uses; planned business; office and industrial parks; and recreational uses. The TC (Town Center) suffix to land use designations denotes that stricter design criteria will be used for project approval.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

ANALYSIS

The proposed medical office conversion will be accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot right-of-way. The site plan indicates the existing single-family residence will be converted to a combination general office (1,183 square feet) and a medical office (1,677 square feet). An expansion of the use, a separate building approximately 4,525 square feet in size, is planned for the future. On-site parking is located to the rear of the site. A circular drive is shown on the south end of the site that connects Azure and Tenaya. Perimeter landscaping that meets the minimum requirements of Title 19 is indicated on the landscape plan.

Adjacent to the site are single-family residences to the north and east, undeveloped residential designated property to the south, and undeveloped property in the Town Center Plan Area to the west. The Southeast Sector Plan of the General Plan designates the site as R (Rural Density Residential). This application proposes to change the land use designation to O (Office) to accommodate a medical office.

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.**

   The proposed O (Office) General Plan designation provides for small lot office conversions as a transition along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. The proposed O (Office) designation constitutes a "Spot Zoning" condition that is not compatible with the adjacent R (Rural Density Residential) General Plan designations and land uses to the north, south and east. Furthermore, the proposed O (Office) designation is not recommended for this particular site due to potential of the encroachment of office use into a Rural Preservation Neighborhood.

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

   The proposed zoning of P-R (Professional Office and Parking) would permit the proposed medical office conversion on 0.96-acres. This zoning designation is compatible with the existing SX-TC (Service Commercial – Town Center) designated properties to the west, however the proposed P-R (Professional Offices and Parking) zoning is not compatible with the R-E (Residence Estates) zoned property to the north and east and the U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and U

(Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to the south. The proposed P-R (Professional Offices and Parking) zoning would also create a spot zone situation.

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

There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne (located at the northwest corner of Cheyenne and Metro Academy Way, west of Grand Canyon). Fire Station #41, located at 6989 Buffalo Drive (located south of Elkhorn Road) is the closest city facility to the site.

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

There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/22/04 A neighborhood meeting sponsored by the applicant was held. Five persons attended and the following comments were made.

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

PLANNING COMMISSION ACTION

At the Planning Commission hearing there were 4 speakers in opposition.

NOTICES MAILED: 32 by Planning Department

APPROVALS: 1

PROTESTS: 5

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4631 APN: 125-27-503-008

Name of Property Owner: Shields, Charles H. & Gail W.

Name of Applicant: Charles H. Shields

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: Gail Shields Charles H. Shields

Print Name: Gail SHIELDS CHARLES H. SHIELDS

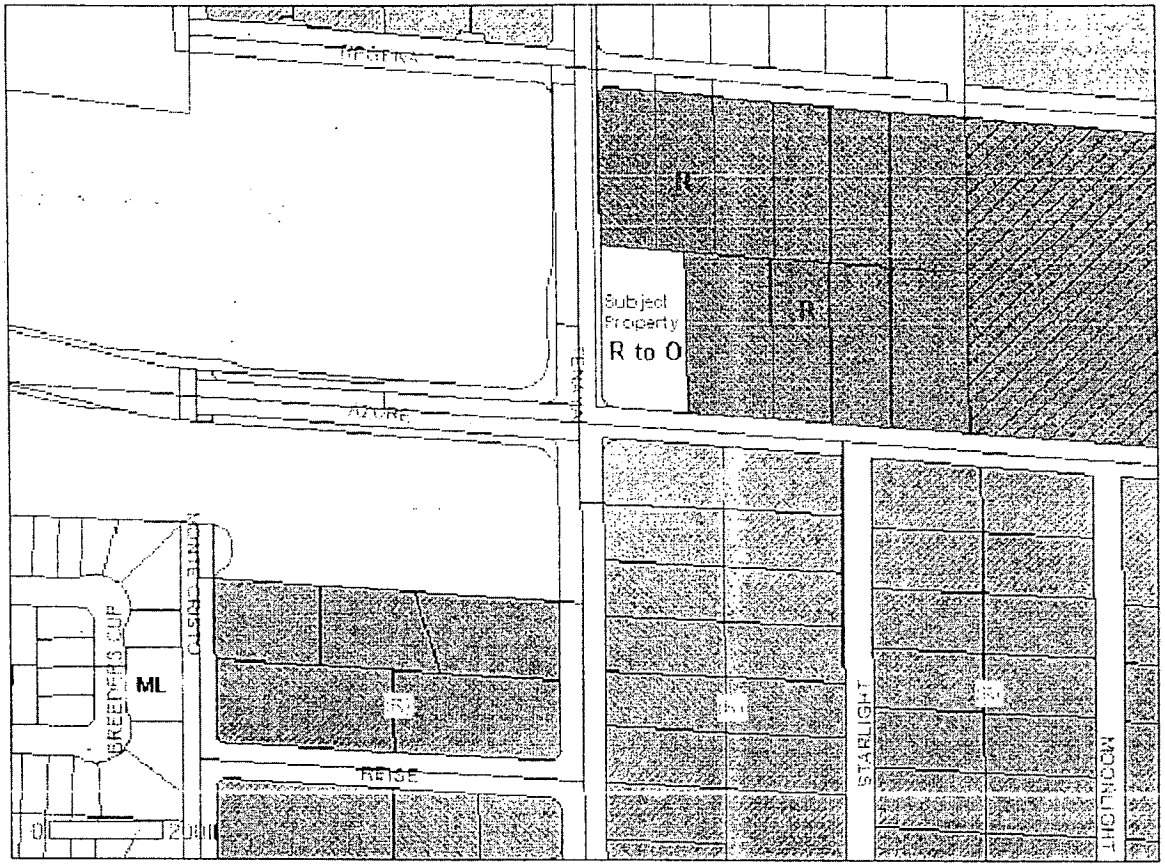
Subscribed and sworn before me

This 14 day of April, 2004

Sharon Ferdman

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHARON FERDMAN
No: 00-62659-1
My Appointment Expires April 7, 2008



1 GENERAL PLAN DESIGNATION PLAN

SCALE 1" = 200'-0"

revisions

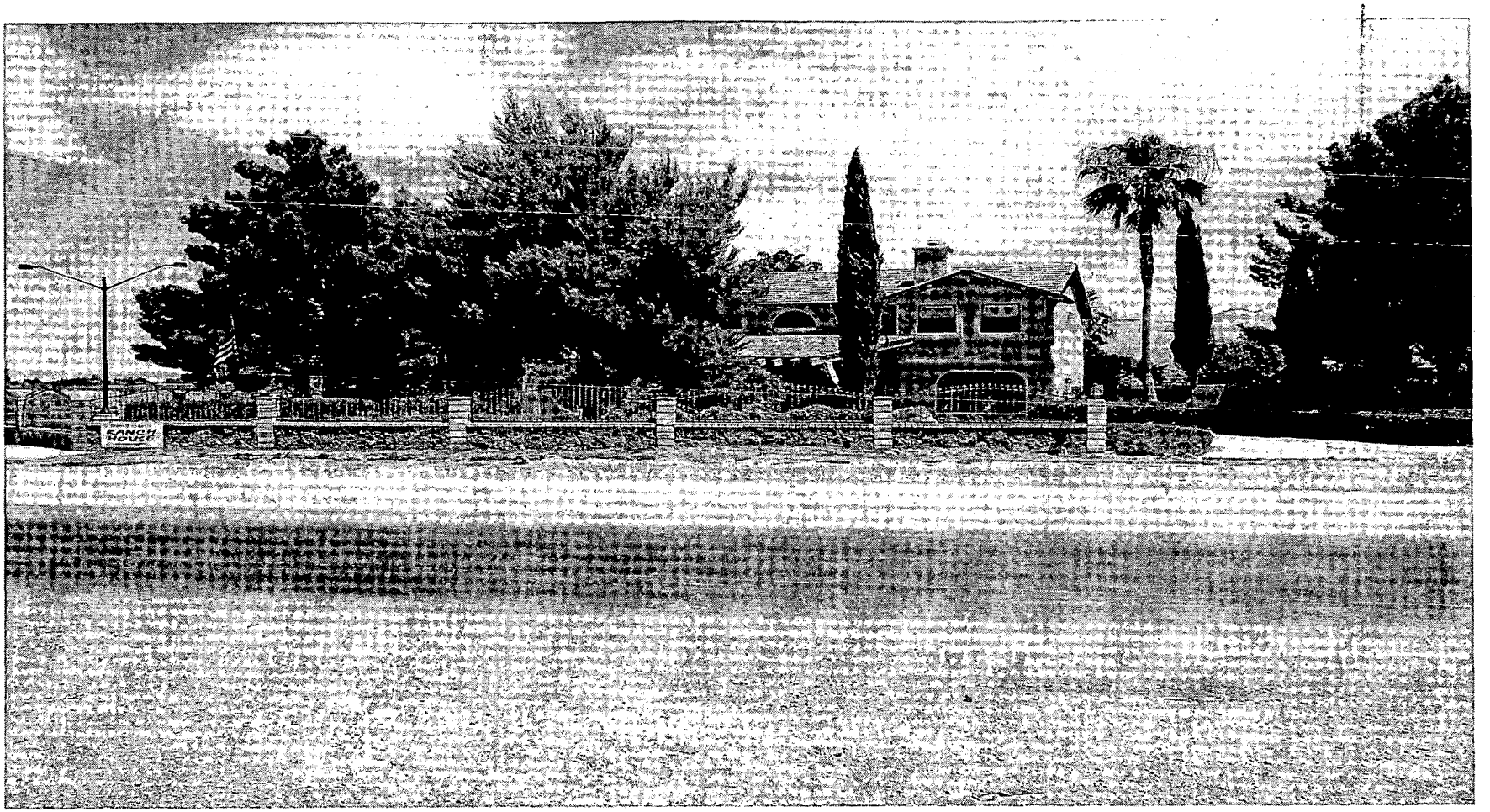
john daull burke, architect

OFFICE BUILDING
7180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date
proj. no.
drwn. by
chkd. by

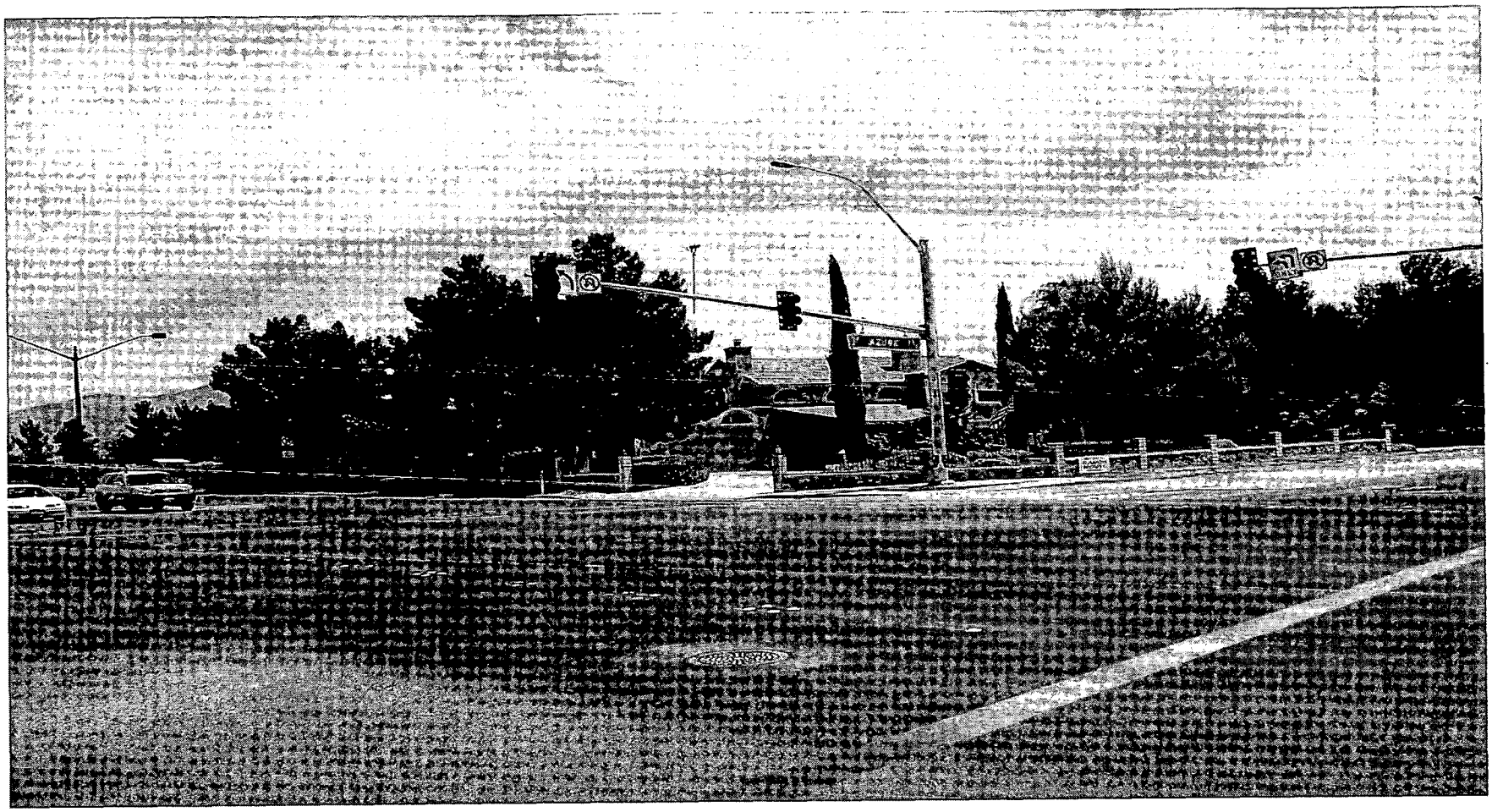
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GPA-4631
09-09-04 PC



GPA-4631 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04



GPA-4631 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

Petition against the re-zoning of 7180 West Azure

The undersigned are against the above listed address having non-conforming zoning differentiating itself from the other ten properties in the community.

Protest

Name	Signature	Address	Date
Kristel Graham	K Graham	7135 W Regena	10/4/04
Jeng Rob Gatti	J+R. Gatti	7145 W. Regena	10/4/04
Mickey + Theresa Schumacher	M. Schumacher	7185 W. Regena.	10/4/04
Richard & Beverly Garland	Richard Garland & Beverly	7125 W. Regena	10/4/4
Carol Ledue		7575 Rome Blvd. LV 89131	10/5/04
Gina Jacks		7165 W. Regena, LV 89130	10/5/04
Dorothy L. Cabeen		7165 W. Regena LV. 89130	10/5/04
TROY ROMEGHER		7175 W REGENA LV. 89130	10/5/04
Kelly Sugahara	Kelly Sugahara	7130 W AZURE DR 89130	10/6/04

Submitted at City Council

Date 10/6/04 Item # 124-126

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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

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

July 12, 2004

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

RE:
ZON4635
GPA4331
SDR4638

Dear Mr. Walton,

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

Sincerely,

Jeff Special

READ INTO
THE RECORD

17 July 04

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

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

Dear Sir or Madam:

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

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

Please give serious consideration to disallowing these actions.

Sincerely,

Gwen Loucks

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

READ INTO THE RECORD

City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO GPA-4631

ZON-4635 - PUBLIC HEARING - APPLICANT/OWNER: CHARLES H. SHIELDS - Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	5	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council - Protest petition with 8 properties submitted for Item 124 [GPA-4631], Item 125 [ZON-4635] and Item 126 [SDR-4638] filed under Item 124 [GPA-4631]
5. Back up referenced from the 9/9/2004 Planning Commission meeting Item 16

MOTION:

MACK - APPROVED subject conditions and the following amended conditions:

1. A General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council for the southernmost 179 feet of the parcel.

4. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Tenaya Way adjacent to this site. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawings #234.3 and 234.2, unless otherwise allowed by the City Traffic Engineer.

And the following added conditions as read for the record:

The approval is for the southernmost 179 feet only.

Submit and record a Parcel Map to establish the discrete parcels corresponding to the rezoning line as approved with this action.

- UNANIMOUS with REESE and BROWN excused

MINUTES:

NOTE: See Item 124 [GPA-4631] for all related discussion.

(3:38 - 3:59)

4-2369

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council.

CONDITIONS - Continued:

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

3. A Site Development Plan Review application 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

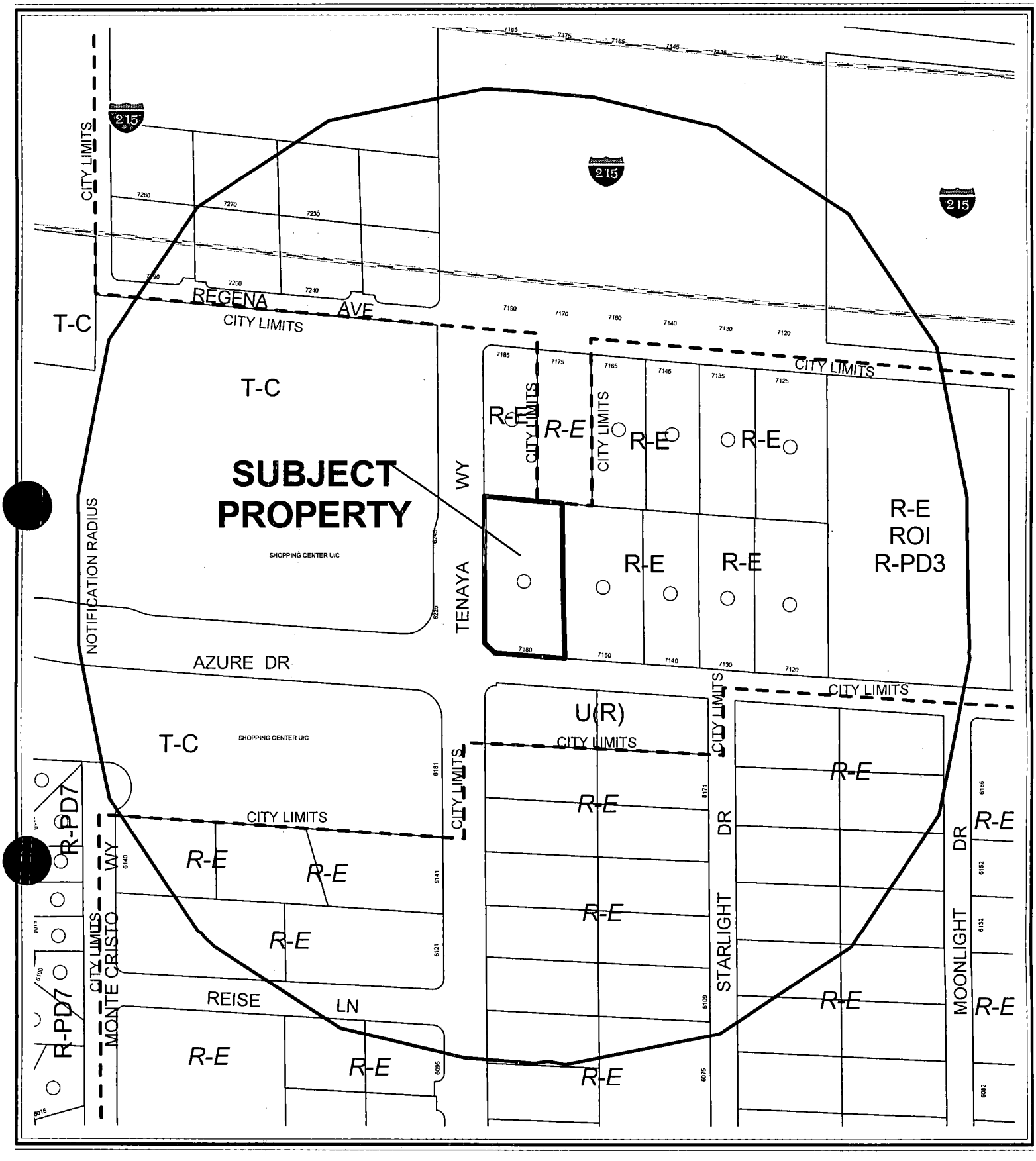
4. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Tenaya Way and a 54-foot radius on the northeast corner of Tenaya Way and Azure Drive adjacent to this site prior to the issuance of any permits. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawings #234.1 or #234.3 and 234.2 prior to the issuance of any permits.

5. Construct all incomplete half-street improvements on Tenaya Way, including a bus turnout, to meet current City Town Center Standards adjacent to this site concurrent with development. In addition, construct half-street improvements, including appropriate transitional paving, on Azure Drive adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

7. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

8. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.



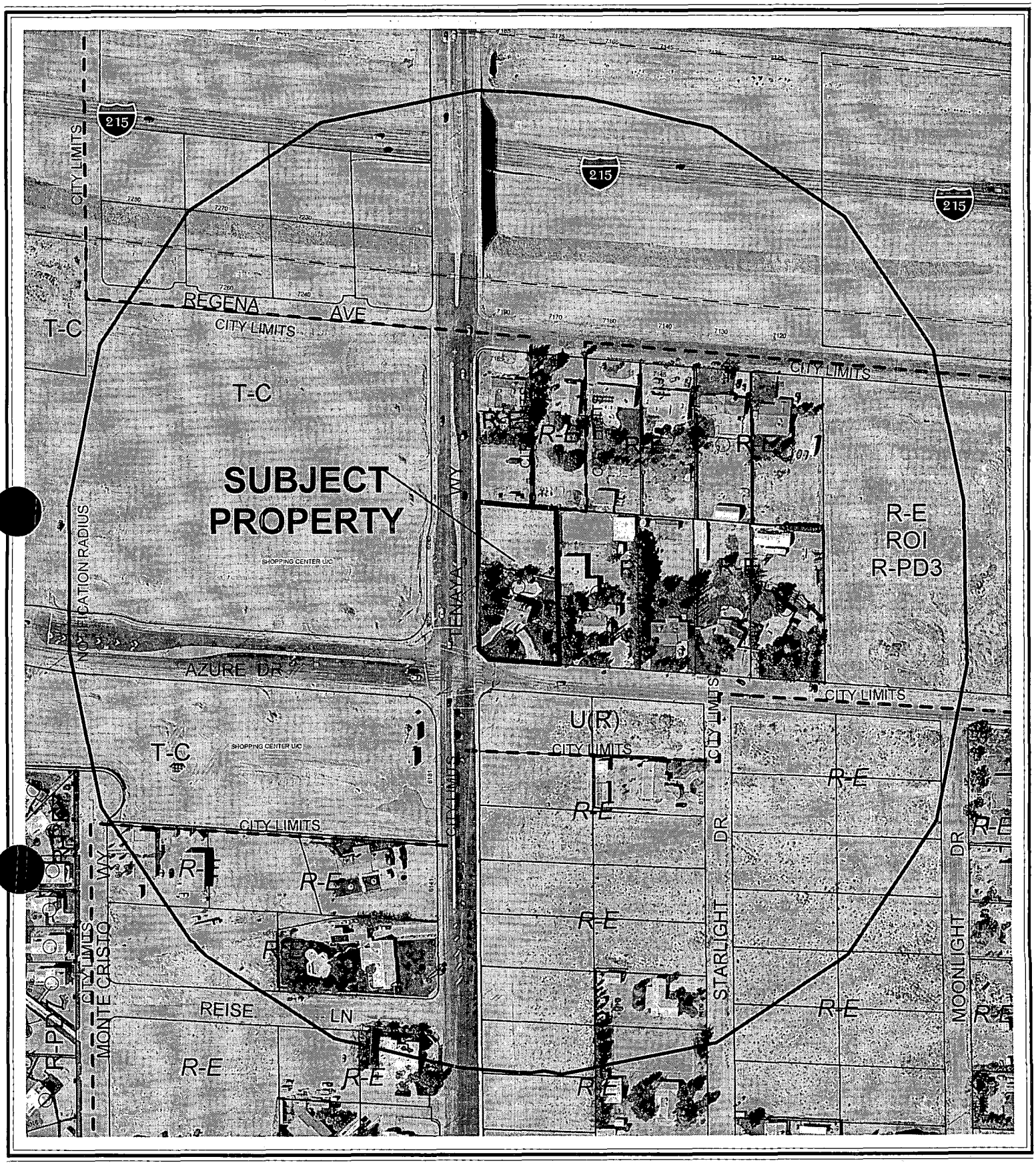
0 200 400 Feet

CASE: **ZON-4635**

RADIUS: 750 FT

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

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


SUBJECT PROPERTY
NOTIFICATION RADIUS
215
CITY LIMITS
REGENA AVE
T-C
T-C
SHOPPING CENTER U/C
AZURE DR
T-C
SHOPPING CENTER U/C
CITY LIMITS
R-E
R-E
R-E

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4635 – APPLICANT/ OWNER: CHARLES H. SHIELDS

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council.

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

3. A Site Development Plan Review application 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

4. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Tenaya Way and a 54-foot radius on the northeast corner of Tenaya Way and Azure Drive adjacent to this site prior to the issuance of any permits. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawings #234.1 or #234.3 and 234.2 prior to the issuance of any permits.

5. Construct all incomplete half-street improvements on Tenaya Way, including a bus turnout, to meet current City Town Center Standards adjacent to this site concurrent with development. In addition, construct half-street improvements, including appropriate transitional paving, on Azure Drive adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

7. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

8. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive (APN: 125-27-503-008), Ward 6 (Mack).

B) Applicant's Justification

The applicant's justification letter states the proposed General Plan Amendment and Rezoning from Rural to Professional Office is the ideal transition from the high density, urban master planned community, across Tenaya Way from the proposed site, to the less dense residential developments to the southeast. Further, the burdens imposed by such a change will be consistent with those imposed by the TC (Town Center) uses as well as the current traffic flow on Tenaya and Azure Drive just south of the Beltway. The proposed plan amendment and rezoning is compatible with the TC (Town Center) to the east and further the goals of the general plan by promoting transitional zoning, where appropriate.

BACKGROUND INFORMATION

A) Previous Actions

05/20/00	The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas, effective May 20, 2000.
07/22/04	The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
08/26/04	The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
09/09/04	The Planning Commission recommended denial of companion applications for a General Plan Amendment (GPA-4631) from R (Rural) to O (Office), and for a Site Development Plan Review (SDR-4638) for a medical office building on the subject site, concurrently with this application.
09/09/04	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #16).

B) Pre-Application Meeting

05/19/04 At a pre-application meeting the following issues were discussed.

- Landscape requirements were discussed, such as: a 15-foot buffer along streets, eight foot wide buffer along interior property lines with appropriate landscape materials; parking lot finger islands.
- If sidewalk is required, the sidewalk and the east half of Tenaya Way shall be designed and built per Town Center Standards for the "Loop Road."
- The parking standards will be based on one space per 200 square feet of building area, which requires 39 spaces and two handicap spaces.

C) Neighborhood Meetings

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.96 Acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards associated with the development request for this parcel will be addressed in the related Site Development Plan Review (SDR-4638) application.

B) General Analysis and Discussion

The zone change to P-R (Professional Office and Parking) zone would be consistent with the proposed General Plan Amendment to O (Office). The P-R (Professional Office and Parking) allows for office uses in an area that is predominantly residential but because of traffic and other

factors is no longer suitable for the continuation of low-density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. A low volume of direct daily client and customer contact characterizes these uses. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R (Professional Offices and Parking) district should be constructed to maintain a residential character. The P-R (Professional Offices and Parking) District is consistent with the Office category of the General Plan.

The proposed P-R (Professional Office and Parking) zoning designation is not compatible with the adjacent residential uses, which are, zoned R-E (Residence Estates) to the north and east and the U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to the south. If approved, spot zoning would occur. In addition, the proposed general and medical office does not meet the intent of the P-R (Professional Offices and Parking) zoning district "to be a transitional zone to allow low intensity administrative and professional offices, which are characterized by a low volume of direct daily client and customer contact." A medical office has a higher traffic volume and higher rate of customer contact on a daily basis than a low-intensity office use.

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 currently designated as R (Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan of the General Plan. A related General Plan Amendment application (GPA-4631) proposes to amend the land use designation to O (Office). The zone change to P-R (Professional Office and Parking) zone will be consistent with the proposed General Plan Amendment to O (Office).

   The proposed office project is incompatible with the neighborhood. Therefore the proposed zoning is incompatible and does not conform to the General Plan because of the Plans' focus on the protection of existing neighborhoods.

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

   The proposed zoning of P-R (Professional Office and Parking) would permit the proposed general/medical office conversion. However, because of the potential intensity of the Office land use designation and proposed medical office, the use is not compatible with the surrounding zoning classifications, including R-E (Residence Estates) to the north and east, and U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to the south. The P-R (Professional Office and Parking) zoning district constitutes spot zoning and would encroach into a Rural Preservation Neighborhood.

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

The proposed general and medical office conversion is not appropriate on the subject property in relation to the adjacent rural residential uses in an area designated as a Rural Preservation Neighborhood. The proposed P-R (Professional Office and Parking) zoning classification and the proposed medical office will not be compatible with the surrounding land uses. The past trend of development has not shown that the neighborhood is in transition so there aren't any indicators that support the proposal.

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

The site is accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot right-of-way. The rights-of-way provide adequate access to the site.

NOTICES MAILED 32 by Planning Department

APPROVALS 3

PROTESTS 5

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4635 APN: 125-27-503-008

Name of Property Owner: Shields, Charles H. & Gail W.

Name of Applicant: Charles H. Shields

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: Gail Shields Charles H. Shields

Print Name: GAIL SHIELDS CHARLES H. SHIELDS

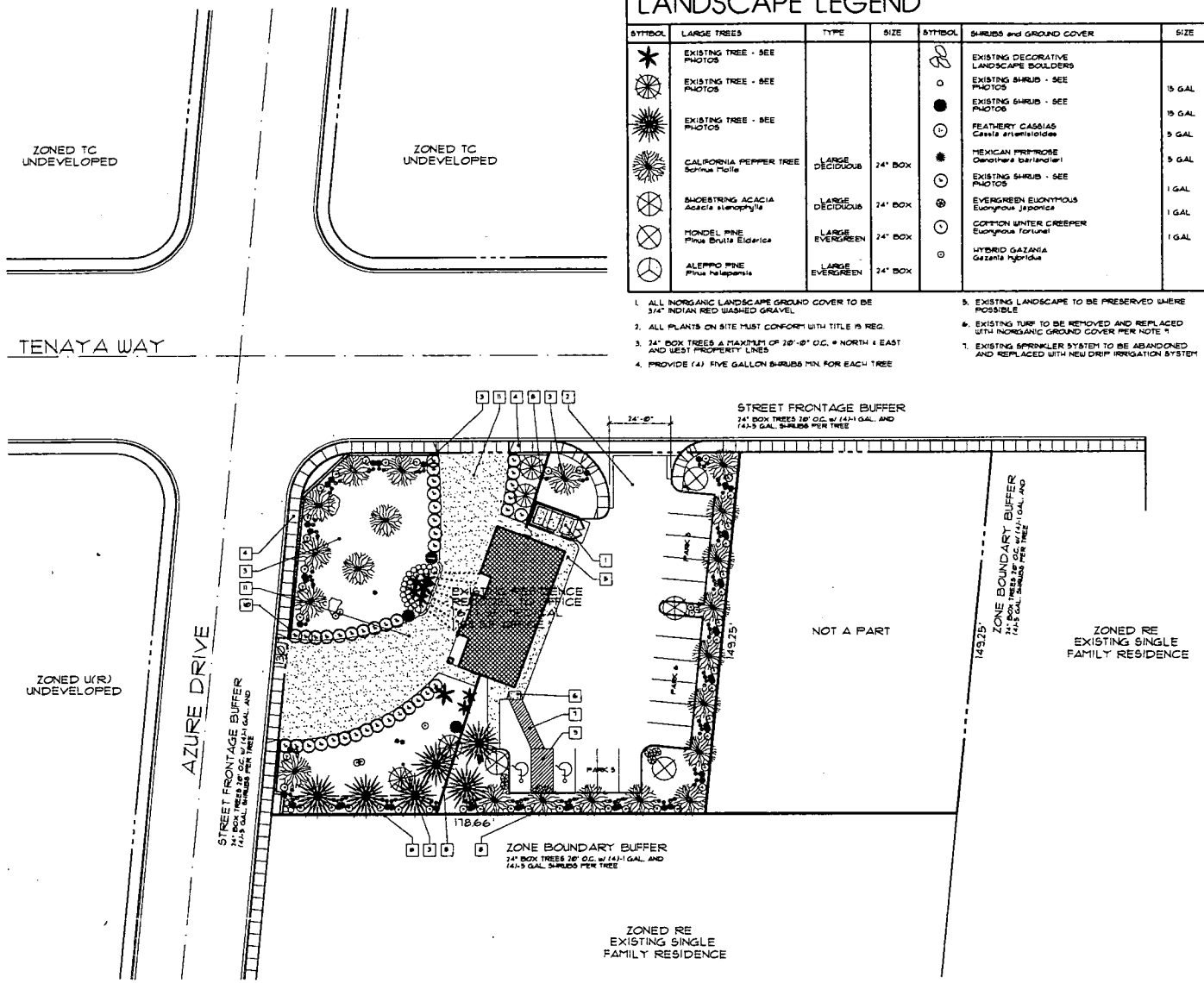
Subscribed and sworn before me

This 14 day of April, 2004

Thomas A Combs

Notary Public in and for said County and State

THOMAS A. COMBS
Notary Public - Nevada
No. 00-64599-1
My appt. exp. July 28, 2004



LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE
	EXISTING TREE - SEE PHOTOS		
	EXISTING TREE - SEE PHOTOS		
	EXISTING TREE - SEE PHOTOS		
	CALIFORNIA PEPPER TREE *Schinus Molle*	LARGE DECIDUOUS	24" BOX
	SHOESTRING ACACIA *Acacia stenophylla*	LARGE DECIDUOUS	24" BOX
	MONDEL PINE *Pinus Brutia Eldarica*	LARGE EVERGREEN	24" BOX
	ALEPPO PINE *Pinus halepensis*	LARGE EVERGREEN	24" BOX

SYMBOL	SHRUBS and GROUND COVER	SIZE
	EXISTING DECORATIVE LANDSCAPE BOULDERS	
	EXISTING SHRUB - SEE PHOTOS	15 GAL
	EXISTING SHRUB - SEE PHOTOS	15 GAL
	FEATHERY CASSIAS *Cassia artemisioides*	5 GAL
	MEXICAN FIRETHORN *Dendrtera barlandieri*	5 GAL
	EXISTING SHRUB - SEE PHOTOS	1 GAL
	EVERGREEN EUONYMOUS *Euonymous japonica*	1 GAL
	COMMON WINTER CREEPER *Euonymous fortunei*	1 GAL
	HYBRID GAZANIA *Gazania hybridus*	1 GAL

1. ALL INORGANIC LANDSCAPE GROUND COVER TO BE 3/4" INDIAN RED WASHED GRAVEL
2. ALL PLANTS ON SITE MUST CONFORM WITH TITLE 19 REQ.
3. 24" BOX TREES A MAXIMUM OF 20'-0" O.C. @ NORTH & EAST AND WEST PROPERTY LINES
4. PROVIDE (4) FIVE GALLON SHRUBS MIN. FOR EACH TREE
5. EXISTING LANDSCAPE TO BE PRESERVED WHERE POSSIBLE
6. EXISTING TURF TO BE REMOVED AND REPLACED WITH INORGANIC GROUND COVER PER NOTE 1
7. EXISTING SPRINKLER SYSTEM TO BE ABANDONED AND REPLACED WITH NEW DRIP IRRIGATION SYSTEM

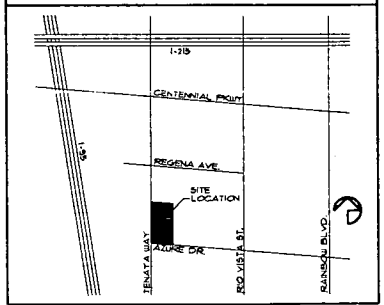
KEYNOTES

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

PROJECT DATA

EXISTING ZONING:	RE
REQUIRED ZONING:	PR
BUILDING AREA:	**EXISTING OFFICE** GENERAL OFFICE = 1183 S.F. MEDICAL OFFICE = 1611 S.F. TOTAL OFFICE = 2860 S.F.
PARKING REQUIRED:	1 SPACE/200 S.F. BUILDING AREA = 15 SPACES
PARKING PROVIDED:	16 SPACES
FLOOR AREA RATIO:	10.8%
SITE ACREAGE:	26,591 S.F. .61 ACRES
APN#	125-275-03-008

LOCATION



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

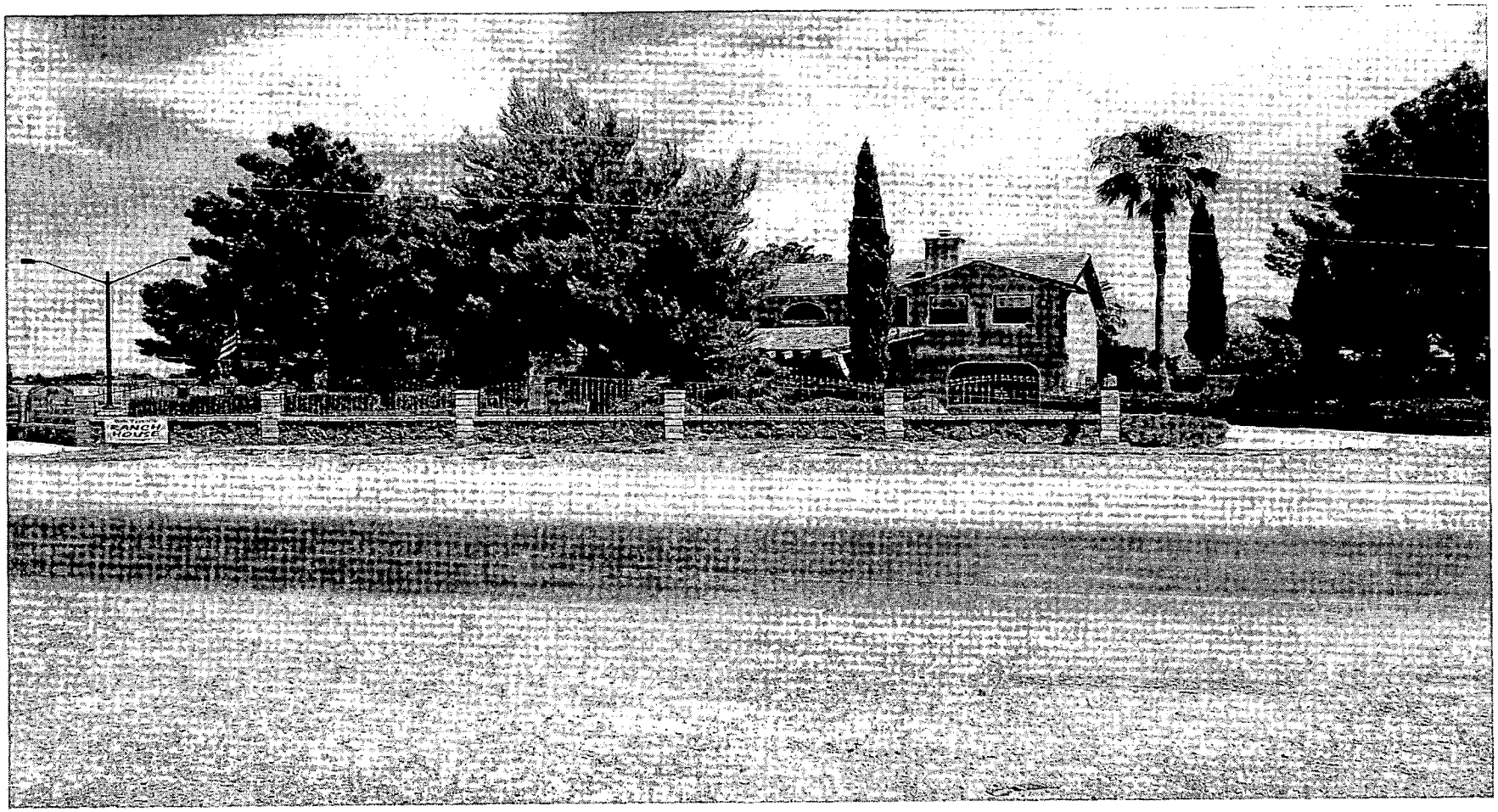
GPA-4631
ZON-4635
SDR-4638
8/26/04 PC

REVISED
8.25.04

john paul burke. architect
3471 WEST OQUENDO RD. 1301 LAS VEGAS, NV 89118 (702) 818-4663

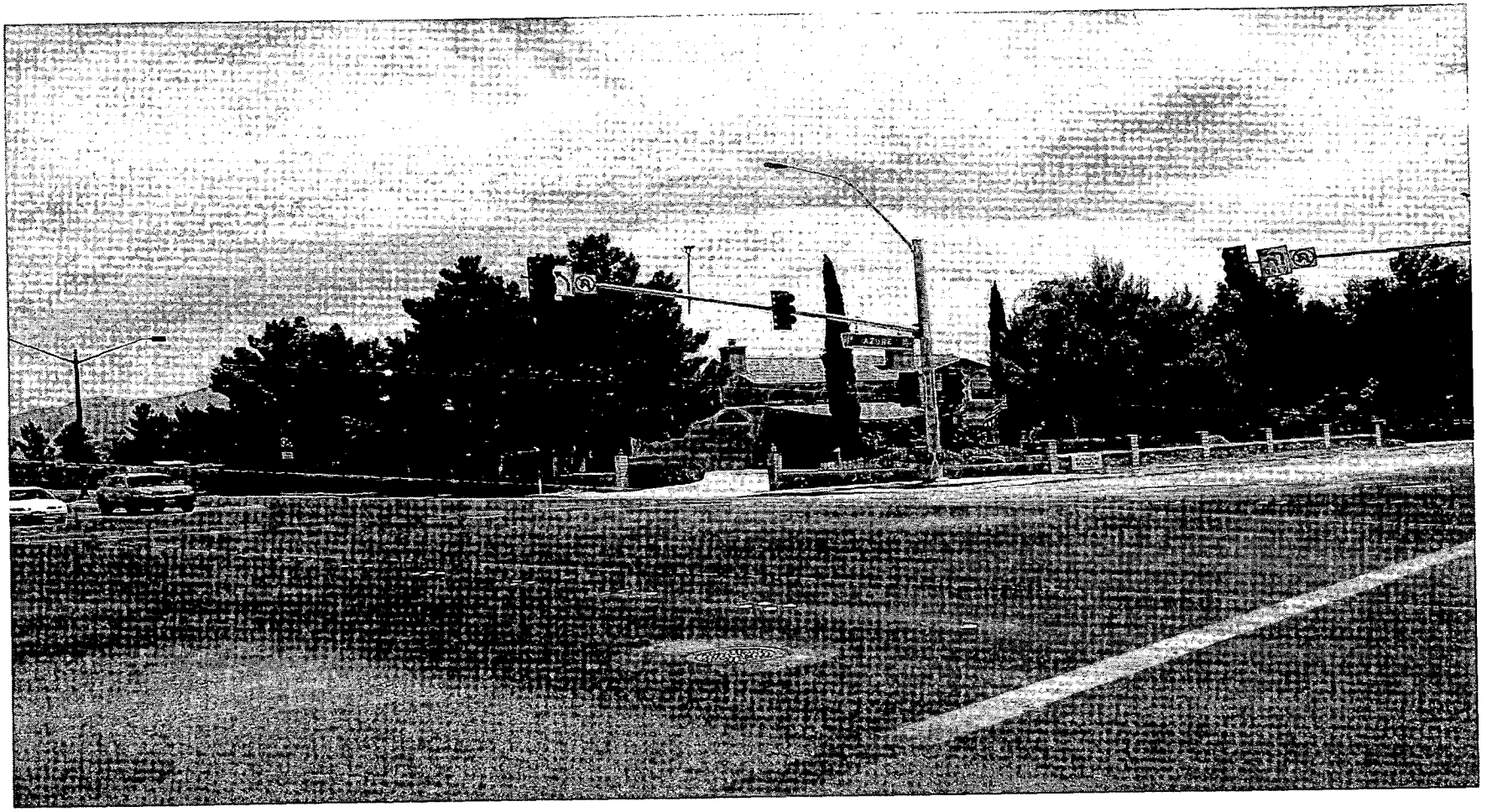
OFFICE BUILDING
7180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

revisions	
date	
proj. no.	
drwn. by	
chkd. by	
sheet no.	A1



ZON-4635 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04



ZON-4635 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 WEST AZURE DRIVE
SEPTEMBER 9, 2004 PLANNING COMMISSION

7/1/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Attn: Kyle C. Walton
Planning & Development Department
City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

July 15, 2004

From: Dr. Annette Martin
5955 N. Juliano Road
Las Vegas, Nevada 89149

Regarding: ZON 4635

Dear Sirs,

I own property within the zoning notification area.

I wish to have the Board approve the Application presented by Charles H. Shields for Change of Zoning. (Proposed: P-R Professional Office and Parking)

Following are the parcels of nearby land that I jointly own , and I wish to vote for approval of Mr. Charles Shields application.

125-27-610-025
125-27-610-026
125-27-610-027
125-27-610-028
125-27-610-029
125-27-610-042
125-27-610-043
125-27-610-044
125-27-610-045
125-27-610-046
125-27-610-071

Thank you for your consideration of my wishes.

Sincerely,
Dr Annette O. Martin
Dr. Annette O. Martin

READ INTO THE RECORD

July 14, 2004

Kyle C. Walton
Planning & Development Department
400 Stewart Avenue
Las Vegas, Nevada

Regarding: ZON 4635

Listed below are jointly owned parcels within the zoning notification area.

125-27-610-025	125-27-610-042
125-27-610-26	125-27-610-043
125-27-610-27	125-27-610-044
125-27-610-027	125-27-610-045
125-27-610-028	125-27-610-046
125-27-610-029	125-27-610-071

We wish to have the Board approve the Change of Zoning Application presented by Charles Shields. It is our wish that the vote for Proposed: Professional Office and Parking is approved.

Sincerely,

Anthony & Deborah Sirianni
5815 N. Juliano Road
Las Vegas, Nevada 89149

READ INTO
THE RECORD

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

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

July 12, 2004

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

RE:
ZON4635
GPA4331
SDR4638

Dear Mr. Walton,

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

Sincerely,

Jeff Special

READ INTO
THE RECORD

17 July 04

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

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

Dear Sir or Madam:

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

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

Please give serious consideration to disallowing these actions.

Sincerely,

Gwen Loucks

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

READ INTO
THE RECORD

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4631 AND ZON-4635

SDR-4638 - PUBLIC HEARING - APPLICANT/OWNERS: CHARLES H. SHIELDS - Request for a Site Development Plan Review for a PROPOSED OFFICE Parking LOT on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	5	**Planning Commission Mtg.**	1
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council - Protest petition with 8 properties submitted for Item 124 [GPA-4631], Item 125 [ZON-4635] and Item 126 [SDR-4638] filed under Item 124 [GPA-4631]
5. Back up referenced from the 9/9/2004 Planning Commission meeting Item 17

MOTION:

MACK - APPROVED subject conditions and the following amended condition:

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council, for the southernmost 179 feet of parcel.

- UNANIMOUS with REESE and BROWN excused

MINUTES:

NOTE: See Item 124 [GPA-4631] for all related discussion.
(3:38 - 3:59)
4-2369

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council.

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

3. A Site Development Plan Review is required for the proposed future medical office expansion (or any type of expansion), approved by Planning Commission and City Council.

4. All development shall be in conformance with the site plan, landscape plan and building elevations,

CONDITIONS - Continued:
dated stamped August 25, 2004, except as amended by conditions herein.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five gallon shrubs for each tree within provided planters as required by Title 19 and the Urban Design Guidelines and Standards.

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

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

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

10. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

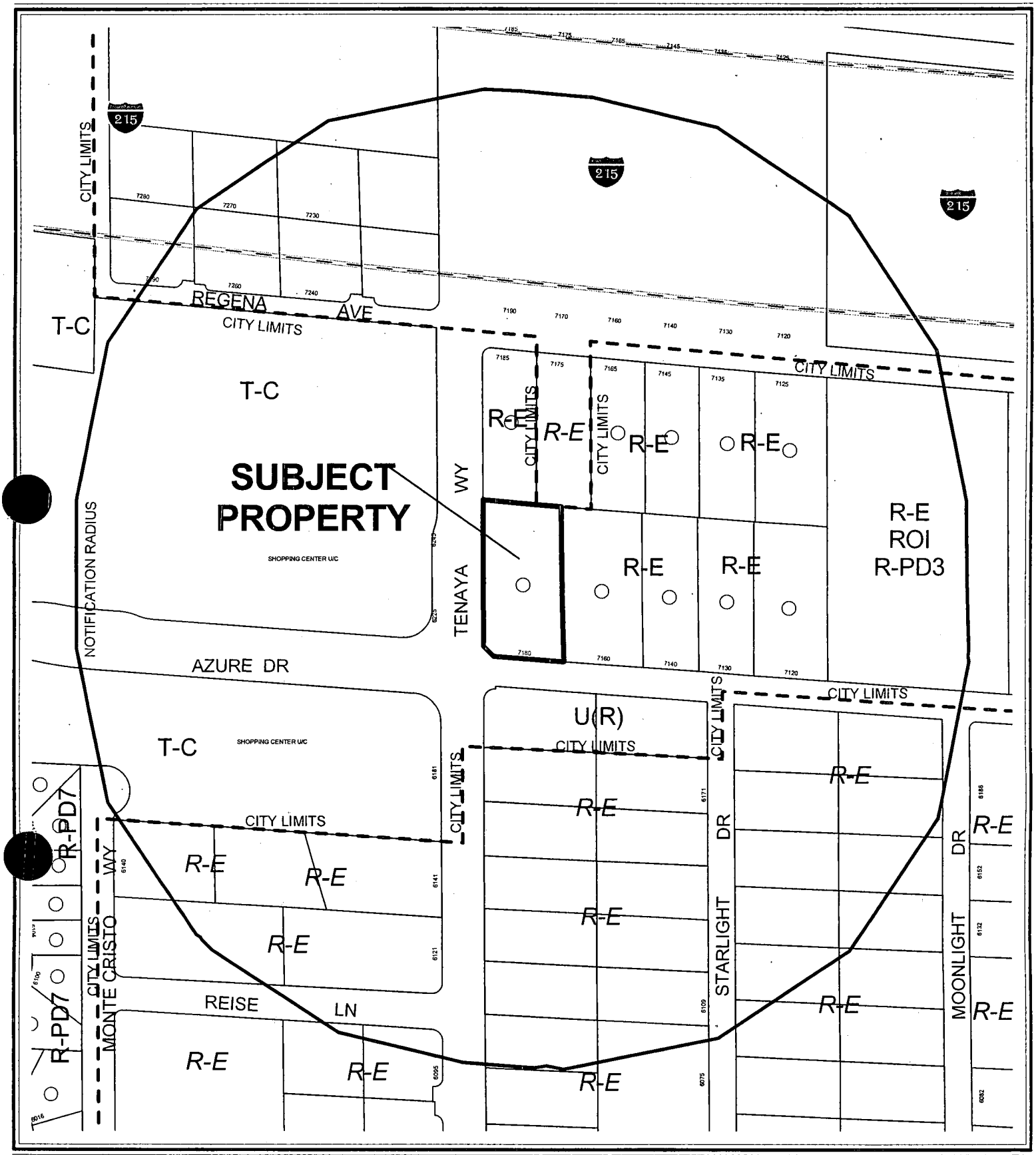
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, including elimination of the southern most driveway on Tenaya Way, on site circulation, parking lot layout and extension of the existing median island within Tenaya Way prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Proposed driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification

CONDITIONS - Continued:

ZON 4635 and all other subsequent site-related actions.



CASE: **SDR-4638**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4638 – APPLICANT/OWNERS: CHARLES H. SHIELDS

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council.

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

3. A Site Development Plan Review is required for the proposed future medical office expansion (or any type of expansion), approved by Planning Commission and City Council.

4. All development shall be in conformance with the site plan, landscape plan and building elevations, dated stamped August 25, 2004, except as amended by conditions herein.

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

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by Title 19 and the Urban Design Guidelines and Standards.

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

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

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

10. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

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

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, including elimination of the southern most driveway on Tenaya Way, on site circulation, parking lot layout and extension of the existing median island within Tenaya Way prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Proposed driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4635 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a medical office building on 0.96 acres at 7180 West Azure Drive.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

05/20/00	The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas, effective May 20, 2000.
07/22/04	The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
08/26/04	The Planning Commission voted to hold this item in abeyance .in an effort to provide the applicant an opportunity to revise the site plan and work with staff.
09/09/04	The Planning Commission recommended denial of companion applications for a General Plan Amendment (GPA-4631) from R (Rural) to O (Office), and for a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking), concurrently with this application.
09/09/04	The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #17).

B) Pre-Application Meeting

05/19/04	At a pre-application meeting the following issues were discussed.

- Landscape requirements were discussed, such as: a 15-foot buffer along streets, eight foot wide buffer along interior property lines with appropriate landscape materials; parking lot finger islands.
- If sidewalk is required, the sidewalk and the east half of Tenaya Way shall be designed and built per Town Center Standards for the "Loop Road."
- The parking standards will be based on one space per 200 square feet of building area, which requires 39 spaces and two handicap spaces.

C) Neighborhood Meetings

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

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.96 Acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

PROJECT DESCRIPTION

- Site Plan

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

- Landscape Plan

The landscape plan indicates perimeter landscaping on the entire site and in the front yard of the existing residence. Perimeter landscaping includes minimum fifteen-foot (15') wide planters along the Tenaya Way and Azure Drive street frontages. The side and rear landscape planters are shown as eight-foot (8') wide landscape planters. Landscape planter islands are indicated in the parking area, as required.

The perimeter landscaping along Tenaya Way and Azure Drive indicates new twenty-four inch box California Pepper Trees and some existing mature trees (Pine trees) spaced twenty feet on center with intermittent 5-gallon Feathery Cassias and Mexican Primrose shrubs and 1-gallon Hybrid Gazania. Landscaping in the front yard of the proposed residential office conversion consists of mature landscaping, including pine trees, cypress trees and a variety of hedges. The landscape plan indicates the existing lawn will be removed and replaced with inorganic ground cover, ¾" Indian Red Washed gravel.

- Building Elevations

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

This application meets the provisions of Title 19.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

Standards	Required Ratio	Required Trees	Provided
Parking Area	1 Tree / 6 Spaces	7 Trees	9 Trees
Buffer:			
• Min. Trees (adjacent to rights-of-way)	1 Tree per Linear 20 Feet, plus one tree	15 Trees	14 Trees
• Min. Trees (adjacent to residential)	1 Tree per Linear 20 Feet, plus one tree	23 Trees	21 Trees
• Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet
• Min. Zone Width (side and rear property lines)	8 Feet		8 Feet
• Wall height	6 Feet		Existing wall

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

A5) Sign Standards

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

No waivers were requested with this site plan.

- Landscape Plan

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

- Elevation

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

The existing residential character of the structure will remain the same with the office conversion, and therefore would be compatible with the existing residential development in the area.

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

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission voted to deny this project but if approved by City Council requested these conditions to be added:

- Developer is required to obtain City sewer and water connections.
- No access shall be allowed to Azure Drive.
- A site plan for the entire parcel to be approved for circulation prior to issuance of building permit.

Also, the Planning Commission felt that all Public Works conditions be retained.

NOTICES MAILED 32 by Planning Department

APPROVALS 1

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4638 APN: 125-27-503-008

Name of Property Owner: Shields, Charles H. & Gail W.

Name of Applicant: Charles H. Shields

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: Gail Shields Charles H. Shields

Print Name: GAIL SHIELDS CHARLES H. SHIELDS

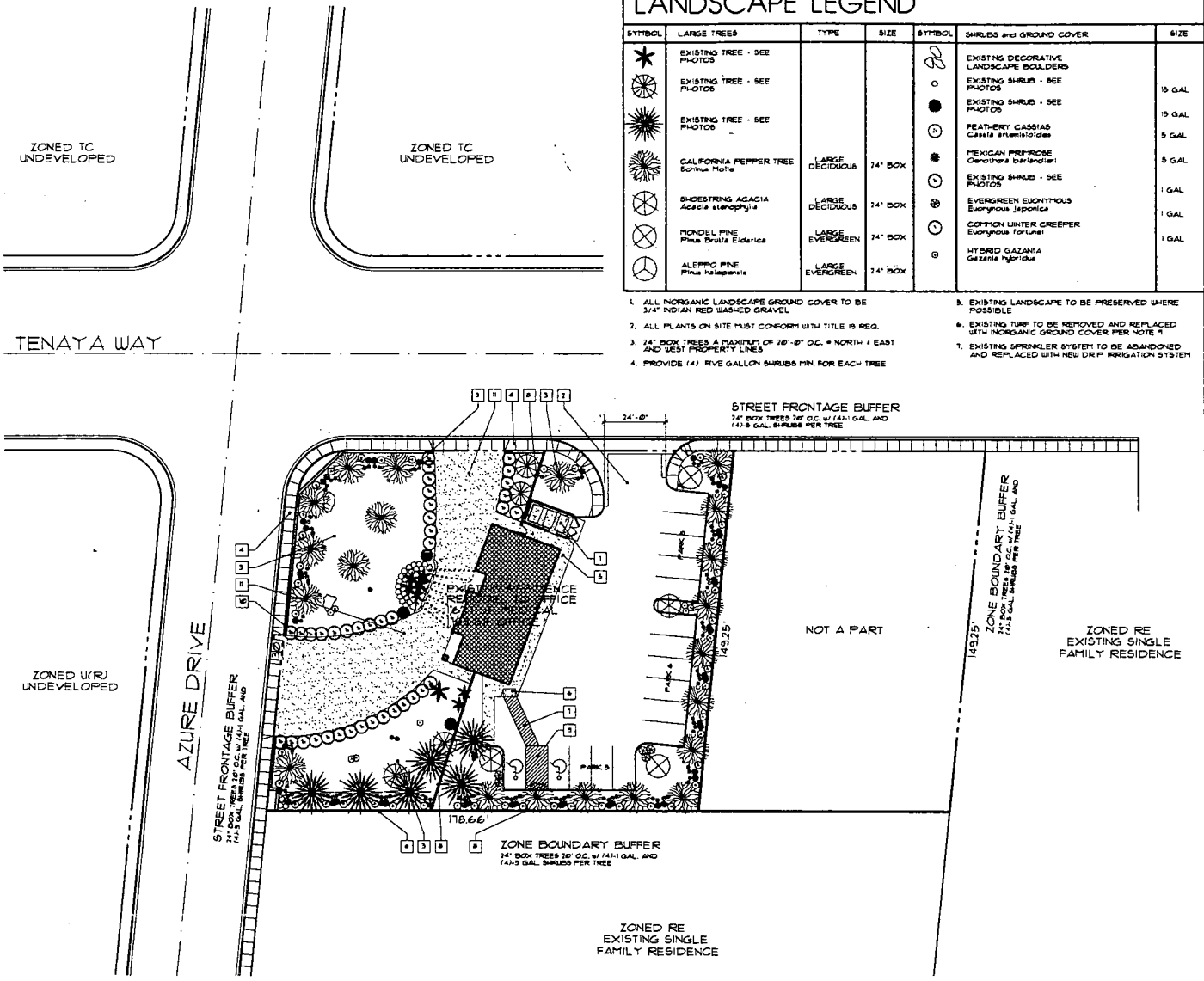
Subscribed and sworn before me

This 14 day of April, 2004

Thomas A Combs

Notary Public in and for said County and State

THOMAS A. COMBS
Notary Public - Nevada
No. 00-64599-1
My appt. exp. July 28, 2004



LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE
✱	EXISTING TREE - SEE PHOTOS		
✱	EXISTING TREE - SEE PHOTOS		
✱	EXISTING TREE - SEE PHOTOS		
✱	CALIFORNIA PEPPER TREE Schinus Molle	LARGE DECIDUOUS	24" BOX
✱	SHOESTRING ACACIA Acacia stenophylla	LARGE DECIDUOUS	24" BOX
✱	MONDEL PINE Pinus Brutia Eldarica	LARGE EVERGREEN	24" BOX
✱	ALEPPO PINE Pinus halepensis	LARGE EVERGREEN	24" BOX

SYMBOL	SHRUBS and GROUND COVER	SIZE
	EXISTING DECORATIVE LANDSCAPE BOULDERS	
○	EXISTING SHRUB - SEE PHOTOS	15 GAL
●	EXISTING SHRUB - SEE PHOTOS	15 GAL
⊕	FEATHERY CASSIAS Cassia artemisioides	5 GAL
✱	MEXICAN PRIMROSE Oenothera berlandieri	5 GAL
⊙	EXISTING SHRUB - SEE PHOTOS	1 GAL
⊛	EVERGREEN EUONYMOUS Euonymus japonica	1 GAL
⊙	COTTON WINTER CREEPER Euonymus fortunei	1 GAL
⊙	HYBRID GAZANIA Gazania hybridus	

1. ALL INORGANIC LANDSCAPE GROUND COVER TO BE 3/4" INDIAN RED WASHED GRAVEL
2. ALL PLANTS ON SITE MUST CONFORM WITH TITLE 19 REQ.
3. 24" BOX TREES A MAXIMUM OF 20'-0" O.C. @ NORTH & EAST AND WEST PROPERTY LINES
4. PROVIDE (4) FIVE GALLON SHRUBS MIN. FOR EACH TREE
5. EXISTING LANDSCAPE TO BE PRESERVED WHERE POSSIBLE
6. EXISTING TURF TO BE REMOVED AND REPLACED WITH INORGANIC GROUND COVER PER NOTE 1
7. EXISTING SPRINKLER SYSTEM TO BE ABANDONED AND REPLACED WITH NEW DRIP IRRIGATION SYSTEM

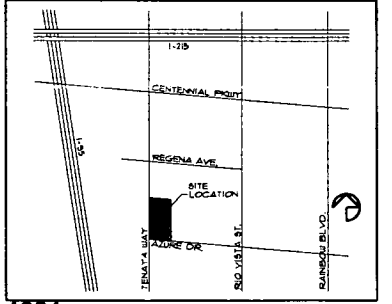
KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH
2	2" A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/ROCKSALT FINISH
6	HANDICAP CURB RAMP
7	HANDICAP ACCESSIBLE ROUTE
8	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
9	VAN ACCESSIBLE HANDICAP ACCESS AISLE
10	EXISTING DECORATIVE ROCK WALL
11	NEW CONCRETE DRIVEWAY W/ROCKSALT FINISH

PROJECT DATA

EXISTING ZONING:	RE
REQUIRED ZONING:	PR
BUILDING AREA:	EXISTING OFFICE GENERAL OFFICE = 1,183 S.F. MEDICAL OFFICE = 1,671 S.F. TOTAL OFFICE = 2,860 S.F.
PARKING REQUIRED:	1 SPACE/200 S.F. BUILDING AREA = 15 SPACES
PARKING PROVIDED:	16 SPACES
FLOOR AREA RATIO:	10.8%
SITE ACREAGE:	26,551 S.F. .61 ACRES
APN#	125-278-03-008

LOCATION



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

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

REVISED
8.25.04

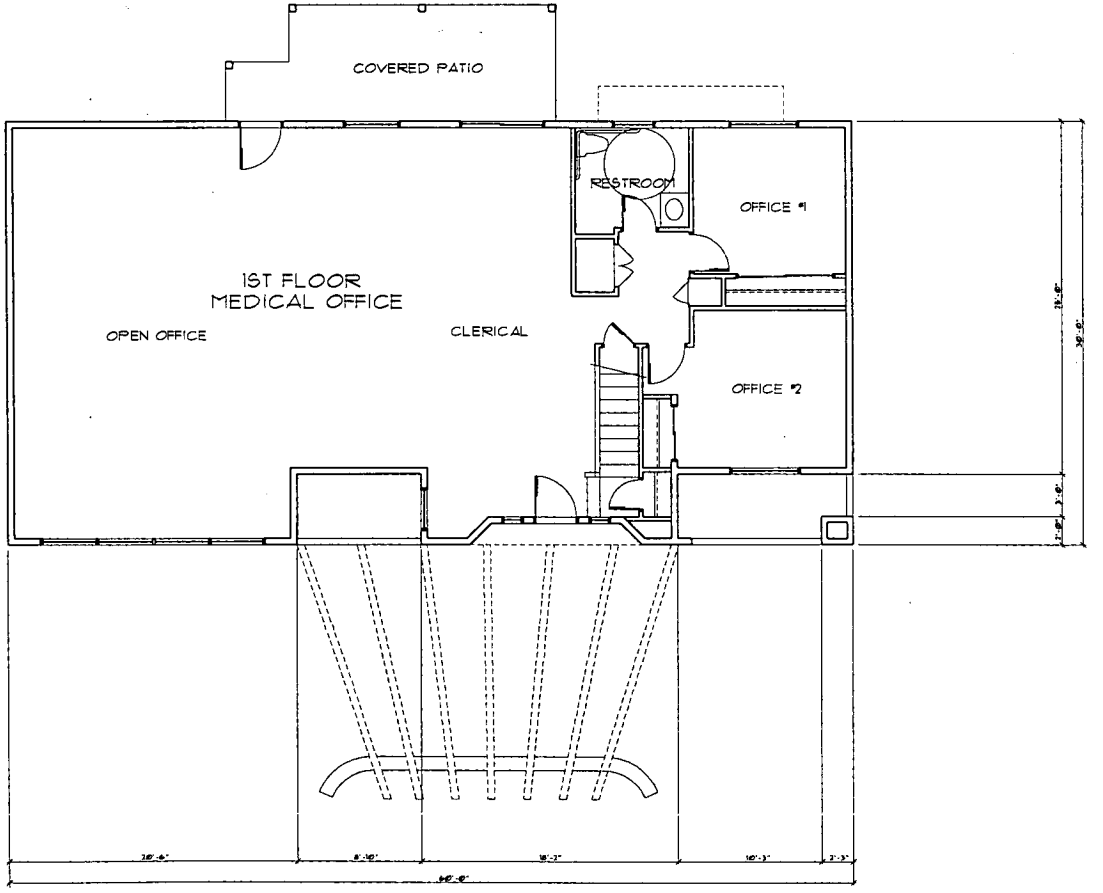
revisions

john david burke. architect
3471 WEST OQUENDO RD. (301) LAS VEGAS, NV 89118 (702) 876-4863

OFFICE BUILDING
7180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date	
proj. no.	
drwn. by	
chkd. by	

sheet no. A1



KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH
2	2" A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CLARK COUNTY
5	4" CONCRETE SIDEWALK W/ROCKSALT FINISH
6	HANDICAP CURB RAMP
7	HANDICAP ACCESS AISLE
8	6'-0" HIGH CONCRETE BLOCK WALL
9	PYLON SIGN - BY OTHERS
10	GAS CANOPY
11	10x25 LOADING ZONE

1 FLOOR PLAN

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

1ST FLOOR AREA = 1,677 S.F.
2ND FLOOR AREA = 1,183 S.F.
TOTAL AREA = 2,860 S.F.

john gaull burke. architect
3411 WEST OQUENDO RD. #301 LAS VEGAS, NV 89118 (702)876-4863

revisions

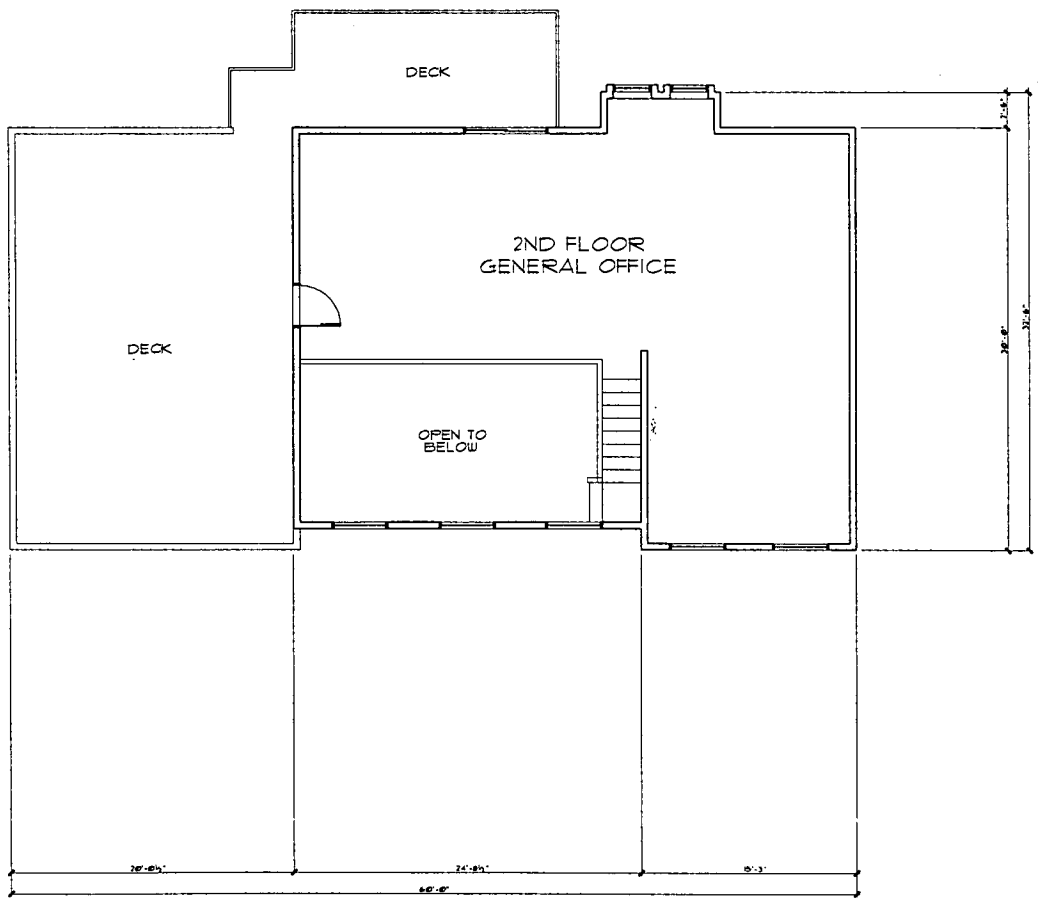
OFFICE BUILDING
1180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date
proj. no.
drwn. by
chkd. by

sheet no. A2

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

REVISED
8.25.04



1 2ND FLOOR PLAN

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

1ST FLOOR AREA = 1,677 S.F.
2ND FLOOR AREA = 1,183 S.F.
TOTAL AREA = 2,860 S.F.

KEYNOTES

#	description
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH
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10	GAS CANOPY
11	10x25 LOADING ZONE

revisions

john paul burke. architect
3471 WEST OQUENDO RD. #301 LAS VEGAS, NV 89118 (702)616-4863

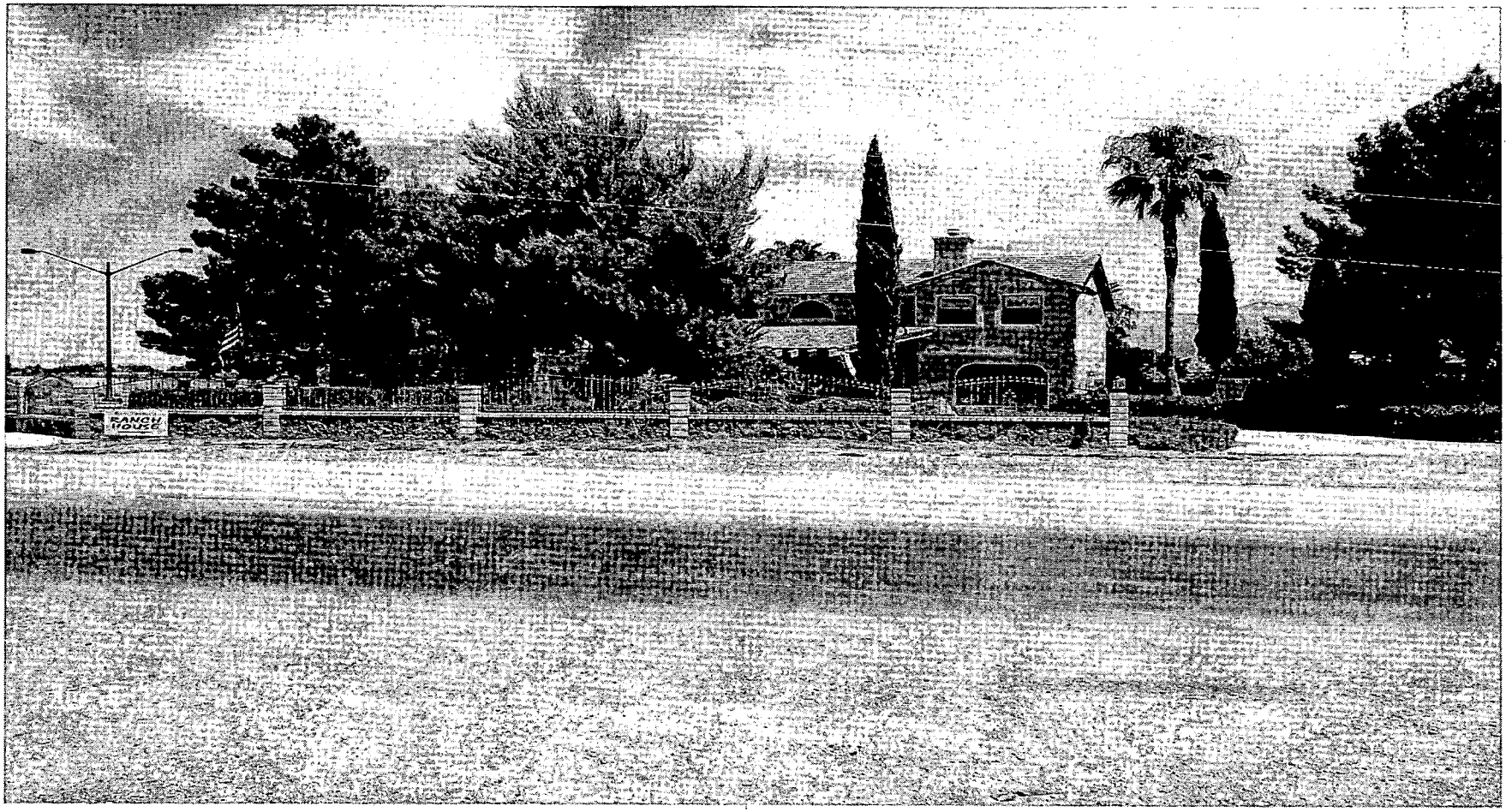
OFFICE BUILDING
7180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date
proj. no.
drwn. by
chkd. by

sheet no. A3

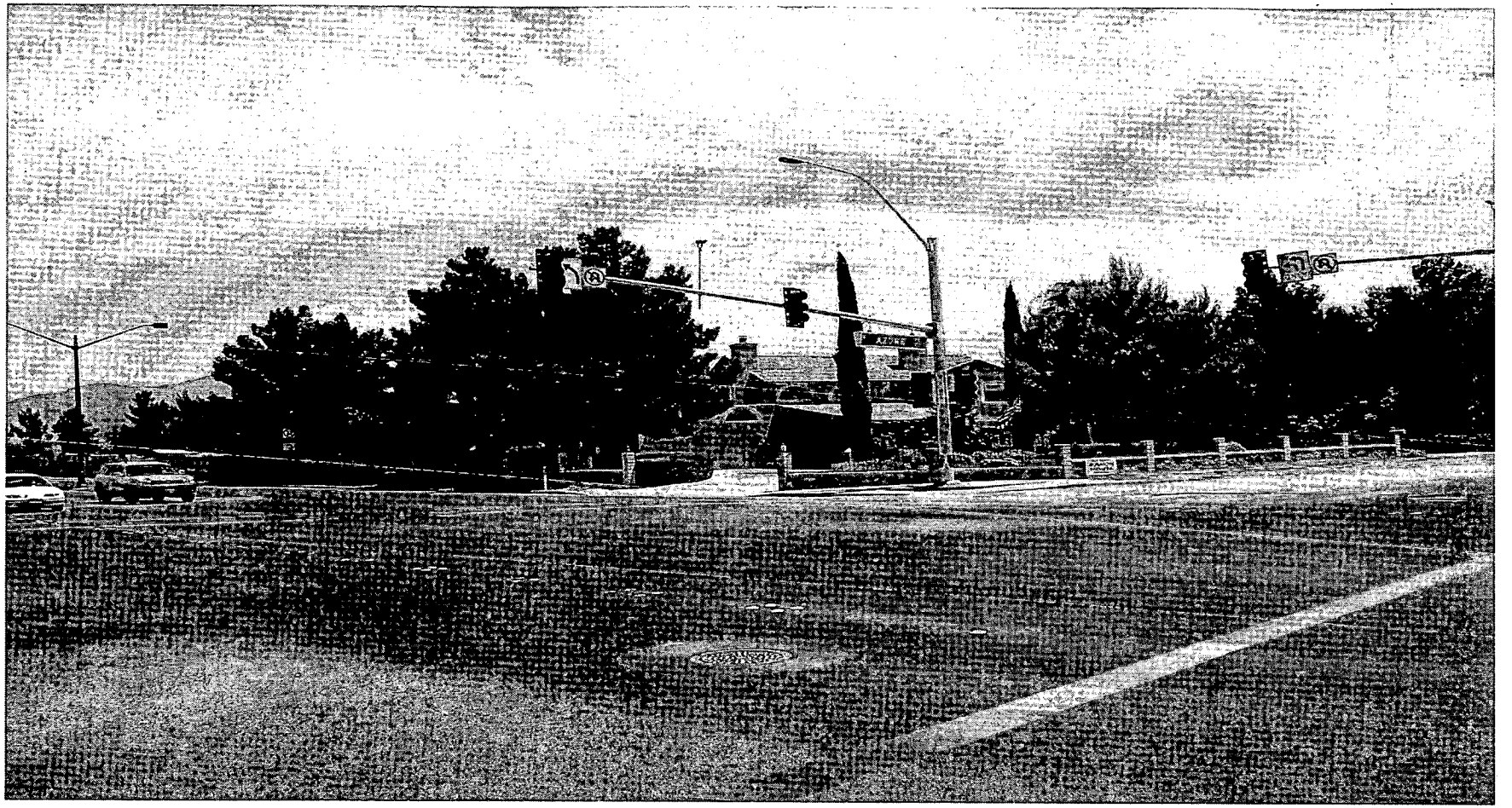
GPA-4631
ZON-4635
SDR-4638
8/26/04 PC

REVISED



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

7/1/04



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

7/1/04

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

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

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

July 12, 2004

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

RE:
ZON4635
GPA4331
SDR4638

Dear Mr. Walton,

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

Sincerely,

Jeff Special

READ INTO
THE RECORD

17 July 04

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

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

Dear Sir or Madam:

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

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

Please give serious consideration to disallowing these actions.

Sincerely,

Gwen Loucks

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

READ INTO
THE RECORD

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-4649 - PUBLIC HEARING - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITY) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with REESE and BROWN excused

MINUTES:

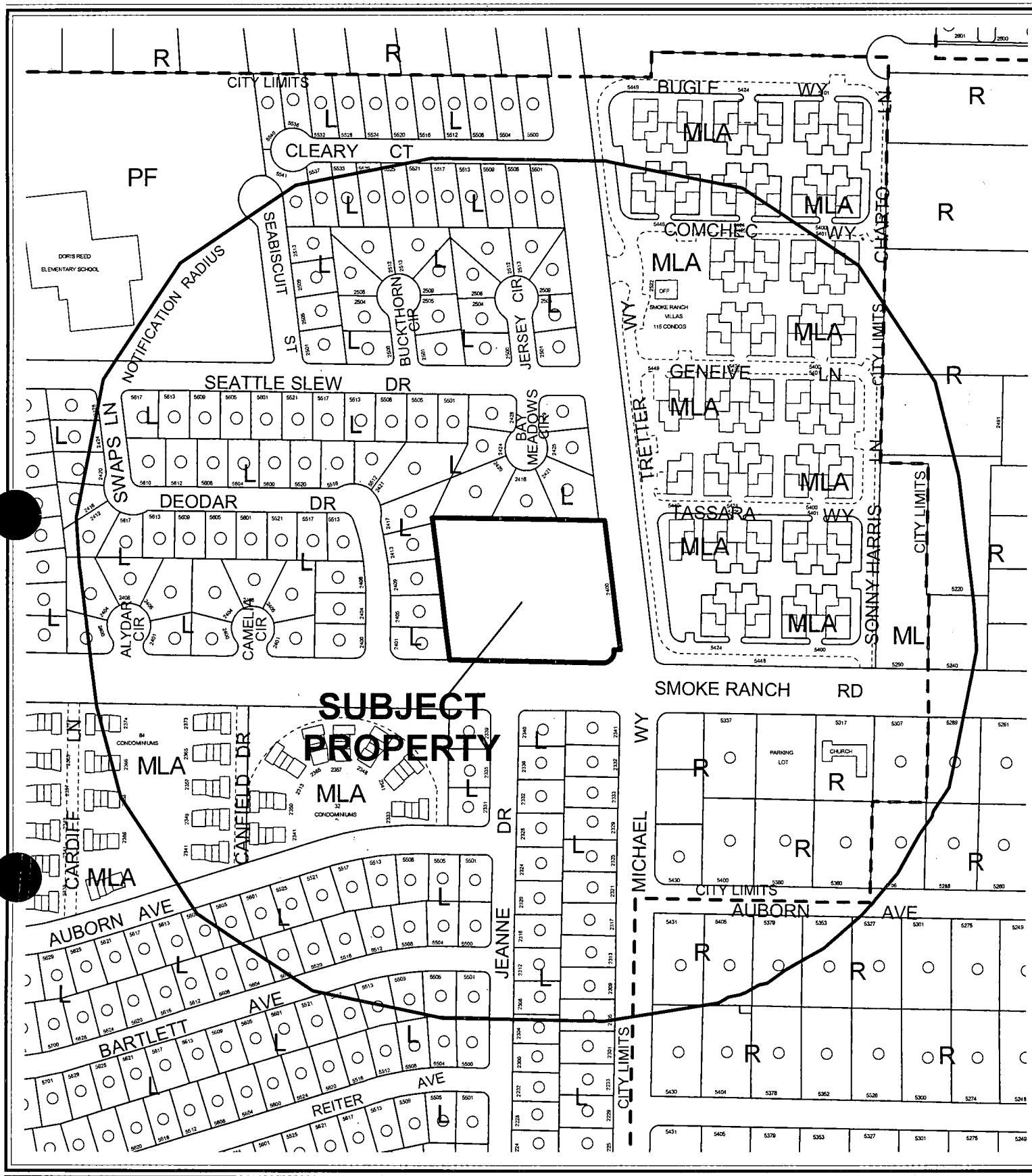
MAYOR GOODMAN declared the Public Hearing open on Item 127 [GPA-4649], Item 128 [VAR-4648], Item 129 [ZON-4646], Item 130 [WVR-4846] and Item 131 [SDR-4647].

ARCHITECT MICHAEL LIVINGSTON appeared on behalf of the applicant and indicated that he met with neighbors and explained the project. Subsequently, their concerns were addressed and now fully support the project.

COUNCILMAN WEEKLY thanked the applicant his due diligence and for caring about the integrity of the neighborhood. He also thanked MARGO WHEELER, Deputy Director, Planning and Development Department, for understanding the concerns of this particular neighborhood.

MR. LIVINGSTON indicated that the name of the project is "Selena", named after the owner's late wife.

MAYOR GOODMAN declared the Public Hearing closed on Item 127 [GPA-4649], Item 128 [VAR-4648], Item 129 [ZON-4646], Item 130 [WVR-4846] and Item 131 [SDR-4647].
(3:57 - 4:05)
4-3499

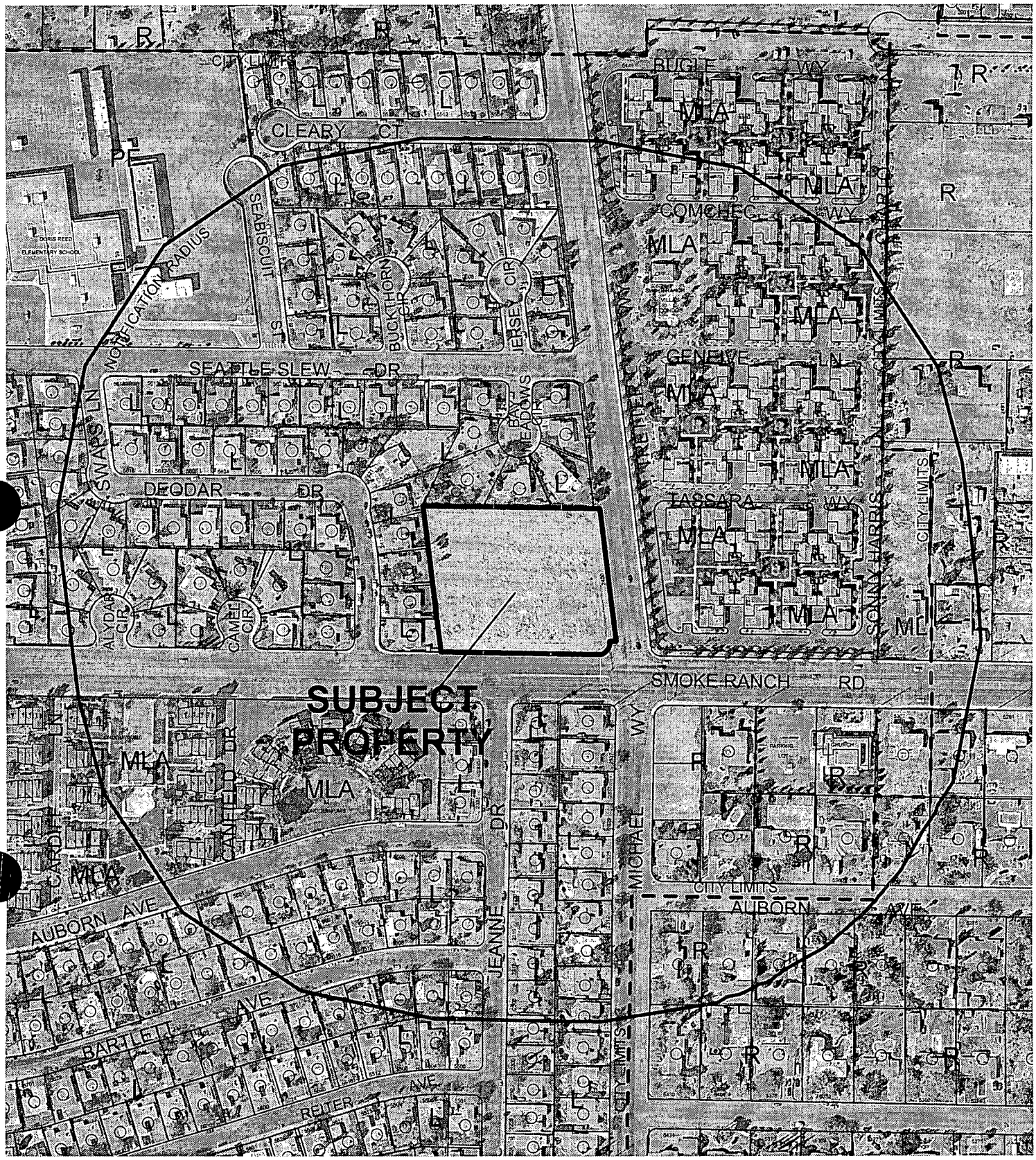


CASE: **GPA-4649**

RADIUS: 750 FT

GENERAL PLAN OF SUBJECT PROPERTY:
PF (PUBLIC FACILITY)

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



0 200 400 Feet

CASE: **GPA-4649**

RADIUS: 750 FT

GENERAL PLAN OF SUBJECT PROPERTY:
PF (PUBLIC FACILITY)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-4649 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the Southwest Sector Plan of the General Plan land use designation of the subject property located adjacent to the northwest corner of Michael Way and Smoke Ranch Road from PF (Public Facility) to ML (Medium-Low 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 ML (Medium-Low Density Residential) land uses with a maximum density of 12 dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
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.
08/18/99	The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 units per acre.
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
05/05/04	The City Council approved an update of the Southwest Sector Map (GPA-3985) of the city of Las Vegas General Plan. On this map, the subject properties were designated for PF (Public Facility).
07/22/04	The Planning Commission voted to hold this item and its companion items in abeyance to allow the companion waiver request (WVR-4846) to be heard with the other applications.
08/26/04	The Planning Commission recommended approval of related items (ZON-4646, WVR-4846, VAR-4648 and SDR-4647).
08/26/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #21).

DETAILS OF APPLICATION REQUEST

Site Area: 2.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	SFD (Single Family Detached Residence)
South	SFD (Single Family Detached Residence)
East	SFA (Single Family Attached Residence)
West	SFD (Single Family Detached Residence)

PLANNED LAND USE

Subject Property	PF (Public Facility)
North	L (Low Density Residential)
South	L (Low Density Residential)
East	MLA (Medium Low Attached Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-1 (Single Family Residential)
South	R-1 (Single Family Residential)
East	R-PD6 (Residence Planned Development - 6 Units Per Acre)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The site is located on the Southwest Sector Map of the General Plan. The land use designation for the subject property is currently PF (Public Facility), which permits public development such as government agencies, parks, detention basins, and flood control systems. This plan amendment request is to change the Public Facility designation to ML (Medium Low Density Residential). An application to rezone (ZON-4646) the parcel to RPD-6 (Residential Planned Development – 6 Units Per Acre), which would allow residential development with a maximum density of 6.49 dwelling units per acre, has been filed with this plan amendment request. The R-PD6 (Residential Planned Development – 6 Units Per Acre) zoning implements the ML (Medium Low Density Residential) land use designation. The companion Variance (VAR-4648) is not related to any specific General Plan policies.

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

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

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.

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

ANALYSIS

The proposed development is located at the northwest corner of Michael Way and Smoke Ranch road (a 100 foot Primary arterial as shown on the Master Plan of Streets and Highways).

The location is immediately adjacent to property designated as L (Low Density Residential). Across Smoke Ranch Road to the south, the land use is also L (Low Density Residential). The land use to the east across Michael Way is designated as MLA (Medium Low- Attached Residential) on the Southwest Sector land use plan. The proposed land use of ML (Medium Low Density Residential) is an effective buffer between the residential to the northwest and the street intersection and an appropriate transition from the higher density residential to the east.

FINDINGS

Title 19.18.030.I of the 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.**

   The proposed land use of ML (Medium Low Density Residential) is an effective buffer between the residential to the northwest and the street intersection and an appropriate transition from the higher density residential to the east.

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

   The intensity of the zoning districts that are comparable to the ML (Medium Low Density Residential) land use is compatible with the adjacent uses.

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

   As this location is surrounded with mature development the transportation, recreation, utility, and other facilities are sufficient to accommodate the residents of the proposed development.

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

   The request implements objective 2.6 of the Las Vegas 2020 Master plan that calls for quality infill development within established areas of the city.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

06/22/04 Fifteen people attended the meeting who had questions regarding landscaping, gated communities, two story homes, increased traffic and the schedule of construction.

NOTICES MAILED: 373 by Planning Department

APPROVALS: 0

PROTESTS: 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4649 APN: 138-13-403-001

Name of Property Owner: AQUINO BENITO ARMAND ETAL ETAL

Name of Applicant: - SAME -

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 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: Augusto G. Gaborro

Print Name: AUGUSTO G. GABORRO

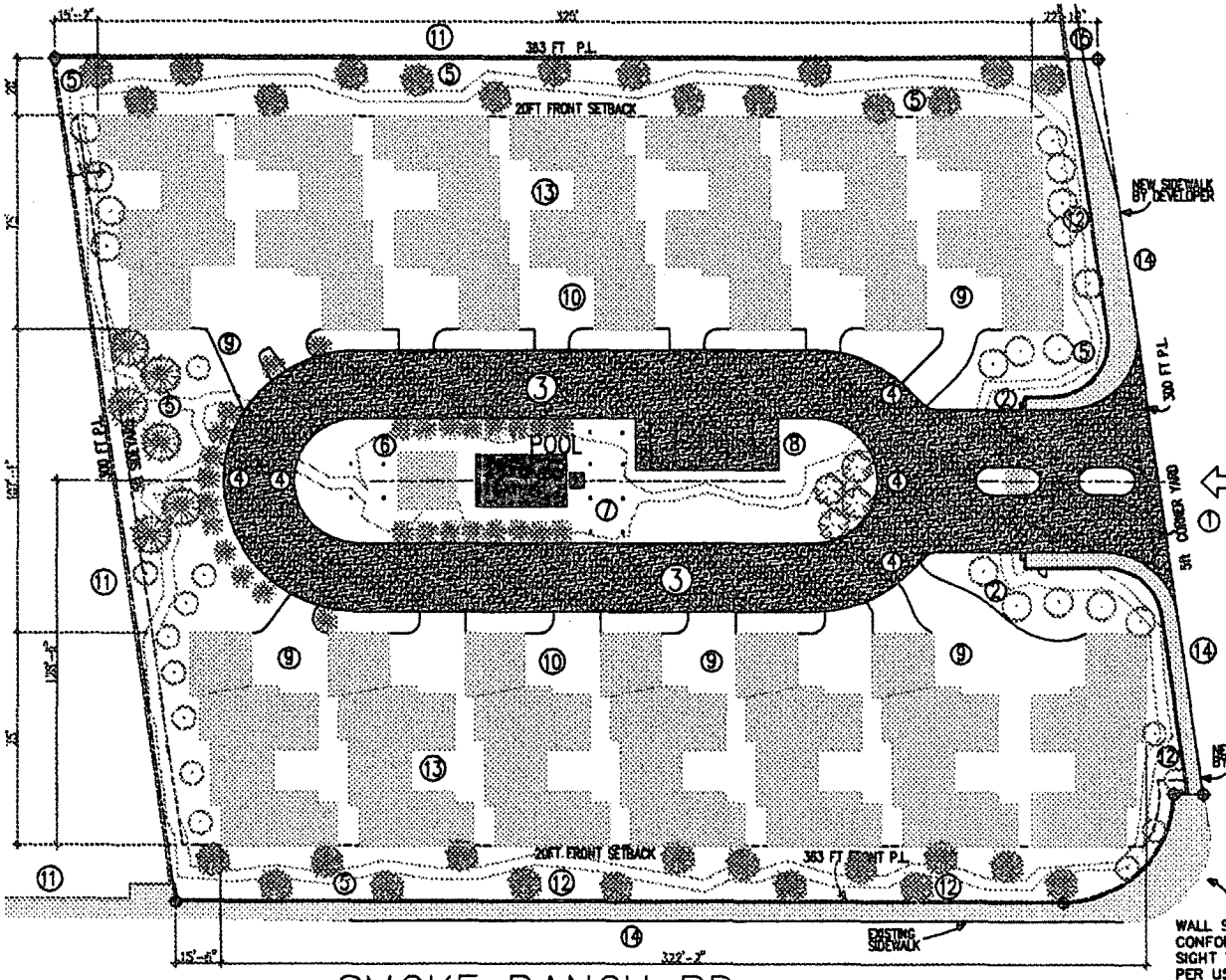
Subscribed and sworn before me

This 8th day of June, 2004

Judith L. Smith

Notary Public in and for said County and State

JUDITH L. SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 93-3623-1
MY APPT EXPIRES APRIL 10, 2005



WALL SETBACK TO CONFORM TO INTERSECTION SIGHT VISIBILITY ZONE PER USD CLARK COUNTY AREA DWG 201.2

BACK OF CURB RADIUS PER USD CLARK COUNTY AREA DWG 201

RESIDENTIAL RPD-6 DEVELOPMENT STANDARD		
STANDARD	REQUIRED	PROVIDED
MINIMUM LOT SIZE s.f.	6,500	108,900
DWELLING UNITS PER ACRE	6	5.7
MIN. LOT WIDTH (ft)	NA	NA
MIN. FRONT YARD SETBACK (ft)	NA	20
MIN. SIDE YARD SETBACK (ft)	NA	10
MIN. CORNER SIDE YARD SETBACK (ft)	NA	22
MIN. REAR YARD SETBACK (ft)	NA	20
MIN. DISTANCE BETWEEN BUILDINGS	NA	35
MAX LOT COVERAGE	NA	NA
MAX. BUILDING HEIGHT (ft)	2 ST/35ft	2 ST/35ft

KEY NOTES

1. ENTRY/EGRESS TO USD STANDARD 222A
2. AUTOMATIC HORIZONTAL SWING GATE & GUARD HOUSE
3. NEW 24' WIDE PAVED ROAD
4. 22' LR & 45' O.R. RADIUS
5. LANDSCAPE BUFFER & JOGGING TRACK
6. CLUB HOUSE
7. POOL
8. GUEST PARKING W/ H.C. SPACE 18' X 9' TYP
9. TYPICAL DRIVEWAY
10. TYPICAL FIRE-SPRINKLERED SINGLE FAMILY RESIDENCE 2 STOREY MAX HEIGHT 35 FT
11. EXISTING 6FT HGT CMU WALL
12. NEW 6FT HGT CMU WALL W/ 20% CONTRASTING MATERIAL
13. TYPICAL COURTYARD
14. SIDEWALK
15. EXISTING FIRE HYDRANT

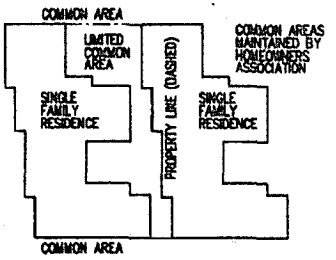
BUILDING SIZES

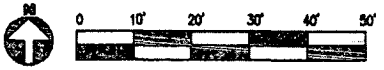
GROUND FLOOR FOOTPRINT	
11 UNITS AT 2320 SQ FT	25,520 SQ. FT
1 UNIT AT 2202 SQ FT	2,202 SQ. FT
1 UNIT AT 2202 SQ. FT	2,280 SQ. FT
POOL HOUSE	400 SQ. FT
GUARD HOUSE	96 SQ. FT
TOTAL	30,498 SQ. FT
PROPERTY SIZE 2.45 ACRES	106,722 SQ. FT
F.A.R. (FLOOR AREA RATIO)	28.5%
DENSITY	5.7 UNITS PER ACRE

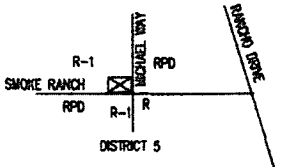
PARKING

11 UNITS EACH WITH DOUBLE GARAGE	22
2 PARKING SPACES IN EACH GARAGE COURT	22
5 OFF STREET GUEST PARKING W/ 1 H/C	5
TOTAL PARKING	49

OPEN SPACE REQUIREMENT
NON-OPEN SPACE SHOWN SHADED
1.65 X 5.7 = 9.45 %
9.45% X 106,722 SQ FT = 10, 032 SQ FT REQUIRED
39,884 SQ FT PROVIDED







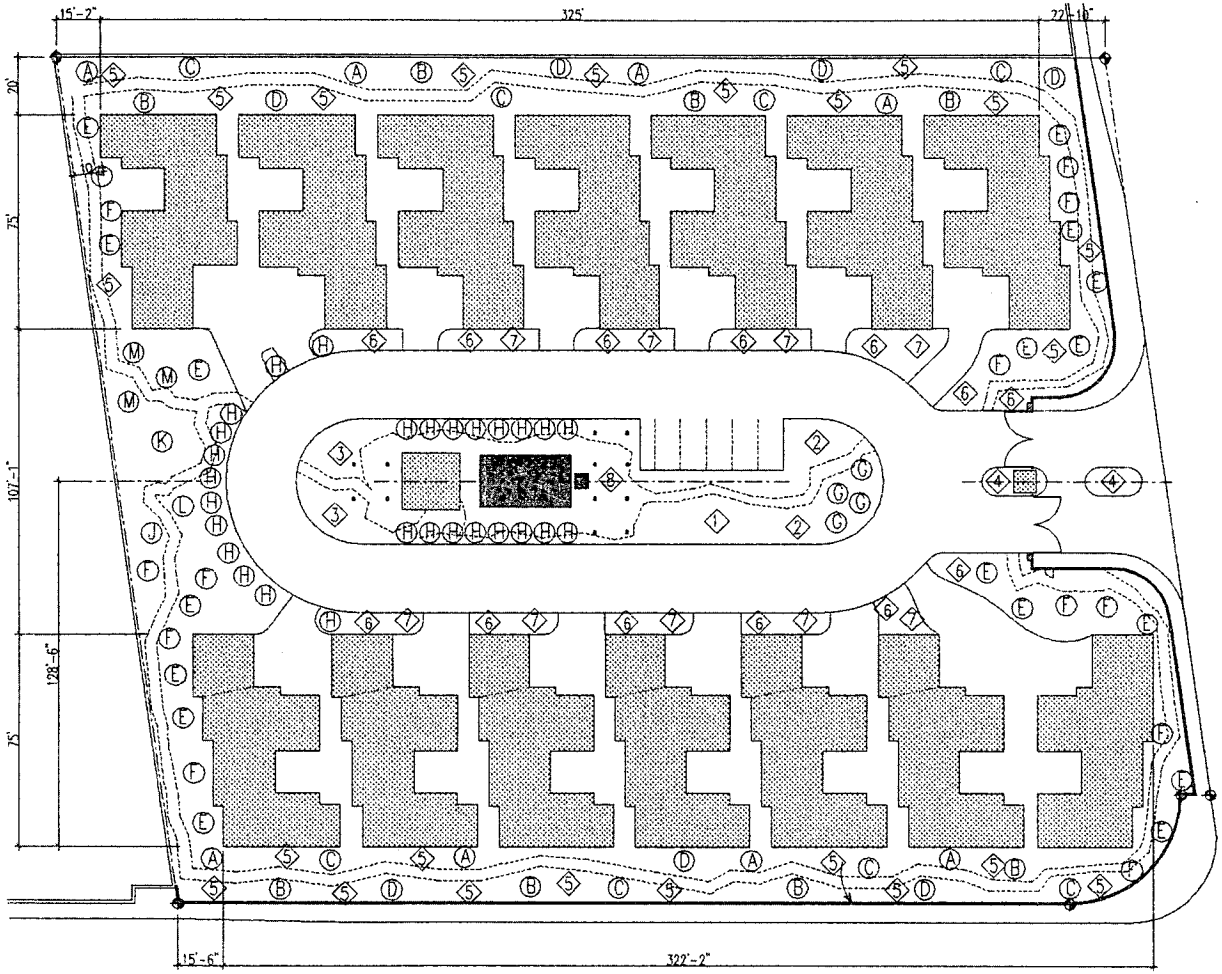
2.45 ACRE SITE 138-13-403-001
DISTRICT 6
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN

SP1

GPA-4649

8/26/04 PC



KEY TO TREES

	HGT	
A	5 FT	CRIMSON KING MAPLE
B	5 FT	SCARLET MAPLES
C	5 FT	SUGAR MAPLES
D	5 FT	NORWAY MAPLES
E	5 FT	CRAPE MAPLE - ZUNI
F	5 FT	CRAPE MAPLE - TONTO
G	5 FT	DATE PALM - PHOENIX DACTYLIFERA
H	5 FT	ITALIEN CYPRESS - CUPRESSUS SEMPERVIRENS
J	5 FT	CHESTNUT - COLASSAL
K	5 FT	CHESTNUT - CHINESE
L	5 FT	HARDY ALMOND
M	5 FT	MESQUITE

KEY TO PLANTS

1	DRYLAND MIX
2	CACTI MIX
3	ROSE MIX
4	POTS W/ PERENNIALS
5	GRASS CLUMP MIX W/ STONE CHIPPINGS
6	CACTI W/ DESERT GRASS CLUMP MIX
7	CACTI IN POTS
8	GRAPE

NOTES:

1. PROJECT IS XERI-LANDSCAPED
2. NO TURF
3. PATH TO BE COMPACTED SHELL
4. DRIVEWAY TO BE COLORED CONCRETE
5. PROVIDE SEAT OPPOSITE REAR OF EACH HOUSE
6. PROVIDE MINIMUM OF ONE 24" TREE FOR EVERY 30 FT OF GROSS FRONTAGE IN STREETSCAPE.
7. PROVIDE MINIMUM OF 4 SHRUBS FOR EVERY TREE PLANTED
8. ALL LANDSCAPE AREAS NOT COVERED BY VEGETATION SHALL CONTAIN A MIN OF 2" OF ROCK MULCH OR DECOMPOSED GRANITE



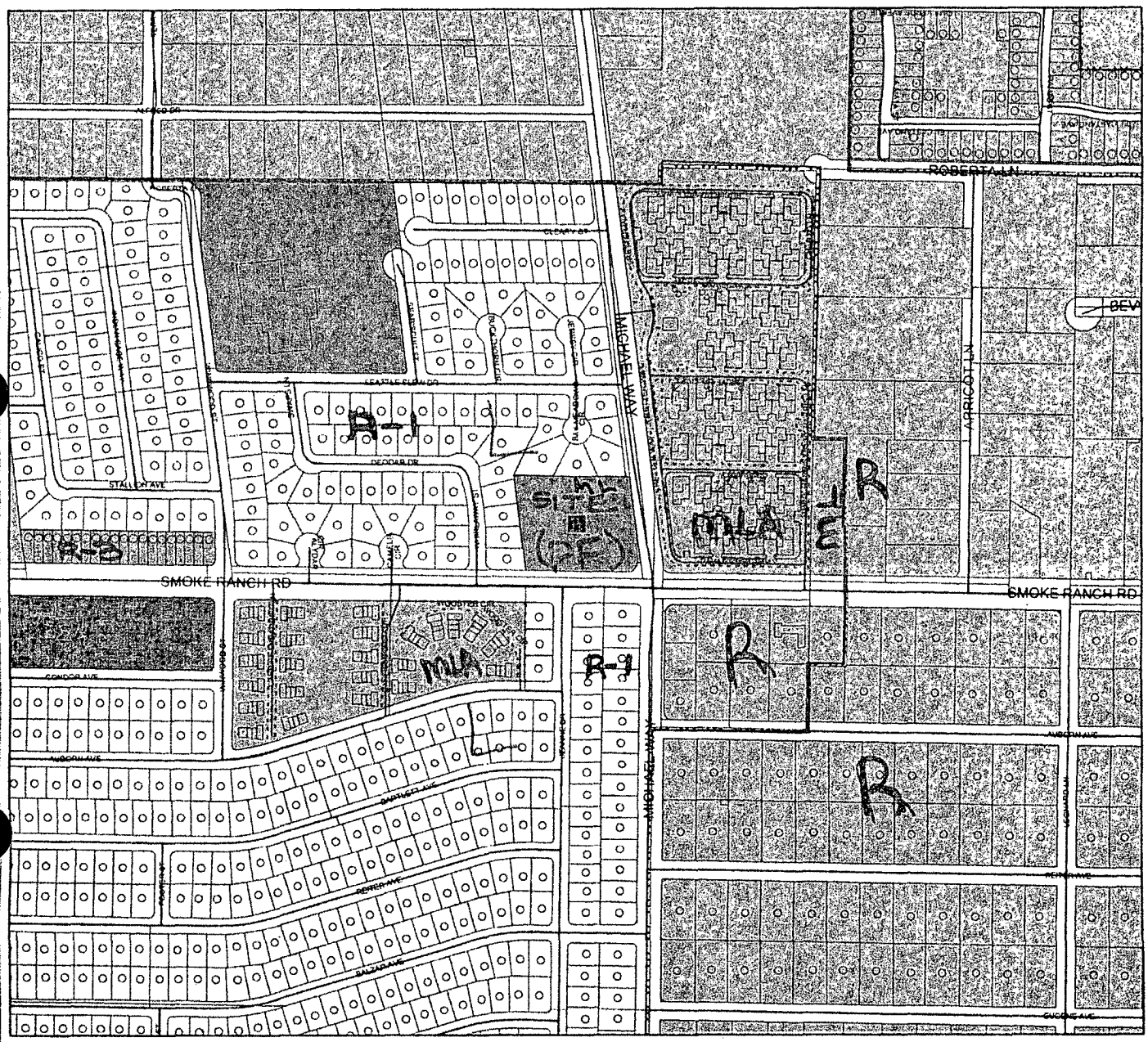
2.45 ACRE SITE 139-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
LANDSCAPE PLAN

LS1

GPA-4649
8/26/04 PC

APN: 138-13-403-001



Zoning

U	R-2	C-1
R-A	R-3	C-2
R-E	R-4	C-M
R-D	R-5	M
R-PD	R-MHP	C-V
R-1	P-R	C-PB
R-MH	N-S	P-C
R-CL	O	PD
	C-D	TC

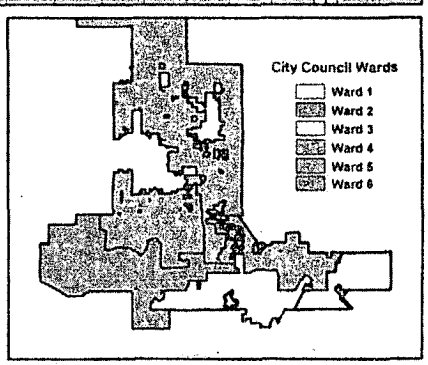
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Feet

Information Technologies

N

Created by: planningeis82 on May 18 2004

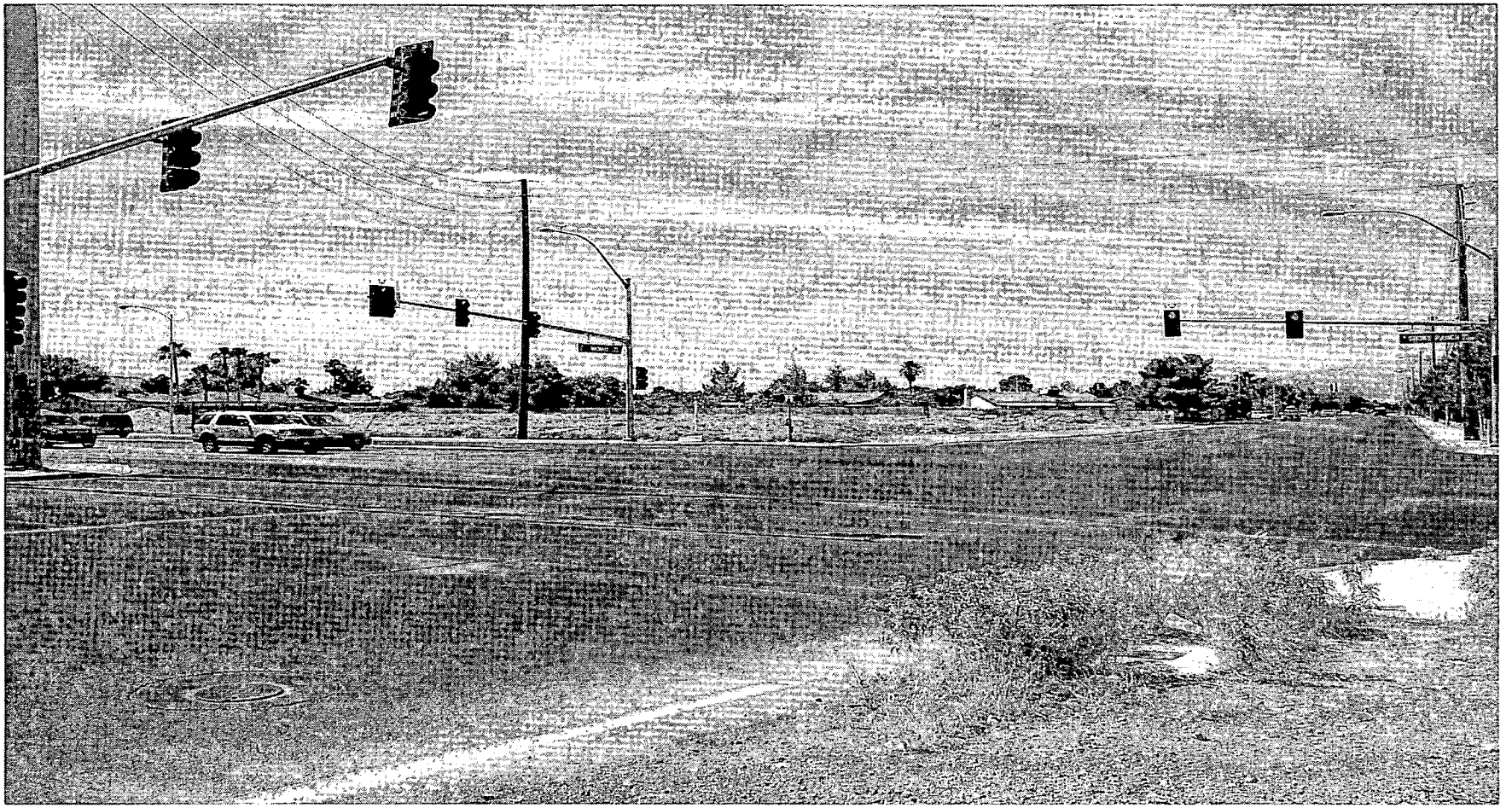
Due to continuous development activity this map is for reference only.



SITE (PF)

INDICATES 2.5 ACRE SITE
REQUESTING CHANGE FROM PF TO ML

GPA-4649
8/26/04 PC



GPA-4649 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL
NORTHWEST CORNER OF MICHAEL WAY AND SMOKE RANCH ROAD
JULY 22, 2004 PLANNING COMMISSION

7/2/04

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO GPA-4649

VAR-4648 - PUBLIC HEARING – APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Variance TO ALLOW A 2.5 ACRE R-PD SUBDIVISION WHERE 5.0 ACRES IS REQUIRED FOR A 14 UNIT SINGLE FAMILY RESIDENTIAL PLANNED DEVELOPMENT on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with REESE and BROWN excused

MINUTES:

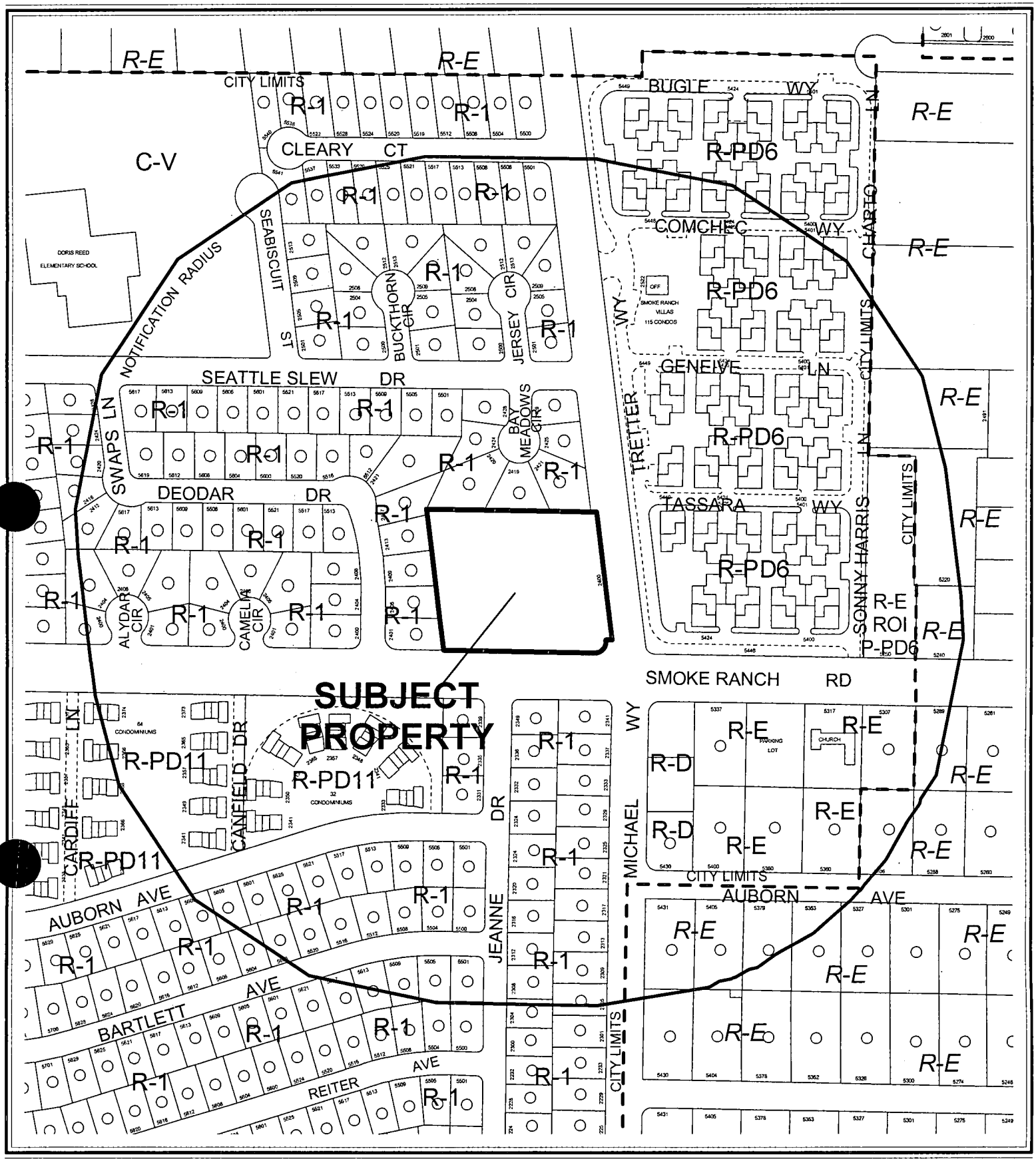
NOTE: See Item 127 [GPA-4649] for all related discussion.
(3:57 - 4:05)
4-3499

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4649), Rezoning (ZON-4646) and Site Development Plan Review (SDR-4647) approved by the City Council.

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



CASE: **VAR-4648**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-4648 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4649), Rezoning (ZON-4646) and Site Development Plan Review (SDR-4647) approved by the City Council.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow the development of an R-PD (Residential Planned Development) zoning district on 2.45 acres, where 5.00 acres are the minimum required, at the northwest corner of Michael Way and Smoke Ranch Road.

B) Applicant's Justification

Having explored all avenues within the zoning and land development codes with planning staff, the applicant concluded that seeking a variance to allow R-PD6 (Residential Planned Development – 6 Units Per Acre) on the 2.45-acre site is the best approach to develop the land that will protect and benefit the community and promote the public health, safety, and general welfare in accordance with Title 19.18.030.

BACKGROUND INFORMATION

A) Previous Actions

02/08/99	The City Council approved a rezoning (Z-0094-98) at the proposed development site from R-E (Residence Estates) to C-V (Civic). The Planning Commission recommended approval.
07/22/04	The Planning Commission voted to hold this item and companion items in abeyance to allow the related Waiver (WVR-4846) to be heard.
08/26/04	The Planning Commission recommended approval of related items (GPA-4649, ZON-4646, WVR-4846 and SDR-4647).
08/26/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #24).

B) Pre-Application Meeting

05/19/04	Elements of a complete General Plan Amendment, Rezoning, Site development Plan review, and Variance applications were discussed.

C) Neighborhood Meetings

06/22/04	The required General Plan Amendment meeting was held. Fifteen people attended, who expressed concerns regarding landscaping, gated communities, two story homes, increased traffic and the schedule of construction.

DETAILS OF APPLICATION REQUEST

Site Area: 2.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	SFD (Single Family Detached Residence)
South	SFD (Single Family Detached Residence)
East	SFA (Single Family Attached Residence)
West	SFD (Single Family Detached Residence)

PLANNED LAND USE

Subject Property	PF (Public Facility)
North	L (Low Density Residential)
South	L (Low Density Residential)
East	MLA (Medium Low Attached Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-1 (Single Family Residential)
South	R-1 (Single Family Residential)
East	R-PD6 (Residence Planned Development - 6 Units Per Acre)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The site is located on the Southwest Sector Map of the General Plan. The land use designation for the subject property is currently PF (Public Facility), which permits public development such as government agencies, parks, detention basins, and flood control systems. An application (GPA-4649) to change the land use to ML (Medium-Low Density Residential), which would allow residential development with a maximum density of 8 dwelling units per acre, has been filed with this Variance request. This requested Variance is not related to any specific General Plan policies.

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

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

A) Zoning Code Compliance

A1) Development Standards

There are no development standards that relate to this request for a variance for a R-PD (Residential Planned Development) subdivision less than 5 acres in size.

B) General Analysis and Discussion

This variance is to allow a R-PD (Residential Planned Development) development proposed at the northwest corner of Smoke Ranch Road and Michael Way to be located on a parcel of 2.45 acres, where the site area of 5.00 acres is the minimum required by Title 19.04.040. The innovative design of the project will permit development on this infill parcels. Each single family unit will have usable private open space, as well as access to interconnected public open space at approximately four time the amount required by Code.

NOTICES MAILED 377 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4648 APN: 138-13-403-001

Name of Property Owner: AQUINO BENITO ARMANDO ETAL ETAL

Name of Applicant: —SAME—

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature] X

Print Name: AUGUSTO G. GABORRO

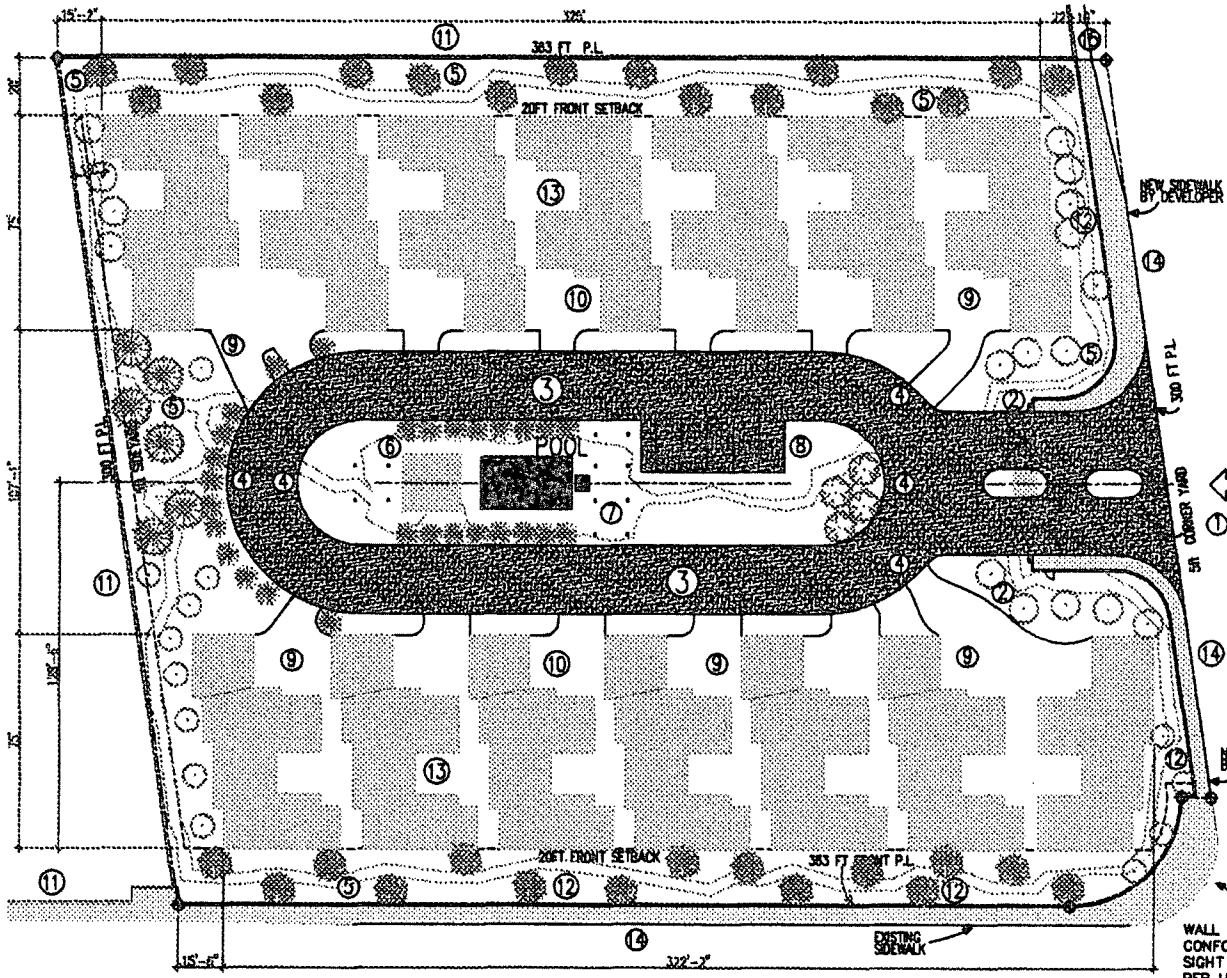
Subscribed and sworn before me

This 8th day of June, 2004 X

[signature]

Notary Public in and for said County and State

JUDITH L. SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 93-3623-1
MY APPT EXPIRES APRIL 10, 2005



RESIDENTIAL RPD-6 DEVELOPMENT STANDARD		
STANDARD	REQUIRED	PROVIDED
MINIMUM LOT SIZE s.f.	6,500	106,900
DWELLING UNITS PER ACRE	6	5.7
MIN. LOT WIDTH (ft)	NA	NA
MIN. FRONT YARD SETBACK (ft)	NA	20
MIN. SIDE YARD SETBACK (ft)	NA	10
MIN. CORNER SIDE YARD SETBACK (ft)	NA	22
MIN. REAR YARD SETBACK (ft)	NA	20
MIN. DISTANCE BETWEEN BUILDINGS	NA	35
MAX LOT COVERAGE	NA	NA
MAX. BUILDING HEIGHT (ft)	2 ST/35ft	2 ST/35ft

KEY NOTES

1. ENTRY/EGRESS TO USD STANDARD 222A
2. AUTOMATIC HORIZONTAL SWING GATE & GUARD HOUSE
3. NEW 24' WIDE PAVED ROAD
4. 22' LR & 45' O.R. RADIUS
5. LANDSCAPE BUFFER & JOGGING TRACK
6. CLUB HOUSE
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BUILDING SIZES

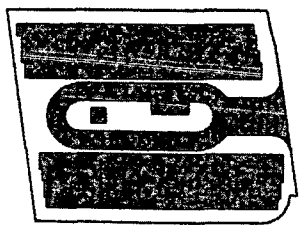
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1 UNIT AT 2202 SQ. FT	2,280 SQ. FT
POOL HOUSE	400 SQ. FT
GUARD HOUSE	96 SQ. FT
TOTAL	30,498 SQ. FT
PROPERTY SIZE 2.45 ACRES	106,722 SQ. FT
F.A.R. (FLOOR AREA RATIO)	28.5%
DENSITY	5.7 UNITS PER ACRE

PARKING

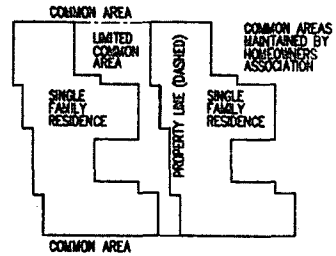
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WALL SETBACK TO CONFORM TO INTERSECTION SIGHT VISIBILITY ZONE PER USD CLARK COUNTY AREA DWG 201.2

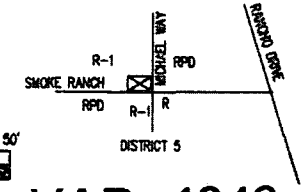
BACK OF CURB RADIUS PER USD CLARK COUNTY AREA DWG 201



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NON-OPEN SPACE SHOWN SHADED
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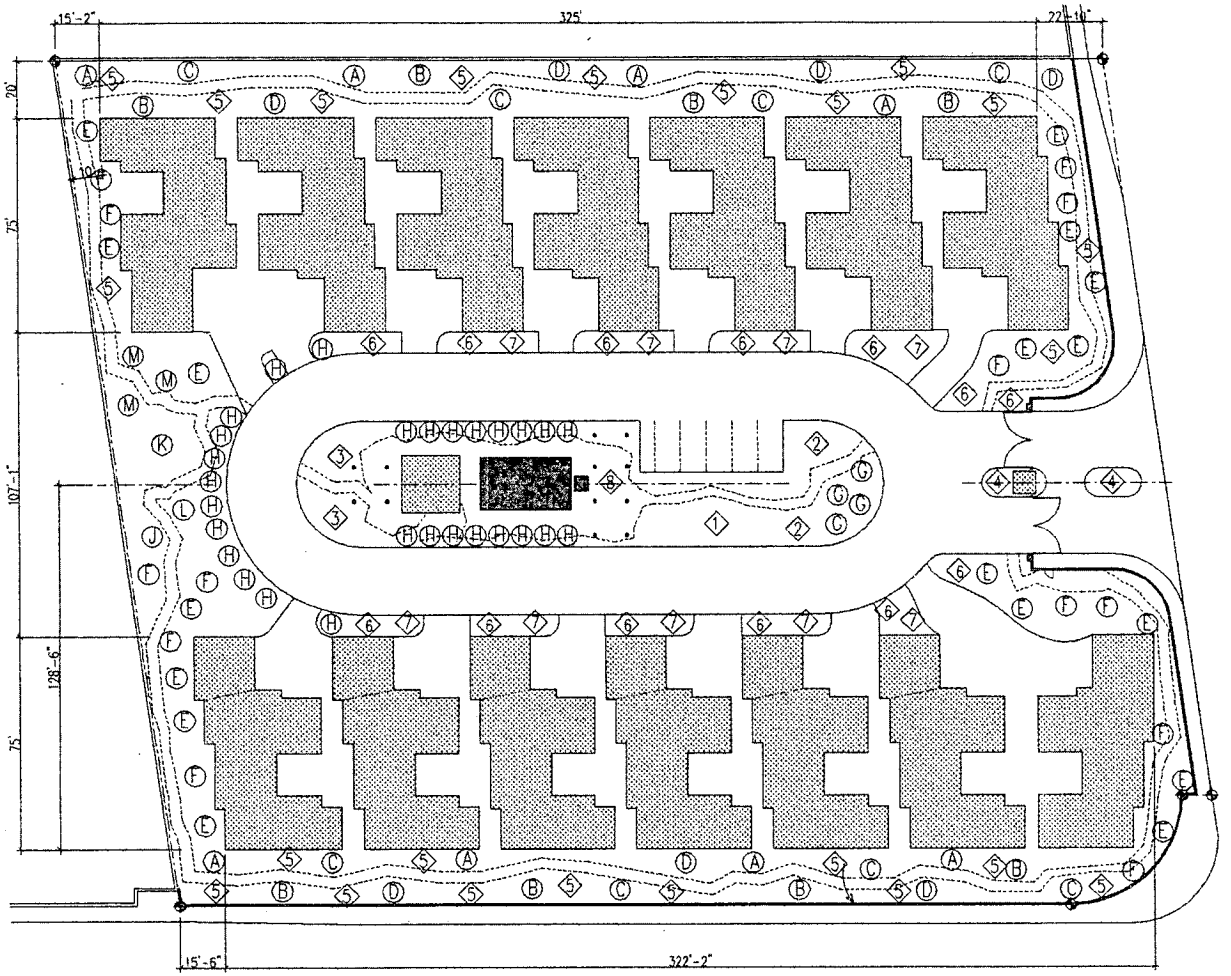
VAR-4648

8/26/04 PC

2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN

SP1



SMOKE RANCH RD

KEY TO TREES

○		HGT	
A		5 FT	CRIMSON KING MAPLE
B		5 FT	SCARLET MAPLES
C		5 FT	SUGAR MAPLES
D		5 FT	NORWAY MAPLES
E		5 FT	CRAPE MAPLE - ZUNI
F		5 FT	CRAPE MAPLE - TONTO
G		5 FT	DATE PALM - PHOENIX DACTYLIFERA
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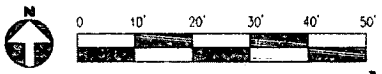
KEY TO PLANTS

◇

1	DRYLAND MIX
2	CACTI MIX
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6	CACTI W/ DESERT GRASS CLUMP MIX
7	CACTI IN POTS
8	GRAPE

NOTES:

1	PROJECT IS XERI-LANDSCAPED
2	NO TURF
3	PATH TO BE COMPACTED SHELL
4	DRIVEWAY TO BE COLORED CONCRETE
5	PROVIDE SEAT OPPOSITE REAR OF EACH HOUSE
6	PROVIDE MINIMUM OF ONE 24" TREE FOR EVERY 30 FT OF GROSS FRONTAGE IN STREETSCAPE.
7	PROVIDE MINIMUM OF 4 SHRUBS FOR EVERY TREE PLANTED
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2.45 ACRE SITE 138-13-403-001
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MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
LANDSCAPE PLAN

LS1

VAR-4648

8/26/04 PC

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO GPA-4649 AND VAR-4648 - PUBLIC HEARING

ZON-4646 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD6 (Residential Planned Development - 6 Units per Acre) on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL [NOTE: MAYOR GOODMAN ANNOUNCED THAT THIS ITEM WAS PROPERLY NOTICED AS A PUBLIC HEARING ITEM EVEN THOUGH THIS WAS NOT REFLECTED IN THE CITIZENS AGENDA]

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with REESE and BROWN excused

MINUTES:

NOTE: See Item 127 [GPA-4649] for all related discussion.
(3:57 - 4:05)
4-3499

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA4649) approved by the City Council prior to any site grading and development activity on the site

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

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Michael Way and dedicate an additional 31.5 feet for a total 54 foot radius on the northwest corner of Smoke Ranch Road and Michael Way adjacent to this site prior to the issuance of any permits.

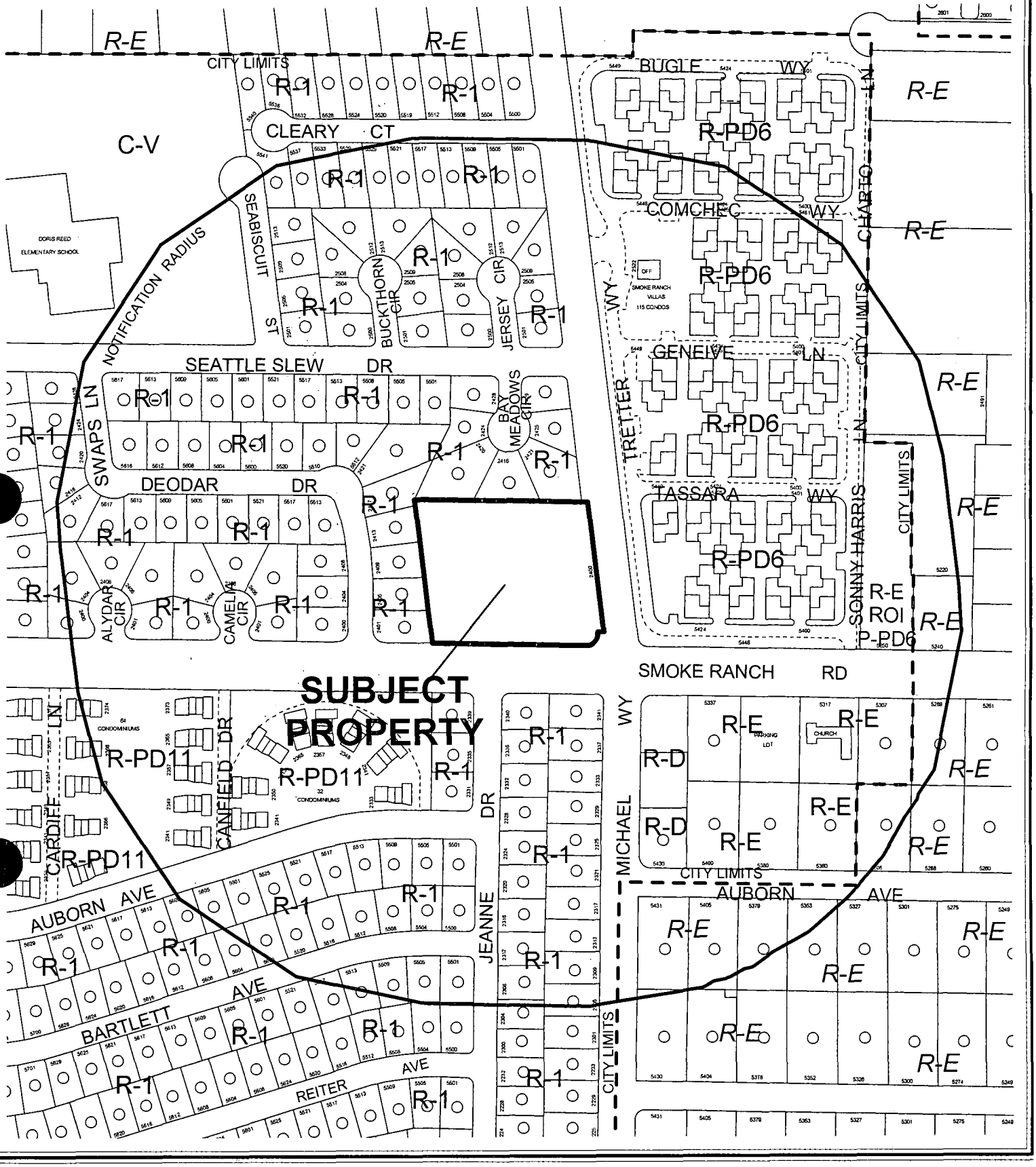
4. Construct all incomplete half-street improvements on Smoke Ranch Road and Michael Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to

CONDITIONS - Continued:

construction of hard surfacing (asphalt or concrete). Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

5. 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.

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

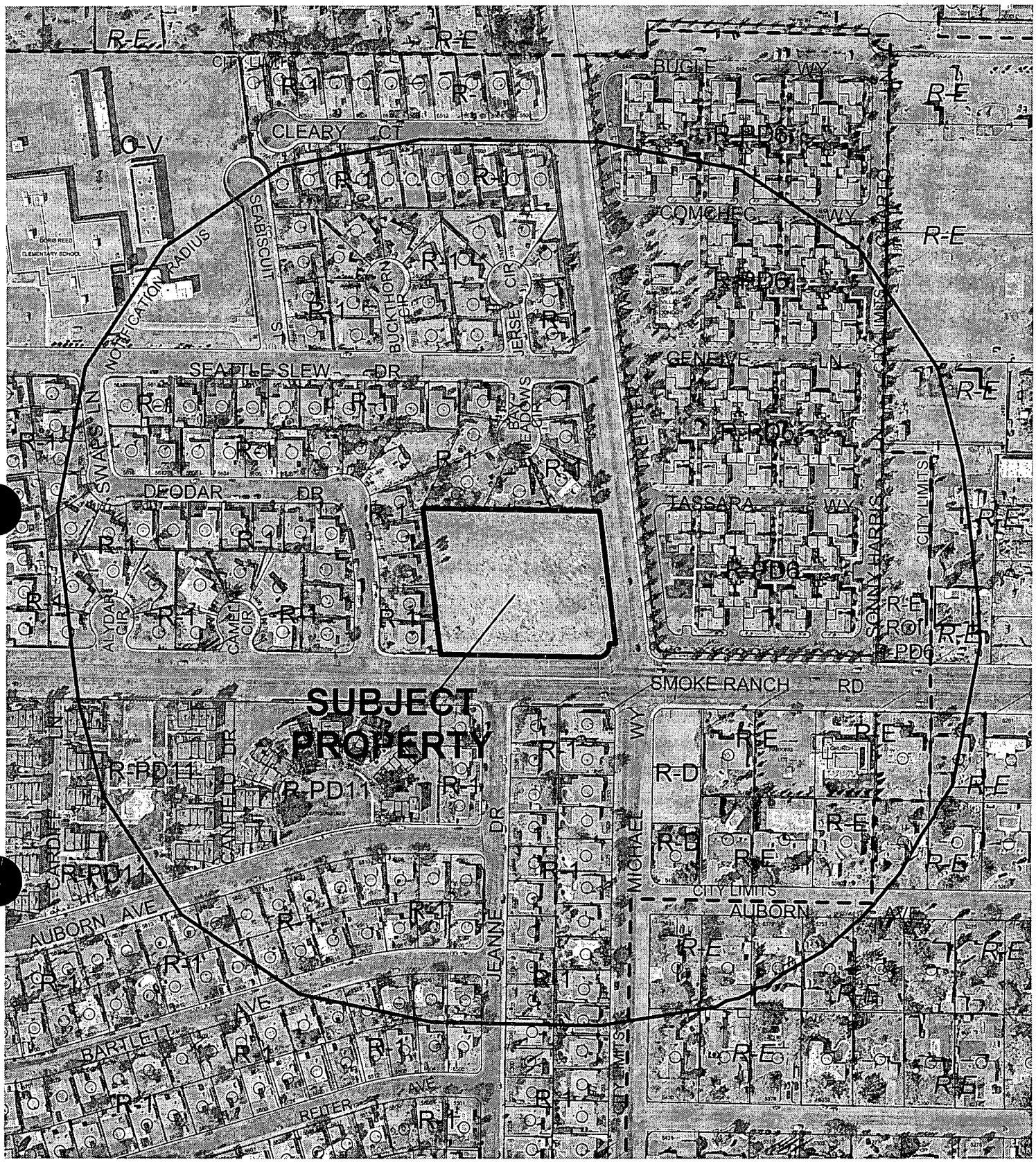


CASE: **ZON-4646**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)



0 200 400 Feet

CASE: **ZON-4646**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4646 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA4649) approved by the City Council prior to any site grading and development activity on the site

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

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Michael Way and dedicate an additional 31.5 feet for a total 54 foot radius on the northwest corner of Smoke Ranch Road and Michael Way adjacent to this site prior to the issuance of any permits.

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City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4646 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from: R-E (Residence Estates) to: R-PD6 (Residential Planned Development - 6 Units Per Acre) on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road.

B) Applicant's Justification

The proposed development is in keeping with surrounding residential uses, which have zoning of R-1 (Single Family Residential) and MLA (Medium-Low Attached Density Residential) in the low to medium density range. An R-PD6 (Residential Planned Development – 6 Units Per Acre) use allows the applicants project to proceed and is neighborhood friendly and will have minimal impact on traffic and services.

BACKGROUND INFORMATION

A) Previous Actions

02/08/99	The City Council approved a rezoning (Z-0094-98) at the proposed development site from R-E (Residence Estates) to C-V (Civic). The Planning Commission recommended approval.
07/22/04	The Planning Commission voted to hold this item and its companion items in abeyance to allow the related Waiver (WVR-4846) to be heard.
08/26/04	The Planning Commission recommended approval of related items (GPA-4649, WVR-4846, VAR-4648 and SDR-4647).
08/26/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22).

B) Pre-Application Meeting

05/19/04	Elements of a complete General Plan Amendment, Rezoning, Site development Plan review, and Variance applications were discussed.

C) Neighborhood Meetings

06/22/04	Fifteen people attended the meeting who had questions regarding landscaping, gated communities, two story homes, increased traffic and the schedule of construction.

D) DETAILS OF APPLICATION REQUEST

Site Area: 2.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	SFD (Single Family Detached Residence)
South	SFD (Single Family Detached Residence)
East	SFA (Single Family Attached Residence)
West	SFD (Single Family Detached Residence)

PLANNED LAND USE

Subject Property	PF (Public Facility)
North	L (Low Density Residential)
South	L (Low Density Residential)
East	MLA (Medium Low Attached Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-1 (Single Family Residential)
South	R-1 (Single Family Residential)
East	R-PD6 (Residence Planned Development - 6 Units Per Acre)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The site is located on the Southwest Sector Map of the General Plan. The land use designation for the subject property is currently PF (Public Facility), which permits public development such as government agencies, parks, detention basins, and flood control systems. An application to change the land use (GPA-4649) to ML (Medium Low Density Residential), which would allow residential development with a maximum density of 8 dwelling units per acre, has been filed with this rezoning request. The companion Variance (VAR-4648) is not related to any specific General Plan policies.

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

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

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	6,500 Feet	6,500 Feet	Y
Min. Lot Width	N/A	N/A	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	22 Feet	22 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y

The proposal meets the location and area requirements for R-PD (Residential Planned Developments) developments.

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
2.45 acres	5.7	1.65	9.41 %	10,032 SF	37.46%	39,984

The proposal meets the requirements for open space in R-PD (Residential Planned Development) development.

B) General Analysis and Discussion

This proposed rezoning is in keeping with the anticipated development pattern of the area and presents an opportunity for infill development.

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 land use is proposed to be amended to a density potential that will permit this development. The amendment application GPA-4649 has been filed for this purpose.

   The request advances objective 2.6 of the Las Vegas 2020 Master plan. Objective 2.6 calls for quality infill development within established areas of the city.

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 intensity of the zoning districts that are comparable to the ML land use is compatible with the adjacent uses.

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

The proposed development will utilize an infill parcel that is surrounded by mature, well-established residential development. The rezoning will strengthen the residential aspect of the neighborhood.

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

The site is located at the intersection of Michael Way and Smoke Ranch Road, a 100 foot Primary arterial as shown on the Master Plan of Streets and Highways. Smoke ranch has the capacity that will handle the additional traffic from the development.

NOTICES MAILED 373 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4646 APN: 138-13-403-001

Name of Property Owner: AQUINO BENITO ARMANDO ETAL ETAL

Name of Applicant: - SAME -

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 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: Augusto G. Gaborro

Print Name: AUGUSTO G. GABORRO

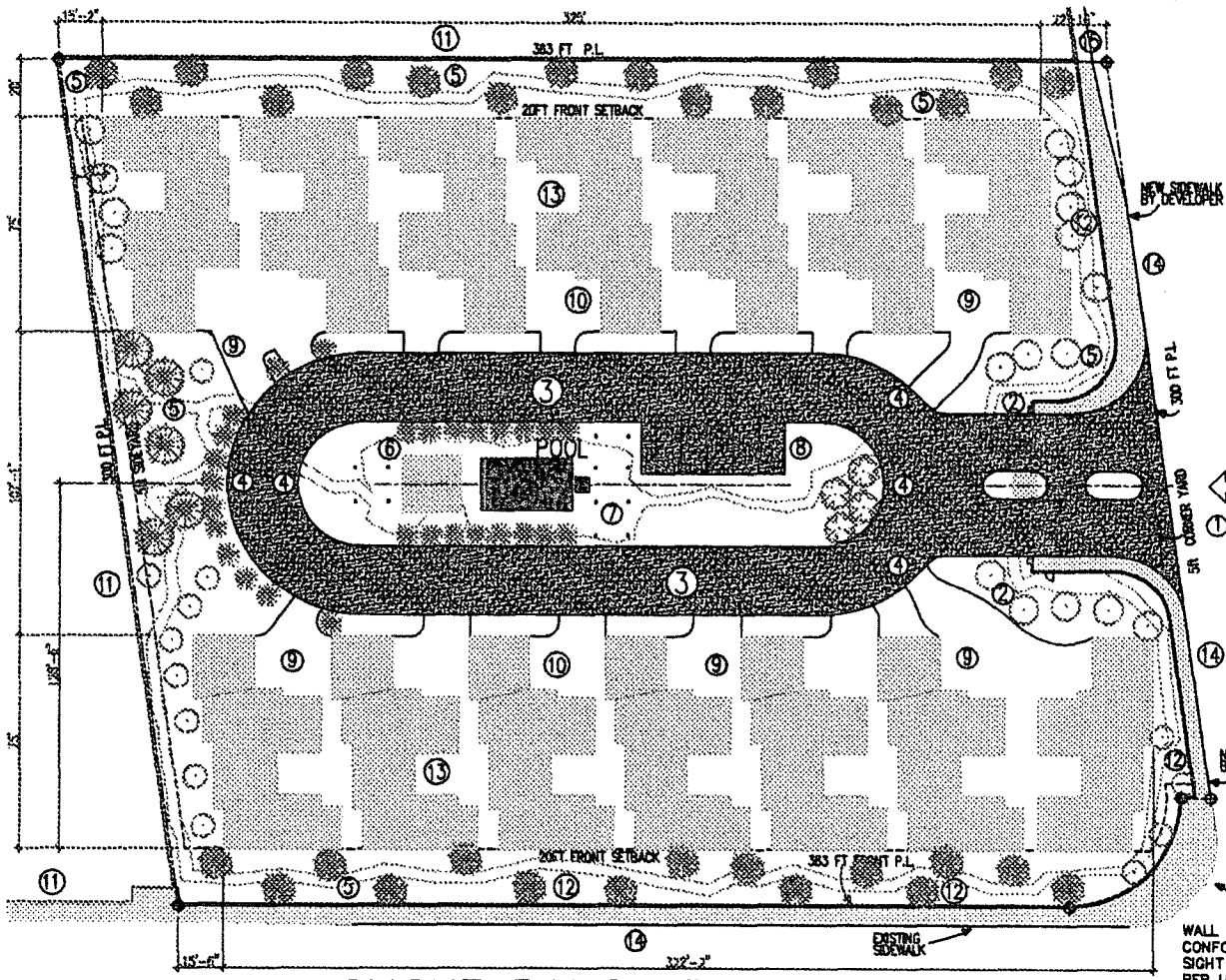
Subscribed and sworn before me

This 8th day of June, 2006

Judith L. Smith

Notary Public in and for said County and State

JUDITH L. SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 93-3623-1
MY APPT EXPIRES APRIL 10, 2005



WALL SETBACK TO CONFORM TO INTERSECTION SIGHT VISIBILITY ZONE PER USD CLARK COUNTY AREA DWG 201.2

BACK OF CURB RADIUS PER USD CLARK COUNTY AREA DWG 201

RESIDENTIAL RPD-6 DEVELOPMENT STANDARD		
STANDARD	REQUIRED	PROVIDED
MINIMUM LOT SIZE s.f.	6,500	106,900
DWELLING UNITS PER ACRE	6	5.7
MIN. LOT WIDTH (ft)	NA	NA
MIN. FRONT YARD SETBACK (ft)	NA	20
MIN. SIDE YARD SETBACK (ft)	NA	10
MIN. CORNER SIDE YARD SETBACK (ft)	NA	22
MIN. REAR YARD SETBACK (ft)	NA	20
MIN. DISTANCE BETWEEN BUILDINGS	NA	35
MAX LOT COVERAGE	NA	NA
MAX. BUILDING HEIGHT (ft)	2 ST/35ft	2 ST/35ft

KEY NOTES

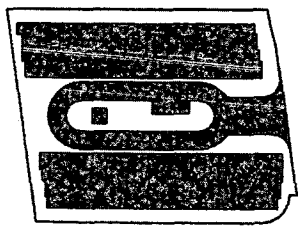
1. ENTRY/EGRESS TO USD STANDARD 222A
2. AUTOMATIC HORIZONTAL SWING GATE & GUARD HOUSE
3. NEW 24' WIDE PAVED ROAD
4. 22' LR & 45' O.R. RADIUS
5. LANDSCAPE BUFFER & JOGGING TRACK
6. CLUB HOUSE
7. POOL
8. GUEST PARKING W/ H.C. SPACE 18' X 9' TYP
9. TYPICAL DRIVEWAY
10. TYPICAL FIRE-SPRINKLERED SINGLE FAMILY RESIDENCE 2 STOREY MAX HEIGHT 35 FT
11. EXISTING 8FT HGT CMU WALL
12. NEW 8FT HGT CMU WALL W/ 20% CONTRASTING MATERIAL
13. TYPICAL COURTYARD
14. SIDEWALK
15. EXISTING FIRE HYDRANT

BUILDING SIZES

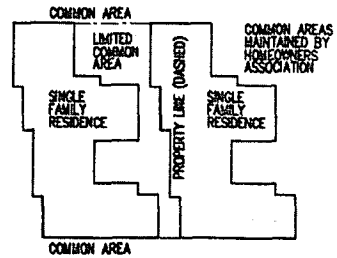
GROUND FLOOR FOOTPRINT	
11 UNITS AT 2320 SQ FT	25,520 SQ. FT
1 UNIT AT 2202 SQ FT	2,202 SQ. FT
1 UNIT AT 2202 SQ. FT	2,280 SQ. FT
POOL HOUSE	400 SQ. FT
GUARD HOUSE	96 SQ. FT
TOTAL	30,498 SQ. FT
PROPERTY SIZE 2.45 ACRES	106,722 SQ. FT
F.A.R. (FLOOR AREA RATIO)	28.5%
DENSITY	5.7 UNITS PER ACRE

PARKING

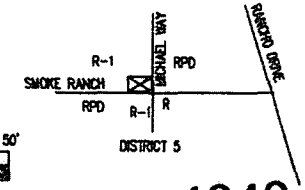
11 UNITS EACH WITH DOUBLE GARAGE	22
2 PARKING SPACES IN EACH GARAGE COURT	22
5 OFF STREET GUEST PARKING W/ 1 H/C	5
TOTAL PARKING	49



OPEN SPACE REQUIREMENT
NON-OPEN SPACE SHOWN SHADED
1.65 X 5.7 = 9.45 %
9.45% X 106,722 SQ FT = 10, 032 SQ FT REQUIRED
39,984 SQ FT PROVIDED







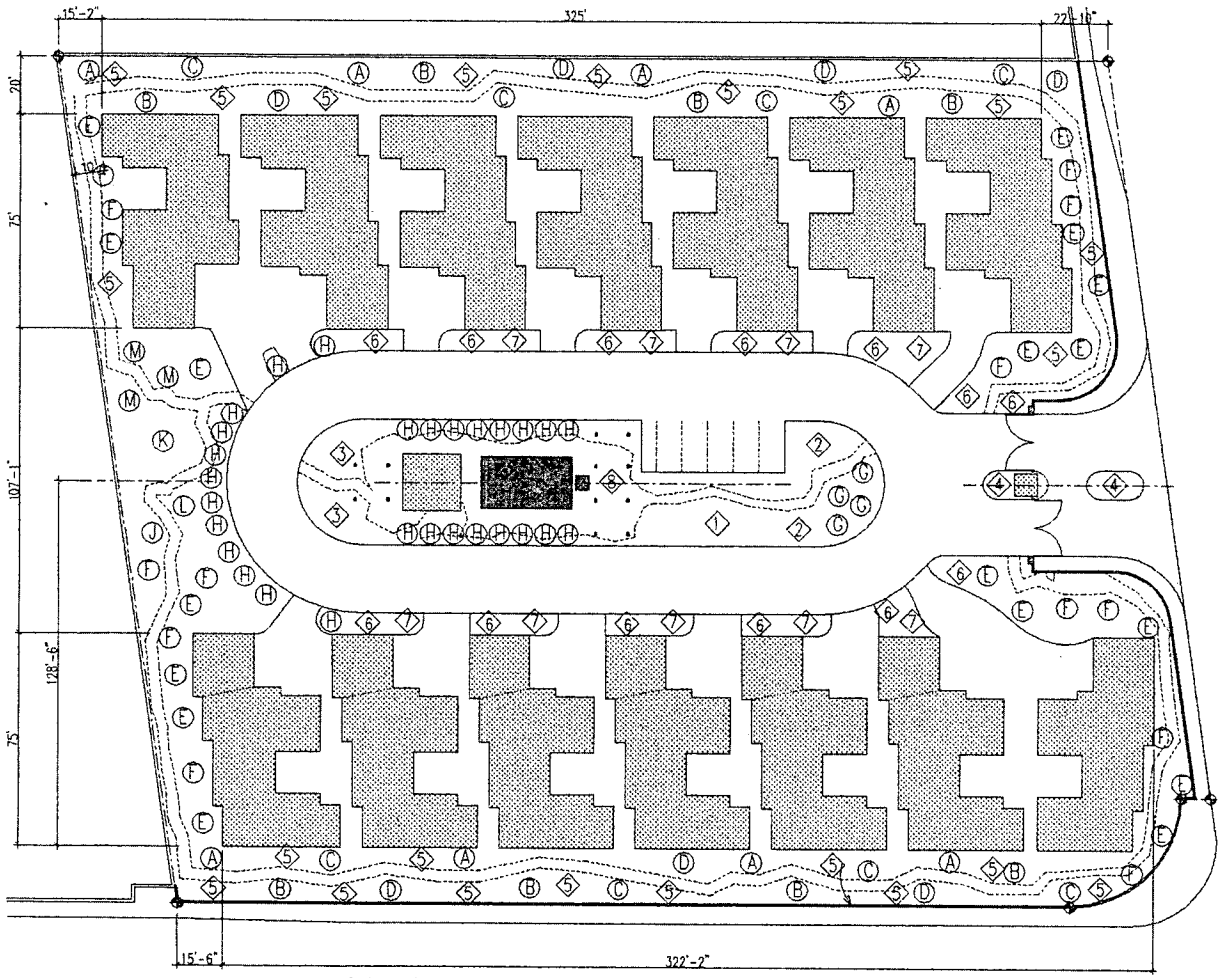
2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN

SP1

ZON-4646

8/26/04 PC



KEY TO TREES

○	HGT	
A	5 FT	CRIMSON KING MAPLE
B	5 FT	SCARLET MAPLES
C	5 FT	SUGAR MAPLES
D	5 FT	NORWAY MAPLES
E	5 FT	CRAPE MAPLE - ZUNI
F	5 FT	CRAPE MAPLE - TONTO
G	5 FT	DATE PALM - PHOENIX DACTYLIFERA
H	5 FT	ITALIEN CYPRESS - CUPRESSUS SEMPERVIRENS
J	5 FT	CHESTNUT - COLASSAL
K	5 FT	CHESTNUT - CHINESE
L	5 FT	HARDY ALMOND
M	5 FT	MESQUITE

KEY TO PLANTS

◇

1	DRYLAND MIX
2	CACTI MIX
3	ROSE MIX
4	POTS W/ PERENNIALS
5	GRASS CLUMP MIX W/ STONE CHIPPINGS
6	CACTI W/ DESERT GRASS CLUMP MIX
7	CACTI IN POTS
8	GRAPE

NOTES:

1. PROJECT IS XERI-LANDSCAPED
2. NO TURF
3. PATH TO BE COMPACTED SHELL
4. DRIVEWAY TO BE COLORED CONCRETE
5. PROVIDE SEAT OPPOSITE REAR OF EACH HOUSE
6. PROVIDE MINIMUM OF ONE 24" TREE FOR EVERY 30 FT OF GROSS FRONTAGE IN STREETSCAPE.
7. PROVIDE MINIMUM OF 4 SHRUBS FOR EVERY TREE PLANTED
8. ALL LANDSCAPE AREAS NOT COVERED BY VEGETATION SHALL CONTAIN A MIN OF 2" OF ROCK MULCH OR DECOMPOSED GRANITE



2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
LANDSCAPE PLAN

LS1

ZON-4646

8/26/04 PC

City of Las Vegas

Agenda Item No. 130

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WAIVER RELATED TO GPA-4649, VAR-4648 AND ZON-4646 - PUBLIC HEARING

WVR-4846 - APPLICANT/OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 157 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED AND A WAIVER OF Title 18.12.105 TO ALLOW A PRIVATE DRIVE TO BE 679 FEET WHERE 200 FEET IS THE MAXIMUM LENGTH PERMITTED on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL [NOTE: MAYOR GOODMAN ANNOUNCED THAT THIS ITEM WAS PROPERLY NOTICED AS A PUBLIC HEARING ITEM EVEN THOUGH THIS WAS NOT REFLECTED IN THE CITIZENS AGENDA]

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with REESE and BROWN excused

MINUTES:

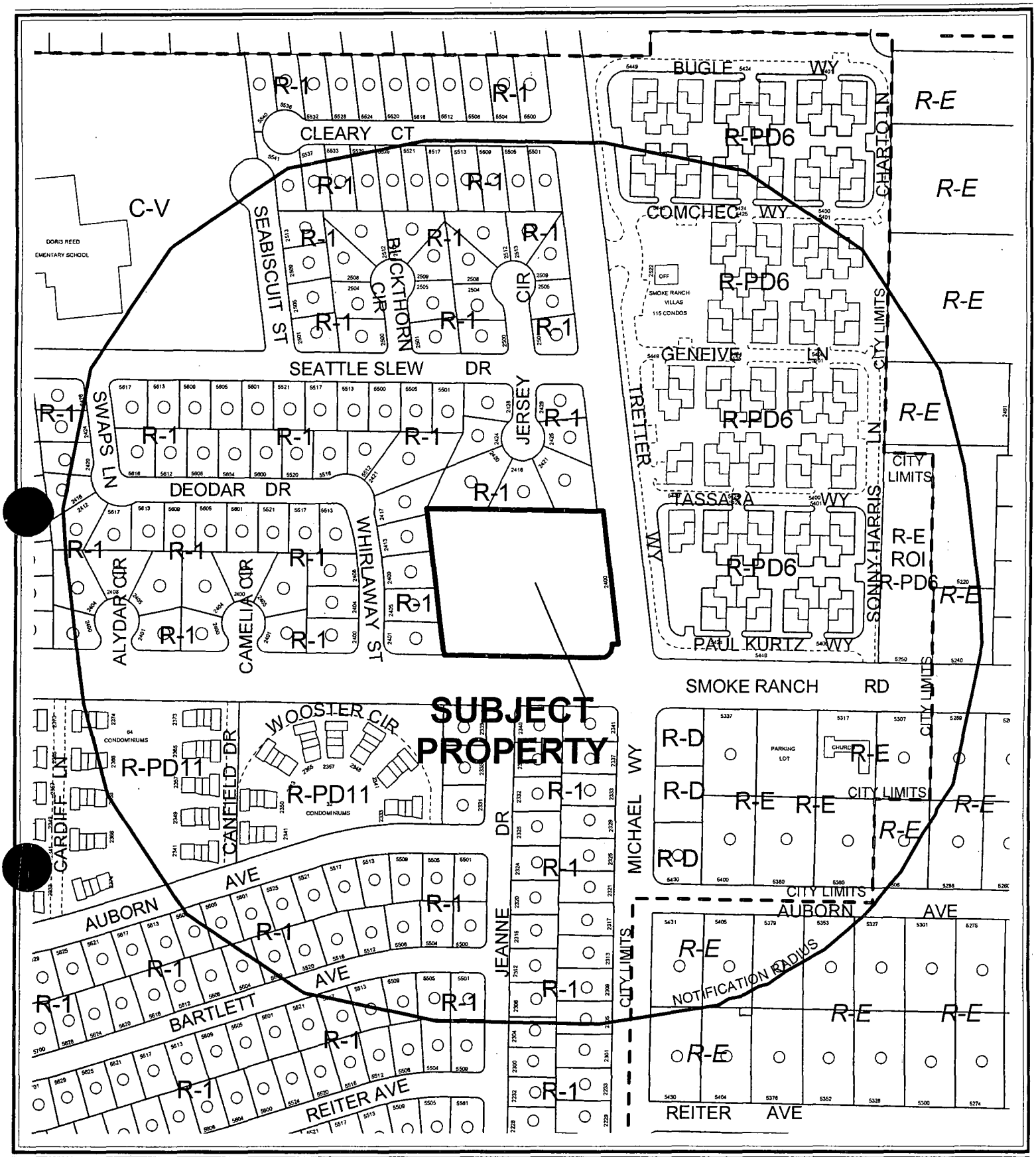
NOTE: See Item 127 [GPA-4649] for all related discussion.
(3:57 - 4:05)
4-3499

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4646), Variance (VAR-4648), and Site Development Plan Review (SDR-4647).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.



CASE: **WVR-4846**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
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0 200 400 Feet

CASE: **WVR-4846**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
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PROPOSED ZONING OF SUBJECT PROPERTY:
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N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-4846 - APPLICANT/OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4646), Variance (VAR-4648), and Site Development Plan Review (SDR-4647).

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 140-foot separation between intersections, where a minimum of 220 feet is required when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more. This is also a request to allow a private drive to be 679 feet in length where 200 feet is the maximum allowed.

B) Applicant's Justification

The request for a waiver is determined by the site dimensions and the need to locate the site entrance on the minor street, avoid the use of a cul-de-sac, and to be able to create a central open space area.

BACKGROUND INFORMATION

A) Previous Actions

08/26/04	The Planning Commission recommended approval of related items (GPA-4649, ZON-4646, VAR-4648 and SDR-4647).
08/26/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #23).

B) Pre-Application Meeting

A pre-application conference was not conducted for this request.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

Site Area: 2.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	SFD (Single Family Detached Residence)
South	SFD (Single Family Detached Residence)
East	SFA (Single Family Attached Residence)
West	SFD (Single Family Detached Residence)

PLANNED LAND USE

Subject Property	PF (Public Facility)
North	L (Low Density Residential)
South	L (Low Density Residential)
East	MLA (Medium Low Attached Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-1 (Single Family Residential)
South	R-1 (Single Family Residential)
East	R-PD6 (Residence Planned Development - 6 Units Per Acre)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The site is located on the Southwest Sector Map of the General Plan. The land use designation for the subject property is currently PF (Public Facility), which permits public development such as government agencies, parks, detention basins, and flood control systems. An application to change the land use (GPA-4649) to ML (Medium Low Density Residential), which would allow residential development with a maximum density of 8 dwelling units per acre, has been filed with this waiver request. Development of the subject parcel supports the General Plan policy of efficient use of city and public facilities and resources by utilizing infill parcels for development.

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

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

PROJECT DESCRIPTION

The entrance to the proposed subdivision is planned to be approximately 157 feet north of the intersection of Smoke Ranch Road and Michael Way. The total distance between intersections according to Title 18 is supposed to be 220 feet. The internal street of the subdivision is a loop road 679 feet in length, where a maximum length of 200 feet is allowed by Code.

ANALYSIS

A) Code Compliance

A1) Development Standards

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width and the total length of a private drive. This requirement for intersection separation, found in Title 18.12.160, prescribes this minimum distance as 220 feet. The length of a private drive standard that limits a drive to 200 feet is found in Title 18.12.105.

The Department of Public Works has no objection to these waivers. They should not result in adverse impacts to the neighborhood

FINDINGS

The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. The site is a small infill parcel surrounded by older residential development. As the development supports the General Plan by utilizing an infill parcel and the size of parcel limits the scope of development the waivers can be supported.

NOTICES MAILED 373 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-4846 APN: 138-13-403-001

Name of Property Owner: AQUINO BENITO ARMANDO ETAL ETAL

Name of Applicant: - SAME -

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 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: Augusto G. Gaborro

Print Name: AUGUSTO G. GABORRO

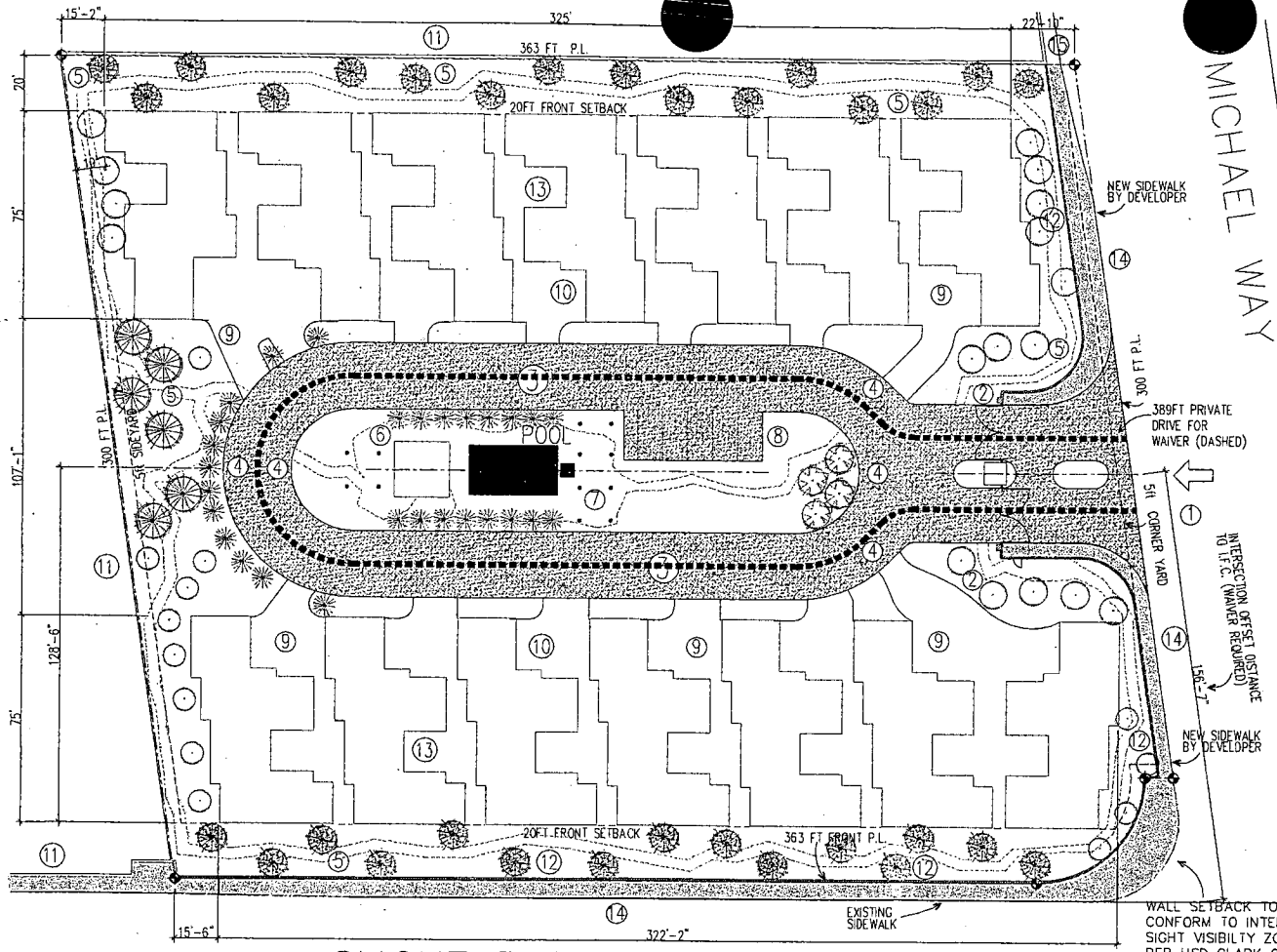
Subscribed and sworn before me

This 13th day of July 2004

Judith L. Smith

Notary Public in and for said County and State

JUDITH L. SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 93-3623-1
MY APPT EXPIRES APRIL 10, 2005



WALL SETBACK TO CONFORM TO INTERSECTION SIGHT VISIBILTY ZONE PER USD CLARK COUNTY AREA DWG 201.2

BACK OF CURB RADIUS PER USD CLARK COUNTY AREA DWG 201

RESIDENTIAL RPD-6 DEVELOPMENT STANDARD		
STANDARD	REQUIRED	PROVIDED
MINIMUM LOT SIZE s.f.	6,500	108,900
DWELLING UNITS PER ACRE	6	5.7
MIN. LOT WIDTH (ft)	NA	NA
MIN. FRONT YARD SETBACK (ft)	NA	20
MIN. SIDE YARD SETBACK (ft)	NA	10
MIN. CORNER SIDE YARD SETBACK (ft)	NA	22
MIN. REAR YARD SETBACK (ft)	NA	20
MIN. DISTANCE BETWEEN BUILDINGS	NA	35
MAX. LOT COVERAGE	NA	NA
MAX. BUILDING HEIGHT (ft)	2 ST/35ft	2 ST/35ft

KEY NOTES

1. ENTRY/EGRESS TO USD STANDARD 222A
2. AUTOMATIC HORIZONTAL SWING GATE & GUARD HOUSE
3. NEW 24' WIDE PAVED ROAD
4. 22' I.R & 45' O.R. RADIUS
5. LANDSCAPE BUFFER & JOGGING TRACK
6. CLUB HOUSE
7. POOL
8. GUEST PARKING W/ H.C. SPACE 18' X 9' TYP
9. TYPICAL DRIVEWAY
10. TYPICAL FIRE-SPRINKLERED SINGLE FAMILY RESIDENCE 2 STOREY MAX HEIGHT 35 FT
11. EXISTING 8FT HGT CMU WALL
12. NEW 8FT HGT CMU WALL W/ 20% CONTRASTING MATERIAL
13. TYPICAL COURTYARD
14. SIDEWALK
15. EXISTING FIRE HYDRANT

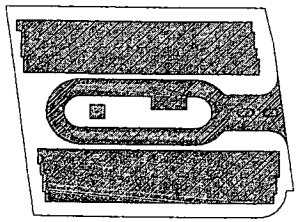
BUILDING SIZES

GROUND FLOOR FOOTPRINT

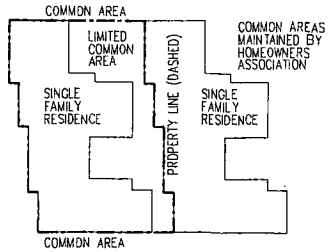
11 UNITS AT 2320 SQ FT	25,520 SQ. FT
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POOL HOUSE	400 SQ. FT
GUARD HOUSE	96 SQ. FT
TOTAL	30,498 SQ. FT
PROPERTY SIZE 2.45 ACRES	106,722 SQ. FT
F.A.R. (FLOOR AREA RATIO)	28.5%
DENSITY	5.7 UNITS PER ACRE

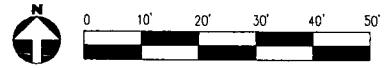
PARKING

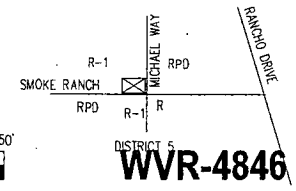
11 UNITS EACH WITH DOUBLE GARAGE	22
2 PARKING SPACES IN EACH GARAGE COURT	22
5 OFF STREET GUEST PARKING W/ 1 H/C	5
TOTAL PARKING	49



OPEN SPACE REQUIREMENT
NON-OPEN SPACE SHOWN SHADED
1.65 X 5.7 = 9.45 %
9.45% X 106,722 SQ FT = 10, 032 SQ FT REQUIRED
39,984 SQ FT PROVIDED







WVR-4846
8/26/04 PC

2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN

DATE: APR 01, 2004
DRAWN BY: M.J.L.
PROJECT NO. 03-2061

Michael Johnson Architect
5660 South College Dr. #202
Las Vegas NV. 89141
PH. 702-871-6543
FAX. 407-210-6448

DWG. NUMBER:
SP1

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4649, VAR-4648, ZON-4646 AND WVR-4846

SDR-4647 - PUBLIC HEARING - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Site Development Plan Review FOR A 14 UNIT SINGLE FAMILY RESIDENTIAL PLANNED DEVELOPMENT on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with REESE and BROWN excused

MINUTES:

NOTE: See Item 127 [GPA-4649] for all related discussion.
(3:57 - 4:05)
4-3499

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4649) from PF (Public Facility) to ML (Medium-Low Density Residential) land use designation, rezoning (ZON-4646) R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units Per Acre), and Variance (VAR 4648) approved by the City Council.

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

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

4. The setbacks for this development are a minimum of 20 feet to the front of the house, 10 feet on the side, 22 feet on the corner side, and 20 feet in the rear.

CONDITIONS - Continued:

5. All development shall be in conformance with the site plan; landscape plan and building elevations, dated stamped August 18, 2004 except as amended by conditions herein.

6. The maximum building height allowed shall not exceed 2 stories or 35 feet whichever is less.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

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

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

11. All City Code requirements and design standards of all City departments must be met except as amended by conditions herein.

12. The applicant shall meet with Planning and Development Staff to develop an address plan prior to the issue of permits.

Public Works

13. The proposed gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

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

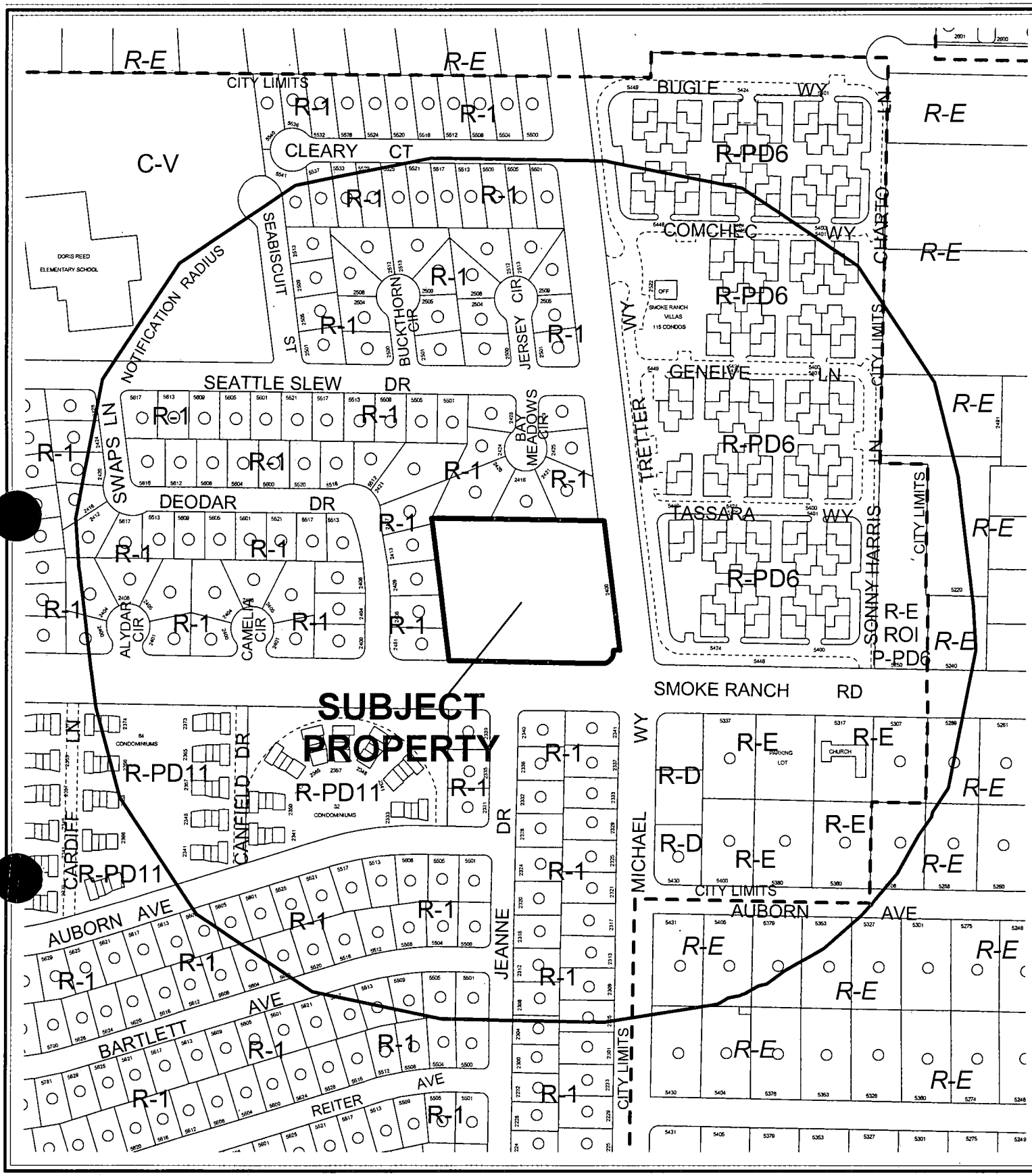
16. Site development to comply with all applicable conditions of approval for ZON-4646 and all other subsequent site-related actions.

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

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

CONDITIONS - Continued:

whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.



CASE: **SDR-4647**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 6, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4647 - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-4649) from PF (Public Facility) to ML (Medium-Low Density Residential) land use designation, rezoning (ZON-4646) R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units Per Acre), and Variance (VAR-4648) approved by the City Council.

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Review for a proposed 14-lot single-family residential development on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road.

B) Applicant's Justification

The proposed innovative site plan and building design are in conformance with the intent of a R-PD (Residential Planned Development) District providing enhanced residential amenities, efficient utilization of open space, and the separation of pedestrian and vehicular. As demonstrated on the site plan the proposed residential development will benefit the community to promote public health, safety, and general welfare in accordance to Title 19.18.030.

BACKGROUND INFORMATION

A) Previous Actions

02/08/99	The City Council approved a rezoning (Z-0094-98) at the proposed development site from R-E (Residence Estates) to C-V (Civic). The planning Commission recommended approval.
07/22/04	The Planning Commission voted to hold this item and its companion items in abeyance to allow the related Waiver (WVR-4846) to be heard.
08/26/04	The Planning Commission recommended approval of related items (GPA-4649, ZON-4646, WVR-4846 and VAR-4648).
08/26/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25).

B) Pre-Application Meeting

05/19/04	Elements of a complete General Plan Amendment, Rezoning, Site Development Plan review, and Variance applications were discussed.

C) Neighborhood Meetings

06/22/04	Fifteen people attended who had questions regarding landscaping, gated communities, two story homes, increased traffic and the schedule of construction.

D) DETAILS OF APPLICATION REQUEST

Site Area: 2.5 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	SFD (Single Family Detached Residence)
South	SFD (Single Family Detached Residence)
East	SFA (Single Family Attached Residence)
West	SFD (Single Family Detached Residence)

PLANNED LAND USE

Subject Property	PF (Public Facility)
North	L (Low Density Residential)
South	L (Low Density Residential)
East	MLA (Medium-Low Attached Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-1 (Single Family Residential)
South	R-1 (Single Family Residential)
East	R-PD6 (Residence Planned Development - 6 Units Per Acre)
West	R-1 (Single Family Residential)

E) General Plan Compliance

The site is located on the Southwest Sector Map of the General Plan. The land use designation for the subject property is currently PF (Public Facility), which permits public development such as government agencies, parks, detention basins, and flood control systems. An application (GPA-4649) to change the land use to ML (Medium-Low Density Residential), which would allow residential development with a maximum density of 8 dwelling units per acre, has been filed with this Site Plan Review. The companion Variance (VAR-4648) is not related to any specific General Plan policies.

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

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

PROJECT DESCRIPTION

The proposed development is proposed to consist of 14 single-family homes on 2.5 acres, at a density of approximately 5.7 dwelling units per acre. The site has been designed with approximately 39,984 square feet of open space. Streets within this gated development are to be 24 feet wide privately maintained rights-of-way.

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	6,500 Feet	6,500 Feet	Y
Min. Lot Width	N/A	N/A	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	22 Feet	22 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y

The proposal meets the locational and area requirements for R-PD developments.

A2) Residential Adjacency Standards

As the proposal is limiting the height of the homes to 2-stories or 35 feet the Residential Adjancey Standards pursuant to Title 19.08 do not apply to the subject development.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single Family Detached	N/A	2 spaces/ residence	22	N/A	26	1

The proposal meets the requirements Title 19 for parking.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1Trees/ 6 Spaces	1 Trees	1
Buffer:			
• Min. Trees	1Trees/ 30 Linear Feet	45 Trees	65
• Min. Zone Width	6 Feet		15.17 Feet
• Wall height	6 Feet		Not shown

The proposal exceeds the requirements of the Landscape, Wall & Buffer Standards.

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

Total Acreage	Density	**Required** Ratio	Percent	Area	**Provided** Percent	Area
2.45 acres	5.7	1.65	9.41 %	10,032 SF	37.46%	39,984

The proposal meets the requirements for open space in R-PD development.

A5) Sign Standards

Signage was not part of this application. Signage, if any, will be evaluated during a subsequent review.

B) General Analysis and Discussion

- Zoning

The intensity of the zoning districts that are comparable to the ML land use is compatible with the adjacent uses.

- Site Plan

The innovative design of the homes and the layout of the site very efficiently utilizes the space of the parcel by locating the residences in such a way that homes will be much larger than the norm that are located on similar sized lots and at the proposed density. Typical development of similar size and the number of buildings usually would result in very small homes with very little private space. In this application each home will have a moderate amount of private space and share an interconnected public open space that is almost four times larger in area than is required.

- Waivers

There were no waivers submitted by the applicant as companion reviews to this Site development Plan Review application.

- Landscape Plan

The landscape plan shows that the proposed development will have more than enough trees around the perimeter and within the development.

- Elevation

The elevation drawings show a generic design that includes a shallow pitched tile roof with an extended soffitt; tall, slender room windows and clerestory windows in vaulted rooms. The tallest portion of a home has a hip roof while rest of the multiple roofs is gabled. The walls will be stucco and the doors and windows will have a rustic style.

- Floor Plan

The floor plan is laid out so the exterior of the building shows a staggered exterior so each elevation shows a multitude of faces.

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 single family detached development is compatible with the surrounding development pattern.

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;"**

   With the approval of the companion GPA the proposed development will be consistent with the General Plan. The submitted plans show that the proposal is consistent with Title 19 and Landscape, Wall and Buffer Standards. Development of this infill parcel supports the Las Vegas 2020 Master Plan.

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

The traffic on Smoke Ranch Road and Michael way will not be adversely affected by the access to subdivision.

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

   The tile roof s and stucco exteriors are similar to the development around the 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 proposed development is harmonious and compatible with adjacent neighborhoods.

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

   The development will be subject to frequent inspections as the development progresses that will secure and protect the health, safety, and general welfare of the public.

NOTICES MAILED 468 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4647 APN: 138-13-403-001

Name of Property Owner: AQUINO BENITO ARMANDO ETAL ETAL

Name of Applicant: — SAME —

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 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] X

Print Name: AUGUSTO G. GABORRO

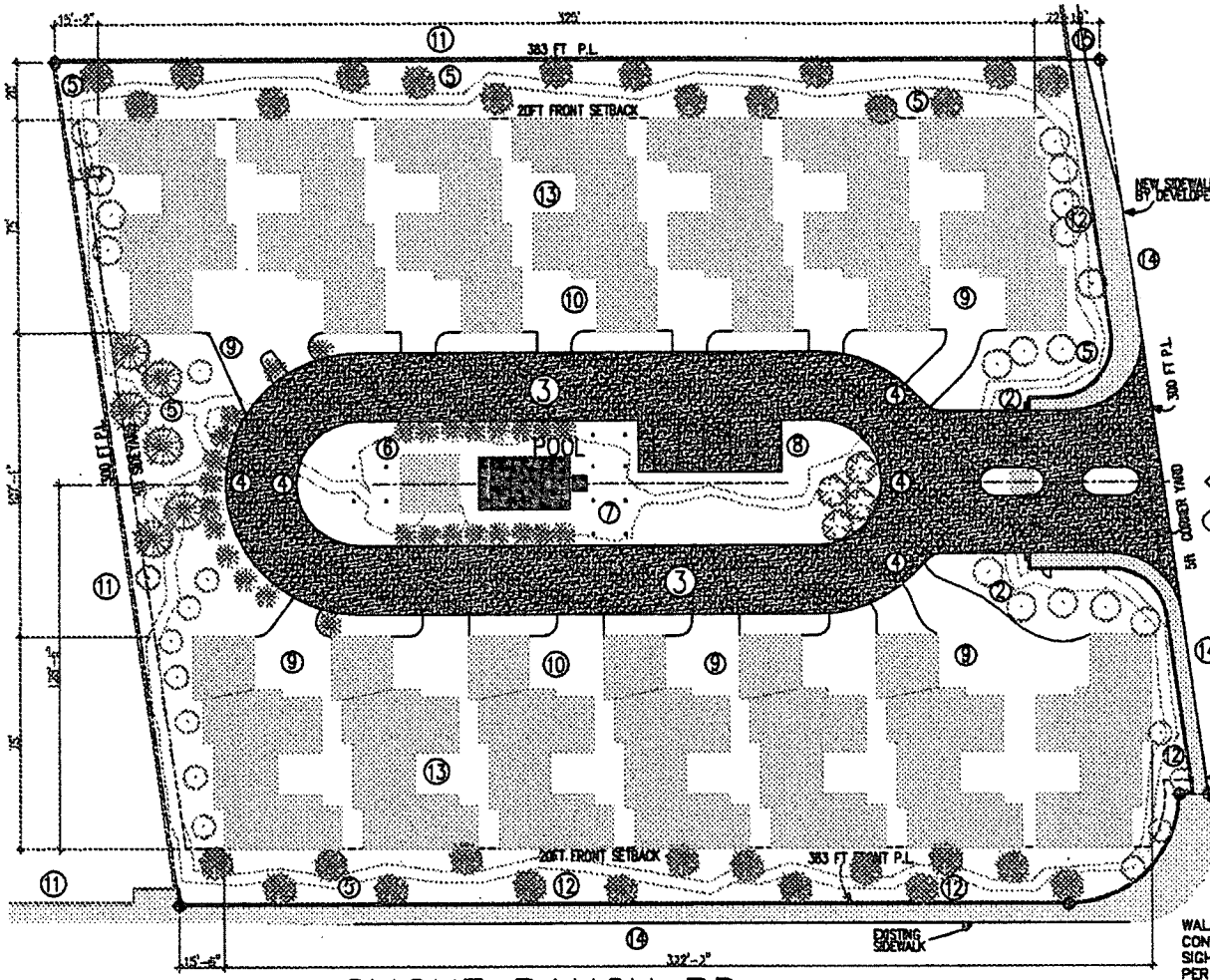
Subscribed and sworn before me

This 8th day of June, 2005

[signature]

Notary Public in and for said County and State

JUDITH L. SMITH
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 93-3623-1
MY APPT EXPIRES APRIL 10, 2005



RESIDENTIAL RPD-8 DEVELOPMENT STANDARD		
STANDARD	REQUIRED	PROVIDED
MINIMUM LOT SIZE s.f.	6,500	106,900
DWELLING UNITS PER ACRE	8	5.7
MIN. LOT WIDTH (ft)	NA	NA
MIN. FRONT YARD SETBACK (ft)	NA	20
MIN. SIDE YARD SETBACK (ft)	NA	10
MIN. CORNER SIDE YARD SETBACK (ft)	NA	22
MIN. REAR YARD SETBACK (ft)	NA	20
MIN. DISTANCE BETWEEN BUILDINGS	NA	35
MAX LOT COVERAGE	NA	NA
MAX. BUILDING HEIGHT (ft)	2 ST/35ft	2 ST/35ft

KEY NOTES

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7. POOL
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9. TYPICAL DRIVEWAY
10. TYPICAL FIRE-SPRINKLERED SINGLE FAMILY RESIDENCE 2 STOREY MAX HEIGHT 35 FT
11. EXISTING 6FT HGT CMU WALL
12. NEW 6FT HGT CMU WALL W/ 20% CONTRASTING MATERIAL
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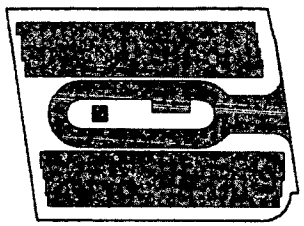
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TOTAL	30,498 SQ. FT
PROPERTY SIZE 2.45 ACRES	106,722 SQ. FT
F.A.R. (FLOOR AREA RATIO)	28.5%
DENSITY	5.7 UNITS PER ACRE

PARKING

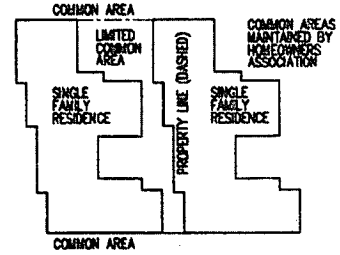
11 UNITS EACH WITH DOUBLE GARAGE	22
2 PARKING SPACES IN EACH GARAGE COURT	22
5 OFF STREET GUEST PARKING W/ 1 H/C	5
TOTAL PARKING	49

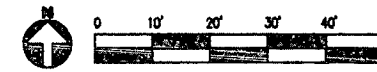
WALL SETBACK TO CONFORM TO INTERSECTION SIGHT VISIBILTY ZONE PER USD CLARK COUNTY AREA DWG 201.2

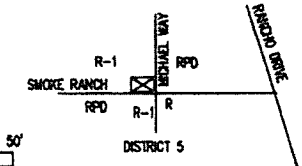
BACK OF CURB RADIUS PER USD CLARK COUNTY AREA DWG 201



OPEN SPACE REQUIREMENT
NON-OPEN SPACE SHOWN SHADED
1.65 X 5.7 = 9.45 %
9.45% X 106,722 SQ FT = 10, 032 SQ FT REQUIRED
39,884 SQ FT PROVIDED







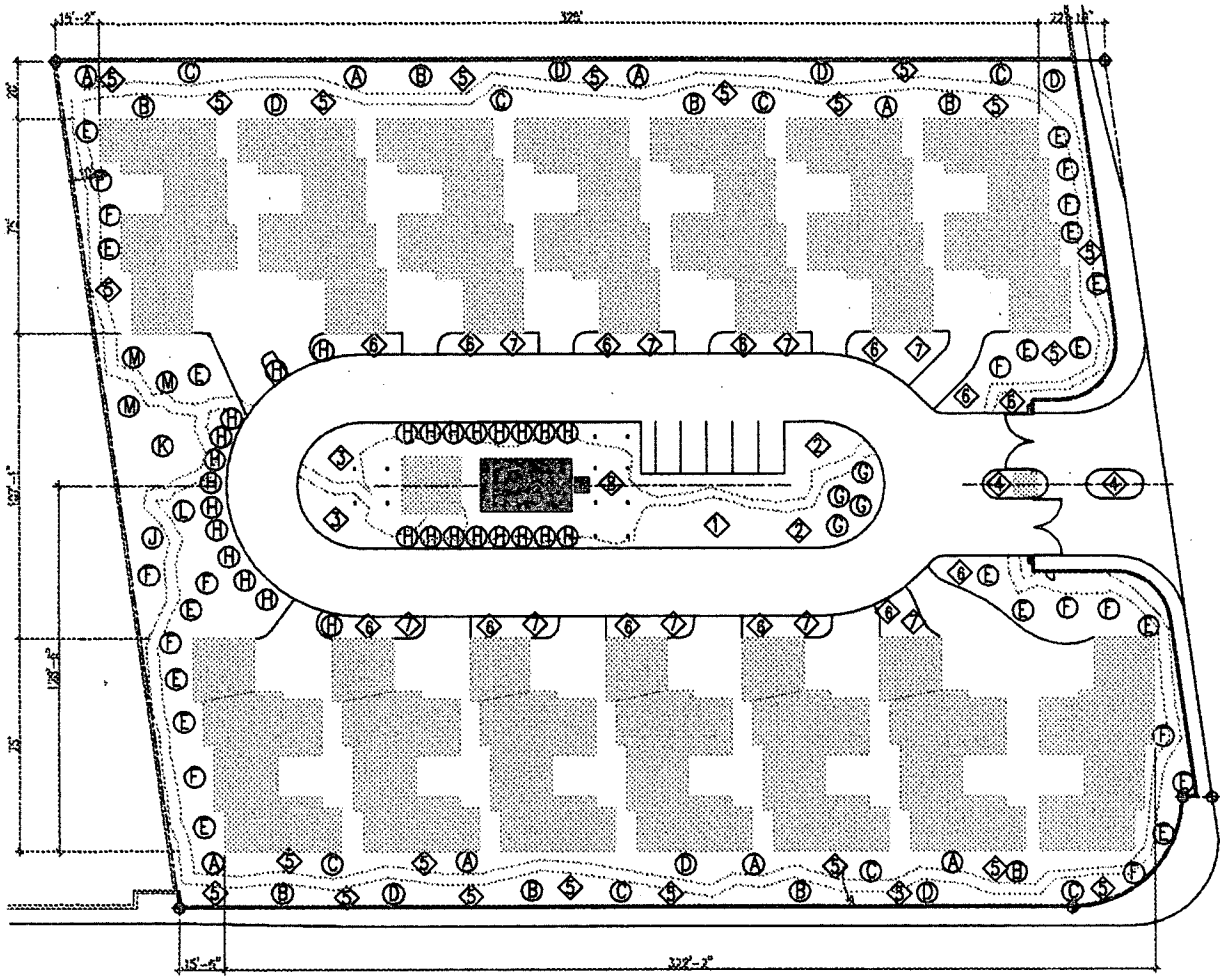
SDR-4647

8/26/04 PC

2.45 ACRE SITE 138-13-403-001
DISTRICT 6
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN

SP1



KEY TO TREES

	HGT	
A	5 FT	CRIMSON KING MAPLE
B	5 FT	SCARLET MAPLES
C	5 FT	SUGAR MAPLES
D	5 FT	NORWAY MAPLES
E	5 FT	CRAPE MAPLE – ZUNI
F	5 FT	CRAPE MAPLE – TONTO
G	5 FT	DATE PALM – PHOENIX DACTYLIFERA
H	5 FT	ITALIEN CYPRESS – CUPRESSUS SEMPERVIRENS
J	5 FT	CHESTNUT – COLASSAL
K	5 FT	CHESTNUT – CHINESE
L	5 FT	HARDY ALMOND
M	5 FT	MESQUITE

KEY TO PLANTS

1	DRYLAND MIX
2	CACTI MIX
3	ROSE MIX
4	POTS W/ PERENNIALS
5	GRASS CLUMP MIX W/ STONE CHIPPINGS
6	CACTI W/ DESERT GRASS CLUMP MIX
7	CACTI IN POTS
8	GRAPE

NOTES:

1. PROJECT IS XERI-LANDSCAPED
2. NO TURF
3. PATH TO BE COMPACTED SHELL
4. DRIVEWAY TO BE COLORED CONCRETE
5. PROVIDE SEAT OPPOSITE REAR OF EACH HOUSE
6. PROVIDE MINIMUM OF ONE 24" TREE FOR EVERY 30 FT OF GROSS FRONTAGE IN STREETSCAPE.
7. PROVIDE MINIMUM OF 4 SHRUBS FOR EVERY TREE PLANTED
8. ALL LANDSCAPE AREAS NOT COVERED BY VEGETATION SHALL CONTAIN A MIN OF 2" OF ROCK MULCH OR DECOMPOSED GRANITE

N

0 10' 20' 30' 40' 50'

2.45 ACRE SITE 138-13-409-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
LANDSCAPE PLAN

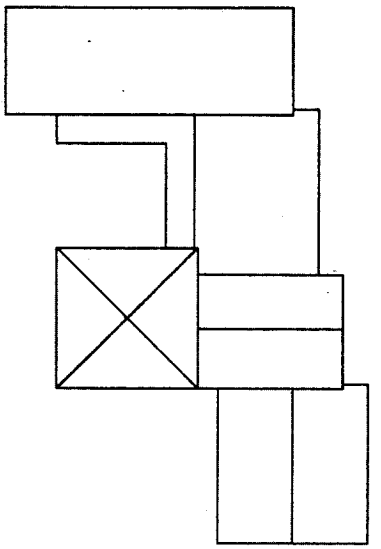
LS1

SDR-4647

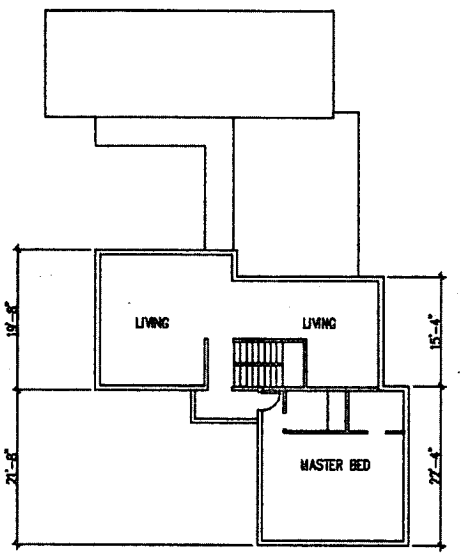
8/26/04 PC

TYPE A
GENERIC PLAN

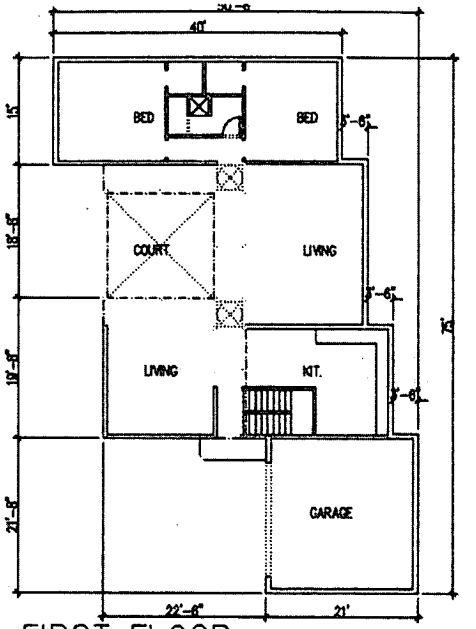
	SQ FT
LOWER AC	1864
UPPER AC	1210
TOTAL AC	3074
GARAGE	457
TOTAL	3531



ROOF



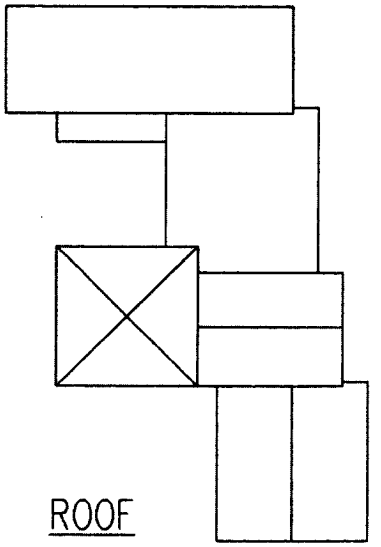
2NDFLOOR



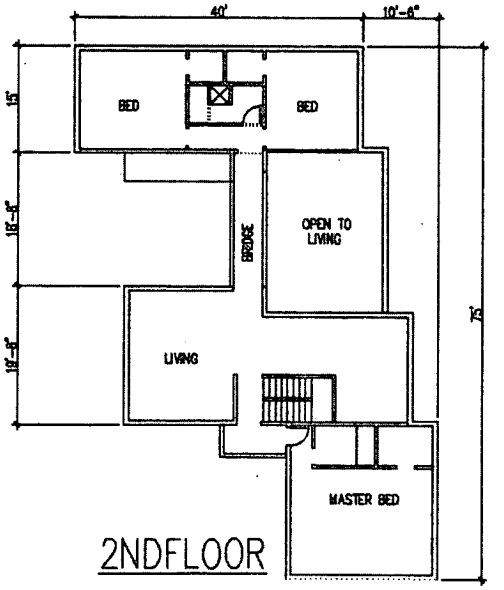
FIRST FLOOR

TYPE B
GENERIC PLAN

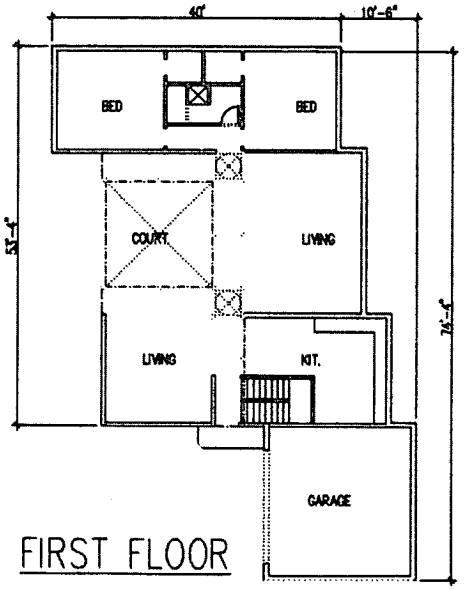
	SQ FT
LOWER AC	1864
UPPER AC	1902
TOTAL AC	3766
GARAGE	457
TOTAL	4223



ROOF



2NDFLOOR



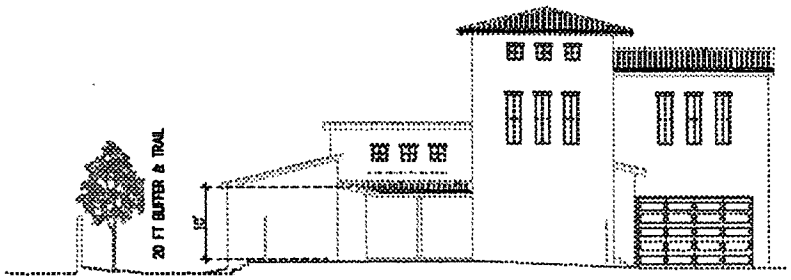
FIRST FLOOR

2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

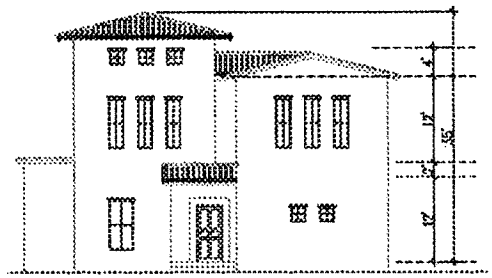
ZERLINA
UNIT FLOOR PLANS
TYPES A & B

SP3

SDR-4647
8/26/04 PC



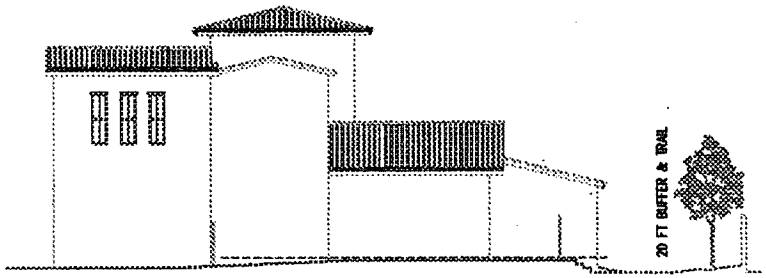
SIDE ELEVATION (TYPE A)



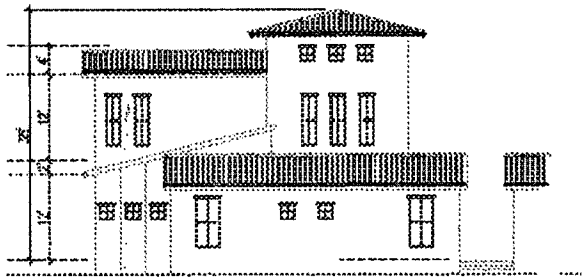
FRONT ELEVATION (TYPE A)

TYP. MATERIALS

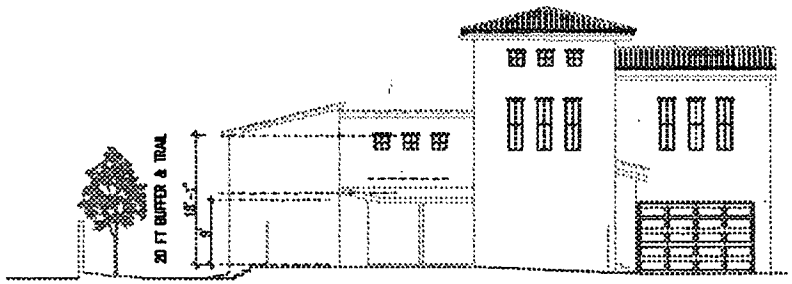
ROOF	CEMENT ROMAN TILE
WALLS	STUCCO – VARIOUS TUSCAN STYLED COLORS BRICK ACCENT
WINDOWS	RUSTIC STYLE – WOOD COLOR OR BLACK
DOORS	RUSTIC STYLE – WOOD COLOR OR BLACK



SIDE ELEVATION (TYPE A)



REAR ELEVATION (TYPE A)



SIDE ELEVATION (TYPE B)

NOTE:

ELEVATIONS ARE GENERIC
DEVELOPER WILL VARY DETAILS, ENTRANCE DESIGN AND COLORS TO CREATE INDIVIDUALITY FOR EACH RESIDENCE WHICH WILL BE CUSTOM DESIGNED FOR THE BUYER

FOOTPRINT, HEIGHT AND MASSING WILL NOT CHANGE

2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
BUILDING ELEVATIONS

SP2

SDR-4647
8/26/04 PC

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

DB 15 W Owens Avenue, RQR-4959, SUP-4694, SUP-4814, SUP-4902, SUP-4933, SUP-4953, SUP-9475, SUP-4984, SUP-4988, SUP-4994, SUP-4996, VAC-4948, VAC-4949, VAC-4967, VAR-4934 and VAR-4986 - 10/20/2004 Agenda

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: OCTOBER 6, 2004

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES, Las Vegas resident, spoke of her recent move into the downtown area. She believed COUNCILMAN REESE was using his position of authority to antagonize her. MAYOR GOODMAN stated for the record that he had asked TRINA ROBINSON, Neighborhood Services, to help MS. BARNES find a place to live. COUNCILMAN REESE in no way acted improperly, as he only had MS. BARNES' best interest at heart.
(4:05 - 4:07)
5-115

STEVEN "CAPTAIN TRUTH" DEMPSEY referred to Buffalo Jim. He referenced a website which he visited that was in relation to the outcome of Treasures in comparison to the Crazy Horse. He requested that COUNCILMEN REESE and BROWN be briefed on his comments. He reiterated what the Council's duties are as they have taken an oath to uphold those duties.
(4:07 - 4:11)
5-189

STEVE HAMPTON stated that he had been arrested for burning the American flag, and shared his experiences while under arrest and how his human rights were violated. While in jail, he was chained for 24 hours and was not given his medication. He asked that everyone support freedom of speech and the first amendment by demanding the charge against him be dropped. He announced an anti-war rally would take place on October 17, 2004 at noon in front of the Bellagio.
(4:11 - 4:14)
5-304

TOM McGOWAN, Las Vegas resident, stated that the City Council was in multiple violations of NRS 241, the Open Meeting Law, and that the complaint would be filed with the office of the Attorney General. He announced his intent to run for governor in 2006. He submitted his comments for the record.
(4:14 - 4:15)
5-386

JOHNNY VENTURA, 601 Rain Tree Lane, shared his proposal to start a newsletter to be called the Clark County Chronicle. He also requested that the Judea Menorah, along with the Nativity be displayed down on Fremont Street. Lastly, he expressed his frustration with street numbers on buildings being too small. They cannot be read especially at nighttime. He welcomed COUNCILMAN

MINUTES - Continued:
WOLFSON.
(4:15 - 4:17)
5-417

CATHERINE WRANGLER, Las Vegas resident and full-time student at the University of Las Vegas Nevada, stated she is pursuing a Mathematics Degree. She shared her hardship as an unemployed cocktail server. As a former employee of Treasures, she shared her experiences there and that she was treated with respect and dignity, something that she has not found while working at other clubs. She can no longer afford health insurance. The decision made two weeks ago negatively affected many workers.
(4:17 - 4:20)
5-503

KIMBERLY MARTINEZ, California resident, spoke of her difficulties as a former dancer at Treasures. As a single parent, her unemployment has changed her plans of relocating to Las Vegas. She loved to work at Treasures because of its clean environment, and the safety and respect shown the dancers. She is amazed that Treasures lost their liquor license while other clubs are still open. She does not understand the rumor of Treasures being categorized as a dirty club, as she never had any interaction with that conception. She requested the Council reconsider their vote.
(4:20 - 4:22)
5-622

BARBARA GARCIA, Utah resident, outlined her experiences as a dancer. She noted her experiences at other clubs and pointed out that none compare to Treasures. She expressed her concern for the many other workers affected by the closure and also requested the Council to reconsider their decision.
(4:22 - 4:24)
5-667

CHRISTINE MAZENOUS, 7855 Deer Springs Way, voiced her struggles in trying to pursue employment in the entertainment industry after her time working at Treasures. Treasures gave her the opportunity to secure a future for her family. She was hired as a cashier, and within six months she was promoted to the marketing department. She no longer keeps promises she made to her children. She stated that the Council does not understand the magnitude of what they have done. They have not only hurt the owners, but many people who believed they had a future with a company she believes in. She hopes the Council can reconsider their decision.
(4:24 - 4:26)
5-717

MEETING ADJOURNED AT 4:26 P.M.

TM/LVAB Coord. Mtg. [LV] 6 Oct., '04 (Conf. Chmb.) (cc: Mayor & Cncl.)

Pub. Comment

Items #101, 102, and 103. (Tarkanian Coalition) - Tom McGowan, Las Vegas Resident.

I recommend Approval on all three items. - Thank You.

Item #105. - Tom McGowan, Las Vegas Resident.

I note for the public record that the applicant, Clear Channel, is a contractual affiliate of the Las Vegas Centennial Celebration Committee/Commission, whose Chairman and President is Mayor Oscar Goodman. Thank You.

Items #108 - Tom McGowan, Las Vegas Resident, with several comments:
and 109. • Does construction ordinance require before de

. Who are the owners of Regency Pointe Partners, LLC, and where is their Corporate Headquarters Address?

Let the record reflect the Mayor and City Council did not respond to the public request for public pertinent information.

Thank You,

Finally Tom McGowan, Las Vegas Resident. It's nice to know this city still has some people who care about other people.
I recommend Approval. Thank You.

Citizens Participation: - Tom McGowan, Las Vegas Resident.

This meeting has been in multiple violations of NRS 241, the Nevada Open Meeting Law. The complaints will be filed with the Office of the Attorney General.

I hereby announce my candidacy for election to Public Office as Governor of the State of Nevada in 2006. — [redacted]

My public comments are submitted and requested inclusion in the minutes of today's meeting, in compliance with the Nevada Open Meeting Law. - Thank You.

Submitted at City Council Meeting
Date 10/6/04 Item

CITIZENS PARTICIPATION