

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5028 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Request for a Special Use Permit FOR A PROPOSED 73-STORY MIXED-USE DEVELOPMENT at 2423 and 2417 Las Vegas Boulevard (APN 162-04-813-070 and 071; 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - APPROVED subject to conditions - UNANIMOUS with TRUESDELL abstaining because he has an economic interest in property adjacent to the subject property.

To be heard by the City Council on 11/03/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 51 [SUP-5028], Item 52 [VAC-5029], Item 53 [VAC-4030] and Item 54 [SDR-5027].

MARGO WHEELER, Deputy Director, Planning and Development Department explained that this project is proposed for one of the key intersections within the City, Sahara Avenue and Las Vegas Boulevard. This intersection is considered one of the main entries into the City and it is located within the City's Re-urbanization Area as defined within the 20/20 Master Plan and the Downtown Centennial Plan. The project's intensity is appropriate to the site and will not require a General Plan Amendment or any Variances. A neighborhood meeting was held a week prior to the Planning Commission hearing.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 51 – SUP-5028

MINUTES – Continued:

Traffic is a primary issue with a project of this intensity and staff has addressed many traffic concerns with significant conditions located in the staff report. The applicant and staff have been working diligently towards completion of the Traffic Study and to meet all of the conditions set by the Traffic Engineer. There are requirements regarding a turn radius and bus turnouts, which will significantly improve the traffic flow. There is also a provision for a future pedestrian overpass at this intersection. Pedestrian overpasses carry foot traffic across the strip and allow greater vehicular movement.

MS. WHEELER indicated the applicant may request an abeyance of Item 53 [VAC-5030] due to problems associated with the vacation of the alley near Paradise Road. If the abeyance is approved, the conditions regarding the two vacations are in Item 54 [SDR-5027].

GREG BORGEL, 300 South 4th Street, appeared on behalf of the applicant and informed the Commission that one of the principles on the project, VICTOR ALTAMARI, was present in the audience as well as representatives from the architectural firm JMA Architects. He wanted to clarify that the height of the project as listed on the Agenda Summary Page, reflects the height to the top of the building but there will probably be an antenna for TV or radio.

MR. BORGEL stated the applicant is very sensitive to the traffic issues surrounding the site. The project proposes moving the property line to create an additional right turn lane onto Las Vegas Boulevard and dual left turn lanes from Sahara Avenue to Las Vegas Boulevard south bound. A bus turnout would also be provided, which will help to keep the busses from stopping on the street. The applicant will follow through on the traffic study, which was submitted in late August and has gone through substantial analysis. The applicant should have an approved study prior to going before the City Council.

He confirmed earlier statements by asking for an abeyance on Item 53 [VAC-5030] to 11/04/2004 because one of the neighbors has minor technical concerns regarding the realignment of the alley. The situation is awkward because an area slated for a dedication and the adjacent alley do not match. Additional work must be done to convert private access with cross easements or find a resolution that resolves issues that may exist for the shopping center to the east. There will be no visible difference to the plan regardless of the outcome and should the issue not be resolved, there are conditions on Item 54 [SDR-5027] that will be activated. Should a change be required to the Site Development Plan because of the outcome of the issue, new plans would be submitted. The applicant feels the situation can be resolved within the requested time frame.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 51 – SUP-5028

MINUTES – Continued:

MR. BORGEL stated the project will be iconic and submitted a large photo rendering of the proposed project, as it will sit on the Strip. He pointed out that the height is somewhat exaggerated and that the building would be substantially shorter than the Stratosphere. The building will be a striking feature that will let people know the area is an entry to Las Vegas. MR. BORGEL hopes the building will stand out as the theme project for this part of the City for a very long time.

C BEN CONTINE, President of the Beverly Green Neighborhood Association, explained his association covers the area bounded by Oakey Boulevard, Sahara Avenue, Las Vegas Boulevard and 6th Street. His association had two neighborhood meetings specifically about this project. Height was a concern originally; however, the neighborhood agreed it is appropriate and will reduce traffic because the residents will be within walking distance of restaurants and entertainment and because the public transportation will be made more available. The neighborhood also liked that the building is accessible and interactive as opposed to looking like a fortress. The retail component on the bottom floors will encourage foot traffic in the area and the association feels that will help make the area safer.

C There were concerns regarding the reflective glass but after speaking to the architect, the association is comfortable with that aspect of the project. Helicopter traffic is a problem the neighbors currently experience and they were concerned about the impact this development could have on that issue. Tourist helicopters tour the strip over the proposed project site. Because the tower is so tall, the neighbors worried the helicopter traffic could be pushed further east. No resolution was found to this issue; however, the neighborhood felt comfortable with the developer and did not feel it was fair to put the regulations of helicopter flight patterns on the Planning Commission. The association thanked MR. ALTAMARI for investing in this project and in the Liberty Tower and for working so closely with the neighborhood. They recommended approval.

MR. BORGEL thanked MR. CONTINE for his comments and noted that the project conforms to the City Standards regarding reflectivity.

COMMISSIONER STEINMAN asked the Public Works Department, to comment on the traffic study they have received, as this is one of the toughest intersections within the Valley. RICK SCHROEDER, Traffic Engineering, Public Works Department, replied that the dedication of the right turn lane, the dual lefts and the bus turnout will allow the intersection to work better with the project built than it currently does without it. COMMISSIONER STEINMAN then confirmed with MR. SCHROEDER that the traffic study did not address the staging of the building during construction.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 51 – SUP-5028

MINUTES – Continued:

The Commissioner was concerned about how the materials to build a 73-story tower would get in and out of the site without disrupting traffic. GINA VENGLASS, Department of Public Works, stated that many projects at this stage of the development procedure may not have engineers to address such concerns, only architects. She indicated the traffic control is usually handled during the construction phase. She suggested asking the applicant. MR. BORGEL stated the project could be staged and constructed in the same manner towers are built on constrained sites in big cities worldwide with timing of deliveries, avoiding traffic flow and utilizing available space. He indicated that the applicant would be working with neighbors to procure staging areas.

C COMMISSIONER EVANS agreed this is one of the most challenged intersections in the City. He felt that this was an exciting time in Las Vegas with all of the high-rise projects coming in. The Commissioner felt this was an appropriate location for the building and stated he opposes projects such as this going into a residential area. COMMISSIONER EVANS felt individuals did not buy homes in the suburbs to be surrounded by high-rises. He acknowledged that the Commission might not be asking all of the right questions at this stage because they have been inundated with proposals without one project being completed yet. When some of these projects are completed, the Commission and government entities will learn what challenges could not have been foreseen and help to avoid them in future developments. COMMISSIONER EVANS wondered what the consequences could be of having several thousand residents in a small area without open space or parks. He acknowledged that many of these tower units would be second homes or rentals. The Commissioner reiterated that the urban core is a perfect place for this project and he would support it.

C COMMISSIONER GOYNES compared the intersection of Sahara Avenue and Las Vegas Boulevard to another intersection which used to be a problem, the one at Flamingo and Valley View. When the Gold Coast and the Rio Suites came into the area, they participated in traffic mitigation efforts such as those proposed by this developer and the intersection was vastly improved. He was very excited about the project.

COMMISSIONER STEINMAN asked if a variance was required because the parking was not up to Code. MS. WHEELER informed him that the way the language was written in the Downtown Centennial Plan and Title 19, the automatic application of the parking and height standards elsewhere in the Code are not required within the Downtown Centennial Plan. Because of this, the project is viewed upon its merits.

VICE CHAIRMAN NIGRO asked if there was a casino component in the project. MS. WHEELER indicated there is not and MR. BORGEL added that the applicant is not contemplating any gaming uses.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 51 – SUP-5028

MINUTES – Continued:

MS. WHEELER pointed out that these items would be heard before Council at the 11/03/2004 meeting and suggested the requested 30-day abeyance for Item 53 [VAC-5030] be reduced to a two-week abeyance so that all of the items could be heard together. MR. BORGEL indicated the applicant did want the item to go before Council on 11/03/2004 and verified with the Owner that he would like to amend the request to abey the item until the 10/21/2004 Planning Commission Meeting.

MS. VENGLASS indicated that on Item 54 [SDR-5027], staff would be deleting Condition 27. COMMISSIONER DAVENPORT clarified that MR. BORGEL had discussed this condition with him. MR. BORGEL indicated that the Public Works Department feels covered under the standard encroachment agreement and is comfortable with the deletion of the condition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 51 [SUP-5028], Item 52 [VAC-5029], Item 53 [VAC-5030] and Item 54 [SDR-5027].

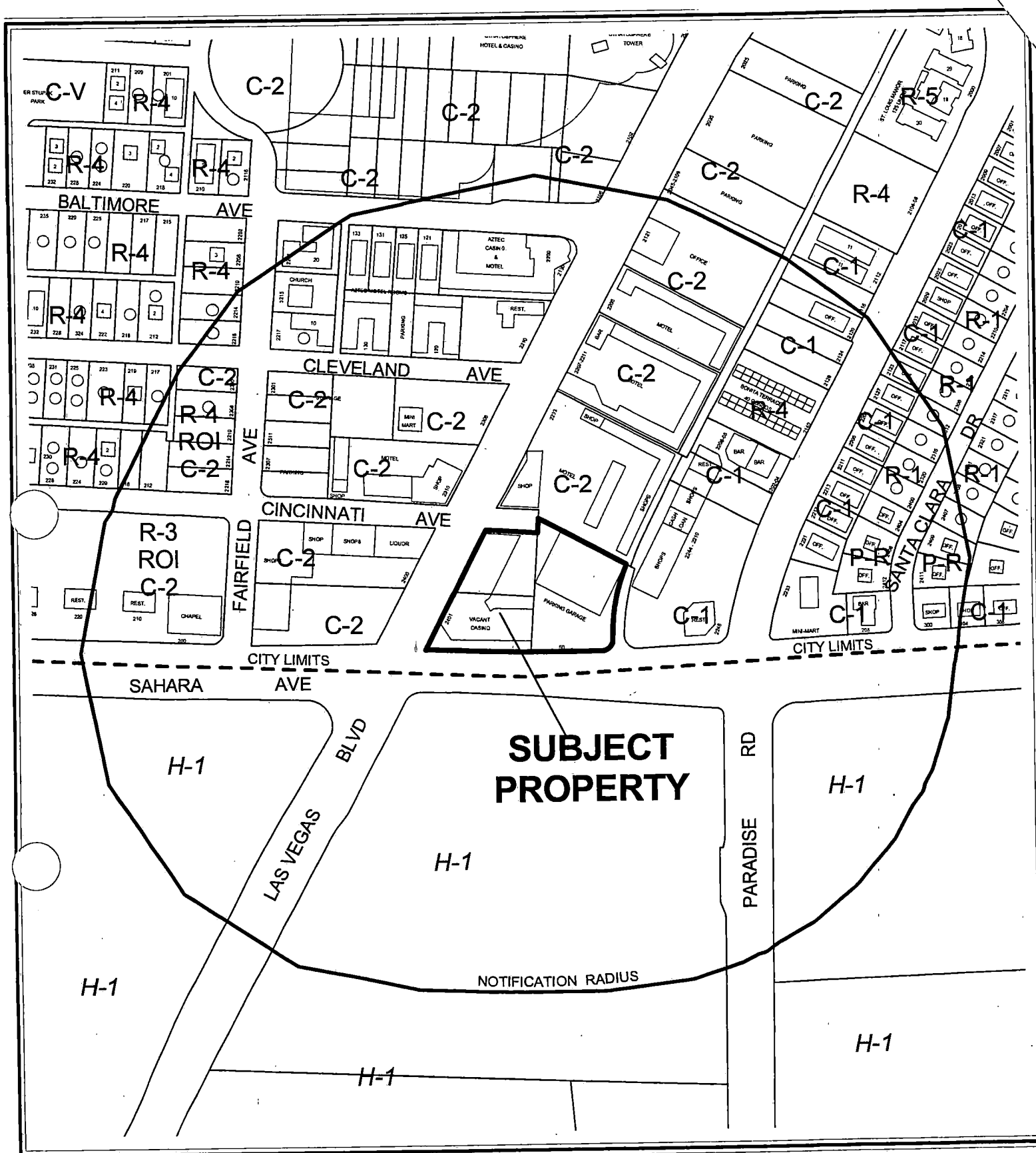
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3-1459

CONDITIONS:

Planning and Development

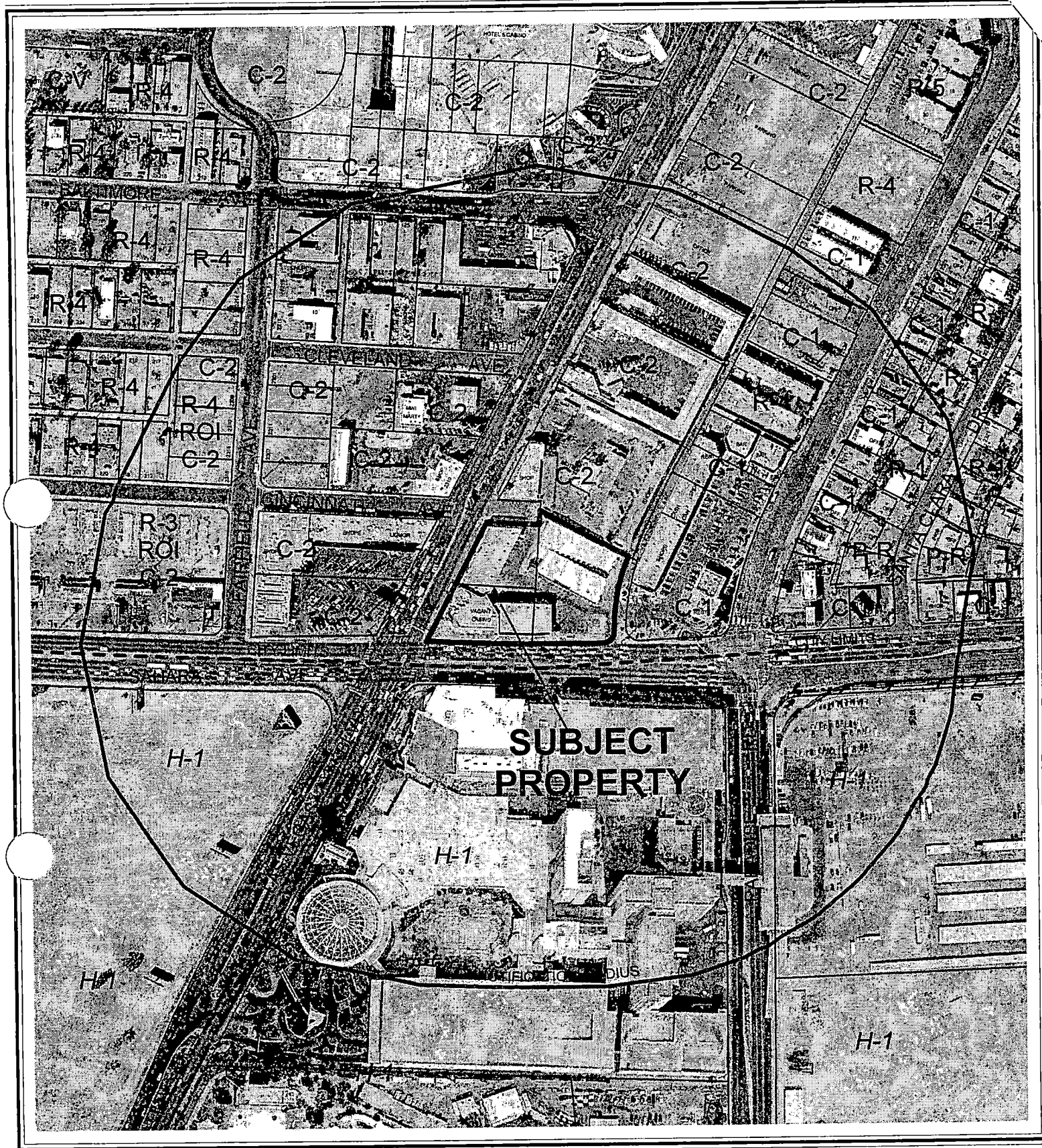
1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5027).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised 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-5028

RADIUS: 750 FT

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



CASE: SUP-5028

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5028 - SPECIAL USE PERMIT - PUBLIC HEARING -

APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5027).
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 2.17 acres located at 2417 and 2423 Las Vegas Boulevard South.

B) Applicant's Justification

The applicant states that the project is appropriate for the site and will strengthen the existing goals for the development of the Downtown Centennial Plan area.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/08/76 | The Planning Commission approved an Aesthetic Review (AR-0001-76) for a unified building fascia, including consolidated signage to replace the existing conglomeration of signage. |
| 02/24/83 | The Board of Zoning Adjustment approved a Variance (V-0009-83) to allow a Class III Secondhand Dealership (Jewelry) to be permitted, subject to securing a Special Use Permit. |
| 04/13/83 | The Board of City Commissioners approved a Special Use Permit (U-0007-83) to allow a Class III Secondhand Dealership (Jewelry) on the subject property. |
| 03/15/89 | The City Council denied a Variance (V-0006-89) to allow 134 parking spaces where 175 parking spaces are required for a proposed casino with retail shops. |
| 05/23/91 | The Board of Zoning Adjustment denied a Special Use Permit (V-0053-91) for a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision, which was denied by City Council on 06/20/91. |
| 12/19/91 | The Board of Zoning Adjustment denied a Variance (V-0173-91) to allow a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision to City Council, which was approved on 01/22/92. |

SUP-5028 - Staff Report Page Two
October 7, 2004 Planning Commission Meeting

- 04/20/94 The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant.
- 07/19/95 The City Council approved an Extension of Time [U-0026-94(1)] for the sale of beer and wine in conjunction with a proposed restaurant.
- 02/21/96 The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store on one of the subject parcels.
- 07/23/96 The Board of Zoning Adjustment took no action on a Special Use Permit [U-0023-96(1)] to allow an increase in height for an off-premise advertising sign. The request was appealed to City Council, which was approved on 08/21/96.

B) Pre-Application Meeting

- 08/05/04 At the pre-application conference, it was noted that additional right-of-way would be needed to provide a right-turn lane on Sahara Avenue and a deceleration lane on Las Vegas Boulevard. In addition, it was noted that a radius dedication would be needed at the intersection, and that a traffic study would be required in order to assess the impact of the project on adjacent roadways. Waivers from the streetscape standards, stepback requirements, and glazing requirements were noted. The applicant was informed that the property is subject to the Scenic Byway Overlay, and any signage will need to comply with the Overlay standards.

C) Neighborhood Meetings

- 09/30/04 Although a neighborhood meeting is not required as part of this application request, the applicant has voluntarily scheduled a meeting on September 30, 2004. Comments from the neighborhood meeting will be provided at the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.17

B) Existing Land Use

Subject Property: Gaming Use, Restaurant Use, Retail Use (Vacant)
North: Motel Use
South: Gaming Use, Hotel Use
East: Retail Use, Restaurant Use
West: Retail Use

C) Planned Land Use

Subject Property: C (Commercial)
North: C (Commercial)
South: C (Commercial)
East: C (Commercial)
West: C (Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: Unincorporated Clark County
East: C-1 (Limited 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 Commercial land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas Boulevard Scenic Byway Overlay	X	
Trails		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 Commercial 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 Northern Strip District, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

Las Vegas Boulevard Scenic Byway Overlay District

The subject property is located within the Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

- 1) A Final Map or Planned Unit Development of 500 units or more.

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

- 1) A Special Use Permit application concerning property within 500 feet of the City boundary with Clark County.

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 Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.
- 2) The Regional Transportation Commission has determined that the project's proximity to major arterial streets and transit services will obviate any negative regional impacts.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic 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		891	
• Studio	160 units		
• 1 Bedroom	504 units		
• 2 Bedroom	256 units		
• 3+ Bedroom	31 units		
Commercial	41,000 SF	279	
Total:		1,170	Not indicated

A total of 1,170 parking spaces will be provided on the site for the development. 891 spaces will be designated for the residential units, and 279 spaces will be allocated for the commercial uses. It should be noted that 267 spaces will be in tandem spaces; the submitted documentation indicates that valet service will be provided to service the tandem spaces.

Public works has indicated that additional right-of-way will be required along Sahara Avenue and Las Vegas Boulevard in order to address capacity issues; the site plan incorporates the requested dedications. It has also been noted that the access driveway on Sahara Avenue will need to be approved by the Nevada Department of Transportation (NDOT).

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 with the minimum requirements listed in Title 19.04 for Mixed-Use structures.

B) General Analysis and Discussion

- Zoning

The parcels comprising the development are zoned C-2 (General Commercial), and are located within the boundaries of the Downtown Centennial Plan. The proposed structure generally complies with the applicable setbacks and lot coverage requirements specified by the 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) District 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 of 951 residential units and 41,000 square feet of commercial space.

- Conditions

The design of the structure conforms to the minimum Mixed-Use development requirements contained 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 structure provides adequate vertical separation between 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 integrating residential units 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 438 units per acre, which is generally appropriate for an urban area, provided there is convenient access to public transportation and traffic capacity issues can be addressed. The site has convenient access to the Las Vegas Monorail through the Sahara Casino across the street, and traffic capacity issues will be addressed as part of the Site Development Plan Review.

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.”**

On-site circulation is designed so as to minimize impacts to the flow of traffic on Sahara Avenue and Las Vegas Boulevard, additional right-of-way will be dedicated to increase capacity, and the project has convenient access to the monorail station at the Sahara Casino across the 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.”**

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

NOTICES MAILED 47 – Mailed with SDR-5027

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Sup-5028 APN: 16204813070/16204813071/16203410008

Name of Property Owner: Rinkai America, Inc.

Name of Applicant: Ken Kim

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: _____

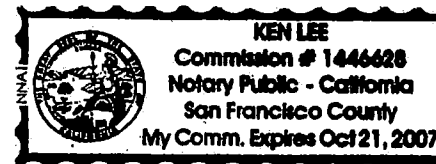
Signature of Property Owner/Authorized Agent: [Signature]

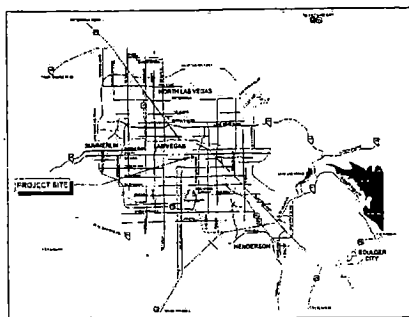
State of CALIFORNIA. Print Name: KUN SAM KIM
County of SAN FRANCISCO.
Subscribed and sworn before me

This 26th day of August, 2004

KEN LEE, Notary Public
Notary Public in and for said County and State

Signature of Notary Public





JMA ARCHITECTURE STUDIOS

ZONING: C-2
EXISTING MOTEL

ZONING: C-2
EXISTING GIFT SHOPS

LAS VEGAS BLVD. SOUTH

PROPOSED FUTURE
PEDESTRIAN BRIDGE

LINE OF BUILDING ABOVE

ZONING: H-1
EXISTING SAHARA HOTEL

SAHARA AVENUE

SITE PLAN
SCALE: 1" = 50'

PLANTING LEGEND

- | SYMBOL | PLANTING NAME |
|----------|---------------------------------------|
| [Symbol] | ROSEMARY (WOOD-LAM) |
| [Symbol] | QUICKSILVER |
| [Symbol] | LOW-GROWING FOLIAGE PLANT (1'-2' HGT) |
| [Symbol] | SHRUB |
| [Symbol] | WASHINGTONIA ROBUSTA |
| [Symbol] | MEXICAN FAN PALM - 25' HIGH |
| [Symbol] | CAESALPINA GILBERTII |
| [Symbol] | YELLOW BIRD OF PARADISE |
| [Symbol] | PATINA JAPONICA |
| [Symbol] | JAPANESE ARBURA |

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential and Hotel Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401166
Proposal # 200401901.110

10180 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2023 FAX: (702) 731-2029 WWW.JMAARCH.COM



SEPTEMBER 27, 2004

DR-01

SUP-5028
SDR-5027
10-07-04 PC
REVISED 09-29-04



SUP-5028 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO
- OWNER: RINKAI AMERICA, INC.
2423 AND 2417 LAS VEGAS BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-5029 - VACATION RELATED TO SUP-5028 - PUBLIC HEARNG -
APPLICANT: JMA ARCHITECTURE STUDIO – OWNER: RINKAI AMERICA, INC. -
Petition to Vacate Cincinnati Avenue east of Las Vegas Boulevard, Ward 3 (Reese).

SET DATE: 10/20/04 C.C. 11/03/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining because he has an economic interest in property adjacent to the subject property.

To be heard by the City Council on 11/03/2004

MINUTES:

See Item 51 [SUP-5028] for all related discussion on Item 51 [SUP-5028], Item 52 [VAC-5029],
Item 53 [VAC-5030] and Item 54 [SDR-5027].

(9:55 – 10:22)

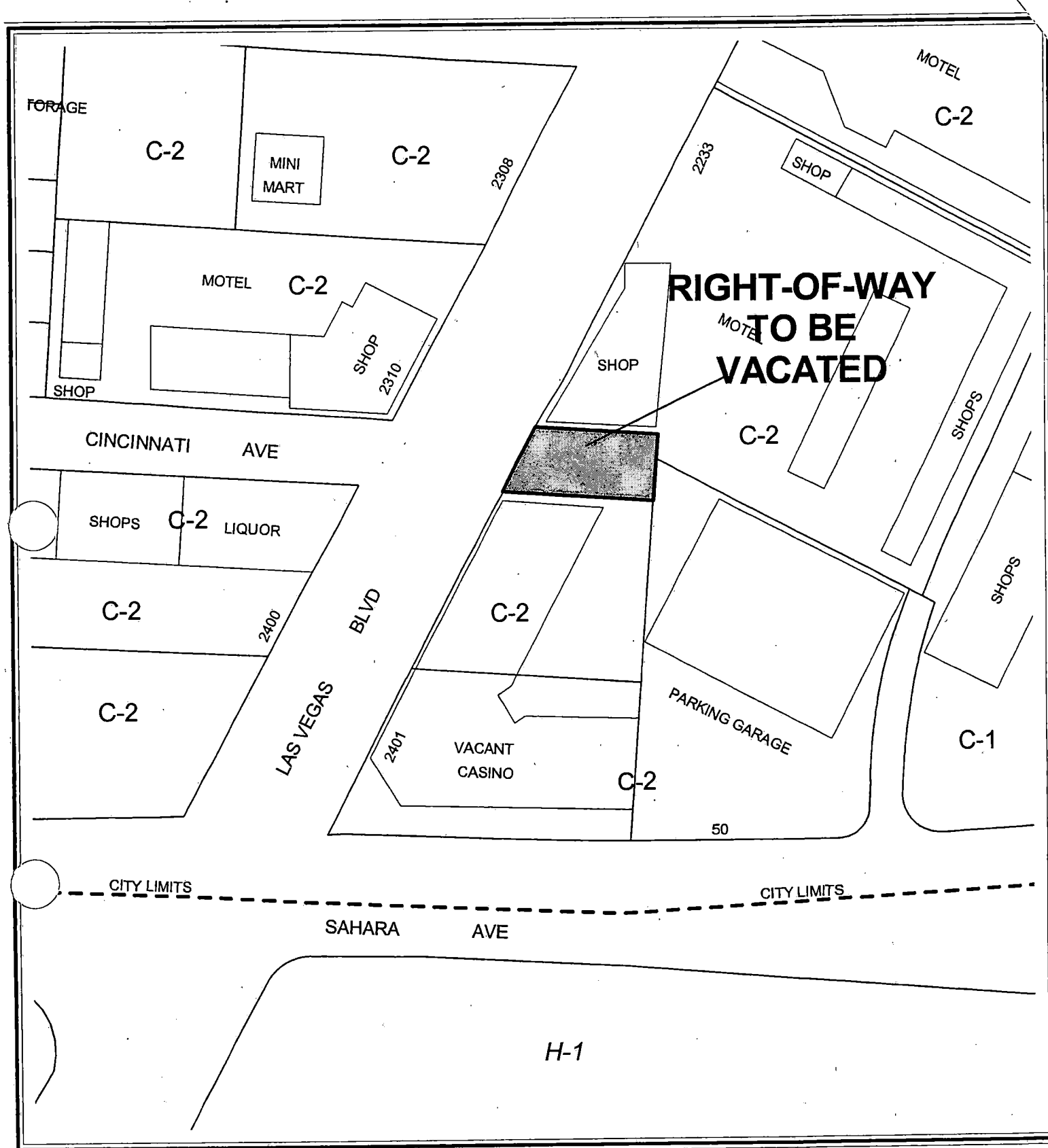
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PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 52 – VAC-5029

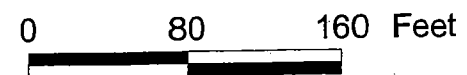
CONDITIONS:

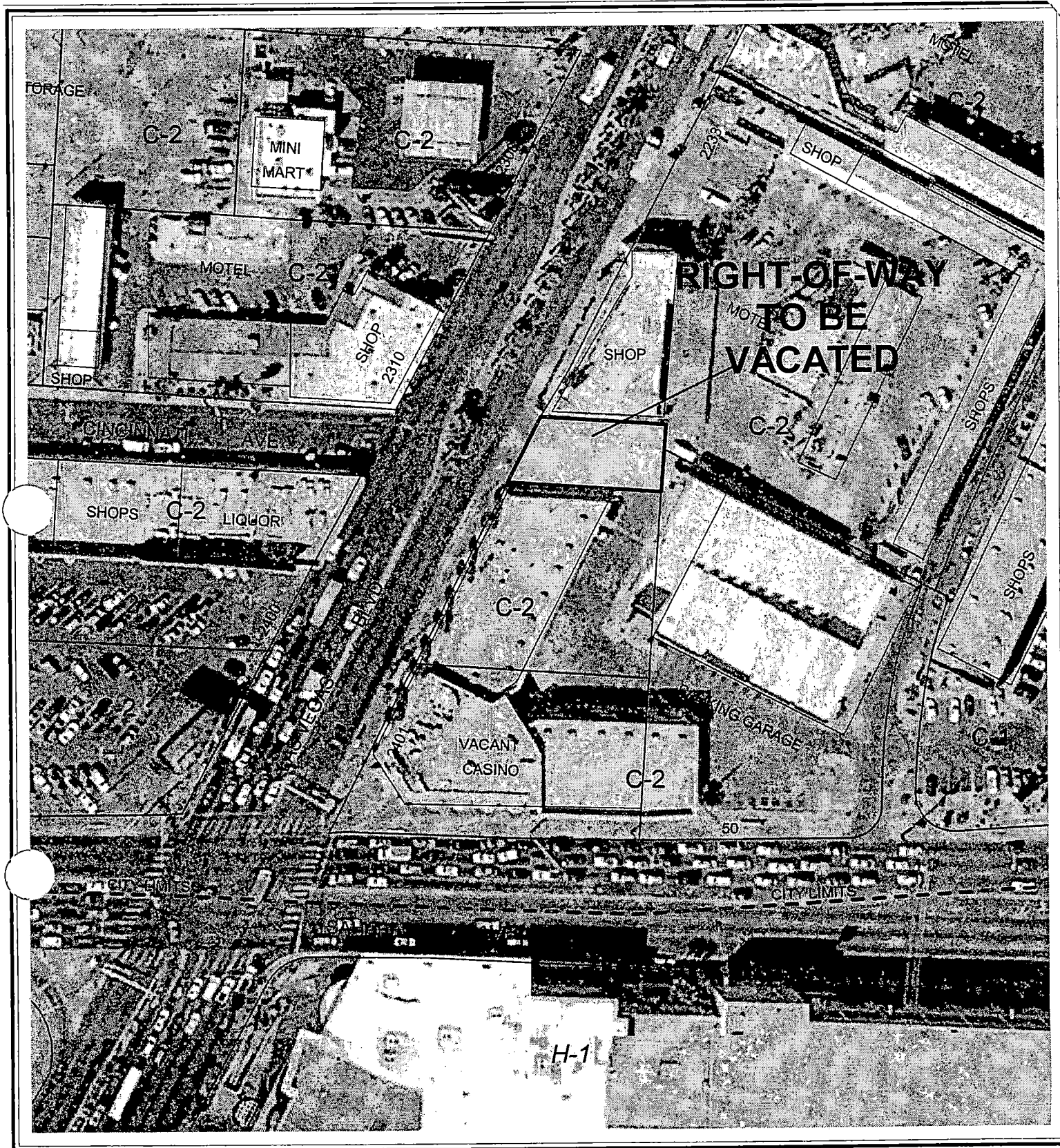
Planning and Development

1. This Petition of Vacation shall include the existing 55-feet of Cincinnati Avenue right-of-way generally located east of Las Vegas Boulevard, north of Sahara Avenue.
2. Provide a plan acceptable to the City Engineer depicting how the northern half of the Cincinnati Avenue vacated right-of-way will be incorporated into Assessor's Parcel Number 162-03-410-007, prior to recordation of the Order of Vacation.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required with SDR-5027, may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
7. Provide a copy of a recordable Joint Access Agreement between this site and Assessor Parcel Number 162-03-410-007. Such agreement shall record immediately after the recordation of the Order of Vacation.



CASE: VAC-5029





0 80 160 Feet

CASE: VAC-5029



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-5029 - VACATION - PUBLIC HEARING -

APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. This Petition of Vacation shall include the existing 55-feet of Cincinnati Avenue right-of-way generally located east of Las Vegas Boulevard, north of Sahara Avenue.
2. Provide a plan acceptable to the City Engineer depicting how the northern half of the Cincinnati Avenue vacated right-of-way will be incorporated into Assessor's Parcel Number 162-03-410-007, prior to recordation of the Order of Vacation.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required with SDR-5027, may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

VAC-5029 - Conditions Page Two
October 7, 2004 Planning Commission Meeting

7. Provide a copy of a recordable Joint Access Agreement between this site and Assessor Parcel Number 162-03-410-007. Such agreement shall record immediately after the recordation of the Order of Vacation.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate the stubbed portion of Cincinnati Avenue, east of Las Vegas Boulevard.

B) Applicant's Justification

The applicant states that Cincinnati Avenue does not meet City street standards, and that the vacated right-of-way will still be used for access by both abutting property owners.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/08/76 | The Planning Commission approved an Aesthetic Review (AR-0001-76) for a unified building fascia, including consolidated signage to replace the existing conglomeration of signage. |
| 02/24/83 | The Board of Zoning Adjustment approved a Variance (V-0009-83) to allow a Class III Secondhand Dealership (Jewelry) to be permitted, subject to securing a Special Use Permit. |
| 04/13/83 | The Board of City Commissioners approved a Special Use Permit (U-0007-83) to allow a Class III Secondhand Dealership (Jewelry) on the subject property. |
| 03/15/89 | The City Council denied a Variance (V-0006-89) to allow 134 parking spaces where 175 parking spaces are required for a proposed casino with retail shops. |
| 05/23/91 | The Board of Zoning Adjustment denied a Special Use Permit (V-0053-91) for a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision, which was denied by City Council on 06/20/91. |
| 12/19/91 | The Board of Zoning Adjustment denied a Variance (V-0173-91) to allow a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision to City Council, which was approved on 01/22/92. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |

- 07/19/95 The City Council approved an Extension of Time [U-0026-94(1)] for the sale of beer and wine in conjunction with a proposed restaurant.
- 02/21/96 The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store on one of the subject parcels.
- 07/23/96 The Board of Zoning Adjustment took no action on a Special Use Permit [U-0023-96(1)] to allow an increase in height for an off-premise advertising sign. The request was appealed to City Council, which was approved on 08/21/96.

DETAILS OF APPLICATION REQUEST

The subject vacation is legally described as the North Half (N½) and the South Half (S½) of Cincinnati Avenue, fifty feet (50') wide, commencing at the east right-of-way line of Las Vegas Boulevard, extending easterly to the eastern section boundary; said property being a portion of the southeast quarter (SE¼) of the southeast quarter (SE¼) of the southeast quarter (SE¼) of the southeast quarter (SE¼) of Section 4, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The applicant has requested to vacate the stubbed portion of Cincinnati Avenue east of Las Vegas Boulevard as part of the development plan for their site, which abuts the street segment to the south and east. The vacated street will still be used for access for both of the abutting properties, and will be modified accordingly. As the street segment is only 110 feet long and only serves the two abutting properties, its vacation will not impact the traffic capacity of adjacent streets, eliminate public street access, or adversely affect adjacent parcels.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Neither as it is to vacate a portion of a public right-of-way currently used as a driveway.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the driveway only serves the adjacent commercial uses.*

VAC-5029 - Staff Report Page Three
October 7, 2004 Planning Commission Meeting

- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of a street that will no longer serve a public purpose.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR-5027.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5029 APN: 16204813070/16204813071/1620410008

Name of Property Owner: Rinkai America, Inc.

Name of Applicant: Ken Kim

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: 

State of CALIFORNIA, Print Name: KUN SAM KIM

County of San Francisco,
Subscribed and sworn before me

This 26th day of August, 2004

KEN LEE, Notary Public
Notary Public in and for said County and State

Signature of Notary Public





VAC-5029 - VACATION RELATED TO SUP-5028 - PUBLIC HEARNG - APPLICANT: JMA
ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
CINCINNATI AVENUE EAST OF LAS VEGAS BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAC-5030 - VACATION RELATED TO SUP-5028 AND VAC-5029 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Petition to Vacate a 20-foot (20') wide public alley generally located north of Sahara avenue, west of Paradise Road, Ward 3 (Reese).

SET DATE: 10/20/04 C.C. 11/03/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES - Motion to HOLD IN ABEYANCE - APPROVED - UNANIMOUS with TRUESDELL abstaining because he has an economic interest in property adjacent to the subject property.

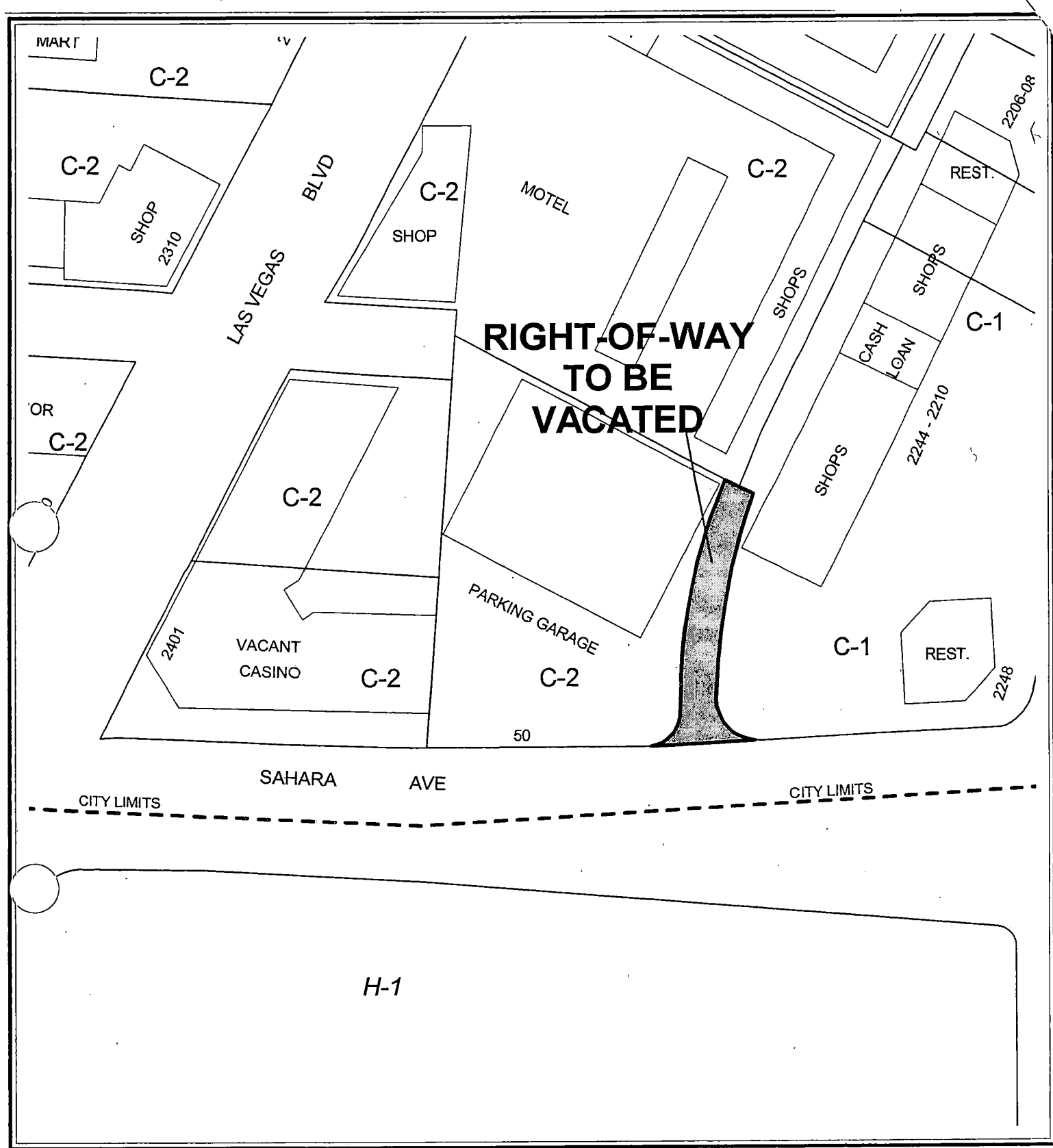
To be held in abeyance until 10/21/2004 Planning Commission Meeting

MINUTES:

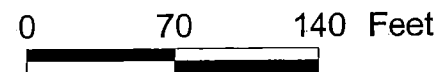
See Item 51 [SUP-5028] for all related discussion on Item 51 [SUP-5028], Item 52 [VAC-5029], Item 53 [VAC-5030] and Item 54 [SDR-5027].

(9:55 - 10:22)

3-1459



CASE: VAC-5030



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-5030 - VACATION - PUBLIC HEARING -

APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. This Petition of Vacation shall include the remaining 20-foot alley right-of-way generally located north of Sahara Avenue, east of Las Vegas Boulevard.
2. Provide a plan acceptable to the City Engineer depicting how the eastern half of the vacated alley will be incorporated into Assessor's Parcel Number 162-03-411-011 prior to recordation of the Order of Vacation.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required with SDR-5027, may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
7. Provide a copy of a recordable Joint Access Agreement between this site and Assessor Parcel Number 162-03-411-011. Such agreement shall record immediately after the recordation of the Order of Vacation.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate a 20-foot wide public alley generally located north of Sahara Avenue, west of Paradise Road.

B) Applicant's Justification

The applicant states that the dead-end alley will be realigned to provide vehicular access to the abutting parcels.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 01/08/76 | The Planning Commission approved an Aesthetic Review (AR-0001-76) for a unified building fascia, including consolidated signage to replace the existing conglomeration of signage. |
| 02/24/83 | The Board of Zoning Adjustment approved a Variance (V-0009-83) to allow a Class III Secondhand Dealership (Jewelry) to be permitted, subject to securing a Special Use Permit. |
| 04/13/83 | The Board of City Commissioners approved a Special Use Permit (U-0007-83) to allow a Class III Secondhand Dealership (Jewelry) on the subject property. |
| 03/15/89 | The City Council denied a Variance (V-0006-89) to allow 134 parking spaces where 175 parking spaces are required for a proposed casino with retail shops. |
| 05/23/91 | The Board of Zoning Adjustment denied a Special Use Permit (V-0053-91) for a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision, which was denied by City Council on 06/20/91. |
| 12/19/91 | The Board of Zoning Adjustment denied a Variance (V-0173-91) to allow a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision to City Council, which was approved on 01/22/92. |
| 04/20/94 | The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant. |

VAC-5030 - Staff Report Page Two
October 7, 2004 Planning Commission Meeting

- 07/19/95 The City Council approved an Extension of Time [U-0026-94(1)] for the sale of beer and wine in conjunction with a proposed restaurant.
- 02/21/96 The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store on one of the subject parcels.
- 07/23/96 The Board of Zoning Adjustment took no action on a Special Use Permit [U-0023-96(1)] to allow an increase in height for an off-premise advertising sign. The request was appealed to City Council, which was approved on 08/21/96.
- 10/07/04 The Planning Commission will hear related items SUP-5028, VAC-5029 and SDR-5027 as part of this agenda.

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as a public alley, twenty feet (20') wide, commencing at the north right-of-way line of Sahara Avenue, extending northeasterly to the north property line of a portion of Lot 10 in Block 2 of South Fifth Street Tract, Book 2 Page 72 of Plats and including the spandrel areas; said property being a portion of the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 3, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacation will eliminate an existing alley segment of approximately 200 feet in length; the portion of the alley immediately north has already been vacated, thereby reducing the usefulness of the alley segment. The vacated segment is to be retained as a driveway, which will serve the new mixed-use development on the west and the existing shopping center property on the east. Use of the vacated alley as a common driveway for the two developments will assist in reducing the number of driveways on Sahara Avenue, which improves or maintains traffic flow. The traffic capacity of the adjacent streets will not be compromised as a result of the proposed vacation, nor will access to and from abutting properties be impeded.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Neither as it is to vacate a portion of a public alley currently used as a driveway.

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the alley only serves the adjacent commercial uses.*

VAC-5030 - Staff Report Page Three
October 7, 2004 Planning Commission Meeting

- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of an alley that will no longer serve a public purpose.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR-5027.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAL-5D3D APN: 16204813070/16204813071/16204110008

Name of Property Owner: Rinkai America, Inc.

Name of Applicant: Ken Kim

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Tom AL

State of CALIFORNIA. Print Name: KUN SAM KIM

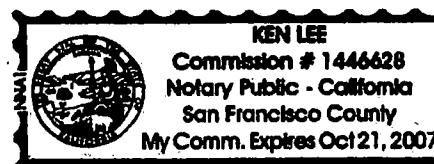
County of SAN FRANCISCO.

Subscribed and sworn before me

This 26TH day of August, 2004

KEN LEE, Notary Public
Notary Public in and for said County and State

Signature of Notary Public





VAC-5030 - VACATION RELATED TO SUP-5028 AND VAC-5029 - PUBLIC HEARING - APPLICANT:
JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
NORTH OF SAHARA AVENUE, WEST OF PARADISE ROAD,
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5027 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5028, VAC-5029 AND VAC-5030 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Request for a Site Development Review and Waivers of Downtown Centennial Plan Standards for streetscaping, building stepbacks, and reflective glazing FOR A 73-STORY, 863-FOOT TALL, 1,300,000 SQUARE-FOOT MIXED USE DEVELOPMENT CONSISTING OF 951 CONDOMINIUM UNITS AND 41,000 SQUARE FEET OF COMMERCIAL USES on 2.17 acres at 2423 and 2417 Las Vegas Boulevard (APN 162-04-813-070 and 071; 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 11/03/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions and deleting Condition 27 – UNANIMOUS with TRUESDELL abstaining because he has an economic interest in property adjacent to the subject property.

To be heard by the City Council on 11/03/2004

MINUTES:

See Item 51 [SUP-5028] for all related discussion on Item 51 [SUP-5028], Item 52 [VAC-5029], Item 53 [VAC-5030] and Item 54 [SDR-5027].

(9:55 – 10:22)

3-1459

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 54 – SDR-5027

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5028) to allow Mixed-Use development approved by the City Council.
2. 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.
3. All development shall be in conformance with the site plan and building elevations, date stamped 10/07/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and level of detail of the elevations.
5. The Waiver for the use of glazing with 34% reflectivity is approved for the central vertical band on the tower façade only. Glazing at the ground floor level shall be clear, and all other glazing shall be limited to 22% reflectivity in accordance with Code requirements.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit application related to the site.
7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
8. The existing utilities and power service lines in the abutting alley and the abutting Cincinnati Avenue right-of-way shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan.
9. The Waiver from the Downtown Centennial Plan streetscape standards is hereby approved, allowing for a five-foot sidewalk and five-foot amenity zone along Las Vegas Boulevard and Sahara Avenue in place of the required width, due to the additional right-of-way that will be dedicated to the City.
10. The sidewalk shall include a decorative paving treatment at the intersections in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 54 – SDR-5027

CONDITIONS – Continued:

11. Palm trees shall be installed in the public right-of-way along Las Vegas Boulevard at a maximum spacing of 35 feet on center in accordance with Subsection DS4.2.a of the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation. Shade trees shall be installed along Sahara Avenue at a maximum spacing of 30 feet on center. Minimum tree size shall be a 24-inch box; a 36-inch box size is preferred.
12. The 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.
13. Standard Fourth Street style fixtures shall be installed in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
14. A parking attendant shall be on duty during business hours as required by Title 19.10.010(J)(8) for tandem parking spaces.
15. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate a 54-foot radius at the northeast corner of Sahara Avenue and Las Vegas Boulevard. Also, dedicate and construct appropriate public right-of-way in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts unless specifically allowed otherwise by the City Engineer.
18. A petition to vacate Cincinnati Avenue, such as VAC-5029, must be recorded prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.
19. A petition to vacate the alley adjacent to this site, such as VAC-5030, must be recorded prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 54 – SDR-5027

CONDITIONS – Continued:

20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Plan Standards concurrent with development of this site.
21. This site shall be designed to accommodate future pedestrian access bridges. All submitted drawings shall show connection points and annotate this feature as “FUTURE PEDESTRIAN ACCESS BRIDGE”.
22. Coordinate the connection to public sewer line, in Sahara Avenue, with the Collection Systems Planning Section of the Department of Public Works. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any off-site permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site.
23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to City Council approval. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 54 – SDR-5027

CONDITIONS – Continued:

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

- 25. Landscape and maintain all unimproved right(s)-of-way adjacent to this site concurrent with development.
- 26. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site prior to the issuance of any permits.
- 27. Aerial encroachment into the public right-of-way shall not be permitted.
- 28. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.
- 29. Provide a copy of a recorded Joint Access Agreement between this site and Assessor Parcel Numbers 162-03-410-007 and 162-03-411-011 prior to the issuance of any permits.
- 30. Coordinate with the Clark County School District to determine the impact this density has on the District's schools, and to identify possible methods to mitigate the impacts.
- 31. 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.
- 32. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall intersect the adjacent streets at a 90 degree angle, unless otherwise allowed by the City Traffic Engineer. The driveway along Sahara Avenue, shall also receive approval from the Nevada Department of Transportation.



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5027 - SITE DEVELOPMENT PLAN REVIEW -

**PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER:
RINKAI AMERICA, INC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Special Use Permit (SUP-5028) to allow Mixed-Use development approved by the City Council.
2. 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.
3. All development shall be in conformance with the site plan and building elevations, date stamped 10/07/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and level of detail of the elevations.
5. The Waiver for the use of glazing with 34% reflectivity is approved for the central vertical band on the tower façade only. Glazing at the ground floor level shall be clear, and all other glazing shall be limited to 22% reflectivity in accordance with Code requirements.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit application related to the site.
7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
8. The existing utilities and power service lines in the abutting alley and the abutting Cincinnati Avenue right-of-way shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan.

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9. The Waiver from the Downtown Centennial Plan streetscape standards is hereby approved, allowing for a five-foot sidewalk and five-foot amenity zone along Las Vegas Boulevard and Sahara Avenue in place of the required width, due to the additional right-of-way that will be dedicated to the City.
10. The sidewalk shall include a decorative paving treatment at the intersections in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.
11. Palm trees shall be installed in the public right-of-way along Las Vegas Boulevard at a maximum spacing of 35 feet on center in accordance with Subsection DS4.2.a of the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation. Shade trees shall be installed along Sahara Avenue at a maximum spacing of 30 feet on center. Minimum tree size shall be a 24-inch box; a 36-inch box size is preferred.
12. The 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.
13. Standard Fourth Street style fixtures shall be installed in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
14. A parking attendant shall be on duty during business hours as required by Title 19.10.010(J)(8) for tandem parking spaces.
15. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate a 54 foot radius at the northeast corner of Sahara Avenue and Las Vegas Boulevard. Also, dedicate and construct appropriate public right-of-way in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts unless specifically allowed otherwise by the City Engineer.
18. A petition to vacate Cincinnati Avenue, such as VAC-5029, must be recorded prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.

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19. A petition to vacate the alley adjacent to this site, such as VAC-5030, must be recorded prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Plan Standards concurrent with development of this site.
21. This site shall be designed to accommodate future pedestrian access bridges. All submitted drawings shall show connection points and annotate this feature as "FUTURE PEDESTRIAN ACCESS BRIDGE".
22. Coordinate the connection to public sewer line, in Sahara Avenue, with the Collection Systems Planning Section of the Department of Public Works. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any off-site permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site.
23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to City Council approval. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
25. Landscape and maintain all unimproved right(s)-of-way adjacent to this site concurrent with development.
26. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site prior to the issuance of any permits.
27. Aerial encroachment into the public right-of-way shall not be permitted.
28. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.
29. Provide a copy of a recorded Joint Access Agreement between this site and Assessor Parcel Numbers 162-03-410-007 and 162-03-411-011 prior to the issuance of any permits.
30. Coordinate with the Clark County School District to determine the impact this density has on the District's schools, and to identify possible methods to mitigate the impacts.
31. 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.
32. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall intersect the adjacent streets at a 90 degree angle, unless otherwise allowed by the City Traffic Engineer. The driveway along Sahara Avenue, shall also receive approval from the Nevada Department of Transportation.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and Waivers of the Downtown Centennial Plan standards for streetscaping, building setbacks, and reflective glazing for a 73-story mixed-use development containing 951 condominium units and 41,000 square feet of commercial uses on 2.17 acres at 2417 and 2423 Las Vegas Boulevard. A companion Special Use Permit (SUP-5028) and Vacations (VAC-5029 and VAC-5030) will be considered concurrently.

B) Applicant's Justification

The applicant notes that the Downtown Centennial Plan allows exceptions where merited, and that the proposed project conforms as closely as possible to the standards despite the constraints of the site. The applicant also states that the glazing used on the structure will be less reflective than other buildings along Las Vegas Boulevard, and that it will reduce solar heat gain by reflecting solar energy.

BACKGROUND INFORMATION

A) Previous Actions

- 01/08/76 The Planning Commission approved an Aesthetic Review (AR-0001-76) for a unified building fascia, including consolidated signage to replace the existing conglomeration of signage.
- 02/24/83 The Board of Zoning Adjustment approved a Variance (V-0009-83) to allow a Class III Secondhand Dealership (Jewelry) to be permitted, subject to securing a Special Use Permit.
- 04/13/83 The Board of City Commissioners approved a Special Use Permit (U-0007-83) to allow a Class III Secondhand Dealership (Jewelry) on the subject property.
- 03/15/89 The City Council denied a Variance (V-0006-89) to allow 134 parking spaces where 175 parking spaces are required for a proposed casino with retail shops.
- 05/23/91 The Board of Zoning Adjustment denied a Special Use Permit (V-0053-91) for a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision, which was denied by City Council on 06/20/91.

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- 12/19/91 The Board of Zoning Adjustment denied a Variance (V-0173-91) to allow a Class III Secondhand Dealership (Jewelry) on one of the subject parcels. The applicant appealed the decision to City Council, which was approved on 01/22/92.
- 04/20/94 The City Council approved a Special Use Permit (U-0026-94) to allow the sale of beer and wine in conjunction with a proposed restaurant.
- 07/19/95 The City Council approved an Extension of Time [U-0026-94(1)] for the sale of beer and wine in conjunction with a proposed restaurant.
- 02/21/96 The City Council approved a Special Use Permit (U-0151-95) for the off-premise sale of beer and wine in conjunction with a convenience store on one of the subject parcels.
- 07/23/96 The Board of Zoning Adjustment took no action on a Special Use Permit [U-0023-96(1)] to allow an increase in height for an off-premise advertising sign. The request was appealed to City Council, which was approved on 08/21/96.
- 10/07/04 The Planning Commission will hear related items SUP-5028, VAC-5029 and VAC-5030 on this agenda.

B) Pre-Application Meeting

- 08/05/04 At the pre-application conference, it was noted that additional right-of-way would be needed to provide a right-turn lane on Sahara Avenue and a deceleration lane on Las Vegas Boulevard. In addition, it was noted that a radius dedication would be needed at the intersection, and that a traffic study would be required in order to assess the impact of the project on adjacent roadways. Waivers from the streetscape standards, stepback requirements, and glazing requirements were noted. The applicant was informed that the property is subject to the Scenic Byway Overlay, and any signage will need to comply with the Overlay standards.

C) Neighborhood Meetings

- 09/30/04 Although a neighborhood meeting is not required as part of this application request, the applicant has voluntarily scheduled a meeting on September 30, 2004. Comments from the neighborhood meeting will be provided at the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.17

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B) Existing Land Use

Subject Property: Gaming Use, Restaurant Use, Retail Use (Vacant)
North: Motel Use
South: Gaming Use, Hotel Use
East: Retail Use, Restaurant Use
West: Retail Use

C) Planned Land Use

Subject Property: C (Commercial)
North: C (Commercial)
South: C (Commercial)
East: C (Commercial)
West: C (Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: Unincorporated Clark County
East: C-1 (Limited 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 Commercial land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas Boulevard Scenic Byway Overlay	X	
Trails		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 Commercial 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 Northern Strip District, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

Las Vegas Boulevard Scenic Byway Overlay District

The subject property is located within the Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

- 1) A Final Map or Planned Unit Development of 500 units or more.

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

- 1) A Special Use Permit application concerning property within 500 feet of the City boundary with Clark County.

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 Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.
- 2) The Regional Transportation Commission has determined that the project's proximity to major arterial streets and transit services will obviate any negative regional impacts.

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

PROJECT DESCRIPTION

The proposed project entails the demolition of the existing building and parking structure on the site, and the construction of a new 73-story tower. The project will include 41,000 square feet of retail and restaurant uses on the lower floors of the building, ten levels of parking above ground, two levels of parking below ground, and a total of 951 residential units. Swimming pools, sun decks, a fitness center and other amenities for the residents will be located on 12th floor of the building, directly above the parking levels. A total of 1,170 parking spaces will be provided on site for the development.

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	2.17 Acres	N/A
Min. Lot Width	N/A	186 Feet	N/A
Min. Setbacks			
• Front (LV Blvd.)	0 Feet	10 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner	0 Feet	5 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	Not indicated	Y
Max. Building Height	N/A	923' (antenna) 863' (rooftop)	N/A
Building Stepback	4 th , 11 th , 18 th Stories	11 th , 55 th	N
Trash Enclosure	Walled/roof	Interior	Y
Loading Zone	2 Spaces	2 Spaces	Y
Mech. Equipment	Screened	Screened	Y

The project complies with most of the development standards established by the Downtown Centennial Plan, with the exception of the stepback requirement, for which a Waiver has been requested. The front and corner side yard setbacks are shown at ten feet and five feet respectively, where no setback is preferred; however, the setbacks are shown from the existing property line and do not account for the right-of-way that is to be dedicated to the City.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The nearest single-family residential property is approximately 600 feet to the northeast of the subject site.

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		891	
• Studio	160 units		
• 1 Bedroom	504 units		
• 2 Bedroom	256 units		
• 3+ Bedroom	31 units		
Commercial	41,000 SF	279	
Total:		1,170	Not indicated

A total of 1,170 parking spaces will be provided on the site for the development. 891 spaces will be designated for the residential units, and 279 spaces will be allocated for the commercial uses. It should be noted that 267 spaces will be in tandem spaces; the submitted documentation indicates that valet service will be provided to service the tandem spaces, as is required by Title 19.10.010(J)(8).

Public works has indicated that additional right-of-way will be required along Sahara Avenue and Las Vegas Boulevard in order to address capacity issues; the site plan incorporates the requested dedications. It has also been noted that the access driveway on Sahara Avenue will need to be approved by the Nevada Department of Transportation (NDOT).

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
East/West Street Sahara Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	14 Trees	15 Trees
North/South Street Las Vegas Boulevard	1 Palm Tree @ 35' o.c. max. (min. 25' height)	9 Trees	11 Trees
Sidewalk	11' Sidewalk		Sahara: 5' Las Vegas: 5' (excl. 5' amenity zone)

The site plan indicates that the correct number of trees will be provided in the right-of-way area; the shade trees shown along Las Vegas Boulevard will need to be changed to palm trees in order to conform to the Centennial Plan. The sidewalk does not meet the minimum width, due to the fact that the City is requiring additional right-of-way along both streets. The applicant has requested a Waiver from the Centennial Plan standards in order to provide a five-foot sidewalk and five-foot amenity zone.

A5) Sign Standards

No specific information has been provided relative to signage for the development. It is intended that wall signage will be utilized on the lower portion of the building; signage will be addressed under a separate permit. All signage will be subject to the Las Vegas Boulevard Scenic Byway Overlay regulations.

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-2 (General Commercial) District by right; the residential component is permitted upon approval of a Special Use Permit. A separate Special Use Permit application (SUP-4728) has been filed concurrently with this Site Development Plan Review application.

The structure generally conforms with the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement. Other Waiver requests are addressed below.

- **Site Plan**

The site plan depicts the principal entrance to the building located at the southwest corner of the site facing the intersection, with an open plaza immediately north on Las Vegas Boulevard. The pedestrian entrance to the restaurant and lounge spaces will be directly from the plaza area; ground-floor retail space will be located facing Sahara Avenue. The entrances to the parking structure and valet area will be located at the northwest corner of the site on Las Vegas Boulevard and at the southeast corner of the site on Sahara Avenue; there is sufficient stacking room at the interior of the site to prevent impediments to the flow of traffic on both streets. The applicant will be dedicating additional right-of-way to accommodate the additional traffic generated by the development. Loading spaces and trash facilities will be located at the interior of the site.

- **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. Staff recommends approval of the Waiver request for the following reasons:

- The building is clearly divided into base and tower elements, which assists in vertically defining the functions of the building and providing variety to the massing;
- The design uses a variety of horizontal and vertical elements on the façade of the parking levels in order to prevent the appearance of a box-like structure; and
- The tower portion of the structure also incorporates horizontal and vertical elements that project from the plane of the façade and provide the degree of articulation required by the Centennial Plan.

A Waiver has also been requested from the restriction on the use of reflective glazing; the design of the building incorporates a combination of low-reflective glass on the first 50 levels of the building, and mid-reflective glass on the upper stories of the building, with a vertical band of mid-reflective glazing utilized at the center of the tower. As the central vertical band of glazing is an accent element, the 34% reflectivity will not have the same impact as if it were utilized for all of the tower façade; however, the remaining glazing should be limited to 22% in accordance with Title 19.08 and the Downtown Centennial Plan.

An additional Waiver has been requested from the Centennial Plan streetscape requirements, due to the amount of additional right-of-way that will be required to be dedicated to the City. The applicant will be able to provide a five-foot wide sidewalk with a five-foot amenity zone for street trees, instead of the 11-foot wide sidewalk required by the Centennial Plan. Staff recommends approval of the Waiver for the following reasons:

- The applicant is voluntarily dedicating a portion of the site for additional right-of-way in order to assist with capacity issues on Las Vegas Boulevard and Sahara Avenue;
- The proposed sidewalk width along Las Vegas Boulevard will be comparable to the sidewalk width immediately north of the site;

- The proposed sidewalk area should be sufficient to accommodate the existing and proposed pedestrian traffic adjacent to the site; and
- A pedestrian plaza will be provided in front of the building on Las Vegas Boulevard in order to accommodate any overflow pedestrian traffic generated by the proposed restaurant and lounge uses.

- **Landscape Plan**

The landscape plan depicts the use of shade trees in the public right-of-way along Las Vegas Boulevard and Sahara Avenue; the Centennial Plan requires the use of palm trees on Las Vegas Boulevard. The trees will otherwise comply with the spacing requirements. The sidewalk treatment at the intersection of Las Vegas Boulevard and Sahara Avenue and the driveways will need to be modified to comply with the Centennial Plan requirements.

- **Elevation**

The elevations clearly define each building function through changes in massing and fenestration details, which assists in providing variety and character. On the lower floors of the building, façade elements are offset, which assists in reducing the massing of the parking structure portion of the building and gives greater attention to the commercial spaces. The tower portion of the building is set back from the base, and its footprint only occupies a limited portion of the overall site. Each of the residential units in the tower will have balconies, which will either be inset or cantilevered from the wall plane of the tower, giving the façade additional depth. Glazing on the tower will have different levels of reflectivity, which is intended to offset certain elements of the building. Cream and gray metal panels will be utilized on the non-glazed portions of the structure.

- **Floor Plan**

The floor plan locates the entrance to the principal lobby at the intersection of the two streets, with the entrance to the restaurant and lounge spaces across a pedestrian plaza to the north, and will retail space to the east along Sahara Avenue. The valet area and entrance to the parking levels is located at the interior of the site, along with loading and other service functions. The residents' amenity level is located on the 12th story above the parking structure. The residential floors will include 16 units on the lower floors of the building, decreasing to six units per floor on the upper stories of the building, with a penthouse on the uppermost story.

FINDINGS

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

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

The proposed development is compatible with the adjacent Sahara Hotel and Casino and the Stratosphere Casino Hotel, and is appropriate for Las Vegas Boulevard.

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, and is substantially consistent with Title 19 and the Downtown Centennial Plan. Waivers have been requested from the streetscape standards and architectural design standards.

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

The proposed site access and on-site circulation will minimize impacts to adjacent roadways. The applicant will be dedicating additional right-of-way in order to address capacity issues, and has submitted a traffic analysis, which may require additional mitigation.

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

The proposed building and landscape materials are generally appropriate for the area and are substantially in compliance with the City's requirements. The proposed mid-reflective glazing may be appropriate as an accent material, but not as a principal element of the façade.

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 are generally appropriate for the use of the structure, and will be compatible with other development along Las Vegas Boulevard.

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.

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September 9, 2004 Planning Commission Meeting

NOTICES MAILED 47 – Mailed with SUP-5028

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Ken Kim

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: _____

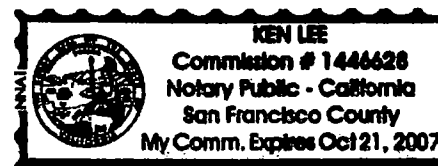
Signature of Property Owner/Authorized Agent: 

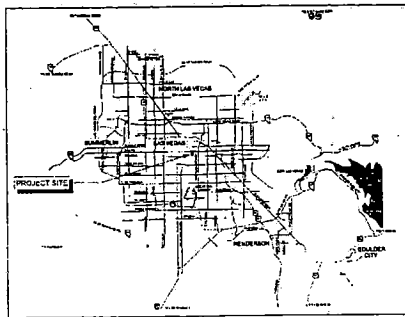
State of CALIFORNIA, Print Name: XUN SAM KIM
County of San FRANCISCO,
Subscribed and sworn before me

This 26th day of August, 2004

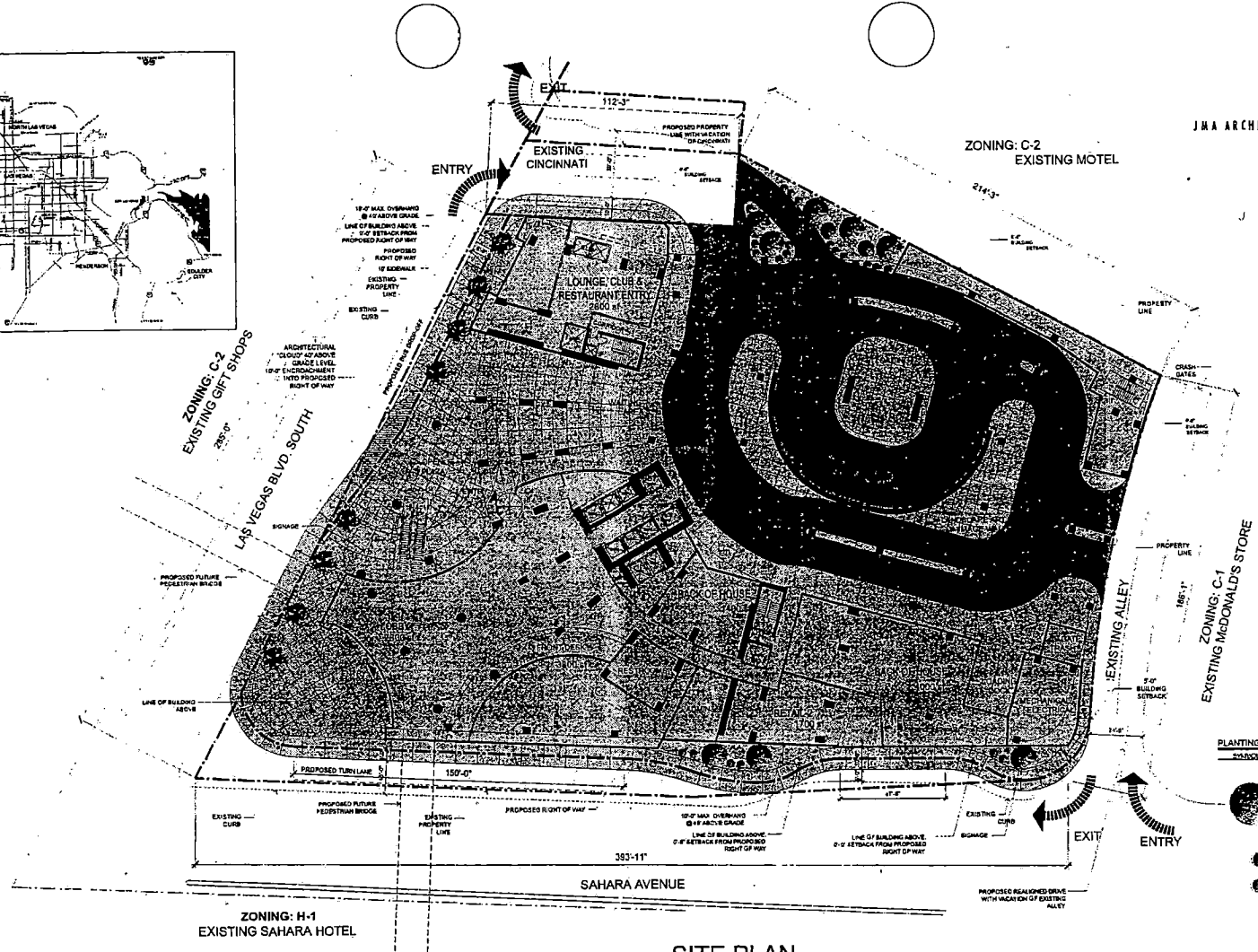
KEN LEE, Notary Public
Notary Public in and for said County and State,

Signature of Notary Public





JMA ARCHITECTURE STUDIOS



PLANTING LEGEND

SYMBOL	BOTANICAL - COMMON NAME
(Symbol)	U.S. STEUBIA LUCIDA GLOSSY PRIVET
(Symbol)	USUAL PAVANULUM DRAKE RD - STD DRAKE SLIM
(Symbol)	WASHINGTONIA RED-STA MEXICAN 'TAN PALM' - 25' HIGH
(Symbol)	CAESALPINIA GL-25H YELLOW BIRD OF PARADISE
(Symbol)	PATINA JAPONICA JAPANESE ACACIA

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential and Hotel Condos on the Strip

SITE PLAN
SCALE: 1"= 50'

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

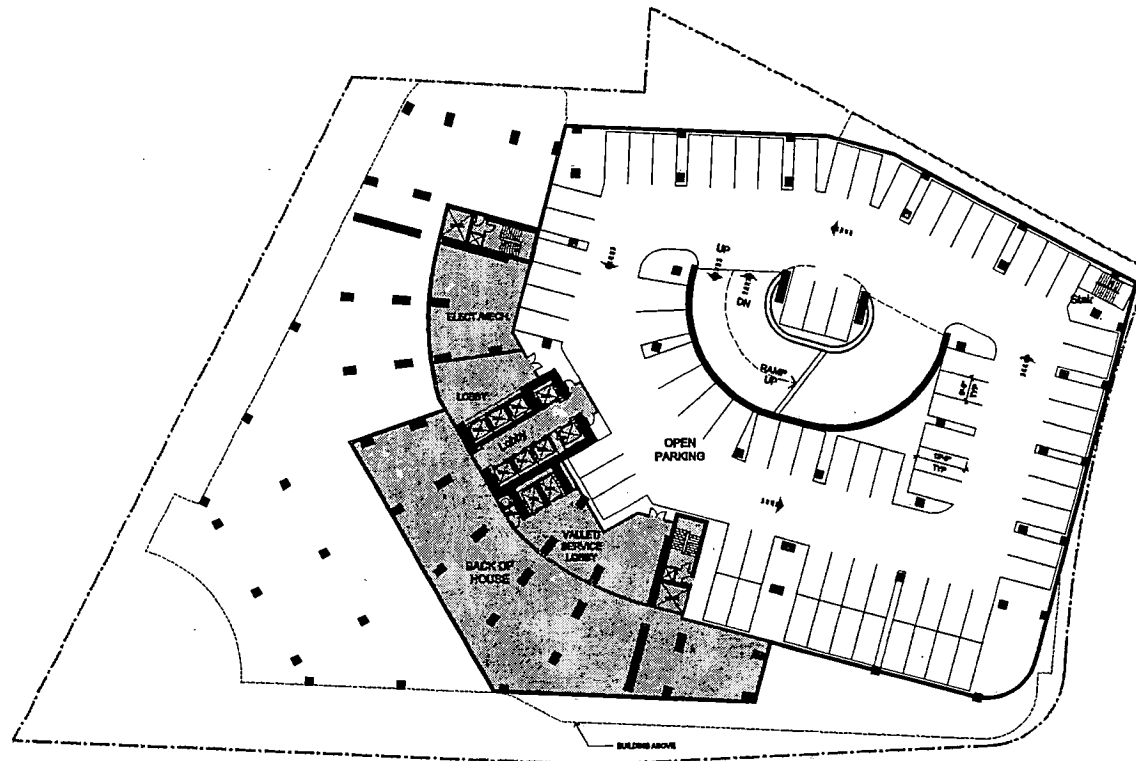
Project # 200401166
Proposal # 200401901.110
10150 COVINGTON CROSS DRIVE - LAS VEGAS, NV 89114
PHONE: (702) 731-8233 - FAX: (702) 731-2029 - WWW.JMAARCH.COM



Date: SEPTEMBER 27, 2004

DR-01

SUP-5028
SDR-5027
10-07-04 PC
REVISED 09-29-04



PARKING SPACES PER LEVEL:
 OPEN PARKING: 05 (OPEN)
 SINGLE SPACE PARKING: 1010 (OPEN)
 DOUBLE SPACE / TANDEM PARKING: 78
 TOTAL: 78

TYPICAL SUB-GRADE LEVEL (SUB FLOOR 1 and 2)

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
 LAS VEGAS, NEVADA

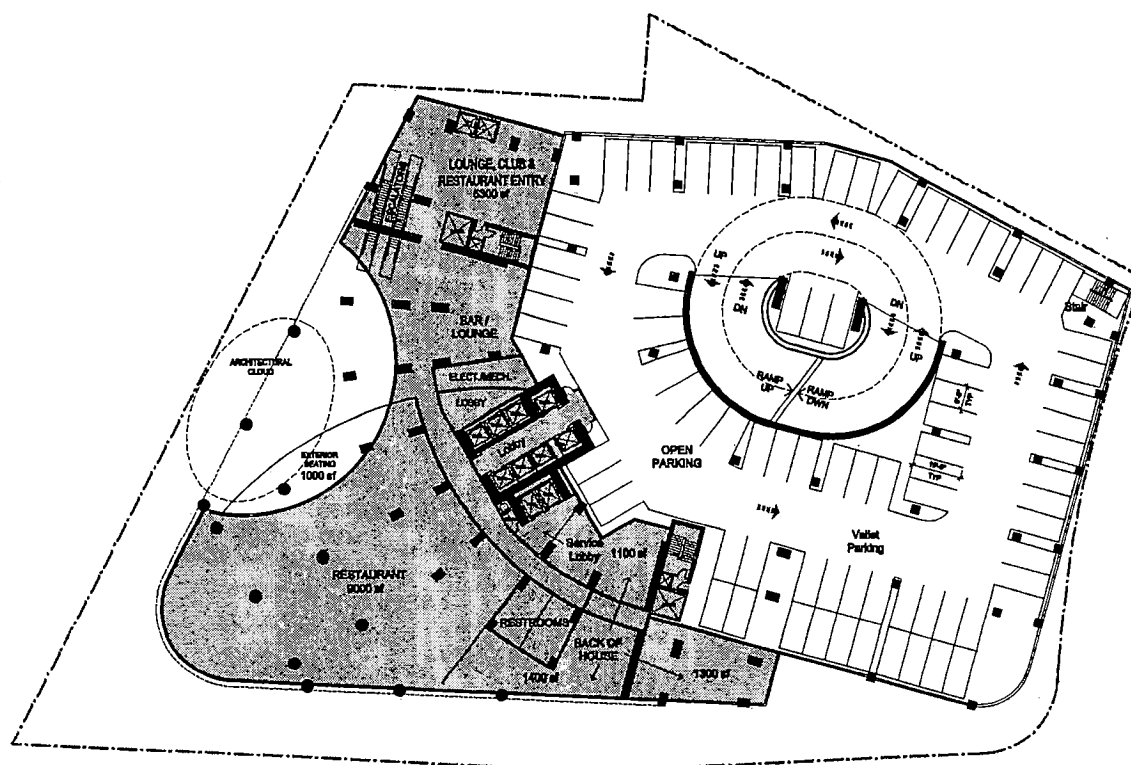
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401168
 Proposal # 200401901.110

10100 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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SDR-5027
10-07-04 PC

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PARKING SPACES PER LEVEL:	
OPEN PARKING	68 (OPEN)
DOUBLE SPACE PARKING:	1010 (VALLEY)
DOUBLE SPACE / TANDEM PARKING:	
TOTAL:	78

RESTAURANT LEVEL (FLOOR 2)

SCALE: 1" = 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

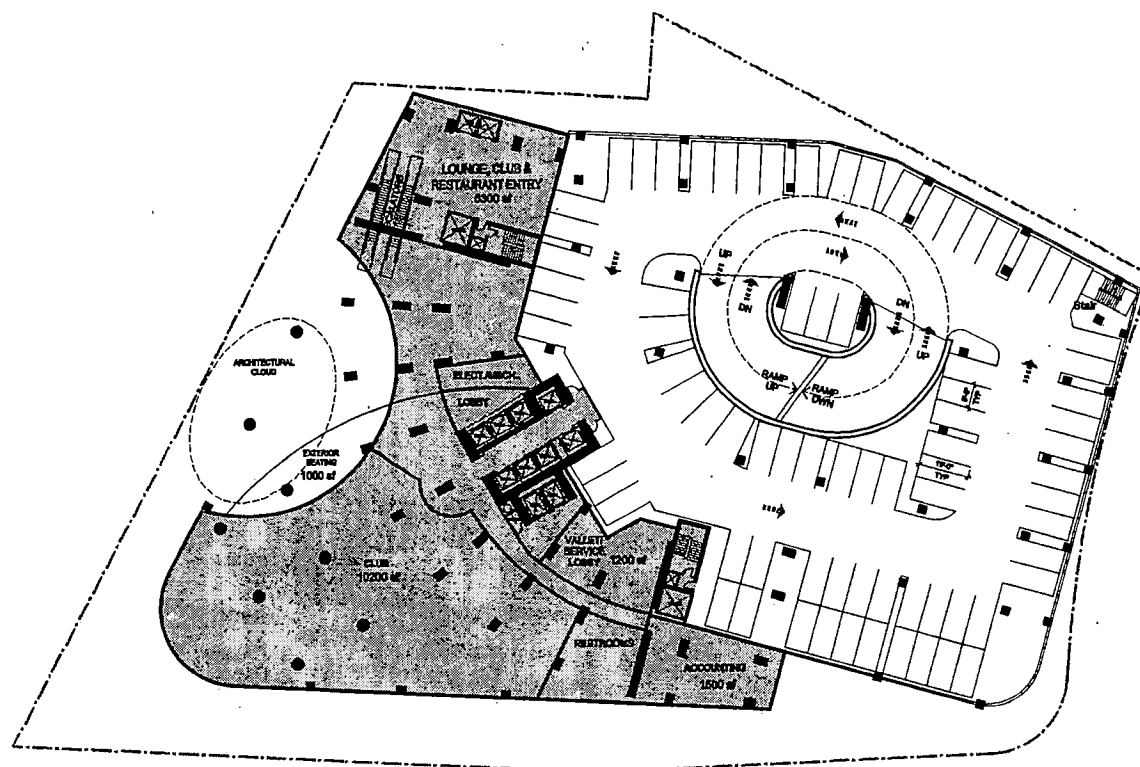
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Proposal # 200401901.110

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10-07-04 PC

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CLUB LEVEL (FLOOR 3)

SCALE: 1"= 20'

PARKING SPACES PER LEVEL:	58
SINGLE SPACE PARKING:	10/10
DOUBLE SPACE / TANDEM PARKING:	
TOTAL:	78

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

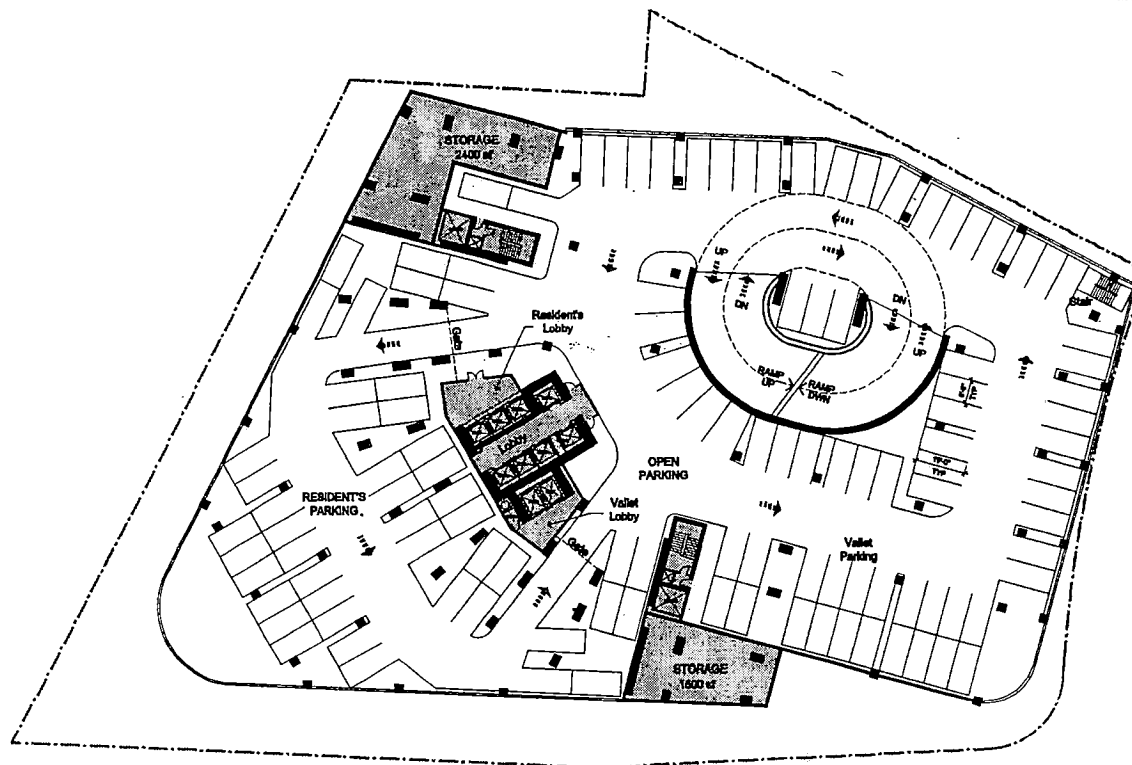
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401168
Proposal # 200401901.110

10150 COWINGTON CROSS DRIVE LAS VEGAS, NV 89114
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SDR-5027
10-07-04 PC

DR-04



PARKING SPACES PER LEVEL:	
OPEN PARKING	
SINGLE SPACE PARKING:	50 (OPEN)
DOUBLE SPACE / TANDDEM PARKING:	15/15 (VALLET)
RESIDENT'S PARKING	
SINGLE SPACE PARKING:	5
DOUBLE SPACE / TANDDEM PARKING:	10/10
TOTAL:	115

TYPICAL PARKING LEVEL (FLOOR 4 - 11) 8 LEVELS

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

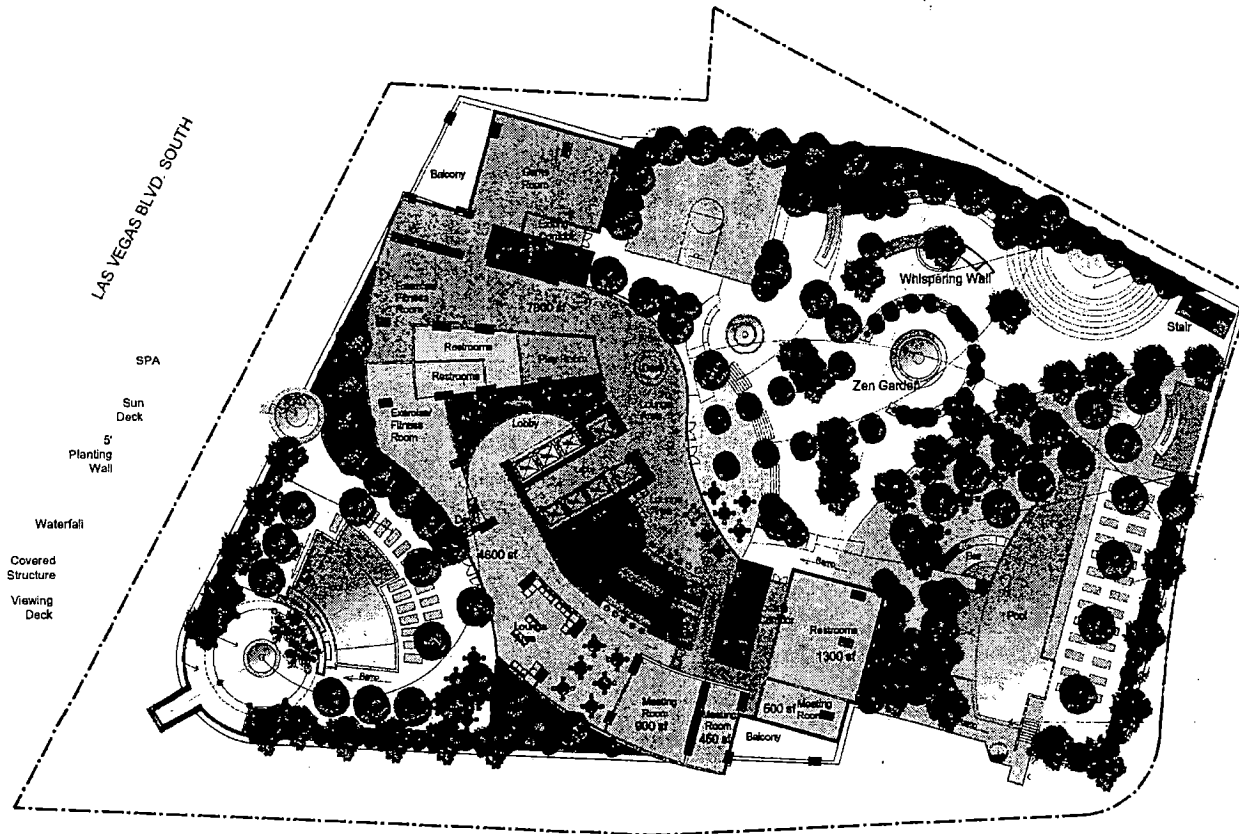
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401168
Proposal # 200401901.110

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SDR-5027
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DR-05



SAHARA

PODIUM LEVEL (FLOOR 12)
SCALE: 1" = 20'

Garden Area
Stage
Pool
Equipment Bld.
Dining Area
Sun Deck
Horizon Pool
Viewing Deck
36" below podium

PLANTING LEGEND

SYMBOL	BOTANICAL-COMMON NAME
	EUPHORBIA HIRUNDA GLOSSY PRUNT
	ULMUS PARVIFOLIUS UNAKE (B) - 500' UNAKE (B)
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM - 25' HIGH
	CAESALPINIA GILBERTII YELLOW BIRD OF PARADISE
	FATSIA JAPONICA JAPANESE ANGLIA

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

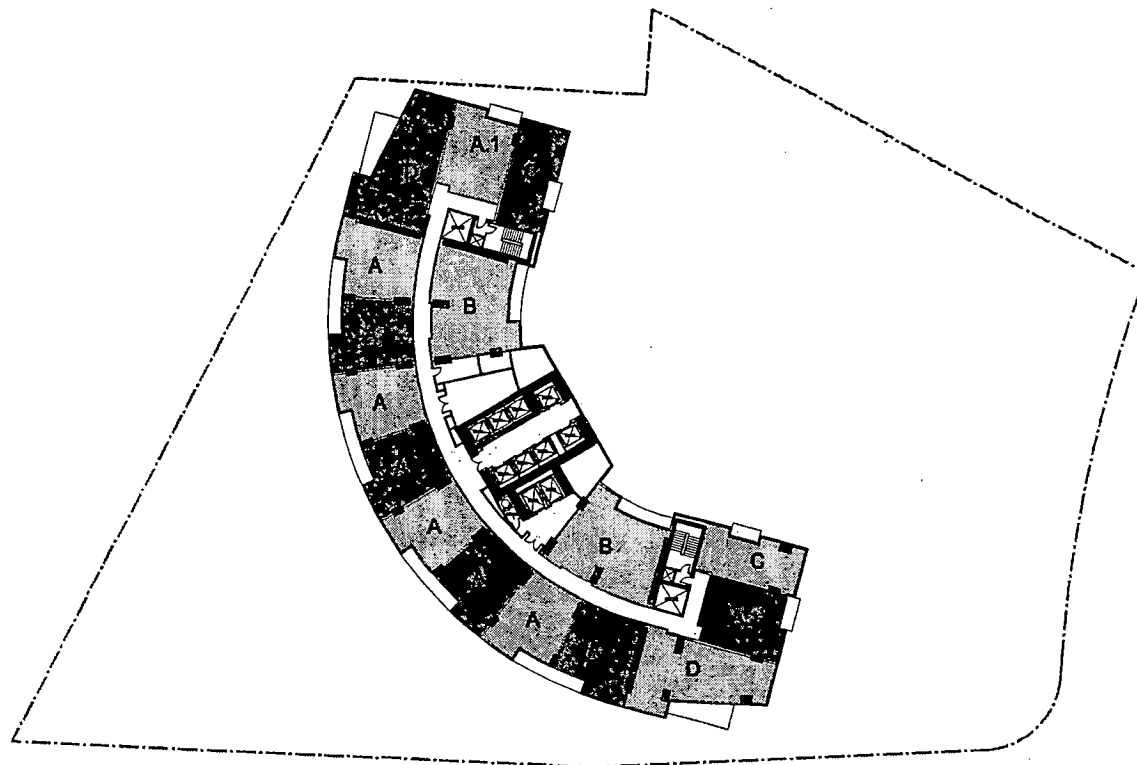
SUP-5028
SDR-5027
10-07-04 PC

Project # 200401166
Proposal # 200401901.110
16150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM



Date: AUGUST 12, 2004

nr.06



TYPICAL CITY HOME RESIDENTIAL CONDO LEVEL(FLOOR 13-52) 40 LEVELS

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

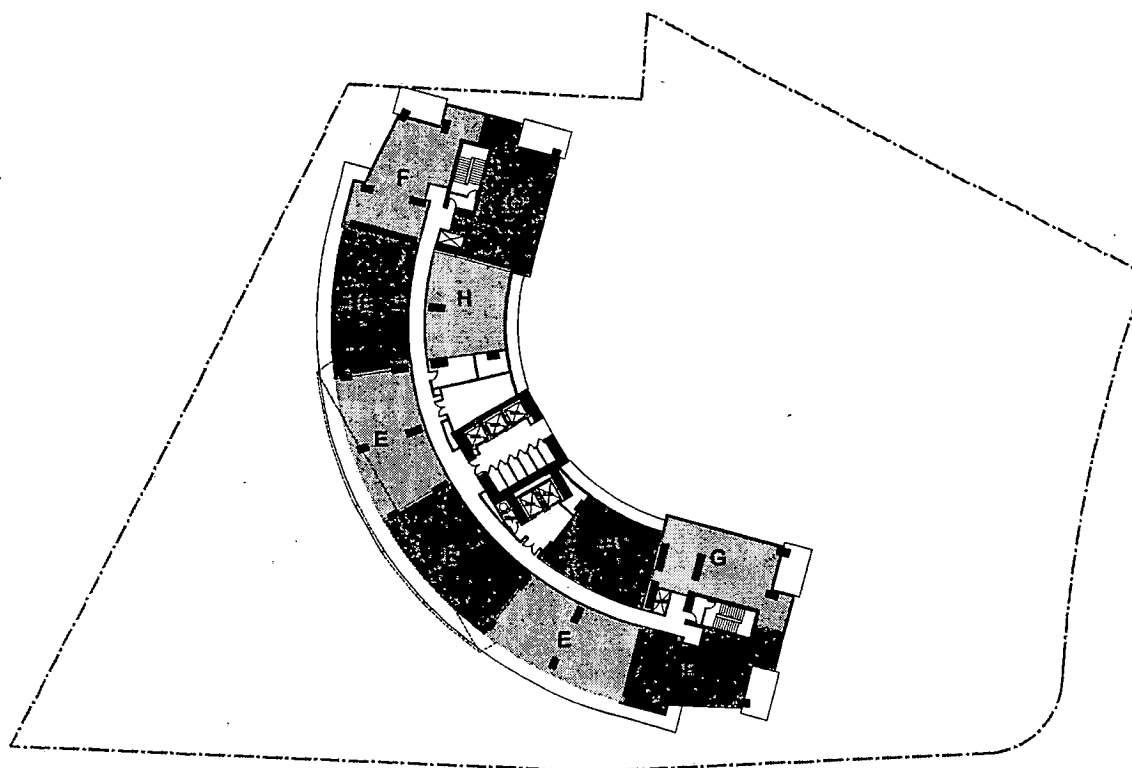
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401166
Proposal # 200401901.110

10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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TYPICAL SKY HOME RESIDENTIAL CONDO LEVEL (FLOOR 54-65) 12 LEVELS

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

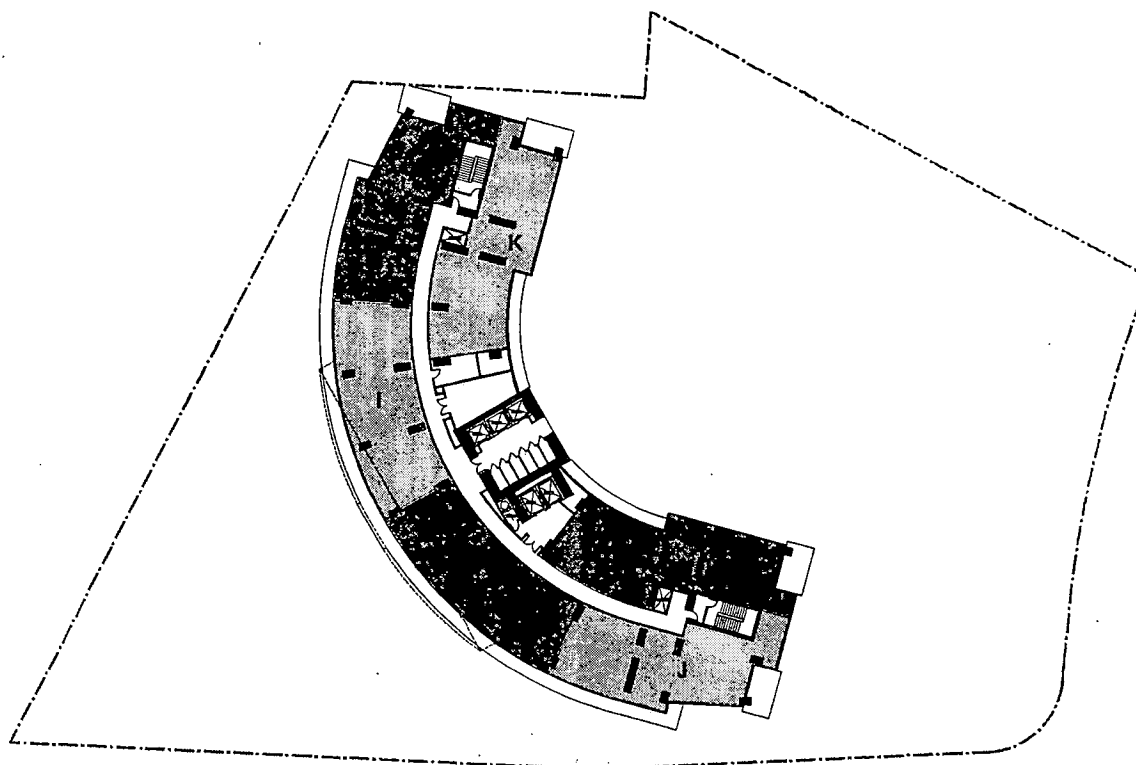
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Project # 200401168
Proposal # 200401901/110

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TYPICAL SIGNATURE RESIDENTIAL CONDO LEVEL (FLOOR 66-70) 5 LEVELS

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

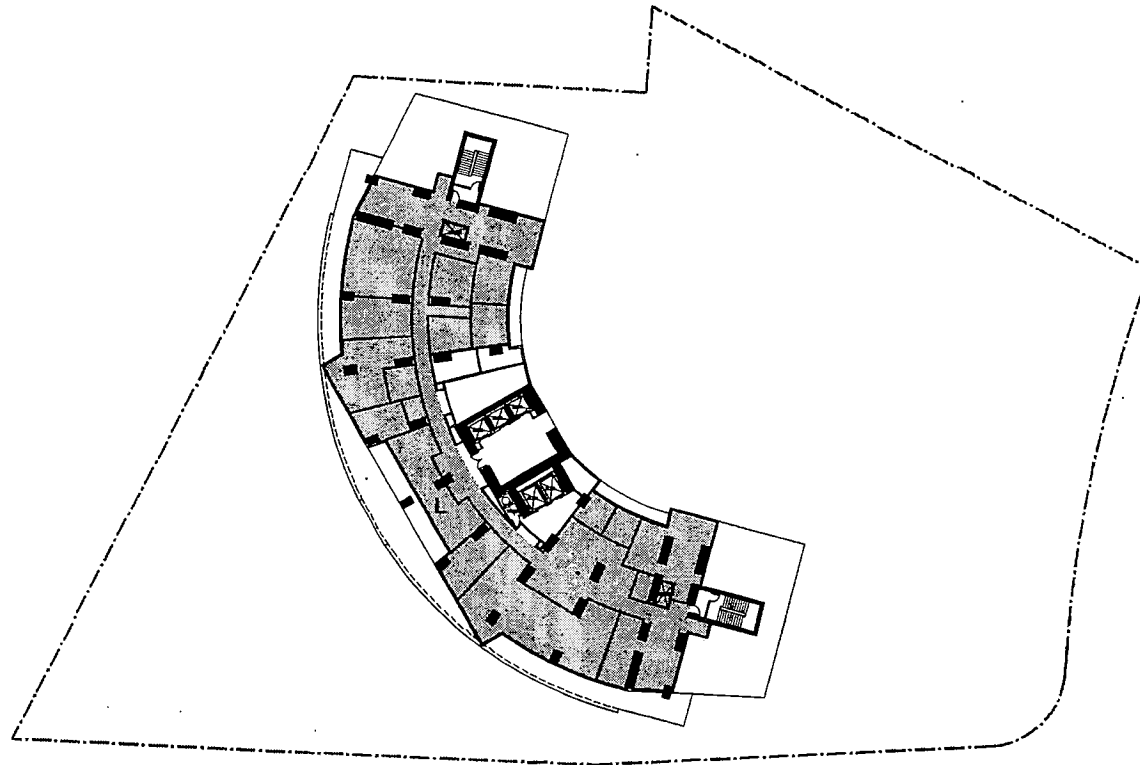
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401168
Proposal # 200401601.110

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DR-09



PENTHOUSE RESIDENTIAL CONDO LEVEL (FLOOR 71)

SCALE: 1"= 20'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

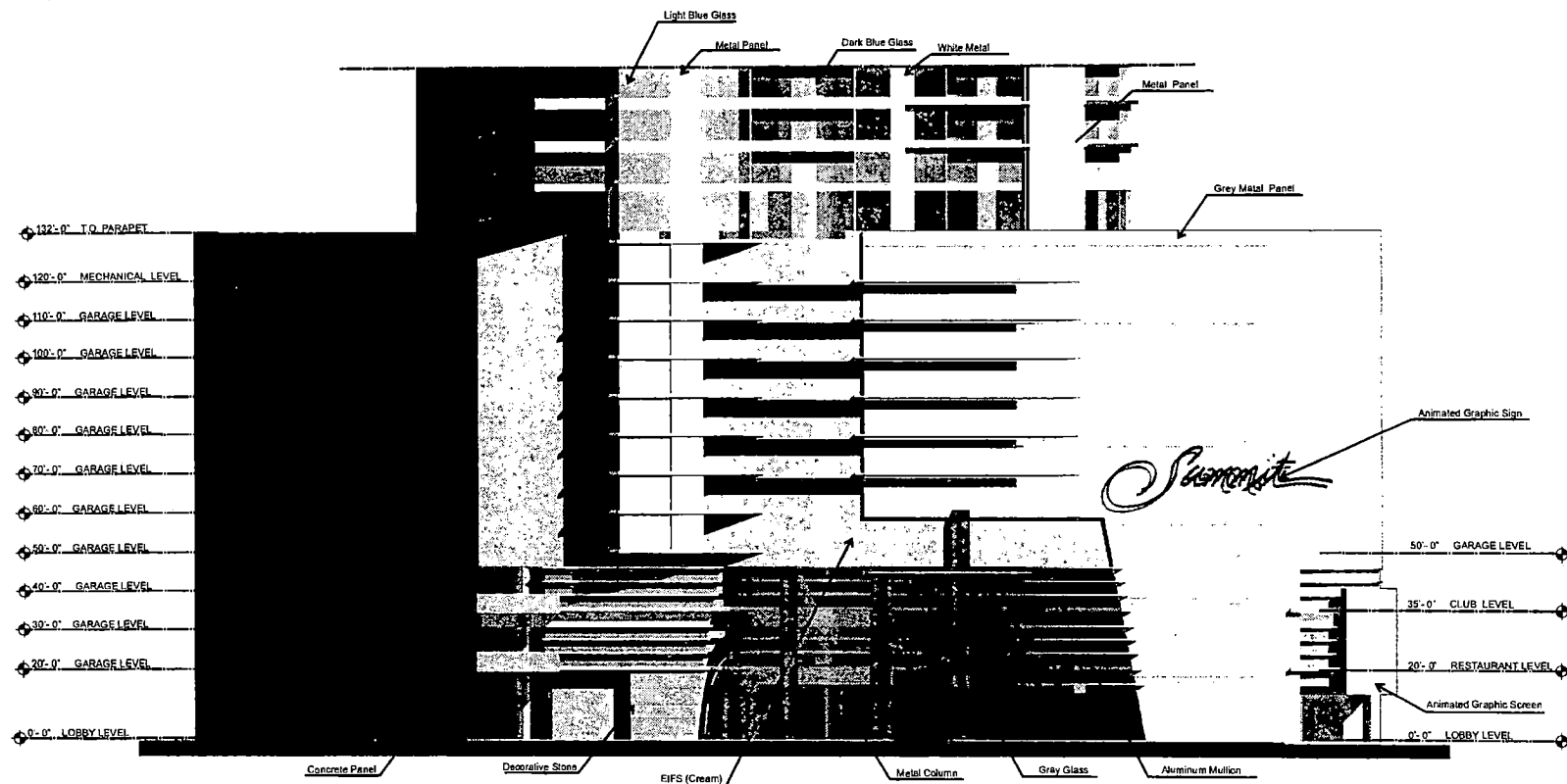
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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Proposal # 200401901.110

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10-07-04 PC**

DR-10



LAS VEGAS BOULEVARD ELEVATION

SCALE: 1/16" = 1'-0"

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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SDR-5027
10-07-04 PC

Project # 200401166
Proposal # 200401901.110

10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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AUGUST 12, 2004

Date:

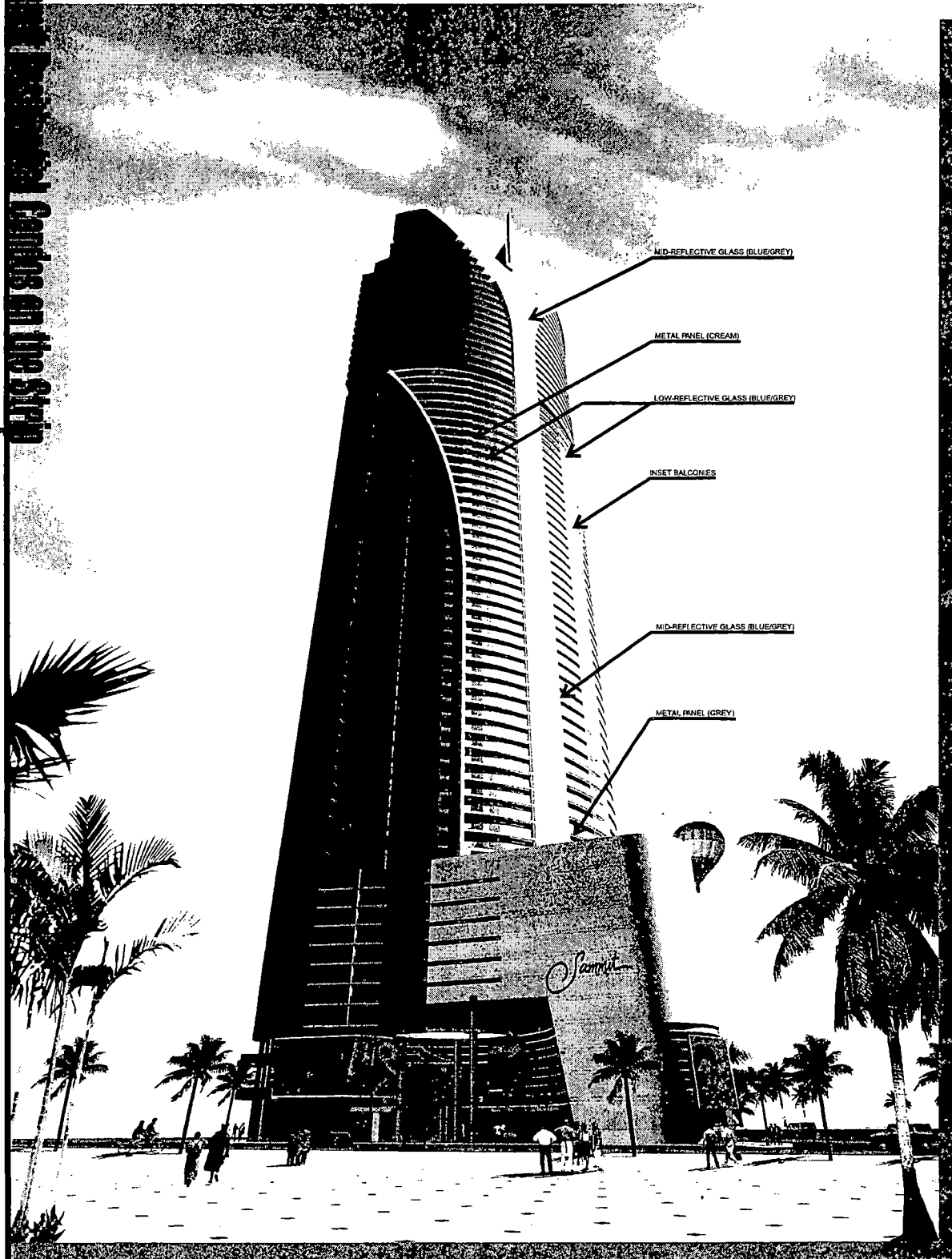
NR-11

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Summit Hotel and Casino on the Strip



VIEW FROM LAS VEGAS BOULEVARD

SUP-5028

SDR-5027

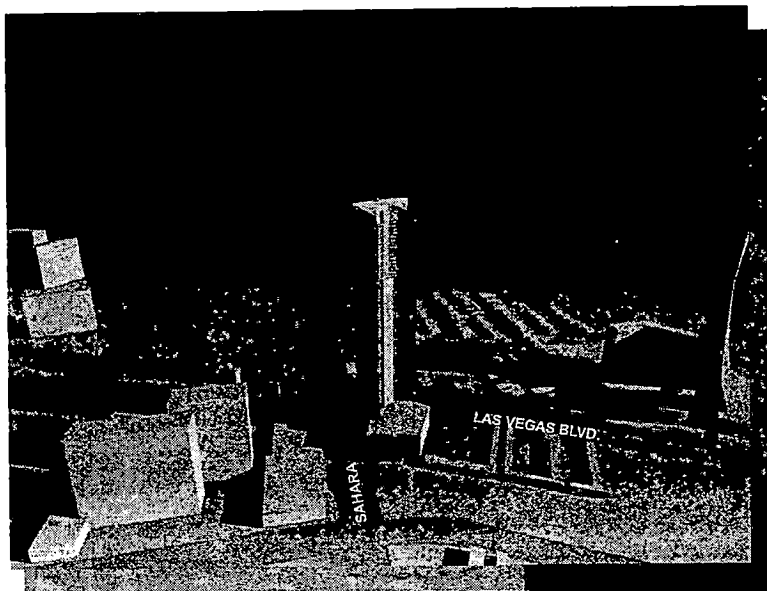
10-07-04 PC

Project # 200401166
Proposal # 200401801.110
10150 DOWNTOWN CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2033 FAX: (702) 731-2035 WWW.JMAARCH.COM

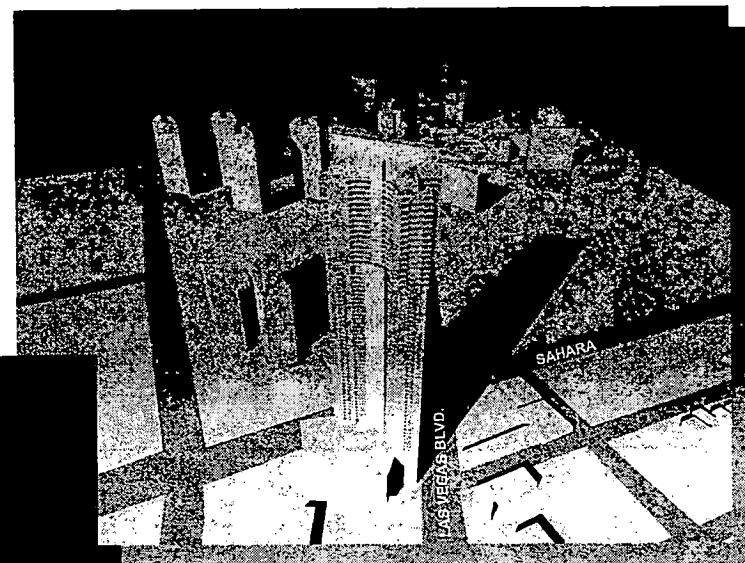


Date: AUGUST 12, 2004

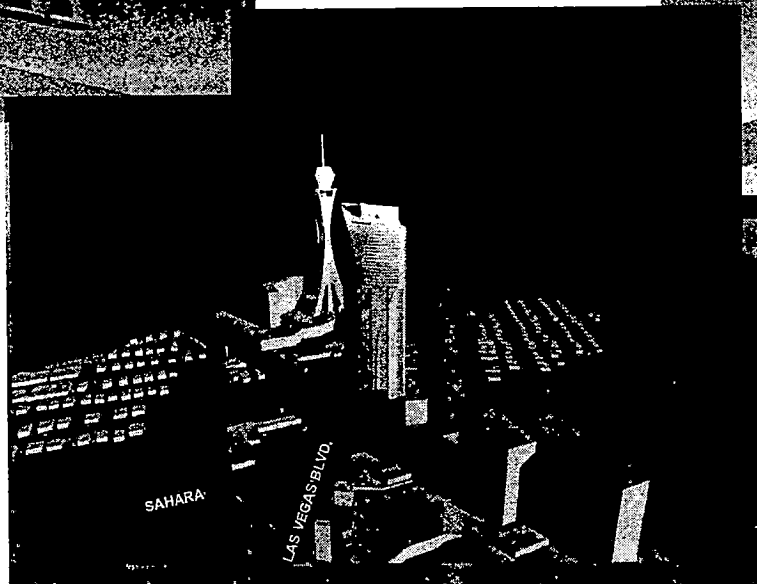
DR-12



VIEW FROM THE EAST



VIEW FROM THE NORTH



VIEW FROM THE SOUTH

MASSING PERSPECTIVES

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

SUP-5028
SDR-5027
10-07-04 PC

Project # 200401168
Proposal # 200401901.110

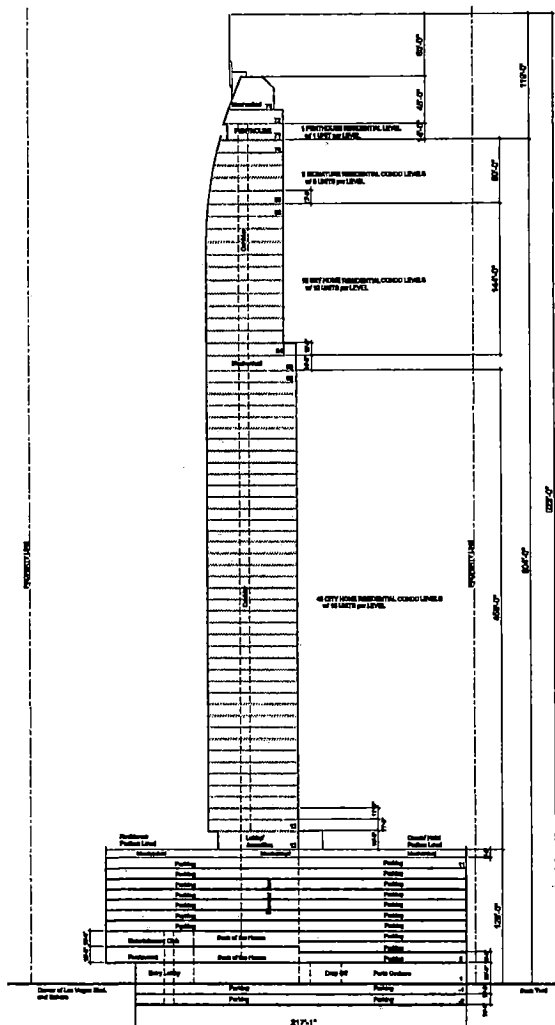


10150 COWINGTON CROSS DRIVE LAS VEGAS, NV 89114
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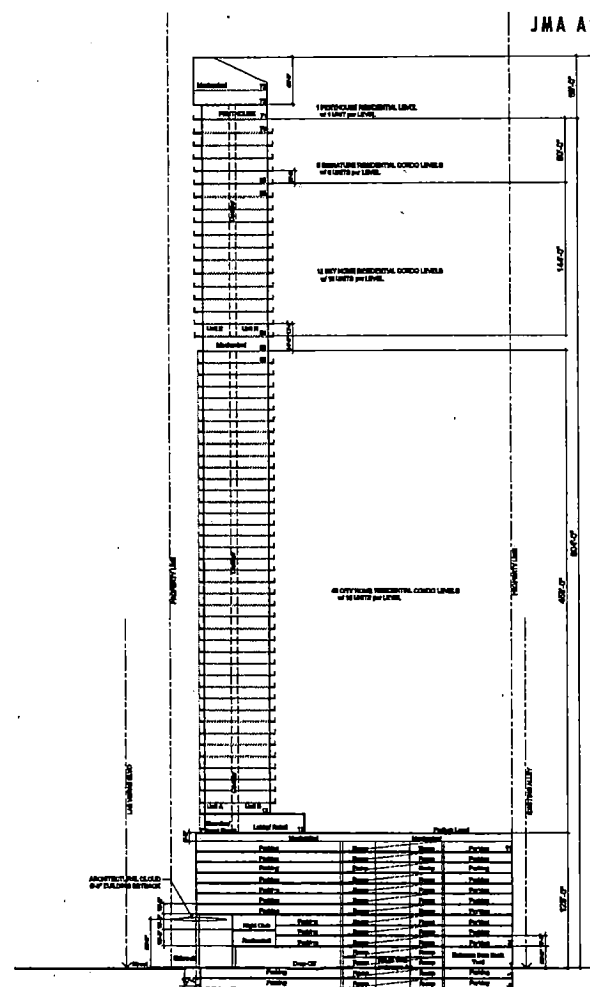
AUGUST 10, 2004

Date:

ND-12



SECTION thru the
corner of LAS
VEGAS BLVD and
SAHARA
SCALE: 1"= 50'



SECTION thru
LAS VEGAS
BLVD and
EXISTING ALLEY
SCALE: 1"= 50'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

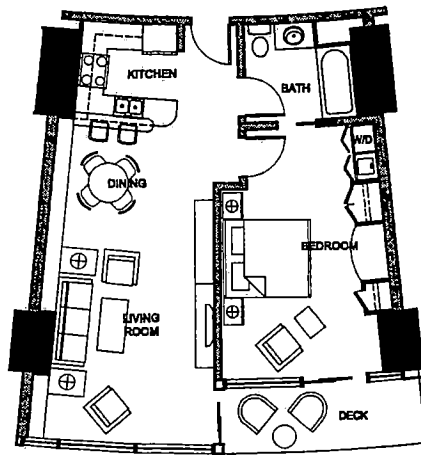
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401166
Proposal # 200401901.110

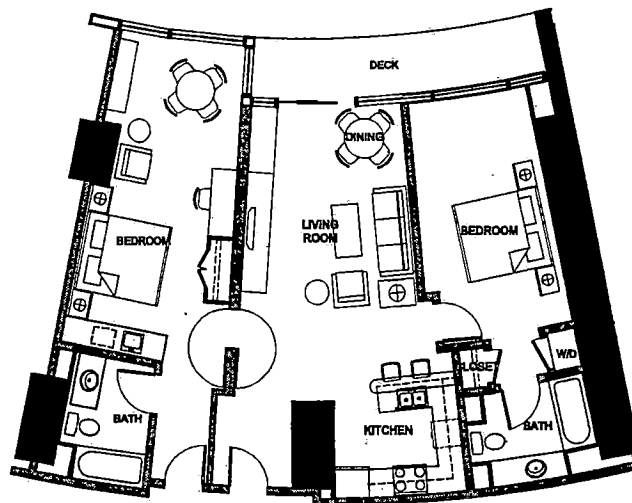
10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2033 FAX: (702) 731-2036 WWW.JMAARCH.COM

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SDR-5027
10-07-04 PC

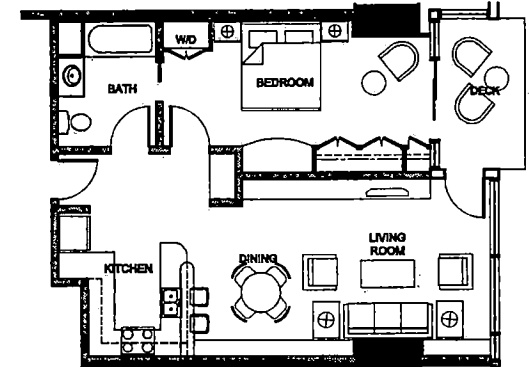
DR-14



UNIT A
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 19-40)
1 BEDROOM UNIT
800 SF and
70 SF BALCONY



UNIT B
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 19-40)
2 BEDROOM UNIT
1,200 SF and
100 SF BALCONY



UNIT A1
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 19-40)
1 BEDROOM UNIT
800 SF and
70 SF BALCONY

FLOOR PLANS UNITS A, A1, B

SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

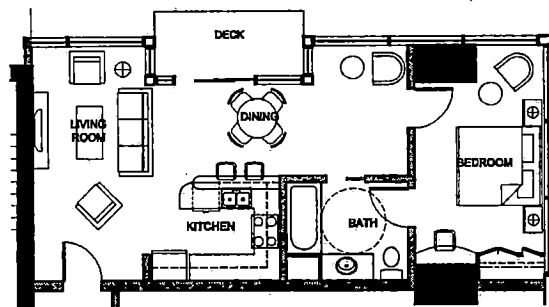
SOUTH LAS VEGAS BOULEVARD/SAHARA AVENUE

Project # 200401166
Proposal # 200401901.110

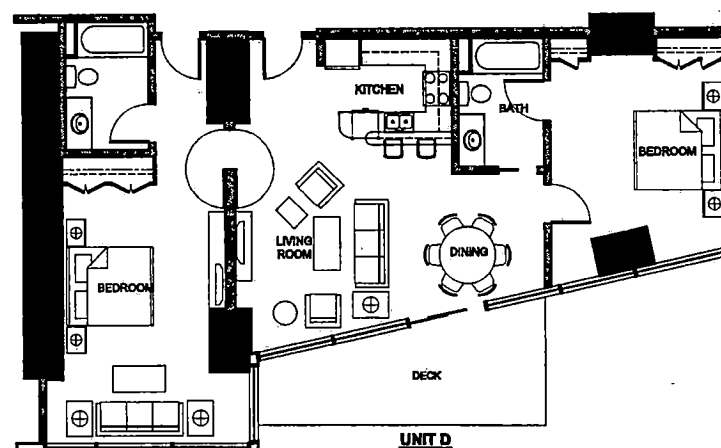
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SDR-5027
10-07-04 PC

DR-15



UNIT C
CITY HOME INDUSTRIAL CONDO
40 FLOOR LEVEL (FLOOR 15-40)
1 BEDROOM UNIT
740 SF and
80 SF BALCONY



UNIT D
CITY HOME INDUSTRIAL CONDO
40 FLOOR LEVEL (FLOOR 15-40)
2 BEDROOM UNIT
1,200 SF and
191 SF BALCONY

FLOOR PLANS UNITS C, D

SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

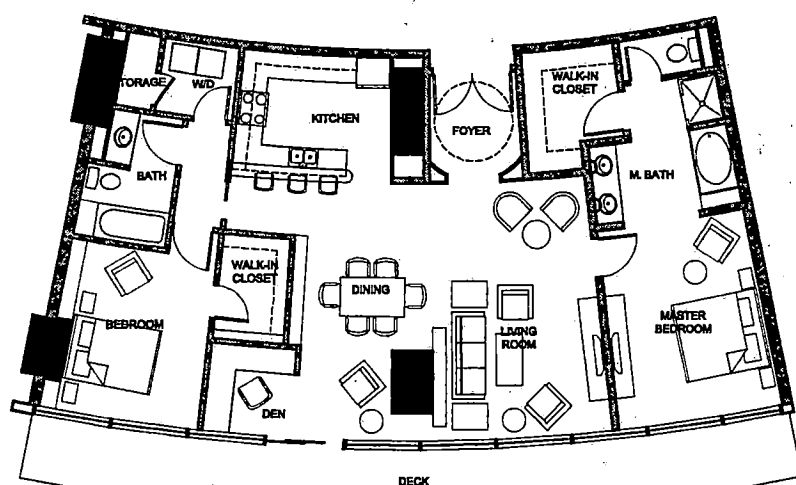
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401166
Proposal # 200401901.110

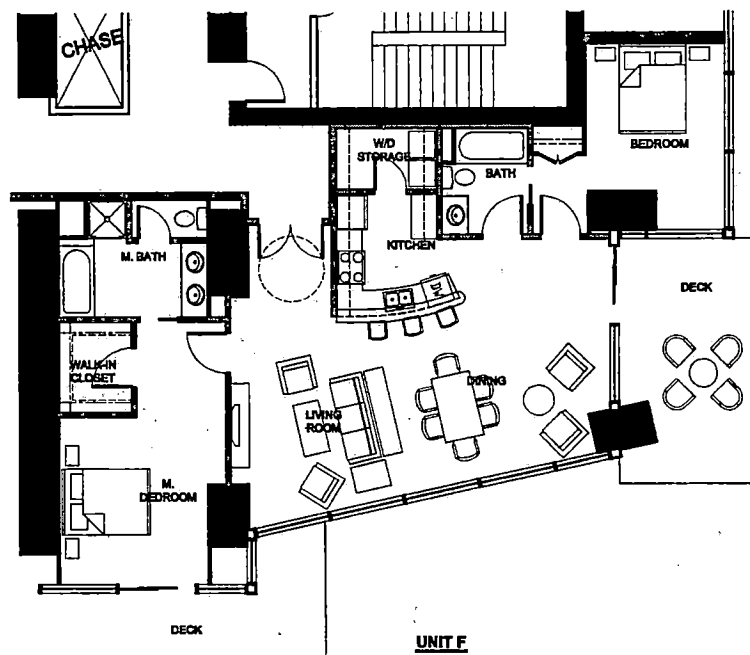
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10-07-04 PC

DR-16



UNIT E
 CITY HOME RESIDENTIAL CONDO
 13 LEVELS (FLOOR 64-65)
 2 BEDROOM UNIT W/ DEN
 1,800 SF
 2ND OF BALCONY



UNIT F
 CITY HOME RESIDENTIAL CONDO
 13 LEVELS (FLOOR 64-65)
 2 BEDROOM UNIT W/ DEN
 1,800 SF
 2ND OF BALCONY

FLOOR PLANS UNITS C, D
 SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
 LAS VEGAS, NEVADA

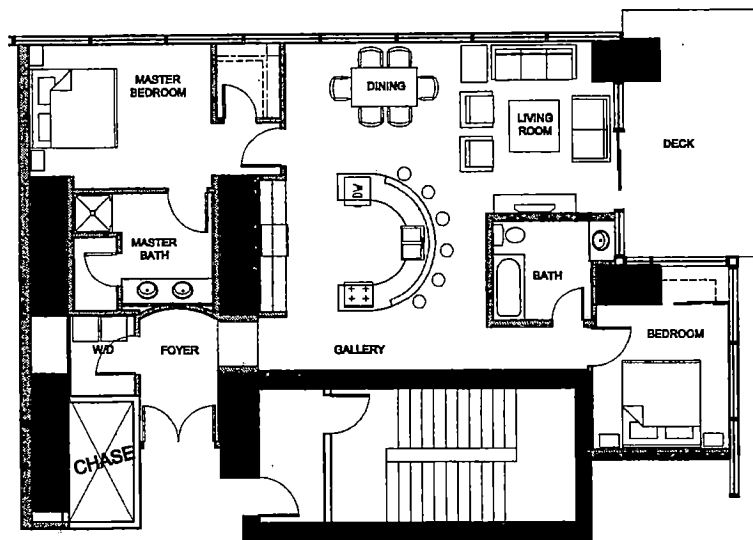
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project #: 200401168
 Proposal #: 200401901, 110

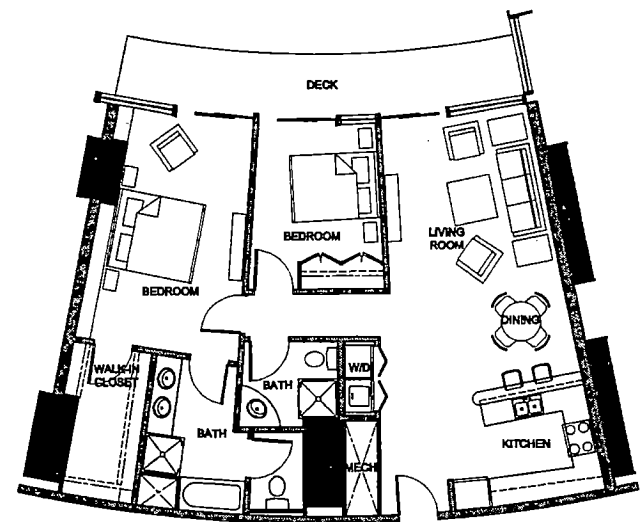
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10-07-04 PC

DR-17



UNIT G
 2-BED RESIDENTIAL CONDO
 12 LIVING (FLOOR 8-10)
 2 BEDROOM UNIT
 1,202 SF and
 128 SF BALCONY



UNIT H
 2-BED RESIDENTIAL CONDO
 12 LIVING (FLOOR 8-10)
 2 BEDROOM UNIT
 1,174 SF and
 128 SF BALCONY

FLOOR PLANS UNITS G, H
 SCALE: 1/4"= 1'

Summit Residential Condos on the Strip

City of Las Vegas
 LAS VEGAS, NEVADA

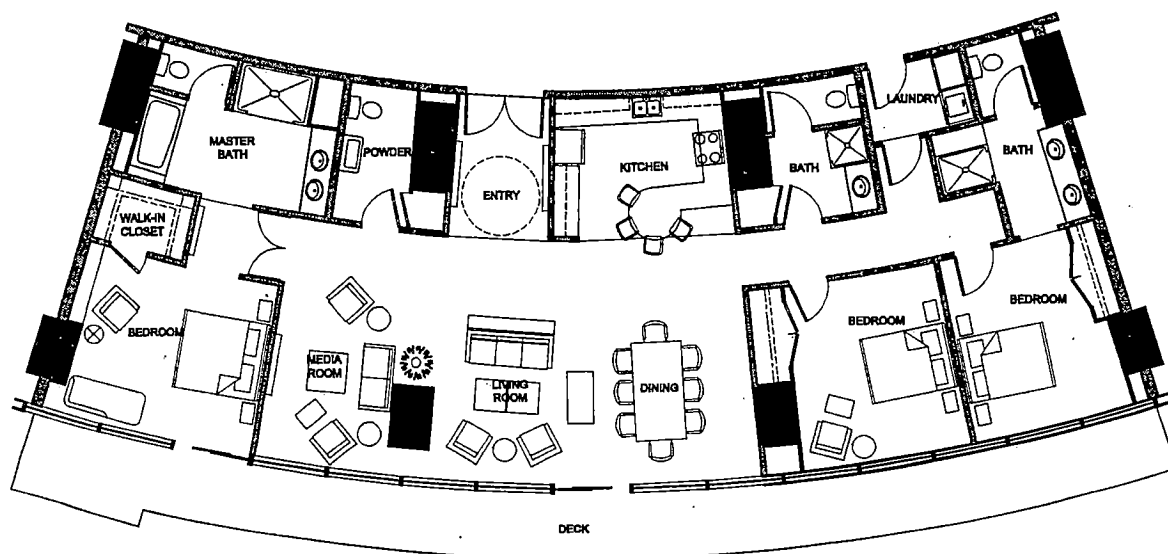
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401166
 Proposal # 200401901110

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SDR-5027
10-07-04 PC

DR-18



UNIT I
SIGNATURE RESIDENTIAL CONDOS
8 LIVING (PLUS LOBBY)
3 BEDROOM UNIT
2,621 SF
400 SF BALCONY

FLOOR PLAN UNIT I
SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

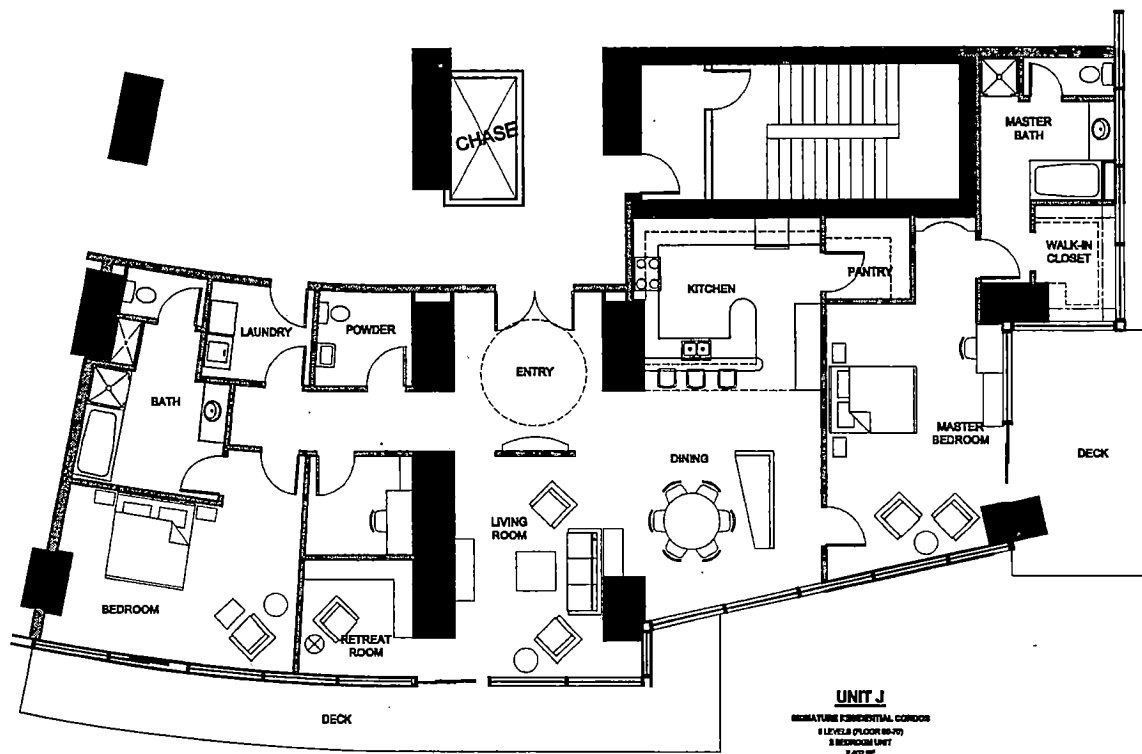
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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Proposal # 200401801.110

10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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10-07-04 PC

DR-19



FLOOR PLAN UNIT J

SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

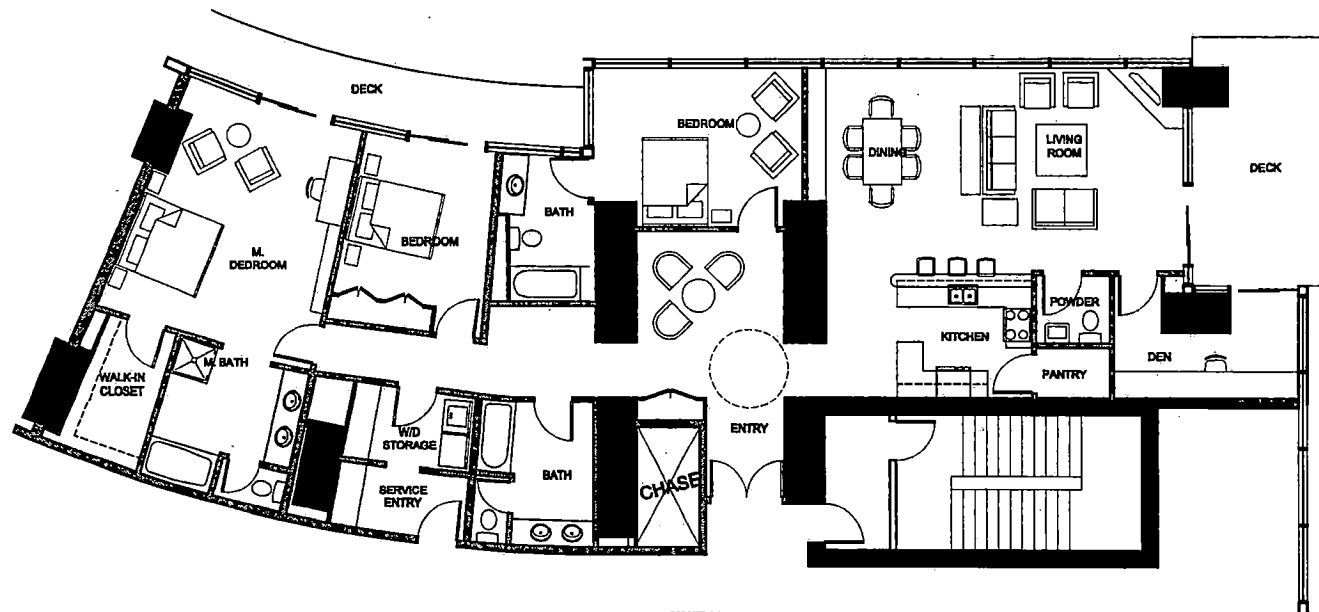
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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10190 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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10-07-04 PC

DR-20



UNIT K
SIGNATURE RESIDENTIAL CONDOMINIUM
8 LUXURY (PLOOR 48-50)
8 BEDROOM UNIT
3,618 SF and
140 SF BALCONY

FLOOR PLAN UNIT L
SCALE: 1/4" = 1'

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

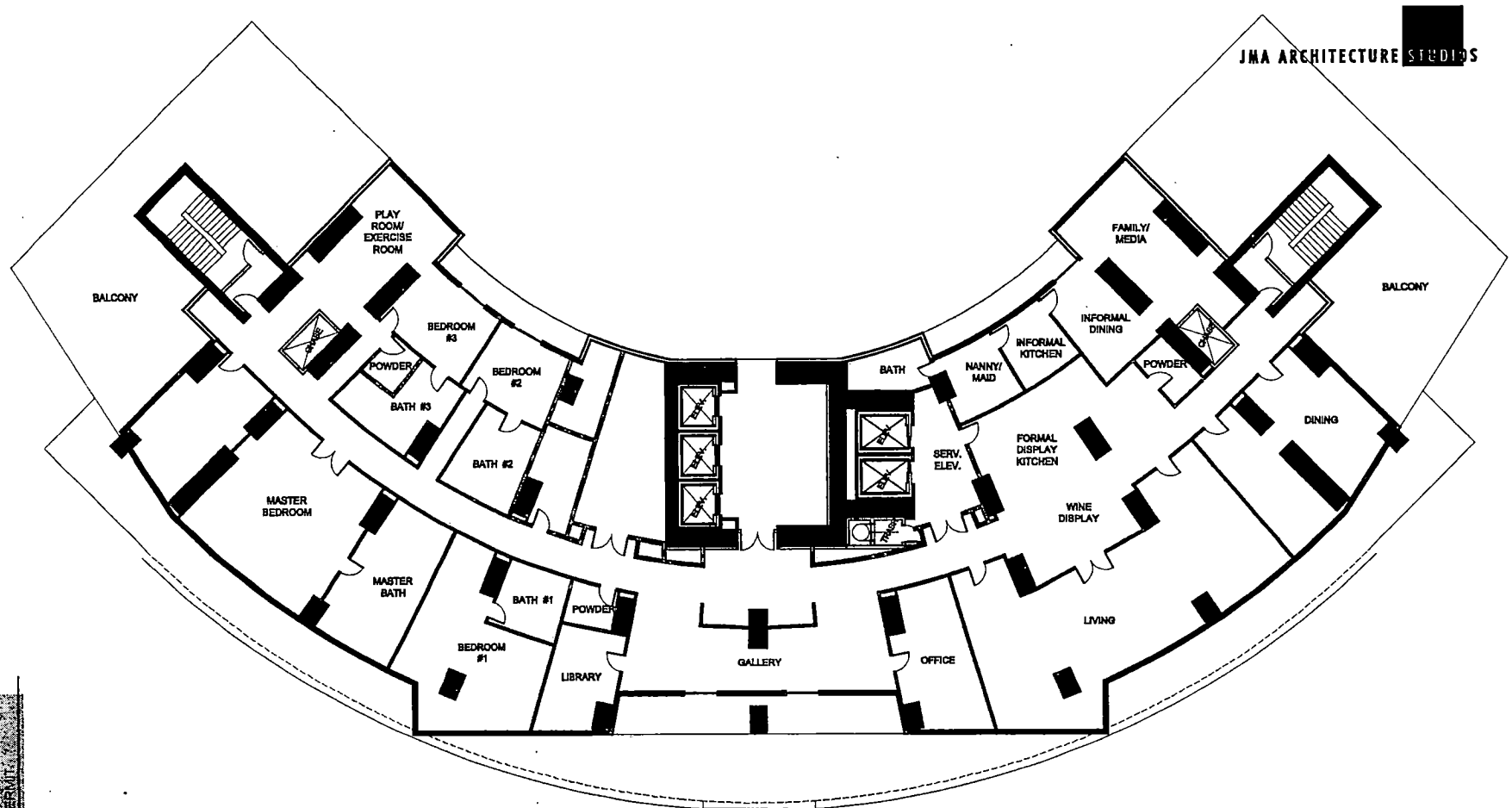
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Proposal # 200401901110

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10-07-04 PC

DR-21



JMA ARCHITECTURE STUDIOS

FLOOR PLAN UNIT K

SCALE: 1/4" = 1'

UNIT L

PENTHOUSE RESIDENTIAL CONDO

1 UNITS (FLOOR 71)
8 BEDROOM UNIT
13,700 SF
8,700 SF BALCONY

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

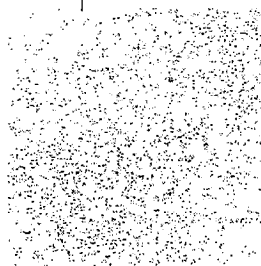
SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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Proposal # 200401901.110

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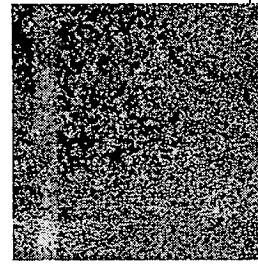
DR-22



St. Hubert SLG
220 Grit Finish



Natural Stone
Dual Cream



Alucobond Material
Platinum A2006-M



Alucobond Material
Copper Metallic

EXTERIOR COLOR SCHEME

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

SUP-5028
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10-07-04 PC

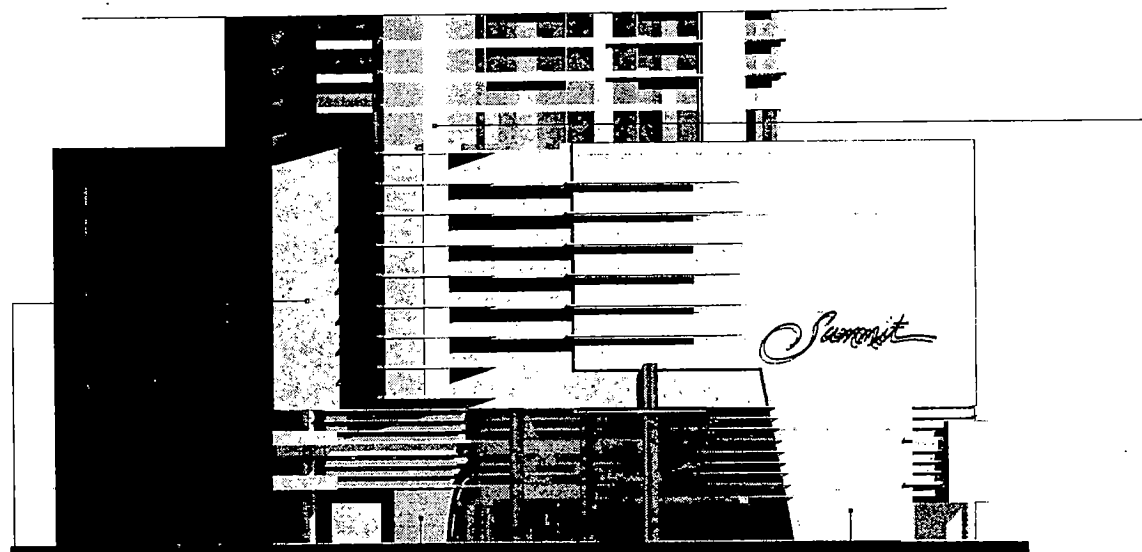
Project # 200401166
Proposal # 200401901.110

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DATE: AUGUST 12, 2004

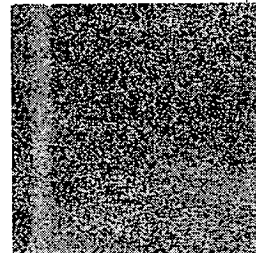
SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT



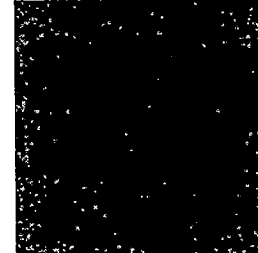
St. Hubert SLG
220 Grit Finish



Natural Stone
Dual Cream



Alucobond Material
Platinum A2006-M



Alucobond Material
Copper Metallic

EXTERIOR COLOR SCHEME

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

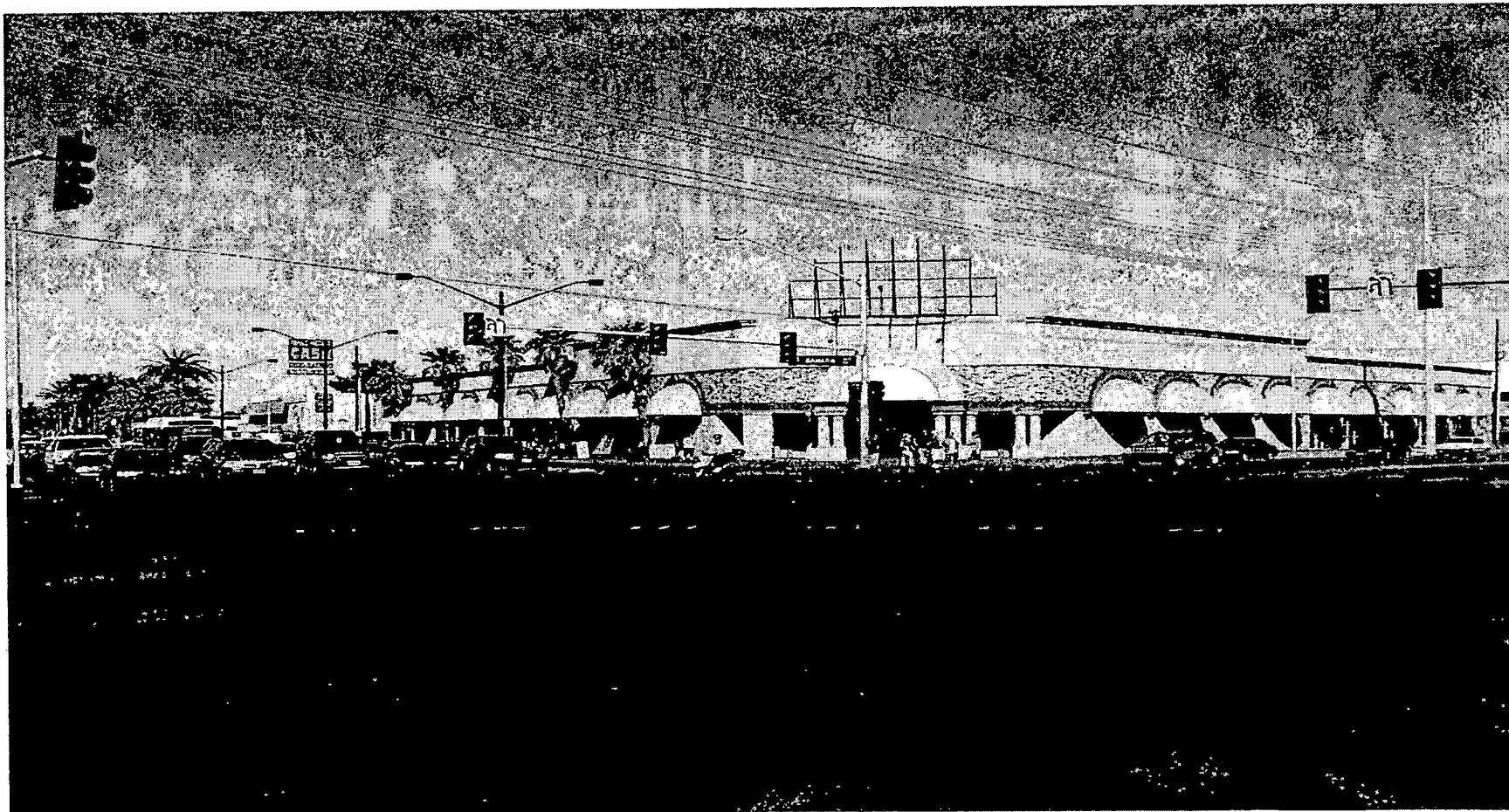
SUP-5028
SDR-5027
10-07-04 PC

Project # 200401166
Proposal # 200401901.110

10150 COVINGTON CROSS DRIVE — LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM



DATE: AUGUST 12, 2004



SDR-5027 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA
ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
2423 AND 2417 LAS VEGAS BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5065 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: GEORGE FILIOS TRUST R-501 - Request for a Special Use Permit FOR A PROPOSED SERVICE STATION WITH GAS PUMPS adjacent to the southwest corner of Decatur Boulevard and Rome Boulevard (APN 125-24-802-010), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED – UNANIMOUS

To be heard by the City Council on 11/03/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 55 [SUP-5065], Item 56 [VAC-5069] and Item 57 [SDR-5050].

GARY LEOBOLD, Planning and Development Department, explained the Special Use Permit application is required for the gas pumps affiliated with the Costco operation to be located on this site. The proposal includes an eight lane fueling service station, which will have access from Rome Boulevard and Decatur Boulevard through the main entrance of the shopping center. Each lane can service two vehicles and have a stacking capacity of four cars. Regarding the Vacation, it is a proposed vacation of Turkey Lane, which projects into the site and affects the western

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 55 – SUP-5065

MINUTES – Continued:

portion. This vacation has no affect on traffic or circulation. The Site Plan Review includes waivers for building placement, foundation landscaping, perimeter landscaping as well as building setbacks. The applicant has worked with staff diligently to produce a good product and the waivers are minor in nature given the overall design being proposed.

The major anchor for the center will be Costco and there will be a bank, a drive thru restaurant and numerous commercial spaces. The parking meets Code. There is another commercial site across from this project, which is located in North Las Vegas, and staff is trying to line up the major entrance on Decatur Boulevard with the proposed entrance to the other commercial center. There are issues related to this endeavor and the engineers are working on it.

KIM SCHIZAS, 256 Royal Linda Drive, Santa Barbara, California, appeared on behalf of the applicant and indicated she was the project planner for this application. She explained that all conditions have been reviewed and accepted; however, the applicant is requesting a minor modification to Condition 19, 20 and 21 on Item 57 [SDR-5050]. The amendment would change the verbiage regarding the timing of compliance from “prior to issuance of any permits” to “prior to issuance of Building Permits”. She stated a partner of the Shadow Mountain Marketplace, LLC., was present as well as the chief traffic engineer and that they could answer any questions the Commission might have. MS. SCHIZAS also took a moment to commend the hard work of the City staff. She said the level of public service that was provided was invaluable to someone coming from out of state that was not familiar with the Code. CHAIRMAN TRUESDELL confirmed with GINA VENGLASS, Department of Public Works, that her department was amenable to the proposed changes of MS. SCHIZAS.

CAROL HEALEY, 6501 Mimosa Valley Street, stated she was the president of the Meister Park Homeowners Association, which includes approximately 280 homeowners. The majority of these homeowners are in favor of this project. A neighborhood meeting was held and the questions asked and concerns raised were addressed. MS. HEALEY said that working with the developers was an enjoyable experience.

COMMISSIONER STEINMAN asked if a traffic signal was anticipated for the main entrance. SCOTT PLUMMER, Engineer, GC Wallace Engineering, 1555 South Rainbow Boulevard, explained that his staff has been working with City staff as well as City of North Las Vegas staff to determine a position for a traffic light. North Las Vegas has slightly different requirements than those of City Public Works staff and they are working towards that goal. He acknowledged the urgency of getting the light turned on before the Costco store opened.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 55 – SUP-5065

MINUTES – Continued:

COMMISSIONER McSWAIN asked what building materials were being proposed for the Costco. She wanted the Costco to look as nice as possible and was concerned about using metal on the exterior. MS. SCHIZAS assured COMMISSIONER McSWAIN that her concerns were addressed with Condition 3 of Item 54 [SDR-5050] and that the applicant would fully comply with the condition.

CHAIRMAN TRUESDELL stated he was concerned about what would happen if the location did not come together as planned and the light could not be coordinated. MS. VENGLASS explained that the developer has had a meeting with the North Las Vegas staff as well as the City staff. Condition 20 requires the developer to coordinate between both entities. It was her opinion that the entities could come together and the light would happen.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 55 [SUP-5065], Item 56 [VAC-5069] and Item 57 [SDR-5050].

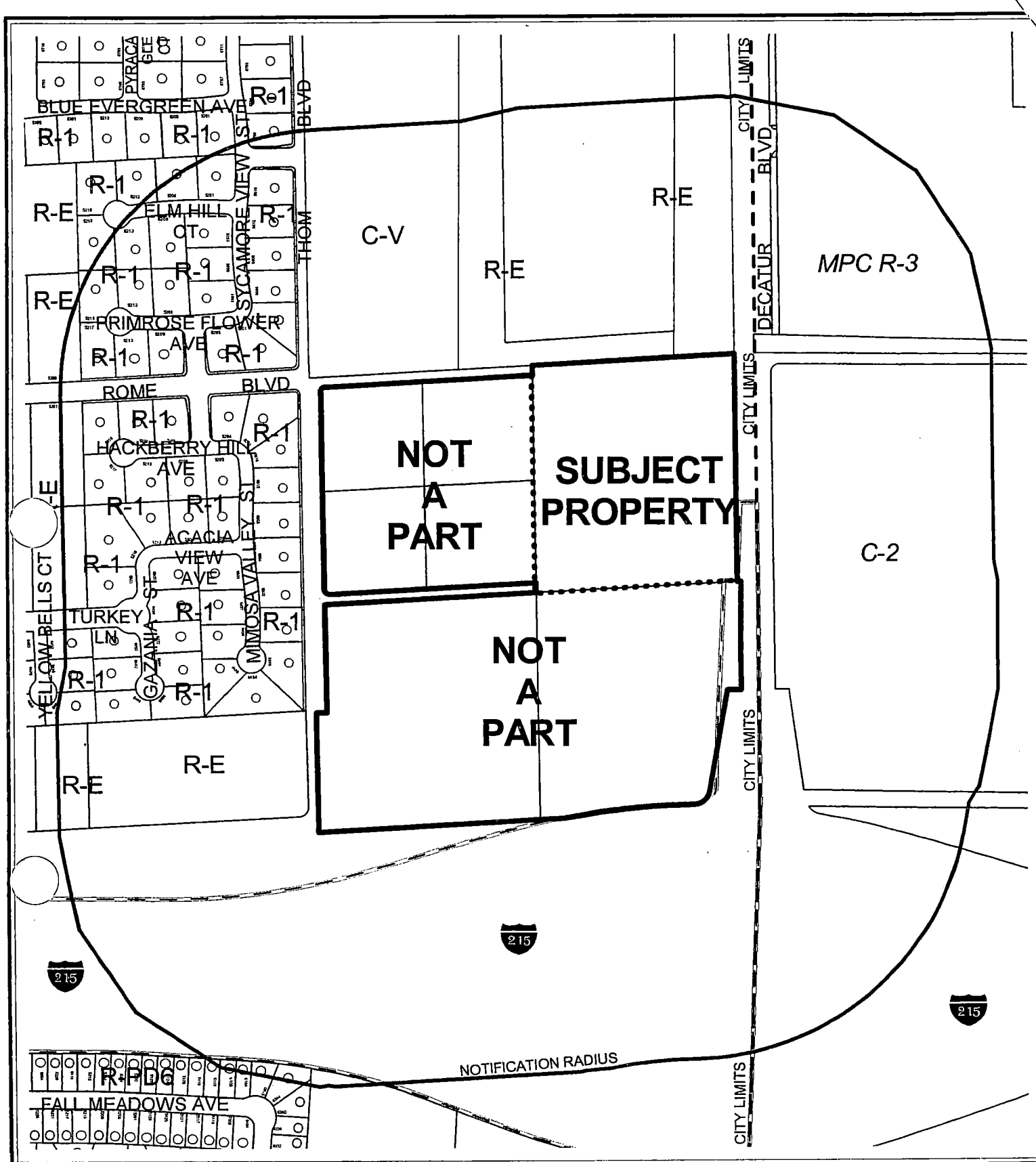
(10:22 – 10:33)

3-2583

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Service Station with gas pumps use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0019-01) and Site Development Plan Review (SDR-5050).
3. If this Special Use Permit is not exercised within two years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
5. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-5065

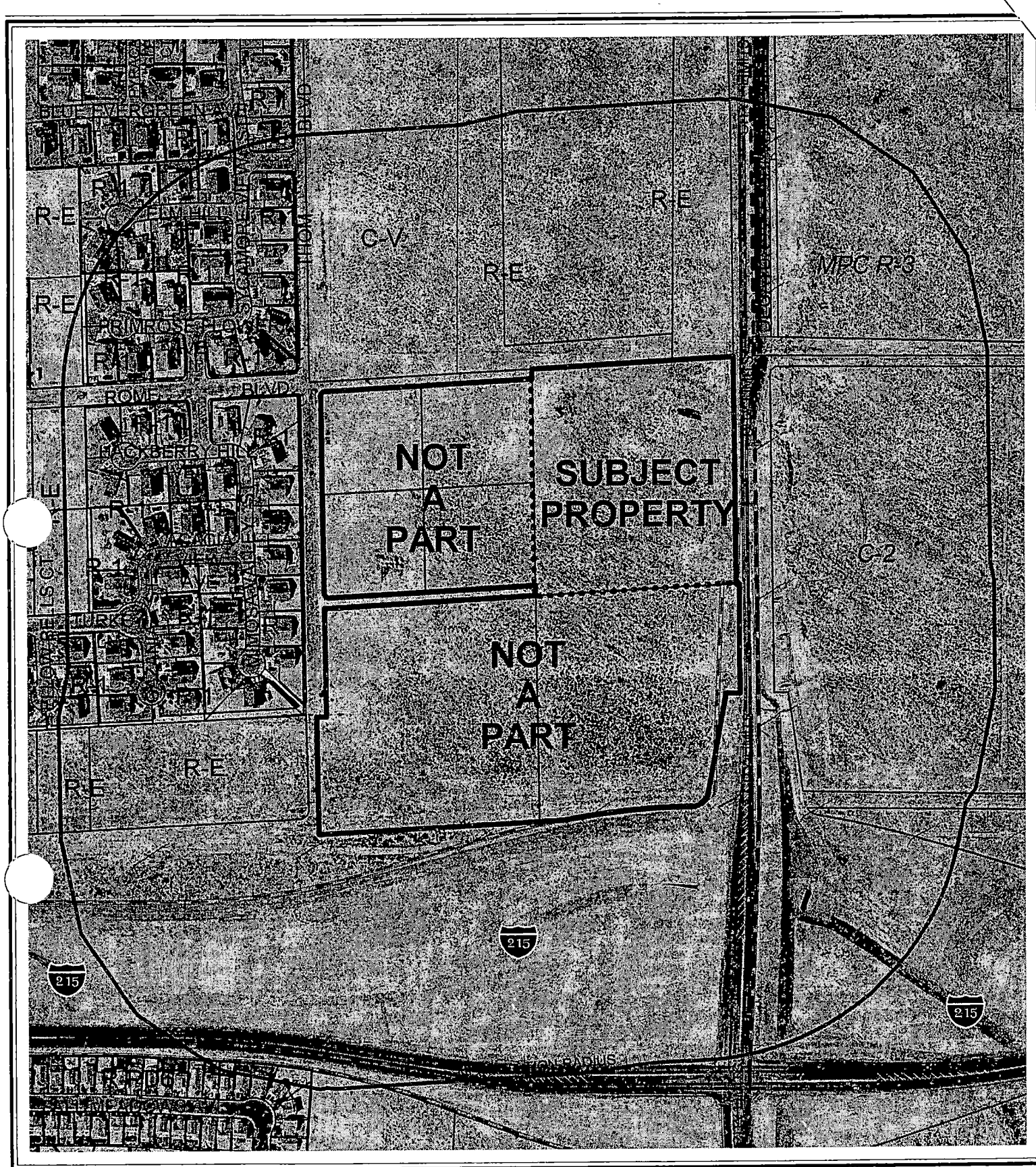
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





CASE: SUP-5065

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5065 - SPECIAL USE PERMIT - PUBLIC HEARING -

**APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY
COMPANY - OWNER: GEORGE FILIOS TRUST R-501**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Service Station with gas pumps use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0019-01) and Site Development Plan Review (SDR-5050).
3. If this Special Use Permit is not exercised within two years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
5. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Special Use Permit to allow a Service Station with gas pump within a C-1 (Limited Commercial) zoning district adjacent to the southwest corner of Decatur Boulevard and Rome Boulevard.

B) Applicant's Justification

The applicant states, "With more than adequate parking, easy access to transportation corridors and ample opportunity for pedestrian access, the proposed shopping center will fulfill the residents of northern Las Vegas in a pleasant environment." The applicant does not specifically justify the application for a Special Use Permit to allow a gas pump service station.

BACKGROUND INFORMATION

A) Previous Actions

- 08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and Staff both recommended approval.
- 08/25/97 The City Council approved a Rezoning and Site Development Plan Review (Z-0062-97) application for the reclassification of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 330,500 square foot commercial center. The Planning Commission and Staff both recommended approval.
- 06/20/01 The City Council approved a Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Resolution of Intent was set to expire on 06/20/03. The prior Rezoning approvals Z-0062-97 and Z-0107-00 were expunged. The Planning Commission and Staff both recommended approval.

SUP-5065 - Staff Report Page Two
October 7, 2004 Planning Commission Meeting

- 07/16/03 The City Council approved an Extension of Time (EOT-2267) application for a Reinstatement and Extension of Time of an approved Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Planning Commission and Staff both recommended approval.
- 10/07/04 The Planning Commission will hear related items Special Use Permit (SUP-5065) and Vacation (VAC-5069) applications as part of this agenda.

B) Pre-Application Meeting

07/06/04 A pre-application conference was held resulting in the following comments:

1. Special Use Permit required for gasoline sales.
2. The site will be required to comply with internal pedestrian standards, including ADA standards and internal walkways.
3. There is potential for a bus turnout.
4. Sidewalks need to connect to the public sidewalks.
5. Landscaping requirements were discussed.
6. Proper screening of loading areas will be required.
7. Lighting and wall restrictions were discussed.
8. Master Sign Plan will be required.
9. Vacation of Turkey Lane will be required.
10. Traffic and Drainage studies, as well as, all off-sites will be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.04 (portion of the 35.0 acre overall site)

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Clark County 215; Undeveloped
East: Undeveloped
West: Single-Family Residences; Undeveloped

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: ML (Medium-Low Density Residential); PF (Public Facilities)
South: ROW (Right-of-Way); ML (Medium-Low Density Residential);
SC (Service Commercial)
East: (City of North Las Vegas: Community Commercial)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates); C-V (Civic)
South: R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units per Acre); C-1 (Limited Commercial)
East: [City of North Las Vegas: C-2 (General Commercial)]
West: R-1 (Single-Family Residential); R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) in the Centennial Hills Sector Plan of the General Plan. The approved rezoning to a C-1 (Limited Commercial) Zone is consistent with this land use 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	

Multi-Use Transportation Trail

A proposed multi-use transportation trail will be constructed along the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

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 feet of Clark County or the City of North Las Vegas.

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) Collection System Planning has conditioned this project to provide a public sewer stub at the southwest corner of the development.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Service Station	77 SF.	1 / 250 SF. GFA	1	Zero	1,956*	48

* The proposed Service Station with gas pumps has a 78 square-foot controller enclosure for use by employees. The proposed Service Station with gas pumps square footage has been calculated as part of the total square footage of the commercial center at a ratio of 1 space per 250 square feet of retail/commercial ground floor area. Therefore, the proposed Service Station with gas pumps meets the parking requirements of the code.

Additionally, the proposed Service Station with gas pumps will have eight double-sided pump islands with associated service lanes. Each of the proposed service lanes will have the ability to stack up to six automobiles at any given time.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Service Station	Pump islands shall be located a minimum of 20 feet from a street right-of-way line.	Yes
	A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.	Yes

The proposal complies with all minimum distance requirements set forth by Title 19.04.050.

B) General Analysis and Discussion

• Zoning

The proposed Service Station with gas pump is a permitted use within a C-1 (Limited Commercial) zoning district by means of an approved Special Use Permit.

• Use

Title 19.20 defines service station as any building, or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.

• Conditions

The following base conditions exist for the approval of a Service Station in a C-1 (Limited Commercial) zone:

- i. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - a. The dispensing of petroleum products, water and air from pump islands.
 - b. The provision of emergency service of a minor nature
 - c. The sale of items via vending machines that shall be located next to the main structure.
- ii. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
- iii. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
- iv. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.

PL

- v. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- vi. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060(B)

The proposed Service Station with gas pumps meet the requirements set forth by the 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 Service Station with gas pumps can be conducted in a harmonious and compatible manner with the existing and future development within the surrounding area.

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

Minimum conditions of approval have been added to ensure development progresses in a controlled manner consistent with the policies and goals of Title 19.

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 proposed Service Station with gas pump will be accessible from Rome Boulevard, a 60-foot residential collector, as well as, access via a drive from Decatur Boulevard, A Primary (120-foot) Arterial as designated by the Master Plan of Streets and Highways. These streets will provide adequate access to the proposed development.

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

The proposed use will be subject to inspections for compliance to business licensing requirements. Approval of this special use permit will not compromise the public health, safety, and welfare.

SUP-5065 - Staff Report Page Seven
October 7, 2004 Planning Commission Meeting

NOTICES MAILED 83 – Mailed with SDR-5050

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Shadow Mountain Marketplace, LLC, a Nevada Limited Liability Co.

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

Yes X No

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

City Official: _____

Partner(s): _____

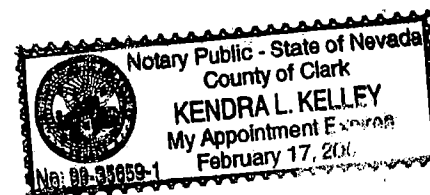
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Nitsa Filios, Trustee
George Filios, Trustee

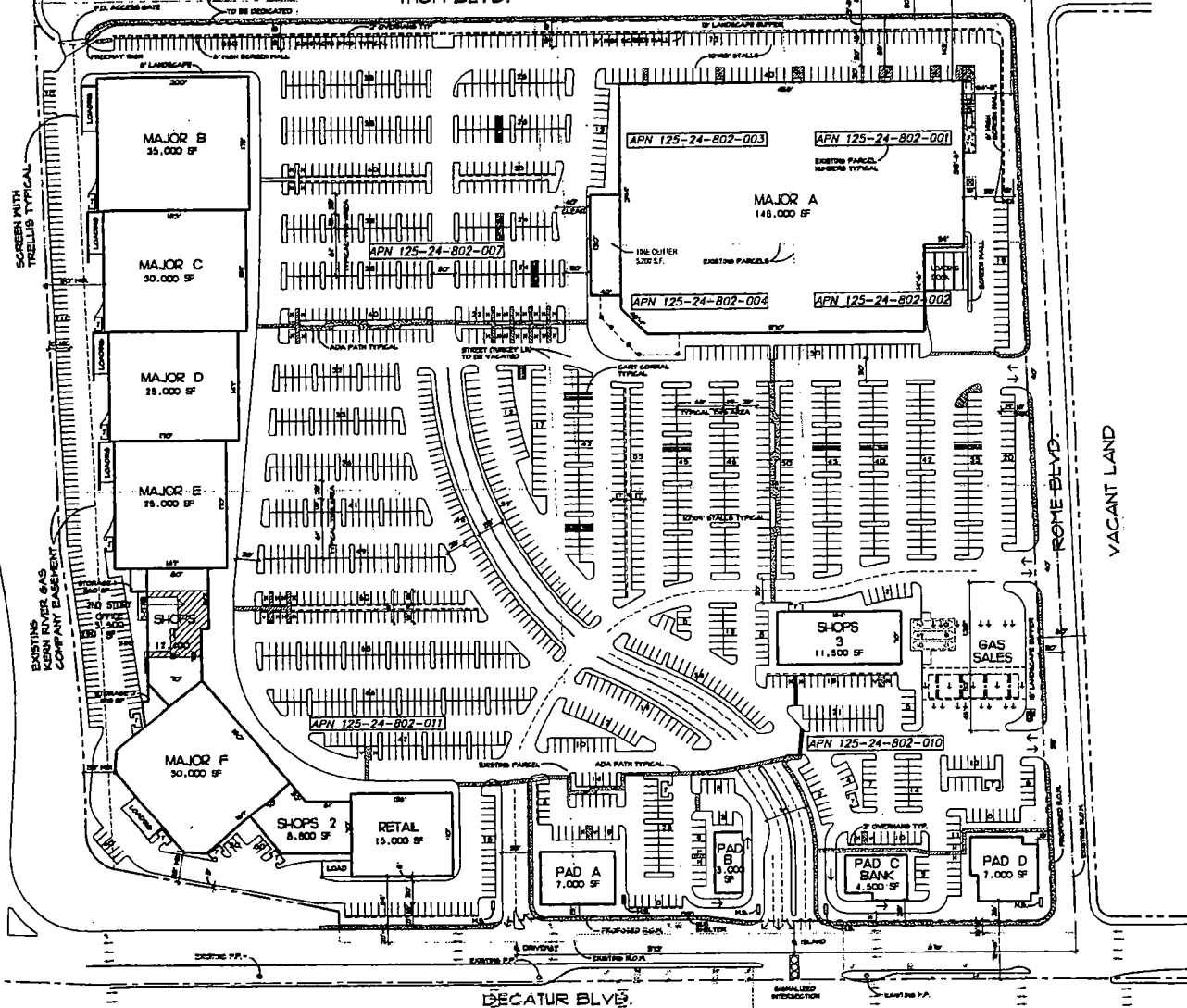
Subscribed and sworn before me

This 2 day of August, 2004
Edward P. Allen
 Notary Public in and for said County and State



EXISTING RESIDENTIAL

THOM BLVD.



CONSULTANTS

ARCHITECTS (Except Costco)	MADEL ARCHITECTS, INC. 7180 INDUSTRIAL RD., SUITE 800 LAS VEGAS, NV. 89118 T:702.896.2000 F:702.896.7170
ARCHITECTS (Costco Only)	MULVANNY ARCHITECTURE 1110 112TH AVE., SUITE 500 BELLEVUE, WA. 98004 T:425.463.2000 F:425.463.2002
CIVIL ENGINEER	G.C. WALLACE, INC. 1555 S. RAINBOW BLVD. LAS VEGAS, NV. 89146 T:702.804.2000 F:702.896.2299
LANDSCAPE ARCHITECT	SOUTHWICK LANDSCAPE ARCHITECTS 6362 McLEOD DR., SUITE 3 LAS VEGAS, NV. 89146 T:702.597.3108 F:702.597.3177

Summary

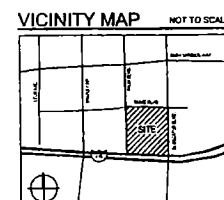
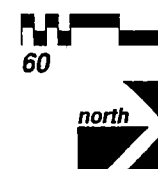
Land	±35.0 AC	±1,524,843 SF
Building		365,700 SF
Land-to-Bldg Ratio		3.17/1
Coverage		24.0%

Parking Required

Retail: (337,700 sf @ 1/250)	1,351 stalls
Rest: (20,000 sf @ 1/100)	200 stalls
Bank: (4,500 sf @ 1/200)	23 stalls
Office: (3,500 sf @ 1/300)	12 stalls

Total Parking Required 1,586 stalls

Parking Provided	2,040 stalls
Standard	1,762 stalls
Compact	194 stalls (10%)
Handicap Provided	48 stalls
Handicap Required 20 + 1/100 stalls req'd)	36 stalls
Parking Ratio	5.58/1000



ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNER'S DISCRETION WITHOUT NOTICE. THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO MADDEL ARCHITECTS, INC. AND IS SUBJECT TO VERIFICATION BY LEGAL SURVEY AND CONVEYING DOCUMENTS ETC. THIS DRAWING IS NOT NECESSARILY A REPRESENTATION AS TO EXISTENCE, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING NEARBY THIS CENTER.

DATE: AUG. 4, 2004
MADDEL JOB#: 04-077

7180 INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV. 89118
T:702.896.2000 F:702.896.7170
WWW.MADDELARCH.COM

MADDEL Architects Inc

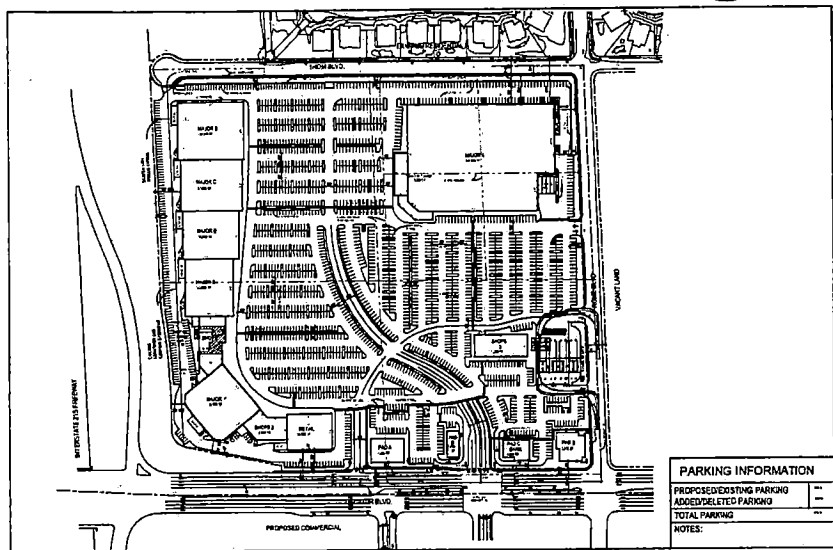
SITE DEVELOPMENT PLAN

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NV.

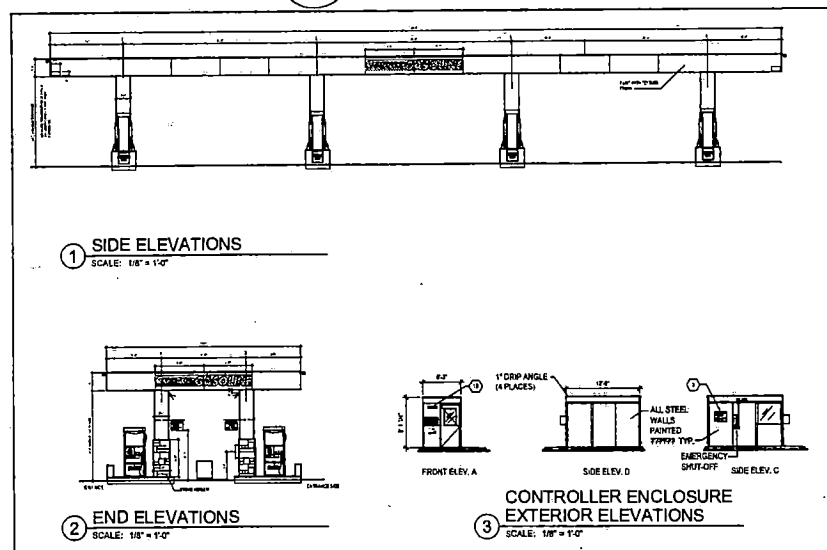
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

SUP-5065
SDR-5050

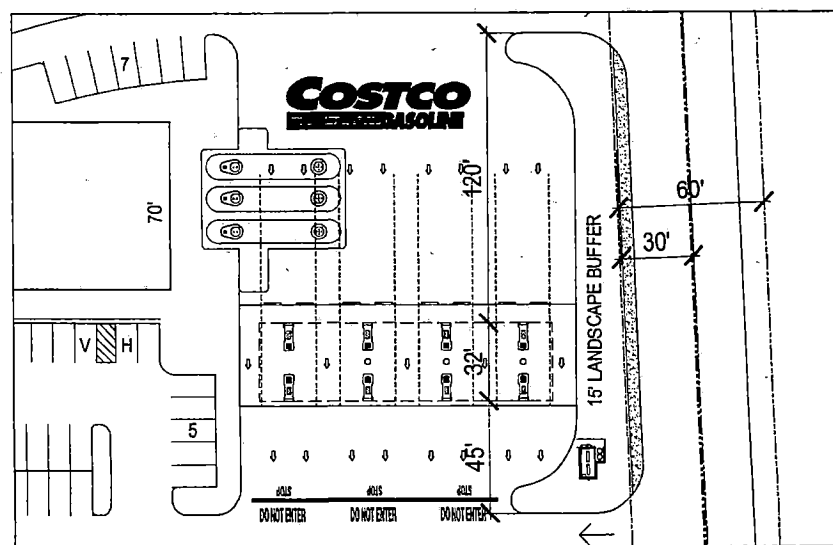
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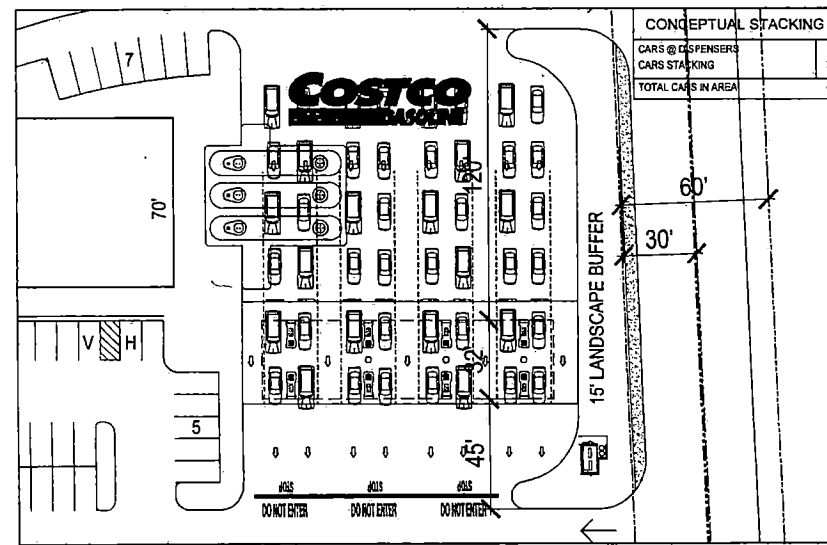
CONCEPT FUEL TRUCK ROUTE



CONCEPT ELEVATIONS



DETAIL SITE PLAN



STACKING PLAN

COSTCO WHOLESALE
LAS VEGAS, NEVADA

SUP-5065
SDR-5050
10-07-04 PC

CONCEPT GAS STATION PLAN
AUGUST 13, 2004

Costco WHOLESALE

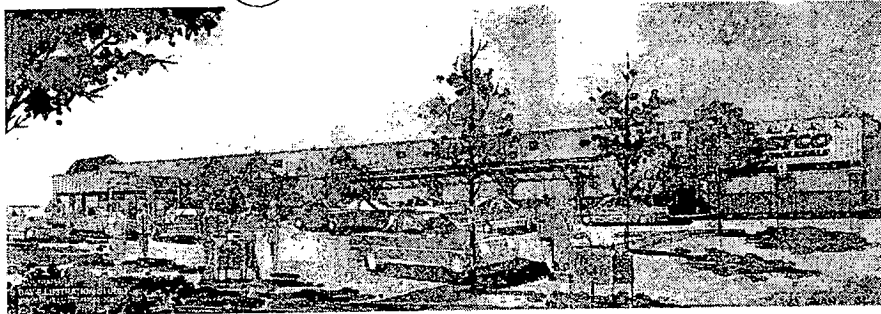
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MULVANNY G2

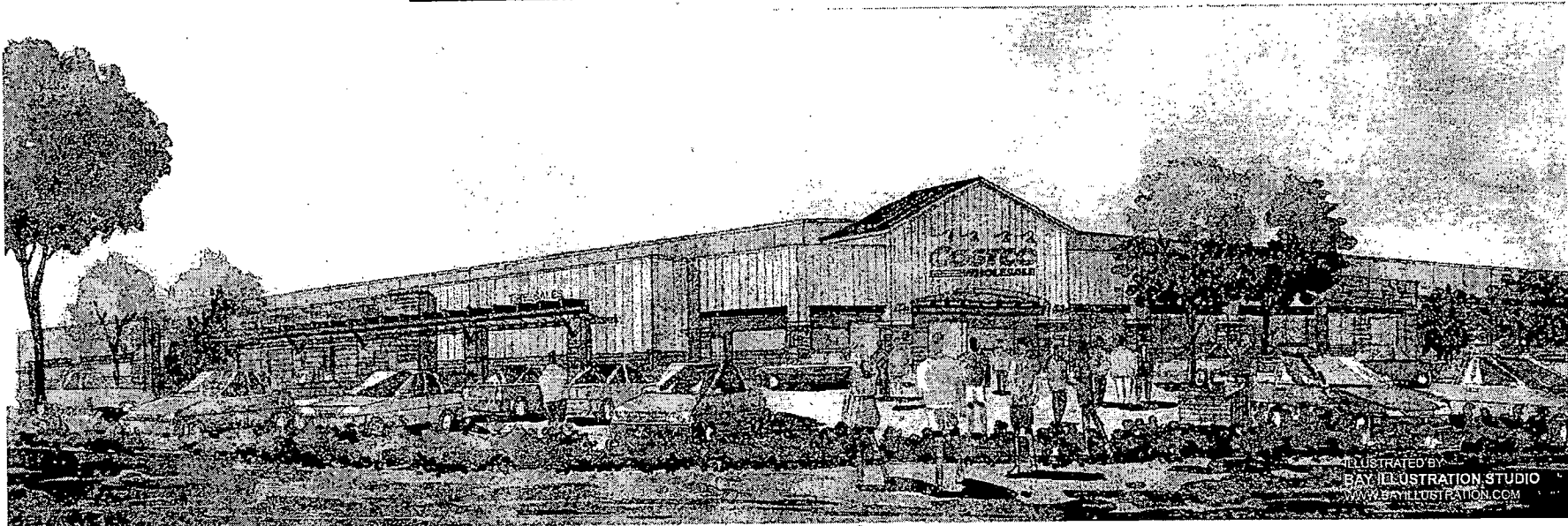
1115 117TH AVE, NE | BAYVIEW
BELLINGHAM, WA 98204
1-425-462-2200 | 1-425-462-2201

04-1126-01
AUGUST 13, 2004
CONCEPT
GAS STATION PLAN

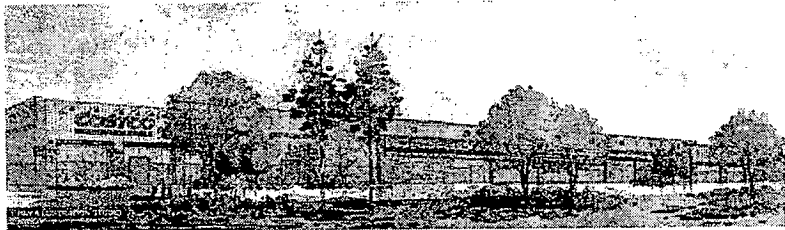
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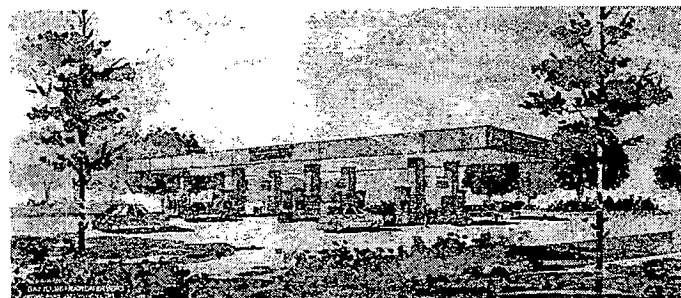
VIEW FROM THOM BLVD.



VIEW OF MAIN ENTRY CANOPY



VIEW FROM INTERSECTION OF THOM BLVD. & ROME BLVD.



VIEW OF GAS STATION

COSTCO WHOLESALE
LAS VEGAS, NEVADA

SUP-5065
SDR-5050
10-07-04 PC

PERSPECTIVE SKETCHES

AUGUST 9, 2004

COSTCO
WHOLESALE
LAS VEGAS, NV

INTERSECTION OF DECATUR BLVD.
& INTERSTATE 215

MULVANNY G2

1178 117TH AVE, NE | SUITE 100
BELLINGHAM, WA 98201
PH: 360.735.1111 FAX: 360.735.1112

04-1128-01
AUGUST 9, 2004
PERSPECTIVE
SKETCHES



SUP-5065 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN
MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: GEORGE FILIOS TRUST R-501
SOUTHWEST CORNER OF DECATUR BOULEVARD AND ROME BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VAC-5069 - VACATION RELATED TO SUP-5065 - PUBLIC HEARING -
APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY
COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL - Petition to Vacate Turkey
Lane between Thom Boulevard and Decatur Boulevard, Ward 6 (Mack).**

SET DATE: 10/20/04 C.C. 11/03/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO - APPROVED - UNANIMOUS

To be heard by the City Council on 11/03/2004

MINUTES:

See Item 55 [SUP-5065] for all related discussion on Item 55 [SUP-5065], Item 56 [VAC-5069] and Item 57 [SDR-5050].

(10:22 - 10:33)

3-2583

CONDITIONS:

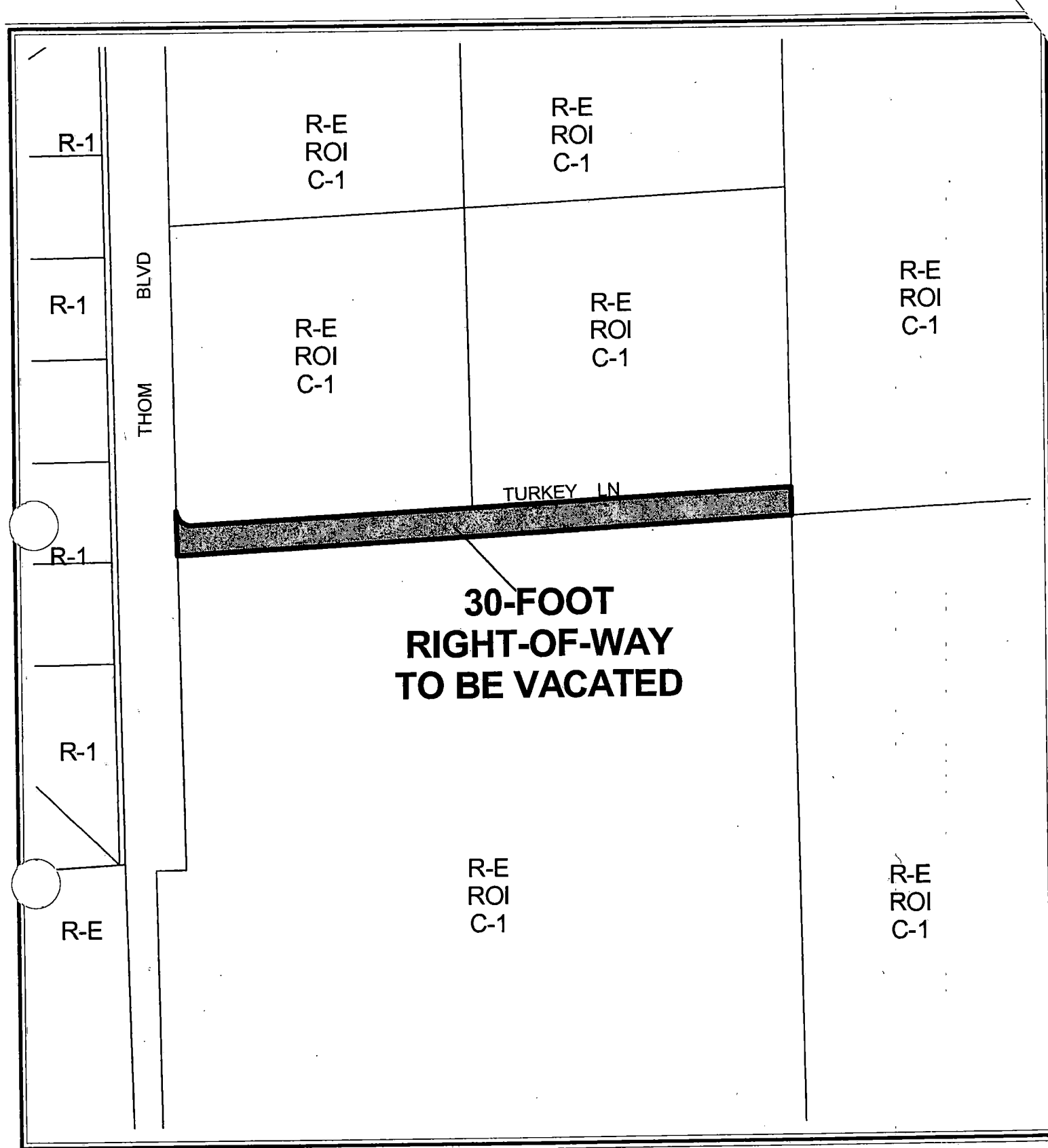
1. This Petition of Vacation shall include the north 30 feet of Turkey Lane located east of Thom Boulevard.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Site Development Plan

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 56 – SUP-5069

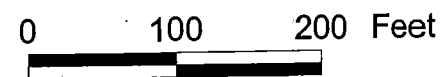
CONDITIONS – Continued:

Review SDR-5050 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5069



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-5069 - VACATION - PUBLIC HEARING -

**APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY
COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

1. This Petition of Vacation shall include the north 30 feet of Turkey Lane located east of Thom Boulevard.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Site Development Plan Review SDR-5050 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate Turkey Lane between Thom Boulevard and Decatur Boulevard.

B) Applicant's Justification

The applicant justifies this application by stating that the vacation of this easement would "allow for development of the parking area for the proposed shopping center." The right-of-way to be vacated will be incorporated into this development.

BACKGROUND INFORMATION

A) Previous Actions

- 08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and staff both recommended approval.
- 08/25/97 The City Council approved a Rezoning and Site Development Plan Review (Z-0062-97) application for the reclassification of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 330,500 square foot commercial center. The Planning Commission and staff both recommended approval.
- 01/17/01 The City Council approved a Rezoning and Site Development Plan Review (Z-0107-00) application for the reclassification of a five-acre portion of property located on the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed commercial center. The Planning Commission and staff both recommended approval.
- 06/20/01 The City Council approved a Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Resolution of Intent was set to expire on 06/20/03. The prior Rezoning approvals Z-0062-97 and Z-0107-00 were expunged. The Planning Commission and staff both recommended approval.

- 07/16/03 The City Council approved an Extension of Time (EOT-2267) application for a Reinstatement and Extension of Time of an approved Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Planning Commission and staff both recommended approval.
- 05/05/04 The City Council approved a Rezoning (ZON-3976) application for the reclassification 3.88 acres of property adjacent to the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial). The previous Resolution of Intent based upon Rezoning (Z-0107-00) application expired on 06/20/03. The Planning Commission recommended denial. Staff recommended approval.
- 10/07/04 The Planning Commission will hear related Site Development Plan Review (SDR-5050) and Special Use Permit (SUP-5065) applications for the development of a proposed 365,700 square foot shopping center with a gas pump service station on 35.00 acres adjacent to the northwest corner of Centennial Parkway and Decatur Boulevard. Staff is recommending approval.

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as the South Half (S½) of Turkey Lane, thirty feet (30') wide, commencing at the east right-of-way line from Thom Boulevard, extending easterly approximately six hundred twenty feet (620'), including the spandrel areas; said property being a portion of the Northwest Quarter (N¼) of the Southeast Quarter (SE¼) of Section 24, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) *Planning discussion*

Condition Number 21 of the Site Development Plan Review (SDR-5050) for the Shadow Mountain Marketplace commercial development required a submittal for vacation of Turkey Lane between Thom Boulevard and Decatur Boulevard prior to additional application approvals. The request would not eliminate public street access to any abutting parcels or adversely affect any abutting properties.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Neither as it is to vacate a portion of a public right-of-way not currently used.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is not currently used as a roadway.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of a street that will no longer serve a public purpose.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
Yes, Site Development Plan Review SDR-5050.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Shadow Mountain Marketplace LLC, a Nevada LLC

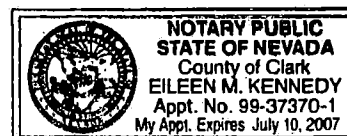
No

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

Subscribed and sworn before me

Eileen M. Kennedy
Notary Public in and for said County and State.





VAC-5069 - VACATION RELATED TO SUP-5065 - PUBLIC HEARING - APPLICANT: SHADOW
MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL
TURKEY LANE BETWEEN THOM BOULEVARD AND DECATUR BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

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

SDR-5050 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5065 AND VAC-5069 - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL - Request for a Site Development Plan Review and Waivers of Building Placement and Foundation Landscaping Standards FOR A PROPOSED 365,700 SQUARE-FOOT SHOPPING CENTER on 35.00 acres adjacent to the northwest corner of Decatur Boulevard and the Las Vegas Beltway (APN 125-24-802-001, 002, 003, 004, 007, 010 and 011), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C. 11/03/04**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions and amending Condition 19, Condition 20 and Condition 21 as follows:

19. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any *building* permits for this site.
20. Provide a copy of a recorded Joint Access and Parking Agreement between all parcels comprising the overall site prior to the issuance of any permits; alternatively, the applicant may record a map acceptable to the City Surveyor to eliminate the existing lot lines or establish intersite access rights prior to the issuance of any *building* permits for this site.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 57 – SDR-5050

MOTION – Continued:

21. Petition of Vacation, VAC-5069, for Turkey Lane shall record prior to the recordation of a Final Map for this site or the issuance of any *building* permits for this site, whichever may occur first.

To be heard by the City Council on 11/03/2004

MINUTES:

See Item 55 [SUP-5065] for all related discussion on Item 55 [SUP-5065], Item 56 [VAC-5069] and Item 57 [SDR-5050].

(10:22 – 10:33)
3-2583

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped August 23, 2004, except as amended by conditions herein.
3. The elevations for building Major A (Costco) shall be revised and approved by staff, prior to the time application is made for a building permit, with the replacement of the metal exterior element with architectural materials that conform to the preferred material as defined by Title 19.08.045 F2a.
4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the proper striping of handicap parking spaces within the proposed development, as well as the subsequent adjusted parking analysis.
5. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit for the controller enclosure of the gas pump service station, to depict the mechanical equipment outside of the 15-foot landscape buffer along Rome Boulevard.
6. An updated parking analysis is to be submitted with any building permits for a Certificate of Occupancy.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 57 – SDR-5050

CONDITIONS– Continued:

7. The perimeter screen wall along Thom Boulevard and a portion of Rome Boulevard is to be constructed at a height of eight feet to reduce the effect of noise and light pollution on adjacent residential uses.
8. A Master Sign Plan shall be approved submitted prior to the issuance of a Certificate of Occupancy for any building on the site.
9. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department 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.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
12. 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.]
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. 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.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 57 – SDR-5050

CONDITIONS – Continued:

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

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

Public Works

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

20. Provide a copy of a recorded Joint Access and Parking Agreement between all parcels comprising the overall site prior to the issuance of any permits; alternatively, the applicant may record a map acceptable to the City Surveyor to eliminate the existing lot lines or establish intersite access rights prior to the issuance of any permits for this site.

21. Petition of Vacation, VAC-5069, for Turkey Lane shall record prior to the recordation of a Final Map for this site or the issuance of any permits for this site, whichever may occur first.

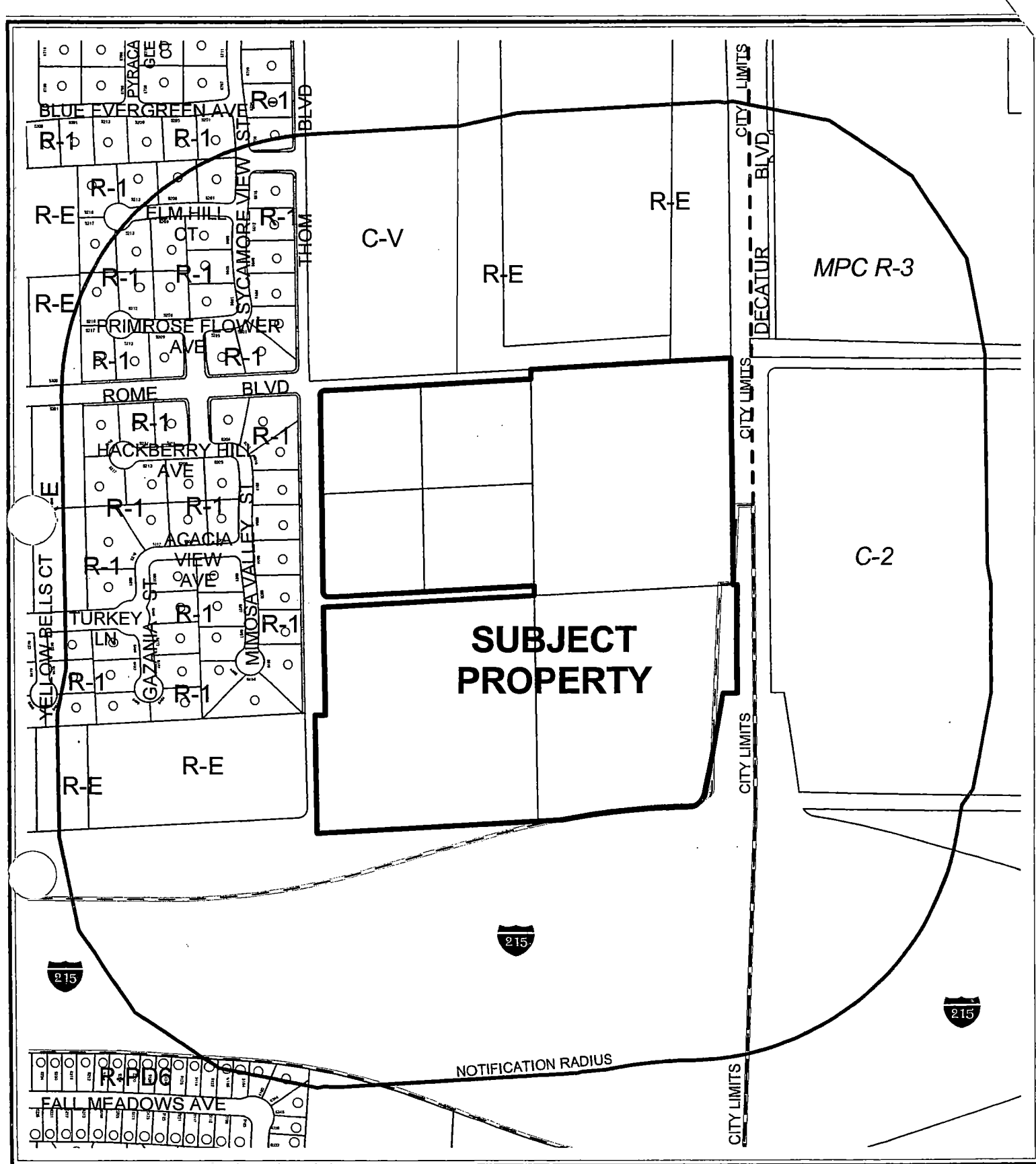
22. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

23. Coordinate with the Traffic Engineering Division and the City of North Las Vegas to determine acceptable driveway access prior to submittal of any construction plans, the issuance of any permits, or the recordation of a map on this site, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. We note that per Rezoning Z-19-2001, Condition No. 5, Thom Boulevard shall not terminate with a cul-de-sac.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 57 – SDR-5050

CONDITIONS – Continued:

24. Extend public sewer to the southwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. 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.
25. Site development to comply with all applicable conditions of approval for Zoning Reclassifications Z-0019-01 and ZON-3976 and all other applicable site-related actions.



CASE: SDR-5050

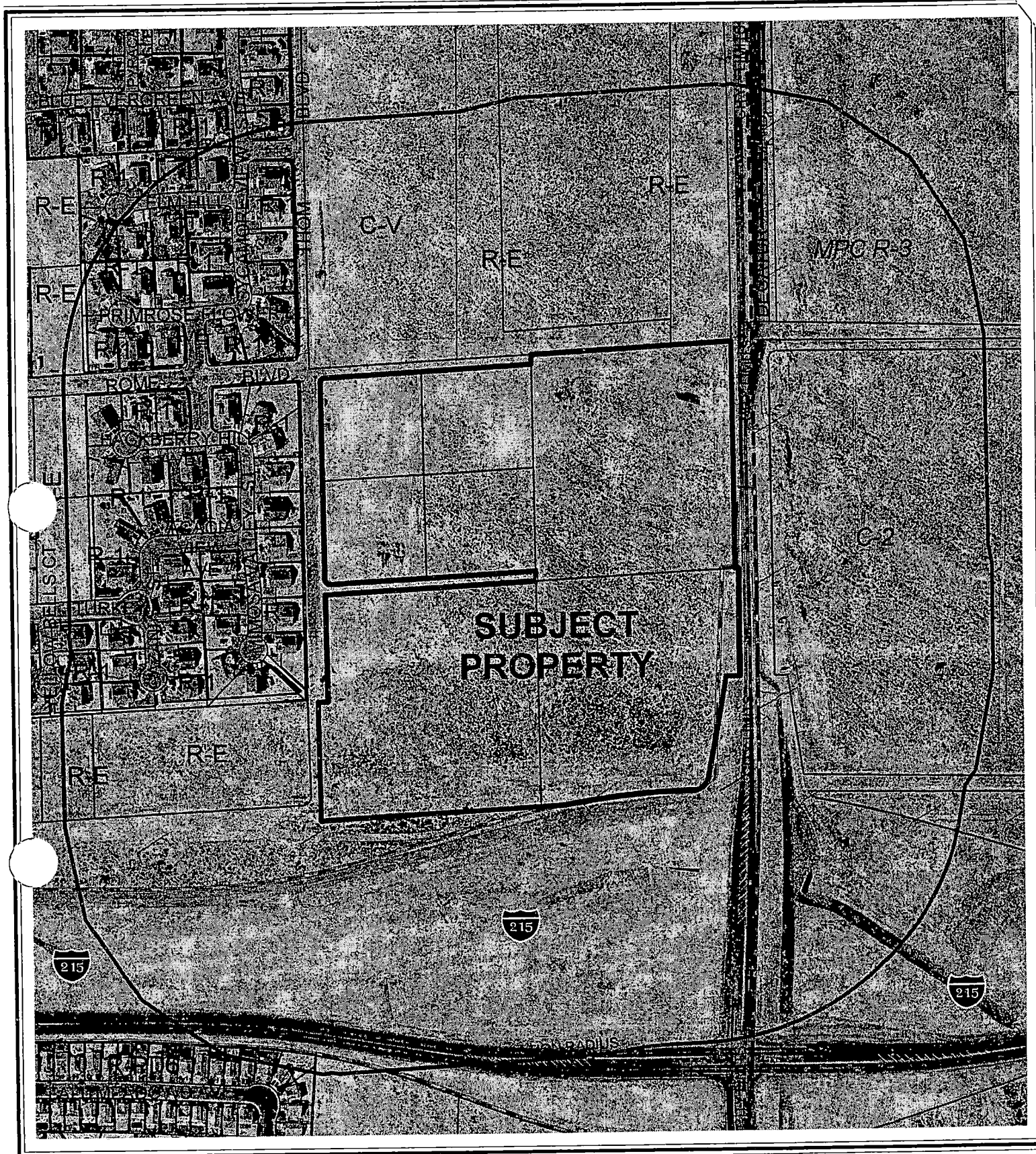
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





CASE: SDR-5050

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5050 - SITE DEVELOPMENT PLAN REVIEW -
PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE,
LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped August 23, 2004, except as amended by conditions herein.
3. The elevations for building Major A (Costco) shall be revised and approved by staff, prior to the time application is made for a building permit, with the replacement of the metal exterior element with architectural materials that conform to the preferred material as defined by Title 19.08.045 F2a.
4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the proper striping of handicap parking spaces within the proposed development, as well as the subsequent adjusted parking analysis.
5. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit for the controller enclosure of the gas pump service station, to depict the mechanical equipment outside of the 15-foot landscape buffer along Rome Boulevard.
6. An updated parking analysis is to be submitted with any building permits for a Certificate of Occupancy.
7. The perimeter screen wall along Thom Boulevard and a portion of Rome Boulevard is to be constructed at a height of eight feet to reduce the effect of noise and light pollution on adjacent residential uses.
8. A Master Sign Plan shall be approved submitted prior to the issuance of a Certificate of Occupancy for any building on the site.

SDR-5050 - Conditions Page Two
October 7, 2004 Planning Commission Meeting

9. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department 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.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
12. 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.]
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. 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.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

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

SDR-5050 - Conditions Page Three
October 7, 2004 Planning Commission Meeting

20. Provide a copy of a recorded Joint Access and Parking Agreement between all parcels comprising the overall site prior to the issuance of any permits; alternatively, the applicant may record a map acceptable to the City Surveyor to eliminate the existing lot lines or establish intersite access rights prior to the issuance of any permits for this site.
21. Petition of Vacation, VAC-5069, for Turkey Lane shall record prior to the recordation of a Final Map for this site or the issuance of any permits for this site, whichever may occur first.
22. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
23. Coordinate with the Traffic Engineering Division and the City of North Las Vegas to determine acceptable driveway access prior to submittal of any construction plans, the issuance of any permits, or the recordation of a map on this site, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. We note that per Rezoning Z-19-2001, Condition No. 5, Thom Boulevard shall not terminate with a cul-de-sac.
24. Extend public sewer to the southwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. 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.
25. Site development to comply with all applicable conditions of approval for Zoning Reclassifications Z-0019-01 and ZON-3976 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 365,700 square foot shopping center on 35.0 acres adjacent to the northwest corner of Centennial Parkway and Decatur Boulevard. The applicant is also requesting the approval of waivers of the Commercial Development Standards for building placement, foundation landscaping and perimeter landscaping, as well as building setbacks.

B) Applicant's Justification

The applicant states, "With more than adequate parking, easy access to transportation corridors and ample opportunity for pedestrian access, the proposed shopping center will fulfill the residents of northern Las Vegas in a pleasant environment." The applicant further states, "The proposed shopping center is consistent with the General Plan and zoning for the property and has been designed to be consistent with the requirements of Title 19." The applicant does not justify the need for waivers of the Commercial Development Standards within the justification letter.

BACKGROUND INFORMATION

A) Previous Actions

- 08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and Staff both recommended approval.
- 08/25/97 The City Council approved a Rezoning and Site Development Plan Review (Z-0062-97) application for the reclassification of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 330,500 square foot commercial center. The Planning Commission and Staff both recommended approval.
- 01/17/01 The City Council approved a Rezoning and Site Development Plan Review (Z-0107-00) application for the reclassification of a five-acre portion of property located on the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed commercial center. The Planning Commission and Staff both recommended approval.

SDR-5050 - Staff Report Page Two
October 7, 2004 Planning Commission Meeting

- 06/20/01 The City Council approved a Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Resolution of Intent was set to expire on 06/20/03. The prior Rezoning approvals Z-0062-97 and Z-0107-00 were expunged. The Planning Commission and Staff both recommended approval.
- 07/16/03 The City Council approved an Extension of Time (EOT-2267) application for a Reinstatement and Extension of Time of an approved Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Planning Commission and Staff both recommended approval.
- 05/05/04 The City Council approved a Rezoning (ZON-3976) application for the reclassification 3.88 acres of property adjacent to the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial). The previous Resolution of Intent based upon Rezoning (Z-0107-00) application expired on 06/20/03. The Planning Commission recommended denial. Staff recommended approval.
- 05/05/04 The City Council accepted the Withdrawal Without Prejudice for a Special Use Permit (SUP-3980) application for a proposed mini-warehouse facility adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. The Planning Commission recommended denial. Staff Recommended approval.
- 05/05/04 The City Council accepted the Withdrawal Without Prejudice for a Site Development Plan Review (SDR-3979) application for a proposed mini-warehouse facility adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. The Planning Commission recommended denial. Staff Recommended approval.
- 10/07/04 The Planning Commission will also hear related items Special Use Permit (SUP-5065) and Vacation (VAC-5069) applications as part of this agenda.

B) Pre-Application Meeting

- 07/06/04 A pre-application conference was held resulting in the following comments:
1. Special Use Permit required for gasoline sales.
 2. The site will be required to comply with internal pedestrian standards, including ADA standards and internal walkways.

3. There is potential for a bus turnout.
4. Sidewalks need to connect to the public sidewalks.
5. Landscaping requirements were discussed.
6. Proper screening of loading areas will be required.
7. Lighting and wall restrictions were discussed.
8. Master Sign Plan will be required.
9. Vacation of Turkey Lane will be required.
10. Traffic and Drainage studies, as well as, all off-sites will be required.

C) Neighborhood Meetings

This application does not require a neighborhood meeting to be held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 35.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Clark County 215; Undeveloped
East: Undeveloped
West: Single-Family Residences; Undeveloped

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: ML (Medium-Low Density Residential); PF (Public Facilities)
South: ROW (Right-of-Way); ML (Medium-Low Density Residential);
SC (Service Commercial)
East: (City of North Las Vegas: Community Commercial)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates); C-V (Civic)
South: R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units per Acre); C-1 (Limited Commercial)
East: [City of North Las Vegas: C-2 (General Commercial)]
West: R-1 (Single-Family Residential); R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Sector Plan of the General Plan. The approved Rezoning to a C-1 (Limited Commercial) Zone is consistent with this land use 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	

Multi-Use Transportation Trail

A multi-use transportation trail will be constructed along the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

- 1) **A commercial or industrial facility generating more than 3,000 ADT**

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

- 1) **A commercial or industrial facility generating more than 6,250 ADT**

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) Collection System Planning has conditioned this project to provide a public sewer stub at the southwest corner of the development.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to make a decision on the proposal.

PROJECT DESCRIPTION

The subject site is to contain 365,700 square feet of retail/commercial, to be composed of four pad sites, a stand-alone retail shop, a stand-alone anchor store (Costco), as well as a large commercial strip that will hold five major businesses of a minimum size of 25,000 square feet, two shops and an additional retail space. Proposed uses within the site will include 337,700 square feet of retail, 20,000 square feet of restaurants (including one with drive-through), a 4,500 square-foot bank with drive-through, and 3,500 square feet of office use.

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	35 Acres	Yes
Min. Lot Width	100 Feet	1,200+ Feet	Yes
Min. Setbacks			
• Front	20 Feet	15 Feet	No*
• Side	10 Feet	38 Feet	Yes
• Corner	15 Feet	15 Feet	Yes
• Rear	20 Feet	75 Feet	Yes
Max. Lot Coverage	50 %	24 %	Yes
Max. Building Height	None	48 Feet	Yes
Trash Enclosure	Screened w / 6-foot masonry wall and roofed	Screened w / 8½-foot painted plaster wall and roofed	Yes
Loading Zone	Screened and located away from public view	Screened and located at the rear of building	Yes
Mech. Equipment	Screened	Screened	Yes

*The proposed building setback is 15 feet where 20 feet is required. The applicant has requested a waiver from the Commercial Development Standards.

The proposed development meets or exceeds all of the development standards, with the exception of the proposed 15-foot front setback where 20 feet is required. For the application to be in compliance with Title 19.08 a waiver has to be granted for the before mentioned design standard.

A2) Residential Adjacency Standards

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

a) Proximity slope.

The proposed one-story, 30½-foot Costco is setback approximately 143 feet from the west property line of the residentially zoned tract on the east side of Thom Boulevard. At this distance a 3:1 slope would intersect a building at a height of 47.6 feet. The proposed 30½-foot building falls below the proximity slope, and therefore meets Residential Adjacency Standards. The proposed development exceeds the necessary requirements.

b) Building setback.

The proposed Costco is setback approximately 143 feet from the west property line of the residentially zoned tract on the east side of Thom Boulevard.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store, Other Than Listed (25,000 SF. or Greater) (COSTCO)	148,000 SF.	1 Space / 250 SF. GFA	592	12	592	12
General Retail Store, Other Than Listed (25,000 SF. or Greater)	189,700 SF.	1 Space / 250 SF. GFA	759	16	759	16

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October 7, 2004 Planning Commission Meeting

Restaurant	17,000 SF.	1 space / 50 SF. GFA of public seating and waiting area plus 1 space / 200 GFA of remaining area	To Be Determined	TBD	169	6
Restaurant with Drive-Through/Drive Up Facilities)	3,000 SF.	1 space / 100 SF. of GFA, including outdoor seating area, plus one lane for each drive up window with stacking space for six.	To Be Determined	TBD	31	2
Financial Institution	4,500 SF.	1 Space / 200 SF. of GFA, plus one lane for each drive up window and/or automatic teller machine with staking for six	23	1	23	1
Office, Other Than Listed	3,500 SF.	1 space / 300 SF.	12	1	12	1

The proposed site has a total of 2,040 parking spaces available, including 48 handicap parking spaces. Because the site is in a conceptual stage and a floor plan has been finalized only for Costco (Major A), a Condition of Approval has been included as part of this application to require a parking analysis to be submitted with any building permits for a Certificate of Occupancy. The striping of the handicap parking spaces is not in compliance with design requirements from the 1992 CABO / ANSI A117.1, Section 4.6, and the City of Las Vegas Planning Department, Title 19, Chapter 19.10 G3a and will require a revised site plan with a subsequent adjusted parking analysis.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	340 Trees	360
Buffer:			
• Min. Trees	1 Tree / 20 Linear Feet + 1	223 Trees	226
• Min. Zone Width	8 Feet		5-15 Feet*
• Wall height	8 Feet		6 Feet

*The proposed landscaping plan exceeds the number of trees required by Title 19.12, but fails to maintain a constant perimeter landscaping depth therefore, the application will require a waiver from perimeter landscaping requirements to be in conformity with Title 19.12.

A six-foot perimeter screen wall is proposed along part of Rome Boulevard along the northwest corner of the site and the full length of Thom Boulevard. Since the trash compactors are located along the northern elevation of Major A (Costco), it is recommended that the wall height be increased to the full eight feet to further mitigate noise pollution.

A5) Sign Standards

A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

B) General Analysis and Discussion

• Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. It is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

• Site Plan

The proposed anchor store, aka Major A (Costco), is located on the north west corner of the site and has access from Rome Boulevard and via internal drive aisles accessed from Decatur Boulevard. A drive through restaurant, as well as a bank with a drive through, front on Decatur Boulevard. Additionally, a gas pump service station is proposed on the northeast section of the site with access from Rome Boulevard. The proposed controller enclosure for the service station is located on the edge of the 15-foot landscape buffer along Rome Boulevard. The enclosure itself is not problematic, but the mechanical equipment located to the north of the enclosure is

PL

due to the fact that it encroaches into the required 15-foot landscape buffer. Therefore the application has been conditioned to have a revised site plan submitted with the relocation of the proposed mechanical equipment to be located outside of the 15-foot landscape buffer.

The proposed site plan will conform to the requirements of the code with the approval of waivers from the Commercial Development Standards for required perimeter landscaping and six-foot foundation landscaping buffer requirements, as well as building placement and building front setbacks. The proposed development and waivers are acceptable, as it does not compromise the integrity of community.

- **Waivers**

A waiver of the required perimeter landscaping and six-foot foundation landscaping buffer requirement, as well as building placement and building front setback of the Commercial Development Standards have been requested. The requested waivers are acceptable, for the following reasons:

- 1) The number of trees in the perimeter and parking lot exceed the number required by the standards.
- 2) The minimum buffer width is 8 feet; the proposed buffer zone meanders from 5 to 15 feet, which will provide adequate landscaping and meets the intent of the Code.

- **Landscape Plan**

A six-foot perimeter screen wall is proposed along part of Rome Boulevard along the northwest corner of the site and the full length of Thom Boulevard. Since the trash compactors are located along the northern elevation of Major A (Costco), it is recommended that the wall height be increased to the full eight feet to further mitigate noise pollution. A condition has been added to reflect the above mentioned recommendation.

- **Elevation**

Major A (Costco) is approximately 31 feet in height and to be adorned with pre-cast concrete walls with red accent stripes skirted by a textured base. The exterior walls of the building also include the use of ribbed metal siding to be used on and around the entrances of the building. The use of metal exterior is not a preferred material as defined by Title 19.08.045 F2a, therefore the application will be conditioned to have the elevations revised to include the use of a preferred material as defined by Title 19. The elevations also depict the use of stone veneer on columns.

The stand alone Pads A, Shop 3 and the commercial strip center composed of five major stores of a minimum size of 25,000 square feet each, two shops and an additional retail space will utilize scaling components as well as the recessing of building sections as an attempt to divide building mass into smaller parts. The exterior of the building will utilize a combination of plaster finish, stone veneer, and flat clay tiles to produce an architecturally compatible elevation. The building has a cornice that caps the entire building and finishes the roofline nicely. A note of concern regarding the western elevation is the potential for light pollution to spill into the residentially zoned tract on the east side of Thom Boulevard.

No elevations were submitted for both Pad B and C due to the fact that one is to be a drive through restaurant and the other is to be a bank, respectively.

- Floor Plan

Only the floor plan for building Major A (Costco) was submitted with this application. The rest of the site is speculative and therefore will be determined through future tenant improvements.

FINDINGS

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

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

The proposed Retail Center is within the range of allowable uses in a SC (Service Commercial) designated parcel of the Centennial Hills Sector Land Use Plan. The proposed development and uses can be operated in a manner that is compatible with the existing and future land uses in the vicinity of this site.

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

With the inclusion of the proposed Conditions of Approval and Waiver request, the development will be consistent with the General Plan, Title 19 and the Design Standards Manual, the Landscape, Wall and Buffer Standards.

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

Access is provided via three drives from Rome Boulevard, a 60-foot residential collector, and from Decatur Boulevard, a Primary (120-foot) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed use and will not negatively impact neighborhood traffic.

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

The proposed building is an aesthetically appropriate structure for a Costco and retail/commercial strip center and landscape materials as proposed are appropriate for this project.

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

The building elevations and design characteristics of the proposed Costco will be well suited for a Retail building, once the elevations are revised to remove the ribbed metal siding from the exterior faces of the building. The proposal exceeds residential adjacency standards, and all trash enclosures and mechanical equipment will be screened from view.

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

The subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare. The proposed development will also be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 83 – Mailed with SUP-5065

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: Amanda L. Flangas

Name of Applicant: Shadow Mountain Marketplace, LLC, a Nevada Limited Liability Co.

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

Yes

~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

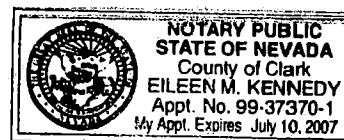
Signature of Property Owner/Authorized Agent: Armondo L. Hays

Print Name: Amanda L. Flangas

Subscribed and sworn before me

This 17th day of June, 2004

Ed M. Kennedy
Notary Public in and for said County and State





Case Number: 8DR-5050 APN: 125-24-802-(007,

Name of Property Owner: w/m Living Trust

Name of Applicant: Shadow Mountain Marketplace, LLC, a Nevada Limited Liability Co.

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

Yes

☒ 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: _____

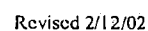
Signature of Property Owner/Authorized Agent: William J. J. J. J.

Print Name: William G. Flangas, Trustee

Subscribed and sworn before me

This 17th day of June, 2004

Eileen M. Kennedy
Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: George Filios Trust R-501

Name of Applicant: Shadow Mountain Marketplace, LLC, a Nevada Limited Liability Co.

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

Yes

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: _____

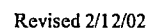
Signature of Property Owner/Authorized Agent:

Print Name: George Filios, Trustee

Subscribed and sworn before me

This 17th day of June, 2004

Eli M. Kennedy
Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: F & F, a Nevada Partnership

Name of Applicant: Shadow Mountain Marketplace, LLC, a Nevada Limited Liability Co.

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

Yes

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: _____

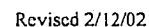
Signature of Property Owner/Authorized Agent:

Print Name: Albert Flangas, General Partner

Subscribed and sworn before me

This 17th day of June, 2004

Ellen M. Kennedy
Notary Public in and for said County and State



CONSULTANTS

ARCHITECTS (Except Costco)
ARCHITECTS (Costco Only)
CIVIL ENGINEER
LANDSCAPE ARCHITECT

MADEL ARCHITECTS, INC.
7180 INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV. 89118
T:702.896.2000 F:702.896.7170

MULVANNY ARCHITECTURE
1110 112TH AVE., SUITE 500
BELLEVUE, WA. 98004
T:425.463.2000 F:425.463.2002

G.C.WALLACE, INC.
1555 S. RAINBOW BLVD.
LAS VEGAS, NV. 89146
T:702.804.2000 F:702.896.2299

SOUTHWICK LANDSCAPE ARCHITECTS
6342 McLEOD DR., SUITE 3
LAS VEGAS, NV. 89120
T:702.597.3108 F:702.597.3177

Summary

Land ±35.0 AC ±1,524,843 SF
Building 365,700 SF
Land-to-Bldg Ratio 3.17/1
Coverage 24.0%

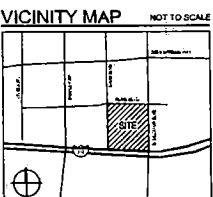
Parking Required

Retail: (337,700 sf @ 1/250) 1,351 stalls
Rest: (20,000 sf @ 1/100) 200 stalls
Bank: (4,500 sf @ 1/200) 23 stalls
Office: (3,500 sf @ 1/300) 12 stalls

Total Parking Required 1,586 stalls

Parking Provided

Standard 1,762 stalls
Compact 194 stalls (10%)
Handicap Provided 48 stalls
Handicap Required 20 + 1/100 stalls req'd) 36 stalls
Parking Ratio 5.58/1000



ALL BUILDINGS, IMPROVEMENTS, TRUCK OCCUPANCY AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNER'S DISCRETION WITHOUT NOTICE. THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION PROVIDED TO MADEL ARCHITECTS INC. AND IS SUBJECT TO VERIFICATION BY LEGAL SURVEY AND GOVERNING AGENCIES ETC. THIS DOCUMENT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

DATE: AUG. 4, 2004
MAD: J028: 04-077

7180 INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV. 89118
T:702.896.2000 F:702.896.7170
WWW.MADARCHITECTS.COM



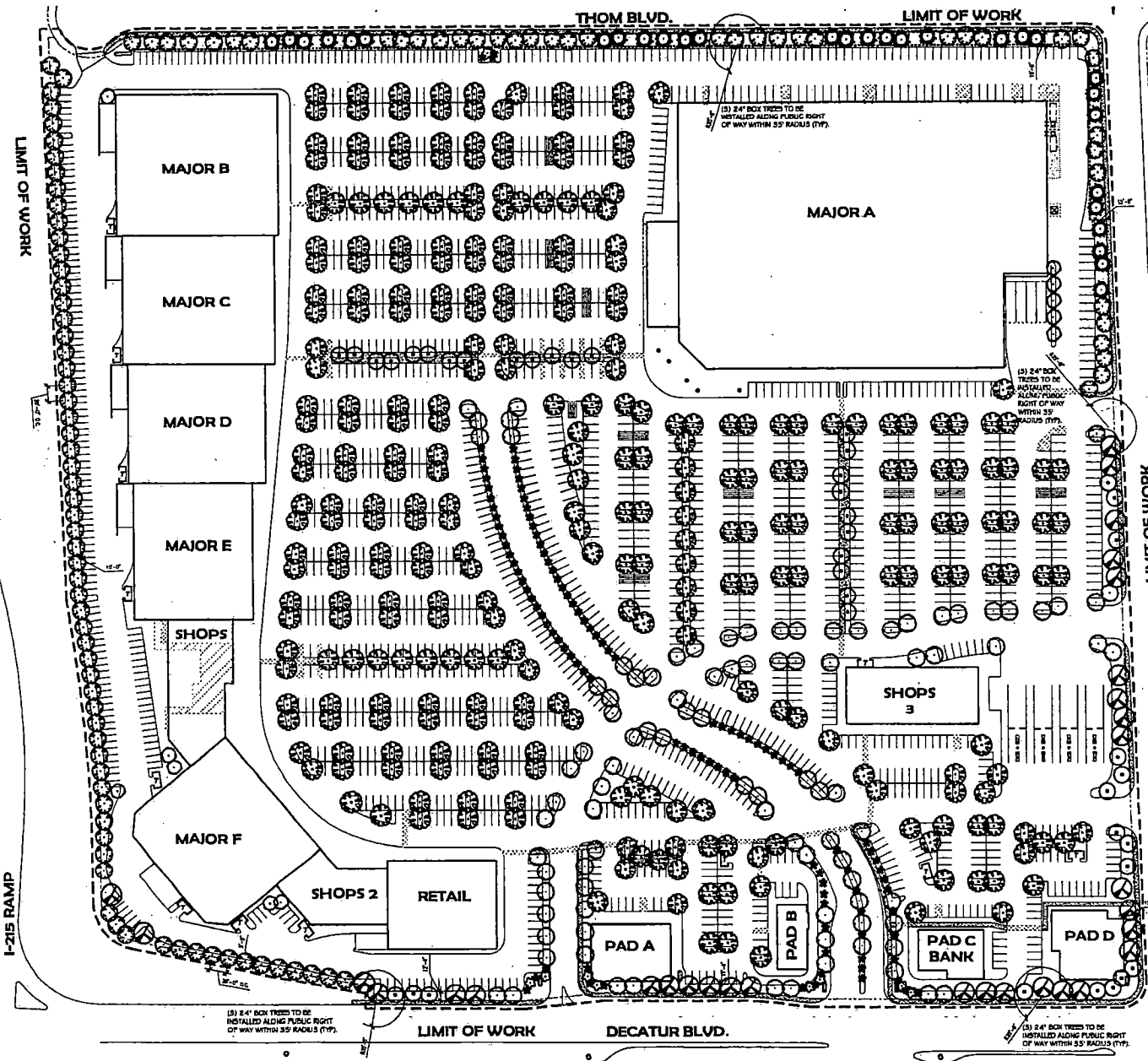
SITE DEVELOPMENT PLAN

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NV.

Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

SUP-5065
SDR-5050

10-07-04 PC



PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QTY.	SPACING
○	PIRUS KANAKAWAE EVERGREEN PEAR	24\" BOX	40	20' O.C.
⊗	PISTACIA X RED PUPPY RED PUPPY CHINESE PISTACHIO - STD.	24\" BOX	311	20' O.C.
○	BAUHANIA DORRISTIA ANACARDIO OREGON TREE - MULTI	24\" BOX	0	15' O.C.
⊗	FRAXINUS VELUTINA TWO GRANDE PINK DAWN CHITALPA - STD.	24\" BOX	31	20' O.C.
⊗	FRAXINUS OXYCARPA RAYWOOD RAYWOOD ASH - STD.	24\" BOX	107	20' O.C.
○	CHITALPA TASHIANTHUS PINK DAWN PINK DAWN CHITALPA - STD.	24\" BOX	96	20' O.C.
⊗	PIRUS ELIDARICA MONDEL PINE - STD.	24\" BOX	30	20' O.C.
○	ACACIA STENOXYLLA SHOE-STRING ACACIA - STD.	24\" BOX	11	20' O.C.
○	SOPHORA SECUNDIFLORA VESCAL BEAN - MULTI	24\" BOX	0	15' O.C.
⊗	PHYENIX DACTYLHETERA DATE PALM - DIAMOND CUT	25\" BTH	9	20' O.C.
★	WASHINGTONIA ROBUSTA MEXICAN FAN PALM - SKIRMED	1.0' BTH	110	12' O.C.

SUGGESTED SHRUB LEGEND

BOTANICAL NAME/COMMON NAME	SIZE	BOTANICAL NAME/COMMON NAME	SIZE
CHAMADORSI HUMULUS MEXICAN FAN PALM	15 GAL.	ORTUS VEGETA PORTWINE LEE	5 GAL.
CASAPALMA FLACHSBERNA RED BIRD OF PARADISE	5 GAL.	HEPERALDE FANFLORA RED HEPERALDE	5 GAL.
CHRYSANTHEMUM MEXICANA DIAMANTIA	5 GAL.	YUCCA RECURVIFOLIA PINK GLOVE MALLOW	5 GAL.
COTONEASTER GLAUCOPHYLLUS SAINT-REAG COTONEASTER	5 GAL.	POINSETTIA PARRA PARRA'S POINSETTIA	1 GAL.
DALEA PRUTENSIS SERRA MOSA BLACK DALEA	5 GAL.	MULLENBERGIA CAPILLARIS REGAL MIST REGAL MIST DIER DAVID	5 GAL.
LEUCOPHYLLUM LARGENTATUM CHRISTMAS SAGE	5 GAL.	DALEA CAPTATA SERRA GOLD SERRA GOLD DALEA	5 GAL.
HEMEROCALLIS LITTLE RED DWARF RED CLEMATIS	5 GAL.	ROSMARINUS OFFICINALIS PROSTRATUS PROSTRATE ROSEMARY	5 GAL.
RAPHANISTRUM INDICA JACK EVANS JACK EVANS HAWTHORN	5 GAL.	TEUCORIUM CHAMADORSI GERMANIC	5 GAL.
SALVIA X TRENT TRENT SAGE	5 GAL.	TRACHELOSPERMUM JASMINOIDES STAR JASMINE	5 GAL.
SPHONALICCA AMIGDUA PIPAGO PINE PINK GLOVE MALLOW	5 GAL.	HYMENOCYSS ACHALIS ANGUSTIA SHADY	1 GAL.
AGAVE VESICARIA OCTOPUS AGAVE	5 GAL.	MACTADRYNA LINDLEY-CATI CATI'S CLAY VINE	5 GAL.

NOTES:

- 1) DECOMPOSED GRANITE (DGI) - INSTALL A 2\"/>

OWNER:

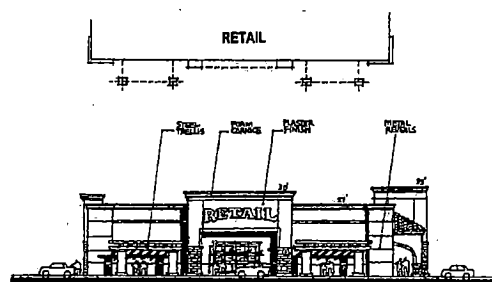
Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, CA 93111
805.967.6040

SUP-5065
SDR-5050
10-07-04 PC

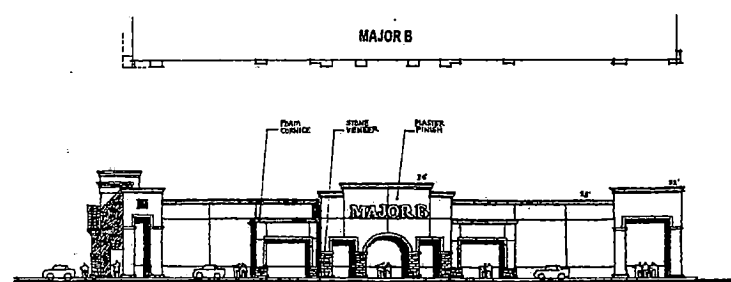
**SOUTHWICK
LANDSCAPE
ARCHITECTS**
6362 McLeod Drive
Suite 3
Las Vegas, NV 89120
Phone: 702.597.3708
Fax: 702.597.8977
STAMP

**SHADOW MOUNTAIN
MARKETPLACE**
DECATUR AND ROME
LAS VEGAS, NEVADA

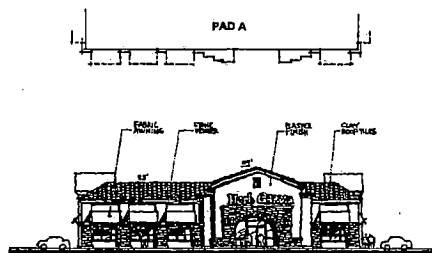
**PLANTING
PLAN**
DRAWN BY: JAR
REVIEWED BY: JAR
DATE: AUGUST 16, 2004
PROJECT NO.: 04-040
SHEET: **L1.00**



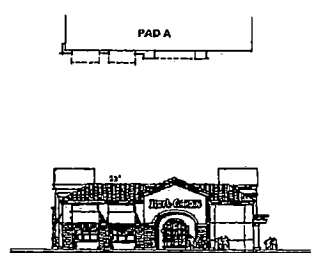
NORTH ELEVATION



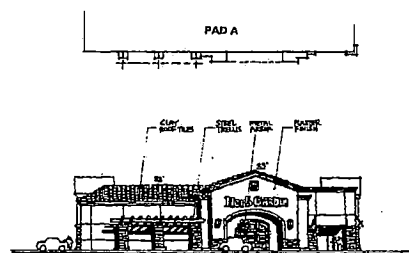
WEST ELEVATION (FACING THOM BLVD.)



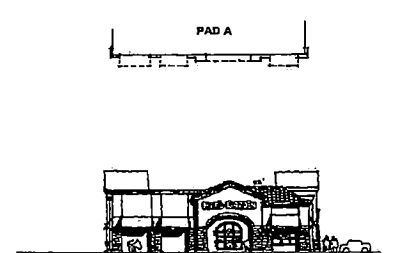
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION (FACING DECATUR BLVD.)



NORTH ELEVATION

ELEVATIONS

SCALE 1/16"=1'-0"

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

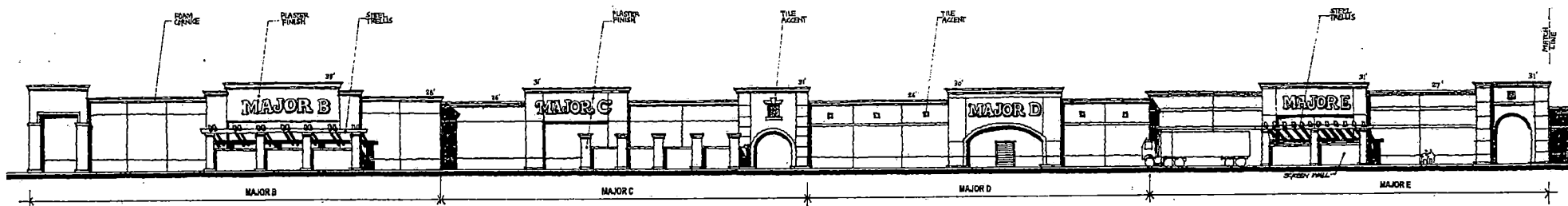
SUP-5065
SDR-5050
10-07-04 PC

DATE: 10/07/04
DRAWN: JCM

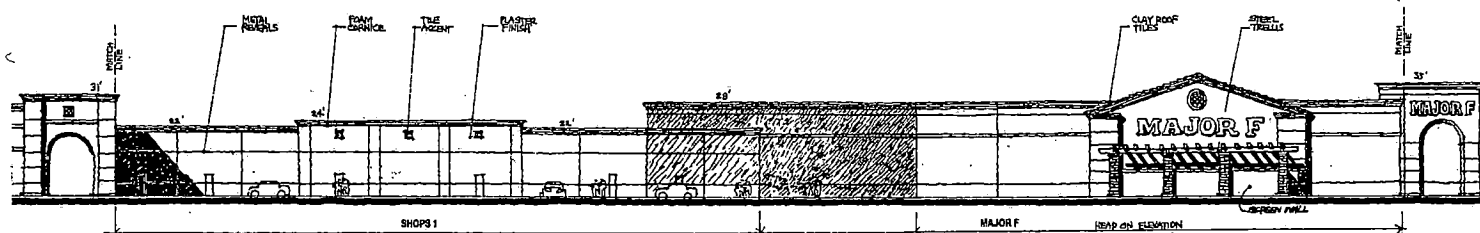
PROJECT NO. 5004
REVISED: 10/07/04
BY: JCM

7180 S. INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV 89118
TEL: (702) 735-1111 FAX: (702) 735-1119
WWW.HANDLARC.COM

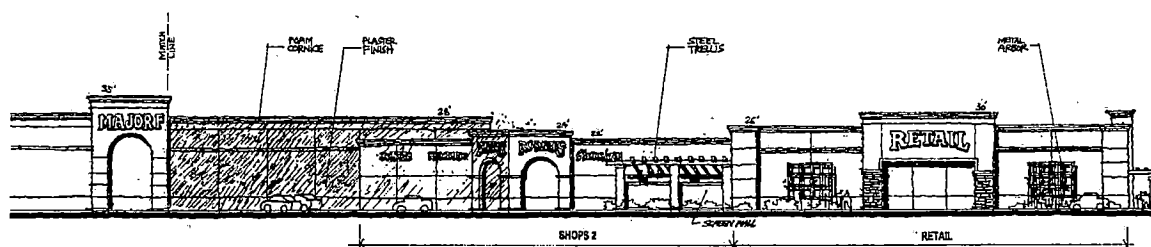
Handlarc Architects Inc



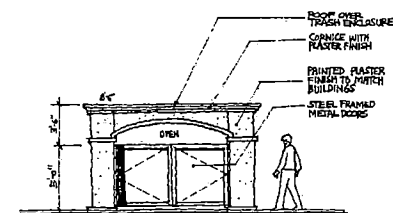
SOUTH ELEVATION (FACING FREEWAY)



SOUTH ELEVATION (CONTINUATION)



EAST ELEVATION (FACING DECATUR BLVD.)



**TYPICAL TRASH ENCLOSURE
SCALE 1/8"=1'-0"**

ELEVATIONS

SCALE 1/16"=1'-0"

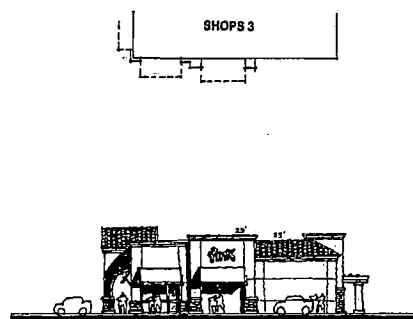
**SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA**

**SUP-5065
SDR-5050
10-07-04 PC**

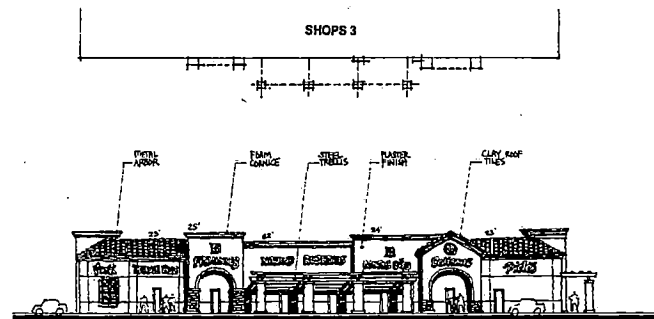
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

DATE: AUGUST 10, 2004
NADL/JCM: 04-077
7180 S. INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV 89118
702.896.3000 F702.896.7170
WWW.NADELARC.COM

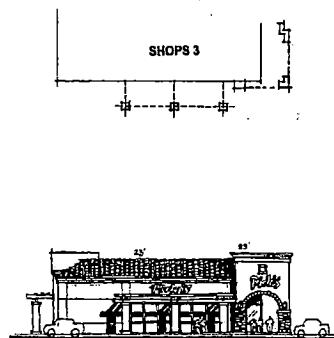
Nadel Architects Inc



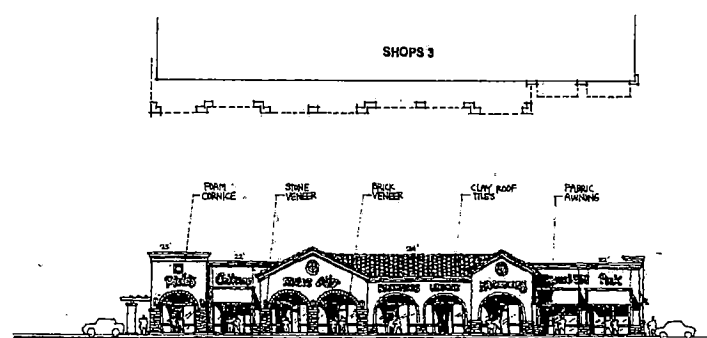
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

ELEVATIONS

SCALE 1/16"=1'-0"

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

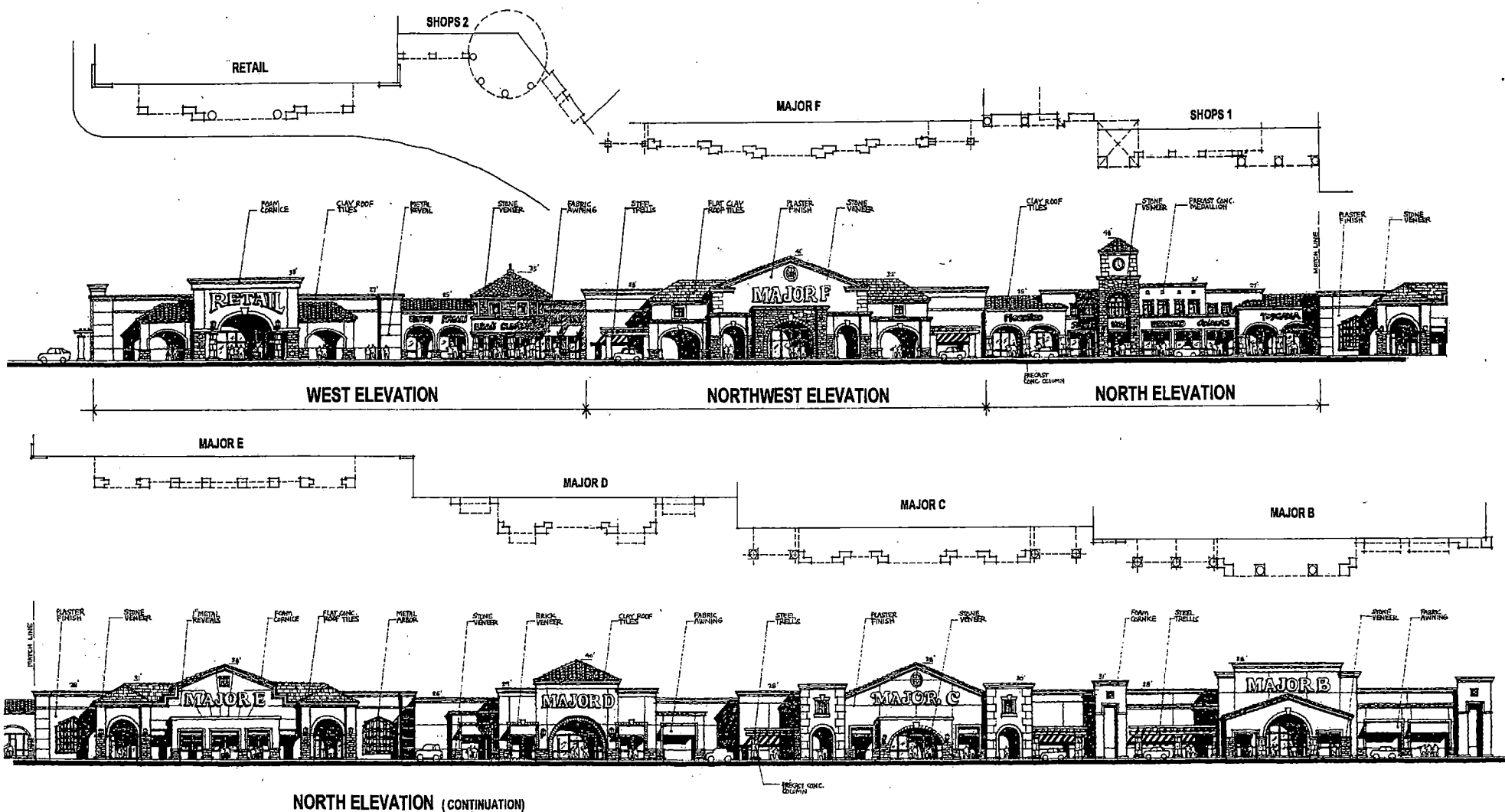
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

SUP-5065
SDR-5050
10-07-04 PC

DATE: AUGUST 18, 2004
NADL 1006: JULY 23, 2004
04-077

7180 S. INDUSTRIAL RD. SUITE 800
LAS VEGAS, NV 89118
702.894.2800 702.894.7170
WWW.NADELARC.COM

Nadel Architects Inc



ELEVATIONS

SCALE 1/16"=1'-0"

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

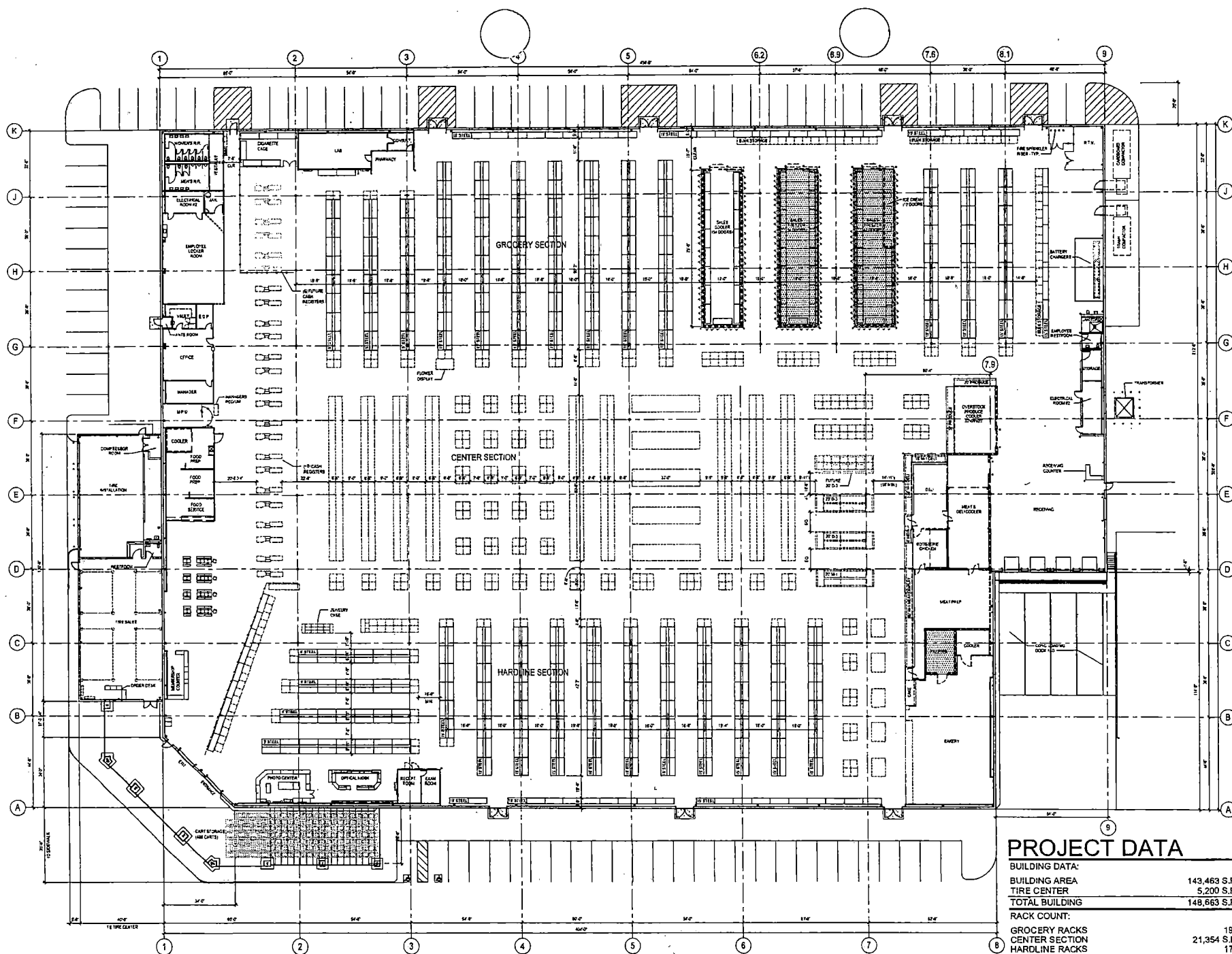
SUP-5065
SDR-5050
10-07-04 PC

Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

DATE: AUGUST 16, 2004
HADEL JOB#: 04-077

7180 S. INDUSTRIAL RD. SUITE 800
LAS VEGAS, NV 89118
1.702.896.3800 F.702.896.7170
WWW.HADELARC.COM

Hadel Architects Inc



RECEIVED
AUG 23 2004



PROJECT DATA

BUILDING DATA:	
BUILDING AREA	143,463 S.F.
TIRE CENTER	5,200 S.F.
TOTAL BUILDING	148,663 S.F.
RACK COUNT:	
GROCERY RACKS	194
CENTER SECTION	21,354 S.F.
HARDLINE RACKS	172

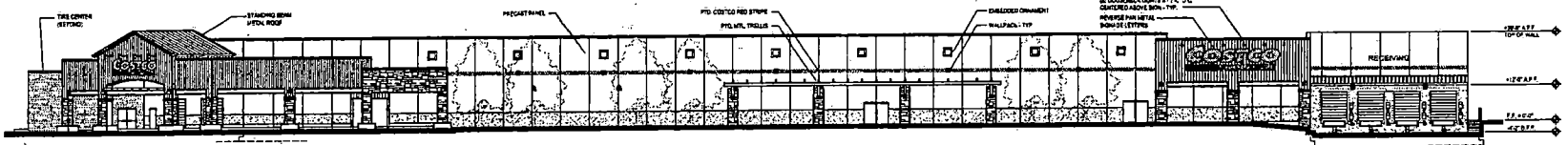
04-1126-01
JUNE 18, 2004
PRELIMINARY
FLOOR PLAN

DD2.1-01

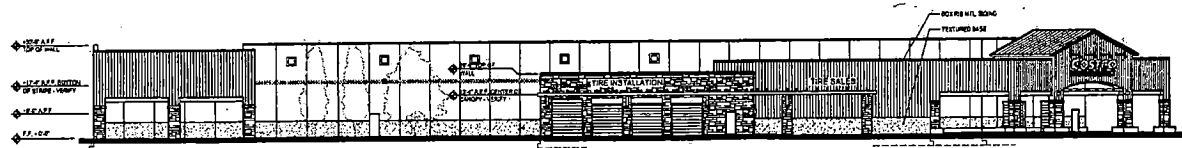
COSTCO WHOLESALE
LAS VEGAS, NEVADA

SUP-5065
SDR-5050
10-07-04 PC

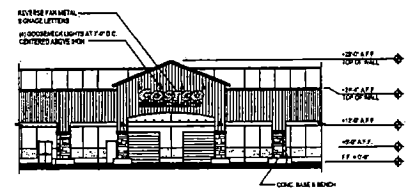
PRELIMINARY FLOOR PLAN
JUNE 18, 2004



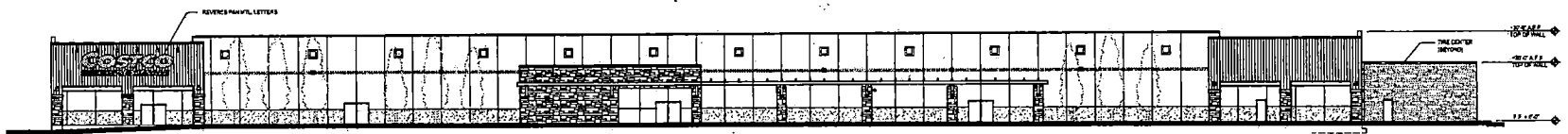
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SCALE: 1/16" = 1'-0"



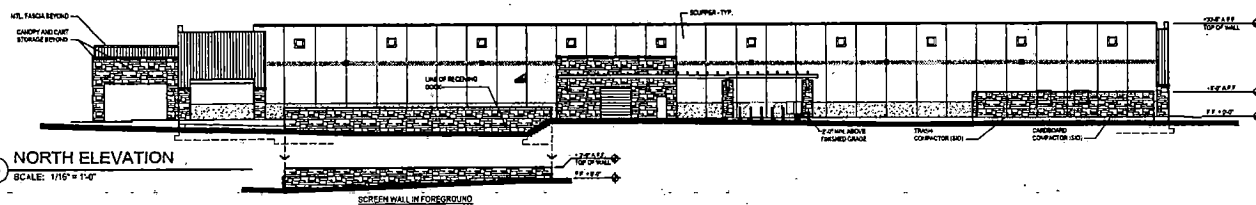
② SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



③ ENTRANCE ELEVATION
SCALE: 1/16" = 1'-0"

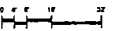


④ WEST ELEVATION
SCALE: 1/16" = 1'-0"



⑤ NORTH ELEVATION
SCALE: 1/16" = 1'-0"

RECEIVED
AUG 23 REC'D



COSTCO
WHOLESALE

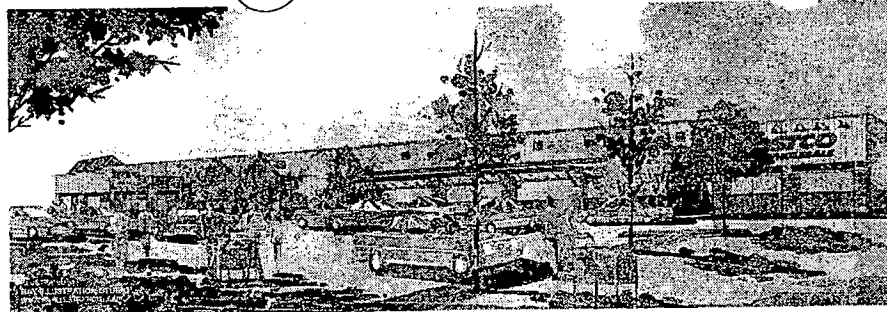
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LAS VEGAS, NEVADA

SUP-5065
SDR-5050
10-07-04 PC

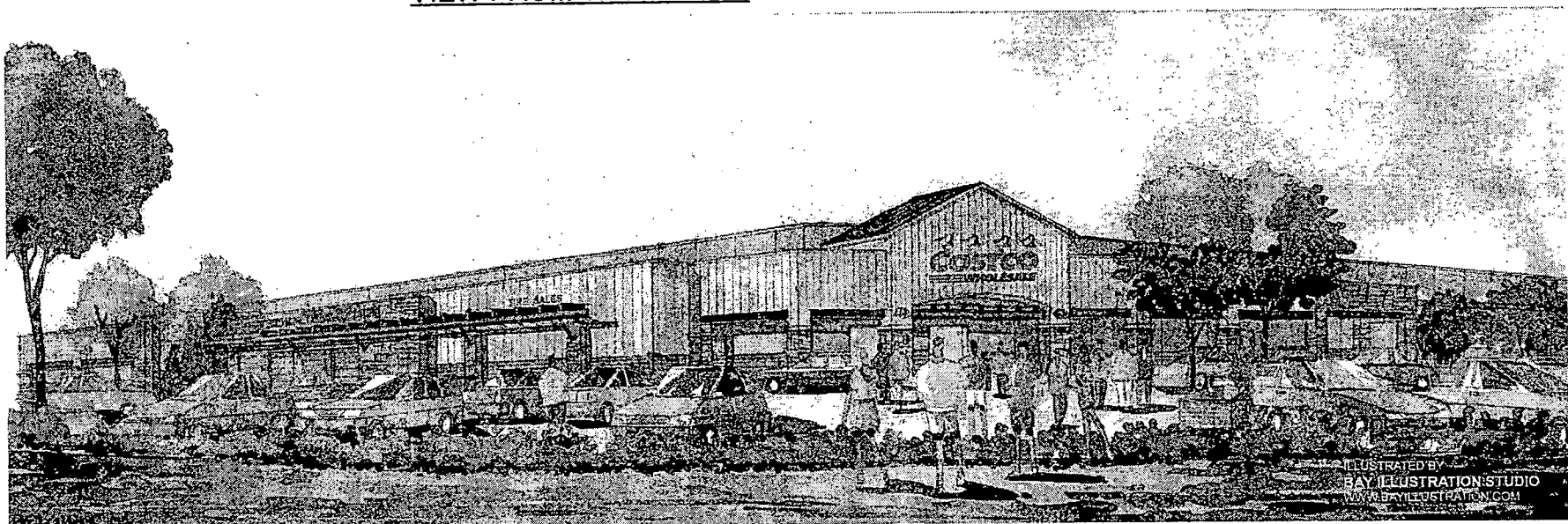
CONCEPT ELEVATIONS
JULY 26, 2004

04-1126-01
JULY 26, 2004
CONCEPT
ELEVATIONS

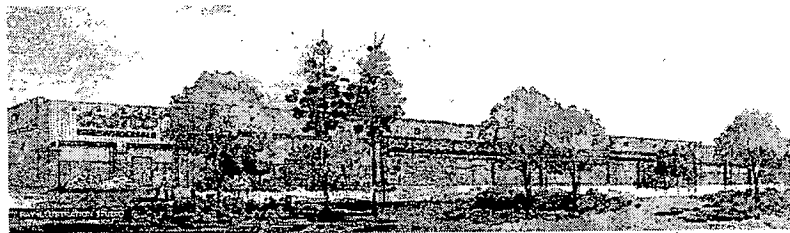
DD3.1-01



VIEW FROM THOM BLVD.



VIEW OF MAIN ENTRY CANOPY



VIEW FROM INTERSECTION OF THOM BLVD. & ROME BLVD.



VIEW OF GAS STATION

COSTCO WHOLESALE
LAS VEGAS, NEVADA

SUP-5065
SDR-5050
10-07-04 PC

PERSPECTIVE SKETCHES

AUGUST 9, 2004

Costco
WHOLESALE
LAS VEGAS, NV

INTERSECTION OF DECATUR BLVD.
& INTERSTATE 215

MULVANNY G2

1110 110TH AVE. NE | SUITE 200
BELLEVUE, WA | 98004
1-800-451-1000

04-1128-01
AUGUST 9, 2004
PERSPECTIVE
SKETCHES



SDR-5050 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHADOW
MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: GEORGE FILIOS TRUST R-501
SOUTHWEST CORNER OF DECATUR BOULEVARD AND ROME BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5112 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW STUDIOS, LLC - OWNER: 1ST RAINBOW, LLC - Request for a Special Use Permit FOR A PROPOSED 12-STORY MIXED-USE DEVELOPMENT at 116 South 1st Street (APN 139-34-111-040), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

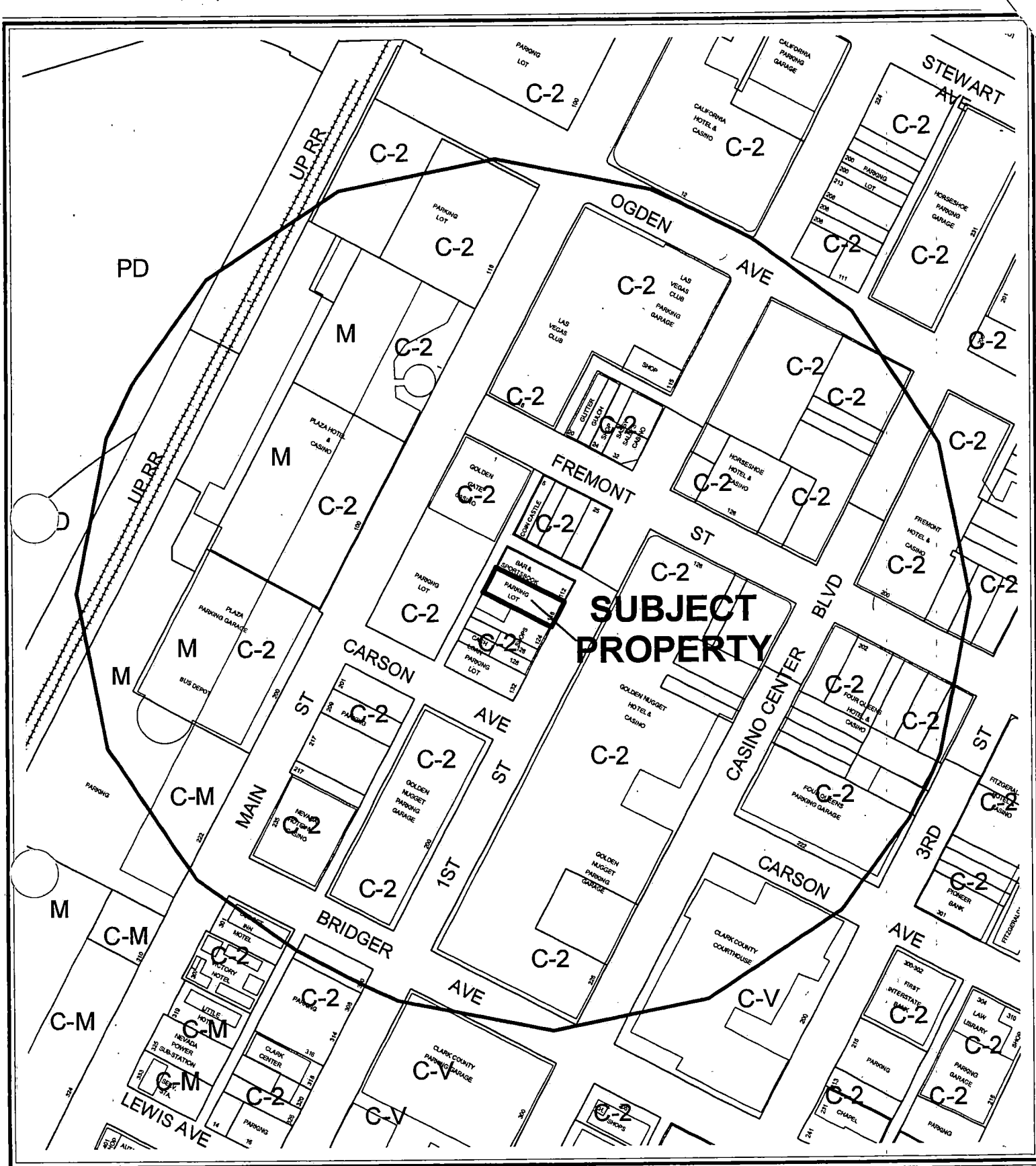
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5081], Item 21 [GPA-5075], Item 22 [ZON-5076], Item 24 [SDR-5077] and Item 63 [TMP-5023] to 10/21/2004 Planning Commission meeting; Item 31 [GPA-5102], Item 58 [SUP-5112] and Item 59 [SDR-5116] to 11/04/2004 Planning Commission meeting; STRIKE Item 23 [SUP-5078] and TABLE Item 36 [GPA-5123] and Item 37 [ZON-5128] – UNANIMOUS

MINUTES:

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

(6:09 – 6:10)

1-265



CASE: SUP-5112

RADIUS: 750 FT

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



0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5112 - SPECIAL USE PERMIT - PUBLIC HEARING -

APPLICANT: RAINBOW STUDIOS, LLC - OWNER: 1ST RAINBOW, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5116).
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 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 0.16 acres at 116 South First Street.

B) Applicant's Justification

The applicant states that the use is appropriate for the area and will contribute a world-class building to the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify the property, including the subject parcels, in the are 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).

10/07/04 The Planning Commission will hear a related Site Development Plan Review (SDR-5116) as part of this agenda.

B) Pre-Application Meeting

08/04/04 At the pre-application conference, issues were discussed relative to the vertical encroachment over the public right-of-way, the location of the garage entry, the building setbacks, the glazing requirements, and the requirement for utilities to be placed underground in the alley.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

B) Existing Land Use

Subject Property: Parking Lot Use
North: Vacant
South: Financial Institution, Specified; Retail Use
East: Gaming Use, Hotel Use
West: Parking Lot Use

C) Planned Land Use

Subject Property: C (Commercial Use)
North: C (Commercial Use)
South: C (Commercial Use)
East: C (Commercial Use)
West: C (Commercial Use)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: 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 Commercial land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Downtown Casino Overlay District	X	
Trails		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 Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The property is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The district is home to the historic and classic Las Vegas casinos of "Glitter Gulch," and it is intended to retain and enhance these facilities, while diversifying the commercial offerings and protecting the existing public facilities. The proposed use will reinforce the viability of the downtown area by adding affluent residents to support area businesses and entertainment.

Downtown Casino Overlay District

The subject property is located within the Downtown Casino Overlay District, which sets forth sign requirements and establishes a committee to review signage for the district.

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			
• 2 Bedroom	8 units		
Commercial	350 SF		
Total:		16	1

A total of 16 spaces are proposed for the interior garage; the applicant intends to use a car-lift system, which will permit eight spaces at grade, with accommodation for another eight vehicles on hydraulic lifts directly above. Several of the parking spaces may not have a full 24 feet of maneuvering room as required by Code, and may need to be reconfigured.

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

B) General Analysis and Discussion

• Zoning

The proposed commercial use is permitted by right in the C-2 (General Commercial) District, and the residential component is permitted upon approval of a Special Use Permit. 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 of 8 residential units and 350 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 structure 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 in the urban core 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 50 units per acre, which is appropriate for an urban site. The site has adequate pedestrian and vehicular access.

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 development will utilize both First Street and the alley to the west for vehicular access and circulation. Both facilities are adequate for the amount of traffic that will be generated by the proposed uses.

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 55 – Mailed with SDR-5116

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5112 APN: 139-34-111-040

Name of Property Owner: 1st Rainbow, LLC

Name of Applicant: Rainbow Studios, LLC

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: _____

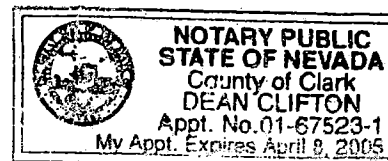
Signature of Property Owner/Authorized Agent: Kerth Wagner

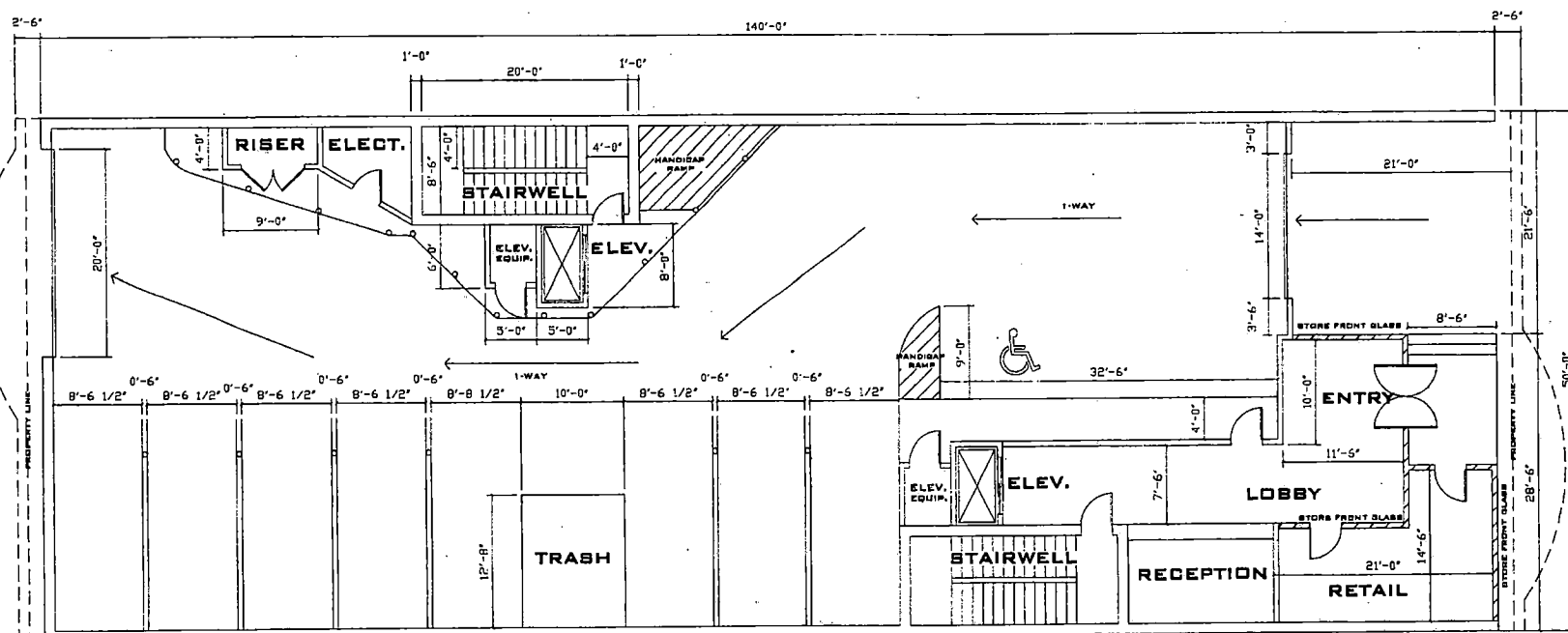
Print Name: Kenneth Wolfson

Subscribed and sworn before me

This 18 day of August, 2004

Notary Public in and for said County and State





GROUND FLOOR

**SUP-5112
SDR-5116
10-07-04 PC**

**RECEIVED
AUG 24 REC'D**

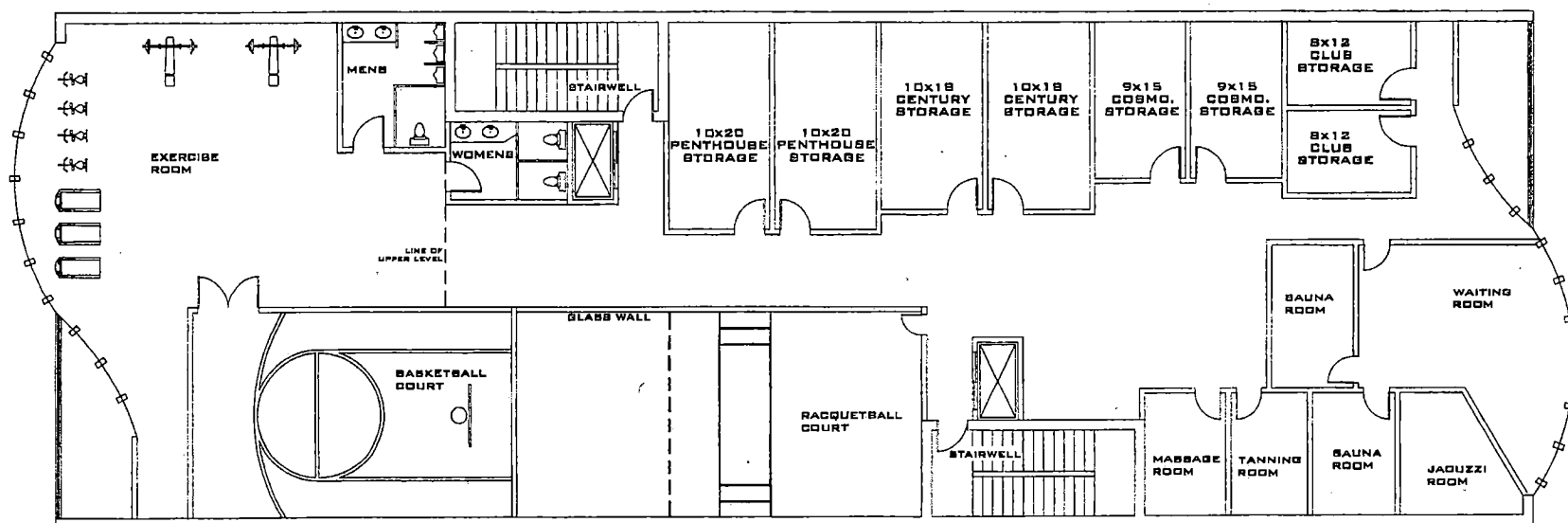
3/16" = 1'-0"

OWNER
1 ST. RAINBOW LLC

**GARAGE PLAN
GROUND FLOOR**
DATE: AUGUST 13, 2004

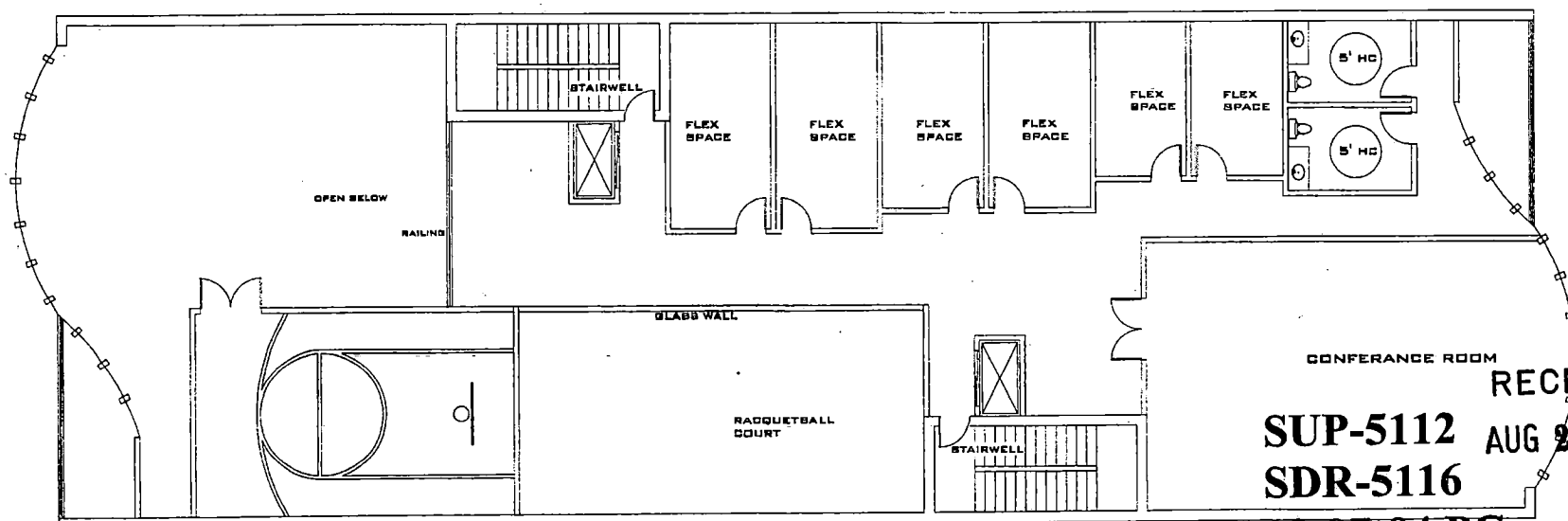
WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

3 of 14 Sheets



LEVEL ONE

EXERCISE/STORAGE



LEVEL TWO

RECEIVED
SUP-5112 AUG 24 REC'D
SDR-5116
10-07-04 PC

3/16" = 1'0"

OWNER
1 ST. RAINBOW LLC

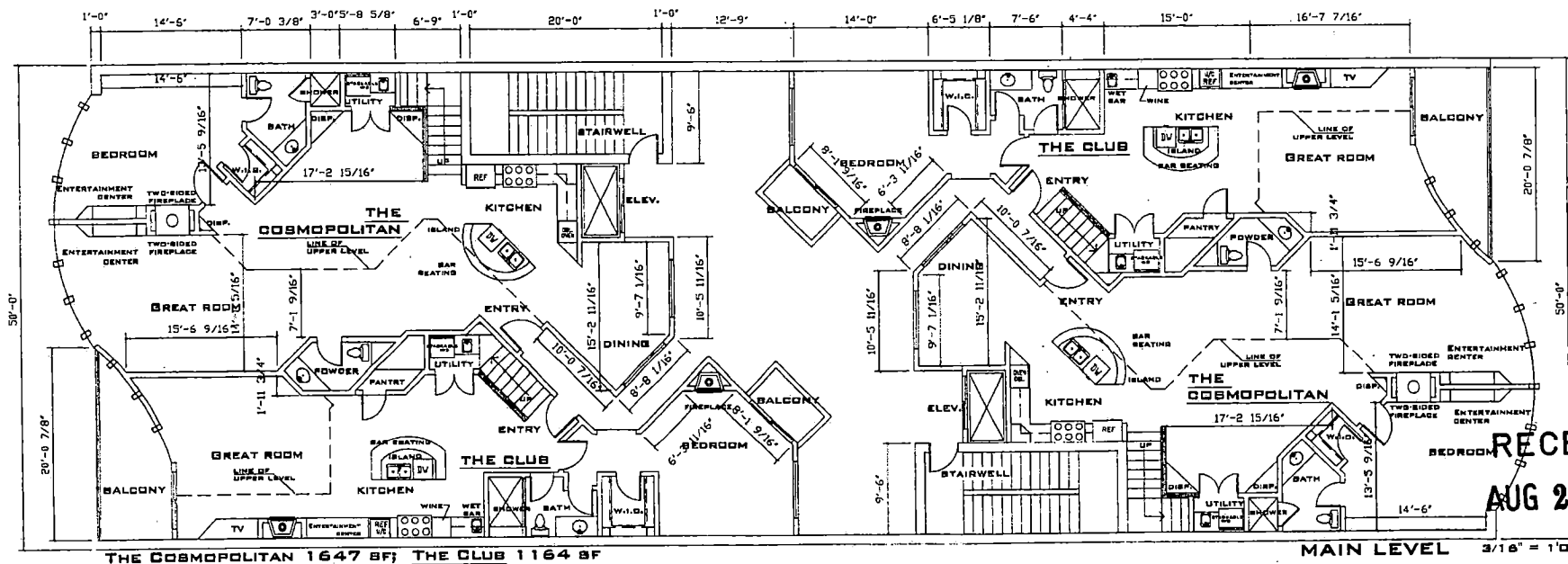
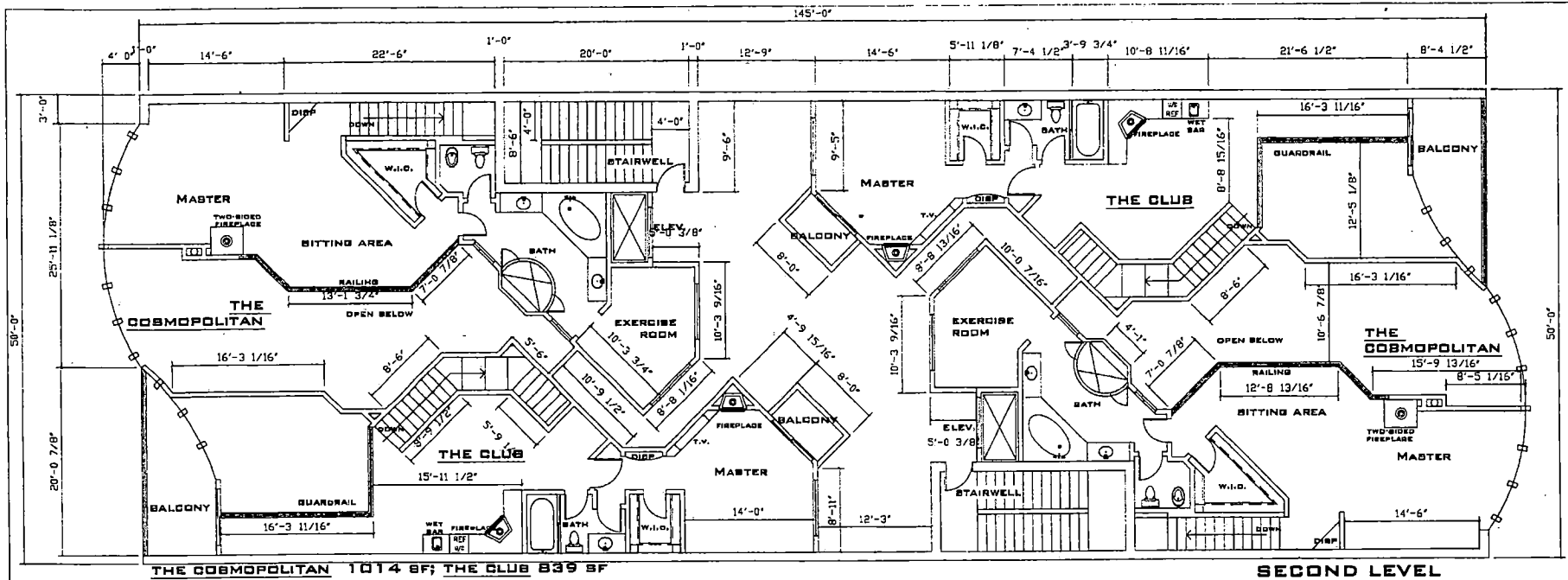
**BUILDING PLAN
 SECOND FLOOR**

DATE: AUGUST 13, 2004

WOLFSON LOFTS
 116 S. 1ST. STREET
 LAS VEGAS, NV. 89101

4 of 14 Sheets

SUP-5112
SDR-5116
10-07-04 PC



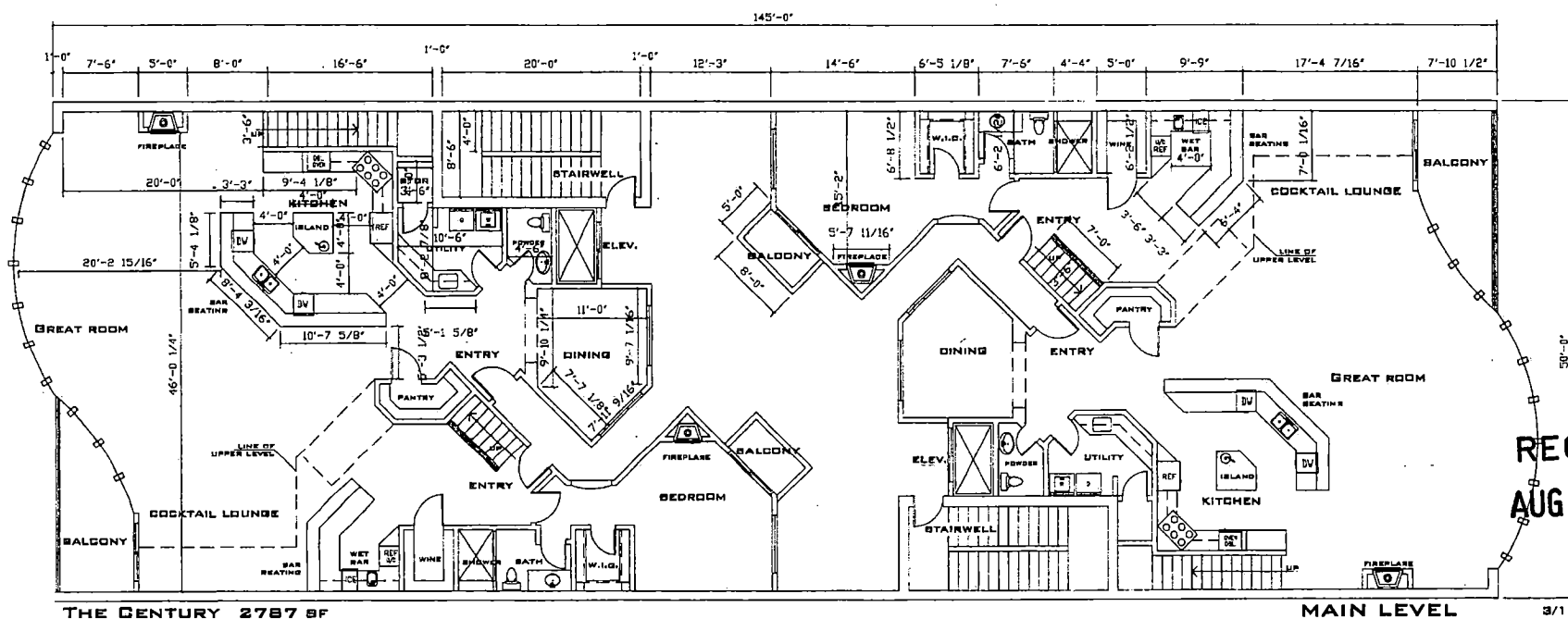
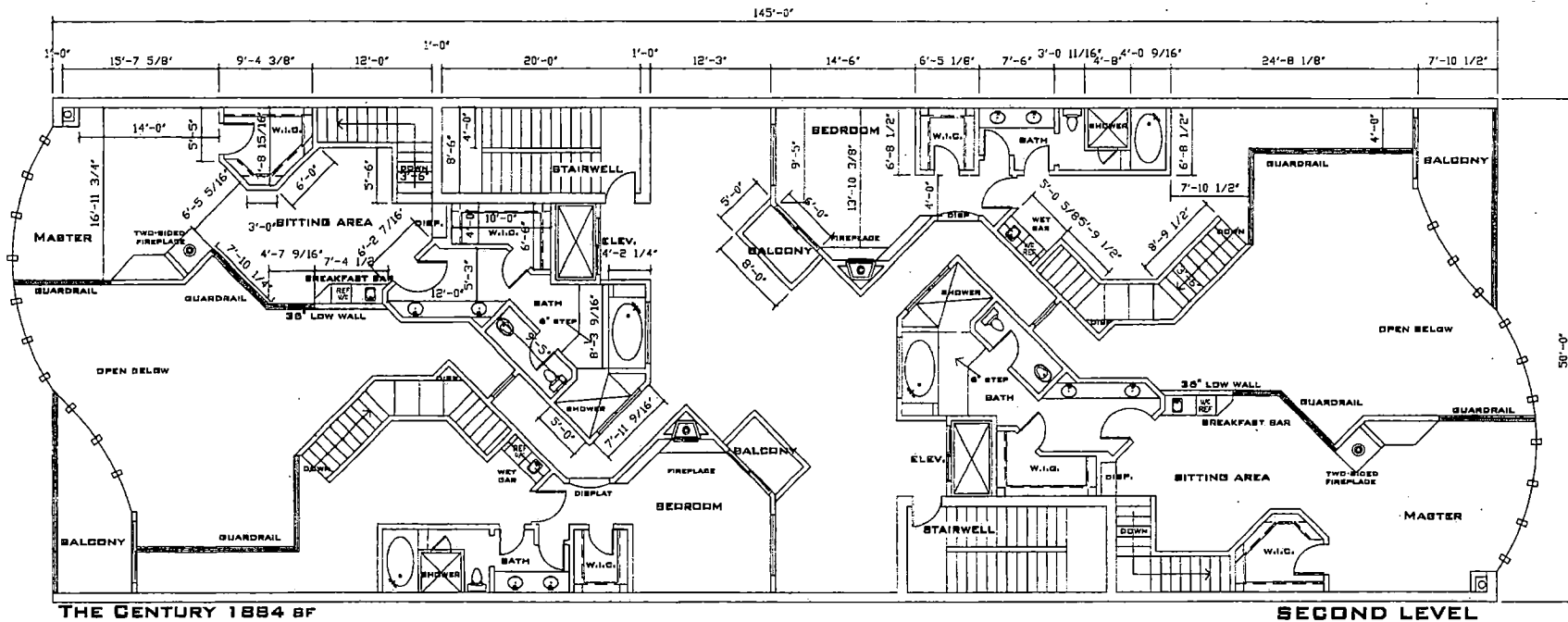
OWNER
1 ST. RAINBOW LLC

COSMOPOLITAN &
CLUB PLAN
BUILDING PLAN THIRD FL.
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

RECEIVED
AUG 24 REC'D

SUP-5112
SDR-5116
10-07-04 PC



RECEIVED
AUG 24 REC'D

OWNER
1 ST. RAINBOW LLC

CENTURY PLAN
BUILDIGN PLAN FOURTH FL.

DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

6 of 14 Sheets

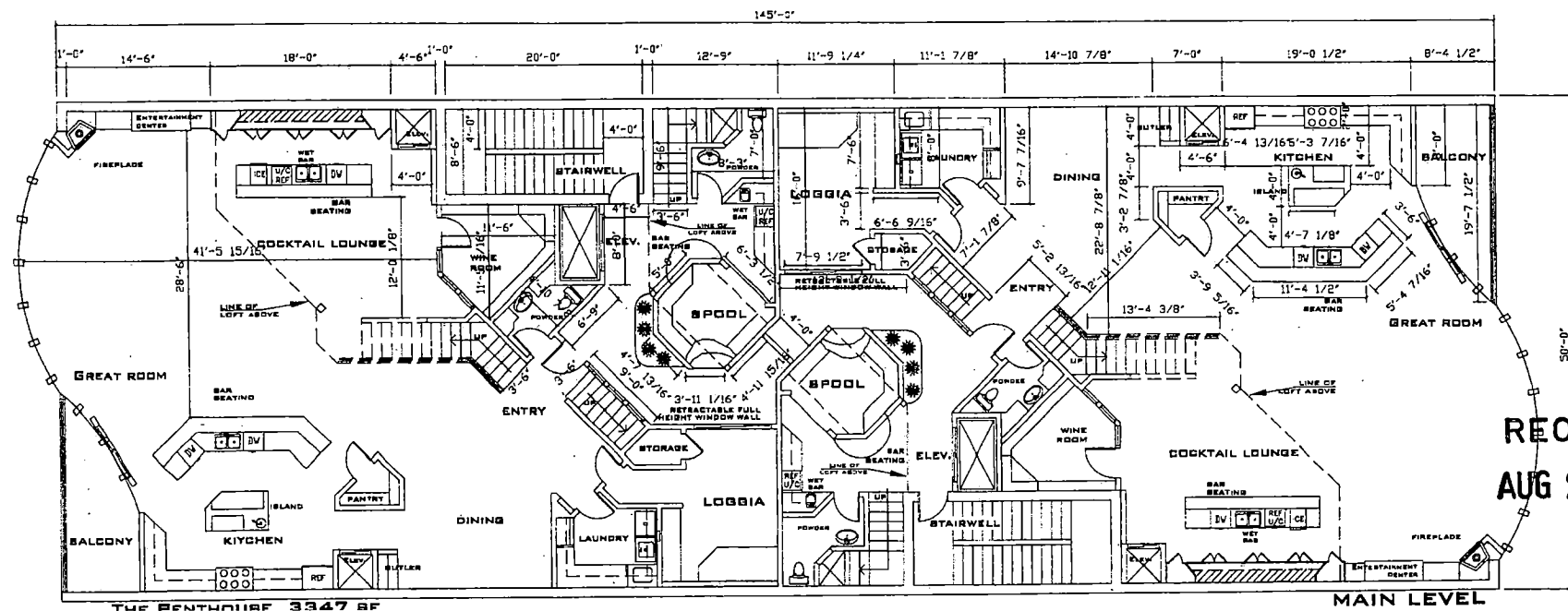
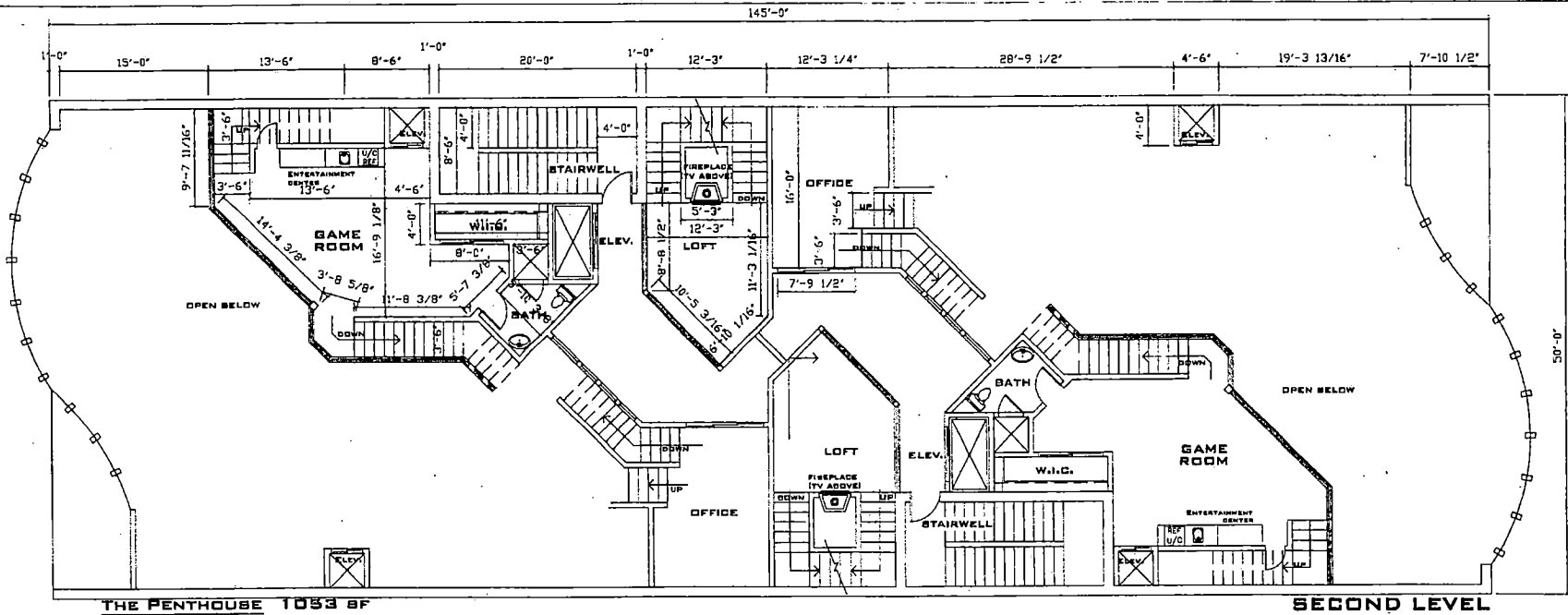
SUP-5112
SDR-5116
10-07-04 PC

OWNER
1 ST. RAINBOW LLC

PENTHOUSE MAIN &
2ND LEVEL
BUILDIGN PLAN FIFTH FL.
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

RECEIVED
AUG 24 2004



**PENTHOUSE
UPPER LEVEL
BUILDIGN PLAN FIFTH FL.**

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

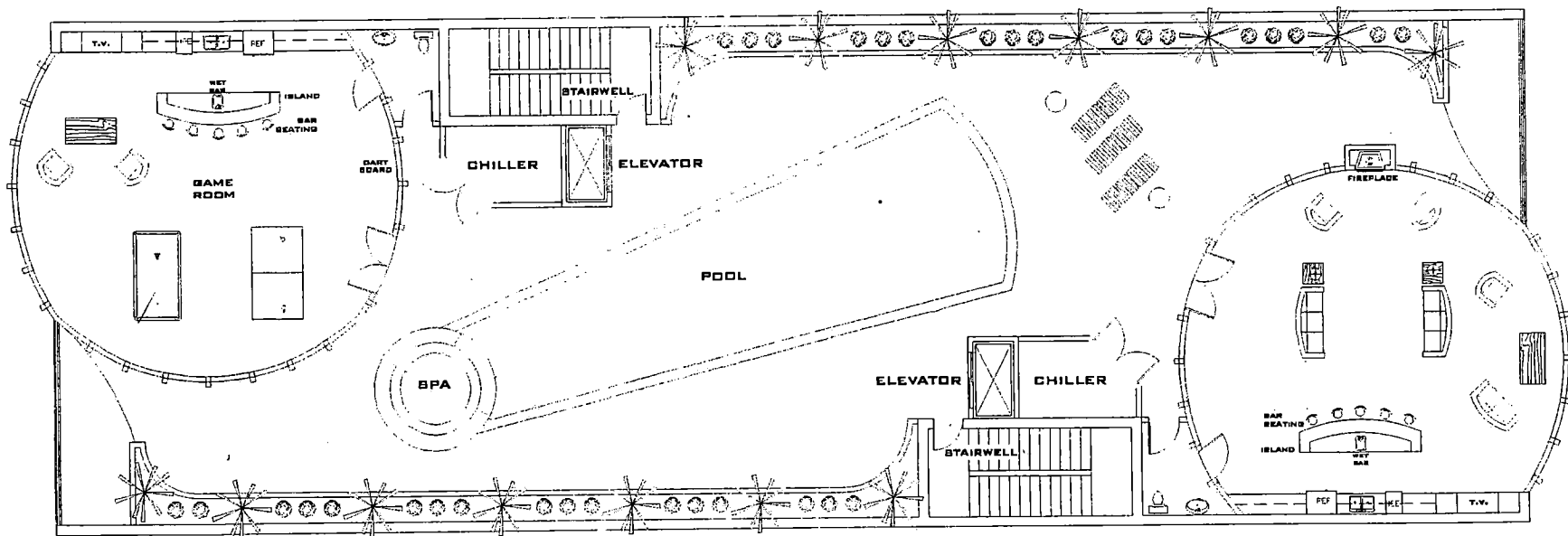


THIRD LEVEL

RECEIVED
AUG 24 REC'D

$$3/16^n \approx 1/8^i$$

8 of 14



ROOF PLAN

SUP-5112
SDR-5116
10-07-04 PC

RECEIVED
AUG 24 REC'D

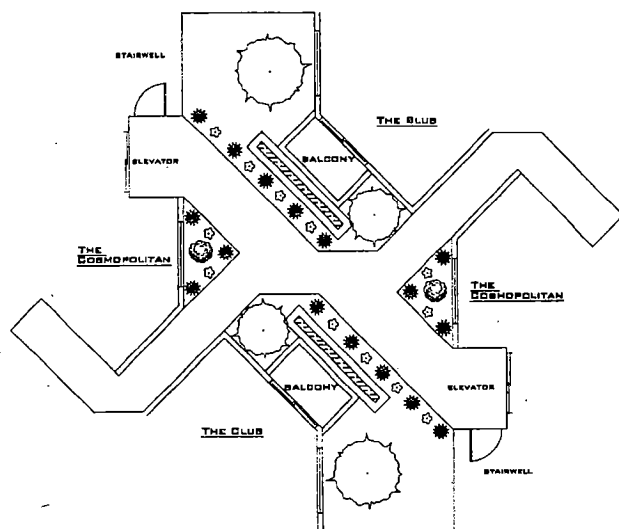
3/16" = 1'0"

OWNER
1ST. RAINBOW LLC

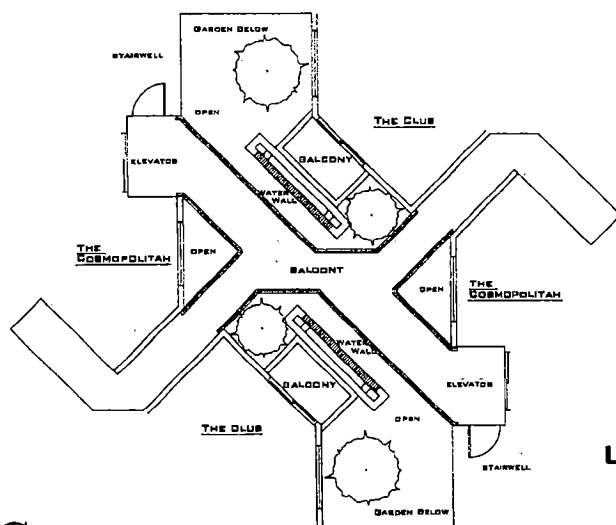
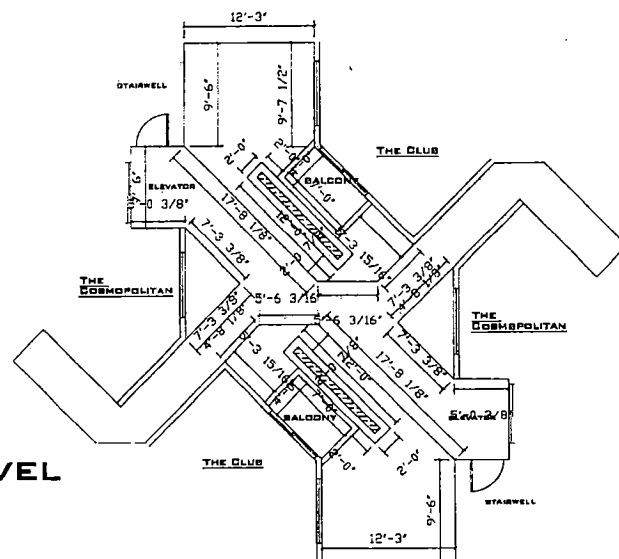
ROOF PLAN
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

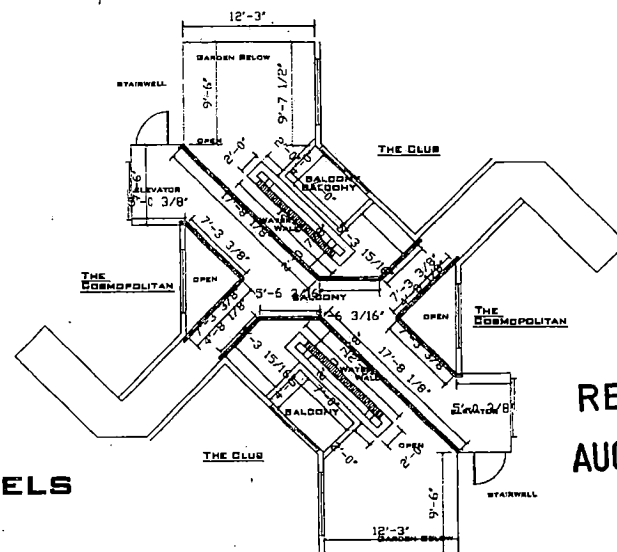
8 of 1



LOWER LEVEL



UPPER LEVELS



SUP-5112
SDR-5116
10-07-04 PC

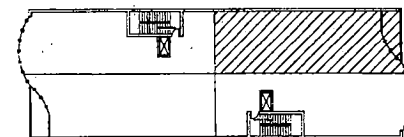
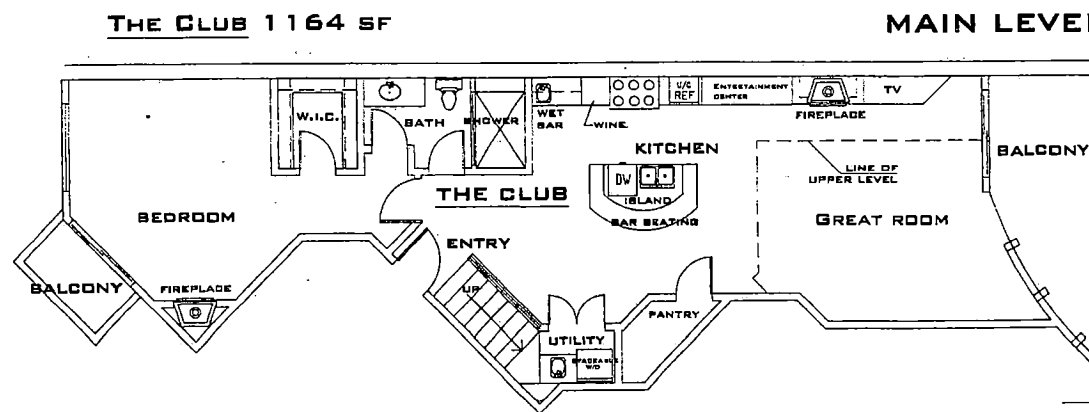
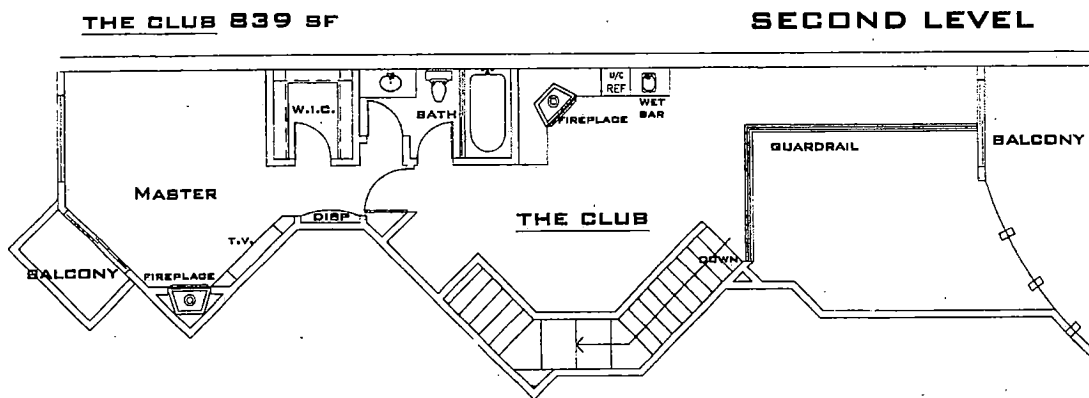
RECEIVED
AUG 24 2004

3/16" = 1'0"

OWNER
1 ST. RAINBOW LLC

ATRIUM PLAN
BUILDING PLAN THIRD
& FOURTH FL.
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101



SUP-5112
SDR-5116
10-07-04 PC

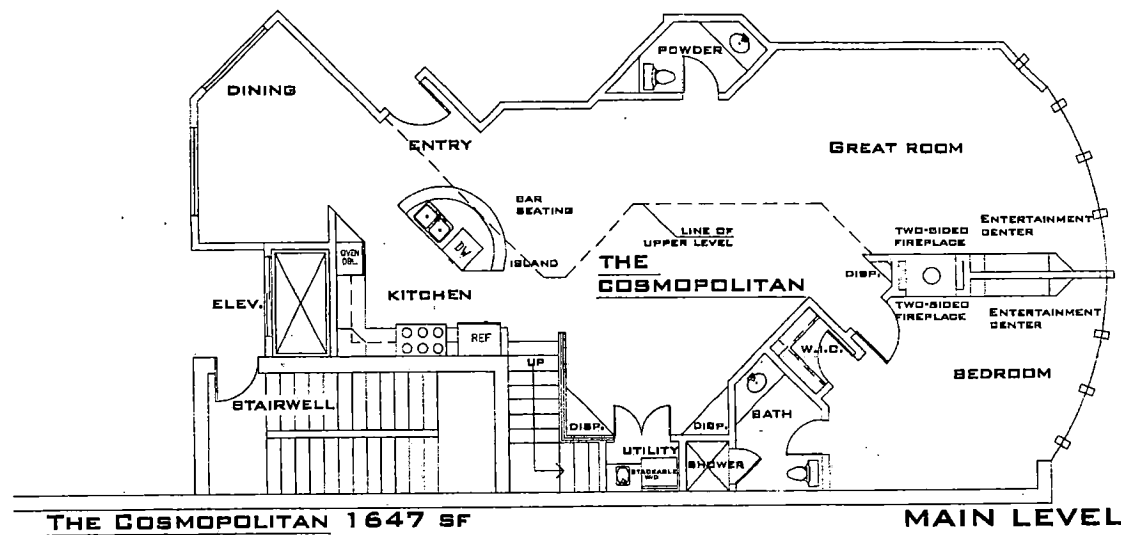
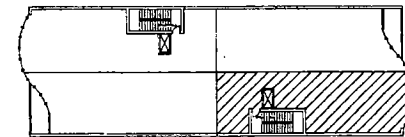
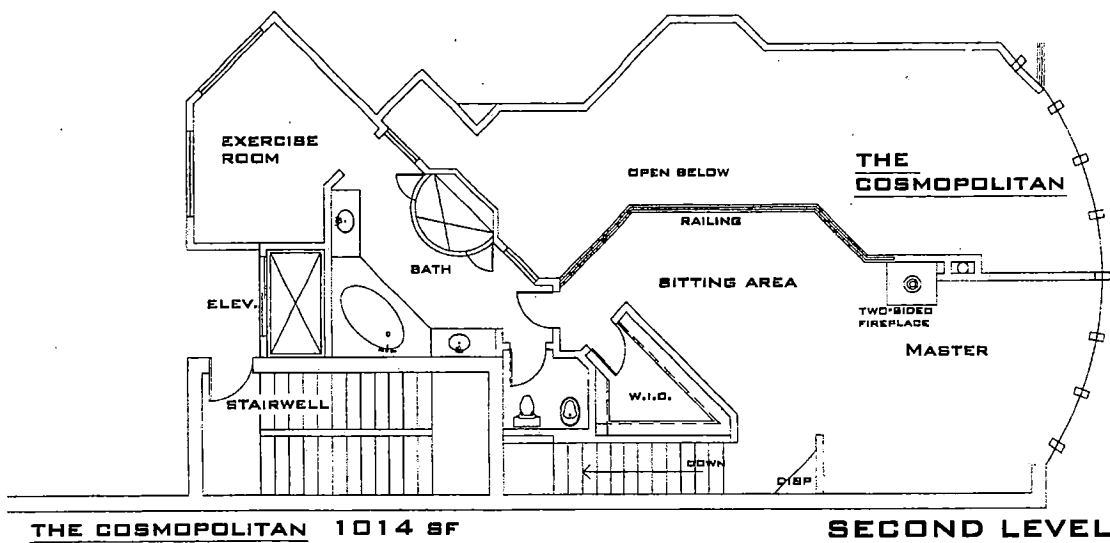
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1/4" = 1'0"

OWNER
1 ST. RAINBOW LLC

CLUB FLOOR PLAN
 DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101



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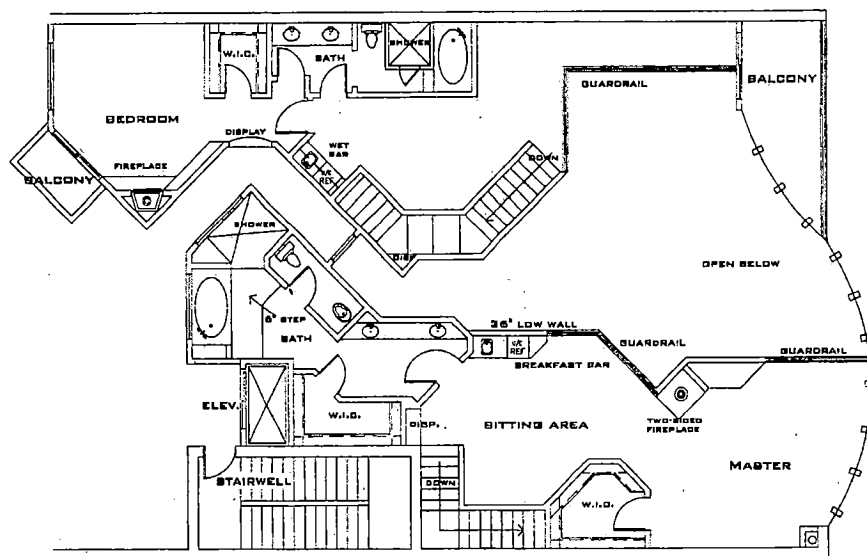
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OWNER
1 ST. RAINBOW LLC

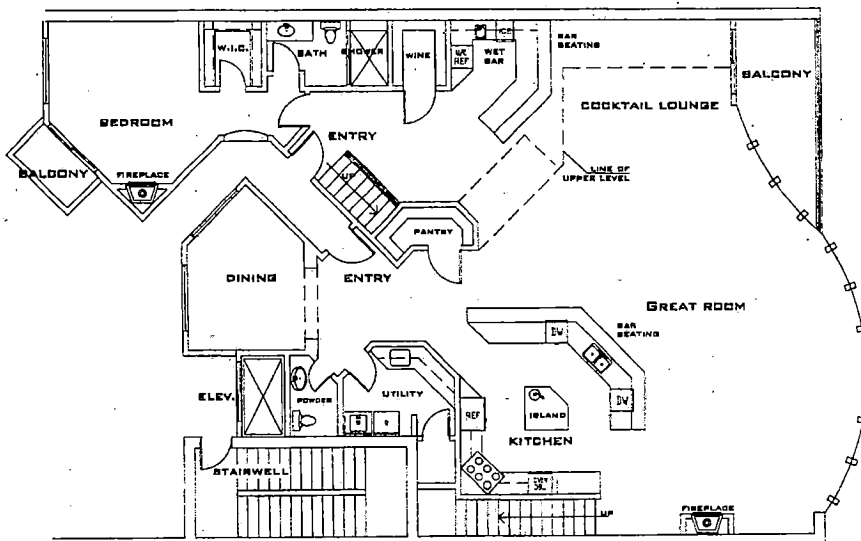
COSMOPOLITAN PLAN

DATE: AUGUST 13, 2004

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LAS VEGAS, NV. 89101



THE CENTURY 1884 SF



THE CENTURY 2787 SF

SUP-5112
SDR-5116
10-07-04 PC

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OWNER
1 ST. RAINBOW LLC

CENTURY PLAN

DATE: AUGUST 13, 2004

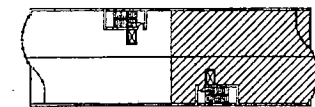
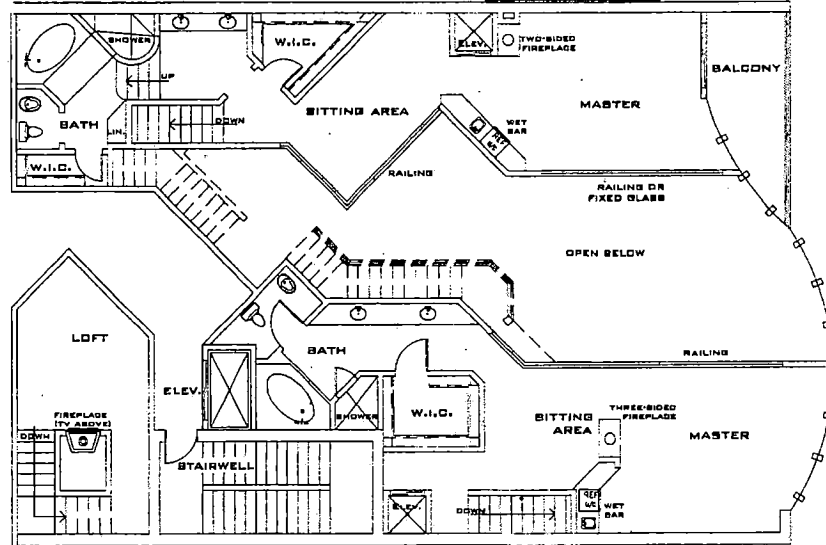
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116 S. 1ST. STREET
LAS VEGAS, NV. 89101

3/16" = 1'0"

13 of 14

THIRD LEVEL

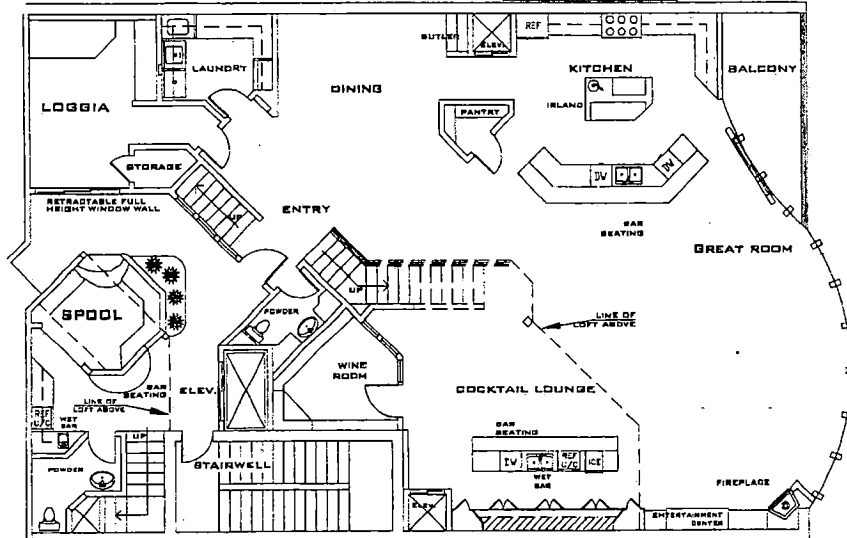
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SUP-5112
SDR-5116
10-07-04 PC

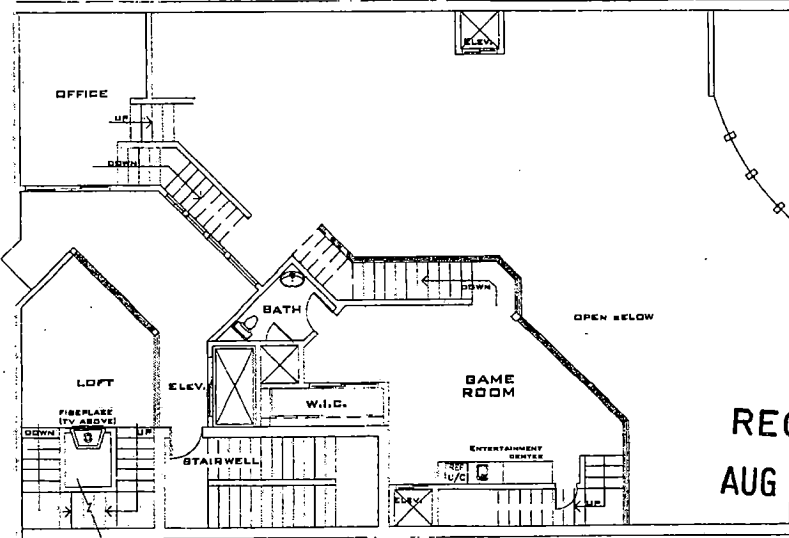
MAIN LEVEL

THE PENTHOUSE 3347 SF



SECOND LEVEL

THE PENTHOUSE 1053 SF



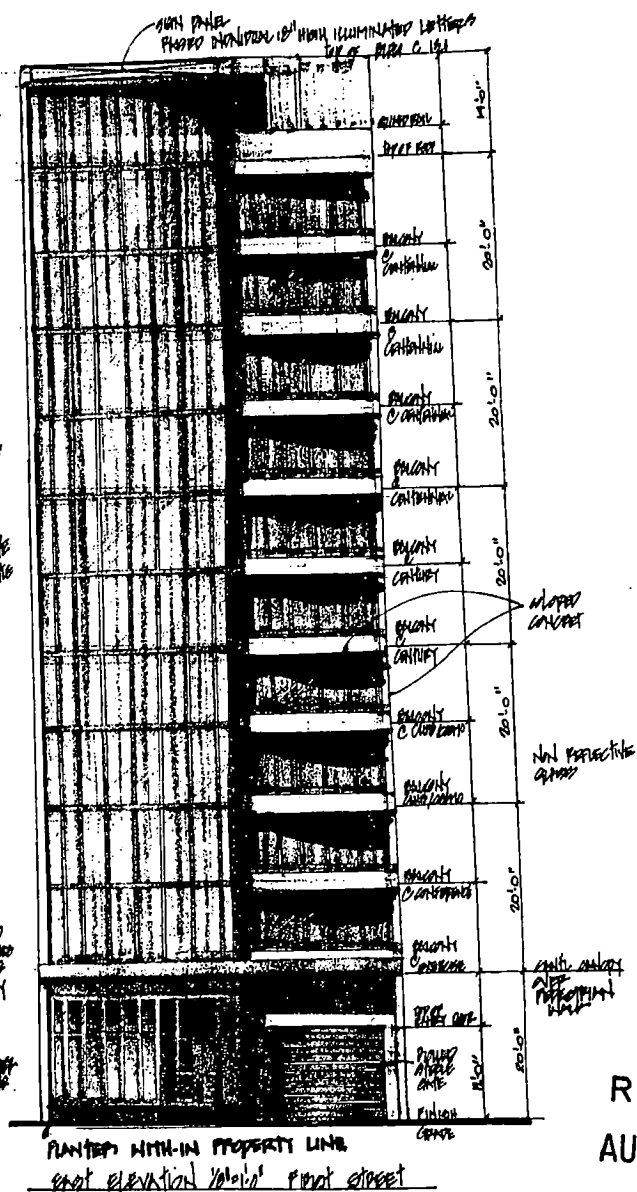
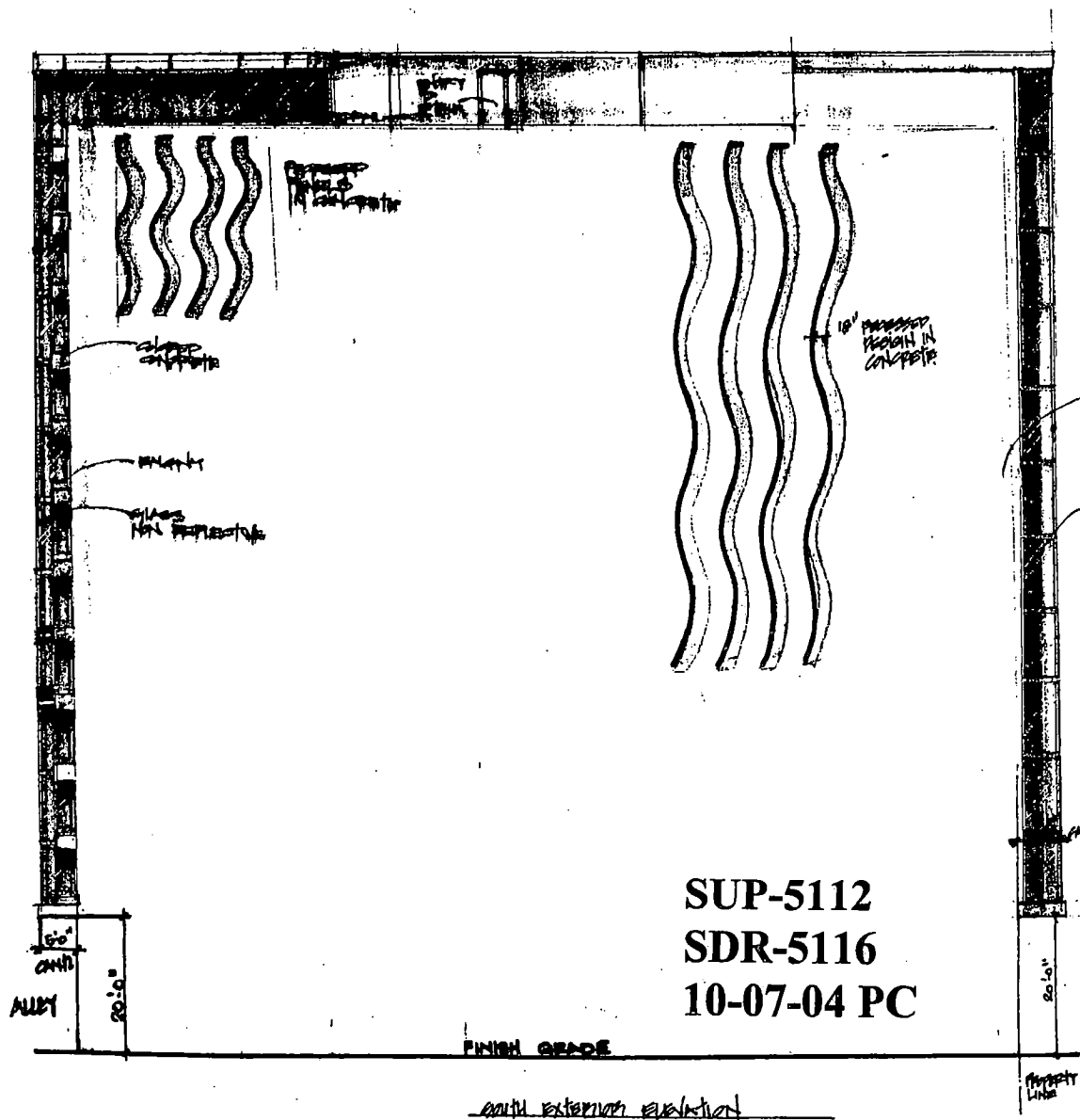
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OWNER
1 ST. RAINBOW LLC

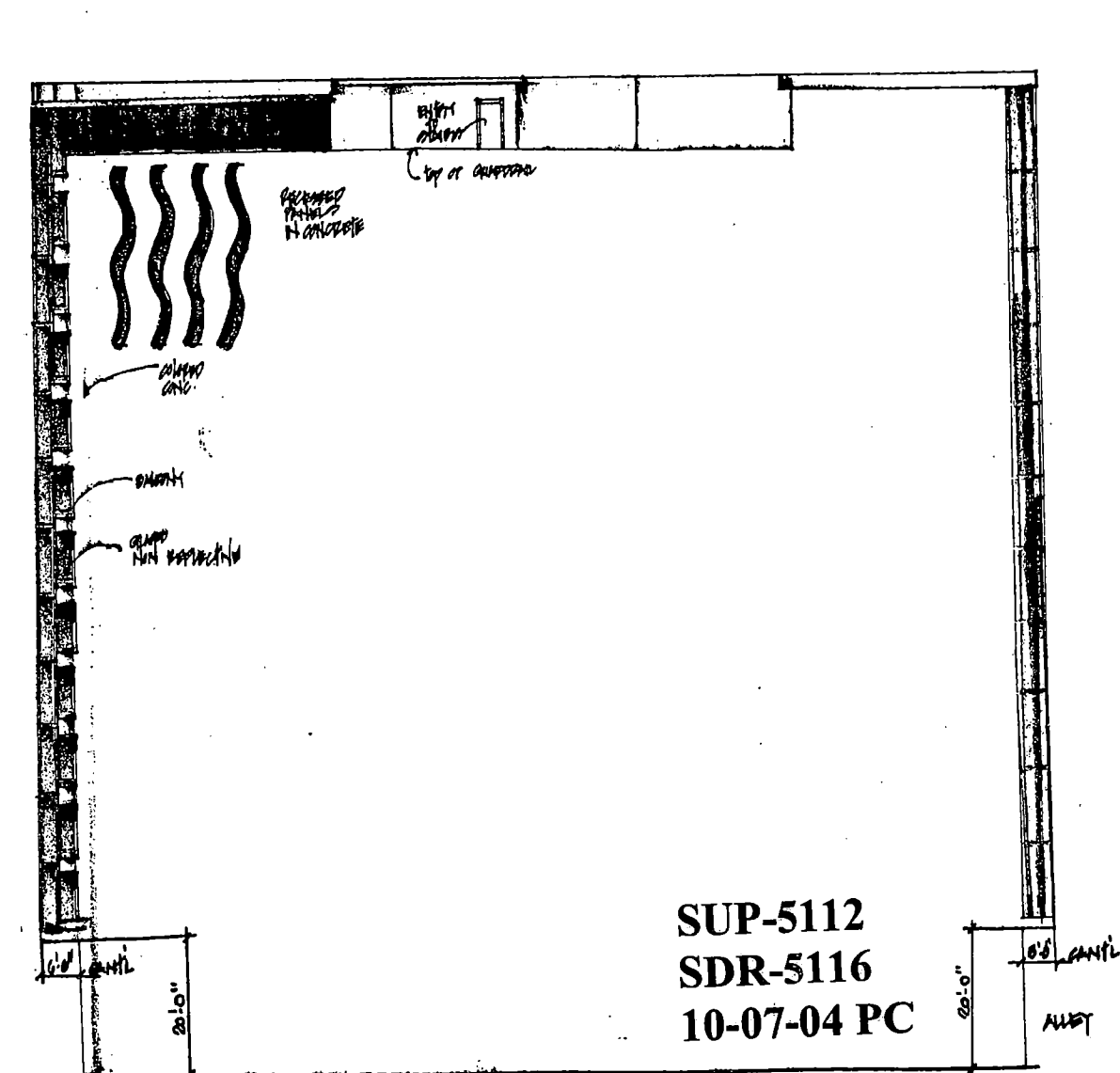
PENTHOUSE PLAN

DATE: AUGUST 13, 2004

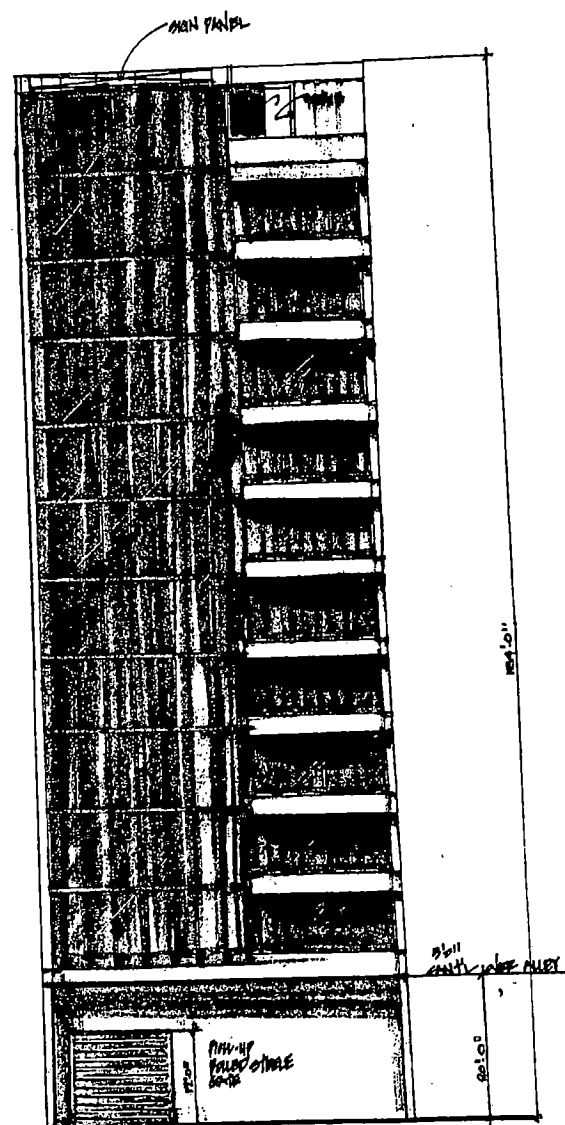
WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101



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AUG 24 REC'D



NORTH EXTERIOR ELEVATION



WEST ELEVATION 16" ALLEY

RECEIVED
AUG 24 REC'D



SUP-5112 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW STUDIOS, LLC -
OWNER: 1ST RAINBOW, LLC
116 SOUTH 1ST STREET
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5116 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5112 - PUBLIC HEARING - APPLICANT: 1ST RAINBOW, LLC - OWNER: RAINBOW STUDIOS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 12-STORY, 134-FOOT TALL MIXED-USE DEVELOPMENT CONSISTING OF EIGHT RESIDENTIAL UNITS AND 350 SQUARE FEET OF RETAIL SPACE at 116 South 1st Sreet (APN 139-34-111-040), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 11/03/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

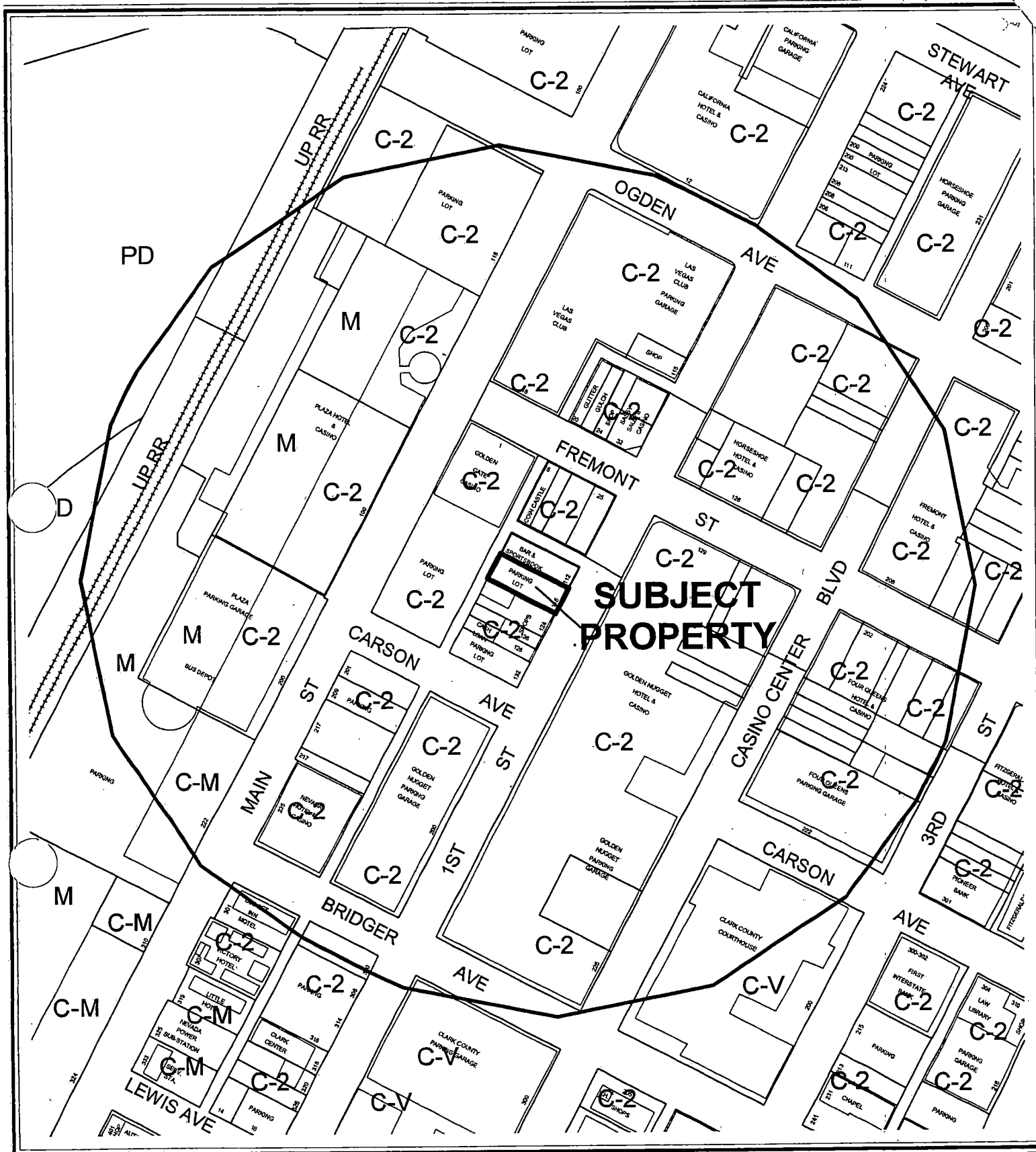
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5081], Item 21 [GPA-5075], Item 22 [ZON-5076], Item 24 [SDR-5077] and Item 63 [TMP-5023] to 10/21/2004 Planning Commission meeting; Item 31 [GPA-5102], Item 58 [SUP-5112] and Item 59 [SDR-5116] to 11/04/2004 Planning Commission meeting; STRIKE Item 23 [SUP-5078] and TABLE Item 36 [GPA-5123] and Item 37 [ZON-5128] – UNANIMOUS

MINUTES:

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

(6:09 – 6:10)

1-265



CASE: SDR-5116

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5116 - SITE DEVELOPMENT PLAN REVIEW RELATED
TO SUP-5112 - PUBLIC HEARING/- APPLICANT: 1ST RAINBOW, LLC - OWNER:
RAINBOW STUDIOS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Special Use Permit (SUP-5112) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, dated 08/24/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and level of detail of the front and rear elevations.
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. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
7. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan.
8. The north and south elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional detailing to enhance façade articulation and appearance.

SDR-5116 - Conditions Page Two
October 7, 2004 Planning Commission Meeting

9. Palm trees shall be installed in the First Street right-of-way at a maximum spacing of 35 feet on center, in accordance with Subsection DS4.2.a of the Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation.
10. The required 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.
11. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
12. The dimensions of the parking spaces and access aisle shall conform with the requirements of Title 19.10.
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial City Standards concurrent with development of this site.
16. Construct a public relief sanitary sewer in 1st Street from Carson Avenue to Bridger Avenue at an alignment and depth acceptable to the Collection System Planning Section of the Department of Public Works unless otherwise allowed by the City Engineer. Provide a plan for this sewer prior to submittal of any construction drawings for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
17. Landscape and maintain all unimproved right-of-way on 1st Street adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping and private improvements, located within the 1st Street and the alley public rights-of-way adjacent to this site prior to occupancy of this site.

SDR-5116 - Conditions Page Three
October 7, 2004 Planning Commission Meeting

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. Aerial encroachment into the public right-of-way shall not be permitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review and a Waiver of the Downtown Centennial Plan standard for building stepbacks for a proposed 12-story mixed-use development including eight residential units and 350 square feet of commercial space on 0.16 acres at 116 South First Street. A companion Special Use Permit (SUP-5112) will be considered concurrently.

B) Applicant's Justification

The applicant states that the project will contribute a world-class tower to the downtown area and will enhance the surrounding environment.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify the property, including the subject parcels, in the are 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).

10/07/04 The Planning Commission will hear a related Special Use Permit (SUP-5112) as part of this agenda.

B) Pre-Application Meeting

08/04/04 At the pre-application conference, issues were discussed relative to the vertical encroachment over the public right-of-way, the location of the garage entry, the building stepbacks, the glazing requirements, and the requirement for utilities to be placed underground in the alley.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.16

B) *Existing Land Use*

Subject Property: Parking Lot Use

North: Vacant

South: Financial Institution, Specified; Retail Use

East: Gaming Use, Hotel Use

West: Parking Lot Use

C) *Planned Land Use*

Subject Property: C (Commercial Use)

North: C (Commercial Use)

South: C (Commercial Use)

East: C (Commercial Use)

West: C (Commercial Use)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: C-2 (General Commercial)

East: 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 Commercial land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Downtown Casino Overlay District	X	
Trails		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 Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The property is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The district is home to the historic and classic Las Vegas casinos of "Glitter Gulch," and it is intended to retain and enhance these facilities, while diversifying the commercial offerings and protecting the existing public facilities. The proposed use will reinforce the viability of the downtown area by adding affluent residents to support area businesses and entertainment.

Downtown Casino Overlay District

The subject property is located within the Downtown Casino Overlay District, which sets forth sign requirements and establishes a committee to review signage for the district.

PROJECT DESCRIPTION

The proposed development involves the construction of a new 12-story building with eight residential units and 350 square feet of ground-floor commercial space. The first floor will include a small commercial space and parking garage, with the garage entrance located on First Street. The second and third floors of the building will contain amenity facilities for the residents. The residential portion of the building will include two units per floor, and all of the residential units will be two stories in height. The uppermost level of the building will include a swimming pool and clubhouse facilities. The exterior features curved glass walls at the front and rear of the structure, cantilevered over the first floor of the building, which intersect with the horizontal balcony 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	0.16 Acres	N/A
Min. Lot Width	N/A	50 Feet	N/A
Min. Setbacks			
• Front	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	100%	Y
Max. Building Height	N/A	134 Feet	N/A
Building Stepback	4 th , 11 th , 18 th Stories	None	N
Trash Enclosure	Walled/roof	Interior	Y
Loading Zone	N/A	None	N/A
Mech. Equipment	Screened	Screened	Y

The proposed structure complies with most of the development standards contained in the Downtown Centennial Plan, with the exception of the building stepback requirement.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The nearest single-family residence is over 2,500 feet away from the subject property.

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			
• 2 Bedroom	8 units		
Commercial	350 SF		
Total:		16	1

A total of 16 spaces are proposed for the interior garage; the applicant intends to use a car-lift system, which will permit eight spaces at grade, with accommodation for another eight vehicles on hydraulic lifts directly above. Several of the parking spaces may not have a full 24 feet of maneuvering room as required by Code, and may need to be reconfigured.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
North/South Street First Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	3 Trees
Sidewalk	11' Sidewalk		9' Sidewalk

The plan for the streetscape generally conforms with the requirements of the Downtown Centennial Plan. The number of palm trees provided exceeds the number of trees required; while the trees would normally be located in five-foot square tree wells, the applicant is proposing to provide a continuous planter area. While this would generally be undesirable in other heavily-traveled areas, the use of a continuous planter in this location is appropriate. The public sidewalk will only be nine feet in width instead of 11 feet as required, but the existing location of the curb prevents that additional sidewalk width that is required.

A5) Sign Standards

The only signage proposed for the building is a raised wall sign panel with illuminated letters at the top of the building. All signage for the property will be subject to the special sign standards of the Downtown Casino Overlay District.

B) General Analysis and Discussion

- Zoning

The proposed commercial use is permitted by right in the C-2 (General Commercial) District, and the residential component is permitted upon approval of a Special Use Permit. A separate Special Use Permit application (SUP-5112) has been filed concurrently with this Site Development Plan Review application. The proposed structure generally conforms with the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- Site Plan

The site plan depicts the entry to the building from a raised stoop located on First Street, with both the residential lobby and commercial space accessible from the street. The vehicular entrance to the parking garage is also from First Street, with vehicles exiting to the alley behind the site. The upper floors of the building are intended to cantilever up to five feet over the public right-of-way at the front and rear of the property; Public Works has indicated that aerial encroachments are not permissible.

- **Waivers**

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

- The balconies at each level give the building scale and relief;
- The depth of the proposed mullion system for the rounded glass façade elements continues the horizontal lines of the balconies and breaks down the scaleless character of the façade; and
- The various functions of the building are clearly expressed through the variations in the façade elements.

- **Landscape Plan**

The streetscape treatment proposed for First Street generally conforms with the requirements of the Downtown Centennial Plan. The applicant is proposing to utilize a landscape planter area adjacent to the curb instead of five-foot square tree wells; while this would generally be undesirable in other areas with more pedestrian traffic, the use of a planter in this location is appropriate.

- **Elevation**

The proposed elevations clearly distinguish the base of the building from the residential floors, through changes of materials and variations in the plane of the façade. Non-reflective glazing is the principal exterior element of the façade, with colored concrete expressing the structural elements and stone veneer applied to the base of the building.

The north and south elevations of the building, which cannot have any openings as they are located directly on the property lines, will be exposed until such time as abutting properties redevelop. The applicant has proposed to utilize a "squiggle" pattern that will be recessed in the concrete walls; staff would recommend that additional scoring or decorative treatments be added to the walls to enhance their appearance.

- **Floor Plan**

The floor plan depicts the residential lobby and commercial space located at the front of the building facing First Street, with the vehicular garage located at the rear of the site. In addition to the elevator and stairway located in the residential lobby, a second elevator and stairwell is located towards the rear of the building. The second and third floors of the building include residential amenities; a swimming pool and club house area is provided on the roof of the building.

FINDINGS

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

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

The proposed development is compatible with the downtown area and increases residential opportunities in the urban core.

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

The proposed development is consistent with the General Plan and Title 19, and is generally consistent with the requirements of the Downtown Centennial Plan. A Waiver has been requested from the Centennial Plan requirement for building setbacks at the 4th and 11th stories of the building.

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

The amount of traffic generated by the proposed development will be minimal and will not impact adjacent roadways or neighborhoods.

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 building is appropriate and compatible with development in the area.

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

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

SDR-5116 - Staff Report Page Eight
October 7, 2004 Planning Commission Meeting

NOTICES MAILED 55 – Mailed with SUP-5112

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Rainbow Studios, LLC

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

X

Yes _____ No _____

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

City Official: _____

Partner(s): _____

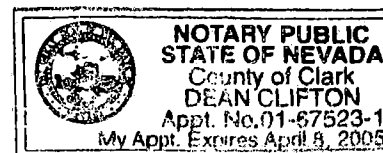
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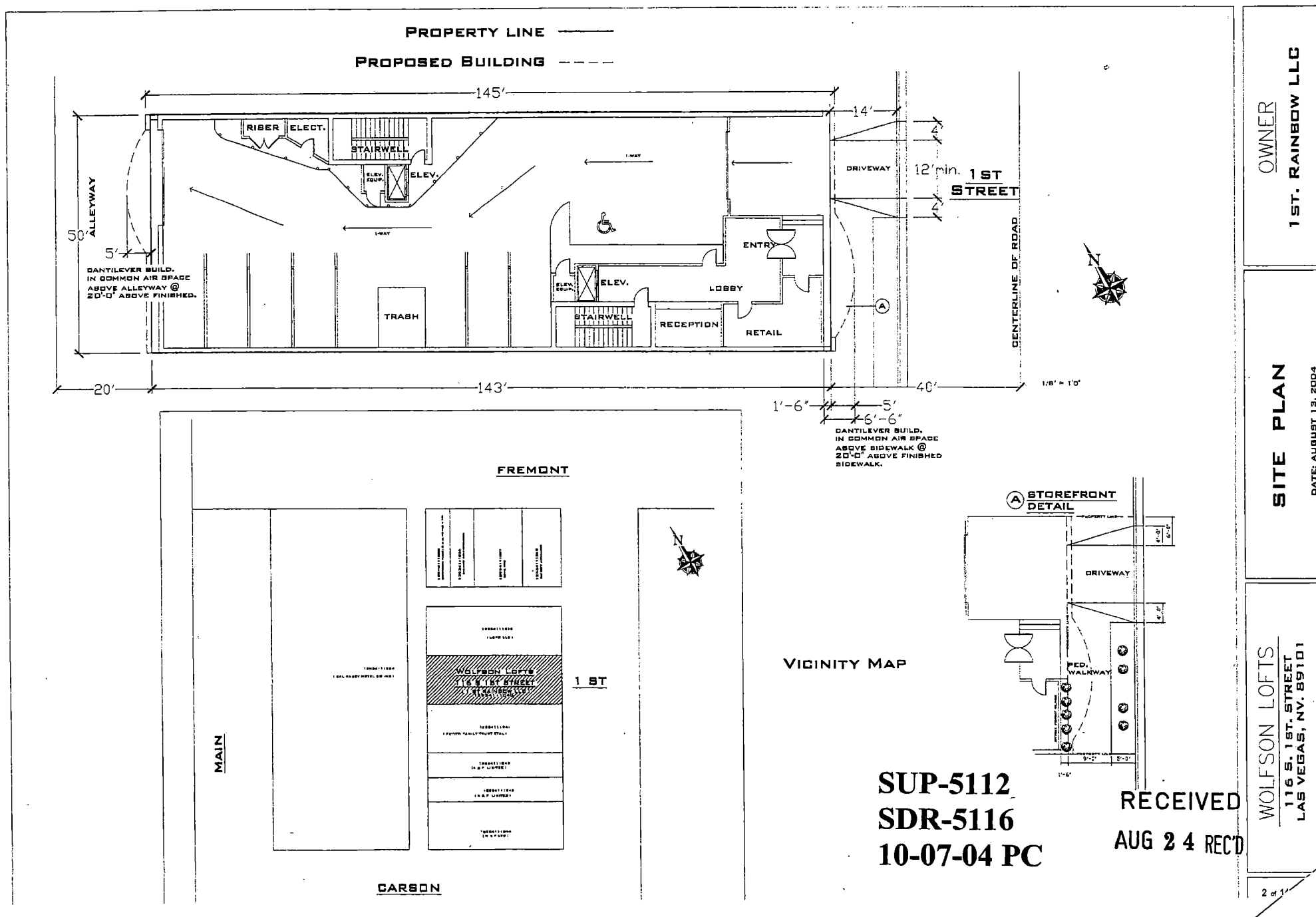
Signature of Property Owner/Authorized Agent: _____

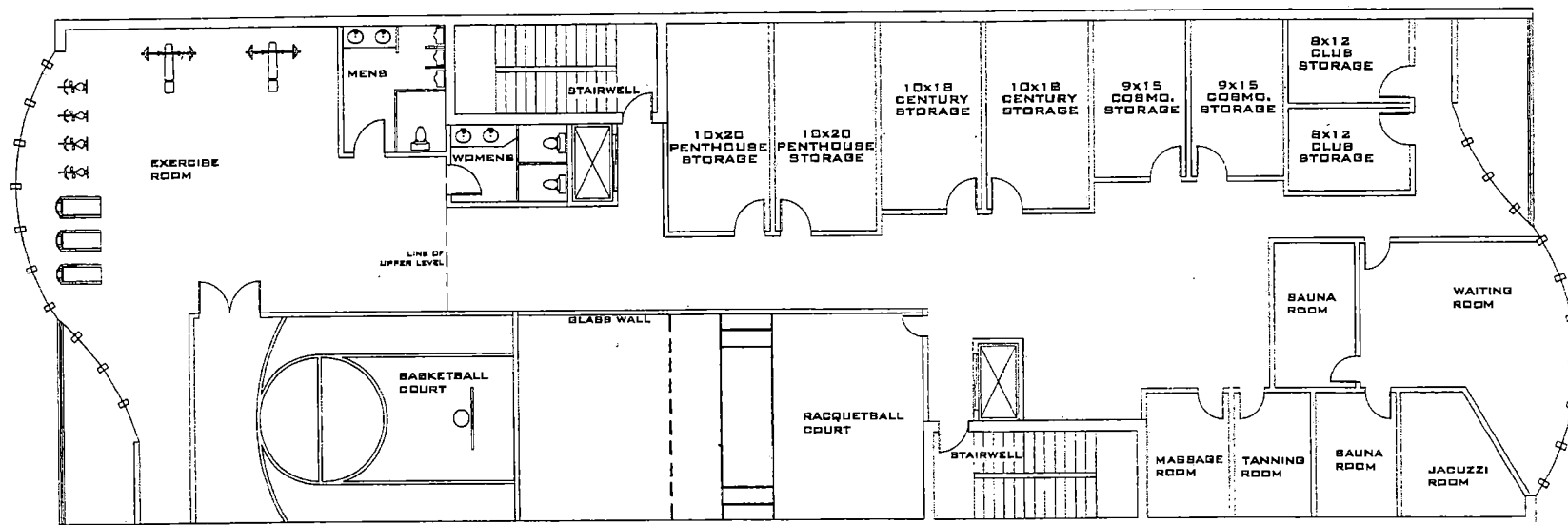
Print Name: Kenneth Wolfson

Subscribed and sworn before me

This 18 day of August, 2004
Dean Jeff
 Notary Public in and for said County and State

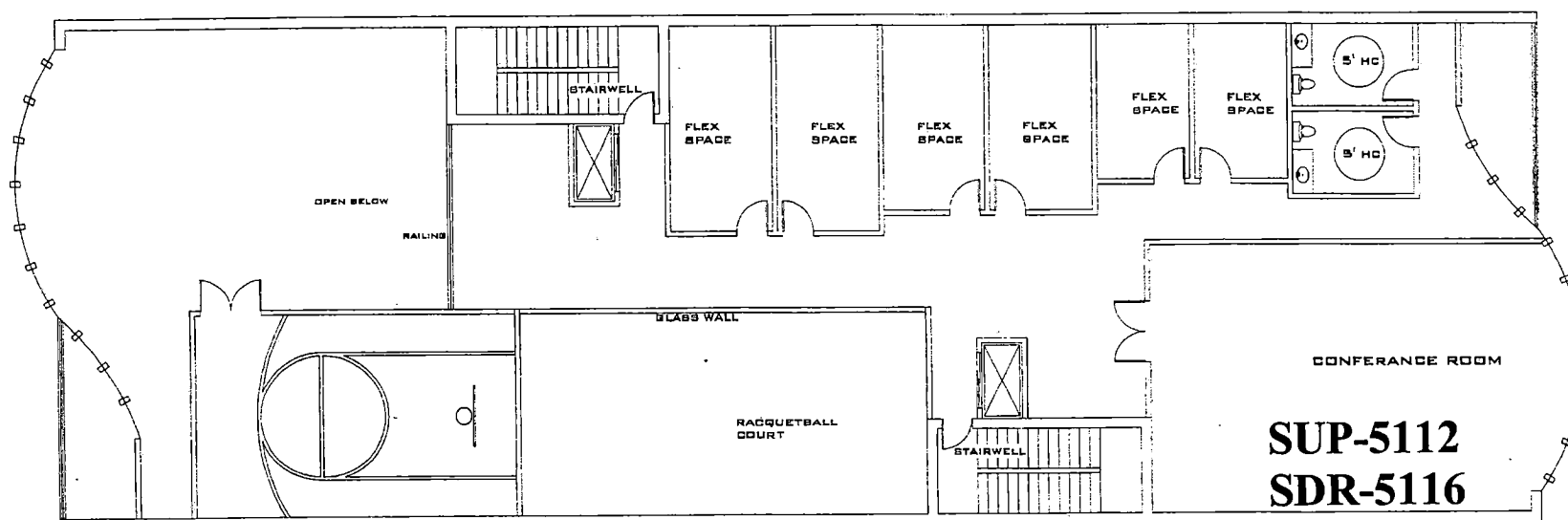






LEVEL ONE

EXERCISE/STORAGE



LEVEL TWO

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SDR-5116
10-07-04 PC

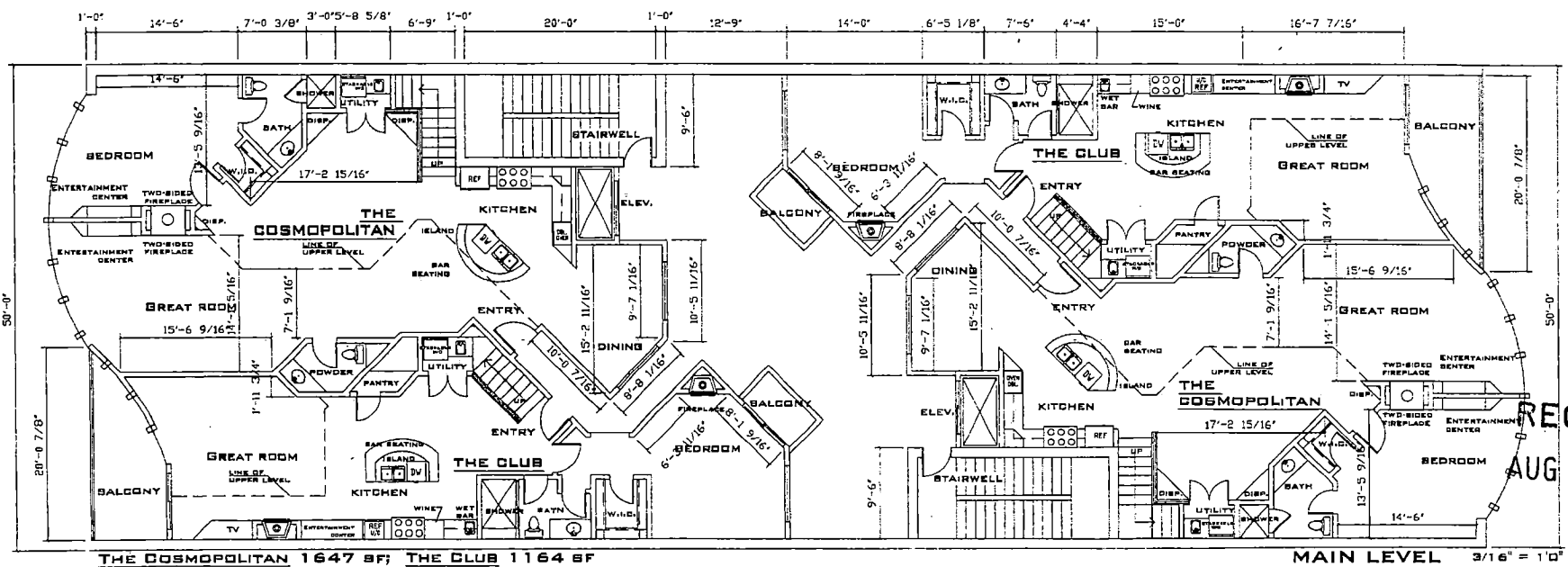
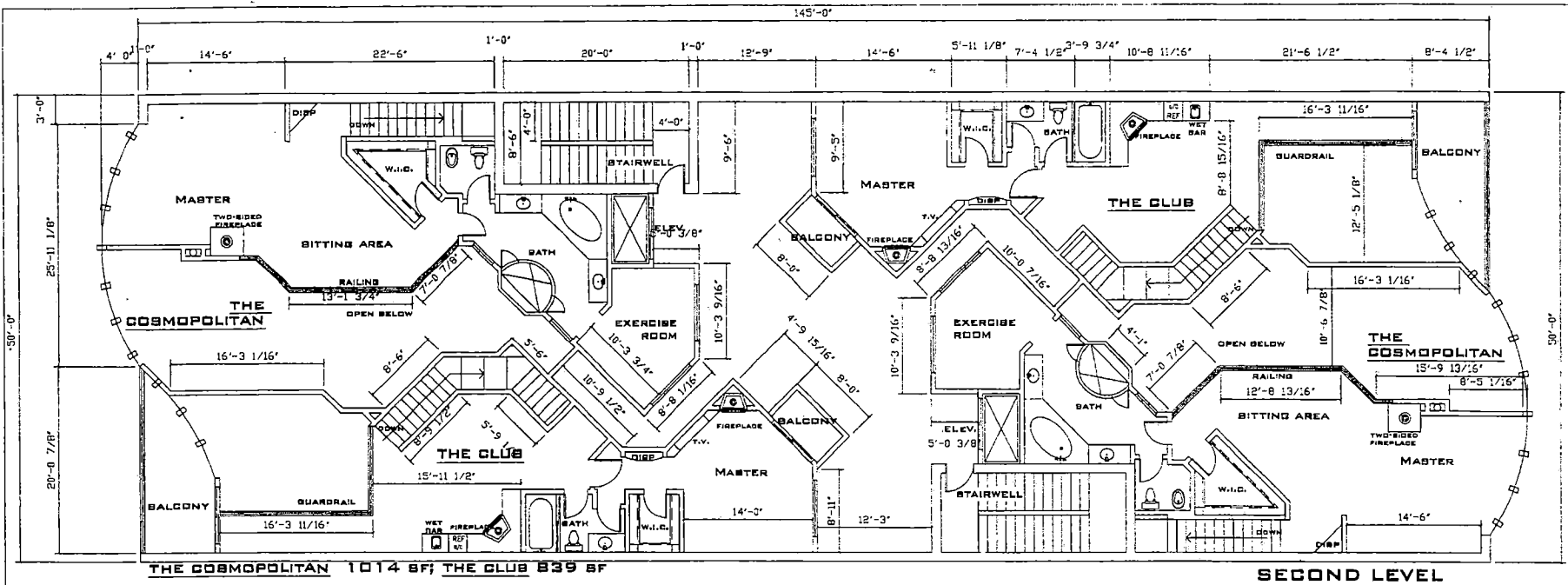
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AUG 24 REC'D
3/16" = 1'0"

OWNER
1 ST. RAINBOW LLC

BUILDIGN PLAN
SECOND FLOOR
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

SUP-5112
SDR-5116
10-07-04 PC



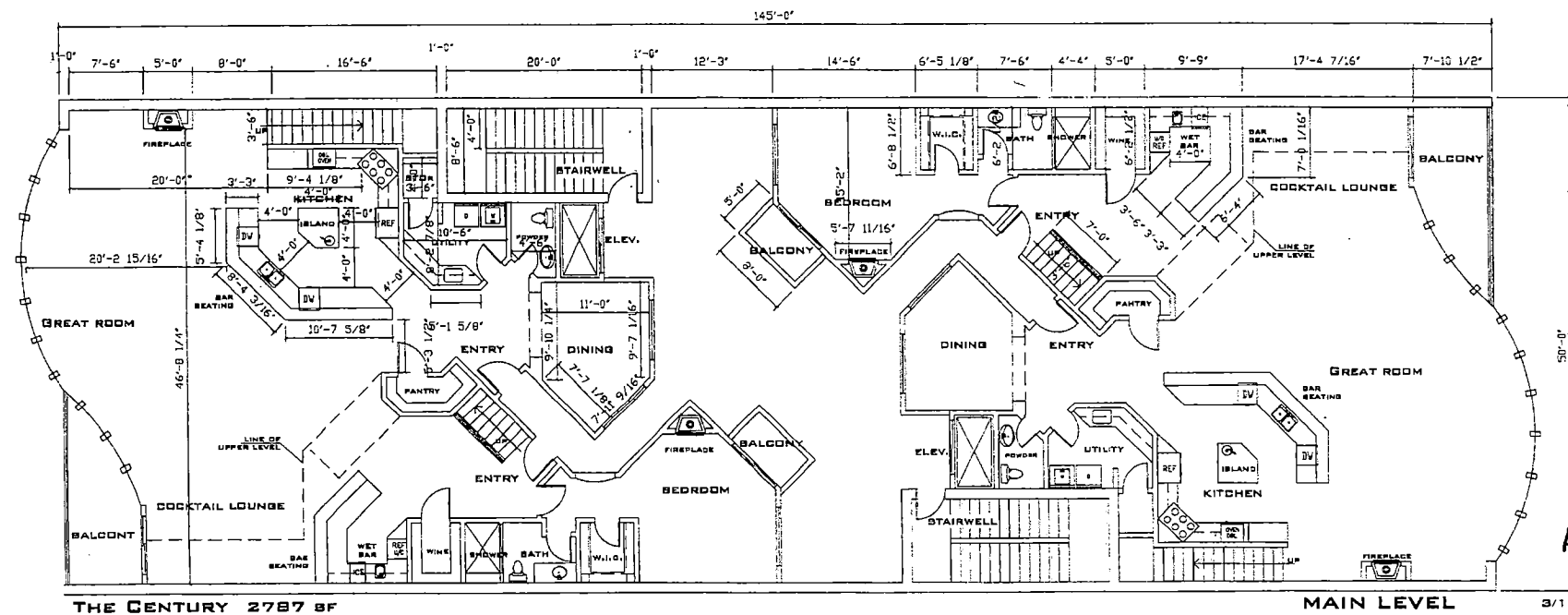
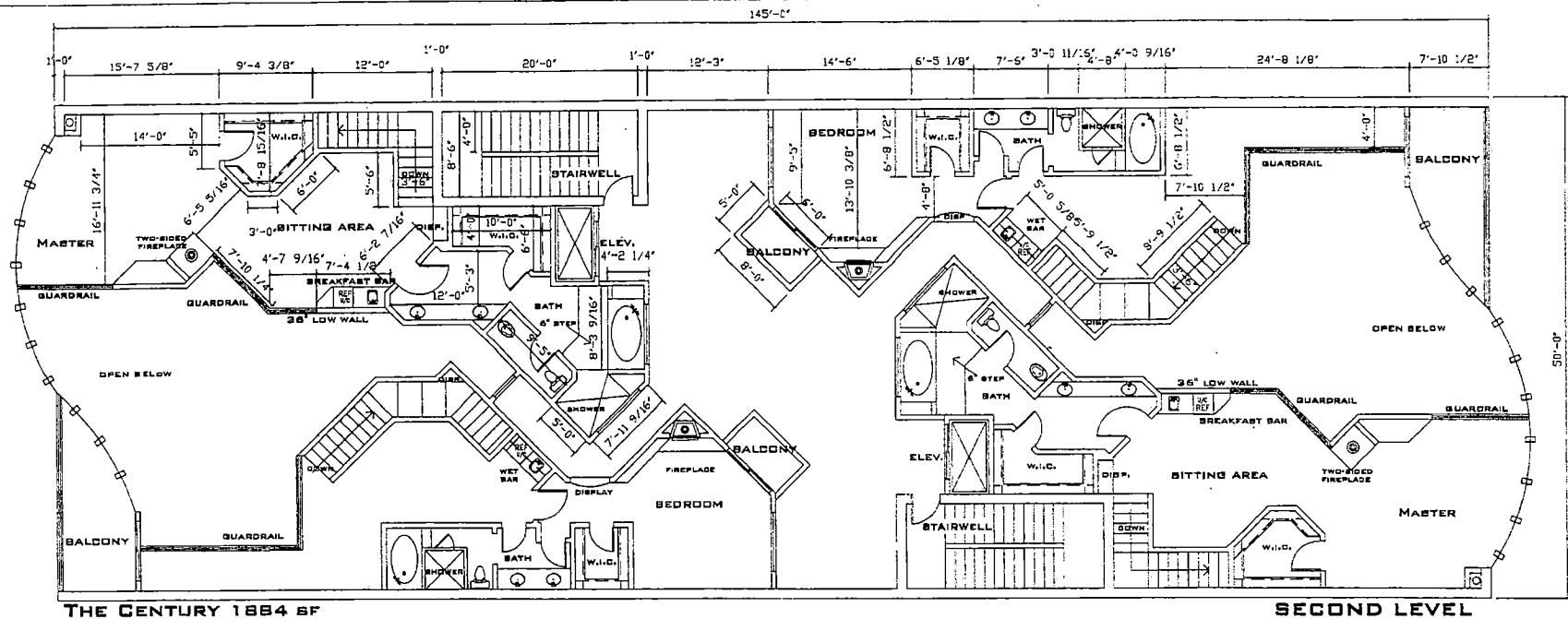
OWNER
1 ST. RAINBOW LLD

COSMOPOLITAN &
CLUB PLAN
BUILDING PLAN THIRD FL.
DATE: AUGUST 13, 2004

WILSON LOFTS
10 S. 1ST. STREET
LAS VEGAS, NV. 89101

RECEIVED
AUG 24 2004

SUP-5112
SDR-5116
10-07-04 PC



OWNER
1 ST. RAINBOW LLC

CENTURY PLAN
BUILDIGN PLAN FOURTH FL.
DATE: AUGUST 13, 2004

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AUG 24 REC'D

6 of 14

SUP-5112
SDR-5116
10-07-04 PC

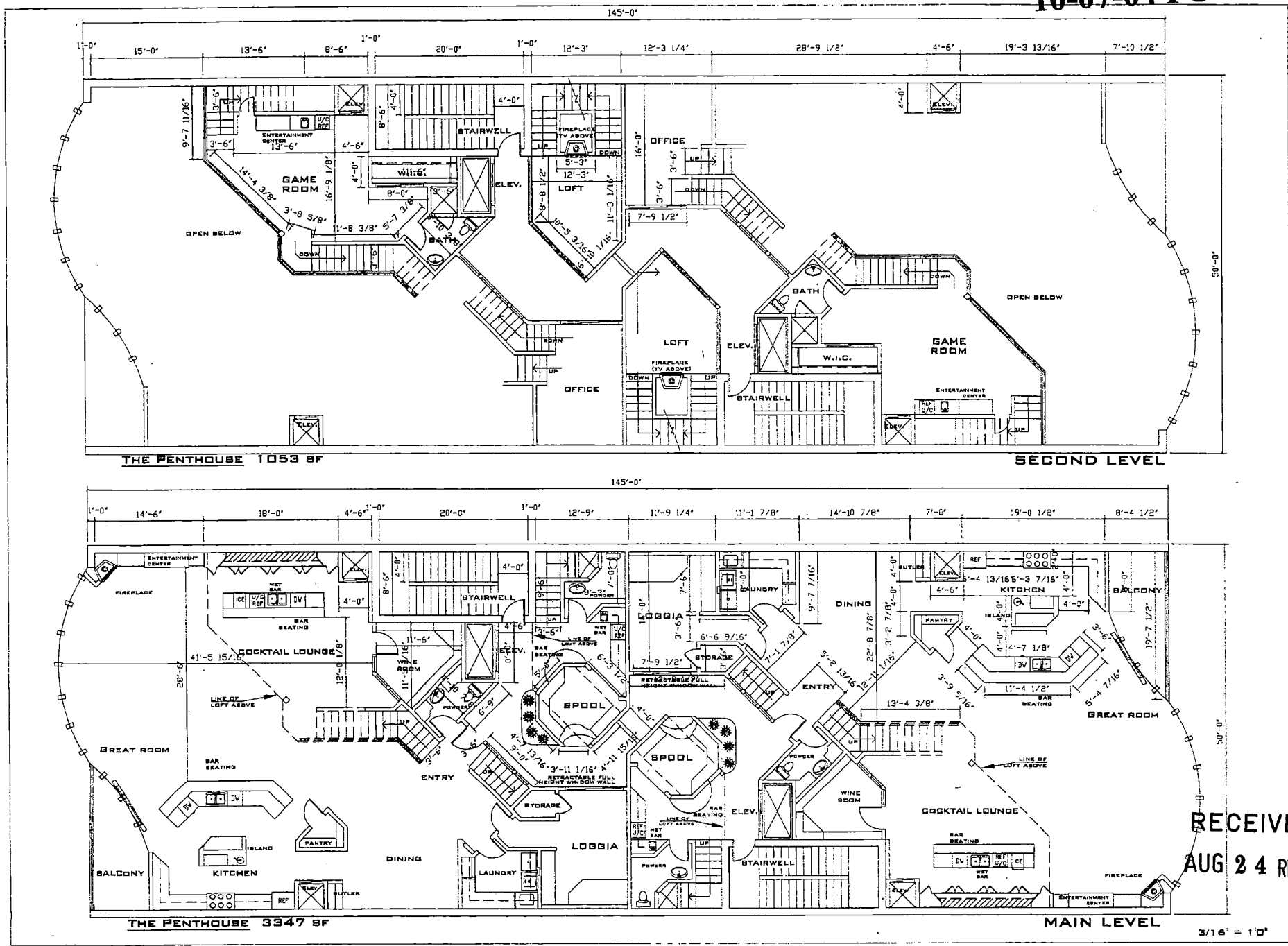
OWNER
1 ST. RAINBOW LLC

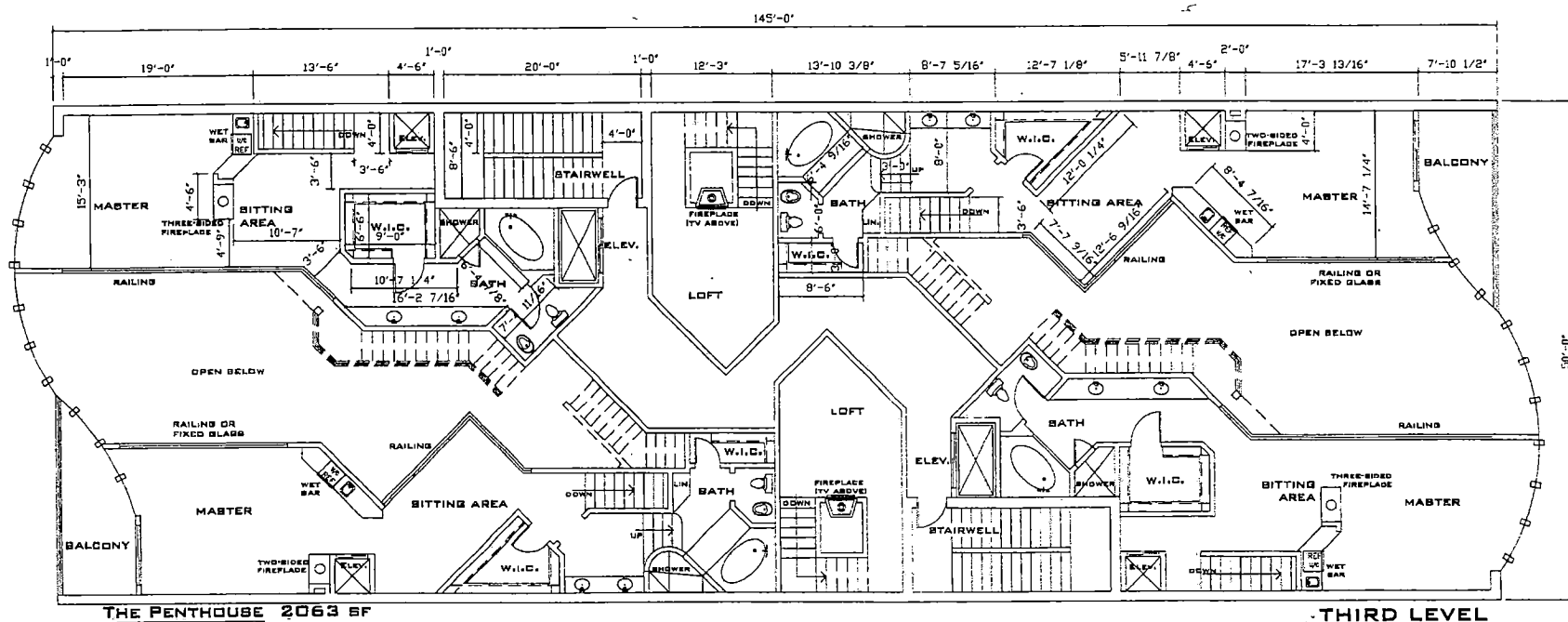
PENTHOUSE MAIN &
2ND LEVEL
BUILDIGN PLAN FIFTH FL.
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

RECEIVED
AUG 24 REC'D

7 of 14





SUP-5112
SDR-5116
10-07-04 PC

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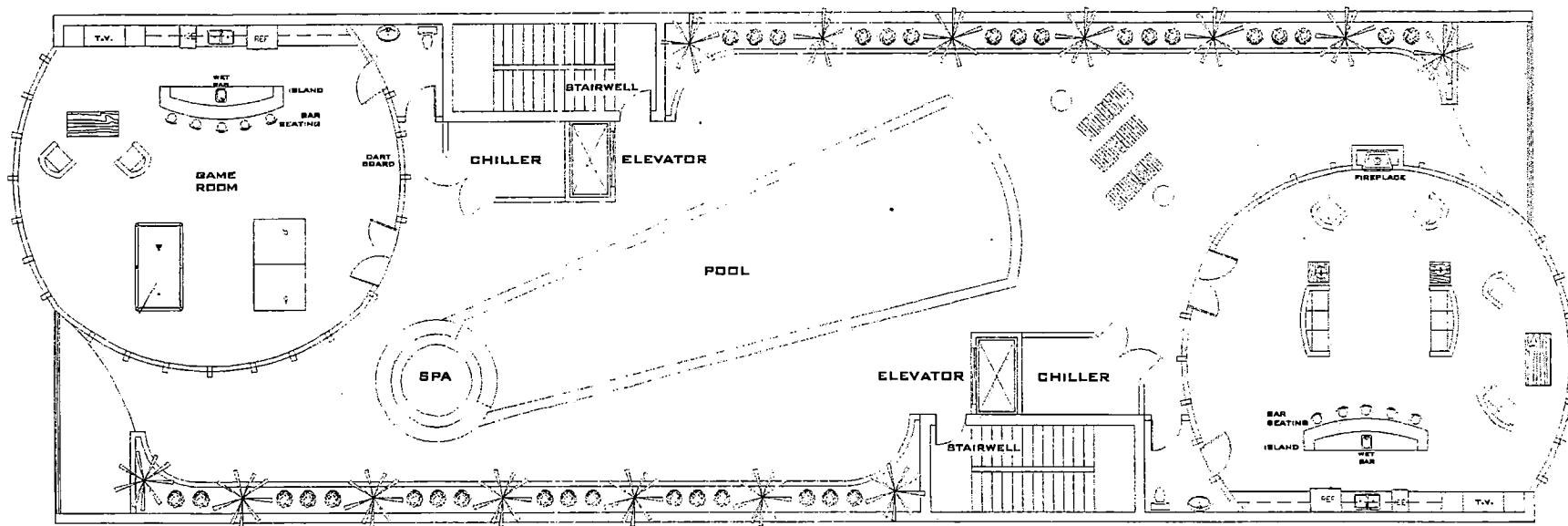
3/16" = 1'0"

OWNER
1 ST. RAINBOW LLC

PENTHOUSE
UPPER LEVEL
BUILDING PLAN FIFTH FL.
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

8 of 14



ROOF PLAN

SUP-5112
SDR-5116
10-07-04 PC

RECEIVED
AUG 24 REC'D

3/16" = 1'-0"

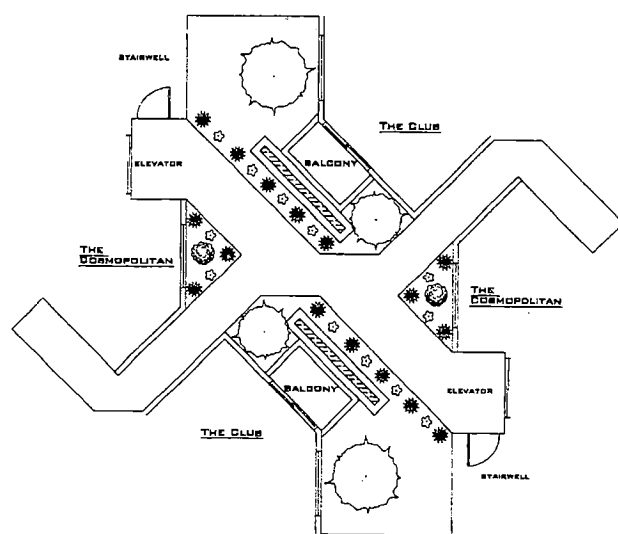
OWNER
1 ST. RAINBOW LLC

ROOF PLAN

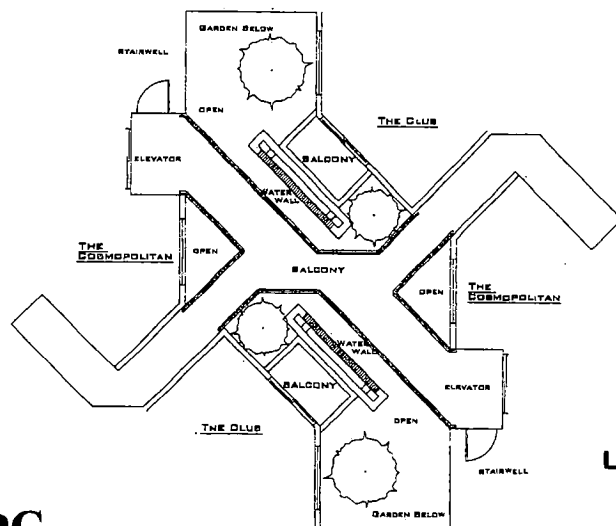
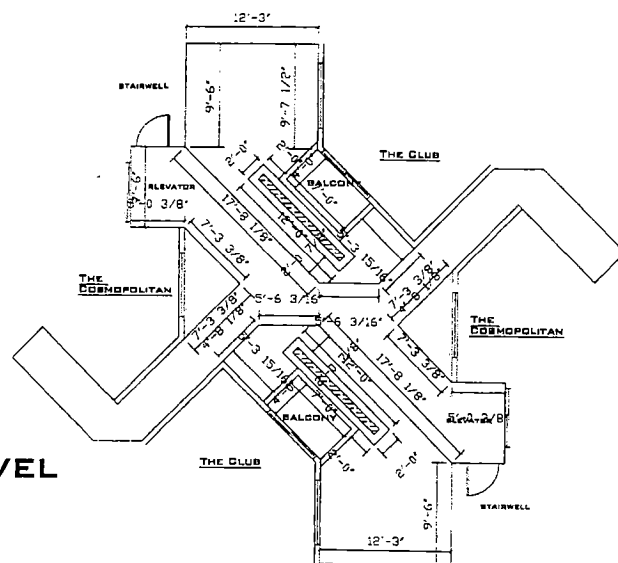
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

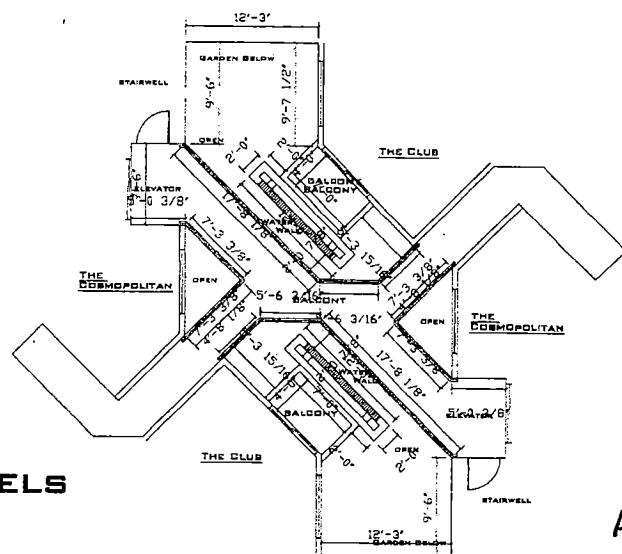
9 of 14 SH



LOWER LEVEL



UPPER LEVELS



SUP-5112
SDR-5116
10-07-04 PC

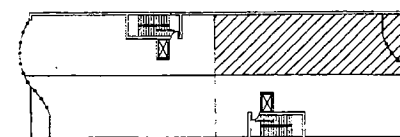
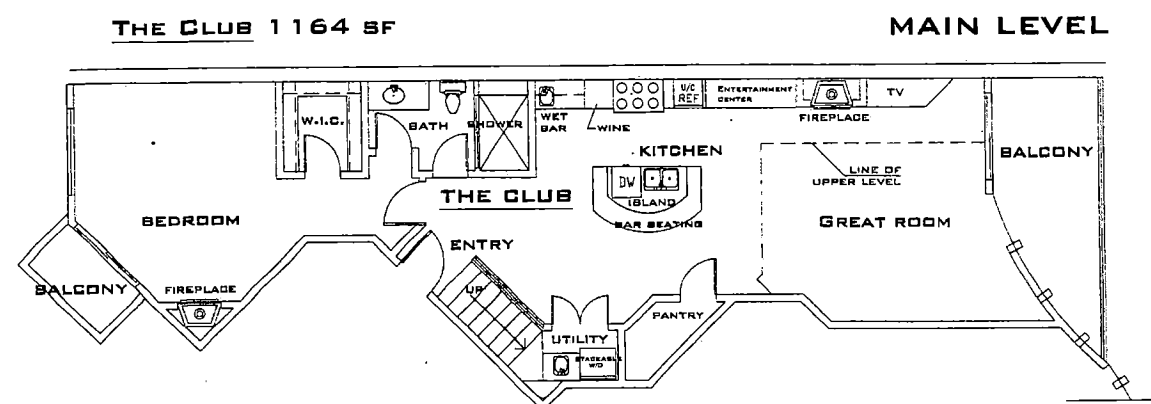
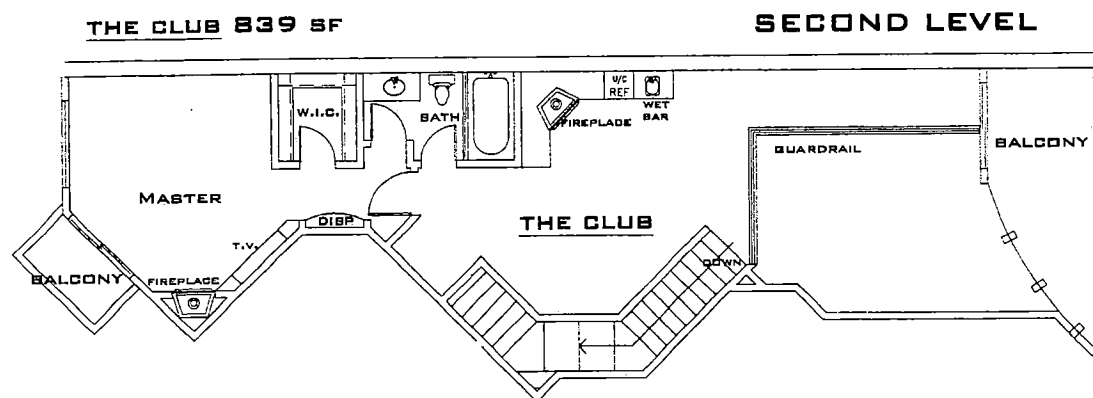
RECEIVED
AUG 24 REC'D

$$3/16'' = 1/8''$$

OWNER
1ST. RAINBOW LLC

**TRIUM PLAN
BUILDING PLAN THIRD
& FOURTH FL.**

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101



SUP-5112
SDR-5116
10-07-04 PC

RECEIVED
AUG 24 2004

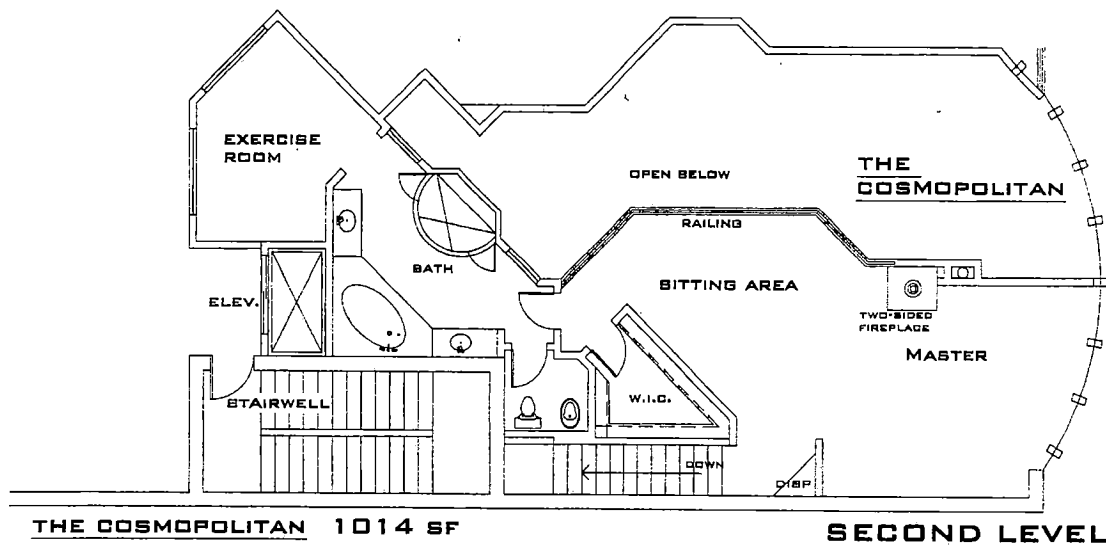
1/4" = 1'0"

OWNER
1 ST. RAINBOW LLC

CLUB FLOOR PLAN
 DATE: AUGUST 13, 2004

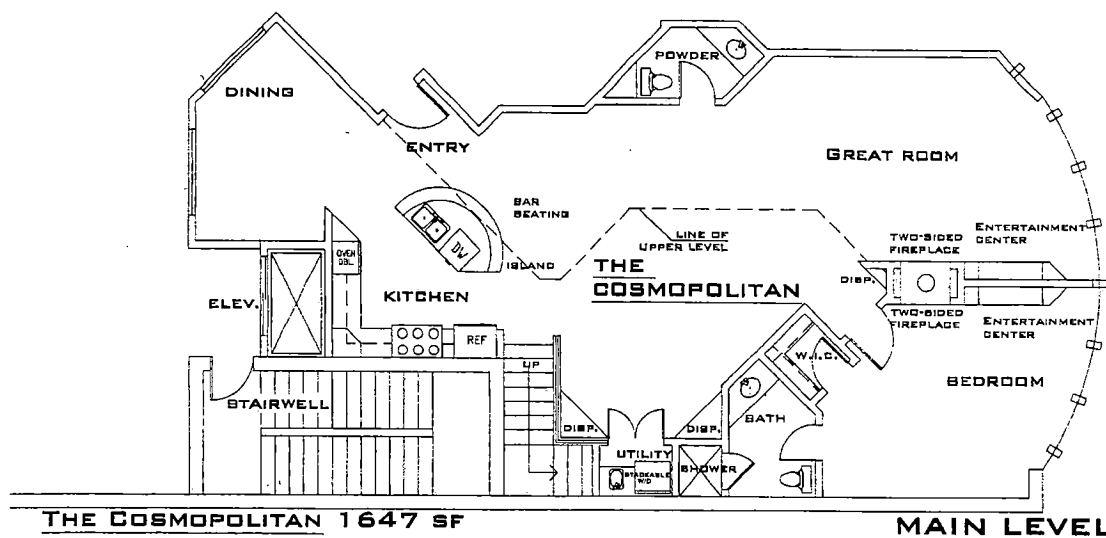
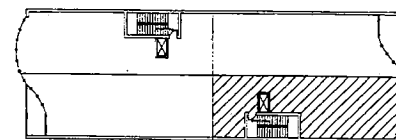
WILSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

11 of 14



THE COSMOPOLITAN 1014 SF

SECOND LEVEL



THE COSMOPOLITAN 1647 SF

MAIN LEVEL



SUP-5112
SDR-5116
10-07-04 PC

RECEIVED
AUG 24 2004

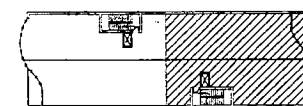
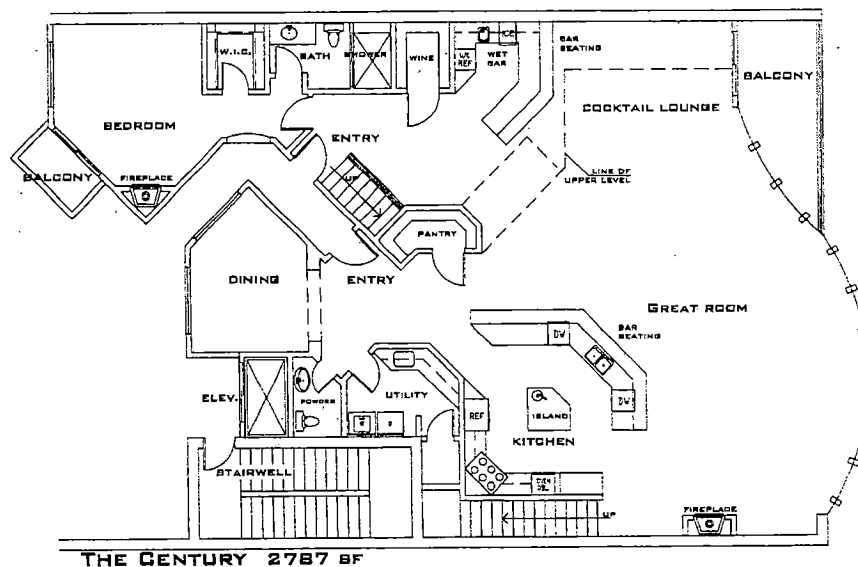
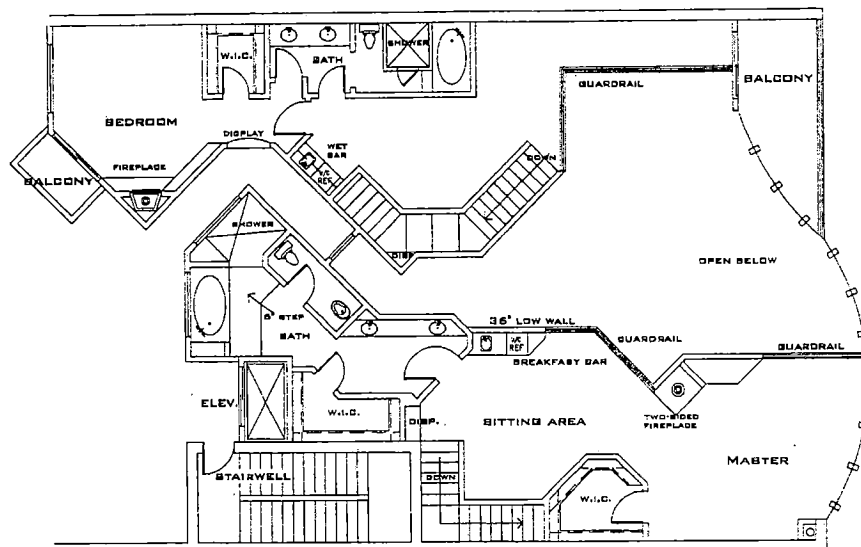
1/4" = 1'0"

OWNER
1 ST. RAINBOW LLC

COSMOPOLITAN PLAN
DATE: AUGUST 13, 2004

WILSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

12 of 14



SUP-5112
SDR-5116
10-07-04 PC

RECEIVED
AUG 24 REC'D

3/16" = 1'0"

OWNER
1 ST. RAINBOW LLC

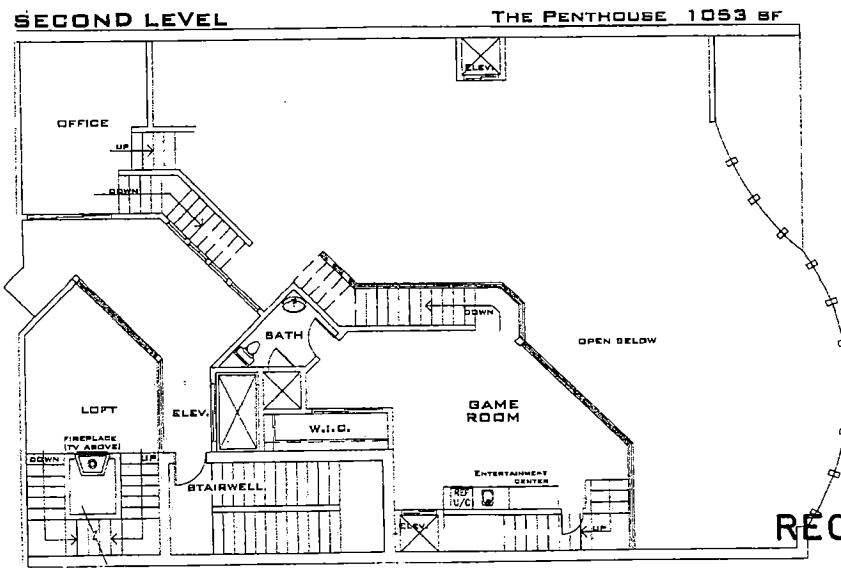
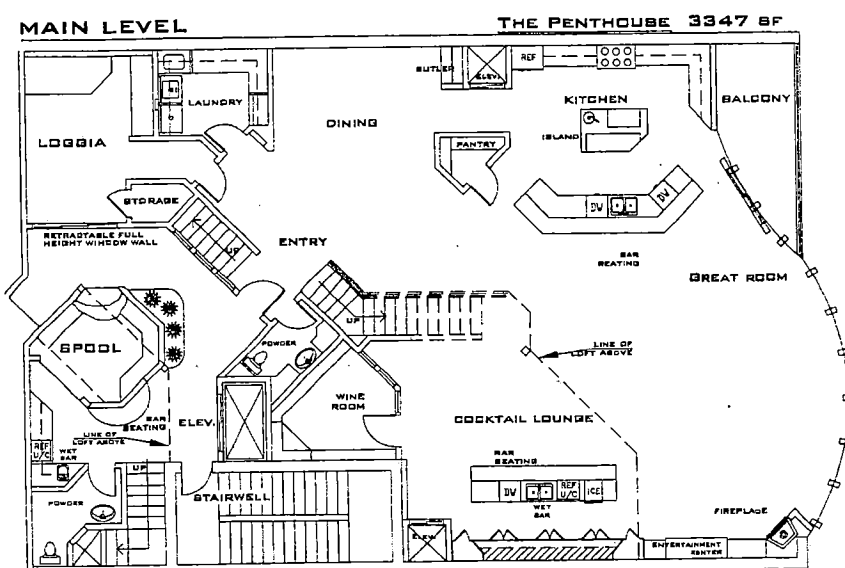
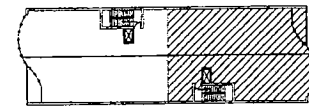
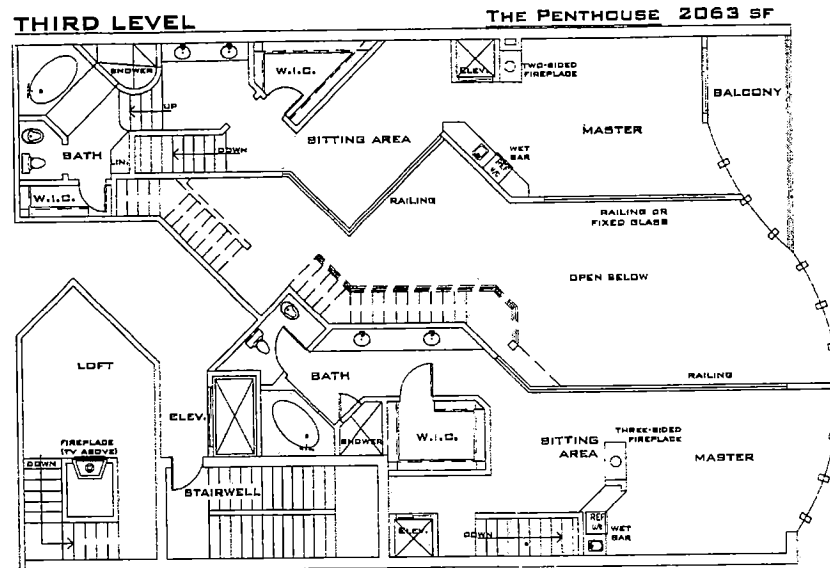
CENTURY PLAN

DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

13 of 14

SUP-5112
SDR-5116
10-07-04 PC



OWNER
1ST. RAINBOW LLC

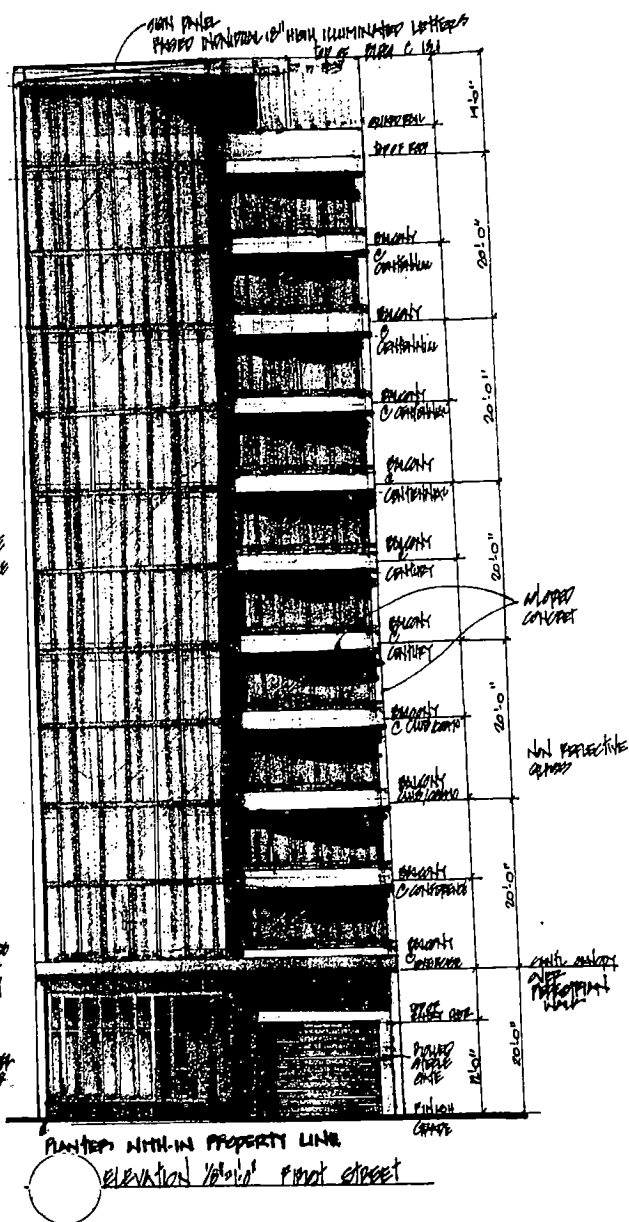
PENTHOUSE PLAN

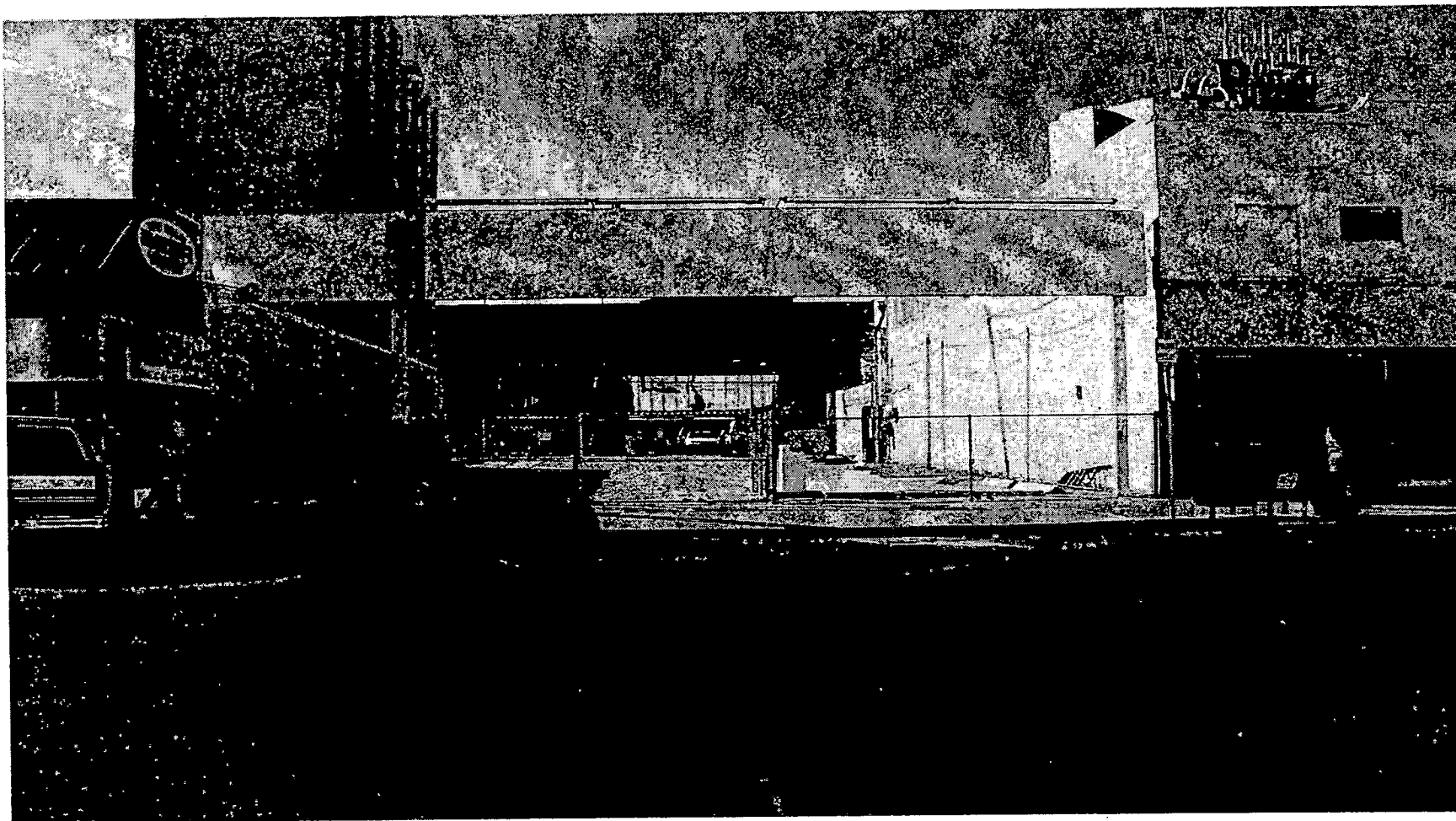
DATE: AUGUST 13, 2004

WOLFSON LOFTS
116 S. 1ST. STREET
LAS VEGAS, NV. 89101

RECEIVED
AUG 24 2004
3/16" = 1'0"

SUP-5112
SDR-5116
10-07-04 PC





SDR-5116 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RAINBOW
STUDIOS, LLC - OWNER: 1ST RAINBOW, LLC
116 SOUTH 1ST STREET
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5067 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN - OWNER: GWHC OF NEVADA, LLC - Request for a Special Use Permit and Waivers of Separation Distance Standards, to allow a 780-foot distance from a parcel with a similar use where 1,000 feet is the minimum required, to allow a zero-foot distance from residential uses where 200 feet is the minimum required; and a Waiver of floor area standards, to allow 1,482 square feet where 1,500 square feet is the minimum required FOR A PROPOSED AUTO TITLE LOAN BUSINESS at 8450 West Sahara Avenue, Suite 114 (APN 163-04-406-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with McSWAIN abstaining because her customer, the BECKER’S, are associated with this property and EVANS voting NO

To be heard by the City Council on 11/03/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, explained that there is a pre-existing payday loan business in this suite. The approval of that business was given prior to the requirement of the separation distance and therefore, did not require a Special Use Permit (SUP).

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 60 – SUP-5067

MINUTES – Continued:

The company would now like to add an auto-title loan component to their business. Regarding the waivers, the commercial parcel this is located within abuts a residential development to the north and apartments to the west. There is another financial institution specified within 1,000 feet and the suite is slightly less than the 1,500 square foot minimum floor area as required. Staff is recommending denial because the applicant cannot meet these requirements.

GARY FORBES, 8450 West Sahara Avenue, Suite 114, stated he disagreed with the staff recommendation of denial. Regarding the waivers, he understands the 1,500 minimum square foot requirement is to allow customers adequate space to wait and be serviced. In his business, he explained, there is a lot of down time and the customers do not generally pile up. Approval would allow his family owned business to offer another service to their customers. He hoped the Commission would approve the application.

COMMISSIONER STEINMAN indicated that he has been to this site and that the business did not need the square footage they have now. He felt the operation was clean and could not see what allowing them to offer this additional service to their customers would hurt. He noted the sign is up for auto-title loans but that they do not have the sign lit so it is okay to have it. He would support the item.

MR. FORBES stated that his company was in the process of getting the business started when the ordinance relating to financial institutions specified was adopted. He had hoped to have the auto-title loan component added before that adoption but wanted to make sure the need was present. They have since found out their customers would be interested in that type of loan.

COMMISSIONER STEINMAN felt the ordinance was put in place to prevent someone from going into the same center with an identical operation, not to prevent people from adding a service to an existing business.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:33 – 10:38)

3-3126

CONDITIONS:

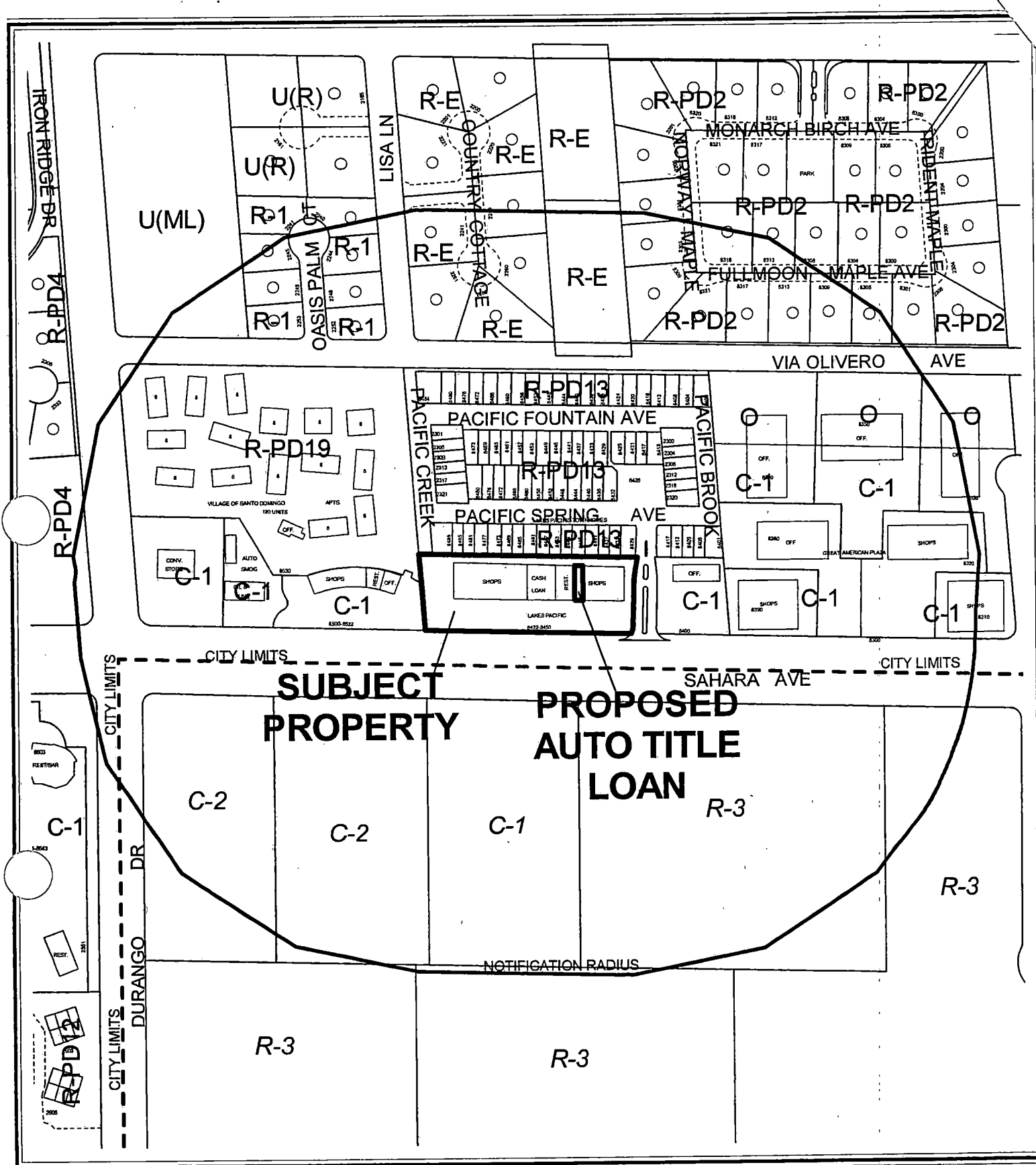
Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 60 – SUP-5067

CONDITIONS – Continued:

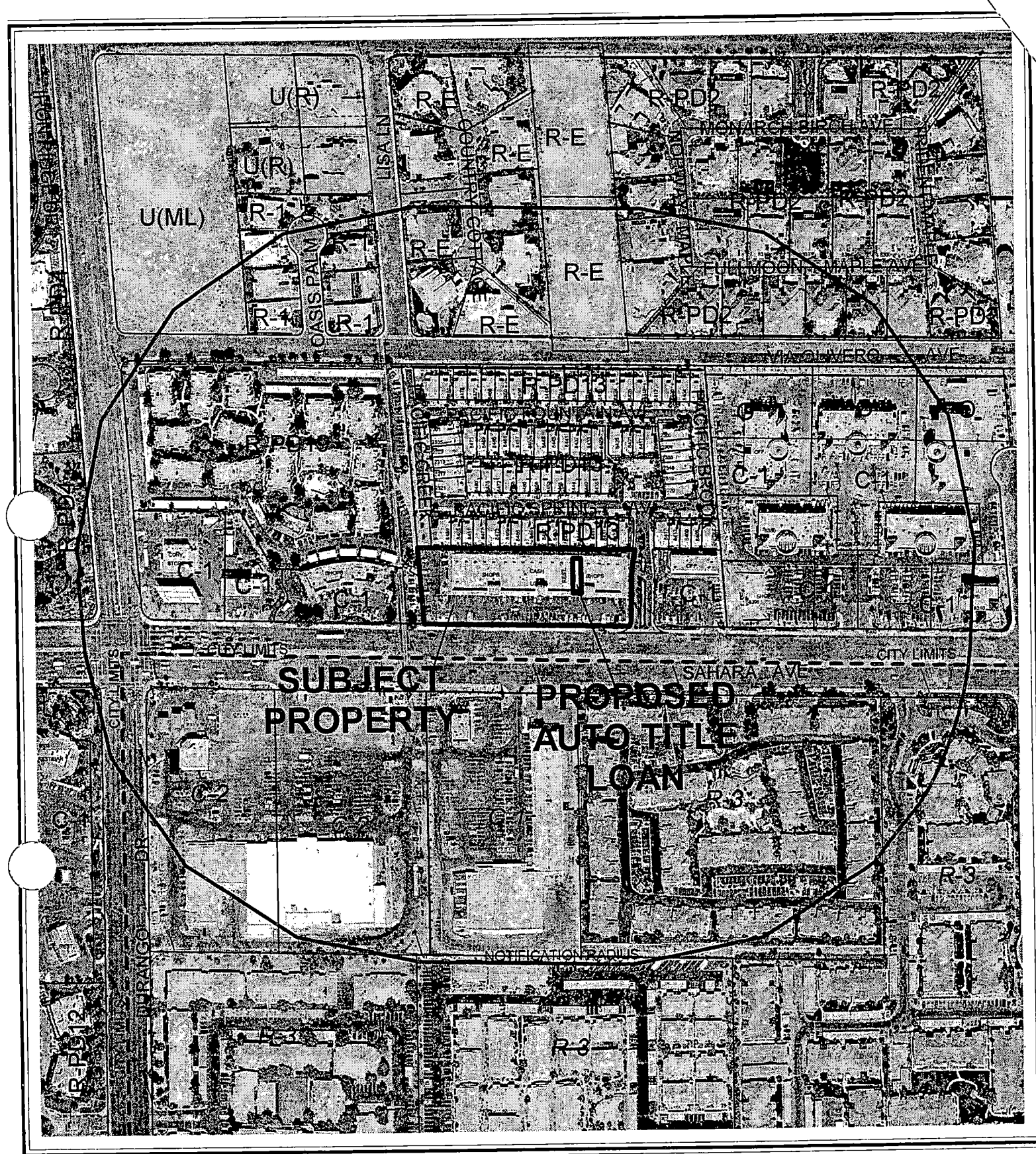
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-5067

RADIUS: 750 FT

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



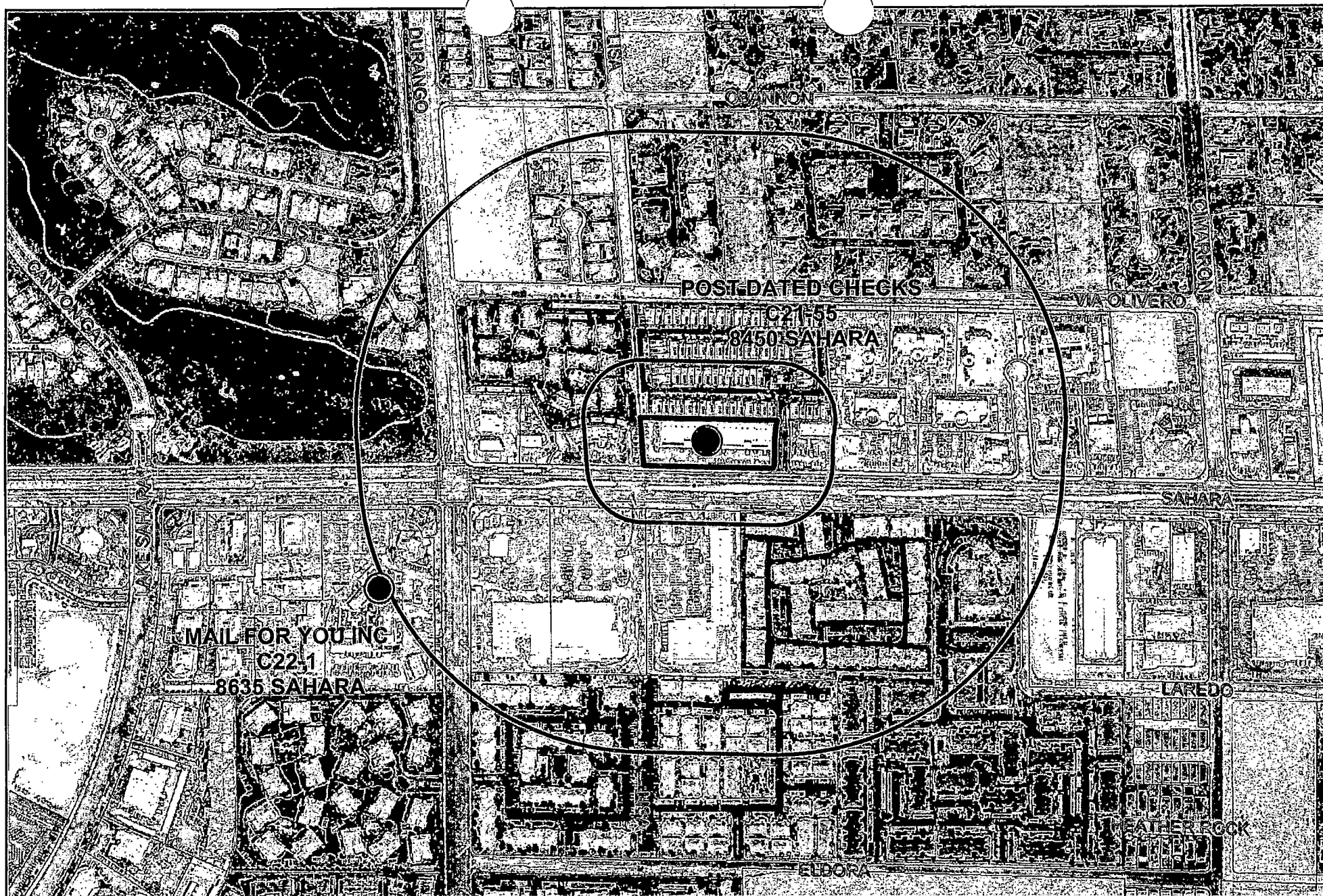
CASE: SUP-5067

RADIUS: 750 FT

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

0 200 400 Feet





SUP-5067

Financial Business Locations

- | | |
|--|-------------------------|
| ● Financial Institution, Specified
(Check Cashing Service) | ● Finance Company |
| ● Financial Institution, Specified
(Check Cashing Service with Gross) | ● Automobile Title Loan |



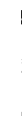
Subject Property



Residential Property



Buffer



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5067 - SPECIAL USE PERMIT - PUBLIC HEARING -

APPLICANT: PDC AUTO TITLE LOAN - OWNER: GWHC OF NEVADA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit to for a proposed Auto Title Loan business at 8450 West Sahara Avenue, Suite 114. The applicant is also requesting waivers of the required 1,000-foot separation distance from similar uses, the 200-foot separation distance separation from residential uses and the 1,500 square-foot floor area minimum requirements.

B) Applicant's Justification

The applicant justifies this application by stating, "Currently, we operate a payday loan business at this location. The auto title loan business would be a separate business sharing the premises with the payday loan business."

BACKGROUND INFORMATION

A) Previous Actions

- 01/03/90 The City Council approved a Rezoning and Site Development Plan Review (Z-0128-89) application for the reclassification of property located on the northwest corner of Sahara Avenue and Al Carrison Street from N-U (Non-Urban) to C-1 (Limited Commercial) for the proposed use of retail commercial and an indoor/outdoor sports facility. The Planning Commission and staff both recommended approval.
- 02/08/96 The Planning Commission approved a Site Development Plan Review [Z-0128-89(6)] for proposed retail stores on property located on the north side of Sahara Avenue, east of Durango Drive. The action by the Planning Commission was final. Staff recommended approval.
- 07/18/01 The City Council approved a Special Use Permit (U-0063-01) application for secondhand sales in conjunction with a proposed children's apparel store (Kid to Kid) at 8450 West Sahara Avenue. The Planning Commission and staff both recommended approval.

B) Pre-Application Meeting

- 08/04/04 A pre-application conference was held resulting in the following comments:
1. The applicant currently operates a payday loan business and has been doing so prior to the requirement for a Special Use Permit.
 2. A Special Use Permit is now required for the addition of the Auto Title Loan use.
 3. Required a waiver of the 1,000-foot minimum distance separation from similar uses condition.
 4. Requires a waiver of the 200-foot minimum distance separation from residential uses condition.
 5. The store is less than 1,500 square feet in size.
 6. This application is a Project of Regional Significance and will require an Environmental Impact Assessment.

C) Neighborhood Meetings

This type of application does not require a neighborhood meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.79

B) Existing Land Use

Subject Property: Commercial Strip Center
North: Townhouses
South: Commercial Strip Center; Condominium Complex
East: Office Building
West: Commercial Center; Apartment Complex

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD13 (Residential Planned Development – 13 Units per Acre)
South: [Clark County: C-1 (Local Business); R-3 (Multiple-Family Residential - 18 Units per Acre)]

SUP-5067 - Staff Report Page Three
October 7, 2004 Planning Commission Meeting

East: C-1 (Limited Commercial); R-PD19 (Residential Planned Development – 19 Units per Acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) with the Southwest Sector Land Use Map of the General Plan. The subject site is within a C-1 (Limited Commercial) zoning district, which is in conformity with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	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, or trail requirements.

Project of Regional Significance

This request is a Project of Regional Significance, due to the proximity to a boundary with Unincorporated Clark County. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment. A summary of comments from affected agencies is included below.

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 feet of Clark County or the City of North Las Vegas.

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 Las Vegas Valley Water District has reviewed the subject project and has determined that it will not have a significant impact on the capacity of the District's water supply system.

2) Flood Control has no comment and does not require a drainage study for this project.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to a decision on the proposal.

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
Financial Institution	1,482 SF.	1 Space / 200 GFA	7	1	7	1

The applicant has supplied a site plan that indicates the total number of parking spaces provided, but fails to provide a parking analysis of the existing uses within the established commercial center. The proposed use will be located with an established Financial Institution, Specified, which, would have the equivalent number of parking spaces, required of it as the Auto Title Loan use. Therefore, the proposed use would meet the parking standards required of it.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Auto Title Loan	200 feet from any parcel used or zoned for residential use	NO
	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	NO

The subject site is located adjacent to residentially zoned properties along the northern, eastern, and western edge of the subject property. Due to the proximity of the parcel to residentially zoned land to the north, east and west the applicant requires a waiver of the 200-foot minimum distance requirement.

The proposed Auto Title Loan business is stated, by the applicant to, "be a separate business sharing the premises with the payday loan business." Therefore in all actuality the propose Auto Title Loan business would have a zero-foot distance separation from a similar use. Additionally, the subject parcel is located approximately 780 feet from another similar use. Therefore, the applicant requires a waiver from the minimum 1,000-foot minimum distance requirement.

A3) Financial Institution, Specified Building Size

Pursuant to Title 19.04 Standards adopted April 21, 2004, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Auto Title Loan	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	NO

The subject use is proposed to be located within an approximately 1,482 square foot portion of an existing building. This does not meet the standards of the Code. The floor plan supplied by the applicant illustrates a lobby, an office, one restroom, and an open storage area. The subject tenant space contains an existing Financial Institution, Specified. The lobby for the Auto Title Loan business will also double as the lobby for the payday loan business.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial). An Auto Title Loan use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit.

- Use

An Auto Title Loan is defined by Title 19.20 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

SUP-5067 - Staff Report Page Six
October 7, 2004 Planning Commission Meeting

The use is not appropriate as it does not conform to the recently adopted distance separation standards. These standards should not be waived until there is sufficient time to evaluate the impacts of these standards.

- **Conditions**

Title 19.04.050 lists the following conditions for an Auto Title Loan use, adopted by City Council April 21, 2004.

(*1) The use shall comply with all applicable requirements of LVMC Title 6.

(*2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

- (a) Cover more than twenty percent of the area of all exterior windows;
- (b) Include flashing lights or neon lighting; or
- (c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of eight a.m. to eleven p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

The proposed Auto Title Loan center fails to comply with conditions #6 and #7 of Title 19.04. The subject site's building footage is approximately 1,482 square feet, where 1,500 square feet is required. The subject site is located within the 200-foot minimum separation distance from residential zoned properties and within the 1,000-foot minimum distance from other similar uses.

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."**

Although this use falls within the parameters of the SC (Service Commercial) category, its specific location makes it incompatible with surrounding land uses. The subject parcel and its neighbor to the north, east and west [designated M (Medium Density Residential)] are separated by zero feet. The City requires a 200-foot buffer between an Auto Title Loan use and residential areas. Additionally, the proposed site of the use is located within 1,000 feet of a similar use, therefore creating a higher probability of saturation in the area. The proposed land use cannot 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.

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

The subject tenant space is inadequate as set forth by Ordinance #5682, adopted 04/21/04, which requires a minimum of 1,500 square feet of interior space, to provide sufficient customer waiting areas, customer queuing, and transaction space for an Auto Title Loan use. Therefore, a waiver from the minimum interior space requirement is required for approval. The existing parking area is adequate to accommodate the proposed use.

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

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 Auto Title Loan business.

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 Auto Title Loan business would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 309

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5067 APN: 163-04-466-004
Name of Property Owner: GNHC of Nevada, LLC
Name of Applicant: FDC Auto Title Loans

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: _____

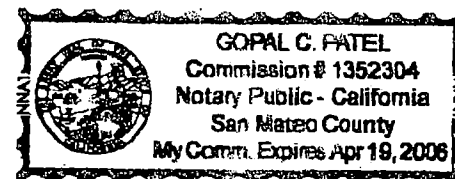
Print Name: ROBINSON LEUNG

Subscribed and sworn before me

This 19th day of AUG, 2004

[Signature]
Notary Public in and for said County and State

California, San Mateo



RECEIVED
AUG 23 2004

PLANS FOR FIRE HYDRANTS,
THE EXTINGUISHING SYSTEMS,
THE ALARM SYSTEMS, MEDICAL
GAS SYSTEMS, ON-SITE FIRE, WATER,
AND FUEL TANKS MUST BE APPROVED
BY THE APPROPRIATE AGENCIES
BEFORE INSTALLATION.

CLV
File

CONSTRUCTION DATA

OCCUPANCY (MIXED) — GROUP B & GROUP M
CONSTRUCTION TYPE — V-M WITH AUTOMATIC FIRE
EXTINGUISHING SPRINKLERS
ALLOWABLE AREA — 8,000 S.F. + 2 SLOES @ 2-1/2% x 20' = 50 X
ONE STORY BUILDING OR 12,000 S.F. x 3 (AUTOMATIC SPRINKLER SYSTEM)
= 36,000 S.F. ALLOWABLE AREA
BUILDING AREA PROVIDED = 29,250 S.F.
NO SEPARATION REQUIRED FOR MIXED OCCUPANCY GROUP B AND GROUP M
AS PER TABLE J-8, 1994 U.B.C.

SITE DATA

ZONING — C-1
LOT AREA — 80,160 S.F. NET
BUILDING AREA — 29,250 S.F.
LOT COVERAGE — 36%
PARKING PROVIDED — 29,250 S.F. @ 285 S.F./CAR = 99 PARKING SPACES

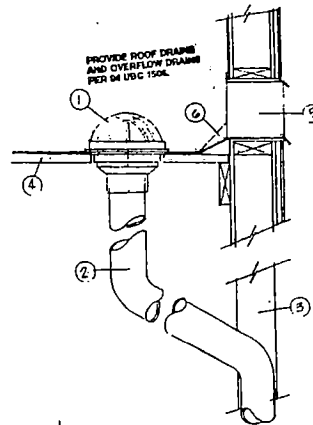
CLV Zoning Ordinance, Chapter 15A.18.010(K):
Wherein Slopes / Curbing:
Concrete wheel stops or curbing at least six inches high and six inches
wide shall be provided to prevent vehicles overhanging abutting
sidewalks, properties or public rights-of-way, to protect landscaped
areas, and to protect adjacent properties. Such curbing shall be located
at least three feet from any adjacent wall, fence, property line, driveway
or structure where parking and/or drive aisles are located.

GENERAL NOTE:

1. DETAILS 1, 2 & 3 ARE ALTERNATE TO
ROOF OVERFLOW DRAINAGE AS
SHOWN IN DETAIL 3/A-7.
2. SEE DETAIL 3/A-7 FOR GENERAL
WALL NOTES & CONDITIONS (SIMILAR).

KEY NOTES:

1. ROOF DRAIN (DESIGNER'S) SERIES 32415 S.D.
2. 9" ABS. ROOF DRAIN LEADER 6" DIA. x 10' LONG
3. 24" DIA. WALL @ 10' O.C.
4. 10" RYMOND ROOF SUBSIDIARY
5. 12" x 6" 24 GA. G.I. OVERFLOW SCUPPER
6. GUNT
7. FLASH FLOOR
8. CONC. WALK
9. ROOF DRAIN LEADER TO DRAINAGE AT EDGE
OF CONC. WALK

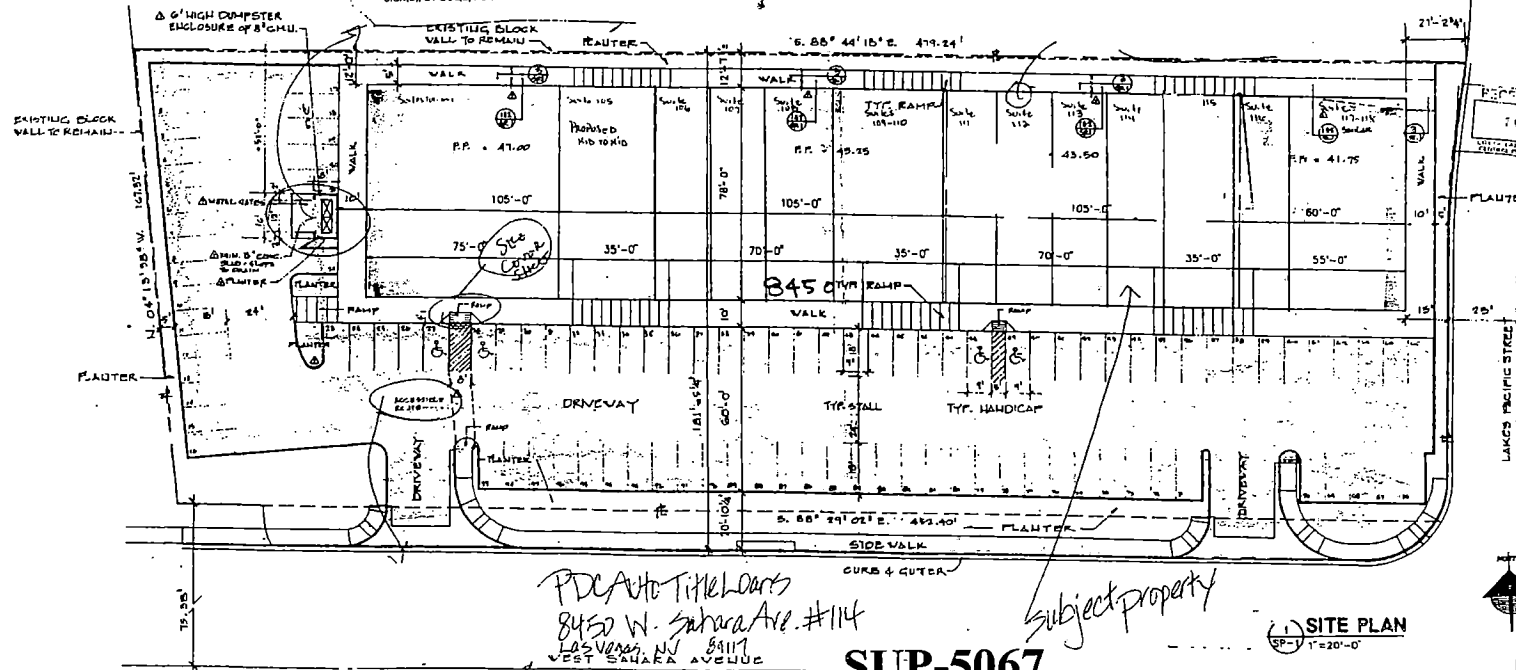


DET. 1

Scale 1/8" = 1'-0"

DET. 2

DET. 3

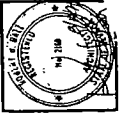


PDC Auto Title Loans
8450 W. Sahara Ave. #114
Las Vegas, NV 89117
WEST SAHARA AVENUE

Subject property

SUP-5067
10-07-04 PC

(1) SITE PLAN
SP-1 1" = 20'-0"



ROBERT B. BALL,
ARCHITECT
2700 NORTH 3rd STREET, STE. 2010
PHOENIX, ARIZONA 85004
PH. (602) 263-8045

PACIFIC LAKES
BUSINESS CENTER
LAS VEGAS, NEVADA

SITE PLAN
1" = 20'-0"

JOB NUMBER
1994
DRAWING DATE
10/10/95
REVISIONS
10/9/96
11/15/96
12/12/97

SHEET NUMBER
SP-1



SUP-5067 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN -
OWNER: GWHC OF NEVADA, LLC
8450 WEST SAHARA AVENUE, SUITE 114
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5072 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY - Request for a Special Use Permit and Waivers of the Separation Distance Standards to allow a zero-foot distance from a parcel with a similar use where 1,000 feet is the minimum required; to allow a zero-foot distance from residential uses where 200 feet is the minimum required; and a Waiver of floor area standards to allow 800 square feet where 1,500 square feet is the minimum required FOR A PROPOSED AUTO TITLE LOAN BUSINESS at 6708 West Cheyenne Avenue (APN 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with McSWAIN abstaining because her customer, the BECKER’S, are associated with this property and EVANS and DAVENPORT voting NO

To be heard by the City Council on 11/03/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, stated this application is almost identical to the previous item. The applicant and situation are the same. Waivers are being requested for having less than the minimum square footage and because there is another financial institution specified within 1,000 feet. Staff is recommending denial to remain consistent.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 61 – SUP-5072

MINUTES – Continued:

GARY FORBES, 8450 West Sahara Avenue, Suite 114, explained this is the same situation. The business does not meet the minimum square footage requirement; however, MR. FORBES feels the space they have is adequate for one employee and the customers as they come in.

COMMISSION DAVENPORT pointed out that this application is different than the last because there is another similar business located within the same shopping center. MR. FORBES confirmed it is a SuperPawn and that they do offer title loans. The SuperPawn was sending title loan customers to MR. FORBES' company because the clients were not asking for loan amounts that met their minimum. MR. FORBES was unable to grant the loans because he has not been approved for it yet.

COMMISSIONER STEINMAN acknowledged the second similar use in the shopping center yet felt that since this is an existing business asking to offer another service. He was supportive of the application.

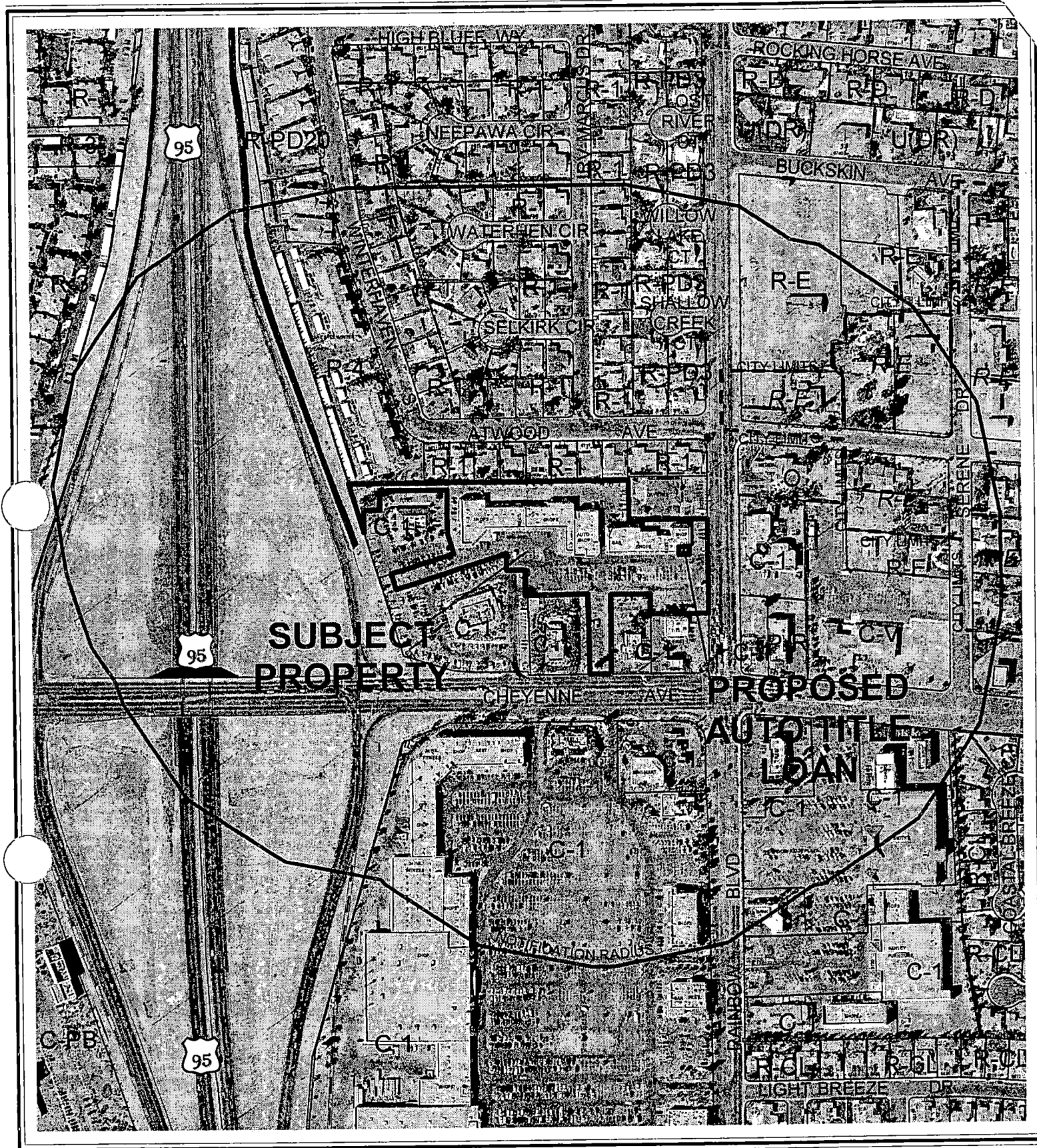
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:38 – 10:42)
3-3445

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied.





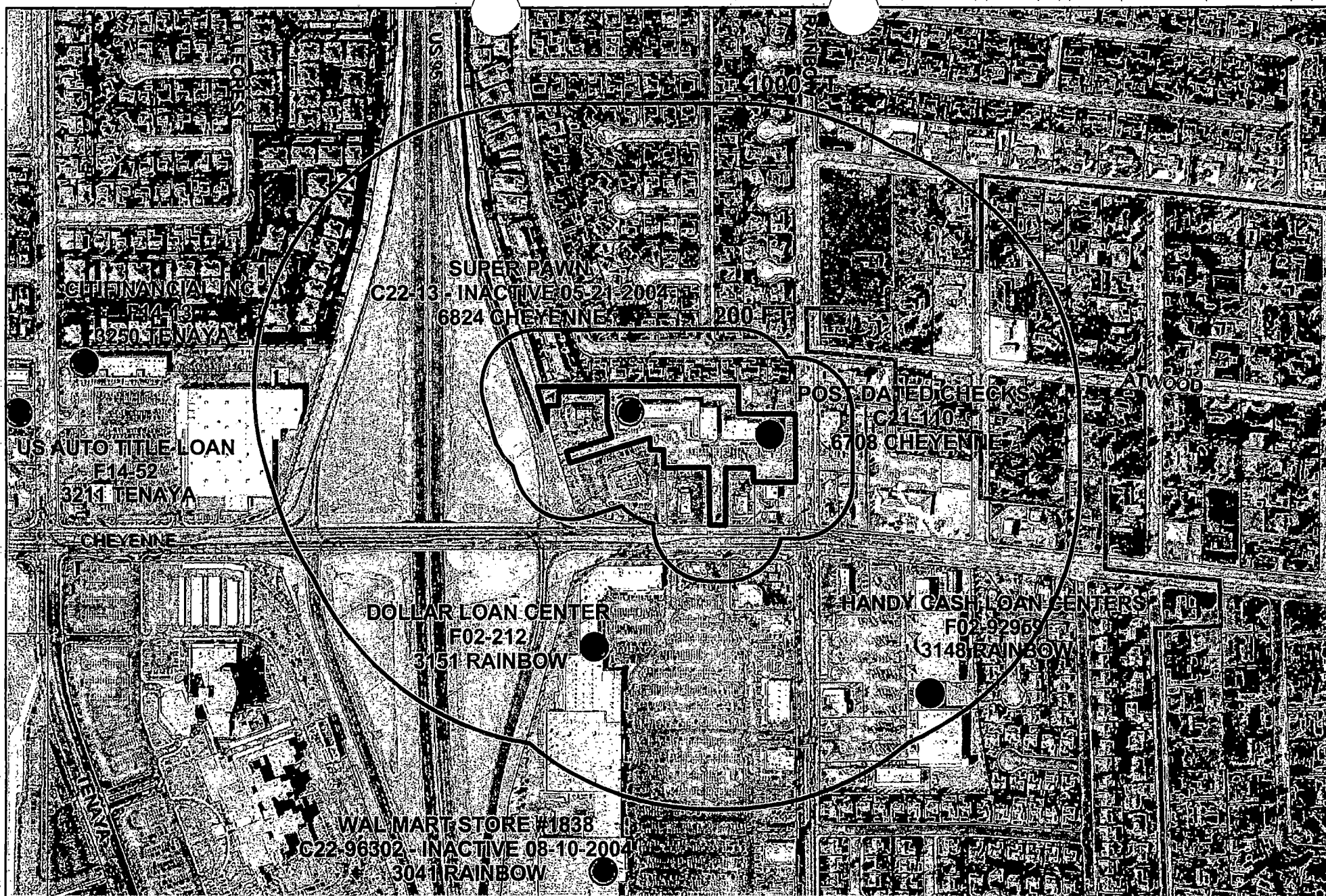
CASE: SUP-5072

RADIUS: 750 FT

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

0 300 600 Feet





SUP-5072

Financial Business Locations

- Financial Institution, Specified (Check Cashing Service)
- Finance Company
- Financial Institution, Specified (Check Cashing Service with Gross)
- Automobile Title Loan

- Subject Property
- Residential Property

- Buffer

N

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5072 - SPECIAL USE PERMIT - PUBLIC HEARING -

**APPLICANT: PDC AUTO TITLE LOAN - OWNER: CHARLESTON HEIGHTS
DEVELOPMENT COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit to for a proposed Auto Title Loan business at 6708 West Cheyenne Avenue. The applicant is also requesting waivers of the required 1,000-foot separation distance from similar uses, the 200-foot separation distance separation from residential uses and the 1,500 square-foot floor area minimum requirements.

B) Applicant's Justification

The applicant justifies this application by stating, "Currently, we operate a payday loan business at this location. The auto title loan business would be a separate business sharing the premises with the payday loan business."

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 12/06/78 | The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78). The Planning Commission recommended approval. |
| 04/17/85 | The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission and staff recommended approval on 03/26/85. |
| 10/23/90 | The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for a 38,000 square foot addition to an existing shopping center on the subject site. Staff recommended approval. |
| 11/20/90 | The Board of Zoning Adjustment approved a Variance (V-0129-90) application to allow a 466 square foot shopping center identification sign where 400 square feet is the maximum size allowed, on property located on the north side of Cheyenne Avenue between Oran K. Gragson Highway and Lorenzi Boulevard. Staff recommended denial. |

SUP-5072 - Staff Report Page Two
October 7, 2004 Planning Commission Meeting

- 11/12/91 The Board of Zoning Adjustment approved a Variance (V-0015-91) application to allow 140 parking spaces where the proposed uses require 212 parking spaces on property located on the northwest corner of Cheyenne Avenue and Rainbow Boulevard. Staff recommended denial.
- 03/17/93 The City Council approved a Variance (V-0004-93) application to allow the secondhand sales of women's clothing and apparel where secondhand dealerships are not permitted on property located at 6718 West Cheyenne Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.
- 07/17/96 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.
- 03/10/97 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0155-96) application to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue. Staff had no objection.
- 05/12/97 The City Council approved a request for a Special Use Permit (U-0147-96) application for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97. Staff had no objection.
- 01/12/98 The City Council approved a Variance (V-0087-97) application on property located at 6740 West Cheyenne Avenue to allow a proposed 2,346 square-foot freestanding six bay automotive service building on the side property line and 20 feet from the rear property line where 10 feet and 60 feet are the minimum setbacks required in conjunction with an existing tire store (Goodyear Tire Center). The Board of Zoning Adjustment recommended approval. Staff recommended denial.
- 01/26/98 The City Council approved a Special Use Permit (U-0126-97) application on property located at 6810 West Cheyenne Avenue for a minor auto repair (glass) business. The Planning Commission and Staff both recommended approval.
- 01/07/04 The City Council approved the appeal filed by Cingular Wireless from the denial by the Planning Commission of a request for a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line wireless communications facility (non-stealth). Staff recommended denial.

B) Pre-Application Meeting

- 08/04/04 A pre-application conference was held resulting in the following comments:
1. The applicant currently operates a payday loan business and has been doing so prior to the requirement for a Special Use Permit.
 2. A Special Use Permit is now required for the addition of the Auto Title Loan use.
 3. Required a waiver of the 1,000-foot minimum distance separation from similar uses condition.
 4. Requires a waiver of the 200-foot minimum distance separation from residential uses condition.
 5. The store is less than 1,500 square feet in size.
 6. This application is a Project of Regional Significance and will require an Environmental Impact Assessment.

C) Neighborhood Meetings

This type of application does not require a neighborhood meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.44

B) Existing Land Use

Subject Property: Commercial Subdivision
North: Single Family Residences & Senior Apartments
South: Commercial Subdivision
East: Preschool & Minor Auto Garage
West: US 95 Expressway & Commercial Subdivision

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: L (Low Density Residential); H (High Density Residential)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-1 (Single-Family Residential); R-4 (High Density Residential)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) with the Centennial Hills Sector Land Use Map of the General Plan. The subject parcel is within a C-1 (Limited Commercial) zoning district, which is in conformity with the General Plan designation.

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. All development within the airspace above the height of thirty five feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The existing structure stands well below the 140-foot height restriction imposed by the Airport Overlay District map.

Project of Regional Significance

This request is a Project of Regional Significance, due to the proximity to a boundary with Unincorporated Clark County. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment. A summary of comments from affected agencies is included below.

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 feet from Clark County or the City of North Las Vegas.

SUP-5072 - Staff Report Page Five
October 7, 2004 Planning Commission Meeting

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 Las Vegas Valley Water District has review the subject project and has determined that it will not have a significant impact on the capacity of the District's water supply system.
- 2) Flood Control has no comment and does not require a drainage study for this project.

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

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
Financial Institution	800 SF.	1 Space / 200 SF. GFA	3	1	3	1

The applicant has supplied a site plan that indicates the total number of parking spaces provided, as well as the existing uses within the established commercial center. The proposed use will be located with an established Financial Institution, Specified, which, would have the equivalent number of parking spaces, required of it as the Auto Title Loan use. Therefore, the proposed use would meet the parking standards required of it.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Auto Title Loan	200 feet from any parcel used or zoned for residential use	NO
	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	NO

The subject site is located adjacent to residentially zoned properties along the northern edge of the subject property. Due to the proximity of the parcel to residentially zoned land to the north, east and west the applicant requires a waiver of the 200-foot minimum distance requirement.

The proposed Auto Title Loan business is stated, by the applicant to, "be a separate business sharing the premises with the payday loan business." Therefore in all actuality the propose Auto Title Loan business would have a zero-foot distance separation from a similar use. Additionally, the subject parcel is located within 1,000 feet from at least three other similar uses. Therefore, the applicant requires a waiver from the minimum 1,000-foot minimum distance requirement.

A3) Financial Institution, Specified Building Size

Pursuant to Title 19.04 Standards adopted April 21, 2004, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Auto Title Loan	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	NO

The subject use is proposed to be located within an approximately 800 square foot portion of an existing building. This does not meet the standards of the Code. The floor plan supplied by the applicant illustrates a lobby, an office, one restroom and one storage room. The subject tenant space contains an existing Financial Institution, Specified. The lobby for the Auto Title Loan business will also double as the lobby for the payday loan business.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned C-1 (Limited Commercial). An Auto Title Loan use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit.

PL

- Use

An Auto Title Loan is defined by Title 19.20 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

The use is not appropriate as it does not conform to the recently adopted distance separation standards. These standards should not be waived until there is sufficient time to evaluate the impacts of these standards.

- Conditions

Title 19.04.050 lists the following conditions for an Auto Title Loan use, adopted by City Council April 21, 2004.

(*1) The use shall comply with all applicable requirements of LVMC Title 6.

(*2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

- (a) Cover more than twenty percent of the area of all exterior windows;
- (b) Include flashing lights or neon lighting; or
- (c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of eight a.m. to eleven p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

The proposed Auto Title Loan center fails to comply with conditions #6 and #7 of Title 19.04. The subject site's building footage is approximately 800 square feet, where 1,500 square feet is required. The subject site is located within the 200-foot minimum separation distance from residential zoned properties and within the 1,000-foot minimum distance from other similar uses.

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."**

Although this use falls within the parameters of the SC (Service Commercial) category, its specific location makes it incompatible with surrounding land uses. The subject parcel and its neighbor to the north [designated L (Low Density Residential)] are separated by zero feet. The City requires a 200-foot buffer between an Auto Title Loan use and residential areas. Additionally, the proposed site of the use is located within 1,000 feet of a similar use, therefore creating a higher probability of saturation in the area. The proposed land use cannot 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.

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

The subject tenant space is inadequate as set forth by Ordinance #5682, adopted 04/21/04, which requires a minimum of 1,500 square feet of interior space, to provide sufficient customer waiting areas, customer queuing, and transaction space for an Auto Title Loan use. Therefore, a waiver from the minimum interior space requirement is required for approval. The existing parking area is adequate to accommodate the proposed use.

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

The subject location is accessible from Cheyenne Avenue, a 100-foot Primary Arterial, and Rainbow Boulevard, a Secondary (80-foot) Collector as indicated on the Master Plan of Streets and Highways, which is of adequate in size and capacity to accommodate the proposed Auto Title Loan business.

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 Auto Title Loan business would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 114

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP 5072 APN: 130-10-816-007
Name of Property Owner: Charleston Heights Development Co.
Name of Applicant: PDC Auto Title Loans

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: _____

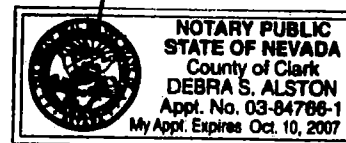
Signature of Property Owner/Authorized Agent: _____

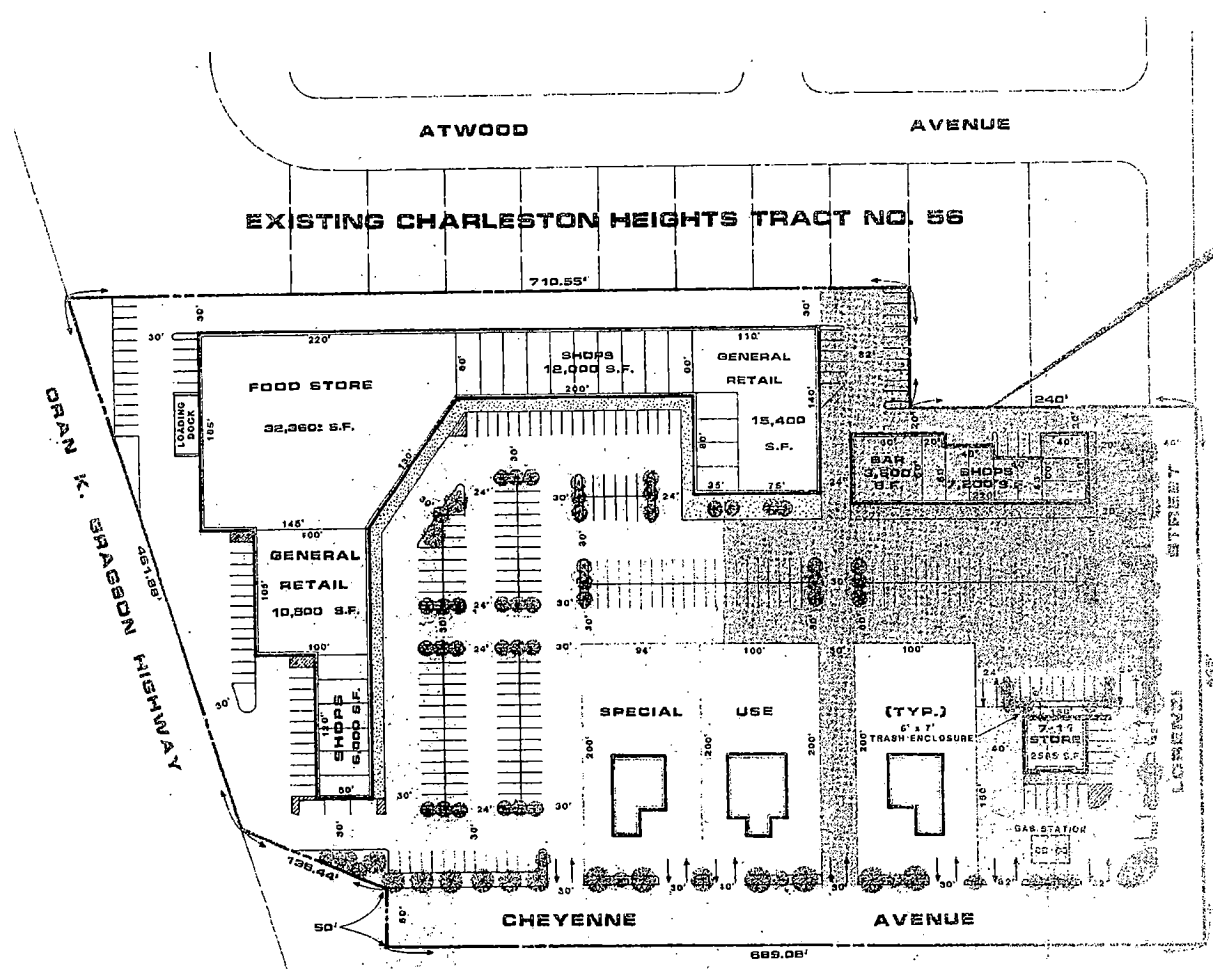
Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

This 19th day of August, 2007

Notary Public in and for said County and State





PHASE 1
(INDICATED 1" SCALE 1/4" = 1'-0")

RECEIVED
AUG 23 2004

NOTE: THE TABULATION BELOW DOES NOT
INCLUDE THE THREE (3) SPECIAL USE AREAS.

PARKING SPACE TABULATION			
BUILDING	AREA (S.F.)	PARKING SPACES	
		REQUIRED	PROVIDED
FOOD STORE	32,360	130	319
BAR	3,600	78	
7-11 STORE	2,585	11	
SHOPS/GENERAL RETAIL	61,100	102	
TOTALS	99,645	319	319

CHEYENNE, WY 82001
SHIPPING & RECEIVING

SUP-5072
10-07-04 PC



SUP-5072 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN -
OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY
6708 WEST CHEYENNE AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5105 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HEADLIFTERS MINISTRIES - OWNER: DELUXE INVESTMENTS, INC. - Request for a Special Use Permit and a Waiver of the 6,500 square-foot minimum lot requirement FOR A PROPOSED TRANSITIONAL LIVING GROUP HOME on 0.14 acres at 2805 Howard Drive (APN 162-01-710-014) R-1 (Single-Family Residential) Zone, Ward 3 (Reese).

C.C.: 11/03/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, explained the home can accommodate up to six people and would have common areas on the first and second floors. It does meet the conditions of the Special Use Permit, with the exception of the minimum lot size. This lot is 6,000 square feet and the minimum requirement is 6,500 square feet. Staff does not feel this use is harmonious and compatible with the neighborhood. This type of use could be approved for R-1 lots; however, this area of R-1 homes does have much smaller lot sizes than what is typical. The use does nothing to further the quality of existing residential neighborhoods, which is one of the goals as this is within a Revitalization Area.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 62 – SUP-5105

MINUTES – Continued:

ERNEST BROOKS, Pastor, Headlifters Ministries, appeared and explained his ministry is an outreach and faith based organization. He stated the square footage of the lot is 6,093. His ministry is in contact with many churches and service providers within the Valley and they are always helping people in the community. They help people who have lost their jobs get back on their feet. In doing this, they came up with the concept of forming a transitional living group home. PASTOR BROOKS indicated they are trying to follow the procedures of the City and of the State to get approval to open the home.

PASTOR BROOKS stated the improvements made to the property have already made a positive impact on the neighborhood. The home was vacant and experienced a lot of vandalism and now that the church has purchased it and is working to clean the site, the vandalism has ceased. He felt the property value has risen since their purchase of the home and was pleased to report that many neighbors have commented they are happy the church moved in. He disputed staff's claims that this property was located within a Revitalization Area. PASTOR BROOKS asked the Commission to approve the request because there are not enough programs such as this within the Valley.

HOWARD PHILLIPS, 2917 Howard Drive, stated this is not a good project to go into this home. The houses in this area were built between 1958 and 1960 as starter homes. They are small homes with three bedrooms and one bath. To add a second story as was done to this house does not improve the home. There is no air conditioning and he is concerned about the gas fixtures and electricity in the addition. There are kids next door and this is the wrong place for this.

JAMES OSBORNE, 2800 Howard Drive, explained he has lived in this home for 38 years and he watched the home in question being built. He informed the Commission that the floors of the second story addition are made of ½ inch plywood. MR. OSBORNE indicated the lot is approximately sixty by eighty and there are only single-family residences in the neighborhood now. As a spokesperson for the neighbors who have left the meeting, he stated it is not a good idea to put a transitional home at this location. He also questioned the name Headlifters Ministry and asked what denomination the ministry represented.

HOWARD PHILLIPS pointed out that two other houses in the neighborhood were zoned to care for the elderly and there were fires at both locations. One home burned to the ground and the other was salvageable but is now a single family home. The homes are not built for this type of arrangement.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 62 – SUP-5105

MINUTES – Continued:

JUAN MACIAS, 2809 Howard Drive, stated he lives next door to the subject property. He stated if the group was religious, there should not be people out in front smoking and drinking like he has seen occur before the City shut the house down. He has children and does not want to be located next to a transitional home since he would not know who was there or where they came from. And, he does not want to see any more parties take place at this location.

MIGUEL MARTINEZ, 2812 Howard Drive, voiced his concerns over the proposed project because there is no way to know what type of people will live at the house. There are many children who live in the neighborhood and they play outside. Many of the men in the neighborhood work and are out late because of their jobs. He fears for the children at home. He asked the Commission not to put the house there.

DELORES BROOKS, Pastor, 2805 Howard Drive, explained she is a pastor for Headlifters Ministries and that they are a Christian organization. The name Headlifters is based on a scripture, which states God, is the lifter of our heads. The name of the transitional home is going to be Keeper's Transitional House. Their transitional living home would accommodate young women with children who have had a hard time. They will have assistance in transitioning back into society and becoming productive citizens. She confirmed that there is no air conditioning in the home but there are swamp coolers. MS. BROOKS indicated the homeowner was renting out individual rooms prior to the church taking over and that the house was not being kept at that time. The ministry has cleaned carpets and floors and added blinds. They are beautifying the home. If the church is not allowed to remain at this location, that owner will go back to the individual rentals.

COMMISSIONER GOYNES did not feel transitional living was a designation appropriate to a residential neighborhood. He acknowledged the individuals who may need this service have had some hard times and need help; however, he felt better about assisting the families existing in the neighborhoods so those children will not need facilities like this in the future. He put great emphasize on the value of neighborhoods with families. He would be unable to support the item. COMMISSIONER GOYNES found the staff recommendation of denial interesting when comparing it to items heard in the past for similar uses within different areas. He questioned staff's difference in recommendation between the same use proposed in a revitalized area compared to a redevelopment area. He supported staff's recommendation of denial.

COMMISSIONER McSWAIN concurred by saying she respected the goal of the ministry in trying to help those who need it; however, these types of homes can make a large impact on a neighborhood. A facility such as this would require as much space as possible and she could not support an application asking for a variance. The fact that members of the neighborhood have come to speak against the item is proof that the neighbors have not gotten to know the applicant and fear for their children. She would not support the item.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
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MINUTES – Continued:

COMMISSIONER EVANS stated he was torn between what he felt were the wishes of the neighborhood against what he feels is needed within the community as a whole. He reminded everyone that homelessness is not a crime. Nobody would want a transitional living home in their neighborhood but the need is there for the home. He commented that when viewing the area recently, he noticed the house to the north of the subject property had seven vehicles in the yard and one on blocks. He hoped the neighbor that owned that house was not one of the speakers saying this project coming into the community would be a bad thing.

C He asked PASTOR BROOKS who the prospective tenants would be and where would they come from. He inquired about the ministry having a mission statement. Had the ministry successfully executed a project of this nature before. Was it for profit or non-profit. He questioned the applicant on how they could assure this project would not create a nuisance in the neighborhood and who would be staffing the site. The Commissioner commented that the only clear reason for denial given in the backup was the fact that the lot was over 400 square feet too small but in his opinion, 6,100 square feet was more adequate than living on the street for the tenants. Homelessness is a problem and if an answer could not be found within this neighborhood, where could it be found?

C PASTOR BROOKS responded by saying the housing is not proposed for homeless people, it is intended strictly for women who are about to become homeless. The women could be referred by a number of agencies such as Safe Nest or by churches. The Pastor indicated that they could be referred by the neighborhood as well. Recently, a woman from the neighborhood asked if the ministry could house her mother there and they had to decline because the mother was wheelchair bound and the home could not accommodate her. The pastor continued that he and his wife are volunteer chaplains in Nevada and have not facilitated a program such as this before. They will not live in the home; a woman trained in this type of 12-step program will manage it by living at the site 24 hours a day. The ministry is a 5013C corporation. MRS. BROOKS stated they do have a mission and a vision statement but they did not bring any paperwork to the meeting. PASTOR BROOKS indicated there would be a strict set of rules and violation would result in eviction.

COMMISSIONER EVANS questioned how the BROOKS' decided on this property for the project. PASTOR BROOKS stated that they began looking for a home for this project about three years ago. They were not successful at that time; however, a friend who was a realtor was contacted and the realtor contacted the BROOKS'. They were able to negotiate to get into the house. PASTOR BROOKS indicated that it is common for people to misunderstand the concept of a transitional living. It has nothing to do with transient people coming into the home, it is family oriented

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 62 – SUP-5105

MINUTES – Continued:

C CHAIRMAN TRUESDELL stated he would like to see a project of this nature come forward with an experienced applicant and a good track record. He wants to see the residents taking an active role in the refurbishment and upkeep of the home. Since he began on the Commission, not one transitional home has been brought forward that included the tenants in such a manner. He explained that transitional homes stand out on the blocks they are located on. He understood the comments of COMMISSIONER EVANS; however, if the homes function properly, they should be seamless within the neighborhood. They should not be the one house on the block with additions, multiple vehicles and everyone outside smoking because it is not allowed indoors. He acknowledged people needing help but commented that it could not be done at the expense of the neighborhood the home is being put into.

PASTOR BROOKS pointed out that the staff backup requires a review in six months if the item is approved. CHAIRMAN TRUESDELL replied that many negative repercussions could occur within that six-month period of the Commission were to make the wrong decision regarding this item. The Chairman informed PASTOR BROOKS that the neighborhoods these types of homes are proposed for are usually filled with families and neighbors trying to do their best to improve the neighborhood. When the Commission interjects various problems without a societal benefit, in six months, the neighborhood could be significantly impacted. There are certain criteria the home will not be able to meet. He acknowledged the need is there but could not support the project at this site. CHAIRMAN TRUESDELL stated that he is familiar with the neighborhood because he used to live nearby. The area has a lot of potential and it needs a chance to continue to improve itself.

C COMMISSIONER EVANS commented that this is one of the nicest homes on the block but he has not reached a comfort level that would allow him to support the project. He also pointed out that if this were approved, there would be a requirement for a sprinkler system. He asked if the ministry would be prepared to cover that expense. MR. SWANTON indicated he was not knowledgeable about group homes and could not give a factual answer but agreed with COMMISSIONER EVANS that sprinklers would most likely be a requirement.

COMMISSIONER GOYNES agreed with the comments of CHAIRMAN TRUESDELL and felt the type of used building for transitional living should be more like a dormitory, not family homes. A dormitory would give individuals privacy but also have common areas for counseling by certified behavior professionals. A dormitory could also accommodate children and would have a kitchen large enough for commercial cooking for large groups. COMMISSIONER GOYNES stated he has nothing against individuals that need transitional homes; however, the homes do not belong in a residential area.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 62 – SUP-5105

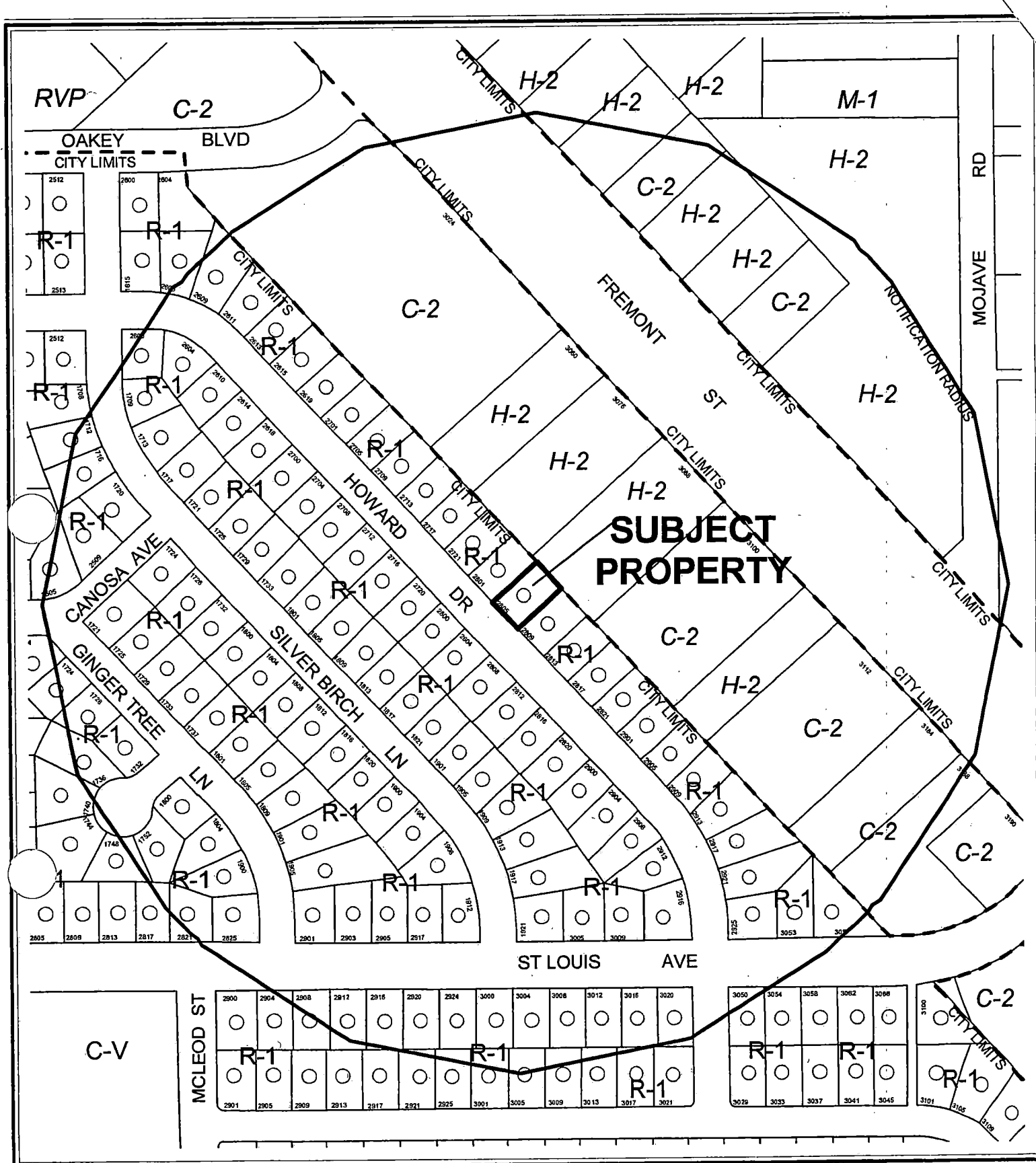
MINUTES – Continued:

Subsequent to the motion, during Citizen's Participation, VICE CHAIRMAN NIGRO asked that when the next Planning Commission Workshop was planned, staff address what the appropriate location for transitional housing would be. CHAIRMAN TRUESDELL agreed that was a good idea.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:42 – 11:15)
3-3687

C

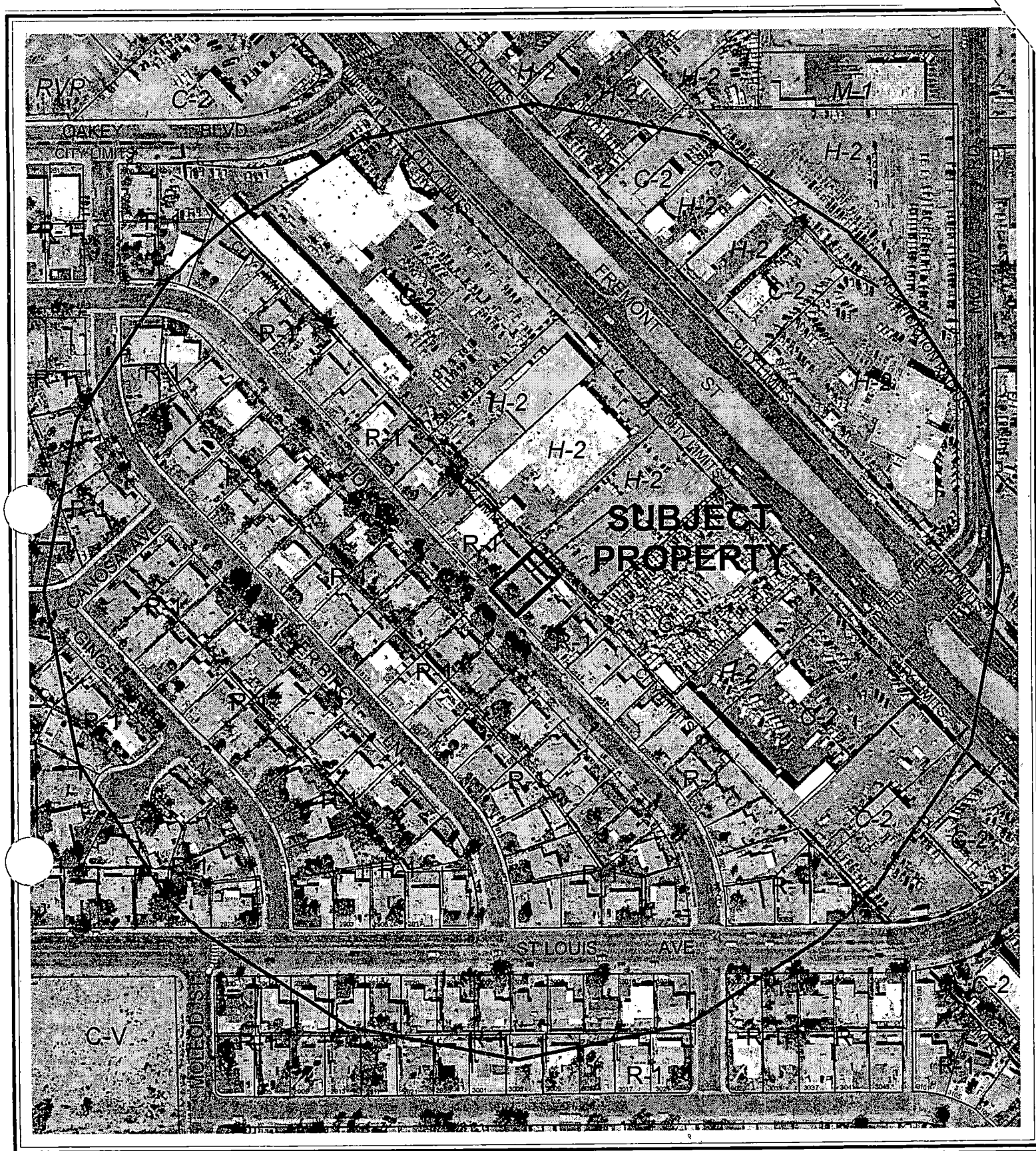
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CASE: SUP-5105

RADIUS: 750 FT

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



CASE: SUP-5105

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5105 - SPECIAL USE PERMIT - PUBLIC HEARING -

APPLICANT: HEADLIFTERS MINISTRIES - OWNER: DELUXE INVESTMENTS, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in six (6) months at which time the City Council will review the results of code enforcement inspections during the six months and may require the Transitional Living Group Home to cease all operations. 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 Transitional Living Group Home cease and desist all activity.
2. Conformance to all Minimum Requirements under Title 19.04.050.B for Transitional Living Group Home.
3. This Special Use Permit shall expire one (1) year 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.

Public Works

5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the issuance of a business license for this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit application for a Transitional Living Group Home and a waiver of the 6,500 square foot minimum lot requirement on 0.14 acres (6,093 square feet) at 2805 Howard Drive.

B) Applicant's Justification

The applicant justifies this application by stating, "The purpose of this project is to provide a temporary family orientated housing environment for a period of four to six months, for individuals who are at imminent risk of becoming homeless." The applicant further states, "Programs and activities include: (1) Outreach services, (2) supportive and supervisory services in a residential setting, (3) referrals for primary health services, job training, educational services, and relevant housing services."

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case history associated with the subject parcel.

B) Pre-Application Meeting

- 08/06/04 A pre-application conference was held resulting in the following comments:
1. A maximum of six residents will be housed.
 2. A waiver of the minimum lot size requirement per Title 19.04.05 will be required.
 3. Waiver to be requested within the justification letter.
 4. The proposed application is a Project of Regional Significance.
 5. No signage is proposed.
 6. Floor plans for the first and second floors will be required, as well as all rooms are labeled with their associated used.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.14

B) Existing Land Use

Subject Property: Single-Family Residential Dwelling
North: Commercial Enterprise
South: Single-Family Residential Dwelling
East: Single-Family Residential Dwelling
West: Single-Family Residential Dwelling

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: Clark County Unincorporated
South: L (Low Density Residential)
East: L (Low Density Residential)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential)
North: Clark County [General Highway Frontage (H-2)]
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is designated L (Low Density Residential) within the Southeast Sector Land Use Map of the General Plan. The subject parcel is within a R-1 (Single Family Residential) zoning district, which is in conformance with 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 or trail requirements.

Project of Regional Significance

This request is a Project of Regional Significance, due to the proximity to a boundary with Unincorporated Clark County. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment. A summary of comments from affected agencies is included below.

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 feet of Clark County or the City of North Las Vegas.

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 Las Vegas Valley Water District has reviewed the subject project and has determined that it will not have a significant impact on the capacity of the District's water supply system.

- 2) Flood Control has no comment and does not require a drainage study for this project.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Transitional Living Group Home	3,057 SF.	1 Space / 6 Residents + 1	1	1	2+	Zero

The proposed site for a Transitional Living Group Home fails to meets the parking standards required, since no handicap parking is provided.

PL

A2) Minimum Lot Size Requirements

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

Standards	Code Requirement	Provided
Transitional Living Group Home	6,500 SF Minimum Lot Size	6,093 SF*

The proposed Transitional Living Group Home fails to meet the required minimum lot size of 6,500 square feet; therefore, this request will have to include a waiver of condition #1 of Title 19.04.050 to be in compliance.

A3) Common Area

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

“Common area shall be provided on the basis of 15 square feet per resident”

The applicant has supplied a floor plan depicting the layout of the dwelling with approximately 528 square feet of common area available to the occupants. The requirement of 90 square feet minimum of common area is satisfied.

B) General Analysis and Discussion

• Zoning

A Transitional Living Group Home is a permitted use within a R-1 (Single Family Residential) zoning district by mean of an approved Special Use Permit.

• Use

Transitional Living Group Home

A Transitional Living Group Home means a dwelling of a residential character which is operated under an appropriate State or County license and which provides housing and related assistance for six or fewer persons who are in need of transitional living arrangements. The term does not include an individual residential care facility, group residential care facility, convalescent care facility, nursing home, hospital, special care facility or any facility which:

- (1) Provides surgical medical, psychiatric or other specialized treatment on a regular basis;
- (2) Provides housing and care to persons who have a chronic illness, disease, injury or other medical condition; or

- (3) Provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

The applicant has supplied floor plans for the proposed Transitional Living Group Home depicting six bedrooms, an office room, a laundry room, a computer room, a kitchen with breakfast nook and two common areas located on both the first and second floor. The subject building has a total of 3,216 square feet, with approximately 528 square feet dedicated towards common space.

- Conditions

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

TRANSITIONAL LIVING GROUP HOME

- (1) The home must be located on a parcel with a minimum size of six thousand five hundred 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.
- (3) Common area shall be provided on the basis of a minimum of fifteen square feet per resident.
- (4) The facility must comply on an ongoing basis with all governmental licensing requirements.

The proposal fails to meet Condition #1, requiring a minimum 6,500 square foot lot size and will require a waiver of the condition to be in conformance with the approved standards for this use.

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 land use is to be situated in a residential neighborhood composed of single-family residences that is part of the General Plan's Neighborhood Revitalization area. The General Plan calls for the "halting and reversing the decline of some older areas of the city, which have been affected a range of social ills or impacted by a shift in the land use base."

"The Master Plan seeks to stabilize and improve" such neighborhoods by protecting them from the intrusion of land uses of increased intensity. The proposed Transitional Living

Group Home would constitute an increase in land use intensity within the subject neighborhood. It appears the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

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

The subject site is not physically suitable for the intensity of land use associated with a Transitional Living Group Home. The subject parcel fails to meet the required minimum square footage requirement for Transitional Living Group Homes therefore further impacting the surrounding community by intensifying the impact the use will have on the streets and sewers. Additionally, the existing structure does not conform to the R-4 (Residential Group R - 4) of the 2003 International Building Code, which requires accessible features to be provided within the house, as well as, the house being fitted with a fire sprinkler system. Subsequently, the proposed Transitional Living Group Home will have to conform to the above mentioned regulations prior to obtaining a Certificate of Occupancy.

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 will have adequate access from Howard Drive, a 60-foot residential collector.

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."**

Both the County health department and other code enforcement agencies will monitor the Transitional Living Group Home; therefore public health and safety will be protected. Additionally, any future redevelopment of the subject site will be subject to the 2003 International Building Code, therefore future development will not compromise the public health, safety or welfare.

NOTICES MAILED 154

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP. 5105 APN: 162-01-710-014.

Name of Property Owner: Steve Hutcherson

Name of Applicant: HeadLifters 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): _____

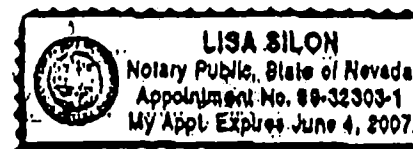
APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: Steve Hutcherson

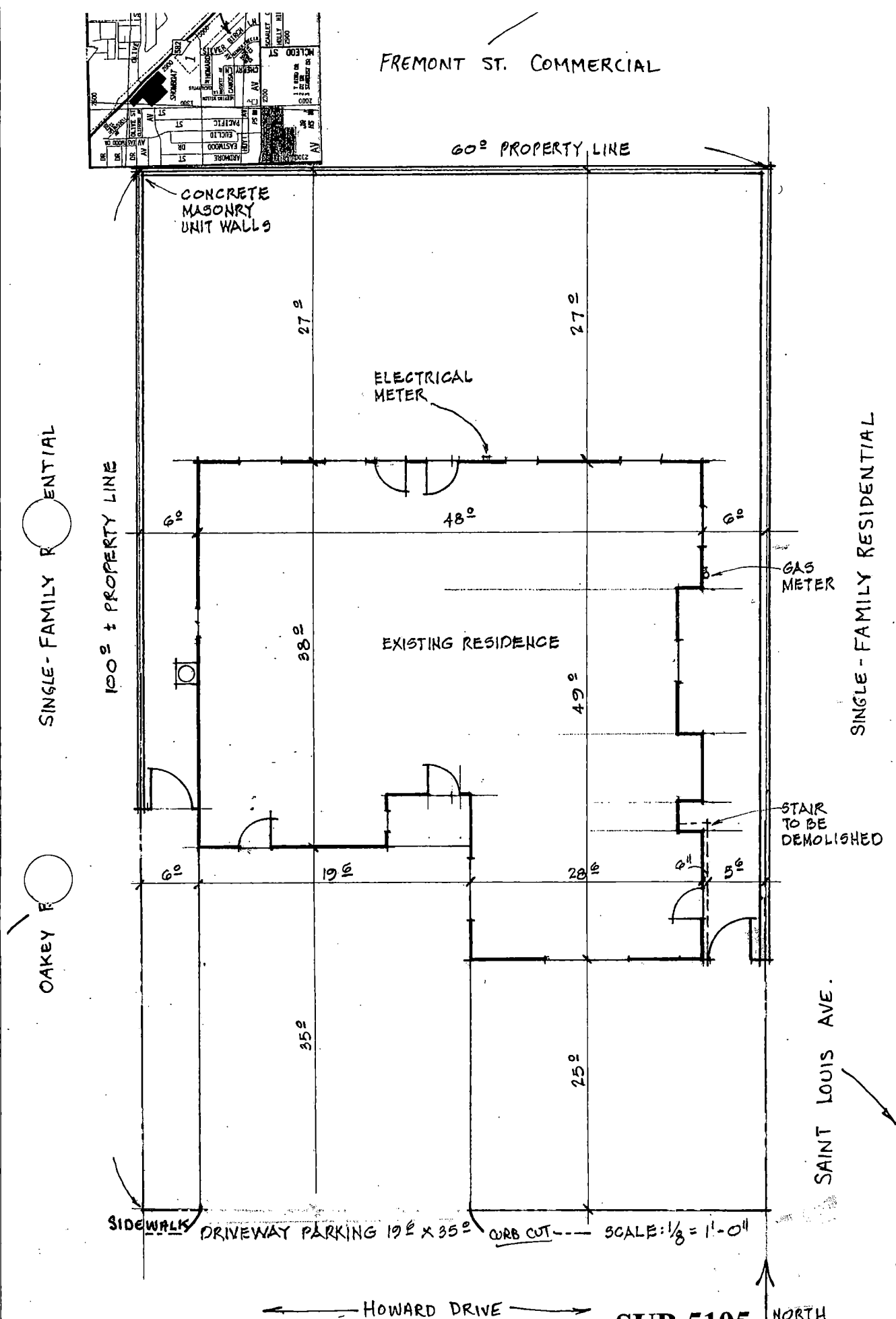
Subscribed and sworn before me

This 24 day of Aug, 2004
Lisa Gilon
 Notary Public in and for said County and State

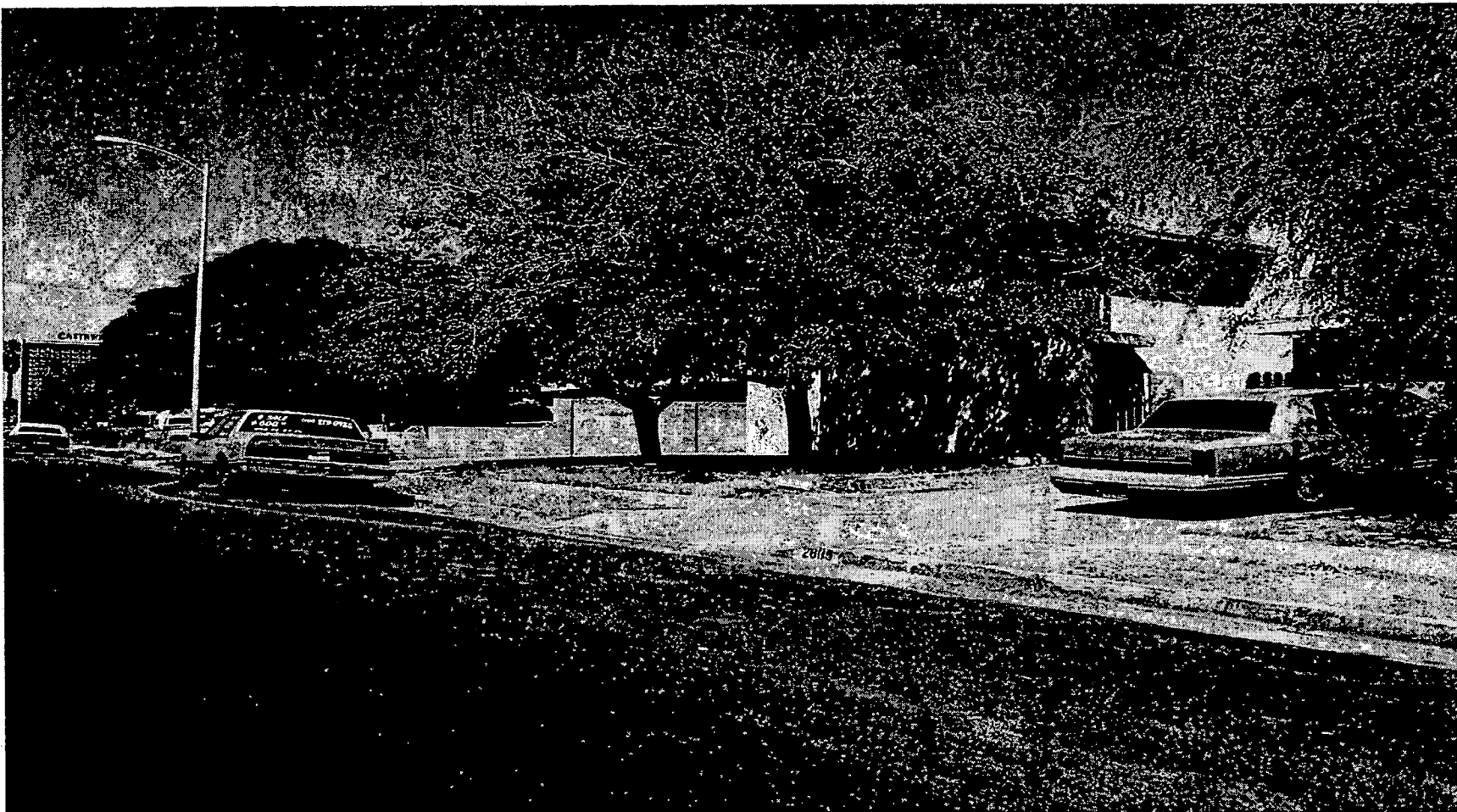


FREMONT ST. COMMERCIAL

RECEIVED
AUG 24 2004



SUP-5105 NORTH
10-07-04 PC



SUP-5105 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HEADLIFTERS MINISTRIES -
OWNER: DELUXE INVESTMENTS, INC.
2805 HOWARD DRIVE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

Carole Combs

From: Bob Herrell [radarbob@cox.net]
Sent: Tuesday, September 28, 2004 5:09 PM
To: ccombs@lasvegasnevada.gov
Subject: SUP-5105

My name is Bob Herrell and I reside at 1813 Silver Birch Lane, Las Vegas, NV 89104. My residence is within 200 feet of the subject property at 2805 Howard Drive.

I am not able to attend the Planning Commission Meeting in person and would like to voice my OBJECTION to this propsed SUP. This is a residential area and we are getting too much going on without adding possible additional problems with a transitional living group home.

☐ Please enter this e-mail into the official record of this hearing to record my OBJECTION.

Thank you
Bob Herrell
641-6682
radarbob@cox.net



SUP-5105
P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TMP-5023 - TENTATIVE MAP - GARRETT CROSSINGS - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: JONES DEER SPRINGS, LLC - Request for a Tentative Map FOR A 28-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.00 acres adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN 125-24-201-002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

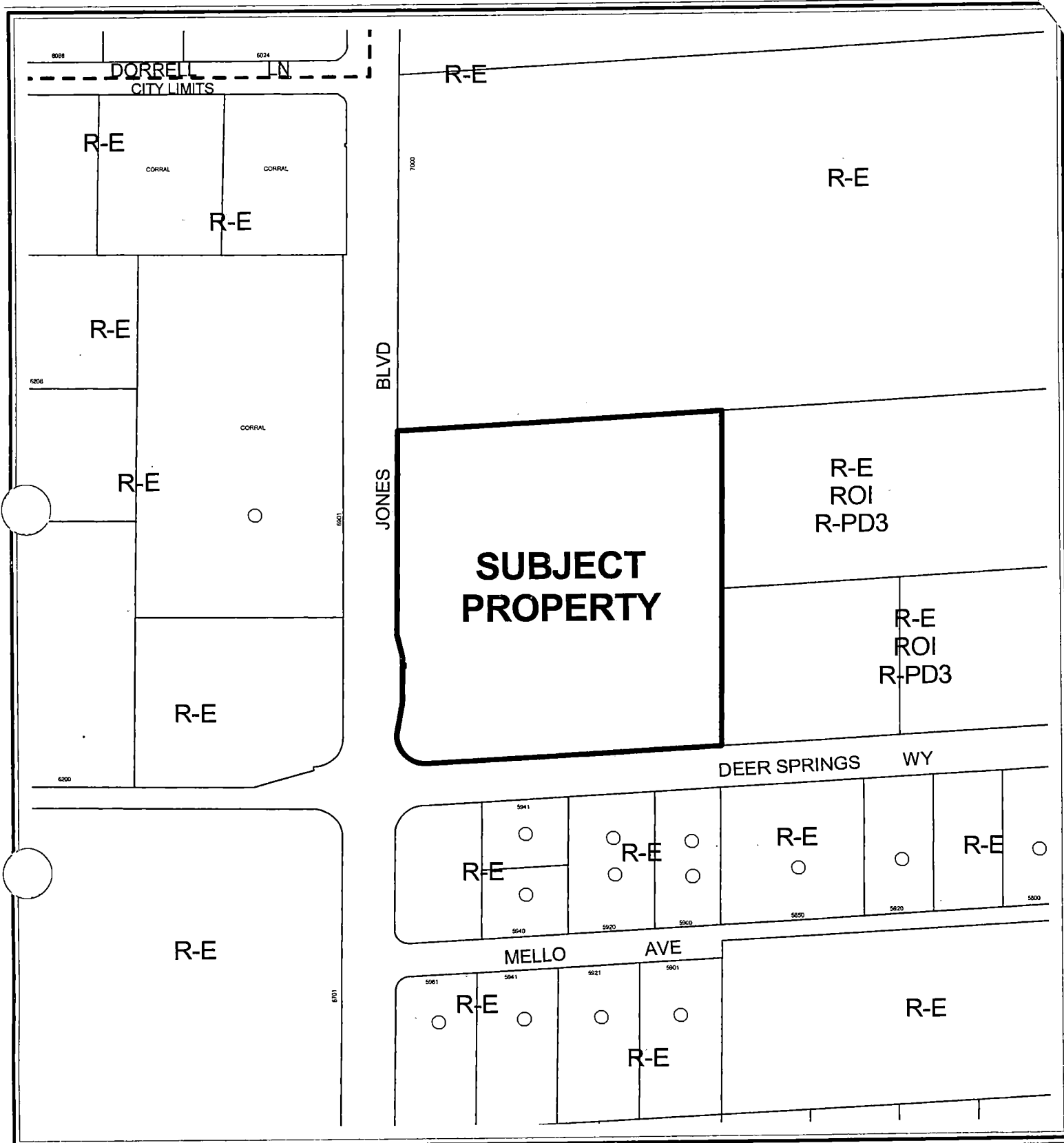
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5081], Item 21 [GPA-5075], Item 22 [ZON-5076], Item 24 [SDR-5077] and Item 63 [TMP-5023] to 10/21/2004 Planning Commission meeting; Item 31 [GPA-5102], Item 58 [SUP-5112] and Item 59 [SDR-5116] to 11/04/2004 Planning Commission meeting; STRIKE Item 23 [SUP-5078] and TABLE Item 36 [GPA-5123] and Item 37 [ZON-5128] – UNANIMOUS

MINUTES:

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

(6:09 – 6:10)

1-265



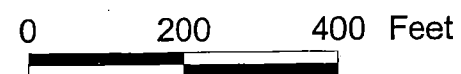
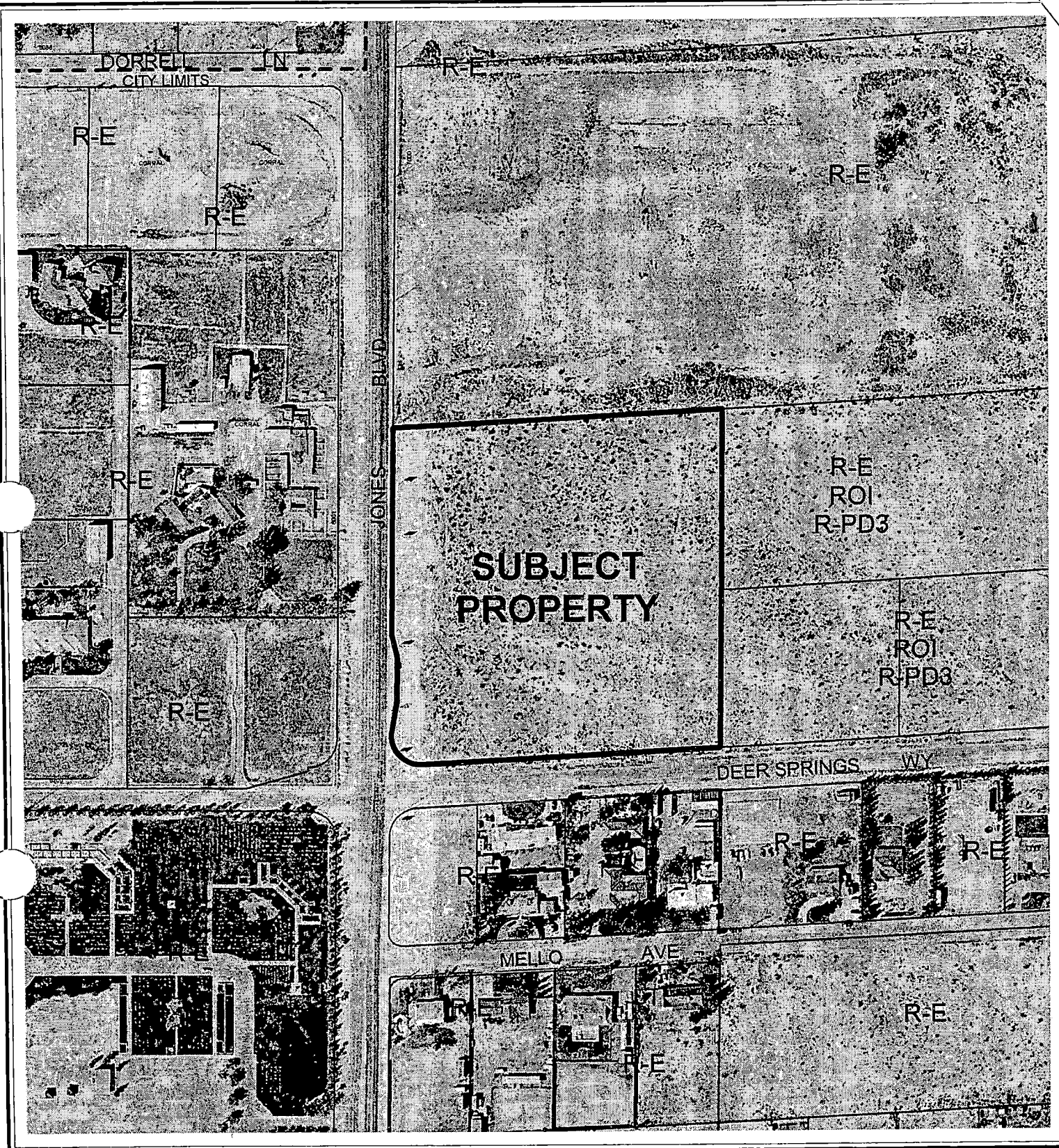
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CASE: TMP-5023

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)





CASE: TMP-5023

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-5023 - TENTATIVE MAP - GARRETT CROSSINGS -

APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: JONES DEER SPRINGS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The development shall conform to the Conditions of Approval for approved applications for Rezoning (ZON-4452) and Site Development Plan Review (SDR-4455), including the approved condition reflecting minimum lot size of an average of 11,000 square feet with no lot being less than 8,800 square feet..
4. Revised cross sections depicting retaining walls, including the design, material and height of the walls, shall be submitted. No perimeter wall shall exceed eight feet in height nor shall any part of the site exceed a 3:1 slope.
5. Street names must be provided in accordance with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. Street names must be provided in accordance with the City's Street Naming Regulations.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

TMP-5023 - Conditions Page Two
October 7, 2004 Planning Commission Meeting

10. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map reflecting the Conditions of Approval in this report shall be approved by staffs of the Planning and Development Department and Public Works Department. The Tentative Map shall be revised to reflect accurate data as noted above.
11. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

12. Site development to comply with all applicable conditions of approval for ZON-4452, SDR-4455 and all other subsequent site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Tentative Map for a 28-lot single-family residential subdivision on 10.00 acres adjacent to the northeast corner of Jones Boulevard and Deer Springs Way.

B) Applicant's Justification

A justification letter is not required for a Tentative Map submittal.

BACKGROUND INFORMATION

A) Previous Actions

08/18/04 The City Council approved a request for Rezoning (ZON-4452) and a Site Development Plan Review (SDR-4455) for a 28 lot single-family development on 8.79 acres located adjacent to the northeast corner of Jones Boulevard and Deer Springs Way. The Planning Commission recommended approval on 07/22/04. Staff recommended denial.

B) Pre-Application Meeting

06/10/04 The staff reviewed with the prospective applicant various aspects of the proposed development. In addition to minor details, the following were addressed:

- The development needed to comply with the previously approved applications for Rezoning (ZON-4452) and Site Development Plan Review (SDR-4455).
- Add the subdivision name and the surveyor's name and address.
- Confer with Public Works staff on proposed deviations.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 10.00 (8.79 net)

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates) ROI to R-PD3 (Residential Planned Development – 3 Units per Acre)
 North: R-E (Residence Estates)
 South: R-E (Residence Estates)
 East: R-E (Residence Estates) ROI to R-PD3 (Residential Planned Development - 3 Units per Acre)
 West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is located in the Centennial Hills Sector of the General Plan. The Centennial Hills Sector map designates the subject site as R (Rural Density Residential). This designation is intended to allow up to 3.59 dwelling units per acre of residential. The site is zoned R-E (Residence Estates) but is under a Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre) which is permitted in an R district.

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, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08 and the Site Development Review (SDR-4455), the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	8,800 Sq Feet	Y
Min. Lot Width	N/A	76.04 Feet	Y
Min. Setbacks			
• Front	N/A	18 Feet	Y
• Side	N/A	5 Feet	Y
• Corner	N/A	10 Feet	Y
• Rear	N/A	15 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y

The Tentative Map, as conditioned, will conform to these standards.

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			1 Tree / 20 Linear Feet
• Min. Trees	1 Trees/ 30 Linear Feet	32 Trees	53 Trees
• Planter Width	6 Feet		Y
• Wall height	6 Feet		Y

The Tentative Map shows six-foot perimeter landscape planters and meets the Landscape Standards.

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
8.79 acres	3.2	1.65	5.28 %	20,037.6 SF	7.5%	28,749.6 SF

The proposed development meets the amount of open space required for an R-PD (Residential Planned Development) zoning district.

B) General Analysis and Discussion

- General information

This is a request for approval of a Tentative Map for a 28-lot single-family residential subdivision. A private loop street accesses the 28 lots and has a gated entrance at Deer Springs Way.

- Cross Section

The cross sections depict maximum natural grade between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with a natural slope between 0% to 2% is allowed a maximum 4-foot retaining wall. No retaining walls are indicated on the submitted cross sections; however, a phone call with the applicant clarified that there will be a maximum retainment height of 2.7-feet adjacent to Jones Boulevard, no retainment will be necessary adjacent to the eastern property, a maximum retainment height of 3.4-feet is required adjacent to Deer Springs Way, and a maximum retainment height of 3.5-feet is required adjacent to the property to the north. Although this site will comply with Title 18, the total vertical wall face adjacent to three sides of this development exceeds 8-feet in height. The applicant has agreed to submit revised cross sections depicting described retaining walls.

- Special Conditions of Approval (from ZON-4452 and SDR-4455)

Approved applications for Rezoning (ZON-4452) and Site Development Plan Review (SDR-4455) established Conditions of Approval for the proposed development. In addition to the standard conditions, the following special conditions were imposed:

1. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 11,000 square feet with no lot being less than 8,800 square feet.
2. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Deer Springs Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
3. If not already constructed, extend public sewer from Bradley Road to this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the

TMP-5023 - Staff Report Page Five
October 7, 2004 Planning Commission Meeting

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.

4. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear for interior lots, 20 feet in the rear for lots adjacent to Deer Springs Way and Leon Avenue.

These conditions will be enforced through recommended conditions of this Tentative Map.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DDS



Case Number: TMP-5027 APN: 125-24-201-002
Name of Property Owner: JONES DEER SPRINGS LLC
Name of Applicant: GARRETT, LLC

Yes _____ No X

City Official: _____

Partner(s): _____

APN: _____

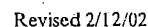
Signature of Property Owner/Authorized Agent:

Print Name: _____

Subscribed and sworn before me

This 12 day of August, 2004

Notary Public in and for said County and State



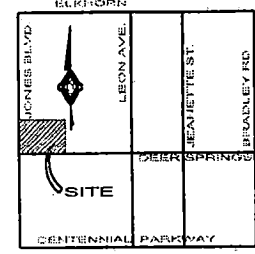
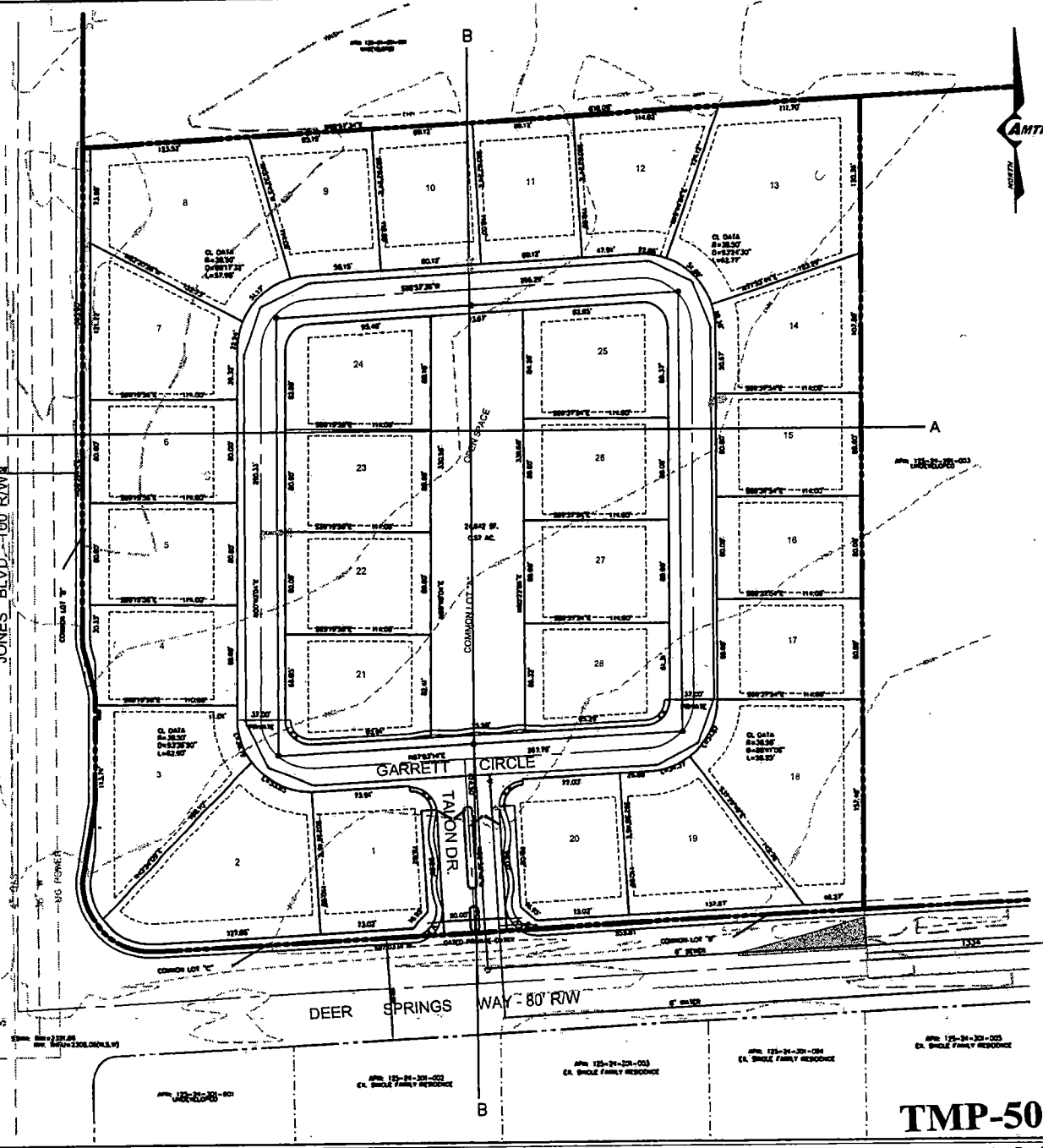
J:\2004\Jobs\04026\p4050\SB04\45 Garrett Springs\1 ENG\tent-map.dwg, 08/13/2004 04:33:01 PM

APN: 125-24-201-024
CA. WHOLE FAMILY RESIDENCE

APN: 125-24-201-012
CA. WHOLE FAMILY RESIDENCE

TOP: 2312.81

JONES BLVD - 100' R/W



VICINITY MAP
N.T.S.

UTILITY COMPANIES SERVICING SITE
WATER : LAS VEGAS VALLEY WATER DISTRICT
SEWERAGE : CITY OF LAS VEGAS
GAS : SOUTHWEST GAS
ELECTRIC : NVECA POWER
PHONE : SBC TELECOM
CABLE TV : COMCAST

SITE DATA
SUBDIVISION : 3.8 ACRES
GROSS AREA : 368,000 SF = 8.39 AC.
NET AREA : 368,000 SF = 8.39 AC.
TOTAL NUMBER OF LOTS : 28
18 LOTS IN SUBDIVISION
10 LOTS IN SUBDIVISION
OPEN SPACE REQUIRED : 10% OF GROSS AREA
OPEN SPACE PROVIDED : 10% OF GROSS AREA
SEWERAGE : 10% OF GROSS AREA
WATER : 10% OF GROSS AREA
GAS : 10% OF GROSS AREA
ELECTRIC : 10% OF GROSS AREA
PHONE : 10% OF GROSS AREA
CABLE TV : 10% OF GROSS AREA
APN: 125-24-201-002
CREATING LOTS: 10
PROPOSED LOTS: 10
CREATING LOTS: 10-3 (10-1-10-3)

NOTE:
- NO EXISTING STRUCTURES ON SITE
- PROPOSED SEWER DRAINAGE AND EXISTING TO BE
- IMPROVED FOR FUTURE GROWTH
- NO EXISTING OR PROPOSED UTILITY EXISTENT
- EXISTING SEWERAGE AND GAS UTILITY AND DRAINAGE EXISTENT
- TO BE PROTECTED BY FENCE

SEWER CONTRIBUTION	
CONTRIBUTOR	AVERAGE DRY PERIOD
100' DIA	100' DIA

LEGEND	
EXISTING	PROPOSED
SEWER LINE	SEWER LINE
WATER LINE	WATER LINE
STREET LIGHT	STREET LIGHT
WATER VALVE	WATER VALVE
POWER POLE	POWER POLE
WELL, TYPE AS NOTED	WELL, TYPE AS NOTED
LINE DATA	LINE DATA
CURVE DATA	CURVE DATA

SCALE: 1" = 40'

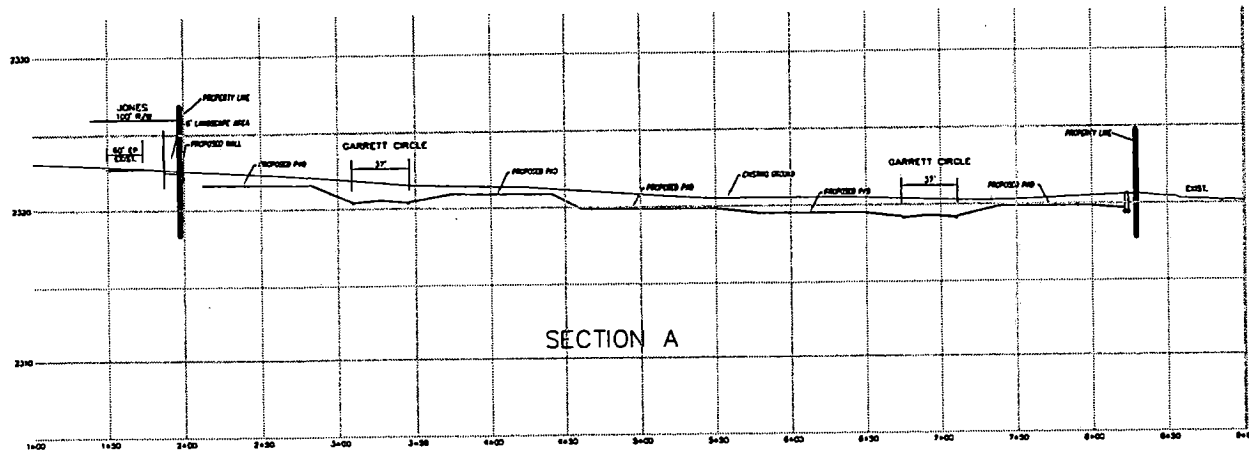
TENTATIVE MAP
NWC JONES AND DEER SPRINGS
GARRETT CROSSING BY BRAMBLE HOMES

AMTI • SUNBELT LLP
ENGINEERING • PLANNING • SURVEYING
720 S. MAIN ST. SUITE 100
LAS VEGAS, NV 89101
(702) 253-8813
FAX: (702) 253-8814

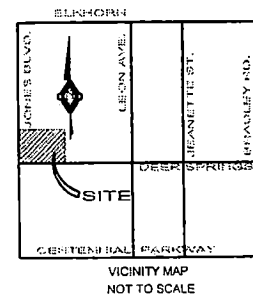
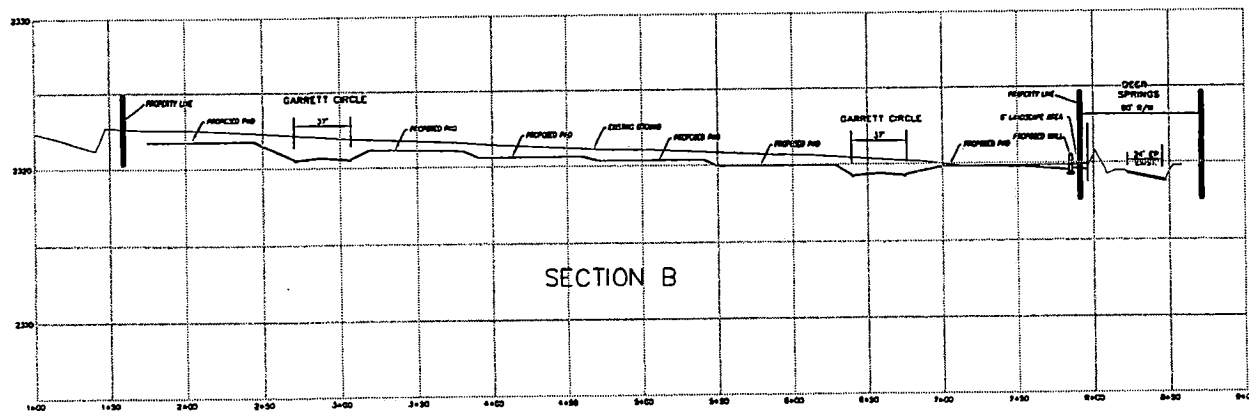
SHEET
C1
1 OF 2 SHEETS

TMP-5023
10-07-04 PC

EAST TO WEST PROFILE



NORTH TO SOUTH PROFILE



VICINITY MAP
NOT TO SCALE

DEVELOPER

TOP GENERAL CONTRACTORS
8020 W. SAMARA AVE. #100
LAS VEGAS, NV 89119

UTILITY COMPANIES SERVICING SITE

WATER	"	LAS VEGAS VALLEY WATER DISTRICT
SEWERAGE	"	CITY OF LAS VEGAS SEWERS
GAS	"	SOUTHWEST GAS
ELECTRIC	"	DEPARTMENT OF ENERGY POWER
PHONE	"	SPRINT TELEPHONE
CABLE TV	"	PRIME CABLE

SITE DATA

```

DENSITY: 12 UNITS/ACRE
NET AREA: 302,883 SF = 6.99 AC.
NET AREA LOTS: 324,000 SF = 7.44 AC.
NET AREA STREET: 34,887 SF = 1.25 AC.
TOTAL NUMBER OF LOTS = 20
RAMP BUFFER ZONE DENSITY: 10
10 LOTS IN BUFFER ZONE
RAMP BUFFER ZONE: 8.0 ACRES
OPEN SPACE REQUIRED = 1.27-1.66-1.888
CORRECTION AC. = .004 AC.
OPEN SPACE PROVIDED = 7.588 SQ. AC.
% SHORTAGE:
FRONT = 15' NO CURBAGE
SIDE = 15' NO TRIMMING SPACE
REAR = 20' ADJACENT TO CIRCULAR R/W
= 15' W/SHED
CORNER = 30'
SIDE = 5'

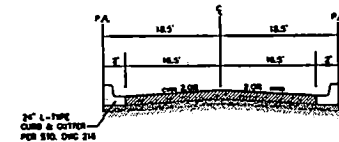
```

APN: 125-24-201-002

CREATING LEAD WITH: ■

PROPOSED FORM: 87-1
 (MAY 1962 EDITION)

1990-1991

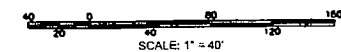


24" L-TYPE
CURB & GUTTER—
FOR STD. DWG 214



PRIVATE STREET

NEW USA, STD, DMG, MCA 210



SCALE: 1" = 40'

TMP-5023
10-07-04 PC

TENTATIVE MAP
NWC JONES AND DEER SPRINGS
GARRETT CROSSING BY BRAMBLE HOMES
LAS VEGAS CLARK COUNTY NEVADA

ATI • SUNBELT LLP
ENGINEERING • PLANNING • SURVEYING
7700 SHELBAWAY ROAD
ROCKFORD, ILL. 60005
PHONE (707) 242-9900
FAX (707) 242-9815



SHEET
C1
1 OF 2 SHEETS



TMP-5023 - TENTATIVE MAP - GARRETT CROSSINGS - APPLICANT: GARRETT, LIMITED
LIABILITY COMPANY - OWNER: JONES DEER SPRINGS, LLC
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-5233 - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.010, Table 2 "Land Use Tables;" and Title 19.04.050(B), "Minimum Requirements;" and Title 19.20.020, "Words and Terms Defined." to allow the keeping and boarding of pets in the U (Undeveloped), R-A (Ranch Acres), R-E (Residence Estates), C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts with the approval of a Special Use Permit.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED – UNANIMOUS

To be forwarded to City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained the text amendment would bring kennels back into the Code. The proposal is to allow kennels in the C-M (Commercial/Industrial) and M(Industrial) zones as a conditional use and the C-1 (Limited Commercial) and C-2 (General Commercial) zones as a Special Use. The conditions include requirements to keep the animals in an enclosed area screened from view, that there be reasonable sound barriers, that the exterior pens be more than 50 feet from residential zones and that all Municipal Codes of Title 7 are met.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 64 – TXT-5233

MINUTES – Continued:

COMMISSIONER STEINMAN asked if staff felt the 50-foot requirement was a sufficient distance from residential. He felt that was too close of a distance.

STEVEN SMITH, 901 East Ogden Avenue, stated he is involved with property in a rural residential area and he asked if the term household pets included horses. MS. WHEELER explained that since horses are not generally kept in the household this would not apply. It would apply to animals such as dogs, cats and small animals.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:15 – 11:19)
4-1123

CONDITIONS:

- Title 19.04.010, Table 2 “Land Use Tables,” is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RURAL & ANIMAL RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Pet Boarding					S	S		C	C

- Title 19.04.050(B), “Minimum Requirements,” is hereby amended as follows:

PET BOARDING

- All animals shall be confined within an enclosed area or on a leash at all times.
- The building shall be designed to provide reasonable sound barriers and odor protection for the adjacent property.
- Pens shall be screened from view from adjacent streets and adjoining properties.
- If adjacent to a residential property, any exterior pens shall be a minimum of 50 feet from the residential use.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 64 – TXT-5233

CONDITIONS– Continued:

5. All operations and activities shall be in accordance with LVMC Title 7.
3. Title 19.20.020, “Words and Terms Defined,” is hereby amended as follows:

Pet Boarding. "Pet Boarding" means any lot, building, structure or premises on which four (4) or more household pets are kept for an indefinite period of time and facilitates the provision of shelter and care for household pets on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care. Pet Boarding includes the term “kennel”.

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5233 - CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

1. Title 19.04.010, Table 2 "Land Use Tables," is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RURAL & ANIMAL RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Pet Boarding					S	S		C	C

2. Title 19.04.050(B), "Minimum Requirements," is hereby amended as follows:

PET BOARDING

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. The building shall be designed to provide reasonable sound barriers and odor protection for the adjacent property.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. If adjacent to a residential property, any exterior pens shall be a minimum of 50 feet from the residential use.
5. All operations and activities shall be in accordance with LVMC Title 7.

3. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Pet Boarding. "Pet Boarding" means any lot, building, structure or premises on which four (4) or more household pets are kept for an indefinite period of time and facilitates the provision of shelter and care for household pets on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care. Pet Boarding includes the term "kennel".

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend the following portion of Title 19 of the Las Vegas Municipal Code:

- 1) Section 19.04.010, Table 2 "Land Use Tables;"
- 2) Section 19.04.050(B), "Minimum Requirements;"
- 3) Section 19.20.020, "Words and Terms Defined."

The proposed amendments would provide a definition for the "Pet Boarding" use category, establish minimum standards for the "Pet Boarding" use category, and clarify which zoning districts the use would be permitted.

BACKGROUND INFORMATION

The Las Vegas Zoning Code does not currently provide a definition for "Pet Boarding". In addition, the Code does not establish minimum standards for establishment of a "Pet Boarding" use. The need has arisen to create a use category, which encompasses a commercial enterprise that boards household pets for an indefinite period of time, rather than limiting the boarding of household pets to animal hospitals, clinics, and or shelters.

ANALYSIS

The proposed changes will provide essential definitions for individual business establishments, and will assist in applying zoning requirements to commercial properties. The proposed definitions are similar to the definitions that have been adopted by Clark County and the City of Henderson.

NOTICES MAILED **NEWSPAPER ONLY**

APPROVALS 0

PROTESTS 0

MP

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004

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

TXT-5260 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS -
Discussion and possible action to amend Title 19.02.040, "Purpose of Zoning Districts," to include mixed-use development in the C-1 (Limited Commercial), C-2 (General Commercial), and C-PB (Planned Business Park) Districts; amend Title 19.04.010, Table 2, "Land Use Tables," to permit mixed-use development in the C-PB (Planned Business Park) District; amend Title 19.04.040 (C), "Conditions," to define the standards for mixed-use developments in the C-PB (Planned Business Park) District; and amend Title 19.08.045, Table 3, "Commercial District Development Standards," to permit increased height for mixed-use developments in the C-PB (Planned Business Park) District.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – Motion carried with STEINMAN voting NO and TRUESDELL abstaining because he owns property in the Downtown Re-urbanization and Neighborhood Revitalization areas, which will be affected by the outcome of these items.

To be forwarded to City Council in Ordinance form**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 65 [TXT-5260] and Item 38 [GPA-5264].

MARGO WHEELER, Deputy Director, Planning and Development Department, explained this item relates to the expansion of the mixed-use designation to areas where it is currently prohibited. Until about a year and a half ago, these uses were only permitted within the Downtown Centennial Plan Area. Recently, that area has also included live/work developments.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 65 – TXT-5260

MINUTES– Continued:

The Re-urbanization area does not require the imposition of parking and height standards that the Code regulates elsewhere. The Master Plan 20/20 has lax standards because of the call for incentives for development within the Downtown Re-urbanization area at vacant or derelict sites. The neighborhood Revitalization Area includes the Downtown Centennial Plan Area and has now a Code amendment that allows mixed use and live/work. This area includes east and west Las Vegas and the area out to Jones Boulevard.

C There has been some interest in mixed use outside of the Downtown Centennial Plan Area, staff believes that the current policy to focus incentives on the higher density development only within the Downtown core area and recently, within the revitalization area would be weakened by allowing that development in other areas. Staff feels these types of developments should be focused in the appropriate areas served by mass transit.

COMMISSIONER STEINMAN asked for further clarification. MS WHEELER stated the application pertains to the current Master Plan 20/20 and the areas where the Master Plan calls for mixed use. The amendment would not disallow anything currently allowed in these areas. COMMISSIONER DAVENPORT confirmed with MS. WHEELER that the mixed use was made allowable downtown in an effort to redevelop the area and if mixed use is expanded throughout the City, the incentive to develop downtown would be reduced.

C COMMISSIONER STEINMAN pointed out that all mixed-use developments may not be appropriate for the downtown area but would be suitable for an outlying area of town. By limiting where the mixed-use can go, businesses are being shut out of the City. He was not supportive of the limitation.

COMMISSIONER EVANS confirmed with MS. WHEELER that mixed use is only allowed in the Neighborhood Revitalization Area at this time. That area is an expansion from the Downtown Re-urbanization area. The Commission must decide if they would like to make a recommendation to the Council to allow mixed use everywhere in the City within the specified zones. MS. WHEELER stated a vote for approval from the Commission would go forward as a positive recommendation for the Council to consider.

COMMISSIONER McSWAIN asked if part of the Town Center had a mixed-use component. MS. WHEELER confirmed she was correct. Many density issues within Town Center are the same as those found in the downtown area where density is expected. COMMISSIONER McSWAIN commented that she thought the City would want to see mixed use development go into pockets of the community so the areas could evolve and develop with continuity.

PLANNING COMMISSION MEETING OF OCTOBER 7, 2004
Planning and Development Department
Item 65 – TXT-5260

MINUTES– Continued:

She confirmed with MS. WHEELER that there are some developers wishing to do mixed use developments outside of the currently approved area. COMMISSIONER McSWAIN acknowledged the City's desire to shift the focus to the development of the urban core. She thought the high-rise developments should stay in a developing urban area and would support staff's recommendation of denial.

C VICE CHAIRMAN NIGRO questioned how the item was put on the agenda. ROBERT GENZER, Director, Planning and Development, stated that discussion had taken place with COUNCILMAN BROWN on this topic because a number of proposed projects are in Ward 4. The Planning staff believes this to be an issue the Council needs to address and affirm the current policy or change it to allow this usage to move forward in other areas. If the policy is approved, the unlimited nature of density allowed in the revitalization area would be allowed in other areas around the City.

MR. GENZER then asked if it would be more appropriate to place Item 65 on the City Council agenda as a discussion Item because the staff and Planning Commission recommendations were denial. If it was presented that way, the Council could choose if they wanted it to go forward as an ordinance. DEPUTY CITY ATTORNEY BRYAN SCOTT stated it had not been done that way in the past. The item would just go forward in ordinance form with a recommendation of denial.

C VICE CHAIRMAN NIGRO asked how an amendment such as this one would have affected a recently approved mixed-use development in Boca Park. MS. WHEELER stated this would have no affect on a development such as that one because the retail component was reserved for tenants of the building. That type of situation is not considered mixed use.

Subsequent to closing the item, during Citizen Participation, VICE CHAIRMAN NIGRO asked how the mixed-use development proposed on Rancho Drive was put on the agenda. CHAIRMAN TRUESDELL told him that the area of that development was on the edge of the Revitalization area.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 65 [TXT-5260] and Item 38 [GPA-5264].

(11:19 – 11:36)

4-1275

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5260 - CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

DC

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Title 19.02.040, entitled "Purpose of Zoning Districts" to include mixed-used development in the C-1 (Limited Commercial), C-2 (General Commercial) and C-PB (Planned Business Park) zoning districts; to amend Title 19.04.010, Table 2, entitled "Land Use Tables" to permit mixed-use development in the C-PB district; amend Title 10.04.040 C, entitled "Conditions" to define the standards for mixed-use development in the C-PB district and amend Title 19.08.045, Table 3, entitled "Commercial District Development Standards" to permit increased building height for mixed use developments in the C-PB zoning district.

The overall effect of this text amendment would be to permit mixed-used projects in these districts in all areas of the City.

BACKGROUND INFORMATION

09/06/00 The City Council approved the Las Vegas 2020 Master Plan.

1/04 The City Council approved the expansion of the Mixed-Use Overlay District to include all of the area included in the Neighborhood Revitalization Areas of the 2020 Master Plan.

10/07/04 The Planning Commission will hear an amendment to the Las Vegas 2020 Master Plan to permit mixed use developments in the SC (Service Commercial), GC (General Commercial) and LI/R (Light Industry/Research) in all areas of the City.

ANALYSIS

Allowing the development of mixed-use projects in the C-1, C-2, and C-PB zoning districts throughout the City would be contrary to established Plan policies that limit this type of project to the Mixed-Use Overlay District. A recent amendment to the overlay district was recently approved to include all areas designated as Neighborhood Revitalization on the Las Vegas 2020 Master Plan.

Encouraging mixed-use developments only in this area of the City would hinder efforts to redevelopment of the downtown core areas of the City. C-PB zoned developments include the Las Vegas Tech Park, located on both sides of the intersection of Smoke Ranch road and Tenaya Way, where such projects were never intended to be located.

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October 7, 2004 Planning Commission Meeting

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA **PLANNING COMMISSION MEETING OF: OCTOBER 7, 2004**

CITIZENS PARTICIPATION:

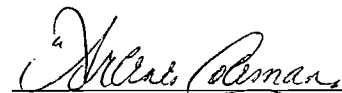
ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

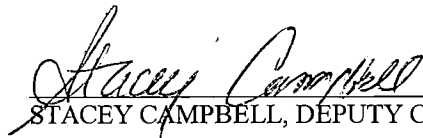
ROBERT GENZER, Director, Planning and Development Department, announced GARY LEOBOLD'S promotion to Planning Supervisor. In this capacity, MR. LEOBOLD would be handling one Commission meeting each month with DAVID CLAPSADDLE handling the other. CHAIRMAN TRUESDEL commended MR. LEOBOLD on a job well done.

MEETING ADJOURNED AT 11:37 P.M.

Respectfully submitted:



ARLENE COLEMAN, DEPUTY CITY CLERK



STACEY CAMPBELL, DEPUTY CITY CLERK